

City Council Agenda

Thursday, August 11, 2022 6:00 PM

35 Cabarrus Avenue, W, Concord NC 28025

Cell phones are to be turned off or placed on vibrate during the meeting. Please exit the Council Chambers before using your cell phone.

The agenda is prepared and distributed on Friday preceding the meeting to Council and news media. A work session is then held on the Tuesday preceding the regular meeting at 4:00 pm.

- I. Call to Order
- II. Pledge of Allegiance and Moment of Silent Prayer
- III. Approval of Minutes

June 21, July 12, and July 14, 2022.

- **IV. Presentations**
 - 1. Recognition of Mr. Chad Oxendine for his 23 years of teaching tennis at Myers Park for the City of Concord Parks & Recreation Department.
 - 2. Recognition of the City of Concord Finance Department for receiving the Certificate of Achievement for Excellence in Financial Reporting for period ending June 30, 2021. The City of Concord has participated in the Government Finance Officer's Association of the United States and Canada (GFOA) award program for many years and again has been successful in meeting the requirements for the Certificate of Achievement for Excellence in Financial Reporting for the period ending June 30, 2021. The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. The City has received this award for 33 consecutive years.

V. Unfinished Business

A. Continue a public hearing for case Z(CD)-07-21 and consider adopting an ordinance amending the official zoning map for +/- 54.8519 acres located northeast corner of International Drive and Highway 73, generally addressed as 4208 and 4515 Davidson Hwy from MX-CC2 (Mixed-Use Commercial Center Large) to I-1-CD (Light Industrial Conditional District) and C-2 (General Commercial). This case was tabled from the June 9th City Council meeting and was continued to July. At the July meeting, the hearing was continued in order to allow the developer to meet with neighbors to explore a change to the site plan to address the truck access issue. The Planning and Zoning Commission heard the above referenced petition at their April 19th, 2022 public hearing and acted to deny the request. In accordance with Concord Development Ordinance section 3.2.4-B, "The Commission may grant final approval of a zoning map amendment by a vote of at least three-fourths (3/4) of the members of the Commission present and not excused from voting. If the approval is by a vote of less than three-fourths, or if the Commission renders a recommendation of denial, the request shall be forwarded to the City Council for hearing at their next available meeting and the City Council shall have the authority to make a final decision on the zoning map amendment." According to the applicant, an office, warehouse, distribution and light industrial business park are the possible uses for the I-1-CD (Light Industrial Conditional District) area of the development and no specific plans have been provided for the C-2 (General Commercial) portion of the site. Please see attached documents for further detail.

Recommendation: Consider adopting an ordinance amending the official zoning map from MX-CC2 (Mixed-Use Commercial Center Large) to I-1-CD (Light Industrial Conditional District) and C-2 (General Commercial).

VI. New Business

- A. Informational Items
- **B.** Departmental Reports
- C. Recognition of persons requesting to be heard

Tent Rd., Concord, NC.

- D. Public Hearings
 - 1. Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 and consider offering a contract for a one year / 85% tax based Economic Development Incentive Grant to Keysteel Corp. to locate at 4758 Poplar Tent Rd., Concord, NC. Under the North Carolina General Statutes, City Council may offer incentives to stimulate private sector expansion of new facilities. Keysteel Corp. proposes to develop an approximately 70,000 SF manufacturing plant for construction related products made from steel wire. Their process manufactures welded wire reinforcement products. Keysteel's proposed investment represents a total \$10,000,000 \$12,000,000 investment in real and personal property. The project expects to create 10-15 new full time jobs with average wages of \$48,000.00. The total value of the City's one year grant is estimated to equal \$39,168 dependent on the actual investment. The City of Concord would still collect a 1-year net revenue of \$6,912 after the incentive payments. See attached grant analysis for additional details. Recommendation: Consider offering a contract for a one year / 85% tax based Economic Development Incentive Grant to Keysteel Corp to locate at 4758 Poplar
 - 2. Conduct a public hearing to consider designating the P.M. Morris Building located at 48-56 Union St S and 41 Market St SW as a local historic landmark. Justin Mueller, the registered agent for Morris Building, LLC, the owner of the building, has applied for the designation of the property as a local historic landmark. This designation is accomplished by ordinance adopted by City Council, in accordance with the procedures set forth in Section 9.8.3. The ordinance requires a report to be generated by the Historic Preservation Commission and reviewed by the State Historic Preservation Office, per statute, as well as a review of the designation by the Planning and Zoning Commission, and public hearings to be held jointly or separately by the Historic Preservation Commission and the City Council. The pre-requisite reviews and the Historic Preservation Commission's hearing have already occurred. The impacts of the designation are the following: Designating the parcel as a historic landmark, results in a 50% tax deferment. There is a claw-back provision to reclaim three years' worth of the deferment if the site were to lose its landmark status. The current tax value of the parcel is \$509,240. The property incurs a \$0.48 standard City tax rate as well as a \$0.23 MSD (Municipal Service District) tax rate. With the 50% deferral, the property owner will save \$1,807.81 (City impact). The improvements were approved by the Department of Interior and the building is currently under extensive renovation. Modifications to the structure will require a Certificate of Appropriateness to the extent described in the designation ordinance subject to approval by the Historic Preservation Commission. For the subject property, the designation includes the exterior of the building and portions of the building interior. The original character defining features identified on the exterior are the entire exterior facade and the parking lot on Market St SW. The original character defining features identified on the interior are the plaster walls and ceilings, tongue-and-groove wood floors and ceilings, molded wood cornices and chair rails, baseboards capped with molded trim, molded door and window surrounds, three-panel and five-horizontal-panel doors surmounted by square glazed transoms, wood stair railings with square balusters, molded handrails, and square paneled newels. The Certificate of Appropriateness for demolition can have its effective date delayed for a year. The designation does not impact the range of permitted uses on the property. The Planning and Zoning Commission recommended the following statement of reasonableness and consistency: The proposed request is consistent with Objective 3.2 of the 2030 Land Use Plan "Support historic preservation

efforts within the City's historic districts and for other historic sites." It is reasonable to extend historic preservation protections to the property at 48-56 Union St S and 41 Market St SW as a historically significant building in Concord's downtown to ensure that it will retain important elements of its historic character.

Recommendation: Motion to consider and adopt an Ordinance designating the P.M. Morris Building located at 48-56 Union St S and 41 Market St SW as a local historic landmark.

3. Conduct a public hearing for case Z-06-22 and consider adopting an ordinance amending the official zoning map for +/-1.12 acres located at 760 Pitts School Road from C-2 (General Commercial) to I-1 (Light Industrial) and to amend the 2030 Land Use Plan to modify the future land use designation of the parcel from Rural to Industrial Employment. The property was annexed by City Council on March 31, 1991. The Planning and Zoning Commission heard the above referenced petition at their July 19, 2022 meeting and unanimously voted to forward the request to City Council with a recommendation that the zoning map be amended from C-2 (General Commercial) to I-1 (Light Industrial) and to amend the 2030 Land Use Plan to designate the parcel as Industrial Employment. The site is proposed to be an expansion of the Meadows Corporate Park across Pitts School Rd. and was allocated sewer on July 19, 2022.

Recommendation: Consider adopting an ordinance amending the official zoning map from C-2 (General Commercial) to I-1 (Light Industrial) and to amend the 2030 Land Use Plan to modify the future land use designation of the parcel from Rural to Industrial Employment.

4. Conduct a public hearing and consider approving an ordinance to adopt the George W. Liles Small Area Plan The 2030 Land Use Plan Implementation Work Plan established the need for an update to the 2005 Concord Parkway/Roberta Church Rd Small Area Plan with a new Mixed-Use Corridor Plan for the George W. Liles Pkwy. Staff will present an overview of the George W. Liles Pkwy Small Area Plan including a review of the market analysis, public input, existing conditions, the vision for the Small Area Plan, scale comparisons for the area, key recommendations for the two study areas within the plan, future implementation, and a review of what was heard during the public comment period. The draft plan was made available to the public for review through the City's Public Input page from June 23rd through July 14th. Staff received 21 responses from participants and the project page received 1,555 views. The plan was presented to the Planning & Zoning Commission on July 19th where they passed the motion to recommend to City Council that the George W. Liles Pkwy Small Area Plan be adopted. The public hearing notice was advertised in The Independent Tribune on July 31st and August 7th.

Recommendation: Motion to approve an Ordinance to adopt the George W. Liles Small Area Plan.

5. Conduct a public hearing for case Z(CD)-34-21 and consider adopting an ordinance amending the official zoning map for +/- .507 acres located at p/o 10435 Poplar Tent Rd from Huntersville ETJ Rural (R) to City of Concord Residential Village-Conditional District (RV-CD) and to amend the 2030 Land Use Plan to incorporate the parcel as Suburban Neighborhood. The property was annexed by City Council on June 9, 2022, and is located in Mecklenburg County, which is why it was not previously included in the 2030 Land Use Plan. The Planning and Zoning Commission heard the above referenced petition at their July 19th meeting and unanimously voted to forward the request to City Council with a recommendation that the zoning map be amended from Huntersville ETJ Rural to City of Concord RV-CD (Residential Village-Conditional District) and concurrently to amend the 2030 Land Use Plan to incorporate the parcel as Suburban Neighborhood.

Recommendation: Conduct a Public Hearing and consider adopting an ordinance amending the official zoning map from Town of Huntersville ETJ Rural (R) to City

- of Concord RV-CD (Residential Village Conditional District) and to amend the 2030 Land Use Plan to incorporate the parcel as Suburban Neighborhood.
- 6. Conduct a public hearing for case Z(CD)-01-22 and consider adopting an ordinance amending the official zoning map for +/- 2.553 acres located at 7995 Old Holland Rd. from unzoned to City of Concord Residential Compact-Conditional District (RC-CD) and to amend the 2030 Land Use Plan to change the designation from Commercial to Urban Neighborhood. The property was annexed by City Council on March 10, 2022. The Planning and Zoning Commission heard the above referenced petition at their July 19th meeting and unanimously voted to forward the request to City Council with a recommendation that the zoning map be amended from unzoned to City of Concord RC-CD (Residential Compact-Conditional District) and concurrently to amend the 2030 Land Use Plan to modify the future land use designation of the parcel from Commercial to Urban Neighborhood. The parcel was previously zoned Cabarrus County Limited Industrial prior to zoning expiring when more than 60 days elapsed between annexation and rezoning.

Recommendation: Consider adopting an ordinance amending the official zoning map unzoned to City of Concord RC-CD (Residential Compact – Conditional District) and to amend the 2030 Land Use Plan to modify the future land use designation from Commercial to Urban Neighborhood.

7. Conduct a public hearing for case TA-07-22 and consider adopting an ordinance amending the Concord Development Ordinance (CDO) Section 8.3.4.G.5. This text amendment was generated by a citizen request. David Kossove submitted an application for a text amendment requesting that multi-family and mixed use buildings be added to the list of permitted uses within a 1,000 ft. buffer of the Convention Center. The Planning and Zoning Commission has recommended draft language that includes mixed use buildings but did not feel that multi-family buildings were consistent with the purpose of the supplemental standards: "The purpose and intent of this section is to ensure that future development within close proximity of the convention center will contain uses that are compatible and complimentary, and promote pedestrian as well as tourist activities." Multi-family structures in the General Commercial (C-2) zoning district are limited in use and density to 30% of the parcel and would be subject to a special use permit. Within the area encompassed by the 1,000 buffer of the Convention Center, there are 6 undeveloped parcels, encompassing +/- 15.0991 acres that would be subject to the limitation: at the 30% limit the maximum number of multifamily units would be 67 units, if they were not included in a mixed use building. The owner of the largest parcel (5.5972 acres), and associated with the text amendment application, is seeking to develop a mixed use building and a standalone multi-family building at 5350 John Q Hammon Dr. NW. Both the mixed use and multi-family components of the project were selected for sewer allocation on July 19, 2022 by City Council. This text amendment would be a prerequisite for the project to proceed and Council would need to consider amending the text amendment to include multi-family for the standalone multi-family component to proceed.

Recommendation: Consider adopting an ordinance amending CDO Section 8.3.4.G.5 along with a Statement of Consistency.

8. Conduct a public hearingfor case TA-08-22 and consider adopting an ordinance amending the Concord Development Ordinance Article 14 definition of Building, Mixed Use. This text amendment is staff-initiated. Staff review of the definition Building, Mixed Use determined that the definition in the CDO is not a common typology for mixed use buildings, particularly where it references that they are "similar in appearance to a large single-family detached house." This text amendment recommends removing this descriptor and the specific example of "bed and breakfast inn": a recommendation from the Planning and Zoning Commission as typically not a common use in a mixed use building.

Recommendation: Consider adopting an ordinance amending CDO Article 14, definition of Building, Mixed Use and Statement of Consistency.

E. Presentations of Petitions and Requests

1. Consider adopting a resolution authorizing an eminent domain action for property located at 2711 Concord Parkway, South. This property is currently owned by JRNC Investments, LLC. Certain easements, both permanent and temporary, are required by the Electric Department in order to construct a 100Kv transmission line to Substation T. The total appraised tax value of the property is listed at \$1,356,080. The Engineering department calculated the value of the easements to be \$18,607.71. The property owner's representative rejected the offer and refused to make a counteroffer. An appraisal of the easement value is underway, and the City Attorney will attempt to open negotiations based on that information once acquired; however, having an eminent domain resolution in place will help move the matter forward in the event negotiations are unsuccessful.

Recommendation: Consider making a motion to adopt a resolution authorizing an eminent domain action for property located at 2711 Concord Parkway, South.

2. Consider awarding bid for sixty-six (66) steel transmission poles, and 795 kcmil wire and hardware to CHM Industries, Inc and WESCO Distribution, Inc. Electric Systems staff received bids on July 21, 2022 for sixty-six (66) steel transmission poles. 795 kcmil wire and miscellaneous hardware required for interconnection of Delivery Point #4 (Bootsmead property), Substation W (Eli Lilly Property) and Substation T (Concord Parkway S.) The poles and hardware are required to extend current 100KV transmission facilities from the Delivery 4 site Southward to Substation W and further South to Substation T just past the west side bypass. Seven bids were received and evaluated for responsiveness. Electric staff determined that the lowest bidder for the 66 poles outlined in Schedule I, CHM Industries, was responsive and compliant in meeting the required specifications. For wire and hardware outlined in Schedule II, the lowest bidder, WESCO Distribution, Inc, was responsive and compliant. Funding will be derived from existing Delivery 4 &100 KV project account with a standing balance of \$6.677.794. Bid totals are: Schedule I (Sixty-six (66) steel transmission poles) -CHM Industries, Inc. \$1,973,189.31 and Schedule II (795 kcmil wire and miscellaneous hardware) - WESCO Distribution, Inc, \$696,479.70. The two schedules combined total \$2,669,669.01.

Recommendation: Make a motion to award a bid for sixty-six (66) steel transmission poles, and 795 kcmil wire and hardware to CHM Industries, Inc and WESCO Distribution, Inc.

3. Consider awarding the City of Concord's annual contract for the Installation of Traffic Signal Equipment and Associated Construction and Maintenance Work to Watson Electrical Construction Co, LLC. This contract consists of providing traffic signal and associated construction/maintenance work in and adjacent to the City of Concord. This work provides for the installation, upgrade, or repair of signals on an as-needed basis and includes, but is not limited to: saw cutting roadway surfaces, placement of embedded loops and sealant, trenching, placement of conduit and junction boxes, installing poles, guys, span wire, cables, heads, visual detection equipment, and conduit. Quotes for this work were received on July 14, 2022 with Watson Electrical Construction Co, LLC submitting the lowest unit cost pricing. The contact is not to exceed \$150,000 per the FY 23 approved budget. The contract term is through June 30, 2023.

Recommendation: Motion to award the City of Concord's annual contract for the Installation of Traffic Signal Equipment and Associated Construction and Maintenance Work to Watson Electrical Construction Co, LLC.

4. Consider authorizing the City Manager to negotiate and execute a contract with Barton Contracting for the Province Green Pump Station Elimination. The Province Green Pump Station Elimination consists of the installation of 2,964 linear

feet of 12-inch PVC sewer line, a stream crossing, and the elimination of the existing pump station. The project was bid under the formal bidding process and two bids were received on July 20, 2022. The bids were returned unopened to the bidders and the project was re-advertised as required by GS 143-132. Bids were received a second time on July 28, 2022 and again two bids were received. Staff was able to open the bids as allowed by GS 143-132. The lowest responsible bidder was Barton Contracting in the amount of \$1.597.074.33.

Recommendation: Motion authorizing the City Manager to negotiate and execute a contract with Barton Contracting in the amount of \$1,597,074.33 for Province Green Pump Station Elimination.

5. Consider authorizing the City Manager to negotiate and approve a contract with Shield Engineering, Inc. for continued environmental assessment activities at the Les Myers Park pre-regulatory landfill site and to approve the attached budget transfer. The site where Les Myers Park is located was constructed in 1967 above a municipal landfill. The landfill was in operation from the 1940's until the park was constructed in 1967 prior to the State of North Carolina enacting landfill regulations and is considered a Pre-Regulatory Landfill (PRL). The City has been working with Shield Engineering, Inc. under a cost reimbursement program with the Pre-Regulatory Landfill Unit of the State to perform a remedial investigation of the site. The State has requested an additional assessment that includes the contaminant delineation and media sampling activities needed to continue the remedial investigation (RI) at the site in general accordance with the North Carolina Department of Environmental Quality Inactive Hazardous Sites Program's Guidelines for Addressing Pre-regulatory Landfills and Dumps (NCDEQ Guidelines), as administered by the Pre-regulatory Landfill Unit (PRLU). The estimated cost of this assessment is \$113,822.70. The attached budget amendment is to allocate additional funds to cover the cost of the environmental assessment at the site.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with Shield Engineering, Inc. in the amount of \$113,822.70 for continued environmental assessment activities at Les Myers Park and to adopt a budget amendment to allocate additional funding to cover the cost of the environmental assessment.

6. Consider authorizing the City Manager to negotiate and execute a contract with C Design for architectural and engineering services for the new Fleet Services Facility. Council previously approved a contract with C Design for pre-design services on the Fleet Services Facility. The predesign work is complete and a conceptual site plan and building plan developed. The next phase of work includes schematic design, design development, construction documents, cost estimating, permitting & bidding, contract administration, building system commissioning, industrial equipment design and specification, fueling system and equipment design and specification, vehicle wash system and equipment design, security design and specification, audio/visual design and specification, furniture consultation and specification, and closeout. The fee including estimated reimbursable expenses is \$1,763,300.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with C Design for architectural and engineering services on the new Fleet Services Facility.

7. Consider authorizing the City Manager to negotiate and execute a contract with Edifice General Contractors for preconstruction services on the Fleet Services Facility. The Fleet Services Facility is an approved capital improvement project slated for design this fiscal year. A request for qualifications was posted for CMR services. After interviews were held and references called, the selection committee chose Edifice General Contractors for the project. Edifice has worked on numerous projects with fleet maintenance components. Preconstruction services will include design review, estimating, value engineering review, product and system analysis and

recommendations, constructability review, preparation of bid packages, trade contractors prequalification, public bidding, and finalization of a GMP. The preconstruction services fee will not exceed \$153,700. The final GMP will be brought back to Council.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with Edifice General Contractors for preconstruction services on the Fleet Services Facility.

8. Consider adopting a resolution to convey a temporary grading easement to Lakeshore Corporate Park, LLC. Lakeshore Corporate Park, LLC is developing Lakeshore Corporate Park on Moose Road in Kannapolis. The City owns the site adjacent to their parcel which is Lake Fisher. Lakeshore Corporate Park, LLC is requesting temporary grading easements in order to construct fill slopes on City property. Staff has reviewed and, if Council approves, the following conditions should apply: conditions of approval must be placed on approved plans, no easement granted in the non-disturbed buffer, stormwater discharge should be redirected, a 3:1 slope should be achieved where significant trees are not impacted, the areas graded and/or disturbed shall be fully vegetated with trees being replaced at a one-to-one ratio and the plan being submitted to the City for approval and an agreement is required to establish liability and maintenance responsibilities of the storm pipe and slopes that are on City property.

Recommendation: Motion to adopt a resolution to convey a temporary grading easement to Lakeshore Corporate Park, LLC including the outlined conditions.

9. Consider accepting a Preliminary Application from Richard Ratcliff.

In accordance with City Code Chapter 62, Richard Ratcliff has submitted a preliminary application to receive water service outside the City limits. The property is located at 3999 Stough Road. This parcel is zoned county OI and developed with several buildings. The applicant indicates that the water service is for a wash down pad. Sewer is not available to the parcel.

Recommendation: Motion to accept the preliminary application and have the owner proceed to the final application phase excluding annexation.

10. Consider accepting a Preliminary Application from Charlotte Water.

In accordance with City Code Chapter 62, Charlotte Water has submitted a preliminary application to receive water service outside the City limits. The request is for water service to 10457 Harris Road. The parcels are zoned LDR and the applicant proposes a development with a sanitary sewer pump station.

Recommendation: Motion to accept the preliminary application and have the owner proceed to the final application phase excluding annexation.

VII. Consent Agenda

A. Consider approving a donation of \$2,500 from the Mayor's Golf Tournament fund to Multi-Cultural Community Student Union and to adopt a budget ordinance appropriating the donation amount. The funds are being requested to assist with providing academic, emotional, and social support to children in the Logan Community and Cabarrus County.

Recommendation: Motion to approve a donation of \$2,500 from the Mayor's Golf Tournament fund to Multi-Cultural Community Student Union and to adopt a budget ordinance appropriating the donation amount.

B. Consider co-sponsoring the Concord International Festival to include alcohol sales made by El Puente Hispano located in downtown Concord. Sandra Torres, President of El Puente Hispano, has requested the City co-sponsor the second annual Concord International Festival on October 1, 2022 in the downtown area. The application includes the request to have alcohol sales on the City streets. The City was a co-sponsor for the inaugural festival in 2021. The event was a success with more than 40 performances, 60 arts & crafts and food vendors and more than 5000 people in attendance.

Recommendation: Motion to co-sponsor the Concord International Festival on October 1, 2022.

C. Consider adopting an ordinance to temporarily close Cabarrus Ave (SR 1002) between Market St., SW and Church St., S for the Concord International Festival to be held October 1, 2022. The City of Concord is co-Sponsoring the Concord International Festival to be held October 1, 2022. As such, to protect the safety of pedestrians in the event, staff is requesting to temporarily close Cabarrus Ave (SR 1002) between Market St., SW and Church St., S from NCDOT.

Recommendation: Consider adopting an ordinance to temporarily close Cabarrus Ave (SR 1002) between Market St., SW and Church St., S for the Concord International Festival to be held October 1, 2022.

D. Consider authorizing the purchase of Lektro towing equipment for the Aviation Department under the sole source exemption and to adopt a budget amendment to cover the additional cost of the equipment. The existing aircraft towing equipment used at the airport is Lektro. The airport currently utilizes Lektro tug batteries and chargers, which are compatible only with Lektro tugs. In addition, Airport staff are trained on the use of Lektro equipment. The aircraft towing equipment, commonly called tugs, are pieces of equipment used daily for towing aircraft and the equipment at the airport. The towing equipment being replaced is one tug that is over 20 years old and having issues with finding replacement parts to fit the older model. The Lektro model AP8850SDA tows aircraft up to 120,000 lbs. This new tug will be purchased from Lektro for the price of \$143,975. The funding for this purchase was included and approved in the FY22-23 budget for \$111,000. A budget amendment is needed to cover the higher price of the equipment. In an effort to maximize operational efficiency, staff is requesting approval for this purchase of one tug under the sole source exemption per the City Purchasing policy, which states that the sole source exemption will apply when standardization or compatibility are overriding considerations.

Recommendation: Motion to authorize the sole source exemption for the purchase of the towing equipment from Lektro and to adopt a budget amendment to cover the additional cost of the equipment.

E. Consider authorizing the City Manager to negotiate and execute a contract with Ward and Smith, P.A. for state government relations services for the Concord-Padgett Regional Airport. The Aviation Department is seeking lobbyist services at the state level for economic development and infrastructure improvements at the airport that state funding is sought for. The proposed contract is for \$5,000 per month, for a yearly total of \$60,000.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with Ward and Smith, P.A. for state government relations services.

F. Consider authorizing the City Manager to negotiate and execute a contract with the Houston Galveston Area Cooperative Purchasing Program for the purchase of a 2 Pierce manufactured Fire engine/pumper and 1 TDA-ladder truck. By using the government to government purchasing cooperative for the purchase of the fire apparatus, the City is able to purchase all apparatus for a total cost of \$3,224,038 while providing a chassis with the latest safety features available. Using the pre-pay method will result in a cost savings of \$148,413. The apparatus will be a replacement for engine company 8, ladder 1 and new engine company 6. The requested amount is under the approved funds in the vehicle capital account that was approved in the FY 22-23 budget.

Recommendation: Motion to authorize the City Manager to negotiate and sign a contract for the purchase of the Pierce apparatus using the Houston Galveston Area purchasing cooperative.

G. Consider approving a submission to the Mariam & Robert Hayes Charitable Trust for a grant request of \$23,600 to purchase a pugmill/mixer, pallet jack, Kai Vac floor cleaner, slab roller, and 30 movable metal shelving units to complete the interior work space within ClearWater Arts Center & Studios' Ceramics Center. As plans move forward to complete the Ceramics Center on the ClearWater campus additional funding source were explored to assist with the furnishing of the facility. One such source, The Cannon Foundation, funds annually to support various projects, organizations, and cultural programs across Cabarrus County. After consulting with Cannon Foundation staff, the recommendation was to pursue assistance for the purchase of kilns and material under the Hayes Trust. If approved, staff would apply to the Mariam & Robert Hayes Charitable Trust in the amount of \$23,600 to purchase a pugmill/mixer, pallet jack, Kai Vac floor cleaner, slab roller, and 30 movable metal shelving units to complete the interior work space within ClearWater Arts Center & Studios' Ceramics Center.

Recommendation: Motion to approve the submission to the Mariam & Robert Hayes Charitable Trust for a grant request of \$23,600 to purchase a pugmill/mixer, pallet jack, Kai Vac floor cleaner, slab roller, and 30 movable metal shelving units to complete the interior work space within ClearWater Arts Center & Studios' Ceramics Center.

H. Consider re-allocating \$30,000 of HOME Investment Partnership (HOME) funds previously allocated to Habitat Cabarrus for the construction of one (1) new home at 330 Broad Drive SW to 251 Shannon Drive SW. The current relationship with the City of Concord was established in early 2013 when the City was looking to promote home ownership in the Logan community and had properties available. The partnership with the City has helped to stretch Habitat Cabarrus resources to serve more families. A total of thirteen new build homes have been completed since; four (4) on Broad Drive, five (5) on Ring Avenue, two (2) on Young Avenue, one (1) on Princess Avenue and one (1) on Hemlock Street. Habitat Cabarrus greatly values this partnership as it allows both organizations to expand our reach, working together toward the common goal of rebuilding neighborhoods/communities and promoting stability through home ownership. In November of 2018, Council voted to allocate \$30,000 for the construction of a new home at 330 Broad Drive SW, a lot Habitat previously owned. After soil testing was complete, the parcel was found to be unbuildable. In light of the lot issues, Habitat stopped construction efforts at 330 Broad Drive SW and searched their inventory for a viable parcel still within the Logan Community. Habitat has requested to re-allocate the already committed funds from 330 Broad Drive SW to the buildable lot at 251 Shannon Drive SW. Habitat continues to be committed to meeting the City's standards in construction with hardy plank siding, meeting SystemVision requirements and sealing the crawlspace. Construction would also include a front porch, two car parking pad and a landscaping package. Staff will also be working closely with Habitat to have additional visual enhancements (paint color, decorative porch railings, etc.) included on each house.

Recommendation: Motion to adopt the re-allocation of \$30,000 in HOME Investment Partnership (HOME) funds previously allocated to Habitat Cabarrus for the construction of one (1) new home at 330 Broad Drive SW to 251 Shannon Drive SW.

I. Consider accepting an Offer of Dedication of an access easement and approval of the maintenance agreement. In accordance with the CDO Article 4, the following access easements and maintenance agreements are now ready for approval: Mini Storage Depot on Union St., LLC. (PIN 5539-75-8679) 1261 Union Street S. Access easements and SCM maintenance agreements are being offered by the owners.

Recommendation: Motion to approve the maintenance agreements and accept the offers of dedication on the following properties: Mini Storage Depot on Union St..

J. Consider accepting an Offer of Dedication of utility easements and public rights-of-ways in various subdivisions. In accordance with CDO Article 5, the following final plats and easements are now ready for approval: Upper Room Outreach International, Sherwood Hills, and Addison Eighty 50 easement. Various utility easements and public rights-of-ways are offered by the owners.

Recommendation: Motion to accept the offer of dedication on the following plat and easements: Upper Room Outreach International, Sherwood Hills, and Addison Eighty 50 easement.

K. Consider adopting an ordinance ordering the demolition of the structure located at 25 Liske Ave NW (PIN# 5620-05-9946) owned by Earle R. Ganas & Estate of Earle R. Ganas. The structure is located on a single parcel. As of March 27, 2019, this parcel had a building tax value of \$37,740 per Cabarrus County land records. Upon Inspection on January 8, 2020, the structure was considered dilapidated. Sherrill Butler, Code Enforcement Officer, opened the Minimum Housing Case on January 8, 2020. The Finding of Fact and Order to Repair or Demolish was issued on February 4, 2020. The order to repair or demolish said structure was extended due to assuring that violation notices reached all parties involved. The final Order to Repair or Demolish expired on May 5, 2022. There have been no attempts to come into compliance with this case. No civil penalties have been imposed.

Recommendation: Motion to adopt an ordinance ordering the demolition of the structure located at 25 Liske Ave NW (PIN# 5620-05-9946) owned by Earle R. Ganas & Estate of Earle R. Ganas.

L. Consider adopting an ordinance ordering the demolition of the structure located at 38 Carolina Ave NE (PIN# 5621-63-0003) owned by Adam R. Allman and wife Terry S Allman. The structure is located on a single parcel, which has a building tax value of \$480 per Cabarrus County land records. Upon Inspection, the structure was considered to be dilapidated. Jill Kachmarik, Code Enforcement Officer, opened the case April 5, 2022. The Finding of Fact and Order to Repair or Demolish was issued on April 27, 2022. The Order to Repair or Demolish said structure was not extended. The Order to Repair or Demolish expired on May 27, 2022. The owners are voluntarily demolishing the structure and agreed to sign a hold harmless, indemnity, and release form for the Concord Police Code Enforcement Division to contract to clean and clear the premises. No Civil penalties have been imposed.

Recommendation: Motion to adopt an ordinance ordering the demolition of the structure located at 38 Carolina Ave NE, Concord NC.

M. Consider adopting an ordinance to amend the FY 2022/2023 Budget Ordinance for the General Fund to appropriate unspent FY 2022 funds for facade grants. Funds were appropriated in the FY 2021/2022 budget for the facade grant program. All of these funds were not spent prior to year end. The attached budget ordinance appropriates these left over funds from fund balance so they can be spent in the FY 2022/2023 budget.

Recommendation: Motion to adopt an ordinance to amend the FY 2022/2023 Budget Ordinance for the General Fund to appropriate unspent FY 2022 funds for facade grants.

N. Consider adopting an Electric Capital Project fund ordinance to establish a budget for Substation W. The City will be building Substation W to service the Eli Lilly project. Eli Lilly is paying for the construction of the substation at a cost of \$6,240,250. As part of the agreement, the City will also be paying \$755,250 for easements which is being funded with surplus funds from the Delivery #4 project. The attached budget ordinance establishes the budget for this project.

Recommendation: Motion to adopt an Electric Capital Project fund ordinance to establish a budget for Substation W.

O. Consider adopting a project ordinance amendment for the CDBG 2021 grant to reflect actual program income receipts and move unused admin funds to

Clearwater project. Program income was budgeted at \$106,658 for FY22, but \$109,212 was actually received. It is requested that the CDBG 2021 budget be increased by \$2,554 to reflect actual receipts. Also, this amendment includes budget cleanup for various 2021 CDBG Admin accounts, whereby \$8,879 unused admin funds will be moved to the 2021 Clearwater project account.

Recommendation: Motion to adopt the project ordinance amendment to the CDBG 2021 grant to reflect actual program income receipts and moving unused admin funds to Clearwater project.

P. Consider adopting a project ordinance amendment for the Affordable Housing revolving fund. Rental income was budgeted at \$16,665 for FY22, but \$20,675 was received. It is requested that Affordable Housing budget be increased by \$4,010 to reflect actual receipts.

Recommendation: Motion to adopt the project ordinance amendment to the Affordable Housing revolving fund to reflect actual rental income.

Q. Consider adopting a project ordinance amendment for the HOME 2021 grant to reflect actual program income receipts. Program income was budgeted at \$1,057,861 for FY22, but \$1,045,154 was actually received. It is requested that HOME 2021 budget be decreased by \$12,707 to reflect actual receipts.

Recommendation: Motion to adopt the project ordinance amendment to the HOME 2021 grant to reflect actual program income receipts.

R. Consider approving a change to the classification/compensation system to include the following classification: Signal Technician II. The addition of this new classification will increase the ability to attract and retain employees and provide enhanced expertise for the City of Concord.

Recommendation: Motion to approve the addition of the Signal Technician II (Grade 209) with a salary range of \$47,224.76 (minimum) - \$62,572.80 (midpoint) - \$77,920.85 (maximum).

S. Receive the quarterly report on water and wastewater extension permits issued by the Engineering Department in the second quarter of 2022. In accordance with City Code Chapter 62, attached is a report outlining the water and wastewater extension permits that were issued between April 1, 2022 and June 30, 2022.

Recommendation: Motion to receive the second quarter water and wastewater extension report for 2022.

T. Consider acceptance of the Tax Office reports for the month of June 2022. The Tax Collector is responsible for periodic reporting of revenue collections for the Tax Collection Office.

Recommendation: Motion to accept the Tax Office collection reports for the month of June 2022.

U. Consider approval of Tax Releases/Refunds from the Tax Collection Office for the month of June 2022. G.S. 105-381 allows for the refund and/or release of tax liability due to various reasons by the governing body. A listing of various refund/release requests is presented for your approval, primarily due to overpayments, situs errors and/or valuation changes.

Recommendation: Motion to approve the Tax releases/refunds for the month of June 2022.

V. Receive monthly report on status of investments as of June 30, 2022. A resolution adopted by the governing body on 12/9/1991 directs the Finance Director to report on the status of investments each month.

Recommendation: Motion to accept the monthly report on investments.

VIII. Matters not on the agenda

- Transportation Advisory Committee (TAC)
- Metropolitan Transit Commission (MTC)
- Centralina Regional Council

- Concord/Kannapolis Transit Commission
- Water Sewer Authority of Cabarrus County (WSACC)
- Public Art Advisory Committee
- WeBuild Concord
- Barber Scotia Community Task Force Committee
- Concord United Committee
- IX. General comments by Council of non-business nature
- X. Closed Session (if needed)
- XI. Adjournment

*IN ACCORDANCE WITH ADA REGULATIONS, PLEASE NOTE THAT ANYONE WHO NEEDS AN ACCOMMODATION TO PARTICIPATE IN THE MEETING SHOULD NOTIFY THE CITY CLERK AT (704) 920-5205 AT LEAST FORTY-EIGHT HOURS PRIOR TO THE MEETING.



Government Finance Officers Association

Certificate of Achievement for Excellence in Financial Reporting

Presented to

City of Concord North Carolina

For its Annual Comprehensive Financial Report For the Fiscal Year Ended

June 30, 2021

Christopher P. Morrill

Executive Director/CEO



7/25/2022

Jessica Jones Finance Director City of Concord, North Carolina

Dear Ms. Jones:

Congratulations!

We are pleased to notify you that your annual comprehensive financial report for the fiscal year ended June 30, 2021 has met the requirements to be awarded GFOA's Certificate of Achievement for Excellence in Financial Reporting. The GFOA established the Certificate of Achievement for Excellence in Financial Reporting Program (Certificate Program) in 1945 to encourage and assist state and local governments to go beyond the minimum requirements of generally accepted accounting principles to prepare annual comprehensive financial reports that evidence the spirit of transparency and full disclosure and then to recognize individual governments that succeed in achieving that goal. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting. Congratulations, again, for having satisfied the high standards of the program.

Your electronic award packet contains the following:

- A "Summary of Grading" form and a confidential list of comments and suggestions for possible improvements. We strongly encourage you to implement the recommended improvements in your next report. Certificate of Achievement Program policy requires that written responses to these comments and suggestions for improvement be included with your 2022 fiscal year end submission. If a comment is unclear or there appears to be a discrepancy, please contact the Technical Services Center at (312) 977-9700 and ask to speak with a Certificate of Achievement Program in-house reviewer.
- Certificate of Achievement. A Certificate of Achievement is valid for a period of one year. A current holder of a Certificate of Achievement may reproduce the Certificate in its immediately subsequent annual comprehensive financial report. Please refer to the instructions for reproducing your Certificate in your next report.
- Award of Financial Reporting Achievement. When GFOA awards a government the Certificate of Achievement for Excellence in Financial Reporting, we also present an Award of Financial Reporting Achievement (AFRA) to the department identified in the application as primarily responsible for achievement of the Certificate.
- **Sample press release**. Attaining this award is a significant accomplishment. Attached is a sample news release that you may use to give appropriate publicity to this notable achievement.

In addition, award recipients will receive via mail either a plaque (if first-time recipients or if the government has received the Certificate ten times since it received its last plaque) or a brass medallion to affix to the plaque (if the government currently has a plaque with space to affix the medallion). Plaques and medallions will be mailed separately.

As an award-winning government, we would like to invite one or more appropriate members of the team that put together your annual comprehensive financial report to apply to join the Special Review Committee. As members of the Special Review Committee, peer reviewers get exposure to a variety of reports from around the country; gain insight into how to improve their own reports; achieve professional recognition; and provide valuable input that helps other local governments improve their reports. Please see our website for eligibility requirements and information on completing an application.

Thank you for participating in and supporting the Certificate of Achievement Program. If we may be of any further assistance, please contact the Technical Services Center at (312) 977-9700.

Sincerely,

Michele Mark Levine

Director, Technical Services

Melele Mark Line

MEETING DATE:

July 14, 2022

Note: The subject parcels were approved as part of a conditional district rezoning (MX-CC2) in 2007 for a mixed-use development with a master site plan and development standards. The 2007 approval documents have been included for reference. The entire site must be rezoned so that there is no conflict between the approved master plan and a new plan for a portion of the parcel. For this reason, the applicant has requested two (2) zoning districts. Initially the I-1-CD zoning classification was requested, which left a small portion as MX-CC2. Staff advised the applicant that the entire area zoned under the master plan must be rezoned. In order to design their site as planned and accommodate the requirement, the area not within the planned boundaries of the industrial site is proposed to be zoned C-2 (General Commercial).

The Planning and Zoning Commission heard rezoning case Z(CD)-07-21 at their April 19th, 2022 public hearing and acted to deny the request. In accordance with Concord Development Ordinance section 3.2.4-B "The Commission may grant final approval of a zoning map amendment by a vote of at least three-fourths (3/4) of the members of the Commission present and not excused from voting. If the approval is by a vote of less than three-fourths, or if the Commission renders a recommendation of denial, the request shall be forwarded to the City Council for hearing at their next available meeting and the City Council shall have the authority to make a final decision on the zoning map amendment."

According to the application, an office, warehouse, distribution and light industrial business park are the possible uses for the I-1-CD (Light Industrial Conditional District) portion of the development. The site plan depicts two industrial structures (+/- 240,500sf and 178,500sf). One building (Building A) fronts on Hwy 73 and the second structure (Building B) abuts I-85. Building "B" has primary access on Hwy 73 and Building "A" provides access to Hwy 73 via a private drive which connects to Rhylma PL. NW. Internal connectivity is provided but it is by means of emergency fire access only. A majority of the eastern property line provides a 50ft wide Type D buffer as well as a commitment to preserving trees larger than 8in in caliper, if possible.

No plans have been provided for the area proposed for C-2 (General Commercial). This would be a straight rezoning and all uses permitted in the C-2 (General Commercial) zoning district would be permitted. This property is directly adjacent to other parcels that are zoned C-2 (General Commercial).

The full staff report packet provided to the Planning & Zoning Commission has been provided herein.

Planning and Zoning Commission Items of Concern

- Traffic impact on Hwy 73
- Internal street network connectivity
- Buffering between the area proposed for industrial zoning and the adjacent residential
- Development related truck access/flow relative to the northwestern entrance

Statement of Consistency Approved by Planning and Zoning:

- The subject property is located on the north side of Davidson Highway (also referred to as Highway 73), just east of the I-85 interchange, is +/- 54.8519 acres, and is currently vacant.
- The subject property was voluntarily annexed on December 31, 1995 and on April 17, 2007 the property was rezoned to MX-CC2. The rezoning included a site plan, technical standards, and architectural renderings/illustrations for the proposed development.
- The proposed I-1-CD (Light Industrial Conditional District) and C-2 (General Commercial) zoning classifications are considered corresponding to the 2030 Land Use Plan's Industrial/Employment land use category. The proposal meets the intent of the Industrial/Employment (IE) Future Land Use category by developing an industrial use suited for additional industrial development due to the presence of infrastructure and access to transportation routes, such as major highways and railroads. Furthermore, Industrial Uses such as the International Business Park and other industrial uses have already developed in close proximity.
- The zoning amendment is reasonable and in the public interest as the petition proposes an Industrial Use in close proximity to I-85 where most tractor trailer traffic will be routed to and from, minimizing the impact on traffic along Highway 73, and allows the property to develop as an Industrial Use which is consistent with the area.

Conditions Provided by the Applicant (I-1-CD Property Only): Substantial compliance with the "Hwy 73 Industrial" Rezoning Plans, sheets RZ-1 and RZ-2 revised 04/13/22, "North Elevation – Building A, and South Elevation Building A and East & West Elevation, Building A" dated March 21, 2022, also "South Elevation Building B, North Elevation Building B, and East & West Elevation Building B", dated March 11, 2022.

- 1. All uses permitted in the I-1 Zoning District as outlined in the City of Concord CDO shall be permitted excluding those listed below:
 - a. Agricultural Uses
 - b. Resource Extraction Uses
 - c. Educational Uses
 - d. Government Facilities
 - e. Passenger Terminals
 - f. Indoor Recreation Uses
 - g. Outdoor Recreation Uses
 - h. Retail Sales and Services
 - i. Vehicle Sales and Service
 - j. Commercial Parking as a Principle Use
 - k. Heavy Industrial Uses
 - l. Self-Service Storage

- 2. A 50' buffer will be placed along the east property boundary, which adjoins the Cambridge Commons neighborhood, with any existing vegetation 8 inches in diameter or greater shall be preserved to the greatest extent possible. Prior to any land disturbing activities on the site, the developer will meet with the City Arborist or authorized designee to tag all trees 8" or greater and to establish limits of disturbance along the eastern property line.
- 3. A maximum of two principle buildings may be developed on the site, with a maximum Gross Floor Area of 419,000 square feet.
- 4. The maximum height of any building constructed on the site shall be 50 feet as measured under the Concord Development Ordinance (C.D.O.). For each foot of height over 35 feet, two (2) additional feet of setback shall be provided when abutting residentially zoned property in accordance with Article 7.11.9.I of the C.D.O.
- 5. All rooftop and above-ground mechanicals shall be screened from view to the greatest extent possible, considering the existing grade relative to the existing grades surrounding the property. This may be achieved through parapets on buildings, other structural screening, and/or landscaping.
- 6. A 4' tall black powder-coated aluminum decorative fence with evergreen shrubs planted 5' O.C. on the street-side of the fence will be installed between the street yard and parking lot yard.
- 7. Compliance with all minimum requirements relative to landscaping, stormwater, transportation, and Fire protection; and
- 8. Technical site review and approval plan shall be required.
- 9. The subject plan is not designed to preliminary plat or technical site plan standards and therefore, any intended or perceived deviation from technical standards resulting from the somewhat conceptual nature of the plan shall not constitute approval to deviate from, or negate, technical standards within the Concord Development Ordinance, Technical Standards Manual, or any other regulatory document.



DATE: April 19th, 2022

DESCRIPTION: Zoning Map Amendment from City of Concord MX-

CC2 (Mixed Use - Commercial Center Large

District) to C-2 and I-1-CD (General Commercial and

Light Industrial Conditional District)

CASE NUMBER: Z (CD)-07-21

APPLICANTS Tyler Jones, Robinson Weeks Partners

LOCATION: 4208 and 4515 Davidson Hwy

PARCEL PIN: PINs 5601-77-8447, 5601-88-8181, 5601-87-9077 and 5601-

87-7425

AREA: +/-54.8519 Acres

ZONING: MX-CC2 (Mixed Use-Commercial Center Large)

REPORT PREPARED BY: Kristen Boyd-Sullivan, Senior Planner

BACKGROUND

The subject property is located on the north side of Davidson Highway (also referred to as Highway 73), just east of the I-85 interchange, and is +/- 54.8519 acres. It lies along the Highway 73 Corridor, at the northeast corner of International Drive and Highway 73. The International Business Park is located in close proximity to the southwest, as well as I-85, which also borders the projects' northern boundary. The property is currently vacant.

HISTORY

The subject property was annexed into the City on June 30, 1992 as part of a City initiated annexation. After annexation, the property was administratively zoned a combination of Residential Medium and High Density (R-3 and R-4). After the adoption of the Concord Development Ordinance in 2000, the R-3 and R-4 zonings became RC and RV zoning, which is their functional equivalent. A portion of the property was rezoned to Conditional Use Light Industrial (CUI-1) at some point after 1995, however the staff could not locate background information on that zoning case.

On August 21, 2007, a rezoning request from CUI-1 (Light Industrial Conditional Use), RV (Residential Village) and RC (Residential Compact) to Mixed Use – Commercial Center Large (MX-CC2) was approved by the Planning and Zoning Commission (Case Z(CD)-33-07). The approved plan proposed a mixed-use development comprised of approximately 250,000 square feet

of office and 250,000 square feet of commercial uses. Due to the economic climate following the approval of the 2007 rezoning to MX-CC2, the proposed development was never constructed.

The previously approved site plan, conditions and design standards are included with this staff report.

SUMMARY OF REQUEST

The applicant is requesting a rezoning of the subject property from Mixed-Use Commercial Center Large (MX-CC2) to Light Industrial Conditional District (I-1-CD) and General Commercial (C-2) for a proposed Industrial Development (on 49.8510 Acres), and 5.0009 acres designated for a General Commercial (C-2) parcel. There are no proposed plans for the proposed C-2 parcel at this time, and since the C-2 parcel is not a conditional district, any uses allowed in the C-2 zoning district would be permitted if the rezoning is approved. Any development of the site would be required to meet all applicable standards of the CDO as well as the Technical Standards Manual.

As part of the conditional district rezoning, a detailed site plan, elevations, list of prohibited uses as well as development conditions have been provided for the I-1-CD portion. According to the applicant, an office, warehouse, distribution and light industrial business park are the possible uses for the development. These uses are all permissible within the I-1 zoning district. However, if the applicant does decide to move forward with warehousing and distribution as previously indicated, a Special Use Permit would be required. Warehouse and distribution facilities are only permitted within I-1 zoning classifications with the issuance of a Special Use Permit from the Planning and Zoning Commission. It should be noted that the City has received an application for a Special Use Permit for the portion of the subject site requested for I1-CD zoning, including a site plan and elevations that adhere to the current zoning petition. The Special Use Permit public hearing cannot be heard until after a rezoning to I-1 becomes effective. It is possible that a Special Use Permit could be heard, if the rezoning is approved and becomes effective by then next Planning and Zoning Commission meeting in May. However, the applicant has not officially indicated whether they intend to move forward with the Special Use Permit request, delay it, or withdraw the petition.

SITE DETAILS

As depicted on the submitted site plan, two (2) Industrial Buildings, Building A (+/- 178,500 sq. ft.) and Building B (+/- 240,500 sq. ft.), associated parking, loading areas, two (2) amenity areas, and landscape buffers are proposed for the I-1-CD portion of the project. The site has quite a bit of topography which will result in the front building (Building "B") sitting approximately 15-20' below the elevation of Hwy 73, as well as the single-family neighborhood to the east (Cambridge Commons). Therefore, parking areas and internal roads will be less visible, and noise as well as ambient light may lessened by the lower elevation. The second building at the back of the site (Building "A"), will sit at a higher elevation, with more visibility from I-85 than Hwy 73. The building is oriented toward the northwest portion of the site, further from the adjacent residential uses. A stream with undisturbed buffers provides additional buffering and separation from the front of the site along Hwy 73.

As this is a conditional rezoning request, the applicant is proposing additional enhancements for the project. The previous approval included a condition to provide a 50' Class "D" buffer along the property boundary shared with Cambridge Commons. This condition has been modified to include all vegetation 8" in caliper or greater within the 50' buffer to be preserved where indicated on the plan. The condition further states that the developer will meet with the City Arborist (or

authorized designee) to tag all trees 8" in caliper or greater in these buffer areas and to establish limits of disturbance for the east perimeter. There are two (2) areas within the 50' Type D buffer where grading may interfere with this condition, and these two areas are depicted on the accompanied site plan. As requested by staff, a section drawing illustrating the proposed Type D buffer between the proposed development and the Cambridge Commons Subdivision is provided on the site plan. Existing vegetation that does not meet the requirements for a Type D buffer will be supplemented with evergreen trees and shrubs.

In addition to the standard parking lot and street yard requirements along Hwy 73, a 4' tall black powder-coated aluminum decorative fence with evergreen shrubs planted 5' O.C. on the street-side of the fence will be installed between the street yard and parking lot yard. Two (2) employee amenity areas are depicted on the plans, which include, at a minimum, benches and picnic tables. The development also preserves a good amount of open space, although not required for Industrial Zoning. Maximum impervious area for I-1 zoning is 80%, while the proposed impervious area for this development is shown as 42.8%, almost half of what is allowable.

ELEVATIONS

The submitted elevations which accompany this staff report specify primarily tilt-up scored concrete in contrasting vertical pattern along the front facades, metal panel accents, metal awnings, glass windows and doors at the main entrances of the two buildings. All elevations meet the C.D.O. standards as required in Article 7.11. The proposed buildings are proposed to be a maximum of 50' in height, while the maximum building height in I-1 allows up to 72 feet.

TRAFFIC MITIGATION

Traffic continues to be a concern with residents and commuters who travel Highway 73, and was also brought up at the neighborhood meeting. The TIA has been approved by Transportation for the Industrial portion only. According to the "Transportation Mitigation Agreement" as part of the Traffic Impact Analysis, improvements include:

- Construct a southbound right-turn lane with 150 of storage on Rhylma Place/International Drive.
- Construct/stripe the southbound approach of Westgate Circle to contain a single ingress lane, a single egress lane, stop control and a 100-internally protected stem. Construct a westbound right-turn lane with 100 feet of storage.

Phase II, which includes the development of the C-2 parcel, will require a separate approval at the time of development, and will require the Phase II mitigation requirements to be completed at that time. It is not clear if Hwy 73 will be widened in these areas to accommodate the any turn lanes, however, any improvements are required to meet all NCDOT and City technical requirements. Westgate Circle will be a full movement intersection with a stop sign, not a traffic signal. As discussed with previous rezoning proposals off of Highway 73, the NCDOT widening project schedule appears to be quite fluid, and there does not appear to be a definite start date for any future widening, so it is imperative that this project does not impede traffic any further.

NEIGHBORHOOD MEETING

As required per the C.D.O., the applicant chose to hold a neighborhood meeting via ZOOM on Tuesday, November 30, 2021 at 6:30 p.m. According to the applicant, five (5) representatives from the developer were in attendance, with seven (7) attendees not associated with the development team. Two (2) of the attendees posed questions/concerns regarding the landscape buffer (or lack thereof) between the proposed development and the Cambridge Commons Subdivision, as well as traffic concerns. The primary concern of one of the attendees was the potential for noise from

tractor trailers, and lights, and general overall buffering between this proposed use and the residential homes to the east. Concerns around traffic included the question about an additional traffic signal for the second (easterly) entrance.

Existing Zoning and Land Uses						
Zoning of Subject Property	Zonir	ng Within 500 Feet	Land Uses(s) of Subject Property		d Uses Within 500 Feet	
	North	General Commercial (C-2)		North	Interstate Highway 85	
	East	Residential Compact (RC), Residential Village (RV)		East	Single Family Detached Residential	
Residential Village (RV), Residential Compact (RC), Conditional Use Light Industrial (CU-I1)	South	General Commercial (C-2), General Commercial Conditional District (C-2-CD) Residential Village (RV), Planned Unit Development (PUD), Conditional Use Residential Compact (CU-RC)	Vacant	South	Multi-family, Townhomes, Mobile Homes, Large Lot Single Family Residential	
	West	General Commercial (C-2)		West	Commercial	

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as a "*Industrial Employment*" for which the I-1 (Light Industrial) and C-2 (General Commercial) are listed as corresponding zoning districts to the Land Use Category.

Industrial/Employment Land Use Category Details:

The intent of the Industrial/Employment (IE) Future Land Use category is to identify those areas that have either already developed as industrial or are suited for additional industrial development due to the presence of infrastructure and access to transportation routes, such as major highways and railroads. These industrial areas should be preserved for employment uses to generate jobs for the community.

Industrial uses have already developed in several areas throughout the community, most of which are light industrial in function and impact. The 2030 Plan identifies the need to protect industrial lands, and to encourage additional growth in industrial/employment uses in designated areas,

particularly around Concord Regional Airport, and along I-85 between Pitts School Road and Rocky River. Additionally, some light industrial/employment uses are encouraged to locate in Mixed-Use Districts, depending upon their intensity, as identified earlier in this section.

Industrial/Employment Land Use Plan detail and guidance includes:

5.2 (General Guidance)

Providing adequate infrastructure and services for residents and businesses, both now and in the future. In addition to adequate transportation infrastructure, development requires utilities, stormwater facilities and a variety of services to function properly. As the City grows, it must coordinate the expansion of its infrastructure and services with growth in ways that maintain adequate levels of service for existing and new development in a fiscally sustainable manner.

Policy Guidance for Objective 1.2:

- □ **Future Land Use Map Amendments**: Prior to amending the Future Land Use Map, make findings that the proposed amendment will:
 - Be consistent with the Plan goals and objectives;
 - Be compatible with future land uses for surrounding areas;
 - Not create a shortage of any category of residential or non-residential land; and
 - Enhance the overall quality of life in the community.
- **Objective 1.3:** Ensure that the Future Land Use Map allows sufficient development opportunities to meet existing and projected needs for residential, commercial, industrial and other land uses.
- **Objective 1.4:** Protect existing and future industrial sites from encroachment of development that would limit their intended uses.

Policy Guidance for Objective 1.4:

- □ *Adjacent Development:* Ensure that adjacent development and street networks are designed to safely and compatibly accommodate planned industrial uses and resulting traffic.
- □ Site Development: Limit non-industrial uses to those that are accessory to existing uses or uses to be developed concurrently with the accessory uses.
- *Goal 4:* Ensure compatibility between neighboring land uses.
- **Objective 4.1:** Use a combination of land use transitions, intensity gradients, buffering and design to ensure that land use transitions are compatible.
- **Objective 4.2:** Ensure that industrial and commercial developments are designed to limit encroachment of incompatible traffic, noise, odors and lighting into nearby residential areas.

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is located on the north side of Davidson Highway (also referred to as Highway 73), just east of the I-85 interchange, is +/- 54.8519 acres, and is currently vacant.
 - The subject property was voluntarily annexed on December 31, 1995 and on April 17, 2007 the property was rezoned to MX-CC2. The rezoning included a site plan, technical standards, and architectural renderings/illustrations for the proposed development.
 - The proposed I-1-CD (Light Industrial Conditional District) and C-2 (General Commercial) zoning classifications are considered corresponding to the 2030 Land Use Plan's Industrial/Employment land use category. The proposal meets the intent of the Industrial/Employment (IE) Future Land Use category by developing an industrial use suited for additional industrial development due to the presence of infrastructure and access to transportation routes, such as major highways and railroads. Furthermore, Industrial Uses such as the International Business Park and other industrial uses have already developed in close proximity.
 - The zoning amendment is reasonable and in the public interest as the petition proposes an Industrial Use in close proximity to I-85 where most tractor trailer traffic will be routed to and from, minimizing the impact on traffic along Highway 73, and allows the property to develop as an Industrial Use which is consistent with the area.

SUGGESTED RECOMMENDATION AND CONDITIONS

The Planning Staff finds the request consistent with the 2030 Land Use Plan. The plan also meets/exceeds the requirements of the Concord Development Ordinance. As this petition is a conditional district request, the Commission, should they decide to approve the request, may, according to Section 3.2.8.E of the CDO, suggest "reasonable additional conditions or augment those already provided with the petition, but only those conditions mutually agreed upon by the petitioner and the Commission or Council may be incorporated into the approval. Any such condition should relate to the relationship of the proposed use to surrounding property, proposed support facilities such as parking areas and driveways, pedestrian and vehicular circulation systems, screening and buffer areas, the timing of development, street and right-of-way improvements, water and sewer improvements, storm water drainage, the provision of open space and other matters that the Commission or Council may find appropriate."

The petitioner has consented to the following conditions (which apply only to the I-1-CD Parcel and not the C-2 Parcel):

- 1. Substantial compliance with the "Hwy 73 Industrial" Rezoning Plans, sheets RZ-1 and RZ-2 revised 04/13/22, "North Elevation Building A, and South Elevation Building A and East & West Elevation, Building A" dated March 21, 2022, also "South Elevation Building B, North Elevation Building B, and East & West Elevation Building B", dated March 11, 2022.
- 2. All uses permitted in the I-1 Zoning District as outlined in the City of Concord CDO shall be permitted excluding those listed below:
 - a. Agricultural Uses

- b. Resource Extraction Uses
- c. Educational Uses
- d. Government Facilities
- e. Passenger Terminals
- f. Indoor Recreation Uses
- g. Outdoor Recreation Uses
- h. Retail Sales and Services
- i. Vehicle Sales and Service
- j. Commercial Parking as a Principle Use
- k. Heavy Industrial Uses
- 1. Self-Service Storage
- 3. A 50' buffer will be placed along the east property boundary, which adjoins the Cambridge Commons neighborhood, with any existing vegetation 8 inches in diameter or greater shall be preserved to the greatest extent possible. Prior to any land disturbing activities on the site, the developer will meet with the City Arborist or authorized designee to tag all trees 8" or greater and to establish limits of disturbance along the eastern property line.
- 4. A maximum of two principle buildings may be developed on the site, with a maximum Gross Floor Area of 419,000 square feet.
- 5. The maximum height of any building constructed on the site shall be 50 feet as measured under the Concord Development Ordinance (C.D.O.). For each foot of height over 35 feet, two (2) additional feet of setback shall be provided when abutting residentially zoned property in accordance with Article 7.11.9. of the C.D.O.
- 6. All rooftop and above-ground mechanicals shall be screened from view to the greatest extent possible, considering the existing grade relative to the existing grades surrounding the property. This may be achieved through parapets on buildings, other structural screening, and/or landscaping.
- 7. A 4' tall black powder-coated aluminum decorative fence with evergreen shrubs planted 5' O.C. on the street-side of the fence will be installed between the street yard and parking lot yard.
- 8. Compliance with all minimum requirements relative to landscaping, stormwater, transportation, and Fire protection; and
- 9. Technical site review and approval plan shall be required.
- 10. The subject plan is not designed to preliminary plat or technical site plan standards and therefore, any intended or perceived deviation from technical standards resulting from the somewhat conceptual nature of the plan shall not constitute approval to deviate from, or negate, technical standards within the Concord Development Ordinance, Technical Standards Manual, or any other regulatory document.

PROCEDURAL CONSIDERATIONS

This particular case is a rezoning to a conditional district, which under the CDO, is "legislative" in nature. Legislative hearings DO NOT require the swearing or affirming of witnesses prior to testimony at the public hearing.



AMENDED APPLICATION (CN – RZC – 2021-00004) (Please type or print)

Applicant Name, Address, Telephone Number and email add	lress:
Robinson Weeks Partners, c/o Tyler Jones; 3350 Riverwood	Parkway, Suite 700,
Atlanta, GA 30339; 678-303-0167; Tyler@robinsonweeks.c	om
Owner Name, Address, Telephone Number:	
See Exhibit A attached hereto	
Project Location/Address: 4208 Davidson Highway	
P.I.N.: <u>5601888181, 5601879077, 5601877425</u> and <u>5601778</u>	3447
Area of Subject Property (acres or square feet): +/- 54.8519	acres (See survey/legal descriptions)
Lot Width: <u>+/- See the survey</u> Lot Depth: <u>+/- See th</u>	e survey
Current Zoning Classification: MX-CC2	
Proposed Zoning Classification: I-1 (CD) and C-2 (See attac	hed legal descriptions)
Existing Land Use: Vacant and residential	
Future Land Use Designation: <u>Industrial/Employment per th</u>	e 2030 Land Use Plan
Surrounding Land Use: North Interstate 85	South Single family/townhomes
East Single family residential	West Commercial & I-85
Reason for request: To accommodate an office, warehouse, of business park that would contain a maximum of 500,000 sque portion of the site requested to be rezoned to the I-1 (CD) zo C-2 zoning district on that portion of the site requested to be	nare feet of gross floor area on that ning district, and uses allowed in the rezoned to the C-2 zoning district.
Staff member signature: Planning & Neighborhood Development 35 Cabarrus Ave W P. O. Box 308 Cond	Date: Multpu
Phone 704-920-5152 • Fax 704-920-6962 • w Page 2 of 6	ww.concordnc.gov

13822573v2 27602.00011



THIS PAGE APPLICABLE TO CONDITIONAL DISTRICT REQUESTS ONLY

(Please type or print)

(I lease ty	pe or printy
1. List the Use(s) Proposed in the Project:	
An office, warehouse, distribution and light indu	ustrial business park that would contain a
maximum of 500,000 square feet of gross floor	area on that portion of the site requested to be
rezoned to the I-1 (CD) zoning district (See the	Rezoning Plan for permitted and prohibited
uses). Uses allowed in the C-2 zoning district o	n that portion of the site requested to be rezoned
to the C-2 zoning district.	
2. List the Condition(s) you are offering as part (You may attach other sheets of paper as need)	of this project. Be specific with each description. eded to supplement the information):
Conditions on the Rezoning Plan for the I-1 (CI) portion of the site include the following:
(1) A maximum of 500,000 square feet of gross	floor area; and (2) the maximum building height
shall be 50 feet as measured under the Ordinance	e.
There are no conditions being offered with respect	ect to that portion of the site requested to be
rezoned to the C-2 zoning district, since this is r	not a conditional rezoning request.
•	ng voluntarily. The uses and conditions described lerstand and acknowledge that if the property in
•	
	al District the property will be perpetually bound
	ject to such conditions as are imposed, unless
subsequently amended as provided under the C	City of Concord Development Ordinance (CDO)
All affected property owners (or agents) must si	gn the application.
See Attached Signature Page Signature of Applicant Date	See Attached Signature Page Signature of Owner(s) Date

Planning & Neighborhood Development 35 Cabarrus Ave W P. O. Box 308 Concord, NC 28025 Phone 704-920-5152 Fax 704-920-6962 www.concordnc.gov

Page 3 of 6



Certification

I hereby acknowledge and say that the information contained herein and herewith is true, and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department.

Property Owners

Parcel Identification Nos. 5601879077, 5601877425 and 56011778447

AAC/SHOFFNER DEVELOPMENT LIMITED PARTNERSHIP, a NC limited
partnership
By: AAC Concord I Limited Partnership By: AAC Concord Development GP, LLC
By:
Name: Paul L. Herndon
Title: Vice President
Date: September 14 , 2021
Parcel Identification No. 5601888181
SHOFFNER DEVELOPMENT, LLC
By:
Name:
Title:
Date:, 202)
<u>Applicant</u>
ROBINSON WEEKS PARTNERS
By:
Name:
Title:
Date:, 2021
Dlamain & Naighborhood Davelonment
Planning & Neighborhood Development 35 Cabarrus Ave W • P. O. Box 308 • Concord, NC 28025
Phone 704-920-5152 Fax 704-920-6962 www.concordnc.gov

13822573v2 27602.00011

Page 4 of 6



Certification

I hereby acknowledge and say that the information contained herein and herewith is true, and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department.

Property Owners

Rarcel Identification Nos. 5601879077, 5601877425 and 56014778447
AAC/SHQFFNER DEVELOPMENT LIMITED PARTNERSHIP, a NC limited partnership
partnership
By:
Name:
Title:
Date:, 2021
Parcel Identification No. 5601888181
SHØFFNER DEVELOPMENT, DLQ
By: 10 horner
Name: Jodee Shoffner Title: Manager
Title: Malager
Date: 9/13/2021
Applicant
Applicant
ROBINSON WEEKS PARTNERS
By:
Title:
Date:,2021
Planning & Neighborhood Development 35 Cabarrus Ave W * P. O. Box 308 * Concord, NC 28025

Phone 704-920-5152 * Fax 704-920-6962 * www.concordnc.gov

Page 4 of 6

13822573v2 27602.00011



Certification

I hereby acknowledge and say that the information contained herein and herewith is true, and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department.

Property Owners /
Parcel Identification Nos. 5601879077, 5601877425 and 56011778447
AAC/SHOFFNER DEVELOPMENT/LIMITED PARTNERSHIP, a NC limited partnership
Ву:
Name: Title:
Date:, 2021
Parcel Identification No. 5601888181
SHOFFNER DEVELOPMENT, LLC
By:
Name: Title:
Date:, 2021
Applicant
ROBINSON WEEKS PARTNERS
By: //
Name: Tyler Jones Title: Scalar VP
Date: September 7, 2021

Planning & Neighborhood Development 35 Cabarrus Ave W • P. O. Box 308 • Concord, NC 28025

Phone 704-920-5152 • Fax 704-920-6962 • www.concordnc.gov Page 4 of 6

Exhibit A to Application for Zoning Map Amendment Filed by Robinson Weeks Partners

Property Owners Information

Parcel Identification Nos. 5601879077, 5601877425 and 5601778447

AAC/Shoffner Development Limited Partnership, a NC limited partnership Attention: Paul Herndon 5950 Fairview Road, Suite 800 Charlotte, NC 28210

Phone: 704-295-4000

Email: pherndon@aacusa.com

Parcel Identification No. 5601888181

Shoffner Development, LLC Attention: Kelsey Pierce PO Box 600 Morris, OK 74445

Phone: 918-599-7755

Email: kpierce@barberbartz.com

Applicant

Robinson Weeks Partners Attention: Tyler Jones 3350 Riverwood Parkway, Suite 700 Atlanta, GA 30339

Phone: 404-987-2445

Email: tyler@robinsonweeks.com

Signatures of Property Owners to Application for Zoning Map Amendment Filed by Robinson Weeks Partners

Parcel Identification Nos. 5601879077, 5601877425 and 5601778447

AAC/SHOFFNER DEVELOPMENT LIMITED PARTNERSHIP, a NC limited partnership

By: AAC Concord I Limited Partnership, its general partner

By: AAC Concord Development GP, LLC, its general partner

By: ______

Name: Paul L. Herndon Title: Vice President

Date: September 14, 2021

Parcel Identification No. 5601888181
CHOPPIED DEVELOPMENT LLC
SHOFFNER DEVELOPMENT, LLC
By:
Name:
Title:
Date:, 2021

Signatures of Property Owners to Application for Zoning Map Amendment Filed by Robinson Weeks Partners

AACKEDOEE	NED DEVEL	ODMKNT I	IMITED DA	RTNERSHIP,	a NC limited
partnership	NEK DE VEL	OTHERTI	MINITEDIA	KIIVEKSIIII,	a i C iiiiica
By:					
Name:	$\overline{}$				
Title:					
Date:	, 2	2021			

Parcel Identification No. 5601888181

SHOFFNER DEVELOPMENT, LLG

Name: JoDee Shoffner
Title: Manager

Date: 9/13/2021

Signature of Applicant to Application for Zoning Map Amendment Filed by Robinson Weeks Partners

ROBINSON WEEKS PARTNERS

By:

Name: Tyler Jones

Title: Segiar VP



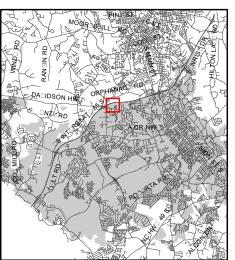
Z(CD)-07-21 AERIAL

Application for Zoning Map Amendment MX-CC2

(Mixed-Use Commercial Center Large)

C-2 (General Commercial) & I-1-CD (Light Industrial Conditional District)

4208 Davidson Hwy PIN's: 5601-88-8181, 5601-87-9077, 5601-87-7425, 5601-77-8447

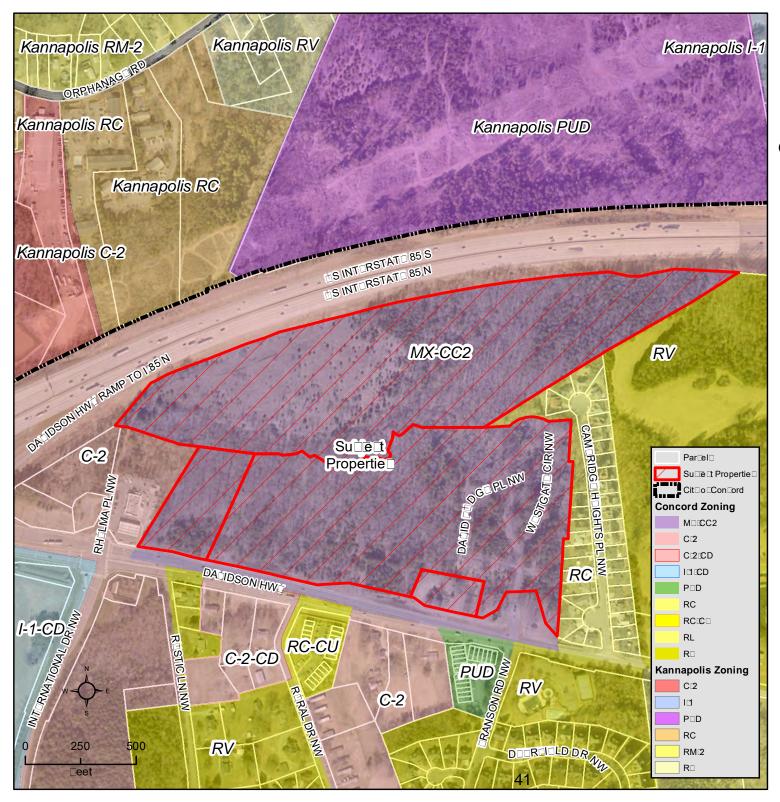




Source: City of Concord Planning Department

Disclaimer

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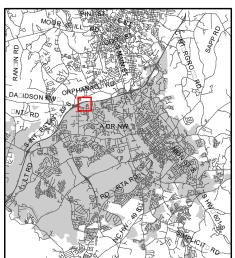
Z(CD)-07-21 ZONING

Application for
Zoning Map Amendment
MX-CC2

(Mixed-Use Commercial Center Large) to C-2 (Light Commercial

C-2 (Light Commercial and Office District)
I-1(CD)

2050 Kannapolis Hwy PIN: 5612-91-1305





Source: City of Concord Planning Department

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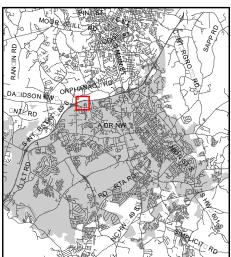
ESINTERSTATE 85 S TS INTERSTATE 85 N DA IDSON HWI RAMP TO 185 M Sulle_t Propertie Suburban RHILMAPLNW Neighborhood HIGHTS DATIDSON HWT INT_RNATIONAL DRINN Industrial-Employment Suburbar Par⊑el□ Neighborh Sod gurban Neighborhood Land Use Plan Su⊡ur □an Neigh □orhood 250 500 DOORDILLDOR □r □an Neigh □orhood Indu trial mplo ment □eet

Z(CD)-07-21 LAND USE PLAN

Application for
Zoning Map Amendment
MX-CC2
(Mixed-Use Commercial Center Large)

to C-2 (Light Commercial and Office District)

> **I-1(CD)** 2050 Kannapolis Hwy PIN: 5612-91-1305

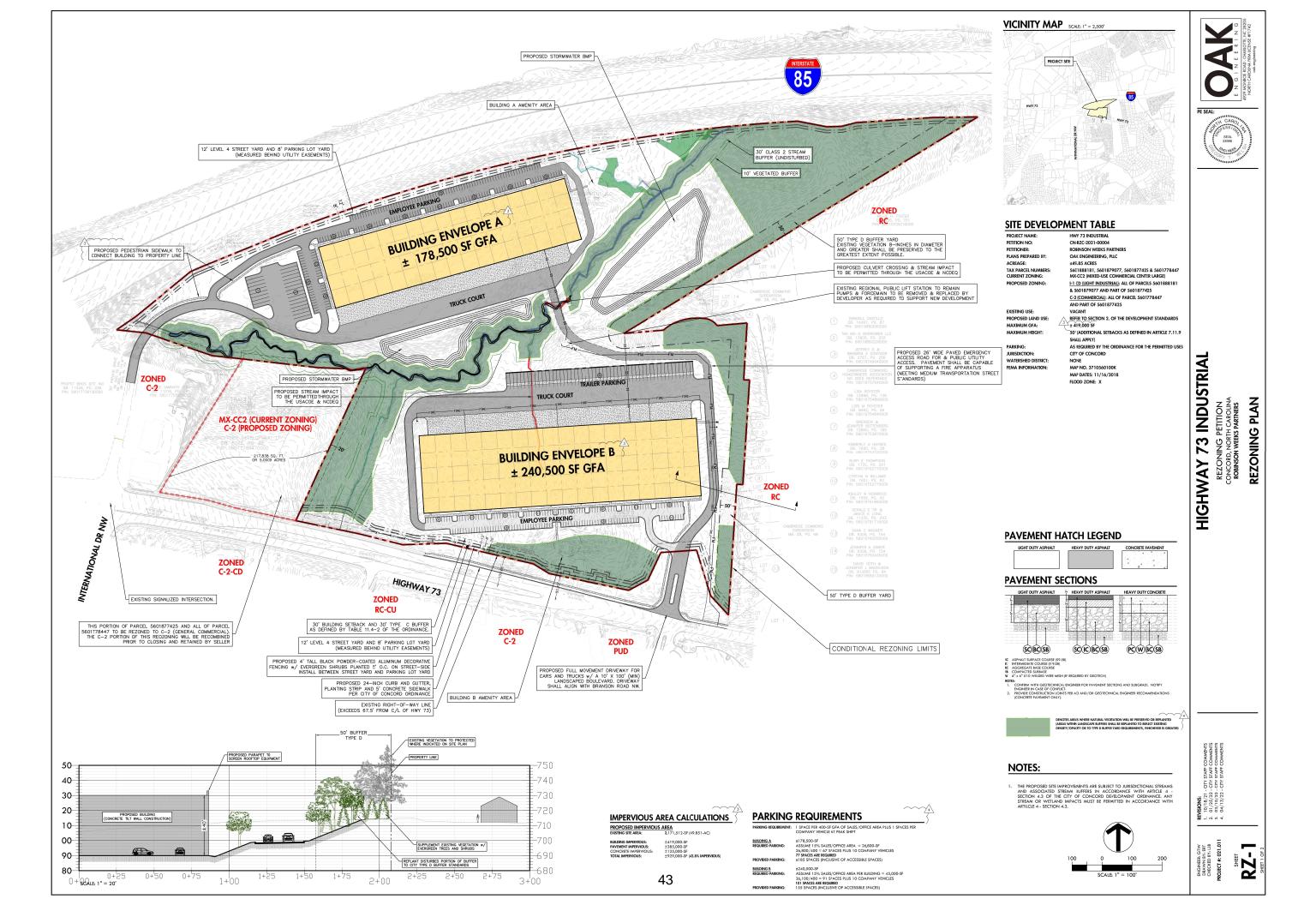




Source: City of Concord Planning Department

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These maps and products are designed for general reference only and data contained herein is subject to change. The City Of Concord, it's employees or agents make no warranty of merchantability or fitness for any purpose, expressed or implied, and assume no legal responsibility for the information contained therein. Data used is from multiple sources with various scales and accuracy. Additional research such as field surveys may be necessary to determine actual conditions.



DEVELOPMENT STANDARDS

1. GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Application for Zoning Map Amendment filed by Robinson Weeks Partners (the "Applicant") for an approximately 49.85 acre site (excluding right of way) located on the north side of Highway 73 (Davidson Highway), east of the Highway 73 Interstate 85 interchange, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of all of Parcel Nos. 5601888181 and 5601879077 and a portion of Parcel No. 5601877425.
- C. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the I-1 zoning distric: shall govern all development taking place on the Site.
- Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Article 3 of the Ordinance. Minor amendments to the Rezoning Plan are subject to

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

- A. Subject to the limitations set out below, the Site may be devoted to:
- (2) any use or uses permitted with supplemental regulations in the I-1 zoning district;
- (4) any special use or uses with supplemental regulations permitted in the I-1 zoning district upon the issuance of a special use permit in accordance with Article 6.2 of the Ordirance; and
- Notwithstanding the terms of paragraph 2.A above, the uses set ou below that are listed in the Table of Uses (Section 8.1.8 of the Ordinance) shall be prohibited on the Site.

- Agricultural uses.
- Resource Extraction uses.
- (5) Passenger Terminals.
- (6) Indoor Recreation uses.
- Outdoor Recreation uses.

- (10) Commercial Parking as a Principal Use.
- (11) Heavy Industrial uses. (12) Self Service Storage.
- A maximum of two principal buildings may be developed on the Site.
- D. A total maximum of 419,000 square feet of gross floor area may be developed on the
- Each principal building constructed on the Site shall be located in one of the two building envelopes depicted on the Rezoning Plan.
- All rooftop and above-ground mechanical equipment shall be screened from view to the greatest extent possible, taking into account the existing grade relative to the existing grades surrounding the property. This may be achieved through parapets on buildings, other structural screening, and/or landscaping.
- H. A 4' tall black powder-coated aluminum fence with evergreen shrubs planted 5' O.C. on the street-side of the fence will be installed between the street yard and parking lot yard.

"DEVELOPMENT STANDARDS"

Compliance with all minimum requirements relative to landcaping, stormwater, transportation, and fire protection.

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any miror modifications required by the City of Concord and/or the North Carolina Department of Transportation ("NCDOT").
- The alignments of the internal drives and vehicular circulation areas may be modified by Applicant to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by the City of Concord and/or NCDOT.
- C. Internal sidewalks and pedestrian connections shall be provided on the Site as generally
- D. Off-street parking shall be provided on the Site in accordance with the requirements of
- Curb, gutter and sidewalk shall be installed along the Site's frontage on Davidson Highway as generally depicted on the Rezoning Plan.

4. DENSITY AND DIMENSIONAL STANDARDS/SETBACK

- The development of the Site shall comply with the density and dimensional standards set out in Table 7.6.2.A of the Ordinance.
- B. The development of the Site shall comply with the setback requirement set out in Table 7.6.2.B of the Ordinance.

- A. The maximum height of any building constructed on the Site shall be 50 feet as measured under the Ordinance. For each foot of height over 35 feet, two (2) additional feet of

6 RUFFER VARDS

A. Buffer yards shall be established on the Site as required by the Ordinance and as depicted on the Rezoning Plan

An amenity area shall be provided on the Site in the location generally depicted on the Rezoning Plan, and this amenity area shall contain, at a minimum, benches and pictic tables.

BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- If this Application for Zoning Mar Amendment is approved, all conditions applicable to n this approached to 20min grain/microather is approved, at conductions apprehense to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inture to the benefit of Applicant and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- ance in effect as of the date this Application for Zoning Map Amendment is

SUBSTANTIAL COMPLIANCE WITH THE "HWY 73 INDUSTRIAL" REZONING PLANS, SHEETS RZ-1 AND RZ-2 REVISED 04/13/22, "NORTH ELEVATION – BUILDING A, AND SOUTH ELEVATION BUILDING A AND EAST & WEST ELEVATION, BUILDING A" DATED MARCH 21, 2022, ALSO "SOUTH ELEVATION BUILDING B, NORTH ELEVATION BUILDING B, NORTH ELEVATION BUILDING B, AND EAST & WEST ELEVATION BUILDING B", DATED MARCH 11, 2022.

THE SUBJECT PLAN IS NOT DESIGNED TO PRELIMINARY PLAT OR TECHNICAL SITE PLAN STANDARDS AND THEREOBE, ANY INTRIDED OR PERCEIVED DEVIATION FROM TECHNICAL STANDARDS RESULTING FROM THE SOMEWHAT CONCEPTUAL NATURE OF THE PLAN SHALL NOT CONSTITUTE APPROVAL TO DEVIATE FROM, OR NEGATE, TECHNICAL STANDARDS WITHIN THE CONCORD DEVELOPMENT ORDINANCE, TECHNICAL STANDARDS MANUAL, OR ANY OTHER REGULATORY DOCUMENT.

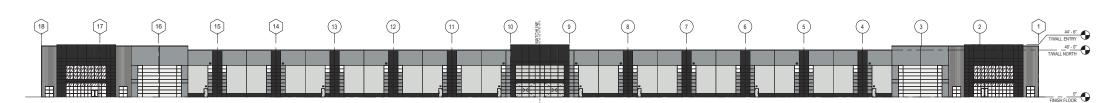
SEE 8 1/2" X 11" SHEETS AS PART OF STAFF REPORT FOR LEGIBILITY - TITLED



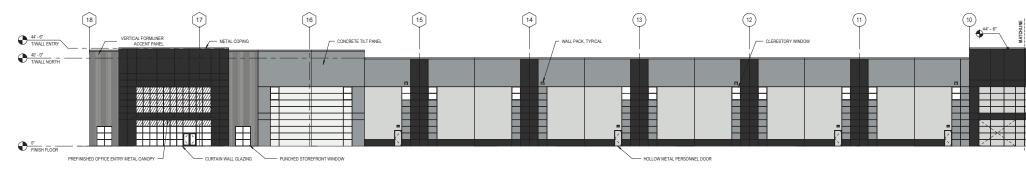
HIGHWAY 73 INDUSTRIAL
REZONING PETITION
CONCORD, NORTH CAROLINA
ROBINSON WEEKS PARTNERS STANDARDS

DEVELOPMENT

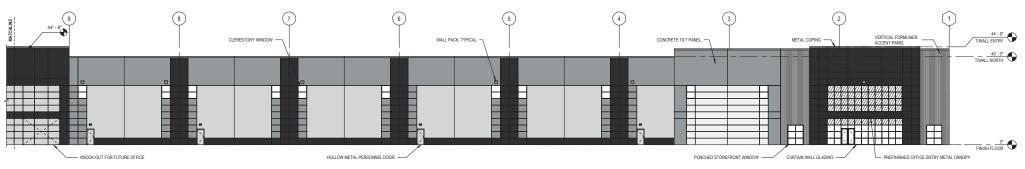
STAFF O STAFF O STAFF O STAFF O VISIONS: 10/18/21 -01/25/22 -03/10/22 -04/13/22 -



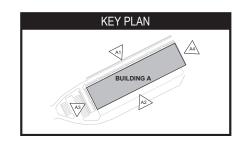
ELEVATION A1

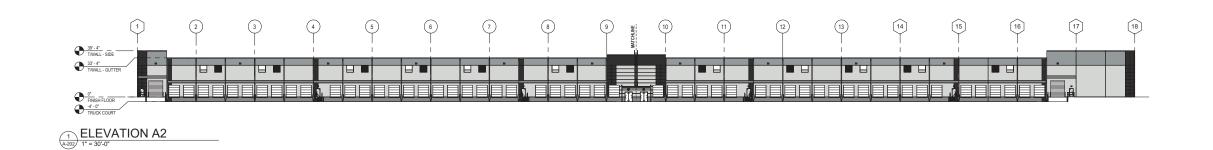


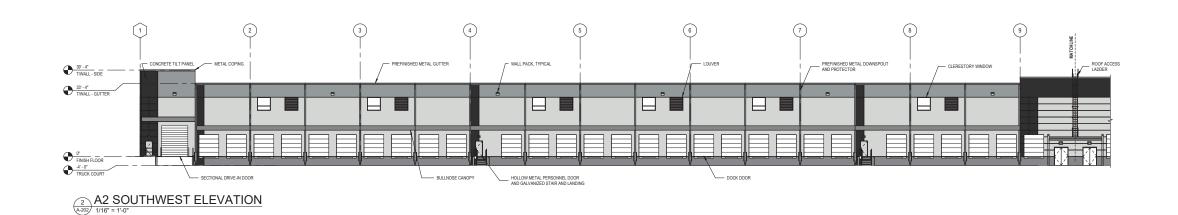
2 A1 NORTHEAST ELEVATION 1/16" = 1'-0"

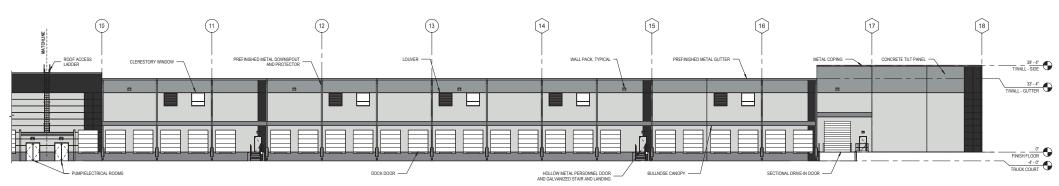


3 A1 NORTHWEST ELEVATION
A203) 1/16" = 1'-0"

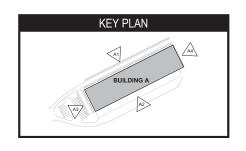


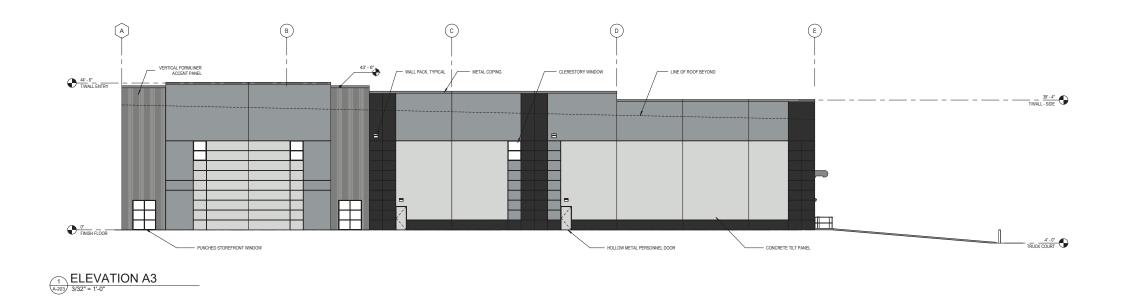


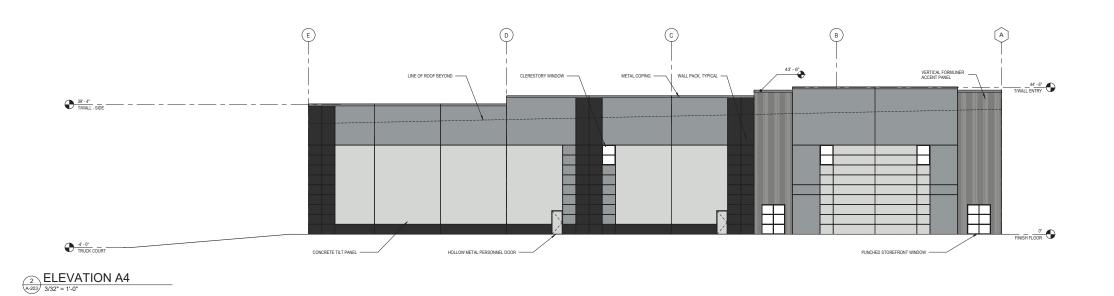


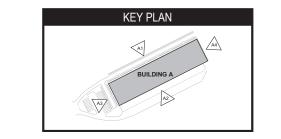


A2 SOUTHEAST ELEVATION



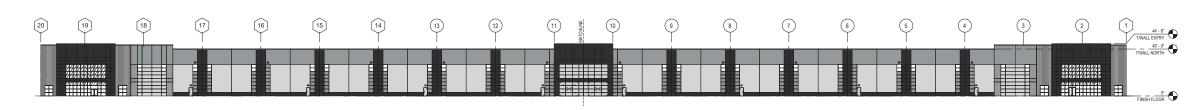




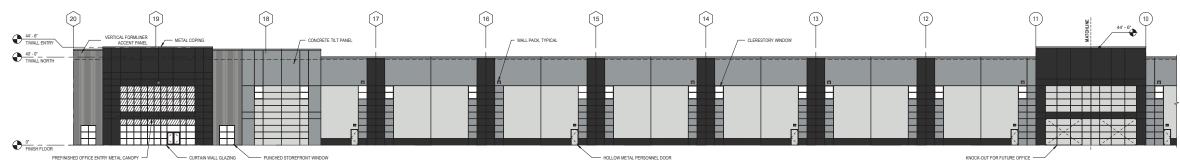




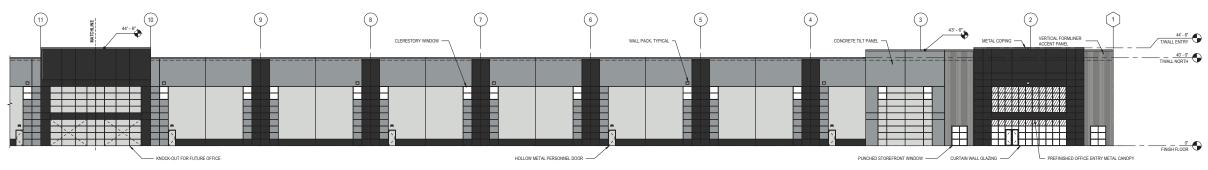




1 ELEVATION B1 1" = 30'-0"

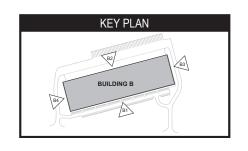


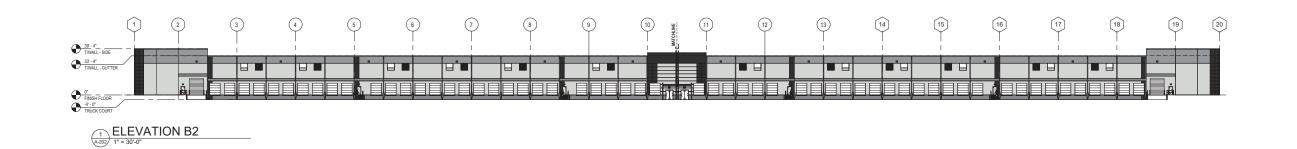
2 B1 SOUTHWEST ELEVATION 1/16" = 1'-0"



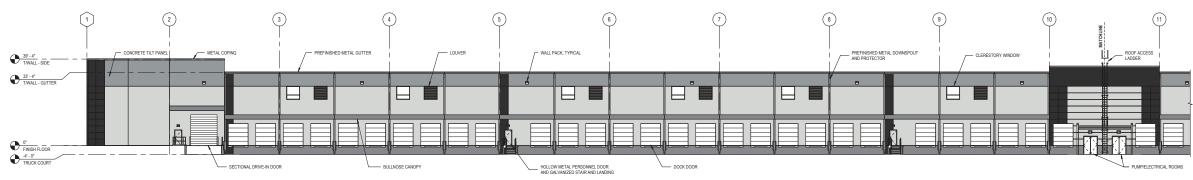
B1 SOUTHEAST ELEVATION

| A 2007 | 1/16" = 1'-0"

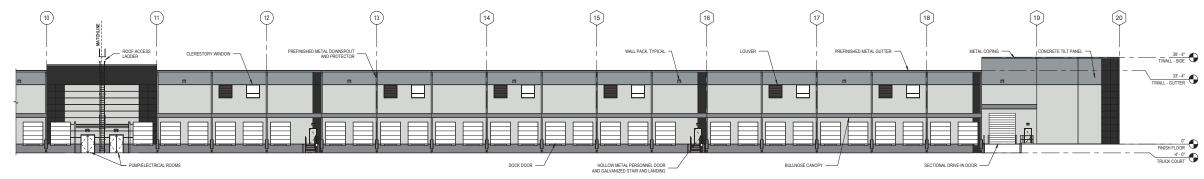




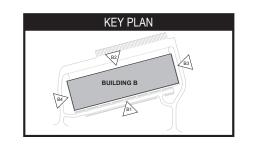
HIGHWAY 73 INDUSTRIAL PARK, CONCORD, NORTH CAROLINA

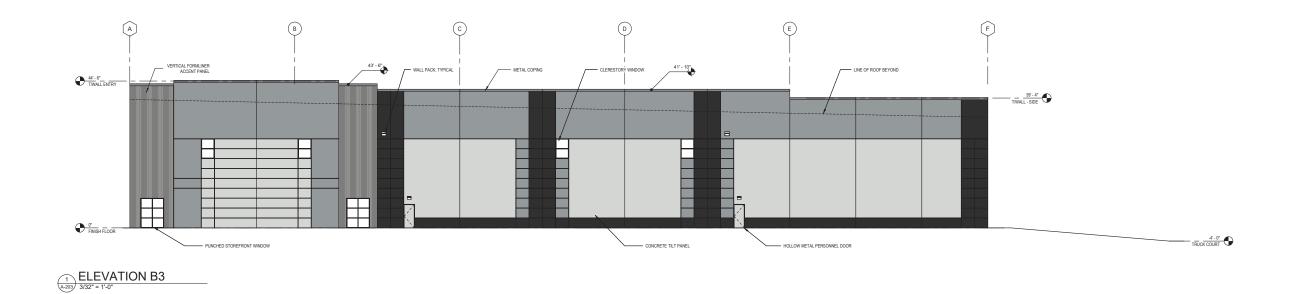


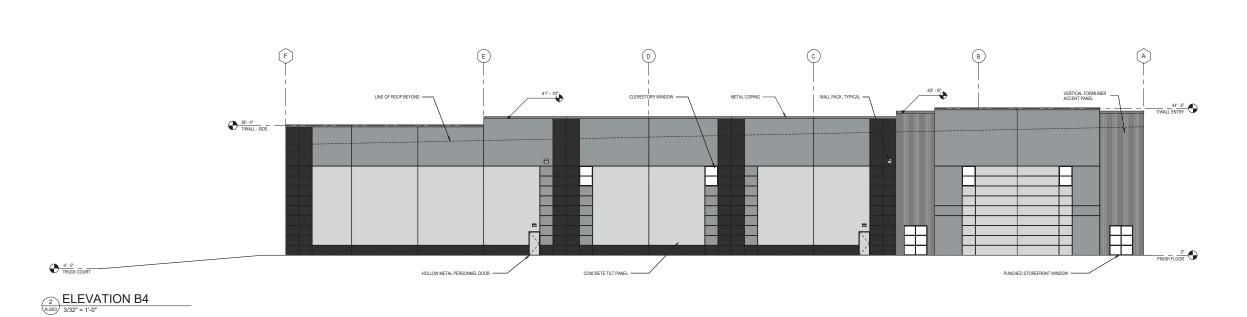


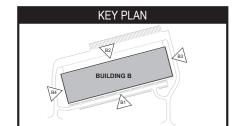


B2 NORTHWEST ELEVATION











INDIVIDUAL SHEETS AS SHOWN ON RZ-2 04-13-22

DEVELOPMENT STANDARDS

April 13, 2022

1. GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Application for Zoning Map Amendment filed by Robinson Weeks Partners (the "Applicant") for an approximately 49.85 acre site (excluding right of way) located on the north side of Highway 73 (Davidson Highway), east of the Highway 73 Interstate 85 interchange, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of all of Parcel Nos. 5601888181 and 5601879077 and a portion of Parcel No. 5601877425.
- B. The development and use of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the Concord Development Ordinance (the "Ordinance").
- C. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the I-1 zoning district shall govern all development taking place on the Site.
- D. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Article 3 of the Ordinance. Minor amendments to the Rezoning Plan are subject to Section 3.2.9.H of the Ordinance.

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

- A. Subject to the limitations set out below, the Site may be devoted to:
- (1) any use or uses permitted by right in the I-1 zoning district;
- (2) any use or uses permitted with supplemental regulations in the I-1 zoning district;
- any special use or uses permitted in the I-1 zoning district upon the issuance of a special use permit in accordance with Article 6.2 of the Ordinance;
- (4) any special use or uses with supplemental regulations permitted in the I-1 zoning district upon the issuance of a special use permit in accordance with Article 6.2 of the Ordinance; and
- (5) any incidental or accessory uses associated with the uses set out above that are permitted under the Ordinance in the I-1 zoning district.
- B. Notwithstanding the terms of paragraph 2.A above, the uses set out below that are listed in the Table of Uses (Section 8.1.8 of the Ordinance) shall be prohibited on the Site.

- (1) Agricultural uses.
- (2) Resource Extraction uses.
- (3) Educational uses.
- (4) Government Facilities.
- (5) Passenger Terminals.
- (6) Indoor Recreation uses.
- (7) Outdoor Recreation uses.
- (8) Retail Sales and Services.
- (9) Vehicle Sales and Service.
- (10) Commercial Parking as a Principal Use.
- (11) Heavy Industrial uses.
- (12) Self Service Storage.
- C. A maximum of two principal buildings may be developed on the Site.
- D. A total maximum of 419,000 square feet of gross floor area may be developed on the Site.
- E. There are two building envelopes depicted on the Rezoning Plan that are designated as Building Envelope A and Building Envelope B. Minor adjustments to the locations of these building envelopes shall be allowed during the permitting process.
- F. Each principal building constructed on the Site shall be located in one of the two building envelopes depicted on the Rezoning Plan.
- G. All rooftop and above-ground mechanical equipment shall be screened from view to the greatest extent possible, taking into account the existing grade relative to the existing grades surrounding the property. This may be achieved through parapets on buildings, other structural screening, and/or landscaping.
- H. A 4' tall black powder-coated aluminum fence with evergreen shrubs planted 5' O.C. on the street-side of the fence will be installed between the street yard and parking lot yard.
- I. Technical Site Plan approval required.
- J. Compliance with all minimum requirements relative to landcaping, stormwater, transportation, and fire protection.

3. TRANSPORTATION

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by the City of Concord and/or the North Carolina Department of Transportation ("NCDOT").
- B. The alignments of the internal drives and vehicular circulation areas may be modified by Applicant to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by the City of Concord and/or NCDOT.
- C. Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan.
- D. Off-street parking shall be provided on the Site in accordance with the requirements of the Ordinance.
- E. Curb, gutter and sidewalk shall be installed along the Site's frontage on Davidson Highway as generally depicted on the Rezoning Plan.

4. DENSITY AND DIMENSIONAL STANDARDS/SETBACK

- A. The development of the Site shall comply with the density and dimensional standards set out in Table 7.6.2.A of the Ordinance.
- B. The development of the Site shall comply with the setback requirement set out in Table 7.6.2.B of the Ordinance.

5. DESIGN STANDARDS

- A. The maximum height of any building constructed on the Site shall be 50 feet as measured under the Ordinance. For each foot of height over 35 feet, two (2) additional feet of setback shall be provided when abutting residentially zoned property in accordance with Article 7.11.9 of the Ordinance.
- B. The development of the Site shall comply with the Supplemental Design Standards and Requirements for Industrial Districts set out in Section 7.11 of the Ordinance.

6. BUFFER YARDS

A. Buffer yards shall be established on the Site as required by the Ordinance and as depicted on the Rezoning Plan.

7. AMENITY AREA

A. An amenity area shall be provided on the Site in the location generally depicted on the Rezoning Plan, and this amenity area shall contain, at a minimum, benches and picnic tables.

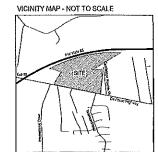
8. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- A. If this Application for Zoning Map Amendment is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Applicant and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- B. Throughout these Development Standards, the term "Applicant" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Applicant or the owner or owners of the Site from time to time who may be involved in any future development thereof.
- C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Application for Zoning Map Amendment is approved.

SUBSTANTIAL COMPLIANCE WITH THE "HWY 73 INDUSTRIAL" REZONING PLANS, SHEETS RZ-1 AND RZ-2 REVISED 04/13/22, "NORTH ELEVATION – BUILDING A, AND SOUTH ELEVATION BUILDING A AND EAST & WEST ELEVATION, BUILDING A" DATED MARCH 21, 2022, ALSO "SOUTH ELEVATION BUILDING B, NORTH ELEVATION BUILDING B, AND EAST & WEST ELEVATION BUILDING B", DATED MARCH 11, 2022.

THE SUBJECT PLAN IS NOT DESIGNED TO PRELIMINARY PLAT OR TECHNICAL SITE PLAN STANDARDS AND THEREFORE, ANY INTENDED OR PERCEIVED DEVIATION FROM TECHNICAL STANDARDS RESULTING FROM THE SOMEWHAT CONCEPTUAL NATURE OF THE PLAN SHALL NOT CONSTITUTE APPROVAL TO DEVIATE FROM, OR NEGATE, TECHNICAL STANDARDS WITHIN THE CONCORD DEVELOPMENT ORDINANCE, TECHNICAL STANDARDS MANUAL, OR ANY OTHER

APPROVED SITE PLAN FOR Z(CD)-33-07

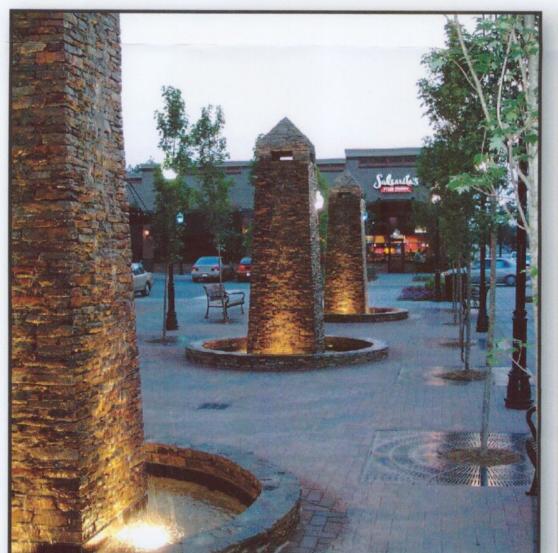




PREVIOUS APPROVAL UNDER Z(CD)-33-07







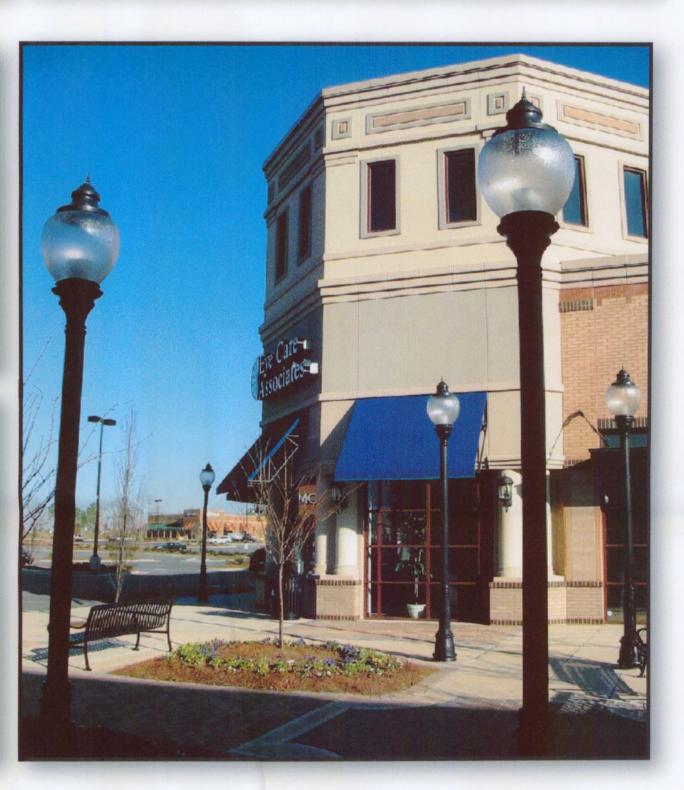
















06/12/2007_LD#1006273

WAY 73 PROJECT AMERICAN ASSET CORPORATION

LandDesign.

HIGHWAY 73 PROJECT
SCHEMATIC ARCHITECTURAL IMAGES

APPROVED CONDITIONS UNDER Z(CD)-33-07:

Uses Proposed:

1) The proposed uses are limited to commercial and office.

Offered Conditions:

- 1) The architecture will follow the motif presented in the attached color elevations.
- 2) A 50' Class "D" buffer will be provided along the east property boundary with Cambridge Commons.
- 3) Building locations shall follow what is depicted on the approved conceptual master plan.
- 4) Developer agrees to not establish restaurant use on the building along the east property boundary adjoining the Cambridge Commons subdivision.



KEYSTEEL

Company's Legal Name: Keysteel Corp.

Company Representative: Asesoria de Negocios Leal LLC

Name and Title: Nicolas Leal

Address: 18900 W Industrial Pkwy, New Caney, TX 77357

Phone: 281-572-2536

Email: <u>nleal@keysteelwire.com</u>
Website: <u>www.keysteelwire.com</u>

State of Incorporation: Texas

Nature of Business: Manufacturing

Current Operations in Cabarrus County (y/n): n

Proposed New or Additional Cabarrus Facility:

Address/Location: 4758 Poplar Tent Rd., Concord NC 28027

Square Feet: Will build 70,000 SF facility.

Lease or Purchase: purchase

Project Summary:

Construction of a manufacturing Plant 70,000 SF for construction related products made from steel wire. Manufacture welded wire reinforcement products. http://www.keysteelwire.com/

Investment – Total Investment: \$10-12M

Real Property: \$6-8M Personal Property: \$4M

Timing of Investment (provide breakdown of investment for each year):

Investments made in 2022 and 2023

When will project be in operation?: Q4/2023

New Job Creation Full Time: 10-15

Average Wages: \$48,000 Benefits Offered (y/n): y

Utility Requirements (if known):

Electric: 40,000 Kw/h per month approx. Water (GPD): 10,000 gallons/month Wastewater (GPD): less than 1,000 GPD

Natural Gas: N/A

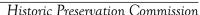
Keysteel



City of Concord Economic Development Grant Analysis

	Year 1
	\$6,000,000
	\$3,600,000
\$4,000,000.00	\$3,600,000
	\$46,080
	\$39,168
	\$6,912
Taxes	\$ 46,080
Grant	\$ 39,168
Net Taxes to City	\$ 6,912
	_
	Taxes Grant

Note: Grants Subject to governmental body approval.





DATE: July 13, 2022

SUBJECT:

Local Landmark Designation Request: LLD-01-22

Applicant: Justin Mueller, Morris Building, LLC Location of Subject Property: 48-56 Union St S & 41 Market St SW

IN: 5620-97-1613

Staff Report Prepared by: Brad Lagano, Senior Planner

BACKGROUND

• The subject property is the P.M. Morris Building located at 48-56 Union St S & 41 Market St SW (Attachment B).

- Date of Construction: 1904
- The Local Historic Landmark Designation Report states, "Erected for brothers Z. A., W. L., and W. W. Morris and named in honor of their father, farmer, merchant, and real estate investor Phileman Milton Morris (1828-1902), the three-story-on-basement masonry edifice manifests Concord's early-twentieth-century growth and prosperity through its size, exterior embellishment, and prominent location near the courthouse and municipal offices. When finished in early 1904, it was one of the largest and most sophisticated commercial buildings in the central business district. The upper two stories of the nine-bay three-section facade display classical stylistic elements including smooth-stone pilasters with egg-and-dart capitals, brick pilasters with Ionic capitals and keystoned round arches, shield-and-foliate spandrels with egg-and-dart borders, banded-brick, segmental- arched third-story lintels ornamented with robust scroll keystones, and an egg-and-dart belt course. Paired one-over-one double-hung-wood second-story sash surmounted by rectangular two-pane transoms and flat lintels and shorter third-story paired one-over-one sash with fanlights illuminate the interior. One-over-one double-hung-wood sash windows and tall, narrow, sidehinged, wood-frame sash punctuate the more simply executed painted-brick secondary elevations. The remarkably intact upper floors retain hardwood floors; plaster walls; narrow-board and plaster ceilings; molded wood door and window surrounds, baseboards, chair rails, and cornices; singleleaf three-panel and five-horizontal-panel doors surmounted by square glazed transoms; and painted-wood stair railings comprising paneled newels with round finials, slender turned balusters, and molded handrails" (Attachment C).
- Applicant's request: local landmark designation by the City of Concord (Attachment A).
 - * Note: Local Landmarks are sites, structures, or objects determined by individual jurisdictions to have Historic Significance worthy of Local recognition and protection. Local Landmarks are enacted by ordinance for Zoning Map Amendment and which creates a historic zoning overlay in addition to the existing underlying zoning district. Local Landmarks and the zoning overlay make any proposed changes to the designated site/structure/object subject to Historic Preservation Commission review and approval. If the Local Landmark is approved, the property also becomes eligible for 50% tax deferral.

DISCUSSION

On March 25, 2022, Justin Mueller with Morris Building, LLC, applied for local landmark designation status for the P.M. Morris Building. Per the Local Historic Landmark Designation Report, the P.M. Morris Building contributes to the significance of the South Union Street Courthouse and Commercial Historic District, listed in the National Register of Historic Places on September 30, 1997. The district's

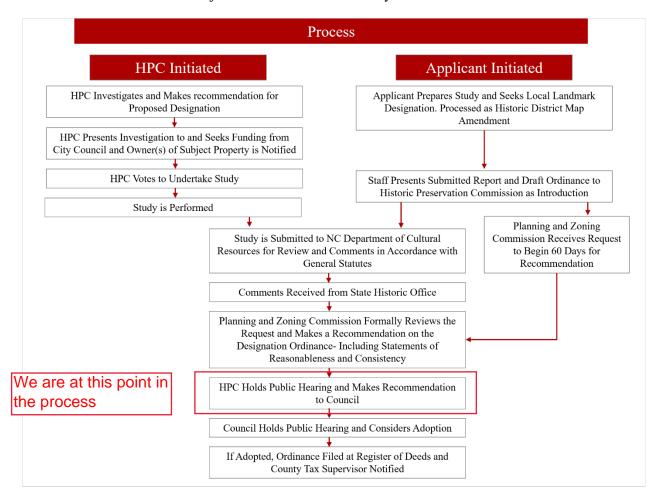
LLD-01-22

period of significance is 1875 to 1947. The rehabilitation that commenced in February 2022 will preserve character-defining architectural features per the Secretary of the Interior's standards (Attachment C).

Local historic landmark designations are designed to provide protection to historic resources that may or may not be in a local historic district and are authorized by NCGS 160D-945. This is the first review in the process and there are two critical documents for review and recommendation: the designation ordinance and the designation report.

The ordinance is subject to review by the Planning and Zoning Commission in addition to the Historic Preservation Commission.

City Council is the final approval authority for the designation ordinance, but both the Historic Preservation Commission and City Council hold a public hearing on the ordinance. The report of the Historic Preservation Commission is subject to review and comment by the State Historic Preservation Office.



PROCESS UPDATE

 June 17, 2022 – received letter and comments concerning the Local Historic Landmark Designation report from the NC Department of Natural and Cultural Resources, State Historic Preservation Office (SHPO) division (Attachment D).

- Architectural Survey Specialist Jeff Smith reviewed the information in the report and offers the following comments:
 - The local landmark designation report for the P.M. Morris Building (CA0110) in the South Union Street Courthouse & Commercial Historic District (CA0897) in downtown Concord presents the majority of the required report components as enumerated in the Checklist for Submitting a Local Designation Report to the NC HPO.
 - A thorough evolution of the site itself is presented as well as a thorough history of the Morris Building and its tenants.
 - A Morris family history is also included in the report.
 - The Integrity Statement discusses changes to the building over the course of its history; however, the statement could provide additional details with a statement that is specific to each facet of integrity.
 - The report photographs help to illustrate the exterior and interior integrity and provide details of any alteration to the building's exterior and interior.
 - An architectural context provides an analysis of the Classical Revival style within the local commercial district and establishes its significance within the local landscape.
 - Finally, the "Designation Parameters" (page 26) details those items to be considered for landmark designation (exterior and interior but does not address the commission's jurisdiction). For this reason, placement of this information within the body of the report could follow the statement of integrity.
- June 21, 2022 Planning and Zoning Commission considered SHPO's comments as well as the Designation Ordinance and voted to recommend the Historic Preservation Commission and City Council hold public hearings and recommendation of designation.

ATTACHMENTS

Attachment A: Local Landmark Designation Application

Attachment B: Subject Property Map

Attachment C: Local Historic Landmark Designation Report

Attachment D: NCDCR/SHPO Formal Letter

Attachment E: Designation Ordinance

RECOMMENDATION:

- 1. Discuss SHPO's comments and the Designation Ordinance.
- 2. Recommend the Designation Ordinance to City Council for public hearing, consideration, and adoption.



Application for Historic District Amendment

	Applicant Name: Justin Mueller, Morris Building, LLC Applicant Address: 51 Union Street South, Suite 100
3.	Applicant City: Concord State: NC Zip Code: 28205
4.	Applicant Telephone: (704) 578-5688
5.	Name and address of owner (if different from applicant):
7. 8. 9.	Location of Subject Property: (a) Street Address: 48-56 Union Street South, 41 Market Street (b) Cabarrus County P.I.N.: 5620-97-1613-0000 Area of Subject Property (acres or square feet): 0.47 acre Current Zoning Classification: Commercial Existing Land Use: Surrounding Land Use: North: Commercial South: Commercial East: Commercial West: Commercial Reason(s) for requesting a Historic District Amendment: Local historic landmark designation
	Required Attachments/Submittals
	•
1.	Typed metes and bounds description of subject property. A property deed is sufficient, provided the deed
•	describes only the subject property.
2.	Cabarrus County Land Records printout of names and addresses of all immediately adjacent property owners, including any directly across a street.

Certification

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for the proposed amendment rests with the applicant.

March 25, 2022
Date

Application fee is nonrefundable

Planning & Neighborhood Development

66 Union St S P. O. Box 308 Concord, NC 28025

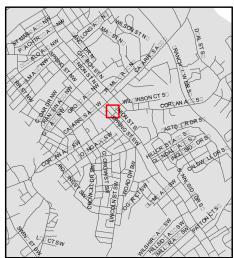
Phone (704) 920-5152 Fax (704) 786-1212 www.concordnc.gov



LLD-01-22

48-56 Union St S & 41 Market St SW

PIN: 5620-97-1613





Source: City of Concord Planning Department

Disclaimer

These maps and products are designed for general reference only and data contained herein is subject to change. The City Of Concord, it's employees or agents make no warranty of merchantability or fitness for any purpose, expressed or implied, and assume no legal responsibility for the information contained therein. Data used is from multiple sources with various scales and accuracy. Additional research such as field surveys may be necessary to determine actual conditions.

LLD-01-22 Attachment B

LOCAL HISTORIC LANDMARK DESIGNATION REPORT



P. M. Morris Building

48-56 Union Street South, 41 Market Street

Prepared for the City of Concord Historic Preservation Commission

by Heather Fearnbach, Fearnbach History Services, Inc. 3334 Nottingham Road Winston-Salem, NC 27104

March 2022

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Statement of Significance

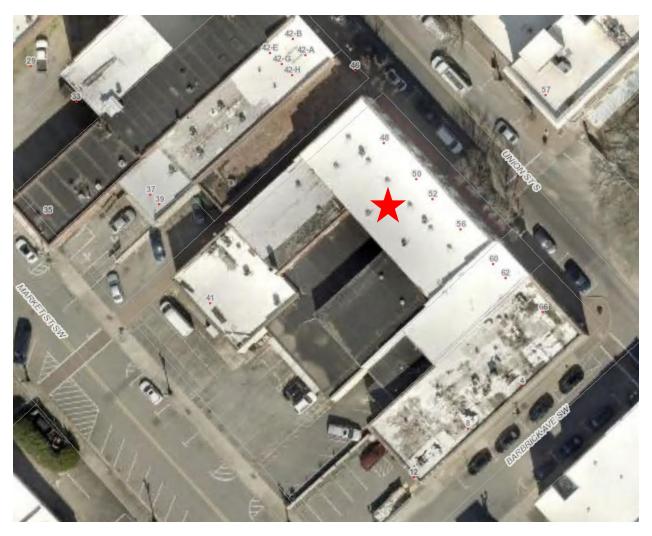
This report demonstrates that the P. M. Morris Building at 48-56 Union Street South and 41 Market Street possesses the requisite integrity and significance for local historic landmark designation. Erected for brothers Z. A., W. L., and W. W. Morris and named in honor of their father, farmer, merchant, and real estate investor Phileman Milton Morris (1828-1902), the three-story-on-basement masonry edifice manifests Concord's early-twentieth-century growth and prosperity through its size, exterior embellishment, and prominent location near the courthouse and municipal offices. When finished in early 1904, it was one of the largest and most sophisticated commercial buildings in the central business district. The upper two stories of the nine-bay three-section façade display classical stylistic elements including smooth-stone pilasters with egg-and-dart capitals, brick pilasters with Ionic capitals and keystoned round arches, shield-and-foliate spandrels with egg-and-dart borders, banded-brick, segmentalarched third-story lintels ornamented with robust scroll keystones, and an egg-and-dart belt course. Paired one-over-one double-hung-wood second-story sash surmounted by rectangular two-pane transoms and flat lintels and shorter third-story paired one-over-one sash with fanlights illuminate the interior. One-over-one double-hung-wood sash windows and tall, narrow, side-hinged, wood-frame sash punctuate the more simply executed painted-brick secondary elevations. The remarkably intact upper floors retain hardwood floors; plaster walls; narrow-board and plaster ceilings; molded wood door and window surrounds, baseboards, chair rails, and cornices; single-leaf three-panel and five-horizontal-panel doors surmounted by square glazed transoms; and painted-wood stair railings comprising paneled newels with round finials, slender turned balusters, and molded handrails.

The building is also commercially significant as it housed professionals and businesses that contributed to the community's economic vitality from early 1904 until February 2022. Bell and Harris Furniture Company, Cabarrus Savings Bank, and Western Union Telegraph Company occupied the first-floor storefronts soon after the building's completion. Cabarrus Savings Bank, established in 1897, was the north storefront tenant from April 1904 until occupying the newly constructed five-story Classical Revival-style building across the street in 1924. Bell and Harris, also founded in 1897, operated one of Concord's most successful early-twentieth-century retail establishments in the south storefront from May 1904 until 1924, supplying furnishings, appliances, and funeral equipage and services. Julius Fisher and Company sold household furnishings and women and children's clothing in the central storefront from 1912 until 1934. J. C. Penney Company occupied the storefront that comprises the south half of the first floor from around 1928 until October 1987. Charles Stores Company, a department store, remained in the north storefront from the late 1930s until the late 1970s. Myriad entrepreneurs including accountants, insurance agents, lawyers, physicians, and other professionals leased offices on the upper two floors.

The P. M. Morris Building contributes to the significance of the South Union Street Courthouse and Commercial Historic District, listed in the National Register of Historic Places on September 30, 1997. The district's period of significance is 1875 to 1947.

The rehabilitation that commenced in February 2022 will preserve character-defining architectural features per the Secretary of the Interior's standards.

The local historic landmark boundary encompasses 0.47-acre Cabarrus County tax parcel number 5620-97-1613-0000.



P. M. Morris Building indicated with a red star 2021 aerial from City of Concord Planning Department Mapping System https://maps.concordnc.gov

Site

Central Concord's street grid is rotated approximately thirty degrees from true cardinal direction alignment. However, for the purposes of this document the following description is written as if the building's primary façade fronting Union Street South is the east elevation.

Setting

The three-story-on-basement commercial building occupies a prominent location on Union Street South's west side in downtown Concord's business district. A concrete-paver sidewalk with at-grade planting beds containing deciduous trees and granite curbing spans the distance between the façade and the street. The edifice is situated on a 0.47-acre tax parcel that spans the block between Union Street South and Market Street, encompassing the asphalt-paved parking lot west of the building. The narrow alley adjacent to the north elevation containing a concrete-paver walkway, concrete-paver sidewalk east of the building, and poured-concrete sidewalk lining Market Street that border the parcel boundary are in the municipal right-of-way.

Neighboring buildings within the South Union Street Courthouse and Commercial Historic District include the five-story 1924 Classical Revival-style Cabarrus Savings Bank at 57 Union Street South (east of the P. M. Morris Building) that occupies the northeast corner of the courthouse square. The two-story brick circa 1885 commercial building at 60-62 Union Street South that abuts the P. M. Morris Building's south elevation housed municipal offices on the first floor from around 1892 until 1904. The second story served as a lodge hall. The district also includes the two-story, brick, Modernist, 1957 building with ribbon windows at 66 Union Street South that functioned as City Hall and then as an office annex for the City of Concord Municipal Building located at 26 Union Street South. Architect George A. Griffin designed the 1957 building to replace the three-story brick town hall, fire department, and opera house erected on the site in 1903. The extensive rehabilitation that commenced in 2021 will add a Classical modillion cornice and alter fenestration. Late-nineteenth and early- to mid-twentieth-century commercial and office buildings fill the surrounding area.



Northeast oblique all photographs taken by Heather Fearnbach on February 14, 2022

P. M. Morris Building

The P. M. Morris Building originally had a rectangular footprint encompassing a three-story east section and two-story west wings flanking a central one-story wing. Sanborn maps and aerial photographs illustrate that two one-story-on-basement rear additions were erected between 1930 and 1947. It is likely that the additions were constructed in two phases.

The North Carolina State Historic Preservation Office and the National Park Service approved the scope of work for the rehabilitation that will commence in March 2022. The project will be executed in compliance with the Secretary of the Interior's Standards.



East elevation

Exterior

The nine-bay white-painted brick-and-stone façade features Classical Revival stylistic elements commonly employed in early-twentieth-century commercial architecture. The first story comprises two storefronts and a central stair hall. Six rusticated-stone pilasters and two smooth-stone Ionic columns originally framed the recessed entrances. However, the two rusticated-stone pilasters at the south storefront's outer edges are the only survivors of the mid-twentieth-century first-story remodeling. At that time, aluminum-frame plate-glass display windows with small-square-tile kneewalls; a deeply recessed aluminum-frame double-leaf door, sidelights, and transom, and a patterned variegated-taupeand-brown small-square-tile floor were installed in the south bays. The stair entrance retains the original double-leaf door, prismatic-glass transom, and square-stone-tile floor fronted by a brass plaque embossed with "P. M. Morris" in capital letters. The black-painted-aluminum-frame plate-glass north storefront was most recently updated in 2015, when the base of the square central post and the low kneewalls beneath display windows were veneered with rough-face sandstone. Two aluminum-frame double-leaf doors with sidelights and transoms are recessed in the central bay, which has a mid-twentieth-century terrazzo floor. Prismatic-glass transoms originally topped each storefront. Painted plywood has covered the transom openings since the mid-twentieth century. Around 2000, straight-slope aluminum-frame canvas awnings were mounted within the storefront openings, replacing mid-twentieth-century flat metal canopies.² A classical entablature comprising a molded architrave, flat frieze, and egg-and-dart cornice spans the façade between the first and second stories.

On the two upper stories, classical smooth-stone pilasters with egg-and-dart capitals frame three-bay brick sections. The central section, where brick pilasters with Ionic capitals rise to keystoned round arches, is the most elaborately executed. Each bay contains tall second-story paired one-over-one double-hung-wood sash surmounted by rectangular two-pane transoms and flat lintels, a shield-and-foliate spandrel with an egg-and-dart border, and shorter third-story paired one-over-one sash with fanlights. The banded-

¹ Historic photographs and postcards illustrate that the south section had previously encompassed two storefronts with canted display windows flanking recessed double-leaf doors.

² John H. McCrimmon Jr., conversations with Heather Fearnbach, February 2022.

brick side sections feature segmental-arched third-story lintels with robust scroll keystones. An egg-and-dart belt course spans the façade above the third-story windows. Terra-cotta coping caps the flat parapet. The elaborate projecting classical cornice and central pedimented gable that topped the façade were removed in the mid-twentieth century. The masonry was likely first painted at the same time.





North elevation looking west (left) and east (right)

The secondary elevations are more simply executed in six-to-one common-bond brick that has also been painted. Terra-cotta coping tops the stepped north and south parapets. The north elevation, which fronts a narrow alley, was embellished in 2013 with bronze plaques and scenic screen-printed aluminum panels that describe and illustrate important events in Concord's history. The City of Concord also installed a "Union-Market Passageway" sign above the east entrance of the alley, which provides pedestrian egress between Union Street South and Market Street. Gooseneck sconces light the passage. Although the scenic panels cover brick-filled first-floor window openings, tall one-over-one double-hung-wood sash windows with cast-stone sills remain on the main block's second and third stories and tall, narrow, sidehinged, wood-frame sash on the two-story wing's upper floor.

On the main block's west elevation and the two-story wing's north and south elevations, tall, narrow, side-hinged, wood-frame sash fill most window openings. A few are covered with painted plywood. The main block's west wall, the south wall of the north wing, and the north wall of the south wing are sheathed with painted metal panels stamped to emulate brick.

³ The screen-printed aluminum panels replaced scenes directly painted by local artists on the brick window fill in the late 1990s. Starla Rogers, Planning and Development Manager, City of Concord, email correspondence with Heather Fearnbach, February 28, 2022.

P. M. Morris Building Local Historic Landmark Designation Report Fearnbach History Services, Inc. / March 2022



West elevation, upper stories of main block and wings (above) and southwest oblique (below)



The north addition's six-to-one common-bond brick walls have been painted. The north and south elevations are blind. On the west elevation, painted plywood covers short square one-story window openings and second-story openings that contained one-over-one sash. All window openings have slightly projecting header-course sills. A single-leaf steel door is located at the first-story's center.

The slightly shorter painted-brick south addition is about half the size of the north addition. The flat metal canopy that spans most of the west elevation shelters the double-leaf aluminum-frame first-floor door, straight run of steel steps that rise to the steel landing at the entrance, and basement entrance. A triple-header-course segmental-arched lintel surmounts the single-leaf steel basement door.

Interior



South section, looking east (above) and north section, north room, looking east (below)



First Floor

The first floor encompasses a central hall and two large commercial spaces that have been remodeled numerous times. The predominantly open south storefront is characterized by painted plaster walls and exposed painted cast-iron structural columns. Acoustical-tile ceilings, commercial-grade carpeting, and the rear frame mezzanine accessed via the southwest corner stair were added during J. C. Penney's tenure (circa 1928 until 1987). The north storefront, completely renovated in 2005 for use as Union Street Bistro, encompasses two large dining rooms, a southeast corner bar and dining area, central restrooms, a northwest kitchen, and a southwest storage room. Finishes include acoustical-tile ceilings, commercial-grade carpeting in dining rooms, and painted gypsum-board walls.

Second and Third Floors

The original upper-floor plan is substantially intact. Offices flank central corridors on both floors. The central stair rises in a straight run with a central landing to the second-floor north-south corridor. The stair hall's plaster walls are embellished with a wood baseboard and molded chair rail. Wood handrails and commercial-grade stair carpeting have been installed. The painted-wood railing at the second-floor landing features paneled newels with round finials, slender turned balusters, and a molded handrail. The stair between the second and third floors retains a matching railing, although it was enclosed in 1990 to comply with fire safety regulations.

Original finishes include hardwood floors, plaster walls, plaster and narrow-board ceilings, and molded wood door and window surrounds, baseboards, chair rails, and cornices. The third floor's narrow-board ceiling is exposed in the corridor and some offices. Single-leaf three-panel and five-horizontal-panel doors are surmounted by square glazed transoms, most of which have been enclosed. Offices are typically small, with interior doors that allowed for suite creation. The south wing's second floor is a large open room punctuated by central painted cast-iron columns. Acoustical-tile and gypsum-board ceilings, commercial-grade carpeting, vinyl-composition floor tiles, and storage areas, kitchens, and restrooms with painted gypsum-board walls have been added in some areas. A small original restroom with painted beadboard partition walls and white porcelain fixtures remains on the south side of the north wing's east-west corridor.

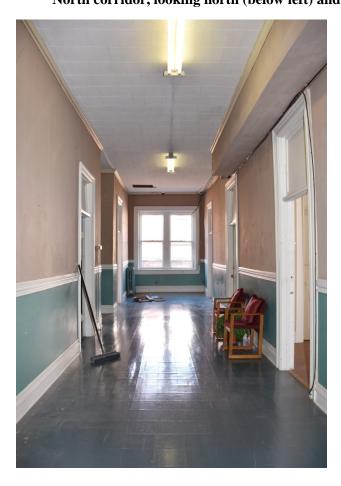


Second floor, central corridor, looking south



Second floor, southwest room, looking west (above)

North corridor, looking north (below left) and northeast office 12, looking west (below right)





P. M. Morris Building Local Historic Landmark Designation Report Fearnbach History Services, Inc. / March 2022



Northeast office 12, looking east (above)

Stair between second and third floors (below left) and third-floor corridor, looking south (below right)





P. M. Morris Building Local Historic Landmark Designation Report Fearnbach History Services, Inc. / March 2022

Basement

The low-ceilinged basement contains three sections of numerous small rooms flanking corridors. Most areas have painted masonry exterior walls, poured-concrete floors, and exposed wood ceiling joists. Painted narrow board and gypsum board sheathe some ceilings. The southwest office suite is finished with acoustical-tile and gypsum-board ceilings, gypsum-board and faux-wood-paneled walls, and vinyl-composition-tile floors. A double-leaf six-panel wood door hangs in the entrance on the south addition's west wall. A supplementary exterior door was added for security purposes.



Northeast room, looking east (above) and central south room, looking east (below)



Integrity Statement

The P. M. Morris Building is one of the most sizable and intact early-twentieth-century structures in Concord's central business district. Although façade cornice and central parapet removal, storefront replacement, and brick and stone painting, all executed to reflect mid-twentieth-century stylistic trends, have altered the building's appearance; many character-defining features remain. The central stair entrance retains the original double-leaf door, prismatic-glass transom, and square stone-tile floor fronted by a brass plaque embossed with "P. M. Morris" in capital letters. The upper two stories of the nine-bay three-section façade are distinguished by classical features including mooth-stone pilasters with egg-and-dart capitals, brick pilasters with Ionic capitals and keystoned round arches, shield-and-foliate spandrels with egg-and-dart borders, banded-brick, segmental-arched third-story lintels ornamented with robust scroll keystones, and an egg-and-dart belt course. Paired one-over-one double-hung-wood second-story sash surmounted by rectangular two-pane transoms and flat lintels and shorter third-story paired one-over-one sash with fanlights illuminate the interior. One-over-one double-hung-wood sash windows and tall, narrow, side-hinged, wood-frame sash punctuate the more simply executed painted-brick secondary elevations.

The second- and third-floor plans are substantially intact. Offices flank central corridors on both floors. Original finishes include hardwood floors, plaster walls and ceilings, narrow-board ceilings, and molded wood door and window surrounds, baseboards, chair rails, and cornices. The third floor's narrow-board ceiling is exposed in the corridor and some offices. Single-leaf three-panel and five-horizontal-panel doors are surmounted by square glazed transoms, most of which have been enclosed. The painted-wood railing at the second-floor stair landing features paneled newels with round finials, slender turned balusters, and a molded handrail. The stair to the third floor retains a matching railing, although it was enclosed in 1990 in compliance with fire safety regulations.

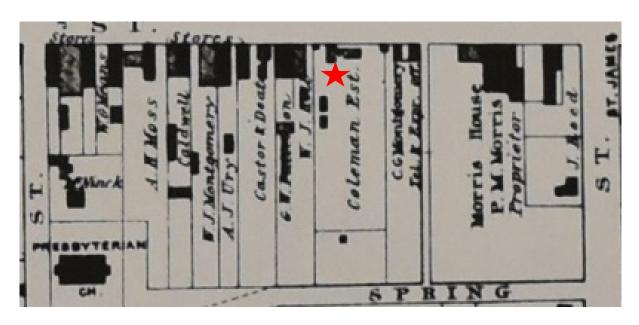
Historic Background

Morris Family

Prominent businessman Phileman Milton Morris (1826-1902) owned farms and real estate in Cabarrus and Mecklenburg counties including the two-story brick commercial building at what is now 78-82 Union Street South in Concord. The frame building of undetermined date that stood on the site by the early 1870s was known as the Concord Hotel until 1877, when it was enlarged and remodeled by contractor Willis W. Robinson and renamed "Morris House." The establishment was regularly renovated, expanded, and renamed through the early twentieth century. A series of proprietors including J. M. Blair, J. M. Cross, S. L. Kluttz, R. W. Bigger, and H. L. Williams leased the hotel on an annual basis. A two-story six-room annex completed in January 1902 resulted in a total of thirty rooms. The interior was concurrently painted and wallpapered and an electric bell system and new furnishings and appliances were installed. Another two-story brick addition was erected in May 1902. During that year, the hostelry was known as the Miltonian Hotel under R. W. Bigger's oversight. When H. L. Williams assumed management in January 1903, it became the Leland Hotel. It is unclear how much of the earlier structure remains in the building at 78-82 Union Street South, which achieved its current appearance in 1906 when dramatically remodeled by contractors Ed Misenheimer and John Bulla. The façade was replaced, floors lowered, and interior reconfigured to serve as a U. S. Post Office on the first floor and a Benevolent and

Protective Order of Elks (BPOE) lodge on the second floor.⁴

P. M. Morris also commissioned the construction of the adjacent two-story brick commercial building at 70-74 Union Street South. Contractors laid the foundation in late October 1890 and finished work in April 1891. One of his family's businesses, Morris Hardware Company, which offered a wide array of building materials, household goods, buggies, wagons, and farm machinery, occupied a storefront until January 1904. The concern then sold its hardware inventory and leased the retail space to another merchant, but continued to sell conveyances and equipment. Tenants through the early twentieth century included a printing company, photographer, undertaker, and furniture, grocery, and general merchandise stores.⁵



The red star indicates the 1904 P. M. Morris Building's location on Philadelphia cartographer O. W. Gray and Son's 1882 map of Concord.

Morris House, the hotel owned by P. M. Morris, is to the south (right).

After P. M. Morris died in October 1902, his sons Zebulon Alexander, William Lee Meek, and Williamson Wallace Morris, all already involved with the family businesses, inherited much of his property. The men already owned sizable farms and other real estate and continued to increase their holdings. To that end, the brothers established P. M. Morris Realty Company in March 1906. Z. A. Morris (1860-1948) had returned to Concord after graduating from Davidson College in 1882 and studying law at the University of Virginia. He managed the family's hardware store at 70-74 Union Street South until it closed in 1904 and was president of Cabarrus Mutual Fire Insurance Company. He was an

⁴ "North Carolina News," *Southern Home* (Charlotte), February 12, 1877, p. 2; "Blair's Hotel," *Concord Register*, April 7, 1877, p. 4; "Morris House," *Concord Register*, June 2, 1877, p. 4; "Improvement," *The Sun* (Concord), February 6, 1877, p. 3; "P. M. Morris," *Charlotte Democrat*, January 23, 1880, p. 2; "Morris House," *Concord Times* (hereafter abbreviated as *CT*), May 9, 1890, p. 1; "Concord's New Hotel," *Charlotte Daily Observer*, March 5, 1902, p. 7; "Addition to the Miltonian Hotel," *The Standard*, May 8, 1902, p. 3; "Miltonian Under New Management," *CT*, January 8, 1903, p. 2; "Post Office Rooms Found," *CDT*, July 14, 1906, p. 1; *CDT*, July 30, 1906, p. 4, and August 3, 1906, p. 4.

⁵ *The Standard*, October 23, 1890, p. 3; *CT*, April 2, 1891, p. 3; *The Standard*, January 29, 1891, p. 3; "The Morris Hardware Company," *CT*, November 21, 1895, p. 3.

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active member of First Presbyterian Church, where he taught Sunday school. W. L. Morris (1863-1956), an 1886 Davidson College graduate, represented Cabarrus County in the North Carolina House of Representatives in 1911-1912 and Senate in 1915-1916. He chaired P. M. Morris Realty Company's board of directors, served as a trustee for Mitchell College in Statesville, and was a founding member and elder of Patterson Presbyterian Church. W. W. Morris (1870-1934) also attended Davidson College. Following his 1892 graduation, he became an educator and one-term (1901-1902) legislator in the North Carolina House of Representatives. He headed a private school in Concord from September 1903 through May 1915 and was a trustee of the Concord Public Library and First Presbyterian Church. All three men were highly regarded community leaders.

P. M. Morris Building

The Morris brothers announced plans to erect an expansive commercial building on Union Street South's west side in February 1903. The one-acre tract, which contained six frame buildings, had been jointly owned by the Morris family and African American entrepreneur Warren C. Coleman and his wife Jane until January 14, 1903, when the Morris brothers purchased the Coleman's half-interest for \$5,250. The Morrises soon had architectural drawings rendered for the new building, but newspaper accounts do not identify the architect. However, in January 1904, when the brothers considered enlarging their complex at 70-82 Union Street South that housed the Leland Hotel and other commercial establishments, McMichael and Hunter of Charlotte, headed by J. M. McMichael and Leonard L. Hunter, drew plans for an unrealized expansion that would have added a third floor. The Morrises thus may have commissioned the firm to design the building they named in memory of their recently deceased father P. M. Morris. 9

However, other Charlotte architects, notably Hook and Sawyer, headed by Charles C. Hook and Frank M. Sawyer, were also working in Concord during the early-twentieth century. The firm designed neighboring Union Street structures including City Hall and the Pythian Building, both completed in 1903, as well as the 1902 graded school. The contractors who undertook the P. M. Morris Building's construction are also unidentified. Prolific Concord builders at that time include A. H. Propst, who was awarded the graded school contract. City Hall was erected by craftsmen employed by brick manufacturer and mason R. A. Brown and carpenter D. A. Caldwell. The crews of R. A. Brown and A. H. Propst constructed the Pythian Building. ¹⁰

The P. M. Morris Building site was readied following June 1903 demolition of the existing frame buildings. Cabarrus Savings Bank, Bell and Harris Furniture Company, and Western Union Telegraph

⁶ Cabarrus County Will Book 4, p. 465; "Cabarrus Mutual Fire Insurance Company," *CT*, March 18, 1903, p. 5; "Morris Hardware Store Going Out of Business," *CT*, January 8, 1904, p. 3; "Death Takes Zeb A. Morris," *CDT*, October 15, 1948, pp. 1-2.

⁷ "Local and Otherwise," *CT*, August 12, 1903, p. 3; "Williamson W. Morris," *News and Observer* (Raleigh), June 25, 1934, p. 2; "Mr. Morris Dies, Funeral Set Today," *CDT*, April 30, 1956, pp. 1-2; John L. Cheney Jr., *North Carolina Government, 1585-1979: A Narrative and Statistical History* (Raleigh: North Carolina Department of the Secretary of State, 1981), 479, 488, 492.

⁸ "Death of Mr. P. M. Morris," *CT*, October 16, 1902, p. 5; "Another Handsome Block," *CT*, February 12, 1903, p. 3; "Important Real Estate Deal," *CT*, January 22, 1903, p. 3; *CT*, February 5, 1903, p. 3; Cabarrus County Deed Book 60, p. 148.

⁹ Following McMichael and Hunter's brief partnership in 1903-1904, the men each established independent firms. J. M. McMichael rendered plans in 1904 for the First Presbyterian Church on West Depot Street completed by contractor R. A. Brown in 1905 and in 1909 for a Baptist church at Gibson Mill. "Morris Bros. to Erect a New Hotel," *CT*, January 5, 1904, p. 3; "New Presbyterian Church," *CT*, March 7, 1905, p. 5; *CT*, March 25, 1900, p. 5.

¹⁰ "New Central Graded School Building," *CT*, March 6, 1902, p. 3; "Our New Central Graded School Building," *CT*, March 20, 1902, p. 3; *CT*, July 3, 1902, p. 3; *DS*, August 4, 1902, p. 2; "Our New City Hall," *CT*, August 7, 1902, p. 3; "Concord's New City Hall," *CT*, August 21, 1902, p. 3; "New Site for the Town Hall," *CT*, September 18, 1902, p. 3;

Company occupied the first floor soon after the building's spring 1904 completion. Cabarrus Savings Bank, established in 1897, leased the north storefront from April 1904 until occupying its newly constructed five-story Classical Revival-style building directly across the street at 57 Union Street South in 1924. The Concord Perpetual Building and Loan Association, organized in 1888, shared the bank's space. Western Union Telegraph Company was located at the north storefront's south end, adjacent to the central stair. Bell and Harris Furniture Company, also founded in 1897, operated one of Concord's most successful retail establishments in the south storefront from May 1904 until moving to 29 Cabarrus Avenue East in 1924. The concern supplied furnishings, appliances, and funeral equipage and services. The June 14th grand opening was enlivened by piano and gramophone music. 11

Myriad entrepreneurs including physicians, lawyers, and other professionals leased offices on the upper two floors, many relocating from other downtown locations. New York-based J. W. Larrabee and Company, a bucket purveyor, opened an office in early May 1904. At the end of that month, physician J. S. Lafferty occupied rooms 15 and 16 east of the second-floor stair landing. Attorney Luther T. Hartsell leased a third floor office in June. Insurance and real estate agent Thomas J. White and attorneys Adams, Armfield, Jerome, and Maness followed in July. 12

In January 1905, contractor C. C. Whitaker remodeled portions of each floor to serve as the Normandy Hotel, which was operated by V. L. Norman from mid-February 1905 until July 1906. Guests during the first two days were from Alabama, Atlanta, Augusta, Charlotte, Columbia, Concord, Detroit, Florida, Lynchburg, New York, Philadelphia, and Washington, D. C. ¹³ Although the hostelry was short-lived at that location, upon its closure Norman assumed management of the three-story 1888 Concord National Bank-St. Cloud Hotel that stood on Union Street North's east side. The business was renamed the Normandy-St. Cloud Hotel. The Morris Brothers had purchased the building from J. W. Cannon in conjunction with the P. M. Morris Realty Company's March 1906 organization. ¹⁴

Some rooms on the P. M. Morris Building's second and third floors continued to house boarders, but most reverted to office use in late summer 1906. Tenants included the Cabarrus County Republican Executive Committee. By January 1907, Queen Café, managed by J. E. Clontz, began operating in the central portion of the first floor that had functioned as the hotel lobby and office. The eatery, which featured a lunch counter, soda fountain, and cigar stand, also provided dining service for boarders, to-go meals, and event catering. The establishment was replaced in late 1907 by offices of the Concord Tribune and its associated business Peoples Print Shop. Luther T. Hartsell, Thomas J. White, and Adams, Armfield, Jerome, and Maness remained upstairs office tenants in 1908, joined by brick manufacturer and building contractor R. A. Brown's Sons (established that year as the successor business to R. A. Brown and Sons), physician and surgeon L. N. Burleyson, Life Insurance Company of Virginia, Metropolitan Life Insurance Company, and Young-Hartsell Mills Company.

¹¹ "Local and Otherwise," *CT*, June 10, 1903, p. 5; "Cabarrus Savings Bank," *CT*, "Local and Otherwise," *CT*, May 27, 1904, p. 3; April 29, 1904, p. 2; "Grand Opening Day," *CT*, June 10, 1904, p. 2; "Our Building and Loan Association," *The Standard*, June 8, 1888, p. 3; Sanborn Map Company, "Concord," 1906-1947; *Miller's Concord, North Carolina, City Directories*, 1908-1920.

¹² CT, May 3, 1904, p. 3; "Notice of Removal," CT, May 31, 1904, p. 2; "Adams, Armfield, Jerome, and Maness," CDT, July 4, 1904, p. 2; "Insurance and Real Estate," CDT, July 8, 1904, p. 4.

¹³ CDT, January 18, 1905, p. 4; "Normandy's Guests," CDT, February 18, 1905, p. 2.

¹⁴ "New Hotel Situation," *CDT*, March 1, 1906, p. 1; "Trouble at Fourth of July Rally Near Concord," *Greensboro Daily News*, July 6, 1906, p. 3.

¹⁵ "Republican Headquarters in Normandy Building," *CDT*, September 25, 1906, p. 2; *CDT*, January 22, 1907, p. 4; "The Queen Café," *CDT*, May 17, 1907, p. 2;"Local and Otherwise," *CT*, January 14, 1908, p. 3; *Miller's Concord, North Carolina, City Directory*, 1908.

Campbell's School, a private high school headed by Reverend Wright G. Campbell, opened its first session in an upstairs suite in mid-September 1907. Campbell, a former pastor of St. James Lutheran Church in Concord, and his wife Mary had resided in Mechanicsburg, Pennsylvania, and Woodstock, Virginia after leaving Concord in 1893. The school only operated for the 1907-1908 term. In January 1909, Mary Campbell became the matron and Reverend Campbell a teacher at the newly opened Stonewall Jackson Manual Training and Industrial School near Concord. Morris High School, headed by W. W. Morris, was located in the building from November 1909 until May 1915. Morris had previously conducted the school, which he established in September 1903, in the academy building. 17

P. M. Morris Realty Company agreed to donate twenty-six feet of Barbrick Street (now Avenue) to the town in January 1911 with the understanding that the road would be paved and lined with concrete sidewalks. This action facilitated egress to the company's property fronting Barbrick Avenue just west of City Hall, where they engaged R. A. Brown's Sons to build three brick commercial buildings in January 1912 for uses including L. E. Lipe's garage and Cline Brothers Company's general store. The Concord Times-Tribune moved from the P. M. Morris Building to the Morris Realty Building at 78-82 Union Street South in mid-October 1912. Julius Fisher and Company, which sold dry goods and women's and children's clothing and accessories, leased the former Concord Times-Tribune storefront in January 1912 and remained until 1934. ¹⁸

Attorneys, dentists, accountants, insurance agents, and local organizations such as the Concord Merchants Association worked from upper-floor offices during the 1910s and 1920s. Following Bell and Harris Furniture Company's 1924 departure, J. C. Penney Company occupied the storefront that comprises the south half of the first floor around 1928. After Julius Fisher and Company closed in 1934, Purcell's Women's Clothing and Purcell's Beauty Salon leased the north storefronts. Office tenants in 1936 included optometrist Herbert W. Ritzman, Southern Nail Company, chemical purveyor Texas Sales Corporation, American National Insurance Company, New York Life Insurance Company, State Capital Life Insurance Company, and attorneys Albert B. Palmer, Charles S. Morgan Jr., Zebulon A. Morris Jr., and H. Sinclair Williams. During the late 1930s, Charles Stores Company, a department store, moved from 40 Union Street South to the north half of the P. M. Morris Building's first floor. The wall between the central and north storefronts was removed at that time. New office tenants by 1940 included the Charlotte Private Detective Association, Boy Scouts of America Central North Carolina Council, State Employment Service, Jefferson Standard Life Insurance Company of America, Home Security Life Insurance Company, bondsman J. Dan Stallings, and attorney Ephriam L. Shelton. By 1946, Princess Beauty Shop, Margie's Beauty Salon, the United States Soil Conservation Service, seamstress Magonia

¹⁶ The Campbells resided and managed facilities at Jackson Training School until Mary's sudden illness in October 1910. After her November death in Woodstock, Reverend Campbell remained in Virginia. "Mr. Campbell Again Resigns," *CT*, July 13, 1893, p. 3; "Reverend W. G. Campbell to Open a School Here," *CT*, July 30, 1907, p. 3; "School Notice," *CDT*, August 30, 1907, p. 2; "At the Training School," *CDT*, January 12, 1909, p. 1; "Death of Mrs. Campbell," *CT*, November 10, 1910, p. 1: "Rev. W. G. Campbell to Remain in Virginia," *CT*, December 1, 1910, p. 1.

^{1910,} p. 1: "Rev. W. G. Campbell to Remain in Virginia," *CT*, December 1, 1910, p. 1.

17 "Local and Otherwise," *CT*, August 12, 1903, p. 3; "Morris School Moves," *CDT*, November 6, 1909, p. 3; "Morris High School Closes," *CDT*, April 25, 1912, p. 1; *Miller's Concord, North Carolina, City Directory*, 1913; *DT*, September 8, 1913, p. 4

^{1913,} p. 4.

18 In April 1913, a one-story addition was erected at the Morris Realty Building to contain the Concord Times-Tribune's printing press. The addition's roof served as a terrace for the second-floor Elks Hall. "Barbrick Street to be Improved," *CT*, January 12, 1911, p. 1; *CDT*, October 9, 1912, p. 8; "The Times-Tribune Office Being Enlarged," *CDT*, April 18, 1913, p. 1.

Hughes, and dentist Stephen H. Strawn were among the upper-floor tenants. 19

Evans College of Commerce, founded in 1940 by Gastonia residents Raymond A. and Callie C. Evans, leased the entire third floor in March 1948 and remodeled it to create classrooms. The college, which also operated in Charlotte and Gastonia, began offering day and evening courses in subjects including accounting, advertising, business administration, investing, and real estate in late May. Presbyterian College graduate and World War II veteran W. D. Ratchford Jr. was president and manager of the Concord branch, which moved to 24 East Depot Street around 1959, until 1963, when J. Howard Graham assumed oversight and changed the school's name to Evans Business College. ²⁰

Office occupancy at the P. M. Morris Building was high through the 1950s, but declined thereafter. Second-floor tenants in the 1960s included Concord Finance Company, Alfred L. Hurt and Company, Louise Beauty Shop, Parents Institute, and the dental practice of H. H. Wellman and Son. During the early 1970s, Concord Finance Company, P. M. Morris Real Estate Company, attorneys Marshall B. Sherrin Jr. and Thomas K. Spence, and a U. S. Department of Agriculture Food and Nutrition Service branch occupied offices. Marshall Sherrin remained in 1975, joined by the Concord Optimist Club and National Life Brokers Association. Insurance agent Ed Palmer was the only office tenant other than P. M. Morris Real Estate Company in 1980. P. S. I. Carolina's Inc. and Capital Management Services leased rooms by 1985. P. M. Morris Real Estate Company remained until 1988. The third floor was vacant from 1963 through the 1980s. ²¹

Although Carolina Mall at 1480 North Concord Parkway opened in September 1972, drawing shoppers away from downtown, Charles Stores continued to operate in the north storefront through the late 1970s. Wise Fashions, Charm Clothing, and Linda B Fashions, owned by Linda G. Barkley, leased the north storefront during the 1980s. J. C. Penney remained in the south storefront until October 1987. The company then consolidated its Concord and Kannapolis stores at Carolina Mall.²²

Troutman Land Investments, Inc. bought the building from P. M. Morris, a limited partnership, on April 21, 1988. When the concern sold the property to Judy P. and John H. McCrimmon Jr. on May 13, 1990, most of the building was vacant. However, Al-Mar Ceramics and Stowe's Bonding Company occupied the north storefront and Lawing Realty was the sole office tenant. The north storefront tenants remained in 1995, joined by White's, an office supply and printing company. Your Gym leased the south storefront from 1990 until 2000, successively followed by Needles, a sewing notion purveyor, and Dice's Antiques. Union Street Bistro has occupied the north storefront and Tisun Beauty Supply and Charoz Beauty Salon the south storefront from 2005 until 2022. Upstairs rooms housed the Concord School of Tae Kwon Do, Fashion Paint Consultants, Town and Country Real Estate, and Colony Properties on the second floor and Quest Consultants (engineers) on the third floor. Myriad other professionals also leased offices until the

¹⁹ Baldwin Directory Company, *Baldwin's Concord, North Carolina, City Directories* (Charleston, South Carolina: Baldwin Directory Company, 1936-1946); Hill Directory Company, *Hill's Concord City Directories* (Richmond: Hill Directory Company, 1949-1980).

²⁰ Ibid.; "Geyer School is Purchased by R. A. Evans," *Charlotte Observer*, April 1, 1945, p. 8; "Evans College of Commerce," *Charlotte Observer*, July 22, 1945, Section 3, p. 8; Business School Set to Open in Concord," *Charlotte News*, March 29, 1948, p. 13A; "Commerce School Set," *Charlotte News*, May 22, 1948, p. 10.

²¹ Hill's Concord City Directories, 1960-1980; R. L. Polk and Company, Concord, North Carolina, City Directories (Detroit: R. L. Polk and Company, 1985-2020).

²² Ibid.; Jim Wrinn, "Penney Closing 2 Stores for Move," *Charlotte Observer*, October 4, 1987, p. 13.

Bell and Harris Furniture Company

The company's founders, Cabarrus County native William Levi Bell (1851-1930) and Montgomery County native William Randall Harris (1856-1942), were well-respected Concord businessmen in 1897, when they partnered to open a namesake furniture store. Bell, a furniture salesman and undertaker, had been employed for many years at the general mercantile established by J. W. and D. F. Cannon that was reorganized as Cannons, Fetzer, and Wadsworth in 1877 and Cannons and Fetzer Company in 1881. After Bell invested in the business, it traded as Cannons, Fetzer, and Bell. In 1895 Bell purchased inventory with the intention of opening his own furniture store. Instead, in January 1896 he sold the stock to Dry and Wadsworth, a Concord furniture purveyor since 1894, and worked as a salesman and embalmer for that company. In March 1897, Bell and Patterson Mills store manager W. R. Harris became Dry and Wadsworth's majority shareholders and renamed the enterprise Bell, Harris, and Company. The concern offered a wide variety of furnishings, appliances, and funeral equipage and services from a two-story brick South Union Street building by 1898.

The business incorporated as Bell and Harris Furniture Company in January 1901, with Bell as president, Harris secretary-treasurer, and J. W. and D. F. Cannon, C. A. Dry, and J. C. Wadsworth as directors. The concern moved from a South Union Street storefront where Cannon and Fetzer Company occupied the upper floor to the storefront adjacent to Gibson's drug store in January 1902. Bell headed the undertaking department, which had two hearses. He was a leader in the field, becoming the state's first licensed embalmer in September 1901 and serving on the North Carolina Funeral Directors and Embalmers' board for decades. He was also a director of the Retail Furniture Dealers' Association of North Carolina and the Southern Retail Furniture Association. ²⁶

Bell and Harris Furniture Company occupied a 20,000-square-foot showroom in the 1904 P. M. Morris Building at 48-56 South Union Street in May 1904 and expanded to neighboring Rowan County in 1905, opening a satellite store in Spencer. In May 1907, Bell partnered with Thomas Walter Summersett to establish an undertaking company in Salisbury. Thomas's father William B. Summersett had sold coffins, caskets, and other funerary goods at his furniture store since 1904. Summersett Undertaking Company handled that portion of the business after incorporating in April 1908 with Bell, T. W. and W. B.

²⁴ Newspaper advertisements and city directories also refer to the company with a singular "Cannon" in its name. "To the Public," *The Sun*, January 23, 1877, p. 2; "Third and Last Notice," *Concord Register*, February 25, 1881, p. 3.

²³ Cabarrus County Deed Book 663, p. 245; Deed Book 752, p. 202; Deed Book 15853, p. 344; R. L. Polk and Company, *Concord, North Carolina, City Directories*, 1985-2020; John H. McCrimmon Jr., conversations with Heather Fearnbach, February 2022.

²⁵ Daily Standard (Concord; hereafter abbreviated DS), December 23, 1895, p. 3; "Considerable Excitement," DS, June 4, 1895, p. 1; "Concord," Charlotte Observer, November 7, 1895, p. 1; "New Furniture Store," CT, December 19, 1895, p. 3; "Concord in Print," DS, December 24, 1896, p. 1; CT, January 28, 1897, p. 3, and March 18, 1897, p. 3; "An Important Business Change," DS, March 3, 1897, p. 1; "The Furniture Store Changes Hands," CT, March 4, 1897, p. 3; "Bell, Harris, and Company," CT, March 10, 1898, p. 4; "Candidates and Furniture," CT, December 8, 1898, p. 5; "Harris, 84, is Claimed by Death," Asheville Citizen Times, March 16, 1942, pp. 1 and 2; "W. R. Harris Funeral Rites Set for Today," Asheville Citizen Times, March 17, 1942, p. 5; death certificates; grave markers.

²⁶ "The World Do Move," *CT*, November 7, 1901, p. 3; "N. C. Funeral Directors," *Evening Visitor* (Raleigh), June 23, 1893, p. 4; *Wilmington Messenger*, January 13, 1901, p. 7; *Morning Post*, January 11, 1901, p. 5; *CT*, September 26, 1901, p. 3; "Bell and Harris Furniture Company," *DS*, January 15, 1902, p. 1; *CT*, January 23, 1902, p. 3; Cannon and Fetzer Co. to Expand," *DS*, February 2, 1902, p. 1; "Undertakers in Session," *Asheville Citizen Times*, May 14, 1902, p. 3; *Charlotte News*, June 16, 1906, p. 2; *CT*, June 22, 1914, p. 5.

Summersett, and R. M. Davis as stockholders. 27

Wiley Monroe Linker (1840-1920), a No. 10 township farm owner, and his son Mark Monroe Linker (1879-1935), became involved with Bell and Harris Furniture Company in the early twentieth century. M. M. Linker was a salesman and obtained an embalmer's license in 1909. In May 1910, W. R. Harris sold his share of the company to W. L. Bell and W. M. Linker and relocated to Asheville, where he established a store co-managed by his son Theodore. In June 1910, Bell and Harris Furniture Company sold the Spencer store to its manager Samuel F. Harris and P. Stoudemire. ²⁸

M. M. Linker assumed Bell and Harris Furniture Company's presidency by 1914. W. L. Bell then served as secretary-treasurer and R. A. Brower and G. C. Love were directors. The concern continued to prosper and remained in the P. M. Morris Building. The company was one of four Concord furniture purveyors in 1916, when Bell and other prominent business leaders advocated for the creation of the Concord Merchants' Association.²⁹

M. M. Linker remained Bell and Harris Furniture Company's president in 1920, when his younger brother William Mack Linker (1886-1932), known as W. M. Linker Jr., was elected secretary-treasurer. Their father died suddenly in April of that year. Company employees included Mamie Sappenfield, who headed the music department in 1921, and salesman S. O. Eddleman. The concern increased its capital stock from \$25,000 to \$100,000 in 1922. A need for additional showroom space precipitated the decision to erect the three-story building at what is now North Church and East Cabarrus Street's northwest corner (29 Cabarrus Avenue East). Construction commenced by November 1923 and the new store was finished in 1924. ³⁰

Julius Fisher and Company - Fisher's Department Store

Concord native Julius Franklin Fisher (1891-1957) began working at Concord mercantile H. L. Parks and Company in August 1902, advancing from package wrapper to salesman and dry goods department manager by 1910. He opened his own store, Fisher's, in March of that year, specializing in women's hats and accessories. The concern initially operated from the Phifer Building storefront previously occupied by merchant D. J. Bostian and relocated in August 1910 to the storefront at the corner of West Depot and Union streets that had been utilized by the Concord Drug Company. In January 1912, the growing business moved to the P. M. Morris Building's central storefront, which provided ample room for women's and children's millinery, notion, and ready-to-wear clothing departments. Fisher frequently traveled to New York to purchase the latest fashions. In February 1913, he acquired Krescent Five and

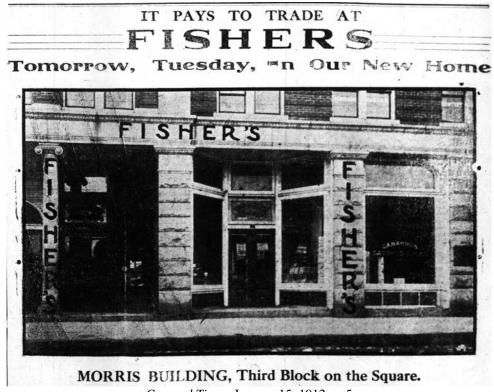
²⁷ "Local and Otherwise," *CT*, May 27, 1904, p. 3; "Enterprising Spencer Firm," *Salisbury Evening Post*, May 14, 1906, p. 4; "A New Undertaking Firm," *Carolina Watchman* (Salisbury), May 1, 1907, p. 3; "Everything Pub. Co. Changes Name," *Raleigh Times*, April 16, 1908, p. 7.

²⁸ "No. 10 Township," *CT*, February 14, 1905, p. 2; *Concord Daily Tribune* (hereafter abbreviated *CDT*), April 26, 1909, p. 3; "Mr. W. R. Harris Goes to Asheville," *CT*, May 23, 1910, p. 4; "Bell and Harris Furniture Co. Sell Spencer Branch," *CT*, June 9, 1910, p. 1; death certificates; grave markers.

²⁹ "Pays 12 Per Cent," *CDT*, February 3, 1914, p. 4; "Another Meeting is to be Held Tonight," *CDT*, September 27, 1916, p. 1; "Bell and Harris Furniture Company," *CT*, February 17, 1916, p. 14; Clarence E. Horton, Jr., ed., *A Bicentennial History of Concord* (Concord, North Carolina: Concord Bicentennial Committee, 1996), 345.

³⁰ Cabarrus County Deed Book 126, p. 472; *CDT*, February 10, 1919, p. 3; January 3, 1921, p. 3; October 20, 1922, p. 5; "Mr. W. Monroe Linker Died Thursday Night," *CDT*, April 30, 1920, p. 1; "Other Locals," *CDT*, February 8, 1921, p. 6; "New Charters," *Winston-Salem Journal*, February 26, 1922, p. 2; "Many New Dwellings and Business Buildings Going Up at Concord—All Lines Active," *Manufacturers' Record*, November 1, 1923, p. 93.

Ten-Cent Store's inventory (china, glassware, and household and kitchen supplies) and opened "The Sellar" in the basement beneath his store. ³¹



Concord Times, January 15, 1912, p. 5

Julius Fisher soon expanded his business to Kannapolis, opening a general mercantile in partnership with his fiancée Margie A. Suther, R. L. Armour, and H. A. Scott, who incorporated the Fisher-Armour Company in August 1915. Julius Fisher and Company purchased Kimbrough and Company's Gastonia department store in September 1923, offering millinery and women's ready-to-wear clothing in the Realty Building on West Main Avenue. Fisher-Armour Company sold the Kannapolis store in February 1926. The Concord store prospered through the late 1920s, but did not survive the economic downturn during the Great Depression. Merchandise, furnishings, and equipment were sold at a public auction in November 1934. Fisher subsequently worked as a salesman at Hoover's Inc. in Concord and invested in a Roanoke, Virginia business. His second wife, Laura Robinson Fisher, who had assisted him in the store, led group tours to destinations throughout the United States and to Havana, Cuba from 1936 until her 1939 death in an automobile accident.³²

³¹ DS, August 4, 1902, p. 3; "Julius Fisher to Open Store," CT, February 21, 1910, p. 1; "A New Business," CDT, February 21, 1910, p. 1; "Mr. Fisher Moving Today," CDT, August 23, 1910, p. 1; "Julius Fisher & Co. to Move Their Store," CDT, August 3, 1910, p. 1; "A Concord Firm's Growth," CDT, January 15, 1912, p. 1; "Fishers," CDT, January 15, 1912, p. 5; "The Sellar," CDT, February 11, 1913, p. 1; "New Mercantile Firm at Kannapolis," CDT, August 6, 1915, p. 1; "Julius Fisher & Co.," CDT, February 21, 1916, p. 13.

³² "Julius Fisher & Co. Purchase Gastonia Firm," *Charlotte Observer*, September 7, 1923, p. 7; "Fisher-Armour Company at Kannapolis is Sold," *Charlotte Observer*, February 18, 1926, p. 2; "Bankrupt Sale," *Charlotte Observer*, November 4, 1934, Section 4, p. 8; "Mrs. Fisher's Funeral Held," *Charlotte News*, November 14, 1939, p. 6.

P. M. Morris Building Local Historic Landmark Designation Report Fearnbach History Services, Inc. / March 2022

Architectural Context: Classical Revival-Style Commercial Architecture in Concord

None of Concord's mid- to late-nineteenth-century frame commercial buildings—typically one- or two-story weatherboarded structures, often with full-width shed-roofed front porches—remain. As merchants prospered, they replaced these utilitarian frame buildings with stylish and fire-resistant brick edifices intended to advertise their success and attract customers. Architectural journals, trade publications, and popular periodicals promoted brick construction, touting its beauty, versatility, and durability. Concord's earliest extant commercial buildings feature brick façades embellished with Italianate and Classical Revival-style corbelling, pilasters, and decorative parapets. Although the use of cast-iron and pressedmetal storefront, window, and cornice ornamentation was common during the early-twentieth-century, such elements were often removed as façades were updated.

Late-nineteenth-century commercial buildings in proximity to the P. M. Morris Building include 30-32 Union Street South, a two-part structure erected by 1882 that initially had identical simply executed redbrick façades. Each featured a recessed entrance, plate-glass display windows, and three second-story window openings with slightly projecting segmental-arched lintels. A flat parapet with a stepped cornice unified the buildings. However, both facades have been updated several times. During the early-twentieth century, 32 Union Street was ornamented in the Italianate mode with segmental-arched window hoods and a corbelled denticulated cornice beneath a flat parapet. The storefront was replaced during the late-twentieth century. Early-twentieth-century modifications at 30 Union Street South included Classical Revival treatments including stuccoing and scoring the second story to emulate stone blocks. The façade was framed with narrow, flat, stucco pilasters and a matching cornice, creating a recessed-panel second-story effect. An elaborate parapet featuring a bracketed modillion cornice and a round-arched central panel was added but removed in the late-twentieth century. The second story retains a painted scored-stucco finish and three segmental-arched window openings with slightly projecting lintels. The storefront was appropriately reconstructed in conjunction with the rehabilitation completed in 2018.

The three-story Romanesque Revival style 1903 Pythian Building at 36-40 Union Street South, like the P. M. Morris Building, represents more ambitious early-twentieth-century investment in Concord's commercial center. The Pythian Realty Company, incorporated in April 1902 by Concord businessmen including H. M. Barrow, W. L. Bell, L. D. Coltrane, F. L. Emery, R. L. McConnell, J. L. Miller, and C. F. Ritchie, commissioned the Charlotte architecture firm Hook and Sawyer, headed by Charles C. Hook and Frank M. Sawyer, to design the building. Construction was underway by July. Two storefronts, upperfloor offices, and an expansive second-floor meeting hall to be utilized by fraternal organizations including Knights of Pythias, Masons, and Woodmen of the World were gradually completed during early 1903. In mid-February, the Dry-Heath-Miller Company general store occupied the entire first floor. The concern consolidated in the south storefront in December 1904, allowing the newly organized Ritchie Hardware Company to occupy the north storefront in January 1905. Charlotte-based Efird's Department Store leased the south storefront in June 1907 and held a grand opening in September. ³³

The Pythian Building's five-bay façade is distinguished by rusticated granite pilasters flanking two-story round-arched window openings with painted-brick surrounds. Each bay contains tall second-story paired one-over-one sash surmounted by geometric-pattern transoms, a recessed brick spandrel, and shorter

³³ Hook and Sawyer also designed Concord's 1902 graded school and 1903 City Hall, neither of which is extant. "New Central Graded School Building," *CT*, March 6, 1902, p. 3; *News and Observer*, April 26, 1902, p. 4; "The New K. of P. Building," *DS*, May 3, 1902, p. 1; "Pythian Realty Company," *DS*, May 12, 1902, p. 1; "New Buildings in Business Portion of City," *DS*, July 21, 1902, p. 1; *CT*, December 18, 1902, p. 2, and February 3, 1903, p. 3; "Concord's New Lodge Room," *CT*, February 5, 1903, p. 2; *CDT*, January 9, 1905, p. 5; "New Mercantile Business for City," *CDT*, June 15, 1907, p. 1.

P. M. Morris Building Local Historic Landmark Designation Report Fearnbach History Services, Inc. / March 2022

third-story paired one-over-one sash framed by slightly projecting rusticated granite sills and fanlights. The corbelled granite parapet's tall, open, central bay contains a rooftop veranda with a granite balustrade. The storefronts were remodeled several times during the mid- and late-twentieth century.

As the Pythian Building was being completed in early 1903, the Morris brothers commenced planning for the P. M. Morris Building's construction. The Classical Revival-style building finished in 1904 was a sophisticated addition to the burgeoning central business district. The central stair entrance retains original double-leaf doors, a painted prismatic-glass transom, and a square stone-tile floor fronted by a brass plaque with "P. M. Morris" in capital letters. Although the brick-and-stone exterior walls have been painted and the cornice and central gable have been removed, the nine-bay three-section façade's intact upper two stories are distinguished by classical features including smooth-stone pilasters with egg-and-dart capitals, brick pilasters with Ionic capitals and keystoned round arches, shield-and-foliate spandrels with egg-and-dart borders, banded-brick, segmental-arched third-story lintels ornamented with robust scroll keystones, and an egg-and-dart belt course. Paired one-over-one double-hung-wood second-story sash surmounted by rectangular two-pane transoms and flat lintels and shorter third-story paired one-over-one sash with fanlights illuminate the interior. One-over-one double-hung-wood sash windows and tall, narrow, side-hinged, wood-frame sash punctuate the more simply executed painted-brick secondary elevations.

Two monumental Beaux Arts buildings erected on Union Street during the 1920s demonstrate the Classical Revival style's enduring popularity. The five-story, brick, 1924 Cabarrus Savings Bank at 57 Union Street South (Local Historic Landmark 2018), designed by prolific Charlotte architect Willard G. Rogers and erected by Charlotte contractor T. C. Thompson and Brothers, occupies the northeast corner of the courthouse square opposite the P. M. Morris Building. The six-story, brick, 1926 Concord National Bank - Hotel Concord at 4-18 Union Street North (Local Historic Landmark 2019), designed by nationally prominent New York-based architect William Lee Stoddart, is located one block to the north.³⁴ The two tallest structures in downtown Concord display the classical composition of base, shaft, and capital commonly employed in "skyscrapers" of the period. Cabarrus Savings Bank features an ashlarlimestone-clad base with a pedimented west entrance, tall round-arched window opening, and a classical cornice engraved with the bank name. On the upper four stories, red-brick walls are punctuated by taupebrick pilasters with Corinthian capitals that flank rectangular window openings with limestone surrounds beneath the denticulated modillion cornice and brick and limestone parapet. The building's rehabilitation to provide ground-floor retail and office space and upper-floor apartments was completed in 2021. Concord National Bank - Hotel Concord is embellished with ashlar limestone sheathing on the bank's two-story corner storefront; wire-cut, variegated-red-brick, Flemish-bond upper stories embellished with quoins; and limestone cornices, balustrades, string courses, and coping. The rehabilitation finished in 2018 updated ground-floor commercial space and created upper-floor apartments.

³⁴ "New Cabarrus Savings Bank," *Charlotte Observer*, July 15, 1923, Section D, p. 2; "Contract Let Wednesday for New Bank Building," *DT*, April 12, 1923, p. 1.

P. M. Morris Building Local Historic Landmark Designation Report Fearnbach History Services, Inc. / March 2022

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Charlotte Observer

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Daily Standard (Concord; abbreviated DS after first mention in notes)

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The Sun (Concord)

Wilmington Messenger

Winston-Salem Journal

Designation Parameters

Morris Building, LLC is seeking local historic landmark designation for the P. M. Morris Building's entire exterior and partial interior in order to recognize the property's architectural and historical significance and protect character-defining features delineated below.

Exterior

Central stair entrance with original double-leaf door, painted prismatic-glass transom, and square-stone tile floor fronted by a brass plaque embossed with "P. M. Morris" in capital letters

Smooth-stone pilasters with egg-and-dart capitals

Central bays framed by brick pilasters with Ionic capitals and keystoned round arches

Central shield-and-foliate spandrels with egg-and-dart borders

Banded-brick side sections with segmental-arched third-story lintels ornamented with robust scroll keystones

Egg-and-dart belt course above the third-story windows

Paired one-over-one double-hung-wood second-story sash surmounted by rectangular two-pane transoms and flat lintels

Shorter third-story paired one-over-one sash with fanlights

One-over-one double-hung-wood sash windows and tall, narrow, side-hinged, wood-frame sash on secondary elevations.

Interior

Plaster walls and ceilings
Tongue-and-groove wood floors and ceilings
Molded wood cornices and chair rails
Baseboards capped with molded trim
Molded door and window surrounds
Three-panel and five-horizontal-panel doors surmounted by square glazed transoms
Wood stair railings with square balusters, molded handrails, and square paneled newels

Verbal Boundary Description and Justification

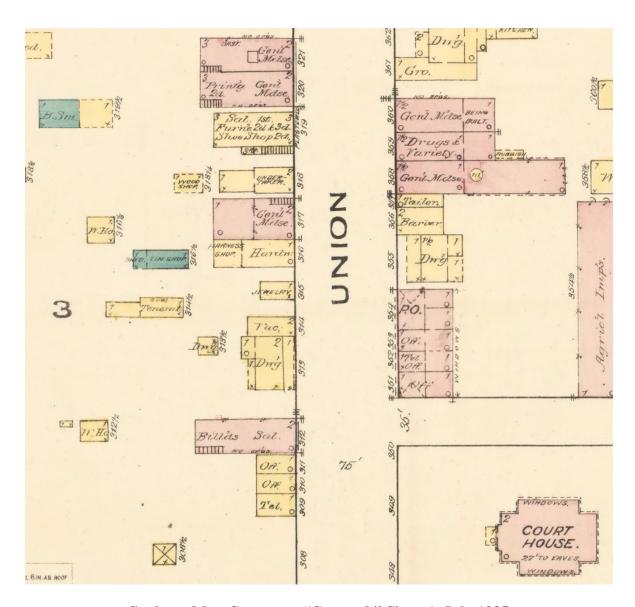
The proposed local historic landmark boundary consists of Cabarrus County tax parcel 5620-97-1613-0000 (0.47 acres), as indicated by the red lines on the following map. The parcel spans the block between Union Street South and Market Street, encompassing the asphalt-paved parking lot west of the building. The narrow concrete-paver alley adjacent to the north elevation, concrete-paver sidewalk east of the building, and paved concrete municipal sidewalk lining Market Street border the parcel boundary.

Local Historic Landmark Boundary



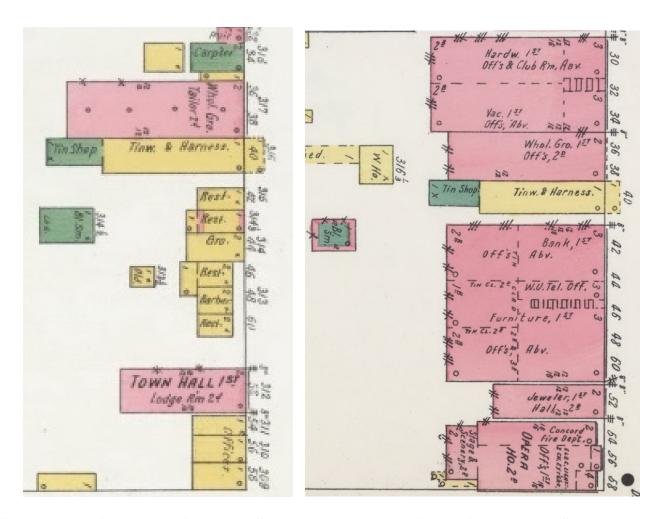
Cabarrus County tax parcel 5620-97-1613-0000 (0.47 acres)

2021 aerial from City of Concord Planning Department Mapping System https://maps.concordnc.gov



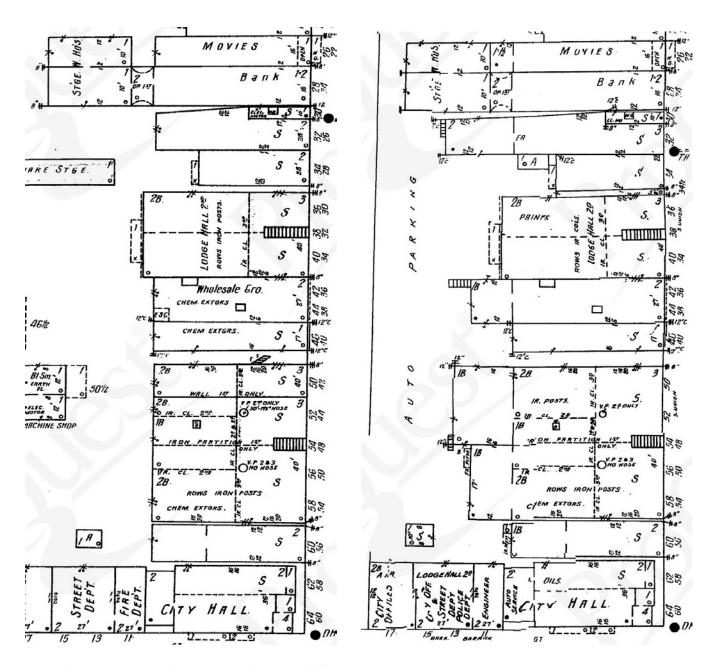
Sanborn Map Company, "Concord," Sheet 1, July 1885

The frame buildings at 313-314 Union Street South occupied the future site of the P. M. Morris Building when the city's earliest Sanborn map was issued.



Sanborn Map Company, "Concord," Sheet 4, March 1902 (left) and October1906, Sheet 7 (right)

The site became 46-60 Union Street South between February 1897 and March 1902 (above left). The P. M. Morris Building first appears on the October1906 Sanborn map (above right) with the addresses 42-60 Union Street South.

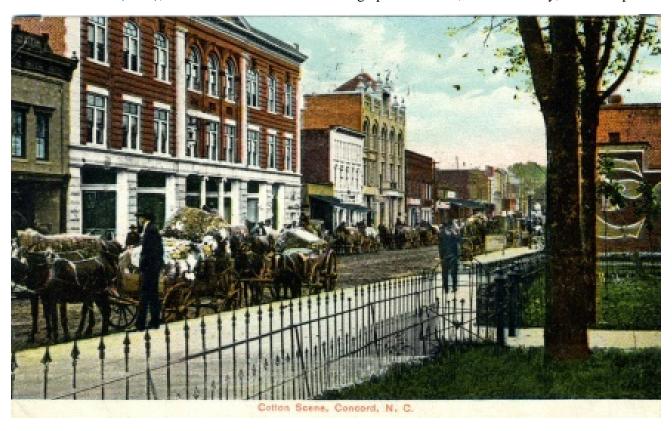


Sanborn Map Company, "Concord," Sheet 5, May 1927 (left) and March 1947 (right)

The P. M. Morris Building's addresses changed to 42-54 Union Street South between October 1906 and June 1911 and 50-58 Union Street South between April 1921 and May 1927 (above left). The one-story-on-basement rear addition was erected between 1930 (aerial photograph) and 1947.



Union Street South, looking northwest circa 1905 (above) and 1908 (below) Durwood Barbour Collection of North Carolina Postcards (P077), North Carolina Collection Photographic Archives, Wilson Library, UNC-Chapel Hill



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HANDSOME FRONT OF JULIUS FISHER & CO'S STORE.

Julius Fisher & Co.

Headwear, Cuter and Under Garments for Women and Children.

Among the many attractive merchandise houses in Concord, none shows a more enterprising spirit than that of Julius Fisher and Company.

This large store is handsomely stocked with high class dry goods, the wants of the most discriminat- show windows and extensive floor business ability.

ing bayer can be filled.

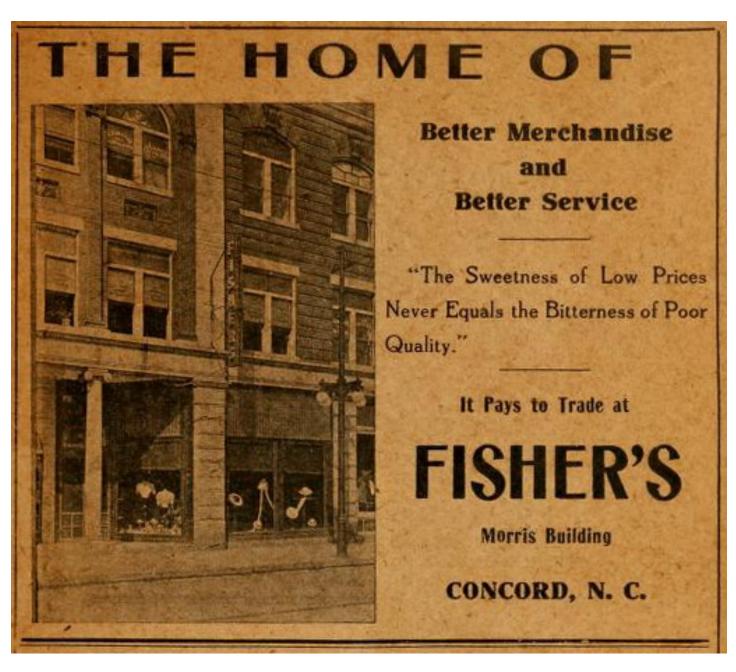
On entering the store one is first impressed with the attractive order and business-like manner in which the stock is kept. This fact greatly facilitates the serving of customers, and makes shopping at this establishment! a pleasure.

space allow this stock to be displayed to the best advantage.

In addition to this store Julius F sher and Company conduct another large esablishment at Kannapolis, N.

Mr. Julius Fisher, the manager of the local store, is a native of this Another important feature of the city, and is looked upon as one of the store is the courtesy and attention most progressive and aggressive bushextended to all customers by the large ness men in this entire section. He staff of salespeople. The stock carried gained a valuable experience in the headwear, on er and under garments by this store is recognized as one of mercantile business in connection with for women and children. From the the largest and nost up-to-date in H. L. Parks, and has risen to his presextensive stock of this large store this section of the State, and the large ent position by his own energy and

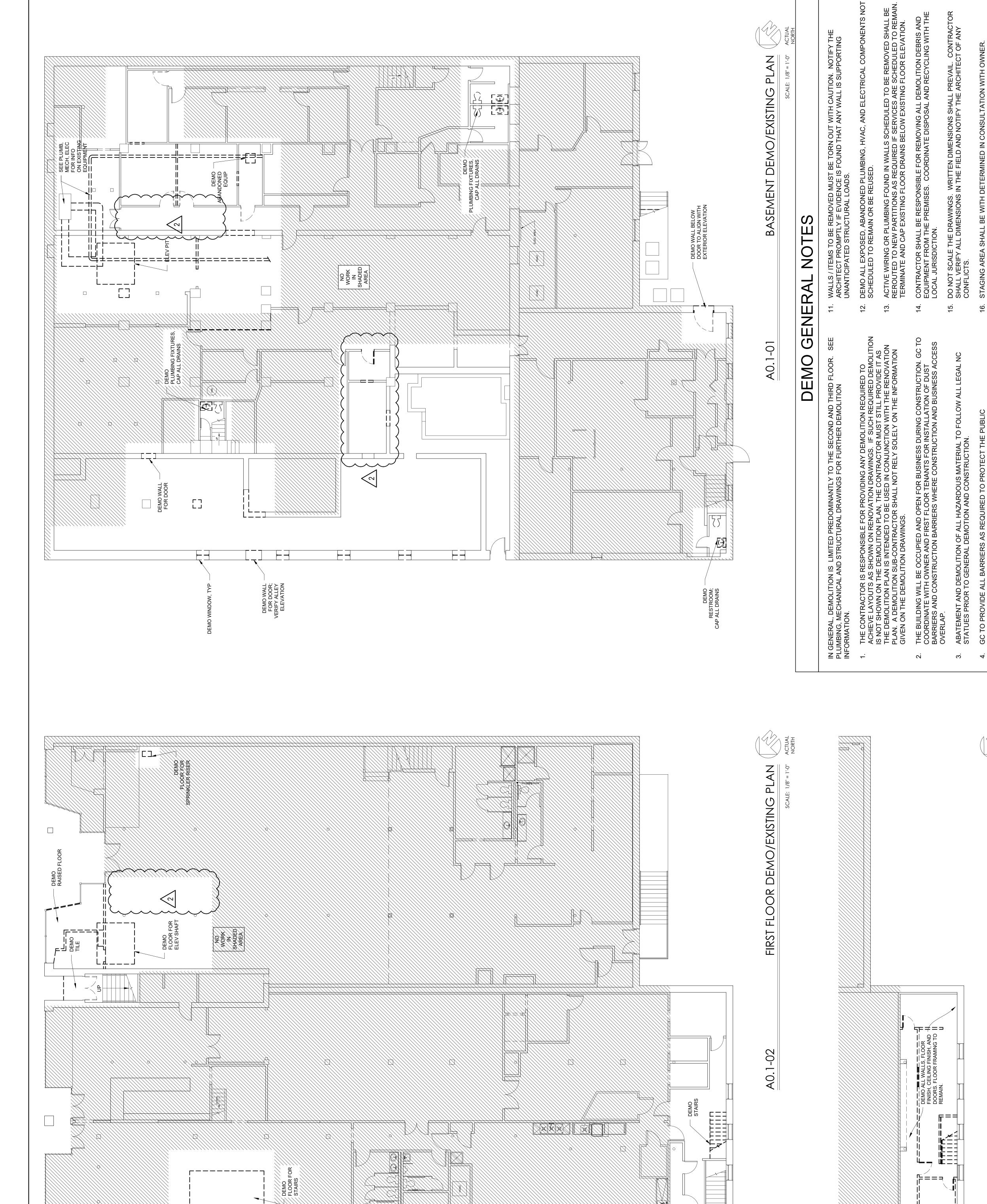
Concord Daily Tribune, February 21, 1916, p. 13



Miller's Concord, North Carolina, City Directory, 1916

The neon "Fisher's" sign was installed in late June 1912.³⁵

³⁵ CT, July 1, 1912, p. 5.



PUBLICATION OR REUSE OF THESE DRAWINGS OR ANY INCLUDED DETAILS MUST BE WITH THE WRITTEN CONSENT OF THE FIRM'S PRINCIPAL ARCHITECT.

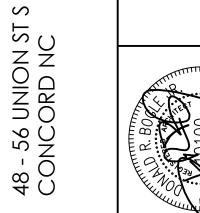
110 N. MAIN ST pete@bo SUITE 200 www.bo SALISBURY, NC 28144

CONSTRUCTION SET

DEMOLITION/ FLOOR PLANS **EXISTING**

BASEMENT DEMO/EXISTING PLAN

APARTMENTS PM MORRIS



AO DATE: SEPT 202 PROJECT #: 2116 DRAWN BY: EKT CHECKED BY: DRB

GC SHALL STOP WORK AND IMMEDIATELY NOTIFY ARCHITECT IF SUSPECT HAZARDOUS MATERIALS ARE UNCOVERED DURING DEMOLITION.

9. FOLLOWING ITEMS TO BE SALVAGED FOR REUSE: 19.1. HVAC EQUIPMENT LOCATED ON THE THIRD AND SECOND FLOOR 19.2. ALL INTERIOR TRIM 19.3. ALL INTERIOR DOORS 19.4. ORIGINAL WOOD FLOORING

ARCH AND OWNER TO VISUALLY INSPECT THE BUILDING AFTER DEMOLITION, AND PRIOR COMMENCING NEW CONSTRUCTION.

GC TO USE EXISTING POWER AND WATER FOR PERFORMING DEMOLITION AND CONSTRUCTION WORK.

10.

GC SHALL APPLY AND PAY FOR ALL PERMITS, FEES, ETC. AND DISPLAY PERMITS AS PER LOCAL ORDINANCES. BUILD & DISPLAY CONSTRUCTION SIGN PER SPECIFICATIONS.

9.

5.

Z Z

MEZZANINE DEMO/EXISTING PL

A0.1-03

GC TO PROVIDE PEDESTRIAN AND VEHICULAR ACCESS FOR THE PUBLIC AT ALL TIMES

CONTRACTOR TO VERIFY ALL EXISTING CONDITIONS PRIOR TO BEGINNING DEMOLITION

ALL EXISTING EXITS TO REMAIN UNOBSTRUCTED AND FREE TO DEBRIS

UNDER NO CIRCUMSTANCES SHALL BUILDING STRUCTURAL MEMBERS OR EXTERIOR FACADES BE ALTERED TO FACILITATE DEMOLITION. CONTACT ARCHITECT WHEN A STRUCTURAL MEMBER IS IN CONFLICT WITH RENOVATION PLANS.

SHEET NUMBER

100

12.06.21 CLIENT VE



101

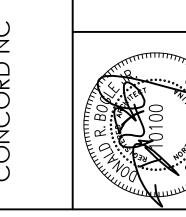


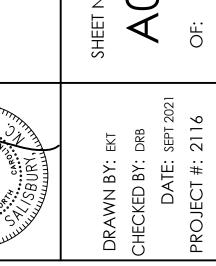
PUBLICATION OR REUSE OF THESE DRAWINGS OR ANY INCLUDED DETAILS MUST BE WITH THE WRITTEN CONSENT OF THE FIRM'S PRINCIPAL ARCHITECT.

110 N. MAIN ST pete@bogl SUITE 200 www.bog SALISBURY, NC 28144 70

CONSTRUCTION SET







SHEET NUMBER
A0.2

THIRD FLOOR DEMO/EXISTING PLAN SCALE: 1/8" = 1'-0"

A0.2-02



North Carolina Department of Natural and Cultural Resources

State Historic Preservation Office

Ramona M. Bartos, Administrator

Governor Roy Cooper Secretary D. Reid Wilson Office of Archives and History Deputy Secretary Darin J. Waters, Ph.D.

June 17, 2022

Brad Lagano Senior Planner P.O. Box 308 Concord, NC 28026

laganob@concordnc.gov

RE: Proposed Designation of the P. M. Morris Building, 48-56 Union Street South, 41 Market Street, Concord, Cabarrus County.

Dear Mr. Lagano:

Thank you for the report we received on the proposed designation of the P. M. Morris Building, 48-56 Union Street South, 41 Market Street, Concord, Cabarrus County. We have reviewed the report and offer the following comments in accordance with North Carolina General Statute 160D-946.

According to the report, the P. M. Morris Building is significant to the City of Concord because of its architecture and importance to the community's economic vitality from 1904 until 2022. Built in 1904 by the Morris brothers, the P. M. Morris Building was named after their late father, Phileman Milton Morris and was located in a prominent location near the courthouse and municipal buildings.

We have shared recommendations with staff to perform very minor edits to the report. With these changes, we believe the commission and the local governing board will be able to more accurately determine if the P. M. Morris possess the requisite special significance and integrity required for local historic landmark designation.

Landmark designation means the community recognizes the property is worthy of preservation because of its special significance to the local community. Any substantial changes in design, materials, and appearance to the property is subject to the design review procedures of the preservation commission.

Thank you for the opportunity to comment on the report. Please note, our comments are advisory only and therefore, nonbinding. Once the governing board has received a recommendation from the Concord Historic Preservation Commission, it should proceed in the same manner as would otherwise be required

Telephone/Fax: (919) 814-6570/814-

for an amendment to the zoning ordinance. Once the decision has been made, please return a completed copy of the enclosed form to our office.

This letter serves as our comments on the proposed designation of the P. M. Morris Building. Please contact me at Kristi.brantley@ncdcr.gov (preferred) or 919-814-6583 should you have any questions about our comments.

Sincerely,

Kristi Brantley

Local Preservation Commissions / CLG Coordinator

CC: Commission Chair

Knisti Brantley

Enclosure

AN ORDINANCE OF THE CONCORD CITY COUNCIL DESIGNATING THE P.M. MORRIS BUILDING LOCATED AT 48-56 UNION ST. S. and 41 MARKET ST. SW. AS A LOCAL HISTORIC LANDMARK

WHEREAS, North Carolina General Statutes §160D-945 grants North Carolina local governments the authority to designate local historic landmarks upon compliance with North Carolina General Statutes §160D-946; and

WHEREAS, the City of Concord has complied with the required landmark designation procedures of §160D-946 of the North Carolina General Statutes and the local historic landmark designation procedures set forth in the Concord Development Ordinance §9.8.3; and

WHEREAS, the Concord Historic Preservation Commission conducted a public hearing on to consider the proposed designation; and

WHEREAS, the P.M. Morris Building, constructed in 1904, was one of the largest and most sophisticated commercial buildings in the downtown central business district of the City of Concord, and displays character-defining elements of late-nineteenth and early- to mid-twentieth-century commercial design;

NOW, THERFORE, BE IT ORDAINED, by the City Council of Concord, NC:

1. That 0.47 +/- acres located between Market St. SW. and Union St. S., northwest of Barbrick Ave. SW., (Cabarrus County Parcel Number: 5620-97-1613) is hereby designated a local historic landmark pursuant to Part 45, Article 9, Chapter 160D of the North Carolina General Statutes. This property is more specifically described as follows:

Lying and being situate in Cabarrus County, North Carolina, and being more particularly described as follows:

Lying and Being in Ward Number Four (4) of the City of Concord, Number Twelve (12) Township of Cabarrus County, North Carolina on the Southwest side of Union Street, South, and on the Northeast side of Market Street, Southeast, and Being that property shown on a physical survey by Billy B. Long, R.L.S., dated April 19, 1988, and being more fully described as the follows:

BEGINNING at a point at the center of the building at or near the Southwestern edge of the concrete sidewalk that runs parallel with Union Street, South (said Beginning point also being a comer of the property of the City of Concord (Deed Book 569, Page 313)) and runs thence with the line of the City of Concord South 47-36-20 West 183.92 feet to a p.k. nail in the Northeastern edge of the concrete sidewalk that runs parallel with Market Street, Southeast; thence North 41-59-57 West 106.16 feet to an iron stake at the Southern edge of a 8.0 foot alley; thence with the Southern edge of the alley and the Northern exterior surface of the building, North 47-44-10 East 183.42 feet to the corner of the building in the Southwestern portion of the concrete sidewalk that runs parallel with and lies to the Southwest of Union Street, South; thence South 42-16-10 East 105.74 feet to the point of BEGINNING.

2. The local historic landmark designation encompasses the site, parking lot, building exteriors of the structures, and the following portion of the interior: plaster walls and ceilings, tongue-and-groove wood floors and ceilings, molded wood cornices and chair rails, baseboards capped with molded trim, molded door and window surrounds, three-panel and five-horizontal-panel doors surmounted by square glazed transoms, wood stair railings with square balusters, molded handrails, and square

paneled newels as indicated in the designation parameters on page 26 of the Local Historic Landmark Designation Report for the P.M. Morris Building.

- 3. The property subject to designation is located at 48-56 Union St. S. and 41 Market St. SW., Concord, NC. This property is more particularly described as the property at GIS PIN 5620-97-1613 on the Cabarrus County Tax Maps.
- 4. That said designated property may be materially altered, restored, moved, or demolished only following the issuance of a Certificate of Appropriateness by the Concord Historic Preservation Commission. For the designated interior portions, a Certificate of Appropriateness is required for modifications that impact, affect, or obscure architectural or layout details as set forth in the landmark report and supplementary materials. An application for a Certificate of Appropriateness authorizing demolition of said property may not be denied; however, the effective date of such a Certificate may be delayed in accordance with Chapter 160 D, Article 9, Part 45 and amendments, thereto and hereinafter adopted. The regulations relating to Certificates of Appropriateness are found in the City of Concord Development Ordinance. Owners of locally designated historic landmarks are expected to be familiar with and follow *The Secretary of the Interior's Standards for Rehabilitation*, the standards used by the City of Concord Historic Preservation Commission to evaluate proposed alterations and additions for this property.
- 5. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.
- 6. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign may be placed on said property. If the owner objects, the sign may be placed on a nearby public right-of-way.
- 7. That the owners of the property known as the P.M. Morris Building be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Cabarrus County Building Services Division, Cabarrus County Register of Deeds, and the Tax Supervisor as required by law.

8.	This ordinance sh	all become	effective u	pon adoption.	

Adopted this __th day of ____, 20__ by the City Council of Concord, NC.



Staff Report

Planning and Zoning Commission

DATE: July 19, 2022

REZONING CASE #: Z-06-22

ACCELA: CN-RZZ-2022-00003

DESCRIPTION: Zoning Map Amendment

C-2 (General Commercial) to I-1 (Light Industrial)

APPLICANT/OWNER: Harris Morrison/Fortius-Richardson, LLC

LOCATION: 760 Pitts School Road NW

PIN#s: 4690-44-7878

AREA: +/- 1.12 acres

ZONING: C-2 (General Commercial)

PREPARED BY: Brad Lagano, Senior Planner

BACKGROUND

The subject property consists of one parcel comprising approximately 1.12 acres southwest of the Poplar Tent Road and Pitts School Road intersection across from R&R BBQ. The property is currently wooded and vacant.

HISTORY

The property was annexed into the City on March 31, 1991 and rezoned to C-2 (General Commercial) at that time.

SUMMARY OF REQUEST

The applicant is requesting to rezone the subject property from C-2 (General Commercial) to I-1 (Light Industrial) to combine with adjacent parcel 4690-44-0279 directly to the south which is already zoned I-1. The applicant recently completed Phase I of Meadows Corporate Park on the western side of Pitts School Road consisting of two Class-A industrial flex buildings totaling approximately 192,000 square feet. This proposal is to develop Phase II of Meadows Corporate Park with an expansion on the eastern side of Pitts School Road. The applicant anticipates developing a third industrial flex building totaling approximately 60,000 square feet on the combined parcels. The property to the north is zoned C-2 (General Commercial) and is wooded and vacant. Properties to the east are zoned C-2 (General Commercial) and consist

of farmland and a residential structure (T&A Barbee Family Farm). Property to the south is zoned I-1 (Light Industrial) and is vacant. Property to the west across Pitts School Road is zoned C-2 (General Commercial) and is the R&R BBQ restaurant as well as I-1 (Light Industrial) with commercial and industrial uses.

This request is for the traditional base zoning of I-1 (Light Industrial) and not a conditional district, therefore all permitted uses with the I-1 (Light Industrial) zoning classification would be allowed on the property and is not tied to a specific site plan.

Existing Zoning and Land Uses (Subject Parcel)						
Current Zoning of Subject Property	Zoning	g Within 500 Feet	Land Uses(s) of Subject Property	Land Uses within 500 Feet		
	North	C-2 (General Commercial)		North	Vacant	
C-2 (General	South	I-1 (Light Industrial); AG (Agricultural)	Vacant	South	Vacant	
Commercial)	East	C-2 (General Commercial)	Vacant	East	Farmland; Residential	
	West	C-2 (General Commercial); I-1 (Light Industrial)		West	Restaurant; Commercial; Industrial	

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as "Rural" for which I-1 (Light Industrial) *is not listed* as a corresponding zoning district. Rezoning this property to I-1 (Light Industrial) will therefore also require a Land Use Plan Amendment to be approved by City Council.

The corresponding zoning districts for the Rural (R) future land use category are Agricultural (AG), Rural Estate (RE), Light Commercial and Office (C-1), Planned Unit (PUD), Neighborhood Commercial and Office (B-1), Residential Low Density (RL), Office and Institutional (O-I), Residential County Originated (R-CO), and Planned Residential Development (PRD).

From the 2030 Land Use Plan - "Rural" (R):

The intent of the Rural (R) Future Land Use Category is to identify a variety of land use types that are representative of working agricultural uses as well as a variety of residential types including farmhouses, to large acreage rural family dwellings, to ecologically-minded "conservation subdivisions" which are designed to preserve open landscape, and traditional buildings, often with a mixture of residential and agricultural/rural-supported commercial uses.

Policy Guidance:

Objective 1.3: Ensure that the Future Land Use Map allows sufficient development opportunities to meet existing and projected needs for residential, commercial, industrial, and other land uses.

 Monitor Land Use: Monitor existing, approved, and planned land uses and compare development capacities with projected demands for all types of residential and non-residential development. The Future Land Use Map should provide adequate land to meet projected demands and provide market flexibility throughout the City.

<u>From the 2030 Land Use Plan – "Industrial Employment" (IE):</u>

The intent of the Industrial/Employment (IE) Future Land Use category is to identify those areas that have either already developed as industrial or are suited for additional industrial development due to the presence of infrastructure and access to transportation routes, such as major highways and railroads. These industrial areas should be preserved for employment uses to generate jobs for the community.

Industrial uses have already developed in several areas throughout the community, most of which are light industrial in function and impact. The 2030 Plan identifies the need to protect industrial lands, and to encourage additional growth in industrial/employment uses in designated areas, particularly around Concord Regional Airport, and along I-85 between Pitts School Road and Rocky River. Additionally, some light industrial/employment uses are encouraged to locate in Mixed-Use Districts, depending upon their intensity, as identified earlier in this section.

Policy Guidance:

Objective 1.4: Protect existing and future industrial sites from encroachment of development that would limit their intended uses.

- Adjacent Development: Ensure that adjacent development and street networks are designed to safely and compatibly accommodate planned industrial uses and resulting traffic.
- Site Development: Limit non-industrial uses to those that are accessory to existing uses or uses to be developed concurrently with the accessory uses.

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately +/-1.12 acres and is zoned City of Concord C-2 (General Commercial).
- The subject property was annexed into the City on March 31, 1991 and rezoned to C-2 (General Commercial) at that time.
- The proposed zoning is not consistent with the 2030 Land Use Plan (LUP) as I-1 (Light Industrial) is not a corresponding zoning classification to the "Rural" Land Use Category. However, the subject property is located adjacent to other properties zoned industrial, commercial uses, and vacant parcels as well as being in close proximity to the I-85 highway corridor. This zoning would be compatible with the adjacent I-1 (Light Industrial) zoning to the south and southwest and the C-2 (General Commercial) zoning to the north and west. The proposed I-1 (Light Industrial) zoning will allow for flex industrial uses on the property similar to parcels to the south and southwest.

• The zoning amendment is reasonable and in the public interest as it is consistent with the existing zoning adjacent to the subject property and the adjacent industrial uses. The proposed zoning will allow for industrial uses to locate in the vicinity of I-85 and the highway corridor.

SUGGESTED RECOMMENDATION AND CONDITIONS

The staff finds the zoning map amendment will also need a Land Use Plan Amendment to the 2030 Land Use Plan and staff has no objections to the petition. No conditions may be applied as the request is not a for a "Conditional District".

PROCEDURAL CONSIDERATIONS

This particular case is a rezoning, which under the CDO, is "legislative" in nature. Legislative hearings DO NOT require the swearing or affirming of witnesses prior to testimony at the public hearing.

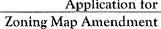


Zoning Map Amendment

APPLICATIONS NOT COMPLETED BY THE PUBLISHED APPLICATION DEADLINE WILL NOT BE CONSIDERED.

X	1.	Required Attachments / Submittals: Typed metes and bounds description of the property (or portion of property) in a Word document format.
X	2.	Cabarrus County Land Records printout of names and addresses of all immediately adjacent landowners, including any directly across the street.
	3.	FOR CONDITIONAL DISTRICT APPLICATIONS ONLY, a plan drawn to scale (conditional district plan), and elevations if applicable submitted digitally.
	4.	If applicable, proof of a neighborhood meeting (signature page) or receipt from certified letters mailed to adjoining property owners if project increases density or intensity (See Section 3.2.3). Staff will provide further information on this requirement during the required pre-application meeting.
	5.	Money Received by Date: Check # Amount: \$ 800.00 (Conditional) or \$600 (Conventional) Cash: The application fee is nonrefundable.

Planning & Neighborhood Development





Harris Moirison, 805 Trade Street, NW, Suite 102. Concord NC
24027 Harris @ Harris MORRISON. COM
Owner Name, Address, Telephone Number: Forting-Richardson LLC
GOG Trade Street, NW, Suite 102 Concord NC 28027
(ago) 354-3700
Project Location/Address:
P.I.N.: 4690-44-7878
Area of Subject Property (acres or square feet):
Lot Width: 350' Lot Depth: 215'
Current Zoning Classification:
Proposed Zoning Classification:
Existing Land Use:
Future Land Use Designation: Industrail Flex Building
Surrounding Land Use: North Vacent South Industral
East Farm West Resturant / Industrail
Reason for request: To combine parcel with \$4690-44-0279 directly
south and place one industrial building across both
Has a pre-application meeting been held with a staff member?
Staff member signature: Date:



Zoning Map Amendment

THIS PAGE APPLICABLE TO CONDITIONAL DISTRICT REQUESTS ONLY

(Please type or print)

1. List the Use(s) Proposed in the Project:		
		•••••
2. List the Condition(s) you are offering as part of this	s project. Be specific with each de	scription.
(You may attach other sheets of paper as needed to	supplement the information):	
make this request for Conditional district zoning voluntari	ly. The uses and conditions describe	d abovo avo
offered of my own free will. I understand and acknowledge		
equested to a Conditional District the property will be perpe		
and subject to such conditions as are imposed, unless subse		
Concord Development Ordinance (CDO). All affected prope		-
Signature of Applicant Date	Signature of Owner(s)	Date



Zoning Map Amendment

Certification

I hereby acknowledge and say that the information contained herein and herewith is true, and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department.

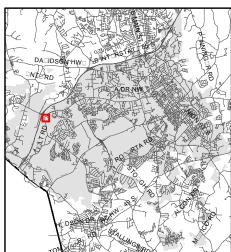
Date: 4/13/22		
Applicant Signature:	gttmonen vu	
	of the Property Owner Signature:	
— Aller		



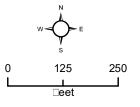
Z-06-22 AERIAL

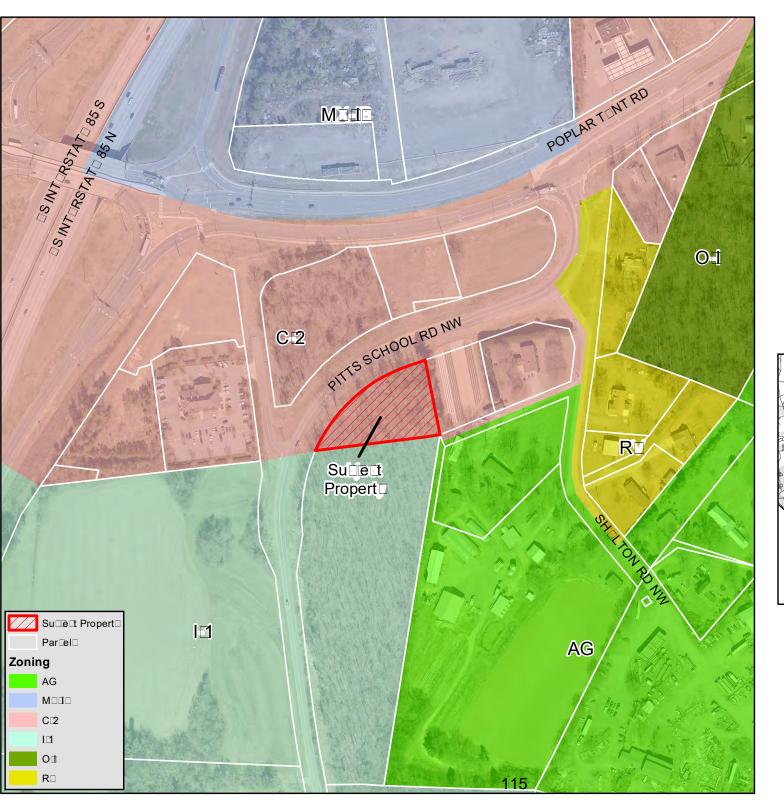
Rezoning application C-2 (General Commercial) to I-1 (Light Industrial)

760 Pitts School Rd NW PIN: 4690-44-7878





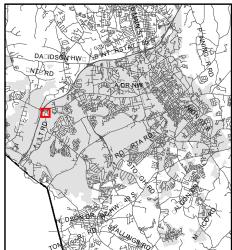




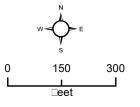
Z-06-22 ZONING

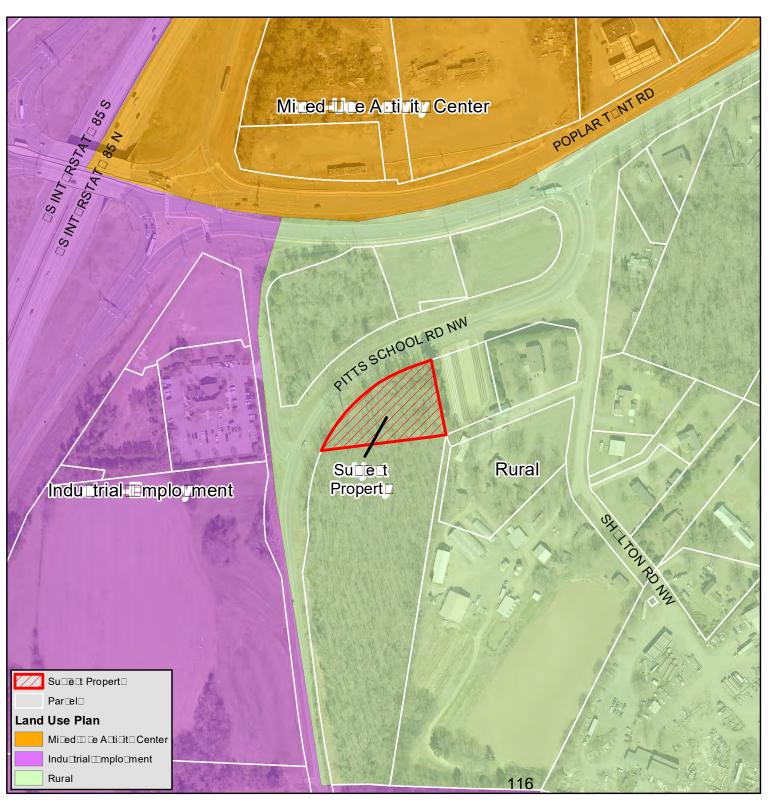
Rezoning application C-2 (General Commercial) to I-1 (Light Industrial)

760 Pitts School Rd NW PIN: 4690-44-7878





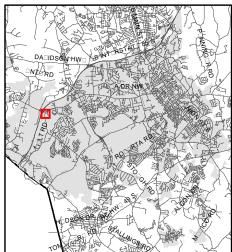




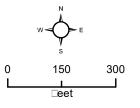
Z-06-22 LAND USE PLAN

Rezoning application C-2 (General Commercial) to I-1 (Light Industrial)

760 Pitts School Rd NW PIN: 4690-44-7878







AN ORDINANCE ADOPTING THE GEORGE W. LILES PARKWAY SMALL AREA PLAN (GLSAP) OF THE CITY OF CONCORD, NORTH CAROLINA

WHEREAS, the City of Concord, North Carolina pursuant to the authority conferred by the North Carolina General Statute §160A-364 enacted an Official Zoning Ordinance for the City of Concord, North Carolina and the Area of Extraterritorial Jurisdiction on July 28, 1977; and

WHEREAS, the City of Concord, North Carolina pursuant to the authority conferred by North Carolina General Statute §§160D-501 shall adopt and maintain a comprehensive plan that sets forth goals, policies, and programs intended to guide the present and future physical, social, and economic development of the jurisdiction; and

WHEREAS, the City may prepare and adopt other such plans as deemed appropriate, which may include small area plans and neighborhood plans; and

WHEREAS, the adopted 2030 Land Use Plan recommends the preparation of a plan for the general area of the George W. Liles Parkway, and the City has obtained property owner and public input in the development of the plan; and

WHEREAS, the Planning and Zoning Commission has unanimously recommended approval of the plan on July 19, 2022.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord, North Carolina:

SECTION 1: That the George W. Liles Parkway Small Area Plan as indicated on Attachment A is adopted.

SECTION 2: That this Ordinance be effective immediately upon adoption.

Adopted in this August 11, 2022.

VaLerie Kolczynski, City Attorney

	CITY COUNCIL
	CITY OF CONCORD
	NORTH CAROLINA
ATTEST:	
	William C. Dusch, Mayor
Kim Deason, City Clerk	



Staff Report

Planning and Zoning Commission

DATE: July 19, 2022

CASE #: Z(CD)-34-21 (B)

ACCELA CASE #: CN-RZC-2022-00003

DESCRIPTION: Zoning Map Amendment from Huntersville ETJ Rural (R) to

City RV- CD (Residential Village Conditional District)

APPLICANT: Skybrook, LLC

OWNER: Skybrook, LLC

LOCATION: p/o 10435 Poplar Tent Rd

PIN#: p/o 4671-73-1211

AREA: +/- .507 acres

ZONING: Huntersville ETJ Rural (R)

PREPARED BY: Scott Sherrill, AICP, Planning & Development Manager

Note: Because this rezoning request is pertaining to a recently annexed property, a City zoning classification must be adopted.

BACKGROUND

The subject property consists of a portion of (1) parcel, comprising approximately +/-.507 acres located at p/o 10435 Poplar Tent Rd on the southwest side of the Poplar Tent Rd and Huntersville-Concord Rd intersection. The subject property is located in Mecklenburg County, and was previously within the Town of Huntersville's ETJ: the Town of Huntersville waived its right to annexation of the property on February 21, 2022, and the property was annexed into the City of Concord on June 9, 2022. The property is owned Skybrook, LLC and is currently vacant. The applicant seeks a rezoning to RV-CD (Residential Village Conditional District) for the purpose of constructing up to 3 townhomes.

HISTORY

The owner of the subject property is also the developer of the various Skybrook neighborhoods within both Cabarrus County and Mecklenburg. The property extends west from the 2.387 acres of Residential Village-Conditional District (RV-CD) that was approved as part A of Z(CD)34-21 zoning case for the development of 11 units on April 19, 2022. The projects together close the gap between the \pm -6.6-acre property directly to the north is also owned by Skybrook LLC and is currently under development for a 52-unit townhome community named Skybrook Corners. The project was developed by-right under the RV (Residential Village) zoning classification and was

granted sewer/wastewater flow acceptance by City Council in March. On November 10th, 2020, Skybrook LLC was granted annexation of a 50ft wide and +/- 188ft long strip of the parent parcel (4671-73-1211) in order to establish a future City street connecting the forthcoming Skybrook Corners development to the north with the stub street within the Parkside at Skybrook neighborhood to the south. The annexation was approved and the 50ft strip was subsequently rezoned to RV (Residential Village) in December of 2020. This is the final piece of a two-part annexation/rezoning request.

Because this rezoning request is pertaining to a recently annexed property, a City zoning classification must be adopted. Should the Planning and Zoning Commission decide to deny the rezoning request, an alternative zoning designation must be applied, considering Land Use Plan consistency.

SUMMARY OF REQUEST

The subject property is proposed to be rezoned in order to develop it as an expansion of the Skybrook Corners townhome project to the northeast and east. As can be seen on the submitted site plan, 11 townhome units are proposed on the Cabarrus County side of the parcel. Up to three (3) additional townhomes are proposed as part of the project on area of the parcel within Mecklenburg County's jurisdiction: buildings cannot generally cross county lines, so it is unclear if all three units will be able to fit as shown on the site plan, and some small adjustments are possible. It should be noted that the site data provided on the site plan includes both information regarding the anticipated overall site data, includes the portions in Mecklenburg County and Cabarrus County. All transportation and access improvements association with connection to the future street will be required to meet City Standards. There is no access to the site possible from the Mecklenburg County side.

The subject property under consideration is +/- .507 acres, with up to 3 units at 5.26 dwelling units per acre (du/a). The maximum density for the RV zoning district is 8 du/a. The applicant has indicated that .27 acres (53.25%) of open space is provided with .55 acres provided on the Cabarrus County portion of the site for a total of .82 acres across both portions of the site. No specific detail has been provided as to how the open space will be utilized. Standards for density and open space have been met.

The section of the development under consideration does not present concerns with internal setback requirements, and the 8' buffer yard can be accommodated around the subject property.

The property is surrounded by the Parkside at Skybrook North neighborhood on three sides and the other components of the Skybrook Corners Expansion to the east. Properties to the north, south, and west are all developed with single-family detached dwelling and zoned RV-CU (Residential Village Conditional Use), RM-2 (Residential Medium Density), County LDR (Low Density Residential) or Huntersville residential. Skybrook LLC, is the owner/developer of the subject site and is responsible for the other developments to the north, south, east, and west.

In accordance with the CDO, all reviewing departments of the DRC (Development Review Committee) have signed off on the rezoning plan. Should rezoning be approved, the next step would be for the applicant to apply for preliminary plat approval. It should be noted that the subject plan is not designed to preliminary plat standards and therefore, any intended or perceived deviation from technical standards resulting from the somewhat conceptual nature of the plan shall not constitute approval to deviate from, or negate, technical standards within the Concord Development Ordinance, Technical Standards Manual, or any other regulatory document. Due to sewer capacity limitations at the Rocky River Wastewater Treatment Plant, it is now a

requirement that projects obtain Preliminary Sewer allocation from City Council prior to the submittal of construction drawings. Sewer allocation will be required for this project prior to being able to submit for construction drawings; a preliminary plat has been submitted and is currently in review.

The applicant held a required neighborhood meeting on Tuesday, June 28th, 2022 via Zoom. According to the summary, no neighbors attended. A summary provided by the applicant has been included in the Commission's packets.

Existing Zoning and Land Uses (Subject Parcel)					
Current Zoning of Subject Property	Zoning Within 500 Feet		Land Uses(s) of Subject Property	Land Uses within 500 Feet	
Huntersville ETJ R (Rural)	North	RV (Residential Village)		North	Single Family Detached (Parkside at Skybrook North)
	South	RV-CU (Residential Village Conditional Use)	Single-Family Detached	South	Single Family Detached (Parkside at Skybrook North)
	East	Huntersville R (Single Family Detached)		East	Single Family Detached (Future Skybrook Corners Expansion)
	West	Cabarrus County LDR (Low Density Residential)		West	Single Family Detached (Parkside at Skybrook North)

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) does not contain a land use designation for the property because it was not previously within the annexation boundary for the City of Concord.

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately +/- .507 acres and is currently zoned Town of Huntersville ETJ R (Rural).
- The subject property was annexed on June 9th, 2022, and is currently vacant.
- The proposed zoning amendment is not addressed by the City of Concord's 2030 Land Use Plan; however, the property is adjacent to areas designated Suburban Neighborhood. In the Town of Huntersville 2040 Community Plan, the area is designated as Rural Conservation, which would recommend density no greater than .9 units per acre. The proposed zoning amendment would not be consistent with the Town of Huntersville Rural Conservation area, but would be more consistent with the City of Concord's Suburban Neighborhood designation as RV (Residential Village) and conditional district variations are considered corresponding zoning classifications to the "Suburban Neighborhood" Land Use Category. The proposed zoning is a comparable extension of RV-CU (Residential Village Conditional Use) zoning to the east. Access to the property

is provided from Concord only and not through land designated Rural by the Town of Huntersville. Rezoning the subject property to RV-CD (Residential Village Conditional District) would permit an expansion of an infill single-family attached housing option not found within the general vicinity, implementing guidance detailed in Objective 1.6 of the 2030 Land Use Plan related to providing a variety of housing options.

• The zoning amendment is reasonable and in the public interest as it would permit infill development of single-family attached dwellings with similar dimensional standards to the developing adjacent townhome development to the east and northeast. No access is proposed or possible from the Huntersville jurisdiction. The townhome housing type is not currently found within the general vicinity and thus the proposal would increase housing type options. Property to the south is zoned for moderate density single-family detached. While the residential uses are classified differently, the conditional nature of the proposed zoning would limit the construction of buildings higher than two-stories ensuring visual compatibility between the single and two-story single-family homes to the south. The proposal permits the development of a piece of land that would otherwise not be accessible or developable.

SUGGESTED RECOMMENDATION AND CONDITIONS

The staff has no objections to the petition. Because this is the initial assignment of a Concord Land Use designation, a Land Use Plan amendment will be needed for this request, which is subject to City Council approval: Staff is seeking a recommendation to City Council on the rezoning from Huntersville Rural (R) and land use plan amendment from Town of Huntersville 2040 Rural Conservation to City of Concord 2030 Suburban Neighborhood.

PROCEDURAL CONSIDERATIONS

SUGGESTED RECOMMENDATION AND CONDITIONS

The staff finds the consistent 2030 Land Use Plan and staff has no objections to the petition. If approval is desired, staff recommends the following conditions agreed upon by the applicant:

- 1. Compliance with Sheets RZ-1 and RZ-2 of the "Rezoning Case # Z(CD)-34-21(A) Skybrook Corners Expansion," with revision date of 4/12/22.
- 2. The subject plan is not designed to preliminary plat standards and therefore, any intended or perceived deviation from technical standards resulting from the somewhat conceptual nature of the plan shall not constitute approval to deviate from, or negate, technical standards within the Concord Development Ordinance, Technical Standards Manual, or any other regulatory document.
- 3. Driveway separation shall be a minimum of 10ft and all required Transportation improvements shall be adhered to in accordance with the TSM.
- 4. No more than 3 units shall be developed as part of the current phase of the project.
- 5. The .507 acres indicated in Mecklenburg County is the only property included within this portion of the rezoning approval.
- 6. Technical site plan review and approval is required including all approvals from outside local, state and federal agencies.

PROCEDURAL CONSIDERATIONS

This particular case is a rezoning, which under the CDO, is "legislative" in nature. Legislative hearings DO NOT require the swearing or affirming of witnesses prior to testimony at the public hearing.

Staff note: 2 part rezoning due to pending annexation of .507 acres



Application for Zoning Map Amendment

Owner Name, Address, Telephone Number: Skybrook, LLC
PO Box 38, Holly Springs, NC 27540
Staff note: Z(CD)-34-21(A) to include Cabarrus County property only - 2.387 acres (future ROW divides)/ Z(CD)-34-21(B) to include .507 acres in Mecklenburg IF annexed by City Council
Project Location/Address: 10515 and 10435 Poplar Tent Road, Huntersville, NC 28078
P.I.N.: 4671-73-1211 Staff note: 2 part rezoning will require p/o PIN and not full PIN - See Metes & Bounds
Area of Subject Property (acres or square feet):2.894 AC (.507 Meck. Co. & 2.387 Cab. Co)
Lot Width: 193' Lot Depth: 715' for future street ROW not yet dedicated. See metes and bounds
Current Zoning Classification: LDR (Cabarrus County)
Proposed Zoning Classification: _RV-CD
Existing Land Use: residential - vacant
Future Land Use Designation: <u>suburban neighborhood</u>
Surrounding Land Use: North townhomes South single family
East single family West single family
Reason for request: To develop the site with townhomes in the same fashion as
the adjacent site Skybrook Corners
Has a pre-application meeting been held with a staff member? Held on 12/16 DRC
Staff member signature: Date:



THIS PAGE APPLICABLE TO CONDITIONAL DISTRICT REQUESTS ONLY

(Please type or print)

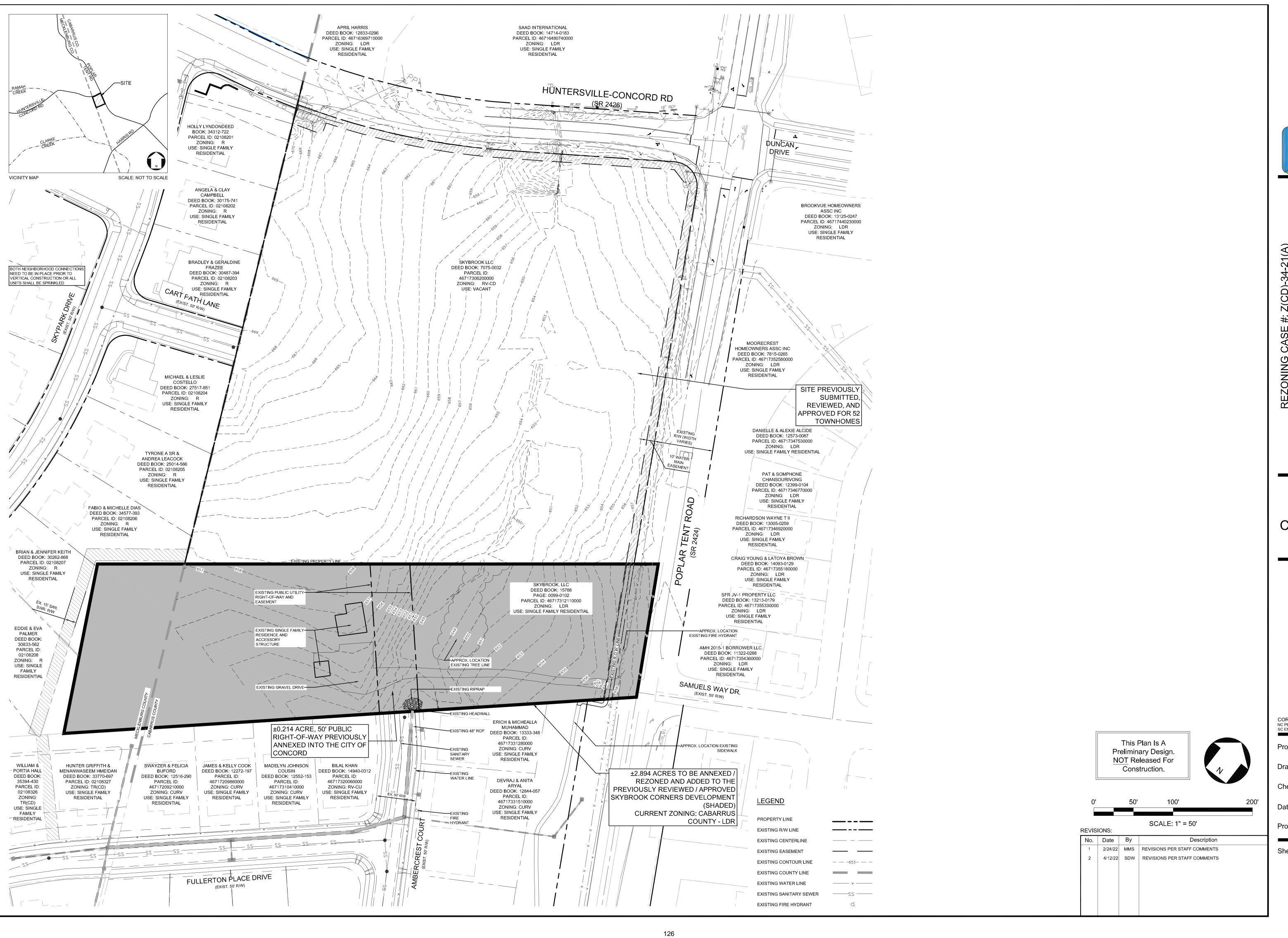
1. List the Use(s) Proposed in the Project:
Townhomes
2. List the Condition(s) you are offering as part of this project. Be specific with each description.
(You may attach other sheets of paper as needed to supplement the information):
See Sheets RZ-1 and RZ-2 for Skybrook Corners Expansion.
No more than 14 townhome lots.
Staff note: 2 part rezoning. No more than 11 townhomes in Phase 1. See applicant's site plan dated 4/12/22
Staff note: no more than 3 townhomes in Phase 2
I make this request for Conditional district zoning voluntarily. The uses and conditions described above are
offered of my own free will. I understand and acknowledge that if the property in question is rezoned as
requested to a Conditional District the property will be perpetually bound to the use(s) specifically authorized
and subject to such conditions as are imposed, unless subsequently amended as provided under the City of
Concord Development Ordinance (CDO). All affected property owners (or agents) must sign the application.
Concord Development Ordinance (CDO). An arrected property owners for agents) must sign the application.
_ Our E. Celt II _ Jax 8. Cen II
Signature of Applicant Date Signature of Owner(s) Date
Signature of Applicant Date Signature of Owner(s) Date Signature of Owner(s) Date



Certification

I hereby acknowledge and say that the information contained herein and herewith is true, and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department.

Date: 1.24-22	_		
Applicant Signature:	JuE	CAI	For Slaybrack CCC
Property Owner or Agent o	f the Property (Owner Sign	ature:
Jun E.	Cant		
	_	11	11.0



CREATING SPACES TO LIVE, WORK AND PLAY
1230 West Morehead Street, Suite 304
fax: 704-841-1604
Charlotte, NC 28208

SKYBROOK CORNERS EXPA

CITY OF CONCORD, CABARRUS COL

NORTH CAROLINA

EXISTING CONDITIONS

CORPORATE CERTIFICATIONS
NC PE : C-2930 NC LA : C-253
SC ENG : NO. 3599 SC LA : NO. 211

Project Manager: SD

Drawn By: SDW

Checked By: SSW

Date: 01/05/2022

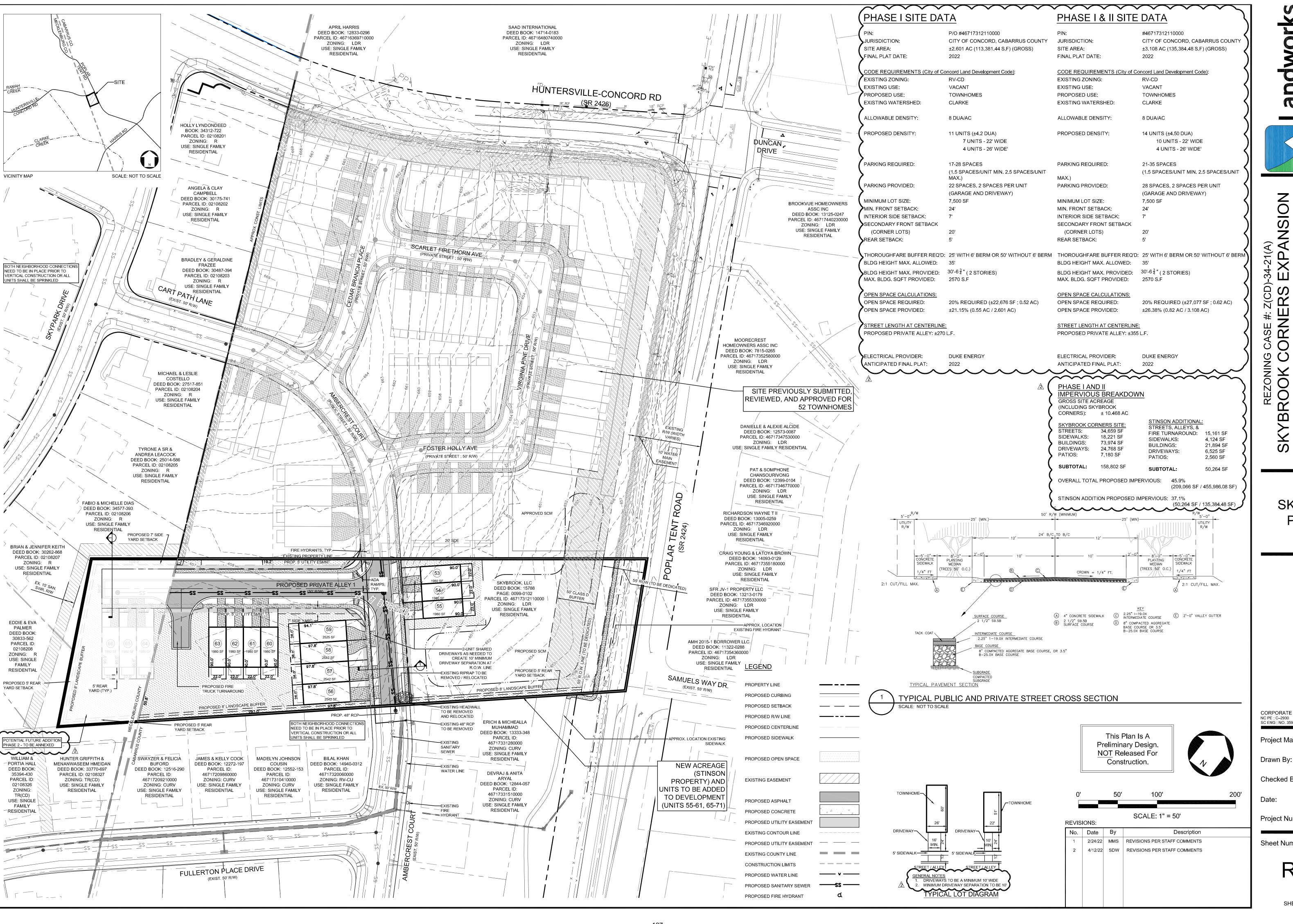
Date. 01/05/202

Project Number: 18018.1

Sheet Number:

RZ-1

SHEET#1 OF2



 \Box

PLAN

CORPORATE CERTIFICATIONS NC PE : C-2930 NC LA : C-253 SC ENG: NO. 3599 SC LA: NO. 211

Project Manager: SDW

SSW Checked By:

01/05/2022

Project Number: 18018 1

Sheet Number:

RZ-2

SHEET#2 OF 2



June 30, 2022

To: Scott Sherrill, City of Concord

From: Scott Moore, Skybrook Project Manager

RE: Community Meeting Minutes for Z(CD) 34-21 "Stinson Phase II"

The Z(CD)-34-21 "Stinson Phase II" community meeting was held virtually on Zoom, Tuesday, June 28, 2022 and was opened at 5:30 PM.

In attendance, representing the Petitioners:

Scott Moore – Skybrook Project Manager Matt Langston – Landworks Design Group, PA.

Representing the Adjacent Property Owners:

No one in attendance.

Scott Moore created the following notes for the meeting which accounted for the review processes of the Stinson's property with the following highlights:

- On January 18, 2022, we held a community meeting for an annexation and rezoning for the Stinson Property for 3.11 AC (2.61 AC in Cabarrus County & .5 AC within Mecklenburg County). Our direction at that time was to bring all of the property in both counties together under one site plan and show how we intended to develop the entire parcel.
- Following this meeting, we received word from Concord Planning Staff that we could not include the .5 AC tract within this annexation and rezoning process since the Town of Huntersville had not formally waived its right to annex the property. We agreed to remove the .5 AC parcel from the original request.
- On February 10, 2022, the Concord City Council approved the annexation of the 2.61 AC and on April 19th the Planning and Zoning Commission approved the 2.61 AC rezoning for 11 lots all within the City of Concord.
- On February 21, 2022, the Town of Huntersville officially waived its right to annex the .5 AC parcel. After approval was issued for the 2.61 AC on April 19, 2022, our team came back and applied for annexation and rezoning of the .5 AC parcel. As a part of the rezoning process, we are required to hold another community meeting which is the purpose for tonight's meeting.
- The site plan that is presented tonight is the same plan that was proposed with the original request back on January 18, 2022. We are not proposing any changes or revisions to this plan. The .5 AC previously and continues to show a 3-unit town home building and private road to serve it.
- On June 9, 2022, the Concord City Council reviewed and approved the annexation to bring the .5 AC tract
 into the City of Concord and on July 19, 2022, the Planning and Zoning Commission will review the .5
 AC tract for rezoning.

With there being no participation from the adjacent property owners, the meeting adjourned at 5:42 pm. We also have not received any phone calls or emails to date regarding this request.

All neighborhood meeting notifications, materials, and minutes were delivered to Concord Planning Staff on 6/30/2022.



June 6, 2022

Stinson Property .5 Acres on Poplar Tent Road within Cabarrus County Cabarrus County GIS Parcel IDs# 46717312110000

Dear Property Owner,

Skybrook, LLC has submitted an annexation and rezoning petition to the City of Concord for .5 acres located at 10515 Poplar Tent Road Huntersville, NC 28078. The petitioner is requesting annexation and rezoning of this property for the purpose of extending the approved Skybrook Corner Townhomes which is located at the corner of Poplar Tent Road and Huntersville-Concord Road. Attached to this notice is a map showing the location of the subject property and a draft site plan representing the proposed layout.

On behalf of the applicants, we would like to invite you to attend a Neighborhood Meeting scheduled for June 28, 2022 at 5:30 PM hosted by the developer via Zoom. If you would like a digital invitation or would like to RSVP, please email me at scott@bpropnc.com. Information concerning how to access the meeting is below:

Join Zoom Meeting

https://us06web.zoom.us/j/83832213419?pwd=cWJPczFVMThDN1NrZEpKb2NWd0pOUT09

Meeting ID: 838 3221 3419

Passcode: 249556

One tap mobile

+13126266799,,83832213419#,,,,*249556# US (Chicago)

+16468769923,,83832213419#,,,,*249556# US (New York)

The anticipated and tentatively scheduled dates of our public hearings for annexation and rezoning are as follows:

- Consideration for annexation by City Council: June 9, 2022
- (If annexed) Consideration of rezoning by the Planning & Zoning Commission: <u>July 19</u>, <u>2022</u>

If you have any questions or need additional information, please call me at 704.995.2507 or email me at scott@bpropnc.com. We look forward to seeing you at the meeting.

Respectfully,

Scott Moore Project Manager Skybrook Subdivision



Z(CD) 34-21 "Stinson Phase II" Neighborhood Meeting- Mailout List (Mailed USPS: 6/7/22) (List provided by Concord Planning Staff)

BROOKVUE HOMEOWNERS ASSN INC C/O CUSICK COMMUNITY MGMT LLC 8008 CORPORATE CENTER DR STE 100 CHARLOTTE, NC 28226

FULLERTON PLACE HOA PO BOX 481349 CHARLOTTE, NC 28269 MOORECREST HOA C/O SUPERIOR ASSOC MANAGEMENT P O BOX 2427 HUNTERSVILLE, NC 28070

PARKSIDE AT SKYBROOK NORTH COMM ASSC 6719 FAIRVIEW RD STE C CHARLOTTE, NC 28210 SKYBROOK LLC PO BOX 38 HOLLY SPRINGS, NC 27540 BUFORD SWAYZER III BUFORD FELICIA 11417 FULLERTON PL NW HUNTERSVILLE, NC 28078

FABIO DIAS MICHELLE DIAS 15126 SKYPARK DR HUNTERSVILLE, NC 28078 HUNTER GRIFFITH
MENAN WASEEM HMEIDAN
11413 FULLERTON PLACE DR
HUNTERSVILLE, NC 28078

BRIAN KEITH JENNIFER KEITH 15120 SKYPARK DR HUNTERSVILLE, NC 28078

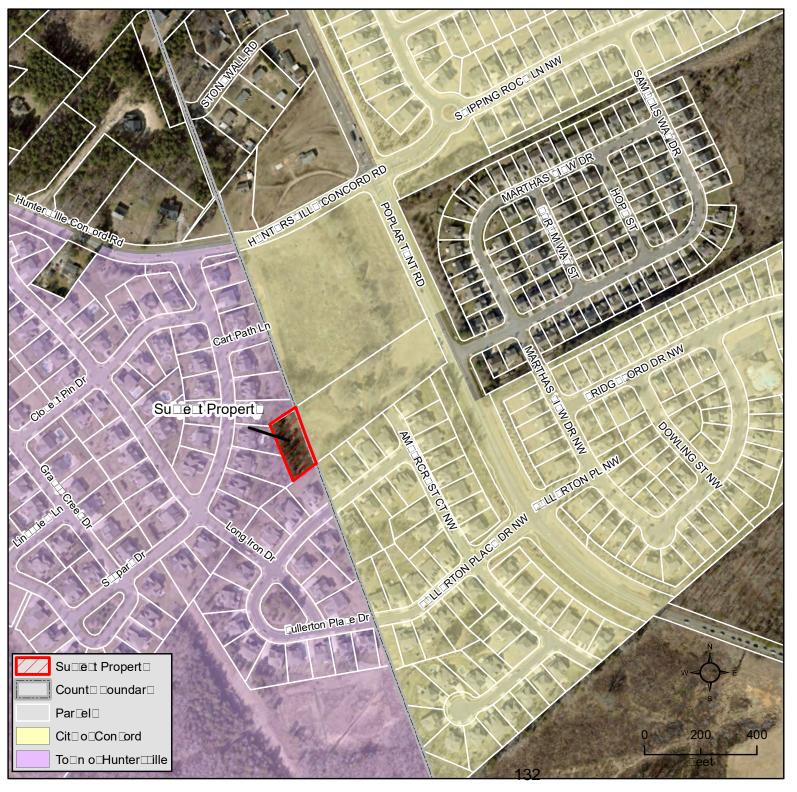
EDDIE C PALMER EVA M PALMER 15114 SYKPARK DR HUNTERSVILLE, NC 28078 SREEDHAR PANDELLAPALLI BROOKVUE PRESIDENT 1353 SANDY BOTTOM DR NW CONCORD, NC 28027

THE VILLAGES AT SKYBROOK NORTH COMMUNITY ASSOC 1201 STALLINGS RD MATTHEWS, NC 28104

SKYBROOK HOA PO BOX 481349 CHARLOTTE, NC 28269 COOK JAMES COOK KELLY 11421 FULLERTON PL DR NW HUNTERSVILLE, NC 28078

COUSIN JOHNSON MADELYN 11425 FULLERTON PL DR NW HUNTERSVILLE, NC 28078

KHAN BALIL CROCCO KATHERINE 11429 FULLERTON PL DR NW HUNTERSVILLE, NC 28078 MUHAMMAD ERICH MUHAMMAD MICHEALLA 10436 AMBERCREST CT NW HUNTERSVILLE, NC 28078 VILLAGES AT SKYBROOK NORTH COMMUNITY ASSOC 6719 FAIRVIEW RD STE C CHARLOTTE, NC 28210



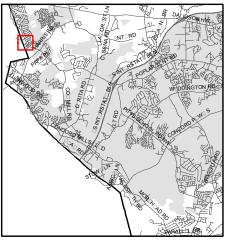
Z(CD)-34-21 PHASE II - B

Rezoning Application

Stinson Property

Skybrook Corners Expansion

PIN 4671 73 1211 p o

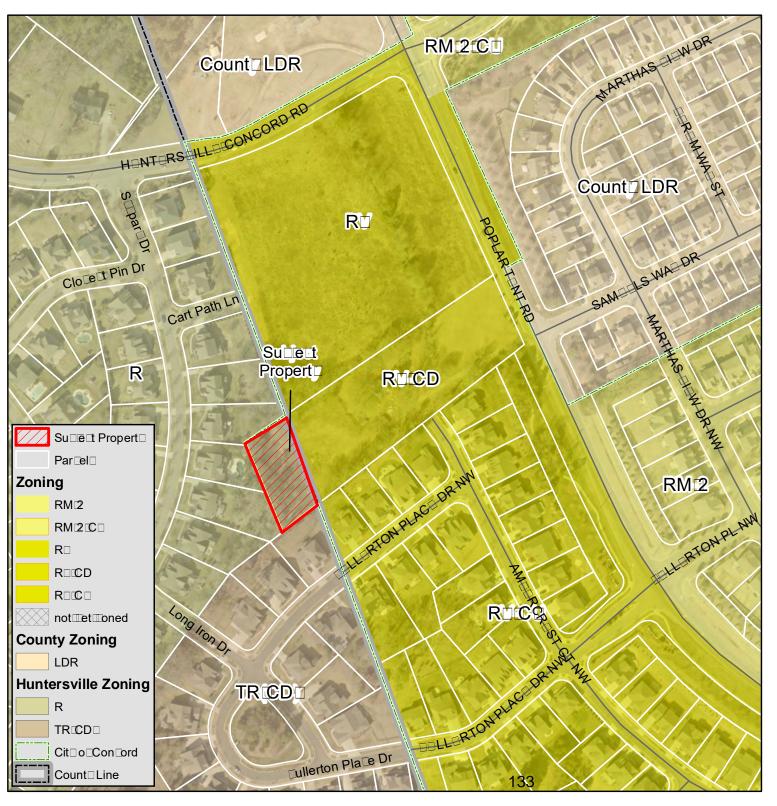




Source: City of Concord Planning Department

Disclaimer

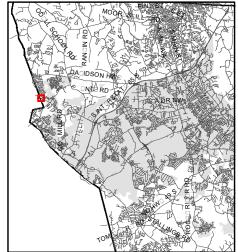
These maps and products are designed for general reference only and data contained herein is subject to change. The City Of Concord, it's employees or agents make no warranty of merchantability or fitness for any purpose, expressed or implied, and assume no legal responsibility for the information contained therein. Data used is from multiple sources with various scales and accuracy. Additional research such as field surveys may be necessary to determine actual conditions.

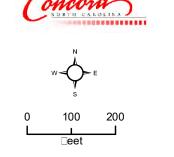


Z(CD)-34-21 (B) ZONING

Rezoning application from Cabarrus County LDR (Low Density Residential) to RV-CD (Residential Village - Conditional District)

10515 Poplar Tent Rd PIN: 4671-73-1211 (part of)



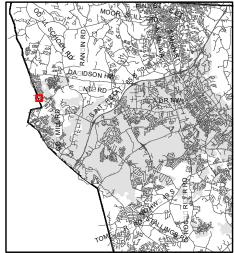


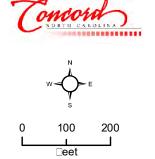


Z(CD)-34-21 (B) LAND USE PLAN

Rezoning application from Cabarrus County LDR (Low Density Residential) to RV-CD (Residential Village - Conditional District)

10515 Poplar Tent Rd PIN: 4671-73-1211 (part of)





MEETING DATE:

August 11th 2022

BACKGROUND:

The Planning and Zoning Commission heard the petition for case Z(CD)-34-21 (B) at their July 19th, 2022 meeting and unanimously voted to forward the request to City Council with a recommendation that the zoning map be amended from Huntersville ETJ R (Rural) to City of Concord RV-CD (Residential Village-Conditional District) and to amend the 2030 Land Use Plan to incorporate the parcel as "Suburban Neighborhood."

The property was annexed on a voluntary basis (ANX-14-21) with an effective date of June 9, 2022. The annexation and subsequent rezoning are the second part of a two-part project for the expansion of Skybrook Corners: Huntersville had to waive its right to annex the subject property, which led to the separation of the two cases: Huntersville adopted the resolution on February 21, 2022. Because the property is located in Mecklenburg County and was not initially in the annexation area of the City of Concord, it was not previously included in the 2030 Land Use Plan.

The proposed development is a continuation of the Skybrook Corners development with consistent layout and lot designs: single family attached dwellings. The request is only for three units on the .507 acres in Mecklenburg County: the Planning and Zoning Commission applied the RV-CD zoning to the remainder of the parcel at their meeting on April 19, 2022. Access to this section of the project can only occur through Cabarrus County: the land could not be developed if it relied on access in Mecklenburg County.

Since the property was not included in the 2030 Land Use Plan, a Land Use Plan amendment to "Suburban Neighborhood" would be needed to accommodate the proposed zoning. "Suburban Neighborhood" is consistent with the surrounding land uses.

Because the property was annexed into the City limits, a City zoning designation must be applied, lest the property become unzoned.

The following conditions are recommended for the rezoning case.

Recommended Conditions

- 1. Compliance with Sheets RZ-1 and RZ-2 of the "Rezoning Case # Z(CD)-34-21(A) Skybrook Corners Expansion," with revision date of 4/12/22.
- 2. The subject plan is not designed to preliminary plat standards and therefore, any intended or perceived deviation from technical standards resulting from the somewhat conceptual nature of the plan shall not constitute approval to deviate from, or negate, technical standards within the Concord Development Ordinance, Technical Standards Manual, or

any other regulatory document.

- 3. Driveway separation shall be a minimum of 10ft and all required Transportation improvements shall be adhered to in accordance with the TSM.
- 4. No more than 3 units shall be developed as part of the current phase of the project.
- 5. The .507 acres indicated in Mecklenburg County is the only property included within this portion of the rezoning approval.
- 6. Technical site plan review and approval is required including all approvals from outside local, state and federal agencies.

The Planning and Zoning Commission unanimously adopted the Statement of Consistency, listed below, at their July 19th public hearing. Council may adopt the same statement, modify it, or adopt an entirely new Statement of Consistency.

Statement of Consistency

- The subject property is approximately +/- .507 acres and is currently zoned Town of Huntersville ETJ R (Rural).
- The subject property was annexed on June 9th, 2022, and is currently vacant.
- The proposed zoning amendment is not addressed by the City of Concord's 2030 Land Use Plan; however, the property is adjacent to areas designated Suburban Neighborhood. In the Town of Huntersville 2040 Community Plan, the area is designated as Rural Conservation, which would recommend density no greater than .9 units per acre. The proposed zoning amendment would not be consistent with the Town of Huntersville Rural Conservation area, but would be more consistent with the City of Concord's Suburban Neighborhood designation as RV (Residential Village) and conditional district variations are considered corresponding zoning classifications to the "Suburban Neighborhood" Land Use Category. The proposed zoning is a comparable extension of RV-CU (Residential Village Conditional Use) zoning to the east. Access to the property is provided from Concord only and not through land designated Rural by the Town of Huntersville. Rezoning the subject property to RV-CD (Residential Village Conditional District) would permit an expansion of an infill single-family attached housing option not found within the general vicinity, implementing guidance detailed in Objective 1.6 of the 2030 Land Use Plan related to providing a variety of housing options.
- The zoning amendment is reasonable and in the public interest as it would permit infill development of single-family attached dwellings with similar dimensional standards to the developing adjacent townhome development to the east and northeast. No access is proposed or possible from the Huntersville jurisdiction. The townhome housing type is not currently found within the general vicinity and thus the proposal would increase housing type options. Property to the south is zoned for moderate density single-family detached. While the residential uses are classified differently, the conditional nature of the proposed zoning would limit the construction of buildings higher than two-stories ensuring visual

compatibility between the single and two-story single-family homes to the south. The proposal permits the development of a piece of land that would otherwise not be accessible or developable.



Staff Report

Planning and Zoning Commission

DATE: July 19, 2022

CASE #: Z(CD)-01-22

ACCELA CASE #: CN-RZC-2022-00002

DESCRIPTION: Zoning Map Amendment Cabarrus County Limited Industrial (LI)

to Residential Compact-Conditional District (RC-CD)

APPLICANT: DHIC, LLC c/o Elam Hall

OWNER: William E. Caudle, Sr. and Mary C. Caudle

LOCATION: 7995 Old Holland Rd

PIN#: 4588-99-5811, 4588-99-2789, and 4588-99-4654

AREA: +/- 2.553 acres

ZONING: Unzoned – formerly Cabarrus County LI (Limited Industrial)

PREPARED BY: Scott Sherrill, AICP, Planning & Development Manager

Note: Because this rezoning request is pertaining to a recently annexed property, a City zoning classification must be adopted.

BACKGROUND

The subject property consists of three (3) parcels, comprising approximately +/-2.553 acres located at 7995 Old Holland Rd on the west side of Old Holland Rd. adjacent to the Mecklenburg County line. The subject property is located in Cabarrus County, and was annexed into the City of Concord on March 10, 2022. Because the zoning occurred more than 60 days ago, County zoning has expired. The property is owned by William E. and Mary C. Caudle. The applicant seeks a rezoning to RC-CD (Residential Compact Conditional District) for the purpose of constructing up to 18 duplex style dwellings in 9 buildings.

HISTORY

The property is currently owned by William E. and Mary C. Caudle and used as a single family detached residence. DR Horton (DHIC, LLC) is seeking to develop the project. The project is adjacent to the Addison multi-family project to the north, which consists of 339 apartments, and would take access off of Lapis Lane, a private street. The developer is working on an extension of the project to the south in Mecklenburg County. The amenity center and mailbox clusters for the development will be located on the Mecklenburg County side of the project.

Because this rezoning request is pertaining to a recently annexed property, a City zoning classification must be adopted. Should the Planning and Zoning Commission decide to deny the rezoning request, an alternative zoning designation must be applied, considering Land Use Plan consistency.

SUMMARY OF REQUEST

The subject property is proposed to be rezoned in order to develop up to 18 dwelling units in a duplex—multi-family configuration. The site plan will be subject to general City of Concord Multi-family regulations as set forth in CDO Article 7.8. The site plan reflects the 20' building separation and 15' of separation between buildings and parking spaces. Elevations have been provided for the units and the garages, accompanied by a note that the elevations will follow development standards. All transportation and access improvements association with connection to the future street will be required to meet City Standards.

The subject property under consideration is +/- 2.553 acres, with up to 18 units at 7.05 dwelling units per acre (du/a). The maximum density for the RC zoning district is 15 du/a. The applicant has indicated that .59 acres (23%) of open space is provided with .55 acres with two active miniparks of 19,517 sq. ft. and 6,035 sq. ft. Area 1 is conceived as a dog park or seating area with outdoor grill, Area 2 is conceived as a seating area with outdoor grill. Standards for density and open space have been met.

The property is surrounded by the Addison apartment complex to the north and west, with single family detached and a mobile home park to the south in Mecklenburg County: these will be redeveloped as part of the same project as the rezoning is requested for. Properties to the east, across Old Holland Rd., are vacant, single family residential, and what appears to be a mobile home with an automobile junk yard to the southeast in Mecklenburg County. Property to the north, west, and northeast is zoned General Commercial (C-2), property to the south is zoned Mecklenburg County R-8MF(CD), property to the southeast is zoned Mecklenburg County R-3, and property to the east is zoned Cabarrus County Limited Industrial (LI).

In accordance with the CDO, all reviewing departments of the DRC (Development Review Committee) have signed off on the rezoning plan. Should rezoning be approved, the next step would be for the applicant to apply for preliminary sewer allocation: sewer allocation must be granted by City Council prior to submitting construction drawings. It should be noted that the subject plan is not designed to construction drawing standards and therefore, any intended or perceived deviation from technical standards resulting from the somewhat conceptual nature of the plan shall not constitute approval to deviate from, or negate, technical standards within the Concord Development Ordinance, Technical Standards Manual, or any other regulatory document. Due to sewer capacity limitations at the Rocky River Wastewater Treatment Plant, it is now a requirement that projects obtain Preliminary Sewer allocation from City Council prior to the submittal of construction drawings.

The applicant held a required neighborhood meeting on Wednesday, January 26th, 2022 via Zoom. According to the summary, one neighbor attended. A summary provided by the applicant has been included in the Commission's packets.

Existing Zoning and Land Uses (Subject Parcel)				
Current Zoning of Subject Property	oning Within 500 Feet	Land Uses(s) of Subject Property	Land Uses within 500 Feet	

Unzoned (formerly Cabarrus County	North	C-2 (General Commercial)		North	Multi-family (Addison)
	South	Mecklenburg County R- 8MF(CD)	Single-Family Detached	South	Vacant, Single Family Detached, Mobile Home Park
Limited Industrial (LI)	East	Cabarrus County Limited Industrial (LI)	Detached	East	Vacant, Single Family Detached
	West	General Commercial (C-2)		West	Multi-family (Addison)

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as "Commercial," for which RC and Conditional District variations are not considered compatible zoning districts to the Land Use Category.

Applicable LUP Guidance:

From the 2030 Land Use Plan – "Commercial" (C):

The Commercial Future Land Use category includes a mix of commercial land use types. While these areas continue to support additional commercial development and redevelopment, much of the new commercial development should be concentrated within the Mixed-Use Activity Centers and Village Centers. Strip commercial development along major corridors is discouraged in the 2030 Plan. Instead, commercial development integrated into Mixed-Use Activity Centers at key intersections is desired. Areas designated as Commercial are intended to represent those that include a variety of commercial uses at different intensities, including large scale malls, lifestyle centers, and community shopping centers.

Policy Guidance:

Objective 1.6:

Provide a diverse mix and range of housing options throughout the City that will accommodate the current and future needs of the citizens of Concord.

Policy Guidance for Objective 1.6:

- · Infill Housing: Promote a variety of compatible infill housing types in areas with access to adequate facilities and services.
- · Housing Balance: Ensure that zoning allows for a mix of housing types at a variety of prices to meet the demands of existing and future residents.

Goal 4: Ensure compatibility between neighboring land uses.

Objective 4.1: Use a combination of land use transitions, intensity gradients, buffering and design to ensure that land use transitions are compatible.

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately +/- 2.553 acres and is currently unzoned.
- The subject property was annexed on March 10, 2022, and is currently occupied by a single family detached dwelling and assorted accessory structures.
- The proposed zoning amendment is not consistent with the City of Concord's 2030 Land Use Plan; however, the property is adjacent to areas developing as multi-family residential and is a component of a larger multi-family residential project that crosses the county line with Mecklenburg County. The proposed development would be consistent with the City of Concord's Urban Neighborhood designation as RC (Residential Compact) and conditional district variations are considered corresponding zoning classifications to the "Urban Neighborhood" Land Use Category. The proposed zoning is comparable to existing and proposed surrounding land uses.
- The zoning amendment is reasonable and in the public interest as it would link existing and proposed developments without compatibility concerns. The casita housing type is not currently found within the general vicinity and thus the proposal would increase housing type options, and is a reasonable use of a wedge-shaped parcel with limited access options that would otherwise be caught between two larger multi-family projects on a limited amount of land.

SUGGESTED RECOMMENDATION AND CONDITIONS

The staff has no objections to the petition. A Land Use Plan amendment will be needed for this request, which is subject to City Council approval: **Staff is seeking a recommendation to City Council on the rezoning and land use plan amendment.**

PROCEDURAL CONSIDERATIONS

SUGGESTED RECOMMENDATION AND CONDITIONS

The staff finds the consistent 2030 Land Use Plan and staff has no objections to the petition. If approval is desired, staff recommends the following conditions agreed upon by the applicant:

- 1. Compliance with Sheets RZ1.00 and RZ-2.00 of the "Rezoning Case Old Holland Road # Z(CD)-01-22," with revision date of 6/10/22.
- 2. The subject plan is not designed to construction drawing standards and therefore, any intended or perceived deviation from technical standards resulting from the somewhat conceptual nature of the plan shall not constitute approval to deviate from, or negate, technical standards within the Concord Development Ordinance, Technical Standards Manual, or any other regulatory document.
- 3. No more than 18 units shall be developed as part of the City of Concord phase of the project.
- 4. The 2.553 acres indicated in the City of Concord is the only property included within this portion of the rezoning approval.
- 5. Technical site plan review and approval is required including all approvals from outside local, state and federal agencies.
- 6. Required NCDOT roadway improvements shall be determined and submitted with

the first version of the site plan. All required Planting Yards shall not be reduced in width due to failure of developer to predetermine NCDOT requirements. This shall include identification of existing or relocated public and private utilities including electric, gas and communication. Sight triangles shall be shown and all landscape sufficiently outside of triangles to allow for mature plant size.

PROCEDURAL CONSIDERATIONS

This particular case is a rezoning, which under the CDO, is "legislative" in nature. Legislative hearings DO NOT require the swearing or affirming of witnesses prior to testimony at the public hearing.



APPLICATIONS NOT COMPLETED BY THE PUBLISHED APPLICATION DEADLINE WILL NOT BE CONSIDERED.

X	1.	Required Attachments / Submittals: Typed metes and bounds description of the property (or portion of property).
		A recorded deed is sufficient, if the deed contains a separate description of the
		property to be rezoned. If the property contains multiple tracts, deeds shall be
		provided describing each tract or multiple tracts.
∇	2.	Cabarrus County Land Records printout of names and addresses of all
		immediately adjacent landowners, including any directly across the street.
X	3.	FOR CONDITIONAL DISTRICT APPLICATIONS ONLY, 6 copies of a
		plan drawn to scale (conditional district plan) for the initial submittal to be
		reviewed by Development Review Committee. Staff will advise of additional
		submission requirements for the Planning Commission hearing after the initial
		review.
	4.	If applicable, proof of a neighborhood meeting (signature page) or receipt from
		certified letters mailed to adjoining property owners if project increases density
		or intensity (See Section 3.2.3). Staff will provide further information on this
		requirement during the required pre-application meeting.
	5.	Money Received by Date:
		Check # Amount: \$ 800.00 (Conditional) or \$600 (Conventional)
		Cash:
		The application fee is nonrefundable.

Planning & Neighborhood Development 35 Cabarrus Ave W • P. O. Box 308 • Concord, NC 28025

Phone 704-920-5152 • Fax 704-920-6962 • www.concordnc.gov

Page 1 of 6



(Please type or print)

(= remot sypt or print)		
Applicant Name, Address, Telephone Number and email addre	ess:	
DHIC, LLC, c/o Elam Hall; 2000 Aerial Center Parkway, Suite 110, Morrisville, NC 27560;		
704-516-1177; REHall@drhorton.com		
Owner Name, Address, Telephone Number:		
See Exhibit A attached hereto		
	-	
Project Location/Address: 7995 Old Holland Road		
P.I.N.: 4588-99-5811, 4588-99-2789 and 4588-99-4654		
Area of Subject Property (acres or square feet): +/- 2.553 acres	(See survey/legal description)	
Lot Width: +/- See the survey Lot Depth: +/- See the survey		
Current Zoning Classification: Limited Industrial (LI) (Cabarrus County zoning)		
Proposed Zoning Classification: <u>RC-CD</u>		
Existing Land Use: Single Family Residential		
Future Land Use Designation: Commercial on the 2030 Land U	Jse Map	
Surrounding Land Use: North Multi-Family	South Single Family Residential	
East Single Family Residential	West Single Family Residential	
Reason for request: To accommodate a residential community maximum of 18 single family attached (duplex style) dwelling	on the site that would contain a units in 9 buildings.	
Has a pre-application meeting been held with a staff member?	Yes	
Staff member signature:	Date:	

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Phone 704-920-5152 • Fax 704-920-6962 • www.concordnc.gov

Page 2 of 6



THIS PAGE APPLICABLE TO CONDITIONAL DISTRICT REQUESTS ONLY

(Please type or print)

1. Lis	st the Use(s) Proposed in	the Project:		
	dential community on the x style) dwelling units in	*	a maximum of 18 single fam	ily attached
2. Lis	st the Condition(s) you ar	e offering as part of this	project. Be specific with each	n description
(Y	ou may attach other shee	ets of paper as needed to	supplement the information):	
The ap	plicable conditions of th	e proposed developmen	t are set out on the Rezoning I	Plan.
I make	this request for Condition	onal district zoning volu	ntarily. The uses and condition	ons described
above	are offered of my own	free will. I understand	d and acknowledge that if the	property in
questic	on is rezoned as requeste	ed to a Conditional Dist	rict the property will be perpe	tually bound
to the	use(s) specifically auth	norized and subject to	such conditions as are imp	osed, unless
subseq	uently amended as prov	ided under the City of	Concord Development Ordina	ance (CDO).
	ected property owners (o		-	
See At	tached Signature Page		See Attached Signature Page	;
Signati	ure of Applicant	Date	Signature of Owner(s)	Date

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Phone 704-920-5152 • Fax 704-920-6962 • www.concordnc.gov

Page 3 of 6



THIS PAGE APPLICABLE TO CONDITIONAL DISTRICT REQUESTS ONLY

(Please type or print)

1. List the Use(s) Proposed in the	Project:
2. List the Condition(s) you are of	ffering as part of this project. Be specific with each description.
	of paper as needed to supplement the information):
(1 ou may attach other sheets c	report as needed to supplement the informations.
I make this request for Conditional dis	strict zoning voluntarily. The uses and conditions described above are
offered of my own free will. I under	estand and acknowledge that if the property in question is rezoned as
requested to a Conditional District the	property will be perpetually bound to the use(s) specifically authorized
and subject to such conditions as are	imposed, unless subsequently amended as provided under the City of
Concord Development Ordinance (CD	OO). All affected property owners (or agents) must sign the application.
Signature of Applicant Da	ate Signature of Owner(s) Date

Signature of Applicant to Application for Zoning Map Amendment Filed by DHIC, LLC

DHIC, LLC

By: MEh Hall
Name: R Elam Hall
Title: Vice - President

Date: December 17,2021



Zoning Map Amendment

Certification

I hereby acknowledge and say that the information contained herein and herewith is true, and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department.

Date: 8 6 21
Applicant Signature:
Property Owner or Agent of the Property Owner Signature:
Mary Candle



Certification

I hereby acknowledge and say that the information contained herein and herewith is true, and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department.

Date: <u>December 17, 202</u>	1			
Applicant Signature:	· ·	DHIC, LLC		
		By: MEL Hace		
		Name: R Elan Hall		
		Title: Vice-President		
Property Owner or Agent of the Property Owner Signature:				
See attached signature page				

Planning & Neighborhood Development
35 Cabarrus Ave W • P. O. Box 308 • Concord, NC 28025

Phone 704-920-5152 • Fax 704-920-6962 • www.concordnc.gov Page 4 of 6

14531231v1 19683.00013

Exhibit A to Application for Zoning Map Amendment Filed by DHIC, LLC

Property Owners Information

Parcel Identification Nos. 4588-99-5811, 4588-99-2789 and 4588-99-4654

William E. Caudle, Sr. Mary C. Caudle 7995 Old Holland Road Charlotte, NC 28262

Telephone Number: 704-575-8972

Metes and Bounds Description

ALL that certain lot or parcel of land situate, lying, and being in Cabarrus County, North Carolina, and more particularly described as follows:

BEGINNING at a calculated point in the centerline of Old Holland Road, a 60' Public Right Of Way, as described in Deed Book 14195, page 302 of the Cabarrus County Registry and marking the southeast corner of Addison Concord, LLC (now or formerly) as described in Deed Book 14194, page 283; THENCE with the centerline of Old Holland Road the following two (2) courses and distances: 1) South 04 degrees 45 minutes 59 seconds West, a distance of 207.15 feet to a calculated point; 2) THENCE a curve to the right having an arc length of 260.32 feet, a radius of 433.24 feet, being subtended by a chord bearing of South 21 degrees 21 minutes 52 seconds West, a distance of 256.42 feet to a calculated point along the Mecklenburg County and Cabarrus County line; THENCE with the county lines North 48 degrees 41 minutes 51 seconds West, a distance of 492.34 feet to a calculated point along the southern property line of Addison Concord, LLC (now or formerly) as described in Deed Book 14194, page 283; THENCE along the property line of Addison Concord, LLC the following two (2) courses and distances: North 76 degrees 01 minutes 03 seconds East, a distance of 81.53 feet to a new #5 rebar; 2) THENCE North 75 degrees 55 minutes 52 seconds East, a distance of 413.81 feet to a calculated point along the centerline of Old Holland Road, passing an existing #4 rebar at a distance of 211.43 feet and an existing #5 rebar at a distance of 384.72 feet, which is the POINT OF BEGINNING, having an area of 2.553 Acres, more or less.

Adjacent Property Owner Listing

Cabarrus County Property Owners

Tax Parcel #45898084470000

Addison Concord LLC 237 S Westmonte Drive Suite 140 Altamonte Springs, Florida 32714

Tax Parcel #45899081410000

Southeast Investment Group LLC 4 Wood Ibis TRL Beaufort, SC 29907

Tax Parcel #45889997130000

Richard R. Putnam, Trustee Phyllis A. Putnam, Trustee c/o Charles Brackett PO Box 124 Harrisburg, NC 28075

Tax Parcel #45980913090000

David M. Heavener Michael S. Heavener 1008 Mineral Springs Road Charlotte, NC 28262

Mecklenburg County Property Owners

<u>Tax Parcel #02907101</u>

David M. Heavener Michael S. Heavener 1008 Mineral Springs Road Charlotte, NC 28262

Tax Parcel #02956108

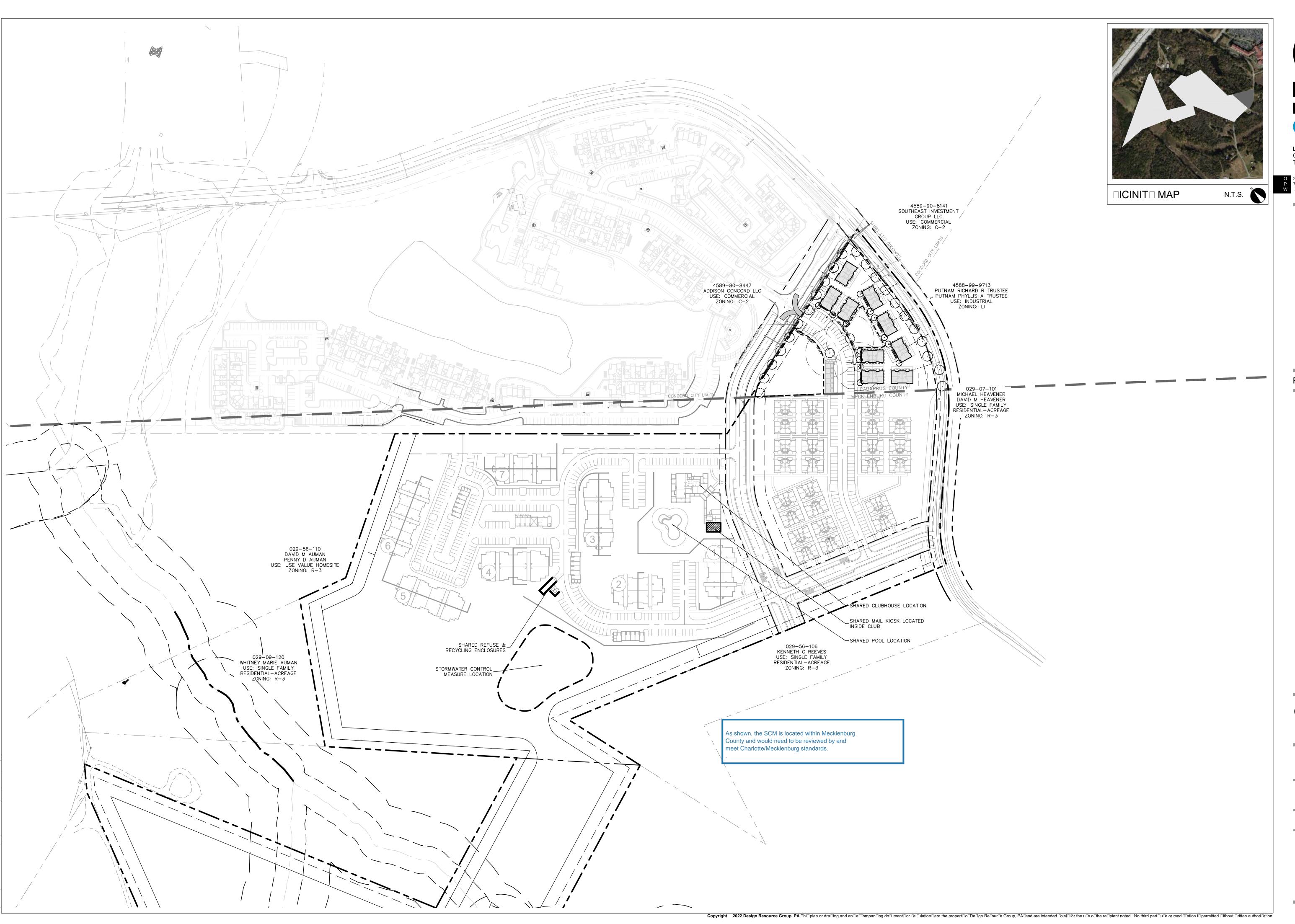
Mary C. Caudle William E. Caudle 7995 Old Holland Road Charlotte, NC 28262

Tax Parcel #02956107

Mary C. Caudle William E. Caudle 7995 Old Holland Road Charlotte, NC 28262

Tax Parcel #02956109

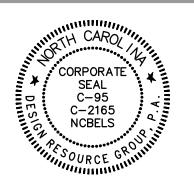
F/N Old Holland Road LLC 556 Hemmings Place Concord, NC 28027



DESIGN RESOURCE GROUP

LANDSCAP ARCHIT CT R CI□IL □NGIN□□RING TRANSPORTATION PLANNING

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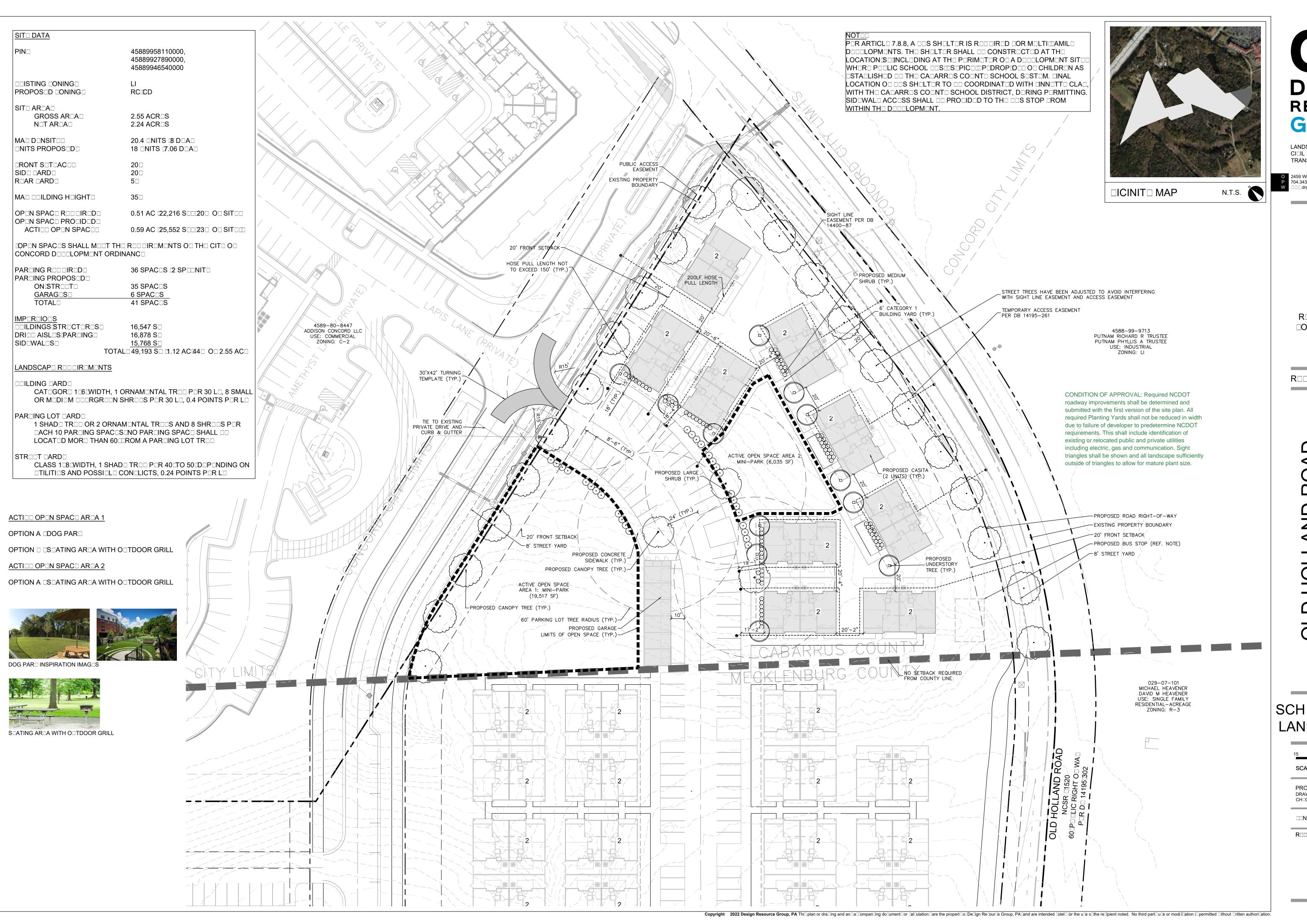
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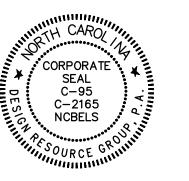
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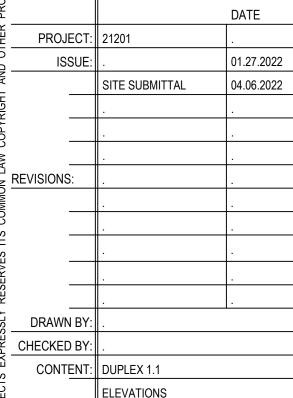
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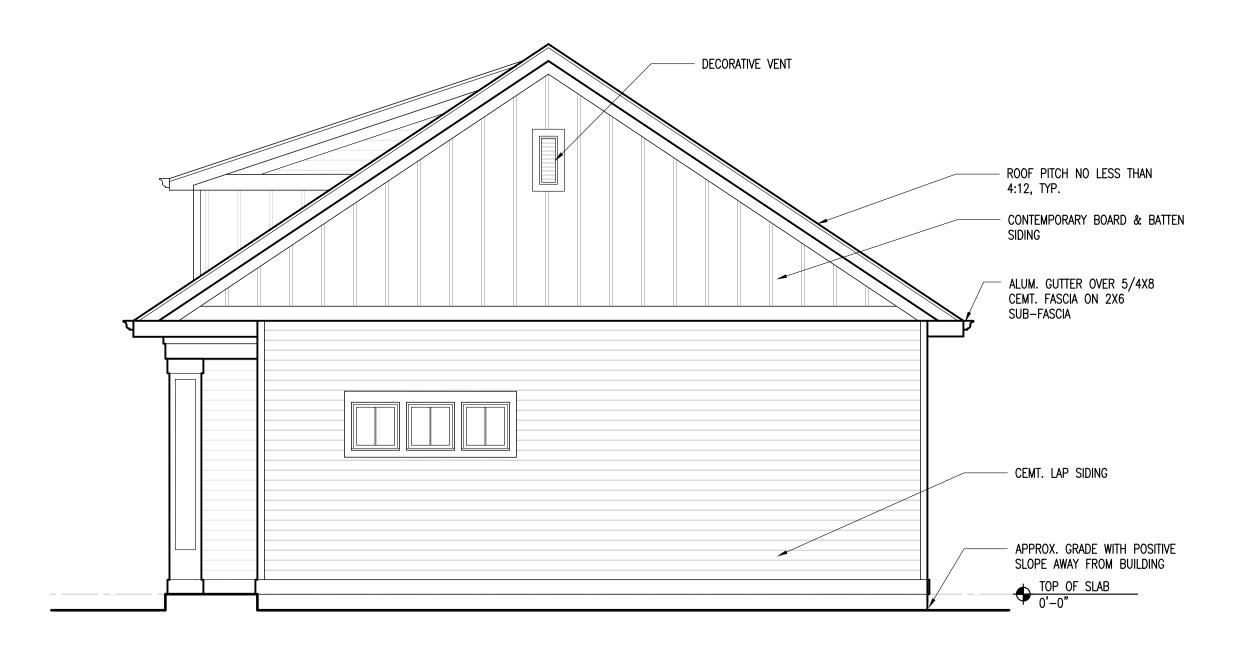






A3.01

SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION SCALE: 1/4" = 1'-0"

- ROOF PITCH NO LESS THAN 4:12, TYP. CONTEMPORARY BOARD & BATTEN SIDING CEMT. LAP SIDING VINYL WINDOW SYSTEM; WINDOWS ON ALL BUILDING SIDES FRONTING PUBLIC STREET TOP OF SLAB
0'-0" PRIMARY ENTRANCES FACING PUBLIC STREETS OR PARKING — CEMT. LAP SIDING

> ELEVATIONS ARE PRELIMINARY & FOR REFERENCE/ ZONING PURPOSES ONLY. ELEVATIONS TO FOLLOW DEVELOPMENT STANDARDS.

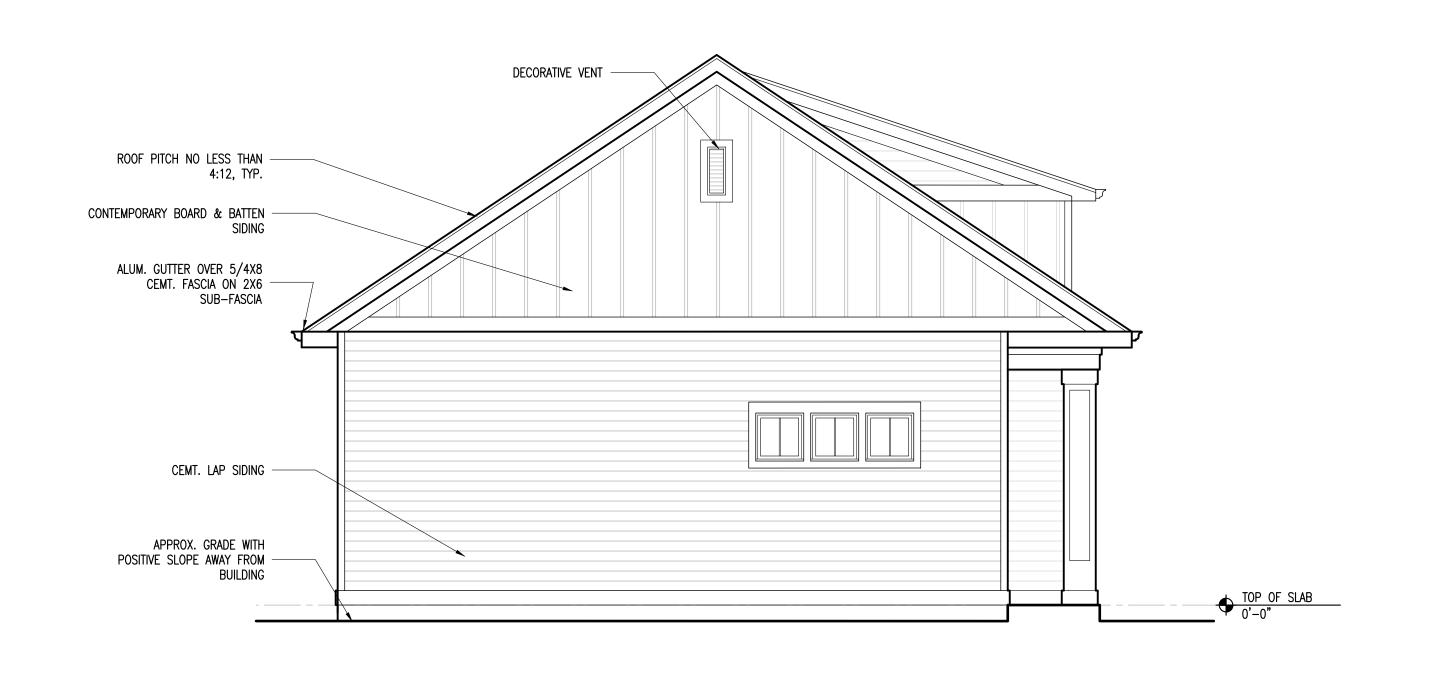
> > FRONT ELEVATION

156

PROJECT:	21201
ISSUE:	
	SITE SUBMITTAL
EVISIONS:	
DRAWN BY:	
CHECKED BY:	
CONTENT:	DUPLEX 1.1

ELEVATIONS

A3.01.1



LEFT ELEVATION

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OF SUBLE

STEEL INSUL DOOR

ELEVATIONS ARE PRELIMINARY & FOR REFERENCE/ ZONING PURPOSES ONLY.
ELEVATIONS TO FOLLOW DEVELOPMENT STANDARDS.

REAR ELEVATION

SCALE: 1/4" = 1'-0"

		DATE
PROJECT:	21201	
ISSUE:		01.27.2
	SITE SUBMITTAL	04.06.2
REVISIONS:		
DRAWN BY:		•
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CONTENT:	DUPLEX 2.1	
	ELEVATIONS	

A3.02

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4-12, TYP.

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CENT. FASCIA ON 2X6
SUB-FASCIA

ROOF BEARING

TY-3*

CONTEMPORARY BOARD & BAITEN
SIDING

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Y-0*

TRUSS BEARING

APPROX. GRADE WITH POSITIVE
SLOPE AWAY FROM BUILDING

TOP OF SLAB

O'-0*

TOP OF SLAB

RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



ELEVATIONS ARE PRELIMINARY & FOR REFERENCE/ ZONING PURPOSES ONLY.
ELEVATIONS TO FOLLOW DEVELOPMENT STANDARDS.

FRONT ELEVATION
SCALE: 1/4" = 1'-0"

A3.02.1

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TOP OF SLAB

TOP OF SLAB

LEFT ELEVATION

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ROOF BRANNS
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ELEVATIONS ARE PRELIMINARY & FOR REFERENCE/ ZONING PURPOSES ONLY.
ELEVATIONS TO FOLLOW DEVELOPMENT STANDARDS.

REAR ELEVATION

SCALE: 1/4" = 1'-0"

— STEEL INSUL. DOOR

A3.03

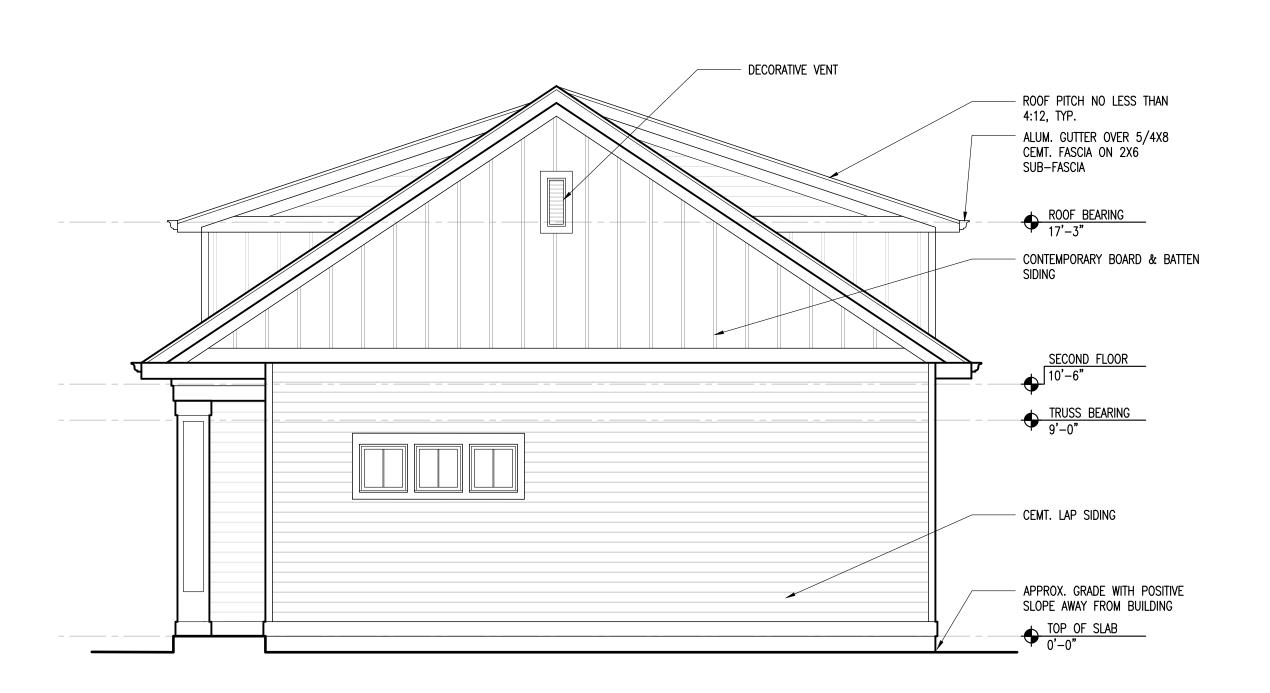
ELEVATIONS

CONTENT: DUPLEX 3.1

FRONT ELEVATION
SCALE: 1/4" = 1'-0"

ELEVATIONS ARE PRELIMINARY & FOR REFERENCE/ ZONING PURPOSES ONLY.

ELEVATIONS TO FOLLOW DEVELOPMENT STANDARDS.



RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



		DATE
PROJECT:	21201	
ISSUE:		01.27.2
	SITE SUBMITTAL	04.06.2
REVISIONS:		
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CONTENT:	DUPLEX 3.1	
	ELEVATIONS	
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A3.03.1

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CONTEMPORARY BOARD & BATTER

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TOP OF SLAB

LEFT ELEVATION

SCALE: 1/4" = 1'-0"

SOOF BLANK COURT 5/488

COME PROVIDE ON STEEL MATCHES & PROVIDE ON STEEL MA

ELEVATIONS ARE PRELIMINARY & FOR REFERENCE/ ZONING PURPOSES ONLY.
ELEVATIONS TO FOLLOW DEVELOPMENT STANDARDS.

REAR ELEVATION

SCALE: 1/4" = 1'-0"

PROJECT: 21201 SITE SUBMITTAL REVISIONS: DRAWN BY: CONTENT: GARAGE ELEVATIONS

FRONT ELEVATION SCALE: 1/4" = 1'-0"

ROOF PITCH NO LESS THAN 4:12, TYP. - CEMT. LAP SIDING ROOF BEARING PREFINISHED ALUM. GUTTER/DOWNSPOUT SYSTEM — AVERAGE GRADE W/ POSITIVE SLOPE AWAY FROM ALL PARTS OF BUILDING FFE: T.O. BACK WALL CURB T.O. STORAGE SLAB SEMI-RECESSED FIRE -EXTINGUISHER CABINET

SCALE: 1/4" = 1'-0"

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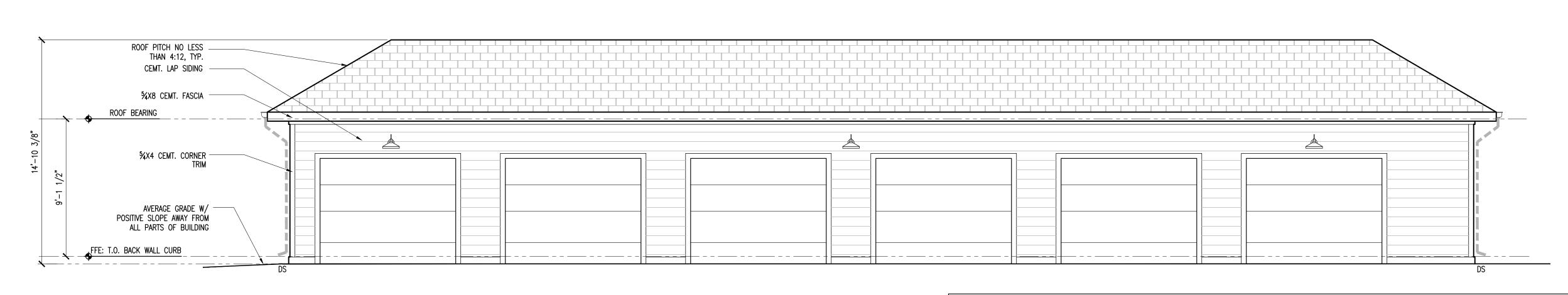
AVERAGE GRADE W/
POSITIVE SLOPE AWAY FROM ALL PARTS OF BUILDING

ROOF BEARING

RIGHT SIDE ELEVATION SCALE: 1/4" = 1'-0"

ROOF PITCH NO LESS -THAN 4:12, TYP. CEMT. LAP SIDING

> REAR ELEVATION SCALE: 1/4" = 1'-0"



ELEVATIONS ARE PRELIMINARY & FOR REFERENCE/ ZONING PURPOSES ONLY. ELEVATIONS TO FOLLOW DEVELOPMENT STANDARDS.

162

NEIGHBORHOOD MEETING REPORT

Applicant: DHIC, LLC

Rezoning Application No. Z(CD)-01-22

This Neighborhood Meeting Report is being filed with the City of Concord Planning Department pursuant to the provisions of the Concord Development Ordinance.

<u>PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:</u>

A representative of the Applicant mailed written notices of the date and time of the Neighborhood Meeting, and information on how to access the Neighborhood Meeting, to the individuals and organizations set out on <u>Exhibit A-1</u> attached hereto by depositing such notices in the U.S. mail on January 7, 2022. Copies of the written notices are attached hereto as <u>Exhibit A-2</u>.

DATE, TIME AND LOCATION OF MEETING:

The Neighborhood Meeting was held on Wednesday, January 26, 2022 at 6:30 PM. The Neighborhood Meeting was a virtual Neighborhood Meeting and was held by way of a Zoom Webinar.

PERSONS IN ATTENDANCE AT MEETING:

The Neighborhood Meeting was attended by those individuals identified on <u>Exhibit B</u> attached hereto. The Applicant's representatives at the Neighborhood Meeting were Elam Hall and Daniel Jellicorse of the Applicant, Thomas Haapapuro of Design Resource Group and John Carmichael of Robinson Bradshaw & Hinson, P.A.

SUMMARY OF ISSUES DISCUSSED:

Applicant's representatives utilized a power point presentation during the Neighborhood Meeting, a copy of which is attached hereto as Exhibit C.

John Carmichael welcomed the attendees to the Neighborhood Meeting and introduced himself and the Applicant's representatives. He stated that the Applicant is requesting the annexation of the site into the City of Concord and the rezoning of the site by the City of Concord.

John Carmichael stated that we will go through our presentation and at the conclusion of the presentation, we will open up the meeting for questions and comments.

John Carmichael provided the current/tentative schedule of events relating to the annexation and rezoning requests. This schedule is subject to change, however, these are the earliest dates that these events can occur. The annexation request is currently scheduled to be heard by City Council on March 10, 2022. If the annexation is approved, the rezoning request would go to the Planning and Zoning Commission on April 19, 2022 for a recommendation, and the rezoning request would go to City Council on May 12, 2022 for a public hearing.

John Carmichael shared a map of the site. The site is located on Old Holland Road and it contains 2.553 acres. The site is located next to the County line. John Carmichael shared an aerial photograph of the site. An apartment community is located immediately to the north of the site.

The site is zoned LI, which is a Cabarrus County light industrial zoning district. John Carmichael discussed the zoning of adjacent and nearby parcels of land. The Applicant is requesting that the site be annexed into the City of Concord and rezoned to the RC-CD zoning district to accommodate the development of a maximum of 18 single family attached (duplex style) dwelling units in 9 buildings. These dwelling units are proposed to be a part of a residential community that is proposed to be located on adjacent land in Mecklenburg County.

John Carmichael shared and discussed the site plan for the proposed development. He pointed out the 9 duplex buildings and the detached garages. The site would be accessed by a road from the proposed development in Mecklenburg County and by a road from the apartment community to the north of the site. The dwelling units would be for rent dwelling units.

Elam Hall then addressed the meeting. He stated that he is with D.R. Horton. They refer to these duplex style dwelling units as Casita Cottages. They are duplex rental units. The dwelling units would be one story and two story units. The one bedroom unit is one story and the two and three bedroom units are two stories. They look very much like small bungalow cottages.

The Neighborhood Meeting was then devoted to a question, answer and comment session. Set out below is a summary of the responses to the questions as well as the comments that were expressed at the meeting.

- Attendees (the Bracketts) stated that they own property across Old Holland Road from the site and they were interested to see what is being proposed. Their property is zoned light industrial, as they understand it. Their property is located in Cabarrus County. Elam Hall stated that one and two story cottages would be located across Old Holland Road from their property.
- The Bracketts asked if this site is annexed into the City of Concord, will the City run water and sewer on the site side of Old Holland Road. Daniel Jellicorse stated that the waterline would be brought up to the top corner of our site where the access road into our site would be located. The sewer line would run to a to be determined spot.
- The Bracketts stated that there is not currently sewer to their property.
- The Bracketts asked if water and sewer have been approved for the site. Thomas Haapapuro stated that it is early in the process. We are currently pursuing the annexation and the rezoning at this point. Water and sewer have not been approved for this site.
- An attendee, David Niekamp, stated that the sewer would not come up Old Holland Road. Sewer for this site would come from the apartment community located immediately to the north of the site.
- In response to a question, Elam Hall stated that only sewer would come from the apartment community to the north of the site.
- In response to a question, Elam Hall stated that sewer would not be accessed from the Bracketts' side of Old Holland Road. Sewer would be accessed from the adjacent apartment community to the north of the site.
- The Bracketts stated that they understand that it took over a year and a half for the apartment community to get water and sewer approved. The Bracketts stated that the Applicant is probably a long way from starting construction. Elam Hall stated that they have a fair amount of process ahead of them and if they get all of the required approvals it could take a good year and a half before construction would commence.

There were no further comments or questions. John Carmichael thanked everyone for attending the meeting, and the meeting was adjourned.

CHANGES MADE TO THE APPLICATION AS A RESULT OF THE NEIGHBORHOOD MEETING AS OF THE DATE HEREOF:

No changes have been made to the Rezoning Plan or to the Rezoning Application as of the date of this Neighborhood Meeting Report solely as a result of the Neighborhood Meeting.

Respectfully submitted, this 1st day of March, 2022.

John Carmichael, on behalf of DHIC, LLC, Applicant

Exhibit A-1

-4-

AcctName1	AcctName2	MailAddr1	MailCity	MailState	MailZipCod
ADDISON CONCORD LLC		237 S WESTMONTE DR STE 140	ALTAMONTE SPRINGS	FL	32714
WITHROW DOWNS II HOA		P O BOX 79032	CHARLOTTE	NC	28271
HEAVENER DAVID M	HEAVENER MICHAEL S	1008 MINERAL SPRINGS RD	CHARLOTTE	NC	28262
PUTNAM RICHARD & PHYLLIS	C/O CHARLESS BRACKETT	PO BOX 124	HARRISBURG	NC	28075
SOUTHEAST INVESTMENT GROUP LLC		4 WOOD IBIS TRL	BEAUFORT	SC	29907
WILLIAM E CAUDLE		7995 OLD HOLLAND RD	CHARLOTTE	NC	28262



Exhibit A-2

Exhibit A-2 has been truncated by staff--applicant included copies of letters sent to all adjacent property owners. These are available upon request if needed.



jcarmichael@robinsonbradshaw.com 704,377,8341 : Direct Phone 704,373,3941 : Direct Fax

January 7, 2022

William E. Caudle 7995 Old Holland Road Charlotte, NC 28262

Re: Petition for Annexation and Application for Zoning Map Amendment Filed DHIC, LLC for Property Located on the West Side of Old Holland Road at the Cabarrus County – Mecklenburg County Line (7995 and 7993 Old Holland Road; PIN Nos. 4588-99-5811, 4588-99-2789 and 4588-99-4654)

Dear Mr. Caudle:

We represent DHIC, LLC (the "Applicant"). The Applicant has submitted to the City of Concord a Petition for Annexation and an Application for Zoning Map Amendment requesting the annexation and rezoning of an approximately 2.553 acre site located on the west side of Old Holland Road in Cabarrus County at the Cabarrus County – Mecklenburg County line (7995 and 7993 Old Holland Road). The site is comprised of three parcels of land that are designated as PIN Nos. 4588-99-5811, 4588-99-2789 and 4588-99-4654, and the site is owned by William E. Caudle, Sr. and Mary C. Caudle. The site is currently zoned Limited Industrial (LI).

The Applicant is requesting the annexation of the site into the City of Concord and the rezoning of the site to the RC-CD zoning district to accommodate the development of a maximum of 18 single family attached (duplex style) dwelling units in 9 buildings on the site. These single family attached (duplex style) dwelling units would be part of a residential community proposed for adjacent property located in Mecklenburg County.

I have included a map showing the subject site and a <u>draft</u> site plan that depicts the layout of the development proposed for the site.

The purposes of this letter are to provide you with information on the Petition for Annexation and the Application for Zoning Map Amendment and to request your presence at an informational neighborhood meeting hosted by the Applicant via ZOOM on Wednesday, January 26, 2022 at 6:30 PM. Information on how to access the ZOOM meeting is provided below:

You are invited to a Zoom webinar.

When: Jan 26, 2022 06:30 PM Eastern Time (US and Canada)

Topic: Annexation and Rezoning Request for An Approximately 2.553 Acre Site on Old Holland Road in Cabarrus County

ROBINSON, BRADSHAW & HINSON, P.A.: robinsonbradshaw.com Charlotte Office: 101 N. Tryon St., Ste. 1900, Charlotte, NC 28246: 704.377.2536 Please use the link below to join the webinar:

https://robinsonbradshaw.zoom.us/j/98353199044?pwd=UkJMdFhGd05xNlZyTVNqWTBQbk1CQT09

Passcode: 247258

Or One tap mobile:

US: +13126266799,,98353199044# or +16465588656,,98353199044#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 646 558 8656

Alternatively, you may send an email to communitymeeting@robinsonbradshaw.com and request that the link to the informational neighborhood meeting be emailed to you.

The anticipated and tentatively scheduled dates of the public hearings on the Petition for Annexation and the Application for Zoning Map Amendment are as follows:

- Annexation Request (Concord City Council): March 10, 2022.
- Planning and Zoning Commission Meeting for a Recommendation on the Rezoning Request: April 19, 2022.
- Public Hearing Before City Council on the Rezoning Request: May 12, 2022.

These are the earliest dates that these public hearings could occur and it is possible that the public hearings could be delayed.

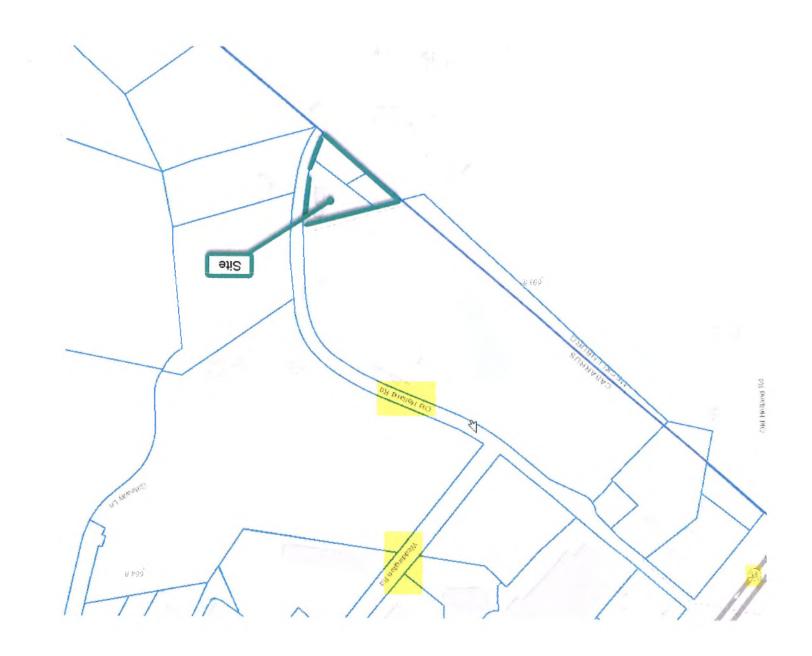
If you have any questions about this matter, please contact John Carmichael (<u>jcarmichael@robinsonbradshaw.com</u>; 704-377-8341). We look forward to addressing any questions you may have regarding this matter.

Sincerely.

ROBINSON, BRADSHAW & HINSON, P.A.

m H. Camichael

John H. Carmichael



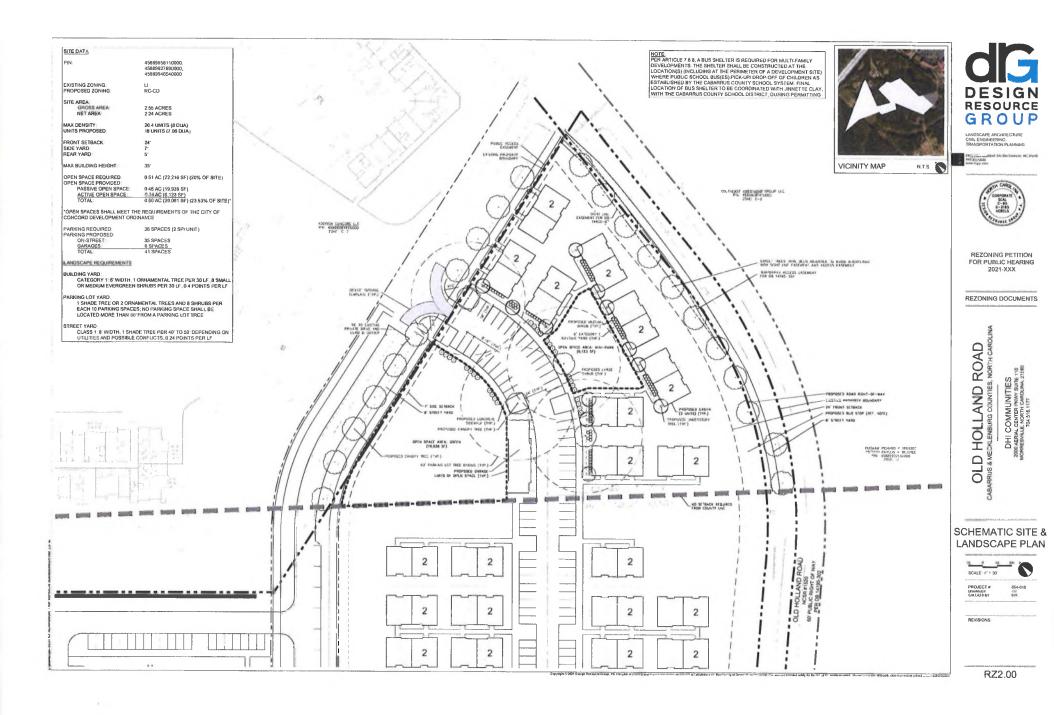


Exhibit B

-6-

Meeting ID		Торіс
	98353199044	Annexation and Rezoning Request for An Approximately 2.553 Acre Site on Old Holland Road in Cabarrus County

Name (Original Name) User Email

David Niekamp djniekamp@gmail.com
Thomas Haapapuro thomas@drgrp.com
rebeccabrackett clbracke@aol.com
Daniel J. Jellicorse djellicorse@drhorton.com
Elam Hall rehall@drhorton.com
Elam Hall rehall@drhorton.com



Start Time	End Time	User Email		Duration (Minutes)	Participants	
1/26/2022 18:11	1/26/2022 19:01	NSpeed@robinsonbradshaw.com			51	8
Join Time	Leave Time	Duration (Minutes)		Guest	In Waiting Room	1
1/26/2022 18:11	1/26/2022 19:01		51	No	No	
1/26/2022 18:15	1/26/2022 19:01		47	Yes	No	
1/26/2022 18:28	1/26/2022 19:01		34	Yes	No	
1/26/2022 18:47	1/26/2022 19:01		15	Yes	No	
1/26/2022 18:15	1/26/2022 19:01		46	Yes	No	
1/26/2022 18:29	1/26/2022 18:30		1	Yes	No	
1/26/2022 18:35	1/26/2022 19:01		26	Yes	No	
1/26/2022 18:29	1/26/2022 19:01		33	Yes	No	

Exhibit C

- 7 -

Rezoning Application No. Z(CD)-01-22

DHIC, LLC, Applicant

Neighborhood Meeting January 26, 2022



Charlotte: Research Triangle: Rock Hill robinsonbradshaw.com

Team

- Elam Hall, D.R. Horton
- Daniel Jellicorse, D.R. Horton
- Thomas Haapapuro, Design Resource Group
- John Carmichael, Robinson Bradshaw & Hinson, P.A.



Current/Tentative Schedule

- Annexation Request (Concord City Council): March 10, 2022
- Planning and Zoning Commission Meeting for a Recommendation on the Rezoning Request: April 19, 2022
- Public Hearing Before City Council on the Rezoning Request: May 12, 2022



Site – 2.553 Acres



Site



Current Zoning of the Site



Annexation/Rezoning Request

Requesting the annexation of the site into the City of Concord and the rezoning of the site to the RC-CD zoning district to accommodate the development of a maximum of 18 single family attached (duplex style) dwelling units in 9 buildings

These single family attached (duplex style) dwelling units would be part of a residential community proposed for adjacent property located in Mecklenburg County.



Site Plan





OLD HOLLAND ROAD

CABARRUS COUNTY, NC









CABARRUS COUNTY, NC









CABARRUS COUNTY, NC



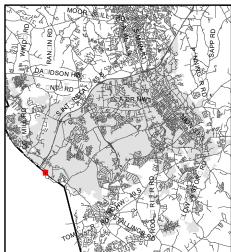
Questions and Comments

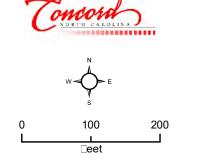


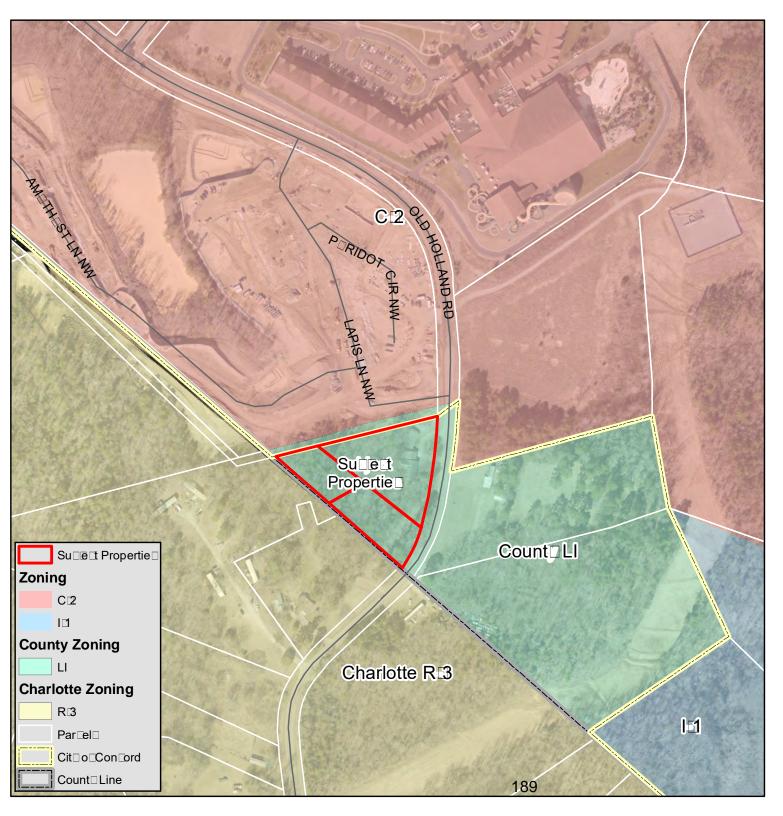
Z(CD)-01-22 AERIAL

Rezoning application from
Cabarrus County LI
(Limited Industrial)
to
RC-CD (Residential Compact
- Conditional District)

7995 Old Holland Rd PIN's: 4588-99-5811, 4588-99-2789, 4588-99-4654



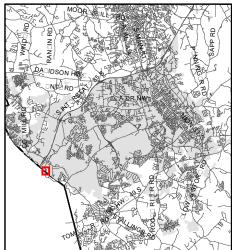


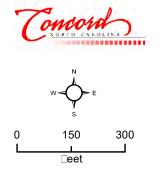


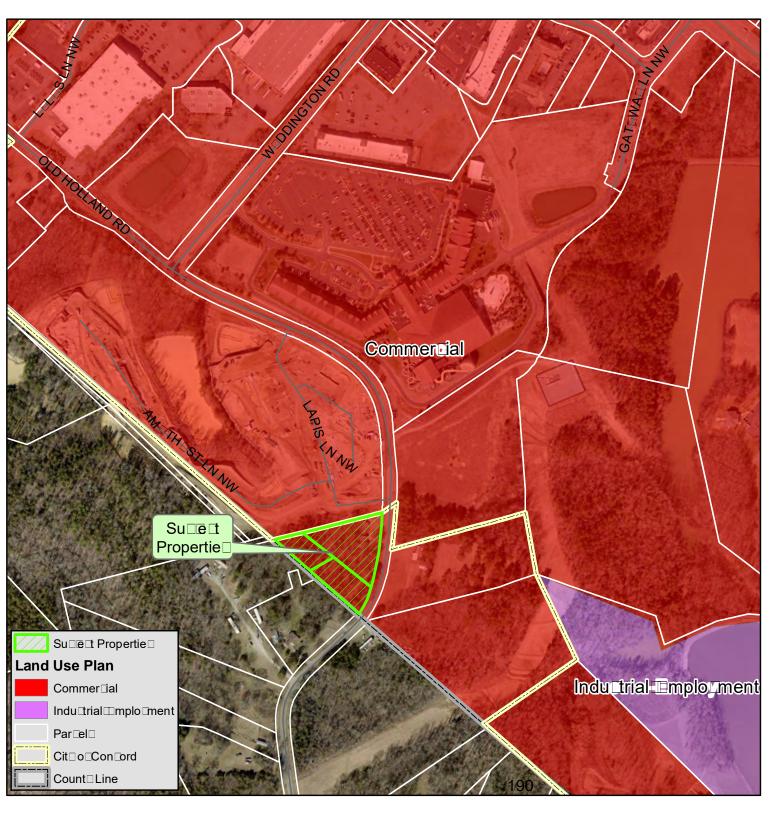
Z(CD)-01-22 ZONING

Rezoning application from
Cabarrus County LI
(Limited Industrial)
to
RC-CD (Residential Compact
- Conditional District)

7995 Old Holland Rd PIN's: 4588-99-5811, 4588-99-2789, 4588-99-4654



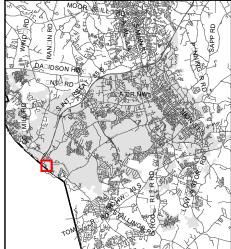


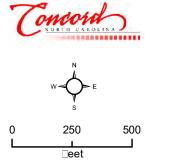


Z(CD)-01-22 LAND USE PLAN

Rezoning application from
Cabarrus County LI
(Limited Industrial)
to
RC-CD (Residential Compact
- Conditional District)

7995 Old Holland Rd PIN's: 4588-99-5811, 4588-99-2789, 4588-99-4654





MEETING DATE:

August 11th 2022

BACKGROUND:

The Planning and Zoning Commission heard the petition for case Z(CD)-01-22 at their July 19th, 2022 meeting and unanimously voted to forward the request to City Council with a recommendation that the zoning map be amended from unzoned (formerly Cabarrus County Limited Industrial) to City of Concord Residential Compact (RC-CD) and to amend the 2030 Land Use Plan to reclassify the parcel from "Commercial" to "Urban Neighborhood."

The property was annexed on a voluntary basis (ANX-15-21) with an effective date of March 10, 2022. The proposed development is part of a multi-family project that crosses the Mecklenburg County line. The request is for eighteen duplex-style "casita" units on the 2.553 acres in Cabarrus County

The current future land use plan designation is "Commercial;" however, the property is adjacent to the Addison, a 339 unit multi-family development. The proposed development is consistent in form, in that it is also multi-family, but requires a Land Use Plan amendment to Urban Neighborhood for consistency with the 2030 Land Use Plan. Because the property was annexed into the City limits, a City zoning designation must be applied.

The following conditions are recommended for the rezoning case.

Recommended Conditions

- 1. Compliance with Sheets RZ1.00 and RZ-2.00 of the "Rezoning Case Old Holland Road # Z(CD)-01-22," with revision date of 6/10/22.
- 2. The subject plan is not designed to construction drawing standards and therefore, any intended or perceived deviation from technical standards resulting from the somewhat conceptual nature of the plan shall not constitute approval to deviate from, or negate, technical standards within the Concord Development Ordinance, Technical Standards Manual, or any other regulatory document.
- 3. No more than 18 units shall be developed as part of the City of Concord phase of the project.
- 4. The 2.553 acres indicated in the City of Concord is the only property included within this portion of the rezoning approval.
- 5. Technical site plan review and approval is required including all approvals from outside local, state and federal agencies.
- 6. Required NCDOT roadway improvements shall be determined and submitted with the first version of the site plan. All required Planting Yards shall not be reduced

in width due to failure of developer to predetermine NCDOT requirements. This shall include identification of existing or relocated public and private utilities including electric, gas and communication. Sight triangles shall be shown and all landscape sufficiently outside of triangles to allow for mature plant size.

The Planning and Zoning Commission unanimously adopted the Statement of Consistency, listed below, at their July 19th public hearing. Council may adopt the same statement, modify it, or adopt an entirely new Statement of Consistency.

Statement of Consistency

- The subject property is approximately +/- 2.553 acres and is currently unzoned.
- The subject property was annexed on March 10, 2022, and is currently occupied by a single family detached dwelling and assorted accessory structures.
- The proposed zoning amendment is not consistent with the City of Concord's 2030 Land Use Plan; however, the property is adjacent to areas developing as multi-family residential and is a component of a larger multi-family residential project that crosses the county line with Mecklenburg County. The proposed development would be consistent with the City of Concord's Urban Neighborhood designation as RC (Residential Compact) and conditional district variations are considered corresponding zoning classifications to the "Urban Neighborhood" Land Use Category. The proposed zoning is comparable to existing and proposed surrounding land uses.
- The zoning amendment is reasonable and in the public interest as it would link existing and proposed developments without compatibility concerns. The casita housing type is not currently found within the general vicinity and thus the proposal would increase housing type options, and is a reasonable use of a wedge-shaped parcel with limited access options that would otherwise be caught between two larger multi-family projects on a limited amount of land.





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Concori

CASE: TA-07-22 Text Amendment – Multi-Family and Convention

Center, Mixed Use

PREPARED BY: Scott Sherrill, AICP, Development Review Manager

BACKGROUND: TA-07-22, CITIZEN INITIATED

On April 14, 2005, City of Concord City Council adopted a text amendment that established a list of permitted uses within 1,000 feet of the Concord Convention Center, effectively establishing an overlay on surrounding properties that limited approved uses. Among the uses that were not permitted within the 1,000 ft. buffer were multi-family residential and mixed-use buildings. The bounds of the overlay were further limited from applying to properties across rights of way greater than 120', which effectively means that properties across Bruton Smith Blvd. were exempted from the use limitations. Several adjoining property owners spoke in opposition to the text amendment at the hearing in 2005.

A map reflecting the convention center buffer is attached to this staff report. It includes portions of the Rocky River Golf Course and other city-owned property to the north along the Hector Henry Greenway. There is one vacant outparcel on Gateway Ln, which is proposed for a drive thru restaurant, per their sewer allocation request. There are four undeveloped parcels bounded by Bruton Smith Blvd, Scott Padgett Pkwy NW, and John Q Hammon Dr. NW that total 8.2+/- acres, and the property at 5350 John Q Hammon Dr NW., consisting of approximately 5.6 acres. All of the relevant property is currently zoned General Commercial (C-2).

The City of Concord received an application for a text amendment from David B. Kossove requesting that multi-family residential uses be permitted within 1,000 feet of the convention center. Staff has recommended extending this request to explicitly permit mixed use buildings also.

Mr. Kossove is associated with a group that is seeking to develop a mixed-use building and a standalone multi-family building at 5350 John Q Hammon Dr. NW that is currently in for a sewer allocation request.

The C-2 zoning district permits vertically integrated mixed-use buildings by right, and multi-family buildings with a special use permit. Residential units above non-residential do not count towards the density limit, whereas standalone multi-family units are limited to 30% of the parcel area for both density and use, and are limited in density to the Residential Compact (RC) standard of 15 dwelling units per acre.

The aerial map reflecting the 1,000 ft. convention center buffer, the application for text amendment, and a selection of the minutes from the April 14, 2005 City Council meeting are attached to this staff report.

At the June 21, 2022 Planning and Zoning Commission meeting, the Planning and Zoning Commission expressed reservations regarding allowing multi-family within the Convention Center overlay, but was supportive of adding mixed use buildings, and this is reflected in the drafted text amendment. The Planning and Zoning Commission also directed staff to reach out to the convention center to get their opinion on the overlay: staff has reached out but has not received a response from the Convention Center.

Statement of Reasonableness and Consistency:

The proposed text amendment is consistent with the 2030 Land Use Plan in that it fosters an attractive and functional mix of living, working, shopping and recreational uses within Mixed-Use Activity Centers and Village Centers (Objective 1.5) and Providing a diverse mix and range of housing options throughout the City that will accommodate the current and future needs of the citizens of Concord (Objective 1.6).

The request is reasonable and in the public interest in that it increases the ability to develop residential uses in close proximity to a major commercial node, and supports the goal of the Convention Center overlay/buffer to ensure that future development within close proximity of the convention center will contain uses that are compatible and complementary, and promote pedestrian as well as tourist activities.

Action Requested:

Consider the drafted text amendment and make a recommendation to Council on the text amendment and statement of reasonableness and consistency.

LOCATION

Only the following permitted uses from Table 8.1.8 shall be allowed to locate within one thousand (1000) feet from any convention center property unless the use is separated by an existing public right-of-way of 120 ft. or greater. This does not include property whose use(s) would become non-conforming at the date of adoption. For purposes of this section, a property for which a site plan has been approved shall be considered to be a convention center property.

- ABC Store
- Accessory uses (customarily incidental to the permitted primary use as approved by the Administrator)
- Accounting & Tax Service
- Advertising & Related Services
- Amusement Arcade, indoors only
- Amusement Park
- Animal Grooming Establishment (no overnight boarding)
- Antique Store
- Architectural, Engineering & Related Services
- Art Dealer
- Art Supply Shop
- Auditorium/Assembly Hall, up to 350 seats
- Auditorium/Assembly Hall, more than 350 seats
- Bakery/Snack Shop, no drive-thru
- Bank Teller Machines, outdoor (principal or accessory uses)
- Barber/ Beauty Shop
- Baseball Hitting Range
- Beauty Supply and Cosmetic Store
- Bed and Breakfast Inn
- Bicycle Sales and Service
- Blueprinting and Drafting Service
- Botanical Gardens/Nature Preserves
- Book Store
- Bowling Center
- Bus Charter Service Company (including passenger terminals)
- Camera and Photography Store
- Candle Shop
- Candy and Nut Store
- Card Shop
- Child Care Center
- China and Tableware Shop
- Clock and Watch Sales and Repair
- Cloth/Piece Goods store

- Clothing and Clothing Accessories
- Clothing Alterations and Repairs
- Coin and Stamp Shop
- Computer System Design & Related Services
- Convention Center
- Costume Rental Shop
- Counseling Office
- Consulting Office
- Country Club
- Craft Studio and Store
- Credit Bureau
- Dance School Studio
- Data Processing and News Services
- Delivery/Courier Service, local, (no commercial vehicles)
- Detective Agency
- Drapery and Linen Shop
- Electronics Sales and Repair
- Electronic Shopping and Mail-Order Houses
- Employment Agency
- Engineering, Architect or Surveying Office
- Environmental Consulting Service
- Extended Stay Lodging Facilities
- Financial Institution (no drive up windows)
- Floral and Christmas Shop
- Florist
- Food Catering Facility
- Food Store, (excluding convenience stores)
- Formal Wear
- Funeral Home
- Furniture & Home Furnishings store
- General Merchandise Store (less than 25,000 sq. ft.)
- Gift, Novelty and Souvenir Store
- Glass and Mirror Shop
- Golf Course, public or private
- Golf Driving Range
- Governmental Buildings (excl. correctional institutions)
- Graphic Design Services
- Gun and Ammunition Sales
- Gunsmith
- Hardware Store
- Health Club & Fitness Center
- Hobby, Toy, and Games Stores
- Home Electronics Sales and Repair
- Home Occupations
- Hospital

- Hotel
- Industrial Design Services (general office)
- Insurance Agency
- Interior Design Services
- Jewelry Sales and Repair Store
- Legal services
- Library, public
- Limousine/Chauffeur Service
- Martial Arts School
- Massage Therapist
- Medical clinic
- Medical Supply Shop
- Micro-Brewery (less than 5,000 sq. ft.)
- Miniature Golf Course
- Mixed Use Building
- Motel
- Motion Picture and Sound Recording Studio
- Motion Picture Theater, indoor
- Museum
- Music Store
- Nail Store
- Newsstand (principal use)
- Nursery, plants
- Office, general
- Office supplies, Equipment and Stationary Store
- Park, community
- Park, district
- Park, neighborhood
- Park, linear
- Park, regional
- Parking Lot & Decks, principal use
- Performing Arts Company & Artist
- Pet Shop
- Photocopy Service
- Photofinishing Laboratory
- Photography Studio
- Picture Frame Shop
- Post Office
- Postal store and Contract Station
- Printing and related Support Activities
- Public Transportation System
- Real Estate agency
- Recreational Instruction and Camps
- Religious Institution / House of Worship (up to 450 seats)
- Religious Institution / House of Worship (more than 450 seats)

- Restaurant
- School, boarding
- School, business or trade
- School, private & parochial
- School, public, elementary & secondary
- School, university or college
- School, fine arts
- Scientific Research & Development Services
- Sewing, Needlework & Piece Goods Store
- Shoe Sales and Repair Shop
- Shopping Center, less than 25,000 sq. ft.
- Shopping Center, 25-100,000 sq. ft.
- Shopping Center, over 100,000 sq. ft.
- Skating Rink, indoor
- Social Assistance (excl. child care centers)
- Sporting Goods Store
- Stationery Shop
- Stock or Security Brokerage Firm
- Tanning Salon
- Television, Radio & Film Studio
- Tobacco Shop
- Travel Agency
- Trophy & Plague Shop
- Video Rental & Sales
- Visitor Bureaus
- Wedding Chapel

UDO TEXT AMENDMENT – SECTION 8.3.4.G 5

Add the following to list of allowed uses: RESIDENTIAL – MULTI FAMILY

5. LOCATION

Only the following permitted uses from Table 8.1.8 shall be allowed to locate within one thousand (1000) feet from any convention center property unless the use is separated by an existing public right-of-way of 120 ft. or greater. This does not include property whose use(s) would become non-conforming at the date of adoption. For purposes of this section, a property for which a site plan has been approved shall be considered to be a convention center property.

ABC Store

Accessory uses (customarily incidental to the permitted primary use as approved by the Administrator)

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Animal Grooming Establishment (no overnight boarding)

Antique Store

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Art Dealer

Art Supply Shop

Auditorium/Assembly Hall, up to 350 seats

Auditorium/Assembly Hall, more than 350 seats

Bakery/Snack Shop, no drive-thru

Bank Teller Machines, outdoor (principal or accessory uses)

Barber/ Beauty Shop

Baseball Hitting Range

Beauty Supply and Cosmetic Store

Bed and Breakfast Inn

Bicycle Sales and Service

Blueprinting and Drafting Service

Botanical Gardens/Nature Preserves

Book Store

Bowling Center

Bus Charter Service Company (including passenger

terminals)

Camera and Photography Store

Candle Shop

Candy and Nut Store

Card Shop

Child Care Center

China and Tableware Shop

Clock and Watch Sales and Repair

Cloth/Piece Goods store

Clothing and Clothing Accessories

Clothing Alterations and Repairs

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Computer System Design & Related Services

Convention Center

Costume Rental Shop

Counseling Office

Consulting Office

Country Club

Craft Studio and Store

Credit Bureau

Dance School Studio

Data Processing and News Services

Delivery/Courier Service, local, (no commercial vehicles)

Detective Agency

Drapery and Linen Shop

Electronics Sales and Repair

Electronic Shopping and Mail-Order Houses

Employment Agency

Engineering, Architect or Surveying Office

Environmental Consulting Service

Extended Stay Lodging Facilities

Financial Institution (no drive up windows)

Floral and Christmas Shop

Florist

Food Catering Facility

Food Store, (excluding convenience stores)

Formal Wear

Funeral Home

Furniture & Home Furnishings store

General Merchandise Store (less than 25,000 sq. ft.)

Gift, Novelty and Souvenir Store

Glass and Mirror Shop

Golf Course, public or private

Golf Driving Range

Governmental Buildings (excl. correctional institutions)

Graphic Design Services

Gun and Ammunition Sales

Gunsmith

Hardware Store

Health Club & Fitness Center

Hobby, Toy, and Games Stores

Home Electronics Sales and Repair

Home Occupations

Hospital

Hotel

Industrial Design Services (general office)

Insurance Agency

Interior Design Services

Jewelry Sales and Repair Store

Legal services

Library, public

Limousine/Chauffeur Service

Martial Arts School

Massage Therapist

Medical clinic

Medical Supply Shop

Micro-Brewery (less than 5,000 sq. ft.)

Miniature Golf Course

Motel

Motion Picture and Sound Recording Studio

Motion Picture Theater, indoor

Museum

Music Store

Nail Store

Newsstand (principal use)

Nursery, plants

Office, general

Office supplies, Equipment and Stationary Store

Park, community

Park, district

Park, neighborhood

Park, linear

Park, regional

Parking Lot & Decks, principal use

Performing Arts Company & Artist

Pet Shop

Photocopy Service

Photofinishing Laboratory

Photography Studio

Picture Frame Shop

Post Office

Postal store and Contract Station

Printing and related Support Activities

Public Transportation System

Real Estate agency

Recreational Instruction and Camps

Religious Institution / House of Worship (up to 450 seats)

Religious Institution / House of Worship (more than 450

seats)

Residential – Multi Family

Restaurant

School, boarding

School, business or trade

School, private & parochial

School, public, elementary & secondary

School, university or college

School, fine arts

Scientific Research & Development Services

Sewing, Needlework & Piece Goods Store

Shoe Sales and Repair Shop

Shopping Center, less than 25,000 sq. ft.

Shopping Center, 25-100,000 sq. ft.

Shopping Center, over 100,000 sq. ft.

Skating Rink, indoor

Social Assistance (excl. child care centers)

Sporting Goods Store

Stationery Shop

Stock or Security Brokerage Firm

Tanning Salon

Television, Radio & Film Studio

Tobacco Shop

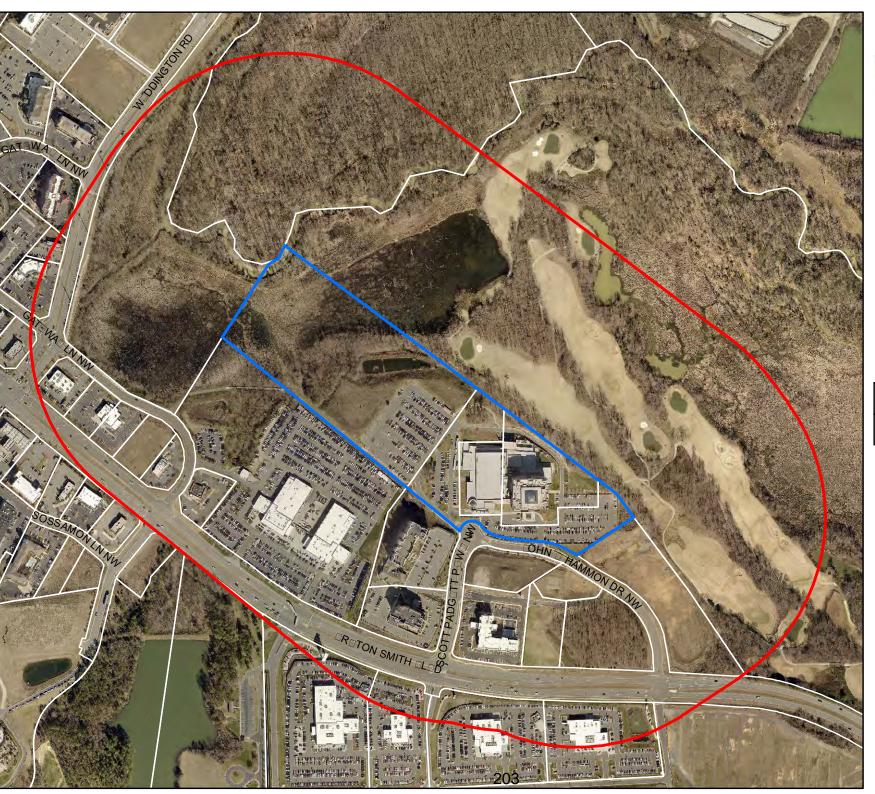
Travel Agency

Trophy & Plaque Shop

Video Rental & Sales

Visitor Bureaus

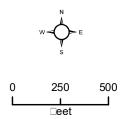
Wedding Chapel





Con⊡ention Center 1,000 □u □er





Mayor Padgett.

Mr. Joe Shambo appeared in support of the annexation. He said the area has two waterways, which gives them an opportunity to protect and enhance the surrounding greenways. He said it would be nice to develop this premiere residential community in conjunction with the City.

No further comments were received. Therefore, the public hearing was closed.

The City Manager said there is no doubt this would be a high quality development. However, there is a concern about the City overextending its services. He further stated that this area is included in the five-year annexation plan that was previously adopted.

Council Member Ramseur stated that the Utilities Service Agreement would ensure that the development is built according to the City's development standards so it could easily be annexed later.

A motion was made by Council Member Henry, seconded by Council Member Ramseur, and duly carried, to deny the current annexation petition and authorize the City Manager and staff to finalize the Utilities Service Agreement with the owner/developer—the vote: all aye.

* * * * *

This date and time was established in order to conduct a public hearing and to consider adopting an ordinance annexing the Ambassador project area located east of Poplar Tent Road and south of NC Highway 73. However, the City Manager stated that Mr. Chip Thompson, a representative of Ambassador Properties, had submitted a letter requesting that this annexation request be withdrawn.

Mr. Bob Taylor, with Lat Purser and Associates, appeared on behalf of Mr. Porter Byrum, one of the property owners. He told the Council that they were just notified of Mr. Thompson's letter and asked if Ambassador Properties could withdraw the request without the consent of the property owner. He stated that the property owner signed the petition, but did not know he was giving up all his rights.

The City Attorney suggested that the Council could table this item until next month in order to determine if Ambassador Properties has the right to withdraw.

The City Manager reminded the Council that staff's recommendation was to offer a Utilities Service Agreement and deny the annexation request due to the issues involving adequate school facilities, before the letter was received from Mr. Thompson.

Council Member Grimes felt the Council should table the item to determine the correct applicant. Council Member Ramseur said the petition showed Ambassador Properties as the applicant.

A motion was made by Council Member Barrier, seconded by Council Member Grimes, and duly carried, to table this item until the next regular meeting on May 12, 2005 for clarification—the vote: aye: Phillips, Small, Brown, Barrier, Henry, Grimes; no: Ramseur.

* * * * *

This date and time was established in order to conduct a public hearing and to consider adopting an ordinance to amend the Unified Development Ordinance (UDO) pertaining to Article 5, Supplemental Use Regulations. Staff was directed to draft an amendment to the current language in the UDO regarding compatible and complimentary

uses in close proximity to a convention center. The proposed language lists uses that will be allowed within one thousand (1000) feet from any convention center property unless the use is separated by an existing public right-of-way of 120 feet or greater. The public hearing, having been duly advertised, was opened by Mayor Padgett.

Mr. Deane Brunson, representing Crestbrook Investors, the owner of the property adjoining the convention center, appeared in opposition to the text amendment. Ms. Anne Morrison, representing Modern Nissan, stated that they entered into a contract on March 15, 2005 to purchase 5.75 acres adjoining the convention center site from Crestbrook Investors. Mr. Brunson informed the Council that Crestbrook acquired 13.3 acres in front of the convention center site in 1999. At that time, the City had an access easement through the middle of the property, which takes up about 1.468 acres, leaving 5.362 acres to the left of the road and 6.28 acres to the right. He stated that Crestbrook has met on many occasions with the Mayor and City Manager to discuss the plans for the convention center and the plans for their property. However, on Sunday, April 10, Crestbrook was informed of this text amendment by a phone call from the Mayor. Mr. Brunson stated that the text amendment will take away 81 of the 288 uses currently allowed.

Mr. Brunson then spoke about the notices that were given for the public hearings held by the Planning and Zoning Commission and City Council. He stated that a special meeting of the Planning and Zoning Commission was held this past Tuesday evening. Mr. Brunson quoted from the General Statutes regarding the requirements for holding public hearings. He stated that a notice shall be published once a week for two successive calendar weeks in the newspaper, with the first notice published not less than 10 days nor more than 25 days before the hearing. He also read what information the notice should include. Mr. Brunson said they felt the notice had failed to adequately alert the owners of property of their rights that might be affected. He also felt the notice failed to described the area in question.

Ms. Morrison informed the Council that she had spoken with a representative at the Institute of Government earlier about the matter, who had directed her to a similar case in another town. She spoke about the vague notice that was advertised for the public hearings.

A motion was made by Council Member Phillips, seconded by Council Member Ramseur, and duly carried, to allow Ms. Morrison an additional two minutes to speak.

Ms. Morrison stated that the purpose of the notice is to alert the general public and the people who are affected and give them notice so that they can speak and have an adequate public hearing. In that particular case, as in this one, they believe the notice was so cryptic and vague that it amounted to no notice at all.

Mr. Brunson also stated that the General Statutes require the City to give written notice to any property that abuts the property being affected. He stated that the City did not provide a written notice to anyone. Mr. Brunson requested that the Council deny the text amendment. However, if the Council is inclined to adopt the text amendment they requested that the usages they faxed to the City be included. He felt that the Council should not take action on the text amendment as recommended by staff because they feel proper notice was not given to the public.

Mr. Robert Fowler, President of Modern Automotive Network, requested that the Council include automotive sales if the text amendment is adopted. He stated that they are prepared to invest \$5 to \$6 million to this site to construct a building that would be very appropriate for the area. Mr. Fowler stated that this type of business would not be detrimental to the convention center and would not generate a significant amount of traffic.

Mr. Brunson stated that 90% of Speedway Boulevard has already been developed and includes four or five fast food restaurants, a car dealership and gas stations. All of

these uses would be denied for their property in the proposed text amendment. Mr. Brunson stated that they have been told that the main entrance to the convention center is next to the existing car dealership and their property is at the exit of the convention center.

A motion was made by Council Member Henry, seconded by Council Member Ramseur, and duly carried, to recess for ten minutes for the City Attorney to confer with staff.

Following the ten-minute recess, the Council reconvened.

No further comments were received. Therefore, the public hearing was closed.

A motion was made by Council Member Grimes, seconded by Council Member Ramseur, and duly carried, to adopt the amendment to the Unified Development Ordinance pertaining to Article 5, Supplemental Use Regulations, as recommended, and to instruct the City Manager to assign staff to start immediately to work with impacted property owners that have suggestions for changes in the listed uses to determine if other uses should be listed with or without conditions and to come back to Council with a recommendation—the vote: all aye.

ORD. # 05-27

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CONCORD, NORTH CAROLINA

WHEREAS, the City of Concord, North Carolina pursuant to the authority conferred by the North Carolina General Statute 160A-394 enacted an Official zoning Ordinance for the City of Concord, North Carolina and the Area of Extraterritorial Jurisdiction on July 28, 1977; and

WHEREAS, the City of Concord, North Carolina pursuant to the authority conferred by North Carolina General Statute 160A-381 through 160A-394 may from time to time as necessary amend, supplement, change, modify or repeal certain of its zoning regulations and restrictions and zone boundaries; and

WHEREAS, the City of Concord, North Carolina pursuant to the authority conferred by North Carolina General Statute 160A-381 through 160A-394 does hereby recognize a need to amend the text of certain articles of the City of Concord zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord, North Carolina:

SECTION 1: That Article 5, Supplemental Use Regulations, Table of Contents, of the City of Concord Unified Development Ordinance be amended to read as follows:

ARTICLE 5 SUPPLEMENTAL USE REGULATIONS

Summary: This Section establishes uniform criteria for particular uses which are permitted within one or more of the zoning districts established in Article 4. If the use is listed as a permitted use in Article 4, Table 4.6-1 or 4.6-2, the additional criteria set forth in this Article must be satisfied before an application for development approval will be approved or issued. If the use is listed as a conditional use in Article 4, Table 4.6-1 or 4.6-2, the additional criteria set forth in this Article must be satisfied before an application for Conditional Use Permit will be approved. These criteria are designed to ensure that the listed uses are compatible with the other permitted uses in the zoning district and to

implement the policies of the Comprehensive Plan.

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SECTION 2: That Article 5, Supplemental Use Regulations, of the City of Concord Unified Development Ordinance, be amended to include the following:

5.27 SUPPLEMENTAL LOCATION STANDARDS

5.27.1 PURPOSE.

The purpose and intent of this section is to ensure that future development within close proximity of the convention center will contain uses that are compatible and complimentary, and promote pedestrian as well as tourist activities.

5.27.2 LOCATION.

Only the following permitted uses from Table 4.6-1 shall be allowed to locate within one thousand (1000) feet from any convention center property unless the use is separated by an existing public right-of-way of 120 ft. or greater. This does not include property whose use(s) would become non-conforming at the date of adoption. For purposes of this section, a property for which a site plan has been approved shall be considered to be a convention center property.

ABC Store

Accounting & Tax Service

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Amusement Arcade, indoors only

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Animal Grooming Establishment, no overnight boarding

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Auditorium/Assembly Hall, up to 350 seats

Auditorium/Assembly Hall, more than 350 seats

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Baseball Hitting Range

Beauty Supply and Cosmetic Store

Bed and Breakfast Inn

Bicycle Sales and Service

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Botanical Gardens/Nature Preserves

Book Store

Bowling Center

Bus Charter Service Company, including passenger terminals

Camera and Photography Store

Candle Shop

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Child Care Center

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Clock and Watch Sales and Repair

Cloth/Piece Goods store

Clothing and Clothing Accessories

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Counseling Office

Consulting Office

Country Club

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Credit Bureau

Dance School Studio

Data Processing and News Services

Delivery/Courier Service, local, (no commercial vehicles)

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Electronics Sales and Repair

Electronic Shopping and Mail-Order Houses

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Environmental Consulting Service

Extended Stay Lodging Facilities

Financial Institution

Floral and Christmas Shop

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Food Store, (excel. conv. stores)

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General Merchandise Store (less than 25,000 sq. ft.)

Gift, Novelty and Souvenir Store

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Golf Course, public or private

Golf Driving Range

Governmental Buildings (excl. correctional institutions)

Graphic Design Services

Gun and Ammunition Sales

Gunsmith

Hardware Store

Health Club & Fitness Center

Hobby, Toy, and Games Stores

Home Electronics Sales and Repair

Home Occupations

Hospital

Hotel

Industrial Design Services (general office)

Insurance Agency

Interior Design Services

Jewelry Sales and Repair Store

Legal services

Library, public

Limousine/Chauffeur Service

Martial Arts School

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Medical clinic

Medical Supply Shop

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Newsstand (principal use)

Nursery, plants

Office, general

Office supplies, Equipment and Stationary Store

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Park, district

Park, neighborhood

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Park, regional

Parking Lot & Decks, principal use

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Photofinishing Laboratory

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Restaurant

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School, business or trade

School, private & parochial

School, public, elementary & secondary

School, university or college

School, fine arts

Scientific Research & Development Services

Sewing, Needlework & Piece Goods Store

Shoe Sales and Repair Shop

Shopping Center, less than 25,000 sq. ft.

Shopping Center, 25-100,000 sq. ft.

Shopping Center, over 100,000 sq. ft.

Skating Rink, indoor

Social Assistance (excl. child care centers)

Sporting Goods Store

Stationery Shop

Stock or Security Brokerage Firm

Tanning Salon

Television, Radio & Film Studio

Tobacco Shop
Travel Agency
Trophy & Plaque Shop
Video Rental & Sales
Visitor Bureaus
Wedding Chapel

SECTION 5: That this Ordinance be effective immediately upon adoption. Adopted in open session this 14th day of April, 2005.

CITY COUNCIL CITY OF CONCORD NORTH CAROLINA

/s/ J. Scott Padgett, Mayor

ATTEST: /s/ Vickie C. Weant, City Clerk

/s/ Albert M. Benshoff, City Attorney

* * * * *

This date and time was established in order to conduct a public hearing and to consider adopting the Annual Agency Plan for the Concord Housing Department. The public hearing, having been duly advertised, was opened by Mayor Padgett.

No comments were received. Therefore, the public hearing was closed.

A motion was made by Council Member Henry, seconded by Council Member Small, and duly carried, to adopt the Annual Agency Plan for the Concord Housing Department—the vote: all aye.

There being no further business to be discussed, a motion was made by Council Member Barrier, seconded by Council Member Ramseur, and duly carried, to adjourn—the vote: all aye.

Scott Padgett, Mayo

Vickie C. Weant, City Clerk



Staff Report

Planning and Zoning Commission

DATE: June 21, 2022

CASE: TA-08-22 Text Amendment – Mixed Use Building Definition

PREPARED BY: Scott Sherrill, AICP, Development Review Manager

BACKGROUND: TA-08-22, ADMINISTRATIVE

City Staff is proposing an amendment to the definition of Building, Mixed Use. The current definition limits the definition to buildings that resemble large single-family detached housing units, which is not the likely form of a mixed-use building, which can resemble larger, more dense apartment buildings in urban settings. This more urban form is more likely what would be expected in the City of Concord, and this definitional change reflects that reality.

The Article 14 amendment would read thus:

BUILDING, MIXED USE - A <u>vertically integrated mixed use</u> building, <u>similar in appearance to a large single family detached house that is regulated in form but flexible in use</u>. The building is able to accommodate a wide variety of uses, including apartments for sale or rent, bed and breakfast inn, small professional offices, ground floor retail or restaurant.

Statement of Reasonableness and Consistency:

The proposed text amendment is consistent with the 2030 Land Use Plan in that it fosters an attractive and functional mix of living, working, shopping and recreational uses within Mixed-Use Activity Centers and Village Centers (Objective 1.5) and Providing a diverse mix and range of housing options throughout the City that will accommodate the current and future needs of the citizens of Concord (Objective 1.6).

The request is reasonable and in the public interest in that it increases the ease of developing mixed use buildings, and clarifies the definition to make it align more closely with how mixed use buildings are typically developed.

Action Requested:

Consider the drafted text amendment and make a recommendation to Council on the text amendment and statement of reasonableness and consistency.

Building, Mixed Use Proposed Definition

BUILDING, MIXED USE - A <u>vertically integrated mixed use</u> building, <u>similar in appearance to a large single family detached house that is regulated in form but flexible in use</u>. The building is able to accommodate a wide variety of uses, including apartments for sale or rent, bed and breakfast inn, so bed and breakfast inn, so

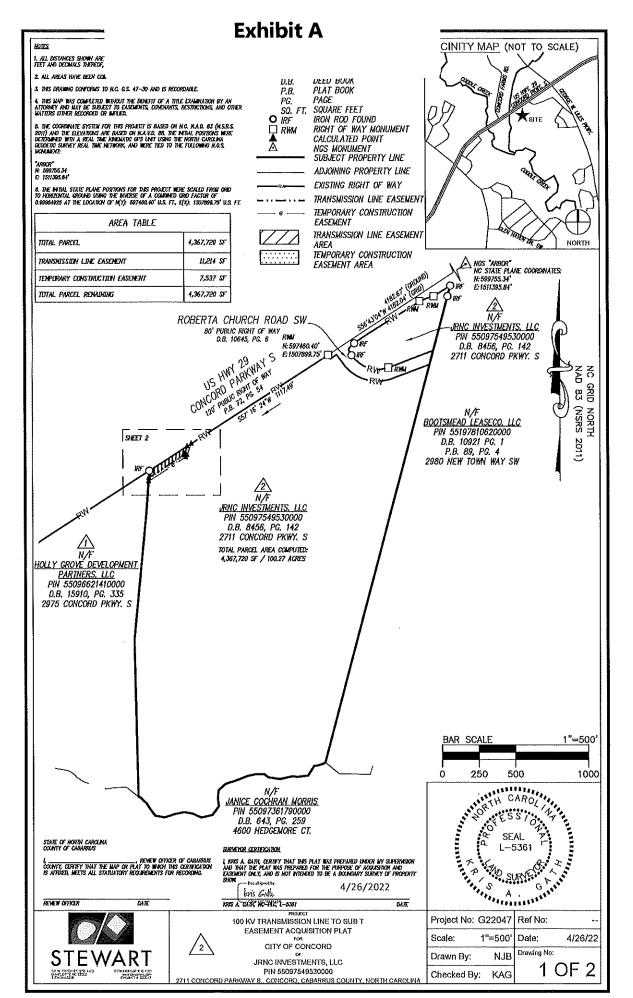
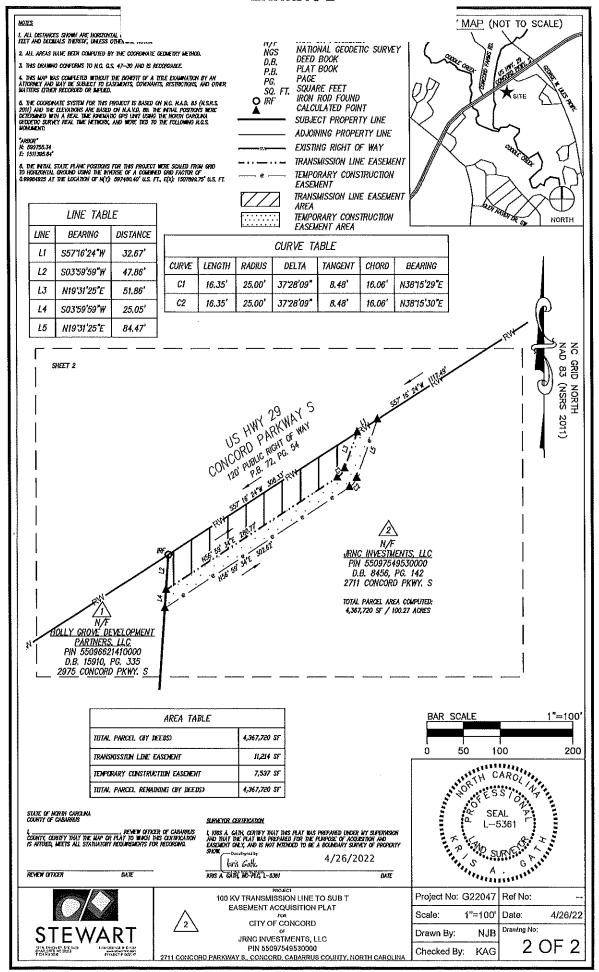


Exhibit B



RESOLUTION AUTHORIZING NEGOTIATED PURCHASE OR EMINENT DOMAIN TO ACQUIRE PROPERTY

WHEREAS, the City Council for the City of Concord, North Carolina, hereby determines that it is necessary and in the public interest to acquire a real property parcel identified and defined, as follows:

Permanent Utility Easement:

Lying and being in the City of Concord, Cabarrus County, North Carolina and being more particularly described as follows:

BEGIN at an existing iron rod having N.C. Grid Coordinates of N:596671.89 E:1506672.78, thence run North 57° 16' 24" East 308.33' to a point, thence run South 19° 31' 25" West 51.86' to a point, said point lying and being on the arc of a curve, said curve having a chord bearing and distance of South 38° 15' 29" West 16.06' and a radius of 25.00', thence run along the arc of said curve 16.35' to a point, thence run South 56° 59' 34" West 280.77' to a point, thence run North 03° 59' 59" East 47.86' to an existing iron at the place and point of beginning. Containing 11,214 square feet or 0.257 acres as shown on the maps titled, "100KV Transmission Line to Sub T Easement Acquisition Plat," Sheets 1 and 2, by Stewart and is attached as Exhibit A and B.

Temporary Construction Easement:

Lying and being in the City of Concord, Cabarrus County, North Carolina and being more particularly described as follows:

COMMENCING at an existing iron rod having N.C. Grid Coordinates of N:596671.89 E:1506672.78, thence run North 57° 16' 24" East 308.33' to a point, said point being the point and place of beginning, thence continue North 57° 16' 24" East 32.67', thence run South 19° 31' 25" West 84.47' to a point, said point lying and being on the arc of a curve, said curve having a chord bearing and distance of South 38° 15' 30" West 16.06' and a radius of 25.00', thence run along the arc of said curve 16.35' to a point, thence run South 56° 59' 34" West 302.62' to a point, thence run North 03° 59' 59" East 25.05' to a point, thence run North 56° 59' 34" East 280.77' to a point, said point lying and being on the arc of a curve, said curve having a chord bearing and distance of North 38° 15' 29" East 16.06' and a radius of 25.00', thence run along the arc of said curve 16.35' to a point, thence run North 19° 31' 25" East 51.86' to a point at the place and point of beginning. Containing 7,537 square feet or 0.173 acres as shown on the maps titled, "100KV Transmission Line to Sub T Easement Acquisition Plat," Sheets 1 and 2, by Stewart and is attached as Exhibit A and B.

BEING the same property conveyed to JRNC Investments, LLC by deed recorded in Deed Book 8456, at Page 142 of the Cabarrus County Registry. The above-described Permanent Utility Easement and Temporary Construction Easement is a Part of PIN 5509-75-4953, Tax ID No. 02-036-0003.00, Cabarrus County.

WHERAS, the real property parcel, currently owned by JRNC Investments, LLC, is being acquired for the purpose of the construction and permanent utility easement for a 100 KV electrical infrastructure, along with all fixtures and appurtenances; and

WHEREAS, representatives of the City of Concord are in negotiation with the above stated owners to acquire the above-described properties by negotiated conveyance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONCORD, THAT:

The City of Concord will acquire by condemnation or negotiated conveyances for the purposes stated above the property and interest therein described above to the Resolution.

The City Attorney is authorized and directed to acquire by negotiated offer or, in the alternative, institute the necessary proceedings under Chapter 40A of the North Carolina General Statutes, to acquire the properties described above.

Adopted this day of	August, 2022.
ATTEST:	CITY COUNCIL CITY OF CONCORD NORTH CAROLINA
By: Kim J. Deason, City Clerk	By:
[SEAL]	



July 26, 2022

Mr. Alex Burris Electric Systems Director City of Concord P.O. Box 308 Concord, North Carolina 28025

Ref.: Steel Transmission Poles and Material for Del. 4 to Sub T

Dear Alex:

The City received sealed proposals on July 21, 2022, from seven suppliers solicited for providing steel transmission poles, 100 kV switches, and miscellaneous hardware that will interconnect the City's substations. A bid tabulation is attached. Each bid was reviewed for compliance with the technical specifications and purchase price. Based on the preceding factors the following vendors submitted the lowest responsive and compliant bid:

Schedule I – Steel Transmission Poles

CHM Industries, Inc. 700 E. McLeroy Blvd. Suite A Saginaw, TX 76179 Quote # K14523-322 Delivery: 18 -20 weeks

Total Schedule I

\$1,973,189.31

Schedule II Conductors and Hardware

WESCO Distribution, Inc. 334 Atkinson Street Clayton, NC 27520

Bid Amount: \$162,831.02 Delivery: 12-33 Weeks

<u>Description</u>	Quantity	<u>Unit Price</u>	<u>Total Price</u>
795 kcmil, ACSR 26/7	103,000	\$4.50	\$468,315.00
115 kV 3-Phase GOAB	1	58,601.56	58,601.56
115 kV Suspension Insulators	366	118.56	43,392.96
115 kV HD Line Post	72	627.77	45,151.92
115 kV LD Line Post	54	378.89	20,460.06
Suspension Clamp 3/8" Steel	60	55.61	3,336.60
Suspension Clamp – 795 ACSR	102	48.01	4,897.02

Strain Clamp w/socket 795 ACSR	250	161.70	40,425.00
Strain Clamp, 3/8" steel	85	77.08	6,551.80
Anchor Shackle	60	24.76	1,485.60
Armor Rods – 795 ACSR	80	12.59	1,007.20
Trunnion Clamp LD	54	22.11	1,193.94
Trunnion Clamp HD	72	23.07	<u>1,661.04</u>
Total Sch. II			\$696,479.70

The total cost for the two schedules is \$2,669,669.01. We recommend that the City accept the proposals and issue a purchase order to the above Vendors. If you have any questions, please do not hesitate to contact us.

Very truly yours,

SOUTHEASTERN CONSULTING ENGINEERS, INC.

JLF/lc

cc: Scott Chunn Andrea Cline Ty Barbee

BID TABULATION

Steel Transmission Poles, Conductors, and Hardware

City of Concord Concord, North Carolina Date: 2:00 PM, July 21, 2022

Bid No. 2544

<u>Bidder</u>	Sabre Industries	Summit Utility	CHM Industries	WESCODistribution	Peak Substation Services		
Schedule I - Transmission Poles							
Schedule I, TOTAL	\$ <u>2,463,536.00</u>	\$ <u>2,372,873.00</u>	\$ <u>1,973,189.31</u>	\$ <u>3,053,083.23</u>	\$ <u>2,364,518.00</u>		
Delivery Manufacturer Schedule II - Conductors a	26-30 Weeks Sabre	28 Weeks Summit	18-20 Weeks CHM Indust.	36 Weeks Grid Str.	10-12 Weeks CHM		
Conductors Switches Insulators Miscellaneous Items	\$	\$	\$ 	\$ 468,315.00 58,601.56 109,004.94 60,558.20	\$ 370,800.00 58,427.00 90,966.00 No Bid		
Schedule II, TOTAL	\$	\$	\$	\$ 696,479.70 13-33 Weeks	\$		

Page 2

Steel Transmission Poles, Conductors, and Hardware

City of Concord
Date: 2:00 PM, July 21, 2022
Concord, North Carolina
Bid No. 2544

Bidder	Valmont	ROHN								
Schedule I - Transmission Poles										
Schedule I, TOTAL	\$ <u>2,810,999.00</u>	\$ <u>2,633,450.00</u>	\$	\$	\$					
Delivery Manufacturer	32-34 Weeks Valmont	24-26 Weeks Rohn								
Schedule II - Conductors and Hardware										
Conductors Switches Insulators Miscellaneous Items	\$	\$	\$	\$	\$					
Schedule II, TOTAL	\$	\$	\$	\$	\$					

CITY OF CONCORD PURCHASING BID REVIEW AND ROUTING FORM

DATE: <u>uly 21, 2022</u> FORMAL BID: <u>Yes</u>

BID DATE: July 21, 2022

DEPARTMENT: Steel Transmission Poles

BIDDERS	AMOUNT	DELIVERY
CHM Industries	\$1,973,189.31	18-20 weeks
Peak Substation Services	\$2,364,518	10-12 weeks
Summit	\$2,372,873	28 weeks
Sabre Industries	\$2,463,536	26-30 weeks
Wesco Dist.	\$3,053,083.23	36 weeks
RECOMMENDATION: CHM Industries		
LOW BIDDER: YES 🛛 NO 🗌 (IF NOT, D	OCUMENTATION REQUIRED	
•	OCOMENTATION REQUIRED	•
ADDED OPTIONS:		PRICE:

FLEET SERVICES SIGNATURE (IF REQUI	IRED)	
DEPARTENT HEAD:		DATE:
COMMENTS:		
ASSISTANT CITY MANAGER OR	****	
EXECUTIVE DIRECTOR OF OPERATIONS:		DATE:
COMMENTS:		

PURCHASING OFFICIAL:		DATE:
COMMENTS:		

FINANCE DIRECTOR:	****	DATE:
COMMENTS:		DATE
COMMENTS.		

APPROVE AS RECOMMENDED: ☐ YES		DATE:

FIN/PUR/48 REVISED 05/11/2016

CITY OF CONCORD PURCHASING BID REVIEW AND ROUTING FORM

DATE: <u>July 21, 2022</u> FORMAL BID: <u>Yes</u>

BID DATE: July 21, 2022

DEPARTMENT: Conductors and Hardware

BIDDERS	AMOUNT	DELIVERY
Wesco Dist.	\$696,479.70	13-33 weeks
RECOMMENDATION: Wesco Dist.		
LOW BIDDER: YES 🛭 NO 🗌 (IF NOT, D	OCUMENTATION REQUIRED	
ADDED OPTIONS:		PRICE:

FLEET SERVICES SIGNATURE (IF REQU	IRED)	
DEPARTENT HEAD:		DATE:
COMMENTS:		
-		
ASSISTANT CITY MANAGER OR	****	
EXECUTIVE DIRECTOR OF OPERATIONS:		DATE:
COMMENTS:		

PURCHASING OFFICIAL:		
COMMENTS:		

FINANCE DIRECTOR:		DATE:
COMMENTS:		
_	* * * * *	
APPROVE AS RECOMMENDED: ☐ YES		DATE:
· · · · · · · · · · · · · · · · · · ·		
COMMENTS:		

FIN/PUR/48 REVISED 05/11/2016

Line No				Watson Electrical		Carolina Power and Signalization			Ι	
Line No.	Item Description	Quantity	Unit			Car	olina Power and Signalization			
1	Mobilization	1	LS	Unit Price \$5,577.00	Amt Quoted \$5,577.00	\$3,500.00	\$3,500.00		-	
1	Install Various Size Traffic	1	ES	ψυ,υγγιου	\$5,577.00	\$5,500.00	Ψ3,00000			
2	Signal Embedded Roadway	5000	LF							
	Loops (Includes Saw Cut, Loop Wire, & Sealant)			\$7.70	\$38,500.00	\$11.75	\$58,750.00			
3	Unpaved Trenching w/ 1" PVC	1000	LF							
	Conduit Unpaved Trenching w/ 2" PVC	-	-	\$9.10	\$9,100.00	\$7.25	\$7,250.00	-	-	
4	Conduit	1000	LF	\$10.75	\$10,750.00	\$12.50	\$12,500.00			
5	Furnish and install additional 1" PVC conduit in existing open trench.	1000	LF	\$2.25	\$2,250.00	\$6.50	\$6,500.00			
	Furnish and install additional 2"			Ψ2.20	\$2,220.00	φοισο	40,20000			
6	PVC conduit in existing open trench.	1000	LF	\$3.70	\$3,700.00	\$3.00	\$3,000.00			
7	Directions Drilling w/ (3) 2" HDPE Conduit	1000	LF	\$19.90	\$19,900.00	\$32.00	\$32,000.00			
8	Furnish and Install Standard Pull Box and lid to NCDOT Spec.	20	EA	\$351.00	\$7,020.00	\$485.00	\$9,700.00			
	Furnish and Install Oversized									
9	Pull Box and lid to NCDOT Spec.	20	EA	\$758.00	\$15,160.00	\$975.00	\$19,500.00			
	Furnish and Install One 40' Class			,	, ,, ,,	,	,			
10	3 Pole, Properly Grounded	10	EA	\$872.00	\$8,720.00	\$1,800.00	\$18,000.00			
	Exemish and Install One 451 Class			Φ072.00	ψ0,720.00	71,000.00	φ10,000.00			
11	Furnish and Install One 45' Class 3 Pole, Properly Grounded	10	EA	\$939.00	\$9,390.00	\$2,100.00	\$21,000.00			
	D 011 D 1D1	20		\$939.00	\$9,390.00	\$2,100.00	\$21,000.00			
12	<u> </u>	20	EA	\$259.00	\$5,180.00	\$500.00	\$10,000.00			
13	Form and Pour Class A Concrete (Supplied By The Contractor) for Protection of Junction Boxes, Conduits or for Stabilizing Wood Poles as	20	CY							
	Directed by the Director			\$786.00	\$15,720.00	\$300.00	\$6,000.00			
14	Furnish and Install 3/8" Down Guy With Standard 8" Eight- Way Anchor And All Necessary Hardware, Properly Grounded.	10	EA	\$434.00	\$4,340.00	\$625.00	\$6,250.00			
	F 11 17 182/08 F			ψ+3+.00	ψ 1 ,5 1 0.00	\$023.00	\$0,230.00			
15	Furnish and Install 3/8" Down Guy And All Necessary Hardware, Properly Grounded to an Existing Anchor	10	EA	\$283.00	\$2,830.00	\$475.00	\$4,750.00			
	Furnish and Install 3/8"			,	, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		, ,			
16	Sidewalk Guy With Anchor and Necessary Hardware, Properly Grounded.	10	EA	\$701.00	\$7,010.00	\$800.00	\$8,000.00			
17	Furnish and Install 3/8" Sidewalk Guy And Necessary Hardware Properly Grounded to an Existing Anchor.	10	EA	\$548.00	\$5,480.00	\$700.00	\$7,000.00			
	Furnish and Install 1/4" Aerial			\$2.0.00	,	Ţ. 00.00	ψ1,000.00		<u> </u>	
18	Span Wire With All Necessary Hardware, Including Strandvises and Clamps. All Hardware and Span Wire Shall be Properly Grounded.	1000	LF	\$2.15	\$2,150.00	\$5.10	\$5,100.00			
	Tourish and Last 11 2 /011 A 11 1			Ψ2.13	Ψ=,150.00	75.10	ψ3,100.00			
19	Furnish and Install 3/8" Aerial Span Wire With All Necessary Hardware, Including Strandvises and Clamps. All Hardware and Span Wire Shall be Properly Grounded.	1000	LF							
	Grounded.			\$2.50	\$2,500.00	\$7.50	\$7,500.00			
20	Reattach All Existing Spans to a New Pole, Furnishing Hardware		Per Pole	\$142.00	\$2,840.00	\$725.00	\$14,500.00			

									_	
21	Furnish and Install #14-7 Conductor Signal Cable	2000	LF	\$3.30	\$6,600.00	\$5.25	\$10,500.00			
22	Furnish and Install #14-4 Conductor Signal Cable	2000	LF	\$3.00	\$6,000.00	\$4.00	\$8,000.00			
23	Furnish and Install #14-2	2000	LF							
	Shielded Loop Lead-In cable.		LF	\$2.35 \$2.25	\$4,700.00 \$4,500.00	\$3.75	\$7,500.00 \$7,000.00			
24	Install City provided Cable.	2000	LF	\$2.23	\$4,300.00	\$3.50	\$7,000.00	-		
25	Furnish and Install 1" Rigid Metal Conduit, Complete with Weatherheads, LB's, Condulette's, Bushings, etc as required.	500	LF	\$16.70	\$8,350.00	\$28.00	\$14,000.00			
26	Furnish and Install 2" Rigid Metal Conduit, Complete with Weatherheads, LB's, Condulette's, Bushings, etc as	500	LF							
	required.			\$24.75	\$12,375.00	\$35.00	\$17,500.00			
27	Assemble and Install Vehicular Signal Heads, City Supplied	100	EA	\$430.00	\$43,000.00	\$425.00	\$42,500.00			
	Disassemble and Remove		† 		410,000100	Ţ	# 1 - ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			
28	Signalization from an Intersection	10	EA	\$3,440.00	\$34,400.00	\$6,500.00	\$65,000.00			
29	Install One, Wood Pole Mounted, Pedestrian Head with	10	EA	\$430.00	\$4,300.00	\$875.00	\$8,750.00			
	standoff, City Supplied.		 	φ+30.00	φ 1 ,300.00	ο/3.UU	\$0,730.00	 		
30	Install One, Pedestrain Pedestal Signal Assembly including Pedestal, base, anchor bolts, heads, buttons, signs, and foundation, City Supplied.	100	EA	\$2,205.00	\$220,500.00	\$2,800.00	\$280,000.00			
31	Install One, Pedestrain Pushbutton Pedestal Assembly including Pedestal, base, anchor bolts, buttons, signs, and foundation, City Supplied.	50	EA	\$2,205.00	\$110,250.00	\$2,300.00	\$115,000.00			
	Install One, Pedestrain		+	\$2,203.00	\$110,230.00	\$2,300.00	\$113,000.00	-		-
32	Rectangular Rapid Flash Beacon Signal Assembly including Pedestal, base, anchor bolts, buttons, signs, heads, solar assembly, and foundation, City Supplied.	100	EA	\$2,205.00	\$220,500.00	\$3,500.00	\$350,000.00			
33	Install One, Advanced Warning Signal Assembly including Pedestal, base, anchor bolts, heads, signs, and foundation, City Supplied.	50	EA	\$2,205.00	\$110,250.00	\$3,500.00	\$175,000.00			
34	Modify and/or Move Vehicular Signal Head(s) With City Supplied Materials	10	EA	\$86.00	\$860.00	\$250.00	\$2,500.00			
35	Construct and Furnish Concrete Foundation for Base Mounted Cabinet.	10	EA	\$938.00	\$9,380.00	\$1,200.00	\$12,000.00			
36	Install Base-Mounted Cabinet, City Supplied.	20	EA	\$1,290.00	\$25,800.00	\$1,800.00	\$36,000.00			
37	Install Pole-Mounted Cabinet,	20	EΔ							
38	City Supplied. Furnish and Install Wood Pole	20	EA EA	\$1,290.00	\$25,800.00	\$1,500.00	\$30,000.00			
	Ground.		1	\$175.00	\$3,500.00	\$450.00	\$9,000.00	 		
39	Furnish and Install Ground Array for Service or Metal Pole.	20	EA	\$365.00	\$7,300.00	\$450.00	\$9,000.00			
40	Furnish and Install a 240 VAC Meter Service w/Disconnect, grounded. Metal Mount	20	EA	\$1,204.00	\$24,080.00	\$1,800.00	\$36,000.00			
41	Mobilization for Emergency Pole Work Per Occurrence	5	EA	\$1,658.00	\$8,290.00	\$4,500.00	\$22,500.00			
42	Mobilization for Work to be Performed at Night as Directed by the Director	5	EA	\$829.00	\$4,145.00	\$2,500.00	\$12,500.00			

43	Supply Materials and Install Cylindrical, Concrete, steel reinforced Foundation for Metal support structure.	10	СҮ	\$1,041.00	\$10,410.00	\$1,200.00	\$12,000.00		
44	Install Single Metal Strain Pole, City Supplied	20	EA	\$1,376.00	\$27,520.00	\$3,500.00	\$70,000.00		
45	Install Metal Strain Pole and single Metal Mast Arm, City Supplied	10	EA	\$2,752.00	\$27,520.00	\$5,000.00	\$50,000.00		
46	Install Metal Strain Pole and Two Metal Mast Arms, City Supplied	10	EA	\$3,440.00	\$34,400.00	\$7,500.00	\$75,000.00		
47	Furnish and Install SMFO 24 Fiber Cable on 1/4" Messenger Cable	1000	LF	\$3.70	\$3,700.00	\$5.85	\$5,850.00		
48	Furnish and Install SMFO 24 Fiber Cable in 2" PVC Conduit	1000	LF	\$4.25	\$4,250.00	\$5.35	\$5,350.00		
49	Fiber Splice for 24 Fiber	10	EA	\$2,073.00	\$20,730.00	\$4,800.00	\$48,000.00		
50	Install One, Pole Mounted Video Detection Camera and All Necessary Hardware. City Supplied Hardware	20	EA	\$688.00	\$13,760.00	\$1,250.00	\$25,000.00		
	Total Pre Selected Items Total Quote for Project		-		\$537,545.00 \$1,215,287.00		\$708,100.00 \$1,822,250.00		_

This Certified Quote Tabulation is true and correct to the best of my abilities and knowledge.

signed: ${\it Phillip\ Graham}$, ${\it PE}$ Phillip Graham, P.E., Transporatation Director



Bid Tabulation Sheet Summary

Province Green Pump Station Elimination Project Bid # 2533

Bids Received July 28, 2022 at 2:00 PM in BOC Ready Room

	201	5-005 Province Green Pump Station Eliminatio		Barton Contracting Corporation Cleary Co			eady Room	
	Item:						, , , , , ,	
No.	NCDOT Section or Reference #	Description	QTY.	Units	Unit Price (\$)	Item Total (\$)	Unit Price (\$)	Item Total (\$)
1	900	Mobilization	1	LS	\$38,000.00	\$38,000.00	\$85,000.00	\$85,000.00
2	SP-02, 03	Comprehensive Grading	1	LS	\$186,985.00	\$186,985.00	\$70,000.00	\$70,000.00
3	200	Clearing and Grubbing	1	LS	\$83,000.00	\$83,000.00	\$55,000.00	\$55,000.00
4	801	Construction Surveying	1	LS	\$28,000.00	\$28,000.00	\$30,000.00	\$30,000.00
5	SP-01	Traffic Control	1	LS	\$7,000.00	\$7,000.00	\$14,000.00	\$14,000.00
6	1607	Gravel Construction Entrance	2	EA	\$6,120.00	\$12,240.00	\$6,200.00	\$12,400.00
7	1016	Select Material Class VI (#57 Stone), placed	100	TN	\$63.20	\$6,320.00	\$72.00	\$7,200.00
		and compacted		Erosion		7-7-2	71-11	7.72333
	4605	C'Ih Farras	4000	l		Ć1 4 000 00	Ć4.00	¢4.6.000.00
8	1605	Silt Fence	4000	LF	\$3.50	\$14,000.00	\$4.00	\$16,000.00
9	SP-04	Jurisdictional Fencing	300	LF	\$5.50	\$1,650.00	\$4.00	\$1,200.00
10	SP-05	Silt Fence Outlet	20	EA	\$413.00	\$8,260.00	\$715.00	\$14,300.00
11	1631	Matting for Erosion Control (Excelsior Curlex or equivalent)	2000	SY	\$2.60	\$5,200.00	\$2.00	\$4,000.00
12	SP-06	Coir Fiber Matting	700	SY	\$5.40	\$3,780.00	\$3.00	\$2,100.00
13	SP-07	Wattles	120	LF	\$15.40	\$1,848.00	\$46.00	\$5,520.00
14	1660, SP-08	Seeding and Mulching	4	AC	\$2,387.00	\$9,548.00	\$10,000.00	\$40,000.00
				Sewer	Line			
15	WSACC 02240	24" Steel Casing with Stainless Steel Spiders	100	LF	\$355.40	\$35,540.00	\$945.00	\$94,500.00
16	WSACC	12" DIP Sewer Pipe, 10'-12' Depth,	166	LF	\$163.60	\$27,157.60	\$384.00	\$63,744.00
17	02620 WSACC	complete in place 12" PVC (SDR-35) Sewer Pipe, 0'-6' Depth,	824	LF	\$161.60	\$133,158.40	\$201.00	\$165,624.00
18	02628 WSACC	complete in place 12" PVC (SDR-35) Sewer Pipe, 6'-8' Depth,	955	LF	\$179.35	\$171,279.25	\$225.00	\$214,875.00
19	02628 WSACC	complete in place 12" PVC (SDR-35) Sewer Pipe, 8'-10' Depth,	645	LF	\$204.20	\$131,709.00	\$257.00	\$165,765.00
	02628 WSACC	complete in place 12" PVC (SDR-35) Sewer Pipe, 10'-12'				,		
20	02628	Depth, complete in place	377	LF	\$241.50	\$91,045.50	\$320.00	\$120,640.00
21	SP-09 WSACC	Rock Removal 5' Sanitary Doghouse Manhole incl. frame	500	CY	\$245.35	\$122,675.00	\$357.00	\$178,500.00
22	02605	and cover (0'-6' Depth)	1	EA	\$12,640.00	\$12,640.00	\$36,000.00	\$36,000.00
23	WSACC 02605	5' Sanitary Doghouse Manhole Additional Depth (excess of 6')	11	VF	\$385.00	\$4,235.00	\$416.00	\$4,576.00
24	WSACC 02605	4' Sanitary Manhole (w/ inside drop) incl. Frame and Cover (0'-6' Depth)	1	EA	\$6,600.00	\$6,600.00	\$14,000.00	\$14,000.00
25	WSACC 02605	4' Sanitary Manhole (w/ inside drop) Additional Depth (excess of 6')	9	VF	\$260.00	\$2,340.00	\$370.00	\$3,330.00
26	WSACC 02605	4' Sanitary Manhole incl. Frame and Cover (0'-6' Depth)	6	EA	\$4,155.00	\$24,930.00	\$8,500.00	\$51,000.00
27	WSACC 02605	4' Sanitary Manhole Additional Depth (excess of 6')	22	VF	\$260.00	\$5,720.00	\$370.00	\$8,140.00
28	WSACC 02605	Additional for Water Tight Manhole Covers and Vent Pipes	3	EA	\$2,500.00	\$7,500.00	\$13,000.00	\$39,000.00
29	SP-10	Open Cut Pump Around Operation of Coddle Creek w/ installation of anti-seep collars	1	LS	\$154,925.00	\$154,925.00	\$117,000.00	\$117,000.00
30	SP-11	Connection to Exisiting 30" PVC WSACC	1	LS	\$55,570.00	\$55,570.00	\$27,000.00	\$27,000.00
31	SP-12	Sewer Line Connection to Existing MH at Province	1	LS	\$28,110.00	\$28,110.00	\$8,000.00	\$8,000.00
32	WSACC 02940, SP- 13	Green Subdivision Abandonment of Existing Pump Station and Wet Well	1	LS	\$25,490.00	\$25,490.00	\$41,000.00	\$41,000.00
	1 13			Miscella	neous		<u> </u>	<u> </u>
33	SP-14	Repair Existing Wire Fences	300	LF	\$18.10	\$5,430.00	\$25.00	\$7,500.00
		, 3 2		ESTIMATE		\$1,451,885.75	, 555	\$1,716,914.00
	9	100 t		10% CONT		\$1,451,885.75		\$1,710,914.00
	Gm	inger carlos filet	_					
		17577	r	JIAL ESTIIV	IATED COST	\$1,597,074.33	Denotes minor ma	\$1,888,605.40
		7/28/2022					submitted bid tabula	tion that did not affect



Via: E-Mail

June 3, 2022

Mr. Enrique Blat, P.E.
Deputy City Engineer
City of Concord Engineering Department
P.O. Box 308 – 850 Warren C. Coleman Blvd.
Concord, NC, 28026-0308

Subject: Expanded Remedial Investigation Work Plan and Cost Proposal

Les Myers Park, Concord, North Carolina

ID# NONCD0000802

Shield Proposal Number P2022-201

Dear Mr. Blat:

Shield Engineering, Inc. (Shield) is pleased to submit this Expanded Remedial Investigation Work Plan and Cost Proposal to the City of Concord (City) for continued assessment activities at the Les Myers Park pre-regulatory landfill site. This work plan and cost proposal include contaminant delineation and media sampling activities needed to continue the remedial investigation (RI) at the site in general accordance with the North Carolina Department of Environmental Quality Inactive Hazardous Sites Program's Guidelines for Addressing Pre-regulatory Landfills and Dumps (NCDEQ Guidelines), as administered by the Pre-regulatory Landfill Unit (PRLU).

Previous remedial investigation activities conducted at the site include identification of receptors and sensitive environments, determination of the horizontal extent of the waste material using geophysical surveys and soil borings, and above ground vapor screening. Most recently, Shield conducted soil, groundwater, landfill gas, surface water, sediment, and waste characterization at the site. The results of these investigations were detailed in a reported titled Remedial Investigation – Contaminant Delineation and Media Sampling Report (Report), dated March 9, 2021.

On November 1, 2021, following their review of the Report, the PRLU sent an email to the City of Concord summarizing recommended additional activities needed to continue with the RI. Shield prepared this work plan and attached cost proposal to address the specific activities recommended by the PRLU. These activities are detailed in the Scope of Services below.

SCOPE OF SERVICES

Subtask A - Work Plan Preparation

Within this subtask Shield has prepared this Expanded Remedial Investigation Work Plan and Cost Proposal and obtained quotes for subcontracted services. Please refer to the following sections for details of the proposed work.

Subtask B – Utility Location and Layout Sample Locations

Prior to meeting on site with the utility location contractor, Shield personnel will visit the site to layout and mark the proposed borings, gas probes, and monitoring well locations. Following the layout visit and prior to initiating intrusive sampling activities, Shield will contact North Carolina 811, subcontract a private utility location service, and coordinate with the City for subsurface utility location. Shield will coordinate on site with the private utility location service and the City to review the proposed locations and utilities in the proximity of the proposed assessment locations. Shield personnel will work with the private utility locating service while on site to evaluate alternative assessment locations when necessary due to the presence of utilities. Having done so, Shield shall not be responsible for damages or injuries to or from utilities.

Please note that investigation is proposed on several off-site properties not owned by the City. Shield assumes that the City will obtain access agreements as necessary prior to accessing the properties for the purpose of utility location.

Subtask C – Collection of Additional Background Soil Samples

Shield will advance hand-auger borings and collect background soil samples in five locations recommended by the PRLU. Each sample will be collected from a depth of approximately 12 inches below grade (BG). The samples will be collected using stainless-steel hand augers. The hand augers will be decontaminated between boring locations. Shield will classify the subsurface material.

Samples will be submitted to a North Carolina-certified laboratory and the following analytical methods will be used:

- Polynuclear Aromatic Hydrocarbons by Method 8270
- Hazardous Substance List (HSL) metals by Methods 6020, 7199, and 7471
- Iron by Method 6020

One duplicate sample per sampling day will be collected and analyzed with the other background samples. Cuttings from the soil borings will be placed back into the boreholes. Shield will obtain the location of each boring using a sub-meter Global Navigation Satellite System (GNSS) receiver. The proposed sample locations are included on Figure 1.



Please note that several of the background soil samples are located on off-site properties not owned by the City. Shield assumes that the City will obtain access agreements as necessary prior to conducting the sampling.

Subtask D – Collection of Waste Characterization Samples from Select Former Sample Locations

Shield will work with a North Carolina licensed drilling contractor to advance soil borings at locations within the three waste disposal areas identified during previous RI activities to characterize the waste and underlying soil. The proposed waste characterization boring locations will be the approximate locations of eight former waste characterization sampling locations WC-1, WC-2, WC-4, WC-5, WC-7, WC-8, WC-9, and WC-10. Each waste characterization boring will first be advanced with a hand auger to five feet BG to clear utilities. The remainder of each boring will then be continued to the underlying soil below any waste using direct push methods with samples collected in Macro-Core liners. In the case of low recovery using direct push methods, augers may be used in combination with the direct push methods. Continuous waste and soil samples will be collected during the waste characterization boring advancements. The waste and soil samples will be described and screened for organic vapors using an organic vapor analyzer (OVA). Samples will be collected using either Macro-Core samplers or stainless-steel hand augers. The sampling equipment will be decontaminated between boring locations and between sample intervals. Augers used to advance the boreholes by the drilling contractor will also be decontaminated between boring locations. Samples will be collected from each boring at the same depth intervals as previous samples.

Samples will be submitted to a North Carolina-certified laboratory and the following analytical method will be used:

Hexavalent Chromium by Method 7199

One duplicate sample per sampling day will be collected and analyzed with the other waste characterization samples.

Cuttings from the soil borings will be placed back into the boreholes with waste material removed being returned to the bottom of the borehole. The proposed sample locations are included on Figure 1.

Subtask E - Landfill Gas Probe Installation, Screening, and Sampling

Installation

Shield will work with a North Carolina licensed drilling contractor to install landfill gas probes at four locations around the community center building. Additionally, eight landfill gas probes are proposed to be installed approximately 75 feet from the waste disposal area in locations where residences are located within 500 feet of the waste disposal areas. Each gas probe boring will first be advanced with a hand auger to five feet BG to clear utilities. The remainder of each boring will then be continued using hand auger or direct push methods. Powered augers may be used for the gas probe installations if refusal is encountered using hand auger or direct push methods.



Each boring will be advanced to a proposed depth of 11 feet BG. Landfill gas probes will be constructed using five feet of 1-inch diameter PVC well screen, filter pack, bentonite seal, grout, and riser pipe. The top of filter pack for each gas probe will be 5 feet BG or deeper to minimize "short circuiting" of above-ground air during screening and sampling. The gas probes will be completed at the surface with either flush-mounted or stick-up protective covers set within concrete pads. Equipment and tools used to advance the borings for the landfill gas probes will be decontaminated between locations. The proposed sample locations are included on Figure 1. Shield anticipates and has planned for temporary closure of the southbound lane of Lawndale Avenue Southeast during installation of the landfill gas probes along the shoulder. Appropriate traffic control will be implemented as needed.

Screening

At least 48-hours following installation of the landfill gas probes, the nine probes will be purged of at least three probe volumes and screened for the following parameters and using the following field instruments:

- Static and differential pressure using a GEM5000 or equivalent
- VOCs using a MiniRAE 3000 or equivalent PID
- Temperature and humidity using a Mini Environmental meter or equivalent
- Methane, oxygen, carbon dioxide, hydrogen sulfide, and barometric pressure using a GEM 5000 PLUS or equivalent

All meters will be field calibrated following manufacturers specifications and will include an automatic self-check and span gas calibration, when applicable. These calibrations will check the instrumentation's general operation, pump function, gas flow measurement, calibration, backlight functions, and solenoid function. Additional field calibration will be conducted, as needed, in the event of changes in field conditions (i.e., weather changes) and/or inconsistent equipment readings. Bump tests using span gas will also be conducted. Duplicate screening measurements will be collected from one landfill gas probe. Two background locations will be screened upwind of the landfill gas probe locations.

Sampling

Shield will collect landfill gas samples from the nine landfill gas probes. Prior to sample collection, each landfill gas probe will be purged of at least three probe volumes and a shut-in leak test will be completed with the sampling train connected. Sampling will begin as described below once the shut-in test indicates that the sampling train is airtight.

A sample for VOCs and methane will first be collected in a batch-certified Summa canister. The sample flow rate will be controlled by calibrated flow restrictor provided by the laboratory with a target flow rate of 200 milliliters per minute (ml/min). The sample collection will be stopped when the Summa canister reaches a vacuum of approximately 5 inches of mercury. A sample for hydrogen sulfide will be collected following the VOC sample. The hydrogen sulfide sample will be collected in a 1-liter Tedlar bag. A mercury sample will be collected following the hydrogen sulfide sample using a sorbent tube and calibrated sample pump. The pump will be connected to the outlet side of the sorbent tube and will draw the sample through the tube prior to any



contact with the pump. The sample volume will be determined to provide the appropriate detection limits.

Samples will be submitted to a North Carolina-certified laboratory and the following analytical methods will be used:

- VOCs by Method TO-15
- Methane by EPA Method 3C
- Hydrogen Sulfide by EPA Method 15/16
- Mercury by NIOSH 6009

One duplicate landfill gas sample per sampling day will be collected and analyzed with the other landfill gas samples. The proposed sample and screening locations are included on Figure 1.

Please note that several of the proposed landfill gas probes are located on off-site properties not owned by the City. Shield assumes that the City will obtain access agreements as necessary prior to installation, screening, and sampling of the landfill gas probes.

Subtask F – Indoor Air Monitoring in Community Center and Baseball Field House

Shield will perform indoor air monitoring inside the Community Center and Baseball Field house, both being enclosed structures. Potential soil gas entry locations such as conduits, cracks, floor drains, utilities, HVAC system and/or outdoor air intakes, etc. will be screened. Shield will note building conditions such as the types of foundations, flooring, and areas that may create over- or under-pressurization of the buildings such as vents or fans. Shield will also screen background conditions at an outdoor location upwind of the businesses just prior to conducting the interior screening. Shield will measure:

- VOCs using a ppbRae photoionization detector (PID) or equivalent
- Methane using a GEM5000 or equivalent
- Low Level hydrogen sulfide using a Jerome 631-X or equivalent
- Mercury vapor using a Jerome J405 or equivalent

Subtask G - Groundwater Monitoring Well Installation and Sampling

Shield will work with a North Carolina licensed drilling contractor to install three groundwater monitoring wells north of Three Mile Branch and south of Branchview Drive Southeast in general locations recommended by the PRLU. The monitoring wells will be installed in accordance with 15A NCAC 2C Well Construction Standards. The proposed monitoring well located west of Lawndale Avenue Southeast will be within the North Carolina Department of Transportation right-of-way (ROW). Shield will prepare and submit the appropriate ROW Encroachment Agreement on behalf of the City.

Each well boring will first be advanced with a hand auger to five feet BG to clear utilities. Each boring will then be continued using direct push or augers. The borings will be advanced into the



groundwater to facilitate groundwater sample collection. The soil cuttings will be described and screened with an OVA. Shield will stop the installation of any well if waste is encountered during boring advancement. In this case, the well will be offset outside of the waste boundary, if possible. The monitoring wells will be constructed of 2-inch diameter PVC well screen, filter pack, bentonite seal, grout, and riser pipe. The wells will be completed at the surface with either flush-mounted or stick-up protective covers set within concrete pads. The wells will be developed following installation to remove fines and reduce turbidity. Equipment and tools used to advance the borings for the groundwater wells will be decontaminated between locations.

Borehole data will be recorded on paper field logs and then transcribed as an electronic document for printing of boring logs. Boring information will include at a minimum: top of ground elevation, detailed soil description and lithology at depths, depth to groundwater observed during drilling, notable reaction of the drill rig during the advancement, depth of competent rock encountered, detailed notes/remarks, and a well construction diagram. Soil cuttings generated during the groundwater well installations will be spread in the immediate vicinity of each well.

A groundwater sample will be collected from each monitoring well using low-flow purging methodology. Samples will be submitted to a North Carolina-certified laboratory and the following analytical methods will be used:

- Target Compound List (TCL) VOCs by Method 8260 plus Tentatively Identified Compounds (TICs)
- 1,4-dioxane by Method 8270 SIM
- TCL Semi-VOCs (SVOCs) by Method 8270 plus TICs
- HSL metals by Methods 6020, 7199, and 7471
- Ammonia by EPA Method 350.1
- Nitrate and Nitrite by EPA Method 300.0
- Sulfate by EPA Method 300.0

One duplicate sample per sampling day will be collected and analyzed with the other groundwater samples. Samples will be collected from the groundwater wells after field parameters (pH, specific conductance, and turbidity) stabilize indicating each well was adequately purged. Field parameters will be recorded during purging activities.

Following the sampling of the monitoring wells, Shield will measure relative top of casing and ground surface elevations, total well depth, and depth to water level for each monitoring well. Shield will also measure depth to water levels in the existing monitoring wells. This information will be used to calculate groundwater elevation and construct a groundwater flow direction map. Shield will obtain the location of each boring using a sub-meter GNSS receiver. The proposed monitoring well locations are included on Figure 1.



Subtask H - Surface Water and Sediment Sampling

Shield will collect six surface water and six sediment samples from Three Mile Branch to characterize sediment and surface water along the boundaries of the site. The surface water and sediment samples from Three Mile Branch are proposed for locations up-stream of the waste disposal area near Lawndale Avenue, at a midpoint along the northeastern waste disposal boundary, the confluence of the unnamed tributary with Three Mile Branch, and three downstream samples with the most down-stream sample being near Branchview Drive SW. The proposed sample locations are included on Figure 1.

The surface water and sediment samples will be collected in a down-stream to up-stream order. Surface water samples will be collected first at each sample location followed by the sediment sample from the same location. Surface water samples will be collected by gently dipping sample containers into the stream, careful to prevent the loss of preservative, where necessary. The sediment samples will be collected using a hand auger or a stainless-steel scoop and then transferred to the appropriate sample containers. Reusable sampling equipment will be decontaminated between sample locations. Shield will obtain the location of each boring using a sub-meter GNSS receiver.

Samples will be submitted to a North Carolina-certified laboratory and the following analytical methods will be used:

Surface Water

- TCL VOCs by Method 8260
- 1,4-dioxane by Method 8270 SIM
- TCL SVOCs by Method 8270
- HSL metals by Methods 6020, 7199, and 7470
- Ammonia by EPA Method 350.1
- Nitrate and Nitrite by EPA Method 300.0
- Sulfate by EPA Method 300.0
- Hardness by SM 2340

Sediment

- TCL VOCs by Method 8260
- 1,4-dioxane by Method 8270 SIM
- TCL SVOCs by Method 8270
- HSL metals by Methods 6020, 7199, and 7471
- Ammonia by EPA Method 350.1
- Nitrate and Nitrite by EPA Method 300.0
- Sulfate by EPA Method 300.0

Soil, waste material, rinse water, and purge water (IDW) will be generated during the remedial investigation described above. Rinse water and purge water IDW will be discarded on the ground



surface where they are produced. In most circumstances, soil and waste material IDW will be returned to the boreholes from which they were removed. If all soil and/or waste material IDW cannot be returned to the borehole, it will spread in the immediate vicinity of the borehole or at a nearby location within the waste disposal area where it would not contribute to the spread of contamination.

Subtask J - Risk Assessment

Shield will use the NCDEQ Risk Calculator to perform risk assessment using data from the proposed investigation and historical results. The following exposure units will be evaluated:

- Surficial Soil (surface to 1-foot BG)
- Soil/Waste
- Native Soil Underlying Waste
- Groundwater (monitoring wells)
- Surface Water
- Sediment
- Soil gas

Some of these proposed EUs may be subdivided further for evaluation if needed to provide additional definition. The data used in the risk calculations and results of the risk assessment will be provided in the report.

Subtask K – Report Compilation

An Expanded Remedial Investigation - Contaminant Delineation and Media Sampling Report will be prepared summarize the field activities described above. This report will include text, tables, and figures necessary to adequately summarize the proposed tasks described above, a figure showing groundwater elevation and direction of flow, and a section concerning any variations from this work plan.

COST PROPOSAL AND STAFFING

A schedule for proposed site activities is included as Table 1. The cost proposal with staffing and the breakdown of estimated costs for this phase of work is included in Appendix A. The NCDEQ reimburses on a time and materials, not to exceed basis. Shield will immediately contact the City in the event that costs are anticipated to exceed the proposed budget for work activities. The charges for the services, labor and expenses by Shield are based on the PRLU's Fee Schedule.

AUTHORIZATION

We understand that the PRLU will review and approve this Work Plan with its associated costs followed by possible revisions, comments, etc. Shield will invoice the City of Concord on a monthly basis for these services. The City will pay invoices directly to Shield. At the conclusion



of the work, the City will be required to submit Shield's invoices and proof of payment to the PRLU for review and approval prior to reimbursement to the City.

We also understand that the percentage of personnel with their associated hourly costs for each Task within a Work Plan/Task Order Request may not be exact. However, explanations will be provided for any significant discrepancies. Shield will inform the City if any subtasks or unforeseen costs will cause an exceedance of the overall Task Order budget.

If you have any questions or comments with regards to this agreement, please do not hesitate to contact us.

Sincerely,

Shield Engineering, Inc.

James Gamertsfelder

Environmental Group Manager

Thomas W. Witner

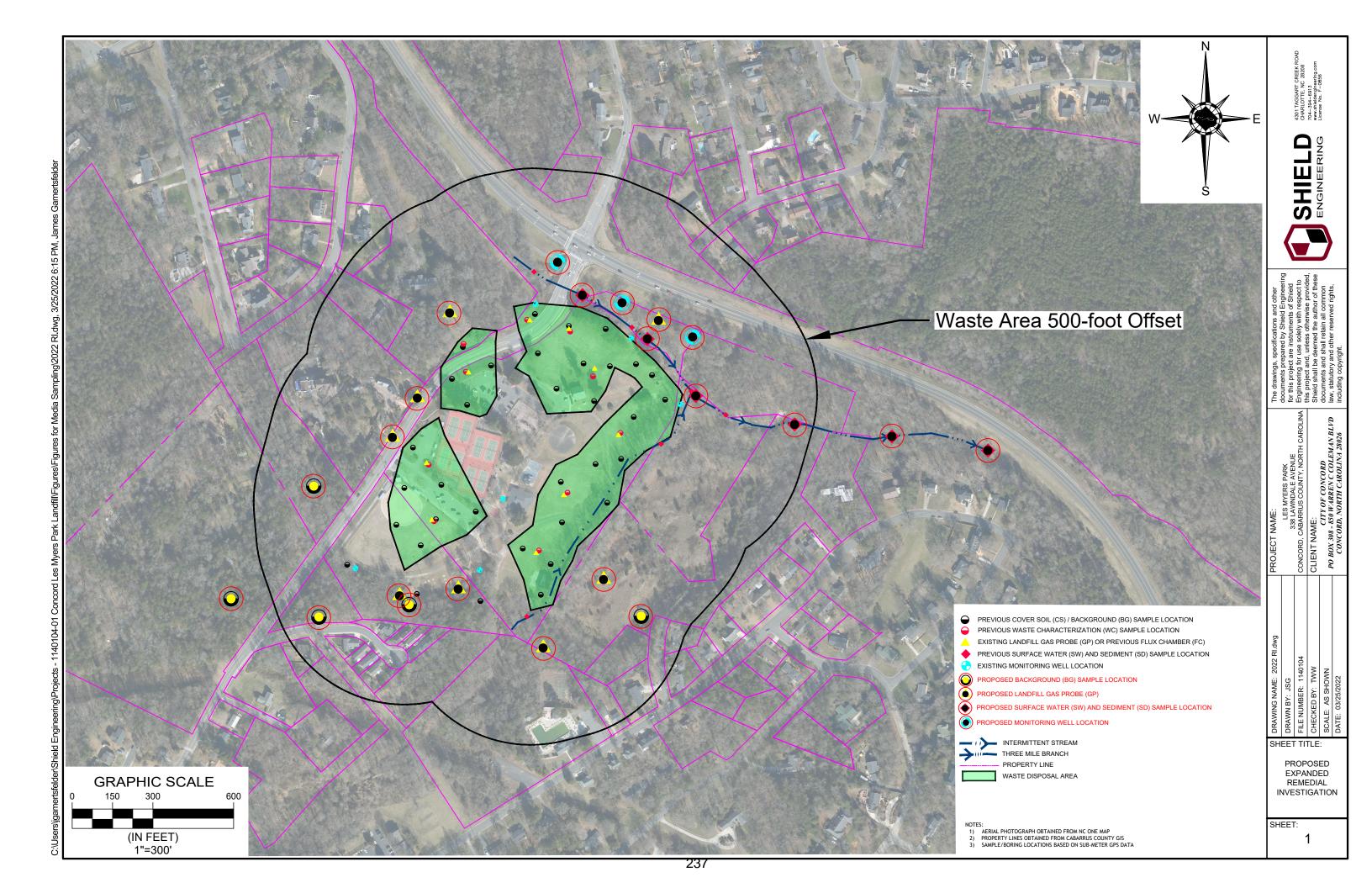
Principal

Attachments: Figure

Schedule

Cost Proposal and Subcontractor Quotes





Field Activities Schedule

Week 1	Subtask	Subtask Description	Personnel/Contractor	Equipment
Day 1	В	Utility Location and Sample	1-Staff	1-GPS
		Layout	1-Technician	
			Utility Location Contractor	
Day 2	С	Background Soil Sampling	1-Staff	
			1-Technician	
Days 3-4	G	Monitoring Well Installations	1-Staff	1-PID
			Drilling Contractor	1-Water Level Meter

Week 2	Subtask	Subtask Description	Personnel	Equipment
Days 1-2	D	Waste Characterization	1-Staff	1-PID
		Sampling	1-Technician	
			Drilling Contractor	
Days 3-5	E	Landfill Gas Probe	1-Staff	Teflon Tubing
		Installations	Drilling Contractor	

Week 3	Subtask	Subtask Description	Personnel	Equipment
Day 1	E	Landfill Gas Probe Screening	1-Staff	1-GEM5000
			1-Technician	1- PID
				1-Hygrometer
Days 2-3	E	 Landfill Gas Sampling 	1-Staff	
			1-Technician	
Day 4	F	Indoor Air Monitoring	1-Staff	1-GEM5000
			1-Technician	1-ppbRae
				1-Jerome 631-X (H2S)
				1-Jerome J405 (Hg)

Week 4	Subtask	Subtask Description	Personnel	Equipment
Day 1	G	Monitoring Well Sampling	1-Staff	1-Water Level Meter
			1-Technician	1-Peristaltic Pump
				1-pH/cond/temp Meter
				1-Turbidity Meter
				1-Teflon Tubing
				1-Survey Set/Tripod
				1-GPS
Day 2	Н	Surface Water and Sediment	1-Staff	
		Sampling	1-Technician	

Subtask A - Work Plan and Cost Estimate

Labor	Personnel Level	Unit Rate	# Units	Cost	
	Senior	\$130.00	2	\$260.00	
	Project	\$115.00	50	\$5,750.00	
			Subtotal Subtask A		\$6,010.00

Subtask B - Utility Location and Layout Sample Locations

Labor	Personnel Level				
	-On Site/Field Time	Unit Rate	# Units	Cost	
	Staff (Assessment Location Layout and Utility Location)	\$95.00	12	\$1,140.00	
	Technician (Assessment Location Layout)	\$80.00	10	\$800.00	
	-Data Reduction/Management/Office Time				
	Project	\$115.00	4	\$460.00	
	Staff	\$95.00	6	\$570.00	
	Draftsperson/CAD	\$75.00	2	\$150.00	
Expendal	bles and Reimburseables				
	Subcontractor - Utility	\$1,450.00	1	\$1,450.00	
	GPS Unit per day	\$150.00	1	\$150.00	
	Field Expendables	\$30.00	1	\$30.00	
	Mileage (1 RT)	\$0.555	70	\$38.85	
		Su	btotal Subta	sk B	\$4,788.85

Subtask C - Collection of Additional Background Soil Samples

Labor	Personnel Level				
	-On Site/Field Time	Unit Rate	# Units	Cost	
	Staff (On-site Time Plus Prep and Travel)	\$95.00	10	\$950.00	
	Technician (On-site Time Plus Prep and Travel)	\$80.00	8	\$640.00	
	-Data Reduction/Management/Office Time				
	Project	\$115.00	6	\$690.00	
	Staff	\$95.00	8	\$760.00	
	Draftsperson/CAD	\$75.00	2	\$150.00	
Expendab	les and Reimburseables				
	Laboratory (see attached details)	\$2,466.00	1	\$2,466.00	
	Field Expendables per day	\$30.00	1	\$30.00	
	Mileage-total (1 RT)	\$0.555	70	\$38.85	
		Su	btotal Subta	sk C	\$5,724.85

Subtask D - Collection of Waste Characterization Samples from Select Former Sampling Locations

Labor	Personnel Level				
	-On Site/Field Time	Unit Rate	# Units	Cost	
	Staff (On-site Time Plus Prep and Travel)	\$95.00	24	\$2,280.00	
	Technician (On-site Time Plus Prep and Travel)	\$80.00	20	\$1,600.00	
	-Data Reduction/Management/Office Time				
	Project	\$115.00	10	\$1,150.00	
	Staff	\$95.00	20	\$1,900.00	
	Draftsperson/CAD	\$75.00	4	\$300.00	
Expenda	bles and Reimburseables				
	Subcontractor - Driller	\$3,800.00	1	\$3,800.00	
	Laboratory (see attached details)	\$3,102.00	1	\$3,102.00	
	PID and Calibration per day	\$100.00	2	\$200.00	
	Field Expendables per day	\$30.00	2	\$60.00	
	Mileage (2 RT)	\$0.555	140	\$77.70	
		Su	btotal Subta	sk D	\$14,469.70

Subtask E - Landfill Gas Probe Installation, Screening, and Sampling

Labor	Personnel Level			
	-On Site/Field Time	Unit Rate	# Units	Cost
	Staff (Installation and Screening)	\$95.00	80	\$7,600.00
	Technician (Screening)	\$80.00	44	\$3,520.00
	-Data Reduction/Management/Office Time			
	Project	\$115.00	20	\$2,300.00
	Staff	\$95.00	30	\$2,850.00
	Draftsperson/CAD	\$75.00	4	\$300.00
Expenda	bles and Reimburseables			
	Subcontractor - Driller	\$9,720.00	1	\$9,720.00
	Subcontractor - Traffic Control	\$965.00	1	\$965.00
	Laboratory (see attached details)	\$6,572.00	1	\$6,572.00
	Shipping (Laboratory)	\$150.00	1	\$150.00
	GEM 5000+	\$150.00	2	\$300.00
	PID & Calibration per Day	\$100.00	2	\$200.00
	Hygrometer	\$15.00	2	\$30.00
	Teflon Tubing	\$3.00	150	\$450.00
	Field Expendables per day	\$30.00	6	\$180.00
	Mileage (6 RT)	\$0.555	420	\$233.10
		Su	btotal Subta	sk E

Subtask F - Indoor Air Monitoring in Community Center and Baseball Field House

Labor	Personnel Level				
	-On Site/Field Time	Unit Rate	# Units	Cost	
	Staff (On-site Time Plus Prep and Travel)	\$95.00	12	\$1,140.00	
	Technician (On-site Time Plus Prep and Travel)	\$80.00	8	\$640.00	
	-Data Reduction/Management/Office Time				
	Project	\$115.00	4	\$460.00	
	Staff	\$95.00	8	\$760.00	
	Draftsperson/CAD	\$75.00	4	\$300.00	
Expenda	ibles and Reimburseables				
	GEM 5000+	\$150.00	1	\$150.00	
	Rental Equipment and Supplies (see attached details)	\$599.25	1	\$599.25	
	Tax for Rental Equipment and Supplies	\$50.70	1	\$50.70	
	Shipping for Rental Equipment and Supplies	\$100.00	1	\$100.00	
	Field Expendables per day	\$30.00	1	\$30.00	
	Mileage-total (1 RT)	\$0.555	70	\$38.85	
		Su	btotal Subta	sk F	\$4,268.80

\$35,370.10

\$20,523.55

Subtask G - Monitoring Well Installation and Sampling

Labor	Personnel Level			
	-On Site/Field Time	Unit Rate	# Units	Cost
	Staff (Installation, Sampling, TOC Survey)	\$95.00	35	\$3,325.00
	Technician (Sampling, TOC Survey)	\$80.00	13	\$1,040.00
	-Data Reduction/Management/Office Time/DOT Encroachm	ent Agreement		
	Senior	\$130.00	1	\$130.00
	Project	\$115.00	18	\$2,070.00
	Staff	\$95.00	26	\$2,470.00
	Draftsperson/CAD	\$75.00	4	\$300.00
Expendat	oles and Reimburseables			
	Subcontractor - Driller	\$7,560.00	1	\$7,560.00
	Laboratory (see attached details)	\$2,712.00	1	\$2,712.00
	PID & Calibration per Day	\$100.00	2	\$200.00
	Water Level Meter	\$30.00	3	\$90.00
	Peristaltic Pump + Battery	\$50.00	1	\$50.00
	ph/cond/temp Meter	\$30.00	1	\$30.00
	Turbidity Meter	\$30.00	1	\$30.00
	Teflon Tubing	\$3.00	90	\$270.00
	Survey Set & Tripod	\$40.00	1	\$40.00
	Field Expendables	\$30.00	3	\$90.00
	Mileage (3 RT)	\$0.555	210	\$116.55
		Su	btotal Subta	sk G

Site ID # NONCD0000802	Les Myers Park	Remedial Investigation
Site ID # NONCDOUGGE	LES IVIVEIS FAIR	Nemediai mvestigatioi

Cost Proposal for Expanded Remedial Investigation

Subtask H - Surface Water and Sediment Sampling

Labor	Personnel Level				
	-On Site/Field Time	Unit Rate	# Units	Cost	
	Staff (On-site Time Plus Prep and Travel)	\$95.00	14	\$1,330.00	
	Technician (On-site Time Plus Prep and Travel)	\$80.00	12	\$960.00	
	-Data Reduction/Management/Office Time				
	Project	\$115.00	8	\$920.00	
	Staff	\$95.00	12	\$1,140.00	
	Draftsperson/CAD	\$75.00	2	\$150.00	
Expendab	les and Reimburseables				
	Laboratory (see attached details)	\$9,513.00	1	\$9,513.00	
	GPS Unit per day	\$150.00	1	\$150.00	
	Field Expendables per day	\$30.00	1	\$30.00	
	Mileage-total (1 RT)	\$0.555	70	\$38.85	
		Sul	btotal Subta	sk H	\$14,231.85

Subtask I - Risk Evaluation

Labor

Personnel Level	Unit Rate	# Units	Cost	
Senior	\$130.00	2	\$260.00	
Project	\$115.00	16	\$1,840.00	
Staff	\$95.00	30	\$2,850.00	
	Subtotal Subtask I		\$4,950.00	

Subtask J - Report Compilation

Labor

Personnel Level	Unit Rate	# Units	Cost	
Senior	\$130.00	4	\$520.00	
Project	\$115.00	16	\$1,840.00	
Staff	\$95.00	16	\$1,520.00	
Draftsperson/CAD	\$75.00	8	\$600.00	
Word Processor/Clerical	\$55.00	2	\$110.00	
	Subtotal Subtask J			\$4,590.00

Cost Proposal Total \$114,927.70

/amo Han 6/3/2022

ORD.

CAPITAL PROJECT ORDINANCE General Capital Projects

BE IT ORDAINED by the City Council of the City of Concord, North Carolina that pursuant to Section 13.2 Chapter 159 of the General Statutes of North Carolina, the following project ordinance is hereby ordained:

SECTION 1. The projects authorized are General Capital Projects for Les Myers Park.

SECTION 2. The City Manager is hereby authorized to proceed with the implementation and amendments of the projects within the terms of the plans and specifications for the projects.

SECTION 3. The following revenues are anticipated to be available to the City of Concord for the project:

Revenues

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
430-4334200				_
430-4334200	State Shared Revenue	0	113,910	113,910
	Total			113,910

SECTION 4. The following amounts are appropriated for the project:

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
8804-5811001				
8804-5811001	Les Myers Park	220,000	333,910	113,910
	Tota	ı		113,910

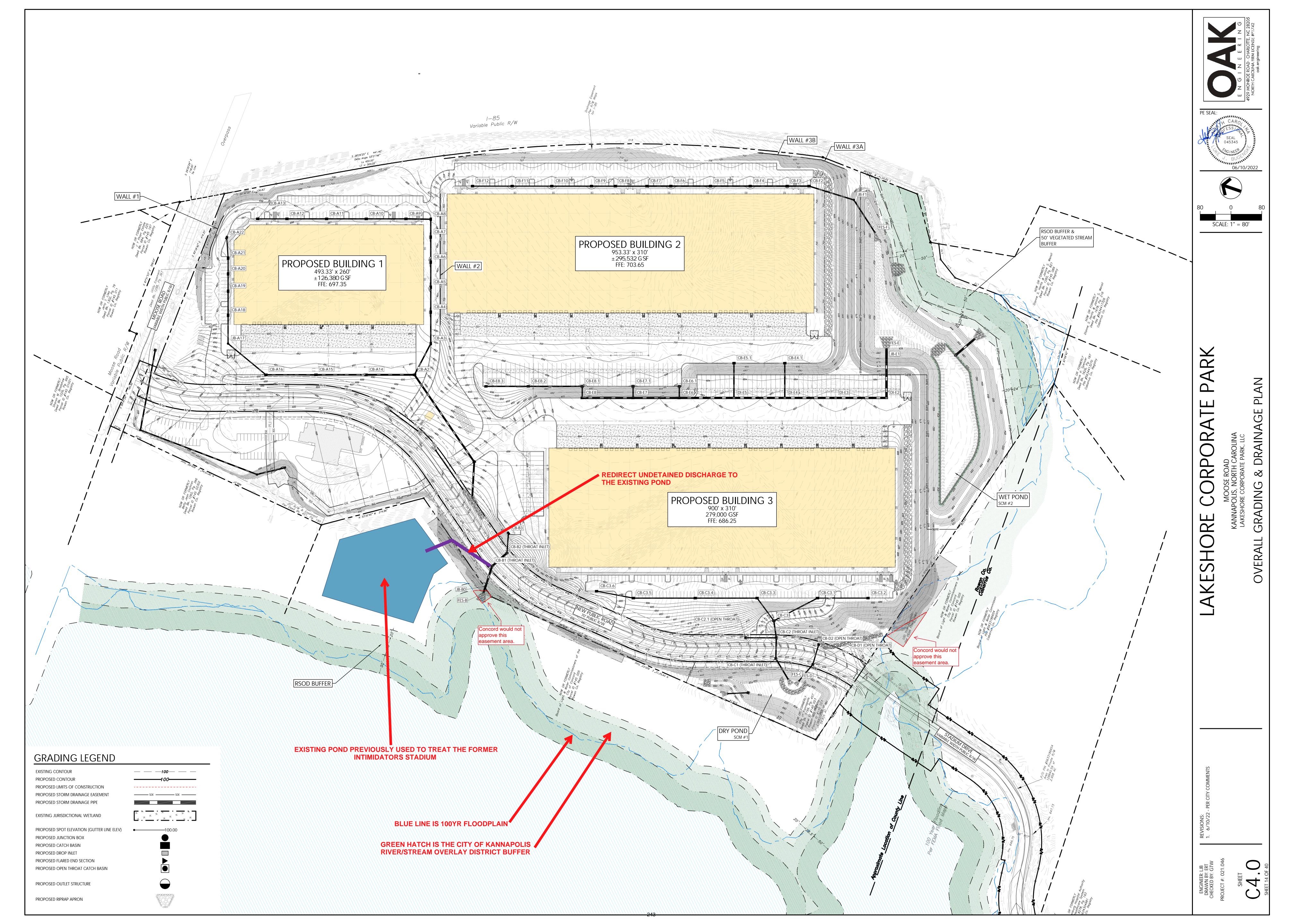
SECTION 5. Accounting records are to be maintained by the Finance Department of the City of Concord in such manner as (1) to provide all information required by the grant agreement and other agreements executed or to be executed with the various parties involved with the project; and (2) to comply with the Local Government Budget and Fiscal Control Act of the State of North Carolina.

SECTION 6. Within five (5) days after adopted, copies of this project amendment shall be filed with the City Manager, Finance Director, and City Clerk for direction in carrying out this project.

SECTION 7. The Finance Director is directed to report on the financial status of this project in accordance with the existing City policy. She shall also report to the City Manager any unusual occurrences.

Duly adopted by the City Council of the City of Concord, North Carolina this 11th day of August, 2022.

		CITY COUNCIL CITY OF CONCORD NORTH CAROLINA	
		William C Dusch, Mayor	
ATTEST:			
	Kim Deason, City Clerk	VaLerie Kolczynski, City Attorney	



RESOLUTION GRANTING AN EASEMENT

WHEREAS, the City of Concord is owner of a parcel of land having a parcel identification number of 145 005 in the Rowan County Registry; and

WHEREAS, Lakeshore Corporate Park, LLC is requesting temporary grading easements on said lot to serve Lakeshore Corporate Park; and

WHEREAS, staff has reviewed the proposed plan and offers conditions upon granting requested easement: 1) conditions of approval must be placed on approved plans. 2) Concord will not approve disturbance in the non-disturbed buffer, only in the 20' vegetated buffer. 3) Stormwater discharge shall be redirected as offered. 4) In areas where a 3:1 slope can be achieved without impacting significant trees, the grading area shall be revised. 5) the areas graded and/or disturbed in the easement shall be fully vegetated after impact. Trees shall be replaced at a one-to-one ratio. A plan denoting the existing vegetation and the species of replacements and ground cover shall be submitted to the City of Concord for approval. 6) an agreement will be required to establish liability and maintenance responsibilities of the storm pipe and slopes located on City of Concord property;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Concord, North Carolina:

- 1. That easements as generally shown on Exhibit "A" is hereby ordered granted contingent upon the conditions listed above.
- 2. The easement shall be conveyed by the City Attorney and other necessary staff or the Mayor.
- 3. The City Attorney and other City staff are hereby directed to take all necessary steps to enforce this resolution.

Adopted this 11th day of August 2022.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

ATTEST:

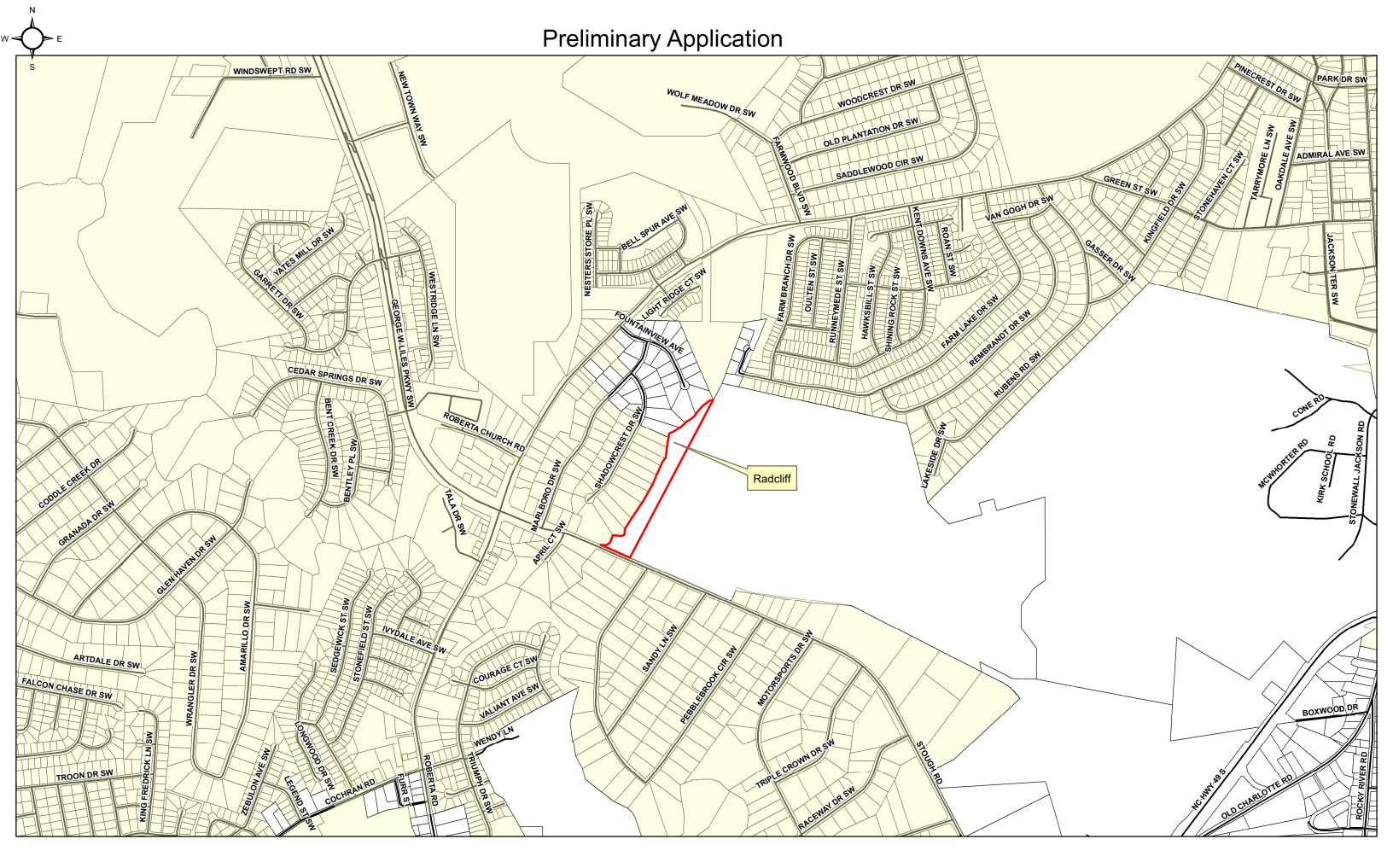
William C. Dusch, Mayor

Kim Deason, City Clerk

City of Concord, North Carolina

Preliminary Application – Extension of Concord Utilities outside Concord City Limits (Please type or print in black ink)

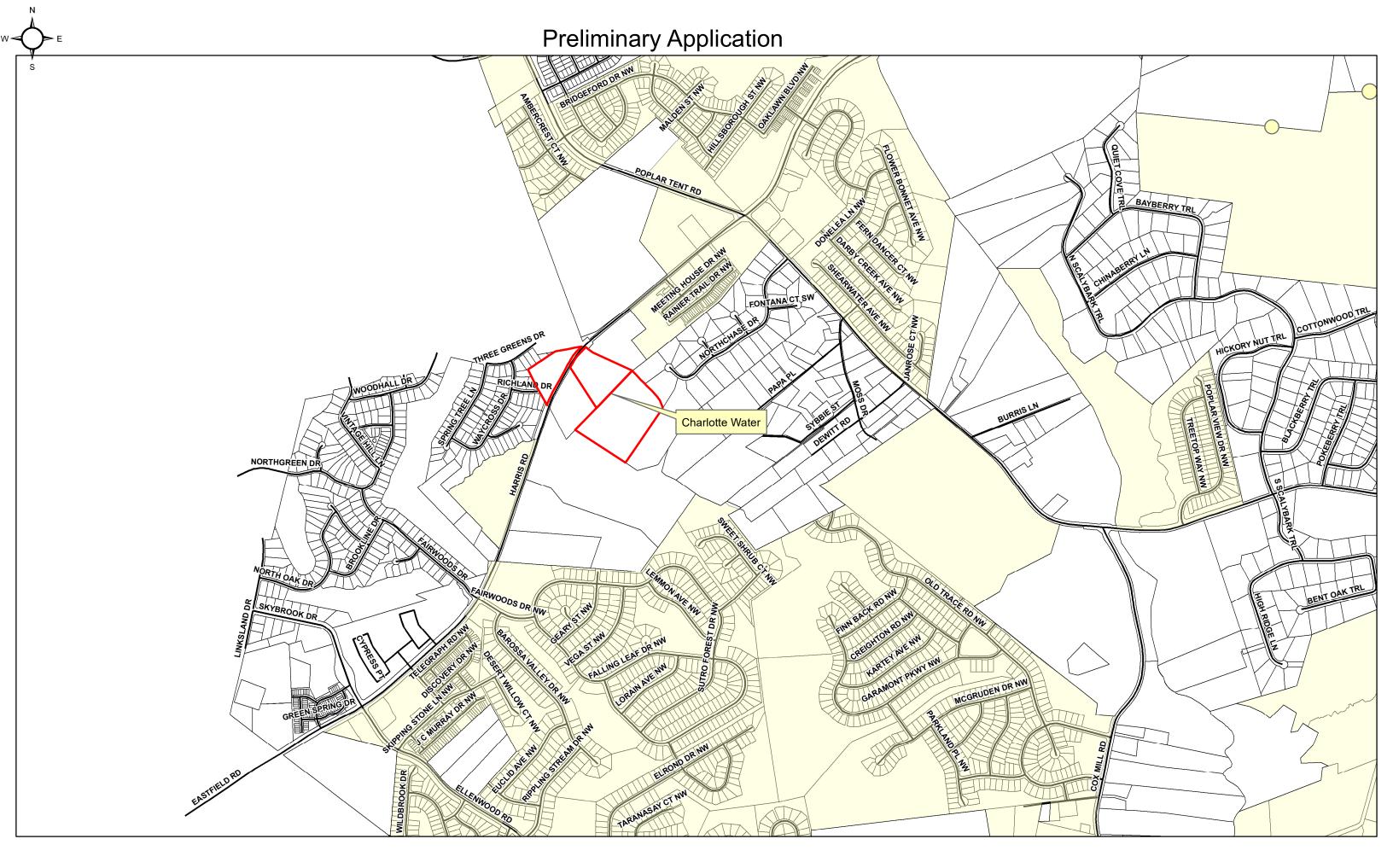
1.	Name of development: Ratcliff Parcel				
2.	Name and address of owner(s)/developer(s): Richard Ratcliff				
3.	Owner(s)/developer(s) telephone: 704-886-4240 Fax:				
4.	Name and address of surveyor/engineer:				
5.	Surveyor/engineer's telephone: Fax:				
6.	Name, telephone and fax number, and address of agent (if any):				
7.	Name and address of person to whom comments should be sent: Richard Ratcliff, 920 Patricia ave, Harrisburg NC 28075				
8.	Telephone number of person to whom comments should be sent: 704-886-4240				
	Fax:				
	Location of property: 3999 Stough Rd, Concord NC 28027				
10.	Cabarrus County P.I.N.#: 55194075700000				
11.	Current zoning classification: Ol				
12.	Total acres: 10.657 Total lots proposed: 0				
13.	Brief Description of development:				
14.	Proposed Construction Schedule				
15.	Type of Service requested Water meter for wash down pad				
	4/2022 July Petty				
Da	te Signature of Owner/Agent ^O				
	Richard Ratcliff				
	Name (printed)				
	TE: By affixing his or her signature hereto, the owner/developer acknowledges understanding of and eement to comply with all provisions of the Concord City Code section 62.				
	Staff Use Only:				
Red	ceived by: Date:				



City of Concord, North Carolina

Preliminary Application – Extension of Concord Utilities outside Concord City Limits (Please type or print in black ink)

1.	Name of development:
2.	Name and address of owner(s)/developer(s):
3.	Owner(s)/developer(s) telephone: Fax:
4.	Name and address of surveyor/engineer:
5.	Surveyor/engineer's telephone: Fax:
6.	Name, telephone and fax number, and address of agent (if any):
7.	Name and address of person to whom comments should be sent:
8.	Telephone number of person to whom comments should be sent: Fax:
9.	Location of property:
10	Cabarrus County P.I.N.#:
11.	Current zoning classification:
12	Total acres:Total lots proposed:
	Brief Description of development:
14	Proposed Construction Schedule
15	Type of Service requested
Da	te Signature of Owner/Agent
	Name (printed)
	TE: By affixing his or her signature hereto, the owner/developer acknowledges understanding of and rement to comply with all provisions of the Concord City Code section 62.
	Staff Use Only:
Re	ceived by: Date:



1 in = 1,000 ft

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th day of June, 2022, adopt a City budget for the fiscal year beginning July 1, 2022 and ending on June 30, 2023, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

	Re	<u>evenues</u>		
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
100-4370000	Fund Balance Approp	5,465,623	5,468,123	2,500
	Tota	I		2,500

Expenses/Expenditures

Account	Title		Current Budget	Amended Budget	(Decrease) Increase
4190-5470043	Golf Tournaments		0	2,500	2,500
		Total			2,500

Reason: To appropriate Mayor Golf Tournament reserves for a donation to the Multi-Cultural Community Student Union to assist with providing academic, emotional, and social support to children in the Logan Community and Cabarrus County.

Adopted this 11th day of August, 2022.

		CITY COUNCIL CITY OF CONCORD NORTH CAROLINA
ATTEST:		William C. Dusch, Mayor
ATTLOT.	Kim Deason, City Clerk	
		VaLerie Kolczynski, City Attorney

AN ORDINANCE TO TEMPORARILY CLOSE CERTAIN STATE-MAINTAINED ROADS FOR A SPECIAL EVENT ORGANIZED BY THE CITY OF CONCORD, NC

WHEREAS, North Carolina General Statute 20-169 authorizes local authorities to regulate by ordinance the use of a highway within their jurisdiction by processions, assemblages or anything that may be construed as a procession or assemblage, and

WHEREAS, the City of Concord will consult with the local NCDOT Division office to verify that a proposed event will not 1) interfere with other planned special events and

2) impact or be impacted by planned maintenance or other activities., and

WHEREAS, the City of Concord will co-sponsor with El Puente Hispano and hold The Concord International Festival on October 1, 2022; and

WHEREAS, this event will require the temporary closing of Cabarrus Ave (SR 1002) between Market St., SW and Church St., S.

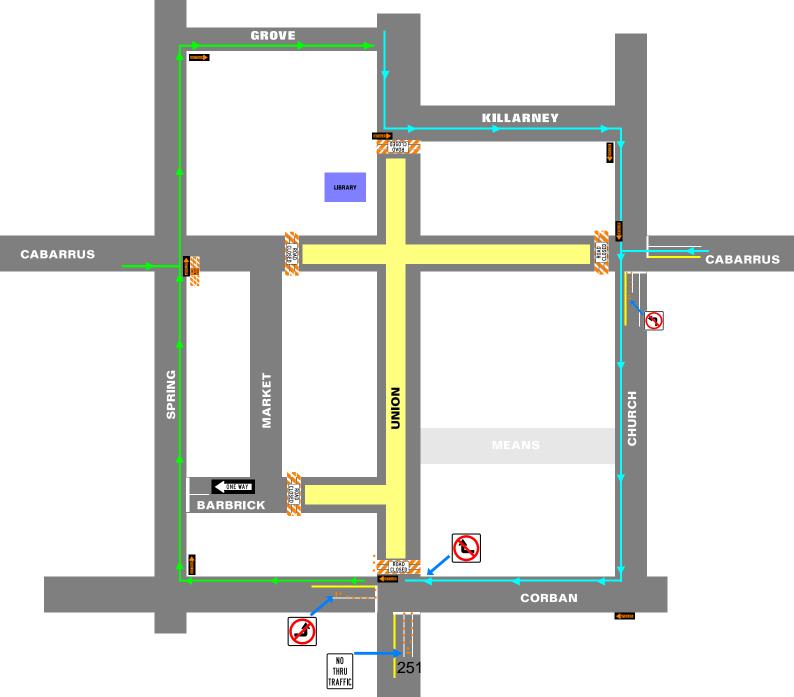
NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Concord, North Carolina, that Cabarrus Ave (SR 1002) between Market St., SW and Church St., S be closed to vehicular traffic on October 1, 2022 between the hours of 8:00 A.M. and 8:00 P.M.

City will place signage as appropriate advising the Public of the closing.

A copy of this Ordinance shall be forwarded to the local NCDOT Division Office. Adopted this 11th day of August, 2022.

ATTEST:			

APPROVED AS TO FORM:



1190 SE Flightline Dr., Warrenton, OR 97146, U.S.A. Phone: +1-503-861-2288 U.S. Toll-free: 1-800-535-8767

Fax: +1-503-861-2283

Email: sales.lektro@jbtc.com Web: lektro.com

Bill To: City of Concord

850 Warrenton C. Coleman Blvd. South

Department of Purcashing Concord, NC 28026 704-920-5441

Ship To: Concord - Padgett Regional Airport

Mr. Bill Sherrill 9000 Aviation Blvd. NW Concord, NC 28027 704-920-5900

sherrilw@concordnc.gov

Quotation

Date:	Sales Person:
July 22, 2022	Dale Hicks
Inquiry Date:	Ship Via:
December 21, 2021	Motorfreight
Ship Date:	CIP: (Incoterms 2010)
April 1, 2023	Warrenton, OR
Terms:	-
50% Deposit with Order,	Balance Due Prior to Shipping
Shipping Charges:	Insurance:
Prepaid+Add	Prepaid+Add

All quotations and sales are subject to the Terms and Conditions on the reverse hereof. JBT reserves the right to modify product prices by means of a steel surcharge in the event steel costs increase by more than five percent. JBT will notify Buyer of requirement for a steel surcharge and product prices included in this Contract shall be modified by means of the change order process.

DESCRIPTION New 2022 Lektro Model AP8850SDA Aircraft Tug, 120,000 lb/54,432 kg Capacity FSIP EVT1000LV IGBT Electronic Speed Control with On-Board Diagnostics STD 45.3 HP/72v DC Drive Motor with Cooling Fan STD Auburn/Dana 44 Differential, 3.73 Ratio STD Lever Switch with Locking Emergency Disconnect STD Hour Meter STD Electronic Battery Monitor, Motive Battery STD Dual LED Headlights with Guards at Cradle & Operator Ends of Tug STD Four Flashing Amber LED Running Lights with Guards STD Amber Strobe Light with Shield STD Cradle Illumination LED Light with Guard STD 72 VDC, 550 Amp Hr. (6-Hr. Rate), Industrial Motive Batteries INCL 72 VDC, 90 Amp, 208-480 VAC, 50/60 Hz, 3-Ph, Fully Automatic Charger STD Power Supply (AC) Voltage Must Be Specified By Customer : TBD TBD Patented Electric/Hydraulic, Dual Cylinder, Universal Nose Gear Cradle with Front Gate STD Extended Aluminum Rear Gate STD Falcon 900/50/200 adapter INCL Falcon 7x/8x adapter INCL Citation X Sovereign dual nose tire Hold-down INCL Operator Seat, Premium Grade (Available in Black or Light Gray) with Armrests, Suspension & Retractable Seat Belt STD Passenger Seat, Premium Grade (Available in Black or Light Gray) with Armrests & Retractable Seat Belt STD Foot Applied Dual Hydraulic Wheel Disc Brakes STD Hydraulic Parking Brake, Hand Push/Pull Applied STD Solid-Pneumatic Traction Drive Tires (23 x 10 x 12) with Siping STD Solid-Pneumatic Traction Steer Tires (21 x 8-9) STD Heavy-Duty Hydraulic Winch with Nylon Belt Including Automatic Cut-Off STD Dbl 1" x 29" Soft-Eye/2" x 29" D-Ring Nylon Strut Straps with Protective Sleeve STD Electric/Hydraulic Power Steering STD STD Tilt Steering Column Steer Axle Suspension STD Lear/Citation/Beechjet Hold Down Bracket (15"-18"/38-46cm Dia.) STD STD Chine Protectors Side Mount Accessory Holders with Covers STD High Gloss Enamel Red or White Paint with Polyurethane Protective Coating TBD Pintle Towing Hook Adapter Mounted on Operator End of Tug STD Parts/Service/Operation Manual with Exploded View on USB STD One Year Gold Seal Warranty STD **Sub Total** \$127,264,00 Estimated freight to Concord NC - Exact to be quoted at time of shipment 3,920.00 Estimated Sales Tax - N/A - City Government 12,791.00 \$143,975.00 We are pleased to submit this quotation for your consideration. Our quote is valid until: August 21, 2022 Should you place an order, be assured it will receive our prompt attention. Prepared By_ Accepted By_ Personally Guaranteed By___ Print Name_ Address Remit Address: **ACH/Wire Transfer Instructions:** JBT LEKTRO Inc. PNC Bank, Pittsburgh, PA P.O. Box 31001-2722 ABA: 043000096 Account: 1069955942 Pasadena, CA 91110-2722

SWIFT Code: PNCCUS33

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th day of June, 2022, adopt a City budget for the fiscal year beginning July 1, 2022 and ending on June 30, 2023, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

	<u>Re</u>	venues		
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
680-4501400	Transfer from Cap Proj	1,158,273	1,191,248	32,975
	Total			32,975

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
4530-5550000	Equipment – Capital	330,360	363,335	32,975
	Total			32,975

Reason: To cover overage on purchase of new tug.

Adopted this 11th day of August, 2022.

		CITY COUNCIL CITY OF CONCORD NORTH CAROLINA
ATTEST:		William C. Dusch, Mayor
ATTEOT.	Kim Deason, City Clerk	
		VaLerie Kolczynski, City Attorney

751 Corporate Center Drive, Suite 300 (27607) Post Office Box 33009 Raleigh, NC 27636-3009 P: 919.277.9213 F: 919.277.9177 WCChristensen@wardandsmith.com

July 7, 2022

Joshua C. Smith, Assistant City Manager Dirk Vanderleest, Airport Director City of Concord 35 Cabarrus Avenue West Concord, NC 28025

RE: State Government Relations for Concord-Padgett Regional Airport

Dear Joshua and Dirk:

It is Ward and Smith, P.A.'s privilege to present you with this Letter of Interest for serving as the lobbyists and advocates for the City of Concord's transportation appropriations needs. Our team has deep experience working with the North Carolina Department of Transportation (NCDOT), United States Department of Transportation (USDOT), and the Federal Aviation Administration (FAA). We would be thrilled to put that experience to work for the City of Concord. Our lobbyists are eager to assist you with State aviation appropriations opportunities, including those supported by state General Fund dollars as well as USDOT pass through funds administered by the State.

Our team has successfully secured hundreds of millions of dollars in State appropriations for clients and have negotiated earmarks under both good and bad economic conditions. We have drafted, passed, amended, and defeated a wide-range of legislation for local government clients, and in doing so, have become skilled in the many pathways to legislative victories.

Our lobbyists have advocated on municipal issues for the majority of their careers and have even worked as staff for the North Carolina League of Municipalities (NCLM). Our rapport with NCLM is strong and we have a great working relationship with the organization's government relations team. We are a respected voice on local government issues and are well-versed in the modern legislative history impacting municipal governments.

ASHEVILLE

GREENVILLE

NEW BERN

RALEIGH

WILMINGTON

WARDAND SMITH, P.A.

Joshua C. Smith, Assistant City Manager July 7, 2022 Page 2

Our relationships with the State's top decision makers are well-established. Our network is strong and spans both parties as well as both chambers of the General Assembly. Our firm has relationships with both the current and incoming delegation members from Cabarrus County as well as deep bench strength on the state legislative history as it applies to aviation and transportation.

The combined experience of our team includes appointed and elected offices in state and federal government, senior positions within the U.S. Department of Defense as well as staff positions in the U.S. Congress and the North Carolina Speaker of the House's office, public policy foundations, lobbying roles for respected statewide advocacy associations, and other key positions in government relations. Members of our team helped draft and negotiate the state budget when working for political leaders in past roles, affording them an authentic insider's perspective of North Carolina's appropriations process.

The most senior leaders in the House, Senate, and Governor's office are only a phone call away when our clients need them. We have put in the time to earn the trust and friendship of North Carolina lawmakers, which enables us to communicate our client messages to the legislative audience with maximum effectiveness.

Ward and Smith is the successor to a practice founded in 1895 and has been serving clients as a team for over 127 years. Our core values of client satisfaction, reliability, responsiveness, and teamwork are the standards that define who we are as a law firm. Ward and Smith ensures that your legal matters are handled attentively by attorneys and staff who work together to build meaningful relationships with our clients. We do this by being knowledgeable in more than 30 practice areas and by prioritizing results, relationships, and efficiency. We are your established legal network with offices located in Asheville, Greenville, New Bern, Raleigh, and Wilmington.

Ward and Smith is committed to building and maintaining lasting relationships with every client and we understand that each client has unique needs. We work to become fully acquainted with the management style and operations of our clients. This enables us to provide timely and effective legal services. Our attorneys are dedicated to providing frequent and full communication to our clients with respect to pending and anticipated legal issues that may affect them. We believe that this approach provides our clients with responsive, high-quality, and cost-effective legal services.

WARDAND SMITH, P.A.

Joshua C. Smith, Assistant City Manager July 7, 2022 Page 3

In order to focus on and respond to specific client needs, we have developed specialized practice groups. Attorneys in each group, in addition to their general legal training, focus their individual practices in one or more specific fields. Government relations and municipal law are among our most active and accomplished practice groups.

Ward and Smith is a full-service law firm. Our dedication to the practice of law and commitment to each and every client is our collective mission and we believe it is what sets us apart from other law firms. We welcome the opportunity to be your first choice for lobbying services and thank you for your consideration of this Letter of Interest.

Yours truly,

Whitney Campbell Christensen

Joshua C. Smith, Assistant City Manager July 7, 2022 Page 4

QUALIFICATIONS AND EXPERIENCE

Effective lobbying requires experience, integrity, and teamwork. Ward and Smith brings each of those ingredients to the task at hand. Add to that mix our long history with North Carolina local governments and deep appreciation for municipal issues and we believe that our abilities align well with the City's goals. A good proposal for legislative representation services includes consideration of not only expertise and cost, but must take into account the more subjective qualities related to the ability to understand your issues and work with you. Our proposed relationship with the City would allow us to be a part of your team and meet such challenges seamlessly and successfully.

Ward and Smith's lobbying team is able to effectively assist the City in any transportation, aviation, legislative, and funding needs that are existing or may arise. Our team has deep bench strength advocating for and advising local governments and we are very familiar with the unique issues municipal governments face. The following are examples of how we work to achieve a client's government relations goals:

- Working with clients to develop a comprehensive government relations strategy to advance their legislative priorities. This includes guiding our clients through the process of developing a legislative agenda with goals that are impactful and realistic.
- Composing legislative reports and providing real time updates about legislation of interest to the client, including local bills.
- Attending relevant policy, oversight, and appropriations committee meetings and interacting with key committee members to advance your legislative agenda and monitor legislation of interest.
- Increasing our clients' visibility at the General Assembly and before state agencies through thoughtful involvement on key legislative topics, relationship building with key legislators, daily presence at the General Assembly, and leadership on policy that matters.
- Interacting with members of the North Carolina General Assembly, the Executive Branch, and the North Carolina Council of State to advocate for and against legislation to the benefit of the client.
- Advocating for state appropriations or "earmarks" to meet the needs of our clients. For example, in 2021, we secured several appropriations for our clients, including a \$4 million appropriation for a municipal client in the State budget and \$215 million for another municipal client's special project. Additionally, in 2022, we secured appropriations for several city and county clients for their water systems, trails, greenways, parks and flood resilience projects.

Joshua C. Smith, Assistant City Manager July 7, 2022 Page 5

- Identifying grant opportunities that our clients would qualify for and lobbying for new grant programs tailored to client needs. For example, in 2021, we successfully advocated for two grant programs (one new, one old but underfunded) for local government clients.
 - Drafting legislation and amending legislation on key topics to the benefit of the client, wherever appropriate.
 - Coordinating and attending meetings with legislators and members of the Executive Branch to advance the client's priorities.
 - Issue spotting, drafting alerts, and preparing calls to action for the client's stakeholders about legislation of interest when appropriate.
 - Assisting the client with the coordination of any desired legislative meetings.

Ward and Smith clients benefit from the relevant and effective personal experience of our attorneys, lobbyists, and communications experts. The combined experience of our team includes a wide array of elected, appointed, and staff leadership roles in state and federal government. Our government relations attorneys and advisors represent local governments, businesses, trade associations, nonprofit organizations, political committees, and individuals wherever and whenever sophisticated government relations experience, access, and analysis are needed.

Ward and Smith has a long history of managing our clients' government relations efforts effectively. For example, we have drafted political action committee charters, drafted political contributions policies, lobbied both the federal and state governments on the specific issues of importance to clients, and provided legal advice related to government relations ethics and campaign finance compliance. Our clients are as varied as the issues they face. From international corporations to small family businesses, we work with clients to tailor a government relations plan that will best serve them. We represent individual companies as well as associations with multiple members and assist them with both the legislative and state agency advocacy, while also helping with communications and grassroots efforts. Clients look to our Government Relations team for a wide range of assistance, including:

- Policy intervention
- State and federal budget analysis and advocacy
- Regulatory and legislative monitoring
- State and federal government marketing and procurement
- Strategic public communications and planning
- Legal advice related to government ethics, campaign finance, and procurement regulation compliance

Joshua C. Smith, Assistant City Manager July 7, 2022 Page 6

We help clients achieve and maintain legal compliance with state and federal political ethics, lobbying, and campaign finance issues. We are experienced in working with the statutes governing campaign finance, conflicts of interest, lobbying, and political ethics. We have a paralegal team who is fully versed in the filing and registering that is required whenever a business is engaged in government relations or retains a lobbyist.

The Government Relations team has an efficient system that allows us to monitor political issues of importance to the client and go beyond the information provided by trade associations or other sources of information the client may use. These organizations certainly provide a wealth of information and lobbying power, but clients often benefit from more tailored advocacy that advances their own best interests when it comes to government relations initiatives, appropriations and analysis.

In summary, Ward and Smith has one of the most effective and experienced practice groups of its kind in the State of North Carolina.

Joshua C. Smith, Assistant City Manager July 7, 2022 Page 7

OUR TEAM APPROACH

Firm-wide, we currently employ more than 90 attorneys and more than 125 support staff in our five offices. We can serve the City most efficiently from our Raleigh office, but any attorney from any of our offices will be made available, schedule permitting, without additional cost or travel expenses. We believe the following government relations professionals will be most involved with the City, but we have additional bench strength that we can call upon if needed.



Whitney Campbell Christensen, Government Relations Attorney

P: 919.277.9213

E: wcchristensen@wardandsmith.com

Whitney is a seasoned government relations professional with more than a decade of lobbying experience. She is proud to have spent a large portion of her career representing North Carolina local governments before the

North Carolina General Assembly and state agencies. Before joining Ward and Smith, Whitney worked for the North Carolina League of Municipalities where she managed the organization's General Government Committee as well as transportation policy, public safety legislation, LGERS advocacy, election policy and more. Whitney has been recognized by Super Lawyers Magazine as a Government Relations Rising Star Attorney for 5 consecutive years and in 2022 was the only attorney in North Carolina to receive that designation in Government Relations. Whitney is also on the Board of Directors for the North Carolina Professional Lobbyists Association where she was recently elected Treasurer of the organization.



Trafton Dinwiddie, Government Relations Advisor

P: 919.277.9145

E: tpdinwiddie@wardandsmith.com

Trafton has worked at the epicenter of state government for more than 7 years where he served at the right hand of several of North Carolina's most powerful lawmakers, including most recently for North Carolina House Speaker Tim Moore. In that time, Trafton has held leadership roles in agriculture and energy policy, election legislation, environmental

issues, regulatory reform legislation and even the process to develop the State's budget for seven state agencies.

Joshua C. Smith, Assistant City Manager July 7, 2022 Page 8



Jamie Norment, Government Relations Attorney

P: 252.672.5453

E: jwn@wardandsmith.com

For more than twenty years Jamie has represented North Carolina clients on state government relations matters. Jamie has enjoyed representing many municipal, county and local government utility clients over the course of his career. His political contacts are formidable and clients appreciate Jamie's counsel on transportation policy, lobbying ethics,

campaign finance, economic development, and public meetings issues.



Leslie Young, Government Relations Coordinator

P: 919.277.9137

E: lmy@wardandsmith.com

Leslie is responsible for all lobbying principal compliance filings with the North Carolina Secretary of State and Federal government. She uses her Master's Degree in Library and Information Science to provide research supporting legislative strategies; manages our legislative bill tracking database; and supports PAC/Campaign finance and reporting. Our clients

appreciate that Leslie manages both their lobbying and principal compliance requirements on their behalf throughout the year.

Joshua C. Smith, Assistant City Manager July 7, 2022 Page 9

FEES

The Firm is committed to providing the City professional services of superior quality, and we believe that your satisfaction with the cost and value of such services is of equal importance in continuing to maintain a long-term relationship. Although we do have the capability to bill our government relations clients on an hourly basis for our services, we find that the overwhelming majority of our clients prefer the predictability and cost savings afforded by a flat fee monthly retainer arrangement.

As such, we would recommend a flat fee monthly retainer for our services for the City. This retainer will establish a set amount that the City can use for its budgeting process. For the lobbying and legislative services described in this proposal, our fee would be:

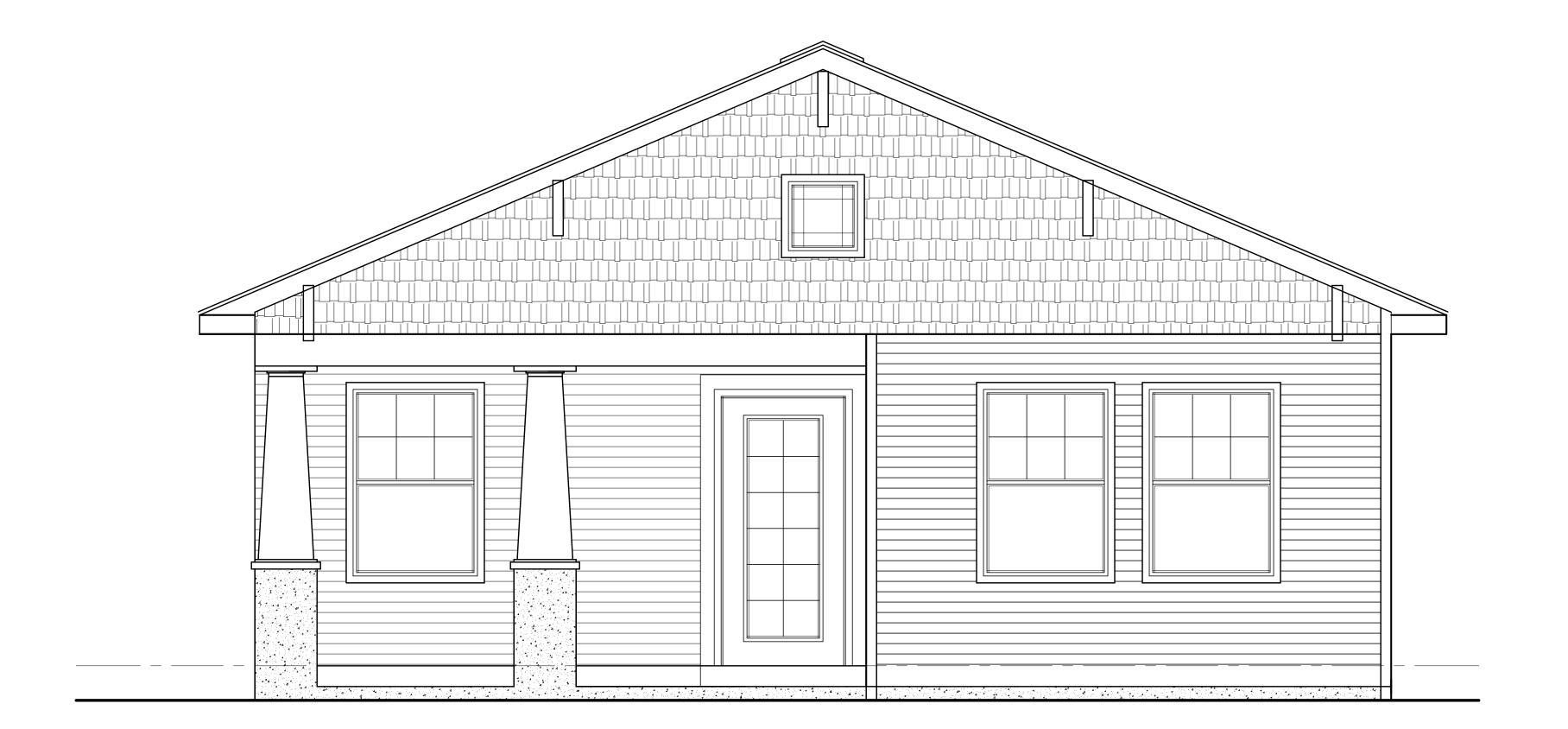
\$5,000 per month

This amount will cover:

- Continual monitoring of legislative actions and updates
- Strategy development for securing an appropriation for Concord-Padgett Regional Airport
- Unlimited telephone and email consultations with your government relations team.
- All normal and customary administrative expenses, word processing, and paralegal services, including compliance filings with the Secretary of State's office.

Should your government relations needs expand over the course of the engagement, we might need to reconstruct our engagement agreement and fees.

HABITAT CABARRUS THE JOSHUA PLAN 4- BEDROOM - 1260 SF



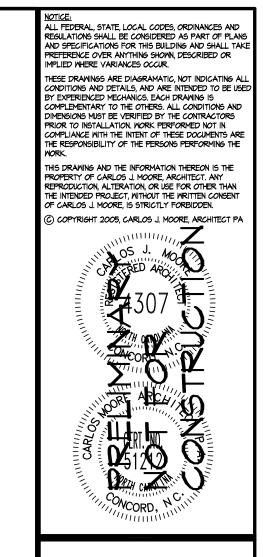
INDEX OF DRAWINGS

CYR COVER SHEET

A-I FOUNDATION PLANS

A-2 FLOOR PLAN, ROOF FRAMING, & DOOR AND WINDOW SCHEDULES

A-3 EXTERIOR ELEVATIONS



RCHITECT, P.A.
H, CONCORD, NC 28025
cmoorearch@vnet.net

222 CHURCH ST. NORTH, C (704) 788-8333 cm

SUBDIVISION, CONCORD, 1

OLIA CROSSING SUBI

TE: 02.07.06

design: final: 02.27.2006

REVISIONS: 02.28.07 03.25.08

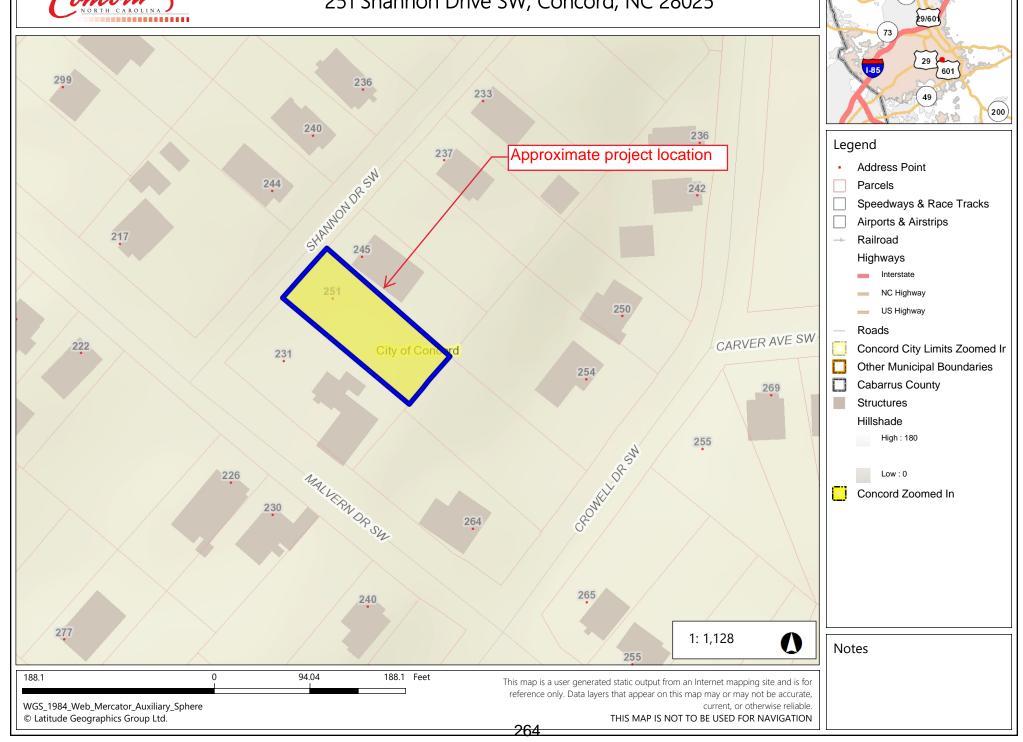
DRAWING NUMBER: 070204CVR DRAWN BY: ARH/CJB

CVR

TOTAL # OF SHEETS: 4



251 Shannon Drive SW, Concord, NC 28025



PIN: 5539758679

Prepared by and Return to Concord City Attorney ROD Box

NORTH CAROLINA CABARRUS COUNTY

STORMWATER CONTROL MEASURE (SCM), ACCESS EASEMENT AND MAINTENANCE AGREEMENT

THIS STORMWATER CONTROL MEASURE (SCM), ACCESS EASEMENT AND MAINTENANCE AGREEMENT ("Agreement"), made this ______ day of ______, 2022, by Mini Storage Depot on Union St., LLC, a North Carolina limited liability company, whose principal address is 3900 Edison Lakes Pkwy, Suite 201, Mishawaka, IN 46545 (hereinafter referred to as "Grantor"), with, to, and for the benefit of the City of Concord, a municipal corporation of the State of North Carolina, whose address is P.O. Box 308, Concord North Carolina 28026-0308, (hereinafter "Grantee" or "City").

WITNESSETH:

WHEREAS, THE CITY COUNCIL ACCEPTED THIS STORMWATER CONTROL MEASURE (SCM), ACCESS EASEMENT AND MAINTENANCE AGREEMENT ON _____.

WHEREAS, Grantor is the owner in fee simple of certain real property situated in the City of Concord, County of Cabarrus, North Carolina and more particularly described as follows: 1261 Union Street S, Concord, NC, Cabarrus County Property Identification Number (PIN): 5539-75-8679. It being the same land described in deed recorded in Book and Page 13933/126 in the Office of the Register of Deeds for Cabarrus County (hereinafter referred to as the "Property"); and

WHEREAS, Grantor desires to develop or redevelop all or portions of the Property; and

WHEREAS, the Property is located within the planning jurisdiction of the City of Concord, and is subject to certain requirements set forth in the City of Concord Code of Ordinances Chapter 60, the Concord Development Ordinance, (hereafter "CCDO"), and the Concord Technical Standards Manual (hereafter "Concord Manual"); and

WHEREAS, conditions for development and/or redevelopment of the Property includes (i) the construction, operation and maintenance of an engineered stormwater control structure, namely a Sand Filter, as provided in the CCDO and the Concord Manual (the "Stormwater Control Measure" or "SCM"), (ii) Grantors' dedication of a non-exclusive access easement to the City, as described in this Agreement, for inspection and maintenance of the Stormwater Control Measure; and (iii) the assumption by Grantor of certain specified maintenance and repair responsibilities; and

WHEREAS, this Agreement and the easements created herein are established in accordance with the requirements of N.C.G.S. Sec 143-211 et. seq., Article 4 of the CCDO and Article I of the Concord Manual; and

WHEREAS, Grantor has the full authority to execute this Agreement so as to bind the Property and all current and future owners and/or assigns.

NOW, THEREFORE, for valuable consideration, including the benefits Grantor may derive there from, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby dedicates, bargains, grants and conveys unto Grantee, and its successors and assigns, a perpetual, and irrevocable right and nonexclusive easement in gross (of the nature and character and to the extent hereinafter set forth) in, on, over, under, through and across those portions of the Property shown on the attached Exhibit "A" titled "Easement & Public Right-of-Way Dedication Survey For: Mini Storage on Union Street" and labeled "Stormwater Control Measures Maintenance & Access Easement 1.132 Acres [49,316 SQ. FT.]" for the purpose of inspection and maintenance of the Stormwater Control Measure (hereinafter referred to as "SCM Easement"). Within the SCM Easement Grantor shall conduct best management practices as more fully set forth herein and in the CCDO and Concord Manual. Also within the SCM Easement, Grantor shall construct, maintain, repair and reconstruct the Stormwater Control Measure or SCM, which include (i) the SCM and any other stormwater quantity and/or quality control devices and/or structures, described on the plans approved by the City of Concord and filed at the A.M. Brown Operations Center, 850 Warren Coleman Blvd., Concord, NC 28025; and (ii) access to the aforesaid SCM as shown on the attached Exhibit "A" titled "Easement & Public Right-of-Way Dedication Survey Fr: Mini Storage on Union Street and labeled "Stormwater Control Measures Maintenance & Access Easement 1.132 Acres [49,316 SQ. FT.]" for the purpose of permitting City access, inspection and, in accordance with the terms of paragraph 4 of this Agreement, maintenance and repair of the SCM, as more fully set forth herein and in the CCDO and Concord Manual. Except as set forth herein, nothing contained in this Agreement shall be deemed to be a gift or dedication of any portion of Grantor's Property to the general public or for any public use or purpose whatsoever, and further except as specifically provided herein for the benefit of the City, no rights, privileges or immunities of Grantor shall inure to the benefit of any third-party, nor shall any third-party be deemed to be a beneficiary of any of the provisions contained herein.

The additional terms, conditions, and restrictions of this Agreement are:

- 1. The requirements pertaining to the SCM Easements are more fully set forth in the current adopted and published editions of the following four (4) documents: (i) Article 4 of the CCDO, (ii) Article I, Section 1 of the Concord Manual, (iii) the Sand Filter Inspection and Maintenance Plan attached as Exhibit "B" and (iv) as provided in the N.C. Dept. of Environment and Natural Resources (DENR) Stormwater Best Management Practices (BMP) Manual (the "NCDENR Manual"), all of which are incorporated herein by reference as if set forth in their entireties below. Grantors agree to abide by all applicable codes including, but not limited to, those set forth above. All provisions required by the CCDO Section 4.4.6.B.1 are incorporated herein by reference, and Grantor agrees to abide by said provisions. Grantor further agrees that Grantor shall perform the following, all at its sole cost and expense:
 - a. All components of the SCM and related improvements within the SCM Easements are to be kept in good working order.

- b. The components of the SCM and related improvements within the SCM Easements shall be maintained by Grantor as described in "Exhibit B", the Sand Filter Inspection and Maintenance Plan.
- 2. Upon completion of the construction of the SCM, Grantor's N.C. registered professional engineer shall certify in writing to the Concord Director of Water Services that the SCM and all components are constructed and initially functioning as designed. Annual inspection reports (hereinafter referred to as "Annual Report(s)") are required each year and shall be made by Grantor on the written schedule provided to Grantor in advance by the City. The Annual Report(s) shall describe the condition and functionality of the SCM, and shall describe any maintenance performed thereon during the preceding year. The Annual Report(s) shall be submitted with the signature and seal of Grantor's N.C. registered professional engineer conducting the inspection. If necessary, the City will provide a letter describing the maintenance necessary to keep the SCM and all components and structures related to the SCM functioning as designed and with reasonable timeframes in which to complete the maintenance. If the Annual Report(s) recommends maintenance actions, the repairs shall be made within a reasonable time as defined by the City.

Grantor and Grantee understand, acknowledge and agree that the attached Inspection and Maintenance Plan describes the specific actions needed to maintain the SCM.

- 3. Grantor represents and warrants that Grantor is financially responsible for construction, maintenance, repair and replacement of the SCM, its appurtenances and vegetation, including impoundment(s), if any. Grantor agrees to perform or cause to be performed the maintenance as outlined in the attached Inspection and Maintenance Plan and as provided in the NCDENR Manual. Grantor and any subsequent transferee of Grantor or succeeding owner of the Property shall give the City written notice of the transfer of a fee or possessory interest in the Property listing the transferee's name, address of the Property, transferee's mailing address and other contact information. Grantor and any subsequent transferee of Grantor or succeeding owner of the Property shall not be responsible for errors or omissions in the information about the transferee provided to the City caused by acts or omissions of the transferee. The transferee shall give the City written notice of the acceptance and any future transfer of an interest in the Property listing the transferee's name, address of the Property; transferee's mailing address and other contact information. Upon the conveyance of the Property by Grantor to any transferee acquiring the Property by means of a conveyance document containing the language set forth in paragraph 9 below, Grantor is released from any further covenants or other obligations set forth in this Agreement.
- 4. If Grantor fails to comply with these requirements, or any other obligations imposed herein, in the City of Concord Code of Ordinances, CCDO, the Concord Manual or approved Inspection and Maintenance Plan, the City of Concord may perform (but is not obligated to perform) such work as Grantor is responsible for and recover the costs thereof from Grantor.
 - 5. This Agreement gives Grantee the following affirmative rights:

Grantee, its officers, employees, and agents may, but is not obligated, to enter the SCM Easements whenever reasonably necessary for the purpose of inspecting same to determine compliance herewith, to maintain same and make repairs or replacements to the SCM, their appurtenances and condition(s) as may be necessary or convenient thereto in the event Grantor defaults in its obligations and to recover from Grantor the cost thereof, and in addition to other rights and remedies available to it, to enforce by proceedings at law or in equity the rights, covenants, duties, and other obligations herein imposed in this Agreement.

- 6. Grantor shall neither obstruct nor hinder the passage of vehicular traffic and pedestrians within the paved portion of the access easement granted herein by Grantor to Grantee.
- 7. Grantor shall, in all other respects, remain the fee owner of the Property and areas subject to the SCM Easements, and may make all lawful uses of the Property not inconsistent with this Agreement and the Easements granted herein.
- 8. Grantee neither waives nor forfeits the right to act to ensure compliance with the terms, conditions and purposes of the SCM Easements and this Agreement by a prior failure to act.

9. Grantor agrees:

a. That a reference to the deed book and page number of this document in a form substantially similar to the following statement in at least a 12 point bold face font on the first page of the document: "Notice: The Properties are subject to a Stormwater Control Measure (SCM), Access Easement and Maintenance Agreement enforced by the City of Concord and State of North Carolina recorded in the Cabarrus County Registry at DB______."

shall be inserted by Grantor in any subsequent deed or other legal instrument by which Grantors may be divested of either the fee simple title to or possessory interests in the subject Property. The designation Grantor and Grantee shall include the parties, their heirs, successors and assigns; and

b. That the following statement shall be inserted in any deed or other document of conveyance:

"Title to the properties hereinabove described is subject to the following exceptions:

In the event that such conveyance is other than by deed, the above terms of "grantor/grantee" may be substituted by equivalent terms such as "landlord/tenant."

TO HAVE AND TO HOLD the aforesaid rights, privileges, and easements herein granted to Grantee, its successors and assigns forever and Grantors do covenant that Grantor is seized of said premises in fee and has the right to convey the same, that except as set forth below the same are free from encumbrances and that Grantor will warrant and defend the said title to the same against claims of all persons whosoever.

Title to the Properties hereinabove described is subject to all enforceable deeds of trust, liens, easements, covenants and restrictions of record.

The covenants agreed hereto and the conditions imposed herein shall be binding upon Grantor and its agents, personal representatives, heirs and assigns and all other successors in interest to Grantor and shall continue as a servitude running in perpetuity with the above-described land.

THE	CONC	ORD	CITY	COUN	CIL	APPRO	OVED	THIS	AGREE	EMEN	ΓAND	SCM	ACC	CES	S
EASEMENT	`AND A	ACCE	PTED	THE SO	CM A	CCESS	S EASE	EMENT	ГАТТН	IEIR M	EETIN	G OF _			
					2022	AS A	TTEST	ED T	O BELO	OW B	Y THE	CITY	CLI	ERI	ζ.
CONCORD	CITY	COU	NCIL	APPR	OVAI	L OF	THIS	AGR	EEMEN	T AN	D EAS	SEMEN	I TĮ	S	A
CONDITION	N PREC	EDEN	OT TI	ACCEP	TAN	CE BY	THE	CITY.							

IN WITNESS WHEREOF, the parties have caused this instrument to be duly executed day and year first above written.

GRANTOR

Mini Storage Depot on Union St., LLC, a North Carolina limited liability company

By: Name: L

Title: Manager

STATE OF M

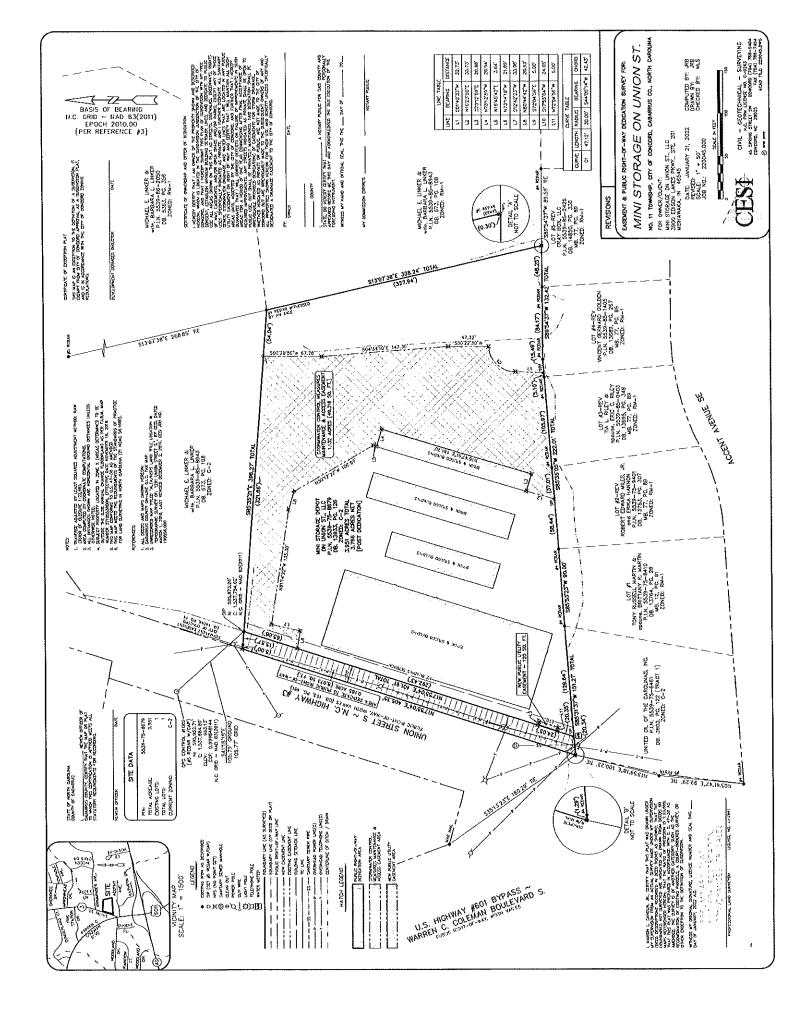
I, Breeg LNmemaker, a Notary Public of the aforesaid County and State, do hereby certify that personally appeared before me this day and acknowledged that he/she is the LUNCE A. SWANK Manager of Mini Storage Depot on Union St., LLC, a North Carolina limited liability company, and that he/she, being authorized to do so, executed the foregoing on behalf of the company.

WITNESS my hand and Notarial Seal this the

My commission expires:

	City of Concord, a municipal corporation
ATTEST:	By:Lloyd Wm. Payne, Jr., City Manager
Kim J. Deason, City Clerk [SEAL]	
APPROVED AS TO FORM	
VaLerie Kolczynski, City Attorney	
STATE OF NORTH CAROLINA COUNTY OF CABARRUS	
City Clerk of the City of Concord and that the foregoing STORMWATER CON MAINTENANCE AGREEMENT was ap	, a Notary Public of the aforesaid County and State, deally appeared before me this day and acknowledged that she is the by authority duly given and as the act of the municipal corporation NTROL MEASURE (SCM), ACCESS EASEMENT AND approved by the Concord City Council at its meeting held on and was signed in its name by its City
Manager, sealed with its corporate seal an	nd attested by her as its City Clerk.
WITNESS my hand and notarial s	seal, this the, 2022.
	Notary Public
	My commission expires:

GRANTEE:





Sand Filter Inspection and Maintenance Plan

Grantor agrees to keep a maintenance record on this SCM. This maintenance record will be kept in a log in a known set location. Any deficient SCM elements noted in the inspection will be corrected, repaired or replaced immediately. These deficiencies can affect the integrity of structures, safety of the public, and the removal efficiency of the SCM.

Important maintenance procedures:

- The drainage area will be carefully managed to reduce the sediment load to the sand filter.
- Once a year, sand media will be skimmed.
- The sand filter media will be replaced whenever it fails to function properly after vacuuming.

The sand filter will be inspected quarterly and within 24 hours after every storm event greater than 1.0 inches. Records of inspection and maintenance will be kept in a known set location and will be available upon request.

Inspection activities shall be performed as follows. Any problems that are found shall be repaired immediately.

SCM element:	Potential problem:	How I will remediate the problem:
The entire SCM	Trash/debris is present.	Remove the trash/debris.
The adjacent pavement (if applicable)	Sediment is present on the pavement surface.	Sweep or vacuum the sediment as soon as possible.
The perimeter of the sand filter	Areas of bare soil and/or erosive gullies have formed.	Regrade the soil if necessary to remove the gully, and then plant a ground cover and water until it is established. Provide lime and a one-time fertilizer application.
	Vegetation is too short or too long.	Maintain vegetation at a height of approximately six inches.
The flow diversion structure	The structure is clogged.	Unclog the conveyance and dispose of any sediment off-site.
	The structure is damaged.	Make any necessary repairs or replace if damage is too large for repair.

The pretreatment area	Sediment has accumulated to a depth of greater than six inches.	Search for the source of the sediment and remedy the problem if possible. Remove the sediment and dispose of it in a location where it will not cause impacts to streams or the SCM.
	Erosion has occurred.	Provide additional erosion protection such as reinforced turf matting or riprap if needed to prevent future erosion problems.
:	Weeds are present.	Remove the weeds, preferably by hand. If a pesticide is used, wipe it on the plants rather than spraying.

SCM element:	Potential problem:	How I will remediate the
The filter bed and underdrain collection system	Water is ponding on the surface for more than 24 hours after a storm.	check to see if the collector system is clogged and flush if necessary. If water still ponds, remove the top few inches of filter bed media and replace. If water still ponds, then consult an expert.
The outflow spillway and pipe	Shrubs or trees have started to grow on the embankment. The outflow pipe is clogged. The outflow pipe is damaged.	Remove shrubs and trees immediately. Provide additional erosion protection such as reinforced turf matting or riprap if needed to prevent future erosion problems. Repair or replace the pipe.
The receiving water	Erosion or other signs of damage have occurred at the outlet.	Contact Stormwater Services at 704-920-5360.

Consent of Lienholder

CIT Bank, a division of First-Citizens Bank & Trust Company (successor by merger to CIT Bank, N.A. and successor to Mutual of Omaha Bank) ("Lienholder"), hereby consents to the grant of the foregoing Stormwater Control Measure (SCM), Access Easement and Maintenance Agreement by Mini Storage Depot on Union St., LLC, a North Carolina limited liability company, filed in Deed Book at Page, and joins in the execution hereof solely as Lienholder and hereby does agree that in the event of the foreclosure of the Deed of Trust Securing Future Advances, Security Agreement, Assignment of Leases and Rents and Fixture Filing Statement and any amendments thereto recorded in Deed Book 14221, Page 316, the Assignment of Leases and Rents recorded in Deed Book 14221, Page 354 and the UCC Financing Statement filed in Deed Book 14221, Page 366 all of the Cabarrus County Register of Deeds Office or other sale of said property described in the aforesaid documents under judicial or non-judicial proceedings, the same shall be sold subject to said Agreement and Easement.
SIGNED AND EXECUTED this day of, 2022.
FIRST-CITIZENS BANK & TRUST COMPANY
By: Way Peters Name: Mary Peters Title: Director
STATE OF New York COUNTY OF New York
I, Olivia Cherundolo, a Notary Public in and for New York County and State of New York, do hereby certify that May Peteros , as
WITNESS my hand and Notarial Seal this the 4 day of 4pm, 2022.
ERUNDOLO
Olivia Cherundolo Notary Public OLIVIA CHERUNDOLO Notary Public Stote of New York
Notary Public-State of New York No. 01CH6061073 Qualified in Nassau County My Commission Expires July 9 7 2 2

ORDINANCE DIRECTING THE HOUSING CODE ENFORCEMENT OFFICER TO VACATE, CLOSE, DEMOLISH AND REMOVE THE PROPERTY HEREIN DESCRIBED AS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED UNTIL REPAIRED

WHEREAS, the City Council of the City of Concord finds that the property described herein is unfit for human habitation under the City Housing Code, and that all of the provisions of the Housing Code have not been complied with as a condition of the adoption of this ordinance; and

WHEREAS, said dwelling should be vacated, closed, demolished and removed to meet the requirements of the Housing Code as directed by the Housing Code Enforcement Officer, and should be placarded by placing thereon a notice prohibiting use for human habitation; and

WHEREAS, the owner of said dwelling has been given a reasonable opportunity to bring the dwelling up to the standards of the Housing Code in accordance with G.S. 160A-443 (5) pursuant to an order issued by the Housing Code Enforcement Officer on February 4, 2020 and the owner having failed to comply with the order;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord, that:

The Housing Code Enforcement Officer is hereby authorized and directed to place a sign containing the legend, "THIS BUILDING IS UNFIT FOR HUMAN HABITATION; THE USE OR OCCUPANCY OF THIS BUILDING FOR HUMAN HABITATION IS PROHIBITED AND UNLAWFUL." on the buildings owned by Earle R. Ganas and Estate of Earle R. Ganas and located at the following address: 25 Liske Ave NW, Concord, NC 28027.

Section 2: The Housing Code Enforcement Officer is hereby authorized and directed to proceed to vacate, close, demolish and remove the above described dwelling in accordance with his order to the owner thereof dated the 13 day of February, and with the Housing Code and G.S. 160A-443.

It shall be unlawful for any person to remove or cause to be removed said Section 3: placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any building herein declared to be unfit for human habitation.

Section 4: The total cost of demolition of the above described dwelling, in accordance with this order, shall constitute a lien against subject property.

Section 5: This	ordinance shall bed	come effective
Adopted this	_ day of20	22.
		CITY COUNCIL CITY OF CONCORD NORTH CAROLINA
		William C. Dusch, Mayor
ATTEST:		
Kim Deason, City	Clerk	
		VaLerie Kolczynski, City Attorney

ORDINANCE DIRECTING THE HOUSING CODE ENFORCEMENT OFFICER TO VACATE, CLOSE, DEMOLISH AND REMOVE THE PROPERTY HEREIN DESCRIBED AS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED UNTIL REPAIRED

WHEREAS, the City Council of the City of Concord finds that the property described herein is unfit for human habitation under the City Housing Code, and that all of the provisions of the Housing Code have not been complied with as a condition of the adoption of this ordinance; and

WHEREAS, said dwelling should be vacated, closed, demolished and removed to meet the requirements of the Housing Code as directed by the Housing Code Enforcement Officer, and should be placarded by placing thereon a notice prohibiting use for human habitation; and

WHEREAS, the owner of said dwelling has been given a reasonable opportunity to bring the dwelling up to the standards of the Housing Code in accordance with G.S. 160A-443 (5) pursuant to an order issued by the Housing Code Enforcement Officer on April 5, 2022 and the owner having failed to comply with the order;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord, that:

Section 1. The Housing Code Enforcement Officer is hereby authorized and directed to place a sign containing the legend, "THIS BUILDING IS UNFIT FOR HUMAN HABITATION; THE USE OR OCCUPANCY OF THIS BUILDING FOR HUMAN HABITATION IS PROHIBITED AND UNLAWFUL." on the buildings owned by Adam R. Allman and Terry S. Allman and located at the following address: 38 Carolina Ave NE, Concord NC 28025

Section 2: The Housing Code Enforcement Officer is hereby authorized and directed to proceed to vacate, close, demolish and remove the above-described dwelling in accordance with his order to the owner thereof dated the 27th day of April, 2022 and with the Housing Code and G.S. 160A-443.

Section 3: It shall be unlawful for any person to remove or cause to be removed said placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any building herein declared to be unfit for human habitation.

Section 4: The total cost of demolition of the above-described dwelling, in accordance with this order, shall constitute a lien against subject property.

Section 5:	This ordinance shall become effective
Adopted this	
	CITY COUNCIL CITY OF CONCORD NORTH CAROLINA
	William C. Dusch, Mayor
ATTEST:	
Kim Deason, City Cl	lerk

VaLerie Kolczynski, City Attorney

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th day of June, 2022, adopt a City budget for the fiscal year beginning July 1, 2022 and ending on June 30, 2023, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

Account	<u>Reve</u> Title	<u>nues</u> Current Budget	Amended Budget	(Decrease) Increase
100-4370000	Fund Balance Appropriated	0	26,228	26,228
	Total			26,228

Expenses/Expenditures

Account	Title		Current Budget	Amended Budget	(Decrease) Increase
4920-5399000	Other Services		95,336	121,564	26,228
		Total			26,228

Reason: To appropriate fund balance for unspent FY22 funds allocated for façade grants.

Adopted this 11th day of August, 2022.

		CITY COUNCIL CITY OF CONCORD NORTH CAROLINA
		William C. Dusch, Mayor
ATTEST:	Kim Deason, City Clerk	
		VaLerie Kolczynski, City Attorney

ORD.

CAPITAL PROJECT ORDINANCE Electric Project-Sub W Project Lilly

BE IT ORDAINED by the City Council of the City of Concord, North Carolina that pursuant to Section 13.2 Chapter 159 of the General Statutes of North Carolina, the following project ordinance is hereby ordained:

SECTION 1. The project authorized and amended is Sub W Project Lilly.

SECTION 2. The City Manager is hereby authorized to proceed with the implementation and amendments of the projects within the terms of the plans and specifications for the projects.

SECTION 3. The following revenues/expenditures are anticipated to be available to the City of Concord for the project:

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
473-4343352 473-4343352	Developer Contributions	0	6,240,250	6,240,250
6949-5801183 6949-5801183	Sub W Project Lilly	0	6,995,500	6,995,500
6949-5801152 6949-5801152	Delvry #4 & 100KV Ph1	15,675,166	14,919,916	(755,250)

SECTION 4. Accounting records are to be maintained by the Finance Department of the City of Concord in such manner as (1) to provide all information required by the grant agreement and other agreements executed or to be executed with the various parties involved with the project; and (2) to comply with the Local Government Budget and Fiscal Control Act of the State of North Carolina.

SECTION 5. Within five (5) days after adopted, copies of this grant project amendment shall be filed with the City Manager, Finance Director, and City Clerk for direction in carrying out this project.

SECTION 6. The Finance Director is directed to report on the financial status of this project in accordance with the existing City policy. She shall also report to the City Manager any unusual occurrences.

Duly adopted by the City Council of the City of Concord, North Carolina this 11th day of August, 2022.

	CITY COUNCIL CITY OF CONCORD NORTH CAROLINA	
	William C. Dusch, Mayor	
ATTEST:		
Kim Deason, City Clerk	VaLerie Kolczynski, City Attorney	

GRANT PROJECT ORDINANCE AMENDMENT

BE IT ORDAINED by the City Council of the City of Concord, North Carolina that pursuant to Section 13.2 Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby amended:

- SECTION 1. The project authorized and amended are the projects included in the CDBG 2021 Grant
- SECTION 2. The City Manager is hereby authorized to proceed with the implementation and amendments of the projects within the terms of the plans and specifications for the projects.
- SECTION 3. The following revenues are anticipated to be available to the City of Concord for the completion of the projects:

Revenues

Account	Title		Current Budget	Amended Budget	(Decrease) Increase
310-4355000 310-4355000	Program Income		\$106,658	\$109,212	\$2,554
		Total		- -	\$2,554

SECTION 4. The following amounts are appropriated for the project

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
3116-5480012 3116-5480012	Match/PI Exp	\$2,000	\$4,554	\$2,554
3115-5194000 3115-5194000	Contract Services	\$14,749	\$10,400	(\$6,349)
3115-5294000 3115-5294000	Miscellaneous Pay	\$2,163	\$0	(\$2,163)
3115-5299000 3115-5299000	Supplies-Departmental	\$6,929	\$2,127	(\$4,802)
3115-5312000 3115-5312000	Travel & Training	\$3,500	\$1,073	(\$2,427)
3115-5370000 3115-5370000	Advertising	\$1,000	\$902	(\$98)
3115-5491000 3115-5491000	Dues & Subscriptions	\$1,000	\$914	(\$86)
3115-5183000 3115-5183000	Group Insurance	\$10,744	\$10,420	(\$324)
3115-5121000 3115-5121000	Regular	\$77,499	\$83,210	\$5,711
3115-5181000 3115-5181000	FICA	\$5,928	\$6,299	\$371
3115-5182000 3115-5182000	Retirement-General	\$8,796	\$9,511	\$715
3115-5187000 3115-5187000	401K Contribution	\$2,712	\$2,925	\$213
3115-5321000 3115-5321000	Telephone	\$0	\$360	\$360
3116-5483200 3116-5483200	Clearwater Artist Studios	\$403,825	\$412,704	\$8,879

Total	\$2,554
ı otal	Ψ2,00-

SECTION 5. Accounting records are to be maintained by the Finance Department of the City of Concord in such manner as (1) to provide all information required by the project agreement and other agreements executed or to be executed with the various parties involved with the project; and (2) to comply with the Local Government Budget and Fiscal Control Act of the State of North Carolina.

SECTION 6. Within five (5) days after adoption, copies of this grant projects ordinance shall be filed with the City Manager, Finance Director, and City Clerk for direction in carrying out this project.

SECTION 7. The Finance Director is directed to report on the financial status of this project in accordance with the existing City policy. She shall also report to the City Manager any unusual occurrences.

Duly adopted by the City Council of the City of Concord, North Carolina this 11th day of August, 2022.

11 th day of August, 2022.	CITY COUNCIL CITY OF CONCORD NORTH CAROLINA		
	William C. Dusch, Mayor		
ATTEST:			
Kim Deason, City Clerk	VaLerie Kolczynski, City Attorney		

ORD. #

CAPITAL PROJECT ORDINANCE AMENDMENT Revolving Fund Projects

BE IT ORDAINED by the City Council of the City of Concord, North Carolina that pursuant to Section 13.2 Chapter 159 of the General Statutes of North Carolina, the following project ordinance is hereby adopted/amended:

- SECTION 1. The project authorized is Affordable Housing.
- SECTION 2. The City Manager is hereby authorized to proceed with the implementation and amendments of the projects within the terms of the plans and specifications for the projects.
- SECTION 3. The following revenues are anticipated to be available to the City of Concord for the completion of the projects:

Revenues

Account	7	Title	Current Budget	Amended Budget	(Decrease) Increase
370-4350400 370-4350400	Rental Income		\$16,665	\$20,675	\$4,010 \$4.010

SECTION 4. The following amounts are appropriated for the project:

Expenses/Expenditures

Account 3700-5811082		Title		Current Budget	Amended Budget	(Decrease) Increase
3700-5811082	Future Projects			\$465,724	\$469,734	\$4,010
			Total			\$4,010

SECTION 5. Accounting records are to be maintained by the Finance Department of the City of Concord in such manner as (1) to provide all information required by the project agreement and other agreements executed or to be executed with the various parties involved with the project; and (2) to comply with the Local Government Budget and Fiscal Control Act of the State of North Carolina.

SECTION 6. Within five (5) days after adoption, copies of this capital projects ordinance shall be filed with the City Manager, Finance Director, and City Clerk for direction in carrying out this project.

SECTION 7. The Finance Director is directed to report on the financial status of this project in accordance with the existing City policy, and shall also report to the City Manager any unusual occurrences.

Duly adopted by the City Council of the City of Concord, North Carolina this 11th day August, 2022.

	CITY COUNCIL CITY OF CONCORD NORTH CAROLINA
	William C. Dusch, Mayor
ATTEST:	
Kim Deason, City Clerk	Valerie Kolczynski, City Attorney

ORD. #

GRANT PROJECT ORDINANCE AMENDMENT

BE IT ORDAINED by the City Council of the City of Concord, North Carolina that pursuant to Section 13.2 Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby amended:

- SECTION 1. The project authorized and amended are the projects included in the HOME 2021 Grant.
- SECTION 2. The City Manager is hereby authorized to proceed with the implementation and amendments of the projects within the terms of the plans and specifications for the projects.

SECTION 3. The following revenues are anticipated to be available to the City of Concord for the completion of the projects:

Revenues

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
320-4355000 320-4355000	Home Program Income	\$1,057,861	\$1,045,154	(\$12,707)
	To	tal		(\$12,707)

SECTION 4. The following amounts are appropriated for the project

Expenses/Expenditures

Account	Title		Current Budget	Amended Budget	(Decrease) Increase
3214-5480012					
3214-5480012	Match/PI Exp		\$131,006	\$118,299	(\$12,707)
		Total			(\$12,707)

SECTION 5. Accounting records are to be maintained by the Finance Department of the City of Concord in such manner as (1) to provide all information required by the project agreement and other agreements executed or to be executed with the various parties involved with the project; and (2) to comply with the Local Government Budget and Fiscal Control Act of the State of North Carolina.

SECTION 6. Within five (5) days after adoption, copies of this grant projects ordinance shall be filed with the City Manager, Finance Director, and City Clerk for direction in carrying out this project.

SECTION 7. The Finance Director is directed to report on the financial status of this project in accordance with the existing City policy. She shall also report to the City Manager any unusual occurrences.

Duly adopted by the City Coul	ncil of the City of Concord, North Carolina this
11th day of August, 2022.	
, -	CITY COUNCIL
	CITY OF CONCORD
	NORTH CAROLINA
	William C. Dusch, Mayor
ATTEST:	
Kim Deason, City Clerk	VaLerie Kolczynski, City Attorney



Quarterly Council Report

UTILITY EXTENSIONS/ADDITIONS PERMITTED

April 1- June 30, 2022

SUMMARY

During the past quarter, the City of Concord Engineering Department's local permitting programs have authorized the expansion of the City of Concord's water distribution system and wastewater collection system to areas that have been recently annexed, developed or to portions of the countywide service area, where infrastructure is lacking, deficient or overloaded.

In summary, the water distribution and wastewater collection expansion projects, as permitted by the City of Concord's delegated permitting program during the quarter of **April 1- June 30, 2022**, are as follows:

WATER- The <u>City of Concord</u> initiated water distribution system extensions permitted by the City of Concord's delegated permitting program consisting of approximately 473 linear feet of 2-inch water lines and other appurtenances to replace the existing water main, with zero increase to the existing average domestic water demand.

The <u>Developer</u> initiated <u>PUBLIC</u> water distribution system extensions permitted by the City of Concord's delegated permitting program consisting of approximately 146 linear feet of 24-inch water main, 685 linear feet of 12-inch water main, 1,868 linear feet of 8-inch water main, 1,090 linear feet of 6-inch water main, 18 linear feet of 4-inch water main, 170 linear feet of 2-inch water main with valves, hydrants and other appurtenances to serve 120,426 sq. ft. EMS commercial site, warehouse, office, and storage buildings; a warehouse distribution center with 200 employees, 23 bays, and dual car wash bay facility; 39 single-family lots, 52 3-bedroom townhome units, a high-rise mixed-use building addition; consisting of a restaurant with 110 indoor/outdoor seating, 89 residential 1- and 2-bedroom apartment units with amenity areas, a garage, and speculative retail spaces with an average commercial & domestic water demand of 94,849 GPD, of treated water from the City of Concord's existing potable water distribution system.

SEWER –The <u>City of Concord</u> does not report any wastewater collection system extensions for this quarter.

The <u>Developer</u> initiated wastewater collection system extensions permitted by the City of Concord's delegated permitting program consisting of approximately 2,928 linear feet of 8-inch sanitary sewer with manholes and other appurtenances to serve 120 single-family 4-bedroom residents, 91 3-bedroom single-family homes & Townhome unites, 339 Multifamily units consisting of 162 1-bedroom apartments, 162 2-bedroom apartments, 15 3-bedroom apartments, a 9,450 sq. ft. clubhouse, and 150-person pool, a warehouse distribution center with 200 employees, 23 bays, and dual car wash bay facility, a high-rise mixed-use building addition; consisting of a restaurant with 110 indoor/outdoor seating, 89 residential 1- and 2-bedroom apartment units with amenity areas, a garage, and speculative retail spaces with a total average commercial & domestic wastewater discharge of 50,529 GPD.

Please reference the following pages for more information concerning the authorized expansion and the associated particulars of each project permitted by the City from 1st of April to the 30th of June, 2022:

Water Distribution System Extensions: April 1- June 30, 2022

Date Issued: April 12, 2022

Project Title: Cabarrus County EMS Headquarters

Project # 2021-045

Developer: Cabarrus County

Kyle Bilafer, Area Manager of Operations

PO Box 707

Concord, NC 28026 P) 704-920-3201

Email) kdbilafer@cabarruscounty.us

Description: Construction of approximately 22 linear feet of 8-inch water lines with 2 in-line valves, 8

linear feet of 4-inch water lines with 2 in-line valves, and other appurtenances to provide potable water to a 29,962 sq. ft. commercial site located off of West Cabarrus Avenue and

Union Cemetery Road, with an average commercial water demand of 4,540 GPD.

Date Issued: May 4, 2022

Project Title: Amhurst Subdivision

Project # 2021-053

Developer: Pulte Home Company, LLC

Jeremy Huntsman, Director of Land Development

11121 Carmel Commons Blvd., Ste. 450

Charlotte, NC 28226 P) 704-972-0752

Email) jeremy.huntsman@pultegroup.com

Description: Construction of approximately 260.14 linear feet of 12-inch water lines, 1,351.49 linear feet

of 8-inch water lines with 9 in-line valves, 4 hydrants, and other appurtenances to provide potable water to 39 single-family lots located off of Amhurst Street SW., with an average

domestic water demand of 15,600 GPD.

Date Issued: May 10, 2022
Project Title: Skybrook Corners

Project # 2021-064

Developer: Skybrook, LLC

Brian Pace, Manager 6719-C Fairview Rd. Charlotte, NC 28210 P) 704-365-1208

Email) bpace@pacedevelop.com

Description: Construction of approximately 495 linear feet of 8-inch water lines with 3 in-line valves, 980

linear feet of 6-inch water lines with 3 in-line valves, 170 linear feet of 2-inch water lines with 2 in-line valves with 3 hydrants, and other appurtenances to provide potable water to 52 3-bedroom townhome units located off of Ambercrest Ct, Southwest corner of Huntersville-Concord Rd and Poplar Tent Rd with an average domestic water demand of 20,800 GPD.

Date Issued: May 18, 2022

Project Title: Kroger FC11 Fulfillment Center

Project # 2021-080

Developer: Kroger Fulfillment Network, LLC

Rick J. Landrum, VP 1014 Vine Street Cincinnati, OH 45202 P) 502-500-0117

Email) erin.birch@kroger.com

Description: Construction of approximately 146 linear feet of 24-inch water lines with 1 in-line valve,

425 linear feet of 12-inch water lines with 2 in-line valves, 1 hydrant, and other appurtenances to provide potable water to a warehouse distribution center with 200 employees, 23 bays, and dual car wash bay facility located off of NC-49 with an average

domestic water demand of 10,670 GPD.

Date Issued: May 19, 2022

Project Title: Bay Avenue 2-inch Water Line Replacement

Project # 2021-040

Developer: City of Concord- Water Resources

Crystal Scheip, Project Manager

P.O. Box 308

Concord, NC 28026-0308

P) 704-920-5287

Email) scheipc@concordnc.gov

Description: Construction of approximately 473 linear feet of 2-inch water lines with 2 in-line valves, and

other appurtenances to replace the existing water main located off of Bay Ave. NW intersection of Powder Street NW to end of road at Valley Street NW, with zero increase to

the existing average domestic water demand.

Date Issued: June 13, 2022
Project Title: Novi Lofts
Project # 2021-025

Developer: Novi Lofts, LLC

Peter Flotz, Managing Member

2420 East Sunrise Blvd Ft Lauderdale, FL 33304

P) 321-302-2930

Email) pflotz@lmgroup.us

Description: Construction of approximately 60 linear feet of 6-inch water lines with 2 in-line valves, 10

linear feet of 4-inch water lines with 1 in-line valve and other appurtenances to serve a highrise mixed-use building addition; consisting of a restaurant with 110 indoor/outdoor seating, 89 residential 1- and 2-bedroom apartment units with amenity areas, a garage, and speculative retail spaces; located at 26 Union St S and Market St with an average domestic &

commercial water demand of 40,250 GPD.

Date Issued: June 13, 2022

Project Title: Cabarrus County EE Warehouse and ITS Facility

Project # 2022-021

Developer: Cabarrus County

Kyle Bilafer, Area Manager of Operations

65 Church Street South Concord, NC 28205 P) 704-920-3201

Email) kdbilafer@cabarruscounty.us

Description: Construction of approximately 50 linear feet of 6-inch water lines with 2 in-line valves and

other appurtenances to provide potable water to a 30,000 sq. ft. warehouse and office located off the northeast intersection of Cabarrus Ave. W and Ramdin Court NW with an average

commercial water demand of 1,239 GPD.

Date Issued: June 20, 2022

Project Title: Hendrick Storage Building-Mod 1

Project # 2020-088 Developer: HSREI, LLC

Scott Ennis, Vice President

6000 Monroe Road Charlotte, NC, 28212 P) 704-567-3635

Email) james.woodruff@hendrickauto.com

Description: Modification of original permit to provide additional potable water to a 60,464 sq. ft. storage

building located off of Hendrick Auto Plaza NW with an average commercial water demand of 2,500 GPD. Original permit allocation for 750 GPD to be added to an additional request

of 1,750 GPD, for a total allocation of 2,500 GPD.

Wastewater Distribution System Extensions: April 1- June 30, 2022

Date Issued: April 7, 2022

Project Title: Cumberland Subdivision-Mod 1

Project # 2020-070

Developer: Niblock Homes, LLC

William T. Niblock, Member 759 Concord Parkway N, Suite 20

Concord, NC 28027 P) 704-788-4818

Email) wniblock@niblockhomes.com

Description: Modification of original permit to include the additional construction of an additional 119.65

linear feet of 8-inch sanitary sewer and other appurtenances to serve 120 single-family 4-bedroom residents located off/on of Eva Drive between Lucky Drive and Tiffany Street, with

a domestic wastewater discharge of 57,600 GPD*.

*GPD previously allocated in original permit and noted as zero in total summary.

Date Issued: May 4, 2022

Project Title: Amhurst Subdivision

Project # 2021-053

Developer: Pulte Home Company, LLC

Jeremy Huntsman, Director of Land Development

11121 Carmel Commons Blvd., Ste. 450

Charlotte, NC 28226 P) 704-972-0752

Email) jeremy.huntsman@pultegroup.com

Description: Construction of approximately 1,334 linear feet of 8-inch sanitary sewer with 6 manholes

and other appurtenances to serve 39 3-bedroom single-family homes located off of Amhurst

St. SW, with a domestic wastewater discharge of 9,360 GPD.

Date Issued: May 10, 2022

Project Title: Skybrook Corners

Project # 2021-064 Developer: Skybrook, LLC

> Brian Pace, Manager 6719-C Fairview Rd. Charlotte, NC 28210 P) 704-365-1208

Email) bpace@pacedevelop.com

Description: Construction of approximately 1,355 linear feet of 8-inch sanitary sewer with 10 manholes

and other appurtenances to serve 52 3-bedroom townhome units located off of Ambercrest Ct, Southwest corner of Huntersville-Concord Rd and Poplar Tent Rd, with a domestic

wastewater discharge of 12,480 GPD.

Date Issued: May 10, 2022

Project Title: The Addison Apartments- Mod 1

Project # 2020-006

Developer: Contravest Development Partners, LLC

Mark Ogier, President

237 South Westmonte Drive, Suite 140

Alamonte Springs, FL 32714

P) 407-936-7159

Email) mogier@contravesst.com

Description: Modification of original permit to include the additional construction of approximately 84

linear feet of 8-inch sanitary sewer with 7 manholes and other appurtenances to serve 339 Multifamily units consisting of 162 1-bedroom apartments, 162 2-bedroom apartments, 15 3-bedroom apartments, a 9,450 sq. ft. clubhouse, and 150-person pool located at the intersection of Weddington Road and Old Holland Road, with no increase in the domestic wastewater flow. The domestic wastewater of 89,385 GPD will be allocated in the NCDEQ.

private sewer permit.

Date Issued: May 18, 2022

Project Title: Kroger FC11 Fulfillment Center

Project # 2021-080

Developer: Kroger Fulfillment Network, LLC

Rick J. Landrum, VP 1014 Vine Street Cincinnati, OH 45202 P) 502-500-0117

Email) erin.birch@kroger.com

Description: Construction of approximately 35.39 linear feet of 8-inch sanitary sewer with 1 manhole and

other appurtenances to serve a warehouse distribution center with 200 employees, 23 bays, and a dual car wash bay facility located off of NC-49 with an average domestic 9,799 GPD.

Date Issued: June 13, 2022
Project Title: Novi Lofts
Project # 2021-025
Developer: Novi Lofts, LLC

Peter Flotz, Managing Member

2420 East Sunrise Blvd Ft Lauderdale, FL 33304

P) 321-302-2930

Email) pflotz@lmgroup.us

Description:

Consists of the abandonment of approximately 104 linear feet of 8-inch gravity sewer with 2 manholes to be replaced with a 6-inch sewer service lateral to serve a high-rise mixed-use building addition; consisting of a restaurant with 110 indoor/outdoor seating, 89 residential 1- and 2-bedroom apartment units with amenity areas, a garage, and speculative retail spaces; located at 26 Union St S and Market St with a total domestic and commercial wastewater flow of 18,890 GPD.

Tax Report for Fiscal Year 2021-2022

FINAL REPORT	June
Property Tax Receipts- Munis	
2021 BUDGET YEAR	109,901.21
2020	10,211.87
2019 2018	833.76
2017	393.89 384.53
2016	379.97
2015	372.91
2014 2013	122.16 122.16
2012	178.96
Prior Years	
Interest	8,733.21
Refunds	131,634.63
	,
Vehicle Tax Receipts- County 2021 BUDGET YEAR	507 120 52
2021 BODGET TEAR 2020	527,138.52
2019	
2018	
2017 2016	
2015	
Prior Years	
Penalty & Interest	5,583.77
Refunds	532,722.29
	,
Fire District Tax - County 2021 BUDGET YEAR	4,249.46
2021 BODGET TEAR	4,249.40
Less: Collection Fee from County	
Net Ad Valorem Collections	668,606.38
423:Vehicle Tag Fee-Transportion Impr Fund	38,058.08
100:Vehicle Tag Fee	154,538.84
292:Vehicle Tag Fee-Transportion Fund	38,058.08
Less Collection Fee - Transit Net Vehicle Tag Collection	230,655.00
Privilege License	90.50
Prepaid Privilege Licenses	30.30
Privilege License interest	
Total Privilege License	90.50
Oakwood Cemetery current	525.00
Oakwood Cemetery current Oakwood Cemetery endowment	0
Rutherford Cemetery current	2,625.01
Rutherford Cemetery endowment	699.99
West Concord Cemetery current West Concord Cemetery endowment	1,350.00 2,000.00
Total Cemetery Collections	7,200.00
Total Collections	\$ 906,551.88
Total Conscions	\$ 906,551.88

Current Year Original Scroll Levy Penalty Adjustments Public Service Levy	
Penalty Discoveries/Annex	29,279.81
Discovery Penalty	7,381.78
Total Amount Invoiced - Monthly	36,661.59
Total Amount Invoiced - YTD	65,844,013.72
Current Year Less Abatements (Releases) Real Personal Discovery Penalty - all Total Abatements	705.58
Adjusted Amount Invoiced - monthly Adjusted Amount Invoiced - YTD	35,956.01 65,644,237.97
Current Levy Collected	109,901.21
Levy Collected from previous years	13,000.21
Penalties & Interest Collected Current Month Write Off - Debit/Credit	8,733.21
Total Monthly Collected	131,634.63
Total Collected - YTD	65,614,863.37
Total Collected - net current levy -YTD	65,118,772.99
Percentage of Collected -current levy	99.20%
Amount Uncollected - current year levy	525,464.98
Percentage of Uncollected - current levy	0.80%

100.00%

CITY OF CONCORD

Summary of Releases, Refunds and Discoveries for the Month of Jun 2022

RELEASES	
CITY OF CONCORD	\$ 705.58
CONCORD DOWNTOWN	\$ -

REFUNDS	
CITY OF CONCORD	\$ 3,846.82
CONCORD DOWNTOWN	\$ -

DISCOVERIES						
CITY OF CONCORD						
TaxYear	Real	Personal	Total	Rate	Calculated	Penalties
2016	0	6,603	6,603	0.0048	31.69	19.01
2017	0	29,157	29,157	0.0048	139.95	71.49
2018	0	82,883	82,883	0.0048	397.84	164.71
2019	0	1,254,035	1,254,035	0.0048	6,019.37	2,376.52
2020	0	1,419,538	1,419,538	0.0048	6,813.78	1,970.23
2021	0	3,307,744	3,307,744	0.0048	15,877.17	2,779.82
2022	0	0	0	0.0048	0.00	0.00
Total	0	6,099,960	6,099,960	;	\$ 29,279.81	\$ 7,381.78
DOWNTOWN						
TaxYear	Real	Personal	Total	Rate	Calculated	Penalties
2017	0	0	0	0.0023	0.00	0.00
2018	0	0	0	0.0023	0.00	0.00
2019	0	0	0	0.0023	0.00	0.00
2020	0	0	0	0.0023	0.00	0.00
2021	0	0	0	0.0023	0.00	0.00
Total	0	0	0	;	\$ -	\$ -

City of Concord
Portfolio Holdings
Monthly Investments to Council
Report Format: By CUSIP / Ticker
Group By: Security Type
Average By: Cost Value
Portfolio / Report Group: All Portfolios
As of 6/30/2022

Description	CUSIP/Ticker	Face Amount/Shares	Cost Value	Market Value	Maturity Date	YTM @ Cost	% of Portfolio	Cost Price	Davs To Maturity
Commercial Paper	100000				<u> </u>	6			
CP HONEYWELL INTL 0 7/5/2022	43851UG56	5,000,000.00	4,993,175.00	4,998,940.00	7/5/2022	0.781	1.28	99.8635	5
CP LMA S A DISC CP 0 7/11/2022	53944RGB8	5,000,000.00	4,990,605.56	4,997,510.00		0.381	1.28	99.812111	11
CP TORONTO DOM BK0 7/19/2022	89119BGK6	5,000,000.00	4,983,727.78	4,995,745.00		1.013	1.28	99.674556	19
CP MOUNTCLIFF 0 7/20/2022	62455BGL3	5,000,000.00	4,990,200.00	4,995,485.00	7/20/2022	0.281	1.28	99.804	20
CP LEXINGTON PARKER 0 8/3/2022	52953BH30	5,000,000.00	4,979,575.00	4,991,710.00		1.295	1.28	99.5915	34
CP CREDIT SUISSE 0 8/19/2022	2254EBHK0	5,000,000.00	4,988,000.00	4,986,965.00		0.321	1.28	99.76	
CP JP MORGAN SECS LLC 0 8/29/2022	46640QHV6	5,000,000.00	4,974,877.78	4,983,165.00		1.528		99.497556	60
CP NATIXIS 0 8/31/2022	63873KHX8	5,000,000.00	4,987,020.83	4,981,210.00		0.351	1.28	99.740417	62
CP SALVATION ARMY 0 9/2/2022	79583TJ22	5,000,000.00	4,990,286.11	4,990,285.00		0.261	1.28	99.805722	64
CP ING US FUNDING LLC 0 9/21/2022	4497W1JM9	5,000,000.00	4,981,743.06	4,973,855.00		0.552	1.28	99.634861	83
CP COLLATERLIZED COML PAPER 0 9/23/2022	19423KJP0	5,000,000.00	4,971,341.67	4,973,460.00		1.820	1.28	99.426833	85
CP CREDIT AGRICOLE CIB NY 0 10/13/2022	22533UKD4	5,000,000.00	4,968,175.00	4,966,385.00		1.721	1.28	99.3635	
CP JP MORGAN SECURITIES 0 10/25/2022	46640QKR1	5,000,000.00	4,965,912.50	4,959,800.00		1.017	1.28	99.31825	
CP TOYOTA MTR CR CORP 0 11/10/2022	89233HLA0	5,000,000.00	4,959,950.00	4,953,120.00		1.089		99.199	
Sub Total / Average Commercial Paper		70,000,000.00	69,724,590.29	69,747,635.00		0.886	17.93	99.606978	
FFCB Bond		, ,	, ,	, ,			ļ.		
FFCB 0.14 5/18/2023-21	3133EMZP0	5,000,000.00	4,997,000.00	4,874,750.00	5/18/2023	0.170	1.29	99.94	322
FFCB 0.32 8/10/2023-21	3133EL3E2	5,000,000.00	5,000,000.00	4,851,245.00		0.320	1.29	100	406
FFCB 0.19 9/22/2023-21	3133EMLE0	5,000,000.00	5,000,000.00	4,834,255.00	9/22/2023	0.190	1.29	100	449
FFCB 0.31 11/30/2023-21	3133EMHL9	5,000,000.00	5,000,000.00	4,816,285.00	11/30/2023	0.310	1.29	100	518
FFCB 0.23 1/19/2024	3133EMNG3	5,000,000.00	4,997,850.00	4,804,740.00		0.244	1.29	99.957	568
FFCB 0.25 3/1/2024-21	3133EMSD5	5,000,000.00	4,990,000.00	4,774,055.00	3/1/2024	0.317	1.28	99.8	610
FFCB 0.33 4/5/2024-22	3133EMVD1	3,470,000.00	3,467,918.00	3,313,662.62		0.354	0.89	99.94	645
FFCB 0.46 8/19/2024-21	3133EM2U5	5,000,000.00	5,000,000.00	4,751,080.00	8/19/2024	0.460	1.29	100	781
FFCB 0.43 9/10/2024-20	3133EL6V1	5,000,000.00	5,000,000.00	4,719,875.00	9/10/2024	0.430	1.29	100	803
FFCB 0.63 10/21/2024-22	3133ENBM1	4,189,000.00	4,172,244.00	3,974,531.58		0.768	1.07	99.6	844
FFCB 0.97 12/9/2024-22	3133ENGN4	5,000,000.00	5,000,000.00	4,749,485.00		0.970		100	893
FFCB 0.71 4/21/2025-22	3133EMWH1	5,000,000.00	5,000,000.00	4,672,280.00	4/21/2025	0.710	1.29	100	1,026
FFCB 0.53 9/29/2025-21	3133EMBH4	5,000,000.00	5,000,000.00	4,596,865.00	9/29/2025	0.530	1.29	100	1,187
FFCB 1.21 12/22/2025-22	3133ENHU7	5,000,000.00	5,000,000.00	4,670,860.00	12/22/2025	1.210	1.29	100	1,271
FFCB 0.625 6/16/2026-21	3133EMKV3	5,000,000.00	5,000,000.00	4,576,785.00	6/16/2026	0.625	1.29	100	1,447
FFCB 0.94 9/28/2026-22	3133EM6E7	5,000,000.00	5,000,000.00	4,536,960.00		0.940		100	1,551
FFCB 1.55 3/30/2027-23	3133ELUN2	5,000,000.00	5,000,000.00	4,618,850.00	3/30/2027	1.550	1.29	100	1,734
FFCB 1.4 3/10/2028-22	3133EMSW3	5,000,000.00	5,000,000.00	4,501,885.00	3/10/2028	1.400	1.29	100	2,080
FFCB 1.5 3/23/2028-22	3133EMUB6	5,000,000.00	5,000,000.00	4,527,795.00	3/23/2028	1.500	1.29	100	2,093
FFCB 1.04 1/25/2029-22	3133EMNL2	5,000,000.00	4,986,250.00	4,347,560.00	1/25/2029	1.076	1.28	99.725	2,401
FFCB 1.55 3/15/2029-22	3133EMSX1	5,000,000.00	4,960,000.00	4,416,880.00	3/15/2029	1.658	1.28	99.2	2,450
Sub Total / Average FFCB Bond		102,659,000.00	102,571,262.00	95,930,684.20		0.755	26.38	99.914899	1,156
FHLB Bond									
FHLB 0.3 9/29/2023-21	3130AK3S3	5,000,000.00	5,000,000.00	4,852,290.00	9/29/2023	0.300	1.29	100	456
FHLB 0.22 10/5/2023-21	3130AKAF3	5,000,000.00	4,992,500.00	4,849,780.00	10/5/2023	0.270	1.28	99.85	462
FHLB 0.3 11/27/2023-21	3130AKGL4	5,000,000.00	5,000,000.00	4,832,845.00	11/27/2023	0.300	1.29	100	515
FHLB 0.3 2/9/2024-21	3130AMHP0	5,000,000.00	5,000,000.00	4,808,530.00		0.300		100	589
FHLB 2.5 2/13/2024	3130AFW94	520,000.00	554,662.30	516,524.32	2/13/2024	0.225	0.14	106.665827	593
FHLB 0.45 4/29/2024-21	3130ALYE8	5,000,000.00	5,000,000.00	4,797,940.00	4/29/2024	0.450	1.29	100	669
FHLB 0.375 5/24/2024-21	3130AMPB2	5,000,000.00	5,000,000.00	4,761,960.00		0.375		100	694
FHLB 0.4 5/24/2024-21	3130AMEP3	5,000,000.00	5,000,000.00	4,757,520.00		0.400		100	694
FHLB 0.4 6/7/2024-21	3130AMKX9	5,000,000.00	5,00 ഉള്ള .00	4,752,025.00	6/7/2024	0.400	1.29	100	708

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FHLB 0.5 7/15/2024-21	3130AMXL1	5,000,000.00	5,000,000.00	4,771,165.00		0.500	1.29		746
FHLB 0.5 7/29/2024-21	3130ANCU2	5,000,000.00	5,000,000.00	4,771,715.00		0.500	1.29	100	760
FHLB 0.45 8/27/2024-20	3130AJZH5	5,000,000.00	5,000,000.00	4,748,330.00		0.450	1.29		789
FHLB 1.27 1/27/2025-23	3130AQMJ9	5,000,000.00	5,000,000.00	4,797,390.00		1.270	1.29		942
FHLB 0.4 7/15/2025-21	3130AKM29	5,000,000.00	4,999,000.00	4,643,990.00		0.405	1.29		1,111
FHLB 0.5 10/20/2025-21	3130AKNK8	5,000,000.00	4,999,000.00	4,597,450.00		0.504	1.29		1,208
FHLB Step 12/30/2025-21	3130AKLH7	5,000,000.00	5,000,000.00	4,578,760.00		0.636	1.29		1,279
FHLB Step 1/29/2026-21	3130AKRA6	5,000,000.00	5,000,000.00	4,683,870.00		1.002	1.29	100	1,309
FHLB 0.53 2/17/2026-21	3130AKWS1	5,000,000.00	4,995,000.00	4,596,410.00	2/17/2026	0.550	1.28	99.9	1,328
FHLB 0.8 3/10/2026-21	3130ALFS8	5,000,000.00	5,000,000.00	4,570,895.00	3/10/2026	0.800	1.29	100	1,349
FHLB Step 4/29/2026-21	3130ALZA5	5,000,000.00	5,000,000.00	4,713,265.00	4/29/2026	1.432	1.29	100	1,399
FHLB 0.825 8/17/2027-21	3130AJXH7	5,000,000.00	4,986,250.00	4,469,625.00		0.866	1.28	99.725	1,874
FHLB 2.32 11/1/2029-22	3130AHEU3	5,000,000.00	5,000,000.00	4,700,345.00		2.320	1.29		2,681
Sub Total / Average FHLB Bond		105,520,000.00	105,526,412.30	99,572,624.32		0.666	27.14	100.008318	1,024
FHLMC Bond	· L	,			1				,
FHLMC 0.375 4/20/2023	3137EAEQ8	1,290,000.00	1,291,301.24	1,264,390.92	4/20/2023	0.341	0.33	100.100871	294
FHLMC 2.75 6/19/2023	3137EAEN5	1,225,000.00	1,317,965.25	1,221,753.75		0.244	0.34		354
FHLMC 0.25 6/26/2023	3137EAES4	3,220,000.00	3,219,567.60	3,134,045.32		0.254	0.83		361
FHLMC 0.25 9/8/2023	3137EAEW5	2,120,000.00	2,120,844.05	2,055,390.88		0.236		100.039854	435
FHLMC 0.3 12/14/2023-21	3134GXEW0	5,000,000.00	5,000,000.00	4,810,160.00		0.300	1.29		532
FHLMC 3 6/28/2024-22	3134GXWZ3	5,000,000.00	5,000,000.00	4,981,065.00		3.000	1.29		729
FHLMC 0.45 7/29/2024-22	3134GWFS0	2,250,000.00	2,250,000.00	2,137,225.50		0.450	0.58		760
FHLMC 1.5 2/12/2025	3137EAEP0	1,305,000.00	1,296,987.51	1,255,490.91		1.715	0.33		958
FHLMC 1.5 2/12/2025 FHLMC Step 6/30/2025-22		5,000,000.00	5.000.000.00						1,096
	3134GXVT8	5,000,000.00	5,000,000.00	4,977,915.00		3.676 0.800	1.29 1.29		
FHLMC 0.8 7/14/2026-21	3134GV5T1		31,496,665.65	4,581,910.00 30,419,347.28		1.403		100.297738	1,475 795
Sub Total / Average FHLMC Bond		31,410,000.00	31,490,000.00]	30,419,347.20		1.403	6.10	100.297736	790
FNMA Bond	1242500500	4 000 000 001	2.072.000.00	2 004 200 00	0/40/0000	0.704	4.00	00.005	400
FNMA 0.3 8/10/2023-22	3135G05R0	4,000,000.00	3,973,000.00	3,894,368.00		0.731	1.02		406
FNMA 0.31 8/17/2023-22	3136G4K51	5,000,000.00	5,000,000.00	4,850,585.00		0.310	1.29		413
FNMA 2.875 9/12/2023	3135G0U43	1,170,000.00	1,263,483.00	1,170,476.19		0.221	0.32		439
FNMA 0.3 10/27/2023-21	3136G46A6	5,000,000.00	5,000,000.00	4,823,205.00		0.300	1.29		484
FNMA 0.25 11/27/2023	3135G06H1	3,705,000.00	3,707,833.90	3,572,060.89		0.223		100.076557	515
FNMA 0.28 12/29/2023-21	3135GABN0	5,000,000.00	5,000,000.00	4,803,140.00		0.280	1.29		547
FNMA 2.5 2/5/2024	3135G0V34	1,500,000.00	1,590,870.00	1,490,341.50		0.225	0.41	106.058	585
FNMA 1.75 7/2/2024	3135G0V75	1,510,000.00	1,571,618.47	1,477,107.66		0.361		104.080727	733
FNMA 0.455 8/27/2024-21	3136G4Y72	5,000,000.00	5,000,000.00	4,743,965.00		0.455	1.29		789
FNMA 1.625 10/15/2024	3135G0W66	2,380,000.00	2,454,218.36	2,308,502.42		0.577		103.119202	838
FNMA 0.5 12/16/2024-21	3135G06M0	5,000,000.00	4,989,850.00	4,697,630.00		0.560	1.28		900
FNMA 1.625 1/7/2025	3135G0X24	1,055,000.00	1,072,574.78	1,019,523.52		1.060		101.665856	922
FNMA 0.625 4/22/2025	3135G03U5	1,360,000.00	1,268,407.71	1,272,909.68		3.017	0.33	93.265273	1,027
FNMA 0.5 6/17/2025	3135G04Z3	925,000.00	861,249.00	858,871.75		2.892	0.22		1,083
FNMA 0.7 7/14/2025-21	3136G4YH0	5,000,000.00	5,000,000.00	4,662,675.00	7/14/2025	0.700	1.29		1,110
FNMA 0.55 8/19/2025-22	3136G4H63	5,000,000.00	5,000,000.00	4,631,120.00	8/19/2025	0.550	1.29	100	1,146
FNMA 0.58 8/25/2025-22	3136G4J20	5,000,000.00	5,000,000.00	4,632,215.00		0.580	1.29		1,152
FNMA 0.73 10/29/2026-21	3136G46F5	5,000,000.00	5,000,000.00	4,529,470.00		0.730	1.29	100	1,582
FNMA 0.8 11/4/2027-22	3135GA2L4	5,000,000.00	5,000,000.00	4,445,955.00	11/4/2027	0.800	1.29	100	
Sub Total / Average FNMA Bond		67,605,000.00		63,884,121.61		0.592	17.42	100.261229	
Local Government Investment Pool		, , , , , , , , , , , , , , , , , , , ,	, , ,	, ,					
NCCMT LGIP	NCCMT599	86,377.91	86,377.91	86,377.91	N/A	1.270	0.02	100	1
NCCMT LGIP	NCCMT481	10,848,554.95	10,848,554.95	10,848,554.95		1.270	2.79		1
NCCMT LGIP	NCCMT271	141,257.33	141,257.33	141,257.33		1.270	0.04		
Sub Total / Average Local Government Investment Pool		11,076,190.19	11,076,190.19			1.270	2.85		
Money Market	1	11,070,100.19	71,070,100.10	. 1,070,100.10		1.270	2.00	100	
PINNACLE BANK MM	PINNACLE	714,780.04	714,780.04	714,780.04	N/Δ	0.210	0.18	100	1
Sub Total / Average Money Market	I INNACLE	714,780.04	714,780.04	714,780.04		0.210	0.18		
									817
Total / Average		388,984,970.23	388,863,005.69	371,345,382.64		0.792	100	99.97897	81/