

City Council Meeting
Regular Session Agenda
Tuesday, July 2, 2019
7:00 P.M.



Meeting called to order by the Mayor
Invocation and Pledge of Allegiance

1. Consent Agenda:

- a. Approve Minutes – June 4, 2019 Regular Session
- b. Approve Request by Daniel Alvis and Max Dearing to close the West Elm Street parking lot from 6:00 p.m. on Friday, September 25, 2019 through 11:00 p.m. on Saturday, September 26, 2019 for the Rockn’ for Research fundraising event, provided the following conditions are met prior to the event:
 - i. Provide a Certificate of Liability insurance meeting all City requirements
 - ii. Submit a Temporary Outdoor Sales Permit Application
 - iii. Schedule public safety personnel following the Extra Duty Solutions process

2. Old Business:

- a. Quasi-Judicial Public Hearing: Kronbergs Campground (SUP1901). Application by Chuck Talley for a Special Use Permit to permit a Commercial Campground with up to 75 Recreational Vehicle spots upon site (GPIN 8872986535 and 8873900485)
- b. Public Hearing: Approve Resolution Ordering Closure of a Portion of Baldwin Road
- c. Public Hearing: Petition for Voluntary Contiguous Annexation for a 111.44 acre area off Rogers Road (GPIN 8872986536 & 8873900485) (AN1901)
 - i. Approve Annexation Ordinance

3. Requests and Petitions of Citizens:

- a. Encroachment License Agreement Request by Jason Cox for property on West Elm Street side of 20 SW Court Square

4. Alamance County Visitors Bureau Presentation – Grace VandeVisser, Executive Director

5. Closed Session Pursuant to the Terms of N.C.G.S. §. 143-318-11 (a) (6): to consider the performance of the City Manager

6. Issues Not on Tonight’s Agenda

**CITY OF GRAHAM
REGULAR SESSION
TUESDAY, JUNE 4, 2019
7:00 P.M.**

The City Council of the City of Graham met in regular session at 7:00 p.m. on Tuesday, June 4, 2019, in the Council Chambers of the Municipal Building located at 201 South Main Street.

Council Members Present:

Mayor Jerry Peterman
Mayor Pro Tem Lee Kimrey
Council Member Chip Turner
Council Member Griffin McClure
Council Member Melody Wiggins

Also Present:

Frankie Maness, City Manager
Aaron Holland, Assistant City Manager
Darcy Sperry, City Clerk
Bryan Coleman, City Attorney
Nathan Page, Planning Director
John T. Cole, Fire Chief

Mayor Jerry Peterman called the meeting to order and presided at 7:00 p.m. Council Member Chip Turner gave the invocation and everyone stood to recite the Pledge of Allegiance.

Consent Agenda:

- a. Approve Minutes – May 7, 2019 Regular Session*
- b. Approve Minutes – May 15, 2019 Special Session*
- c. Approve Tax Releases*

CITY OF GRAHAM RELEASE ACCOUNTS				
JUNE				
<u>ACCT #</u>	<u>YEAR</u>	<u>NAME</u>	<u>REASON FOR RELEASE</u>	<u>AMOUNT RELEASED</u>
627529	2017	OVERBEY, LINDA ROXANA	DOES NOT LIVE IN THE CITY OF GRAHAM	3.43
627529	2018	OVERBEY, LINDA ROXANA	DOES NOT LIVE IN THE CITY OF GRAHAM	3.26

- d. Approve Recreation & Parks request to close the 100 & 200 blocks of West Elm Street from 4:00pm – 11:00pm on Saturday, June 8, 2019 with an alternative date of June 15, 2019, for the rescheduled Easter Egg Hunt event*
- e. Approve FY 2018-2019 Budget Amendments*

**CITY OF GRAHAM
BUDGET AMENDMENT ORDINANCE
2018-2019**

**BE IT ORDAINED BY THE CITY COUNCIL of the City of Graham that
the 2018 - 2019 Budget Ordinance shall be and is hereby amended as follows:**

Section 1.

GENERAL FUND DEPARTMENT	APPROVED	AMENDED	INCREASE	(DECREASE)	NET INCREASE (DECREASE)
City Council	45,700.00	45,700.00			
Administrative	542,500.00	597,500.00	55,000.00		
Information Technologies	340,300.00	340,300.00			
Finance	411,100.00	411,100.00			
Public Building & Ground	148,000.00	148,000.00			
Police Department	3,859,200.00	3,859,200.00			
Fire Department	1,133,900.00	1,133,900.00			
Inspections	602,200.00	602,200.00			
Traffic Engineering	29,500.00	29,500.00			
Garage Warehouse	110,300.00	110,300.00			
Street Department	1,419,600.00	1,419,600.00			
Street Lights	126,000.00	126,000.00			
Sanitation	1,055,300.00	1,055,300.00			
Recreation	928,100.00	928,100.00			
Graham-Mebane Lake	173,000.00	173,000.00			
Athletic Facilities	375,000.00	375,000.00			
Property Maintenance	743,400.00	743,400.00			
Non-Departmental	971,000.00	916,000.00		55,000.00	
	<u>13,014,100.00</u>	<u>13,014,100.00</u>	<u>55,000.00</u>	<u>55,000.00</u>	<u>-</u>

Section 3.

WATER & WASTEWATER EXPENDITURES	APPROVED	AMENDED	INCREASE	(DECREASE)	NET INCREASE (DECREASE)
Water Billing admn	426,400.00	426,400.00			
W&S Distribution	1,741,900.00	1,741,900.00			
Maintenance & Lift Stations	246,200.00	246,200.00			
Water Treatment Plant	1,845,400.00	1,845,400.00			
Wastwater Treatment plant	1,650,900.00	1,650,900.00			
Non-Departmental	1,410,300.00	1,485,300.00	75,000.00		
	<u>7,321,100.00</u>	<u>7,396,100.00</u>	<u>75,000.00</u>	<u>-</u>	<u>75,000.00</u>

Section 4

WATER & WASTEWATER REVENUES	APPROVED	AMENDED	INCREASE	(DECREASE)	NET INCREASE (DECREASE)
Water Charges	2,750,500.00	2,788,000.00	37,500.00		
Sewer Charges	2,660,000.00	2,697,500.00	37,500.00		
	<u>5,410,500.00</u>	<u>5,485,500.00</u>	<u>75,000.00</u>		<u>75,000.00</u>
Fund Total	7,321,100.00	7,396,100.00			

Section 7

CAPITAL PROJECTS AND OTHER SPECIAL FUNDS REVENUES AND EXPENDITURES	APPROVED	AMENDED	INCREASE	(DECREASE)	NET INCREASE (DECREASE)
State Drug Funds	100.00	15,100.00	15,000.00		
Federal Drug Funds	100.00	60,100.00	60,000.00		
	<u>200.00</u>	<u>75,200.00</u>	<u>75,000.00</u>	<u>-</u>	<u>75,000.00</u>

Council Member Turner made a motion to approve the Consent Agenda, seconded by Council Member Griffin McClure. All voted in favor of the motion.

Old Business:

- a. Quasi-Judicial Public Hearing: Kronbergs Campground (SUP1901). Application by Chuck Talley for a Special Use Permit to permit a Commercial Campground with up to 75 Recreational Vehicle spots upon site (GPIN 8894743697)***

Mr. Chuck Talley of 808 Sideview Street Graham stepped forward and asked Council to table this item for one more month.

Council Member Melody Wiggins made a motion to continue this hearing until July 2, 2019, seconded by Council Member Turner. All voted in favor of the motion.

b. Boards & Commissions Task Force:

- i. Consider official formation of the Boards & Commissions Study Committee for future compliance efforts***

Assistant City Manager Aaron Holland reminded Council that in an effort to better align the duties and responsibilities that is expected from our volunteer boards and commissions, Council Member Wiggins requested at the April Council meeting to gather representatives from both boards and commissions as well as staff liaisons to discuss ways to improve our current appointment procedures. The group met on April 25th and discussed different aspects of their respective boards/commissions and changes that could be made for further improvement including appointment procedures and qualification criteria. An update was presented at the May 7th Council meeting and a request to formalize the committee into a task force was introduced for further discussion at tonight's meeting.

Following a brief discussion as to the makeup and issues the committee would be discussing, Mayor Peterman opened the discussion to the floor.

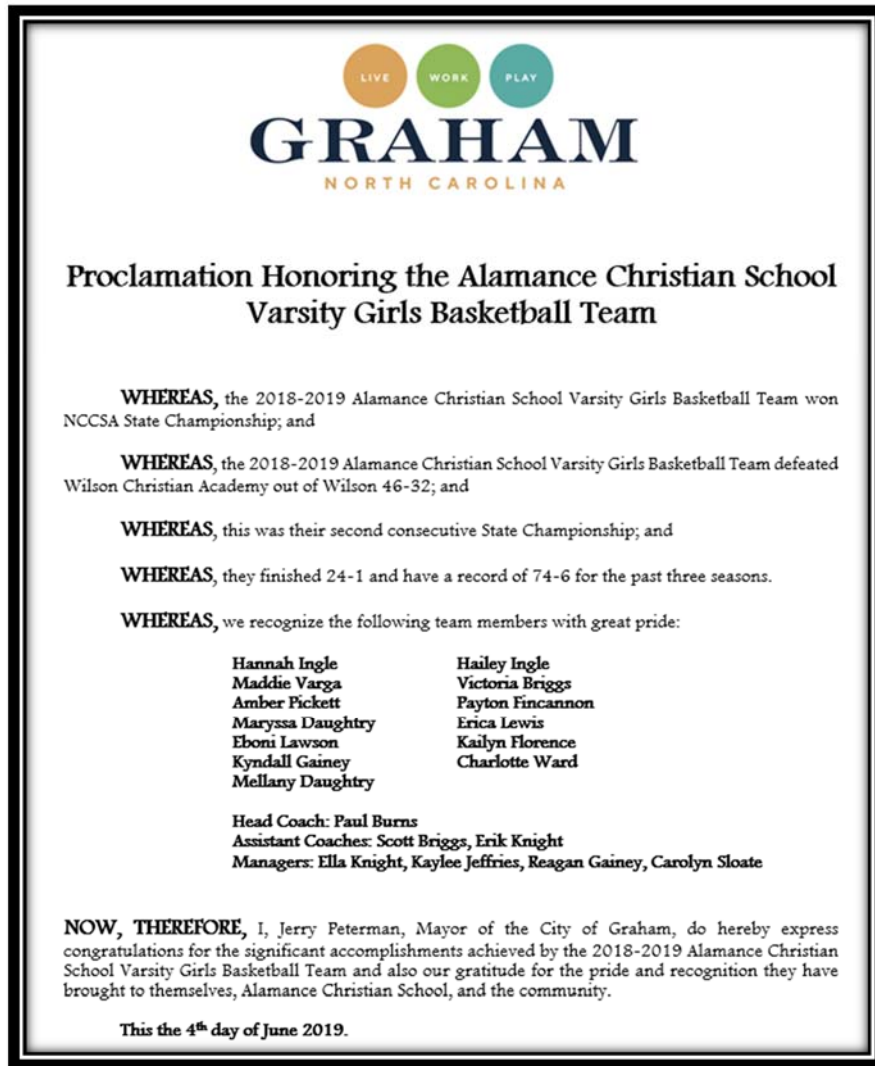
Mr. Tom Boney of the Alamance News stepped forward and expressed his desire to be notified of all public meetings for this committee and that any meeting be recorded.

Council Member McClure made a motion to approve the formalization of the Boards and Commissions Task Force to review the procedures for making appointments to the City's numerous volunteer boards and commissions and compliance with qualification criteria with a three month return of information. Mayor Pro Tem Lee Kimrey seconded the motion and all voted in favor of the motion.

Honorary Proclamation:

➤ Alamance Christian School 2018-2019 Varsity Girls Basketball Team

Mayor Peterman read and presented a proclamation to Coach Paul Burns and members of the Alamance Christian School 2018-2019 Varsity Girls Basketball Team. He congratulated them on their recent State Championship.



Old Business (continued):

c. Fire Suppression Discussion:

- i. Consider option to amend fee schedule to address tap fees within the #1 Fire District for the purpose of fire suppression installation*

Mr. Holland explained that this item was brought up last month by one of the downtown business owners. He reminded Council that they directed staff to investigate different options that may be a viable and feasible solution. Staff looked at programs in other jurisdictions and based on those findings, staff determined that the best option at this time would be to make an amendment to our fee schedule which would effectively exempt properties in the #1 Fire District from having to pay tap fees when installing a fire suppression system. Mr. Holland added that this exemption would make the City responsible for providing the water tap instead of the property owner. With this in mind, staff would like to consider implementing a broader, more encompassing Revitalization Incentive Program after the review and adoption of the Downtown Small Area Plan. Staff recommends approval.

A general discussion between Council Members and staff ensued. Council Members asked staff about costs, who provides labor, vetting process, who might not be qualified, effect on water capacity and the benefit this would bring to downtown buildings. Mayor Peterman expressed concern that this fee waiver would not apply to everyone city wide.

Fire Chief Tommy & Assistant Chief Larry Brooks both stepped forward to address Council. Both expressed support for any incentive the city implements for fire suppression. Council Members and Chief Cole briefly discussed the difference between fires in downtown buildings versus fires in stand-alone homes. Chief Cole stated that there is a greater chance for catastrophic damage in downtown, where buildings are attached.

Mr. Eric Crissman of 208 Albright Avenue Graham stepped forward and stated that this would be an ideal opportunity for Council to do forward thinking.

Ms. Jeanette Beaudry of 308 East Harden Street Graham stepped forward and inquired if this incentive would ever be available to homeowners outside the downtown area. Mayor Peterman stated that he would never say never, but at this time this would only be offered to those in the #1 Fire District.

Ms. Nicki Smith of 402 South Maple Street Graham stepped forward and asked if there has been any research done on a central riser program. Mr. Holland advised that he had not researched that. Mayor Peterman advised that everything will be looked at once we have the Downtown Small Area Plan in place.

Mayor Peterman asked for consensus to move forward with this amendment to the Fee Schedule. Unanimous consensus was given.

d. Public Hearing: Adoption of Budget Ordinance for FY 2019-2020

City Manager Frankie Maness presented the Budget Ordinance for fiscal year 2019-2020. He advised Council that this is the culmination of approximately five months' worth of work, effort, research and forecasting to come up with a budget for all of the operating funds for the 2019-2020 fiscal year. Adoption of the \$22,203,900 budget is the final step in the budget process.

Council Members and staff briefly discussed the proposed increase in the recycling rate, attributing that to the current volatile recycling market. Also discussed was the approximate 5% increase in Recreation camp fees and the future need for more personnel in some departments. Mayor Peterman expressed some concern with the omission of funds for a welcome to Graham sign.

Mayor Peterman opened the Public Hearing and with no comments forthcoming, he closed the Public Hearing.

Council Members took time thanking Mr. Maness and his staff for their hard work in putting together a great budget which includes no increase in the City's tax rate. Mayor Pro Tem Kimrey made a motion to adopt the Budget Ordinance for Fiscal Year 2019-2020, seconded by Council Member Wiggins. All voted in favor of the motion.



Budget Ordinance FY 2019-2020

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM,
NORTH CAROLINA:

Section 1. The following amounts are hereby appropriated in the General Fund for the operation of the City Government; its activities and capital improvements for the Fiscal Year beginning July 1, 2019 and ending June 30, 2020, in accordance with the Chart of Accounts heretofore established for the City:

City Council	55,700
Administration	593,200
Information Technology	348,700
Finance	407,100
Public Buildings	125,500
Police	4,148,700
Fire	1,184,800
Inspections	527,500
Traffic Engineering	92,500
Garage and Warehouse	91,500
Streets & Highways	1,730,600
Street Lights	132,000
Sanitation	832,600
Recreation	920,300
Lake	187,000
Athletic Facilities	397,100
Property Maintenance	788,900
Non-Departmental	995,600
FUND TOTAL	13,559,300

Section 2. It is estimated that the following revenues will be available in the General Fund for the Fiscal Year beginning July 1, 2019 and ending June 30, 2020.

Current Year Tax	4,841,000
Prior Year Taxes	45,000
Vehicle Taxes	490,000
Prior Year Vehicle Taxes	500
PY Vehicle Int & Coll Fees	100
Payt Lieu Taxes	26,500
Storm Water Fee	125,000
Tax Cost & Interest	23,000

Development Fees	1,000
Sale of Surplus Property	20,000
Privilege License	100
Recycling Proceeds From Surplus	100
Miscellaneous Grants	1,000
Interest On Investments	87,000
School Resource Officer	110,000
Police Donations/Grants	35,000
Miscellaneous Income	50,000
Alarms	2,000
Insurance Proceeds	1,000
Franchise Tax	975,000
NCCP	305,000
Beer And Wine Tax	62,500
Powell Bill	390,000
Local Sales Tax	3,782,500
Solid Waste Disposal Tax	9,000
ABC Revenues	80,000
Bldg & Elect Permits	130,000
Recreation Donations	1,000
Refuse Fees	358,000
Cemetery Revenue	42,000
Recreation Income	100,000
Recreation Rentals	19,000
Graham Mebane Lake	31,000
Courts & Fines	15,000
Rent On City Property	30,000
Mebane Lake Revenue	90,000
Fund Balance	1,281,000
FUND TOTAL	13,559,300

Section 3. The following amounts are hereby appropriated in the Water & Sewer Fund for its operations, activities and capital improvements for the Fiscal Year beginning July 1, 2019 and ending June 30, 2020, in accordance with the Chart of Accounts heretofore established for the City:

Water and Sewer Billing	445,200
Water and Sewer Distribution	1,882,800
Maintenance & Lift Station	292,100
Water Treatment Plant	1,917,200
Wastewater Treatment Plant	1,660,800
Non Departmental Admin	1,446,900
FUND TOTAL	7,645,000

Section 4. It is estimated that the following revenues will be available in the Water & Sewer Fund for the Fiscal Year beginning July 1, 2019 and ending June 30, 2020.

Sale of Surplus Property	1,000
Interest on Investments	60,000
Sewer Surcharges	15,000
Outside Sewer Surcharges	45,000
Water Charges	2,875,000
Sewer Charges	2,735,000
Plumbing Permits & Inspections	30,000
Water and Sewer Taps	2,500
Water & Sewer Assessments	100
Miscellaneous Income	8,000
Fund Balance	448,400
Cut Offs	100,000
Sale/Lease Of Property	27,000
Mebane Revenue	796,000
Water Plant Equalization	127,000
WWTP Payment-Mebane	200,000
Swordfish-Alamance County	100,000
NCCP	75,000
FUND TOTAL	7,645,000

Section 5. The following amounts are hereby appropriated in the Garage Fund for operations and activities for the Fiscal Year beginning July 1, 2019 and ending June 30, 2020, in accordance with the Chart of Accounts heretofore established for the City:

Garage Fund	935,600
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Section 6. It is estimated that the following revenues will be available in the Garage Fund for the Fiscal Year beginning July 1, 2019 and ending June 30, 2020.

Ala Co Fuel	198,000
City Of Graham Parts	273,000
City Of Graham Labor	203,800
City Of Graham Fuel	227,000
Graham Housing Parts	10,400
Graham Housing Labor	2,000
Graham Housing Fuel	1,300
Green Level Parts	4,500
Green Level Labor	4,200

Green Level Fuel	7,900
ABC Parts	2,500
ABC Fuel	300
Interest On Investments	600
Miscellaneous Income	100
Total	935,600

Section 7. The following amounts are hereby anticipated and appropriated for the City's Special Funds:

	Revenues	Expenditures
Cemetery Trust Fund	64,000	64,000
Federal Drug Monies	100	100
Water & Sewer Capital Reserve Fund	40,000	40,000
State Drug Monies	100	100

Section 8. There is hereby levied a tax at the rate of \$.455 per one hundred dollars (\$100.00) valuation of property as listed for taxes as of January 1, 2019 for the purpose of raising the Revenue listed as "Current Year Tax" and "Vehicle Taxes" in Section 2. Such rates are based on an estimated total valuation of property for the purposes of taxation of \$1,213,000,000 (100% valuation) with anticipated collection rate of 97%.

Section 9. The City of Graham Fee Schedule shall be amended as follows:

Camp Fees	(Grades K-8)	
	Resident	General Public
10-weeks	\$575 - 1 st child	\$745 - 1 st child
6-weeks	\$350 - 1 st child	\$450 - 1 st child
Weekly*	\$70 per child	\$86 per child
Daily*	\$21 per child	\$26 per child
Multiple child discount**	\$30 per child	\$30 per child
*limited based on availability		
**Discounts will not be given on weekly or daily rates		

Field Rental			
	Resident	General Public	Commercial
Rental of single field	\$100 / day (10 hrs.) \$15 / hr.	\$150 / day (10 hrs.) \$20 / hr.	\$225 / day (10 hrs.) \$30 / hr.
Field Prep	\$20 ea.	\$20 ea.	\$20 ea.
Lining of field	\$10 ea.	\$10 ea.	\$10 ea.
Lights (single field)	\$24.50 / hr.	\$24.50 / hr.	\$24.50 / hr.

Scoreboard	\$20 / hr.	\$20 / hr.	\$20 / hr.
Staff Supervision*	\$20 / hr.	\$20 / hr.	\$20 / hr.
*Supervision Fee may be waived for full-time City of Graham employees upon approval of the GRPD Director or Athletic Supervisor			

Center	Facility			
		Graham Resident	General Public	Commercial
Graham Recreation Center	Entire Center (Gym #1, Gym #2, Room #1 & kitchen)	\$60 / hr. + staff fee	\$120 / hr. + staff fee	\$240 / hr. + staff fee
Graham Recreation Center	Room #1 (Multi-Purpose room, includes kitchen)	\$20 / hr. + staff fee	\$40 / hr. + staff fee	\$80 / hr. + staff fee
Graham Recreation Center	Gym #1 (Full Gym, includes kitchen)	\$30 / hr. + staff fee	\$60 / hr. + staff fee	\$120 / hr. + staff fee
Graham Recreation Center	Gym #2 (Half Gym, includes kitchen)	\$25 / hr. + staff fee	\$50 / hr. + staff fee	\$100 / hr. + staff fee
Graham Civic Center	Full Center (includes kitchen)	\$20 / hr. + staff fee \$75 / 5 hrs. + staff fee \$132 / 10 hrs. + staff fee	\$40 / hr. + staff fee \$150 / 5 hrs. + staff fee \$265 / 10 hrs. + staff fee	\$80 / hr. + staff fee \$300 / 5 hrs. + staff fee \$530 / 10 hrs. + staff fee
Maple Street Center	Full Center (does not include a kitchen)	\$15 / hr. + staff fee	\$30 / hr. + staff fee	\$60 / hr. + staff fee
Supervisory Staff Fee	-Supervisory fees must be paid for all centers. -An additional hour will be added to all rentals for staff preparations. -Supervisory fees may be waived for the Graham Recreation Center during regular business hours and for full-time employees of the City of Graham upon approval of the GRPD Director or Center Supervisor.	\$20 / hr.	\$20 / hr.	\$20 / hr.
Cleaning Deposit	-Refundable and included in all rentals	\$50	\$50	\$50

Water and Sewer Tap and System Development Fees (Note #4)	Owner or Developer is responsible for providing taps for all other types, sizes and zoning classifications except for fire suppression taps in the #1 fire district where taps will be provided by the City.
Recreation Staff Supervision Fee	\$20.00 per hour
Refuse Fees	\$3.50 per unit, per month
Recycling Fees	\$2.75 per unit, per month

Section 10. For the purpose of tracking capital items, there shall be a threshold of \$5,000.

Section 11. Copies of this Ordinance shall be furnished to the City Manager and the Finance Officer to be kept on file by them for their direction in the disbursement of City Funds.

Adopted this 4th day of June 2019.

Requests & Petitions from Citizens:

a. Resolution Declaring the Intention of the City Council of the City of Graham to Consider the Permanent Closing of a Portion of Baldwin Road and Setting a Public Hearing

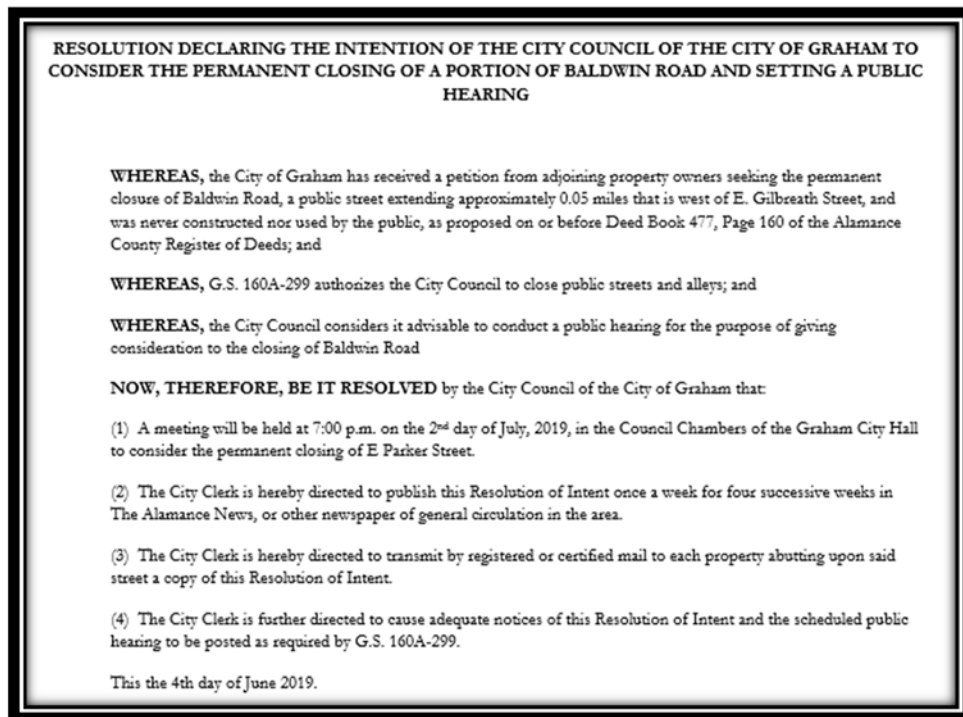
Planning Director Nathan Page explained that Mark and Wanda Blalock are requesting the removal of a proposed roadway which bisects their land at the end of Baldwin Road, consisting of approximately 0.06 acres. A portion of right of way exists only on a plat and has not been constructed, nor does it provide service to access land for anyone other than the Blalock's.

Additionally, there have been no utilities located in area by the City of Graham, nor anyone who came out as a result of an 811 call by the applicant to identify any infrastructure in the proposed right of way.

Council Members and staff briefly discussed connectivity to Essex Drive and whether or not Baldwin Road is a State or City road. Mr. Page advised that Baldwin Road is included in the City's Powell Bill. With no further discussion forthcoming, Mayor Peterman opened the discussion to the floor.

Mr. Jeff Deal of Massey Commercial Real Estate, 1629 South Church Street Burlington stepped forward on behalf of the petitioners. A brief general discussion of request ensued.

With no further comments forthcoming, Council Member Wiggins made a motion to approve the Resolution Declaring the Intention of the City Council of the City of Graham to Consider the Permanent Closing of a Portion of Baldwin Road and Setting a Public Hearing on July 2, 2019. Council Member Turner seconded the motion and all voted in favor of the motion.



- b. Petition for Voluntary Contiguous Annexation for a 111.44 acre area off Rogers Road (GPIN 8872986536 & 8873900485) (AN1901):***
- i. Approve Resolution Requesting City Clerk to Investigate Sufficiency***
 - ii. Approve Resolution Fixing Date of Public Hearing on Question of Annexation***

Mr. Page explained that the petition submitted seeks the Council's approval for an extension of the corporate limits to include the subject property. The area being considered for annexation is connected to Rogers Road, Mayfield Drive and Lacy Holt Road. He added that water and sewer are both available at this location. Mr. Page reminded Council that the annexation process has multiple steps. The preliminary steps following receipt of a petition are to adopt two resolutions.

Following a brief discussion between Council Members and staff, Council Member McClure made a motion to approve the Resolution Directing the Clerk to Investigate a Petition Received Under G.S. 160A-31 for a 111.44 acre area on Rogers Road, seconded by Council Member Wiggins. All voted in favor of the motion.

Council Member McClure made a motion to approve the Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31 for a 111.44 acre area on Rogers Road, with the date being July 2, 2019. Council Member Wiggins seconded the motion and all voted in favor of the motion.

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-31
FOR A 111.44 ACRE AREA OFF ROGERS ROAD (AN1901)

WHEREAS, a petition requesting annexation of an area described in said petition was received on May 14, 2019, by the Graham City Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Graham deems it advisable to proceed in response to this request for annexation.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Graham:

That the City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the result of her investigation.

**RESOLUTION FIXING DATE OF PUBLIC HEARING
ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31
FOR A 111.44 ACRE AREA OFF ROGERS ROAD (AN1901)**

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

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

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Graham, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the City Hall, 201 S. Main Street, Graham, NC at 7:00 pm on July 2, 2019.

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

ALL of that certain piece, parcel or tract of land lying and being in the City of Graham, Graham Township, Alamance County, North Carolina, and being more particularly described as follows:

DESCRIPTION IS OF THE DIXIE W. ROGERS ETAL PROPERTY AS RECORDED IN DEED BOOK 550, PAGE 473 OF THE ALAMANCE COUNTY REGISTER OF DEEDS AND BEING PARCEL ID # 130476 TOGETHER WITH A PORTION OF THE SHOFFNER LAND AND TIMBER, LLC PROPERTY AS RECORDED IN DEED BOOK 2512, PAGE 695 OF THE ALAMANCE COUNTY REGISTER OF DEEDS AND BEING PARCEL ID # 131641 AND IS AS FOLLOWS:

BEGINNING AT AN EXISTING IRON PIPE, SAID PIPE HAVING A NC NAD 83 (NSRS2011) COORDINATE OF N:830,321.28, E:1,878,218.84, SAID PIPE ALSO BEING A COMMON CORNER WITH THE JEAN S BONEY REVOCABLE TRUST PROPERTY AS DESCRIBED IN DEED BOOK 2519, PAGE 613; THENCE WITH THE EASTERN LINE OF THE JEAN S BONEY REVOCABLE TRUST PROPERTY

S 64°05'28" E FOR A DISTANCE OF 835.66 FEET TO AN EXISTING 1" PINCH TOP; THENCE CONTINUING WITH THE EASTERN LINE OF THE JEAN S BONEY REVOCABLE TRUST PROPERTY S 64°16'27" E FOR A DISTANCE OF 160.00 FEET TO A CALCULATED POINT IN THE CENTERLINE OF LITTLE ALAMANCE CREEK, SAID POINT BEING A COMMON CORNER WITH THE SHOFFNER LAND AND TIMBER, LLC PROPERTY AS DESCRIBED IN DEED BOOK 2512, PAGE 695; THENCE WITH THE SHOFFNER LAND AND TIMBER, LLC. PROPERTY S 64°16'27" E FOR A DISTANCE OF 335.12 FEET TO A POINT IN THE CENTERLINE OF LITTLE ALAMANCE CREEK; THENCE THE FOLLOWING TWENTYTWO (22) CALLS TO CALCULATED POINTS IN THE CENTERLINE OF LITTLE ALAMANCE CREEK,

(1) N 55°15'21" E FOR A DISTANCE OF 54.94 FEET; THENCE

(2) N 85°15'23" E FOR A DISTANCE OF 148.60 FEET; THENCE

(3) N 40°16'02" E FOR A DISTANCE OF 115.52 FEET; THENCE

- (4) N 18°10'36" W FOR A DISTANCE OF 154.72 FEET; THENCE
- (5) N 12°52'15" W FOR A DISTANCE OF 256.88 FEET; THENCE
- (6) N 34°43'03" E FOR A DISTANCE OF 75.43 FEET; THENCE WITH THE MARTIN L. SHOFFNER PROPERTY AS RECORDED IN DEED BOOK 3440, PAGE 381,
- (7) S 81°45'47" E FOR A DISTANCE OF 169.58 FEET; THENCE
- (8) S 84°04'09" E FOR A DISTANCE OF 263.67 FEET; THENCE
- (9) S 80°26'01" E FOR A DISTANCE OF 114.19 FEET; THENCE
- (10) S 66°47'27" E FOR A DISTANCE OF 190.33 FEET; THENCE
- (11) S 37°41'56" E FOR A DISTANCE OF 209.62 FEET; THENCE
- (12) S 08°21'10" E FOR A DISTANCE OF 86.52 FEET; THENCE
- (13) S 04°35'47" W FOR A DISTANCE OF 50.86 FEET; THENCE
- (14) S 43°49'02" W FOR A DISTANCE OF 38.22 FEET; THENCE
- (15) S 82°19'35" W FOR A DISTANCE OF 146.52 FEET; THENCE
- (16) S 60°50'31" W FOR A DISTANCE OF 268.25 FEET; THENCE
- (17) S 05°47'09" W FOR A DISTANCE OF 8.69 FEET; THENCE
- (18) S 05°47'09" W FOR A DISTANCE OF 38.96 FEET; THENCE
- (19) S 33°53'21" E FOR A DISTANCE OF 143.51 FEET; THENCE
- (20) S 88°11'32" E FOR A DISTANCE OF 134.20 FEET; THENCE
- (21) S 38°14'39" E FOR A DISTANCE OF 142.86 FEET; THENCE
- (22) S 49°11'57" E FOR A DISTANCE OF 191.62 FEET;

THENCE LEAVING THE CENTERLINE OF LITTLE ALAMANCE CREEK ALONG THE SOUTHERN LINE OF THE FOUST FAMILY PROPERTIES, LLC PROPERTY AS DESCRIBED IN DEED BOOK 3520, PAGE 846 S 01°38'44" W FOR A DISTANCE OF 629.73 FEET TO AN EXISTING 1 ½" IRON PIPE, SAID PIPE BEING A COMMON CORNER WITH THE ETHEL C. ROGERS HEIRS PROPERTY AS DESCRIBED IN DEED BOOK 205, PAGE 536; THENCE WITH THE ETHEL C. ROGERS HEIRS PROPERTY THE FOLLOWING FOUR (4) CALLS,

- (1) N 88°54'32" W FOR A DISTANCE OF 131.76 FEET TO AN EXISTING 1 ½" IRON PIPE; THENCE
- (2) S 10°42'15" E FOR A DISTANCE OF 1838.49 FEET TO AN EXISTING ¾" IRON REBAR; THENCE
- (3) S 39°16'16" E FOR A DISTANCE OF 199.48 FEET TO AN EXISTING ½" IRON REBAR; THENCE
- (4) S 39°16'16" E FOR A DISTANCE OF 10.00 FEET TO A CALCULATED POINT ON THE TOP OF BANK OF BIG ALAMANCE CREEK;

THENCE WITH THE TOP OF BANK OF BIG ALAMANCE CREEK THE FOLLOWING SIX (6) CALLS TO CALCULATED POINTS ON THE TOP OF BANK

- (1) S 55°03'43" W FOR A DISTANCE OF 69.03 FEET; THENCE
- (2) S 79°57'14" W FOR A DISTANCE OF 67.12 FEET; THENCE
- (3) N 88°04'58" W FOR A DISTANCE OF 81.66 FEET; THENCE
- (4) S 87°26'28" W FOR A DISTANCE OF 98.46 FEET; THENCE
- (5) N 86°14'49" W FOR A DISTANCE OF 136.25 FEET; THENCE
- (6) S 75°45'24" W FOR A DISTANCE OF 103.48 FEET;

THENCE LEAVING THE TOP OF BANK OF BIG ALAMANCE CREEK ALONG THE EASTERN LINE OF THE FORKS OF ALAMANCE SUBDIVISION PROPERTY AS SHOWN ON PLAT BOOK 78, PAGE 426/427 THE FOLLOWING SEVEN (7) CALLS,

- (1) N 29°16'44" W FOR A DISTANCE OF 167.91 FEET TO A ¾" EXISTING IRON REBAR; THENCE
- (2) N 29°16'44" W FOR A DISTANCE OF 1029.54 FEET TO A ¾" EXISTING IRON REBAR; THENCE
- (3) S 76°47'52" W FOR A DISTANCE OF 400.34 FEET TO A ½" EXISTING IRON REBAR; THENCE
- (4) S 76°47'52" W FOR A DISTANCE OF 260.10 FEET TO A 1" EXISTING IRON PIPE; THENCE
- (5) N 03°19'45" W FOR A DISTANCE OF 664.75 FEET TO A ½" EXISTING IRON REBAR; THENCE
- (6) N 03°19'45" W FOR A DISTANCE OF 654.40 FEET TO AN EXISTING STONE; THENCE
- (7) N 51°51'11" W FOR A DISTANCE OF 726.37 FEET TO A ½" EXISTING IRON REBAR,

SAID REBAR BEING A COMMON CORNER WITH THE CECIL AND KRISTI EAKES PROPERTY AS DESCRIBED IN DEED BOOK 2728, PAGE 926; THENCE WITH THE EAKES PROPERTY THE FOLLOWING TWO (2) CALLS,

- (1) N 04°08'29" E FOR A DISTANCE OF 76.80 FEET TO AN IRON REBAR SET; THENCE
- (2) N 85°50'09" W FOR A DISTANCE OF 199.96 FEET TO A ¾" EXISTING IRON PIPE,

SAID IRON PIPE BEING IN THE EASTERN RIGHT OF WAY OF ROGERS ROAD, STATE ROAD # 2309; THENCE WITH THE RIGHT OF WAY OF ROGERS ROAD THE FOLLOWING FOUR (4) CALLS

- (1) ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2896.77 FEET AND A CHORD BEARING AND DISTANCE OF N 01°20'00" E FOR A DISTANCE OF 250.87 FEET TO AN IRON REBAR SET; THENCE
- (2) N 01°19'11" W FOR A DISTANCE OF 238.26 FEET TO AN IRON REBAR SET; THENCE
- (3) N 02°09'46" W FOR A DISTANCE OF 374.54 FEET TO AN IRON REBAR SET; THENCE
- (4) N 00°14'45" W FOR A DISTANCE OF 76.39 FEET TO AN IRON REBAR SET;

THENCE LEAVING THE RIGHT OF WAY OF ROGERS ROAD ALONG THE SOUTHERN PROPERTY LINE OF THE JEAN S BONEY REVOCABLE TRUST PROPERTY AS DESCRIBED IN DEED BOOK 2519, PAGE 613 THE FOLLOWING,

S 64°05'28" E FOR A DISTANCE OF 5.36 FEET TO THE POINT AND PLACE OF BEGINNING AND CONTAINING 111.439 ACRES MORE OR LESS AS SHOWN ON A SURVEY PLAT BY GREEN MOUNTAIN ENGINEERING AND BEING GME PROJECT NUMBER 17-096.

Section 3. Notice of the public hearing shall be published once in The Alamance News, a newspaper having general circulation in the City of Graham, at least ten (10) days prior to the date of the public hearing.

Boards & Commissions Appointments:

Alcohol Beverage Control Board – 3 year term

Mr. Larry Brooks, Executive Director of the Alamance Municipal ABC Board stepped forward and encouraged Council to reappoint Mr. Robert Parrish to the board. Mr. Dean Ward withdrew his application.

Mayor Peterman made the motion to reappoint Robert Parrish to the ABC Board, seconded by Council Member McClure. All voted in favor of the motion.

Appearance Commission – 3 year term

Council Member McClure nominated Ricky Hall for appointment.

Council Member Wiggins nominated Carla Smith for reappointment.

Mayor Pro Tem Kimrey nominated William Copeland for appointment.

Council Member Wiggins made a motion to reappoint Carla Smith to the Appearance Commission, seconded by Council Member McClure. All voted in favor of the motion.

Council Member McClure made a motion to appoint Ricky Hall to the Appearance Commission, seconded by Council Member Turner. All voted in favor of the motion.

Canine Review Board – 3 year term

Mayor Peterman made a motion to appoint Stephanie Brinn to the Canine Review Board, seconded by Mayor Pro Tem Kimrey. All voted in favor of the motion.

Historical Museum Advisory Board – 3 year term

Mr. Ricky Hall withdrew his application.

Council Member McClure, Mayor Pro Tem Kimrey and Council Member Wiggins nominated April Snell for appointment.

Council Member Wiggins nominated Diana Cummings for reappointment.

Council Member McClure made a motion to reappoint Diana Cummings and appoint April Snell to the Historical Museum Advisory Board, seconded by Council Member Wiggins. All voted in favor of the motion.

Historic Resources Commission – Term to Expire June 30, 2021

Council Member McClure nominated William Copeland for appointment.

Council Member Wiggins nominated Paul Tucker for appointment.

Mayor Pro Tem Kimrey made a motion to appoint William Copeland to the Historic Resources Commission, seconded by Council Member Turner. All voted in favor of the motion.

Housing Authority – 5 year term

Mr. Larry Brooks stepped forward and encouraged Council to reappoint Robert Sykes, current chair of this board.

Council Member Turner made a motion to reappoint Robert Sykes to the Housing Authority, seconded by Council Member McClure. All voted in favor of the motion.

Planning Board/Board of Adjustment – 3 year term

Council Member McClure nominated Rachel McIntyre for appointment.

Council Member Wiggins nominated Nicki Smith for appointment.

Council Member Turner nominated Dean Ward and Ricky Hall for reappointment.

Ms. Smith stepped forward and stated that Graham is in a unique position and there is a great opportunity to work and implement the current strategic plan.

Ms. Jan Searls of 526 Pine Street stepped forward and formally withdrew her application.

Mayor Pro Tem Kimrey seconded Council Member McClure's nomination, while Mayor Peterman seconded Council Member Turner's nominations. Council Member Wiggins' nomination failed to get a second and therefore died.

Mayor Peterman asked for a vote to appoint Rachel McIntyre to the Planning Board/Board of Adjustment. Ayes: Council Member McClure, Mayor Pro Tem Kimrey and Council Member Wiggins. Nays: Mayor Peterman and Council Member Turner. Vote carried 3:2.

Mayor Peterman asked for a vote to reappoint Dean Ward to the Planning Board/Board of Adjustment. Ayes: Council Member Turner, Mayor Peterman, Mayor Pro Tem Kimrey and Council Member McClure. Nays: Council Member Wiggins. Vote carried 4:1.

Recreation Commission – 3 year term

Mr. Nathan Perry formally withdrew his application.

Mayor Peterman nominated Jay Cook for reappointment.

Council Member Wiggins nominated Nicki Smith for appointment.

Council Member Wiggins seconded the nomination for Jay Cook while Council Member McClure seconded the nomination of Nicki Smith.

With no further nominations forthcoming, Mayor Peterman declared that Jay Cook and Nicki Smith would be appointed to the Recreation Commission.

Tree Board – 3 year term

Council Member McClure nominated Jan Searls for reappointment.

Council Member Wiggins nominated Christina Taylor for appointment.

Mayor Pro Tem seconded both nominations and all voted in favor of both nominations.

Issues Not on Tonight's Agenda:

Council Member McClure, Council Member Turner and Mayor Pro Tem Kimrey thanked Mr. Ricky Hall for his service to the Planning Board/Board of Adjustment.

Mayor Peterman expressed his condolences to Mr. Mickey Cheek.

At 8:48 p.m. Mayor Pro Tem Kimrey made a motion to adjourn, seconded by Council Member Turner. All voted in favor of the motion.

STAFF REPORT

SUBJECT:	CLOSURE OF THE CITY OF GRAHAM PARKING LOT OFF OF 100 WEST ELM STREET
PREPARED BY:	MARY FAUCETTE, DOWNTOWN DEVELOPMENT COORDINATOR

REQUESTED ACTION:

Closure of the parking lot off of the 100 block of West Elm on Friday September 25, 2019 (6p) through Saturday September 26, 2019 (11p) for a fundraising event, Rockn' For Research.

BACKGROUND/SUMMARY:

Rockn' For Research Saturday September 27 will be a first time event for Maple Street Tavern and Dark Pine Studio benefiting Diabetes research co-hosted by Maple Street Tavern (Daniel Alvis) and Max Dearing (Dark Pine Studios). Staff have informed both Alvis and Dearing pending Council approval tonight the following is required:

- Certificate of Liability with the City's requirements (September 2019 deadline)
- Temporary Outdoor Sales Permit Application (August 2019 deadline)
- Extra Duty Solutions schedule (August 2019 deadline)

FISCAL IMPACT:

City staff will provide street closure barricades. The applicant will use Extra Duty Solutions for the scheduling of both Police & Fire personnel.

STAFF RECOMMENDATION:

Approve

SUGGESTED MOTION(S):

I make a motion to approve the requested parking lot closure for the Rockn' For Research event Friday September 25, 2019 (6p) through Saturday September 26, 2019 (11p) with the following condition(s):

- Provide a Certificate of Liability insurance meeting all City requirements
- Submit a Temporary Outdoor Sales Permit Application
- Schedule public safety personnel following the Extra Duty Solutions process



Application for SPECIAL USE PERMIT

Renewal
1/28/19

Page 21 of 45

P.O. Drawer 357
201 South Main Street
Graham, NC 27253
(336) 570-6705
Fax (336) 570-6703
www.cityofgraham.com

Uses shown as "S" in the *City of Graham Development Ordinance*, Section 10.135 Table of Permitted Uses, require a Special Use Permit before the use will be permitted in the zoning district. Applicants are strongly encouraged to consult with the City Planner to understand the requirements for the proposed special use and the information that will be needed as part of this application.

Site

Street Address: KRONBERGS COURT
Tax Map#: 13-13-39 GPIN: 8894743697
Current Zoning District(s): I-1
Overlay District, if applicable:
☐ Historic ☐ S Main St/Hwy 87 ☐ E Harden St/Hwy 54
Current Use: VACANT PARCEL
Property Owner: I-40 DRIVE IN, LLC
Mailing Address: PO BOX 872
City, State, Zip: GRAHAM, NC 27253
Phone #: (336) 229-4225
Email: chucktalley21@hotmail.com

Applicant and Project Contact

Name: William G. Talley
☒ Property Owner ☐ Other _____
Mailing Address: PO Box 872
City, State, Zip: Graham, NC 27253
Phone #: (336) 229-4225
Email: chucktalley21@hotmail.com

I certify that all information furnished is true to the best of my knowledge. I have provided all information needed to demonstrate that all requirements of the proposed special use will be met.

Signature of Applicant _____ Date _____

Signature of Property Owner _____ Date 1-28-19
(if other than applicant)

Office Use Only. DEVID#

SUP1901

Proposed Special Use

Proposed Use (from Sec. 10.135 Table of Permitted Uses):
CAMPGROUND

☒ Check if this use is also listed in
Section 10.149 Special uses listed

This application **must include sufficient information** to demonstrate that all requirements of the proposed special use will be met. Check which of the following are submitted with this application:

☒ Preliminary Site Plan
☒ Descriptive Information

Develop up to 75 site locations
for RV campground
consulted with engineer
and city planner for
highest and best use of
property.

☐ Additional sheets of Descriptive Information

Because applications for a Special Use Permit go through the public hearing process, applicants are encouraged to contact neighboring property owners prior to the public hearing.

Other Requirements

☐ NCDOT Driveway Permit, if a new or relocated driveway is proposed on a NCDOT road, or for existing driveways if the use of the property is changing

PARCEL DATA
Alamance County Tax Information:
Parcels Included in this Project:
Parcel 1:
 GFIN: 889474298 I
 Parcel ID: 152970
 Old Tax Map No.: 13-13-2

MINIMUM BUILDING SETBACKS
Per City of Graham Zoning Ordinance Section 10.245
City of Graham Zoning: I-1 Light Industrial
Front setback - 50'
Side setback - 20'
Rear setback - 20'

Property Address: Kronbergs Court, Haw River, NC

Plat Reference: PB 78 PG 71
Deed Reference: DB 427 PG 139

City of Graham Zoning: I-1 Light Industrial

SITE DATA:
Existing Use: Vacant
Proposed Use: Drive In Movie Theater
Accessory Use: Campground
Total Property Area: 34.88 Acres ± (Per PB 78, PG 71)

Existing Building Area: 0 sf.
Proposed Building Area: 4,216 sf.
Proposed Impervious Surface: less than 13.5 Acres

Note: Construction drawings to be prepared upon permitting and PCN submittal.

Flood Plain Note:
A portion of this property has been mapped on FIRM Map No. 3710889400J, CID No. 370283, Panel 8894 Suffix J, as Zone AE, having coverage for the 100 year flood plain. No fill or permanent structures are proposed within the mapped 100 regulatory floodway.

Additional Borrow / Waste Note:

If the same person conducts the land-disturbing activity and any related borrow or waste activity, the related borrow or waste activity shall constitute part of the land-disturbing activity unless the borrow or waste activity is regulated by the Division of Solid Waste Management. If the land-disturbing activity and any related borrow or waste activity are not conducted by the same person, they shall be considered separate land disturbing activities and must be permitted either through the Sedimentation and Pollution Control Act as a one-use-borrow site or through the Mining Act.

CONTRACTOR'S NOTES:

- The contractor shall verify the location of all existing utilities prior to beginning construction. Locations of existing utilities shown on the plan are based on the best available information, but can only be considered approximate.
 - The City of Graham shall review and approve construction drawings prior to construction. Any conflicts should be reported to the project engineer immediately for review prior to beginning construction. It shall be the owner's responsibility to obtain all required approvals and permits from agencies governing this work prior to any construction. It shall be the responsibility of the owner to obtain all applicable permits, complete testing, and inspections, and proper certification that the proposed construction was installed in accordance with the approved plans and specifications.
 - All underground utilities are to be installed and tested prior to the placement of any base course stone, concrete, or pavement.
 - Any fill material imported into or exported from the site shall originate from or be disposed of at a properly permitted location. All structural fill material and bearing soils shall be tested and certified by the project geotechnical engineer.
- Notes:
- All construction methods and materials shall conform to the City of Graham Standard Specifications & Details and the NC Plumbing Code.
 - Boundary, existing feature, and topographic information including located wetland areas as flagged in the field provided by a survey prepared by Boswell Surveyors, Inc., Burlington, North Carolina.
 - Existing Conditions are shown based on field surveys and best available record. Any discrepancies shall be reported to the engineer immediately.
 - Sanitary sewer service is being requested via a tie to existing City of Graham Sanitary Sewer Main.
 - Water service is being requested via a tie to existing City of Graham Water Main.
 - Exact size and location of all applicable utilities and easements to be field verified prior to construction.
 - Contact the project engineer immediately with any conflicts regarding the design or construction of the project. All field adjustments shall be verified by the project engineer prior to construction.
 - Construction and location of sidewalk, slopes, landings, approaches, ramps, and accessible routes shall be in accordance with the ANSI 2009 Handicap code or latest Accessibility Code revision.
 - Contractor shall contact project engineer to observe formwork for site curb, concrete sidewalks, and other items as well as string lines or other controls prior to the placement of concrete, setting base course stone, or the placement of asphalt.
 - Compaction of fill materials, approval of residual subgrade, soil proof rolls, stone placement, and/or other materials testing functions shall be in accordance with the project geotechnical engineer's guidance, specifications, recommendations, and testing standards.

Plan Prepared for:
I-40 Drive-In
P.O. Box 872
Graham, NC 27253
Contact: 336-229-4225

ENVIRONMENTAL IMPACTS SUMMARY TABLES

IMPACT TO STREAM TABLE (PERMANENT)		
NAME OF DRAINAGE CONVEYANCE	IMPACT LENGTH IF IN STREAM (LF)	
A Swale	0 lf, intercepting wetland area	
Crossing #1	TWIN 42" RCP	68 lf, @ 1.47%
Crossing #2	TWIN 30" RCP	35 lf, @ 1.97%
Culvert #3	36" HDPE	0 lf, (see plan)
"wetland feeding pipe"	0 lf, (6" SDR-35 80 lf.)	
PERMANENT IMPACT TOTAL = 103lf.		

IMPACT TO STREAM TABLE (TEMPORARY)		
NAME OF DRAINAGE CONVEYANCE	IMPACT LENGTH IF IN STREAM (LF)	
A Swale	0 lf, intercepting wetland area	
Crossing #1	TWIN 42" RCP	4 lf.
Crossing #2	TWIN 30" RCP	2 lf.
Culvert #3	36" HDPE	20 lf. (see plan)
"wetland feeding pipe"	0 lf, (6" SDR-35 80 lf.)	
TEMPORARY IMPACT TOTAL = 82lf.		

Mapped Wetland Area IMPACTED or AFFECTED Table:		
NAME OF WETLAND AREA	DISTURBED AREA IN WETLAND (SF)	
A	828	
B	440**	
C	440	
D	1,654+615* = 2,269	
AA	1,101	
BB	NOT AFFECTED	

* (area affected but not disturbed)
** (area of temporarily impacted wetland)

IMPACT TO BUFFER TABLE (units in sf.)			
NAME	Zone 1	Zone 2	Temporary
Crossing #1	4,130	2,340	800
Crossing #2	0	3,846	440
Culvert #3	745	1,193	400
Total Buffer Impact			
		12,256 ±	1,640 ±

RIP RAP CHANNEL ARMOR PLACED IN STREAM TABLE (PERMANENT BUT BELOW WATER LEVEL)		
NAME OF DRAINAGE CONVEYANCE	LENGTH IN STREAM (LF)	
Crossing #1 after TWIN 42" RCP	20lf. embedded nrap channel armor / velocity dissipater	
Crossing #2 after TWIN 30" RCP	20lf. embedded nrap channel armor / velocity dissipater	
Culvert #3 after the 36" HDPE	15lf. embedded nrap channel armor / velocity dissipater	
LENGTH OF CHANNELIZED RIP RAP ARMOR TOTAL = 55lf.		

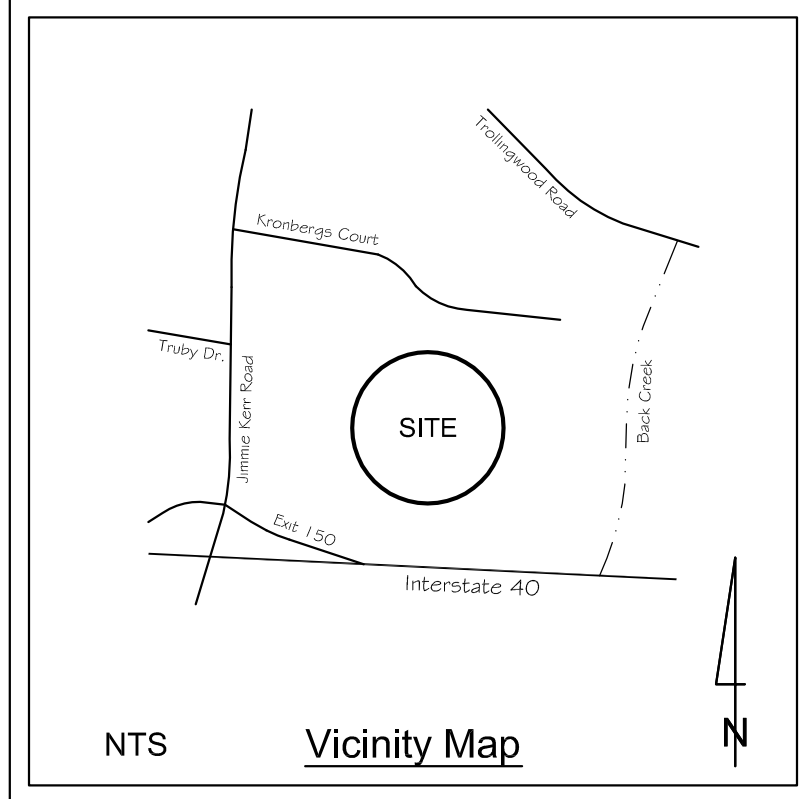
Site Soils Classification:

Unclassified. Classification of near surface soils shall be made per Owner's geotechnical engineering recommendations based on the evaluation of exposed subgrade soils.

Line Table		
Line	Bearing	Distance
L1	N 73°36'03" W	63.95'
L2	N 20°49'17" W	149.79'

Curve Table			
Curve	Chord Bearing	Chord	Radius
C1	S 57°47'14" E	397.58'	610.84'
C2	N 80°57'11" W	444.29'	1445.24'

- SURVEYOR'S LEGEND
- Existing Iron Pipe (EIP)
 - New Iron Pipe (NIP)
 - Property Line
 - Adjoiner's Property Line
 - Right of Way Line
 - Calculated Point (CP)
 - PK Nail (Found)
 - PK Nail (Set)
 - Right of Way Monument
 - Overhead Utility Lines
 - Utility Pole (with Guy Wire)
 - Light Pole
 - Sanitary Sewer Manhole



IMPACT LEGEND	
[Solid Black Box]	WETLAND IMPACT
[Hatched Box]	BUFFER IMPACT

Lot One
Property of
Melville Plastics, Inc.
P.B. 57, Pg. 137

Property of
Grace Rich
P.B. 33, Pg. 18

Burnt Shops, Inc.
D.B. 427, Pg. 139

Property of
Melville Plastics, Inc.
P.B. 44, Pg. 186

Recombination Plat
Prepared for
SpeedCo, Inc.
P.B. 66, Pg. 270

14.25 Acres ±
Remaining
in Parcel ID: 152970

Blue Beacon International, Inc.
D.B. 1121, Pg. 271, D.B. 1121, Pg. 277
D.B. 1121, Pg. 283, P.B. 59, Pg. 64

WilcoHess, LLC
D.B. 1522, Pg. 194
P.B. 53, Pg. 73

PROJECT: 2/2

5-24-2017

1" = 100'

BSB/CDH
DRAWN IN THE USA BY

REVISIONS:
AK2017-6 Revisions for
AK2017-6 Revisions for
AK2017-6 Revisions for
AK2017-6 Revisions for
AK2017-6 Revisions for
AK2017-6 Revisions for
AK2017-6 Revisions for
AK2017-6 Revisions for
AK2017-6 Revisions for
AK2017-6 Revisions for

1-16-1035

Overall
Proposed Site Plan
with IMPACTS
identified

6-27-2018

PROFESSIONAL SEAL
24924
ENGINEER
CHARLES D. HUFFINE

C-1939

GRAHAM DRIVE IN

THE L.E.A.D.S. GROUP, P.A.
585 EAST DAVENPORT STREET
SUITE 100
Graham, NC 27253
Phone: (336) 229-4225
Fax: (336) 229-4225
Land Engineering And Development Services



STAFF REPORT

Prepared by Nathan Page, Planning Director

Kronbergs Campground (SUP1901)

Type of Request: Special Use Permit

Meeting Dates

Planning Board on February 19, 2019

City Council on March 5, 2019

Contact Information

William G. Talley

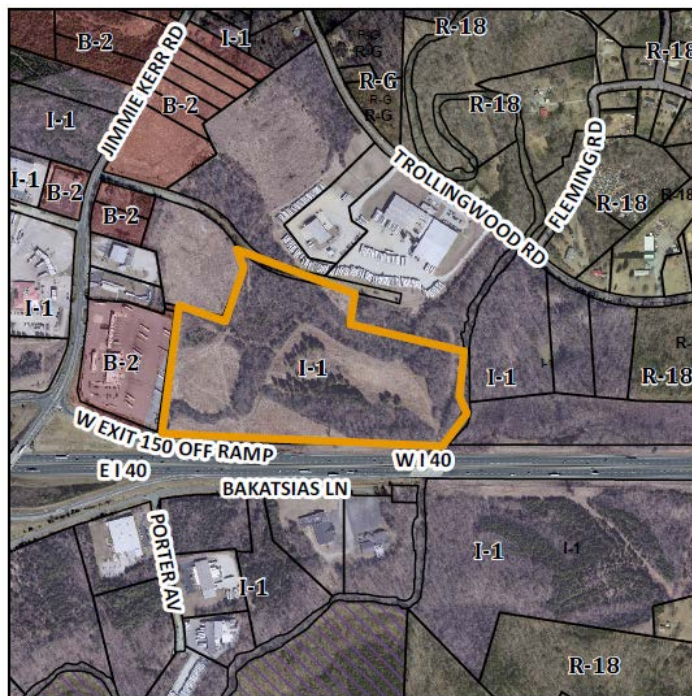
PO Box 872

Graham NC, 27253

336-229-4225; chucktalley21@hotmail.com

Summary

This is a request for a Special Use Permit for a Commercial Campground for property located on Kronbergs Ct. The property is currently vacant. Properties zoned Industrial are required by the Development Ordinance to apply for a Special Use permit to allow the use of Commercial Campground.



Location

Kronbergs Court
GPIN: 8894743697

Current Zoning

Industrial (Light)
(I-1)

Proposed Zoning

Industrial (Light) (I-1)

Overlay District

none

Surrounding Zoning

General Business, Industrial
(Light)

Surrounding Land Uses

Vacant, Commercial, Industrial

Size

Approx. 34.5 acres

Public Water & Sewer

Yes

Floodplain

Yes

Staff Recommendation

Approval, with conditions

Conformity to *The Graham 2035 Comprehensive Plan (GCP)* and Other Adopted Plans

Planning Type: Industrial

Development Type: Industrial

Applicable Policies;

- **2.1.8: Tourism** Promote Graham as a tourist destination with a focus on Graham's historic downtown, access to the Haw River and Haw River Trail (portion of the North Carolina Mountains-to-Sea Trail), art, museums, and parks. *The installation of a commercial campground here could positively contribute to tourism in the vicinity.*
- **2.4.2: Promote Industrial Redevelopment.** Encourage reinvestment and intensification at existing industrial sites. Encourage redevelopment of existing buildings and infrastructure for industrial growth. *This project is not the highest and best use for the property, but given the quantity within the floodplain, it is a reasonable compromise.*

Planning Type

Industrial

Development Type

Industrial

Large one and two story buildings with access to the Interstate.

Limited Setbacks, heavy buffers, minimal adverse environmental impacts.

Transportation Infrastructure is predominately wide lanes with shoulders and appropriate curb radii to accommodate large vehicles.

Density of 0.3 to 0.5 FAR

DRAFT Findings of Fact and Conclusions of Law

In granting a special use permit, the City Council shall find that all of the six conditions listed below have been met, or it shall be denied. Staff has prepared the following DRAFT findings of fact for each of the six conditions. These findings should be modified by the Council as it considers its decision.

1. All applicable regulations of the zoning district in which the use is proposed are complied with.
 - *The property is zoned I-1, a Commercial Campground is only permitted with a Special Use Permit.*
2. Conditions specific to each use, identified by the Development Ordinance, are complied with.
 - *There are no specific conditions for a Commercial Campground.*
3. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted.
 - *The use of the location as a Commercial Campground will not materially endanger the public health or safety.*
4. The use will not substantially injure the value of adjoining property or that the use is a public necessity.
 - *The use of the location as a Commercial Campground will not substantially injure the value of adjoining property.*
5. The location and character of the use if developed according to the plan as submitted will be in harmony with the area in which it is to be located and in general conformity with the plan of development for the Graham planning area.

- *The proposed Commercial Campground is located in an industrial section of Graham and the future land use is Industrial. Therefore, a campground is in general conformity with The Graham 2035 Comprehensive Plan.*
6. Satisfactory provision has been made for the following, when applicable: vehicle circulation, parking and loading, service entrances and areas, screening, utilities, signs and lighting, and open space.
- *The TRC shall evaluate a presented site plan for conformance with the listed requirements.*

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan* and the *City of Graham Development Ordinance*, staff **recommends approval, with conditions** of the Special Use Permit. Recommended Conditions:

- Remote access to the property be provided in case of emergency.
- Sanitary sewer connections shall be designed, maintained, and operated to prevent intrusion in the event of a flood, with design parameters as determined and approved by the City of Graham Utility Director.
- A TRC-approved plan shall be in place before any construction activities begin.

This action is reasonable and in the public interest for the following reasons:

- This action is likely to increase tourism (Policy 2.1.8), and increase the development density of one of our industrial properties (Policy 2.4.2).



PLANNING BOARD

Recommendation & Statement of Consistency

Per NCGS 160A-383, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. The Planning Board shall advise and comment on whether the proposed amendment is consistent with the "The Graham 2035 Comprehensive Plan" and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the City Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

Kongbergs Campground (SUP1901)

Type of Request
Special Use Permit

Meeting Dates

Planning Board on February 19, 2019
City Council on March 5, 2019

☐ I move to **recommend APPROVAL** of the application as presented.

☒ I move to **recommend APPROVAL with the following conditions:**

- o Remote access to the property be provided in case of emergency.
- o Any wastewater facilities shall be flood-proofed at least 2' above the 100 year flood level.
- o A TRC-approved plan shall be in place before any construction activities begin.
- o [Insert additional or other conditions]

☐ I move to **recommend DENIAL**.

☒ I move to adopt the Findings of Fact and Conclusions of Law **as presented in the staff report**.


☐ I move to adopt the Findings of Fact and Conclusions of Law presented in the staff report
with the following revisions:

☒ The application is **consistent** with *The Graham 2035 Comprehensive Plan*.

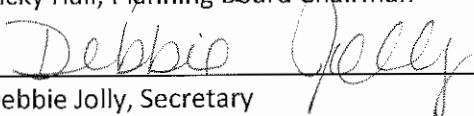
☐ The application is **not fully consistent** with *The Graham 2035 Comprehensive Plan*.

This report reflects the recommendation of the Planning Board, this the 19th day of February, 2019.

Attest:



Ricky Hall, Planning Board Chairman



Debbie Jolly, Secretary



City Council Decision & Statement of Consistency

Per NCGS 160A-383, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. When adopting or rejecting any zoning amendment, the City Council shall also approve a statement describing whether its action is consistent with the comprehensive plan and briefly explaining why the City Council considers the action taken to be reasonable and in the public interest. The Planning Board shall provide a written recommendation to the City Council, but a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the City Council.

Kronbergs Campground (SUP1901)

Type of Request
Special Use Permit

Meeting Dates
Planning Board on February 19, 2019
City Council on March 5, 2019,
April 2, 2019, May 7, 2019, June 4, 2019,
July 2, 2019

1. Choose one...

- ☐ I move that the application be **APPROVED as presented.**
- ☐ I move that the application be **APPROVED with the following conditions:**
- Remote access to the property be provided in case of emergency.
 - Sanitary sewer connections shall be designed, maintained, and operated to prevent intrusion in the event of a flood, with design parameters as determined and approved by the City of Graham Utility Director.
 - A TRC-approved plan shall be in place before any construction activities begin.
 - [Insert additional or other conditions]
- ☐ I move that the application be **DENIED.**

2. Choose one...

- ☐ I move to adopt the Findings of Fact and Conclusions of Law **as presented in the staff report.**
- ☐ I move to adopt the Findings of Fact and Conclusions of Law presented in the staff report **with the following revisions:**

3. Choose one...

- ☐ The application **is consistent** with *The Graham 2035 Comprehensive Plan.*
- ☐ The application **is not fully consistent** with *The Graham 2035 Comprehensive Plan.*

4. State reasons...

This action is reasonable and in the public interest for the following reasons:

This report reflects the decision of the City Council, this the 2nd day of July, 2019.

Attest:

Gerald R. Peterman, Mayor

Darcy L. Sperry, City Clerk



STAFF REPORT

SUBJECT:	CLOSURE OF UNOPENED PORTION OF BALDWIN ROAD
PREPARED BY:	NATHAN PAGE, PLANNING DIRECTOR

REQUESTED ACTION:

Approve Resolution Authorizing the process to close an unconstructed portion of Baldwin Road.

BACKGROUND/SUMMARY:

Mark and Wanda Blalock are requesting the removal of a proposed roadway which bisects their land on Baldwin Road. This portion of Right of Way (ROW) exists only on a Plat and has not been constructed, nor does it provide service to, or access land for anyone other than the Blalock's. Additionally, there have been no utilities located in area by the City of Graham, nor anyone who came out as a result of an 811 call by the applicant to identify any infrastructure in the proposed ROW.

The proposed ROW was offered to the City of Graham on or before Deed Book 477, Page 160 at the Alamance County Register of Deeds. Typically, with a ROW closure, half of the property reverts to the property owner of record on each side. In this case, the ROW bisects a large tract owned by one entity. As such, the property will revert back to the owner who had previously offered it to the City of Graham.

A public hearing will be held prior to the vote regarding closure of this street.

FISCAL IMPACT:

This section of roadway is not currently counted for the purposes of the Powell Bill, and therefore the City receives no funds from the state for it.

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

I move we approve the Resolution Ordering the Closing of a portion of Baldwin Road.

A RESOLUTION ORDERING THE CLOSING OF A PORTION OF BALDWIN ROAD

WHEREAS, on the 4th day of June, 2019, the City Council of the City of Graham directed the City Clerk to publish the Resolution of Intent of the City Council to consider closing a portion of Baldwin Road, a public street right-of-way as described in Exhibit A, in the Alamance News once each week for four successive weeks, such resolution advising the public that a meeting would be conducted in the Council Chambers of the Graham City Hall on July 2, 2019; and

WHEREAS, the City Council on the 4th day of June, 2019, ordered the City Clerk to notify all persons owning property abutting the portion of Baldwin Road by registered or certified mail, enclosing with such notification a copy of the Resolution of Intent; and

WHEREAS, the City Clerk has advised the Graham City Council that adequate notices were posted on the applicable street as required by G.S. 160A-299; and full and complete opportunity for all interested persons to appear and register any objections that they might have with respect to the closing of said street in the public hearing held on June 4, 2019; and

WHEREAS, it now appears to the satisfaction of the Graham City Council that the closing of a portion of said street is not contrary to the public interest, and that no individual owning property, either abutting the street or in the vicinity of the street, will as a result of the closing be thereby deprived of a reasonable means of ingress and egress to his property;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Graham that a portion of Baldwin Road, as described in Exhibit A, is hereby ordered closed, subject to any reservation of right set forth below and in accordance with G.S. 160-299(c), all right, title, and interest that may be vested in the public to said street are hereby released and quitclaimed to the abutting property owners in accordance with the provisions of G.S. 160A-299.

In accordance with G.S. 160A-299(f) the City hereby reserves all of its right, title, and interest in any utility improvement within the closed street with such reservation extends to utility improvements or easements owned by private utilities which at the time of the street closing have a utility agreement or franchise with the City. The City further declares a utility easement being described as:

Situated in the City of Graham, Graham Township, Alamance County, North Carolina.

BEGINNING AT A EXISTING IRON PIPE ,A COMMON CORNER WITH PROPERTY OF NORTH CAROLINA STATE HIGHWAY COMMISSION, THENCE N 87°32'54" E, A DISTANCE OF 202.86' TO A MATHEMATICAL POINT, THENCE S 02°48'49" W, A DISTANCE OF 14.44' TO A MATHEMATICAL POINT, THENCE S 88°55'22" W, A DISTANCE OF 203.83' TO A MATHEMATICAL POINT, THENCE N 10°34'55" E, A DISTANCE OF 9.75' TO AN EXISTING IRON PIPE, BEING THE POINT AND PLACE OF BEGINNING AND CONTAINING 0.06 ACRES AS SHOWN AS LOT 4 ON A PLAT TITLED PROPERTY OF MARK T. BLALOCK AND WANDA G. BLALOCK, COMPLETED BY CAROLINA CORNERSTONE SURVEYING, DATED 03/29/19.

In accordance with G.S. 160A-299(b) any person aggrieved by the closing of this street may appeal the Order to the General Court of Justice within thirty days of its adoption.

The Mayor and the City Clerk are hereby authorized to execute quitclaim deeds or other necessary documents in order to evidence vesting of all right, title and interest in those persons owning lots or parcels of land adjacent to the street or alley, such title, for the width of the abutting land owned by them, to extend to the centerline of the herein closed Drive in accordance with the provision of G.S. 160A-299(c).

The City Clerk is hereby ordered and directed to file in the Office of the Register of Deeds of Alamance County a certified copy of this Street Closing Order.

Upon motion duly made by Council Member _____ and duly seconded by _____, the above resolution was duly adopted by the City Council at a meeting held on the 2nd day of July 2019, in the City Hall.

Upon call for a vote, the following Council Members voted in the affirmative:

This the 2nd day of July, 2019 at 7:00 p.m.

Gerald R. Peterman, Mayor

Attest:

Darcy L. Sperry, City Clerk

NORTH CAROLINA

ALAMANCE COUNTY

I hereby certify that the foregoing is a true and accurate copy of a resolution duly adopted by the City Council of the City of Graham, North Carolina, at a meeting held on July 2, 2019, at 7:00 p.m. at the City Hall in the City of Graham.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the official corporate seal of said City to be affixed, this the ____ day of _____, 2019.

City Clerk

NORTH CAROLINA

ALAMANCE COUNTY

I, _____, a Notary Public, do hereby certify that
_____, City Clerk, personally appeared before me this day and acknowledged the due
execution of the foregoing certification, for the purposes therein expressed.

WITNESS my hand and notarial seal this _____ day of _____, 2018.

Notary Public

My Commission Expires: _____

EXHIBIT A

Description of Portion of Baldwin Road to be Abandoned

Situated in the City of Graham, Graham Township, Alamance County, North Carolina.

BEGINNING AT A EXISTING IRON PIPE ,A COMMON CORNER WITH PROPERTY OF NORTH CAROLINA STATE HIGHWAY COMMISSION, THENCE N 87°32'54" E, A DISTANCE OF 202.86' TO A MATHEMATICAL POINT, THENCE S 02°48'49" W, A DISTANCE OF 14.44' TO A MATHEMATICAL POINT, THENCE S 88°55'22" W, A DISTANCE OF 203.83' TO A MATHEMATICAL POINT, THENCE N 10°34'55" E, A DISTANCE OF 9.75' TO AN EXISTING IRON PIPE, BEING THE POINT AND PLACE OF BEGINNING AND CONTAINING 0.06 ACRES AS SHOWN AS LOT 4 ON A PLAT TITLED PROPERTY OF MARK T. BLALOCK AND WANDA G. BLALOCK, COMPLETED BY CAROLINA CORNERSTONE SURVEYING, DATED 03/29/19.

CERTIFICATE OF ACCURACY
I, JAMES H. LOWE, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 2967, page 612, etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book 2967, page 612, that the ratio of precision or positional accuracy as calculated is 1:10000; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration license number and seal this 14 day of MAY, A.D., 2019.

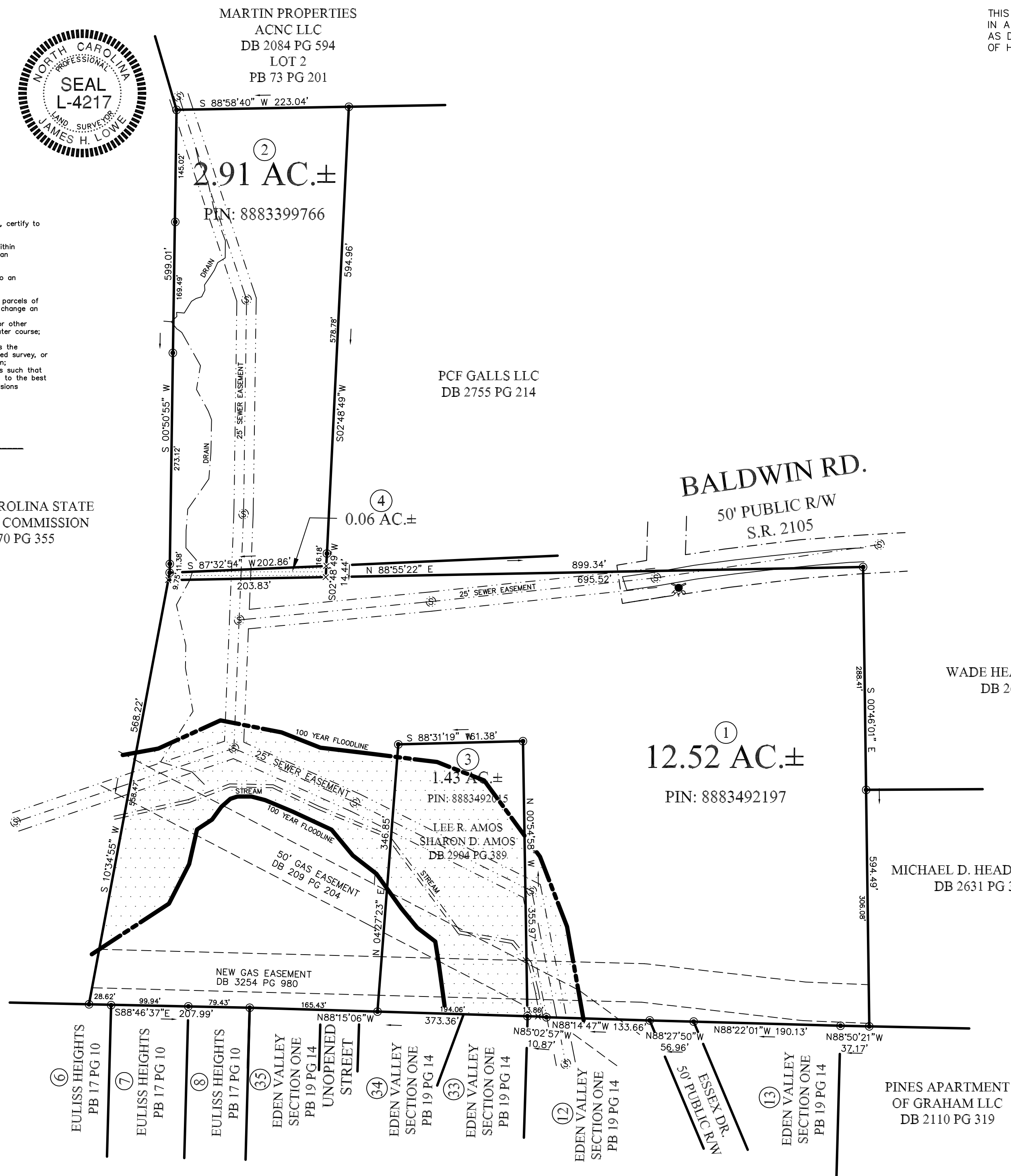
James H. Lowe
JAMES H. LOWE PLS L-4217

Certificate of Purpose of Plat
I, James H. Lowe, professional land surveyor No. L-4217, certify to one or more of the following as indicated thus, ■ :

- a. That the survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land;
- b. That the survey is located in a portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land;
- c. Any one of the following:
 1. That the survey is of an existing parcel or parcels of land and does not create a new street or change an existing street;
 2. That the survey is of an existing building or other structure, or natural feature, such as a water course;
 3. That the survey is a control corner.
- d. That the survey is of another category, such as the recombination of existing parcels, a court ordered survey, or another exception to the definition of subdivision;
- e. That the information available to the surveyor is such that the surveyor is unable to make a determination to the best of the surveyor's professional ability as to provisions contained in (a) through (d) above.

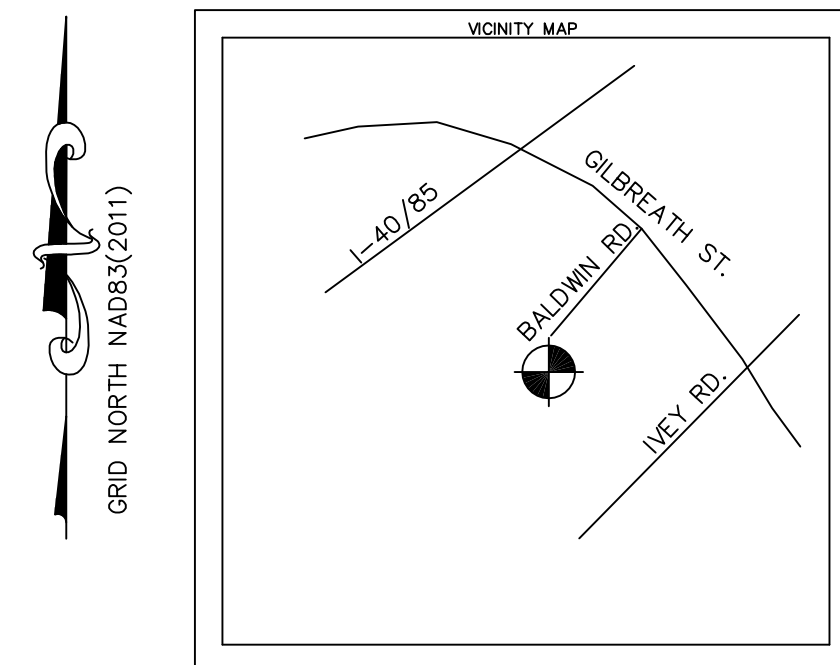
James H. Lowe
James H. Lowe Professional Land Surveyor L-4217

NORTH CAROLINA STATE
HIGHWAY COMMISSION
DB 170 PG 355



THIS PROPERTY IS ☒ IS NOT ☐
IN A SPECIAL FLOOD HAZARD AREA
AS DETERMINED BY THE DEPARTMENT
OF HOUSING AND URBAN DEVELOPMENT.

LEGEND
Existing Iron Pipe
Mathematical Point



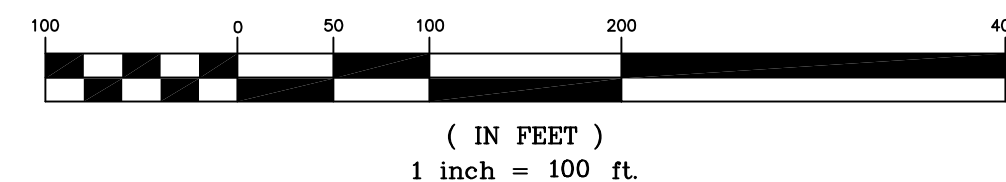
NOTES:

- A) NO TITLE SEARCH WAS PERFORMED BY THIS FIRM DURING THE COURSE OF THIS SURVEY
- B) THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS OF RECORD ATTESTING SAME.
- C) THIS FIRM MAKES NO GUARANTEE AS TO THE EXISTENCE OR LOCATION OF ANY UNDERGROUND UTILITIES OR IMPROVEMENTS ON OR ACROSS THIS PROPERTY. ANY UNDERGROUND UTILITIES OR IMPROVEMENTS SHOWN HEREON HAVE BEEN LOCATED FROM VISIBLE EVIDENCE AND AVAILABLE INFORMATION.
- D) SURVEY IS TIED TO NC GRID NETWORK NAD83 (2011).
- E) THERE ARE NO ENCROACHMENTS WITHIN THE COUNTY SETBACKS.
- F) FLAGGING ALONG PROPERTY LINES ARE FOR INFORMATIONAL PURPOSES ONLY AND TO SHOW APPROXIMATE LOCATION OF PROPERTY LINES. THIS SHOULD NOT BE CONSIDERED AS THE EXACT LOCATION OF PROPERTY LINES.

WADE HEADEN HEIRS
DB 268 PG 5

MICHAEL D. HEADEN ETAL.
DB 2631 PG 335

PROPERTY OF
MARK T. BLALOCK
AND
WANDA G. BLALOCK
GRAHAM TOWNSHIP
ALAMANCE COUNTY, NORTH CAROLINA
GRAPHIC SCALE



CAROLINA CORNERSTONE
SURVEYING & LAND DESIGN
3028-D ROCK HILL ROAD
BURLINGTON, NORTH CAROLINA 27215
(336) 222-1856 (336) 215-2539
BUSINESS LIC: F-0975 WWW.CAROLINACORNERSTONE.COM

SCALE: 1" = 100'

DATE: 03/29/19

SURVEY BY: DEK & GB

DWG BY: JHL

APP'D BY: JHL

PARCEL ID: 144752 & 144531

FILE: 190124CLOSURE



STAFF REPORT

SUBJECT:	ANNEXATION OF AN AREA OFF ROGERS ROAD
PREPARED BY:	NATHAN PAGE, PLANNING DIRECTOR

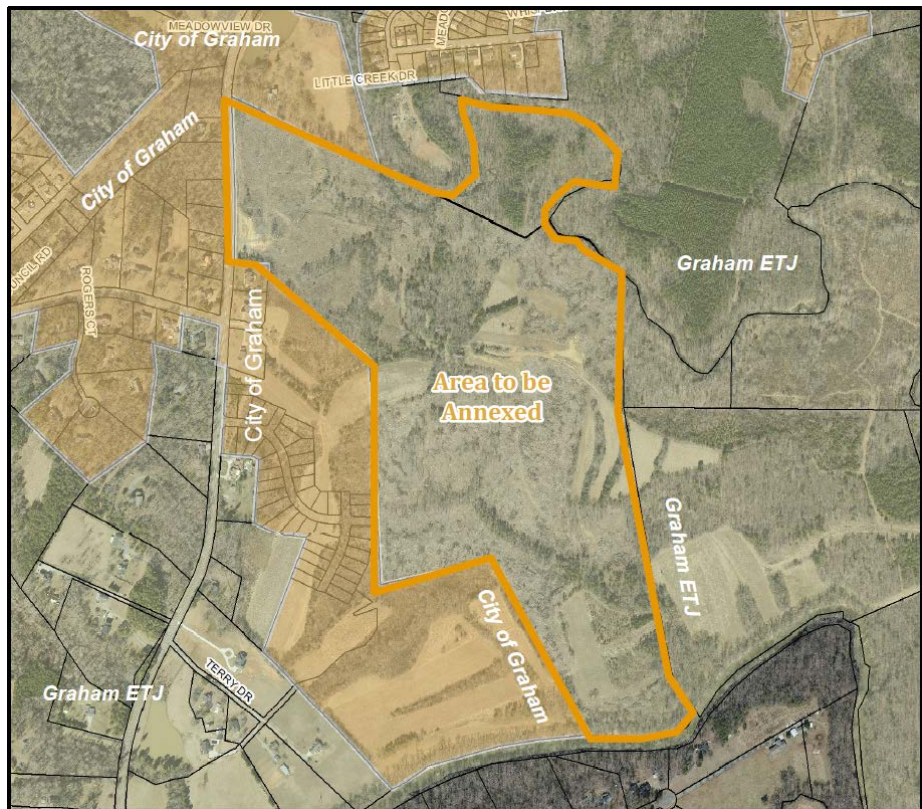
REQUESTED ACTION:

Approve the Annexation Ordinance to Extend the Corporate Limits of the City of Graham, North Carolina, for an area located off Rogers Road.

BACKGROUND/SUMMARY:

The attached petition seeks the Council's approval for an extension of the corporate limits to include the subject property. The area being considered for annexation is off Rogers Road (Approx 111.44). Water and Sewer are both available at this location.

The annexation process has multiple steps. Following a public hearing, approval of an Annexation Ordinance is the final step for Council in the annexation process.



FISCAL IMPACT:

The fiscal impact of this annexation to the city is unknown. While the area will have new City streets to maintain, the developer will construct them to the City's standard prior to their adoption as public.

STAFF RECOMMENDATION:

Approval. The adoption of the subject property will afford the property access to City services.

SUGGESTED MOTION(S):

I move we approve the Annexation Ordinance to Extend the Corporate limits of the City of Graham, North Carolina, for an area off Rogers Road.

**ANNEXATION ORDINANCE
TO EXTEND THE CORPORATE LIMITS
OF THE
CITY OF GRAHAM, NORTH CAROLINA
FOR AN AREA OFF ROGERS ROAD (AN1901)**

WHEREAS, the Graham City Council has been petitioned under G.S. 160A-31 to annex the area described below; and

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

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at City Hall, 201 South Main Street, Graham at 7:00 P.M. on July 2, 2019, after due notice by publication on June 20, 2019; and

WHEREAS, the Graham City Council finds that the petition meets the requirements of G.S. 160A-31;

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the City of Graham as of July 31, 2019:

ALL of that certain piece, parcel or tract of land lying and being in the City of Graham, Graham Township, Alamance County, North Carolina, and being more particularly described as follows:

DESCRIPTION IS OF THE DIXIE W. ROGERS ETAL PROPERTY AS RECORDED IN DEED BOOK 550, PAGE 473 OF THE ALAMANCE COUNTY REGISTER OF DEEDS AND BEING PARCEL ID # 130476 TOGETHER WITH A PORTION OF THE SHOFFNER LAND AND TIMBER, LLC PROPERTY AS RECORDED IN DEED BOOK 2512, PAGE 695 OF THE ALAMANCE COUNTY REGISTER OF DEEDS AND BEING PARCEL ID # 131641 AND IS AS FOLLOWS:

BEGINNING AT AN EXISTING IRON PIPE, SAID PIPE HAVING A NC NAD 83 (NSRS2011) COORDINATE OF N:830,321.28, E:1,878,218.84, SAID PIPE ALSO BEING A COMMON CORNER WITH THE JEAN S BONEY REVOCABLE TRUST PROPERTY AS DESCRIBED IN DEED BOOK 2519, PAGE 613; THENCE WITH THE EASTERN LINE OF THE JEAN S BONEY REVOCABLE TRUST PROPERTY

S 64°05'28" E FOR A DISTANCE OF 835.66 FEET TO AN EXISTING 1" PINCH TOP; THENCE CONTINUING WITH THE EASTERN LINE OF THE JEAN S BONEY REVOCABLE TRUST PROPERTY S 64°16'27" E FOR A DISTANCE OF 160.00 FEET TO A CALCULATED POINT IN THE CENTERLINE OF LITTLE ALAMANCE CREEK, SAID POINT BEING A COMMON CORNER WITH THE SHOFFNER LAND AND TIMBER, LLC PROPERTY AS DESCRIBED IN DEED BOOK 2512, PAGE 695; THENCE WITH THE SHOFFNER LAND AND TIMBER, LLC. PROPERTY S 64°16'27" E FOR A DISTANCE OF 335.12 FEET TO A POINT IN THE CENTERLINE OF LITTLE ALAMANCE CREEK; THENCE THE FOLLOWING TWENTYTWO (22) CALLS TO CALCULATED POINTS IN THE CENTERLINE OF LITTLE ALAMANCE CREEK,

- (1) N 55°15'21" E FOR A DISTANCE OF 54.94 FEET; THENCE
- (2) N 85°15'23" E FOR A DISTANCE OF 148.60 FEET; THENCE
- (3) N 40°16'02" E FOR A DISTANCE OF 115.52 FEET; THENCE
- (4) N 18°10'36" W FOR A DISTANCE OF 154.72 FEET; THENCE
- (5) N 12°52'15" W FOR A DISTANCE OF 256.88 FEET; THENCE
- (6) N 34°43'03" E FOR A DISTANCE OF 75.43 FEET; THENCE WITH THE MARTIN L. SHOFFNER PROPERTY AS RECORDED IN DEED BOOK 3440, PAGE 381,
- (7) S 81°45'47" E FOR A DISTANCE OF 169.58 FEET; THENCE
- (8) S 84°04'09" E FOR A DISTANCE OF 263.67 FEET; THENCE
- (9) S 80°26'01" E FOR A DISTANCE OF 114.19 FEET; THENCE
- (10) S 66°47'27" E FOR A DISTANCE OF 190.33 FEET; THENCE

- (11) S 37°41'56" E FOR A DISTANCE OF 209.62 FEET; THENCE
- (12) S 08°21'10" E FOR A DISTANCE OF 86.52 FEET; THENCE
- (13) S 04°35'47" W FOR A DISTANCE OF 50.86 FEET; THENCE
- (14) S 43°49'02" W FOR A DISTANCE OF 38.22 FEET; THENCE
- (15) S 82°19'35" W FOR A DISTANCE OF 146.52 FEET; THENCE
- (16) S 60°50'31" W FOR A DISTANCE OF 268.25 FEET; THENCE
- (17) S 05°47'09" W FOR A DISTANCE OF 8.69 FEET; THENCE
- (18) S 05°47'09" W FOR A DISTANCE OF 38.96 FEET; THENCE
- (19) S 33°53'21" E FOR A DISTANCE OF 143.51 FEET; THENCE
- (20) S 88°11'32" E FOR A DISTANCE OF 134.20 FEET; THENCE
- (21) S 38°14'39" E FOR A DISTANCE OF 142.86 FEET; THENCE
- (22) S 49°11'57" E FOR A DISTANCE OF 191.62 FEET;

THENCE LEAVING THE CENTERLINE OF LITTLE ALAMANCE CREEK ALONG THE SOUTHERN LINE OF THE FOUST FAMILY PROPERTIES, LLC PROPERTY AS DESCRIBED IN DEED BOOK 3520, PAGE 846 S 01°38'44" W FOR A DISTANCE OF 629.73 FEET TO AN EXISTING 1 ½" IRON PIPE, SAID PIPE BEING A COMMON CORNER WITH THE ETHEL C. ROGERS HEIRS PROPERTY AS DESCRIBED IN DEED BOOK 205, PAGE 536; THENCE WITH THE ETHEL C. ROGERS HEIRS PROPERTY THE FOLLOWING FOUR (4) CALLS,

- (1) N 88°54'32" W FOR A DISTANCE OF 131.76 FEET TO AN EXISTING 1 ½" IRON PIPE; THENCE
- (2) S 10°42'15" E FOR A DISTANCE OF 1838.49 FEET TO AN EXISTING ¾" IRON REBAR; THENCE
- (3) S 39°16'16" E FOR A DISTANCE OF 199.48 FEET TO AN EXISTING ½" IRON REBAR; THENCE
- (4) S 39°16'16" E FOR A DISTANCE OF 10.00 FEET TO A CALCULATED POINT ON THE TOP OF BANK OF BIG ALAMANCE CREEK;

THENCE WITH THE TOP OF BANK OF BIG ALAMANCE CREEK THE FOLLOWING SIX (6) CALLS TO CALCULATED POINTS ON THE TOP OF BANK

- (1) S 55°03'43" W FOR A DISTANCE OF 69.03 FEET; THENCE
- (2) S 79°57'14" W FOR A DISTANCE OF 67.12 FEET; THENCE
- (3) N 88°04'58" W FOR A DISTANCE OF 81.66 FEET; THENCE
- (4) S 87°26'28" W FOR A DISTANCE OF 98.46 FEET; THENCE
- (5) N 86°14'49" W FOR A DISTANCE OF 136.25 FEET; THENCE
- (6) S 75°45'24" W FOR A DISTANCE OF 103.48 FEET;

THENCE LEAVING THE TOP OF BANK OF BIG ALAMANCE CREEK ALONG THE EASTERN LINE OF THE FORKS OF ALAMANCE SUBDIVISION PROPERTY AS SHOWN ON PLAT BOOK 78, PAGE 426/427 THE FOLLOWING SEVEN (7) CALLS,

- (1) N 29°16'44" W FOR A DISTANCE OF 167.91 FEET TO A ¾" EXISTING IRON REBAR; THENCE
- (2) N 29°16'44" W FOR A DISTANCE OF 1029.54 FEET TO A ¾" EXISTING IRON REBAR; THENCE
- (3) S 76°47'52" W FOR A DISTANCE OF 400.34 FEET TO A ½" EXISTING IRON REBAR; THENCE
- (4) S 76°47'52" W FOR A DISTANCE OF 260.10 FEET TO A 1" EXISTING IRON PIPE; THENCE
- (5) N 03°19'45" W FOR A DISTANCE OF 664.75 FEET TO A ½" EXISTING IRON REBAR; THENCE
- (6) N 03°19'45" W FOR A DISTANCE OF 654.40 FEET TO AN EXISTING STONE; THENCE
- (7) N 51°51'11" W FOR A DISTANCE OF 726.37 FEET TO A ½" EXISTING IRON REBAR,

SAID REBAR BEING A COMMON CORNER WITH THE CECIL AND KRISTI EAKES PROPERTY AS DESCRIBED IN DEED BOOK 2728, PAGE 926; THENCE WITH THE EAKES PROPERTY THE FOLLOWING TWO (2) CALLS,

- (1) N 04°08'29" E FOR A DISTANCE OF 76.80 FEET TO AN IRON REBAR SET; THENCE
- (2) N 85°50'09" W FOR A DISTANCE OF 199.96 FEET TO A ¾" EXISTING IRON PIPE,

SAID IRON PIPE BEING IN THE EASTERN RIGHT OF WAY OF ROGERS ROAD, STATE ROAD # 2309; THENCE WITH THE RIGHT OF WAY OF ROGERS ROAD THE FOLLOWING FOUR (4) CALLS

- (1) ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2896.77 FEET AND A CHORD BEARING AND DISTANCE OF N 01°20'00" E FOR A DISTANCE OF 250.87 FEET TO AN IRON REBAR SET; THENCE
- (2) N 01°19'11" W FOR A DISTANCE OF 238.26 FEET TO AN IRON REBAR SET; THENCE
- (3) N 02°09'46" W FOR A DISTANCE OF 374.54 FEET TO AN IRON REBAR SET; THENCE
- (4) N 00°14'45" W FOR A DISTANCE OF 76.39 FEET TO AN IRON REBAR SET;

THENCE LEAVING THE RIGHT OF WAY OF ROGERS ROAD ALONG THE SOUTHERN PROPERTY LINE OF THE JEAN S BONEY REVOCABLE TRUST PROPERTY AS DESCRIBED IN DEED BOOK 2519, PAGE 613 THE FOLLOWING,

S 64°05'28" E FOR A DISTANCE OF 5.36 FEET TO THE POINT AND PLACE OF BEGINNING AND CONTAINING 111.439 ACRES MORE OR LESS AS SHOWN ON A SURVEY PLAT BY GREEN MOUNTAIN ENGINEERING AND BEING GME PROJECT NUMBER 17-096.

Section 2. Upon and after July 31, 2019, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Graham and shall be entitled to the same privileges and benefits as other parts of the City of Graham. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

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

Adopted this, the 2nd day of July, 2019.

Gerald R. Peterman, Mayor

ATTEST:

Darcy L. Sperry, City Clerk

APPROVED AS TO FORM:

Bryan Coleman, City Attorney

MAY 14 2019

P.O. Drawer 357
201 South Main Street
Graham, NC 27253
(336) 570-6705
Fax (336) 570-6703
www.cityofgraham.com

attach additional sheets if necessary...

SURVEYOR'S CERTIFICATION:

I VINCENT C. TOWNSEND, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK SEE, PAGE MAP; THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN BOOK SEE, PAGE MAP; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 1:10,000±; AND THAT THE PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

I VINCENT C. TOWNSEND, CERTIFY THAT THIS IS A SURVEY OF AN EXISTING PARCEL OR PARCELS OF LAND, OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

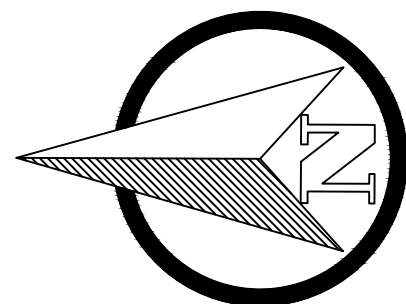
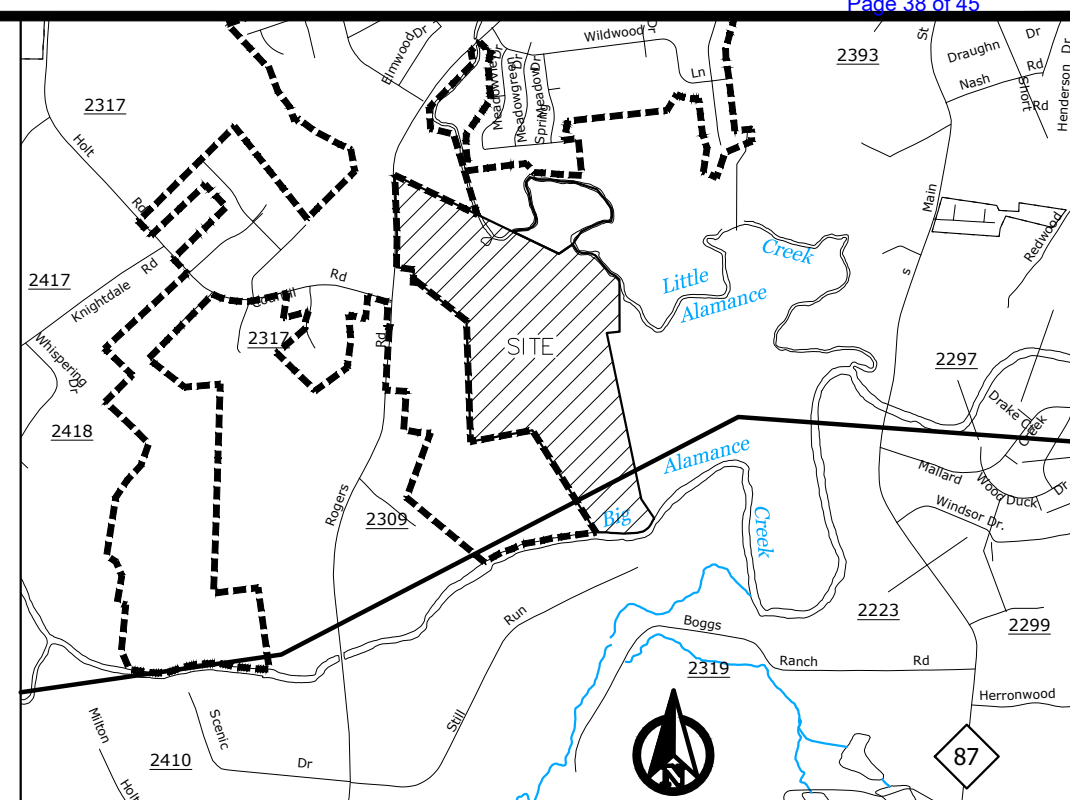
WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS _____ DAY OF APRIL, 2019.

PROFESSIONAL LAND SURVEYOR



Line #	Length	Direction
L1	54.94	N55° 15' 21"E
L2	148.60	N85° 15' 23"E
L3	115.52	N40° 16' 02"E
L4	154.72	N18° 10' 36"W
L5	256.88	N12° 52' 15"W
L6	75.43	N34° 43' 03"E
L7	169.58	S81° 45' 47"E
L8	263.67	S84° 04' 09"E
L9	114.19	S80° 26' 01"E
L10	190.33	S66° 47' 27"E
L11	209.62	S37° 41' 56"E

Line #	Length	Direction
L12	86.52	S8° 21' 10"E
L13	50.86	S4° 35' 47"W
L14	38.22	S43° 49' 02"W
L15	146.52	S82° 19' 35"W
L16	268.25	S60° 50' 31"W
L17	8.69	S5° 47' 09"W
L18	38.96	S5° 47' 09"W
L19	143.51	S33° 53' 21"E
L20	134.20	S88° 11' 32"E
L21	142.86	S38° 14' 39"E
L22	191.62	S49° 11' 57"E

NC NAD83
NSRS 2011VICINITY MAP
SCALE: 1" = 2000'**CITY OF GRAHAM ANNEXATION APPROVAL**

ANNEXATION APPROVED BY THE GRAHAM CITY COUNCIL ON THE _____ DAY OF _____, 2019, WITH AN EFFECTIVE DATE OF _____ PROVIDED THAT THE PLAT BE RECORDED WITHIN SIXTY DAYS OF FINAL APPROVAL.

BY _____ MAYOR _____ DATE _____

ATTEST _____ CITY CLERK _____ DATE _____

REVIEW OFFICER'S CERTIFICATE
ALAMANCE COUNTY, NORTH CAROLINA

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

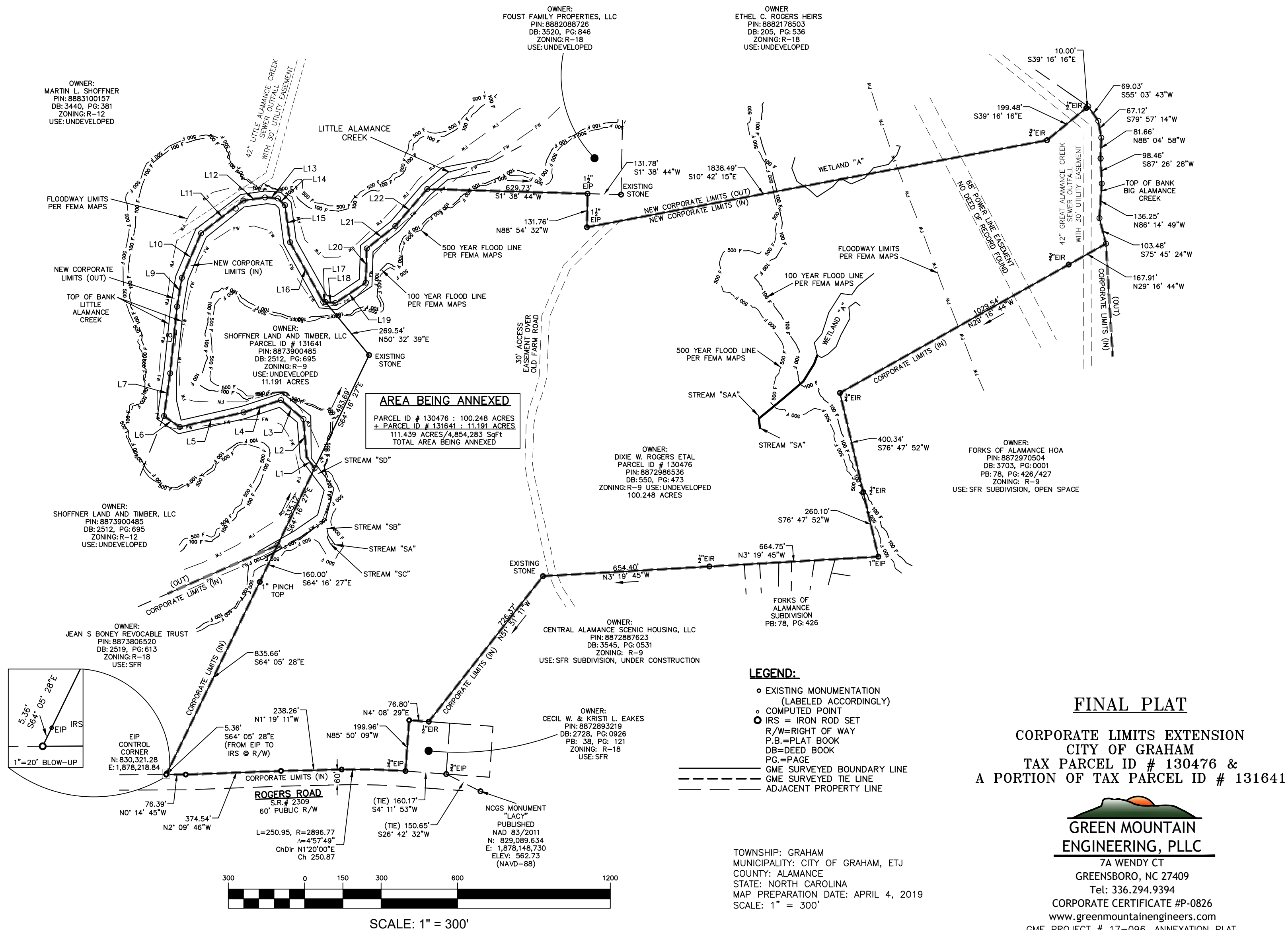
SIGNED: _____ DATE _____

PROPERTY DATA:

- 1) DEED REFERENCE: DB 550, PG 473, DB 2512, PG 695
- 2) PARCEL ID # 130476, PORTION OF # 131641
- 3) PARCEL PIN # 8872986536, PORTION OF PIN # 8873900485
- 4) EXIST. NO. OF LOTS: 2 LOT
- 5) CURRENT ZONING: R-9 (GRAHAM ETJ)
- 6) CURRENT LAND USE: UNDEVELOPED
- 7) OWNER: ROGERS, DIXIE ET AL SHOFFNER LAND AND TIMBER, LLC.
1526 ROGERS ROAD 1468 TROLLINGWOOD HAWFIELDS RD
GRAHAM, NC 27253 MEBANE, NC 27302
- 8) NO WETLANDS PERMITTING HAS BEEN UNDERTAKEN AT THIS TIME.

SURVEY NOTES:

1. THIS PROPERTY IS SUBJECT TO ANY EASEMENTS, AGREEMENTS, OR RIGHTS-OF-WAY OF RECORD PRIOR TO THE DATE OF THIS MAP WHICH WERE NOT APPARENT AT THE TIME OF OUR FIELD INSPECTION.
2. THE SURVEYOR HAS NOT PERFORMED A TITLE SEARCH, THEREFORE, THIS MAP IS SUBJECT TO ANY AND ALL FACTS THAT AN ACCURATE TITLE SEARCH MAY DISCLOSE.
3. NO SUBSURFACE INVESTIGATION HAS BEEN DONE AT THIS TIME. UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM ACTUAL FIELD LOCATIONS AND/OR MAPS BY OTHERS.
4. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE INDICATED.
5. BEARINGS AROUND SUBJECT PROPERTY ARE ORIENTED TO THE BEARING BASE REFERENCE IN THE NORTH ARROW. ALL GRID BEARINGS ARE SO NOTED.
6. IRON PINS (#4 REBAR) SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
7. A PORTION OF THE SUBJECT PROPERTY DOES LIE WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA MAP # 3710887200K, 3710888300K, 3710887300K, 3710888200K, 3710888300K, DATED 11/17/2017.





STAFF REPORT

SUBJECT:	ENCROACHMENT LICENSE AGREEMENT REQUEST BY JASON COX
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

REQUESTED ACTION:

Authorize the City manager and City Attorney to enter into an encroachment license agreement with Jason Cox for a proposed grease trap on W. Elm Street side of 20 SW Court Square property.

BACKGROUND/SUMMARY:

Jason Cox has submitted a written request and supporting photos for a proposed grease trap to be installed within the sidewalk on the W. Elm Street side of the property located at 20 SW Court Square. The intent of the grease trap is to serve a future restaurant at the location. An encroachment license agreement approved by City Council is required pursuant to [Sec. 18-2\(c\)](#) of the City's Code of Ordinances.

City staff has met and concurs with the proposed location of the grease trap. Historic Resources Commission approval is not required for this installation.



FISCAL IMPACT:

There is a nominal expense to the City for costs associated with processing and monitoring of the license.

STAFF RECOMMENDATION:

Staff recommends approval. The proposed project has received all necessary reviews and approvals, and there appears to be no conflict with other uses within the Right of Way.

SUGGESTED MOTION(S):

I move to authorize the City Manager and City Attorney to enter into an encroachment license agreement with Jason Cox for a proposed grease trap on the W. Elm Street side of the 20 SW Court Square property as identified by the submitted photos with the following condition(s):

- Provide proof and maintenance of \$1,000,000 in liability insurance with the City as additional insured.
- Provide a final survey to confirm approved use of public space.
- Improvements under the Encroachment License must be made prior to the expiration of the building permit.

ENCROACHMENT REQUEST FOR GREASE TRAP INSTALLATION
20 SW Court Square

In order to prepare the above property for future use as a restaurant, a grease trap must be installed for this property.

After utility locating and an on-site review with City Water and Sewer staff members, (Tonya Mann, Shelby Smith, Ladd Nall) it was determined that the best location for such to be installed is in the sidewalk on W Elm St.

Any installation will meet any building code & city ordinance requirements, is subject to inspection by applicable City staff, and will include repairs to any sidewalk affected.

AERIAL VIEW

Grease trap would be installed on sidewalk directly North of building, as close to building as possible.



STREET VIEW



UTILITY LOCATING

Sewer location noted in green. Grease trap would be installed against building, in line w/ sewer as marked.







I make a motion to go into Closed Session to Consider the Performance of the City Manager Pursuant to the Terms of *N.C.G.S. §. 143-318-11 (a) (6)*.