

Graham City Council
 Virtual Meeting Agenda
 Tuesday, October 13, 2020 @ 6:00 P.M.



Meeting called to order by the Mayor
 Invocation

1. Consent Agenda:

- a. Approve Minutes – September 8, 2020 Regular Session (Virtual)
- b. Approve Tax Releases
- c. Approve Resolution Authorizing Conveyance of Surplus Gym Equipment to Alamance-Burlington School System Pursuant to G.S. 160A-274
- d. Petition for Voluntary Contiguous Annexation for 34.441 acres located off Darrell Drive and Council Road (GPIN 8873608974) (AN2005):
 - i. Approve Resolution Requesting City Clerk to Investigate Sufficiency
 - ii. Approve Resolution Fixing Date of Public Hearing on Question of Annexation

2. Old Business:

- a. Public Hearing: Cherry Creek (GPIN 8893465385, 8893762882, 8893587021, 8893682433 & 8893585808)
 - i. AN2004 Cherry Creek. Annexation Ordinance for Voluntary Non-Contiguous Annexation for 21.619 acres located on Sugar Ridge Road and Jimmie Kerr Road
 - ii. CR2003 Cherry Creek. Application by Tony Tate for rezoning and initiation of zoning for 70 (+/-) acres off Sugar Ridge Road and Jimmie Kerr Road
- b. S2004 Cherry Creek. Application by Tony Tate for subdivision for 70 (+/-) acres off Sugar Ridge Road and Jimmie Kerr Road

3. Requests & Petitions from Citizens:

- a. Request by Sylvester Allen to close Sesquicentennial Park from 5:30 p.m. – 8:00 p.m. on Saturday, October 24, 2020 for a demonstration honoring Wyatt Outlaw

4. Boards & Commissions Appointments:

- a. Historic Resources Commission 1 Vacancy Term Expires 2021

Jeanette Beaudry	Zipporah Clark-Baldwin
Matthew Haley	Kaitlyn Moore
Stephen West	

5. Issues Not on Tonight’s Agenda (Public Comment Period)

How to Access the October 13, 2020 Virtual Meeting:

<https://us02web.zoom.us/j/84860697966?pwd=YlpMNHdrNCt4amh4UDRSbVU3dEY3QT09>

Passcode: 484257

Or iPhone one-tap :

US: +13017158592,,84860697966# or +13126266799,,84860697966#

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

US: +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 9128

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**CITY OF GRAHAM
VIRTUAL SESSION
TUESDAY, SEPTEMBER 8, 2020
6:00 P.M.**

The City Council of the City of Graham met in virtual session at 6:00 p.m. on Tuesday, September 8, 2020, via livestreaming media.

Council Members Present:

Mayor Jerry Peterman
Mayor Pro Tem Chip Turner
Council Member Melody Wiggins
Council Member Jennifer Talley
Council Member Ricky Hall

Staff Present:

Frankie Maness, City Manager
Aaron Holland, Assistant City Manager
Darcy Sperry, City Clerk
Bryan Coleman, City Attorney
Nathan Page, Planning Director
Jeff Wilson, IT Systems Manager
Mary Faucette, Downtown Development Coordinator

Mayor Jerry Peterman called the meeting to order and presided at 6:16 p.m. Mayor Peterman gave the invocation and everyone stood to recite the Pledge of Allegiance.

Consent Agenda:

- a. *Approve Minutes – August 11, 2020 Regular Session (Virtual)*
- b. *Approve Tax Releases*

CITY OF GRAHAM RELEASE ACCOUNTS				
SEPTEMBER				
<u>ACCT #</u>	<u>YEAR</u>	<u>NAME</u>	<u>REASON FOR RELEASE</u>	<u>AMOUNT RELEASED</u>
608275	18-19	CRESO CAPITAL INC	BPP HAD NOT BEEN DEPRECIATED	131.57
678740	2020	MIXON, MITCHELL ALEXANDER	DID NOT OWN JAN 1	19.46
692162	2020	OLIVER, GORDON	BILLED TO NEW OWNER PER PARK OPERATOR	53.24
679190	2020	CARROLL, DEBRA F	QUALIFIED FOR HOMESTEAD EXEMPTION	\$368.42
556168	2020	TAYLOR, BOBBY	QUALIFIED FOR DISABLED VETERANS EXCLUSION	\$204.75

- c. *Approve Resolution Setting Deadline for Agenda Packet Items*

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAHAM, NORTH
CAROLINA TO ADOPT A DEADLINE FOR ITEMS TO BE PLACED IN THE
AGENDA PACKET FOR THE REGULAR MONTHLY MEETING**

WHEREAS, in 2016, City Council directed staff to establish a deadline for items to be included in the City Council agenda packet; and

WHEREAS, staff established an informal deadline of the Wednesday prior to the City Council's regularly scheduled monthly meeting; and

WHEREAS, timely submission of information will afford accurate preparation of materials;

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Graham hereby adopts, by way of this resolution, a deadline for submission of agenda items of 5:00pm on the Tuesday before the regularly scheduled monthly meeting of the City Council of the City of Graham, North Carolina.

ADOPTED this the Eighth day of September, 2020.

Mayor Peterman asked Council Members if they would like to pull any of the items from the Consent Agenda. Council Member Jennifer Talley asked to pull item "c".

Council Member Ricky Hall made a motion to approve items "a" and "b" on the Consent Agenda, seconded by Council Member Melody Wiggins. Mayor Peterman polled the Council Members and all voted in favor of the motion.

Concerning item "c", Council Member Talley questioned the process for placing items on the agenda. Council Member Hall made a motion to approve item "c" on the Consent Agenda, seconded by Council Member Talley. Mayor Peterman polled the Council Members and all voted in favor of the motion.

Old Business/Recommendations from Planning Board:

- a. **Public Hearing: AN2003 1455 East Harden Street. Annexation Ordinance for Voluntary Contiguous Annexation for 6.37 acres located at 1455 East Harden Street (GPIN 8893072659)***

Assistant City Manager Aaron Holland explained that the petitioner seeks Council approval for an extension of the corporate limits to include the subject property. He added that water is available at this location, and the applicant wishes to tie onto the City water lines. 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. Staff recommends approval.

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

Council Member Wiggins made a motion to approve the Annexation Ordinance to Extend the Corporate limits of the City of Graham, North Carolina, for 1455 East Harden Street, seconded by Council Member Hall. Mayor Peterman polled the Council Members and all voted in favor of the motion.

ANNEXATION ORDINANCE
TO EXTEND THE CORPORATE LIMITS
OF THE
CITY OF GRAHAM, NORTH CAROLINA
FOR 1455 E HARDEN STREET (AN2003)

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 6:00 P.M. on September 8, 2020, after due notice by publication on August 20, 2020; 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 September 30, 2020:

A certain tract or parcel of land situated in Graham Township, Alamance County, North Carolina, adjoining the lands of NC Highway 54 (E. Harden Street), City of Graham and Michael P Hodges and wife Brenda B. Hodges and being more particularly described as follows:

Beginning at an existing iron pin in the southern margin of the 120 feet right of way of NC Highway 54 (E. Harden Street) and in the western line of the City of Graham; running thence along and continuous with the existing corporate limits line of the City of Graham S 5° 49' 00" W 178.23 feet to an existing iron pin, corner with the City of Graham; running again along and continuous with the northern corporate limits line of the City of Graham, N 88° 27' 00" W 551.88 feet to an existing iron corner pin in the property line of the City of Graham, continuing with the City of Graham N 87° 42' 00" W 401.42 feet to an existing iron pin in the property line of the City of Graham, continuing with the City of Graham N 87° 42' 00" W 223.70 feet to an existing iron pin in the property line of the City of Graham, continuing with the City of Graham and the eastern boundary of Michael P Hodges and wife Brenda B Hodges, N 67° 30' 31" E 827.12 feet to an existing iron pin, continuing again with Hodges, N 83° 53' 02" E 35.15 feet to an existing iron pin, corner of Hodges, continuing again with Hodges N 60° 22' 57" E 170.18 feet to an existing iron pin corner with Hodges in the southern margin of the 120 feet right of way of NC Highway 54(E. Harden Street); thence along the southern margin of the 120 feet right of way of NC Highway 54(E. Harden Street) S 42° 41' 58" E 12.00 feet to an existing iron pin; running thence again with the southern margin of the 120 foot right of way of NC Highway 54(E. Harden Street), S 42° 48' 33" E 351.87 feet to the point of beginning and containing 6.37 acres ± (0.0099 square miles) and being an extension of the City of Graham Corporate Limits.

The foregoing description was taken from a map prepared by Boswell Surveyors, Inc. dated 5/21/2020 entitled Final Plat, Voluntary Satellite Annexation Corporate Limits Extension City of Graham.

Section 2. Upon and after September 30, 2020, 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 8th day of September, 2020.

b. Public Hearing: Riley's Meadow (GPIN 8893856817 & 8893762882)

- i. AN2002 Riley's Meadow. Annexation Ordinance for Voluntary Non-Contiguous Annexation for 77 acres located on Jim Minor Road*

Mr. Holland explained that this is a request to extend the corporate limits of the City of Graham, North Carolina, for two lots off Jim Minor Road. He added the 77 +/- acre area being considered for annexation is noncontiguous. While sewer is near the lot, the applicant anticipates extending municipal water service to the location. Mr. Holland advised that 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. Staff recommends approval.

Council Member Talley asked Planning Director Nathan Page to go through the list of conditions the Planning Board recommended. Mr. Page advised that conditions cannot be placed on annexations and that the list she was referring to was for the zoning request that will be presented to Council if annexation is approved.

With no further questions forthcoming, Mayor Peterman opened the Public Hearing. The following individuals addressed Council Members via the livestream:

Patty Allen-265 W. Shannon Dr. Graham	Kim Minter-1906 Jimmie Kerr Rd. Haw River
Tony Tate-5011 Southpark Dr. Ste. 200 Durham	Michael White
Eric Crissman-208 Albright Ave. Graham	Brent Gonet-2033 Atlas Dr. Haw River

Mayor Peterman closed the Public Hearing. Council Member Talley asked staff about fire ratings, fire radius, school capacity, City services and police services. Council Member Wiggins inquired about what the developer could do with this property should annexation not be approved.

With no further comments forthcoming, Council Member Wiggins made a motion to approve the Annexation Ordinance to Extend the Corporate Limits of the City of Graham, North Carolina, for two lots, making up approximately 77 acres off Jim Minor Road, seconded by Mayor Pro Tem Chip Turner. Mayor Peterman polled the Council Members and all voted in favor of the motion.

ii. CR2002 Riley's Meadow. Application by Tony Tate for initiation of zoning for 77 acres off Jim Minor Road

Mr. Page explained this is a request to initiate zoning upon the subject property as Conditional Residential. The proposed use of the property is for 393 dwelling units, with a mixture of townhomes and single-family detached units. He added that while the site is within the identified NCCP, the location of the park and the existing residential density on Atlas Drive suggest that this location may be better served by residences than an industrial complex. Mr. Page further explained that open space has been provided internal to the site, as well as to protect the wetlands and streams upon the site. This development is across the street from the Graham Regional Park, which has recently opened the second phase. Staff recommends approval. Mr. Page presented a video submitted by the developer.

Council Member Talley advised that she has heard push back from the realtors heard in the video. She expressed concern with density, setbacks, fire safety, open space, water runoff, building materials and traffic impact. Following a brief discussion between Council Member Wiggins and Mr. Page about Technical Review Committee's role in development, Mayor Peterman opened the Public Hearing.

The following individuals addressed Council Members via the livestream:

Patty Allen-265 W. Shannon Dr. Graham	Kim Minter-1906 Jimmie Kerr Rd. Haw River
Janell Woody-2065 Atlas Dr. Haw River	Angela Willis-1408 N. Jim Minor Rd. Haw River
Andrew Cagle-1322 N. Jim Minor Rd. Haw River	Brent Gonet-2033 Atlas Dr. Haw River
Don Freeman-2025 Atlas Dr. Haw River	Tony Tate-2011 Southpark Dr. Ste. 200 Durham
Scott Gollnick-2001 Atlas Dr. Haw River	

With no further comments from the public forthcoming, Mayor Peterman closed the Public Hearing.

Council Member Talley asked Mr. Tate about home price point, school and traffic impact studies and building materials, open space and additional storage units. She asked Mayor Peterman about fire safety. Mayor Pro Tem Turner asked about turn lanes and street maintenance. Mayor Peterman stated that he believes this property has to come with density for the City not to lose money. Staff encouraged Council to use The 2035 Graham Comprehensive Plan to fend off any potential lawsuits. Mayor Peterman asked Mr. Tate if amenities could be included in phase I of the development. Mr. Tate stated that they could be put in within the first 12 months. Council Member Hall inquired about off street parking. City Clerk Darcy Sperry read a public comment she received via email from Stephanie Wood.

With no further questions forthcoming, Council Member Wiggins made a motion that the application be approved with the following conditions:

- A minimum of 5-foot setbacks
- The pool and cabana would be completed with the first phase;

Council Member Wiggins added the application is consistent with The Graham 2035 Comprehensive Plan and this action is reasonable and in the public interest for the following reasons: Rezoning the property would be in consistence with Policy 3.2.4, 5.2.1, and Strategy 4.3.1 of The Graham 2035 Comprehensive Plan. Mayor Pro Tem Turner seconded the motion. Mayor Peterman polled the Council Members. Ayes: Council Member Wiggins, Mayor Pro Tem Turner and Mayor Peterman. Nays: Council Member Talley and Council Member Hall. Motion carried 3:2.

c. S2002 Riley's Meadow. Application by Tony Tate for subdivision for 77 acres off Jim Minor Road

Mr. Page stated that approval of this request is a formality, as this meets the standard of the conditional zoning just approved. He explained this is a request to subdivide the approximately 77 acres of the subject property for approximately 400 residential lots. The properties are across the road from the Graham Regional Park.

With no comments forthcoming, Council Member Talley made a motion to deny, seconded by Council Member Hall. Mayor Peterman polled the Council Members. Ayes: Council Member Talley and Council Member Hall. Nays: Mayor Peterman, Mayor Pro Tem Turner and Council Member Wiggins. Motion failed 2:3.

Council Member Wiggins made a motion that the application be approved, the application is consistent with The Graham 2035 Comprehensive Plan and that this action is reasonable and in the public interest for the following reasons: Allowing a subdivision in this location removes households from the potential hard from floodways (Policy 4.3.1), and protects greenspace (3.2.1) and promotes a greenway trail system (4.2.1). Mayor Pro Tem Turner seconded the motion. Mayor Peterman polled the Council Members. Ayes: Council Member Wiggins, Mayor Pro Tem Turner and Mayor Peterman. Nays: Council Member Talley and Council Member Hall. Motion carried 3:2.

- d. Public Hearing: Cherry Creek (GPIN 8893465385, 8893762882, 8893587021, 8893682433 & 8893585808)***
- i. AN2004 Cherry Creek. Annexation Ordinance for Voluntary Non-Contiguous Annexation for 21.619 acres located on Sugar Ridge Road and Jimmie Kerr Road*
 - ii. CR2003 Cherry Creek. Application by Tony Tate for rezoning and initiation of zoning for 70 (+/-) acres off Sugar Ridge Road and Jimmie Kerr Road*
- e. S2004 Cherry Creek. Application by Tony Tate for subdivision for 70 (+/-) acres off Sugar Ridge Road and Jimmie Kerr Road***

Mr. Holland advised that the City had received notification by Mr. Tate asking that items “d” and “e” be postponed for one month.

Council Member Wiggins made a motion to postpone this for one month, seconded by Council Member Hall. Mayor Peterman polled the Council Members and all voted in favor of the motion.

Mayor Peterman called for a 15-minute recess.

f. Public Hearing: Text Amendments

- i. AM2003 Multifamily Setbacks. Request by Dennis Euliss to reduce the triangle setbacks for multifamily structures***

Mr. Page explained that Dennis Euliss has applied for an amendment to our Development Ordinance to change the spacing calculations for multifamily developments. Mr. Page briefly explained how calculations are currently done. Mr. Page added that Mr. Euliss proposes that in addition to the 25-foot setback from exterior property lines, all multifamily structures shall be no less than 25 feet from other dwelling structures and no closer than five feet to accessory structures.

Following a brief discussion between Council Members and staff, Mayor Peterman opened the Public Hearing. With no comments forthcoming, he closed the Public Hearing.

Council Members agreed that amending this language would help with fire fall, and the need to update some of our older Ordinances. Council Member Hall made a motion that the text amendment be approved with the following language:

- Section 10.247 Building Spacing Requirements for Multifamily Residential Buildings (Townhouses, Condominiums and Apartments)
- In addition to the 25 foot setback from exterior property lines, all multifamily structures shall be no less than 25 feet from other dwelling structures, not to be less than three-quarters of the height, and no closer than 5 feet to accessory structures (e.g. garages, clubhouses, etc.)

Council Member Hall added the text amendment is consistent with The Graham 2035 Comprehensive Plan and this action is reasonable and in the public interest for the following reason: That it is public safety of our firefighters. Mayor Pro Tem Turner seconded the motion. Mayor Peterman polled the Council Members and all voted in favor of the motion.

ii. AM2004 Residential Setbacks. Request by Mike Campbell to reduce the rear yard setbacks for residential lots

Mr. Page explained that this request is for an amendment to our Development Ordinance to reduce the rear yard setback from 20 feet to 15 feet.

Council Members and staff briefly discussed the Planning Board's suggestion that the applicant apply for a variance. Mr. Page referred to the definition of a variance and advised that in this particular case, a variance should not be granted.

With no further comments forthcoming, Mayor Peterman opened the Public Hearing.

The following individual addressed Council Members via the livestream:

Patty Allen-265 W. Shannon Dr. Graham

With no further comments forthcoming, Mayor Peterman closed the Public Hearing. Council Members continued their discussion about setbacks, variances and the fact that Council had lowered the setback to 20 feet approximately a year ago. Council Members expressed concern for changing ordinances to suit one property owner while Mr. Maness advised that many of our ordinances are antiquated and need a comprehensive look.

Council Member Talley made a motion that the text amendment be denied, the text amendment is not fully consistent with The Graham 2035 Comprehensive Plan and this action is reasonable and in the public interest for the following reasons: It is not reasonable to change the setback at this time. We just changed the setback last year and do not believe we need to do it again. Council Member Hall seconded the motion. Ayes: Council Member Talley, Council Member Hall and Mayor Peterman. Nays: Mayor Pro Tem Turner and Council Member Wiggins. Motion carried 3:2.

Requests & Petitions from Citizens:

a. Request by Travis Laughlin to close the 100 block of West Elm Street from 10 a.m. – 5 p.m. on Saturday, October 3, 2020 for a block party celebrating the life & legacy of Wyatt Outlaw

Downtown Development Coordinator Mary Faucette explained this request is being made to coincide with a celebration planned to take place in both Sesquicentennial Park and the 100 block of West Elm Street. Mr. Laughlin along with Alamance Arts, Down Home Alamance and others are coordinating a family-friendly block party activating visual and performing arts to uplift the story and lasting impact

of the life of Wyatt Outlaw. Mrs. Faucette spoke about the Covid-19 restrictions the State is under and recommends postponement of this event.

Council Members expressed concern with the restrictions we are currently under, with Mayor Peterman and Council Member Wiggins saying they hope that when this event does take place, it will attract 1,000 people or more.

With no further discussion forthcoming, Mr. Laughlin joined the livestream. Mr. Laughlin stated that he understands we are all facing the Covid challenge. He told Council that he is looking forward to bringing this event to Graham at some point in the future. Mr. Laughlin thanked Mrs. Faucette for her time and transparency throughout this process.

Mayor Peterman made a motion to ask the organizers of this event to postpone this event until a time when it will fit in the government's guidelines, seconded by Council Member Wiggins. Mayor Peterman polled the Council Members and all voted in favor of the motion.

Issues Not on Tonight's Agenda (Public Comment Period):

Mr. Anthony Pierce of 2009 Atlas Drive Haw River asked for assistance in getting the road closed at North Jim Minor Road and Kimrey Road re-opened. Mayor Peterman asked staff to reach out to NCDOT.

Mr. Jeff Leimberger of 213 North Melville Street Graham asked that the City's Covid-19 information on the website be updated.

Council Member Talley expressed concern about City Hall still being closed to the public during this pandemic. Mr. Maness advised that all City offices are still running without interruption and the City is doing everything in their power to mitigate the spread of Covid-19.

At 10:10 p.m., Council Member Hall made a motion to adjourn, seconded by Council Member Wiggins. Mayor Peterman polled the Council Members and all voted in favor of the motion.

Darcy Sperry, City Clerk

CITY OF GRAHAM
RELEASE ACCOUNTS

OCTOBER

<u>ACCT #</u>	<u>YEAR</u>	<u>NAME</u>	<u>REASON FOR RELEASE</u>	<u>AMOUNT RELEASED</u>
663553	2020	BURGNER, HANS NEWTON	JET SKIS & BOAT NOT IN CITY LIMITS	261.76
627803	2020	WELCH, CHAD ORIN	DID NOT OWN BOAT JAN 1	4.55
692010	2020	QUINTERO, MARIELA	MOBILE HOME DOUBLE LISTED	14.56
114344	2020	PURE FLOW INC	VEHICLE DOUBLE LISTED	\$416.84
674787	2020	OWEN, JOHNSON LIFE ESTATE	QUALIFIED FOR HOMESTEAD EXEMPTION	\$284.16
693806	2020	LANGBEEN, JOYCE M	QUALIFIED FOR HOMESTEAD EXEMPTION	\$478.99
167531	2020	LAMBERT, BRODIE LEE SR	QUALIFIED FOR HOMESTEAD EXEMPTION	\$289.54

TOTAL RELEASES 1750.40



GRAHAM
NORTH CAROLINA
STAFF REPORT

SUBJECT:	DONATION OF SURPLUS GYM EQUIPMENT
PREPARED BY:	FRANKIE MANESS, CITY MANAGER

REQUESTED ACTION:

Approve Resolution Authorizing Conveyance of Surplus Gym Equipment to Alamance-Burlington School System Pursuant to G.S. 160A-274.

BACKGROUND/SUMMARY:

The City has surplus gym equipment that has been replaced with other equipment to better support training and wellness initiatives. The surplus equipment is taking up valuable space in either storage or the fitness area. The General Statutes ([G.S. 160A-274](#)) allow for the conveyance to another governmental agency.

FISCAL IMPACT

Negligible. Based on condition and age, the value of the equipment is believed to be nominal. Efforts to dispose on the private market will likely surpass any consideration received.

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

I move we approve the Resolution Authorizing Conveyance of Surplus Gym Equipment to Alamance-Burlington School System Pursuant to G.S. 160A-274.

**RESOLUTION AUTHORIZING CONVEYANCE OF SURPLUS GYM EQUIPMENT
TO ALAMANCE-BURLINGTON SCHOOL SYSTEM PURSUANT TO G.S. 160A-274**

WHEREAS, the City of Graham has surplus gym equipment that it desires to dispose of; and

WHEREAS, North Carolina General Statute § 160A-274 authorizes a governmental unit in this state to exchange with, lease to, lease from, sell to, or purchase from any other governmental unit any interest in real or personal property upon such terms and conditions as the governmental unit deems wise, with or without consideration; and

WHEREAS, the City of Graham has determined that it is in the best interest of the City to convey the surplus gym equipment to Alamance-Burlington School System, and deems it wise to do so for no consideration.

THEREFORE, THE GRAHAM CITY COUNCIL RESOLVES THAT:

1. The City of Graham hereby conveys to Alamance-Burlington School System the following personal property:

- LK 540 Recumbent Bike; and
- Precor Decline Bench; and
- PCL Fixed Barbell Machine

2. The property herein described shall be conveyed for no consideration and with the condition that the equipment be inspected and repaired as necessary before use.

3. The City Manager, Finance Officer and City Clerk are authorized to execute all documents necessary to convey the property in the manner authorized by this Resolution.

Adopted this 13th day of October 2020.

Mayor Jerry Peterman

Attest:

STAFF REPORT

SUBJECT:	ANNEXATION OF 34 +/- ACRES OFF DARRELL DRIVE AND COUNCIL ROAD
PREPARED BY:	NATHAN PAGE, PLANNING DIRECTOR

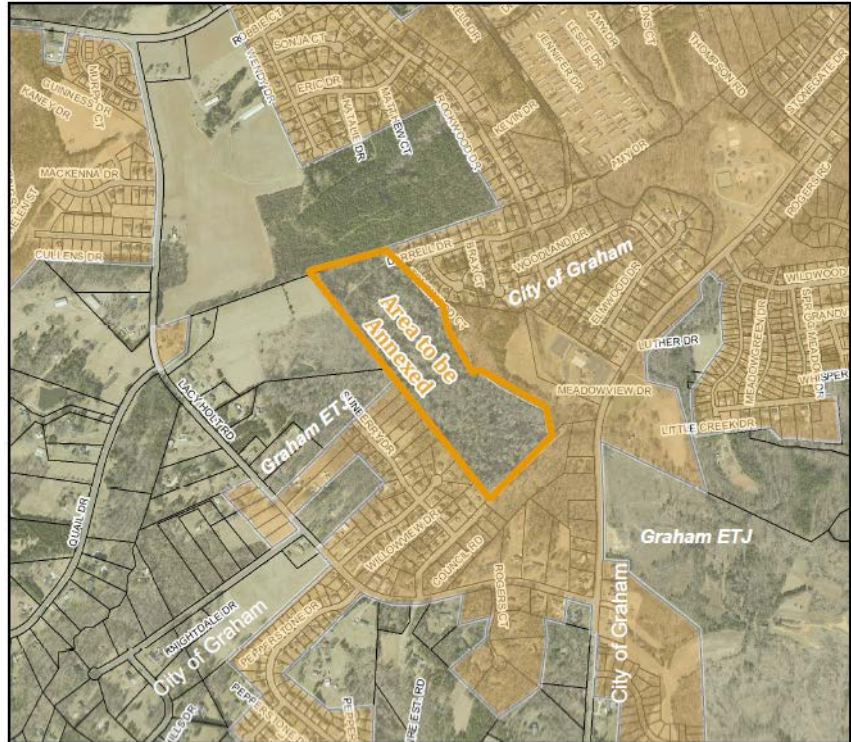
REQUESTED ACTION:

Approve the Resolution Fixing Date of **November 10, 2020**, for a Public Hearing on Question of Annexation Pursuant to G.S. 160A-31 for a 34.441 acre lot off Darrell Drive and Council Road.

BACKGROUND/SUMMARY:

The area being considered for annexation is contiguous along the South, East, and North side. Water and Sewer lines are adjacent to this location, and the applicant wishes to tie onto the City's infrastructure.

Approval of this resolution does not finalize the annexation as Council is required to advertise and conduct a public hearing, followed by a vote on an annexation ordinance.



FISCAL IMPACT:

To be determined based upon proposed development pattern.

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

1. I move we approve the Resolution Directing the Clerk to Investigate a Petition Received Under G.S. 160A-31 for a parcel located off Council Rd and Darrell Drive.
2. I move we approve the Resolution Fixing Date of **November 10, 2020**, for a Public Hearing on Question of Annexation Pursuant to G.S. 160A-31 for a 34.441 acre site off Council Rd and Darrell Drive.

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-31
FOR PROPERTY OFF COUNCIL AND DARRELL DRIVE (AN2005)

WHEREAS, a petition requesting annexation of an area described in said petition was received on October 1, 2020, 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.

Gerald R. Peterman, Mayor

ATTEST:

Darcy Sperry, City Clerk

RESOLUTION FIXING DATE OF NOVEMBER 10, 2020 FOR A PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31 FOR A 34.441 ACRE LOT OFF COUNCIL AND DARRELL DRIVE (AN2005)

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

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

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 or **by teleconference at 6:00 pm on November 10, 2020.**

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:

BEGINNING at an existing stone, said stone also being on the southern property line of Peggy H. Kendrick.; N 71°43'08" E, 315.40 feet to an existing iron pipe; thence N 71°33'04" E, 355.94 feet to an existing iron pipe; thence S 39°16'48" E, 612.13 feet to an existing iron pipe; thence S 83°26'03" E, 93.54 feet to an existing iron pipe; thence S 28°51'18" E, 229.17 feet to an existing iron pipe; thence N 85°27'12" E, 29.05 feet to an existing iron pipe; thence S 28°22'50" W, 31.58 feet to an existing iron pipe; thence S 29°04'23" E, 84.43 feet to an existing iron pipe; thence S 17°49'38" E, 178.04 feet to an existing iron pipe; thence S 2°41'29" W, 168.81 feet to an existing iron pipe; thence N 67°26'46" E, 66.68 feet to an existing iron pipe point; thence S 51°50'38" E, 294.29 feet to an existing iron pipe; thence S 71°14'16" E, 307.11 feet to an existing iron pipe; thence S 12°47'28" E, 181.21 feet to an existing iron pipe; thence S 46°45'39" W, 551.25 feet to an existing iron pipe; thence S 45°17'09" W, 228.12 feet to an existing iron pipe on the northeastern right of way of Council Road; thence leaving the right of way N 36°48'42" W, 1,244.35 feet to an existing iron pipe; thence N 36°04'06" W, 1,094.46 feet to the point and place of BEGINNING containing 34.441 acres more or less.

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.

Adopted this **the 13th day of October**, 2020.

Gerald R. Peterman, Mayor

ATTEST:

Darcy L. Sperry, City Clerk



Petition for ANNEXATION

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

To the City Council of the City of Graham, NC:

1. We, the undersigned owners of real property, respectfully request that the area described in paragraph 2 below be annexed into the City of Graham.

If applicable as "income-based": We believe that this petition meets the requirements of G.S. 160A-31(b1).

If applicable as "distressed": We believe that this petition meets the requirements of G.S. 160A-31(j).

2. The area to be annexed is contiguous, as defined by 160a-31 non-contiguous, as defined by 160a-58 to the City of Graham and the boundaries of such territory are as follows:

General description of area to be annexed

Being all of Parcel ID 131214 and Deed Book 1228 Page 314

Attach the following:

Annexation Plat – 1 paper copy, 2 mylars and 1 pdf. In addition to standard plat information, also include tax map numbers of all parcels and total square miles and acreage of area to be annexed.

Metes and Bounds Description – 1 paper and 1 digital copy

3. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate yes below and attach proof.)

Name	Address	Vested rights?	Signature
KEYSTONE Group, INC by W. SCOTT WALLACE - president	3708 ALLIANCE DRIVE, GREENSBORO NC 27407	No	Keystone Group, Inc. by W Scott Wallace - President

attach additional sheets if necessary...

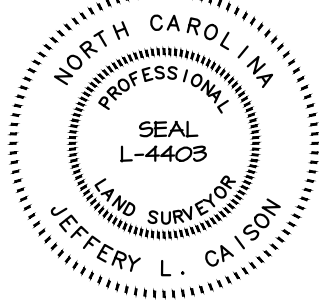
Certificate of Accuracy.

I, Jeffery L. Calson, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book _____, page _____, etc.) (other than the boundaries not surveyed are clearly indicated as drawn from information found in Book _____, page _____; that the ratio of precision of positional accuracy as calculated is 1:10,000; that this plat was prepared in accordance with NCGS 47-30 as amended. Witness my original signature, license number and seal this _____ day of _____, A.D., 2020.

d. That the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exemption or exception to the definition of subdivision.

The provisions of this section shall not apply to boundary plats of state lines, county lines, areas annexed by Municipalities, nor to plats of municipal boundaries, whether or not required by law to be recorded.

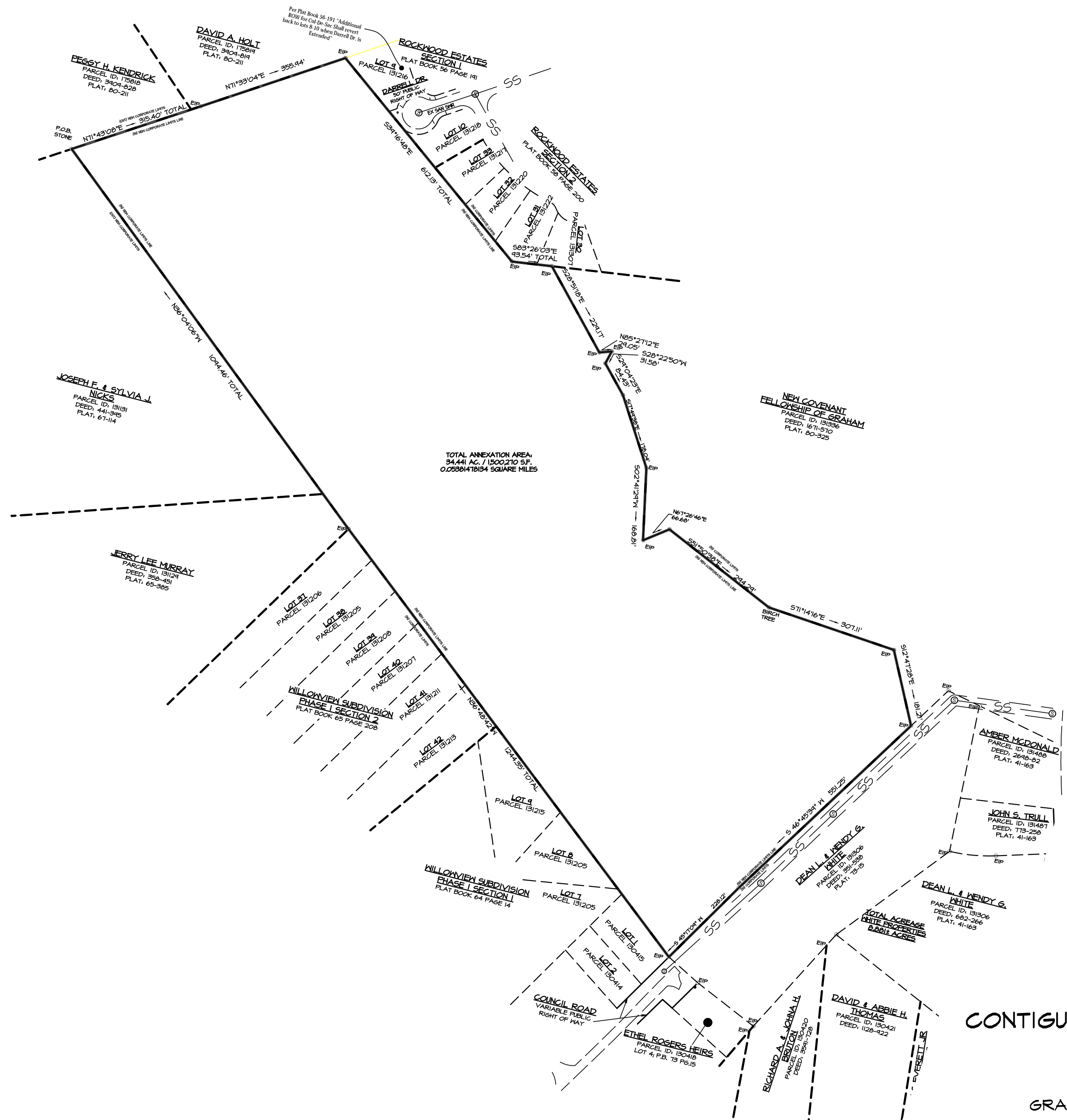
Jeffery L. Calson
Surveyor
L-4403
License Number



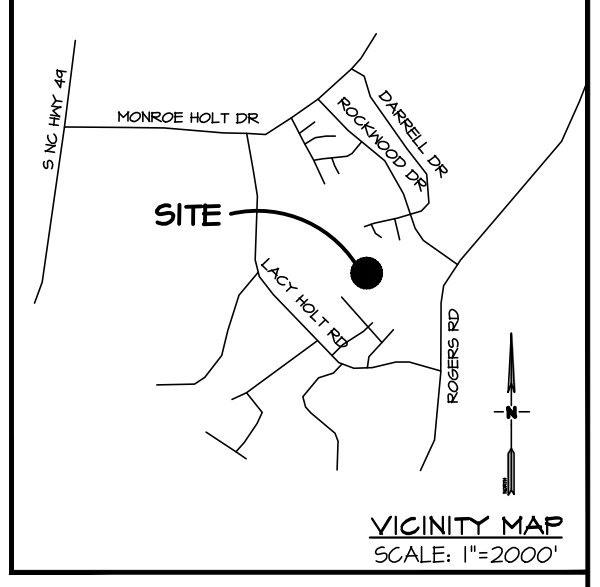
ZONING ENFORCEMENT OFFICER CERTIFICATION

NO APPROVAL REQUIRED OF THE COUNCIL OF GRAHAM
DEVELOPMENTAL ORDINANCE

CONSENT OF ZONING ENFORCEMENT OFFICER: _____ DATE: _____



TOTAL ANNEXATION AREA:
34.441 AC. / 1,500,210 S.F.
0.0598478184 SQUARE MILES



REVIEW OFFICER CERTIFICATION

STATE OF NORTH CAROLINA, COUNTY OF ALAMANCE

RECEIVED OF THE
ALAMANCE COUNTY CLERK OF COURSE
PLAT OF THE HIGHWAY SECTION 13102 RECORD MAP
STATE OF NORTH CAROLINA

RECEIVED OF THE
ALAMANCE COUNTY CLERK OF COURSE

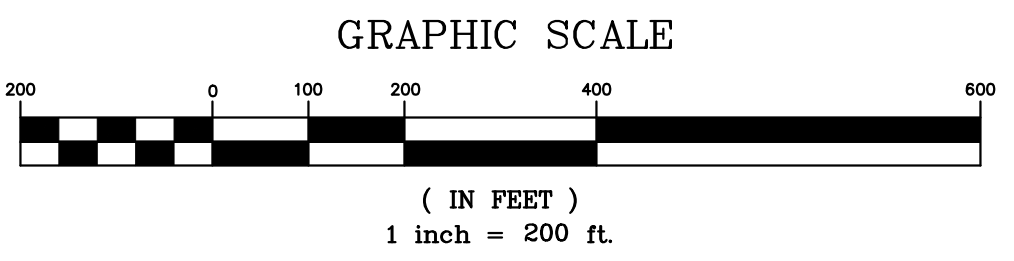
SITE DATA

SITE AREA: 34.441 AC±
OPEN SPACE PROVIDED: 5.25 AC±
PROPOSED AND EXISTING ROADWAY
NUMBER OF LOTS: 2
DENSITY: 2/3 1/2 ACRES
OPEN SPACE PROVIDED: 5.25 AC±
ADJACENT TO ORDINANCE
ROADWAY AS NAMED ALAMANCE CREEK
AND A E MAINS A CAPE BEAR
ROAD MAP 1088 200 1088 300
LENGTH OF NEW STREET: 3,857 LF±
PARCEL ID: 13121
DEED REFERENCES: D1228 P131

NOTES

- 1. NO EVIDENCE OF CORNER OR MONUMENT FOUND WITHIN 2000' OF SECTION CORNER
- 2. IRON RODS AT PROPER CORNERS IN EXCESS OF OTHER SECTIONS
- 3. ANNEALING IN MAJOR OR NO COINCIDENT WITH PROPER LINES OF RECORD
- AREA COORDINATE SYSTEM: _____

- LEGEND:**
- EXISTING IRON PIPE
 - NEW IRON ROD
 - ⊗ NON-MONUMENTED POINT
 - D.B. DEED BOOK
 - E.I.R. EXISTING IRON ROD
 - I.R.S. IRON ROD SET
 - N.I.P. NEW IRON PIN
 - E.I.P. EXISTING IRON PIPE
 - (EIP) EXISTING IRON PIPE (ONLINE)
 - R/W RIGHT-OF-WAY
 - CL CENTERLINE
 - T.C.A. TREE CONSERVATION AREA
 - MON. MONUMENT
 - CONG. CONCRETE
 - POB POINT OF BEGINNING



**FINAL PLAT
CONTIGUOUS VOLUNTARY ANNEXATION
OF
COUNCIL CREEK**

SHEET 1 of 1
GRAHAM TOWNSHIP ~ ALAMANCE COUNTY
GRAHAM ~ NORTH CAROLINA
CPT ENGINEERING AND SURVEYING, INC.
LAND DEVELOPMENT CONSULTING
CORPORATE LICENSE NUMBER C-13175
4400 TYNING STREET
HIGH POINT, NORTH CAROLINA 27265
PHONE: (336) 812-8800 ~ FAX: (336) 812-8180
PROJECT: 1661-20 DRAWN BY: JES
DATE: SEPTEMBER 30, 2020 SCALE: 1" = 200'

**Statement That No Approval Is Required by NCDOT
Division of Highways**

STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

CERTIFICATE OF SUFFICIENCY
FOR 31.441 ACRES LOCATED OFF DARRELL DRIVE AND COUNCIL ROAD
GPIN# 8873608974 (AN2005)

To the City Council of the City of Graham, North Carolina:

I, Darcy L. Sperry, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by an appointed representative of real property lying in the area described therein, in accordance with G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Graham, this the 6th day of October, 2020.



Darcy L. Sperry, City Clerk



STAFF REPORT

SUBJECT:	ANNEXATION OF FIVE LOTS ON SUGAR RIDGE AND JIMMIE KERR ROAD
PREPARED BY:	NATHAN PAGE, PLANNING DIRECTOR/AARON HOLLAND, ASST.CITY MGR

REQUESTED ACTION:

Approve the Annexation Ordinance to Extend the Corporate Limits of the City of Graham, North Carolina, for two lots off Jim Minor Road.

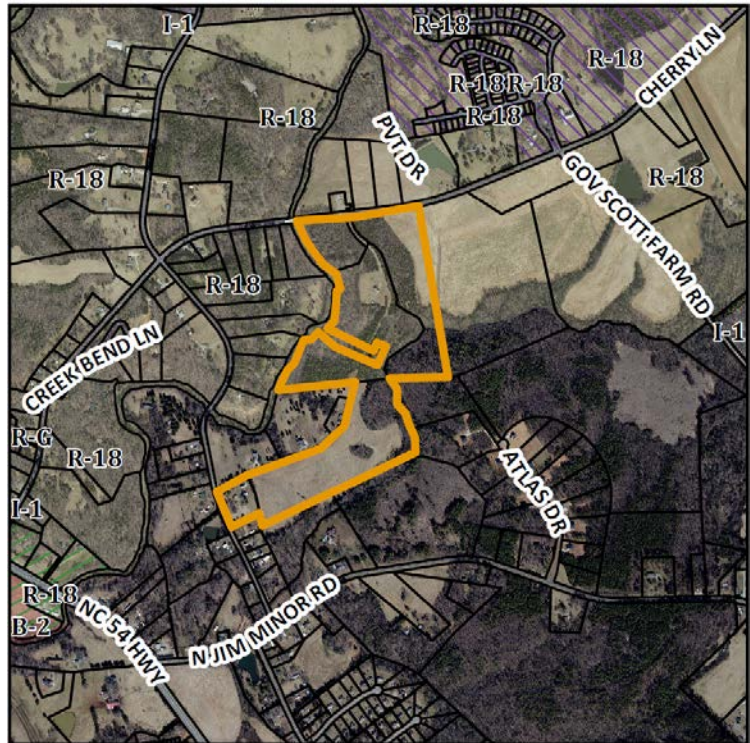
BACKGROUND/SUMMARY:

The 70 +/- acre area being considered for annexation is noncontiguous. While sewer is on the lot, the applicant anticipates extending municipal water service to the 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 the proposed development will vary greatly depending upon the potential conditions approved by City Council. If the lot sizes are required to be no smaller than 12,000 square feet, as recommended by the Planning Board, they will cost more to serve than they will return in revenue and therefore would not support urban services. If the Northern part of the neighborhood is 5 dwelling units per acre or more, and the Southern portion of the neighborhood has larger lots, a revenue balance is possible.



STAFF RECOMMENDATION:

Deny. A portion of the subject property is within the NCCP where the City and its partners have made major investments to support large-scale development. As proposed, the density of the development does not realize the highest and best use for the property and would adversely limit the potential development of neighboring properties.

SUGGESTED MOTION(S):

1. I move we deny the Annexation Ordinance to Extend the Corporate limits of the City of Graham, North Carolina, for portions of five lots, making up approximately 70 acres in the vicinity of Sugar Ridge and Jimmie Kerr Roads.
2. I move we approve the Annexation Ordinance to Extend the Corporate limits of the City of Graham, North Carolina, for portions of five lots, making up approximately 70 acres in the vicinity of Sugar Ridge and Jimmie Kerr Roads.

ANNEXATION ORDINANCE

TO EXTEND THE CORPORATE LIMITS OF THE

CITY OF GRAHAM, NORTH CAROLINA

FOR FIVE LOTS ON SUGAR RIDGE AND JIMMIE KERR ROAD (AN2004)

WHEREAS, the Graham City Council has been petitioned under G.S. 160A-58 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 6:00 P.M. on October 13, 2020, after due notice by publication on August 20, 2020; and

WHEREAS, the Graham City Council finds that the petition meets the requirements of G.S. 160A-58;

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-58, the following described territory is hereby annexed and made part of the City of Graham as of October 13, 2020:

Beginning at an existing railroad spike, said railroad spike having state plane coordinates (NAD 83 / NSRS 2011) of

N = 839,139.30' & E = 1,895,662.65' and being at a T-intersection on the southern right of way of Cherry Lane (S.R. 2123) and the centerline of Sugar Road; thence making the following calls:

Along the southern right of way of Cherry Lane, North 83°08'34" East, 399.98 feet to a pinched top existing iron pipe;

Thence, on a curve with a radius of 2848.41' and an arc length of 255.15 feet and having a chord bearing of North 80°42'47" East, 255.06 feet to an existing iron pipe;

Thence, leaving the southern right of way of Cherry Lane, South 9°40'08" East, 1,683.80 feet to an existing iron pipe;

Thence, South 88°51'32" West, 556.97 feet to a pinched top existing iron pipe;

Thence, South 87°25'33" West, 26.34 feet to a computed point on approximately the centerline of a creek;

Thence, following the approximate centerline of a creek and making the following calls:

-South 28°45'03" East, 134.31 feet to a computed point; thence,

-South 7°28'21" West, 108.13 feet to a computed point; thence,

-South 39°55'58" East, 230.69 feet to a computed point; thence,

-South 17°55'36" East, 87.61 feet to a computed point; thence,

-South 33°07'57" East, 81.17 feet to a computed point; thence,

-South 8°30'56" East, 130.25 feet to a computed point; thence,

-South 23°48'25" East, 84.14 feet to a computed point; thence,

-South 32°25'15" West, 97.79 feet to a computed point; thence,

-South 38°48'45" West, 55.60 feet to a computed point; thence,

-South 24°25'41" West, 130.25 feet to a computed point; thence,

-South 74°16'13" West, 99.46 feet to a computed point; thence,

-South 58°36'41" West, 53.64 feet to a computed point; thence,
-South 32°09'29" West, 37.30 feet to a computed point; thence,
-South 59°50'22" West, 66.08 feet to a computed point; thence,
-South 44°20'27" West, 48.12 feet to a computed point; thence,
-North 84°17'38" West, 44.79 feet to a computed point; thence,
-South 49°36'31" West, 53.73 feet to a computed point; thence,
-South 24°25'41" West, 130.25 feet to a computed point; thence,

Thence, leaving the approximate centerline of creek, North 32°40'57" West, 251.96 feet to an existing iron pipe;

Thence, South 60°08'43" West, 761.62 feet to an existing iron pipe;

Thence, North 8°47'07" West, 112.23 feet to an existing iron pipe;

Thence, South 67°56'49" West, 319.28 feet to a pike nail set in the centerline of Jimmie Kerr Road;

Thence, along the centerline of said road, North 23°06'44" West, 286.09 feet to a pike nail set;

Thence, North 15°52'35" West, 88.05 feet to a computed point;

Thence, leaving the centerline of Jimmie Kerr Road, North 64°18'53" East, 360.00 feet to a computed point;

Thence, North 25°39'26" West, 17.28 feet to an existing iron pipe;

Thence, North 70°52'15" East, 375.92 feet to an existing iron pipe;

Thence, North 70°52'15" East, 414.08 feet to an existing iron pipe;

Thence, North 46°02'32" East, 251.21 feet to an existing iron pipe;

Thence, North 18°44'26" East, 485.42 feet to the base of an existing iron pipe;

Thence, South 82°24'49" West, 828.00 feet to a computed point;

Thence, North 25°18'19" East, 585.00 feet to a point ;

Thence North 50°03'19" East, 185.00 feet to a point;

Thence North 65°06'41" East, 75.02 feet to a point;

Thence North 65°02'24" East, 34.98 feet to a point;

Thence North 28°20'19" East, 42.56 feet to a point;

Thence North 28°20'19" East, 64.67 feet to a point;

Thence North 28°20'19" East, 42.77 feet to a point;

Thence North 6°14'19" East, 29.06 feet to a point;

Thence North 6°14'19" East, 63.05 feet to a point;

Thence North 6°14'19" East, 109.21 feet to a point;

Thence North 6°14'19" East, 68.67 feet to a point;

Thence North 41°55'41" West, 41.32 feet to a point;

Thence North 41°55'41" West, 95.01 feet to a point;

Thence North 36°34'07" West, 154.86 feet to a point;

Thence North 35°02'59" West, 260.00 feet to a point;

Thence North 25°18'59" West, 144.29 feet to a point;

Thence North 83°12'25" East, 49.96 feet to a point;

Thence North 83°11'08" East, 498.33 feet to the point and place of beginning containing 69.678 Acres more or less.

Section 2. Upon and after October 13, 2020, 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 13th day of October, 2020.

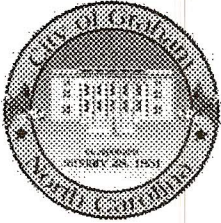
Gerald R. Peterman, Mayor

ATTEST:

APPROVED AS TO FORM:

Darcy L. Sperry, City Clerk

Bryan Coleman, City Attorney



Petition for ANNEXATION

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

To the City Council of the City of Graham, NC:

1. We, the undersigned owners of real property, respectfully request that the area described in paragraph 2 below be annexed into the City of Graham.

If applicable as "income-based": We believe that this petition meets the requirements of G.S. 160A-31(b1).

If applicable as "distressed": We believe that this petition meets the requirements of G.S. 160A-31(j).

2. The area to be annexed is contiguous non-contiguous to the City of Graham and the boundaries of such territory are as follows:

General description of area to be annexed

21.619 acres between Cherry Lane and Jimmie Kerr Road

Attach the following:

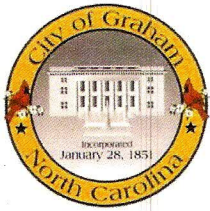
Annexation Plat – 1 paper copy, 2 mylars and 1 pdf. In addition to standard plat information, also include tax map numbers of all parcels and total square miles and acreage of area to be annexed.

Metes and Bounds Description – 1 paper and 1 digital copy

3. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate yes below and attach proof.)

Name	Address	Vested rights?	Signature
Scott Associates-c/o Mike White	2042 Jimmie Kerr Road, Haw River, NC 27258	Yes	<i>Scott Associates by: [Signature]</i>

attach additional sheets if necessary...



Petition for ANNEXATION

P.O. Drawer 357
 201 South Main Street
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 (336) 570-6705
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 www.cityofgraham.com

To the City Council of the City of Graham, NC:

1. We, the undersigned owners of real property, respectfully request that the area described in paragraph 2 below be annexed into the City of Graham.

If applicable as "income-based": We believe that this petition meets the requirements of G.S. 160A-31(b1).

If applicable as "distressed": We believe that this petition meets the requirements of G.S. 160A-31(j).

2. The area to be annexed is contiguous non-contiguous to the City of Graham and the boundaries of such territory are as follows:

General description of area to be annexed

3.16 acres between Cherry Lane and Jimmie Kerr Road

Attach the following:

Annexation Plat – 1 paper copy, 2 mylars and 1 pdf. In addition to standard plat information, also include tax map numbers of all parcels and total square miles and acreage of area to be annexed.

Metes and Bounds Description – 1 paper and 1 digital copy

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Name	Address	Vested rights?	Signature
Robert Travis Mullen	2042 Jimmie Kerr Road, Haw River, NC 27258	Yes	

attach additional sheets if necessary...



Petition for ANNEXATION

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If applicable as "distressed": We believe that this petition meets the requirements of G.S. 160A-31(j).

2. The area to be annexed is contiguous non-contiguous to the City of Graham and the boundaries of such territory are as follows:

General description of area to be annexed

69.678 acres between Cherry Lane and Jimmie Kerr Road

Attach the following:

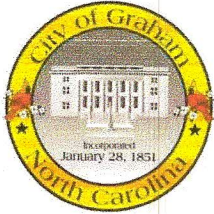
Annexation Plat – 1 paper copy, 2 mylars and 1 pdf. In addition to standard plat information, also include tax map numbers of all parcels and total square miles and acreage of area to be annexed.

Metes and Bounds Description – 1 paper and 1 digital copy

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Name	Address	Vested rights?	Signature
Robert Andrew Cagle	1322 N. Jim Merritt Blvd Graham, NC 27258		

attach additional sheets if necessary...



Petition for ANNEXATION

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If applicable as "income-based": We believe that this petition meets the requirements of G.S. 160A-31(b1).

If applicable as "distressed": We believe that this petition meets the requirements of G.S. 160A-31(j).

2. The area to be annexed is contiguous non-contiguous to the City of Graham and the boundaries of such territory are as follows:

General description of area to be annexed

16.048 acres between Cherry Lane and Jimmie Kerr Road

Attach the following:

Annexation Plat – 1 paper copy, 2 mylars and 1 pdf. In addition to standard plat information, also include tax map numbers of all parcels and total square miles and acreage of area to be annexed.

Metes and Bounds Description – 1 paper and 1 digital copy

3. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate yes below and attach proof.)

Name	Address	Vested rights?	Signature
Mary Ella Scott	2680 S. Mebane St. Burlington, NC 27215		<i>Mary Ella Scott</i>
<i>yr</i>			

attach additional sheets if necessary...



Petition for ANNEXATION

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- If applicable as "income-based"*: We believe that this petition meets the requirements of G.S. 160A-31(b1).
- If applicable as "distressed"*: We believe that this petition meets the requirements of G.S. 160A-31(j).

2. The area to be annexed is contiguous non-contiguous to the City of Graham and the boundaries of such territory are as follows:

General description of area to be annexed

5.233 acres between Cherry Lane and Jimmie Kerr Road

Attach the following:

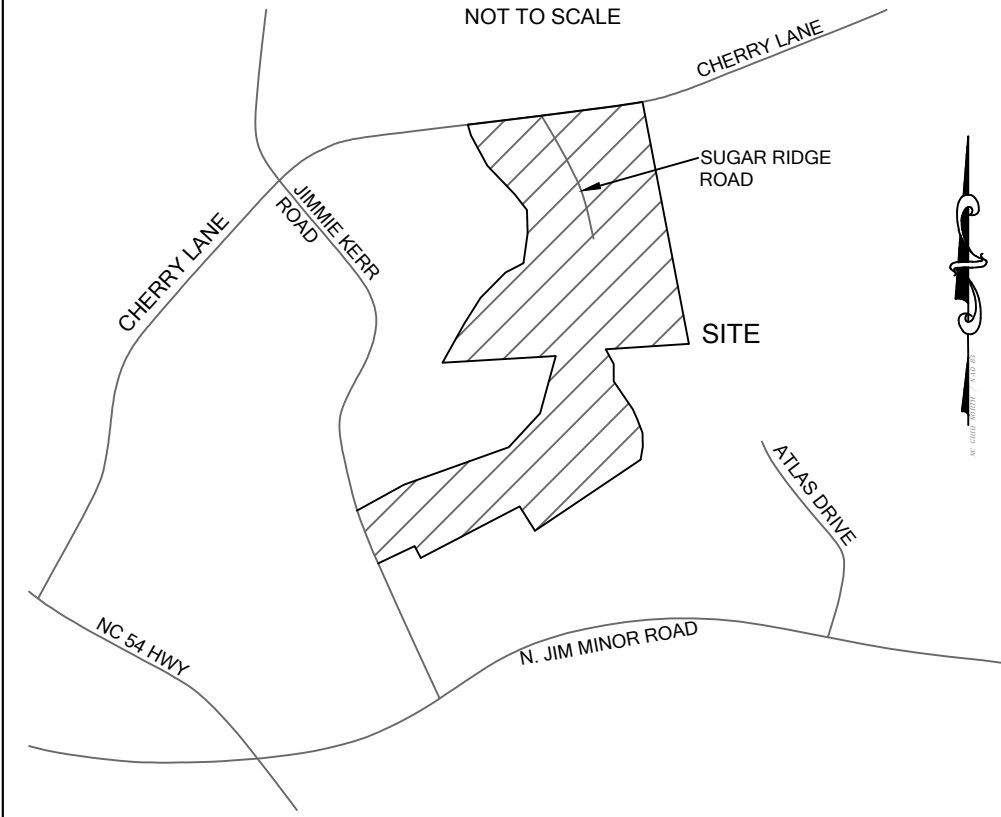
- Annexation Plat – 1 paper copy, 2 mylars and 1 pdf. In addition to standard plat information, also include tax map numbers of all parcels and total square miles and acreage of area to be annexed.
- Metes and Bounds Description – 1 paper and 1 digital copy

3. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate yes below and attach proof.)

Name	Address	Vested rights?	Signature
Janet Louise Scott	2921 Lennox Road NE, Unit 205 Atlanta Georgia 30324		<i>Janet Louise Scott</i>

attach additional sheets if necessary...

VICINITY MAP
NOT TO SCALE



TOTAL AREA TO BE ANNEXED
69.678 ACRES

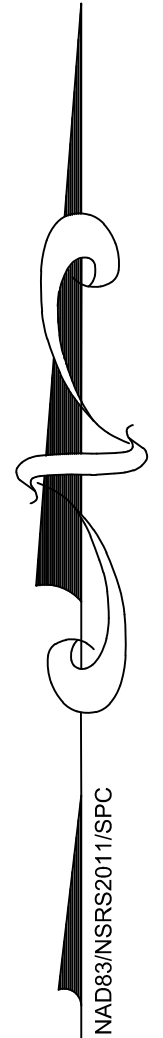
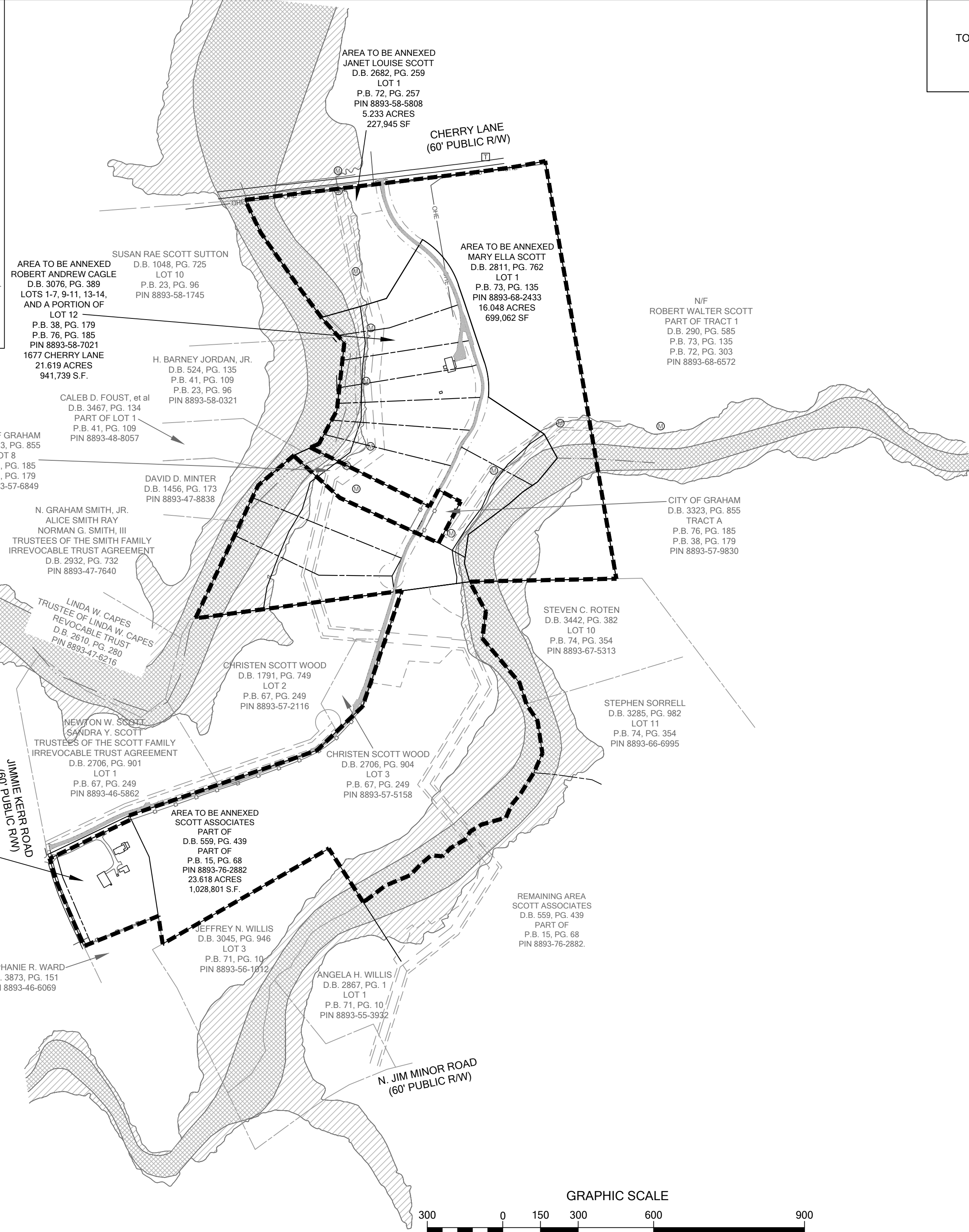
BATEMAN CIVIL SURVEY COMPANY
ENGINEERS • SURVEYORS • PLANNERS
2524 RELIANCE AVENUE, APEX, NC 27539
PHONE: (919) 577-1080 FAX: (919) 577-1081
INFO@BATEMANCIVILSURVEY.COM
NCBELS FIRM# C-2378



ANNEXATION PLAT

EXCLUSIVELY FOR: MERITAGE HOMES - RALEIGH
NC PIN - 8893-58-5808, 8893-68-2433, 8893-58-7021, 8893-57-6849
8893-57-9830, 8893-76-2882, 8893-46-5385
AS RECORDED IN D.B. 2682, PG. 259 - D.B. 2811, PG. 762 - D.B. 3076, PG.
389 - D.B. 3323, PG. 855 - D.B. 559, PG. 439 - D.B. 3321, PG. 257
HAW RIVER TOWNSHIP - ALAMANCE COUNTY - NORTH CAROLINA

REVISIONS	
1.	
2.	
3.	
4.	
5.	
DESIGNED BY:	BCSC
DRAWN BY:	SF
CHECKED BY:	SPC
SCALE:	1" = 300'
DATE:	07/24/2020
DRAWING #:	200282
SHEET 1 OF 3	

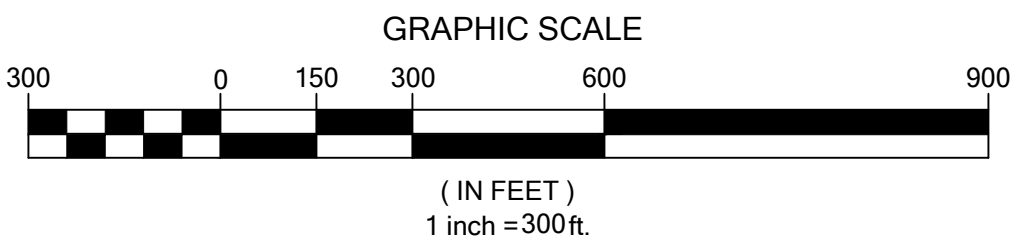


I, STEVEN P. CARSON, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN REFERENCES SHOWN); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND AS SHOWN HERE ON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1: 10,000 + ; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS DAY OF _____, A.D., 2020.

I, FURTHER THAT IN ACCORDANCE WITH G.S. 47-30-F-11-C-1; CERTIFY THAT THE SURVEY IS 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. FOR THE PURPOSES OF THIS SUBSECTION, AN "EXISTING PARCEL" OR "EXISTING EASEMENT" IS AN AREA OF LAND DESCRIBED IN A SINGLE, LEGAL DESCRIPTION OR LEGALLY RECORDED SUBDIVISION THAT HAS BEEN OR MAY BE LEGALLY CONVEYED TO A NEW OWNER BY DEED IN ITS EXISTING CONFIGURATION.

PRELIMINARY

STEVEN P. CARSON, PLS
NC LICENSE NO. 4752





STAFF REPORT

Prepared by Nathan Page, Planning Director

Cherry Creek (CR2003)

Type of Request: Conditional Rezoning

Meeting Dates

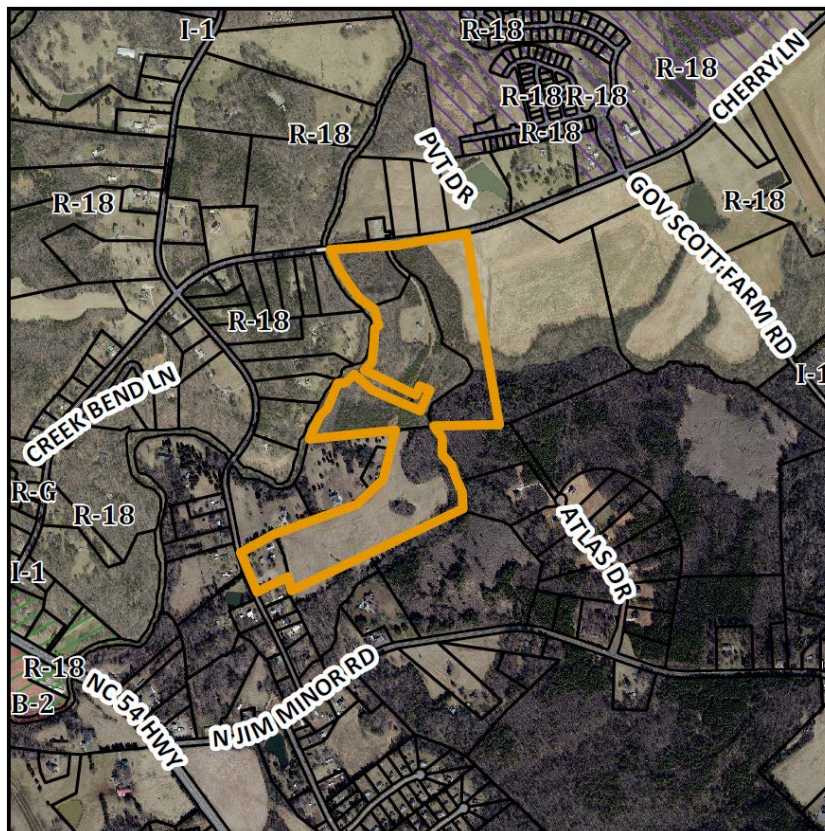
Planning Board on August 18, 2020
City Council on September 8, 2020, October 13, 2020

Contact Information

Tony Tate, TMTLA Associates
5011 Southpark Drive, Suite 200, Durham NC
27713; 919-484-8880
tony@tmtla.com

Summary

This is a request to initiate zoning, and rezone the subject property as Conditional Residential. The proposed use of the property is for 175 dwelling units, being made up of single family detached. The site is within the identified NCCP, and adjacent to one of the most valuable portions of that park.



The City of Graham, Mebane, and Alamance County have invested significant resources in extending utilities to this location. The potential for this site to be a light-industrial site which could provide employment for the residents of Alamance County. Due to this, the low-density nature of the Northern portion of the development (which is inside the NCCP), is recommended to be required to be no less than 5 dwelling units per acre.

Location

Sugar Ridge Rd Jimmie Kerr Rd

GPIN

8893465385, 8893762882,
8893587021, 8893682433,
8893585808

Current Zoning

unzoned and R-18

Proposed Zoning

Conditional Residential (CR)

Overlay District

none

Surrounding Zoning

unzoned, I-1

Surrounding Land Uses

Single Family, Under Cultivation,
Vacant

Size

Approximately 70 acres

Public Water & Sewer

To Be Extended by Developer

Floodplain

Yes

Staff Recommendation

Approval, with conditions

Open space has been provided internal to the site, as well as to protect the streams upon the site. The subdivision would include a portion of City of Graham's land, which would not be improved other than the installation of a roadway and utilities. No homes will be constructed on the City's land.

Technical Review Committee

The Technical Review Committee is reviewing the application and will provide comments to the applicant prior to the Planning Board meeting. However, comments are not available as of the publication of the packet.

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

Applicable Policies;

- **3.2.4 Greenway System.** Promote a greenway system that links together the City's recreational resources and provides connections to commercial, employment, and residential areas. Greenways along stream buffers should be prioritized in order to protect the stream watershed. *This neighborhood is identified in the Alamance County greenway and trail plan, and could include a connection.*
- **3.3.2 Focused Development.** In order to maintain Graham's affordability and promote growth, the city will facilitate smart growth development by promoting infill development and focused, walkable, and mixed use built environments. *The Graham 2035 Comprehensive Plan expects employment opportunities in the north east portion of this lot, which may impact potential neighborhood.*
- **5.1.1 Housing Variety.** Encourage a mix of housing types within Graham to increase choice. These can include single family dwellings units, multifamily dwelling units, small units, pre-fabricated homes, co-housing and clustered housing. *This project would construct additional single-family-detached housing.*
- **5.2.1 Diverse Neighborhoods.** Encourage a mix of housing types within Graham, including detached, duplex, multifamily, townhomes, and live-work units. *The proposed zoning would allow for single-family-detached.*

Applicable Strategies;

- **1.1.2 Design Guidelines.** Develop commercial and residential site design guidelines that enhance community character and appearance, to be used with special use permits and conditional rezoning applications. *While the City doesn't have design guidelines, they could be required as a condition of approval.*

Development Type: North

Employment District

The employment district should be studied and planned in order to accommodate a range of employers and provide office space, industrial space, commercial space, institutional space, and residential housing. This should be planned to limit environmental impacts, preserve open space and open corridors, and develop high-quality and adaptable buildings for a variety of companies.

Appropriate Density: 6 dwelling units per acre

Development Type: South

Suburban Residential

Located near a major thoroughfare

For single family residential

Characteristics include sidewalks on both sides, street trees at 30-40 feet intervals, and block lengths less than 600 feet

Density of 3 to 6 DU/acre

Infrastructure includes water, sewer, street connectivity and underground utilities

- **4.2.1 Greenways.** Continue to develop a greenway system that links together the City's recreational resources. *This neighborhood has a portion of the Alamance County greenway trail network upon it.*
- **4.3.1 Land Use Patterns.** Promote development of efficient land use patterns to allow continued quality and efficiency of water systems. Discourage the extension of water service into areas that are not most suitable for development. *The site would connect to existing city sewer, and water with an extension of about 2000 feet.*

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan* and the *City of Graham Development Ordinance*, staff recommends **approval, with conditions** of the rezoning. The following supports this recommendation:

- Rezoning the property would be in consistence with Policy 3.2.4, and Strategy 4.2.1 of *The Graham 2035 Comprehensive Plan*.



Application for REZONING or CONDITIONAL REZONING

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

This application is for both general district rezonings and conditional rezonings. Applications are due on the 25th of each month. Applicants are encouraged to consult with the *City of Graham Development Ordinances* and the City Planner.

Site

Street Address: (SEE ATTACHED)

Tax Map#: _____ GPIN: _____

Current Zoning District(s): UNZONED ALAMANCE CO.

R-7 R-9 R-12 R-15 R-18

R-MF R-G C-R C-MXR

B-1 B-2 B-3 C-B C-MXC

O-I C-O-I I-1 I-2 C-I

Overlay District, if applicable:

Historic S Main St/Hwy 87 E Harden St/Hwy 54

Current Use: RESIDENTIAL & VACANT LAND

Total Site Acres: 69.678 AC.

Property Owner: SEE ATTACHED

Mailing Address: _____

City, State, Zip: _____

Applicant

Property Owner Other TONY M. TATE, PLA

Application for Conditional Rezoning may only be initiated by the owner of a legal interest in all affected property, any person having an interest in the property by reason of written contract with owner, or an agent authorized in writing to act on the owner's behalf. If the applicant for Conditional Rezoning is other than the Property Owner, documentation in compliance with the preceding statement must be provided in order for this application to be complete.

Name: TONY M. TATE - TMTLA ASSOCIATES

Mailing Address: 5011 SOUTH PARK DR. SUITE 200

City, State, Zip: DURHAM, NC 27713

Phone # (919) 484-8880

Email: TONY@TMTLA.COM

I have completed this application truthfully and to the best of my ability.

Signature of Applicant _____ Date _____

Proposed Rezoning or Conditional Rezoning

Proposed Zoning District(s):

R-7 R-9 R-12 R-15 R-18

R-MF R-G C-R C-MXR

B-1 B-2 B-3 C-B C-MXC

O-I C-O-I I-1 I-2 C-I

Describe the purpose of this rezoning request. *For Conditional Rezonings*, also specify the actual use(s) intended for the property (from Sec. 10.135 Table of Permitted Uses) along with other descriptive or pertinent information, such as number of dwelling units, type of multifamily development, square footage and number of buildings:

CONSTRUCTION OF A RESIDENTIAL NEIGHBORHOOD CONSISTING OF SINGLE FAMILY DETACHED LOTS/HOMES. APPROXIMATELY 175 TOTAL UNITS

For Conditional Rezonings, this application must be accompanied by a Preliminary Site Plan and supporting information specifying the actual use(s) and any rules, regulations or conditions that, in addition to predetermined ordinance requirements, will govern the development and use of the property.

Site Plan Review Application **must be attached to this application for Conditional Rezonings**

Office Use Only. DEVID#



Application for SUBDIVISION

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

This application is for both major and minor subdivisions, as defined in Article VIII of the *City of Graham Development Ordinances*.

Site

General description of subdivision location, using nearest streets, streams or other identifiable features:

LOCATED ON CHERRY LANE AND JIMMIE KEPP ROAD AND ALONG BACK CREEK

Tax Map#: SEE ATTACHED GPIN: _____

Current Zoning District(s): ALAMANCE COUNTY

Overlay District, if applicable:

Historic S Main St/Hwy 87 E Harden St/Hwy 54

Property Owner: (SEE ATTACHED)

Mailing Address: _____

City, State, Zip: _____

Phone # _____

Applicant and Project Contact

Name: TMTLA ASSOCIATES

Property Owner Engineer/Surveyor

Other: LANDSCAPE ARCHITECT

Mailing Address: 5011 SOUTH PARK DR. SUITE 200

City, State, Zip: DURHAM, NC 27713

Phone # (919) 484-8880

Email: TONY @ TMTLA . COM

I certify that all information furnished is true to the best of my knowledge.

[Signature] 07.24.2020
Signature of Applicant Date

Submit SUBDIVISION MAPS with this application

Proposed Subdivision

Subdivision Name: CHERRY CREEK

Type of Application:

- Preliminary Plat, Major Subdivision
 - Final Plat*, Major Subdivision
 - Final Plat*, Minor Subdivision
- *By signing this application, I authorize the City of Graham to record the Final Plat.*

Number of Lots: 170 Total Acreage: 69.678

Related Development (if any): PROJECT AMENITY

Subdivision Maps

This application **must be accompanied** by a subdivision map, which may include one or more sheets to provide sufficient detail for review. **See the back of this application for a checklist of items that should be shown on the subdivision map, as applicable.** The following copies of the subdivision map are required to be submitted with this application:

- For Major Subdivision Preliminary Plan, 4 paper copies and an electronic pdf
- For Major Subdivision Final Plats, an electronic pdf for preliminary review, then 2 Mylar and 2 paper copies
- For Minor Subdivision Final Plats, an electronic pdf for preliminary review, then 2 Mylar and 1 paper copy

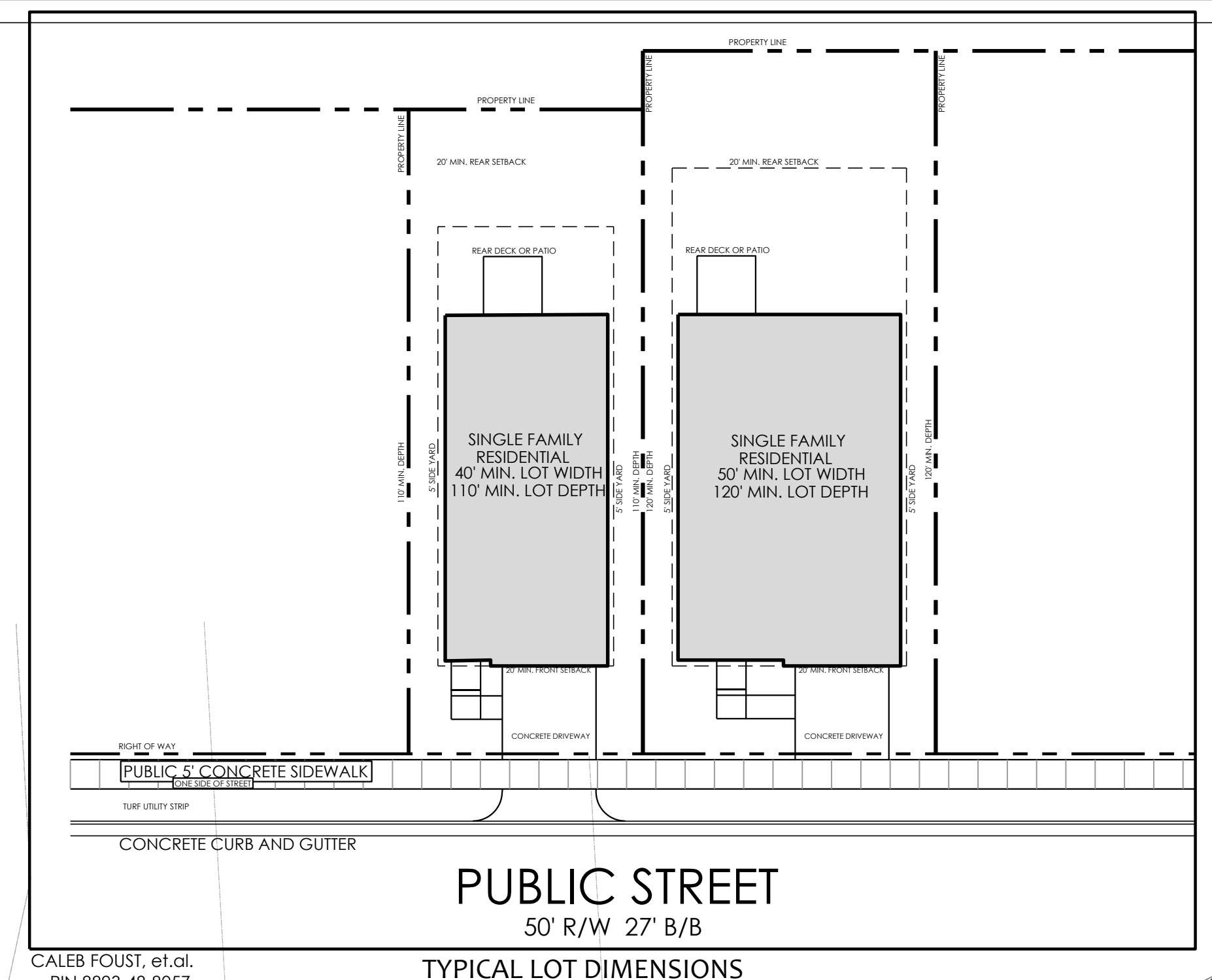
Other Requirements

- 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
- NCDOT 3-Party Encroachment Agreement, if things such as a sidewalk or utility connection are proposed in the right-of-way
- Flood Elevation Certificate, if there is Special Flood Hazard Area near the development
- Floodplain Development Permit, if development is proposed in a Special Flood Hazard Area
- Stormwater Permit, if one or more acres is disturbed
- Erosion Control Permit from the NC Dept. of Environment and Natural Resources if the land disturbing activity exceeds one acre

FOR OFFICE USE ONLY	
DEVID#	Fee \$

Cherry Creek Property Owners July 24, 2020

No.	Property Owner	Owners Address	Site Address	PIN	Zoning	Area	Parcel Id
1	Robert Travis Mullen	2042 Jimmy Kerr Road	Haw River, NC 27258	8893-46-5385	Alamance Co.	3.16	152270
2	Scott Associates-co/ Michael White	5500 Tilley Lane	Gastonia, NC 28056	8893-76-2882	Alamance Co.	23.618	152456
3	Robert Andrew Cagle			8893-58-7021	Alamance Co.	21.619	152386
4	Mary Ella Scott	2680 S. Mebane Street	Burlington, NC 27215	8893-68-2433	Alamance Co.	16.048	170234
5	Janet Louise Scott	2921 Lennox Road NE Unit 205	Atlanta, Georgia 30324	8893-58-5808	Alamance Co.	5.233	152385
					Total Area	69.678	



SITE DATA	
TOTAL AREA	69.678 AC
TOWNSHIP	MELVILLE
EXISTING ZONING	GRAHAM R-18 & ALAMANCE COUNTY
PROPOSED ZONING	CONDITIONAL RESIDENTIAL
MINIMUM LOT SIZE	4,400 S.F.
TOTAL SINGLE FAMILY PROPOSED	188 UNITS
LINEAR FEET OF PUBLIC STREET	6,557 LF
OPEN SPACE REQUIRED 10%	6.96 AC
OPEN SPACE PROPOSED	33.75 AC
FEMA MAP #	3720161900J dated 05/02/06

OPEN SPACE	
OPEN SPACE REQUIRED	10% 69.678 AC = 6.96 AC
OPEN SPACE PROPOSED	48% 33.75 AC
OPEN SPACE AREA #1	311,012 S.F. 7.14 AC
OPEN SPACE AREA #2	191,504 S.F. 4.40 AC
OPEN SPACE AREA #3	9,509 S.F. 0.22 AC
OPEN SPACE AREA #4	5,469 S.F. 0.13 AC
OPEN SPACE AREA #5	839,142 S.F. 19.426 AC
OPEN SPACE AREA #6	55,345 S.F. 1.27 AC
OPEN SPACE AREA #7	14,474 S.F. 0.33 AC
OPEN SPACE AREA #8	6,807 S.F. 0.25 AC
OPEN SPACE AREA #9	19,780 S.F. 0.45 AC
OPEN SPACE AREA #10	12,055 S.F. 0.27 AC
OPEN SPACE AREA #11	5,302 S.F. 0.12 AC
TOTAL	1,470,399 S.F. 33.75 AC

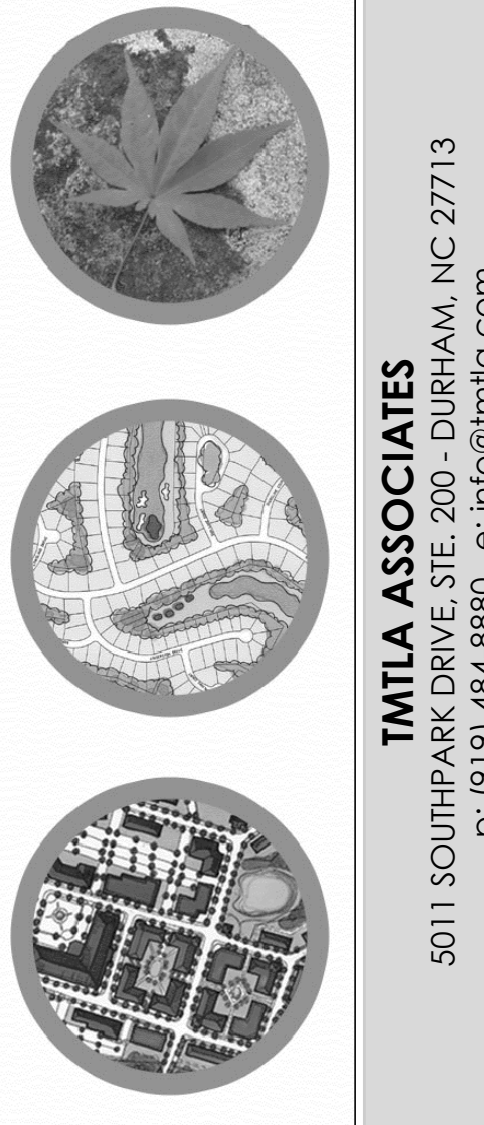
SINGLE FAMILY LOTS 50' WIDE	
MINIMUM LOT SIZE	6,000 SF
MINIMUM LOT WIDTH	50'
MINIMUM LOT DEPTH	120'
MINIMUM FRONT SETBACK	20'
MINIMUM SIDE SETBACK	5'
MINIMUM SIDE CORNER SETBACK	10'
MINIMUM REAR SETBACK	10'
MAXIMUM BUILDING HEIGHT	35'

SINGLE FAMILY LOTS 40' WIDE	
MINIMUM LOT SIZE	4,400 SF
MINIMUM LOT WIDTH	40'
MINIMUM LOT DEPTH	110'
MINIMUM FRONT SETBACK	20'
MINIMUM SIDE SETBACK	5'
MINIMUM SIDE CORNER SETBACK	10'
MINIMUM REAR SETBACK	20'
MAXIMUM BUILDING HEIGHT	35'

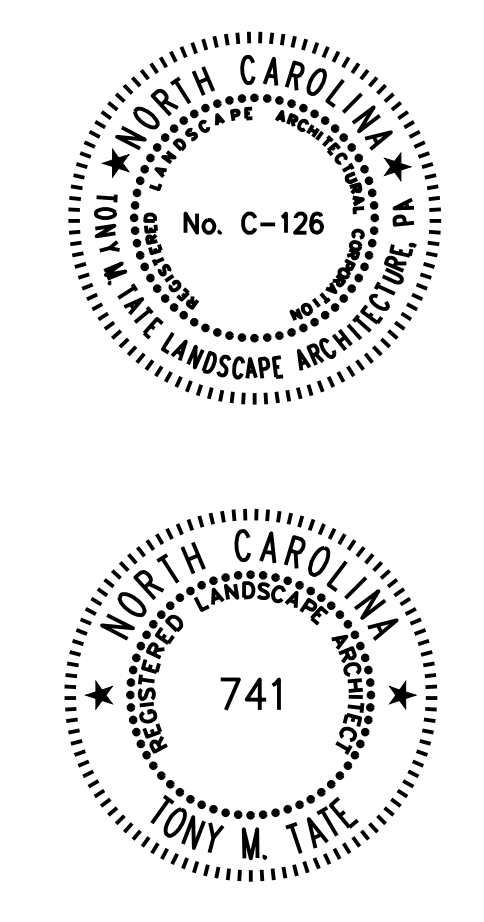
- NOTES**
- Boundary and topographic information taken from digital file by Bateman Civil Survey, dated, 1/20/20.
 - Adjoining property boundary information taken from Alamance County GIS.
 - The site is located within a FEMA Flood zone according to Flood Mapping 37088300K dated 11/20/07.
 - Contractor shall verify the location of all existing utilities and shall be responsible for any damage resulting from his activities. Call utility locator service at least 48 hours prior to digging.
 - All construction shall conform to City of Graham, NCDOT and North Carolina standards and specifications.
 - All utilities shall be located underground.
 - All lots shall be served by City of Graham public water and sanitary sewer.
 - All proposed streets shall be public and constructed to the City of Graham standards.
 - Street addresses shall be assigned prior to lot recordation.
 - Street names shall be approved prior to plat recordation.
 - Sign permits shall be required for any entrance signage. Permits will be required prior to fabrication or installation of signs. Signage will be restricted to on-site location.
 - An erosion control plan shall be approved by the City of Graham and the State prior to any grading on this site.
 - The developer is responsible for coordination and installation of all utilities, including street lighting.
 - Wetland and Jordan Riparian buffers have been delineated by Environmental Services, Inc.
 - No revisions may be made without permission from the permit issuing authority.
 - Construction drawings shall be submitted and approved by the City of Graham and NCDOT prior to construction.
 - Restrictive covenants shall be approved and recorded prior to recording of final plat.
 - A Home Owner's Association for ownership and management of open space, buffers and restrictive covenants must be submitted for review with the first final plat.
 - Stormwater management shall be contained in and accessed via open space maintained and owned by the Home Owner's Association. A maintenance plan must be developed to address the stormwater ponds. All shall be designed in conformance with City of Graham Stormwater Mgmt. and State requirements. The site shall comply with City of Graham Jordan Lake Riparian Buffer Requirements.
 - All open space shall be private common open space controlled by the Homeowner's Association (HOA).
 - The US Army Corps of Engineers and the NC Division of Water Quality regulate wetlands and waters of the United States through the 404 Corps Permit and an State Water Quality Certification process. Site designers and developers are responsible for obtaining all applicable local, state, and federal permits, certifications or approvals as necessary for proposed site development activities.
 - If proposed land disturbing activity exceeds one (1) acre, an Erosion Control Permit from NCDENR Land Quality is required.
 - Stream and wetland locations are not surveyed and are for reference only.
 - Posted speed limit shall be 20 mph unless requested and approved as otherwise by the City of Graham.
 - Initial conditions for all intersections shall be all-way stop. To be evaluated by the City of Graham and revised as deemed necessary.
 - Driveway permits shall be required by NCDOT for proposed connections to Cherry Lane and Jimmy Kerr Road.
 - Three Party Encroachment Agreements with City of Graham shall be required by NCDOT for utilities within right of way.

LEGEND

- PROJECT BOUNDARY
- 40' LOTS (SEE DETAILS ON MP-2)
- 50' LOTS (SEE DETAILS ON MP-2)
- OPEN SPACE
- WETLANDS
- 100 YEAR FLOODPLAIN
- 100 YEAR FLOODWAY



TMTA ASSOCIATES
5011 SOUTH PARK DRIVE, STE. 200 - DURHAM, NC 27713
p: (919) 484-8880 e: info@tmta.com



Stocks Engineering
801 E. Washington Street
NASHVILLE, NC

REVISIONS
09/17/20 ADDED 40' LOTS

MASTER SUBDIVISION PLAN
CHERRY CREEK
GRAHAM, NC
HERITAGE HOMES 3300 PARAMOUNT PKWY STE. 120 MORRISVILLE NC 27560

SCALE: 1"=100'
DRAWN BY: TMT
PROJECT #: 20074
DATE: 07-24-2020
SHEET
OF 1



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 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 Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

Cherry Creek (CR2003)

Type of Request

Conditional Rezoning

Meeting Dates

Planning Board on August 18, 2020

City Council on September 8, 2020

- I move to **recommend APPROVAL** of the application as presented.
- I move to **recommend APPROVAL with the following conditions:**
- Street stubs to the east, connecting to the NCCP be prohibited.
 - Lot sizes no less than 12,000 square feet.
 - Density of portions within the identified NCCP be no less than 5 dwelling units per acre, to protect the City's investment in water and sewer extensions to the area.
- I move to **recommend DENIAL**.

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

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

strategy 3.3.2

This report reflects the recommendation of the Planning Board, this the 18th day of August, 2020.

Attest:

Dean Ward

Dean Ward, Planning Board Chairman

Debbie Jolly

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 "The Graham 2035 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 "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council. If the City Council approves, this rezoning shall be effective upon written consent to the conditions herein described.

Cherry Creek (CR2003)

Type of Request
Conditional Rezoning

Meeting Dates
Planning Board on August 18, 2020
City Council on 9/8/20, 10/13/20

Choose one...

- I move that the application be **APPROVED**.
- I move that the application be **APPROVED with the following conditions:**
- I move that the application be **DENIED**.

Choose one...

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

State reasons...

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

The petitioner agrees to abide by the conditions presented to the City Council this the 13th day of October, 2020.

Tony M. Tate

This report reflects the decision of the City Council, this the 13th day of October, 2020.

Attest:

Gerald R. Peterman, Mayor

Darcy L. Sperry, City Clerk



STAFF REPORT

Prepared by Nathan Page, Planning Director

Cherry Creek (S2004)

Type of Request: Major Subdivision

Meeting Dates

Planning Board on August 18, 2020
City Council on September 8, 2020, October 13, 2020

Contact Information

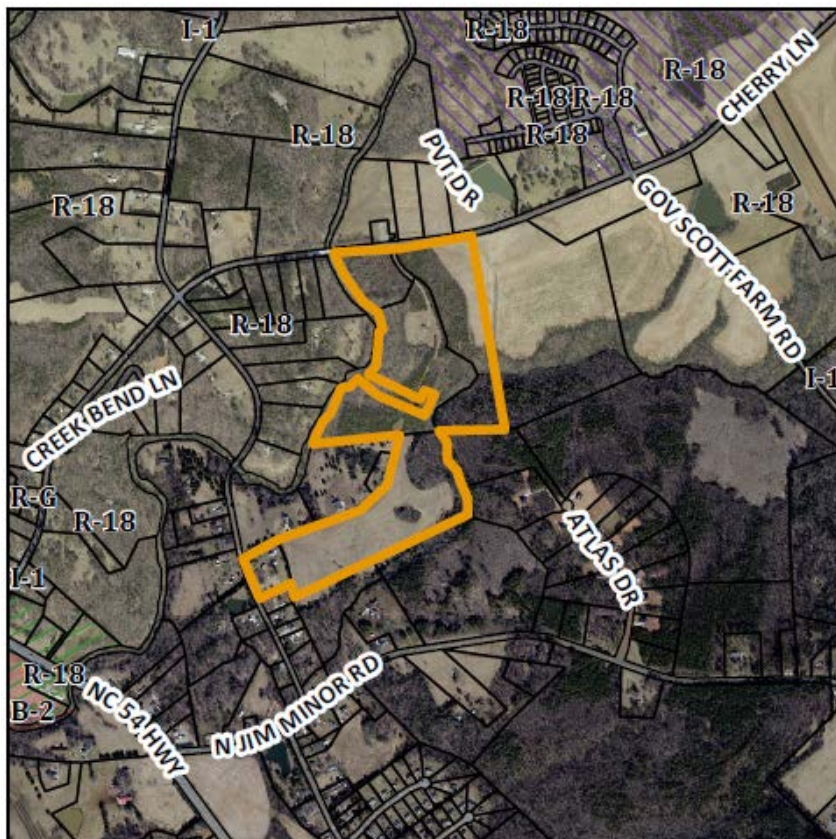
Tony Tate, TMTLA Associates
5011 Southpark Drive, Suite 200, Durham NC
27713; 919-484-8880
tony@tmtla.com

Summary

This is a request to subdivide the approximately 70 acres of the subject property for up to 175 residential lots. The properties are currently vacant.

Technical Review Committee

The Technical Review Committee will review the application and provide notes prior to the Planning Board meeting, however the complete notes are not available as of the publication of this packet.



Location

Jimmie Kerr and Sugar Ridge Road

GPIN

8893465385, 8893762882,
8893587021, 8893682433,
8893585808

Zoning

R-18, unzoned

Overlay District

none

Surrounding Zoning

R-18, unzoned

Surrounding Land Uses

Single Family, and Vacant

Size

Approximately 70 acres

Public Water & Sewer

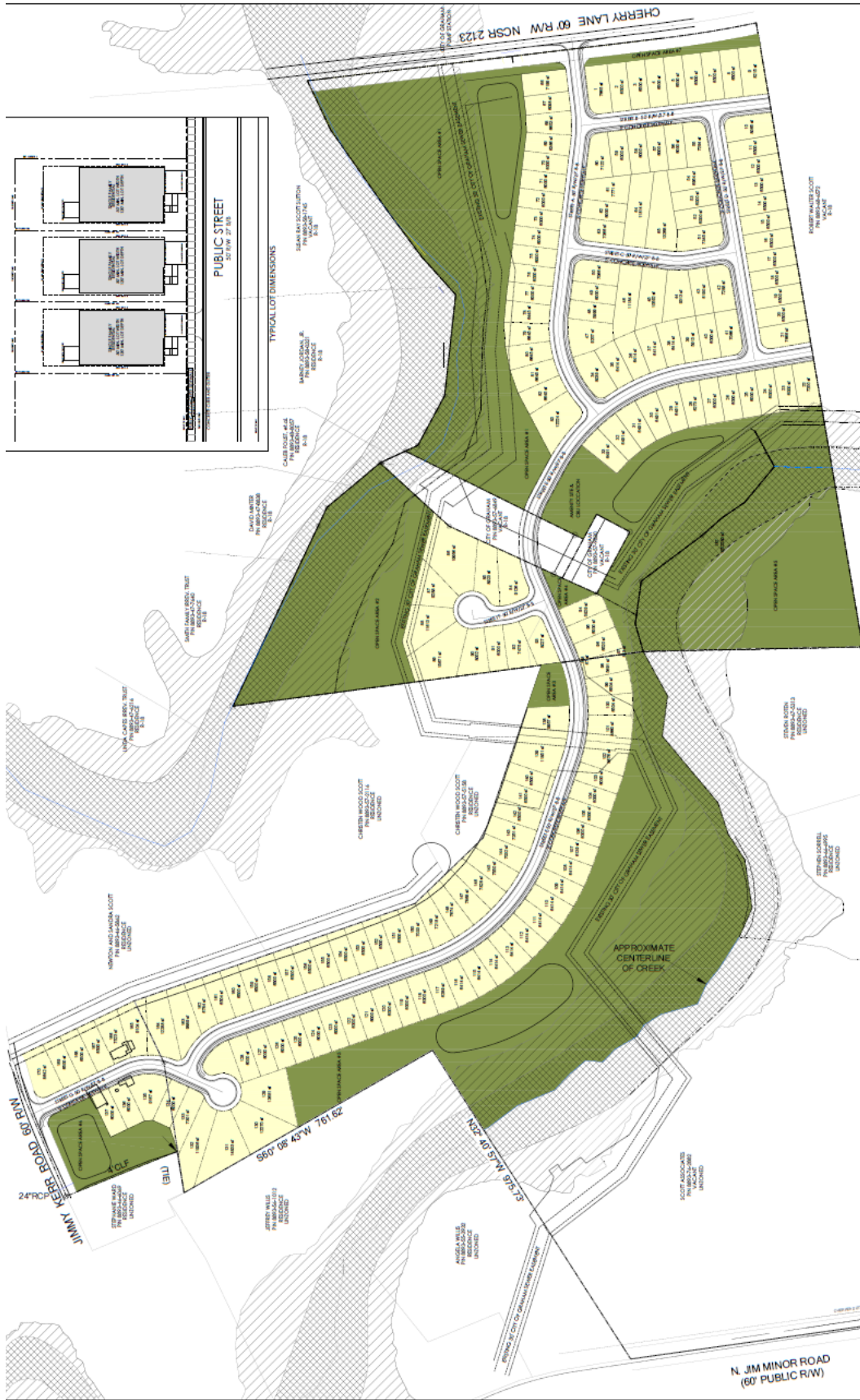
In the vicinity

Floodplain

Yes

Staff Recommendation

Approval



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

Applicable Strategies and Policies

- **Policy 3.2.3 Fewer Dead-end Streets** Discourage or prohibit the development of cul-de-sacs and dead-end streets in new projects. *This proposal permits redundant access to all but a few lots.*
- **Policy 3.2.4 Greenway System** Promote a greenway system that links together the City's recreational resources and provides connections to commercial, employment, and residential areas. Greenways along stream buffers should be prioritized in order to protect the stream watershed. *This parcel contains land that a pedestrian easement will be required as a condition of TRC approval to connect to the Haw River Trail.*
- **Strategy 4.2.1 Greenways** Continue to develop a greenway system that links together the City's recreational resources. *Alamance County Parks and Recreation is attempting to link many of these neighborhoods with the Haw River Trail.*

Policy 4.3.1 Land Use Patterns Promote development of efficient land use patterns to allow continued quality and efficiency of water systems. Discourage the extension of water service into areas that are not most suitable for development. *This proposal keeps almost all of the development out of the floodplains, and requires no extension of City sewer services. There is approximately 2000' of water line extension required.*

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan* and the *City of Graham Development Ordinance*, staff **recommends approval of the subdivision.**

The following supports this recommendation:

Allowing a subdivision in this location removes households from the potential harm from floodways (Policy 4.3.1), and protects greenspace (3.2.4) and promotes a greenway trail system (4.2.1).

Development Type: North

Employment District

The employment district should be studied and planned in order to accommodate a range of employers and provide office space, industrial space, commercial space, institutional space, and residential housing. This should be planned to limit environmental impacts, preserve open space and open corridors, and develop high-quality and adaptable buildings for a variety of companies.

Appropriate Density: 6 dwelling units per acre

Development Type: South

Suburban Residential

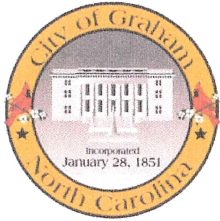
Located near a major thoroughfare

For single family residential

Characteristics include sidewalks on both sides, street trees at 30-40 feet intervals, and block lengths less than 600 feet

Density of 3 to 6 DU/acre

Infrastructure includes water, sewer, street connectivity and underground utilities



Application for SUBDIVISION

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

This application is for both major and minor subdivisions, as defined in Article VIII of the *City of Graham Development Ordinances*.

Site

General description of subdivision location, using nearest streets, streams or other identifiable features:

LOCATED ON CHERRY LANE AND JIMMIE KERR ROAD AND ALONG BACK CREEK

Tax Map#: SEE ATTACHED GPIN: _____

Current Zoning District(s): ALAMANCE COUNTY

Overlay District, if applicable:

Historic S Main St/Hwy 87 E Harden St/Hwy 54

Property Owner: (SEE ATTACHED)

Mailing Address: _____

City, State, Zip: _____

Phone # _____

Applicant and Project Contact

Name: TMTLA ASSOCIATES

Property Owner Engineer/Surveyor

Other: LANDSCAPE ARCHITECT

Mailing Address: 5011 SOUTH PARK DR. SUITE 200

City, State, Zip: DURHAM, NC 27713

Phone # (919) 484-8880

Email: TONY @ TMTLA.COM

I certify that all information furnished is true to the best of my knowledge.

Signature of Applicant

Date

07.24.2020

Submit SUBDIVISION MAPS with this application

Proposed Subdivision

Subdivision Name: CHERRY CREEK

Type of Application:

- Preliminary Plat, Major Subdivision **By signing this application, I authorize the City of Graham to record the Final Plat.*
 Final Plat*, Major Subdivision
 Final Plat*, Minor Subdivision

Number of Lots: 170 Total Acreage: 69.678

Related Development (if any): PROJECT AMENITY

Subdivision Maps

This application **must be accompanied** by a subdivision map, which may include one or more sheets to provide sufficient detail for review. **See the back of this application for a checklist of items that should be shown on the subdivision map, as applicable.** The following copies of the subdivision map are required to be submitted with this application:

- For Major Subdivision Preliminary Plan, 4 paper copies and an electronic pdf
 For Major Subdivision Final Plats, an electronic pdf for preliminary review, then 2 Mylar and 2 paper copies
 For Minor Subdivision Final Plats, an electronic pdf for preliminary review, then 2 Mylar and 1 paper copy

Other Requirements

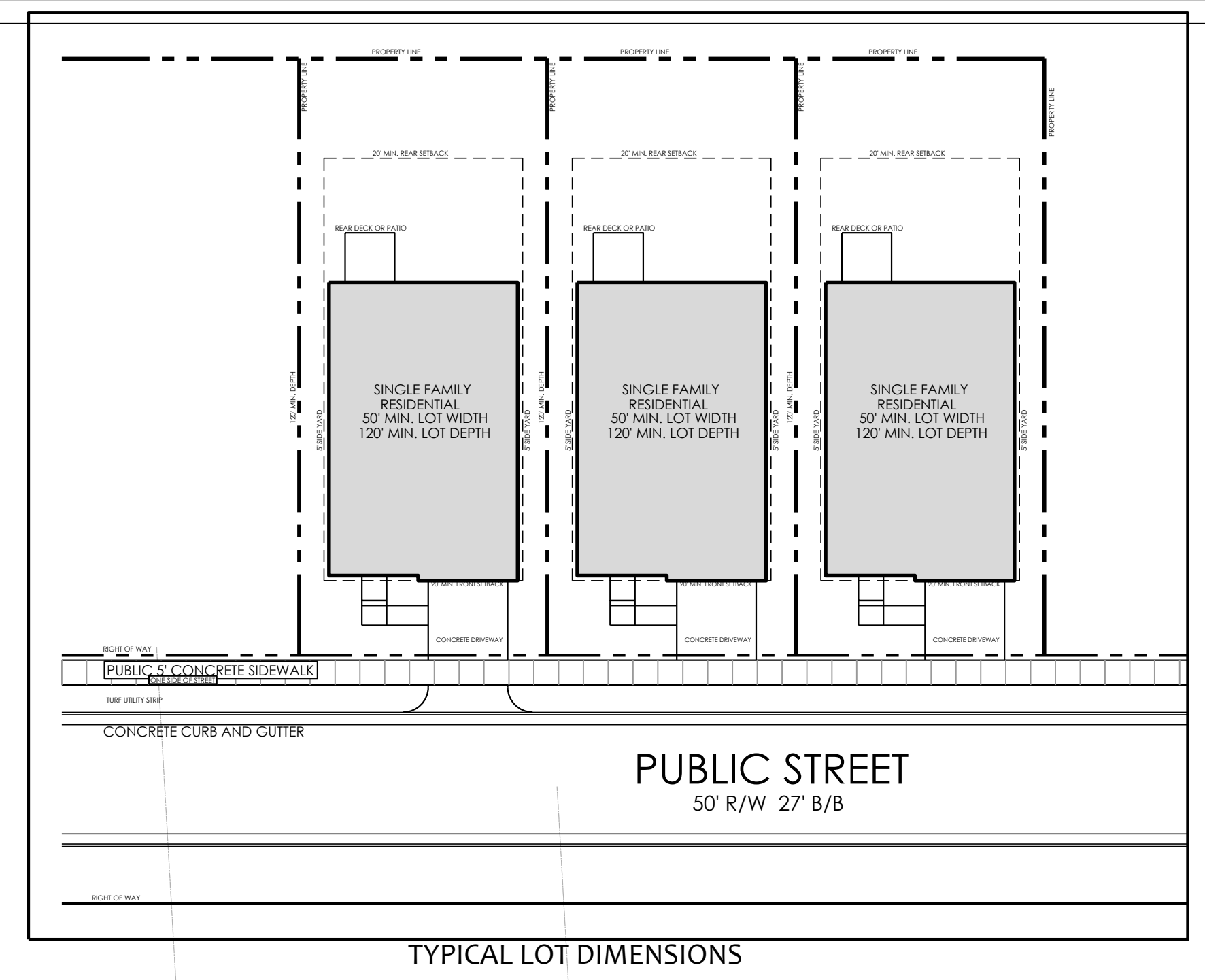
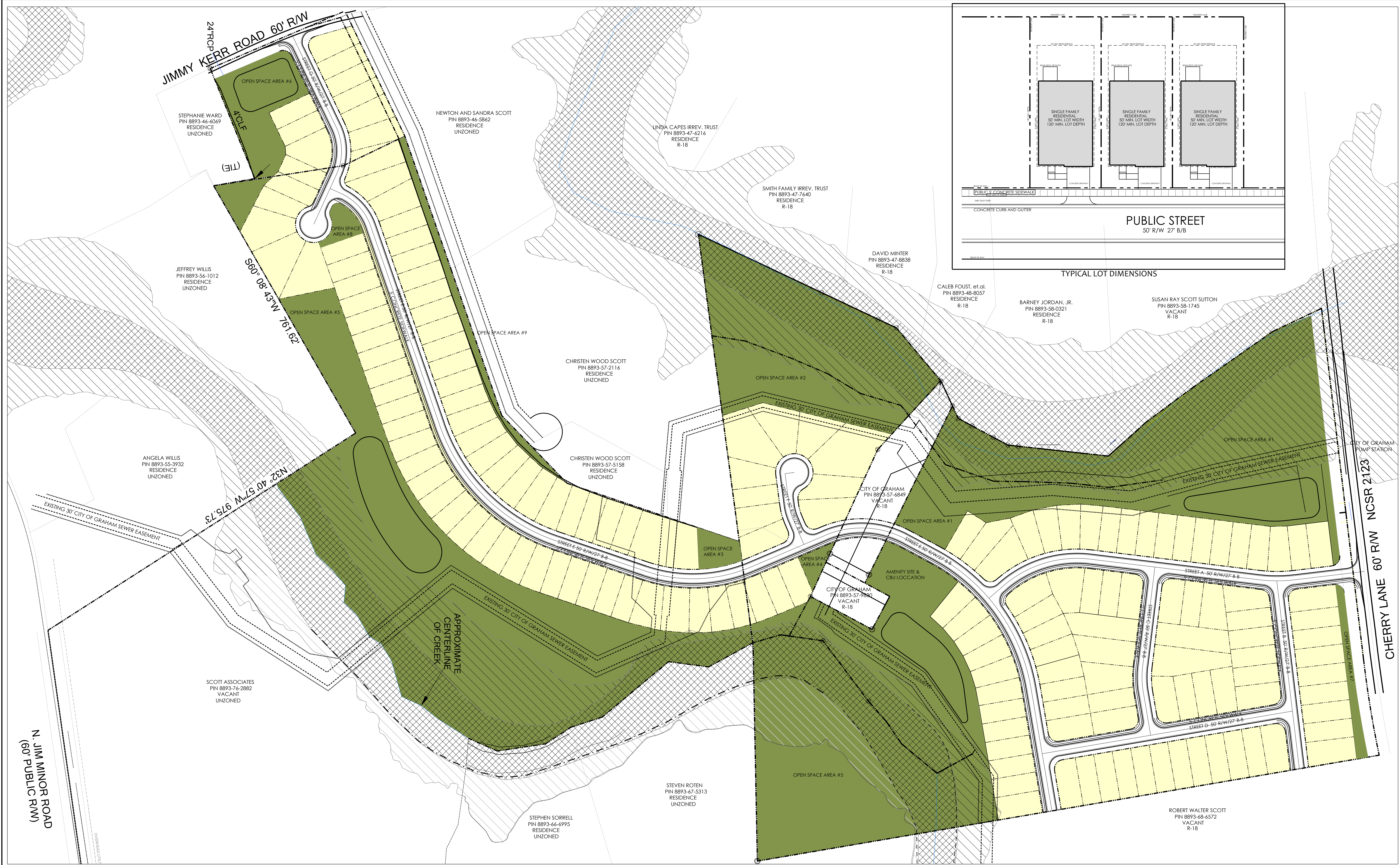
- NCDOT Driveway Permit, if a new or relocated driveway is proposed on a NCDOT road, or for existing driveways if the use of the property is changing
 NCDOT 3-Party Encroachment Agreement, if things such as a sidewalk or utility connection are proposed in the right-of-way
 Flood Elevation Certificate, if there is Special Flood Hazard Area near the development
 Floodplain Development Permit, if development is proposed in a Special Flood Hazard Area
 Stormwater Permit, if one or more acres is disturbed
 Erosion Control Permit from the NC Dept. of Environment and Natural Resources if the land disturbing activity exceeds one acre

FOR OFFICE USE ONLY

DEVID# 52004 Fee \$

Cherry Creek Property Owners July 24, 2020

No.	Property Owner	Owners Address	Site Address	PIN	Zoning	Area	Parcel Id
1	Robert Travis Mullen	2042 Jimmy Kerr Road	Haw River, NC 27258	8893-46-5385	Alamance Co.	3.16	152270
2	Scott Associates-co/ Michael White	5500 Tilley Lane	Gastonia, NC 28056	8893-76-2882	Alamance Co.	23.618	152456
3	Robert Andrew Cagle			8893-58-7021	Alamance Co.	21.619	152386
4	Mary Ella Scott	2680 S. Mebane Street	Burlington, NC 27215	8893-68-2433	Alamance Co.	16.048	170234
5	Janet Louise Scott	2921 Lennox Road NE Unit 205	Atlanta, Georgia 30324	8893-58-5808	Alamance Co.	5.233	152385
					Total Area	69.678	



SITE DATA

TOTAL AREA	69.678 AC
TOWNSHIP	MELVILLE
EXISTING ZONING	GRAHAM R-18 & ALAMANCE COUNTY
PROPOSED ZONING	CONDITIONAL RESIDENTIAL
MINIMUM LOT SIZE	6,000 S.F.
TOTAL SINGLE FAMILY PROPOSED	170 UNITS
LINEAR FEET OF PUBLIC STREET	6,250 LF
OPEN SPACE REQUIRED 10%	6.96 AC
OPEN SPACE PROPOSED	33.83AC
FEMA MAP #	3720161900I dated 05/02/06

OPEN SPACE

OPEN SPACE REQUIRED	10%	69.678 AC	=	6.96 AC
OPEN SPACE PROPOSED	48%		=	33.83 AC
OPEN SPACE AREA #1		336,176 S.F.		7.72 AC
OPEN SPACE AREA #2		191,504 S.F.		4.40 AC
OPEN SPACE AREA #3		9,509 S.F.		0.22 AC
OPEN SPACE AREA #4		5,469 S.F.		0.13 AC
OPEN SPACE AREA #5		839,142 S.F.		19.426 AC
OPEN SPACE AREA #6		55,345 S.F.		1.27 AC
OPEN SPACE AREA #7		10,184 S.F.		0.23 AC
OPEN SPACE AREA #8		6,807 S.F.		0.25 AC
OPEN SPACE AREA #9		19,780 S.F.		0.45 AC
TOTAL		1,473,916 S.F.		33.83 AC

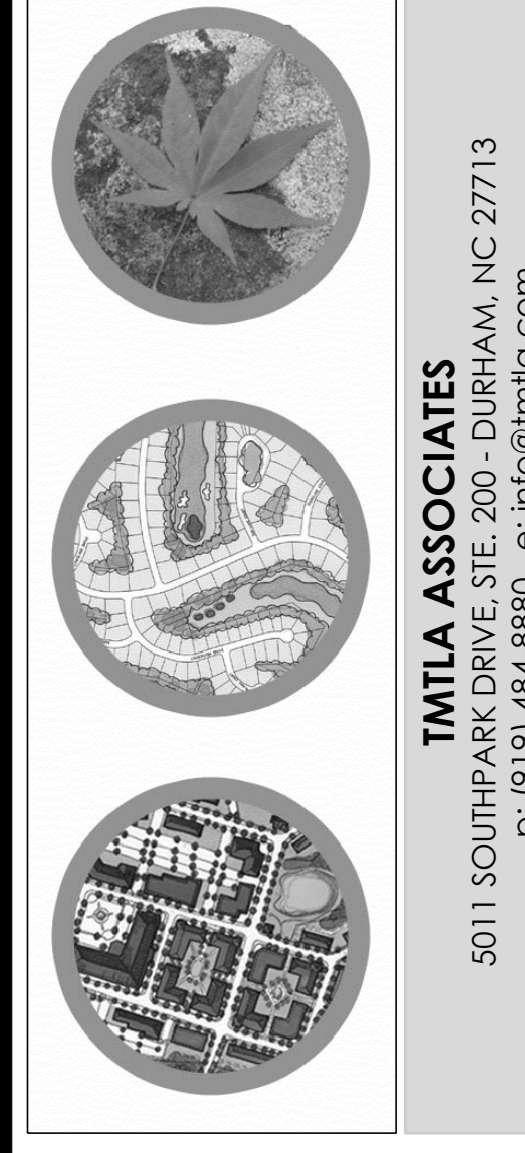
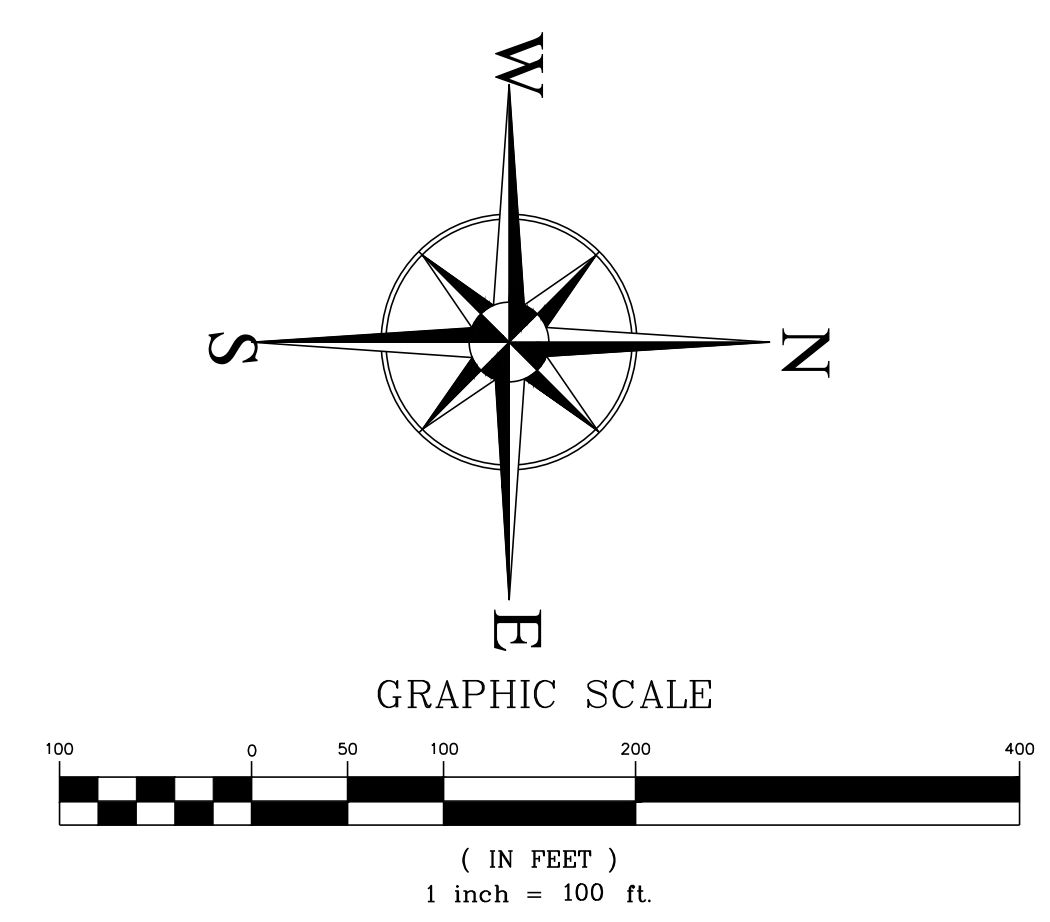
- NOTES**
- Boundary and topographic information taken from digital file by Bateman Civil Survey, dated, 1/20/20.
 - Adjoining property boundary information taken from Alamance County GIS.
 - The site is located within a FEMA Flood zone according to Flood Mapping 37088300K dated 11/20/07.
 - Contractor shall verify the location of all existing utilities and shall be responsible for any damage resulting from his activities. Call utility locator service at least 48 hours prior to digging.
 - All construction shall conform to City of Graham, NCDOT and North Carolina standards and specifications.
 - All utilities shall be located underground.
 - All lots shall be served by City of Graham public water and sanitary sewer.
 - All proposed streets shall be public and constructed to the City of Graham Standards.
 - Street addresses shall be assigned prior to lot recordation.
 - Street names shall be approved prior to plat recordation.
 - Sign permits shall be required for any entrance signage. Permits will be required prior to fabrication or installation of signs. Signage will be restricted to an on-site location.
 - An erosion control plan shall be approved by the City of Graham and the State prior to any grading on this site.
 - The developer is responsible for coordination and installation of all utilities, including street lighting.
 - Wetland and Jordan Riparian buffers have been delineated by Environmental Services, Inc.
 - No revisions may be made without permission from the permit issuing authority.
 - Construction drawings shall be submitted and approved by the City of Graham and NCDOT prior to construction.
 - Restrictive covenants shall be approved and recorded prior to recording of final plat.
 - A Home Owner's Association for ownership and management of open space, buffers and restrictive covenants must be submitted for review with the first final plat.
 - Stormwater management shall be contained in and accessed via open space maintained and owned by the Home Owner's Association. A maintenance plan must be developed to address the stormwater ponds. All shall be designed in conformance with City of Graham and State requirements.
 - All open space shall be private common open space controlled by the Homeowner's Association (HOA).
 - The US Army Corps of Engineers and the NC Division of Water Quality require wetlands and waters of the United States through the 404 Corps Permit and 401 State Water Quality Certification process. Site designers and developers are responsible for obtaining all applicable local, state, and federal permits, certifications or approvals as necessary for proposed site development activities.
 - If proposed land disturbing activity exceeds one (1) acre, an Erosion Control Permit from NCDENR Land Quality is required.
 - Stream and wetland locations are not surveyed and are for reference only.
 - Posted speed limits shall be 20 mph unless requested and approved as otherwise by the City of Graham.
 - Initial condition for all intersections shall be all-way stop. To be evaluated by the City of Graham and revised as deemed necessary.

SINGLE FAMILY LOTS

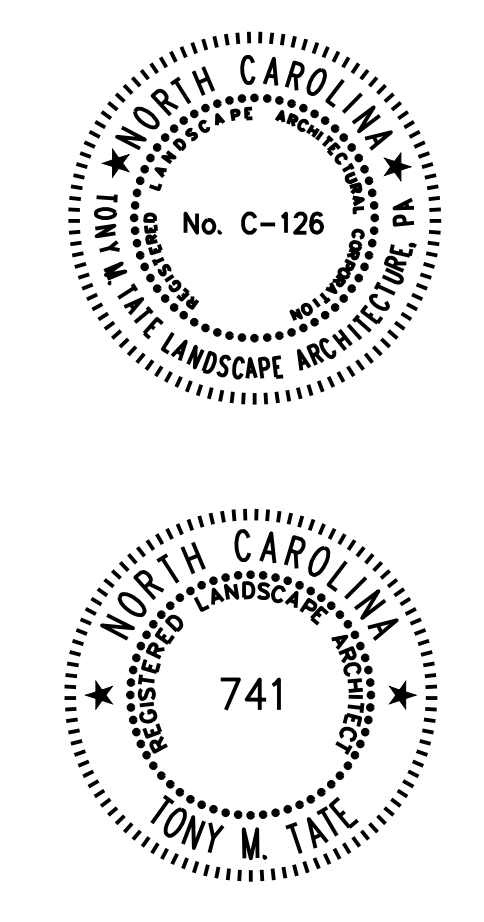
MINIMUM LOT SIZE	6,000 SF
MINIMUM LOT WIDTH	50'
MINIMUM LOT DEPTH	120'
MINIMUM FRONT SETBACK	20'
MINIMUM SIDE SETBACK	5'
MINIMUM SIDE CORNER SETBACK	10'
MINIMUM REAR SETBACK	20'
MAXIMUM BUILDING HEIGHT	35'

LEGEND

- PROJECT BOUNDARY
- 50' LOTS (SEE DETAILS ON MP-2)
- OPEN SPACE
- WETLANDS
- 100 YEAR FLOODPLAIN
- 100 YEAR FLOODWAY



TMTA ASSOCIATES
5011 SOUTH PARK DRIVE, STE. 200 - DURHAM, NC 27713
p: (919) 484-8880 e: info@tmta.com



Stocks Engineering
801 E. Washington Street
NASHVILLE, NC

MASTER SUBDIVISION PLAN
CHERRY CREEK
GRAHAM, NC
MERITAGE HOMES 3300 PARAMOUNT PKWY STE. 120 MORRISVILLE NC 27560

SCALE: 1"=100'
DRAWN BY: TMT
PROJECT # 20074
DATE: 07-24-2020
SHEET
OF 1
MP



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 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 Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

**Cherry Creek
(S2004)**
Type of Request
Major Subdivision
Meeting Dates
Planning Board on 8/18/20
City Council on 9/8/20

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

I move to **recommend APPROVAL** with the following condition(s);
• [Insert additional comments]

I move to **recommend DENIAL**.

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

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

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

increase available housing

This report reflects the recommendation of the Planning Board, this the 18th day of August 2020.

Attest:

Dean Ward
Dean Ward, Planning Board Chairman

Debbie Jolly
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 "The Graham 2035 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 "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

**Cherry Creek
(S2004)**

Type of Request
Major Subdivision

Meeting Dates
Planning Board on 8/18/20
City Council on 9/8/20, 10/13/20

Choose one...

- I move that the application be **APPROVED**.
- I move to **recommend APPROVAL** with the following condition(s);
 - [Insert additional conditions]
- I move that the application be **DENIED**.

Choose one...

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

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 13th day of October, 2020.

Attest:

Gerald R. Peterman, Mayor

Darcy L. Sperry, City Clerk



STAFF REPORT

SUBJECT:	CLOSURE OF SESQUICENTENNIAL PARK – SATURDAY, OCTOBER 24, 2020
PREPARED BY:	MARY FAUCETTE, DOWNTOWN DEVELOPMENT COORDINATOR

REQUESTED ACTION:

Closure of Sesquicentennial Park on Saturday October 24, 2020 (5:30 p.m. – 8 p.m.) for a demonstration in honor of Wyatt Outlaw.

BACKGROUND/SUMMARY:

Sylvester Allen is requesting permission to close Sesquicentennial Park to honor Wyatt Outlaw with a demonstration of no more than 50 individuals on Saturday, October 24, 2020 5:30 p.m. to 8 p.m. His demonstration will start at Wayman Chapel AME church and promenade on the sidewalk to North Main Street at Harden ending at North Main Street at Court Square and making use of Sesquicentennial Park.

Staff has informed Mr. Allen, pending Council approval tonight, that the following is required:

- A certificate of liability (COI) listing the City of Graham as an additional insured certificate holder is required
- They are to schedule public safety following the *Extra Duty Solutions* process
- Follow the Governor’s guidelines for Phase III as they pertain to outdoor gatherings

It is our understanding that Mr. Allen has contacted NCDOT requesting the closure of NC87 between North Main Street at Court Square to North Main Street at Harden Street on Saturday, October 24, 2020 5:30 p.m. to 8 p.m.

FISCAL IMPACT:

N/A. The applicant will use Extra Duty Solutions for the scheduling of both Police & Fire personnel.

STAFF RECOMMENDATION:

In recent months, Council has voted that requested events be postponed due to the restrictions outlined in the Governor’s Executive Orders at that time. While postponement is preferred, this is the first request under the current Phase III and the request meets the Governor’s Executive Order criteria as presented.

SUGGESTED MOTION(S):

I make a motion to approve the requested closure of Sesquicentennial Park on Saturday October 24, 2020 5:30 p.m. – 8 p.m. with the following condition(s):

Mr. Allen:

- Obtains and submits a Certificate of Liability Insurance (COI) meeting all City requirements;
- Schedules public safety personnel following the Extra Duty Solutions process;
- Follows all the Governor's guidelines set forth in Phase III for outdoor gatherings and limiting his demonstration to 50 people;
- Provides sanitizing stations and social distancing

I make a motion to deny the requested closure of Sesquicentennial Park on Saturday October 24, 2020 5:30 p.m. – 8 p.m.

VOLUNTEER BOARD & COMMISSION APPLICATION



The following application is used by the Graham City Council to identify individuals interested in serving on a City board or commission. To ensure that your application will receive full consideration, please answer all questions completely. For more information and details about each board, please visit cityofgraham.com/boards-commissions

Name: Jeanette E. Beaudry Email Address: jbeaudry348@yahoo.com
 Home Address: 308 East Harden St. Mailing Address: _____
 City, State, Zip: Graham NC 27253 City, State, Zip: _____
 Home Phone: 336-269-2902 Alternate Phone: _____

Please list the board(s) and/or commissions on which you are currently serving:

N/A

Please select up to, two (2) boards and/or commissions from the list below for which you would like to be considered and indicate your preference for each selection (1 = first choice and 2 = second choice):

- Alcohol Beverage Control Board
- Historic Resources Commission** (2)
- Appearance Commission
- Planning Board/Board of Adjustment** (1)
- Canine Review Board
- Recreation Commission
- Graham Housing Authority
- Tree Board
- Historical Museum Advisory Board

Note: If you wish to change your selections for desired board(s) and/or commission(s) you will need to file a new application with the City Clerk. Only the most recent application on file will be presented to City Council. If not selected, applicants must reapply after the July City Council meeting to be considered for future appointments.

RELEVANT EXPERIENCE

Current employer/retired: Retired/ Part-time Town of chapel Hill
 Employer address: 190 East Rosemary City, State, Zip: Chapel Hill, NC

Job title and description of responsibilities:
I am a Downtown Ambassador with the Town of chapel Hill Police Department since 2012.

Which of the following relevant knowledge, skills, abilities, interest, and/or experiences would you bring to the board(s) or commission(s) to which you are applying (select all that apply):

- | | | |
|-------------------------------------------------------------|----------------------------------------------------------|-------------------------------------------------------------|
| <input checked="" type="checkbox"/> History | <input type="checkbox"/> Legal | <input type="checkbox"/> Critical Thinking |
| <input checked="" type="checkbox"/> Architecture | <input type="checkbox"/> Graphic Design | <input type="checkbox"/> Data Analysis |
| <input type="checkbox"/> Research | <input type="checkbox"/> Creativity | <input checked="" type="checkbox"/> Active-Listening |
| <input type="checkbox"/> Program Development | <input type="checkbox"/> Marketing/Social Media | <input checked="" type="checkbox"/> Effective Communication |
| <input checked="" type="checkbox"/> Historical Preservation | <input checked="" type="checkbox"/> Economic Development | <input checked="" type="checkbox"/> Education & Outreach |
| <input checked="" type="checkbox"/> Event Planning | <input checked="" type="checkbox"/> Community Organizing | <input checked="" type="checkbox"/> Conflict Resolution |
| <input type="checkbox"/> Landscape Design | <input type="checkbox"/> Athletics/Sports | <input type="checkbox"/> Time Management |
| <input type="checkbox"/> Gardener/Arborist | <input checked="" type="checkbox"/> Problem Solving | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Adaptability | <input type="checkbox"/> Interpersonal Skills | |

RECEIVED

JUL 07 2020

CITY OF GRAHAM

Why do you believe you would be an asset to the board(s) and/or commission(s) to which you are applying?

I love Graham and the history embodied in our downtown and Court Square. The architecture is exceptional and tells a story. It should be protected as it tells this story, provides shelter for uses today and the future.
I have served on this committee in early 2000's and for 2 years now. I have learned much through our training and education by our city planners and guest speakers.

Have you attended a meeting of the board(s) and/or commission(s) for which you are applying?

- Yes No

Have you met with the chairperson or Staff Liaison of the board(s) and/or commission(s) for which you are applying?

- Yes No

Additional relevant information:

For Office Use Only
Date Received:

I was a tour guide for the "LookUp" tours in downtown and Court Square. I have also served as a docent for Stannance Arts, Old Salem and Graham Historical Museum's Advisory Board.

Graham Historical Museum's Advisory Board.

Thank you for your interest in the City of Graham's boards and commissions. Submit this application by email to: dsperry@cityofgraham.com, in person to: City Clerk's Office at 201 South Main Street, or by mail to: City Clerk P.O. Drawer 357, Graham, NC 27253.

VOLUNTEER BOARD & COMMISSION APPLICATION



The following application is used by the Graham City Council to identify individuals interested in serving on a City board or commission. To ensure that your application will receive full consideration, please answer all questions completely. For more information and details about each board, please visit cityofgraham.com/boards-commissions

Name: Zipporah W Clark Baldwin Email Address: queenrosez61@yahoo.com
 Home Address: 219 W Harden St Mailing Address: 219 W Harden St
 City, State, Zip: Graham, NC 27253 City, State, Zip: Graham, NC 27253
 Home Phone: 336-260-1577 Alternate Phone: _____

Please list the board(s) and/or commissions on which you are currently serving:

None

Please select up to, two (2) boards and/or commissions from the list below for which you would like to be considered and indicate your preference for each selection (1 = first choice and 2 = second choice):

- | | |
|-------------------------------------------------------------|---------------------------------------------------------------------|
| <input type="checkbox"/> Alcohol Beverage Control Board | <input checked="" type="checkbox"/> 2 Historic Resources Commission |
| <input checked="" type="checkbox"/> 1 Appearance Commission | <input type="checkbox"/> Planning Board/Board of Adjustment |
| <input type="checkbox"/> Canine Review Board | <input type="checkbox"/> Recreation Commission |
| <input type="checkbox"/> Graham Housing Authority | <input type="checkbox"/> Tree Board |
| <input type="checkbox"/> Historical Museum Advisory Board | |

Note: If you wish to change your selections for desired board(s) and/or commission(s) you will need to file a new application with the City Clerk. Only the most recent application on file will be presented to City Council. If not selected, applicants must reapply after the July City Council meeting to be considered for future appointments.

RELEVANT EXPERIENCE

Current employer/retired: retired

Employer address: _____ City, State, Zip: _____

Job title and description of responsibilities:

retired mortgage broker

Which of the following relevant knowledge, skills, abilities, interest, and/or experiences would you bring to the board(s) or commission(s) to which you are applying (select all that apply):

- | | | |
|-------------------------------------------------------------|----------------------------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> History | <input type="checkbox"/> Legal | <input checked="" type="checkbox"/> Critical Thinking |
| <input type="checkbox"/> Architecture | <input type="checkbox"/> Graphic Design | <input checked="" type="checkbox"/> Data Analysis |
| <input type="checkbox"/> Research | <input checked="" type="checkbox"/> Creativity | <input checked="" type="checkbox"/> Active-Listening |
| <input type="checkbox"/> Program Development | <input type="checkbox"/> Marketing/Social Media | <input checked="" type="checkbox"/> Effective Communication |
| <input checked="" type="checkbox"/> Historical Preservation | <input checked="" type="checkbox"/> Economic Development | <input checked="" type="checkbox"/> Education & Outreach |
| <input checked="" type="checkbox"/> Event Planning | <input checked="" type="checkbox"/> Community Organizing | <input checked="" type="checkbox"/> Conflict Resolution |
| <input type="checkbox"/> Landscape Design | <input type="checkbox"/> Athletics/Sports | <input checked="" type="checkbox"/> Time Management |
| <input type="checkbox"/> Gardener/Arborist | <input checked="" type="checkbox"/> Problem Solving | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Adaptability | <input checked="" type="checkbox"/> Interpersonal Skills | |

Why do you believe you would be an asset to the board(s) and/or commission(s) to which you are applying?

I currently have served within my community for 30+ years and have strengthened home ownership within the triad as well as Orange, Wake and Durham County. I am currently serving as a missionary and work to offset conflict within my community. I work closely with misplaced children of our community. I help plan events for local churches and organizations. I live in the recently renovated Oneida Lofts where I am working to do what I can to promote a safe and enjoyable and diverse living space.

Have you attended a meeting of the board(s) and/or commission(s) for which you are applying?

- Yes No

Have you met with the chairperson or Staff Liaison of the board(s) and/or commission(s) for which you are applying?

- Yes No

Additional relevant information:

For Office Use Only
Date Received:

Received
August 6, 2020

Thank you for your interest in the City of Graham's boards and commissions. Submit this application by email to: dsperry@cityofgraham.com, in person to: City Clerk's Office at 201 South Main Street, or by mail to: City Clerk P.O. Drawer 357, Graham, NC 27253.

City of Graham

Volunteer Board and Commission Application



The following application is used by the City Council to screen individuals interested in serving on a City advisory board or commission. To ensure that your application will receive full consideration, please answer all questions completely. For more information and details about each board, visit www.cityofgraham.com/city-hall/boards-and-commissions/

Name Matthew Haley

Email Address matthewhaley76@gmail.com

Home Address 2545 Covington Loop

Mailing Address 2545 Covington Loop

City, State, Zip Graham, NC, 27253

City, State, Zip Graham, NC, 27253

Home Phone 336-437-6237

Alternate Phone 336-516-7512

Do you live inside the city limits of Graham? Yes No

Are you applying for reappointment to a board of commission on which you are currently serving?

Yes No

If yes, for which board or commission are applying for reappointment:

For new appointments, select the board(s) and/or commission(s) for which you would like to be considered (you may select more than one):

- | | |
|----------------------------------------------------------------------|------------------------------------------------------------------------------------|
| <input type="checkbox"/> Alamance County Library Committee (2 years) | <input type="checkbox"/> Graham Sports Hall of Fame Committee (6 years) |
| <input type="checkbox"/> Alcohol Beverage Control (3 years) | <input checked="" type="checkbox"/> Historic Resources Commission (4 years) |
| <input type="checkbox"/> Appearance Commission (3 years) | <input type="checkbox"/> Planning Board/Board of Adjustment (3 years) |
| <input type="checkbox"/> Canine Review Board (3 years) | <input type="checkbox"/> Recreation Commission (3 years) |
| <input type="checkbox"/> Historical Museum Advisory Board (3 years) | <input type="checkbox"/> Tree Board (3 years) |
| <input type="checkbox"/> Graham Housing Authority (5 years) | |

Why do you wish to serve the City in this capacity? Describe the experience, skills, and abilities that you would contribute:

As a resident and local business owner I am interested moving Graham forward within the mission of the Historic Resource Commission. I believe my experience as a HS principal and 19 years in education will assist me in navigating the rules and procedures that guide this committee with approving or denying projects that impact the Historic District in Graham. I have also wanted to be more involved civically with my community and this opportunity would be a good place to begin.

RECEIVED

JUN 17 2020

CITY OF GRAHAM

Employment

Employer/Company Name Alamance Burlington School System

Address 1712 Vaughn Road

City, State, Zip Burlington, NC, 27253

Job Title and Description of Responsibilities

Principal for the Alamance Burlington Early College at ACC

Responsible for carrying out the vision and mission for the Alamance Burlington School System as well as the vision and mission for the Alamance Burlington Early College.

Civic Involvement

Please list the names of civic and volunteer organizations in which you currently hold membership and your position with that organization.

I am not a member of any organizations. Part of the mission for our high school includes Civic Engagement and this would be a way for me to model this for students. I am an Eagle Scout. Although I am not active in the Boy Scouts I do hold that lifetime position with The Boy Scouts of America. I have filled out form expressing interest in participating in the Downtown Associate Community Program Graham was selected be a part.

Thank you for your interest in the City of Graham's advisory boards and commissions. Submit this application by email to: dsperry@cityofgraham.com, in person to: City Clerk's Office at 201 South Main Street, or by mail to: Attn: City Clerk P.O. Drawer 357, Graham, NC 27253

Applications will be kept on file for 3 years

VOLUNTEER BOARD & COMMISSION APPLICATION



The following application is used by the Graham City Council to identify individuals interested in serving on a City board or commission. To ensure that your application will receive full consideration, please answer all questions completely. For more information and details about each board, please visit cityofgraham.com/boards-commissions

Name: Kaitlyn Moore Email Address: moorekaity@yahoo.com
 Home Address: 225 W Harden St Mailing Address: 225 W Harden St
 City, State, Zip: Graham, NC 27253 City, State, Zip: Graham, NC 27253
 Home Phone: (336) 380-2786 Alternate Phone: _____

Please list the board(s) and/or commissions on which you are currently serving:

Please select up to, two (2) boards and/or commissions from the list below for which you would like to be considered and indicate your preference for each selection (1 = first choice and 2 = second choice):

- | | |
|-------------------------------------------------------------|----------------------------------------------------------------------------|
| <input type="checkbox"/> Alcohol Beverage Control Board | <input checked="" type="checkbox"/> 1 Historic Resources Commission |
| <input checked="" type="checkbox"/> 2 Appearance Commission | <input type="checkbox"/> Planning Board/Board of Adjustment |
| <input type="checkbox"/> Canine Review Board | <input type="checkbox"/> Recreation Commission |
| <input type="checkbox"/> Graham Housing Authority | <input type="checkbox"/> Tree Board |
| <input type="checkbox"/> Historical Museum Advisory Board | |

Note: If you wish to change your selections for desired board(s) and/or commission(s) you will need to file a new application with the City Clerk. Only the most recent application on file will be presented to City Council. If not selected, applicants must reapply after the July City Council meeting to be considered for future appointments.

RELEVANT EXPERIENCE

Current employer/retired: Alamance County Libraries and Burlington

Employer address: 342 S Spring St/ 267 W Front St City, State, Zip: Burlington, NC 27215

Job title and description of responsibilities:

Library - Circulation Assistant: I am responsible for checking patrons in and out as well as tech assistance, shelf organization, displays, programming, and other miscellaneous tasks.
 Police - Investigative Assistant: I manage the department's website and assist in investigations.

Which of the following relevant knowledge, skills, abilities, interest, and/or experiences would you bring to the board(s) or commission(s) to which you are applying (select all that apply):

- | | | |
|---------------------------------------------------------|------------------------------------------------------------|-------------------------------------------------------------|
| <input checked="" type="checkbox"/> History | <input type="checkbox"/> Legal | <input checked="" type="checkbox"/> Critical Thinking |
| <input type="checkbox"/> Architecture | <input checked="" type="checkbox"/> Graphic Design | <input type="checkbox"/> Data Analysis |
| <input checked="" type="checkbox"/> Research | <input checked="" type="checkbox"/> Creativity | <input checked="" type="checkbox"/> Active-Listening |
| <input checked="" type="checkbox"/> Program Development | <input checked="" type="checkbox"/> Marketing/Social Media | <input checked="" type="checkbox"/> Effective Communication |
| <input type="checkbox"/> Historical Preservation | <input type="checkbox"/> Economic Development | <input type="checkbox"/> Education & Outreach |
| <input checked="" type="checkbox"/> Event Planning | <input type="checkbox"/> Community Organizing | <input type="checkbox"/> Conflict Resolution |
| <input checked="" type="checkbox"/> Landscape Design | <input type="checkbox"/> Athletics/Sports | <input checked="" type="checkbox"/> Time Management |
| <input checked="" type="checkbox"/> Gardener/Arborist | <input checked="" type="checkbox"/> Problem Solving | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Adaptability | <input type="checkbox"/> Interpersonal Skills | |

Why do you believe you would be an asset to the board(s) and/or commission(s) to which you are applying?

I have lived in Alamance County my entire life, and I have been living in Graham for the last two years. I am incredibly passionate about this town, and I want to contribute to making it the best it can be. I have witnessed some of the improvements in recent years, but I think I can be asset for making it even better. I know a lot of people who live and work in the community. I am incredibly dedicated to the things I undertake. I am organized and creative and love to tackle a project.

Have you attended a meeting of the board(s) and/or commission(s) for which you are applying?

Yes No

Have you met with the chairperson or Staff Liaison of the board(s) and/or commission(s) for which you are applying?

Yes No

Additional relevant information:

For Office Use Only
Date Received:

RECEIVED
JUL 05 2020

CITY OF GRAHAM

Thank you for your interest in the City of Graham's boards and commissions. Submit this application by email to: dsperry@cityofgraham.com, in person to: City Clerk's Office at 201 South Main Street, or by mail to: City Clerk P.O. Drawer 357, Graham, NC 27253.

CITY OF GRAHAM

VOLUNTEER BOARD & COMMISSION APPLICATION



The following application is used by the Graham City Council to identify individuals interested in serving on a City board or commission. To ensure that your application will receive full consideration, please answer all questions completely. For more information and details about each board, please visit cityofgraham.com/boards-commissions

Name: Email Address:
 Home Address: Mailing Address:
 City, State, Zip: City, State, Zip:
 Home Phone: Alternate Phone:

Please list the board(s) and/or commissions on which you are currently serving:

Please select up to, two (2) boards and/or commissions from the list below for which you would like to be considered and indicate your preference for each selection (1 = first choice and 2 = second choice):

- | | |
|-----------------------------------------------------------|---------------------------------------------------------------------|
| <input type="checkbox"/> Alcohol Beverage Control Board | <input checked="" type="checkbox"/> 1 Historic Resources Commission |
| <input type="checkbox"/> Appearance Commission | <input type="checkbox"/> Planning Board/Board of Adjustment |
| <input type="checkbox"/> Canine Review Board | <input type="checkbox"/> Recreation Commission |
| <input type="checkbox"/> Graham Housing Authority | <input type="checkbox"/> Tree Board |
| <input type="checkbox"/> Historical Museum Advisory Board | |

Note: If you wish to change your selections for desired board(s) and/or commission(s) you will need to file a new application with the City Clerk. Only the most recent application on file will be presented to City Council. If not selected, applicants must reapply after the July City Council meeting to be considered for future appointments.

RELEVANT EXPERIENCE

Current employer/retired:

Employer address: _____ City, State, Zip: _____

Job title and description of responsibilities:

Which of the following relevant knowledge, skills, abilities, interest, and/or experiences would you bring to the board(s) or commission(s) to which you are applying (select all that apply):

- | | | |
|-------------------------------------------------------------|------------------------------------------------------------|-------------------------------------------------------------|
| <input checked="" type="checkbox"/> History | <input type="checkbox"/> Legal | <input checked="" type="checkbox"/> Critical Thinking |
| <input checked="" type="checkbox"/> Architecture | <input checked="" type="checkbox"/> Graphic Design | <input checked="" type="checkbox"/> Data Analysis |
| <input checked="" type="checkbox"/> Research | <input checked="" type="checkbox"/> Creativity | <input checked="" type="checkbox"/> Active-Listening |
| <input type="checkbox"/> Program Development | <input checked="" type="checkbox"/> Marketing/Social Media | <input checked="" type="checkbox"/> Effective Communication |
| <input checked="" type="checkbox"/> Historical Preservation | <input type="checkbox"/> Economic Development | <input checked="" type="checkbox"/> Education & Outreach |
| <input checked="" type="checkbox"/> Event Planning | <input checked="" type="checkbox"/> Community Organizing | <input checked="" type="checkbox"/> Conflict Resolution |
| <input type="checkbox"/> Landscape Design | <input type="checkbox"/> Athletics/Sports | <input checked="" type="checkbox"/> Time Management |
| <input type="checkbox"/> Gardener/Arborist | <input checked="" type="checkbox"/> Problem Solving | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Adaptability | <input checked="" type="checkbox"/> Interpersonal Skills | |

Why do you believe you would be an asset to the board(s) and/or commission(s) to which you are applying?

Please see attached

Have you attended a meeting of the board(s) and/or commission(s) for which you are applying?

Yes No

Have you met with the chairperson or Staff Liaison of the board(s) and/or commission(s) for which you are applying?

Yes No

Additional relevant information:

[Empty box for additional information]

For Office Use Only
Date Received:

RECEIVED

OCT 05 2020

CITY OF GRAHAM

Thank you for your interest in the City of Graham's boards and commissions. Submit this application by email to: dsperry@cityofgraham.com, in person to: City Clerk's Office at 201 South Main Street, or by mail to: City Clerk P.O. Drawer 357, Graham, NC 27253.

Why do you believe you would be an asset to the board(s) and/or commission(s) to which you are applying?

Since moving to downtown Graham in 2006 I have been actively involved in community and civic events and matters. I have served for several years in the past, including as Vice-Chair of the Historic District Commission under Larry Brooks.

During my tenure on the Commission I played an integral part in facilitating the façade requirements with the consulting firm, the County and City for the Historic County Courthouse. I found and offered options for the handrails and lighting which would satisfy the ADA requirements while at the same time keep the aesthetic appearance complimentary and in keeping with the existing period design and architecture.

I worked with Chris Rollins, Mayor Peterman and other members of the City Council to ensure the Business Overlay District was extended to the North side of downtown. I felt it was vital that there was consistency and cohesion in the appearance and zoning of the entire business district of the City.

I have enjoyed offering and facilitating process and procedure changes, which have enabled the applicant's; Commission and City work together in discussing each other's needs and finding mutually benefiting solutions.

My time on the Commission reflected my dedicated commitment to the Historic Preservation of Downtown, the vitality and success of the businesses, property owners and the City of Graham.

I hope I am granted another opportunity to serve the citizens and City of Graham on the Historic Resources Commission.