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

February 14, 2022
6:00 PM

AGENDA

1. CALL TO ORDER

A. The Town Hall Council Chambers will be open at our normal capacity. The public is required to wear masks during the meeting. The public may also join the meeting via the Zoom platform at the following link:

https://us02web.zoom.us/j/83481877476?pwd=YzFjTlBDZWQweU9NVWR0QjFxRVVqQT09
Meeting ID #: 834 8187 7476
Passcode: 212521

Or join by phone:
301.715.8592
312.626.6799

B. AGENDA ADOPTION

C. INVOCATION

D. PLEDGE OF ALLEGIANCE

E. SPECIAL PRESENTATIONS

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 January 3, 2022 Called Town Council Meeting

B. Consider the minutes of the January 3, 2022 Closed Session

C. Consider the minutes of the January 10, 2022 Town Council Meeting

D. Consider the minutes of the January 10, 2022 Closed Session

E. Consider the minutes of the January 13, 2022 Called Town Council Meeting

F. Consider the minutes of the January 18, 2022 Called Town Council Meeting.

G. Town Acceptance of Asphalt and Storm Drainage Systems in Churchill Farms Subdivision

H. Town Acceptance of Asphalt and Storm Drainage Systems in Holcomb Woods Phase 1 Subdivision

I. Set a public hearing for March 14, 2022 to consider changes to the Harrisburg Code of Ordinances.

J. To set a public hearing for March 14, 2022 to consider the annexation of parcels off of Paul Linker Road (H2022-01-R).

K. To set a public hearing for March 14, 2022 to consider the annexation of a portion of a parcel to modify the previously approved Farmington PUD (H2021-14-R).

3. COMMUNICATIONS

A. TOWN MANAGER/FINANCE MONTHLY REPORT

B. MAYOR'S COMMENTS

C. COUNCIL COMMENTS

4. PUBLIC HEARINGS

A. H2021-01 (R) – Public Hearing to consider Conditional Rezoning and Zoning Map Amendment for Oakview Residential Subdivision off of Hickory Ridge Rd. (behind Blume Phase II)

5. OLD BUSINESS

6. NEW BUSINESS

A. H2021-04-(S) - Consideration to approve the Preliminary Plat for Tramore Residential Subdivision.

B. Consideration of Parks & Recreation Advisory Board Appointments

C. Consideration of Contract with JER HR Group for a Comprehensive Pay Study

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.

TOWN OF HARRISBURG

Agenda Item Details

Title:
Consider the minutes of the January 3, 2022 Called Town Council Meeting

Presenting Personnel:

Suggested Motion or Action:
Motion to approve the minutes of the January 3, 2022 Called Town Council Meeting.

Description/Background:

Recommendation:

Fiscal Impact:

Attachments:
1. January 3, 2022 Minutes

TOWN OF HARRISBURG, NORTH CAROLINA
TOWN COUNCIL MEETING
MONDAY, JANUARY 3, 2022
6:00 PM

MINUTES

This meeting was held in person as well as virtually via the Zoom platform.

Mayor Jennifer Teague called the meeting to order.

PRESENT: Mayor Jennifer Teague; Mayor Pro-Tem Ron Smith, Councilmembers Diamond Staton-Williams, Ian Patrick, Rick Russo, Rodney Dellinger, Altyn Cotell and Maurice Price, Jr.

1A.
ZOOM NOTIFICATION
The Zoom meeting link and details were published and advertised before the meeting took place and were shown on the agenda.

2A.
NEW BUSINESS
Consider appointment of Delegate and Alternate to the Centralina Regional Council Board. Mayor Teague stated that she would like to serve as the delegate and proposed Councilmember Patrick as the alternate.

MOTION:
Mayor Pro-Tem Smith made a motion to appoint Mayor Teague as the delegate and Councilmember Patrick as the alternate to the Centralina Regional Council Board. Second was made by Councilmember Dellinger. **The motion passed 7-0.**

2B.
NEW BUSINESS
Town Council procedures goals discussion. The new Mayor Pro-Tem needs to be appointed, and if we proceed the way it has been done historically, the person receiving the highest number of votes in the election would be appointed. In this case, that would be Maurice Price, Jr.

MOTION:
Councilmember Dellinger made a motion to appoint Councilmember Price to the Mayor Pro-Tem position. Second was made by Councilmember Patrick. **The motion passed 7-0.**

Mayor Teague had several items to discuss with Council including:

- She would like to see as few surprises on Council meeting agendas as possible. Asked everyone to make sure requests to add items to agendas be sent to her, the Town Manager and Town Clerk ahead of time.
- If anything arises that needs Council action in the Mayor's Comments or Council Comments section during a meeting, she would like to see that added as an item on the following month's agenda to give everyone time to think about it and get questions answered, etc.
- Would like to see the public comment sections for rezonings moved closer to the top of agendas.
- When voting on a motion, she will ask for a show of hands in favor of the motion, then a show of hands for those against the motion. Following that, she will repeat the results of the motion aloud to make sure everyone hears it.
- She would like to see local pastors at Council meetings to conduct the invocation, and possibly get several on a rotation to do that.
- There is a Council retreat coming up on January 13th from 6pm – 9pm. That date was set before the new councilmembers took office, so she wants to make sure it works for everyone now. Also thinks they may need more time than the three hours allotted at this time and suggested they schedule a meeting on a Saturday. After

some discussion, Council will still meet on January 13th to begin the budget goals discussion, and again on Saturday, January 29th from 8am – 2pm to continue the discussion.

3.
CLOSED SESSION
MOTION:
Councilmember Smith made a motion to go into Closed Session to discuss personnel matters. Second was made by Councilmember Dellinger. **The motion passed 7-0.**

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

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

9.
ADJOURNMENT:
MOTION:
There being no further business, Councilmember Patrick made a motion to adjourn the meeting. Second was made by Councilmember Dellinger. **The motion passed 7-0.**

ATTEST:

_____
Jennifer Teague, Mayor

_____
Janet Rackley, Town Clerk

TOWN OF HARRISBURG

Agenda Item Details

Title:
Consider the minutes of the January 3, 2022 Closed Session

Presenting Personnel:

Suggested Motion or Action:
Motion to approve the minutes of the January 3, 2022 Closed Session.

Description/Background:

Recommendation:

Fiscal Impact:

Attachments:
None

TOWN OF HARRISBURG

Agenda Item Details

Title:
Consider the minutes of the January 10, 2022 Town Council Meeting

Presenting Personnel:

Suggested Motion or Action:
Motion to approve the minutes of the January 10, 2022 Town Council meeting.

Description/Background:

Recommendation:

Fiscal Impact:

Attachments:
1. January 10 Minutes

TOWN OF HARRISBURG, NORTH CAROLINA
TOWN COUNCIL MEETING
MONDAY, JANUARY 10, 2022
6:00 PM

MINUTES

This meeting was held in person as well as virtually via the Zoom platform.

Mayor Jennifer Teague called the meeting to order.

PRESENT: Mayor Jennifer Teague; Mayor Pro-Tem Maurice Price Jr., Councilmembers Diamond Staton-Williams, Ian Patrick, Rick Russo, Rodney Dellinger, Altyn Cotell and Ron Smith

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:
Councilmember Dellinger made a motion to approve the agenda as presented. Second was made by Councilmember Smith. **The motion passed 7-0.**

1C.
INVOCATION
Pastor Mike Thevenin from Harvest Church conducted the invocation.

1D.
PLEDGE OF ALLEGIANCE

1E.
SPECIAL PRESENTATIONS
1. **Cabarrus County Convention and Visitor's Bureau – Annual Tourism Update –** Donna Carpenter, President and CEO
2. **Cabarrus County Sheriff's Department –** Sheriff Van Shaw – welcome to new Mayor and Council members, introduction of Captain Aaron Rankin and Chief Deputy James Bailey
3. **Final 2021 Splash Pad Report –** Jim Spina, Harrisburg Parks and Recreation Director; Shawn Marble, Assistant Parks and Recreation Director

1F.
PUBLIC COMMENT
- Priscilla Parks, 4671 Lucas Court, Harrisburg - spoke to Council concerning request to pave Lucas Court. Rob Donham, Engineering and Public Works Director, explained the history of this request. The Town had agreed to take ownership of this road and fund 50% of the paving with the residents funding 50% through tax assessment on their properties over a 20-year period. Covid hit and things were put on hold. Hope to resume with the new budget process. Council requested more information at next month's meeting to consider starting the process before the new budget year.
- Nathaniel Webber, Lucas Court, Harrisburg – spoke to Council concerning request to pave Lucas Court. Appreciate the Town considering paving the road.

2.
CONSENT AGENDA

A. Consider the minutes of the December 13, 2021, Called Town Council Meeting
B. Consider the minutes of the December 13, 2021, Closed Session
C. Consider FY2022 Budget Ordinance Amendments for Fire Property Demolition
D. Set a public hearing for February 14, 2022, to consider Conditional Rezoning and Zoning Map Amendment for Oakview Residential Subdivision off Hickory Ridge Road (behind Blume Phase II)

MOTION:
Councilmember Smith made a motion to approve the Consent Agenda. Second was made by Councilmember Dellinger.
The motion passed 7-0.

3A.
COMMUNICATIONS
TOWN MANAGER/FINANCE REPORT
Manager Report:

1. Paving
    a. Town has been informed that the NCDOT will be milling, resurfacing and doing shoulder reconstruction on the following roads
        i. Hickory Ridge Road between Rocky River and Stallings Roads
        ii. Rocky River Road between Stafford and Hickory Ridge Roads
    b. Part of a $5.5M contract to make improvements to over 20 miles of Cabarrus County roads
    c. Construction on the entire project expected to begin in late March 2022 with completion in September 2023
        i. Will update more when we have better idea when our roads will be worked on
2. Meetings
    a. Council Workshop – Budget Planning/Council Goals
        i. Thursday, January 13th, 6PM, Council Chambers
3. Columns at Town Hall
    a. Continued work this week
    b. Please be careful as come in and out of Town Hall
4. Pump Track
    a. Skills course is currently under construction in Harrisburg Park
    b. Pump track will begin construction next month
5. Deputies Facility
    a. Temporary buildings have been dropped off and working on finishing the site at Fire Station1
    b. Will be moving into the buildings towards the end of the month
6. Law Enforcement Update
    a. Law Enforcement-related activities
        i. 1,943
    b. Business and residential security checks
        i. 1,534
    c. Traffic stops
        i. 296
    d. Non-emergency response time
        i. 8 mins – 16 mins
7. Fire Update
    a. Monthly Call Volume
        i. 233
            1. Approximately 90% are emergency responses
    b. Average Unit Response Time
        i. 4 mins 31 seconds
    c. Call locations
        i. Inside Harrisburg Fire District

1. 79%

ii. Outside Harrisburg Fire District

1. 21%

Finance Report:
Finance Director Brian Lee presented the Finance report.

3B.
COMMUNICATIONS
MAYOR'S COMMENTS

- Will be presenting a Dr. Martin Luther King, Jr. Day proclamation to the County this weekend at events honoring Dr. King.

3C.
COMMUNICATIONS
COUNCIL'S COMMENTS
None

4A.
PUBLIC HEARING
None

5A.
OLD BUSINESS
None

6A.
NEW BUSINESS
Consider Harrisburg Arts, Culture and Heritage Committee Appointments. The Arts, Culture and Heritage Committee has two (2) appointments for the upcoming two-year terms which begin January 1, 2022. The Town received two applications for the two vacancies. Vacancies were advertised for 60 days via the town's website and social media. The board members' terms that are expiring are Karen Andrade and Kimmy Roberts.

The Arts, Culture and Heritage Committee reviewed the two applications at their December 6th meeting. The committee made a recommendation to the Town Council that the following applicants be re-appointed to the Arts, Culture and Heritage Committee: Karen Andrade and Kimmy Roberts.

A summary of the applicants is provided, and their applications have been submitted for consideration:

Karen Andrade: Karen is a teacher at Carl Furr Elementary where she is in charge of lesson planning, mentoring and curriculum implementation. Karen is interested in serving her community and making our community a place where we value and promote tolerance and kindness. Karen has served on the HACH Committee for two years.

Kimmy Roberts: Kimmy is a Workup Liaison for the National Marrow Donor Program. She supports WU staff in coordination of bone marrow / PBSC collection. Kimmy has served on the HACH Committee for two years and would like to continue to do so.

Both applicants reside within the town limits.

After some discussion, the following action was taken:

MOTION:
Councilmember Smith made a motion to approve the appointments of Karen Andrade and Kimmy Roberts to the Harrisburg Arts, Culture and Heritage Committee. Councilmember Patrick made the second. **The motion passed 7-0.**

6B.
NEW BUSINESS

Consider Parks and Recreation Advisory Board Appointments. The Parks and Recreation Advisory Board has four (4) appointments for upcoming two-year terms, which begins on March 1, 2022. The Town received two applications for the four vacancies. Per the By-Laws of the board, the vacancies were advertised for 60 days via the Town's website and social media. The board members whose terms are expiring are: Linda Thurman, Mohammed Idlibi, Carl Westine and Jason Marshall.

Linda Thurman has served eight years on the Parks and Recreation Advisory board. Therefore, per the by-laws, she must step down from the board for one year before being eligible to apply again.

Per the By-Laws, an interview panel consisting of three members was created at the October Advisory Board meeting: Tim Morris, Delroy Ross (secretary) and Brett Crosby. The sub-committee created a list of criteria and interviewed each candidate. The candidates attended the December 20th advisory board meeting to meet the rest of the board for any additional questions.

The Advisory Board made a motion to recommend the following applicants be appointed: Mohammed Idlibi and Mike Thevenin. The motion was made by Brett Crosby and seconded by Jason Marshall. The motion passed 4-0.

A summary of the applicants is provided and their applications have been submitted for consideration:

Mohammed Idlibi: Mohammed is a Principal at True Summit Capital. Mohammed is currently serving on the Parks and Recreation Advisory Board. Mohammed values the opportunity to shape our community for the better.

Mike Thevenin: Mike has not served on the Advisory Board before. Mike is currently the Senior Pastor at Harrisburg Foursquare Church. Mike, along with his church, have played an active role in Harrisburg parks and recreation - participating in events as well as hosting programs at his church.

Both applicants reside within the town limits.

Two vacancies remain on the board. Those vacancies will continue to be advertised and applications will be accepted until January 13, 2022. The sub-committee will review any additional applications submitted and make a recommendation to fill the vacancy at their January 17th Advisory Board Meeting. A recommendation will come to the February Town Council meeting.

MOTION:
Councilmember Staton-Williams made a motion to approve the appointments of Mohammed Idlibi and Mike Thevenin to the Parks and Recreation Advisory Board. Second was made by Mayor Pro-Tem Price. **The motion passed 7-0.**

6C.
NEW BUSINESS
Consider Harrisburg Business Alliance, Inc. Funding for Audit Services. Harrisburg Business Alliance, Inc. is a 501(c)6 non-profit organization and a component unit of the Town. A component unit is an entity which has substantial support from the Town in the form of funding and/or board and management participation. This results in the financial reporting for HBA, Inc. being reported separately in the Town's annual audited financial statements. See Exhibits A and B in the Town's FY2021 Financial Statements.
HBA, Inc. was incorporated in 2020, making FY2021 the first year it was included in the Town's audit and charged an independent fee of $4,000. The Town currently contributes an annual amount of $6,000 to help support the operations and initiatives of the organization. This mandated audit fee (only required because of their relationship with the Town) would disproportionately consume the funds the organization had allocated for the year. HBA, together with Town staff support, respectfully request the Town to increase its annual contribution to $10,000 to cover this audit fee annually.
There is sufficient existing budget available in the Finance Department's professional services account for this year's audit fee, meaning this funding request needs no budget ordinance amendment or consumption of contingency funds.
Going forward, it is recommended to increase the annual funding that is provided to HBA beginning in FY2023.

MOTION:
Councilmember Patrick made a motion to approve funding HBA, Inc. audit services for FY2021. Second was made by Councilmember Staton-Williams. **The motion passed 7-0.**

6D.
NEW BUSINESS
Consider appointments to the Sustainability Advisory Board. The Sustainability Advisory Board currently has one vacant seat (term ending 12/31/2022) and four members whose terms ended December 31, 2021. None of the current members have asked to be reappointed. The openings were advertised and six applications were received. At the December 8, 2021 Sustainability Advisory Board meeting, the Board voted unanimously to recommend the appointment of Michelle Abbott, Keziah Hubler, Faith Silva, Glorisha Jones and Tim Thornton to the Board. An overview of all the applicants has been provided for Council review as well as their applications.

MOTION:
Councilmember Smith made a motion to appoint Michelle Abbott, Keziah Hubler, Faith Silva, and Glorisha Jones to the Sustainability Advisory Board for two-year terms ending 12/31/2023, and Tim Thornton to the open one-year term ending 12/31/2022. Second was made by Mayor Pro-Tem Price. **The motion passed 7-0.**

7.
ACTION ITEMS

- Bring information back to Council next month concerning paving Lucas Court

8.
CLOSED SESSION
MOTION:
Councilmember Smith made a motion to go into Closed Session to discuss personnel matters. Second was made by Mayor Pro-Tem Price. **The motion passed 7-0.**

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

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

9.
ADJOURNMENT:
MOTION:
There being no further business, Councilmember Patrick made a motion to adjourn the meeting. Second was made by Councilmember Staton-Williams. **The motion passed 7-0.**

ATTEST:

_____
Jennifer Teague, Mayor

_____
Janet Rackley, Town Clerk

TOWN OF HARRISBURG

Agenda Item Details

Title:
Consider the minutes of the January 10, 2022 Closed Session

Presenting Personnel:

Suggested Motion or Action:
Motion to approve the minutes of the January 10, 2022 Closed Session.

Description/Background:

Recommendation:

Fiscal Impact:

Attachments:
None

TOWN OF HARRISBURG

Agenda Item Details

Title:
Consider the minutes of the January 13, 2022 Called Town Council Meeting

Presenting Personnel:

Suggested Motion or Action:
Motion to approve the minutes of the January 13, 2022 Called Town Council meeting.

Description/Background:

Recommendation:

Fiscal Impact:

Attachments:
1. January 13 Minutes

TOWN OF HARRISBURG, NORTH CAROLINA
TOWN COUNCIL MEETING
THURSDAY, JANUARY 13, 2022
6:00 PM

MINUTES

This meeting was held in person as well as virtually via the Zoom platform.

Mayor Jennifer Teague called the meeting to order.

PRESENT: Mayor Jennifer Teague; Councilmembers Ron Smith, Diamond Staton-Williams, Ian Patrick, Rodney Dellinger and Altyn Cotell

ABSENT: Mayor Pro-Tem Maurice Price Jr., Councilmember Rick Russo

Mayor Teague stated that the Closed Session scheduled for this meeting will no longer be necessary.

1A.
ZOOM NOTIFICATION
The Zoom meeting link and details were published and advertised before the meeting took place and were shown on the agenda.

2A.
NEW BUSINESS
FY23 Budget Summary. Interim Town Manager, Lee Connor presented the summary. Topics covered:

- What is the budget?
- Staff's role in the budget
- Typical budget timeline
- Stages of budget preparation
- Tools to aid in budget creation
- What does Council approve?
- Budget workshops

2B.
NEW BUSINESS
Set the calendar for FY23 Budget Meetings. Brian Lee presented the preliminary budget calendar. After some discussion, the following changes were made:

- Move the proposed February 10th meeting to February 8th
- Move the proposed February 22nd meeting to February 23rd
- Move the proposed March 8th meeting to March 1st
- Move the proposed March 22nd meeting to March 23rd
- Move the proposed April 5th meeting to April 4th
- Move the proposed April 14th meeting to April 12th
- Move the proposed April 26th meeting to April 27th

Brian Lee will make the changes and get the new calendar out to Council tomorrow.

2C.
NEW BUSINESS
Council Vision and Goals Discussion. Mayor Teague had asked Council to send her a list of goals. She compiled the responses from Councilmembers and that document was distributed to everyone tonight to look over. There were some questions from Council and discussion about some of the items on the document. Following this, staff was directed to look at the document and organize it to show what items on the list may already be in progress, what is feasible, etc.,

and send that to Council prior to the January 29th meeting so Council will be ready to discuss it that day. Some discussion followed concerning the ARPA funds received by the Town and suggestion was made that one of the things that should be done with a portion of the money is to give employees a bonus for working hard throughout this pandemic to make sure the Town's services continued for our citizens. It may also help with retention of employees as that is becoming an issue. Potential sign-on bonuses to attract new employees were also discussed.

After some discussion, the following action was taken:

MOTION:
Councilmember Smith made a motion to authorize $500,000 of ARPA funds to be used for bonuses for current employees, and up to $5,000 each for sign-on bonuses for new employees. Second was made by Councilmember Cotell. **The motion passed 5-0.**

3.
CLOSED SESSION
None

4.
ADJOURNMENT:
MOTION:
There being no further business, Councilmember Smith made a motion to adjourn the meeting. Second was made by Councilmember Cotell. **The motion passed 5-0.**

ATTEST:

_____
Jennifer Teague, Mayor

_____
Janet Rackley, Town Clerk

TOWN OF HARRISBURG

Agenda Item Details

Title:
Consider the minutes of the January 18, 2022 Called Town Council Meeting.

Presenting Personnel:

Suggested Motion or Action:
Motion to approve the minutes of the January 18, 2022 Town Council meeting.

Description/Background:

Recommendation:

Fiscal Impact:

Attachments:
1. January 18 Minutes

TOWN OF HARRISBURG, NORTH CAROLINA
TOWN COUNCIL MEETING
TUESDAY, JANUARY 18, 2022
5:30 PM

MINUTES

This meeting was held virtually via the Zoom platform.

Mayor Jennifer Teague called the meeting to order.

PRESENT: Mayor Jennifer Teague; Councilmembers Ron Smith, Diamond Staton-Williams, Ian Patrick, Rodney Dellinger and Altyn Cotell

ABSENT: Mayor Pro-Tem Maurice Price Jr., Councilmember Rick Russo

1A.
ZOOM NOTIFICATION
The Zoom meeting link and details were published and advertised before the meeting took place and were shown on the agenda.

2A.
CONSENT AGENDA
Consideration of ARPA Grant Project Ordinance Amendment. During the January 13, 2022 Council Budget Workshop, unanimous approval was provided to appropriate the following uses of ARPA funds:

- $500,000 pool of funds to be utilized as employee retention bonuses, payable as soon as administratively possible. Direction was provided to Town Management to establish the program that will be used to allocate the funding to the employee base.
- An undesignated sum of funds, to be determined by Town Management, to fund up to $5,000 sign-on bonuses to help attract new employees to open positions.

Town Management recommends the employee retention bonuses be allocated evenly across the full-time and regular part-time employee base at $4,500 per employee. The Town currently has 109 active employees. In addition, a pool of $150,000 has been allocated for sign-on bonuses. Any unused sign-on bonus funds may be re-appropriated by Town Council at any time during the 3-year grant period.

MOTION:
Councilmember Smith motion to approve the proposed ARPA Grant Project Ordinance amendment in the total amount of $645,000 to fund employee retention bonuses, sign-on bonuses, and related payroll fees. Second was made by Councilmember Staton-Williams. **The motion passed 5-0.**

3.
ADJOURNMENT:
MOTION:
There being no further business, Councilmember Smith made a motion to adjourn the meeting. Second was made by Councilmember Staton-Williams. **The motion passed 5-0.**

ATTEST:

_____
Jennifer Teague, Mayor

_____
Janet Rackley, Town Clerk

TOWN OF HARRISBURG

Agenda Item Details

Title:
Town Acceptance of Asphalt and Storm Drainage Systems in Churchill Farms Subdivision

Presenting Personnel:
Robert Donham, Town Engineer

Suggested Motion or Action:
To approve the resolution accepting Churchill Farms Subdivision into the Town's street and stormwater maintenance system including Shire Court, Breton Way, Shetland Drive, Bridle Court, Campolina Court, and Buckskin Drive with a value of $1,786,796 in asphalt and curb and gutter, $429,375 in Greenways, and $496,421 in Stormwater infrastructure.

Description/Background:
Churchill Farms is an existing subdivision in the Town of Harrisburg. The Town has reviewed and inspected all of the the infrastructure and improvements associated with this subdivision and recommends acceptance of the streets and storm drainage network into the Town's maintenance system.

Along with acceptance of the roads and storm infrastructure, the Town must also accept a value of those assets to properly account for them in the Town's financial records. Based on the attached engineer's cost estimate, the value has been determined to be $1,786,796 in asphalt and curb and gutter, $429,375 in Greenways, and $496,421 in Stormwater infrastructure.

Recommendation:
Staff recommends approval of the attached resolution to accept Churchill Farms Subdivision and the associated streets and stormwater infrastructure into the Town's maintenance system.

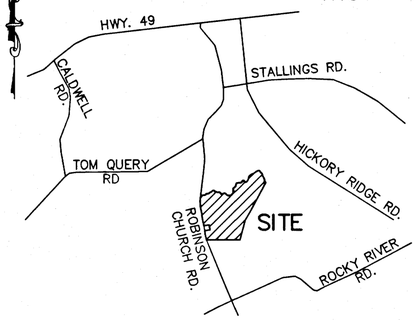
Fiscal Impact:
There is no direct fiscal impact to the Town for taking over these streets aside from the lighting operation and maintenance costs and the future maintenance costs of the streets and storm drainage system. The engineer's estimate for the improvements is $496,421 for storm drainage, $429,375 in Greenways, and $1,786,796 for asphalt, greenway and sidewalks, totaling $2,712,592 in improvements in Churchill Farms.

In the next fiscal year, the Town will begin to collect Powell Bill funds for the street miles associated with this acceptance.

Attachments:
1. Churchill Farms Street Map Highlighted
2. Churchill Farms - Council Resolution for Acceptance
3. Churchill Farms - Engineer Estimate 1-28-2022

VICINITY MAP

NTS



SITE DATA

TOTAL NUMBER OF LOTS:	20 LOTS
AREA OF LOTS:	282,772 SQ. FT. / 6.492 ACRES
AREA BEING DEDICATED TO R/W:	68,528 SQ. FT. / 1.573 ACRES
AREA IN OPEN SPACE:	20,427 SQ. FT. / 0.469 ACRES
AREA OF PHASE 4:	371,727 SQ. FT. / 8.534 ACRES
BRETON WAY:	895 LF
BUCKSKIN DRIVE:	348 LF

State of North Carolina
County of Cabarrus

I, Greg Belk
Review Officer of Cabarrus County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Greg Belk (PDG) 09/23/2016
Review Officer Date

LEGEND:

- ⊙ EXISTING IRON PIPE
- ○ IRON PIPE SET
- ▲ CALCULATED POINT
- SQ. FT. SQUARE FEET
- SDE STORM DRAINAGE EASEMENT
- SS SANITARY SEWER
- R/W RIGHT OF WAY
- DB DEED BOOK
- PB PLAT BOOK
- PG PAGE
- SURVEYED LINE
- LINE NOT SURVEYED
- WALKING TRAIL EASEMENT

Certificate of final plat approval.
It is hereby certified that this plat is in compliance with the Subdivision Regulations of the Town of Harrisburg and therefore this plat has been approved by the Harrisburg Town Council, or their designated review committee, subject to its being recorded with the Cabarrus County Register of Deeds within 30 days of the date below.

9-23-16 — Director of Planning
Date

Certificate of ownership and dedication.
CDCG 3 MTH LP hereby certifies that it is the owner of the property shown and described hereon, which is located in the subdivision jurisdiction of the Town of Harrisburg, and that it hereby submits this plan of subdivision with its free consent, establishes minimum building setback lines, and dedicates to public use all areas shown on this plat as streets, walks, parks, and easements, except those specifically indicated as private, and that it will maintain all such areas until accepted by the Town of Harrisburg, and further that it hereby guarantees that it will correct defects or failure of improvements in such areas for a period of one year commencing after a certificate of approval has been executed by the city, or after final acceptance of required improvements, whichever occurs later.

Owner:
CDCG 3 MTH LP, a Delaware limited partnership

By: — 9/22/16
Steven S. Benson, the manager of CDCG Asset Management, LLC, an Arizona limited liability company, the Authorized Agent of CDCG 3 MTH LP, a Delaware limited partnership
Date

I HEREBY CERTIFY THAT THIS PLAT IS OF THE FOLLOWING TYPE: G.S. 47-30 (f)(11)(a). THIS SURVEY CREATES SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

KEVIN S. BAUCOM, PLS L-4275

I, KEVIN S. BAUCOM, 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

21st DAY OF September, A.D. 2016.

KEVIN S. BAUCOM, PLS L-4275

Certificate of streets, water and sewer system approval and other improvements.
I hereby certify that all streets, storm drainage systems, water and sewer systems and other improvements have been designed and installed, or their installation guaranteed, in an acceptable manner and according to specifications and standards of Harrisburg and the State of North Carolina in the Churchill Farms Phase 4 Subdivision.

9-23-16 — Director of Public Facilities
Date

GENERAL NOTES

1.) THIS IS A SURVEY OF EXISTING PARCELS OF LAND. THIS IS AN SUBDIVISION SURVEY.

2.) THE STATE PLANE COORDINATES (SPC) FOR THIS PROJECT WERE PRODUCED WITH RTK-VRS GPS OBSERVATIONS USING A EPOCH 50 GNSS SYSTEM RECEIVER AND PROCESSED USING GPS CONTINUOUSLY OPERATING REFERENCE STATIONS. DATE OF OBSERVATIONS WAS DECEMBER 12, 2013. THE RELATIVE POSITIONAL ACCURACY OF THE GPS NETWORK IS <0.06. THE FOLLOWING CORS WAS THE BASE STATION USED: NC49

HORIZONTAL POSITIONS ARE REFERENCED TO NAD83(2011). VERTICAL POSITIONS ARE REFERENCED TO NAVD88(GEOID12A) THE COMBINED SCALE FACTOR IS 0.99984798.

3.) ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.

4.) FLOOD NOTE: THIS PROPERTY IS PARTIALLY LOCATED IN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN ZONE "AE" AS DEFINED BY FEMA F.I.R.M. COMMUNITY NO. 370036, PANEL NO'S. 5506J & 5507J, DATED NOVEMBER 5, 2008.

5.) REFERENCES: DEED BOOK 471, PAGE 3045
PLAT BOOK 47, PAGE 4
PLAT 68, PAGE 95
OF THE CABARRUS COUNTY REGISTRY
PIN 55068905010000

6.) NO GRID MONUMENTS FOUND WITHIN 2000' OF SITE.

7.) ZONED: CZ-RL (CONSERVATION DISTRICT)
SETBACKS: EXTERNAL LINES: 50' CLASS "D" BUFFER
INTERNAL LINES: FRONT: 25', SIDE: 10' AND REAR: 20'

8.) OPEN SPACE AND ALL SIDE, REAR LOT DRAINAGE EASEMENTS, AND ALL COMMON OPEN SPACE DRAINAGE EASEMENTS WILL BE MAINTAINED BY THE HOA, NOT THE TOWN OF HARRISBURG.

9.) THE WALKING TRAIL EASEMENT IS A PUBLIC EASEMENT, BUT THE IMPROVEMENTS WITHIN THE EASEMENT ARE TO BE MAINTAINED BY THE HOME OWNERS ASSOCIATION UNTIL SUCH TIME THAT THE TOWN ASSUMES MAINTENANCE.

GRAPHIC SCALE
200 0 100 200 400
1 inch = 200 ft.

FILED Sep 23, 2016 11:06 am
BOOK 00071
PAGE 0089 THRU 0089
INSTRUMENT # 25008
EXCISE TAX $0.00
MAO
FILED CABARRUS COUNTY NC WAYNE NIXON REGISTER OF DEEDS

SHEET 1 OF 4
SEE SHEET 4 OF 4 FOR LINE AND CURVE TABLES

THE JOHN R. McADAMS COMPANY, INC.
3436 Toringdon Way
Suite 110
Charlotte, North Carolina 28277
License No.: C-0293
(800) 733-5646 ▪ McAdamsCo.com
McADAMS

REVISIONS:
8-01-2016 REVISE SITE DATA TABLE
9-01-2016 REVISE TRAIL EASEMENT
9-01-2016 UPDATE LOT 27 LINES

NORTH CAROLINA PROFESSIONAL SEAL L-4275 LAND SURVEYOR KEVIN S. BAUCOM

KEVIN S. BAUCOM
L-4275

CHURCHILL FARMS, PHASE 4
FINAL SUBDIVISION PLAT
TOWNSHIP 1, CABARRUS COUNTY, NORTH CAROLINA

OWNER:
CDCG 3 MTH LP
8585 EAST HARTFORD, SUITE 118
SCOTTSDALE, ARIZONA 85255

PROJECT NO. MRH-13070
FILENAME: MRH13070-F4
DRAWN BY: JC
SCALE: 1"=200'
DATE: 6-10-2016

McADAMS

STATE OF NORTH CAROLINA
COUNTY OF CABARRUS

BOOK 68 PG 95-97
BOOK 69 PG 58-63
BOOK 70 PG 88-91
BOOK 71 PG 89-92
REQUEST FOR TOWN OF
HARRISBURG TO ACCEPT
ASPHALT & STORM DRAINAGE SYSTEMS
SHIRE COURT, BRETON WAY, SHETLAND DRIVE,
BRIDLE COURT, CAMPOLINA COURT, AND BUCKSKIN DRIVE
CHURCHILL FARMS SUBDIVISION PHASES 1-4

Whereas, this is to certify that the previous developer and original owner installed asphalt and storm drainage systems in the Churchill Farms Subdivision, including Shire Court, Breton Way, Shetland Drive, Bridle Court, Campolina Court, and Buckskin Drive, which are recorded in Book 68 Page 95-97, dated March 30, 2015; Book 69 Pages 58-63 and dated June 18, 2015; Book 70 Pages 88-91 and dated January 18, 2016; and Book 71 Pages 89-92 and dated June 10, 2016, and labeled as 60' Public Right-of-Way within the Town of Harrisburg, North Carolina.

Whereas, existing right of way is measured 60 feet wide from road center,

Whereas, asphalt, greenway, curb, gutter, and sidewalk ($2,216,171) and storm drainage systems ($496,421) have been installed on these streets in Churchill Farms Subdivision to the standards and specifications of the Town of Harrisburg Engineering Department,

Whereas, the Town of Harrisburg desires to accept the asphalt and storm drainage system from the developer, to be owned and maintained as part of the Town's public roadway and storm drainage systems.

The Town of Harrisburg seeks to accept the above mentioned asphalt, curb, gutter and sidewalk and storm drainage systems for the Churchill Farms Subdivision into the Town's systems, to be owned and maintained as a part of the Town's public roadway and drainage systems.

Adopted this 14th day of February, 2022

_____
Jennifer Teague, Mayor

Attest:

_____
Janet Rackley, Town Clerk

Churchill Farms Subdivision Road and Stormwater Estimate
Prepared by Town of Harrisburg Engineering Staff

Description	Quantity	Unit	Unit Price Estimate	Total
15"	2701	LF	$ 52.00	$ 140,452.00
18"	1089	LF	$ 58.00	$ 63,162.00
24"	1351	LF	$ 70.00	$ 94,570.00
30"	197	LF	$ 95.00	$ 18,715.00
36"	201	LF	$ 118.00	$ 23,718.00
54"	83	LF	$ 188.00	$ 15,604.00
54" Headwall	2	EA	$ 3,000.00	$ 6,000.00
Manhole	2	EA	$ 2,200.00	$ 4,400.00
Curb Inlet	59	EA	$ 2,200.00	$ 129,800.00
	Stormwater Subtotal			**$ 496,421.00**
Portion of Breton Way (194' at 20' Width)	431	SY	$ 51.00	$ 21,986.67
Portion of Breton Way (2343' at 22' Width)	5727	SY	$ 51.00	$ 292,094.00
Portion of Breton Way (2731' at 24' Width)	7283	SY	$ 51.00	$ 371,416.00
Bridle Court (291' at 22' Width)	711	SY	$ 51.00	$ 36,278.00
Buckskin Drive (329' at 24' Width)	877	SY	$ 51.00	$ 44,744.00
Portion of Campolina Court (290' at 22' Width)	709	SY	$ 51.00	$ 36,153.33
Portion of Campolina Court (209' at 24' Width)	557	SY	$ 51.00	$ 28,424.00
Shetland Drive (281' at 24' Width)	749	SY	$ 51.00	$ 38,216.00
Portion of Shire Court (433' at 22' Width)	1058	SY	$ 51.00	$ 53,980.67
Portion of Shire Court (263' at 35' Width)	1023	SY	$ 51.00	$ 52,161.67
Greenway	5725	LF	$ 75.00	$ 429,375.00
5' Concrete Sidewalk	7662	SY	$ 55.00	$ 421,391.67
ADA Ramps	36	EA	$ 900.00	$ 32,400.00
Curb and Gutter	14302	LF	$ 25.00	$ 357,550.00
	Pavement/Sidewalk Subtotal			**$ 2,216,171.00**
Grand Total Engineer's Estimates for Road and Stormwater Improvements				**$ 2,712,592.00**

This estimate is for the installed road and storm drainage improvements in the Churchill Farms Subdivision. Town Staff utilized 2021 construction contract invoices and bond estimates to determine rates, which include labor to construct.

TOWN OF HARRISBURG

Agenda Item Details

Title:
Town Acceptance of Asphalt and Storm Drainage Systems in Holcomb Woods Phase 1 Subdivision

Presenting Personnel:
Robert Donham, Town Engineer

Suggested Motion or Action:
To approve the resolution accepting Holcomb Woods Phase 1 into the Town's street and stormwater maintenance system including a portion of Larewood Road, Lilac Court, a portion of Black Locust Lane, October Glory Way, Skyfest Drive, a portion of Paper Birch Drive, Crabapple Lane, Rockbrook Drive, Butternut Drive, and Green Ash Lane with a value of $3,349,506 in Streets and $1,208,238 in Stormwater infrastructure.

Description/Background:
Holcomb Woods Phase 1 is an existing subdivision in the Town of Harrisburg. The Town has reviewed and inspected all of the the infrastructure and improvements associated with Phase 1 and recommends acceptance of the streets and storm drainage network into the Town's maintenance system.

Along with acceptance of the roads and storm infrastructure, the Town must also accept a value of those assets to properly account for them in the Town's financial records. Based on the attached engineer's cost estimate, the value has been determined to be $3,349,506 for streets, sidewalks and curb and gutter and $1,208,238 for stormwater infrastructure.

Recommendation:
Staff recommends approval of the attached resolution to accept Holcomb Woods Phase 1 and the associated streets and stormwater infrastructure into the Town's maintenance system.

Fiscal Impact:
There is no direct fiscal impact to the Town for taking over these streets aside from the lighting operation and maintenance costs and the future maintenance costs of the streets and storm drainage system. The engineer's estimate for the improvements is $1,208,238 for storm drainage and $3,349,506 for asphalt and sidewalks, totaling $4,557,744 in improvements in Phase 1 of Holcomb Woods.

In the next fiscal year, the Town will begin to collect Powell Bill funds for the street miles associated with this acceptance.

Attachments:
1. Holcomb Woods Phase 1 - Engineer Estimate 1-11-2022
2. PHASE 1 - Record Maps Bonds for STREET FINALS - Town OK as of June2020 Highlighted
3. Holcomb Woods Phase 1 - Council Resolution for Acceptance

Holcomb Woods Phase 1 Road and Stormwater Estimate
Prepared by Town of Harrisburg Engineering Staff

Description	Quantity	Unit	Unit Price Estimate	Total
15"	4983	LF	$ 52.00	259116.00
18"	671	LF	$ 58.00	38918.00
24"	2272	LF	$ 70.00	159040.00
30"	1144	LF	$ 95.00	108680.00
36"	1415	LF	$ 118.00	166970.00
42"	255	LF	$ 145.00	36975.00
48"	62	LF	$ 172.00	10664.00
72"	62	LF	$ 250.00	15500.00
8' x 8' Box Culvert	111	LF	$ 625.00	69375.00
48" Headwall	1	EA	$ 40,000.00	40000.00
72" Headwall	1	EA	$ 50,000.00	50000.00
Curb Inlet	115	EA	$ 2,200.00	253000.00
	Stormwater Subtotal			**$ 1,208,238.00**
Portion of Black Locust Lane (3639' at 24' Width)	9704	SY	$ 51.00	494904.00
Portion of Larewood Road (723' at 24' Width)	1928	SY	$ 51.00	98328.00
Portion of Paper Birch Drive (2457' at 24' Width)	6552	SY	$ 51.00	334152.00
Lilac Court (1836' at 24' Width)	4896	SY	$ 51.00	249696.00
October Glory Way (897' at 24' Width)	2392	SY	$ 51.00	121992.00
Skyfest Drive (894' at 24' Width)	2384	SY	$ 51.00	121584.00
Crabapple Lane (1038' at 24' Width)	2768	SY	$ 51.00	141168.00
Rockbrook Drive (666' at 24' Width)	1776	SY	$ 51.00	90576.00
Butternut Drive (1119' at 24' Width)	2984	SY	$ 51.00	152184.00
Green Ash Lane (399' at 24' Width)	1064	SY	$ 51.00	54264.00
5' Concrete Sidewalk	14358	SY	$ 55.00	789708.33
ADA Ramps	45	EA	$ 900.00	40500.00
Curb and Gutter	26418	LF	$ 25.00	660450.00
	Pavement/Sidewalk Subtotal			**$ 3,349,506.33**
Grand Total Engineer's Estimates for Road and Stormwater Improvements				**$ 4,557,744.33**

This estimate is for the installed road and storm drainage improvements in the Holcomb Woods Phase 1 Subdivision. Town Staff utilized 2021 construction contract invoices and bond estimates to determine rates, which include labor to construct.

	17.74	AC.
	71.50	AC.
	224	LOTS
	1.87	DUA
	0.33	AC.
	13,227	LF
	N/A	
	N/A	
	N/A	
	N/A	

P1M1 -NOW

P1M2 - P1M -

Fall 2020P1M4 -

Fall 2020

P1M6 - NOW

P1M7 - NOW

Line Table		
e #	Direction	Length
L1	N7° 15' 23"W	217.93'
L2	S82° 44' 27"W	200.06'
L3	S7° 14' 24"E	217.86'
L4	S82° 43' 55"W	219.00'
L5	S77° 30' 02"W	330.00'
L6	S31° 51' 18"W	400.02'
L7	N78° 38' 09"W	426.47'
L8	N15° 42' 17"E	399.99'
L9	N21° 14' 24"W	347.43'
L10	S58° 32' 55"W	100.89'
L11	S58° 32' 54"W	371.03'
L12	S79° 58' 45"W	604.64'
L13	S86° 20' 52"W	363.38'
L14	S2° 05' 12"E	391.30'
L15	N57° 37' 20"W	815.03'
L16	S63° 57' 32"W	911.47'
L17	S39° 47' 21"E	63.92'
L18	S51° 39' 31"E	176.65'
L19	S27° 04' 43"E	138.44'
L20	S33° 42' 51"W	147.68'

C-2.3

C-2.4

C-2.5

C-2.6

C-2.7

C-2.8

SHEET NOT INCLUDED IN PHASE I SUBMITTAL

HOLCOMB WOODS PHASE II

FUTURE DEVELOPMENT BY OTHERS

PROJECT DESCRIPTION

THE PROPOSED DEVELOPMENT SHALL CONSIST OF SINGLE-FAMILY HOMES OF VARYING SIZES. A PORTION OF THE PROJECT SHALL BE PROPOSED TO TARGET ACTIVE ADULT HOME BUYERS UTILIZING MASTER DOWN FLOOR PLANS, SMALLER EXTERIOR YARDS, AND EXTERIOR MAINTENANCE BY THE HOMEOWNERS ASSOCIATION. IN addition TO THE ACTIVE ADULT PORTION OF THE PROJECT, A MIX OF HOMES VARYING IN WIDTH FROM 65 FEET TO 75 FEET SHALL BE PROPOSED FOR THE REMAINDER OF THE SITE.

AN AMENITY AREA SHALL BE PROPOSED ALONG THE MAIN SPINE PAPER BIRCH DRIVENTERING THE SITE FROM PLAZA PAPER BIRCH DRIVEXTENSION.

STATE OF NORTH CAROLINA
COUNTY OF CABARRUS

BOOK 75 PAGE 29 & 30
BOOK 75 PAGE 31 & 32
BOOK 75 PAGE 33 & 34
BOOK 76 PAGE 99 & 100
BOOK 76 PAGE 101 & 102
BOOK 79 PAGE 81
BOOK 78 PAGE 44 & 45 & 46
BOOK 80 PAGE 14

REQUEST FOR TOWN OF
HARRISBURG TO ACCEPT
ASPHALT & STORM DRAINAGE SYSTEMS
LAREWOOD ROAD, LILAC COURT, BLACK LOCUST LANE,
OCTOBER GLORY WAY, SKYFEST DRIVE, PAPER BIRCH DRIVE,
CRABAPPLE LANE, ROCKBROOK DRIVE, BUTTERNUT DRIVE,
AND GREEN ASH LANE
HOLCOMB WOODS PHASE 1 SUBDIVISION

Whereas, this is to certify that the previous developer and original owner installed asphalt and storm drainage systems in the Holcomb Woods Phase 1 Subdivision, including a portion of Larewood Road, Lilac Court, a portion of Black Locust Lane, October Glory Way, Skyfest Drive, a portion of Paper Birch Drive, Crabapple Lane, Rockbrook Drive, Butternut Drive, and Green Ash Lane, which are recorded in Book 75 Page 29 & 30, dated December 6, 2017 and Book 75 Page 31 & 32, dated December 6, 2017 and Book 75 Page 33 & 34, dated December 6 2017 and Book 76 Page 99 & 100, dated April 19, 2018 and Book 76 Page 101 & 102, dated April 19, 2018 and Book 79 Page 81, dated April 19, 2018 and Book 78 Page 44 & 45 & 46, dated September 24, 2018 and Book 80 Page 14, dated April 1, 2019, and labeled as 60' Public Right-of-Way; and labeled as Larewood Road, Lilac Court, Black Locust Lane, October Glory Way, Skyfest Drive, Paper Birch Drive, Crabapple Lane, Rockbrook Drive, Butternut Drive and Green Ash Lane; and are located in the Town of Harrisburg,

Whereas, existing right of way is measured 60 feet wide from road center,

Whereas, asphalt, curb, gutter, and sidewalk ($3,349,506) and storm drainage systems ($1,208,238) have been installed on these streets in Holcomb Woods Phase 1 Subdivision to the standards and specifications of the Town of Harrisburg Engineering Department,

Whereas, the Town of Harrisburg desires to accept the asphalt and storm drainage system from the developer, to be owned and maintained as part of the Town's public roadway and storm drainage systems.

The Town of Harrisburg seeks to accept the above mentioned asphalt, curb, gutter and sidewalk and storm drainage systems for the Holcomb Woods Phase 1 Subdivision into the Town's systems, to be owned and maintained as a part of the Town's public roadway and drainage systems.

Adopted this 14th day of February, 2022

_____
Jennifer Teague, Mayor

Attest:

_____
Janet Rackley, Town Clerk

TOWN OF HARRISBURG

Agenda Item Details

Title:
Set a public hearing for March 14, 2022 to consider changes to the Harrisburg Code of Ordinances.

Presenting Personnel:
Lee Connor, Assistant Town Manager

Suggested Motion or Action:
Motion to set a public hearing for March 14, 2022 to consider changes to the Harrisburg Code of Ordinances.

Description/Background:
Session Law 2021-138 decriminalizes a number of our Town ordinances. Because of this, those changes need to be incorporated into our Code of Ordinances. Rich Koch has been working on this and his proposal for the changes is provided for Council review. We will need to hold a public hearing in March, and a vote on the changes could be taken at the April 11th Town Council meeting.

Recommendation:

Fiscal Impact:

Attachments:
1. Harrisburg Criminal Ordinance

AN ORDINANCE TO IMPLEMENT STATE CRIMINAL JUSTICE REFORMS

WHEREAS, a violation of a Town ordinance is a misdemeanor punishable by of up to a fine of $500.00 for each offense, in accordance with N.C.G.S. § 14-4 and sections 10.99 (A) of the Town of Harrisburg Code of Ordinances; and,

WHEREAS, the General Assembly of North Carolina enacted Part XIII of Session Law 2021-138, which, in part, requires local governments to specify criminal penalties for each individual criminal offense; and,

WHEREAS, as the Harrisburg Town Council intends to maintain existing criminal penalties to the maximum intent allowed under law.

NOW, THEREFORE BE IT ORDAINED by the Harrisburg Town Council as follows:

Section 1. General Penalties.

Section 10.99 (A) of the Town of Harrisburg Code of Ordinances, North Carolina, is hereby amended to read as follows:

Section 10.99 (A). General Penalty.

(A) Any person violating or failing, refusing or neglecting to comply with any provision or requirement of any section or subsection of this Code, or any ordinance of this county now in force or hereafter enacted, that is specifically designated as a misdemeanor and to which no specific criminal penalty is affixed, shall be punished in accordance with N.C.G.S. § 14-4 and shall be fined in an amount not to exceed $500.00 for each offense.

~~(A) Unless otherwise provided herein, each violation of this Code shall constitute a misdemeanor, except as otherwise provided by statute, and violations of such provisions of this Code shall be punished by fine or imprisonment as by law provided.~~

(B) Violations of this Code shall constitute either a misdemeanor, if allowed, or at the election of the town, shall subject the offender to a civil penalty upon the issuance of a citation for said violation as hereinafter provided. The civil penalty, if not paid to the town within 15 days of the issuance of a citation, may be recovered by the town in a civil action in the nature of

debt. Unless otherwise provided by a specific provision of this Code, such civil penalties shall be in the amount of $50.00 for each violation, and each day any single violation continues shall be a separate violation.

(C) In addition to the civil penalties set out above, any provision of this Code or any other town ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction. In such case, the general court of justice shall have jurisdiction to issue such orders as may be appropriate, and it shall not be a defense to the application of the town for equitable relief that there is an adequate remedy at law.

(D) In addition to the civil penalties set out above, any provision of the Code or any other town ordinance that makes unlawful a condition existing upon or use made of real property may be enforced by injunction and order of abatement by the general court of justice. When a violation of such a provision occurs, the town may apply to the appropriate division of the general court of justice for a mandatory or prohibitory injunction and/or order of abatement commanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property. The action shall be governed in all respects by the laws and rules governing civil proceedings, including the Rules of Civil Procedure in general and Rule 65 in particular.

(E) An order of abatement may direct that buildings or other structures on the property be closed, demolished, or removed; that fixtures, furniture, or other movable property be removed from buildings on the property; that abandoned or junked vehicles be removed; that improvements or repair be made; or that any other action be taken that is necessary to bring the property into compliance with this Code or such ordinance. If the defendant fails or refuses to comply with an injunction or with an order of abatement within the time allowed by such order, he may be cited for contempt, and the town may execute the order of abatement. The town shall have a lien on the property for the cost of executing an order of abatement in the nature of a mechanic's and material-man's lien. The defendant may secure cancellation of an order of abatement by paying all cost of the proceedings and posting a bond for compliance with the order. The bond shall be given with sureties approved by the clerk of superior court in an amount approved by the judge before whom the matter is heard and shall be conditioned on the defendant's full compliance with the terms of the order of abatement within a time fixed by judicial order. Cancellation of an order of abatement shall not suspend or cancel an injunction issued in conjunction therewith.

(F) The provisions of this Code and any other town ordinances may be enforced by one, all, or a combination of the remedies authorized and prescribed by this section. ~~Any ordinances adopted by the Town Council, the violation of which shall incur a penalty, shall be construed to incur the criminal penal provisions of this section, unless a civil penalty is specified in the ordinance.~~

(G) (1) Upon determination of a violation of any section of this Code, the penalty for which is or may be a civil penalty, the town may but is not required to cause a warning citation to be issued to the violator. Such citation shall set out the nature of the violation, the section violated, and the date of the violation and shall contain an order to cease the violation immediately. If the violation is in the nature of an infraction for which an order of abatement would be appropriate in a civil proceeding, a reasonable period of time may be stated within which the violation must be abated. The warning citation may specify that a second citation shall incur a civil penalty, together with costs and attorney fees.

(2) Upon failure of the violator to obey the warning citation, a civil citation shall be issued by the appropriate official of the town and either served directly on the violator, his duly designated agent, or the registered agent if a corporation, either in person or posted in the United States mail service by first class mail addressed to the last known address of the violator as contained in the records of the town or obtained from the violator at the time of issuance of the warning citation. The violator shall be deemed to have been served upon the mailing of such citation. The citation shall direct the violator to appear before the Town Council or its designee within 15 days of the date of the citation or, alternatively, to pay the citation by mail. The violation for which the citation is issued must have been corrected by the time the citation is paid; otherwise, further citations shall be issued. Citations may be issued for each day the offense continues until the prohibited activity is ceased or abated.

(H) If the violator fails to respond to a citation within 15 days of its issuance and pay the penalty prescribed therein, the town may institute a civil action in the nature of debt in the appropriate division of the general court of justice for the collection of the penalty, costs, attorney fees, and such other relief as permitted by law.

Section 2. General Penalties regarding Sewer

50.99 Penalty. (A) (1) In addition to any other remedies cited in this chapter for the enforcement of the provisions of this chapter, the regulations and standards contained in this chapter may be enforced through the issuance of citations by the appropriate town official. These citations shall be in the form of a civil penalty. The town may recover this penalty in a civil action in the nature of a debt if the offender does not pay the penalty within 72 hours after being cited for a violation. In addition, failure to pay the civil penalty within 72 hours may subject the violator to criminal charges, in accordance with N.C.G.S. § 14-4 and shall be considered a misdemeanor with a fine in an amount not to exceed $500.00 for each offense. The following civil penalties are established for violations under this section:

(a) Warning citations: correct violation within ten days.

(b) First citation, $25.00

(c) Second citation, for same offense, $100.00

(d) Third and subsequent citation for same offense, $200.00

(2) These civil penalties are in addition to any other penalties which may be imposed by a court for violation of the provisions of this code of ordinances.

(B) In addition to the foregoing enforcement provisions, this chapter may be enforced by any remedy provided in N.C.G.S. § 160A-175 including, but not limited to, all appropriate equitable remedies issued from a court of complete jurisdiction as provided in G.S. § 160A-175(e). This section specifically provides that each day's continuing violation shall be a separate and distinct offense.

50.36 (E) Add to end of ordinance section: A violation of this section is punishable as a misdemeanor.

50.41. Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

50.43. Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

50.62 (C). Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

50.88. Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

Section 3. General Penalties regarding Water

51.99 Penalty. (A) (1) In addition to any other remedies cited in this chapter for the enforcement of the provisions of this chapter, the regulations and standards contained in this chapter may be enforced through the issuance of citations by the appropriate town official. These citations shall be in the form of a civil penalty. The town may recover this penalty in a civil action in the nature of a debt if the offender does not of this chapter, the regulations and standards contained in this chapter may be enforced through the issuance of citations by the appropriate town pay the penalty within 72 hours after being cited for a violation. In addition, failure to pay the civil penalty within 72 hours may subject the violator to criminal charges in accordance with N.C.G.S. § 14-4 and shall be considered a misdemeanor with a fine in an amount not to exceed $500.00 for each offense. The following civil penalties are established for violations under this section:

(a) Warning citations: correct violation within ten days.

(b) First citation, $25.00

(c) Second citation, for same offense, $100.00

(d) Third and subsequent citation for same offense, $200.00

(2) These civil penalties are in addition to any other penalties which may be imposed by a court for violation of the provisions of this code of ordinances.

(B) In addition to the foregoing enforcement provisions, this chapter may be enforced by any remedy provided in N.C.G.S. § 160.175 including, but not limited to, all appropriate equitable remedies issued from a court of complete jurisdiction as provided in N.C.G.S. § 160A-175(e). This section specifically provides that each day's continuing violation shall be a separate and distinct offense.

51.18. Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

51.19. Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

51.20. Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

51.54. Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

51.55. Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

51.56. Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

Section 4. General Penalties regarding Stormwater

53.076 (C) Criminal penalties. Violation of this chapter may be enforced as a misdemeanor in accordance with N.C.G.S. §14-4 with a fine in an amount not to exceed $500.00 for each offense.

Section 5 General Penalties regarding Abandoned Vehicles

90.99 Penalty. (A) (1) In addition to any other remedies cited in this code of ordinances for the enforcement of the provisions of this code of ordinances, the regulations and standards contained in this code of ordinances may be enforced through the issuance of citations by the designated town official. These citations shall be in the form of a civil penalty. The town may recover this penalty in a civil action in the nature of a debt if the offender does not pay the penalty within 72 hours after being cited for a violation. In addition, failure to pay the civil penalty within 72 hours may subject the violator to criminal charges, in accordance with N.C.G.S. § 14-4 and shall be considered a misdemeanor with a fine in an amount not to exceed $500.00 for each offense. The following civil penalties are established for violations under this section:

(a) Warning citations: correct violation within ten days.

(b) First citation, $25.00

(c) Second citation for same offense, $100.00

(d) Third and subsequent citation for same offense, $200.00

(2) These civil penalties are in addition to any other penalties which may be imposed by a court for violation of the provisions of this code of ordinances.

(B) In addition to the foregoing enforcement provisions, this chapter may be enforced by any remedy provided in N.C.G.S. § 160A-175 including, but not limited to, all appropriate equitable remedies issued from a court of complete jurisdiction as provided in N.C.G.S. § 160A-175(e). This section specifically provides that each day's continuing violation shall be a separate and distinct offense.

90.02 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

90.03 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

Section 6 General Penalties regarding Noise Control

~~Any person violating or failing, refusing, or neglecting to comply with any provision or requirement of any section or subsection of this chapter shall be punished as provided in § 10.99.~~

91.99 Violation of this chapter may be enforced as a misdemeanor in accordance with N.C.G.S. § 14-4 with a fine in an amount not to exceed $500.00 for each offense.

91.01 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

Section 7 General Penalties regarding Public Nuisances

92.08 The procedure set forth in this chapter shall be in addition to any other remedies that may now or hereafter exist under the law for the abatement of public nuisances and this chapter shall not prevent the Town Council from proceeding in a criminal misdemeanor action against any person, firm or corporation violating the provisions of this chapter as provided in N.C.G.S. § 14-4, with a maximum fine of $500.00.

Section 8 General Penalties regarding Streets and Sidewalks

93.99 (A) (1) In addition to any other remedies cited in this chapter for the enforcement of the provisions of this chapter, the regulations and standards contained in this chapter may be enforced through the issuance of citations by the designated town officials. These citations shall be in the form of a civil penalty. The town may recover this penalty in a civil action in the nature of a debt if the offender does not pay the penalty within 72 hours after being cited for a violation. In addition, failure to pay the civil penalty within 72 hours may subject the violator to a misdemeanor criminal charge, with a maximum fine of $500.00 as provided in N.C.G.S. § 14-4. The following civil penalties are established for violations under this section:

(a) Warning citations: correct violation within ten days.

(b) First citation, $25.00

(c) Second citation for same offense, $100.00

(d) Third and subsequent citation for same offense, $200.00

(2) These civil penalties are in addition to any other penalties which may be imposed by a court for violation of the provisions of this code of ordinances.

(B) In addition to the foregoing enforcement provisions, this chapter may be enforced by any remedy provided in N.C.G.S. § 160A-175 including, but not limited to, all appropriate equitable remedies issued from a court of complete jurisdiction as provided in N.C.G.S. § 160A-175(e). This section specifically provides that each day's continuing violation shall be a separate and distinct offense.

93.02 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

93.10 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

93.11 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

93.12 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

Section 9 General Penalties regarding Animals and Fowl

94.99 (New Section) Any person violating or failing, refusing or neglecting to comply with any provision or requirement of any section or subsection of this chapter shall be punished as provided in Section 10.99.

Section 10 General Penalties regarding Fire Prevention and Protection

95.104 New Section Any person violating or failing, refusing or neglecting to comply with any provision or requirement of any section or subsection of this chapter, that is marked as constituting a misdemeanor shall be punished as provided in Section 10.99.

95.001 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

95.002 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

95.003 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

95.004 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

95.005 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

95.006 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

95.007 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

95.008 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

95.009 (B) Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

95.010 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

95.011 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

95.012 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

95.013 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

95.014 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

95.015 (B) Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

95.070 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

95.076 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

95.103 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

Section 11 General Penalties regarding Alarm Systems

96.99 A person commits a ~~class 3~~ misdemeanor criminal offense punishable by § 10.99 of this code if he violates by commission or omission any provision of this chapter that imposes upon him a duty or responsibility.

96.03 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

96.04 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

96.06 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

96.07 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

96.08 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

96.09 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

Section 12 General Penalties regarding Parks and Recreation

97.99 (A) Parking violations with corresponding fines are listed below:

(1) Parking or blocking in handicapped area: $50.00

(2) Speeding and/or reckless driving: $50.00

(3) Parking on grass: $50.00

(4) Parking on road shoulder: $50.00

(5) Parking in fire lane: $50.00

(6) Other parking violations: $50.00

(B) Violation of any provision of this subchapter which also constitutes a violation of the criminal or motor vehicle laws of the state or the town shall be punishable as provided in such other law or ordinance. Violation of any other provision of this subchapter shall constitute a misdemeanor under N.C.G.S. § 14-4 and shall be punishable by a fine of not more than ~~$50.00 or imprisonment not exceeding thirty days, or both.~~ $500.00.

97.02 Add to end of ordinance section. A violation of any subsection is punishable as a misdemeanor.

97.03 Add to end of ordinance section. A violation of any subsection is punishable as a misdemeanor.

97.04 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

97.05 Add to end of ordinance section. A violation of any subsection is punishable as a misdemeanor.

97.06 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

97.07 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

97.08 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

97.09 Add to end of ordinance section. A violation of any subsection is punishable as a misdemeanor.

97.10 Add to end of ordinance section. A violation of any subsection is punishable as a misdemeanor.

Section 13 General Penalties regarding Housing Code

98.99 (A) In addition to other penalties, any person who fails, neglects or refuses to make corrections shall be subject to a civil penalty of $100.00 for the first day following the expiration

of the time period specified in the order for such repair, alteration or improvement. A $10.00 per day penalty shall be imposed for each subsequent day that the unfit dwelling or dwelling unit remains in violation of the order. If a person fails to pay the civil penalty within ten days after being notified of the amount due, the town shall seek to recover the penalty together with all costs by filing a civil action in the General Court of Justice in the nature of a suit to collect a debt.

(B) The violation of any provision of this chapter shall constitute a misdemeanor, as provided by N.C.G.S. § 14-4 with a maximum fine of $500.00. In addition to the remedy specified in this and in other sections of this chapter, the provisions of this chapter may also be enforced by the town by injunction and order of abatement or by any other equitable remedy issuing from a court of competent jurisdiction, as specified in N.C.G.S. §§ 153A-123(d) and (e).

98.03 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

98.04 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

98.05 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

98.06 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

98.07 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

98.08 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

98.09 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

98.10 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

98.11 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

98.12 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

98.15 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

98.16 (C) Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

Section 14 General Penalties regarding Urban Archery in Deer Season

99.99 (A) Unless otherwise provided herein, each violation of this code shall constitute a misdemeanor, except as otherwise provided by statute, and violations of such provisions of this code shall be punished by ~~fine or imprisonment~~ a maximum fine of $500.00 ~~as by law provided~~ or as otherwise provided in N.C.G.S. § 14-4.

(B) Violations of this code shall constitute either a misdemeanor or, at the election of the town, shall subject the offender to a civil penalty upon the issuance of a citation for said violation as hereinafter provided. The civil penalty, if not paid to the town within 15 days of the issuance of a citation, may be recovered by the town in a civil action in the nature of debt. Unless otherwise provided by a specific provision of this code, such civil penalties shall be in the amount of $50.00 for each violation, and each day any single violation continues shall be a separate violation.

(C) In addition to the civil penalties set out above, any provision of this code or any other town ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction. In such case, the general court of justice shall have jurisdiction to issue such orders as may be appropriate, and it shall not be a defense to the application of the town for equitable relief that there is an adequate remedy at law.

(D) In addition to the civil penalties set out above, any provision of the code or any other town ordinance that makes unlawful a condition existing upon or use made of real property may be enforced by injunction and order of abatement by the general court of justice. When a violation of such a provision occurs, the town may apply to the appropriate division of the general court of justice for a mandatory or prohibitory injunction and/or order of abatement commanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property. The action shall be governed in all respects by the laws and rules governing civil proceedings, including the Rules of Civil Procedure in general and Rule 65 in particular.

(E) An order of abatement may direct that buildings or other structures on the property be closed, demolished, or removed; that fixtures, furniture, or other movable property be removed from buildings on the property; that abandoned or junked vehicles be removed; that improvements or repair be made; or that any other action be taken that is necessary to bring the property into compliance with this code or such ordinance. If the defendant fails or refuses to comply with an injunction or with an order of abatement within the time allowed by such order, he or she may be cited for contempt, and the town may execute the order of abatement. The town shall have a lien on the property for the cost of executing an order of abatement in the nature of a mechanic's and materialman's lien. The defendant may secure cancellation of an order of abatement by paying all cost of the proceedings and posting a bond for compliance with the order. The bond shall be given with sureties approved by the clerk of superior court in an amount approved by the judge before whom the matter is heard and shall be conditioned on the defendant's full compliance with the terms of the order of abatement within a time fixed by judicial order. Cancellation of an order of abatement shall not suspend or cancel an injunction issued in conjunction therewith.

(F) The provisions of this code and any other town ordinances may be enforced by one, all, or a combination of the remedies authorized and prescribed by this section. Any ordinances adopted by the Town Council, the violation of which shall incur a penalty, shall be construed to incur the criminal penal provisions of this section, unless a civil penalty is specified in the ordinance.

(G) (1) Upon determination of a violation of any section of this code, the penalty for which is or may be a civil penalty, the town may but is not required to cause a warning citation to be issued to the violator. Such citation shall set out the nature of the violation, the section violated, and the date of the violation and shall contain an order to cease the violation immediately. If the violation is in the nature of an infraction for which an order of abatement would be appropriate in a civil proceeding, a reasonable period of time may be stated within which the violation must be abated. The warning citation may specify that a second citation shall incur a civil penalty, together with costs and attorney fees.

(2) Upon failure of the violator to obey the warning citation, a civil citation shall be issued by the appropriate official of the town and either served directly on the violator, his or her duly designated agent, or the registered agent if a corporation, either in person or posted in the United States mail service by first class mail addressed to the last known address of the violator as contained in the records of the town or obtained from the violator at the time of issuance of the warning citation. The violator shall be deemed to have been served upon the mailing of such citation. The citation shall direct the violator to appear before the 1997 S-3 Town Council or its designee within 15 days of the date of the citation or, alternatively, to pay the citation by mail. The violation for which the citation is issued must have been corrected by the time the citation is paid; otherwise, further citations shall be issued. Citations may be issued for each day the offense continues until the prohibited activity is ceased or abated.

(H) If the violator fails to respond to a citation within 15 days of its issuance and pay the penalty prescribed therein, the town may institute a civil action in the nature of debt in the appropriate division of the general court of justice for the collection of the penalty, costs, attorney fees, and such other relief as permitted by law.

99.01 Add to end of ordinance section. A violation of any subsection is punishable as a misdemeanor.

Section 15 General Penalties regarding Business Registrations

110.99 (A) Criminal remedies. Conducting business within this town without a valid registration issued in accordance with the chapter, or without posting a registration in compliance with § 110.22 of this chapter, ~~is a misdemeanor punishable as provided in G.S. § 14.4~~, subjects the violator to the civil penalties contained in Section 10.99. Each day that a person conducts business in violation of this chapter is a separate offense.

(B) Equitable remedies. ~~In addition to the criminal remedies set forth in division (A) of this section and~~ in compliance with N.C.G.S. § 160A-175(d), the town may seek an injunction against any person who conducts a business in violation of this chapter.

Section 16 General Penalties regarding Solicitation

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

(A) Anyone violating any provision of this chapter shall be guilty of a ~~Class 3~~ misdemeanor and shall be punished in accordance with the provisions of N.C.G.S. § 14-4 and fined not more than ~~$150.00 or imprisoned for not more than ten days~~ $500.00.

(B) A violation of this chapter shall subject the violator to issuance of a citation in the amount of $150.00 for each such citation. A citation remaining unpaid to the town after 15 days shall subject the violator to a civil penalty which may be recovered by the town in a civil action. A violation which is a continuing violation shall subject the violator to a separate citation for each day the violation continues.

Section 17 General Penalties regarding Weapons

130.99 Any person, firm or corporation violating the provisions of this chapter shall, upon conviction, be guilty of a misdemeanor and shall be punished in accordance with the provisions of N.C.G.S. § 14-4, with a maximum fine of $500.00.

130.01 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

130.02 Add to end of ordinance section. A violation of this section is punishable as a misdemeanor.

No town ordinance regulating planning and regulation of development, stream clearing programs, regulating businesses and trades, outdoor advertising, solar collectors, cisterns and rain barrels, taxies, setback lines, curb cut regulations and tree ordinances cannot carry a criminal penalty.

NOTE:
Underlined words and phrases are additions to the ordinance provisions. Words and phrases that are crossed through are being deleted from the ordinance provisions. These cannot be adopted at the first meeting in which they are brought to the Council.

TOWN OF HARRISBURG

Agenda Item Details

Title:
To set a public hearing for March 14, 2022 to consider the annexation of parcels off of Paul Linker Road (H2022-01-R).

Presenting Personnel:
Sushil Nepal, Planning & Economic Development Director

Suggested Motion or Action:
Motion to set a public hearing for March 14, 2022 to consider the annexation of 2 parcels located off of Paul Linker Rd associated with Rezoning (H2022-01-R).

Description/Background:
A Public Hearing is requested for March 14, 2022 to consider the annexation of 2 parcels located off of Paul Linker Rd (PIN# 5527126235 and 5527123144). The property owner is requesting annexation of these parcels (4.23 acres), currently located in the County, primarily to seek access to the Town's sewer. As such, the properties will also need to be rezoned from Country Residential (CR) to the Town's RL, Residential Low Density. 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 March 14, 2022.

Recommendation:
Staff recommends setting the public hearing to consider annexation of the parcels associated with Rezoning (H2022-01-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. Linker Annexation Application
2. Linker_Annexation Plat
3. Certificate of Sufficiency
4. Resolution Fixing Date of Public Hearing - Linker

Harrisburg NC

The right side of opportunity

PETITION REQUESTING ANNEXATION

DATE: 1-18-2022

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:

TRACT # 2

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
David A. Barker	7595 Paul Linker Pl Harrisburg NC.

Harrisburg NC
The right side of opportunity

PETITION REQUESTING ANNEXATION

DATE: 1-18-2022

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:

   TRACT # 3

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
Robert Morlan Heather Morlan	7585 Paul Linker Pl Harrisburg NC.

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.

12. Property Owner: Robert & Heather Marlow
    Address: 7585 Paul Linker Pl Harrisburg NC.
    Phone: H- 980-322-5737 R- 352-805-3547
    Fax: _____
    Email: _____
    Signature: Robert Marlow Heather Marlow

13. Agent (if any): _____
    Address: _____
    Phone: _____
    Fax: _____
    Email: _____
    Signature: _____

14. Applicant (if any): _____
    Address: _____
    Phone: _____
    Fax: _____
    Email: _____
    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.

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.

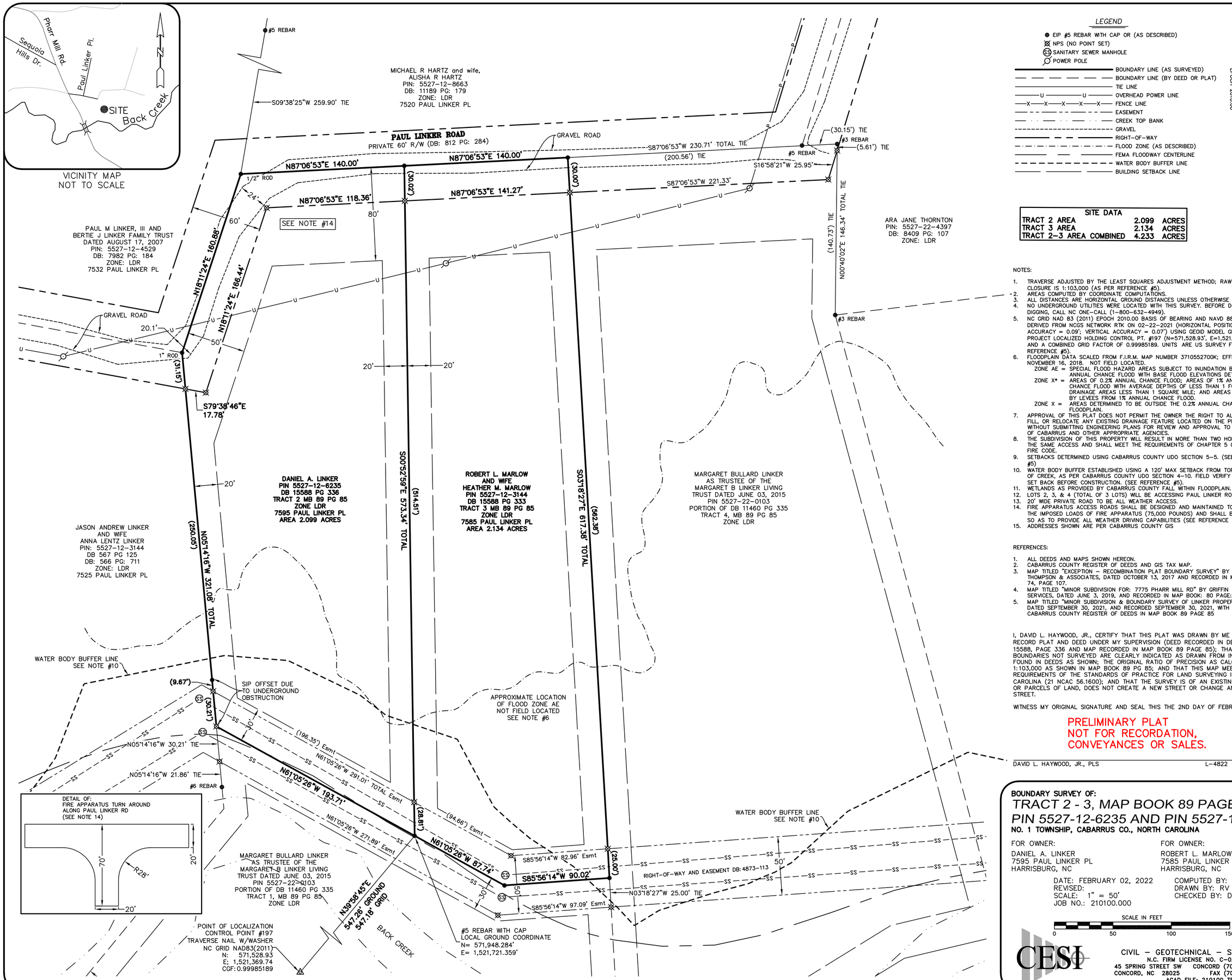
12. Property Owner: LOT-2 Daniel Linker 7595 Paul Linker Pl / LOT-3 Robert & Heather Morlan 7585 Paul Linker Pl
    - Address:
    - Phone: LOT-3 980-322-5737 LOT2- 704-340-6071
    - Fax:
    - Email:
    - Signature:

13. Agent (if any):
    - Address:
    - Phone:
    - Fax:
    - Email:
    - Signature:

14. Applicant (if any): Jason Linker
    - Address: 7525 Paul Linker Pl
    - Phone: 980-322-7766
    - Fax:
    - Email: jlinker@cgcfields.com
    - Signature: Jason Linker

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.

VICINITY MAP
NOT TO SCALE



LEGEND

- EIP #5 REBAR WITH CAP OR (AS DESCRIBED)
- NPS (NO POINT SET)
- SANITARY SEWER MANHOLE
- POWER POLE
- BOUNDARY LINE (AS SURVEYED)
- BOUNDARY LINE (BY DEED OR PLAT)
- TIE LINE
- OVERHEAD POWER LINE
- FENCE LINE
- EASEMENT
- CREEK TOP BANK
- GRAVEL
- RIGHT-OF-WAY
- FLOOD ZONE (AS DESCRIBED)
- FEMA FLOODWAY CENTERLINE
- WATER BODY BUFFER LINE
- BUILDING SETBACK LINE

BASIS OF BEARING
SEE REFERENCE #5
GRID ~ NAD 83(2011)
EPOCH 2010.00
N.C.

SITE DATA		
TRACT 2 AREA	2.099	ACRES
TRACT 3 AREA	2.134	ACRES
TRACT 2-3 AREA COMBINED	4.233	ACRES

NOTES:

1. TRAVERSE ADJUSTED BY THE LEAST SQUARES ADJUSTMENT METHOD; RAW ERROR OF CLOSURE IS 1:103,000 (AS PER REFERENCE #5).
2. AREAS COMPUTED BY COORDINATE COMPUTATIONS.
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
4. NO UNDERGROUND UTILITIES WERE LOCATED WITH THIS SURVEY. BEFORE DOING ANY DIGGING, CALL NC ONE-CALL (1-800-632-4949).
5. NC GRID NAD 83 (2011) EPOCH 2010.00 BASIS OF BEARING AND NAVD 88 ELEVATIONS DERIVED FROM NCGS NETWORK RTK ON 02-22-2021 (HORIZONTAL POSITIONAL ACCURACY = 0.09'; VERTICAL ACCURACY = 0.07') USING GEOID MODEL GEOID12B. PROJECT LOCALIZED HOLDING CONTROL PT. #197 (N=571,528.93', E=1,521,369.74'), AND A COMBINED GRID FACTOR OF 0.99985189. UNITS ARE US SURVEY FEET (SEE REFERENCE #5).
6. FLOODPLAIN DATA SCALED FROM F.I.R.M. MAP NUMBER 3710552700K; EFFECTIVE DATE NOVEMBER 16, 2018. NOT FIELD LOCATED.
   - ZONE AE = SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD WITH BASE FLOOD ELEVATIONS DETERMINED.
   - ZONE X* = AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.
   - ZONE X = AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
7. APPROVAL OF THIS PLAT DOES NOT PERMIT THE OWNER THE RIGHT TO ALTER PIPE, FILL, OR RELOCATE ANY EXISTING DRAINAGE FEATURE LOCATED ON THE PROPERTY WITHOUT SUBMITTING ENGINEERING PLANS FOR REVIEW AND APPROVAL TO THE COUNTY OF CABARRUS AND OTHER APPROPRIATE AGENCIES.
8. THE SUBDIVISION OF THIS PROPERTY WILL RESULT IN MORE THAN TWO HOMES SHARING THE SAME ACCESS AND SHALL MEET THE REQUIREMENTS OF CHAPTER 5 OF THE NC FIRE CODE.
9. SETBACKS DETERMINED USING CABARRUS COUNTY UDO SECTION 5-5. (SEE REFERENCE #5)
10. WATER BODY BUFFER ESTABLISHED USING A 120' MAX SETBACK FROM TOP OF BANK OF CREEK, AS PER CABARRUS COUNTY UDO SECTION 4-10. FIELD VERIFY LOCATION OF SET BACK BEFORE CONSTRUCTION. (SEE REFERENCE #5).
11. WETLANDS AS PROVIDED BY CABARRUS COUNTY FALL WITHIN FLOODPLAIN.
12. LOTS 2, 3, & 4 (TOTAL OF 3 LOTS) WILL BE ACCESSING PAUL LINKER ROAD.
13. 20' WIDE PRIVATE ROAD TO BE ALL WEATHER ACCESS.
14. FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS (75,000 POUNDS) AND SHALL BE SURFACED SO AS TO PROVIDE ALL WEATHER DRIVING CAPABILITIES (SEE REFERENCE #5).
15. ADDRESSES SHOWN ARE PER CABARRUS COUNTY GIS

REFERENCES:

1. ALL DEEDS AND MAPS SHOWN HEREON.
2. CABARRUS COUNTY REGISTER OF DEEDS AND GIS TAX MAP.
3. MAP TITLED "EXCEPTION – RECOMBINATION PLAT BOUNDARY SURVEY" BY MEL G. THOMPSON & ASSOCIATES, DATED OCTOBER 13, 2017 AND RECORDED IN MAP BOOK: 74, PAGE 107.
4. MAP TITLED "MINOR SUBDIVISION FOR: 7775 PHARR MILL RD" BY GRIFFIN SURVEYING SERVICES, DATED JUNE 3, 2019, AND RECORDED IN MAP BOOK: 80 PAGE: 101.
5. MAP TITLED "MINOR SUBDIVISION & BOUNDARY SURVEY OF LINKER PROPERTY", BY CESI DATED SEPTEMBER 30, 2021, AND RECORDED SEPTEMBER 30, 2021, WITH THE CABARRUS COUNTY REGISTER OF DEEDS IN MAP BOOK 89 PAGE 85

I, DAVID L. HAYWOOD, JR., CERTIFY THAT THIS PLAT WAS DRAWN BY ME FROM A RECORD PLAT AND DEED UNDER MY SUPERVISION (DEED RECORDED IN DEED BOOK 15588, PAGE 336 AND MAP RECORDED IN MAP BOOK 89 PAGE 85); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN DEEDS AS SHOWN; THE ORIGINAL RATIO OF PRECISION AS CALCULATED IS 1:103,000 AS SHOWN IN MAP BOOK 89 PG 85; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600); AND THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND, DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE 2ND DAY OF FEBRUARY, 2022.

PRELIMINARY PLAT
NOT FOR RECORDATION,
CONVEYANCES OR SALES.

DAVID L. HAYWOOD, JR., PLS L-4822

BOUNDARY SURVEY OF:

TRACT 2 - 3, MAP BOOK 89 PAGE 85, PIN 5527-12-6235 AND PIN 5527-12-3144

NO. 1 TOWNSHIP, CABARRUS CO., NORTH CAROLINA

FOR OWNER:
DANIEL A. LINKER
7595 PAUL LINKER PL
HARRISBURG, NC

FOR OWNER:
ROBERT L. MARLOW
7585 PAUL LINKER PL
HARRISBURG, NC

DATE: FEBRUARY 02, 2022
REVISED:
SCALE: 1" = 50'
JOB NO.: 210100.000

COMPUTED BY: RV
DRAWN BY: RV
CHECKED BY: DLH

SCALE IN FEET
0 50 100 150

CESI
CIVIL – GEOTECHNICAL – SURVEYING
N.C. FIRM LICENSE NO. C-0263
45 SPRING STREET SW CONCORD (704) 786-5404
CONCORD, NC 28025 FAX (704) 786-7454
ACAD FILE: 210100 TRACT 2-3.dwg
© CESI 2022

Harrisburg NC
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 7th day of February 2022.

(Seal)

Janet Rackley

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 at Harrisburg Town Hall at 4100 Main Street, Harrisburg, North Carolina at 6:00 p.m. on March 14, 2022.

LEGAL DESCRIPTION TRACT 2, AND TRACT 3, MAP BOOK 89 PAGE 85

ALL THAT REAL PROPERTY IN CABARRUS COUNTY, STATE OF NORTH CAROLINA LYING SOUTH OF PAUL LINKER ROAD, A PRIVATE 60 FOOT RIGHT OF WAY, (DEED BOOK 812, PAGE 284, CABARRUS COUNTY REGISTER OF DEEDS), AND SHOWN AS TRACT 2, AND TRACT 3, OF MAP BOOK 89 PAGE 85, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT AN EXISTING NAIL WITH PLASTIC WASHER HAVING A NORTH CAROLINA GRID ~ NAD 83(2011) COORDINATES OF N= 571,528.93 FEET, E= 1,521,369.74 FEET;

THENCE N 39° 58’ 45” E, A GROUND DISTANCE OF 547.26 FEET (GRID DISTANCE OF 547.18 FEET, COMBINED GRID FACTOR = 0.99985189) TO AN EXISTING #5 REBAR WITH CAP AT THE SOUTHEAST CORNER OF THE LANDS OF DANIEL A. LINKER (DEED BOOK 15588 PAGE 336, CABARRUS COUNTY REGISTER OF DEEDS), SAID EXISTING #5 REBAR WITH CAP BEING THE **TRUE POINT OF BEGINNING;**

THENCE ALONG THE LINES OF DANIEL A. LINKER (DEED BOOK 15588 PAGE 336, CABARRUS COUNTY REGISTER OF DEEDS), THE FOLLOWING SEVEN (7) COURSES AND DISTANCES:

1. N 61° 05’ 26” W, A DISTANCE OF 193.71 FEET TO A COMPUTED POINT, SAID COMPUTED POINT BEING N 05° 14’ 16” W, AND DISTANT 52.07 FEET OF A #6 REBAR;
2. N 05° 14’ 16” W, PASSING AN EXISTING #5 REBAR WITH CAP AT 39.88 FEET, FOR A TOTAL DISTANCE OF 321.08 FEET TO AN EXISTING 1 INCH IRON ROD IN THE CENTERLINE OF PAUL LINKER ROAD, A 60 FOOT PRIVATE RIGHT OF WAY (DEED BOOK 812 PAGE 284, CABARRUS COUNTY REGISTER OF DEEDS);
3. N 18° 11’ 24” E, AND WITH THE CENTERLINE OF SAID PAUL LINKER ROAD, A DISTANCE OF 160.88 FEET, TO AN EXISTING 1/2 INCH IRON ROD;
4. N 87° 06’ 53” E, AND CONTINUING WITH THE SAID CENTERLINE OF PAUL LINKER ROAD, PASSING AN EXISTING #5 REBAR WITH CAP AT A DISTANCE OF 140.00 FEET, FOR A TOTAL DISTANCE OF 280.00 FEET, TO AN EXISTING #5 REBAR WITH CAP;

5. S 03° 18’ 27” E, AND WITH THE EAST LINE OF THE LANDS OF ROBERT L. MARLOW AND WIFE HEATHER M. MARLOW, (DEED BOOK 15588 PAGE 333, CABARRUS COUNTY REGISTER OF DEEDS), A DISTANCE OF 617.38 FEET, TO AN EXISTING #5 REBAR WITH CAP;
6. S 85° 56’ 14” E, A DISTANCE OF 90.02 FEET, TO AN EXISTING #5 REBAR WITH CAP;
7. N 61° 05’ 26” W, A DISTANCE OF 87.74 FEET, TO AN EXISTING #5 REBAR WITH CAP, SAID EXISTING #5 REBAR WITH CAP BEING THE **TRUE POINT OF BEGINNING.**

THE ABOVE DESCRIBED PARCEL CONTAINS 4.233 ACRES MORE OR LESS, AND IS SHOWN ON A PLAT TITLED “BOUNDARY SURVEY OF TRACT 2-3, MAP BOOK 89 PAGE 85, PIN 5527-12-6235 AND PIN 5527-12-3144”, BY CESI, (CESI JOB NUMBER 210100.000 LINKER SURVEY).

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.

_____
Jennifer Teague, Mayor

ATTEST:

_____
Janet Rackley, Clerk

TOWN OF HARRISBURG

Agenda Item Details

Title:
To set a public hearing for March 14, 2022 to consider the annexation of a portion of a parcel to modify the previously approved Farmington PUD (H2021-14-R).

Presenting Personnel:
Sushil Nepal, Planning & Economic Development Director

Suggested Motion or Action:
Motion to set a public hearing for March 14, 2022 to consider the annexation of a portion of parcel 5506139416 to modify Farmington PUD associated with rezoning (H2021-14-R).

Description/Background:
A Public Hearing is requested for March 14, 2022 to consider the annexation of a portion of parcel 5506139416 to amend the previously approved Farmington PUD boundary. The property owner is requesting a rezoning of this annexed parcel (1.557 acres), currently located in the County, from Office Institutional (OI) to PUD, Planned Unit Development. The parcel is contiguous to Harrisburg's corporate boundary.

A public hearing for the annexation and rezoning of this parcel will be held on March 14, 2022

Recommendation:
Staff recommends setting the public hearing to consider annexation of a portion of parcel 5506139416 to modify Farmington PUD associated with rezoning (H2021-14-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. Farmington Annexation Application
2. Farmington_Annexation Map
3. Certificate of Sufficiency
4. Resolution Fixing Date of Public Hearing-Farmington

Harrisburg NC
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PETITION REQUESTING ANNEXATION

DATE: November 30, 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:

   X CONTIGUOUS □ NON-CONTIGUOUS

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

   X 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

   Eugene W Cochrane, Susan Cochrane Blount and Anne C. Yarbrough

   ADDRESS

   3533 Winslow Green Dr. Charlotte NC 28210

   Eugene W. Cochrane

Harrisburg NC
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PETITION REQUESTING ANNEXATION

DATE: November 30, 2021

TO THE TOWN COUNCIL OF THE TOWN OF HARRISBURG

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2. The area to be annexed is:

   X CONTIGUOUS ☐ NON-CONTIGUOUS

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

   X 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

   Eugene W Cochrane, Susan Cochrane Blount and Anne C. Yarbrough

   ADDRESS

   3533 Winslow Green Dr. Charlotte NC 28210

Susan Cochrane Blount

Harrisburg NC

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PETITION REQUESTING ANNEXATION

DATE: November 30, 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:

   X CONTIGUOUS ☐ NON-CONTIGUOUS

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

   X 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

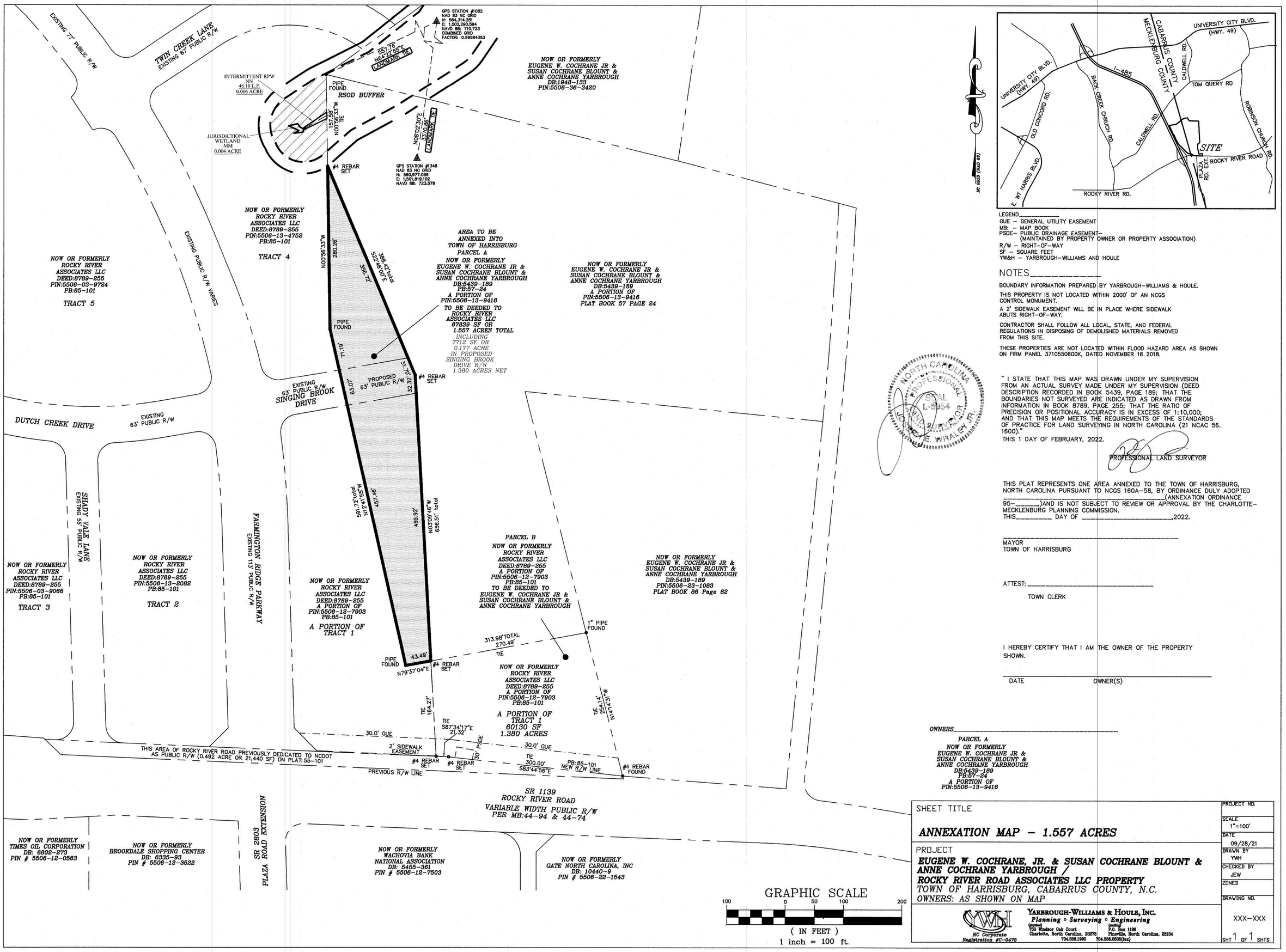
   NAME

   Eugene W Cochrane, Susan Cochrane Blount and Anne C. Yarbrough

   ADDRESS

   3533 Winslow Green Dr. Charlotte NC 28210

   Anne Cochrane Yarbrough 12/20/2021



LEGEND

GUE – GENERAL UTILITY EASEMENT
MB: – MAP BOOK
PSDE– PUBLIC DRAINAGE EASEMENT–
(MAINTAINED BY PROPERTY OWNER OR PROPERTY ASSOCIATION)
R/W – RIGHT–OF–WAY
SF – SQUARE FEET
YW&H – YARBROUGH–WILLIAMS AND HOULE

NOTES

BOUNDARY INFORMATION PREPARED BY YARBROUGH–WILLIAMS & HOULE.

THIS PROPERTY IS NOT LOCATED WITHIN 2000' OF AN NCGS CONTROL MONUMENT.

A 2' SIDEWALK EASEMENT WILL BE IN PLACE WHERE SIDEWALK ABUTS RIGHT–OF–WAY.

CONTRACTOR SHALL FOLLOW ALL LOCAL, STATE, AND FEDERAL REGULATIONS IN DISPOSING OF DEMOLISHED MATERIALS REMOVED FROM THIS SITE.

THESE PROPERTIES ARE NOT LOCATED WITHIN FLOOD HAZARD AREA AS SHOWN ON FIRM PANEL 3710550600K, DATED NOVEMBER 16 2018.

" I STATE THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 5439, PAGE 189; THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN BOOK 8789, PAGE 255; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS IN EXCESS OF 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 1 DAY OF FEBRUARY, 2022.

PROFESSIONAL LAND SURVEYOR

THIS PLAT REPRESENTS ONE AREA ANNEXED TO THE TOWN OF HARRISBURG, NORTH CAROLINA PURSUANT TO NCGS 160A–58, BY ORDINANCE DULY ADOPTED _____(ANNEXATION ORDINANCE 95–_____)AND IS NOT SUBJECT TO REVIEW OR APPROVAL BY THE CHARLOTTE–MECKLENBURG PLANNING COMMISSION.
THIS_____ DAY OF _____,2022.

_____
MAYOR
TOWN OF HARRISBURG

ATTEST: _____
TOWN CLERK

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN.

_____
DATE OWNER(S)

OWNERS_____

PARCEL A
NOW OR FORMERLY
EUGENE W. COCHRANE JR &
SUSAN COCHRANE BLOUNT &
ANNE COCHRANE YARBROUGH
DB:5439-189
PB:57-24
A PORTION OF
PIN:5506-13-9416

SHEET TITLE

ANNEXATION MAP – 1.557 ACRES

PROJECT

EUGENE W. COCHRANE, JR. & SUSAN COCHRANE BLOUNT & ANNE COCHRANE YARBROUGH / ROCKY RIVER ROAD ASSOCIATES LLC PROPERTY

TOWN OF HARRISBURG, CABARRUS COUNTY, N.C.
OWNERS: AS SHOWN ON MAP

YARBROUGH-WILLIAMS & HOULE, INC.
Planning ○ Surveying ○ Engineering
(street) 730 Windsor Oak Court, Charlotte, North Carolina, 28278, 704.556.1990
(mail) P.O. Box 1198, Pineville, North Carolina, 28134, 704.556.0505(fax)
NC Corporate Registration #C-0475

PROJECT NO.	
SCALE	1"=100'
DATE	09/28/21
DRAWN BY	YWH
CHECKED BY	JEW
ZONED	
DRAWING NO.	XXX–XXX
SHT	1 OF 1 SHTS

HarrisburgNC
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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 7th day of February 2022.

(Seal)

SEAL OF THE TOWN OF HARRISBURG NORTH CAROLINA ★ 1973 ★

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 at Harrisburg Town Hall at 4100 Main Street, Harrisburg, North Carolina at 6:00 p.m. on March 14, 2022.

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:

Annexation Area - PARCEL A containing 1.557 acres

Commencing at a pipe found, the northwest corner of the Eugene W. Cochrane Jr & Susan Cochrane Blount & Anne Cochrane Yarbrough property as shown in Deed:5439-189 and recorded in the Cabarrus County Register of Deeds Office, said pipe found also being S64-22-55W 557.76' from GPS Station #1062 having NAD 83 Grid Coordinate N 564,314.281 E 1,502,290.594; Thence S00-56-33E 157.58' to a #4 rebar set, the Point of Beginning

Thence from said Point of Beginning 2 new lines 1)S22-46-00E 388.42' to a #4 rebar set; 2) S03-09-46E 656.51' to a #4 rebar set on the northern line of the Rocky River Associates LLC property as shown in Deed:8789-255 and recorded in the Cabarrus County Register of Deeds Office; Thence with the northern line of the Rocky River Associates LLC property S79-37-04W 43.49' to a pipe found, a corner of the Rocky River Associates LLC property; Thence 2 calls with the eastern lines of the Rocky River Associates LLC property 1) N12-41-55W 591.72' to a pipe found; 2) N00-56-33W 280.26' to a # 4 rebar set, the Point of Beginning.

Said Property containing 1.557 acres and shown as Parcel A of the Annexation Map by Yarbrough—Williams & Houle Inc dated 02/01/2022.

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.

_____
Jennifer Teague, Mayor

ATTEST:

_____
Janet Rackley, Town Clerk

TOWN OF HARRISBURG

Agenda Item Details

Title:
H2021-01 (R) – Public Hearing to consider Conditional Rezoning and Zoning Map Amendment for Oakview Residential Subdivision off of Hickory Ridge Rd. (behind Blume Phase II)

Presenting Personnel:
Sushil Nepal, Planning & Economic Development Director

Suggested Motion or Action:
Hold a Public Hearing to Consider the Conditional Rezoning and Zoning Map Amendment for Oakview Residential Subdivision.

Description/Background:
Oakvu LLC, on behalf of the the property owners of parcel 55167593100000, has submitted a request to rezone approximately 65.01 acres of land located on the eastern side of Hickory Ridge Road south of Rocky River Road and connecting to Cornflower Drive (behind Blume Phase II). The applicant proposes to develop a single-family subdivision with 30 detached units with a minimum lot size of 20,000 sq. ft.. To achieve this, the applicant is requesting that the property be rezoned from Rural Estate (RE) to CZ-RL (Conditional Zoning Residential Low Density). The proposed gross density of the site is 0.46 dwelling units per acre.

The property is in the Town limits and does not require annexation. A Town Council public hearing will be held on February 14, 2022 to take action on the rezoning, Planning and Zoning Board recommended approval of the rezoning request at their November 16, 2021 meeting.

A staff report is attached 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.

Recommendation:
Planning and Zoning Department staff recommends holding a Public Hearing on February 14, 2022 to consider the conditional rezoning and zoning map amendment for Oakview Residential Subdivision. The Planning and Zoning Board recommended approval of the rezoning request at their November 16, 2021 meeting.

Fiscal Impact:
None.

Attachments:
1. Oakview Rezoning Application
2. Oakview Site Map
3. Oakview Staff Report_TC
4. Oakview Rezoning Plan
5. Oakview Neighborhood Report
6. Oakview Home Elevation Examples

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APPLICATION FOR CONDITIONAL REZONING

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

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

RL-CZ:SINGLE-FAMILY,DETACHED.

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.).

1) 20' Greenway easement dedication along the existing sewer easement.

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Owner Information

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

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

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

Property Owner	OAKVU, LLC.
Address	SUBJECT PROPERTY: 2718 GRADY HARRIS SR. RD. MAILING ADDRESS: 399 SUTRO FOREST DR. CONCORD, NC. 28027
Phone	704-699-5218
Fax	
Signature	V. ARR DATE: 01-12-2021

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: _____

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APPLICATION FOR ZONING MAP AMENDMENT

The following steps are required in order for your application to be considered complete.
Incomplete applications will be returned to the applicant and will not be processed.

1. Schedule a pre-application meeting with staff.
2. Submit a completed application for an amendment to the official zoning map. All applications must include:
    a. A list of all adjacent property owners (include owner name, address, and Parcel Identification Number)
    b. A recent survey or legal description of the property or area to be rezoned
    c. A copy of the letter, minutes, and the sign-up sheet from the Neighborhood Meeting
    d. Copies of the Traffic Impact Analysis (TIA), proposed site plan, landscape plan, and proposed building elevations (applicability determined at pre-application meeting with staff
3. Submit cash, checks, or money orders made payable to the Town of Harrisburg for all fees listed in the pre-application checklist.

Overview of the Rezoning Process:

1. Hold a pre-application meeting with staff to discuss your rezoning request and the map amendment process.
2. Hold a **neighborhood meeting** with the adjacent property owners. All adjacent property owners must be contacted and given an opportunity to meet with the applicant at a meeting established at a reasonable time. No member of the Town decision-making entity may participate in this meeting.
3. Submit a Zoning Map Amendment application to the Town of Harrisburg Planning Department. All applications must be submitted by the third Tuesday of the Month to go before the Planning and Zoning Board on the following month. NOTE: If the request is a Conditional Zoning request, complete and submit, with this application, a Conditional Rezoning Application.
4. Planning staff will review your application and subsequent information, prepare a staff report for the Board and take your request to the Planning and Zoning Board for a recommendation to the Town Council. Planning Board meetings are held on the third Tuesday of every month at 7:00 PM.
5. Once the Planning and Zoning Board has made a recommendation, staff will notify the adjacent property owners of the public hearing, post a sign on the property, and place announcements of the hearing in the local newspaper.
6. Town Council meetings are held on the second Monday of every month at 7:00 PM. At this meeting the Council will hold a public hearing and may vote on your request. Meetings are held at the Harrisburg Town Hall located at 4100 Main Street, Suite 101.

Questions: Contact the Town of Harrisburg Planning Department with any questions regarding rezonings in the Town of Harrisburg. Staff can be reached at 704-455-0709.

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Subject Property Information

1. Street Address 2718 GRADY HARRIS SR. RD.
2. PIN(s) (10 digit#) 55167 -- 59310 -- 0000 ; ____ -- ____ -- ____
3. Deed Reference Book 14150 Page 0333
4. Township #____

Description of Subject Property

5. Size (square feet or acreage) 65.0 AC.
6. Street Frontage (feet) 60' R/W (CORNFLOWER DR.)
7. Current Land Use VACANT - WOODED
8. Surrounding Land Use and Zoning Classification

   North: Zoning CX-RL, RE Land Use C.O.S., SINGLE-FAMILY

   South: Zoning CR Land Use SINGLE-FAMILY

   East: Zoning CR Land Use VACANT - WOODED

   West: Zoning RL-CZ Land Use SINGLE-FAMILY, C.O.S.

9. Request to Change Zoning From RE to RL - RESIDENTIAL LOW DENSITY
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:

The Petitioner is seeking to rezone the current "RE" zoning classification to "RL-CZ" (Residential Low Density) zoning classification.

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Owner/Agent/Applicant Information

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

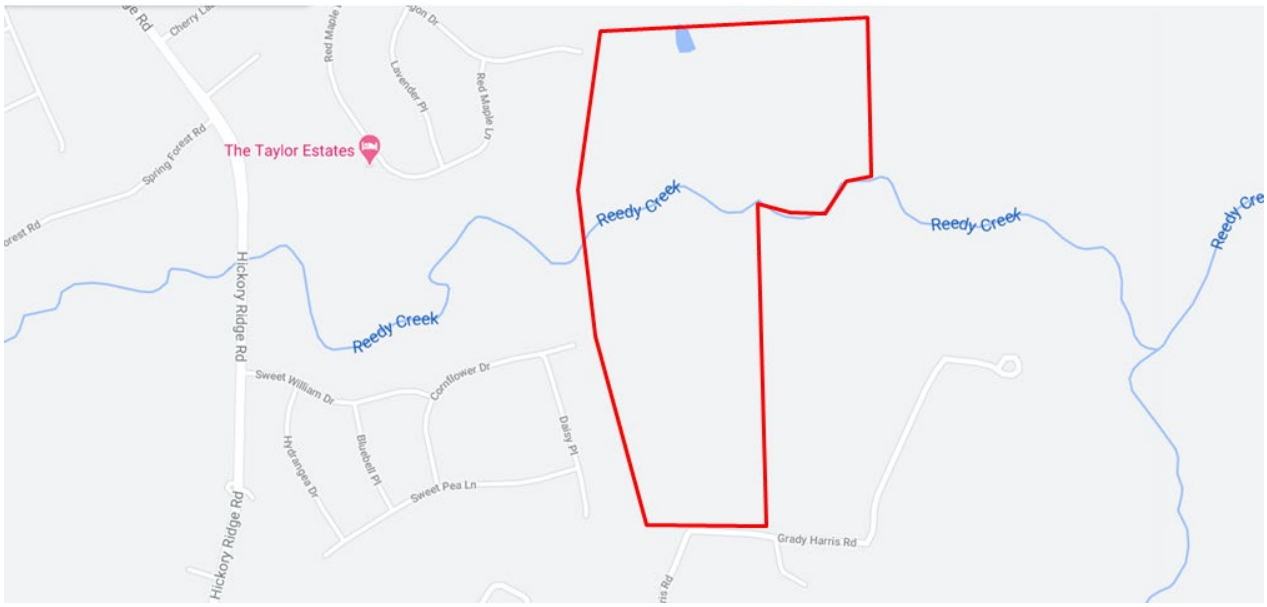
I do hereby certify that all information which I have provided for this application is, to the best of my/our knowledge, correct.

12. Property Owner OAKVU, LLC.
    Address 399 SUTRO FOREST DR., CONCORD, NC 28027
    Phone 704-699-5218, HARI VUPPALA
    Fax _____
    Email: hv399s@gmail.com
    Signature _____

13. Agent (if any) _____
    Address _____
    Phone _____
    Fax _____
    Email _____
    Signature _____

14. Applicant (if any) Same as Owner.
    Address _____
    Phone _____
    Fax _____
    Email _____
    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.


The Taylor Estates
Spring Forest Rd
Hickory Ridge Rd
Hickory Ridge Rd
Red Maple Ln
Lavender Pl
Reedy Creek
Reedy Creek
Reedy Creek
Reedy Cre
Sweet William Dr
Cornflower Dr
Daisy Pl
Hydrangea Dr
Bluebell Pl
Sweet Pea Ln
Grady Harris Rd

Town of Harrisburg
Planning and Economic Development Department
Rezoning Staff Report

DATE: February 01, 2022

SUBJECT:

Request H-2021-01-(R):	To rezone approximately 65.01 acres from RE (Rural Estate) to CZ-RL (Conditional Zoning Low Density Residential)
Location:	The subject property is located on the eastern side of Hickory Ridge Road south of Rocky River Road and connecting to Cornflower Drive (PIN 5516-75-9310).
Applicant:	OakVu LLC
Staff Report Prepared by:	Craig Thomas, Senior Planner
Neighborhood Meeting:	Held January 21, 2021

BACKGROUND:

Area:	±65.01 acres Total
Existing Land Use:	Vacant/Single-Family Residential
Zoning within 500 feet:	North - Rural Estate (RE) and Residential Low Density (RL), Town South - Countryside Residential (CR), Cabarrus County East - Countryside Residential (CR), County West - Residential Low Density (RL), Town
Land Uses within 500 feet:	North - Single-family Residential, Town South - Single-family Residential, County East - Single-family Residential, County West - Single-family Residential, Town

APPLICATION SUMMARY:

- The applicant proposes to develop a single-family subdivision with 30 detached units. To achieve this, the applicant is requesting that the property be rezoned from RE (Rural Estate) to CZ-RL (Conditional Zoning Low Density Residential).
- The proposed density of the site is 0.46 dwelling units per acre. The RL district has a maximum density of 1 dwelling units per acre for Conventional Subdivision and up to 2 acres for Conservation Subdivision but upon approval of this rezoning, the density will be capped at 0.46 units/acre and the site plan will be attached with the land.
- Per the Town subdivision regulations, the applicant is providing dedicated public open space. The applicant proposes the development of 0.86 acres of active open space as part of the development. The Public Open Space requirement is met with the dedication of 1.67 acres towards greenway easement on Reedy Creek, project will build deliver the greenway along with pedestrian bridge connecting the Oakview Community.
- 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 currently within the town limits of the Town of Harrisburg.

APPROVAL CRITERIA:

1. **The size of the tract in question**;

   The subject property is approximately 65.01 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 dwelling units per acre, which may provide buffers between the agricultural and RC classifications and the higher density areas of the Town. It includes flexible density and minimum lot size requirements in order 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 area designated on the future land use map as **Low Density Residential**. The description of Low Density Residential is as follows:

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

Based on the description of the Low Density Residential land use classification, the proposed density and dedicated open space would meet the intent 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 Low Density Residential and 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 0.46 dwelling units per acre could be achieved under the proposed zoning. Benefits to the neighbors and the surrounding community include the preservation of open space areas, securing greenway easements and a new greenway with pedestrian bridge built, and a compatible connection to an existing neighborhood.

   The addition of thirty (30) single-family attached homes has no detrimental impact to the surrounding community. The homes will connect with the existing Blume South subdivision and provide future connections to the vacant parcels to the east and south.

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

   a. **Utilities:**

      Utilities are available in this area and are sufficient to meet the needs of this property. Water and sewer access are located along Cornflower Drive. Any utility line extensions or upgrades necessary to serve this development will be the responsibility of the developer.

b. Transportation:

A TIA was not required based on the lower amount of traffic generated by this subdivision with only thirty (30) homes. Access will be reviewed and permitted by the Town and NCDOT during the Construction Documents (CDs) review.

c. Safety and Sanitation Services:

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

d. Schools:

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) -	109%
Middle (Hickory Ridge MS) -	93%
High (Hickory Ridge HS) -	112%

Future Capacity Based on Unbuilt Lots and Including this Request:

Elementary (Hickory Ridge ES) -	110%
Middle (Hickory Ridge HS) -	93%
High (Hickory Ridge HS) -	113%

As per Cabarrus County Schools, the Single-family homes in this development will generate upon full buildout an additional 12 elementary students, 6 middle school students, and 8 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 (0.46 dwelling units per acre) is compatible with surrounding land uses.

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

Like all other development activity in this area, the development of this land would convert former vacant land into residential neighborhoods, while preserving appropriate area for open space as required by the UDO.

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

The areas around this property are generally zoned for low to medium density residential use. Existing land use patterns in the area typically consist of low to medium 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 detached homes, is consistent with surrounding neighborhoods and aligns with Harrisburg Area Land Use Plan (HALUP), particularly the single family residential.

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

This property has been vacant.

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

Land supply is not a direct issue in this area.

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

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

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

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

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

The development proposal accompanying the rezoning request would restrict permitted uses to single family attached 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 with Harrisburg town staff in establishing appropriate improvements for the development. Improvements include greenway construction along with pedestrian bridge over Reedy Creek and connecting to internal sidewalks to promote pedestrian access.

   Landscaping buffers shown are adequate to meet the needs of the adjacent properties, and active open space is designated as part of the subdivision.

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.

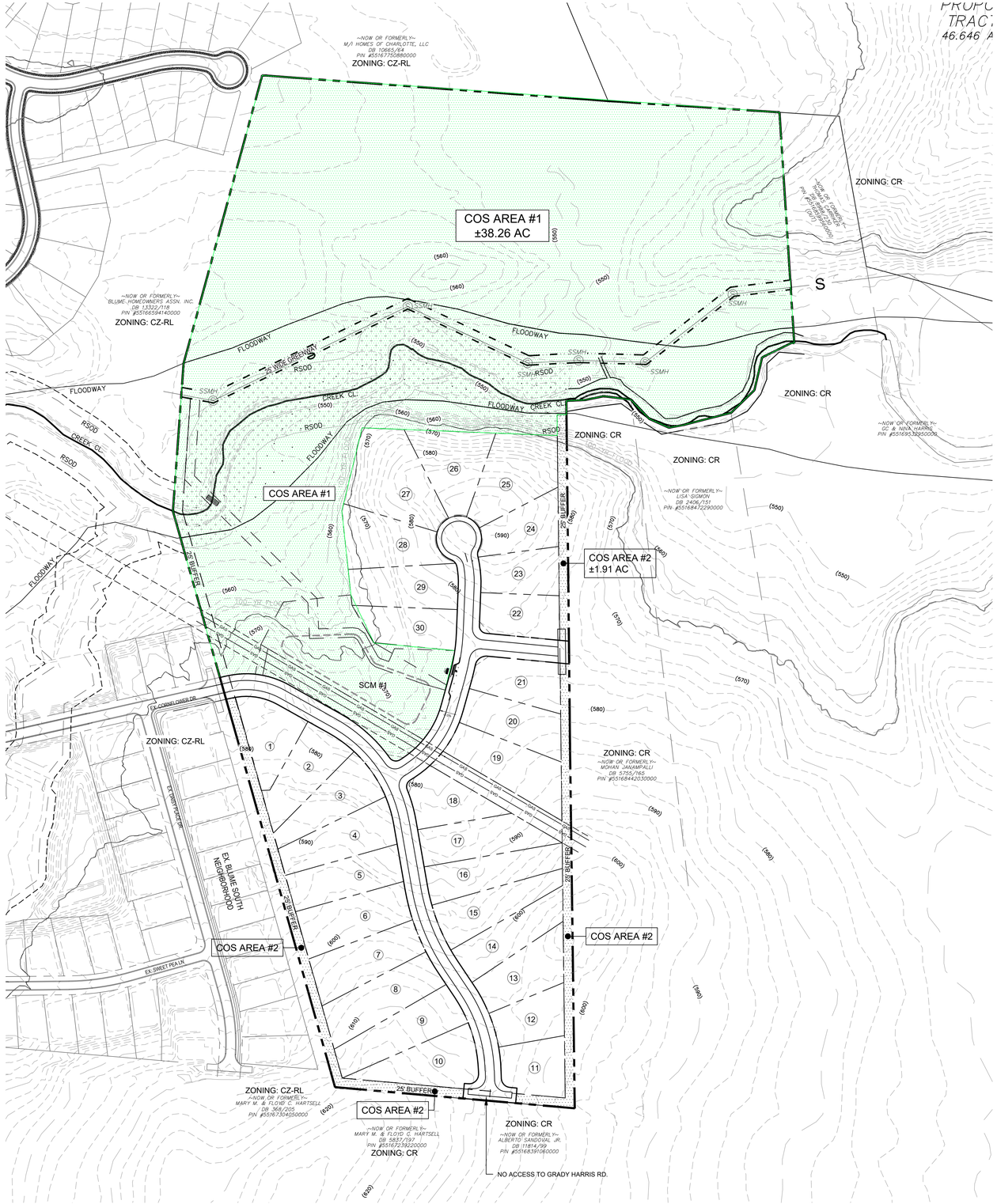
APPROVAL WITH CONDITIONS:

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 cladding materials for all residential buildings to masonry products; vinyl siding will not be used.
3. Applicant agrees that there will be no exposed concrete foundations and that siding must extend to the ground level on all sides of the homes.
4. Applicant agrees to the mitigation or replacement of heritage trees if damaged during construction, in accordance with the Town of Harrisburg Unified Development Ordinance.
5. 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.
6. Applicant agrees fence surrounding detention pond shall be vinyl 4-rail farm fence, preferably white.
7. Applicant agrees to construct greenway along Reedy Creek and provide pedestrian connection via pedestrian bridge to the proposed neighborhood.
8. Applicant agrees to bond the subdivision streets in the existing Blume Subdivision and perform any required maintenance due to construction access and heavy vehicle and equipment traffic on the Blume Subdivision streets.
9. Applicant agrees mailbox clusters shall meet ADA Standards at a minimum.
10. 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.

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.



DEVELOPMENT NOTES

I. SPECIAL REZONING 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 TO RESTRICT CLADDING MATERIALS FOR ALL RESIDENTIAL BUILDINGS TO MASONRY PRODUCTS; VINYL SIDING WILL NOT BE USED.
3. APPLICANT AGREES THAT THERE WILL BE NO EXPOSED CONCRETE FOUNDATIONS AND THAT SIDING MUST EXTEND TO THE GROUND LEVEL ON ALL SIDES OF THE HOMES.
4. APPLICANT AGREES TO THE MITIGATION OR REPLACEMENT OF HERITAGE TREES IF DAMAGED DURING CONSTRUCTION, IN ACCORDANCE WITH THE TOWN OF HARRISBURG UNIFIED DEVELOPMENT ORDINANCE.
5. 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.
6. APPLICANT AGREES TO SURROUND THE WET POND WITH WHITE VINYL 4-RAIL FARM FENCE.
7. APPLICANT AGREES TO CONSTRUCT GREENWAY ALONG REEDY CREEK AND PROVIDE PEDESTRIAN CONNECTION VIA BRIDGE TO THE PROPOSED NEIGHBORHOOD. ALL GREENWAYS TO HAVE 10' PUBLIC PATH.
8. APPLICANT AGREES TO BOND THE SUBDIVISION STREETS IN THE EXISTING BLUME SUBDIVISION AND PERFORM ANY REQUIRED MAINTENANCE DUE TO CONSTRUCTION ACCESS AND HEAVY VEHICLE AND EQUIPMENT TRAFFIC ON THE BLUME SUBDIVISION STREETS.
9. APPLICANT AGREES MAILBOX CLUSTERS SHALL MEET ADA STANDARDS AT A MINIMUM.
10. ALL STREETS SHOULD BE TO THE TOWN OF HARRISBURG ENGINEERING DESIGN STANDARDS, ALTERNATE PAVEMENT SCHEDULE IS NOT ALLOWED. ROADWAYS CROSS SECTIONS WILL BE REVIEWED AND APPROVED AT THE CONSTRUCTION DOCUMENT PHASE.

II. GENERAL PROVISIONS

4. ALL STREETS SHOULD MEET THE TOWN OF HARRISBURG ENGINEERING DESIGN STANDARDS, ALTERNATE PAVEMENT SCHEDULE IS NOT ALLOWED. ROADWAY CROSS SECTIONS WILL BE REVIEWED AND APPROVED AT THE CONSTRUCTION DOCUMENT PHASE.
5. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY OAKVU (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A FOR SALE SINGLE-FAMILY RESIDENTIAL COMMUNITY ON THAT APPROXIMATELY 65 ACRE SITE, MORE PARTICULARLY DEPICTED ON THE REZOING PLAN (THE "SITE").
6. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE TOWN OF HARRISBURG UNIFIED DEVELOPMENT ORDINANCE (THE "ORDINANCE").
7. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE RL ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
8. THE DEVELOPMENT AND STREET LAYOUT DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF SUCH USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE ULTIMATE LAYOUT, LOCATIONS AND SIZES OF THE DEVELOPMENT AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT AND SITE ELEMENTS, AND THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE SETBACK, YARD, LANDSCAPING AND TREE SAVE REQUIREMENTS SET FORTH ON THIS REZONING PLAN AND THE DEVELOPMENT STANDARDS, PROVIDED, HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL BE MINOR IN NATURE AND NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.
9. ALL LOTS SHALL MEET MINIMUM APPLICABLE STANDARDS.
10. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER(S) OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF THE ORDINANCE.

III. PERMITTED USES

THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF THIRTY (30) FOR-SALE SINGLE-FAMILY RESIDENTIAL DWELLING UNITS AND ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE RL ZONING DISTRICT.

IV. TRANSPORTATION

1. AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY INTERNAL PUBLIC AND PRIVATE DRIVES, AND MINOR ADJUSTMENTS TO THE LOCATIONS OF THESE DRIVES SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.
2. PETITIONER SHALL PROVIDE A BOND COVERING SWEET WILLIAM DRIVE AND THE PORTION OF CORNFLOWER DRIVE EXTENDING FROM SWEET WILLIAM DRIVE TO THE SITE AND PERFORM REPAIRS NECESSARY TO ADDRESS DAMAGE TO THOSE STREETS RESULTING FROM CONSTRUCTION TRAFFIC RELATED TO DEVELOPMENT OF THE SITE.

V. ARCHITECTURAL STANDARDS

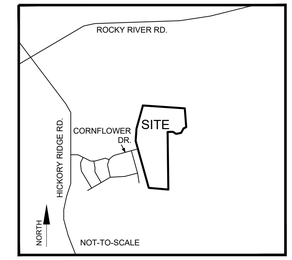
1. FAÇADE MATERIALS FOR PRINCIPAL STRUCTURES AND ACCESSORY BUILDINGS LARGER THAN 300 S.F. SHALL BE COMPRISED OF A COMBINATION OF PORTIONS OF BRICK, NATURAL STONE (OR ITS SYNTHETIC EQUIVALENT), STUCCO, CEMENTOUS PRODUCTS (SUCH AS HARDIPLANK, PANEL, OR SHINGLES), AND/OR OTHER MATERIALS APPROVED BY THE PLANNING DIRECTOR.
2. PROHIBITED EXTERIOR BUILDING MATERIALS: (A) VINYL SIDING (BUT NOT VINYL HANDRAILS, WINDOWS OR DOOR TRIM); AND (B) CONCRETE MASONRY UNITS NOT ARCHITECTURALLY FINISHED.
3. THE PETITIONER WILL MINIMIZE THE VISUAL IMPACT OF GARAGE DOORS VISIBLE STREETS BY ADDING ADDITIONAL ARCHITECTURAL TREATMENTS SUCH AS TRANSLUCENT WINDOWS, DECORATIVE HANDLES/STRAPS, OR PROJECTING ELEMENTS OVER THE GARAGE DOOR OPENING.
4. ROOF OVERHANGS, EAVES, CORNICES, CHIMNEYS, GUTTERS, VENTS, BAY WINDOWS, PILASTERS, PILLARS, OPEN PORCHES (IF PROVIDED) AND OTHER ARCHITECTURAL ELEMENTS MAY PROJECT UP TO TWENTY-FOUR (24) INCHES INTO THE REQUIRED SETBACKS.
5. ROOF OVERHANGS AND EAVES SHALL BE AT LEAST TEN (10) INCHES IN WIDTH. WINDOW TRIM SHALL BE AT LEAST FOUR (4) INCHES WIDE.
6. EXPOSED CONCRETE FOUNDATIONS SHALL NOT BE PERMITTED.
7. MAILBOX CLUSTERS (IF PROVIDED) SHALL MEET ADA STANDARDS.

VI. ENVIRONMENTAL FEATURES

1. THE PETITIONER SHALL PRESERVE A SIGNIFICANT PORTION OF THE SITE AS COMMON OPEN SPACE, IN THE LOCATIONS GENERALLY DEPICTED ON THE REZONING PLAN.
2. ANY BMPS FUNCTIONING AS WET PONDS SHALL INCLUDE A FOUNTAIN AND BE DESIGNED SUCH THAT THERE IS A MINIMUM DEPTH OF TEN (10) INCHES OVER AT LEAST 25% OF THE PERMANENT POOL AREA.
3. PETITIONER SHALL CONSTRUCT A PEDESTRIAN TRAIL CONNECTING THE SITE'S INTERNAL STREET NETWORK TO THE NORTHERN BOUNDARY OF THE PROPERTY AS GENERALLY DEPICTED ON THE REZONING PLAN. THE LOCATION OF THIS TRAIL MAY DEVIATE FROM THE LOCATION SHOWN ON THE REZONING PLAN, BUT A PEDESTRIAN BRIDGE ACROSS REEDY CREEK SHALL BE PROVIDED.
4. PETITIONER SHALL COMPLY WITH THE REQUIREMENTS OF ORDINANCE WITH REGARD TO HERITAGE TREES.

VII. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

1. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
2. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNER OR OWNERS OF ANY PART OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF



VICINITY MAP

EXISTING SITE DATA

TAX PARCEL NO.:	55167-59310-0000
TOTAL SITE AREA:	65.014 ACRES
EXIST. ZONING:	RE

DEVELOPMENT DATA

DEVELOP AS:	RL
PROPOSED # OF LOTS:	30
PROPOSED DENSITY:	0.46 DU/AC.
REQUIRED COMMON OPEN SPACE:	8% = 5.20 AC.
PROPOSED COMMON OPEN SPACE:	8%* = 5.20 AC. MIN.

*FOR ACTUAL VALUES AND FOR ACTIVE COS DETAILS REFER TO SHEET RZ-3.

DEVELOPMENT STANDARDS

RL - DISTRICT STANDARDS

MIN. LOT SIZE:	20,000 S.F.
MIN. LOT WIDTH:	100 FT.
MIN. LOT DEPTH:	125 FT.
MIN. FRONT SETBACK:	35 FT.
MIN. SIDE YARD:	15 FT.
MIN. REAR YARD	30 FT.

NOTE: ALL LOTS MEET MINIMUM STANDARDS.

MAX. BUILDING HEIGHT	45 FT.
MAX. CUL-DE-SAC LENGTH	1000 FT.
MIN. LENGTH/NODE RATIO	1.4
PROP. LENGTH/NODE RATIO	10 LENGTHS/5 NODES = 2

RIVERSTREAM OVERLAY CALCULATION NOTE

CLASS 1 STREAM BUFFER SHALL BE MEASURED FROM THE AVERAGE ANNUAL STREAM BANK PERPENDICULARY FOR A DISTANCE OF 50 FEET PLUS (4) TIMES THE AVERAGE PERCENT OF SLOPE OF AREA ADJACENT TO THE STREAM, SLOPE CALCULATED BY MEASUREING A DISTANCE OF 250 FEET FROM THE CENTER OF THE STREAM. MAXIMUM DISTANCE SHALL NOT EXCEED 120 FROM THE EDGE OF THE STREAM.

MAX. AVE. EXISTING SLOPE FOR 250' DISTANCE FROM CREEK = 3.2% - 5.2%
RSOD = MIN. 50' + (4) X (AVE SLOPE)
RSOD PROVIDED BEHIND LOTS = 72' FROM TOP OF BANK

LEGEND

- EXISTING PROPERTY LINE
- PROPOSED LOT LINE
- PROPOSED BUFFER
- EXISTING RSOD BUFFER
- EXISTING HERITAGE TREE
- PROPOSED RIGHT OF WAY
- PROPOSED SETBACK LINE

SCALE: 1" = 150'
0 75' 150' 300'

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CLIENT / OWNER
OAKVU, LLC.
399 SUTRO FOREST DR. NW
CONCORD, NC 28027
704-699-5218 HARI VUPPALA

SURVEYOR
MCADAMS
3450 TORINGDON WAY, SUITE 110
CHARLOTTE, NC 28277
704-527-0800

KEY MAP

PROJECT
OAKVIEW ESTATES

2718 GRADY HARRIS SR. DR.
HARRISBURG, NORTH CAROLINA

PROJECT NUMBER
20006

DATE
09/07/2021

ISSUED FOR
REZONING PLAN

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	05/05/2021	1ST CITY COMMENTS	JM/HN
2	07/19/2021	2ND CITY COMMENTS	JM/HN
3	09/07/2021	3RD CITY COMMENTS	JM/HN
4	09/29/2021	4TH CITY COMMENTS	JM/HN

PROJ. MANAGER: HN
DRAWN BY: JM/JF
CHECKED BY: HN

SEAL

SCALE
AS INDICATED

DRAWING
REZONING SITE PLAN OVERAL

RZ-1

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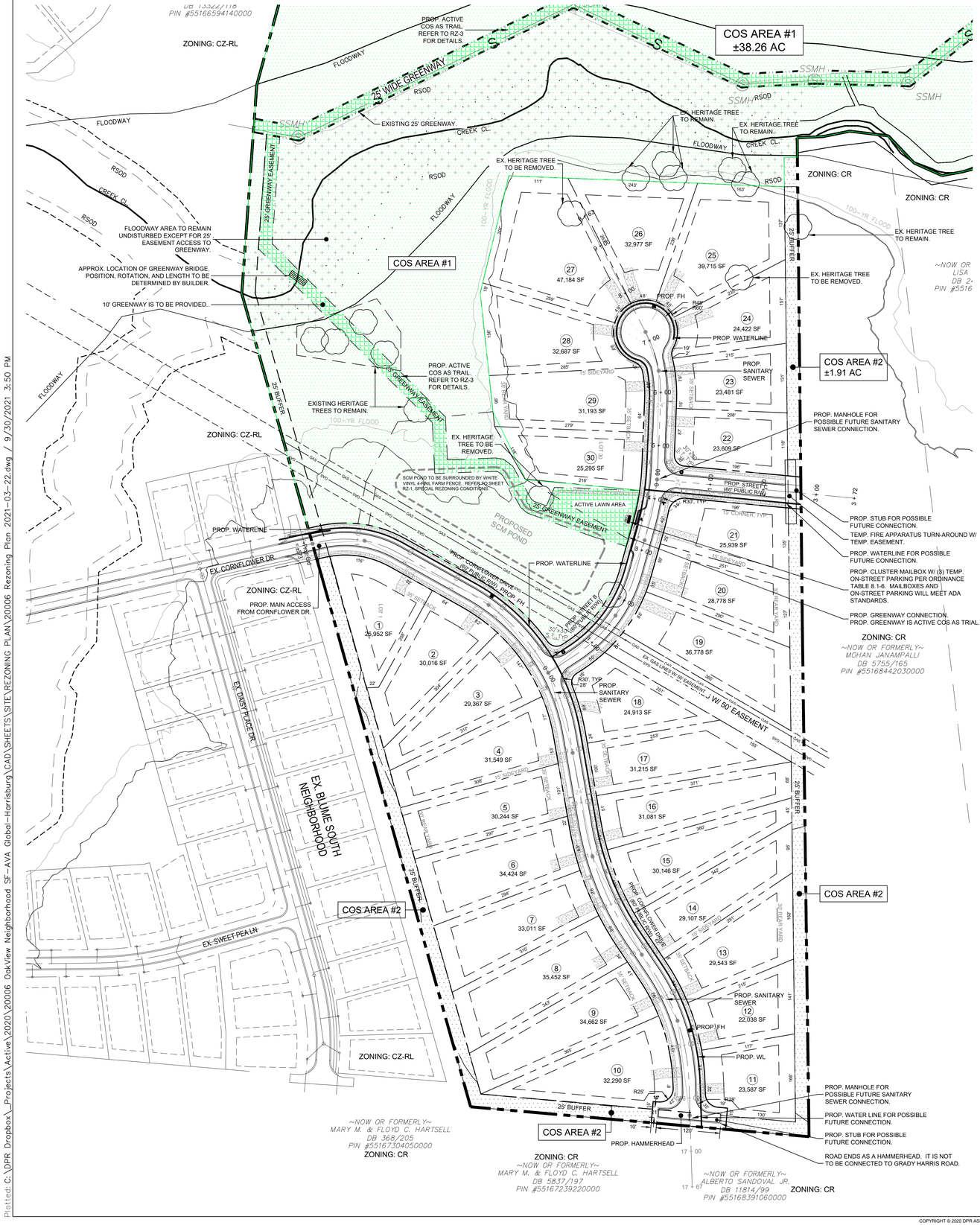
ORIGINAL SHEET SIZE: 24" X 36"

Plotted: C:\DPR Dropbox_Projects\Active\2020\20006 OakView Neighborhood SF-AVA Global-Harrisburg\CAD\SHEETS\SITE\REZONING PLAN\20006 Rezoning Plan 2021-03-22.dwg / 9/30/2021 3:43 PM

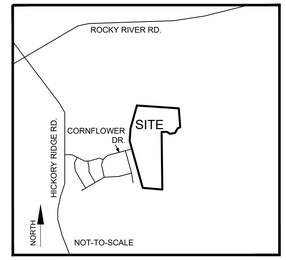


Plotted: C:\DPR Dropbox_Projects\Active\2020\20006 OakView Neighborhood SF-AVA Global-Harrisburg\CAD\SHEETS\SITE\REZONING PLAN\20006 REZONING PLAN 2021-03-22.dwg / 9/30/2021 3:50 PM

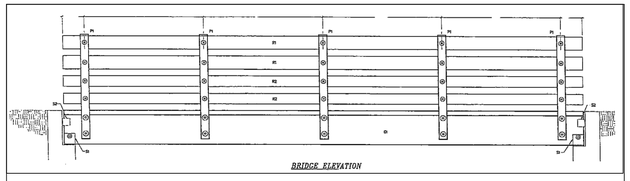
LEGEND

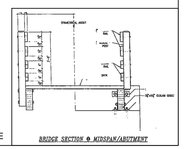
- EXISTING PROPERTY LINE
- PROPOSED LOT LINE
- PROPOSED RIGHT OF WAY
- 10 PROPOSED LOT NUMBER
- BMP PROPOSED BMP POND OUTLINE
- COS PROPOSED COMMON OPEN SPACE
- PROPOSED ACTIVE COS AS TRAIL
- PROPOSED BUFFER
- EXISTING RSOD BUFFER
- EXISTING HERITAGE TREE
- PROPOSED COMMUNITY MAILBOX
- PROPOSED STOP SIGN
- PROPOSED STREET SIGN

NOTE :
SEE SHEET RZ-1 FOR SITE PLAN NOTES



VICINITY MAP

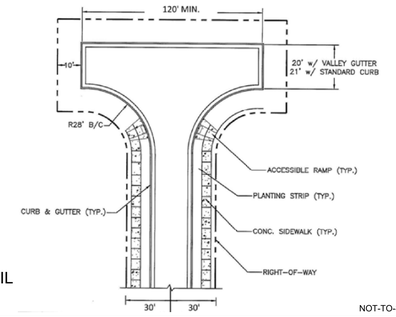




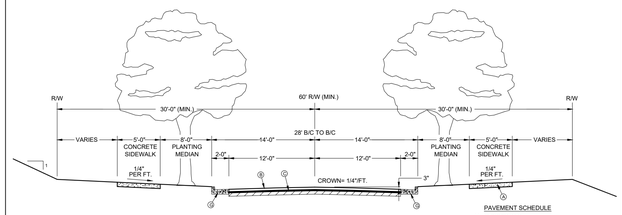
PEDESTRIAN BRIDGE ELEVATION & SECTION
(STYLE, PLACEMENT, DIMENSIONS, & MATERIALS TO BE DETERMINED BY BUILDER.)
NOT-TO-SCALE

NOTE:
VARIATIONS ON THIS DESIGN CAN BE SUBMITTED TO THE TOWN FOR REVIEW AND APPROVAL ON A CASE BY CASE BASIS.

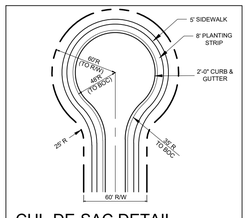
SIDEWALK MAY BE REQUIRED TO EXTEND AROUND WHERE THE HAMMERHEAD WHERE PARKS OR SCHOOLS HAVE FRONTAGE TO THE END OF THE HAMMERHEAD.



HAMMERHEAD DETAIL
NOT-TO-SCALE



TYPICAL STREET SECTION
NOT-TO-SCALE



CUL-DE-SAC DETAIL
NOT-TO-SCALE

SCALE: 1" = 100'
0 50' 100' 200'

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704.332.1204 . www.dprassociates.net
NC Firm License # C-0560

CLIENT / OWNER
OAKVU, LLC.
399 SUTRO FOREST DR. NW
CONCORD, NC 28027
704-699-5218 HARI VUPPALA

SURVEYOR
MCADAMS
3450 TORINGDON WAY, SUITE 110
CHARLOTTE, NC 28277
704-527-0800

KEY MAP

PROJECT
OAKVIEW ESTATES
2718 GRADY HARRIS SR. DR.
HARRISBURG, NORTH CAROLINA

PROJECT NUMBER
20006

DATE
09/07/2021

ISSUED FOR
REZONING PLAN

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	05/05/2021	1ST CITY COMMENTS	JM/HN
2	07/19/2021	2ND CITY COMMENTS	JM/HN
3	09/07/2021	3RD CITY COMMENTS	JM/HN
4	09/29/2021	4TH CITY COMMENTS	JM/HN

PROJ. MANAGER: HN
DRAWN BY: JM/JF
CHECKED BY: HN

SEAL
NORTH CAROLINA PROFESSIONAL SEAL 030523 ENGINEER HY N. NGUYEN 09-29-2021

SCALE
AS INDICATED

DRAWING
REZONING SITE PLAN

RZ-2

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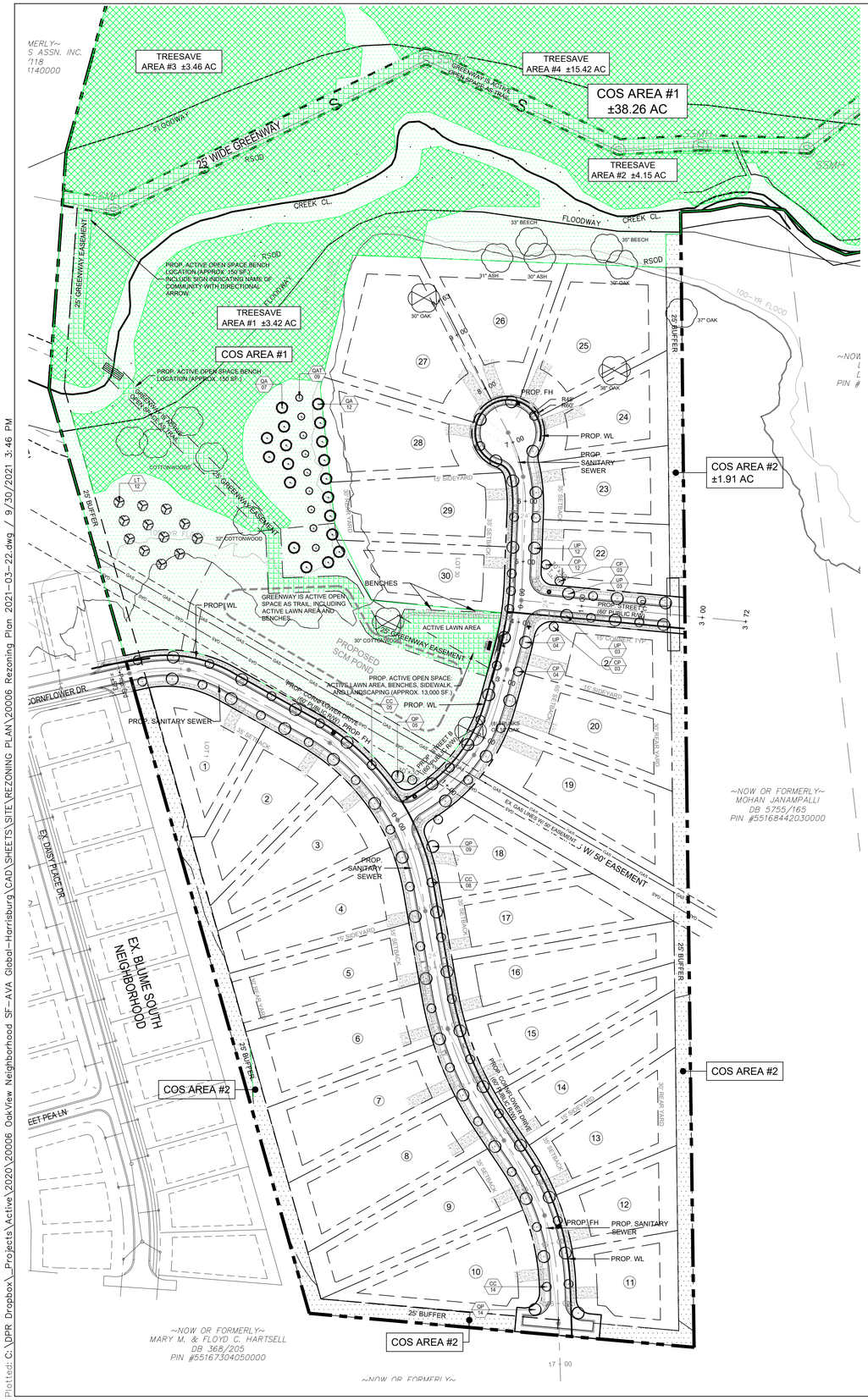
ORIGINAL SHEET SIZE: 24" X 36"



BUFFER PLANTING DETAIL

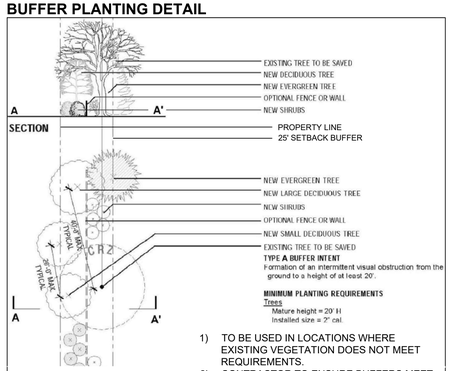


TABLE 6.3-1

TYPE OF PLANT	POINTS
SHADE TREE	12
ORNAMENTAL TREE	6
LARGE SHRUB	3
MEDIUM SHRUB	2
SMALL SHRUB	1

1) TO BE USED IN LOCATIONS WHERE EXISTING VEGETATION DOES NOT MEET REQUIREMENTS.
2) CONTRACTOR TO ENSURE BUFFERS MEET A POINT VALUE OF 0.4 POINTS PER LINEAR FOOT BY SUPPLEMENTING EXISTING VEGETATION AS NECESSARY USING THE BUFFER SPECIES SPECIFIED THIS SHEET.

HERITAGE TREES REQUIRED TO BE REMOVED

30" TOTAL COTTONWOOD DIAMETER

30" OAK + 38" OAK = 68" TOTAL OAK DIAMETER

HERITAGE TREE REPLACEMENT

COTTON WOOD USING TULIP POPLAR
(12) x 2.5" MINIMUM DIA. = 30.0" TOTAL

OAK USING WHITE OAK
(19) x 2.5" MINIMUM DIA. = 47.5"
& USING SAWTOOTH OAK
(09) x 2.5" MINIMUM DIA. = 22.5"
TOTAL: 47.5" + 22.5" = 70" TOTAL

COMMON OPEN SPACE

COS, SUBDIVISION REQUIRED	05.22 AC (8%)
COS, SUBDIVISION PROVIDED	40.17 AC (61%)
ACCESSIBLE COS AREA 1 38.26 AC	
IN-ACCESSIBLE COS AREA 2 1.91 AC	
ACTIVE COS, PER LOT REQUIRED	0.86 AC
(30) LOTS x 1/30 AC/LOT	
ACTIVE COS, PER LOT PROVIDED,	1.67 AC.
GREENWAY AS ACTIVE TRAIL 1.37 AC	
BENCH AREAS ALONG TRAILS, ACTIVE LAWN AREA WITH SIDEWALK, BENCHES, & LANDSCAPE 0.30 AC	

TREESAVE PROVIDED

TREESAVE AREA #1	±3.42 AC.
TREESAVE AREA #2	±4.15 AC.
TREESAVE AREA #3	±3.46 AC.
TREESAVE AREA #4	±15.42 AC.
	±26.45 AC.

STREET TREES PLANT SCHEDULE OVERALL

DECIDUOUS TREES	QTY	BOTANICAL NAME	COMMON NAME	CONT.	CAL.	HEIGHT	REMARKS
QP	28	QUERCUS PHELLOS	WILLOW OAK	B&B	2"-2.5"	10-12`	
CC	28	CERCIS CANADENSIS	EASTERN RED BUD	B&B	1.5"-2"	6-8`	
UP	22	ULMUS PARVIFOLIA	LACE BARK ELM	B&B	2"-2.5"	10-12`	
CP	22	CRATAEGUS PHAENOPYRUM	WASHINGTON HAWTHORNE	B&B	1.5"-2"	6-8`	

HERITAGE TREE REPLACEMENT PLANT SCHEDULE

DECIDUOUS TREES	QTY	BOTANICAL NAME	COMMON NAME	CONT.	CAL.	HEIGHT	REMARKS
LT	12	LIRIODENDRON TULIPIFER	TULIP POPLAR	B&B	2.5"	8-10`	
QA	19	QUERCUS ALBA	WHITE OAK	B&B	2.5"	8`-10'	
QAT	09	QUERCUS ACUTISSIMA	SAWTOOTH OAK	B&B	2.5"	8-10`	

LEGEND

- EXISTING PROPERTY LINE
- PROPOSED LOT LINE
- PROPOSED RIGHT OF WAY
- 10 — PROPOSED LOT NUMBER
- BMP — PROPOSED BMP POND OUTLINE
- PROPOSED TREESAVE
- PROPOSED ACTIVE COS AS TRIAL
- PROPOSED BUFFER
- EX. TREES TO BE REMOVED.

SCALE: 1" = 100'
0 50' 100' 200'

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PROJ. MANAGER: HN
DRAWN BY: JM/JF
CHECKED BY: HN

SEAL

NORTH CAROLINA PROFESSIONAL SEAL 030523 ENGINEER HY K NGUYEN 09-29-2021

SCALE
AS INDICATED

DRAWING
REZONING PLANTING PLAN

RZ-3

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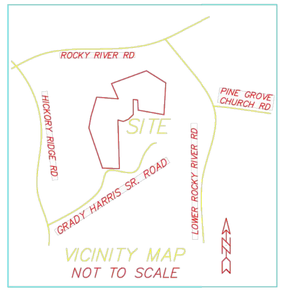
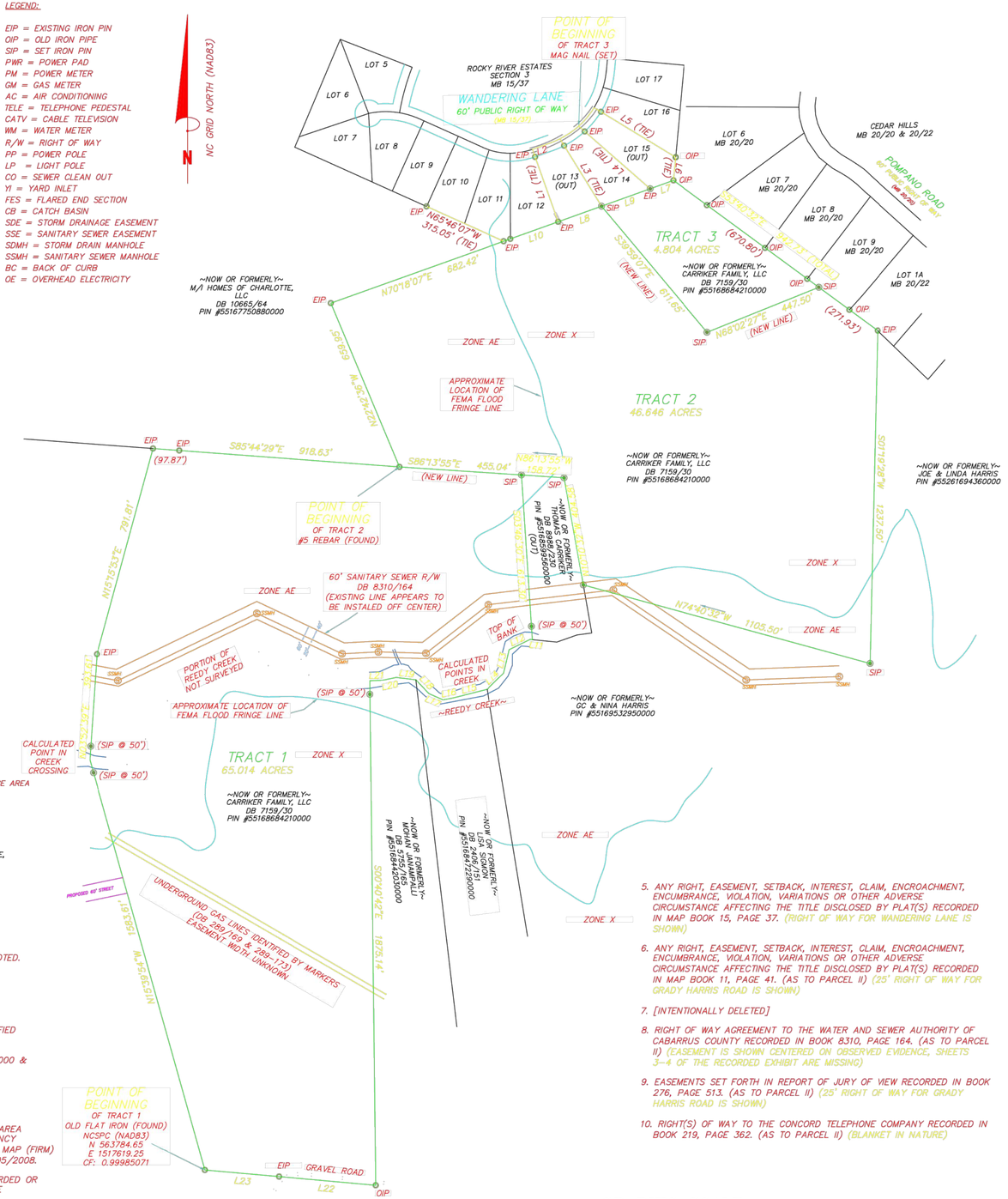
Plotted: C:\DPR Dropbox_Projects\Active\2020\20006 OakView Neighborhood SF-AVA Global-Harrisburg\CAD\SHEETS\SITE\REZONING PLAN 20006 Rezoning Plan 2021-03-22.dwg / 9/30/2021 3:46 PM



LEGEND:

EIP = EXISTING IRON PIN
OIP = OLD IRON PIPE
SIP = SET IRON PIN
PWR = POWER PAD
PM = POWER METER
GM = GAS METER
AC = AIR CONDITIONING
TELE = TELEPHONE PEDESTAL
CATV = CABLE TELEVISION
WM = WATER METER
R/W = RIGHT OF WAY
PP = POWER POLE
LP = LIGHT POLE
CO = SEWER CLEAN OUT
YI = YARD INLET
FES = FLARED END SECTION
CB = CATCH BASIN
SDE = STORM DRAINAGE EASEMENT
SSE = SANITARY SEWER EASEMENT
SDMH = STORM DRAIN MANHOLE
SSMH = SANITARY SEWER MANHOLE
BC = BACK OF CURB
OE = OVERHEAD ELECTRICITY

SIP = SET IRON PIN
EIP = EXISTING IRON PIN
CP = CALCULATED POINT
GV = GAS VALVE
WV = WATER VALVE
MB = MAIL BOX
WM = WATER METER
FH = FIRE HYDRANT
SSMH = SANITARY SEWER MANHOLE
SDMH = STORM DRAIN MANHOLE
LOCATED TREE/SHRUB
LP = LIGHT POLE
TP = TELECOMMUNICATION BOX
TP = TELECOMMUNICATIONS PEDESTAL
PP = POWER POLE
BFP = BACK FLOW PREVENTOR
GW = GUY WIRE
CB = CATCH BASIN
DI = DROP INLET
FENCE
OVERHEAD ELECTRIC
SANITARY SEWER PIPE
STORM DRAIN PIPE
BOUNDARY LINE
TIE LINE
RIGHT OF WAY
ADJOINING LINE (NOT SURVEYED)
FEMA FLOODWAY
COMMUNITY ENCROACHMENT LINE
FEMA FLOOD FRINGE AREA
FUTURE CONDITIONS FLOOD FRINGE AREA



GRAPHIC SCALE

300 0 150 300 600 1200

(IN FEET)
1 inch = 300 ft.

NOTES:

1. IRON PINS SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
2. PROPERTY ZONED: RE
   1 DWELLING PER ACRE
   FRONT YARD SETBACK: 45'
   SIDE YARD SETBACK: 20'
   REAR YARD SETBACK: 30'
   (PER TABLE 4.7-1 OF THE TOWN OF HARRISBURG UNIFIED DEVELOPMENT ORDINANCE)
3. TAX PARCEL NUMBERS 55168684210000; 55168794440000 & 55169715950000.
4. DEED REFERENCES: 7159/30; 3850/281 & 532/83
5. BOUNDARY SURVEY ONLY THROUGH POINTS AS SHOWN.
6. A PORTION OF THIS PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION AE BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP (FIRM) NO. 3710551600J, WITH A DATE OF IDENTIFICATION OF 11/05/2008.
7. THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL RECORDED OR UNRECORDED EASEMENTS, RIGHTS-OF-WAY, OR RESTRICTIVE COVENANTS, OTHER THAN SHOWN.
8. AREA COMPUTED BY COORDINATED METHOD.
9. NO NCGS MONUMENT FOUND WITHIN 2000'.
10. UTILITY LOCATIONS SHOWN ARE LOCATED BASED ON SITE CONDITIONS AT THE TIME OF SURVEY. CONTRACTORS ARE TO HAVE ALL UTILITIES ACCURATELY MARKED PRIOR TO CONSTRUCTION.
11. NOT ALL IMPROVEMENTS ARE SHOWN.

5. ANY RIGHT, EASEMENT, SETBACK, INTEREST, CLAIM, ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATIONS OR OTHER ADVERSE CIRCUMSTANCE AFFECTING THE TITLE DISCLOSED BY PLAT(S) RECORDED IN MAP BOOK 15, PAGE 37. (RIGHT OF WAY FOR WANDERING LANE IS SHOWN)
6. ANY RIGHT, EASEMENT, SETBACK, INTEREST, CLAIM, ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATIONS OR OTHER ADVERSE CIRCUMSTANCE AFFECTING THE TITLE DISCLOSED BY PLAT(S) RECORDED IN MAP BOOK 11, PAGE 41. (AS TO PARCEL II) (25' RIGHT OF WAY FOR GRADY HARRIS ROAD IS SHOWN)
7. [INTENTIONALLY DELETED]
8. RIGHT OF WAY AGREEMENT TO THE WATER AND SEWER AUTHORITY OF CABARRUS COUNTY RECORDED IN BOOK 8310, PAGE 164. (AS TO PARCEL II) (EASEMENT IS SHOWN CENTERED ON OBSERVED EVIDENCE, SHEETS 3-4 OF THE RECORDED EXHIBIT ARE MISSING)
9. EASEMENTS SET FORTH IN REPORT OF JURY OF VIEW RECORDED IN BOOK 276, PAGE 513. (AS TO PARCEL II) (25' RIGHT OF WAY FOR GRADY HARRIS ROAD IS SHOWN)
10. RIGHT(S) OF WAY TO THE CONCORD TELEPHONE COMPANY RECORDED IN BOOK 219, PAGE 362. (AS TO PARCEL II) (BLANKET IN NATURE)

OWNERS INFORMATION:

CARRIKER FAMILY, LLC
#1179 RIDING TRAIL LANE
CONCORD, NC 28027

LINE TABLE

LINE	BEARING	LENGTH
L1	N19°37'46"W	285.83
L2	N70°15'02"E	72.80
L3	S31°42'10"E	294.38
L4	N48°51'19"W	353.08
L5	S58°43'26"E	354.91
L6	S05°24'19"W	86.47
L7	N70°15'37"E	92.00
L8	N70°15'37"E	171.00
L9	N70°15'37"E	192.34
L10	N70°23'14"E	215.37
L11	N84°06'04"W	8.33
L12	S63°51'19"W	86.88
L13	S13°22'14"W	89.67
L14	S45°54'57"W	86.00
L15	S75°37'48"W	129.70
L16	S79°25'19"W	39.36
L17	N65°48'02"W	57.19
L18	N43°27'32"W	70.44
L19	N83°05'27"W	73.21
L20	S78°25'27"W	50.39
L21	S87°21'36"W	49.22
L22	N84°51'30"W	361.26
L23	N84°58'07"W	276.53

I, THOMAS E. WHITE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 7159 PAGE 30, ETC.); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK_____, PAGE_____; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL. THIS _____ DAY OF _____, 20_____.

THIS IS TO CERTIFY THAT THIS SURVEY CREATES A SUBDIVISION OF LAND WITH IN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

_____
NCPLS #L-4689

STATE OF NORTH CAROLINA
COUNTY OF CABARRUS

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

_____ _____
REVIEW OFFICER DATE

I HEREBY CERTIFY THAT I AM OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF THE TOWN OF HARRISBURG, AND THAT I HEREBY SUBMIT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT AND ESTABLISH MINIMUM BUILDING SETBACK LINES.

_____ _____
OWNER DATE

BY AUTHORITY OF THE TOWN OF HARRISBURG SUBDIVISION REGULATIONS, THIS FINAL PLAT FOR THE GRADY HARRIS SR. ROAD SUBDIVISION IS HEREBY APPROVED.

_____ _____
DIRECTOR OF PLANNING DATE

_____ _____
DIRECTOR OF ENGINEERING DATE

DATE	REVISIONS:	SCALE: 1" = 300'
	2016\BAT\GRADY HARRIS SR.	
	2016\G\GRADY HARRIS SR.	
	DRAWN BY: TW	
	CHECKED BY: HW	
	FIELD WORK:	
NOVEMBER 14, 2016		

CAROLINA SURVEYORS, INC.
P.O. BOX 267 PINEVILLE, N.C. 28134 - 0267
HUGH E. WHITE, Jr., NCRLS & SCRLS 889-7601
CERTIFICATE OF AUTHORIZATION NC(C-1242 SC:886

A MINOR SUBDIVISION PLAT FOR PROPERTY ON
GRADY HARRIS SR. ROAD
(NEAR THE INTERSECTION OF HICKORY RIDGE ROAD)
OWNER: CARRIKER FAMILY, LLC
TOTAL AREA: 116.464 ACRES
TOWN OF HARRISBURG, TOWNSHIP #1, CABARRUS COUNTY, NORTH CAROLINA

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KEY MAP

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OAKVIEW ESTATES

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HARRISBURG, NORTH CAROLINA

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20006

DATE
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4	09/29/2021	4TH CITY COMMENTS	JM/HN

PROJ. MANAGER: HN
DRAWN BY: JM/JF
CHECKED BY: HN

SEAL

SCALE
AS INDICATED

DRAWING
REZONING SURVEY

RZ-5

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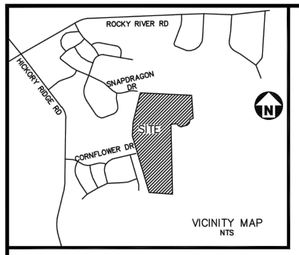
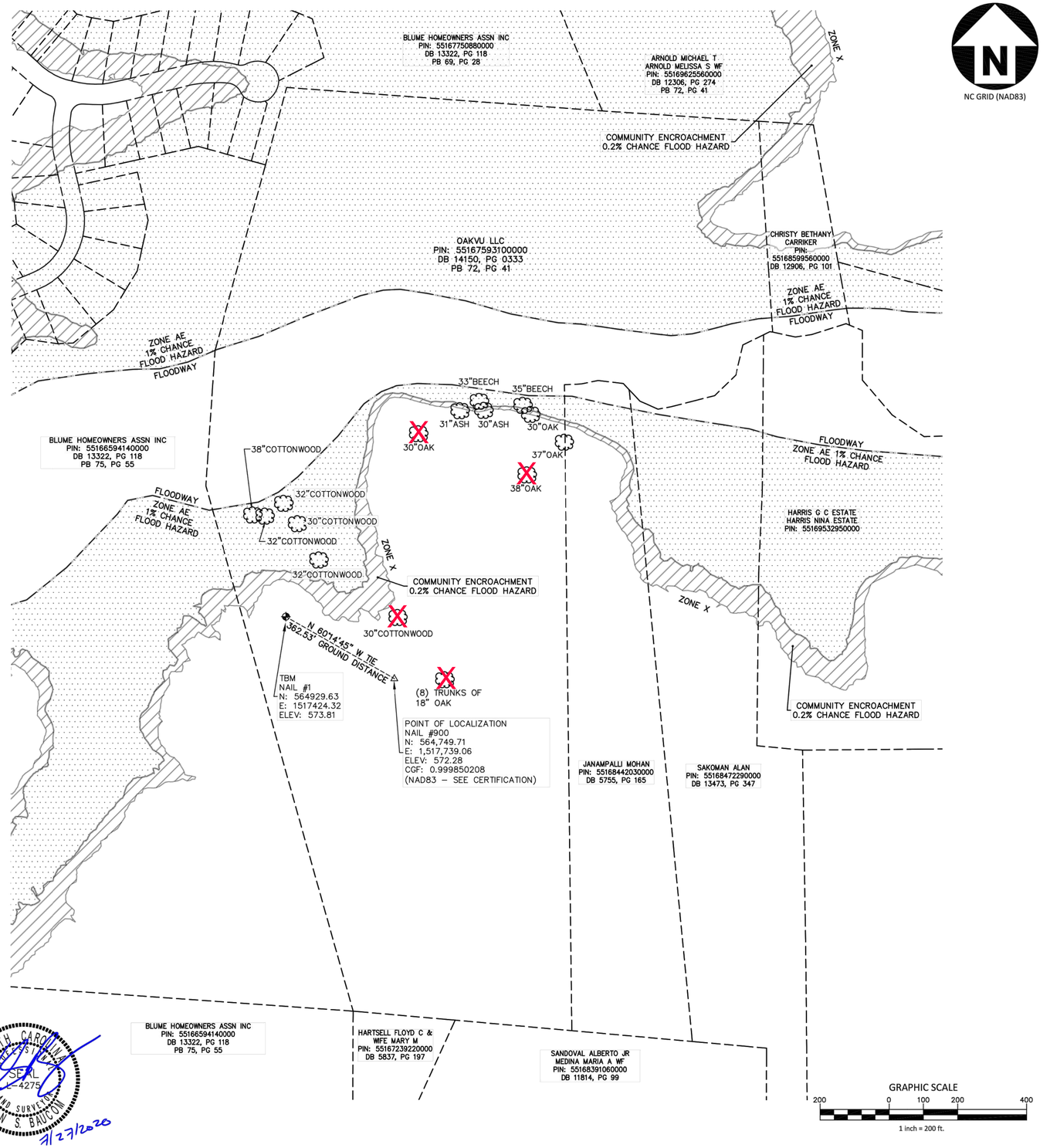


GENERAL NOTES

1.) THIS IS A SURVEY OF AN EXISTING PARCEL(S) OF LAND. THIS IS A TREE SURVEY. NO BOUNDARY SURVEY HAS BEEN PERFORMED. ALL DATA EXCEPT FOR TREE LOCATIONS, POINT OF LOCALIZATION AND TBM ARE PROVIDED ARE SHOWN PER GIS.
2.) BASIS OF HORIZONTAL DATUM IS NAD83(2011) AND VERTICAL DATUM IS NAVD88.
3.) ZONING: "RE" PER CABARRUS COUNTY GIS
4.) 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 37105516OOK DATED NOVEMBER 16, 2018.
5.) REFERENCES: DEED BOOK 14150, PAGE 333; PLAT BOOK 72, PAGE 41 OF THE CABARRUS COUNTY REGISTRY PIN 55167593100000
6.) NO GRID MONUMENTS WERE FOUND WITHIN 2000' OF SITE.



NC GRID (NAD83)

LEGEND

- TEMPORARY BENCHMARK
- POINT OF LOCALIZATION
- TREE
- TIE LINE
- FEMA FLOODWAY
- PROPERTY LINE NOT SURVEYED

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

(1)CLASS OF SURVEY: CLASS A
(2)POSITIONAL ACCURACY: < 0.100'
(3)TYPE OF GPS FIELD PROCEDURE: VRS
(4)DATE OF SURVEY: 07-17-2020
(5)DATUM/EPOCH: NAD 83(2011)
(6)PUBLISHED/FIXED-CONTROL USED: NC49
(7)GEOID MODEL: GEOID12A
(8)COMBINED GRID FACTOR(S): 0.999850219
(9)UNITS: METERS CONVERTED TO US SURVEY FEET

NORTH CAROLINA PROFESSIONAL LAND SURVEYOR SEAL L-4275 KEVIN S. BAUCOM
11/27/2020

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

HARI VUPPALA
OAKVU LLC
399 SUTRO FOREST DRIVE NW
CONCORD, NC 28027

GRADY HARRIS
TREE SURVEY
PROJECT ADDRESS
CITY, CABARRUS COUNTY, NORTH CAROLINA

REVISIONS

NO.	DATE

PLAN INFORMATION

PROJECT NO.	SURS-20001
FILENAME	SURS20001-T1.dwg
CHECKED BY	KSB
DRAWN BY	CCG
SCALE	1"=200'
DATE	7. 27. 2020

SHEET

TREE SURVEY

1-1

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NEIGHBORHOOD MEETING REPORT

Petitioner: OAKVU, LLC

Rezoning Petition No. H2021-01-R

This Neighborhood Meeting Report is being filed with the Town of Harrisburg Planning and Zoning Staff pursuant to the provisions of the Town's Unified Development Ordinance (the "**UDO**").

PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:

Town Staff mailed written notice of the date, time and location of the Neighborhood Meeting in accordance with the UDO.

DATE, TIME AND FORMAT OF MEETING:

The Virtual Neighborhood Meeting was hosted by Mr. Sushil Nepal, the Town's Planning Director, on Thursday, January 21, 2021 at 6:00 p.m. via the Zoom platform.

MEETING PARTICIPATION:

The Virtual Community Meeting had twenty-seven (27) attendees, including eighteen (18) members of the community in attendance, as listed in Exhibit A. The Petitioner was represented at the Neighborhood Meeting by Hari Vuppala, as well as by Petitioner's agents, Hy Nguyen and James McGivern with DPR Associates, and Collin Brown and Sarah Beason with Alexander Ricks PLLC.

SUMMARY OF PRESENTATION/DISCUSSION:

Mr. Nepal welcomed the attendees and provided an overview of the agenda and process for the Neighborhood Meeting and the Town's rezoning process in general.

Mr. Collin Brown introduced the Petitioner's team, using a PowerPoint presentation, attached hereto as Exhibit B. Mr. Brown showed aerials of the approximately 65.014-acre property located at 2718 Grady Harris Sr. Road (the "**Property**").

Mr. Brown gave a general overview of the existing zoning and the Harrisburg Area Land Use Plan (the "**Land Use Plan**") recommendation for the Property and surrounding area. Mr. Brown explained that the Petitioner is requesting a conditional rezoning to RL(CZ) (rural low-density district) to accommodate a single-family development with 30 lots. The rezoning plan commits to significant open space. He stated that this project is in line with the adjacent Blume development zoning, which he assisted with during its entitlement process.

He then opened the virtual meeting up for discussion and questions by community attendees. Questions were presented in both the chat box feature and live with an attendee unmuted.

In response to a question about the anticipated size of the homes, Petitioner's team noted that the proposed project sets out 30 large estate lots, on average 29,000 sq. ft., which is well below the permitted density on the Property and significantly larger lots than nearby developments.

Several neighbors of the Blume development asked about trails and the potential to connect the different portions of the Blume community. Petitioner's team responded that the Property is uniquely situated to provide such connection and would be willing to discuss ways to provide the same if the Blume community so desires. Mr. Nepal also stated that the Town would be requesting a condition requiring dedication of greenway on the Property in accordance with the Land Use Plan, which could also provide such connection.

One attendee asked whether a traffic impact analysis ("**TIA**") would be prepared for the project. Mr. Nepal stated that the project does not meet the necessary threshold to require a TIA, which is generally about 70 single-family homes.

In response to questions related to Grady Harris Sr. Road, the Petitioner's team and Mr. Nepal responded that emergency access would be provided only to emergency service vehicles via a secured access gate to the community.

One attendee inquired whether the public roads and water and sewer infrastructure for the proposed project would run to the eastern property line to accommodate future development. Mr. Nepal indicated that these services would run along the proposed stub road to the east of the property, to which any future development to the east could connect.

An attendee asked about whether a buffer would be required for the proposed project. Mr. Nepal informed attendees that the UDO does not require a buffer between residential projects, but the Town would likely request a buffer as a condition to the rezoning. Petitioner's team noted that the proposed site plan already shows a voluntary twenty-five (25) foot buffer along the perimeter of the project. Given the large estate lots, the open space, and the goal of preserving significant trees within the project, Petitioner anticipates natural buffer zones with existing trees as well as planting additional trees as necessary.

The formal meeting concluded at approximately 6:35 p.m. with no additional questions or discussion topics from community members.

Respectfully submitted this 28th day of January 2021.

cc: Sushil Nepal, Town of Harrisburg, Planning Director

Craig Thomas, Town of Harrisburg, Senior Planner

Exhibit A

Attendees

1. John Howie
2. Alan Kerley
3. Douglas Donia
4. Gary Osterhout
5. Kathy Lancaster
6. Lloyd Quay
7. Mohan Janampalli
8. Rodney Dellinger
9. Roxie
10. Dianne
11. Christian Hall
12. Shaun Gaspanni
13. Thelma Chapman
14. Lamonte Pennington
15. Vickie Wallis
16. W. Oliver
17. JL
18. 980-565-7798
19. Eddie Moore
20. Srini Amara
21. Sushil Nepal
22. Craig Thomas
23. Hy Nguyen
24. James McGivern
25. Hari Vuppala
26. Collin Brown
27. Sarah Beason

Exhibit B

Petitioner's Presentation

REZONING PETITION H2021-01-R

OAKVIEW ESTATES

OAKVU, LLC

Official Neighborhood Meeting

January 21, 2021

Alexander Ricks PLLC

MEETING AGENDA

- Introductions
- Property Location
- Current Zoning & Land Use Plan Recommendation
- Proposed Rezoning
- Conceptual Renderings
- Potential Rezoning Timeline
- Questions/Discussion

TEAM INTRODUCTIONS

Property Owner/ Developer: **OakVu, LLC**
Hari Vuppala

Alexander Ricks PLLC

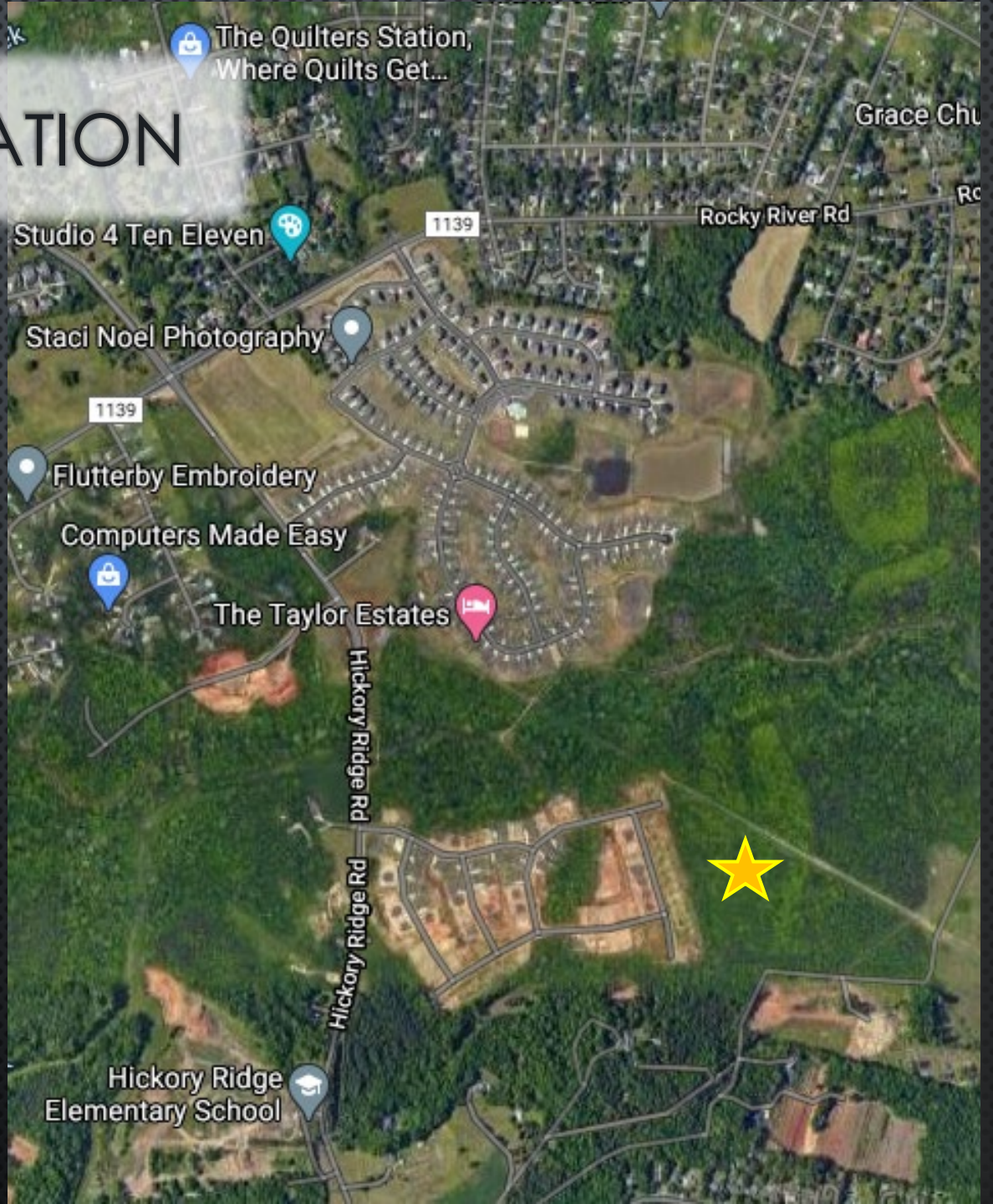
Collin Brown &
Sarah Beason

dpr associates

Hy Nguyen &
James McGivern

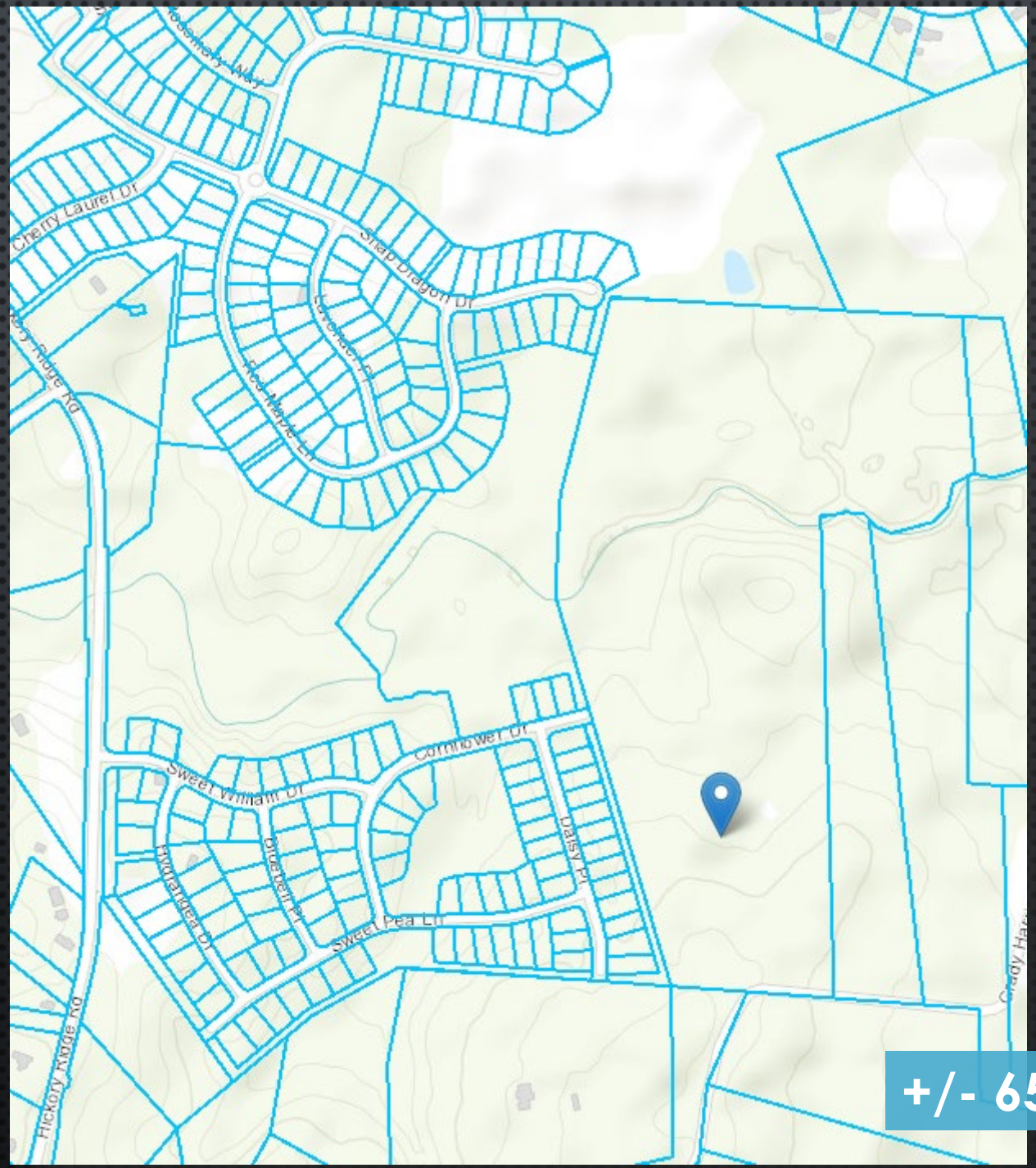
PROPERTY LOCATION

PROPERTY LOCATION



PROPERTY LOCATION

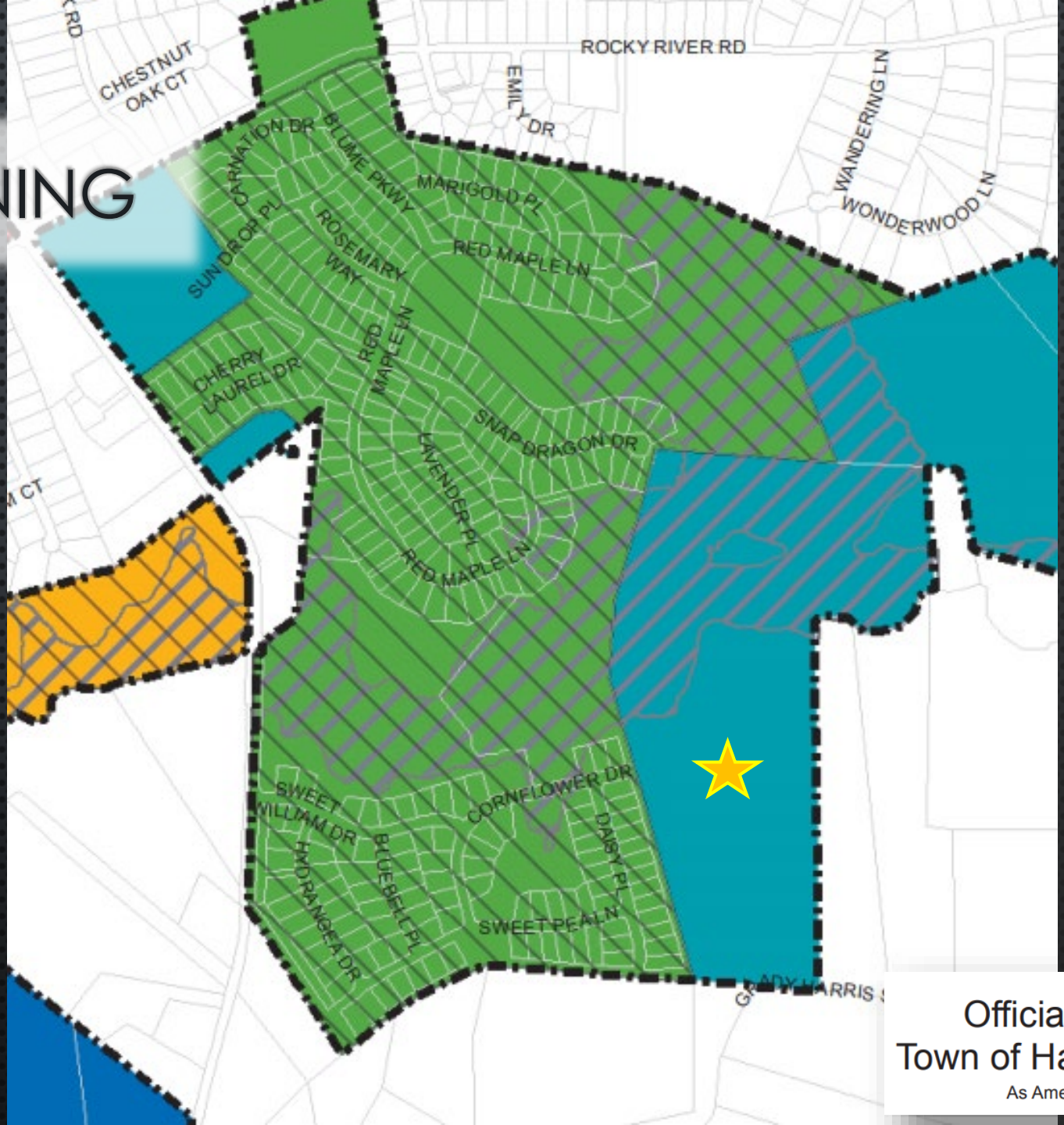
+/- 65.014 acres


Cherry Laurel Dr
Sharp Dragon Dr
Red Maple Ct
Hickory Ridge Rd
Cornflower Dr
Sweet William Dr
Marigold Dr
Bluebell Pl
Sweet Pea Ln
Daisy Pl
Hickory Ridge Rd

+/- 65.014 acres

EXISTING ZONING

CURRENT ZONING

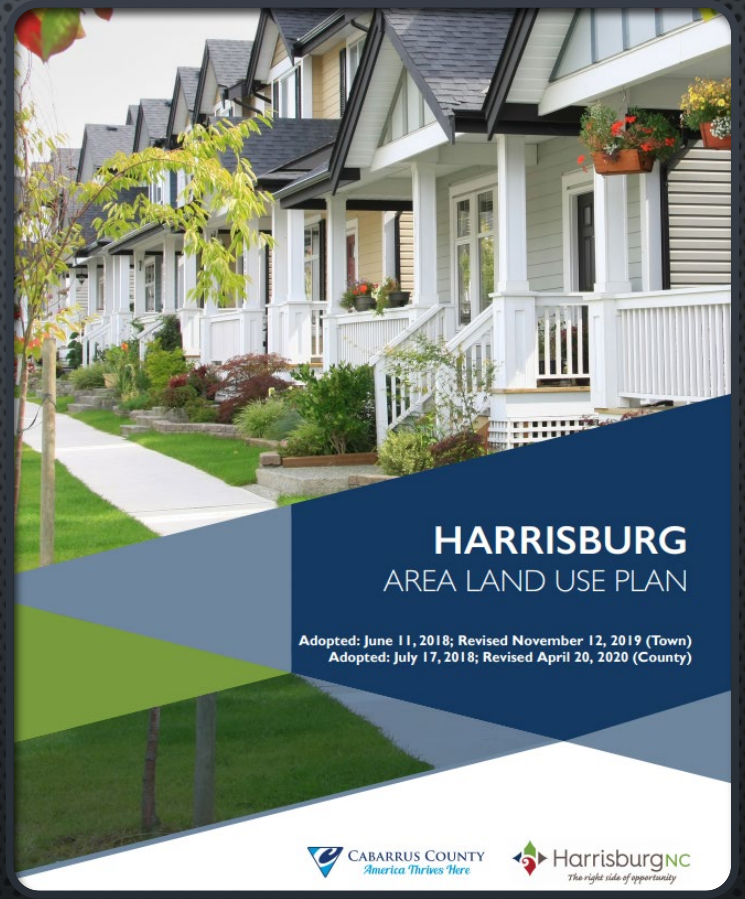


- RE
- RL
- RC
- FDPO
- Conditional Districts

Official Zoning Map of the
Town of Harrisburg, North Carolina

As Amended Through: October 8, 2018

AREA LAND USE PLAN RECOMMENDATION



Low Density Residential
No more than 2 dwelling Units per acre

REZONING PROPOSAL

RL(CZ) Zoning District

30 Single-family Residences

CONCEPTUAL RENDERINGS (*EXAMPLE ONLY)

THANK YOU!

HOUSE EXAMPLES FOR OAKVIEW ESTATES

NOTE:
THE ABOVE IMAGES ARE CONCEPTUAL IMAGES FOR THE PROPOSED HOMES AND ARE INTENDED TO REFLECT AN ARCHITECTURAL STYLE AND THE QUALITY OF HOMES TO BE CONSTRUCTED ON THE SITE. THE ACTUAL HOMES CONSTRUCTED ON THE SITE MAY VARY FROM THESE CONCEPTUAL IMAGES PROVIDED THAT THE DESIGN INTENT IS PRESERVED.

dpr associates
designing places for generations

master planning . civil engineering
urban design . landscape architecture

919 berryhill rd. ste 101 . charlotte, nc 28208
704.332.1204 . www.dprassociates.net
NC Firm License # C-0560

CLIENT / OWNER

OAKVU, LLC.
399 SUTRO FOREST DR. NW
CONCORD, NC 28027
704-699-5218 HARI VUPPALA

SURVEYOR

MCADAMS
3450 TORINGDON WAY, SUITE 110
CHARLOTTE, NC 28277
704-527-0800

KEY MAP

PROJECT

OAKVIEW ESTATES

2718 GRADY HARRIS SR. DR.
HARRISBURG, NORTH CAROLINA

PROJECT NUMBER
20006

DATE
09/07/2021

ISSUED FOR
REZONING PLAN

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	05/05/2021	1ST CITY COMMENTS	JM/HN
2	07/19/2021	2ND CITY COMMENTS	JM/HN
3	09/07/2021	3RD CITY COMMENTS	JM/HN
4	09/29/2021	4TH CITY COMMENTS	JM/HN

PROJ. MANAGER: HN
DRAWN BY: JM/JF
CHECKED BY: HN

SEAL

NORTH CAROLINA PROFESSIONAL SEAL 030523 ENGINEER HAI K. NGUYEN 09-29-2021

SCALE
AS INDICATED

DRAWING
REZONING ELEVATIONS

RZ-4

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ORIGINAL SHEET SIZE: 24" X 36"

Plotted: C:\DPR Dropbox_Projects\Active\2020\20006 OakView Neighborhood SF-AVA Global-Harrisburg\CAD\SHEETS\SITE\REZONING PLAN\20006 Rezoning Plan 2021-03-22.dwg / 9/30/2021 3:47 PM

TOWN OF HARRISBURG

Agenda Item Details

Title:
H2021-04-(S) - Consideration to approve the Preliminary Plat for Tramore Residential Subdivision.

Presenting Personnel:
Sushil Nepal, Planning & Economic Development Director

Suggested Motion or Action:
If approved, the following motion is suggested:
To approve the Preliminary Plat application as requested by the applicant for the related property in application H-2021-04 (S).

If denied, the following motion is suggested:
To deny the Preliminary Plat application as requested by the applicant for the related property in application H-2021-04 (S).

Description/Background:
McAdams Company, on behalf of Taylor Morrison, has submitted a Preliminary Plat application for 42 single family homes in Tramore Residential Subdivision, located on the western side of Hickory Ridge Road near Grady Harris Road.. The site PIN numbers are 5516-41-0869, 5516-51-2789 and 5516-42-6187, consisting of a total area of 52.17 acres. The subject property was rezoned in July 2021 (Case #H2021-03-R)) to CZ-RM1 to allow for 42 single family homes.

A staff report is attached for more information and a site plan along with development notes is submitted for your consideration. Staff reviewed the site plan in accordance with the Harrisburg Area Land Use Plan (HALUP) and Unified Development Ordinance (UDO). The Planning and Zoning Board reviewed and recommended approval of the Preliminary Plat at their November 16th, 2021 meeting. The open space fee-in-lieu-of was presented to the Park and Recreation Advisory Board on Jan 15, 2022 and received a recommendation to accept the fee as presented.

Recommendation:
Staff has reviewed the submitted preliminary plat, and has found it to be consistent with the approved conditional zoning site plan (H2021-03-R), the Harrisburg Area Land Use Plan (HALUP) and the standards of the UDO for CZ-RM1 district. The Planning and Zoning Board reviewed and recommended approval of the Preliminary Plat at their November 16th, 2021 meeting.

Staff recommends Town Council approval of the proposed preliminary plat to the Town Council, with the inclusion of the conditions of the approved conditional rezoning plan.

Fiscal Impact:
None.

Attachments:
1. Tramore Preliminary Plat Application
2. Tramore Site Map
3. Tramore Preliminary Plat
4. Tramore Prelim Plat Staff Report TC

5. Tramore Open Space Fee Letter
6. Tramore Rezoning Approval Letter
7. Tramore Rezoning Plan
8. Tramore Street Names
9. Tramore Homes Examples

Harrisburg NC
The right side of opportunity

Application for Preliminary Plat Review and Approval

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

1. One (1) copy of the signed Pre-submittal Meeting Checklist completed at the required pre-submittal meeting.
2. One (1) complete Town of Harrisburg Preliminary Plat Application
3. Five (5) FOLDED copies of the final plat (blue/black lines), and One (1) digital version (PDF)
4. Plat review fee ($1000.00 + $25 per lot)
5. One (1) completed Street Name Review and Confirmation Form
6. Required number of copies of the Transportation Impact Analysis (Number of copies to be submitted to be determined at pre-submittal meeting)

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

Project Information

1. Name of Subdivision: Tramore Subdivision
2. Location of Subdivision: Located on the western side of Hickory Ridge Rd near Grady Harris Rd
3. Cabarrus County PIN Numbers: 5516-41-0869, 5516-51-2789, & 5516-42-6187
4. Current Zoning: RM-1-CZ
5. Project Classification (Residential, Commercial, etc.): Residential
6. Is this a CU or CZ Project? ■ YES: Case Number: H2021-03-(R) □ NO
7. Date of Rezoning Approval: July 14, 2021 Subdivision Case #:

Owner/Developer Information

1. Property Owner Name: John T Howie Property Owner Phone: 704-305-2834

   Property Owner Email: circlefan7@yahoo.com
2. Agent/Developer Name: Taylor Morrison Agent/Developer Phone: 704-400-5308

   Agent/Developer Email: akerley@taylormorrison.com
3. Contact for Comments Name: Alan Kerley Contact for Comments Phone: 704-400-5308

   Contact for Comments Email: akerley@taylormorrison.com

Utilities

	Water	Sewer
1, Who will provide water and sewer services for this site?	□ Private ■ Public Provider WSAC	□ Private ■ Public Provider WSAC

Overlay District (Article 4)

Is the subject property located in an Overlay Zone? □ YES: ■ NO

If YES, which one(s):_____

_____

Flood Panel and RSOD Information (Article 4)

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

Flood Panel Number(s) 3710551600K Map Date 11/16/2018

Is the subject property in the RSOD? ■ YES: □ NO

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

■ YES: □ NO

Verification of Process

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

Date: 8/11/2021 Signed: Alan Kerley

Title: Vice President

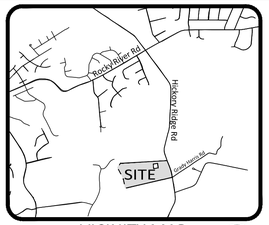
(Owner, Agent, Developer, LLC Member, etc.)

Do not write below this point

For Staff Use Only:

Subdivision application fee paid: _____ Check Number: _____

Hickory Knoll Rd
650 ft
654 ft
Timber Ridge Rd



VICINITY MAP
NTS

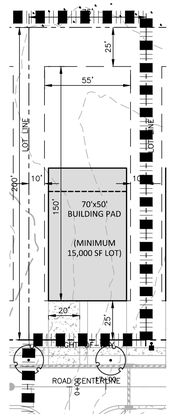
SITE DATA

PREPARED BY:	MCADAMS COMPANY (ROBERT REDDICK) 3430 TORINGDON WAY, SUITE 110 CHARLOTTE, NC 28277 704-527-0800 REDDICK@MCADAMSCO.COM
PARCEL PIN: 5516-41-0869 & 5516-51-2789 & 5516-42-6187	
TOTAL SITE ACREAGE:	±52.17 AC
CURRENT ZONING:	HARRISBURG - RM -1-CZ
UNIT TYPE:	SINGLE-FAMILY
PROPOSED NUMBER OF LOTS:	42 LOTS
LOT SIZE RANGE:	15,000 SF - 44,048 SF
AVERAGE LOT SIZE:	20,323 SF
LOT SETBACKS:	FRONT YARD= 25' CORNER SIDE YARD= 25' SIDE YARD= 10' REAR YARD= 25'
MINIMUM LOT WIDTH:	75'
TOTAL DENSITY:	+/- 0.80 UNITS / AC
RIGHT-OF-WAY WIDTH:	60'
LINKS AND NODES (MIN. = 1.4):	1.5
TREE SAVE AREA PROVIDED:	39.5% OF SITE (±20.23 AC)
REQUIRED OPEN SPACE:	12% OF SITE (± 6.26 AC)
ACTIVE OPEN SPACE (TRAILS):	0.85% OF SITE (±0.43 AC)
TOTAL PROVIDED OPEN SPACE:	24.1% OF SITE (±12.57 AC)
PUBLIC OPEN SPACE DEDICATION:	PAYMENT IN LIEU (1/35 AC x 42 = 1.2 AC AVERAGE FAIR MARKET VALUE)

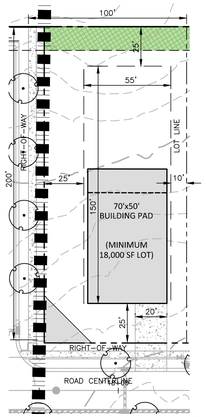
BLOCK LENGTHS:

LOTS 1-4:	409 LF
LOTS 5-12:	653 LF
LOTS 13-18:	589 LF
LOTS 20-23:	339 LF
LOTS 24-26:	240 LF
LOTS 27-31:	367 LF
LOTS 32-42:	927 LF

TYPICAL INTERNAL LOT SIZE

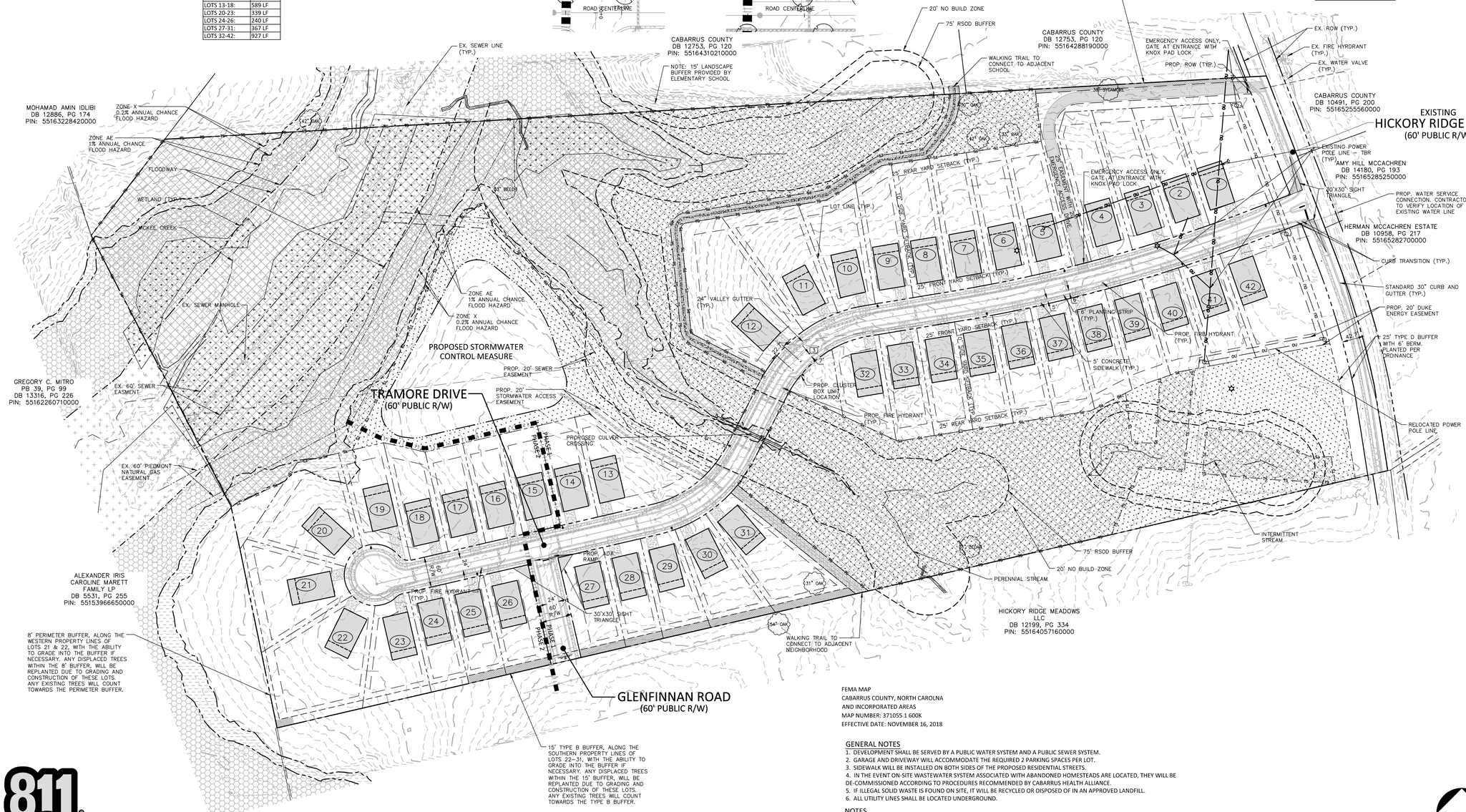


TYPICAL CORNER LOT SIZE



SITE LEGEND

- SIGNAGE
- YARD LIGHTS
- LIGHT POLE
- POWER POLE
- TRAFFIC DIRECTIONAL ARROW
- ACC / VAN — ACCESSIBLE PARKING STALL
- VAN ACCESSIBLE PARKING STALL
- XX — PARKING SPACE COUNT
- TYPE A, TYPE B, TYPE C — ACCESSIBLE RAMPS
- ACCESSIBLE ROUTE
- PHASE LINE
- PROPERTY LINE
- RIGHT-OF-WAY LINE
- LOT LINE
- EASEMENT LINE
- CENTERLINE
- HEAVY DUTY ASPHALT PAVEMENT
- ACTIVE OPEN SPACE
- TREE SAVE AREA
- OPEN SPACE



811 Know what's below. Call before you dig.

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

FEMA MAP
CABARRUS COUNTY, NORTH CAROLNA
AND INCORPORATED AREAS
MAP NUMBER: 371055 1 600K
EFFECTIVE DATE: NOVEMBER 16, 2018

GENERAL NOTES

1. DEVELOPMENT SHALL BE SERVED BY A PUBLIC WATER SYSTEM AND A PUBLIC SEWER SYSTEM.
2. GARAGE AND DRIVEWAY WILL ACCOMMODATE THE REQUIRED 2 PARKING SPACES PER LOT.
3. SIDEWALK WILL BE INSTALLED ON BOTH SIDES OF THE PROPOSED RESIDENTIAL STREETS.
4. IN THE EVENT ON-SITE WASTEWATER SYSTEM ASSOCIATED WITH ABANDONED HOMESTEADS ARE LOCATED, THEY WILL BE DE-COMMISSIONED ACCORDING TO PROCEDURES RECOMMENDED BY CABARRUS HEALTH ALLIANCE.
5. IF ILLEGAL SOLID WASTE IS FOUND ON SITE, IT WILL BE RECYCLED OR DISPOSED OF IN AN APPROVED LANDFILL.
6. ALL UTILITY LINES SHALL BE LOCATED UNDERGROUND.

NOTES

AS A PRELIMINARY PLAT, THIS PROJECT IS SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL:

1. APPLICANT AGREES TO OBTAIN ANY AND ALL APPLICABLE LOCAL, STATE, AND FEDERAL PERMITS REQUIRED FOR DEVELOPMENT BEFORE ANY DEVELOPMENT ACTIVITY CAN TAKE PLACE. (PLANNING)
2. ALL RESIDENTIAL STRUCTURES IN THIS DEVELOPMENT WILL BE REQUIRED TO MEET THE REQUIREMENTS OF APPENDIX F OF THE UNIFIED DEVELOPMENT ORDINANCE. (PLANNING)

GRAPHIC SCALE
0 50 100 200
1 inch = 100 ft.

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

McADAMS
The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713

phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

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

taylor morrison
Homes Inspired by You

HICKORY RIDGE
PRELIMINARY PLAT
HICKORY RIDGE ROAD
HARRISBURG, NORTH CAROLINA

REVISIONS

NO. DATE

PLAN INFORMATION

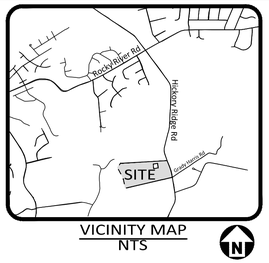
PROJECT NO.	TMH-20100
FILENAME	TMH20100-F1
CHECKED BY	MD
DRAWN BY	JG/RM
SCALE	1"=100'
DATE	08. 06. 2021

SHEET

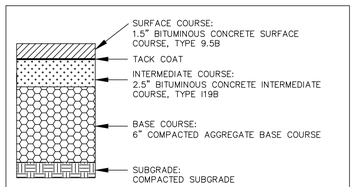
PRELIMINARY PLAT

PL-1

M:\Projects\TaylorMorr\TMH-20100\04-Production\Engineering\Construction Drawings\Current Drawings\TMH20100-F1.dwg, 8/19/2021 2:48:48 PM, Gilkeson, James



VICINITY MAP
NTS

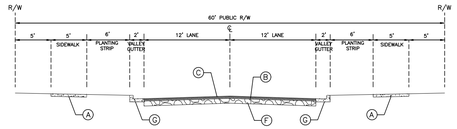


STANDARD-DUTY ASPHALT PAVEMENT SECTION
(TO BE USED ON ALL PROPOSED PUBLIC AND PRIVATE STREETS)

TYPICAL SECTION RESIDENTAL STREET
TRAMORE DRIVE

1"=10'

60' R/W (NO ON-STREET PARKING)



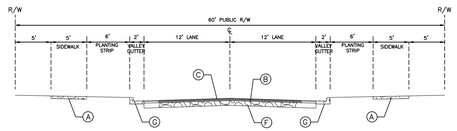
SECTION A

- (A) 5' CONCRETE SIDEWALK (4" THICKNESS)
- (B) 1 1/2" BITUMINOUS CONCRETE SURFACE COURSE, TYPE 9.5B
- (C) 2 1/2" BITUMINOUS CONCRETE BINDER COURSE, TYPE I19B
- (F) 6" COMPACTED AGGREGATE BASE COURSE
- (G) 2'-0" STANDARD CURB AND GUTTER

TYPICAL SECTION RESIDENTAL STREET
GLENFINNAN ROAD

1"=10'

60' R/W (NO ON-STREET PARKING)



SECTION A

- (A) 5' CONCRETE SIDEWALK (4" THICKNESS)
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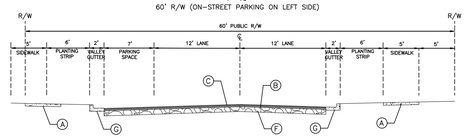
- (F) 6" COMPACTED AGGREGATE BASE COURSE
- (G) 2'-0" STANDARD CURB AND GUTTER

TYPICAL SECTION RESIDENTIAL STREET
TRAMORE DRIVE

1"=10'

60' R/W (ON-STREET PARKING ON LEFT SIDE)



SECTION E

- (A) 5' CONCRETE SIDEWALK (4" THICKNESS)
- (B) 1 1/2" BITUMINOUS CONCRETE SURFACE COURSE, TYPE 9.5B
- (C) 2 1/2" BITUMINOUS CONCRETE BINDER COURSE, TYPE I19B
- (F) 6" COMPACTED AGGREGATE BASE COURSE
- (G) 2'-0" STANDARD CURB AND GUTTER

Know what's below. Call before you dig.

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PHONE: 704.357.6632

taylor morrison
Homes Inspired by You

HICKORY RIDGE
PRELIMINARY PLAT
HICKORY RIDGE ROAD
HARRISBURG, NORTH CAROLINA

REVISIONS

NO. DATE

PLAN INFORMATION

PROJECT NO.	TMH-20100
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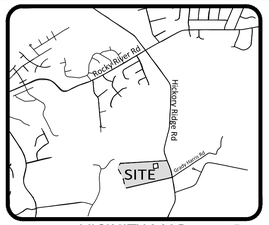
CHECKED BY	MD
DRAWN BY	JG/RM
SCALE	1"=100'
DATE	08. 06. 2021

SHEET

PRELIMINARY PLAT

PL-2

M:\Projects\TaylorMorr\TMH-20100\04-Production\Engineering\Construction Drawings\Current Drawings\TMH20100-F1.dwg, 8/19/2021 2:48:49 PM, Gilkesson, James



VICINITY MAP
NTS

DEVELOPMENT NOTES

RM-1-CZ Zoning Site Development Standards:

Max Density:	**3 DUA**
Min. Lot Width:	**75 feet**
Proposed Lot Width:	**75 feet**
Min. Lot Size:	**15,000 square feet**
Proposed Typical Lot Size:	**15,000 square feet**
Min. Front Setback:	**25 feet**
Min. Corner Side Setback:	**25 feet**
Min. Internal Side Setback:	**10 feet**
Min. Rear Setback:	**25 feet**
Min. Links + Nodes:	**1.4**
Proposed Links + Nodes:	**1.5**

Site Development Data:

Acreage:	**+- 52.17 acres (located outside right-of-way)**
Tax Parcels:	**5516-41-0869 + 5516-51-2789 + 5516-42-6187**
Existing Zoning:	**Cabarrus County – LDR**
Proposed Zoning:	**Harrisburg – RM-1-CZ**
Existing Uses:	**Vacant + residential**
Proposed Uses:	**Up to 42 single-family detached lots**
Proposed Density:	**0.80 DUA**
Required Open Space:	**6.26 acres (12% of site)**
Proposed Open Space:	**12.57 acres (24.1% of site)**
Required Public Open Space:	**Site is less than less than 50 dwelling units + located within ¼ mile walking distance from Hickory Ridge Elementary School (contiguous), with recreation facilities accessible to the general public + exempt from requirements of Section 6.5.2.1.**

1. General Provisions:

These Development Standards form part of the Rezoning Plan associated with the Rezoning Petition filed by Taylor Morrison (the "Petitioner") to accommodate the development of a single-family residential community on that approximately 52.17-acre site located on the west side of Hickory Ridge Road, which is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Numbers 5516-41-0869, 5516-51-2789 and 5516-42-6187.

Development of the Site shall be governed by the Rezoning Plan, the Site Development Data, and the applicable provisions of the Town of Harrisburg Unified Development Ordinance (the "Ordinance"). Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the RM-1 Zoning District shall govern all development taking place on the Site.

Inasmuch as planning for the proposed redevelopment of the Site has not yet advanced beyond the formative stage, the ultimate layouts of the development proposed, the exact alignments of streets and points of access, the configurations and placements of parking areas and the heights and masses of buildings have not yet been determined. As a consequence, the configurations, placements and sizes of the buildings and parking areas depicted on the Rezoning Plan are schematic in nature and therefore are subject to refinements as part of the total design process. They may, therefore, be altered or modified during design development and construction document phases so long as the maximum parking and building envelope lines established on the Rezoning Plan are not violated and the proposed alterations or modifications do not exceed the parameters established under the Site Development Data and under the Ordinance for the RM-1 District.

2. Permitted Uses and Maximum Development:

The Site may be developed with up to 42 single-family detached dwelling units, together with any incidental and accessory uses related thereto that are allowed in the RM-1 zoning district.

3. Open Space:

a) Open spaces are generally depicted on the Rezoning Plan. The placement and configuration on the Rezoning Plan is subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by the Town of Harrisburg.

b) Site is less than 50 dwelling units + located within ¼ mile walking distance from Hickory Ridge Elementary School, with recreation facilities accessible to the general public, is exempt from the requirements of Section 6.5.2.1. School has existing recreational fields and play courts.

4. Transportation:

a) Vehicular access will be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access point shown on the Rezoning Plan is subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by the Town of Harrisburg and/or NCDOT for approval.

b) As depicted on the Rezoning Plan, the Site will be served by public streets.

c) Internal sidewalks and pedestrian connections shall be provided along all public streets throughout the Site.

5. Architectural Standards:

a) The principal buildings used for residential uses constructed on the Site may use a variety of building materials. The building materials used for buildings may be a combination of the following: brick, stone, simulated stone, precast stone, precast concrete, synthetic stone, stucco, cementitious fiber board siding, EIFS or wood. Vinyl or aluminum as a building material may only be used on windows, soffits, and handrails/railings. The proposed roofing materials may be architectural shingles, wood shake, slate, tile, and/or metal.

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

6. Streetscape and Landscaping, and Environmental Features:

a) The Petitioner shall provide a minimum 50 foot Type D Bufferyard, or reduced to 25 feet with a berm, along Hickory Ridge Road as generally depicted on the Rezoning Plan.

b) The Site shall meet the provisions of the Ordinance related to connectivity provided.

c) The Petitioner shall comply with Tree Preservation and Post Construction Stormwater requirements.

7. Amendments to Rezoning Plan:

Future amendments to the Site Development Data may be applied for by the then Owner or Owners of the parcel or parcels within the Site involved in accordance with the provisions of the Ordinance.

Further alterations or modifications to this Rezoning Plan which, in the opinion of the Planning Director, substantially alter the character of the development or significantly alter the Site Development Data or any of its conditions or which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the Ordinance, as applicable.

8. Binding Effect of the Rezoning Documents and Definitions:

a) If this Rezoning Plan is approved, all conditions applicable to development of the Site imposed under the Site Development Data will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.

b) Throughout the Site Development Data, the terms, "Petitioner" and "Owner" and "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owners of the Site from time to time who may be involved in any future development thereof.

9. Additional Conditions:

a) Petitioner agrees to obtain any and all applicable local, state, and federal permits required for development before any development activity can take place.
b) Petitioner agrees to restrict cladding materials for all residential dwellings to masonry products; vinyl siding will not be used.
c) Petitioner agrees that there will be no exposed concrete block foundations and that siding must extend to the ground level on all sides of the residential dwellings.
d) Petitioner agrees mailbox clusters shall meet ADA Standards at a minimum.
e) Petitioner agrees to the mitigation or replacement of heritage trees if damaged during construction, in accordance with the Town of Harrisburg UDO.
f) Petitioner agrees that all ponds shall be wet detention ponds with fountains. Ponds shall be designed such that there is a minimum depth of 10 feet over at least 25% of the permanent pool area.
g) Petitioner agrees the stormwater facility shall be surrounded by a 5-foot aluminum fence for security since the site is contiguous to Hickory Ridge Elementary School.
h) Petitioner 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.
i) Petitioner agrees to divide the subdivision into two phases. Phase 1 shall have a maximum of thirty (30) lots, and Phase 2 shall incorporate the remainder, totaling forty-two (42) lots. Petitioner agrees that no more than thirty (30) lots may be platted or developed until a second access is designed, approved and constructed.
j) Proposed walking trail will be constructed or bonded prior to first final plat.
k) All residential lots will meet minimum setback requirements.
l) Stormwater management facility will have a dedicated access easement, adjacent to Lot 13, at no greater than 10% slope.
m) Petitioner acknowledges that overall lot count may be impacted by stormwater control facilities, existing power structures, and other proposed utilities. Lots may be lost during preliminary plat or construction document phase based on the final layout of the existing and proposed utilities and stormwater control measures.

811 Know what's below. Call before you dig.

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

GRAPHIC SCALE
0 50 100 200
1 inch = 100 ft.

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

McADAMS
The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713

phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

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

taylor morrison
Homes Inspired by You

HICKORY RIDGE
PRELIMINARY PLAT
HICKORY RIDGE ROAD
HARRISBURG, NORTH CAROLINA

REVISIONS

NO. DATE

PLAN INFORMATION

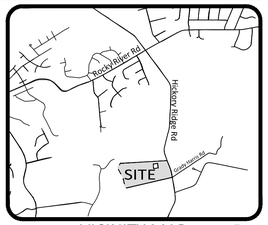
PROJECT NO.	TMH-20100
FILENAME	TMH20100-F1
CHECKED BY	MD
DRAWN BY	JG/RM
SCALE	1"=100'
DATE	08. 06. 2021

SHEET

PRELIMINARY PLAT

PL-3

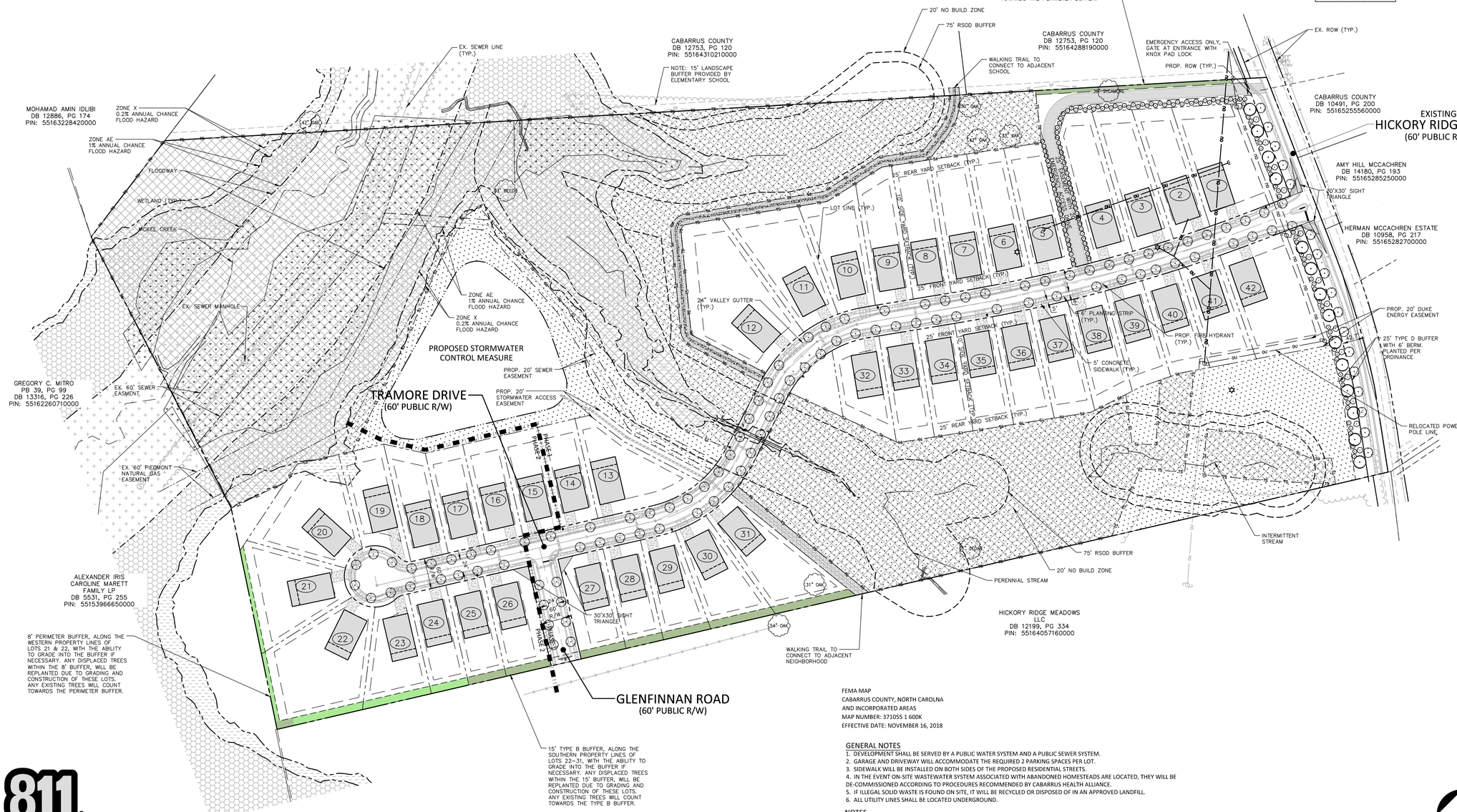
M:\Projects\TaylorMorr\TMH-20100\04-Production\Engineering\Construction Drawings\Current Drawings\TMH20100-F1.dwg, 8/19/2021 2:48:51 PM, Gilkeson, James



VICINITY MAP
NTS

SITE LEGEND

- SIGNAGE
- YARD LIGHTS
- LIGHT POLE
- POWER POLE
- TRAFFIC DIRECTIONAL ARROW
- ACC / VAN — ACCESSIBLE PARKING STALL
- VAN ACCESSIBLE PARKING STALL
- XX — PARKING SPACE COUNT
- ACCESSIBLE RAMPS (TYPE A, TYPE B, TYPE C)
- ACCESSIBLE ROUTE
- PHASE LINE
- PROPERTY LINE
- RIGHT-OF-WAY LINE
- LOT LINE
- EASEMENT LINE
- CENTERLINE
- HEAVY DUTY ASPHALT PAVEMENT
- ACTIVE OPEN SPACE
- TREE SAVE AREA
- OPEN SPACE



FEMA MAP
CABARRUS COUNTY, NORTH CAROLNA
AND INCORPORATED AREAS
MAP NUMBER: 371055 1 600K
EFFECTIVE DATE: NOVEMBER 16, 2018

GENERAL NOTES

1. DEVELOPMENT SHALL BE SERVED BY A PUBLIC WATER SYSTEM AND A PUBLIC SEWER SYSTEM.
2. GARAGE AND DRIVEWAY WILL ACCOMMODATE THE REQUIRED 2 PARKING SPACES PER LOT.
3. SIDEWALK WILL BE INSTALLED ON BOTH SIDES OF THE PROPOSED RESIDENTIAL STREETS.
4. IN THE EVENT ON-SITE WASTEWATER SYSTEM ASSOCIATED WITH ABANDONED HOMESTEADS ARE LOCATED, THEY WILL BE DE-COMMISSIONED ACCORDING TO PROCEDURES RECOMMENDED BY CABARRUS HEALTH ALLIANCE.
5. IF ILLEGAL SOLID WASTE IS FOUND ON SITE, IT WILL BE RECYCLED OR DISPOSED OF IN AN APPROVED LANDFILL.
6. ALL UTILITY LINES SHALL BE LOCATED UNDERGROUND.

NOTES

AS A PRELIMINARY PLAT, THIS PROJECT IS SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL:

1. APPLICANT AGREES TO OBTAIN ANY AND ALL APPLICABLE LOCAL, STATE, AND FEDERAL PERMITS REQUIRED FOR DEVELOPMENT BEFORE ANY DEVELOPMENT ACTIVITY CAN TAKE PLACE. (PLANNING)
2. ALL RESIDENTIAL STRUCTURES IN THIS DEVELOPMENT WILL BE REQUIRED TO MEET THE REQUIREMENTS OF APPENDIX F OF THE UNIFIED DEVELOPMENT ORDINANCE. (PLANNING)

GRAPHIC SCALE
0 50 100 200
1 inch = 100 ft.

811 Know what's below. Call before you dig.

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

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HICKORY RIDGE
PRELIMINARY PLAT
HICKORY RIDGE ROAD
HARRISBURG, NORTH CAROLINA

REVISIONS

NO. DATE

PLAN INFORMATION

PROJECT NO.	TMH-20100
FILENAME	TMH20100-F1
CHECKED BY	MD
DRAWN BY	JG/RM
SCALE	1"=100'
DATE	08. 06. 2021

SHEET

PRELIMINARY PLAT

PL-4

M:\Projects\TaylorMorr\TMH-20100\04-Production\Engineering\Construction Drawings\Current Drawings\TMH20100-F1.dwg, 8/19/2021 2:48:53 PM, Gilkeson, James

Town of Harrisburg
Planning and Economic Development Department

DATE:	**February 01, 2022**
SUBJECT:	H2021-04-(S) Tramore Subdivision, Preliminary Plat
Owner/ Developer:	Taylor Morrison represented by McAdams Company (Eddie Moore)
Location:	The subject properties are located on the western side of Hickory Ridge Road near Grady Harris Road. PIN numbers: 5516-41-0869, 5516-51-2789, 5516-42-6187

BACKGROUND:

Area:	Approximately 52.17 acres
Zoning:	CZ-RM-1 Conditional Zoning Residential Medium Density
Staff Report prepared by:	Craig Thomas, Planning and Economic Development Department.

GENERAL DISCUSSION:

- The applicant is requesting that the Preliminary Plat be reviewed and approved to allow 42 single family residential lots.
- Staff has reviewed the submitted preliminary plat and has found it to be consistent with the approved conditional zoning site plan and the standards of the UDO. Staff has recommended conditions of approval as outlined in this staff report, consistent with the Rezoning approval H2021-03-(R).

APPROVAL CRITERIA:

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

Per the Harrisburg Area Land Use Plan, the subject property is located in an area designated as Low Density Residential. This area is characterized by low- to moderate-density residential development (1 to 2 dwelling units per acre). Single-family detached homes are complemented by natural areas as well as formal and informal open space amenities. Conservation design, which includes more open space in exchange for smaller minimum lot sizes, may be recommended in locations with sensitive natural resources.

With regard to the overall goals of the Land Use Plan, **recommendation LU-3** states that the Town should balance development and conservation interests. The proposed subdivision is mindful of naturally sensitive areas by designing the development pattern around those areas, while incorporating no build areas and walking trails.

Recommendation LU-7 of the Plan recommends consistency between the Town's zoning regulations and the adopted Future Land Use Map. A table included as part of this goal establishes the "appropriate" zoning districts to use when making zoning decisions based on the Future Land Use Map. The map, as previously stated, designates this area as Low Density Residential. The table indicates that the RM-1 district is appropriate for this land use classification.

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

There are no existing or proposed variances for the subject property. The preliminary plat, as presented, is consistent with the approved conditional zoning site plan, which governs the development standards for the site.

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

The approval of the conditional zoning map amendment and associated site plan and conditions for the subject property established that the proposed development is compatible with the surrounding area.

The zoning districts of the surrounding properties are residential in nature, except for the institutional use (Hickory Ridge Elementary School) to the north. The surrounding residential properties are mostly vacant. The closest neighborhood, Blume, is to the north and on the opposite side of Hickory Ridge Road. The lot sizes for Blume and Tramore are very similar in size, so the proposed development is compatible with the surrounding land uses.

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

The proposed project is a single-family residential subdivision and typical for development in this area. The subdivision will be served with a new entrance on Hickory Ridge Road as well as an emergency access drive. A stub connection has also been provided to the vacant parcel to the south. Pedestrian connections have been provided to the adjacent school.

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

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

6. **That any land located within Zone A, as shown on the currently adopted Flood Boundary and Floodway Maps of the Flood Insurance Study, is determined to be suitable for its intended use and that the proposed subdivision adequately mitigates the risks of flooding, inadequate drainage, soil and rock formations with severe limitations for development, severe erosion potential, or any other floodplain-related risks to the health, safety or welfare of the future residents of the proposed subdivision in a manner consistent with this ordinance, as described in Chapter 143 of the UDO.**

The proposed development will be subject to the regulations set forth in the Unified Development Ordinance as well as any State or Federal regulations related to floodplain development and/or wetlands regulations. In addition, the development will be subject to NCDEQ sedimentation and erosion control standards. This property lies completely within Flood Zone X on the latest FEMA FIRM.

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

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

APFO REVIEW:

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

The schools serving this area are Hickory Ridge Elementary School, Hickory Ridge Middle School, and Hickory Ridge High School. We would anticipate the new development to generate upon buildout an additional 18 elementary students, 9 middle school students, and 12 high school students. The elementary school is projected to be at 90**%** and the middle school to be 94% upon completion, and the schools could accommodate these students. The high school is projected to increase from 110% to 111% which could continue to cause additional capacity issues for Hickory Ridge High School.

TRANSPORTATION
A TIA was not required based on the lower amount of traffic generated by this subdivision with only forty-two (42) proposed homes. Driveway access will be reviewed and permitted by NCDOT during the Construction Documents (CDs) review.

FIRE, POLICE AND SANITATION
Adequate fire, police and sanitation services are available through the Town of Harrisburg.

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

CONDITIONS:
In considering an application for a subdivision plat, the decision-making agency shall consider and may impose modifications or conditions to the extent that such modifications or conditions are necessary to ensure compliance with the criteria of Chapter 145.05 of the UDO.

Should the Town Council recommend approval of the preliminary plat for the Tramore Subdivision, staff requests that the following conditions (H2021-04-S) become part of the approval, which are inclusive of the conditions agreed to as part of the approval:

1. Applicant agrees to obtain any and all applicable local, state, and federal permits required for development before any development activity can take place.
2. Applicant agrees to restrict cladding materials for all residential buildings to masonry products; vinyl siding will not be used.
3. Applicant agrees that there will be no exposed concrete foundations and that siding and/or appropriate materials must extend to the ground level on all sides of the homes.
4. Applicant agrees mailbox clusters shall meet ADA Standards at a minimum.
5. Applicant agrees to the mitigation or replacement of heritage trees if damaged during construction, in accordance with the Town of Harrisburg Unified Development Ordinance.
6. 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.
7. Applicant agrees the storm water facility shall be surrounded by a 5-foot aluminum fence for added security being next to the Harrisburg Elementary School.
8. 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.

RECOMMENDATION:
The preliminary plat is consistent with the Harrisburg Area Land Use Plan and the approved rezoning (H2021-03-R). Therefore, the Planning and Zoning Department recommends approval of this preliminary plat application for Tramore Subdivision.

MCADAMS

11/16/2021

Town of Harrisburg
Planning Department
4100 Main St, Suite 101
Harrisburg, NC

RE: Tramore Subdivision
Open Space Dedication Fee Letter

Dear Mr. Nepal

On behalf of the developer (Taylor Morrison, LLC), we would like to present payment in lieu of dedication of public open space for the proposed single family subdivision called Tramore.

The proposed development will include 42 lots which would require 1.2 acres of public open space based on 1/35 acre per lot. The current assessed value of land (per acre) as taken from sales price is $23,715.00.

On behalf of Taylor Morrison, we request to provide mitigation payment at the time pf platting:

Total fee to be paid = $23,715.00/acre x 1.20 acres = $28,458.00

If you should have any questions or require any additional information, please feel free to contact us.

Sincerely,

MCADAMS

Michael Duval, PE
Project Manager

3430 Toringdon Way, Suite 110, Charlotte, NC 28277 / 704. 527. 0800

July 14, 2021

Taylor Morrison
Attn: Alan Kerley
[Via email]

Mr. Kerley,

This letter is to inform you that the rezoning request H2021-03-(R) and related annexation was **approved** by the Town Council on Monday, July 12th, 2021 meeting.

This property includes parcels PIN# 55164108690000, 55165127890000, and 55164261870000, located on the western side of Hickory Ridge Road near Grady Harris Road. The rezoning request H2021-03-(R) was to rezone approximately 52.17 acres from County CR, Countryside Residential to CZ-RM-1, Conditional Zoning Residential Medium Density. The parcel may be subdivided provided minimum standards of the CZ-RM-1 zoning are met. The rezoning was approved for a maximum of forty-two (42) single family lots. The rezoning was approved with the following conditions:

1. Applicant agrees to obtain any and all applicable local, state, and federal permits required for development before any development activity can take place.
2. Applicant agrees to restrict cladding materials for all residential buildings to masonry products; vinyl siding will not be used.
3. Applicant agrees that there will be no exposed concrete foundations and that siding and/or appropriate materials must extend to the ground level on all sides of the homes.
4. Applicant agrees mailbox clusters shall meet ADA Standards at a minimum.
5. Applicant agrees to the mitigation or replacement of heritage trees if damaged during construction, in accordance with the Town of Harrisburg Unified Development Ordinance.
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7. Applicant agrees the storm water facility shall be surrounded by a 5-foot aluminum fence for added security being next to the Harrisburg Elementary School.
8. 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.

The annexation of property within town limits was approved along with the rezoning. The annexation plat needs to be recorded at Cabarrus County Register of Deeds, and a copy of the plat provided to the Town within 30 days. The next steps are to submit a Preliminary Plat for review that meets the above conditions, and once approved, submittal of construction plans. If you have any questions or concerns, please let me know.

Sincerely,

Sushil Nepal

Sushil Nepal, AICP
Planning & Economic Development Director
Town of Harrisburg

DEVELOPMENT NOTES

RM-1-CZ Zoning Site Development Standards:

Max Density:	**3 DUA**
Min. Lot Width:	**75 feet**
Proposed Lot Width:	**75 feet**
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Site Development Data:

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Proposed Uses:	**Up to 42 single-family detached lots**
Proposed Density:	**0.80 DUA**
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Required Public Open Space:	**Site is less than less than 50 dwelling units + located within ¼ mile walking distance from Hickory Ridge Elementary School (contiguous), with recreation facilities accessible to the general public + exempt from requirements of Section 6.5.2.1.**

1. General Provisions:

These Development Standards form part of the Rezoning Plan associated with the Rezoning Petition filed by Taylor Morrison (the "Petitioner") to accommodate the development of a single-family residential community on that approximately 52.17-acre site located on the west side of Hickory Ridge Road, which is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Numbers 5516-41-0869, 5516-51-2789 and 5516-42-6187.

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2. Permitted Uses and Maximum Development:

The Site may be developed with up to 42 single-family detached dwelling units, together with any incidental and accessory uses related thereto that are allowed in the RM-1 zoning district.

3. Open Space:

a) Open spaces are generally depicted on the Rezoning Plan. The placement and configuration on the Rezoning Plan is subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by the Town of Harrisburg.

b) Site is less than 50 dwelling units + located within ¼ mile walking distance from Hickory Ridge Elementary School, with recreation facilities accessible to the general public, is exempt from the requirements of Section 6.5.2.1. School has existing recreational fields and play courts.

4. Transportation:

a) Vehicular access will be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access point shown on the Rezoning Plan is subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by the Town of Harrisburg and/or NCDOT for approval.

b) As depicted on the Rezoning Plan, the Site will be served by public streets.

c) Internal sidewalks and pedestrian connections shall be provided along all public streets throughout the Site.

5. Architectural Standards:

a) The principal buildings used for residential uses constructed on the Site may use a variety of building materials. The building materials used for buildings may be a combination of the following: brick, stone, simulated stone, precast stone, precast concrete, synthetic stone, stucco, cementitious fiber board siding, EIFS or wood. Vinyl or aluminum as a building material may only be used on windows, soffits, and handrails/railings. The proposed roofing materials may be architectural shingles, wood shake, slate, tile, and/or metal.

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

6. Streetscape and Landscaping, and Environmental Features:

a) The Petitioner shall provide a minimum 50 foot Type D Bufferyard, or reduced to 25 feet with a berm, along Hickory Ridge Road as generally depicted on the Rezoning Plan.

b) The Site shall meet the provisions of the Ordinance related to connectivity provided.

c) The Petitioner shall comply with Tree Preservation and Post Construction Stormwater requirements.

7. Amendments to Rezoning Plan:

Future amendments to the Site Development Data may be applied for by the then Owner or Owners of the parcel or parcels within the Site involved in accordance with the provisions of the Ordinance.

Further alterations or modifications to this Rezoning Plan which, in the opinion of the Planning Director, substantially alter the character of the development or significantly alter the Site Development Data or any of its conditions or which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the Ordinance, as applicable.

8. Binding Effect of the Rezoning Documents and Definitions:

a) If this Rezoning Plan is approved, all conditions applicable to development of the Site imposed under the Site Development Data will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.

b) Throughout the Site Development Data, the terms, "Petitioner" and "Owner" and "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owners of the Site from time to time who may be involved in any future development thereof.

9. Additional Conditions:

a) Petitioner agrees to obtain any and all applicable local, state, and federal permits required for development before any development activity can take place.
b) Petitioner agrees to restrict cladding materials for all residential dwellings to masonry products; vinyl siding will not be used.
c) Petitioner agrees that there will be no exposed concrete block foundations and that siding must extend to the ground level on all sides of the residential dwellings.
d) Petitioner agrees mailbox clusters shall meet ADA Standards at a minimum.
e) Petitioner agrees to the mitigation or replacement of heritage trees if damaged during construction, in accordance with the Town of Harrisburg UDO.
f) Petitioner agrees that all ponds shall be wet detention ponds with fountains. Ponds shall be designed such that there is a minimum depth of 10 feet over at least 25% of the permanent pool area.
g) Petitioner agrees the stormwater facility shall be surrounded by a 5-foot aluminum fence for security since the site is contiguous to Hickory Ridge Elementary School.
h) Petitioner 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.
i) Petitioner agrees to divide the subdivision into two phases. Phase 1 shall have a maximum of thirty (30) lots, and Phase 2 shall incorporate the remainder, totaling forty-two (42) lots. Petitioner agrees that no more than thirty (30) lots may be platted or developed until a second access is designed, approved and constructed.
j) Proposed walking trail will be constructed or bonded prior to first final plat.
k) All residential lots will meet minimum setback requirements.
l) Stormwater management facility will have a dedicated access easement, adjacent to Lot 13, at no greater than 10% slope.
m) Petitioner acknowledges that overall lot count may be impacted by stormwater control facilities, existing power structures, and other proposed utilities. Lots may be lost during preliminary plat or construction document phase based on the final layout of the existing and proposed utilities and stormwater control measures.

London
50' Classics

Pikewood
50' Reflections

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

CLIENT

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

taylor morrison
Homes Inspired by You

HICKORY RIDGE SINGLE FAMILY
REZONING CONCEPT PLAN
9556 HICKORY RIDGE ROAD
HARRISBURG, NORTH CAROLINA

REVISIONS

NO.	DATE	
1	04. 08. 2021	CITY'S 1ST COMMENTS
2	05. 06. 2021	CITY'S 2ND COMMENTS
3	05. 11. 2021	CITY'S 3RD COMMENTS
4	06. 15. 2021	CITY'S 4TH COMMENTS

PLAN INFORMATION

PROJECT NO.	TMH-20100
FILENAME	TMH20100-RZ1
CHECKED BY	EM
DRAWN BY	JDS
SCALE	
DATE	12. 08. 2020

SHEET

REZONING NOTES

RZ.02

FINAL DRAWING - NOT RELEASED FOR CONSTRUCTION

M:\Projects\TaylorMorr\TMH-20100\04-Production\Engineering\Current Drawings\Rezoning\TMH20100-RZ1.dwg, 6/15/2021 1:49:06 PM, Singleton, Drew

Essex II
50' Classics

Southport
50' Signature

Rochester
50' Signature

McADAMS

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taylor morrison
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9556 HICKORY RIDGE ROAD
HARRISBURG, NORTH CAROLINA

REVISIONS

NO.	DATE	
1	04. 08. 2021	CITY'S 1ST COMMENTS
2	05. 06. 2021	CITY'S 2ND COMMENTS
3	05. 11. 2021	CITY'S 3RD COMMENTS
4	06. 15. 2021	CITY'S 4TH COMMENTS

PLAN INFORMATION

PROJECT NO.	TMH-20100
FILENAME	TMH20100-RZ1
CHECKED BY	EM
DRAWN BY	JDS
SCALE	
DATE	12. 08. 2020

SHEET

REZONING NOTES

RZ.03

FINAL DRAWING - NOT RELEASED FOR CONSTRUCTION

M:\Projects\TaylorMorr\TMH-20100\04-Production\Engineering\Current Drawings\Rezoning\TMH20100-RZ1.dwg, 6/15/2021 1:49:28 PM, Singleton, Drew

Harrisburg NC

The right side of opportunity

STREET NAME REVIEW AND CONFIRMATION

Cabarrus County Code
Section 66-69. Name of subdivision and its roads.
The name of a subdivision or its roads shall not duplicate nor closely approximate, either phonetically or by spelling, the name of an existing subdivision or roads within the County, within any municipality within the County, or in an adjacent county or municipality (if the development is in close proximity to another jurisdiction). All names must be approved by the County planning division.
(Ord. Of 7-22-91, 4.4)
Cross reference – Road names and address display, 62-36 et seq.

RESPONSE WILL BE BY FAX
PLEASE FAX TO: 704-920-2019

AREA:

Date:	**Parcel Identification Number (PIN):** 55164108690000, 55164261870000, 55165127890000			
Existing Road Providing Access to Area:	Hickory Ridge Road			
Zoning District*:	(Residential)	Commercial	Industrial	Manufactured Home

(*Circle One)

APPLICANT:

Developer/Owner:	Taylor Morrison of Carolinas, Inc.
Contact Name:	Alan Kerley
Telephone Number:	704-400-5308
Fax Number:	

PRPOSED PROJECT:

Project Name:	Newcastle,	**Approved / Denied**
Alternate Project Name:	Ashbourne, (Tramore), Wexford, (Glenfinnan), Chartwell	**Approved / Denied**

PROPOSED STREET(S):

Street Name:	Newcastle	**Approved / (Denied)**
Street Name:	Ashbourne	**Approved / (Denied)**
Street Name:	Tramore	**(Approved) / Denied**
Street Name:	Wexford	**Approved / (Denied)**
Street Name:	Glenfinnan (not Dr)	**(Approved) / Denied**
Street Name:	Chartwell	**Approved / (Denied)**
Street Name:		**Approved / Denied**
Street Name:		**Approved / Denied**

Glenfinnan

EMS 911 COUNTY CORRDINATOR: BWebster **DATE:** 8/18/21

McADAMS

EXAMPLE RENDERINGS

London
50’ Classics

EXAMPLE RENDERINGS

Whitmore II
50’ Reflections

McADAMS

EXAMPLE RENDERINGS

Kenilworth
50’ Classics

McADAMS

EXAMPLE RENDERINGS

Rochester
50’ Signature

McADAMS

EXAMPLE RENDERINGS

Wembley
50’ Classics

TOWN OF HARRISBURG

Agenda Item Details

Title:
Consideration of Parks & Recreation Advisory Board Appointments

Presenting Personnel:
Jim Spina, Parks and Recreation Director

Suggested Motion or Action:
If approved:
Motion to approve the appointments of Hannah Brown and Fred Brillante to the Parks and Recreation Advisory Board.

Description/Background:
The Parks and Recreation Advisory Board has two (2) remaining appointments for the upcoming two-year term, which will begin as soon as appointed (February 2022). The town had four vacancies and filled two of those at the January Town Council meeting. Two additional applicants have since been received.

Per the By-Laws of the board, the vacancies were advertised for 60 days via the town's website and social media. The four board members' terms who expired in January 2021 were: Linda Thurman, Mohammed Idlibi, Carl Westine and Jason Marshall.

Linda Thurman has served eight years on the Parks and Recreation Advisory Board. Therefore, per the by-laws, she must step down from the board for one year before being eligible to apply again. Mohammed Idlibi did submit an application and was re-appointed to the Advisory Board in January as well as a new appointment, Michael Thevenin.

Two additional applications were received following the January Town council meeting from: Hannah Brown and Fred Brillante. The candidates attended the January 18, 2022 Advisory Board meeting to meet the board and answer questions about themselves.

The Advisory Board made a motion to recommend the following applicants be appointed: Hannah Brown and Fred Brillante. The motion was made by Tim Morris and seconded by Delroy Ross. The motion passed 6-0.

A summary of the applicants is provided below and their applications have been submitted for consideration:

Hannah Brown: Hannah is a working mom, volunteer coach and parent of two children. She believes she can offer valuable insight between participants and their families and the department. She would like to give back to the community and specifically to the Parks and Recreation Department, which has been so influential in her children's lives and her family's involvement in Harrisburg.

Fred Brillante: Fred currently works at UNC Charlotte. He enjoys the parks and recreation in Harrisburg and believes he would be a good addition to the team. He likes the facilities and would like to give back to assist any way he can.

Both applicants reside within the town limits.

Recommendation:

Staff recommends approval of the appointments of Hannah Brown and Fred Brillante to the Parks and Recreation Advisory Board.

Fiscal Impact:

None.

Attachments:

1. Hannah Butler
2. Fred Brillante

TOWN OF HARRISBURG PARKS AND RECREATION

Application for Town of Harrisburg Parks and Recreation Advisory Board

Town of Harrisburg Parks and Recreation Advisory Board

The Town of Harrisburg Parks and Recreation Advisory Board provides a voice for the community. The Board consists of individuals who live in the local community and have interest in supporting programs and facilities for recreation and social activities for all age groups. Through monthly meetings, information obtained from the Parks and Recreation Advisory Board is provided to Harrisburg Town Council to help make informed decisions that support the community. The Advisory Board typically meets the 4th Monday of each month at 6pm at Harrisburg Town Hall.

If you are interested please complete the form below and return to Town Clerk, Town of Harrisburg, PO Box 100, Harrisburg, NC 28075, or submit via email to jrackley@harrisburgnc.org.

Town of Harrisburg Parks and Recreation Mission

It is the mission of the Harrisburg Parks and Recreation Department to provide a localized system of parks and recreation resources and services to enhance the quality of life of Harrisburg residents. The Department strives to develop and maintain safe and attractive parks and recreation areas; to partner and cooperate with other Town departments, area agencies, sponsors and organizations to address the leisure needs of residents in the most cost-effective manner, and to support the physical, mental, moral and economic health of our community through provision and promotion of special events as well as traditional recreational programs and opportunities.

APPLICANT INFORMATION				
Name Hannah Butler				Date 12/27/2021
Address 10676 Coronet Ct				Apartment/Unit #
City Harrisburg		State NC		Zip 28075
Phone 704-456-5779		Email Address hbutler@financialguide.com		
Are you able to attend regularly scheduled meetings once a month?	YES ■	NO ☐		
Are you a resident of Cabarrus County?	YES ■	NO ☐	If so, dates? 2007- Present	
Are you a resident of Harrisburg?	YES ■	NO ☐	If so, dates? 2007- Present	
Have you ever been convicted of a felony?	YES ☐	NO ■	If yes, explain?	

REFERENCES	
Please list three references.	
Name Bret Alexander	Relationship Peer at work
Company MassMutual	Phone (716) 969-4167
Address	
Name Ashley Fitch	Relationship Friend/Fellow Board Member at Rise 2 Thrive Charity
Company Rise 2 Thrive	Phone (757) 839-5422
Address	

REFERENCES (continued)	
Name Bethany Knoblauch	Relationship Friend
Company Cabarrus County Public Schools	Phone 864) 451-1083
Address	

EMPLOYMENT			
Company 1 MassMutual		Phone (704)5579724	
Address 4350 Congress St, Ste 300		City / State Charlotte/NC	
Job Title Financial Planner			
Responsibilities Financial Planning: investment management & insurance planning			
Dates	From 3/2020 To Present		
Company 2 FedEx		Phone (704)463-3339	
Address 626 Eagleton Downs Rd		City / State Pineville/NC	
Job Title Sales Executive			
Responsibilities Business development and account manager			
Dates	From 5/2007 To 3/2020		

EDUCATION	
School USNA/Catawba College	From 2002 To 2006
Degree Undergraduate	Major B.S. Mathematics
Additional Information Attended The United States Naval Academy for 2 years (honrable discharge) then finished at Catawba College.	

ADDITIONAL INFORMATION

Provide a brief statement outlining why you wish to serve on the Parks and Recreation Advisory Board.

As a working mom, volunteer coach, and parent of two children who are actively particpating in the Harrisburg Parks and Recreation department I believe that I can offer valuable insight between participants and their families and the department. I feel it's time to give back to the community and specifically to the Parks and Recreation Department which has been so influential in my childrens lives and my family's involvement in the Town of Harrisburg.

ADDITIONAL INFORMATION (continued)

Based on what you know about the Town of Harrisburg Parks and Recreation Advisory Board, what skills and abilities can you provide that will make the Town of Harrisburg Parks and Recreation Advisory Board able serve the community better?

I believe my leadership skills, ability to work well with others (on a team), communication and organizational skills will help serve the community. In addition, my children are actively participating and I am a volunteer coach in the community as well. My first hand experience with the department and relationships I've built there will also be beneficial.

Please list any current civic and/or community participation you may be involved with, in the space below. Include any public boards or commissions you may have served on.

As previously stated, I'm currently a volunteer basketball coach for both of my boys Sam (11) and Liam (8) in The Town of Harrisburg. In addition, I serve on the Board for a local non-profit, Rise 2 Thrive Family Resourece Center and am a member of the PTO at both Hickory Ridge Elementary and Middle Schools.

DISCLAIMER AND SIGNATURE

I certify that my answers are true and complete to the best of my knowledge.

Signature Hannah Butler Digitally signed by Hannah Butler Date: 2021.12.29 09:58:29 -05'00' Date 12/29/2021

TOWN OF HARRISBURG PARKS AND RECREATION

Application for Town of Harrisburg Parks and Recreation Advisory Board

Town of Harrisburg Parks and Recreation Advisory Board

The Town of Harrisburg Parks and Recreation Advisory Board provides a voice for the community. The Board consists of individuals who live in the local community and have interest in supporting programs and facilities for recreation and social activities for all age groups. Through monthly meetings, information obtained from the Parks and Recreation Advisory Board is provided to Harrisburg Town Council to help make informed decisions that support the community. The Advisory Board typically meets the 4th Monday of each month at 6pm at Harrisburg Town Hall.

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It is the mission of the Harrisburg Parks and Recreation Department to provide a localized system of parks and recreation resources and services to enhance the quality of life of Harrisburg residents. The Department strives to develop and maintain safe and attractive parks and recreation areas; to partner and cooperate with other Town departments, area agencies, sponsors and organizations to address the leisure needs of residents in the most cost-effective manner, and to support the physical, mental, moral and economic health of our community through provision and promotion of special events as well as traditional recreational programs and opportunities.

APPLICANT INFORMATION				
Name Fred Brillante				Date 1/12/2022
Address 7646 Windsor Forest Pl				Apartment/Unit #
City Harrisburg		State NC		Zip 28075
Phone 704-608-2441		Email Address 280grock@gmail.com		
Are you able to attend regularly scheduled meetings once a month?	YES ■	NO ☐		
Are you a resident of Cabarrus County?	YES ■	NO ☐	If so, dates?	10/25/2011 - current
Are you a resident of Harrisburg?	YES ■	NO ☐	If so, dates?	10/25/2011 - current
Have you ever been convicted of a felony?	YES ☐	NO ■	If yes, explain?	

REFERENCES	
Please list three references.	
Name Steve Terry	Relationship coworker
Company UNC Charlotte	Phone 980-613-9898
Address 217 Parallel Dr Harrisburg NC 28075	
Name Jon Coty	Relationship coworker
Company UNC Charlotte	Phone 843-240-5662
Address 3890 Longwood Dr SW Harrisburg NC 28075	

REFERENCES (continued)	
Name Jason Kinnion	Relationship neighbor
Company Atrium Health	Phone (704)-607-8844
Address 3890 Longwood Dr SW Harrisburg NC 28075	

EMPLOYMENT		
Company 1 UNC Charlotte		Phone (704)-687-0530
Address 9201 University City Blvd		City / State Charlotte
Job Title Director of Facilities Information Systems		
Responsibilities Director of technology related to facilities, CMMS, IWMS, infrastructure, security and building automation		
Dates	From 2004 To current	
Company 2		Phone ( )
Address		City / State
Job Title		
Responsibilities		
Dates	From To	

EDUCATION		
School UNC Charlotte	From To May 14, 2011	
Degree Undergrad MIS, Masters in IT		Major Business, Information Technology
Additional Information Graduate Certificate Dec 20, 2008, Information Technology-MS May 14, 2011, Management Info Systems-BSBA May 11, 2002		

ADDITIONAL INFORMATION

Provide a brief statement outlining why you wish to serve on the Parks and Recreation Advisory Board.

I enjoy the parks and rec in Harrisburg and I believe I would be a good addition to the team. I like the facilities and I would like to give back to assist any way I can.

ADDITIONAL INFORMATION (continued)

Based on what you know about the Town of Harrisburg Parks and Recreation Advisory Board, what skills and abilities can you provide that will make the Town of Harrisburg Parks and Recreation Advisory Board able serve the community better?

I have lot of experience in facilities technology and building automation. In college I worked in a Civil engineering doing land design and I also worked for a geotechnical engineering company.

Please list any current civic and/or community participation you may be involved with, in the space below. Include any public boards or commissions you may have served on.

I'm on the board on my neighborhood association. I also assist and coach in different sports.

DISCLAIMER AND SIGNATURE

I certify that my answers are true and complete to the best of my knowledge.

Signature Fred Brillante Digitally signed by Fred Brillante Date: 2022.01.12 14:15:07 -05'00' Date 1/12/2022

TOWN OF HARRISBURG

Agenda Item Details

Title:
Consideration of Contract with JER HR Group for a Comprehensive Pay Study

Presenting Personnel:
Tihisha Sharif, Human Resources Director

Suggested Motion or Action:
Motion to approve the attached contract with JER HR Group in the amount of $37,450 for a comprehensive pay study and the related FY2022 Budget Ordinance Amendment.

Description/Background:
The Town is requesting approval to conduct a comprehensive study to examine and implement a Classification System and Pay Development system that we can sustain. The last time the Town had a comprehensive external study conducted was 2016. In 2019, we did an internal study for all personnel with the exception of Department Heads to address shifts to the salary range based on inflation and salary adjustments to deal with any compression issues which were not addressed in the 2016 study.

Requests for Proposals (RFP) were sent to seven (7) consulting firms and the Town received a response for consideration from four (4) firms. Our committee was made up of Lee Connor and Rob Donham, Town Manager's Office, Tihisha Sharif, Human Resources Director, Janet Rackley, Town Clerk, Brian Lee, Finance Director, and Bryan Dunn, Fire Chief. The purpose of the committee selection was to ensure we had representation from some of our larger departments as well as bring in our internal expertise. After review of the proposals, the committee all agreed to interview JER HR Group. They have 35 years of compensation consultant experience and have worked with 30+ cities during the last five years. After interviewing the respective vendor, the committee is recommending this consultant firm as their proposal captured everything we are trying to accomplish in this comprehensive study.

The scope of this project is to include:

- Conducting a comprehensive pay study to determine if the Town's salaries are competitive and appropriate within the current job market.
  - Analysis for pay step progression for public safety
  - Analysis of other pay offerings such as differentials, allowances, bonuses, etc.
  - Determine if there are any internal equity issues
  - Design pay structure system considering employee retention, longevity, cost of living and merit
  - Recommend a pay increase system and identify potential pay compression issues and provide suggestions for solutions
  - Work with administration to develop and present recommendations and impact studies including cost to implement the proposed changes
  - Provide comparable data/practices referencing shift differential, supplemental pay, stand by and call-in pay
  - Recommend wage adjustments to salary plans that will strengthen the Town's ability to satisfy its compensation and benefits objectives and recommend a plan and methodology for the Town to develop and maintain its pay plan at economically competitive levels over time.
- Conduct a study of the fringe benefits, compare them to similar public and private sector organizations, and recommend any additional programs

- Evaluate our current position designations of exempt and non-exempt to ensure compliance with the Fair Labor Standards Act (FLSA)
- Review the accuracy of current position titles and descriptions regarding unique characteristics of the position, essential job functions, minimum qualifications, working conditions, licensing requirements, on-call requirements, and supervisory requirements
- Recommend changes to the pay plan, strategies, policies, best practices, and other items related to maintaining a compensation structure that is competitive in the labor market.
- Provide an effective classification/compensation and position evaluation system for the Town
- Review the previous recommended certification pay program and discuss desired goals and outcomes with the Town's department heads to create a viable plan to assist with attracting and retaining quality personnel.

The project is expected to take 12 weeks to complete given all timelines are exact. The total fixed cost for this professional service is $37,450.

Recommendation:

Staff recommends approval of the attached contract with JER HR Group and the related FY2022 Budget Ordinance Amendment.

Fiscal Impact:

The fiscal impact to the Town to have a the comprehensive pay study performed is $37,450. If approved, it is recommended to utilize General Fund contingency funds to fund the project. The current balance of contingency funds in the General Fund is $249,840, which would be reduced to $212,390 for the remainder of the fiscal year ended June 30, 2022.

Any changes to the pay structure being recommended as a result of the study would require Council approval in the future before funding and implementation. Approval of this contract only gives authority to Staff to have the study performed and presented to Council.

Attachments:

1. Contract - JER HR Group - Pay Study
2. Amendment - GF - FY2022 Comprehensive Pay Study 02142022

JER HR Group
Consulting • Recruiting • Training

LETTER OF AGREEMENT BETWEEN JER HR GROUP LLC AND TOWN OF HARRISBURG, NC

Confidential

January 31, 2022

Lee Connor, Interim Town Manager
Town of Harrisburg
P.O. Box 100
Harrisburg, North Carolina 28075

Dear Lee,

We are very pleased to have the opportunity to provide consulting assistance to the Town of Harrisburg ("the Town") in Classification System and Pay Plan Development. The scope of the work, the specific steps to be carried out, and deliverables are described in the proposal dated January 14, 2022. This letter of agreement outlines the estimated professional fees and timing for this assignment. The scope of the project is:

- Conduct a comprehensive pay study to determine if the Town's salaries are competitive within the appropriate job market. This may be accomplished through collection of currently available data and using our DBSquared software.
- Conduct a study of fringe benefits, compare to similar public and private sector organizations, and recommend any additional programs.
- Evaluate the 76 position designations of exempt and non-exempt to ensure compliance with FLSA.
- Review the accuracy of position titles and descriptions regarding unique characteristics of the position, essential job functions, minimum qualifications, working conditions, licensing requirements, on-call requirements, and supervisory requirements.
- Recommend changes to the pay plan, strategies, policies, best practices, and other items related to maintaining a compensation structure that is competitive in the labor market.
- Provide an effective classification/compensation and position evaluation system for the Town.
- Review previous recommended Certification Pay program and discuss desired goals and outcomes with the Town's departments heads to create a viable plan to assist with attracting and retaining quality personnel.

Blair Johanson and Bruce Johanson, JER HR Group Managing Consultants, will be assigned as your primary points of contact for any of the services listed. Other consultants may be used as needed. If you are unable to reach your consultant for an immediate need, please contact our office at 336-299-1911 and our staff will be able to put one of us or any of our consultants in touch with you.

Professional Fees and Timing

Based on the scope of work outlined in the proposal, the total firm fixed cost for the core professional services is **$37,450.** All JER HR Group projects involve experienced consultants with varying levels of contribution to our service delivery. We charge a blended consultant billing rate for our combined work efforts. We would not exceed this amount unless circumstances necessitate a change in the scope of the assignment, subject to your approval.

Invoices will be issued in installments, as per the following schedule:

- 25% upon completion of information gathering processes with Town staff;
- 50% upon delivery of the recommended job classification/compensation and position evaluationsystem with implementation options and presentation to Board;
- 25% on Final Acceptance of all product deliverable as described throughout the request for proposal document.

Note: The above listed fee includes all incidental expenses involved in developing the report and presentation virtually. Onsite visit involving travel will be billed separately for hourly time spent and actual expenses like travel cost, accommodation, and related travel expenses.

Pending the timely arrangement of calls and/or meetings to review key deliverables and receipt of all necessary background information, we anticipate commencing work in February and delivery of the draft report and exhibits within twelve (12) weeks from Project Initiation and receipt of all necessary background information.

Terms

All payments will be due within ten (10) days of invoice. Interest at the rate of one (1) percent per month will accrue on any invoices outstanding more than thirty days.

The Town agrees not to make any offer of employment to the Consultant without the express written consent of JER HR Group. Should an offer be made and accepted under these circumstances, The Town agrees to pay JER HR Group forty percent (40%) of the base starting salary.

Liability

Although JER HR Group will use its best efforts to achieve desired results, Town of Harrisburg agrees to hold consultant harmless from any liability or claim arising from this scope of work. The recommendations and opinions provided are based on general human resource management fundamentals, practices and principles and are not legal opinions or guaranteed outcomes.

Confidentiality

In order to protect attorney-client confidentiality and since JER HR Group is not a law firm, in the event that an employee files a charge with a governmental agency, retains an attorney to handle an employment dispute or files a lawsuit, we recommend that Town of Harrisburg consult legal counsel to assist in the matter. In addition, if Town of Harrisburg needs legal advice as opposed to Human Resource Consulting, Town of Harrisburg should seek advice of legal counsel.

Regards,

Mahesh Kumar
Managing Director

Accepted By:

_____ _____

Town of Harrisburg Date

Harrisburg NC
The right side of opportunity

AN ORDINANCE AMENDING THE 2021-2022 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, 2022:

Section 1. Amend the General Fund to account for the FY2022 Comprehensive Pay Study.

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

Increase line item 100-1150-56310 Professional Services	$ 37,450
Decrease line item 100-8750-59500 Contingency	$ 37,450

Section 3. 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 4. That this ordinance shall be effective upon its passage. Adopted this 14th day of February, 2022.

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Jennifer Teague, Mayor

ATTEST:

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Janet Rackley, Town Clerk