



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

**May 10, 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/89040743135?pwd=Wm0wYkdwWnpwZVJ6b2tDL3VBYlAwUT09>

Meeting ID#: 890 4074 3135
Passcode: 247865

Or join by phone:

312.626.6799 or
929.205.6099

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

1. S.T.A.R. Award Presentation
2. National Public Works Week Proclamation
3. Presentation of the FY2022 Manager's Recommended Budget

- 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 April 12, 2021 Town Council Meeting
- B. Consider the minutes of the April 12, 2021 Closed Session.
- C. Consider the minutes of the April 22, 2021 Budget Workshop
- D. Consider the minutes of the April 22, 2021 Closed Session.
- E. To set a Public Hearing for June 14, 2021 to consider the adoption of Highway 49 Corridor Improvement Plan
- F. Consideration of Resolution on the Administration of Small Underpayments and Overpayments of Ad Valorem Taxes
- G. To Set Public Hearing for Consideration of FY2022 Proposed Budget Ordinance, Fee Schedule, Capital Improvement Plan and Tax Rate for June 14, 2021
- H. To set a public hearing for June 14, 2021 to consider the annexation of 3 parcels along Hickory Ridge Rd, associated with rezoning (H2021-03-R).
- I. To set a public hearing for June 14, 2021 to consider the annexation of 3 parcels along Plaza Rd Ext, associated with Hooks Landing rezoning (H2021-02-R).
- J. To set a public hearing for June 14, 2021 to consider the abandonment of public rights of way associated with Hereford Ln off of Ruth Fidler Drive.

3. COMMUNICATIONS

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

4. PUBLIC HEARINGS

5. OLD BUSINESS

- A. Consideration of Conditional Rezoning, Zoning Map Amendment and Annexation for Orchid Ridge Subdivision (H-2020-03 R).
- B. Consideration of Resolution for the Issuance of \$1,650,000 General Obligation Transportation Bonds, Series 2021
- C. Consideration of the Bond Order Authorizing the Issuance of Town of Harrisburg, North Carolina Enterprise Systems Revenue Bond, Series 2021; Authorizing the Approval, Execution and Delivery of Various Documents in Connection with the Issuance of the Bond; Providing for the Issuance of the Bond; and Providing for Certain Other Matters in Connection with the Issuance and Delivery of the Bond
- D. Consideration of FY2021 Budget Ordinance Amendments for IT Disaster Recovery

6. **NEW BUSINESS**
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.



National Public Works Week

PROCLAMATION

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the Town of Harrisburg; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in the Town of Harrisburg to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2021 marks the 61st annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association be it now,

RESOLVED, I, Steven Sciascia, Mayor of the Town of Harrisburg, North Carolina, do hereby designate the week May 16 – 22, 2021 as

National Public Works Week

I urge all citizens to join with representatives of the American Public Works Association. Canadian Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees, and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

This the 10th day of May, 2021

Steven J. Sciascia, Mayor

ATTEST:

Janet Rackley, Town Clerk



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consider the minutes of the April 12, 2021 Town Council Meeting

Presenting Personnel:

Suggested Motion or Action:

Motion to approve the minutes of the April 12, 2021 Town Council meeting.

Description/Background:

N/A

Recommendation:

N/A

Fiscal Impact:

N/A

Attachments:

1. April 12 minutes

**TOWN OF HARRISBURG, NORTH CAROLINA
TOWN COUNCIL MEETING
MONDAY, APRIL 12, 2021
6:00 PM**

MINUTES

This meeting was held in person as well as 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, John Booth, Troy Selberg (arrived shortly after meeting started)

**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**

MOTION:

Mayor Pro-Tem Smith made a motion to adopt the agenda as presented. Second was made by Councilmember Booth.
The motion passed 6-0.

**1B.
INVOCATION**

Mayor Sciascia conducted the invocation.

**1C.
PLEDGE OF ALLEGIANCE**

**1D.
SPECIAL PRESENTATIONS**

- Alcohol Awareness Month Proclamation
- Racial Equity Task Force Update – discussed the results of the recent Law Enforcement survey. Kiala Felder and David Baxter presented.

**1E.
PUBLIC COMMENT**

None

**2.
CONSENT AGENDA**

- A. Consider the minutes of the March 8, 2021 Town Council Meeting.
- B. Consider filing fees for the upcoming election in November
- C. Consider Transportation Bonds Reimbursement Resolution for Harris Depot Road Sidewalk Construction

MOTION:

Mayor Pro-Tem Smith made a motion to approve the Consent Agenda. Second was made by Councilmember Booth.
The motion passed 7-0.

3A.

COMMUNICATIONS

TOWN MANAGER/FINANCE REPORT

Manager Report:

- UDO meetings to be held this week – April 14 at 6pm and 7pm. Advanced registration required to attend.
- Two upcoming budget workshops – April 22 at 6pm and April 28 at 6pm.
- Community Chat will be on April 29 at 6pm. Topics TBD, but we will get those out to the public shortly.
- Stallings Road improvements were completed by NCDOT in late March, but they are not final. Stallings Road is scheduled to be paved later this year.
- Want to get direction from Council concerning the mask mandate in our parks. We have a lot of programs coming up, including our first concert in the Rockin the Burg series on May 8. May talk about this further at the April 22 budget workshop, and we will also check the latest CDC recommendations.
- Asked IT Director, James Mahoney to give an overview of the recent malware attack on our system. James then took questions from Council concerning this as well.

Finance Report:

- Finance Director Brian Lee presented the Finance report.

Law Enforcement Update:

- Lt. Chris Measimer presented the Law enforcement report.

3B.

COMMUNICATIONS

MAYOR'S COMMENTS

- Sustainability Advisory Board has a lot coming up, including a tree sapling giveaway on the 17th. You can sign up online to receive one of these. Also need volunteers for cleanup on Rocky River Road, tree planting in Pharr Mill Park and storm water education cards distribution.
- Millbrook Road has a lot of very bad potholes and we are trying to figure out who is responsible to fix them. Is it DOT or the Town?
- Racial Equity Task Force just released their next survey today.

3C.

COMMUNICATIONS

COUNCIL'S COMMENTS

Councilmember Dellinger

- Asked for a train station update – Mr. Brigman stated that NC Railroad says this is still a top priority for them
- Confirmed that there will be no late fees for residents on water bills this month due to our recent system outage.

Councilmember Staton-Williams

- The Harrisburg Multicultural Festival Team is celebrating Diversity Month by giving back to the community. They are collecting non-perishable items through April 22 at several locations including Town Hall.
- Cabarrus Health Alliance has reached out to talk about Asian hate. What can we do to support our Asian community?

Councilmember Selberg

- Centralina Regional Council of Governments will be presenting to some communities their findings on growth in the region. How has it affected the area, including Harrisburg?

4A.

PUBLIC HEARING

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

Sushil Nepal, Planning and Economic Development Director, presented background information. Following his presentation, Bridget Grant and Kristin Bickman presented information on behalf of DR Horton and then took questions from Councilmembers.

Final action on the rezoning and annexation will be taken at the May 10th meeting.

After some discussion, the public hearing was opened.

Speaking:

- Linda Lentz, 2530 Cedar Cover Drive, Harrisburg – for
- Diane Fisher, 2500 Cedar Cove Drive, Harrisburg – for
- Harrisburg RE Investments – for
- Laura Carriker, 9058 Hickory Ridge Road – against
- Colin, 2064 Norma Drive - against

The public hearing was then closed.

Action will be taken at the May 10th meeting.

5A.

OLD BUSINESS

Consideration of revised Sustainability Advisory Board By-Laws. 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.

MOTION:

Councilmember Dellinger made a motion to approve the revised Sustainability Advisory Board By-Laws as presented. Second was made by Mayor Pro-Tem Smith. **The motion passed 7-0.**

5B.

OLD BUSINESS

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

After some discussion, the following action was taken:

MOTION:

Councilmember Russo made a 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. Second was made by Councilmember Booth. **The motion passed 7-0.**

5C.

OLD BUSINESS

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

After some discussion, the following action was taken:

MOTION:

Councilmember Russo made a motion to adopt a resolution directing an application to the LGC for approval of a private placement revenue bond with Sterling National Bank. Second was made by Councilmember Booth. **The motion passed 7-0.**

5D.

OLD BUSINESS

Consideration of Conditional Rezoning, Zoning Map Amendment and Annexation 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 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.

After much discussion, the following action was taken:

MOTION:

Councilmember Russo made a motion to approve the Conditional Rezoning, Zoning Map Amendment and Annexation for Kelly Woods Subdivision H-2020-08 (R). Second was made by Councilmember Booth. **The motion passed 7-0.**

The following Consistency Statement was then proposed:

CONSISTENCY STATEMENT:

Based on the staff report and presentation, the proposed rezoning request is consistent with the provisions of the Harrisburg Area Land Use Plan and is reasonable and in the public interest.

MOTION:

Councilmember Booth made a motion to approve the Consistency Statement as proposed. Second was made by Councilmember Staton-Williams. **The motion passed 7-0.**

5E.

OLD BUSINESS

Consideration of Amendment to the rezoning condition #15 for the Harrisburg Town Center project (H 2018-14 (R)). 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.

After some discussion, the following action was taken:

MOTION:

Councilmember Russo made a 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). Second was made by Councilmember Selberg. **The motion passed 7-0.**

5F.

OLD BUSINESS

Town Council Code of Conduct Change - Reconsider from March 2021 Council Meeting. 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.

After some discussion, the following action was taken:

MOTION:

Councilmember Russo made a motion to add the original Section F(5) that was removed last month back to the Council Code of Conduct. Second was made by Councilmember Selberg.

Further discussion was held among Council members.

Vote on the motion was then taken and the motion passed 4-3 (Mayor Pro-Tem Smith and Councilmembers Dellinger and Patrick voting against).

6A.

NEW BUSINESS

Consideration of Approval of the Caldwell Road Sidewalk Construction Contract to Red Clay Industries, Inc. and the related reimbursement resolution. 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.

After some discussion, the following action was taken:

MOTION:

Councilmember Russo made a 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. Second was made by Councilmember Booth. **The motion passed 7-0.**

6B.

NEW BUSINESS

Consideration of Approval of the Bradford Park Sanitary Sewer Rehabilitation Construction Contract. 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 cannot 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.

After some discussion, the following action was taken:

MOTION:

Councilmember Russo made a motion to award a contract in the amount of \$456,278 to Amliner East, Inc. for the FY21 Bradford Park Sanitary Sewer Rehabilitation Project. Second was made by Councilmember Booth. **The motion passed 7-0.**

6C.

NEW BUSINESS

Consideration of Resolution to condemn the Horton Property for the Morehead West Sewer Construction Project. 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 away 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.

After some discussion, the following action was taken:

MOTION:

Councilmember Russo made a motion to approve the resolution to condemn the Horton Property for the Morehead West Sewer Construction Project. Second was made by Mayor Pro-Tem Smith. **The motion passed 7-0.**

6D.

NEW BUSINESS

Discussion of dates for Harrisburg July 4th Celebration. 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 parade to occupy its regular slot on Day Two of the celebration.

Council direction is needed for the scheduling of the event.

After some discussion, the consensus of Council was to hold the event on Saturday, July 3rd and Sunday, July 4th with the parade being held on Saturday. Also look into the cost of adding some minor events on Friday night, July 2nd.

6E.

NEW BUSINESS

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. 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.

After some discussion, the following action was taken:

MOTION:

Councilmember Selberg made a 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. Second was made by Councilmember Russo. **The motion passed 6-1 (Councilmember Dellinger voting against).**

6F.

NEW BUSINESS

Consideration of Harrisburg Arts, Culture & Heritage Committee members. 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.

MOTION:

Mayor Pro-Tem Smith made a 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. Second was made by Councilmember Booth. **The motion passed 7-0.**

7.

ACTION ITEMS

Updates from March meeting:

- Updated website as directed
- Investigate the timing of signal light at Hwy 49/Roberta – contacted NCDOT and have heard nothing back yet
- Working on setting up a future meeting with representative from NCDOT
- Prioritize transportation projects – worked on this at budget workshop

Tonight:

- Investigate Millbrook Road pothole issues – are they our responsibility or NCDOT

- Cabarrus Health Alliance – work together to see what we can do to support our Asian community
- Mask mandate at Town parks – need direction from Council and will discuss at the next budget workshop
- HB401 and SB349 – consider resolutions against these
- Harmony Acres – resident with significant water issues – staff will follow up with them

8.

CLOSED SESSION

MOTION:

Councilmember Booth made a motion to go into Closed Session concerning personnel matters. Second was made by Councilmember Staton-Williams. **The motion passed 7-0.**

Upon returning from Closed Session, the following action was taken:

MOTION:

Mayor Pro-Tem Smith made a motion to come out of Closed Session and return to regular business. Second was made by Councilmember Dellinger. **The motion passed 7-0.**

9.

ADJOURNMENT:

MOTION:

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

ATTEST:

Janet Rackley, Town Clerk

Steve Sciascia, Mayor



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consider the minutes of the April 12, 2021 Closed Session.

Presenting Personnel:

Suggested Motion or Action:

Motion to approve the minutes of the April 12, 2021 Closed Session.

Description/Background:

N/A

Recommendation:

N/A

Fiscal Impact:

N/A

Attachments:

None



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consider the minutes of the April 22, 2021 Budget Workshop

Presenting Personnel:

Suggested Motion or Action:

Motion to approve the minutes of the April 22, 2021 Budget Workshop.

Description/Background:

N/A

Recommendation:

N/A

Fiscal Impact:

N/A

Attachments:

1. April 22 Minutes

**TOWN OF HARRISBURG, NORTH CAROLINA
TOWN COUNCIL BUDGET WORKSHOP
TUESDAY, APRIL 22, 2021
HARRISBURG TOWN HALL
6:00 PM**

MINUTES

NOTICE

This meeting was held in person as well as teleconferenced via the Zoom platform due to the current COVID-19 situation.

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

1.

CALL TO ORDER

Mayor Sciascia called the meeting to order.

2A.

CLOSED SESSION

MOTION:

Councilmember Russo made a motion to go into Closed Session to discuss personnel matters. Second was made by Councilmember Staton-Williams. **The motion passed 7-0.**

Upon returning from Closed session, the following action was taken:

MOTION:

Councilmember Russo made a motion to come out of Closed Session and return to regular business. Second was made by Councilmember Booth. **The motion passed 7-0.**

3A.

NEW BUSINESS

Resolution concerning HB401 and SB349. These bills would potentially restrict the ability of municipalities to create zoning restrictions. After some discussion the following action was taken:

MOTION:

Councilmember Patrick made a motion to approve the proposed resolution in opposition to HB401 and SB349. Second was made by Mayor Pro-Tem Smith. **The motion passed 7-0.**

3B.

NEW BUSINESS

Draft 1 Budget Review (All Funds)

Discussion item

3C.

NEW BUSINESS

Confirm Budget Priorities and Capital Improvement Plan

Discussion item

3D.

NEW BUSINESS

Review Revenues, Forecasts, and Financial Models

Discussion item

3E.

Time Sensitive Business Decisions

Discussion item

4.

ADJOURNMENT

MOTION:

There being no further business, the meeting was adjourned by consensus of Council.

Steve Sciascia, Mayor

ATTEST:

Janet Rackley, Town Clerk



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consider the minutes of the April 22, 2021 Closed Session.

Presenting Personnel:

Suggested Motion or Action:

Motion to approve the minutes of the April 22, 2021 Closed Session.

Description/Background:

N/A

Recommendation:

N/A

Fiscal Impact:

N/A

Attachments:

None



TOWN OF HARRISBURG

Agenda Item Details

Title:

To set a Public Hearing for June 14, 2021 to consider the adoption of Highway 49 Corridor Improvement Plan

Presenting Personnel:

Sushil Nepal, Planning & Economic Development Director

Suggested Motion or Action:

Motion to set a public hearing for June 14, 2021 to consider the adoption of Highway 49 Corridor Improvement Plan.

Description/Background:

Town Council approved the contract in June 2020 to kick-off a year long Planning Process (\$74,000 budget) to create a Corridor Improvement Plan for Highway 49.

In 2018, the Harrisburg Town Council adopted the Harrisburg Area Land Use Plan (HALUP), developed in partnership with Cabarrus County. This plan provides the vision and framework for future development of the Town through 2040 and creates a “Strategic Transportation Plan” with one of the top priorities being the improvement to the appearance of the NC49 Corridor.

The goal of the Highway 49 Corridor Plan is to provide solutions and prioritized recommendations for improvements to address access management, safety, streetscape improvements, land use and local policy recommendations to enhance future development and assist the Town in creating a sense of place for the corridor that is unique to the Town.

The plan will be delivered as an online story map, an executive summary will be created using a traditionally print format and available to download/print from the website.

A link to the DRAFT plan will be included in the June 14, 2021 packet for Public Hearing. Adoption action will be at the July Council meeting.

Recommendation:

Staff recommends setting a public hearing for June 14, 2021 to consider the adoption of Highway 49 Corridor Improvement Plan.

Fiscal Impact:

No fiscal impact.

Attachments:

None



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of Resolution on the Administration of Small Underpayments and Overpayments of Ad Valorem Taxes

Presenting Personnel:

Brian Lee, Finance Director

Suggested Motion or Action:

Motion to approve the Resolution on the administration of small underpayments and overpayments of Ad Valorem Taxes.

Description/Background:

Cabarrus County assesses and collects property taxes for the Town under the authority of an interlocal agreement. The County is exploring cost saving measures which are allowed under NCGS 105-357(c) and NCGS 105-321(g).

NCGS 105-357(c) addresses how to account for amounts that are overpayments or underpayments less than \$1.00. In these instances, the County would not refund overpayments less than \$1.00 and it would not collect on underpayments less than \$1.00.

NCGS 105-321(g) addresses how to handle overpayments up to \$15.00. In these instances, the County would not mail a refund check unless the taxpayer specifically requested the refund, prior to the end of the fiscal year. Instead, any overpayment less than \$15.00 would be applied as a credit to the next year's taxes due.

This will be more consistent with what Cabarrus County and the other municipalities that it collects for are doing.

Recommendation:

Staff recommends approval of the Resolution on small underpayments and overpayments of Ad Valorem Taxes.

Fiscal Impact:

There is very minimal potential effect from the change in administration of small underpayments and overpayments of Ad Valorem Taxes to the Town. The costs associated with tracking, notifying, attempting collection and issuing refunds of these small amounts far outweighs the collection of the revenue itself.

Attachments:

1. Resolution - Ad Valorem Taxes Minimal Refunds 05102021



**Resolution on the Administration of Small Underpayments and Overpayments of Ad
Valorem Taxes**

WHEREAS, the administrative costs associated with the collecting and refunding of small ad valorem tax overpayments and underpayments exceeds the value of the overpayments and underpayments; and

WHEREAS, G.S. 105-357(c) authorizes a local government to adopt a resolution that eliminates the need to collect small underpayments of \$1.00 or less and that eliminates the need to refund small overpayments of \$1.00 or less unless the taxpayer requests a refund of the overpayment before the end of the fiscal year in which the such overpayment is made; and

WHEREAS, G.S. 105-321(g) authorizes a local government to adopt a resolution directing its tax collector not to mail a refund of an overpayment if the refund is less than \$15; and

WHEREAS, G.S. 105-321(g) provides that upon adoption of a resolution authorizing the tax collector not to make a refund of an overpayment if the refund is less than \$15, the tax collector shall make a report of the amount of these refunds to the County Board of Commissioners, implement a system by which payment of the refund may be made to a taxpayer who comes into the office of the Tax Collector seeking the refund, and as to refunds that are not requested in person by the end of the fiscal year, implement a system to apply the minimal refund as a credit against the tax liability of the taxpayer for taxes due for the next succeeding year; and

WHEREAS, the County Board of Commissioners previously adopted Resolution No. 2002-21 on June 13, 2002, which directs the Tax Administrator to not collect ad valorem taxes when the original principal amount due is \$5.00 or less pursuant to G.S. 105-321(f).

NOW, THEREFORE BE IT RESOLVED as follows:

- (1) Pursuant to G.S. 105-357(c), the Town Council authorizes the County Board of Commissioners to direct the Cabarrus County Tax Administrator to treat small underpayments of \$1.00 or less as fully paid and not to refund small overpayments of \$1.00 or less unless the taxpayer requests a refund of the overpayment before the end of the fiscal year in which the small overpayment is made. The Tax Administrator must implement processes required by G.S. 105-357(c).
- (2) Pursuant to G.S. 105-321(g), the Town Council authorizes the County Board of Commissioners to authorize the Cabarrus County Tax Administrator not to mail a refund of any overpayment if the refund is less than \$15. The Tax Administrator must implement processes required by G.S. 105-321(g).
- (3) This resolution shall remain in effect until repealed or amended by resolution of the Town Council and County Board of Commissioners.

BE IT FURTHER RESOLVED that this resolution shall be in effect with respect to Fiscal Year 2022 and shall remain in effect until amended or repealed by resolution of the Town Council and the Cabarrus County Board of Commissioners.

ADOPTED this 10th day of May, 2021.

Mayor

Attest:

Clerk



TOWN OF HARRISBURG

Agenda Item Details

Title:

To Set Public Hearing for Consideration of FY2022 Proposed Budget Ordinance, Fee Schedule, Capital Improvement Plan and Tax Rate for June 14, 2021

Presenting Personnel:

Haynes Brigman, Town Manager

Suggested Motion or Action:

Motion to set public hearing for consideration of the FY2022 proposed budget ordinance, fee schedule, capital improvement plan and tax rate for June 14, 2021.

Description/Background:

Town staff will present the FY2022 budget, which will include the budget ordinance, fee schedule and 10-year capital improvement plan. The tax rate will also be set at that time.

Recommendation:

Staff recommends setting the public hearing, as stated, for June 14, 2021.

Fiscal Impact:

The total proposed FY2022 budget for all funds is \$75,575,466.

Attachments:

None



TOWN OF HARRISBURG

Agenda Item Details

Title:

To set a public hearing for June 14, 2021 to consider the annexation of 3 parcels along Hickory Ridge Rd, associated with rezoning (H2021-03-R).

Presenting Personnel:

Sushil Nepal, Planning & Economic Development Director

Suggested Motion or Action:

Motion to set a public hearing for June 14, 2021 to consider the annexation of 3 parcels located off of Hickory Ridge Rd associated with Rezoning (H2021-03-R).

Description/Background:

A Public Hearing is requested for June 14, 2021 to consider the annexation of 3 parcels located off of Hickory Ridge Rd (PIN# 55164108690000, 55165127890000 & 55164261870000). The property owner is requesting a rezoning of these parcels (52.17 acres), currently located in the County, from Low Density Residential (LDR) to CZ-RM1, Conditional Residential Medium-Density. The purpose of the rezoning is to enable the property owner to subdivide the property for single family homes (planned 42 lots). The parcel is contiguous to Harrisburg's corporate boundary.

A public hearing for the annexation and rezoning of this parcel will be held on June 14, 2021.

Recommendation:

Staff recommends setting the public hearing to consider annexation of the parcels, currently in the County.

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. Hickory Ridge Parcels_Annexation Application
2. Hickory Ridge Parcels_Annexation Map
3. Certificate of Sufficiency
4. Resolution for Public Hearing - Hickory Ridge Road



PETITION REQUESTING ANNEXATION

DATE: November 30, 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

John Thomas Howie

9556 Hickory Ridge Rd, Harrisburg, NC 28075

John T Howie

704-305-2834



PETITION REQUESTING ANNEXATION

DATE: April 12, 2021

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.

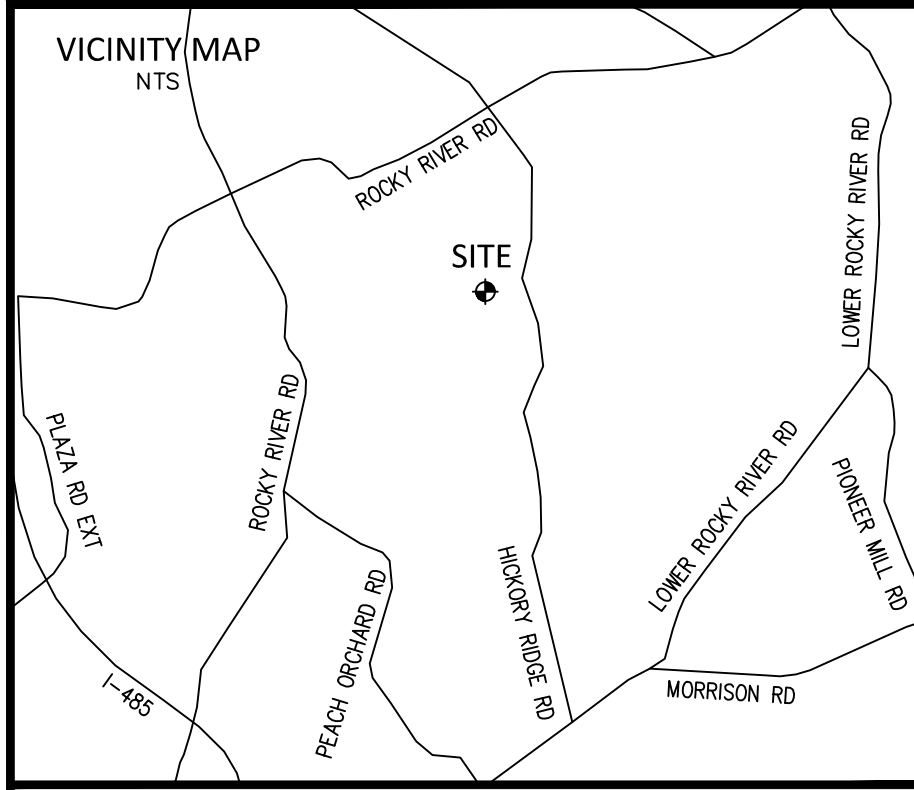
4. SIGNATURE OF OWNERS

NAME

ADDRESS

Cynthia C Howie - 17 TAFEL CT FORT MYERS, FL 33912
(55164261870000)

Cynthia Christine Howie fl/la Cynthia Christine Howie

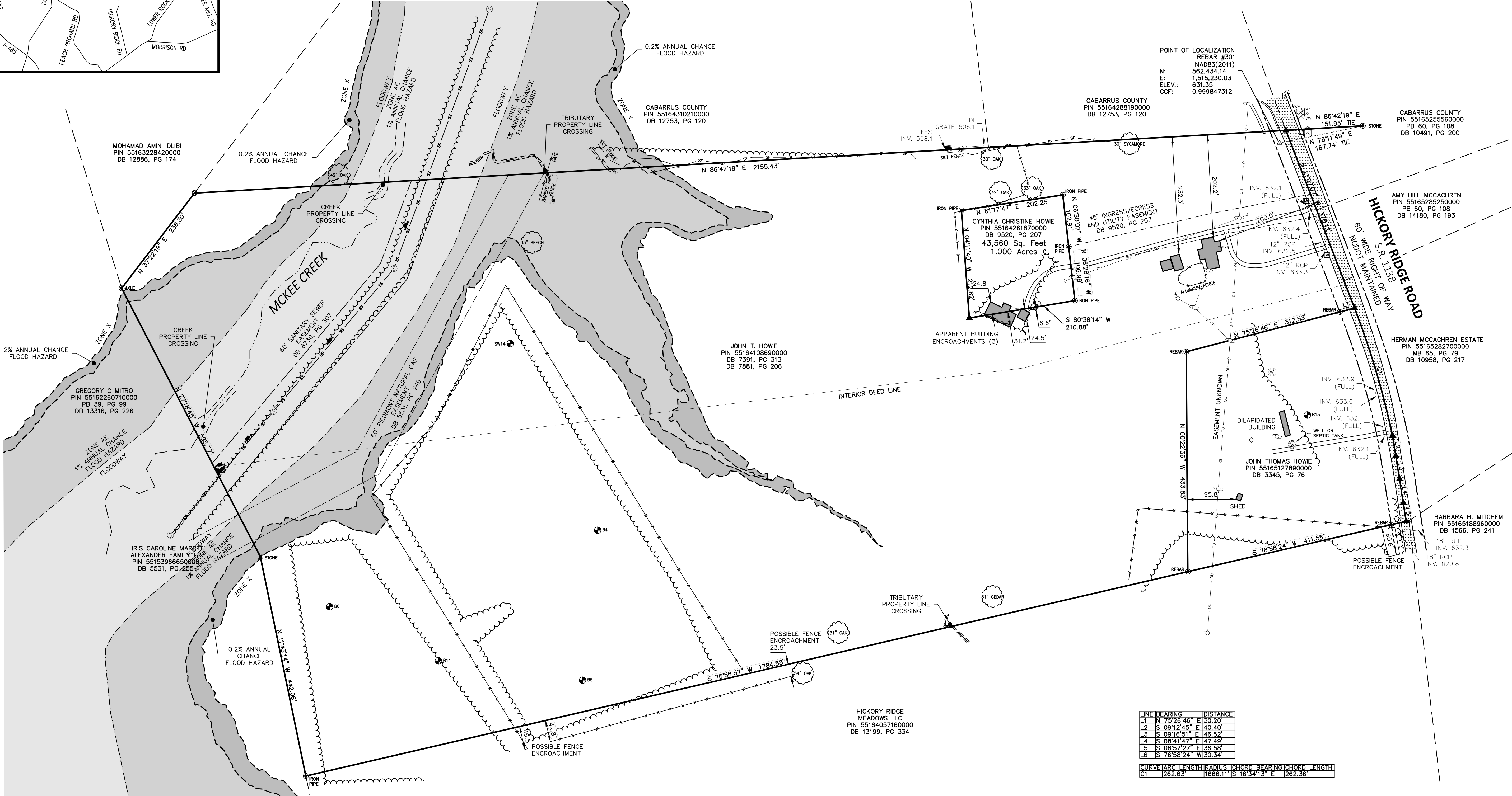


GENERAL NOTES

- THIS IS A SURVEY OF AN EXISTING PARCEL OF LAND. THIS IS A BOUNDARY SURVEY.
- BEARINGS FOR THIS SURVEY ARE BASED ON NC STATE PLANE NAD83(2011).
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
- FLOOD NOTE: THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN ZONE "AE FLOODWAY" AS DEFINED BY FEMA F.I.R.M. MAP NUMBER 3710551600K DATED NOVEMBER 16, 2006.
- REFERENCES: DB 7391, PG 313; DB 7891, PG 206; DB 469, PG 297; DB 3345, PG 76; DB 9520, PG 207 OF THE CABARRUS COUNTY REGISTRY PIN 55164108690000, 55164261870000 & 55165127890000
- NO GRID MONUMENTS FOUND WITHIN 2000' OF SITE.

AREA TABLE

PARCEL	AREA OUTSIDE OF RIGHT OF WAY	AREA WITHIN RIGHT OF WAY	TOTAL
55164108690000	2,046,191 SQ. FT. 46.974 AC.	11,376 SQ. FT. 0.261 AC.	2,057,567 SQ. FT. 47.235 AC.
55165127890000	158,504 SQ. FT. 3.639 AC.	12,997 SQ. FT. 0.298 AC.	171,501 SQ. FT. 3.937 AC.
55164261870000	43,560 SQ. FT. 1,000 AC.	0 SQ. FT. 0 AC.	43,560 SQ. FT. 1,000 AC.
TOTAL	2,248,255 SQ. FT. 51.613 AC.	24,373 SQ. FT. 0.559 AC.	2,272,628 SQ. FT. 52.172 AC.



I, KEVIN S. BAUCOM, PLS, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

- CLASS OF SURVEY: CLASS A
- POSITIONAL ACCURACY: < 0.100'
- TYPE OF GPS FIELD PROCEDURE: VRS
- DATE OF SURVEY: 11-06-2020
- DATUM/EPOCH: NAD 83(2011)
- PUBLISHED/FIXED-CONTROL USED: NC49
- GEOD MODEL: GEOID12A
- COMBINED GRID FACTOR(S): 0.99984013
- UNITS: METERS CONVERTED TO US SURVEY FEET

I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM DEED DESCRIPTION RECORDED IN BOOK AND PAGE SHOWN; THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AND DRAWN FROM INFORMATION FOUND IN BOOK AND PAGE SHOWN; THAT THE RATIO OF PRECISION IS GREATER THAN 1:10,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600).

THIS _____ DAY OF _____, 20____.

KEVIN S. BAUCOM, PLS L-4275



PRELIMINARY
NOT FOR RECORDATION, CONVEYANCES OR SALES

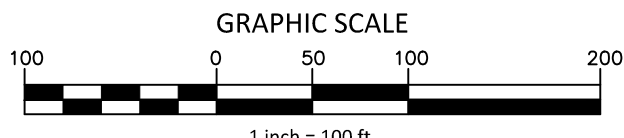
LEGEND

- FOUND PROPERTY CORNER
- CONCRETE MONUMENT
- SET PROPERTY CORNER
- CALCULATED CORNER
- POINT OF LOCALIZATION
- CATCH BASIN
- DROP INLET
- FLARED END SECTION
- STORM DRAINAGE MANHOLE
- JUNCTION BOX
- ROOF DRAIN
- SANITARY SEWER MANHOLE
- CLEANOUT
- GREASE TRAP
- ELECTRIC VAULT
- ELECTRIC BOX
- TRANSFORMER
- POWER POLE
- GUY ANCHOR
- LIGHT POLE
- ELECTRIC METER
- ELECTRIC MANHOLE
- HVAC UNIT
- TRAFFIC SIGNAL BOX
- TELEPHONE MANHOLE
- TELEPHONE BOX
- FIBER OPTIC MANHOLE
- FIBER OPTIC VAULT
- CABLE BOX
- WATER VALVE
- WATER LINE MARKER
- BACKFLOW PREVENTER
- WATER VAULT
- WATER MANHOLE
- IRRIGATION CONTROL VALVE
- FIRE HYDRANT
- GAS VALVE
- GAS METER
- MAILBOX
- BORE HOLES
- SCHEDULE BII EXCEPTIONS

LINE	BEARING	DISTANCE
L1	N 75°26'46" E	30.20
L2	S 09°12'45" E	40.40
L3	S 09°16'51" E	46.52
L4	S 08°41'47" E	47.49
L5	S 08°57'27" E	46.16
L6	S 78°58'24" W	30.34

CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	262.63	1666.11	S 16°34'13" E	262.36

- TREE LINE
- RAILROAD TRACKS
- GUARD RAIL
- STORM DRAIN
- OVERHEAD UTILITY LINE
- UNDERGROUND ELECTRIC
- UNDERGROUND COMMUNICATIONS LINE
- WATER LINE
- SANITARY SEWER LINE
- GAS LINE
- FENCE LINE (CHAIN LINK)
- FENCE LINE (SILT)
- SURVEYED PROPERTY LINE
- PROPERTY LINE NOT SURVEYED



McAdams

The John R. McAdams Company, Inc.
3430 Toringdon Way
Suite 110
Charlotte, NC 28277
phone 704. 527. 0800
fax 919. 361. 2269
license number: C-0293
www.mcadamsco.com

OWNER

TAYLOR MORRISON
11405 N. COMMUNITY HOUSE RD.
SUITE 150
CHARLOTTE, NORTH CAROLINA 28277

HICKORY RIDGE ROAD
BOUNDARY SURVEY
9556 HICKORY RIDGE ROAD
TOWN OF HARRISBURG, CABARRUS COUNTY, NORTH CAROLINA

REVISIONS

NO. DATE

PLAN INFORMATION

PROJECT NO. TMH-20100
FILENAME TMH20100-AT1.DWG
CHECKED BY KSB
DRAWN BY CCG
SCALE 1"=100'
DATE XX.XX.XXXX

SHEET

BOUNDARY SURVEY

1-1



CERTIFICATE OF SUFFICIENCY

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-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Harrisburg of Harrisburg, North Carolina, this 27th day of April 2021.



Janet Rackley
Janet Rackley, Clerk



**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-31**

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 June 14, 2021.

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

Being located in Number 1 Township, Town of Harrisburg, Cabarrus County, North Carolina and being more particularly described as follows:

Being that certain tract of land, being parcels: 55164108690000, 55165127890000 & 55164261870000, lying and being situate in Harrisburg, Cabarrus County, North Carolina and being more particularly described as follows: Commencing at a rebar lying in the westerly right-of-way line of Hickory Ridge Road (SR 1138), a public right-of-way, said rebar lying in the northern line of John Thomas Howie (DB 3345, PG 76), and having NC Grid Coordinates of N:562,101.27' and E:1,515,348.81' (NAD 83-2011); THENCE North 75°26'46" East 30.20 feet to a point lying in the centerline of said Hickory Ridge Road; THENCE with said centerline the following five courses: 1) with a curve to the right having an arc length of 262.63 feet, a radius of 1,666.11 feet, and a chord bearing and distance of South 16°34'13" East, 262.36 feet to a point; 2) South 09°12'45" East 40.40 feet to a point; 3) South 09°16'51" East 46.52 feet to a point; 4) South 08°41'47" East 47.49 feet to a point; and 5) South 08°57'27" East 36.58 feet to a point; THENCE leaving said centerline and with the lines of Hickory Ridge Meadows LLC (DB 13199, PG 334) the following three courses: 1) South 76°58'24" West 30.34 feet to a rebar; 2) South 76°58'24" West 411.58 feet to a rebar; and 3) South 76°56'57" West 1,784.88 feet to an iron pipe in the line of Iris Caroline Marette Alexander Family LP (DB 3142, PG 246 and DB 5531, PG 255); THENCE with the lines of said Alexander and Gregory C. Mitro (DB 13316, PG 226 and PB 39, PG 99) North 11°43'14" West 442.06 feet to a stone; THENCE North 27°18'45" West 595.77 feet to an axle, a corner with Mohamad Amin Idlibi (DB 12886, PG 174); THENCE with the line of said Idlibi North 37°22'19" East 236.30 feet to an iron pipe set in the line of Cabarrus County (DB 12753, PG 120); THENCE with the line of Cabarrus County North 86°42'19" East 2,155.43 feet to a point lying in the centerline of aforementioned Hickory Ridge Road; THENCE with said centerline South 21°07'06" East 376.12 feet to the POINT OF BEGINNING, containing 2,272,628 Square Feet, or 52.172 Acres, more or less.

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, Town Clerk



TOWN OF HARRISBURG

Agenda Item Details

Title:

To set a public hearing for June 14, 2021 to consider the annexation of 3 parcels along Plaza Rd Ext, associated with Hooks Landing rezoning (H2021-02-R).

Presenting Personnel:

Sushil Nepal, Planning & Economic Development Director

Suggested Motion or Action:

Motion to set a public hearing for June 14, 2021 to consider the annexation of 3 parcels located off of Plaza Rd Ext. associated with Hooks Landing Rezoning (H2021-02-R).

Description/Background:

A Public Hearing is requested for June 14, 2021 to consider the annexation of 3 parcels located off of Plaza Rd Ext. (PIN# 55061132650000, 55061140090000, 55061048540000). The property owner is requesting a rezoning of these parcels (2.371 acres), currently located in the County, from Low Density Residential (LDR) to CZ-RV, Conditional Residential Village. The purpose of the rezoning is to enable the property owner to subdivide the property for 6 single-family townhomes. The parcel is non-contiguous to Harrisburg's corporate boundary.

A public hearing for the annexation and rezoning of this parcel will be held on June 14, 2021.

Recommendation:

Staff recommends setting the public hearing to consider annexation of the parcels associated with Hooks Landing Rezoning (H2021-02-R), currently in the County.

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. Hooks Landing_ Annexation Application
2. Hooks Landing_ Annexation Map
3. Certificate of Sufficiency - Hooks Landing
4. Resolution for Public Hearing - Hooks Landing



PETITION REQUESTING ANNEXATION

DATE: April 9, 2021

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

Clyde Hooks Jr + Tommy E Hooks - 1560 WOODCROFT DR, FORT MILL, SC 29708
(55061048540000)

The Estate of Clyde Hooks - 1560 WOODCROFT DR, FORT MILL, SC 29708
(55061140090000)

Nancy Hooks - 13280 PLAZA RD EXT, CHARLOTTE, NC 28215
(55061132650000)



HarrisburgNC

The right side of opportunity

Owner/Agent/Applicant Information (55061048540000)

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

Clyde Hooks Jr & Tommy E. Hooks

Address

1560 WOODCROFT DR, FORT MILL, SC 29708

Phone

803 - 417 - 7800

Fax

Email:

Clyde - Hooks @ COMPORIUM.NET

Signature

[Handwritten signatures of Clyde Hooks Jr and Tommy E. Hooks]
Diane H. Kelly Ronald Hooks

13. Agent (if any)

Eddie Moore - McAdams

Address

3430 Toringdon Way, Suite 110, Charlotte, NC 28277

Phone

704-724-3594

Fax

Email

emoore@mcadamsco.com

Signature

Eddie Moore

14. Applicant (if any)

Shaun Gasparini - True Homes

Address

2649 Breckonridge Centre Dr, Suite 110, Monroe, NC 28110

Phone

704-779-4126

Fax

Email

sgasparini@truehomesusa.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.



Owner/Agent/Applicant Information (55061140090000)

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 The Estate of Clyde Hooks
Address C/O CLYDE HOOKS JR, FORT MILL, SC 29708
Phone _____
Fax _____
Email: _____
Signature *Clyde Hooks Jr*
Diane A. River Ronald Hooks
13. Agent (if any) Eddie Moore - McAdams
Address 3430 Toringdon Way, Suite 110, Charlotte, NC 28277
Phone 704-724-3594
Fax _____
Email emoore@mcadamsco.com
Signature *Eddie Moore*
14. Applicant (if any) Shaun Gasparini - True Homes
Address 2649 Breckonridge Centre Dr, Suite 110, Monroe, NC 28110
Phone 704-779-4126
Fax _____
Email sgasparini@truehomesusa.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

The right side of opportunity

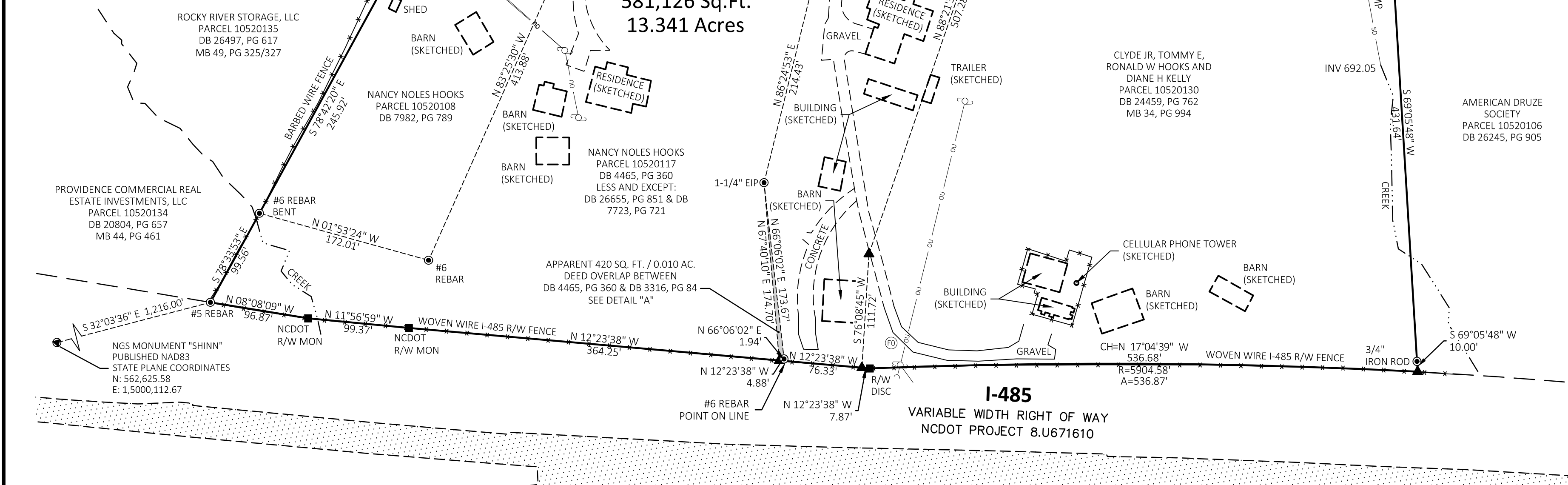
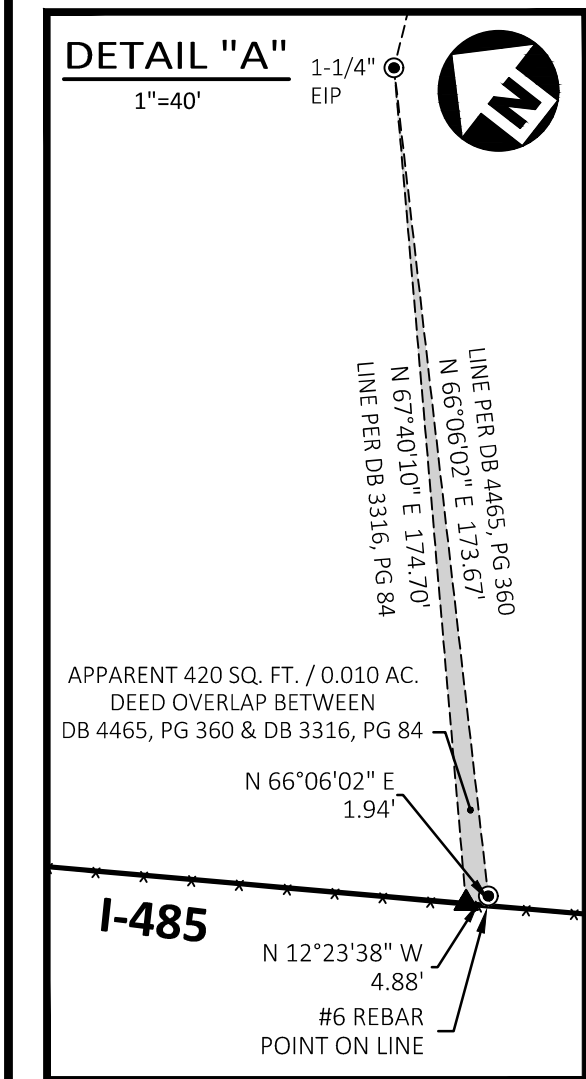
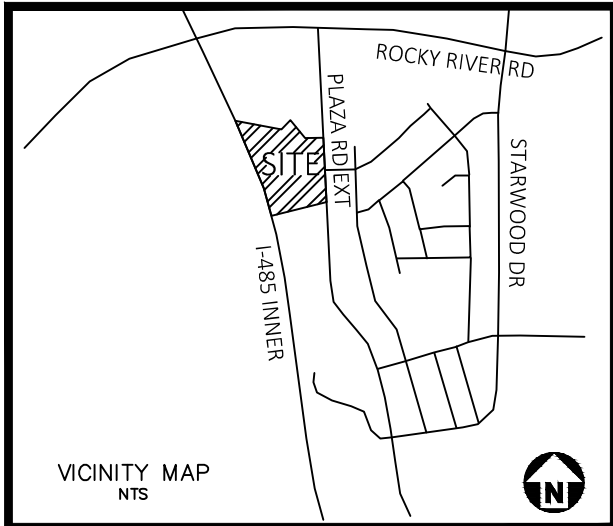
Owner/Agent/Applicant Information (55061132650000)

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 Nancy N. Hooks
Address 13280 PLAZA RD EXT, CHARLOTTE, NC 28215
Phone 704-436-8302
Fax gbrown@stelite.com
Email: _____
Signature Janet H. Haycraft, Carol H Brown, Michael Hook
13. Agent (if any) Eddie Moore - McAdams
Address 3430 Toringdon Way, Suite 110, Charlotte, NC 28277
Phone 704-724-3594
Fax _____
Email emoore@mcadamsco.com
Signature Eddie Moore
14. Applicant (if any) Shaun Gasparini - True Homes
Address 2649 Breckonridge Centre Dr, Suite 110, Monroe, NC 28110
Phone 704-779-4126
Fax _____
Email sgasparini@truehomesusa.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.

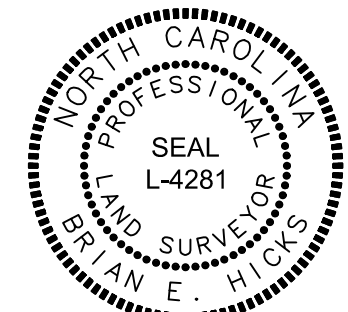


I, BRIAN E. HICKS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM DEED DESCRIPTION RECORDED IN BOOK AND PAGE SHOWN; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AND DRAWN FROM INFORMATION FOUND IN BOOK AND PAGE SHOWN; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS

22nd DAY OF January, A.D. 2021.

PRELIMINARY
NOT FOR RECORDATION,
CONVEYANCES OR SALES

BRIAN E. HICKS, PLS L-4281



I HEREBY CERTIFY THAT THIS PLAT IS OF THE FOLLOWING TYPE: G.S. 47-30 (f)(11)(d). THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

PROFESSIONAL LAND SURVEYOR

LEGEND

- | | |
|-------------------------|----------------------------|
| ● FOUND PROPERTY CORNER | ▲ CALCULATED CORNER |
| ■ CONCRETE MONUMENT | △ POINT OF LOCALIZATION |
| ● SET PROPERTY CORNER | ● NGS MONUMENT |
| ○ CALCULATED CORNER | ⊕ POWER POLE |
| ⊕ FIBER OPTIC MANHOLE | ⌵ GUY ANCHOR |
| — SD — SD — | STORM DRAIN |
| - - - - - | FENCE LINE |
| — x — x — x — | SURVEYED PROPERTY LINE |
| — — — — — | PROPERTY LINE NOT SURVEYED |



CABARRUS AREA DESCRIPTION

Being that certain tract of land containing a portion of parcels 55061132650000, 55061140090000, 55061048540000 in Cabarrus county North Carolina. Said combined tract of land being bounded on the East by Plaza Road Extension (60' right of way MB 15, PG 49& 51 Cabarrus county) and on the West by Interstate 485 and being more particularly described as follows:

Commencing at a nail (#900) on the west side of Plaza Rd Ext. being the point of localization and having NC state plane NAD83(2011) coordinates: N 560,668.01', E 1,501,496.65, thence S 03°20'19" W 51.50' to a #4 rebar on the northern line of that American Druze Society parcel (DB 26245, PG 905) being the point of beginning of the herein described tract. Thence, in a clockwise direction with said Druze line, S 69°05'48" W 36.14' to a calculated point on the approximate Mecklenburg/Cabarrus county line; thence, with said approximate county line N 14°33'39" W 826.38' to a calculated point on the western line of that Julius and Martha T Hooks parcel (DB 724, PG 798); thence, with said Hooks parcel, the following three calls: (1) S 23°13'42" E 51.75' to a #6 rebar (2) S 83°22'37" E 191.99' to a bent 1/2" iron pipe (3) S 83°22'37" E 30.32' to a calculated point in the centerline of Plaza Rd Ext.; thence, with said centerline of Plaza Rd. Ext., The following three calls: (1) S 01°36'41" E 188.52' to a calculated point (2) S 01°43'20" E 162.92' to a calculated point (3) S 01°48'52" E 354.56' to a calculated point; thence, leaving said centerline of Plaza Rd Ext. S 69°05'48" W 22.62' to the Point of Beginning, containing 103,280 Square Feet, 2.371 Acres, more or less.

McADAMS

The John R. McAdams Company, Inc.

3430 Toringdon Way
Suite 110
Charlotte, NC 28277

phone 704. 527. 0800
fax 919. 361. 2269
license number: C-0293

www.mcadamsco.com

CLIENT

TRUE HOMES
2649 BREKONRIDGE CENTRE DRIVE
MONROE, NC 28110

**HOOKS LANDING
ANNEXATION PLAT
PLAZA ROAD EXT
MECKLENBURG AND CABARRUS COUNTIES**

REVISIONS

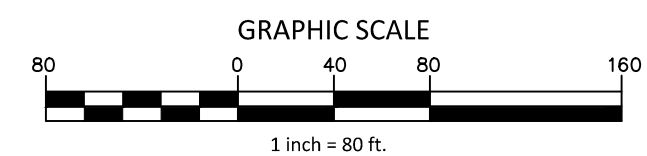
NO.	DATE
-----	------

PLAN INFORMATION

PROJECT NO.	2020210121
FILENAME	2020210121-F2
CHECKED BY	BEH
DRAWN BY	CFA
SCALE	1"=80
DATE	4-12-2021

SHEET

**ANNEXATION
PLAT
1-1**





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 27th day of April, 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 June 14, 2021.

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

Being that certain tract of land containing a portion of parcels 55061132650000, 55061140090000, 55061048540000 in Cabarrus county North Carolina. Said combined tract of land being bounded on the East by Plaza Road Extension (60' right of way MB 15, PG 49& 51 Cabarrus county) and on the West by Interstate 485 and being more particularly described as follows:
Commencing at a nail (#900) on the west side of Plaza Rd Ext. being the point of localization and having NC state plane NAD83(2011) coordinates: N 560,668.01', E 1,501,496.65, thence S 03°20'19" W 51.50' to a #4 rebar on the northern line of that American Druze Society parcel (DB 26245, PG 905) being the point of beginning of the herein described tract. Thence, in a clockwise direction with said Druze line, S 69°05'48" W 36.14' to a calculated point on the approximate Mecklenburg/Cabarrus county line; thence, with said approximate county line N 14°33'39" W 826.38' to a calculated point on the western line of that Julius and Martha T Hooks parcel (DB 724, PG 798); thence, with said Hooks parcel, the following three calls: (1) S 23°13'42" E 51.75' to a #6 rebar (2) S 83°22'37" E 191.99' to a bent 1/2" iron pipe (3) S 83°22'37" E 30.32' to a calculated point in the centerline of Plaza Rd Ext.; thence, with said centerline of Plaza Rd. Ext., The following three calls: (1) S 01°36'41" E 188.52' to a calculated point (2) S 01°43'20" E 162.92' to a calculated point (3) S 01°48'52" E 354.56' to a calculated point; thence, leaving said centerline of Plaza Rd Ext. S 69°05'48" W 22.62' to the Point of Beginning, containing 103,280 Square Feet, 2.371 Acres, more or less.

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:

To set a public hearing for June 14, 2021 to consider the abandonment of public rights of way associated with Hereford Ln off of Ruth Fidler Drive.

Presenting Personnel:

Sushil Nepal, Planning & Economic Development Director

Suggested Motion or Action:

Motion to set a public hearing for June 14, 2021 to consider the abandonment of public rights of way associated with Hereford Ln off of Ruth Fidler Drive.

Description/Background:

The Harrisburg Town Council has received a petition from Donna S. West, Jon D. Harkleroad, Robert S. Mitchell II and Karen S. Mitchell, requesting the abandonment of public right-of-way of Hereford Ln off of Ruth Fidler Drive and property be equally added to adjoining parcels 55173531550000 and 55173520140000.

The public right of way associated with future Hefford Ln was platted and recorded as a potential connection to the adjoining neighborhood. As part of the Harmony Acres rezoning approval, Town Council removed Hereford Ln as a street connection and thus the property remains of no use for public purpose. Staff supports the abandonment and equal transfer of property to two adjoining property owners (applicant requesting abandonment).

A resolution of intent is attached and will be adopted at the May 10, 2021 meeting, public hearing for the abandonment will be held on June 14, 2021 and a final resolution of abandonment will be adopted at the same meeting.

Recommendation:

Staff recommends setting the public hearing to consider abandonment of public rights of way associated with Hereford Ln off of Ruth Fidler Drive.

Fiscal Impact:

The abandonment will take off the public right of way maintenance from Town and transfer to adjoining property owners.

Attachments:

1. Letter to obtain property Ruth Fidler
2. Hereford Ln
3. Abandonment Resolution Declaration of Intent

Mr. Nepal

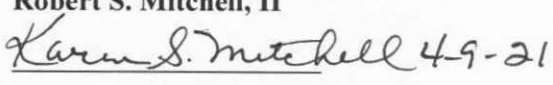
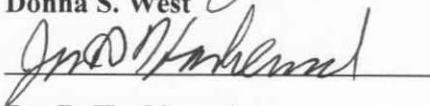
Donna S. West, her husband, Jon D. Harkleroad and I, Robert S. Mitchell, II, along with my wife, Karen S. Mitchell, would like to obtain the abandoned land/property that is located between our two parcels on Ruth Fidler Drive in Harrisburg, NC. It is our understanding that this land was to be deemed a right of way between our two properties for access from Stallings Farm to a future development behind our properties. We are also aware that this is no longer the case for this land and it has since been abandoned by the Town of Harrisburg. The upkeep of this land has been maintained by Donna S. West, and we purchased the property on the other side, we have hence shared the upkeep duties. The Town of Harrisburg has not had any hand in its maintenance.

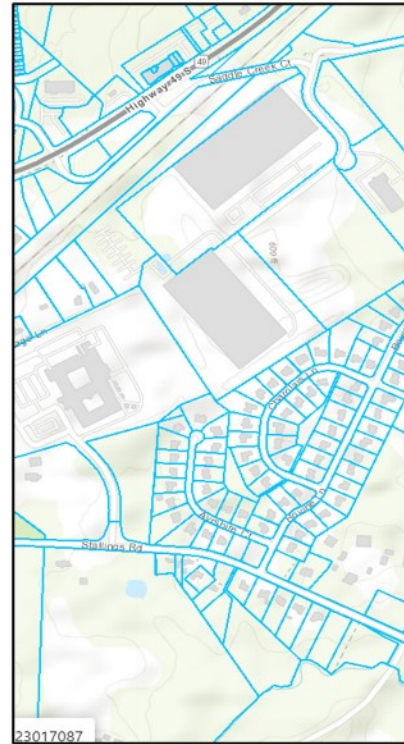
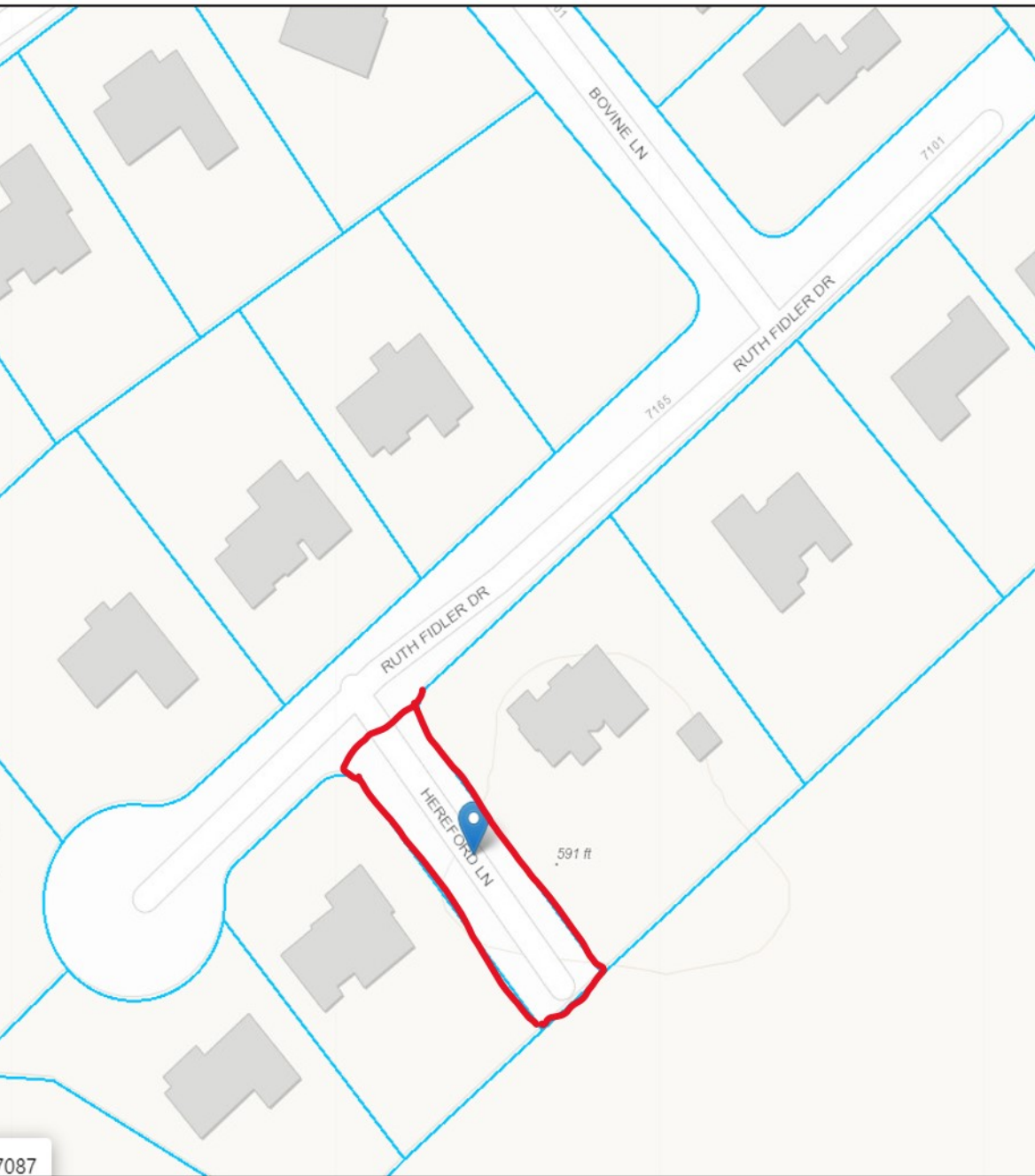
This letter is to serve as a formal request for the adjacent two property owners to obtain and split the said property. This is to be done equally and to be added to the existing acreage of each adjacent property parcels. **Parcel #55173531550000** is owned by Robert S. Mitchell, II and Karen S. Mitchell at **7174 Ruth Fidler Drive** and sits on the more northern side to said abandoned property. **Parcel #55173520140000** is owned by Donna S. West and Jon D. Harkleroad at **7188 Ruth Fidler Drive** and sits on the more southern side to said abandoned property.

We, Donna S. West, Jon D. Harkleroad, Robert S. Mitchell, II, and Karen S. Mitchell all completely understand that this will have to endure the public process of abandonment. It is also our understanding that after this process has been exhausted and approved that we will need to submit a plat for our properties in order to combine these into our existing parcels and record with the County of Cabarrus.

We appreciate your time and attention into this matter. We look forward to this processes implementation and its conclusion, if it deems successful for our two parties involved.

Submitted mutually by all involved,

 4-9-21	 4/9/21
Robert S. Mitchell, II	Donna S. West
 4-9-21	 4/9/21
Karen S. Mitchell	Jon D. Harkleroad
7174 Ruth Fidler Dr.	7188 Ruth Fidler Dr.
Harrisburg, NC 28075	Harrisburg, NC 28075



Public Right of Way Request

Hereford

Applicant: Donna S. West, Jon D. Mitchell II and Karen S. Mitchell (owners)

Map Created: April 2021



Harrisburgnc

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HARRISBURG TOWN COUNCIL RESOLUTION OF INTENT

A Resolution Declaring the Intent of the Harrisburg Town Council to Consider the abandonment of the Public Right-of-Way of Hereford Ln.

WHEREAS, G.S. 160A-299 authorizes the Harrisburg Town Council to close public streets and alleys; and

WHEREAS, The Harrisburg Town Council has received a petition from Donna S. West, Jon D. Harkleroad, Robert S. Mitchell II and Karen S. Mitchell, requesting the abandonment of public right-of-way of Hereford Ln off of Ruth Fidler Drive and property be equally added to adjoining parcels 55173531550000 and 55173520140000

WHEREAS, The Harrisburg Town Council considers it advisable to conduct a Public Hearing for the purpose of giving consideration to the abandonment of the right-of-way of Hereford Ln in accordance with GS 160A-299.

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

1. A Public Hearing will be held at 6:00 p.m. on the 14th day of June, 2021 in the Council Chambers of Harrisburg Town Hall (and virtually) to consider a Resolution ordering the abandonment and transfer of rights of way of Hereford Ln in accordance with GS 160A-299.
2. The Town Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in The Independent Tribune.
3. The Town Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of this Resolution of Intent.
4. The Town Clerk is further directed to cause adequate notices of this Resolution of Intent and the scheduled Public Hearing to be posted as required by G.S. 160A-299.

The above Resolution was duly adopted by the Harrisburg Town Council at the meeting held on the 10th day of May, 2021 in Harrisburg Town Hall.

Steve Sciascia, Mayor

ATTEST:

Janet Rackley, Town Clerk



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of 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:

If approved, the following motion is suggested:

To approve the Conditional Rezoning, Zoning Map Amendment and Annexation for Orchid Ridge Subdivision H-2020-03 (R).

If denied, the following motion is suggested:

To deny the Conditional Rezoning, Zoning Map Amendment and Annexation for Orchid Ridge Subdivision H-2020-03 (R).

Description/Background:

DR Horton, Inc. on behalf of 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 for the rezoning and annexation was held on April 12, 2021.

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 approving the rezoning and annexation request.

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 approval of 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
13. Ordinance 7017



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.).

<u>Maximum number of lots and lot sizes</u>	
<u>Minimum amount of green space and improvements</u>	
<u>Street network</u>	
<u>Thread Trail improvements and connections</u>	
<u>Certain roadway improvements</u>	



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 704-915-9189
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: _____



HarrisburgNC

The right side of opportunity

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

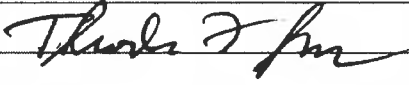
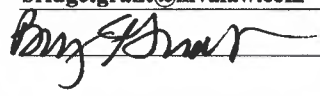
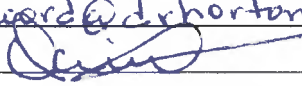
NOTE: If multiple parcels are involved in a request, property owners must sign an application identifying the individual parcel(s) represented. Each parcel included in the request must be accounted for in the application process for the application to be considered complete.



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

The right side of opportunity

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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

The right side of opportunity

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 _____

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 ^(3 & 5) Cedar Cove LLC a NC LLC

Address 2536 Cedar Cove Drive, Harrisburg, NC 28075

Phone _____

Fax _____

Email: _____

Signature *Barb 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*

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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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	<u></u>
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

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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

The right side of opportunity

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

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.



Harrisburg NC

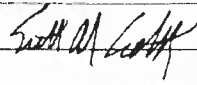
The right side of opportunity

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-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



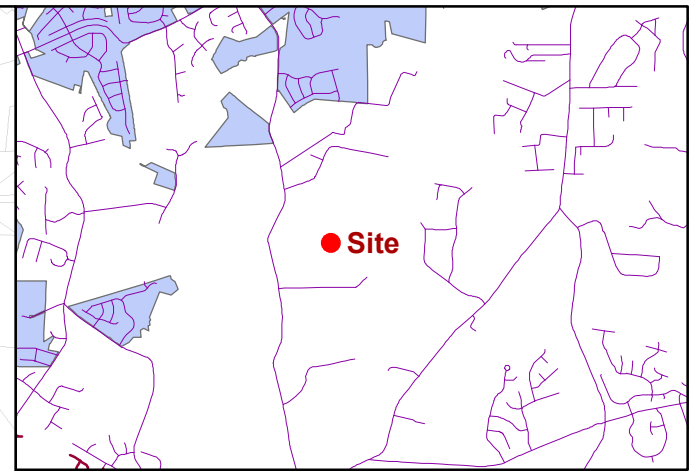
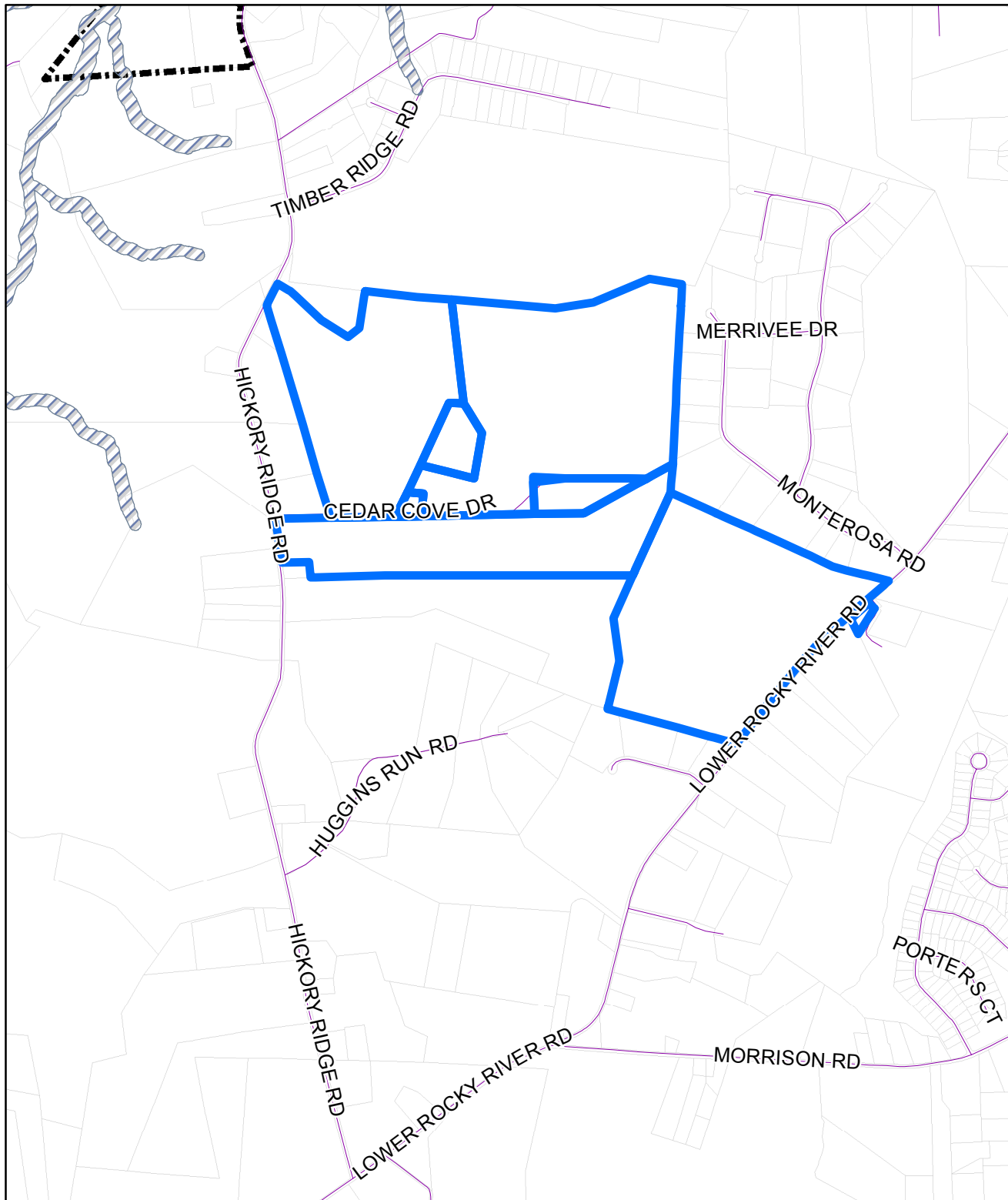
Owner/Agent/Applicant Information

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 ⁽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

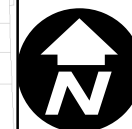
Applicant: DR Horton

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.
16. Applicant agrees to provide a 10% rental cap contingent upon further evaluation of impacts on mortgage lending criteria; final decision on the rental cap to be determined during the preliminary plat review and approval.
17. Applicant agrees to evaluate potential sidewalk connection along Hickory Ridge Road to Hickory Ridge Elementary School prior to issuance of building permits in Phase 3 and contingent upon feasibility, including but not limited to coordination between the Town and NCDOT, NCDOT approval, right of way availability, subsequent approved developments along the corridor, and existing conditions.

SHEET INDEX

Sheet List Table

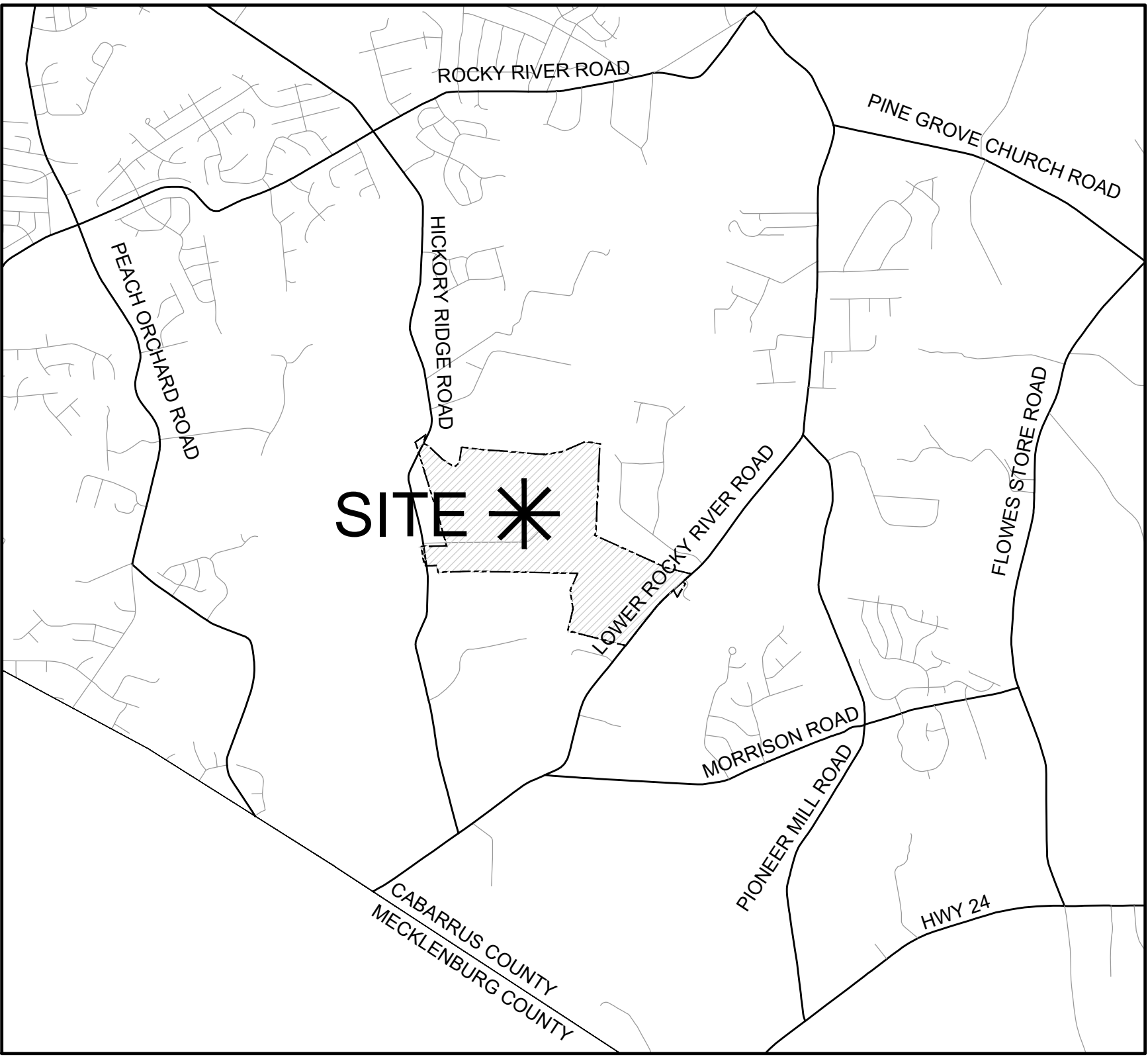
Sheet Number	Sheet Title
RZ-1.0	COVER SHEET
RZ-1.1	SURVEY
RZ-2.0	TECHNICAL DATA
RZ-3.0	CONCEPTUAL SITE PLAN RENDERING
RZ-4.0	CONCEPTUAL SITE PLAN
RZ-4.1-4.5	DETAILED CONCEPTUAL SITE PLANS
RZ-4.6	BLOCK LENGTHS PLAN
RZ-5.0	DEVELOPMENT STANDARDS
RZ-6.0	CONCEPTUAL CONNECTIVITY EXHIBIT
RZ-7.0	OPEN SPACE EXHIBIT

ORCHID RIDGE
REZONING PETITION

CABARRUS COUNTY, NC

DATE: 03/24/2021

VICINITY MAP



SCALE: 1"=3000'
0 1500' 3000' 6000'



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

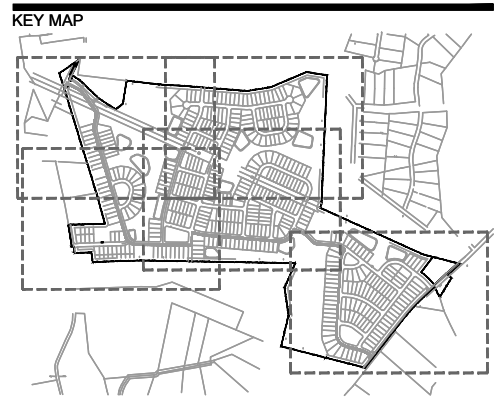
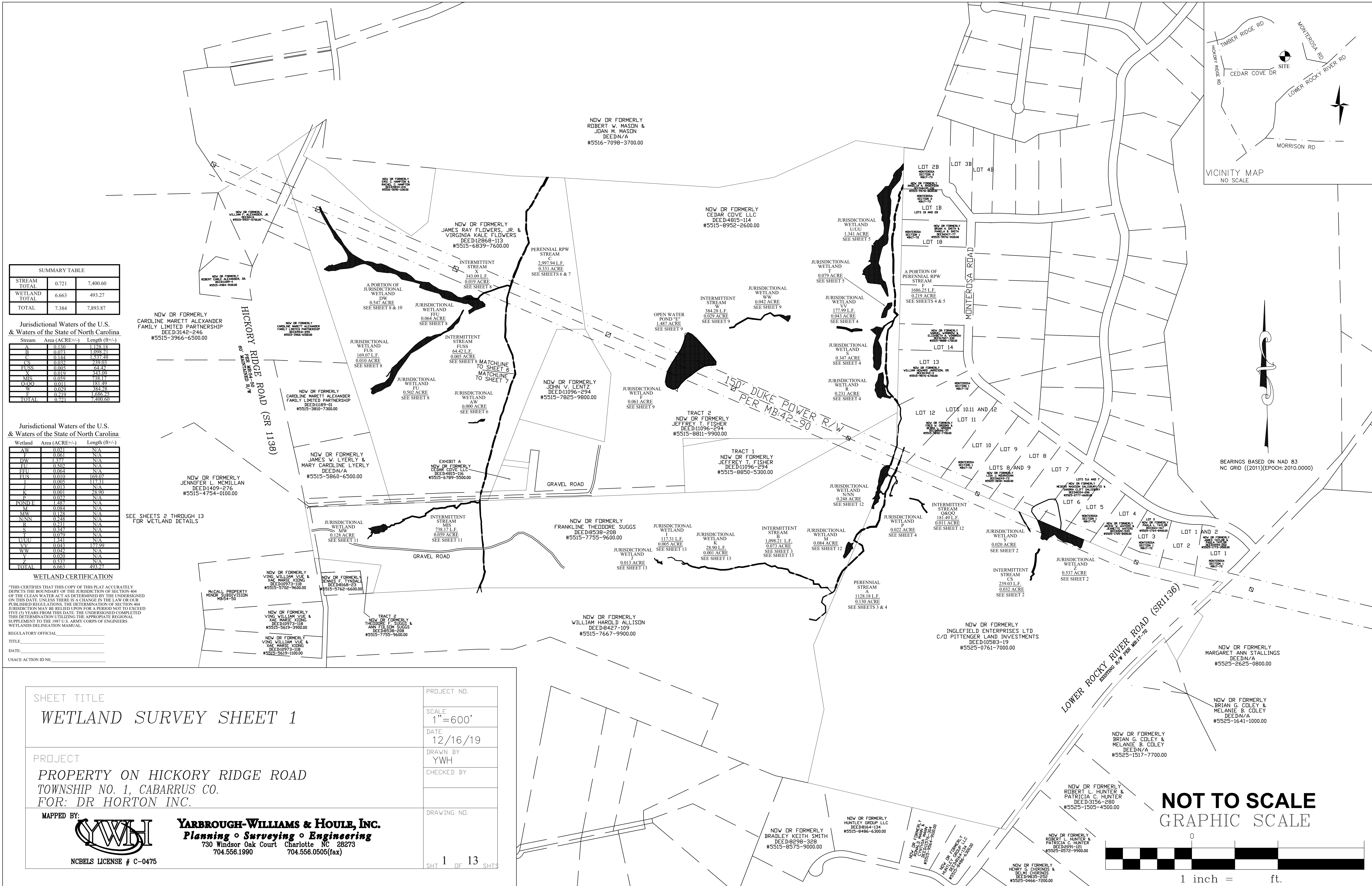
LANDDESIGN
223 NORTH GRAHAM STREET
CHARLOTTE, NC 28202
704.333.0325
CONTACT: MARK KIME

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



NOT FOR
CONSTRUCTION

ORCHID RIDGE

DR HORTON
8001 ARROWRIDGE BLVD.
CHARLOTTE, NC 28273

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

DESIGNED BY:
DRAWN BY:
CHECKED BY:

SCALE: NORTH

VERT: N/A
HORZ: NTS

(NOT TO SCALE)

SHEET TITLE

SURVEY

SHEET NUMBER

RZ-1.1

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.

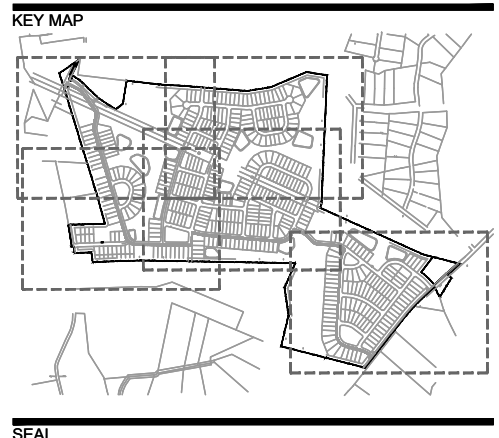
EXISTING ZONING:	CR (CABARRUS COUNTY)
PROPOSED ZONING:	CZ-RL CONSERVATION DISTRICT (TOWN OF HARRISBURG)
EXISTING USE:	VACANT
PROPOSED USE:	SINGLE-FAMILY
PROPOSED LOTS:	227 (60' X 200') MINIMUM 232 (70' X 172') MINIMUM 459 LOTS
TOTAL LOTS:	1,35
DUA:	1.35
OPEN SPACE REQUIRED:	±138.11 ACRES (40.00%)
OPEN SPACE PROVIDED:	±150.58 ACRES (43.63%)
ACTIVE OPEN SPACE REQUIRED:	±11.50 ACRES (.025 AC/LOT)
ACTIVE OPEN SPACE PROVIDED:	±17.12 ACRES
MAX. OPEN SPACE ALLOWED IN INACCESSIBLE LAND:	±37.64 ACRES (25.00%)
PROP. OPEN SPACE IN INACCESSIBLE LAND:	±31.08 ACRES (20.64%)
PUBLIC OPEN SPACE REQUIRED:	±13.11 ACRES (.03 AC/LOT)
PUBLIC OPEN SPACE PROVIDED:	±17.36 ACRES (BLACKWELDER NATURAL HERITAGE SITE)

CLUSTER MAIL BOX UNITS
PROVIDED: 28 UNITS

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

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

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



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
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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

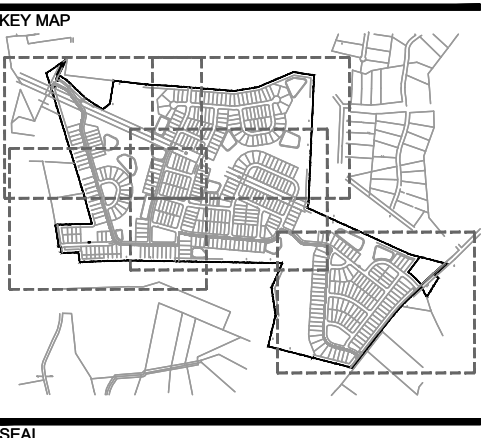
VERT: N/A
HORZ: 1"=200'

SHEET TITLE

TECHNICAL DATA SHEET

SHEET NUMBER

RZ-2.0



NOT FOR
CONSTRUCTION

ORCHID RIDGE

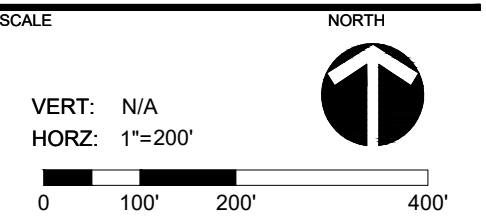
DR HORTON
8001 ARROWRIDGE BLVD.
CHARLOTTE, NC 28273

LANDDESIGN PROJ.# 1018319

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
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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



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

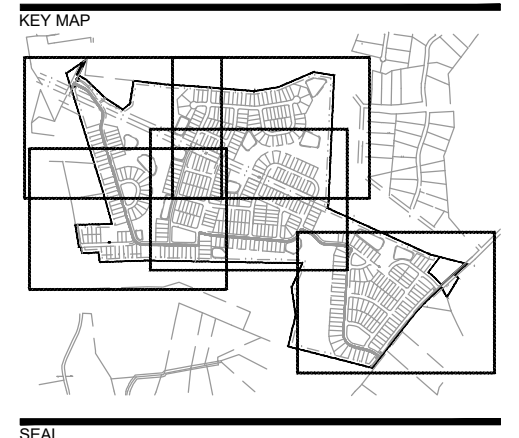
FOR THE PURPOSE OF ORDINANCE COMPLIANCE, THE FOLLOWING
CALCULATIONS ARE BASED ON AREA 4 ONLY.

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 REQUIRED:	±11.50 ACRES (.025 AC/LOT)
MAX. OPEN SPACE PROVIDED:	±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.



**NOT FOR
CONSTRUCTION**

ORCHID RIDGE

DR HORTON
8001 ARROWRIDGE BLVD.
CHARLOTTE, NC 28273

[illegible]

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

SCALE

VERT: N/A
HORZ: 1"=300'

NORTH

A circular symbol with a vertical line and two diagonal lines pointing upwards and outwards, representing a north arrow.

0 150' 300' 600'

SHEET TITLE

CONCEPTUAL SITE PLAN

SHEET NUMBER

RZ-4.0



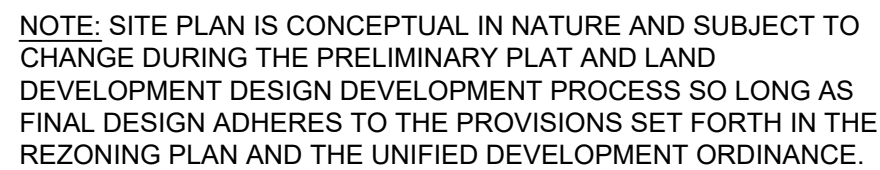
DR HORTON
8001 ARROWRIDGE BLVD.
CHARLOTTE, NC 28273

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

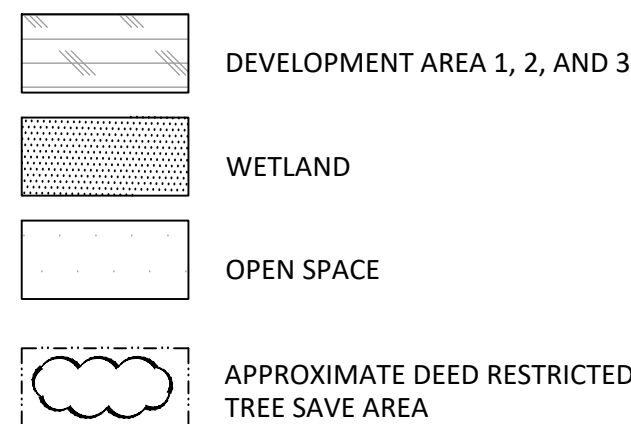


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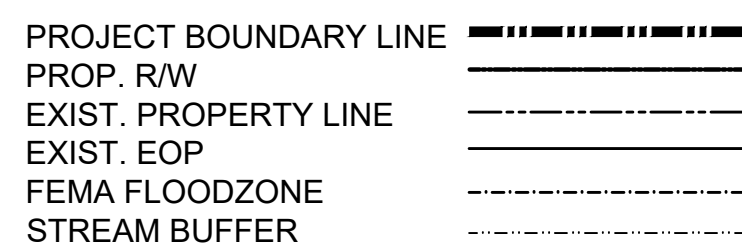
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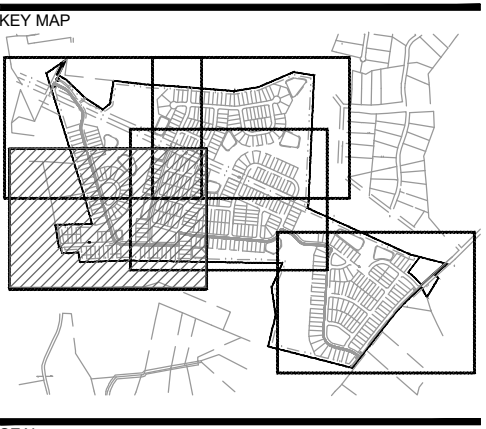


HATCH LEGEND



LINETYPE LEGEND





SEAL

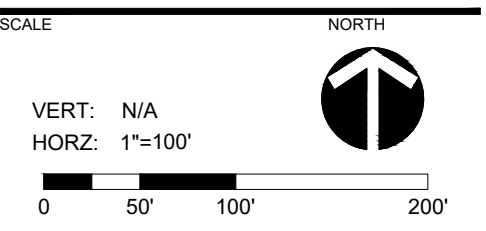
NOT FOR
CONSTRUCTION

ORCHID RIDGE

DR HORTON
8001 ARROWRIDGE BLVD.
CHARLOTTE, NC 28273

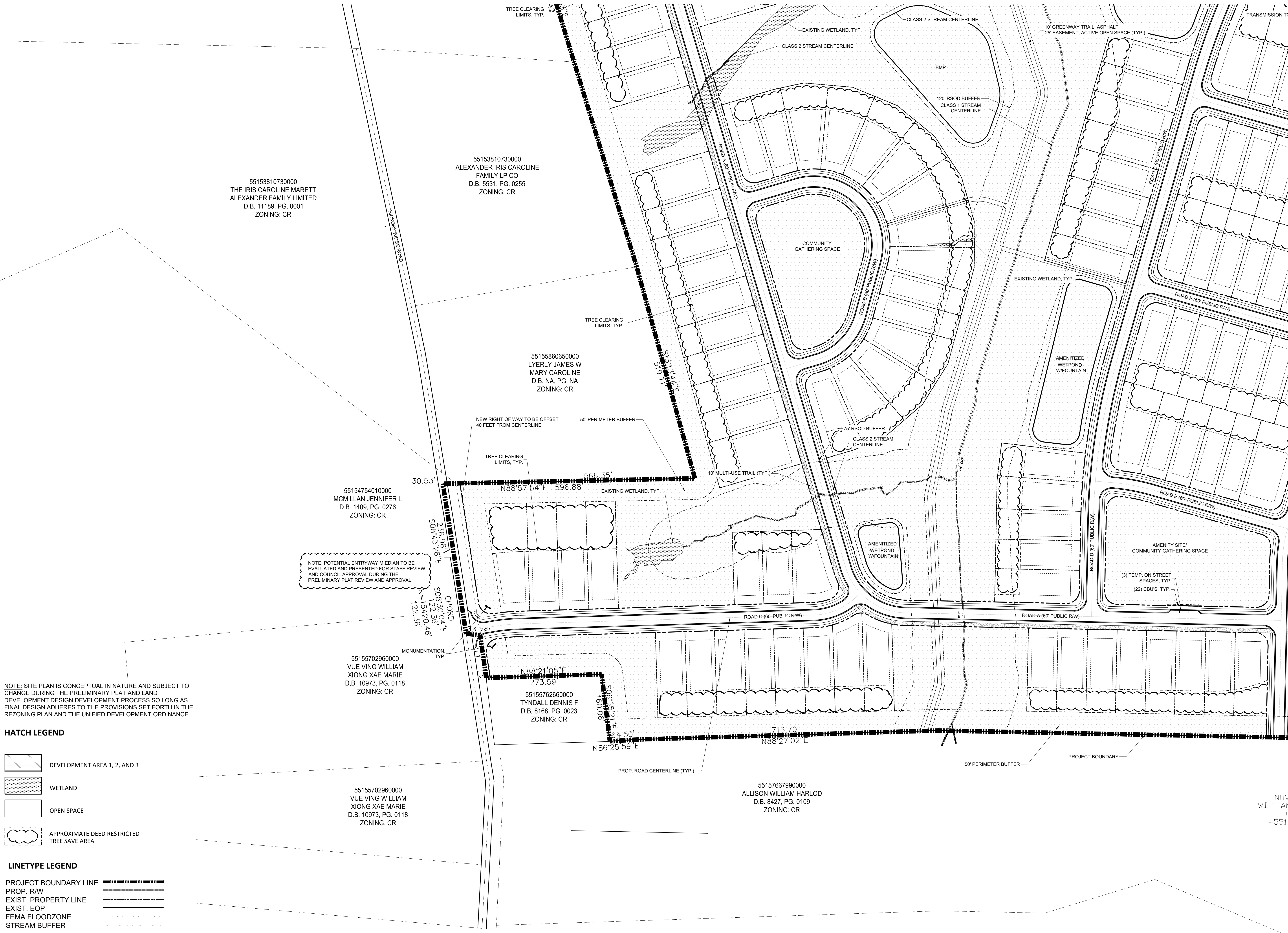
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5	REZONING SUBMITTAL	02/19/21
6	REZONING SUBMITTAL	03/05/21
7	REZONING SUBMITTAL	03/24/21

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



CONCEPTUAL DETAILED
SITE PLAN

SHEET NUMBER
RZ-4.2



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



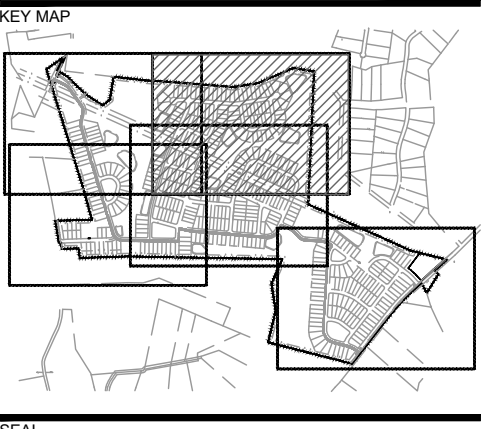
NOTE: SITE PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE DURING THE PRELIMINARY PLAT AND LAND DEVELOPMENT DESIGN DEVELOPMENT PROCESS SO LONG AS FINAL DESIGN ADHERES TO THE PROVISIONS SET FORTH IN THE REZONING PLAN AND THE UNIFIED DEVELOPMENT ORDINANCE.

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

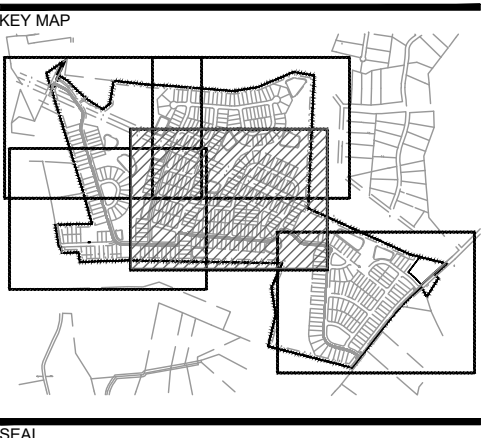
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NO.	DESCRIPTION	DATE
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4	REZONING SUBMITTAL	12/10/20
5	REZONING SUBMITTAL	02/19/21
6	REZONING SUBMITTAL	03/05/21
7	REZONING SUBMITTAL	03/24/21

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



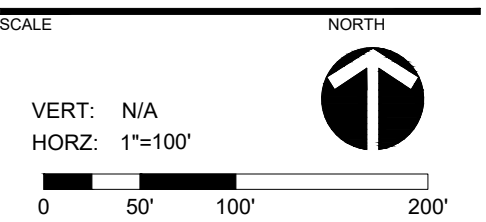
NOT FOR
CONSTRUCTION

ORCHID RIDGE

DR HORTON
8001 ARROWRIDGE BLVD.
CHARLOTTE, NC 28273

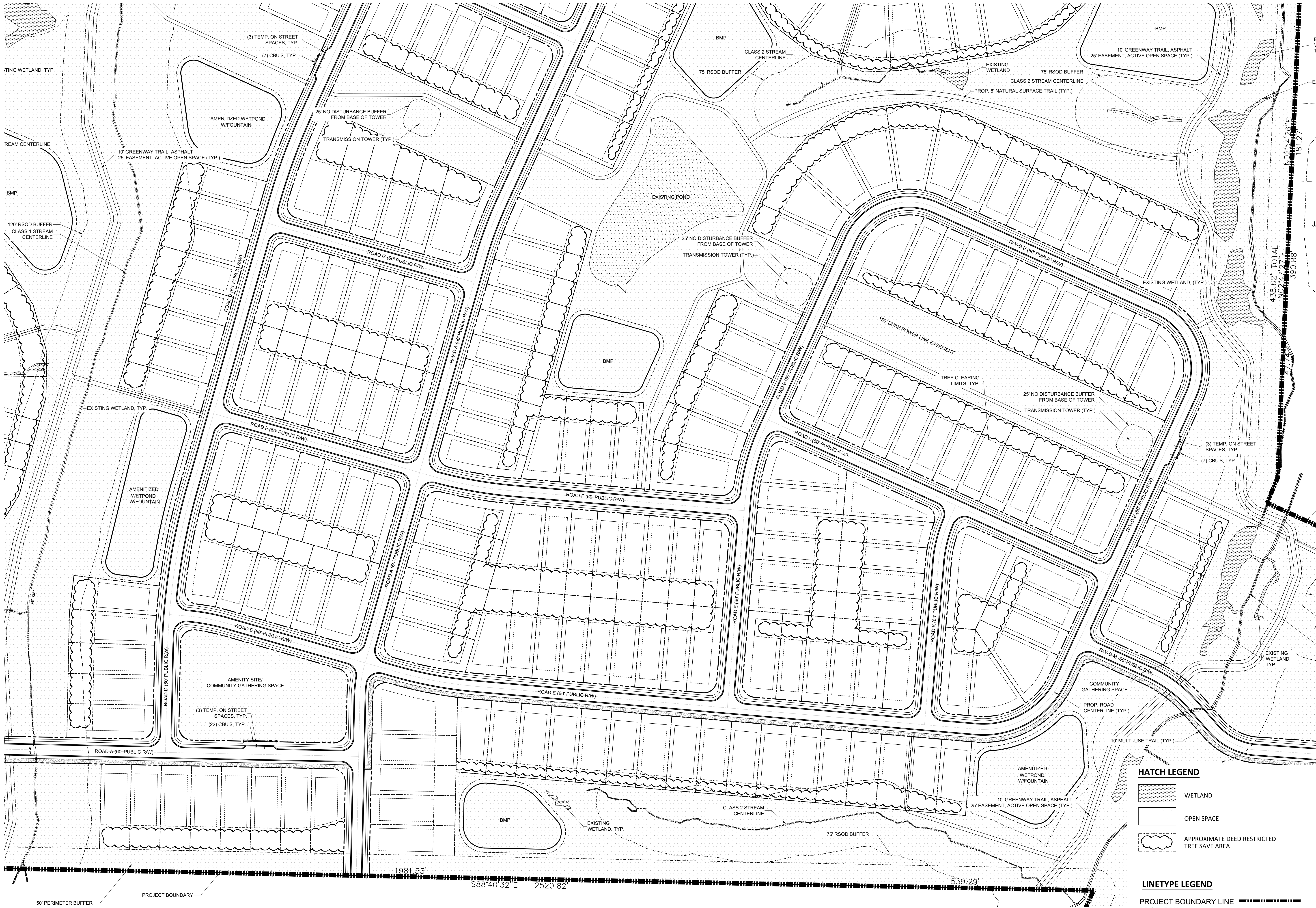
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NO.	DESCRIPTION	DATE
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4	REZONING SUBMITTAL	12/10/20
5	REZONING SUBMITTAL	02/19/21
6	REZONING SUBMITTAL	03/05/21
7	REZONING SUBMITTAL	03/24/21

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



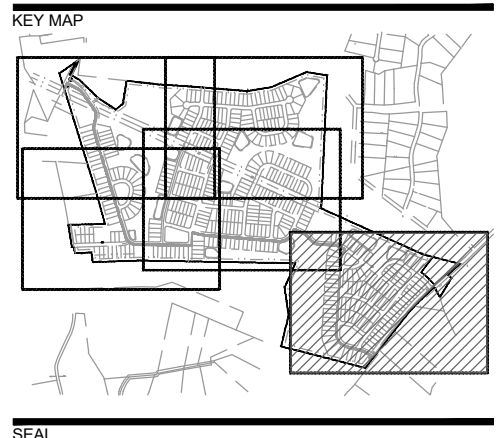
CONCEPTUAL DETAILED
SITE PLAN

RZ-4.4



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.

NOW OR FORMERLY
WILLIAM HAROLD ALLISON



SEAL

NOT FOR
CONSTRUCTION

ORCHID RIDGE

DR HORTON
8001 ARROWRIDGE BLVD.
CHARLOTTE, NC 28273

LANDDESIGN PROJ.# 1018319

REVISION / ISSUANCE

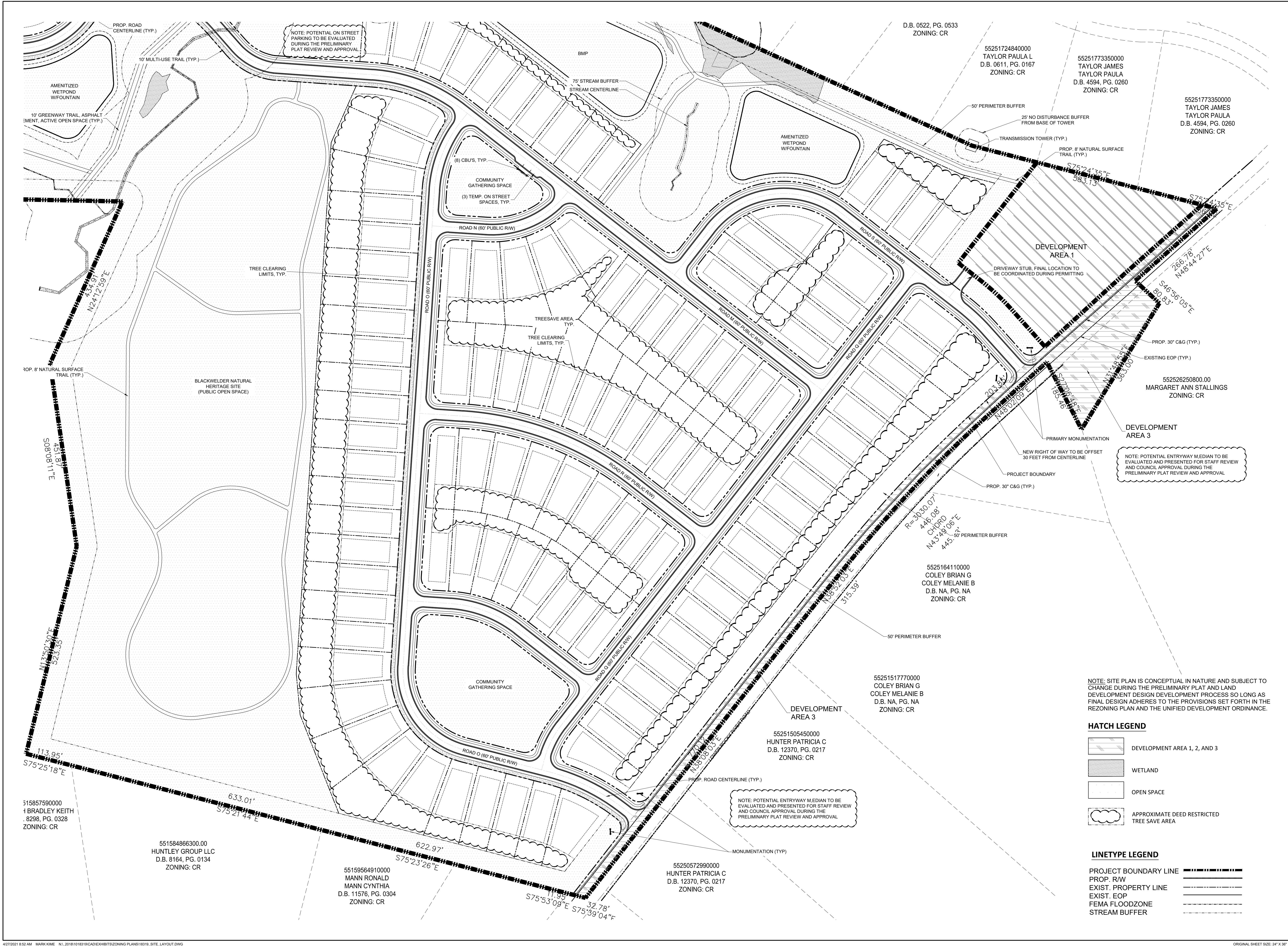
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6	REZONING SUBMITTAL	03/05/21
7	REZONING SUBMITTAL	03/24/21

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

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

SHEET TITLE
CONCEPTUAL DETAILED
SITE PLAN

SHEET NUMBER
RZ-4.5



INTERIOR BLOCK LENGTHTOTAL INTERIOR BLOCK
PERIMETER LENGTH: = 24,093 LF

NUMBER OF INTERIOR BLOCKS = 17

AVERAGE INTERIOR BLOCK
PERIMETER LENGTH = 24,093 LF/ 17 BLOCKS = 1,417 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.

TRAIL TAKE-OFFS**GREENWAY/ASPHALT TRAIL**

LENGTH: 8,772 LF

SQUARE YARDS: 9,824 SY

NATURAL SURFACE TRAIL

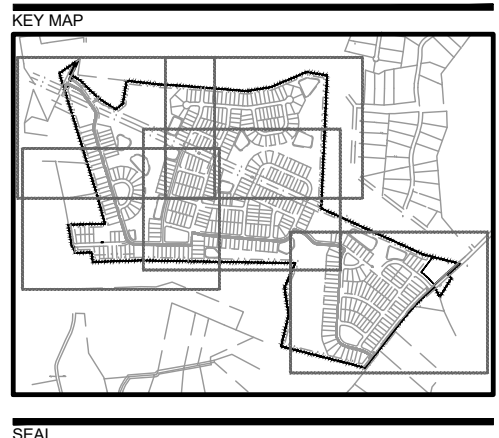
LENGTH: 13,648 LF

SQUARE YARDS: 12,267 SY

MULTI-USE TRAIL

LENGTH: 9,017 LF

SQUARE YARDS: 9,926 SY



SEAL

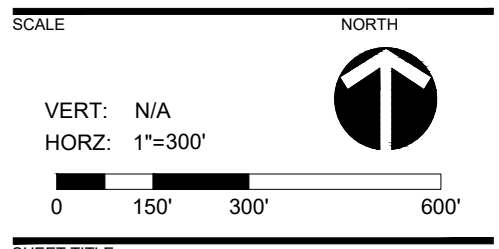
**NOT FOR
CONSTRUCTION****ORCHID RIDGE**

DR HORTON

8001 ARROWRIDGE BLVD.

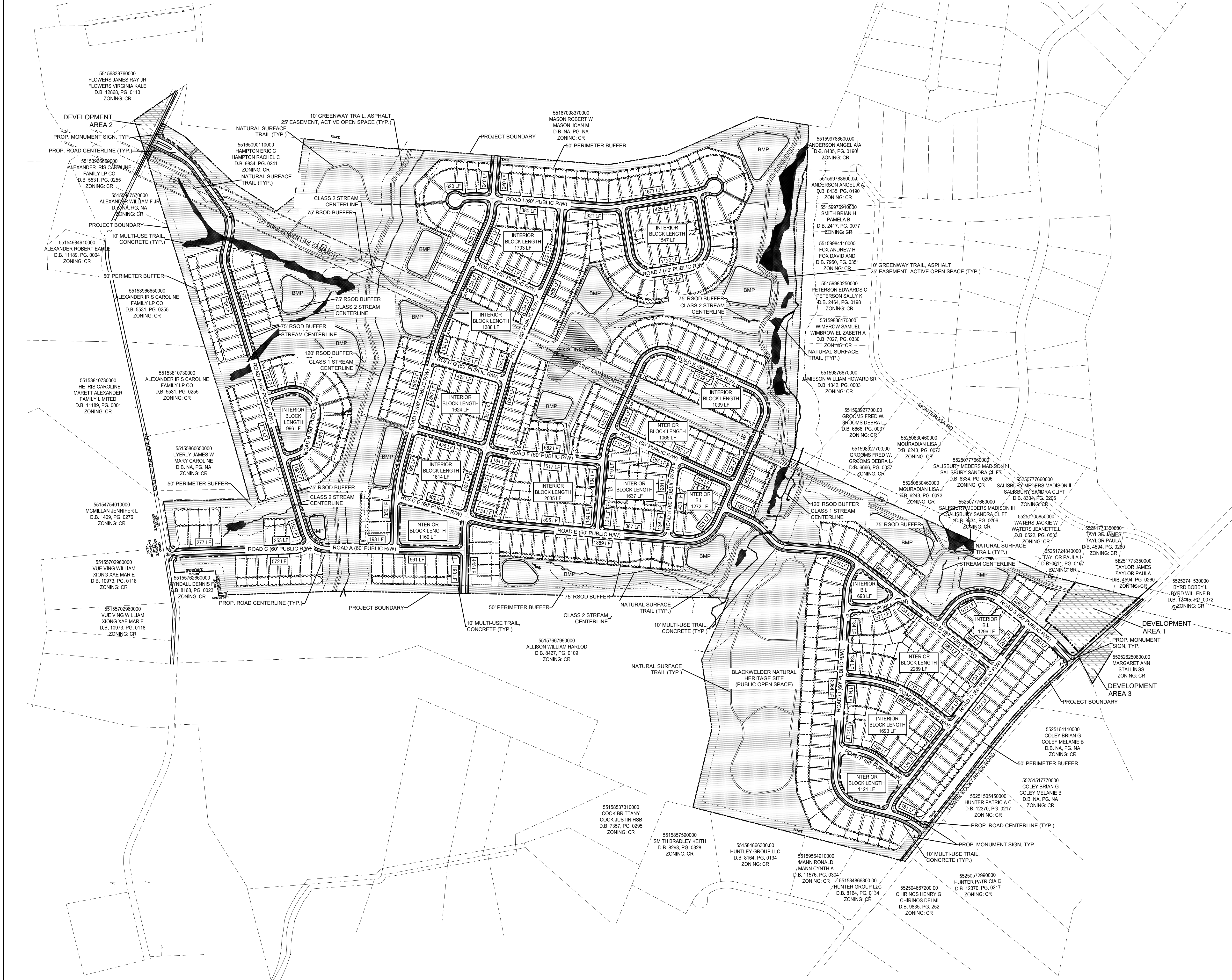
CHARLOTTE, NC 28273

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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

BLOCK LENGTHS PLAN

SHEET NUMBER

RZ-4.6

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
	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
Development Standards
4/26/2021
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:

I. 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 of 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.

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*).

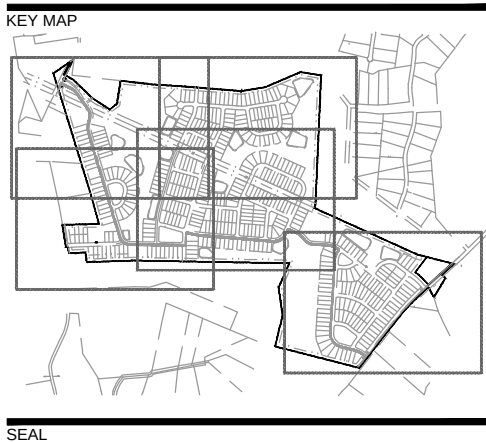
13. Applicant agrees that all streets should be to the Town of Harrisburg Engineering Design standards, alternate pavement schedule is not allowable. Roadways cross sections will be reviewed and approved at the construction document phase (*see Development Standards Section 3*).

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.

16. Applicant agrees to provide a 10% rental cap contingent upon further evaluation of impacts on mortgage lending criteria; final decision on the rental cap to be determined during the preliminary plat review and approval.

17. Applicant agrees to evaluate potential sidewalk connection along Hickory Ridge Road to Hickory Ridge Elementary School prior to issuance of building permits in Phase 3 and contingent upon feasibility, including but not limited to coordination between the Town and NCDOT, NCDOT approval, right of way availability, subsequent approved developments along the corridor, and existing conditions.



SEAL

NOT FOR
CONSTRUCTION

ORCHID RIDGE

DR HORTON
8001 ARROWRIDGE BLVD.
CHARLOTTE, NC 28273

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
△	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

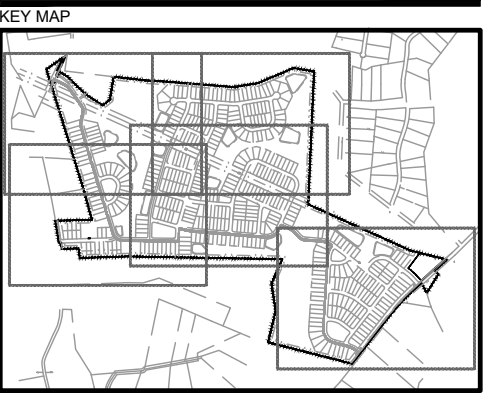
RZ-5.0

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

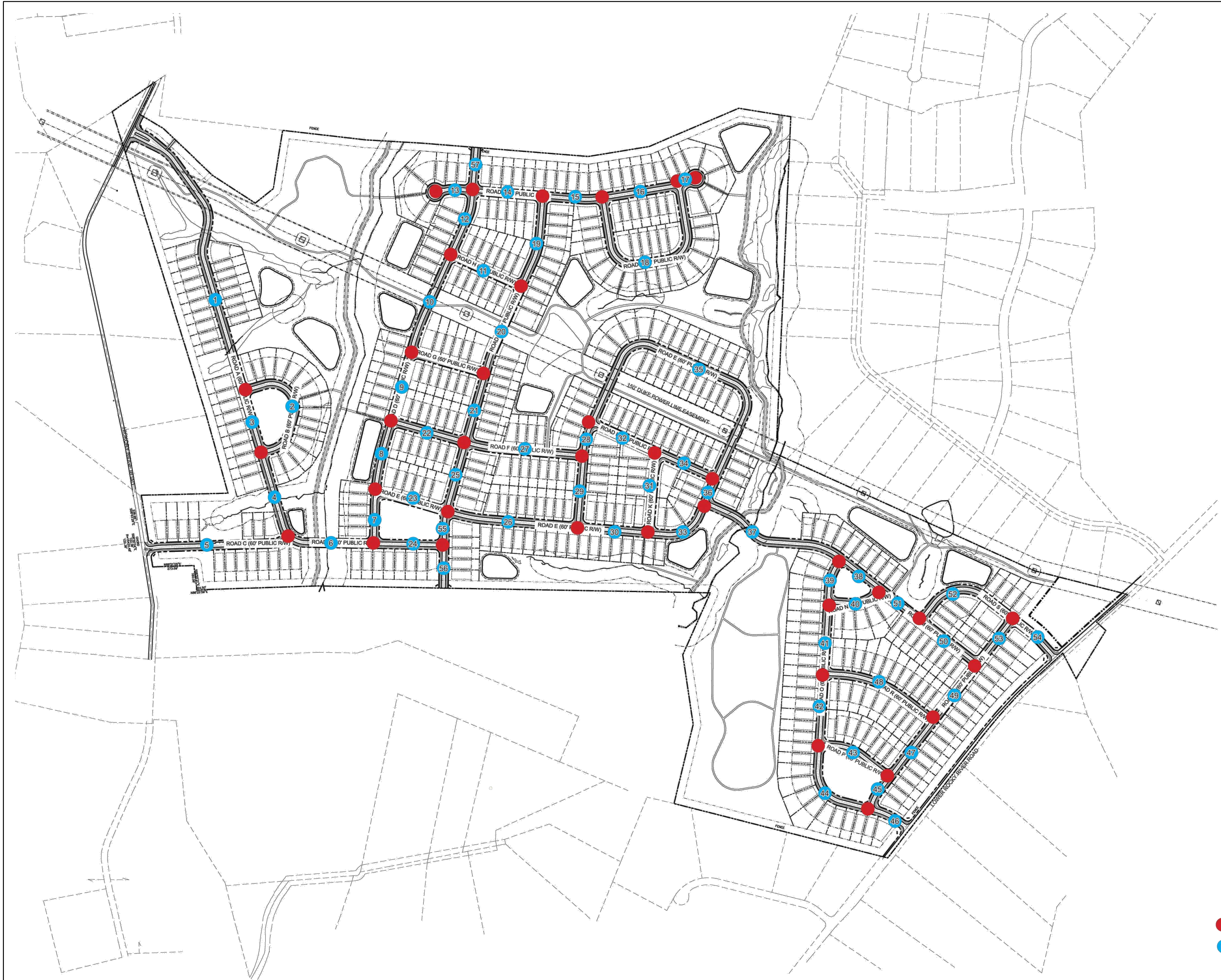
NO.	DESCRIPTION	DATE
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3	REZONING SUBMITTAL	08/06/20
4	REZONING SUBMITTAL	12/10/20
5	REZONING SUBMITTAL	02/19/21
6	REZONING SUBMITTAL	03/05/21
7	REZONING SUBMITTAL	03/24/21

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

SCALE
VERT: N/A
HORZ: 1"=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





Town of Harrisburg
Planning and Economic Development Department
Rezoning Staff Report

DATE: April 27, 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

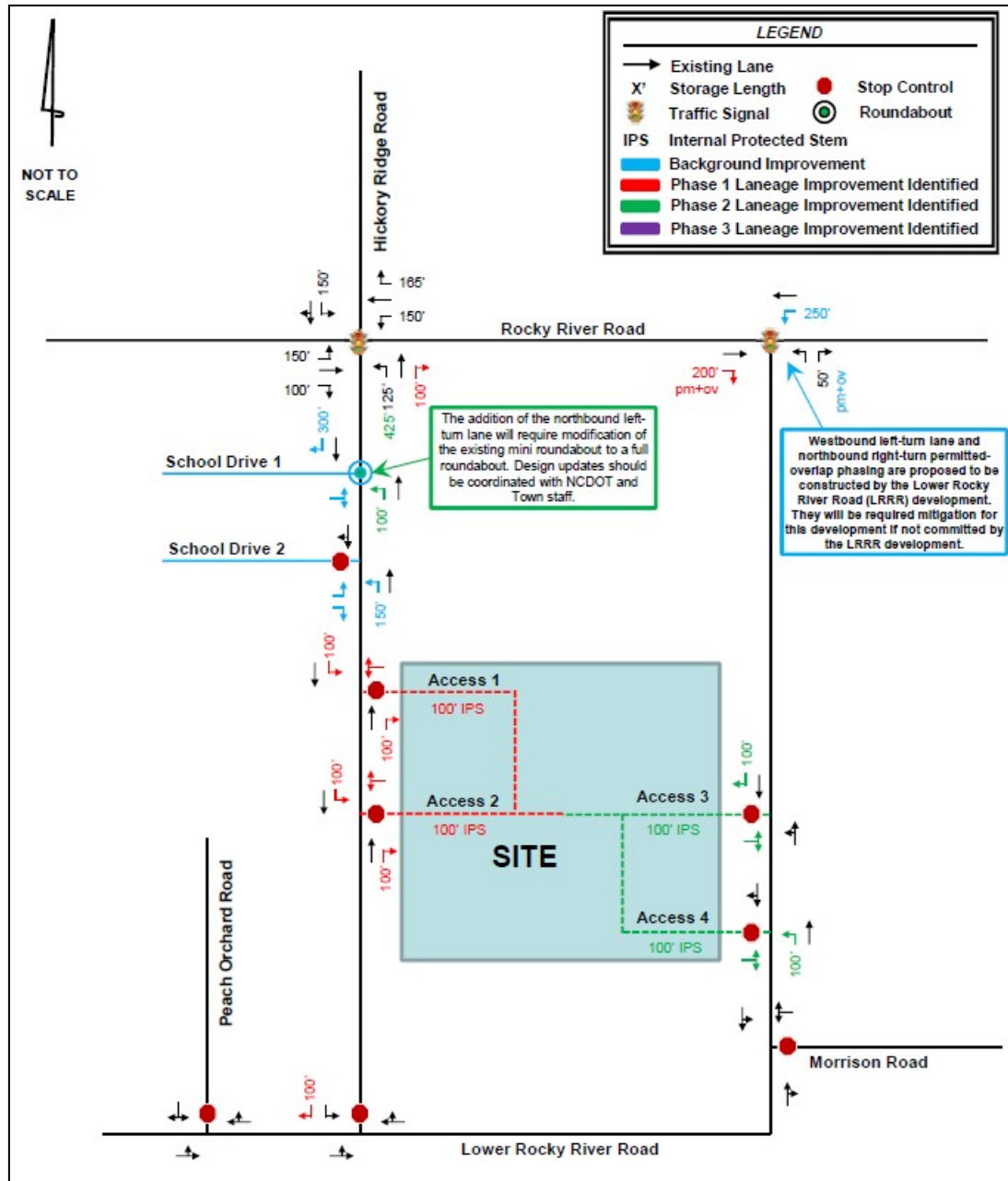
Zoning within 500 feet: North - Countryside Residential (CR), County
South - Countryside Residential (CR), County
East - Countryside Residential (CR), County
West - Countryside Residential (CR), County

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.
16. Applicant agrees to provide a 10% rental cap contingent upon further evaluation of impacts on mortgage lending criteria; final decision on the rental cap to be determined during the preliminary plat review and approval.
17. Applicant agrees to evaluate potential sidewalk connection along Hickory Ridge Road to

Hickory Ridge Elementary School prior to issuance of building permits in Phase 3 and contingent upon feasibility, including but not limited to coordination between the Town and NCDOT, NCDOT approval, right of way availability, subsequent approved developments along the corridor, and existing conditions

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, CHAR
Jane Ordix 2003 Monterosa Rd.
PETE STEFAN & DEANNE 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 River Rd Concord

Beverly Heltzer

8429 Wondewood 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:

**Kimley-Horn and Associates, Inc.
NC License #F - 0102
200 South Tryon Street, Suite 200
Charlotte, North Carolina 28202
(704) 333-5131**

**February 2021
018536041**



Laura N Reid
2/8/21

TABLE OF CONTENTS

	<u>Page No.</u>
1.0 EXECUTIVE SUMMARY	1
2.0 INTRODUCTION	6
3.0 EXISTING TRAFFIC CONDITIONS	7
3.1 STUDY AREA	7
3.2 EXISTING TRAFFIC VOLUME DEVELOPMENT	8
4.0 BACKGROUND TRAFFIC VOLUME DEVELOPMENT	14
4.1 HISTORICAL BACKGROUND GROWTH TRAFFIC	14
4.2 APPROVED DEVELOPMENTS	14
5.0 SITE TRAFFIC VOLUME DEVELOPMENT	22
5.1 SITE ACCESS	22
5.2 TRAFFIC GENERATION	22
5.3 SITE TRAFFIC DISTRIBUTION AND ASSIGNMENT	23
5.4 BUILD-OUT TRAFFIC VOLUMES	23
6.0 CAPACITY ANALYSIS	32
6.1 ROCKY RIVER ROAD AND HICKORY RIDGE ROAD	35
6.2 ROCKY RIVER ROAD AND LOWER ROCKY RIVER ROAD	37
6.3 PEACH ORCHARD ROAD AND LOWER ROCKY RIVER ROAD	39
6.4 HICKORY RIDGE ROAD AND LOWER ROCKY RIVER ROAD	40
6.5 MORRISON ROAD AND LOWER ROCKY RIVER ROAD	42
6.6 HICKORY RIDGE ROAD AND SCHOOL DRIVE 1	44
6.7 HICKORY RIDGE ROAD AND SCHOOL DRIVE 2	46
6.8 HICKORY RIDGE ROAD AND ACCESS 1	47
6.9 HICKORY RIDGE ROAD AND ACCESS 2	48
6.10 LOWER ROCKY RIVER ROAD AND ACCESS 3	49
6.11 LOWER ROCKY RIVER ROAD AND ACCESS 4	50
7.0 AUXILIARY TURN LANE WARRANTS	51
8.0 CRASH DATA ANALYSIS	55
9.0 MITIGATION IMPROVEMENTS	57
APPENDIX	60

List of Figures

	<u>Page No.</u>
FIGURE 1.1 – IDENTIFIED MITIGATION IMPROVEMENTS	5
FIGURE 3.1 – STUDY AREA/SITE LOCATION	10
FIGURE 3.2 – PROPOSED SITE PLAN	11
FIGURE 3.3 – EXISTING ROADWAY LANEAGE	12
FIGURE 3.4 – 2020 EXISTING TRAFFIC VOLUMES	13
FIGURE 4.1 – 2023 PHASE 1 BACKGROUND AM PEAK-HOUR TRAFFIC VOLUMES	16
FIGURE 4.2 – 2023 PHASE 1 BACKGROUND PM PEAK-HOUR TRAFFIC VOLUMES	17
FIGURE 4.3 – 2025 PHASE 2 BACKGROUND AM PEAK-HOUR TRAFFIC VOLUMES	18
FIGURE 4.4 – 2025 PHASE 2 BACKGROUND PM PEAK-HOUR TRAFFIC VOLUMES	19
FIGURE 4.5 – 2026 PHASE 3 BACKGROUND AM PEAK-HOUR TRAFFIC VOLUMES	20
FIGURE 4.6 – 2026 PHASE 3 BACKGROUND PM PEAK-HOUR TRAFFIC VOLUMES	21
FIGURE 5.1 – SITE TRAFFIC DISTRIBUTION AND ASSIGNMENT – PHASE 1	24
FIGURE 5.2 – SITE TRAFFIC DISTRIBUTION AND ASSIGNMENT – PHASE 2 & PHASE 3	25
FIGURE 5.3 – 2023 PHASE 1 BUILD-OUT AM PEAK-HOUR TRAFFIC VOLUMES	26
FIGURE 5.4 – 2023 PHASE 1 BUILD-OUT PM PEAK-HOUR TRAFFIC VOLUMES	27
FIGURE 5.5 – 2025 PHASE 2 BUILD-OUT AM PEAK-HOUR TRAFFIC VOLUMES	28
FIGURE 5.6 – 2025 PHASE 2 BUILD-OUT PM PEAK-HOUR TRAFFIC VOLUMES	29
FIGURE 5.7 – 2026 PHASE 3 BUILD-OUT AM PEAK-HOUR TRAFFIC VOLUMES	30
FIGURE 5.8 – 2026 PHASE 3 BUILD-OUT PM PEAK-HOUR TRAFFIC VOLUMES	31
FIGURE 9.1 – IDENTIFIED MITIGATION IMPROVEMENTS	59

List of Tables

	<u>Page No.</u>
TABLE 3.1 - COUNT DATA METHODOLOGY	8
TABLE 5.1 – PHASE 1 TRIP GENERATION	22
TABLE 5.2 – PHASE 2 TRIP GENERATION	23
TABLE 5.3 – PHASE 3 TRIP GENERATION	23
TABLE 6.0-A VEHICULAR LOS CONTROL DELAY THRESHOLDS FOR <u>UNSIGNALIZED</u> INTERSECTIONS	33
TABLE 6.0-B VEHICULAR LOS CONTROL DELAY THRESHOLDS FOR <u>SIGNALIZED</u> INTERSECTIONS	33
TABLE 6.1 – ROCKY RIVER ROAD AND HICKORY RIDGE ROAD	35
TABLE 6.2 – ROCKY RIVER ROAD AND LOWER ROCKY RIVER ROAD	37
TABLE 6.3 – PEACH ORCHARD ROAD AND LOWER ROCKY RIVER ROAD	39
TABLE 6.4 – HICKORY RIDGE ROAD AND LOWER ROCKY RIVER ROAD	40
TABLE 6.5 – MORRISON ROAD AND LOWER ROCKY RIVER ROAD	42
TABLE 6.6 – HICKORY RIDGE ROAD AND SCHOOL DRIVE 1	44
TABLE 6.7 – HICKORY RIDGE ROAD AND SCHOOL DRIVE 2	46
TABLE 6.8 – HICKORY RIDGE ROAD AND ACCESS 1	47
TABLE 6.9 – HICKORY RIDGE ROAD AND ACCESS 2	48
TABLE 6.10 – LOWER ROCKY RIVER ROAD AND ACCESS 3	49
TABLE 6.11 – LOWER ROCKY RIVER ROAD AND ACCESS 4	50
TABLE 8.1 – CRASH SEVERITY SUMMARY	55
TABLE 8.2 – ACCIDENT FREQUENCY SUMMARY	55
TABLE 8.3 – ACCIDENT TYPE SUMMARY	56

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

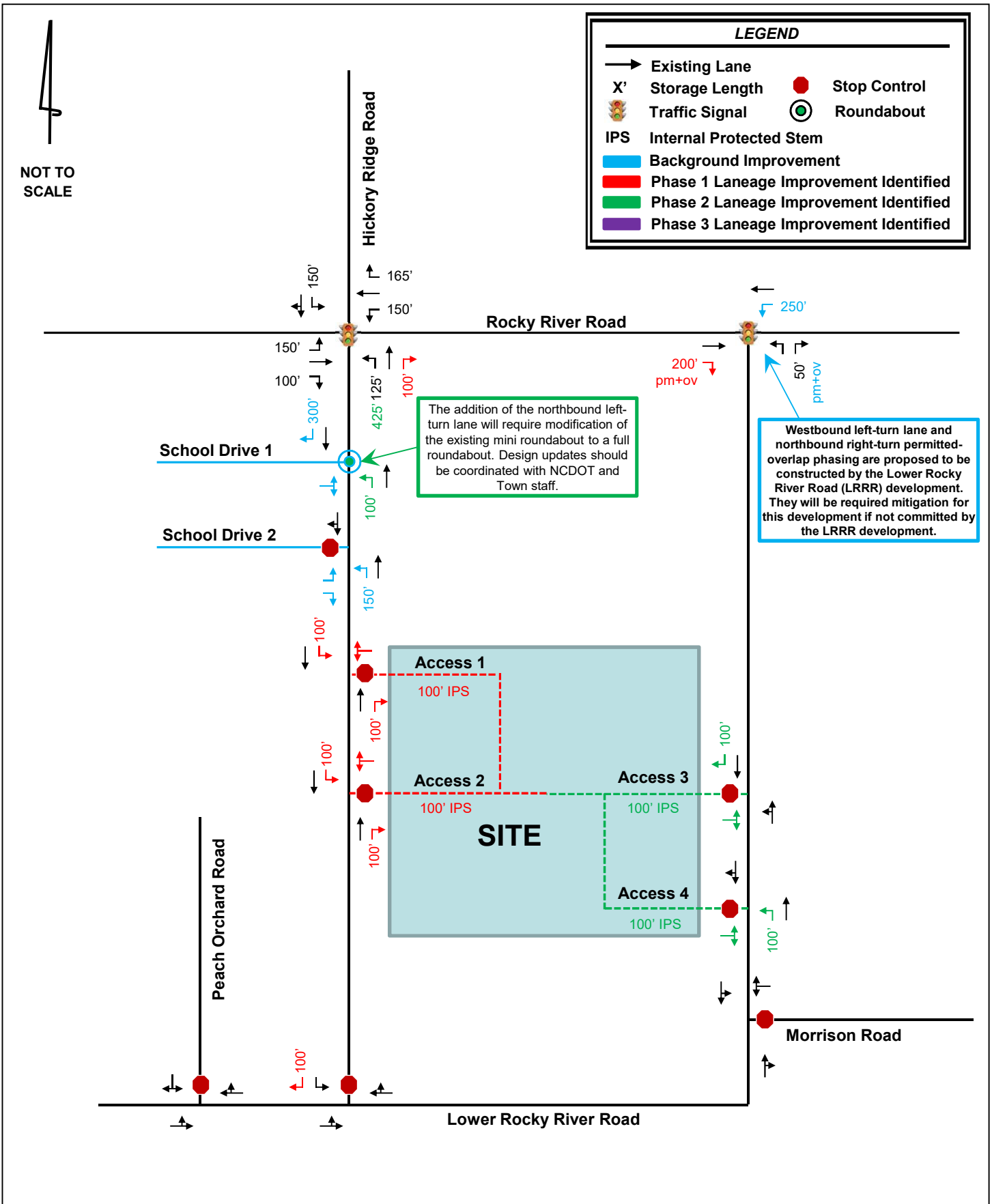
- Construction of the eastbound approach with one ingress & one egress lane and an internal protected stem of 100 feet.
- Construction of a southbound right-turn lane along Lower Rocky River Road with a minimum storage length of 100 feet.

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
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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)

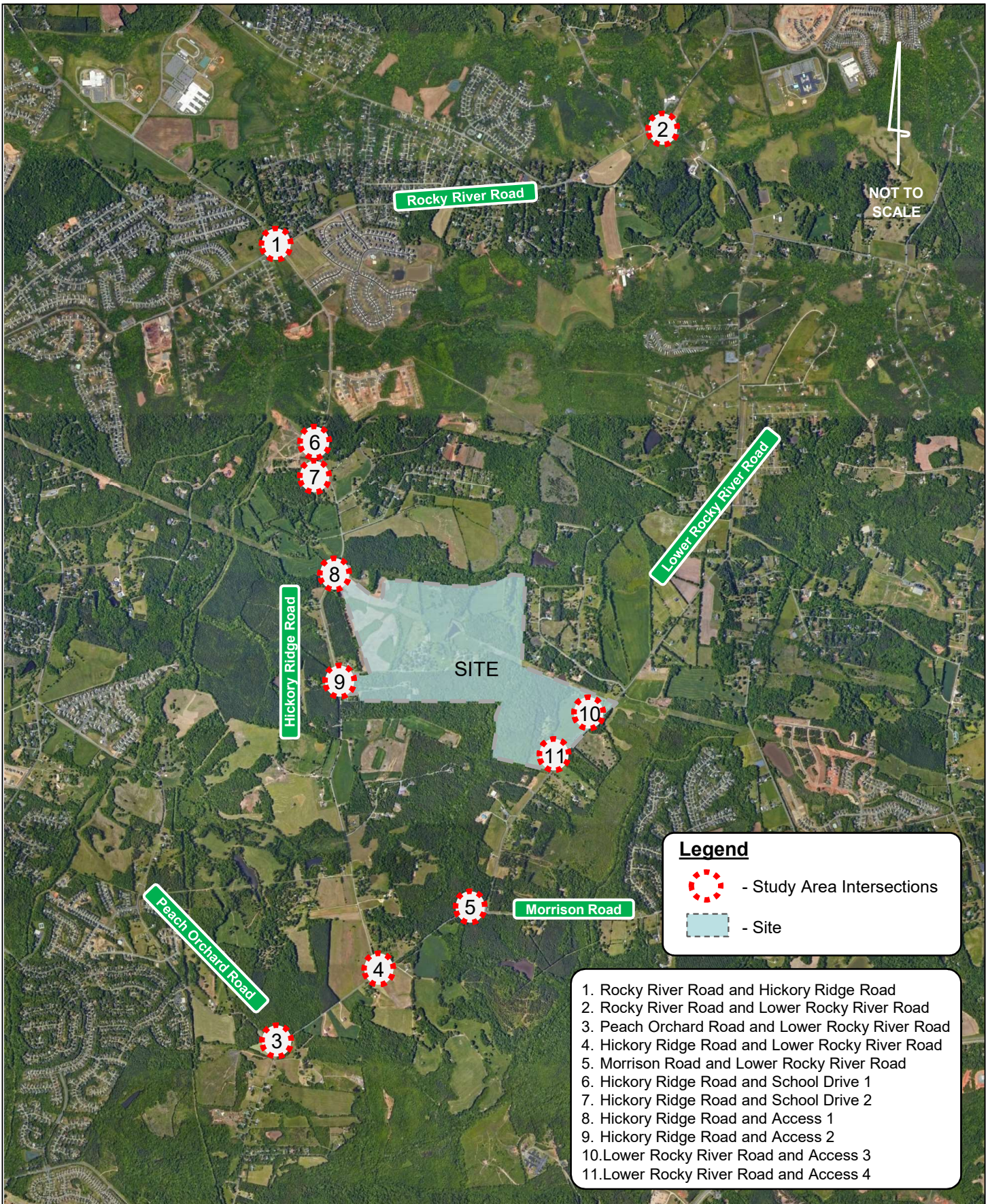
NDS – National Data & Surveying Services (traffic count subconsultant)

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

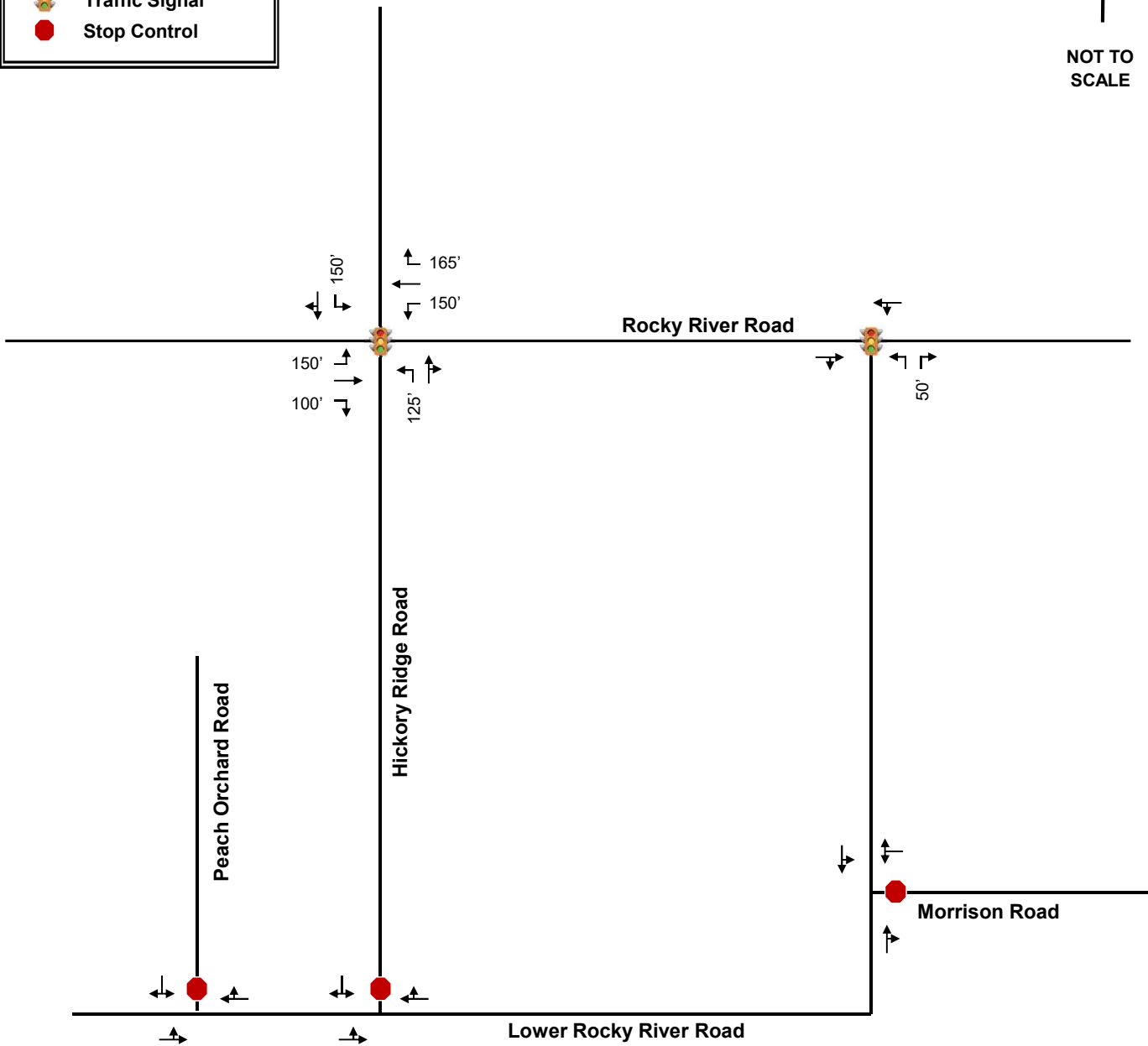
X' Storage Length

Traffic Signal

● Stop Control



NOT TO SCALE



LEGEND

XX

AM Peak-Hour Traffic Volumes

(XX)

PM Peak-Hour Traffic Volumes

●

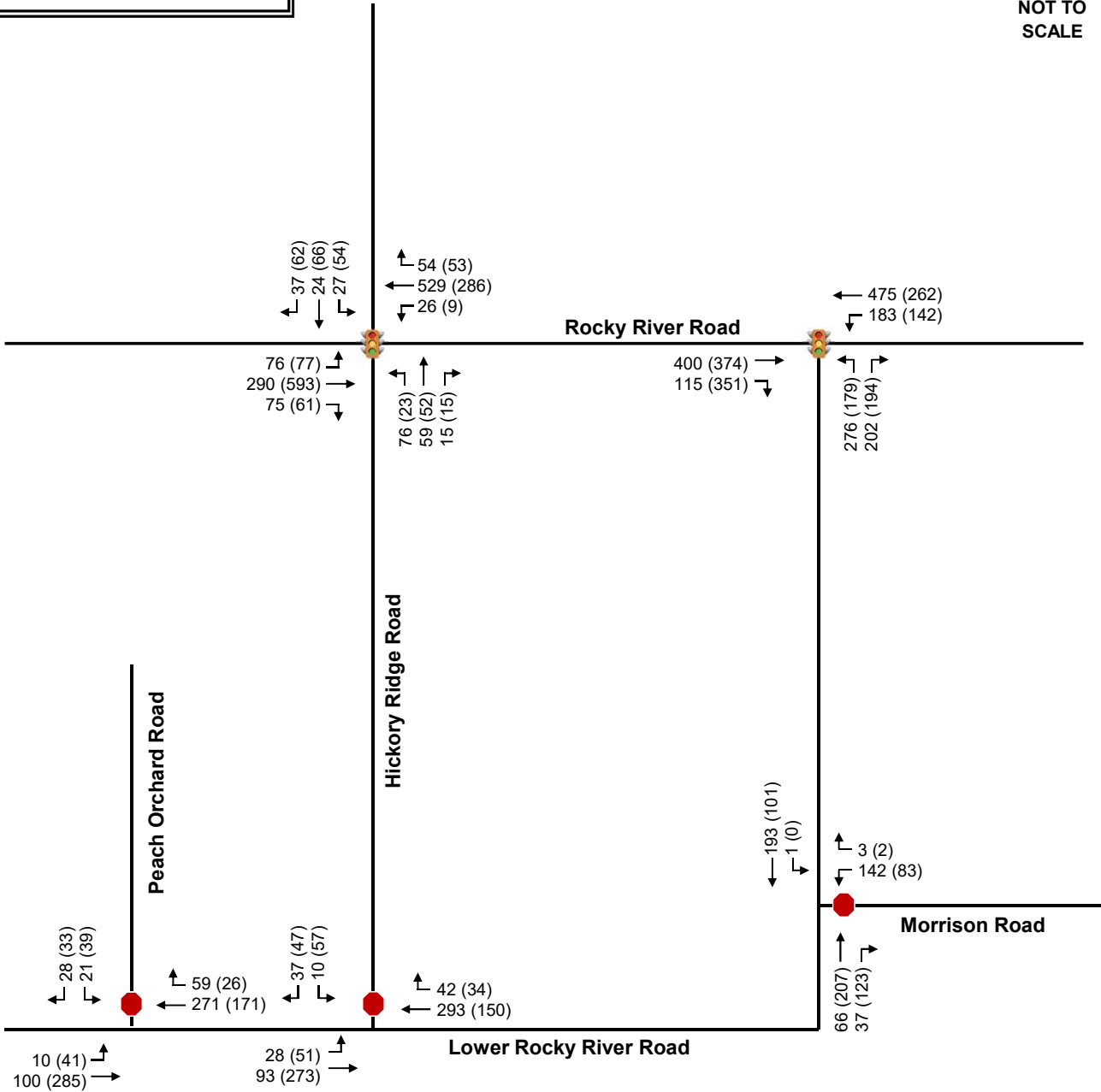
Stop Control

🚦

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

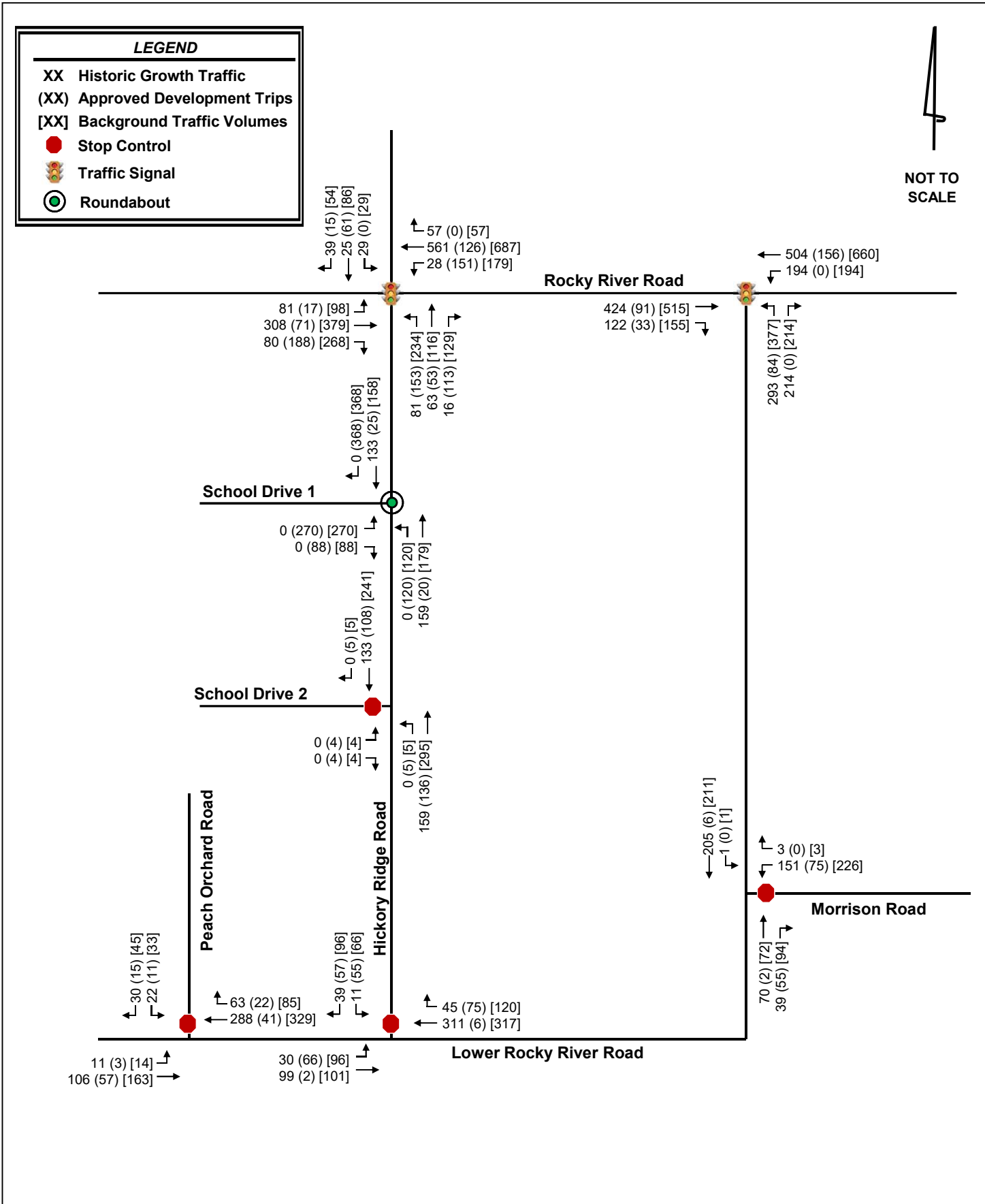
Per a letter from the NCDOT Municipal and School Transportation Assistance (MSTA) group and Congestion Management section dated October 11, 2019, construction of improvements at these two intersections are not committed to be done by the school. Therefore, these improvements associated with the school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

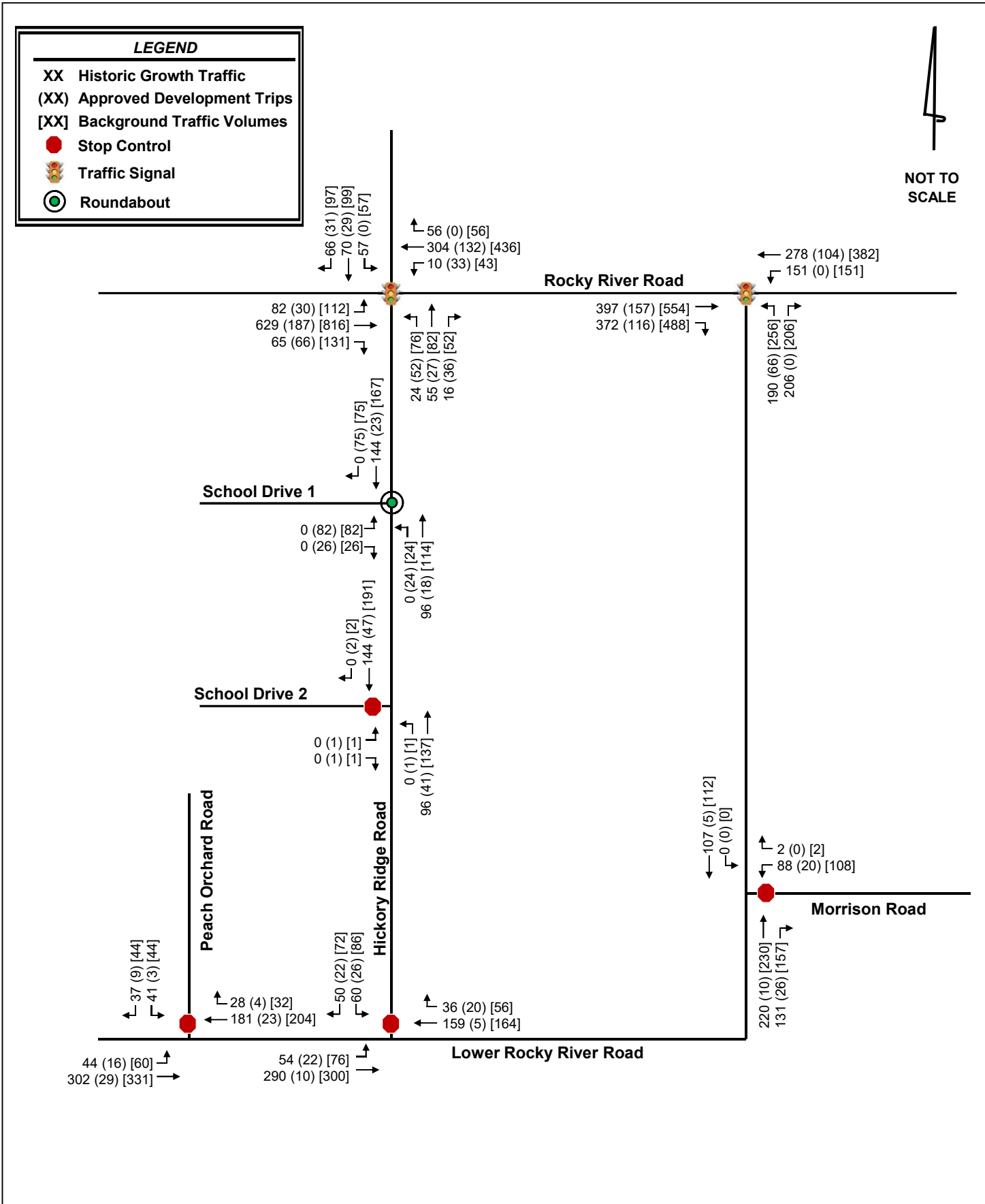
In the TIA scoping meeting, impacts of the proposed development to the SW Cabarrus Elementary School Driveways were discussed. Based on these discussions, the following intersections are included in all future year conditions:

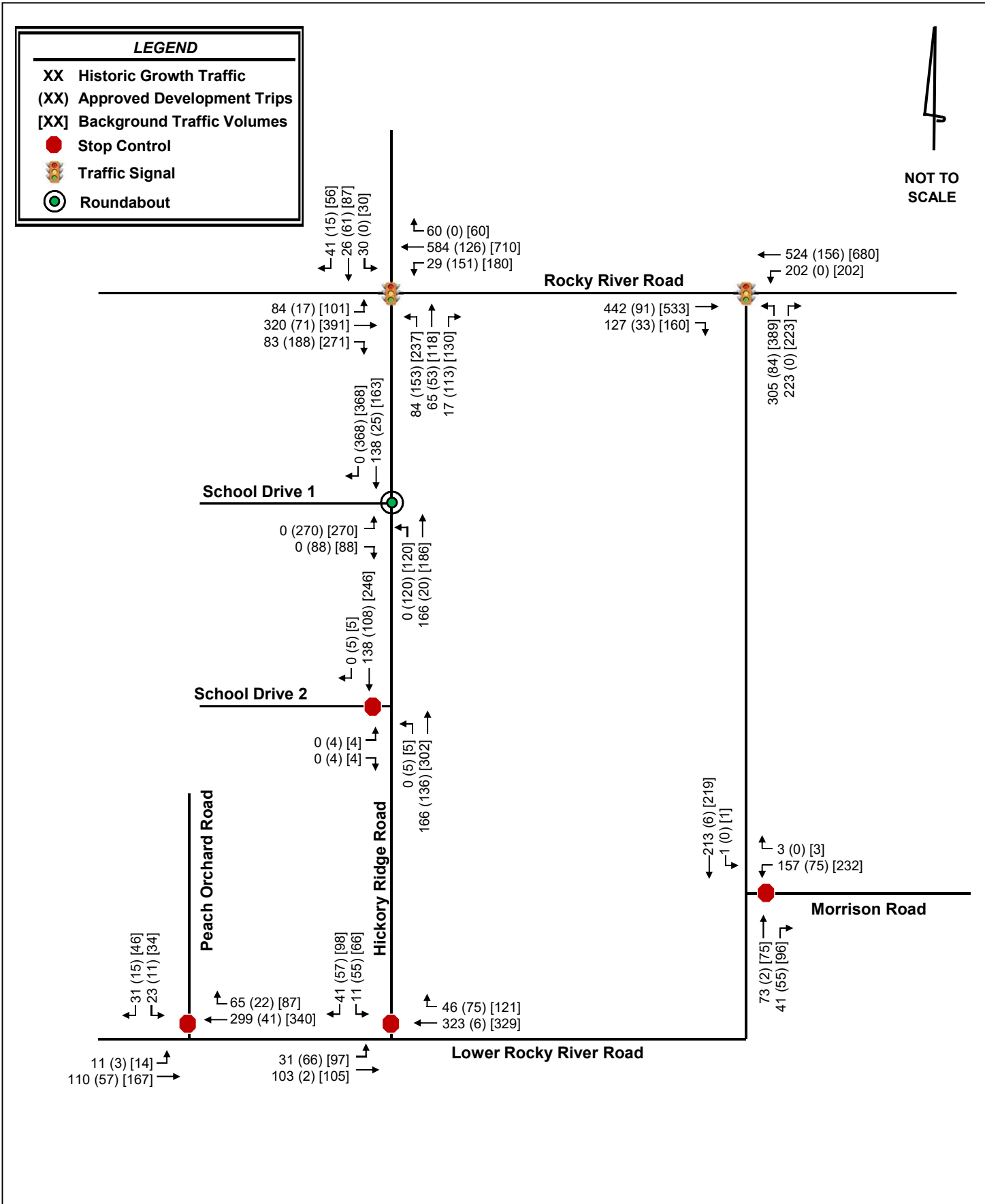
- Hickory Ridge Road and School Drive 1 – mini single-lane roundabout with a southbound right-turn lane
- Hickory Ridge Road and School Drive 2 – stop-controlled t-intersection with a northbound left-turn lane and two school egress lanes

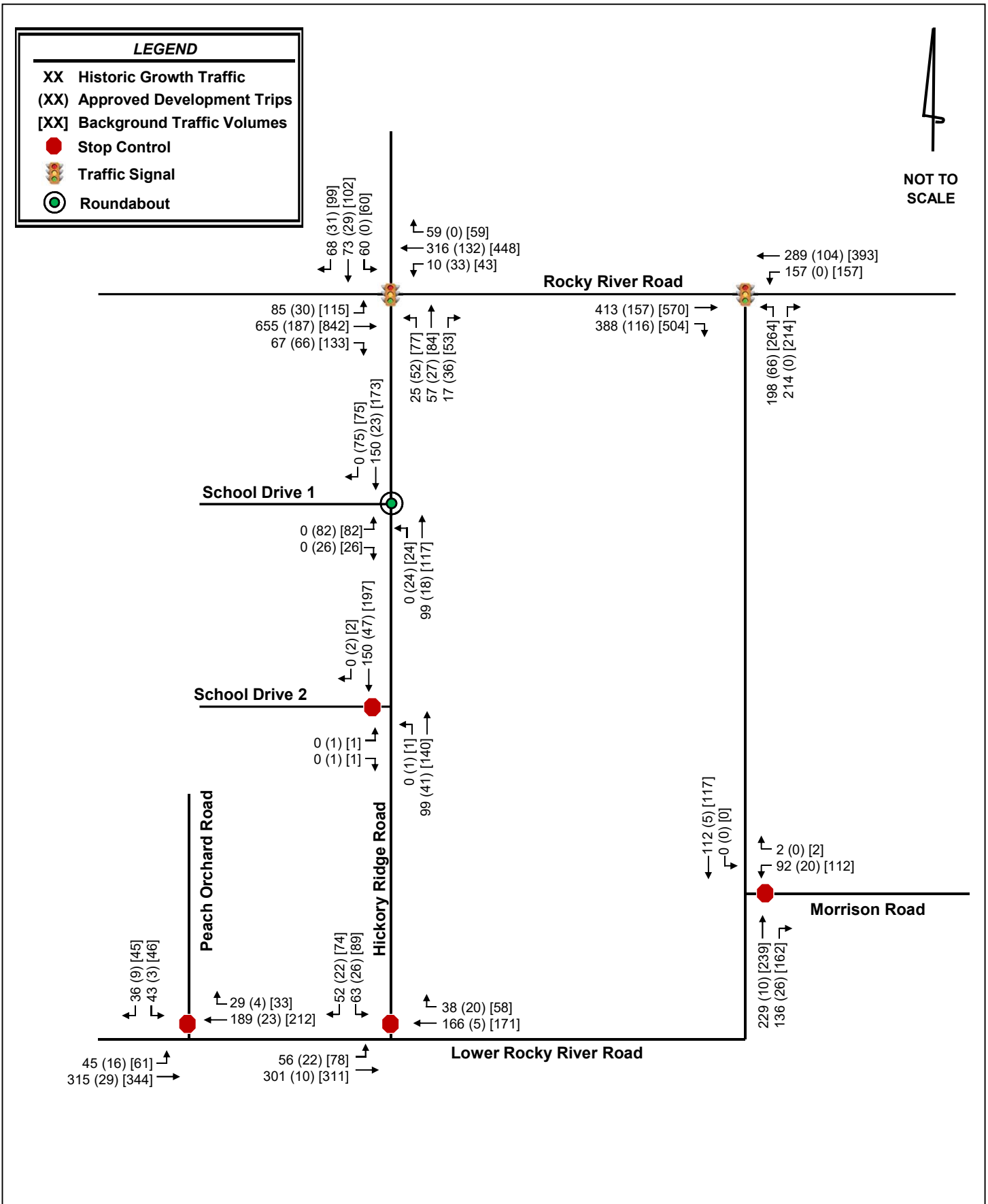
Background traffic volumes, that include the historical growth traffic and approved development trips, are shown in the following figures:

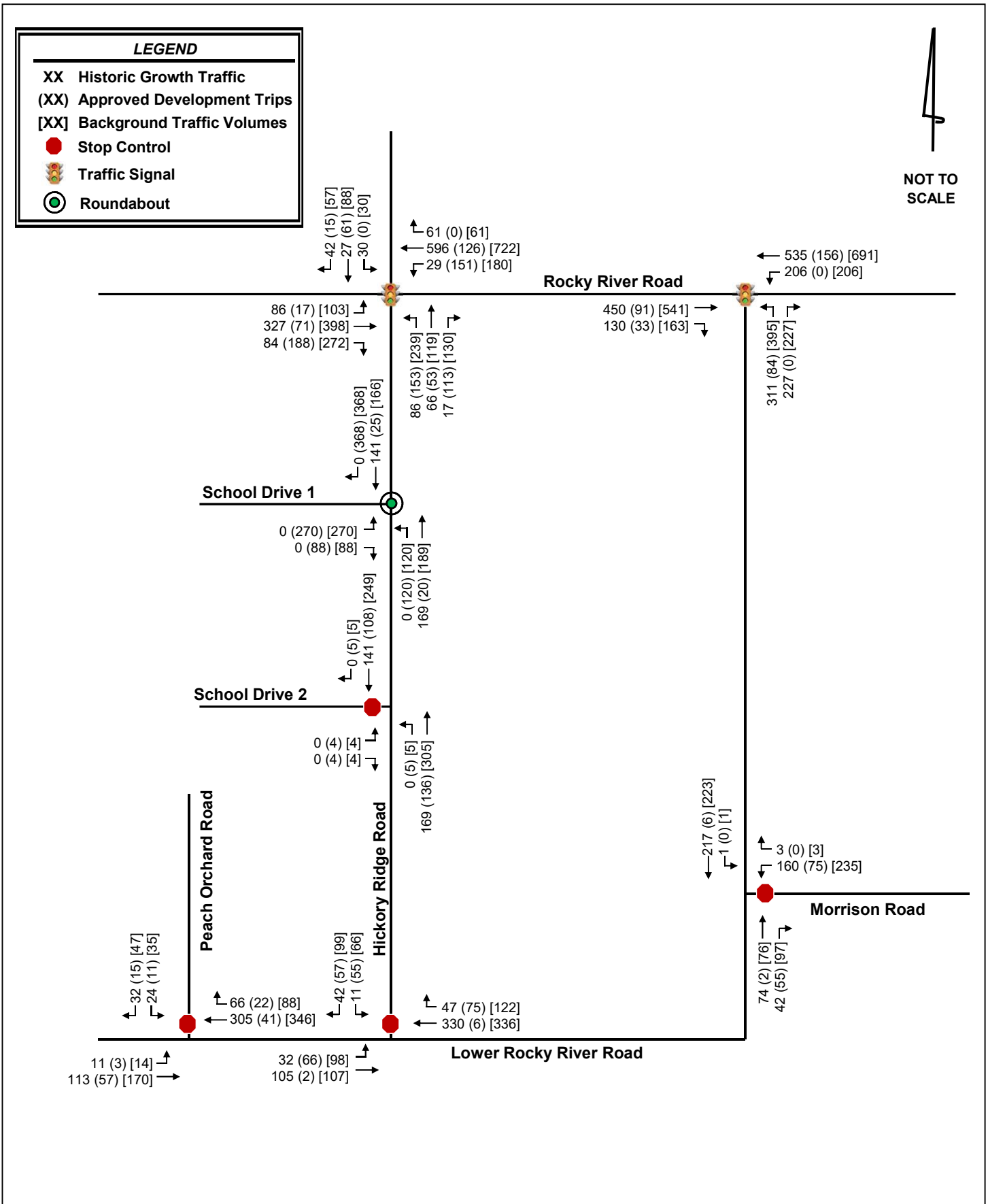
- Figure 4.1 - 2023 Phase 1 Background AM Peak-Hour Traffic Volumes
- Figure 4.2 - 2023 Phase 1 Background PM Peak-Hour Traffic Volumes
- Figure 4.3 - 2025 Phase 2 Background AM Peak-Hour Traffic Volumes
- Figure 4.4 - 2025 Phase 2 Background PM Peak-Hour Traffic Volumes
- Figure 4.5 - 2026 Phase 3 Background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

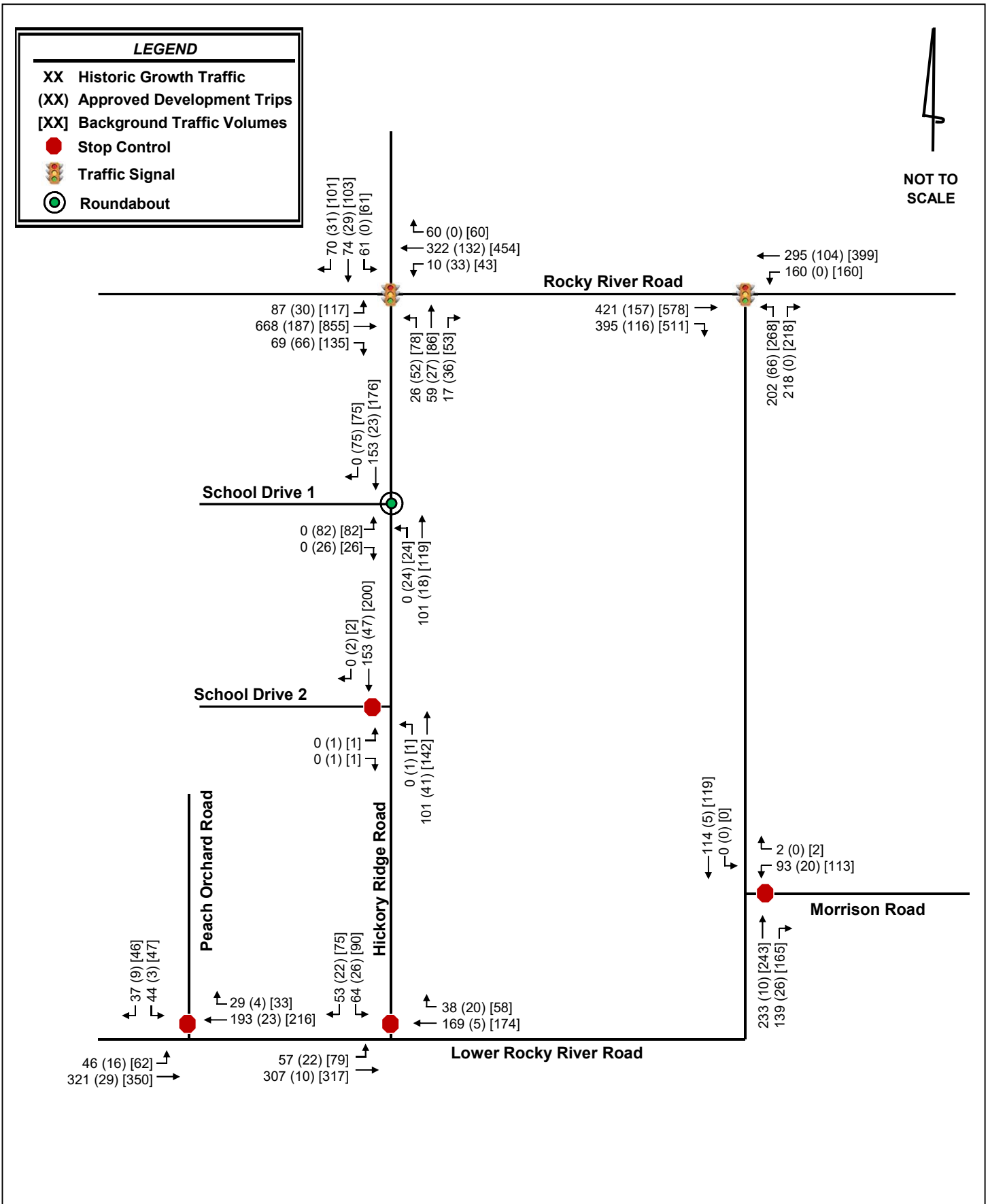












5.0 Site Traffic Volume Development

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

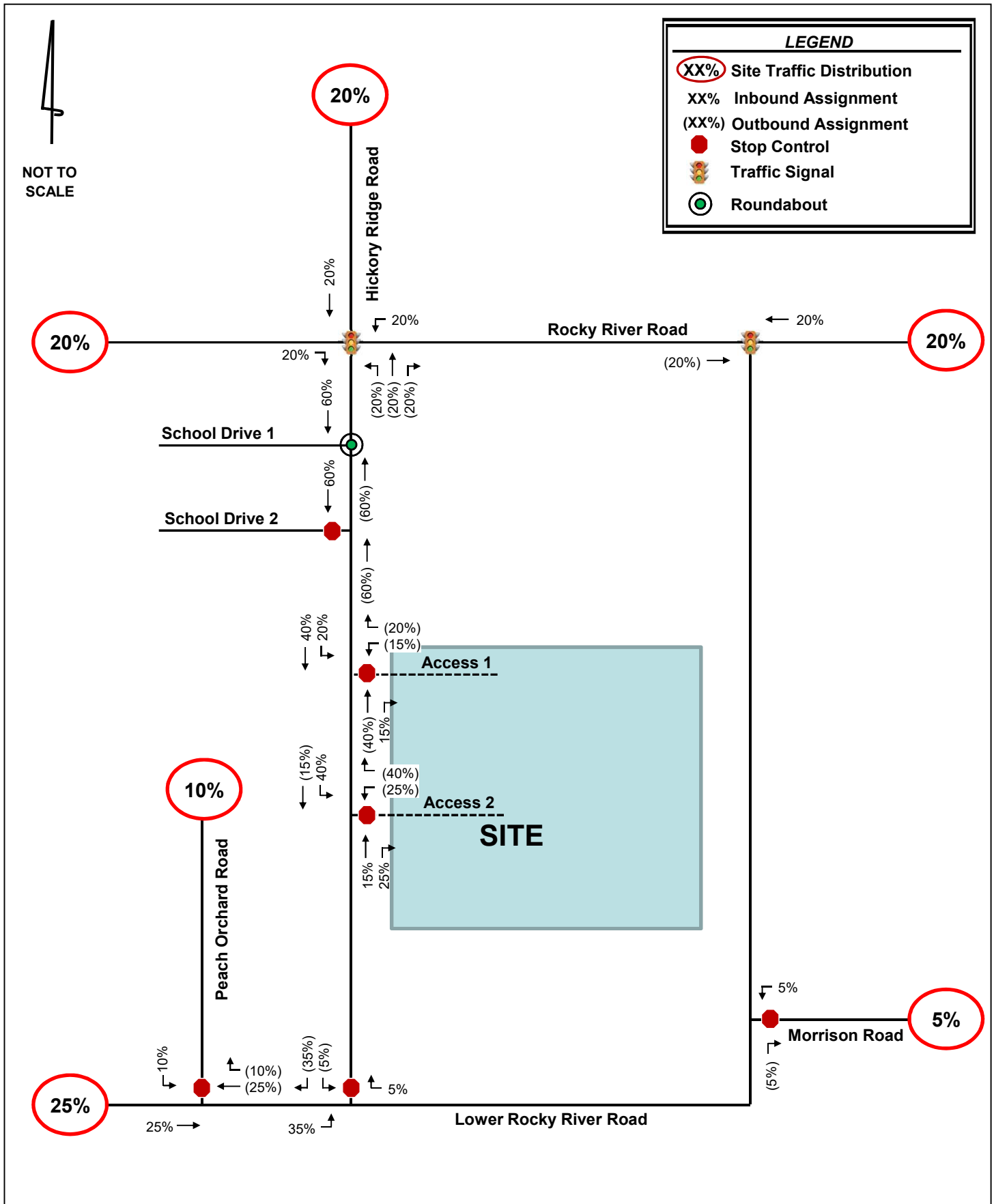
The overall site traffic distribution and assignment for Phase 1 is shown in **Figure 5.1**. The overall site traffic distribution and assignment for Phase 2 and Phase 3 is shown in **Figure 5.2**.

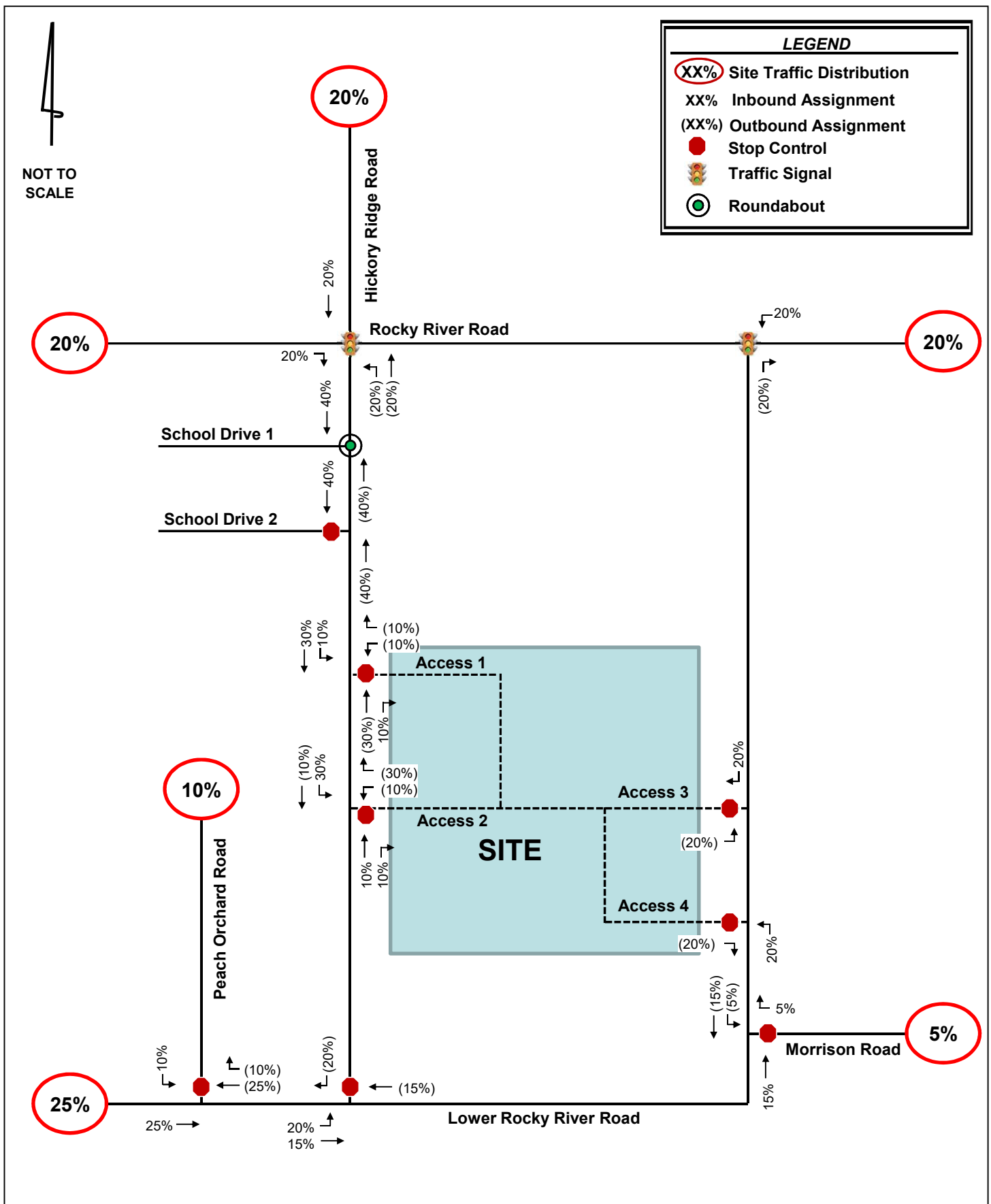
5.4 BUILD-OUT TRAFFIC VOLUMES

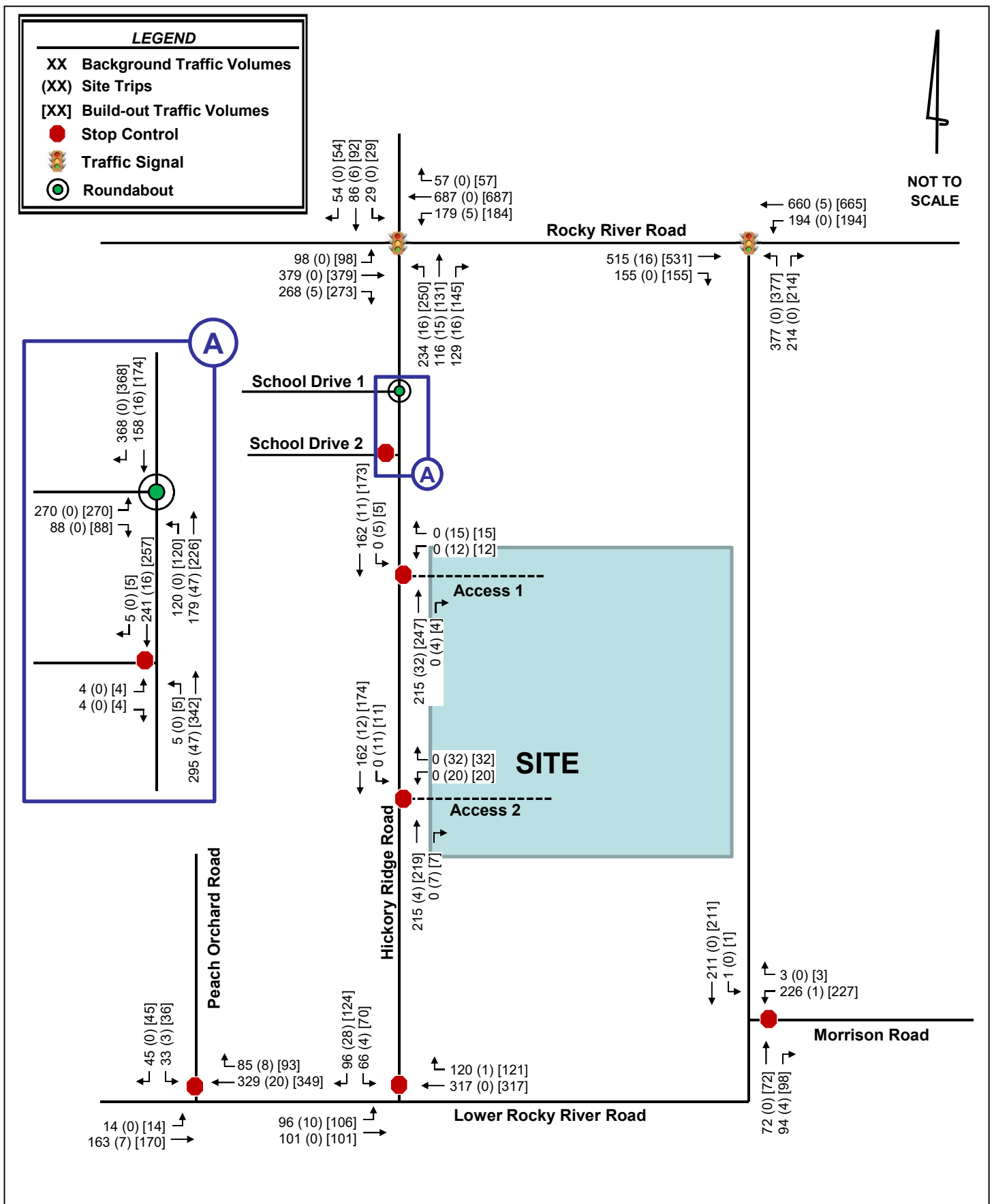
The build-out traffic volumes include the assignment of the projected site traffic generation added to the appropriate background traffic volumes. Build-out traffic volumes are shown in the following figures:

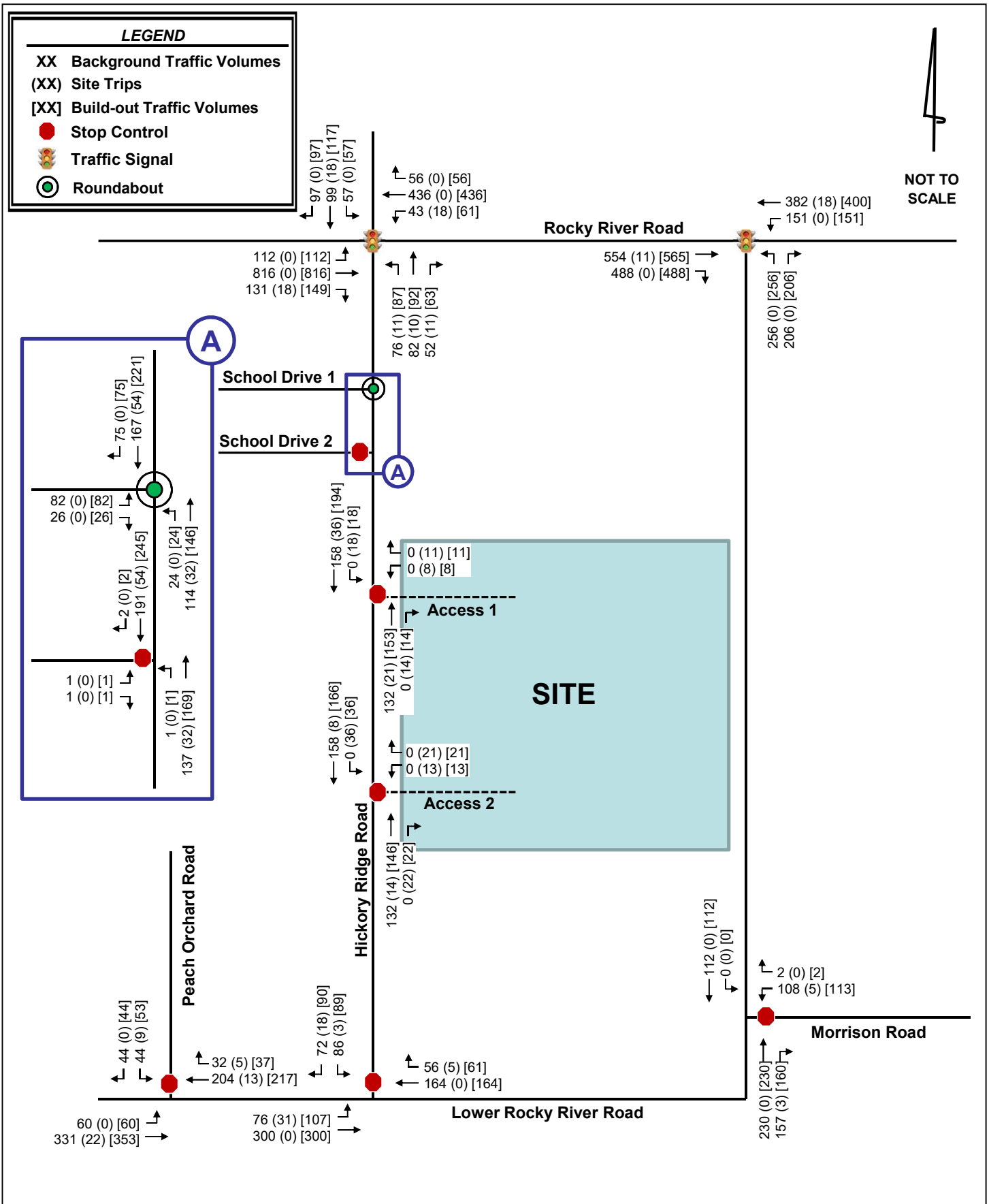
- Figure 5.3 - 2023 Phase 1 Build-out AM Peak-Hour Traffic Volumes
- Figure 5.4 - 2023 Phase 1 Build-out PM Peak-Hour Traffic Volumes
- Figure 5.5 - 2025 Phase 2 Build-out AM Peak-Hour Traffic Volumes
- Figure 5.6 - 2025 Phase 2 Build-out PM Peak-Hour Traffic Volumes
- Figure 5.7 - 2026 Phase 3 Build-out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

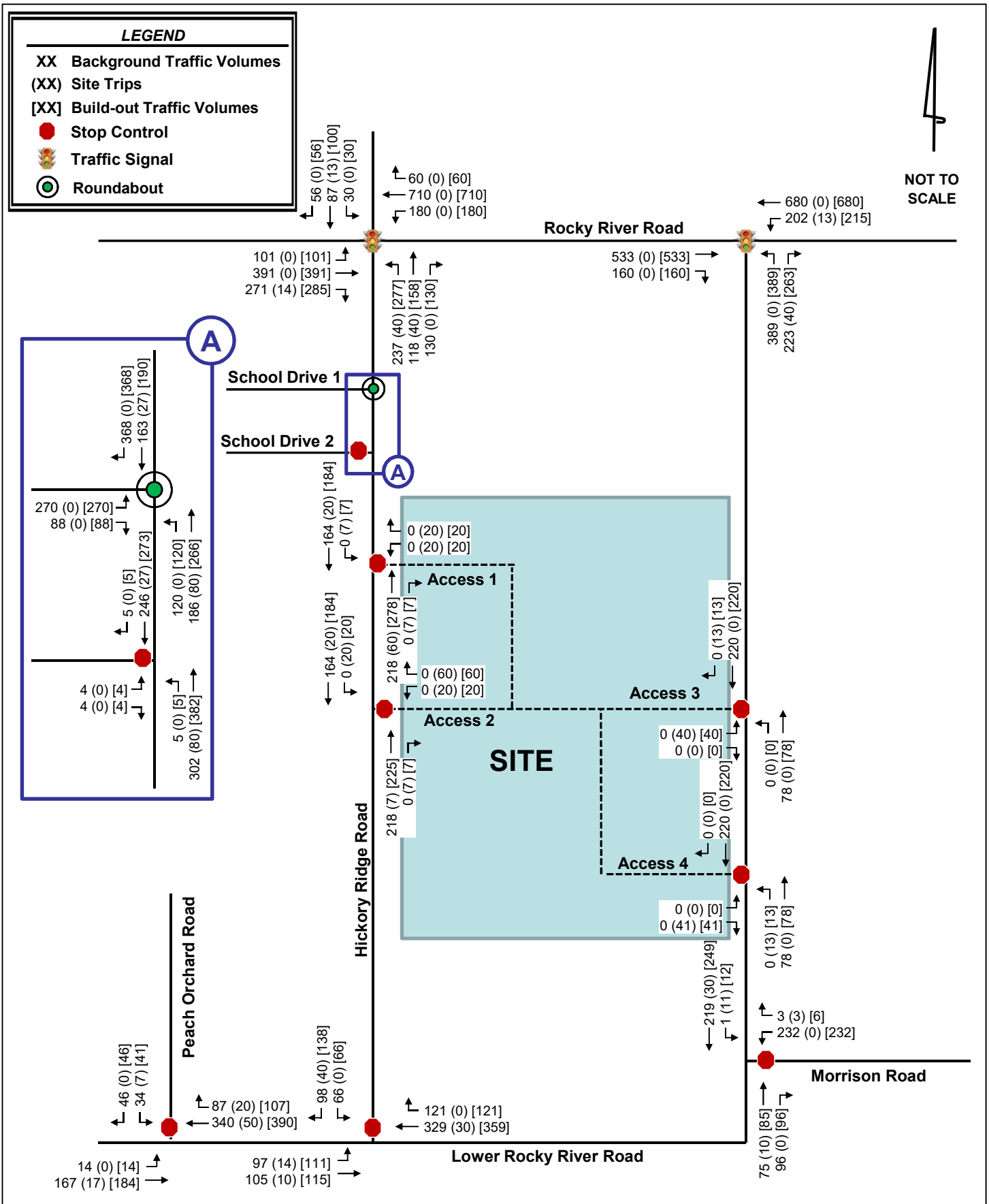
Intersection volume development worksheets for all intersections within the study network are provided in the **Appendix**.

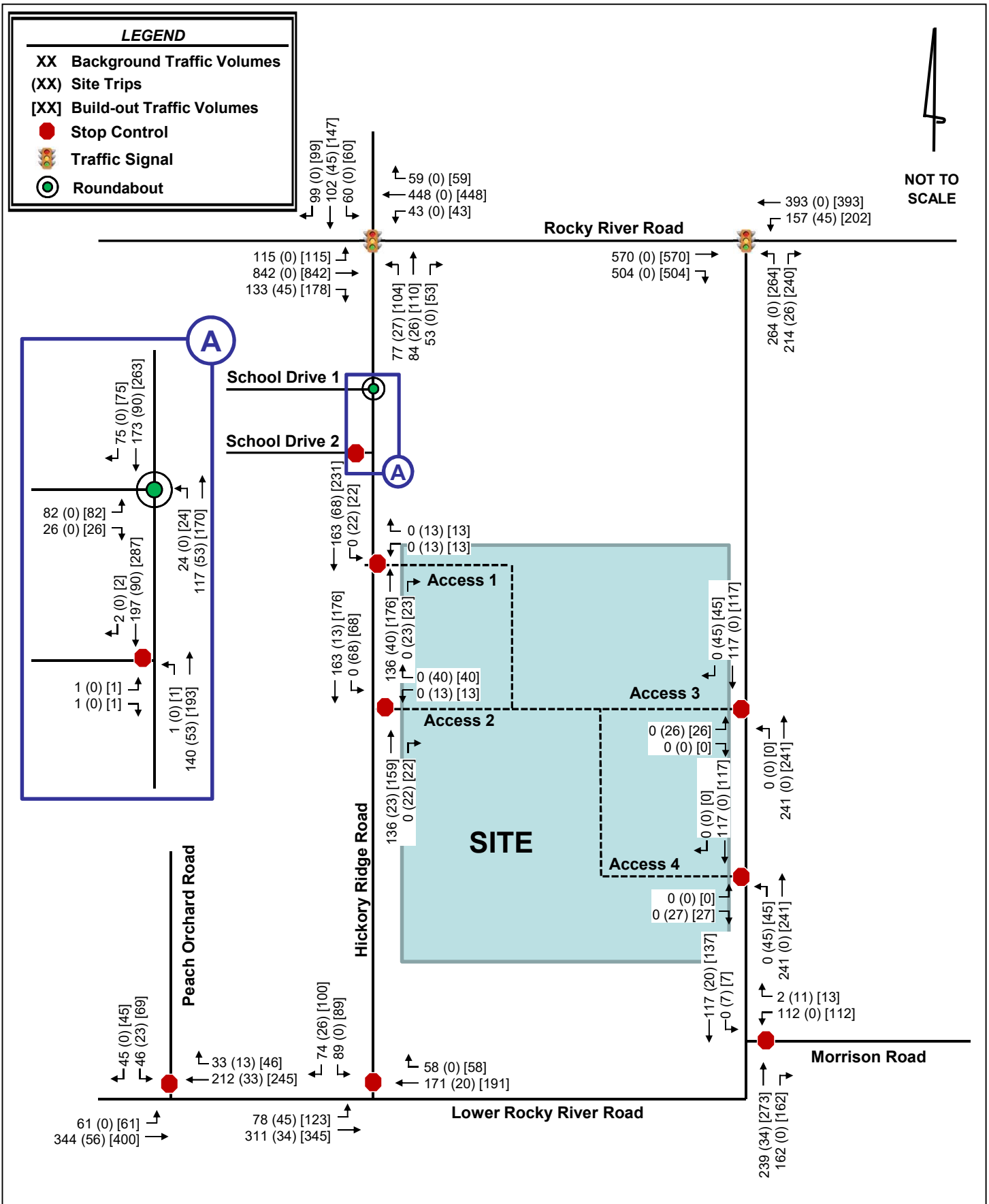


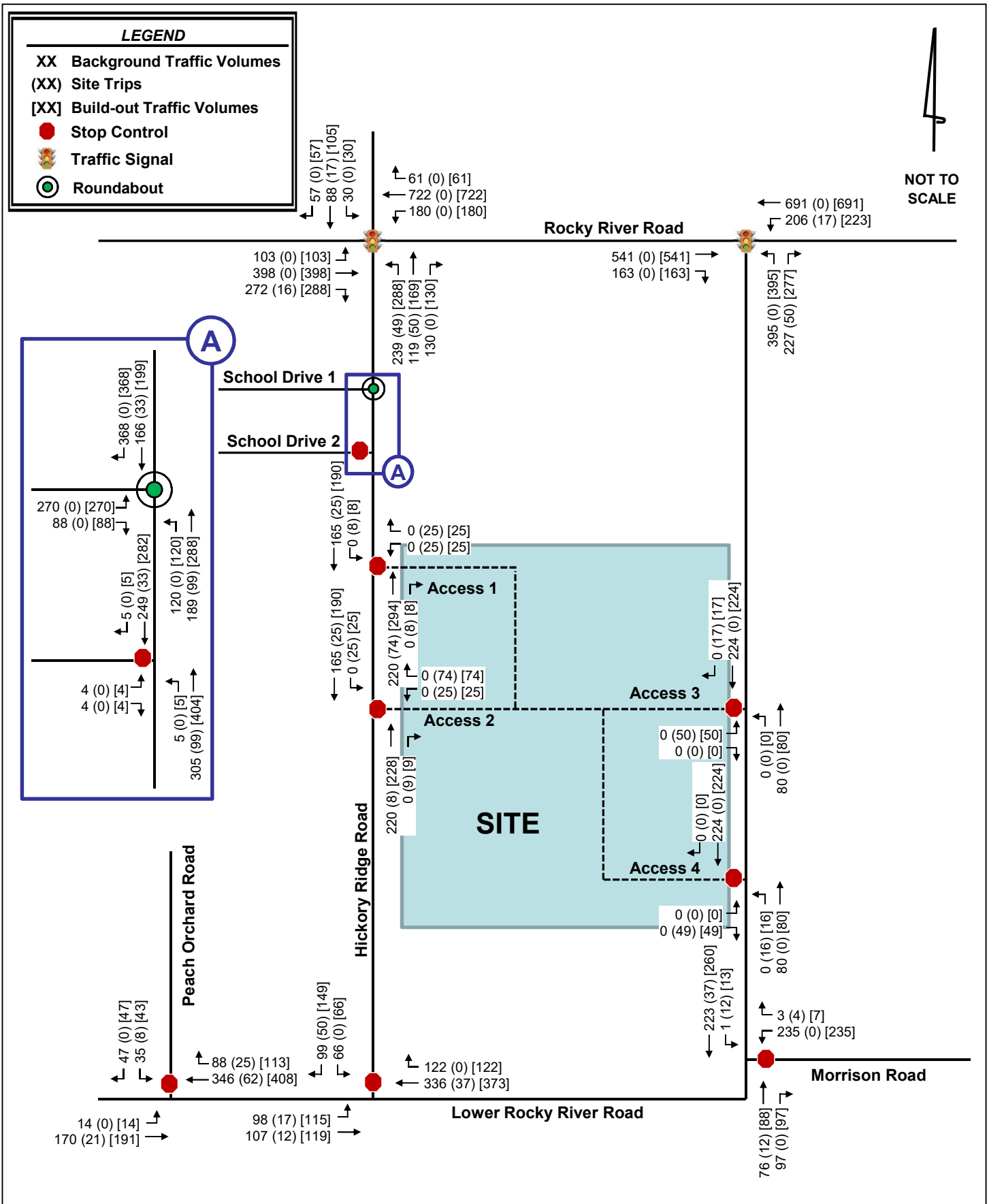


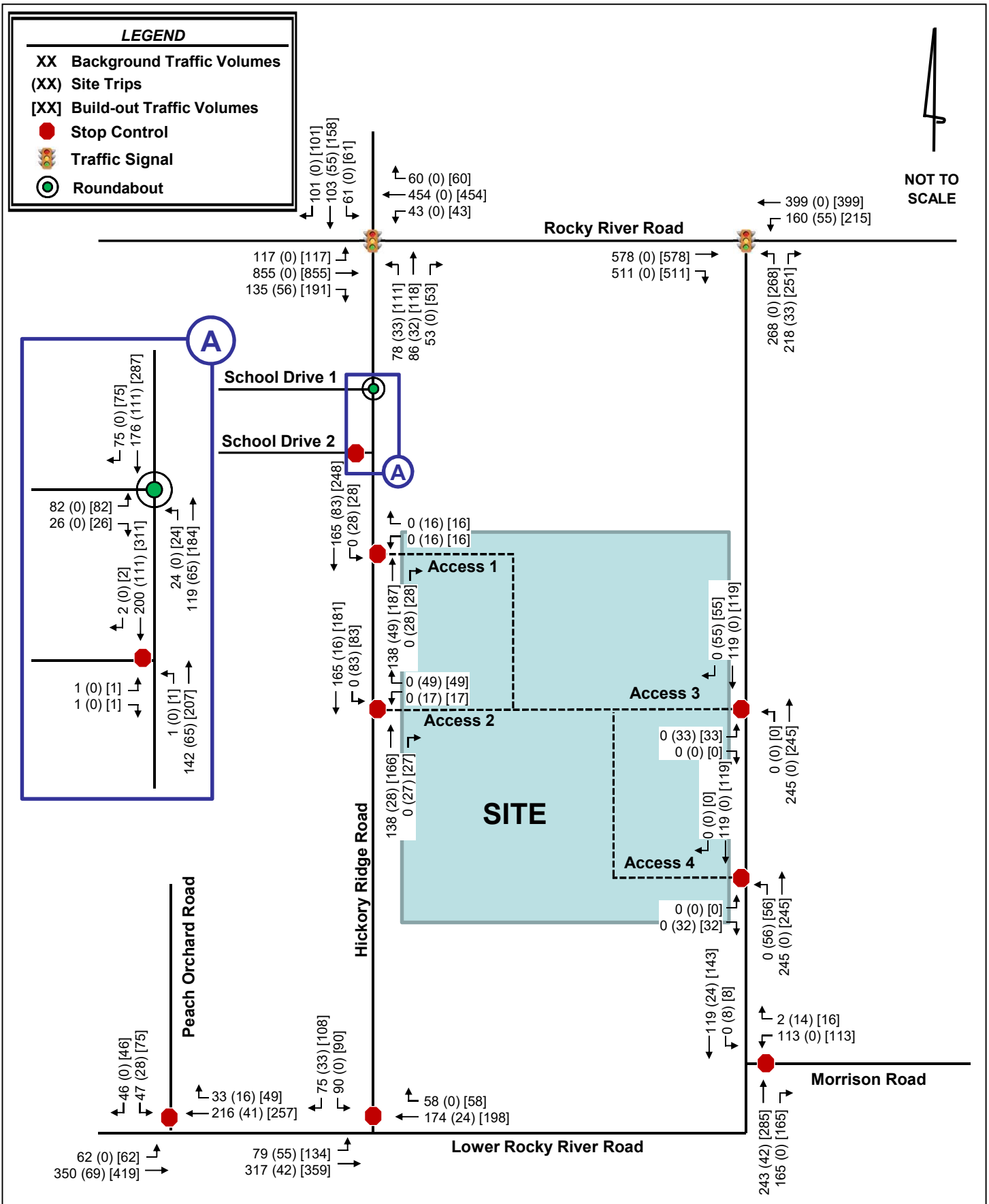












6.0 Capacity Analysis

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	LOS (Delay)	D (48.5)			E (75.5)			F (82.6)			F (108.4)		E (70.8)
Phase 1	Synchro 95th Q	147'	457'	176'	228'	#946'	52'	291'	303'	-	59'	182'	
2023 Build-out	LOS (Delay)	D (48.5)			E (76.4)			F (89.7)			F (113.2)		E (73.5)
Phase 1	Synchro 95th Q	147'	457'	181'	235'	#946'	52'	314'	344'	-	59'	192'	
2023 Build-out IMP	LOS (Delay)	D (50.9)			E (71.6)			E (71.5)			F (96.6)		E (66.8)
Phase 1	Synchro 95th Q	#132'	415'	169'	204'	#844'	43'	279'	138'	98'	51'	168'	
2025 Background	LOS (Delay)	D (52.2)			E (72.5)			F (87.1)			F (120.0)		E (72.9)
Phase 2	Synchro 95th Q	#144'	449'	171'	212'	#923'	49'	280'	295'	-	56'	175'	
2025 Build-out	LOS (Delay)	D (52.1)			E (72.5)			F (109.0)			F (130.7)		E (79.8)
Phase 2	Synchro 95th Q	#144'	449'	183'	212'	#923'	49'	#349'	373'	-	56'	#219'	
2025 Build-out IMP	LOS (Delay)	D (54.6)			E (77.1)			F (82.5)			F (120.9)		E (74.6)
Phase 2	Synchro 95th Q	#166'	458'	184'	233'	#958'	50'	#372'	186'	104'	59'	#220'	
2026 Background	LOS (Delay)	D (50.2)			E (75.0)			F (97.2)			F (123.1)		E (75.8)
Phase 3	Synchro 95th Q	144'	454'	172'	212'	#946'	49'	285'	299'	-	56'	#181'	
2026 Build-out	LOS (Delay)	D (50.1)			E (75.0)			F (127.6)			F (139.2)		F (85.5)
Phase 3	Synchro 95th Q	144'	454'	184'	212'	#946'	49'	#385'	#423'	-	56'	#234'	
2026 Build-out IMP	LOS (Delay)	D (54.1)			E (76.7)			F (99.1)			F (94.1)		E (76.5)
Phase 3	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	LOS (Delay)	D (37.0)			C (26.8)			E (56.7)			E (66.4)		D (40.0)
Phase 1	Synchro 95th Q	155'	#896'	67'	77'	370'	41'	#136'	176'	-	#98'	#285'	
2023 Build-out	LOS (Delay)	D (37.1)			C (28.9)			E (60.0)			E (69.7)		D (41.7)
Phase 1	Synchro 95th Q	155'	#896'	75'	#112'	370'	41'	#164'	201'	-	#98'	#320'	
2023 Build-out IMP	LOS (Delay)	D (36.1)			C (28.6)			E (55.9)			E (69.5)		D (40.7)
Phase 1	Synchro 95th Q	155'	#896'	75'	#112'	370'	39'	#164'	128'	82'	95'	#320'	
2025 Background	LOS (Delay)	D (36.8)			C (25.8)			E (61.2)			E (70.5)		D (40.6)
Phase 2	Synchro 95th Q	159'	#920'	66'	77'	371'	41'	#153'	183'	-	#108'	#306'	
2025 Build-out	LOS (Delay)	D (36.9)			C (26.2)			E (76.2)			F (82.4)		D (45.1)
Phase 2	Synchro 95th Q	159'	#920'	87'	77'	371'	41'	#216'	#228'	-	#108'	#397'	
2025 Build-out IMP	LOS (Delay)	D (40.6)			C (27.8)			E (63.4)			E (74.6)		D (44.8)
Phase 2	Synchro 95th Q	159'	#958'	92'	77'	391'	42'	#204'	148'	71'	99'	#373'	
2026 Background	LOS (Delay)	D (37.6)			C (25.9)			E (62.0)			E (72.2)		D (41.3)
Phase 3	Synchro 95th Q	162'	#943'	67'	77'	376'	41'	#155'	186'	-	#109'	#311'	
2026 Build-out	LOS (Delay)	D (37.4)			C (26.2)			F (83.0)			F (93.2)		D (47.9)
Phase 3	Synchro 95th Q	162'	#943'	93'	77'	376'	41'	#230'	#245'	-	#109'	#424'	
2026 Build-out IMP	LOS (Delay)	D (44.0)			C (28.8)			E (61.1)			E (79.7)		D (47.4)
Phase 3	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.

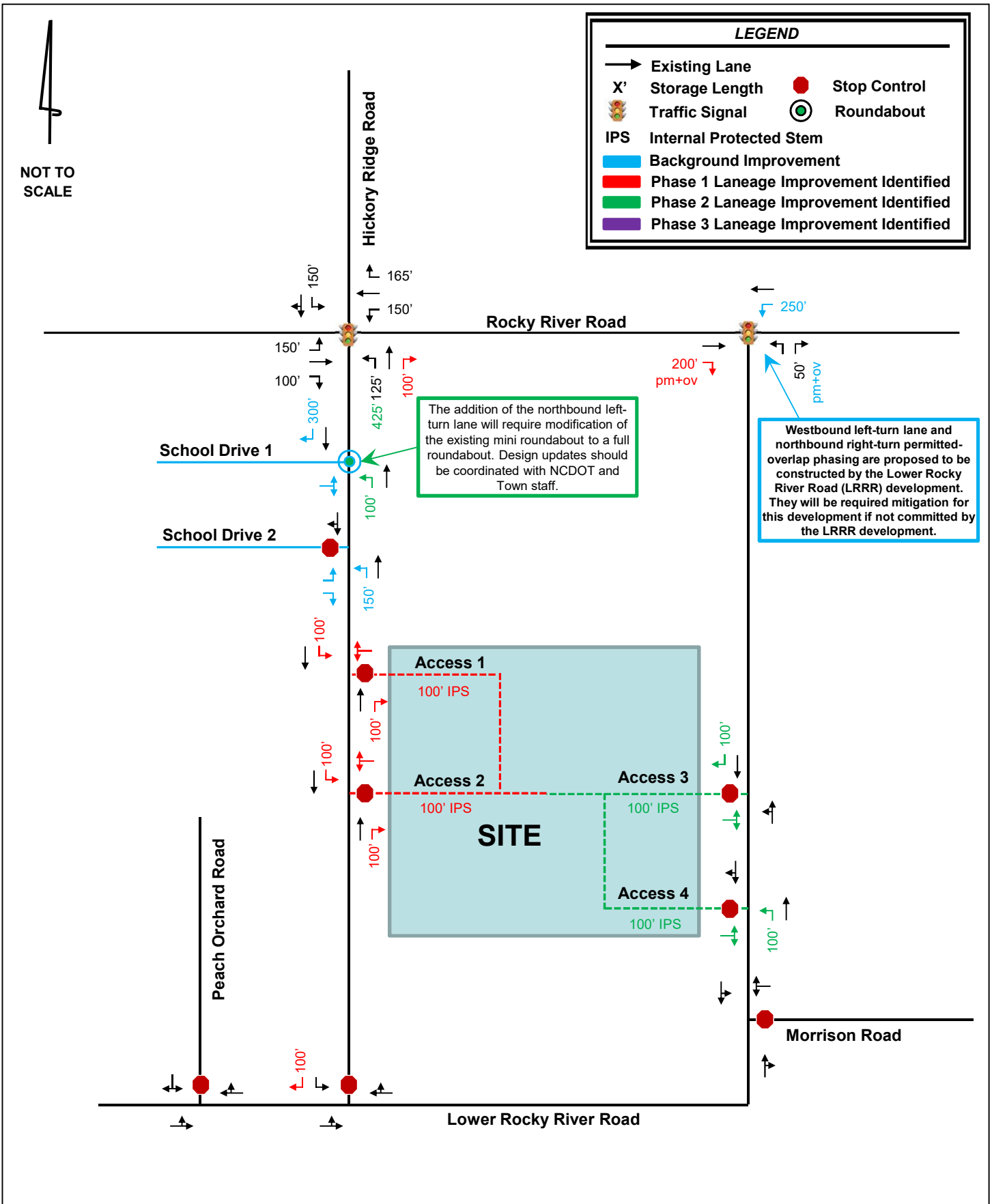
Lower Rocky River Road and Access 3**Phase 2**

- 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:

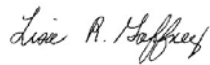
This unusual native orchid is an inhabitant of semi-dry pine/oak communities throughout the southern and central US, most often where there is a layer of limestone just beneath the surface. It requires circumneutral or calcareous soils. It is only seen occasionally within its range, and the flowering 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.

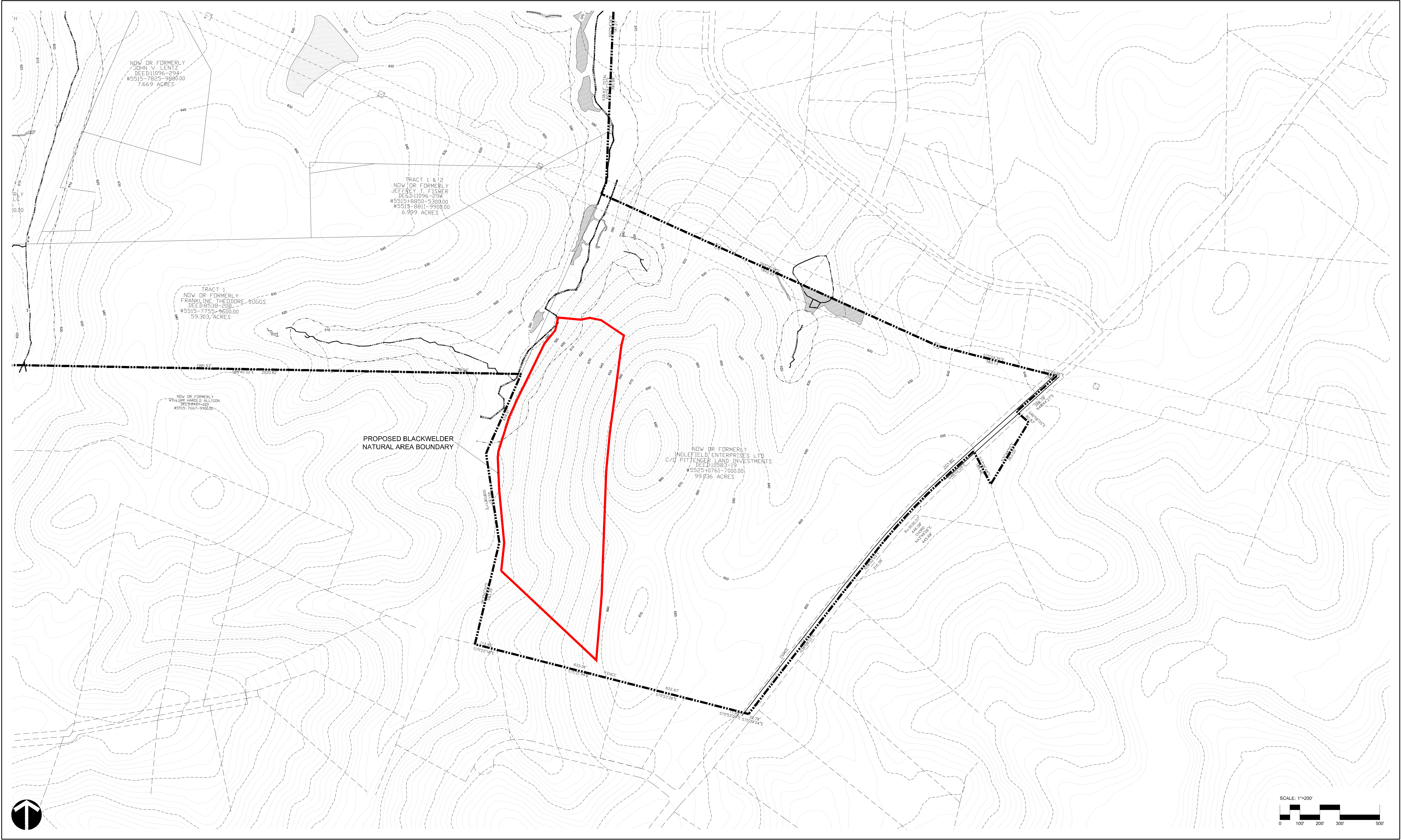
The very specific habitat requirements for Crested Coral-root limit its range of occurrence. It is particularly sensitive to soil disturbance because of its dependence on sub-surface fungi. These fungi infect the roots of other plants, forming a network of nutrients funneled from one plant to another 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





HarrisburgNC

The right side of opportunity

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:

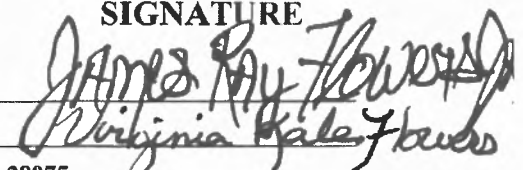
☒ ATTACHED

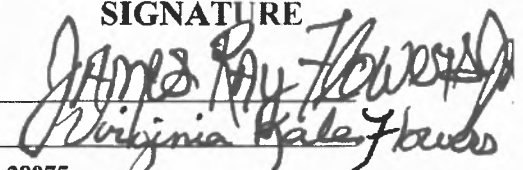
☐ DESCRIBED AS FOLLOWS:

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	
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Virginia Kale Flowers	7029 Kitty Hawk Lane, Fort Mill, SC 29707	
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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	
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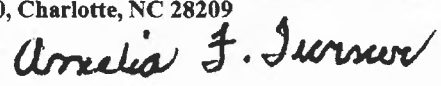
Cedar Cove LLC a NC LLC	2536 Cedar Cove Drive, Harrisburg, NC 28075	
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John Lentz	2530 Cedar Cove Drive, Harrisburg, NC 28075	
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Jeffrey T. Fisher	2500 Cedar Cove Drive, Harrisburg, NC 28075	
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Lower 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	
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AMELIA F. TURNER	2900 STRONG RD, HARRISBURG, N.C.	
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PETITION REQUESTING ANNEXATION

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☒ ATTACHED

☐ DESCRIBED AS FOLLOWS:

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4. SIGNATURE OF OWNERS

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Virginia Kale Flowers	7029 Kitty Hawk Lane, Fort Mill, SC 29707	
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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	
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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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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	
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PETITION REQUESTING ANNEXATION

DATE: 2/9/20

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	
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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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Jeffrey T. Fisher	2500 Cedar Cove Drive, Harrisburg, NC 28075	
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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	
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HarrisburgNC

The right side of opportunity

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
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James Ray Flowers Jr.	7029 Kitty Hawk Lane, Fort Mill, SC 29707	
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Virginia Kale Flowers	7029 Kitty Hawk Lane, Fort Mill, SC 29707	
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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	
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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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Jeffrey T. Fisher	2500 Cedar Cove Drive, Harrisburg, NC 28075	
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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	
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David B. Blufner / owner



HarrisburgNC

The right side of opportunity

PETITION REQUESTING ANNEXATION

DATE: February 7, 2020

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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	
Linda H. Lentz	2530 Cedar Cove Drive Harrisburg NC 28075	Linda H. Lentz
John Lentz	2530 Cedar Cove Drive, Harrisburg, NC 28075	John Lentz
Jeffrey T. Fisher	2500 Cedar Cove Drive, Harrisburg, NC 28075	
Lower Rocky River Road LLC	2820 Selwyn Avenue, Ste 500, Charlotte, NC 28209	
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HarrisburgNC

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Harrisburg NC

The right side of opportunity

PETITION REQUESTING ANNEXATION

DATE: February 7, 2020

TO THE TOWN COUNCIL OF THE TOWN OF HARRISBURG

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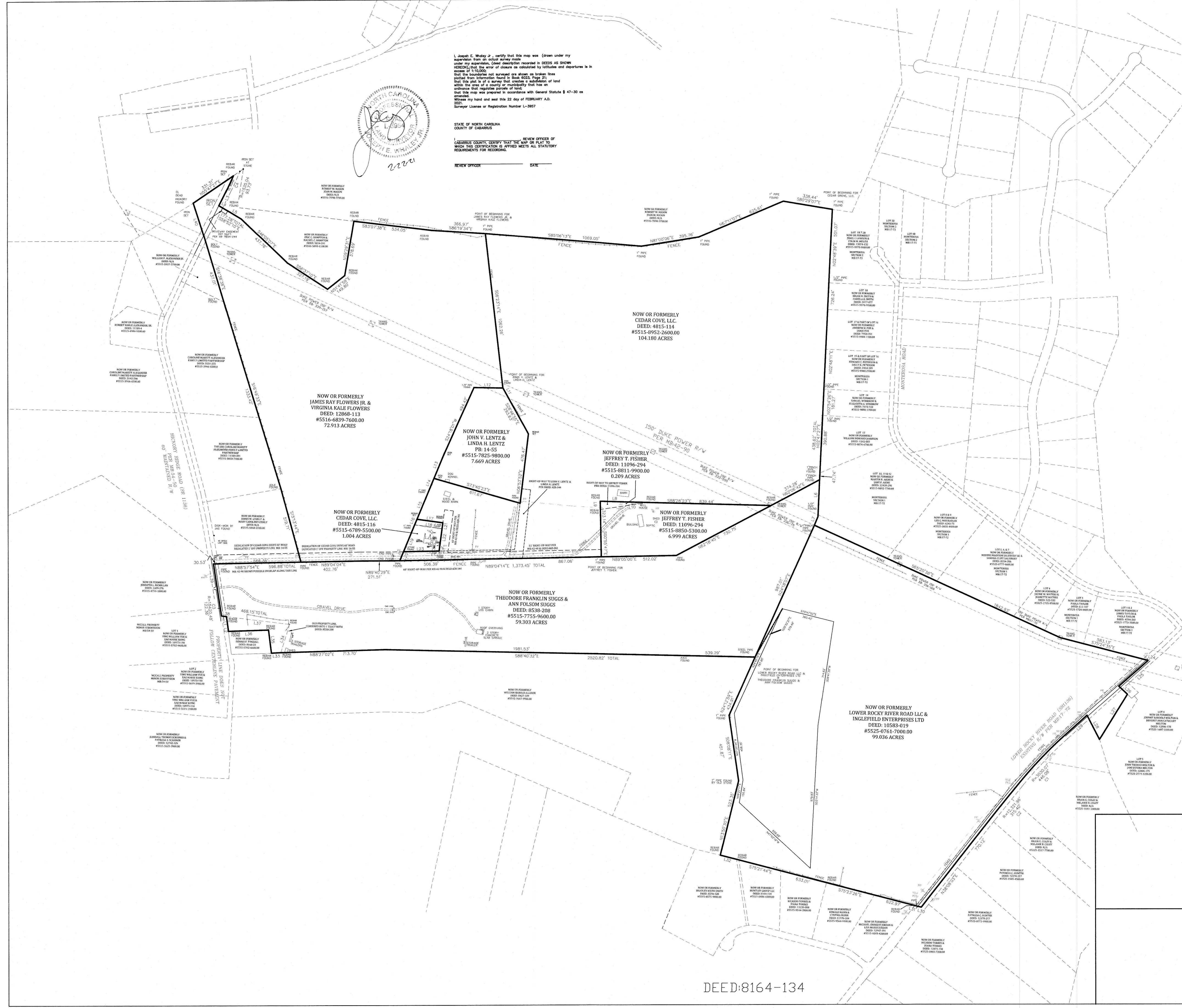
John Lentz	2530 Cedar Cove Drive, Harrisburg, NC 28075	
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[Handwritten signatures]

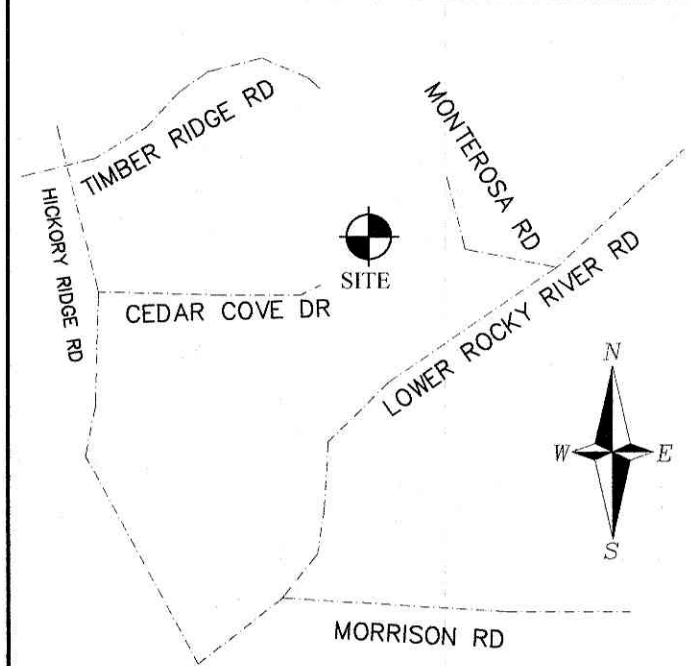


I, Joseph E. Whaley Jr., certify that this map was (drawn under my supervision from an actual survey made under my supervision. (Each description recorded in DEEDS AS SHOWN HEREON) that the error of closure as calculated by latitude and departure is in no case more than 1:10,000.
That the boundaries 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 lots.
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 OFFICE 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	328.19	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	197.91	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	8°26'06"
C2	315.49	15383.96	315.39	S38°00'33"W	1°18'00"
C3	125.26	15449.88	125.36	N89°29'54"E	0°27'37"
C4	93.73	15395.04	93.72	N64°48'41"E	3°29'35"

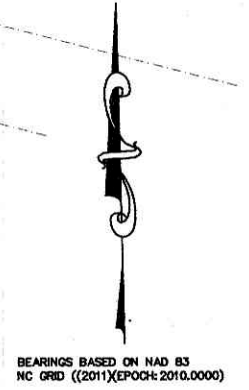
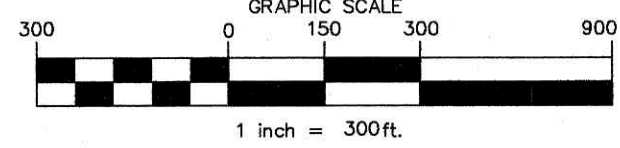


VICINITY MAP
NO SCALE

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 370250C1400 & 370250C1450
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 +-..

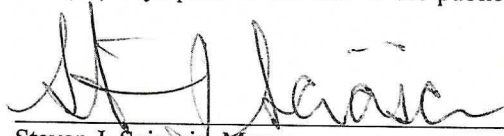
Heritage Tract

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:

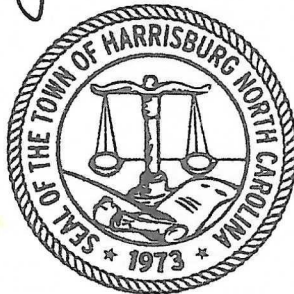
Beginning at a point, (POINT OF BEGINNING), being further located N29-32-21E 379.48' distant of a found steel pipe being the South-Eastern corner of land owned Now or Formerly by Theodore Franklin Suggs & Ann Folsom Suggs as recorded in Deed Book 8538, page 208 of the Cabarrus County Register of Deeds, 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



ORDINANCE #7017

**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 April 12, 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:

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 Marette 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 2. Upon and after May 10, 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 10th day of May, 2021

Steven J. Sciascia, Mayor

ATTEST:

Janet Rackley, Town Clerk



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of Resolution for the Issuance of \$1,650,000 General Obligation Transportation Bonds, Series 2021

Presenting Personnel:

Brian Lee, Finance Director

Suggested Motion or Action:

Motion to approve the Resolution for the Issuance of \$1,650,000 General Obligation Transportation Bonds, Series 2021 for private placement.

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

Approval was provided at the April 12, 2021 Council meeting to issue the private placement bonds with the following terms, which were carried through to the final bond resolution without change:

- \$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.

The debt issuance is on the consent agenda for the LGC's May 4th meeting and with approval by Town Council, will be closed on May 26, 2021.

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

Recommendation:

Staff recommends approval of the resolution for the issuance of the General Obligation Transportation Bonds.

Fiscal Impact:

The Town will receive \$1,650,000 in proceeds on May 26, 2021. The repayment schedule consists of level principal of \$82,500 annually plus interest for 20 years, with final maturity on May 1, 2041.

With an interest rate of 2.63%, paid semi-annually, total principal and interest debt service over the life of the bonds amounts to \$2,102,634.

Attachments:

1. Bond Resolution - Harrisburg GO Bonds 2021



RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HARRISBURG, NORTH CAROLINA PROVIDING FOR THE ISSUANCE OF \$1,650,000 GENERAL OBLIGATION TRANSPORTATION BOND, SERIES 2021

WHEREAS, the Bond Order hereinafter-described has been adopted, and it is desirable to make provision for the issuance of the bond authorized by said Bond Order;

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

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

Section 1. For purposes of this Resolution, the following words will have the meanings ascribed to them below:

"Bond Order" means the Bond Order relating to the Transportation Projects (as defined herein) which was 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.

"Business Day" means a day other than a Saturday or Sunday on which the Purchaser, at its principal corporate offices, is not required or authorized by law to remain closed.

"Code" means the Internal Revenue Code of 1986, as amended. Each reference to a section of the Code herein will be deemed to include the United States Treasury Regulations proposed or in effect with respect thereto.

"Federal Securities" means, to the extent permitted by laws of the State for the defeasance of local government bonds, (a) direct obligations of the United States of America for the timely payment of which the full faith and credit of the United States of America is pledged; (b) obligations, the timely payment of the principal of and interest on which is fully guaranteed as full faith and credit obligations of the United States of America (including any securities described in (a) or (b) issued or held in the name of the Trustee in book-entry form on the books of the Department of Treasury of the United States of America), which obligations, in either case, are held in the name of a trustee and are not subject to redemption or purchase prior to maturity at the option of anyone other than the holder; (c) any bonds or other obligations of the State of North Carolina or of any agency, instrumentality or local governmental unit of the State of North Carolina which are (i) not callable prior to maturity or (ii) as to which irrevocable instructions have been given to the trustee or escrow agent with respect to such bonds or other obligations by the obligor to give due notice of redemption and to call such bonds for redemption on the date or dates specified, and which are rated by Moody's and S&P within the highest rating category and which are secured as to principal, redemption premium, if any, and interest by a fund consisting only of cash or bonds or other obligations of the character described in clause (a) or (b) hereof which fund may be applied only to the payment of such principal of and interest and redemption premium, if any, on such bonds or other obligations on the maturity date or dates thereof or the specified redemption date or dates pursuant to such irrevocable instructions, as appropriate; (d) direct evidences of ownership of proportionate interests in future interest and principal payments on specified obligations described in (a) held by a bank or trust company as custodian, under which the owner of the investment is the real party in

interest and has the right to proceed directly and individually against the obligor on the underlying obligations described in (a), and which underlying obligations are not available to satisfy any claim of the custodian or any person claiming through the custodian or to whom the custodian may be obligated; or (e) any other obligations permitted under State law for the defeasance of local government bonds.

“Finance Officer” means the Town’s Finance Director or any successor to the function of the Town’s statutory finance officer.

“Moody’s” means Moody’s Investors Service, a corporation organized and existing under the laws of the State of Delaware, its successors and their assigns and, if such corporation for any reason no longer performs the functions of a securities rating agency, *“Moody’s”* will be deemed to refer to any other nationally recognized rating agency other than S&P designated by the Town.

“Pricing Certificate” means a certificate of the Finance Officer delivered in connection with the issuance of the 2021 Bond as permitted under Section 14.

“Purchaser” means Sterling National Bank, as the original purchaser of the 2021 Bond, and its successors and assigns.

“S&P” means S&P Global Ratings, a division of Standard & Poor’s Financial Services LLC, its successors and their assigns and, if such corporation for any reason no longer performs the functions of a securities rating agency, *“S&P”* will be deemed to refer to any other nationally recognized rating agency other than Moody’s designed by the Town.

“Town” means the Town of Harrisburg, North Carolina.

“Transportation Projects” means the projects authorized by the Bond Order, including paying the capital costs of acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading and improving streets and sidewalks, including curbs, gutters, drains, bridges, overpasses, underpasses and grade crossings, related landscaping, lighting and traffic controls, signals and markers and the acquisition of land, rights-of-way and easements in land required therefor.

“2021 Bond” means the Town of Harrisburg, North Carolina General Obligation Transportation Bond, Series 2021 authorized under the Bond Order.

Section 2. The Town shall issue its 2021 Bond as a single, fully registered bond in an aggregate principal amount of \$1,650,000, payable in installments on May 1 of each year as follows:

PRINCIPAL		PRINCIPAL	
<u>DATE</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>AMOUNT</u>
2022	\$82,500	2032	\$82,500
2023	82,500	2033	82,500
2024	82,500	2034	82,500
2025	82,500	2035	82,500
2026	82,500	2036	82,500
2027	82,500	2037	82,500
2028	82,500	2038	82,500
2029	82,500	2039	82,500
2030	82,500	2040	82,500
2031	82,500	2041*	82,500

* Maturity

Section 3. The 2021 Bond shall be dated the date of its issuance, with interest paid in installments semiannually on May 1 and November 1, beginning November 1, 2021. The 2021 Bond is being issued to provide funds (1) to finance the Transportation Projects pursuant to and in accordance with the Bond Order and (2) to pay the costs of issuing the 2021 Bond.

Section 4. The Town Council has ascertained and hereby determines that the average period of usefulness of the capital projects being financed by the proceeds of the 2021 Bond is not less than 20 years computed from the date of issuance of the 2021 Bond.

Section 5. The 2021 Bond is to be numbered “R-1” and shall bear interest from its date at a rate of 2.63% per annum computed on the basis of a 360-day year of twelve 30-day months.

Section 6. The 2021 Bond is to be registered as to principal and interest, and the Finance Officer is directed to maintain the registration records with respect thereto. The 2021 Bond shall bear the original or facsimile signatures of the Mayor and the Town Clerk or their respective designees.

Section 7. The 2021 Bond is not subject to redemption before May 1, 2026. For the period beginning May 1, 2026 and ending April 30, 2029, the 2021 Bond may be redeemed prior to maturity, at the option of the Town, from any funds that may be available for such purpose, either in whole or in part on any date at a redemption price of 101% of the principal amount of the 2021 Bond called for redemption, plus accrued interest to the redemption date.

Beginning May 1, 2029, the 2021 Bond may be redeemed prior to maturity, at the option of the Town, from any funds that may be available for such purpose, either in whole or in part on any date at a redemption price of 100% of the principal amount of the 2021 Bond called for redemption, plus accrued interest to the redemption date.

The Town will give the Purchaser 30 days prior written notice of any optional redemption of the 2021 Bond. In the event of a partial optional redemption of the principal amount of the 2021 Bond, such redemption shall be deemed a redemption of the annual principal installments due on the 2021 Bond in inverse order. The Town may exercise its right of partial redemption no more than once during any consecutive 12-month period, and any such partial redemption must be in an amount of at least \$250,000 and not more than \$500,000.

Section 8. The 2021 Bond and the provisions for the registration of the 2021 Bond and for the approval of the 2021 Bond by the Secretary of the Local Government Commission are to be in substantially the form set forth in Exhibit A hereto.

Section 9. The Finance Officer, or his designee, is hereby authorized to execute a non-arbitrage certificate with respect to the 2021 Bond in order to comply with Section 148 of the Code and the applicable Income Tax Regulations thereunder.

Section 10. The Finance Officer is hereby directed to create and establish a fund or account (the “2021 GO Project Fund”) and may establish separate accounts or subaccounts within the 2021 GO Project Fund to track the expenditures related to the Transportation Projects. The Finance Officer will deposit the proceeds from the sale of the 2021 Bond in the 2021 GO Project Fund to be used to pay the capital costs of the Transportation Projects and costs of issuance of the 2021 Bond.

The Finance Officer will invest and reinvest any moneys held in the 2021 GO Project Fund as permitted by the laws of the State of North Carolina and the income, to the extent permitted by the Code, is to be retained in the 2021 GO Project Fund and applied with the proceeds of the 2021 Bond as permitted by the Bond Order, as directed by the Finance Officer. The Finance Officer will keep and

maintain adequate records pertaining to the 2021 GO Project Fund and all disbursements therefrom so as to satisfy the requirements of the laws of the State of North Carolina and to assure that the Town maintains its covenants with respect to the exclusion of the interest on the 2021 Bond from gross income for purposes of federal income taxation.

Section 11. Actions taken by officials of the Town to select paying and transfer agents, and a bond registrar, or alternate or successor agents and registrars pursuant to Section 159E-8 of the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, are hereby authorized and approved.

Section 12. The 2021 Bond will be non-transferable, except to (i) an affiliate of the Purchaser, (ii) a bank, insurance company or similar financial institution or (iii) any other entity approved by the Local Government Commission. Nothing herein shall limit the right of the Purchaser or its assignees to sell or assign participation interests in the 2021 Bond to one or more entities listed in (i), (ii) or (iii) above.

Section 13. The Mayor and the Town Clerk, or their respective designees, are hereby authorized and directed to cause the 2021 Bond to be prepared and, when they shall have been duly sold by the Local Government Commission, to execute the 2021 Bond and to turn the 2021 Bond over to the registrar and transfer agent of the Town, if any, for delivery to the Purchaser, as purchaser of the 2021 Bond.

Section 14. The Finance Officer is hereby authorized to approve any changes to the terms of the 2021 Bond set forth in this Resolution by executing a Pricing Certificate on the date of issuance of the 2021 Bond provided that the 2021 Bond will be sold at a price of 100% of the par amount of the 2021 Bond and at an interest rate not to exceed the interest rate set forth herein.

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 execute and deliver for and on behalf of the Town any and all additional certificates, documents, opinions or other papers and perform all other acts as may be required by the documents contemplated hereinabove or as may be deemed necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

Section 15. This Resolution may be amended or supplemented, from time to time, without the consent of the owner of the 2021 Bond if in the opinion of nationally recognized bond counsel, such amendment or supplement would not adversely affect the interests of the owner of the 2021 Bond and would not cause the interest on the 2021 Bond to be included in the gross income of a recipient thereof for federal income tax purposes. This Resolution may be amended or supplemented with the written consent of the owner of the 2021 Bond, but a modification or amendment may not, without the express written consent of the owner of the 2021 Bond, change the principal amount of the 2021 Bond, change the interest rate payable on it, extend its maturity or alter the times for paying interest, change the monetary medium in which principal and interest is payable, or reduce the percentage of consent required for amendment or modification.

Any act done pursuant to a modification or amendment consented to by the owner of the 2021 Bond is binding and will not be deemed an infringement of any of the provisions of this Resolution, whatever the character of the act may be, and may be done and performed as fully and freely as if expressly permitted by the terms of this Resolution, and after consent has been given, no owner of the 2021 Bond has any right or interest to object to the action, to question its propriety or to enjoin or restrain the Town from taking any action pursuant to a modification or amendment.

If the Town proposes an amendment or supplemental resolution to this Resolution requiring the consent of the owner of the 2021 Bond, the registrar for the 2021 Bond shall, on being satisfactorily indemnified with respect to expenses, cause notice of the proposed amendment to be sent to such owner of the 2021 Bond then outstanding by first-class mail, postage prepaid, to the address of such owner as it appears on the registration books; but the failure to receive such notice by mailing by such owner, or any defect in the mailing thereof, will not affect the validity of any proceedings pursuant hereto. Such notice shall briefly set forth the nature of the proposed amendment and shall state that copies thereof are on file at the principal office of the registrar for the 2021 Bond for inspection by the owner of the 2021 Bond. If, within 60 days or such longer period as shall be prescribed by the Town following the giving of such notice, the owner of the 2021 Bond has consented to the proposed amendment, the amendment will be effective as of the date stated in the notice.

Section 16. Nothing in this Resolution precludes (a) the payment of the 2021 Bond from the proceeds of refunding bonds or (b) the payment of the 2021 Bond from any legally available funds.

If the Town causes to be paid, or has made provisions to pay, on maturity or on redemption before maturity, to the owner of the 2021 Bond the principal of the 2021 Bond (including interest to become due thereon), through setting aside trust funds or setting apart in a reserve fund or special trust account created pursuant to this Resolution or otherwise, or through the irrevocable segregation for that purpose in some sinking fund or other fund or trust account with an escrow agent or otherwise, moneys sufficient therefor, including, but not limited to, interest earned or to be earned on Federal Securities, then, to the extent permitted by law, the 2021 Bond shall be considered to have been discharged and satisfied, and the principal of the 2021 Bond (including and interest thereon) shall no longer be deemed to be outstanding and unpaid; provided, however, that nothing in this Resolution requires the deposit of more than such Federal Securities as may be sufficient, taking into account both the principal amount of such Federal Securities and the interest to become due thereon, to implement any such defeasance.

If such a defeasance occurs and after the Town receives an opinion of a nationally recognized accounting or verification firm that the segregated moneys or Federal Securities together with interest earnings thereon are sufficient to effect a defeasance, the Town shall execute and deliver all such instruments as may be necessary to effect such a defeasance and desirable to evidence such release, discharge and satisfaction. The Town shall make provisions for the mailing of a notice to the owner of the 2021 Bond that such moneys are so available for such payment.

Section 17. If the date for making any payment, or the date for performance of any act or the exercising of any right, as provided in this Resolution, is not a Business Day, such payment may be made or act performed or right exercised on the next succeeding Business Day, with the same force and effect as if done on the nominal date provided in this Resolution, and no interest will accrue for the period after such nominal date.

Section 18. The Town shall furnish to the registered owner of the 2021 Bond current audited financial statements in reasonable detail, with supporting schedules (the "Audit") as soon as practicable after the Town's acceptance thereof and in any case within 360 days after the end of each fiscal year. So long as the Purchaser is the registered owner of the 2021 Bond, the Audit may be sent electronically to the following email address (or such other address as the Purchaser supplies to the Town in writing): Public_Finance_Servicing@snbcloud.onmicrosoft.com. The requirement to provide the Audit to the registered owner of the 2021 Bond will be satisfied if and to the extent such information is electronically posted and publicly available on the Town's website or on the MSRB's "EMMA" website, and the Town provides electronic notice to the registered owner of the 2021 Bond with a link to such posting. If the Audit is not available within 360 days of fiscal year end, the Town will furnish unaudited financial

statements to the registered owner of the 2021 Bond in the manner described in this paragraph within such period, and will then supply the Audit immediately upon the availability thereof.

Section 19. In connection with the Town's compliance with any continuing disclosure undertakings (each, a "Continuing Disclosure Agreement") entered into by the Town on and after February 27, 2019, pursuant to SEC Rule 15c2-12 promulgated pursuant to the Securities and Exchange Act of 1934, as amended (the "Rule"), the Lender acknowledges that the Town may be required to file with the Municipal Securities Rulemaking Board's Electronic Municipal Market Access system, or its successor ("EMMA"), notice that the Town has incurred obligations hereunder and notice of certain subsequent events reflecting financial difficulties in connection with the 2021 Bond. The Town agrees that it shall not file or submit, or permit to be filed or submitted, with EMMA any documentation that includes the following unredacted sensitive or confidential information about the Purchaser or its affiliates: address and account information of the Purchaser or its affiliate, e-mail addresses, telephone numbers, fax numbers, names and signatures of officers, employees and signatories of the Purchaser or its affiliates, unless otherwise required for compliance with the Rule or otherwise required by law. The Purchaser acknowledges that the Purchaser is not responsible for the Town's compliance or noncompliance with the Rule or any Continuing Disclosure Agreement.

Section 20. If any one or more of the agreements or provisions herein contained is held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or for any reason whatsoever is held invalid, then such covenants, agreements or provisions are null and void and separable from the remaining agreements and provisions and will in no way affect the validity of any of the other agreements and provisions hereof or of the 2021 Bond authorized hereunder.

Section 21. 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 22. This Bond 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 PROVIDING FOR THE ISSUANCE 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 10th day of May, 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

APPENDIX A

This Bond is non-transferable, except to an affiliate of the registered hereof, a bank, insurance company or similar financial institution or any other entity approved by the Local Government Commission.

No. R-1

\$1,650,000

**UNITED STATES OF AMERICA
STATE OF NORTH CAROLINA
TOWN OF HARRISBURG**

**INTEREST
RATE
2.63%**

**MATURITY DATE
MAY 1, 2041**

**DATED DATE
MAY 26, 2021**

REGISTERED OWNER: STERLING NATIONAL BANK

PRINCIPAL SUM: ONE MILLION SIX HUNDRED AND FIFTY THOUSAND DOLLARS

GENERAL OBLIGATION TRANSPORTATION BOND, SERIES 2021

THE TOWN OF HARRISBURG, NORTH CAROLINA (the “Town”) acknowledges itself indebted and for value received hereby promises to pay to the Registered Owner named above, on the Maturity Date specified above, on surrender hereof, the Principal Sum shown above and to pay to the Registered Owner hereof interest thereon from the date of this Bond until it shall mature at the Interest Rate per annum specified above (computed on the basis of a 360-day year of twelve 30-day months), payable on November 1, 2021 and semiannually thereafter on May 1 and November 1 of each year. Principal of and interest on this Bond are payable in installments on May 1 of each year as set forth below in immediately available funds to the owner of this Bond shown above at the close of business on the 15th day of the month preceding an interest payment date or a bond payment date:

<u>DATE</u>	<u>PRINCIPAL AMOUNT</u>	<u>DATE</u>	<u>PRINCIPAL AMOUNT</u>
2022	\$82,500	2032	\$82,500
2023	82,500	2033	82,500
2024	82,500	2034	82,500
2025	82,500	2035	82,500
2026	82,500	2036	82,500
2027	82,500	2037	82,500
2028	82,500	2038	82,500
2029	82,500	2039	82,500
2030	82,500	2040	82,500
2031	82,500	2041*	82,500

* Maturity

This Bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act and the bond order 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 bond resolution adopted by the Town Council on May 10, 2021 (the “*Bond Resolution*”). This Bond is issued to provide funds to (1) pay the costs of certain transportation projects as described in the Bond Resolution and (2) pay the costs of issuing this Bond.

This Bond is not subject to redemption before May 1, 2026. For the period beginning May 1, 2026 and ending April 30, 2029, this Bond may be redeemed prior to maturity, at the option of the Town, from any funds that may be available for such purpose, either in whole or in part on any date at a redemption price of 101% of the principal amount of this 2021 Bond called for redemption, plus accrued interest to the redemption date. Beginning May 1, 2029, this Bond may be redeemed prior to maturity, at the option of the Town, from any funds that may be

available for such purpose, either in whole or in part on any date at a redemption price of 100% of the principal amount of this Bond called for redemption, plus accrued interest to the redemption date.

The Town will give the Registered Owner 30 days prior written notice of any optional redemption of this Bond. In the event of a partial optional redemption of the principal amount of this Bond, such redemption shall be deemed a redemption of the annual principal installments due on this Bond in inverse order. The Town may exercise its right of partial redemption no more than once during any consecutive 12-month period, and any such partial redemption must be in an amount of at least \$250,000 and not more than \$500,000.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this Bond, exist, have been performed and have happened, and that the amount of this Bond, together with all other indebtedness of the Town, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on this Bond in accordance with its terms.

This Bond shall not be valid or become obligatory for any purpose until the certification hereon shall have been signed by an authorized representative of the Local Government Commission.

IN WITNESS WHEREOF, the Town has caused this Bond to bear the original or facsimile of the signatures of the Mayor of the Town and the Town Clerk and an original or facsimile of the seal of the Town to be imprinted hereon and this Bond to be dated as of the Dated Date above.

(SEAL)

Town Clerk

Mayor

Date of Execution: May 26, 2021

The issue hereof has been approved under the
provisions of The Local Government Bond Act.

Secretary of the Local Government Commission

Town of Harrisburg
General Obligation Transportation Bond, Series 2021

FORM OF ASSIGNMENT

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

(Please print or typewrite Name and Address,
including Zip Code, and Federal Taxpayer Identification or
Social Security Number of Assignee)

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

Attorney to register the transfer of the within Bond on the books kept for registration thereof,
with full power of substitution in the premises.

Dated: _____
Signature guaranteed by:

NOTICE: Signature must be guaranteed by a
Participant in the Securities Transfer Agent
Medallion Program ("Stamp") or similar
program.

NOTICE: The signature to this assignment must
correspond with the name as it appears on the face
of the within Bond in every particular, without
alteration, enlargement or any change whatever.

TRANSFER FEE MAY BE REQUIRED



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of the Bond Order Authorizing the Issuance of Town of Harrisburg, North Carolina Enterprise Systems Revenue Bond, Series 2021; Authorizing the Approval, Execution and Delivery of Various Documents in Connection with the Issuance of the Bond; Providing for the Issuance of the Bond; and Providing for Certain Other Matters in Connection with the Issuance and Delivery of the Bond

Presenting Personnel:

Brian Lee, Finance Director

Suggested Motion or Action:

Motion to approve the Bond Order Authorizing the Issuance of Town of Harrisburg, North Carolina Enterprise Systems Revenue Bond, Series 2021; Authorizing the Approval, Execution and Delivery of Various Documents in Connection with the Issuance of the Bond; Providing for the Issuance of the Bond; and Providing for Certain Other Matters in Connection with the Issuance and Delivery of the Bond.

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. 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 bond order has a not to exceed par amount of \$4,000,000, which will cover the costs of issuance plus up to \$3,900,000 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

*The Morehead West Sewer Phase I project is currently being publicly bid due to an insufficient number of responses received for the first bid opening. The amount financed is subject to change, within the total financing package of \$4,000,000.

Approval was provided at the April 12, 2021 Council meeting to issue the private placement bonds with the following terms, which were carried through to the Bond Order without change:

- \$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 13th - Bid Opening for Morehead West Sewer Phase I
- June 1st - LGC considers approving the financing, pending Morehead West contract execution
- June 10th - Deadline to close on the 2021 Bonds
- June 14th - Council considers approval of Morehead West Sewer Phase I construction contract

Recommendation:

Staff recommends approval of the attached Bond Order.

Fiscal Impact:

The Town will receive up to \$4,000,000 in proceeds on June 10, 2021. 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. Bond Order - Town of Harrisburg, NC Revenue Bond, Series 2021



BOND ORDER AUTHORIZING THE ISSUANCE OF TOWN OF HARRISBURG, NORTH CAROLINA ENTERPRISE SYSTEMS REVENUE BOND, SERIES 2021; AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF THE BOND; PROVIDING FOR THE ISSUANCE OF THE BOND; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE AND DELIVERY OF THE BOND

WHEREAS, the Town of Harrisburg, North Carolina (the “Town”) is authorized by the State and Local Government Revenue Bond Act, General Statutes of North Carolina, Section 159-80 *et seq.* (the “Act”), to issue, subject to the approval of the Local Government Commission of North Carolina (the “LGC”), at one time or from time to time, revenue bonds of the Town for the purposes as specified in the Act;

WHEREAS, the Town has determined to issue its Enterprise Systems Revenue Bond, Series 2021 (the “2021 Bond”) in an aggregate principal amount not to exceed \$4,000,000 to provide funds 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;

WHEREAS, the Town will issue the 2021 Bond under the General Trust Indenture to be dated as of June 1, 2021 (the “General Indenture”) between the Town and U.S. Bank National Association, as trustee (the “Trustee”), and Series Indenture, Number 1 to be dated as of June 1, 2021 (the “Series Indenture”) between the Town and the Trustee;

WHEREAS, the Town has filed with the LGC an application for the approval and private sale without advertisement of the 2021 Bond in accordance with Section 159-85 of the General Statutes of North Carolina, as amended;

WHEREAS, the Town and the LGC have arranged for the issuance of the 2021 Bond to Sterling National Bank (the “Lender”);

WHEREAS, copies of the forms of the General Indenture and the Series Indenture have been filed with the Town;

NOW THEREFORE, BE IT ORDERED BY THE TOWN COUNCIL OF THE TOWN OF HARRISBURG, NORTH CAROLINA:

Section 1. The 2021 Bond is hereby authorized and will be issued pursuant to the Act to raise the money required, in addition to any funds which may be made available for such purpose from any other source, to (1) finance the Projects and (2) pay the costs of issuing the 2021 Bond, all as set out in the Town’s application to the LGC. The use of the proceeds of the 2021 Bond, as described, is necessary to meet the demands of the users of the Town’s water and sewer system.

Section 2. The aggregate principal amount of the 2021 Bond authorized by this order will not exceed \$4,000,000. The 2021 Bond hereby authorized will be a special obligation of the Town, secured by and paid solely from the proceeds thereof or from revenues, income, receipts and other money received or accrued by or on behalf of the Town from or in connection with the operation of the Town’s enterprise systems, currently the water and sewer system, as further described in the General Indenture.

Section 3. The Town has requested that the 2021 Bond be sold at private sale without advertisement to the Lender at such price as the LGC determines to be in the best interest of the Town and

as provided in the Town's application and at an interest rate not exceeding 2.90% per annum. The Town Council approves the sale of the 2021 Bond to the Lender on the terms provided in the term sheet provided by the Lender and as provided in the Series Indenture. The Authorized Officers (as defined below), are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to consummate the issuance of the 2021 Bond.

Section 4. The Town's issuance of the 2021 Bond, in substantially the form to be provided in the Series Indenture, is hereby in all respects approved and confirmed. The provisions of the General Indenture and the Series Indenture with respect to the 2021 Bond are hereby approved and confirmed and are incorporated herein by reference. The proceeds from the issuance of the 2021 Bond will be deposited in accordance with the Series Indenture. The principal of, premium, if any, and interest on the 2021 Bond will not be payable from the general funds of the Town, nor will the 2021 Bond constitute a legal or equitable pledge, charge, lien or encumbrance on any of the Town's property or on any of its income, receipts or revenues except the funds which are pledged under the General Indenture. Neither the credit nor the taxing power of the State of North Carolina (the "*State*") or the Town is pledged for the payment of the principal of, premium, if any, or interest on the 2021 Bond, and no holder of the 2021 Bond has the right to compel the exercise of the taxing power by the State or the Town or the forfeiture of any of its property in connection with any default thereon.

Section 5. The form and content of the General Indenture and the Series Indenture, including the exhibits thereto, are hereby in all respects approved and confirmed. The Mayor, the Town Manager, the Assistant Town Manager, the Finance Director and the Town Clerk, including anyone serving as such in an interim capacity, or their respective designees (collectively, the "*Authorized Officers*") are hereby authorized, empowered and directed to execute and deliver the General Indenture, and the Series Indenture for and on behalf of the Town, including necessary counterparts, in substantially the form and content presented to the Town, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the Town Council's approval of any and all such changes, modifications, additions or deletions therein. From and after the execution and delivery of the General Indenture and the Series Indenture, the Authorized Officers are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the General Indenture and the Series Indenture as executed. The Trustee is hereby appointed as Registrar and Paying Agent under the Series Indenture.

Section 6. The Town Manager, the Assistant Town Manager or the Finance Director is hereby authorized to execute a tax certificate to comply with Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder.

Section 7. If any one or more of the covenants, agreements or provisions contained in this Bond Order is held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or is for any reason whatsoever held invalid, then such covenants, agreements or provisions will be null and void and will be deemed separable from the remaining agreements and provisions and will in no way affect the validity of any of the other agreements and provisions of this Bond Order or of the 2021 Bond authorized hereunder.

Section 8. No stipulation, obligation or agreement contained in this Bond Order or contained in the 2021 Bond, the General Indenture, the Series Indenture or any other instrument related to the issuance of the 2021 Bond is a stipulation, obligation or agreement of any officer, agent or employee of the Town in his or her individual capacity, and no such officer, agent or employee is personally liable on the 2021 Bond or subject to personal liability or accountability by reason of the issuance thereof.

Section 9. The Authorized Officers are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents which they, in their discretion, deem necessary and appropriate to consummate the transactions contemplated by this Bond Order, the General Indenture or the Series Indenture; except that none of the above is hereby authorized or empowered to do anything or execute any document which is in contravention, in any way, of (a) the specific provisions of this Bond Order, (b) the specific provisions of the General Indenture or the Series Indenture, (c) any agreement to which the Town is bound, (d) any rule or regulation of the Town or (e) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State.

Section 10. The Authorized Officers are hereby authorized, empowered and directed to prepare and furnish, when the 2021 Bond is issued, certified copies of all the proceedings and records of the Town Council relating to the 2021 Bond, and such other affidavits, certificates and documents as may be required to show the facts relating to the legality and marketability of the 2021 Bond as such facts appear on the books and records in such party's custody and control or as otherwise known to them; and all such certified copies, certificates, affidavits and documents, including any heretofore furnished, constitute representations of the Town as to the truth of all statements contained therein.

Section 11. All acts and doings of the Authorized Officers that are in conformity with the purposes and intent of this Bond Order and in the furtherance of the issuance of the 2021 Bond and the execution, delivery and performance of the General Indenture and the Series Indenture are hereby in all respects approved and confirmed. Any provision in this Resolution that authorizes more than one Authorized Officer to take certain actions will apply to the respective designees of the Authorized Officers, including any person serving in an interim capacity, and will be read to permit such persons to take the authorized actions either individually or collectively.

Section 12. 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 13. This Bond Order will take effect immediately on its adoption and, pursuant to Section 159-88 of the General Statutes of North Carolina, as amended, need not be published or subjected to any procedural requirements governing the adoption of ordinances or resolutions by the Town Council other than the procedures set out in the Act.

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 an order entitled “**BOND ORDER AUTHORIZING THE ISSUANCE OF TOWN OF HARRISBURG, NORTH CAROLINA ENTERPRISE SYSTEMS REVENUE BOND, SERIES 2021; AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF THE BOND; PROVIDING FOR THE ISSUANCE OF THE BOND; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE AND DELIVERY OF THE BOND**” adopted by the Town Council of the Town of Harrisburg, North Carolina, at a meeting held on the 10th day of May, 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 FY2021 Budget Ordinance Amendments for IT Disaster Recovery

Presenting Personnel:

James Mahoney, Information Systems Director

Suggested Motion or Action:

Motion to approve the FY2021 Budget Ordinance Amendments in the amount of \$49,250 for IT Disaster Recovery.

Description/Background:

As a result of the recent Information Systems virus attack, there are various services and products that are required to fully restore the system and fortify against future attacks.

Two vendors were utilized in an emergency fashion during the outage to help rebuild and restore the system. These amounted to approximately \$8,750.

A new physical server is now required, which will also be utilized to review whether any of our data was compromised during the breach. This totals \$8,000.

As a result of the attack, the SCADA computer equipment must be replaced, with upgraded software, totaling \$20,000.

Moving forward, a firm will install and monitor a system that places protection on each employee's workstation. It also includes 20 hours of labor per month, as needed for a total cost of \$3,250, monthly.

A specialized investigation into what data may have been compromised is the last step in returning from the cyber attack. Staff has selected a forensics group to perform this for the Town. The cost of this services is approximately \$6,000.

Recommendation:

Staff recommends approval of the attached budget amendment.

Fiscal Impact:

This request is being split into one time costs and recurring costs.

One time \$42,750:

- GF - Professional Services - \$14,750
- GF/WSF 50% Split - Capital Outlay - Server - \$8,000
- WSF - Capital Outlay - SCADA Equipment - \$20,000

Recurring \$6,500 (Two months remaining in FY2021 @ \$3,250/month):

- GF - Monitoring Services - \$6,500

The total cost of capital outlay is \$28,000, with \$24,000 coming from the Capital Reserve Fund - Water and Sewer Fund and \$4,000 from the Capital Reserve Fund - General Fund.

The \$21,250 in operational funding required will utilize General Fund contingency funds. The current available balance of contingency funds is \$372,705, which, if approved, will be reduced to \$351,455 for the remaining two months of FY2021.

Attachments:

1. Amendment - GF - IT Disaster Recovery 05102021
2. Amendment - CRF-GF - IT Disaster Recovery 05102021
3. Amendment - WSF - IT Disaster Recovery 05102021
4. Amendment - CRF-WSF - IT Disaster Recovery 05102021



AN ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCE OF THE TOWN OF HARRISBURG, NORTH CAROLINA

Be it ordained by the Town Council of the Town of Harrisburg, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2021:

Section 1. Amend the General Fund to account for IT disaster recovery.

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

Increase line item 100-1175-56310 Professional Services	\$ 21,250
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Increase line item 100-1175-57103 Capital Outlay 2021-1175-001	\$ 4,000
--	----------

Decrease line item 100-8750-59500 Contingency	\$ 21,250
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Section 3. To amend the General Fund, the revenues are to be changed as follows:

Increase line item 100-49905 Transfers In – Capital Reserve Fund – General Fund	\$ 4,000
--	----------

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

Section 5. That this ordinance shall be effective upon its passage. Adopted this 10th day of May, 2021.

Steve Sciascia, Mayor

ATTEST:

Janet Rackley, Town Clerk



AN ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCE OF THE TOWN OF HARRISBURG, NORTH CAROLINA

Be it ordained by the Town Council of the Town of Harrisburg, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2021:

Section 1. Amend the Capital Reserve Fund – General Fund to account for IT disaster recovery.

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

Increase line item 200-8500-59100	\$ 4,000
Transfers Out – General Fund	

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

Increase line item 200-48599	\$ 4,000
Appropriated Fund Balance	

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

Section 5. That this ordinance shall be effective upon its passage. Adopted this 10th day of May, 2021.

Steve Sciascia, Mayor

ATTEST:

Janet Rackley, Town Clerk



AN ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCE OF THE TOWN OF HARRISBURG, NORTH CAROLINA

Be it ordained by the Town Council of the Town of Harrisburg, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2021:

Section 1. Amend the Water and Sewer Fund for IT Disaster Recovery.

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

Increase line item 400-6000-57103	\$ 24,000
Capital Outlay	
2021-6000-015 - \$4,000	
2021-6000-016 - \$20,000	

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

Increase line item 400-49555	\$ 24,000
Transfers In – Capital Reserve Fund – Water and Sewer	

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

Section 5. That this ordinance shall be effective upon its passage. Adopted this 10th day of May, 2021.

Steve Sciascia, Mayor

ATTEST:

Janet Rackley, Town Clerk



AN ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCE OF THE TOWN OF HARRISBURG, NORTH CAROLINA

Be it ordained by the Town Council of the Town of Harrisburg, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2021:

Section 1. Amend the Capital Reserve Fund – Water and Sewer Fund to account for IT disaster recovery.

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

Increase line item 650-8500-59110	\$ 24,000
Transfers Out – Water and Sewer Fund	

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

Increase line item 650-48599	\$ 24,000
Appropriated Fund Balance	

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

Section 5. That this ordinance shall be effective upon its passage. Adopted this 10th day of May, 2021.

Steve Sciascia, Mayor

ATTEST:

Janet Rackley, Town Clerk