

City of Graham City Council
Recessed Meeting Agenda
April 21, 2022
6:00 p.m. Recessed from April
12, 2022



CALL TO ORDER: Mayor Jennifer Talley

INVOCATION & PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATION: Bird – Dockless Electric Micro-Mobility Vehicle Company

CONSENT AGENDA:

- a. To approve the minutes of the February 23, 2022, Special Meeting and March 8, 2022, Regular Meeting.
- b. To approve a Petition for a Voluntary Contiguous Annexation for approximately 2.00 acres located at 165 Andrews Avenue (GPIN 8883359616) (AN2202):
 - i. To approve a Resolution requesting the City Clerk to Investigate the Sufficiency of the requested annexation petition per G.S. 160A-31.
 - ii. To approve a Resolution Fixing Date of Public Hearing on May 10, 2022, for the Question of Annexation.
- c. To approve the amended grant payment schedule between the City of Graham and Lidl US LLC and to authorize the City Manager and City Attorney to effectuate the amended agreement.
- d. To approve a Resolution authorizing the application for Loan and Grant Assistance from the State of North Carolina for the drinking water distribution system and wastewater collections system projects.
- e. To award a contract, in the amount of \$75,000.00, to A&J Electrical Services of Trinity, NC, for the Boyd Creek Lift Station Generator project.
- f. To approve a Resolution authorizing the application for Loan and Grant Assistance from the State of North Carolina for the Wastewater Treatment Plan improvements and expansion.

Approved by Council (5-0)

PUBLIC HEARINGS:

1. **VOLUNTARY CONTIGUOUS ANNEXATION - 57.225 ACRES - LACY HOLT ROAD (AN2201):** A public hearing has been scheduled to consider a voluntary contiguous annexation containing 57.225 acres located on Lacy Holt Road, GPIN 8873512978 & 8873625474.

Approved by Council (5-0)

2. **CONDITIONAL REZONING - 200 S. MARSHALL STREET - CONDITIONAL BUSINESS (RZ2202):** A public hearing has been scheduled to consider an application by Lee Kimrey to rezone 0.50 acres of property located at 200 South Marshall Street, from Office Institutional (O-I) to Conditional

Business (C-B). (GPIN 8884233706) (Planning Board approved the rezoning with added conditions at its March 15, 2022, regular meeting)

Denied by Council (5-0)

3. CONDITIONAL REZONING - 1242 HANFORD ROAD - CONDITIONAL RESIDENTIAL

(RZ2203): A public hearing has been scheduled to consider an application to rezone 14.03 acres of property located at 1242 Hanford Road, from Single Family Residential (R-12 & R-18) to Conditional Residential (C-R). (Planning Board approved the rezoning with added conditions at its March 15, 2022, regular meeting)

Denied by Council (5-0)

4. CONDITIONAL REZONING - 302 NORTH MAPLE STREET & 203, 207, & 213 WEST MARKET STREET - (RZ2204)

A public hearing has 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 requests these properties be rezoned from High-Density Residential (R-7) to Conditional Residential (C-R). (GPIN: 8884151515, 8884150571, 8884059566, and 8884058556) The Planning Board approved with added conditions. (Planning Board approved the rezoning at its March 15, 2022, regular meeting)

Dismissed by Council (5-0)

5. AMENDMENT - DEVELOPMENT ORDINANCE - VISION CLEARANCE, FENCES, AND WALLS (AM2201)

A public hearing has 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, and locations. The proposed text amendment will be placed in Section 10.55 and Section 10.250 within the Development Ordinance. (Planning Board approved the text amendment at its March 15, 2022, regular meeting.)

6. AMENDMENT - DEVELOPMENT ORDINANCE - RECREATION & AMENITIES (AM2202)

A public hearing has been re-advertised and continued to consider a text amendment to the Development Ordinance to create standards for recreation and amenities with the construction of a proposed subdivision with 100 or more units. The proposed text amendment includes a point system tied with listed amenities based on desirability. The proposed text amendment, if approved, would be placed in Section 10.251 within the Development Ordinance. (Continued from March 8, 2022, regular meeting.)

7. AMENDMENT - DEVELOPMENT ORDINANCE - ACCESSORY DWELLINGS UNITS (ADUS)

(AM2204): A public hearing has been re-advertised and continued to consider a text amendment to the Development Ordinance to create standards for allowing accessory dwelling units in single-family residential zoning districts. The proposed text amendment, if approved, would be placed in Sections 10.252.1 through 10.252.4 within the Development Ordinance. (Continued from March 8, 2022, regular meeting.)

8. **AMENDMENT - DEVELOPMENT ORDINANCE - CRYPTOCURRENCY, VIRTUAL CURRENCY, AND BLOCKCHAIN MINING FACILITIES (AM2205)**: A public hearing has been scheduled to consider a text amendment to the Development Ordinance to create standards for crypto mining operations. The planning staff has worked at length with a local crypto mining facility leader and has brought forward an ordinance that has been mutually agreed upon. The proposed text amendment, if approved, will be placed in Sections 10.291 to 10.291.5 within the Development Ordinance. The Planning Board has recommended approval with suggested changes to City Council. (Planning Board approved this text amendment at its March 15, 2022, regular meeting.)

9. **AMENDMENT - DEVELOPMENT ORDINANCE - ARTS AND CRAFT STUDIOS (AM2206)**: A public hearing has been scheduled to consider a text amendment to the Development Ordinance to include arts and craft studios' standards in the Table of Permitted Uses. The proposed text amendment, if approved, will be placed in Section 10. 15, 10.135, and 10.136 within the Development Ordinance if approved. (Planning Board has tabled this item to its May 19, 2022, regular meeting)

10. **AMENDMENT - DEVELOPMENT ORDINANCE - ARTICLE X - FLAGS & BANNERS (AM2207)**: A public hearing has been scheduled to consider a text amendment to the Development Ordinance to revise the flags and feathered flags and banners standards. The proposed text amendment, if approved, will be placed in Article X, Sections 10.442 and 10.467, in the Development Ordinance. (Planning Board has tabled this item to its May 19, 2022, regular meeting)

NEW BUSINESS:

11. **DISCUSSION - CHERRY LANE OVERLAY**: Staff has received a request from Chad Huffine, on behalf of the Concerned Citizens of Cherry Lane, to look into numerous text amendments, including the adoption of an "Industrial Protection Overlay" along Cherry Lane, as well as a potential Future Land Use map amendment to return this corridor to its 2020 Plan designations. Staff recommends that this item is considered after the budget is adopted and preferably coinciding with a UDO and FLUP update. The Planning Board has asked City Council for direction and believes staff recommendation is the best course.

12. **RECYCLING CONTRACT OPTIONS**: The City's current five-year recycling contract expires on June 30, 2022. City Staff will provide options for Council consideration.

13. **STREET CLOSURE REQUESTS**: The Graham Recreation and Parks Department requests the following street closures for the following events:
 - a. **9/11 COMMEMORATIVE 5K EVENT**: Closure of the northbound lane of Maple Street from Pine to McAden Street, the westbound lane of McAden from South Main to Maple Street, the southbound lane of South Main Street from Pine to McAden Street, and the eastbound lane of Pine Street from Maple to South Main Street from 6:00 a.m. – 12:00 p.m. on Saturday, September 10, 2022.

 - b. **PUMPKIN BASH**: Closure of the 100 blocks of East and West Elm Streets from 2:00 p.m. to 10:30 p.m., and closure of North and South Main Streets from 4:00 p.m. to 10:30 p.m. on October 28, 2022.

- 14. VOTING DELEGATES FOR CITYVISION CONFERENCE:** City Council to discuss which members of Council will be designated the voting delegate and alternate voting delegate while attending the North Carolina League of Municipalities CityVision Annual Conference.

Council chose the following delegates: Mayor Talley and Mayor Pro Tem Hall (alternate).

- 15. BUDGET PRESENTATION - FY 2022-2023 WATER & SEWER FUND:** Staff will present the FY 2022-2023 Water & Sewer Fund proposed budget and fee schedule.

Council was presented the FY 2022-20223 Water & Sewer Fund.

PUBLIC COMMENT PERIOD:

CITY STAFF COMMENTS:

CITY COUNCIL COMMENTS:

ADJOURN