



City of Salisbury

North Carolina

COUNCIL MEETING AGENDA

December 5, 2023
6:00 p.m.

The meeting will be held in a hybrid format and will be streamed live at salisburync.gov/webcast and on the City's Facebook account.

Anyone who wishes to speak via Zoom during public comment must sign-up by 5:00 p.m. on December 5, 2023 by contacting Connie Snyder at csnyd@salisburync.gov. Citizens who wish to speak in person can sign up in Council Chambers.

1. Call to order.
2. Moment of Silence.
3. Pledge of Allegiance.
4. Retiring Council adjourns.

OATH OF OFFICE AND
ELECTION OF MAYOR PRO-TEM

- New Council assembles.
- Administer Oath of office to Mayor.
- Administer Oath to Council Members.
- Mayor to preside over meeting.
- Receive nominations for Mayor Pro Tem.
- Mayor Pro Tem elected.
- Administer Oath of office to Mayor Pro Tem.
- Remarks from Council Members.

COUNCIL CONVENES - NEW BUSINESS – PAGE 1 – DECEMBER 5, 2023

1. Adoption of the Agenda.
2. Council to consider the CONSENT AGENDA:
 - (a) Approve Minutes of the special meetings of November 21, 2023 and November 27, 2023, and the regular meeting of November 21, 2023.
 - (b) Adopt the 2024 schedule of regular Council meeting dates.
 - (c) Approve a right-of-way encroachment for the installation of underground fiber optic cable by AT&T within the right-of-way of Jake Alexander Boulevard near 505 West Jake Alexander Boulevard per Section 11-24(27) of the City Code and subject to North Carolina Department of Transportation approval.
 - (d) Authorize the City Manager to execute a contract with Charles R. Underwood, Inc. in the amount of \$248,434 for the Crowell Lift Station upgrades.
 - (e) Authorize the City Manager to execute a contract with Summit Design and Engineering Services, PLLC, in an amount not to exceed \$53,000 for engineering services associated with the Fisher Street Bridge Feasibility Report.
 - (f) Authorize the City Manager to execute a request to amend the current HOME-ARP Grant Agreement type of activity from “Create and Develop Non-Congregate Housing” to the “Development and Support of Affordable Housing” in the amount of \$487,247, and have it submitted to the administering agency.
 - (g) Set a public hearing for January 2, 2024 to receive comments regarding a proposed Annexation Agreement with the Town of Spencer.
 - (h) Receive a request for voluntary annexation of approximately 10.88 acres located on Peach Orchard Lane, Tax Map 407B Parcel 043, and adopt a Resolution instructing the City Clerk to investigate the sufficiency of the request.
3. Council to receive public comment. ***Speakers who wish to speak via Zoom must sign-up before 5:00 p.m. by contacting Connie Snyder at csnyd@salisburync.gov.*** Citizens who wish to speak in person can sign-up in Council Chambers. Citizens who are unable to speak during the meeting may submit written comments to the email above and they will be shared with Council.
4. Council to hold a public hearing and consider adopting a Resolution authorizing the issuance and sale of Multifamily Housing Revenue Bonds for the Ford City Motor Lofts project located at 419 South Main Street: *(Presenters – City Attorney Graham Corriher and Attorney Kristen Kirby)*
 - (a) Receive a presentation from staff
 - (b) Hold a public hearing
 - (c) Adopt a Resolution authorizing the issuance and sale of multi-family housing revenue bonds for the Ford City Motor Lofts project.

COUNCIL CONVENES - NEW BUSINESS – PAGE 2 – DECEMBER 5, 2023

5. Council to consider endorsing a letter committing \$200,000 in Community Development Block Grant funds in support of the Ford City Motor Lofts project located at 419 South Main Street. *(Presenter – Planning and Neighborhoods Director Hannah Jacobson)*
6. Council to consider adopting an Ordinance to amend the Land Development District Map of the City of Salisbury to rezone one parcel, approximately .668 acres, located along the intersection of East Council and North Shaver Streets, from Corridor Mixed-Use and Residential Mixed-Use with a Conditional District Overlay to Residential Mixed-Use with a Conditional District Overlay to request an exception to the Land Development Ordinance requirements for an alternate design: *(Presenter – Senior Planner Victoria Bailiff)*
 - (a) Receive a presentation from staff
 - (b) Hold a public hearing
 - (c) Issue a statement of Consistency and Statement of Reasonableness, and consider adopting an Ordinance amending the Land Development Ordinance.
7. Council to consider closing an unimproved portion of Second Street, located off the 100 block of Carolina Boulevard: *(Presenter Transportation Director Wendy Brindle)*
 - (a) Receive a presentation from staff
 - (b) Hold a public hearing
 - (c) Consider adopting a Resolution accepting an offer of dedication of the right-of-way
 - (d) Consider approving an Order closing the unimproved portion of Second Street.
8. Council to receive the June 30, 2023 Annual Comprehensive Financial Report from auditors Martin Starnes, CPAs. *(Presenters – Finance Director Wade Furches and Auditor Elsa Swenson)*
9. Council to consider approval of a right-of-way use permit for the use of four marked parking spaces on Main Street until March 22, 2024 and the intermittent use of Hogan’s Alley until January 5, 2024 for construction taking place at 119 and 121 North Main Street per Section 22-50 of the City Code. *(Presenter Transportation Director Wendy Brindle)*
10. Council to receive a presentation regarding the Byrne Criminal Justice Initiative. *(Presenter – Byrne Criminal Justice Initiative Coordinator Chanel Nestor)*
11. Council to receive the annual report from Downtown Salisbury, Inc. *(Presenter – Downtown Development Director Sada Troutman)*
12. City Attorney’s Report.
13. City Manager’s Report.
14. Council’s Comments.

COUNCIL CONVENES - NEW BUSINESS – PAGE 3 – DECEMBER 5, 2023

15. Mayor Pro Tem's Comments.
16. Mayor's Announcements and Comments.
 - (a) Downtown Salisbury, Inc. will host photos with Santa and the Grinch at Bell Tower Green Park Saturday, December 9, 2023 from 10:00 a.m. until 1:00 p.m. Free rides on the antique fire trucks with Santa and the Grinch will take place from 1:30 p.m. until 4:00 p.m.
 - (b) The City of Salisbury will host the New Year's Eve at the Bell Tower celebration Sunday, December 31, 2023 at Bell Tower Green. Festivities begin at 9:00 p.m. and include food trucks, live entertainment, a live video feed from Time's Square, and ringing in the New Year at midnight.
17. Adjourn.

Salisbury, North Carolina
November 21, 2023

SPECIAL MEETING

PRESENT: Mayor Karen K. Alexander, Presiding; Mayor Pro Tem Tamara Sheffield, Council Members Harry McLaughlin and Anthony Smith; City Manager Jim Greene, Jr., City Clerk Connie B. Snyder; and City Attorney J. Graham Corriher.

ABSENT: Councilmember David Post.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The meeting was called to order by Mayor Alexander at 5:00 p.m. Councilmember Post attended the meeting via Zoom.

ADOPTION OF THE AGENDA

Thereupon, Mayor Pro Tem Sheffield made a **motion** to adopt the Agenda as presented. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin and Smith voted AYE. (4-0)

CLOSED SESSION

Thereupon, Mayor Pro Tem Sheffield made a **motion** to go into Closed Session concerning a personnel matter as allowed by NCGS 143-318.11(a)(6) and to consult with an attorney as allowed by NCGS 143-318.11(a)(3). Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin and Smith voted AYE. (4-0)

RETURN TO OPEN SESSION

Council returned to open session. Mayor Alexander noted no action was taken in closed session.

ADJOURNMENT

Motion to adjourn the meeting was made by Mayor Pro Tem Sheffield. Mayor Alexander, Mayor Pro Tem Sheffield and Councilmembers McLaughlin and Smith voted AYE. (4-0)

The meeting was adjourned at 6:06 p.m.

Karen Alexander, Mayor

Connie B. Snyder, City Clerk

Salisbury, North Carolina
November 27, 2023

SPECIAL MEETING

PRESENT: Mayor Karen K. Alexander, Presiding; Mayor Pro Tem Tamara Sheffield, Council Members Harry McLaughlin, David Post, and Anthony Smith; City Manager Jim Greene, Jr., City Clerk Connie B. Snyder; and City Attorney J. Graham Corriher.

ABSENT: None.

Mayor Alexander and members of City Council hosted members of Salisbury boards and commissions for a Boards and Commission Appreciation Celebration. The event began at 5:30 p.m. in Council Chambers in City Hall located at 217 South Main Street. Mayor Alexander and Councilmembers expressed their appreciation to the members for all they do for the City. No action was taken by Council.

The event ended at 7:30 p.m.

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Karen Alexander, Mayor

Connie B. Snyder, City Clerk

Salisbury, North Carolina
November 21, 2023

REGULAR MEETING

PRESENT: Mayor Karen K. Alexander, Presiding; Mayor Pro Tem Tamara Sheffield; and Council Member Anthony Smith; City Manager Jim Greene, Jr., City Clerk Connie B. Snyder; and City Attorney J. Graham Corriher.

ABSENT: Councilmembers David Post and Harry McLaughlin.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The meeting was called to order by Mayor Alexander at 6:07 p.m. A moment of silence was taken. Councilmember Post attended the meeting via Zoom.

PLEDGE OF ALLEGIANCE

Mayor Alexander led participants in the Pledge of Allegiance to the United States flag.

ADOPTION OF THE AGENDA

Thereupon, Mayor Pro Tem Sheffield a **motion** to adopt the Agenda as presented. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmember Smith voted AYE. (3-0)

RECOGNITION – BARBARA PERRY

Mayor Alexander read a Proclamation honoring Ms. Barbara Perry for her outstanding contributions to the City through her 40 years of service on multiple boards and commissions. She then presented Ms. Perry with Key to the City and a framed copy of the Proclamation.

Council expressed its thanks and appreciation to Ms. Perry for all she has done for the City and its citizens.

RECOGNITION – PLANNER MALIKIA CHERUBALA

Council recognized Planner Malikia Cherubala for receiving the Marvin Collins Award from the North Carolina Chapter of the American Planning Association. Planning and Neighborhoods Director Hannah Jacobson stated Ms. Cherubala is a tremendous asset to the organization and she is excited about the work she is doing to make the City a better place.

Council congratulated Ms. Cherubala and thanked her for all she does for the City.

RECOGNITION – HEALTHIEST EMPLOYER AWARD

Human Resources Business Partner Jennifer Silva and Administrative Specialist Claire Karriker informed Council that Salisbury received the Charlotte Business Journal Healthiest Employer Award. Ms. Silva noted the City has been established as one of Charlotte’s healthiest employers since 2020. She explained the award recognizes employees and organizations taking a proactive approach to employee health and wellbeing. She thanked the Health and Wellness Committee, the City’s Nurse Practitioner and employees for serving as a driving force in implementing health initiatives that work to reduce health issues and support wellbeing for all employees.

Ms. Karriker noted the Health and Wellness Committee works to promote education initiatives, programs, and resources that inform, educate and help meet the needs of employees.

Mayor Alexander congratulated employees, and she stated initiatives help lower health insurance premium costs. Mayor Pro Tem Sheffield thanked Ms. Silva and Ms. Karriker for their work with the Health and Wellness Committee and working to educate employees. Councilmember Smith congratulated employees on the continued recognition.

PROCLAMATIONS

Mayor to proclaim the following observances:

SMALL BUSINESS SATURDAY

November 25, 2023

NATIONAL IMPAIRED DRIVING PREVENTION MONTH

December 2023

CONSENT AGENDA

(a) Minutes

Approve Minutes of the regular meeting of November 8, 2023.

(b) Donation to the Fire Department

Accept a donation of five Humat hydrant valves from the Oakhurst Fire Department. The Oakhurst Fire Department discontinued their use of the Humat hydrant valves and would like to donate five Humat valves to the Salisbury Fire Department.

(c) Update Employee Pay Grade Classification Schedule

Approve an update to the adopted Employee Pay Grade Classification Schedule to add the position of Emergency Vehicle Mechanic/Trainer at Pay Grade 13.

(d) Stop Conditions and Parking – Old Wilkesboro Road and Partee Street

Adopt an Ordinance amending Chapter 13, Article X, Section 13-332 of the City Code related to stop conditions at Old Wilkesboro Road and Partee Street and an Ordinance amending Chapter 13, Article X, Section 13-338 of the City Code related to parking areas along the 500 block of Partee Street.

ORDINANCE AMENDING CHAPTER 13, ARTICLE X, OF THE CODE OF THE CITY OF SALISBURY, RELATING TO STOP SIGNS.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 331, and is known as Ordinance 2023-76.)

ORDINANCE AMENDING CHAPTER 13, ARTICLE X, OF THE CODE OF THE CITY OF SALISBURY, RELATING TO PARKING.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 332, and is known as Ordinance 2023-77.)

(e) Sale of Surplus Equipment

Adopt a Resolution declaring specific equipment as surplus and authorize the sale of P79701, a 500KW Kohler Generator, on Govdeals.com.

RESOLUTION AUTHORIZING SALE OF SURPLUS PROPERTY WITH POTENTIAL VALUE OF \$30,000 OR MORE.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 40, and is known as Resolution 2023-32.)

Thereupon, Councilmember Smith made a **motion** to adopt the Consent Agenda as presented. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmember Smith voted AYE. (3-0)

PUBLIC COMMENT

Mayor Alexander opened the floor to receive public comments.

Ms. Annie Boone Carroll thanked everyone who worked to make BlockWork a success. She noted approximately 200 people attended, and she thanked Council for all it does for the community.

There being no one to address Council, Mayor Alexander closed the public comment session.

UPDATE – DIVERSITY EQUITY AND INCLUSION STRATEGIC ACTION PLAN

Diversity, Equity, and Inclusion (DEI) Director Anne Little presented the DEI Strategic Action Plan to Council. She noted the document is designed to address Council's goal to integrate diversity, equity, and inclusion into every aspect of the organization and is intended to be intertwined into the City's Strategic Plan, Council priorities, and internal and external policies and practices. She noted the plan was completed with the support of WPR Consulting.

Ms. Little explained the plan includes a vision statement, "A city that champions all dimensions of diversity and fosters inclusion for an equitable workplace and community and a mission to shepherd the City Government's commitment and resources for a diverse, equitable and inclusive workforce, workplace and community." She noted the goals of the Strategic Action Plan will be reviewed on a regular basis for progress and for relevancy.

Mayor Pro Tem Sheffield thanked Ms. Little for her leadership and her work with DEI. Councilmember Smith expressed his gratitude for a City that is working to address inequity and injustice. Councilmember Post thanked Ms. Little for her work, and he asked if she is satisfied with the progress that is being made and what can be accomplished. Ms. Little agreed, and she noted the work will evolve and change to help create a Salisbury for all.

Mayor Alexander thanked Ms. Little for her work with DEI and for all she does for the City. City Manager Jim Greene thanked Ms. Little and staff for all they do to promote DEI in the City. He thanked Council for its direction, support and funding of the City's DEI Program. He added the City is fortunate to have its partnership with WPR Consulting as it continues its DEI journey.

UPDATE – FORD CITY MOTOR LOFTS

Planning and Neighborhoods Director Hannah Jacobson provided an update on the Ford City Motor Lofts project. She noted at its December 5, 2023 meeting Council will be asked to hold a public hearing and vote on two ways the City can support the project.

Ms. Jacobson stated the project is located in the 400 block of South Main Street in the Downtown Local Historic District and just outside the Municipal Service District. She noted as a result of the City's Brownfields Grant an assessment was completed at the site. She noted Ms.

Tanya Haddock with Cadence Development has proposed to build mixed-income housing at the site, primarily for seniors and those who are 55 and older and can live independently. She added there is a strong partnership with local organizations to provide quality of life activities such as gardening, sewing, and golf.

Ms. Jacobson stated the project has a total of 64 units, which will be distributed between several onsite buildings. She indicated there will be an opportunity for new construction to add additional units to the site. She provided a project overview, and she noted the project is currently in the development review process. She indicated the project has faced financing challenges and is taking advantage of financing options that include a Housing and Urban Development (HUD) Section 202 award for senior housing, low income housing tax credits, historic tax credits, a traditional bank loan, and developer equity. She added the City will issue tax exempt bonds for construction financing.

City Attorney Graham Corriher noted at its December 5, 2023 meeting Council will hold a public hearing and consider adopting a Resolution approving the City as the issuer of bonds for the project. He explained the City will act as a conduit for the bonds and its only obligation is to adopt the Resolution and to issue the bonds on its behalf. He stated the City has no liability for the \$9.5 million bonds. He added the liability is on the investors that purchase the bonds and the revenue would come from the payments once the project is completed. He clarified the City will participate by issuing the bonds, but there is no debt or payment obligation for the City.

Ms. Jacobson pointed out the project has a financing gap. Ms. Haddock noted things have happened during the two years the project has been in the planning stages including an increase in interest rates and construction costs and the funding options are not enough to cover the total cost of the project. She noted Cadence Development is looking for funding sources for an additional \$1 million that is needed to complete the project. She indicated vapor mitigation needs to be completed as part of the Brownfields Program, and she asked if the City would consider waiving its permitting fees or using Community Development Block Grant (CDBG) funding to help with the project. She indicated Cadence Development is pursuing a Save Treasures Grant through the National Park Service, and hopes to begin construction in the first quarter of 2024.

Ms. Jacobson noted staff recommends Council consider approving a letter of intent at its December 5, 2023 meeting to contribute \$200,000 of CDBG funding to the project. She explained the commitment would be for future year entitlement funds, and she pointed out the City has available CDBG funds that will provide flexibility to support this project while also continuing to support other projects it has supported in the past. She indicated the funds would be distributed throughout construction and if the project does not take place the City will reallocate the funding.

Ms. Jacobson commented the presentation is for information only and staff will be back before Council on December 5, 2023 for the public hearing and to request its support of the letter of intent and the issuance of the bonds.

Mayor Alexander thanked Ms. Jacobson for her presentation.

REALLOCATION OF FUNDS – INCREASE CITY’S 401K CONTRIBUTION

City Manager Jim Greene addressed Council regarding the reallocation of funds previously budgeted for Social Security to increase the employer 401K contributions from 4% to 5% for all eligible employees, and to provide an additional 1% one-time lump sum appreciation bonus for employees hired before July 1, 2023. He added Council is also asked to consider adopting a budget Ordinance amendment to the FY2023-2024 budget in the amount of 12,000 to transfer funds from the General Fund to the Transit Fund to cover these costs.

Mr. Greene noted earlier members of the Fire Department asked the City to consider allowing them to reevaluate their participation in Social Security, and to fund the City’s part if the decision was approved by fire fighters. He added Council agreed and \$335,000 was budgeted for the City’s contribution to the fire fighter’s Social Security. He added if the fire fighters approved Social Security it would be a recurring cost. He stated all eligible employees other than firefighters, participate in Social Security, and he explained the City pays 6.2% and the employees pay 6.2% to support the program.

Mr. Greene stated City Attorney Graham Corriher led the process and an individual from the Social Security Administration met with firefighters to explain benefits, costs, and to answer questions. He noted the required vote was held on August 31, 2023 and fire fighters elected not to participate in Social Security. He explained the \$335,000 that was allocated for the Social Security is available to be reallocated or to be allocated to Fund Balance.

Mr. Greene recommended Council consider using the \$335,000 to increase the City’s 401K contribution to 5% and a one-time 1% bonus later in the year to show appreciation for employees. He pointed out the 401K contribution would be reoccurring and the 1% bonus would be a one-time expense and the funds would be available for Council to re-budget next year.

Finance Director Wade Furches noted employees are always looking for added benefits and value for their work and the City looks for long-term employees who will retire here. He stated firefighters and all other City employees, except sworn police officers would be getting an additional 1% added to their 401K. He explained the City currently contributes 5% to sworn police officer’s 401K as required by state law. He pointed out surrounding municipalities are contributing 5% to employee’s 401K in an effort to retain and recruit talent. He noted the additional 1% 401K contribution will cost the City approximately \$216,000 annually. He indicated Stormwater and Salisbury Rowan Utilities (SRU) have sufficient funds to absorb the costs, but the Transit Fund will need a transfer from the General Fund. He stated the increase would become effective January 12, 2024 if approved.

Mr. Furches noted staff is also recommending using the remainder of the \$335,000 in the General Fund to give a one-time 1% bonus to employees hired before July 1, 2023. He added employees would receive the bonus on June 14, 2024. He stated the 1% bonus is a one-time event that would not impact the FY2025 budget.

Councilmember Post asked if employees are required to match the 401K contribution. Mr. Furches explained the City's 401K program does not require an employee match. He explained the

5% contribution is already in place for sworn police officers, and other eligible employees currently receives 4%. He indicated with the additional 1% everyone who is eligible for the 401K program would receive a 5% City contribution.

Mayor Pro Tem Sheffield stated she is pleased the appreciation bonus will be available to part-time employees. She added the goal is to make the City the employer of choice and this is a step in the right direction. She thanked Mr. Greene and Mr. Furches for their work on the proposed bonus and additional 401K contribution.

Thereupon, Councilmember Smith made a **motion** to approve the reallocation of funds budgeted for Social Security to increase the employer 401K contribution from 4% to 5% for all eligible employees and to provide an additional one-time, lump-sum 1% appreciation bonus for employees hired before July 1, 2023. Mayor Alexander, Mayor Pro Tem Sheffield and Councilmember Smith voted AYE. (3-0)

Thereupon, Councilmember Smith made a **motion** to adopt an Ordinance amending the FY2023-2024 Budget Ordinance of the City of Salisbury, North Carolina in the amount of \$12,000 to increase the transfer from the General Fund to the Transit Fund. Mayor Alexander, Mayor Pro Tem Sheffield and Councilmember Smith voted AYE. (3-0)

ORDINANCE AMENDING THE 2023-2024 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO INCREASE THE TRANSFER FROM THE GENERAL FUND TO THE TRANSIT FUND.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 333, and is known as Ordinance 2023-78.)

CITY MANAGER'S COMMENTS

City Manager Jim Greene wished Mayor Alexander, Council, and community members a Happy Thanksgiving. He added he is excited about the 'Tis the Season Spectacular Parade that will take place tomorrow.

COUNCIL COMMENTS

Councilmember Smith stated he hopes everyone enjoys the Thanksgiving weekend with their family and friends.

Councilmember Post wished everyone a Happy Thanksgiving, and he stated he has enjoyed working with Council and staff.

MAYOR PRO TEM'S COMMENTS

Mayor Pro Tem Sheffield stated Thanksgiving is a time of reflection, and she encouraged citizens to shop local. She wished everyone a Happy Thanksgiving.

MAYOR'S ANNOUNCEMENTS AND COMMENTS

Mayor Alexander wished everyone a Happy Thanksgiving, and she encouraged citizens to be safe when traveling to see family and friends.

(a) **Housing Survey**

Mayor Alexander announced residents of Salisbury are encouraged to share their thoughts on housing in the City by taking an online survey. The survey will help shape future policies and spending priorities related to housing and community development. The survey is available at www.salisburync.gov/housing. The survey launched October 16th and will remain open through the end of November.

(b) **'Tis the Season Spectacular**

Mayor Alexander announced the 'Tis the Season Spectacular community event will take place Wednesday, November 22nd with a parade beginning at 3:00 p.m. in Downtown Salisbury. Festivities will continue at Bell Tower Green with the official tree lighting taking place at 6:00 p.m. The event runs from 4:00 p.m. until 8:00 p.m.

ADJOURNMENT

Motion to adjourn the meeting was made by Mayor Pro Tem Sheffield. Mayor Alexander, Mayor Pro Tem Sheffield and Councilmember and Smith voted AYE. (3-0)

The meeting was adjourned at 7:11 p.m.

Karen Alexander, Mayor

Connie B. Snyder, City Clerk

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Council Meeting Date: December 7, 2021

Name of Group(s) or Individual(s) Making Request: City Clerk Connie Snyder

Name of Presenter(s): Consent Agenda

Requested Agenda Item: Council to adopt its 2024 Meeting Schedule.

Description of Requested Agenda Item: Each year Council adopts its meeting schedule for the year and the proposed schedule of 2024 Council meeting dates is attached for your consideration and approval. The schedule proposes only one meeting for July and December. Also, the starting time of the August 6 meeting has been moved to 3:00 p.m. to allow Council to participate in National Night Out events. No meetings are affected by holidays in 2024 and no other adjustments should be necessary.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: Adopt Council's meeting schedule for 2024.
(Please note if item includes an ordinance, resolution or petition)

Contact Information for Group or Individual: Connie Snyder, 704-638-5234

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

2024 SCHEDULE OF REGULAR COUNCIL MEETING DATES

January 2 January 16	No first meeting in July July 16
February 6 - Meeting starts 4:00 p.m February 20	August 6 – Meeting starts 3:00 p.m. August 20
March 5 March 19	September 3 September 17
April 2 April 16	October 1 October 15
May 7 May 21	November 5 November 19
June 4 June 18	December 3 No second meeting in December

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: December 5, 2023

Name of Group(s) or Individual(s) Making Request: Transportation Department

Name of Presenter(s): Wendy Brindle, Transportation Director

Requested Agenda Item: Request from AT&T for encroachment on Jake Alexander Boulevard

Description of Requested Agenda Item: AT&T requests approval of installation of fiber along Jake Alexander Boulevard (JAB), to serve 505 W. Jake Alexander Boulevard. The proposed project includes 102 feet of directionally bored fiber optic cable at a minimum of 60-inches deep along JAB, and 85 feet of directionally bored fiber optic cable at a minimum of 120-inches deep across JAB. City Council approval of encroachments is required by Section 11-24 (27) of the City Code.

Staff review included input from Transportation, Public Works and Salisbury-Rowan Utilities. Staff recommends approval subject to the following conditions:

- All improvements and restoration shall be made at no expense to the City.
- A \$5,000 bond will be required prior to construction within the City Limits.
- A pre-construction meeting will be required prior to construction.
- On-site inspection will be required during all critical street crossings.
- Any markers for underground facilities shall be flush with the ground.
- Lane closures shall be coordinated through NCDOT.
- AT&T shall participate with the State's one-call locating program, and appropriate locater tape shall be installed to facilitate future field location. SRU requires that all new facilities maintain a clear horizontal separation of at least 48" (measured edge to edge) from existing utilities, and a clear vertical separation of at least 24" from existing utilities. All crossings must be identified/potholed prior to excavation.
- Engineering "as-built" plans shall be maintained by AT&T and made available to the City upon request.
- If the City (or State) makes an improvement to the public Right-of-Way, AT&T facilities shall be adjusted or relocated at no expense to the City (or State).
- NCDOT Encroachment required along all state-maintained roadways.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

There is no budgetary impact on this item.

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

Salisbury City Council Agenda Item Request Form



City Council to consider approval of a right-of-way encroachment for installation of underground fiber optic cable by AT&T within the right-of-way of Jake Alexander Boulevard near 505 W Jake Alexander Boulevard per Section 11-24 (27) of the City Code, and subject to NCDOT approval.

Contact Information for Group or Individual: Wendy Brindle 704-638-5201, Barry King 704-216-2712

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

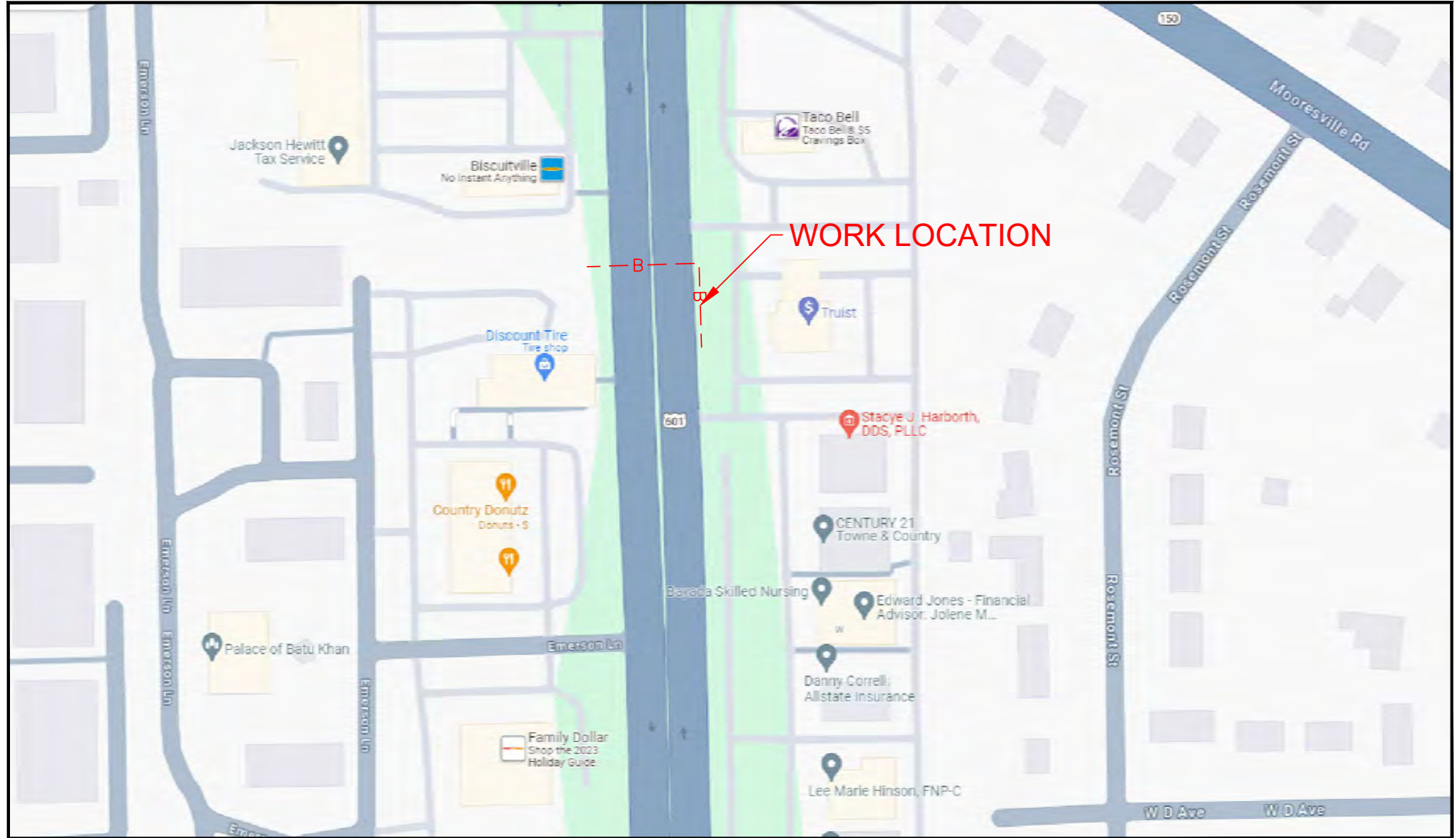
Approved

Delayed

Declined

Reason:

ADDRESS: 505 W JAKE ALEXANDER BLVD, SALISBURY NC
 PROJECT NAME: A02QDKT



SITE LOCATION



CONTACTS

AT&T ENGINEER
JEFFREY WOOD
 JW0463@ATT.COM
 704-695-5091

OSP DESIGNER
BRYCE MARSHALL
 BM3550@ATT.COM
 919-788-2449

SITE INDEX

- 1 - COVER SHEET/SITE LOCATION
- 2 - LEGEND
- 3 - GENERAL NOTES
- 4 - OSP PROJECT SHEET

SCOPE OF WORK:

PLACE NEW BURIED FIBER ALONG AND ACROSS W JAKE ALEXANDER BLVD. PLACE NEW HANDHOLE.

3					AS-BUILT
2					REVISION #
1	11/22/23	JW	BM		ORIGINAL
NO.	DATE	ENG DESIGN	DRAFTING		COMMENT
SHEET TITLE :					COVER SHEET
PROJECT MANAGER:					
PROJECT ENGINEER: JEFFREY WOOD					
PROJECT NUMBER: A02QDKT					
DESCRIPTION: 505 W JAKE ALEXANDER BLVD, SALISBURY NC					
DRAWING NAME: CITY PLANS ATT A02QDKT 20231121.dwg					
CONFIDENTIAL/PROPRIETARY					SHEET: 1 OF 4

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: December 5, 2023

Name of Group(s) or Individual(s) Making Request: Salisbury-Rowan Utilities

Name of Presenter(s): Jason Wilson

Requested Agenda Item: Crowell Lift Station Upgrades

Description of Requested Agenda Item: Salisbury-Rowan Utilities (SRU) opened two (2) sealed bids on November 16, 2023 from qualified vendors for the Crowell Lift Station Upgrades. The project was re-advertised after the initial advertisement for bids failed to result in the required minimum of three (3) bidders in order to open sealed bids. Charles R. Underwood, Inc. submitted the low bid in the amount of \$248,434. SRU is recommending awarding a contract to Charles R. Underwood, Inc. in the amount of \$248,434 for the Crowell Lift Station Upgrades.

Attachments: Yes No

Fiscal Note: This project is part of the CIP. Sufficient funds are available in the FY24 budget.

Action Requested of Council for Agenda Item: Council to consider authorizing the City Manager to execute a contract with Charles R. Underwood, Inc. the amount of \$248,434 for the Crowell Lift Station Upgrades.

Contact Information for Group or Individual: Jason Wilson, Assistant Utilities Director
704-216-7553, jason.wilson@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Crowell Lift Station Upgrades Bid Opening November 16th 2023 @ 2:00pm

Company Name	Lump Sum Price
Charles R. Underwood, Inc.	\$248,434.00
Carolina Siteworks, Inc.	\$471,901.00

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: December 5, 2023

Name of Group(s) or Individual(s) Making Request: Public Works

Name of Presenter(s):

Requested Agenda Item: Council to consider approving a contract for the City of Salisbury Fisher Street Bridge Feasibility Report with Summit Design and Engineering Services.

Description of Requested Agenda Item: The City of Salisbury's Fisher Street Bridge Feasibility Report proposes alternatives to restoring connectivity to downtown Salisbury from various neighborhood streets on the east side of the Norfolk Southern Railroad tracks by reopening the Fisher Street crossing. The Feasibility Report will focus on minimizing the impacts to the businesses and residences adjacent to the bridge site while providing a recommendation for the best option for connectivity at the existing site.

Attachments: Yes No

Fiscal Note: (If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)

This project is included in the FY23-24 Budget.

Action Requested of Council for Agenda Item:

Council to consider authorizing the City Manager to execute a contract with approved on-call engineering firm Summit Design and Engineering Services, PLLC, in the amount not to exceed \$53,000 for engineering services associated with the City of Salisbury's Fisher Street Bridge Feasibility Report.

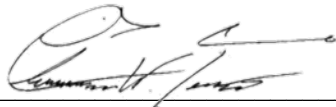
Contact Information for Group or Individual: Christopher Tester, Public Works Director, 704-216-7554

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:


Finance Manager Signature


Department Head Signature


Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

November 9, 2023

Summit Design and Engineering Services, PLLC
City of Salisbury Fisher Street Bridge Feasibility Report
Scope of Work

The City of Salisbury's Fisher Street Bridge Feasibility Report proposes alternatives to restoring connectivity to downtown Salisbury from various neighborhood streets on the east side of the Norfolk Southern Railroad tracks by reopening the Fisher Street crossing. The Feasibility Report will focus on minimizing the impacts to the businesses and residences adjacent to the bridge site while providing a recommendation for the best option for connectivity at the existing site. Three alternatives for the existing bridge site will be evaluated, as follows:

- Alternative #1: Complete removal of existing bridge and replacement with pedestrian bridge
- Alternative #2: Complete removal of existing bridge and replacement with vehicular bridge
- Alternative #3: Rehabilitation of existing bridge to provide pedestrian only traffic

We appreciate your consideration of Summit Design and Engineering Services to provide this feasibility report and, based on our meeting on September 29, 2023, please find detailed below the proposed scope of work.

1. Project Management
 - Coordination with City of Salisbury
 - Monthly project meetings

2. Preliminary Engineering – Alternative #1
 - Develop Pedestrian bridge typical section
 - Develop bridge alignment and profile to meet updated clearances
 - Model new bridge construction impacts
 - Site evaluation for structure type options
 - Evaluate up to three structure type options
 - Provide Conceptual Preliminary General Drawings (PGD) for each structure type option
 - Accommodation of Emergency Vehicles (EV) at each side of bridge

3. Evaluate ROW and Utility impacts – Alternative #1
 - Evaluate proposed pedestrian bridge for ROW impacts
 - Document ROW impacts to include in report
 - Evaluate proposed pedestrian bridge for utility impacts
 - Document utility conflicts to include in report
4. Prepare Cost Estimates – Alternative #1
 - Prepare a detailed cost estimate for each structure type option to include Construction, ROW and utility costs.
5. Preliminary Engineering – Alternative #2
 - Provide statement and supporting documentation for the feasibility of replacing existing bridge with a new vehicular bridge with sidewalks
 - Provide conceptual plan view drawing showing location and impacts of proposed bridge replacement
6. Preliminary Engineering – Alternative #3
 - Provide statement and supporting documentation for the feasibility of rehabilitating existing bridge to support pedestrian only traffic.
 - Provide conceptual plan view drawing showing the location and impacts of altering the existing bridge to provide pedestrian only traffic.
7. Develop Bridge Study Report
 - Develop organized and easy-to-follow report
 - Include all the information shown in this scope of work
 - Develop and include any graphic drawings to aid in explanation of concepts in the report.
8. Assumptions and Exclusions
 - Assume site visit for two Engineers
 - Excludes site surveys
 - Excludes coordination with Railroad for reviews

Fee:

- We propose to provide this scope of work for a fee of \$53,000.

We can begin work on this project within two weeks of your approval of this scope with fee. Please let me know if I can provide any further information to you.

Sincerely,

Summit Design and Engineering Services, PLLC



Greg Dickey, PE

Transportation Structural Engineering Manager

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: December 5, 2023

Name of Group(s) or Individual(s) Making Request: Planning and Neighborhoods

Name of Presenter(s): Hannah Jacobson, Planning and Neighborhoods Director

Requested Agenda Item: Council to consider an amendment to the Funding Action Plan for HOME ARP Grant Agreement.

Description of Requested Agenda Item: The Planning and Neighborhoods department is requesting approval to submit the attached amendment request for the HOME-ARP funds to the Cabarrus/Iredell/Rowan HOME Consortium. The Consortium's administering agency is the City of Concord. The amendment, if approved, would allow Salisbury's HOME-ARP funds to be designated for the development and support of affordable housing, with a primary target population of those who are homeless or at-risk of homelessness.

Attachments: Yes No

Attachment A – Request to amend

Attachment B – HOME ARP Funding Action Plan (approved 2.15.21)

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)* The proposed amendment will not result in changes to the City's budget.

Action Requested of Council for Agenda Item: Council to consider approving the City Manager to sign the letter requesting to amend the "Type of Activity" from "Create and Develop Non-Congregate Housing" to the "Development and Support of Affordable Housing" in the HOME-ARP Grant Agreement in the same amount of \$487,247.00, and to have it submitted to the administering agency.

Contact Information for Group or Individual: Hannah Jacobson, hannah.jacobson@salisburync.gov, 704-638-5230

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Salisbury City Council Agenda Item Request Form



Finance Manager Signature

Department Head Signature

Budget Manager Signature

******All agenda items must be submitted at least 7 days before the requested Council meeting date******

For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:



{DATE}

City of Concord
Attn: Pepper Bego
Planning & Neighborhood Development Department
P.O. Box 308
Concord, NC 28026
P: 704-920-5133 | begop@concordnc.gov

Re: Amendment to Salisbury HOME-ARP Funding Action Plan

Dear Mr. Bego:

This letter is to request to amend the City of Salisbury's HOME-ARP Funding Action Plan, originally submitted and approved February 15, 2021. The summary of the proposed amendment is as follows:

1. Revise "Type of Activity" to support Development and Support of Affordable Housing.
2. Revise Project Description to reflect the change of "Type of Activity" to the affordable housing option.
3. Revise budget to remove the items designated for "Create and Develop Non-Congregate Housing" (\$487,247.00)
4. Add new budget item of "Development and Support of Affordable Housing" in the amount of \$487,247.00.

Please contact Hannah Jacobson, Director of Planning and Neighborhoods, if you have any questions.

Sincerely,

Jim Greene
City Manager

Cc: *Hannah Jacobson, Planning and Neighborhoods Director*
Richard White, Deputy City Manager

CABARRUS-IREDELL-ROWAN HOME CONSORTIUM

HOME-ARP FUNDING ACTION PLAN



APPLICATIONS DUE FEBRUARY 11, 2022

Submit application to:

City of Concord
Attn: Pepper Bego
Planning & Neighborhood Development Department
P.O. Box 308
Concord, NC 28026
704-920-5133
begop@concordnc.gov

ACTION PLAN INFORMATION

HOME Consortium Member:

City of Salisbury, NC

PROJECT/ACTIVITY DESCRIPTION

Project/Program Title:

City of Salisbury, NC HOME-ARP funding

Project/Program Location:

Salisbury, NC

I (a) Type of Activity (check one)

Development and Support of Affordable Housing

Tenant Base Rental Vouchers (TBRV)

Support Services (Non-Profits)

Acquisition and Development of Non-Congregate Housing

II (b) Project Description. Please provide a **detailed narrative description** of the project below (or on an attached page), addressing all of the following questions. Please check each box below to show that you have addressed the question, and insert information directly in blank space below question. Where the question is not applicable or no information is available, insert N/A.

Creation of non-congregate transitional housing units leading to the ability to assist homeless persons or persons housed in a homeless shelter, renovation of existing building to create transitional housing units with permanent supportive services.

PROJECT BUDGET AND FUNDING

III (a) Budget

Show all funding sources for the project or projects you plan to undertake. Be sure to include program income.

Project Activities:
HOME-ARP

Purchase and Development of Non-Congregate Shelter Housing:

Non-Congregate housing	\$487,247.00	\$487,247.00
Program Administration General Administration	\$33,693.00	\$ 33,693.00
Fair Housing Activities	\$5,000.00	<u>\$ 5,000.00</u>
	Total CDBG Funds	\$525,940.00

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Are any of the Board Members or employees of the agency which will be carrying out this project, or members of their immediate families, or their business associates:

- a) Employees of or closely related to employees of your agency or the member government through which this application is made: YES ___ NO X

- b) Members of or closely related to members of City Council or Commission of the member government through which this action plan is made: YES ___ NO X

- c) Current beneficiaries of the program for which funds are requested: YES ___ NO X

- d) Paid providers of goods or services to the program or having other financial interest in the program: YES ___ NO X

If you have answered **YES** to any question, **please attach a full explanation**. The existence of a potential conflict of interest does not necessarily make the project ineligible for funding, but the existence of an **undisclosed** conflict may result in the termination of any grant awarded.

To the best of my knowledge and belief all data in this application are true and current. The document has been duly authorized by the governing board of the applicant.

Signature: _____
Certifying Official

Date

Signature of Certifying Official

Date

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: December 5, 2023

Name of Group(s) or Individual(s) Making Request: City Attorney

Name of Presenter(s): City Attorney Graham Corriher

Requested Agenda Item: Council to consider setting a public hearing for January 2, 2024 to receive comments regarding a proposed Annexation Agreement with the Town of Spencer.

Description of Requested Agenda Item: The Town of Spencer has received a request for voluntary annexation that will require an Annexation Agreement between the City of Salisbury and the Town of Spencer. The property requesting annexation is on Hawkinstown Road. It is closer to Salisbury's corporate limits but it is within Spencer's extraterritorial jurisdiction (ETJ). One of the guiding principles for our annexation agreements with other municipalities is that the annexing municipality should be allowed to annex within its ETJ. Salisbury staff has reviewed this request and is in support of entering into an Annexation Agreement with Spencer to allow Spencer to annex this property. This Annexation Agreement would only relate to this particular property; it would not have any effect on annexations in other areas. Salisbury and Spencer continue to work together on a more comprehensive Annexation Agreement for other areas that will be presented to the respective boards at a later date.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: Council to consider setting a public hearing for January 2, 2024 to receive comments regarding a proposed Annexation Agreement with the Town of Spencer.

Contact Information for Group or Individual: City Attorney Graham Corriher (704) 216-2719

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Salisbury City Council Agenda Item Request Form



Budget Manager Signature

******All agenda items must be submitted at least 7 days before the requested Council meeting date******

For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: December 5th, 2023

Name of Group(s) or Individual(s) Making Request: Planning and Neighborhoods Department

Name of Presenter(s): N/A

Requested Agenda Item: Voluntary Annexation Request – 285 Peach Orchard Lane

Description of Requested Agenda Item:

The Planning & Neighborhoods Department has received a petition from Jason Dolan, RLA of Timmons Group on behalf of Hector Delgado to annex approximately 10.88 acres, located on Peach Orchard Lane and identified on Rowan County Tax Map 407B as Parcel 043. In accordance with State Statutes, the annexation request will be discussed at three Council meetings. At the first meeting, Council will receive the request and adopt a resolution instructing the City Clerk to investigate the sufficiency of the request. At the second meeting, staff will certify the statutory requirements have been met, and Council will set a public hearing date. At the third meeting, Council will hold a public hearing and vote on the annexation.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Fiscal impact is unknown at this time. This will be investigated and included in future Council correspondence.

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

City Council to receive the request for the voluntary annexation of Tax Map 407B Parcel 043, located on Peach Orchard Lane, and adopt a resolution instructing the City Clerk to investigate the sufficiency of the request

Contact Information for Group or Individual:

Hannah Jacobson, Planning and Neighborhoods Director
704-638-5230/Hannah.jacobson@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-58.1, FOR VOLUNTARY ANNEXATION OF TAX MAP 407B PARCEL 043, 10.88 ACRES LOCATED ON PEACH ORCHARD LANE.

WHEREAS, a petition requesting annexation of an area described in said petition has been received on December 5th, 2023 by the City Council; and

WHEREAS, G.S. 160A-58.1 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 Salisbury 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 Salisbury:

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 that investigation.

Karen K. Alexander, Mayor

ATTEST:

Connie B. Snyder, NCCP
City Clerk

Date: 11/13/2023



PETITION REQUESTING VOLUNTARY ANNEXATION
FOR 285 Peach Orchard Lane

We the undersigned owners of real property respectfully request that the area described on the attached documents be annexed into the City of Salisbury. By signing this petition, we understand that the following conditions are the responsibility of the petitioners. Failure to meet the conditions may delay or invalidate the request:

1. The petition must be signed by all owners of real property in the area described and shall contain the address of each property owner.
2. The petition must include a metes and bounds description of the area to be annexed and a preliminary annexation boundary survey prepared by a Registered Land Surveyor. Two original mylars of the final annexation boundary survey shall be completed after consultation with the City.
3. If the area is not contiguous to the primary City limits, the petition shall include documentation that:
 - a) The nearest point of the described area is not more than three miles from the primary City limits.
 - b) No point on the described boundary is closer to another municipality than to the City of Salisbury.
 - c) No subdivision, as defined in GS 160A-376, will be fragmented by the proposed annexation.
4. Upon the effective date of annexation and thereafter, the described citizens and property shall be subject to municipal taxes and to all debts, laws, ordinances and regulations in force in the City of Salisbury and shall be entitled to the same privileges and benefits as other citizens and property in the City of Salisbury.

Property Identification (tax number or street address)	Printed Name (and title if business entity)	Signature	Owner's Address
TM ^{407B} PCL <u>043</u>	<u>Hector Delgado</u>		<u>1145 Lawing Dr China Grove, NC 28023</u>
TM PCL _____	_____	_____	_____
TM PCL _____	_____	_____	_____
TM PCL _____	_____	_____	_____
TM PCL _____	_____	_____	_____

(Attach additional petition forms if needed)

Form Revised 2-08

Contact Person Jason Dolan Telephone Number 704-900-4945

For Office Use Only:

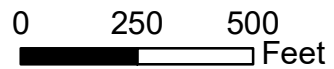
Total number of parcels 1 Number Signed 1 % Signed 100 Date Returned 11/27/2023
Contiguous per GS 160A-31 _____ or Non-contiguous "satellite" per GS 160A-58 (check one)

CITY OF SALISBURY

P.O. BOX 479, SALISBURY, NORTH CAROLINA 28145-0479



285 Peach Orchard Lane Annexation



Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: December 5, 2023

Name of Group(s) or Individual(s) Making Request: City Attorney

Name of Presenter(s): Graham Corriher, City Attorney; Kristen Kirby, McGuireWoods LLP, Bond Counsel

Requested Agenda Item: Council to adopt a *Resolution Authorizing the Issuance and Sale of Multifamily Housing Revenue Bonds (Ford City Motor Lofts), Series 2023*

Description of Requested Agenda Item: In December 2021, City Council adopted a *Resolution Giving Preliminary Approval to Issuance of Multifamily Housing Revenue Bonds for Ford City Motor Lofts* (the "Preliminary Resolution"). A copy of the Preliminary Resolution is included as information. The Preliminary Resolution indicated City Council's intent to approve the issuance of up to \$15 million in multifamily housing revenue bonds for the Ford City Motor Lofts project, a 64-unit affordable senior housing project located at 419 South Main Street (the "Project"). As explained during a presentation to City Council at its November 23, 2023, meeting, the Developer has asked that City Council serve as the conduit issuer for multifamily housing revenue bonds in the *final amount* of up to \$9.5 million. As a reminder, the City is only serving as a conduit issuer of the bonds and therefore will not incur any debt obligation from issuing these bonds—the bonds will not be a debt of the City; the City will not be obligated to pay back the principal of or interest on the bonds; the bonds will not constitute a pledge of any property or credit of the City. The borrower will be solely responsible for repaying the principal and interest on the bonds to bond investors.

Council will need to hold a public hearing prior to adopting the requested Resolution.

Attachments: Yes No

Fiscal Note: (If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)

Action Requested of Council for Agenda Item: Council to receive an update from staff, hold public hearing, and consider adopting a *Resolution Authorizing the Issuance and Sale of Multifamily Housing Revenue Bonds (Ford City Motor Lofts), Series 2023*.

Contact Information for Group or Individual: Graham Corriher, City Attorney,
graham.corriher@salisburync.gov, 704-638-5309

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

Salisbury City Council Agenda Item Request Form



FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

******All agenda items must be submitted at least 7 days before the requested Council meeting date******

For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:

RESOLUTION GIVING PRELIMINARY APPROVAL TO ISSUANCE OF
MULTIFAMILY HOUSING REVENUE BONDS FOR FORD CITY MOTOR
LOFTS

WHEREAS, the City Council (the “City Council”) of the City of Salisbury, North Carolina (the “City”) met in Salisbury, North Carolina at 6:00pm on the 7th day of December, 2021; and

WHEREAS, pursuant to Section 160D-1311(b) of the General Statutes of North Carolina, the City is granted the power to exercise directly the powers of a housing authority organized pursuant to the North Carolina Housing Authorities Law, Article 1 of Chapter 157 of the General Statutes of North Carolina, as amended (the “Act”); and

WHEREAS, the Act in N.C.G.S. §§ 157-9 gives the City acting as a housing authority the power “to provide for the construction, reconstruction, improvement, alteration or repair of any housing project” and “to borrow money upon its bonds, notes, debentures or other evidences of indebtedness and to secure the same by pledges of its revenues”; and

WHEREAS, an affiliated or related entity of The Mid-Atlantic Foundation, a North Carolina nonprofit corporation, and the Osceola County Council on Aging, Inc., a Florida nonprofit corporation (the “Company”), intends to provide low and moderate income housing in the City; and

WHEREAS, the Company has requested that the City assist it in financing the acquisition of the historic Ford City Motor Company buildings and the constructing, renovating and equipping therein of a 64-unit multifamily residential rental development to be known as Ford City Motor Lofts and located at 419 S. Main Street in the City (the “Development”); and

WHEREAS, the Company has described to the City the benefits of the Development to the City and the State of North Carolina and has requested the City to agree to issue its multifamily housing revenue bonds in such amounts as may be necessary to finance the costs of acquiring, constructing, renovating and equipping the Development; and

WHEREAS, the City is of the opinion that the Development is a facility that can be financed under the Act and that the financing of the same will be in furtherance of the purposes of the Act; and

WHEREAS, the Bonds will not be deemed to constitute a debt or a pledge of the faith and credit of the City, the State of North Carolina or any political subdivision thereof and will be payable solely from the revenues and other funds provided for under the agreements related to the Bonds;

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

1. It is hereby found and determined that the Development will involve the acquisition, construction, renovation and equipping of a multifamily housing facility, and that therefore, pursuant to the terms and subject to the conditions hereinafter stated and the Act, the City agrees to assist the Company in every reasonable way to issue bonds to finance the acquisition, construction, renovation and equipping of the Development, and, in particular, to undertake the issuance of the City’s multifamily housing revenue bonds (the “Bonds”) in an amount now estimated not to exceed Fifteen Million Dollars (\$15,000,000) to provide all or part of the cost of the Development.

2. The City intends that the adoption of this resolution be considered as “official action” toward the issuance of the Bonds within the meaning of the regulations issued by the Internal Revenue

Service pursuant to Section 1.150-2 of the Treasury Regulations issued under the Internal Revenue Code of 1986, as amended (the "Code").

3. The Bonds shall be issued in such series and amounts and upon such terms and conditions as are mutually agreed upon between the City and the Company. The City and the Company shall enter into a "financing agreement" pursuant to the Act for a term and upon payments sufficient to pay the principal of, premium if any, and interest on the Bonds and to pay all of the expenses of the City in connection with the Bonds and the Development. The Bonds will be issued pursuant to an indenture or security agreement between the City and a trustee (the "Trustee") or the bondholder which will set forth the form and terms of the Bonds and will assign to the Trustee for the benefit of the holders of the Bonds, or directly to the bondholder, the City's rights to payments under the financing agreement, except the City's rights to payment of fees and expenses and indemnification. The Bonds shall not be deemed to constitute a debt or a pledge of the faith and credit of the State of North Carolina or any political subdivision or agency thereof, including the City, but shall be payable solely from the revenues and other funds provided under the proposed agreements with the Company.

4. The City hereby authorizes the Company to proceed, upon the prior advice, consent and approval of bond counsel and the City's counsel, to obtain approvals in connection with the issuance and sale of the Bonds and to obtain an allocation of a sufficient amount of the State of North Carolina's "private activity bond limit", as required by Section 146 of the Code and as defined in Section 146 of the Code, for the Bonds.

5. It having been represented to the City that it is desirable to proceed with the acquisition, construction, renovation and equipping of the Development, the City agrees that the Company may proceed with plans for such acquisition, construction, renovation and equipping, enter into contracts for the same, and take such other steps as it may deem appropriate in connection therewith, provided that nothing herein shall be deemed to authorize the Company to obligate the City without its written consent in each instance to the payment of any monies or the performance of any act in connection with the Development and no such consent shall be implied from the City's adoption of this resolution. The Company has indicated that it expects to incur and pay expenses relating to the Development prior to the issuance of the Bonds and expects to reimburse those expenditures with proceeds of the Bonds. The City agrees that the Company may be reimbursed from the proceeds of the Bonds, if and when issued, for all qualifying costs so incurred as permitted by Treasury Regulations Section 1.150-2.

6. All obligations hereunder of the City are subject to the further agreement of the City and the Company to terms for the issuance, sale and delivery of the Bonds and the execution of a financing agreement, indenture or security agreement and other documents and agreements necessary or desirable for the issuance of the Bonds. The City has not authorized and does not authorize the expenditure of any funds or monies of the City from any source other than the proceeds of the Bonds. All costs and expenses in connection with the financing and the acquisition, construction, renovation and equipping of the Development, including the reasonable fees and expenses of the City's counsel, bond counsel and the agent or underwriter for the sale of the Bonds, shall be paid from the proceeds of the Bonds or by the Company, but if for any reason the Bonds are not issued, all such expenses shall be paid by the Company and the City shall have no responsibility therefor. It is understood and agreed by the City and the Company that nothing contained in this resolution shall be construed or interpreted to create any personal liability of the officers or council members from time to time of the City.

7. The officers of the City are hereby authorized and directed to take all actions in furtherance of the resolution and the issuance of the Bonds.

8. The City hereby approves McGuireWoods LLP, Raleigh, North Carolina, to act as bond counsel for the Bonds.

9. This resolution shall take effect immediately.

Council member Tamara Sheffield moved the passage of the foregoing resolution and Council member N/A seconded the motion, and the resolution was passed by the following vote:

Ayes: Karen Alexander, Tamara Sheffield, Harry McLaughlin, Jr., David Post, Anthony Smith

Nays: None

Not voting: N/A

* * * * *

I, Kelly Baker, City Clerk to the City of Salisbury, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and complete copy of so much of the proceedings of the City Council for the City of Salisbury, North Carolina, at a regular meeting duly called and held on December 7, 2021, as it relates in any way to the resolution hereinabove set forth, and that such proceedings are recorded in the minutes of the City Council.

WITNESS my hand and the seal of the City Council of the City of Salisbury, North Carolina, this 10th day of December, 2021.



Kelly Baker

Kelly Baker, City Clerk
City of Salisbury, North Carolina

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF
MULTIFAMILY HOUSING REVENUE BONDS
(FORD CITY MOTOR LOFTS), SERIES 2023**

WHEREAS, the City Council of the City of Salisbury (the “City”) met in Salisbury, North Carolina at 6:00 p.m. on the 5th day of December, 2023; and

WHEREAS, pursuant to Section 160D-1311(b) of the General Statutes of North Carolina, the City is granted the power to exercise directly the powers of a housing authority organized pursuant to the North Carolina Housing Authorities Law, Article 1 of Chapter 157 of the General Statutes of North Carolina, as amended (the “Act”); and

WHEREAS, the Act in N.C.G.S. § 157-9 gives the City, acting as a housing authority, the power “to provide for the construction, reconstruction, improvement, alteration or repair of any housing project” and “to borrow money upon its bonds, notes, debentures or other evidences of indebtedness and to secure the same by pledges of its revenues”; and

WHEREAS, Ford City Motor Lofts, LP, a North Carolina limited partnership (the “Borrower”), has requested that the City assist it in financing a portion of the cost of the acquisition, construction, renovation and equipping of a 64-unit qualified residential rental project to be known as Ford City Motor Lofts and located at 419 South Main Street in the City (the “Project”); and

WHEREAS, the City proposes to provide the financing for the Project by the issuance of its Multifamily Housing Revenue Bonds (Ford City Motor Lofts), Series 2023, in an aggregate principal amount not to exceed \$9,500,000 (the “Bonds”); and

WHEREAS, portions of the cost of the Project will be financed with the proceeds of a loan from Merchants Bank of Indiana to the Borrower and loans from Osceola Council on Aging, Inc., a Florida non-profit corporation, to the Borrower; and

WHEREAS, a portion of the cost of the Project will be financed with funds provided by a tax credit investor as a result of the purchase of 4% low income housing tax credits available under Section 42 of the Internal Revenue Code of 1986, as amended (the “Code”); and

WHEREAS, the Borrower has received an allocation of volume cap for the Bonds and the Project from the North Carolina Housing Finance Agency and the North Carolina Federal Tax Reform Allocation Committee as required by Section 146 of the Code; and

WHEREAS, Section 147(f) of the Code, requires that any bonds issued by the City for the Project may only be issued after approval of the plan of financing by the City following a public hearing with respect to such plan; and

WHEREAS, on this day the City held a public hearing with respect to the issuance of the Bonds to finance, in part, the Project (as evidenced by the Certificate and Summary of Public Hearing attached hereto); and

WHEREAS, the City proposes to authorize and, where applicable, execute the following instruments to carry out the transactions described above (the “Documents”):

(a) Trust Indenture (the “Indenture”), between the City and The Huntington National Bank, as trustee (the “Trustee”), authorizing the issuance of the Bonds and providing for the terms and details thereof and the security therefor, together with the form of the Bonds attached thereto;

(b) Loan Agreement (the “Loan Agreement”), between the City and the Borrower, providing for the terms and conditions pursuant to which the loan of the proceeds of the Bonds will be made by the City to the Borrower, together with a Promissory Note from the Borrower to the City, which the City will assign to the Trustee;

(c) Regulatory Agreement and Declaration of Restrictive Covenants (the “Regulatory Agreement”), by the Borrower for the benefit of the City and the Trustee, pursuant to which the Borrower agrees to comply with the requirements of the Code relating to low and moderate income housing;

(d) Preliminary Official Statement (the “Preliminary Official Statement”) relating to the offering and sale of the Bonds; and

(e) Bond Purchase Agreement to be dated the date of the sale of the Bonds (the “Bond Purchase Agreement”) among the Borrower, the City and Stifel, Nicolaus & Company, Incorporated (the “Underwriter”), providing for the issuance and sale by the City and the purchase by the Underwriter of the Bonds; and

WHEREAS, the City will not in any event have any liability or responsibility whatsoever for the repayment of the Bonds, or for any costs or expenses incurred in connection with the issuance of the Bonds or the acquisition, construction, renovation, equipping or operation of the Project, and neither the faith and credit nor the taxing power of the City is pledged to the payment of the principal of or interest on the Bonds;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, NORTH CAROLINA:

1. The City hereby determines to provide financing to the Borrower for the acquisition, construction, renovation and equipping of the Project through the issuance of the Bonds pursuant to the North Carolina Housing Authorities Law, Article 1 of Chapter 157 of the General Statutes of North Carolina, as amended, and Section 160D-1311(b) of the General Statutes of North Carolina, as amended, the loan of the proceeds thereof and the advance of such proceeds to the Borrower in accordance with the Loan Agreement.

2. The City hereby authorizes the issuance and sale of the Bonds pursuant to the Indenture and in accordance with the terms set forth in the Bond Purchase Agreement and the Indenture. The Bonds will bear interest at the rates and will mature, be subject to mandatory tender and be redeemed in the years and amounts all as set forth in the Indenture; provided, however, that the aggregate principal amount of the Bonds shall not exceed \$9,500,000.

3. The issuance of the Bonds to finance a portion of the cost of the Project in an amount not to exceed \$9,500,000 is hereby approved for purposes of Section 147(f) of the Code.

4. Each of the Mayor, the City Manager, the City Clerk or their respective designees are hereby authorized and directed to execute and deliver the Indenture, the Loan Agreement, the Regulatory Agreement and the Bond Purchase Agreement to the other parties thereto.

5. Each of the Mayor and the City Manager or their respective designees are hereby authorized and directed to execute and deliver the Bonds in the manner and subject to the conditions provided in the Indenture to the Trustee for authentication and to cause the Bonds so executed and authenticated to be delivered to or for the account of the Underwriter upon payment of the purchase price therefor as provided in the Bond Purchase Agreement.

6. The distribution of the Preliminary Official Statement by the Underwriter to prospective purchasers of the Bonds is hereby approved. The City is authorized to deem the Preliminary Official Statement to be "final" within the meaning of Rule 15c2-12 of the Rules and Regulations promulgated under the Securities Exchange Act of 1934, as amended. The Mayor and the City Manager or their respective designees are hereby authorized and directed to deliver the final Official Statement (in substantially the form of the Preliminary Official Statement, but incorporating the final terms and details of the Bonds) to the Underwriter and the Underwriter is hereby authorized and directed to distribute the Official Statement to the purchasers of the Bonds.

7. The Documents and the Bonds shall be in substantially the forms previously reviewed by staff and described herein, which are hereby approved, with such completions, omissions, insertions and changes as may be necessary to reflect the final terms of the Bonds, including any changes that may be required by any rating agency that is rating the Bonds, any changes in dates as may be required to reflect the date of the actual closing, and as otherwise approved by the officers of the City executing them after consultation with bond counsel and counsel to the City, their execution to constitute conclusive evidence of their approval of any such completions, omissions, insertions and changes.

8. Any authorization made hereby to the officers of the City to execute a Document shall include authorization to each of the Mayor and City Manager or their respective designees to execute the document, authorization to the City Clerk or any Deputy City Clerk to affix the seal of the City to such document and attest such seal if necessary, and, where appropriate, to deliver it to the other parties thereto, all in the manner provided in the Documents.

9. Such officers are hereby authorized and directed to execute and deliver any and all other documents, agreements, instruments, and certificates in the name and on behalf of the City and to take such other actions on behalf of the City as may be necessary or desirable to the issuance of the Bonds, including but not limited to a nonarbitrage certificate, tax forms and other certificates. All other acts of the officers of the City previously taken or to be taken that are in conformity with the purposes and intent of this resolution and in furtherance of the undertaking of the Project and the issuance and sale of the Bonds are hereby authorized, ratified, confirmed and approved.

10. This resolution shall take effect immediately upon adoption.

I, Connie B. Snyder, City Clerk of the City of Salisbury, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council for the City of Salisbury, North Carolina, in regular session convened on December 5, 2023.

WITNESS my hand and the corporate seal of the City of Salisbury, North Carolina, this the 5th day of December, 2023.

(SEAL)

By: _____
Connie B. Snyder, City Clerk
City of Salisbury, North Carolina

CERTIFICATE AND SUMMARY OF PUBLIC HEARING

The undersigned City Clerk for the City of Salisbury, North Carolina hereby certifies:

1. Notice of a public hearing (the “Hearing”) to be held on December 5, 2023, with respect to the issuance of bonds by the City of Salisbury (the “City”) for the benefit of Ford City Motor Lofts, LP, or an affiliated or related entity was published on November __, 2023, in the *Salisbury Post*.

2. The presiding officer of the Hearing was Mayor Karen K. Alexander.

3. The following is a list of the names and addresses of all persons who provided comments at the Hearing:

4. The following is a summary of the comments made at the Hearing:

WITNESS my hand and the corporate seal of the City of Salisbury, North Carolina, this the 5th day of December, 2023.

Connie B. Snyder, City Clerk

(SEAL)

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: December 5, 2023

Name of Group(s) or Individual(s) Making Request: Community Planning Services

Name of Presenter(s): Hannah Jacobson, Planning and Neighborhoods Director

Requested Agenda Item: Council to endorse a letter committing Community Development Block Grant funds in support of the Ford City Motor Lofts project at 419 South Main Street.

Description of Requested Agenda Item: The Osceola Council on Aging has requested financial support to develop the site at 419 South Main Street into affordable senior housing totaling 64 total units that include two studio apartments, 38 one bedroom apartments. The project includes new construction as well as the rehabilitation of buildings listed on the National Register of Historic Places. Community Development Block Grant funds are requested to help offset the cost of a vapor barrier needed to ensure air quality at the former auto dealership and repair shop. Based on expected allocations of Community Development Block Grant funds over fiscal years 24-25 and 25-26, staff recommends City Council pledge \$200,000 in support of the project, paid upon the completion of the identified scope of work. Construction is not expected to begin until summer of 2024.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: Council to endorse a letter committing \$200,000 in Community Development Block Grant funds in support of the Ford City Motor Lofts project at 419 South Main Street.

Contact Information for Group or Individual: Hannah Jacobson, hannah.jacobson@salisburync.gov, 704-638-5230

Regular Agenda (item to be discussed and possibly voted on by Council)

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Salisbury City Council Agenda Item Request Form



Budget Manager Signature

******All agenda items must be submitted at least 7 days before the requested Council meeting date******

For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:



{DATE}

Ms. Wendy Ford, President and CEO
Osceola Council on Aging
700 Generation Point
Kissimmee, Florida 34744

Re: Commitment of Community Development Block Grant funds to the Ford City Motor Lofts at 419 South Main Street.

Dear Ms. Ford:

The City of Salisbury is committed to supporting affordable housing initiatives and congratulates the Council on Aging for receiving a Section 202 Supporting Housing for the Elderly award from the US Department of Housing and Urban Development. The proposed Ford City Motor Lofts project at 419 South Main Street, which will provide 64 affordable units to older adults, fills a tremendous need in our community.

In light of the benefits to our community, the City of Salisbury will commit \$200,000.00 to help cover the gap in the financing. The commitment will be based on a satisfactory review of the current Pro Forma and proof that all other financing options have been exhausted. The pledged funds will come from future year allocations of Community Development Block Grant funding the City receives from HUD; therefore, all federal regulations must be complied with, including Section 3, Davis Bacon, and the environmental review process.

If you should have any questions or require additional information, please contact Ms. Hannah Jacobson, Planning and Neighborhoods Director at 704-638-5230.

Best Regards,

Karen K. Alexander
Mayor of the City of Salisbury

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: 12/05/2023

Name of Group(s) or Individual(s) Making Request: Land and Development Services

Name of Presenter(s): Victoria Bailiff, Senior Planner

Requested Agenda Item: CD-04-2023 First Horizons – 0 E Council Street / Parcel ID 010 411

Description of Requested Agenda Item: CD-04-2023 Request to rezone one (1) parcel located on the northern corner of E Council Street and N Shaver Street, (PID 010 411) being approximately 0.668 acres, from Corridor Mixed-Use (CMX) and Residential Mixed Use (RMX) with a Conditional District (CD) Overlay to Residential Mixed-Use (RMX) with a Conditional District (CD) Overlay to request an exception to the Land Development Ordinance requirements outlined in Sections 5.16, 10.3, and 10.6 for an alternate design that reduces setbacks, parking space requirements, and parking lot connection requirements. The petitioner is Shelter Ministries of Rowan County.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

Council to consider adopting an ordinance to rezone the subject parcel as requested.

Contact Information for Group or Individual: Victoria Bailiff, victoria.bailiff@salisburync.gov, 704-638-5212

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

RECEIVED

By Jennifer Curlee at 11:58 am, Sep 11, 2023



City of Salisbury
Development Services
132 North Main Street
Salisbury, NC 28144
E: 1stop@salisburync.gov
Ph. 704.638.5208

CONDITIONAL DISTRICT REZONING APPLICATION

SHADED AREAS FOR STAFF USE ONLY

FILING DATE

CASE #

CD MASTER PLAN ADOPTION	\$1,200
CD MASTER PLAN AMENDMENT	\$900
CD MASTER PLAN REVISION	\$50
<small>* FEES PER CITY OF SALISBURY BUDGET ORDINANCE</small>	

- CD Master Plan Adoption (LDO Sec. 15.23)
- CD Master Plan Amendment (LDO Sec. 15.23.E)
- CD Master Plan Revision (LDO Sec. 15.23.F)

A petition for a CD Master Plan must be submitted by the property owner(s) of all land included in the petition. An owner representative must submit an affidavit authorizing representation. Multiple owners shall be listed on a separate sheet with ownership corresponding to all parcels included in the petition.

Submittal Requirements:

- Plan Review Payment (check, charge)
- Plan Submittal (1 e-set in Adobe PDF)

Existing CD Overlay Exists 2012-17. Seeking a separate CD Overlay for 010 411.

PROJECT INFORMATION

Property Address or location: Corner of E Council St and N Shaver St

Project Title: RHM - First Horizon PID: 010 411

Present Use: Empty Lot Proposed Use: New Development of (5) Duplex Buildings

Total Acreage: .668 Project/Disturbed Acreage: .65

Petitioner: Shelter Ministries Representative: Pete Bogle; Elizabeth Trick/ BFA

Address: 110 N Main ST, Salisbury NC 28144 Phone: 704-638-2015 Email: pete@boglefirm.com
elizabeth @boglefirm.com

Owner(s): Shelter Ministries

Address: 530 N Long St, Salisbury NC 28144 Phone: 704-637-6838 x101 Email: kgrubb@rowanhelpingministries.com

Provide overall project built-upon area (%) for NPDES determination: 58.78%
(applicable for projects over 1 acre or part of a larger common plan of development - Sec. 9.6)

Will the project require voluntary annexation? Yes No

Will the project involve installation of a new public or private fire line? Yes No

Will the project require water or sewer extensions? Water Sewer Neither

SIGNATURE

By signing this petition you understand that this petition will be forwarded to the Planning Board (a City Council-appointed board) who may hear statements from staff, the petitioner, and general public, and will then vote to make a Statement of Consistency and recommendation to City Council. The petition will then be forwarded to City Council who will conduct the official public hearing before casting a deciding vote. (Use a separate sheet of paper for multiple owners.)

Petitioner(s): [Signature]

Owner(s): [Signature]

PROJECT PLANNING CHECKLIST

Pursuant to LDO Sec. 16.3, a Master Plan set (prepared by a licensed design professional with the appropriate statutory authority) must include the Site Plan, an Illustrative Landscape Plan, Building Design Plans, and other plans or documentation where applicable.

All plans must show or provide the following information where applicable; however, per Sec. 15.4, the Administrator may waive specific application requirements in certain situations:

Site Plan Information:		DONE	N/A
Project Title, property owner(s), developer(s), etc. & date of plan	(16.3.B, C, & I)	X	
Vicinity Map	(16.3.A)	X	
Boundary Survey & Limits of Construction	(16.3.D & P)	X	
Original / Proposed contours at max. 2-ft intervals	(16.3.F)	X	
Any portion within Watershed Protection Area	(16.3.M)		X
Corporate Limits & ETJ boundaries, where applicable	(16.3.R)		X
Phase Lines	(16.3.S)		X
Floodplain, Floodway, Jurisdictional Wetlands, and/or streams, where applicable	(16.3.T)		X
Site Calculations (acreage, open space, parking, # units, GFA, etc.)	(16.3.E)	X	
Scale, denoted graphically & numerically	(16.3.G)	X	
Any required Certification Statements	(16.3.H)		X
Zoning District of project area and adjacent properties (Include PID of each parcel)	(16.3.J)	X	
Location, dimensions & setbacks of all lots & buildings	(16.3.L)	X	
Location of all parking & loading areas with striping and dimensions	(16.3.L)	X	
Location of all existing & planned streets & alleys with dimensions	(16.3.L)	X	
Location of all existing & planned (o & u) utilities and associated easements	(16.3.L)	X	
Location of all recreational open spaces & other site reservations	(16.3.L)	X	
Location of all required NPDES Best Management Practices (BMPs), if required	(16.3.N)		X
Cross-sections of proposed streets & alleys	(16.3.O)	X	
Location of, including details and screening, solid waste containment		X	

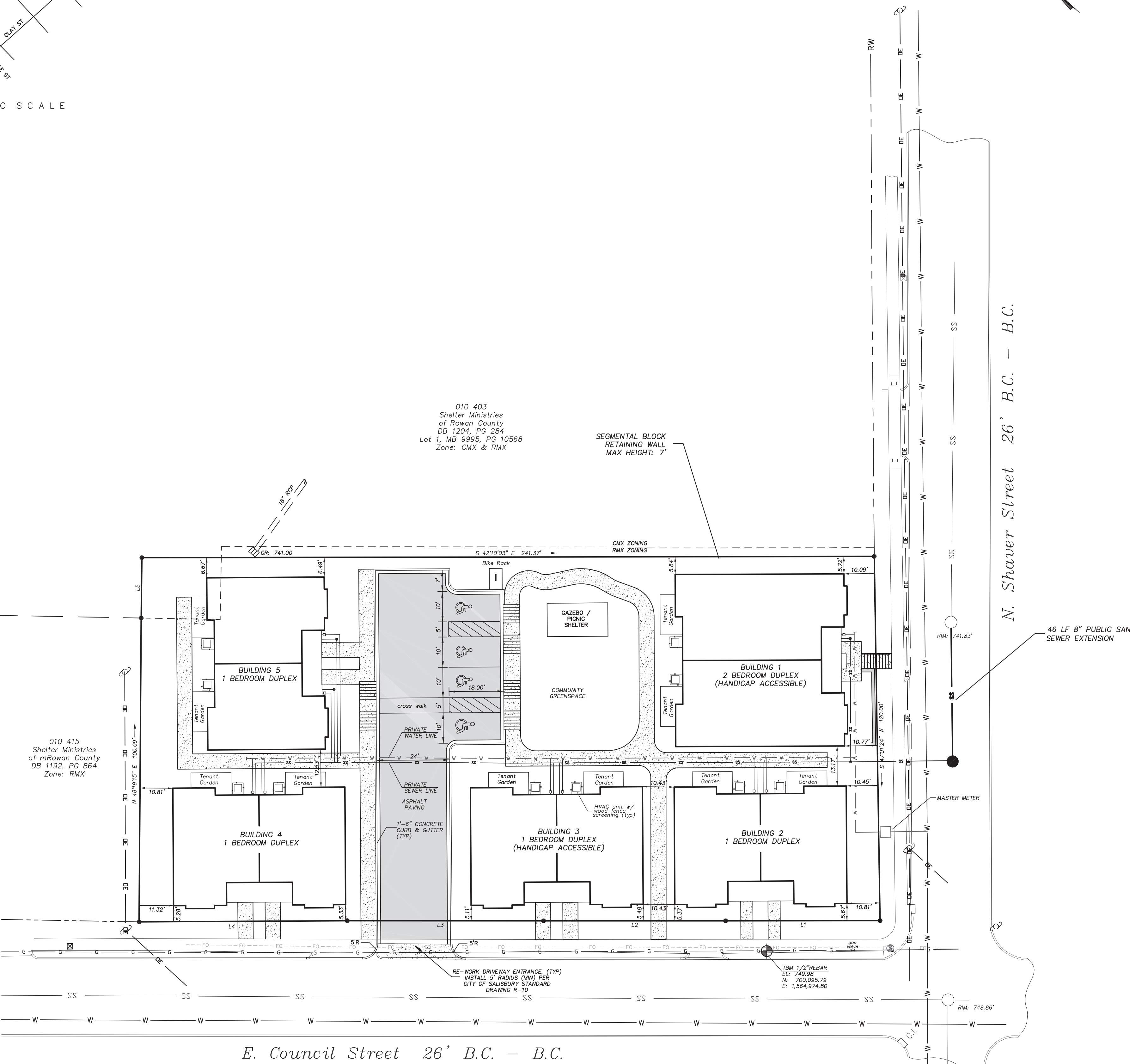
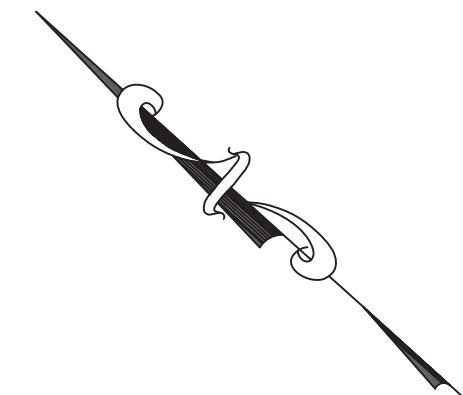
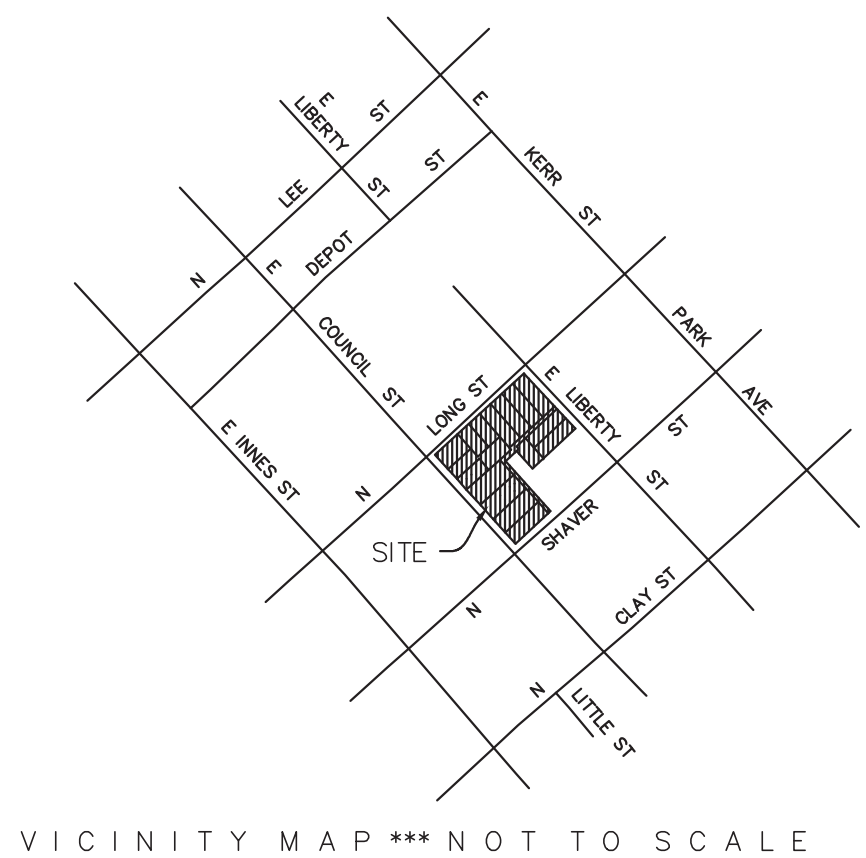
Illustrative Landscape Plan Information (must be provided in color):	DONE	N/A
Location and type of existing plants/trees and areas to remain natural		X
Illustrative planting plan exhibiting complete landscaping of the site at maturity	X	

Building Design Plans Information (Sec. 16.11):	DONE	N/A
All exterior wall elevations (for proposed structures or additions)	X	
Photos of existing conditions and all existing structures		X
Building materials schedule (samples may be provided) Building rendering included		

SITE DEVELOPMENT PLAN

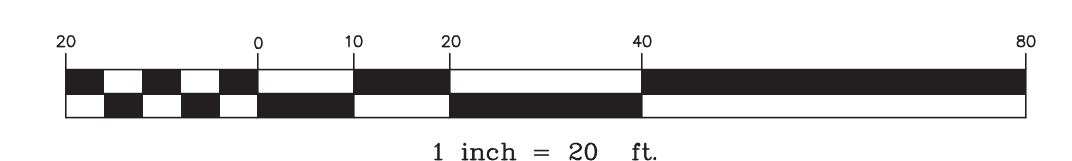
SITE DEVELOPMENT NOTES

- ALL CONSTRUCTION SHALL BE COMPLETED IN ACCORDANCE WITH THE LATEST EDITION OF THE CITY OF SALISBURY LAND DEVELOPMENT STANDARDS.
- SUBJECT PROPERTY TAX PARCEL 010 - 411.
- PROPERTY DOES NOT LIE WITHIN A PROTECTED WATERSHED AREA.
- NEW BUILT UPON AREA SUMMARY**
 TOTAL AREA: 29,098 SF, (0.668 AC)
 NEW BUILDINGS: 11,743 SF
 NEW CONCRETE: 3,403 SF
 NEW PARKING: 3,794 SF
 PICNIC SHELTER: 220 SF
 TOTAL IMPERVIOUS: 19,160 SF
 % BUA = 19,160/29,098 = 65.84%
- SUBJECT PROPERTY LIES WITHIN FLOOD ZONE "X", (MINIMAL RISK) PER FEMA PANEL NUMBER 37105760 00 J, EFFECTIVE DATE: JUNE 16, 2009.
- PROPOSED USE: RESIDENTIAL
- WATER AND SANITARY SEWER SERVICE INSTALLATIONS TO BE DETERMINED.
- REFERENCE ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS, SIDEWALKS, STEPS, TRANSFORMER PADS, ADDITIONAL SITE WORK ALTERNATE INFORMATION, ETC.
- ALL DIMENSIONS AND RADII ARE TO THE EDGE OF PAVEMENT, OR FACE OF CURB, UNLESS OTHERWISE NOTED. ALL DIMENSIONS SHOWN TO BUILDINGS ARE TO OUTSIDE FACE OF BUILDING.
- THE CONTRACTOR IS RESPONSIBLE FOR REPAIR OF ANY DAMAGE TO ANY EXISTING IMPROVEMENTS, ONSITE OR OFF SITE, SUCH AS PAVEMENT, UTILITIES, STORM DRAINAGE, ETC. THE REPAIR MUST BE APPROVED BY THE ENGINEER AND BE EQUAL OR BETTER THAN EXISTING CONDITIONS.
- CONTRACTOR SHALL OBTAIN ALL PERMITS BEFORE CONSTRUCTION BEGINS.
- ALL CONCRETE SHALL BE 3,000 PSI 28 DAY COMPRESSIVE STRENGTH.
- PROJECT SIGNAGE SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
- THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY AND ALL OFF-SITE EASEMENTS NOT DELINEATED ON PANS OR KNOWN OF AT TIME OF PLAN
- THE SITE CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL WORK AND APPURTENANCES TO WITHIN 5' OF THE BUILDING. THIS INCLUDES TRANSFORMER AND DUMPSTER PADS AS WELL AS ALL UTILITY CONDUITS.
- CONCRETE SPLASH BLOCKS SHALL BE INSTALLED AT ALL BUILDING DOWN SPOUTS THAT ARE NOT ONTO IMPERVIOUS AREAS. DOWN SPOUTS SHALL NOT BE ALLOWED TO DISCHARGE ON CONCRETE SIDEWALKS.
- CONDITIONAL DISTRICT DESIGN ALTERNATIVE REQUESTS:**
ALTERNATIVE TO SECTION 5.18:
 FRONT SETBACK REDUCTION FROM 10' TO 5'
 SIDE SETBACK REDUCTION FROM 20% TO 9% LOT WIDTH
 REAR SETBACK REDUCTION FROM 25' TO 5'
ALTERNATIVE TO SECTION 10.3:
 REQUESTING PARKING REDUCTION FROM 12 SPACES TO 4 ADA SPACES.
ALTERNATIVE TO SECTION 10.6:
 REQUESTING THAT NO PARKING LOT CONNECTION TO ADJACENT LOTS BE REQUIRED.



010 403
Shelter Ministries
of Rowan County
DB 1204, PG 264
Lot 1, MB 9995, PG 1056B
Zone: CMX & RMX

010 415
Shelter Ministries
of Rowan County
DB 1192, PG B64
Zone: RMX

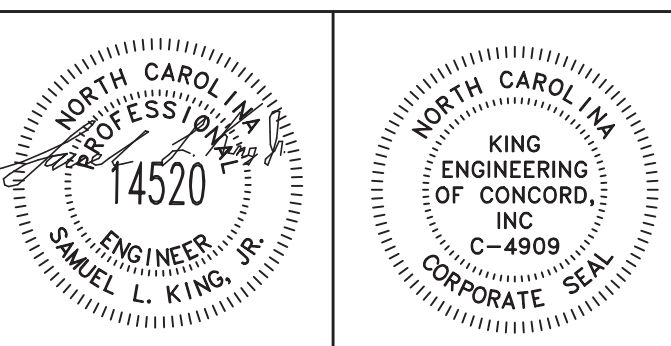


- LEGEND**
- RIGHT OF WAY
 - N90°00'00"E --- PROPERTY LINE
 - EXISTING WATER LINE
 - SS --- EXISTING SANITARY SEWER
 - OVERHEAD UTILITY
 - EXISTING GAS LINE
 - EXISTING FIBER OPTIC
 - EXISTING UTILITY POLE
 - EXISTING UTILITY POLE

- LINE DATA**
- L1: N 42°08'55" W, 50.92'
 - L2: N 42°04'41" W, 60.00'
 - L3: N 42°02'28" W, 64.68'
 - L4: N 42°23'18" W, 68.58'
 - L5: N 48°34'10" E, 19.91'

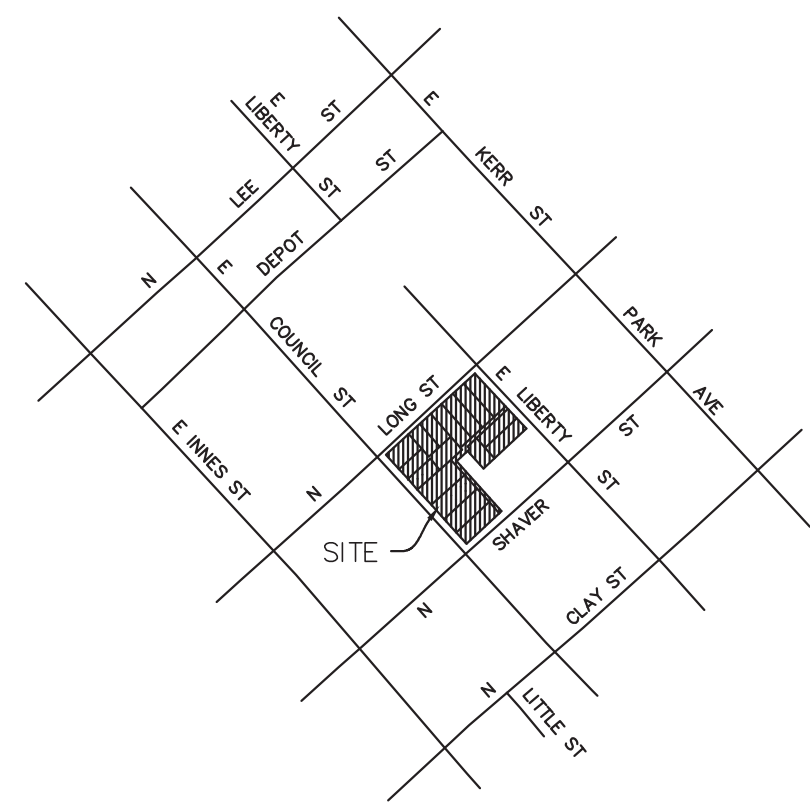
NOTE:
 ANY SIDEWALK DAMAGE DURING CONSTRUCTION WILL NEED TO BE REPLACED.

FIRST HORIZONS DUPLEX
 ROWAN HELPING MINISTRIES
 SALISBURY, NC

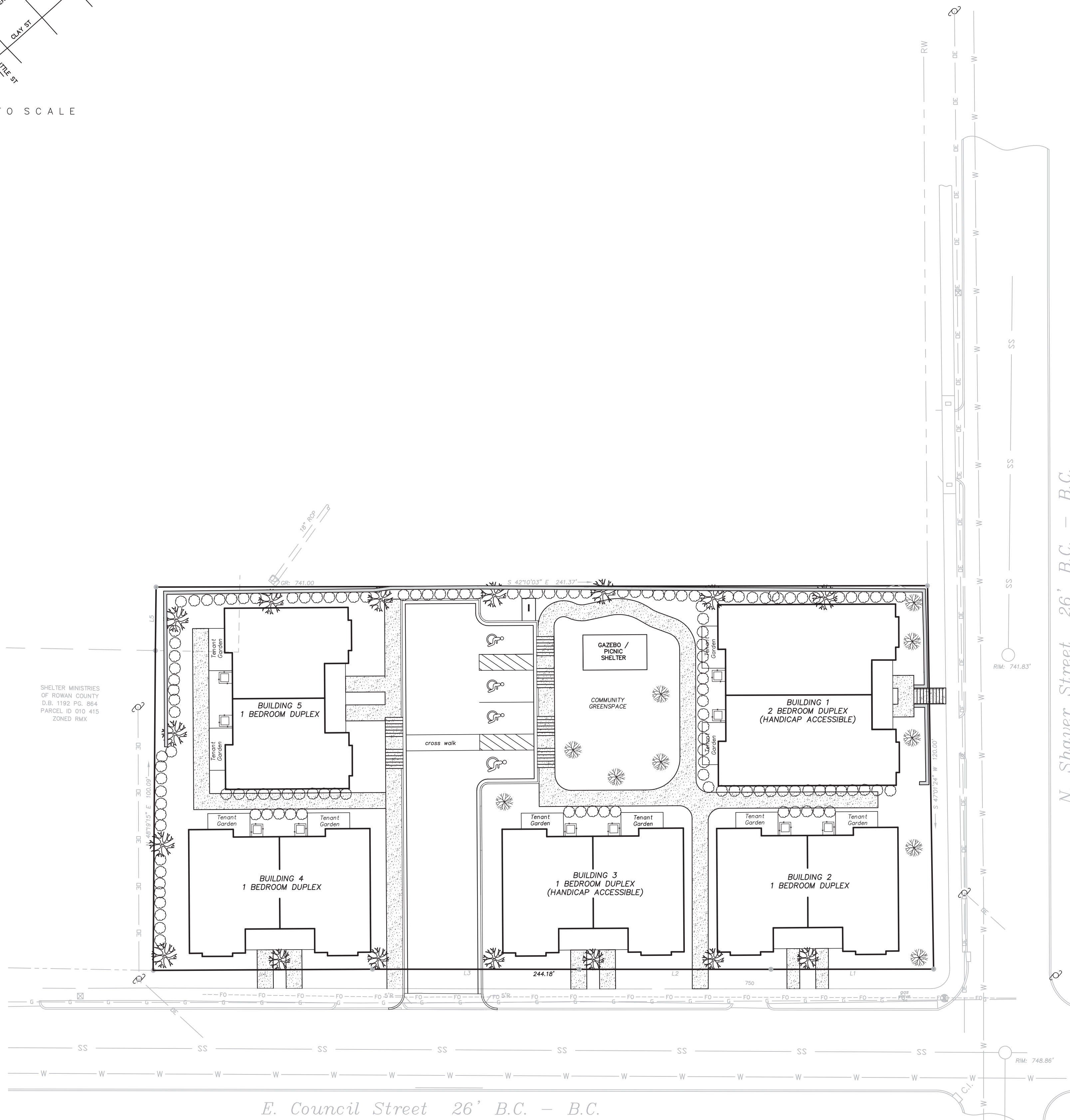


DRAWN BY: SLK
 CHECKED BY:
 DATE: . . .
 PROJECT #: 2303

SHEET NUMBER
C2
 OF: 6



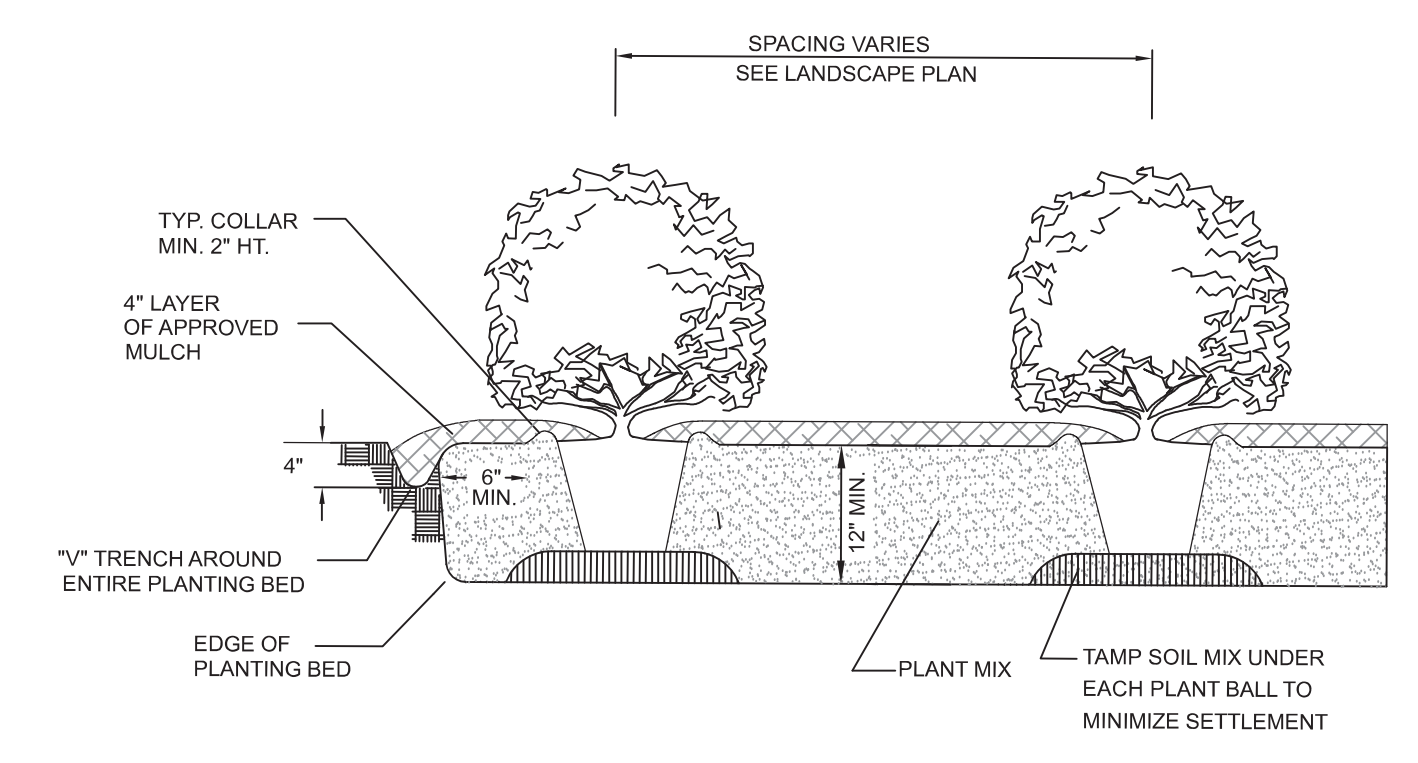
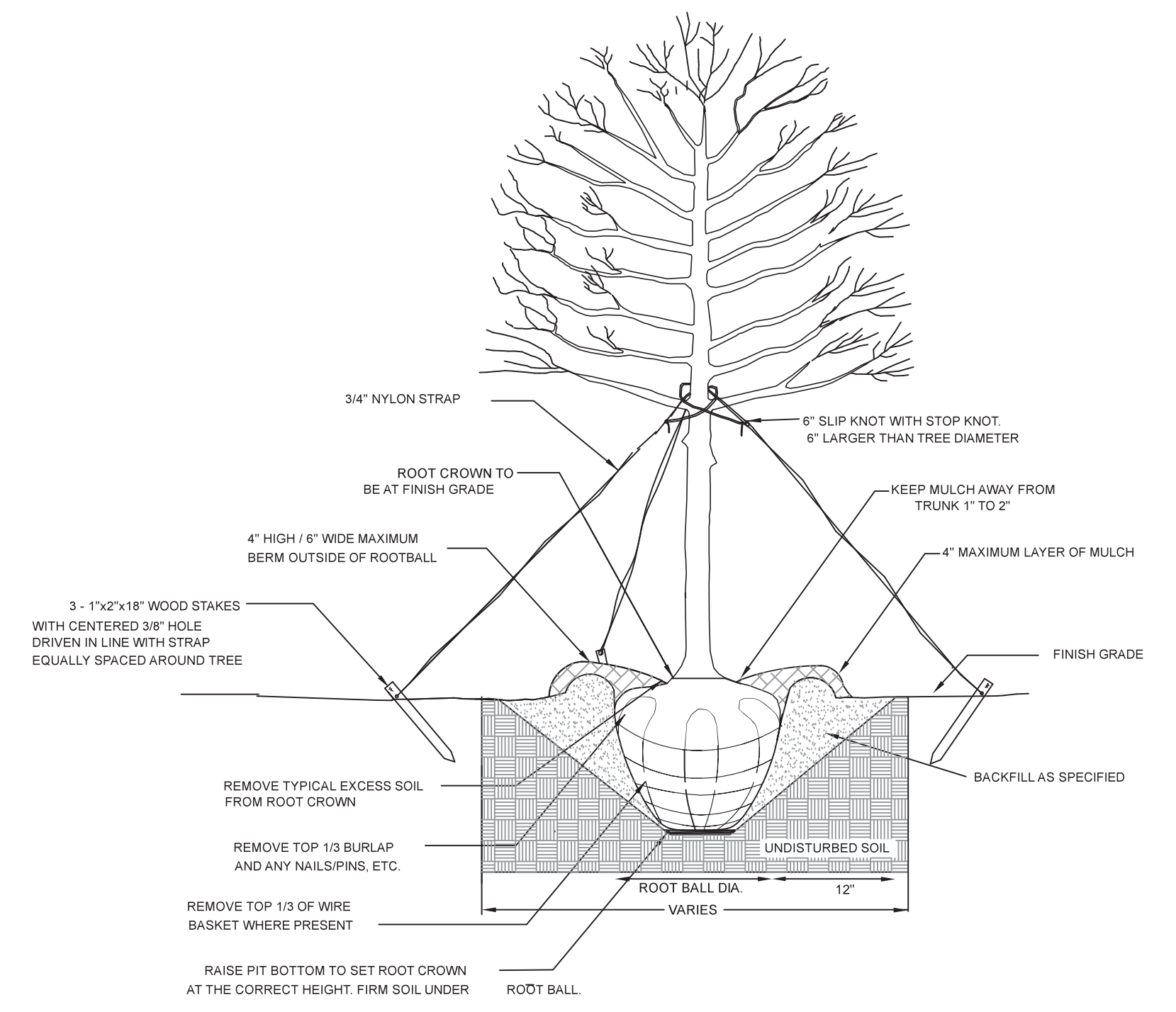
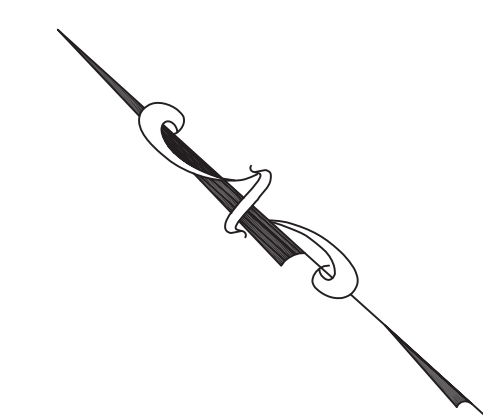
VICINITY MAP *** NOT TO SCALE



- LEGEND**
- RIGHT OF WAY
 - - - - - N90°00'00"E PROPERTY LINE
 - W — EXISTING WATER LINE
 - SS — EXISTING SANITARY SEWER
 - DE — OVERHEAD UTILITY
 - G — EXISTING GAS LINE
 - FO — EXISTING FIBER OPTIC
 - U — EXISTING UTILITY POLE
 - U — EXISTING UTILITY POLE

E. Council Street 26' B.C. - B.C.

N. Shaver Street 26' B.C. - B.C.



LANDSCAPE REQUIREMENTS

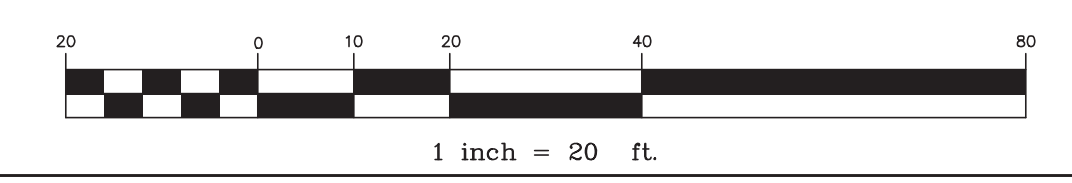
OVERALL TREE CANOPY
 TOTAL AREA = 29,098 SF, (0.668 SF)
 TOTAL TREES REQUIRED: 29,098 x 0.30 x 1 TREE/500 SF = 18 TREES

LANDSCAPE LEGEND

- SHADE TREE
- ORNAMENTAL TREE
- SHRUB

PLANTING NOTES:

1. CONTRACTOR TO VERIFY QUANTITIES OF PLANTS. PLANTING PLAN TO TAKE PRECEDENCE OVER PLANT QUANTITIES.
2. ALL SUBSTITUTIONS SHALL BE APPROVED BY LANDSCAPE ARCHITECT OR OWNER.
3. FURNISH NURSERY-GROWN PLANTS INDICATED IN PLANT LEGEND SHOWN ON DRAWINGS AND COMPLYING WITH ANSI Z60.1 - 2014, AMERICAN STANDARD FOR NURSERY STOCK.
4. ALL PLANT BEDS, ISLANDS, OR AREAS INDICATED AS "MULCH", SHALL BE MULCHED WITH DOUBLE HAMMERED HARDWOOD MULCH.
5. PLANTING COORDINATION NOTE:
 CONTRACTOR SHALL TAKE PRECAUTIONS TO AVOID UTILITIES WHEN INSTALLING PLANTS AND LANDSCAPE. FIELD ADJUSTMENT OF SPECIFIC PLANT LOCATION MAY BE NECESSARY. IF ADJUSTMENTS WARRANT PLANT MATERIAL TO BE ELIMINATED, NOTIFY LANDSCAPE ARCHITECT/OWNER IMMEDIATELY.
6. ALL DISTURBED AREAS NOT INDICATED AS PLANT BEDS, TREE PITS, ETC., SHALL BE GRASSED WITH FESCUE GRASS OR EQUIVALENT APPROVED BY THE OWNER/LANDSCAPE ARCHITECT.

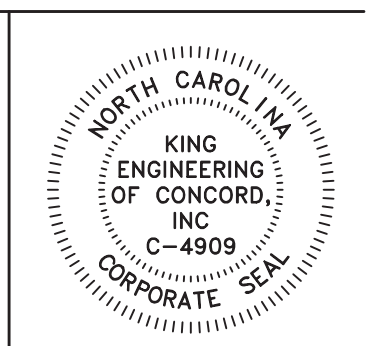
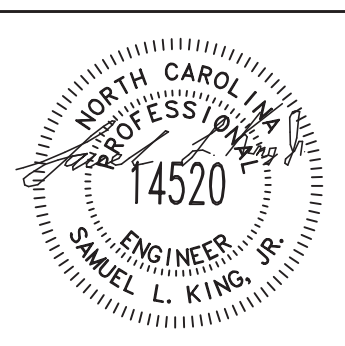


110 N. MAIN ST SUITE 200 SALISBURY, NC 28144
 pete@boglefirm.com www.boglefirm.com 704.638.2015

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

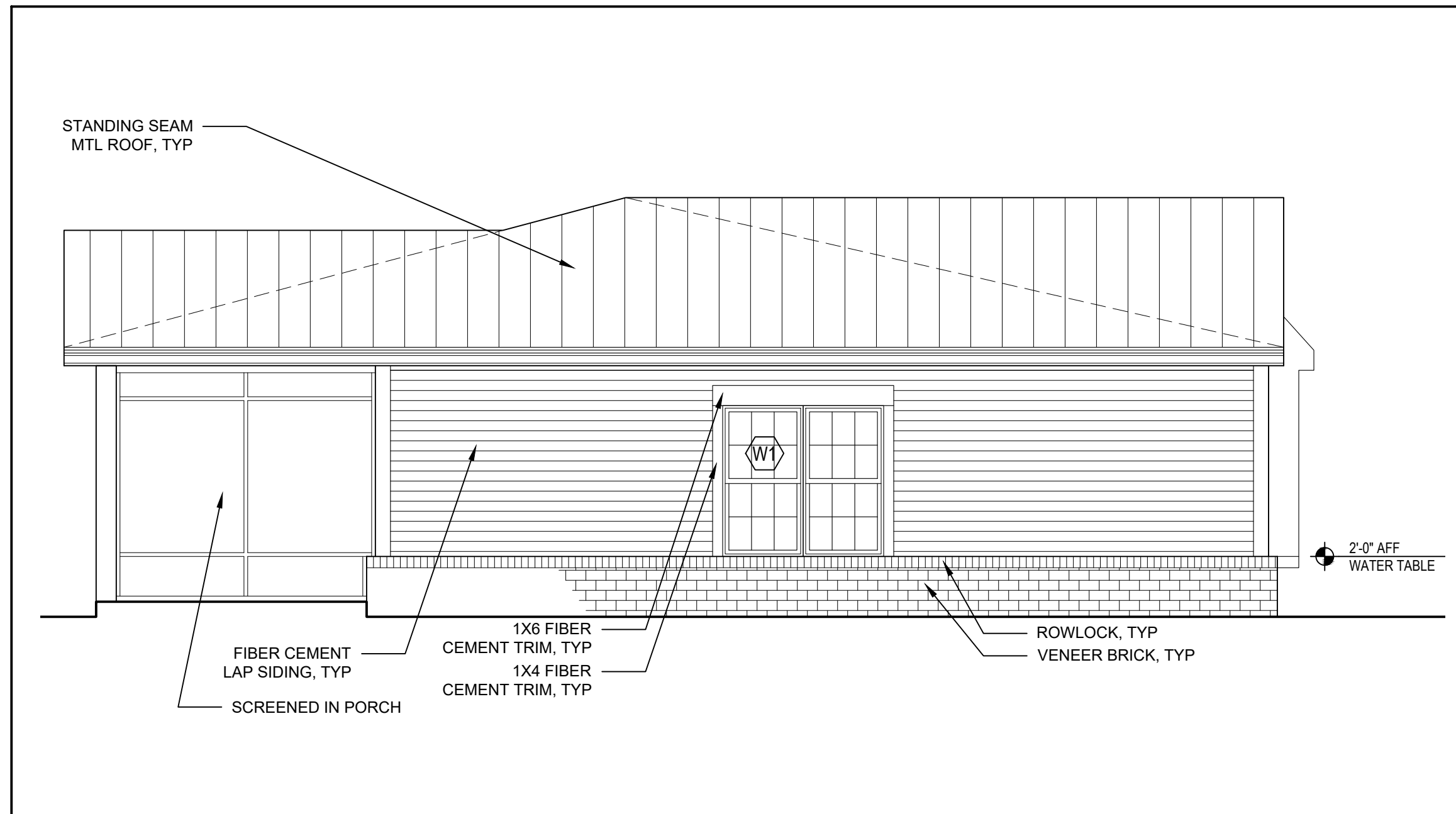
LANDSCAPE PLAN

FIRST HORIZONS DUPLEX
 ROWAN HELPING MINISTRIES
 SALISBURY, NC



DRAWN BY: SLK
 CHECKED BY:
 DATE:
 PROJECT #: 2303

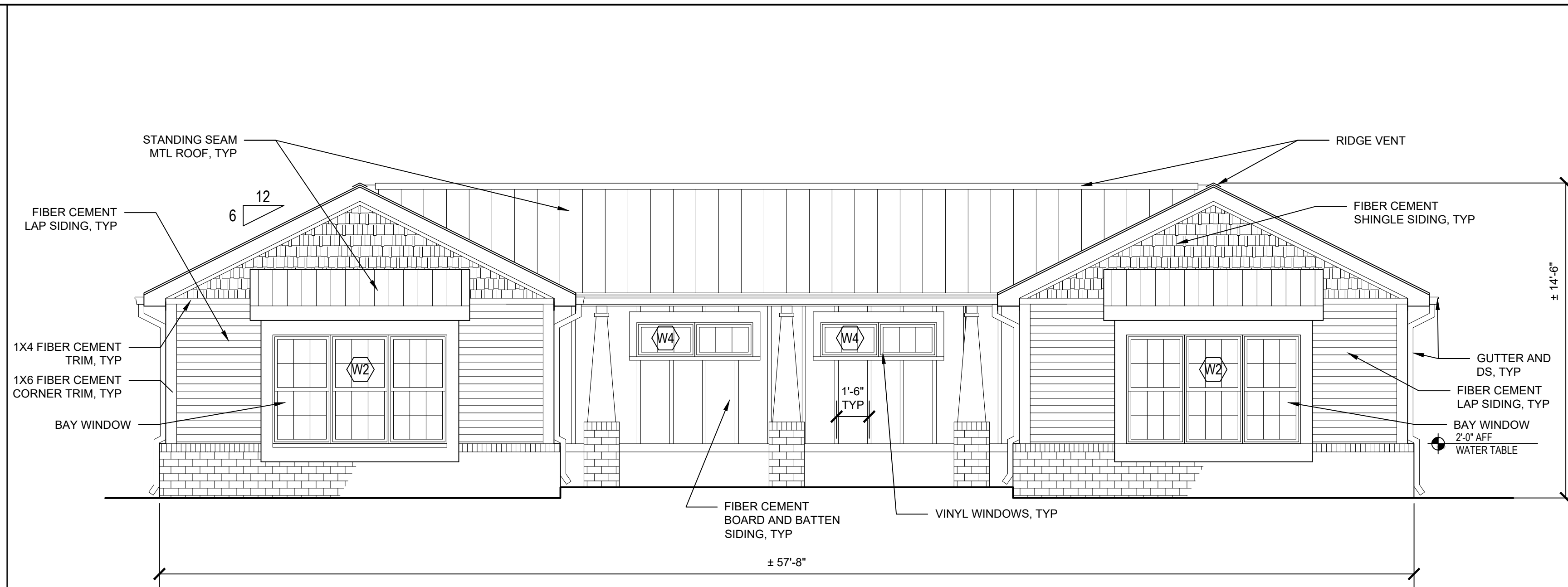
SHEET NUMBER
C6
 OF: 6



1BD DUPLEX SIDE ELEVATION

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

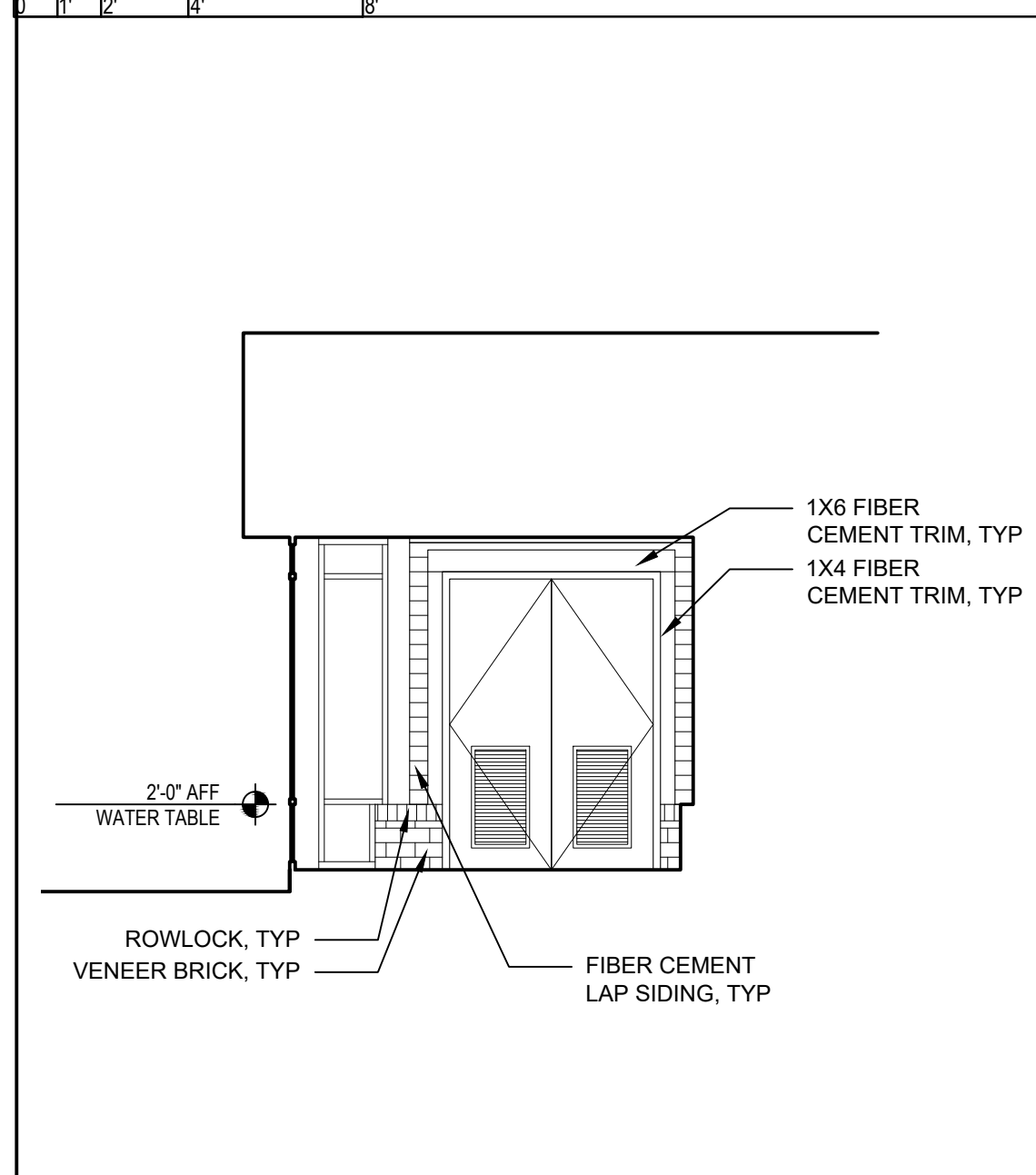
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1 BD AND 2 BD DUPLEX FRONT ELEVATION

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

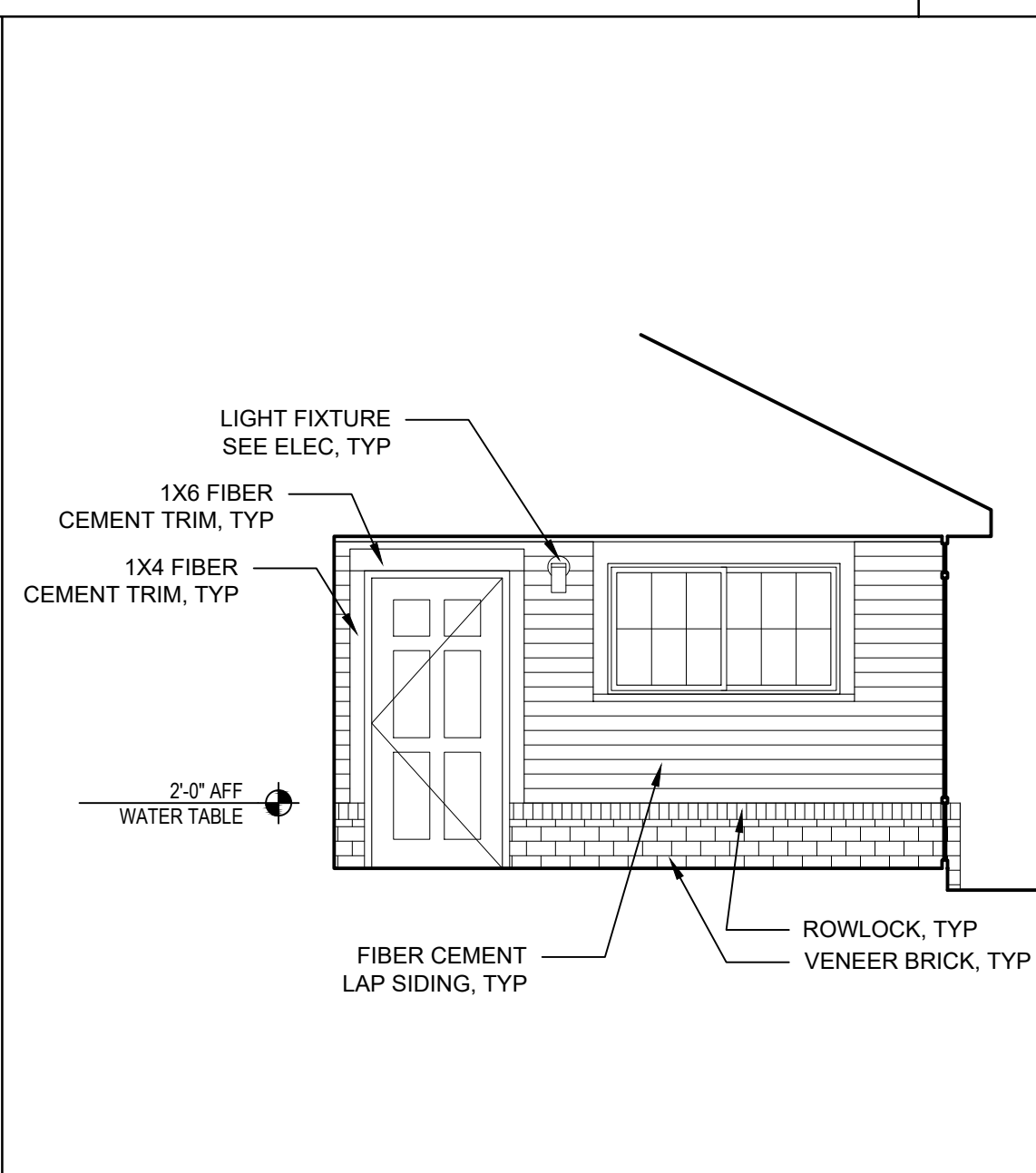
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EXT STORAGE

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

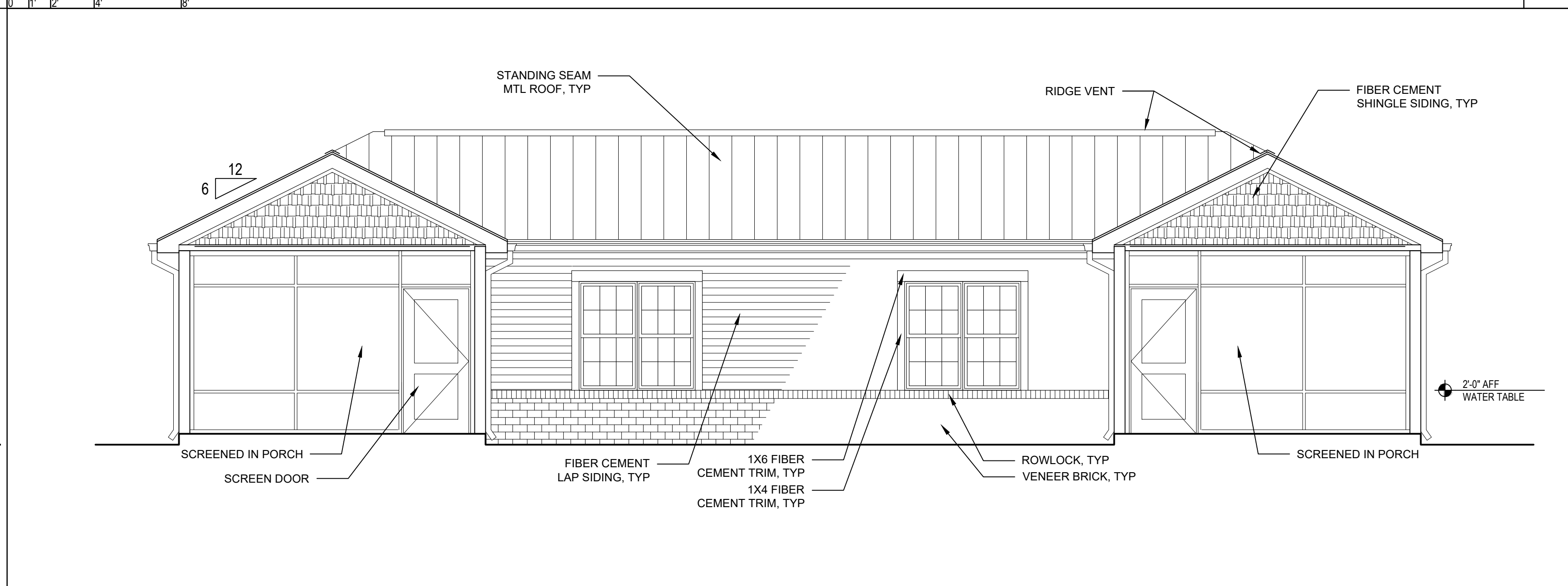
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REAR DOOR

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

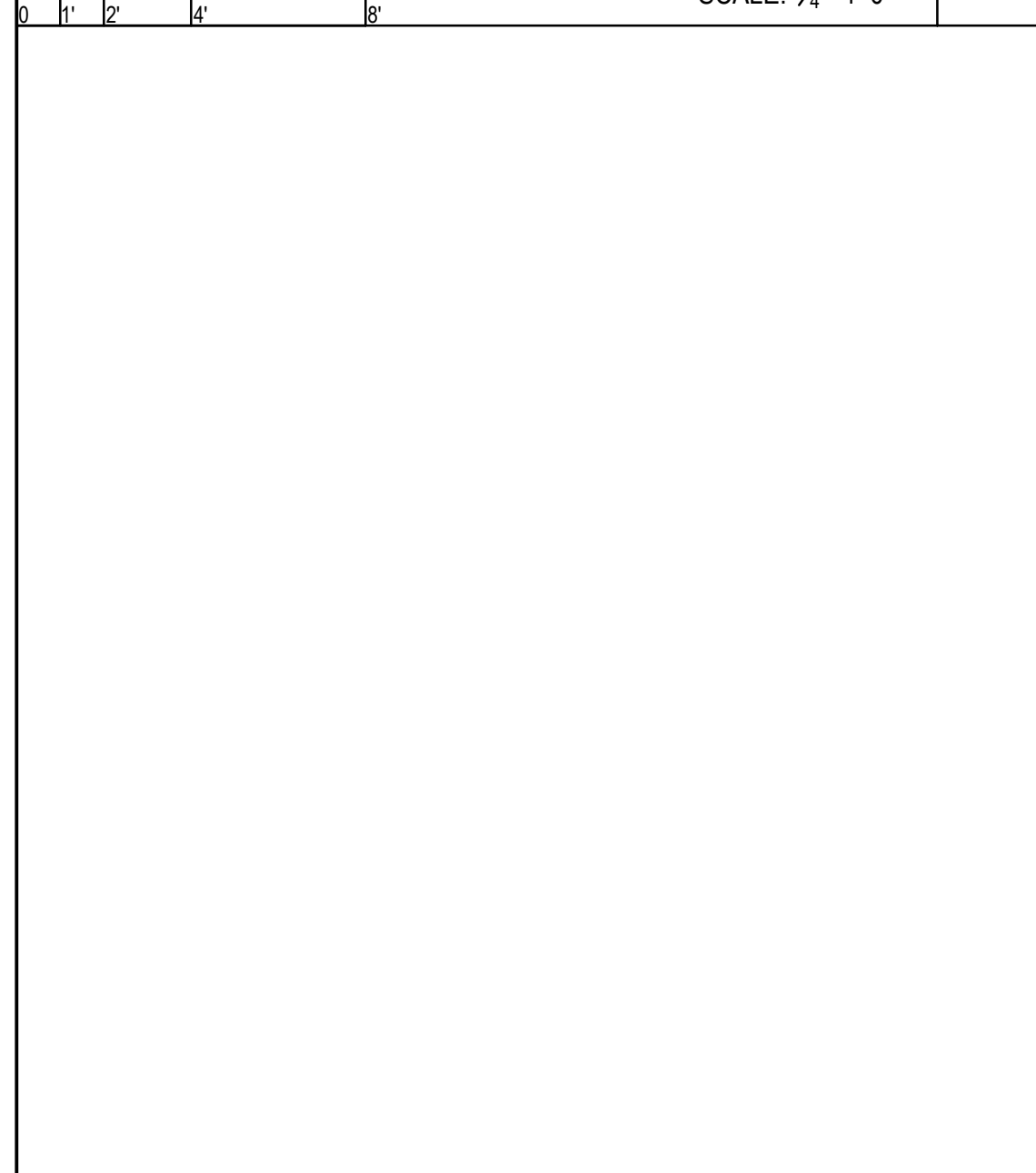
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1 BD AND 2 BD DUPLEX REAR ELEVATION

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

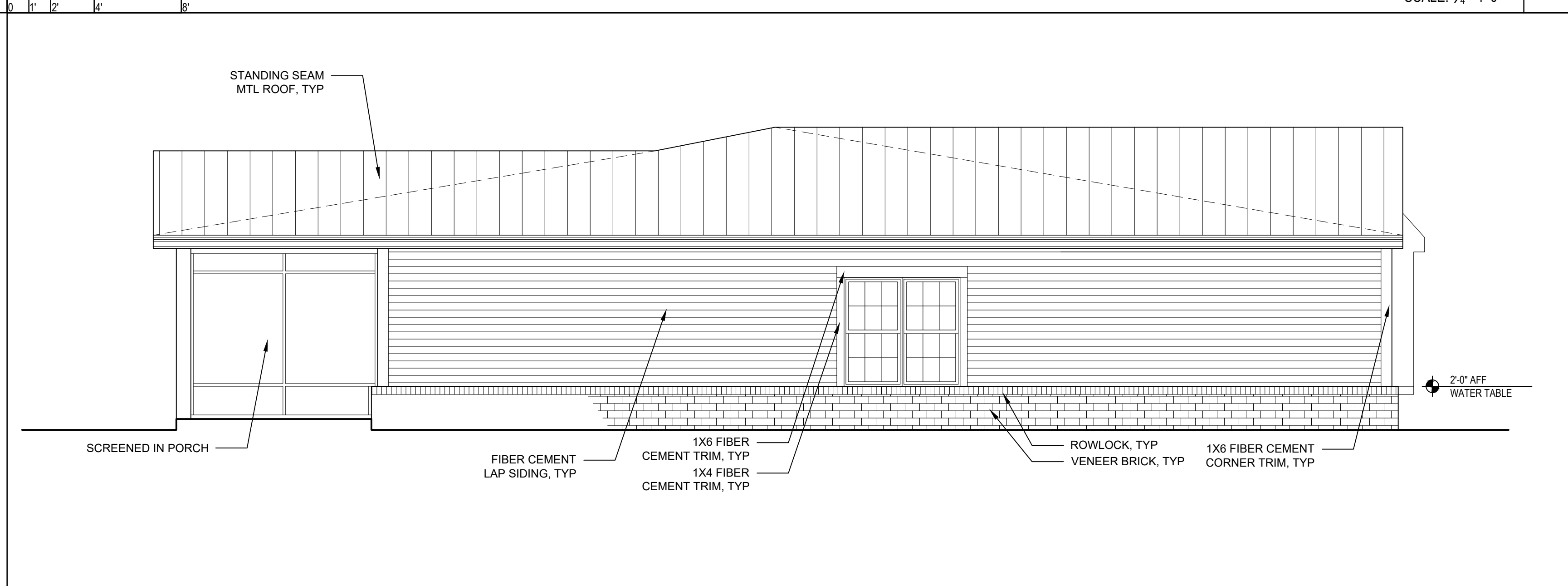
3



FRONT DOOR

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

7



2 BD DUPLEX SIDE ELEVATION

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

6

EXTERIOR ELEVATIONS

FIRST HORIZONS DUPLEX
 ROWAN HELPING MINISTRIES
 PIN 011 411
 SALISBURY, NC

DRAWN BY: EKT
 CHECKED BY: DRB
 DATE: 10.30.23
 PROJECT #: 2303

SHEET NUMBER
A5
 OF: 5





Planning & Zoning Analysis

CASE NO.

CD-04-2023

Project Title:

First Horizons

Petitioner(s)

Shelter Ministries of Rowan County

Owner(s)

Shelter Ministries of Rowan County

Representative(s)

Pete Bogle / Elizabeth Trick

Address

0 E Council Street

Tax Map & Parcel(s)

010 411

Size / Scope

Approximately 0.668 acres

Location

Located on the northern corner at the intersection of E Council Street and N Shaver Street.

PETITIONER REQUEST

Request:

Petition proposes to rezone (1) split-zoned parcel from Residential Mixed Use (RMX) and Corridor Mixed Use (CMX) with a Conditional District (CD) Overlay to Residential Mixed Use (RMX) with a Conditional District (CD) Overlay. The proposal is seeking approval of a 10-unit campus style development comprised of 5 duplexes.

Staff Comments:

The property is already located the City limits.

Is the use permitted in the base Zoning without the Conditional District Overlay?

Yes, the RMX Zoning district permits multifamily dwellings with less than 4 units per building, however, the Ordinance requires any type of Campus-Style Development to go through the Conditional District process for approval.

Base Zoning District Descriptions
Existing:

RMX: Residential Mixed Use
CMX: Corridor Mixed Use
CD: Conditional District Overlay

Proposed:

RMX: Residential Mixed Use
CD: Conditional District Overlay

Development Type:

Campus Style Development – Multifamily Dwelling with 4 units per building or less.



Planning & Zoning Analysis

CHARACTER OF AREA

Overview:

The 0.668 acre parcel is currently a vacant site with some existing vegetation.

Existing uses in the vicinity consist of commercial, residential, or undeveloped properties. This rezoning will have little effect on surrounding properties.

Surrounding Land Use(s) & Zoning:

<i>Location</i>	<i>Existing Land Uses</i>	<i>Existing Zoning</i>
North of area	Commercial	(CMX)
East of area	Commercial, Undeveloped	(CMX, UR8)
South of area	Commercial	(CI)
West of area	Residential, Commercial, Undeveloped	(RMX, CMX)



Planning & Zoning Analysis

INFRASTRUCTURE & CIVIC/COMMUNITY FACILITIES

Public Schools:

Elementary: Elizabeth Koontz Elementary

Middle: Knox Middle

High: Salisbury High

Fire District:

This property is currently within the Salisbury City Fire district.

Utilities

Water & Sewer:

Public water and sewer are currently available to the property through existing lines located in the N Shaver Street right of way.

Transportation

Transit:

The nearest transit stop is along E Council Street on the northern side of N Long Street, approximately 300 feet from the site.

Property Access(s):

The site plan proposes driveway access onto E Council Street. No parking connections have been proposed with this site plan.

Public Improvements:

Sidewalks are already in place along N Shaver Street and E Council Street.



Planning & Zoning Analysis

COMPREHENSIVE & AREA PLANS

Applicable Plans:

Policy 5.12.2:

Forward 2040 Comprehensive Plan

Support efforts to provide workforce training, access to transportation, access to affordable child care, financial literacy counseling, and other strategies to help low-income residents reach self-sufficiency and secure, affordable housing.

Policy 5.2.2

Encourage the development of accessible housing for residents with disabilities, particularly near transit stops and activity centers.

Policy 5.2.3:

Use small scale multifamily dwellings, such as townhomes, duplexes, triplexes, or quadruplexes, to transition to more intense commercial or mixed-use areas from existing residential neighborhoods.

Future Land Use Map

The property is designated as Traditional Neighborhood in the Future Land Use Map

Staff finds that with the restrictions imposed by the Conditional District Overlay, this project is consistent with the Traditional Neighborhood place type.



Planning & Zoning Analysis

TRC & PLAN REVIEW

TRC Meeting:

The Conditional District petition and associated Master Plan were first reviewed by the City's Technical Review Commission (TRC) on October 19, 2023. The TRC recommended approval of the master plan subject to some minor revisions. All comments were satisfied upon resubmittal.

Conditional District Alternative Design Request(s)

- Alternative to Section 5.16:
 - Front Setback reduction from 10' to 5'
 - Side Setback reduction from 20% to 9% of lot width
 - Rear Setback reduction from 25' to 5'
- Alternative to Section 10.3: Requesting parking reduction from 12 spaces to 4 ADA spaces.
- Alternative to Section 10.6: Request that no parking lot connection to adjacent lots be required.

Planning Board Recommendation:

This proposal was presented to Planning Board at their courtesy hearing on November 14, 2023. After deliberation, the Planning Board unanimously recommended approval, stating that the proposal is consistent with the Forward 2040 Comprehensive Plan as submitted.



PETITION TO REZONE

CD-04-2023:

First Horizons
0 E Council Street
PID: 010 411

Petitioners/Owners: Shelter
Ministries of Rowan County

Representatives: Pete Bogle

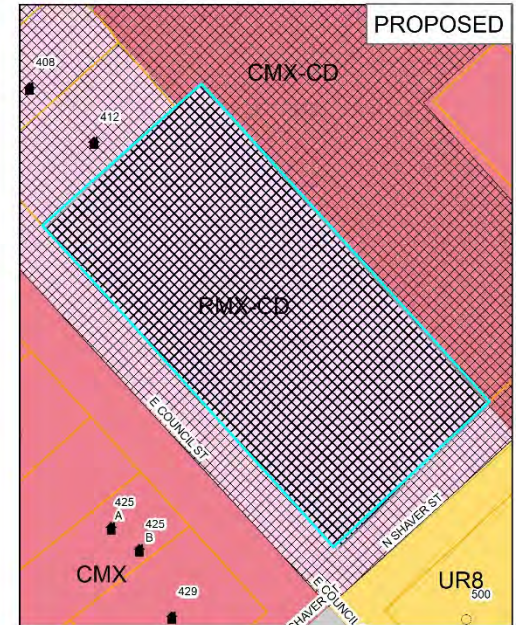
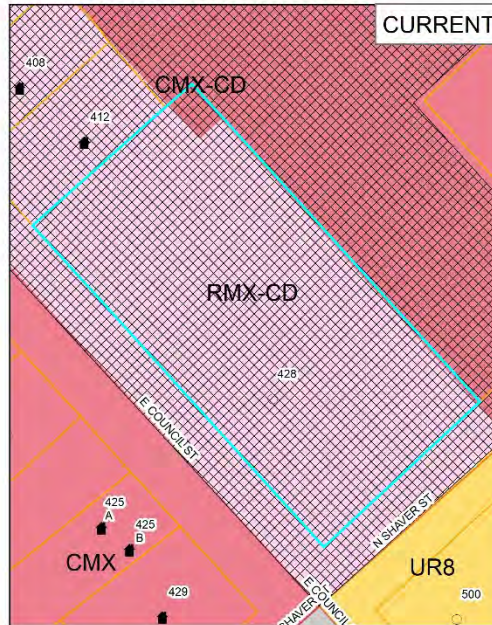
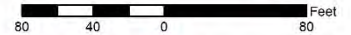
Elizabeth Trick

CD-04-2023: RHM FIRST HORIZONS

Parcel : 010 411

Current Zoning: RMX & CMX with Conditional District Overlay

Proposed Zoning: RMX with Conditional District Overlay



Petition CD-04-2023

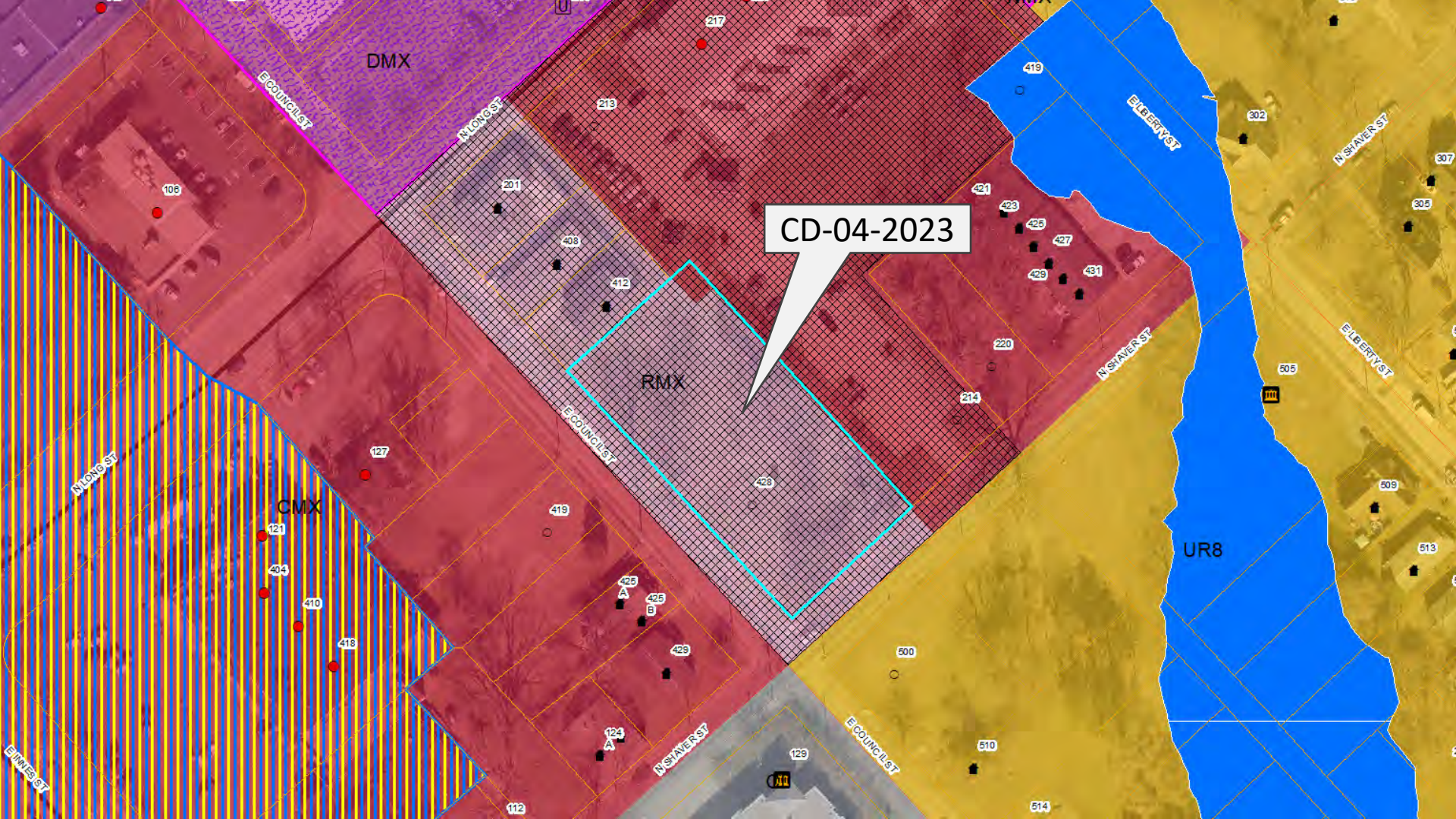
Current Zoning

- Residential Mixed-Use (RMX)
- Corridor Mixed-Use (CMX)
- Conditional District Overlay (CD)

Proposed Zoning

- Residential Mixed-Use (RMX)
- Conditional District Overlay (CD)

Proposed 10-unit campus style development comprised of 5 duplexes.



DMX

CD-04-2023

RMX

CMX

UR8

Elbert St

N Stone St

Elbert St

N Spaver St

N Stone St

Ecconner St

N Spaver St

Elbert St

N Spaver St

Ecconner St

106

213

217

201

433

412

431

423

426

427

428

431

220

214

127

419

428

121

434

410

418

423 A

425 B

429

500

124 A

129

510

112

514

302

307

305

505

509

513



The Pedal Factory
Bicycle repair shop

RHM-Guest

Vogue Dry
Cleaners Alteration

CD-04-2023

First National Bank

Yummi Banh Mi
Street Side Cafe
Vietnamese · S

Family Dollar
Find Essentials
& Much More

Advance Auto Parts
Shop By Brand

J & J Beauty Supply
Beauty supply store

Marcò's Pizza

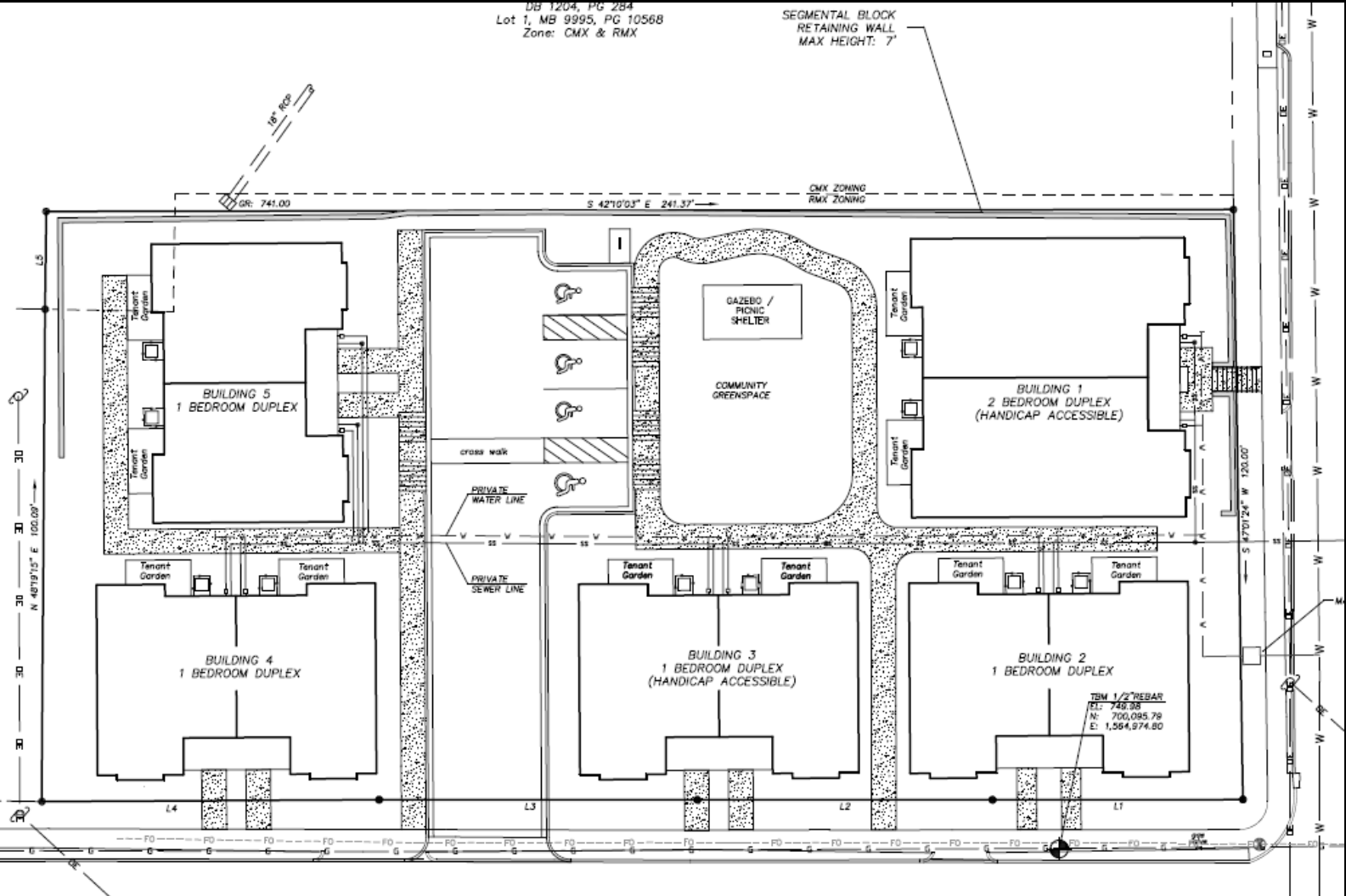
Rowan County
EMS Station 05

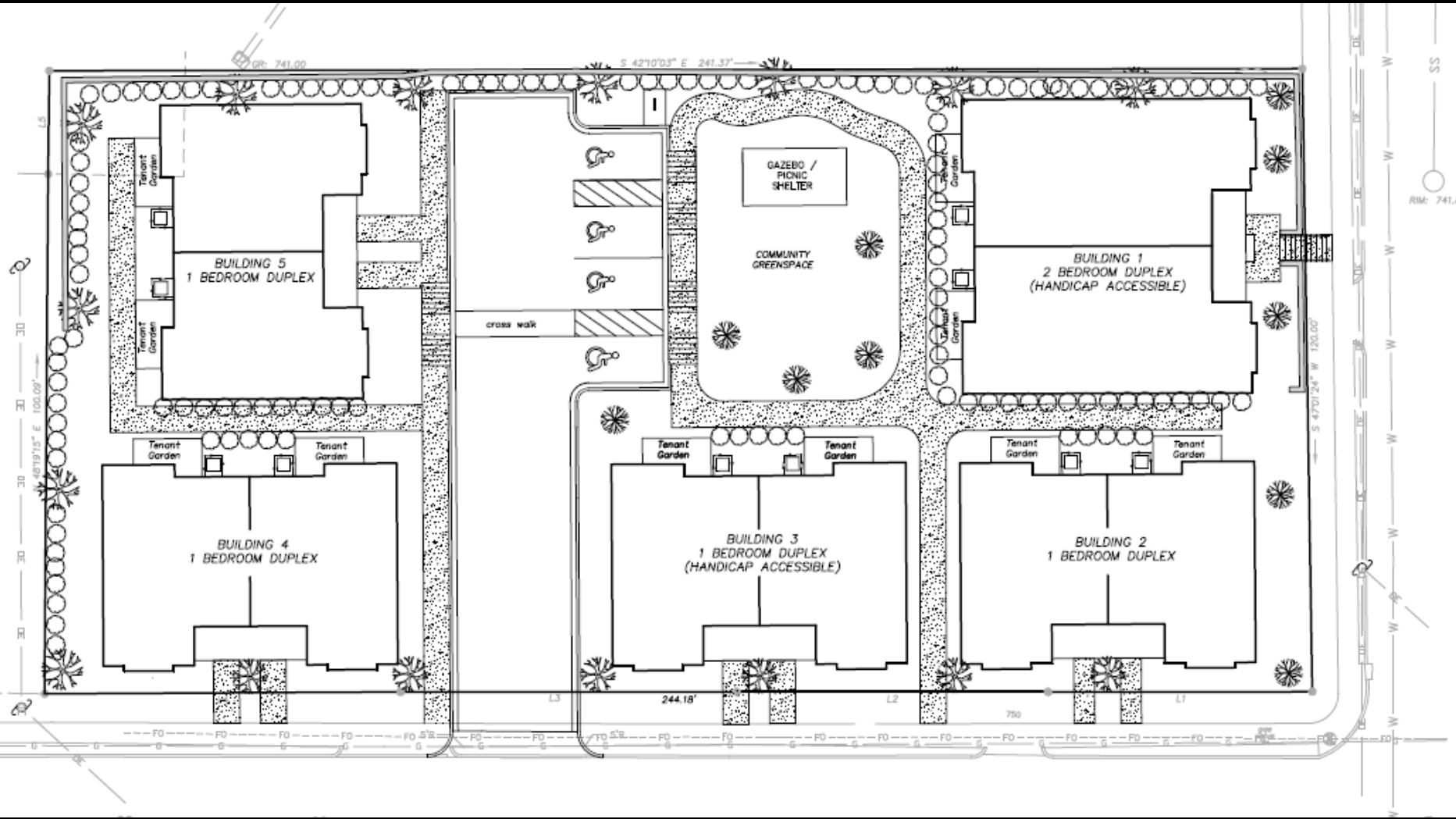
Tar Branch Park

DB 1204, PG 284
Lot 1, MB 9995, PG 10568
Zone: CMX & RMX

SEGMENTAL BLOCK
RETAINING WALL
MAX HEIGHT: 7'

010 415
Shelter Ministries
of mRowan County
DB 1192, PG 864
Zone: RMX





RM: 741.B

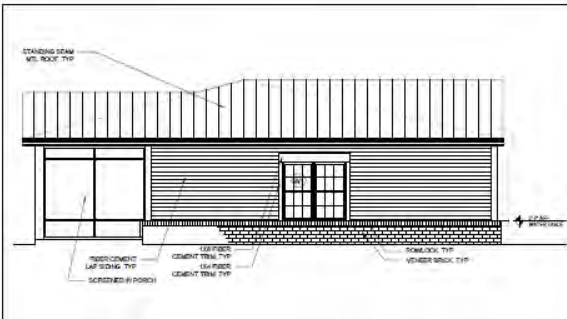
SS

Design Alternative Requests:

1. Alternative to Section 5.18
 - a. Front setback reduction from 10' to 5'
 - b. Side setback reduction from 20% to 9% lot width
 - c. Rear setback reduction from 25' to 5'

2. Alternative to Section 10.3
 - a. Requesting parking reduction from 12 spaces to 4 ADA spaces

3. Alternative to Section 10.6
 - a. Requesting that no parking lot connection to adjacent lots be required.



1BD DUPLEX SIDE ELEVATION

SCALE: 1/2"=1'-0"

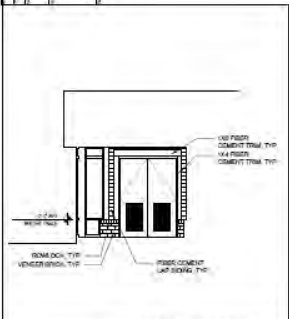
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1 BD AND 2 BD DUPLEX FRONT ELEVATION

SCALE: 1/2"=1'-0"

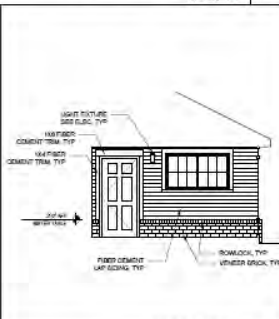
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EXT STORAGE

SCALE: 1/2"=1'-0"

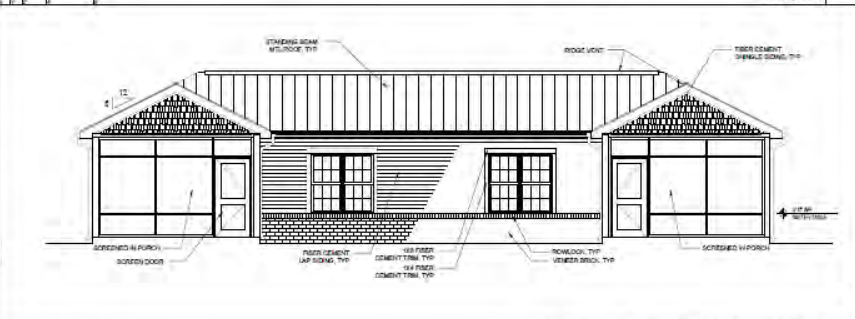
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REAR DOOR

SCALE: 1/2"=1'-0"

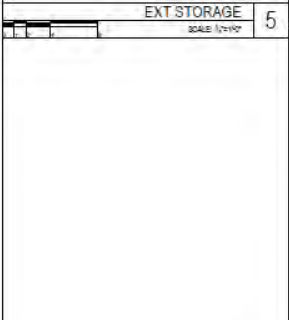
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1 BD AND 2 BD DUPLEX REAR ELEVATION

SCALE: 1/2"=1'-0"

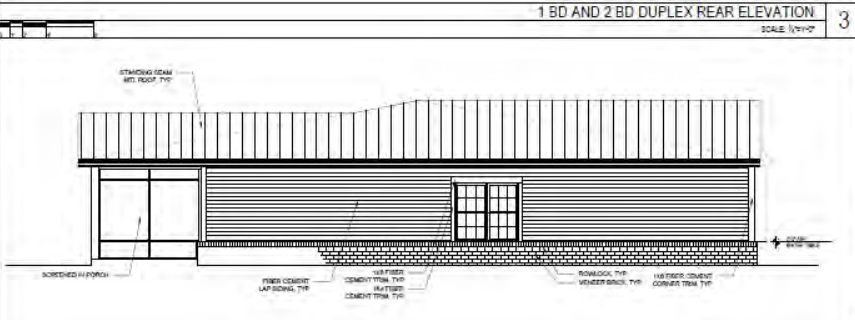
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FRONT DOOR

SCALE: 1/2"=1'-0"

7



2 BD DUPLEX SIDE ELEVATION

SCALE: 1/2"=1'-0"

6





Future Land Use Map Category

- TN - Traditional Neighborhood
- SN - Suburban Neighborhood
- MFC - Multi-family Community
- EN - Emerging Neighborhood
- FN - Future Neighborhood
- RN - Rural Residential
- OSP - Open Space
- IC - Institutional Center
- EC - Employment Center
- DTC - Downtown Center
- AC - Activity Corridor
- HCC - Highway Commercial Corridor
- RCC - Regional Commercial Center
- CAC - Community Activity Center
- NAC - Neighborhood Activity Center
- POI - Public, Office, and Institutional
- PP - Production and Processing



Future Land Use Map

Place Type: Traditional Neighborhood

Consistent: Yes

Place Type: Traditional Neighborhood

Traditional Neighborhoods, regardless of a formal historic status or relative historic values, are older and developed or at least were laid out prior to the mid-1960s. These neighborhoods have a high value in preserving and enhancing walkability features including their gridded street patterns, sidewalks, and sometimes limited building setbacks from the street. Although predominantly single family residential, they may include duplexes, quadruplexes, small apartment buildings, small-scale institutional and semi-public uses (for example, schools, community centers, religious institutions, public safety facilities, etc.) scattered throughout. Incremental change through compatible infill development should be expected.

Examples include: Eaman Park, West Square, North Main

PREDOMINANT LAND USES

- Single-family residential

SUPPORTING LAND USES

- Multi-family residential, including multiplexes and small apartment buildings
- Civic and institutional uses
- Small-scale commercial
- Home occupation
- Accessory dwelling units (ADUs)
- Childcare and group care

CHARACTERISTICS

- Walkability features including gridded street patterns, sidewalks, and sometimes limited building setbacks from the street.
- Individual properties have unifying characteristics, such as consistent setbacks, building heights.
- Alleys in some areas provide access to garages and ADUs in the backyard..



Jersey City neighborhood

Forward 2040 Policies

- **Policy 5.12.2:** Support efforts to provide workforce training, access to transportation, access to affordable child care, financial literacy counseling, and other strategies to help low-income residents reach self-sufficiency and secure, affordable housing.
- **Policy 5.2.2:** Encourage the development of accessible housing for residents with disabilities, particularly near transit stops and activity centers.
- **Policy 5.2.3:** Use small scale multifamily dwellings, such as townhomes, duplexes, triplexes, or quadruplexes, to transition to more intense commercial or mixed use areas from existing residential neighborhoods.



Planning Board Courtesy Hearing was held November 14, 2023.

Planning Board voted unanimously to recommend approval as submitted with a motion stating the map amendment is “consistent with the Forward 2040 Comprehensive Plan.”



Hold Public Hearing

regarding

CD-04-2023: First Horizons



**Salisbury City Council
Statement of Consistency & Zoning Recommendation**

DISTRICT MAP AMENDMENT: CD-04-2023

Project Title: First Horizons
Petitioner(s): Shelter Ministries of Rowan County
Owner(s): Shelter Ministries of Rowan County
Representative(s) or Developer(s) Pete Bogle / Elizabeth Trick
Address: 0 E Council Street
Tax Map - Parcel(s): 010 411
Size / Scope: 0.668 acres
Location: Located on the northern corner of E Council Street and N Shaver Street.

REQUEST:

**Request to amend the Land Development District Map
by rezoning one (1) parcel at 0 E Council Street (PID 010 411) from CORRIDOR MIXED-USE (CMX)
and RESIDENTIAL MIXED-USE (RMX) with a CONDITIONAL DISTRICT OVERLAY (CD) to
RESIDENTIAL MIXED-USE (RMX) with a CONDITIONAL DISTRICT OVERLAY (CD) for the
proposed 10-unit campus style development comprised of 5 duplexes.**

STATEMENT OF CONSISTENCY & RECOMMENDATION:

The Salisbury City Council held a public hearing and reviewed the petition on December 5, 2023. The Council finds that the rezoning petition of the aforementioned parcels is CONSISTENT with the Salisbury Forward 2040 Comprehensive Plan, is reasonable, and in the public interest due to consistency with:

- Policy 5.12.2:** Support efforts to provide workforce training, access to transportation, access to affordable child care, financial literacy counseling, and other strategies to help low-income residents reach self-sufficiency and secure, affordable housing.
- Policy 5.2.2:** Encourage the development of accessible housing for residents with disabilities, particularly near transit stops and activity centers.
- Policy 5.2.3** Use small scale multifamily dwellings, such as townhomes, duplexes, triplexes, or quadruplexes, to transition to more intense commercial or mixed-use areas from existing residential neighborhoods.

AN ORDINANCE AMENDING THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, REZONING 0 E COUNCIL STREET, APPROXIMATELY 0.668 ACRES, (TAX MAP 010 PARCEL 411) FROM CORRIDOR MIXED-USE (CMX) AND RESIDENTIAL MIXED-USE (RMX) WITH A CONDITIONAL DISTRICT OVERLAY (CD) TO RESIDENTIAL MIXED-USE (RMX) WITH A CONDITIONAL DISTRICT OVERLAY (CD). (PETITION NO. CD-04-2023)

WHEREAS, a petition to rezone the property described herein was properly filed by the City of Salisbury; and

WHEREAS, the Salisbury Planning Board, an advisory board to the Salisbury City Council, reviewed the rezoning petition on November 14, 2023, unanimously voted to recommend approval with the alternative design as submitted to allow a minimum of 4 parking spaces, no parking lot connections, front setback reduction to 5 feet, side setback reduction to 9% of the lot width, and rear setback reduction to 5 feet, stating that the request meets the intent and is consistent with the Forward 2040 Comprehensive Plan; and

WHEREAS, the City Council held a properly-noticed public hearing at the regularly-scheduled City Council meeting of December 5, 2023; and

WHEREAS, the City Council hereby finds and determines that adoption of an Ordinance to rezone the properties described herein, is reasonable and is in the public interest. The proposal is fundamentally consistent with the goals, objectives, and policies of the Forward 2040 Comprehensive Plan.

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

SECTION 1. That property identified in the City of Salisbury and Rowan County as Tax Map 010 Parcel 411, including those abutting rights-of-way and reaching to the respective centerlines, as designated on the official property identification maps of Rowan County, is hereby rezoned to the base zoning district of Residential Mixed-Use (RMX) with a Conditional District 'CD' Overlay pursuant to the approved CD Master Plan.

SECTION 2. PERMITTED USES (PRIMARY): All 'RMX' base district primary uses that are Permitted or Permitted Subject to Additional Standards. All SUP/CD uses require issuance of a Special Use Permit or an Amendment to this Conditional District (CD) Overlay.

SECTION 3. DEVELOPMENT CONDITIONS: That the following conditions are applicable to the development proposal associated with this Ordinance (see above, Section 2, Development Documents) within the Conditional District (CD) Overlay:

- Only 4 parking spaces are required as a design alternative to Section 10.3.
- No parking lot connections are required as a design alternative to Section 10.6.
- Front setback of 5 feet, side setback of 9% of the lot width, and rear setback of 5 feet, as a design alternative to Section 5.16.

SECTION 4. DEVELOPMENT DOCUMENTS: That as permitted by the Land Development Ordinance, the development documents associated with this Conditional District (CD) Overlay may establish alternatives to specific provisions of the Land Development Ordinance; however, where

alternatives are not provided, those and all other applicable Land Development Ordinance provisions remain applicable for any and all development within this Conditional District (CD) Overlay.

SECTION 5. That improvements (public and/or private) for Stormwater drainage, streets, water and sewer shall be designed and installed in accordance with applicable City and Salisbury-Rowan Utilities standards and policies. Layouts shown on the approved, stamped, and signed Development Documents are considered schematic and may require administrative revision(s) upon review of engineering drawings or details (Construction Documents).

SECTION 6. That all Ordinances, or parts of Ordinances, in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 7. That this Ordinance shall be effective from and after its passage.



Putting God's Love In Action

226 North Long Street Salisbury, NC 28144-5049

Telephone 704-637-6838

Fax 704-637-9364

www.rowanhelpingministries.org

BOARD OF DIRECTORS

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Mrs. Patricia "P.J." Ricks

Ms. Yvonne Waiters-Dixon

Mrs. Kyna S. Grubb
Executive Director

April 6, 2023

Dear Neighbor,

We are excited to share with you the First Horizon Neighborhood development to be located at the corner of E Council St and N Shaver St in Salisbury. The First Horizon Neighborhood development will be five cottage style duplex buildings, providing permanent supportive housing units for 10 individuals or families.

The causes of homelessness are varied and unique to every individual, as are the pathways one travels to return to permanent, affordable housing. Currently, North Carolina has an extensive waitlist for permanent supportive housing and housing financial assistance through the Continuum of Care system. Last year, 21 of Rowan County guests were on our region's prioritized waiting list. Just two permanent supportive housing units became available but went to guests in other counties. Currently, there are 10 Rowan County guests who qualifies for permanent supportive housing, and they have been on the list ranging from 6 to 18 months. The First Horizon development will allow the Rowan Helping Ministries to expand from 3 to 13 permanent supportive housing units.

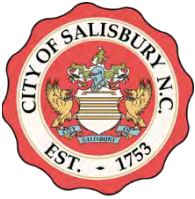
We invite you to a drop-in style meeting on Monday, April 24 from 5 – 6 pm at the corner of E Council and N Shaver St. In case of inclement weather, we will meet at Rowan Helping Ministries located at 226 N Long St at Ralph W Ketner Center lobby. If you are unable to attend but have questions or concerns, please contact us via email kgrubb@rowanhelpingministries.org or by phone 704-637-6838 ext. 101.

Sincerely,

Kyna S Grubb,
Executive Director

PARCEL_ID	OWNNAME	TAXADD1	TAXADD2	CITY	STATE
010 399	SHELTER MINISTRIES OF ROWAN	PO BOX 1086		SALISBURY	NC
016 087	SALISBURY CITY OF	PO BOX 479		SALISBURY	NC
010 415	SHELTER MINISTRIES OF ROWAN CO	530 N LONG ST		SALISBURY	NC
010 433	VOGUE CLEANERS OF SALISBURY IN	106 N LONG ST		SALISBURY	NC
010 388	BELLE REALTY DEVELOPMENT CO	301 N MAIN ST	PO BOX 10	SALISBURY	NC
010 407	AIM HOLDINGS LLC	4887 HAMPTON OAK CT		CLEMMONS	NC
010 389	MERCADO BRUNO ALVA & WF	9024 NOLESGATE RD		CHARLOTTE	NC
019 085	NLP GSP LLC	PO BOX 100843		FORT WORTH	TX
010 391	DOLEMAN ALBERT SR	217 JONATHON CT		KANNAPOLIS	NC
016 097	ZION LLC	3222 W CANYON AVE		SAN DIEGO	CA
016 431	SALISBURY COMMUNITY DEV CORP	1400 W BANK ST	PO BOX 44	SALISBURY	NC
016 322	ELLIS AIMEE NOELLE	509 E LIBERTY ST		SALISBURY	NC
010 408	REEL CORRIE R	1114 N INGLESIDE FARM I		IRON STATION	NC
010 416	SHELTER MINISTRIES OF ROWAN CO	PO BOX 4026		SALISBURY	NC
010 390	WATKINS BOBBIE JEAN LUCKEY	429 E COUNCIL ST		SALISBURY	NC
019 088	ROWAN COUNTY	130 W INNES ST		SALISBURY	NC

ZIPCODE	OWN2
28145	COUNTY
28145-0479	
28144-4430	
28144-5047	
28145-0102	
27012-9631	
28215-7773	MERCADO YOLANDA NUNES
76185-0843	SOLD
28083-7801	
92123-5429	
28145	
28144	
28080-9243	BAILEY JOY L
28145	
28144-5025	C/O PAMELA MURRAY
28144-4375	



NOTICE OF PUBLIC HEARING

Salisbury City Council will hold a public hearing Tuesday, December 5, 2023 during its 6:00 p.m. meeting to consider the following request. The regularly scheduled December 5, 2023 City Council meeting will be held in a hybrid format. Anyone who wishes to speak virtually during the hearing regarding the request must sign-up by 5:00 p.m. on Tuesday, December 5, 2023 by contacting Connie Snyder at csnyd@salisburync.gov or 704-638-5234. Information on accessing the meeting will be available on the City's website at www.salisburync.gov. The meeting can also be viewed on the City's livestream at www.salisburync.gov/webcast or the City's Facebook account.

DISTRICT MAP AMENDMENT: **CD-04-2023**

Project Title: First Horizons
Petitioner(s): Shelter Ministries of Rowan County
Owner(s): Shelter Ministries of Rowan County
Representative(s) or Developer(s) Pete Bogle / Elizabeth Trick
Address: 0 E Council Street
Tax Map - Parcel(s): 010 411
Size / Scope: 0.668 acres
Location: Located on the northern corner of E Council Street and N Shaver Street.

REQUEST:

Request to amend the Land Development District Map by rezoning (1) parcel being approximately 0.668 acres located at 0 E Council Street from Corridor Mixed-Use (CMX) and Residential Mixed Use (RMX) with a Conditional District (CD) Overlay to Residential Mixed-Use (RMX) with a Conditional District (CD) Overlay. The proposal is seeking approval of a 10-unit campus style development comprised of 5 duplexes. The proposal also requests an exception to the LDO Requirements outlined in Sections 5.16, 10.3, and 10.6 for an alternate design that reduces setbacks, parking space requirements, and parking lot connection requirements.

A copy of the above petition (including the Master Plan) is available for public review at Development Services (132 North Main Street). Anyone wishing a copy, or additional information, should call 704-638-5208. Written comments may be submitted by mailing a letter to the City Clerk, P.O. Box 479, Salisbury, NC 28145 or by e-mail to csnyd@salisburync.gov. Written correspondence received before the meeting will be forwarded to the City Council.

Citizens interested in the proposal are invited to participate in the public hearing. Changes may be made in the above proposal as a result of debate, objection, or discussion.

This the 21st day of November 2023.

CITY COUNCIL OF THE CITY OF
SALISBURY, NORTH CAROLINA

BY: Connie Snyder
City Clerk

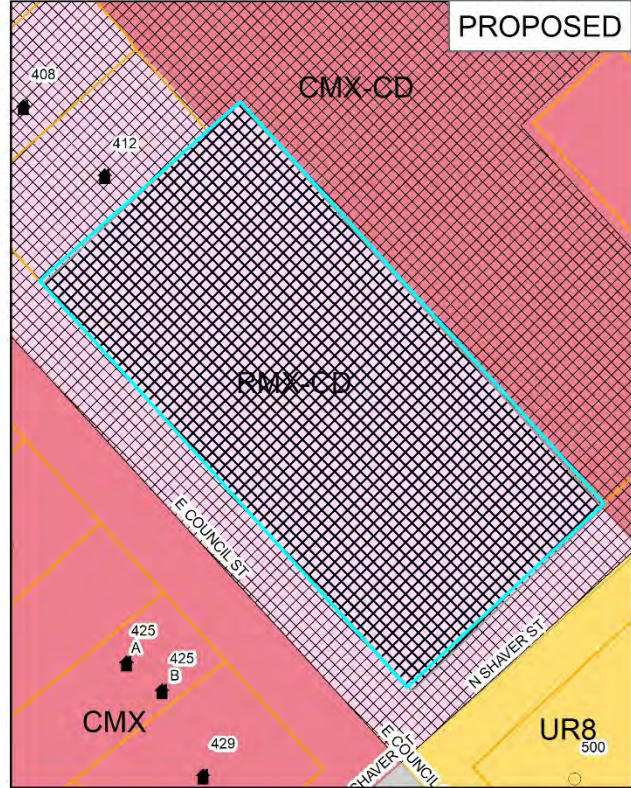
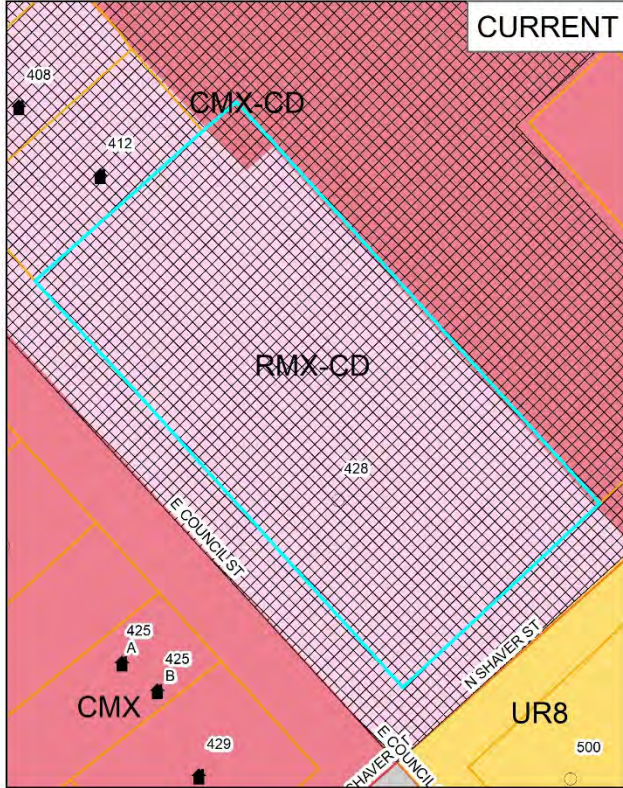
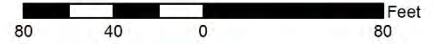
CD-04-2023: RHM FIRST HORIZONS



Parcel : 010 411

Current Zoning: RMX & CMX with Conditional District Overlay

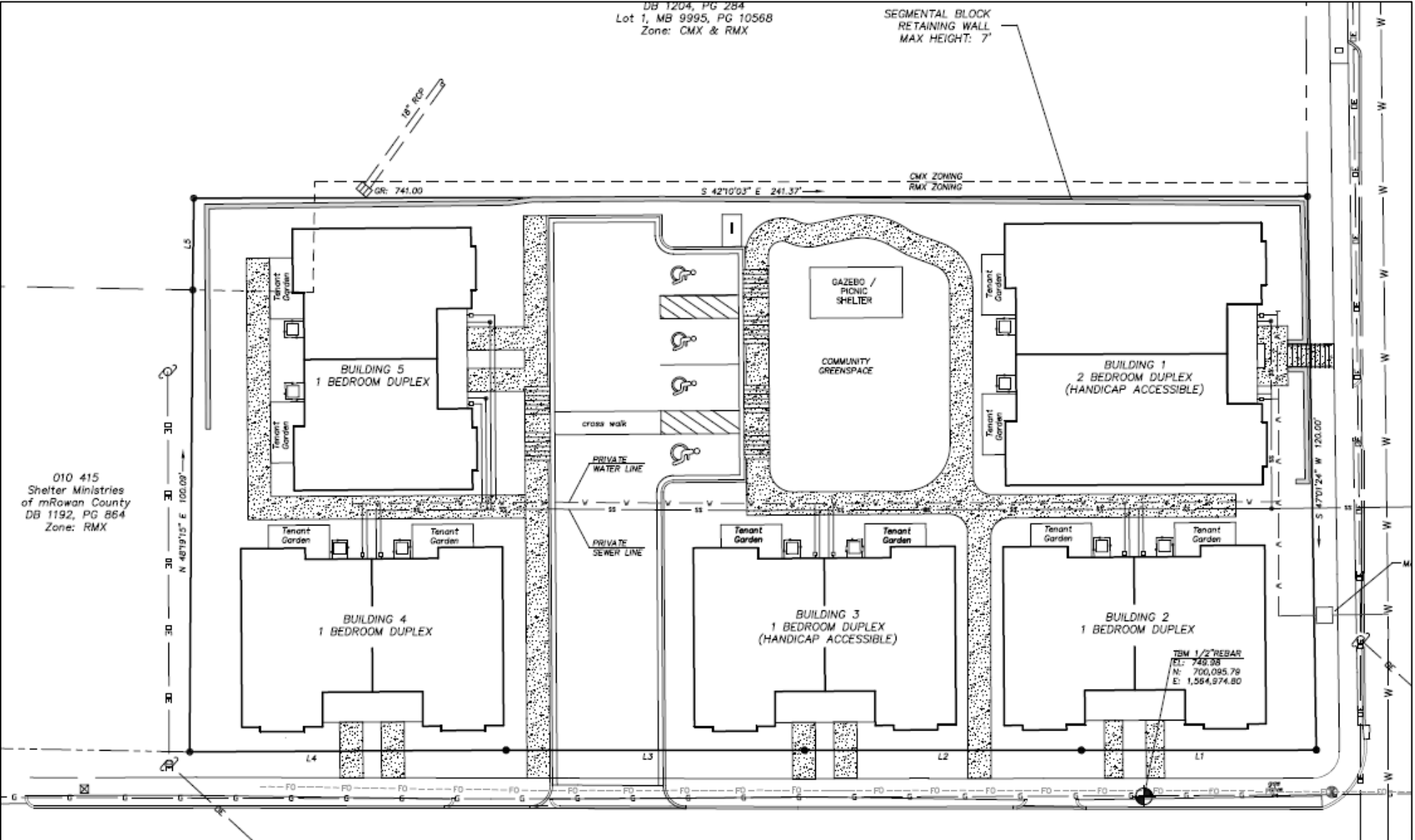
Proposed Zoning: RMX with Conditional District Overlay



OWNNAME	TAXADD1	TAXADD2	CITY	STATE	ZIPCODE
SHELTER MINISTRIES OF ROWAN	PO BOX 1086		SALISBURY	NC	28145
SALISBURY CITY OF	PO BOX 479		SALISBURY	NC	28145-0479
SHELTER MINISTRIES OF ROWAN CO	530 N LONG ST		SALISBURY	NC	28144-4430
VOGUE CLEANERS OF SALISBURY IN	106 N LONG ST		SALISBURY	NC	28144-5047
BELLE REALTY DEVELOPMENT CO	301 N MAIN ST	PO BOX 10	SALISBURY	NC	28145-0102
AIM HOLDINGS LLC	4887 HAMPTON OAK CT		CLEMMONS	NC	27012-9631
MERCADO BRUNO ALVA & WF	9024 NOLESGATE RD		CHARLOTTE	NC	28215-7773
NLP GSP LLC	PO BOX 100843		FORT WORTH	TX	76185-0843
DOLEMAN ALBERT SR	217 JONATHON CT		KANNAPOLIS	NC	28083-7801
ZION LLC	3222 W CANYON AVE		SAN DIEGO	CA	92123-5429
SALISBURY COMMUNITY DEV CORP	1400 W BANK ST	PO BOX 4	SALISBURY	NC	28145
ELLIS AIMEE NOELLE	509 E LIBERTY ST		SALISBURY	NC	28144
REEL CORRIE R	1114 N INGLESIDE FARM		IRON STATION	NC	28080-9243
SHELTER MINISTRIES OF ROWAN CO	PO BOX 4026		SALISBURY	NC	28145
WATKINS BOBBIE JEAN LUCKEY	429 E COUNCIL ST		SALISBURY	NC	28144-5025
ROWAN COUNTY	130 W INNES ST		SALISBURY	NC	28144-4375

DB 1204, PG 284
Lot 1, MB 9995, PG 10568
Zone: CMX & RMX

SEGMENTAL BLOCK
RETAINING WALL
MAX HEIGHT: 7'



010 415
Shelter Ministries
of mRowan County
DB 1192, PG 864
Zone: RMX



NOTICE OF PUBLIC HEARING

Salisbury City Council will hold a public hearing Tuesday, December 5, 2023 during its 6:00 p.m. meeting to consider the following request. The regularly scheduled December 5, 2023 City Council meeting will be held in a hybrid format. Anyone who wishes to speak virtually during the hearing regarding the request must sign-up by 5:00 p.m. on Tuesday, December 5, 2023 by contacting Connie Snyder at csnyd@salisburync.gov or 704-638-5234. Information on accessing the meeting will be available on the City's website at www.salisburync.gov. The meeting can also be viewed on the City's livestream at www.salisburync.gov/webcast or the City's Facebook account.

DISTRICT MAP AMENDMENT: **CD-04-2023**

Project Title:	First Horizons
Petitioner(s):	Shelter Ministries of Rowan County
Owner(s):	Shelter Ministries of Rowan County
Representative(s) or Developer(s)	Pete Bogle / Elizabeth Trick
Address:	0 E Council Street
Tax Map - Parcel(s):	010 411
Size / Scope:	0.668 acres
Location:	Located on the northern corner of E Council Street and N Shaver Street.

REQUEST:

Request to amend the Land Development Ordinance (LDO) and Land Development District Map by rezoning (1) parcel being approximately 0.668 acres located at 0 E Council Street from Corridor Mixed-Use (CMX) and Residential Mixed Use (RMX) with a Conditional District (CD) Overlay to Residential Mixed-Use (RMX) with a Conditional District (CD) Overlay. The proposal is seeking approval of a 10-unit campus style development comprised of 5 duplexes. The proposal also requests an exception to the LDO Requirements outlined in Sections 5.16, 10.3, and 10.6 for an alternate design that reduces setbacks, parking space requirements, and parking lot connection requirements.

A copy of the above petition (including the Master Plan) is available for public review at Development Services (132 North Main Street). Anyone wishing a copy, or additional information, should call 704-638-5208. Written comments may be submitted by mailing a letter to the City Clerk, P.O. Box 479, Salisbury, NC 28145 or by e-mail to csnyd@salisburync.gov. Written correspondence received before the meeting will be forwarded to the City Council.

Citizens interested in the proposal are invited to participate in the public hearing. Changes may be made in the above proposal as a result of debate, objection, or discussion.

This the 17th day of November 2023.

CITY COUNCIL OF THE CITY OF
SALISBURY, NORTH CAROLINA

BY: Connie Snyder
 City Clerk



The Salisbury Planning Board held its regular meeting on Tuesday, November 14, 2023, at 4:00 p.m. with the following being present:

PRESENT: Larry Cartner, David Midgley, Jon Post, Dennis Rogers, John Schaffer, John Struzick

STAFF: Victoria Bailiff, Senior Planner
Phillip Lookadoo, Director of Land and Development Services
Jennifer Pfaff, Senior Administrative Specialist

WELCOME GUESTS AND VISITORS

John Schaffer, Chair, called the Planning Board meeting to order at 4:00 p.m.

APPROVAL OF MINUTES

Planning Board Minutes of August 8, 2023 were approved by Members present.

NEW BUSINESS

Z-02-2023, 410 West Jake Alexander Boulevard; Applicant: John Leatherman

Request

The applicant is requesting to rezone three properties along West Jake Alexander Blvd. from Residential Mixed-Use (RMX) with a General Development Overlay to Corridor Mixed-Use (CMX) with no overlay.

Staff Presentation

Victoria Bailiff presented the request to the Board and noted that the proposal is for general zoning purposes only. It is not a conditional district zoning request; therefore, all uses of the requested CMX zoning will be permitted. Staff recommends approval, as it is consistent with the goals, objectives, and policies of the Forward 2040 Comprehensive Plan.

In response to questions from the board, Ms. Bailiff clarified that most nearby tenants along Jake Alexander Blvd are non-residential, and that commercial uses in the RMX district are somewhat limited. The applicant is interested in building a drive through coffee shop in that location, and the overlay will not affect that use. Notices were sent to properties within 250 feet of the applicant's property, as required by the ordinance. This is above and beyond state requirements for notification.

Regarding the consequences of additional traffic on neighbors, Ms. Bailiff explained that since Jake Alexander Blvd. is not a city street, traffic signal timing is addressed by NC DOT.

Applicant Comment

Mr. Leatherman provided a history of development in that area, i.e., alignment of the light at the Castlewood neighborhood, to service new development. He emphasized the request's consistency with the Forward 2040 Comprehensive Plan, and named local businessmen who are supportive of the project. He will submit a site plan for staff review prior to construction. Mr. Leatherman invited neighbors to a meeting, but no one attended. He feels a drive through coffee shop would be a good addition to the area.

Public Comment

Mark Odin commented that he is against the project, unless traffic is addressed. He is the owner of Hearing Solutions of NC, a neighbor of the property. The private road/alley behind the businesses, which includes the applicant's property, already has traffic and garbage issues due to the Taco Bell, and Mr. Odin fears the problem will be exacerbated with the addition of another business.

Donald Osbourne commented that the company he works for, Alan Burke, CPA, also a neighbor, is against the project. Their building is next door to the property, and they successfully fought a previous plan to build a Zaxby's restaurant in this location, due to traffic flow. Mr. Osbourn also recounted the Covid testing site that was shut down by the city due to traffic issues. He feels the current zoning is correct and should not change.

Janice Roy, representing the Pinnacle medical offices, also commented against the project. They are concerned that excess traffic will have a negative impact on patient transport and ambulance access to their offices. She clarified the employee parking process and location for the board. Ms. Roy feels this is not an appropriate growth plan.

Paul Radziewicz commented against the project. He lives on the other side of the access road, and already experiences loud noise and garbage issues due to customers and delivery trucks that use the road.

Jerry Wood, the president of the property owner's association that includes the applicant, commented that he is concerned about property values due to continued development. He would not say whether he was in favor of the project or not, only that he is a friend and colleague of the applicant. Mr. Wood asked the board to consider the possibility of closing the road in question to through traffic. He feels that is a possibility, however, after extensive discussion, Mr. Leatherman clarified that the alley cannot be blocked.

Mr. Leatherman explained that trees have been planted by the association as a buffer to the residences on the other side of the alley.

Jill Radziewicz lives behind the property, and is against the project. She contends people are throwing trash from the alley over the fence into her yard, and fears more of that type of behavior.

Ms. Bailiff read email comments received prior to the meeting:

Mark Beymer, Past Chair, Salisbury Planning Board (2008-2009) – “I am writing to endorse the rezoning of Mr. John Leatherman’s property at 410 W. Jake Alexander Blvd., Salisbury, NC. Tax ID: 061-210, 221, 222

For some time I have believed that this section of development along Jake Alexander, including the property owned by Mr. John Leatherman should qualify for rezoning. The commercial nature of the property developed on the west (opposite) side of Jake Alexander Blvd. together with the existing traffic light at Castleberry Drive should allow for some commercial mixed use of the property (CMX) other than the existing zoning (RMX). I recommend that the zoning be changed to CMX. The change in zoning should not negatively impact the existing service businesses locate on the east side of Jake Alexander Blvd. nor the residential community behind these properties.”

Victor Wallace – “I am writing in support of the petitioner, John and Joan Leatherman, for this rezoning request. The request to rezone these parcels to CMX is in keeping with the realities on the ground. The petitioner’s properties are a stop lighted intersection fronted by a 6 lane, medianed highway that carries approximately 32,000 cars per day. Highways 601, 52, and 150 all converge in this area moving traffic in all directions. The area was originally zoned RDX (sic), with a development overlay to protect the adjacent housing community from the commercial growth that this traffic would inevitably generate. We are well past this time, as the housing community has thrived and is protected by the buffer of a fence and thick tree growth. The true zoning for this property is CMX, just like the parcels across the street and at the intersection of Jake Alexander and Hwy 150. The existing office development lives in harmony with the two nationally branded fast foods (Pizza Hut/Taco Bell), as well as, a bank (Truist) with 3 drive thrus and an ATM lane. The office development will also continue to thrive regardless of the additional uses available to the petitioner under CDX (sic) zoning. This whole area is actually living proof that all types of commercial and residential can exist in close proximity successfully....right out of the Forward 2040 Plan!”

James Stringfield, 1228 Maxwell Street, Salisbury – “I am writing in support of Mr. John Leatherman’s request to rezone three parcels from Residential Mixed-Use (RMX) with a General Development Overlay to Corridor Mixed -Use (CMX). This request is consistent with our city’s Forward 2040 Comprehensive Plan. Given that your staff has recommended approval of this request, I see no reason to deny it. Thank you for your consideration of my request.

Samantha Houston, 704A W Jake Alexander Boulevard – “I fully support this.”

Deliberation

Members discussed how the community has thrived under the current zoning district, and how that would change under the proposed one. They questioned the argument made by Mr. Wallace regarding the reasoning for the RMX zone, and how evidence points to the current district as the reason for the area's success. Mr. Post spoke to his concerns about ambulance access and other justifications for his personal opposition to the request.

Ms. Bailiff reviewed the permitted commercial uses for both zoning districts, as well as their consistency with the comprehensive plan.

Consistency Statement

Jon Post made a motion: "The City of Salisbury Planning Board finds that the map amendment requested in petition Z-02-2023 **is consistent** with the goals and policies of the adopted Forward 2040 Comprehensive Plan."

Dennis Rogers seconded the motion. All members present voted AYE.

Recommendation to City Council

Jon Post made a motion: "Having reviewed the proposed amendment, the Comprehensive Plan, and considered information from City Staff, comments from the applicant and other persons, the City of Salisbury Planning Board finds that the map amendment requested in petition Z-02-2023 is **NOT reasonable**, therefore, the Planning Board recommends **DENIAL** of the request,"

Larry Cartner seconded the motion. Members present approved the recommendation with a vote of 5-1.

CD-04-2023, RHM First Horizons; Owner, Shelter Ministries of Rowan County; Applicant, Elizabeth Trick, Bogle Firm Architecture

Request

The applicant is requesting to rezone one property from RMX and CMX with a conditional district overlay to RMX with a conditional district overlay to accommodate a 10-unit campus style development.

Staff Presentation

Ms. Bailiff informed the board that the master plan has been reviewed by TRC. The plan was recommended after minor revisions were satisfied by the applicant. She verified parking logistics, namely, the low number of spaces. Staff and TRC are satisfied with parking arrangements.

Applicant Comment

Elizabeth Trick, with Bogle Firm Architecture, explained that this will be transitional housing from the shelter to private. All units were designed to be ADA accessible, which required the

four ADA parking spaces. Four units are fully wheelchair accessible. The firm wanted to provide additional amenities in place of extra parking.

Chris Bradshaw, of Bogle Firm, also explained they had considered reducing the footprint to accommodate more parking, but the grant required specific square footage. The additional units improved their grant profile.

Public Comment

None.

Deliberation

Jon Post recused himself from this case, as his wife is a member of the Rowan Helping Ministries board.

The board had no concerns regarding the design alternatives requested.

Consistency Statement

David Midgley made a motion: “The City of Salisbury Planning Board finds that the map amendment requested in petition CD-04-2023 **is consistent** with the goals and policies of the adopted Forward 2040 Comprehensive Plan.”

Dennis Rogers seconded the motion. All members present voted AYE.

Recommendation to City Council

John Struzick made a motion: “Having reviewed the proposed amendment, the Comprehensive Plan, and considered information from City Staff, comments from the applicant and other persons, the City of Salisbury Planning Board finds that the map amendment requested in petition CD-04-2023 is reasonable and in the public interest, therefore, the Planning Board recommends **APPROVAL** of the request,”

Larry Cartner seconded the motion. All members present voted AYE.

STAFF UPDATES

Ms. Bailiff announced that Jessica Harper, in Land and Development Services, was leaving the City on December 4 to work in the Planning Department for China Grove. She has previously served as Planning Board’s secretary.

ADJOURN 5:44 p.m.

John Schaffer, Chair

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: December 5, 2023

Name of Group(s) or Individual(s) Making Request: Transportation Department

Name of Presenter(s): Wendy Brindle, Transportation Director

Requested Agenda Item: Council to consider permanently closing an unimproved portion of Second Street located off the 100 block of Carolina Boulevard in accordance with NCGS 160A-299

Description of Requested Agenda Item:

On November 8, 2023, City Council adopted a resolution of intent to permanently close an unimproved portion of Second Street, located off the 100 block of Carolina Boulevard. A public hearing was scheduled for December 5, 2023, and all notifications have been made to the public as required by state statutes.

Street and alley closings are regulated by General Statute 160A-299. In accordance with the statute, closing of a street must not be "contrary to the public interest", and no individual shall be "deprived of reasonable means of ingress and egress to his property" by the closing. Staff believes that these conditions have been satisfied. In addition, a 30' wide sanitary sewer easement will be reserved within the right-of-way to be closed, centered on the existing public sanitary sewer line.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

There will be no fiscal impact regarding this request

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

Council to permanently close an unimproved portion of Second Street, located off the 100 block of Carolina Boulevard

- 1) Hold a public hearing
- 2) Adopt a Resolution accepting an offer of dedication for the right-of-way
- 3) Adopt an Order to close the unimproved portion of Second Street, subject to a 30' sanitary sewer easement centered on the existing sanitary sewer line

Contact Information for Group or Individual:

Wendy Brindle, Transportation Director
704-638-5201/wbrin@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

******All agenda items must be submitted at least 7 days before the requested Council meeting date******

For Use in Clerk's Office Only

Approved

Declined

Reason:

RESOLUTION PERTAINING TO THE PROPOSED CLOSING OF AN UNIMPROVED PORTION OF SECOND STREET LOCATED OFF THE 100 BLOCK OF CAROLINA BOULEVARD

WHEREAS, the City Council of the City of Salisbury is considering a proposal to close the following:

Beginning at a bent 1" iron pipe on the south side of Carolina Boulevard, the northeast corner of Lot 1 of Carolina Place, Book of Maps 9995 Page 5125, belonging to Makson, Inc., (deed book 1414 page 754), thence with the margin of Carolina Boulevard S 86° 39' 16" E, 39.94' to a point, the north west corner of Makson, Inc. (deed book 1428 page 505), thence with Makson's line S 03° 11' 37" W, 200.00' to a new #5 rebar set at Bobby L. Wagoner's north west corner, thence a new line crossing Second Street, N 86° 49' 36" W, 41.12' to a new #5 rebar in the eastern line of Samantha Jeffries (deed book 1402 page 309), thence with her line N 03° 23' 11" E, 83.57' to an existing rebar the south east corner of Makson Inc. (deed book 1414 page 754), thence with Makson's line N 03° 37' 54" E, 116.55' to the point and place of Beginning and Being 0.186 Acres as shown on Survey and Map by Shulenburg Surveying Company, P.A. dated 09/25/2023.

WHEREAS, the City Council of Salisbury has the authority to accept the dedication of the aforementioned right-of-way for public use.

NOW, THEREFORE, be it resolved that the City Council accepts the offer of dedication for public use the aforementioned right-of-way on this 5th day of December, 2023.

This 5th day of December, 2023.

CITY COUNCIL OF THE CITY OF SALISBURY,
NORTH CAROLINA

By: Connie B. Snyder, NCCP
City Clerk

STATE OF NORTH CAROLINA
COUNTY OF ROWAN

BEFORE THE CITY COUNCIL OF
THE CITY OF SALISBURY
NORTH CAROLINA

IN THE MATTER OF:

CLOSING AN UNIMPROVED
PORTION OF SECOND STREET

**ORDER CLOSING AN UNIMPROVED
PORTION OF SECOND STREET**

THIS CAUSE, coming on to be heard and being heard before the City Council of the City of Salisbury, Rowan County, North Carolina, at the regular meeting of said Council held on December 5, 2023 at 6:00 p.m., and it appearing to the Council that persons, firms, and corporations owning property adjoining the right-of-way described in the Petition filed in this cause were properly notified of the Petition; and it further appearing that said alley is not maintained by the Department of Transportation; and it further appearing that notice of this hearing was duly published in THE SALISBURY POST on November 12, 19, 26 and December 3, 2023.

And it further appearing to the Council and the Council finding as a fact, that the closing of the right-of-way, as described in the Petition filed in this cause, is not contrary to the public interest or the property rights of any individual, and that no individual owning property in the vicinity of said right-of-way or in the subdivision in which they are located will be deprived of reasonable means of ingress and egress to his property by the closing of said right-of-way; and it further appearing to this Council that the relief prayed in the Petition should be granted.

IT IS NOW, THEREFORE, ORDERED AND DECREED by the City Council of the City of Salisbury, Rowan County, North Carolina, pursuant to and in accordance with the authority vested in this Council by the General Statutes of North Carolina, Section 160A-299, that an unimproved portion of Second Street located off the 100 block of Carolina Boulevard, which is more particularly described as follows:

Beginning at a bent 1" iron pipe on the south side of Carolina Boulevard, the northeast corner of Lot 1 of Carolina Place, Book of Maps 9995 Page 5125, belonging to Makson, Inc., (deed book 1414 page 754), thence with the margin of Carolina Boulevard S 86° 39' 16" E, 39.94' to a point, the north west corner of Makson, Inc. (deed book 1428 page 505), thence with Makson's line S 03° 11' 37" W, 200.00' to a new #5 rebar set at Bobby L. Wagoner's north west corner, thence a new line crossing Second Street, N 86° 49' 36" W, 41.12' to a new #5 rebar in the eastern line of Samantha Jeffries (deed book 1402 page 309), thence with her line N 03° 23' 11" E, 83.57' to an existing rebar the south east corner of Makson Inc. (deed book 1414 page 754), thence with Makson's line N 03° 37' 54" E, 116.55' to the point and place of Beginning and Being 0.186 Acres as shown on Survey and Map by Shulenburger Surveying Company, P.A. dated 09/25/2023.

Be and the same is hereby forever **CLOSED, subject to a 30' sanitary sewer easement centered on the existing sanitary sewer line.**

This the 5th day of December, 2023.

CITY COUNCIL OF THE CITY OF SALISBURY,
NORTH CAROLINA

BY: _____
Karen K. Alexander, Mayor

Connie B. Snyder, NCCP
City Clerk



N

1 inch = 100 feet

CAROLINA BLVD

BILLIE HOPE DR

S JAKE ALEXANDER BLVD

ROW to be closed

071 021

071 022

200.68

201.26

071 176

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071 024

071 201

200.04

071 183

200.13

071 025

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BILLIE HOPE DR

ROW to be closed

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071 203

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160

071 139

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071 138

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071 137

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071 136

165

071 145

145

065 072

065 069

100

100

300

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: December 5, 2023

Name of Group(s) or Individual(s) Making Request: Wade Furches, Finance

Director Name of Presenter(s): Elsa Swenson, Martin Starnes, CPAs

Requested Agenda Item: Council to receive on the June 30, 2023 Annual Comprehensive Financial Report from auditors Martin Starnes, CPAs.

Description of Requested Agenda Item: Elsa Swenson from Martin Starnes will give a presentation on the June 30, 2023 Annual Comprehensive Financial Report.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*
For Informational Purposes Only

Contact Information for Group or Individual: Wade Furches, Finance Director

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

S. Wade Furches

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: December 5, 2023

Name of Group(s) or Individual(s) Making Request: Transportation Dept on behalf of Skadoosh Enterprises, LLC

Name of Presenter(s): Wendy Brindle, Transportation Director

Requested Agenda Item: Council to consider approval of a Right-of-Way Use Permit for construction at 119 & 121 North Main Street

Description of Requested Agenda Item:

Engineering has received a request from the property owner of 119 and 121 N. Main Street for the use of four (4) marked parking spaces, adjacent to his building. City staff approved the initial two-week permit, which began on November 20, 2023. The full request is to use these spaces through March 22, 2024.

In addition, the request also included permission to intermittently use a portion of Hogan's Alley to accommodate addition of new windows. A scissor lift will be used in the alley to access the building wall to add the windows. To minimize disruption in the pedestrian alley, proposed work hours are daily from 8:00 a.m. – 10:00 a.m., beginning December 6, 2023 through January 5, 2024. If pedestrians need access during this time frame, the contractor will stop work and ensure it is safe for the pedestrian to pass.

The property owner will also be utilizing the space at the rear of the property to park a small dump trailer, as needed, throughout construction. The trailer will be removed at the end of each work day, and the vehicle used to transport the trailer will be parked off-site. The trailer will be placed on private property with minimal intrusion into the pedestrian alley.

Since the requests for use of right-of-way exceeds 14 calendar days, Section 22-50 of the City Code of Ordinances requires Council approval for the time frames requested.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

There is no budgetary impact on this item.

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

Council to consider approval of a right-of-way use permit for four marked parking spaces on Main Street until March 22, 2024, and the intermittent use of Hogan's Alley until January 5, 2024 for construction at 119 and 121 North Main Street

Contact Information for Group or Individual:

Wendy Brindle, Transportation Director, 704-638-5201

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)



FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

******All agenda items must be submitted at least 7 days before the requested Council meeting date******



For Use in Clerk’s Office Only

Approved

Declined

Reason:

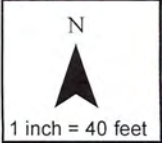


4 Parking Spaces
adjacent to 119 &
121 N Main St

119 & 121
N Main St

Dump trailer on
private property

Hogan's Alley
For addition of
windows to alley
side of building



Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: December 5, 2023

Name of Group(s) or Individual(s) Making Request: Chief P.J. Smith

Name of Presenter(s): (BCJI Coordinator) Chanel Nestor

Requested Agenda Item: Receive presentation on BCJI.

Description of Requested Agenda Item: Council to receive an update on the West End Salisbury Transformed Empowered Neighborhood Development (WESTEND) grant initiative.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: In April 2022, the Salisbury Police Department accepted the Bureau of Justice Assistance (BJA) Byrne Criminal Justice Initiatives (BCJI) grant for the West End Salisbury Transformed Empowered Neighborhood Development (WESTEND) initiative. Since accepting the award, BCJI Coordinator Chanel Nestor and other City staff have worked through a planning process that included community outreach meetings and research in order to establish plans for community violence intervention efforts. Contributions by community stakeholders, community members and the City's research partner during the planning period have enabled the BCJI Project Team to identify environmental concerns, community needs, and sustainability efforts to address the persistence of crime in the West End community. Beginning in May 2023, monthly community meetings were held to gain feedback from community members and to share grant project progress. This community feedback was used to guide development of an action plan to address community needs and was submitted for approval through the Bureau of Justice Assistance.

Ms. Nestor will update Council on progress of the BCJI grant including current progress and future goals to achieve in the upcoming year. The update is for informational purposes and no action is needed at this time.

Contact Information for Group or Individual: Chanel Nestor 980-565-5517

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Salisbury City Council Agenda Item Request Form



Budget Manager Signature

******All agenda items must be submitted at least 7 days before the requested Council meeting date******

For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: December 5, 2023

Name of Group(s) or Individual(s) Making Request: Sada Stewart Troutman, Downtown Development/DSI

Name of Presenter(s): Sada Stewart Troutman

Requested Agenda Item: Annual Downtown Salisbury Report

Description of Requested Agenda Item: This presentation will cover a report on the economic development in Downtown Salisbury, events, and an update on the Downtown Salisbury Social District, as well as goals for the upcoming year.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: For Informational purposes only .

Contact Information for Group or Individual: sada.troutman@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

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For Use in Clerk's Office Only

Approved

Delayed

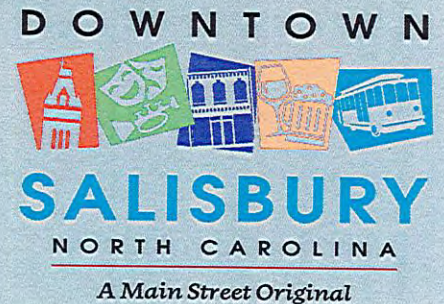
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Reason:

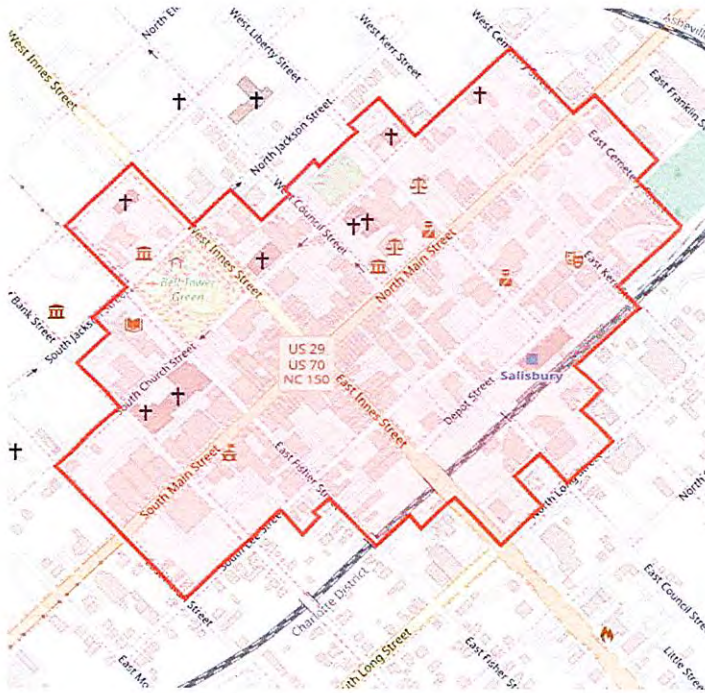
DOWNTOWN SALISBURY ANNUAL REPORT

Sada Stewart Troutman

December 5, 2023



DOWNTOWN SALISBURY, INC



- Established 1980 as an original Main Street Program
- 2023 Expansion of the MSD

FOUR POINT APPROACH

- **Organization**-cultivates partnerships for the Downtown and seeks resources to support the Board
- **Economic Vitality**-tools to assist existing Downtown businesses and recruit new investment
- **Promotion**-markets and promotes the Downtown with events and communication
- **Design**-protects and improves historic character and physical appearance of Downtown



DOWNTOWN SALISBURY STATS



- 56 completed building and property improvement projects
- Nearly \$15 million in public and private investment dollars for physical improvements
- Vacancy rate of **below 10%**, with increasing average rental rates
- 40 full time jobs created
- 28 part time jobs created
- 21 businesses opened and 4 expanded businesses



MAIN STREET AWARDS

- Main Street Champion – Salisbury Parks and Recreation Department
- Best Infill Building Project – Bankett Station
- Best Outdoor Space Improvement – Bell Tower Green



PENDING PROJECTS

- Evaluation of the **Downtown Parking Pilot Program**
- Continuation of the **Downtown Salisbury Social District**
- Coordination of the **Main Street Project** and development of a communication plan for all stakeholders
- Assistance on the **Rail Walk Alley** improvements led by the Tourism Development Authority
- Execution and continued development of the 10 events hosted by DSI and Downtown Development, in addition to continued assistance on the events coordinated by Parks and Recreation in the Downtown

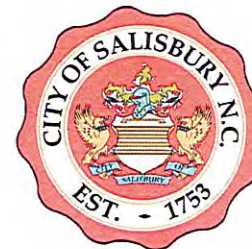


2023-2024 GOALS

- Develop a Downtown Residential Neighborhood by instigating a culture of community through
 - Continuing to assist in development of downtown residential AND supporting services and businesses
 - **Assessing results of the Downtown Parking Pilot Program**
- Decrease commercial vacancy rates from 9% to 8.5% or lower by
 - **Continuing to work with the development group for the Empire Hotel**
 - Completing updated property inventory to understand available properties and property types
- Communicate design opportunities that perpetuate Downtown Salisbury's historic character, while encouraging new opportunity by
 - **Continuing to work with on the Main Street Project**
 - **Design to be complete by Fall 2024**
 - Working on various infrastructure projects to improve Downtown within City and with partners

QUESTIONS?

- **DowntownSalisburyNC.com**
 - Events and Information posted on Facebook, Instagram, Newsletters, Posters, Texts
- Sada Troutman
 - Sada.Troutman@salisburync.gov
 - 704-637-7814



Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: December 5, 2023

Name of Group(s) or Individual(s) Making Request: Downtown Development Dept. & Downtown Salisbury, Inc., 501c3 partner

Name of Presenter(s): Announcement

Requested Agenda Item: Photos and Antique Firetruck Rides with Santa and the Grinch, Sat. Dec. 9

Description of Requested Agenda Item: On Saturday, December 9, get free photos with Santa and the Grinch from 10 am to 1 pm. Then, enjoy free rides on antique firetrucks with Santa and the Grinch from 1:30 pm to 4:00 pm at Bell Tower Green Park. For more information visit www.DowntownSalisburyNC.com or call 704-637-7814.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

Contact Information for Group or Individual: Latoya Price 704-637-7814 latoya.price@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

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For Use in Clerk's Office Only

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: December 5, 2023

Name of Group(s) or Individual(s) Making Request: Salisbury Parks and Recreation Department

Name of Presenter(s): Announcement

Requested Agenda Item: New Year's Eve at the Bell Tower

Description of Requested Agenda Item: The City of Salisbury will host the New Year's Eve at the Bell Tower Celebration on Sunday, December 31, 2023. Celebrate the start of 2024 as a community at Bell Tower Green. Festivities will begin at 9:00 p.m. and will include food trucks, live entertainment, live video feed from Time's Square and the ringing in the New Year at Midnight. This event is free and open to the public.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

Contact Information for Group or Individual:

Vivian Koontz
(704) 638-5294

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

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Approved

Delayed

Declined

Reason: