



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

**February 13, 2023
6:00 PM**

AGENDA

1. CALL TO ORDER

- A. The Town Hall Council Chambers will be open to the public at our normal capacity. The meeting may also be accessed via the Zoom platform at the following link:

<https://us02web.zoom.us/j/83481877476?pwd=YzFjTlBDZWQweU9NVWR0QjFhRVVqQT09>

Meeting ID: 834 8187 7476
Passcode: 212521

Or join by phone:
929.205.6099
301.715.8592

- 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 9, 2023 Town Council Meeting
- B. Consideration of FY2023 Budget Ordinance Amendment for Planning Professional Services and Traffic Impact Analysis
- C. Consideration of Contract for Amusements for the 2023 Harrisburg July 4th Celebration
- D. Consideration of FY2023 Financial Audit Contract

3. COMMUNICATIONS

- A. TOWN MANAGER/FINANCE MONTHLY REPORT
- B. FINANCE REPORT

- C. LAW ENFORCEMENT REPORT
- D. FIRE DEPARTMENT REPORT
- E. MAYOR'S COMMENTS
- F. COUNCIL COMMENTS

4. PUBLIC HEARINGS

5. OLD BUSINESS

- A. **H-2022-14-R:** Consider non-contiguous annexation and rezoning of property (5 lots) located on Stallings Road and Jon Chris Drive (PINs: 5517-60-7529, 5517-60-8525, 5517-60-9512, 5517-60-6451, and 5517-60-7347).
- B. **H-2022-07-R:** Consider contiguous annexation and conditional rezoning of property located off Blackwelder Road for a 51 lot residential subdivision (PIN 5518-44-8790 and 5518-34-3293).

6. NEW BUSINESS

- A. Consideration of appointment of members to the Parks and Recreation Advisory Board
- B. Consideration of appointment to Harrisburg Sustainability Advisory Board.

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 9, 2023 Town Council Meeting

Presenting Personnel:

Suggested Motion or Action:

Motion to approve the minutes of the January 9, 2023 Town Council meeting.

Description/Background:

Detailed minutes from January 9, 2023 Town Council meeting.

Recommendation:

Recommend approval.

Fiscal Impact:

None

Attachments:

1. January 9 Minutes

**TOWN OF HARRISBURG, NORTH CAROLINA
TOWN COUNCIL MEETING
MONDAY, January 9, 2023
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 Ian Patrick, Rodney Dellinger, Altyn Cotell, Ron Smith, Rick Russo, Mike Thevenin

**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 Smith made a motion to approve the agenda as proposed. Second was made by Mayor Pro-Tem Price . **The motion passed 6-0.**

**1C.
INVOCATION**

Pastor Wesley Shell from Multiply Church conducted the invocation.

**1D.
PLEDGE OF ALLEGIANCE**

**1E.
SPECIAL PRESENTATIONS**

- **Consideration of appointment to vacated Council position.** Councilmember Diamond Staton-Williams was elected to the North Carolina House of Representatives in November and subsequently resigned her office as Councilmember of the Town of Harrisburg as of December 31, 2022. Residents interested in filling this open position were accepted by the Mayor for consideration. Mayor Teague explained the process for appointing the new Council member, then opened the floor for Council comments and discussion.

MOTION:

Councilmember Cotell made a motion to appoint Mike Thevenin to the vacated Council position. Second was made by Mayor Pro-Tem Price. **The motion passed 5-1 (Councilmember Russo voting against).**

Mr. Thevenin was then sworn in and seated.

- **Presentation of the Town of Harrisburg's 50th Anniversary Celebration.** The Town of Harrisburg will celebrate its 50th Anniversary this year! Staff has been working to plan a celebration and will provide an overview to the Town Council and Mayor of the plans.

1F.

PUBLIC COMMENT

- Letricia Glover, 4324 Abernathy Place, Harrisburg - works with the Harrisburg Youth Council and would like to see more of a Council presence at their meetings.

2.

CONSENT AGENDA

- A. Consider the minutes of the December 12, 2022, Town Council Meeting
- B. Consider approval of Capital Authorization for the Public Works service body truck replacement

MOTION:

Councilmember Dellinger made a motion to approve the Consent Agenda. Second was made by Councilmember Cotell. **The motion passed 7-0.**

3A.

COMMUNICATIONS

TOWN MANAGER/FINANCE REPORT

Manager Report:

- Year-end update on growth and development: in 2022 we had 225 new homes built, and approximately 800 new residents. We expect that to stay at about the same pace for 2023. We are also seeing a bit of an uptick in commercial interest as well.

Finance Report:

Finance Director Brian Lee presented the Finance report.

Law Enforcement Report:

Captain Measimer presented the Law Enforcement report.

Fire Department Report:

Battalion Chief Jason Walker presented the Fire Department report.

3B.

COMMUNICATIONS

MAYOR'S COMMENTS

- Today is National Law Enforcement Day – thanked our officers for their work and daily sacrifices to keep our community safe.
- Attended a dedication for a Blessing Box at Harrisburg United Methodist Church. The was made possible by the Southwest Rotary as well as the organization One Can. Also thanked Kevin Perry from the Rotary who actually built the box. Sponsors work to keep the box stocked and if anyone is interested in helping, please reach out to One Can, Inc.
- Attended the Legislative Breakfast hosted by the Cabarrus Chamber last Friday. Had the opportunity to hear speakers discussing some of the education and child care challenges that not only we are facing in our community, but in the nation as a whole.
- This Wednesday will attend the Cabarrus Economic Quarterly meeting and will present an update about this next month.

3C.

COUNCIL'S COMMENTS

Councilmember Dellinger

- Reminder that the Harrisburg Lions Club has a Blessing Box as well for residents.
- PACE – organization that helps families keep their family members in their homes – for those who are 55 years of age and older.
- Sustainability Advisory Board will not be meeting this week as they do not have a quorum at this time
- Concerns about graffiti around town. Some is on private property. Town Manager Donham stated that we cannot remove anything from private property, but we can contact the property owner to try to resolve.

- Happy to see the windscreen back up at Stallings Road Park.
- Residents are having a hard time getting responses from Waste Pro when their containers need replacing. Finance Director Brian Lee stated that residents can contact our Customer Service Department for help with this issue.

4A.

PUBLIC HEARING

H2022-07 R Request to consider a contiguous annexation of property located off Blackwelder Road (PIN 5518-44-8790 and 5518-34-3293). The applicant is proposing to develop a 51-lot single-family subdivision off Blackwelder Road between Roberta Road and Lakeland Road, consisting of approximately 39.32 acres, and is requesting permission to annex into the Town limits in order to access utility (water and sewer) services. This request would be considered a contiguous annexation, as the proposed subdivision is located immediately adjacent to the Town's primary corporate limits. Concurrent with this request for annexation, the applicant has also submitted an application for conditional rezoning, which may be considered after the Town Council has approved the annexation and established zoning jurisdiction over this property.

As an annexation, this is subject to a public hearing this month and a decision the following month. However, Town Council has the option of making the decision at the same meeting if they so choose.

Zachary Gordon, Planning Director, presented the background information.

The public hearing was opened.

Speaking: none

The public hearing was then closed.

MOTION:

Councilmember Smith made a motion to defer consideration on this annexation until the February Town Council meeting. Second was made by Mayor Pro-Tem Price. **The motion passed 7-0.**

4B.

PUBLIC HEARING

H-2022-07-R: Request to consider the conditional rezoning of property located off Blackwelder Road (PIN 5518-44-8790 and 5518-34-3293). The applicant is proposing to develop a 51-lot single-family subdivision off Blackwelder Road between Roberta Road and Lakeland Road. This subdivision will require rezoning and annexation into the town limits. To allow for the proposed subdivision, the applicant is requesting to rezone the property from its current Cabarrus County designation of LDR (Low Density Residential) to a Town of Harrisburg designation of CZ-RM (Conditional Zoning Residential Medium). As a conditional zoning request, the applicant has submitted a site plan along with the request for rezoning, which has been provided for consideration. The property is currently located in an unincorporated area within Cabarrus County. Concurrent with this request for rezoning, the applicant has also submitted a Petition Requesting Annexation of the subject property by the Town. NCGS requires the assignment of a zoning designation for all property annexed into the Town's corporate limits. The proposed annexation is considered to be a contiguous annexation, as the proposed subdivision is located immediately adjacent to the Town's primary corporate limits. The RM zoning district has a maximum density of two dwelling units per acre. The proposed density for this subdivision is 1.31 dwelling units per acre. If rezoning approval is granted, site density may not exceed 1.31 units/acre and the development will be subject to all of the conditions imposed by the Town Council and agreed to by the applicant. No Traffic Impact Analysis (TIA) was required for this subdivision as the number of trips to be generated by this development did not meet the threshold requirements of the Town for such a study. Per the Town's subdivision regulations, the applicant is required to provide 4.68 acres of active and passive open space to serve residents of the subdivision, with 14.82 acres provided. The applicant is also required to provide 1.46 acres of public open space to serve the broader Harrisburg community. To satisfy this requirement, the applicant is proposing to provide 0.51 acres of this total public open space in the form of a dedicated 25' wide greenway easement, with a fee-in-lieu payment proposed for the remaining 0.95 acres, in the amount of \$36,162. This calculation is based on a per acre market value of \$38,065. The request to rezone the subject property as Residential Medium (RM) is consistent with the HALUP, which designates this property as Low Density Residential (LDR). The LDR designation calls for 1-2 dwelling units per acres.

As a conditional rezoning, this is subject to a public hearing this month and a decision the following month. However, Town Council has the option of making the decision at the same meeting if they so choose.

Zachary Gordon, Planning Director, presented the background information.

Brandon Pridemore, Southfork Ventures, applicant – presented information concerning the proposed development.

Robert Miller, JP Orleans, also presented information concerning the proposed development.

The public hearing was opened.

Speaking: none

The public hearing was then closed.

No action was taken tonight. The vote on this rezoning will be taken at the February Town Council meeting.

4C.

PUBLIC HEARING

H-2022-14-R: Request to consider non-contiguous annexation of property located on Stallings Road and Jon Chris Drive (PINs: 5517-60-7529, 5517-60-8525, 5517-60-9512, 5517-60-6451, and 5517-60-7347). The applicant is requesting permission to annex five (5) lots, consisting of approximately 2.27 acres, into the Town limits in order to access Town utility (water and sewer) services. This request is considered a non-contiguous annexation, as the proposed subdivision is not adjacent to the Town's primary corporate limits. Concurrent with this request for annexation, the applicant has also submitted an application for conditional rezoning, which may be considered after the Town Council has approved the annexation and established zoning jurisdiction over this property.

As an annexation, this is subject to a public hearing this month and a decision the following month. However, Town Council has the option of making the decision at the same meeting if they so choose.

Zachary Gordon, Planning Director, presented the background information.

The public hearing was opened.

Speaking:

- Ms. Jackson, Jon Chris Drive – questions
- Larry Thompson, 9604 Callis Court – for
- Les Linthicum, 8207 Quail Hollow Drive– questions
- Christina Petit, 8230 Quail Hollow Drive – questions

The public hearing was then closed.

After some discussion, the following action was taken:

MOTION:

Mayor Pro-Tem Price made a motion to defer consideration of this annexation until the February Town Council meeting. Second was made by Councilmember Thevenin. **The motion passed 7-0.**

4D.

PUBLIC HEARING

H-2022-14-R: Request to consider the rezoning of property located on Stallings Road and Jon Chris Drive (PINs: 5517-60-7529, 5517-60-8525, 5517-60-9512, 5517-60-6451, and 5517-60-7347) from LDR to RM. The applicant proposes to rezone five parcels from County LDR (Low Density Residential) to RM (Residential Medium). This request for rezoning is in conjunction with a request for the annexation of these parcels into the Town of Harrisburg limits to access utility services for each lot. NCGS require the assignment of a zoning designation for all property located within the Town's corporate limits. The RM District allows a gross density between 2 and 3 units per acre. At 2.20 units per acre the proposed rezoning is consistent with the requirements of the UDO. The Harrisburg Area Land Use Plan (HALUP) locates this property within a "Low Density Residential" area. The LDR designation calls for 1 -2 units per acre. The proposed density is 2.20 dwelling units per acre – just over the 1-2 units per acre designated by the HALUP. Although the lots slightly exceed the recommended LDR

density, the five lots are existing and could not be further subdivided. Along with this request for rezoning, the applicant has submitted a petition to be annexed into the Town of Harrisburg corporate limits.

As a rezoning, this is subject to a public hearing this month and a decision the following month. However, Town Council has the option of making the decision at the same meeting if they so choose.

Zachary Gordon, Planning Director, presented the background information.

The public hearing was opened.

Speaking:

- Mandy Carter, 2300 Jon Chris Drive – against
- Christina Petit, 8230 Quail Hollow Drive – questions
- Bobby Williams, 8392 Rocky River – builder, answering questions

The public hearing was then closed.

No action was taken tonight. The vote on this rezoning will be taken at the February Town Council meeting.

5A.

OLD BUSINESS

None

6A.

NEW BUSINESS

H-2022-03-S: Blume Estates Preliminary Plat. The applicant, Oakvu, LLC, has submitted a Preliminary Plat application for a 31-lot single family subdivision on property located on the eastern side of Hickory Ridge Road south of Rocky River Road and connecting to Cornflower Drive. The property, consisting of 65.01 acres (PIN 5516-75-9310), was rezoned by the Town Council on March 14, 2022 (H-2021-01-R) to Conditional Zoning-Residential Low Density (CZ-RL). Annexation of this property was approved by the Town Council in conjunction with the rezoning.

Staff reviewed the preliminary plat submitted by the applicant and found it to be consistent with the intent and conditions of the conditional zoning site plan approved by the Town Council and the standards of the UDO for a preliminary plat. The Planning and Zoning Board reviewed the preliminary plat and recommended Town Council approval at their December 20, 2022 meeting.

MOTION:

Councilmember Smith made a motion to approve the Preliminary Plat for Blume Estates - H-2022-03-S subject to compliance with all previously stated conditions of the Conditional Rezoning granted by the Town on March 14, 2022. Second was made by Councilmember Russo. **The motion passed 7-0.**

6B.

NEW BUSINESS

Resolution of Support for an NCDOT Paved Trails and Sidewalks Feasibility Study Grant for a Mecklenburg-Cabarrus Greenway along Mallard Creek and Rocky River. The Carolina Thread Trail non-profit organization is submitting an application for grant funding under the North Carolina Department of Transportation's Paved Trails and Sidewalks Feasibility Study Program to study a Greenway connection from Mecklenburg County to Cabarrus County, including a portion that is located in the Town of Harrisburg from the County line along Mallard Creek to Rocky River and north to the Concord City limits. The CTT has requested the support of Mecklenburg and Cabarrus County, the City of Charlotte, the City of Concord and the Town of Harrisburg for this proposed grant application. The request for grant funding is anticipated to be \$100,000 to \$150,000 and will be used to hire a consultant to study the feasibility of this Greenway connection and to identify potential Greenway trail routes and to develop preliminary cost estimates. While there is not requirement for matching funds, the CTT has requested that each of the jurisdictions noted above commit \$2,000 each as a demonstration of their support.

MOTION:

Councilmember Cotell made a motion to approve a Resolution of Support for a grant application by Carolina Thread Trail to the North Carolina Department of Transportation's Paved Trails and Sidewalks Feasibility Study Program for a grant to study the feasibility, location and cost of a Greenway connection from Mecklenburg County to Cabarrus County, including a section within the Town of Harrisburg from the Mecklenburg County line to the City of Concord/Town of Harrisburg boundary. Second was made by Councilmember Smith. **The motion passed 7-0.**

6C.

NEW BUSINESS

Consider appointment of Members to the Harrisburg Arts, Culture and Heritage Committee. The Arts, Culture and Heritage Committee is a sub-committee of the Parks and Recreation Advisory Board. The committee is comprised of 5 members who serve two-year staggering terms.

Per the By-Laws: "Terms run January through December. The committee must submit names with applications for each committee vacancy to Town Council. Town Council may appoint Committee members from the recommended list or from applications made directly to Town Council."

Three member's terms expired in December of 2022:

Micah Cash

Jitendra Hiremath

Toni Wheeler Jenschke

All three members have submitted applications to be re-appointed along with two additional applications: Dewayne Lott and Larissa Mervin. Both Dewayne Lott and Larissa Mervin were formally interviewed. Committee Members Karen Andrade (Chair) and Kimmy Roberts (Secretary) have recommended the re-appointment of the three current members: Micah Cash, Jitendra Hiremath and Toni Wheeler Jenschke.

MOTION:

Councilmember Russo made a motion to approve the re-appointment of Micah Cash, Jitendra Hiremath and Toni Wheeler Jenschke for another two-year term to the Harrisburg Arts, Culture and Heritage Committee. Second was made by Councilmember Smith. **The motion passed 7-0.**

6D.

NEW BUSINESS

Consider acceptance of HCYA contribution for Parks and Recreation capital outlay authorization and the related FY2023 Budget Ordinance Amendment for a Grant received from Cabarrus County. The Parks and Recreation Department, by way of HCYA, has received a Cabarrus County matching grant to help fund the purchase of free-standing exercise equipment including five pieces at Harrisburg Park. There is currently no fitness equipment at Harrisburg Park. Staff sees this as an added amenity that can be used by the community. The cost of the project is approximately \$11,200. Cabarrus County provides up to a 50% matching grant for approved projects to HCYA, which will in turn match the funds and cover the entire cost of the project for the Town. The HCYA Board of Directors met to discuss the project and formally approved its scope and funding.

MOTION:

Councilmember Russo made a motion to approve Parks and Recreation capital outlay not to exceed \$6,000 and the related FY2023 Budget Ordinance Amendment to be funded with a grant received by HCYA from Cabarrus County. Second was made by Mayor Pro-Tem Price. **The motion passed 7-0.**

6E.

NEW BUSINESS

Discussion and Consideration of the FY2024 Budget Calendar. Town staff presented the recommended FY2024 Budget Calendar, for Council's consideration.

Discussion was brought up concerning the 2023 Board Meetings Calendar. Council would like to change the October Town Council meeting back to Monday, October 9th. It had originally been moved to the 10th because of the Columbus Day holiday.

MOTION:

Councilmember Patrick made a motion to hold the October 2023 Town Council meeting on Monday, October 9th, with a second from Mayor Pro-Tem Price. **The motion passed 7-0.**

7.

ACTION ITEMS

- Review the process for rezonings and annexations
- Look into Waste Pro container replacement issue

8.

ADJOURNMENT:

MOTION:

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

ATTEST:

Janet Rackley, Town Clerk

Jennifer Teague, Mayor



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of FY2023 Budget Ordinance Amendment for Planning Professional Services and Traffic Impact Analysis

Presenting Personnel:

Zac Gordon, Planning Director, Brian Lee, Finance Director

Suggested Motion or Action:

Motion to approve the attached FY2023 Budget Ordinance Amendment in the amount of \$67,500.

Description/Background:

The Planning Department is provided a budget of \$80,000 in professional services annually for Traffic Impact Analyses (TIA) for development projects around Town. The Town contracts with a firm to provide the study in order to maintain review and control over the study and is reimbursed by the developer. Therefore, the studies must have budgeted funds available to allow the execution of the contract. In FY2023, the Planning Director position was vacated and subsequently filled with a contracted employee for almost half the fiscal year. That expense has depleted the professional services budget originally intended to cover traffic studies for the remainder of FY2023.

There is a study that needs to be completed currently for the Divine Property and the Planning Department has projected that up to two more studies are likely to be initiated over the next few months to complete the fiscal year. A traffic impact analysis typically costs around \$22,500, which is, again, funded by the developer. This request is to provide \$67,500 in funding for three TIA's for the remainder of the fiscal year.

Recommendation:

Staff recommends approval of the FY2023 Budget Ordinance Amendment in the amount of \$67,500.

Fiscal Impact:

The fiscal impact to the Town is an anticipated expenditure of \$67,500. The attached budget amendment utilizes the General Fund contingency account which has a current balance of \$315,500. If approved, the balance would be reduced to \$248,000 for the remainder of FY2023.

Attachments:

1. Amendment - GF - Planning Professional Services 02132023



AN ORDINANCE AMENDING THE 2022-2023 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, 2023:

Section 1. Amend the General Fund to account for contracted Planning Director professional service and Traffic Impact Analyses for the remainder of FY2023.

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

Increase line item 100-1400-56310 Professional Services	\$ 67,500
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Decrease line item 100-8750-59500 Contingency	\$ 67,500
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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 13th day of February, 2023.

Jennifer Teague, Mayor

ATTEST:

Janet Rackley, Town Clerk



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of Contract for Amusements for the 2023 Harrisburg July 4th Celebration

Presenting Personnel:

Jim Spina, Parks and Recreation Director

Suggested Motion or Action:

Motion to approve the Contract for Palmetto Amusements to provide amusements for the 2023 Harrisburg July 4th Celebration for the amount of \$140,400.

Description/Background:

The 26th Annual Harrisburg July 4th Celebration is scheduled for July 3rd and 4th at Harrisburg Park. During event hours on the 3rd and 4th, a variety of rides and games are to be provided by Palmetto Amusements for visitors to the event to enjoy.

Each year, a variety of rides are chosen based on availability and to service the different age groups of visitors to the park. In 2021, it was estimated that the event attendance was approximately 35,000 over two days.

Palmetto Amusements will handle all aspects of the rides, which include set up, inspections, power and staffing. Harrisburg Parks and Recreation will work to provide some volunteer support for the game area. Rides will be set up on fields #3 and #4 in Harrisburg Park. Staff and volunteers will sell tickets for the rides to generate additional event revenue.

Ticket sales over the past several years, along with the lines for the rides, have proven the popularity of this amenity at the event. Due to the popularity and this being our biggest regular event during our town's 50th anniversary year, additional rides have been added to the contract for this year to better accommodate guests to the event.

Palmetto Amusements has provided amusements for the annual event for the past 9 years and has done a great job providing this service for the Town's Annual July 4th Celebration.

Recommendation:

Staff recommends the approval of the contract for Palmetto Amusements to provide amusements for the 2023 Harrisburg July 4th Celebration in the amount of \$140,400.

Fiscal Impact:

The fiscal impact for the Town is \$140,400. A deposit of 50% is required to secure the date with the vendor which will be placed in FY2023. This deposit will be held as a prepaid expense in the 6/30/2023 financial statements and recognized as an expenditure against the FY2024 budget.

Attachments:

1. Contract for Amusements 2023



Contract Agreement

This agreement is between the Town of Harrisburg's Annual 4th of July celebration at Harrisburg Park, hereinafter referred to as the **BOOKING PARTY** and **PALMETTO AMUSEMENTS**, hereinafter referred to as the **SUPPLIER**.

1. **SUPPLIER** agrees to provide equipment, etc. as listed in paragraph 3 below for the **BOOKING PARTY'S** event date of 3 July 2023 operational times of 4:00 pm-10:00 pm and 4 July 2023 operational times of 4:00 pm-11:00 pm. **SUPPLIER** will service the event date rain or shine but reserves the right to cease operation of amusement devices during inclement weather to ensure the safety of the children and the general public. **SUPPLIER** will then resume operations as weather permits during the above scheduled hours.
2. **SUPPLIER** agrees to provide:
 - a. Equipment: **See Addendum A.**
 - b. Supplier will also supply all staffing for the mechanical attractions. Suppliers also will also be responsible for state amusement ride inspection. Please be advised that Palmetto Amusements reserves the right to manipulate/rotate equipment in the event that a piece of equipment is not available due to a mechanical/safety issue.
3. **BOOKING PARTY** agrees to provide:
 - a. Access to the set up site **5 days** prior to the event if needed. Removal of equipment will be concluded no later than 5 days post event date.
 - b. Site preparation to include but not limited to: Level surface, identification and marking of any and all hazards/underground utilities/water lines. Lighting of the general area is also the responsibility of the booking party for the safety of the patrons.
 - c. In the event of an inclement weather booking party is responsible for damage to the site during extraction of equipment.
 - d. Security during operational and non-operational hours.
4. **FINANCIAL TERMS:** The total amount for the items listed in paragraph 3 above is: **\$140,400.00**. **SUPPLIER** must receive this signed document and a 50% deposit in the amount of **\$70,200.00** within ten (10) business days of the date of this contract, in order for the event date above and the equipment to be guaranteed. The final balance will be due ten (10) business days prior to the event date listed in **Paragraph 2** in the amount of **\$70,200.00**.
 - a. Contract & Deposit Due Date : **15 February 2023**
 - b. Balance Due Date : **3 July 2023**
5. **CANCELLATION POLICY:** The deposit is non-refundable. If **BOOKING PARTY** wishes to reschedule the event for inclement weather all financial agreements expected are still due. However, the event can be rescheduled **within 6 months** of the event date, minimal fees may be incurred due to unrecoverable expenses but a decision to reschedule must be made **72 hours** in advance of the event set up.. Should the **BOOKING PARTY** decide to cancel this agreement, see cancellation fee below:

Date of Cancellation	Cancellation Fee
2 months or greater from event	25% of balance due plus unrecoverable expenses
1 months or greater from event	50% of balance due plus unrecoverable expenses
2 weeks or less from event	100% of balance plus unrecoverable expenses



Contract Agreement

Addendum A.

1	Round Up	\$6500.00
2	V5 Bungee Trampoline	\$4800.00
3	Carousel	\$6500.00
4	Swings	\$4800.00
5	Glass House	\$4800.00
6	Spinner	\$4800.00
7	Sizzler	\$6500.00
8	Loop O Plane	\$6500.00
9	Wally's Great Adventure	\$4500.00
10	Rio Grande Western Train	\$4500.00
11	Barrel of Pirates	\$4500.00
12	Berry Go Round	\$4500.00
13	Kids Town Fun House	\$4500.00
14	Helicopter	\$4500.00
15	Tractor Farm Ride	\$4500.00
16	Flying Saucer	\$4500.00
17	Mini Pirate Ship	\$4500.00
18	Ferris Wheel	\$7400.00
19	Scat	\$6900.00
20	Tempest	\$6900.00
21	Rapid Slide	\$4500.00
22	Kiddie Coaster	\$4500.00
23	Dixie Twister Swing	\$4500.00
24	Rock O Plane	\$6900.00
25	Klime Wallz	\$3800.00
26	Power	\$6500.00
27	Game Station	\$2800.00
	Subtotal	\$140,400.00



Contract Agreement

6. ACCEPTANCE OF THIS CONTRACT BY BOOKING PARTY

Supplier Authorized Signature: Christy Bescaglia Date: 17 January 2023
Electronic Signature

Booking Party Authorized Signature: _____ Date: _____
Authorized Representative



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of FY2023 Financial Audit Contract

Presenting Personnel:

Brian Lee, Finance Director

Suggested Motion or Action:

To approve the attached contract for financial audit services for the Fiscal Year ending June 30, 2023 with Martin Starnes & Associates, CPAs, P.A. for \$34,700.

Description/Background:

During fiscal year 2022, a contract was awarded to Martin Starnes & Associates, CPAs, P.A. to provide financial audit services to the Town for fiscal years 2022, 2023 and 2024, with options to extend. Each year the audit contracts must be approved by Council, despite the three-year agreement. The engagement with an auditor is between the auditor and Town Council, not with management and staff, and the results of the audit will be addressed to Council accordingly.

A letter that describes the audit relationship and services to be provided is also included in the agenda packet for your reference.

Recommendation:

Staff recommends approval of the FY2023 audit contract with Martin Starnes & Associates, CPAs, P.A.

Fiscal Impact:

The total cost for the FY2023 audit for the Town is \$34,700, which includes a \$3,500 fee for the Town's Single Audit, the audit of its Federal and State programs and grants.

Attachments:

1. Town of Harrisburg - 2023 Audit Contract
2. Town of Harrisburg - 2023 Single Audit Engagement Letter

The of and	Governing Board Town Council
	Primary Government Unit Town of Harrisburg, NC
	Discretely Presented Component Unit (DPCU) (if applicable) N/A

Primary Government Unit, together with DPCU (if applicable), hereinafter referred to as Governmental Unit(s)

and	Auditor Name Martin Starnes & Associates, CPAs, P.A.
	Auditor Address 730 13th Avenue Drive SE, Hickory, NC 28602

Hereinafter referred to as Auditor

for	Fiscal Year Ending 06/30/23	Date Audit Will Be Submitted to LGC 10/31/23

Must be within four months of FYE

hereby agree as follows:

1. The Auditor shall audit all statements and disclosures required by U.S. generally accepted auditing standards (GAAS) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit(s). The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion shall be rendered in relation to (as applicable) the governmental activities, the business- type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types). The basic financial statements shall include budgetary comparison information in a budgetary comparison statement, rather than as RSI, for the General Fund and any annually budgeted Special Revenue funds.

2. At a minimum, the Auditor shall conduct the audit and render the report in accordance with GAAS. The Auditor shall perform the audit in accordance with *Government Auditing Standards (GAGAS)* if the Governmental Unit expended \$100,000 or more in combined Federal and State financial assistance during the reporting period. The auditor shall perform a Single Audit if required by Title 2 US Code of Federal Regulations Part 200 *Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards, Subpart F* (Uniform Guidance) or the State Single Audit Implementation Act. This audit and all associated audit documentation may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit requires a federal single audit in accordance with the Uniform Guidance (§200.501), it is recommended that the Auditor and Governmental Unit(s) jointly agree, in advance of the execution of this contract, which party is responsible for submission of the audit and the accompanying data collection form to the Federal Audit Clearinghouse as required under the Uniform Guidance (§200.512).

Effective for audits of fiscal years beginning after June 30, 2023, the LGC will allow auditors to consider whether a unit qualifies as a State low-risk auditee based upon federal criteria in the Uniform Guidance §200.520(a), and (b) through (e) as it applies to State awards. In addition to the federal criteria in the Uniform Guidance, audits must have been submitted timely to the LGC. If in the reporting year, or in either of the two previous years, the unit reported a Financial Performance Indicator of Concern that the audit was late, then

the report was not submitted timely for State low-risk auditee status. Please refer to "Discussion of Single Audits in North Carolina" on the LGC's website for more information.

If the audit and Auditor communication are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC State Board).

3. If an entity is determined to be a component of another government as defined by the group audit standards, the entity's auditor shall make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.

4. This contract contemplates an unmodified opinion being rendered. If during the process of conducting the audit, the Auditor determines that it will not be possible to render an unmodified opinion on the financial statements of the unit, the Auditor shall contact the LGC Staff to discuss the circumstances leading to that conclusion as soon as is practical and before the final report is issued. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.

5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2018 revision, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he/she has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of the most recent peer review report to the Governmental Unit(s) and the Secretary of the LGC prior to the execution of an audit contract. Subsequent submissions of the report are required only upon report expiration or upon auditor's receipt of an updated peer review report. If the audit firm received a peer review rating other than pass, the Auditor shall not contract with the Governmental Unit(s) without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.

If the audit engagement is not subject to *Government Auditing Standards* or if financial statements are not prepared in accordance with U.S. generally accepted accounting principles (GAAP) and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment to this contract or in an amendment.

6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to LGC Staff within four months of fiscal year end. If it becomes necessary to amend the audit fee or the date that the audit report will be submitted to the LGC, an amended contract along with a written explanation of the change shall be submitted to the Secretary of the LGC for approval.

7. It is agreed that GAAS include a review of the Governmental Unit's (Units') systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor shall make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his/her findings, together with his recommendations for improvement. That written report shall include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.

For GAAS or *Government Auditing Standards* audits, if an auditor issues an AU-C §260 report, commonly referred to as "Governance Letter," LGC staff does not require the report to be submitted unless the auditor cites significant findings or issues from the audit, as defined in AU-C §260.12 - .14. This would include issues such as difficulties encountered during the audit, significant or unusual transactions, uncorrected misstatements, matters that are difficult or contentious reviewed with those charged with governance, and other significant matters.

8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. Approval is also required for the Alternative Compliance Examination Engagement for auditing the Coronavirus State and Local Fiscal Recovery Funds expenditures as allowed by US Treasury. Approval is not required on audit contracts and invoices for system improvements and similar services of a non-auditing nature.
9. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit(s) until the invoice has been approved by the Secretary of the LGC. This also includes any progress billings [G.S. 159-34 and 115C-447]. All invoices for audit work shall be submitted in PDF format to the Secretary of the LGC for approval. The invoice marked 'approved' with approval date shall be returned to the Auditor to present to the Governmental Unit(s) for payment. This paragraph is not applicable to contracts for audits of hospitals.
10. In consideration of the satisfactory performance of the provisions of this contract, the Governmental Unit(s) shall pay to the Auditor, upon approval by the Secretary of the LGC if required, the fee, which includes any costs the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (federal and state grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. This does not include fees for any pre-issuance reviews that may be required by the NC Association of CPAs (NCACPA) Peer Review Committee or NC State Board of CPA Examiners (see Item 13).
11. If the Governmental Unit(s) has/have outstanding revenue bonds, the Auditor shall submit to LGC Staff, either in the notes to the audited financial statements or as a separate report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor shall submit to LGC Staff simultaneously with the Governmental Unit's (Units') audited financial statements any other bond compliance statements or additional reports required by the authorizing bond documents, unless otherwise specified in the bond documents.
12. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, but not be limited to, the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit(s) and all of its component units prepared in accordance with GAAP, (c) supplementary information requested by the Governmental Unit(s) or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board upon completion.
13. If the audit firm is required by the NC State Board, the NCACPA Peer Review Committee, or the Secretary of the LGC to have a pre-issuance review of its audit work, there shall be a statement in the engagement letter indicating the pre-issuance review requirement. There also shall be a statement that the Governmental Unit(s) shall not be billed for the pre-issuance review. The pre-issuance review shall be performed prior to the completed audit being submitted to LGC Staff. The pre-issuance review report shall accompany the audit report upon submission to LGC Staff.

14. The Auditor shall submit the report of audit in PDF format to LGC Staff. For audits of units other than hospitals, the audit report should be submitted when (or prior to) submitting the final invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the LGC by any interested parties. Any subsequent revisions to these reports shall be sent to the Secretary of the LGC. These audited financial statements, excluding the Auditors' opinion, may be used in the preparation of official statements for debt offerings by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and for other lawful purposes of the Governmental Unit(s) without requiring consent of the Auditor. If the LGC Staff determines that corrections need to be made to the Governmental Unit's (Units') financial statements and/or the compliance section, those corrections shall be provided within three business days of notification unless another deadline is agreed to by LGC Staff.

15. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the Secretary of the LGC, this contract may be modified or amended to include the increased time, compensation, or both as may be agreed upon by the Governing Board and the Auditor.

16. If an approved contract needs to be modified or amended for any reason, the change shall be made in writing and pre-audited if the change includes a change in audit fee (pre-audit requirement does not apply to hospitals). This amended contract shall be completed in full, including a written explanation of the change, signed and dated by all original parties to the contract. It shall then be submitted to the Secretary of the LGC for approval. No change to the audit contract shall be effective unless approved by the Secretary of the LGC, the Governing Board, and the Auditor.

17. A copy of the engagement letter, issued by the Auditor and signed by both the Auditor and the Governmental Unit(s), shall be attached to this contract, and except for fees, work, and terms not related to audit services, shall be incorporated by reference as if fully set forth herein as part of this contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract shall take precedence. Engagement letter terms that conflict with the contract are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 30 of this contract. Engagement letters containing indemnification clauses shall not be accepted by LGC Staff.

18. Special provisions should be limited. Please list any special provisions in an attachment.

19. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not to be issued and the DPCU is included in the primary government audit, the DPCU shall be named along with the primary government on this audit contract. DPCU Board approval date, signatures from the DPCU Board chairman and finance officer also shall be included on this contract.

20. The contract shall be executed, pre-audited (pre-audit requirement does not apply to hospitals), and physically signed by all parties including Governmental Unit(s) and the Auditor, then submitted in PDF format to the Secretary of the LGC.

21. The contract is not valid until it is approved by the Secretary of the LGC. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. The audit should not be started before the contract is approved.

22. Retention of Client Records: Auditors are subject to the NC State Board of CPA Examiners' Retention of Client Records Rule 21 NCAC 08N .0305 as it relates to the provision of audit and other attest services, as well as non-attest services. Clients and former clients should be familiar with the requirements of this rule prior to requesting the return of records.

23. This contract may be terminated at any time by mutual consent and agreement of the Governmental Unit(s) and the Auditor, provided that (a) the consent to terminate is in writing and signed by both parties, (b) the parties have agreed on the fee amount which shall be paid to the Auditor (if applicable), and (c) no termination shall be effective until approved in writing by the Secretary of the LGC.

24. The Governmental Unit's (Units') failure or forbearance to enforce, or waiver of, any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance.

25. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.

26. E-Verify. Auditor shall comply with the requirements of NCGS Chapter 64 Article 2. Further, if Auditor utilizes any subcontractor(s), Auditor shall require such subcontractor(s) to comply with the requirements of NCGS Chapter 64, Article 2.

27. **Applicable to audits with fiscal year ends of June 30, 2020 and later.** For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct and *Government Auditing Standards, 2018 Revision* (as applicable). Financial statement preparation assistance shall be deemed a "significant threat" requiring the Auditor to apply safeguards sufficient to reduce the threat to an acceptable level. If the Auditor cannot reduce the threats to an acceptable level, the Auditor cannot complete the audit. If the Auditor is able to reduce the threats to an acceptable level, the documentation of this determination, including the safeguards applied, must be included in the audit workpapers.

All non-attest service(s) being performed by the Auditor that are necessary to perform the audit must be identified and included in this contract. The Governmental Unit shall designate an individual with the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the services and accept responsibility for the results of the services performed. If the Auditor is able to identify an individual with the appropriate SKE, s/he must document and include in the audit workpapers how he/she reached that conclusion. If the Auditor determines that an individual with the appropriate SKE cannot be identified, the Auditor cannot perform both the non-attest service(s) and the audit. See "Fees for Audit Services" page of this contract to disclose the person identified as having the appropriate SKE for the Governmental Unit.

28. **Applicable to audits with fiscal year ends of June 30, 2021 and later.** The auditor shall present the audited financial statements including any compliance reports to the government unit's governing body or audit committee in an official meeting in open session as soon as the audited financial statements are available but not later than 45 days after the submission of the audit report to the Secretary. The auditor's presentation to the government unit's governing body or audit committee shall include:

- a) the description of each finding, including all material weaknesses and significant deficiencies, as found by the auditor, and any other issues related to the internal controls or fiscal health of the government unit as disclosed in the management letter, the Single Audit or Yellow Book reports, or any other communications from the auditor regarding internal controls as required by current auditing standards set by the Accounting Standards Board or its successor;
- b) the status of the prior year audit findings;
- c) the values of Financial Performance Indicators based on information presented in the audited financial statements; and
- d) notification to the governing body that the governing body shall develop a "Response to the Auditor's Findings, Recommendations, and Fiscal Matters," if required under 20 NCAC 03 .0508.

29. Information based on the audited financial statements shall be submitted to the Secretary for the purpose of identifying Financial Performance Indicators and Financial Performance Indicators of Concern. See 20 NCAC 03 .0502(c)(6).

30. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted (See Item 17 for clarification).

31. The process for submitting contracts, audit reports and invoices is subject to change. Auditors and units should use the submission process and instructions in effect at the time of submission. Refer to the N.C. Department of State Treasurer website at <https://www.nctreasurer.com/state-and-local-government-finance-division/local-government-commission/submitting-your-audit>

32. All communications regarding audit contract requests for modification or official approvals will be sent to the email addresses provided on the signature pages that follow.

33. Modifications to the language and terms contained in this contract form (LGC-205) are not allowed.

FEES FOR AUDIT SERVICES

1. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct (as applicable) and *Government Auditing Standards, 2018 Revision*. Refer to Item 27 of this contract for specific requirements. The following information must be provided by the Auditor; contracts presented to the LGC without this information will be not be approved.

Financial statements were prepared by: ☐ Auditor ☒ Governmental Unit ☐ Third Party

If applicable: Individual at Governmental Unit designated to have the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the non-attest services and accept responsibility for the results of these services:

Name:

Title and Unit / Company:

Email Address:

Brian Lee

Finance Director, Town of Harrisburg

blee@harrisburgnc.org

OR Not Applicable ☐ (Identification of SKE Individual on the LGC-205 Contract is not applicable for GAAS-only audits or audits with FYEs prior to June 30, 2020.)

2. Fees may not be included in this contract for work performed on Annual Financial Information Reports (AFIRs), Form 990s, or other services not associated with audit fees and costs. Such fees may be included in the engagement letter but may not be included in this contract or in any invoices requiring approval of the LGC. See Items 8 and 13 for details on other allowable and excluded fees.

3. The audit fee information included in the table below for both the Primary Government Fees and the DPCU Fees (if applicable) should be reported as a specific dollar amount of audit fees for the year under this contract. If any language other than an amount is included here, the contract will be returned to the audit form for correction.

4. Prior to the submission of the completed audited financial report and applicable compliance reports subject to this contract, or to an amendment to this contract (if required) the Auditor may submit interim invoices for approval for services rendered under this contract to the Secretary of the LGC, not to exceed 75% of the billings for the unit's last annual audit that was submitted to the Secretary of the LGC. All invoices for services rendered in an audit engagement as defined in 20 NCAC .0503 shall be submitted to the Commission for approval before any payment is made. Payment before approval is a violation of law. (This paragraph not applicable to contracts and invoices associated with audits of hospitals).

PRIMARY GOVERNMENT FEES

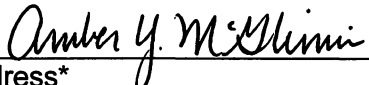
Primary Government Unit	Town of Harrisburg, NC
Audit Fee	\$ 31,200
Additional Fees Not Included in Audit Fee:	
Fee per Major Program	\$ 3,500 (up to 3 major programs); \$3,500 per major program in excess of 3
Writing Financial Statements	\$
All Other Non-Attest Services	\$

DPCU FEES (if applicable)

Discretely Presented Component Unit	N/A
Audit Fee	\$
Additional Fees Not Included in Audit Fee:	
Fee per Major Program	\$
Writing Financial Statements	\$
All Other Non-Attest Services	\$

SIGNATURE PAGE

AUDIT FIRM

Audit Firm*	
Martin Starnes & Associates, CPAs, P.A.	
Authorized Firm Representative (typed or printed)* Amber Y. McGhinnis	Signature* 
Date* 02/01/23	Email Address* amcghinnis@msa.cpa

GOVERNMENTAL UNIT

Governmental Unit*	
Town of Harrisburg, NC	
Date Primary Government Unit Governing Board Approved Audit Contract* (G.S.159-34(a) or G.S.115C-447(a))	
Mayor/Chairperson (typed or printed)* Jennifer Teague, Mayor	Signature*
Date	Email Address jteague@harrisburgnc.org

Chair of Audit Committee (typed or printed, or "NA") N/A	Signature
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1).
Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Primary Governmental Unit Finance Officer* (typed or printed) Brian Lee, Finance Director	Signature*
Date of Pre-Audit Certificate*	Email Address* blee@harrisburgnc.org

SIGNATURE PAGE – DPCU
(complete only if applicable)

DISCRETELY PRESENTED COMPONENT UNIT

DPCU*	
N/A	
Date DPCU Governing Board Approved Audit Contract* (Ref: G.S. 159-34(a) or G.S. 115C-447(a))	
DPCU Chairperson (typed or printed)*	Signature*
Date*	Email Address*

Chair of Audit Committee (typed or printed, or "NA")	Signature
N/A	
Date	Email Address

DPCU – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1).
 Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

DPCU Finance Officer (typed or printed)*	Signature*
N/A	
Date of Pre-Audit Certificate*	Email Address*

Remember to print this form, and obtain all
 required signatures prior to submission.

PRINT



Report on the Firm's System of Quality Control

To the Shareholders of Martin Starnes & Associates, CPAs, P.A. and the
Peer Review Committee, Coastal Peer Review, Inc.

We have reviewed the system of quality control for the accounting and auditing practice of Martin Starnes & Associates, CPAs, P.A. (the firm) in effect for the year ended December 31, 2020. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including compliance audits under the Single Audit Act and an audit of an employee benefit plan.

As part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Martin Starnes & Associates, CPAs, P.A. in effect for the year ended December 31, 2020, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Martin Starnes & Associates, CPAs, P.A. has received a peer review rating of *pass*.

Koonce, Wooten & Haywood, LLP

Koonce, Wooten & Haywood, LLP

May 4, 2021

Raleigh

4060 Barrett Drive
Post Office Box 17806
Raleigh, North Carolina 27619

919 782 9265
919 783 8937 FAX

Durham

3500 Westgate Drive
Suite 203
Durham, North Carolina 27707

919 354 2584
919 489 8183 FAX

Pittsboro

579 West Street
Post Office Box 1399
Pittsboro, North Carolina 27312

919 542 6000
919 542 5764 FAX

Smithfield

212 East Church Street
Post Office Box 2348
Smithfield, North Carolina 27577

919 934 1121
919 934 1217 FAX

MARTIN ♦ STARNES & ASSOCIATES, CPAs, P.A.

"A Professional Association of Certified Public Accountants and Management Consultants"

February 1, 2023

Brian T. Lee, Finance Director
Town of Harrisburg
4100 Main Street, Suite 101
Harrisburg, NC 28075

The following represents our understanding of the services we will provide the Town of Harrisburg.

You have requested that we audit the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the Town of Harrisburg, NC, as of June 30, 2023, and for the year then ended, and the related notes to the financial statements, which collectively comprise the Town of Harrisburg's basic financial statements as listed in the table of contents.

In addition, we will audit the entity's compliance over major federal and state award programs for the period ended June 30, 2023. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter. Our audits will be conducted with the objectives of our expressing an opinion on each opinion unit and an opinion on compliance regarding the entity's major federal and state award programs. The objectives of our audit of the financial statements are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (GAAS) and in accordance with *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

The objectives of our compliance audit are to obtain sufficient appropriate audit evidence to form an opinion and report at the level specified in the governmental audit requirement about whether the entity complied in all material respects with the applicable compliance requirements and identify audit and reporting requirements specified in the governmental audit requirement that are supplementary to GAAS and *Government Auditing Standards*, if any, and perform procedures to address those requirements.

Accounting principles generally accepted in the United States of America require that certain supplementary information be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the required supplementary information (RSI) in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation, and comparing the information for consistency with management's responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by accounting principles generally accepted in the United States of America. This RSI will be subjected to certain limited procedures but will not be audited:

- Management's Discussion and Analysis
- Local Governmental Employees' Retirement System's schedules

Supplementary information other than RSI will accompany the Town of Harrisburg's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and certain additional procedures, including comparing and reconciling the supplementary information to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and additional procedures in accordance with auditing standards generally accepted in the United States of America. We intend to provide an opinion on the following supplementary information in relation to the financial statements as a whole:

- Combining and individual fund financial statements
- Budget to actual schedules
- Ad valorem tax schedules
- Schedule of Expenditures of Federal and State Awards

Schedule of Expenditures of Federal and State Awards

We will subject the Schedule of Expenditures of Federal and State Awards to the auditing procedures applied in our audit of the basic financial statements and certain additional procedures, including comparing and reconciling the schedule to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and additional procedures in accordance with auditing standards generally accepted in the United States of America. We intend to provide an opinion on whether the Schedule of Expenditures of Federal and State Awards is presented fairly in all material respects in relation to the financial statements as a whole.

Data Collection Form (if applicable)

Prior to the completion of our engagement, we will complete the sections of the Data Collection Form that are our responsibility. The form will summarize our audit findings, amounts and conclusions. It is management's responsibility to submit a reporting package including financial statements, Schedule of Expenditures of Federal and State Awards, summary schedule of prior audit findings and corrective action plan along with the Data Collection Form to the Federal Audit Clearinghouse. The financial reporting package must be text searchable, unencrypted, and unlocked. Otherwise, the reporting package will not be accepted by the Federal Audit Clearinghouse. We will assist you in the electronic submission and certification. You may request from us copies of our report for you to include with the reporting package submitted to pass-through entities.

The Data Collection Form is required to be submitted within the *earlier* of 30 days after receipt of our auditors' reports or nine months after the end of the audit period, unless specifically waived by a federal

cognizant or oversight agency for audits. Data Collection Forms submitted untimely are one of the factors in assessing programs at a higher risk.

Audit of the Financial Statements

We will conduct our audit in accordance with auditing standards generally accepted in the United States of America (U.S. GAAS), the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States of America; the audit requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) and the State Single Audit Implementation Act. As part of an audit of financial statements in accordance with GAAS and in accordance with *Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Town of Harrisburg's ability to continue as a going concern for a reasonable period of time.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements may not be detected exists, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards* of the Comptroller General of the United States of America. Please note that the determination of abuse is subjective and *Government Auditing Standards* does not require auditors to detect abuse.

Our responsibility as auditors is limited to the period covered by our audit and does not extend to any other periods.

We will issue a written report upon completion of our audit of the Town of Harrisburg's basic financial statements. Our report will be addressed to the governing body of the Town of Harrisburg. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s) to our auditor's report, or if necessary, withdraw from the engagement. If our opinions on the basic financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

In accordance with the requirements of *Government Auditing Standards*, we will also issue a written report describing the scope of our testing over internal control over financial reporting and over compliance with laws, regulations, and provisions of grants and contracts, including the results of that testing. However, providing an opinion on internal control and compliance over financial reporting will not be an objective of the audit and, therefore, no such opinion will be expressed.

Audit of Major Program Compliance

Our audit of the Town of Harrisburg's major federal and state award program(s) compliance will be conducted in accordance with the requirements of the Single Audit Act, as amended, the Uniform Guidance, and the State Single Audit Implementation Act, and will include tests of accounting records, a determination of major programs in accordance with the Uniform Guidance and the State Single Audit Implementation Act and other procedures we consider necessary to enable us to express such an opinion on major federal and state award program compliance and to render the required reports. We cannot provide assurance that an unmodified opinion on compliance will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion or withdraw from the engagement.

The Uniform Guidance and the State Single Audit Implementation Act require that we also plan and perform the audit to obtain reasonable assurance about whether material noncompliance with applicable laws and regulations, the provisions of contracts and grant agreements applicable to major federal and state award programs, and the applicable compliance requirements occurred, whether due to fraud or error, and express an opinion on the entity's compliance based on the audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, the Uniform Guidance, and the State Single Audit Implementation Act will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the entity's compliance with the requirements of the federal or state programs as a whole.

As part of a compliance audit in accordance with GAAS and *Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit. We also identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks.

Our procedures will consist of determining major federal and state programs and, performing the applicable procedures described in the U.S. Office of Management and Budget *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the entity's major programs, and performing such other procedures as we consider necessary in the circumstances. The purpose of those procedures will be to express an opinion on the entity's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance and the State Single Audit Implementation Act.

Also, as required by the Uniform Guidance and the State Single Audit Implementation Act, we will obtain an understanding of the entity's internal control over compliance relevant to the audit in order to design and perform tests of controls to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each of the entity's major federal and state award programs. Our tests will be less in scope than would be necessary to render an opinion on these controls and, accordingly, no opinion will be expressed in our report. However, we will communicate to you, regarding, among other matters, the

planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we have identified during the audit.

We will issue a report on compliance that will include an opinion or disclaimer of opinion regarding the entity's major federal and state award programs, and a report on internal controls over compliance that will report any significant deficiencies and material weaknesses identified; however, such report will not express an opinion on internal control.

Management's Responsibilities

Our audit will be conducted on the basis that management and, when appropriate, those charged with governance, acknowledge and understand that they have responsibility:

1. For the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America;
2. For the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error;
3. For identifying, in its accounts, all federal and state awards received and expended during the period and the federal and State programs under which they were received;
4. For maintaining records that adequately identify the source and application of funds for federal and state funded activities;
5. For preparing the Schedule of Expenditures of Federal and State Awards (including notes and noncash assistance received) in accordance with the Uniform Guidance and State Single Audit Implementation Act;
6. For designing, implementing, and maintaining effective internal control over federal and state awards that provides reasonable assurance that the entity is managing federal and state awards in compliance with federal and state statutes, regulations, and the terms and conditions of the federal and state awards;
7. For identifying and ensuring that the entity complies with federal and state laws, statutes, regulations, rules, provisions of contracts or grant agreements, and the terms and conditions of federal and state award programs, and implementing systems designed to achieve compliance with applicable federal and state statutes, regulations and the terms and conditions of federal and state award programs;
8. For disclosing accurately, currently and completely the financial results of each federal and state award in accordance with the requirements of the award;
9. For identifying and providing report copies of previous audits, attestation engagements, or other studies that directly relate to the objectives of the audit, including whether related recommendations have been implemented;
10. For taking prompt action when instances of noncompliance are identified;
11. For addressing the findings and recommendations of auditors, for establishing and maintaining a process to track the status of such findings and recommendations and taking corrective action on reported audit findings from prior periods and preparing a summary schedule of prior audit findings;
12. For following up and taking corrective action on current year audit findings and preparing a corrective action plan for such findings;
13. For submitting the reporting package and data collection form to the appropriate parties;
14. For making the auditor aware of any significant contractor relationships where the contractor is responsible for program compliance;
15. To provide us with:
 - a. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements including the disclosures, and relevant to federal and state award programs, such as records, documentation, and other matters;

- b. Additional information that we may request from management for the purpose of the audit;
 - c. Unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.
 - d. A written acknowledgement of all the documents that management expects to issue that will be included in the annual report and the planned timing and method of issuance of that annual report (if applicable); and
 - e. A final version of the annual report (including all the documents that, together, comprise the annual report) in a timely manner prior to the date of the auditor's report (if applicable).
16. For adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year or period(s) under audit are immaterial, both individually and in the aggregate, to the financial statements as a whole;
 17. For acceptance of nonattest services, including identifying the proper party to oversee nonattest work;
 18. For maintaining adequate records, selecting and applying accounting principles, and safeguarding assets;
 19. For informing us of any known or suspected fraud affecting the entity involving management, employees with significant roles in internal control and others where fraud could have a material effect on compliance;
 20. For the accuracy and completeness of all information provided;
 21. For taking reasonable measures to safeguard protected personally identifiable and other sensitive information; and
 22. For confirming your understanding of your responsibilities as defined in this letter to us in your management representation letter.

With regard to the Schedule of Expenditures of Federal and State Awards referred to above, you acknowledge and understand your responsibility (a) for the preparation of the Schedule of Expenditures of Federal and State Awards in accordance with the Uniform Guidance and the State Single Audit Implementation Act, (b) to provide us with the appropriate written representations regarding the Schedule of Expenditures of Federal and State Awards, (c) to include our report on the Schedule of Expenditures of Federal and State Awards in any document that contains the Schedule of Expenditures of Federal and State Awards and that indicates that we have reported on such schedule, and (d) to present the Schedule of Expenditures of Federal and State Awards with the audited financial statements, or if the schedule will not be presented with the audited financial statements, to make the audited basic financial statements readily available to the intended users of the Schedule of Expenditures of Federal and State Awards no later than the date of issuance by you of the schedule and our report thereon.

As part of our audit process, we will request from management and, when appropriate, those charged with governance, written confirmation concerning representations made to us in connection with the audit.

We understand that your employees will prepare all confirmations we request and will locate any documents or invoices selected by us for testing.

If you intend to publish or otherwise reproduce the basic financial statements and make reference to our firm, you agree to provide us with printers' proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

Nonattest Services

We will perform the following nonattest services:

- Preparation of auditor portions of Data Collection Form (if applicable)
- Preparation of 990 return for Harrisburg Community & Youth Association, Inc.
- Preparation of 990 return for Harrisburg Business Alliance, Inc.

We will not assume management responsibilities on behalf of the Town of Harrisburg. However, we will provide advice and recommendations to assist management of the Town of Harrisburg in performing its responsibilities.

The Town of Harrisburg's management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual to oversee the services; (c) evaluating the adequacy of the services performed; (d) evaluating and accepting responsibility for the results of the services performed; and (e) establishing and maintaining internal controls, including monitoring ongoing activities.

Our responsibilities and limitations of the nonattest services are as follows:

- We will perform the services in accordance with applicable professional standards.
- The nonattest services are limited to the services previously outlined. Our firm, in its sole professional judgment, reserves the right to refuse to do any procedure or take any action that could be construed as making management decisions or assuming management responsibilities, including determining account coding and approving journal entries. Our firm will advise the Town of Harrisburg with regard to tax positions taken in the preparation of the tax returns, but the Town of Harrisburg must make all decisions with regard to those matters.

Other Matters

During the course of the engagement, we may communicate with you or your personnel via fax or e-mail, and you should be aware that communication in those mediums contains a risk of misdirected or intercepted communications.

Regarding the electronic dissemination of audited financial statements, including financial statements published electronically on your Internet website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Professional standards prohibit us from being the sole host and/or the sole storage for your financial and non-financial data. As such, it is your responsibility to maintain your original data and records and we cannot be responsible to maintain such original information. By signing this engagement letter, you affirm that you have all the data and records required to make your books and records complete.

During the course of the engagement, a portal will be in place for information to be shared, but not stored. Our policy is to terminate access to this portal after one year. The Town is responsible for data backup for business continuity and disaster recovery, and our workpaper documentation is not to be used for these purposes.

Provisions of Engagement Administration and Fees

We will prepare from your records and information you will provide, Internal Revenue Service Form-990, *Return of Organizations Exempt from Tax*, and related filings. Should these require an extension, we will notify you as soon as possible. We will not audit or express assurance on these returns and filings.

Erica Brown is the engagement partner for the audit services specified in this letter. Her responsibilities include supervising Martin Starnes & Associates, CPAs, P.A.'s services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report. To ensure that our independence is not impaired under the AICPA Code of Professional Conduct, you agree to inform the engagement partner before entering into any substantive employment discussions with any of our personnel.

Our fees for these services are as follows:

Audit Fee	\$ 31,200
Single Audit Fees (up to 3 programs)	<u>3,500</u>
	<u>\$ 34,700</u>
Additional Fees:	
Charge per major program in excess of 3	<u>\$ 3,500</u>

Our invoices for these fees will be rendered in four installments as work progresses and are payable upon presentation. In accordance with our firm policies, work may be suspended if your account becomes overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for non-payment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our reports. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination.

We will notify you immediately of any circumstances we encounter that could significantly affect this initial fee estimate. Whenever possible, we will attempt to use the Town of Harrisburg's personnel to assist in the preparation of schedules and analyses of accounts. This effort could substantially reduce our time requirements and facilitate the timely conclusion of the audit. Further, we will be available during the year to consult with you on financial management and accounting matters of a routine nature.

We want our clients to receive the maximum value for our professional services and to perceive that our fees are reasonable and fair. In working to provide you with such value, we find there are certain circumstances that can cause us to perform work in excess of that contemplated in our fee estimate.

Following are some of the more common reasons for potential supplemental billings:

Changing Laws and Regulations

There are many governmental and rule-making boards that regularly add or change their requirements. Although we attempt to plan our work to anticipate the requirements that will affect our engagement, there are times when this is not possible. We will discuss these situations with you at the earliest possible time in order to make the necessary adjustments and amendments in our engagement.

Incorrect Accounting Methods or Errors in Client Records

We base our fee estimates on the expectation that client accounting records are in order so that our work can be completed using our standard testing and accounting procedures. However, should we find numerous errors, incomplete records, or the application of incorrect accounting methods, we will have to perform additional work to make the corrections and reflect those changes in the financial statements.

Failure to Prepare for the Engagement

In an effort to minimize your fees, we assign you the responsibility for the preparation of schedules and documents needed for the engagement. We also discuss matters such as availability of your key personnel,

deadlines, and work space. If your personnel are unable, for whatever reasons, to provide these items as previously agreed upon, it might substantially increase the work we must do to complete the engagement within the scheduled time.

Starting and Stopping Our Work

If we must withdraw our staff because of the condition of the client's records, or the failure to provide agreed upon items within the established timeline for the engagement, we will not be able to perform our work in a timely, efficient manner, as established by our engagement plan. This will result in additional fees, as we must reschedule our personnel and incur additional start-up costs.

Assistance with Financial Statement Drafting

Your personnel is responsible for drafting the financial statements and related notes and the Schedule of Expenditures of Federal and State Awards. Upon completion of the drafted financial statements, we will review them and return them to you with suggested revisions. If significant assistance is needed to make those revisions, this will result in additional fees based on the amount of assistance required.

Our fees are based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs. Our fees for such services range from \$85-\$390 per hour.

Government Auditing Standards require that we document an assessment of the skills, knowledge, and experience of management, should we participate in any form of preparation of the basic financial statements and related schedules or disclosures as these actions are deemed a non-audit service.

During the course of the audit, we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

You agree to inform us of facts that may affect the financial statements of which you may become aware during the period from the date of the auditor's report to the date the financial statements are issued. We agree to retain our audit documentation or work papers for a period of at least five years from the date of our report.

You agree to inform us of facts that may affect the basic financial statements of which you may become aware during the period from the date of the auditor's report to the date the financial statements are issued.

At the conclusion of our audit engagement, we will communicate to management and those charged with governance the following significant findings from the audit:

- Our view about the qualitative aspects of the entity's significant accounting practices;
- Significant difficulties, if any, encountered during the audit;
- Uncorrected misstatements, other than those we believe are trivial, if any;
- Disagreements with management, if any;
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process;
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures;
- Representations we requested from management;
- Management's consultations with other accountants, if any; and

- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.

The audit documentation for this engagement is the property of Martin Starnes & Associates, CPAs, P.A. and constitutes confidential information. However, we may be requested to make certain audit documentation available to the Local Government Commission, Office of the State Auditor, federal or state agencies and the U.S. Government Accountability Office pursuant to authority given to it by law or regulation, or to peer reviewers. If requested, access to such audit documentation will be provided under the supervision of Martin Starnes & Associates, CPAs, P.A.'s personnel. Furthermore, upon request, we may provide copies of selected audit documentation to these agencies and regulators. The regulators and agencies may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

In accordance with the requirements of *Government Auditing Standards*, we have attached a copy of our latest external peer review report of our firm to the Contract to Audit Accounts for your consideration and files.

Please sign and return a copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the financial statements and compliance over major federal and state award programs, including our respective responsibilities.

We appreciate the opportunity to be your financial statement auditors and look forward to working with you and your staff.

Respectfully,

Martin Starnes & Associates, CPAs, P.A.

Martin Starnes & Associates, CPAs, P.A.
Hickory, North Carolina

RESPONSE:

This letter correctly sets forth our understanding.

Acknowledged and agreed on behalf of the Town of Harrisburg by:

Signature: _____

Title: _____

Date: _____



TOWN OF HARRISBURG

Agenda Item Details

Title:

H-2022-14-R: Consider non-contiguous annexation and rezoning of property (5 lots) located on Stallings Road and Jon Chris Drive (PINs: 5517-60-7529, 5517-60-8525, 5517-60-9512, 5517-60-6451, and 5517-60-7347).

Presenting Personnel:

Zac Gordon, Planning Director

Suggested Motion or Action:

FOR APPROVAL OF REZONING:

Motion to Approve the request for rezoning of property located on Stallings Road and John Chris Drive (PINs: 5517-60-7529, 5517-60-8525, 5517-60-9512, 5517-60-6451, and 5517-60-7347) consisting of approximately 2.27 acres, **contingent on approval of related annexation request.**

Motion to Approve the request for annexation of property located on Stallings Road and John Chris Drive (PINs: 5517-60-7529, 5517-60-8525, 5517-60-9512, 5517-60-6451, and 5517-60-7347) consisting of approximately 2.27 acres.

Consistency Statement:

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

FOR DENIAL:

Motion to Deny the request for annexation of property located on Stallings Road and John Chris Drive (PINs: 5517-60-7529, 5517-60-8525, 5517-60-9512, 5517-60-6451, and 5517-60-7347) consisting of approximately 2.27 acres.

Description/Background:

The applicant is requesting permission to annex five (5) lots, consisting of approximately 2.27 acres, into the Town limits in order to access Town utility (water and sewer) services. This request is considered a non-contiguous annexation, as the proposed subdivision is not adjacent to the town's primary corporate limits.

In conjunction with the request for annexation, the applicant proposes to rezone these five parcels from County LDR (Low Density Residential) to RM (Residential Medium). NCGS requires the assignment of a zoning designation for all property located within the town's corporate limits. The proposed rezoning may be considered after the Town Council has approved the annexation and established zoning jurisdiction over this property.

The RM District allows a gross density between 2 and 3 units per acre. At 2.20 units per acre, the proposed rezoning is consistent with the requirements of the UDO. The Harrisburg Area Land Use Plan (HALUP) locates this property within a "Low Density Residential" area. The LDR designation calls for 1 -2 units per acre. The proposed density is 2.20 dwelling units per acre – just over the 1-2 units per acre designated by the HALUP. Although the lots slightly exceed the recommended LDR density, the five lots are existing and can not be further subdivided.

At the public hearing held for this rezoning on January 9, 2023, the applicant addressed abutter concerns regarding drainage impacts that would result from development of these parcels for single-family residential use. The applicant

indicated that these parcels would be graded to insure proper drainage, along with the restoration of drainage flow in an existing drainage swale that extends from Stallings Road to Jon Chris Road.

Recommendation:

STAFF RECOMMENDATION:

Staff recommends approval of the request for annexation into the Town limits for property located on Stallings Road and Jon Chris Road (PINs: 5517-60-7529, 5517-60-8525, 5517-60-9512, 5517-60-6451, and 5517-60-7347), consisting of approximately 2.27 acres, as noted in the attached survey and legal description.

The request for rezoning of property located on Stallings Road and Jon Chris Road (Case # H-2022-14) is consistent with the Harrisburg Area Land Use Plan (HALUP) and the requirements of the UDO. Planning and Zoning staff therefore recommends approval of the request for rezoning.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board recommended Town Council approval of the proposed rezoning at their November 15, 2022 meeting (see attached minutes).

Fiscal Impact:

None

Attachments:

1. H-2022-14-R Annexation Application
2. H-2022-14-R Survey
3. H-2022-14-R Combined Legal Description
4. H-2022-14-R Certificate of Sufficiency - Jon Chris-Stallings
5. H-2022-14-R Resolution Fixing Date of Public Hearing - Jon Chris-Stallings
6. H-2022-14-R Rezoning Staff Report TC Stallings Rd and Jon Chris Rd
7. H-2022-14-R Rezoning Application
8. H-2022-14-R Site Map
9. H-2022-14-R Site Plan
10. H-2022-14-R Public Hearing Notice Jan. 9, 2023
11. H-2022-14-R Letter to Abutting Property Owners
12. H-2022-14-R Abutting Property Owners Notified
13. H-2022-14-R PZ MINS NOV 15 22
14. Annexation Ord 7028 - Jon Chris-Stallings

Annexation Application

1. Request for Annexation

- ☒ 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. Property Information

- a. Property Location/Address: 2306 + 2312 Jon Chris Drive / 2301, 2307, 2313 Stallings Rd
- b. Tax Map and Parcel Number (PIN): _____
- c. Current Zoning: Country Rural
- d. Current Land Use: Vacant lots
- e. Area to be annexed is: ☐ Contiguous ☐ Non-Contiguous
- f. Boundaries of territory to be annexed (attach separate sheet or describe below):

3. Contact Information

- a. Contact Person: Robert K. Williams, Jr.
Company: RKW Builders, LLC.
Address: 8392 Rocky River Road City, State, Zip: Harrisburg NC 28075
Phone Number: (704) 222 3814 Email Address: RKWJR Homes@gmail.com
- b. Applicant Name (if different than above): _____
Company: _____
Address: _____ City, State, Zip: _____
Phone Number: _____ Email Address: _____
- c. Owner Name: Robert K Williams, Jr.
Company: RKW Builders, LLC
Address: _____ City, State, Zip: _____
Phone Number: _____ Email Address: _____

4. Signature of Owner(s)

Owner Name: Robert K Williams, Jr Address: 8392 Rocky River Rd
Harrisburg NC 28075
Owner Signature: R K Willy Date: 9/25/22

Owner Name: _____ Address: _____

Owner Signature: _____ Date: _____

Owner Name: _____ Address: _____

Owner Signature: _____ Date: _____

Owner Name: _____ Address: _____

Owner Signature: _____ Date: _____

Owner Name: _____ Address: _____

Owner Signature: _____ Date: _____

Owner Name: _____ Address: _____

Owner Signature: _____ Date: _____

Owner Name: _____ Address: _____

Owner Signature: _____ Date: _____

5. Affidavit of Completeness and Accuracy (to be completed by the individual submitting the application)

STATEMENT OF COMPLETENESS AND ACCURACY:

I hereby certify all property owners have full knowledge the property they own is the subject of this application. I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related application material and all attachments become official records of the Planning and Zoning Department of Harrisburg, North Carolina, and will not be returned.

I understand that any knowingly false, inaccurate or incomplete information provided by me will result in the denial, revocation or administrative withdrawal of this application, request, approval or permit. I further acknowledge that additional information may be required to process this application. I further consent to the Town of Harrisburg to publish, copy or reproduce any copyrighted documents submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Applicant Name: Robert K. Williams, Jr. Submittal Date: 9/25/22

Applicant Signature: R K Willy

7. Required Attachments

All Annexation Application submittals must be accompanied by:

- Applicable fee(s) (see Master Fee Schedule in Appendix B of the Development Guidebook);
- Sealed survey showing area proposed for annexation in relation to the primary corporate limits of the Town of Harrisburg.

6. Staff Use Only:

Record of Process

Date Received: _____

Application Number: _____

Is Application Complete?

☐

Yes

☐

No

Public Hearing Date(s): _____

Published Notice Date: _____

Mailed Notice Date: _____

Posted Notice Date: _____

Final Action Applicant Notification Mailed Date: _____

Town Staff Signature: _____

Record of Decision

Reviewed By: _____

Recommendation:

☐

Approve

☐

Deny

Final Action:

☐

Approve

☐

Deny

STATE OF NORTH CAROLINA CABARRUS COUNTY

"I, MARK C. CARTER, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 641, PAGE 265 OR OTHER REFERENCE SOURCE); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN BOOK 22, PAGE 68; THAT THE RATIO OF PRECISION OR POSITION ACCURACY IS 1:10,000, AND THAT THIS MAP MEET THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600)." THIS 23rd DAY OF SEPTEMBER, 2022.

PROFESSIONAL LAND SURVEYOR

PRELIMINARY
NOT FOR SALES OR CONVEYANCES

"I, MARK C. CARTER, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

1. CLASS OF SURVEY: A
2. POSITIONAL ACCURACY: 0.03 US FEET
3. TYPE OF GPS FIELD PROCEDURE: REAL TIME KINEMATICS NETWORK
4. DATES OF SURVEY: SEPT 7, 2022
5. DATUM/EPOCH: NAD83
6. PUBLISHED/FIXED CONTROL USE: NGS 'PEMBROOK'
7. GEOD MODEL USED: GEIOD 2018
8. COMBINED GRID FACTOR: 0.99985000
9. UNITS: US SURVEY FEET

MARK C CARTER NCPLS L-5102

DATE

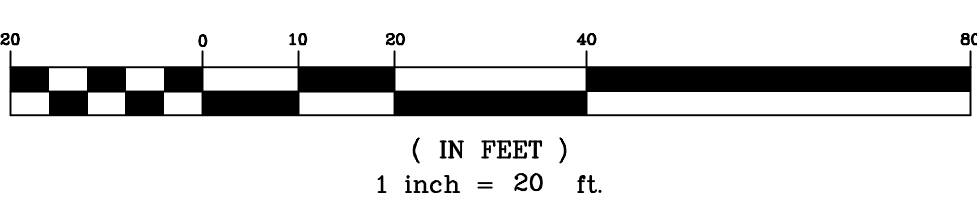
NOTES

1. AREA CALCULATED BY COORDINATE COMPUTATION.
2. ADJOINING PROPERTY OWNERS NAMES WERE TAKEN FROM CABARRUS COUNTY TAX OFFICE RECORDS, AND ARE CONSIDERED AS NOW OR FORMERLY.
3. IRON RODS AT ALL CORNERS UNLESS NOTED.
4. THIS MAP IS SUBJECT TO ANY AND ALL APPLICABLE DEED RESTRICTIONS, EASEMENTS, RIGHT-OF-WAY, UTILITIES AND RESTRICTIVE COVENANTS AND PRELIMINARY PLAN WHICH MAY BE OF RECORD.
5. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES, MEASURED WITH ELECTRONIC MEASURING DEVICES.
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7. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH.
8. NO NCOS MONUMENT FOUND WITHIN 2000 FEET.
9. SETBACKS SHOWN ARE per CURRENT ZONING ORDINANCES UNLESS OTHERWISE NOTED.
10. SUBJECT PROPERTY ZONED LDR.
11. PROPERTY SUBJECT TO EASEMENT(S) per MB 22 PG 68.
12. PROPERTY SUBJECT TO RESTRICTIONS per DB 424 PG 231, AND DB 684 PG 196.
13. THE COMMUNITY FLOOD FRINGE BASE FLOOD ELEVATION (BFE) REPRESENTS THE COMPUTED FLOOD ELEVATION (NAVD 88) FOR THE 0.2% ANNUAL CHANCE FLOOD EVENT. (500 YEAR FLOOD).
14. NO DWELLING OR OTHER STRUCTURE OR BUILDING SHALL BE LOCATED ON ANY LOT NEARER THAN 10 FEET TO AN INTERIOR LOT LINE OR NEARER THAN 15 FEET TO ANY REAR LOT LINE PER DB 684 PG 196.

LEGEND

- | | |
|-----|-----------------------------|
| RF | REBAR FOUND |
| PTF | PINCHED TOP PIPE FOUND |
| RS | REBAR SET |
| R/W | RIGHT-OF-WAY |
| SF | SQUARE FEET |
| MB | MAP BOOK |
| DB | DEED BOOK |
| PG | PAGE |
| BL | BUILDING LINE |
| RY | REAR YARD |
| SY | SIDE YARD |
| SDE | STORM DRAINAGE EASEMENT |
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| SS | SANITARY SEWER LINE |
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| APL | ADJOINER PROPERTY LINE |
| RWL | R/W LINE |
| EPL | EXTERIOR PROPERTY LINE |
| TL | TOP BANK |
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| DE | DRAINAGE & UTILITY EASEMENT |
| BSL | BUILDING SETBACK LINE |
| CFF | COMMUNITY FLOOD FRINGE |
| WM | WATER METER |
| CT | CABLE TV |
| TP | TELEPHONE PEDESTAL |
| ICV | ICV |
| SS | SANITARY SEWER MANHOLE |

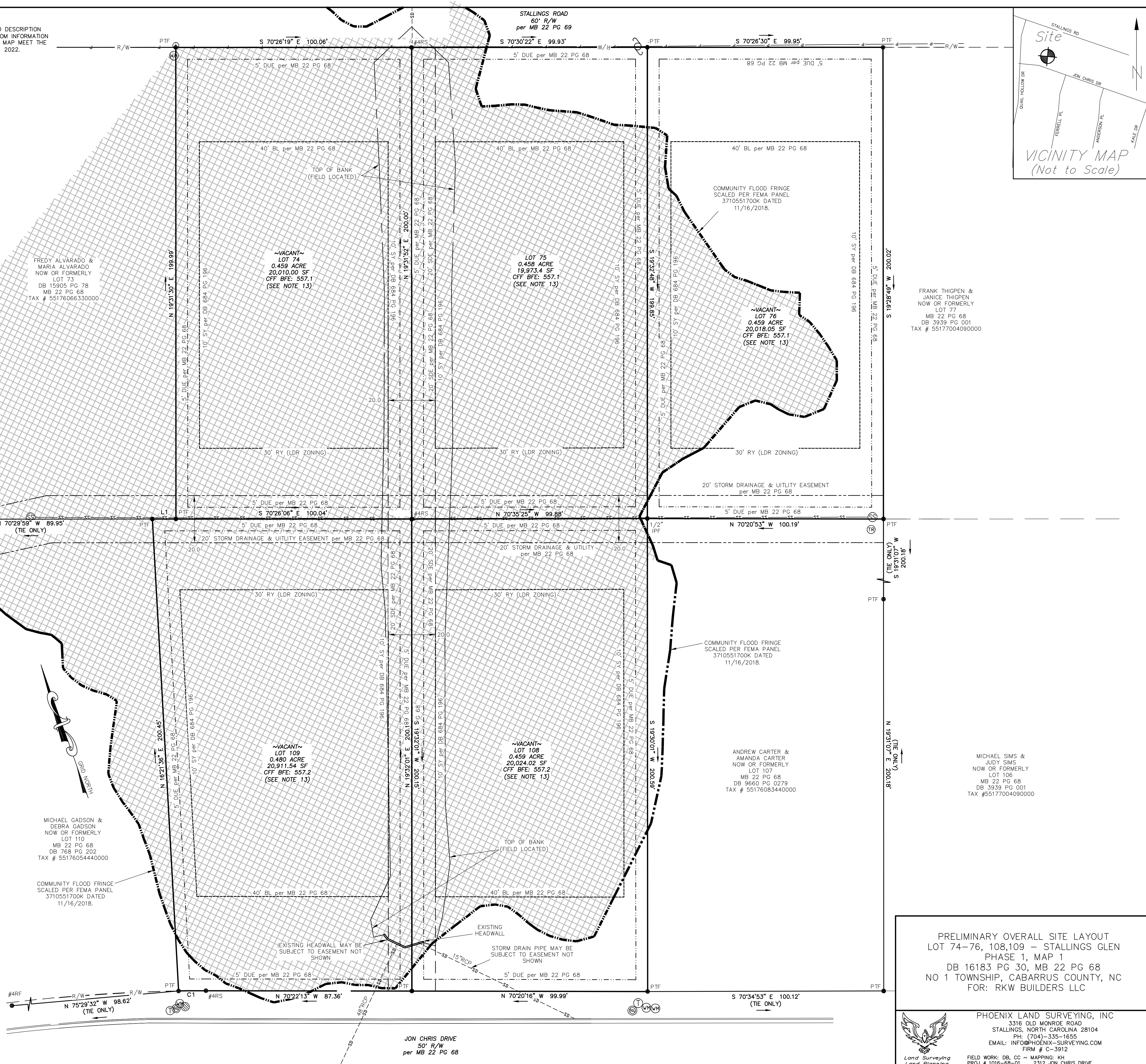
GRAPHIC SCALE



SITE NOTES:

BUILDING SETBACK REQUIREMENTS (MINIMUM) ZONED LDR.
FRONT: 40 FEET (per MB 22 PG 68)
SIDE YARD: 10 FEET (per DB 684 PG 196)
REAR YARD: 30 FEET (LDR ZONING)

FLOOD NOTE:
A PORTION OF THE SUBJECT PROPERTY SHOWN HEREON LIES WITHIN A SPECIAL FLOOD HAZARD AREA PER F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 3710551700K, DATED: 11/16/2018.



PRELIMINARY OVERALL SITE LAYOUT
LOT 74-76, 108, 109 - STALLINGS GLEN
PHASE 1, MAP 1
DB 16183 PG 30, MB 22 PG 68
NO 1 TOWNSHIP, CABARRUS COUNTY, NC
FOR: RKW BUILDERS LLC



PHOENIX LAND SURVEYING, INC
3316 OLD MONROE ROAD
STALLINGS, NORTH CAROLINA 28104
PH: (704)-335-1655
EMAIL: INFO@PHOENIX-SURVEYING.COM
FIRM # C-3912
FIELD WORK: DB, CC ~ MAPPING: KH
PROJ # 1016-68-01 2312 JON CHRIS DRIVE

Combined Legal Description

#2306 Jon Chris Drive - Parcel ID # 55176073470000

#2312 Jon Chris Drive - Parcel ID # 55176064510000

#2313 Stallings Road - Parcel ID # 55176075290000

#2307 Stallings Road - Parcel ID # 55176085250000

#2301 Stallings Road - Parcel ID # 55176095120000

Cabarrus County, NC

BEING all of lots 74-76, 108 & 109, Stallings Glen Phase 1, Map 1 found in Map Book 22 Page 68 of the Cabarrus County Register of Deeds office and being more accurately described by a surveys by Phoenix Land Surveying Inc. as follows:

BEGINNING at a pinched top pipe found on northern margin of Jon Chris Drive (MB 22 PG 68), said point being located N 53-56-55 W 2,901.12 feet from NGS Monument "Pembrook" (Grid Coordinates – N: 568,543.57, E: 1,519,135.97), thence from said BEGINNING point N 70-20-16 W 99.99 feet to pinched top pipe, thence N 70-22-13 W 87.36 feet to #4 rebar set, thence following a curve to the right having an arc length of 11.60 feet, a radius of 691.75 feet, and a chord bearing and distance of N 70-56-57 W 11.60 feet to a pinched top pipe, thence N 16-21-36 E 200.45 feet to a pinched top pipe, thence S 70-31-24 E 10.01 feet, thence N 19-31-30 E 199.99 feet to a pinched top pipe found in the southern margin of Stallings Road (MB 22 PG 68), thence S 70-26-19 E 100.06 feet to new #4 rebar set, thence S 70-30-22 E 99.93 feet to a pinched top pipe, thence S 70-26-30 99.95 feet to a pinched top pipe, thence S 19-28-49 W 200.02 feet to a pinched top pipe, thence N 70-20-53 W 100.19 feet to a ½" iron pipe found, thence S 19-30-01 W 200.59 feet to the point and place of BEGINNING containing 2.315 acres.

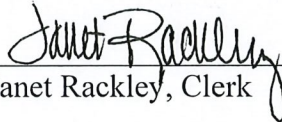


To the Town Council of the Town of Harrisburg of Harrisburg North Carolina:

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 29th day of November 2022.




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 January 9, 2023.

Combined Legal Description

#2306 Jon Chris Drive - Parcel ID # 55176073470000

#2312 Jon Chris Drive - Parcel ID # 55176064510000

#2313 Stallings Road - Parcel ID # 55176075290000

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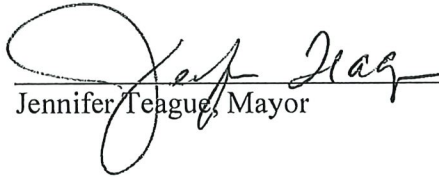
Cabarrus County, NC

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from said BEGINNING point N 70-20-16 W 99.99 feet to pinched top pipe, thence N 70-22-13 W 87.36 feet to #4 rebar set, thence following a curve to the right having an arc length of 11.60 feet, a radius of 691.75 feet, and a chord bearing and distance of N 70-56-57 W 11.60 feet to a pinched top pipe, thence N 16-21-36 E 200.45 feet to a pinched top pipe, thence S 70-31-24 E 10.01 feet, thence N 19-31-30 E 199.99 feet to a pinched top pipe found in the southern margin of Stallings Road (MB 22 PG 68), thence S 70-26-19 E 100.06 feet to new #4 rebar set, thence S 70-30-22 E 99.93 feet to a pinched top pipe, thence S 70-26-30 99.95 feet to a pinched top pipe, thence S 19-28-49 W 200.02 feet to a pinched top pipe, thence N 70-20-53 W 100.19 feet to a ½" iron pipe found, thence S 19-30-01 W 200.59 feet to the point and place of BEGINNING containing 2.315 acres.

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


Jennifer Teague, Mayor

ATTEST:


Janet Rackley, Clerk





Town of Harrisburg
Planning and Economic Development Department
Rezoning Staff Report for Town Council

DATE: December 30, 2022

SUBJECT:

Request H-2022-14-(R): To rezone approximately 2.27 acres from County LDR (Low Density Residential) to RM (Residential Medium Density)

Location: The subject properties are located on Stallings Road and Jon Chris Drive (PIN 5517-60-7529, 5517-60-8525, 5517-60-9512, 5517-60-6451, and 5517-60-7347)

Applicant: Robert Williams

Staff Report Prepared by: Craig Thomas, Senior Planner

Neighborhood Meeting: N/A

Planning and Zoning Board
Review: November 15, 2022

BACKGROUND:

Area: ±2.27 acres Total

Existing Land Use: Vacant/Single-Family Residential

Zoning within 500 feet: North - Low Density Residential (LDR), Cabarrus County
South - Low Density Residential (LDR), Cabarrus County
East - Low Density Residential (LDR), Cabarrus County
West - Low Density Residential (LDR), Cabarrus County

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

APPLICATION SUMMARY:

- The applicant proposes to rezone five parcels from County LDR (Low Density Residential) to RM (Residential Medium Density). The purpose of this rezoning is to allow for the annexation of these parcels into the Town of Harrisburg limits to access utility services for each lot.
- The RM District allows a gross density between 2 and 3 units per acre. At 2.20 units per acre the proposed rezoning is consistent with the requirements of the UDO.
- The Harrisburg Area Land Use Plan (HALUP) locates this property within a “Low Density Residential” area. The LDR designation calls for 1 -2 units per acre. The proposed density is 2.20 dwelling units per acre – just over the 1-2 units per acre designated by the HALUP. Although the lots slightly exceed the recommended LDR density, the five lots are existing and could not be further subdivided.
- Along with this request for rezoning, the applicant has submitted a petition to be annexed into the Town of Harrisburg corporate limits.

APPROVAL CRITERIA:

1. The size of the tract in question;

The subject properties measure approximately 2.27 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 Harrisburg Area Land Use Plan, the subject property is located in an area designated on the future land use map as **Low Density Residential**. The description of Low Density Residential is as follows:

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

Based on the description of the Low-Density Residential land use classification, the proposed density 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 audiences and products to those seeking Harrisburg’s high quality of life. The medium and low-density nature of this area and the proposed zoning would allow the property owners to build single family homes and maintain the residential character of the area.

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 proposed density of 2.20 dwelling units per acre is compatible with the standards designated by the RM district.

Per the Unified Development Ordinance, the intent of the proposed district:

***RM:** The RM district provide areas for medium-density, single-family residential uses on smaller lots or single-family detached and attached dwellings cluster around common open space used as buffers between districts or housing types and to provide for resource protection and preservation of sensitive lands.*

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

The request for rezoning does not appear to have any detrimental impact for the owner, neighbors, and surrounding community. Development of the existing vacant lots for five single-family residential units at a proposed density of 2.20 dwelling units per acre would be consistent with the existing residential development pattern surrounding these lots.

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 is available along Stallings Road and sewer access is available along the rear property lines.

Sewer Allocation

In 2021, due to the need to expand capacity at the Rocky River Regional Wastewater Treatment Plant, the Water and Sewer Authority of Cabarrus County (WSACC) began the process of expanding capacity at the plant to serve new growth. In conjunction with this planned expansion, WSACC imposed a limit on the available sewer allocation for customers within its service area. In response, the Town has adopted a “Sewer Allocation Policy” to ensure that the capacity available to the Town is not exceeded. Town staff meets on a quarterly basis to review applications for sewer allocations and either approves or denies allocations, based on the availability of capacity. If rezoning and annexation approval is granted for these five (5) lots, sewer allocation approval would also be required before any construction could occur on these lots.

b. Transportation:

A TIA was not required based on the limited amount of traffic generated by this rezoning, with only five (5) lots and five potential homes involved. Driveway

access will be reviewed and permitted by the Town and NCDOT during the permitting review and approval process.

c. Safety and Sanitation Services:

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

d. Schools:

Cabarrus County Schools did not offer a student impact statement for this rezoning as the impact was deemed to be minimal.

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

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

The proposed zoning to allow single-family residential development at a density of 2.20 dwelling units per acre would be compatible with the existing surrounding single family residential 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 lots.

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

The areas around this property are generally zoned for low density residential use. Existing land use patterns in the area typically consist of low-density residential lots and vacant land.

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 for single family detached homes is consistent with the surrounding neighborhood and aligns with the Harrisburg Area Land Use Plan (HALUP).

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

This property has been vacant since the surrounding Stalling Glen neighborhood has been developed.

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;

There is an adequate supply of land in the area to accommodate the zoning and community needs.

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.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board recommended Town Council approval of the proposed rezoning at their November 15, 2022 meeting (see attached minutes).

STAFF RECOMMENDATION:

Based upon consistency of the proposed rezoning with the Harrisburg Area Land Use Plan (HALUP) and compliance with the Unified Development Ordinance (UDO), Planning and Zoning Department staff recommends approval of the applicant's request for rezoning from LDR – County to RM (Residential Medium Density).



Harrisburg NC

The right side of opportunity

Planning & Zoning Department

4100 Main Street Ste 102, Harrisburg, NC 28075

(704) 455-5614

Legislative Approval Application

1. Application Type (select all that apply)

- ☐ UDO Text Amendment ☐ Zoning Map Amendment (rezoning) ☐ Conditional Zoning Approval
☐ Certificate of Appropriateness

2. Project Information

- a. Project Name: 5 small lots 3 Stallings / 2 Jon Chris
- b. Project Location/Address: 2306 + 2312 Jon Chris Dr. / 2301, 2307 + 2313 Stallings Road
- c. Tax Map and Parcel Number (PIN): _____
- d. Zoning: Existing: LDR Proposed: ~~LDR~~ RL
- e. Land Use: Existing: Residential Proposed: Residential
- g. Description of Request (attach separate sheet if needed):

3. Contact Information

- a. Project Manager/Contact Person: Robert K Williams, Jr
Company: RKW Builders LLC
Address: 8392 Rocky River Road City, State, Zip: Harrisburg NC 28075
Phone Number: (704) 222-3814 Email Address: RKWJR Homes @ gmail.com
- b. Applicant Name (if different than above): _____
Company: _____
Address: _____ City, State, Zip: _____
Phone Number: _____ Email Address: _____
- c. Owner Name: Robert K. Williams, Jr
Company: RKW Builders, LLC.
Address: 8392 Rocky River Road City, State, Zip: Harrisburg NC 28075
Phone Number: (704) 222 3814 Email Address: RKWJR Homes @ gmail.com

4. Owner's Consent

Robert K Williams, Jr. ("Owner") certifies that it is the owner of the property located at ~~Rocking Horse Road~~, Jun Chris Stelling ^{Plot} ("Subject Property") and expressly consents to the use of the Subject Property as described in this application and to all conditions that may be agreed to as a part of the approval of this application, which may be imposed by the decision making board.

Owner hereby authorizes, Larry Thompson + Paul Thompson as agent, to file this application and represent Owner at any and all meetings and hearings required for the approval of this application.

Owner's Signature: M K Wilfr. Date: 9/25/22

5. Affidavit of Completeness and Accuracy (to be completed by the individual submitting the application)

Project Name: _____ Submittal Date: 9/25/22

STATEMENT OF COMPLETENESS AND ACCURACY:

I hereby certify all property owners have full knowledge the property they own is the subject of this application. I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related application material and all attachments become official records of the Planning and Zoning Department of Harrisburg, North Carolina, and will not be returned.

I understand that any knowingly false, inaccurate or incomplete information provided by me will result in the denial, revocation or administrative withdrawal of this application, request, approval or permit. I further acknowledge that additional information may be required to process this application. I further consent to the Town of Harrisburg to publish, copy or reproduce any copyrighted documents submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Applicant Name: Robert K Williams, Jr.

Applicant Signature: M K Wilfr.

6. Staff Use Only:

Record of Process

Date Received: _____

Application Number: _____

Is Application Complete?

☐ Yes

☐ No

Public Hearing Date(s): _____

Published Notice Date: _____

Mailed Notice Date: _____

Posted Notice Date: _____

Final Action Applicant Notification Mailed Date: _____

Town Staff Signature: _____

Record of Decision

Reviewed By: _____

Recommendation: ☐ Approve

☐ Deny

Final Action: ☐ Approve

☐ Deny

7. Required Attachments

All development application submittals must be accompanied by:

- Applicable fee(s) (see Master Fee Schedule in Appendix B of the Development Guidebook);
- Attachments listed in under the pertinent application;
- Case numbers of other related development applications; and
- Any additional information or attachments required by the Town Attorney, Director or other Town staff, Historic Preservation Commission, Planning and Zoning Board, Board of Adjustment, or Town Council.

Consult staff during pre-application meeting for any required paper copies consult staff during pre-application meeting for any required paper copies.

Conditional Zoning Approval

1. List of all abutting property owners' name, mailing address, and PINs
2. Recent survey or legal description of property requested to be rezoned
3. Copies of the invitation letter, minutes, and sign-up sheet from required neighborhood meeting
4. If determined required at the pre-application meeting:
 - a. Copies of the Traffic Impact Analysis (TIA)
 - b. Proposed site plan
 - c. Landscape plan (with number, location, and type of proposed plantings)
 - d. Proposed building elevations
5. A digital (PDF) copy of a complete site-specific development plan
6. List of specific proposed permitted uses (chosen from permitted used of proposed district)
7. Any specific conditions willing to be imposed as part of application (e.g. no outside storage, increased buffer width, etc.)

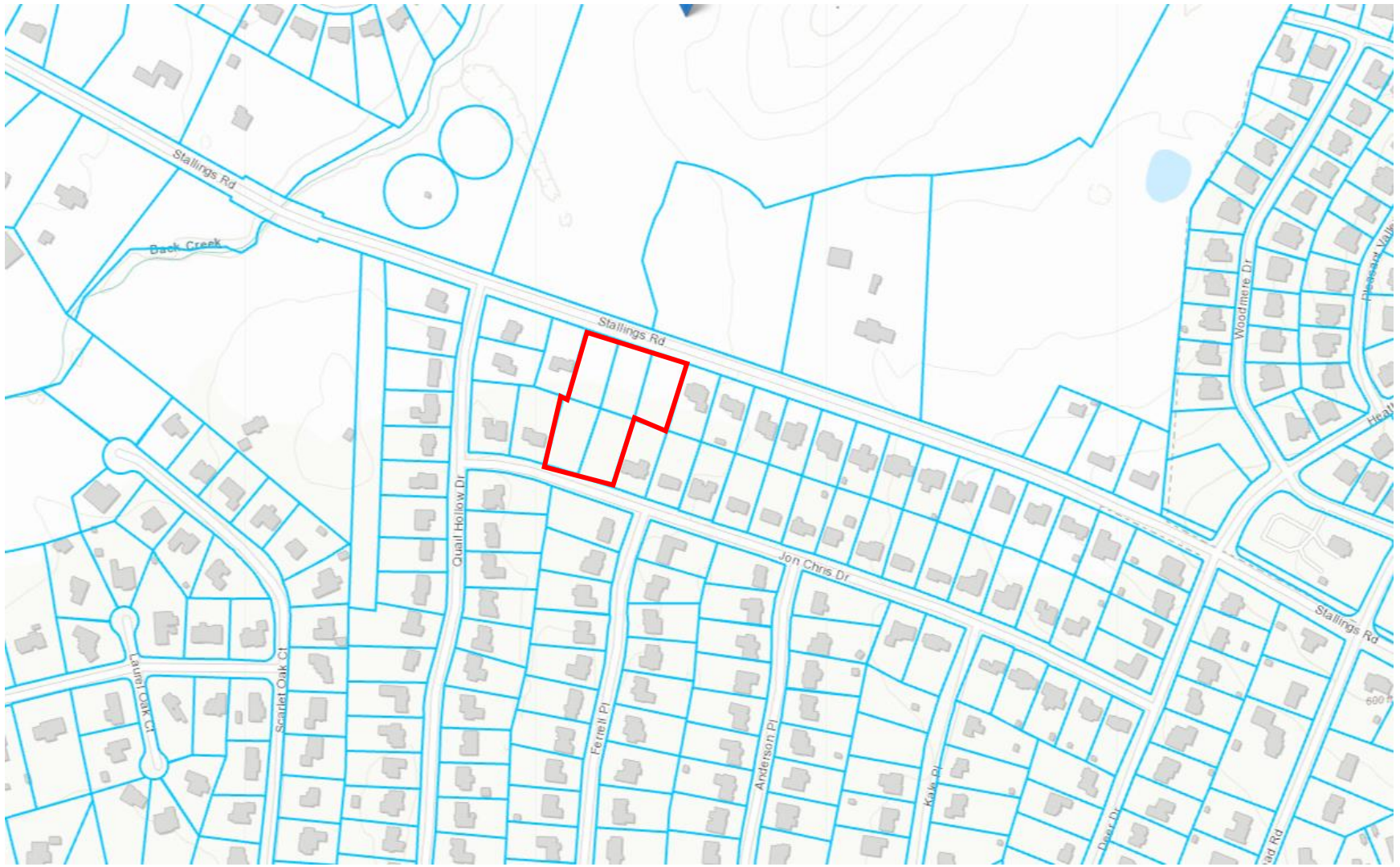
Zoning Map Amendment (rezoning)

1. List of all abutting property owners' name, mailing address, and PINs
2. Recent survey or legal description of property requested to be rezoned
3. Copies of the invitation letter, minutes, and sign-up sheet from required neighborhood meeting.
4. If determined required at the pre-application meeting:
 - a. Copies of the Traffic Impact Analysis (TIA)
 - b. Proposed site plan
 - c. Landscape plan (with number, location, and type of proposed plantings)
 - d. Proposed building elevations

UDO Text Amendment

1. Proposed text of amendment ordinance
2. Written rationale for the change

H2022-14-R Stallings Road and Jon Chris Five Lot Rezoning



STATE OF NORTH CAROLINA CABARRUS COUNTY

"I, MARK C. CARTER, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 641, PAGE 265 OR OTHER REFERENCE SOURCE); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN BOOK 22, PAGE 68; THAT THE RATIO OF PRECISION OR POSITION ACCURACY IS 1:10,000, AND THAT THIS MAP MEET THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600)." THIS 23rd DAY OF SEPTEMBER, 2022.

PROFESSIONAL LAND SURVEYOR

PRELIMINARY
NOT FOR SALES OR CONVEYANCES

"I, MARK C. CARTER, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

1. CLASS OF SURVEY: A
2. POSITIONAL ACCURACY: 0.03 US FEET
3. TYPE OF GPS FIELD PROCEDURE: REAL TIME KINEMATICS NETWORK
4. DATES OF SURVEY: SEPT 7, 2022
5. DATUM/EPOCH: NAD83
6. PUBLISHED/FIXED CONTROL USE: NGS 'PEMBROOK'
7. GEOID MODEL USED: GEOID 2018
8. COMBINED GRID FACTOR: 0.99985000
9. UNITS: US SURVEY FEET

MARK C CARTER NCPLS L-5102

DATE

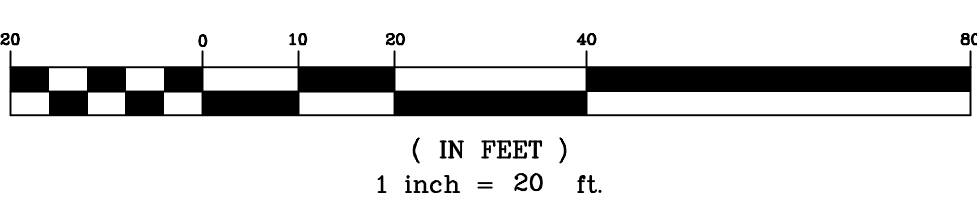
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| ICV | ICV |
| SS | SANITARY SEWER MANHOLE |

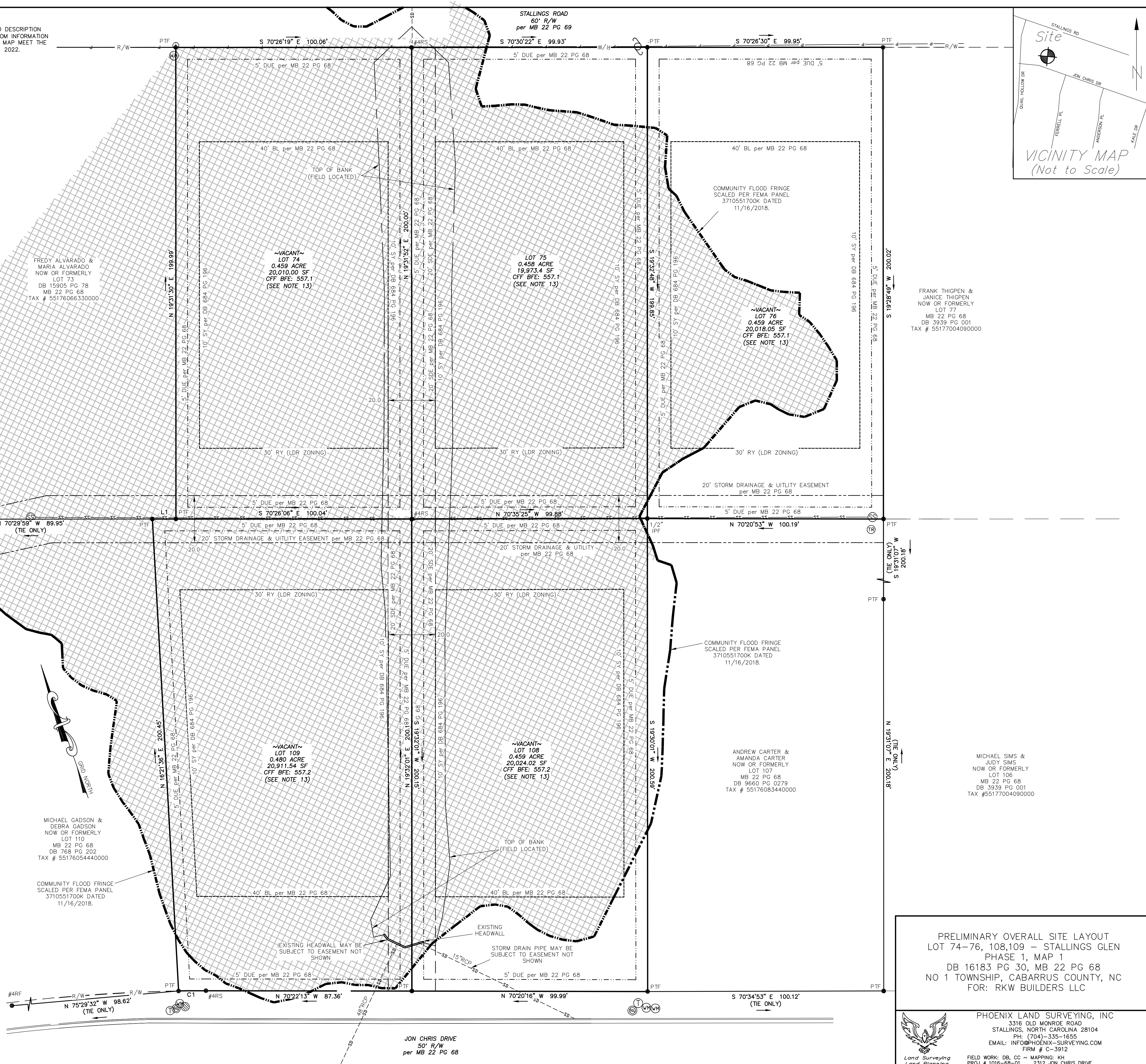
GRAPHIC SCALE



SITE NOTES:

BUILDING SETBACK REQUIREMENTS (MINIMUM) ZONED LDR.
FRONT: 40 FEET (per MB 22 PG 68)
SIDE YARD: 10 FEET (per DB 684 PG 196)
REAR YARD: 30 FEET (LDR ZONING)

FLOOD NOTE:
A PORTION OF THE SUBJECT PROPERTY SHOWN HEREON LIES WITHIN A SPECIAL FLOOD HAZARD AREA PER F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 3710551700K, DATED: 11/16/2018.



PRELIMINARY OVERALL SITE LAYOUT
LOT 74-76, 108, 109 - STALLINGS GLEN
PHASE 1, MAP 1
DB 16183 PG 30, MB 22 PG 68
NO 1 TOWNSHIP, CABARRUS COUNTY, NC
FOR: R/W BUILDERS LLC



PHOENIX LAND SURVEYING, INC
3316 OLD MONROE ROAD
STALLINGS, NORTH CAROLINA 28104
PH: (704)-335-1655
EMAIL: INFO@PHOENIX-SURVEYING.COM
FIRM # C-3912
FIELD WORK: DB, CC ~ MAPPING: KH
PROJ # 1016-68-01 2312 JON CHRIS DRIVE

PUBLIC HEARING NOTICE

Harrisburg Town Council ****Onsite/Virtual Meeting****

Monday, January 9, 2023 @ 6:00 PM

Harrisburg Town Hall- Council Chambers

4100 Main Street

Harrisburg, NC 28075

H-2022-07-R – Rezoning. Request to rezone approximately 39.32 acres located off Blackwelder Road (PINs: 5518-44-8790 and 5518-34-3293) from County LDR (Low Density Residential) to a Town of Harrisburg designation of CZ-RM (Conditional Zoning Residential Medium) and to annex property into the Town of Harrisburg corporate limits.

H-2022-14-R – Rezoning. Request to rezone approximately 2.27 acres located off Stallings Road and Jon Chris Road (PINs: 5517-60-7529, 5517-60-8525, 5517-60-9512, 5517-60-6451, and 5517-60-7347) from County LDR (Low Density Residential) to RM (Residential Medium Density) and to annex property into the Town of Harrisburg corporate limits.

****Virtual Meeting Information** will be posted on the published agenda and can be accessed here <https://harrisburgnc.org/129/Agendas-Minutes>

Publication Dates: Friday December 30, 2022, and Friday January 6, 2023.



December 29, 2022

Public Hearing Notice

To Whom It May Concern:

Our records indicate that you are the owner of property located within 300' of property located off Stallings Road and Jon Chris Road, designated as Cabarrus County PIN 5517-60-7529, 5517-60-8525, 5517-60-9512, 5517-60-6451, and 5517-60-7347 (see site location map on the reverse side of this letter). The owner of this property has submitted a request to rezone this property from County LDR (Low Density Residential) to RM (Residential Medium Density) and to annex property into the Town of Harrisburg corporate limits.

A public hearing on this request will be held on January 9, 2023 at 6:00 pm at Harrisburg Town Hall in the Town Council chambers. You are being notified of this public hearing in accordance with the requirements of Section 145.01.08.C of the Harrisburg Unified Development Ordinance (UDO) and are invited to attend the meeting (in person or virtually) and provide input or ask questions. Please see instructions below on how to access this meeting virtually.

Virtual Meeting Information:

Please click this URL to join.

<https://us02web.zoom.us/j/83481877476?pwd=YzFjTlBDZWQweU9NVWR0QjFhRVVqQT09>

Passcode: 212521

Or join by phone: (301) 715-8592

Dial: (301) 715-8592

Webinar ID: 834 8187 7476

Send comments or sign up to speak by emailing: planning@harrisburgnc.org

If you have any questions prior to the meeting, please feel free to call 704-455-5614.

H2022-14-R Rezoning

Date: Monday, January 9, 2023

Time: 6:00 PM

Location: Harrisburg Town Hall
4100 Main Street
Harrisburg, NC 28075

Sincerely,

Craig Thomas
Senior Planner
Town of Harrisburg

The map displays a residential neighborhood with a grid of streets. A red-outlined area is highlighted for rezoning. The streets shown include Stollings Rd, Book Creek, Quail Hollow Dr, Cedar Oak Pl, and others. The map also shows property lines, lot numbers, and the locations of existing houses and a creek.

Address	Unit #	City	State	Zip	County	APN
2324 Jon Chris Dr		Harrisburg	NC	28075	Cabarrus	5517 60 44
8227 Ferrell Pl		Harrisburg	NC	28075	Cabarrus	5517 60 90
2318 Jon Chris Dr		Harrisburg	NC	28075	Cabarrus	5517 60 54
2284 Jon Chris Dr		Harrisburg	NC	28075	Cabarrus	5517 70 12
2290 Jon Chris Dr		Harrisburg	NC	28075	Cabarrus	5517 70 02
8224 Quail Hollow Dr		Harrisburg	NC	28075	Cabarrus	5517 60 23
8219 Quail Hollow Dr		Harrisburg	NC	28075	Cabarrus	5517 60 42
8207 Quail Hollow Dr		Harrisburg	NC	28075	Cabarrus	5517 60 46
8201 Quail Hollow Dr		Harrisburg	NC	28075	Cabarrus	5517 60 57
8237 Quail Hollow Dr		Harrisburg	NC	28075	Cabarrus	5517 60 40
8242 Quail Hollow Dr		Harrisburg	NC	28075	Cabarrus	5516 69 19
8241 Quail Hollow Dr		Harrisburg	NC	28075	Cabarrus	5516 69 49
8231 Ferrell Pl		Harrisburg	NC	28075	Cabarrus	5516 69 99
8202 Quail Hollow Dr		Harrisburg	NC	28075	Cabarrus	5517 60 28
3015 Stallings Rd		Harrisburg	NC	28075	Cabarrus	5517 60 05
8224 Ferrell Pl		Harrisburg	NC	28075	Cabarrus	5517 60 60
2296 Jon Chris Dr		Harrisburg	NC	28075	Cabarrus	5517 60 93
2297 Stallings Rd		Harrisburg	NC	28075	Cabarrus	5517 70 04
2700 Stallings Rd		Harrisburg	NC	28075	Cabarrus	5517 70 46
2279 Stallings Rd		Harrisburg	NC	28075	Cabarrus	5517 70 23
2285 Stallings Rd		Harrisburg	NC	28075	Cabarrus	5517 70 24
2291 Stallings Rd		Harrisburg	NC	28075	Cabarrus	5517 70 14
8230 Quail Hollow Dr		Harrisburg	NC	28075	Cabarrus	5517 60 22
8235 Ferrell Pl		Harrisburg	NC	28075	Cabarrus	5516 69 98
8206 Quail Hollow Dr		Harrisburg	NC	28075	Cabarrus	5517 60 26
8218 Quail Hollow Dr		Harrisburg	NC	28075	Cabarrus	5517 60 24
2300 Jon Chris Dr		Harrisburg	NC	28075	Cabarrus	5517 60 83
8234 Quail Hollow Dr		Harrisburg	NC	28075	Cabarrus	5517 60 21
2312 Jon Chris Dr		Harrisburg	NC	28075	Cabarrus	5517 60 64
Jon Chris Dr		Harrisburg	NC	28075	Cabarrus	5517 60 73
2700 Stallings Rd		Harrisburg	NC	28075	Cabarrus	5517 60 75
2700 Stallings Rd		Harrisburg	NC	28075	Cabarrus	5517 60 95
2307 Stallings Rd		Harrisburg	NC	28075	Cabarrus	5517 60 85
8226 Ferrell Pl		Harrisburg	NC	28075	Cabarrus	5517 60 71
8233 Quail Hollow Dr		Harrisburg	NC	28075	Cabarrus	5517 60 41
8238 Quail Hollow Dr		Harrisburg	NC	28075	Cabarrus	5517 60 20
8212 Quail Hollow Dr		Harrisburg	NC	28075	Cabarrus	5517 60 25
2319 Stallings Rd		Harrisburg	NC	28075	Cabarrus	5517 60 66
8230 Ferrell Pl		Harrisburg	NC	28075	Cabarrus	5516 69 69

Abutter Notification - H-2022-14-R - Annexation

Owner Occ	Owner 1 Fi	Owner 1 L2	Owner 2 Fi	Owner 2 L2	Mailing Car	Mailing Ad	Mailing Un	Mailing Cit
Yes	Stephen	Caldwell	Carol	Caldwell	Stephen &	2324 Jon C		Harrisburg
Yes	Larry	Cole	Joanne	Cole	Larry & Joa	8227 Ferre		Harrisburg
Yes	Michael	Gadson	Debra	Gadson	Michael &	2318 Jon C		Harrisburg
Yes	Rudolph	Jackson	Joan	Jackson	Rudolph &	2284 Jon C		Harrisburg
Yes	Dana	Hall	Pamela	Hall	Dana & Par	2290 Jon C		Harrisburg
Yes	Jewelle	Lewis			Jewelle Lev	8224 Quail		Harrisburg
Yes	Samuel	Wilson	Deborah	Wilson	Samuel & I	8219 Quail		Harrisburg
Yes	Lester	Linthicum	Alice	Linthicum	Lester & Al	8207 Quail		Harrisburg
Yes	Larry	Gladden		Larry J Glac		8201 Quail		Harrisburg
Yes	Irvin	Shirley	Ann	Shirley	Irvin & Ann	8237 Quail		Harrisburg
Yes	John	Kissling	Cheryl	Kissling	John & Che	8242 Quail		Harrisburg
Yes	Thomas	Reeves	Andrea	Reeves	Thomas & .	8241 Quail		Harrisburg
Yes	David	Martina	Carolyn	Martina	David & Ca	8231 Ferre		Harrisburg
Yes	Terry	Illyes			Terry Illyes	8202 Quail		Harrisburg
No	Kenneth	Powell	Christine	Powell	Kenneth & Po	Box 236		Harrisburg
Yes	Roger	Cannady		Cannady C		8224 Ferre		Harrisburg
Yes	Michael	Sims	Judy	Sims	Michael & .	2296 Jon C		Harrisburg
Yes	Frank	Thigpen	Janice	Thigpen	Frank & Jar	2297 Stallir		Harrisburg
No		Christophe				2700 Stallir		Harrisburg
Yes	Michael	Lankford	Michelle	Lankford	Michael &	2279 Stallir		Harrisburg
Yes	Edison	Wilson	Joris	Wilson	Edison & Jc	2285 Stallir		Harrisburg
Yes	Louis	Setek	Lucille	Leggio-Sete	Louis Setek	2291 Stallir		Harrisburg
Yes	Stephen	Petit	Christina	Petit	Stephen &	8230 Quail		Harrisburg
Yes	Karen	Cagler			Karen Cagler	8235 Ferre		Harrisburg
Yes	Angela	Ward			Angela Wa	8206 Quail		Harrisburg
Yes	Christophe	Desmet	Amy	Desmet	Christophe	8218 Quail		Harrisburg
Yes	Andrew	Carter	Amanda	Carter	Andrew & .	2300 Jon C		Harrisburg
Yes	Andrew	Hill			Andrew Hil	8234 Quail		Harrisburg
No		Rkw Builde				8392 Rocky		Harrisburg
No		Rkw Builde				8392 Rocky		Harrisburg
No		Rkw Builde				8392 Rocky		Harrisburg
No		Rkw Builde				8392 Rocky		Harrisburg
No		Rkw Builde				8392 Rocky		Harrisburg
Yes	Richard	Ellington	Danielle	Ellington	Richard & I	8226 Ferre		Harrisburg
Yes	Lloyd	Murray	Shirley	Murray	Lloyd & Shi	8233 Quail		Harrisburg
Yes	Jeffrey	Tretter			Jeffrey Tre	8238 Quail		Harrisburg
Yes	Charles	Long	Danielle	Long	Charles & I	8212 Quail		Harrisburg
Yes	Maria	Alvarado	Jose	Sanchez	Maria Alva	2319 Stallir		Harrisburg
Yes	Christophe	Stehle			Christophe	8230 Ferre		Harrisburg

Mailing Sta	Mailing Zip	Mailing Cor	Do Not Ma	Property Ty	Bedrooms	Total Bathr	Building Sq	Lot Size Sq
NC	28075			Single Fam 3	2.5	2068	25265	
NC	28075			Single Fam 4	2.5	2561	22651	
NC	28075			Single Fam 4	2.5	2456	23087	
NC	28075			Single Fam 4	2.5	2375	19602	
NC	28075			Single Fam 3	2	2035	19602	
NC	28075			Single Fam 3	2.5	2230	19602	
NC	28075			Single Fam 4	2.5	2513	24829	
NC	28075			Single Fam 3	2.5	2137	20473	
NC	28075			Single Fam 3	2.5	2298	21780	
NC	28075			Single Fam 3	2	1813	21780	
NC	28075			Single Fam 4	2	1941	20473	
NC	28075			Single Fam 3	2.5	2628	20473	
NC	28075			Single Fam 3	2	1878	20473	
NC	28075			Single Fam 4	2	2180	27443	
NC	28075			Single Fam			66647	
NC	28075			Single Fam 3	2	1808	21344	
NC	28075			Single Fam 3	2.5	2436	19602	
NC	28075			Single Fam 3	3.5	3220	19602	
NC	28075			Rural Resid 4	2.5	3486	102497	
NC	28075			Single Fam 2	2	1927	19602	
NC	28075			Single Fam 3	2	2026	19602	
NC	28075			Single Fam 3	2	1707	19602	
NC	28075	Yes		Single Fam 4	3	2788	19602	
NC	28075			Single Fam 3	2	1718	20473	
NC	28075			Single Fam 4	2.5	2236	21344	
NC	28075			Single Fam 4	2.5	2477	19602	
NC	28075			Single Fam 3	2	1938	19602	
NC	28075			Single Fam 3	2	1786	20038	
NC	28075			Single Fam			20473	
NC	28075			Single Fam			19602	
NC	28075			Single Fam 4	2.5	3486	19602	
NC	28075			Single Fam			19602	
NC	28075			Single Fam			19602	
NC	28075			Single Fam 4	3	2538	27007	
NC	28075			Single Fam 4	2.5	2300	22216	
NC	28075			Single Fam 4	2	2277	20038	
NC	28075			Single Fam 4	2.5	2594	22216	
NC	28075			Single Fam 3	2	1661	19602	
NC	28075			Single Fam 3	2	1868	21344	

Effective Yr	Total Asses	Last Sale Reco	Last Sale Ai	Total Open	Est. Remain	Est. Value	Est. Loan-to	Est. Equity
1999	257750	1990-01-12	130000	1	121283	450763	26.906	329480
2000	298810	1990-08-31	168500	1	155788	518196	30.064	362408
1999	249360	1990-09-28	153500	2	72503	471766	15.368	399263
2001	245470	1991-10-18	145000	1	98248	458417	21.432	360169
2001	244620	1992-03-26	132000	1	65309	434868	15.018	369559
2000	259480	1992-06-30	155000	1	147565	460509	32.044	312944
1999	274030	1992-12-21	145000	1	80171	497852	16.103	417681
1999	256060	1993-06-25	140000	1	178918	453915	39.417	274997
2004	266730	1994-08-02	22000	1	9356	471937	1.982	462581
2000	253950	1995-05-15	160000	0	0	437485	0	437485
2000	244210	1995-07-26	163500	0	0	428923	0	428923
2000	283440	1995-09-25	175000	0	0	508364	0	508364
2001	261880	1996-09-10	161000	1	52456	446297	11.754	393841
2002	254550	1998-02-06	163000	1	118944	456155	26.075	337211
	30000	2000-02-18	17000	0	0	89503	0	89503
2005	264710	2000-10-30	180000	1	262435	416466	63.015	154031
2001	275610	2002-04-29	180000	1	22910	488248	4.692	465338
2008	358690	2002-08-02	33000	2	189458	592306	31.987	402848
1999	451280	2002-09-19	65000	0	0	697081	0	697081
2002	252050	2004-10-27	185000	1	186984	412900	45.286	225916
2005	275840	2006-03-06	229000	1	214015	435912	49.096	221897
2002	237880	2006-04-13	185000	1	201493	392202	51.375	190709
1999	291080	2006-06-28	224500	2	176199	472254	37.31	296055
2006	274200	2006-10-23	225000	1	27963	395941	7.062	367978
1999	255970	2006-12-08	265000	1	233235	449905	51.841	216670
1999	307310	2008-06-11	210000	1	193373	519436	37.227	326063
2001	246760	2011-08-05	190000	1	117123	428818	27.313	311695
2009	277870	2016-02-12	230000	1	156740	403968	38.8	247228
	36000	2022-08-30	650000	0	0	102864	0	102864
	36000	2022-08-30	650000	0	0	102500	0	102500
1999	36000	2022-08-30	650000	0	0	102863	0	102863
	36000	2022-08-30	650000	0	0	102863	0	102863
	36000	2022-08-30	650000	0	0	102887	0	102887
2001	281710	2015-03-13	240000	2	268631	486115	55.261	217484
2002	265020	1993-11-30	170000	0	0	467727	0	467727
2002	257950	2019-05-09	250000	1	206461	433662	47.609	227201
2005	294660	2019-06-21	296000	2	424668	487278	87.151	62610
2010	274830	2019-08-16	272000	1	178409	428211	41.664	249802
2006	273770	2020-07-10	300500	1	277045	418905	66.136	141860

MLS Status	MLS Date	MLS Amou	Lien Amou	Marketing	Date Added to Method of Add
				1	2022-09-28 09 Manual
				1	2022-09-28 09 Manual
				1	2022-09-28 09 Manual
				1	2022-09-28 09 Manual
				1	2022-09-28 09 Manual
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				1	2022-09-28 09 Manual
				1	2022-09-28 09 Manual
				1	2022-09-28 09 Manual
SOLD	2015-03-01 0C 240100			1	2022-09-28 09 Manual
FAIL	2015-07-01 0C 275000			1	2022-09-28 09 Manual
SOLD	2019-05-01 0C 250000			1	2022-09-28 09 Manual
SOLD	2019-06-01 0C 295550			1	2022-09-28 09 Manual
SOLD	2019-08-01 0C 272000			1	2022-09-28 09 Manual
SOLD	2022-03-01 0C 2050			1	2022-09-28 09 Manual

**TOWN OF HARRISBURG, NORTH CAROLINA
PLANNING & ZONING ADVISORY BOARD MEETING
TUESDAY, NOVEMBER 15, 2022**

MINUTES

1.

CALL TO ORDER

Thelma Thorne-Chapman called the meeting to order.

PRESENT: Kevin Schaffner, Jacob Carpenter, Thelma Thorne-Chapman, Monica Long

STAFF: Zac Gordon, Planning Director, Craig Thomas, Senior Planner, Carly Bedgood, Planning Technician

ABSENT: Andy Rathke, Kevin Hutchins

A.

AGENDA ADOPTION

Jacob Carpenter added that we will need to add the swearing in of our new member, Monica Long under Special Presentations.

MOTION

Jacob Carpenter made a motion to adopt the agenda with the change and a second was made by Kevin Schaffner.

The motion passed 3-0.

B.

SPECIAL PRESENTATIONS

Monica Long was sworn in as a new member for the Planning and Zoning Board and the Board of Adjustment Board.

C.

PUBLIC COMMENT

None

2.

CONSENT AGENDA

A. Planning Board meeting minutes of October 18, 2022, Planning and Zoning Board meeting.

MOTION

Kevin Schaffner made a motion to approve the Consent Agenda. Second was made by Jacob Carpenter. **The motion passed 4-0.**

3.

OLD BUSINESS

None

4.

NEW BUSINESS

A.

H2022-14 (R) Stallings Road and Jon Chris Rd Rezoning and Annexation

The applicant proposes to rezone five parcels from County LDR (Low Density Residential) to RM (Residential Medium Density). The purpose of this rezoning is to allow for the annexation of these parcels into the Town of Harrisburg limits to access sewer services for each lot. The RM District allows a gross density between 2 and 3 units per acre. At 2.20 units per acre the proposed rezoning is consistent with the requirements of the UDO. The Harrisburg Area Land Use

**TOWN OF HARRISBURG, NORTH CAROLINA
PLANNING & ZONING ADVISORY BOARD MEETING MINUTES
Tuesday, November 15, 2022**

Plan (HALUP) locates this property within a “Low Density Residential” area. The LDR designation calls for 1 -2 units per acre. The proposed density is 2.20 dwelling units per acre – just over the 1-2 units per acre designated by the HALUP. Although the lots slightly exceed the recommended LDR density, the five lots are existing and would not be allowed to be subdivided further. Along with this request for rezoning, the applicant has submitted a petition to be annexed into the Town of Harrisburg corporate limits. The rezoning request is consistent with the Harrisburg Area Land Use Plan (HALUP) and the Unified Development Ordinance (UDO). Planning and Zoning Department staff therefore supports approval of the rezoning request and request for annexation.

MOTION:

Jacob Carpenter made a motion to recommend approval of H2022-14 R and sent it on to the Town Council for their consideration with a second from Kevin Schaffner. **The motion passed 4-0.**

The following Consistency Statement was presented to the Board for its consideration:

CONSISTENCY STATEMENT:

1. Based on the staff report and staff presentation, this rezoning request is consistent with the Harrisburg Area Land Use plan and with the conditions it is reasonable and in the public interest.

MOTION:

Kevin Schaffner made a motion to approve the proposed Consistency Statement with a second from Jacob Carpenter. **The motion passed 4-0.**

B.

H2022-07-(R) Blackwelder Rezoning and Annexation

The applicant proposes to develop a 51-lot single-family subdivision. To achieve this, the applicant is requesting the proposed subdivision property be annexed into the Town of Harrisburg corporate limits and be rezoned from its current Cabarrus County Low Density Residential (LDR) district designation to Conditional Zoning Residential Medium (CZRM) in accordance with the site plan submitted with the application. The RM zoning district has a maximum density of two dwelling units per acre. The proposed density for this subdivision is 1.31 dwelling units per acre. If rezoning approval is granted, site density may not exceed 1.31 units/acre and the development will be subject to all of the conditions imposed by the Town Council and agreed to by the applicant. The request to rezone the subject property as Residential Medium (RM) is consistent with the HALUP, which designates this property as Low Density Residential (LDR). The LDR designation calls for 1-2 dwelling units per acres. Based upon consistency of the proposed subdivision with the Harrisburg Area Land Use Plan and compliance with the Unified Development Ordinance, Planning and Zoning Department staff recommends approval of the applicant’s request for rezoning, subject to the conditions noted in the staff report. Furthermore, staff recommends that the Planning and Zoning Board recommends Town Council approval of the applicant’s request for conditional zoning.

1. The applicant shall obtain any and all applicable local, state, and federal permits required for development before any development activity can take place.
2. Primary cladding materials for all residential buildings shall be restricted to masonry or similar products (no vinyl siding will be allowed).
3. All concrete foundations shall be covered with siding and/or other material and must extend to the ground level on all sides.
4. Mitigation/replacement of identified heritage trees shall be required if damaged during construction, in accordance with the Town of Harrisburg Unified Development Ordinance.
5. A minimum 8-foot-wide landscape easement (4 feet on each side of the property line, existing tree save or newly planted) shall be provided for residential lots sharing a rear property line.
6. A fee-in-lieu of payment for required “Public Open Space” shall be made in the amount \$36,162 (calculation is based on a per acre value of \$38,065 for .95 acres). This fee-inlieu dedication shall be made to the Town prior to final plat approval.
7. A 10’ wide paved greenway shall be constructed as shown on the rezoning site plan. In addition, a 25’ wide

**TOWN OF HARRISBURG, NORTH CAROLINA
PLANNING & ZONING ADVISORY BOARD MEETING MINUTES
Tuesday, November 15, 2022**

greenway public access easement shall be dedicated to the Town of Harrisburg.

8. 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.

9. Fences surrounding all detention ponds shall be vinyl 4-rail farm fence, preferably white.

10. Mailbox clusters shall meet ADA Standards at a minimum.

11. All streets shall be designed and built to Town of Harrisburg Engineering Design standards. Alternate pavement schedule design is not allowable. Roadways cross sections will be reviewed and approved at the construction document phase.

Public Comment:

Applicant- Brandon Pridemore, spoke in favor of the project. He shared a PowerPoint and answered many questions from the Board. Jacob Carpenter from the Board asked what was the purpose of the Zoning choice and why it should not be zoned to the next zoning down (RL) from the proposed one. Mr. Pridemore indicated that the RM zoning designation was selected because it offered more flexibility in site design (including lot configurations). Monica Long from the Board asked what type of siding would be used on the proposed homes? Mr. Pridemore indicated that the siding would be a combination of hardi-plank, stone and brick.

Bill Leake, 7238 Sandown Ct, Harrisburg, NC- addressed the Board and identified several site design issues which he suggested be addressed. Mr. Pridemore indicated that the plans would be revised to address these comments.

MOTION:

Kevin Schaffner made a motion to recommend approval of H2022-07- R and sent it on to the Town Council for their consideration with a second from Jacob Carpenter. **The motion passed 4-0.**

The following Consistency Statement was presented to the Board for its consideration:

CONSISTENCY STATEMENT:

1. Based on the staff report, staff presentation and with the conditions proposed, this rezoning request is consistent with the Harrisburg Area Land Use plan and with the conditions it is reasonable and in the public interest.

MOTION:

Jacob Carpenter made a motion to approve the proposed Consistency Statement with a second from Monica Long. **The motion passed 4-0.**

C.

H2022-10-R Request to rezone approximately 46.65 acres located off Wonderwood Lane from RE (Rural Estate) to AG (Agricultural)

The applicant proposes to rezone parcel PIN 5516-96-2556 from RE (Residential Estate) to AG (Agricultural) and limit the uses allowed on the property to Crop Production and Crop Production Support Activity. The AG district has a maximum density of 0.30 dwelling unit per acre. The proposed density is 0.02 dwelling units per acre and the lot meets the AG dimension requirements per the UDO. The rezoning request is consistent with the Harrisburg Area Land Use Plan. Planning and Zoning Department staff supports approval of the rezoning request.

Public Comment:

Applicant Mike Arnold, 4138 French Fields Lane, Harrisburg, spoke in favor of his request. He answered questions from the Board mostly about what he plans to use the land for.

MOTION:

Jacob Carpenter made a motion to recommend approval of H2022-10-R and sent it on to the Town Council for their consideration with a second from Kevin Schaffner. **The motion passed 4-0.**

**TOWN OF HARRISBURG, NORTH CAROLINA
PLANNING & ZONING ADVISORY BOARD MEETING MINUTES
Tuesday, November 15, 2022**

The following Consistency Statement was presented to the Board for its consideration:

CONSISTENCY STATEMENT:

1. Based on the staff report, staff presentation and with the conditions proposed, this rezoning request is consistent with the Harrisburg Area Land Use plan and with the conditions it is reasonable and in the public interest.

MOTION:

Kevin Schaffner made a motion to approve the proposed Consistency Statement with a second from Thelma Thorne-Chapman. **The motion passed 4-0**

5.

STAFF UPDATES/INFORMATION

- Our next scheduled meeting will be held on December 20th. We more than likely will have another Board of Adjustment item along with our regular scheduled meeting.
- We still have a huge interest in Single Family homes here in Harrisburg.
- We will provide the Board with an updated list of the projects that are currently in the pipeline along with updates on projects that have been approved.
- Farmington Parkway is fully opened.
- We are still working on getting a new ETJ member for the Board, hope to have someone soon to join.

6.

ADJOURNMENT

MOTION:

There being no further business, Jacob Carpenter made a motion to adjourn, with a second from Kevin Schaffner. **The motion passed 4-0.**

Thelma Thorne-Chapman, Chairman

Carly Bedgood, Secretary

ORDINANCE #7028

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
TOWN OF HARRISBURG, NORTH CAROLINA**

WHEREAS, the Town of Harrisburg has been petitioned under G.S. 160A-58.1 to annex the area described below; and

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

WHEREAS, the Town of Harrisburg Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Harrisburg Town Hall, 4100 Main Street, Suite 101, Harrisburg, N.C. on January 9th, 2023, after due notice by Independent Tribune; and

WHEREAS, the Town of Harrisburg finds that the area described therein meets the standards of G.S. 160A-58,1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the Town of Harrisburg;
- b. No point of the proposed satellite corporate limits is closer to another municipality than to the Town of Harrisburg;
- c. The area described is so situated that the Town of Harrisburg will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;
- e. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, does not exceed ten percent (10%) of the area within the primary corporate limits of the Town of Harrisburg; and

WHEREAS, the Town Council further finds that the petition has been signed by all owners of the real property in the area who are required by law to sign; and

WHEREAS, the Town Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Town of Harrisburg and of the area proposed for annexation will best served by annexing the area described;

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

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous territory is hereby annexed and made part of the Town of Harrisburg:

Combined Legal Description

#2306 Jon Chris Drive - Parcel ID # 55176073470000

#2312 Jon Chris Drive - Parcel ID # 55176064510000

#2313 Stallings Road - Parcel ID # 55176075290000

#2307 Stallings Road - Parcel ID # 55176085250000

#2301 Stallings Road - Parcel ID # 55176095120000

Cabarrus County, NC

BEING all of lots 74-76, 108 & 109, Stallings Glen Phase 1, Map 1 found in Map Book 22 Page 68 of the Cabarrus County Register of Deeds office and being more accurately described by a surveys by Phoenix Land Surveying Inc. as follows:

BEGINNING at a pinched top pipe found on northern margin of Jon Chris Drive (MB 22 PG 68), said point being located N 53-56-55 W 2,901.12 feet from NGS Monument "Pembroke" (Grid Coordinates – N: 568,543.57, E: 1,519,135.97), thence from said BEGINNING point N 70-20-16 W 99.99 feet to pinched top pipe, thence N 70-22-13 W 87.36 feet to #4 rebar set, thence following a curve to the right having an arc length of 11.60 feet, a radius of 691.75 feet, and a chord bearing and distance of N 70-56-57 W 11.60 feet to a pinched top pipe, thence N 16-21-36 E 200.45 feet to a pinched top pipe, thence S 70-31-24 E 10.01 feet, thence N 19-31-30 E 199.99 feet to a pinched top pipe found in the southern margin of Stallings Road (MB 22 PG 68), thence S 70-26-19 E 100.06 feet to new #4 rebar set, thence S 70-30-22 E 99.93 feet to a pinched top pipe, thence S 70-26-30 99.95 feet to a pinched top pipe, thence S 19-28-49 W 200.02 feet to a pinched top pipe, thence N 70-20-53 W 100.19 feet to a ½" iron pipe found, thence S 19-30-01 W 200.59 feet to the point and place of BEGINNING containing 2.315 acres.

Map recorded at Cabarrus County Register of Deeds, Book _____ Page _____

Section 2. Upon and after February 13th, 2023, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in forced in the Town of Harrisburg and shall be entitled to the same privileges and benefits as other parts of the Town of Harrisburg. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Harrisburg shall cause to be recorded in the office of the Register of Deeds of Cabarrus County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of the ordinance. Such a map shall also be delivered to the Cabarrus County Board of Election, as required by G.S. 163-288.1.

Adopted this 13th day of February, 2023

Jennifer Teague, Mayor

ATTEST:

Janet Rackley, Town Clerk



TOWN OF HARRISBURG

Agenda Item Details

Title:

H-2022-07-R: Consider contiguous annexation and conditional rezoning of property located off Blackwelder Road for a 51 lot residential subdivision (PIN 5518-44-8790 and 5518-34-3293).

Presenting Personnel:

Zac Gordon, Planning Director

Suggested Motion or Action:

FOR APPROVAL:

Motion to Approve the request for conditional rezoning of property located off Blackwelder Road (PIN 5518-44-8790 and 5518-34-3293), consisting of approximately 39.32 acres to accommodate a 51 lot single-family residential subdivision, as proposed by the applicant, subject to the conditions outlined in the attached staff report dated January 3, 2023, **contingent on approval of related annexation request.**

Motion to Approve the request for annexation of property located off Blackwelder Road (PIN 5518-44-8790 and 5518-34-3293), consisting of approximately 39.32 acres to accommodate a 51 lot single-family residential subdivision, as proposed by the applicant.

Consistency Statement: Based on the staff report, staff presentation and testimony of the applicant, the request for conditional rezoning approval for Case # H-2022-07-R is consistent with the Harrisburg Area Land Use Plan, and with the conditions proposed, it is reasonable and in the public interest.

FOR DENIAL:

Motion to Deny the request for annexation of property located off Blackwelder Road (PIN 5518-44-8790 and 5518-34-3293), consisting of approximately 39.32 acres to accommodate a 51 lot single-family residential subdivision.

Description/Background:

The applicant is proposing to develop a 51-lot single-family subdivision off Blackwelder Road between Roberta Road and Lakeland Road, consisting of approximately 39.32 acres, and is requesting permission to annex into the Town limits in order to access utilities (water and sewer) and other town services. This request would be considered a contiguous annexation, as the proposed subdivision is located immediately adjacent to the town's primary corporate limits. NCGS requires the assignment of a town zoning designation for all property annexed into the town's corporate limits.

In conjunction with the request for annexation, the applicant is proposing to conditionally rezone the property from its current Cabarrus County designation of LDR (Low Density Residential) to a Town of Harrisburg designation of CZ-RM (Conditional Zoning Residential Medium). As a conditional zoning request, the applicant was required to prepare a site plan (see attached), consistent with all applicable requirements of the UDO.

The RM zoning district has a maximum "gross" density of two dwelling units per acre. The proposed density for this subdivision is 1.31 dwelling units per acre. If rezoning approval is granted, site density may not exceed 1.31 units/acre and the development will be subject to any conditions imposed by the Town Council and agreed to by the applicant.

No Traffic Impact Analysis (TIA) was required for this subdivision as the number of trips to be generated by this development did not meet the threshold requirements of the UDO for such a study. The design of road improvements for

this subdivision was, however, coordinated with and reviewed by NCDOT and Town engineering staff.

Per the Town's subdivision regulations, the applicant is required to provide 4.68 acres of active and passive open space to serve residents of the subdivision, with 14.82 acres provided. The applicant is also required to provide 1.46 acres of public open space to serve the broader Harrisburg community. To satisfy this requirement, the applicant is proposing to provide 0.51 acres of this total public open space in the form of a dedicated 25' wide greenway easement, with a fee-in-lieu payment proposed for the remaining 0.95 acres, in the amount of \$36,162. This calculation is based on a per acre market value of \$38,065. The Planning Board has recommended Town Council approval of the proposed fee-in-lieu payment. Per the UDO, Parks & Recreation Advisory Board is also required to review and recommend approval of the proposed fee-in-lieu payment. Since the Advisory Board has not yet reviewed this proposed fee-in-lieu payment to the Town, staff is recommending that this review and approval occur, prior to the submission of a preliminary plat to Town staff.

The request to rezone the subject property as Residential Medium (RM) is consistent with the HALUP, which designates this property as Low Density Residential (LDR). The HALUP LDR designation calls for 1-2 dwelling units per acre.

A Neighborhood Meeting occurred on July 28, 2022. Minutes of that meeting are attached.

At the Public Hearing for this request held on January 9, 2023, presentations were made by staff and the applicant. At the Public Hearing, staff addressed the issue of sewer availability, noting that while there is currently sufficient capacity to accommodate the proposed development, there is no guarantee of availability, with a final determination on whether to grant a sewer allocation to be made by the Town during the construction document preparation phase - typically within 6 months of the start of sitework.

Recommendation:

STAFF RECOMMENDATION:

Based upon consistency of the proposed conditional rezoning request with the Harrisburg Area Land Use Plan and compliance with the Unified Development Ordinance, Planning and Zoning Department staff recommends approval of the applicant's request for rezoning, subject to the conditions noted in the staff report dated January 3, 2023 (see attached).

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board recommended Town Council approval of the proposed conditional rezoning at their November 15, 2022 meeting (see attached minutes).

Fiscal Impact:

None

Attachments:

1. H-2022-07-R Petition for Annexation Application_07.01.2022
2. H-2022-07-R Annexation Plat for Blackwelder_Sealed 07.01.2022
3. H-2022-07-R Legal Description for Tract #1
4. H-2022-07-R Legal Description for Tract #2
5. H-2022-07-R Certificate of Sufficiency - Blackwelder
6. H-2022-07-R Resolution Fixing Date of Public Hearing - Blackwelder (1)
7. H-2022-07-R Staff Report Blackwelder TC
8. H-2022-07 R Site Map
9. H-2022-07 R Blackwelder Rezoning Plan
10. H-2022-07 R Sample Housing Elevations
11. H-2022-07-R Public Hearing Notice Jan. 9, 2023
12. H-2022-07-R List of Adjacent Parcel Owners_07.01.2022
13. H-2022-07 R Conditional Rezoning Application
14. H-2022-07 R Neighborhood Meeting Notes
15. H-2022-07 R Public Open Space Payment Letter
16. H-2022-07 R PZ MINS NOV 15 22
17. Annexation Ord 7027 - Blackwelder



PETITION REQUESTING ANNEXATION

DATE: June 22, 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:

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

5127 (20)
5151 Blackwelder Road, Concord, NC 28025

6-22-22

Robin Blackwelder

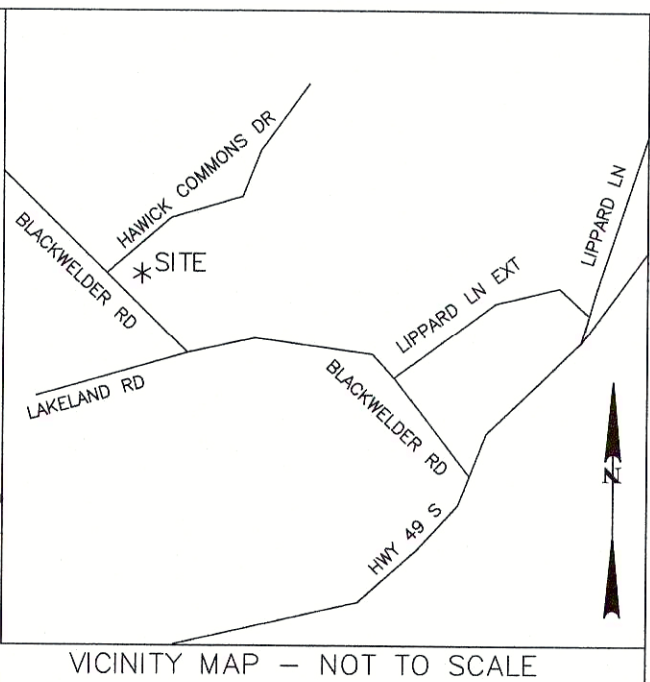
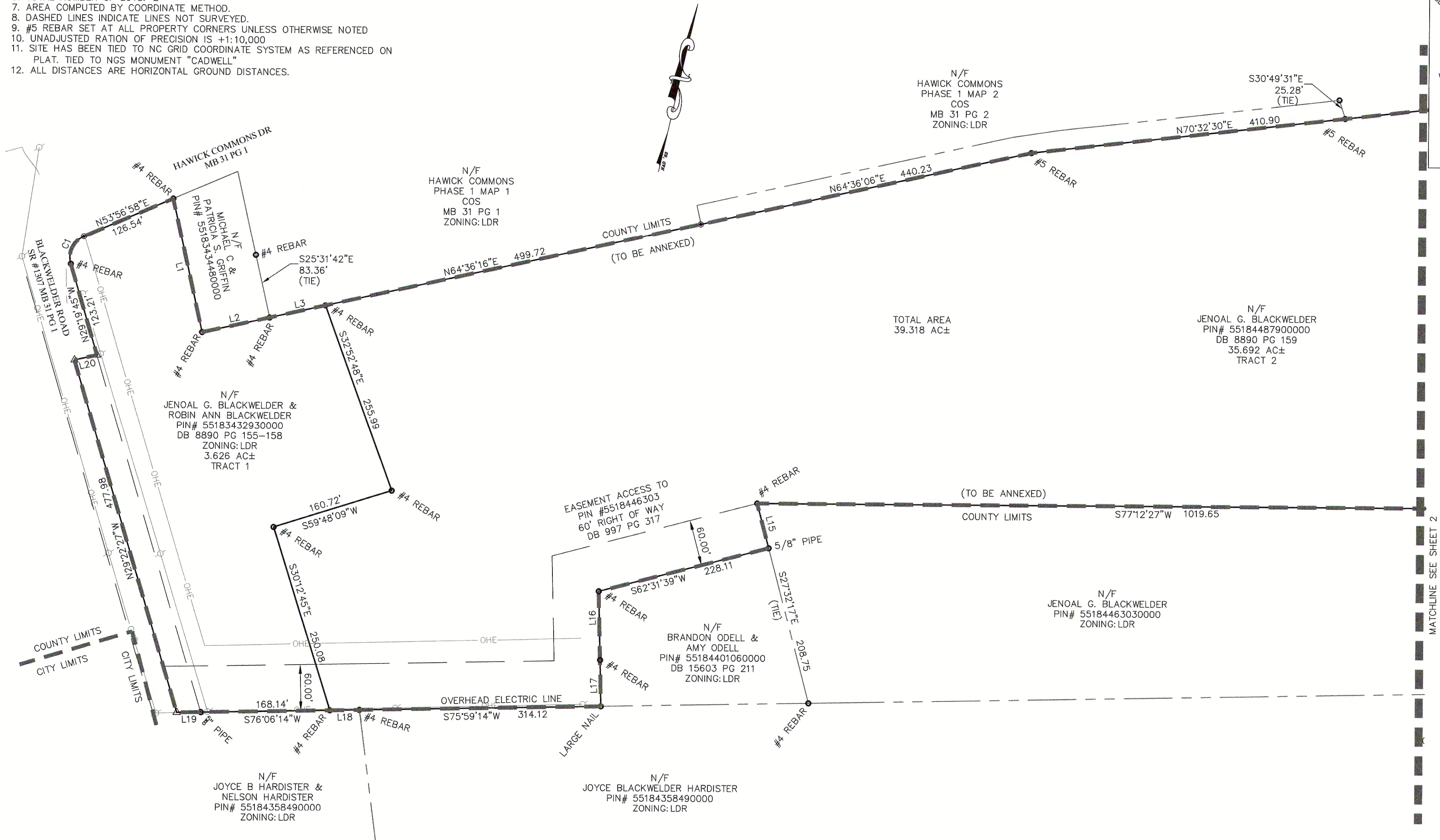
5127 Blackwelder Road, Concord, NC 28025

6-22-22

Jenoal Blackwelder

- NOTES:
1. THIS SURVEY IS OF EXISTING PARCEL OR PARCELS OF LAND.
 2. THIS IS NOT AN ALTA/NSPS SURVEY.
 3. THE PARCEL ID# IS 55183432930000, & 55184487900000.
 4. THIS PROPERTY IS ZONED LDR
 5. ACREAGE OF THIS PLAT: 39.318
 6. TOTAL NUMBER OF LOTS: 2
 7. AREA COMPUTED BY COORDINATE METHOD.
 8. DASHED LINES INDICATE LINES NOT SURVEYED.
 9. #5 REBAR SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED
 10. UNADJUSTED RATION OF PRECISION IS +1:10,000
 11. SITE HAS BEEN TIED TO NC GRID COORDINATE SYSTEM AS REFERENCED ON PLAT, TIED TO NGS MONUMENT "CADWELL"
 12. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.

ANNEXATION TABULATION TABLE
PIN# 55183432930000 - 3.626 AC±
PIN# 55184487900000 - 35.692 AC±
TOTAL AREA TO BE ANNEXED - 39.318 AC±



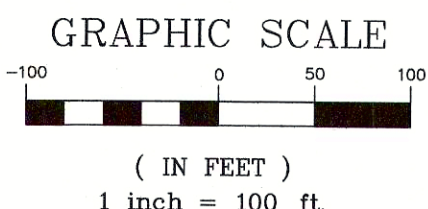
Line Table		
Line #	Length	Direction
L1	177.88	S25°21'30"E
L2	89.89	N64°39'25"E
L3	74.31	N64°37'47"E
L4	49.41	N70°53'30"E
L5	48.72	S38°45'59"W
L6	48.82	S23°38'20"W
L7	76.71	S6°42'45"E
L8	82.68	S9°19'33"E
L9	23.83	S25°15'30"E
L10	145.62	S18°10'46"E
L11	170.83	S50°35'33"E
L12	152.95	S39°24'44"E
L13	218.99	S41°20'03"E
L14	40.03	S75°57'54"W
L15	59.98	S27°30'33"E
L16	90.03	S14°15'23"E
L17	60.10	S14°02'07"E
L18	38.53	S75°55'27"W
L19	31.28	S76°06'14"W
L20	30.04	N64°36'22"E

Curve Table					
Curve #	Length	Radius	Chord	Bearing	Delta
C1	43.61	30.00	39.87	N12°16'16"E	83°17'25"

I HAVE EXAMINED THE FLOOD INSURANCE RATE MAPS FOR CABARRUS COUNTY, NORTH CAROLINA, COMMUNITY PANEL NUMBERS 3710551800K DATED NOVEMBER 16, 2018 AND HEREBY CERTIFY THAT THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

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.

I, KENNETH M. GREEN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK _____ PAGE _____); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM THE 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 A MENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 1 DAY OF July, 2022.



REFERENCES
DB 8890 PG 159-164
DB 8890 PG 155-158
LEGEND:
● - IRON PIPE SET (#5 REBAR)
○ - IRON FOUND AS NOTED
△ - COMPUTED POINT, NGS MONUMENT
R/W - RIGHT-OF-WAY

**ANNEXATION PLAT
BLACKWELDER**
NO. 2 TOWNSHIP, CABARRUS COUNTY, NC
PARCEL ID #55183432930000, & 55184487900000,
SURVEYED FOR: SOUTH FORK VENTURES

CURRENT OWNER:
JENOAL G. BLACKWELDER &
ROBIN ANN BLACKWELDER
5127 BLACKWELDER RD
CONCORD NC 28027

R. Joe Harris & Associates, Inc.
Engineering & Land Surveying
1186 STONECREST BLVD, TEGA CAY, SC, 29708
Phone: (803) 802-1799

3329
JOB NO.
8-4-21
DATE
RJH & ASSOC

1"=100'
SCALE

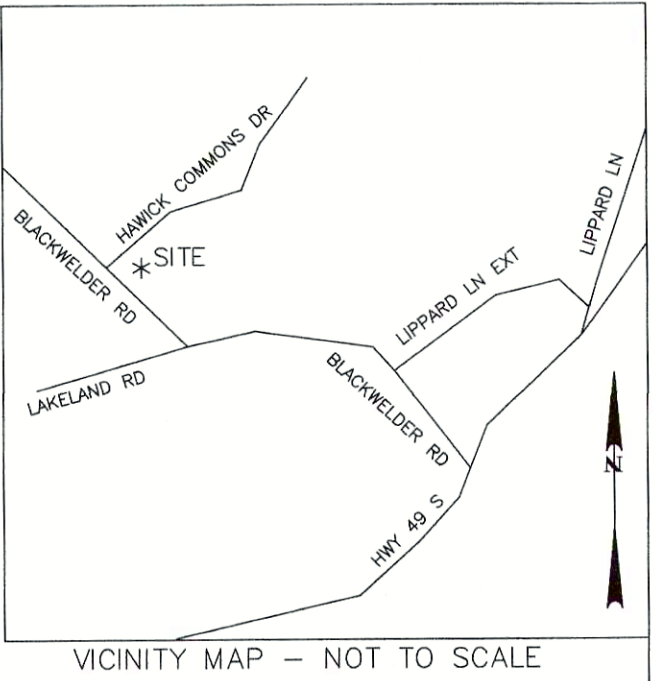
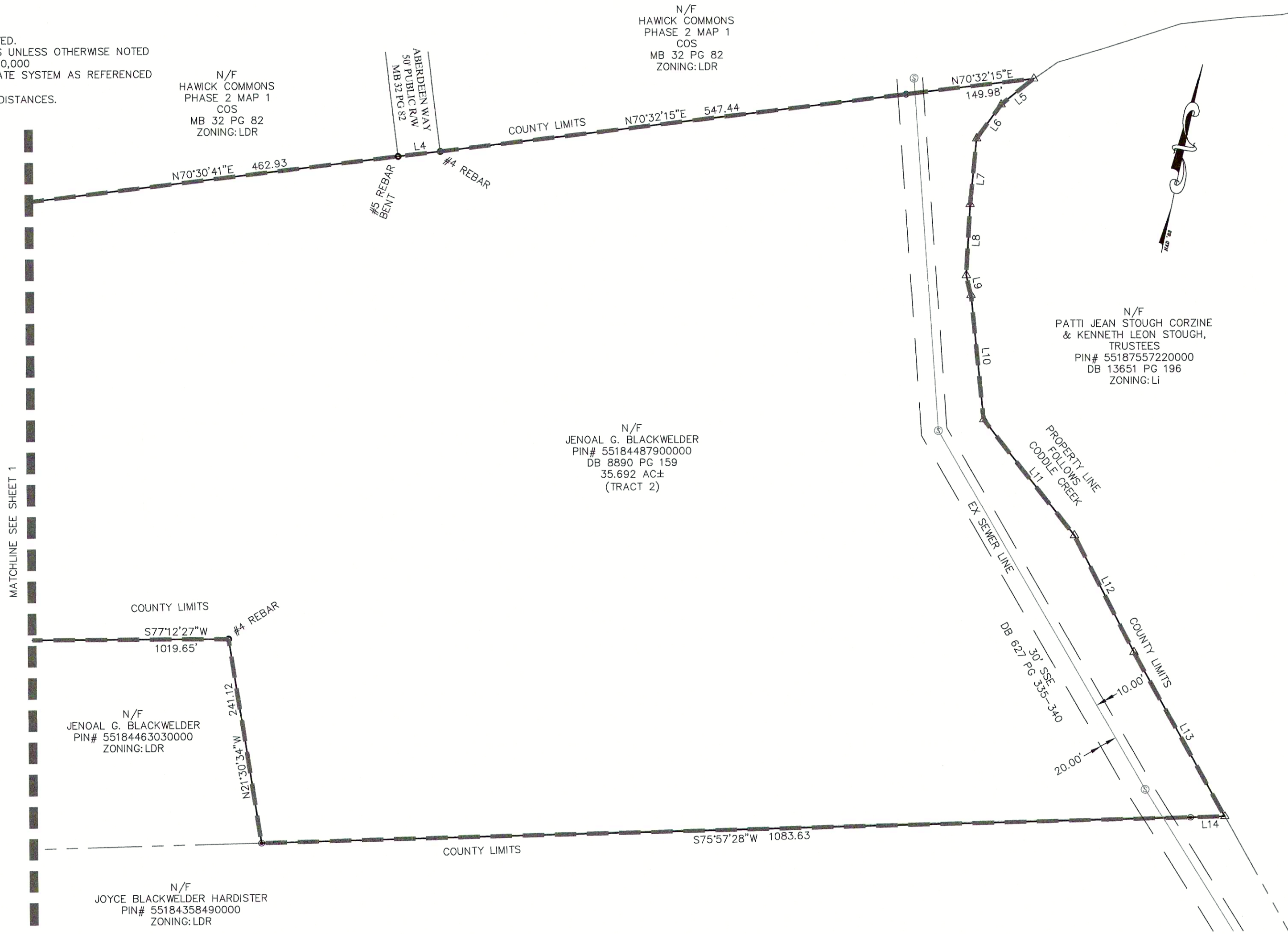
PREPARED BY
DC

CHECKED BY
BPL

SHEET 1 OF 2

NOTES:

1. THIS SURVEY IS OF EXISTING PARCEL OR PARCELS OF LAND.
2. THIS IS NOT AN ALTA/NSPS SURVEY.
3. THE PARCEL ID# IS 55183432930000, & 55184487900000.
4. THIS PROPERTY IS ZONED LDR
5. ACREAGE OF THIS PLAT: 39.318
6. TOTAL NUMBER OF LOTS: 2
7. AREA COMPUTED BY COORDINATE METHOD.
8. DASHED LINES INDICATE LINES NOT SURVEYED.
9. #5 REBAR SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED
10. UNADJUSTED RATION OF PRECISION IS +1:10,000
11. SITE HAS BEEN TIED TO NC GRID COORDINATE SYSTEM AS REFERENCED ON TIED TO NGS MONUMENT "CADWELL"
12. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.



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PIN# 55183432930000 - 3.626 AC±
PIN# 55184487900000 - 35.692 AC±
TOTAL AREA TO BE ANNEXED - 39.318 AC±

I HAVE EXAMINED THE FLOOD INSURANCE RATE MAPS FOR CABARRUS COUNTY, NORTH CAROLINA, COMMUNITY PANEL NUMBERS 3710551800K DATED NOVEMBER 16, 2018 AND HEREBY CERTIFY THAT THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

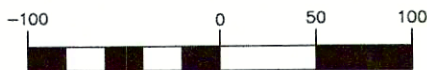
STATE OF NORTH CAROLINA
COUNTY OF CABARRUS

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

DATE _____ REVIEW OFFICER _____

I, KENNETH M. GREEN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK _____, PAGE _____); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM THE 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 A MENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 1 DAY OF JULY 2022.

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

REFERENCES
DB 8890 PG 159-164
DB 8890 PG 155-158

LEGEND:
● - IRON PIPE SET (#5 REBAR)
○ - IRON FOUND AS NOTED
△ - COMPUTED POINT, NGS MONUMENT
R/W - RIGHT-OF-WAY

SEE SHEET 1 FOR LINE AND CURVE TABLES

ANNEXATION PLAT
BLACKWELDER
NO. 2 TOWNSHIP, CABARRUS COUNTY, NC
PARCEL ID #55183432930000, & 55184487900000
SURVEYED FOR: SOUTH FORK VENTURES

CURRENT OWNER:
JENOAL G. BLACKWELDER &
ROBIN ANN BLACKWELDER
5127 BLACKWELDER RD
CONCORD NC 28027

R. Joe Harris & Associates, Inc.
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1186 STONECREST BLVD, TEGA CAY, SC, 29708
Phone: (803) 802-1799



3329
JOB NO.
8-4-21
DATE
RJH & ASSOC

1"=100'
SCALE

PREPARED BY
DC

CHECKED BY
BPL

SHEET 2 OF 2

Tract 1- TM# 551834329300000

Being all that certain parcel of land, lying in Cabarrus County, North Carolina, and being recorded in Deed Book (DB) 8890 Page (PG) 155, Cabarrus County Register of Deeds, and being more particularly described as follows;

Beginning on a #4 rebar found on the south side of Hawick Commons Drive (variable width public right of way Map Book (MB) 31 PG 1), said point being the POINT OF BEGINNING (POB), thence, from the POB, S25°21'30"E for a distance of 177.88' to a #4 rebar, thence N64°39'25"E for a distance of 89.89' to a #4 rebar found, thence N64°37'47"E for a distance of 74.31' to a #4 rebar found, thence S32°52'48"E for a distance of 255.99' to a #4 rebar found, thence S59°48'09"W for a distance of 160.72' to a #4 rebar found, thence S30°12'45"E for a distance of 250.08' to a #4 rebar found, thence S76°06'14"W for a distance of 168.14' to a 5/8" pipe found on the right of way of Blackwelder Road (SR #1307 variable width public right of way MB 31 PG 1), thence S76°06'14"W for a distance of 31.28' to a point in the center of said road, thence, with the center of said road, N29°22'27"W for a distance of 477.98' to a point, thence leaving said road, N64°36'22"E for a distance of 30.04' to a point on the aforementioned right of way of Blackwelder Road, thence, along said right of way, N29°19'45"W for a distance of 123.21' to a #4 rebar found at the intersection of said right of way and the right of way of Hawick Common Drive, said point on the beginning of a non-tangential curve, said curve turning to the right through an angle of 83°17'25", having a radius of 30.00', and whose long chord bears N12°16'16"E for a distance of 39.87' to a #5 rebar set, thence N53°56'58"E for a distance of 126.54' to the POB, containing 3.626 acres, more or less.

Tract 2- TM# 55184487900000

Being all that certain parcel of land, lying in Cabarrus County, North Carolina, and being recorded in Deed Book (DB) 8890 Page (PG) 159, Cabarrus County Register of Deeds, and being more particularly described as follows:

Beginning at a #4 rebar found in the common open space of the Hawick Commons subdivision (Map Book (MB) 31 Page (PG) 1), said point being the POINT OF BEGINNING (POB), thence N64°36'16"E for a distance of 499.72' to a #5 rebar set, thence N64°36'06"E for a distance of 440.23' to a #5 rebar found, thence N70°32'30"E for a distance of 410.90' to a #5 rebar found, thence N70°30'41"E for a distance of 462.93' to a bent #5 rebar found on the right of way of Aberdeen Way (50' public right of way MB 32 PG 82), thence, with said right of way, N70°53'30"E for a distance of 49.41' to a #4 rebar found, thence, leaving said right of way, N70°32'15"E for a distance of 547.44' to a #5 rebar set, thence N70°32'15"E for a distance of 149.98' to a point in the center of Coddle Creek, thence with the center of said creek the following 9 calls, 1)S38°45'59"W for a distance of 48.72' to a point 2)S23°38'20"W for a distance of 48.82' to a point 3)S06°42'45"E for a distance of 76.71' to a point 4)S09°19'33"E for a distance of 82.68' to a point 5)S25°15'30"E for a distance of 23.83' to a point 6)S18°10'46"E for a distance of 145.62' to a point 7)S50°35'33"E for a distance of 170.83' to a point 8)S39°24'44"E for a distance of 152.95' to a point 9)S41°20'03"E for a distance of 218.99' to a point, thence, leaving said creek, S75°57'54"W for a distance of 40.03' to a #5 rebar set, thence S75°57'28"W for a distance of 1,083.63' to a #5 rebar set, thence N21°30'34"W for a distance of 241.12' to a #4 rebar found, thence S77°12'27"W for a distance of 1,019.65' to a #4 rebar found, thence S27°30'33"E for a distance of 59.98' to a 5/8" pipe found, thence S62°31'39"W for a distance of 228.11' to a #4 rebar found, thence S14°15'23"E for a distance of 90.03' to a #4 rebar found, thence S14°02'07"E for a distance of 60.10' to a large nail found, thence S75°59'14"W for a distance of 314.12' to a #4 rebar found, thence S75°55'27"W for a distance of 38.53' to a #4 rebar found, thence N30°12'45"W for a distance of 250.08' to a #4 rebar found, thence N59°48'09"E for a distance of 160.72' to a #4 rebar found, thence N32°52'48"W for a distance of 255.99' to the POB, containing 35.692 acres, more or less.

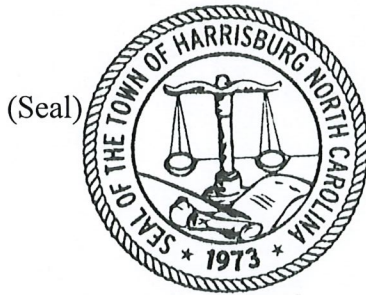


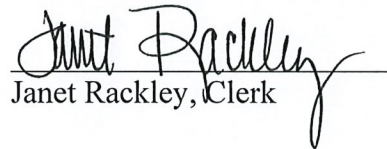
CERTIFICATE OF SUFFICIENCY

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 23rd day of November, 2022.




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 January 9, 2023.

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

Tract 1- TM# 551834329300000

Being all that certain parcel of land, lying in Cabarrus County, North Carolina, and being recorded in Deed Book (DB) 8890 Page (PG) 155, Cabarrus County Register of Deeds, and being more particularly described as follows;

Beginning on a #4 rebar found on the south side of Hawick Commons Drive (variable width public right of way Map Book (MB) 31 PG 1), said point being the POINT OF BEGINNING (POB), thence, from the POB, S25°21'30"E for a distance of 177.88' to a #4 rebar, thence N64°39'25"E for a distance of 89.89' to a #4 rebar found, thence N64°37'47"E for a distance of 74.31' to a #4 rebar found, thence S32°52'48"E for a distance of 255.99' to a #4 rebar found, thence S59°48'09"W for a distance of 160.72' to a #4 rebar found, thence S30°12'45"E for a distance of 250.08' to a #4 rebar found, thence S76°06'14"W for a distance of 168.14' to a 5/8" pipe found on the right of way of Blackwelder Road (SR #1307 variable width public right of way MB 31 PG 1), thence S76°06'14"W for a distance of 31.28' to a point in the center of said road, thence, with the center of said road, N29°22'27"W for a distance of 477.98' to a point, thence leaving said road, N64°36'22"E for a distance of 30.04' to a point on the aforementioned right of way of Blackwelder Road, thence, along said right of way, N29°19'45"W for a distance of 123.21' to a #4 rebar found at the intersection of said right of way and the right of way of Hawick Common Drive, said point on the beginning of a non-tangential curve, said curve turning to the right through an angle of 83°17'25", having a radius of 30.00', and whose long chord bears N12°16'16"E for a distance of 39.87' to a #5 rebar set, thence N53°56'58"E for a distance of 126.54' to the POB, containing 3.626 acres, more or less.

Tract 2- TM# 55184487900000

Being all that certain parcel of land, lying in Cabarrus County, North Carolina, and being recorded in Deed Book (DB) 8890 Page (PG) 159, Cabarrus County Register of Deeds, and being more particularly described as follows:

Beginning at a #4 rebar found in the common open space of the Hawick Commons subdivision (Map Book (MB) 31 Page (PG) 1), said point being the POINT OF BEGINNING (POB), thence N64°36'16"E for a distance of 499.72' to a #5 rebar set, thence N64°36'06"E for a distance of 440.23' to a #5 rebar found, thence N70°32'30"E for a distance of 410.90' to a #5 rebar found, thence N70°30'41"E for a distance of 462.93' to a bent #5 rebar found on the right of way of Aberdeen Way (50' public right of way MB 32 PG 82), thence, with said right of way, N70°53'30"E for a distance of 49.41' to a #4 rebar found, thence, leaving said right of way, N70°32'15"E for a distance of 547.44' to a #5 rebar set, thence N70°32'15"E for a distance of 149.98' to a point in the center of Coddle Creek, thence with the center of said creek the following 9 calls, 1)S38°45'59"W for a distance of 48.72' to a point 2)S23°38'20"W for a distance of 48.82' to a point 3)S06°42'45"E for a distance of 76.71' to a point 4)S09°19'33"E for a distance of 82.68' to a point 5)S25°15'30"E for a distance of 23.83' to a point 6)S18°10'46"E for a distance of 145.62' to a point 7)S50°35'33"E for a distance of 170.83' to a point 8)S39°24'44"E for a distance of 152.95' to a point 9)S41°20'03"E for a distance of 218.99' to a point, thence, leaving said creek, S75°57'54"W for a distance of 40.03' to a #5 rebar set, thence S75°57'28"W for a distance of 1,083.63' to a #5 rebar set, thence N21°30'34"W for a distance of 241.12' to a #4 rebar found, thence S77°12'27"W for a distance of 1,019.65' to a #4 rebar found, thence S27°30'33"E for a distance of 59.98' to a 5/8" pipe found, thence S62°31'39"W for a distance of 228.11' to a #4 rebar found, thence S14°15'23"E for a distance of 90.03' to a #4 rebar found, thence S14°02'07"E for a distance of 60.10' to a large nail found, thence S75°59'14"W for a distance of 314.12' to a #4 rebar found, thence S75°55'27"W for a distance of 38.53' to a #4 rebar found, thence N30°12'45"W for a distance of 250.08' to a #4 rebar found, thence N59°48'09"E for a distance of 160.72' to a #4 rebar found, thence N32°52'48"W for a distance of 255.99' to the POB, containing 35.692 acres, more or less.

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


Jennifer Teague, Mayor

ATTEST:

Janet Rackley, Town Clerk





Town of Harrisburg
Planning and Economic Development Department
Rezoning Staff Report for Town Council

DATE: January 3, 2022

SUBJECT: Blackwelder Road Rezoning

Request H-2022-07-(R): To rezone approximately 39.32 acres from County LDR (Low Density Residential) to CZ-RM (Conditional Zoning Medium Density Residential)

Location: The subject property is located off Blackwelder Road between Roberta Road and Lakeland Road. (PIN 5518-44-8790 and 5518-34-3293)

Applicant: Southfork Ventures, LLC

Staff Report Prepared by: Craig Thomas, Senior Planner

Neighborhood Meeting: Held July 21, 2022

BACKGROUND:

Area: ±39.32 acres Total

Existing Land Use: Vacant/Single-Family Residential

Zoning within 500 feet: North – LDR, Low Density Residential
South – LDR, Low Density Residential
East – LI, Light Industrial
West – LDR, Low Density Residential

Land Uses within 500 feet: North – Single-Family Residential
South – Vacant and Single-Family Residential
East – Vacant
West – Vacant

APPLICATION SUMMARY:

- The applicant is proposing to develop a 51-lot single-family subdivision off Blackwelder Road between Roberta Road and Lakeland Road. This subdivision will require rezoning and annexation into the town limits.
- To allow for the proposed subdivision, the applicant is requesting to rezone the property from its current Cabarrus County designation of LDR (Low Density Residential) to a Town of Harrisburg designation of CZ-RM (Conditional Zoning Residential Medium).
- 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 located in an unincorporated area within Cabarrus County. Concurrent with this request for rezoning, the applicant has submitted a Petition for annexation of the subject property by the Town. The proposed annexation is considered to be a contiguous annexation, as the proposed subdivision is located immediately adjacent to the Town's corporate limits.
- The RM zoning district has a maximum density of two dwelling units per acre. The proposed density for this subdivision is 1.31 dwelling units per acre. If rezoning approval is granted, site density may not exceed 1.31 units/acre and the development will be subject to all of the conditions imposed by the Town Council and agreed to by the applicant.
- No Traffic Impact Analysis (TIA) was required for this subdivision as the number of trips to be generated by this development did not meet the threshold requirements of the Town for such a study.
- Per the Town's subdivision regulations, the applicant is required to provide 4.68 acres of active and passive open space to serve residents of the subdivision, with 14.82 acres provided. The applicant is also required to provide 1.46 acres of public open space to serve the broader Harrisburg community. To satisfy this requirement, the applicant is proposing to provide 0.51 acres of this total public open space in the form of dedicated 25' wide easement, with a fee-in-lieu payment proposed for the remaining 0.95 acres, in the amount of \$36,162. This calculation is based on a per acre market value of \$38,065.
- The request to rezone the subject property as Residential Medium (RM) is consistent with the HALUP, which designates this property as Low Density Residential (LDR). The LDR designation calls for 1-2 dwelling units per acres.

APPROVAL CRITERIA:

1. The size of the tract in question.

The subject property is approximately 39.32 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 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.”

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 RM district is appropriate for this land use classification.

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

RM: The RM district is established to provide areas for medium density single family uses, on smaller lots or single-family detached and attached dwellings clustered around common open space used as buffers between districts or housing types and to provide for resource protection and preservation of sensitive lands.

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

The benefits to the owner of the property would be that single-family residential development at the proposed density of 1.31 dwelling units per acre could be achieved under the proposed zoning. The existing zoning restricts density to 1 dwelling unit per acre.

Detriments to the neighbors and surrounding community are consistent with those expected with additional residential development, such as generation of additional traffic and potential traffic congestion during peak times. The proposal includes a full-movement main entrance on Blackwelder Road. There is also a connection to Aberdeen Way to the north and a future extension of Aberdeen Way to the south. This will help alleviate the reliance on a single entrance and divert local traffic through the neighborhood. Benefits to the neighbors and the surrounding community include the dedication and construction of an additional segment of greenway.

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 line is located along Blackwelder Road, and sewer access is available from the development to the north of the property and accessible from the west. Any utility line extensions or upgrades necessary to serve this development will be the responsibility of the developer.

Sewer Allocation

In 2021, due to the need to expand capacity at the Rocky River Regional Wastewater Treatment Plant, the Water and Sewer Authority of Cabarrus County (WSACC) began the process of expanding capacity at the plant to serve new growth. In conjunction with this planned expansion, WSACC imposed a limit on the available sewer allocation for customers within its service area. In response, the Town has adopted a “Sewer Allocation Policy” to ensure that the capacity available to the Town is not exceeded. Town staff meets on a quarterly basis to review applications for sewer allocations and either approves or denies allocations, based on the availability of capacity. If rezoning and annexation approval is granted for this subdivision, sewer allocation approval would also be required before any construction could occur on the site.

Transportation:

A TIA was not required for this subdivision, based on the proposed number of lots. However, future right of way on Blackwelder Road is being dedicated and will be available for future expansion. A full access movement along with a dedicated right turn lane will also be constructed on Blackwelder Road including 300 feet of pavement widening and associated taper. The greenway will be constructed and eventually connect throughout town as additional subdivisions are built with greenways.

b. Safety and Sanitation Services:

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

c. 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 (Pitts School Road ES)	<u>83%</u>
Middle (Roberta Road MS) -	<u>82%</u>
High (Jay Robinson HS) -	<u>67%</u>

Future Capacity Based on Unbuilt Lots and Including this Request:

Elementary (Pitts School Road ES)	<u>86%</u>
Middle (Roberta Road MS) -	<u>83%</u>
High (Jay Robinson HS) -	<u>68%</u>

As per Cabarrus County School, upon full buildout, the Single-family homes in this development will generate an additional 28 elementary students, 14 middle school students, and 18 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 use and density (1.31 dwelling units per acre) are compatible with existing neighborhoods in the area. The density is slightly lower than those developments and the lot sizes are similar. Properties to the west and south of the site currently exists as rural homesteads, so the proposed development would represent a change compared to those areas.

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

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

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

The area around this property is primarily zoned for low to medium density residential use. Existing land use patterns in the area typically consist of low to medium density residential neighborhoods, 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 the Harrisburg Area Land Use Plan (HALUP), particularly the mixed-use areas.

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

This property has been used for residential and agricultural purposes.

- 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 RM district to the property, with the proposed density limitation, is consistent with the density and lot size standards established for the base RM Zoning District in the Unified Development Ordinance and Medium 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 approval to develop this property for single-family detached residential use, which is an allowed use in the RM District.

- 9. The design of the proposed Conditional Zoning (CZ) District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash,**

traffic, service delivery, parking and loading, odors, noise, glare and vibration and not create a nuisance.

The applicant intends to work collaboratively with both Harrisburg town staff and the NC Department of Transportation in identifying and implementing roadway improvement measures on perimeter roadways intended to mitigate adverse transportation impacts associated with the proposed development. Currently two vehicular site access points are planned, one full movement onto Blackwelder Road and one access point onto Aberdeen Way. A third access will be available when the property to the south is developed and a connection is established. The planned greenway will provide residents in the area greater bicycle and pedestrian mobility alternatives.

Landscaping buffers shown are adequate to meet the needs of the adjacent properties, and town staff is working with the applicant to identify any prospective tree save opportunities on the site that could be incorporated into the final planting plan.

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 reasonably be 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. Additional conditions imposed on this proposed conditional rezoning will need to be agreed to by the applicant before they can be included as part of any approval granted.

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.

Both the Planning Board and the Town Council will need to adopt a consistency statement when a recommendation or decision is made on this request.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board recommended Town Council approval of the proposed rezoning at their November 15, 2022, meeting (see attached minutes).

RECOMMENDATION:

Based upon consistency of the proposed subdivision with the Harrisburg Area Land Use Plan and compliance with the Unified Development Ordinance, Planning and Zoning Department staff recommends approval of the applicant's request for rezoning, subject to the conditions noted below.

APPROVAL WITH CONDITIONS:

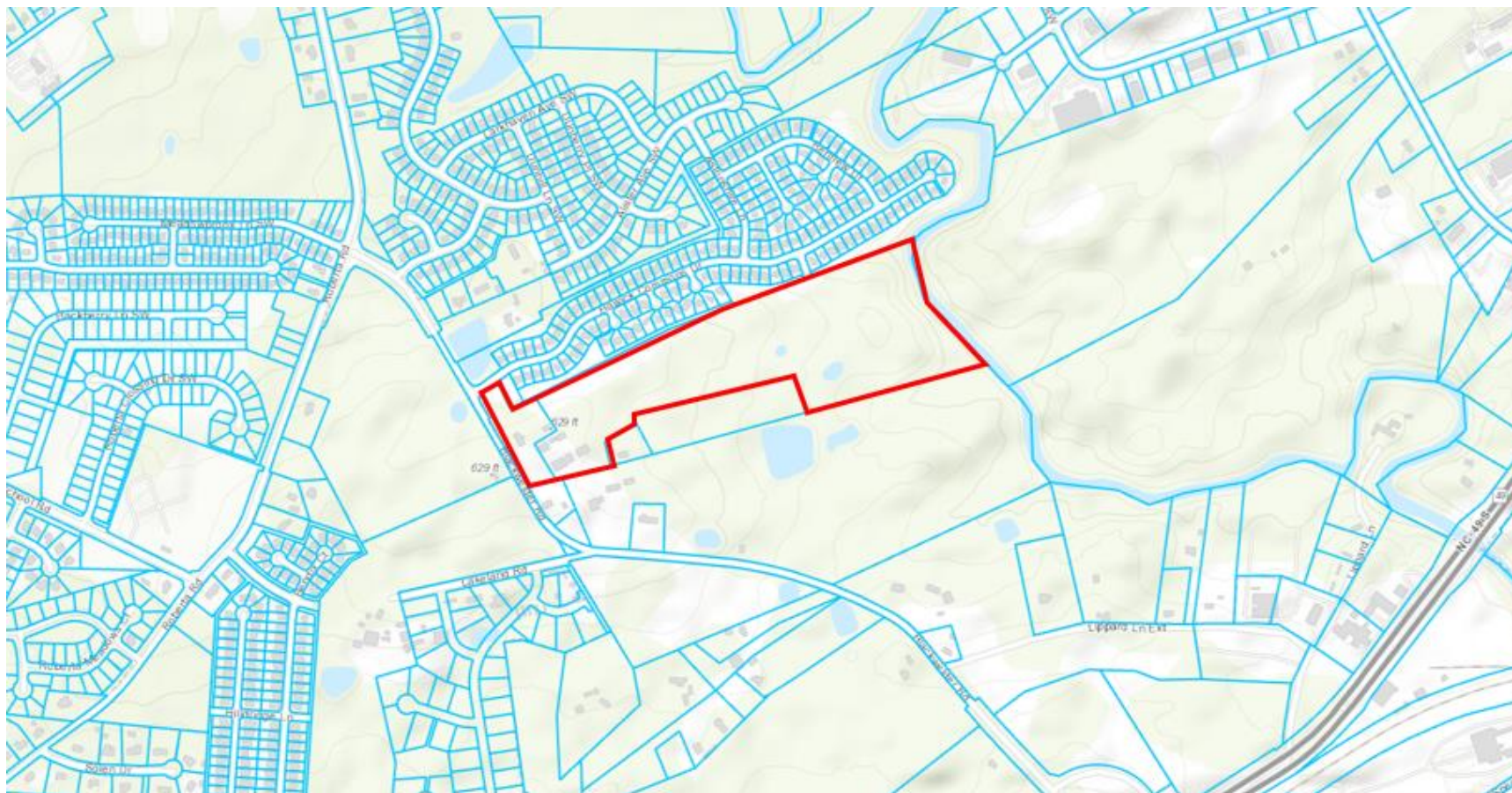
The applicant is requesting a conditional rezoning of the subject property for a 51-lot single family subdivision. As outlined in the Section 145.03 of the UDO, conditions may be imposed on the requested rezoning, subject to the consent of the applicant.

In accordance with the approval criteria noted above, staff recommends approval of the request for rezoning, subject to the following conditions, as agreed to by the applicant:

1. The applicant shall obtain any and all applicable local, state, and federal permits required for development before any development activity can take place.
2. Primary cladding materials for all residential buildings shall be restricted to masonry or similar products (no vinyl siding will be allowed).
3. All concrete foundations shall be covered with siding and/or other material and must extend to the ground level on all sides.
4. Mitigation/replacement of identified heritage trees shall be required if damaged during construction, in accordance with the Town of Harrisburg Unified Development Ordinance.
5. A minimum 8-foot-wide landscape easement (4 feet on each side of the property line, existing tree save or newly planted) shall be provided for residential lots sharing a rear property line.
6. A fee-in-lieu of payment for required "Public Open Space" shall be made in the amount \$36,162 (calculation is based on a per acre value of \$38,065 for .95 acres). This fee-in-lieu dedication shall be made to the Town prior to final plat approval.
7. The Parks and Recreation Advisory Board shall review and approve the proposed fee-in-lieu payment of \$36,162, prior to the submittal of a preliminary plat to the Town.
8. A 10' wide paved greenway shall be constructed as shown on the rezoning site plan. In addition, a 25' wide greenway public access easement shall be dedicated to the Town of Harrisburg.
9. Applicant will offer a minimum of 30% side loaded garage products and increase front setbacks to 30' for lots with front loaded garages.
10. 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.
11. Fences surrounding all detention ponds shall be vinyl 4-rail farm fence, preferably white.
12. Mailbox clusters shall meet ADA Standards at a minimum.

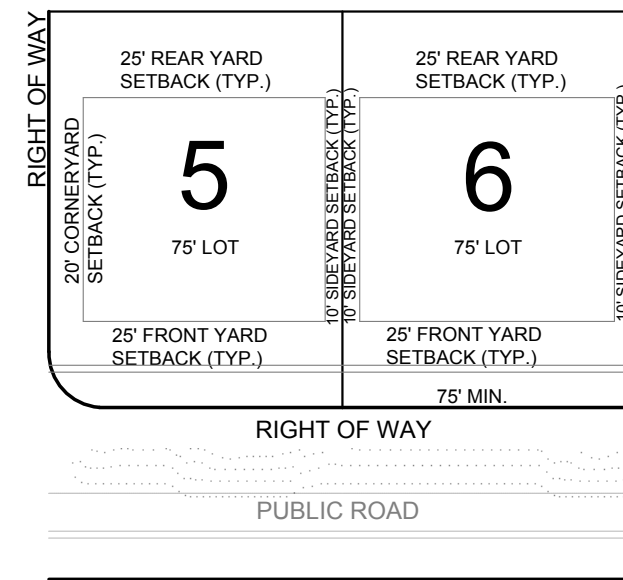
13. All streets shall be designed and built to Town of Harrisburg Engineering Design standards. Alternate pavement schedule design is not allowable. Roadways cross sections will be reviewed and approved at the construction document phase.

H2022-07-R Blackwelder Rezoning Site Map



DEVELOPER:	SOUTHFORK VENTURES, LLC PO BOX 178 WADMALAW ISLAND, SC 29487 PHONE: (704) 254-3137
LAND OWNER:	JENOAL G & ROBIN ANNE BLACKWELDER 5127 BLACKWELDER ROAD CONCORD, NC 28027
TAX PARCEL NO.:	02-040-0006.15, 02-040-0006.20
BOOK & PAGE:	DB 8890 DP 0159
SITE ACREAGE:	39.32± ACRES (TOTAL SITE) <u>0.29± ACRES (LESS DOT R/W)</u> 39.03± ACRES (NET)
CURRENT ZONING:	LDR (LOW DENSITY RESIDENTIAL)
PROPOSED ZONING:	CZ-RM: RESIDENTIAL MEDIUM CONDITIONAL USE DISTRICT
LAND USE:	EXISTING: FARMLAND (VACANT) PROPOSED: SINGLE FAMILY RESIDENTIAL
BUFFER YARD:	REQUIRED: TYPE "A" (12')
SETBACKS	
FRONT:	30 FT (25 FT IF SIDE ENTRY)
CORNER:	20 FT
SIDE:	10 FT
REAR:	25 FT
LOTS/UNITS:	51 UNITS
LOT WIDTH (MIN.):	75 FT
LOT AREA (MIN.):	15,000 SF
DENSITY:	1.31 UNITS/ACRE
OPEN SPACE:	REQUIRED: 4.68 AC. (12.00% <2.0 DUA) PROVIDED: 14.82 AC. (38.02%)
ACTIVE OPEN SPACE:	REQUIRED: 1.275 AC (.025 AC. PER LOT, TABLE 6.5.3.7.2) PROVIDED: 1.93 AC.
PASSIVE OPEN SPACE:	PROVIDED: 7.41 AC.
PUBLIC OPEN SPACE:	REQUIRED: 1.46 AC. (1/35 AC. PER LOT) PROVIDED: 0.51 AC. MITIGATION AREA = 0.95 AC.*

Line Table		
Line #	Length	Direction
L1	177.88	S25°21'30"E
L2	89.89	N64°39'25"E
L3	74.31	N64°37'47"E
L4	49.41	N70°53'30"E
L5	48.72	S38°45'59"W
L6	48.82	S23°38'20"W
L7	76.71	E6°42'45"E
L8	82.68	S9°19'33"E
L9	23.83	S25°15'30"E
L10	145.82	S18°0'46"E
L11	170.83	S50°35'33"E
L12	152.95	S39°24'03"E
L13	218.99	S41°20'03"E
L14	40.03	S75°57'54"W
L15	59.98	S27°30'33"E
L16	90.03	S41°15'23"E
L17	60.10	S14°02'07"E
L18	38.53	S75°55'27"W
L19	31.28	S76°06'14"W
L20	30.04	N64°36'22"E

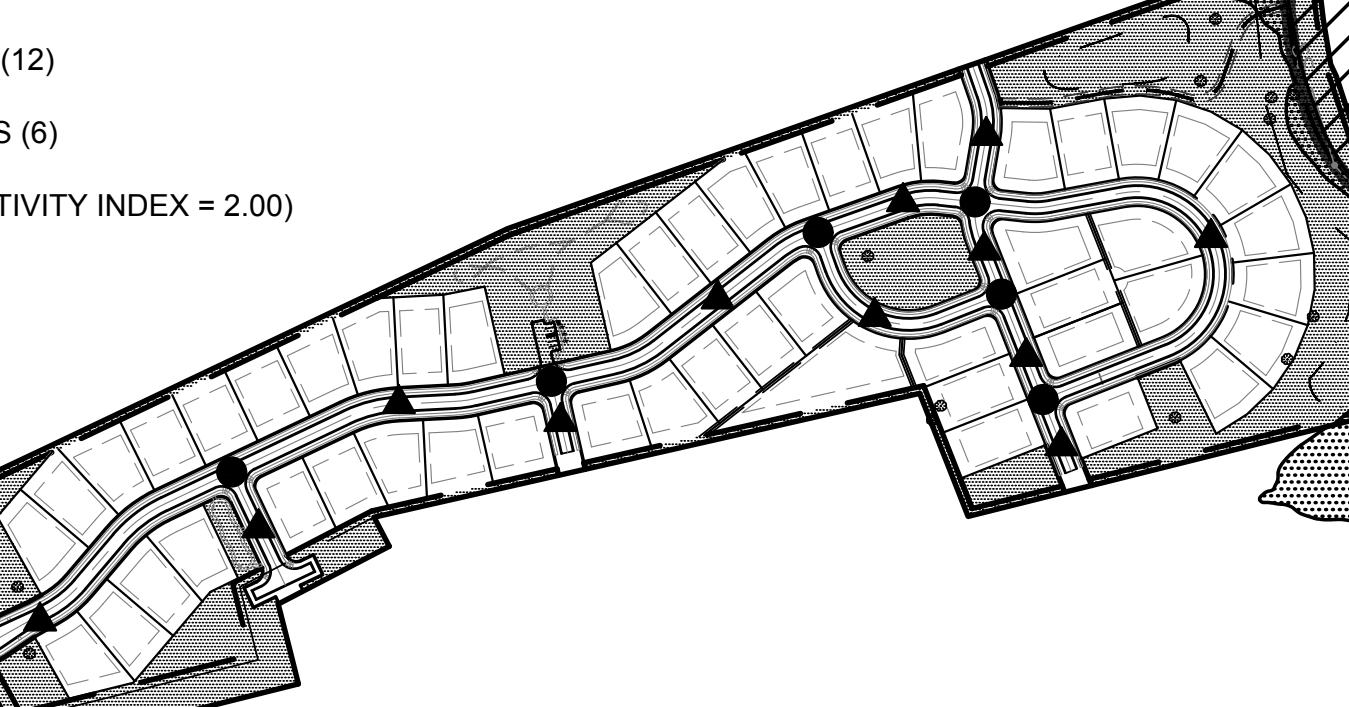


(Not To Scale)

KEY:

- ▲ LINKS (12)
- NODES (6)

(CONNECTIVITY INDEX = 2.00)



A schematic diagram of a road network. The network consists of several interconnected road segments (links) and junctions (nodes). The links are represented by lines with arrows indicating the direction of travel. The nodes are represented by black dots. The diagram shows a complex, interconnected network of roads, with some segments being single-lane and others being double-lane. The network is set against a background of a grid of squares, representing a land use or zoning map. The diagram is labeled 'CONNECTIVITY DIAGRAM' and '(Not To Scale)'.

CONNECTIVITY DIAGRAM

(Not To Scale)



VICINITY MAP - N.T.S.



DATE	ISSUED FOR	REV
07/28/2022	Initial Submittal to Town of Harrisburg	0
09/27/2022	Second Submittal to Town of Harrisburg	1
10/17/2022	Third Submittal to Town of Harrisburg	2



Engineer:



R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning
Management

186 Stonecrest Blvd., Tega City, S.C. 29708 P: (803) 802-1799

www.rjoe Harris.com

This drawing shall not be used for construction purposes until the seal and signature of the responsible registrant appears on the drawing, and proper permit forms and related fees are transmitted by the Owner, Owner's Agent or Contractor to the Authority having jurisdiction.

FOR
INFORMATION
ONLY

Project Manager P. Murphy	Drawn J. Murdock
Department Manager P. Murphy	Checked B. Pridemore

October 17, 2022

Asbuilt Drawn

Client

Southfork Ventures, LLC
PO BOX 178
WADMALAW ISLAND, SC 29487
P: (704) 254-3137

Project:

Blackwelder Subdivision

Drawing Title:

Rezoning

Project No.	Drawing No.
5118	
DWG File Name:	SP-1
118-Blackwelder-rezoning	



VICINITY MAP - N.T.S.

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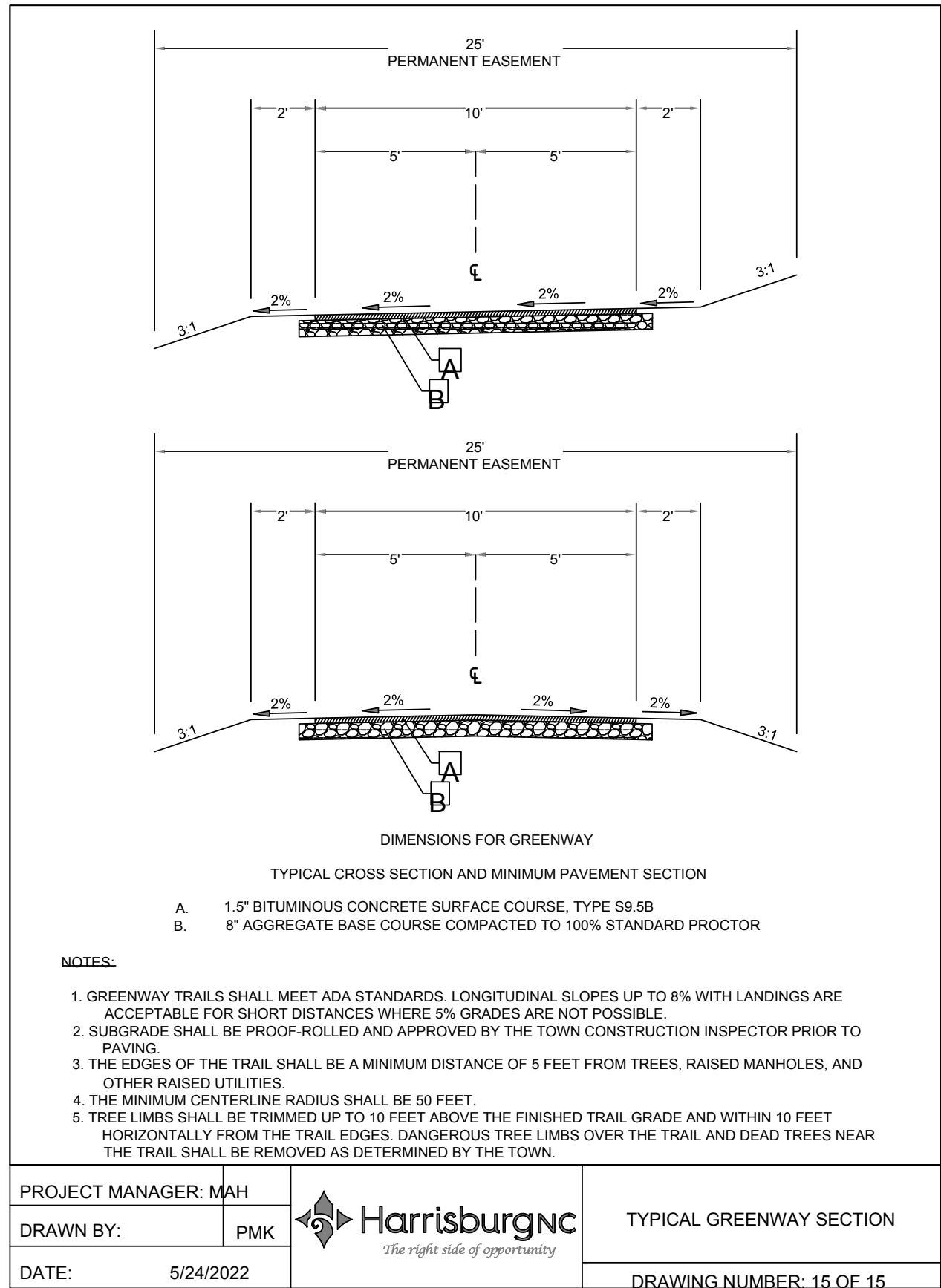
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FOR INFORMATION ONLY

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P. Murphy	J. Murdock
Department Manager	Checked
P. Murphy	B. Pridemore
Print/Plot Date	
October 17, 2022	
Asbuilt Drawn	Asbuilt Date
-	-
Client	
Southfork Ventures, LLC PO BOX 178 WADMALAW ISLAND, SC 29487 P: (704) 254-3137	
Project:	
Blackwelder Subdivision	
Drawing Title:	
Landscape	
Project No.	Drawing No.
5118	SP-2
DWG File Name:	
5118-Blackwelder-re-zoning	

CONDITIONAL NOTES:

1. APPLICANT AGREES TO OBTAIN ANY AND ALL APPLICABLE LOCAL, STATE, AND FEDERAL PERMITS REQUIRED FOR DEVELOPMENT BEFORE ANY DEVELOPMENT ACTIVITY CAN TAKE PLACE.
2. APPLICANT AGREES TO RESTRICT PRIMARY CLADDING MATERIALS FOR ALL RESIDENTIAL BUILDINGS TO MASONRY TO INCLUDE FIBER CEMENT OR SIMILAR PRODUCTS; VINYL SIDING SHALL ONLY BE USED FOR DOORS AND TRIM.
3. APPLICANT AGREES THAT THERE WILL BE NO EXPOSED CONCRETE FOUNDATIONS AND THAT SIDING AND/OR OTHER MATERIAL MUST EXTEND TO THE GROUND LEVEL ON ALL SIDES OF THE HOMES.
4. APPLICANT AGREES TO THE MITIGATION/REPLACEMENT OF IDENTIFIED HERITAGE TREES IF DAMAGED DURING CONSTRUCTION, IN ACCORDANCE WITH THE TOWN OF HARRISBURG UNIFIED DEVELOPMENT ORDINANCE.
5. APPLICANT AGREES TO PROVIDE A MINIMUM 8 FOOT LANDSCAPE EASEMENT (4 FEET ON EACH SIDE OF THE PROPERTY LINE, EXISTING TREE SAVE OR NEWLY PLANTED) FOR RESIDENTIAL LOTS SHARING A REAR PROPERTY LINE.
6. APPLICANT AGREES TO DEDICATE A FEE-IN-LIEU OF PUBLIC OPEN SPACE DEDICATION FOR THE 0.95 ACRES OF REQUIRED PUBLIC OPEN SPACE, IN THE AMOUNT OF \$38,065 PER ACRE, FOR A TOTAL OF \$36,162. ALL FEE-IN-LIEU OF DEDICATIONS SHALL BE MADE TO THE TOWN PRIOR TO FINAL PLAT APPROVAL.
7. APPLICANT AGREES TO CONSTRUCT 10' WIDE PAVED GREENWAY AND DEDICATE 25' GREENWAY EASEMENT AS SHOWN ON THE REZONING SITE PLANS.
8. 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.
9. APPLICANT AGREES FENCE SURROUNDING DETENTION POND SHALL BE VINYL 4-RAIL FANS FENCE, PREFERABLY WHITE.
10. APPLICANT AGREES MAILBOX CLUSTERS SHALL MEET ADA STANDARDS AT A MINIMUM.
11. 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.



DEVELOPMENT NOTES:

1. GENERAL PROVISIONS:
 - 1.1. SITE DEVELOPMENT. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY SOUTHFORK VENTURES, LLC ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF UP TO FIFTY-ONE (51) SINGLE-FAMILY DETACHED DWELLING UNITS AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PROPOSED DEVELOPMENT WILL BE ON AN APPROXIMATELY 39.03 ACRE SITE ON BLACKWELDER ROAD ("THE SITE").
 - 1.2. ZONING DISTRICTS/ORDINANCE. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE HARRISBURG ZONING ORDINANCE ("THE ORDINANCE"), UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE RV ZONING CLASSIFICATION SHALL GOVERN.
 - 1.3. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS LOTS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY THE TOWN OF HARRISBURG.
 - 1.4. SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER THE ORDINANCE PENDING REVIEW AND APPROVAL BY THE TOWN OF HARRISBURG. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.
 - 1.5. THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS OF THE ORDINANCE; IN EACH INSTANCE, HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.
2. PERMITTED USES & DEVELOPMENT LIMITATION:
 - 2.1. THE SITE MAY BE DEVELOPED WITH UP TO FIFTY-ONE (51) SINGLE-FAMILY DETACHED DWELLING UNITS.
 - 2.2. THE MINIMUM LOT SIZE SHALL BE 15,000 SQUARE FEET WITH A MINIMUM LOT WIDTH OF SEVENTY-FIVE (75) FEET.
3. ACCESS AND TRANSPORTATION:
 - 3.1. ACCESS TO THE SITE WILL BE FROM CONNECTION TO BLACKWELDER ROAD ON THE WESTERN PART OF THE SITE AS DEPICTED ON THE REZONING PLAN.
 - 3.2. ADDITIONAL ACCESS TO THE SITE WILL BE FROM CONNECTION TO ABERDEEN WAY ON THE NORTHEAST PART OF THE SITE AS DEPICTED ON THE REZONING PLAN.
 - 3.3. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE TOWN OF HARRISBURG AND/OR NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
 - 3.4. THE PETITIONER SHALL INSTALL TRANSPORTATION IMPROVEMENTS AS SHOWN/PROVIDED WITH REZONING PLAN.
4. ARCHITECTURAL STANDARDS:
 - 4.1. THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK, STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS FIBER BOARD, EIFS, STUCCO, DECORATIVE BLOCK AND/OR WOOD, VINYL OR ALUMINUM AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS AND HANDRAILS/RAILINGS. THE PROPOSED ROOFING MATERIALS WILL BE ARCHITECTURAL SHINGLES, WOOD SHAKE, SLATE, TILE AND/OR METAL.
 - 4.2. THE MINIMUM SINGLE-FAMILY RESIDENTIAL UNIT SIZE SHALL BE 2,000 SQUARE FEET FOR A SINGLE STORY UNIT AND 2,600 SQUARE FEET FOR A 2-STORY UNIT.
 - 4.3. THE PETITIONER AGREES TO RESTRICT CLADDING MATERIALS FOR ALL BUILDINGS TO CLADDING PRODUCTS OTHER THAN VINYL SIDING.
 - 4.4. NO LESS THAN 30% OF ALL HOMES SHALL HAVE SIDE ENTRY GARAGES.
5. STREETScape, BUFFERS, YARDS, LANDSCAPING:
 - 5.1. A TWENTY-FIVE (25) FOOT TYPE 6 STREET YARD BUFFER SHALL BE PROVIDED WHILE ADJACENT TO EXISTING ROADS.
 - 5.2. A TWELVE (12) FOOT TYPE "A" LANDSCAPE BUFFER SHALL BE PROVIDED AS GENERALLY DEPICTED.
6. ENVIRONMENTAL FEATURES AND OPEN SPACE:
 - 6.1. THE SITE SHALL COMPLY WITH STORMWATER AND WATER QUALITY REQUIREMENTS AS SET FORTH IN THE ORDINANCE.
 - 6.2. THE STORMWATER FACILITY WILL PROVIDE PEAK DISCHARGE CONTROL (DETENTION) UP TO THE TWENTY-FIVE (25) YEAR STORM.
 - 6.3. A TEN (10) FOOT WIDE PAVED PUBLIC GREENWAY TRAIL WITH A TWENTY-FIVE (25) FOOT EASEMENT SHALL BE PROVIDED AS GENERALLY DEPICTED.
7. MISCELLANEOUS PROVISIONS:
 - 7.1. PETITIONER AGREES TO OBTAIN ALL APPLICABLE LOCAL, STATE, AND FEDERAL PERMITS REQUIRED FOR DEVELOPMENT BEFORE ANY DEVELOPMENT ACTIVITY OCCURS ON SITE.
8. AMENDMENTS TO THE REZONING PLAN:
 - 8.1. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS OF THE ORDINANCE.
9. BINDING EFFECT OF THE REZONING APPLICATION:
 - 9.1. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INSURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

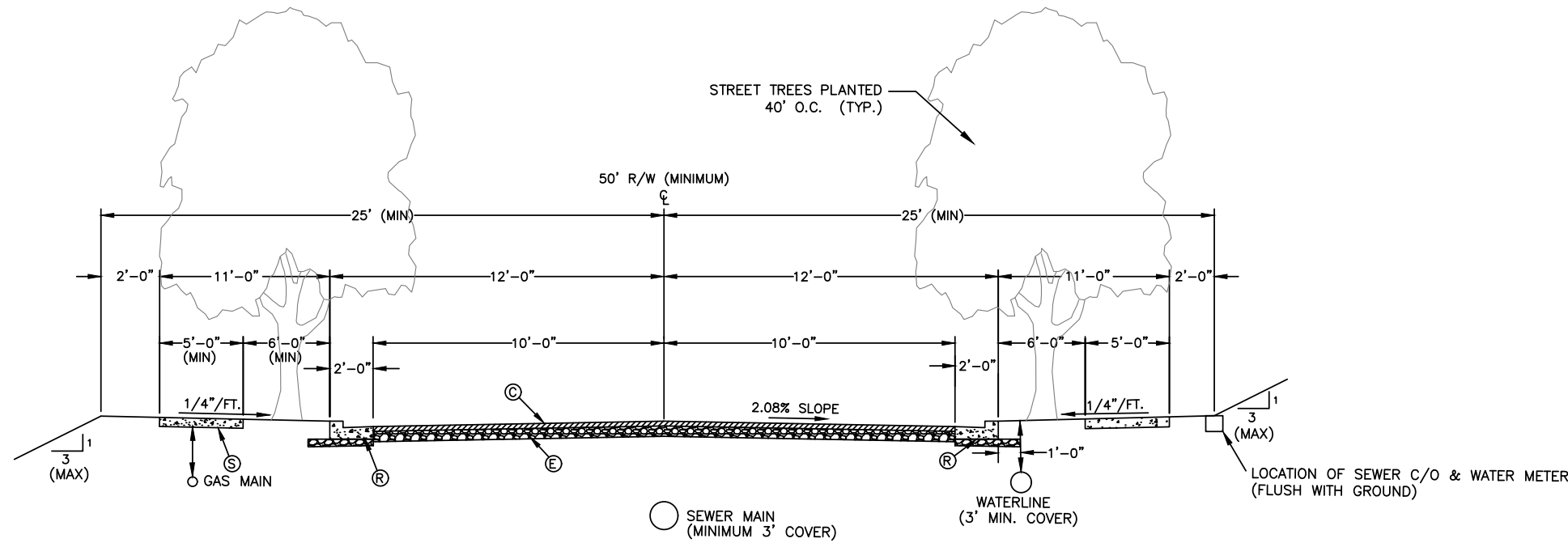
RIVERSTREAM OVERLAY CALCULATION NOTE:

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

MAX. AVERAGE EXISTING SLOPE FOR 250' DISTANCE FROM CREEK = 4.3% - 16.4%
RSOD = MINIMUM 50' + (4 * AVERAGE SLOPE)
RSOD PROVIDED = 67.2' - 115.6' FROM TOP OF BANK



VICINITY MAP - N.T.S.



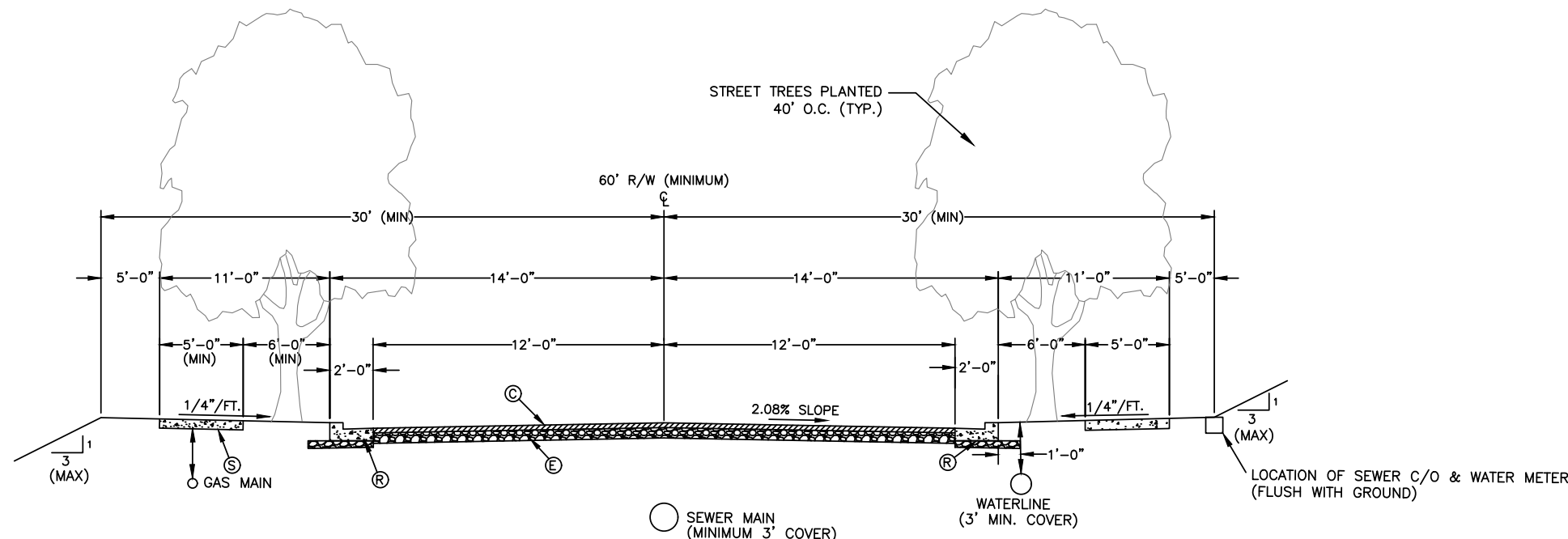
RESIDENTIAL LANE

PAVEMENT SCHEDULE

- ① 1.5" BITUMINOUS CONCRETE SURFACE COURSE - TYPE 9.5B
- ② 2.5" BITUMINOUS CONCRETE INTERMEDIATE COURSE - TYPE 119B
- ③ 8" CRUSHED AGGREGATE BASE COURSE
- ④ 2'-0" STANDARD CURB AND GUTTER W/ 5" COMPACTED ABC
- ⑤ 5' CONCRETE SIDEWALK

NOTE:

- ALTERNATE PAVEMENT SCHEDULE IS NOT ALLOWABLE.
- ROADWAY CROSS SECTIONS WILL BE REVIEWED AND APPROVED AT THE CONSTRUCTION PHASE.



RESIDENTIAL LANE

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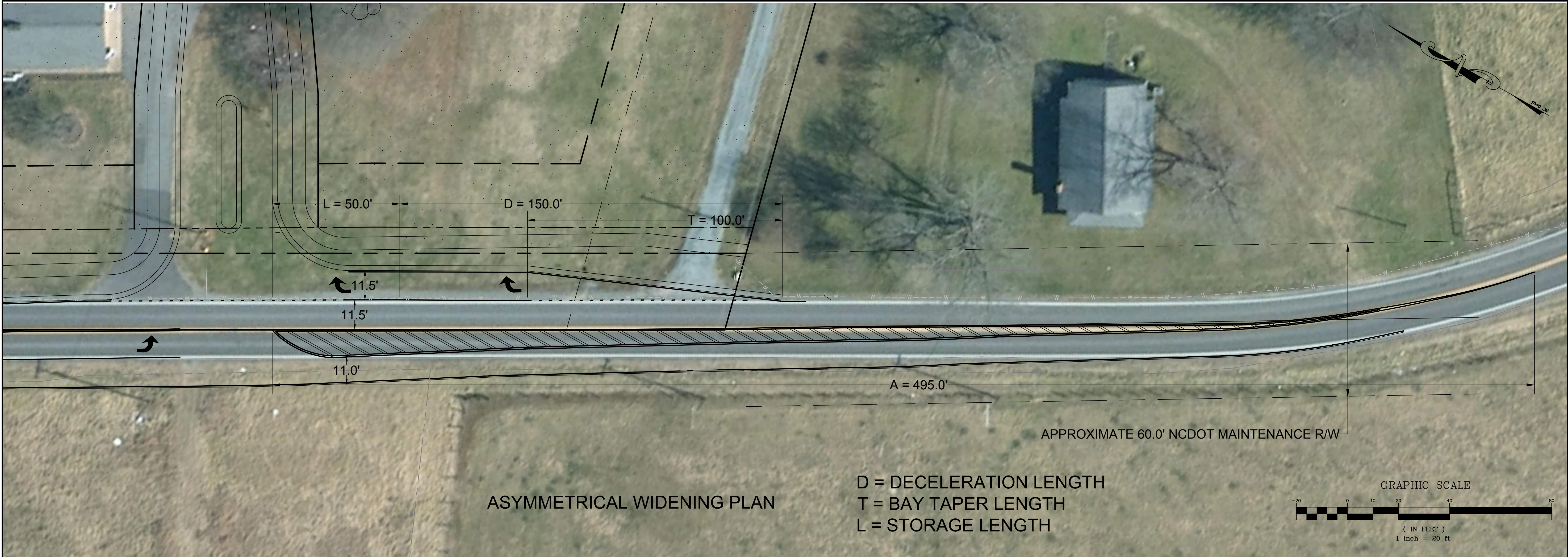
1188 Stonestreet Blvd., Tega Cay, S.C. 29708 P: (803) 802-1799

www.rjoeharris.com

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FOR
INFORMATION
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Project Manager	Drawn
P. Murphy	J. Murdock
Department Manager	Checked
P. Murphy	B. Pridemore
Print/Plot Date	
October 17, 2022	
Asbuilt Drawn	Asbuilt Date
-	-
Client	
Southfork Ventures, LLC	
PO BOX 178	
WADMALAW ISLAND, SC 29487	
P: (704) 254-3137	
Project:	
Blackwelder Subdivision	
Drawing Title:	
Details	
Project No.	Drawing No.
5118	
DWG File Name:	
5118-Blackwelder-rezoning	SP-3



DATE	ISSUED FOR	REV
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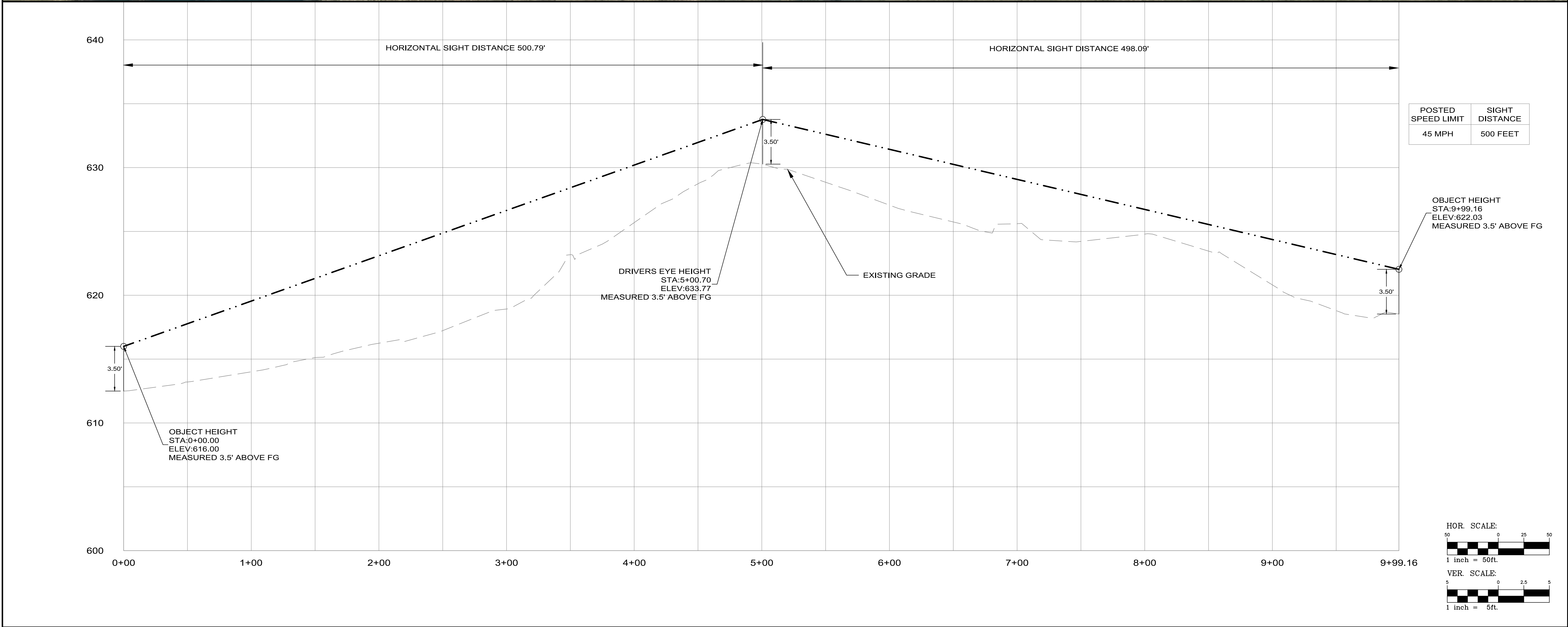
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P. Murphy	J. Murdock
Department Manager	Checked
P. Murphy	B. Pridemore
Print/Plot Date	
October 17, 2022	
Asbuilt Drawn	Asbuilt Date
-	-
Client	
SOUTH FORK VENTURES, LLC 3712 RIVERGRASS LANE YORK, SC 29745 (704) 506-2407	
Project:	
BLACKWELDER SUBDIVISION	
Drawing Title:	
ROAD WIDENING EXHIBIT	
Project No.	Drawing No.
5118	SP-4
DWG File Name:	
5118-Blackwelder-rezoning	



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Engineer:



R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning
Management

127 Ben Casey Drive, Suite 101, Fort Mill, S.C. 29708 P: (803) 802-1799

www.rjoeharris.com

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Department Manager P. Murphy	Checked B. Pridemore
Print/Plot Date October 17, 2022	
Asbuilt Drawn -	Asbuilt Date -
Client SOUTHFORK VENTURES, LLC PO BOX 178 WADMALAW ISLAND, SC 29487 P: (704) 254-3137	
Project: Blackwelder Subdivision	
Drawing Title: Site Distance Profile	
Project No. 5118 DWG File Name: 5118-Blackwelder-Site Distance	Drawing No. SD-1

BLACKWELDER

TOWN OF HARRISBURG, NC

SAMPLE HOUSING ELEVATIONS

(THE ELEVATIONS PROVIDED ARE ILLUSTRATIVE OF THE HOUSING STYLES PROPOSED FOR THE NEIGHBORHOOD AND SHALL SERVE AS THE MINIMUM STANDARDS FOR THE COMMUNITY. FINAL HOUSE PLANS TO BE PROVIDED TO TOWN OF HARRISBURG PLANNING STAFF TO ENSURE COMPLIANCE WITH THE STANDARDS ESTABLISHED FOR THE BLACKWELDER CONDITIONAL REZONING PLAN)

A Community By:



SOUTHFORK
VENTURES



HarrisburgNC
The right side of opportunity











PUBLIC HEARING NOTICE

Harrisburg Town Council ****Onsite/Virtual Meeting****

Monday, January 9, 2023 @ 6:00 PM

Harrisburg Town Hall- Council Chambers

4100 Main Street

Harrisburg, NC 28075

H-2022-07-R – Rezoning. Request to rezone approximately 39.32 acres located off Blackwelder Road (PINs: 5518-44-8790 and 5518-34-3293) from County LDR (Low Density Residential) to a Town of Harrisburg designation of CZ-RM (Conditional Zoning Residential Medium) and to annex property into the Town of Harrisburg corporate limits.

H-2022-14-R – Rezoning. Request to rezone approximately 2.27 acres located off Stallings Road and Jon Chris Road (PINs: 5517-60-7529, 5517-60-8525, 5517-60-9512, 5517-60-6451, and 5517-60-7347) from County LDR (Low Density Residential) to RM (Residential Medium Density) and to annex property into the Town of Harrisburg corporate limits.

****Virtual Meeting Information** will be posted on the published agenda and can be accessed here <https://harrisburgnc.org/129/Agendas-Minutes>

Publication Dates: Friday December 30, 2022, and Friday January 6, 2023.

ADJACENT PROPERTY OWNERS (INCLUDES ALL PARCELS WITHIN 150' OF PROPERTIES)

PIN	Property Owner	Mailing Address
5518435849	Joyce Blackwelder Hardister	PO Box 280 Harrisburg, NC 28075
5518446303	Jenoal G. Blackwelder	5127 Blackwelder Rod Concord, NC 28027
5518440106	Brandon Odell Amy Odell	5151 Blackwelder Road Concord, NC 28027
5518335796	Joyce Hardister Nelson Hardister	PO Box 280 Harrisburg, NC 28075
5518212875	TC Blackwelder	124 Le Cline Drive NE Concord, NC 28025
5518245187	Andrew Jackson Walker Family Trust Gail B Walker Family Trust	6185 Rocky River Road Concord, NC 28025
5518341671	Hawick Commons HOA % Hawthorne Management	4530 Park Road, Suite 201 Charlotte, NC 28209
5518343448	Michael Griffin Patricia Griffin	3350 Hawick Commons Drive Concord, NC 28027
5518343595	Michael Griffin Patricia Griffin	3350 Hawick Commons Drive Concord, NC 28027
5518344547	Sean Honan	3342 Hawick Commons Drive Concord, NC 28027
5518345508	TAH MS-2 Borrower LLC % Tricon American Homes LLC	1508 Hollowbrook Drive Santa Ana, CA 92705
5518345569	Angela Jeffers	3432 Guido Street Oakland, CA 94602
5518346631	Alisa Evans	3296 Hawick Commons Drive Concord, NC 28027
5518346684	Billy Corzine Linda Corzine	240 Branchview Dr NE, Apt 120 Concord, NC 28025
5518347629	Yamasa Co LTD	PO Box 4090 Scottsdale, AZ 85261
5518347764	Andrew Deaton	3276 Hawick Commons Drive Concord, NC 28027
5518348800	Linda Ranatza	3268 Hawick Commons Drive Concord, NC 28027
5518349735	Raymond John Christie Joann Christie	5010 Opus Court Concord, NC 28027
5518440706	Randall McDonald	5022 Opus Court Concord, NC 28027
5518440769	Willet Alexander Adams, III	5033 Opus Court Concord, NC 28027
5518441824	Beverly Shepherd Trina Snuggs	909 Brighton Drive Kannapolis, NC 28081
5518441887	RS Rental II, LLC	1955 S. Val Vista Drive, Suite 126 Mesa, AZ 85204
5518442858	Raymond Moore	5024 Drayton Lane Concord, NC 28027
CONTINUED NEXT PAGE		

PIN	Property Owner	Mailing Address
5518443911	Jennifer Campbell Timothy Campbell	5035 Drayton Lane Concord, NC 28027
5518443975	Patricia Garner	5043 Drayton Lane Concord, NC 28027
5518444946	Sherry Elizabeth Cheek	1076 Iveywood Place NW Concord, NC 28027
5518445918	Karen Shelor	4964 Somerled Court Concord, NC 28027
5518455063	2018-4 IH Borrower LP Partnership % Invitation Homes	1717 Main Street, Suite 2000 Dallas, TX 75201
5518456046	Manjil Malla Kamana Malla	4987 Somerled Court Concord, NC 28027
5518651950	Hawick Commons HOA % Hawthorne Management	4530 Park Road, Suite 201 Charlotte, NC 28209
5518456176	John Bridges	3064 Hawick Commons Drive Concord, NC 28027
5518457136	Progress Residential Borrower 6, LLC	PO Box 4090 Scottsdale, AZ 85261
5518457195	David Francis Astrid Francis	3050 Hawick Commons Dive Concord, NC 28027
5518458155	Progress Residential Borrower 6, LLC	PO Box 4090 Scottsdale, AZ 85261
5518459114	Cynthia Pierce	3038 Hawick Commons Dive Concord, NC 28027
5518459174	SN NC, LLC	8390 E Via De Ventura, Suite F110 Scottsdale, AZ 85258
5518550136	Lanif Lopez Michael L'Heureux	3026 Hawick Commons Dive Concord, NC 28027
5518550199	Frank Kerschbaumer	3020 Hawick Commons Dive Concord, NC 28027
5518552213	IH6 Property North Carolina LP Partnership	17174 Main Street, Suite 2000 Dallas, TX 75201
5518552276	Tony Mosley Norma Mosley	66 Edgewood Avenue NE Concord, NC 28025
5518553320	Cynthia Mahler	3002 Hawick Commons Drive Concord, NC 28027
5518553383	George Hoffman Faye Hoffman	2996 Hawick Commons Drive Concord, NC 28027
5518554335	Ravi Kiran Nalla, Trustee Soumya Rao Chikkala, Trustee	7012 Livery Lane San Jose, CA 95135
5518554388	George Fitzsimmons Michelle Fitzsimmons	10115 Edgecliff Road Huntersville, NC 28078
5518555431	Bradley Wilcox	2978 Hawick Commons Drive Concord, NC 28027
5518555494	Michelle Pierce	2972 Hawick Commons Drive Concord, NC 28027
CONTINUED ON NEXT PAGE		

PIN	Property Owner	Mailing Address
5518556447	Jessica Deboe Nathan Deboe	2966 Hawick Commons Drive Concord, NC 28027
5518557500	BSFR I Owner I, LP	997 Morrison Drive, Suite 402 Charleston, SC 29403
5518557554	Progress Residential Borrower 12, LLC	PO Box 4090 Scottsdale, AZ 85261
5518755722	Patti Corzine, Trustee Kenneth Stough, Trustee	4744 Stough Road SW Concord, NC 28027
END OF LIST		



APPLICATION FOR CONDITIONAL REZONING

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

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

Single Family Residential

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.).

Will Offer Minimum of 30% Side Loaded Garage Products

Increase Front Setbacks to 30' When Using Front Loaded Garages

Provide Full Access to Blackwelder Road w/RTL and LTL (subject to NCDOT approval)

Provide Landscaped Berm Along Frontage of Blackwelder Road



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 Jenoal G Blackwelder

(TM#5518448790 & TM#5518343293 partial owner)

Address 5127 Blackwelder Rd.

Concord, NC 28027

Phone _____

Fax _____

Signature Jenoal G. Blackwelder

6-22-22
Jenoal G. Blackwelder

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: _____



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 Robin Ann Blackwelder
(TM#5518343293 partial owner)
Address 5127 5151 Blackwelder Rd.
RB Concord, NC 28027
Phone _____
Fax _____
Signature Robin Ann Blackwelder 6-22-22
Robin Ann Blackwelder

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: _____

BLACKWELDER CZ-RM ANNEXATION & REZONING

Notes from Neighborhood Meeting | July 21st, 2022

Issued: 7/28/2022

HOW WILL DEVELOPMENT AFFECT SCHOOL SYSTEM OVERLOAD?

- Town coordinates and shares all projects to the Cabarrus County School District (City response).
- Brandon Pridemore (consultant for applicant) noted that with only 51 residential lots, the development would only send limited number of students between the elementary, middle and high schools.

BRANDON ODELL, WHO LIVES AT 5151 BLACKWELDER ROAD, WANTED TO KNOW IF ACCESS TO HIS LOT WOULD BE IMPACTED

- Brandon Pridemore noted that is access would be unaffected and we have a paved stub extended adjacent to this lot within the existing 60' private right-of-way reserved to serve the parcel behind him

WHO WILL MAINTAIN RIGHT-OF-WAY (PRESUMABLY ALONG BLACKWELDER ROAD) AND OPEN SPACES? WILL AN AGREEMENT BE NEEDED?

- Brandon Pridemore noted HOA will maintain any landscaping and open spaces within the project and that NCDOT will own and maintain any dedicated Road Right-of-Ways

JOYCE HARDISTER ASKED QUESTIONS RELATED TO CONSTRUCTION START DATE AND PRICE POINTS OF HOMES

- Brandon Pridemore responded that anticipated start of construction, assuming approval of the rezoning petition, would be at least 12-15 months away and another 6-8 months thereafter before start of home construction
- Brandon Pridemore responded that home prices will start at a minimum of high \$400k and expect prices to be up into the \$600k range

IN GENERAL – NOT QUESTIONS ASKED BY PUBLIC

- Brandon Pridemore noted that applicant (South Fork Ventures) has not yet decided if they will self-develop and sell individual lots or seek a building partner
- There were no “protest” comments issued by the public



R. Joe Harris & Associates, Inc.

1186 Stonecrest Blvd., Tega Cay, S.C. 29708
(803) 802-1799

November 10, 2022

Craig Thomas, Sr. Planner
Town of Harrisburg
Planning & Zoning Department
4100 Main Street, Suite 102
Harrisburg, NC 28075

**RE: BLACKWELDER SUBDIVISION
Public Open Space Fee-in-Lieu Estimation**

RJH Project #3329

Dear Mr. Thomas:

On behalf of South Fork Ventures, LLC (Developer), we would like to request approval for a fee-in-lieu payment for a portion of the required public open space for the above referenced Blackwelder Subdivision.

The proposed development will include 51 lots which would require 1.46 acres of public open space based on 1/35 acre per lot. The developer is proposing to provide 0.51 acres within the property and providing fee-in-lieu payment for the remaining 0.95 required acres. The current assessed land value (per acre) as taken from GIS is \$38,065.00. This value will be used to calculate the fees unless the sale price of the land yields a larger price per acre, in which case, the fee will be adjusted to reflect the sales price.

The Developer is requesting to provide a fee-in-lieu mitigation payment at the time of final plat as follows:

Total fee to be paid = \$38,065.00/acre x 0.95 acres = \$36,162.00

Additionally, the Developer has committed to building a 10' wide paved greenway trail within a 25' permanent easement (0.51 acres of public open space within the property).

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

Sincerely,

R. JOE HARRIS & ASSOCIATES, INC.

Brandon S. Pridemore
Vice President
Lead Development Consultant

cc-email: Rick Walliser – South Fork Ventures

**TOWN OF HARRISBURG, NORTH CAROLINA
PLANNING & ZONING ADVISORY BOARD MEETING
TUESDAY, NOVEMBER 15, 2022**

MINUTES

1.

CALL TO ORDER

Thelma Thorne-Chapman called the meeting to order.

PRESENT: Kevin Schaffner, Jacob Carpenter, Thelma Thorne-Chapman, Monica Long

STAFF: Zac Gordon, Planning Director, Craig Thomas, Senior Planner, Carly Bedgood, Planning Technician

ABSENT: Andy Rathke, Kevin Hutchins

A.

AGENDA ADOPTION

Jacob Carpenter added that we will need to add the swearing in of our new member, Monica Long under Special Presentations.

MOTION

Jacob Carpenter made a motion to adopt the agenda with the change and a second was made by Kevin Schaffner.

The motion passed 3-0.

B.

SPECIAL PRESENTATIONS

Monica Long was sworn in as a new member for the Planning and Zoning Board and the Board of Adjustment Board.

C.

PUBLIC COMMENT

None

2.

CONSENT AGENDA

A. Planning Board meeting minutes of October 18, 2022, Planning and Zoning Board meeting.

MOTION

Kevin Schaffner made a motion to approve the Consent Agenda. Second was made by Jacob Carpenter. **The motion passed 4-0.**

3.

OLD BUSINESS

None

4.

NEW BUSINESS

A.

H2022-14 (R) Stallings Road and Jon Chris Rd Rezoning and Annexation

The applicant proposes to rezone five parcels from County LDR (Low Density Residential) to RM (Residential Medium Density). The purpose of this rezoning is to allow for the annexation of these parcels into the Town of Harrisburg limits to access sewer services for each lot. The RM District allows a gross density between 2 and 3 units per acre. At 2.20 units per acre the proposed rezoning is consistent with the requirements of the UDO. The Harrisburg Area Land Use

**TOWN OF HARRISBURG, NORTH CAROLINA
PLANNING & ZONING ADVISORY BOARD MEETING MINUTES
Tuesday, November 15, 2022**

Plan (HALUP) locates this property within a “Low Density Residential” area. The LDR designation calls for 1 -2 units per acre. The proposed density is 2.20 dwelling units per acre – just over the 1-2 units per acre designated by the HALUP. Although the lots slightly exceed the recommended LDR density, the five lots are existing and would not be allowed to be subdivided further. Along with this request for rezoning, the applicant has submitted a petition to be annexed into the Town of Harrisburg corporate limits. The rezoning request is consistent with the Harrisburg Area Land Use Plan (HALUP) and the Unified Development Ordinance (UDO). Planning and Zoning Department staff therefore supports approval of the rezoning request and request for annexation.

MOTION:

Jacob Carpenter made a motion to recommend approval of H2022-14 R and sent it on to the Town Council for their consideration with a second from Kevin Schaffner. **The motion passed 4-0.**

The following Consistency Statement was presented to the Board for its consideration:

CONSISTENCY STATEMENT:

1. Based on the staff report and staff presentation, this rezoning request is consistent with the Harrisburg Area Land Use plan and with the conditions it is reasonable and in the public interest.

MOTION:

Kevin Schaffner made a motion to approve the proposed Consistency Statement with a second from Jacob Carpenter. **The motion passed 4-0.**

B.

H2022-07-(R) Blackwelder Rezoning and Annexation

The applicant proposes to develop a 51-lot single-family subdivision. To achieve this, the applicant is requesting the proposed subdivision property be annexed into the Town of Harrisburg corporate limits and be rezoned from its current Cabarrus County Low Density Residential (LDR) district designation to Conditional Zoning Residential Medium (CZRM) in accordance with the site plan submitted with the application. The RM zoning district has a maximum density of two dwelling units per acre. The proposed density for this subdivision is 1.31 dwelling units per acre. If rezoning approval is granted, site density may not exceed 1.31 units/acre and the development will be subject to all of the conditions imposed by the Town Council and agreed to by the applicant. The request to rezone the subject property as Residential Medium (RM) is consistent with the HALUP, which designates this property as Low Density Residential (LDR). The LDR designation calls for 1-2 dwelling units per acres. Based upon consistency of the proposed subdivision with the Harrisburg Area Land Use Plan and compliance with the Unified Development Ordinance, Planning and Zoning Department staff recommends approval of the applicant’s request for rezoning, subject to the conditions noted in the staff report. Furthermore, staff recommends that the Planning and Zoning Board recommends Town Council approval of the applicant’s request for conditional zoning.

1. The applicant shall obtain any and all applicable local, state, and federal permits required for development before any development activity can take place.
2. Primary cladding materials for all residential buildings shall be restricted to masonry or similar products (no vinyl siding will be allowed).
3. All concrete foundations shall be covered with siding and/or other material and must extend to the ground level on all sides.
4. Mitigation/replacement of identified heritage trees shall be required if damaged during construction, in accordance with the Town of Harrisburg Unified Development Ordinance.
5. A minimum 8-foot-wide landscape easement (4 feet on each side of the property line, existing tree save or newly planted) shall be provided for residential lots sharing a rear property line.
6. A fee-in-lieu of payment for required “Public Open Space” shall be made in the amount \$36,162 (calculation is based on a per acre value of \$38,065 for .95 acres). This fee-inlieu dedication shall be made to the Town prior to final plat approval.
7. A 10’ wide paved greenway shall be constructed as shown on the rezoning site plan. In addition, a 25’ wide

**TOWN OF HARRISBURG, NORTH CAROLINA
PLANNING & ZONING ADVISORY BOARD MEETING MINUTES
Tuesday, November 15, 2022**

greenway public access easement shall be dedicated to the Town of Harrisburg.

8. 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.

9. Fences surrounding all detention ponds shall be vinyl 4-rail farm fence, preferably white.

10. Mailbox clusters shall meet ADA Standards at a minimum.

11. All streets shall be designed and built to Town of Harrisburg Engineering Design standards. Alternate pavement schedule design is not allowable. Roadways cross sections will be reviewed and approved at the construction document phase.

Public Comment:

Applicant- Brandon Pridemore, spoke in favor of the project. He shared a PowerPoint and answered many questions from the Board. Jacob Carpenter from the Board asked what was the purpose of the Zoning choice and why it should not be zoned to the next zoning down (RL) from the proposed one. Mr. Pridemore indicated that the RM zoning designation was selected because it offered more flexibility in site design (including lot configurations). Monica Long from the Board asked what type of siding would be used on the proposed homes? Mr. Pridemore indicated that the siding would be a combination of hardi-plank, stone and brick.

Bill Leake, 7238 Sandown Ct, Harrisburg, NC- addressed the Board and identified several site design issues which he suggested be addressed. Mr. Pridemore indicated that the plans would be revised to address these comments.

MOTION:

Kevin Schaffner made a motion to recommend approval of H2022-07- R and sent it on to the Town Council for their consideration with a second from Jacob Carpenter. **The motion passed 4-0.**

The following Consistency Statement was presented to the Board for its consideration:

CONSISTENCY STATEMENT:

1. Based on the staff report, staff presentation and with the conditions proposed, this rezoning request is consistent with the Harrisburg Area Land Use plan and with the conditions it is reasonable and in the public interest.

MOTION:

Jacob Carpenter made a motion to approve the proposed Consistency Statement with a second from Monica Long. **The motion passed 4-0.**

C.

H2022-10-R Request to rezone approximately 46.65 acres located off Wonderwood Lane from RE (Rural Estate) to AG (Agricultural)

The applicant proposes to rezone parcel PIN 5516-96-2556 from RE (Residential Estate) to AG (Agricultural) and limit the uses allowed on the property to Crop Production and Crop Production Support Activity. The AG district has a maximum density of 0.30 dwelling unit per acre. The proposed density is 0.02 dwelling units per acre and the lot meets the AG dimension requirements per the UDO. The rezoning request is consistent with the Harrisburg Area Land Use Plan. Planning and Zoning Department staff supports approval of the rezoning request.

Public Comment:

Applicant Mike Arnold, 4138 French Fields Lane, Harrisburg, spoke in favor of his request. He answered questions from the Board mostly about what he plans to use the land for.

MOTION:

Jacob Carpenter made a motion to recommend approval of H2022-10-R and sent it on to the Town Council for their consideration with a second from Kevin Schaffner. **The motion passed 4-0.**

**TOWN OF HARRISBURG, NORTH CAROLINA
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Tuesday, November 15, 2022**

The following Consistency Statement was presented to the Board for its consideration:

CONSISTENCY STATEMENT:

1. Based on the staff report, staff presentation and with the conditions proposed, this rezoning request is consistent with the Harrisburg Area Land Use plan and with the conditions it is reasonable and in the public interest.

MOTION:

Kevin Schaffner made a motion to approve the proposed Consistency Statement with a second from Thelma Thorne-Chapman. **The motion passed 4-0**

5.

STAFF UPDATES/INFORMATION

- Our next scheduled meeting will be held on December 20th. We more than likely will have another Board of Adjustment item along with our regular scheduled meeting.
- We still have a huge interest in Single Family homes here in Harrisburg.
- We will provide the Board with an updated list of the projects that are currently in the pipeline along with updates on projects that have been approved.
- Farmington Parkway is fully opened.
- We are still working on getting a new ETJ member for the Board, hope to have someone soon to join.

6.

ADJOURNMENT

MOTION:

There being no further business, Jacob Carpenter made a motion to adjourn, with a second from Kevin Schaffner. **The motion passed 4-0.**

Thelma Thorne-Chapman, Chairman

Carly Bedgood, Secretary

ORDINANCE #7027
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS
OF THE TOWN OF HARRISBURG, NORTH CAROLINA

WHEREAS, the Town Council has adopted a resolution under G. S. 160A-31 stating its intent to annex the area described below; and

WHEREAS, a public hearing on the question of annexation was held at Harrisburg Town Hall, 4100 Main Street, Suite 101, Harrisburg NC at 6:00 p.m. on January 9th, 2023 after due notice; and

WHEREAS, the Town Council finds that the proposed annexation meets the requirements of G. S. 160A-31;

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

Section 1. By virtue of the authority granted by G. S. 160A-31, the following described contiguous property is hereby annexed into the Town of Harrisburg as of February 13th, 2023:

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

Tract 1- TM# 551834329300000

Being all that certain parcel of land, lying in Cabarrus County, North Carolina, and being recorded in Deed Book (DB) 8890 Page (PG) 155, Cabarrus County Register of Deeds, and being more particularly described as follows;

Beginning on a #4 rebar found on the south side of Hawick Commons Drive (variable width public right of way Map Book (MB) 31 PG 1), said point being the POINT OF BEGINNING (POB), thence, from the POB, S25°21'30"E for a distance of 177.88' to a #4 rebar, thence N64°39'25"E for a distance of 89.89' to a #4 rebar found, thence N64°37'47"E for a distance of 74.31' to a #4 rebar found, thence S32°52'48"E for a distance of 255.99' to a #4 rebar found, thence S59°48'09"W for a distance of 160.72' to a #4 rebar found, thence S30°12'45"E for a distance of 250.08' to a #4 rebar found, thence S76°06'14"W for a distance of 168.14' to a 5/8" pipe found on the right of way of Blackwelder Road (SR #1307 variable width public right of way MB 31 PG 1), thence S76°06'14"W for a distance of 31.28' to a point in the center of said road, thence, with the center of said road, N29°22'27"W for a distance of 477.98' to a point, thence leaving said road, N64°36'22"E for a distance of 30.04' to a point on the aforementioned right of way of Blackwelder Road, thence, along said right of way, N29°19'45"W for a distance of 123.21' to a #4 rebar found at the intersection of said right of way and the right of way of Hawick Common Drive, said point on the beginning of a non-tangential curve, said curve turning to the right through an angle of 83°17'25", having a radius of 30.00', and whose long chord bears N12°16'16"E for a distance of 39.87' to a #5 rebar set, thence N53°56'58"E for a distance of 126.54' to the POB, containing 3.626 acres, more or less.

Tract 2- TM# 55184487900000

Being all that certain parcel of land, lying in Cabarrus County, North Carolina, and being recorded in Deed Book (DB) 8890 Page (PG) 159, Cabarrus County Register of Deeds, and being more particularly described as follows:

Beginning at a #4 rebar found in the common open space of the Hawick Commons subdivision (Map Book (MB) 31 Page (PG) 1), said point being the POINT OF BEGINNING (POB), thence N64°36'16"E for a distance of 499.72' to a #5 rebar set, thence N64°36'06"E for a distance of 440.23' to a #5 rebar found, thence N70°32'30"E for a distance of 410.90' to a #5 rebar found, thence N70°30'41"E for a distance of 462.93' to a bent #5 rebar found on the right of way of Aberdeen Way (50' public right of way MB 32 PG 82), thence, with said right of way, N70°53'30"E for a distance of 49.41' to a #4 rebar found, thence, leaving said right of way, N70°32'15"E for a distance of 547.44' to a #5 rebar set, thence N70°32'15"E for a distance of 149.98' to a point in the center of Coddle Creek, thence with the center of said creek the following 9 calls, 1)S38°45'59"W for a distance of 48.72' to a point 2)S23°38'20"W for a distance of 48.82' to a point 3)S06°42'45"E for a distance of 76.71' to a point 4)S09°19'33"E for a distance of 82.68' to a point 5)S25°15'30"E for a distance of 23.83' to a point 6)S18°10'46"E for a distance of 145.62' to a point 7)S50°35'33"E for a distance of 170.83' to a point 8)S39°24'44"E for a distance of 152.95' to a point 9)S41°20'03"E for a distance of 218.99' to a point, thence, leaving said creek, S75°57'54"W for a distance of 40.03' to a #5 rebar set, thence S75°57'28"W for a distance of 1,083.63' to a #5 rebar set, thence N21°30'34"W for a distance of 241.12' to a #4 rebar found, thence S77°12'27"W for a distance of 1,019.65' to a #4 rebar found, thence S27°30'33"E for a distance of 59.98' to a 5/8" pipe found, thence S62°31'39"W for a distance of 228.11' to a #4 rebar found, thence S14°15'23"E for a distance of 90.03' to a #4 rebar found, thence S14°02'07"E for a distance of 60.10' to a large nail found, thence S75°59'14"W for a distance of 314.12' to a #4 rebar found, thence S75°55'27"W for a distance of 38.53' to a #4 rebar found, thence N30°12'45"W for a distance of 250.08' to a #4 rebar found, thence N59°48'09"E for a distance of 160.72' to a #4 rebar found, thence N32°52'48"W for a distance of 255.99' to the POB, containing 35.692 acres, more or less.

Map recorded at Cabarrus County Register of Deeds, Book _____ Page _____

Section 2. Upon and after 13th day of February, 2023 the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Harrisburg and shall be entitled to the same privileges and benefits as other parts of the Town of Harrisburg. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3: The Mayor the Town of Harrisburg shall cause to be recorded in the office of Register of Deeds Cabarrus County, and in the Office of Secretary of the State in Raleigh, North Carolina, an accurate map of the annexed property, along with a certified copy of the ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G. S. 163-288.1.

Adopted this the 13th day of February 2023.

Jennifer Teague, Mayor

ATTEST:

Janet Rackley, Town Clerk



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of appointment of members to the Parks and Recreation Advisory Board

Presenting Personnel:

Jim Spina, Parks and Recreation Director

Suggested Motion or Action:

If approved:

Motion to appoint Brett Crosby, Cheryl Baker and Courtney Haynes to two years terms to the Parks and Recreation Advisory Board.

Description/Background:

The Parks and Recreation Advisory Board is comprised of 7 members who serve two-year staggered terms.

Three member's terms expired in January of 2023:

Brett Crosby
Delroy Ross
Tim Morris

Per the By-Laws, vacancies were advertised for 60 days.

Five applications were received:

Brett Crosby - current member
Cheryl Baker
Courtney Haynes
Jarrod Venzian
Linda Thurman

Applications for all five are attached.

Per the By-Laws, a subcommittee of three was formed with current members whose terms were not expiring - Hannah Butler, Fred Brillante and Mohammad Idlibi. Questions were established and each applicant was contacted and interviewed with the same questions. Applicants also attended the Advisory Board meeting on Monday, January 23rd to meet the board.

After discussion, the board made a motion to recommend to the Town Council that the following three applicants be appointed for a two-year term:

Brett Crosby - reappointment
Courtney Haynes
Cheryl Baker

Recommendation:

The Parks and Recreation Advisory Board recommends the appointment of Brett Crosby, Courtney Haynes and Cheryl Baker to the Parks and Recreation Advisory Board.

Fiscal Impact:

None.

Attachments:

1. Brett Crosby
2. Cheryl Baker
3. Courtney Haynes
4. Jarrod Venzian
5. Linda Thurman



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 of Harrisburg, PO Box 100, Harrisburg, NC 28075.

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	Brett Crosby	Date	12-19-12
Address	224 Ridge Dr	Apartment/Unit #	
City	Harrisburg	State	NC
Phone	980-521-7884	Zip	28075
Email Address	bcrosby@ncabymc.org		
Are you a resident of Cabarrus County? YES ☒ NO ☐ If so, dates?			
Are you a resident of Harrisburg? YES ☒ NO ☐ If so, dates?			
Have you ever been convicted of a felony? YES ☐ NO ☒ If yes, explain?			

REFERENCES

Please list three references.

Name	Jim Spring	Relationship	
Company		Phone	()
Address			
Name	Shawn Marble	Relationship	
Company		Phone	()
Address			
Name	Archer Teague	Relationship	
Company		Phone	()
Address			

EMPLOYMENT

Company 1	Rowan-Cabarrus Ymca		Phone	(704) 216-9622	
Address	215 Guffy St		City / State	Salisbury, NC 28147	
Job Title	Executive Director				
Responsibilities	Harrisburg Ymca				
Dates	2002	From	2002	To	present
Company 2			Phone	()	
Address			City / State		
Job Title					
Responsibilities					
Dates		From		To	
Company 3			Phone	()	
Address			City / State		
Job Title					
Responsibilities					
Dates		From		To	

EDUCATION

School	Appalachian State	From	1998	To	2001
Degree	Recreation Management	Majot			
Additional Information					

MILITARY SERVICE

Branch	From	To
Rank at Discharge	Type of Discharge	
If other than honorable, explain		

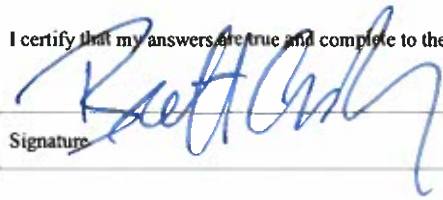
ADDITIONAL COMMENTS

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?
(Please write your answer to this question on a separate sheet of paper.)

Currently on P+R Advisory Board

DISCLAIMER AND SIGNATURE

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



Signature

12-19-22

Date



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 **Cheryl L. Baker** Date **12/8/2022**
Address **3213 Spring Forest Rd** Apartment/Unit #
City **Harrisburg** State **NC** Zip **28075**
Phone **813-545-3677** Email Address **clbaker0526@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? **June 2008 to present**

Are you a resident of Harrisburg?

YES ☒ NO ☐

If so, dates? **November 2021**

Have you ever been convicted of a felony?

YES ☐ NO ☒

If yes, explain?

REFERENCES

Please list three references.

Name **Matthew Morgan** Relationship **Colleague**
Company **Mecklenburg County Park and Recreation** Phone **404) 551-0030**
Address **Stevens Creek Nature Preserve Charlotte NC**

Name **Chaya Harris** Relationship **National Program Director of Outdoor Afro**
Company **Outdoor Afro** Phone **617-359-3448**

Address **Outdoorafro.org** **2323 Oakland, CA 94612**

REFERENCES (continued)

Name **Suzy Brown**

Relationship **Co-worker**

Company **Duke Energy**

Phone **704) 458-0267**

Address

EMPLOYMENT

Company 1 **Duke Energy**

Phone **800) 367-569**

Address **400 S. Tryon**

City / State **Charlotte, NC**

Job Title **Sr. IT Applications Analyst**

Responsibilities **For IT projects serve as an Agile Scrum Master. Responsible for facilitating project team meetings, work allocation for team members and product delivery**

Dates **From Oct 2012 To Present**

Company 2 **Lash Group**

Phone **800) 357 5274**

Address **1800 Innovation Pl**

City / State **Fort Mill, SC**

Job Title **Reporting Analyst**

Responsibilities **Confere with project team members and stakeholders to deliver quality reporting and analytics solutions**

Dates **From March 2009 To Oct 2012**

EDUCATION

School **Tampa College**

From **1993** To **1995**

Degree **Bachelor of Science**

Major **Computer Information Systems**

Additional Information **Prior to Tampa College attended Howard University**

ADDITIONAL INFORMATION

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

I would like the opportunity to serve our community by helping the Town of Harrisburg's Parks and Recreation advisory board plan quality, engaging and safe recreational programs that are inclusive for all our residents. Our community deserves quality parks and community gathering spaces for family-fun filled events to strengthen connections with our family, friends and neighbors.

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 over 20 years of professional experience in Information Technology with great leadership and collaboration skills. I'm an effective communicator and active listener, which is necessary when interacting with board members, other advisory boards, community leaders and residents. I have experience planning outdoor recreational and educational events at local parks in the greater Charlotte area by partnering with Carolina Thread Trail and Mecklenburg County Park and Rec department.

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 affiliated with Outdoor Afro a national not for profit organization that celebrates and inspires Black connections in nature. From March 2018 to March 2022, I served as a volunteer leader for the Charlotte network that has over 1,500 participants. On a monthly basis I would lead recreational events such as hiking, cycling, kayaking, outings at local festivals and outdoor educational programs for 15-50 people. I would collaborate with other volunteer leaders on program development for Charlotte and other regional networks. Shared the mission and vision of Outdoor Afro with Charlotte area community organizations. Requested network participants to donate during our annual fundraising campaign. I spoke at the Carolina Thread Trail - 2021 Trail Forum Conference - my topic was Connecting with Nature to Enhance Personal and Community Well-Being.

DISCLAIMER AND SIGNATURE

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

Signature



Date 12/20/2022



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	Courtney Haynes		Date	01/03/2023	
Address	4841 Walnut Grove Street		Apartment/Unit #		
City	Harrisburg	State	NC	Zip	28075
Phone	845-544-4426		Email Address	court.cavanaugh@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?	Since August 2011	
Are you a resident of Harrisburg?	YES ☒	NO ☐	If so, dates?	Since May 2022	
Have you ever been convicted of a felony?	YES ☐	NO ☒	If yes, explain?		

REFERENCES			
<i>Please list three references.</i>			
Name	Jennifer Cory	Relationship	Supervising Attorney
Company	Womble Bond Dickinson US	Phone	(704) 9047394
Address			
Name	Kelly Goodman	Relationship	Friend / Recruiter
Company	Mary Kay	Phone	(407) 340-8642
Address			

REFERENCES (continued)	
Name Tara Gannon	Relationship Friend/Realtor
Company Austin-Barnett Realty	Phone (845) 548-2248
Address	

EMPLOYMENT	
Company 1 Womble Bond Dickinson US LLC	Phone (704) 444-2937
Address 301 South College Street, Suite 3500	City / State Charlotte, NC
Job Title Senior Immigration Paralegal	
Responsibilities Prepare immigrant & nonimmigrant petitions. Work with CBP, DHS, USCIS	
Dates Current	From 02/2021 To Present
Company 2 Moore & Van Allen, PLLC	Phone (704) 331-1000
Address 100 N. Tryon Street Suite 4700	City / State Charlotte, NC
Job Title Immigration Paralegal	
Responsibilities Prepare immigrant & nonimmigrant petitions. Work with CBP, DHS, USCIS	
Dates Previous	From 04/2014 To 01/2021

EDUCATION	
School State University of NY - New Paltz	From 08/2007 To 05/2011
Degree Bachelor of Science	Major History Education
Additional Information	

ADDITIONAL INFORMATION
Provide a brief statement outlining why you wish to serve on the Parks and Recreation Advisory Board.
I love the town of Harrisburg - and have since I moved to the area in 2011. While we initially maintained a Concord address (right off Pitt School) Harrisburg has been "home" for many years. We frequent the parks for picnics and after-work walks, we rarely miss "Rockin' the Burg" events and the 4th of July Festival is always the highlight of our summer. We have become regulars at many businesses in town, where our faces (and orders) are recognized and are often rambling on to our friends and family how much we love Harrisburg. Since moving to Rocky River Crossing in early 2022, I have felt drawn to serve the community we love and call home. Being a lover of the outdoors and a generally active person, the Parks & Recreation Advisory Board feels like the perfect place for me. I'd love to become more involved in my community.

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 I'd make an excellent addition to the P&R Advisory Board because I have a deep love this town and what P&R offers our community. I am a fast-learner, creative and well organized. As a paralegal, I pride myself on my ability to coordinate projects/cases, communicate with clients and conduct research to ensure our initiatives are addressed appropriately and accurately. I am a problem solver. I am sociable and professional, and have a good knowledge of our town and what it has to offer. I think my professional experience coupled with my passion for Harrisburg would allow me to serve as a successful liaison in the community, solicit volunteers, and assist in making recommendations to the P&R Department.

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 am not currently involved with any community boards/commissions, nor have I previously been. In college, I served as Vice President of Chi Alpha Epsilon, Secretary of Resident Hall Government, Student Assistant to Director of Education Opportunity Program, and Program Liaison to Educational Opportunity Program. As of now, I do not have current civic involvement.

DISCLAIMER AND SIGNATURE

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

Signature **Courtney Haynes**

 Digitally signed by Courtney Haynes
Date: 2023.01.05 12:10:02 -05'00'

Date **01/05/2023**



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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Town of Harrisburg Parks and Recreation Mission

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APPLICANT INFORMATION

Name Jarrold Venzian		Date 12/13/2022
Address 8903 Happiness Rd		Apartment/Unit #
City Harrisburg	State NC	Zip 28075
Phone 6313563860	Email Address J_venzian@yahoo.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? Nov 2013 - Current
Are you a resident of Harrisburg?	YES ☒	NO ☐ If so, dates? Nov 2013- Current
Have you ever been convicted of a felony?	YES ☐	NO ☒ If yes, explain?

REFERENCES

Please list three references.

Name Meghan Santomarco	Relationship Friend
Company Barings	Phone 484) 883 3522
Address 11622 Macallano Dr, Charlotte 28215	
Name Mario Carbajal	Relationship Friend
Company	Phone 980) 888 3027
Address 4877 Pepper Dr Harrisburg NC 28075	

REFERENCES (continued)

Name	Simon Robinson	Relationship	Friend
Company		Phone	704/236 2523
Address	4877 Pepper Dr Harrisburg NC 28075		

EMPLOYMENT

Company 1	Avante Health Solutions	Phone	8007109996
Address	1040 Derita Rd STE A	City / State	Concord NC
Job Title	Parts Support Supervisor		
Responsibilities	Manage a team and parts sales		
Dates	From 7/2017 To Current		
Company 2	Spectrum Business	Phone	()
Address	13840 Ballantyne Corporate Pl	City / State	Ballantyne, NC
Job Title	Bussiness Account manager		
Responsibilities	Sell to new and exsiting customer		
Dates	From 8/2013 To 7/2017		

EDUCATION

School	Univesrity of Albany	From	2002	To	2004
Degree	Bachelor of Science	Major	Mathematics		
Additional Information					

ADDITIONAL INFORMATION

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

I have been involved in Youth sports for the past 6 years and have seen the community and orginzation grow exponentially.

I want to ensure to the best of my ability that the park and recs department continues to grow and accomidate the growing number of participants and make it enjoyable not only for the kids but adults that come too.

I have been part of a growing business and seen what it takes to make sure things grow properly and to its full potential

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?

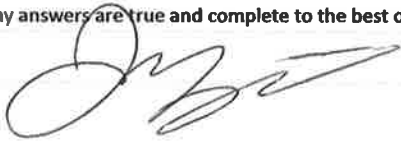
Please list any current civic and/or community participation you may be involved with, in the space below. Include any public boards or commissions you may have served on.

Coach for Baseball/Soccer/Basketball

DISCLAIMER AND SIGNATURE

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

Signature



Date 12/13/2022



TOWN OF HARRISBURG PARKS AND RECREATION

Application for Town of Harrisburg Parks and Recreation Advisory Board

Town of Harrisburg Parks and Recreation Advisory Board

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APPLICANT INFORMATION		
Name Linda A Thurman		Date 1-4-2023
Address 9033 Kensington Forest Drive		Apartment/Unit #
City Harrisburg	State NC	Zip 28075
Phone 704-607-5996	Email Address annlinda13@gmail.com or lthurman@uncc.edu	
Are you able to attend regularly scheduled meetings once a month? YES NO		
Are you a resident of Cabarrus County? YES NO If so, dates?		
Are you a resident of Harrisburg? YES NO If so, dates?		
Have you ever been convicted of a felony? YES NO If yes, explain?		

REFERENCES	
<i>Please list three references.</i>	
Name Dr. Cathy Blat	Relationship Supervisor
Company UNC Charlotte, College of Engineering	Phone (704) 687-1992
Address 9201 University City Blvd., Charlotte, NC 28223	
Name Jenny Becic	Relationship Co-worker
Company UNC Charlotte, College of Engineering	Phone (704) 687-1991
Address 9201 University City Blvd., Charlotte, NC 28223	

REFERENCES (continued)	
Name Cheryl Stone	Relationship Lifelong Friend
Company n/a	Phone (317) 324-6502
Address 9683 Winter Way, Zionsville, IN 46077	

EMPLOYMENT	
Company 1 UNC Charlotte, College of Engineering	Phone (704) 687-8622
Address 9201 University City Blvd.	City / State Charlotte, NC
Job Title Director, Student Professional Development & Employer Relations	
Responsibilities Work with students as they transition upon graduation. Career Advising for the College of Engineering. Work with employers who want to engage and connect with our students and alumni.	
Dates	From 11/1999 To current
Company 2	Phone ()
Address	City / State
Job Title	
Responsibilities	
Dates	From To

EDUCATION	
School Roosevelt University	From 5/1993 To 8/1995
Degree Master of Arts	Major Psychology
Additional Information Bachelor of Science, Psychology, Western Illinois University, May 1993	

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

I was very honored to have served on this board in the past. Since I have left the board I have continued to volunteer at various town events and stay connected and involved as much as possible. I truly miss being on the board and recently heard there was an opportunity for me to reapply. I would like to be appointed to the board so I can continue to develop and grow the programming, events and activities that I have seen started when I was on the board. I feel the board is a wonderful way for me to be able to give back to my community and make Harrisburg a great place to live.

Page 2 of 3
Town of Harrisburg
Parks & Recreation

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 hope (for those who know me) that my past experience on this board would consider my outgoing attitude and willingness to volunteer to be an asset. Serving both as a member and all three officer positions, I believe I have been able to demonstrate how dedicated I am to this volunteer position. I take it very seriously and feel while this board is only 'advisory' to the Town Council Members, it is one that does help shape a lot of what goes on in Harrisburg but also helps create a sense of belonging and community. While I volunteer at various events, I am always talking with attendees. Thanking them for coming, asking them what they think, I feel it is important that they know we are approachable and truly care about their opinions and value their feedback and ideas. I was thrilled to be part of the Harrisburg Park planning and development as well as having the ability to work with all 3 directors. I am excited about what the future holds and would be honored to be back a part of it. I feel I have the time to dedicate to this board and to the community.

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

- I currently serve on the GICC (Geographic Information Coordinating Council) which I was appointed in 2022 by Governor Cooper.
- In the past, I served 10 years on the North Carolina Board of Examiners for Engineerings and Surveyors (appointed by Governors Perdue and McCrory). I am currently an emeritus member. I am proud to say I was the very first public member to serve as the chair for this elite board.
- I am also a board member for ASEE-CIPD (American Society of Engineering Education, College-Industry Partnership Division)
- In the past I have served on the Cabarrus County School Realignment Committee (2018)
- I have been a past member of this board (2014-2022)

DISCLAIMER AND SIGNATURE



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

Signature Date

1-4-23



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of appointment to Harrisburg Sustainability Advisory Board.

Presenting Personnel:

Lee Connor, Deputy Town Manager

Suggested Motion or Action:

Description/Background:

The following HSAB members' terms ended on December 31, 2022:

- Scott Noel
- Scott Crew
- Tim Thornton
- Vince Houston
- Ken Huster

HSAB has two-year terms and is currently authorized for up to 9 members. Terms are staggered, so there are five members with terms expiring in one year and then four the next. At this point, there are four current active members.

Advertisements for the open positions were posted for 30 days in November 2022. After just one application was received, another 30-day advertising period commenced to continue to solicit candidates for the open positions. By the close of the 60-day period, applications were received from Scott Noel and Ken Huster. Prior to interviews being held, Scott Noel removed his application from consideration. Thus, leaving Ken Huster as the only applicant and one that was requesting reappointment. An interview was conducted with members of HSAB and Council liaisons in January 2023.

Recommendation:

Members of the HSAB have recommended approval of Ken Huster to a two-year term, ending December 31, 2024.

Fiscal Impact:

None

Attachments:

1. Ken Huster Application



The right side of opportunity

TOWN OF HARRISBURG SUSTAINABILITY ADVISORY BOARD

Application for Town of Harrisburg Sustainability Advisory Board

Town of Harrisburg Sustainability Advisory Board

The Sustainability Advisory Board is a volunteer board consisting of up to nine members who live in and/or around the Town of Harrisburg. The mission of the board is to coordinate, initiate and promote sustainability within the Town of Harrisburg and its surrounding areas. The board's specific areas of focus are to:

- Advance and encourage environmentally sustainable practices and ideas within the Town, including, but not limited to Town operations and facilities, new development, Town ordinances governing construction and development, local businesses, local homeowner's associations and neighborhoods and individual citizens.
- Collaborate with Town planners to create a long-term sustainability plan for the Town.
- Work cooperatively with the Town of Harrisburg and all Harrisburg advisory boards to promote sustainability practices.
- Provide suggestions and recommendations to Town Council regarding laws, ordinances and rules which promote sustainability.
- Improve natural environment through the incorporation of sustainable best practices for the Town's land use and management, storm water infrastructure and tree canopy.
- Strengthen the Town's economy through initiatives that foster sustainable business practices, reinvestment in vacant storefronts and green purchasing policies.
- Encourage healthy living through the expansion of parks, walking trails, bicycle lanes and wellness programs and preservation and development of open space.
- Provide community education and engagement.

The Sustainability Advisory Board typically meets on the 2nd Wednesday of each month at 6:30 p.m.

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.

APPLICANT INFORMATION			
Name	Ken Huster	Date	11/30/2022
Address	109 Ridge Drive		Apartment/Unit #
City	Harrisburg	State	NC
		Zip	28075

REFERENCES	
<i>Please list three references.</i>	
Name Scott Noel	Relationship Friend
Company Wells Fargo	Phone 704 877-3723
Address	
Name Scott Crew	Relationship Friend
Company Travelers Ins	Phone 704 698-5769
Address	
Name David Knorr	Relationship Friend
Company The Knorr Group	Phone 704 455-8955
Address	

EMPLOYMENT	
Company 1 Insight Global, LLC	Phone 704 357-3273
Address 201 N. Tryon, St. 2150	City / State Charlotte, NC, 28202
Job Title Contract Employee - IT Systems Engineer	
Responsibilities On contract to Bank of America	
Dates From 8/2021 To Present	
Company 2	Phone ()
Address	City / State
Job Title	
Responsibilities	

ADDITIONAL COMMENTS

Provide a brief statement outlining why you wish to serve on the Town of Harrisburg Sustainability Advisory Board.

Currently a board member, and would like to continue for another session

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

Both an active sustainability practitioner and community mentor in this space.

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

This board (The Town of Harrisburg Sustainability Advisory Board)

DISCLAIMER AND SIGNATURE

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

Signature



Date

11/30/2022