## City of Graham City Council Regular Meeting Agenda March 8, 2022 6:00 p.m.



## **CALL TO ORDER:** Mayor Jennifer Talley

#### **INVOCATION & PLEDGE OF ALLEGIANCE**

### **OATH OF OFFICE FOR NEWLY APPOINTED COUNCIL MEMBER:** Bonnie Whitaker

### SPECIAL PRESENTATION/HONORARY PROCLAMATIONS

• <u>CITY OF GRAHAM RETIREE</u>: • Paul Ingerick

#### **CONSENT AGENDA**:

- **a.** To approve the minutes of the February 8, 2022, regular meeting.
- b. To approve a Proclamation declaring April 29, 2022, as Arbor Day in the City of Graham.
- **c.** To approve the North Carolina Records Retention and Disposition for 2021 General and Program Records Schedule for Local Government Agencies.
- **d.** To approve the following members to the recombined Appearance Commission/Tree Board starting on April 1, 2022:
  - i. Zipporah Clark-Baldwin- term ending June 2024
  - ii. Judy Hall- term ending June 2023
  - iii. Bernadette Konzelmann- term ending June 2024
  - iv. Carmen Larimore- term ending June 2024
  - v. Cheryl Ray- term ending June 2023
- e. To award a contract, in the amount of \$956,937.00, to Triangle Grading and Paving, Inc. for the Water & Sewer Improvements project on Long Avenue and Albright Avenue.
- **f.** To approve a Petition for a Voluntary Contiguous Annexation for approximately 57.23 acres located on Lacy Holt Road (GPIN 8893686572 & 8894906303) (AN2201):
  - i. To approve a Resolution Requesting the City Clerk to Investigate Sufficiency.
  - ii. To approve a Resolution Fixing Date of Public Hearing on Question of Annexation.
- g. To approve designating funds for historic plaques.
- **h.** To approve the following tax releases for \$419.29:

CITY OF GRAHAM RELEASE ACCOUNTS FEBRUARY RELEASES				
				ACCT #
702246	2021	SEBREN, SHELBY	PARCEL DOUBLE BILLED	\$113.75
6967	2021	CAROLINA HOSIERY MILL	OUT CARD FROM ALA CO VALUE CORRECTIONS	\$258.12
279829	2019	WALTERS, WILLIAM KEITH	SOLD BOAT	\$6.51
279829	2020	WALTERS, WILLIAM KEITH	SOLD BOAT	\$6.51
279829	2021	WALTERS, WILLIAM KEITH	SOLD BOAT	\$6.51
491265	2021	OLIVER, GORDON/OLIVER RENTALS	MOBILE HOME SOLD IN 2020	\$27.89

## **PUBLIC HEARINGS:**

 <u>REZONING - INTERSECT CHERRY LANE & SCOTT FARM RD (RZ2109)</u>: A public hearing has been continued to consider a rezoning from Low-Density Residential (R-18) and Light Industrial (I-1), to Conditional Industrial (C-I) consisting of 78.12 acres on Cherry Lane. (GPIN 8893686572 & 8894906303) The Planning Board recommended denying the rezoning request at its February 15, 2022, regular meeting. (Continued from January 11, 2022, regular meeting.)

### 2. <u>REZONING - INTERSECT GOVERNOR SCOTT FARM ROAD & WESTMAN (RZ2110)</u>: A

public hearing has been continued to consider a rezoning from Low-Density Residential (R-18), to Conditional Industrial (C-I) consisting of 37.85 acres on Governor Scott Farm Road. (GPIN 8893886609) The Planning Board recommended denying the rezoning request at its February 15, 2022, regular meeting. (Continued from January 11, 2022, regular meeting.)

- <u>REZONING INTERSECT CHERRY LANE & MELVILLE (RZ2111)</u>: A public hearing has been continued to consider a rezoning from Low-Density Residential (R-18), to Conditional Industrial (C-I) consisting of 9.10 acres on Cherry Lane. (GPIN 8893796670) The Planning Board recommended denying the rezoning request at its February 15, 2022, regular meeting. (Continued from January 11, 2022, regular meeting.)
- 4. <u>REZONING 302 NORTH MAPLE STREET & 203, 207, & 213 WEST MARKET STREET</u> (RZ2201): A public hearing has been continued to consider an application by Jason Cox on behalf of NJA Properties, LLC, and NRS Properties, LLC, to rezone approximately 1.15 acres of property located at 302 N. Maple Street and properties at 203, 207, and 213 W. Market Street. The applicant requests these properties be rezoned from High-Density Residential (R-7) to Central Business (B-1) zone. (GPIN: 8884151515, 8884150571, 8884059566, and 8884058556) The Planning Board recommended denial at its February 15, 2022, regular meeting. (Continued from February 8, 2022, regular meeting.)
- 5. <u>CONDITIONAL REZONING GILBREATH MIXED-USE REVISION (CR2101)</u>: A public hearing has been continued to consider an application by Ben Green Hyconic Holdings LLC, to rezone 38 acres on E. Gilbreath Street from Light Industrial (I-1) and General Residential (R-G) to Conditional Mixed-Use Residential (C-MXR) to allow for 46 townhomes and 118 single-family lots. The Planning Board recommended approval at its February 15, 2022, regular meeting. (GPIN 8883885270, 8883872722, 8883886903) (Continued from November 9, 2021, regular meeting.)

### 6. VOLUNTARY CONTIGUOUS ANNEXATION - 78.12 ACRES - CHERRY LANE (AN2103): A

public hearing has been continued to consider a voluntary contiguous annexation containing 78.12 acres on Cherry Lane. (GPIN 8893686572 & 8894906303) (Continued from January 11, 2022, regular meeting.)

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- VOLUNTARY CONTIGUOUS ANNEXATION 37.85 ACRES GOVERNOR SCOTT FARM ROAD (AN2104): A public hearing has been continued to consider a voluntary contiguous annexation containing 37.85 acres on Governor Scott Farm Road. (GPIN 8893886609) (Continued from January 11, 2022, regular meeting.)
- 8. <u>VOLUNTARY CONTIGUOUS ANNEXATION 9.10 ACRES CHERRY LANE (AN2105)</u>: A public hearing has been continued to consider a voluntary contiguous annexation containing 9.10 acres on Cherry Lane (GPIN 8893796670) (Continued from January 11, 2022, regular meeting.)

## 9. AMENDMENT - DEVELOPMENT ORDINANCE - RECREATION & AMENITIES (AM2202):

A public hearing has been continued to consider a text amendment to the Development Ordinance to create standards for recreation and amenities with subdivisions that have five or more units. The proposed text amendment includes a point system tied with listed amenities based on desirability. The points are also based on the size of the development and the number of dwelling units. If approved by the City Council, this would be placed in the reserved section, Section 10.251, within the Development Ordinance. The Planning Board recommended approval of this item, with an amendment to Section I, at their February 15, 2022, regular meeting. (Continued from February 8, 2022, regular meeting.)

10. AMENDMENT - DEVELOPMENT ORDINANCE - EXTERIOR LIGHTING (AM2203): A public

hearing has been continued to consider a text amendment to the Development Ordinance to create standards for exterior lighting throughout the City. The purpose of the proposed text amendment is to provide lighting standards throughout the City and help prevent site over-illumination and excess lighting from becoming a nuisance for adjacent properties. If approved by the City Council, this would be placed in the reserved article and section, Article VI and Section 10.290. The Planning Board recommended approval of this item at its February 15, 2022, regular meeting. (Continued from February 8, 2022, regular meeting.)

11. <u>AMENDMENT - DEVELOPMENT ORDINANCE - ACCESSORY DWELLINGS UNITS (ADUS)</u> (AM2204): A public hearing has been continued to consider a text amendment to the Development Ordinance to create standards and ways to allow accessory dwelling units in single-family residential zoning districts. The Planning Board recommended approval of this item, with an amendment, at its February 15, 2022, regular meeting. The suggested changes from the Planning Board to Council are to remove the water and sewer meter requirements, the Right of Way access requirements, and change the size to 1,600 square feet as the minimum listed in the amendment. (Continued from February 8, 2022, regular meeting.)

## NEW BUSINESS:

- 12. <u>CITIZEN REQUEST DISCUSSION AMENDING TRAFFIC SCHEDULE</u>: A request was received from Judy Hall asking City Council to consider amending the traffic schedule to include no parking within the cul-de-sac of Pepperstone Drive.
- 13. <u>ROAD CLOSURES SPECIAL EVENTS APPLICANTS</u>: On Wednesday, February 23, 2022, Council requested that all applications for road closures that had been approved previously by the Special Events Committee must now go to Council for final consideration. The Special Events Committee has reviewed the following events applications and recommends approval for all requested road closures.

- a. <u>The Exchange Club's Family Center Of The Central Piedmont: Ride Out Child Abuse:</u> Closures of 100 block of West Elm on Saturday, April 30, 2022. The alternate date is May 7, 2022. The request is to schedule the closure from 1 pm to 6 pm.
- **b.** <u>Together Community Events: Graham Food Truck Rodeo:</u> Closures of 100 block West Elm on May 15, 2022. The request is to schedule the closure from 1 pm to 9 pm.
- **c.** <u>**Graham Recreation & Parks: Thursdays At Seven Concert Series:** Closure of 100 blocks of West Elm on May 26<sup>th</sup>, June 23<sup>rd</sup>, July 28<sup>th</sup>, August 25<sup>th</sup>, September 8<sup>th</sup>, & September 22<sup>nd</sup> for the 2022 Thursdays at Seven Concert Series. The alternate dates also requested to be approved June 2nd, 9th, 16th & 30th; July 7th, 14th & 21st; August 4th, 11th & 18th; September 1st, 15th & 29<sup>th</sup>. The request is to schedule the closures for 5 pm to 11:30 pm.</u>
- d. <u>Little Brother Brewing Barrel & Bottle: Dino Day Spring Festival:</u> Closures of 100 block West Elm on June 4, 2022. The request is to schedule the closure from 10 am to 9 pm.
- e. <u>Graham Recreation & Parks: Slice of Summer</u>: Closure of 100 blocks of East and West Elm, North and South Main Streets on June 18, 2022, and the alternate date of June 25, 2022. The request is to schedule the closures from 1 pm to 9 pm.
- f. Little Brother Brewing Barrel & Bottle: Grahamtoberfest: Closures of 100 block West Elm on September 24, 2022. The request is to schedule the closure from 12 pm to 11 pm.
- g. <u>Family Abuse Services: Family Abuse Services Car Show:</u> Closures of 100 block East and West Elm, North and South Main Street, and Court Square on October 1, 2022, with the rain date of October 8, 2022. The request is to schedule the closure from 6 am to 3 pm.
- 14. <u>DISCUSSION COUNCIL MEMBER COMMITTEE LIAISONS</u>: City Council will discuss assigning each Council Member to an advisory committee as the Council liaison for each board.

PUBLIC COMMENT PERIOD

**CITY STAFF COMMENTS** 

CITY COUNCIL COMMENTS

ADJOURN



## Proclamation of Commendation and Appreciation to Paul Ingerick for His Service to the City of Graham

**WHEREAS,** Paul Ingerick diligently served the City of Graham from May 21, 2001, until January 31, 2022; and

**WHEREAS**, Paul retired as the Property Maintenance Supervisor on January 31, 2022, with nearly 21 years of service; and

**WHEREAS,** his dedication and determination resulted in transfer and advancement from the Waste Water Treatment Plant to the Cemetery Supervisor in the Public Works Department, which became the Property Maintenance Supervisor in recent years; and

**WHEREAS,** Paul has proven to be a repository of institutional knowledge, wisdom, and care while gaining the utmost respect from his colleagues and the citizens of Graham; and

**WHEREAS,** it is the desire of the City Council to extend their deepest appreciation to Paul for the excellent time and service he has afforded the citizens of Graham and his fellow employees.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT**: Paul be commended for his outstanding public service to the City of Graham.

**BE IT FURTHER RESOLVED THAT**: an expression of appreciation be extended to Mr. Paul Ingerick in the form of this Proclamation of Commendation and Appreciation, and that this Proclamation become a part of the official records of the City of Graham for all of time, and the original thereof be presented to him in person.

Presented this the 8<sup>th</sup> day of March 2022.

Jennifer Talley, Mayor City of Graham

## DRAFT MINUTES CITY OF GRAHAM CITY COUNCIL MEETING MINUTES TUESDAY, FEBRUARY 8, 2022

The City Council of the City of Graham held a regularly scheduled meeting beginning at 6:00 p.m. on February 8, 2022, in the Council Chamber of the City Hall Municipal Building located at 201 South Main Street, Graham, NC.

#### **Council Members Present:**

Mayor Jennifer Talley Mayor Pro Tem Ricky Hall Council Member Bobby Chin Council Member Joey Parsons

#### **Staff Present:**

Megan Garner, City Manager Aaron Holland, Assistant City Manager Bryan Coleman, City Attorney Bob Ward, City Attorney Darby Terrell, City Clerk Justin Snyder, Planning Director

### CALL TO ORDER:

Mayor Jennifer Talley called the meeting to order at 6:00 p.m. and presided. Mayor Talley asked Mayor Pro Tem Hall to recite the Pledge of Allegiance. Mayor Talley then recognized Reverend Ron Harris, Senior Pastor of Greater Love World Outreach, to give the invocation.

#### **SPECIAL PRESENTATIONS:**

#### **EMBERS MOTEL FIRE RESIDENT RECOGNITION:**

Embers Motel fire recognition of resident Crystal Porter. Due to unforeseen circumstances, Ms. Porter was unable to attend.

Fire Chief Tommy Cole made the below statement in place of Ms. Porter's recognition with the approval of Mayor Talley.

Fire Chief Cole said that a fire occurred on December 19, 2021, at 5:03 am. The fire was declared under control at 11:39 am, and all units cleared the scene at 5:22 pm, a little over 12 hours later. Chief Cole recognized the following Incident Command Team that managed the incident throughout the day; GFD Captain Jason Cook, Haw River Asst. Chief Marshall Lynch and GFD Captain Kevin Squires who could not attend due to a work commitment. Chief Cole said that these three fire officers did an outstanding job which allowed him to handle the behind the scene issues such as relocation of the residents and contacting supporting agencies to assist the residents. Chief Cole also recognized the Graham Recreation and Parks Director Brian Faucette for his assistance with opening and transporting the residents to the Recreation Center, which allowed agencies such as the Red Cross and the Alamance County Department of Social Services (DSS) to work with the displaced residents. Chief Cole also recognized additional members of the Graham Fire Department for their outstanding job performance during the Embers Fire. He said there were 15 fire apparatus and 49 personnel from eight different departments that helped battle the fire.

Fire Chief Cole thanked the following agencies for their assistance:

Graham Police Department E.M Holt Fire Department

Swepsonville Fire DepartmentBrHaw River Fire DepartmentMFaucette Fire DepartmentAEli Whitney Fire DepartmentAGraham Rec & ParksAAmerican Red CrossANC State Bureau of InvestigationANC Office of State Fire MarshalAlcohol, Tobacco, and Firearms (ATF)

Burlington Fire Department Mebane Fire Department Alamance County Fire Marshal's Office Alamance County EMS Alamance County Rescue Alamance County DSS & Health Departments Alamance County Arson Task Force

Fire Chief Cole stated that he had a very dedicated department, and he was proud to be their Chief.

## **RECOGNITION OF LOCAL EAGLE SCOUTS:**

Mayor Talley recognized the following scouts who obtained the rank of Eagle Scout:

<u>Nathan Philip Kreider:</u> for his project, Nathan built lightboxes to benefit the visually impaired for the Alamance-Burlington School System.

Nicolas Burke Wolfe: for his service project, Nicolas re-landscaped the grounds at the Grove Park Church.

Zachary Michael Wolfe: for his service project, Zachary built a retirement box for flags.

## **CITY OF GRAHAM RETIREES:**

Mayor Talley recognized, on behalf of the City Council and the City of Graham, Richard Allgood and Mark Manning. They retired from the City of Graham last month.

Richard Allgood: Waste Water Treatment Plant Operator, Public Utilities - 23 years

Mark Manning: Landscape Specialist, Public Works Department – 21 years

## GRAHAM RECREATION AND PARKS - 2021 9/11 COMMEMORATIVE 5K AND FIRST RESPONDERS TEAM:

The Graham Recreation and Parks Department thanked and recognized the 2021 9/11 Commemorative 5k First Responders Team winners for their accomplishments. Ms. Emma Griffin, the Program Supervisor, Graham Recreation and Parks, presented the trophy and check. Below is a summary of her speech.

The City of Graham NC Fire Department, Graham Police Department, and Graham Recreation & Parks Departments presented the first annual 9/11 Commemorative 5K Run/Walk Event on Saturday, September 11, 2021. The event was created to honor and remember those affected by the tragedies of 9/11/2001. The event's goal was to bring the community together and ultimately give back to the community. Special thanks to our sponsors, participants, and attendees for their support and donations. A check was presented for \$4,690 to the nonprofit organization, Children of Fallen Heroes, whose mission is to provide support and immediate needs for children of First Responders and Military fallen heroes through partnerships and

donations. Because of the community's help, money raised will make a positive difference in their lives and the surviving spouses.

#### **CONSENT AGENDA:**

- a. To approve the minutes of January 11, 2022, Regular Meeting.
- **b.** To approve a non-competitive or "sole source" procurement of equipment for the City of Graham's Waste Water Treatment Plant Expansion project.
- **c.** To approve the donation of ten (10) surplus Self-Contained Breathing Apparatus (SCBA) Air Packs, thirteen (13) SCBA Masks, and twenty-two (22) SCBA Bottles to the Graham High School Fire Program per their request pursuant to G.S. 160-A-274.

#### RESOLUTION AUTHORIZING CONVEYANCE OF 10 SELF CONTAINED BREATHING APPARATUS (SCBA) AIR PACKS, 13 SCBA MASK, AND 22 SELF CONTAINED BREAHTING APPARATUS (SCBA) BOTTLES TO GRAHAM HIGH SCHOOL FIRE PROGRAM PURSUANT TO G.S. 160A-274

**WHEREAS**, the City of Graham owns 10 Self Contained Breathing Apparatus Air Packs, 13 SCBA Masks, and 22 Self Contained Breathing Apparatus Bottles

**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 10 Self Contained Breathing Apparatus Air Packs, 13 SCBA Masks and 22 Self Contained Breathing Apparatus Bottles to the Graham High School Fire Program, 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 the Graham High School Fire Program the following property: 10 Self Contained Breathing Apparatus Air packs, 13 SCBA Masks, and 22 Self Contained Breathing Apparatus Bottles.
- 2. The property herein described shall be conveyed for no consideration.
- 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 8th day of February 2022.

d. To approve the Tax Collector's Mid-Year Tax Report.

City of Graham P. O. Drawer 357 201 South Main Street Graham, North Carolina 27253 (336) 570-6703 MID YEAR REPORT February 2, 2022				
	TOTAL PROPERTY VALUATION	RATE	AMOUNT OF LEVY	
TAX LEVY - CITY WIDE	1,185,231,620	0.455%	5,392,805.37	
DISCOVERIES:				
CURRENT YEAR & PRIOR YEARS WITH VARIOUS TAX RATES	2,820,386		12,832.77	
ANNEXATIONS:	609,960		2,775.33	
ABATEMENTS:	(1,583,022)		(7,199.03)	
CURRENT LEVY	1,187,078,944		5,401,214.44	
	OUTSTANDING REAL PROPERTY TAXES: 224,199.24 OUTSTANDING PERSONAL PROPERTY TAXES: 57,885.24			
TOTAL OUTSTANDING TAXE	TOTAL OUTSTANDING TAXES 282,084.48			
CURRENT YEAR TAXES COLLECTED: 5,119,129.96				
TO DATE, THE PERCENT OF CURRENT YEAR COLLECTED: 94.78%				
I REQUEST THAT THE DATE BE SET FOR LIEN ADVERTISEMENT ON MARCH 17, 2022 IN THE ALAMANCE NEWS, COST FOR ADVERTISING WILL BE \$4.00 PER PARCEL ADVERTISED AND WILL BE CHARGED ONE TIME TO THE TAXPAYER. Submitted by Sandy P. Callahan, Tax Collector				

Mayor Pro Tem Hall moved to approve the consent agenda as presented, seconded by Council Member Parsons. The motion passed unanimously.

#### **NEW BUSINESS:**

### **ITEM 1: CITY COUNCIL VACANCY:**

- **d.** Edith Montoya
- a. Daniel Alvise. Alton E. Myricki. Melody Wigginsb. Kyle Eckmannf. Richard Rohrer Srj. Bonnie Whitakerc. Adam Millerg. Chip Turnerk. Jim Young\*

  - **h.** Dean Ward

- I. George Graus\*

Mayor Talley stated applicant, Jim Young, had asked to be removed from consideration. She stated Mr. George Graus sent in his application a day after the approved deadline. Mayor Talley asked the Council to discuss the applicants and if the Council would like to consider Mr. Graus' application in discussions. The Council agreed to consider Mr. Graus' application.

Mayor Talley stated that Council Members should nominate a candidate and then Council would vote on that person. Once a candidate receives a majority vote, that person would be selected to fill the Council seat vacancy.

Mayor Pro Tem Hall moved to nominate and appoint Bonnie Whitaker to fill the vacant Council seat, seconded by Council Member Chin. The motion was passed unanimously.

Mayor Talley informed Ms. Whitaker that she would be sworn in as a member of the Council at the next meeting on March 8, 2022, at 6:00 pm.

## **ITEM 2: CITIZEN APPEAL OF CIVIL PENALTIES NOTIFICATION:**

City Council considered an appeal for a Civil Penalties notification for property located at 319 Holt Avenue. The property was cited to be in violation of Article III Section 12-70 - Conditions Declared a Nuisance, and Article VII - Abandoned/Junk motor vehicles have been declared to be a public nuisance. (County Tax Parcel ID #145412)

<u>Wayne Brewer (319 Holt Avenue)</u>: spoke in reference to the notice he received regarding junk vehicles on his property. He stated he only had trailers on the property with up-to-date tags. Two years ago, the tags in question became invalid due to hospitalization that lasted quite a while. Mr. Brewer stated the enforcement officer explained that the registration cards he produced was insufficient documentation to prove the violation issue had been resolved.

Mayor Talley asked staff what documentation was needed for the violation to be considered resolved. Mayor Talley also asked if sending pictures of the tags and plates would be sufficient documentation since it seemed that Mr. Brewer was not inclined to allow staff on his property.

Jennifer Bost, Code Enforcement Officer, stated that standard procedure requires her to physically see the valid plates on the trailer or camper.

Aaron Holland, Assistant City Manager, asked the City Attorneys' whether or not pictures can substitute from the staff member physically seeing the tags are on the vehicles.

Mr. Ward, City Attorney, stated the best action for Council would be to allow the attorneys and staff time to review the case. He stated this would allow them to review all vehicles and junk involved and recommended that the Council continue this item to the next meeting.

Ms. Bost stated she would also need to receive pictures of the front yard, side yards, and the back yard, which shows that the junk was being removed, cited in the letter under nuisance. She stated Mr. Brewer could email her those pictures or bring the documents in person while the attorney's review the required criteria for the violation to be resolved.

Mr. Ward asked Council to postpone this item for 60 days to give the City Attorneys and staff time to review.

Mayor Talley moved to postpone the enforcement until the April 12, 2022, Council meeting, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

### **ITEM 3: BOARDS AND COMMITTEES - DISCUSSION:**

City Council discussed the City of Graham's current and potential boards and committees. The main topics included an Economic Development and Marketing Committee Formation and the Appearance Commission and Tree Board Recombination.

## a. ECONOMIC DEVELOPMENT AND MARKETING COMMITTEE FORMATION

Mr. Holland, Assistant City Manager, stated at the request of the Council, staff created a framework document outlining the bylaws for a committee to be formed titled Economic Development and Marketing Committee. He stated that staff recommended creating a board of five (5) members in the framework. Mr. Holland stated that the City Attorney's had reviewed the framework, and that staff needed direction from Council.

Council discussed the Economic Development and Marketing Committee framework presented to them by staff. Council Member Chin stated he would like to increase the board members to seven members. Council members agreed to Council Member Chin's suggestion.

Mayor Talley moved to form the Economic Development and Marketing Committee as provided to Council with the amendment of increasing the number of members from five to seven, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

### **b.** APPEARANCE COMMISSION AND TREE BOARD RECOMBINATION

Mr. Holland stated per the request of the Council, staff presented the structure to recombine the Appearance Commission and Tree Board. Per Council's direction and comments, the Tree Board would become a subcommittee. Mr. Holland stated he recommended the number of members on the new board stay at seven (7) members.

Mayor Pro Tem Hall moved to recombine the Tree Board into the Appearance Commission.

Mayor Pro Tem Hall moved to amend his original motion to recombine the Tree Board into the Appearance Commission and approve Megan Buckner-Hickman from the Tree Board to be appointed in the currently vacant seat on the Appearance Commission.

Council asked for the history of the two boards and staff recommendations on what actions they should take to recombine them. Mr. Holland suggested that Council wait to fill any vacancies to see who on the two boards currently would like to be a part of the new combined board. Ms. Garner, City Manager, suggested that the City Council give staff an effective date for the merger. Council decided to wait to fill any vacancies on the new recombined board and considered making the effective date in April.

Mayor Pro Tem Hall moved to recombine the Tree Board as written.

Mayor Pro Tem Hall moved to amend his motion to recombine the Tree Board as written and make this change effective on April 1, 2022, seconded by Council Member Chin. The motion was passed unanimously.

## **DRAFT MINUTES** ITEM 4: PLANNING AND BOARD OF ADJUSTMENT BOARD VACANCY:

City Council considered filling the current vacancy on the Planning and Board of Adjustment with one of the following applicants:

a.	Melissa Clay Barnes	d. Emily O'Dell
b.	Shanelle Harvey	e. John Wooten
c.	Keith Michaels	f. Jim Young

Mayor Talley asked if any of the applicants present wished to speak. The following applicants spoke:

### Melissa "Clay" Barnes (602 Providence Road)

#### Keith Michaels (205 Ivey Road)

#### John Wooten (387 Carolina Circle)

Council Member Chin moved to nominate and appoint John Wooten to the Planning and Board of Adjustment, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

### **PUBLIC HEARINGS:**

## ITEM 5: REZONING - 302 NORTH MAPLE STREET & 203, 207, AND 213 WEST MARKET STREET (RZ2201):

A public hearing had been scheduled to consider an application by Jason Cox on behalf of NJA Properties, LLC, and NRS Properties, LLC, to rezone approximately 1.15 acres of property located at 302 N. Maple Street and properties at 203, 207, and 213 W. Market Street. The applicant is requesting these properties be rezoned from High-Density Residential (R-7) to a Central Business (B-1) zone (GPIN: 8884151515, 8884150571, 8884059566, and 8884058556). The Planning Board had tabled this item to the February 15, 2022, regular meeting. (Planning Board had requested City Council table this item to the March 8, 2022, regular meeting.)

Mayor Talley moved to table the rezoning of 302 North Maple Street and 203, 207, and 213 West Market Street until the March 8, 2022, City Council Regular Meeting, seconded by Council Member Chin. The motion passed unanimously.

## **ITEM 6: AMENDMENT - DEVELOPMENT ORDINANCE - VISION CLEARANCE, FENCES, AND WALLS (AM2201)**:

A public hearing had been scheduled to consider a text amendment to the Development Ordinance to create standards for fences and walls. This amendment defines fences and walls and sets types, heights, locations, and more without requiring a citizen to have a zoning permit. Staff recommended these changes to help stop

the installation of incompatible fencing while allowing flexibility and providing the City with enforcement tools. (The Planning Board denied this text amendment at its January 18, 2022, regular meeting.)

Mr. Snyder, Planning Director, stated that this amendment was created to help staff address enforcement complaints regarding fences or walls, location, materials used to make barriers, and height. He stated the current ordinance was extremely vague and didn't allow staff to address concerns from citizens about fences with materials that would typically not be considered appropriate. Mr. Snyder gave an example of wood pallets being used as fencing. He stated the new language would not require a citizen to pull a permit when putting up a fence. Mr. Snyder stated that the language was primarily for staff to give citizens more direction on what would be deemed appropriate materials, heights for front and backyards, and visibility for motorists throughout the City.

Council discussed with staff amending the text amendment language to address opaque and transparent fencing to allow property owners to place fencing at the property line for those who have property at intersections while allowing motorists proper visibility. Mr. Snyder suggested using language that states if the front yard fencing is fifty-percent transparent or opaque and is located in the yard of a corner lot near a traffic intersection, it would be permissible for the fencing to come to the property line. Council discussed this suggestion and had Mr. Snyder read the current ordinance language and suggested text amendment.

Council Member Chin moved to deny the text amendment as currently written, to have the text amendment amended by staff with the comments and recommendations made in the discussion, and have staff present these changes to the Planning Board for their review.

### Mayor Talley opened the Public Hearing.

<u>Mr. Tom Boney, Alamance New:</u> spoke in reference to the text amendment and asked where the language originated from and if the City Attorneys had reviewed the language.

Mr. Snyder answered that the purpose of this amendment was to define what fences and walls are and what materials are acceptable. He explained that the current ordinance language would allow fences and walls at any height and any type materials.

Bob Ward, City Attorney, stated that the attorneys had not reviewed this text amendment.

Council Member Chin moved to close the public hearing, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

Mayor Pro Tem Hall moved to amend the text amendment with language allowing up to fifty percent of opaque or transparent fencing at the property line for those who have property at intersections and for the City Attorneys to review the text amendment changes to be presented to the Planning Board for consideration. Council Member Chin seconded this motion, and the motion was passed unanimously.

## **ITEM 7: AMENDMENT - DEVELOPMENT ORDINANCE - RECREATION AND AMENITIES** (AM2202):

A public hearing had been scheduled to consider a text amendment to the Development Ordinance to create standards for recreation and amenities with subdivisions that have five or more units. The proposed text amendment includes a point system tied with listed amenities based on their desirability. The points are also based on the size of the development and the number of dwelling units. If considered and approved by both the Planning Board and City Council, it would be placed in the reserved section, Section 10.251, within the Development Ordinance. The Planning Board tabled this item to the February 15, 2022, regular meeting. (Planning Board requests City Council table this item to the March 8, 2022, City Council meeting.)

Mr. Snyder, Planning Director, stated that the Planning Board had tabled Items 7, 8, and 9 and that staff recommends tabling these items to the March 8, 2022, Council meeting.

Mayor Talley moved to table Items 7, 8, and 9 to the March 8, 2022, City Council Meeting, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

## **ITEM 8: AMENDMENT - DEVELOPMENT ORDINANCE - EXTERIOR LIGHTING (AM2203):**

A public hearing had been scheduled to consider a text amendment to the Development Ordinance to create standards for exterior lighting throughout the City. The purpose of the proposed text amendment is to provide lighting standards throughout the City and help prevent site over-illumination and excess lighting from becoming a nuisance for adjacent properties. If approved by the Planning Board and City Council, this would be placed in the reserved article and section, Article VI and Section 10.290. The Planning Board tabled this item to the February 15, 2022, regular meeting. (Planning Board requests City Council table this item to the March 8, 2022, City Council meeting.)

Mr. Snyder, Planning Director, stated that the Planning Board had tabled Items 7, 8, and 9 and that staff recommends tabling these items to the March 8, 2022, Council meeting.

Mayor Talley moved to table Items 7, 8, and 9 to the March 8, 2022, City Council Meeting, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

## ITEM 9: AMENDMENT - DEVELOPMENT ORDINANCE - ACCESSORY DWELLINGS UNITS (ADUs) (AM2204):

A public hearing had been scheduled to consider a text amendment to the Development Ordinance to create standards and ways to allow accessory dwellings units in single-family residential zoning districts. The Planning Board tabled this item to the February 15, 2022, regular meeting. (Planning Board requests City Council table this item to the March 8, 2022, City Council meeting.)

Mr. Snyder, Planning Director, stated that the Planning Board had tabled Items 7, 8, and 9 and that staff recommends tabling these items to the March 8, 2022, Council meeting.

Mayor Talley moved to table Items 7, 8, and 9 to the March 8, 2022, City Council Meeting, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

## **ITEM 10: AMENDMENT - DEVELOPMENT ORDINANCE - CRYPTOCURRENCY, VIRTUAL CURRENCY, AND BLOCKCHAIN MINING FACILITIES (AM2205)**:

A public hearing had been scheduled to consider a text amendment to the Development Ordinance to create standards for crypto mining operations. Staff recommends these changes to be adopted for the City to be proactive in setting standards for a new industry with emerging technology that is still highly inefficient, which creates noise and electronic hazardous waste, and to continue to permit local power companies the ability to offer Graham residents affordable energy. (The Planning Board denied this text amendment at its January 18, 2022, regular meeting.)

Mr. Snyder stated that since the Planning Board meeting, he had been contacted by Gerald Wilkie, business owner of HM Tech, a Bitcoin Mining facility, to discuss his proposed text amendment. After much discussion and collaboration with Mr. Wilkie, Mr. Snyder stated the new language would help encourage like-minded community-focused business owners like Mr. Wilkie to invest in Graham.

Mayor Talley opened the public hearing.

**Tom Boney, Alamance News:** asked if the language being considered by Council was the one that was presented to the Planning Board and had the Planning Board been asked their view on the changes?

Mayor Talley answered that it was not, and it would be discussed how Council would like to receive input from the Planning Board with the new language.

<u>Mr. Gerald Wilkie (426 South Maple)</u>: Mr. Wilkie presented Council with information on cryptocurrency before speaking. He spoke in favor of passing the new text amendment language and informed Council on cryptocurrency mining.

**Rudolph Anthony Cartassi Jr (207 East Dillard Street, Mebane):** Mr. Cassidy is Mr. Wilkie's business partner. He spoke against both the denied language and the new language amendment. He doesn't believe there should be regulations on this particular business because it was already regulated on its power usage.

John Wooten (387 Carolina Circle): spoke in reference to rewriting the text amendment to define data centers and the industry as a whole and input more specific regulations on the industry and not just one part.

James Fletcher (6242 S NC 87 Hwy): spoke against the text amendment, which seemed to single out a business.

<u>Chuck Talley (88 Sideways Street)</u>: spoke against the text amendment as a whole.

#### Tom Boney, Alamance News: spoke against the text amendment.

Mayor Pro Tem Hall moved to close the public hearing, seconded by Mayor Talley. The motion passed unanimously.

Mayor Pro Tem Hall moved to refer the text amendment with the new language back to the Planning Board, seconded by Council Member Parsons. The motion passed unanimously.

### PUBLIC COMMENT PERIOD

<u>Keith Westbrook (604 Trock Wilder Court)</u>: Mr. Westbrook spoke in reference to a crosswalk issue near the schools located within the City of Graham.

Jan Searls (526 East Pine Street): Ms. Searls spoke in reference to the Council's decision on combining the Appearance Commission and Tree Board without including input from either of these boards. She commended Megan Garner, City Manager, and Aaron Holland, Assistant City Manager, on communicating to her the recombination request by the Council. She asked Council to allow the two boards to decide how to combine. She also spoke in reference to considering individuals interested in getting involved with the City of Graham through volunteering.

### **CITY STAFF COMMENTS**

No comments.

### **CITY COUNCIL COMMENTS**

Mayor Pro Tem Ricky Hall: Welcomed Bonnie Whitaker to the City Council.

<u>Council Member Bobby Chin:</u> Council Member Chin recommended having the City Manager look into updating the City's Personnel Management Plan to incorporate disciplinary policies written by the state. He said the policy currently had gaps in disciplinary actions.

Council Member Chin moved to authorize the City Manager to pursue rewriting the personnel management policy, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

Council Member Parsons also requested a code of conduct and to add language to include social media. He also requested that the policy be extended to the appointed boards and commissions to follow the policy manual.

Ms. Garner, City Manager, stated that staff would look into compiling the requested personnel management update with the changes suggested by Council Member Parsons but would confer with the City Attorneys that the new language would not have any first amendment violations.

#### Mayor Jennifer Talley:

Mayor Talley spoke on donating \$4,000 from the Graham Historical Society to be donated to the Graham Resource Commission for the plaques given to buildings that have been deemed historical. She believed the money should be used for the purpose it was raised, which was to provide plaques to historical buildings in Graham.

Ms. Garner, City Manager, stated staff had no problem with this direction.

Mr. Snyder, Planning Director, stated it would help the board or commission if they were given the ability to have a blanket COA for these plaques to be approved so the plaques could be provided to the property owner promptly.

Mr. Ward suggested that Council place this item on the agenda meeting to make a formal motion.

Mayor Talley asked staff to put this item on the agenda for the next meeting following the attorney's recommendations.

Mayor Talley asked staff to look into allowing Graham Fire Department Volunteers to have the ability to work part-time for the city. She stated she had heard of other local governments having this policy. She also heard that these local governments compensated the volunteers with a small stipend. She believes this might help recruit more people and help save the City money. Mayor Talley would like to encourage as many volunteers as possible since the recent Embers Motel fire incident had proven to her how important it is to have volunteers in the department.

Mayor Talley stated she was proud to donate old supplies to the fire academy. She stated that hopefully, we could eventually recruit members from this academy to work for the City of Graham with this partnership.

Mayor Talley stated she would like to have a recycling bid out by next month and asked staff if this was possible.

Ms. Garner, City Manager, stated that staff would need to get back with her on that time frame because staff was unsure if they would have everything ready by next month.

Mr. Holland, Assistant City Manager, stated that staff would confer with the Public Works Director to see if the time frame the Mayor had presented was possible.

Mayor Talley stated she would like to know about the time frame of looking into the health insurance provided to City employees. She stated Council intends to look at the City's options due to receiving complaints from employees about what was currently being provided.

Mayor Talley asked about the special events process being approved within Graham.

Council discussed with staff the process of how special events are approved. Mr. Holland, Assistant City Manager, read the special events ordinance. The ordinance states that streets with less than 10,000 vehicles per day will go to the special events committee for approval and issuing of a permit. If there are more than 10,000 vehicles per day, it must be approved by Council.

Tom Boney, Alamance News, asked who was on the Special Events Committee?

Council Member Chin stated it was the Police Chief, Capt. Velez of Police Department, a member of the Fire Department, the Public Works Director, the Recreation and Parks Director, and the Downtown Development Coordinator.

Council members discussed making amendments to have all requests for special events be approved by City Council.

Council Member Parson requested the need for Council to be given more time to review agenda packets for the upcoming meeting.

Council Member Chin recommended having Friday, two weeks before a scheduled Council meeting, become the new deadline for agenda items to be sent to the clerk by 5:00 p.m. He also suggested sending the agenda packet to Council the Tuesday before their next meeting. Council Member Chin also suggested that if agenda items are submitted after the deadline, they should be automatically added to the next Council meeting agenda. He stated this should be a procedure for all boards and committees to receive agenda items a week before scheduled meetings.

### **ADJOURN:**

Upon motion, at 9:44 p.m., Mayor Pro Tem Hall, seconded by Council Member Chin, passed unanimously.

Darby Terrell, City Clerk



## ARBOR DAY 2022 PROCLAMATION

**WHEREAS,** in 1872 J. Sterling Morton proposed that a special day be set aside for the planting of trees; and

**WHEREAS,** this holiday, called Arbor Day, was first observed with the planting of more than a million trees; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen, increase property value, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees are a source of joy and renewal.

**NOW, THEREFORE,** I, Jennifer Talley, Mayor of the City of Graham, do hereby proclaim **April 29, 2022** as **ARBOR DAY** in the City of Graham and challenge all citizens to support this project and extend to all involved in this effort our sincere appreciation for their dedication in planting trees to promote the well-being of this and future generations.

This is the 8<sup>th</sup> day of March 2022.

Jennifer Talley, Mayor



SUBJECT:	APPROVAL OF 2021 GENERAL AND PROGRAM SCHEDULES		
PREPARED BY:	DARBY TERRELL, CITY CLERK		

#### **REQUESTED ACTION:**

To approve the General and Program Records Schedule for 2021, which helps direct staff on the appropriate documents and proper procedure to dispose of official documents.

#### BACKGROUND/SUMMARY:

These schedules are based on General Statutes Chapters 121 and 132 and produced by the NC Department of Natural and Cultural Resources Division of Archives and Records Government Records Section. Each schedule gives information on what types of documentation are allowed to be disposed of and what time frame staff must keep the documentation. Attached to this report are both reports and the paper for each schedule that needs to be signed after approval and sent to the NC Department of Natural and Cultural Resources Division for proof of approval and intent to follow the schedule.

#### FISCAL IMPACT:

N/A

#### **STAFF RECOMMENDATION:**

Please approve both schedules.

#### SUGGESTED MOTION(S):

I move to approve the 2021 General Records and Program Records Schedules for Local Government Agencies.

## RECORDS RETENTION AND DISPOSITION SCHEDULE

# GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES



Issued By:



North Carolina Department of Natural and Cultural Resources Division of Archives and Records Government Records Section

October 1, 2021

## 2021 General Records Schedule: Local Government Agencies

The records retention and disposition schedules and retention periods governing the records series listed herein are hereby approved. This approval extends to and includes the following standards in the **2021** *General Records Schedule: Local Government Agencies*:

- 1. Administration and Management Records
- 2. Budget, Fiscal, and Payroll Records
- 3. Geographic Information System Records
- 4. Human Resources Records
- 5. Information Technology Records
- 6. Legal Records
- 7. Public Relations Records
- 8. Risk Management Records
- 9. Workforce Development Records

In accordance with the provisions of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement.

#### **Destructions**

G.S. § 121-5 authorizes the Department of Natural and Cultural Resources to regulate the destruction of public records. Furthermore, the local government agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. The North Carolina Administrative Code states:

"(a) Paper records which have met their required retention requirements and are not subject to legal or other audit holds should be destroyed in one of the following ways:

- 1. burned, unless prohibited by local ordinance;
- 2. shredded, or torn up so as to destroy the record content of the documents or material concerned;
- 3. placed in acid vats so as to reduce the paper to pulp and to terminate the existence of the documents or materials concerned; or
- 4. sold as waste paper, provided that the purchaser agrees in writing that the documents or materials concerned will not be resold without pulverizing or shredding the documents so that the information contained within cannot be practicably read or reconstructed.

(b) When used in an approved records retention and disposition schedule, the provision that electronic records are to be destroyed means that the data and metadata are to be overwritten, deleted, and unlinked so the data and metadata may not be practicably reconstructed.

(c) When used in an approved records retention and disposition schedule, the provision that confidential records of any format are to be destroyed means the data, metadata, and physical media are to be destroyed in such a manner that the information cannot be read or reconstructed under any means."

All local government agencies should maintain logs of their destructions either in the minutes of their governing board or in their Records Management file. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed.

#### Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.

#### **Audits and Litigation Actions**

Records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

#### **Electronic Records**

All local government agencies and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records requires additional commitment and active management by the agency. Agencies agree to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records.

Local government agencies should consider retention requirements and disposition authorities when designing and implementing electronic records management systems. Any type of electronically-created or electronicallystored information falls under the North Carolina General Assembly's definition of public records cited above. For example, e-mail, text messages, blog posts, voicemails, websites, word processing documents, spreadsheets, databases, and PDFs all fall within this definition of public records. In addition, G.S. § 132-6.1(a) specifies:

"Databases purchased, leased, created, or otherwise acquired by every public agency containing public records shall be designed and maintained in a manner that does not impair or impede the public agency's ability to permit the public inspection and examination of public records and provides a means of obtaining copies of such records. Nothing in this subsection shall be construed to require the retention by the public agency of obsolete hardware or software."

Local government agencies may scan any paper record and retain it electronically for ease of retrieval. If an agency wishes to destroy the original paper records before their assigned retention periods have been met, the agency must establish an electronic records policy, including putting into place procedures for quality assurance and documentation of authorization for records destructions approved by the Government Records Section. This electronic records policy and releases for destruction of records must be approved by the Government Records Section. Agencies should be aware that for the purpose of any audit, litigation, or public records request, they are considered the records custodian obligated to produce requested records, even if said records are being maintained electronically by an outside vendor. Therefore, contracts regarding electronically stored information should be carefully negotiated to specify how records can be exported in case a vendor goes out of business or the agency decides to award the contract to a different vendor.

#### Reference Copies

All local government agencies and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods that allow these records to be destroyed when "*reference value ends*." All local government agencies hereby agree that they will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction "*destroy when reference value ends*." If a local government agency does not establish internal policies and retention periods, the local government agency is not complying with the provisions of this retention schedule and is not authorized by the Department of Natural and Cultural Resources to destroy the records with the disposition instruction "*destroy when reference value ends*."

#### Record Copy

A <u>record copy</u> is defined as "The single copy of a document, often the original, that is designated as the official copy for reference and preservation."<sup>1</sup> The record copy is the one whose retention and disposition is mandated by this schedule; all additional copies are considered reference or access copies and can be destroyed when their usefulness expires. In some cases, postings to social media may be unofficial copies of information that is captured elsewhere as a record copy (e.g., a press release about an upcoming agency event that is copied to various social media platforms). Appropriately retaining record copies and disposing of reference copies requires agencies to

<sup>&</sup>lt;sup>1</sup> Society of American Archivists, *Dictionary of Archives Terminology*.

designate clearly what position or office is required to maintain an official record for the duration of its designated retention period.

#### **Transitory Records**

<u>Transitory records</u> are defined as "record[s] that [have] little or no documentary or evidential value and that need not be set aside for future use."<sup>2</sup>

North Carolina has a broad definition of public records. However, the Department of Natural and Cultural Resources recognizes that some records may have little or no long-term documentary or evidential value to the creating agency. These records are often called <u>transitory records</u>. They may be disposed of according to the guidance below. However, all public employees should be familiar with their appropriate retention schedule and any other applicable guidelines for their office. If there is a required retention period for these records, that requirement must be followed. When in doubt about whether a record is transitory or whether it has special significance or importance, retain the record in question and seek guidance from a DNCR records analyst.

Routing slips and transmittal sheets adding no information to that contained in the transmitted material have minimal value after the material has been successfully transmitted. These records may be destroyed or otherwise disposed of after receipt of the material has been confirmed. Similarly, "while you were out" slips, memory aids, and other records requesting follow-up actions (including voicemails and calendar invites) have minimal value once the official action these records are supporting has been completed and documented. These records may be destroyed or otherwise disposed of once the action has been resolved.

Drafts and working papers, including notes and calculations, are materials gathered or created to assist in the creation of another record. All drafts and working papers are public records subject to all provisions of Chapter 132 of the General Statutes, but many of them have minimal value after the final version of the record has been approved, and may be destroyed after final approval, if they are no longer necessary to support the analysis or conclusions of the official record. Drafts and working documents that may be destroyed after final approval include:

- Drafts and working papers for internal and external policies
- Drafts and working papers for internal administrative reports, such as daily and monthly activity reports;
- Drafts and working papers for internal, non-policy-level documents, such as informal workflows and manuals; and
- Drafts and working papers for presentations, workshops, and other explanations of agency policy that is already formally documented.

Forms used solely to create, update, or modify records in an electronic medium may be destroyed in office after completion of data entry and after all verification and quality control procedures, so long as these records are not required for audit or legal purposes. However, if the forms contain any analog components that are necessary to validate the information contained on them (e.g., a signature or notary's seal), they must be retained according to the disposition instructions for the records series encompassing the forms' function.

<sup>&</sup>lt;sup>2</sup> Ibid.

<sup>2021</sup> General Records Schedule: Local Government Agencies

It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. This schedule supersedes previous versions of this schedule and any localized amendments; it is to remain in effect from the date of approval until it is reviewed and updated.

#### APPROVAL RECOMMENDED

Municipal/County Clerk or Manager
Title: \_\_\_\_\_\_

Sarah E. Koonts, Director Division of Archives and Records

APPROVED

Derdhich

D. Reid Wilson, Secretary Department of Natural and Cultural Resources

Head of Governing Body Title: \_\_\_\_\_

Municipality/County: \_\_\_\_\_

Effective: October 1, 2021

## **EXECUTIVE SUMMARY**

- ✓ Some records are covered by the Local Agency Program Retention and Disposition Schedules. See the appendix for Related Records Series Found in Local Agency Program Schedules.
- ✓ According to N.C. Gen. Stat. § 121-5(b) and N.C. Gen. Stat. § 132-3, you may destroy public records only with the consent of the Department of Natural and Cultural Resources (DNCR). The State Archives of North Carolina is the division of DNCR charged with administering a records management program. This schedule is the primary way the State Archives of North Carolina gives its consent. Without approving this schedule, your agency is obligated to obtain the State Archives of North Carolina's permission to destroy *any* record, no matter how insignificant.
- ✓ Each records series listed on this schedule has specific disposition instructions that will indicate how long the series must be kept in your office. In some cases, the disposition instructions are simply "retain in office permanently," which means that those records must be kept in your office forever. In other cases, the retention period may be "destroy in office when reference value ends." An agency may have reference copies of materials, meaning "a copy of a record distributed to make recipients aware of the content but not directing the recipient to take any action on the matter" (from Society of American Archivists, *Dictionary of Archives Terminology*). Your agency must establish and enforce internal policies by setting minimum retention periods for the records that the State Archives of North Carolina has scheduled with the disposition instructions, "destroy when reference value ends."
- ✓ E-mail is a record as defined by N.C. Gen. Stat. § 121-5 and N.C. Gen. Stat. § 132. It is the content of the e-mail that is critical when determining the retention period of a particular e-mail, including attachments, not the media in which the record was created. It is important for all agency employees and officials to determine the appropriate records series for specific e-mails and retain them according to the disposition instructions listed with the identified record series.
- ✓ The State Archives of North Carolina recommends that all agency employees and officials view the tutorials that are available online through the State Archives website in order to familiarize themselves with records management principles and practices. The State Archives of North Carolina's online tutorials include topics such as records management and scanning guidelines.
- The State Archives of North Carolina creates security preservation record copies for minutes and selected other records of governing bodies and commissions, adoption records, and maps and plats. Agencies can request copies of the digital images made during this process. Contact the appropriate Records Management Analyst to begin this process.

✓ If you have records that are not listed in this schedule, contact a Records Management Analyst. An analyst will discuss the nature of the records with you to determine if the records have historical value. If the records do not have historical value, we will ask you to complete a Request for Disposal of Unscheduled Records (page A-20) for records that are no longer being created.

## RECORDS RETENTION AND DISPOSITION SCHEDULE

# PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES



Issued By:



North Carolina Department of Natural and Cultural Resources Division of Archives and Records Government Records Section

October 1, 2021

#### Program Records Schedule: Local Government Agencies

The records retention and disposition schedules and retention periods governing the records series listed herein are hereby approved. This approval extends to and includes the following standards in the **2021 Program Records Schedule: Local Government Agencies**:

11. Animal Services Records
12. Code Enforcement and Inspection Records
13. Emergency Medical Services and Fire Department Records
14. Parks and Recreation Records
15. Planning and Regulation of Development Records
16. Public Housing Authorities, Redevelopment Commissions, and Entitlement Communities Records
17. Public Transportation Systems Records
18. Public Utilities and Environmental/Waste Management Records
19. Street Maintenance, Public Works, and Engineering Records
20. Law Enforcement Records (excluding Sheriff's Offices)

21. Tax Records (for municipalities)

**10. Airport Authority Records** 

In accordance with the provisions of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement.

#### **Destructions**

N.C. Gen. Stat. § 121-5 authorizes the Department of Natural and Cultural Resources to regulate the destruction of public records. Furthermore, the local government agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. The North Carolina Administrative Code states:

"(a) Paper records which have met their required retention requirements and are not subject to legal or other audit holds should be destroyed in one of the following ways:

- 1. burned, unless prohibited by local ordinance;
- 2. shredded, or torn up so as to destroy the record content of the documents or material concerned;
- 3. placed in acid vats so as to reduce the paper to pulp and to terminate the existence of the documents or materials concerned; or
- 4. sold as waste paper, provided that the purchaser agrees in writing that the documents or materials concerned will not be resold without pulverizing or shredding the documents so that the information contained within cannot be practicably read or reconstructed.

(b) When used in an approved records retention and disposition schedule, the provision that electronic records are to be destroyed means that the data and metadata are to be overwritten, deleted, and unlinked so the data and metadata may not be practicably reconstructed.

(c) When used in an approved records retention and disposition schedule, the provision that confidential records of any format are to be destroyed means the data, metadata, and physical media are to be destroyed in such a manner that the information cannot be read or reconstructed under any means."

All local government agencies should maintain logs of their destructions either in the minutes of their governing board or in their Records Management file. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed.

#### Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.

#### **Audits and Litigation Actions**

Records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

#### **Electronic Records**

All local government agencies and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records requires additional commitment and active management by the agency. Agencies agree to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records.

Local government agencies should consider retention requirements and disposition authorities when designing and implementing electronic records management systems. Any type of electronically-created or electronically-stored information falls under the North Carolina General Assembly's definition of public records cited above. For example, e-mail, text messages, blog posts, voicemails, websites, word processing documents, spreadsheets, databases, and PDFs all fall within this definition of public records. In addition, N.C. Gen. Stat. § 132-6.1(a) specifies:

"Databases purchased, leased, created, or otherwise acquired by every public agency containing public records shall be designed and maintained in a manner that does not impair or impede the public agency's ability to permit the public inspection and examination of public records and provides a means of obtaining copies of such records. Nothing in this subsection shall be construed to require the retention by the public agency of obsolete hardware or software."

Local government agencies may scan any paper record and retain it electronically for ease of retrieval. If an agency wishes to destroy the original paper records before their assigned retention periods have been met, the agency must establish an electronic records policy, including putting into place procedures for quality assurance and documentation of authorization for records destructions approved by the Government Records Section. This electronic records policy and releases for destruction of records must be approved by the Government Records Section. Agencies should be aware that for the purpose of any audit, litigation, or public records request, they are considered the records custodian obligated to produce requested records, even if said records are being maintained electronically by an outside vendor. Therefore, contracts regarding electronically stored information should be carefully negotiated to specify how records can be exported in case a vendor goes out of business or the agency decides to award the contract to a different vendor.

#### **Reference Copies**

All local government agencies and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods that allow these records to be destroyed when "*reference value ends*." All local government agencies hereby agree that they will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction "*destroy when reference value ends*." If a local government agency does not establish internal policies and retention periods, the local government agency is not complying with the provisions of this retention schedule and is not authorized by the Department of Natural and Cultural Resources to destroy the records with the disposition instruction "*destroy when reference value ends*."

#### **Record Copy**

A <u>record copy</u> is defined as "The single copy of a document, often the original, that is designated as the official copy for reference and preservation."<sup>1</sup> The record copy is the one whose retention and disposition is mandated by these schedules; all additional copies are considered reference or access copies and can be destroyed when their usefulness expires. In some cases, postings to social media may be unofficial copies of information that is captured elsewhere as a record copy (e.g., a press release about an upcoming agency event that is copied to various social

<sup>&</sup>lt;sup>1</sup> Society of American Archivists, *Dictionary of Archives Terminology*.

<sup>2021</sup> Program Records Schedule: Local Government Agencies

media platforms). Appropriately retaining record copies and disposing of reference copies requires agencies to designate clearly what position or office is required to maintain an official record for the duration of its designated retention period.

#### Transitory Records

<u>Transitory records</u> are defined as "record[s] that [have] little or no documentary or evidential value and that need not be set aside for future use."<sup>2</sup>

North Carolina has a broad definition of public records. However, the Department of Natural and Cultural Resources recognizes that some records may have little or no long-term documentary or evidential value to the creating agency. These records are often called <u>transitory records</u>. They may be disposed of according to the guidance below. However, all public employees should be familiar with their appropriate retention schedule and any other applicable guidelines for their office. If there is a required retention period for these records, that requirement must be followed. When in doubt about whether a record is transitory or whether it has special significance or importance, retain the record in question and seek guidance from a DNCR records analyst.

Routing slips and transmittal sheets adding no information to that contained in the transmitted material have minimal value after the material has been successfully transmitted. These records may be destroyed or otherwise disposed of after receipt of the material has been confirmed. Similarly, "while you were out" slips, memory aids, and other records requesting follow-up actions (including voicemails and calendar invites) have minimal value once the official action these records are supporting has been completed and documented. These records may be destroyed or otherwise disposed of once the action has been resolved.

Drafts and working papers, including notes and calculations, are materials gathered or created to assist in the creation of another record. All drafts and working papers are public records subject to all provisions of Chapter 132 of the General Statutes, but many of them have minimal value after the final version of the record has been approved, and may be destroyed after final approval, if they are no longer necessary to support the analysis or conclusions of the official record. Drafts and working documents that may be destroyed after final approval include:

- Drafts and working papers for internal and external policies
- Drafts and working papers for internal administrative reports, such as daily and monthly activity reports;
- Drafts and working papers for internal, non-policy-level documents, such as informal workflows and manuals; and
- Drafts and working papers for presentations, workshops, and other explanations of agency policy that is already formally documented.

Forms used solely to create, update, or modify records in an electronic medium may be destroyed in office after completion of data entry and after all verification and quality control procedures, so long as these records are not required for audit or legal purposes. However, if the forms contain any analog components that are necessary to validate the information contained on them (e.g., a signature or notary's seal), they must be retained according to the disposition instructions for the records series encompassing the forms' function.

It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. These schedules supersede previous versions of these schedules and any localized amendments; they are to remain in effect from the date of approval until they are reviewed and updated.

<sup>&</sup>lt;sup>2</sup> Ibid.

<sup>2021</sup> Program Records Schedule: Local Government Agencies

#### APPROVAL RECOMMENDED

Municipal/County Clerk or Manager Title: \_\_\_\_\_

to

Sarah E. Koonts, Director Division of Archives and Records

APPROVED

D. Reid Wilson, Secretary Department of Natural and Cultural Resources

Title:

Head of Governing Body

County/Municipality: \_\_\_\_\_

Effective: October 1, 2021

### **EXECUTIVE SUMMARY**

- ✓ Some records are covered by the General Records Schedule: Local Government Agencies and, therefore, are not listed separately here.
- ✓ According to N.C. Gen. Stat. § 121-5(b) and N.C. Gen. Stat. § 132-3, you may destroy public records only with the consent of the Department of Natural and Cultural Resources (DNCR). The State Archives of North Carolina is the division of DNCR charged with administering a records management program. This schedule is the primary way the State Archives of North Carolina gives its consent. Without approving this schedule, your agency is obligated to obtain the State Archives of North Carolina's permission to destroy *any* record, no matter how insignificant.
- Each records series listed on this schedule has specific disposition instructions that will indicate how long the series must be kept in your office. In some cases, the disposition instructions are simply "retain in office permanently," which means that those records must be kept in your office forever. In other cases, the retention period may be "destroy in office when reference value ends." An agency may have reference copies of materials, meaning "a copy of a record distributed to make recipients aware of the content but not directing the recipient to take any action on the matter" (from Society of American Archivists, *Dictionary of Archives Terminology*). Your agency must establish and enforce internal policies by setting minimum retention periods for the records that the State Archives of North Carolina has scheduled with the disposition instructions, "destroy when reference value ends."
- ✓ E-mail is a record as defined by N.C. Gen. Stat. § 121-5 and N.C. Gen. Stat. § 132. It is the content of the e-mail that is critical when determining the retention period of a particular e-mail, including attachments, not the media in which the record was created. It is important for all agency employees and officials to determine the appropriate records series for specific e-mails and retain them according to the disposition instructions listed with the identified record series.
- ✓ The State Archives of North Carolina recommends that all agency employees and officials view the tutorials that are available online through the State Archives website in order to familiarize themselves with records management principles and practices. The State Archives of North Carolina's online tutorials include topics such as records management and scanning guidelines.
- ✓ The State Archives of North Carolina creates security preservation record copies for minutes and selected other records of governing bodies and commissions, adoption records, and maps and plats. Agencies can request copies of the digital images made during this process. Contact the appropriate Records Management Analyst to begin this process.
- ✓ If you have records that are not listed in this schedule, contact a Records Management Analyst. An analyst will discuss the nature of the records with you to determine if the records have historical value. If the records do not have historical value, we will ask you to complete a <u>Request for</u> <u>Disposal of Unscheduled Records</u> (page A-19) for records that are no longer being created.



SUBJECT:	APPOINTMENTS TO NEW APPEARANCE/TREE BOARD
PREPARED BY:	DARBY TERRELL, CITY CLERK

#### **REQUESTED ACTION:**

Appoint existing Appearance Commission and Tree Board members to the recombined Appearance Commission/Tree Board.

#### BACKGROUND/SUMMARY:

The City Council recombined the Appearance Commission and the Tree Board at the last meeting on February 8, 2022. For the April 1, 2022 deadline, staff requests that the Council consider the below applicants who sit on the Appearance Commission and some who also sits on the Tree Board. They all asked to be considered for the new combined board. The Appearance Commission was approved with seven members, and there are currently two vacancies on the current Appearance Commission.

- Zipporah Clark-Baldwin term ending in 2024 (Appearance Commission)
- Judy Hall term ending in 2023 (Appearance Commission and Tree Board)
- Bernadette Konzelmann term ending in 2024 (Appearance Commission)
- Carmen Larimore term ending in 2024 (Appearance and Tree Board)
- Cheryl Ray term ending in 2023 (Appearance Commission)

#### FISCAL IMPACT:

N/A

#### **STAFF RECOMMENDATION:**

N/A

#### SUGGESTED MOTION(S):

I move to approve the appointments of the listed members with terms as presented.



## **STAFF REPORT**

SUBJECT:	AWARD CONTRACT FOR LONG AVENUE & ALBRIGHT AVENUE WATER & SEWER IMPROVEMENTS
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

#### **REQUESTED ACTION:**

Award contract to Triangle Grading and Paving, Inc. for the Long Avenue & Albright Avenue Water & Sewer Improvements project.

#### **BACKGROUND/SUMMARY:**

The poor condition of the water and sewer mains that serve Long Avenue and Albright Avenue were identified and approved in the current budget to be replaced and relocated. Bids for the subject project were received on Wednesday, February 23<sup>rd</sup> at 2 PM at the City of Graham Municipal Building. Three (3) bids were received, opened, and read aloud in the presence of bidders and staff. Based on the requested criteria, Triangle Grading and Paving, Inc. out of Burlington, NC were the lowest responsive bidder in the amount of \$956,937.00 and recommended by our engineers (Alley, Williams, Carmen & King, Inc.). The attached letter from our engineers outline the process and includes a tabulation sheet of the bidders received.

#### **FISCAL IMPACT:**

The total estimated cost including water and sewer improvements, as well as storm sewer improvements is \$956,937.00. Due to increased costs for materials and labor from the pandemic, the project cost increased from prior estimates. The difference will be addressed with either residual funds from other projects or with a budget amendment

#### **STAFF RECOMMENDATION:**

Approval. This project has been reflected in the Capital Improvement Plan (CIP) and considered high priority.

#### SUGGESTED MOTION(S):

I move we approve awarding the contract to Triangle Grading and Paving, Inc. for the Long Avenue & Albright Avenue Water & Sewer Improvements project.



alley, williams, carmen & king, Inc.

ENGINEERING • ARCHITECTURE • SURVEYING

February 25, 2022

Tonya Mann Utilities Director City of Graham 1824 US-70 Mebane, NC 27302

Subject: Long Avenue & Albright Avenue Water & Sewer Improvements AWCK Project No. 21060

Dear Ms. Mann:

Bids for the subject project were received on Wednesday, February 23<sup>rd</sup> at 2:00 PM at the City of Graham Municipal Building. Three (3) bids were received, opened, and read aloud in the presence of bidders and staff. The lowest base bid and each of the 2 alternates was received from Triangle Grading & Paving, Inc. Attached with this letter is a copy of the Tabulation of Bids showing the bidders name and amount of each bid received.

We have reviewed the bids, and all complied with the bidding requirements. Triangle Grading & Paving, Inc. is out of Burlington, NC and has been a licensed general contractor in the state of North Carolina since 1984. Triangle Grading & Paving has successfully completed several utility projects locally, including both municipal projects for the City of Graham as well construction projects for private developments.

As illustrated in the table below, the Base Bid for this project includes improvements to the sanitary sewer system in and around Long and Albright Avenues, Alternate #1 consist of improvements to the waterline along Long Avenue, and Alternate #2 involves improvements to the storm sewer system in and around Albright Avenue. The low bid for the project Base Bid and Alternate #1 is outside of the previously discussed budget for these improvements, which is a direct result of significant increased material and labor cost that currently encompasses the construction industry. Alternate #2 was intended to be funded by The City of Graham Public Works Department, as it is an improvement to their infrastructure, and the below bid does fall within the department's budgeted amount.

City of Graham				
Long Avenue & Albright Avenue Water & Sewer Improveme	Long Avenue & Albright Avenue Water & Sewer Improvements			
Base Bid - Long Ave. & Albright Ave. Sanitary Sewer Improvements	\$	653,257.00		
Alternate 1 - Long Ave Water Improvements	\$	148,160.00		
Alternate 2 - Albright Ave Storm Sewer Improvements	\$	155,520.00		
Total Project Cost	\$	956,937.00		

Following our review, we recommend that the City award a contract to Triangle Grading and Paving, Inc. in the amount of \$956,937.00 as they were the lowest responsive bidder. The project is scheduled to begin in late March, but as with other construction projects is subject to the procurement of construction materials necessary to the project.

We appreciate the opportunity to be of service to the City of Graham and we look forward to working with the City and Contractor during the construction phase of this project. Should you have any questions, please feel free to contact us.

Sincerely,

ALLEY, WILLIAMS, CARMEN & KING, INC.

Stever B Mill

S. Brent Mills, P.E.



### **TABULATION OF BIDS**

**City of Graham** 

Long Avenue & Albright Avenue Water & Sewer Improvements Wednesday, February 25, 2022 @ 2:00 PM

City of Graham Municipal Building, 201 South Main Street, Graham Project No. 21060

Bids Opened By: Brent Mills, PE Witnessed By: Tonya Mann, Utilities Director

CONTRACTOR	BID SECURITY	ADDENDUM #1	cqs	E-VERIFY	MBE/ WBE	IRAN CERT.	Total Base Bid + Alternate #1		Total Base Bid + Alternate #1 & #2	
Triangle Grading & Paving, Inc.	~	~	~	*	*	*	\$ 653,257.00	\$ 801,417.00	\$ 956,937.00	
Yates Construction Company, Inc.	~	~	~	~	•	*	\$ 692,646.80	\$ 839,687.46	\$ 979,846.33	
Breece Enterprises, Inc.	~	~	~	~	~	~	\$ 818,260.00	\$ 992,485.00	\$ 1,119,485.00	

THIS IS CERTIFIED TO BE A TRUE COPY OF BIDS RECEIVED

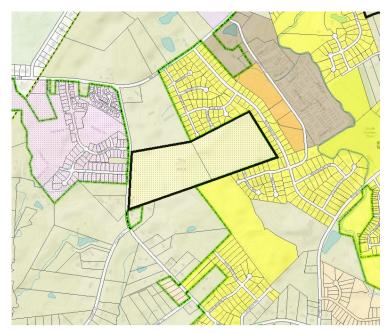
Dimmon V



SUBJECT:	ANNEXATION OF 57.225 +/- ACRES ON LACY HOLT ROAD
PREPARED BY:	JUSTIN SNYDER, PLANNING DIRECTOR

### **REQUESTED ACTION:**

Approve the resolution fixing a date of April 12, 2022, for a public hearing on the question of contiguous annexation pursuant to G.S. 160A-31 for two tracts of land located off Lacy Holt Road.



### **BACKGROUND/SUMMARY:**

The 57.225-acre area being considered for annexation is contiguous. Sewer and water are available to the lots.

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

### **FISCAL IMPACT:**

The proposed development will contain 193 single-family residential lots. Impacts are similar to other developments in the City.

### STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

- 1. I move we approve the resolution directing the City clerk to investigate a petition received under G.S. 160A-31 for potential contiguous annexation of GPINs 8873512978 and 8873625474 on Lacy Holt Road.
- 2. I move we approve the resolution fixing date of April 12, 2022, for a public hearing on the question of annexation pursuant to G.S. 160A-31 for a 57.225 (+/-) acres on Lacy Holt Road.

### RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31 FOR PROPERTY ON LACY HOLT ROAD (GPINS: 8873512978 and 8873625474) (AN2201)

WHEREAS, a petition requesting annexation of an area described in said petition was received on March 8, 2022, 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.

Jennifer Talley, Mayor

ATTEST:

Darby Terrell, City Clerk

### RESOLUTION FIXING DATE OF APRIL 12, 2022, FOR A PUBLIC HEARING ON QUESTION OF CONTIGUOUS ANNEXATION PURSUANT TO G.S. 160A-31 FOR 27.225 +/- ACRES ON LACY HOLT ROAD (AN2201)

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, at 6:00 pm on April 12, 2022.
- Section 2. The area proposed for annexation is described as follows:

Legal Description GPIN#: 8873512978 and 8873625474

### **Legal Description:**

DESCRIPTION IS OF THE LEOTERRA GRAHAM, LLC PROPERTY,

BEING TAX PARCEL ID # 175818 & 175819

AS RECORDED IN DEED BOOK 417, PAGE 557 & 563 & SHOWN ON PLAT BOOK 80, PAGE 211

IN THE ALAMANCE COUNTY REGISTER OF DEEDS.

BEGINNING AT A 1<sup>1</sup>/<sub>2</sub>" EXISTING IRON PIPE. SAID PIPE HAVING A NC GRID COORDINATE OF N: 832,573.45 AND E: 1,875,772.60, SAID PIPE ALSO BEING A COMMON CORNER WITH THE JANICE HOLT CASHION PROPERTY AND THE CARROLLTON PLACE SUBDIVISION AND ALSO WITH PARCEL # 1 OF THE SUBJECT PROPERTY; THENCE WITH THE SOUTHERN LINE OF THE CARROLLTON PLACE SUBDIVISION N 63° 41' 31" E FOR A DISTANCE OF 1225.26 FEET TO A 1" EXISTING IRON PIPE, SAID PIPE BEING A COMMON CORNER WITH THE MONROE ACRES SECTION 1 SUBDIVISION; THENCE WITH THE WESTERN LINE OF THE MONROE ACRES SUBDIVISION S 31° 25' 38" E FOR A DISTANCE OF 1021.51 FEET TO A <sup>3</sup>/<sub>4</sub>" EXISTING IRON PIPE, SAID PIPE BEING A COMMON CORNER WITH THE ROCKWOOD ESTATES SECTION 1 SUBDIVISION; THENCE WITH THE NORTHERN LINE OF THE ROCKWOOD ESTATES SUBDIVISION S 71° 25' 13" W FOR A DISTANCE OF 944.98 FEET TO A 1" EXISTING IRON PIPE. SAID PIPE BEING A COMMON CORNER WITH THE KEYSTONE GROUP INC PROPERTY; THENCE WITH THE KEYSTONE GROUP INC PROPERTY S 71° 34' 36" W FOR A DISTANCE OF 356.22 FEET TO A <sup>3</sup>/<sub>4</sub>" EXISTING IRON PIPE, SAID PIPE BEING A COMMON CORNER WITH THE KEYSTONE GROUP INC PROPERTY; THENCE WITH THE KEYSTONE PROPERTY S 71° 52' 49" W FOR A DISTANCE OF 314.73 FEET TO AN EXISTING STONE, SAID STONE BEING A COMMON CORNER WITH THE JOSHUA & SYLVIA NICKS PROPERTY: THENCE WITH THE NICKS PROPERTY S 71° 13' 48" W FOR A DISTANCE OF 821.12 FEET TO A BENT 1" EXISTING IRON PIPE, SAID PIPE BEING A COMMON CORNER WITH THE JEFFREY & PATTI NICKS PROPERTY; THENCE WITH THE NICKS PROPERTY S 71° 23' 29" W FOR A DISTANCE OF 181.30 FEET TO A BENT 1" EXISTING IRON PINCH TOP PIPE: THENCE CONTINUING S 71° 24' 13" W FOR A DISTANCE OF 66.62 FEET TO AN EXISTING IRON PIPE IN A ROCK PILE, SAID PIPE BEING A COMMON CORNER WITH THE JAMES & ANDREA ROLLINS PROPERTY; THENCE WITH THE ROLLINS PROPERTY S 71° 31' 11" W FOR A DISTANCE OF 282.36 FEET TO A 1" EXISTING IRON PIPE; THENCE CONTINUING S 71° 22' 34" W FOR A DISTANCE OF 30.45 FEET TO A CALCULATED POINT, SAID POINT BEING IN THE CENTERLINE OF LACY HOLT ROAD: THENCE WITH THE CENTERLINE OF LACY HOLT ROAD N 01° 44' 20" E FOR A DISTANCE OF 97.36 FEET TO A POINT; THENCE CONTINUING ALONG THE ROADWAY N 03° 16' 23" E FOR A DISTANCE OF 965.65 FEET TO A POINT; THENCE CONTINUING

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1414.63 FEET AND A CHORD BEARING OF N 02° 06' 23" E FOR A DISTANCE OF 35.84 FEET TO A POINT; THENCE LEAVING THE CENTERLINE N 80° 50' 51" E FOR A DISTANCE OF 30.50 FEET TO A <sup>3</sup>/<sub>4</sub>" EXISTING IRON PIPE, SAID PIPE BEING IN THE EASTERN RIGHT OF WAY OF LACY HOLT ROAD AND ALSO A COMMON CORNER WITH THE JANICE HOLT CASHION PROPERTY; THENCE WITH THE CASHION PROPERTY N 80° 50' 51" E FOR A DISTANCE OF 1135.84 FEET TO THE POINT AND PLACE OF BEGINNING AND CONTAINING 57.225 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 8<sup>th</sup> day of March, 2022.

Jennifer Talley, Mayor

ATTEST:

Darby Terrell, City Clerk

6	of Grahan
* 70	January 28, 1851

## 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	s of such territory are as follows:		

General description of area to be annexed

All of Parcels 175818 (GPIN 8873512978) and Parcel 175819 (GPIN 8873625474).

Attach the following:

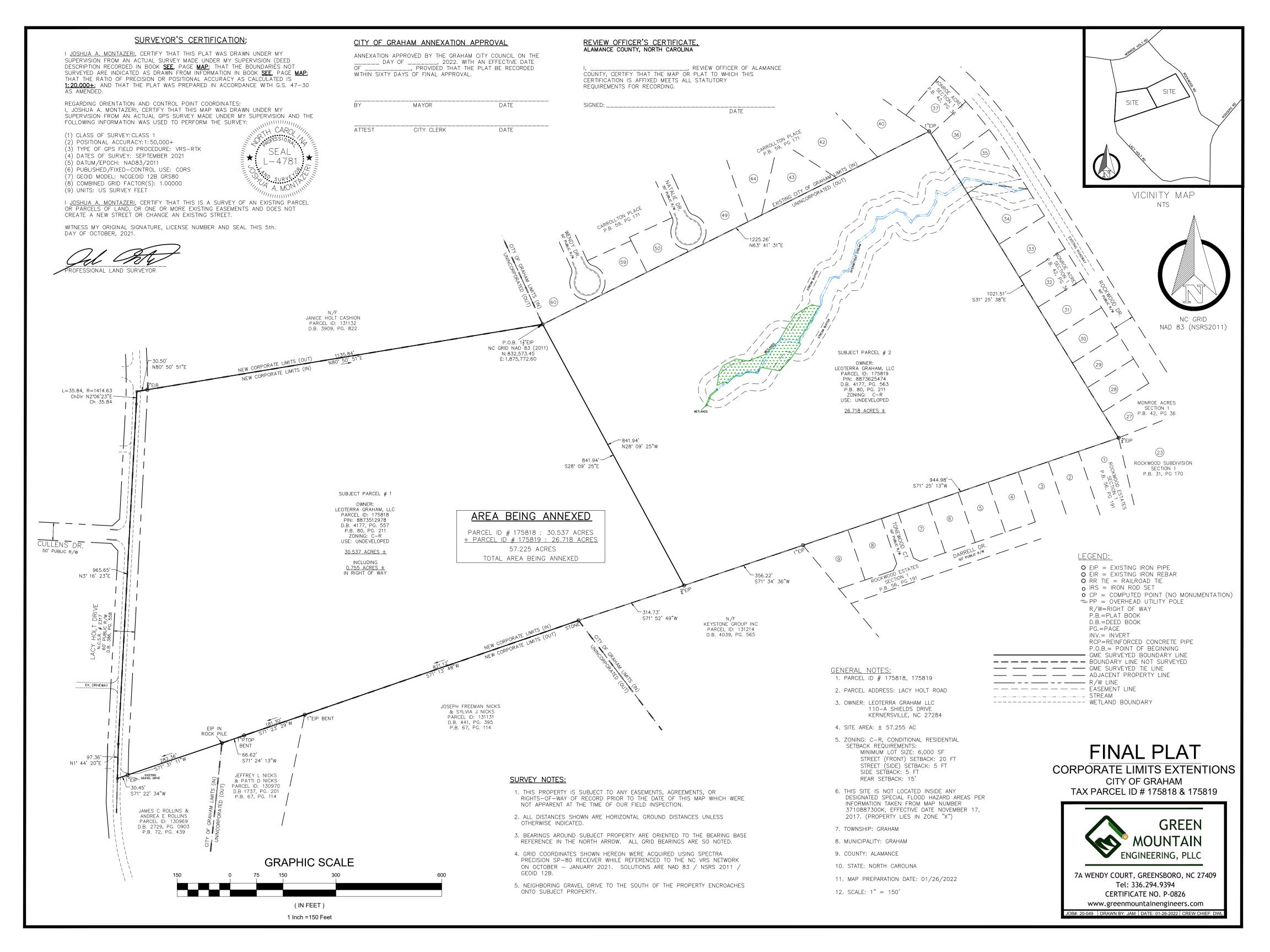
Annexation Plat – 1 paper copy, 2 mylars and 1 pdf. In addition to standard plat information, also include tax map numbers of all parcels and total square miles and acreage of area to be annexed.

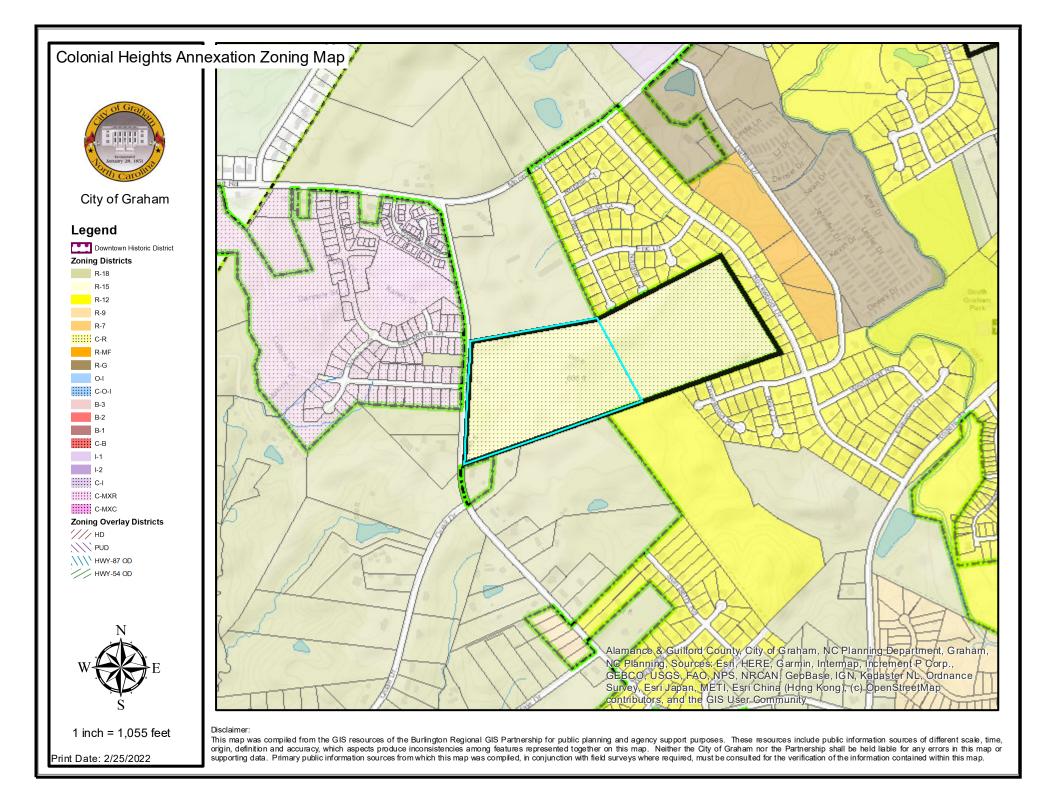
Metes and Bounds Description – 1 paper and 1 digital copy

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?	Sighature
Leoterra Graham, LLC	110-A Shields Dr. Kernersville, NC 27284		The
			· · · · · · · · · · · · · · · · · · ·

attach additional sheets if necessary ...







## STAFF REPORT

SUBJECT:	DESIGNATE FUNDS FOR HISTORIC PLAQUES				
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER				

### **REQUESTED ACTION:**

Designate funds raised by the Graham Historical Society to purchase plaques for historic buildings.

### **BACKGROUND/SUMMARY:**

At the February 8th City Council meeting, the Graham City Council discussed the funds once held in an account by the Graham Historical Society in the amount of \$4,377.19. By consensus, it was requested that staff include an agenda item on the March 8th Council agenda to appropriately designate these funds for the purchasing of plaques for historic buildings.

### FISCAL IMPACT:

If approved by Council, the funds will be earmarked to only be utilized for purchasing of plaques for historic buildings.

### **STAFF RECOMMENDATION:**

N/A.

### SUGGESTED MOTION(S):

I move to approve designating the funds raised by the Graham Historical Society in the amount of \$4,377.19 for the purchasing of plaques for historic buildings and allow the Historic Resource Commission to use a blanket Certificate of Appropriateness for all plaque installations.



### CITY OF GRAHAM RELEASE ACCOUNTS

### FEBRUARY RELEASES

ACCT # YEA	<u>NAME</u>	REASON FOR RELEASE	AMOUNT <u>RELEASED</u>
702246 202	1 SEBREN, SHELBY	PARCEL DOUBLE BILLED	\$113.75
6967 202	1 CAROLINA HOSIERY MILL	OUT CARD FROM ALA CO VALUE CORRECTIONS	\$258.12
279829 201	9 WALTERS, WILLIAM KEITH	SOLD BOAT	\$6.51
279829 202	0 WALTERS, WILLIAM KEITH	SOLD BOAT	\$6.51
279829 202	1 WALTERS, WILLIAM KEITH	SOLD BOAT	\$6.51
491265 202	1 OLIVER, GORDON/OLIVER RENTALS	MOBILE HOME SOLD IN 2020	\$27.89

TOTAL RELEASES \$419.29



# STAFF REPORT

Prepared by Justin Snyder, AICP, CZO, Planning Director

### Cherry Lane Industrial (RZ2109, AN2103)

**Type of Request:** Conditional Rezoning and Annexation

### **Meeting Dates**

Planning Board on December 21, 2021 City Council on January 11, 2022

### **Summary**

This is a request to rezone and annex 78.12 acres of property from R-18 (Low Density Residential) and I-1 (Light Industrial) to C-I (Conditional Industrial). The applicants wish to construct warehouses for potential distribution clients. The westernmost property would become part of a larger site that would contain approximately 820,000 square feet of cross-dock light industrial warehouse with parking around the building and entrances off of Cherry Lane and Gov. Scott Farm Road. The building would likely contain offices in a portion towards the front, and then the rest would be for distribution or a similar use. The site plan shows three detention ponds south of the building. There is also significant floodplain to the south that would be kept natural because of the required buffers. Landscaping would meet or exceed the ordinance, and parking would be as shown on the site plan. Staff would also mention that the proposed land use category does not have a significant impact on the sewer capacity in the vicinity of the new outfall. Finally, the site plan shows 50-foot setbacks for the building and 10 feet for parking, which will help add additional buffer area for the residential nearby.

The eastern property would be used for a 400,000 square foot building for warehouse/distribution and related uses. The building would likely contain offices in a portion towards the front, and then the rest would be for distribution or a similar use. The site plan shows two large detention ponds south of the building. There is also significant floodplain to the south that would be kept natural because of the required buffers. Landscaping would meet or exceed the ordinance, and parking would be as shown on the site plan. Staff would also mention that the proposed land use category does

**Contact Information** 

Amanda Hodierne 804 Green Valley Rd, Ste. 200 Greensboro, NC 27408 336-609-5137; <u>amanda@isaacsonsheridan.com</u>

> Location Cherry Lane

<u>GPIN:</u> 8893686572, 8894906303

Current Zoning R-18 (Low Density Residential), I-1 (Light Industrial)

> <u>Proposed Zoning</u> C-I (Conditional Industrial)

> > Overlay District N/A

Surrounding Zoning PUD, R-18, I-1, C-R

Surrounding Land Uses Single Family, Farmland, and Industrial

> Size 78.12 acres

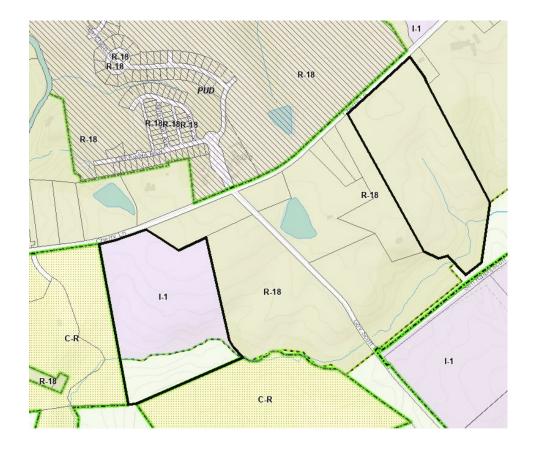
Public Water & Sewer Yes

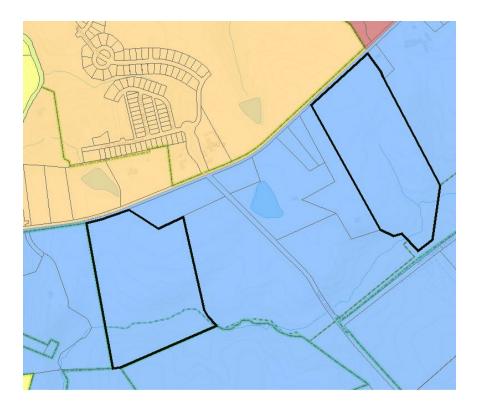
> Floodplain Yes

Staff Recommendation Approval

not have a significant impact on the sewer capacity in the vicinity of the new outfall. Finally, the site plan shows 50-foot setbacks for the building and 10 feet for parking, which will help buffer against the residential nearby.

Finally, this property is listed on the Future Land Use Map as Employment District. Industrial is an encouraged land use for this district, as it drives regional growth and job opportunities. Because this district is currently developing with more industrial than residential, staff sees the potential and likelihood that most, if not all, of the available land will develop as industrial, despite the fact that Old Fields was approved many years ago. The patterns simply do not support the notion that residential is the best use for these properties. Staff foresees everything west of the sewer outfall developing residential with the creek as the natural buffer against the likely industrial development from east of the creek to the interstate and beyond.





Future Land Use

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

### **Applicable Policies:**

- 2.1.1 Diverse job market. A diversified job market that provides employment opportunities for persons with varying education levels and skill sets is needed and encouraged. *This amendment will allow for potential job creation that will diversify our existing workforce*
- **2.1.3: Economic resilience.** Graham improves its economic resilience to economic, social, and environmental instability through a strong local economy and equitable opportunities for prosperity. *This amendment will strengthen the local economy.*
- **2.1.4 Competitive advantage**. Graham works to strengthen its existing comparative economic advantages including a high quality and highly diverse workforce, local education and research institutions, and high quality of life. *This amendment will strengthen the local economy by increasing the tax base and will aid in diversifying our skilled labor workforce*.
- **2.1.5 Regional coordination**. Graham will work to promote a positive economic environment by working to compete with, not against, other local municipalities for high-quality jobs and economic development opportunities. *This amendment will*

Planning Type District

Development Type Employment District

In the employment district, the district characteristics may not currently be present and planning and market forces will play a major role in shaping the area over the coming decades.

Achieving efficient, orderly, and attractive development within some districts will be more easily achieved through the development and implementation of small area regulating plans.

### Appropriate Density

0.5 Floor Area Ratio, large 1-2 story industrial buildings

allow for regional job growth that will not only attract workers from Graham, but also from Mebane, Haw River, Swepsonville, Burlington, and beyond.

- **2.3.2: Innovative spaces, spaces of innovation**. Graham promotes the development of flex space, live-work units, and adaptive structures for office, retail, and light industry. *This parcel is located in an area targeted for commercial and industrial development on a regional scale. The proposed zoning category lends itself to these types of uses and is flexible to provide space for multiple potential industries.*
- **2.4.1: NC Commerce Park**. Promote growth of Graham's primary job creation opportunity, a joint planning area known as the North Carolina Commerce Park (NCCP), due to its location, regional accessibility, and highly developable status. *This development expands the existing Commerce Park to continue to make Graham a regional destination for large-scale light industrial development*.

### **Staff Recommendation**

Based on the *Graham 2035 Comprehensive Plan* and the *City of Graham Development Ordinance*, staff recommends **approval** of the rezoning with conditions as listed below that shall run with the property, regardless of future ownership or development. The following supports this recommendation:

• Rezoning this property would further Policies 2.1.1, 2.1.3, 2.1.4, 2.1.5, 2.3.2, and 2.4.1, thus creating a diverse job market with innovative, focused development that will drive regional job growth and protect our environmentally-sensitive spaces.

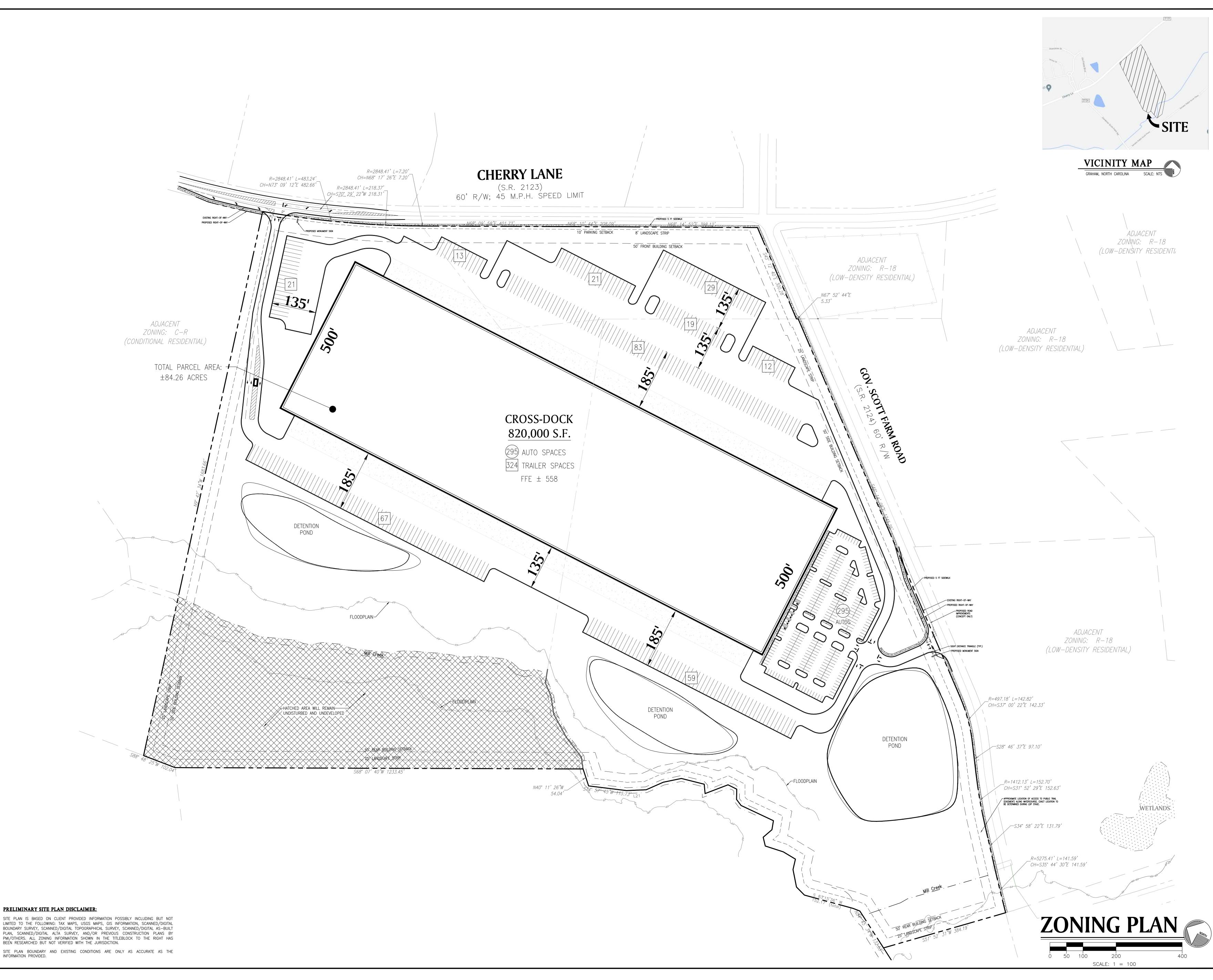
### **Staff-Recommended Conditions for Western Property:**

- 1. An improved multi-use trail with encumbrances removed at least 8 feet wide shall be provided along the entire creek frontage from the western property line to Gov. Scott Farm Road.
- 2. The developer shall commit to providing a permanent public access easement reserved over the trail for public access once an adjacent property creates a trail to connect to this trail.
- 3. A 5' concrete sidewalk shall be provided along the entire property boundary along both Cherry Lane and Gov. Scott Farm Road.
- 4. All recommended improvements to Cherry Lane and Gov. Scott Farm Road per the TIA prepared by Kimley Horn, including any additional requirements for road improvements by NCDOT as they specifically relate to the Intersect Development, shall be installed at the developer's expense concurrently with development.
- 5. Understory or midstory street trees shall be planted a minimum of five feet behind the sidewalk at least every 30' on center along the entire frontage of the property along Cherry Lane and Gov. Scott Farm Road.
- 6. Lighting intensity shall not exceed 0.2 footcandles at any property line and shall only operate when the businesses are open. Lights shall be shielded so any lighting is directed downward.
- 7. A lighting plan with footcandles, pole heights, fixture types, bulb temperatures, and locations of poles shall be submitted to the Planning Director concurrent with submittal of a site plan. Light poles to be installed shall not interfere with required landscaping.
- 8. A landscaped island with a shade tree shall be provided every 10 automobile parking spaces.

- Freestanding signs shall be of a monument style located outside required sight triangles and buffer areas and shall be top-lit, under-lit, or back lit. Internally-illuminated signage shall not be used for freestanding signs.
- 10. A 50-foot planted buffer as shown on the developer-submitted landscaping plan shall be maintained along all property lines adjacent to residentially-zoned property. If this buffer is not opaque, then the developer shall plant vegetation that will supplement the existing landscaping to make it reasonably opaque.
- 11. No land disturbance shall occur within any stream buffer area, except as otherwise authorized by issuance of a nationwide permit 39.
- 12. The land south of the creek shall be set aside in a permanent conservation easement per the note on the rezoning site plan with no future development.

### **Staff-Recommended Conditions for Eastern Property:**

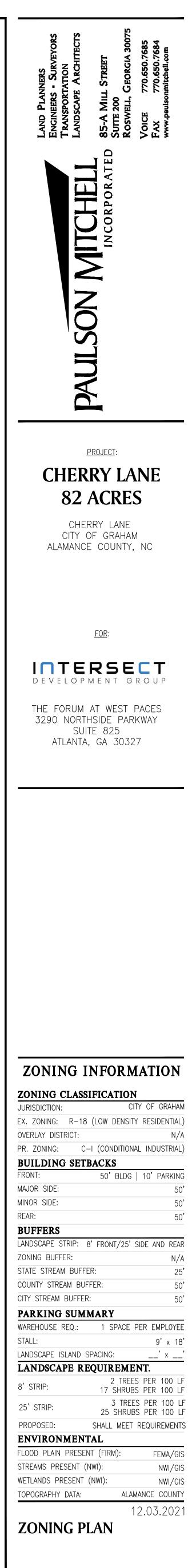
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- 2. The developer shall commit to providing a permanent public access easement reserved over the trail for public access once an adjacent property creates a trail to connect to this trail.
- 3. A 5' concrete sidewalk shall be provided along the entire property boundary along both Cherry Lane and Gov. Scott Farm Road.
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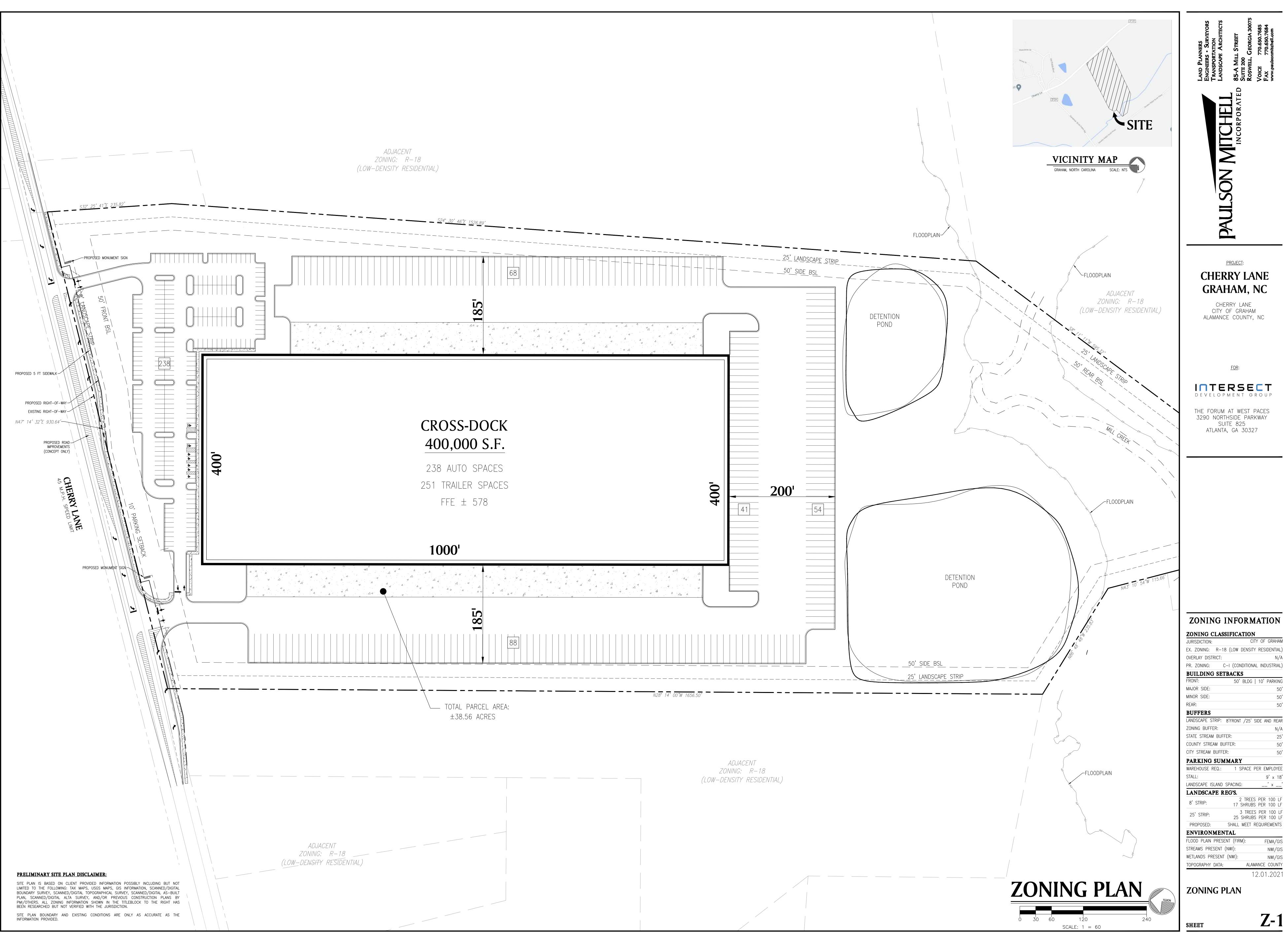
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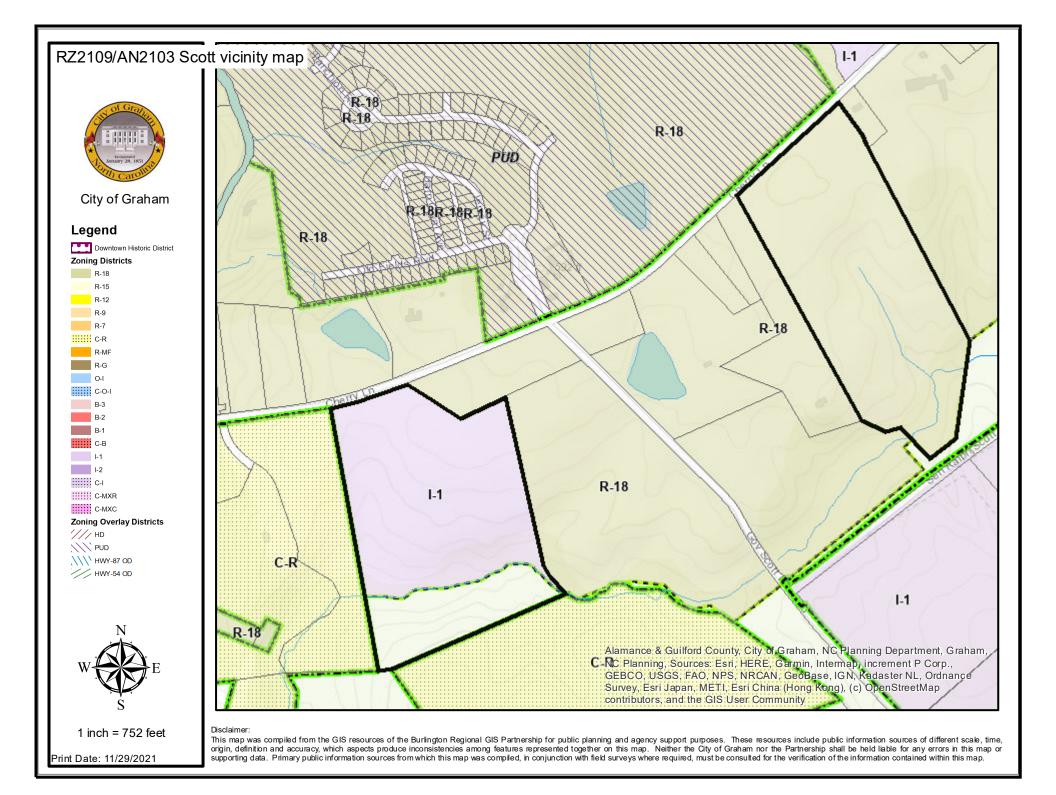
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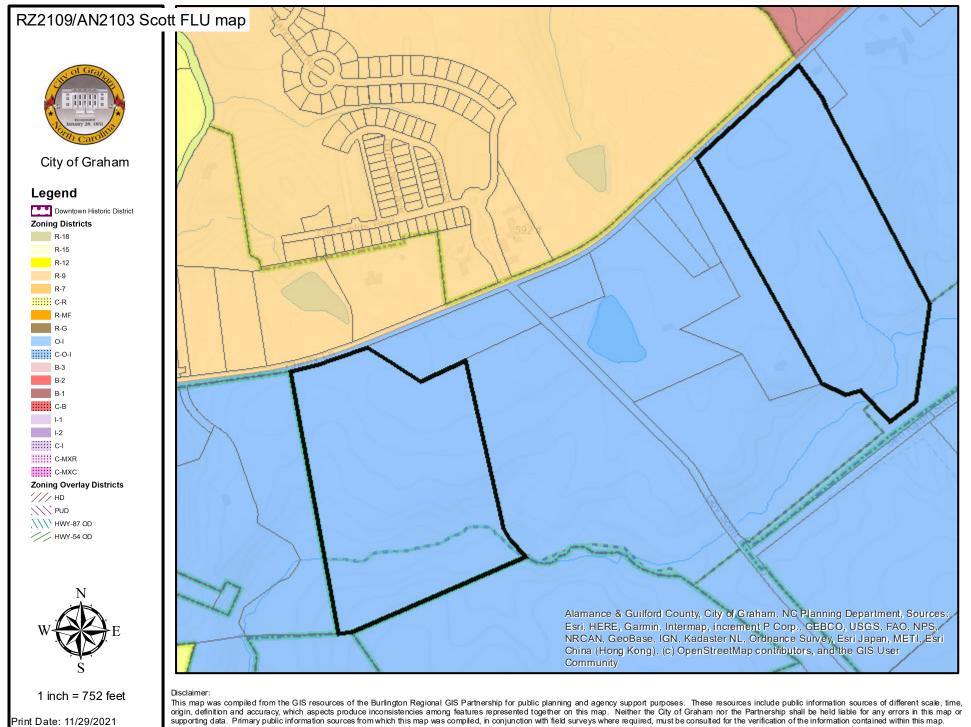
INFORMATION PROVIDED.











supporting data. Primary public information sources from which this map was compiled, in conjunction with field surveys where required, must be consulted for the verification of the information contained within this map.

1054 Barn Owl Avenue Haw River, NC 27258

December 18, 2021

The City of Graham 201 South Main Street Graham, North Carolina 27253 Office of the City Clerk – City of Graham City of Graham Planning Department City of Graham Planning Board

Mayor and City Council Members Re: Proposed Annexation and rezoning of property Cherry Lane and Governor Scott Farm Road Alamance County, North Carolina

### To The City of Graham:

The purpose of this letter is to advise the City of Graham in writing that the undersigned is in opposition to the proposed annexation, rezoning, and proposed land use designation changes of the property or properties identified in the Alamance County Geographical Database as Parcel Identification Number(s) 8893686572, 8894906303, and others if omitted or unidentified in the City Planning Staff report as associated with the City of Graham applicable case numbers AN 2103, AN 2104, RZ 2109 and RZ2110 along the Cherry Lane rural residential corridor between Jimmie Kerr Road and Trollingwood Road in Alamance County North Carolina.

Having been made aware of the above referenced case(s), I understand that the Graham City Council has the authority to approve, deny or approve with development conditions, annexation and rezoning requests presented to it.

In my absence at any public hearing at which I may be able to speak to the above indicated position due to scheduling conflicts, let this statement represent my position on this consideration. Cherry Lane is not designed to handle the amount of semi-trailer truck traffic that would be generated by to proposed warehouse buildings. A new traffic analysis should be performed before this rezoning request is considered. The current analysis does not consider the truck traffic that would be generated by warehouse buildings of this size, as well as the traffic already traveling on Cherry Lane from the existing buildings in the Park. The current design of Cherry Lane from Old Fields Boulevard to Harden Street is too narrow and thus unsafe for automobiles and cars to share the same roadway. I have already been run off the road by a semi-trailer travelling eastbound on Cherry Lane hear Jimmie Kerr Road. Fortunately, the

shoulder is wider there than it is at other places on Cherry Lane that would result in a plunge into a deep ditch or valley.

Please add my name and address to any and all future public notifications pertaining to hearings on this subject open to public input so that I may attend them in person when they are scheduled to offer additional input and justification for my position.

Very truly yours,

Hamp W. Porphan Harry W. Porthouse

Copies: Office of the City Clerk - City of Graham City of Graham Planning Board Mayor and Graham City Council



## STAFF REPORT

Prepared by Justin Snyder, AICP, CZO, Planning Director

### Cherry Lane Industrial (RZ2110, AN2104)

**Type of Request:** Conditional Rezoning and Annexation

### **Meeting Dates**

Planning Board on December 21, 2021 City Council on January 11, 2022

### **Summary**

This is a request to rezone and annex 37.85 acres of property from R-18 (Low Density Residential) to C-I (Conditional Industrial). The applicants wish to construct warehouses for potential distribution clients. The westernmost property would become part of a larger site that would contain approximately 820,000 square feet of crossdock light industrial warehouse with parking around the building and entrances off of Cherry Lane and Gov. Scott Farm Road. The building would likely contain offices in a portion towards the front, and then the rest would be for distribution or a similar use. The site plan shows three detention ponds south of the building. There is also significant floodplain to the south that would be kept natural because of the required buffers. Landscaping would meet or exceed the ordinance, and parking would be as shown on the site plan. Staff would also mention that the proposed land use category does not have a significant impact on the sewer capacity in the vicinity of the new outfall. Finally, the site plan shows 50-foot setbacks for the building and 10 feet for parking, which will help add additional buffer area for the residential nearby.

Finally, this property is listed on the Future Land Use Map as Employment District. Industrial is an encouraged land use for this district, as it drives regional growth and job opportunities. Because this district is currently developing with more industrial than residential, staff sees the potential and likelihood that most, if not all, of the available land will develop as industrial, despite the fact that Old Fields was approved many years ago. The patterns simply do not support the notion that residential is the best use for these properties. Staff foresees everything west of the sewer outfall

### **Contact Information**

Amanda Hodierne 804 Green Valley Rd, Ste. 200 Greensboro, NC 27408 336-609-5137; <u>amanda@isaacsonsheridan.com</u>

> Location Gov. Scott Farm Road

<u>GPIN:</u> 8893686572, 8894906303

### Current Zoning

R-18 (Low Density Residential)

Proposed Zoning C-I (Conditional Industrial)

> Overlay District N/A

Surrounding Zoning PUD, R-18, I-1, C-R

Surrounding Land Uses Single Family, Farmland, and Industrial

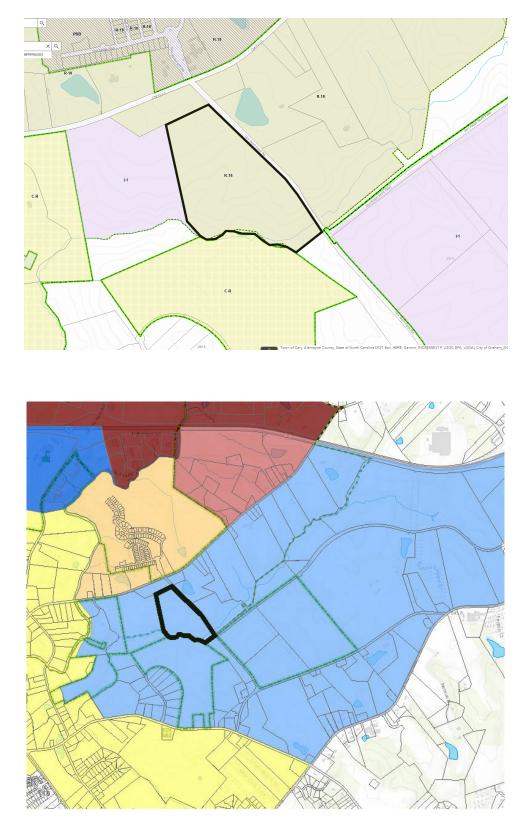
> <u>Size</u> 37.85 acres

Public Water & Sewer Yes

> Floodplain Yes

Staff Recommendation Approval

developing residential with the creek as the natural buffer against the likely industrial development from east of the creek to the interstate and beyond.



Future Land Use

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

### **Applicable Policies:**

- **2.1.1 Diverse job market**. A diversified job market that provides employment opportunities for persons with varying education levels and skill sets is needed and encouraged. *This amendment will allow for potential job creation that will diversify our existing workforce*
- **2.1.3: Economic resilience.** Graham improves its economic resilience to economic, social, and environmental instability through a strong local economy and equitable opportunities for prosperity. *This amendment will strengthen the local economy.*
- **2.1.4 Competitive advantage**. Graham works to strengthen its existing comparative economic advantages including a high quality and highly diverse workforce, local education and research institutions, and high quality of life. *This amendment will strengthen the local economy by increasing the tax base and will aid in diversifying our skilled labor workforce.*
- 2.1.5 Regional coordination. Graham will work to promote a positive economic environment by working to compete with, not against, other local municipalities for high-quality jobs and economic development opportunities. *This amendment will allow for regional job growth that will not only attract workers*

### Planning Type District

Development Type Employment District

In the employment district, the district characteristics may not currently be present and planning and market forces will play a major role in shaping the area over the coming decades.

Achieving efficient, orderly, and attractive development within some districts will be more easily achieved through the development and implementation of small area regulating plans.

Appropriate Density 0.5 Floor Area Ratio, large 1-2 story industrial buildings

from Graham, but also from Mebane, Haw River, Swepsonville, Burlington, and beyond.

- **2.3.2: Innovative spaces, spaces of innovation**. Graham promotes the development of flex space, live-work units, and adaptive structures for office, retail, and light industry. *This parcel is located in an area targeted for commercial and industrial development on a regional scale. The proposed zoning category lends itself to these types of uses and is flexible to provide space for multiple potential industries.*
- **2.4.1: NC Commerce Park**. Promote growth of Graham's primary job creation opportunity, a joint planning area known as the North Carolina Commerce Park (NCCP), due to its location, regional accessibility, and highly developable status. *This development expands the existing Commerce Park to continue to make Graham a regional destination for large-scale light industrial development*.

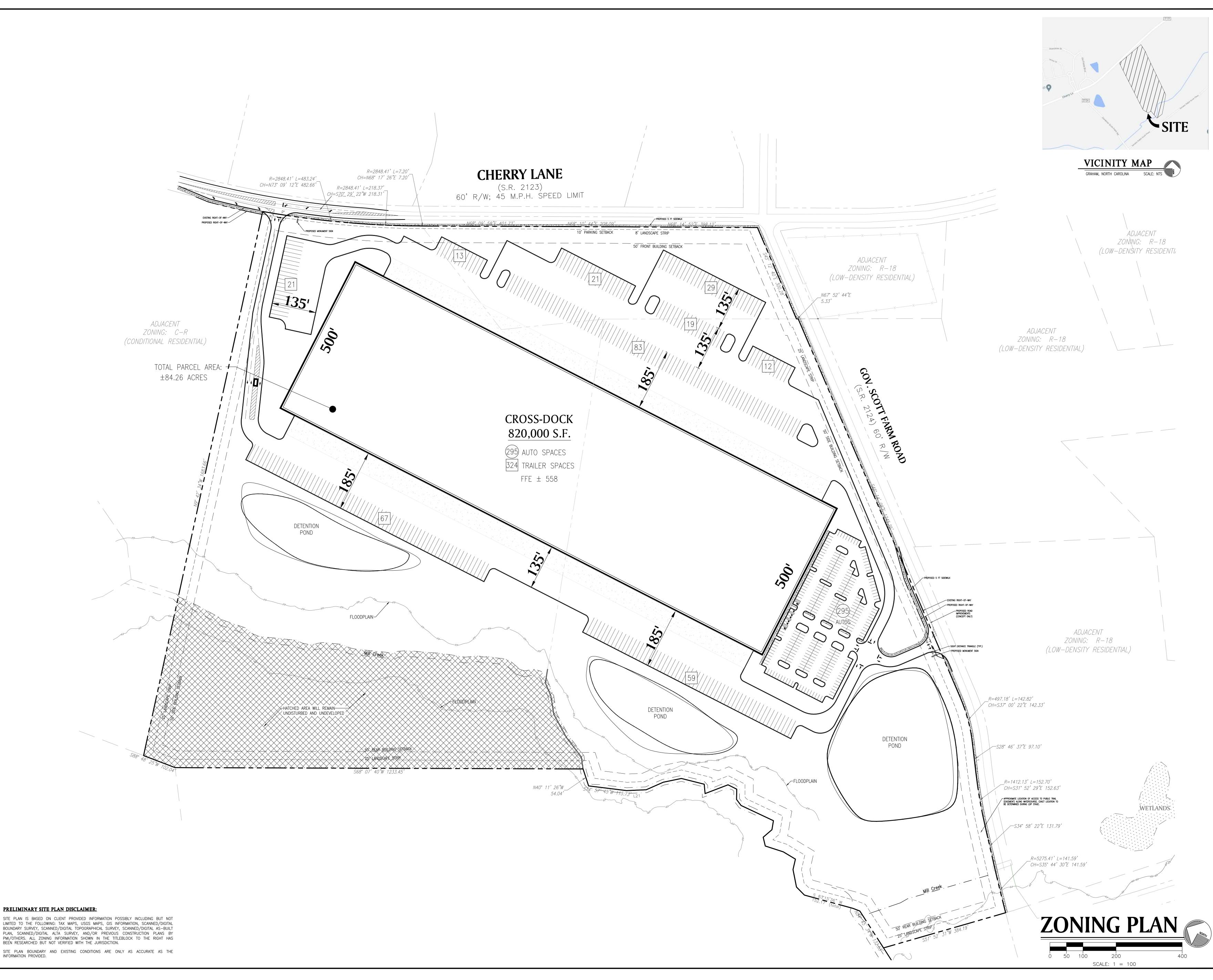
### **Staff Recommendation**

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

• Rezoning this property would further Policies 2.1.1, 2.1.3, 2.1.4, 2.1.5, 2.3.2, and 2.4.1, thus creating a diverse job market with innovative, focused development that will drive regional job growth and protect our environmentally-sensitive spaces.

### **Staff-Recommended Conditions:**

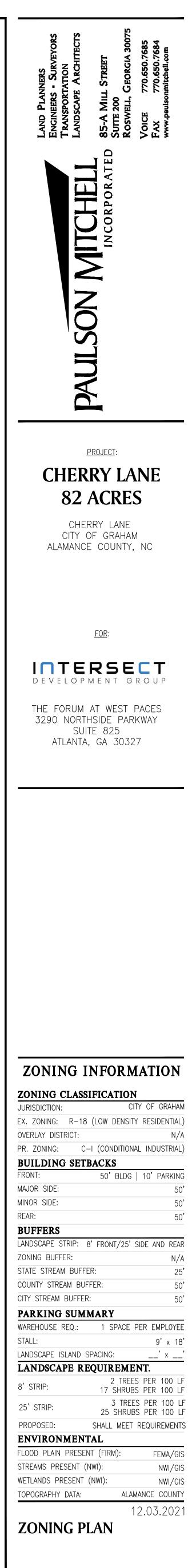
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- Freestanding signs shall be of a monument style located outside required sight triangles and buffer areas and shall be top-lit, under-lit, or back lit. Internally-illuminated signage shall not be used for freestanding signs.
- 10. A 50-foot planted buffer as shown on the developer-submitted landscaping plan shall be maintained along all property lines adjacent to residentially-zoned property. If this buffer is not opaque, then the developer shall plant vegetation that will supplement the existing landscaping to make it reasonably opaque.
- 11. No land disturbance shall occur within any stream buffer area, except as otherwise authorized by issuance of a nationwide permit 39.
- 12. The land south of the creek shall be set aside in a permanent conservation easement per the note on the rezoning site plan with no future development.



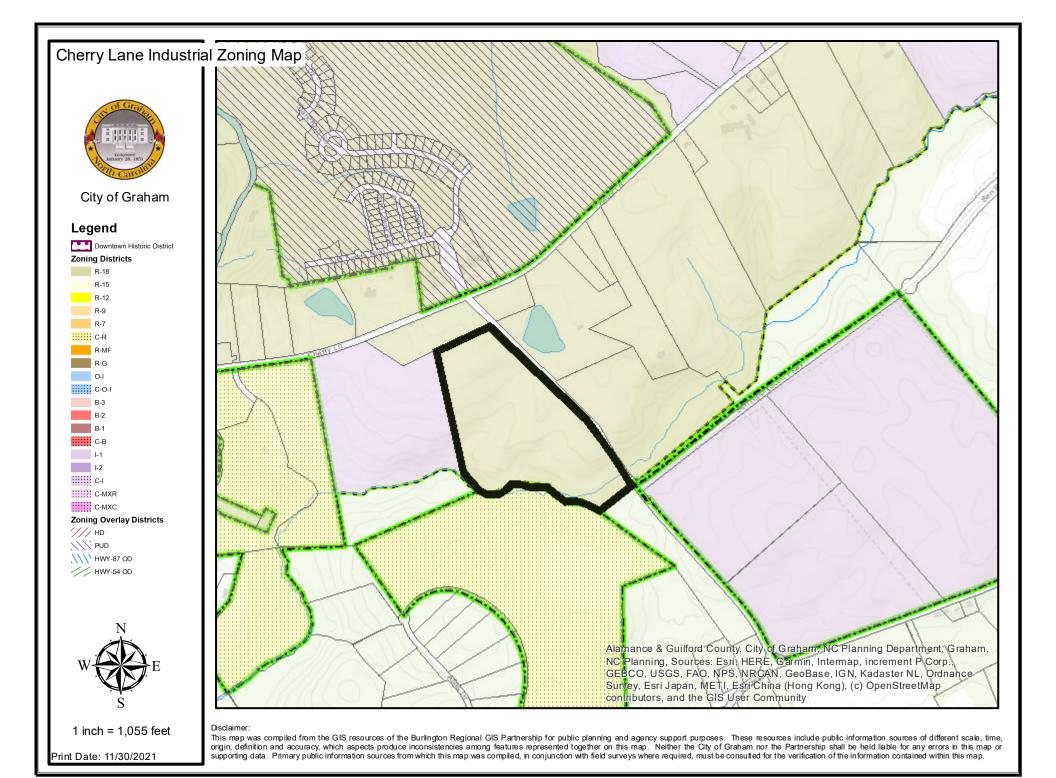
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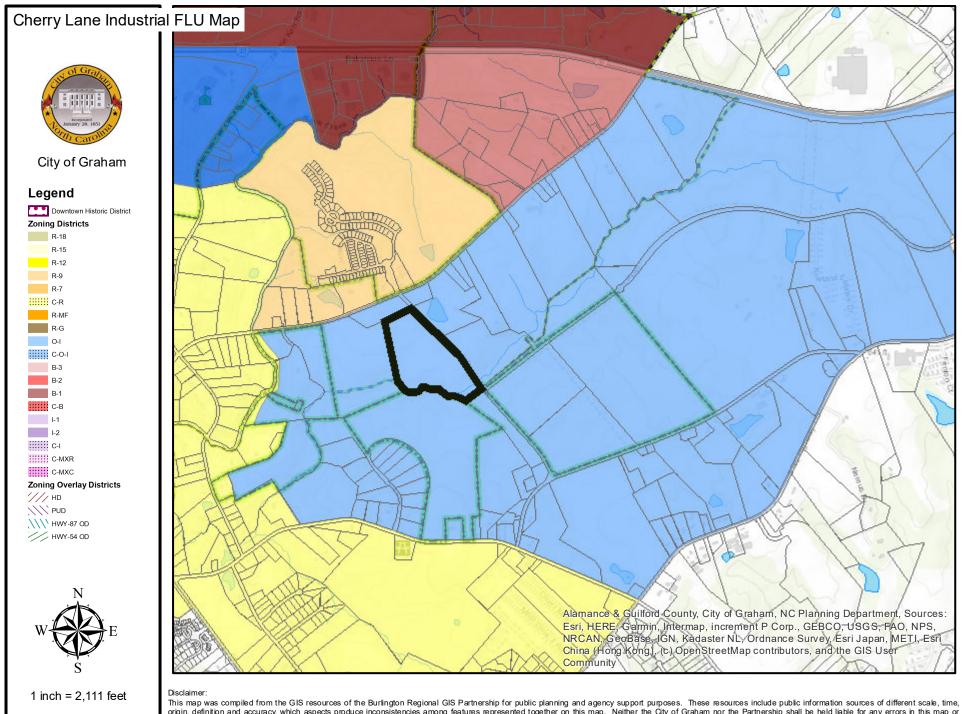
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INFORMATION PROVIDED.









Print Date: 11/30/2021

origin, definition and accuracy, which aspects produce inconsistencies among features represented together on this map. Neither the City of Graham nor the Partnership shall be held liable for any errors in this map or supporting data. Primary public information sources from which this map was compiled, in conjunction with field surveys where required, must be consulted for the verification of the information contained within this map.



## STAFF REPORT

Prepared by Justin Snyder, AICP, CZO, Planning Director

### Cherry Lane Industrial (RZ2111, AN2105)

**Type of Request:** Conditional Rezoning and Annexation

### **Meeting Dates**

Planning Board on December 21, 2021 City Council on January 11, 2022

### **Summary**

This is a request to rezone and annex 9.13 acres of property from R-18 (Low Density Residential) to C-I (Conditional Industrial). The applicants wish to construct warehouses for potential distribution clients. The westernmost property would become part of a larger site that would contain approximately 820,000 square feet of crossdock light industrial warehouse with parking around the building and entrances off of Cherry Lane and Gov. Scott Farm Road. The building would likely contain offices in a portion towards the front, and then the rest would be for distribution or a similar use. The site plan shows three detention ponds south of the building. There is also significant floodplain to the south that would be kept natural because of the required buffers. Landscaping would meet or exceed the ordinance, and parking would be as shown on the site plan. Staff would also mention that the proposed land use category does not have a significant impact on the sewer capacity in the vicinity of the new outfall. Finally, the site plan shows 50-foot setbacks for the building and 10 feet for parking, which will help add additional buffer area for the residential nearby.

Finally, this property is listed on the Future Land Use Map as Employment District. Industrial is an encouraged land use for this district, as it drives regional growth and job opportunities. Because this district is currently developing with more industrial than residential, staff sees the potential and likelihood that most, if not all, of the available land will develop as industrial, despite the fact that Old Fields was approved many years ago. The patterns simply do not support the notion that residential is the best use for these properties. Staff foresees everything west of the sewer outfall

### **Contact Information**

Amanda Hodierne 804 Green Valley Rd, Ste. 200 Greensboro, NC 27408 336-609-5137; <u>amanda@isaacsonsheridan.com</u>

> Location 1925 Cherry Lane

> > <u>GPIN:</u> 8893796670

### Current Zoning R-18 (Low Density Residential

Proposed Zoning

C-I (Conditional Industrial)

Overlay District N/A

Surrounding Zoning PUD, R-18, I-1, C-R

Surrounding Land Uses Single Family, Farmland, and Industrial

> <u>Size</u> 9.13 acres

Public Water & Sewer Yes

> Floodplain No

Staff Recommendation Approval

developing residential with the creek as the natural buffer against the likely industrial development from east of the creek to the interstate and beyond.



Future Land Use

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

### **Applicable Policies:**

- **2.1.1 Diverse job market**. A diversified job market that provides employment opportunities for persons with varying education levels and skill sets is needed and encouraged. *This amendment will allow for potential job creation that will diversify our existing workforce*
- **2.1.3: Economic resilience.** Graham improves its economic resilience to economic, social, and environmental instability through a strong local economy and equitable opportunities for prosperity. *This amendment will strengthen the local economy.*
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### Planning Type District

Development Type Employment District

In the employment district, the district characteristics may not currently be present and planning and market forces will play a major role in shaping the area over the coming decades.

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Appropriate Density 0.5 Floor Area Ratio, large 1-2 story industrial buildings

from Graham, but also from Mebane, Haw River, Swepsonville, Burlington, and beyond.

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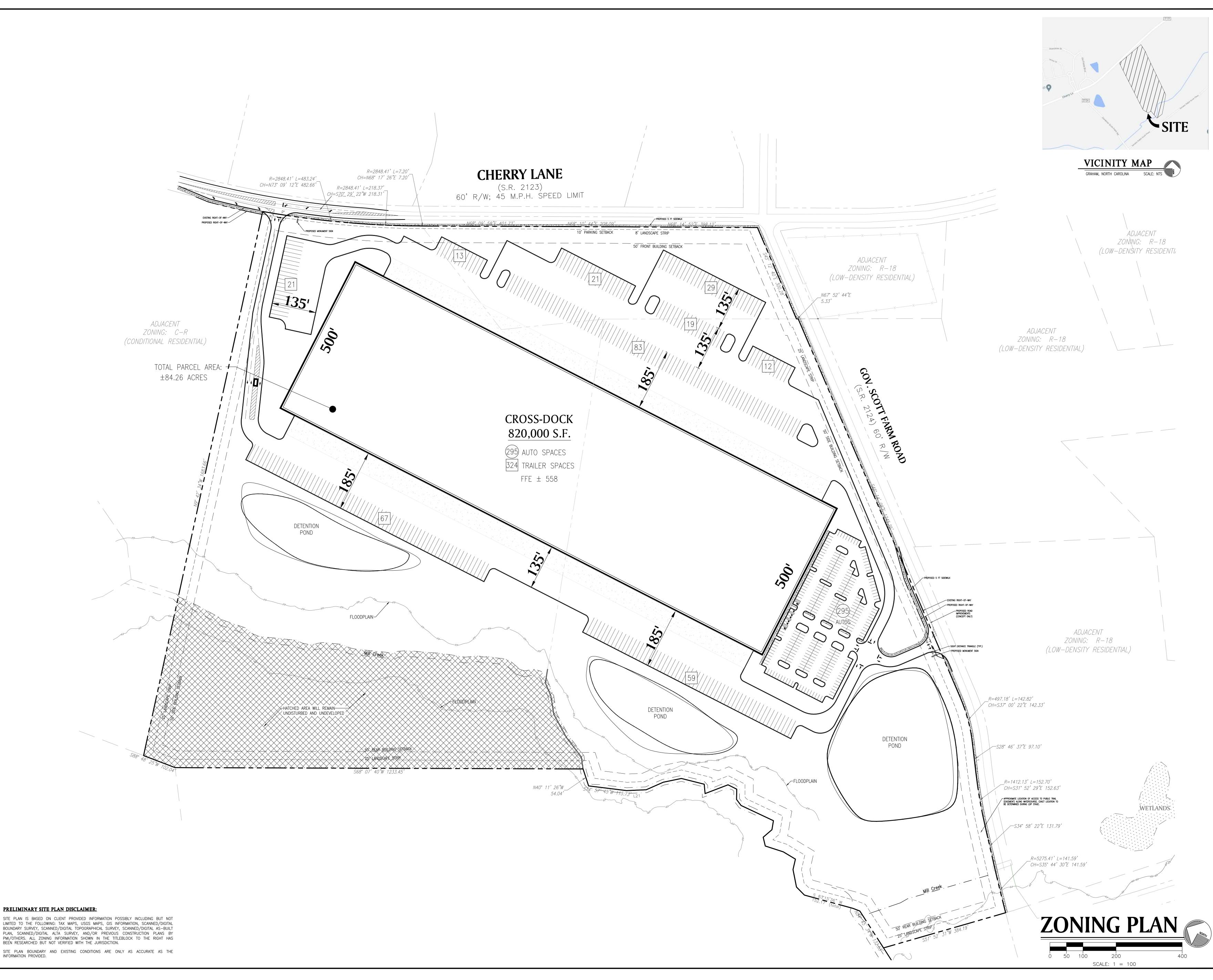
### **Staff Recommendation**

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

• Rezoning this property would further Policies 2.1.1, 2.1.3, 2.1.4, 2.1.5, 2.3.2, and 2.4.1, thus creating a diverse job market with innovative, focused development that will drive regional job growth and protect our environmentally-sensitive spaces.

### **Staff-Recommended Conditions:**

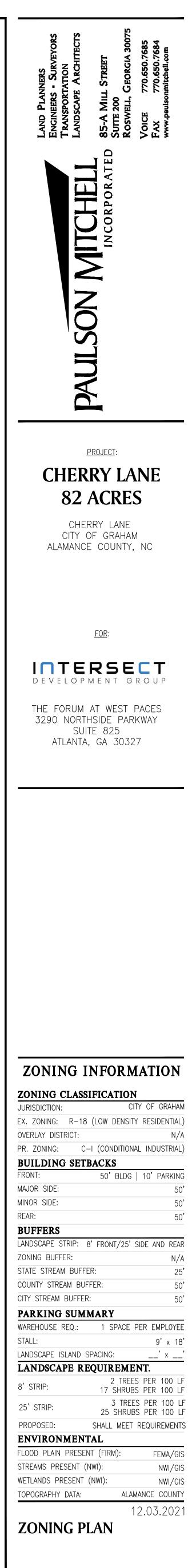
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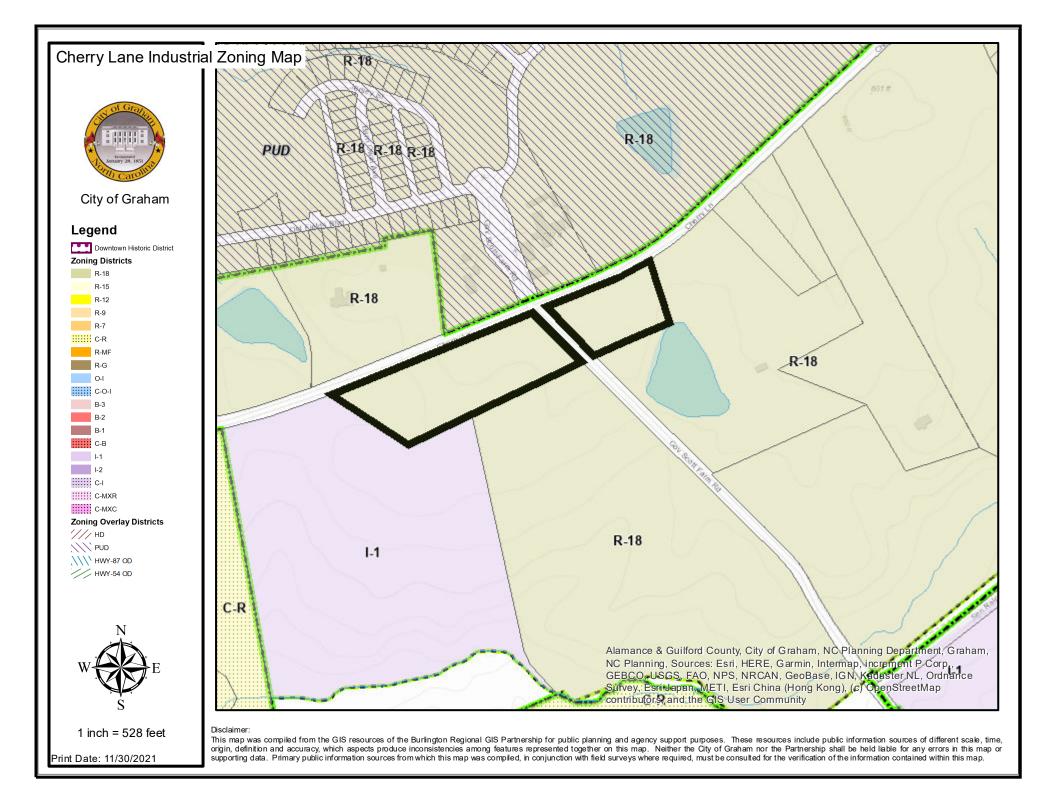
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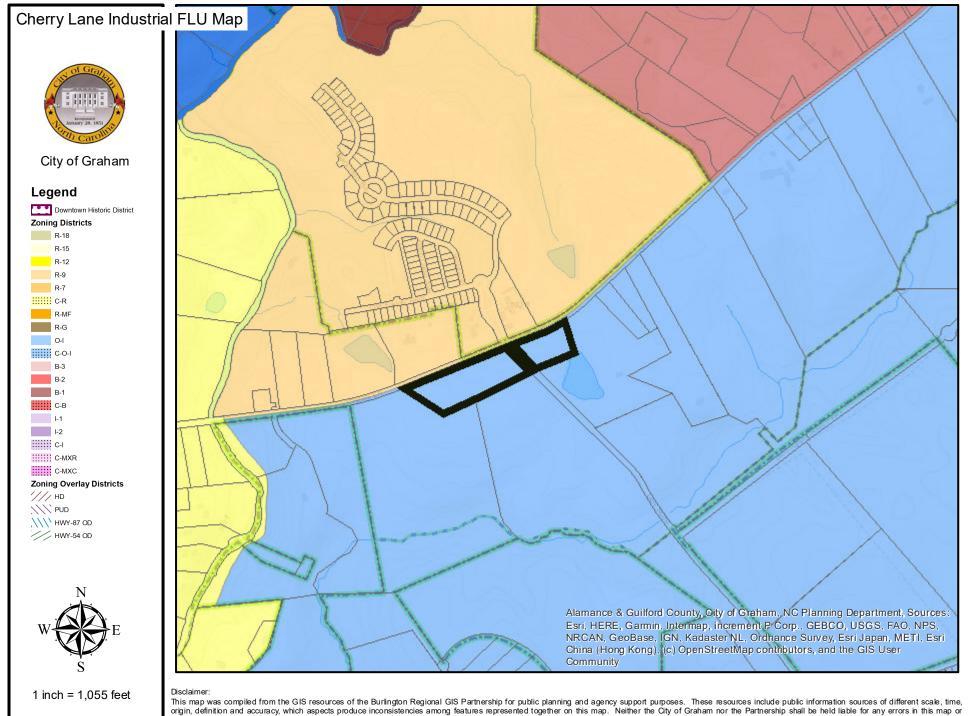
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INFORMATION PROVIDED.









Print Date: 11/30/2021

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# STAFF REPORT

Prepared by Justin Snyder, AICP, CZO, Planning Director

# Maple and Market B-1 (RZ2201)

Type of Request: Rezoning

# **Meeting Dates**

Planning Board on January 18, 2022 City Council on February 8, 2022

# Summary

This is a request to rezone approximately 1.15 acres of property at 302 N. Maple Street and 203, 207, and 213 W. Market Street from R-7 (high density residential) to B-1 (central business) (GPIN: 8884151515, 8884150571, 8884059566, and 8884058556). The general area subject to this potential rezoning is comprised of numerous older homes, mostly in poor to fair condition, as well as a mixture of vacant buildings and vacant lots. Because the B-1 is a permissive district with a variety of low intensity commercial, office, and even mixed-use residential uses permitted, it does present a rather intriguing redevelopment scenario to try to spur infill and redevelopment that ties to the downtown business district. The biggest challenges will be to address off-street parking and to ensure that uses proposed are compatible with the surrounding residential.

Finally, this property is listed on the Future Land Use Map as Downtown Residential, which lists among its uses "neighborhoodoriented commercial, small professional offices, live-work units, and home occupations provided they do not generate excessive traffic and parking." Given the location and the likely development patterns in this area, central business would be a compatible use in staff's opinion, provided that off-street parking needs can be met to serve the proposed uses.

\*\*If this rezoning is approved, staff would ask that the applicant commit to reaching out to Preservation NC about potentially moving the historic structures off-site for preservation and restoration, and if not successful in that endeavor, that he reach out to Preservation Burlington to see if they would be willing to go through each structure to be demolished for salvage to reuse materials in other historic homes.

# **Contact Information**

Jason Cox 200 N. Main Street, #302 Graham, NC 27253 336-263-1180; jason@themonroecompanies.com

# Location

302 N. Maple Street and 203, 207, and 213 W. Market Street

<u>GPIN:</u>

8884151515, 8884150571, 8884059566, and 8884058556

# **Current Zoning**

R-7 (High Density Residential)

Proposed Zoning B-1 (Central Business)

> Overlay District N/A

Surrounding Zoning B-1, B-2, R-7, R-MF

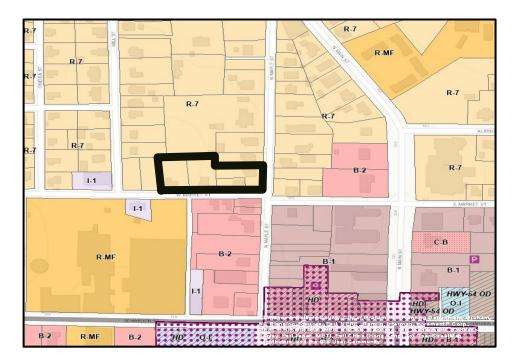
Single Family, Office, Vacant, and Business

> <u>Size</u> 1.15 acres

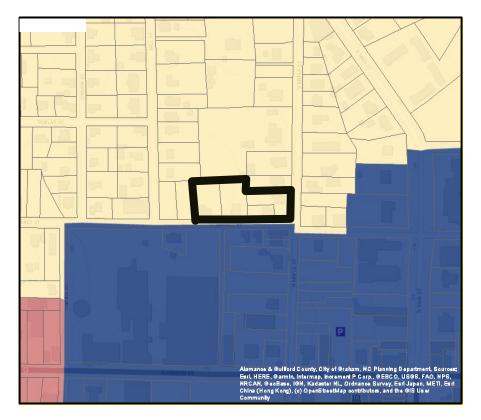
Public Water & Sewer Yes

> Floodplain No

Staff Recommendation Approval



Zoning Map



**Future Land Use map** 

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

#### **Applicable Policies:**

- **2.1.1 Diverse job market**. A diversified job market that provides employment opportunities for persons with varying education levels and skill sets is needed and encouraged. *This amendment will allow for potential job creation that will diversify our existing workforce*
- **2.1.3: Economic resilience.** Graham improves its economic resilience to economic, social, and environmental instability through a strong local economy and equitable opportunities for prosperity. *This amendment will strengthen the local economy and the downtown landscape.*
- **2.1.4 Competitive advantage**. Graham works to strengthen its existing comparative economic advantages including a high quality and highly diverse workforce, local education and research institutions, and high quality of life. *This amendment will strengthen the local economy by increasing the tax base with minimal impact to existing public infrastructure. It will aid in diversifying our skilled labor workforce.*
- 2.2.1: 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. *This amendment creates an opportunity for focused infill development that ties in with the downtown.*

#### Planning Type Neighborhoods

Development Type Downtown Residential

The term neighborhood refers to the idea of a compact, walkable, diverse, and connected community. As the building blocks of City urban fabric, neighborhoods should be organized around smallscale activity centers that provide civic and commercial functions within a five to ten-minute walk for residents to meet their daily needs.

Neighborhoods should be well connected internally and externally for bicyclists, pedestrians, and commuters. Small blocks and high connectivity ratios should be established and maintained both within and between neighborhoods.

#### Appropriate Density

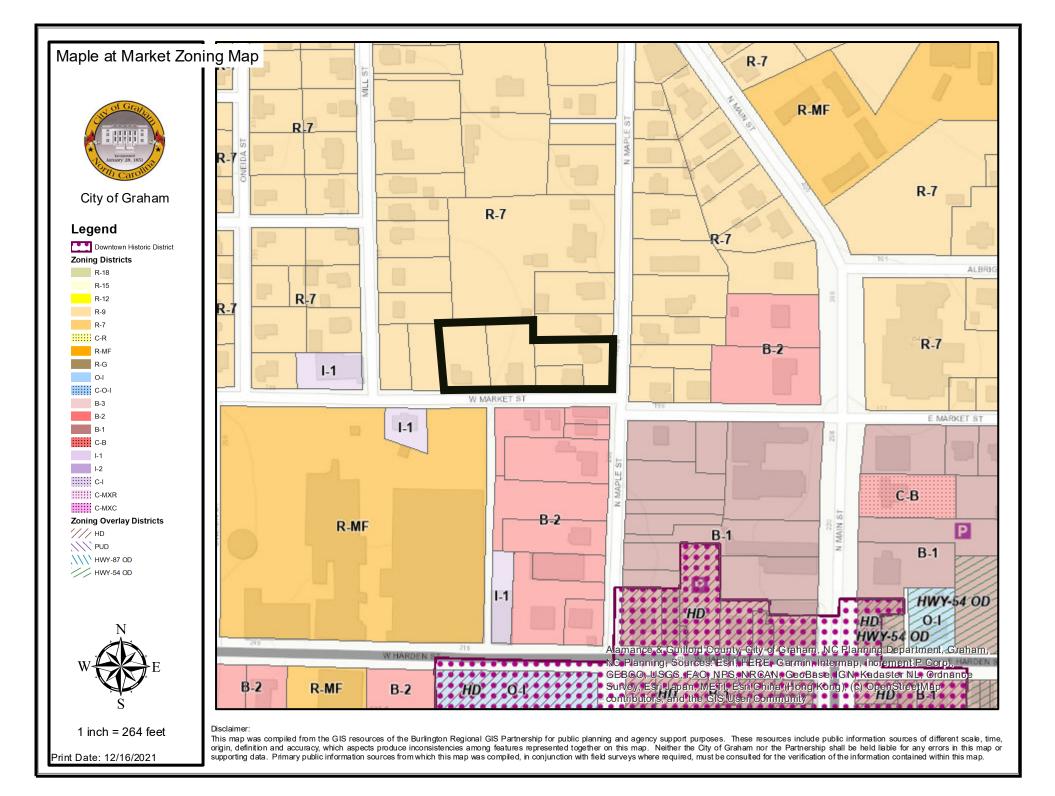
3-6 dwelling units per acre

• 2.3.2: Innovative spaces, spaces of innovation. Graham promotes the development of flex space, live-work units, and adaptive structures for office, retail, and light industry. *This parcel is located in an area targeted for mixed-use and small-scale residential and commercial development. The proposed zoning category lends itself to these types of uses.* 

# **Staff Recommendation**

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

• Rezoning this property would further Policies 2.1.1, 2.1.3, 2.1.4, 2.2.1, and 2.3.2, creating a diverse job market with innovative, focused development that will blend with the downtown and serve as a transitional area to adjacent office and residential uses.





# STAFF REPORT

Prepared by Justin Snyder, Planning Director

# Gilbreath Multifamily (CR2101)

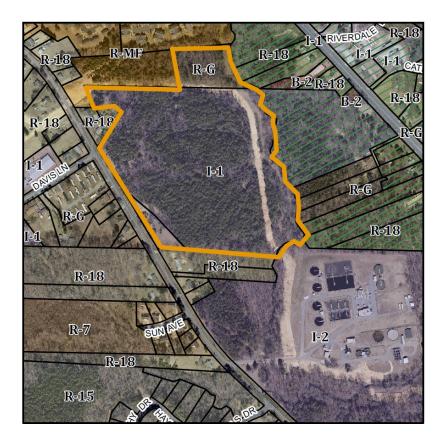
Type of Request: Conditional Rezoning

## **Meeting Dates**

Planning Board on October 19, 2021 City Council on October 12, 2021 (tabled); City Council on November 9, 2021

# Summary

This is a request to rezone the subject property from I-1 to C-MXR (Conditional Mixed-Use Residential). The application has been revised from its original configuration of 57 townhomes and 396 apartments. It now is designed for 46 townhomes and 118 single-family lots. The project is expected to be built out in phases. Staff is supportive of this design where the higher density is clustered in the center with the less dense, single-family units located on the perimeter. This has been continued from the October 12, 2021, City Council meeting due to the extent of proposed changes from the original plan.



# **Contact Information**

Ben Green, Hyconic Holdings, LLC Bgreen613@gmail.com (732) 685-3989 415 Cedar Bridge Ave, Lakewood NJ 08701

> Project Name Gilbreath Multifamily

(CR2101)

Location E Gilbreath Street

GPIN: 8883886903, 8883885270, 8883872722

> <u>Size</u> Approx. 38 acres

Proposed Density 4.3 DU/acre

Current Zoning General Residential (R-G) & Light Industrial (I-1)

Proposed Zoning Conditional Residential (C-R)

> Surrounding Zoning R-18, R-G, R-MF, I-2

Surrounding Land Uses Mobile Homes, Wastewater Treatment, Vacant, Apartments, Single Family Detached

Staff Recommendation Approval The TRC has met for this item, and all TRC notes are relatively minor, but may result in additional loss of density for this parcel. One of the main notes is that this development needs to provide a street stubout to the property to the northwest of this site for future connectivity, if feasible.

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

#### **Development Type: Suburban Residential**

#### **Applicable Policies and Recommendations**

Strategy 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. Water and sewer services already exist in this area, with sufficient capacity for the proposed development.

Policy 5.1.1: **Housing variety** Encourage a mix of housing types within Graham to increase choice. These can include single family dwelling units, multifamily dwelling units, small units, pre-fabricated homes, co-housing, and clustered housing. *This mixture of townhomes and single-family homes will provide additional housing choice for those residing or wishing to reside in Graham.* 

Policy 5.2.1 **Diverse Neighborhoods** Encourage a mix of housing types within Graham, including detached, duplex, multifamily,

Description of Development Type Suburban Residential

Development Toolkit Checklist Located near a major thoroughfare

Predominantly detached singlefamily homes

Characteristics include porches, sidewalks, street trees, and garages setback from the front of the home

Density of 3-6 DU/acre

New neighborhoods should consider a variety of lot sizes with consistent setbacks along the same street

townhomes, and live-work units. *The proposed layout includes a mix of townhomes and single family lots to provide additional options for those wishing to reside in Graham.* 

Policy 5.2.2 **Multigenerational Housing** Promote buildings and neighborhood designs that serve multiple age groups simultaneously and meet the needs of young people, families, older adults, and people with disabilities, especially in focus areas and in close proximity to services. *The proposed design would have different options for families of various sizes.* 

#### **Staff Recommendation**

Based on *The Graham 2035 Comprehensive Plan* and the *City of Graham Development Ordinance*, and the developments compliance with the Graham Development Ordinance, staff recommends **approval** of the rezoning to Conditional Residential (C-R) conditioned upon satisfying all TRC requirements and the recommended conditions from the Planning Board as follows:

- 1. A dog park shall be provided on site.
- 2. Landscaping in the buffer shall be appropriate to the buffer and shall be in accordance with City standards.
- 3. Street trees from the recommended planting list shall be provided as well as lot trees for each lot.
- 4. Playground equipment shall be provided.
- 5. A walking trail shall be provided adjacent to the river with a dedicated public access easement, and it shall connect to the internal sidewalk network.
- 6. A street stub-out shall be provided to the lot to the north of this site if feasible.

#### The following consistency statement supports this recommendation:

The proposed project is consistent with the Land Use Patterns (Policy 4.3.1), Housing Variety (Policy 5.1.1), Diverse Neighborhoods (Policy 5.2.1) and Multigenerational Housing (Policy 5.2.2) sections of the *Graham 2035 Comprehensive Plan*.



# 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.

**Gilbreath Multifamily** (CR2101)

> **Type of Request Conditional Rezoning**

**Meeting Dates** Planning Board on October 19, 2021 City Council on November 9, 2021

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

✓ I move to recommend APPROVAL with conditions of the application. 1. A dog park shall be provided on site.

[insert additional conditions]

connect to the sidewalks.

2. Landscaping in the buffer areas shall be appropriate to those areas.

3. Street and lot trees shall be provided for each lot. 4. A walking trail shall be provided along the entire eastern boundary adjacent

to the river. A public easement shall be recorded over the trail and it shall

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:

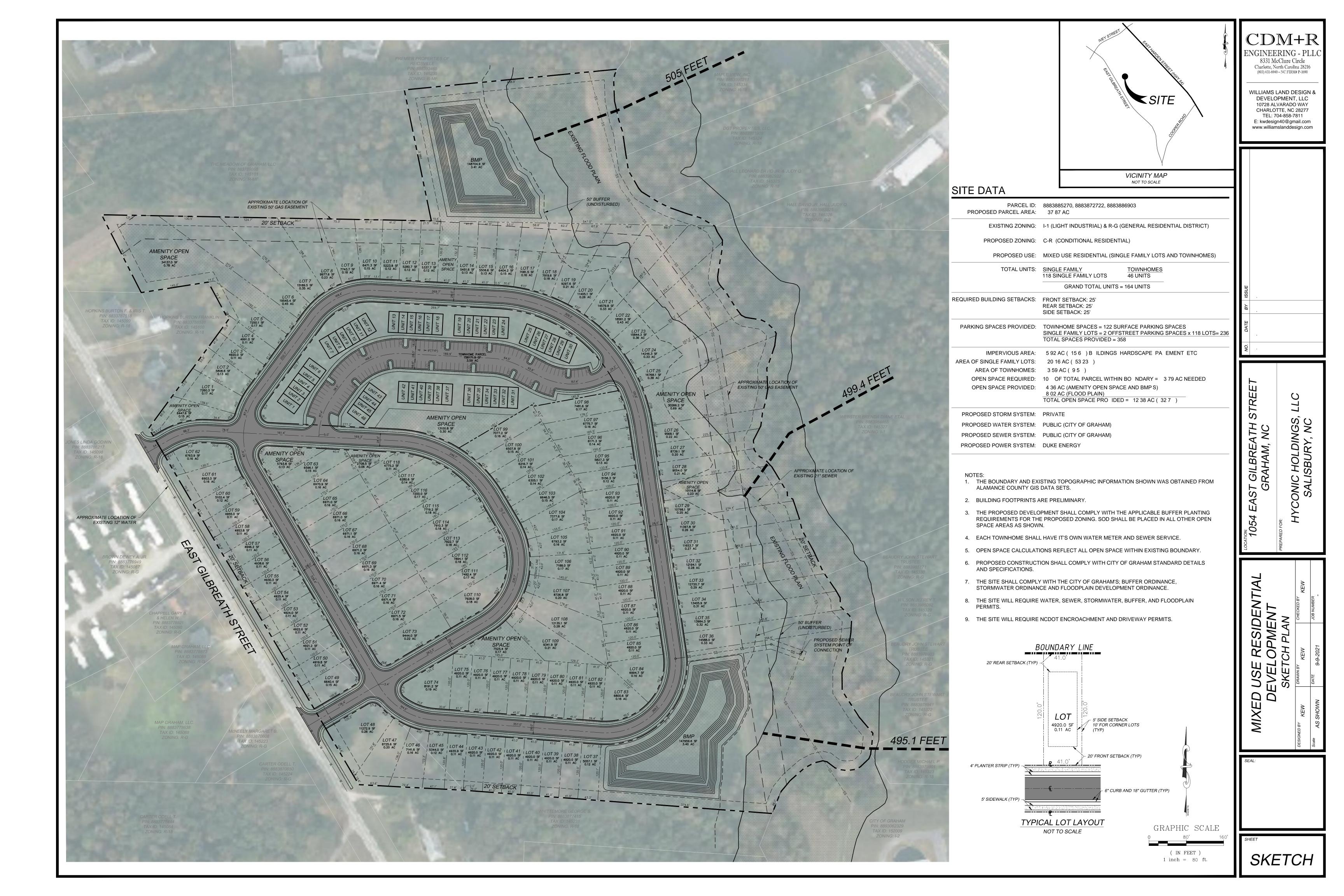
The plan is consistent with Strategies 4.3.1, 5.1.1, 5.2.1, and 5.2.2 in the Graham 2035 Comprehensive Plan.

This report reflects the recommendation of the Planning Board, this the 19<sup>th</sup> day of October, 2021.

Attest:

**Planning Board Chairman** 

Debbie Jolly, Secretary





SUBJECT:	ANNEXATION OF 78.12 +/- ACRES ON CHERRY LANE
PREPARED BY:	JUSTIN SNYDER, PLANNING DIRECTOR

#### **REQUESTED ACTION:**

Approve the Annexation Ordinance to Extend the Corporate Limits of the City of Graham, North Carolina, for two tracts of land located off Cherry Lane.

#### **BACKGROUND/SUMMARY:**

The attached petition is a request for the Council's approval for an extension of the corporate limits to include the subject properties. The areas being considered for annexation are located on Cherry Lane and contain approximately 78.12 acres total. Water and Sewer lines are adjacent to this location, and the applicant wishes to tie onto the City's infrastructure.

The annexation process has multiple steps. Following a public hearing, approval of an et annexed

Annexation Ordinance is the final step for Council in the annexation process.

#### **FISCAL IMPACT:**

The proposed development will contain an 800,000 square foot industrial building and a 400,000 square foot industrial building, each of which will generate large tax revenues with minimal impact on water and sewer infrastructure based on the land use.

#### **STAFF RECOMMENDATION:**

Approval

#### SUGGESTED MOTION(S):

1. I move we approve the Annexation Ordinance to Extend the Corporate limits of the City of Graham, North Carolina, for 78.12 (+/-) acres on Cherry Lane.

# **ANNEXATION ORDINANCE**

#### TO EXTEND THE CORPORATE LIMITS

#### OF THE

# CITY OF GRAHAM, NORTH CAROLINA

# FOR TWO TRACTS OF LAND ON CHERRY LANE (AN2103)

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 January 11, 2021, after due notice by publication on December 23 and 30, 2021; 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 January 31, 2022:

Legal Description - Western Property

GPIN#: 8893686572

# **Legal Description:**

That certain tract or parcel of land in Melville Township, Alamance County, North Carolina and being more particularly described as follows:

Beginning at an iron stake in the southern 60' right of way Cherry Lame S.R. 2123 and being a common corner with Lot 1 Final Plat Showing Property for Mary Ella Scott P.B. 73 PG. 135; Running thence with the 60' right of way of Cherry Lane along a curve N 73°12'04" E and having a chord distance of 482.66' and a radius of 2848.41' to an iron stake, corner with Lot 5 Final Plat Recombination for Union Ridge Development, Inc. P.B. 69 PG. 144; Thence leaving the 60'right of way of Cherry Lane and running with the property of Lot 5 S 59°34'52" E 349.99' to an iron stake; Thence with Lot 5 N 62°09'17" E 312.09' to and iron stake cornering with Carl A. Westman D.B. 2976 PG. 166; Running thence with Westman s 12°51'22" E 1113.79' to a point in the center of Mill Creek, iron stake setback in line 41.50' from creek; Thence with Mill Creek the following calls and distances; S 44°51'34" E 42.78', S 31°13'16" 56.53', S 50°33'43" E 79.51', S 59°21'53" E 73.74' and S 30°37'42" E 37.00' to a point in the center of Mill Creek; Thence the following calls and running with the property of Forestar (USA) Real Estate Group, Inc., a Delaware corporation D.B. 4171 PG. 37 S 68°10'31" W with a total distance of 1233.45' (iron stake setback 27.24' from center of Mill Creek to a iron stake cornering with Lot 10 Final Plat Subdivision Plat for Alamance Acres Subdivision P.B. 74 PG. 354; thence with Lot 10 S 88°51'16" W 102.04' to an iron stake being a corner with Lot 1 Final Plat Showing Property for Mary

Ella Scott P.B. 73 PG. 135; Thence with Lot 1 N 09°39'43" W 1683.66'to the Point of Beginning and containing 40.11 Acres (+/-) and being Parcel ID: 152443 of the Alamance County Register of Deeds.

Being all the same property located in the City of Graham, recorded in the Alamance Country Register of Deeds at Plat Book \_\_\_\_\_\_.

Legal Description - Eastern Property

GPIN#: 8894906303

# **Legal Description:**

That certain tract or parcel of land in Melville Township, Alamance County, North Carolina and being more particularly described as follows:

Beginning at an iron stake in the southern 60' right of way of Cherry Lane S.R. 2123 and being a common corner with Lot 1 Final Plat Division of Property of Robert W. Scott and Mary K. Lowdermilk P.B. 45 PG. 175; Thence running with the 60' right of way of Cherry Lane N 47°18'09" E 930.64' to an iron stake, corner with Connie Lois Pedelty & Penny Maxine Pedelty D.B. 849 PG. 974; Thence leaving the 60' right of way of Cherry Lane and running with the property of Connie Lois Pedelty & Penny Maxine Pedelty S 32°22'05" E 235.82' to an iron stake in the line of Pedelty; thence running with the property of Connie Lois Pedelty & Penny Maxine Pedelty D.B. 849 PG. 974 and the land of Mary Teague Pedelty & Russel Earl Pedelty D.B. 3930 PG. 200 S 24°24'09" E 1526.89' to a concrete monument being a common corner with Lot 2B Final Plat – Subdivision for Scott/Mayo Properties II, LLC P.B. 80 PG. 92; Running thence with Lot 2B S 08°14'48" W 595.32' to an iron stake cornering with lot 2B; Thence with Lot 2B S 49°20'38" W 197.92' to a rock cornering with Lot 2B; Thence with Lot 2B N 42°59'39" W 161.46' to a concrete monument; Thence leaving Lot 2B and running with property of Carl A. Westman D.B. 2976 PG. 166 N 43°07'17" W 115.66' to an iron stake cornering with Westman; Thence with property of Westman N 86°45'12" W 235.83'to an iron stake being a corner with Lot 1 Final Plat Division of Property of Robert W. Scott and Mary K. Lowdermilk P.B. 45 Beginning and containing 38.57 Acres (+/-) and being Parcel ID: 153022 with the Alamance County Register of Deeds.

Section 2. Upon and after January 31, 2022, 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 L/Planning Board/Agendas/2021/12-21-2021 Meeting Files/AM2103 Intersect Cherry Lane- South/AU2103\_Staff Report 2.doc 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 11<sup>th</sup> day of January, 2022.

Jennifer Talley, Mayor

ATTEST:

APPROVED AS TO FORM:

Darby Terrell, City Clerk

Bryan Coleman, City Attorney

## RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31 FOR PROPERTY ON CHERRY LANE (GPINS: 8893686572 and 8894906303) (AN2103)

WHEREAS, a petition requesting annexation of an area described in said petition was received on December 14, 2021, 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.

lex-

ATTE

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Barby Terrell, City Clerk



SUBJECT:	ANNEXATION OF 37.85 +/- ACRES ON GOV. SCOTT FARM ROAD
PREPARED BY:	JUSTIN SNYDER, PLANNING DIRECTOR

#### **REQUESTED ACTION:**

Approve the Annexation Ordinance to Extend the Corporate Limits of the City of Graham, North Carolina, for a 37.85-acre

portion of a larger tract of land located on Gov. Scott Farm Road.

#### **BACKGROUND/SUMMARY:**

The attached petition is a request for the Council's approval for an extension of the corporate limits to include the subject property. The area being considered for annexation is located on Gov. Scott Farm Road and contains approximately 37.85 acres total. Water and Sewer lines are adjacent to this location, and the applicant wishes to tie onto the City's infrastructure.



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 proposed development will contain an 800,000 square foot industrial building, which will generate large tax revenues with minimal impact on water and sewer infrastructure based on the land use.

#### STAFF RECOMMENDATION:

Approval

#### SUGGESTED MOTION(S):

1. I move we approve the Annexation Ordinance to Extend the Corporate limits of the City of Graham, North Carolina, for 37.85 (+/-) acres on Gov. Scott Farm Road.

# **ANNEXATION ORDINANCE**

#### TO EXTEND THE CORPORATE LIMITS

OF THE

#### **CITY OF GRAHAM, NORTH CAROLINA**

#### FOR A 37.85-ACRE PORTION OF LAND ON GOV. SCOTT FARM ROAD (AN2104)

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 January 11, 2021, after due notice by publication on December 23 and 30, 2021; 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 January 31, 2022:

All that certain piece, parcel or tract of land, lying and being in Alamance County, North Carolina, and being more particularly described as follows:

BEGINNING at a new iron pipe at or near the western margin of the right of way of Governor Scott Farm Road; thence along the western margin of said Governor Scott Farm Road South 45° 11' 17" East 1245.25 feet to a new iron pipe; thence along a curve to the right having a radius of 497.18 feet and arc length of 142.82 feet and a chord bearing and distance of South 36° 57' 31" East 142.33 feet to a new iron pipe; thence South 28° 43' 46" East 97.10 feet to a new iron pipe; thence along a curve to the left having a radius of 1412.13 feet and arc length of 152.70 feet and a chord bearing and distance of South 31° 49' 38" East 152.63 feet to a new iron pipe; thence South 34° 55' 31" East 131.79 feet to a calculated point; thence along a curve to the left having a radius of 5275.41 feet and arc length of 141.95 feet and a chord bearing and distance of South 35° 41' 39" East 141.59 feet to a new iron pipe; thence South 51° 55' 22" West 384.19 feet to a new iron pipe; thence North 54° 42' 42" West 132.53 feet to a computed point; thence South 89° 11' 38" West 22.24 feet to a computed point; thence South 83° 15' 36" West 152.17 feet to an existing iron pipe; thence: thence along the centerline of Mill Creek the following 25 courses and distances to computed points: (1) North 66° 37' 10" West 34.18 feet, (2) North 33° 13' 22" West 53.92 feet, (3) North 08° 59' 40" West 32.38 feet, (4) North 80° 58' 46" West 42.80 feet, (5) South 85° 52' 01" West 57.21 feet, (6) North 35° 20' 19" West 27.27 feet, (7) North 27° 10' 26" East 34.88 feet, (8) North 12° 29' 04" West 27.62 feet, (9) North 86° 50' 37" West 108.19 feet, (10) North 58° 46' 54" West 22.57 feet, (11) North 21° 16' 15" West 31.21 feet, (12) North 85° 30' 03" West 29.44 feet, (13) South 47° 08' 25" West 74.18 feet, (14) North 27° 22' 20" West 28.34 feet, (15) South 82° 09' 39" West 71.19 feet, (16) South 56° 11' 07" West 55.74 feet, (17) South 44° 20' 31" West 56.72 feet, (18) South 65° 26' 48" West 59.15 feet, (19) South 75° 00' 37" West 115.73 feet, (20) North 40° 08' 35" West 54.04 feet, (21) North 30° 37' 42" West 37.00 feet, (22) North 59° 21' 53" West 73.74 feet, (23) North 50° 33' 43" West 79.51 feet, (24) North 31° 13' 16" West 56.53 feet, (25) North 44° 51' 34" West 42.78 feet; thence North 12° 51' 22" West 1113.79 feet to an existing iron pipe; thence North 67° 55' 35" East 587.22 feet to the Point and Place of

BEGINNING, having an area of 37.85 acres, more or less.

Being all the same property located in the City of Graham, recorded in the Alamance Country Register of Deeds at Plat Book \_\_\_\_\_, Page \_\_\_\_\_.

**Section 2.** Upon and after January 31, 2022, 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 11<sup>th</sup> day of January, 2022.

Jennifer Talley, Mayor

ATTEST:

APPROVED AS TO FORM:

Darby Terrell, City Clerk

Bryan Coleman, City Attorney

### RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31 FOR PROPERTY ON GOV. SCOTT FARM ROAD (PORTION OF GPIN: 8893886609) (AN2104)

WHEREAS, a petition requesting annexation of an area described in said petition was received on December 14, 2021, 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.

Mr. K. Milley Jennifer Talley, Mayor

Darby Terrell/City Clerk



SUBJECT:	ANNEXATION OF 9.10 +/- ACRES ON CHERRY LANE
PREPARED BY:	JUSTIN SNYDER, PLANNING DIRECTOR

#### **REQUESTED ACTION:**

Approve the Annexation Ordinance to Extend the Corporate Limits of the City of Graham, North Carolina, for two tracts of land located off Cherry Lane.

#### **BACKGROUND/SUMMARY:**

The attached petition is a request for the Council's approval for an extension of the corporate limits to include the subject properties. The areas being considered for annexation are located on Cherry Lane and contain approximately 9.10 acres total. Water and Sewer lines are adjacent to this location, and the applicant wishes to tie onto the City's infrastructure.



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 proposed development will contain an 800,000 square foot industrial building, which will generate large tax revenues with minimal impact on water and sewer infrastructure based on the land use.

#### **STAFF RECOMMENDATION:**

#### Approval

#### SUGGESTED MOTION(S):

1. I move we approve the Annexation Ordinance to Extend the Corporate limits of the City of Graham, North Carolina, for 9.10 (+/-) acres on Cherry Lane.

# **ANNEXATION ORDINANCE**

# TO EXTEND THE CORPORATE LIMITS

OF THE

#### CITY OF GRAHAM, NORTH CAROLINA

#### FOR TWO TRACTS OF LAND ON CHERRY LANE (AN2103)

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 January 11, 2021, after due notice by publication on December 23 and 30, 2021; 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 November 30, 2020:

Legal Description

GPIN#: 8893796670

#### Legal Description:

That certain tract or parcel of land in Melville Township, Alamance County, North Carolina and being more particularly described as follows:

Beginning at an iron stake on the western margin of the 60' right of way of Gov. Scott Farm Road S.R. 2124 and being a common corner with Carl A. Westman D.D. 2976 PG. 166; Running thence with Westman S 67°55'35" W 581.89' to an iron stake, corner with a Lot shown on Final Plat Showing Property for Mary Ella Scott P.B. 73 PG. 135; Thence with said Lot on Final Plat Showing Property for Mary Ella Scott S 62° 09'17' W 312.09' to an iron stake; Continuing with same property, N 59°34'52" W

394.99' to an iron stake on the southern 60' right of way of Cherry Lane S.R. 2123; Thence with the southern right of way of Cherry Lane along a curve N 68°20'17" E having a chord distance of 7.20'and a radius of 2848.41' to an iron stake; Thence continuing along Cherry Lane N 68°12'49" E 401.73' to an iron stake on the 60' right of way; Thence N 68°13'35" E 208.09' to an iron stake on the 60' right of way; Thence N 68°13'35" E 208.09' to an iron stake on the 60' right of way; Thence N 68°17'44" E 398.12' to an iron stake at the intersection of Cherry Lane S.R. 2123 and Gov. Scott Farm Road S.R. 2124; Thence with the western margin of the 60' right of way of Gov. Scott Farm Road S 45°09'49" E 300.28' to the Point of Beginning and being Lot A containing 6.30 Acres (+/-).

Beginning at an iron stake on the eastern margin of the 60' right of way Gov. Scott Farm Road S.R. 2124 (iron stake being S 67°43'27" W 65.12' from point of beginning on Lot A) Thence running along the 60' right of way of Gov. Scott Farm Road N 45°11'21" W 289.42'to a new iron pipe at the intersection of Gov. Scott Farm Road and Cherry Lane S.R. 2123; Thence with the right of way of Cherry Lane N 60°13'03" E 66.66' to a new iron stake; Thence continuing with the right of way of Cherry Lane N 68°17'44" E 190.78' to a new iron stake; Thence with the right of way of Cherry Lane N 63°03'23" E having a chord distance of 247.01' and radius of 1406.10 to an iron stake on the right of way of Cherry Lane and being a common corner with Lot 1 Final Plat

Division of Property of Mary K. Lowdermilk Trust P.B. 66 PG. 426; Thence leaving the 60' right of way of Cherry Lane and running with Lot 1 S 18°57'54" E 294.85' to an iron stake; Thence continuing with Lot 1 S 67°51' 28" W 373.34' to the Point of Beginning and being all of Lot B containing 2.80 Acres.

Together combined lots A & B make up 9.10 Acres (+/-) Total and being all of Lot 5 Final Plat Recombination for Union Ridge Development, Inc. P.B. 69 PG. 144 as recorded in the Alamance County Register of Deeds.

Being all the same property located in the City of Graham, recorded in the Alamance Country Register of Deeds at Plat Book \_\_\_\_\_\_, Page \_\_\_\_\_\_.

**Section 2.** Upon and after January 31, 2021, 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 11<sup>th</sup> day of January, 2021.

Jennifer Talley, Mayor

ATTEST:

APPROVED AS TO FORM:

Darby Terrell, City Clerk

Bryan Coleman, City Attorney

## RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31 FOR PROPERTY ON CHERRY LANE (GPINS: 8893796670) (AN2105)

WHEREAS, a petition requesting annexation of an area described in said petition was received on December 14, 2021, 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.

Dulluz er Talley, Mayor

ATTEST:

Warby Terroll, City Clerk

The City of Graham 201 South Main Street Graham, North Carolina 27253

Office of the City Clerk – City of Graham City of Graham Planning Department City of Graham Planning Board Mayor and City Council Members:

#### Proposed Annexation and rezoning of property Cherry Lane and Governor Scott Farm Road Alamance County, North Carolina

To The City of Graham:

The purpose of this letter is to advise the City of Graham in writing that the undersigned is:

In support of, in opposition to, indifferent to, (would like more information pertaining to)

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Very truly yours, Signed: James Routh - james R 22@icloud.com Address: 2005 Stanchion Street Haw River, NC 29258

Copies: Office of the City Clerk - City of Graham City of Graham Planning Board Mayor and Graham City Council

1054 Barn Owl Avenue Haw River, NC 27258

December 18, 2021

The City of Graham 201 South Main Street Graham, North Carolina 27253 Office of the City Clerk – City of Graham City of Graham Planning Department City of Graham Planning Board

Mayor and City Council Members Re: Proposed Annexation and rezoning of property Cherry Lane and Governor Scott Farm Road Alamance County, North Carolina

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Harry W. Porthouse Copies: Office of the City Clerk - City of Graham City of Graham Planning Board Mayor and Graham City Council

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1118 Jersey St. Haw River, Nr 27258 Copies: Office of the City Clerk - City of Graham City of Graham Planning Board Mayor and Graham City Council

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1054 Barn Owl Avenue Haw River, NC 27258

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Ill & Jersey Sh Copies: Haw River, NO 2735 & Office of the City Clerk - City of Graham City of Graham Planning Board Mayor and Graham City Council

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1118 Sersey St Copies: Haw River NC 20258 Office of the City Clerk - City of Graham City of Graham Planning Board Mayor and Graham City Council

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the proposed annexation, rezoning, and proposed land use designation changes of the property or properties identified in the Alamance County Geographical Database as Parcel Identification Number(s) 8893686572, 8894906303, and others if omitted or unidentified in the City Planning Staff report as associated with the City of Graham applicable case numbers AN 2103, AN 2104, RZ 2109 and RZ2110 along the Cherry Lane rural residential corridor between Jimmie Kerr Road and Trollingwood Road in Alamance County North Carolina.

Having been made aware of the above referenced case(s), I understand that the Graham City Council has the authority to approve, deny or approve with development conditions, annexation and rezoning requests presented to it.

In my absence at any public hearing at which I may be able to speak to the above indicated position, due to scheduling conflicts, sickness or other circumstances, let this statement represent my position on this consideration. Please add my name and address to any and all future public notifications pertaining to hearings on this subject open to public input so that I may attend them in person when they are scheduled to offer additional input and justification for my position.

Very truly yours, dress: 1134 Jerseyst Haw River NC Address:

Copies: Office of the City Clerk - City of Graham City of Graham Planning Board Mayor and Graham City Council



# STAFF REPORT

Prepared by Justin Snyder, Planning Director

#### **Text Amendment for: Recreation and Amenities**

Type of Request: Text Amendment

#### **Meeting Dates**

Planning Board on January 18, 2022 City Council on February 8, 2022

# **Contact Information**

N/A

# Summary

Staff has proposed the language below to create standards for recreation and amenities to be required concurrently with construction of a proposed subdivision with five or more units. Amenities required are based on a points system that is tied to how desirable the amenities are, and the number of required points is tied to the number of dwelling units and size of the development.

Project Name Text Amendment (AM2201) Location city-wide

> Current Zoning not applicable

Proposed Zoning not applicable

Overlay District not applicable

Staff Recommendation Approval

# **Proposed Language:**

# Section 10.251 Recreation and Amenities

#### (a) Purpose and Intent.

It is the intent of this section to protect and promote the public health, safety, and general welfare by requiring the dedication of a portion of land for the purpose of providing recreation space and/or equipment in accordance with the City of Graham Comprehensive Plan.

# (b) Applicability.

Every residential development proposal containing five or more residential units, whether attached or detached, shall include dedication and development of a portion of the land for recreation to serve the leisure needs of the residents of the development.

#### (c) Calculation of Required Area.

The applicant shall provide land for recreation, provide improvements for recreation, provide fees in lieu of land and improvements, or provide a combination of the above according to the following:

(1) At least one thirty fifth (1/35) of an acre (.029 acres) shall be dedicated for each dwelling unit or lot, whichever is greater in number, as shown in the plan;

(2) Detached dwelling units shall be assigned 12 required recreation points per dwelling. Points for each attached dwelling unit based on the number of bedrooms per units shown in the plan shall be required for recreational improvements according to Table 10.251.1; or

(3) A combination of the two methods above may be used to satisfy the recreational dedication requirements, provided, however, that the final approval of the applicant's plan shall at all times remain with the permit issuing authority.

10.251.1 TABLE: RECREATION POINTS AND ATTACHED DWELLING UNITS	
Dwelling Units Minimum Points Required	
One-bedroom unit	6.0
Two-bedroom units	9.0
Three or more bedrooms	12.0

In the computation of recreational requirements: four hundred (420) points shall be deemed to equal one (1) acre; and when calculating a combination of the above, the recreational space cannot be utilized more than once (for example, a swimming pool which equals 356 points cannot use its 768 square feet of land in the acreage calculation).

#### (d) Characteristics of Required Areas.

#### (1) Site Suitability for Active Recreation Areas.

- a. Land provided or dedicated for active recreational purposes shall be of a character, slope, and location suitable for use as play areas, tennis courts, multi-purpose courts, picnic areas, ball fields and other similar recreation uses.
- b. Active recreation areas shall be ADA accessible and located on land that is relatively flat (0 to 7.5% slopes), free of wetlands and/or flood plains, free of easements for public utility transmission lines, and otherwise capable of accommodating active recreation uses.
- c. ADA accessible play equipment suitable for children under twelve shall comprise at least five percent of the total points required.

#### (2) Site Suitability for Passive Recreation Areas.

Land provided or dedicated for passive recreation and open space purposes shall be of a character, slope and location suitable for use for walking, jogging, reading and similar quiet activities, and the preservation of natural features and cultural resources such as steep slopes, rock outcrops, native plant life and wildlife cover, nature woodlands and water resources. These areas be ADA accessible with an ADA accessible parking lot and pathway connecting to these areas in reasonably close proximity.

#### (3) Location

Land dedicated for recreation purposes shall be located so as to serve the needs of the immediate residents of the subdivision. Recreation areas shall be centrally located so as to provide relatively easy accessibility to all residents of the subdivision; provided, however, recreation areas may be approved in other locations where land more suited for recreation purposes due to shape, level slopes, and/or dry soil conditions are present.

#### (4) Unity

Land dedicated for recreation purposes shall be a single lot except where it is determined that two (2) or more lots are suited to the needs of a particular subdivision. The Technical Review Committee in its review of a proposed

plan may require the dedication of an impervious pathway meeting ADA standards connecting two or more disjointed recreation areas, in addition to the land required in subsection 10.251(c), *Calculation of Required Area*.

#### (e) Site Improvements.

- (1) Private recreation facilities either required or provided at the option of the applicant shall meet the standards for site improvements contained herein. When choosing improvements for a recreational area, the anticipated characteristics and needs of the residents/businesses shall be considered in conjunction with the size of the development, any physical constraints posed by the site, and the availability of other improvements within the same general area as the subdivision. As an example, the existence of a multi-purpose court in an adjacent, existing subdivision and the availability of the facility for use by residents of the proposed subdivision may indicate to the applicant that another facility, such as a tennis court, would be more appropriate. Recreation facilities which are suitable for various age groups include, but are not limited to, those shown on the following pages.
- (2) Trash receptacles shall be provided for all recreational areas regardless of the number and type of other improvements located thereon.
- (3) In addition to land provided or dedicated for active recreation purposes, sufficient off-street parking shall be provided for the proposed improvements. For active recreation, this shall be 1 space per 4 people in designed capacity for each use plus the required ADA parking spaces.

#### (f) Points System.

- (1) Active recreation areas shall be easily visible from and have direct access to public street(s) within the developments they serve and shall be designated as such on preliminary and final plats.
- (2) Active recreation areas and facilities shall be provided to such extent that the sum total of recreation points assigned to each recreational area and facility in table 10.251.2 equals or exceeds the number of recreation points required in that development in accordance with the provisions of this section.

- (3) For purposes of this subsection, a recreation point is a unit of measurement that allows various types of recreational areas and facilities to be compared to one another. The principal criterion upon which recreation points are assigned to various facilities is the cost associated with the development of such facilities. The following table establishes the recreation points assignable to the facilities listed. Points for facilities not included on the table below shall be determined by the Planning Director.
- (4) Active recreational facilities and areas shall be located throughout the development so that they can be reached safely and easily by their anticipated users. They shall also be ADA accessible. Such facilities and areas must be on land that is suitable for the use intended, have a minimum of twelve hundred (1200) square feet per area, and be sufficiently buffered to minimize the impacts on adjacent residences.

Facility	Points	Minimum requirements (all shall be ADA accessible
	Per Sq.Ft.	
Multipurpose Field	0.01	Less than 5% slope, turf surface, min. 20,000 sq. ft. i size
Sports Field (baseball/football/soccer)	0.01	Turf surface, perimeter fence, backstops, goals as appropriate.
Community garden	0.01	Perimeter fence, water source, min. 5,000 sq. ft.
Dog park	0.01	Perimeter fence, water source, separate fenced are for large and small breeds, mature shade trees, min 10,000 sq. ft.
Volleyball Court	0.01	Sand or paved, painted if paved, net in place.
Multipurpose trail - natural surface	0.01	Mulch or Chapel Hill gravel. Minimum 5-foot surface width. Available for public use via easemen Points calculated by linear feet.
Multipurpose trail - paved surface	0.02	Asphalt. Minimum 8-foot surface width. Available for public use via easement. Points calculated by linear feet.
Outdoor fitness equipment	0.2	Must be designed for adults and children to use wit station instructions.
Hard Surface Court (tennis/pickleball/basketball)	0.1	Perimeter fence, sized for intended sport.
Shelter/gazebo/covered space	0.2	
Amphitheater	0.2	Available for public use. Must include a permanent stage and meet noise ordinances during performan with amplified sound.
Water feature/artificial or natural pond	0.2	Cannot be part of the stormwater management syste or a mapped river or stream.
Play Equipment	0.3	Shall include equipment designed for children unde age 12

Swing set	0.35	
Swimming Pool	0.4	
Skate Park	0.4	Must be available for public use.
Splash Park	0.4	Must be available for public use.
Clubhouse containing meeting room and exercise facilities	0.5	

#### (g) Recognition of City Priorities.

The City has established recreation facility priorities in response to requests and current lack of facilities. Any development awarded points under this section will not be deemed out of compliance with this provision if the City amends the list or discontinues the point system.

#### (h) Method of Provision of Dedication.

Land dedicated for public recreation area shall be designated on both the preliminary and final plat(s) of the development and must be dedicated to an appropriate unit of local government. Determination of the appropriate unit of local government shall be made by the permit issuing authority. Upon the recommendation of Parks and Recreation and Planning staff, the City Council shall consider formal acceptance of any dedication offered or required and approve the dedication before the dedication is deemed final. Acceptance of the dedication may be one in trust if deemed appropriate by the City Council. Maintenance of facilities dedicated to, and accepted by, the City Council shall be the responsibility of the City.

Land provided for private recreation purposes must be conveyed to a property owners' association subject to covenants and easements to be approved by the permit issuing authority, and which provide for the continued maintenance and control of the recreation area in a manner which assures its continuing use for its intended purpose. The formal declaration of covenants and restrictions shall be recorded in the Register of Deeds Office concurrent with or prior to the recording of the final plat.

#### (i) Payments in Lieu of Dedication.

Any applicant required to dedicate or provide recreation area pursuant to this Ordinance may, upon the approval of the permit issuing authority, make a payment to the City of Graham Parks and Recreation Department fund in lieu of dedication or make a combination of land dedication and payment. Before approving a payment in lieu of dedication, the permit issuing authority shall find that no suitable or desirable recreation sites exist for the property in question.

The amount of a payment in lieu of dedication shall equal the number of acres required to be dedicated under this Ordinance multiplied by the fair market value of the land to be dedicated. Fair market value shall be determined by submitting a report from a licensed real estate appraiser, who shall then assign a total value to the land as if it was improved per the proposed subdivision or site plan.

Payment in lieu of dedication shall be made at the time of final plat approval or within one year of approval of the construction drawings, whichever occurs first. All monies received by the City of Graham pursuant to this section shall be used only for the acquisition and/or development for a public park facility or public recreation amenities, which may also include, but are not limited to, sidewalks, ADA upgrades to recreation

facilities, and/or greenways, within a two-mile radius of the development. The City Council has the authority to sell land dedicated pursuant to these provisions, provided that the proceeds of any such sale shall be used solely for the acquisition and/or development of other recreation or park sites within the two-mile radius of the development.

Developments within the extraterritorial jurisdiction will be encouraged to pursue payment in lieu of dedication if they wish provide public ownership of any required recreational facilities due to the City's general inability to maintain facilities outside the city limits.

#### Section 10.252-10.254 Reserved.

(k) Compliance. While they are not required to have a zoning permit, all fences and walls not exempted by this Ordinance shall be comply with all standards of this Ordinance. Any fence or wall installed in any manner that does not comply with this Ordinance shall be subject to civil penalties in accordance with this Ordinance, as applicable.

#### Section 10.251-10.254 Reserved

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

<ul> <li>Applicable Planning District Policies and Recommendations</li> <li>Not applicable; city-wide.</li> </ul>	<u>Planning District</u> All
	<u>Development Type</u> All

# **Staff Recommendation**

Based on *The Graham 2035 Comprehensive Plan*, other jurisdictions and best practices, **staff recommends approval of the text amendment.** The following supports this recommendation:

This creates an opportunity for residents to enjoy amenities in subdivisions where they may not have otherwise been provided.



# STAFF REPORT

Prepared by Justin Snyder, Planning Director

# **Text Amendment for: Exterior Lighting**

Type of Request: Text Amendment

# Meeting Dates

Planning Board on January 18, 2022 City Council on February 8, 2022

# **Contact Information**

N/A

# Summary

Staff has proposed the language below to create standards for exterior lighting throughout the City. Graham currently does not have measurable lighting standards. This will protect adjacent properties from light trespass and prevent site overillumination.

# Proposed Language:

# Project Name

Text Amendment (AM2203) Location city-wide

> Current Zoning not applicable

Proposed Zoning not applicable

Overlay District not applicable

Staff Recommendation Approval

# ARTICLE VI. SUPPLEMENTAL REGULATIONS

# **10.290** Exterior Lighting.

# 10. 290.1 Purpose and Intent.

It is the intent of this section to protect and promote the public health, safety, and general welfare by establishing criteria and standards for providing uniform lighting in outdoor public places where safety and security are concerns, protecting drivers and pedestrians from disabling glare from non-vehicular light sources that shine directly into their eyes and thereby impair safe traverse, protecting neighbors from nuisance glare from poorly aimed or inadequately shielded light sources, and providing lighting which is efficient and compatible with surrounding uses and structures.

# 10.290.2 Applicability.

- (a) Lighting plans shall demonstrate that sufficient light will be available to provide security for property and people using public facilities and common areas after dark. This includes, but is not limited to, roads, driveways, walkways, bikeways, parking lots, and recreational areas.
- (b) Lighting plans will be reviewed as part of the review process for all nonresidential and multifamily permit applications. Modifications to approved or existing lighting shall be submitted to the Planning Director for review and compliance with applicable requirements.

- (a) Full cutoff Luminaires that have no direct uplight (no light emitted above horizontal) and comply with the glare requirement limiting intensity of light from the luminaire in the region between 80° and 90°.
- (b) **Fully shielded** Fully shielded luminaires emit no direct uplight, but have no limitation on the intensity in the region between 80° and 90°. Luminaires that fall under the IESNA full cutoff, cutoff, semi-cutoff, and non-cutoff definitions, may also qualify as fully shielded.

#### 10.290.4 Lighting Requirements.

- (a) Lighting plans shall include a layout of ALL proposed fixture locations including, but not limited to, wall-mounted lights, ground-mounted lights, and illuminated signs; footcandle data that demonstrates conforming intensities and uniformities; and a description of the equipment (catalog cuts), glare control devices, color temperature (in Kelvin), lamps, mounting heights and means, hours of operation, and maintenance methods proposed.
- (b) Illumination intensities (lighting contours) shall be shown on an independent plan.
- (c) Lighting shall be full cutoff type fixtures as defined in this section so that light is focused downward and does not trespass above the fixture housing.

#### 10.290.5 Minimum Lighting Levels

- (a) Parking surface or in a structure, generally will have a minimum light intensity of 1.0 footcandles. A compliant lighting plan may show proposed light contours or light intensity grid with less 1.0 footcandles rating for no more than 25 percent of parking and walkway area if the flexibility prevents the site from exceeding the maximums described in 6.11.5, *Maximum Light Levels*, or the flexibility prevents intensity differences of greater than5 footcandles across the illuminated portion of the site.
- (b) Interior sidewalks, those sidewalks that connect buildings to parking areas, common areas, of facilities within a development that are likely to be used at night, shall have a minimum light intensity of 0.5 footcandles.

(c) Minimum lighting levels in this subsection are not required to be met by non-residential uses during non-business hours.

#### 10.290.6 Maximum Lighting Levels

- (a) All outdoor lighting shall be designed and located such that the maximum illumination measured in foot candles at the light source's property line shall not exceed two-tenths (0.2) of a footcandle measured at ground level where the adjoining property is zoned or used for residential purposes.
- (b) Unless otherwise exempted below, light intensities shall not exceed fifteen (15) footcandles at any location on the site to limit glare and blinding caused by significant light variations across a site.

#### **10.290.7** Use-Specific Exceptions.

- (a) The following uses have unique operating or safety concerns related to site lighting and are permitted light intensities of up to 30 footcandles with limitations set forth in 10.290.8:
  - (1) Banks and financial institutions, including freestanding automated teller machines.

- (2) Motor vehicle sales.
- (3) Motor vehicle fuel stations.
- (4) Correctional facilities.
- (5) Recreational fields for soccer, baseball, football, etc.
- (6) Businesses and institutions in the Courthouse Square Historic District.

#### **10.290.8** Use Specific Exceptions Limited.

The light intensity from the excepted areas in 10.295(a) shall be reduced to the following limits at property lines as described:

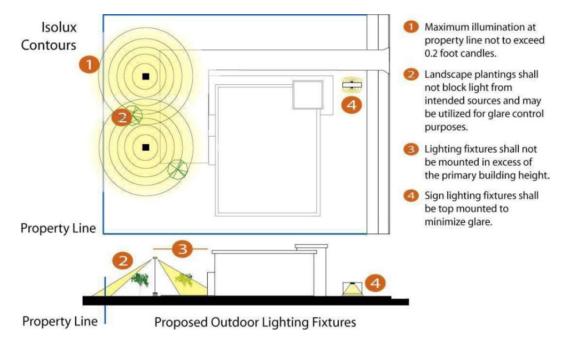
- (a) 1.0 footcandles at any property line adjoining a public or private right of way if the use across the right of way is not zoned or used for residential purposes.
- (b) 0.2 footcandles at any property line adjoining a public or private right of way if the use across the right of way is zoned or used for residential purposes.
- (c) 0.2 footcandles at any property line adjoining land zoned or used for residential purposes.

#### 10.290.9 Installation.

- (a) Lighting fixture height shall not exceed twenty-five (25) feet or the maximum height of the main portion of the primary buildings on the site (excluding spires, towers, parapet walls and the like), whichever is lower. For sites where no building is proposed (such as parking lots or athletic fields), mounting height for fixtures shall not exceed twenty-five (25) feet.
- (b) Electrical feeds to lighting standards shall be run underground, not overhead. Trenching shall not disturb critical root systems of required plantings.
- (c) Light poles in parking areas shall be protected from vehicle impact with protective barriers or by their location. Poles shall not be placed so as to obstruct pedestrian movement along sidewalks or medians.
- (d) Light shall not exceed 10 footcandles for signage and shall be aimed directly at the face of the sign.
- (e) No portion of the fixture bulb may extend below the fixture housing.
- (f) Unshielded wall fixtures shall not be used as security or general lighting adjacent to residential uses or to a public right of way.
- (g) Landscape plantings shall be located and maintained so that they do not block light from reaching the intended surfaces.
- (h) The placement of light fixtures should indicate the desired traffic flow and aid pedestrian safety, especially in areas with potential conflict between pedestrians and vehicles.
- (i) Low intensity strings of lights or individual lighting fixtures may be installed in outdoor seating areas to create visibility for nighttime use or as part of window displays oriented toward pedestrians in areas

with significant foot traffic. Lights may remain illuminated when the business is closed if the lights are not installed on the same floor level and/or installed within 100 feet of a dwelling. No individual bulb may exceed a lighting intensity of 250 lumens or color temperature of 3000 Kelvin.

- (j) Lighting locations shall not be located so as to require relocation or removal of any required planting per the landscaping ordinance.
- (k) Lighting color temperatures shall not be greater than 4000K. In the historic district, temperatures of any non-residential light bulb shall not exceed 3000K to provide a more historic setting in concert with the Historic District Design Standards.



#### Figure 10.290.1: Exterior Lighting Requirements

#### 10.290.10 Control of Nuisance and Disabling Glare.

- (a) All outdoor lighting, shall be designed, installed and maintained in a manner which does not present a disabling glare hazard to drivers or pedestrians, and all reasonable means shall be taken to prevent projection of nuisance glare onto neighboring properties or into the night sky.
- (b) Lighting for sports and athletic fields must include glare control features and must be designed so that primary illumination is directed onto the play area and ancillary areas suchas bleachers, stands, and similar areas. All lighting fixtures for sports fields must be equipped with a glare control package including louvers, shields, or similar devices. The fixtures must be aimed so that their beams are directed and fall within the primary playing or performance area.
- (c) In reviewing lighting plans, the permit issuing authority may consider the impact of lighting on neighboring properties based on stated hours of operation, topographical differences across sites, and other considerations.
- (d) Glare control shall be accomplished primarily through the proper selection and application of lighting equipment and shielding. Only after those means have been exhausted shall vegetation, fences, or similar buffer methods be considered for reducing glare.

#### 10.290.11 Maintenance.

(a) Lighting fixtures used for safety and security lighting shall be maintained in proper working order so as to always meet the requirements of this Ordinance.

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

<ul> <li>Applicable Planning District Policies and Recommendations</li> <li>Not applicable; city-wide.</li> </ul>	Planning District All
	<u>Development Type</u> All

# **Staff Recommendation**

Based on *The Graham 2035 Comprehensive Plan*, other jurisdictions and best practices, **staff recommends approval of the text amendment.** The following supports this recommendation:

This allows the City to control lighting trespass, nuisance glare, and illumination of properties to protect surrounding property owners.



# STAFF REPORT

Prepared by Justin Snyder, Planning Director

# **Text Amendment for: Accessory Dwellings**

Type of Request: Text Amendment

#### **Meeting Dates**

Planning Board on January 18, 2022 City Council on February 8, 2022

# **Contact Information**

N/A

# Summary

Staff has proposed the language below to create standards for allowing accessory dwelling units in residential districts. Currently, Graham does not have standards for them, and thus, they are not permitted, yet the aging population and the desire to age in place and live with kids outside the home make this an important amendment. This also allows a bit more density without being obtrusive, and it frees up other dwelling units for people to move into without requiring development of land.

# Proposed Language:

# Section 10.252 Accessory Dwelling Units (ADUs)

# 10.252.1 Purpose.

The purpose of the following sections is to create opportunities for a diverse housing stock within the City, as well as opportunities for multigenerational families, supplemental income, and aging in place. A dwelling unit must meet residential building code.

# 10.252.2 Applicability.

This section shall apply to all single-family residential districts. However, no accessory dwelling unit may be placed on the same lot as a duplex, multifamily structure, or townhome.

# 10.252.3 Accessory units in freestanding structures.

New or existing accessory buildings may be used as dwelling units in addition to the principal detached single-family dwelling unit any single-family residential zoning district upon issuance of a zoning and building permit, subject to the following conditions:

(a) The lot is developed, or proposed to be developed, with a single-family dwelling and customary accessory outbuildings.

Project Name Text Amendment (AM2204) Location city-wide

> Current Zoning not applicable

Proposed Zoning not applicable

Overlay District not applicable

Staff Recommendation Approval

- (b) The lot has direct access to a public street (e.g. the lot may not be created by easement only or be landlocked).
- (c) One (1) accessory dwelling unit is permitted per lot, whether within the principal dwelling or as a freestanding structure.
- (d) The structure containing the accessory dwelling must meet the applicable primary building setbacks established in Section 10.245, Area, Height, and Yard Regulations.
- (e) The existing, primary dwelling may be non-conforming in regard to building setbacks required in the zoning district as long as the accessory unit conforms to all primary building setbacks.
- (f) All structures containing dwellings shall be connected to municipal water and sewer service and shall their own separate water, sewer, and electrical meters.
- (g) The accessory unit does not exceed fifty (50) percent of the heated living area of the principal dwelling unit or 800 square feet, whichever is less.
- (h) The accessory unit is constructed to the state building code for one- and two-family dwellings.
- (i) Manufactured homes, shipping containers, RVs, temporary structures, storage buildings, and similar structures shall not be permitted to become ADUs.
- (j) There is sufficient off-street parking on the parcel to accommodate two spaces for the principal dwelling and one space per bedroom in the accessory unit, which may include garage spaces.
- (k) The application materials indicate storage locations for solid waste and recycling containers for both dwellings consistent with City Code requirements.
- (I) Units that existed prior to adoption of this Section that do not meet one or more provisions of this section may continue as legal non-conforming uses as defined in this Ordinance.
- (m) Accessory units to be rented or leased on a nightly or weekly basis shall not create significant noise, traffic, or other undesirable effects that would not customarily be associated with a primary single-family residential use.

#### **10.252.4** Accessory units within a principal single-family dwelling.

Accessory units may be located within a principal single-family dwelling in any single-family residential zoning district upon issuance of a zoning and building permit, subject to the following conditions:

(a) The lot is developed, or proposed to be developed, with a single-family dwelling and customary accessory outbuildings.

- (b) The primary structure containing the accessory unit shall meet the applicable primary building setbacks established in Section 10.245, Area, Height, and Yard Regulations in order to add an accessory dwelling unit.
- (c) One (1) accessory dwelling unit is permitted per lot, whether within the principal dwelling or as a freestanding structure.
- (d) Manufactured homes, shipping containers, RVs, temporary structures, storage buildings, and similar structures shall not be permitted to become or contain ADUs.
- (e) Both the primary and accessory dwellings shall be connected to municipal water and sewer service and each shall have its own separate water, sewer, and electrical meters.
- (f) The accessory unit does not exceed fifty (50) percent of the heated living area of the principal dwelling unit or 800 square feet, whichever is less.
- (g) The accessory unit must have its own exterior access. Any interior access to the principal dwelling must be lockable from both dwellings.
- (h) There is sufficient off-street parking on the parcel to accommodate two spaces for the principal dwelling and one space per bedroom in the accessory unit, which may include garage spaces.
- (i) The application materials indicate storage locations for solid waste and recycling containers for both dwellings consistent with City Code requirements.
- (j) The unit, if constructed as an addition onto a primary dwelling, shall meet all applicable building codes and setbacks established in Section 10.245, Area, Height, and Yard Regulations.
- (k) Units that existed prior to adoption of this Section that do not meet one or more provisions of this section may continue as legal non-conforming uses as defined in this Ordinance.
- Accessory units to be rented or leased on a nightly or weekly basis shall not create significant noise, traffic, or other undesirable effects that would not customarily be associated with a primary singlefamily residential use.

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

<ul> <li>Applicable Planning District Policies and Recommendations</li> <li>Not applicable; city-wide.</li> </ul>	<u>Planning District</u> All
	<u>Development Type</u> All

# **Staff Recommendation**

Based on *The Graham 2035 Comprehensive Plan*, other jurisdictions and best practices, **staff recommends approval of the text amendment.** The following supports this recommendation:

This creates an opportunity for the community to age in place and have slightly higher density without having to create new lots or develop new property. This also creates a potentially affordable housing option.



# STAFF REPORT

SUBJECT:	NO PARKING ALONG PEPPERSTONE DRIVE CUL-DE-SAC
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

#### **REQUESTED ACTION:**

Provide direction to staff to evaluate designating the area along the cul-de-sac of Pepperstone Drive as no parking within the Valleyfield subdivision.

#### **BACKGROUND/SUMMARY:**

The Valleyfield subdivision Homeowner's Association submitted a letter to the City requesting that the City designate the cul-de-sac at the end of Pepperstone Drive as a no parking area due to safety concerns and apply signage accordingly.



#### FISCAL IMPACT:

Nominal. The City would be responsible for the installation and maintenance of the signage.

#### STAFF RECOMMENDATION:

N/A

#### SUGGESTED MOTION(S):

I move we direct City staff to evaluate designating the cul-de-sac at the end of Pepperstone Drive as no parking.

February 18, 2022

Valleyfield BOD meeting, in attendance: Bonnie Whitaker, President, Judy Hall, Vice President, Reena Apple, Secretary

Meeting agenda: Parking of vehicles at the cul-de-sac on Pepperstone Drive.

7:40 Meeting called to order by Bonnie Whitaker.

There are multiple issues and complaints concerning vehicles being parked in the cul-de-sac at the end of Pepperstone Drive for more than one year. The complaints are as follows:

1- The City of Graham Public Works trucks have difficulty picking up recycling, garbage, and sweeping the streets in the area due to the many vehicles and utility trailers being stored and parked in the cul-de-sac.

2. The Alamance-Burlington School System and the parents of a school child have made an emotional complaint concerning their disabled child being unable to attend school, due to the parking of vehicles and a utility trailer blocking the needed area of the driveway to transfer the child to the school bus. Thus, the child has to miss a school day because of the lack of access to the bus.

3. Delivery trucks bringing goods to the homes at the lower end of Pepperstone must turn around at Covington Loop and back all the way down Pepperstone to access the homes, because there is no way to turn around in the cul-de-sac.

4. Several homeowners have made complaints of difficulty in maneuvering the area to get in and out of their driveways.

Many attempts have been made to alleviate the problem by:

1-Speaking with the homeowners and explaining the severity of the issue.

2-Police have been called several times and the vehicles were removed for a short time and then continually resumed blocking traffic.3-Community newsletters have been distributed with requests to not block neighborhood traffic, city trucks and city vehicles.

4-Notices were posted on Valleyfield Facebook page requesting homeowners to not block traffic numerous times.

Every attempt has been made to work with homeowners to alleviate this ongoing parking problem to no avail. Due to the noncompliance and worsening problems, we ask the city of Graham to designate the cul-de-sac a non-parking area and place NO PARKING signs in the cul-de-sac at the end of Pepperstone Drive.

8:10 Meeting adjourned



SUBJECT:	SPECIAL EVENT APPLICATIONS
PREPARED BY:	MARY FAUCETTE, DOWNTOWN DEVELOPMENT COORINDATOR

#### **REQUESTED ACTION:**

Approve the requested road closures presented in the following event applications;

#### **100 Block West Elm Street**

- 1. The Exchange Club's Family Center of the Central Piedmont, *Ride Out Child Abuse*, Saturday April 30, 2022 | 1 p.m. 6 p.m. street closure with a rain date of 5/7
- Together Community Events, Graham Food Truck Rodeo, Saturday, May 15, 2022 | 1 p.m. – 9 p.m.
- Graham Recreation & Parks, *Thursdays at Seven*, Thursdays May, 26, June 23, July 28, August 25, September 8 & 22 | 5 p.m. – 11:30 p.m. with rain dates 6/2, 6/9, 6/16, 6/30, 7/7, 7/14, 7/21, 8/4, 8/11, 8/18, 9/1, 9/15, 9/29
- Little Brother Brewing Barrel & Bottle, DINO day Spring Festival, Saturday, June 4 | 10 a.m. – 9 p.m.
- 5. Little Brother Brewing Barrel & Bottle, Grahamtoberfest, September 24 | 12 p.m. 11 p.m.
- 6. Family Abuse Services, Family Abuse Services Car Show, Saturday, October 1 | 6 a.m. 3 p.m. with a rain date of 10/8

#### NCDOT Streets

- 7. Graham Recreation & Parks, Slice of Summer, Saturday June 18 | 1 p.m. 9 p.m.
   \*street closure request for 100 blocks of West & East Elm Street, North & South Main Street and Court Square
- 8. Family Abuse Services, Family Abuse Services Car Show, Saturday, October 1 | 6 a.m. 3 p.m. with a rain date of 10/8
   \*street closure request for 100 blocks of West & East Elm Street, North & South Main Street and Court Square

#### BACKGROUND/SUMMARY:

Applications were submitted to the Special Event Committee and approved on February 1, 2022 with the exception of two, *Slice of Summer* and *Family Abuse Services Car Show*. These two events were contingent upon approval from NCDOT.

On Wednesday, February 23, 2022, the approvals were nullified and Council requested they present at the March council meeting for approval.

#### FISCAL IMPACT:

N/A

#### **STAFF RECOMMENDATION:**

Staff recommends approval.

#### SUGGESTED MOTION(S):

I move that the following events be approved contingent city guidelines for insurance and public safety are met. Events taking place on a NCDOT roads require final approval by NCDOT. The events I move for approval are;

- 1. *Ride Out Child Abuse*, Saturday April 30, 2022 closing the 100 block of West Elm Street 1 p.m. 6 p.m. with a rain date of 5/7
- 2. The Graham Food Truck Rodeo, Saturday, May 15, 2022 closing the 100 block of West Elm Street 1 p.m. 9 p.m.
- Thursdays at Seven concert series Thursdays May, 26, June 23, July 28, August 25, September 8 & 22 closing the 100 block of West Elm Street 5 p.m. – 11:30 p.m. with the rain dates of 6/2, 6/9, 6/16, 6/30, 7/7, 7/14, 7/21, 8/4, 8/11, 8/18, 9/1, 9/15, 9/29
- 4. DINO day Spring Festival, Saturday, June 4 closing the 100 block of West Elm Street 10 a.m. 9 p.m.
- Slice of Summer, Saturday June 18 closing the 100 blocks of West & East Elm Street, North & South Main Street and Court Square 1 p.m. – 9 p.m.
- 6. The Grahamtoberfest, September 24, closing the 100 block of West Elm Street 12 p.m. 11 p.m.
- 7. And approve the Family Abuse Services Car Show, Saturday, October 1 closing the 100 block of West Elm Street and providing overflow into the parking spaces on Court Square 6 a.m. 3 p.m. with a rain date of 10/8

# City of Graham

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SEC\* - Public Works Director, Fire Chief, Police Captain, Recreation Director, and Downtown Development Director

Next Steps\*\* - Depending on the location of the event and the request(s), applicants may be required to provide event insurance which names the City as an additional insured, schedule public safety through Extra Duty Solutions, provide an event map, give detail for sanitation purposes, and other similar logistical information.

Applicants are encouraged to reach out to the Downtown Development Coordinator prior to completing this form if they have any questions pertaining to the City's requirements, event locations, event logistics, etc.

City of Graham Mary Faucette, Downtown Development Coordinator 201 South Main Street Graham, NC 27253 336.266.2248 <u>mfaucette@cityofgraham.com</u>

Email \*

casey@remingtonlockerlaw.com

Event name (if applicable) \*

Ride Out Child Abuse

# Reason for the event (be specific)

Raise awareness for child abuse awareness month, services offered in the community to prevent and eliminate abuse, and raise money for The Exchange Club's Family Center, a non-profit, in Graham whose goal it is to prevent and eliminate child abuse in the community.

The Misfitz motorcycle club (ARACA--Alamance Riders Against Child Abuse) is teaming up with the Exchange Club's Family Center to hopefully create an annual fundraiser event to finish off the month of April (child abuse awareness month). The motorcycle club's mission is to prevent child abuse. They execute this mission through hosting motorcycle rides and events to raise money for families in need and organizations that support the mission. The Family Center is based in Graham and serves 7 counties in the area offering trauma based classes to prevent and eliminate child abuse by teaching coping skills, communication skills, conflict deescalation techniques, and other skills to assist families. While almost all if not all services are offered in Alamance, the same cannot be said for more rural counties like Person and Caswell. Raising funds will allow the agency an opportunity to serve more families in need.

The Family Center has been around for over 10 years, but became an independent entity about 3.5 years ago. We assisted with the Ring Out events around the Courthouse each year. However, COVID seems to have put a significant damper on that large community awareness event.

We envision this as an opportunity for community partners to come to one location to advertise and meet the public. This would include youth groups, The Women's Resource Center, Family Justice Center, GAL program, and DSS. We have not approached these organizations, but all of these groups would be ones we would ask to come and set up an information table. It would also be an opportunity to have a few local vendors to sell merchandise (similar to a farmer's market) with a portion of proceeds, or other similar kickback, going to the Family Center. It would give families an afternoon event to come and enjoy food, music, games and possibly gain a few contacts for resources in the future.

Event date(s) \*

MM DD YYYY

04 / 30 / 2022

Provide your event's setup, start, end, and cleanup times. (Ex: Name of Event 6:30 a.m. - 8 a.m. setup | 8 a.m. event start | 2 p.m. event ends | 2 p.m. - 4 p.m. cleanup) \*

Ride Out Child Abuse; 1pm-2pm setup; 2pm-5pm--main event; 5pm-6pm cleanup

Event category *
Please check all that apply appropriate category for your event.
Concert/Performance
Exhibit
Farmer's Market
Festival/Fair
Parade/Procession
Run/Walk
Food Truck Rodeo
Other: Community Event with food/music/games

Where are you requesting for your event to occur? \*

Be specific identifying street names or City facilities being requested for use?

Elm Street down from where it crosses with Maple Ave (the light w/ C&Z) to the traffic circle (by the Verdict)

Does your event include the request to close streets? \*

Yes

) No

Identify the street(s) you are requesting to have closed for your event.

Elm Street (one block)

Identify your street closure time(s) and will you anticipate when they will return to normal traffic flow.

1:00p.m.-6:00p.m. day of; We would like to schedule for an anticipated rain date of the following weekend same time.

What is your anticipated event attendance total? \*

100-500 is the goal.

# **Entertainment & Related Activities**

Does your event include musical entertainment?

Yes

🔵 No

Where will your musical entertainment be locaed?

Likely on a stage of some sort by the parking lot between The Coffee Depot and the law office behind The Verdict

#### Will sound amplification be used?

If yes, provide the start time and end time.

Yes. For the duration of the event from 2:00p.m.-5:00p.m. I would anticipate they would break down at 5:00p.m., but may stay on to get people to clear out until 5:15p.m.

If yes, please describe. \*Please note, Insurance requirements must be met in order to offer this activity.\*

We would like to have a large bouncy/inflatable house for kids to play on. We would like to put that on one end of the road block. That would be monitored by a volunteer and likely the company the rental is from.

Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics?

If yes, please describe. \*\*\*Note: These requests will be subject to the approval of the City of Graham Police & Fire Departments in conjunction with State Laws governing this type of activity.\*\*

No.

# Alcohol

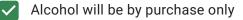
Will alcohol be served, sold or consumed at your event? \*

Yes

) No

If you answered yes to the question above, please check all that apply to your event.

Alcohol will be available free of charge



/25/22, 9:37 AM	City of Graham
Alcohol being served and or sold at my event includes	
Beer only	
Wine only	
Beer & Wine	
Describe your security	plan to ensure the safe sale and or distribution of alcohol at your event.
center (Brother's Brewing) to this location. They will li details are still being sorte person(s) consuming to re	answered this series of questions. The brewery on the corner next to the DWI has agreed to be the end point for the motorcycle ride that will bring the Misfitz ikely be offering some sort of discount to those that participate in the ride. The ed out. However, they are solely responsible for that and we would expect any emain on their premises. It would be communicated to all riders that the alcohol very and must remain on their premises. Otherwise, we would not have any other
Food Concessions or P	reparation
Does your event includ	e food concession and/or food preparation areas?
• Yes	
O No	

If yes, please select the method of cooking that pertains to your event.
Gas
Electric
Charcoal
Other: We are anticipating offering food. We would like to have space for 2-3 food trucks to setup and offer food from their trucks for the event. When those trucks are confirmed, we will communicate to the city what ever information is needed.
Portable Restrooms
Do you plan to provide portable toilets at your event? *
• Yes
O No
If yes, list the total number of portable toilets
2
Portable toilet company name
We are still searching for a vendor.
lf no, please explain

#### Sanitation

Explain your plan for cleanup and removal of trash, waste, and garbage during & after your event. \*

We would provide several trash bins located throughout the event. At the end of the event several volunteers would load the trash into the back of a few pickups and take it to the local dump.

Does your event require additional trash receptacles?	
Yes	
O No	

If yes, what is the requested number of additional trash receptacles?

Beyond what's on the street already, I would guess 6 more large bins with bags for easy removal at the end of the event.

Tents, Canopies & Temporary structures

Will there be any tents, canopies or temporary structures at your event? \*

- 🔵 Yes
- ) No

### Applicant Information

Applicant name and affiliated agency if applicable \*

Casey Locker, agency: The Exchange Club's Family Center of the Central Piedmont

Applicant's Address \*

200 N. Main Street, Graham, N.C. 27253

Applicant's phone number \*

5409100738

Applicant's email address \*

casey@remingtonlockerlaw.com

Provide the event's point of contact if different from the applicant. (First & Last name, Phone number, & Email Address) \*

Same as above.

How many years has this event taken place?

None, yet!

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# **Google** Forms

# City of Graham

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SEC\* - Public Works Director, Fire Chief, Police Captain, Recreation Director, and Downtown Development Director

Next Steps\*\* - Depending on the location of the event and the request(s), applicants may be required to provide event insurance which names the City as an additional insured, schedule public safety through Extra Duty Solutions, provide an event map, give detail for sanitation purposes, and other similar logistical information.

Applicants are encouraged to reach out to the Downtown Development Coordinator prior to completing this form if they have any questions pertaining to the City's requirements, event locations, event logistics, etc.

City of Graham Mary Faucette, Downtown Development Coordinator 201 South Main Street Graham, NC 27253 336.266.2248 <u>mfaucette@cityofgraham.com</u>

Email \*

winston2865@gmail.com

Event name (if applicable) \*

Graham Food Truck Rodeo

Reason for the event (be specific)
Bring food to downtown Graham on a Sunday and bring business to local businesses in the area.
Event date(s) *
MM DD YYYY
05 / 15 / 2022

Provide your event's setup, start, end, and cleanup times. (Ex: Name of Event 6:30 a.m. - 8 a.m. setup | 8 a.m. event start | 2 p.m. event ends | 2 p.m. - 4 p.m. cleanup) \*

Food Truck Rodeo 1 p.m. setup | 3 p.m. start | 8 p.m. ends | 9 p.m. cleanup complete

Event category * Please check all that apply appropriate category for your event.	
Concert/Performance	
Exhibit	
Farmer's Market	
Festival/Fair	
Parade/Procession	
Run/Walk	
Food Truck Rodeo	
Other:	

Where are you requesting for your event to occur? *
Be specific identifying street names or City facilities being requested for use?
West Elm Street from Maple street to Southeast Court Square

Does your event include the request to close streets? \*

- Yes
- 🔵 No

Identify the street(s) you are requesting to have closed for your event.

West Elm Street

Identify your street closure time(s) and will you anticipate when they will return to normal traffic flow.

1 p.m. - 9 p.m.

What is your anticipated event attendance total? \*

2500

**Entertainment & Related Activities** 

Does your event include musical entertainment?	
• Yes	
O No	
Where will your musical entertainment be leaded?	
Where will your musical entertainment be locaed?	
Inside Little Brother Bottle & Brew	
Will sound amplification be used?	
If yes, provide the start time and end time.	
Inside at LBB	
Will inflatables or similar devices be used at your event?	
If yes, please describe. *Please note, Insurance requirements must be met in order to offer this activity.*	
No	
Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics	s?
If yes, please describe. ***Note: These requests will be subject to the approval of the City of Graham Police Departments in conjunction with State Laws governing this type of activity.**	
No	

Alcohol

Will alcohol be served, sold or consumed at your event? *
Yes
O No
If you answered yes to the question above, please check all that apply to your event.
Alcohol will be available free of charge
Alcohol will be by purchase only
Alcohol being served and or sold at my event includes
Beer only
Wine only
Beer & Wine
Describe your security plan to ensure the safe sale and or distribution of alcohol at your event.

Knowledgeable bartenders and owners. Local breweries will be selling.

Food Concessions or Preparation

Does your event include food concession and/or food preparation areas?	
• Yes	
O No	
If yes, please select the method of cooking that pertains to your event.	
Gas	

$\checkmark$	Electric		
	Charcoal		
$\checkmark$	Other: Food truck		

# Portable Restrooms

Do you plan to provide portable toilets at your event? *	
O Yes	
No No	

If yes, list the total number of portable toilets	
ΝΑ	
Portable toilet company name	
ΝΑ	

If no, please explain

Toilets available in LBB

#### Sanitation

Explain your plan for cleanup and removal of trash, waste, and garbage during & after your event. \*

Last year Graham supplied trash bins

Does your event require additional trash receptacles?
<ul> <li>Yes</li> <li>No</li> </ul>
If yes, what is the requested number of additional trash receptacles?
Tents, Canopies & Temporary structures
Will there be any tents, canopies or temporary structures at your event? *
<ul> <li>Yes</li> <li>No</li> </ul>

### Applicant Information

Applicant name and affiliated agency if applicable \*

Shari Kumiega/ Together Community Events

Applicant's Address \*

6518 Green Rise Rd, Hillsborough, NC 27278

Applicant's phone number \*

3366017225

Applicant's email address \*

winston2865@gmail.com

Provide the event's point of contact if different from the applicant. (First & Last name, Phone number, & Email Address) \*

NA

How many years has this event taken place?
1

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# City of Graham

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City of Graham Mary Faucette, Downtown Development Coordinator 201 South Main Street Graham, NC 27253 336.266.2248 <u>mfaucette@cityofgraham.com</u>

#### Email \*

bmccandless@cityofgraham.com

Event name (if applicable) \*

Thursdays at Seven Concert Series

Reason	for	the	event	(be s	pecific)
--------	-----	-----	-------	-------	----------

Free Concert for the Community

Event date(s) \*

MM DD YYYY

05 / 26 / 2022

Provide your event's setup, start, end, and cleanup times. (Ex: Name of Event 6:30 a.m. - 8 a.m. setup | 8 a.m. event start | 2 p.m. event ends | 2 p.m. - 4 p.m. cleanup) \*

Dates\*: May 26, June 23, July 28, August 25, September 8, September 22 Street Closure Time: 5:00pm -11:30pm Event Time: 7:00pm - 9:00pm \*Requested Inclement Weather Rain Dates: June 2, 9, 16, 30 • July 7, 14, 21 • August 4, 11, 18 • September 1, 15

Event category *
Please check all that apply appropriate category for your event.
Concert/Performance
Exhibit
Farmer's Market
Parade/Procession
Run/Walk
Food Truck Rodeo
Other:

Where are you requesting for your event to occur? \*

Be specific identifying street names or City facilities being requested for use?

Downtown Graham • West Elm Street, Graham, NC 27253

Does your event include the request to close streets? \*

$oldsymbol{O}$	Yes
$\bigcirc$	No

Identify the street(s) you are requesting to have closed for your event.

West Elm Street, Graham, NC 27253

Identify your street closure time(s) and will you anticipate when they will return to normal traffic flow.

Street Closure Time: 5:00pm - 11:30pm

What is your anticipated event attendance total? \*

500+

**Entertainment & Related Activities** 

Does your event include musical entertainment?
• Yes
O No
Where will your musical entertainment be locaed?
On West Elm Street (portable stage set up in the street)
Will sound amplification be used?
If yes, provide the start time and end time. 5:00pm - 11:30pm
5.00pm - 11.50pm
Will inflatables or similar devices be used at your event?
Will inflatables or similar devices be used at your event? If yes, please describe. *Please note, Insurance requirements must be met in order to offer this activity.*
No

Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics?

If yes, please describe. \*\*\*Note: These requests will be subject to the approval of the City of Graham Police & Fire Departments in conjunction with State Laws governing this type of activity.\*\*

No

Alcohol

Will alcohol be served, sold or consumed at your event? *
O Yes
No No
If you answered yes to the question above, please check all that apply to your event.
Alcohol will be available free of charge
Alcohol will be by purchase only
Alcohol being served and or sold at my event includes
Beer only
Wine only
Beer & Wine
Describe your security plan to ensure the safe sale and or distribution of alcohol at your event.
beschibe your security plan to ensure the sale sale and of distribution of alcohol at your event.

Food Concessions or Preparation

Does your event include food concession and/or food preparation areas?
Yes
O No
If yes, please select the method of cooking that pertains to your event.

if yes, please select the method of coo	king that pertains to your event.
Gas	
Electric	
Charcoal	
Other:	

# Portable Restrooms

Do you plan to provide portable toilets at your event? *
Yes
O No
If yes, list the total number of portable toilets

2 with a handwashing station

Portable toilet company name

Lloyd's Septic Services

If no, please explain

Sanitation

Explain your plan for cleanup and removal of trash, waste, and garbage during & after your event. \*

Trash will be taken to the Graham Recreation Center dumpster following the event.

Does your event require additional trash receptacles?
Yes
O No
If yes, what is the requested number of additional trash receptacles?
Graham Recreation & Parks will provide additional trash receptacles. Trash will be taken to the Graham Recreation Center dumpster following the event.

Tents, Canopies & Temporary structures

Will there be any tents, canopies or temporary structures at your event? *	
• Yes	
O No	

### **Applicant Information**

Applicant name and affiliated agency if applicable \*

Brandy McCandless, Graham Recreation & Parks

Applicant's Address \*

201 South Main Street, PO Drawer 357

Applicant's phone number \*

3365135510

Applicant's email address \*

bmccandless@cityofgraham.com

Provide the event's point of contact if different from the applicant. (First & Last name, Phone number, & Email Address) \*

(same)

How many years has this event taken place?

19 years

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# City of Graham

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City of Graham Mary Faucette, Downtown Development Coordinator 201 South Main Street Graham, NC 27253 336.266.2248 <u>mfaucette@cityofgraham.com</u>

Email \*

josh@littlebrotherbrew.com

Event name (if applicable) \*

**DINO DAY Spring Festival** 

#### Reason for the event (be specific)

Little Brother Brewing and Forgotten Road Ales want to add another street event to Downtown Graham, like our fall Grahamtoberfest. This will be a family friendly street event that corelates with National Dinosaur Day. A fun theme to make it not just a normal spring festival.

We plan on having games, craft vendors, food vendors, beverage vendors, etc.. 12pm-8pm on June 4th. After the vent we are going to encourage a Graham Crawl to other businesses.

Event date(s) \*

MM DD YYYY

06 / 04 / 2022

Provide your event's setup, start, end, and cleanup times. (Ex: Name of Event 6:30 a.m. - 8 a.m. setup | 8 a.m. event start | 2 p.m. event ends | 2 p.m. - 4 p.m. cleanup) \*

10pm-12pm setup| 12pm Start| 8pm End| 8pm-9pm Clean UP|

Event category * Please check all that apply appropriate category for your event.
Concert/Performance
Exhibit
Farmer's Market
Festival/Fair
Parade/Procession
Run/Walk
Food Truck Rodeo
Other:

Where are you requesting for your event to occur? \*

Be specific identifying street names or City facilities being requested for use?

Downtown Graham. 100 Block of Elm Street from Maple Street to end of Elm. (Courthouse side)

Does your event include the request to close streets? \*

- Yes
- 🔵 No

Identify the street(s) you are requesting to have closed for your event.

100 Block of Elm Street from Maple Street to end of Elm. (Courthouse side)

Identify your street closure time(s) and will you anticipate when they will return to normal
traffic flow.

10am-9pm. 9pm return of traffic.

What is your anticipated event attendance total? \*

500-800

Entertainment & Related Activities

Does your event include musical entertainment? <ul> <li>Yes</li> <li>No</li> </ul> Where will your musical entertainment be locaed?         On Little Brother Brewing's patio area.         Will sound amplification be used?         If yes, provide the start time and end time.         Yes. 12pm-8pm         Will inflatables or similar devices be used at your event?         If yes, please describe. *Please note, Insurance requirements must be met in order to offer this activity.*         Possibly. Depending on insurance requirements.         Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics?         If yes, please describe. ***Note: These requests will be subject to the approval of the City of Graham Police & Fire Departments in conjunction with State Laws governing this type of activity.**	25/22, 9.50 AW	City of Granam
<ul> <li>No</li> <li>Where will your musical entertainment be locaed?</li> <li>On Little Brother Brewing's patio area.</li> <li>Will sound amplification be used? If yes, provide the start time and end time. Yes. 12pm-8pm</li> <li>Will inflatables or similar devices be used at your event? If yes, please describe. *Please note, Insurance requirements must be met in order to offer this activity.* Possibly. Depending on insurance requirements.</li> <li>Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics? If yes, please describe. **Note: These requests will be subject to the approval of the City of Graham Police &amp; Fire Departments in conjunction with State Laws governing this type of activity.**</li> </ul>	Does your event include musical entertainm	ent?
Where will your musical entertainment be locaed?         On Little Brother Brewing's patio area.         Will sound amplification be used?         If yes, provide the start time and end time.         Yes. 12pm-8pm         Will inflatables or similar devices be used at your event?         If yes, please describe. *Please note, Insurance requirements must be met in order to offer this activity.*         Possibly. Depending on insurance requirements.         Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics?         If yes, please describe. **Note: These requests will be subject to the approval of the City of Graham Police & Fire Departments in conjunction with State Laws governing this type of activity.*	Yes	
On Little Brother Brewing's patio area.          Will sound amplification be used?         If yes, provide the start time and end time.         Yes. 12pm-8pm         Will inflatables or similar devices be used at your event?         If yes, please describe. *Please note, Insurance requirements must be met in order to offer this activity.*         Possibly. Depending on insurance requirements.         Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics?         If yes, please describe. ***Note: These requests will be subject to the approval of the City of Graham Police & Fire Departments in conjunction with State Laws governing this type of activity.**	O No	
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If yes, provide the start time and end time. Yes. 12pm-8pm Will inflatables or similar devices be used at your event? If yes, please describe. *Please note, Insurance requirements must be met in order to offer this activity.* Possibly. Depending on insurance requirements. Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics? If yes, please describe. **Note: These requests will be subject to the approval of the City of Graham Police & Fire Departments in conjunction with State Laws governing this type of activity.**		
If yes, provide the start time and end time. Yes. 12pm-8pm Will inflatables or similar devices be used at your event? If yes, please describe. *Please note, Insurance requirements must be met in order to offer this activity.* Possibly. Depending on insurance requirements. Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics? If yes, please describe. ***Note: These requests will be subject to the approval of the City of Graham Police & Fire Departments in conjunction with State Laws governing this type of activity.**	Will sound amplification be used?	
Will inflatables or similar devices be used at your event?         If yes, please describe. *Please note, Insurance requirements must be met in order to offer this activity.*         Possibly. Depending on insurance requirements.         Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics?         If yes, please describe. ***Note: These requests will be subject to the approval of the City of Graham Police & Fire Departments in conjunction with State Laws governing this type of activity.**		
If yes, please describe. *Please note, Insurance requirements must be met in order to offer this activity.* Possibly. Depending on insurance requirements. Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics? If yes, please describe. ***Note: These requests will be subject to the approval of the City of Graham Police & Fire Departments in conjunction with State Laws governing this type of activity.**	Yes. 12pm-8pm	
Possibly. Depending on insurance requirements. Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics? If yes, please describe. ***Note: These requests will be subject to the approval of the City of Graham Police & Fire Departments in conjunction with State Laws governing this type of activity.**	Will inflatables or similar devices be used at	your event?
Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics? If yes, please describe. ***Note: These requests will be subject to the approval of the City of Graham Police & Fire Departments in conjunction with State Laws governing this type of activity.**	If yes, please describe. *Please note, Insurance requirem	ents must be met in order to offer this activity.*
If yes, please describe. ***Note: These requests will be subject to the approval of the City of Graham Police & Fire Departments in conjunction with State Laws governing this type of activity.**	Possibly. Depending on insurance requirements.	
If yes, please describe. ***Note: These requests will be subject to the approval of the City of Graham Police & Fire Departments in conjunction with State Laws governing this type of activity.**	Does your event include the use of firework	s, rockets, lasers, or other pyrotechnics?
No	If yes, please describe. ***Note: These requests will be s	ubject to the approval of the City of Graham Police & Fire
	No	

Alcohol

Will alcohol be served, sold or consumed at your event? *
<ul> <li>Yes</li> <li>No</li> </ul>
If you answered yes to the question above, please check all that apply to your event.          Alcohol will be available free of charge         Alcohol will be by purchase only
Alcohol being served and or sold at my event includes          Beer only         Wine only         Beer & Wine

Describe your security plan to ensure the safe sale and or distribution of alcohol at your event.

We will have trained certified bartenders serving alcohol and will hire Extra Duty Solutions to staff Police Officers for the event.

Food Concessions or Preparation

Does your event include food concession and/or food preparation areas?
<ul> <li>Yes</li> <li>No</li> </ul>
If yes, please select the method of cooking that pertains to your event.
Gas
Electric
Charcoal
Other: Food Trucks

### Portable Restrooms

Do you plan to provide portable toilets at your event? *	
• Yes	
O No	

If yes, list the total number of portable toilets
4
Portable toilet company name

#### Piedmont Portables

If no, please explain

#### Sanitation

Explain your plan for cleanup and removal of trash, waste, and garbage during & after your event. \*

We will personally take care of trash removal.

Does your event require additional trash receptacles?
<ul> <li>Yes</li> <li>No</li> </ul>
If yes, what is the requested number of additional trash receptacles?
Tents, Canopies & Temporary structures
Will there be any tents, canopies or temporary structures at your event? *
Yes

🔵 No

### Applicant Information

Applicant name and affiliated agency if applicable \*

Joshua Coe/ Little Brother Brewing

Applicant's Address \*

106 West Elm Street Graham, NC

Applicant's phone number \*

336 684 5997

Applicant's email address \*

josh@littlebrotherbrewing.com

Provide the event's point of contact if different from the applicant. (First & Last name, Phone number, & Email Address) \*

Joshua Coe, 336 684 5997, josh @littlebrotherbrewing.com

How many years has this event taken place?

0

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# City of Graham

Thank you for considering Graham to host your Special Event, we're glad you see our City as a great place to hang out!

All requests for parade and street events under the City of Graham's ordinance Chapter 20, Article V, Section 171 - 174 and 183 - 185 will be reviewed by the Graham Special Events Committee (SEC). Once the application has been submitted, the applicant will be contacted and receive notification of when the SEC will meet to review their application.

SEC\* - Public Works Director, Fire Chief, Police Captain, Recreation Director, and Downtown Development Director

Next Steps\*\* - Depending on the location of the event and the request(s), applicants may be required to provide event insurance which names the City as an additional insured, schedule public safety through Extra Duty Solutions, provide an event map, give detail for sanitation purposes, and other similar logistical information.

Applicants are encouraged to reach out to the Downtown Development Coordinator prior to completing this form if they have any questions pertaining to the City's requirements, event locations, event logistics, etc.

City of Graham Mary Faucette, Downtown Development Coordinator 201 South Main Street Graham, NC 27253 336.266.2248 <u>mfaucette@cityofgraham.com</u>

Email \*

egriffin@cityofgraham.com

Event name (if applicable) \*

Slice of Summer

### Reason for the event (be specific)

Slice of Summer, a water based festival, brought to you by Graham Recreation & Parks.! Enjoy food trucks, live music, lots of fun splashing in the streets, and a Slip 'N Slide down Main Street!

Event date(s) \*

MM DD YYYY

06 / 18 / 2022

Provide your event's setup, start, end, and cleanup times. (Ex: Name of Event 6:30 a.m. - 8 a.m. setup | 8 a.m. event start | 2 p.m. event ends | 2 p.m. - 4 p.m. cleanup) \*

Slice of Summer: 4:00pm - 8:00pm. Set up: 1:00pm - 4:00pm. Event Start: 4:00pm. Event End: 8:00pm. Clean up: 8:00 -9:00pm

Event category *
Please check all that apply appropriate category for your event.
Concert/Performance
Exhibit
Farmer's Market
Festival/Fair
Parade/Procession
Run/Walk
Food Truck Rodeo
Other:

Where are you requesting for your event to occur? \*

Be specific identifying street names or City facilities being requested for use?

Downtown Graham. 100 blocks of North and South Main St., 100 blocks of East and West Elm St.

Does your event include the request to close streets? \*

) No

Yes

Identify the street(s) you are requesting to have closed for your event.

100 blocks of North and South Main St., 100 blocks of East and West Elm St.

Identify your street closure time(s) and will you anticipate when they will return to normal traffic flow.

Streets close at 1:00pm and open at 9:00pm

What is your anticipated event attendance total? \*

2500

**Entertainment & Related Activities** 

Does your event include musical entertainment?
• Yes
O No
Where will your musical entertainment be locaed?
North Main Street near HiFi Records

Will sound amplification be used?

If yes, provide the start time and end time.

Yes. 4:00pm - 8:00pm

Will inflatables or similar devices be used at your event?

If yes, please describe. \*Please note, Insurance requirements must be met in order to offer this activity.\*

Yes: inflatables and water features from Interactive Playgrounds.

#### Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics?

If yes, please describe. \*\*\*Note: These requests will be subject to the approval of the City of Graham Police & Fire Departments in conjunction with State Laws governing this type of activity.\*\*

No

Alcohol

Will alcohol be served, sold or consumed at your event? *
O Yes
No No
If you answered yes to the question above, please check all that apply to your event.
Alcohol will be available free of charge
Alcohol will be by purchase only
Alcohol being served and or sold at my event includes
Beer only
Wine only
Beer & Wine
Describe your security plan to ensure the safe sale and or distribution of alcohol at your event.

Food Concessions or Preparation

Electric

Charcoal

Portable Restrooms

Do you plan to provide portable toilets at your event? \*

If yes, list the total number of portable toilets

8 portable toilets and 2 handwashing stations

Other:

Yes

No

Does your event include food concession and/or food preparation areas?	
• Yes	
O No	
If yes, please select the method of cooking that pertains to your event.	
Gas	

Portable toilet company name

Lloyd's Portable Toilet Rentals or TCS

If no, please explain

Sanitation

Explain your plan for cleanup and removal of trash, waste, and garbage during & after your event. \*

We will get extra push carts from public works. Staff will monitor event area and pick up trash at conclusion of the event.

Does your event require additional trash receptacles?	
Yes	
O No	
If yes, what is the requested number of additional trash receptacles?	
12	

Tents, Canopies & Temporary structures

Will there be any tents, canopies or temporary structures at your event? *
• Yes
O No
Applicant Information
Applicant name and affiliated agency if applicable *
Emma Griffin, Graham Recreation and Parks Department

Applicant's Address \*

135 W. Elm St

Applicant's phone number \*

3365135510

Applicant's email address \*

egriffin@cityofgraham.com

Provide the event's point of contact if different from the applicant. (First & Last name, Phone number, & Email Address) \*

egriffin@cityofgraham.com

How many years has this event taken place?

2

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# City of Graham

Thank you for considering Graham to host your Special Event, we're glad you see our City as a great place to hang out!

All requests for parade and street events under the City of Graham's ordinance Chapter 20, Article V, Section 171 - 174 and 183 - 185 will be reviewed by the Graham Special Events Committee (SEC). Once the application has been submitted, the applicant will be contacted and receive notification of when the SEC will meet to review their application.

SEC\* - Public Works Director, Fire Chief, Police Captain, Recreation Director, and Downtown Development Director

Next Steps\*\* - Depending on the location of the event and the request(s), applicants may be required to provide event insurance which names the City as an additional insured, schedule public safety through Extra Duty Solutions, provide an event map, give detail for sanitation purposes, and other similar logistical information.

Applicants are encouraged to reach out to the Downtown Development Coordinator prior to completing this form if they have any questions pertaining to the City's requirements, event locations, event logistics, etc.

City of Graham Mary Faucette, Downtown Development Coordinator 201 South Main Street Graham, NC 27253 336.266.2248 <u>mfaucette@cityofgraham.com</u>

Email \*

josh@littlebrotherbrew.com

Event name (if applicable) \*

Grahamtoberfest 2022

## Reason for the event (be specific)

Little Brother Brewing and Forgotten Road Ales hosted Graham's first Oktoberfest last year that was widely successful and we hope to do it again! We had street vendors, crafts, live music, beverage tents, petting zoo, food trucks, etc.. all on the 100 block of Elm Street.

Event date(s) \*

MM DD YYYY

09 / 24 / 2022

Provide your event's setup, start, end, and cleanup times. (Ex: Name of Event 6:30 a.m. - 8 a.m. setup | 8 a.m. event start | 2 p.m. event ends | 2 p.m. - 4 p.m. cleanup) \*

Grahamtoberfest set up 12pm-2pm| Event Start 3pm| Event Ends 10pm| Event clean up 10pm-11pm|

Event category * Please check all that apply appropriate category for your event.
Concert/Performance
Exhibit
Farmer's Market
Festival/Fair
Parade/Procession
Run/Walk
Food Truck Rodeo
Other:

Where are you requesting for your event to occur? \*

Be specific identifying street names or City facilities being requested for use?

100 block of Elm Street. (the street in front of Little Brother Brewing Barrel & Bottle)

Does your event include the request to close streets? \*

Yes

No

Identify the street(s) you are requesting to have closed for your event.

100 block of Elm Street. (the street in front of Little Brother Brewing Barrel & Bottle)

Identify your street closure time(s) and will you anticipate when they will return to normal traffic flow.

12pm-11pm on 9/24/22. We will be ready for traffic immediatly after these hours.

What is your anticipated event attendance total? \*

800 total. Seemed to only be around 300 at any given time last year.

**Entertainment & Related Activities** 

Does your event include musical entertainment?
• Yes
O No
Where will your musical entertainment be locaed?
On the patio of Little Brother Brewing.
Will sound amplification be used?
If yes, provide the start time and end time.
Yes. 3pm-10pm.
Will inflatables or similar devices be used at your event?
If yes, please describe. *Please note, Insurance requirements must be met in order to offer this activity.*
No.

Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics?

If yes, please describe. \*\*\*Note: These requests will be subject to the approval of the City of Graham Police & Fire Departments in conjunction with State Laws governing this type of activity.\*\*

No.

Alcohol

Will alcohol be served, sold or consumed at your event? *
<ul> <li>Yes</li> <li>No</li> </ul>
If you answered yes to the question above, please check all that apply to your event.
Alcohol will be available free of charge
Alcohol will be by purchase only
Alcohol being served and or sold at my event includes
Beer only
Wine only
Beer & Wine
Describe your security plan to ensure the safe sale and or distribution of alcohol at your event.

We will have licensed bartenders serving event guest and hired police officers through extra duty solutions to manage the crowd.

Food Concessions or Preparation

Does your event include food concession and/or food preparation areas?
<ul> <li>Yes</li> <li>No</li> </ul>
If yes, please select the method of cooking that pertains to your event.
Gas Electric Charcoal
Other: Licensed Food Trucks

# Portable Restrooms

Do you plan to provide portable toilets at your event? *
• Yes
O No

If yes, list the total number of portable toilets
4
Portable toilet company name

**Piedmont Portables** 

If no, please explain

# Sanitation

Explain your plan for cleanup and removal of trash, waste, and garbage during & after your event. \*

Our staff will handle all waste removal throughout the day.

Does your event require additional trash receptacles?	
O Yes	
No No	
If yes, what is the requested number of additional trash receptacles?	
Tents, Canopies & Temporary structures	
Will there be any tents, canopies or temporary structures at your event? *	
Yes	
O No	

# Applicant Information

Applicant name and affiliated agency if applicable \*

Josh Coe/ Little Brother Brewing Barrel & Bottle

Applicant's Address \*

106 West Elm Street Graham, NC 27253

Applicant's phone number \*

336 684 5997

Applicant's email address \*

josh@littlebrotherbrew.com

Provide the event's point of contact if different from the applicant. (First & Last name, Phone number, & Email Address) \*

Josh Coe / 3366845997 / josh@littlebrotherbrew.com

How many years has this event taken place?

One

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# City of Graham

Thank you for considering Graham to host your Special Event, we're glad you see our City as a great place to hang out!

All requests for parade and street events under the City of Graham's ordinance Chapter 20, Article V, Section 171 - 174 and 183 - 185 will be reviewed by the Graham Special Events Committee (SEC). Once the application has been submitted, the applicant will be contacted and receive notification of when the SEC will meet to review their application.

SEC\* - Public Works Director, Fire Chief, Police Captain, Recreation Director, and Downtown Development Director

Next Steps\*\* - Depending on the location of the event and the request(s), applicants may be required to provide event insurance which names the City as an additional insured, schedule public safety through Extra Duty Solutions, provide an event map, give detail for sanitation purposes, and other similar logistical information.

Applicants are encouraged to reach out to the Downtown Development Coordinator prior to completing this form if they have any questions pertaining to the City's requirements, event locations, event logistics, etc.

City of Graham Mary Faucette, Downtown Development Coordinator 201 South Main Street Graham, NC 27253 336.266.2248 <u>mfaucette@cityofgraham.com</u>

Email \*

Angie@AncoraWealth.com

Event name (if applicable) \*

Family Abuse Services Car Show

Reason for the event (be specific)	
Fundraiser	

Event date(s) \*

MM DD YYYY

10 / 01 / 2022

Provide your event's setup, start, end, and cleanup times. (Ex: Name of Event 6:30 a.m. - 8 a.m. setup | 8 a.m. event start | 2 p.m. event ends | 2 p.m. - 4 p.m. cleanup) \*

6:00am set up time| 7:00-8:30am registration and parking of cars| 8:30 car show starts| judging 10:30 - noon| awards 2:00pm| cleanup 2:30 - 3:30

Event category * Please check all that apply appropriate category for your event.
Concert/Performance
Exhibit
Farmer's Market
Festival/Fair
Parade/Procession
Run/Walk
Food Truck Rodeo
Other: Car show

Where are you requesting for your event to occur?	vent to occur? *	/our e	for	equesting	you	Where are
---	------------------	--------	-----	-----------	-----	-----------

Be specific identifying street names or City facilities being requested for use?

Elm Street, around court square in corners and N. Main if needed. This is the same "route" or location we used for the 2021 show. This will allow for the circle around court square to remain open.

Does your event include the request to close streets? \*

$oldsymbol{O}$	Yes
$\bigcirc$	No

Identify the street(s) you are requesting to have closed for your event.

W. Elm Street (entrance for cars off of Maple St), corners of Court Square and N. Main Street to Harden

Identify your street closure time(s) and will you anticipate when they will return to norma	al
traffic flow.	

6:00am closure and 3:00 resume normal traffic

What is your anticipated event attendance total? \*

150-200 people

**Entertainment & Related Activities** 

Does your event include musical entertainment?
<ul> <li>Yes</li> <li>No</li> </ul>
Where will your musical entertainment be locaed? W Elm Street between The Verdict and Passion Grill
Will sound amplification be used? If yes, provide the start time and end time.
yes, 10:00am - 2:30pm
Will inflatables or similar devices be used at your event?
If yes, please describe. *Please note, Insurance requirements must be met in order to offer this activity.*
no

# Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics?

If yes, please describe. \*\*\*Note: These requests will be subject to the approval of the City of Graham Police & Fire Departments in conjunction with State Laws governing this type of activity.\*\*

no

Alcohol

Will alcohol be served, sold or consumed at your event? *	
O Yes	
No No	
If you answered yes to the question above, please check all that apply to your event.	
Alcohol will be available free of charge	
Alcohol will be by purchase only	
Alcohol being served and or sold at my event includes	
Beer only	
Wine only	
Beer & Wine	
Describe your security plan to ensure the safe sale and or distribution of alcohol at your event.	

Food Concessions or Preparation

Does your event include food concession and/or food preparation areas?		
O Yes		
No No		
If yes, please select the method of cooking that pertains to your event.		
Gas		
Electric		
Charcoal		

Other	

# Portable Restrooms

Do you plan to provide portable toilets at your event? *	
• Yes	
O No	
If yes, list the total number of portable toilets	

4

TCS Event Rental/Piedmont Portables

If no, please explain

Sanitation

Explain your plan for cleanup and removal of trash, waste, and garbage during & after your event. \*

The only trash will be from registration and snack provided to volunteers. Last year the city trash cans were sufficient for our use. We will clean up all items we bring and any trash created by our staff, volunteers and participants.

Does your event require additional trash receptacles?
O Yes
No No
If yes, what is the requested number of additional trash receptacles?

Tents, Canopies & Temporary structures

Will there be any tents, canopies or temporary structures at your event? *
O Yes
No No

# **Applicant Information**

Applicant name and affiliated agency if applicable \*

Family Abuse Services c/o Angie Hall

Applicant's Address \*

1950 Martin Street, Burlington, NC 27217

Applicant's phone number \*

336-684-5946

Applicant's email address \*

Angie@AncoraWealth.com

Provide the event's point of contact if different from the applicant. (First & Last name, Phone number, & Email Address) \*

same

How many years has this event taken place?

1

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SUBJECT:	ROAD CLOSURES FOR GRPD PROGRAMS IN DOWNTOWN GRAHAM
	PROGRAM & RAIN DATES FOR: SLICE OF SUMMER – PUMPKIN BASH – THURSDAYS AT SEVEN CONCERT SERIES
PREPARED BY:	BRIAN FAUCETTE, DIRECTOR OF RECREATION AND PARKS

#### **REQUESTED ACTION:**

The Recreation and Parks Department requests the following street closures for downtown programs in 2022:

**Slice of Summer**: closure of the 100 blocks of East and West Elm Streets and North and South Main Streets on June 18, 2022 from 1pm-9pm. We also request approval of the same road closures from 1pm-9pm on June 25, 2022 as an alternative date. **Pg. 172** 

**Pumpkin Bash**: closure of the 100 blocks of East and West Elm Streets on October 28, 2022 from 2pm-10:30pm and North and South Main Streets from 4pm-10:30pm.

**Thursdays at Seven Concert Series**: closure of the 100 block of W. Elm St. in downtown Graham on May 26<sup>th</sup>, June 23<sup>rd</sup>, July 28<sup>th</sup>, August 25<sup>th</sup>, September 8<sup>th</sup>, & September 22<sup>nd</sup> for the 2022 Thursdays at Seven Concert Series. All closures will begin at 5:00pm and re-open by 11:30pm. In the event a concert must be postponed, we also request the same closure as above on the following dates: June 2<sup>nd</sup>, 9<sup>th</sup>, 16<sup>th</sup> & 30<sup>th</sup>; July 7<sup>th</sup>, 14<sup>th</sup> & 21<sup>st</sup>; August 4<sup>th</sup>, 11<sup>th</sup> & 18<sup>th</sup>; September 1<sup>st</sup>, 15<sup>th</sup> & 29<sup>th</sup>. **Pg. 155** 

#### BACKGROUND/SUMMARY:

City Council has approved similar requested closures in past years.

GRPD staff and Graham Police Officers will continue to execute the closures and provide appropriate monitoring and security.

As in past years, alternative dates will give staff and vendors/bands the option to reschedule on days with possible inclement weather or when other issues arise.

#### FISCAL IMPACT:

No fiscal impact to the City of Graham aside from the regularly budgeted program expenses.

#### **STAFF RECOMMENDATION:**

Staff recommends the following:

- Approve the closure of the 100 blocks of East and West Elm Streets and the 100 blocks of North and South Main Streets on June 18, 2022 (Alt. Date: June 25<sup>th</sup>) from 1pm-9pm for the Slice of Summer Festival;
- 2. Approve the closure of the 100 blocks of East and West Elm Streets from 2pm-10:30pm and North and South Main Streets from 4pm-10:30pm on October 28, 2022 for the Pumpkin Bash;

3. Approve the closure of the 100 block of W. Elm St. in downtown Graham on May 26<sup>th</sup>, June 23<sup>rd</sup>, July 28<sup>th</sup>, August 25<sup>th</sup>, September 8<sup>th</sup>, & September 22<sup>nd</sup> for the 2022 Thursdays at Seven Concert Series. All closures will begin at 5:00pm and re-open by 11:30pm. Staff also recommends approval for a 5:00pm-11:30pm closure for alternative dates of: June 2<sup>nd</sup>, 9<sup>th</sup>, 16<sup>th</sup> & 30<sup>th</sup>; July 7<sup>th</sup>, 14<sup>th</sup> & 21<sup>st</sup>; August 4<sup>th</sup>, 11<sup>th</sup> & 18<sup>th</sup>; September 1<sup>st</sup>, 15<sup>th</sup> & 29<sup>th</sup>.

# SUGGESTED MOTION(S):

I MAKE A MOTION TO APPROVE THE STAFF RECOMMENDED STREET CLOSURES FOR THE SLICE OF SUMMER, PUMPKIN BASH AND THE THURSDAYS AT SEVEN CONCERT SERIES.



SUBJECT:	COUNCIL LIAISONS TO BOARDS AND COMMISSIONS
PREPARED BY:	DARBY TERRELL, CITY CLERK

## **REQUESTED ACTION:**

Choose the Council Liaisons to the Boards and Commissions that receive a liaison for City of Graham Boards, Alamance County Boards, and Regional Boards.

## BACKGROUND/SUMMARY:

At the request of the Council, the March 8, 2022 meeting was chosen for the Council to decide on the liaisons for each board and commission. Below are prior representatives:

- Appearance Commission/Tree Board (Mayor Peterman)
- Historical Museum (Council Member Wiggins)
- Historical Resource Commission (HRC) (Council Member Wiggins)
- Recreation Commission (Mayor Pro Tem Turner)
- Cemetery Board (Mayor Pro Tem Turner)
- Alamance County Community Services Agency (Mayor Peterman)
- Alamance County Economic Development Committee (Mayor Pro Tem Turner)
- Audit Committee (Mayor Peterman)
- Piedmont Triad Regional Council (Council Member Hall)
- Piedmont Triad Regional Council, Alternate (Council Member Talley)
- Transportation Advisory Committee (TAC) (Council Member Wiggins)
- Transportation Advisory Committee (TAC), Alternate (Council Member Talley)

# FISCAL IMPACT:

# N/A

# STAFF RECOMMENDATION:

N/A

# SUGGESTED MOTION(S):