



STATESVILLE CITY COUNCIL MEETING

Statesville City Hall – 227 S. Center Street

July 10, 2025 - 4:00 p.m. - Pre-Agenda Meeting – 2nd Floor Conference Room

July 14, 2025 – 6:00 p.m. – Regular Meeting – City Council Chambers

- I. Call to Order**
- II. Invocation**
- III. Pledge of Allegiance**
- IV. Adoption of the Agenda**
- V. Code of Ethics and Front and Center Strategic Plan p. 5**
- VI. Presentations & Recognitions p. 9**
 - 1. Introduction of the SPD Junior Ambassadors
 - 2. Recreation Month Proclamation
- VII. Public Comment**
- VIII. CONSENT AGENDA**

All items below are considered to be routine by City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council member requests, in which event, the item will be removed from the Consent Agenda and considered with the other items listed in the Regular Agenda.

 - A. Consider approving the June 12, 2025, Pre-Agenda Meeting Minutes and the June 16, 2025, Regular Meeting Minutes. (E. Kurfees) p. 11**
 - B. Consider passing the second reading of a Rezoning Request ZC25-06; for the properties located along Turnersburg Highway. (Kirkendall) p. 23**
 - C. Consider passing the second reading of TA25-02 Shopping Center Signs Text Amendment to the Unified Development Code filed by the City of Statesville to amend Article 6 Development Standards, Section 6.07 Sign Regulations, Section C. Definitions, Table 6-13: Permitted Sign Standards by Zoning District and I. Exempt Signs. (Ashley) p. 29**
 - D. Consider approving the Budget Amendment #2026-01 for the Waterline Replacement Project Additive Bid. (Vaughan) p. 35**
 - E. Consider approving Budget Amendment 26-02 moving funds for the design of Phases 3 & 4 of the Municipal Operations Center (MOC) project to the MOC project fund. (Harrell) p. 39**

- F. Consider approving an additional officer requested by Iredell-Statesville Schools for a new SRO position. (Onley) p. 43**
- G. Consider approving a resolution in support of federal funding for Head Start for I-CARE. (Duncan) p. 45**
- H. Consider approving a resolution authorizing the donation of a surplus Plymovent exhaust removal system to Iredell-Statesville Schools. (G. Kurfees) p. 49**
- I. Consider approving Utility Line Construction Services as the primary contractor and Sumter Utilities as the secondary contractor for a purchase order amount of \$1,500,000.00 for a minimum of 2 (two) of 5 (five) possible years as their contract term. (Leis) p. 53**
- J. Consider approving the semi-annual write-off of approximately \$87,354.74 in utility accounts. (Dunford) p. 61**
- K. Consider approving a resolution assigning the previous West Iredell Water Corporation agreement to Energy United Water Corporation and authorize the City Manager to establish a new bulk water allocation and rate with Energy United Water Corporation. (Vaughan) p. 67**

REGULAR AGENDA

- IX. Conduct a public hearing and consider approving an economic incentive for an expansion project known as Project Ace 25. (Bosser) p. 75**
- X. Conduct a public hearing and consider approving the first reading of the proposed text amendment by Downtown Statesville Development Corporation to allow Drinking Establishments in the Central Business (CB) Zoning District. (Kirkendall) p. 77**
- XI. Conduct a public hearing and consider passing a first reading of an ordinance AX25-04 Dairi-O to annex the four parcels located along Turnersburg Highway between Harbor Freight and Fairview Baptist Church. (Kirkendall) p. 81**
- XII. Conduct a public hearing and consider passing the first reading of Rezoning Request ZC25-11 for The Oaks at James Farm; property located at the intersection of Jane Sowers Road and James Farm Road to rezone from Iredell County R-20 (Single-Family Residential) District to City of Statesville R-5MF CZ (High Density Multi-Family Residential Conditional Zoning) District. (Caulder) p. 91**
- XIII. Consider passing the first reading of Rezoning Request ZC25-10 River Hills PUD; for located on U.S. Highway 64 between East Broad Street and River Hill Road for a major amendment to the approved concept plan. (Caulder) p. 113**
- XIV. Conduct a public hearing and consider approving a Revised Development Agreement for River Hill's Planned Unit Development (PUD; ZC25-10) for properties located on US 64 between East Broad Street and River Hill. (Ashley) p. 139**
- XV. Consider approving an ordinance to regulate begging, panhandling, or soliciting contributions. (Onley) p. 177**

- XVI. Consider appointing three regular members and one alternate member to the Planning Board.** (Caulder) p. 185
- XVII. Consider appointing two regular members to the Design Review Committee.** (Sigmon) p. 203
- XVIII. City Manager's Report**
- XIX. Advisory Boards Meeting Minutes** p. 211
1. Board of Adjustment Meeting Minutes, May 6, 2025
 2. Statesville Regional Airport Commission Meeting Minutes, May 14, 2025
 3. ABC Board Meeting Minutes, May 27, 2025
- XX. Other Business**
- XXI. Closed Session** (After Pre- Agenda)
- XXII. Adjournment**

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RESOLUTION 01-25

CODE OF ETHICS FOR THE CITY OF STATESVILLE

PREAMBLE

WHEREAS, the Constitution of North Carolina, Article 1, Section 35, reminds us that a "frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty"; and

WHEREAS, a spirit of honesty and forthrightness is reflected in North Carolina's state motto *Esse quam videri*, "To be rather than to seem"; and

WHEREAS, Section 160A-86 of the North Carolina General Statutes requires local governing boards to adopt a code of ethics; and

WHEREAS, as public officials we are charged with upholding the trust of the citizens of this city, and which obeying the law; and

NOW, THEREFORE, in recognition of our blessings and obligations as citizens of the State of North Carolina and as public officials representing the citizens of the City of Statesville, and acting pursuant to the requirements of Section 160A-86 of the North Carolina General Statutes, we, the Statesville City Council, do hereby adopt the following General Principles and Code of Ethics to guide the City Council in its lawful decision-making.

GENERAL PRINCIPLES UNDERLYING THE CODE OF ETHICS

- The stability and proper operation of democratic, representative government depend upon public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the people upon their elected officials.
- Governmental decisions and policy must be made and implemented through proper channels and processes of the governmental structure.
- Board members must be able to act in a manner that maintains their integrity and independence yet is responsive to the interests and needs of those they represent.
- Board members must always remain aware that at various times they play different roles:
 - As advocates, who strive to advance the legitimate needs of their citizens
 - As legislators, who balance the public interest and private rights in considering and enacting ordinances, orders, and resolutions
 - As decision-makers, who arrive at fair and impartial quasi-judicial and administrative determinations
- Board members must know how to distinguish among these roles, to determine when each role is appropriate, and to act accordingly.
- Board members must be aware of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of their constituents. Each official must find within his or her own conscience the touchstone by which to determine what conduct is appropriate.

CODE OF ETHICS

The purpose of this Code of Ethics is to establish guidelines for ethical standards of conduct for the City of Statesville and to help determine what conduct is appropriate in particular cases. It should not be considered a substitute for the law or for a board member's best judgment.

Section 1. Board members should obey all laws applicable to their official actions as members of the board. Board members should be guided by the spirit as well as the letter of the law in whatever they do.

At the same time, board members should feel free to assert policy positions and opinions without fear of reprisal from fellow board members or citizens. To declare that a board member is behaving unethically because one disagrees with that board member on a question of policy (and not because of the board member's behavior) is unfair, dishonest, irresponsible, and itself unethical.

Board members should endeavor to keep up to date, through the board's attorney and other sources, about new or ongoing and pertinent constitutional, statutory, or other legal requirements

or ethical issues they may face in their official positions. This educational function is in addition to the day-to-day legal advice the board may receive concerning specific situations that arise.

Section 2. Board members should act with integrity and independence from improper influence as they exercise the duties of their offices. Characteristics and behaviors consistent with this standard include the following:

- Adhering firmly to a code of sound values
- Behaving consistently and with respect toward everyone with whom they interact
- Exhibiting trustworthiness
- Living as if they are on duty as elected officials regardless of where they are or what they are doing
- Using their best independent judgment to pursue the common good as they see it, presenting their opinions to all in a reasonable, forthright, consistent manner
- Remaining incorruptible, self-governing, and unaffected by improper influence while at the same time being able to consider the opinions and ideas of others
- Disclosing contacts and information about issues that they receive outside of public meetings and refraining from seeking or receiving information about quasi-judicial matters outside of the quasi-judicial proceedings themselves
- Treating other board members, staff and the public with respect and honoring the opinions of others even when the board members disagree with those opinions
- Not reaching conclusions on issues until all sides have been heard
- Showing respect for their offices and not behaving in ways that reflect badly on those offices
- Recognizing that they are part of a larger group and acting accordingly
- Recognizing that individual board members are not generally allowed to act on behalf of the board but may only do so if the board specifically authorizes it, and that the board must take official action as a body.

Section 3. Board members should avoid impropriety in the exercise of their official duties. Their official actions should be above reproach. Although opinions may vary about what behavior is inappropriate, this board will consider impropriety in terms of whether a reasonable person who is aware of all of the relevant facts and circumstances surrounding the board member's action would conclude that the action was inappropriate.

If a board member believes that his or her actions, while legal and ethical, may be misunderstood, the member should seek the advice of the board's attorney and should consider publicly disclosing the facts of the situation and the steps taken to resolve it (such as consulting with the attorney).

Section 4. Board members should faithfully perform the duties of their offices. They should act as the especially responsible citizens whom others can trust and respect. They should set a good example for others in the community, keeping in mind that trust and respect must continually be earned.

Board members should faithfully attend and prepare for meetings. They should carefully analyze all credible information properly submitted to them, mindful of the need not to engage in communications outside the meeting in quasi-judicial matters. They should demand full accountability from those over whom the board has authority.

Board members should be willing to bear their fair share of the board's workload. To the extent appropriate, they should be willing to put the board's interests ahead of their own,

Section 5. Board members should conduct the affairs of the board in an open and public manner. They should comply with all applicable laws governing open meetings and public records, recognizing that doing so is an important way to be worthy of the public's trust. They should remember when they meet that they are conducting the public's business. They should also remember that local government records belong to the public and not to board members or their employees.

In order to ensure strict compliance with the laws concerning openness, board members should make clear that an environment of transparency and candor is to be maintained at all times in the governmental unit. They should prohibit unjustified delay in fulfilling public records requests. They should take deliberate steps to make certain that any closed sessions held by the board are lawfully conducted and that such sessions do not stray from the purposes for which they are called.

Section 6. This Code of Ethics should be re-executed by each sitting Council member during the first meeting in January each calendar year.

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Section 6. This Code of Ethics should be re-executed by each sitting Council member during the first meeting in January each calendar year.

I affirm that I have read and understand the City of Statesville Code of Ethics



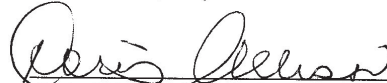
Constantine H. Kutteh, Mayor



David Jones, Mayor Pro Tem – Ward One



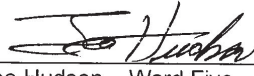
C.O. "Gap" Johnson – Ward Two



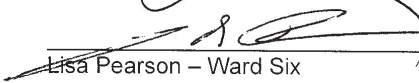
Doris Allison – Ward Three



Amy Lawton – Ward Four



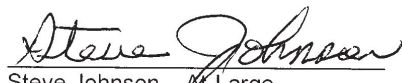
Joe Hudson – Ward Five



Lisa Pearson – Ward Six



Kimberly Wasson – At-Large



Steve Johnson – At-Large

FRONT & CENTER

VISION

Statesville will be a vibrant regional center that provides a higher quality of life for ALL.

MISSION

City of Statesville will serve with integrity, provide sound resource management, and equitably deliver high-quality public services.

our we value our city staff
core we value quality & creativity
values we value & encourage opportunity
 we value engagement we value integrity



DEVELOPING OUR TEAM

Description: The City of Statesville recognizes that its employees are its most valuable asset and resource for realizing the city's vision. Capable and professional employees are essential for delivering high-quality customer service and managing the long-term needs of the community.

STRATEGIC INITIATIVES

1. Attract and retain a talented, engaged workforce responsive to the needs of our growing community.
2. Invest in employee professional development to promote continuous learning and improvement in our service delivery.



CONNECTING OUR CITY

Description: The City of Statesville strives to provide high-quality services and utilities for today's needs while also planning for the future needs of residents, businesses, and industry.

STRATEGIC INITIATIVES

1. Proactively maintain existing infrastructure assets and systems to ensure current quality and long-term viability.
2. Invest in critical public infrastructure to align with land use plan goals and accommodate future growth citywide.



CONNECTING OUR COMMUNITIES

Description: The City of Statesville supports vibrant communities and safe neighborhoods with opportunities for employment, recreation, engagement, and housing.

STRATEGIC INITIATIVES

1. Provide reliable, high-quality public safety to ensure the wellbeing of residents, businesses, and visitors.
2. Expand access to enriching cultural, recreational, and open space amenities.
3. Promote the development of a range of housing types throughout our community and housing stability for residents.

City of Statesville, North Carolina

Office of the Mayor

Proclamation

Parks and Recreation Month 2025 - July 2025

WHEREAS, parks and recreation is an integral part of communities throughout this country, including the City of Statesville; and

WHEREAS, parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and

WHEREAS, parks and recreation promotes time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being, and alleviating illnesses such as depression, attention deficit disorders, and Alzheimer's; and

WHEREAS, parks and recreation encourages physical activities by providing space for popular sports, hiking trails, pools, and many other activities designed to promote active lifestyles; and

WHEREAS, park and recreation programming and education activities, such as out-of-school time programming, and youth sports are critical to childhood development; and

WHEREAS, parks and recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation is fundamental to the environmental well-being of our city; and

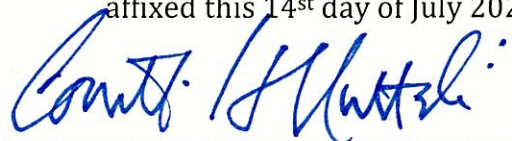
WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, the City of Statesville recognizes the benefits of parks and recreation resources.

NOW, THEREFORE, I, Constantine H. Kutteh, Mayor of the City of Statesville, proclaim that July is recognized as **Park and Recreation Month** in the City of Statesville.

IN WITNESS WHEREOF I have set my Hand and
caused the Great Seal of the City of Statesville to be
affixed this 14th day of July 2025



Constantine H. Kutteh, Mayor



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MINUTE BOOK 31, PAGE
STATESVILLE CITY COUNCIL PRE-AGENDA MEETING MINUTES – June 12, 2025
CITY HALL – 227 S. CENTER STREET, STATESVILLE, NC – 4:00 P.M.

Council Present: Mayor Kutteh presiding, Jones, Lawton (virtual), J. Johnson, Wasson, Hudson, Pearson (virtual), S. Johnson, Allison,

Council Absent: S. Johnson

Staff Present: Ron Smith, Messick, E. Kurfees, Bridges, Hubert, Griggs, Vaughan, Kirkendall, Pierce, Nesbit, Bell, Harrell

I. Call to Order

Mayor Kutteh called the meeting to order. He stated we needed to go into closed session for an economic development matter.

II. Invocation (only at the Regular Meeting)

III. Pledge of Allegiance (only at the Regular Meeting)

IV. Adoption of the Agenda (only at the Regular Meeting)

V. Code of Ethics and Front and Center Strategic Plan (only at the Regular Meeting)

VI. Presentations & Recognitions

1. SFD 2025 Hazmat Competition
2. Waste & Recycling Workers Week Proclamation
3. Hospice & Palliative Care of Iredell County Family Bereavement Center Presentation

VII. Public Comment (only at the Regular Meeting)

VIII. CONSENT AGENDA

All items below are considered to be routine by City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council member requests, in which event, the item will be removed from the Consent Agenda and considered with the other items listed in the Regular Agenda.

A. Consider approving the May 28, 2025 Budget Meeting Minutes and the June 2, 2025, Regular Meeting Minutes. (E. Kurfees)

B. Consider approving the Statesville Fire Department to donate the Plymovent vehicle exhaust removal system, currently located at the former Fire Station 1 to the Iredell-Statesville Schools (I-SS). (G. Kurfees)
Chief Bell stated that the system will be used at ICATs. The City has donated other supplies to them before.

- C. Consider approving the Statesville Fire Department to apply for the FY24 FEMA Staffing for Adequate Fire and Emergency Response (SAFER) Grant to support the hiring of nine firefighters to partially staff Fire Station 5. (G. Kurfees)**

Mayor Kutteh stated that we applied for the grant in 2023 and have not received it. Chief Bell stated that there will be a 25% match for the first two years and 65% match on the third year.

Council Member J. Johnson asked about if we need the staff if we don't have the grant. Chief Bell stated that the award will not be until July and then a 180 day recruitment period. The staff will be on board in the time allotted.

- D. Consider approving the Statesville Fire Department to apply for the FEMA FY24 Fire Prevention & Safety (FP&S) Grant to fund the purchase of a fire safety simulator smokehouse. (G. Kurfees)**

Council Member Jones asked where this would be located. Chief Bell stated that it will be mobile to go to other events.

- E. Consider approving an ordinance to amend the Riders Schedule to include Riders 11, 15, and 16 that include the REPS charge, Non-renewable energy generation avoided cost credit, and Renewable energy generation avoided cost credit as part of our Supplemental Power Sales Agreement with NCMPA1. (Leis)**

Smith stated that these riders are done every year. Two are credit and one is a slight cost. The cost for residents is 87 cents and the credits are less than 5 cents each for residential. We are required to do this every year. Council agreed that if staff can figure a way to go around bringing this to them every year then Staff could approve this on their own.

- F. Consider approving the demolition of remaining structure walls at 226 West Sharpe Street. (Sigmon)**

Sigmon stated that the property owner would like to demolish the remaining structure. DRC recommended approval of the demolition. There are a couple conditions. This must come to council because it was in the downtown.

Mayor Kutteh asked if this could be repaired. Sigmon stated no.

- G. Consider passing a resolution directing the City Clerk to investigate a petition of annexation, AX25-04 Dairi-O, filed by Mr. Scott Frye for the four parcels located along Turnersburg Highway between Harbor Freight and Fairview Baptist Church, receive the City Clerk's Certificate of Sufficiency, and consider passing a resolution fixing a date of July 14, 2025, for a public hearing for the petition of annexation. (Kirkendall)**

Mayor Kutteh stated that these properties are next to Harbor Freight. It is proposed to be a Dairio. Council was excited about this possible development.

- H. Consider authorizing a design-build contract for Phases 3 & 4 of the Municipal Operations Center Project. (Harrell)**

Harrell stated that the project is following the Phase 1&2. The first phases are getting their final inspections. This is a design build contract like Fire Station 1. This contract is for the first two steps for the design and updating the site master plan. There will be the guaranteed maximum price. The contract cost is \$1.5 million. There will be a budget amendment after July 1 to move the funds into the project fund which is just an

administraive matter. The current contractor won the bid is the same one that did Phase 1 and 2.

I. Consider approving Budget Amendment #2025-23 to transfer funds from Capital Outlay Equipment to Surface Transportation Block Grant Direct Attributable Funds (STBG-DA). (Ashley)

Kirkendall stated that we accounted for this in the budget but we just need to move the funds to the project fund.

Mayor Kutteh asked if this project is under construction. Harrell stated that this is one of the final steps to get the project out for bid. Mayor Kutteh stated that the process has been in the works for years.

REGULAR AGENDA

IX. Conduct a public hearing and consider passing the first reading of a Rezoning Request ZC25-06; for the properties located along Turnersburg Highway. (Kirkendall)

Mayor Kutteh stated that this is the same project that we are annexation in the consent agenda. Kirkendall stated that it is Iredell Water territory.

Smith stated that Dario is coming in at a tough place and there is going to be an expansion and traffic light. This project got pushed to 2030. We are investigating the TIA. Bridges stated that there will be a signal warrant analysis.

X. Conduct a public hearing and consider passing the first reading of TA25-02 Shopping Center Signs Text Amendment to the Unified Development Code filed by the City of Statesville to amend Article 6 Development Standards, Section 6.07 Sign Regulations, Section C. Definitions, Table 6-13: Permitted Sign Standards by Zoning District and I. Exempt Signs. (Ashley)

Mayor Kutteh stated that this is a text amendment to amend the signs for the shopping centers. This is a modernization of the code. This brings signs to current standards.

XI. Receive the West Front Street & Monroe Street Area Wide Plan. (Pierce)

Pierce stated that the city received funding to review Brownfield sites. The Land Development Plan calls for small area plans for these areas. This plan drills down what is possible in these areas There are recommendations in the plan. I would review sections 4 and 7. The Planning Board approved the plan unanimously. 700 letters went out to the plan.

Council member Allison is concerned about the industrial places parking trucks near the residential.

XII. Consider appointing one member to the Statesville Regional Airport Commission. (Ferguson)

Mayor Kutteh stated that there are many good candidates in the packet. He stated that the council should consider some term limits on the boards and commissions.

Council Member J. Johnson stated that Mr. Bullins is doing a good job on the commission.

XIII. Consider determining how to and appointing one member to the Downtown Statesville Development Corporation Board. (Pierce)

Pierce stated that we need to decide if we want to appoint a council member, ask the city manager to appoint someone, or open to the public. The first two options are ideal because of the timing.

Mayor Kutteh stated that he would think it would be difficult to appoint someone on Monday night.

Council Member Jones stated that it could be similar to other council appointment boards. This position will be a voting member of the board. I do not know why we would do it any different than the other boards. The Mayor should do it like other boards.

Mayor Kutteh asked if we want to have council intent on the board. Council Member Jones and Council Member Wasson stated that it should be a council member. Council Member Allison stated that it should be a citizen.

Council Member Jones stated that there are a majority of the people on the board are citizens. Pierce stated that there are 20 individuals on the board.

Smith stated that it should be a council member. Staff are already represented by Matthew and Richard. There is limited value on adding another staff member. They struggle with getting citizen representation from downtown. Council Member could have direct knowledge of Downtown.

Council Member Allison stated that it should be someone who is open minded.

XIV. Consider approving the resolution creating an Affordable Housing Special Revenue Fund and Policy. (Pierce)

Pierce stated that the City Attorney created a draft policy that would allow the sale of City lands and other revenues as identified to be put in a special revenue fund to be used for affordable housing. The suggestion is that every expenditure qualify as the match for the HOME funds. Therefore, no additional funding will be needed. We have taken out the set asides for industrial and downtown. Whatever property comes forward, the council can designate the revenue to the special revenue fund.

Council Member Wasson stated she is excited to see properties we can sell.

Council Member Allison asked how the funds will be used. Messick stated the funds will be approved by the Council by resolution on a case by case basis.

XV. City Manager's Report (only at the Regular Meeting)

XVI. Advisory Boards Meeting Minutes

1. Community Appearance Commission Meeting Minutes, March 18, 2025
2. Community Appearance Commission Meeting Minutes, April 8, 2025
3. ABC Board Meeting Minutes, April 22, 2025
4. Planning Board Meeting Minutes, May 27, 2025

XVII. Other Business

Council Member J. Johnson stated that the home at 5 points has been taken down. Council Member Jones stated that condemnation is supposed to be finished at the end of this month. The project is funded, approved and ready to go.

Chief Onley is providing an overview of Saturday. Onley stated that there is a No Kings Protest in downtown. There could be counter protests to the protest. There will be staff at City Hall staging. PD will also be at the Statesville Housing Authority event. The permit is from 11 AM to 1 PM.

XVIII. Closed Session (After Pre- Agenda)

Mayor Kutteh called for a motion to go into closed session for an economic development issue. Council Member Wasson made a motion to go into closed session. Council Member Allison seconded the motion. The motion passed unanimously.

Coming out of Closed Session, Mayor Kutteh stated that there was an economic development issue discussed, and no decisions were made.

XIX. Adjournment

Council Member Hudson made a motion to adjourn. Council Member J. Johnson seconded the motion. The motion passed unanimously.

Emily Kurfees, City Clerk

Constantine H. Kutteh, Mayor

MINUTE BOOK 31, PAGE
STATESVILLE CITY COUNCIL REGULAR MEETING MINUTES – June 16, 2025
CITY HALL – 227 S. CENTER STREET, STATESVILLE, NC – 6:00 P.M.

Council Present: Mayor Kutteh presiding, Jones, Lawton, J. Johnson, Wasson, Hudson, Pearson, S. Johnson, Allison, S. Johnson

Council Absent:

Staff Present: Ron Smith, Messick, E. Kurfees, Bridges, Hubert, Griggs, Vaughan, Kirkendall, Pierce, Nesbit, Bell, Harrell, Leis, Dunford, Gregory, Griffin, Ferguson, Sigmon

I. Call to Order

Mayor Kutteh called the meeting to order.

II. Invocation

The City Clerk led the invocation.

III. Pledge of Allegiance

Mayor Kutteh led the Pledge of Allegiance.

IV. Adoption of the Agenda

Mayor Kutteh stated that there was no changes to the agenda.

Council Member Allison made a motion to approve the agenda. Council Member Lawton seconded the motion. The motion passed unanimously.

V. Code of Ethics and Front and Center Strategic Plan

Mayor Kutteh stated that the council members strive to live by the code of ethics.

VI. Presentations & Recognitions

1. SFD 2025 Hazmat Competition

Chief Bell brought up the three members of the Hazmat Team who competed in the challenge. The team won third place in the competition. The members of the team included Captain Eddy Harpe, Lieutenant Bryan Morris, and Firefighter Travis Adkins

2. Waste & Recycling Workers Week Proclamation

Mayor Kutteh read the proclamation into the record and brought the sanitation team up to receive the proclamation.

3. Hospice & Palliative Care of Iredell County Family Bereavement Center Presentation

Leigh Ann Darty from the Hospice and Palliative Care discussed the family bereavement center. She discussed a grief camp that they are currently serving in. She stated that this center will be able to serve the entire family in the grief they have, especially children.

Mindy Rice from the Hospice and Palliative Care discussed that there is no other county in the region that has a grief center like this. She requested for the City to donate to the Family Bereavement Center. It will cost a total of \$5 million.

Council Member Allison asked how people get services. Leann stated that the staff refer the individual to the service.

VII. Public Comment

Matt Sin, 631 Frier Tuck Road, spoke against the new Senate Bill 205. He discussed the tragic events in Minnesota and stated that politics should be nonviolent.

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- E. Consider approving an ordinance to amend the Riders Schedule to include Riders 11, 15, and 16 that include the REPS charge, Non-renewable energy generation avoided cost credit, and Renewable energy generation avoided cost credit as part of our Supplemental Power Sales Agreement with NCMPA1. (Leis)**
- F. Consider approving the demolition of remaining structure walls at 226 West Sharpe Street. (Sigmon)**
- G. Consider passing a resolution directing the City Clerk to investigate a petition of annexation, AX25-04 Dairi-O, filed by Mr. Scott Frye for the four parcels located along Turnersburg Highway between Harbor Freight and Fairview Baptist Church, receive the City Clerk's Certificate of Sufficiency, and consider passing a resolution fixing a date of July 14, 2025, for a public hearing for the petition of annexation. (Kirkendall)**
- H. Consider authorizing a design-build contract for Phases 3 & 4 of the Municipal Operations Center Project. (Harrell)**

- I. **Consider approving Budget Amendment #2025-23 to transfer funds from Capital Outlay Equipment to Surface Transportation Block Grant Direct Attributable Funds (STBG-DA). (Ashley)**

Council Member Allison made a motion to approve the consent agenda, and Council Member Wasson seconded the motion. The motion passed unanimously.

REGULAR AGENDA

- IX. **Conduct a public hearing and consider passing the first reading of a Rezoning Request ZC25-06; for the properties located along Turnersburg Highway. (Kirkendall)**

Kirkendall stated that this rezoning case from R-10 to B-4. The parcels are located in the City Limits. City power and sewer will be serving the site. He stated that this is not a conditional rezoning so the developers are not tied to the site plan. Staff recommends approval of the request because it is in Tier 1 growth area.

Mayor Kutteh declared the public hearing open. Hearing no one came to speak, he closed the public hearing.

Council Member Allison made a motion to pass the first reading of the rezoning request. Council Member Lawton seconded the motion and read the consistency statement into the record.

The zoning amendment is approved and is consistent with the City's comprehensive land use plan, is reasonable, and in the public interest because: The 2045 Land Development Plan projects this parcel as suitable for development as Activity Center which includes commercial uses such as a restaurant. These parcels are within the ETJ, Tier 1 Growth Area, and utilities are available.

The motion passed unanimously.

- X. **Conduct a public hearing and consider passing the first reading of TA25-02 Shopping Center Signs Text Amendment to the Unified Development Code filed by the City of Statesville to amend Article 6 Development Standards, Section 6.07 Sign Regulations, Section C. Definitions, Table 6-13: Permitted Sign Standards by Zoning District and I. Exempt Signs. (Ashley)**

Ashley stated that this text amendment is for shopping center signs. There are 3 new definitions going to be added to the code. She reviewed the updated sign table. These increased sign size will be for larger shopping centers. She stated that signs are subjective to each jurisdiction. Staff recommendation is to approve the text amendment. This sign change may encourage more multi-tenant shopping centers.

Mayor Kutteh opened the public hearing. Hearing none, he closed the public hearing.

Council member Wasson made a motion to approve the text amendment with the planning board recommendation. Council Member Allison seconded the motion. Council Member Wasson read the consistency statement into the record.

The text amendment is approved and is consistent with the City's comprehensive land use plan, is reasonable, and in the public interest because: Increasing the size and height of the free-standing sign for shopping centers would provide more visibility and allow more space for multi-tenants. The increase in size could encourage new commercial development and re-development of existing commercial areas. It could also make the city more competitive with other jurisdictions.

Council Member S. Johnson asked about the non-conformity issues. Ashley stated that the sign would be grandfathered in until the sign wanted to change.

Mayor Kutteh called for a vote on the motion. The motion carried unanimously.

XI. Receive the West Front Street & Monroe Street Area Wide Plan. (Pierce)

Pierce stated that this plan was funded by the Brownfield's grant. These areas were chosen because of the historic manufacturing located in the area. The document contains several key sections: what is there now and what challenges would face for redevelopment. Pierce stated that there is a market analysis included in the plan. The consultants stated that bringing in the jobs and homes will help the area. He stated that the plan creates a more walkable area.

Pierce discussed the Monroe Street plan and how the residential and industrial should be separate.

Council Member S. Johnson stated that there needs to be a buffer between the residential and the industrial.

Council Member Allison asked about the code enforcement and the trucks on Monroe Street. Ashley stated that the code enforcement officers are working on this area.

Council Member Jones asked about the areas and opportunity zones and what impact that would have to the plan. Pierce stated he will reach out to the consultant about that impact.

Council Member S. Johnson stated that parking in the rear may not be good for some type of businesses.

The business owner who purchased the lumber yard stated that the plan shows housing in that area. Pierce stated that the housing was a part of the public engagement event. The business owner stated that they want to expand but the city may have made it impossible because of the buffer and sidewalk.

XII. Consider appointing one member to the Statesville Regional Airport Commission. (Ferguson)

Mayor Kutteh stated that we need to appoint one member to the Airport Commission.

Council Member J. Johnson nominated David Bullins. Council Member S. Johnson seconded the motion. The motion passed unanimously.

XIII. Consider determining how to and appointing one member to the Downtown Statesville Development Corporation Board. (Pierce)

Pierce stated that we need to appoint one person to the DSDC board. The DSDC board is made up of 20 community members, including this person. Each person is elected to a 3 year term. Ideally, members of the board are engaged and wants to improve downtown. The City wants to appoint someone because of the closer alignment with DSDC. The Plan of Work needs to be discussed to ensure Council priorities are included. The position requires two key meetings a month. There will be training and requested participation in downtown events. There are 3 options: Council to appoint one of their own, City Manager to appoint a staff member, and the Clerk to advertise and receive applications.

Council Member Pearson asked if Ron had the staff member to attend the board meetings. Smith stated that we could have a staff member sit on the board and participate; however, he believes staff is already represented by the Executive Director.

Council Member Allison would like to get the public more involved and receive applications.

Council Member S. Johnson stated that the council should have more direct control over managerial of the DSDC. Smith stated that he would have enough say over the staff.

Robertson stated that the other 19 members of the board are involved citizens. A member of council, staff, and administration attended the previous board meeting, and the board was able to resolve the issues. Robertson requests that a member of the council be on the appointed individual to the board to allow DSDC to get their direct input.

Council Member Jones would like the Mayor or a council member to be a part of the board. He believes it is helpful, as an example when the council members on the Airport Commission discuss budgetary requests.

Council Member Allison believes a member of the public would be the best.

Council Member Hudson stated that there are advantages for a council member to be on the board.

Council Member Wasson stated that it should be a council member on the board. She made a motion for it to be a council member. Council Member Hudson seconded the motion.

Council Member Jones asked how we should select a member. He stated that the election terms and other things may be difficult for it to be a council member. Council Member Jones stated the Mayor should appoint a member to the board.

Mayor Kutteh called for a vote on the motion

**Aye: S. Johnson, Pearson, Hudson, Lawton, J. Johnson, Jones, Wasson
Nays: Allison**

The motion passed 7 to 1.

Mayor Kutteh stated that the manager can send a request for members who would be interested and we will try to appoint someone at the next meeting.

XIV. Consider approving the resolution creating an Affordable Housing Special Revenue Fund and Policy. (Pierce)

Pierce stated that the purpose of this fund is to assist partners in the development and maintenance of Affordable Housing that qualify for HOME Fund matches. The match is determined by law. This is a third party reimbursement fund. The City will not be building affordable housing.

Council Member Hudson asked who will take this project over. Smith stated that the Planning Department may be the perfect candidate.

Council Member Jones stated that he is in favor of the policy. He wanted to make sure he understands the exceptions of the policy.

Council Member Lawton asked some questions about how the funds can be used.

Council Member S. Johnson stated that the HOME funds balance and he is against the policy. Smith stated that he had a meeting with the housing authority today.

Council Member Wasson stated that we need a meeting to discuss the measurables with the Housing Authority.

Council Member Jones stated that we are discussing different things. He recommends postponing on voting on this until the SHA discussion is complete to the date certain on July 14. Council Member Allison seconded the motion.

Council Member Wasson stated that this has been postponed three times and she wants to discuss this.

Council Member Lawton stated that she would not be here at the next meeting and would like to be apart of the discussion.

Mayor called for a voter on the motion

Ayes: Wasson, Jones, Allison, Pearson, Hudson

Nays: J. Johnson, Lawton, S. Johnson

The motion passed 5 to 3.

XV. City Manager's Report (only at the Regular Meeting)

There was no report given.

XVI. Advisory Boards Meeting Minutes

1. Community Appearance Commission Meeting Minutes, March 18, 2025
2. Community Appearance Commission Meeting Minutes, April 8, 2025
3. ABC Board Meeting Minutes, April 22, 2025
4. Planning Board Meeting Minutes, May 27, 2025

XVII. Other Business

Mayor Kutteh stated that the police groundbreaking happened today.

XVIII. Closed Session (After Pre- Agenda)

XIX. Adjournment

Council Member Allison made a motion to adjourn the meeting. The motion was seconded by Council Member Lawton. The motion passed unanimously.

Emily Kurfees, City Clerk

Constantine H. Kutteh, Mayor

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Matthew Kirkendall, Senior Planner
DATE: 7/3/2025 11:42 AM

ACTION NEEDED ON: July 14, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider passing the second reading of a Rezoning Request ZC25-06; for the properties located along Turnersburg Highway.

1. Summary of Information:

The rezoning request, initiated by Mr. Scott Frye, on behalf of Dairi-O, for the properties located along Turnersburg Highway between Harbor Freight and Fairview Baptist Church (approximately 2.183 acres). The request is to rezone the lots from R-10 (Urban Low Density Residential) District to B-4 (Highway Business) District (see attached Location Map, Aerial Map and Site Photos).

This is a straight rezoning; therefore, a concept plan is not required. The property is outside the city limits but in the ETJ (Extra-Territorial Jurisdiction). The applicant intends to construct a Dairi-O Restaurant with a drive through and dining in area

The purpose of the B-4 (Highway Business) District is to accommodate general and automobile oriented commercial businesses. The site will be served by Iredell Water Corporation. Statesville Public Power can serve this site and the City will provide sewer (see attached Zoning and Utilities Map). The 4th Creek Wastewater Treatment Plant is at an allocation of 71.4%.

The surrounding zoning districts and land uses are as follows:

North of the Site: R-10 (Urban Low Density Residential) District, with Fairview Baptist Church.

East of the Site: O+I - 2 (Office and Institutional Complex) District, with Iredell County Health Department across Turnersburg Highway,

South of the Site: B-4 (Highway Business) District with Harbor Freight and the North Pointe shopping center.

West of the Site: R-10 (Urban Low Density Residential) District with a heavily wooded site.

2. Previous Council or Relevant Actions:

City Council held the public hearing at the second meeting in June. No one from the public spoke. Council passed the first reading unanimously.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A
Connecting Our City: N/A
Connecting Our Communities: N/A
Strategic Plan Values: N/A

These parcels are within the ETJ, Tier 1 Growth Area, and utilities are available.

4. Budget/Funding Implications:

The current tax value of the parcels is \$70,000. City of Statesville Sewer and Statesville Public Power are available. The estimated tax value at full buildout is to be approximately \$3,000,000. The Fourth Creek WWTP is at 71% capacity.

5. Consequences for Not Acting:

Without rezoning, the parcels would be able to be developed under the current residential zoning. Non-residential development would not be permitted.

6. Department Recommendation:

The department recommends passing the second reading of the rezoning request.

7. Manager Comments:

Recommend approving second reading.

8. Next Steps:

If approved, the rezoning will be approved as of July 14, 2025.

9. Attachments:

1. Ordinance & Consistency Statements ZC25-06 Dairi-O

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF THE AFTER DESCRIBED PROPERTIES FROM R-10 (URBAN LOW-DENSITY SINGLE-FAMILY RESIDENTIAL) DISTRICT TO B-4 (HIGHWAY BUSINESS) DISTRICT.

ZC25-06

**Turnersburg Highway, Statesville, NC
Iredell County Tax Map Parcel #'s 4745-38-6675, 4745-38-7717,
4745-38-7826, and 4745-38-7955**

WHEREAS, A NOTICE TO THE GENERAL PUBLIC AND PARTICULARLY THE CITIZENS OF THE CITY OF STATESVILLE'S PLANNING JURISDICTION WAS DULY GIVEN, notifying them of a public hearing to be held on June 16, 2025 at 6:00 p.m. in the Council Chambers at City Hall, 227 South Center Street, Statesville, North Carolina, for the purpose of considering a proposed ordinance to change the zoning classification of the after described properties from R-10 (Urban Low Density Residential) District to B-4 (Highway Business) District; said notice having been published in the Statesville Record and Landmark, a newspaper having general circulation in this area on June 5, 2025 and June 12, 2025, all in accordance with the procedure set forth in N.C.G.S. 160D-601; and

WHEREAS, said public hearing was duly held in accordance with law, and all persons present were given an opportunity to be heard on said proposed ordinance prior to any action being taken thereon by the City Council;

NOW, THEREFORE, BE IT ORDAINED, that the zoning classification of the after described properties be changed as particularly set out below, said property being more particularly described as follows:

Description

All that certain piece, parcel or tract of land lying and being in the Bethany Township, Iredell County, North Carolina and being a recombination of Lots 16-25 of Plat Book 1 Page: 129. Either now or formerly known as in instruments recorded in Db: 1020, Pg: 963, Db: 3056 Pg: 1000, Db: 3026, Pg: 926, Db: 3030 Pg: 618, Db: 3029 Pg: 1620, Db: 3027 Pg: 923, Db: 2963 Pg: 1626, Db: 3031 Pg: 1233

Beginning at a NCDOT Right of Way Disc, having SPC NCNAD83/2011 coordinates of: Northing: 758984.34 (sft), Easting: 1443838.65 (sft), said disc being located on the western intersection of US Highway 21 and Elmridge Drive, thence following the southern right of way of NCDOT Project U-5799 and Elmridge Drive for the following five bearings and distances: (I) **North 54°09'03" West a distance of 68.90 feet** to a NCDOT Right of Way Disc, (II) On a curve to the left, having a **radius of 330.00**, and chord bearing and distance of: **South 68°31'42" West a distance of: 63.12 feet** to an iron pipe set, (III) **South 62°44'48" West a distance of 20.85 feet** to an iron pipe set, (IV) on a curve to the right with a **radius of 350.00 feet, and a chord bearing and distance of: South 70°06'49" West a distance of 89.79 feet** to an iron pipe set, (V) **South 77°30'16" West a distance of 36.63 feet** to an iron pipe set, thence leaving said right of way and following the eastern 20' alley way of Harbor Drive, also being the western property line of Lots 16-25, Plat Book 1, Page 129, for the following four bearings and distances: (I) **South 03°35'16" West a distance of 150.26 feet** to an iron pipe set, (II) **South 02°04'21" West a distance of 49.47 feet** to an iron pipe set, (III) **South 01°42'18" West a distance of 135.03 feet** to an iron pipe set, (IV) **South 01°39'26" West a distance of 33.12 feet** to an iron pipe set, said corner being the northwestern point of Agree LTOP, either now or formerly known as in instrument recorded in Deed Book 2951 Page 1897, and Plat Book 76 Page 49, thence following the northern line of said property, **South 88°43'09" East a**

distance of 194.31 feet to an iron pipe set, said corner being located on the western right of way of US Highway 21, NCDOT Project U-5799, thence following said right of way for the following five bearings and distances: (I) **North 01°12'08" East a distance of 19.05 feet** to a NCDOT Right of Way Disc, (II) **North 51°24'18" East a distance of 34.75 feet** to a NCDOT Right of Way Disc, (III) **North 07° 30'11" East a distance of 121.19 feet** to an iron pipe set, (IV) **North 07°30'13" East a distance of 199.73 feet** to an iron pipe set, (V) **North 07°30'40 East a distance of 44.07 feet** to a NCDOT Right of Way Disc, being the place and point of beginning.

The rezoning metes and bounds description above contains 2.18 Acres more or less as shown of that certain survey for Dairio's LLC, being prepared by Sgroi Geomatics, PLLC dated April 14th, 2025.

Addresses: Turnersburg Highway, Statesville, NC

This ordinance was introduced for first reading by Councilmember _____, seconded by Councilmember _____, and unanimously carried on the 16th day of June, 2025.

Ayes:

Nayes:

The second and final reading of this ordinance was heard on the 14th day of July, 2025 and upon motion of Councilmember _____, seconded by Councilmember _____, and unanimously carried, was adopted.

Ayes:

Nayes:

This ordinance is to be in full force and effect from and after the 14th day of July, 2025.

CITY OF STATESVILLE

Constantine H. Kutteh, Mayor

APPROVED AS TO FORM:

By: _____
City Attorney

ATTEST:

City Clerk



To: Statesville City Council

From: Matthew Kirkendall, Senior Planner

Date: June 16, 2025

Subject: Rezoning

Case: ZC25-06 Dairi-O

Address: Properties located along Turnersburg Highway,
PIN #'s 4745-38-6675, 4745-38-7717, 4745-38-7826, and 4745-38-7955

- ☒ The zoning amendment is **approved** and is consistent with the City's comprehensive land use plan, is reasonable, and in the public interest because: The 2045 Land Development Plan projects this parcel as suitable for development as Activity Center which includes commercial uses such as a restaurant. These parcels are within the ETJ, Tier 1 Growth Area, and utilities are available.
- ☐ In addition to **approving** this zoning amendment, this approval is **also deemed an amendment to the City's comprehensive land use plan**. The changes in conditions the Planning Board has taken into account in amending the zoning ordinance to meet the development needs of the community are as follows:
- ☐ The zoning amendment **is rejected because it is inconsistent with the City's comprehensive land plan** and is not reasonable and in public interest because:

Date: Constantine H. Kutteh, Mayor

Date: Matthew Kirkendall, Senior Planner

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Sherry Ashley, Planning Director
DATE: 7/3/2025 11:42 AM

ACTION NEEDED ON: July 14, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider passing the second reading of TA25-02 Shopping Center Signs Text Amendment to the Unified Development Code filed by the City of Statesville to amend Article 6 Development Standards, Section 6.07 Sign Regulations, Section C. Definitions, Table 6-13: Permitted Sign Standards by Zoning District and I. Exempt Signs.

1. Summary of Information:

This request is initiated by city staff for text amendments to the Unified Development Code (UDC) to update the city's sign ordinance in regard to Shopping Centers. The proposed amendments are to Article 6. Development Standards, Section 6.07 Sign Regulations (see proposed ordinance). The changes are highlighted, underlined and stricken through.

Evaluation

Staff has received several inquiries to increase the size and height of Shopping Center Signs due to several factors. These include size of Shopping Centers, number of tenants (not including out-parcels), and proximity to the interstates. Complaints that monument signs, 12 ft. tall, are hard to see and are not proportional to the size of the shopping center.

Currently our UDC does allow Shopping Center Signs. They are limited to 120 sq. ft., 12 ft. in height and must be a monument type sign.

Staff has researched other jurisdictions, and they allow a variety of larger, taller signs for Shopping Centers. Therefore, staff proposes increasing the size from 120 sq. ft. to 200 sq. ft. and increasing the height from 12 ft. to 32 ft. for a freestanding sign. If the shopping center has frontage along the interstate, the freestanding sign can be replaced with an Interstate Vicinity Sign (up to 200 sq. ft. and 65 ft. in height). In addition, staff is proposing to define a directional sign, multi-tenant structures outside of a shopping center (i.e. strip center), and a shopping center.

One major change with this proposed text amendment is that it would not allow out-parcels to have Interstate Vicinity Signs, only monument signs.

2. Previous Council or Relevant Actions:

City Council held the public hearing at the last meeting. No one from the public spoke. The first reading passed unanimously.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A
Connecting Our City: N/A
Connecting Our Communities: N/A
Strategic Plan Values: We value Quality and Creativity

Changing the sign section in the code will allow the city to be more competitive for multi-tenant shopping centers.

4. Budget/Funding Implications:

There are no budget implications based on this request other than the newspaper notice.

5. Consequences for Not Acting:

The current requirements for shopping center signs would remain intact.

6. Department Recommendation:

Increasing the size and height of the free-standing sign for shopping centers would provide more visibility and allow more space for multi-tenants. The increase in size could encourage new commercial development and re-development of existing commercial areas. It could also make the city more competitive with other jurisdictions. Therefore, staff recommends approval of the text amendment to the Unified Development Code as presented.

7. Manager Comments:

Recommend approving the second reading.

8. Next Steps:

If approved, the text amendment will go into affect on July 14, 2025.

9. Attachments:

1. Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE, ARTICLE 6. DEVELOPMENT STANDARDS, SECTION 6.07 SIGN REGULATIONS, SECTION C. DEFINITIONS, TABLE 6-13: PERMITTED SIGN STANDARDS BY ZONING DISTRICT, AND I. EXEMPT SIGNS

**TA25-02
Shopping Center Signs**

WHEREAS, council would like to encourage new commercial development and re-development of existing commercial areas by making them more visible and attractive; and

WHEREAS, this can be accomplished by updating the city's sign ordinance by amending the Unified Development Ordinance to update the requirements for Shopping Center Signs in the B-3, B-4, and B-5 Zoning Districts; and

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Statesville that Article 6. Development Standards, Section 6.07 Sign Regulations be amended as follows:

- **Amend Article 6 Development Standards, Section 6.07 Sign Regulations, C. Definitions to add new terms as follows:**

Directional Sign shall mean a sign that is designed to guide or direct to a specific path, location, or destination with arrows or words.


Shopping Center shall mean a group of commercial businesses planned and developed with coordinated parking, service areas, and shared access.

Multi-tenant structures in commercial zoning districts shall mean a structure containing more than one (1) commercial business.

- **Amend Article 6 Development Standards, Section 6.07 Sign Regulations, Table 6-13: Permitted Sign Standards by Zoning District as follows:**

Table 6-13: Permitted Sign Standards by Zoning District

Zoning District	Type of Sign	Structural Type	Maximum Number of Signs	Maximum Sign Area	Maximum Height	Additional Regulations
B-3, B-4, B-5	On-premises sign	Monument sign (See Section S. regarding signs for	1 per street frontage,	120 sq. ft. Shopping	8 ft. monument, may be	Permit required. 5 ft. minimum

		Houses or Worship, School and Daycares Centers)	additional signs may be allowed at a rate of 1 per 500 feet of street front	Center Signs Multi-tenant structure	increased by 1 fr. For each additional 5 ft. of setback up to 12 ft. in height	setback from right of-way. Internally or externally illuminated
	Out-parcel located on a parcel of land divided as a separate parcel which is located within a shopping center or on an individual lot	Monument	1 per lot	32 sq. ft.	6 ft.	Permit required. 5 ft. minimum setback from right-of-way. Internally or externally illuminated.
Shopping Centers	On-premises	Freestanding Sign (excludes out-parcel signs) Example: 	1 per street front except may be replaced with Interstate Vicinity Sign if applicable	200 sq. ft.	32 ft.	Permit Required, 5 ft. setback. Internally or externally illuminated

	<u>On-premise</u> <u>Out-parcel(s)</u>	<u>Monument Sign</u> <u>Example:</u> 	<u>1 per lot</u>	<u>32 sq. ft.</u>	<u>6 ft.</u>	<u>Permit Required, 5 ft. setback, Internally or externally illuminated</u>
	<u>On-premise</u>	<u>Directional Sign</u> <u>Example:</u> 		<u>4 sq. ft.</u> <u>12 sq. ft.</u>	<u>4 ft.</u>	<u>No permit</u>
	<u>On-premise</u>	<u>Wall Sign</u>	<u>Any number not to exceed sign area</u>	<u>10% of facade</u>		<u>Permit Required</u>

- Amend Article 6 Development Standards, Section 6.07 Sign Regulations, I. Exempt Signs. 5. Directional Signs as follows:

5. Directional Signs

On-premise, directional signs containing no commercial message visible from an abutting street, provided that they do not exceed twelve (12) four (4) square feet per sign face or four (4) feet in height.

This ordinance was introduced for first reading by Council member _____, seconded by Council member _____, and unanimously carried on the _____ day of _____, 2025.

AYES:

NAYS:

The second and final reading of this ordinance was heard on the _____ day of _____, 2025, and upon motion of Council member _____, seconded by Council member _____, and unanimously carried, was adopted.

AYES:

NAYS:

This ordinance is to be in full force and effect from and after the _____ day of _____, 2025.

CITY OF STATESVILLE

Constantine H. Kutteh, Mayor

APPROVED AS TO FORM

Leah Gaines-Messick, City Attorney

ATTEST:

Emily Kurfees, City Clerk

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: William E. Vaughan, DPA, PE
DATE: 7/7/2025 10:30 AM

ACTION NEEDED ON: July 14, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approving the Budget Amendment #2026-01 for the Waterline Replacement Project Additive Bid.

1. Summary of Information:

- The waterline replacement project has begun construction of the base bid (\$19,314,146).
- American Rescue Plan (ARP) funds (\$20,000,000) were approved for the project and have been utilized for project programmatic costs (design, base bid award, etc.).
- COS identified additional programmatic funds via loan to allow the execution of the project's alternative bid. The indebtedness action was approved by the Local Government Council (LGC) on June 3rd. Notification from Banc of America Leasing & Capital, LLC was received on June 13th that funds in the amount of \$3,202,746 "have been released" and confirmed.

2. Previous Council or Relevant Actions:

- The Council awarded the construction project to State Utility Contractors and authorized execution of the base bid of \$19,314,146. The alternative bid of \$3,937,953 was awarded contingent upon the identification of funds (total construction cost \$23,252,099).
- Budget amendment 2025-14 (\$3,202,746) made sufficient programmatic funds available for the award of the base bid.
- Staff issued the Notice-of-Award on 27 January 2025 (base bid and alternate bid) for \$23,252,099. Notice-to-Proceed for the base bid work was also issued on January 27th.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: Invest in services and critical public infrastructure to align with land use plan goals and accommodate future growth citywide.

Connecting Our Communities: N/A

Strategic Plan Values: We value Engagement.

This project allows us to update our main waterline through the City.

4. Budget/Funding Implications:

Increase to debt service.

5. Consequences for Not Acting:

The city will not be able to execute the additive bid portion of the project, shorting the project from

Amity Hill Road to Iredell Memorial Gardens. This portion of the project ameliorates the water supply to the southwest and accommodates current and future development in the environs of Hill Haven Road, Wallace Springs Road, and Arey Road. Bulk water capacity at the Troutman interconnect will also be negatively affected.

6. Department Recommendation:

Approve Budget Amendment 2026-01 for alternative bid award (\$3,937,953).

7. Manager Comments:

Recommend for approval.

8. Next Steps:

- Execute BA 2026-01 (\$3,937,953).
- Execute a change order in the amount of \$3,937,953 to PO 25-00981 for the additive bid work.
- The City Manager executes a change order to the construction contract adding the additive bid work.
- Issue the Notice-to-Proceed for the additive bid work.

9. Attachments:

1. BA #2026-01 Waterline Spline Project

CITY OF STATESVILLE
BUDGET AMENDMENT #2026-01
July 14, 2025
FISCAL YEAR 2025-2026

FUND / ACCOUNT #	ACCOUNT TYPE	DESCRIPTION	CURRENT BUDGET	CHANGE (+ / -)	AMENDED BUDGET
Water & Sewer Fund					
550.0000.399.00.00	Revenue	Appropriated Fund Balance	9,691,539	3,937,953	13,629,492
Total Revenues			<u>9,691,539</u>	<u>3,937,953</u>	<u>13,629,492</u>
550.5582.81.00	Expense	Transfer to Other Funds		3,937,953	3,937,953
Total Expenditures			<u>-</u>	<u>3,937,953</u>	<u>3,937,953</u>
Waterline Replacement Project Fund					
563.0000.395.31.00	Revenue	Transfers from Water & Sewer Fund	-	3,937,953	3,937,953
Total Revenues			<u>-</u>	<u>3,937,953</u>	<u>3,937,953</u>
563.8244.45.01	Expenditure	Contracted Serv-Genreal	20,042,146	3,937,953	23,980,099
Total Expenditures			<u>2,670,800</u>	<u>3,937,953</u>	<u>6,608,753</u>

DESCRIPTION: To appropriate \$3.9M toward the \$20M ARPA Grant funded Watermain Project Fund to accommodate the increased costs.

Budget Officer

APPROVED BY CITY COUNCIL:

City Clerk

Cynthia E Dunford

Chief Finance Officer

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Scott Harrell, PE, Assistant City Manager
DATE: 7/7/2025 10:29 AM

ACTION NEEDED ON: July 14, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approving Budget Amendment No. 2026-02 to transfer funds from the FY2026 Operating Budget into the Municipal Operations Center (MOC) Project Fund.

1. Summary of Information:

Funds for the design of Phases 3 & 4 of the MOC project are included in the FY2026 Operating Budget. BA 2026-02 will transfer those funds to the MOC project fund.

2. Previous Council or Relevant Actions:

Council approved the design-build contract with Wharton-Smith, Inc. for Phases 3 & 4 of the MOC project on June 16, 2025.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: Attract and retain a talented, engaged workforce responsive to the needs of our growing community.

Connecting Our City: Invest in services and critical public infrastructure to align with land use plan goals and accommodate future growth citywide.

Connecting Our Communities: N/A

Strategic Plan Values: We value City Staff.

The current MOC facility is an operationally undersized, obsolete, and substandard facility that does not meet current employee safety codes. With the new Statesville Public Power and Fleet Maintenance facilities coming online in 2026, this project will extend the same support to Public Works, Public Utilities, and Stormwater employees as those departments strive to maintain a high level of service amidst unprecedented growth pressures.

This project represents a significant investment in critical public services and infrastructure. It will replace a 1950s-era structure with a modern facility sized and designed to grow with Statesville. Located immediately adjacent to the South Side Neighborhoods redevelopment area and less than 1/2 mile from the new Fire Station 1, it is reflective of the City's continued investment in this area.

4. Budget/Funding Implications:

No new funds are included in this request.

Task 1 services (update master plan) are \$227,567 and Task 2 services (design Phase 3 & 4 structures) are \$1,309,597, for a total design cost of \$1,537,164. Guaranteed Maximum Price (GMP)

for construction will be determined at the completion of Task 2.

The Council previously designated \$500,000 for this project. The remaining funds have been split between the General Fund, Water/Sewer Fund, Stormwater Fund and Electric Fund based on the usage and occupied space within the new facilities.

5. Consequences for Not Acting:

Tracking expenses related to this project will be cumbersome and difficult to reconcile.

6. Department Recommendation:

Staff recommends approving BA 2026-02.

7. Manager Comments:

Concur with the department recommendation.

8. Next Steps:

If approved, staff will process the budget amendment.

9. Attachments:

1. BA #2026-02 Transfers to cover Phase 3 & 4 Design

CITY OF STATESVILLE
BUDGET AMENDMENT #2026-02
July 14, 2025
FISCAL YEAR 2025-2026

FUND / ACCOUNT #	ACCOUNT TYPE	DESCRIPTION	CURRENT BUDGET	CHANGE (+ / -)	AMENDED BUDGET
General Fund					
010.5500.04.00	Expense	Professional Services	410,500	(365,000)	45,500
010.6600.86.02	Expense	Transfers To Municipal Operations Center	-	365,000	365,000
		Total Expenditures	<u>410,500</u>	<u>-</u>	<u>410,500</u>
Water/Sewer Fund					
550.5581.04.00	Expense	Professional Services	324,150	(300,000)	24,150
550.8220.80.10	Expense	Transfers To Municipal Operations Center	-	300,000	300,000
		Total Expenditures	<u>324,150</u>	<u>-</u>	<u>324,150</u>
Public Power					
530.8100.04.00	Expense	Professional Services	530,000	(350,000)	180,000
530.8100.81.00	Expense	Transfers To Municipal Operations Center	1,000,000	350,000	1,350,000
		Total Expenditures	<u>1,000,000</u>	<u>-</u>	<u>1,530,000</u>
Stormwater Fund					
570.8250.04.00	Expense	Professional Services	132,000	(45,000)	87,000
570.8220.XX.XX	Expense		-	45,000	45,000
		Total Expenditures	<u>132,000</u>	<u>-</u>	<u>132,000</u>
Warehouse Operation Center Project					
320.0000.395.10.00	Revenue	Transfers from General Fund	2,250,000	365,000	2,615,000
320.0000.395.30.00	Revenue	Transfers from Public Power	14,900,000	350,000	15,250,000
320.0000.395.20.00	Revenue	Transfer from WaterSewer Fund	275,000	300,000	575,000
320.0000.395.XX.XX	Revenue	Ttansfers from Stormwater Fund	-	45,000	45,000
		Total Revenues	<u>17,425,000</u>	<u>1,060,000</u>	<u>18,485,000</u>
320.5300.04.00	Expenditure	Professional Services	20,042,146	1,060,000	21,102,146
		Total Expenditures	<u>20,042,146</u>	<u>1,060,000</u>	<u>21,102,146</u>

DESCRIPTION: To appropriate \$3.9M toward the \$20M ARPA Grant funded Watermain Project Fund to accommodate the increased costs.

<p>_____ Budget Officer</p> <p>APPROVED BY CITY COUNCIL:</p> <p>_____ City Clerk</p>	<p><i>Cynthia E Dunford</i> _____ Chief Finance Officer</p>
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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: David Onley, Chief of Police
DATE: 7/3/2025 11:43 AM

ACTION NEEDED ON: July 14, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approving an additional officer requested by Iredell-Statesville Schools for a new SRO position.

1. Summary of Information:

Iredell-Statesville Schools (ISS) has requested a full time SRO for East Iredell Elementary School. Currently ISS funds one full time position that divides their daily responsibilities between N.B. Mills School and East Iredell Elementary. ISS Superintendent Jeff James has requested an additional full time SRO to provide full daily coverage to both schools which requires an additional officer position. Salary and benefits would be covered by ISS for 10 months each calendar year requiring 2 months of funding by the City of Statesville.

2. Previous Council or Relevant Actions:

None.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: N/A

Connecting Our Communities: Provide reliable, high-quality public safety to ensure the wellbeing of residents, businesses, and visitors.

Strategic Plan Values: We value Quality and Creativity

The additional officer will provide a higher level of service and security for the Iredell-Statesville School System.

4. Budget/Funding Implications:

The additional position would require funding to cover salary and benefits for 2 months each year.

5. Consequences for Not Acting:

Maintain current posture of dividing SRO services between 2 schools which would most likely result in new position being filled by another agency.

6. Department Recommendation:

Approve additional SRO position and addition of new position to fill that role.

7. Manager Comments:

Recommend for approval.

8. Next Steps:

Once position is approved we will begin searching for new employee while identifying current staff member to fill the SRO role.

9. Attachments:

None.

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager

FROM: Emily Kurfees, City Clerk

DATE: 7/3/2025 10:55 AM

ACTION NEEDED ON: July 14, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approving a resolution to support federal funding for I-CARE.

1. Summary of Information:

Bryan Duncan, the Executive Director of I-CARE requested the City Council consider adopting a resolution in support of federal funding for several vital community-based programs administered by I-CARE, Inc.—including Head Start, Early Head Start, the Low-Income Home Energy Assistance Program (LIHEAP), the Weatherization Assistance Program (WAP), and the Community Services Block Grant (CSBG).

These programs represent strategic, results-driven investments in the well-being and economic mobility of Statesville families. In the past year alone, I-CARE's programs have assisted hundreds of local constituents through early childhood education, energy efficiency improvements, workforce training, tuition assistance, and housing stability supports. The measurable impact includes improved school readiness, increased workforce participation, and greater household self-sufficiency.

At a time when proposed federal budget reductions threaten these services, I-CARE believes that the City's leadership in passing this resolution would send a strong message of support to our congressional delegation and the broader community.

2. Previous Council or Relevant Actions:

N/A

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: N/A

Connecting Our Communities: Promote the development of a range of housing types throughout our community and housing stability for residents.

Strategic Plan Values: We value and encourage Opportunity

Adopting this resolution will show our federal representatives that we support programs that receive these grants, such as housing stability, workforce training, and energy efficiency improvements.

4. Budget/Funding Implications:

N/A

5. Consequences for Not Acting:

Our federal representatives will not know that the City is in support of these programs.

6. Department Recommendation:

Approve the resolution as presented.

7. Manager Comments:

Recommend for approval.

8. Next Steps:

We will have the mayor sign the resolution and forward it to our federal representatives.

9. Attachments:

1. Resolution For I-CARE Funding Support (6-2025)

Resolution Number _____

A RESOLUTION IN SUPPORT OF FULL FEDERAL FUNDING FOR HEAD START, EARLY HEAD START, THE LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP), THE WEATHERIZATION ASSISTANCE PROGRAM (WAP), AND THE COMMUNITY SERVICES BLOCK GRANT (CSBG)

WHEREAS, Head Start and Early Head Start are effective, locally operated, federally funded programs that promote school readiness and healthy development for children from low-income households by providing high-quality early childhood education, health, nutrition, and family engagement supports; and

WHEREAS, the Low-Income Home Energy Assistance Program (LIHEAP) is a trusted federal investment that helps eligible households remain safely housed by offsetting heating and cooling costs during extreme weather—minimizing health risks and economic instability; and

WHEREAS, the Weatherization Assistance Program (WAP) complements LIHEAP by empowering income-eligible households to improve home energy efficiency through cost-saving upgrades such as insulation, air sealing, and HVAC repairs—strategies that also protect health, safety, and long-term housing stability; and

WHEREAS, the Community Services Block Grant (CSBG) is a necessary and accountable federal resource that leverages public-private partnerships to increase opportunity and self-sufficiency for hard-working individuals and aspirational working families through locally designed, results-driven programs; and

WHEREAS, I-CARE, Inc., the trusted Community Action Agency in Iredell County, administers Head Start, Early Head Start, WAP, and CSBG, collectively assisting hundreds of constituents each year through effective, efficient, and responsive programming; and

WHEREAS, during the 2023–2024 program year, the I-CARE Head Start program reported that 69% of participating parents were employed, in job training, or in school—clear indicators of return-on-investment in economic mobility and workforce preparedness; and

WHEREAS, nearly 85% of children entering kindergarten from I-CARE’s Head Start program met school readiness benchmarks, demonstrating measurable outcomes that position children for long-term educational success; and

WHEREAS, LIHEAP and WAP together help protect seniors, individuals with disabilities, and young children in Iredell County from energy insecurity, high utility costs, and unsafe home environments—contributing to public health and community resilience; and

WHEREAS, CSBG supports innovative, performance-based initiatives including job training, postsecondary tuition assistance, youth employment opportunities, home ownership preparation, and wraparound services that empower constituents to move into the middle class; and

WHEREAS, reducing or eliminating federal investment in these programs would undermine local partnerships, limit effective service delivery, and negatively impact community outcomes for thousands of North Carolinians;

NOW, THEREFORE, BE IT RESOLVED, that the Statesville City Council strongly urges the United States Congress to provide full, sustained federal funding for Head Start, Early Head Start, LIHEAP, the Weatherization Assistance Program, and the Community Services Block Grant;

BE IT FURTHER RESOLVED, that the City of Statesville affirms its strong support for these programs as coordinated, community-based investments in early childhood development, energy efficiency, workforce innovation, and upward economic mobility;

BE IT FURTHER RESOLVED, that the Clerk to the Statesville City Council is directed to transmit this resolution to members of the North Carolina Congressional Delegation and relevant federal agencies and appropriations committees responsible for program oversight.

PASSED AND ADOPTED by the Statesville City Council this ____ day of _____, 2025.

APPROVED:

Costi Kutteh, Mayor of the Statesville City Council

ATTEST:

Clerk to the Statesville City Council

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Glenn Kurfees, Fire Chief
DATE: 7/3/2025 10:57 AM

ACTION NEEDED ON: July 14, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approving a resolution authorizing the donation of a surplus Plymovent exhaust removal system to Iredell-Statesville Schools.

1. Summary of Information:

Following internal review and discussion, the Plymovent system has been deemed surplus with no anticipated future use or operational value to the City. The school district plans to install the system in the apparatus bay where they house a fire truck used for the CATS Firefighting Technology Program. Donating this equipment will directly enhance the safety and effectiveness of the program, providing high school students with valuable, hands-on training in a realistic environment. This initiative supports workforce development and aligns with the City's commitment to promoting public safety and career readiness.

The estimated value of the system is approximately \$3,500.

2. Previous Council or Relevant Actions:

The donation request was approved by council on 06/16/2025.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: N/A

Connecting Our Communities: N/A

Strategic Plan Values: N/A

4. Budget/Funding Implications:

None

5. Consequences for Not Acting:

None

6. Department Recommendation:

Approve Resolution.

7. Manager Comments:

Concur with the department recommendation.

8. Next Steps:

If approved, we would coordinate with Iredell-Statesville Schools to arrange for the removal and transport of the system to their location.

9. Attachments:

1. Resolution

RES _____

Resolution Donating the Plymovent Exhaust System

WHEREAS, the City of Statesville Fire Department has declared one Plymovent Exhaust Removal System as surplus equipment no longer needed for municipal purposes; and

WHEREAS, the City Council of the City of Statesville previously approved the surplus designation of said equipment on June 16, 2025, in accordance with state and local policies; and

WHEREAS, the surplus Plymovent Exhaust Removal System has an estimated fair market value of

\$3,500; and

WHEREAS, Iredell-Statesville Schools has requested donation of the surplus exhaust system for use in its Fire Technology Program to aid in firefighter training; and

WHEREAS, the intended donation of the equipment has been advertised publicly for a minimum of five (5) days as required under North Carolina General Statutes and the City's surplus property policy;

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

1. The City hereby authorizes the donation of one surplus Plymovent Exhaust Removal System to Iredell-Statesville Schools.
2. The equipment shall be used solely for training purposes within the Fire Technology Program and placed in their apparatus bay.
3. The City Manager or their designee is hereby authorized to execute any necessary

documents to effectuate this donation.

Adopted this the ____ day of _____, 2025.

Costi utteh, Mayor City of Statesville

Emily Kurfees, City Clerk

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Cody Leis, Director - Statesville Public Power
DATE: 7/7/2025 10:31 AM

ACTION NEEDED ON: July 14, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approving Utility Line Construction Services as the primary contractor and Sumter Utilities as the secondary contractor for a purchase order amount of \$1,500,000.00 for a minimum of 2 (two) of 5 (five) possible years as their contract term.

1. Summary of Information:

Due to the significant amount of overhead and underground electric construction projects, Statesville Public Power is recommending a purchase order of \$1,500,000.00 with Utility Line Construction Services for FY26 & 27 as they were the highest ranked responsible bidder among the 4 total bidders. This bid allowed us to secure a secondary contractor if the primary contractor was unavailable for any reason, of which we chose Sumter Utilities to be the second most qualified bidder. The projects that these contractors are responsible for include line extensions, reconductor projects, 4 kV conversions, pole replacements, and reliability ties between different substations.

2. Previous Council or Relevant Actions:

Council approved a 2 year renewal with Utility Partners of America on July 15th, 2024. However, UPA has been struggling with manpower due to SPP's current project needs, so this new award will bridge the gap until UPA's term runs out in July 2026. The bid tabulation along with the winning primary and secondary bidder submittals are attached.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: Invest in services and critical public infrastructure to align with land use plan goals and accommodate future growth citywide.

Connecting Our Communities: N/A

Strategic Plan Values: We value Quality and Creativity

This request aligns with the City's Strategic Plan of Connecting our City by allowing the City to keep up with the construction related to the large amount of growth happening throughout Statesville. This contract award ensures the Statesville Public Power will not be the cause of any project delays for critical infrastructure due to manpower and equipment constraints.

4. Budget/Funding Implications:

There are sufficient funds in this year's Electric capital account to pay for the contract awards with Utility Line Construction Services while finishing Utility Partner of America's contract term.

5. Consequences for Not Acting:

The City would no longer have contract crews to assist with our priority revenue projects, resulting in inevitable project construction delays due to manpower. We would also be out of the specialized equipment needed to do these projects including large boring machines and tensioning rigs.

6. Department Recommendation:

SPP staff recommends Council approving the award of \$1,500,000 to Utility Line Construction Services and Sumter Utilities (secondary) as they were the highest scored bidders among the 4 bidders.

7. Manager Comments:

Recommend for approval.

8. Next Steps:

Upon approval, staff will coordinate the contract award with Utility Line Construction Services and Sumter Utilities and direct work for FY26. Named projects include Valley Stream Undergrounding, 4kV circuit conversions, various line extensions for upcoming developments, and rotten pole replacements.

9. Attachments:

1. Bid Tab
2. Scoring Matrix for Proposals

ASSEMBLY UNITS FOR FUTURE OVERHEAD AND UNDERGROUND ELECTRIC DISTRIBUTION LINE CONSTRUCTION

SUMMARY

ULCS

OVERHEAD INSTALLATION ASSEMBLY UNITS

Distribution Pole Units		Billed Units
2.0	Distribution Pole Units	\$ 5,520. ⁸⁹
2.1	25 kV Single-Phase	\$ 3,242. ³⁹
2.2	25 kV Two-Phase	\$ 4,639. ²⁸
2.3	25 kV Three-Phase	\$ 17,629. ⁹⁸
2.4	25 kV Three-Phase Double Circuit	\$ 11,975. ⁹⁵
3.0	Overhead Conductor Units / 1,000 ft.	\$ 19,840. ⁴⁴
6.0	Transformer Units	\$ 9,560. ³⁵
10.0	Primary Miscellaneous Units	\$ 14,733. ⁷⁹
4.1	Guy and Anchoring Units	\$ 1,542. ⁸⁶
9.0	Secondary Miscellaneous Units	\$ 3,617. ⁵⁸
Total Overhead Assembly Units		\$ 92,303. ⁵¹

UNDERGROUND INSTALLATION ASSEMBLY UNITS

Underground Installation Units		Billed Units
19.0	Underground Conductor Units	\$ 8,830. ⁶³
20.0	Underground Transformer Units	\$ 7,230. ³¹
20.0	Underground Primary Miscellaneous Units	\$ 16,504. ⁷²
23.0	Underground Secondary Miscellaneous Units	\$ 7,591. ³⁹
24.0	Bore & Pull Back Units	\$ 951. ⁷³
25.0	Conduit Units	\$ 21. ⁶¹
Total Underground Assembly Units		\$ 41,130. ⁵⁹
TOTAL INSTALLATION UNITS		\$ 133,434. ¹⁰

REMOVAL ASSEMBLY UNITS

Removal Units		Billed Units
	Pole Units	\$ 1,453. ⁰⁷
	Pole Top Units	\$ 6,681. ⁷⁰
	Overhead Conductor Units / 1,000 ft.	\$ 13,366. ⁴⁴
	Overhead Transformer Units	\$ 990. ⁸⁷
	Underground Conductor Units / 1,000 ft.	\$ 14,119. ²⁶
	Underground Transformer Units	\$ 3,586. ⁴⁴
	Underground Secondary Miscellaneous Units	\$ 2,912. ⁰⁸
	Guy and Anchoring Units	\$ 391. ⁹⁰
	Secondary Miscellaneous Units	\$ 2,424. ⁰⁰
	Conduit Units	\$ 11. ⁸⁷
TOTAL REMOVAL UNITS		\$ 45,937. ⁶³
TOTAL UNITS		\$ 179,371. ⁷³

**ASSEMBLY UNITS FOR FUTURE OVERHEAD AND UNDERGROUND
ELECTRIC DISTRIBUTION LINE CONSTRUCTION***Williams Elec.***SUMMARY****OVERHEAD INSTALLATION ASSEMBLY UNITS**

<u>Distribution Pole Units</u>	<u>Billed Units</u>
2.0 Distribution Pole Units	\$ 7961.28
2.1 25 kV Single-Phase	\$ 5034.41
2.2 25 kV Two-Phase	\$ 5874.95
2.3 25 kV Three-Phase	\$ 21,097.16
2.4 25 kV Three-Phase Double Circuit	\$ 27,888.98
3.0 Overhead Conductor Units / 1,000 ft.	\$ 22,505.91
6.0 Transformer Units	\$ 6,416.78
10.0 Primary Miscellaneous Units	\$ 17,213.57
4.1 Guy and Anchoring Units	\$ 1,740.78
9.0 Secondary Miscellaneous Units	\$ 3,212.38
Total Overhead Assembly Units	\$ 118,947.20

UNDERGROUND INSTALLATION ASSEMBLY UNITS

<u>Underground Installation Units</u>	<u>Billed Units</u>
19.0 Underground Conductor Units	\$ 37,027.20
20.0 Underground Transformer Units	\$ 10,827.76
20.0 Underground Primary Miscellaneous Units	\$ 52,763.76
23.0 Underground Secondary Miscellaneous Units	\$ 15,043.51
24.0 Bore & Pull Back Units	\$ 743.77
25.0 Conduit Units	\$ 2,561.68
Total Underground Assembly Units	\$ 118,967.67
TOTAL INSTALLATION UNITS	\$ 237,914.87

REMOVAL ASSEMBLY UNITS

<u>Removal Units</u>	<u>Billed Units</u>
Pole Units	\$ 2,520.83
Pole Top Units	\$ 4,116.35
Overhead Conductor Units / 1,000 ft.	\$ 14,542.50
Overhead Transformer Units	\$ 1,601.23
Underground Conductor Units / 1,000 ft.	\$ 19,590.90
Underground Transformer Units	\$ 7,832.75
Underground Secondary Miscellaneous Units	\$ 20,676.75
Guy and Anchoring Units	\$ 223.01
Secondary Miscellaneous Units	\$ 984.11
Conduit Units	\$ 2,333.45
TOTAL REMOVAL UNITS	\$ 66,900.34
TOTAL UNITS	\$ 304,815.21

**ASSEMBLY UNITS FOR FUTURE OVERHEAD AND UNDERGROUND
ELECTRIC DISTRIBUTION LINE CONSTRUCTION****SUMMARY****OVERHEAD INSTALLATION ASSEMBLY UNITS**

Distribution Pole Units	Billed Units
2.0 Distribution Pole Units	\$ 7953.00
2.1 25 kV Single-Phase	\$ 3887.00
2.2 25 kV Two-Phase	\$ 4975.00
2.3 25 kV Three-Phase	\$ 18,051.00
2.4 25 kV Three-Phase Double Circuit	\$ 20,588.00
3.0 Overhead Conductor Units / 1,000 ft.	\$ 15,811.00
6.0 Transformer Units	\$ 7,320.00
10.0 Primary Miscellaneous Units	\$ 21,698.00
4.1 Guy and Anchoring Units	\$ 2001.00
9.0 Secondary Miscellaneous Units	\$ 5403.00
Total Overhead Assembly Units	\$ 104,687.00

UNDERGROUND INSTALLATION ASSEMBLY UNITS

Underground Installation Units	Billed Units
19.0 Underground Conductor Units	\$ 19,279.00
20.0 Underground Transformer Units	\$ 8,505.00
20.0 Underground Primary Miscellaneous Units	\$ 34,359.00
23.0 Underground Secondary Miscellaneous Units	\$ 9,497.10
24.0 Bore & Pull Back Units	\$ 461.00
25.0 Conduit Units	\$ 203.95
Total Underground Assembly Units	\$ 72,305.05
TOTAL INSTALLATION UNITS	\$ 176,992.05

REMOVAL ASSEMBLY UNITS

Removal Units	Billed Units
Pole Units	\$ 1938.00
Pole Top Units	\$ 2478.00
Overhead Conductor Units / 1,000 ft.	\$ 8,839.00
Overhead Transformer Units	\$ 1,096.00
Underground Conductor Units / 1,000 ft.	\$ 30,489.00
Underground Transformer Units	\$ 4,494.00
Underground Secondary Miscellaneous Units	\$ 3,631.00
Guy and Anchoring Units	\$ 273.00
Secondary Miscellaneous Units	\$ 501.00
Conduit Units	\$ 199.00
TOTAL REMOVAL UNITS	\$ 53,937.00
TOTAL UNITS	\$ 230,929.05

ASSEMBLY UNITS FOR FUTURE OVERHEAD AND UNDERGROUND ELECTRIC DISTRIBUTION LINE CONSTRUCTION

SUMMARY

Sumter

OVERHEAD INSTALLATION ASSEMBLY UNITS

Distribution Pole Units	Billed Units
2.0 Distribution Pole Units	\$ 8,270.81
2.1 25 kV Single-Phase	\$ 6,607.88
2.2 25 kV Two-Phase	\$ 10,586.31
2.3 25 kV Three-Phase	\$ 39,829.07
2.4 25 kV Three-Phase Double Circuit	\$ 30,866.02
3.0 Overhead Conductor Units / 1,000 ft.	\$ 25,912.80
6.0 Transformer Units	\$ 8,724.08
10.0 Primary Miscellaneous Units	\$ 24,845.65
4.1 Guy and Anchoring Units	\$ 1,793.95
9.0 Secondary Miscellaneous Units	\$ 14,310.89
Total Overhead Assembly Units	\$ 171,747.46

UNDERGROUND INSTALLATION ASSEMBLY UNITS

Underground Installation Units	Billed Units
19.0 Underground Conductor Units	\$ 20,560.78
20.0 Underground Transformer Units	\$ 12,636.31
20.0 Underground Primary Miscellaneous Units	\$ 29,341.92
23.0 Underground Secondary Miscellaneous Units	\$ 8,963.73
24.0 Bore & Pull Back Units	\$ 342.28
25.0 Conduit Units	\$ 422.40
Total Underground Assembly Units	\$
TOTAL INSTALLATION UNITS	\$ 244,014.88

REMOVAL ASSEMBLY UNITS

Removal Units	Billed Units
Pole Units	\$ 2,853.96
Pole Top Units	\$ 7,386.11
Overhead Conductor Units / 1,000 ft.	\$ 22,896.92
Overhead Transformer Units	\$ 1,884.08
Underground Conductor Units / 1,000 ft.	\$ 17,562.33
Underground Transformer Units	\$ 10,803.25
Underground Secondary Miscellaneous Units	\$ 7,674.64
Guy and Anchoring Units	\$ 226.65
Secondary Miscellaneous Units	\$ 1,317.51
Conduit Units	\$ 421.21
TOTAL REMOVAL UNITS	\$ 73,559.11
TOTAL UNITS	\$ 317,573.99



Statesville

Public Power

Scoring Matrix for Electric Distribution Line Construction

	20%	15%	15%	15%	15%	10%	5%	5%	Total:
	Price	Past Business Performance	Equipment Replacement	History of Service Interruptions	Reportable Injuries/OSHA Compliance	Operational Training	References	W/MBE Status	
<i>ULCS</i>	20	15	15	15	15	10	5	0	95
<i>Williams Electric</i>	18	0	0	0	0	0	0	0	18
<i>Sumter</i>	17	0	15	0	15	0	0	0	47
<i>Huss Boring</i>	19	0	0	0	0	0	5	0	24

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Cynthia Dunford, Interim Assistant Finance Director
DATE: 7/3/2025 10:15 AM

ACTION NEEDED ON: July 14, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approving the semi-annual write-off of approximately \$87,354.74 in utility accounts.

1. Summary of Information:

Since December 1994 the City has performed a semi-annual write-off of utility accounts that had been placed for collection eighteen to twenty-four months prior to the write-off date. These accounts were returned to the city by the collection agency after no significant progress had been made on the accounts and they had ceased collection activity.

Staff is presenting for your consideration, the write-off of utility accounts that had been placed for collection between July 1, 2023 and December 31, 2023 in the amount of \$87,354.74. The gross billing for this period was \$32,781,527.08. The write-off percentage is .27%. The City recovered \$14,426.33 in utility bad debts during the period referenced above.

These accounts will still show in our Customer Information System for a minimum of three years after the write-off, with a zero balance and a notation of the amount we have written off.

2. Previous Council or Relevant Actions:

Council performed its last write-off of \$88,318.22 on Dec 2, 2024 via consent agenda.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: N/A

Connecting Our Communities: N/A

Strategic Plan Values: N/A

4. Budget/Funding Implications:

The write-offs will hit the funds where the charges originated as bad debt expenditures.

5. Consequences for Not Acting:

The City's Accounts Receivable (Asset) balance will be stated higher than what is reasonably collectable.

6. Department Recommendation:

Approve as presented.

7. Manager Comments:

Recommend for approval.

8. Next Steps:

Collections staff will move accounts into a write-off status. Finance will expend the bad debt amount.

9. Attachments:

1. Attachments

Jan 1,2023-June 30,2023		vs	July 1,2023-Dec 31,2023	
Write-off amount \$88,318.22			Write-off amount \$87,354.74	
6 Business Accounts- 0 Bankruptcy Acct			6 Business Accounts- 0 Bankruptcy Acct	
Par Two Properties Inc	\$4,244.17		Conweb	\$4,838.96
Tacotento Mexican Restaurant	\$1,200.92		Landlock Marine Service	\$942.60
Cassie Ann Dyson	\$ 1,068.92		Sito Boxing Klub	\$ 801.02
Statesville Gof Center	\$ 353.63		T & M 3 Smoke Shop LLC	\$ 797.32
Windrush Harmony Housing LLC	\$ 288.66		James collins	\$ 725.82
Auction Service	\$ 274.12		Good as Gold Transportation	\$ 675.26
	\$7,430.42			\$8,780.98
<u>Highest dollar amount write-offs</u>			<u>Highest dollar amount write-offs</u>	
EL/WA/SW			EL/WA/SW	
Zelda Hall Turner	\$ 4,911.53		Edward McIntosh	\$ 4,603.12
Nelson W Oxendine	\$ 4,550.94		Roxanna Morales	\$ 3,427.15
Devonna Alexis Lovell	\$ 2,233.47		Roxanna Morales	\$ 3,405.05
L M Lackey	\$ 1,959.66		Angela Gillum	\$ 2,647.92
Keaira Clontz	\$ 1,859.47		James Rippy	\$ 2,346.33
Frank Johnson	\$ 1,842.02		Sandy L Robertson	\$ 1,306.10
David Jerome Stevenson	\$ 1,796.49		Oxford House	\$ 1,247.55
Herman Marshall Speece III	\$ 1,711.72		Latosha Danielle Hill	\$ 969.62
	\$ 20,865.30			\$ 19,952.84
<u>Electric Only</u>			<u>Electric Only</u>	
William Lewis Byers III	\$ 621.35		Natalie Ann Locklear	\$ 402.43
Monique D Parson	\$ 582.82		O'Bryan Wellman	\$ 350.66
Gernise R hughes	\$ 436.06		Nehemiah Harris	\$ 346.59
Len Farrior Smith Jr	\$ 369.19		Angela Charlene Dial	\$ 345.36
	\$ 2,009.42			\$ 1,445.04
<u>Electric/Water</u>			<u>Electric/Water</u>	
Eric r Weber	\$ 1,514.89		Jackie Hicks	\$ 572.10
Jeanette Michelle Savoy	\$ 811.92		Jean Getro Rosier	\$ 209.86
Donna Haas	\$ 757.69		Tyreik Mclean	\$ 151.86
	\$ 3,084.50			\$ 933.82
<u>WA/SW</u>			<u>WA/SW</u>	
Morgan D Pfford	\$ 417.60		Otillo Torres	\$ 1,646.73
Jonathan Edward Sclater	\$ 270.24		Khaim Shakir	\$ 1,182.49
Sheila A Valdez	\$ 259.36		Enmar Accessories	\$ 212.29
	\$ 947.20			\$ 3,041.51
Total	\$34,336.84		Total	\$34,154.19

Service Code Totals

Service\Rate	Bill Count	Service Cons	Demand Cons	KVAR Cons	Tax Amount	Bill Amount
800 \ OL-48	72	0	0	0	419.64	6,412.20
800 \ OL-49	54	0	0	0	822.12	12,566.40
800 \ OL-50	6	0	0	0	4.20	64.20
800 \ OL-MU-02	6	0	0	0	14.82	226.74
800 \ OL-MU-03	12	0	0	0	129.90	1,986.30
800 \ OL-MU-04	6	0	0	0	286.08	4,372.68
800 \ OL-MU-17	12	0	0	0	60.00	917.22
800 \ OL-MU-19	6	0	0	0	47.22	722.10
800 \ OL-MU-25	6	0	0	0	2,623.08	40,095.84
800 \ OL-MU-26	6	0	0	0	5,652.81	86,407.26
800 \ OL-MU-30	42	0	0	0	42.90	656.10
800 \ OL-MU-34	6	0	0	0	6,753.60	103,233.60
800 \ OL-MU-38	78	0	0	0	209.40	3,271.80
800 \ OL-MU-41	6	0	0	0	147.60	2,256.48
800 \ OL-MU-42	72	0	0	0	294.78	4,506.78
800 \ OL-MU-46	30	0	0	0	181.80	2,779.20
800 \ OL-XF	12	0	0	0	96.00	1,612.32
Total for 800	14815	0	0	0	40,904.44	652,178.15
820 - TIPPING FEE						
820 \ TPC	305	0	0	0	0.00	7,043.95
820 \ TPC-MU	96	0	0	0	0.00	6,039.80
820 \ TPC-NEW	2782	0	0	0	0.00	85,350.51
Total for 820	3183	0	0	0	0.00	98,434.26
Overall Totals	396389	5,099,365.7906	640,651.377	342.258	1,094,033.22	32,781,527.08

Service Category Totals

Service Category	Bill Count	Service Cons	Demand Cons	KVAR Cons	Tax Amount	Bill Amount
BACKFLOW CHARGES	91	0	0	0	0.00	637.00
Electric	87691	222,554,893	640,651.377	342.258	1,057,489.09	23,120,169.75
ELECTRIC CREDITS	16	0	0	0	-4,389.71	-67,099.85
Lights (Street/Area)	14815	0	0	0	40,904.44	652,178.15
Sewer/WasteWater	75207	67,122,243.8325	0	0	0.00	4,779,334.52
Surge Protection	66	0	0	0	29.40	533.40
Stormwater Service Fees	67285	0	0	0	0.00	1,168,876.21
Tipping Fee	3183	0	0	0	0.00	98,434.26
Water	148035	75,422,228.9581	0	0	0.00	3,028,463.64
Overall Totals	396389	5,099,365.7906	640,651.377	342.258	1,094,033.22	32,781,527.08

GROSS

Fund Summary

Fund	Encumbrances	Fiscal Budget	Beginning Balance	Total Activity	Ending Balance	Budget Remaining	% Remaining
530 - Electric	0.00	0.00	0.00	-14,426.33	-14,426.33	14,426.33	0.00%

Report Total:

0.00

0.00

0.00

-14,426.33

-14,426.33

14,426.33

0.00%

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: W. E. Vaughan, DPA, PE
DATE: 7/7/2025 10:29 AM

ACTION NEEDED ON: July 14, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider adopting a resolution assigning the prior water purchase agreement with West Iredell Water Corporation to Energy United Water Corporation.

1. Summary of Information:

The City and West Iredell Water Corporation (WIWC) operate(d) under an existing bulk water agreement (29 April 1997). WIWC has recently been acquired by Energy United Water Corporation (EUWC) and EUWC has indicated their interest to continue purchasing water from the City, initially under the same terms as the WIWC agreement.

Looking ahead, EUWC and City staff have conducted preliminary discussions about a bulk water purchase agreement that will increase the volume of water purchased from the City by EUW. Staff anticipates coming to a preliminary agreement in the near future.

2. Previous Council or Relevant Actions:

Council has previously authorized staff to negotiate bulk purchase rates for water and sewer customers.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: Invest in services and critical public infrastructure to align with land use plan goals and accommodate future growth citywide.

Connecting Our Communities: Promote the development of a range of housing types throughout our community and housing stability for residents.

Strategic Plan Values: We value Engagement.

This agreement allows the city to continue to sell water to WIWC customers.

4. Budget/Funding Implications:

Energy United Water anticipates maintaining the monthly water volume previously purchased by WIWC and is considering system improvements that will enable them to increase the volume of water purchased from the City.

EUW has also indicated a strong interest in pursuing a bulk water agreement to further their ability to purchase water from Statesville.

5. Consequences for Not Acting:

- a. Current WIWC agreement will not be corrected/realigned to new owner.
- b. Loss of revenue (bulk water sales).

6. Department Recommendation:

Staff recommends adoption of Resolution 25-xx assigning the prior WIWC agreement to EUWC.

7. Manager Comments:

Recommend for approval.

8. Next Steps:

If approved, staff will proceed with the necessary account documentation with Energy United Water.

Staff will also proceed with negotiating a bulk water purchase agreement and related items with EUW, and will bring such an agreement to Council for consideration.

9. Attachments:

- 1. West Iredell Water Assignment to Energy United - Resolution
- 2. West Iredell Water Assignment Agreement to Energy United

RESOLUTION NO. 25-____

**A RESOLUTION AUTHORIZING THE ASSIGNMENT OF THE WATER AGREEMENT WITH
WEST IREDELL WATER CORPORATION TO ENERGY UNITED WATER CORPORATION**

WHEREAS, the City of Statesville entered into a Water Agreement with West Iredell Water Corporation on April 29, 1997 whereby the City agreed to sell and West Iredell Water Corporation agreed to purchase water; and

WHEREAS, Energy United Water Corporation is in the process of purchasing the business, contractual rights and obligations, and customers of West Iredell Water Corporation; and

WHEREAS, West Iredell Water Corporation and Energy United Water Corporation wish for the rights and obligations of the Water Agreement to be assigned to Energy United Water Corporation; and

WHEREAS, the City of Statesville consents to this Assignment.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF STATESVILLE, THAT:

1. The City of Statesville's Mayor, Constantine H. Kutteh, shall be authorized to execute the Assignment of the Water Agreement.

Adopted this ____ day of _____, 2025.

CITY OF STATESVILLE, NORTH CAROLINA

Constantine H. Kutteh, Mayor

ATTEST:

Emily Kurfees, Clerk for the City of Statesville

NORTH CAROLINA

IREDELL COUNTY

ASSIGNMENT

THIS ASSIGNMENT ("Assignment"), made and entered into this the ____ day of _____, 2025 (the "Effective Date"), by and between West Iredell Water Company, a North Carolina Corporation or Iredell County, North Carolina (hereinafter "Assignor") and Energy United Water Corporation, a North Carolina Non-profit Corporation with IRC 501(c)(12) status having its principal place of business in Iredell County, North Carolina (hereinafter "Assignee"), and The City of Statesville, a North Carolina Municipal Corporation of Iredell County, North Carolina (hereinafter "City").

WITNESSETH:

WHEREAS, the Assignor entered into a Water Agreement with the City on April 29, 1997 for the purchase of water; and

WHEREAS, the Assignee has entered into an Agreement with the Assignor wherein the Assignee will acquire the Assignor's business, including its assets, contractual rights and obligations, and customers; and

WHEREAS, Assignor desires to assign the interest in the Water Agreement to Assignee; and

WHEREAS, the City Council approved the Assignment through a Resolution adopting this Assignment Agreement on _____, 2025; and

WHEREAS, the City consents to this Assignment of the Water Agreement to the Assignee;

NOW, THEREFORE, in consideration of the promises, the mutual covenants and agreements set forth in this Assignment, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto do agree as follows:

1. **Recitals.** The recitals set forth above are incorporated herein by this reference. The use of any capitalized term not otherwise defined herein shall have the meaning ascribed thereto in the Lease.

2. **Assignor's Assignment.** Assignor hereby assigns, transfers, and conveys unto Assignee all of Assignor's right, title, and interest in, to, and under the Water Agreement, including without limitation all of Assignor's rights and obligations contained therein, as amended hereby. Assignor represents and warrants that, to the best of its knowledge, neither it nor City is in default under the terms of the Water Agreement and, to the best of its knowledge, no facts exists that with the passage of time or notice would constitute an event of default by either of them under the Water Agreement.

3. **Assignee's Acceptance.** Assignee hereby accepts the assignment of the Water Agreement, and assumes and agrees to perform directly all of the duties and obligations of Assignor that accrue from and after the Effective Date, and agrees to abide by the terms and conditions of the Water Agreement, as amended hereby.

4. **Assignor's Representations and Warranties.** Assignor represents and warrants that:

- a. The Water Agreement (as attached hereto as Exhibit A and incorporated herein by this reference) is a true, correct, and complete copy of all of the documentation that comprises the Water Agreement and that describes the rights and obligations of the City and Assignor with respect to the Water Agreement; and
- b. Assignor is fully authorized to enter into this Assignment; and
- c. The terms and conditions of this Assignment do not violate any agreement or obligation Assignor may have with any third parties; and
- d. Other than this Assignment, Assignor has not assigned the Water Agreement or entered into any other agreement relative to Assignor's interest in the Water Agreement; and
- e. To the best of its knowledge, Assignor has not done anything, whether by action or failure to act, that would otherwise adversely affect Assignee's interest in the Water Agreement; and
- f. To the best of its knowledge, the Water Agreement is valid and is in full force and effect, and neither the Assignor nor the City is in default hereunder; and
- g. To the best of its knowledge, Assignor has no defense, set off, or counterclaim against the City arising out of any transaction between Assignor and the City, and no event has occurred and no condition exists, which, with the giving of notice or the passage of time or both, will constitute a default under the Water Agreement.

5. **The City's Representations and Warranties.** The City represents and warrants that, to the best of its knowledge, neither it nor Assignor is in default under the terms of the Water Agreement and no fact exists that with the passage of time or notice would constitute an event of default by either of them under the Water Agreement.

6. **The City's Consent.** The City hereby consents to this Assignment by Assignor to Assignee. Provided, further, that it is expressly agreed and understood that (i) Assignee shall have no liability for obligations, acts, or omissions of Assignor prior to the Effective Date and (ii) Assignor shall be released from its obligations under the Water Agreement and shall have no further liabilities to the City after the Effective Date.

7. **Binding Effect.** This Assignment, including the terms and conditions contained herein, shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, successors, and assigns. No amendment or modification to this Assignment or the Water Agreement shall be binding upon Assignee or the City unless the same is in writing and executed by both parties.

8. **Counterparts.** This Assignment may be executed in multiple counterparts, each counterpart being executed by less than all of the parties hereto, and shall be equally effective as if a single original had been signed by all parties; but all such counterparts shall be deemed to constitute a single agreement, and this Assignment shall not be or become effective unless and until each of the signatory parties below has signed at least one such counterpart and caused the counterpart so executed to be delivered to the other party. Furthermore, the parties agree that (i) this Assignment may be transmitted between them by facsimile machine, (ii) this Assignment may be executed by facsimile signatures, and (iii) facsimile signatures shall have the effect of original signatures relative to this Assignment.

IN WITNESS WHEREOF, the parties by authority duly given have affixed hand and seals to this instrument as of the day and year first above written.

ASSIGNOR:

West Iredell Water Company

By: _____

Name: _____

Title: _____

ASSIGNEE:

Energy United Water Corporation

By: _____

Name: _____

Title: _____

THE CITY OF STATESVILLE

A Municipal Corporation

By: _____

Constantine H. Kutteh, Mayor

ATTEST:

Emily Kurfees, City Clerk

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager

FROM: Jenn Bosser, Iredell EDC

DATE: 7/3/2025 11:43 AM

ACTION NEEDED ON: July 14, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Conduct a public hearing and consider approving an economic incentive for an expansion project known as Project Ace 25.

1. Summary of Information:

Project Ace 25 is a manufacturing project located in Statesville. The company plans to expand their facility by 90,000 SF resulting in a \$7,400,000 investment. The project should begin in December 2025 and be complete by December 2027. The facility will bring in at a minimum of 10 new jobs.

2. Previous Council or Relevant Actions:

N/A

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: N/A

Connecting Our Communities: N/A

Strategic Plan Values: We value and encourage Opportunity

This project will bring new jobs to the City.

4. Budget/Funding Implications:

- 80% grant based on real property and 50% grant based on Tangible Personal Property of an investment of \$7,400,000
- \$135,345 (\$27,069 a year over 5 years)

5. Consequences for Not Acting:

The company may not expand.

6. Department Recommendation:

Approve the economic incentive agreement.

7. Manager Comments:

Recommend for approval.

8. Next Steps:

If approved, the City Attorney will draft the contract for signatures.

9. Attachments:

None.

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Matthew Kirkendall, Senior Planner
DATE: 7/3/2025 10:33 AM

ACTION NEEDED ON: July 14, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Conduct a public hearing and consider approving the first reading of the proposed text amendment by Downtown Statesville Development Corporation to allow Drinking Establishments in the Central Business (CB) Zoning District.

1. Summary of Information:

Several downtown businesses have expressed to the DSDC a desire to serve alcohol. Currently, our UDC does not allow Drinking Establishments in the CB (Central Business) Zoning District. City Staff met with the DSDC Board, who at their May meeting unanimously approved the recommendation of allowing drinking establishments in the CB Zoning District. Staff also conducted research of neighboring cities and towns for comparison. Mooresville, Salisbury, Hickory, Huntersville, Lenoir, and Kernersville all permit drinking establishments (bars) in their downtown districts.

Similar uses are already permitted within the CB District such as alcoholic beverage stores, brewpubs, and micro-distilleries. Additionally, the city recently created the 'Ville, a downtown social district.

2. Previous Council or Relevant Actions:

The Planning Board recommended approval of this text amendment with a vote of 5-1 at their June 24, 2025 meeting.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: N/A

Connecting Our Communities: Expand access to enriching cultural, recreational, and open space amenities.

Strategic Plan Values: We value Quality and Creativity

This text amendment will all more opportunities for new businesses in downtown Statesville.

4. Budget/Funding Implications:

There have been several businesses interested in opening downtown, but are not permitted under the current UDC.

5. Consequences for Not Acting:

Drinking establishments would not be permitted in downtown unless it is an eating establishment.

6. Department Recommendation:

The department recommends approving the text amendment as presented.

7. Manager Comments:

Concur with the department recommendation.

8. Next Steps:

If approved, the second reading will be on August 4, 2025.

9. Attachments:

1. Ordinance TA25-01 Drinking Establishments 2
2. Zoning Consistency Stmt_CC (approve)_TA25-01 Drinking Establishments

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE 3, SECTION 3.04 ZONING DISTRICT REGULATIONS, TABLE 3-1: USE MATRIX.

TA25-01 Drinking Establishments

WHEREAS, the DSDC and City staff are requesting an amendment to the text of the Unified Development Code (UDC), which would allow Drinking Establishments in the CB (Central Business) Zoning District.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Statesville that the Unified Development Code (UDC) be amended as follows:

Amend Section 3.04, Table 3-1: Use Matrix as follows:

Use	CB	CBP/ H-115
Drinking Establishments	X	X

This ordinance was introduced for first reading by Council member _____, seconded by Council member _____, and unanimously carried on the 14th day of July 2025.

AYES:

NAYS:

The second and final reading of this ordinance was heard on the 4th day of August 2025, and upon motion of Council member _____, seconded by Council member _____, and unanimously carried, was adopted.

AYES:

NAYS:

This ordinance is to be in full force and effect from and after the 4th day of August 2025.

CITY OF STATESVILLE

Constantine H. Kutteh, Mayor

APPROVED AS TO FORM

Leah Gaines-Messick, City Attorney

ATTEST:

Emily Kurfees, City Clerk



To: Statesville City Council

From: Matthew Kirkendall, Senior Planner

Date: July 14, 2025

Subject: Text Amendment

Case: TA25-01 Drinking Establishments

☒ This text amendment is **approved** and is consistent with the City's comprehensive land use plan, is reasonable, and in the public interest because: Similar uses are permitted within the CB Zoning District, and the City recently established the downtown social district.

☐ In addition to **approving** this zoning amendment, this approval is **also deemed an amendment to the City's comprehensive land use plan**. The change in conditions the City Council has taken into account in amending the zoning ordinance to meet the development needs of the community are as follows:

☐ The zoning amendment **is rejected because it is inconsistent with the City's comprehensive land plan** and is not reasonable and in the public interest because:

Date: Constantine Kutteh, Mayor

Date: Matthew Kirkendall, Senior Planner

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Matthew Kirkendall, Senior Planner
DATE: 7/3/2025 10:57 AM

ACTION NEEDED ON: July 14, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Conduct a public hearing and consider passing a first reading of an ordinance AX25-04 Dairi-O to annex the four parcels located along Turnersburg Highway between Harbor Freight and Fairview Baptist Church.

1. Summary of Information:

These properties are approximately 2.183 acres located along Turnersburg Highway between Harbor Freight and Fairview Baptist Church (see Location Map, Aerial Photo and Site Photo). These parcels are located within the City's ETJ and is adjacent to the City Limits. These parcels are zoned R-10 (Urban Low-Density Single-Family Residential) Zoning District and are currently being rezoned to B-4 (Highway Business). The applicant requests voluntary annexation to utilize City Sewer (see current zoning and utilities map). Statesville Public Power can also serve this site.

2. Previous Council or Relevant Actions:

City Council approved the first reading for the rezoning of these parcels on June 16, 2025.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: Invest in services and critical public infrastructure to align with land use plan goals and accommodate future growth citywide.

Connecting Our Communities: N/A

Strategic Plan Values: We value Quality and Creativity

The properties are in the Tier 1 Growth Area of the 2045 Land Development Plan.

4. Budget/Funding Implications:

The current tax value of the parcels is \$70,000. City of Statesville Sewer and Statesville Public Power are available. The estimated tax value at full buildout is to be approximately \$3,000,000. The Fourth Creek WWTP is at 71% capacity.

5. Consequences for Not Acting:

Without annexation the city would not collect property taxes. Without annexation, the property owners could still access city sewer at 2½ times the rate with City Council approval.

6. Department Recommendation:

The department recommends passing the first reading of this annexation request.

7. Manager Comments:

Recommend passing first reading.

8. Next Steps:

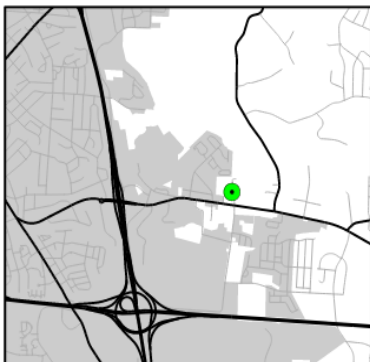
If approved, the second reading will be August 4, 2025.

9. Attachments:

1. AX25-04 Dairi-O Packet Maps
2. Sketch Plan -ZC25-06 Dairi-O-Statesville - SKETCH PLAN - 02-25-25
3. Ordinance_Annexation_AX25-04 Dairi-O

City of Statesville Planning Department

AX25-04 Dairi-O
4745-38-6675, 4745-38-7717,
4745-38-7826, and
4745-38-7955



0 1,250 2,500 Feet
1:18,750

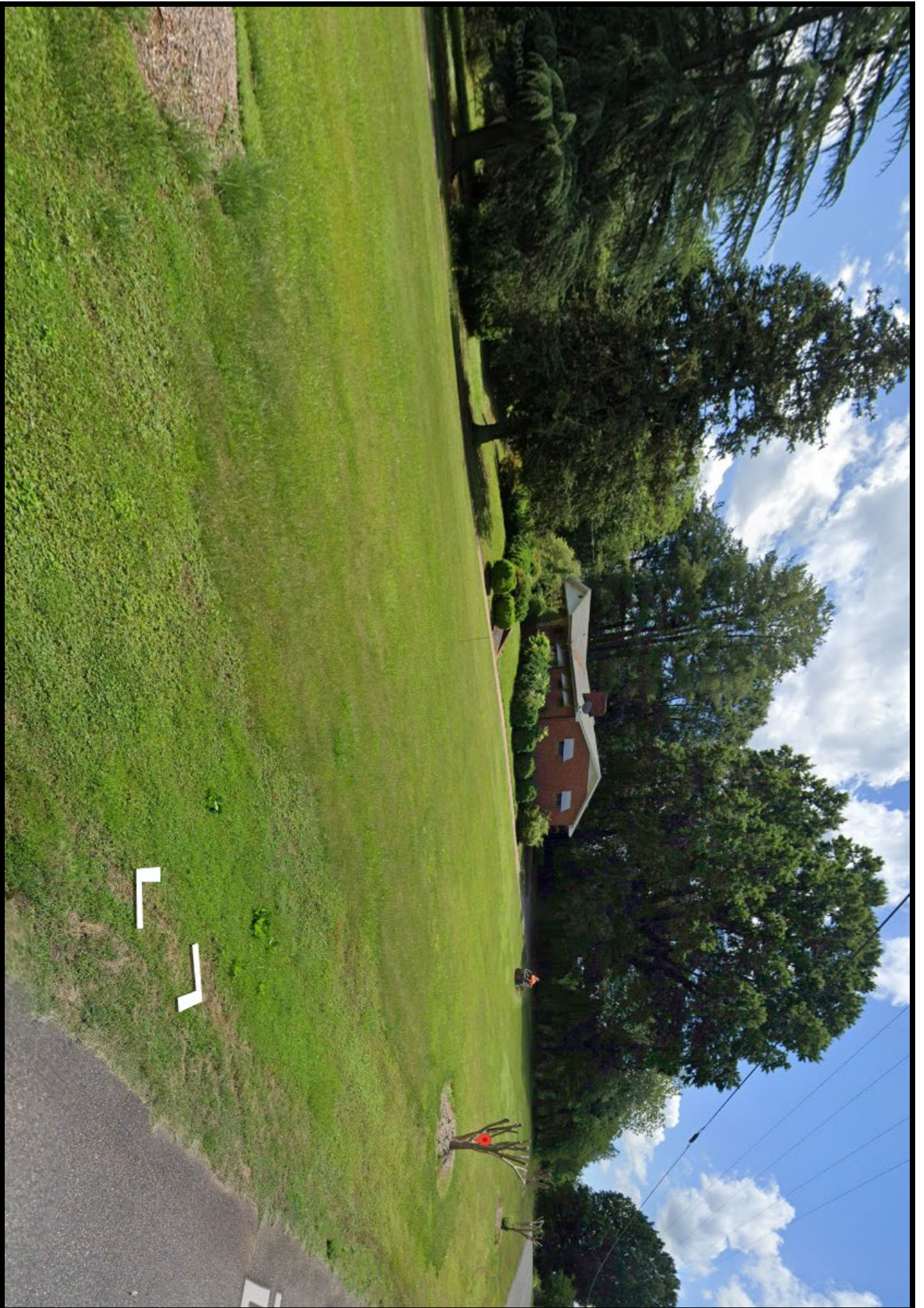


Legend

- Existing City Limit
- Parcels selection

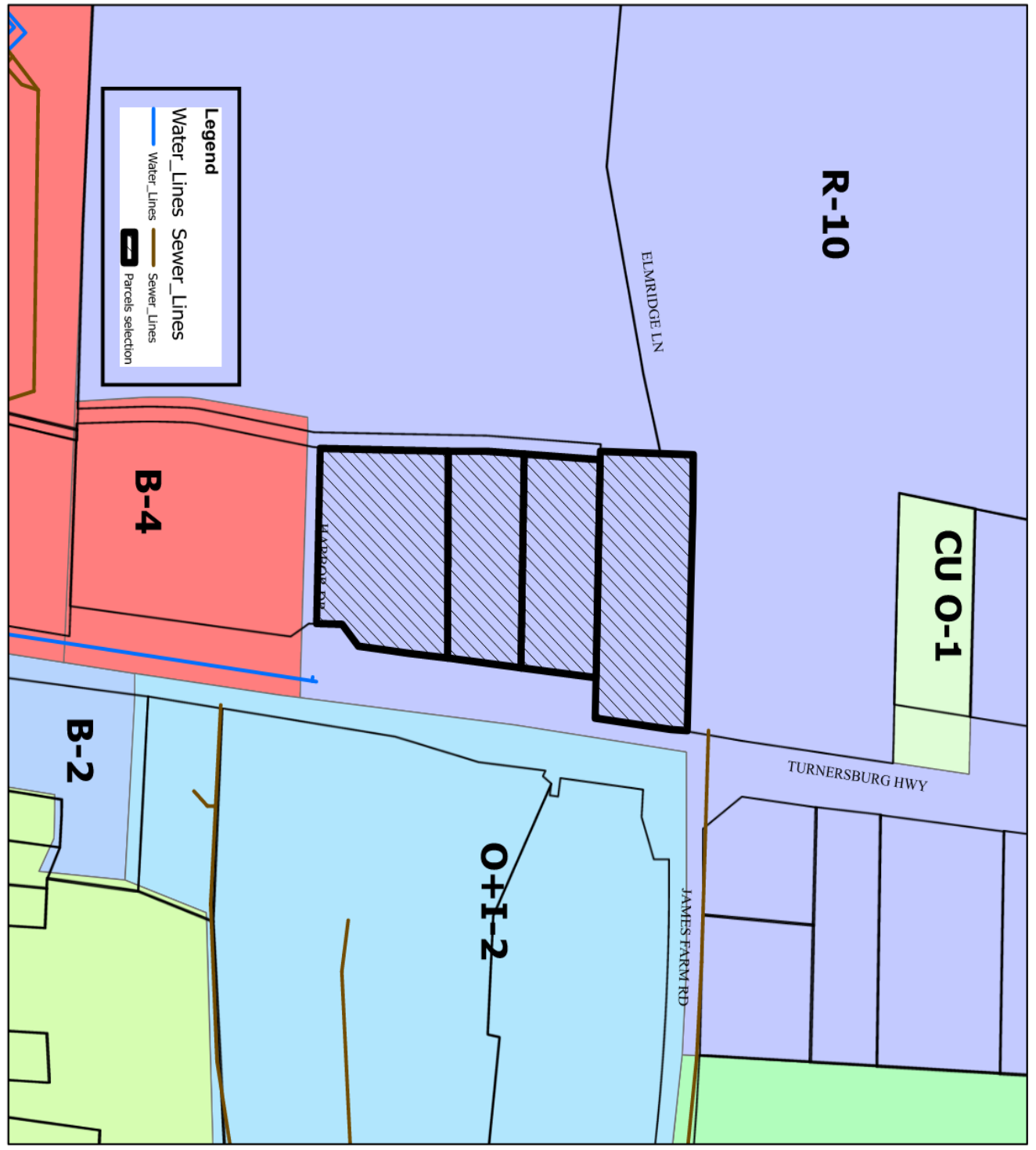
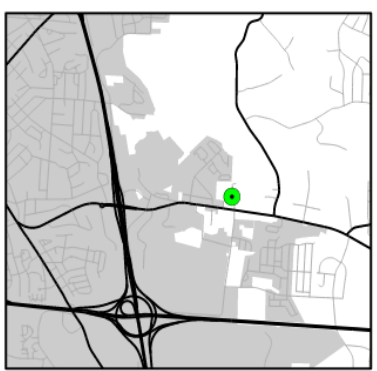


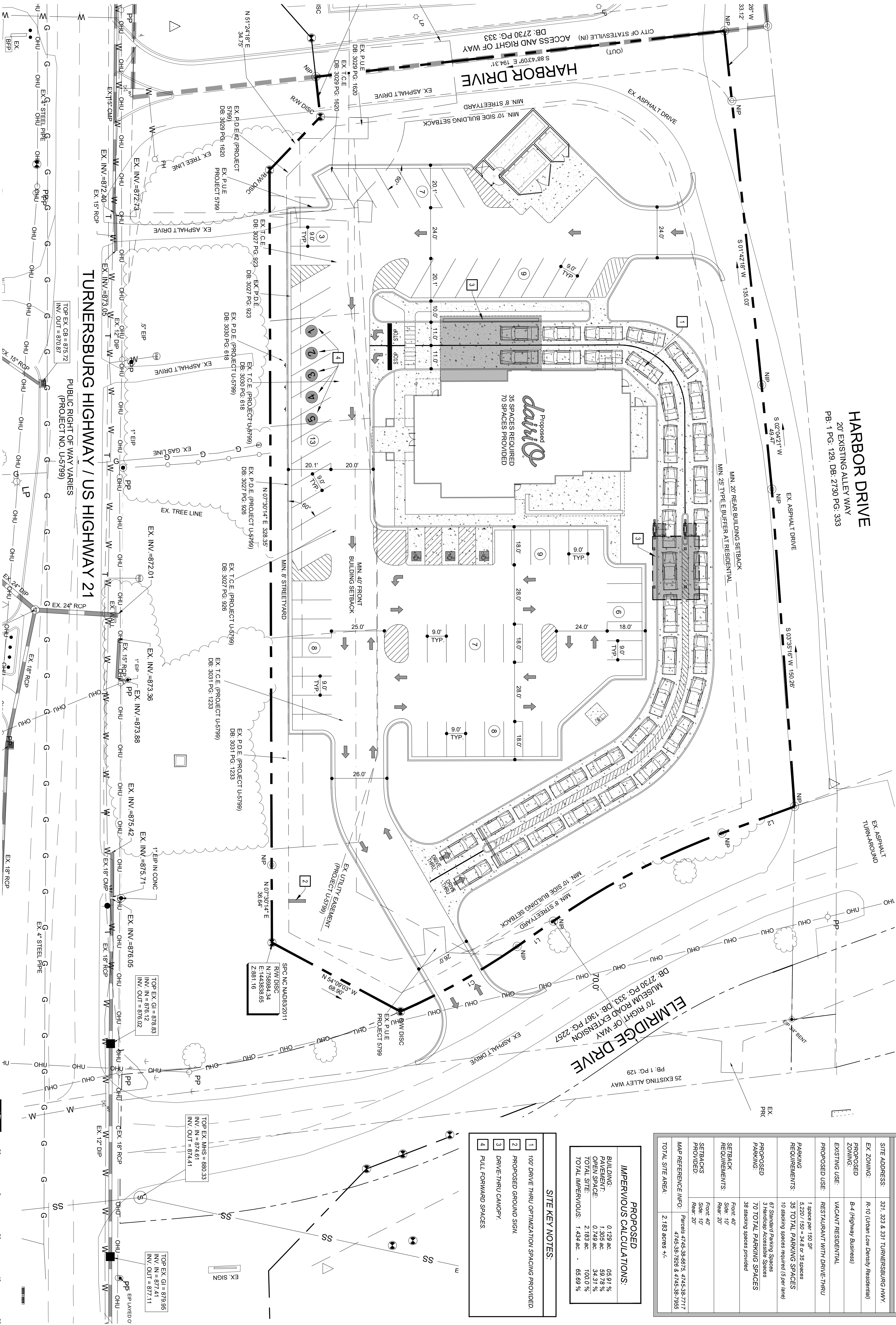




City of Statesville
Planning Department

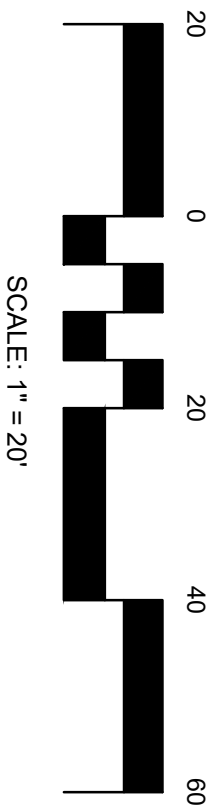
AX25-04 Dairi-O
 4745-38-6675, 4745-38-7717,
 4745-38-7826, and
 4745-38-7955





HARBOR DRIVE
20' EXISTING ALLEY WAY
PB: 1 PG: 129, DB: 2730 PG: 333

TURNERSBURG HIGHWAY / US HIGHWAY 21
PUBLIC RIGHT OF WAY VARIES
(PROJECT NO. U-5799)
TOP EX. CB = 875.72
INV. OUT = 870.87



ORDINANCE NO. _____

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF STATESVILLE,
NORTH CAROLINA**

Case No. AX25-04 Dairi-O

Parcel #'s 4745-38-6675, 4745-38-7717, 4745-38-7826, and 4745-38-7955

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

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

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at Statesville City Hall at 6:00 o'clock p.m. on the 14th day of July 2025 after due notice by publication on the 7th day of July 2025; and

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

WHEREAS, the Statesville City Council further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the Statesville City Council further finds that the petition is otherwise valid, and that the public health, safety, and welfare of the City and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED BY the Statesville City Council of the City of Statesville, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described contiguous territory is hereby annexed and made part of the City of Statesville, as of August 31, 2025, at 11:59 p.m.

Description

All that certain piece, parcel or tract of land lying and being in the Bethany Township, Iredell County, North Carolina and being a recombination of Lots 16-25 of Plat Book 1 Page: 129. Either now or formerly known as in instruments recorded in Db: 1020, Pg: 963, Db: 3056 Pg: 1000, Db: 3026, Pg: 926, Db: 3030 Pg: 618, Db: 3029 Pg: 1620, Db: 3027 Pg: 923, Db: 2963 Pg: 1626, Db: 3031 Pg: 1233

Beginning at a NCDOT Right of Way Disc, having SPC NCNAD83/2011 coordinates of: Northing: 758984.34 (sft), Easting: 1443838.65 (sft), said disc being located on the western intersection of US Highway 21 and Elmridge Drive, thence following the southern right of way of NCDOT Project U-5799 and Elmridge Drive for the following five bearings and distances: (I) **North 54°09'03" West a distance of 68.90 feet** to a NCDOT Right of Way Disc, (II) On a curve to the left, having a **radius of 330.00**, and chord bearing and distance of: **South 68°31'42" West a distance of: 63.12 feet** to an iron pipe set, (III) **South 62°44'48" West a distance of 20.85 feet** to an iron pipe set, (IV) on a curve to the right with a **radius of 350.00 feet, and a chord bearing and distance of: South 70°06'49" West a distance of 89.79 feet** to an iron pipe set, (V) **South**

77°30'16" West a distance of 36.63 feet to an iron pipe set, thence leaving said right of way and following the eastern 20' alley way of Harbor Drive, also being the western property line of Lots 16-25, Plat Book 1, Page 129, for the following four bearings and distances: (I) **South 03°35'16" West a distance of 150.26 feet** to an iron pipe set, (II) **South 02°04'21" West a distance of 49.47 feet** to an iron pipe set, (III) **South 01°42'18" West a distance of 135.03 feet** to an iron pipe set, (IV) **South 01°39'26" West a distance of 33.12 feet** to an iron pipe set, said corner being the northwestern point of Agree LTOP, either now or formerly known as in instrument recorded in Deed Book 2951 Page 1897, and Plat Book 76 Page 49, thence following the northern line of said property, **South 88°43'09" East a distance of 194.31 feet** to an iron pipe set, said corner being located on the western right of way of US Highway 21, NCDOT Project U-5799, thence following said right of way for the following five bearings and distances: (I) **North 01°12'08" East a distance of 19.05 feet** to a NCDOT Right of Way Disc, (II) **North 51°24'18" East a distance of 34.75 feet** to a NCDOT Right of Way Disc, (III) **North 07° 30'11" East a distance of 121.19 feet** to an iron pipe set, (IV) **North 07°30'13" East a distance of 199.73 feet** to an iron pipe set, (V) **North 07°30'40 East a distance of 44.07 feet** to a NCDOT Right of Way Disc, being the place and point of beginning.

The rezoning metes and bounds description above contains 2.18 Acres more or less as shown of that certain survey for Dairio's LLC, being prepared by Sgroi Geomatics, PLLC dated April 14th, 2025.

Section 2. Upon and after August 31, 2025, at 11:59 p.m., the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Statesville and shall be entitled to the same privileges and benefits as other parts of the City of Statesville. Said territory shall be subject to municipal taxes according to G.S. 160A-31.

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

The Ordinance was introduced by a first reading by Councilmember _____, seconded by Councilmember _____, and carried on the 14th day of July, 2025.

AYES:

NAYES:

The second and final reading of this ordinance was heard on the 4th day of August 2025 and upon motion of Councilmember _____, seconded by Councilmember _____, and unanimously carried, was adopted.

AYES:

NAYES:

The Ordinance to be in full force and effect from and after the 31st day of August 2025 at 11:59 p.m.

City of Statesville

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Herman Caulder, Assistant Planning Director
DATE: 7/3/2025 10:08 AM

ACTION NEEDED ON: July 14, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Conduct a public hearing and consider passing the first reading of Rezoning Request ZC25-11 for The Oaks at James Farm; property located at the intersection of Jane Sowers Road and James Farm Road to rezone from Iredell County R-20 (Single-Family Residential) District to City of Statesville R-5MF CZ (High Density Multi-Family Residential Conditional Zoning) District

1. Summary of Information:

Rezoning Request

Mr. Christopher LaMack (applicant) on behalf of Elevation Real Estate Group is requesting to rezone a total of 16.64 acres from Iredell County R-20 (Single-Family Residential) District to City of Statesville R-5MF CZ (High Density Multi-Family Residential Conditional Zoning) District, to build a 104 unit townhome community (see attached Location Map, Aerial Map, Site Photos, and Current Zoning and Utilities Map).

Evaluation

The proposed project site is a vacant field and located in the Northern quadrant of the city at the intersection of Jane Sowers Road and James Farm Road. This parcel is outside the city limits and will need to be annexed. The developer is proposing to build up to 112 townhomes (104 shown on plan), on the 16.64-acre parcel with open spaces, trails and sidewalks, curbs, guttering and street trees. The developer has agreed to provide enhanced landscaping along James Farm Road to screen the backs of the units from street view. Although much of the surrounding land is designated as Iredell County R-20 (Single-Family Residential), there is also the Old Statesville subdivision, zoned City of Statesville R-10 and the Redwood community, which is a multifamily rental community zoned R-5 MF on adjacent parcels. In addition, the 2045 Land Development Plan (LDP) designates this parcel as a Complete Neighborhood 2 intent area and places it in the Tier 2 Growth Area. A traffic impact analysis (TIA) will be required due to the location. Furthermore, the Mobility Plan shows that NCDOT does have a major thoroughfare and 4-lane widening project planned in the future for Janes Sowers Road at this location. Finally, it is important to point out that this parcel is also located in the Jane Sowers North Strategic Focus Area according to the (LDP).

The neighborhood input meeting was held by the applicant on June 5, 2025, at the Cloverleaf Elementary School. There were nine members of the public that showed up for the meeting (see attached Meeting Report). No changes to the concept plan were recommended by the developer. Most questions had to do with traffic, density, rentals, price point, and the line-of-sight distance at the intersection of Jane Sowers Road and James Farm Road.

2. Previous Council or Relevant Actions:

On June 24, 2025 the Planning Board took the following action: A motion was made to deny on the grounds that it was not in character with and not designed to be a part of the community. The motion failed due to a tie vote. A subsequent motion was made to approve the rezoning and it passed with a 5-1 vote.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: N/A

Connecting Our Communities: Promote the development of a range of housing types throughout our community and housing stability for residents.

Strategic Plan Values: We value and encourage Opportunity

This townhome community will provide the "missing middle" housing option that may be more attainable for select groups of the community. In addition it is proposed to be built in an area designated by our 2045 Land Development Plan as the "Jane Sowers Road North Strategic Focus Area". Finally, the project meets our Growth Strategies as follows:

1. This property is in a Tier 2 Growth Area, which is appropriate for R-5MF and R-8MF zoning as requested.
2. The fire response time is estimated at 8 minutes but we do have a mutual aid agreement with Ebenezer Fire Department.
3. The project lies in the Fourth Creek Sewer area, which is approaching 80%.

A copy of the Development Data Summary Sheet is included in the attachments.

4. Budget/Funding Implications:

The current tax value is \$267,320, value once completed will be around \$32,240,000.

5. Consequences for Not Acting:

The land will remain vacant farm land inside the Iredell County R-20 district or be developed with 20,000 sq. ft. lots (36 lots).

6. Department Recommendation:

The 2045 Land Development Plan (LDP) projects the property as suitable for Complete Neighborhood 2 and shows it in a Tier 2 Growth Tier area. In addition, this parcel is also located in the Jane Sowers North Strategic Focus Area according to the (LDP). Complete Neighborhood 2 calls for a mix of housing types including single-family homes, patio homes, townhomes, and small multi-family developments. In addition, all the growth strategies are met with the exception of the 4 minute response time, however the city has a mutual aid agreement with Ebenezer.

Therefore, staff recommends approval of the rezoning request contingent upon the conditions listed in the Staff Report and annexation.

The applicant has offered the following conditions:

1. Development shall meet all requirements under the R-8MF zoning classification except the minimum lot width, which shall be 20'.
2. James Farm Road and Jane Sowers Road frontage shall include curb and gutter, a sidewalk, a minimum 8' street yard, including required street trees and landscaping.
3. In addition to condition 2, an enhanced street yard with a 50% increase in required street trees and 25% increase in street yard landscaping will be provided along James Farm Road to hide the rear of the townhomes from street view.
4. Proposed stormwater pond shall be landscaped and fenced with a 4' high decorative fencing (compliant with the city code), around the retention pond. The landscaping shall be decorative and permanently maintained, chain link fencing is prohibited.
5. Tree species adjacent to multi-story buildings shall be small canopy trees so as to provide

adequate clearance for emergency fire equipment.

6. Developer shall be required to have a TIA completed before site plan review and install road improvements per the approved TIA.
7. Developer shall reserve 55' from center line along the Jane Sowers Road ROW for future dedication to NCDOT if the Jane Sowers Road interchange is approved on their STIP, or if Jane Sowers Road is otherwise expanded in the future. In addition, the developer shall also reserve 40' from the center line along the James Farm Road ROW for future dedication to NCDOT.
8. Building materials may include brick, stone, cementitious siding, vinyl, asphalt shingles, metal roofing and similar materials. The front façade shall consist of at least two different materials, one of which shall be brick or stone.
9. Developer shall provide enhanced landscaping at each entrance to the development.
10. Developer must provide HOA documents prior to recording the subdivision plat, both of which shall be recorded with Iredell County. HOA to maintain all common areas including landscaped entrances, open space, street trees, trails, and SCM ponds.
11. Stub street to adjacent property to the east will be paved with curb & gutter no more than 150' from centerline of main collector road. The existing grade from James Farm Road to the eastern boundary includes a 15' change in elevation. Civil drawings will include grading to get the end of this road as low as possible without the need for a retaining wall. Final civil plans will also include the future tie-in to a minimum of 50' inside the adjacent property or to such a distance where it meets the existing grade.
12. There is a unit range of 104 – 112 units.
13. Developer shall dedicate a 55' public right-of-way from the end of the cul-de-sac at the Southern point for possible future connection to neighboring property.

Consistency Statement to Approve:

- The zoning amendment is approved and is consistent with the City's comprehensive land use plan, is reasonable, and in the public interest because: The 2045 Land Development Plan (LDP) projects the property as suitable for Complete Neighborhood 2 and shows it in a Tier 2 Growth Tier area. In addition, this parcel is also located in the Jane Sowers North Strategic Focus Area according to the (LDP). The Complete Neighborhood 2 calls for a mix of housing types including single-family homes, patio homes, townhomes, and small multi-family developments.

Consistency Statement to Deny:

- The zoning amendment is rejected because it is inconsistent with the City's comprehensive land plan and is not reasonable and in the public interest because: The requested density is excessive and out of character with the surrounding area.

7. Manager Comments:

I concur with the department recommendation.

8. Next Steps:

If approved, the second reading would be on August 4, 2025.

9. Attachments:

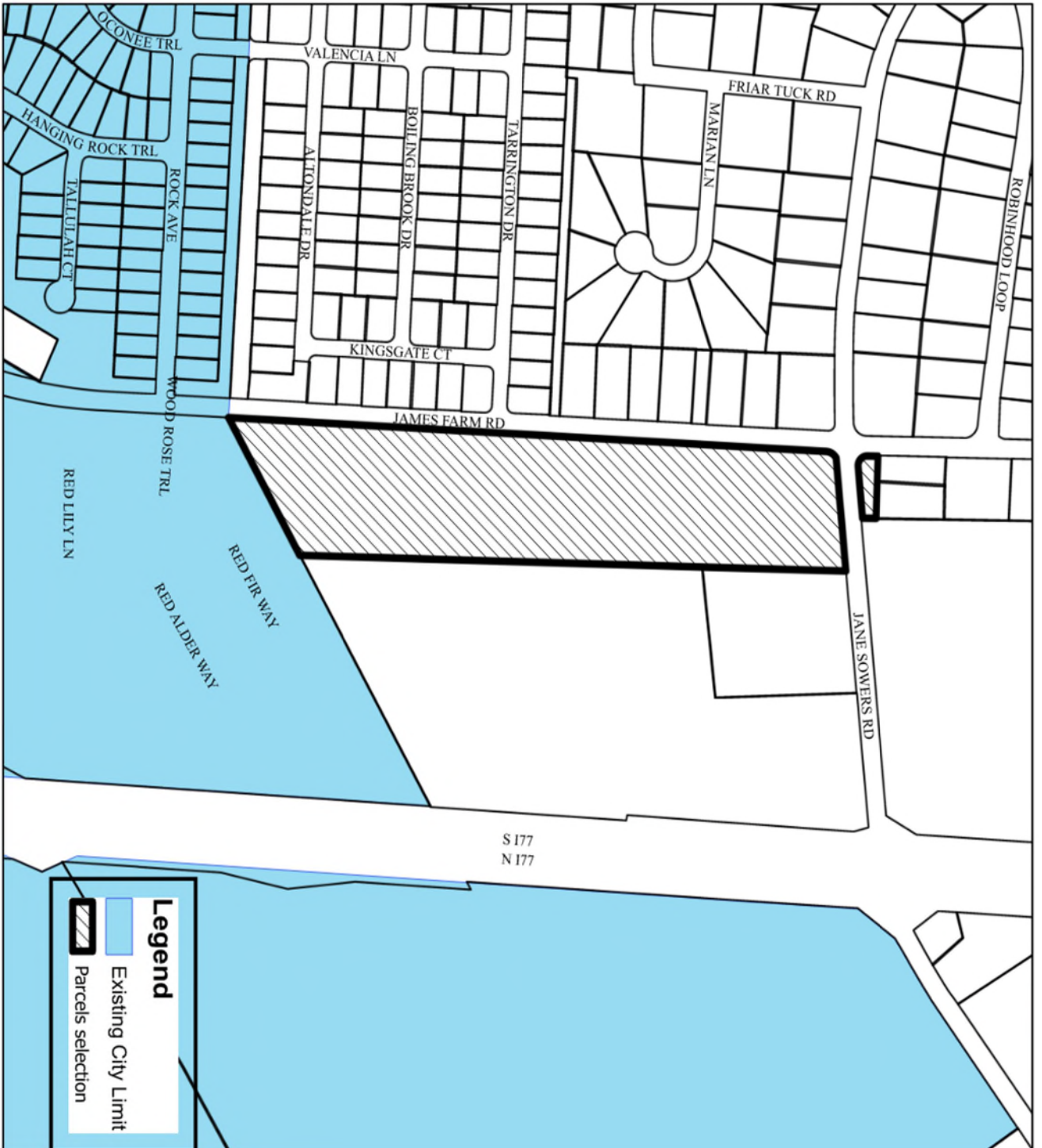
1. Packet Maps ZC25-11 The Oaks at James Farm
2. Concept and Landscape Plan - The Oaks at James Farm
3. Townhome Renderings
4. Community Meeting Notes -The Oaks at James Farm
5. Ordinance and Consistency Pack CC ZC25-11 The Oaks at James Farm
6. Development Summary Sheet

City of Statesville Planning Department

ZC25-11 The Oaks at
James Farm
4746-72-7613



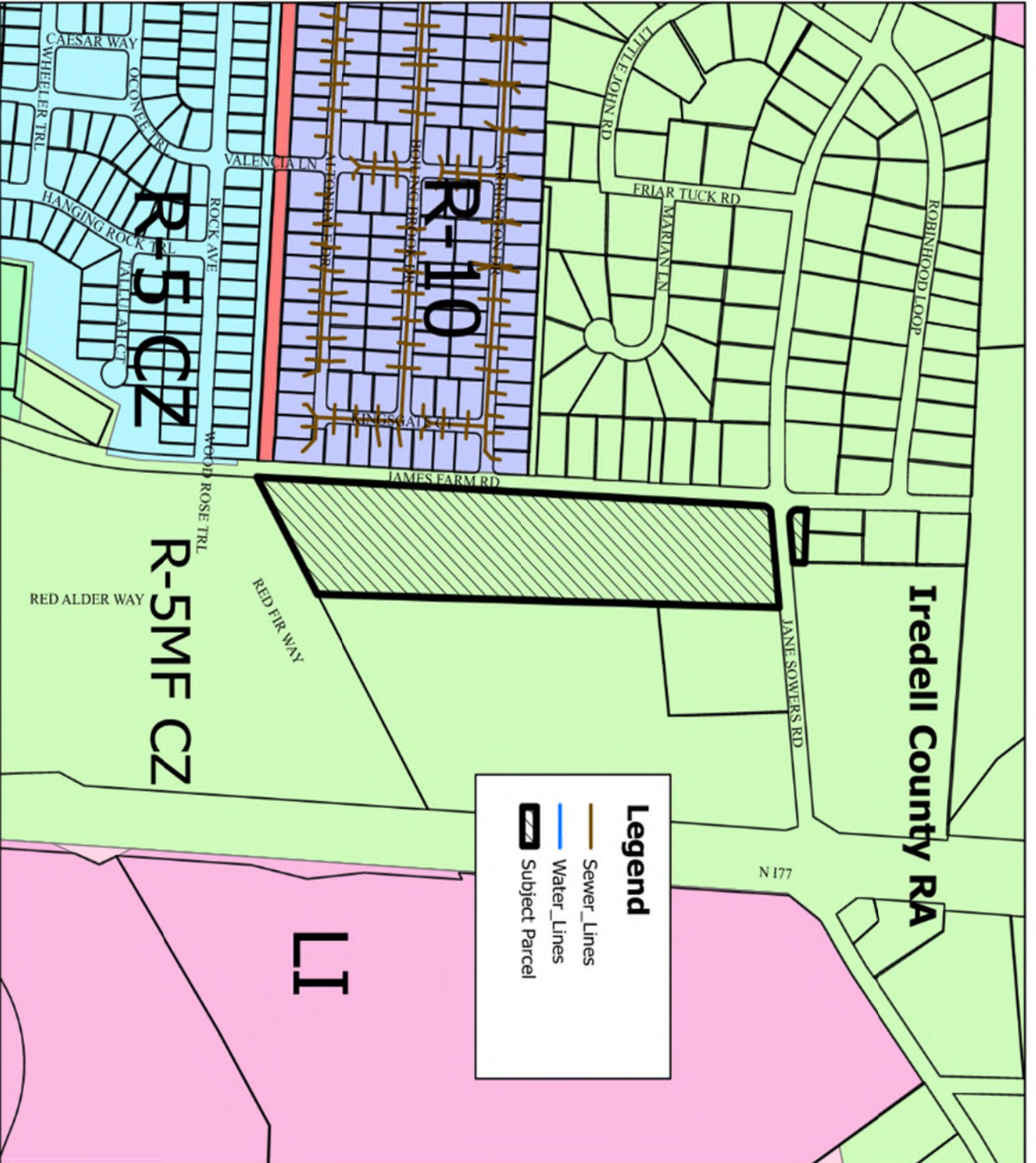
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City of Statesville
Planning Department

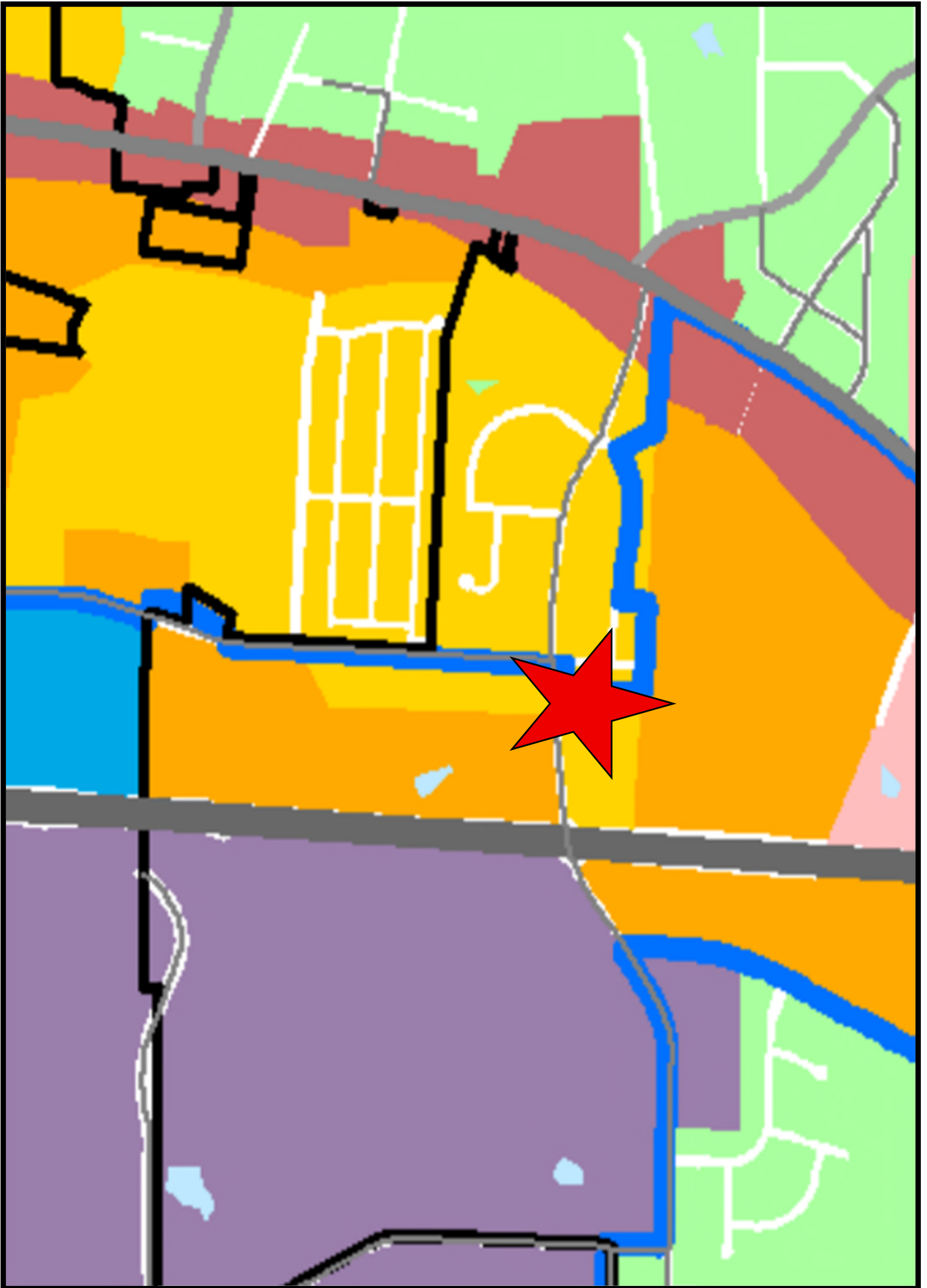
ZC25-11 The Oaks at
 James Farm
 4746-72-7613







ZC25-11 The Oaks at James Farm – Site Photo View from Jane Sowers Road



Complete Neighborhood 2

Character Intent

Complete Neighborhoods 2 are opportunities for new neighborhoods built using traditional neighborhood designs that provide a mix of residential uses. These neighborhoods are best designed as master planned neighborhoods that use a traditional grid or modified grid network, shorter block lengths, and pedestrian pathways connecting residences to internal and external destinations. Typically, a larger portion of neighborhoods will be dedicated to single-family detached homes. Predominantly single family neighborhoods may be supplemented with a variety of housing type choices (see page 36) and multifamily development, provided that sites are adjacent to commercial centers or nodes that can adequately provide basic retail goods and services, and/or along central thoroughfares that can accommodate the significant traffic impacts associated with the higher density residential development. Supplemental housing type choices and multifamily development may also be appropriate when part of a live-work or mixed-use cluster within a larger planned neighborhood or community, or as a part of a planned effort to build the demand that can bring basic retail goods and services to an area or neighborhood that lacks them where increased services and some multifamily is the goal. Sidewalks, multi-use paths, on-street parking, and narrow street designs prioritize walking and biking through neighborhoods and accommodate connections to adjacent uses. These neighborhoods should also include parks and community open spaces accessible to neighborhood residents and preferably to the public. Pockets of community-serving institutional uses like schools, community centers and churches are also appropriate. Limited use of neighborhood-scale, multistory commercial and office centers is appropriate in this character area when clustered along major thoroughfares and street corners.

Pattern & Form

Grid or modified grid network with short and medium block lengths.

Opportunities

New master planned developments organized around community gathering spaces (commercial or open space).

Primary Uses

Residential

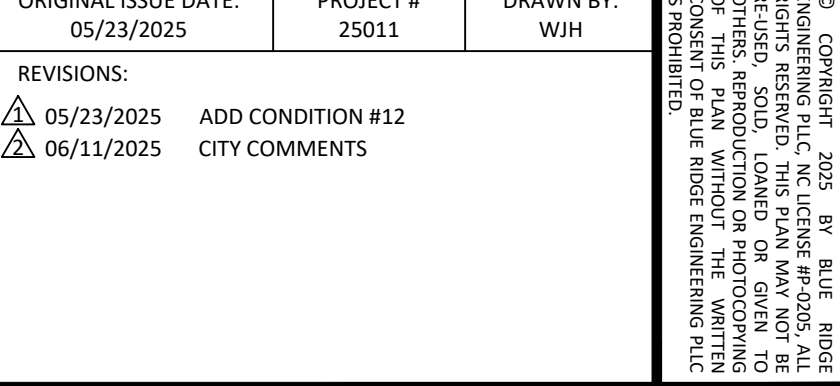
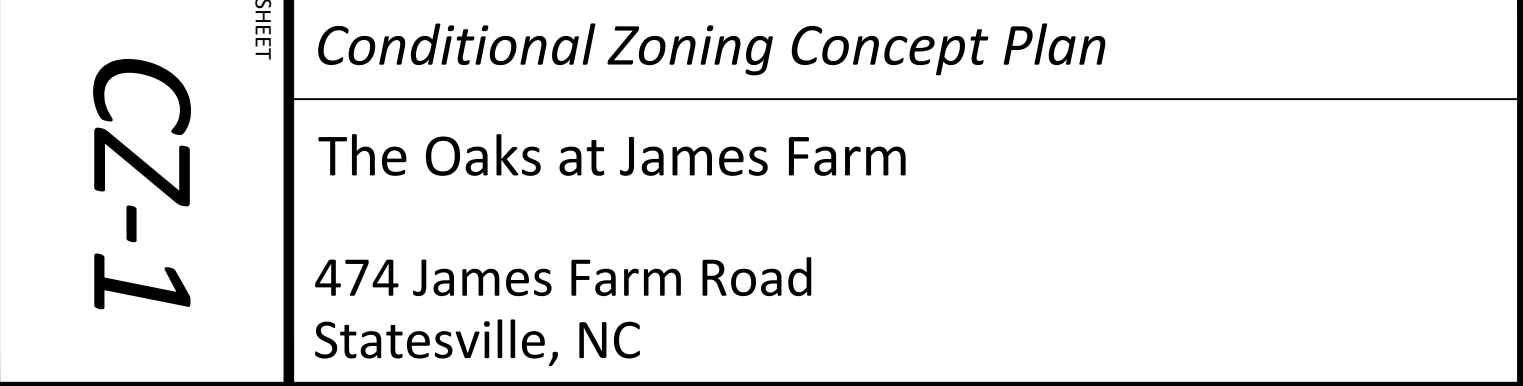
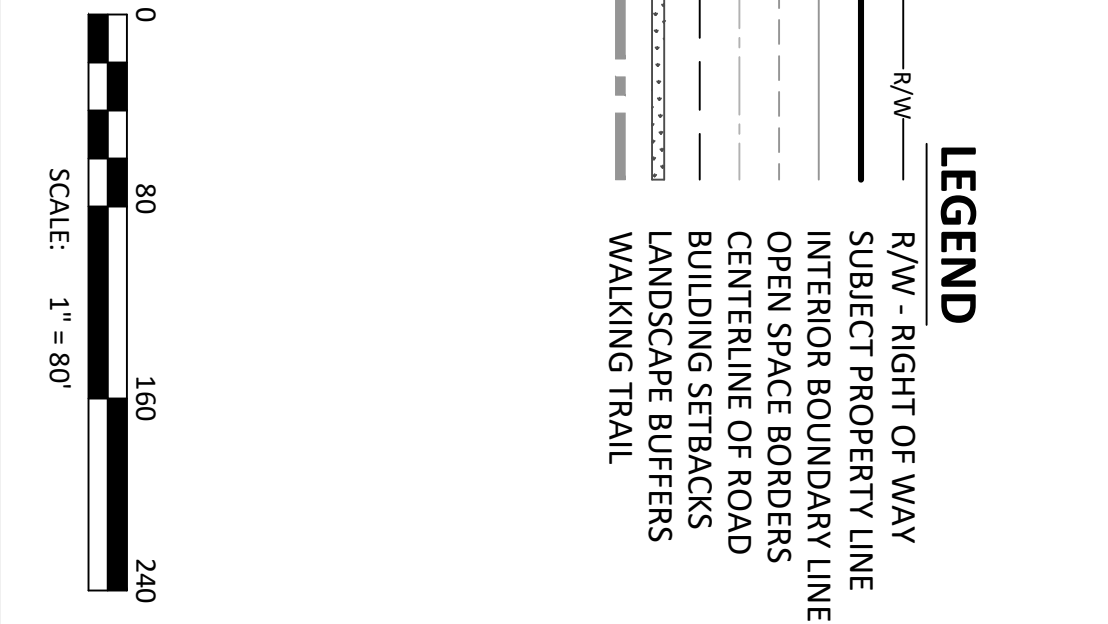
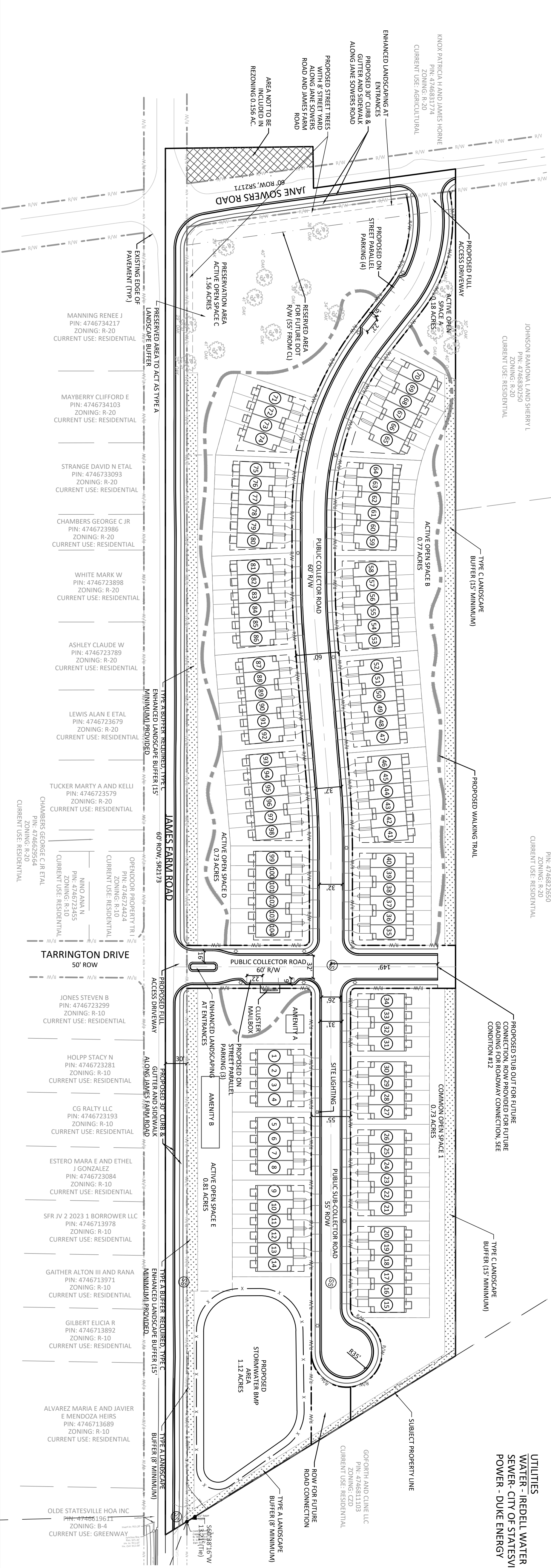
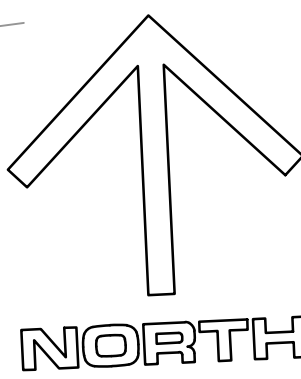
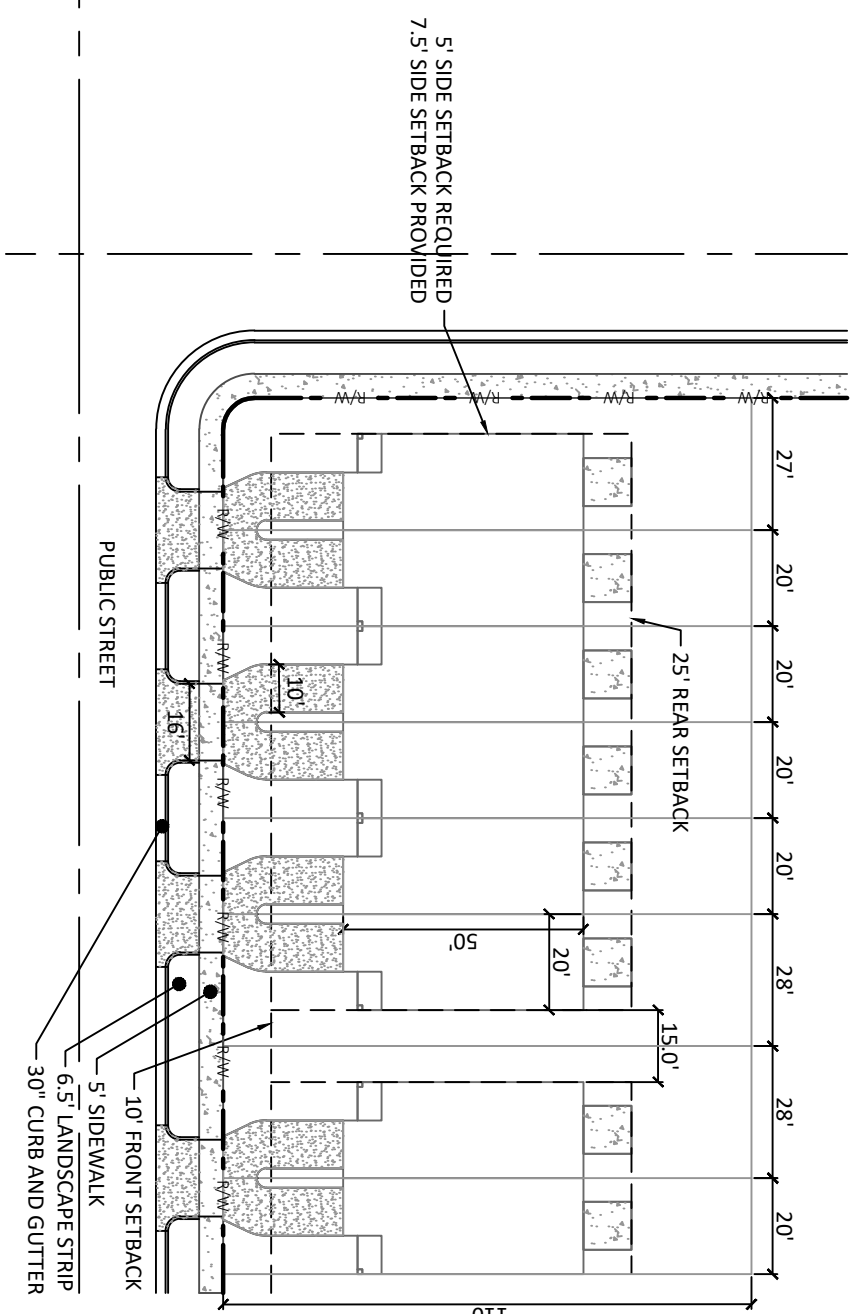
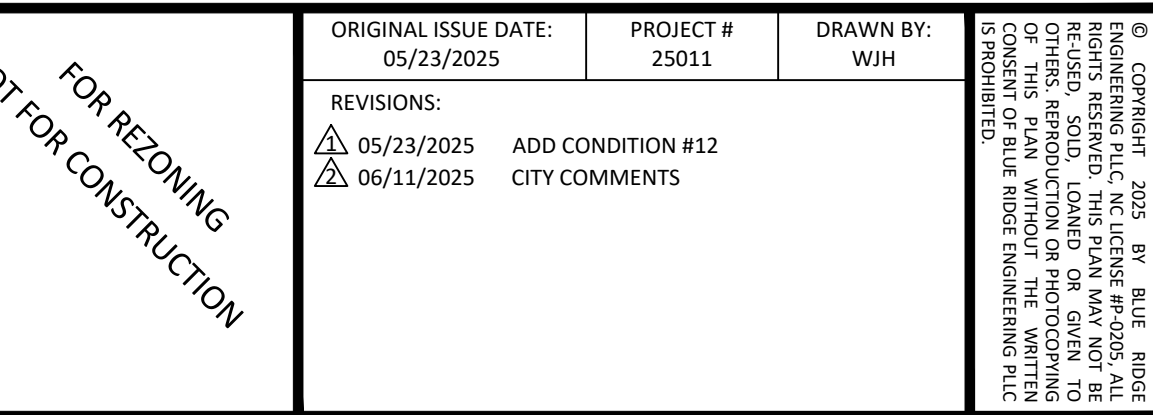
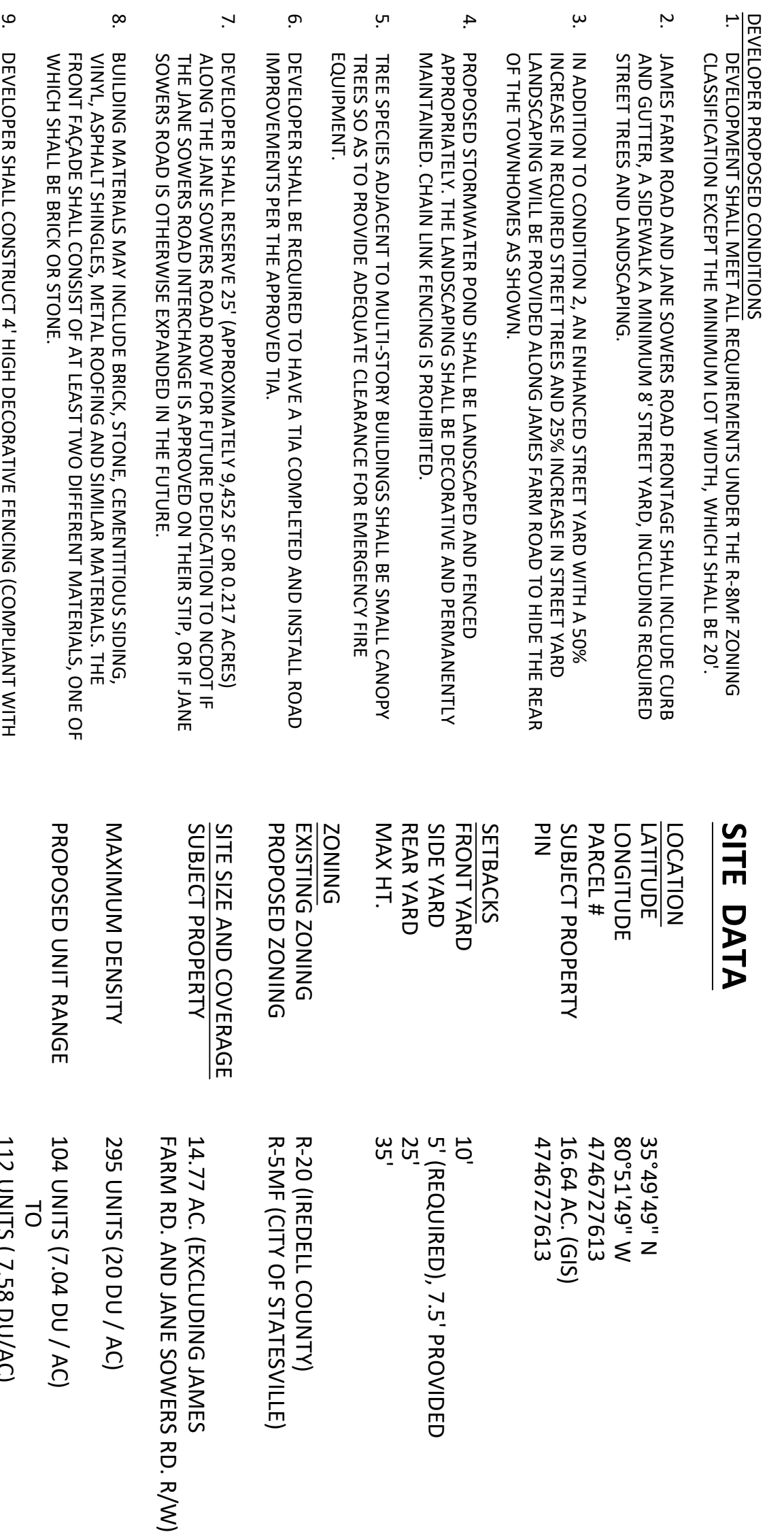
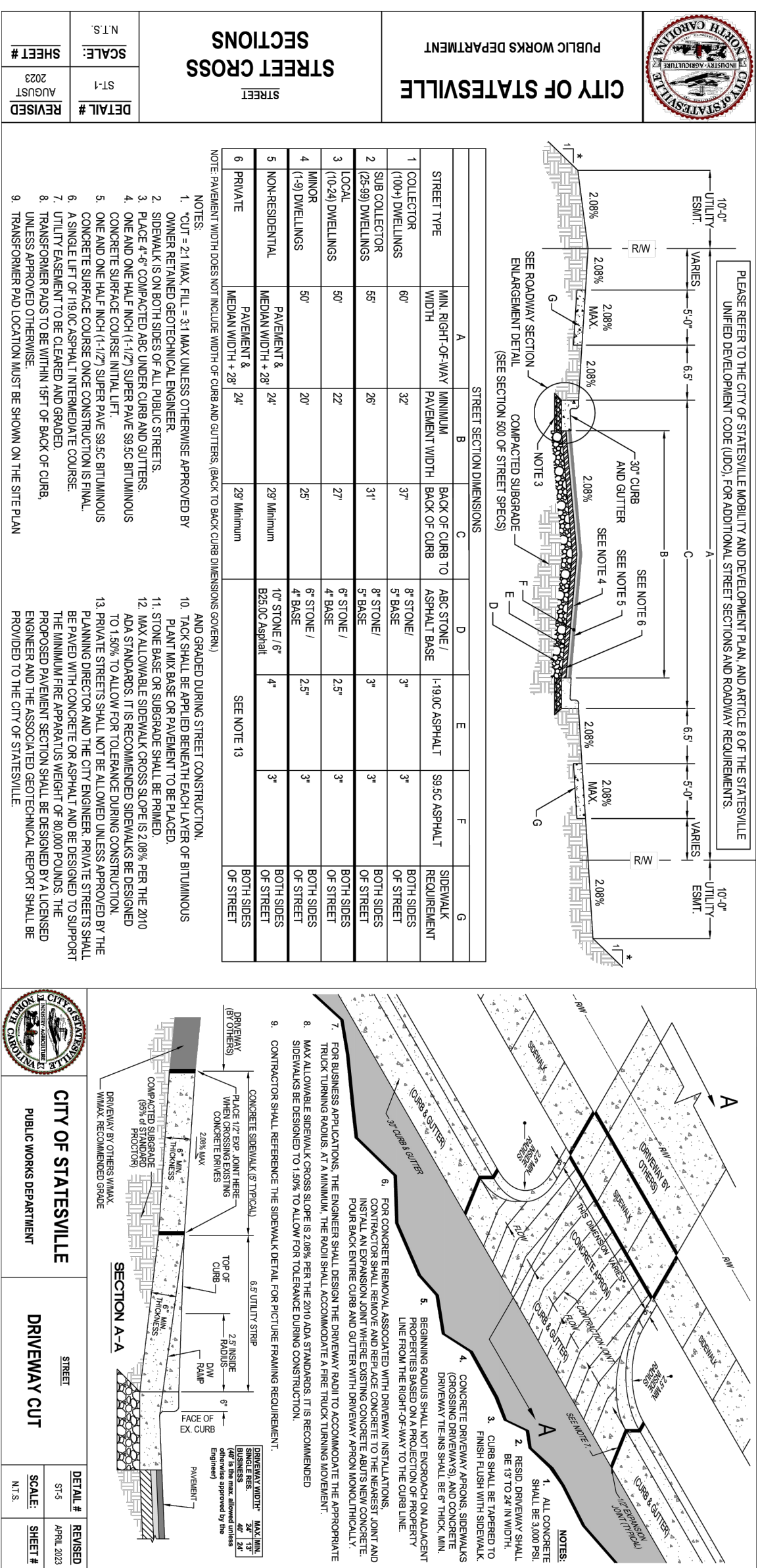
Secondary Uses

Clubhouses and recreation centers, neighborhood scale corner commercial/offices, institutional, park and open space, daycare.

Form Characteristics

Building Height	One to three stories
Building Orientation	Residences oriented towards the primary street, 0-30 ft setbacks
Building Types	Single family detached homes, limited use of a variety of housing type choices (see page 37), and multifamily in centralized locations, limited use of neighborhood-scale and multistory commercial or office centers in centralized locations, and institutional buildings.
Street Character	Local streets with sidewalks on both sides and street trees, off-street pedestrian and bike circulation connections (trails and paths)
Parking Character	Alley parking preferred for residential, some on-street parking, neighborhood nonresidential uses share small surface lots





LANDSCAPING PRESERVATION CREDIT

CREDIT POINTS (DBH)	NONE
UNDER 2.5"	12
2.5" - 4.99"	18
5" - 9.99"	24
10" - 14.99"	30
15" - 19.99"	36
20" - 24.99"	42
25" AND GREATER	
PRESERVED TREES	
30" TREE	42
26" TREE	42
40" TREE	42
37" TREE	42
34" TREE	42
36" TREE	42
39" TREE	42
40" TREE	42
41" TREE	42
45" TREE	42
41" TREE	42
29" TREE	42
25" TREE	42
29" TREE	42
TOTAL PRESERVATION POINTS	588

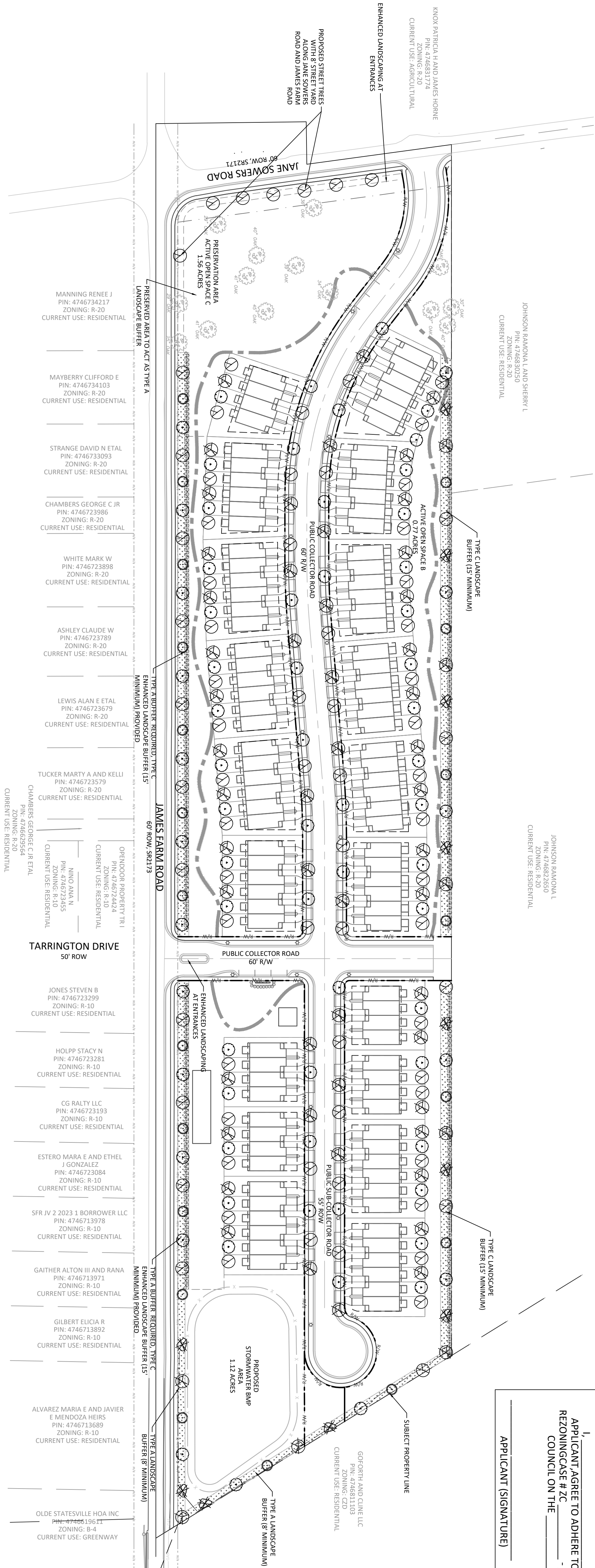
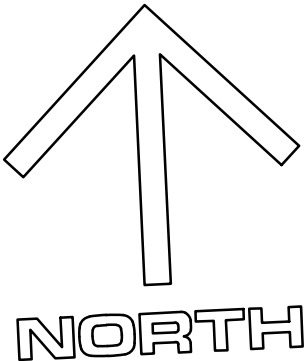
LANDSCAPING REQUIREMENTS

LANDSCAPING POINT VALUES	
BELOW ARE THE POINT VALUES ASSIGNED TO EACH TYPE OF PLANTING AS PRESENTED IN THE CITY OF STATESVILLE UNIFIED DEVELOPMENT ORDINANCE - SECTION 6.04 TABLE 2.	
SHADE TREE: 12 POINTS ORNAMENTAL TREE: 6 POINTS LARGE SHRUB: 3 POINTS MEDIUM SHRUB: 2 POINTS SMALL SHRUB: 1 POINT	
STREET TREES REQUIRED	8' MINIMUM WIDE 3 SHADE TREES OR 4 ORNAMENTAL TREES PER 100 LF WITH A MINIMUM OF 50% BEING SHADE TREES OPTIONAL SHRUBS 36 POINTS PER 100 LF 1825 LF * 36 / 100 = 657 POINTS
PROVIDED	57 SHADE TREES (684 POINTS)
LOT TREES REQUIRED	LOTS UNDER 15,000 SF REQUIRE 1 SHADE TREE LOT 104 LOTS * 1 TREE = 104 TREES
PROVIDED	104 SHADE TREES

BUFFER YARD

TYPE A (8' WIDE MINIMUM): 1 ORNAMENTAL TREE PER 100 LF OPTIONAL SHRUBS 40 POINTS PER 100 LF	
TYPE C (15' WIDE MINIMUM): 1 ORNAMENTAL TREE PER 100 LF OPTIONAL SHRUBS 70 POINTS PER 100 LF	
TYPE A (8' MINIMUM) REQUIRED	1 ORNAMENTAL TREE PER 100 LF OPTIONAL SHRUBS 40 POINTS PER 100 LF @ 75% LF = 294 POINTS REQUIRED
PROVIDED	1 SHADE TREES AND 1 ORNAMENTAL TREES PER 100 LF (18 POINTS PER 100 LF) = 132 POINTS PRESERVATION CREDIT = 162 POINTS TOTAL POINTS = 294 POINTS
TYPE C (15' MINIMUM) REQUIRED	1 ORNAMENTAL TREE PER 100 LF OPTIONAL SHRUBS 70 POINTS PER 100 LF @ 1,267 LF = 887 POINTS
PROVIDED	1 SHADE TREES AND 1 ORNAMENTAL TREES PER 100 LF (18 POINTS PER 100 LF) = 228 POINTS 26 MEDIUM SHRUBS PER 100 LF (52 POINTS PER 100 LF) = 659 POINTS TOTAL POINTS = 887 POINTS

JAMES FARM ROAD ENHANCED BUFFER REQUIRED: 1 ORNAMENTAL TREE PER 100 LF OPTIONAL SHRUBS 40 POINTS PER 100 LF @ 1,215 LF = 486 POINTS PROVIDED: TYPE C ENHANCED, 15' MIN WIDTH 2 SHADE TREES AND 1 ORNAMENTAL TREES PER 100 LF (30 POINTS PER 100 LF) = 365 POINTS 25 MEDIUM SHRUBS PER 100 LF (50 POINTS PER 100 LF) = 608 POINTS TOTAL POINTS = 973 POINTS	
---	--



1, _____ (PRINTED NAME),
APPLICANT, AGREE TO ADHERE TO THE ABOVE CONDITIONS ON
REZONING CASE # ZC _____ AS ADOPTED BY CITY
COUNCIL ON THE _____ DAY OF _____ 2025

APPLICANT (SIGNATURE) _____ DATE _____

- DEVELOPER SHALL MEET ALL REQUIREMENTS UNDER THE R-8W ZONING CLASSIFICATION EXCEPT THE MINIMUM LOT WIDTH, WHICH SHALL BE 20'.
- JAMES FARM ROAD AND JANE SOWERS ROAD FRONTAGE SHALL INCLUDE CURB STREET TREES AND LANDSCAPING.
- IN ADDITION TO CONDITION 2, AN ENHANCED STREET YARD WITH A 50% INCREASE IN REQUIRED STREET TREES AND 25% INCREASE IN STREET YARD LANDSCAPING WILL BE PROVIDED ALONG JAMES FARM ROAD TO HIDE THE REAR OF THE TOWNHOMES AS SHOWN.
- PROPOSED STORMWATER POND SHALL BE LANDSCAPED AND FENCED APPROPRIATELY. THE LANDSCAPING SHALL BE DECORATIVE AND PERMANENTLY MAINTAINED. CHAIN LINK FENCING IS PROHIBITED.
- TREES SPECIES ADJACENT TO MULTI-STORY BUILDINGS SHALL BE SMALL CANOPY TREES SO AS TO PROVIDE ADEQUATE CLEARANCE FOR EMERGENCY FIRE EQUIPMENT.
- DEVELOPER SHALL BE REQUIRED TO HAVE A TIA COMPLETED AND INSTALL ROAD IMPROVEMENTS PER THE APPROVED TIA.
- DEVELOPER SHALL RESERVE 25% (APPROXIMATELY 9,453 SF OR 0.217 ACRES) ALONG THE JANE SOWERS ROAD ROW FOR FUTURE DEDICATION TO NCOT IF THE JANE SOWERS ROAD INTERCHANGE IS APPROVED ON THEIR SITE, OR IF JANE SOWERS ROAD IS OTHERWISE EXPANDED IN THE FUTURE.
- BUILDING MATERIALS MAY INCLUDE BRICK, STONE, CEMENTITIOUS SIDING, VINYL, ASPHALT SHINGLES, METAL ROOFING AND SIMILAR MATERIALS. THE FRONT FACADE SHALL CONSIST OF AT LEAST TWO DIFFERENT MATERIALS, ONE OF WHICH SHALL BE BRICK OR STONE.
- DEVELOPER SHALL CONSTRUCT 4' HIGH DECORATIVE FENCING (COMPLIANT WITH CITY CODE) AROUND THE RETENTION POND.
- DEVELOPER SHALL PROVIDE ENHANCED LANDSCAPING AT EACH ENTRANCE TO THE DEVELOPMENT.
- DEVELOPER MUST PROVIDE HOA DOCUMENTS PRIOR TO RECORDING THE SUBDIVISION PLAT, BOTH OF WHICH SHALL BE RECORDED WITH REDDELL COUNTY.
- STUD STREET TO ADJACENT PROPERTY TO THE EAST WILL BE PAVED WITH CURB & GUTTER. THE EXISTING GRADE FROM JAMES FARM ROAD TO THE EASTERN BOUNDARY INCLUDES A 15' CHANGE IN ELEVATION. CIVIL DRAWINGS WILL INCLUDE GRADING TO GET THE END OF THIS ROAD AS LOW AS POSSIBLE WITHOUT THE NEED FOR A RETAINING WALL. FINAL CIVIL PLANS WILL ALSO INCLUDE THE FUTURE TIE-IN TO A MINIMUM OF 50' INSIDE THE ADJACENT PROPERTY OR TO SUCH A DISTANCE WHERE IT MEETS THE EXISTING GRADE.
- HOA SHALL MAINTAIN ALL COMMON AREAS INCLUDING LANDSCAPED ENTRANCES, OPEN SPACE, STREET TREES, TRAILS, AND SOAKS.
- A 55' ROW WILL BE DEDICATED FROM THE END OF THE CUL-DE-SAC TO THE PROPERTY LINE FOR A POTENTIAL FUTURE CONNECTION AS SHOWN.
- DEVELOPER SHALL RESERVE AN AREA 55' FROM THE CENTERLINE OF JANE SOWERS RD. AND 40' FROM THE CENTER OF JAMES FARM RD. TO BE AVAILABLE FOR FUTURE NCOT ACQUISITION. NO PERMANENT STRUCTURES SHALL BE PLACED IN THESE AREAS.

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ORIGINAL ISSUE DATE: 05/23/2025	PROJECT # 25011	DRAWN BY: WIH
REVISIONS: 05/23/2025 06/11/2025	ADD CONDITION #12 CITY COMMENTS	

NOT FOR REZONING
FOR CONSTRUCTION



Blue Ridge Engineering PLLC
924 Main Street - Suite 200
North Wilkesboro, NC 28659
336.838.2500
www.ridge.blue
Firm #P-0205

Prepared for:
ELEVATION
REAL ESTATE GROUP
ATTN: Chris LaMack
9541 Julian Clark Ave., Suite 101
Huntersville, NC 28078
704-363-6109
clamack@elevation-re.com

Conditional Zoning Landscape Plan

The Oaks at James Farm

474 James Farm Road
Statesville, NC

CZ-2



The Oaks at James Farm

Community Meeting Notes

A Community Meeting was held on Thursday, June 5, 2025 at 5:30 PM at Cloverleaf Elementary School, 300 James Farm Road, Statesville, NC.

The meeting was run by Chris La Mack, Dante Massaro & Clayton Kennedy of Elevation Real Estate Group LLC, and Herman Caulder with the City of Statesville Planning Department.

Mr. La Mack began by explaining that the meeting was a requirement in the rezoning process that Elevation has applied for through the City of Statesville. The proposed development called for 104 townhome lots with a preservation area to include several 100 plus year old oaks at the northern end of the development.

He also explained that the development was within the Jane Sowers North area as described in the Statesville 2045 Plan and the 2019 Mobility and Development Plan and met the requirements within both of those guiding documents.

The UDO lays out the specific zoning and development requirements. While the proposed zoning is for R-5MF (high-density), the development meets all requirements of R-8MF zoning except for lot width. Since R-8MF limits minimum lot width to 25', the R-5MF zoning is requested to obtain the 20' lot width we need.

Mr. Caulder explained the following meeting process and dates:

1. The City of Statesville Planning Board will hear the case on Tuesday, June 24th and there will be a Public Hearing open to the public to voice any questions or concerns and speak either in favor or against the project. The Planning Board can either recommend approval, recommend denial, or table the project for more discussion.
2. Assuming the Planning Board recommends approval, the project would then be heard by the Statesville City Council on Monday, July 21st. At this meeting, City Counsel can have discussion, ask questions, and conduct a Public Hearing for comment from the public. At this meeting, the Council can vote in favor of the project to move to a second meeting, deny the rezoning, or table for further discussion.
3. Assuming the City Council approves the first reading, they would hold a second reading at their meeting on Monday, August 4th. If there was further discussion warranted, they would resume the discussion and take a vote. If they were unanimous on the first reading, the second reading would be part of the consent agenda. At this point, the rezoning would be approved to move forward.

- Community members were concerned about additional traffic, primarily along James Farm Road, given the recent Sullivan Farm's development along with The Reserve at James Farm and Redwood developments.
- They indicated that very often people speed down James Farm and would like the speed limit to be lowered. The idea of reaching out to NCDOT was discussed, possibly with a petition with multiple neighbors.
- Some of the neighbors will miss seeing the grazing cows and rolling farmland and wish that development would stop encroaching into their neighborhood.
- They expressed distrust of developers and the City after they were promised that the Sullivan Farms development (and possibly Old Statesville as well) would have a direct connection to Hwy 21 allowing the new residents to exist the subdivision(s) that way. That connection was never made and now all the traffic dumps onto James Farm Road. Mr. La Mack pointed out that The Oaks at James Farm will be the only development with access to another road, Jane Sowers.
- There was appreciation that the development would be preserving the old oak trees and adding sidewalks along James Farm Road and Jane Sowers Road. This is a city requirement that must be adhered to.
- They indicated that the intersection of James Farm Rd and Jane Sowers Rd is dangerous - that it is very hard to see the traffic traveling west along Jane Sowers if you're at the stop sign at James Farm. They hope that the trees will be cut down (and new ones not planted) so that there is a good site triangle at that corner. We noted that nothing can be done about the existing AT&T box within their easement, however, the mature trees that block the view would be taken down in favor of the new streetyard landscape buffer as required by the city.
- No one believes that the interchange at Jane Sowers and I-77 would be completed anytime in the next 20 years.
- They indicated that traffic was especially bad along James Farm when school is in session when parents are dropping off in the morning and picking up in the afternoon. It was noted that the Traffic Improvement Analysis counts could not be done until school is back in session.
- They did not like seeing cars parked along the street in other developments. They thought cars should be parked in the driveways or garages. It was noted our plan does include some on-street parking spaces.
- One lady wanted to see the results of the TIA prior to any re-zoning being approved. Mr. Caulder mentioned that this was not a requirement of the city and the cost of a TIA is expensive so most developers preferred not to spend the money until they had their rezoning approved/

- Many wanted to know whether the townhomes would be for rent or for sale, but the developer didn't have any answer at this time as they were talking with several different builders. Mr. La Mack did specify that the exterior maintenance would be handled in the same way whether the development was for sale or for lease.
- One neighbor asked when the construction would commence on this project and the developer indicated that it would likely be the middle of next year. Homes would not be ready until late next year or early the following year.
- Some neighbors thought that the density of the development was too high even though it was well under the threshold for a medium density townhouse development. It was pointed out that this was within the 2045 Plan as far as density and type of development.
- Overall, the neighbors were fine with the look of the proposed townhomes, but their major concern was increased traffic and speeding along James Farm. They did not appear to be opposed to the development overall but rather changes to their more rural environment of the past.

After some brief discussion, the meeting was adjourned and several residents indicated they would be present at the Planning Board Meeting.

Community Members Present

- Clifford E Mayberry Jr. 463 James Farm Rd.
- Lydia Mayberry 463 James Farm Rd.
- Deena Chamber 134 Little John Rd.
- Elizabeth Chamber 142 Little John Rd.
- Carolyn Strange 459 James Farm Rd.
- Dale Strange 459 James Farm Rd.
- Sherry Johnson 252 Jane Sowers Rd.
- Adrian Warner Tarrington Dr.
- Herman Caulder City of Statesville
- Chris La Mack Elevation Real Estate
- Dante Massaro Elevation Real Estate
- Clayton Kennedy Elevation Real Estate



To: Statesville City Council

From: Herman Caulder, Assistant Planning Director

Date: July 14, 2025

Subject: Rezoning

Case: ZC25-11 The Oaks at James Farm

Address: Property located at the
intersection of Jane Sowers Road and James Farm Road; Iredell County
Tax Map Parcel # 4746-72-7613.

-
- ☐ The zoning amendment is **approved** and is consistent with the City's comprehensive land use plan, is reasonable, and in the public interest because:
 - ✓ In addition to **approving** this zoning amendment, this approval is **also deemed an amendment to the City's comprehensive land use plan**. The change in conditions the Planning Board has taken into account in amending the zoning ordinance to meet the development needs of the community are as follows: The 2045 Land Development Plan (LDP) projects the property as suitable for Complete Neighborhood 2 and shows it in a Tier 2 Growth Tier area. In addition, this parcel is also located in the Jane Sowers North Strategic Focus Area according to the (LDP). The Complete Neighborhood 2 calls for a mix of housing types including single-family homes, patio homes, townhomes, and small multi-family developments.
 - ☐ The zoning amendment is **rejected because it is inconsistent with the City's comprehensive land plan** and is not reasonable and in the public interest because:

Date: Date: Constantine H. Kutteh, Mayor

Date: Herman Caulder, Asst. Planning Director



To: Statesville City Council

From: Herman Caulder, Assistant Planning Director

Date: July 14, 2025

Subject: Rezoning

Case: ZC25-11 The Oaks at James Farm

Address: Properties located at the
intersection of Jane Sowers Road and James Farm Road; Iredell County Tax Map
Parcel # 4746-72-7613.

- ☐ The zoning amendment is **approved** and is consistent with the City's comprehensive land use plan, is reasonable, and in the public interest because:
- ☐ In addition to **approving** this zoning amendment, this approval is **also deemed an amendment to the City's comprehensive land use plan.** The change in conditions the Planning Board has taken into account in amending the zoning ordinance to meet the development needs of the community are as follows:
- ✓ The zoning amendment **is rejected because it is inconsistent with the City's comprehensive land plan** and is not reasonable and in the public interest because: The requested density is excessive and out of character with the surrounding area.

Date: Constantine H. Kutteh, Mayor

Date: Herman Caulder, Asst. Planning Director

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF THE AFTER DESCRIBED PROPERTY FROM IREDELL COUNTY R-20 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO CITY OF STATESVILLE R-5MF CZ (HIGH DENSITY MULTI-FAMILY RESIDENTIAL CONDITIONAL ZONING) DISTRICT, TO BUILD A 104 UNIT TOWNHOME COMMUNITY.

ZC25-11 The Oaks at James Farm

located at the intersection of Jane Sowers Road and James Farm Road, Statesville, NC
Iredell County Tax Map Parcel # 4746-72-7613.

WHEREAS, A NOTICE TO THE GENERAL PUBLIC AND PARTICULARLY THE CITIZENS OF THE City of Statesville's planning jurisdiction was duly given, notifying them of a public hearing to be held on July 14, 2025 at 6:00 p.m. in the Council Chambers at City Hall, 227 South Center Street, Statesville, North Carolina, for the purpose of considering a proposed ordinance to change the zoning classification of the after described property from Iredell County R-20 (Single-Family Residential) District to City of Statesville R-5MF CZ (High Density Multi-Family Residential Conditional Zoning) District, to build a 104 unit townhome community; said notice having been published in the Statesville Record and Landmark, a newspaper having general circulation in this area on July 3 and 10, 2025, all in accordance with the procedure set forth in N.C.G.S. 160D-601; and

WHEREAS, said public hearing was duly held in accordance with law, and all persons present were given an opportunity to be heard on said proposed ordinance prior to any action being taken thereon by the City Council;

NOW, THEREFORE, BE IT ORDAINED, that the zoning classification of the after described property be changed as particularly set out below, said property being more particularly described as follows:

Description

BEGINNING AT A #4 REBAR WITH A CAP ON THE SOUTHERN MARGIN OF JANE SOWERS RD., A COMMON LINE OF NOW OR FORMERLY RAMORA & SHERRY JOHNSON, DEED BOOK 1780 PAGE 139, AND NOW OR FORMERLY SHUE FITS LLC, DEED BOOK 3108 PAGE 626; THENCE FROM THE POINT OF BEGINNING WITH THE JOHNSON LINE S 02°41'05" W A DISTANCE OF 1,627.26' TO A #4 REBAR WITH A CAP, ON THE LINE OF NOW OR FORMERLY GOFORTH & CLINE LLC, DEED BOOK 1903 PAGE 104; THENCE WITH THE GOFORTH & CLINE LLC LINE S 60°59'23" W A DISTANCE OF 440.35' TO A #4 REBAR WITH A CAP ON EASTERN 60' PUBLIC RIGHT OF WAY JAMES FARM RD.; THENCE WITH THE RIGHT OF WAY OF JAMES FARM RD. N 02°41'05" E A DISTANCE OF 1,807.87' TO A POINT AT THE INTERSECTION OF THE RIGHT OF WAY OF JANE SOWERS RD AND JAMES FARM RD; THENCE WITH THE RIGHT OF WAY OF JANE SOWERS RD N 84°58'17" E A DISTANCE OF 378.10' TO A #4 REBAR WITH A CAP, WHICH IS THE POINT OF BEGINNING, CONTAINING 14.773 ACRES AS SHOWN ON A MAP BY CAROLINA GEOMATICS, PLLC, DATED MAY 20, 2025.

This ordinance was introduced for first reading by Councilmember_____, seconded by Councilmember_____, and unanimously carried on the 14th day of July, 2025.

Ayes:

Nayes:

The second and final reading of this ordinance was heard on the 4th day of August, 2025 and upon motion of Councilmember_____, seconded by Councilmember_____, and unanimously carried, was adopted.

Ayes:

Nayes:

This ordinance is to be in full force and effect from and after the 4th day of August, 2025.

CITY OF STATESVILLE

Constantine H. Kutteh, Mayor

APPROVED AS TO FORM:

By: _____
City Attorney

ATTEST:

City Clerk

The Oaks at James Farm
Development Overview

General	Name of Development	The Oaks at James Farm
	Project Status	Applying for Rezoning
	Developer Name	Elevation Real Estate Group (Chris LaMack)
Property	Primary PIN	4746-72-7613
	Total Parcels	1
	Project Acreage	16.64
	Proposed Density	6.25 DUA
	Density w/o Rezoning	20 DUA
	Property Street	James Farm Rd. and Jane Sowers Rd.
	Current Use	Undeveloped
	Current Zoning	Iredell County R-20
	Current Jurisdiction Having Authc	Iredell County
	Proposed Zoning	R-5MF CZ
Annual Value at Buildout	Real Property Investment	\$32,240,000
	Anticipated City Tax	\$133,499
	Anticipated Sales Tax	\$104,912
	Vehicle Taxes	\$14,086
	Operating Expenses	-\$125,381
	Total Gross Annual Revenue	\$127,116
Residential	Single Family Detached (max)	0
	Single Family Attached (max)	104
	Multifamily	0
	Total New Housing Units	104
	Avg. Persons per Household	2.4
	Estimated Population (HH X 2.4)	251
Estimated School-Age Population		35
Project Phasing	Anticipated Project Commencement	2026
	Anticipated Project Completion	2027
	Year 1	60
	Year 2	51
	Year 3	0
	Year 4	0
	Year 5	0
	Year 6	0
	Year 7	
	Year 8	
	Year 9	
	Year 10	
	Year 11	
Commercial	Total Commercial Units	0
	Total Commercial Square Footage	0
Industrial	Total Industrial Units	0
	Total Industrial Square Footage	0

The Oaks at James Farm
Development Overview

Schools	Local Elementary A	Cloverleaf Elementary School
	Capacity	95.50%
	Local Elementary B	N/A
	Capacity	N/A
	Local Middle	East Iredell Middle School
	Local Middle School Capacity	41.90%
	Local High	Statesville High School
	Local High School Capacity	84%
	New Public Greenways (mi.)	0.00
	Greenway Connectivity (Y/N)	Y
	Open/Park Space (acres)	4.78
	Property Drains To	4th Creek
	Distance to Nearest Park Space	3.4 (McClure Park)
Public Safety	Nearest FS	Station 4 (Mutual Aid with Ebenezer)
	Distance from Nearest FS	5.5 mi. / 8 minutes (to entrance)
	Police Officers (3 per 1,000 pop.)	1
Public Utilities	Electric Service Territory	Duke Power
	New SVL Electric Line (mi.)	TBD
	Transformers Required	TBD
	AMI Meters (E) Required	TBD
	Other Electric	N/A
	Water Service Territory	Iredell Water Corp.
	AMI Meters (W) Required	0
	New Water Line	TBD
	Needed (Offsite) Water Line (Mi.)	TBD
	Offsite Line Cost	TBD
Public Utilities	Onsite Water Line (Mi.)	TBD
	Estimated Water Techs	TBD
	Estimated Water Demand (g./day)	N/A
	Sewer Territory	CoS
	New Sewer Line (mi.)	TBD
	Estimated Sewer Tech	TBD
	Wastewater Treatment Facility	4th Creek
	Estimated Sewer Demand (g./day)	23,400
	Current Used Capacity	71%
	Used Capacity with Project	72%
Public Works	Sanitation Impact	Requires one crew working one third a day
	New Roads (mi.)	.45 miles
	New Sidewalks	.82 miles

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Herman Caulder, Assistant Planning Director
DATE: 7/3/2025 10:50 AM

ACTION NEEDED ON: July 14, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider passing the first reading of Rezoning Request ZC25-10 River Hills PUD; for located on U.S. Highway 64 between East Broad Street and River Hill Road for a major amendment to the approved concept plan.

1. Summary of Information:

Mr. Robert Bowman (applicant), on behalf of River Hill Bowman, LLC (owners), is requesting significant changes to the concept map for the River Hill Planned Unit Development (PUD); a 107.93-acre parcel of property, which was recently rezoned from Iredell County RA (Residential Agricultural) District and Iredell County R-20 (Single-Family Residential) District to City of Statesville Planned Unit Development (PUD Conditional Zoning) District. On April 8, 2023, an amendment to replace the apartments with townhomes and add live/work units was approved. Currently the developer is asking to remove the townhomes and replace them with single-family homes like what is in the remainder of the development, (see attached Location and Current Zoning & Utilities maps). It is important to point out that the cottage homes “workforce housing” will still be built.

(See amended concept plan) Section 2.07, (L) of the Unified Development Code (UDC), states that major changes must be submitted to the Planning Board and then to the City Council for approval. In this case, changing the general use from townhomes to single-family homes and the substantial changes to the vehicular circulation constitute a major change to the development, and therefore trigger the amendment process.

Evaluation

The proposed project site is on approximately 107.93 acres primarily located on U.S. Highway 64 between East Broad Street and River Hill Road (see attached Aerial Photo Map and Site Photos). The property was originally rezoned on April 8, 2023, and annexed on June 17, 2024. The intent is to amend the concept plan that will allow them to replace the 94 townhomes with 57 additional single-family homes, up to 9 additional cottages, and minor changes to the public road layout. Mr. Bowman, (developer) states that he is having a hard time finding a quality builder that will build the townhomes. He stated that the builders are telling him that there is no market for townhomes in Statesville. The changes from the last amendment to the plan and what is proposed now are laid out below:

Before		Proposed Now
142 – 172	Single-Family Homes	197 - 229
22 -- 34	Cottage Homes	18 - 43
94	Townhomes	none

6 -- 18	Live/Work Units	same
38,800 – 46,400 sq. ft.	Retail Floor Space	same

2. Previous Council or Relevant Actions:

The original conditional rezoning request for River Hills PUD was approved by council on April 8, 2023. The property was annexed on June 17, 2024. On November 4, 2024 the plan was amended by City Council to allow the replacement of multi-family apartments with townhomes.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: N/A

Connecting Our Communities: Promote the development of a range of housing types throughout our community and housing stability for residents.

Strategic Plan Values: We value and encourage Opportunity

This subdivision is classified as a Planned Unit Development (PUD), which will offer diverse options of housing and retail space for the community. In addition, the developer has agreed to build an element of "workforce attainable" housing called cottages aimed at helping teachers, police officers, and firefighters be able to purchase a home.

4. Budget/Funding Implications:

The current tax value is \$857,770. The Estimated taxable value of the completed project is approximately \$110,000,000.

5. Consequences for Not Acting:

The land could be developed under the rezoning that was approved on November 4, 2024 with townhomes.

6. Department Recommendation:

The concept plan still exceeds the required active open space and will provide a substantial amount of constructed greenway. In addition, the project continues to meet the density requirements of the Unified Development Code and will provide a diverse selection of housing for the area (still have the cottage homes and live/work units). Although some of the public roads have been slightly shifted or changed, they still meet the requirements and should have no detrimental effect on the project. No ingress or egress points were changed. In addition, the 2045 Land Development Plan places the properties in a Complete Neighborhood 2, Tier 2 growth area.

This is a procedural step per Section 2.07 (c) of the UDC; therefore, the changes must be approved by the Planning Board and City Council through the rezoning process.

Staff recommend approval to amend the concept plan contingent upon the applicant meeting all the former conditions of the original rezoning listed below:

Conditions:

1. The second access point off of River Hill Road will be bonded with the first phase.
2. A detailed landscape plan will need to be provided as part of the final site plan, needs to include 8 ft. street yards adjacent to public streets, parking lot trees, and buffers.
3. The lighting plan shall be submitted at the time of the site plan approval process.
4. Driveway and road improvements agreed to by the City and NCDOT per the Traffic Impact Analysis will be required by the developer at the time of site plan/subdivision approval.
5. Provide building elevation renderings.
6. Commercial uses are limited to those permitted in the B-1 and B-2 Districts.
7. There shall be an HOA with covenants, conditions, and restrictions (CCRS) to be provided to the City of Statesville prior to recording the final plat. The HOA shall own and maintain all amenity

areas and common open spaces as well as landscaped medians A and B.

8. Landscaped medians A and B shall be maintained by the HOA.

9. If the Cottage lots are not feasible, they may be converted into 18 single-family homes.

10. Range schedule:

1. 197-229 Single-Family Homes

2. 18-43 Cottage Units

3. 6 – 18 Live/Work Units

4. 38,800 sq. ft. – 46,400 sq. ft. Retail Floor Space

11. The entrances will be enhanced with additional landscaping.

12. Any item(s) not specifically addressed must meet the requirements of the Unified Development Code.

7. Manager Comments:

The Council should consider that the PUD designation is meant to include a mix of housing types. Since this project was originally approved, the apartments have been removed and now the townhomes are proposed to be eliminated. This diminishes, although not entirely, the diversity of housing types in the development and most likely those that are the most affordable. Not sure this is a reason to deny the request, but I do not feel this action tracks with the original spirit in which the development was approved.

8. Next Steps:

If second reading is approved, the rezoning becomes effective August 4, 2025.

9. Attachments:

1. Map Pack ZC25-10 River Hills PUD

2. Concept Plan (Comparison)Previous

3. Concept Plan (Comparison)Proposed

4. Community Meeting Report - River Hill PUD #3

5. Ordinance ZC25-10 River Hills PUD #3

6. Zoning Consistency Stmt_City Council (approve)_ZC25-10 River Hill PUD #3

City of Statesville

Planning Department

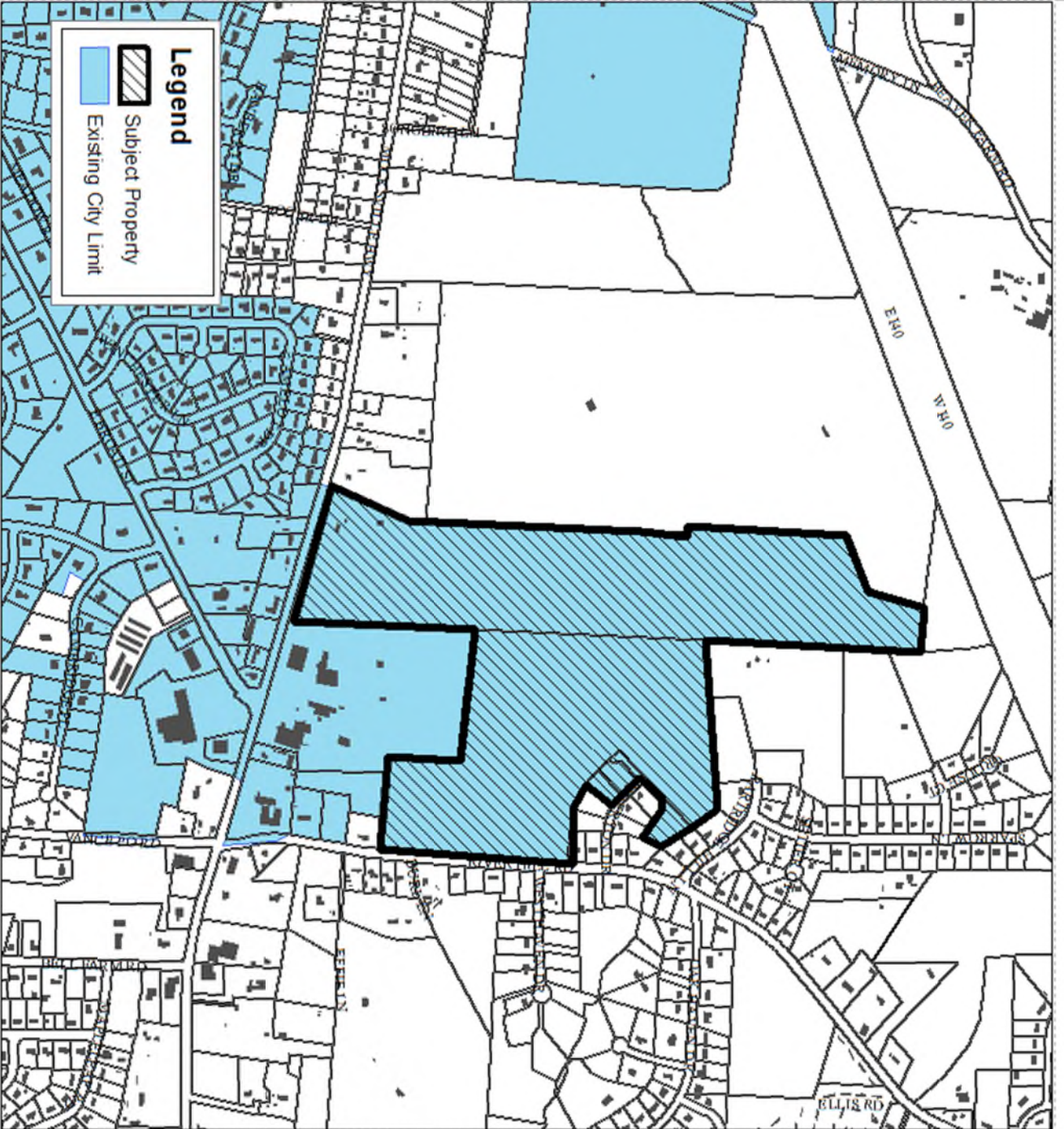
River Hill PUD

ZC24-17



PIN #'s 4765-35-4650, 4765-25-4828, 4765-36-6083, 4765-36-6114 & 4765-36-9412

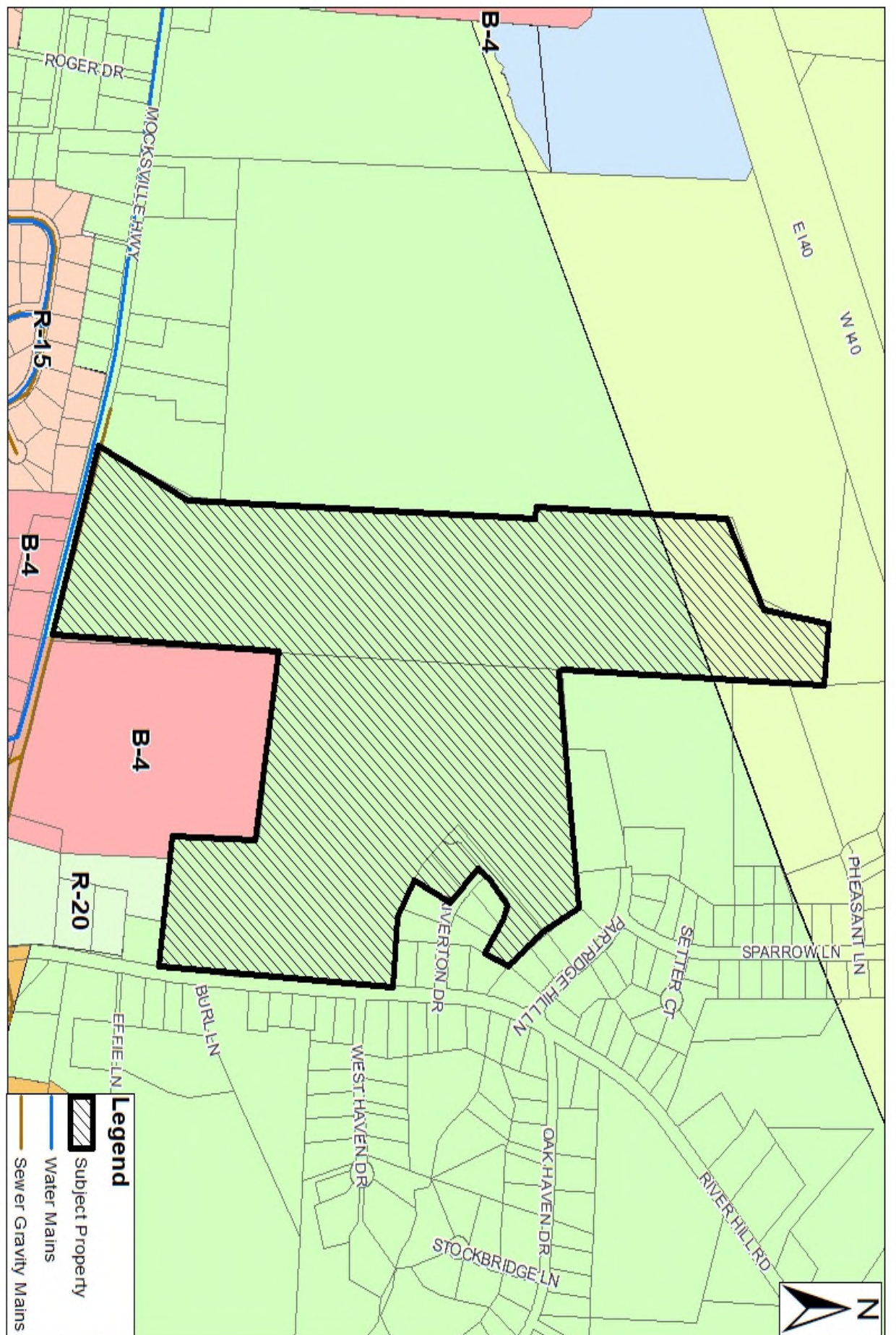


0 650 1,300 Feet
1 inch = 833.333333 feet



Legend

-  Subject Property
-  Existing City Limit



Case No. ZC25-10 River Hill PUD
 River Hill Rd/Mocksville Hwy
 Current Zoning & Utilities Map – PIN #'s 4765-35-4650, 4765-25-4828, 4765-36-6083, 4765-36-6114 & 4765-36-9412



Case No. ZC25-10 River Hill PUD

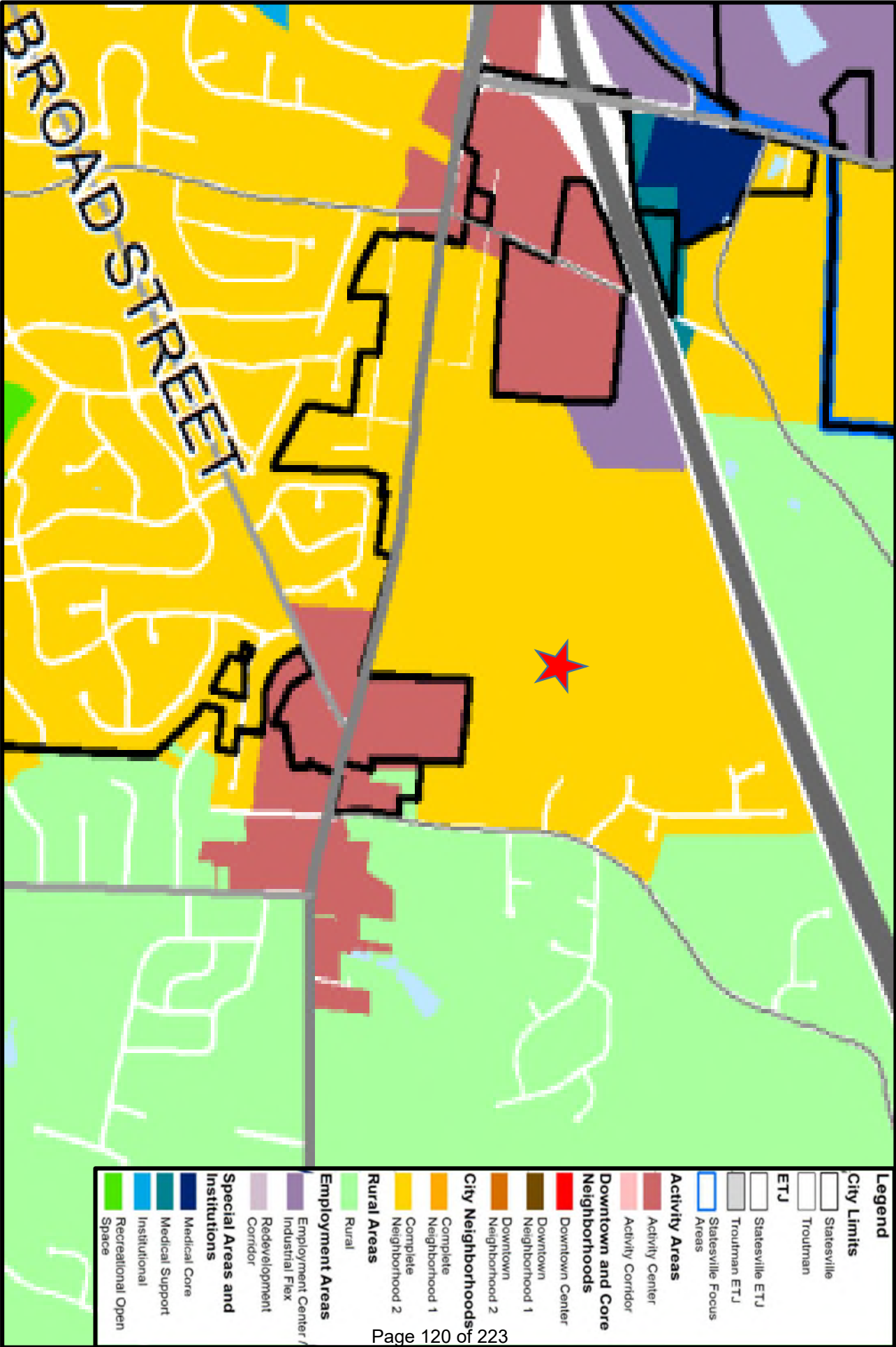
River Hill Rd/Mocksville Hwy

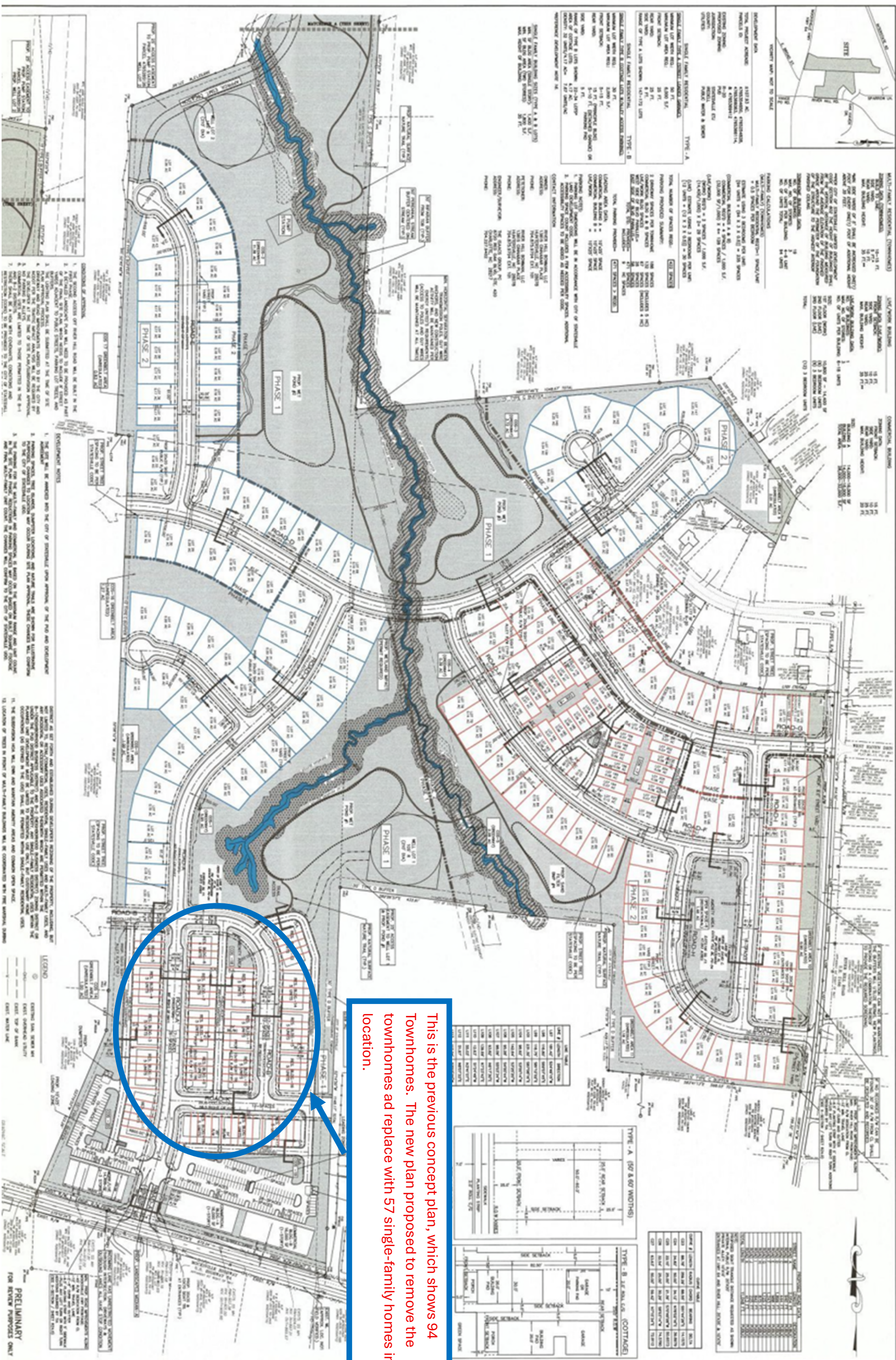
Aerial Photo Map – PIN #'s 4765-35-4650, 4765-25-4828, 4765-36-6083, 4765-36-6114 & 4765-36-9412

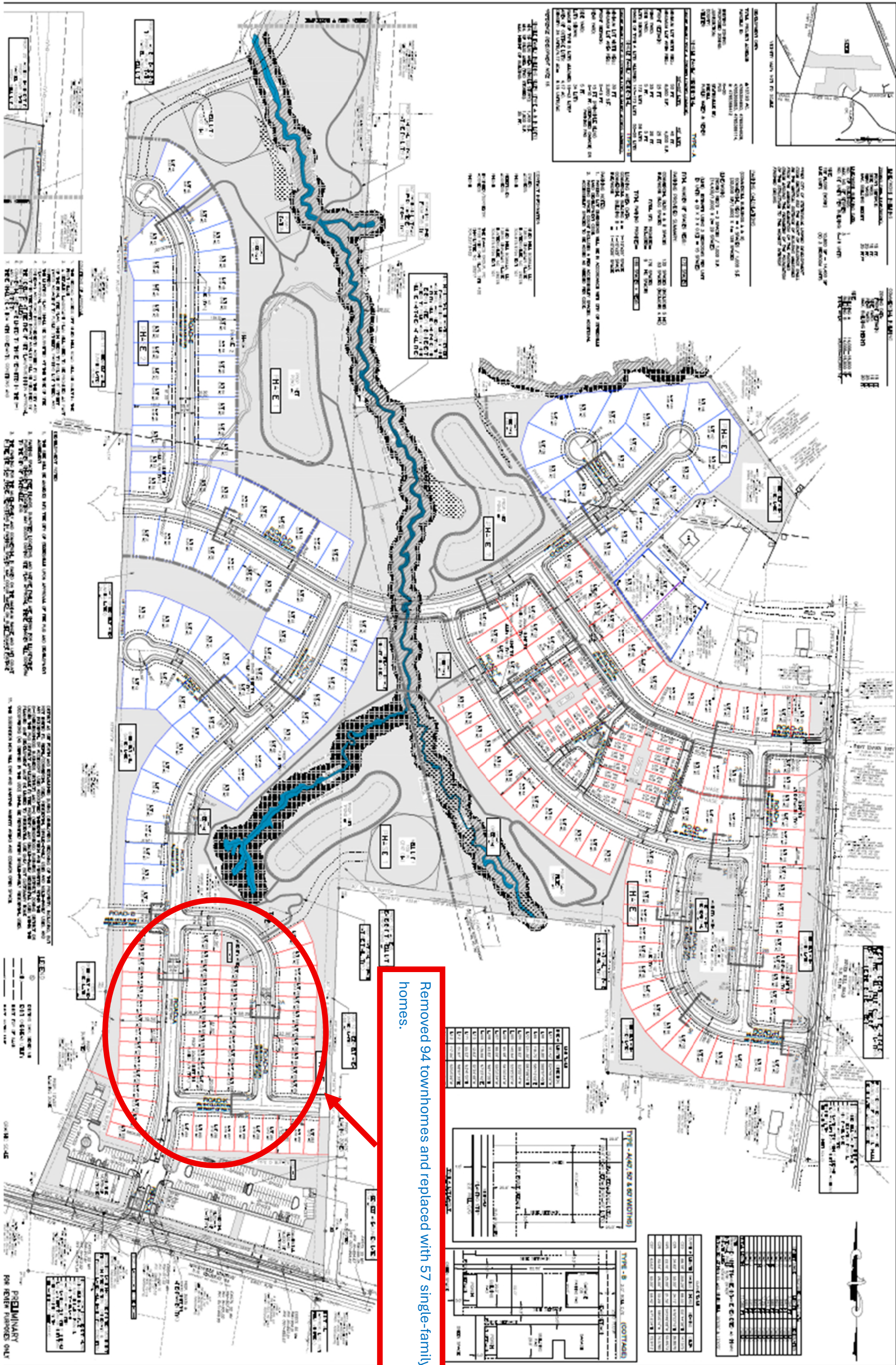


Site Photo

ZC25-10 River Hill PUD







River Hill Revision Public Input Meeting
May 14, 2025, 6 PM

A public input meeting was held on May 14, 2025, at 6 pm at the Statesville Civic Center, located at 300 S. Center St., Statesville, NC 28677.

A mailing list was created using a 250' buffer from property data found on the Iredell County GIS website. Notification letters about this meeting were mailed by the United States Post Office by regular mail on April 30, 2025. Both the mailing list and letter are attached.

Meeting Summary

There were no members from the public in attendance. Robert "Nate" Bowman, Whitney Hodges, and Herman Caulder were in attendance.

Diane Hamby could not attend the meeting, but did contact Ms. Hodges the following day. She had questions about construction timing and was not opposed to a reduction in density.

BOWMAN DEVELOPMENT GROUP

To: Adjoining Property Owners of River Hill PUD
From: Robert Bowman, Bowman Development Group
Date: April 25, 2025
RE: Notice of public input meeting for a change to a planned unit development of approximately +/- 107.93 acres located on US HWY 64, Mocksville Highway and River Hill Road in Iredell County, North Carolina.

Bowman Development Group proposes to decrease the density of the approved PUD plan known as River Hill. The site is 107.93 acres, located on US Hwy 64, Mocksville Highway. Originally, the plan was approved for apartments and was amended to change the housing to 94 townhomes. The proposed change would amend the townhomes section to 56 single family homes. There are no proposed changes for the live/work units or the commercial areas. A comparison table is below.

	1 st Approved Plan	2 nd Approved Plan	Proposed Changes
Single Family	204	206	262
Townhomes	0	94	0
Apartments	280	0	0
Live/Work Units	0	6	6
Total Residential Units	484	306	268
Commercial	32,000 sq ft	46,400 sq ft.	46,400 sq. ft.

You are invited to a public input meeting on **Wednesday, May 14, 2025, at 6 p.m. at the Statesville Civic Center, 300 South Center Street, Statesville, NC 28677**. You will have the opportunity to ask questions about the proposed changes.

The revision to the approved plan is enclosed. If you have questions about the meeting, please contact Whitney Hodges at whitneynhodges@gmail.com or 704-929-8396. You may also contact the City of Statesville Planning Department at 704-878-3574.

BOWMAN DEVELOPMENT GROUP



HALL WALTER+ELAINE H LE
490 MOCKSVILLE RD
STATESVILLE, NC 28625

BEAVER LEON M+L M BEAVER II
298 BEAVER FARM RD
STATESVILLE, NC 28625

HALL ELIJAH W JR+ELAINE H
490 MOCKSVILLE HWY
STATESVILLE, NC 28625

BEAVER L M FAMILY LTDP
298 BEAVER FARM RD
STATESVILLE, NC 28625

MEG 2 LLC
PO BOX 290
HARMONY, NC 28634

B+S HOLDING LLC
528 MOCKSVILLE HWY
STATESVILLE, NC 28625

KNOX TERRY L+CHRISTINA E
317 KNOX FARM RD
STATESVILLE, NC 28677

SMITH DEBORAH D ETAL
243 EDGEWOOD DR
STATESVILLE, NC 28625

ENERGYUNITED ELECTRIC
MEMBERSHIP CORP
PO BOX 1831
STATESVILLE, NC 28687

OAKDALE BAPTIST CHURCH
585 MOCKSVILLE HWY
STATESVILLE, NC 28625

GOMEZ HUBERTO E+ARACELI M
BENITEZ
143 RIVER HILL RD
STATESVILLE, NC 28625

FOWLER AMY E+BAILEY S
117 RIVERTON DR
STATESVILLE, NC 28625

ELLER ALICIA T+ANTHONY S
113 RIVERTON DR
STATESVILLE, NC 28625

HAMBY TERRY W+DIANE M
140 PARTRIDGE HILL LN
STATESVILLE, NC 28677

RIVER HILL BOWMAN LLC
13815 CINNABAR PL
HUNTERSVILLE, NC 28078

CALES WALTER III+KIMBERLY M
128 RIVERTON DR
STATESVILLE, NC 28625

STEWART CLARENCE A+BELINDA
A
137 PARTRIDGE HILL LN
STATESVILLE, NC 28625

WILSON JUDITH A
113 PARTRIDGE HILL LN
STATESVILLE, NC 28625

DIVANNA ROBERT A+JAMIE N
119 PHEASANT LN
STATESVILLE, NC 28625

BUMGARNER WANDA D+DEBRA L
B LAMBERT
140 RIVER HILL RD
STATESVILLE, NC 28625

RINEHARDT RICHARD S
967 MAHAFFEY RD
UNION GROVE, NC 28689

MEDLIN MARK L+CHRISTINA
150 RIVER HILL RD
STATESVILLE, NC 28625

ELLIS TODD
271 COOPER FARM RD
STATESVILLE, NC 28625

LAMBERT STEVEN M
205 RIVER HILL RD
STATESVILLE, NC 28625

PHARR MICHAEL L+KAREN L
182 RIVER HILL RD
STATESVILLE, NC 28625

HAUCK HEATHER
108 W HAVEN DR
STATESVILLE, NC 28625

BEACHAM MATTHEW L+LAURIN A
198 RIVER HILL RD
STATESVILLE, NC 28625

VARGAS
GOMECINDO+MARCELINA
200 RIVER HILL RD
STATESVILLE, NC 28625

NANTZ LLOYD B
3517 WILKESBORO HWY
STATESVILLE, NC 28625

SHOE WANDA+ROBERT
109 BURL LN
STATESVILLE, NC 28625

MARQUEZ AUGUSTIN+NANCY
105 PARTRIDGE HILL LN
STATESVILLE, NC 28625

RAMIREZ VIRIDIANA G+ALBERTO
B FUENTES
109 PARTRIDGE HILL LN
STATESVILLE, NC 28625

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CONCEPT PLAN FOR THE REZONING OF APPROXIMATELY 107.93 ACRES LOCATED ON U.S. HIGHWAY 64 BETWEEN EAST BROAD STREET AND RIVER HILL ROAD; ZONED CITY OF STATESVILLE PLANNED UNIT DEVELOPMENT (PUD) DISTRICT; FOR A MAJOR AMENDMENT TO THE CONCEPT PLAN FOR RIVER HILL PUD; TO REMOVE TOWNHOMES AND REPLACE WITH SINGLE-FAMILY HOMES.

ZC25-10 River Hill PUD

Properties located on U.S. Highway 64 between East Broad Street and River Hill Road; PIN #'s 4765-35-4650, 4765-25-4828, 4765-36-6083, 4765-36-6114 and 4765-36-9412.

WHEREAS, A NOTICE TO THE GENERAL PUBLIC AND PARTICULARLY THE CITIZENS OF THE City of Statesville's planning jurisdiction was duly given, notifying them of a public hearing to be held on July 14, 2025 at 6:00 p.m. in the Council Chambers at City Hall, 227 South Center Street, Statesville, North Carolina, for the purpose of considering a proposed ordinance to change the zoning classification of the after described properties from Iredell County RA (Residential Agricultural) District and Iredell County R-20 (Single-Family Residential) District to City of Statesville Planned Unit Development (PUD Conditional Zoning) District; said notice having been published in the Statesville Record and Landmark, a newspaper having general circulation in this area on July 3 and 10, 2025, all in accordance with the procedure set forth in N.C.G.S. 160D-601; and

WHEREAS, said public hearing was duly held in accordance with law, and all persons present were given an opportunity to be heard on said proposed ordinance prior to any action being taken thereon by the City Council;

NOW, THEREFORE, BE IT ORDAINED, that the zoning classification of the after described properties be changed as particularly set out below, said property being more particularly described as follows:

Heirs of Linda W. Knox
Parcel #4765366083

Beginning at an existing #4 rebar on the southwesterly margin of Riverton Drive, a common corner with other lands of "Heirs of Linda Knox (Deed Bk-797, Pg-246), said point being located S44°41'35"E 141.87' of an existing #4 rebar and N41°50'24"W 12,825.61' of NGS Monument "JAY JAY" having North Carolina ground coordinates N:746,353.148' and E:1,472,241.778' (CSF:0.99988300438); thence turning and running with the southwesterly margin of Riverton Drive with the arc of a curve to the left having a radius of 359.29', an arc length of 88.78' with a chord bearing and distance of S51°44'26"E 88.55' to an existing #4 rebar, a common corner with lands now or formerly of Penny and David Gibson (Deed Bk-2230, Pg-750); thence turning and running with said "Gibson" property S31°09'58"W 202.85' to an existing 1" pipe in the line of Heirs of David c. Williams (Estate File 8E, Pg-54), said point being located N59°04'44"W 44.93'

of an existing 0.75" pipe; thence turning and running with said "Williams" property the following two (2) courses and distances:

1. N59°01'11"W 72.20' to an existing 0.75" pipe;
2. N44°41'43"W 67.56' to a set #4 rebar, a common corner with other "Knox" land;

Thence turning and running with said "Knox" property N45°19'33"E 203.71' to the **Point and Place of Beginning**.

Contains 23,361 square feet or 0.536 acres.

Heirs of Linda W. Knox
Parcel #4765366114

Beginning at an existing #4 rebar on the southwesterly margin of Riverton Drive, a common corner with other lands of "Heirs of Linda Knox (Deed Bk-797, Pg-246), said point being located S45°18'50"W 49.86' of an existing 0.75" pipe, the southwesterly corner of lands now or formerly of Walter and Kimberly Cales (Deed Bk-1906, Pg-865, Lot #7 of Wexford, Section 2, Plat Bk-42, Pg-2) and N41°05'23"W 13,114.95' of NGS Monument "JAY JAY" having North Carolina ground coordinates N:746,353.148' and E:1,472,241.778' (CSF:0.99988300438), thence turning and running with the southwesterly margin of Riverton Drive S44°41'35"E 141.87' to an existing #4 rebar, a common corner with other "Knox" lands (Lot #6 of Wexford, Section 2, Plat Bk-42, Pg-2); thence turning and running with said "Knox" property S45°19'33"W 203.71' to a set #4 rebar in the line of Heirs of David C. Williams (Estate File 8E, Pg-54); thence turning and running with said "Williams" property N44°41'43"W 86.86' to an existing 1" pipe, a common corner of other "Knox" property (Deed Bk-797, Pg-246); thence turning and running with said "Knox" property the following three (3) courses and distances:

1. With the arc of a curve to the left having a radius of 50.00', an arc length of 63.63' with a chord bearing and distance of N07°15'34"E 59.42' to an existing 1" pipe;
2. With the arc of a curve to the right having a radius of 25.00', an arc length of 32.54' with a chord bearing an distance of N08°03'14"E 30.29' to an existing 1" pipe;
3. N45°18'50"E 132.81' to the **Point and Place of Beginning**.

Contains 26,669 square feet or 0.612 acres.

Heirs of Linda W. Knox
Parcel #4765369412

Beginning at an existing 1" pipe in the northwesterly line of lands now or formerly of Timothy and Lisa Fluke (Deed Bk-1802, Pg-1909), a common corner with lands now or formerly of Derik and Heather Wilson (Deed Bk-2417, Pg-132, Lot #9 of Wexford, Section

2, Plat Bk-42, Pg-2), said point being located N24°18'07"E 65.85' of an existing 1" pipe and N39°46'51"W 12,884.77' of NGS Monument "JAY JAY" having North Carolina ground coordinates N:746,353.148' and E:1,472,241.778' (CSF:0.99988300438); thence running with rear lines of Lots 9, 8, and 7, respectively, of said Wexford, Section 2 (Plat Bk-42, Pg-2) N53°10'03"W 227.38' to an existing 0.75" pipe, a common corner of lands now or formerly of Walter and Kimberly Cales (Deed Bk-1906, Pg-865, Lot #7 of Wexford, Section 2, Plat Bk-42, Pg-2); thence turning and running with said "Cales" property the following three (3) courses and distances:

3. With the arc of a curve to the right having a radius of 50.00', an arc length of 34.82' with a chord bearing and distance of S76°02'16"W 34.12' to an existing 1" pipe;
4. With the arc of a curve to the left having a radius of 25.00', an arc length of 22.10' with a chord bearing a distance of S70°49'08"W 21.39' to an existing 1" pipe;
5. S45°18'50"W 147.04' to an existing 0.75" pipe on the northeasterly margin of Riverton Drive (Plat Bk-42, Pg-2), said point being located N44°42'05"W 107.69' of an existing 1" pipe;

Thence, continuing with the margin of said Riverton Drive S45°18'50"W 49.86' to an existing #4 rebar on the southwesterly margin of said Riverton Drive, a common corner of other lands now or formerly of Heirs of Linda Knox (Deed Bk-797, Pg-246, Lot #6 of Wexford, Section 2, Plat Bk-42, Pg-2); thence continuing with said "Knox" property the following three (3) courses and distances:

1. S45°18'50"W 132.81' to an existing 1" pipe;
2. With the arc of a curve to the left having a radius of 25.00', an arc length of 32.54' with a chord bearing and distance of S08°03'14"W 30.29' to a point computed;
3. With the arc of a curve to the right having a radius of 50.00', an arc length of 63.63' with a chord bearing and distance of S07°15'34"W 59.42' to an existing 1" pipe in the line of Heirs of David C. Williams (Estate File 8E, Pg-54);

Thence, turning and running with said "Williams" property the following two (2) courses and distances:

1. N44°41'43"W 79.95' to an existing 0.75" pipe;
2. N45°24'24"E 654.66' to an existing 0.75" pipe in the southwesterly line of Viridiana Ramirez and Alberto Fuentes (Deed Bk-2367, Pg-725);

Thence turning and running with said "Fuentes" property S35°33'24"E 91.10' to an existing 0.75" pipe, a common corner with lands now or formerly of Augustin and Nancy Marquez (Deed Bk-2647, Pg-120); thence continuing with said "Marquez" property S35°33'24"E 135.12' to an existing 1" pipe, a common corner with lands or formerly of Thomas & Debra Plott (Deed Bk-1563, Pg-1656) and said "Fluke" property; thence turning

and running with said "Fluke" property S24°20'49"W 145.62' to the **Point and Place of Beginning**.

Contains 57,359 square feet or 1.317 acres.

Heirs of David C. Williams
Parcel #4765254828

Beginning at an existing axle, the northwesterly corner of lands now or formerly of Energy United Electric Membership (Deed Bk-2329, Pg-612, Plat Bk-63, Pg-144), said point being located N46°59'34"W 13,031.46' of NGS Monument "JAY JAY" having North Carolina ground coordinates N:746,353.148' and E:1,472,241.778' (CSF:0.99988300438); thence turning and running with said "Energy United" property S02°14'50"W 1,146.17' to an existing nail in asphalt on the northerly margin of Mocksville Highway (U.S. Highway 64), passing an existing spindle at 1,006.87'; thence turning and running with Mocksville Highway N73°26'04"W 672.04' to a set #4 rebar; thence turning and crossing Mocksville Highway S03°41'07"W 55.03' to an existing axle within the margin of Mocksville Highway, a common corner of lands now or formerly of Meg 2, LLC (Deed Bk-2655, Pg-122) and Elijah and Elaine Hall (Deed Bk-2511, Pg-1606), said point being located N03°41'07"E 140.95' of an existing stone, thence turning and running with said "Hall" property N75°10'34"W 218.53' to an existing 1" pipe, a common corner of lands now or formerly of Walter S. and Walter G. Hall (Deed Bk-1911, Pg-2356), said point being located N02°06'40"E 170.47' of an existing #4 rebar; thence turning and crossing Mocksville Highway N08°07'33"E 51.97' to an existing #4 rebar, a common corner of lands now or formerly of Leon and L.M. Beaver (Deed Bk-1328, Pg-430); thence turning and running with said "Beaver" property the following two (2) courses:

6. N23°19'03"E 523.26' to an existing #4 rebar;
7. N03°03'29"E 117.04' to an existing axle, a common corner of the lands now or formerly of The L.M. Beaver Family Limited Partnership (Deed Bk-1009, Pg-1805);

Thence, turning and running with said "Beaver Family LP" the following six (6) courses and distances:

1. N02°08'10"E 1,636.61' to an existing axle;
2. N86°08'05"W 37.57' to an existing 1" pipe;
3. N02°45'48"E 971.07' to an existing 1" pin;
4. N68°52'13"E 371.66' to an existing #4 rebar;
5. N24°49'15"E 181.42' to an existing #4 rebar;
6. N17°01'21"E 198.10' to an existing #4 rebar in the line of Deborah and James Smith (Deed Bk-2568, Pg-1350);

Thence turning and running with said "Smith" property S78°08'33"E 263.97' to an existing 1" pipe, a common corner of lands now or formerly of Robert and Jamie Divanna (Deed Bk-2587, Pg-1832); thence turning and running with said "Divanna" property

S03°18'25"W 188.20' to an existing 1" pipe, a common corner of other "Divanna" property (Deed Bk-2589, Pg-2320) S03°17'57"W 279.97' to an existing 1" pipe, a common corner of lands now or formerly of Terry and Diane Hamby (Deed Bk-1041, Pg-1); thence turning and running with said "Hamby" property S03°27'42"W 863.18' to an existing #4 rebar, a common corner of other lands of David C. Williams Heirs (Estate File 8E, Pg-54); thence turning and running with said "Williams" property S01°55'10"W 1,409.73' to the **Point and Place of Beginning**.

Contains 2,520,951 square feet or 57.873 acres.

Heirs of David C. Williams
Parcel #4765354650

Beginning at an existing 0.5" pipe in the westerly margin of River Hill Road, a common corner with lands now or formerly of Huberto Gomez and Araceli Benitez (Deed Bk-2590, Pg-1206), said point being located N08°21'42"E 199.32' of an existing 1" pipe and N44°36'47"W 11,638.17' of NGS Monument "JAY JAY" having North Carolina ground coordinates N:746,353.148' and E:1,472,241.778' (CSF:0.99988300438); thence turning and running with said "Gomez & Benitez" property N83°41'13"W 199.87' to an existing 0.75" pipe, a common corner of lands now or formerly of Oakdale Baptist Church (Deed Bk-1016, Pg-1531); thence continuing with said "Church" property N83°41'13"W 268.11' to an existing #4 rebar, a common corner of lands of Energy United Electric Membership (Deed Bk-2329, Pg-612); thence turning and running with said "Energy United" property the following five (5) courses and distances:

8. N83°41'13"W 100.41' to a set #4 rebar;
9. N02°10'51"E 429.17' to an existing #5 rebar;
10. N83°31'15"W 379.76' to an existing #4 rebar;
11. N01°24'49"E 12.63' to an existing 1" pipe;
12. N82°26'57"W 433.91' to an existing axle in the easterly line of other lands of David C. Williams Heirs;

Thence, turning and running with said "Williams" property N01°55'10"E 1,409.73' to an existing #4 rebar, a common corner of lands now or formerly of Terry and Diane Hamby (Deed Bk-1041, Pg-1), said point being located S03°27'42"W 863.18' of an existing 1" pipe; thence turning and running with said "Hamby" property N85°00'46"E, passing an existing 1" pipe, 0.48' right of line at 365.94' and an existing #3 rebar, 0.38' right of line at 898.68', a total distance of 1,048.67' to an existing 0.75" pipe, a common corner with lands now or formerly of Clarence & Belinda Stewart (Deed Bk-661, Pg-530) and Judith Ann Wilson (Deed Bk-2070, Pg-1902); thence turning and running with said "Wilson" property S35°33'50"E, passing an existing 0.75" pipe at 200.31', total distance of 209.16' to an existing 0.75' pipe, a common corner with lands now or formerly of Heirs of Linda W. Knox (Deed Bk-797, Pg-246), said point being located N35°33'24"W 91.10' of an existing 0.75'; thence turning and running with said "Knox" property the following four (4) courses and distances:

4. S45°24'24"W 654.66' to an existing 0.75" pipe;
5. S44°41'43"E 79.95' to an existing 1" pipe at 79.95', the southwesterly corner of Lot #6 of Wexford, Section 2, Plat Bk-42, Pg-2;
6. S44°41'43"E 154.42' to an existing 0.75" pipe, a corner of Lot #5 of said Wexford subdivision;
7. S59°01'11"E 72.20' to an existing 1" pipe, a common corner of lands now or formerly of Penny and David Gibson (Deed Bk-2230, Pg-750, Lot #4 of Wexford, Section 2, Plat Bk-42, Pg-2);

Thence, turning and running with the rear of Lots #4 and #3 of said "Wexford" subdivision, respectively, the following three (3) courses and distances:

3. S59°04'44"E 44.93' to an existing 0.75" pipe, a corner of said Lot #4;
4. S69°07'45"E 116.80' to an existing 0.75" pipe, a corner of said Lot #3;
5. S81°12'02"E 116.75' to an existing 0.75" pipe, a common corner with land now or formerly of Steven Lambert (Deed Bk-2688, Pg-390, Lot #1 of Wexford, Section 1, Plat Bk-38, Pg-118);

Thence, turning and running with said "Lambert" property S87°08'16"E 231.30' to a computed point near the centerline of River Hill Road, passing an existing 1" pipe at 200.00'; thence turning and running with said River Hill Road the following seven (7) courses and distances:

1. S02°51'37"W 514.50' to a computed point;
2. S03°00'14"W 98.92' to a computed point;
3. S03°25'20"W 142.64' to a computed point;
4. S04°00'44"W 95.28' to a computed point;
5. S05°03'34"W 98.09' to a computed point;
6. S06°17'30"W 93.82' to a computed point;
7. S07°23'42"W 139.69' to a computed point;

Thence leaving said River Hill Road, turning and running N83°41'13"W 29.64' to the **Point and Place of Beginning**.

Contains 2,073,156 square feet or 47.593 acres.

This ordinance was introduced for first reading by Councilmember _____, seconded by Councilmember _____, and unanimously carried on the 14th day of July, 2025.

Ayes:

Nayes:

The second and final reading of this ordinance was heard on the 4th day of August, 2025 and upon motion of Councilmember _____, seconded by _____

Councilmember _____, and unanimously carried, was adopted.

Ayes:

Nayes:

This ordinance is to be in full force and effect from and after the 4th day of August, 2025.

CITY OF STATESVILLE

Constantine H. Kutteh, Mayor

APPROVED AS TO FORM:

By: _____
City Attorney

ATTEST:

City Clerk



To: Statesville City Council

From: Herman Caulder, Assistant Planning Director

Date: July 14, 2025

Subject: Rezoning Amendment

Case: ZC25-10 River Hill PUD (amended)

Address: U.S. Highway 64 between East Broad Street and River Hill Road; Iredell County Tax Map Parcel #'s 4765-35-4650, 4765-25-4828, 4765-36-6083, 4765-36-6114 and 4765-36-9412.

- ✓ The zoning amendment is **approved** and is consistent with the City's comprehensive land use plan, is reasonable, and in the public interest because: The concept plan still exceeds the required active open space and will provide a substantial amount of constructed greenway. In addition, the project continues to meet the density requirements of the Unified Development Code and will provide a diverse selection of housing for the area (still have the cottage homes and live/work units). Although some of the public roads have been slightly shifted or changed, they still meet the requirements and should have no detrimental effect on the project. No ingress or egress points were changed. In addition, the 2045 Land Development Plan places the properties in a Complete Neighborhood 2, Tier 2 growth area.
- ☐ In addition to **approving** this zoning amendment, this approval is **also deemed an amendment to the City's comprehensive land use plan**. The change in conditions the Planning Board has taken into account in amending the zoning ordinance to meet the development needs of the community are as follows:
- ☐ The zoning amendment **is rejected because it is inconsistent with the City's comprehensive land plan** and is not reasonable and in the public interest because:

Date: Constantine H. Kutteh, Mayor

Date: Herman Caulder, Asst. Planning Director



To: Statesville City Council

From: Herman Caulder, Assistant Planning Director

Date: July 14, 2025

Subject: Rezoning Amendment

Case: ZC25-10 River Hill PUD

Address: U.S. Highway 64 between East Broad Street and River Hill Road; Iredell County Tax Map Parcel #'s 4765-35-4650, 4765-25-4828, 4765-36-6083, 4765-36-6114 and 4765-36-9412.

- ☐ The zoning amendment is **approved** and is consistent with the City's comprehensive land use plan, is reasonable, and in the public interest because:
- ☐ In addition to **approving** this zoning amendment, this approval is **also deemed an amendment to the City's comprehensive land use plan**. The change in conditions the Planning Board has taken into account in amending the zoning ordinance to meet the development needs of the community are as follows:
- ✓ The zoning amendment **is rejected because it is inconsistent with the City's comprehensive land plan** and is not reasonable and in the public interest because: The development does not have adequate mixture of housing types needed to constitute a Planned Unit Development (PUD).

Date: Constantine H. Kutteh, Mayor

Date: Herman Caulder, Asst. Planning Director

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Sherry Ashley, Planning Director
DATE: 7/3/2025 10:49 AM

ACTION NEEDED ON: July 14, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Conduct a public hearing and consider approving a Revised Development Agreement for River Hill's Planned Unit Development (PUD; ZC25-10) for properties located on US 64 between East Broad Street and River Hill.

1. Summary of Information:

Revised Development Agreement Request

Mr. Robert Bowman on behalf of River Hill Bowman, LLC, is requesting approval of a revised development agreement as part of the amended rezoning request that is being presented tonight (see attached amended Concept Plan and amended conditions).

Background

The development known as River Hill's PUD was originally approved in 2023 for 28,000 - 32,000 sq. ft. of retail, 10,800 – 14,400 sq. ft. of office, 147-172 single-family homes, 22-34 cottages, 6-18 live/work units and 280 apartments (ZC23-15).

In 2024, an amendment was requested to remove the 280 apartments and replace them with 94 townhomes (ZC24-17).

Now an amendment is being requested to replace the 94 townhomes with 50-57 single-family homes.

Evaluation

Since the development is a Planned Unit Development (PUD), a development agreement is required. Major changes to the original development agreement include the following:

- Removing the multi-family language and replacing with single-family homes.
- Removing multi-family from permitted uses.
- Updating the anticipated sewer demand from 53,350 gallons per day to 91,028 gallons per day.
- Updating the tentative development schedule, Phase 1 to include 2 commercial buildings, 6 live/work units, and 114 single-family lots to start 3rd quarter of 2026 and Phase II to include the remaining 149 single-family lots in the 3rd quarter of 2027 (previously 1st quarter of 2025 and 4th quarter of 2027).
- Updating the annexation language, since the properties have been annexed in 2024 (AX24-06).
- Removed decorative garage doors from Architectural Standards {page E-2 after unit size before rooflines} "Garage doors that are visible from public or private streets (excluding alleys) shall be flush with front facade of the home. This does apply to side-loaded garages."

2. Previous Council or Relevant Actions:

See background information referenced above.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: N/A

Connecting Our Communities: Promote the development of a range of housing types throughout our community and housing stability for residents.

Strategic Plan Values: We value and encourage Opportunity

This subdivision is classified as a PUD, which will offer diverse options of housing and retail space for the community. In addition, the developer has agreed to build an element of "workforce attainable" housing with cottage style/live work units. This project is also within the Tier 2 growth area and has necessary utilities which meets the goals of the LDP and growth strategies.

4. Budget/Funding Implications:

The current taxable value of the parcels is approximately \$857,770. The estimated costs of improvements are \$110,000,000.

5. Consequences for Not Acting:

If the amended rezoning request is denied, then existing development agreement would apply. However, if the amended rezoning request is approved the revised development agreement is required to be in compliance with the city's UDO.

6. Department Recommendation:

Staff recommends approval of the revised development agreement contingent upon 1. correcting #14, 2nd paragraph., to add at the end (114) single "-family lots" and 2. the amended rezoning request being approved.

7. Manager Comments:

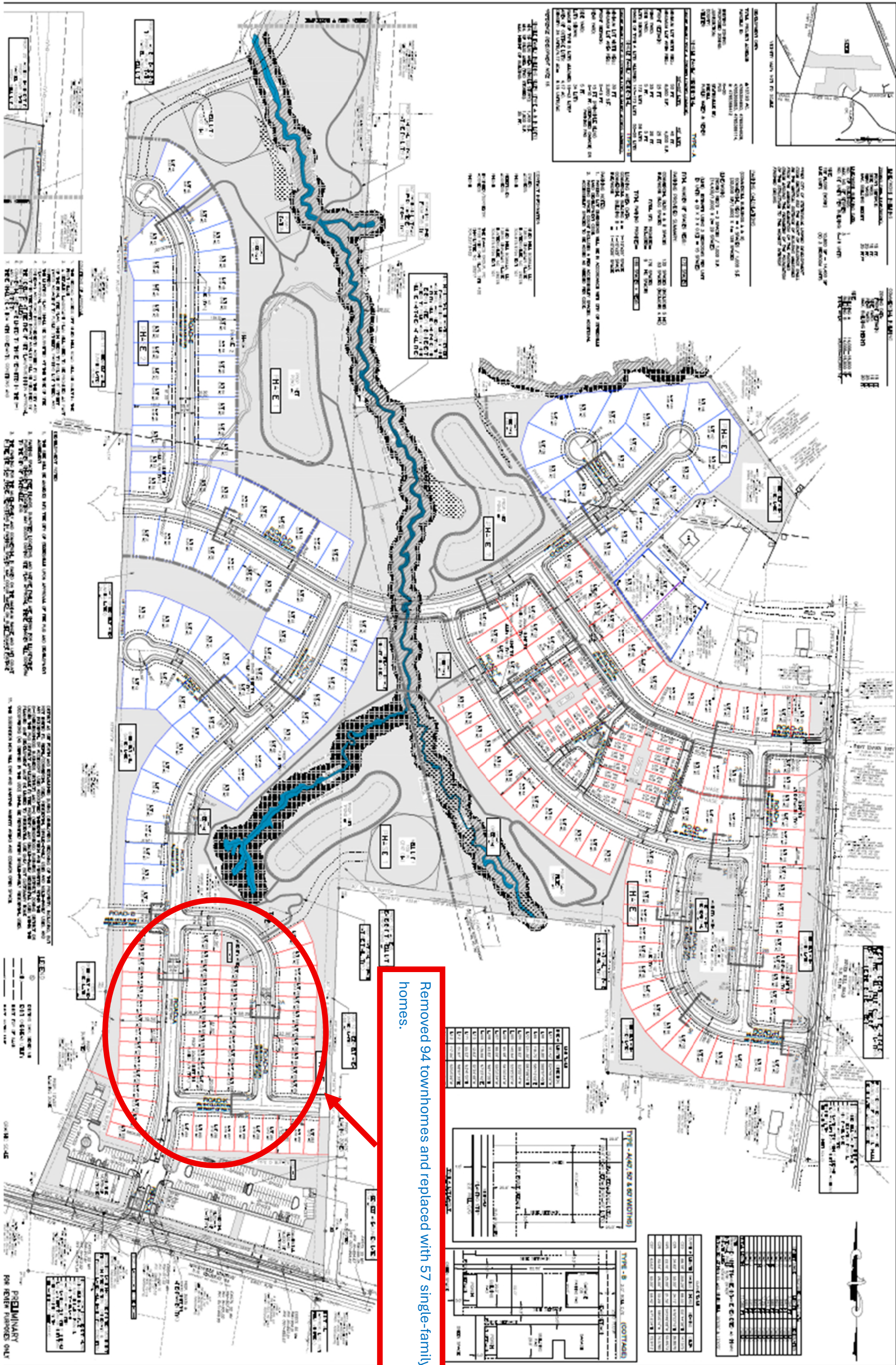
The Council should consider that the PUD designation is meant to include a mix of housing types. Since this project was originally approved, the apartments have been removed and now the townhomes are proposed to be eliminated. This diminishes, although not entirely, the diversity of housing types in the development and most likely those that are the most affordable. Not sure this is a reason to deny the request, but I do not feel this action tracks with the original spirit in which the development was approved.

8. Next Steps:

If approved, the second reading would be on August 4, 2025.

9. Attachments:

1. Concept Plan (Comparison) Proposed
2. ZC25-10 Revised Conditions
3. River Hills PUD Development Agreement 6-12-25 Highlighted



ZC25-10 River Hills PUD

Revised Conditions:

1. The second access point off of River Hill Road will be bonded with the first phase.
2. A detailed landscape plan will need to be provided as part of the final site plan, needs to include 8 ft. street yards adjacent to public streets, parking lot trees, and buffers.
3. The lighting plan shall be submitted at the time of the site plan approval process.
4. Driveway and road improvements agreed to by the City and NCDOT per the Traffic Impact Analysis will be required by the developer at the time of site plan/subdivision approval.
5. Provide building elevation renderings.
6. Commercial uses are limited to those permitted in the B-1 and B-2 Districts.
7. There shall be an HOA with covenants, conditions, and restrictions (CCRS) to be provided to the City of Statesville prior to recording the final plat. The HOA shall own and maintain all amenity areas and common open spaces as well as landscaped medians A and B.
8. Landscaped medians A and B shall be maintained by the HOA.
9. If the Cottage lots are not feasible, they may be converted into 18 single-family homes.
10. Range schedule:
 - 197-229 Single-Family Homes
 - 18-43 Cottage Units
 - 6 – 18 Live/Work Units
 - 38,800 sq. ft. – 46,400 sq. ft. Retail Floor Space
11. The entrances will be enhanced with additional landscaping.
12. Any item(s) not specifically addressed must meet the requirements of the Unified Development Code.

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE DEVELOPMENT AGREEMENT FOR THE RIVER HILL PLANNED UNIT DEVELOPMENT

STATE OF NORTH CAROLINA

DEVELOPMENT AGREEMENT

COUNTY OF IREDELL

This Development Agreement (the “Agreement”) is made and entered into this ____ day of _____, 2025 by and among **River Hill Bowman, LLC**, a North Carolina limited liability company (“Developer”), and **City of Statesville**, a North Carolina municipal corporation (the “City”).

WITNESSETH:

WHEREAS, Developer is the fee simple owner of approximately 107.93 acres of land in Iredell County, North Carolina (the “Property”), such Property being more particularly described on Exhibit A attached hereto and incorporated herein by reference.

WHEREAS, Developer desires to develop the Property into a mixed use development consisting of a single family residential of various lot sizes, six (6) live/work units, and small scale commercial development (the “Planned Unit Development”) in accordance with the terms, conditions and provisions of this Agreement, and containing high quality design standards and materials similar to other residential and retail/commercial projects of similar size and scope in the Charlotte Metropolitan Statistical Area in order to create a first class residential and mixed use project on the Property.

WHEREAS, Section 160D-1001(1) of the North Carolina General Statutes provides that “development projects often occur in multiple phases over several years, requiring a long-term commitment of both public and private resources.”

WHEREAS, Section 160D-1001(3) of the North Carolina General Statutes provides that “because of their scale and duration, such projects often require careful coordination of public capital facilities planning, financing, and construction schedules and phasing of the private development.”

WHEREAS, Section 160D-1001(4) of the North Carolina General Statutes provides that “such projects involve substantial commitments of private capital, which developers are usually unwilling to risk without sufficient assurances that development standards will remain stable through the extended period of the development.”

WHEREAS, Section 160D-1001(5) of the North Carolina General Statutes provides that “such developments often permit communities and developers to experiment with different or

nontraditional types of development concepts and standards, while still managing impacts on the surrounding areas.”

WHEREAS, Section 160D-1001(6) of the North Carolina General Statutes provides that “to better structure and manage development approvals for such developments and ensure their proper integration into local capital facilities programs, local governments need flexibility to negotiate such developments.”

WHEREAS, Sec. 2.09 of the City of Statesville’s Unified Development Code (the “UDC”) allows for Planned Unit Developments to provide flexibility from the strict application of the UDC to coordinate developments when the applicant demonstrates conformance with the Comprehensive Plan (as defined in the UDC), compatibility of land uses and coordination of improvements within and among individually platted parcels, sections or phases of development.

WHEREAS, in light of the foregoing, Section 160D-1001(b) and Section 160D-1003 of the North Carolina General Statutes expressly authorize local governments to enter into development agreements with developers, subject to the procedures of Section 160D-1001 through 160D-1012 of the North Carolina General Statutes, which procedures and requirements include approval of a development agreement by the governing body of the local government by ordinance after a duly noticed public hearing.

WHEREAS, Section 160D-1004 of the North Carolina General Statutes permits local governments to enter “into a development agreement with a developer for ... developable property of any size. Development agreements shall be of a reasonable term specified in the agreement.”

WHEREAS, the City and Developer desire to enter into this Agreement for the purposes of coordinating the construction of infrastructure and other facilities to serve the Property and the community at large.

NOW, THEREFORE, based upon the terms and conditions set forth herein and in consideration of the mutual promises and assurances provided herein, the parties do hereby agree as follows:

1. Public Hearing. Pursuant to Section 160D-1005 and Section 160D-602 of the North Carolina General Statutes, the City conducted a public hearing on July 14, 2025, to consider the approval and execution of this Agreement in accordance with the procedures set out in Section 160D-1005. Public notice was duly given, and the notice of public hearing specified, among other things, the location of the Property subject to this Agreement, the development uses proposed on the Property, and a place where a copy of the Agreement can be obtained. The City Council approved this Agreement, and the City executed the same.

2. Concept Plan. Developer intends to develop the Property as the Planned Unit Development in general conformance with the concept plan which is attached hereto as Exhibit B and incorporated herein by reference (the “Concept Plan”) pursuant to the UDC. The Concept Plan provides general information about the phases of development, proposed land use patterns, development intensities, and street patterns. Notwithstanding the foregoing, variations to the arrangement of improvements shown on the Concept Plan may occur based on final specific design

layouts and actual construction site conditions so long as the general intent of the Concept Plan is not compromised in any material manner, and the development otherwise complies with the UDC. The Concept Plan was approved by the Technical Review Committee (TRC) on May 14, 2025, by the Planning Board on June 24, 2025, and the City Council on August 4, 2025.

3. Final Site Plan. Developer intends to fully develop the Property as the Planned Unit Development in conformance with the Final Site Plan (as described in the UDC) that shall be reviewed and approved by the TRC. The Final Site Plan shall provide greater detail about the development, and together with the development schedule and Final Plat, shall act as the blueprint for the Planned Unit Development. Both major and minor amendments to the Final Site Plan may only be made in accordance with Sec. 2.09(D)(6) of the UDC.

4. Term. The term of this Agreement shall commence on the date that all parties hereto have executed this Agreement (the “Effective Date”) and shall terminate on the date that is ten (10) years after the Effective Date, unless sooner terminated by the mutual consent of the parties hereto (or their successors in interest), or unless extended by the mutual consent of the parties hereto (or their successors in interest).

5. Permitted Uses. The Property may be devoted to the single-family and live/work uses allowed within Planned Unit Development (“PUD”) District and commercial uses allowed within the B-1 (Neighborhood Service District) and the B-2 (Neighborhood Business District) or otherwise allowed within the PUD District as set forth and established during Developer’s rezoning of the Property. Any single-family residential uses within the Planned Unit Development must be limited to residential use only, but customary home occupations (as defined through the UDC) shall be permitted within single-family residential uses.

6. Development of the Property. The Property may be developed in accordance with the Final Site Plan and the terms of this Agreement, and the size, placement and configuration of the lots, common open space, streets, sidewalks, amenities and other improvements planned for the Planned Unit Development shall be developed in accordance with the UDC. The number and locations of buildings, lots, parking areas, and interior drives may vary from those shown on the approved Concept Plan, and may be modified accordingly in size, orientation, or location during the design/development phases so long as the general intent of the Concept Plan is not compromised in any material matter. Should changes in lot count occur, the conversion table and lot ranges are provided on the Concept Plan. All development within the Property shall comply with the UDC and the PUD District applicable to the Property, including, but not limited to, building standards, signage, parking, buffers and screening except for the approved variations to the UDC. Developer acknowledges the requirement to additionally submit a Landscape Plan in accordance with Sec. 3.04(Z)(3)(c) of the UDC. Developer further acknowledges that the Final Site Plan may only be modified or amended as set forth in Sec. 2.09(D)(6) of the UDC.

7. **Water.**¹

(a) *Iredell Water.* Water service for the Planned Unit Development shall be provided by Iredell Water Corporation (“Iredell Water”).

(b) *City Obligation.* Notwithstanding the foregoing, if Iredell Water is unable to provide water for the sole purpose of fighting fires, then the City may provide water for those purposes pursuant to the fee scheduled adopted by the City Council at the time the fire protection water service is in place. Developer acknowledges receipt of this settlement agreement which sets forth the rights and obligations of both Statesville and Iredell Water to provide water service to the Planned Unit Development.

8. **Sewer.**

(a) *Internal Lines.* Developer, at its sole cost and expense, shall engineer, design, permit, construct and install the sewer lines to be located within the Planned Unit Development (collectively, the “Internal Sewer Lines”). The Internal Sewer Lines shall be engineered, designed, constructed and installed in accordance with all applicable federal, state and local laws, regulations and policies. The Internal Sewer Lines shall be permitted with the City as the applicant and transferred to the City for ownership and maintenance after they have been constructed, installed and approved. Upon approval, the City shall accept the Internal Sewer Lines for public maintenance. The construction, dedication and acceptance of the Internal Sewer Lines may occur in phases as same are constructed.

(b) *Design and Engineering.*

(i) Developer entered a Contract with Seamon, Whiteside, & Associates, Inc. (“SW+”) pursuant to which SW+ assessed the capacity of the Existing Sewer Lines to serve the Planned Unit Development. Proposal and Scope of Work are attached as Exhibit C and D.

(c) *Capacity.* The City shall reserve sufficient sewer capacity within its sewer system to adequately supply the Planned Unit Development and other potential development within the corridor as set forth in this Section 8(d).

(i) Phasing. For the purposes of this section, the sewer demand will be allocated in one phase. The City shall reserve sufficient sewer treatment capacity to serve the entire Planned Unit Development with an aggregate anticipated sewer demand of 53,350 gallons per day (gpd).

(d) *Sewer Connection.* Upon the request of Developer, City agrees to permit the physical connection of the Planned Unit Development to City’s sewer system (the External Sewer

¹ Confirm this Section 7 is applicable to this project. If it is, please provide settlement agreement referenced in Section 7(b).

Line) subject to the terms and conditions of this Agreement and applicable federal, state and local laws.

9. Public Streets. A hierarchy of new public streets are proposed within the Planned Unit Development. Phasing of the street construction is outlined in the Concept Plan. All streets will be public or accessed by the public unless otherwise noted on the Concept Plan. Variations to any standards set forth in the UDC are allowed as shown on the Concept Plan and approved by the City Council. The public streets constructed in accordance with this Agreement shall be dedicated to the City for public use and maintenance. City Staff shall recommend to the City Council that the public streets be accepted into the City's street system upon (i) verification that the public street conforms to the requirements for streets as set forth in the UDC, (ii) receipt of an engineer's certification and (iii) receipt of Developer's warranty of the street construction. If the Developer does not obtain the engineer's certification or if the public street does not comply with the requirements for public streets set forth in the UDC, then City Staff will have no obligation to recommend the public street for acceptance. The Developer shall provide a warranty for the public street for a period of one (1) year from the date of acceptance.

The secondary access connection will not be allowed through the Energy United western most existing driveway. The connection from Mocksville Highway to River Hill Road is shown in Phase 1.

10. Following dedication and acceptance of each public street by the City, the City shall thereafter be solely responsible for all maintenance and replacement of such public street. All street trees will be maintained and replaced, as needed, by a property owner's association.

11. Alleys. Unless otherwise provided in this Agreement, those certain alleys identified on the Final Site Plan and located within the Planned Unit Development shall be open to the public and maintained by one or more property owners associations and will conform with the UDC unless approved otherwise by the City Engineer and Planning Director. Solid waste and recycling collections within alleys will be provided by the HOA.

12. Walking Paths and Open Space. Developer shall construct two (2) walking paths within the Planned Unit Development as more particularly described as follows: (1) a natural path in Common Open Space #1 that runs from the parking lot adjacent to lot 243 around BMP #1 and connects at two points to Road F, and (2) a natural path in Common Open Space #2 that meanders by BMP #2, 3, 4 and loops at the north end of the Property. These paths are depicted on the Concept Plan. Developer shall also construct such other amenities as depicted on the Final Site Plan. Sections of the paths should be constructed per applicable phases.

Each natural path shall be a minimum of five (5) feet in width and shall remain private for the exclusive use of the Planned Unit Development.

Common open space located within Planned Use Development shall be owned and maintained by a property owners association.

13. Development Standards. The Planned Unit Development shall be developed in accordance with the development standards of the UDC and the Architectural Standards attached hereto as Exhibit E.

14. Development Schedule. The timing and expenditure as set forth below is a planning and forecasting tool only and shall not be interpreted as mandating the development pace initially forecasted or from preventing a faster or slower pace if market, weather or other conditions support such a pace. The fact that the actual development may take place at a different pace (whether faster or slower), based on future market, weather or other forces, is expected and shall not be considered a default hereunder. Development activity may occur faster or slower than set forth below, as a matter of right, depending upon market, weather and other conditions. Furthermore, periodic inspections may result in adjustments to the development schedule which may be submitted unilaterally by Developer in the future and shall not be considered a material amendment or breach of this Agreement.

Phase I includes two (2) commercial building lots and six (6) live/work building lots with approximately 46,400 square feet of commercial space available. Subject to receipt of governmental permits, and market, weather and other conditions, the anticipated start date for construction of Phase I is in the third (3rd) quarter of 2026 and the anticipated completion date of Phase I is third (3rd) quarter of 2027. Secondary access will be provided and maintained, as shown on Concept Plan per UDO, Section 8.06. B. 5.10. includes one hundred and fourteen (114) single.

Subject to receipt of governmental permits, and to market, weather and other conditions, the anticipated start date for construction of Phase II is in the third (3rd) quarter of 2027 and the anticipated completion date of Phase II is in the third (3rd) quarter of 2028.

Phase II includes a total of one hundred and forty-eight (149) single family lots of which thirty-two (32) are cottage style lots that front common open space and are accessed vehicularly by an alley. Subject to receipt of governmental permits, and market, weather and other conditions.

The Developer shall obtain and provide to the City a Traffic Impact Analysis for the proposed development, with full consideration of previous development.

15. Law in Effect at Time of the Agreement Governs the Development of the Planned Unit Development. Developer shall have a vested right to develop the Property and the Planned Unit Development in accordance with the terms of this Agreement and the terms of the UDC as it may exist as of the Effective Date during the entire term of this Agreement. Accordingly, Developer and its successors in interest shall have vested rights to develop the Property in accordance with the Final Site Plan, the terms of this Agreement and any applicable laws and regulations as they exist as of the Effective Date during the entire term of this Agreement. Pursuant to G.S. 160D-1007 and except as provided in G.S. 160D-108(c) and G.S. 160D-108.1(f), City may not apply subsequently adopted ordinances or development policies to the Property or the Planned Unit Development during the term of this Agreement without the written consent of Developer or its successors in interest. This Agreement does not abrogate any rights preserved by G.S. 160D-108(c) or G.S. 160D-108.1(f), or that may vest pursuant to common law or otherwise in the absence of this Agreement; provided that any additional requirements placed on the development of the Planned Unit Development or the Property shall not materially alter the allowable type or intensity

of uses granted to Developer or any successor, as such rights were originally contemplated under the approved Final Site Plan or the approved zoning application. If the UDC is modified after the Effective Date, Developer reserves the right to modify its Final Site Plan to comply with the modified UDC. Any modification to finalize a Final Site Plan shall follow the procedures set forth in the UDC.

16. Amendment. The terms of this Agreement may be amended by the mutual consent of the parties hereto or their successors in interest. Notwithstanding the foregoing, a major modification of the terms of this Agreement shall follow the same procedures as required for the initial approval of this Agreement.

17. Recordation/Binding Effect. Within fourteen (14) days after City enters into this Agreement, Developer shall record this Agreement in the Iredell County Public Registry. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the parties hereto.

18. Notices. Any notice, demand, request, consent, approval or communication which a signatory party is required to or may give to another signatory party hereunder shall be in writing and shall be delivered or addressed to the other at the address below set forth or to such other address as such party may from time to time direct by written notice given in the manner herein prescribed, and such notice or communication shall be deemed to have been given or made when communicated by personal delivery or by independent courier service or by facsimile or if by mail on the fifth (5th) business day after the deposit thereof in the United States Mail, postage prepaid, registered or certified, addressed as hereinafter provided. All notices, demands, requests, consents, approvals or communications to the parties shall be addressed to:

City at:	City of Statesville Attn: City Manager 227 S. Center St. PO Box 1111 Statesville, North Carolina 28687
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Developer at:	River Hill Bowman, LLC Attn: Robert "Nate" Bowman 13815 Cinnabar Place Huntersville, NC 28078
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19. Entire Agreement. This Agreement sets forth, and incorporates by reference all of the agreements, conditions and understandings among City and Developer relative to the Property and the Planned Unit Development and there are no promises, agreements, conditions or understandings, oral or written, expressed or implied, among these parties relative to the matters addressed herein other than as set forth or as referred to herein.

20. Construction. The parties agree that each party and its counsel have reviewed and revised this Agreement and that any rule of construction to the effect that ambiguities are to be

resolved against the drafting party shall not apply in the interpretation of this Agreement or any amendments or exhibits hereto.

21. Assignment. After notice to City, Developer may assign its rights and responsibilities hereunder to subsequent landowners of all or any portion of the Property and upon the transfer of a portion of the Property such subsequent owner shall be deemed to have assumed the obligations of the Developer hereunder. Upon any such transfer, Developer shall be deemed to be relieved of all obligations arising hereunder after the date of such transfer, provided that no assignment as to a portion of the Property will relieve Developer of responsibility with respect to any portion of the Property Developer continues to own, without the written consent of City, which consent shall not be unreasonably withheld conditioned or delayed. Further, Developer (or any successor-in-title to Developer) may assign its interest in this Agreement to any lender to Developer or such successor-in-title) as collateral for a loan for the purpose of developing all or any portion of the Planned Unit Development. The requirements, restrictions, conditions and provisions of the approved Concept Plan, Final Site Plan, and Final Plat shall be binding upon the owners of the Property, their heirs and assigns and future owners.

22. Governing Law. This Agreement shall be governed by the laws of the State of North Carolina.

23. Counterparts. This Agreement may be executed in several counterparts, each of which shall be deemed an original, and such counterparts shall constitute one and the same instrument.

24. Agreement to Cooperate. In the event of any legal action instituted by a third party or other governmental entity or official challenging the validity of any provision of this Agreement, the parties hereby agree to cooperate in defending such action; provided, however, each party shall retain the right to pursue its own independent legal defense.

25. Agreements to Run with the Land. This Agreement shall be recorded in the Iredell County Registry. The Agreements, covenants and restrictions contained herein shall binding upon and run with the land and shall be binding upon and an obligation of all successors in the ownership of the Property beyond the term hereof in perpetuity.

26. Rezoning. Developer has petitioned to rezone the Property from R-20 (Single Family Residential District) in Iredell County to a PUD (Planned Unit Development) (the “Rezoning”). Approval of the Rezoning is a condition precedent to the Developer’s and the City’s obligation to perform under this Agreement.

27. Annexation. Developer has petitioned to have the land annexed into the City as a PUD (Planned Unit Development). The annexation was approved on June 17, 2024.

28. Lender Protections. Any lender of Developer (or any successor-in-title thereto) having a security interest in all or a part of the Planned Unit Development (a “Secured Lender”) may give written notice to the City of its security interest (a “Lender Notice”). If a Secured Lender provides a Lender Notice, then the City shall copy the Secured Lender on any notice of default given to Developer (or any successor-in-title thereto), and the Secured Lender shall have thirty

(30) days, or such applicable longer cure period given to Developer (or any successor-in-title thereto), to cure the alleged default.

29. Estoppel Certificate. At any time and from time to time, City shall deliver within twenty (20) days after of Developer's (or any other owner of the Property's) written request, a written statement addressed to the requesting party, and if requested, its Secured Lender and any proposed purchaser or investor in the Planned Unit Development: (1) that this Agreement is in full force and effect; (2) that this Agreement has not been amended or modified, or if so amended, identifying the amendments; and (3) whether, to the knowledge of the City, Developer (or the requesting party) is in default or claimed default in the performance of its obligation under this Agreement, and, if so, describing the nature and amount, if any, of any such default or claimed default; and (4) whether, to the knowledge of the City, any event has occurred or failed to occur which, with the passage of time or the giving of notice, or both, would constitute default, and, if so, specifying each such event.

[Signature and Acknowledgment Pages Follow]

IN WITNESS WHEREOF, the parties hereby set their hands and seals, effective as of the date first written above.

DEVELOPER:

River Hill Bowman, LLC

By: _____ (seal)
Name: Robert B. Bowman
Title: Manager

STATE OF NORTH CAROLINA
COUNTY OF _____

I certify that the following persons personally appeared before me this day acknowledging to me that he/she signed the foregoing document: Robert B. Bowman.
[insert name of person signing in blank]

Date: _____, 2023

(Affix Official Seal below)

Official Signature of Notary Public
Notary Public

Print Name: _____

My commission expires: _____

[City’s Signature Page Follows]

[City Signature Page to Development Agreement]

CITY:

City of Statesville

By: _____
Name: _____
Title: Mayor

ATTEST:

_____, ____ City Clerk

[City Seal]

Approved as to form:

_____, ____ City Attorney

NORTH CAROLINA
IREDELL COUNTY

I, _____ the undersigned Notary Public do hereby certify that _____ personally came before me this date and acknowledged that she is the _____ City Clerk of City of Statesville, North Carolina, and that, by authority duly given and the act of the Council, the foregoing document was signed in its name by its Mayor, sealed with its corporate seal, and attested by herself as its Clerk.

WITNESS my hand and official seal this the ____ day of _____, 20 ____.

Notary Public

My commission expires: _____

[notary seal]

N.C.G.S. § 158-28(a1) CERTIFICATION

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

_____, _____ Finance Director

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

PARCEL #4765366083:

BEING all of Lot 5 as shown on Final Plat of Wexford, Section Two, recorded in Plat Book 42, at Page 2, in the Office of the Register of Deeds for Iredell County, North Carolina.

PARCEL #4765366114:

BEING all of Lot 6 as shown on Final Plat of Wexford, Section Two, recorded in Plat Book 42, at Page 2, in the Office of the Register of Deeds for Iredell County, North Carolina.

PARCEL #4765369412:

BEGINNING at an existing 1" pipe in the northwesterly line of lands now or formerly of Timothy and Lisa Fluke (Deed Bk-1802, Pg-1909), a common corner with lands now or formerly of Derik and Heather Wilson (Deed Bk-2417, Pg-132, Lot #9 of Wexford, Section 2, Plat Bk-42, Pg-2), said point being located N24°18'07"E 65.85' of an existing 1" pipe and N39°46'51"W 12,884.77' of NGS Monument "JAY" having North Carolina ground coordinates N:746,353.148' and E:1,472,241.778' (CSF:0.99988300438); thence running with rear lines of Lots 9, 8, and 7, respectively, of said Wexford, Section 2 (Plat Bk-42, Pg-2) N53°10'03"W 227.38' to an existing 0.75" pipe, a common corner of lands now or formerly of Walter and Kimberly Cales (Deed Bk-1906, Pg-865, Lot #7 of Wexford, Section 2, Plat Bk-42, Pg-2); thence turning and running with said "Cales" property the following three (3) courses and distances:

1. With the arc of a curve to the right having a radius of 50.00', an arc length of 34.82' with a chord bearing and distance of S76°02'16"W 34.12' to an existing 1" pipe;
2. With the arc of a curve to the left having a radius of 25.00', an arc length of 22.10' with a chord bearing and distance of S70°49'08"W 21.39' to an existing 1" pipe;
3. S45°18'50"W 147.04' to an existing 0.75" pipe on the northeasterly margin of Riverton Drive (Plat Bk-42, Pg-2), said point being located N44°42'05"W 107.69' of an existing 1" pipe;

Thence, continuing with the margin of said Riverton Drive S45°18'50"W 49.86' to an existing #4 rebar on the southwesterly margin of said Riverton Drive, a common corner of other lands now or formerly of Heirs of Linda Knox (Deed Bk-797, Pg-246, Lot #6 of Wexford, Section 2, Plat Bk-42, Pg-2); thence continuing with said "Knox" property the following three (3) courses and distances:

1. S45°18'50"W 132.81' to an existing 1" pipe;
2. With the arc of a curve to the left having a radius of 25.00', an arc length of 32.54' with a chord bearing and distance of S08°03'14"W 30.29' to a point computed;
3. With the arc of a curve to the right having a radius of 50.00', an arc length of 63.63' with a chord bearing and distance of S07°15'34"W 59.42' to an existing 1" pipe in the line of Heirs of David C. Williams (Estate File 8E, Pg-54);

Thence, turning and running with said "Williams" property the following two (2) courses and distances:

1. N44°41'43"W 79.95' to an existing 0.75" pipe;
2. N45°24'24"E 654.66' to an existing 0.75" pipe in the southwesterly line of Viridiana Ramirez and Alberto Fuentes (Deed Bk-2367, Pg-725);

Thence turning and running with said “Fuentes” property S35°33’24”E 91.10’ to an existing 0.75” pipe, a common corner with lands now or formerly of Augustin and Nancy Marquez (Deed Bk-2647, Pg-120); thence continuing with said “Marquez” property S35°33’24”E 135.12’ to an existing 1” pipe, a common corner with lands or formerly of Thomas & Debra Plott (Deed Bk-1563, Pg-1656) and said “Fluke” property; thence turning and running with said “Fluke” property S24°20’49”W 145.62’ to the **POINT AND PLACE OF BEGINNING**, containing 57,359 square feet or 1.317 acres, more or less, as shown on survey titled “The Knox Family Property” prepared by The Isaacs Group, P.C. and dated June 20, 2022 (File #: 22036-ALTA-KNOX).

PARCEL #: 4765254828:

BEGINNING at an existing axle, the northwesterly corner of lands now or formerly of Energy United Electric Membership (Deed Bk-2329, Pg-612, Plat Bk-63, Pg-144), said point being located N46°59’34”W 13,031.46’ of NGS Monument “JAY” having North Carolina ground coordinates N:746,353.148’ and E:1,472,241.778’ (CSF:0.99988300438); thence turning and running with said “Energy United” property S02°14’50”W 1,146.17’ to an existing nail in asphalt on the northerly margin of Mocksville Highway (U.S. Highway 64), passing an existing spindle at 1,006.87’; thence turning and running with Mocksville Highway N73°26’04”W 672.04’ to a set #4 rebar; thence turning and crossing Mocksville Highway S03°41’07”W 55.03’ to an existing axle within the margin of Mocksville Highway, a common corner of lands now or formerly of Meg 2, LLC (Deed Bk-2655, Pg-122) and Elijah and Elaine Hall (Deed Bk-2511, Pg-1606), said point being located N03°41’07”E 140.95’ of an existing stone, thence turning and running with said “Hall” property N75°10’34”W 218.53’ to an existing 1” pipe, a common corner of lands now or formerly of Walter S. and Walter G. Hall (Deed Bk-1911, Pg-2356), said point being located N02°06’40”E 170.47’ of an existing #4 rebar; thence turning and crossing Mocksville Highway N08°07’33”E 51.97’ to an existing #4 rebar, a common corner of lands now or formerly of Leon and L.M. Beaver (Deed Bk-1328, Pg-430); thence turning and running with said “Beaver” property the following two (2) courses:

1. N23°19’03”E 523.26’ to an existing #4 rebar;
2. N03°03’29”E 117.04’ to an existing axle, a common corner of the lands now or formerly of The L.M. Beaver Family Limited Partnership (Deed Bk-1009, Pg-1805);

Thence, turning and running with said “Beaver Family LP” the following six (6) courses and distances:

1. N02°08’10”E 1,636.61’ to an existing axle;
2. N86°08’05”W 37.57’ to an existing 1” pipe;
3. N02°45’48”E 971.07’ to an existing 1” pin;
4. N68°52’13”E 371.66’ to an existing #4 rebar;
5. N24°49’15”E 181.42’ to an existing #4 rebar;
6. N17°01’21”E 198.10’ to an existing #4 rebar in the line of Deborah and James Smith (Deed Bk-2568, Pg-1350);

Thence turning and running with said “Smith” property S78°08’33”E 263.97’ to an existing 1” pipe, a common corner of lands now or formerly of Robert and Jamie Divanna (Deed Bk-2587, Pg-1832); thence turning and running with said “Divanna” property S03°18’25”W 188.20’ to an existing 1” pipe, a common corner of other “Divanna” property (Deed Bk-2589, Pg-2320) S03°17’57”W 279.97’ to an existing 1” pipe, a common corner of lands now or formerly of Terry and Diane Hamby (Deed Bk-1041, Pg-1); thence turning and running with said “Hamby” property S03°27’42”W 863.18’ to an existing #4 rebar, a common corner of other lands of David C. Williams Heirs (Estate File 8E, Pg-54); thence turning and running with said “Williams” property S01°55’10”W 1,409.73’ to the **POINT AND PLACE OF BEGINNING**, containing 2,520,951 square feet or 57.873 acres, more or less, as shown on survey titled “The Williams

Family Property” prepared by The Isaacs Group, P.C. and dated May 20, 2022 (File #: 22036-ALTA-WILL).

PARCEL #4765354650:

BEGINNING at an existing 0.5” pipe in the westerly margin of River Hill Road, a common corner with lands now or formerly of Huberto Gomez and Araceli Benitez (Deed Bk-2590, Pg-1206), said point being located N08°21’42”E 199.32’ of an existing 1” pipe and N44°36’47”W 11,638.17’ of NGS Monument “JAY” having North Carolina ground coordinates N:746,353.148’ and E:1,472,241.778’ (CSF:0.99988300438); thence turning and running with said “Gomez & Benitez” property N83°41’13”W 199.87’ to an existing 0.75” pipe, a common corner of lands now or formerly of Oakdale Baptist Church (Deed Bk-1016, Pg-1531); thence continuing with said “Church” property N83°41’13”W 268.11’ to an existing #4 rebar, a common corner of lands of Energy United Electric Membership (Deed Bk-2329, Pg-612); thence turning and running with said “Energy United” property the following five (5) courses and distances:

1. N83°41’13”W 100.41’ to a set #4 rebar;
2. N02°10’51”E 429.17’ to an existing #5 rebar;
3. N83°31’15”W 379.76’ to an existing #4 rebar;
4. N01°24’49”E 12.63’ to an existing 1” pipe;
5. N82°26’57”W 433.91’ to an existing axle in the easterly line of other lands of David C. Williams Heirs;

Thence, turning and running with said “Williams” property N01°55’10”E 1,409.73’ to an existing #4 rebar, a common corner of lands now or formerly of Terry and Diane Hamby (Deed Bk-1041, Pg-1), said point being located S03°27’42”W 863.18’ of an existing 1” pipe; thence turning and running with said “Hamby” property N85°00’46”E, passing an existing 1” pipe, 0.48’ right of line at 365.94’ and an existing #3 rebar, 0.38’ right of line at 898.68’, a total distance of 1,048.67’ to an existing 0.75” pipe, a common corner with lands now or formerly of Clarence & Belinda Stewart (Deed Bk-661, Pg-530) and Judith Ann Wilson (Deed Bk-2070, Pg-1902); thence turning and running with said “Wilson” property S35°33’50”E, passing an existing 0.75” pipe at 200.31’, total distance of 209.16’ to an existing 0.75” pipe, a common corner with lands now or formerly of Heirs of Linda W. Knox (Deed Bk-797, Pg-246), said point being located N35°33’24”W 91.10’ of an existing 0.75”; thence turning and running with said “Knox” property the following four (4) courses and distances:

1. S45°24’24”W 654.66’ to an existing 0.75” pipe;
2. S44°41’43”E 79.95’ to an existing 1” pipe at 79.95’, the southwesterly corner of Lot #6 of Wexford, Section 2, Plat Bk-42, Pg-2;
3. S44°41’43”E 154.42’ to an existing 0.75” pipe, a corner of Lot #5 of said Wexford subdivision;
4. S59°01’11”E 72.20’ to an existing 1” pipe, a common corner of lands now or formerly of Penny and David Gibson (Deed Bk-2230, Pg-750, Lot #4 of Wexford, Section 2, Plat Bk-42, Pg-2);

Thence, turning and running with the rear of Lots #4 and #3 of said “Wexford” subdivision, respectively, the following three (3) courses and distances:

1. S59°04’44”E 44.93’ to an existing 0.75” pipe, a corner of said Lot #4;
2. S69°07’45”E 116.80’ to an existing 0.75” pipe, a corner of said Lot #3;
3. S81°12’02”E 116.75’ to an existing 0.75” pipe, a common corner with land now or formerly of Steven Lambert (Deed Bk-2688, Pg-390, Lot #1 of Wexford, Section 1, Plat Bk-38, Pg-118);

Thence, turning and running with said “Lambert” property S87°08’16”E 231.30’ to a computed point near the centerline of River Hill Road, passing an existing 1” pipe at 200.00’; thence turning and running with said River Hill Road the following seven (7) courses and distances:

1. S02°51’37”W 514.50’ to a computed point;
2. S03°00’14”W 98.92’ to a computed point;
3. S03°25’20”W 142.64’ to a computed point;
4. S04°00’44”W 95.28’ to a computed point;
5. S05°03’34”W 98.09’ to a computed point;
6. S06°17’30”W 93.82’ to a computed point;
7. S07°23’42”W 139.69’ to a computed point;

Thence leaving said River Hill Road, turning and running N83°41’13”W 29.64’ to the **POINT AND PLACE OF BEGINNING**, containing 2,073,156 square feet or 47.593 acres, more or less, as shown on survey titled “The Williams Family Property” prepared by The Isaacs Group, P.C. and dated June 20, 2022 (File #: 22036-ALTA-WILL).

EXHIBIT B
CONCEPT PLAN

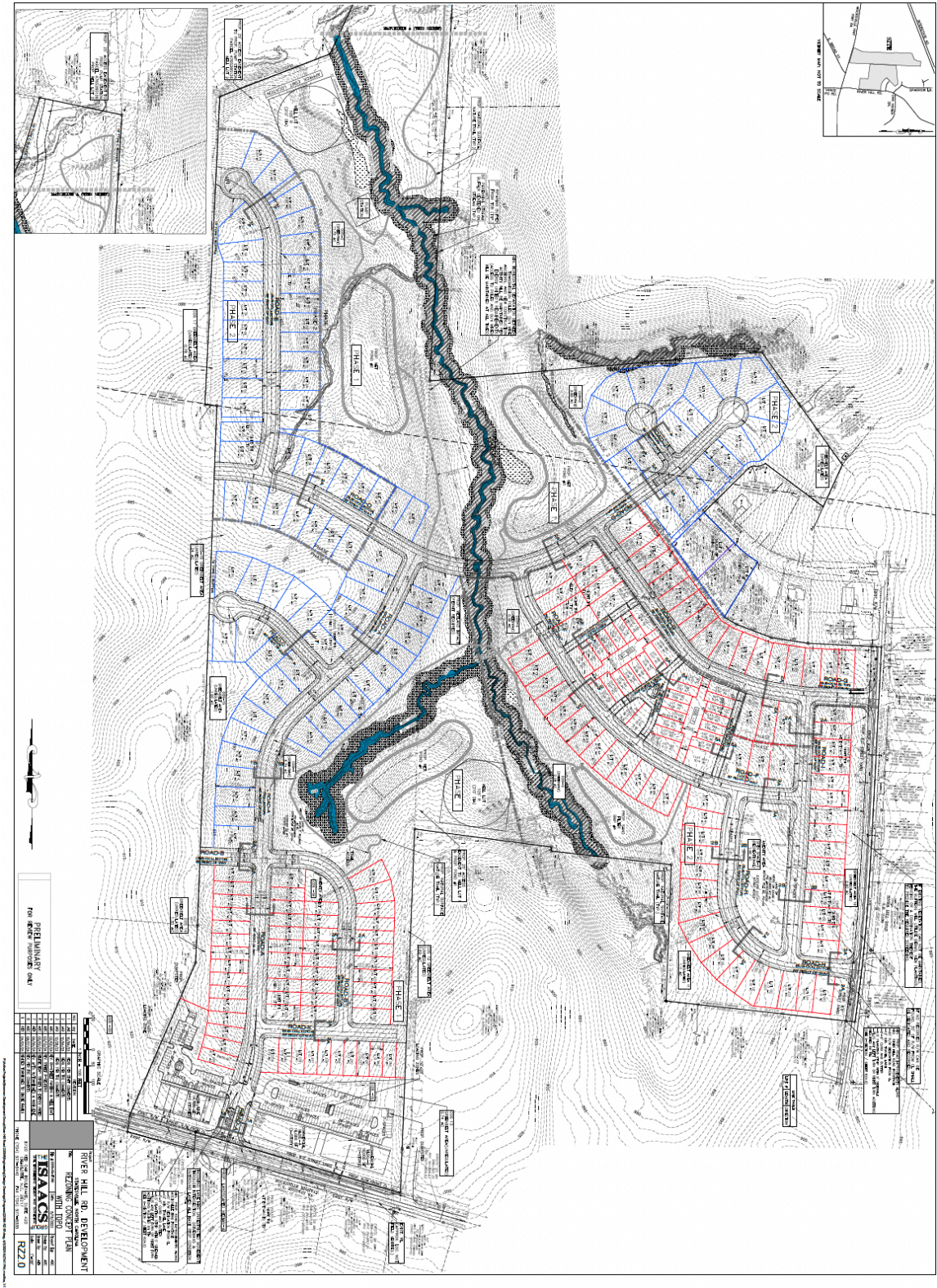
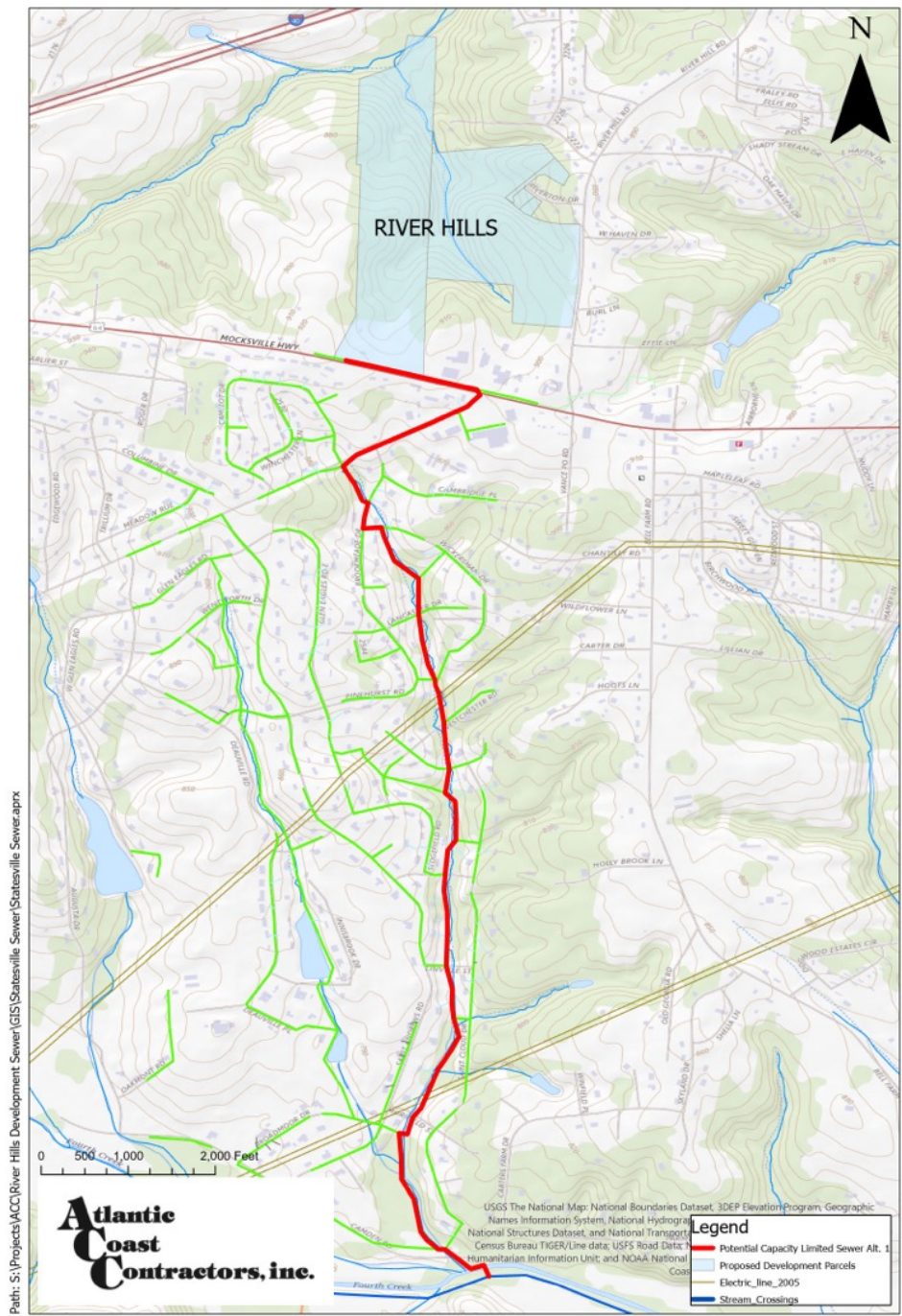


EXHIBIT C
LOCATION OF EXTERNAL SEWER LINE



 **Gavel & Dorn Engineering, PLLC**
Serving the Carolinas Since 2003

EXHIBIT C
MOCKSVILLE HIGHWAY
SEWER CAPACITY UPGRADE PROJECT

April 28, 2025

Subject: River Hill Road and Warren Woods Sewer Capacity Analysis

From: Ryne C. Phillips, PhD, PE and Scott Bogarde, EIT
Seamon, Whiteside & Associates, Inc.

To: Bill Vaughn, DPA, PE
City of Statesville

Introduction

Seamon, Whiteside & Associates, Inc. has completed a sewer analysis to evaluate sewer capacity of the gravity system connecting the proposed River Hill Road and Warren Woods developments to the larger sewer network (connection left of the intersection of River Hill Road and Mocksville Highway). This analysis was completed to evaluate whether the existing sewer trunk line has capacity for the planned development projects without the need for pipeline upgrades. This technical memorandum serves to document our analysis and findings.

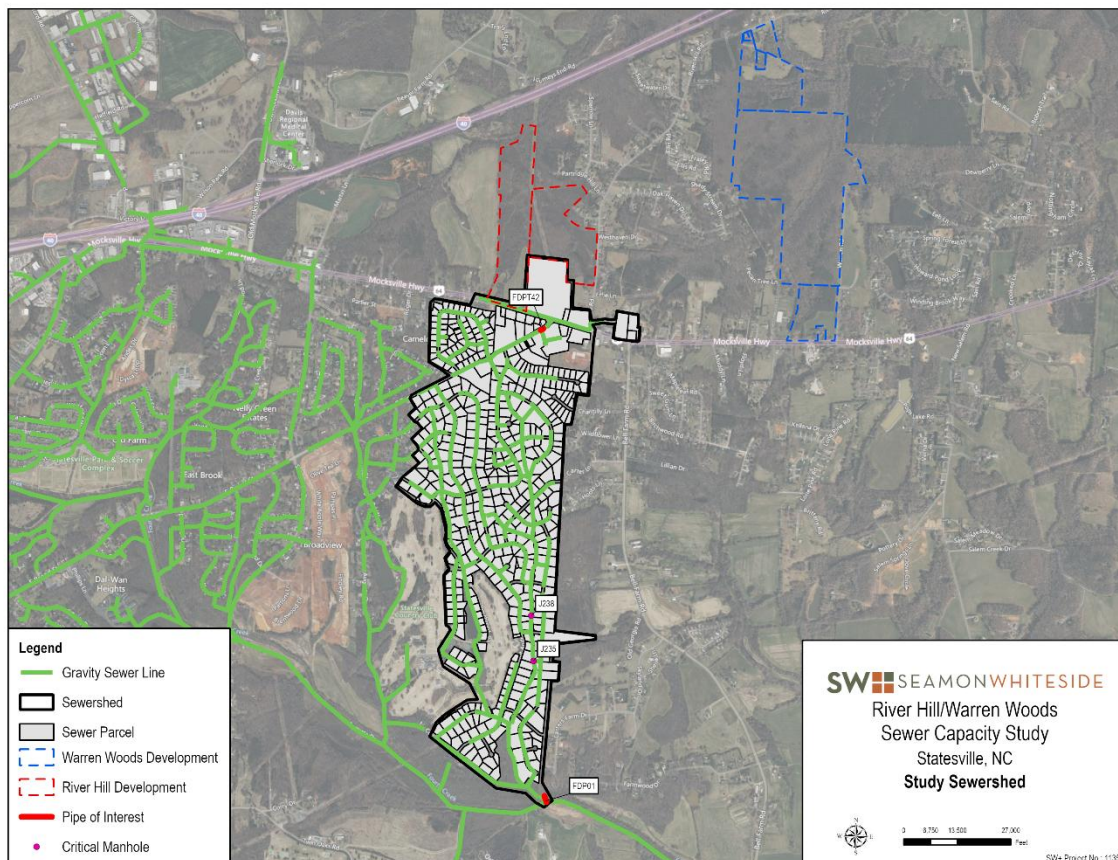


Figure 1 - Existing sewershed, gravity sewer system, and parcels currently served by Statesville sewer system directly influenced by the proposed River Hill and Warren Woods developments. The sewer hydraulic model was limited to the sewershed limits.



Model Development

A 1D hydraulic model was developed using PCSWMM version 7.6.3620 to simulate sewer conditions along the existing main line (8-inch gravity sewer line) that serve the existing sewershed from Mocksville Hwy to Fourth Creek (connection to larger 42-inch gravity sewer). Existing sewer network and hydraulic loading data were requested from the City of Statesville. Network data was provided by the city and contained the slope, material, location, and size of network components.

Existing parcels and buildings connected to the sewer system could not be provided by the city. As a result, existing hydraulic sewer loadings were assumed based on building and parcel proximity to the existing sewer network as well as engineering judgement. Residential lots were assigned a flow of 141 gallons per day (gpd) in accordance with the city's inside unit loading rate, while commercial parcels were assigned sewer rates based on the current building use, square footage, and engineering judgement (see Table 1).

All pipes in the hydraulic model were assigned a Manning's n value of 0.014 based on material (i.e., VCP). Outfall boundary conditions were assumed under "normal" flow conditions to simulate realistic resistance where the 8-inch sewer system connects to the larger 42-inch system. No rainfall-derived inflow & infiltration (RDII) was assigned to the system as estimates for these values were unavailable.

Table 1 – Existing average daily sewer flow summary based on engineering judgement and 15A NCAC 02T .01114 wastewater design flow rates by parcel.

Use	Unit Count	Unit Loading	Loading Units	Total Flow (gpd)
Residential	381	141	gpd	5,3721
Commercial	2	25	gpd/person/shift	50
Commercial	2	25	gpd/person/shift	50
Commercial	2	25	gpd/person/shift	50
Commercial	4	25	gpd/person/shift	100
Commercial	5	25	gpd/person/shift	125
Commercial	5	25	gpd/person/shift	125
Commercial	5	1200	gpd/bay	6,000
Commercial	6	25	gpd/person/shift	150
Commercial	12	25	gpd/person/shift	300
Commercial	200	1	gpd/unit	200
Commercial	2,454.99	0.75	gpd/sq ft	1,841.24
Commercial	9,818.96	0.13	gpd/sq ft	1,276.46
Commercial	47,303.56	0.13	gpd/sq ft	6,149.46
Commercial	380	5	gpd/seat	1,900.00
Commercial	5	25	gpd/person/shift	125.00
Commercial	50	25	gpd/person/shift	1,250.00
Commercial	4105	0.5	gpd/sq ft	2,052.50
Commercial	20	25	gpd/person/shift	500.00
Total Average Daily Loading				75,965.67



Table 2 – Proposed average daily sewer loadings for River Hill development flow based on current design, engineering judgement, and 15A NCAC 02T .01114 wastewater design flow rates using City of Statesville residential inside sewer rate (a) and state residential sewer rate (b).

Use	Unit Count	Unit Measurement	Unit Loading	Loading Units	Total Flow (gpd)
(a) 141 GPD/Unit Sewer Rate					
Office	34	persons	25	gpd/person	850
Restaurant	200	seats	40	gpd/seat	8,000
Retail	12,000	Sq ft	0.1	gpd/sq ft	1,200
Single Family	229	units	141	gpd/unit	32,289
Cottage Homes	34	units	141	gpd/unit	4,794
S.F. Amenity	50	persons	10	gpd/person	500
Total Average Loading					47,633
(b) 102 GPD/Bedroom Sewer Rate					
Office	34	persons	25	gpd/person	850
Restaurant	200	seats	40	gpd/seat	8,000
Retail	12,000	Sq ft	0.1	gpd/sq ft	1,200
Single Family	229	units	306	gpd/unit	70,074
Cottage Homes	34	units	306	gpd/unit	10,404
S.F. Amenity	50	persons	10	gpd/person	500
Total Average Loading					91,028

Table 3a – Average development flow for Warren Woods based on current design, engineering judgement, and 15A NCAC 02T .01114 wastewater design flow rates using City of Statesville residential inside sewer rate (a) and state residential sewer rate (b).

Use	Unit Count	Unit Measurement	Unit Loading	Loading Units	Total Flow (gpd)
(a) 141 GPD/Unit Sewer Rate					
Residential House – 4 Bedroom	115	units	114	gpd/unit	16,215
Residential House – 3 Bedroom	115	units	114	gpd/unit	16,215
Total Average Loading					32,430
(b) 102 GPD/Bedroom Sewer Rate					
Residential House – 4 Bedroom	115	units	408	gpd/unit	46,920
Residential House – 3 Bedroom	115	units	306	gpd/unit	35,190
Total Average Loading					82,110

Investigated Scenarios

Three scenarios were evaluated at different flow rates to estimate current and future capacity of the existing 8-inch sewer main



line:

Wastewater loading rate of 141 GPD/Unit:

- **Existing Conditions:** Flows assigned to sewer based on adjacent lot coverage and engineering judgement (only including sewer system within sewershed boundaries). Investigation of existing capacity before any planned development occurs.
- **Warren Woods Development:** Flows assigned to sewer system based on current design and the city's inside unit loading rate. Investigation of sewer capacity ahead of Warren Woods. It is assumed that all lots will be developed as a single-phase project.
- **River Hill Road & Warren Woods Developments:** Flows assigned to sewer system based on future lot coverage and engineering judgement at the city's inside unit loading rate. Investigation of sewer capacity ahead of River Hill Road and Warren Woods.

Wastewater loading rate of 102 GPD/Bedroom

- **Existing Conditions:** Flows assigned to sewer based on adjacent lot coverage and engineering judgement (only including sewer system within sewershed boundaries). Investigation of existing capacity before any planned development occurs.
- **Warren Woods Development:** Flows assigned to sewer system based on current design and given loads. Investigation of sewer capacity ahead of Warren Woods. It is assumed that all lots will be developed as a single-phase project.
- **River Hill Road & Warren Woods Developments:** Flows assigned to sewer system based on future lot coverage and engineering judgement at 102 GPD/Bedroom assuming 3 bedrooms per unit for the River Hill Development. Investigation of sewer capacity ahead of River Hill Road and Warren Woods.

Sewer flows were input in the hydraulic model based on the connected parcel's proximity to the nearest connecting manhole. Each model simulated 24 hours of continuous flow to investigate the sewer system's response to steady state or average flow conditions. It is important to note the model was executed using the full dynamic wave equations (i.e., shallow water momentum equations).

Summary of Results

Table 4 and 5 summarize the results of each scenario using 141 GPD/Unit and 102 GPD/Bedroom, respectively, at the most downstream pipe (pipe FDP01) as well as a mildly sloped pipe section the city has acknowledged in East Broad Street (pipe FDPT42). Specifically for both tables, flow conditions are presented along with a rough order of magnitude peaking factor that average flows would need to be increased by to reach system capacity (i.e., pipe flowing less than 94% full). It is important to note that a uniform peaking factor was applied across the entire sewershed until reaching full pipe capacity conditions at the most downstream analyzed pipe rather than establishing full flow conditions at both analyzed pipe sections. As a result, the mildly sloped pipe section reported in Table 4 and 5 does not necessarily represent full flow conditions.

Table 4 – Simulated flow conditions based on 141 GPD/Unit and approximate flow multiplier/peaking factor required to reach system capacity for the furthest downstream pipe (a) and a mildly sloped pipe (b). Results for pipeline capacity conditions were based on a uniform sewershed peaking factor (flow multiplier).

Scenario	Daily Average Flow Condition				Pipeline Capacity Condition			
	Depth (inches)	Flow (mgd)	Percent Full	Freeboard (ft)	Flow Multiplier to Reach Capacity	Depth (inches)	Flow (mgd)	Freeboard (ft)
(a) Furthest Downstream Pipe (FDP01, s = 0.000953, ft/ft, d = 8 inches)								
Existing Conditions	3.21	0.076	40.16	12.43	2.96	7.58	0.2242	12.10
Warren Woods	3.93	0.1084	49.07	12.37	2.07	7.58	0.2242	12.10
Warren Woods & River Hill	4.92	0.1561	61.49	12.29	1.44	7.58	0.2242	12.10
(b) Mildly Sloped Pipe (FDPT42, s = 0.002836 ft/ft, d = 8 inches)								
Existing Conditions	0.98	0.014	12.26	8.54	2.96	1.65	0.0420	8.48
Warren Woods	1.74	0.0466	21.71	8.47	2.07	2.49	0.0965	8.40
Warren Woods & River Hill	2.46	0.0943	30.77	8.40	1.44	2.97	0.1357	8.36

Table 5 – Simulated flow conditions based on 102 GPD/Bedroom and approximate flow multiplier/peaking factor required to reach system capacity for the furthest downstream pipe (a) and a mildly sloped pipe (b). Results for pipeline capacity conditions were based on a uniform sewershed peaking factor (flow multiplier).

Scenario	Daily Average Flow Condition				Pipeline Capacity Condition			
	Depth (inches)	Flow (mgd)	Percent Full	Freeboard (ft)	Flow Multiplier to Reach Capacity	Depth (inches)	Flow (mgd)	Freeboard (ft)
(a) Furthest Downstream Pipe (FDP01, s = 0.000953, ft/ft, d = 8 inches)								
Existing Conditions	3.21	0.076	40.16	12.43	2.96	7.58	0.2242	12.10
Warren Woods	4.96	0.1581	62.03	12.29	1.42	7.58	0.2242	12.10
Warren Woods & River Hill	8.00	0.2492	100.0	12.00	1.00	8.00	0.2492	12.00
(b) Mildly Sloped Pipe (FDPT42, s = 0.002836 ft/ft, d = 8 inches)								
Existing Conditions	0.98	0.014	12.26	8.54	2.96	1.65	0.0420	8.48
Warren Woods	2.49	0.0963	31.10	8.40	1.42	2.98	0.1367	8.36
Warren Woods & River Hill	3.51	0.1873	43.91	8.30	1.00	3.51	0.1873	8.30



Results of the analysis show that the most downstream pipe is the controlling factor provided its slope is nearly 0 feet/feet. Modeling the 141 GPD/Unit scenarios show that the most downstream pipe would be approximately 40%, 49%, and 61% full for average daily flow conditions for the existing conditions, existing conditions with Warren Woods, and existing conditions with River Hill and Warren Woods, respectively. Hence, at this design rate, there is capacity available for the Warren Woods development project and capacity available once River Hill was to come online after the Warren Woods project.

Evaluating the 102 GPD/Bedroom scenario shows that the most downstream pipe would be approximately 40%, 62%, and 100% full for average daily flow conditions for the existing conditions, existing conditions with Warren Woods, and existing conditions with River Hill and Warren Woods, respectively. Hence, at this design rate, there is additional capacity available for the Warren Woods development project, and no further capacity if River Hill was to come online after the Warren Woods project.

Pipeline capacity is important, however in flat or mildly sloped pipe sections, the overall system hydraulics is more important to consider. As a result, minimum freeboards were computed at the upstream manhole structures as a proxy for evaluating system performance holistically. For example, according to Table 4, freeboard at the downstream pipe would only be reduced by approximately 2 inches by adding in both River Hill and Warren Woods development projects. Most importantly, minimum freeboards are all at least 12 feet for average daily flow conditions.

Freeboard performance/sensitivity was evaluated at the downstream pipe by varying peaking factors from a value of 1 to 4. A peaking factor of 1 represents average daily flow conditions while a peaking factor of 4 would represent a significant amount of additional sewer flow as well as infiltration and inflow. These results are presented in Table 6. The most notable result from the analysis was that a peaking factor of 4 would ultimately result in a decrease in freeboard by approximately 3 inches and 9 inches for Warren Woods only and River Hill with Warren Woods, respectively (based on city inside sewer flow rate of 141/Unit). Although the last pipe section is nearly flat and may experience surcharging, system performance does not generally diminish because of the proposed developments and varying peaking factors. However, in the higher wastewater flow rate scenario (i.e., 102 GPD/Bedroom) represented by Table 6b, there is much less peaking capacity in the system with overtopping occurring at peaking factors equal to or greater than 3.0.

Table 6 – Simulated flow conditions at varying design peaking factors for the furthest downstream pipe using City of Statesville residential inside sewer rate (a) and state residential sewer rate (b). Manhole overtopping is denoted in red.

Scenario	Freeboard (ft)				
	PF=1.0	PF = 2.5	PF = 3.0	PF = 3.5	PF = 4.0
(a) 141 GPD/Unit Sewer Rate					
Existing Conditions	12.43	12.23	12.03	11.98	11.92
Warren Woods	12.37	11.97	11.89	11.79	11.68
Warren Woods & River Hill	12.29	11.77	11.60	11.39	11.16
(b) 102 GPD/Bedroom Sewer Rate					
Existing Conditions	12.43	12.23	12.03	11.98	11.92
Warren Woods	12.29	11.76	11.58	11.37	11.13
Warren Woods & River Hill	12.00	11.17	10.91	10.89	10.88

Freeboard performance/sensitivity was further evaluated to better understand when overflow may occur within the modeled scenarios. These results are presented in Table 7. Under the existing conditions scenario, it would take a peaking factor of 9.86 to reach overflow conditions at critical upstream manholes within the model. For the 141 GPD/Unit wastewater rate, the peaking factor right before overflow is 6.71 for Warren Woods and 4.55 for Warren Woods and River Hill. For the 102 GPD/Bedroom wastewater rate, the peaking factor right before overflow is 4.49 for Warren Woods and 2.78 for Warren Woods and River Hill. It is important to note that the minimum design peaking factor typically used in sewer design is 2.5.

EXHIBIT EARCHITECTURAL STANDARDSSingle Family

Architectural Materials. The principal buildings constructed on the site may use a variety of building materials. The building materials used for buildings will include a combination of the following: glass, brick, stone, simulated stone, precast stone, precast concrete, synthetic stone, stucco, cementitious siding (such as hardy-plank), EIFS, or wood. Vinyl as a building material will not be allowed except on windows and soffits.

Architectural Variation. Every lot shall provide a different architectural model from the adjacent lot (s). No two identical architectural elevations, which include identical facades, roof lines, door and window placement, and details, shall be built on lots adjacent to or directly across from each other.

Architectural Features. All residential buildings on individual lots shall include at least four (4) of the following design features:

1. Dormers (Note: the provision of one such roof feature is sufficient); A roof pitch greater than or equal to a 5 to 12 (5:12) for the primary roof; Eaves with a minimum 10-inch projection on all sides of the building;
2. Decks or patios with a minimum size of 64 square feet per dwelling unit;
3. Front porch and entry facing the front lot line (Note: entryway can be located on the long or short axis of the dwelling);
4. Off-sets on building face with a minimum depth of 12 inches.
5. Decorative pillars or posts. Square posts or columns shall not be less than six (6) nominal inches on any side, and round columns shall not be smaller than eight (8) nominal inches in diameter from the bottom of the column unless consistent with a distinct architectural style. (Note: requires at least one pair, decorative or plain, but finished in a manner that is consistent with the dwelling exterior);
6. Masonry (preferably brick) perimeter enclosure at the base but also including poured concrete so that each home has the appearance of a raised foundation (Note: wood products covered with a treatment to appear as masonry do not qualify). Poured concrete shall be treated with brick, stone, or color and textured material appropriate foundation style per style of architecture.
7. Changes in the use of wall facing materials should occur at wall setbacks or projections or to articulate the transition between the building base middle and top. Material changes should return to the inside corners of the front façade. Those materials, however, are not required to wrap the outermost front corner of the home.

Blank Walls. There shall be no blank walls on the side elevations adjacent to common open space and/or corner lots. Each side elevation adjacent to common open space and/or on a corner lot shall have a minimum of one window at each story.

Unit Size. The minimum single-family detached residential unit size shall be 1,400 square feet for a single-story unit and 1,800 square feet for a two-story unit.

Rooflines. Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12 unless a flat roof architectural style is employed.

Porches. When provided, usable porches and stoops shall form a predominant feature of the unit

design and may be located on the front and/or side of the building. Usable front porches are covered and are at least five (5) feet deep. Stoops and entry-level porches may be covered but not be enclosed.

Cottage Lots

Architectural Materials. The principal buildings constructed on the site may use a variety of building materials. The building materials used for buildings will include a combination of the following: glass, brick, stone, simulated stone, precast stone, precast concrete, synthetic stone, stucco, cementitious siding (such as hardy-plank), EIFS, or wood. Vinyl as a building material will not be allowed except on windows and soffits.

Architectural Variation. Every lot shall provide a different architectural model from the adjacent lot (s). No two identical architectural elevations, which include identical facades, roof lines, door and window placement, and details, shall be built on lots adjacent to or directly across from each other.

Prominent Entrances. Entrances shall contain one or more of the following features that are considered a prominent entrance: porches, raised steps and stoops with or without roof overhangs, and decorative railings.

Blank Walls. There shall be no blank walls on the side elevations adjacent to common open space and/or corner lots. Each side elevation adjacent to common open space and/or on a corner lot shall have a minimum of one window at each story.

Unit Size. The minimum single-family detached residential unit size shall be 900 square feet for a single-story unit and 1,200 square feet for a two-story unit.

Rooflines. Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12 unless a flat roof architectural style is employed.

Porches. When provided, usable porches and stoops shall form a predominant feature of the unit design and may be located on the front and/or side of the building. Usable front porches are covered and are at least five (5) feet deep. Stoops and entry-level porches may be covered but not be enclosed.

Commercial (including Live/Work)

Place of Interest. Buildings shall be designed to raise the standard level of design to create a place of interest.

All buildings located within the integrated center shall utilize and repeat the below architectural design criteria to promote a pedestrian environment through the use of compatible design and appearance to aid the break of long expanse of solid walls.

Façade Building Materials: The use of complementary hues, multiple textures, and building elements should be used to create interest.

Building Massing: Modulation of the façade should occur every 20 ft of length in the height and/or relief.

Façade Treatment: Roofline treatment should be modified through the use of height, material, and/or pitch. Human scale design elements, such as but not limited to windows, awnings, entrances, arcades, arbors, trellises, and friezes, are recommended at a minimum of 40' to maintain pedestrian interest throughout the development. All elevations are prohibited from having CMU block.

Building Orientation: All buildings will orient/front toward a public street, green street, urban open space, or regulated open space.

Compliance with Ordinance: The architecture within the site shall comply with the Unified Development Ordinance of the City of Statesville.

The elevations are conceptual: Details will be provided following the above standards during construction drawing/commercial site plan review to ensure compliance.



Table 7 – Simulated flow conditions at peaking factors immediately before overflow at critical upstream manholes using City of Statesville residential inside sewer rate (a) and state residential sewer rate (b).

Scenario	Peaking Factor Before Overflow	Freeboard (ft)
(a) 141 GPD/Unit Sewer Rate		
Existing Conditions	9.86	0.089
Warren Woods	6.71	0.052
Warren Woods & River Hill	4.55	0.130
(b) 102 GPD/Bedroom Sewer Rate		
Existing Conditions	9.86	0.089
Warren Woods	4.49	0.103
Warren Woods & River Hill	2.78	0.063

Downstream pipe hydraulic grade line profiles for the 141 GPD/Unit and 102 GPD/Bedroom River Hill and Warren Woods scenarios (full build out) at a peaking factor of 4 are provided in Figure 2 and Figure 3, respectively. Critical manhole hydraulic grade line profiles for the same scenarios are provided in Figure 4 and Figure 5.

Conclusion

Overall, the analysis concludes that the existing sewer system generally has capacity to serve Warren Woods and the planned River Hill development based on the assumptions and parameters presented herein. Additional flow from the River Hill development, on top of the Warren Woods development project, would result in no more capacity in the most critical pipeline. Furthermore, a sensitivity analysis was conducted that shows on top of the pipeline being full, overflow can be expected at peaking factors higher than 4.55 and 2.78 for scenarios modeled with 141 GPD/Unit and 102 GPD/Bedroom, respectively. It would be in the city's best interest to begin monitoring flow depth at the downstream pipe and freeboard at critical manholes following the Warren Woods development project.

Attachments

- Exhibit 1 – Warren Woods Development and River Hill Development Existing Pipeline Capacity at 141 GPD/Unit
- Exhibit 2 – Warren Woods Development and River Hill Development Existing Pipeline Capacity at 102 GPD/Bedroom



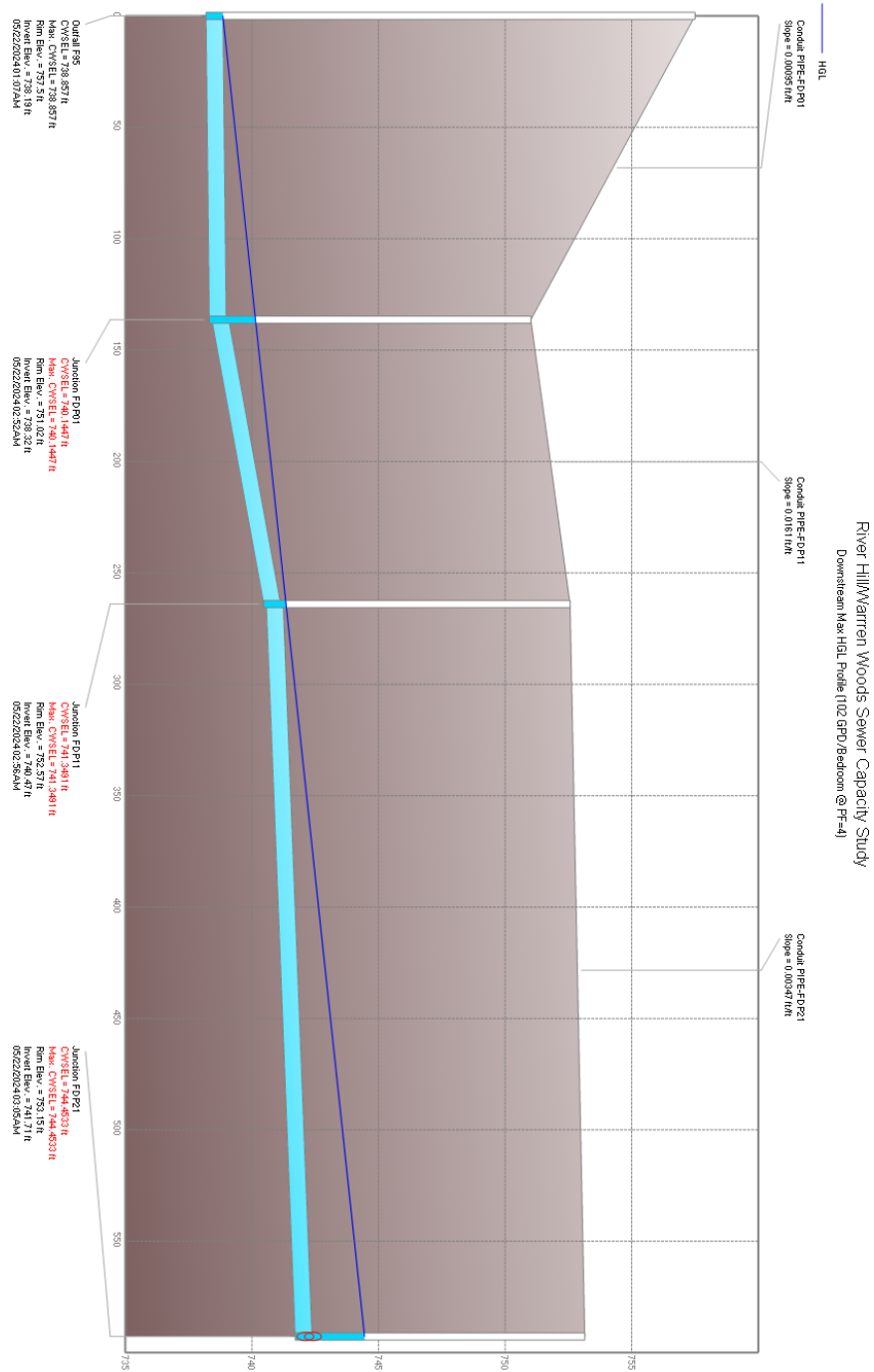


Figure 3 – Maximum computed hydraulic grade line profile at the most downstream extent of the model for the River Hill and Warren Woods 102 GPD/Bedroom scenario based on a peaking factor of 4.0.

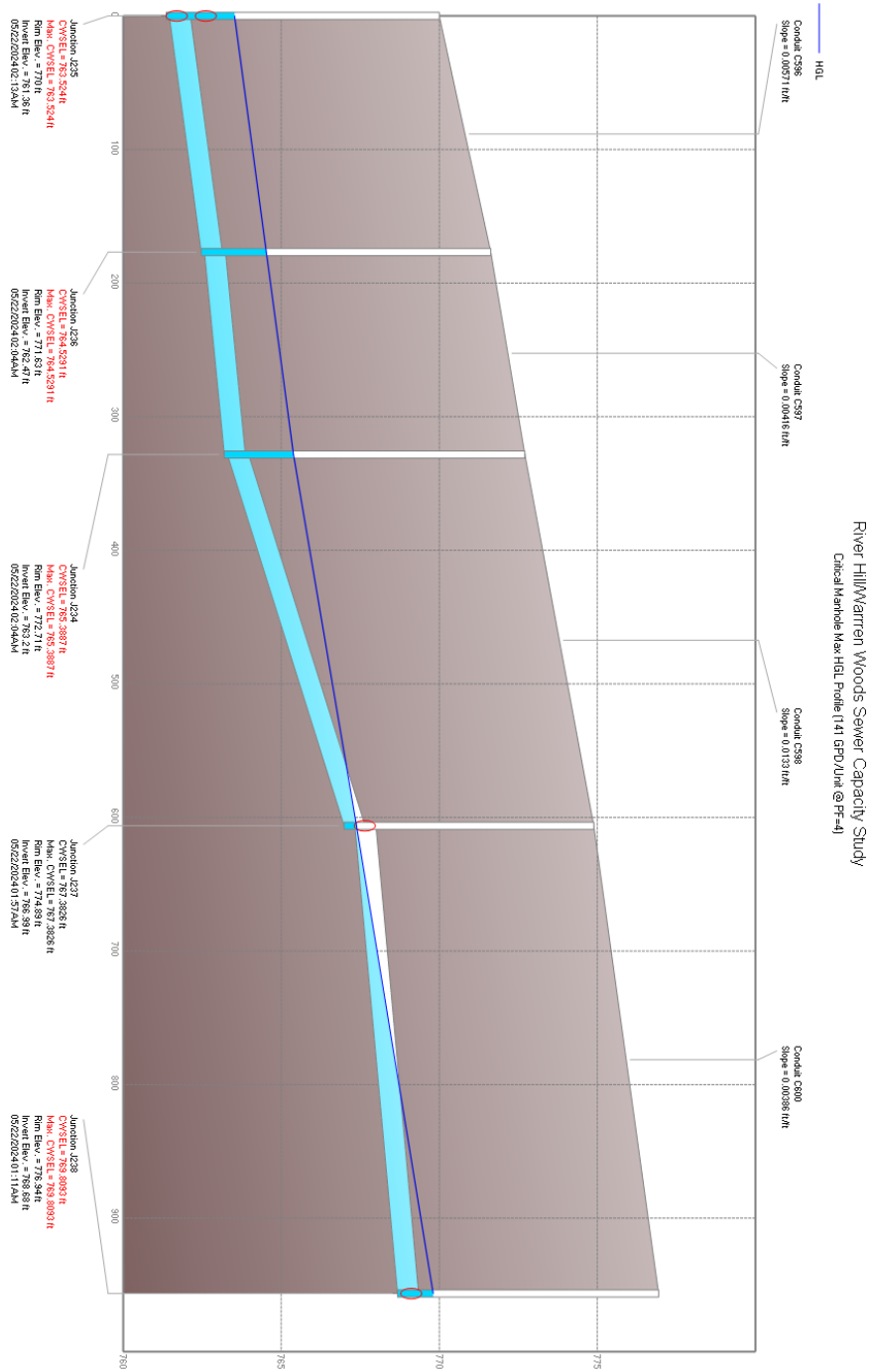


Figure 4 – Maximum computed hydraulic grade line profile at the most critical upstream manhole extents of the model for the River Hill and Warren Woods 141 GPD/Unit scenario based on a peaking factor of 4.0.

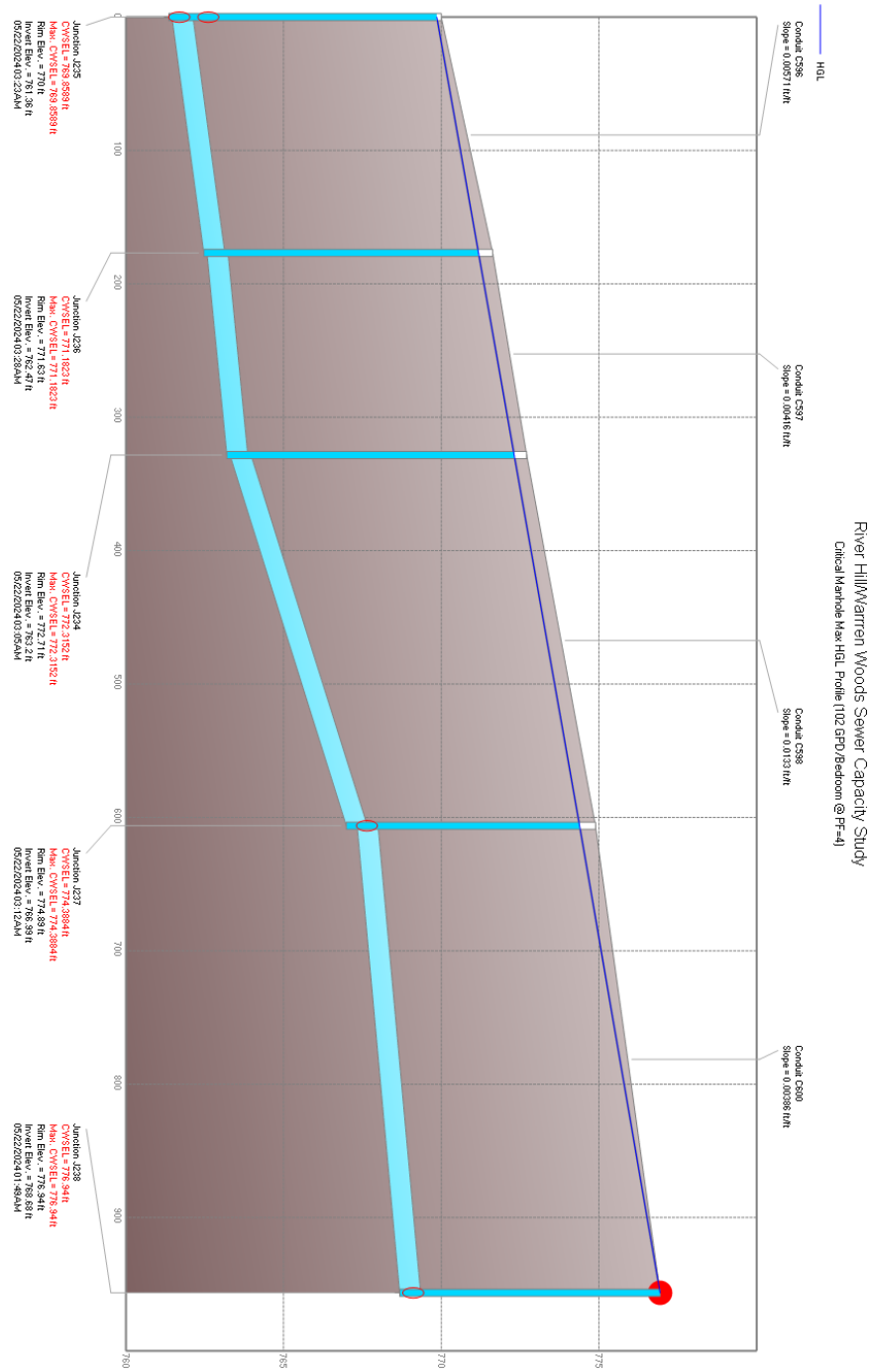
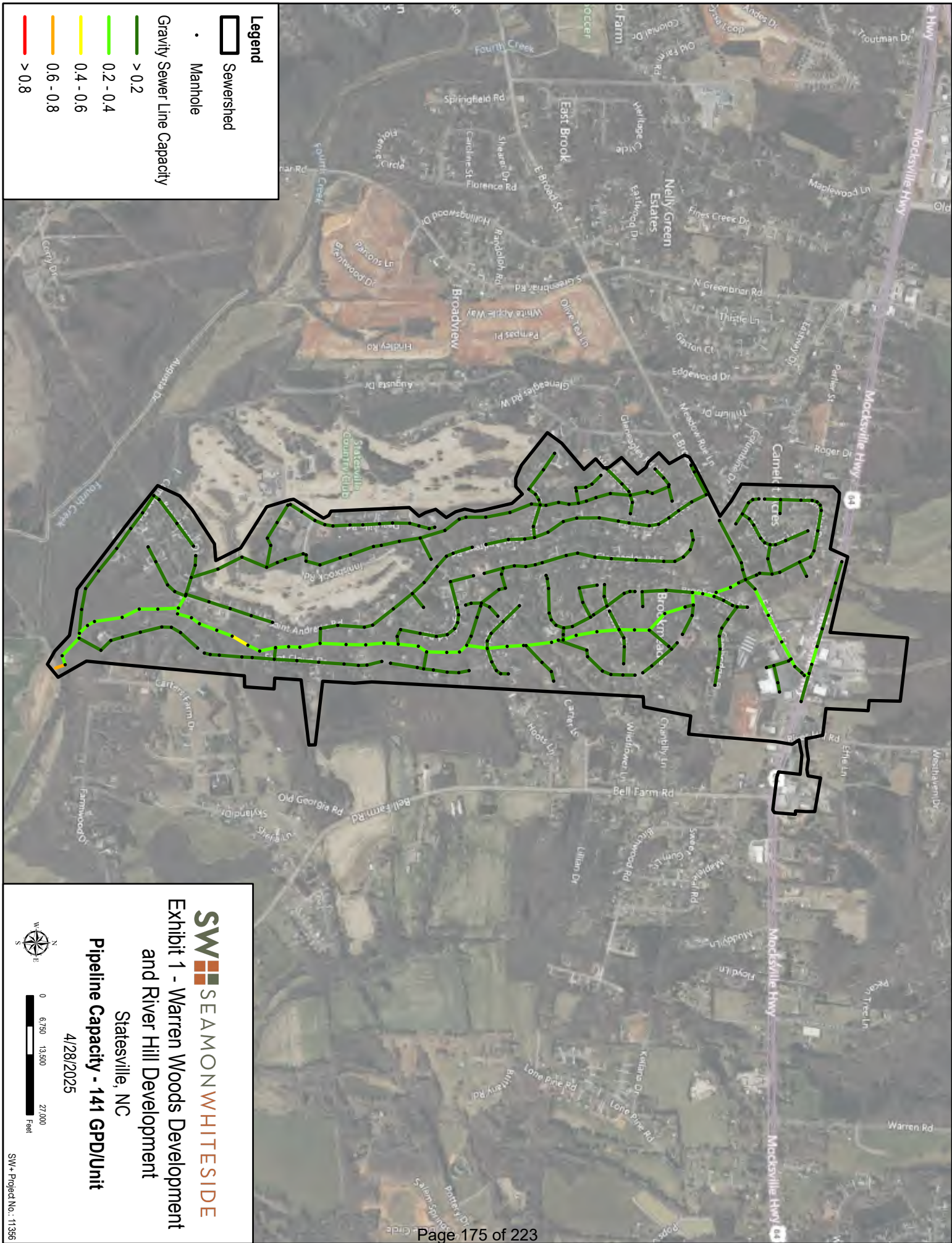
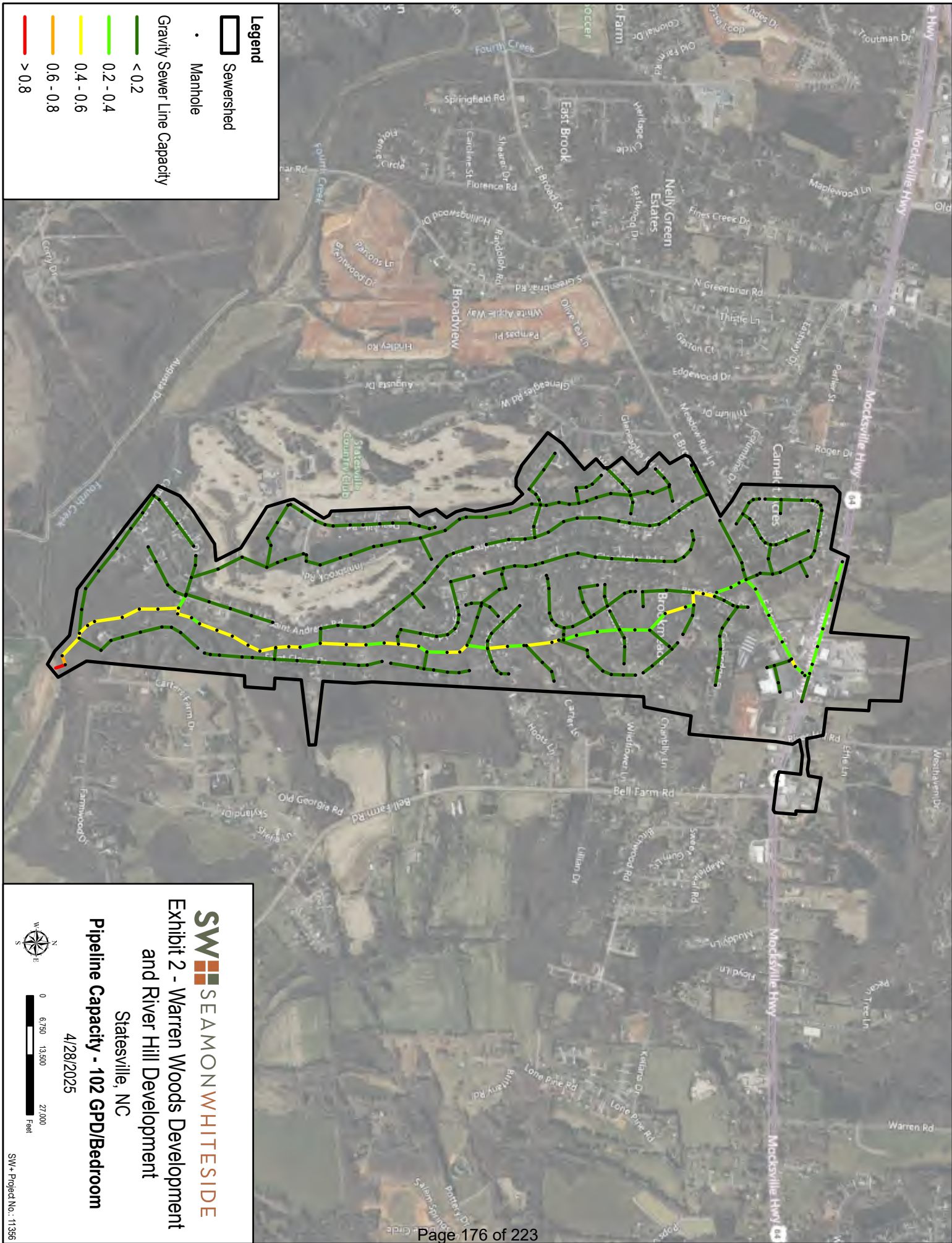


Figure 5 – Maximum computed hydraulic grade line profile at the most critical upstream manhole extents of the model for the River Hill and Warren Woods 102 GPD/Bedroom scenario based on a peaking factor of 4.0.





CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: David Onley, Chief of Police
DATE: 7/3/2025 10:12 AM

ACTION NEEDED ON: July 14, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approving an ordinance to regulate begging, panhandling, or soliciting contributions.

1. Summary of Information:

The Statesville Police Department has received numerous complaints about subjects soliciting funds from individuals for a variety of businesses and charities. This ordinance would require all individuals wishing to solicit funds in the Statesville City Limits to obtain a permit from the police department. This process would include a background check on the individual and the organization, business or charity the subject represents. If the application is approved, the subject would be given a permit including their photo that would be openly displayed during their soliciting activities. In addition, the ordinance regulates the hours soliciting is approved and restricts subjects from entering a property with a posted sign for "no soliciting" or "no trespassing". The police department recommends an application fee of \$15 dollars per individual requesting a permit.

2. Previous Council or Relevant Actions:

None

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: N/A

Connecting Our Communities: Provide reliable, high-quality public safety to ensure the wellbeing of residents, businesses, and visitors.

Strategic Plan Values: N/A

Approval of the attached ordinance would enhance the ability of the police department to provide quality public safety.

4. Budget/Funding Implications:

Staff is recommending an application fee of \$15 dollars per applicant. The police department will use existing funds to procure the necessary items to issue permits.

5. Consequences for Not Acting:

There is no current protocol in place to monitor those individuals soliciting funds in the city limits. Failure to enact would continue to permit any individual to solicit funds in the city limits.

6. Department Recommendation:

Approval of the new ordinance and adoption of a \$15 permit application fee to the city fee schedule.

7. Manager Comments:

Recommend for approval.

8. Next Steps:

If approved this ordinance would require a second reading.

9. Attachments:

1. PROPOSED STATESVILLE Section 21-25 Begging panhandling or soliciting contributions

Sec. 21-25. Begging, panhandling, or soliciting contributions.

This article is adopted pursuant to the authority granted to the City of Stateville in North Carolina General Statutes 160A-178 and 160A-179 for the purpose of regulating begging or otherwise canvassing the public for contributions for the private benefit of the solicitor or any other person, as well as regulating, restricting or prohibiting the solicitation of contributions from the public as it pertains to business activities of itinerant merchants, salesmen, promoters, and peddlers.

Sec. 21-26. Definitions.

The following words, terms, and phrases shall have the meaning ascribed to them in this section, except in instances where the context clearly indicates a different meaning.

- (a) *To beg, panhandle, or solicit contributions* shall be defined to include, without limitation, the spoken, written, or printed word or such other acts as are conducted in furtherance of the purpose of obtaining monetary contributions for the private benefit of the solicitor or any other person;
- (b) The term "solicitor," whether a resident of the city or not, means any individual traveling by foot, wagon, motor vehicle, or any other type of conveyance from place to place, from house to house or from street to street, taking or attempting to take orders for the sale of goods, wares, merchandise or personal property of any nature whatsoever, including, without limitation, intangible personal property, stocks, bonds, investment participation shares and product promotions for future delivery, or for services to be furnished or performed in the future, whether or not such individual has, carries or exposes for sale a sample of the subject of such sale or whether he is collecting advance payments on such sales or not. The definition of the term "solicitor" shall not apply to, and this article shall not apply to, the following persons:
 - (1) Those who solicit orders solely to industrial, commercial or professional establishments within the city.
 - (2) Those soliciting for schools or approved educational, religious or charitable organizations, when the entire proceeds from any such solicitation goes to the fund of some approved educational or charitable organization that has a base permanently located in the city or county.
- (c) The term "peddler" means a person, whether a resident of the city, or not, traveling by foot, motor vehicle, or any other type of conveyances, from place to place, from house to house, or from street to street, carrying, conveying, or transporting any goods, wares, or merchandise of any kind, offering and exposing them for sale, or making sales and delivering articles to purchasers, or who, without traveling from place to place, sells the same for sale from a wagon, motor vehicle, or other vehicle or conveyance. The definition of the term "peddler" shall not apply to, and this article shall not apply to, the following persons:
 - (1) Those who solicit orders solely to industrial, commercial or professional establishments within the city.
 - (2) Those soliciting for schools or educational, religious or charitable organizations, when the entire proceeds from any such solicitation goes to the fund of some approved educational or charitable organization that has a base permanently located in the city or county.
 - (3) Those persons operating a mobile food truck within the rules and guidelines, if any, of related city policy.
- (d) The term "panhandler" means a beggar or charitable solicitor who attempts to solicit contributions for their own personal gain including, but not limited to, obtaining alms or contributions of money, food, or clothing for the use of oneself or others through use of spoken, written, or printed words, signs, body gestures or other acts.
- (e) *Accosting another person* shall be defined as approaching or speaking to someone in such a manner as would cause a reasonable person to fear imminent bodily harm or the commission of criminal act or damage to property in his immediate possession;

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- (f) *Intimidate another person* shall be defined as acting in such a way as would cause a reasonable person to fear bodily harm and therefore to do something he or she would not otherwise have done;
- (g) *Forcing oneself upon the company of another person* shall be defined as:
- (1) Continuing to request or solicit contributions in close proximity to an individual who has made a negative response by verbal or physical signs or by attempting to leave the presence of the person soliciting, or by other negative indication;
 - (2) Blocking the passage of the person addressed or otherwise engaging in conduct that could reasonably be construed as intending to force a person to comply to a solicitation; or
 - (3) Otherwise engaging in conduct which reasonably could be understood as intended to force a person to accede to demands.
- (h) *Public place* shall be defined as a place where a governmental entity has title and/or to which the public has access, including, but not limited to, streets, highways, and roadways (including the shoulders and medians), sidewalks, alleys, parking lots, restaurants, schools, parks and playgrounds, and other public property, as well as city-owned and city-controlled property and private property open to the public unless permission to solicit has been obtained from the town or from the property owner or other person in authority.
- (i) *Vocal appeal* shall be defined as begging, panhandling, or solicitation of contributions by spoken word or other verbal request.
- (j) *Direct written appeal* shall be defined as begging, panhandling, or solicitation by handing to a person or attempting to hand to a person a written solicitation for immediate contributions.
- (k) *Prohibited time period* shall be defined as 7:00pm to 10:00am on Monday through Saturday and all day on Sunday.

Sec. 21-27 Permit required.

- (a) All peddlers and solicitors must submit an application to the police department pursuant to this article.
- (b) It shall be unlawful for any solicitor and/or peddler to engage in such business within the corporate limits of the city without first obtaining a permit pursuant to this article.
- (c) It shall be unlawful for a solicitor and/or peddler to fail to display the permit or badge issued under the provisions of this article while soliciting or peddling.
- (d) A violation of this section shall be a misdemeanor as provided by G.S. 14-4(a).

Sec. 21-28. Application for permit.

- (a) Fifteen days prior to the desired start date, every solicitor and/or peddler under this article must file a sworn application for a permit, with the chief of police, in writing, on a form to be furnished by the chief of police or his designee, which shall give the following information:
 - (1) The full name, date of birth, permanent address, phone number, and job title of the applicant.
 - (2) A physical description of the applicant including height, weight, and eye and hair color.
 - (3) A brief description of the nature of the business and the goods or services to be sold.
 - (4) If employed or acting as an agent, the name, telephone number and address of the employer or principal, together with credentials establishing the exact relationship.
 - (5) The place where the goods or services are proposed to be sold or orders taken for the sale thereof, where such articles are manufactured or produced, where such goods or products are located at the time such application is filed and the proposed method of delivery.

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- (6) A list of all misdemeanor and felony charges and arrests including the approximate dates of the charges and arrest and the city/state of such charges and arrest.
 - (7) A copy of a valid driver's license, state identification card, passport or military identification. If the picture identification is impractical, the applicant shall provide other documentation that reasonably establishes identity.
 - (8) If the applicant is an employer or principal, a separate application shall be submitted for each person who will be soliciting and/or peddling. A separate permit will be processed for each.
 - (9) Descriptions of any vehicles being used and registration plates of said vehicles.
- (b) At the time of filing the application, a fee, as according to the approved fee schedule by city council, shall be paid to the City of Statesville's collection clerk located at 301 S. Center St., Statesville, NC, to cover the cost of issuing the permit.
 - (c) The chief of police or his designee, within 15 days of the application and payment of the prescribed fee, will either approve or deny the application.

Sec. 21-29. Application approval and requirements thereof.

Upon approval of the application and payment of the prescribed fee, the chief of police or his designee shall deliver to the applicant the following:

- (a) A permit or ID badge containing the signature of the chief of police or his designee, the name, address and photograph of the licensee, the class of license issued ("licensed solicitor" or "licensed peddler"), the date of issuance of the permit, and the length of time the permit shall be in effect.
- (b) The permit or ID badge must be displayed in accordance with section 21-27(c).
- (c) Any person authorized by permit to engage in soliciting or peddling shall at all times carry the issued permit in his or her possession when he or she is engaged in the permitted acts. In addition, a permittee shall display his or her permit when requested to do so by any prospective customer or law enforcement officer.
- (d) It shall be unlawful for any person to alter or falsify a permit issued under this section and/or for any person other than the permittee to use a permit issued under this section.
- (e) A violation of this section shall be a misdemeanor as provided by G.S. 14-4(a).

Sec. 21-30. Permit duration and renewal.

- (a) All permits issued shall expire one (1) year from the date of issuance, unless the applicant requests permission to do business for a lesser period, in which case, the permit shall be valid for such period.
- (b) Any permit issued under the provisions of this article may be renewed by the holder of the permit, upon application in writing to the chief of police, upon a form to be furnished by the chief of police, which shall contain the information required by section 21-28.
- (c) At the time of filing the renewal application under this section, the applicant shall pay a fee according to the city council approved fee schedule.

Sec. 21-31. Not an endorsement to city.

It shall be unlawful for any permittee, or for any agent, employee or representative thereof, to advertise, represent or hold out in any manner the permit required by this article is an endorsement of the holder thereof by the governing body of the city, or any employee thereof, or by the city.

Sec. 21-32. Denial; revocation.

- (a) *Denial.* In the event the chief of police or his designee denies the application, the applicant shall be notified in writing as to the reason for denial.

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- (b) *Revocation.* The chief of police or his designee shall have the authority to revoke any previously issued solicitors and/or peddlers permit.
- (1) The permittee shall be notified in writing as to the reason of the revocation.
 - (2) The revocation shall become effective immediately upon receipt of the notification.
 - (3) Upon revocation, the issued permit must immediately be surrendered to the chief of police or his designee.
 - (4) The permittee shall not conduct solicitation and/or peddling pending determination of the appeal.
- (c) The chief of police or his designee may deny an application or revoke any previously issued permit for the following:
- (1) The application is incomplete;
 - (2) The application fee has not been paid;
 - (3) The application contains false or misleading statements or omission of information;
 - (4) The applicant has committed prior ordinance violations pertaining to solicitors and peddlers;
 - (5) The applicant has been convicted of a misdemeanor involving larceny, fraud, forgery, sale of counterfeit goods and/or breaking and entering;
 - (6) The applicant has been convicted of a felony; or
 - (7) Any other reasonable evidence that the applicant would pose a substantial threat to the public health, safety, morals or general welfare of the public.

Sec. 21-33. Appeals.

- (a) Appeals by applicants and/or permittees must be filed with the chief of police in writing within ten days from receipt of notice by the chief of police or his designee of denial of an application and/or revocation of a permit. The chief of police or his designee shall:
- (1) Within ten days of an appeal hold at least one hearing;
 - (2) Make a determination as to deny, revoke or reinstate a permit;
 - (3) Notify applicant and/or permittee in writing of such determination.
- (b) The applicant and/or permittee may file an appeal of the chief's or his designee's appeal determination to the city manager. The appeal must be within ten days of receipt of notification of the chief's final decision and in writing. The city manager shall review the denial and/or the revocation and the appeal determinations. The city manager will:
- (1) Reinstate the permit; or
 - (2) Uphold the denial or revocation.
- (c) The city manager will notify the applicant/permittee of his decision in writing. The city manager's decision shall be final.

Sec. 21-34. Prohibited Acts.

- (a) No person shall beg, panhandle, or solicit contributions in a public place in a manner so as to intimidate another person, accost another person, force oneself upon the company of another person, touch someone without their consent and/or use obscene or abusive language towards someone while attempting to panhandle, peddle, or solicit.

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- (b) No person shall beg, panhandle or solicit contributions from another person within fifty (50) feet of an entrance or exit of any bank or financial institution or within fifty (50) feet of any automated teller machine.
 - (c) No person shall stand, sit, or loiter in or on any street or highway, including the shoulders or median strip, or right-of-way of any such street or highway, but excluding sidewalks, while soliciting or attempting to solicit any employment, business, or contributions from the driver or occupants of any vehicle.
 - (d) No person shall beg, panhandle, or solicit contributions in a public place by vocal appeal or direct written appeal during the prohibited time period.
 - (e) It shall be unlawful for any person to solicit, peddle, or panhandle at the following locations and/or under the following circumstances:
 - (1) At any permitted outdoor dining area or outdoor merchandise area, provided such areas are in active use at the time;
 - (2) At any transit stop or taxi stand, or in a public transit vehicle;
 - (3) While the person being solicited is standing in line waiting to be admitted to a commercial establishment;
 - (4) On private property, unless the person has written permission from the owner of the property to beg or solicit alms on the property;
 - (5) While under the influence of alcohol or after having illegally used any controlled substance as defined in the North Carolina Controlled Substance Act;
 - (6) Within 20 feet of any crosswalk;
 - (7) In a school zone during the time of arrival of students at the beginning of the school day and/or during the time of the departure of students at the end of the school day;
 - (8) Within 20 feet of the entrance or exit of any parking deck, garage, or surface parking lot;
 - (9) Within 50 feet of any city-owned or -operated building or facility.
 - (f) A violation of this section shall be a misdemeanor as provided by G.S. 14-4(a).
 - (g) Except as otherwise provided herein, no person shall enter or remain in or upon any private residence or premises within the City, having not been requested or invited by the occupant or occupants thereof, for the purpose of soliciting the immediate or future purchase or sale of goods, merchandise, services, or any other thing of value when a "No Solicitation," "No Trespassing," or similar sign is posted at or near the entrance to such premises. For purposes of this section, "premises" shall include any residential subdivision, mobile home park, or other multi-family development.
 - (1) A violation of this subsection shall be punishable as Second Degree Trespass pursuant to North Carolina General Statute 14-159.13.

Sec. 21-35. Penalties.

Section 21-25 through 21-35 of The Code of the City of Statesville shall be enforced by the Statesville Police Department. Any violation of those sections, with the exception of subsection 21-34(g), shall constitute a Class 3 misdemeanor as provided by G.S. 14-4(a), unless conduct is punishable by any other applicable North Carolina General Statute.

State law reference(s) — City power to regulate solicitation campaigns, flea markets and itinerant merchants, G.S. § 160A-178; City power to regulate begging, G.S. § 160A-179; Violation of local ordinances misdemeanor, G.S. § 14-4; Second Degree Trespass, G.S. § 14-159.13.

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Herman Caulder, Assistant Planning Director
DATE: 7/7/2025 10:24 AM

ACTION NEEDED ON: July 14, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider appointing three regular members and one alternate member to the Planning Board.

1. Summary of Information:

The following Planning Board members' terms expire on June 30, 2025. These members continue to serve until new appointments are made.

The following individuals are already serving on the Planning Board. Their applications are attached for your review, as well as the current roster:

1. Mark Tart – Would like to be reappointed to the Planning Board.
2. Tammy Wyatt - Would like to be reappointed to the Planning Board.
3. Roger Bejcek - Would like to be reappointed to the Planning Board.
4. Laury Brown (alternate member) – Does not wish to continue to serve.

Other Applicants:

The following individuals have applied for a position on the Planning Board. Their applications are attached for your review, as well as the current roster:

1. John Furlow
2. Jared Smith
3. Cory Sloan
4. Darrin Rucker
5. Jacquelyn Hannahs
6. Scott D. Simmons
7. Ron Dayton
8. Emily Wasserman
9. Tammy Wyatt
10. Mark Tart
11. Roger Bejcek

The Unified Development Code requires the Planning Board to consist of the following:

- Six members who are citizens and residents of the City within the city's planning jurisdiction;
- One member of the Planning Board who is a citizen of Iredell County and to be appointed by the Iredell County Commissioners.
- Two alternate members to serve on the board in the absence of any regular members.

2. Previous Council or Relevant Actions:

N/A

3. Strategic Initiatives Supported/Impacted:

Developing Our City: Attract and retain a talented, engaged workforce responsive to the needs of our growing community.

Connecting Our City: N/A

Connecting Our Communities: N/A

Strategic Plan Values: We value City Staff.

Appointing credible citizens to the Planning Board helps to ensure the process of local government, particularly the checks and balances of the development process that helps a city ensure smart growth.

4. Budget/Funding Implications:

Planning Board members are paid \$20 per meeting. These costs are accommodated in the Planning Department's budget.

5. Consequences for Not Acting:

The current members will continue to serve until appointments are made.

6. Department Recommendation:

Staff will work with all appointed members.

7. Manager Comments:

No comments.

8. Next Steps:

If appointed, notify appointees and provide training materials as necessary.

9. Attachments:

1. 2025-7-1 Planning board applicants
2. 2024-2025 Planning Board ROSTER- as of 06-20-2024

**APPLICATION FOR APPOINTMENT
TO A BOARD, COMMITTEE OR COMMISSION
FOR THE CITY OF STATESVILLE, NC**

The City of Statesville appreciates your interest in serving on a Board, Committee or Commission and requests that you complete the following application. The application will provide general information based on your interest in serving for the Mayor and City Council to consider in making appointments. All members of the City of Statesville Boards, Committees and Commissions are appointed by either the City Council or the Mayor. **Please print legibly.**

Name: JOHN FURLON Date of Application: 09/25/2023

Home Address: 159 PARK ST. WARD: 4

Email Address: FL FURLON@YAHOO.COM Contact Phone No: 352-428-2611

Do you reside in the City of Statesville? Yes ☒ No ☐ Length of Residence: 4 6
Years Months

Occupation: RETIRED Employer: N.S.W.C. BETH. MD

Available for Daytime Meetings: Yes ☒ No ☐ Currently Serving on Another Board: Yes ☐ No ☒

Education: SOME COLLEGE + APPRENTICESHIP GOV.

City Government policy prohibits discrimination based on race, sex, creed, national origin, age or handicap. The following questions regarding date of birth, gender and race are voluntary:

Date of Birth: 06/22/1947 Male: ☒ Female: ☐ Race: ☐

Please provide a brief statement outlining why you wish to serve:

TO HELP THE CITY OF STATESVILLE, I HAVE SOME GREAT KNOWLEDGE ON HISTORIC HOMES. BEEN GENERAL CONTRACTOR FOR YEARS.

Please list current and previous service to the community, civic clubs, activities, and talents:

14 YRS VICE CHAIRMAN OF PLANNING COM. OF TOWN OF POOLSVILLE MD. REVIEW ALL BLDG PERMITS + HOUSING. WORKED FOR FEDERAL GOV. AS A MODEL MAKER FOREMAN, WORKER

Please list any areas of expertise, interests, and skills:

HAVE GOOD COMMON-SENSE, PROF. WOODWORKER, KNOW SOME RULE'S AND REG. OF OSHA

The City of Statesville sincerely appreciates the interest of all citizens in serving their City. If you need more information about a board or the responsibilities, please contact the City Manager's Office at 704-878-3583. The application must be returned to the City Manager's Office to be considered for appointment via one of the methods listed below. The volunteer application will remain on file for three (3) years from the date received.

1. Upload via the City website (fillable PDF available online)
2. Email to anesbit@statesvillenc.net
3. Mail to April Nesbit, City Manager's Office, PO Box 1111, Statesville, NC 28687

**APPLICATION FOR APPOINTMENT
TO A BOARD, COMMITTEE OR COMMISSION
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Name: Jarred Smith Date of Application: 4 / 2 / 1 / 2 / 0 / 2 / 3

Home Address: 201 East End Avenue Statesville NC 28677 WARD: 2

Email Address: jarredmsmith@gmail.com Contact Phone No: 704-880-1138

Do you reside in the City of Statesville? Yes ☒ No ☐ Length of Residence: 2 Years 9 Months

Occupation: stay at home Employer: _____

Available for Daytime Meetings: Yes ☒ No ☐ Currently Serving on Another Board: Yes ☐ No ☒
homeschool, some college- Belmont Abbey College and Art Institute

Education: _____

City Government policy prohibits discrimination based on race, sex, creed, national origin, age or handicap. The following questions regarding date of birth, gender and race are voluntary:

Date of Birth: 1 / 1 / 0 / 6 / 8 / 7 Male: ☒ Female: ☐ Race: caucasian

Please provide a brief statement outlining why you wish to serve:

~~My family has lived in or around statesville for generations. My Great- Great Uncle Leroy Reavis served as sheriff and operated a small business in the city. my great grandmother Ava volunteered at a local city water park. My heritage is in local farmers and community servers. I do not simply live here as you can see this city is as much apart of me as my family is. Its history and culture many so much to me. it is time for me to get involved in some way.~~

Please list current and previous service to the community, civic clubs, activities, and talents:

~~i have never served in a local civic club. i have served on vestry (governing boards), served as a youth minister for both elementary and middle school faith formations, served on pastoral ministries and as a minister to shut in/ rest homes for several churches - at one point two hispanic missions~~

Please list any areas of expertise, interests, and skills:

~~love art be it painting, sketching, decorationg
history both local and world histories - historical preservation and architecture
anglophile~~

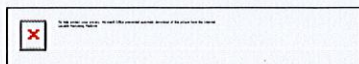
The City of Statesville sincerely appreciates the interest of all citizens in serving their City. If you need more information about a board or the responsibilities, please contact the City Manager's Office at 704-878-3583. The application must be returned to the City Manager's Office to be considered for appointment via one of the methods listed below. The volunteer application will remain on file for three (3) years from the date received.

1. Upload via the City website (fillable PDF available online)
2. Email to ekurfees@statesvillenc.net
3. Mail to Emily Kurfees, City Manager's Office, PO Box 1111, Statesville, NC 28687

Emily Kurfees

From: Locable <help@locable.com>
Sent: Monday, March 25, 2024 4:05 PM
To: Emily Kurfees
Subject: New Submission from your Boards + Commissions Volunteer Application Form in your City of Statesville account at Locable

[NOTICE: This message originated outside of the City of Statesville mail system -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]



You have a new submission from your Boards + Commissions Volunteer Application Form!

You can view this and other submissions in your [Locable account](#).

Please choose which board, committee, and commission you are interested in serving on: Planning Board

Please list any areas of expertise, interests, and skills: My areas of expertise include land development permitting process, site planning and feasibility studies, rezonings and due diligence, stormwater design and permitting, flood plain management, water and sewer capital improvement projects, cost sharing and development incentive strategies, development ordinance review, policy updates, and golf. I enjoy spending time downtown and enjoying the parks and recreation facilities the city has to offer.

Please provide a brief statement outlining why you wish to serve: I would like to serve on the Planning Board so that I can use my skills and abilities to help the city where I was raised navigate the everchanging land development environment. After spending a brief time on staff with the City, I believe I can still be a helpful resource to the City in this capacity. I have a strong, problem solving personality and would greatly appreciate the chance to serve on this board.

Sex: Male

Date of Birth: March 25th, 2024 05:55

Education: Bachelors of Science in Civil Engineering Technology

Currently serving on another board?: No

Available for daytime meetings?: Yes

Employer: Self

Occupation: Civil Site Consultant specializing in Land Development

Length of Residence (Please include years and months.): I have lived in Statesville for 24 years and 3 months

Do you reside in the City of Statesville?: Yes

Zip Code: 28625

State: NC

City: Statesville

Street Address: 423 Saint Andrews Road

WARD:: 1

Phone Number: 7044507660

Email: corysloan2@gmail.com

First Name: Cory

Last Name: Sloan

Date of Application:: March 25th, 2024 15:51

You can choose which emails to receive and select the frequency in which you want to receive emails by updating these settings in your Locable account.

Together We're Building Main Street for the 21st Century™

**APPLICATION FOR APPOINTMENT
TO A BOARD, COMMITTEE OR COMMISSION
FOR THE CITY OF STATESVILLE, NC**

Emily FYI, gave Herman a copy.
TTS
Shan

The City of Statesville appreciates your interest in serving on a Board, Committee or Commission and requests that you complete the following application. The application will provide general information based on your interest in serving for the Mayor and City Council to consider in making appointments. All members of the City of Statesville Boards, Committees and Commissions are appointed by either the City Council or the Mayor. **Please print legibly.**

Name: Darrin Rucker Date of Application: 10 / 27 / 23
Home Address: 321 S. Oakwood Dr. WARD: 2
Email Address: rucamazn@yahoo.com Contact Phone No: 704-310-0100
Do you reside in the City of Statesville? Yes ☒ No ☐ Length of Residence: 9 8
Years Months
Occupation: Business Owner Employer: Rucker Group Inc / Big Dave's
Bail bonds
Available for Daytime Meetings: Yes ☒ No ☐ Currently Serving on Another Board: Yes ☐ No ☒
Education: High School Graduate / Some College
City Government policy prohibits discrimination based on race, sex, creed, national origin, age or handicap. The following questions regarding date of birth, gender and race are voluntary:
Date of Birth: 3 / 9 / 74 Male: ☒ Female: ☐ Race: Black

Please provide a brief statement outlining why you wish to serve:

I'm a native to Stateville and would like to
be involved in the planning of the city's growth.

Please list current and previous service to the community, civic clubs, activities, and talents:

Permanent substitute Statesville High School

Please list any areas of expertise, interests, and skills:

I previously worked in Healthcare Finance for 10 years.
Also I have 10 years of Finance Banking experience.

The City of Statesville sincerely appreciates the interest of all citizens in serving their City. If you need more information about a board or the responsibilities, please contact the City Manager's Office at 704-878-3583. The application must be returned to the City Manager's Office to be considered for appointment via one of the methods listed below. The volunteer application will remain on file for three (3) years from the date received.

1. Upload via the City website (fillable PDF available online)
2. Email to anesbit@statesvillenc.net
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**APPLICATION FOR APPOINTMENT
TO A BOARD, COMMITTEE OR COMMISSION
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Name: Jacquelyn Hannahs Date of Application: 5/24/22 / /
Home Address: 1707 Brookgreen Avenue WARD: B 2
Email Address: jacquelynhannahs@yahoo.com Contact Phone No: 704-402-7448
Do you reside in the City of Statesville? Yes No X Length of Residence: 35
Years Months
Occupation: Administrative Assistant Hospice Iredell County Employer: Hospice & Palliative Care
Available for Daytime Meetings: Yes No X Currently Serving on Another Board: Yes No X
Education: Statesville High School, Mitchell Community College
City Government policy prohibits discrimination based on race, sex, creed, national origin, age or handicap. The following questions regarding date of birth, gender and race are **voluntary**:
Date of Birth: 7/13/66 / / Male: Female: X Race: W

Please provide a brief statement outlining why you wish to serve:

I've been Widowed for 11 years. My Daughter has moved out and I have time. I love Statesville.

Please list current and previous service to the community, civic clubs, activities, and talents:

I volunteer at the YMCA, St. Therese Catholic Church

Please list any areas of expertise, interests, and skills:

office skills

The City of Statesville sincerely appreciates the interest of all citizens in serving their City. If you need more information about a board or the responsibilities, please contact the City Manager's Office at 704-878-3583. The application must be returned to the City Manager's Office to be considered for appointment via one of the methods listed below. The volunteer application will remain on file for three (3) years from the date received.

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Name: Scott D Simmons
Date of Application: 05/07/21
Home Address: 144 Woodfield Drive, Statesville, NC 28677
WARD: 3
Email Address: nwsctrojan@gmail.com
Contact Phone No: 7044505247
Do you reside in the City of Statesville? Yes ☒ No ☐ Length of Residence: 15 Years 10 Months
Occupation: Retired
Employer: _____
Available for Daytime Meetings: Yes ☒ No ☐ Currently Serving on Another Board: Yes ☒ No ☐
Education: MBA - Business

City Government policy prohibits discrimination based on race, sex, creed, national origin, age or handicap. The following questions regarding date of birth, gender and race are voluntary:

Date of Birth: 06/09/1969 / / Male: ☒ Female: ☐ Race: Native American/Caucasion

Please provide a brief statement outlining why you wish to serve:

I have lived here since 2006 coming from the west casot of the US and have found that Statesville is a great place to live.

I think that a controlled growth and expansion is necessary but has to be done correctly to benfit the community as a whole. I think that proper economic expansion along with community involvments can help everyone i

Please list current and previous service to the community, civic clubs, activities, and talents:

VFW member

Please list any areas of expertise, interests, and skills:

Business devleopment, operations, investment and realty

The City of Statesville sincerely appreciates the interest of all citizens in serving their City. If you need more information about a board or the responsibilities, please contact the City Manager's Office at 704-878-3583. The application must be returned to the City Manager's Office to be considered for appointment via one of the methods listed below. The volunteer application will remain on file for three (3) years from the date received.

1. Upload via the City website (fillable PDF available online)
2. Email to anesbit@statesvillenc.net
3. Mail to April Nesbit, City Manager's Office, PO Box 1111, Statesville, NC 28687

**APPLICATION FOR APPOINTMENT
TO A BOARD, COMMITTEE OR COMMISSION
FOR THE CITY OF STATESVILLE, NC**

The City of Statesville appreciates your interest in serving on a Board, Committee or Commission and requests that you complete the following application. The application will provide general information based on your interest in serving for the Mayor and City Council to consider in making appointments. All members of the City of Statesville Boards, Committees and Commissions are appointed by either the City Council or the Mayor. ***Please print legibly.***

Name: Ron Dayton Date of Application: 08 / 01 / 2023
Home Address: 140 Tenth Green Ct Statesville, NC 28677 WARD: Inside Statesville Township
Email Address: rdayton140@gmail.com Contact Phone No: 704.903.2887
Do you reside in the City of Statesville? Yes ☒ No ☐ Length of Residence: 6 7
Years Months
Occupation: Sales Engineer Employer: COBRA America, LLC
Available for Daytime Meetings: Yes ☒ No ☐ Currently Serving on Another Board: Yes ☐ No ☒
Education: _____

City Government policy prohibits discrimination based on race, sex, creed, national origin, age or handicap. The following questions regarding date of birth, gender and race are voluntary:

Date of Birth: 12 / 06 / 55 Male: ☒ Female: ☐ Race: White

Please provide a brief statement outlining why you wish to serve:

My goal is to be involved in the community in which I live. I am at a time now where I can give the attention needed for a board position. I have served at two different churches as Finance Chair and Board Chair, one where we executed an expansion plan along with raising the funds through the finance committee.

Please list current and previous service to the community, civic clubs, activities, and talents:

Previous NC State Chair for the Asheville Jaycees and helped launch the Bele Chere Festival
Most recently served on the Archeticultural Review Committee for Fox Den @ Larkin

Please list any areas of expertise, interests, and skills:

Professional sales background traveling the world in support of heavy mining and material handling projects

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**APPLICATION FOR APPOINTMENT
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Name: Emily Wasserman Date of Application: 04-13-2022 /
Home Address: 542 Lakeside Dr WARD: 4
Email Address: emilywxyz81@gmail.com Contact Phone No: 7047436353
Do you reside in the City of Statesville? Yes ☒ No ☐ Length of Residence: 0 6
Years Months
Occupation: real estate agent Employer: self-employed
Available for Daytime Meetings: Yes ☒ No ☐ Currently Serving on Another Board: Yes ☒ No ☐
Education: BA Marketing & PR Comm -- Simmons Boston MA

City Government policy prohibits discrimination based on race, sex, creed, national origin, age or handicap. The following questions regarding date of birth, gender and race are voluntary:

Date of Birth: / / Male: ☐ Female: ☐ Race:

Please provide a brief statement outlining why you wish to serve:

I recently moved to Statesville but I'm familiar with the area. I'd like to be a part of grassroots efforts to ensure that
my community understands the value of housing as a right and not a privilege, and to become a delegate to help protect
communities in Statesville that are being impacted by infrastructure growth and economic expansion

Please list current and previous service to the community, civic clubs, activities, and talents:

I'm new here but I want to hit the ground running! I'm currently looking for community service opportunities,

starting with this commission.

Please list any areas of expertise, interests, and skills:

Active real estate license, extensive marketing & copywriting background

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Name: Tammy Wyatt Date of Application: 6/16/2025
Home Address: 2519 Heritage Circle WARD: _____
Email Address: tammypswestconstruction.com Contact Phone No: 704-880-6509
Do you reside in the City of Statesville? Yes ☒ No ☐ Length of Residence: 11 Years 2 Months
Occupation: Business Owner Employer: PS West Construction
Available for Daytime Meetings: Yes ☒ No ☐ Currently Serving on Another Board: Yes ☒ No ☐
Education: College, Real Estate, Broker In Charge,
City Government policy prohibits discrimination based on race, sex, creed, national origin, age or handicap. The following questions regarding date of birth, gender and race are voluntary:
Date of Birth: 08/17/1963 Male: ☐ Female: ☒ Race: White

Please provide a brief statement outlining why you wish to serve:

It has been a privilege serving on this board for the last several years, its a great team of folks. I appreciate the opportunity to serve the community & contribute to local gov't.

Please list current and previous service to the community, civic clubs, activities, and talents:

Volunteer for Downtown Statesville, Chamber member & volunteer, Treasurer for Downtown Merchants Association, Real Estate & Construction Experience

Please list any areas of expertise, interests, and skills:

Construction Management & Development
Real Estate Firm License

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City of Statesville Boards, Committees and Commissions

Please indicate your preferences by number starting with one (1) and choose no more than three (3).

ABC Board

Meets on the 4th Tuesday of each month at 11:00 AM. Members are appointed by City Council for 3-year terms. The board consists of a chairman and two (2) other members, all of whom must be residents of the city and well known for their character, ability, and business acumen.

Airport Commission

Meets on the 2nd Wednesday of each month at 12:00 PM and members are appointed by City Council for 3-year terms. The commission is composed of seven (7) voting members. Five (5) of the members are appointed by the City Council. One (1) member of the City Council will be appointed by the Mayor. One (1) member of the County Commission will be appointed by the County Commissioners. No more than three (3) of the seven (7) appointed members may live out of the city limits.

Board of Adjustment

Meets as needed on the 1st Tuesday at 12:30 PM. Members are appointed by City Council for 3-year terms. The board consists of five (5) members who are citizens and residents of the City who will be appointed by the City Council, and one (1) member who is a citizen of Iredell County and resides outside the City, but within the extraterritorial jurisdiction of the City, and who will be appointed by the Board of Commissioners of Iredell County.

Civil Service Board

Meets as needed, no set day or time. Members are appointed by Senior Resident Judge of the Superior Court for one 3-year term. The civil service board consists of five (5) members.

Convention & Visitors Bureau

Meets on the 3rd Tuesday of each month at 9:00 AM. The board consists of nine (9) members appointed by the City Council for 3-year terms as follows: three (3) individuals who own or operate a hotel or motel in the City of Statesville; four (4) individuals who are currently active in the promotion of travel and tourism in the City of Statesville; two (2) of whom are active in the Statesville community and interested in the promotion of travel and tourism (and is also a resident of the City of Statesville).

Community Appearance Commission

Meets on the 3rd Thursday of each month at 12:00 PM. The commission is composed of eleven (11) members appointed by the Mayor for 3-year terms. All members should be residents of the City's planning and zoning jurisdiction at the time of appointment. Where possible, appointments will be made in such a manner as to maintain on the commission at all times a majority of members who have had special training or experience in a design field, such as architecture, landscape architecture, horticulture, arboriculture, city planning or a closely related field.

Design Review Committee

Meets on the 2nd Thursday of each month at 2:00 PM. The committee is composed of five (5) members appointed by the City Council for 3-year terms. Four (4) members are residents of the City's planning and zoning jurisdiction or own a business with the same. One (1) member is an active member on the DSDC Board of Directors.

Historic Preservation Commission

Meets on the 4th Thursday of each month at 7:00 PM. It is a nine-member Commission appointed by the City Council for 3-year terms. A majority of the members of the Commission will demonstrated special interest, experience or education in history, architecture, archaeology, or related fields, and all members shall reside within the zoning jurisdiction of the City.

Planning Board

Meets on the 4th Tuesday of each month at 7:00 PM. The Planning Board consists of six (6) members who are citizens and residents of the City who are appointed by the City Council for 3-year terms. One (1) member who is a citizen of Iredell County and resides outside the City, but within the extraterritorial jurisdiction of the City, and is appointed by the Board of Commissioners of Iredell County.

Statesville Housing Authority

Meets on the 4th Tuesday of each month at 5:30 PM. Members are appointed by the Mayor for 5-year terms.

Stormwater Advisory Commission

Meets quarterly on the 3rd Thursday at 12:00 PM. Members are appointed by Council for 3-year terms. The Commission is made up of eight to ten voting members who either live in Statesville or who have significant business interests in the City. All should be subject to paying a stormwater management fee.

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Name: ROGER BEJCEK Date of Application: 5/30/2025
Home Address: 920 ARGYLE CT WARD: 4
STATESVILLE, NC 28677
Email Address: ROGER@ROGERBEJCEK.COM Contact Phone No: 336.215.2670
Do you reside in the City of Statesville? Yes ☒ No ☐ Length of Residence: 52 4
Years Months
Occupation: RETIRED Employer: _____
Available for Daytime Meetings: Yes ☒ No ☐ Currently Serving on Another Board: Yes ☒ No ☐
Education: BSME, MBA

City Government policy prohibits discrimination based on race, sex, creed, national origin, age or handicap. The following questions regarding date of birth, gender and race are voluntary:

Date of Birth: 05/02/1945 Male: ☒ Female: ☐ Race: CAUCASIAN

Please provide a brief statement outlining why you wish to serve:

PLANNED GROWTH OF THE COMMUNITY IS CRITICAL FOR
EVERYONE. THERE NEEDS TO BE BALANCE & I FEEL MY
BACKGROUND IN MANUFACTURING & REAL ESTATE PROVIDE INSIGHT
& PROBLEM SOLVING TO SOLUTIONS OF GROWTH

Please list current and previous service to the community, civic clubs, activities, and talents:

IREDEON COUNTY PLANNING BOARD, CHAMBER, ECONOMIC DEVELOPMENT
CITY PLANNING DEPT, ROTARY

Please list any areas of expertise, interests, and skills:

I HAVE MANAGED MY OWN BUSINESS, MULTIPLE MANUFACTURING
POSITIONS & RETAIL MANAGEMENT

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2

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Community Appearance Commission

Meets on the 3rd Thursday of each month at 12:00 PM. The commission is composed of eleven (11) members appointed by the Mayor for 3-year terms. All members should be residents of the City's planning and zoning jurisdiction at the time of appointment. Where possible, appointments will be made in such a manner as to maintain on the commission at all times a majority of members who have had special training or experience in a design field, such as architecture, landscape architecture, horticulture, arboriculture, city planning or a closely related field.

3

Design Review Committee

Meets on the 2nd Thursday of each month at 2:00 PM. The committee is composed of five (5) members appointed by the City Council for 3-year terms. Four (4) members are residents of the City's planning and zoning jurisdiction or own a business with the same. One (1) member is an active member on the DSDC Board of Directors.

Historic Preservation Commission

Meets on the 4th Thursday of each month at 7:00 PM. It is a nine-member Commission appointed by the City Council for 3-year terms. A majority of the members of the Commission will demonstrated special interest, experience or education in history, architecture, archaeology, or related fields, and all members shall reside within the zoning jurisdiction of the City.

1

Planning Board

Meets on the 4th Tuesday of each month at 6:00 PM. The Planning Board consists of six (6) members who are citizens and residents of the City who are appointed by the City Council for 3-year terms. One (1) member who is a citizen of Iredell County and resides outside the City, but within the extraterritorial jurisdiction of the City, and is appointed by the Board of Commissioners of Iredell County.

Statesville Housing Authority

Meets on the 4th Tuesday of each month at 5:30 PM. Members are appointed by the Mayor for 5-year terms.

Stormwater Advisory Commission

Meets quarterly on the 3rd Thursday at 12:00 PM. Members are appointed by Council for 3-year terms. The Commission is made up of eight to ten voting members who either live in Statesville or who have significant business interests in the City. All should be subject to paying a stormwater management fee.

**APPLICATION FOR APPOINTMENT
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Name: Mark Tact Date of Application: 5 / 29 / 2025
Home Address: 305 Oakhurst Road WARD: _____
Email Address: mtact@glwilson.com Contact Phone No: 704-902-0948
Do you reside in the City of Statesville? Yes ☒ No _____ Length of Residence: 26 _____
Years Months
Occupation: Engineer Employer: D.L. Wilson
Available for Daytime Meetings: Yes ☒ No _____ Currently Serving on Another Board: Yes _____ No ☒
Education: B.S. Civil Engineering

City Government policy prohibits discrimination based on race, sex, creed, national origin, age or handicap. The following questions regarding date of birth, gender and race are voluntary:

Date of Birth: 01 / 23 / 1956 Male: ☒ Female: _____ Race: white

Please provide a brief statement outlining why you wish to serve:

have experience. Advocate for the City

Please list current and previous service to the community, civic clubs, activities, and talents:

Planning Board

Please list any areas of expertise, interests, and skills:

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Statesville Planning Board

Meets 4th Tuesday of each month at City Hall

3-year terms, City Code Sec. 2-42, GS 160A-361,362

City Council Appointment Only, County members appointed by County Commissioners

<u>Name</u>		<u># of</u> <u>Terms</u>	<u>Term Expires</u>
Mark Tart 305 Oakhurst Road Statesville, NC 28677	(M) 704-902-0948 (H) (701-872-7800 mtart@glwilson.com	5	6/30/25
Bernard Robertson, Vice Chair 531 W Front Street Statesville, NC 28677	(H) 704-873-1858 (C) 980-362-5083 bernardrobertson57@yahoo.com	3	6/30/26
Alisha Lane Chair 102 Clegg Street Statesville, NC 28677	(M) 704-253-3828 alishaOcordle@gmail.com	2	6/30/26
Joel Mashburn 3201 Lancaster Drive Statesville, NC 28677	(H) 704-838-6250 hallburn@aol.com	1	6/30/26
Tammy Wyatt 2519 Heritage Court Statesville, NC 28625	(B) 704-873-4325 (H) 704-880-6509 tammy@pswestconstruction.com	2	6/30/25
Roger Bejcek 920 Argyle Court Statesville NC 28677	336-215-2670 roger@rogerbejcek.com	1	6/30/25

Amended as of 07/24/2024

County (Extraterritorial Jurisdiction)

Vacant

Alternate

Trey Robertson	(C) 704-881-1162	1	6/30/26
226 White Apple Way	(H) 803-543-1908		
Statesville, NC 28625	kenneth.robertson3@gmail.com		

Laury Brown	(H) 704-397-7403	1	6/30/25
420 Beverly Drive	zbrownbusybee@gmail.com		
Statesville, NC	thisismsbrown@gmail.com		

Staff: Herman Caulder

Council Rep: Amy Lawton

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager

FROM: Marci Sigmon, Planner II

DATE: 7/3/2025 10:52 AM

ACTION NEEDED ON: July 14, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider appointing two regular members to the Design Review Committee.

1. Summary of Information:

Currently, two Design Review Committee (DRC) members' appointments are available due to the expiration of their terms on June 30, 2025. One member, Ms. Rebecca Jones, is not seeking reappointment to the DRC. Another member, Mr. John Marshall, is seeking to serve another term.

Proposed Applicants:

The following individuals have applied for a position on the Design Review Committee. Their applications are attached for your review, as well as the current roster.

1. Todd Lange – Would like to be appointed to the committee.
2. John Marshall – Would like to be reappointed to the committee.
3. Elena Sollazzo – Would like to be appointed to the committee.
4. Scott Zanotti – Has a current application on file to serve on the Design Review Committee and has stated he would like to be appointed to the committee since he served on the committee from July 2021 through June 2024. However, Mr. Zanotti is currently serving on Statesville's Board of Adjustment.

The Unified Development Code requires the Design Review Committee to consist of the following:

- Four members who reside or own a business within the city's planning jurisdiction;
- One member of the DSDC board of directors;
- Two ex officio members comprised of the DSDC executive director or designee, and the planning director or designee.

2. Previous Council or Relevant Actions:

City Council appoints members to the Design Review Committee on an annual basis for staggered terms. All members shall be residents of the city's planning and zoning jurisdiction or own a business within the same. The Design Review Committee is comprised of five members who specialize or have related experience in architecture design, construction, landscape architecture, city planning or has a commitment to the redevelopment of downtown.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: N/A

Connecting Our Communities: N/A
Strategic Plan Values: N/A

4. Budget/Funding Implications:

Design Review Committee members are paid \$20 per meeting. These costs are accommodated in the Planning Department's budget.

5. Consequences for Not Acting:

Mr. Marshall and Ms. Jones will continue to serve until appointments are made.

6. Department Recommendation:

Staff will work with all appointed members.

7. Manager Comments:

No comments.

8. Next Steps:

If appointed, notify appointees and provide training materials as necessary.

9. Attachments:

1. DRC Volunteer Application Considerations 2025
2. Design Review Committee Roster_June2025_for CAR Reappoint Members

APPLICATION FOR APPOINTMENT TO A BOARD, COMMITTEE OR COMMISSION FOR THE CITY OF STATESVILLE, NC

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Name: Todd Lange Date of Application: 06/03/2024
 Home Address: 222 N Mulberry Street, Statesville, NC 28677 WARD: 5
 Email Address: ctlange2@roadrunner.com Contact Phone No: 704-965-8763
 Do you reside in the City of Statesville? Yes ☒ No ☐ Length of Residence: 16
 Years Months
 Occupation: Real Estate Broker Employer: Allen Tate Real Estate LLC

Available for Daytime Meetings: Yes ☒ No ☐ Currently Serving on Another Board: Yes ☒ No ☐
 Political Science, Public Policy and Administration, University of Wisconsin, Whitewater
 Education: _____

City Government policy prohibits discrimination based on race, sex, creed, national origin, age or handicap. The following questions regarding date of birth, gender and race are voluntary:

Date of Birth: 11/09/1960 Male: ☒ Female: ☐ Race: Caucasian

Please provide a brief statement outlining why you wish to serve:

As a 16 year city resident who has been involved with the evolution of Statesville,

I hope to continue in some capacity during the next phase of growth. Specifically

we are going into an ordinance re-write and will to need to codify and implement the 2045 LDP

Please list current and previous service to the community, civic clubs, activities, and talents:

Current Chair, City of Statesville Planning Board, Former Board Member, Statesville Historic Preservation Committee

Member of City of Statesville 2045 Land Use Planning Committee, Member of Statesville Chamber of Commerce

Please list any areas of expertise, interests, and skills:

Prior experience with Association Boards, Charlotte Transit Advisory Group, Vice-Chair, City of Huntersville PB

Commercial/Residential Real Estate Sales and Development, Finance/Budgeting, City Ordinance Development/Review

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Name: John E. Manshau Date of Application: 06 / 06 / 2025
Home Address: 232 Oakhurst Rd WARD: 5
Email Address: JEM@SJLEO.COM Contact Phone No: 704-929-0118
Do you reside in the City of Statesville? Yes ☒ No ☐ Length of Residence: 34 5
Years Months
Occupation: _____ Employer: Retired

Available for Daytime Meetings: Yes ☒ No ☐ Currently Serving on Another Board: Yes ☒ No ☐

Education: BS Degree Economic, High Point University

City Government policy prohibits discrimination based on race, sex, creed, national origin, age or handicap. The following questions regarding date of birth, gender and race are voluntary:

Date of Birth: 03 / 10 / 45 Male ☒ Female: ☐ Race: CAUC.

Please provide a brief statement outlining why you wish to serve:

FOR OVER 60 YEARS, I HAVE BEEN ACTIVELY INVOLVED IN OUR
DOWNTOWN, AND I CURRENTLY SERVE ON THE CITY'S DRC
COMMISSION.

Please list current and previous service to the community, civic clubs, activities, and talents:

City Council Member, Mayor of City Council, Chair of DSDC, Rotary, Design Review Committee, Managed family business in downtown for years

FORMER MAYOR 12 YRS, FORMER CITY COUNCIL 8 YRS, FORMER CHAIRMAN DSDC,
CURRENT CHAIRMAN STATESVILLE HISTORIC COLLECTION.

Please list any areas of expertise, interests, and skills:

TO BE ACTIVELY INVOLVED IN THE CONTINUED SUCCESS AND
LIVABILITY OF OUR DOWNTOWN

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**APPLICATION FOR APPOINTMENT
TO A BOARD, COMMITTEE OR COMMISSION
FOR THE CITY OF STATESVILLE, NC**

The City of Statesville appreciates your interest in serving on a Board, Committee or Commission and requests that you complete the following application. The application will provide general information based on your interest in serving for the Mayor and City Council to consider in making appointments. All members of the City of Statesville Boards, Committees and Commissions are appointed by either the City Council or the Mayor. ***Please print legibly.***

Name: _____ Date of Application: ____/____/____

Home Address: _____ WARD: _____

Email Address: _____ Contact Phone No: _____

Do you reside in the City of Statesville? **Yes** ____ **No** ____ Length of Residence: ____ Years ____ Months

Occupation: _____ Employer: _____

Available for Daytime Meetings: **Yes** ____ **No** ____ Currently Serving on Another Board: **Yes** ____ **No** ____

Education: _____

City Government policy prohibits discrimination based on race, sex, creed, national origin, age or handicap. The following questions regarding date of birth, gender and race are voluntary:

Date of Birth: ____/____/____ Male: ____ Female: ____ Race: _____

Please provide a brief statement outlining why you wish to serve:

Development in the area, and the boards I am applying for match my expertise to do so.

Please list current and previous service to the community, civic clubs, activities, and talents: Business owner

Much of my time is spent working with small -business owners in the eastern half of the US to secure their real estate, design, permit, and construct their spaces, along with assistance in obtaining financing, and creating their business plans. I am also working on several historic home renovation projects, volunteer with local animal rescues, and have a background in anthropology, & design (architectural & landscape).

Please list any areas of expertise, interests, and skills:

Design, construction/project management, horticulture & landscape design, remodeling, small business operations, business consulting, permit expediting, carpentry.

The City of Statesville sincerely appreciates the interest of all citizens in serving their City. If you need more information about a board or the responsibilities, please contact the City Manager's Office at 704-878-3583. The application must be returned to the City Manager's Office to be considered for appointment via one of the methods listed below. The volunteer application will remain on file for three (3) years from the date received.

1. Upload via the City website (fillable PDF available online)
2. Email to anesbit@statesvillenc.net
3. Mail to April Nesbit, City Manager's Office, PO Box 1111, Statesville, NC 28687

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City of Statesville
Design Review Commission
3 Year Terms, City Code Appendix A, Article II, Section 20.16
Meets 2nd Thursday of Month
Appointed by City Council

Name	Address	Phone	Email	Appointed	Expiration
Chuck Goode - Chairman	327 Augusta Drive Statesville, NC 28625	704-929-8150 (C)	designassoc-chuck@outlook.com	6/15/2020	6/30/2026
Bryan George - Vice - Chair By George Homes, Inc.	515 Carroll Street Statesville, NC 28677	704-878-6887(H) 704-437-0355 (C)	bryan@bygeorgeconstruction.com	6/15/2020	6/30/2026
John Marshall Statesville Jewelry & Loan	232 Oakhurst Road Statesville, NC 28677	704-872-7203 (H) 704-873-7948 (W) 704-929-0118 (C)	jem@sjlco.com	6/20/2022	6/30/2025
John Furlow	159 Park Street Statesville, NC 28677	352-428-2611	tfurlow@yahoo.com	6/17/2024	6/30/2027
Rebecca A. Jones	126 Columbine Drive Statesville, NC 28625	704-873-3407 (H) 704-872-0112 (W) 704-929-0364 (C)	rebeccajones@dlr-properties.com	6/20/2022	6/30/2025
Doris Allison (Council)		704-873-6177	allisondoris2@gmail.com		
Marci Sigmon (Staff)		704-878-3578	msigmon@statesvillenc.net		
Lori Deal (Staff)		704-768-5501	jocampbell@statesvillenc.net		
<i>Vacant</i> DSDC Director	P.O. Box 205 Statesville, NC 28687	704-878-3436			

Email Agenda:

Jane Feller	fellerjh@bellsouth.net
Brittney Johnson	brittney.johnson@wsoc-tv.com
Nina Mastandrea	nmastandrea@statesville.com
Statesville Free News	svlfrnews@gmail.com

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**STATESVILLE BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
May 6, 2025**

The Statesville Board of Adjustment met Tuesday, May 6, 2025 at 12:30 p.m. in the City Hall Council Chambers located at 227 South Center Street, Statesville, NC.

Board Members Present: David Steele, Bill Winters, George Simon, Jed Pidcock, Scott Zanotti

Board Members Absent: Gurney Wike

Council Present: None

Staff Present: Sherry Ashley, Lori Deal, Christopher Hooper, Marci Sigmon

Others: Leah Messick – City Attorney

Media: 0

Chairman Steele called the meeting to order.

Approval of minutes

Winters made a motion to approve the January 7, 2025 Board of Adjustment meeting minutes as presented, seconded by Simon. The motion carried unanimously.

Chairman Steele explained the quasi-judicial meeting process and stated a 4/5 majority is required for variance approval. Steele swore in all those present who planned to speak during the hearing.

Steele declared the public hearing open.

V25-02; A request filed by Betsy Swan on behalf of Southern Distilling for a variance from the Statesville Unified Development Code, *Section 6.07 Sign Regulations, Subsection L – On Premises Interstate Vicinity signs*, which allow only the trade name logo of the product or business advertised. The petitioner's request is for an electronic message board (EMC) to be permitted on an Interstate Vicinity Sign.

Christopher Hooper gave the following Staff Report:

Background Information

- The subject property is located at 211 Jennings Road, PIN: 4747-82-7356 is approximately 19.88 acres in size (*Exhibit 1 – Location Map, Exhibit 2 – Site Photos*);
- The property is owned by Barger Properties, LLC (*Exhibit 3- Property Deed from 2016, Exhibit 4- Deed of Trust from 2021*);

- The subject property is partially located within the City of Statesville's B-5 (General Business) District, and the County of Iredell's GB CUD and RA Districts (*Exhibit 5- Zoning Map*);
- The variance application was submitted by Betsy Swan on March 11, 2025 (*Exhibit 6 – Application*).

Variance Request

The petitioner, Betsy Swan, is requesting one variance for parcel 4747-82-7356. The requested variance is as follows: To permit an electronic message board (EMC) on an Interstate Vicinity Sign (IVS) in the B-5 Zoning District.

Review

This property is split zoned, with part located within the City of Statesville's jurisdiction, the other part located in Iredell County's jurisdiction. This property is currently occupied by Southern Distilling Co. (*Exhibit 1 – Location Map, Exhibit 2 – Site Photos*). The petitioner bought this property on February 9, 2016 (*Exhibit 3- Property Deed from 2016*).

Per the Statesville Unified Development Code, the use of an ECM is not allowed on an IVS in any part of the City. The sign shall display only the trade name logo of the product of the business advertised along an interstate. (*Exhibit 7 – UDC Section 6.07, Subsection L*)

IVS are only allowed in B-1, B-2, B-3, B-4, & B-5 Zoning Districts. Properties must be within 1,000 feet of the Interstate Right-of-Way. The trade name and logo of the product of the business advertised is the only information allowed on an IVS. This property is zoned B-5 therefore the max height of an IVS allowed is 80 feet, and the maximum size allowed is 200 square feet.

The petitioner seeks to allow the use of EMC sign on an IVS on the commercial property located at 211 Jennings Road (PIN: 4747-82-7356). The petitioner states the proposed sign will not create a nuisance to any nearby properties and will be an attractive enhancement to the neighborhood. The petitioner further states granting the variance request will support and enhance the Jane Sowers North Gateway area by becoming an iconic sign for this area. Additionally, the petitioner states the sign will provide for an effective sign in the B-5 District and will not dominate the appearance of the area. Finally, the petitioner has represented allowing the EMC would be following the company's right of free speech. (*Exhibit 6 –Application*). Currently, this parcel has two signs advertising their business, and both signs currently meet Code. Granting the variance request will directly conflict with the Code which states EMC signs are a prohibited use on an IVS.

The petitioner contends that without the variance the company would not be able to exercise their right of free speech. Per the petitioner, the sign will become iconic for the area and will not dominate the appearance of the area. The petitioner states not allowing this sign would be an injustice. Staff's recommendation is to not allow EMCs on an IVS, thereby maintaining the intent of the ordinance. (*Exhibit 8 –Purpose Statements*).

Alternatives

Based on the presented evidence staff recommends denying the variance request for the following reasons:

Options:

- 1- The petitioner can replace the IVS with a Monument Sign that includes an EMC if it does not exceed 32 square feet in size and is no greater than 12 feet in height. The property could have two monument signs: one along Jennings Road, and one along I-77.
- 2- The petitioner can increase the size and height of the current IVS to increase visibility and legibility.
- 3- The petitioner may be able to place additional signage on the property under Iredell County's jurisdiction. Due to the unusual circumstances of this property being split zoned, this may allow for additional signage, pending Iredell County's regulations.

Staff Findings of Fact:

- Unnecessary hardship would result from the strict application of the regulation.
 - False: The property can have an EMC on a monument sign provided the current IVS sign is removed and the monument sign meets the size and height of the sign code.
- The hardship results from conditions that are peculiar to the property.
 - False: The right-of-way for I-77 is over 300+ feet. All properties along the interstate observe this distance. This property is not unique.
- The hardship did not result from actions taken by the applicant or the property owner.
 - False: The applicant has the option for a monument sign with an EMC.
- The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured, and substantial justice is achieved.
 - False: Code is clear on what information is allowed on an IVS. Larger signs along the interstate are Billboard Signs.

Steele asked if an electronic sign would be allowed if it is lowered and what square footage would be allowed and Hooper stated 32 sq. ft. is allowed for a smaller electronic, monument sign and up to 12 feet in height. Steele asked if an electronic sign is allowed on the interstate vicinity sign and Hooper stated no. Simon asked if a billboard can be erected and Hooper stated new billboards are no longer permitted and existing billboards are grandfathered. Steele asked if that applies to billboards on the Iredell County portion of the property and Hooper stated he does not know the county rules. Simon asked if a sign can be placed on the county portion and Hooper stated yes based on the county regulations. Sherry Ashley, Planning Director stated for clarification we do not know the county's regulations and cannot confirm if the county will or will not allow a billboard.

Chairman Steele asked for anyone to speak in favor of the variance.

Pete Barger, Founder of Southern Distilling, stated he and his wife founded the company 12 years ago and are requesting a variance because they are trying to solve a business problem. More than 75,000 cars per day go by their facility and many do not know what their business is, the present sign is static, and it does not provide information about them. Their intention is to promote and build a local, family business and promote the city.

Simon asked if he has contacted Iredell county about a billboard or a sign and Barger stated yes and it is unsettled if a billboard would be granted, but they want a sign similar to Randy Marion's electronic signs. Simon asked if the County Code is the same as the City Code and Barger stated he does not know. Simon asked if the county allows a larger sign, would he remove the current

sign and Barger stated he does not need a larger sign he needs an educational sign to let people know who and what they are. Simon asked if the proposed sign is allowed on the county portion of the property would he remove the current sign and Barger stated no because it is not in front of the building and the trees on the north side block the view of the sign and he does not own the property to the south.

Betsy Swan, Executive Director of Client Development with Allen Industries, stated they are a 94 year old national sign company that build and ship signs around the world. What Mr. Barger has requested is not unusual and he is trying to bring in more business and an electronic message center (EMC) gives an idea of what is sold in this business. A billboard to the north will require cutting down trees to make it visible, the current location is visible from the interstate, so they would like to make it taller and add the EMC.

There were no questions for Ms. Swan.

James Carpentier, with International Sign Association stated the proposal is a 25' sign, the round logo is about 78.5 sq. ft. and the message center is 104.63 sq. ft. for a total of 183.13 sq. ft. The proposed sign meets the height and allowable sign area in the B-5 district and an interstate vicinity sign (IVS) is 65' tall and 200 sq. ft., so the variance request is to allow an electronic message board on an IVS sign in the B-5 zoning district that exceeds 32 sq. ft. Carpentier presented photos of the existing monument sign on Jennings Road and the existing IVS sign alongside the proposed sign with the electronic message center from I-77. The proposed electronic message board (EMB) is to follow recommended illumination best practices and existing code has outdated standards. The brightness is proposed to operate at standards recommended by the International Sign Association and adopted by Brunswick County, Clayton, and Wake County. Automatic dimming is proposed for brightness to adjust automatically from day to night so it will not be too bright and the brightness is similar to a standard, static sign. It will operate with a 15 second hold time with instant message changes and static so it will not be considered a flashing sign as defined in the code. The EMB will only display onsite product and service messages so it will not be considered a billboard. Carpentier quoted page 80 of the Land Development Plan (LDP) the City's role in supporting economic development "Supporting expansion of the local economy is the leading component of this Plan's vision framework and the City should leverage available tools to ensure future economic success". This proposal will support and enhance Southern Distilling and the Jane Sowers north gateway. He also quoted from page 80 of the LDP "Improving the quality of life amenities and the visual appearance of the city, particularly community gateway corridors, is an important part of improving the city's economic competitiveness" and this proposal will enhance the Jane Sowers north gateway area.

Carpentier addressed each finding of fact

1. Unnecessary hardship would result from the strict application of the regulation – the hardship is due to the 110' setback of the sign from the closest travel lane on I-77 and the tree line north and south of the site limit visibility and legibility. The right of way north of Highway 21 is about 300' and south of Hwy 21 is 200' which is particular to the parcel located north of Hwy 21 that has an additional 50' right of way setback of on each side of the freeway and is a physical constraint. The code allows EMB conversions for billboards in the B-5 district. The city does not allow on-premise EMB's in the B-5 district, which favors speech that is off-premise and disfavors speech that is on-premise and supports local business.

2. The hardship results from conditions that are peculiar to the property – the hardship is due to the increased setback and the north and south tree lines.
3. The hardship did not result from actions taken by the applicant or the property owner.
4. The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved – The proposed sign is designed, constructed, installed, and maintained so public and traffic safety are not compromised. It will enhance public safety by increasing visibility and legibility. Promote positive sign communication and avoid nuisances to nearby properties. It will support and enhance the Jane Sowers gateway and provide an effective sign in the B-5 district that does not dominate the area. The City of Statesville will ensure that the guaranteed constitutional right of free speech is protected.

Carpentier stated the alternatives proposed by staff are not feasible since the sign area and height of a monument sign is ineffective and illegible from the freeway. The additional area will not make a difference and increasing the sign height will not enhance visibility. Signage on the Iredell County portion is not feasible or practical because the allowable sign area in the GB CUD and RA is 72 sq. ft. and a sign height of 18' is less than what is allowed in the city code and the sign will be closer to the north and south tree lines.

Carpentier stated they disagree with the staff findings of fact listed above. Therefore, this proposal meets and exceeds the four criteria needed for a variance and complies with the Land Development Plan and sign regulations' purpose and we request your approval.

There were no questions for Mr. Carpentier.

Simon asked how freedom of speech applies to this request and Messick stated freedom of speech is guaranteed by the first amendment of the constitution of the United States and the court system has analyzed when local government regulations for sign ordinances can infringe upon the freedom of speech. Municipalities are generally allowed to regulate the location and the size of signs but are not allowed to regulate content of the sign. The court system allow us to say what signs are suitable for what locations. We can regulate the manner of the speech, where the sign is located and the size of the sign, but we cannot regulate any content.

Being no one to speak against granting the variance, Chairman Steele declared the public hearing closed.

Chairman Steele reviewed the following variance checklist questions to review the findings of fact.

1. Unnecessary hardship would result from the strict application of the regulation. *It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.*

	True	False		True	False	TOTAL	
Winters	X		Zanotti	X		True	5
Simon	X		Pidcock	X		False	0

Steele	X *					
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* Note - Vote was changed by Steele from false to true.

Explanation:

Winters – A 32 sq. ft. sign at a height of 12 ft. serves no purpose and the proposed sign would be a benefit to the business.

Simon – The sign does not fit into the congested area on I-77 South, but there is not much of a change in width and height.

Steele – ~~The hardship is strictly for this business, it is not in compliance with the code, every other business has the same rules to follow, therefore it is not a hardship particular to this business.~~

Vote was changed by Steele.

Zanotti – Agrees with Winters and Simon and it is a hardship particular to this business and the size of the sign does not add much more and falls within the square footage of the regulation.

Pidcock – The visibility of the sign creates a unique situation due to the tree line.

2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. *Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.*

	True	False		True	False	TOTAL	
Winters	X *		Zanotti	X		True	4
Simon		X	Pidcock	X		False	1
Steele	X						

* Note - Vote was changed by Winters from false to true.

Explanation:

Winters – ~~There is nothing peculiar about the land that prevents the sign requested. The problem is the code.~~ **Vote was changed by Winters.**

Simon – Same as explanation as Winters.

Steele – The topography and the distance from the interstate makes the smaller size unworkable.

Zanotti – In addition to the distance from the interstate, the wooded lot to the south that cannot be controlled impacts the sign's sight line.

Pidcock – Due to the split county and city zoning of the property, the tree line, and the sign would be located farther back from the interstate.

3. The hardship did not result from actions taken by the applicant or the property owner. *The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance is not a self-created hardship.*

	True	False		True	False	TOTAL	
Winters	X		Zanotti	X		True	5
Simon	X		Pidcock	X		False	0
Steele	X						

Explanation:

Winters – No explanation given.

Simon - No explanation given.

Steele – The code is the hardship and not any action taken by the applicant.

Zanotti – No explanation given.
Pidcock - No explanation given.

4. The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.

	True	False		True	False	TOTAL	
Winters	X		Zanotti	X		True	5
Simon	X		Pidcock	X		False	0
Steele	X						

Explanation:

Winters – It is consistent with the spirit.

Simon - No explanation given.

Steele – It is consistent with the spirit, though not the letter of the area, but is consistent with the spirit and the goals of the code as outlined in the presentation.

Zanotti – No explanation given.

Pidcock - No explanation given.

Simon asked if a false vote of three to two can still approve the request and Messick stated all four elements have to be true for an individual to vote yes. If there was a false vote to any of the standards the vote is no. Steele stated there were some false votes and unless members want to change their votes the request cannot be approved. Messick clarified that each member must find all four elements true to vote yes to approve and if one element is false the vote to approve is no. The law requires all four elements to be true for a vote to be yes. Winters asked if votes can be changed and Messick stated if an individual has changed their mind about a specific element the elements can be discussed again.

Steele asked for discussion of element 1. Unnecessary hardship would result from the strict application of the regulation. Steele stated he looked at all the potential people that live or work near the interstate that it would not be an unnecessary hardship for them because the same rules are applied for everyone. Because of the size of the business, the distance from the interstate, and the need to make people aware of what they do, I have reconsidered and am changing my vote to true.

Steele asked for discussion of element 2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Steele stated he voted true because it is a large property with a variety of business interests and a low sign is too much of a hardship. Winters stated topography is changes in elevation and Messick stated under the law it is beyond topography. The applicant presented a tree line problem and that makes their property unique. Winters stated the issue is the code not necessarily the property, but he is in favor of approving the request and will change his vote to true. Steele stated his vote can be changed based on the size rather than topography and Messick stated it could be based on the size or the trees. Pidcock stated he looked at it from the location because of Iredell County and City of Statesville zoning on the same property.

Winters made a motion based on the findings of fact to approve the variance request to allow an electronic message board on an interstate vicinity sign, seconded by Pidcock. The motion carried 4-1 with Simon not in favor.

Chairman Steele stated the meeting is adjourned and will move to closed session.



**Airport Commission
Minutes
May 14, 2025 – 12:00pm**

The Statesville Airport Commission met on Wednesday, May 14, at City Hall.

Members Present: Steve Johnson, Mike Colyer, Martin Gottholm, Todd Bodell, David Bullins, Jap Johnson, Ex-Officio Member

Staff Present: John Ferguson, Carissa Barnette

Others Present: Tyler Meyers, John McCalmont, Mark Ezzell,

Roll Call

Chairman Steve Johnson called the meeting to order at 12:00 PM.

Approval of the minutes held on April 16, 2025

Mr. Bullins made a motion to approve January 8, 2025, meeting minutes, seconded by Mr. Colyer. The motion carried unanimously.

Staff Report- Operations

- Mr. Ferguson reviewed the operations report. Operations are down slightly due mostly to bad weather and high winds.
- The new general manager for West Star is scheduled to start his new job the first of June.
- One item is on the Council agenda to approve the NCDOT Aviation Division SPAM program. This program provides free pavement maintenance.
- We have taken possession of a new aircraft tug.
- Mr. Ferguson attended the groundbreaking of a new aviation building at Elizabeth City University.
- Jay Brown lease was approved by City Council
- The McGreggor lease is on hold. Mr. McGreggor wants to wait to see what the economy will be doing in the near future.
- Mr. Johnson asked about hangar maintenance. We have accomplished some more roof maintenance. We have upgraded hangar door bearings. We are about to let a contract to provide repairs to hangar door hinges.

Project Updates – Mr. McCalmont

Terminal:

- Terminal is enclosing the building with insulation.. Concrete floors have been poured. Aluminum wall framing has started.

Localizer: ILS is working. There have been several instances when the Glide slope or localizer shut itself down.

Hangar: Plans are still sitting at a desk at the NCDOT Aviation Division. Our goal is to get the hangar cost to around \$7 million.

Clearway:

- FAA has accepted the latest survey. Clearway should be published in the next printing cycle.

South Development: Will be bidding this project in the next month.

Expand Terminal Apron:

- 90% comments should be back shortly.

Bethlehem Road- Right of Way appraisals have been completed. Expect bids for construction to start next summer. The city is moving forward with land acquisition.

Southwest Parallel Taxiway- Preliminary engineering work has begun on the Southwest parallel taxiway.

Old Business

None

New Business

None

Adjourn

Mr. Bodell made a motion to adjourn. Mr. Gottholm seconded. The meeting ended at 12:15 PM.



Statesville ABC Board Minutes

Tuesday May 27, 2025 11:00am

Meeting in the Board Room of the Statesville ABC Board

I. Call to order

The meeting was called to order by Board Chairperson Michelle Rokes. In attendance were board members Ron Matthews and David Pope; Tip Nicholson, General Manager; Paulette Inscoe, Assistant General Manager.

II. Statement of Potential Conflicts of Interest

Does any board member have any known conflict of interest or appearance of conflict with respect to any matters coming before the Board today? If so, please identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved.

Board member David Pope disclosed that although he had no financial connection to Statesville Roofing, his son was employed there.

III. Approval of minutes from Tuesday April 22, 2025 meeting

Approved unanimously

IV. Public Hearing on FYE26 Proposed Budget

The public hearing was called to order by Chairperson Michelle Rokes. No one was in attendance to speak so she closed the public hearing.

V. Reports

- Reports from the NCAABC and ABC Commission

Board members Rokes and Matthews reported on the recent NABCA convention. It was well attended by a variety of vendors. There have been a number of media stories recently about the legislation in the NC General Assembly concerning ABC stores being allowed to open on Sundays but at this time the bill has not been passed.

- Store reports from staff

Ms. Inscoe indicated that both stores would have Buffalo Trace available for sale this week.

- Financial Report

April Sales Figures

Sales	Compared to Last Year	Year to Date	Sales + or -
Store #1	-2.74%	0.05%	-\$13,001
Store #2	10.80%	4.40%	\$34,604
Total	2.72%	1.81%	\$21,603
NC Total	1.28%		

MB Sales 23-24	MB Sales 24-25	Sales + or -	Month
\$64,969	\$75,162	\$10,193	July
\$69,801	\$77,586	\$7,785	August
\$68,252	\$65,369	-\$2,883	September
\$81,490	\$83,921	\$2,431	October
\$79,172	\$69,616	-\$9,556	November
\$75,635	\$82,029	\$6,394	December



\$70,660	\$60,679	-\$9,981	January
\$80,326	\$62,855	-\$17,471	February
\$87,654	\$67,785	-\$19,869	March
\$82,532	\$73,327	-\$9,205	April
Cumulative YTD		-\$49,152	

The board unanimously approved budget amendment 5-27-25 which increased the store #1 roof escrow by \$20,000 in the FYE25 budget.

The board also unanimously approved the FYE26 budget.

VI. Open issues

Ms. Inscoe and Mr. Nicholson have a meeting today to discuss employee shirts with the CINTAS company.

VII. New business

VIII. Other business

Next scheduled meeting date is Tuesday June 24, 2025

Adjournment

The meeting was adjourned at 11:40am.

Michelle Rokes

Ron Matthews

David Pope

Michelle S. Rokes
Ron Matthews
David Pope



FYE25 BUDGET
Approved May 28, 2024

Estimated Revenues:

		Totals
Sales	\$10,013,971	
Other Income	\$15,028	
Total	\$10,028,999	\$10,028,999

Amended 10-22-24

Amended 5-27-25

Section 2. Appropriations.

The following expenses are estimated for FYE25 and are funded by the revenues made available through the estimated revenues.

Appropriations:

Taxes Based on Revenue	\$2,252,546	
Cost of Sales	\$5,154,414	
Total Appropriations	\$7,406,960	\$7,406,960

Totals

Totals

Operating Expenses:

	Total	
Salaries & Benefits	\$1,084,593	
Board Salaries	\$5,400	
Repairs & Maintenance	\$81,996	
Utilities	\$32,069	
Insurance – Building, Liability & Workman's Compensation	\$32,880	
Store/Office Supplies	\$61,800	
Travel, Training & Conferences	\$35,904	
Contracts & Professional Fees	\$60,885	
Credit Card Fees	\$110,391	
Contingencies/Miscellaneous	\$9,576	
Total Operating Expense	\$1,515,494	\$1,515,494

\$10,028,999.00

\$10,028,999.00

Capital Outlay:

	Total	
Replacement Floor Store #1	\$7,800	
New Gondola Shelves - Store #2	\$10,000	
Board Designated Funds- #1 Roof	\$20,000	
Total	\$37,800	

\$7,406,960.00

\$7,406,960.00

CO Funding

(From Administrative Reserve)	(\$37,800)	
Total Capital Outlay	\$0	\$0

\$20,000

Debt Service:

Principal Payments on Store #2 Loan	\$53,100	
Interest Payments on Store #2 Loan	\$16,500	
Total Debt Service	\$69,600	\$69,600

\$7,406,960.00

\$7,406,960.00

Distributions:

Profit Distributions	\$728,818	
Law Enforcement	\$30,450	
Alcohol Education & Rehab.	\$96,000	
Total Distributions	\$855,268	\$855,268

\$92,000

Working Capital Retained/Administrative Reserve	\$181,677	\$181,677
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\$7,406,960.00

\$7,406,960.00

Total Expense, Distributions & Reserve	\$10,028,999	\$10,028,999
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FYE26 APPROVED BUDGET
May 27, 2025

Estimated Revenues:

		Totals
Sales	\$9,924,227	
Other Income	\$31,781	
Total	<u>\$9,956,008</u>	<u>\$9,956,008</u>

Section 2. Appropriations.

The following expenses are estimated for FYE25 and are funded by the revenues made available through the estimated revenues.

Appropriations:

Taxes Based on Revenue	\$2,261,107	
Cost of Sales	\$5,250,910	
Total Appropriations	<u>\$7,512,017</u>	<u>\$7,512,017</u>

Operating Expenses:

	Total	
Salaries & Benefits	\$1,217,524	
Board Salaries	\$5,400	
Repairs & Maintenance	\$81,996	
Utilities	\$34,690	
Insurance – Building, Liability & Workman's Compensation	\$33,682	
Store/Office Supplies	\$76,363	
Travel, Training & Conferences	\$42,353	
Contracts & Professional Fees	\$65,496	
Credit Card Fees	\$115,356	
Contingencies/Miscellaneous	\$1,992	
Total Operating Expense	<u>\$1,674,852</u>	<u>\$1,674,852</u>

Capital Outlay:

	Total	
Replacement Entry Door Store #1	\$9,000	
Fencing Store #2	\$4,800	
Store #1 Roof Escrow	\$20,000	
Total	<u>\$33,800</u>	
CO Funding (From Administrative Reserve)	<u>(\$33,800)</u>	
Total Capital Outlay	<u>\$0</u>	<u>\$0</u>

Debt Service:

Principal Payments on Store #2 Loan	\$53,100	
Interest Payments on Store #2 Loan	\$16,500	
Total Debt Service	<u>\$69,600</u>	<u>\$69,600</u>

Distributions:

Profit Distributions	\$615,998	
Law Enforcement	\$33,562	
Alcohol Education & Rehab.	\$92,000	
Total Distributions	<u>\$741,560</u>	<u>\$741,560</u>
Working Capital Retained/Administrative Reserve	<u>-\$42,021</u>	<u>-\$42,021</u>
Total Expense, Distributions & Reserve		<u>\$9,956,008</u>