



STATESVILLE CITY COUNCIL MEETING

Statesville City Hall – 227 S. Center Street

September 11, 2025 - 4:00 p.m. - Pre-Agenda Meeting – 2nd Floor Conference Room

September 15, 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. 3**
- VI. Presentations & Recognitions**
 - 1. Suicide Prevention Month Proclamation p. 7
- 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 August 14, 2025, Pre-Agenda Meeting Minutes and the August 18, 2025, Regular Meeting Minutes. (E. Kurfees) p. 9**
 - B. Consider passing the second reading of TA25-03 Flood Development Permit to amend Appendix A, Article II, Part 2, Section 2.25 Flood Development Permit. (Moore) p. 23**
 - C. Consider passing the second reading of an annexation ordinance AX25-06 2110 E. Greenbriar Road. (Kirkendall) p. 57**
 - D. Consider passing a resolution directing the City Clerk to investigate a petition of annexation, AX25-05 407 and 417 Central Drive, receive the City Clerk's Certificate of Sufficiency, and consider passing a resolution fixing a date of September 15, 2025, for a public hearing for the petition of annexation. (Kirkendall) p. 61**
 - E. Consider passing a resolution directing the City Clerk to investigate a petition of annexation, AX25-08 Compass Data Centers for parcels along Stamey Farm Road and Hickory Hwy, receive the City Clerk's Certificate of Sufficiency, and consider passing a resolution fixing a date of September 15, 2025, for a public hearing for the petition of annexation. (Kirkendall) p. 71**

- F. Consider passing a resolution directing the City Clerk to investigate a petition of annexation, AX25-09 City of Statesville Fire Station 5 at 533 Gaither Road, receive the City Clerk's Certificate of Sufficiency, and consider passing a resolution fixing a date of October 6, 2025, for a public hearing for the petition of annexation. (Kirkendall) p. 87**
- G. Consider approving a work authorization with Parrish and Partners for engineering services for the Runway Safety Area Improvement Project in the amount of \$61,155.00. (Ferguson) p. 97**
- H. Consider approving a Request for Proposal for the HOME Funds Administration. (Smith) p. 117**

REGULAR AGENDA

- IX. Conduct a public hearing and consider passing a first reading of an ordinance to annex AX25-07 the Oaks at James Farm at 474 James Farm Road. (Kirkendall) p. 127**
- X. Conduct a public hearing regarding the condemnation of an abandoned, dilapidated dwelling located at 1013 Park Drive and consider approving first reading of an ordinance to demolish the dwelling as unsafe and a dangerous condition or consider foreclosure. (Marion) p. 135**
- XI. Conduct a public hearing and consider passing the first reading of Rezoning Request ZC25-13 for Compass Data Centers; properties located on Stamey Farm Road, between I-40 and US 70 (Hickory Highway), To rezone from Iredell County RA and Iredell County HB to the City of Statesville LI CZ. (Ashley) p. 145**
- XII. City Manager's Report**
- XIII. Advisory Boards Meeting Minutes**
 - 1. August 26, 2025 Planning Board Meeting Minutes p. 192
 - 2. July 10, 2025 Design Review Committee Meeting Minutes p. 211
- XIV. Other Business**
- XV. Closed Session (After Pre- Agenda)**
 - 1. G.S. 143-318.11(a)(3), Attorney-Client Privilege
 - 2. G.S. 143-318.11(a)(4), Economic Development
- XVI. Adjournment**

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



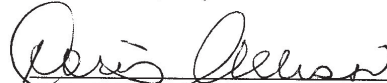
Constantine H. Kutteh, Mayor



David Jones, Mayor Pro Tem – Ward One



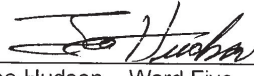
C.O. "Gap" Johnson – Ward Two



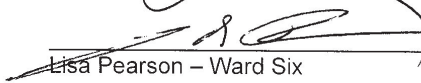
Doris Allison – Ward Three



Amy Lawton – Ward Four



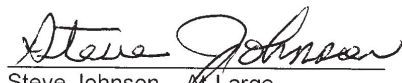
Joe Hudson – Ward Five



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

Suicide Prevention Awareness Month September 2025

WHEREAS; According to the American Foundation for Suicide Prevention (A.F.S.P.), suicide is the second leading cause of death among individuals between the ages 10 and 34 with more than 49,000 people dying by suicide annually in the United States; and

WHEREAS; According to Hope for the Day, with an average of 132 suicides completed daily and each one directly impacting 100 additional people, including friends, service members, family, social media connections, and neighbors we can safely assume everyone has been impacted by suicide;

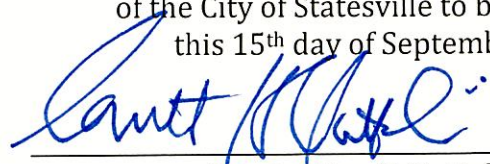
WHEREAS; the American Foundation for Suicide Prevention and Be Well Iredell through their collaboration, education, and unwavering support aspire to empower our residents with the protective tools they need to overcome challenges, and foster a safe nurturing environment where no person feels alone or forgotten;

WHEREAS; the leaders in the City of Statesville recognize that suicide is preventable, and no one should go through a suicide-related crisis alone, and are deeply committed to tackling the mental health challenges facing the residents of the City of Statesville and Iredell County;

WHEREAS; we encourage all residents to take time to understand mental health through education and recognize that we need to take care of our mental health while we take care of each other.

NOW, THEREFORE, be it resolved that I, Constantine H. Kutteh, Mayor of the City of Statesville, do hereby proclaim the month of **September 2025** as **National Suicide Prevention Awareness 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 15th day of September 2025


Constantine H. Kutteh, Mayor



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**MINUTE BOOK 31, PAGE
STATESVILLE CITY COUNCIL PRE-AGENDA MEETING MINUTES – August 14, 2025
CITY HALL – 300 S. CENTER STREET, STATESVILLE, NC – 4:00 P.M.**

Council Present: Mayor Pro Tem Jones presiding, Lawton, J. Johnson, Wasson, Pearson, S. Johnson, Allison, S. Johnson

Council Absent: Kutteh

Staff Present: Ron Smith, Messick, E. Kurfees, Hubert, Griggs, Vaughan, Ferguson, Pierce, G. Kurfees, Harrell, Caulder, Lawrence (Virtual), Onley, Everette, Ashley

I. Call to Order

Mayor Pro Tem Jones called the meeting to order.

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 (Only at the Regular Meeting)

1. Stop the Violence Proclamation

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 July 31, 2025, Pre-Agenda Meeting Minutes and the August 4, 2025, Regular Meeting Minutes. (E. Kurfees)

B. Consider approving Budget Amendment #2026-05 for the Statesville Police Department Expansion and Parking Deck Project to account for project scope changes since the developers agreement was first executed, as well as additional costs incurred due to unforeseen subsurface conditions through this stage of construction. (Hubert)

Harrell stated that there are some issues at the current police station that we need to get done and we are going to complete these projects during the expansion project. In addition, storm drainage improvements came to light, and some stormwater funds were used to pay for that. All these projects took \$1.25 million to add to the project fund.

Smith stated that we are adding funds to the contingency. We do not expect to use the funds. We have a guaranteed maximum price.

Council Member S. Johnson asked if we still meet the fund balance in the policy. Lawrence will provide the information on Monday at the council meeting.

C. Consider approving Budget Amendment #2026-06, which appropriates fund balance to support the rollover of outstanding purchase orders. (Lawrence)

Smith stated that these funds were in last year's budget, and the projects were not completed during the fiscal year. We are \$3.1 million more this year than last year.

D. Consider rejecting the bid taken by the City on June 9, 2025 for the South Development Area Project because the project only received one bid, totaling \$10,809,513 for the base bid, exceeded the available budget for the work. (Ferguson)

Ferguson stated that there was only one bid that was over our engineer's estimate by \$800,000. We will make some adjustments from the grading plan and separate the hanger to rebid the project. This project is 100% covered by grant funding.

E. Consider approving a 25 year ground lease for the construction of a 70x70 hangar for Crosswinds Aerospace. (Ferguson)

Ferguson stated that the tenant said that they will abide by what the appraisal says. The flight school has been kicked out of their current hanger, and they need a new hanger.

F. Consider passing a resolution directing the City Clerk to investigate a petition of annexation, AX25-07 The Oaks at James Farm, filed by Mr. Chris LaMack for his parcel located at 474 James Farm Road, receive the City Clerk's Certificate of Sufficiency, and consider passing a resolution fixing a date of September 15, 2025, for a public hearing for the petition of annexation. (Kirkendall)

Kirkendall stated that the Council approved this rezoning in the last meeting.

G. Consider appointing the applicant Steven Haber to the Stormwater Advisory Commission. (Moore)

H. Consider approving an update to the fee schedule to accomodate an increase of certain parking citations fees from \$10 to \$15. (Onley)

Chief Onley stated that the new software has a \$4 service charge. This is why we are increasing the fee.

Mayor Pro Tem Jones asked about booting vehicles. Chief Onley stated we will send letters to everyone have 4 citations then their car will be booted. We are working on our public engagement plan.

Smith stated that the online payment is important because they had to come into the office that closes at 5 PM to pay for their ticket.

REGULAR AGENDA

IX. Conduct a public hearing and consider approving an economic incentive for an expansion project known as Project Eco Clean. (Bosser)

Goodson stated that Project Eco Clean is the company that makes dryer sheets and washing sheets. They are one of the top four companies that makes this. The company is wanting to expand their manufacturing plant in Statesville. The project should be completed by the end of 2026 and have a three year incentive.

X. Conduct a public hearing and consider passing the first reading of TA25-03 Flood Development Permit to Amend Appendix A, Article II, Part 2, Section 2.25 Flood Development Permit (Moore)

Moore stated that there was a workshop in January 2024 to update our ordinance with our new flood plain maps. This ordinance went to planning board on July 22nd and it passed 4 to 2. There will be 89 structures in the flood plain. Council asked the clerk to send out the proposed flood plain maps.

XI. Conduct a public hearing and consider passing the first reading of an annexation ordinance AX25-06 2110 E. Greenbriar Road. (Kirkendall)

Kirkendall stated that the owner is asking for annexation because his well failed. He would like to connect to city water.

XII. Consider donating Abernathy Park to Power Cross Ministries and in lieu of requiring the previously agreed upon \$80,000 for park purchase, accept their proposal to invest those funds back into the park for various improvements. (Griggs)

Griggs stated that the City is currently in a lease with Power Cross for 25 years for the use of Abernathy Park. During this time, the organization had to complete several improvements, and they have been maintaining the property. The directors asked the city to donate the park in lieu of \$80,000 purchase price and the funds would go back into the maintenance of the park.

Council Member Jones asked if the park would be public. Griggs stated that we could put these stipulations into the donation.

Council Member Allison asked if they would maintain the park the same way they are doing now. Messick stated that we do not have the ability to ensure they maintain it. Council Member Allison does not see a benefit for the city. Griggs stated that Power Cross uses the park for all their programming.

Council Member Wasson asked if it is common to sell parks. Griggs stated the previous director stated that Power Cross received a grant to maintain the park.

Griggs stated that there are several stipulations we can put on the donation. We do not do any maintenance in the park. This is something that Power Cross is presenting to Council.

Mayor Pro Tem asked Messick to bring insurance concerns as well as deed restrictions she would recommend on Monday.

XIII. Receive a report on the use of HOME Funds and decide on a plan of action moving forward. (Smith)

Smith stated that Item XIII and XIV are related. Before the policy was approved, the Council wanted to have a discussion regarding the HOME Funds. Smith will walk through the information that Pepper Bego made in May regarding unspent HOME Funds. The

Housing Authority has a plan to use the unspent funds. The projects are supposed to begin this summer, but the Housing Authority has not pulled permits.

Council Member Allison asked if the SHA will be here on Monday. Smith stated probably not. Council Member Allison stated that they do not meet their obligations within the 6 months will we give the funds to someone else. Smith stated that the decisions is up to council.

Council Member Pearson asked if there are other organizations that can take the funds. Smith stated that staff has talked to Habitat for Humanity, ICARE, and Community Foundations.

Council Member S. Johnson asked that we have a contractual agreement with goals that are measurable over a period of time.

Council Member Allison stated that if the organization does not fulfill their obligations then we should move in a different direction.

Messick stated that anyone who recieves HOME funds, then they will have a contract with much more detail.

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

Pierce stated that there is a resolution to approve the Special Revenue Fund. He stated that the policy has two exceptions: federal funds that have been used to purchase land could have specific regulations and airport property. This policy was set up for expenditures from the reserve fund as well as HOME fund allocations.

Mayor Pro Tem Jones asked for “by resolution” and “sales and leases” of municipalities in the Section 2 Scope and Applicability of the policy. Messick stated that the change could be reviewed and made.

XV. Consider appointing two regular members and two alternates to the Board of Adjustment. (Kirkendall)

Kirkendall stated that Mr. Zanati would like to be a regular member.

XVI. City Manager’s Report

XVII. Advisory Boards Meeting Minutes

1. June 16, 2025 Airport Commission Meeting Minutes

XVIII. Other Business

Lawton stated that Electricities Conference discussed mostly how to inform residents how Public Power is good for the community. Power is in the people’s hand instead of profit sharing. Smith stated that Statesville does it right. Some of the larger communities do not do things that we do.

XIX. Closed Session (After Pre- Agenda)

Mayor Pro Tem Jones stated that the council is going into closed session or the following items:

1. G.S. 143-318.11(a)(3), Attorney-Client Privilege
2. G.S. 143-318.11(a)(4), Economic Development

Council Member S. Johnson made a motion to go into closed session. Council Member Hudson seconded the motion. The motion passed unanimously.

Coming out of closed session, Mayor Pro Tem Jones stated that during closed session an economic development matter and an attorney-client privilege matter were discussed and no decisions were made.

XX. Adjournment

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

Emily Kurfees, City Clerk

David Jones, Mayor Pro Tem

MINUTE BOOK 31, PAGE
STATESVILLE CITY COUNCIL REGULAR MEETING MINUTES – August 18, 2025
CITY HALL – 301 S. CENTER STREET, STATESVILLE, NC – 6:00 P.M.

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

Council Absent: None

Staff Present: Ron Smith, Messick, E. Kurfees, Hubert, Griggs, Vaughan, Ferguson, Pierce, G. Kurfees, Harrell, Caulder, Lawrence, Onley, Ashley, Hatcher, Nesbit, Bridges, Leis, Kirkendall

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 in the Pledge of Allegiance.

IV. Adoption of the Agenda

Mayor Kutteh called for a motion on the agenda.

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

V. Code of Ethics and Front and Center Strategic Plan

Mayor Kutteh stated that we keep the Code of Ethics and Strategic Plan close to mind and very seriously.

VI. Presentations & Recognitions

1. Stop the Violence Proclamation

Mayor Kutteh read the proclamation into the record and called up members of the Clean Hearts of Statesville to accept the proclamation.

Demone White thanked the City for their support. He stated that at 9 AM, there will be a community prayer to unite the community.

2. Rising Start Electricities Award, Cody Leis

Mayor Kutteh presented the Rising Star award to Cody Leis. He stated that only one individual receive the award for being in the position less than 10 years.

Cody Leis stated that Statesville is doing the right things to move our Public Power forward. The biggest takeaway is that we are doing the right things for the City.

VII. Public Comment

Fred Foster, 466 Charles Street, discussed the improvements on Monroe Street. One of his concerns is a light is needed at Rickert and Gardner Bagnal if an apartment complex is going to go in that area.

VIII. CONSENT AGENDA

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- B. Consider approving Budget Amendment #2026-05 for the Statesville Police Department Expansion and Parking Deck Project to account for project scope changes since the developers agreement was first executed, as well as additional costs incurred due to unforeseen subsurface conditions through this stage of construction. (Hubert)**
- C. Consider approving Budget Amendment #2026-06, which appropriates fund balance to support the rollover of outstanding purchase orders. (Lawrence)**
- D. Consider rejecting the bid taken by the City on June 9, 2025 for the South Development Area Project because the project only received one bid, totaling \$10,809,513 for the base bid, exceeded the available budget for the work. (Ferguson)**
- E. Consider approving a 25 year ground lease for the construction of a 70x70 hangar for Crosswinds Aerospace. (Ferguson)**
- F. Consider passing a resolution directing the City Clerk to investigate a petition of annexation, AX25-07 The Oaks at James Farm, filed by Mr. Chris LaMack for his parcel located at 474 James Farm Road, receive the City Clerk's Certificate of Sufficiency, and consider passing a resolution fixing a date of September 15, 2025, for a public hearing for the petition of annexation. (Kirkendall)**
Resolution 30-25
Resolution 31-25
- G. Consider appointing the applicant Steven Haber to the Stormwater Advisory Commission. (Moore)**
- H. Consider approving an update to the fee schedule to accomodate an increase of certain parking citations fees from \$10 to \$15. (Onley)**

Mayor Kutteh asked for a motion on the consent agenda.

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

REGULAR AGENDA

IX. Conduct a public hearing and consider approving an economic incentive for an expansion project known as Project Eco Clean. (Bosser)

Criag Goodson, Iredell EDC, brought an incentive agreement for an expansion project for Sheets Laundry Co. They currently have operations in Mooresville and Statesville. If approved, manufacturing will be expanding in the Statesville plant. The incentive will be up to \$20,541.00 for a capital investment of \$2.2 million and at least 9 jobs. The investment period is until December 2026.

Mayor Kutteh opened the public hearing. Hearing no one came to speak, he closed the public hearing and asked for a motion on this item.

Council Member Hudson made a motion to approve the incentive agreement. Council Member Allison seconded the motion. The motion passed unanimously.

X. Conduct a public hearing and consider passing the first reading of TA25-03 Flood Development Permit to Amend Appendix A, Article II, Part 2, Section 2.25 Flood Development Permit (Moore)

Moore discussed the code change in the Flood Development Permit. In September 2023, the City was notified that the Floodplain Maps were going to be updated. Because of the maps, we need to revise the floodplain ordinance. The current freeboard will increase from 1 foot to 4 feet. Another change is to prohibit fill in the floodplain. Staff recommends approving the ordinance to be effective January 1, 2026.

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

Council Member Allison made a motion to approve the text amendment, and Council Member Lawton seconded the motion. The motion passed unanimously.

XI. Conduct a public hearing and consider passing the first reading of an annexation ordinance AX25-06 2110 E. Greenbriar Road. (Kirkendall)

Kirkendall stated that this single family home is asking to be annexed due to a failed well. The single lot is a little over 1.5 acres. Staff recommends annexing the property because it is in close proximity to City Services.

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

Council Member Allison made a motion to approve the annexation. Council Member Hudson seconded the motion. The motion passed unanimously.

XII. Consider donating Abernathy Park to Power Cross Ministries and in lieu of requiring the previously agreed upon \$80,000 for park purchase, accept their proposal to invest those funds back into the park for various improvements. (Griggs)

Griggs stated that in 2011 the City entered a lease with Power Cross for 25 years for Abernathy Park. Power Cross was required to make several park improvements in the first 2 years of the lease. The lease stated that the Power Cross could purchase the park for \$80,000 anytime during the lease. Power Cross Ministries recommended the City donate the park to them in lieu of the sale so that they can put the funds back into the park.

Members of the City Council came to Power Cross to see if they would be interested in purchasing the park because it was not used. The organization did not have funds, but they leased the park. Power Cross won an MLB Grant to revitalize the park. The money was invested for community use. They continue to improve the park each year. Power Cross has invested over \$1,000,000 in the park with maintenance and improvements.

Power Cross would like the community to continue to use the park and facilities. The ministry would like to add an expanded picnic area, new playground, horseshoe pits, and a new practice field.

Council Member Hudson stated that the organization has been a good steward of the park. He would be interested in taking this to the next level.

Council Member Allison thanked Power Cross for their work in the park. She asked if the park would be open to the public. Power Cross stated that outside of the ball field would be open to the public and the ball field would be scheduled to go with Power Cross Schedules.

Council Member Wasson asked about policies for donating a park. Griggs stated that Messick found steps that the City would have to make to donate the park. Messick stated that the City does not have any internal policies. The general statutes have authority to ensure that the park would be still used for public use. Messick stated that the deed restrictions would be presented to council.

Council Member Jones stated that he is for the donation because the organization makes young men great men in our community.

Council Member S. Johnson is in support of the donation because of the vast improvements they have made to the park.

Council asked for Messick and staff to discuss an agreement with Power Cross to donate the park with the stipulation that it can be used by the public.

XIII. Receive a report on the use of HOME Funds and decide on a plan of action moving forward. (Smith)

Smith stated that this is a follow up discussion on the HOME Funds. He stated that these funds are provided by HUD and used by the Statesville Housing Authority. The Housing Authority has been working with us and this program for 15 to 20 years. Earlier this year, the Housing Authority has come to the City regarding the match. Staff was asked to bring members of the HOME Consortium staff regarding the HOME Funds. Subsequently, Smith sent a review of the discussion. Over the last several years, there was approximately \$700,000 in unspent funds. Following this discussion, staff had a discussion with Housing Authority. Both organizations came up with a plan to move forward.

Major concerns are that the money is not being spent and the City does not have influence over the Affordable Housing. Smith presented two tables one from HOME Consortium and one from the SHA. The total of unspent funds is \$1,354,498 in HOME and ARP funds. SHA is providing an additional \$700,000 of Public Housing Capital Funds to finalize the projects. Smith stated that our staff has been working with the Housing Authority to choose experts to design the projects. These projects have not officially started with the HOME Consortium to use the HOME Funds.

Smith recommends that the Council give the Housing Authority 6 months to determine if the projects start, and they provide the staff a seat at the table. If Council chooses to move in a different direction, then another agency could take over the HOME funds. The best practice would be to develop a Request for Proposals with a detailed scope of what the city wants to achieve.

Council Member J. Johnson asked about the City's match. Smith stated that the City pays 25% of the HOME funds, not the full \$2.1 million. These matches usually come out of the General Fund.

Council Member Allison is concerned about the how long we will give them to move forward. Smith stated that he suggested 6 months to give them time to start construction.

Council Member Jones asked about townhome project. Smith stated that these homes will be held through the Housing Authority to be funded by HUD. SHA will not sell the townhomes.

Council Member Allison is concerned that they will not start on the projects.

Council Member Jones asked if the current board has any oversight of the process. Smith stated they are aware of the projects. He does not know how deep the understanding go.

Council Member Pearson stated that we need to get them a full board. She suggested that the Housing Authority can apply for the RFP like other organizations.

Council Member Wasson stated that this funding is in additional to their operating costs. She believes that six months is too long.

Council Member Allison asked when the Mayor will appoint a board member. He stated that he would work on it tomorrow.

Council Member S. Johnson asked if the funding will follow the Housing Authority. Smith stated that the HOME funds will go with the new organization, but the City will lose the additional \$780,000 they are adding to the pot.

Council Member Wasson made a motion to suspend what we are doing with the Housing Authority and put out an RFP to move forward. Council Member Pearson seconded the motion.

Mayor Kutteh asked for discussion on the motion.

Council Member Allison would like to do what is best for the City to move forward. She asked what does the Housing Authority contribute to the City. Mayor Kutteh stated that the Housing Authority has put up some cameras on their property, but we are not removing the Housing Authority from the City.

Council Member Pearson would like to see other organizations to apply to use the funds. Mayor Kutteh asked how long it will take to put out an RFP. Smith stated it would take 3 weeks to put out and receive a response within another 3 weeks. Council Member Pearson does not want to exclude the Housing Authority from submitting a request.

Council Member S. Johnson disagrees and states that we are not measuring the program. We need to have measurements and projects need to be prioritized by phases. Each phase needs a start and completion date. During the project, there needs to be measurable degrees of progress. The measurements must be strictly adhered to. There also needs to be updates on the status of the projects. Once a quarter the City Manager receives an update and the City Council receives an update biannually. He believes the Housing Authority has the best people to do these projects.

Mayor Kutteh called for a vote on the motion to suspend what we are doing with the Housing Authority and put out an RFP to move forward.

Aye: Wasson, Jones, Lawton, Hudson, Pearson

Nays: Allison, J. Johnson, S. Johnson

The motion passed 5 to 3.

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

Pierce stated that he is presenting a resolution to create the Special Revenue Fund and creating the Affordable Housing Policy. He reviewed the policy major points. Money in this fund would be eligible to be a match to the HOME funds.

Council Member Hudson asked who would administer the project. Pierce stated that a staff member has been selected to do this project that is currently on staff.

Council Member J. Johnson asked where funds come from for this fund. Pierce stated that the net proceeds from land sales, grants, donations, and Affordable Housing Incentive (forthcoming). The match does not have to be spent by the budget, but the additional match can come from the Housing Authority.

Mayor Kutteh stated that the policy is just to decide where the funding comes. Pearson stated that the fund is the match. Council Member J. Johnson asked what happens if the fund is empty.

Council Member Allison asked about the donations. Pierce stated that individuals can make charitable donations earmarked to a Special Revenue Fund.

Council Member Jones stated that we asked for staff to create this policy to use land sale funds. Each use of the fund, the council must approve the resolution to put the sale in the fund.

Council Member J. Johnson asked how much funds are in the Special Revenue Fund. Pierce stated that the previous funds went to the Iredell Housing Fund. Council Member J. Johnson stated that he is against the policy.

Council Member Hudson stated that he was against it at first. He stated that Staff has done a great job at creating the policy. He believes that this fund will be fueled by the general fund. Mayor Kutteh stated that we have been taking it out of the general fund for years.

After some discussion regarding the policy, Council Member S. Johnson is against the current policy but in favor of the HOME Program. Council Member Pearson is in favor of the policy.

Council Member Wasson made a motion to approve the policy and resolution as presented. Council Member Allison seconded the motion.

Council Member Lawton asked if the match needed an application and why do we just not give this funding as a match. Pierce stated that there were 2 major considerations: one was there should be certain properties that should be set aside and not go into the fund and that the council would retain maximum control in the decisions. The other would be that we could hold people accountable and have multiple people receive the funds.

Mayor Kutteh asked why would the City like to create bureaucracy. Council Member Pearson stated that this fund would be a 25% match. Messick stated that she included the application process for legal reasons. The HOME Funds regulations require an application process. The policy puts into place that the funding comes to the council during the budget process. As of right now, there is no framework. It helps prevent discrimination in this process. Messick stated that we have an application process to streamline the process. Council Member Lawton does not believe it streamlines the process.

Mayor Kutteh called for a vote on the motion:

Aye: Wasson, Pearson, Allison

Nays: Jones, J. Johnson, Lawton, Hudson, S. Johnson

The motion failed 3 to 5.

Council Member Jones stated that he is for the policy. He stated that the comments that Mr. Johnson made about measurements may need to be under someone else's control.

Council Member Lawton made a motion to bring back a revised policy that the Special Revenue Fund only goes to the 25% HOME Funds match and nothing else.

Messick asked if we should take the application process. Mayor Kutteh stated that the process should only be for HOME Fund matching and no other projects. Council Member Jones stated that each sale or lease of property, the funds must be approved by resolution to go into the fund.

Smith stated that the process is an accounting issue. The funds come from the general fund now when the Housing Authority requests a match. If we had a designated landing spot, then we will pull it for a HOME match request from this specific fund.

Mayor Kutteh stated that the purpose was to show support for council to support affordable housing.

Council Member Jones seconded the motion.

Mayor Kutteh asked for a vote on the motion.

Ayes: Wasson, Pearson, Jones, Allison, Lawton

Nays: Hudson, S. Johnson, J. Johnson

The motion passed 5 to 3.

XV. Consider appointing two regular members and two alternates to the Board of Adjustment. (Kirkendall)

Mayor Kutteh asked the Council if they would like Mr. Zanotti to move to a regular position.

Council Member S. Johnson made a motion to move Mr. Zanotti to a regular position. Council Member Lawton seconded the motion. The motion passed unanimously.

Mayor Kutteh asked for other nominations.

Council Member Jones made a motion to nominate Jeremy Kauffman. Council Member Lawton seconded the motion. No other nominees were nominated. The motion passed unanimously.

Mayor Kutteh asked for nominees for the alternate positions.

Council Member S. Johnson nominated James Dobson. Hearing no other nominees, Mayor Kutteh asked for council to vote for two individuals.

Messick tallied the votes

James Dobson – 5

Jay Smith- 5

Kristin Lindvig- 3

James Dobson and Jay Smith became alternate members.

XVI. City Manager's Report

Smith recognized Nikki Gregory for her service as this is her last City Council meeting. She has brought the city far from the IT perspective.

XVII. Advisory Boards Meeting Minutes

1. June 16, 2025 Airport Commission Meeting Minutes

XVIII. Other Business

XIX. Closed Session (After Pre- Agenda)

1. G.S. 143-318.11(a)(3), Attorney-Client Privilege
2. G.S. 143-318.11(a)(5), Real Property Acquisition

XX. Adjournment

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

Emily Kurfees, City Clerk

Constantine H. Kutteh, Mayor

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Randall Moore, Stormwater Program Manager
DATE: 9/4/2025 4:43 PM

ACTION NEEDED ON: September 15, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider passing the second reading of TA25-03 Flood Development Permit to amend Appendix A, Article II, Part 2, Section 2.25 Flood Development Permit.

1. Summary of Information:

As part of the NC Floodplain Mapping Program's map maintenance process, Iredell County (Statesville) received their Preliminary update to the County's FIS on September 29, 2023. The City is required to update the Floodplain Development Ordinance to reflect the new maps prior to the maps being adopted for residents to continue to participate in the National Flood Insurance Program. The City is taking the opportunity to update the ordinance to the latest North Carolina Model Ordinance from 2021 and institute more stringent regulations to better protect property owners and the floodplain.

2. Previous Council or Relevant Actions:

Council previously adopted An Ordinance Amending Appendix A, Article XII, Section 120 Flood Damage Prevention Ordinance on the 4th of February, 2008.

Council previously attended information session on proposed update to the Floodplain Ordinance during a workshop about the Floodplain Map updates on the 8th of January, 2024.

The City of Statesville Planning Board recommended approval of the text amendment as written with a split vote of 4-2 at the meeting on July 22, 2025.

The board had a great discussion regarding their concerns of the proposed changes of this increased freeboard. These concerns were:

1. The financial impacts on the non-residential structures that are currently located in the 100-year floodplain.
2. The practical impacts on residential structures that are in the floodplain if an addition to the structure is proposed.
3. The impact on property values if all fill in the 100-year floodplain is prohibited

City Council held the public hearing on August 18th. No one from the public came to speak. The first reading passed unanimously.

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:

The proposed changes will result in the floodplain remaining natural which will prevent flood waters from impacting both new and existing development. For structures that are constructed, it will make them more resilient when floods do occur due to the increased freeboard above the base flood elevation. This will help mitigate future City and property owner costs associated with potential damage from flooding events.

4. Budget/Funding Implications:

N/A

5. Consequences for Not Acting:

The new floodplain maps will not be adopted and citizens properties located in the 100-yr floodplain could lose their ability to purchase flood insurance. The State recommends a minimum of 2 feet of freeboard and the City's ordinance will continue to be below that minimum threshold leaving property and business owners more vulnerable to impacts from flooding events.

6. Department Recommendation:

Staff recommends approval effective January 1st, 2026.

7. Manager Comments:

Recommend approving this request, effective January 1st, 2026.

8. Next Steps:

The ordinance will be effective on January 1, 2026.

9. Attachments:

1. Ordinance Amending Appendix A_Article 2_Part 5_Section 2.24 Floodplain Development Ordinance 7-16-25

ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX A, ARTICLE II, PART 2, SECTION 2.25 FLOOD DEVELOPMENT PERMIT

WHEREAS, the City Council passed a Flood Damage Prevention Ordinance on February 4th, 2008; and

WHEREAS, said ordinance regulated the development of property in environmentally sensitive areas as well as providing owners the ability to purchase flood insurance; and

WHEREAS, the Federal Emergency Management Agency and the North Carolina Department of Public Safety have revised the flood models for Iredell County and the municipalities within; and

WHEREAS, in order to continue participation in the National Flood Insurance Program the City Council must approve a new ordinance and accompanying maps.

NOW THEREFORE, BE IT ORDAINED, that Appendix A, Article II, Part 2, Section 2.25 entitled "Flood Damage Prevention" be deleted in its entirety and a new Article II, Part 2, Section 2.25 entitled "Flood Damage Prevention" be added as follows:

FLOOD DAMAGE PREVENTION ORDINANCE

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FLOOD DAMAGE PREVENTION ORDINANCE

ARTICLE 1. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES.

SECTION A. STATUTORY AUTHORIZATION.

The Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Article 6 of Chapter 153A; Article 8 of Chapter 160A; and Article 7, 9, and 11 of Chapter 160D of the North Carolina General Statutes, delegated to local governmental units the authority to adopt regulations designed to promote the public health, safety, and general welfare.

Therefore, the City Council of the City of Statesville, North Carolina, does ordain as follows:

SECTION B. FINDINGS OF FACT.

- (1) The flood prone areas within the jurisdiction of the City of Statesville are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures of flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

- (2) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities and by the occupancy in flood prone areas of uses vulnerable to floods or other hazards.

SECTION C. STATEMENT OF PURPOSE.

It is the purpose of this ordinance to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions within flood prone areas by provisions designed to:

- (1) Restrict or prohibit uses that are dangerous to health, safety, and property due to water or erosion hazards or that result in damaging increases in erosion, flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters;
- (4) Control filling, grading, dredging, and all other development that may increase erosion or flood damage; and
- (5) Prevent or regulate the construction of flood barriers that will unnaturally divert flood waters or which may increase flood hazards to other lands.

SECTION D. OBJECTIVES.

The objectives of this ordinance are to:

- (1) Protect human life, safety, and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business losses and interruptions;
- (5) Minimize damage to public facilities and utilities (i.e. water and gas mains, electric, telephone, cable and sewer lines, streets, and bridges) that are located in flood prone areas;
- (6) Minimize damage to private and public property due to flooding;
- (7) Make flood insurance available to the community through the National Flood Insurance Program;
- (8) Maintain the natural and beneficial functions of floodplains;
- (9) Help maintain a stable tax base by providing for the sound use and development of flood prone areas; and
- (10) Ensure that potential buyers are aware that property is in a Special Flood Hazard Area.

ARTICLE 2. DEFINITIONS.

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance it's most reasonable application.

"Accessory Structure (Appurtenant Structure)" means a structure located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Garages, carports and storage sheds are common urban accessory structures. Pole barns, hay sheds and the like qualify as accessory structures on farms, and may or may not be located on the same parcel as the farm dwelling or shop building.

"Addition (to an existing building)" means an extension or increase in the floor area or height of a building or structure.

"Alteration of a watercourse" means a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

"Appeal" means a request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance.

"Area of Shallow Flooding" means a designated Zone AO or AH on a community's Flood Insurance Rate Map (FIRM) with base flood depths determined to be from one (1) to three (3) feet. These areas are located where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

"Area of Special Flood Hazard" see "Special Flood Hazard Area (SFHA)".

"Base Flood" means the flood having a one (1) percent chance of being equaled or exceeded in any given year.

"Base Flood Elevation (BFE)" means a determination of the water surface elevations of the base flood as published in the Flood Insurance Study. When the BFE has not been provided in a "Special Flood Hazard Area", it may be obtained from engineering studies available from a Federal, State, or other source using FEMA approved engineering methodologies. This elevation, when combined with the "Freeboard", establishes the "Regulatory Flood Protection Elevation".

"Basement" means any area of the building having its floor subgrade (below ground level) on all sides.

"Building" see "Structure".

"Chemical Storage Facility" means a building, portion of a building, or exterior area adjacent to a building used for the storage of any chemical or chemically reactive products.

"Design Flood" See "Regulatory Flood Protection Elevation."

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

“Development Activity” means any activity defined as Development which will necessitate a Floodplain Development Permit. This includes buildings, structures, and non-structural items, including (but not limited to) fill, bulkheads, piers, pools, docks, landings, ramps, and erosion control/stabilization measures.

“Digital Flood Insurance Rate Map (DFIRM)” means the digital official map of a community, issued by the Federal Emergency Management Agency (FEMA), on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated.

“Disposal” means, as defined in NCGS 130A-290(a)(6), the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste into or on any land or water so that the solid waste or any constituent part of the solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

“Elevated Building” means a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

“Encroachment” means the advance or infringement of uses, fill, excavation, buildings, structures or development into a special flood hazard area, which may impede or alter the flow capacity of a floodplain.

“Existing building and existing structure” means any building and/or structure for which the “start of construction” commenced before the effective date of the floodplain management regulations adopted by a community, dated September 17, 1979.

“Existing Manufactured Home Park or Manufactured Home Subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community, dated September 17, 1979.

“Flood” or “Flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (a) The overflow of inland or tidal waters; and/or
- (b) The unusual and rapid accumulation or runoff of surface waters from any source.

“Flood Boundary and Floodway Map (FBFM)” means an official map of a community, issued by the FEMA, on which the Special Flood Hazard Areas and the floodways are delineated. This official map is a supplement to and shall be used in conjunction with the Flood Insurance Rate Map (FIRM).

“Flood Hazard Boundary Map (FHBM)” means an official map of a community, issued by the FEMA, where the boundaries of the Special Flood Hazard Areas have been defined as Zone A.

“Flood Insurance” means the insurance coverage provided under the National Flood Insurance Program.

“Flood Insurance Rate Map (FIRM)” means an official map of a community, issued by the FEMA, on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated. (see also DFIRM)

“Flood Insurance Study (FIS)” means an examination, evaluation, and determination of flood hazards, corresponding water surface elevations (if appropriate), flood hazard risk zones, and other flood data in a community issued by the FEMA. The Flood Insurance Study report includes Flood Insurance Rate Maps (FIRMs) and Flood Boundary and Floodway Maps (FBFMs), if published.

“Flood Prone Area” see “Floodplain”

“Flood Zone” means a geographical area shown on a Flood Hazard Boundary Map or Flood Insurance Rate Map that reflects the severity or type of flooding in the area.

“Floodplain” means any land area susceptible to being inundated by water from any source.

“Floodplain Administrator” is the individual appointed to administer and enforce the floodplain management regulations.

“Floodplain Development Permit” means any type of permit that is required in conformance with the provisions of this ordinance, prior to the commencement of any development activity.

“Floodplain Management” means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including, but not limited to, emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

“Floodplain Management Regulations” means this ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power. This term describes federal, state or local regulations, in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

“Floodproofing” means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures, and their contents.

“Flood-resistant material” means any building product [material, component or system] capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage that requires more than low-cost cosmetic repair. Any material that is water-soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumbars are acceptable flooring materials. Sheet-type flooring coverings that restrict evaporation from below and materials that are impervious, but dimensionally unstable are not acceptable. Materials that absorb or retain water excessively after submergence are not flood-resistant. Please refer to Technical Bulletin 2, *Flood Damage-Resistant Materials Requirements*, and available from the FEMA. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

“Floodway” means the channel of a river or other watercourse, including the area above a bridge or culvert when applicable, and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

“Floodway encroachment analysis” means an engineering analysis of the impact that a proposed encroachment into a floodway or non-encroachment area is expected to have on the floodway boundaries and flood levels during the occurrence of the base flood discharge. The evaluation shall be prepared by a qualified North Carolina licensed engineer using standard engineering methods and hydraulic models meeting the minimum requirements of the National Flood Insurance Program.

“Freeboard” means the height added to the BFE to account for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge or culvert openings, precipitation exceeding the base

flood, and the hydrological effect of urbanization of the watershed. The BFE plus the freeboard establishes the "Regulatory Flood Protection Elevation".

"Functionally Dependent Facility" means a facility which cannot be used for its intended purpose unless it is located in close proximity to water, limited to a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, or ship repair. The term does not include long-term storage, manufacture, sales, or service facilities.

"Hazardous Waste Management Facility" means, as defined in NCGS 130A, Article 9, a facility for the collection, storage, processing, treatment, recycling, recovery, or disposal of hazardous waste.

"Highest Adjacent Grade (HAG)" means the highest natural elevation of the ground surface, prior to construction, immediately next to the proposed walls of the structure.

"Historic Structure" means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the US Department of Interior) or preliminarily determined by the Secretary of Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a local inventory of historic landmarks in communities with a "Certified Local Government (CLG) Program"; or
- (d) Certified as contributing to the historical significance of a historic district designated by a community with a "Certified Local Government (CLG) Program."

Certified Local Government (CLG) Programs are approved by the US Department of the Interior in cooperation with the North Carolina Department of Cultural Resources through the State Historic Preservation Officer as having met the requirements of the National Historic Preservation Act of 1966 as amended in 1980.

"Letter of Map Change (LOMC)" means an official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

- (a) Letter of Map Amendment (LOMA): An official amendment, by letter, to an effective National Flood Insurance Program map. A LOMA is based on technical data showing that a property had been inadvertently mapped as being in the floodplain, but is actually on natural high ground above the base flood elevation. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.
- (b) Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.
- (c) Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the BFE and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.
- (d) Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-

built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

“Light Duty Truck” means any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less as defined in 40 CFR 86.082-2 and is:

- (a) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
- (b) Designed primarily for transportation of persons and has a capacity of more than 12 persons; or
- (c) Available with special features enabling off-street or off-highway operation and use.

“Lowest Adjacent Grade (LAG)” means the lowest elevation of the ground, sidewalk or patio slab immediately next to the building, or deck support, after completion of the building.

“Lowest Floor” means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or limited storage in an area other than a basement area is not considered a building's lowest floor, provided that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

“Manufactured Home” means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term “manufactured home” does not include a “recreational vehicle”.

“Manufactured Home Park or Subdivision” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

“Map Repository” means the location of the official flood hazard data to be applied for floodplain management. It is a central location in which flood data is stored and managed; in North Carolina, FEMA has recognized that the application of digital flood hazard data products have the same authority as hard copy products. Therefore, the NCEM’s Floodplain Mapping Program websites house current and historical flood hazard data. For effective flood hazard data the NC FRIS website (<http://FRIS.NC.GOV/FRIS>) is the map repository, and for historical flood hazard data the FloodNC website (<http://FLOODNC.GOV/NCFLOOD>) is the map repository.

“Market Value” means the building value, not including the land value and that of any accessory structures or other improvements on the lot. Market value may be established by independent certified appraisal; replacement cost depreciated for age of building and quality of construction (Actual Cash Value); or adjusted tax assessed values.

“New Construction” means structures for which the “start of construction” commenced on or after the effective date of the initial floodplain management regulations and includes any subsequent improvements to such structures.

“Non-Encroachment Area (NEA)” means the channel of a river or other watercourse, including the area above a bridge or culvert when applicable, and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot as designated in the Flood Insurance Study report.

“Post-FIRM” means construction or other development for which the “start of construction” occurred on or

after the effective date of the initial Flood Insurance Rate Map.

“Pre-FIRM” means construction or other development for which the “start of construction” occurred before the effective date of the initial Flood Insurance Rate Map.

“Principally Above Ground” means that at least 51% of the actual cash value of the structure is above ground.

“Public Safety” and/or “Nuisance” means anything which is injurious to the safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

“Recreational Vehicle (RV)” means a vehicle, which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck;
- (d) Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use, and
- (e) Is fully licensed and ready for highway use.

“Reference Level” is the bottom of the lowest horizontal structural member of the lowest floor for structures within all Special Flood Hazard Areas.

“Regulatory Flood Protection Elevation” means the “Base Flood Elevation” plus the “Freeboard”. In “Special Flood Hazard Areas” where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus four (4) feet freeboard. In “Special Flood Hazard Areas” where no BFE has been established, this elevation shall be at least four (4) feet above the highest adjacent grade.

“Remedy a Violation” means to bring the structure or other development into compliance with state and community floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing federal financial exposure with regard to the structure or other development.

“Riverine” means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

“Salvage Yard” means any non-residential property used for the storage, collection, and/or recycling of any type of equipment, and including but not limited to vehicles, appliances and related machinery.

“Solid Waste Disposal Facility” means any facility involved in the disposal of solid waste, as defined in NCGS 130A-290(a)(35).

“Solid Waste Disposal Site” means, as defined in NCGS 130A-290(a)(36), any place at which solid wastes are disposed of by incineration, sanitary landfill, or any other method.

“Special Flood Hazard Area (SFHA)” means the land in the floodplain subject to a one percent (1%) or greater chance of being flooded in any given year, as determined in Article 3, Section B of this ordinance.

“Start of Construction” includes substantial improvement, and means the date the building permit was

issued provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

“Structure” means a walled and roofed building, a manufactured home, or a gas, liquid, or liquefied gas storage tank that is principally above ground.

“Substantial Damage” means damage of any origin sustained by a structure during any one-year period whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. See definition of “substantial improvement”.

“Substantial Improvement” means any combination of repairs, reconstruction, rehabilitation, addition, or other improvement of a structure, taking place during any one-year period for which the cost equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either:

- (a) Any correction of existing violations of state or community health, sanitary, or safety code specifications which have been identified by the community code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (b) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure and the alteration is approved by variance issued pursuant to Article 4 Section E of this ordinance.

“Technical Bulletin and Technical Fact Sheet” means a FEMA publication that provides guidance concerning the building performance standards of the NFIP, which are contained in Title 44 of the U.S. Code of Federal Regulations at Section 60.3. The bulletins and fact sheets are intended for use primarily by State and local officials responsible for interpreting and enforcing NFIP regulations and by members of the development community, such as design professionals and builders. New bulletins, as well as updates of existing bulletins, are issued periodically as needed. The bulletins do not create regulations; rather they provide specific guidance for complying with the minimum requirements of existing NFIP regulations.

It should be noted that Technical Bulletins and Technical Fact Sheets provide guidance on the minimum requirements of the NFIP regulations. State or community requirements that exceed those of the NFIP take precedence. Design professionals should contact the community officials to determine whether more restrictive State or local regulations apply to the building or site in question. All applicable standards of the State or local building code must also be met for any building in a flood hazard area.

“Temperature Controlled” means having the temperature regulated by a heating and/or cooling system, built-in or appliance.

“Variance” is a grant of relief from the requirements of this ordinance.

“Violation” means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Articles 4 and 5 is presumed to be in violation until such time as that documentation is provided.

“Water Surface Elevation (WSE)” means the height, in relation to NAVD 1988, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

“Watercourse” means a lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

ARTICLE 3. GENERAL PROVISIONS.

SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES.

This ordinance shall apply to all areas within the jurisdiction, including Extra-Territorial Jurisdictions (ETJs) as allowed by law, of the City of Statesville.

SECTION B. BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS.

The Special Flood Hazard Areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its FIS dated March 18, 2008 for Iredell County and associated DFIRM panels, including any digital data developed as part of the FIS, which are adopted by reference and declared a part of this ordinance, and all revisions thereto.

SECTION C. ESTABLISHMENT OF FLOODPLAIN DEVELOPMENT PERMIT.

A Floodplain Development Permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities within Special Flood Hazard Areas determined in accordance with the provisions of Article 3, Section B of this ordinance.

SECTION D. COMPLIANCE.

No structure or land shall hereafter be located, extended, converted, altered, or developed in any way without full compliance with the terms of this ordinance and other applicable regulations.

SECTION E. ABROGATION AND GREATER RESTRICTIONS.

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION F. INTERPRETATION.

In the interpretation and application of this ordinance, all provisions shall be:

- (a) Considered as minimum requirements;
- (b) Liberally construed in favor of the governing body; and
- (c) Deemed neither to limit nor repeal any other powers granted under State statutes.

SECTION G. WARNING AND DISCLAIMER OF LIABILITY.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur. Actual flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the Special Flood Hazard Areas or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of Statesville or by any officer or employee thereof for any flood damages that result from reliance on this ordinance, or any administrative decision lawfully made hereunder.

SECTION H. PENALTIES FOR VIOLATION.

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a Class 1 misdemeanor pursuant to NC G.S. § 143-215.58. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$100.00 or imprisoned for not more than thirty (30) days, or both. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Statesville from taking such other lawful action as is necessary to prevent or remedy any violation.

ARTICLE 4. ADMINISTRATION.

SECTION A. DESIGNATION OF FLOODPLAIN ADMINISTRATOR.

The Stormwater Program Manager, hereinafter referred to as the "Floodplain Administrator", is hereby appointed to administer and implement the provisions of this ordinance. In instances where the Floodplain Administrator receives assistance from others to complete tasks to administer and implement this ordinance, the Floodplain Administrator shall be responsible for the coordination and community's overall compliance with the National Flood Insurance Program and the provisions of this ordinance.

SECTION B. FLOODPLAIN DEVELOPMENT APPLICATION, PERMIT AND CERTIFICATION REQUIREMENTS.

- (1) **Application Requirements.** Application for a Floodplain Development Permit shall be made to the Floodplain Administrator prior to any development activities located within Special Flood Hazard Areas. The following items shall be presented to the Floodplain Administrator to apply for a floodplain development permit:
 - (a) A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development:
 - (i) The nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, utility systems, grading/pavement areas, fill materials,

- storage areas, drainage facilities, and other development;
- (ii) The boundary of the Special Flood Hazard Area as delineated on the FIRM or other flood map as determined in Article 3, Section B, or a statement that the entire lot is within the Special Flood Hazard Area;
 - (iii) Flood zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined in Article 3, Section B;
 - (iv) The boundary of the floodway(s) or non-encroachment area(s) as determined in Article 3, Section B;
 - (v) The Base Flood Elevation (BFE) where provided as set forth in Article 3, Section B; Article 4, Section C; or Article 5, Section D;
 - (vi) The old and new location of any watercourse that will be altered or relocated as a result of proposed development; and
 - (vii) The certification of the plot plan by a registered land surveyor or professional engineer. Projects under one-hundred-fifty (150) square feet or \$3,000 and not in a floodway or non-encroachment zone, are exempt from this provision.
- (b) Proposed elevation, and method thereof, of all development within a Special Flood Hazard Area including but not limited to:
- (i) Elevation in relation to NAVD 1988 of the proposed reference level (including basement) of all structures;
 - (ii) Elevation in relation to NAVD 1988 to which any non-residential structure in Zones A, AE, AH, AO, A99 will be floodproofed; and
 - (iii) Elevation in relation to NAVD 1988 to which any proposed utility systems will be elevated or floodproofed.
- (c) If floodproofing, a Floodproofing Certificate (FEMA Form 086-0-34) with supporting data, an operational plan, and an inspection and maintenance plan that include, but are not limited to, installation, exercise, and maintenance of floodproofing measures.
- (d) A Foundation Plan, drawn to scale, which shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include but are not limited to:
- (i) The proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/posts/piers/piles/shear walls); and
 - (ii) Openings to facilitate automatic equalization of hydrostatic flood forces on walls in accordance with Article 5, Section B(4)(d) when solid foundation perimeter walls are used in Zones A, AE, AH, AO, A99.
- (e) Usage details of any enclosed areas below the lowest floor.
- (f) Plans and/or details for the protection of public utilities and facilities such as sewer, gas,

electrical, and water systems to be located and constructed to minimize flood damage.

- (g) Certification that all other Local, State and Federal permits required prior to floodplain development permit issuance have been received.
- (h) Documentation for placement of Recreational Vehicles and/or Temporary Structures, when applicable, to ensure that the provisions of Article 5, Section B, subsections (6) and (7) of this ordinance are met.
- (i) A description of proposed watercourse alteration or relocation, when applicable, including an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map (if not shown on plot plan) showing the location of the proposed watercourse alteration or relocation.

(2) **Permit Requirements.** The Floodplain Development Permit shall include, but not be limited to:

- (a) A complete description of all the development to be permitted under the floodplain development permit (e.g. house, garage, pool, septic, bulkhead, cabana, pier, bridge, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials, etc.).
- (b) The Special Flood Hazard Area determination for the proposed development in accordance with available data specified in Article 3, Section B.
- (c) The Regulatory Flood Protection Elevation required for the reference level and all attendant utilities.
- (d) The Regulatory Flood Protection Elevation required for the protection of all public utilities.
- (e) All certification submittal requirements with timelines.
- (f) A statement that no fill material or other development shall encroach into the floodway or non-encroachment area of any watercourse unless the requirements of Article 5, Section F have been met.
- (g) The flood openings requirements.
- (h) Limitations of below BFE enclosure uses (if applicable). (i.e., parking, building access and limited storage only).
- (i) A statement, that all materials below BFE/RFPE must be flood resistant materials.

(3) **Certification Requirements.**

- (a) Elevation Certificates
 - (i) An Elevation Certificate (FEMA Form 086-0-33) is required after the reference level is established. Within seven (7) calendar days of establishment of the reference level elevation, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the reference level, in relation to NAVD 1988. Any work done within the seven (7) day calendar period and prior to submission of the certification

shall be at the permit holder's risk. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being permitted to proceed. Failure to submit the certification or failure to make required corrections shall be cause to issue a stop-work order for the project.

- (ii) A final Finished Construction Elevation Certificate (FEMA Form 086-0-33) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy. The Finished Construction Elevation Certificate certifier shall provide at least 2 photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided in Section A. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least 2 additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" x 3". Digital photographs are acceptable.

(b) Floodproofing Certificate

- (i) If non-residential floodproofing is used to meet the Regulatory Flood Protection Elevation requirements, a Floodproofing Certificate (FEMA Form 086-0-34), with supporting data, an operational plan, and an inspection and maintenance plan are required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the floodproofed design elevation of the reference level and all attendant utilities, in relation to NAVD 1988. Floodproofing certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The Floodplain Administrator shall review the certificate data, the operational plan, and the inspection and maintenance plan. Deficiencies detected by such review shall be corrected by the applicant prior to permit approval. Failure to submit the certification or failure to make required corrections shall be cause to deny a Floodplain Development Permit. Failure to construct in accordance with the certified design shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.
- (ii) A final Finished Construction Floodproofing Certificate (FEMA Form 086-0-34), with supporting data, an operational plan, and an inspection and maintenance plan are required prior to the issuance of a Certificate of Compliance/Occupancy. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the floodproofed design elevation of the reference level and all attendant utilities, in relation to NAVD 1988. Floodproofing certificate shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The Floodplain Administrator shall review the certificate data, the operational plan, and the inspection

and maintenance plan. Deficiencies detected by such review shall be corrected by the applicant prior to Certificate of Occupancy. Failure to submit the certification or failure to make required corrections shall be cause to deny a Floodplain Development Permit. Failure to construct in accordance with the certified design shall be cause to deny a Certificate of Compliance/Occupancy.

- (c) If a manufactured home is placed within Zones A, AE, AH, AO, A99 and the elevation of the chassis is more than 36 inches in height above grade, an engineered foundation certification is required in accordance with the provisions of Article 5, Section B(3)(b).
- (d) If a watercourse is to be altered or relocated, a description of the extent of watercourse alteration or relocation; a professional engineer's certified report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map showing the location of the proposed watercourse alteration or relocation shall all be submitted by the permit applicant prior to issuance of a floodplain development permit.
- (e) Certification Exemptions. The following structures, if located within Zones A, AE, AH, AO, A99, are exempt from the elevation/floodproofing certification requirements specified in items (a) and (b) of this subsection:
 - (i) Recreational Vehicles meeting requirements of Article 5, Section B(6)(a);
 - (ii) Temporary Structures meeting requirements of Article 5, Section B(7); and
 - (iii) Accessory Structures that are one-hundred-fifty (150) square feet or less or \$3,000 or less and meeting requirements of Article 5, Section B(8).

(4) **Determinations for existing buildings and structures.**

For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:

- (a) Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
- (b) Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
- (c) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and
- (d) Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction

requirements of the NC Building Code and this ordinance is required.

SECTION C. DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR.

The Floodplain Administrator shall perform, but not be limited to, the following duties:

- (1) Review all floodplain development applications and issue permits for all proposed development within Special Flood Hazard Areas to assure that the requirements of this ordinance have been satisfied.
- (2) Review all proposed development within Special Flood Hazard Areas to assure that all necessary local, state and federal permits have been received, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
- (3) Notify adjacent communities and the North Carolina Department of Public Safety, Division of Emergency Management, State Coordinator for the National Flood Insurance Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA).
- (4) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is maintained.
- (5) Prevent encroachments into floodways and non-encroachment areas unless the certification and flood hazard reduction provisions of Article 5, Section F are met.
- (6) Obtain actual elevation (in relation to NAVD 1988) of the reference level (including basement) and all attendant utilities of all new and substantially improved structures, in accordance with the provisions of Article 4, Section B(3).
- (7) Obtain actual elevation (in relation to NAVD 1988) to which all new and substantially improved structures and utilities have been floodproofed, in accordance with the provisions of Article 4, Section B(3).
- (8) Obtain actual elevation (in relation to NAVD 1988) of all public utilities in accordance with the provisions of Article 4, Section B(3).
- (9) When floodproofing is utilized for a particular structure, obtain certifications from a registered professional engineer or architect in accordance with the provisions of Article 4, Section B(3) and Article 5, Section B(2).
- (10) Where interpretation is needed as to the exact location of boundaries of the Special Flood Hazard Areas, floodways, or non-encroachment areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.
- (11) When BFE data has not been provided in accordance with the provisions of Article 3, Section B, obtain, review, and reasonably utilize any BFE data, along with floodway data or non-encroachment area data available from a federal, state, or other source, including data developed pursuant to Article 5, Section D(2)(c), in order to administer the provisions of this ordinance.
- (12) When BFE data is provided but no floodway or non-encroachment area data has been provided in

accordance with the provisions of Article 3, Section B, obtain, review, and reasonably utilize any floodway data or non-encroachment area data available from a federal, state, or other source in order to administer the provisions of this ordinance.

- (13) Permanently maintain all records that pertain to the administration of this ordinance and make these records available for public inspection, recognizing that such information may be subject to the Privacy Act of 1974, as amended.
- (14) Make on-site inspections of work in progress. As the work pursuant to a floodplain development permit progresses, the Floodplain Administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the Floodplain Administrator has a right, upon presentation of proper credentials, to enter on any premises within the jurisdiction of the community at any reasonable hour for the purposes of inspection or other enforcement action.
- (15) Issue stop-work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the Floodplain Administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing or in charge of the work. The stop-work order shall state the specific work to be stopped, the specific reason(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.
- (16) Revoke floodplain development permits as required. The Floodplain Administrator may revoke and require the return of the floodplain development permit by notifying the permit holder in writing stating the reason(s) for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, and specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable State or local law may also be revoked.
- (17) Make periodic inspections throughout the Special Flood Hazard Areas within the jurisdiction of the community. The Floodplain Administrator and each member of his or her inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.
- (18) Follow through with corrective procedures of Article 4, Section D.
- (19) Review, provide input, and make recommendations for variance requests.
- (20) Maintain a current map repository to include, but not limited to, historical and effective FIS Report, historical and effective FIRM and other official flood maps and studies adopted in accordance with the provisions of Article 3, Section B of this ordinance, including any revisions thereto including Letters of Map Change, issued by FEMA. Notify State and FEMA of mapping needs.
- (21) Coordinate revisions to FIS reports and FIRMs, including Letters of Map Revision Based on Fill (LOMR-Fs) and Letters of Map Revision (LOMRs).
- (22) When the lowest floor and the lowest adjacent grade of a structure or the lowest ground elevation of a parcel in a Special Flood Hazard Area is above the BFE, advise the property owner of the option to apply for a Letter of Map Amendment (LOMA) from FEMA. Maintain a copy of the LOMA issued by

FEMA in the floodplain development permit file.

SECTION D. CORRECTIVE PROCEDURES.

- (1) Violations to be corrected: When the Floodplain Administrator finds violations of applicable state and local laws; it shall be his or her duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law cited in such notification.
- (2) Actions in Event of Failure to Take Corrective Action: If the owner of a building or property shall fail to take prompt corrective action, the Floodplain Administrator shall give the owner written notice, by certified or registered mail to the owner's last known address or by personal service, stating:
 - (a) That the building or property is in violation of the floodplain management regulations;
 - (b) That a hearing will be held before the Floodplain Administrator at a designated place and time, not later than ten (10) days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
 - (c) That following the hearing, the Floodplain Administrator may issue an order to alter, vacate, or demolish the building; or to remove fill as applicable.
- (3) Order to Take Corrective Action: If, upon a hearing held pursuant to the notice prescribed above, the Floodplain Administrator shall find that the building or development is in violation of the Flood Damage Prevention Ordinance, he or she shall issue an order in writing to the owner, requiring the owner to remedy the violation within a specified time period, not less than sixty (60) calendar days, nor more than least One-hundred-eighty (180) calendar days. Where the Floodplain Administrator finds that there is imminent danger to life or other property, he or she may order that corrective action be taken in such lesser period as may be feasible.
- (4) Appeal: Any owner who has received an order to take corrective action may appeal the order to the local elected governing body by giving notice of appeal in writing to the Floodplain Administrator and the clerk within ten (10) days following issuance of the final order. In the absence of an appeal, the order of the Floodplain Administrator shall be final. The local governing body shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.
- (5) Failure to Comply with Order: If the owner of a building or property fails to comply with an order to take corrective action for which no appeal has been made or fails to comply with an order of the governing body following an appeal, the owner shall be guilty of a Class 1 misdemeanor pursuant to NC G.S. § 143-215.58 and shall be punished at the discretion of the court.

SECTION E. VARIANCE PROCEDURES.

- (1) The Board of Adjustment as established by the City of Statesville, hereinafter referred to as the "appeal board", shall hear and decide requests for variances from the requirements of this ordinance.
- (2) Any person aggrieved by the decision of the appeal board may appeal such decision to the Court, as provided in Chapter 7A of the North Carolina General Statutes.

- (3) Variances may be issued for:
- (a) The repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and that the variance is the minimum necessary to preserve the historic character and design of the structure;
 - (b) Functionally dependent facilities if determined to meet the definition as stated in Article 2 of this ordinance, provided provisions of Article 4, Section E(9)(b), (c), and (e) have been satisfied, and such facilities are protected by methods that minimize flood damages during the base flood and create no additional threats to public safety; or
 - (c) Any other type of development provided it meets the requirements of this Section.
- (4) In passing upon variances, the appeal board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:
- (a) The danger that materials may be swept onto other lands to the injury of others;
 - (b) The danger to life and property due to flooding or erosion damage;
 - (c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (d) The importance of the services provided by the proposed facility to the community;
 - (e) The necessity to the facility of a waterfront location as defined under Article 2 of this ordinance as a functionally dependent facility, where applicable;
 - (f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - (g) The compatibility of the proposed use with existing and anticipated development;
 - (h) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - (i) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (j) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
 - (k) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.
- (5) A written report addressing each of the above factors shall be submitted with the application for a variance.
- (6) Upon consideration of the factors listed above and the purposes of this ordinance, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purposes

and objectives of this ordinance.

- (7) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the BFE and the elevation to which the structure is to be built and that such construction below the BFE increases risks to life and property, and that the issuance of a variance to construct a structure below the BFE may result in increased premium rates for flood insurance up to \$25 per \$100 of insurance coverage. Such notification shall be maintained with a record of all variance actions, including justification for their issuance.
- (8) The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the FEMA and the State of North Carolina upon request.
- (9) Conditions for Variances:
 - (a) Variances shall not be issued when the variance will make the structure in violation of other federal, state, or local laws, regulations, or ordinances.
 - (b) Variances shall not be issued within any designated floodway or non-encroachment area if the variance would result in any increase in flood levels during the base flood discharge.
 - (c) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - (d) Variances shall only be issued prior to development permit approval.
 - (e) Variances shall only be issued upon:
 - (i) A showing of good and sufficient cause;
 - (ii) A determination that failure to grant the variance would result in exceptional hardship; and
 - (iii) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- (10) A variance may be issued for solid waste disposal facilities or sites, hazardous waste management facilities, salvage yards, and chemical storage facilities that are located in Special Flood Hazard Areas provided that all of the following conditions are met.
 - (a) The use serves a critical need in the community.
 - (b) No feasible location exists for the use outside the Special Flood Hazard Area.
 - (c) The reference level of any structure is elevated or floodproofed to at least the Regulatory Flood Protection Elevation.
 - (d) The use complies with all other applicable federal, state and local laws.
 - (e) The City of Statesville has notified the Secretary of the North Carolina Department of Public Safety of its intention to grant a variance at least thirty (30) calendar days prior to granting the

variance.

ARTICLE 5. PROVISIONS FOR FLOOD HAZARD REDUCTION.

SECTION A. GENERAL STANDARDS.

In all Special Flood Hazard Areas, the following provisions are required:

- (1) All new construction and substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, and lateral movement of the structure.
- (2) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage in accordance with the FEMA Technical Bulletin 2, *Flood Damage-Resistant Materials Requirements*.
- (3) All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damages.
- (4) All new electrical, heating, ventilation, air-conditioning, plumbing, duct systems, and other building utility systems, equipment, and service facilities must be located at or above the Regulatory Flood Protection Elevation (RFPE) and/or specially designed to prevent water from entering or accumulating within the components and installed to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding to the design flood elevation. Utility systems, equipment, and service facilities include, but are not limited to, HVAC equipment, water softener units, bath/kitchen plumbing fixtures, ductwork, electric/gas meter panels/boxes, utility/cable boxes, water heaters, fuel tanks, and electric outlets/switches.
 - (a) Replacements part of a substantial improvement must also meet the above provisions.
 - (b) Replacements that are for maintenance and not part of a substantial improvement, may be installed at the original location provided the addition and/or improvements comply with the standards for new construction consistent with the code and requirements for the original structure.
- (5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into flood waters.
- (7) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (8) Nothing in this ordinance shall prevent the repair, reconstruction, or replacement of a building or structure existing on the effective date of this ordinance and located totally or partially within the floodway, non-encroachment area, or stream setback, provided there is no additional encroachment below the Regulatory Flood Protection Elevation in the floodway, non-encroachment area, or stream setback, and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance.
- (9) New solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards,

and chemical storage facilities shall not be permitted, except by variance as specified in Article 4, Section E(10). A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a Special Flood Hazard Area only if the structure or tank is either elevated or floodproofed to at least the Regulatory Flood Protection Elevation and certified in accordance with the provisions of Article 4, Section B(3).

- (10) All subdivision proposals and other development proposals shall be consistent with the need to minimize flood damage.
- (11) All subdivision proposals and other development proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- (12) All subdivision proposals and other development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- (13) All subdivision proposals and other development proposals shall have received all necessary permits from those governmental agencies for which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
- (14) When a structure is partially located in a Special Flood Hazard Area, the entire structure shall meet the requirements for new construction and substantial improvements.
- (15) When a structure is located in a flood hazard risk zone with multiple base flood elevations, the provisions for the more restrictive flood hazard risk zone and the highest BFE shall apply.
- (16) Buildings and structures that are located in more than one flood hazard area shall comply with the provisions associated with the most restrictive flood hazard area.
- (17) Fill is prohibited in the SFHA, including construction of buildings on fill. This includes not approving Conditional Letters or Letters of Map Revision - Based on Fill (CLOMR-F or LOMR-F) for new development. The following are exempt from this provision:
 - (a) Road and driveway construction, greenway construction;
 - (b) Utility infrastructure (to include but not limited to power, water, sewer, stormwater and communication);
 - (c) Minor filling where needed to protect or restore natural floodplain functions, such as part of a stream channel restoration project. To meet this exclusion, the project must utilize only the minimum amount of fill necessary to ensure that the targeted area is restored to full ecological functionality.

SECTION B. SPECIFIC STANDARDS.

In all Special Flood Hazard Areas where BFE data has been provided, as set forth in Article 3, Section B, or Article 5, Section D, the following provisions, in addition to the provisions of Article 5, Section A, are required:

- (1) Residential Construction. New construction and substantial improvement of any residential structure (including manufactured homes) shall have the reference level, including basement, elevated no lower than the Regulatory Flood Protection Elevation (RFPE), as defined in Article 2 of this ordinance.
- (2) Non-Residential Construction. New construction and substantial improvement of any commercial,

industrial, or other non-residential structure shall have the reference level, including basement, elevated no lower than the Regulatory Flood Protection Elevation, as defined in Article 2 of this ordinance. Structures located in Zones A, AE, AH, AO, A99 may be floodproofed to the Regulatory Flood Protection Elevation (RFPE) in lieu of elevation provided that all areas of the structure, together with attendant utility and sanitary facilities, below the Regulatory Flood Protection Elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. For AO Zones, the floodproofing elevation shall be in accordance with Article 5, Section G(2). A registered professional engineer or architect shall certify that the floodproofing standards of this subsection are satisfied. Such certification shall be provided to the Floodplain Administrator as set forth in Article 4, Section B(3), along with the operational plan and the inspection and maintenance plan.

(3) Manufactured Homes.

- (a) New and replacement manufactured homes shall be elevated so that the reference level of the manufactured home is no lower than the Regulatory Flood Protection Elevation (RFPE), as defined in Article 2 of this ordinance.
- (b) Manufactured homes shall be securely anchored to an adequately anchored foundation to resist flotation, collapse, and lateral movement, either by certified engineered foundation system, or in accordance with the most current edition of the State of North Carolina Regulations for Manufactured Homes adopted by the Commissioner of Insurance pursuant to NCGS 143-143.15. Additionally, when the elevation would be met by an elevation of the chassis thirty-six (36) inches or less above the grade at the site, the chassis shall be supported by reinforced piers or engineered foundation. When the elevation of the chassis is above thirty-six (36) inches in height, an engineering certification is required.
- (c) All enclosures or skirting below the lowest floor shall meet the requirements of Article 5, Section B(4).
- (d) An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood prone areas. This plan shall be filed with and approved by the Floodplain Administrator and the local Emergency Management Coordinator.

(4) Elevated Buildings. Fully enclosed area, of new construction and substantially improved structures, which is below the lowest floor:

- (a) Shall not be designed or used for human habitation, but shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator). The interior portion of such enclosed area shall not be finished or partitioned into separate rooms, except to enclose storage areas;
- (b) Shall not be temperature-controlled or conditioned;
- (c) Shall be constructed entirely of flood resistant materials at least to the Regulatory Flood Protection Elevation; and
- (d) Shall include flood openings to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must

either be certified by a professional engineer or architect or meet or exceed the following minimum design criteria:

- (i) A minimum of two flood openings on different sides of each enclosed area subject to flooding;
- (ii) The total net area of all flood openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding;
- (iii) If a building has more than one enclosed area, each enclosed area must have flood openings to allow floodwaters to automatically enter and exit;
- (iv) The bottom of all required flood openings shall be no higher than one (1) foot above the higher of the interior or exterior adjacent grade;
- (v) Flood openings may be equipped with screens, louvers, or other coverings or devices, provided they permit the automatic flow of floodwaters in both directions; and
- (vi) Enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require flood openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires flood openings as outlined above.

(d) Fill/Grading

Fill is prohibited in the SFHA, including construction of buildings on fill. This includes not approving Conditional Letters or Letters of Map Revision - Based on Fill (CLOMR-F or LOMR-F) for new development. The following are exempt from this provision:

- (i) Road and driveway construction, greenway construction;
- (ii) Utility infrastructure (to include but not limited to power, water, sewer, stormwater, and communication);
- (iii) Minor filling where needed to protect or restore natural floodplain functions, such as part of a stream channel restoration project. To meet this exclusion, the project must utilize only the minimum amount of fill necessary to ensure that the targeted area is restored to full ecological functionality.

(5) Additions/Improvements.

- (a) Additions and/or improvements to pre-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are:
 - (i) Not a substantial improvement, the addition and/or improvements must be designed to minimize flood damages.
 - (ii) A substantial improvement, with modifications/rehabilitations/improvements to the existing structure or the common wall is structurally modified more than installing a doorway, both the existing structure and the addition must comply with the standards for new construction.
- (b) Additions to pre-FIRM or post-FIRM structures that are a substantial improvement with no modifications/rehabilitations/improvements to the existing structure other than a standard door in the common wall, shall require only the addition to comply with the standards for new

construction.

(c) Additions and/or improvements to post-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are:

(i) Not a substantial improvement, the addition and/or improvements only must comply with the standards for new construction consistent with the code and requirements for the original structure.

(ii) A substantial improvement, both the existing structure and the addition and/or improvements must comply with the standards for new construction.

(d) Any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking place during a One (1) year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started must comply with the standards for new construction. For each building or structure, the One (1) year period begins on the date of the first improvement or repair of that building or structure subsequent to the effective date of this ordinance. Substantial damage also means flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The requirement does not, however, include either:

(i) Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assume safe living conditions.

(ii) Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

(6) Recreational Vehicles. Recreational vehicles shall either:

(a) Temporary Placement

(i) Be on site for fewer than 180 consecutive days; or

(ii) Be fully licensed and ready for highway use. (A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and has no permanently attached additions.)

(b) Permanent Placement. Recreational vehicles that do not meet the limitations of Temporary Placement shall meet all the requirements for new construction.

(7) Temporary Non-Residential Structures. Prior to the issuance of a floodplain development permit for a temporary structure, the applicant must submit to the Floodplain Administrator a plan for the removal of such structure(s) in the event of a hurricane, flash flood or other type of flood warning notification. The following information shall be submitted in writing to the Floodplain Administrator for review and written approval:

(a) A specified time period for which the temporary use will be permitted. Time specified may not

exceed three (3) months, renewable up to one (1) year;

- (b) The name, address, and phone number of the individual responsible for the removal of the temporary structure;
 - (c) The time frame prior to the event at which a structure will be removed (i.e., minimum of 72 hours before landfall of a hurricane or immediately upon flood warning notification);
 - (d) A copy of the contract or other suitable instrument with the entity responsible for physical removal of the structure; and
 - (e) Designation, accompanied by documentation, of a location outside the Special Flood Hazard Area, to which the temporary structure will be moved.
- (8) Accessory Structures. When accessory structures (sheds, detached garages, etc.) are to be placed within a Special Flood Hazard Area, the following criteria shall be met:
- (a) Accessory structures shall not be used for human habitation (including working, sleeping, living, cooking or restroom areas);
 - (b) Accessory structures shall not be temperature-controlled;
 - (c) Accessory structures shall be designed to have low flood damage potential;
 - (d) Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
 - (e) Accessory structures shall be firmly anchored in accordance with the provisions of Article 5, Section A(1);
 - (f) All service facilities such as electrical shall be installed in accordance with the provisions of Article 5, Section A(4); and
 - (g) Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below Regulatory Flood Protection Elevation in conformance with the provisions of Article 5, Section B(4)(d).

An accessory structure with a footprint less than One-hundred-fifty (150) square feet or that is a minimal investment of \$3,000 or less and satisfies the criteria outlined above is not required to meet the elevation or floodproofing standards of Article 5, Section B (2). Elevation or floodproofing certifications are required for all other accessory structures in accordance with Article 4, Section B(3).

- (9) Tanks. When gas and liquid storage tanks are to be placed within a Special Flood Hazard Area, the following criteria shall be met:
- (a) Underground tanks. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty;
 - (b) Above-ground tanks, elevated. Above-ground tanks in flood hazard areas shall be elevated to or above the Regulatory Flood Protection Elevation on a supporting structure that is designed

to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area;

- (c) Above-ground tanks, not elevated. Above-ground tanks that do not meet the elevation requirements of Article 5, Section B (2) of this ordinance shall be permitted in flood hazard areas provided the tanks are designed, constructed, installed, and anchored to resist all flood-related and other loads, including the effects of buoyancy, during conditions of the design flood and without release of contents in the floodwaters or infiltration by floodwaters into the tanks. Tanks shall be designed, constructed, installed, and anchored to resist the potential buoyant and other flood forces acting on an empty tank during design flood conditions.
- (d) Tank inlets and vents. Tank inlets, fill openings, outlets and vents shall be:
 - (i) At or above the Regulatory Flood Protection Elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
 - (ii) Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

(10) Other Development.

- (a) Fences in regulated floodways and NEAs that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Article 5, Section F of this ordinance.
- (b) Retaining walls, sidewalks and driveways in regulated floodways and NEAs. Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Article 5, Section F of this ordinance.
- (c) Roads and watercourse crossings in regulated floodways and NEAs. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of Article 5, Section F of this ordinance.
- (d) Commercial storage facilities are not considered “limited storage” as noted in this ordinance, and shall be protected to the Regulatory Flood Protection Elevation as required for commercial structures.

SECTION C. RESERVED.

SECTION D. STANDARDS FOR FLOODPLAINS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS.

Within the Special Flood Hazard Areas designated as Approximate Zone A and established in Article 3, Section B, where no BFE data has been provided by FEMA, the following provisions, in addition to the provisions of Article 5, Section A, shall apply:

- (1) No encroachments, including fill, new construction, substantial improvements or new development shall be permitted within a distance of twenty (20) feet each side from top of bank or five times the

width of the stream, whichever is greater, unless certification with supporting technical data by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

- (2) The BFE used in determining the Regulatory Flood Protection Elevation shall be determined based on the following criteria:
 - (a) When BFE data is available from other sources, all new construction and substantial improvements within such areas shall also comply with all applicable provisions of this ordinance and shall be elevated or floodproofed in accordance with standards in Article 5, Sections A and B.
 - (b) When floodway or non-encroachment data is available from a Federal, State, or other source, all new construction and substantial improvements within floodway and non-encroachment areas shall also comply with the requirements of Article 5, Sections B and F.
 - (c) All subdivision, manufactured home park and other development proposals shall provide BFE data if development is greater than five (5) acres or has more than fifty (50) lots/manufactured home sites. Such BFE data shall be adopted by reference in accordance with Article 3, Section B and utilized in implementing this ordinance.
 - (d) When BFE data is not available from a Federal, State, or other source as outlined above, the reference level shall be elevated or floodproofed (nonresidential) to or above the Regulatory Flood Protection Elevation, as defined in Article 2. All other applicable provisions of Article 5, Section B shall also apply.

SECTION E. STANDARDS FOR RIVERINE FLOODPLAINS WITH BASE FLOOD ELEVATIONS BUT WITHOUT ESTABLISHED FLOODWAYS OR NON-ENCROACHMENT AREAS.

Along rivers and streams where BFE data is provided by FEMA or is available from another source but neither floodway nor non-encroachment areas are identified for a Special Flood Hazard Area on the FIRM or in the FIS report, the following requirements shall apply to all development within such areas:

- (1) Standards of Article 5, Sections A and B; and
- (2) Until a regulatory floodway or non-encroachment area is designated, no encroachments, including fill, new construction, substantial improvements, or other development, shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point.

SECTION F. FLOODWAYS AND NON-ENCROACHMENT AREAS.

Areas designated as floodways or non-encroachment areas are located within the Special Flood Hazard Areas established in Article 3, Section B. The floodways and non-encroachment areas are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and

potential projectiles. The following provisions, in addition to standards outlined in Article 5, Sections A and B, shall apply to all development within such areas:

- (1) No encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless:
 - (a) It is demonstrated that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood discharge, based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice and presented to the Floodplain Administrator prior to issuance of floodplain development permit; or
 - (b) A Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must also be obtained within six months of completion of the proposed encroachment.
- (2) If Article 5, Section F(1) is satisfied, all development shall comply with all applicable flood hazard reduction provisions of this ordinance.
- (3) Manufactured homes may be permitted provided the following provisions are met:
 - (a) The anchoring and the elevation standards of Article 5, Section B(3); and
 - (b) The encroachment standards of Article 5, Section F(1).

SECTION G. STANDARDS FOR AREAS OF SHALLOW FLOODING (ZONE AO).

Located within the Special Flood Hazard Areas established in Article 3, Section B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to Article 5, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

- (1) The reference level shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of four (4) feet, above the highest adjacent grade; or at least four (4) feet above the highest adjacent grade if no depth number is specified.
- (2) Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in Article 5, Section G (1) so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required in accordance with Article 4, Section B(3) and Article 5, Section B(2).
- (3) Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

SECTION H. STANDARDS FOR AREAS OF SHALLOW FLOODING (ZONE AH).

Located within the Special Flood Hazard Areas established in Article 3, Section B, are areas designated as shallow flooding areas. These areas are subject to inundation by 1-percent-annual-chance shallow

flooding (usually areas of ponding) where average depths are one (1) to three (3) feet. Base Flood Elevations are derived from detailed hydraulic analyses are shown in this zone. In addition to Article 5, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

- (1) Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

ARTICLE 6. LEGAL STATUS PROVISIONS.

SECTION A. EFFECT ON RIGHTS AND LIABILITIES UNDER THE EXISTING FLOOD DAMAGE PREVENTION ORDINANCE.

This ordinance in part comes forward by re-enactment of some of the provisions of the Flood Damage Prevention Ordinance enacted September 17, 1979, as amended, and it is not the intention to repeal but rather to re-enact and continue to enforce without interruption of such existing provisions, so that all rights and liabilities that have accrued thereunder are reserved and may be enforced. The enactment of this ordinance shall not affect any action, suit or proceeding instituted or pending. All provisions of the Flood Damage Prevention Ordinance of the City of Statesville enacted on September 17, 1979, as amended, which are not reenacted herein are repealed.

The date of the initial Flood Damage Prevention Ordinance for Iredell County is April 7, 1987.

SECTION B. EFFECT UPON OUTSTANDING FLOODPLAIN DEVELOPMENT PERMITS.

Nothing herein contained shall require any change in the plans, construction, size, or designated use of any development or any part thereof for which a floodplain development permit has been granted by the Floodplain Administrator or his or her authorized agents before the time of passage of this ordinance; provided, however, that when construction is not begun under such outstanding permit within a period of six (6) months subsequent to the date of issuance of the outstanding permit, construction or use shall be in conformity with the provisions of this ordinance.

SECTION C. SEVERABILITY.

If any section, clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION D. EFFECTIVE DATE.

This ordinance shall become effective upon adoption.

SECTION E. ADOPTION CERTIFICATION.

WITNESS my hand and the official seal of _____, this the ____ day of _____, 2025.

June 2025

City of Statesville Flood Damage Prevention Ordinance

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(signature)

This ordinance was introduced for first reading by Council member _____, seconded by Council member _____, and 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

ATTEST:

Leah Gaines Messick, City Attorney

Emily Kurfees, City Clerk

(Seal)

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Matt Kirkendall, Senior Planner
DATE: 9/4/2025 4:44 PM

ACTION NEEDED ON: September 15, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider passing the second reading of an annexation ordinance AX25-06 2110 E. Greenbriar Road.

1. Summary of Information:

This property is approximately 1.556 acres located at 2110 E Greenbriar Road. This parcel is located within the City's ETJ and is adjacent to the City Limits. This parcel is zoned RA (Residential Agricultural) Zoning District and rezoning is not required. The applicant requests voluntary annexation to utilize City water.

2. Previous Council or Relevant Actions:

City Council held the public hearing on August 18, and no members from the public came to speak. The first reading passed unanimously.

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

The property is in the Tier 1 Growth Area of the 2045 LDP and is adjacent to the city limits.

4. Budget/Funding Implications:

The current tax value of the parcel is \$158,640. City of Statesville water is available.

5. Consequences for Not Acting:

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

6. Department Recommendation:

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

7. Manager Comments:

Recommend passing the second reading.

8. Next Steps:

If passed, the annexation would be effective on September 30th.

9. Attachments:

1. 2. Ordinance_Annexation_AX25-06 2110 E Greenbriar Road

ORDINANCE NO. _____

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

**Case No. AX25-06 2110 E Greenbriar Road
Parcel # 4754-21-4533**

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 18th day of August 2025 after due notice by publication on the 7th day of August 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 September 30, 2025, at 11:59 p.m.

Description

BEGINNING at an iron pin located in the southern line of the Rainey Patterson Heirs property as set out in deed recorded in Book 335, at Page 252, Iredell County Registry, said iron pin also being the northeast corner of Ernest Waddell Heirs property as set out in deed recorded in Book 354, at Page 284, Iredell County Registry, and continuing thence with said southern line of Patterson Heirs, North 77° 36' 05" East 124.92 feet to an iron pin, the southeast corner of Dwight F. Martin as set out in deed recorded in Book 298, at Page 443, Iredell County Registry; thence South 10° 28' 15" East 38.66 feet to an iron rod; thence North 79° 50' 05" East 66.30 feet to iron rod; thence South 04° 16' 15" West 348.60 feet to an iron rod located in Sherrill Industrial Park's northern line; thence with Sherrill Industrial Park's northern line, North 88° 02' 55" West 191.92 feet to an iron rod, Kenneth L. Grant's southeast corner thence with Grant's eastern line, North 03° 56' 35" East 341.40 feet to an iron pin, the point and place of Beginning, containing 1.556 acres, more or less, according to a survey by Hildebran Surveying

Co., entitled "Toua D. Khang and wife, Shoua H. Khang, Statesville Outside Township, Iredell County, NC", dated March 2, 1998.

Section 2. Upon and after September 30, 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 18th day of August, 2025.

AYES:

NAYES:

The second and final reading of this ordinance was heard on the 15th day of September 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 30th day of September 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: Matthew Kirkendall, Senior Planner
DATE: 9/4/2025 5:19 PM

ACTION NEEDED ON: September 15, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider passing a resolution directing the City Clerk to investigate a petition of annexation, AX25-05 407 and 417 Central Drive, receive the City Clerk's Certificate of Sufficiency, and consider passing a resolution fixing a date of September 15, 2025, for a public hearing for the petition of annexation

1. Summary of Information:

Mr. Phil Barry, on behalf of the property owner, Palmetto Haven Holdings, is requesting annexation for these two properties. These properties are approximately 1.14 acres located at 407 and 417 Central Drive (see Location Map, Aerial Photo and Site Photo). These parcels are located within the City's ETJ and are adjacent to the City Limits. These parcels are zoned R-20 (Suburban Residential) Zoning District and rezoning is not required. The applicant requests voluntary annexation to utilize City sewer (see current zoning and utilities map).

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

The properties are in the Tier 1 Growth Area of the 2045 Land Development Plan, in the ETJ, and are adjacent to city limits.

4. Budget/Funding Implications:

The current tax value of the parcels is \$12,000, the tax value at full buildout is still to be determined. City of Statesville sewer is available and Statesville Public Power will serve these sites. Water is not available.

5. Consequences for Not Acting:

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

6. Department Recommendation:

The department recommends passing the resolutions and setting a date of October 6, 2025, for a public hearing on this annexation request.

7. Manager Comments:

Concur with the department recommendation.

8. Next Steps:

Advertise for the public hearing.

9. Attachments:

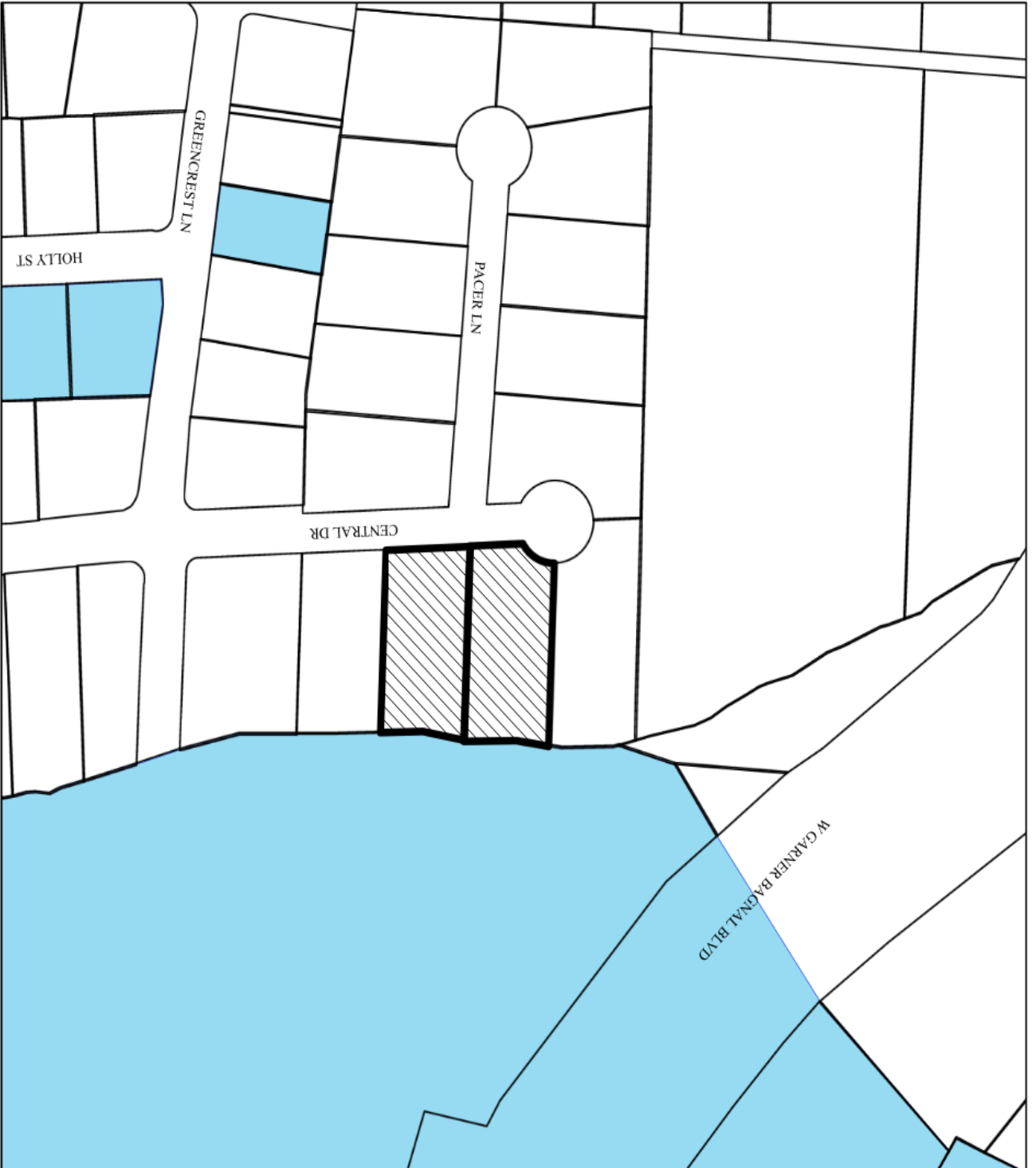
1. Packet Maps AX25-05 407 417 Central Drive
2. Resolution_Clerk Investigation_-Contiguous_AX25-05 407 and 417 Central Drive
3. Certificate of Sufficiency_Annexation_AX25-05 407 and 417 Central Drive
4. Resolution to Set Public Hearing_AX25-05 407 and 417 Central Drive

**City of Statesville
Planning Department**

AX25-05 407 and 417 Central Dr.
4724-76-5654 and 4724-76-5543



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





Aerial Photo – AX25-05 407 and 417 Central Drive



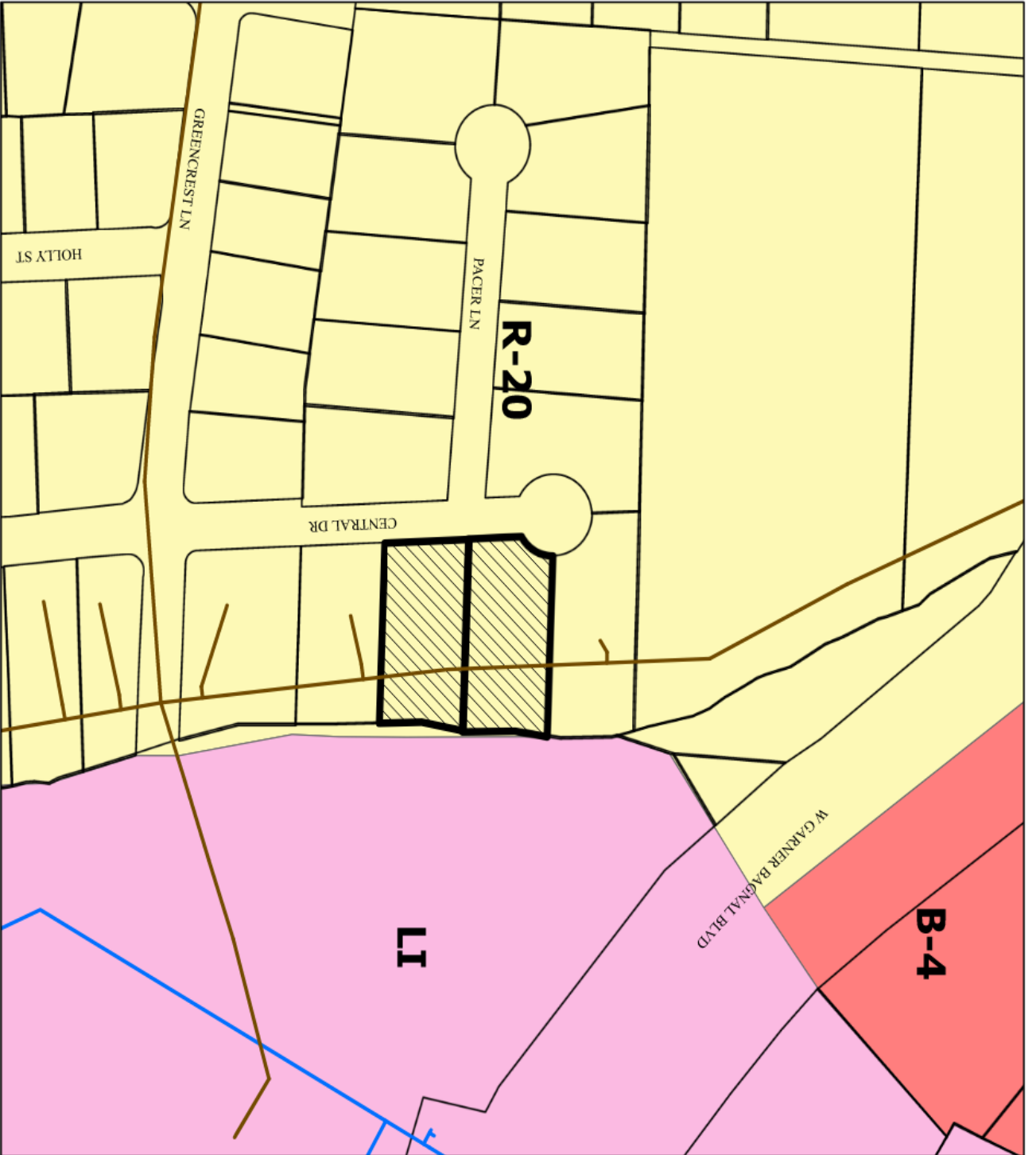
Site Photo – AX25-05 407 and 417 Central Drive

**City of Statesville
Planning Department**

AX25-05 407 and 417 Central Dr.
4724-76-5654 and 4724-76-5543



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



RESOLUTION _____

**A RESOLUTION DIRECTING THE CLERK TO
INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31**

**Case No. AX25-05 407 and 417 Central Drive
Parcel #'s 4724-76-5654 and 4724-76-5543**

WHEREAS, a petition requesting annexation of the area described in said petition has been received on July 11, 2025, by the City Council; and

WHEREAS, G. S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Statesville deems it advisable to proceed and respond to the request for annexation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Statesville:

That the City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the results of her investigation.

Adopted this 15th day of September 2025.

S - E - A - L

CITY OF STATESVILLE

By: _____
Mayor

ATTEST:

City Clerk

CERTIFICATE OF SUFFICIENCY

**Case No. AX25-05 407 and 417 Central Drive
Parcel #'s 4724-76-5654 and 4724-76-5543**

TO THE CITY COUNCIL OF THE CITY OF STATESVILLE, NORTH CAROLINA:

I, Emily Kurfees, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Statesville, this 15th day of September 2025.

SEAL

Emily Kurfees, City Clerk

RESOLUTION _____

**RESOLUTION FIXING THE DATE OF A PUBLIC HEARING ON THE QUESTION OF
ANNEXATION PURSUANT TO G.S. 160A-31**

**Case No. AX25-05 407 and 417 Central Drive
Parcel #'s 4724-76-5654 and 4724-76-5543**

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Statesville, North Carolina

Section 1. That a public hearing on the question of annexation of the contiguous area described herein will be held in the Council Chambers of the Statesville City Hall at 6:00 o'clock p.m. on the 6th day of October 2025.

Section 2. The area proposed for annexation is described as follows:

Lying and being in Statesville outside Township, Iredell County, North Carolina and being all of Lots 10 and 11 Sherrill Estates Phase II recorded in plat book 28 page 47 and being more particularly described as follows:

Beginning at a point located on the eastern right-of-way of Central Drive; point being the common corner of Lot 11 and 12 Sherrill Estates Phase II (recorded in plat book 28 page 47); thence with said right-of-way three (3) calls as follows: 1) N. 01-13-28 W. 110.00' to a point 2) N. 01-13-28 W. 68.56' to a point 3) with a circular curve to the left having a radius of 50.00' and an arc length of 48.63' (chord bearing N. 30-54-15 E. 46.74' to a point; thence with the common line of Lot 9 S. 86-57-24 E. 205.30' to a point; thence with the common line of GCM Holdings LLC property (recorded in deed book 2433 page 2265) three (3) calls as follows: 1) S. 01-39-09 E. 110.06 to a point 2) S. 01-39-09 E. 29.72' to a point 3) S. 05-56-37 W. 80.18' to a point; thence with the common line of Lot 12 N. 86-57-24 W. 221.24' to the Point and Place of Beginning containing 1.13 acres more or less according to a survey by Don Allen & Associates PA dated February 12, 2025.

Section 3. Notice of said public hearing shall be published in the Statesville Record and Landmark, a newspaper having general circulation in the City of Statesville, at least 10 days prior to the date of the public hearing.
Adopted this 15th day of September 2025.

CITY OF STATESVILLE

By: _____
Mayor

ATTEST:

City Clerk

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Matthew Kirkendall, Senior Planner
DATE: 9/8/2025 8:23 AM

ACTION NEEDED ON: September 15, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider passing a resolution directing the City Clerk to investigate a petition of annexation, AX25-08 Compass Data Centers for parcels along Stamey Farm Road and Hickory Hwy, receive the City Clerk's Certificate of Sufficiency, and consider passing a resolution fixing a date of September 15, 2025, for a public hearing for the petition of annexation.

1. Summary of Information:

These properties are approximately 350 acres that are located along Stamey Farm Road and Hickory Highway (see Location Map, Aerial Photo and Site Photo). These parcels are currently requesting rezoning to LI CZ (Light Industrial Conditional Zoning) District, and if approved, will need to be annexed. The applicant requests voluntary annexation to utilize City sewer (see current zoning and utilities map).

2. Previous Council or Relevant Actions:

City Council will hear the public hearing and consider passing the first reading of the conditional rezoning (ZC25-13) on this meeting's agenda, contingent upon annexation (see Concept Plan).

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: N/A

These properties are in the Tier 2 Growth Area and the Airport/ I-40 Focus Area of the 2045 Land Development Plan.

4. Budget/Funding Implications:

The current tax value of the parcels is \$1,120,000. City of Statesville sewer is available, the estimated value at full buildout is \$100,000,000.

5. Consequences for Not Acting:

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

6. Department Recommendation:

The department recommends passing the resolutions to set a date of October 6, 2025, for a public hearing on this annexation request.

7. Manager Comments:

Recommend for approval.

8. Next Steps:

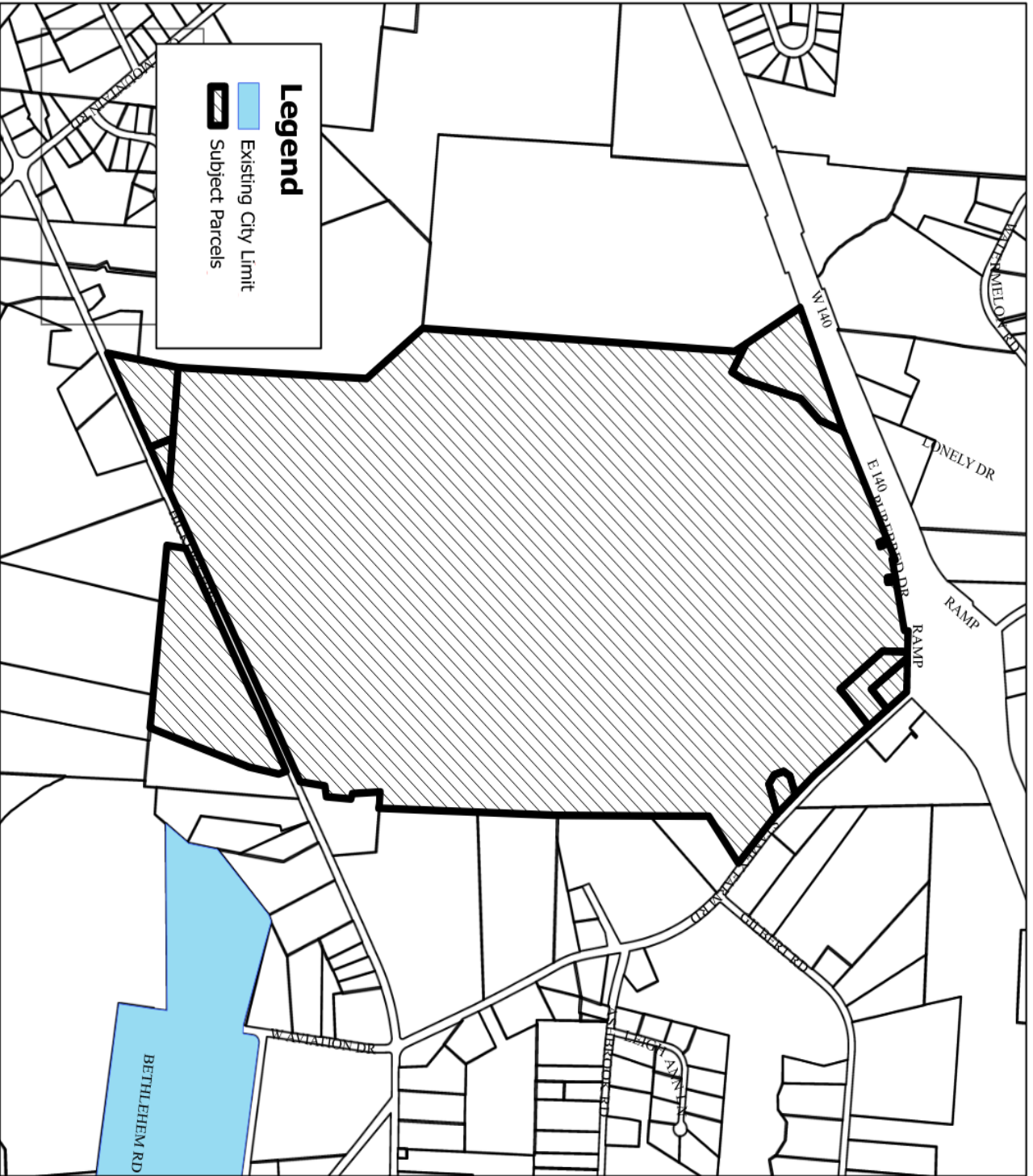
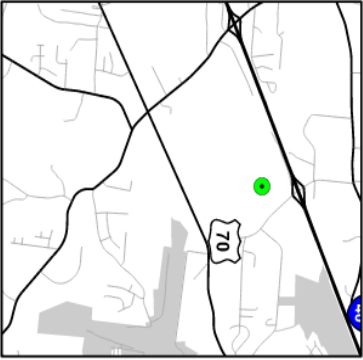
Advertise for the public hearing.

9. Attachments:

1. Packet Maps AX25-08 Compass Data Centers
2. Concept Plan_2025.08.18 Compass Revised
3. Resolution_Clerk Investigation_Non-Contiguous_AX25-08 Compass Data Center
4. Certificate of Sufficiency_Annexation_AX25-08 Compass Data Center
5. Resolution to Set Public Hearing_AX25-08 Compass Data Centers

City of Statesville Planning Department

AX25-08 Compass Data Centers
 Stamey Farm Road
 4713-29-5198, 4713-39-0218,
 4714-23-3766, 4714-53-2608,
 4714-34-8407, 4714-44-4518,
 4714-44-5207, and portion of
 4714-31-8718



Location Map – AX25-08 Compass Data Centers

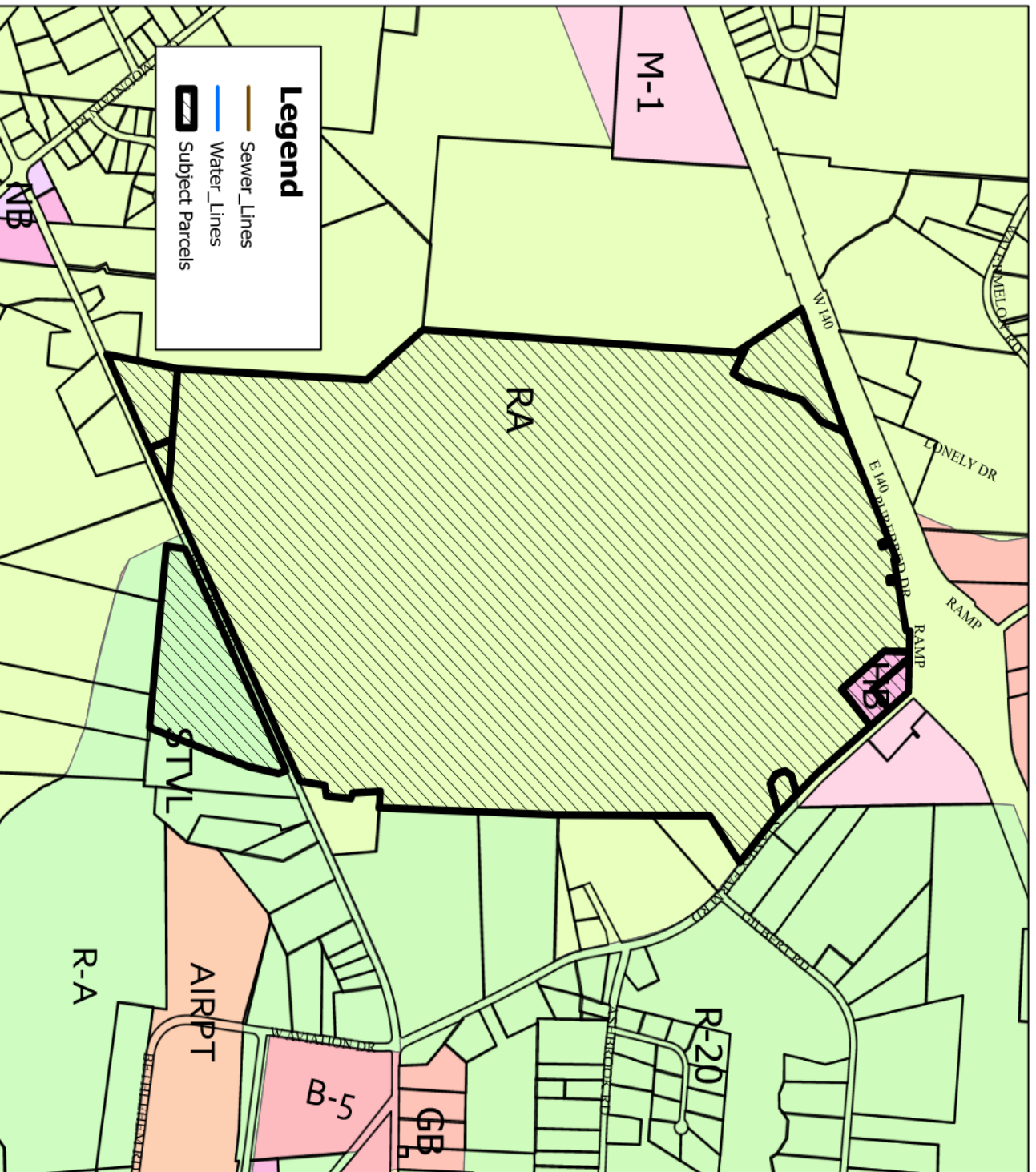


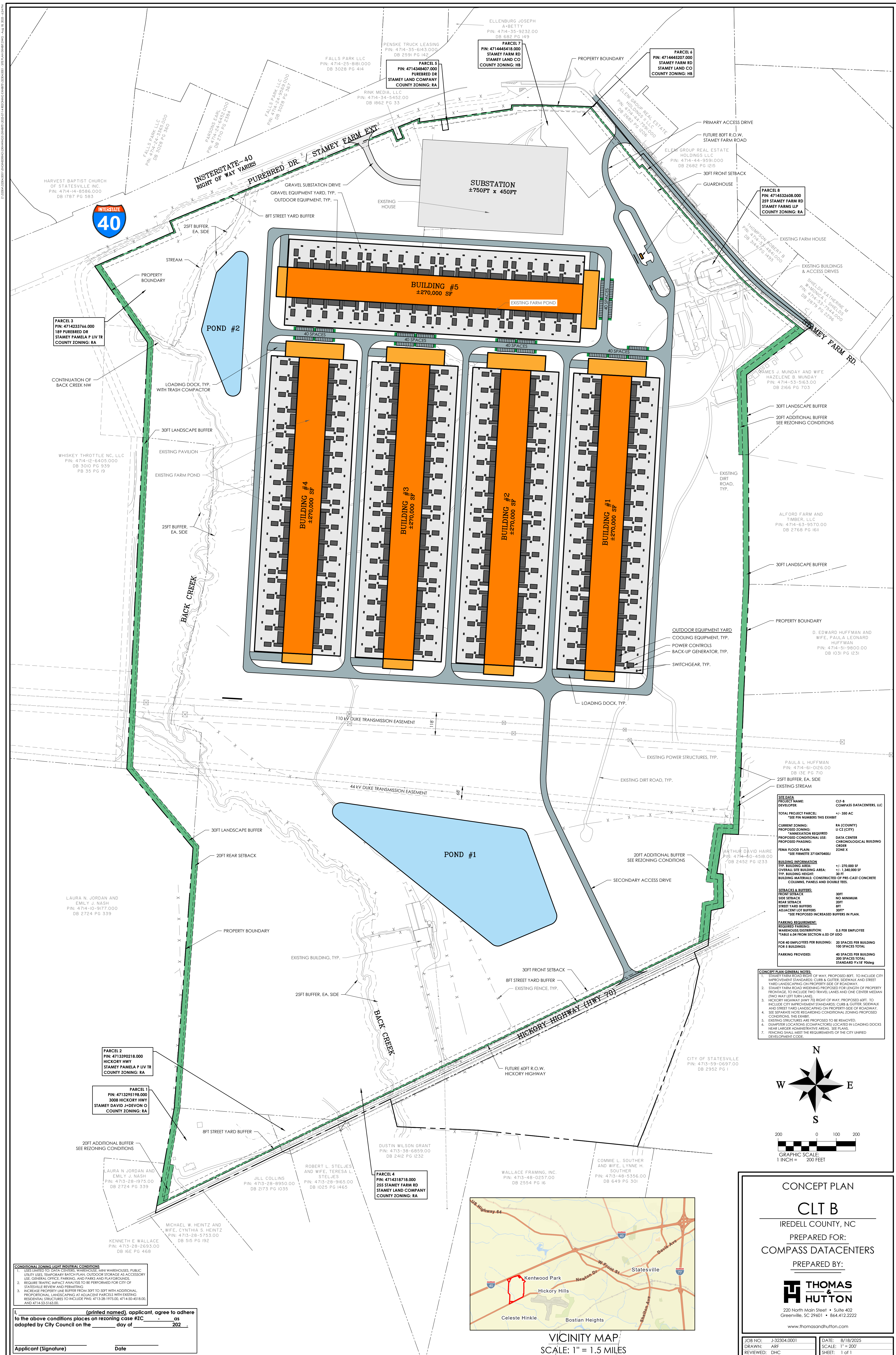


Site Photo – AX25-08 Compass Data Centers

City of Statesville Planning Department

AX25-08 Compass Data Centers
 Stanley Farm Road
 4713-29-5198, 4713-39-0218,
 4714-23-3766, 4714-53-2608,
 4714-34-8407, 4714-44-4518,
 4714-44-5207, and portion of
 4714-31-8718





RESOLUTION _____

**A RESOLUTION DIRECTING THE CLERK TO
INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-58**

**Case No. AX25-08 Compass Data Centers
Parcel #'s 4713-29-5198, 4713-39-0218, 4714-23-3766, 4714-34-8407, 4714-44-5207, 4714-44-5418, 4714-53-2608, and a portion of 4714-31-8718**

WHEREAS, a petition requesting annexation of the area described in said petition has been received on July 25, 2025, by the City Council; and

WHEREAS, G. S. 160A-58 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Statesville deems it advisable to proceed and respond to the request for annexation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Statesville:

That the City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the results of her investigation.

Adopted this 15th day of September 2025.

S - E - A - L

CITY OF STATESVILLE

By: _____
Mayor

ATTEST:

City Clerk

CERTIFICATE OF SUFFICIENCY

Case No. AX25-08 Compass Data Centers

Parcel #'s 4713-29-5198, 4713-39-0218, 4714-23-3766, 4714-34-8407, 4714-44-5207, 4714-44-5418, 4714-53-2608, and a portion of 4714-31-8718

TO THE CITY COUNCIL OF THE CITY OF STATESVILLE, NORTH CAROLINA:

I, Emily Kurfees, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-58.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Statesville, this 15th day of September 2025.

SEAL

Emily Kurfees, City Clerk

RESOLUTION _____

**RESOLUTION FIXING THE DATE OF A PUBLIC HEARING ON THE QUESTION OF
ANNEXATION PURSUANT TO G.S. 160A-58**

Case No. AX25-08 Compass Data Centers

Parcel #'s 4713-29-5198, 4713-39-0218, 4714-23-3766, 4714-34-8407, 4714-44-5207, 4714-44-5418, 4714-53-2608, and a portion of 4714-31-8718

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Statesville, North Carolina

Section 1. That a public hearing on the question of annexation of the non-contiguous area described herein will be held in the Council Chambers of the Statesville City Hall at 6:00 o'clock p.m. on the 6th day of October 2025.

Section 2. The area proposed for annexation is described as follows:

Parcel 1 – PIN 4713295198.000

BEGINNING AT AN IRON STAKE, GANT'S CORNER, AND RUNS SOUTH 5 DEGREES WEST 31 1/2 POLES TO A STAKE IN THE CENTER OF #10 HIGHWAY, NOW NASH'S CORNER; THENCE WITH THE CENTER OF SAID ROAD, NORTH 66 DEGREES EAST 62 POLES TO THE CENTER OF SAID ROAD, GANT'S LINE; THENCE WITH HER LINE NORTH 85 DEGREES WEST 52 1/2 POLES TO BEGINNING, CONTAINING 4 8/10 ACRES, MORE OR LESS.

LESS AND EXCEPT THAT PORTION OF THE PROPERTY CONVEYED IN DEED BOOK 683, PAGE 312.

Parcel 2 – PIN 4713390218.000

BEGINNING AT A POINT LOCATED IN THE CENTER OF U.S. HIGHWAY 64-70, COMMON CORNER OF HOWARD STAMEY AND EWALL A. STEVENSON, THENCE WITH THE CENTER OF U.S. HIGHWAY 64-70 SOUTH 64 DEG. 29 MIN. WEST 367.11 FEET TO A POINT, SAID POINT LOCATED NORTH 64 DEG. 29 MIN. EAST 52.5 FEET FROM A CULVERT RUNNING UNDER U.S. HIGHWAY 64-70, THENCE WITH THE NEW LINE OF STEVENSON NORTH 20 DEG. 26 MIN 18 SEC. WEST 204.62 FEET TO AN IRON PIN, HOWARD STAMEY'S LINE, THENCE WITH STANLEY'S LINE SOUTH 85 DEG. 13 MIN 54 SEC. EAST 404.16 FEET TO THE POINT AND PLACE OF BEGINNING, CONTAINING 0.859 ACRES, MORE OR LESS, ALL IN ACCORDANCE WITH A SURVEY BY R. B. KESTLER, JR., REGISTERED SURVEYOR, DATED FEBRUARY 7, 1983.

SUBJECT TO THE EASEMENT AND RIGHT OF WAY OVER THE ABOVE DESCRIBED PROPERTY FROM THE PROPERTY SHOWN ON THE SURVEY ATTACHED TO DEED BOOK 683, PAGE 312 AT THE EWALL A. STEVENSON PROPERTY, BOOK 214, PAGE 162, TO THAT CULVERT LYING BENEATH U. S. HIGHWAY 64-70 AS SHOWN ON THE ATTACHED SURVEY, TO DIG AND MAINTAIN A DITCH FOR THE PURPOSES OF CARRYING OFF SURPLUS WATER OVER THE CONVEYED PREMISES, WHERE WATER WOULD NATURALLY FLOW, PROVIDING SUCH DIGGING AND MAINTENANCE SHALL BE FREE OF COST AND WITHOUT DAMAGE TO THE GRANTEE.

Parcel 3 – PIN 4714233766.000

BEGINNING AT A STAKE AT A GUM TREE, J. F. MOOSE AND MRS. HOWARD GANT'S CORNER, AND RUNS THENCE WITH MRS. GANT'S LINE, SOUTH 84 DEG. EAST 149.5 FEET TO A STAKE ON THE BRANCH; THENCE WITH MRS. GANT'S LINE AND THE BRANCH SOUTH 59 DEG. 10 MIN EAST 217 FEET TO A STAKE ON THE BRANCH; THENCE CONTINUING WITH MRS. GANT'S LINE NORTH 35 DEG. 55 MIN. EAST 103 FEET TO A STAKE ON ANOTHER BRANCH; THENCE WITH SAID BRANCH AND MRS. GANT'S LINE NORTH 19 DEG. 15 MIN. EAST 435 FEET TO A STAKE; THENCE NORTH 50 DEG. EAST 200 FEET TO A STAKE; THENCE NORTH 24 DEG. 30 MIN. EAST 178 FEET TO A STAKE, LACKEY'S CORNER ON THE SOUTH MARGIN OF THE RIGHT OF WAY OF U. S. HIGHWAY NO. 64 NORTH BY-PASS; THENCE WITH SAID HIGHWAY SOUTH 72 DEG. WEST 755.4 FEET TO A STAKE ON J. F. MOOSE'S LINE; THENCE WITH HIS LINE SOUTH 54 DEG. WEST 407.2 FEET TO THE BEGINNING, CONTAINING 6.8 ACRES, MORE OR LESS, ACCORDING TO A SURVEY MADE BY L. B. GRIER, REGISTERED SURVEYOR, AUGUST 3, 1956

Parcel 4 – PIN 4714318718.000

TRACT ONE: BEGINNING AT AN EXISTING IRON PIN, COMMON CORNERS OF DUKE POWER COMPANY AND STAMEY LAND COMPANY AND RUNS FROM THE BEGINNING WITH THE LINES OF STAMEY LAND COMPANY, TWO CALLS AS FOLLOWS: SOUTH 84° 43' 40" EAST 368.73 FEET TO AN EXISTING IRON PIN, AND SOUTH 04° 11' 24" WEST 368.73 FEET TO AN IRON PIN SET, A NEW CORNER OF STEVEN W. NASH, JR., SAID POINT BEING LOCATED NORTH 04° 11' 24" EAST 1,343.69 FEET FROM AN EXISTING IRON PIN MARKING THE COMMON CORNERS OF STAMEY LAND COMPANY AND E. A. STEVENSON; THENCE WITH A NEW LINE OF NASH, NORTH 40° 16' 09" WEST 526.37 FEET TO THE POINT OF BEGINNING, CONTAINING 1.5604 ACRES, MORE OR LESS, ACCORDING TO A MAP BY GERALD V. GRANT AND ASSOCIATES, DATED NOVEMBER 20, 1989.

TRACT TWO: BEGINNING AT AN IRON SET IN THE LINE OF HOWARD STAMEY, WHICH POINT IS LOCATED NORTH 4 DEG. 14' 25" EAST 1,718.02 FEET FROM AN EXISTING IRON MARKING THE COMMON CORNERS OF HOWARD STAMEY AND E.A. STEVENSON, WHICH POINT IS ALSO ON THE SOUTHERN MARGIN OF THE RIGHT OF WAY OF A DUKE POWER TRANSMISSION LINE RIGHT-OF-WAY, AND RUNS FROM THE BEGINNING WITH THE SOUTHERN MARGIN OF SAID TRANSMISSION LINE RIGHT-OF-WAY, NORTH 84 DEG. 40' 57" WEST 939.45 FEET TO AN EXISTING IRON ON THE LINE OF HOWARD STAMEY AS DESCRIBED IN DEED BOOK 694, PAGE 490; THENCE WITH THE LINES OF SAID HOWARD STAMEY AS DESCRIBED IN SAID DEED BOOK, TWO (2) CALLS AS FOLLOWS: NORTH 43 DEG. 37' 02" EAST 830.02 FEET TO AN IRON SET, AND NORTH 02 DEG. 51' 01" EAST 1,029.00 FEET TO AN EXISTING STONE, CORNER OF HOWARD STAMEY AS DESCRIBED IN DEED BOOK 694, PAGE 490; THENCE SOUTH 83 DEG. 56' 02" EAST 363.00 FEET TO AN IRON SET ON THE WESTERN SIDE OF A BRANCH OR CREEK, LINE OR CORNER OF

STAMEY LAND COMPANY AS DESCRIBED IN DEED BOOK 694, PAGE 505; THENCE WITH THE LINES OF SAID STAMEY LAND COMPANY AND SAID BRANCH OR CREEK, SIX (6) CALLS AS FOLLOWS: (1) SOUTH 00 DEG. 02' 42" WEST 218.74 FEET, (2) SOUTH 07 DEG. 02' 11" WEST 170.53 FEET, (3) SOUTH 02 DEG. 05' 26" WEST 248.10 FEET, (4) SOUTH 11 DEG. 08' 18" WEST 164.71 FEET, (5) SOUTH 14 DEG. 57' 23" WEST 546.61 FEET, AND (6) SOUTH 07 DEG. 57' 24" WEST 115.50 FEET TO AN IRON SET AT SAID CREEK; THENCE CONTINUING WITH THE LINE OF SAID STAMEY LAND COMPANY, SOUTH 73 DEG. 45' 35" EAST 165.00 FEET TO AN IRON SET; THENCE SOUTH 04 DEG. 14' 25" WEST 220.73 FEET TO THE POINT OF BEGINNING, CONTAINING 17.335 ACRES, MORE OR LESS, ACCORDING TO A MAP PREPARED BY ROBERT J. LACKEY, REGISTERED SURVEYOR, DATED FEBRUARY 2, 1987. SAVE AND EXCEPT, HOWEVER, FROM THE ABOVE-DESCRIBED PREMISES A CERTAIN 4.46 ACRE PORTION DEEDED TO DAVID J. STAMEY BY DEED OF STEPHEN W. NASH, JR. AND WIFE EMILY J. NASH, DATED OCTOBER 13, 1988, WHICH IS DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT THE SOUTHWESTERN CORNER OF STEPHEN W. NASH, JR. AND WIFE'S 17.335 ACRE TRACT, AS DESCRIBED IN DEED BOOK 745, PAGE 993, AND BEING, ALSO, A CORNER OF DUKE POWER COMPANY AND RUNS FROM THE BEGINNING WITH THE LINE OF SAID DUKE POWER COMPANY, NORTH 43 DEG. 37' 45" EAST 489.84 FEET TO A POINT IN THE CENTER OF A BRANCH, COMMON CORNERS OF HOWARD M. STAMEY, ET AL AND DUKE POWER COMPANY; THENCE CONTINUING WITH THE LINE OF STAMEY, ET.AL., NORTH 43 DEG. 35' 29" EAST 380.50 FEET TO AN IRON PIN, STAMEY'S CORNER; THENCE WITH A NEW LINE, SOUTH 02 DEG. 48' 57" WEST 683.21 FEET TO AN IRON PIN FOUND; THENCE NORTH 84 DEG. 43' 40" WEST 569.08 FEET TO THE POINT OF BEGINNING, CONTAINING 4.46 ACRES, MORE OR LESS.

TRACT THREE: BEGINNING AT A POINT IN THE CENTER LINE OF THE FRYE-GILBERT ROAD ABOUT 1650 FEET SOUTHEASTWARDLY FROM THE INTERSECTION OF THE FRYE-GILBERT ROAD WITH THE RIGHT-OF-WAYLINE OF INTERSTATE HIGHWAY NO. 40, WAUGH'S CORNER IN THE ROSEMAN LINE AND RUNNING THENCE WITH WAUGH'S LINE SOUTH 54 DEG. 30 MIN. WEST 396 FEET TO A STAKE, WAUGH'S CORNER; THENCE WITH WAUGH'S LINE AND R. G. SMITH'S LINE, SOUTH 0 DEG. 10 MIN. WEST 650 FEET TO A STAKE IN R. G. SMITH'S LINE; THENCE WITH THE LINE OF R. G. SMITH AND H. M. MORRISON SOUTH 4 DEG. 8 MIN. WEST 1732 FEET TO A STAKE IN FRED MORRISON'S LINE; THENCE WITH FRED MORRISON'S LINE AS FOLLOWS: NORTH 87 DEG. WEST 81 FEET TO A RED OAK; THENCE SOUTH 6 DEG. WEST 200 FEET TO AN IRON PIN; THENCE SOUTH 80 DEG. EAST 33 FEET TO A STAKE; THENCE SOUTH 3 DEG. WEST 173 FEET TO A STAKE; THENCE SOUTH 79 DEG. WEST 66 FEET TO A STAKE; THENCE SOUTH 9 DEG. WEST 198 FEET TO A STAKE IN THE NORTH MARGIN OF N. C. HIGHWAYS NOS. 64 AND 70 ABOUT 6 FEET WEST OF A BRANCH; THENCE WITH THE NORTHERLY MARGIN OF N. C. HIGHWAYS NOS. 64 AND 70 NORTH 65 DEG. 30 MIN. EAST 154 FEET TO A STAKE IN FRED MORRISON'S LINE; THENCE WITH FRYE'S LINE SOUTH 4 DEG. 8 MIN. WEST 1148 FEET TO A STONE, FRYE'S CORNER; THENCE WITH THE LINES OF HAL FRYE AND STEPHEN NASH, NORTH 84 DEG. 30 MIN. WEST 1632 FEET TO A STAKE IN A BRANCH, NASH'S CORNER; THENCE WITH NASH'S LINE NORTH 135 FEET TO A POINT IN THE CENTER LINE OF HIGHWAYS NOS. 64 AND 70 AT THE POINT AT WHICH THE CENTER LINE OF SAID HIGHWAY CROSSES THE CENTER LINE OF A CULVERT; THENCE WITH THE CENTER LINE OF N. C. HIGHWAYS NOS. 64 AND 70 SOUTH 65 DEG. 30 MIN. WEST 254 FEET TO A STAKE, NASH'S AND STEVENSON'S CORNER; THENCE WITH STEVENSON'S LINE NORTH 84 DEG. 30 MIN. WEST 893 FEET TO AN IRON PIN, STEVENSON'S CORNER; THENCE WITH NASH'S LINE NORTH 5 DEG. 30 MIN. EAST 1938.5 FEET TO A STAKE IN ELLER BRANCH; THENCE UP AND WITH SAID BRANCH NORTH 73 DEG. WEST 165 FEET

TO A STAKE AT THE JUNCTION OF SAID BRANCH WITH GIBSON BRANCH; THENCE UP AND WITH SAID GIBSON BRANCH AND NASH'S LINE 1452 FEET TO A STAKE IN THE BRANCH, NASH'S CORNER; THENCE WITH THE LINE OF NASH AND STAMEY NORTH 84 DEG. 30 MIN. WEST 660 FEET TO A STAKE IN A FIELD, STAMEY'S CORNER; THENCE WITH STAMEY'S LINE NORTH 4 DEG. 30 MIN. EAST 594 FEET TO A SOURWOOD, HOLDER'S CORNER IN STAMEY'S LINE; THENCE WITH P. O. HOLDER'S LINE AS FOLLOWS: SOUTH 84 EAST 149.5 FEET TO A STAKE IN THE BRANCH; THENCE SOUTH 55 DEG. 30 MIN. WEST 260 FEET TO A STAKE; THENCE NORTH 5 DEG. 30 MIN. EAST 103 FEET TO A STAKE; THENCE NORTH 19 DEG. 35 MIN. EAST 435 FEET TO A STAKE; THENCE NORTH 50 DEG. EAST 200 FEET TO A STAKE; THENCE NORTH 24 DEG. 30 MIN. EAST 178 FEET TO A POINT IN THE RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 40 AT THE END OF A CULVERT, HOLDER'S CORNER; THENCE WITH THE RIGHT-OF-WAY OF INTERSTATE HIGHWAY NO. 40 AS FOLLOWS: NORTH 69 DEG. 10 MIN. EAST 934 FEET TO A STAKE; THENCE SOUTH 6 DEG. 30 MIN. WEST 20.5 FEET TO A STAKE; THENCE NORTH 82-1/4 DEG. 15 MIN. EAST 479 FEET TO A STAKE; THENCE NORTH 6 DEG. 30 MIN. EAST 20.7 FEET TO A STAKE; THENCE SOUTH 89 DEG. 20 MIN. EAST 428.3 FEET TO A STAKE IN THE RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 40 AT ITS JUNCTION IN THE FRYE-GILBERT ROAD; THENCE CONTINUING ACROSS THE FRYE-GILBERT ROAD, NORTH 63 DEG. 45 MIN. EAST 820 FEET TO AN IRON STAKE, MRS. MAUDE GANTT'S CORNER; THENCE WITH THE MURDOCK, ROSEMAN AND SHARPE LINES, SOUTH 0 DEG. 10 MIN. WEST 1268 FEET TO A POINT IN THE CENTER LINE OF THE FRYE-GILBERT ROAD, ROSEMAN'S CORNER; THENCE WITH THE ROSEMAN LINE SOUTH 42 DEG. EAST 314.5 FEET TO A POINT IN THE CENTER LINE OF SAID ROAD, ROSEMAN'S CORNER; THENCE WITH THE ROSEMAN LINE SOUTH 56 DEG. EAST 141 FEET TO THE POINT OF BEGINNING, CONTAINING 344 ACRES, MORE OR LESS.

THERE IS EXCEPTED FROM THIS CONVEYANCE THE FOLLOWING TRACTS:

1. A 5.977 ACRE TRACT CONVEYED BY HOWARD M. STAMEY AND WIFE, TO CHARLES L. TRAVIS, JR. AND WIFE, JEWELL S. TRAVIS, SUCH CONVEYANCE DATED OCTOBER 15, 1963, AND RECORDED IN BOOK 384, PAGE 137, IREDELL COUNTY REGISTRY.
2. A 2.38 ACRE TRACT CONVEYED BY HOWARD M. STAMEY AND WIFE, TO PHILLIPS PETROLEUM CO., SUCH CONVEYANCE DATED JUNE 26, 1970, AND RECORDED IN BOOK 490, PAGE 338, IREDELL COUNTY REGISTRY.
3. A 1.12 ACRE TRACT CONVEYED BY HOWARD M. STAMEY AND WIFE, TO REPROCO, INC., SUCH CONVEYANCE DATED JUNE 26, 1970, AND RECORDED IN BOOK 490, PAGE 336, IREDELL COUNTY REGISTRY.
4. AN APPROXIMATELY 10.8 ACRE TRACT OF LAND AND TWO "SIGN SITES" CONVEYED BY HOWARD M. STAMEY AND WIFE, TO CRA-DAY PROPERTIPS, INC., SUCH CONVEYANCE DATED DECEMBER 30, 1970, AND RECORDED IN BOOK 497, PAGE 507, IREDELL COUNTY REGISTRY, SEE AGREEMENTS BETWEEN PARTIES IN BOOK 490, PAGE 507 AND BOOK 497, PAGE 505, IREDELL COUNTY REGISTRY.

Parcel 5 – PIN 4714348407.000

BEGINNING AT AN IRON STAKE ON THE SOUTHERN EDGE OF THE CONTROLLED ACCESS RIGHT OF WAY OF INTERSTATE HIGHWAY 40; THENCE SOUTH 06-34-40 EAST 60 FEET TO AN IRON; THENCE SOUTH 83-25-20 WEST 30 FEET TO AN IRON; THENCE

NORTH 06-34-40 WEST 60 FEET TO AN IRON ON SAID RIGHT OF WAY; THENCE WITH SAID RIGHT OF WAY, NORTH 83-25-20 EAST 30 FEET TO THE BEGINNING CONTAINING 1,800 SQUARE FEET, MORE OR LESS, AND BEING DESCRIBED ACCORDING TO A PLAT AND SURVEY PREPARED BY R. B. PHARR, REGISTERED SURVEYOR, DATED NOVEMBER 10, 1970, AND BEING DESIGNED AS SITE #2 ON A COPY OF SAID PLAT RECORDED IN DEED BOOK 497 AT PAGE 509, IREDELL COUNTY REGISTRY.

Parcel 6 – PIN 4714445207.000

BEGINNING AT AN IRON, SAID IRON BEING LOCATED IN THE SOUTHERN LINE OF A TRACT CONVEYED TO REPROCO, INC., AND BEING SOUTH 39-13-30 EAST 180 FEET FROM A CONCRETE MONUMENT LOCATED IN THE SOUTHWEST QUADRANT FORMED BY INTERSTATE HIGHWAY #40 AND FRYEGILBERT ROAD (STATE ROAD #1512); THENCE NORTH 50-46-30 EAST 30.27 FEET TO A POINT IN THE CENTER OF STATE ROAD #1512; THENCE WITH THE CENTER OF STATE ROAD #1512, SOUTH 39-13-30 EAST 170 FEET TO A POINT IN THE CENTER OF STATE ROAD #1512; THENCE LEAVING STATE ROAD #1512 SOUTH 50-46-30 WEST 30.27 FEET TO AN IRON LOCATED ON THE WEST BANK OF STATE ROAD #1512; THENCE CONTINUING SOUTH 50-46-30 WEST 315.0 FEET TO AN IRON; THENCE NORTH 39-13- 30 WEST 394.07 FEET TO A RAILROAD SPIKE IN ROOT OF TREE; THENCE NORTH 1-58-00 EAST 174.29 FEET TO AN IRON LOCATED ON THE CONTROLLED ACCESS LINE OF INTERSTATE HIGHWAY #40; THENCE WITH THE CONTROLLED ACCESS LINE OF INTERSTATE HIGHWAY #40, SOUTH 88-02-00 EAST 40.36 FEET TO AN IRON, SAID IRON BEING THE NORTHWEST CORNER OF THE 1.12 ACRE TRACT CONVEYED TO REPROCO, INC.; THENCE WITH THE REPROCO, INC. LINE SOUTH 39-13-30 EAST 328.70 FEET TO AN IRON, THE SOUTHWEST CORNER OF REPROCO, INC. TRACT; THENCE NORTH 50-46-30 EAST 169.73 FEET TO AN IRON, THE POINT AND PLACE OF BEGINNING, CONTAINING 2.38 ACRES, MORE OR LESS, AND BEING MORE PARTICULARLY SHOWN ON A PHYSICAL SURVEY DATED MARCH 11, 1970; PREPARED BY KESTLER AND MACKAY, REGISTERED SURVEYORS.

Parcel 7 – PIN 4714445418.000

BEGINNING AT A CONCRETE MONUMENT LOCATED IN THE SOUTHWEST QUADRANT FORMED BY THE INTERSECTION OF INTERSTATE HIGHWAY #40 AND FRYE-GILBERT ROAD (STATE ROAD #1512), SAID CONCRETE MONUMENT BEING SOUTH 33-14-00 EAST 304.10 FEET FROM N.C. GEODETIC SURVEY MONUMENT LOCATED IN THE NORTHWEST QUADRANT FORMED BY THE INTERSECTION OF INTERSTATE HIGHWAY #40 AND FRYE-GILBERT ROAD (STATE ROAD #1512); THENCE NORTH 39-47-30 EAST 30.83 FEET TO A POINT IN THE CENTER OF STATE ROAD #1512; THENCE WITH THE CENTER OF STATE ROAD #1512 SOUTH 39-13.5-00 EAST 185.87 FEET TO A POINT IN THE CENTER OF STATE ROAD #1512; THENCE LEAVING STATE ROAD #1512, SOUTH 50-46-30 WEST 30.27 FEET TO AN IRON LOCATED ON THE BANK OF STATE ROAD #1512; THENCE CONTINUING SOUTH 50-46-30 WEST 169.73 FEET TO AN IRON; THENCE NORTH 39-13-30 WEST 328.70 FEET TO AN IRON LOCATED ON THE CONTROLLED ACCESS LINE OF INTERSTATE HIGHWAY #40; THENCE WITH THE SOUTHERN CONTROLLED ACCESS LINE OF INTERSTATE HIGHWAY #40, SOUTH 88-02-00 EAST 225.70 FEET TO THE CONCRETE MONUMENT DESIGNATED AS THE POINT AND PLACE OF BEGINNING, CONTAINING 1.12 ACRES, MORE OR LESS, AND BEING MORE PARTICULARLY SHOWN ON A PHYSICAL SURVEY DATED MARCH 11, 1970 PREPARED BY KESTLER AND MACKAY, REGISTERED

Parcel 8 – PIN 4714532608.000

BEGINNING AT A MAG NAIL SET SAID POINT IN THE RIGHT-OF-WAY OF STATE ROAD 1512 AND BEING NORTH 53-53-16 WEST 449.91 FEET GRID FROM THE N.C.G.S. GILBERT HAVING READINGS OF NORTH: 743,406.0656'; EAST: 1,415,753.527'; NAD 83; THENCE FROM SAID POINT OF BEGINNING, SOUTH 72-34-15 WEST 227.33 FEET TO A REBAR SET; THENCE NORTH 57-42-22 WEST 73.38 FEET TO A REBAR SET; THENCE NORTH 18-07-38 WEST 70.00 FEET TO A REBAR SET; THENCE NORTH 33-21-59 EAST 53.82 FEET TO A REBAR SET; THENCE NORTH 72-34-15 EAST 157.25 FEET TO A MAG NAIL SET; THENCE WITHIN THE RIGHT-OF-WAY OF STATE ROAD 1512, THE FOLLOWING CALLS: SOUTH 40-59-27 EAST 17.48 FEET; SOUTH 41-36-50 EAST 48.78 FEET; SOUTH 43-04-43 EAST 62.72 FEET; SOUTH 45-01-33 EAST 45.19 FEET; SOUTH 46-33-45 EAST 3.30 FEET TO THE POINT OF BEGINNING, CONTAINING 0.818 ACRE, MORE OR LESS, AS SHOWN ON SURVEY BY DAVID B. JORDAN, REGISTERED LAND SURVEYOR, DATED SEPTEMBER 30, 2003.

THERE IS ALSO CONVEYED IS THE EASEMENTS DESCRIBED IN DEED RECORDED IN BOOK 1527, PAGES 365-367, IREDELL COUNTY, NORTH CAROLINA.

Section 3. Notice of said public hearing shall be published in the Statesville Record and Landmark, a newspaper having general circulation in the City of Statesville, at least 10 days prior to the date of the public hearing.

Adopted this 15th day of September 2025.

CITY OF STATESVILLE

By: _____
Mayor

ATTEST:

City Clerk

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Matthew Kirkendall, Senior Planner
DATE: 9/5/2025 2:01 PM

ACTION NEEDED ON: September 15, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider passing a resolution directing the City Clerk to investigate a petition of annexation, AX25-09 City of Statesville Fire Station 5 at 533 Gaither Road, receive the City Clerk's Certificate of Sufficiency, and consider passing a resolution fixing a date of October 6, 2025, for a public hearing for the petition of annexation.

1. Summary of Information:

The property is approximately 12.174 acres located at 533 Gaither Road (see Location Map, Aerial Photo and Site Photo). The city is annexing the property to eventually build a new fire station, Station 5, to utilize City water and sewer (see current zoning and utilities map). Statesville Public Power can serve this site. The existing home on the site will be used in the interim.

2. Previous Council or Relevant Actions:

City Council approved purchasing the two lots, contingent upon annexation.

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

Strategic Plan Values: N/A

This property is in the Tier 1 Growth Area of the 2045 Land Development Plan and are adjacent to city limits. Station 5 located here will improve fire response time for the US 21 corridor and other areas north of the city.

4. Budget/Funding Implications:

The current tax value of the parcels is \$921,510 and the estimated value at full buildout is TBD.

5. Consequences for Not Acting:

Without annexation the city could still access sewer at 2½ times the rate with City Council approval.

6. Department Recommendation:

The department recommends passing the resolutions and setting a date of October 6, 2025, for a public hearing on this annexation request.

7. Manager Comments:

Recommend for approval.

8. Next Steps:

Advertise for the public hearing.

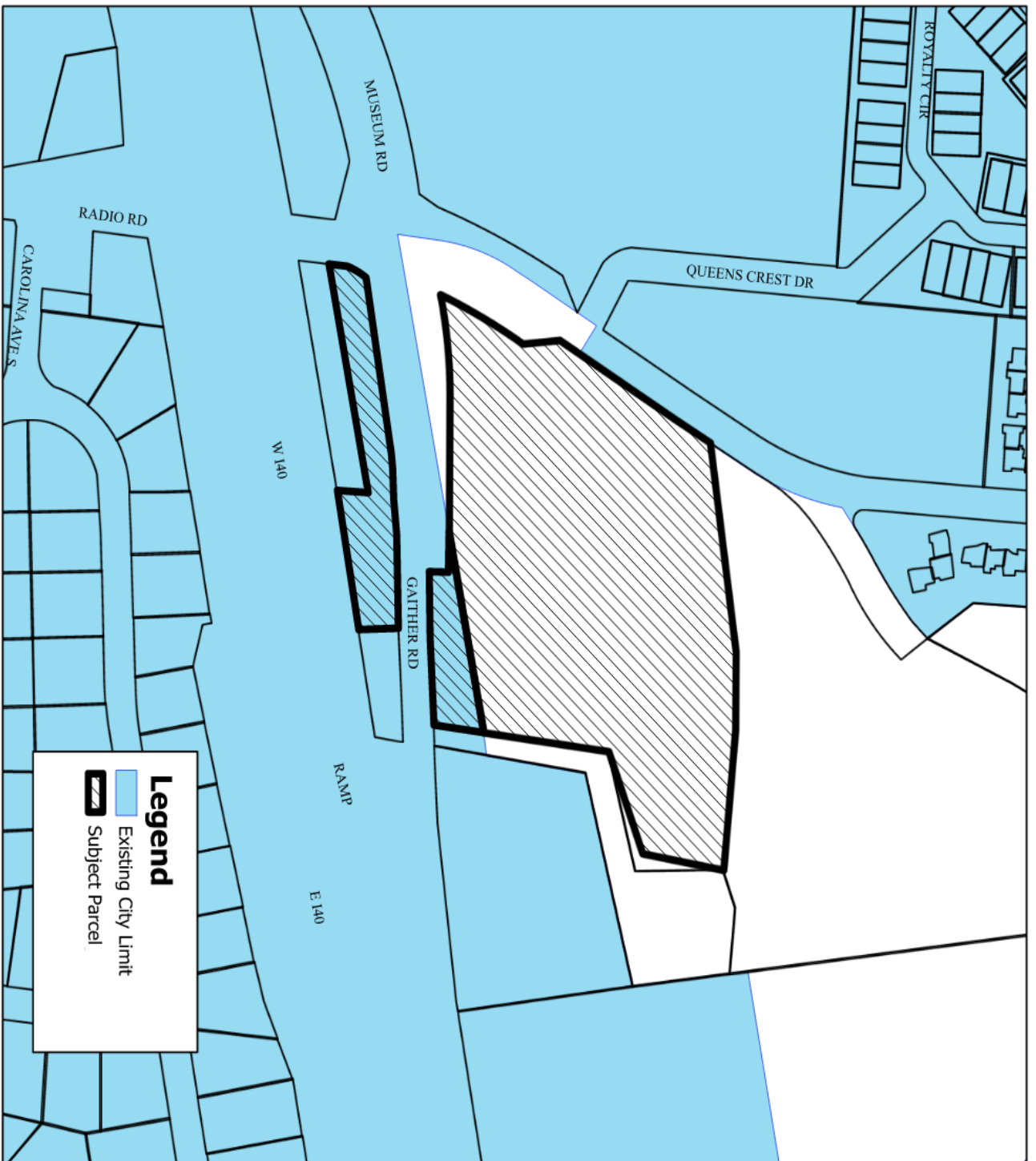
9. Attachments:

1. Packet Maps
2. Resolution_Clerk Investigation_-Contiguous_AX25-09 Station 5
3. Certificate of Sufficiency_Annexation_AX25-09 Station 5
4. Resolution to Set Public Hearing_AX25-09 Station 5 2

City of Statesville Planning Department

AX25-09 Statesville Fire
Station 5

533 Gaither Road
4745-04-1052





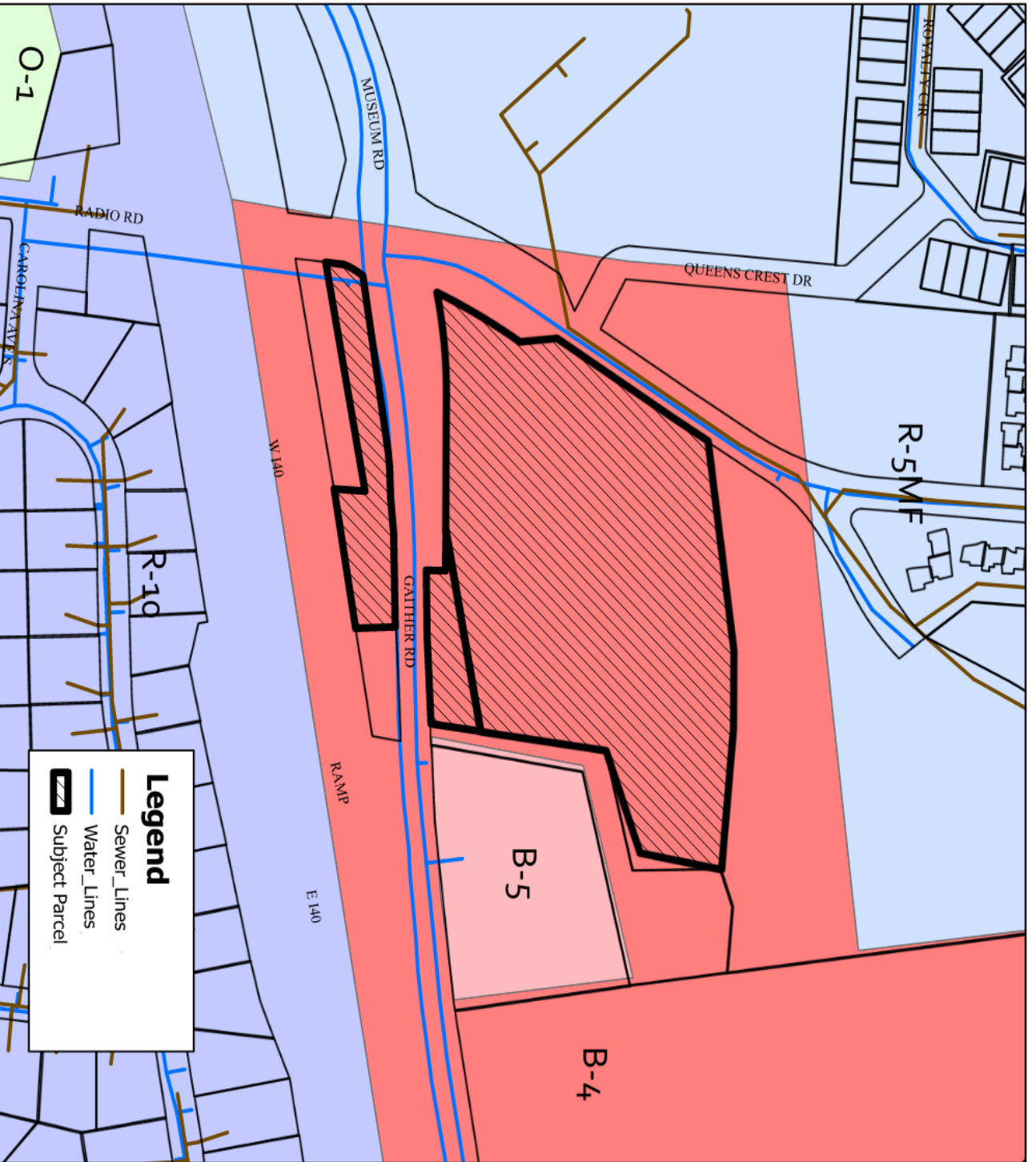


Site Photo – AX25-09 Station 5

City of Statesville Planning Department

AX25-09 Statesville Fire
Station 5

533 Gaither Road
4745-04-1052



Legend

- Sewer_Lines
- Water_Lines
- Subject Parcel

RESOLUTION _____

**A RESOLUTION DIRECTING THE CLERK TO
INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31**

**Case No. AX25-09 Statesville Fire Department Station 5
Parcel 4745-04-1052**

WHEREAS, a petition requesting annexation of the area described in said petition has been received on August 7, 2025, by the City Council; and

WHEREAS, G. S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Statesville deems it advisable to proceed and respond to the request for annexation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Statesville:

That the City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the results of her investigation.

Adopted this 15th day of September 2025.

S - E - A - L

CITY OF STATESVILLE

By: _____
Mayor

ATTEST:

City Clerk

CERTIFICATE OF SUFFICIENCY

**Case No. AX25-09 Statesville Fire Department Station 5
Parcel 4745-04-1052**

TO THE CITY COUNCIL OF THE CITY OF STATESVILLE, NORTH CAROLINA:

I, Emily Kurfees, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Statesville, this 15th day of September 2025.

SEAL

Emily Kurfees, City Clerk

RESOLUTION _____

**RESOLUTION FIXING THE DATE OF A PUBLIC HEARING ON THE QUESTION OF
ANNEXATION PURSUANT TO G.S. 160A-31**

**Case No. AX25-09 Statesville Fire Department Station 5
Parcel 4745-04-1052**

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Statesville, North Carolina.

Section 1. That a public hearing on the question of annexation of the contiguous area described herein will be held in the Council Chambers of the Statesville City Hall at 6:00 o'clock p.m. on the 6th day of October 2025.

Section 2. The area proposed for annexation is described as follows:

BEGINNING at a mag nail set at NCGS coordinates North: 753534.468 feet, and East 1439563.252 feet NAD: 83 combined factor: 0.9998832. Said mag nail being situated North 18-47-15 East 93.75 feet from NCGS Monument "Gray" and being situated within the Right-of-way of State Road 2003 known as Radio Road; and running thence North 06-28-22 East 105.77 feet to an existing survey spike within the center of the intersection of Radio Road and State Road 1931, known as Museum Road; and running thence North 45-06-26 West 38.72 feet to an iron, being a corner of the property of Western Avenue Baptist Church as described in Deed recorded in Deed Book 646, Page 477, Iredell County Registry; and being also on the northern edge of the Right-of-way of Museum Road and the western edge of the Right-of-Way of Radio Road and running thence with the line of the Western Avenue Baptist Church property and with the western line of the Right-of-Way of Radio Road, North 06-46-34 East 46.55 feet to a 1/2" rebar; and running thence with the curve of the western line of Right-of-Way of Radio Road, said curve having a radius of 492.80 feet and an arc of 35.64 feet, North 08-53-53 East a chord distance of 35.63 feet to a point; and continuing thence with the curve of the western line of the Right-of-Way of Radio Road, said curve having a radius of 492.80 feet, an arc distance of 188.48 feet, North 21-55-36 East 187.33 feet to an iron; and running thence to an iron being a corner of the Statesville Elks Club property and continuing thence with the western line of the Right-of-Way of Radio Road and with the line of Statesville Elks Club property, North 32-52-55 East 405.07 feet to an iron set; and running thence South 57-07-44 East 60.04 feet to a point on the eastern line of the Right-of-Way of Radio Road, and being a corner of the city of Statesville property as described in Deed recorded in Deed Book 1336, Page 1180, Iredell County Registry; and running thence with the line of the City of Statesville, North 81-26-49 East 399.08 feet to a 1/2 inch rebar and continuing with the line of the property of the City of Statesville, North 89-15-21 East 137.09 feet to a 1/2 inch rebar and continuing thence with the line of the City of Statesville property, South 87-10-12 East 244.60 feet to an iron, being a corner of the property of Dorothy Edwards Gaither

as described in Deed recorded in Deed Book 766, Page 277, Iredell County Registry; and running thence with the Dorothy Gaither line, South 08-42-27 West 177.41 feet to a 1 1/4 inch existing iron pipe; and running thence South 71-12-14 West 198.05 feet to an iron set; running thence South 09-42-01 West 312.33 feet to an iron set; and running thence with a curve having a radius of 3647.93 feet, an arc distance of 38.88 feet, North 87-30-09 East, and a chord distance of 38.88 feet to an iron set; and running thence South 09-42-01 West 72.92 feet to an iron set; being the northwest corner of the property of George B. Taylor as described in Deed recorded in Deed Book 670, Page 598, Iredell County Registry; running thence with the northern line of the Taylor property, South 88-49-14 West 195.11 feet to an iron set; and running thence with the western line of the Taylor property, South 01-48-46 East 60.31 feet to a railroad spike; and running thence South 80-37-31 West 247.82 feet to an axle being the southeastern corner of the Claudia Gray property as described in Deed recorded in Deed Book 811, Page 808, Iredell County Registry; and running thence North 03-53-42 East 58.03 feet to a fence post being the northeast corner of the Claudia Gray property; and running thence with the northern line of the Gray property, South 79-36-20 West 444.97 feet to the point and place of BEGINNING, containing 13.08 acres, more or less, and being in accordance with that survey of Ted M. Morettes, Registered Land Surveyor, dated January 2, 2004, in which reference is made for a more particular description.

Included with this conveyance is a reserved access easement over and across the lands of George

B. Taylor as described in Deed Book 670, Page 598, Iredell County Registry.

The property conveyed herein is SUBJECT TO that certain utility easement of the City of Statesville dated November 12, 1999, and recorded at Deed Book 1172, Page 1264, Iredell County Registry and also that certain utility easement to the City of Statesville dated November 20, 1986, and recorded at Deed Book 741, Page 184, Iredell County Registry.

SAVING AND EXCEPTING the property described in the Deed for Highway Right-of-Way recorded in Deed Book 2115, page 2160, Iredell County Registry.

PIN: 4745-04-1052, formerly PIN'S: 4745-03-1927.000 and 4745-03-0683.000

Property Address: 533 Gaither Road, Statesville, NC 28625

Section 3. Notice of said public hearing shall be published in the Statesville Record and Landmark, a newspaper having general circulation in the City of Statesville, at least 10 days prior to the date of the public hearing.

Adopted this 15th day of September 2025.

CITY OF STATESVILLE

By: _____
Mayor

ATTEST:

City Clerk

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: John M. Ferguson, Airport Director
DATE: 9/4/2025 5:18 PM

ACTION NEEDED ON: September 15, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approving a work authorization with Parrish and Partners for engineering services for the Runway Safety Area Improvement Project in the amount of \$61,155.00.

1. Summary of Information:

In July 2023, as part of the Fiscal Year 2022 Supplemental Appropriation by FAA, Statesville Regional Airport was allocated a \$500,000 grant with a 90%/10% federal/local share for the purpose of making improvements within the existing Runway Safety Area (RSA). The existing RSA has several non-standard conditions, such as an erosion control basin from a project several years ago that was never removed. This project intends to address two primary areas, but will address any others that can be covered within the grant amount. See the attached project sketch for more detailed information.

2. Previous Council or Relevant Actions:

Approved FAA grant in the amount of \$500,000 in June of 2024.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: Proactively maintain existing infrastructure assets and systems to ensure current quality and long-term viability.

Connecting Our Communities: N/A

Strategic Plan Values: We value Quality and Creativity

This project will remove a safety obstruction located on the Statesville Regional Airport

4. Budget/Funding Implications:

Project cost is \$500,000 with \$450,000 covered by the grant and \$25,000 provided by the City and \$25,000 provided by Iredell County.

5. Consequences for Not Acting:

An FAA safety violation will remain in place.

6. Department Recommendation:

Airport Staff recommends approval.

7. Manager Comments:

Recommend for approval.

8. Next Steps:

Upon completion of the engineering drawings, the project will be publicly bid.

9. Attachments:

1. 2024_06-05_SVH_Improve_RSA_Ph_2_CON_36237.46.21.2
2. Safety Area Improvements-Overall Exhibit (34 x 22)
3. 01 - WA#26 - RSA Impr_part signed



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J.R. "JOEY" HOPKINS
SECRETARY

06/05/2024

The Honorable Costi Kutteh, Mayor
City of Statesville
PO Box 1111
Statesville, NC 28687

RE: NOTIFICATION OF AWARD

Dear Mayor Kutteh:

On behalf of Governor Roy Cooper, Transportation Secretary J.R. "Joey" Hopkins, and the NC Board of Transportation, please be advised that FAA Competitive Supplemental AIP funds have been allocated under the State Block Grant Program for Federal Fiscal Year (FFY) 2022 for **Statesville Regional Airport**.

Furthermore, all final billing of funds must be completed by December 31, 2027, unless otherwise approved in writing by the Division of Aviation. The Division of Aviation will remove any unexpended funds from the project grant at that time.

The specific funding allocation is noted below:


<u>Award ID</u>	<u>Description</u>	<u>AIP Funds</u>	<u>Local Match</u>
36237.46.21.2	Improve Runway Safety Area, Phase 2 Construction	\$450,000	\$50,000

Upon receipt of this award letter, the Division of Aviation requires that you submit a Request for Aid within 120 days of receipt. Please visit the NCDOT Connect website for links to detailed grant and development resources.

The NCDOT Division of Aviation appreciates your commitment and contribution to our state aviation system, and we are excited to partner with you on this grant.

Sincerely,

DocuSigned by:


C1CE6F0E9F7A430...
Rebecca Gallas, P.E.
Director of Aviation

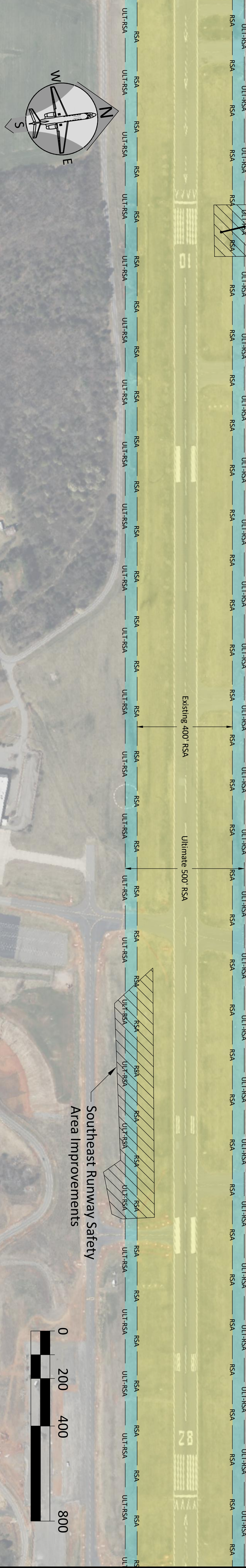
RJG/ah

cc: N.C. Governor Roy Cooper
J.R. "Joey" Hopkins, Secretary, NCDOT
Julie A. White, Deputy Secretary for Multi-Modal Transportation, NCDOT
Ted Budd, United States Senate
Thom Tillis, United States Senate
Patrick T McHenry, United States Congress
Brad C. Lail, Board of Transportation Representative
John Ferguson, Airport Manager, Statesville Regional Airport
Brian Roberts, Chief Finance Officer, Statesville Regional Airport
Michelle Holman, Assistant Finance Director, Statesville Regional Airport
Cynthia Dunford, Finance Director, Statesville Regional Airport
Mark Stafford, P.E., Division 12 Engineer, NCDOT
Rachel Bingham, Airport Project Manager, NCDOT

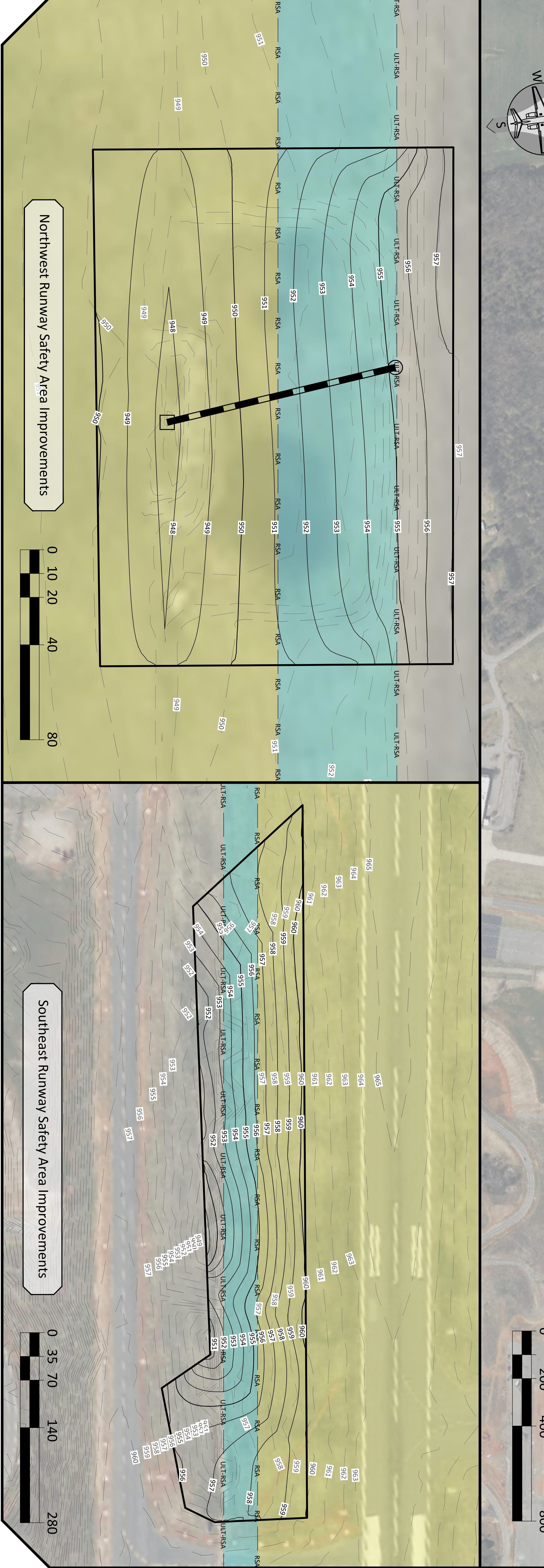
Statesville Regional Airport (KSVH)
Exhibit B - Project Sketch
January 2024



Northwest Runway Safety
Area Improvements



Southeast Runway Safety
Area Improvements



WORK AUTHORIZATION No. 26

ENGINEERING CONSULTING SERVICES BY:
PARRISH AND PARTNERS OF NORTH CAROLINA, PLLC

FOR:
RUNWAY SAFETY AREA IMPROVEMENTS

AT:
STATESVILLE REGIONAL AIRPORT

REFERENCING:
PROJECT GRANT #: 36237.46.21.2 (FAA SUPPLEMENTAL DISCRETIONARY)

August 19, 2025

I. PROJECT SUMMARY

In July 2023, as part of the Fiscal Year 2022 Supplemental Appropriation by FAA, SVH was allocated a \$500,000 grant with a 90%/10% federal/local share for the purpose of making improvements within the existing Runway Safety Area (RSA).

The existing RSA has several non-standard conditions, such as an erosion control basin from a project several years ago that was never removed. This project intends to address two primary areas, but will address any others that can be covered within the grant amount. See the attached project sketch for more detailed information.

General project elements include:

- A. Dispersed site grading in the RSA.
- B. Removal of existing non-standard features.
- C. Extension of an existing drainage pipe to connect to another existing drainage pipe outside the RSA.
- D. Correction of non-standard slopes within the RSA.
- E. Re-establishment of grass in disturbed areas.

II. CONSULTANT'S SCOPE OF WORK OVERVIEW

It is agreed to undertake the following work in accordance with the provisions of the Master Agreement for Professional Services dated December 4, 2023.

The scope of work for this Work Authorization includes:

1. Preliminary Design – Prepare 60% Plans
2. Final Design – Prepare 100% Plans
3. Bidding Phase
4. Project Management and Grant Services
5. Permitting Coordination

The contract is Lump Sum and stated in the attached manhour summaries.

This scope does not include:

- Surveying services, existing data will be utilized and verified during construction
- Geotechnical services, existing data will be utilized and verified during construction
- Construction phase services and project oversight
- Permit fees associated with permits or agency approvals

III. DESIGN CRITERIA AND REQUIREMENTS

The following are the primary FAA Advisory Circulars and other design standards to be utilized during the design effort. All design will be performed according to the current edition at the time of execution of this work authorization.

- FAA AC 150/5300-13; Airport Design
- FAA AC 150/5370-2; Operational Safety on Airports During Construction
- FAA AC 150/5340-30; Design and Installation Details for Airport Visual Aids
- FAA AC 150/5370-10; Standards for Specifying Construction of Airports
- Federal Aviation Regulation Part 77 Surfaces
- 2024 NCDOT Standard Drawings and Specifications

IV. WORK TASKS

A. BASIC SERVICES: The **CONSULTANT** shall perform the following Basic Services for the project as outlined in Exhibit C of the above referenced Master Agreement and further described below:

1. Preliminary Design – Prepare 60% Plans: The CONSULTANT shall:

- a) Perform General Project Coordination with OWNER on matters affecting the Project and general correspondence preparation, as needed;
- b) Coordinate with OWNER and funding agencies on project formulation, including cost estimated project justification;
- c) Prepare project scoping, fee preparation, project justification, finances, and schedules;

- d) Preliminary design of the project and prepare detailed plans at the 60% completion levels. An estimated list of sheets for the 60% completion level are as follows;
 - a. Cover Sheet (1 sheet)
 - b. Construction Safety and Phasing Plan
 - General and Safety Notes
 - Existing Conditions
 - Project Layout and Phasing Plan
 - Survey Control
 - c. Preliminary Grading, Drainage, and Erosion Control Plan
 - e) Prepare Preliminary Design Report;
 - f) Perform quality review and revisions prior to submissions of documents;
 - g) Prepare Categorical Exclusion – Simple Written Record documentation and coordinate with NCDOA;
 - h) Distribute documents for approvals to OWNER, North Carolina Department of Transportation – Division of Aviation (NCDOA), and other regulatory agencies; and,
 - i) Electronic copies (PDF) of the design report and the plans will be provided to NCDOA and OWNER for each review.
2. Final Design – Prepare 100% Plans: The CONSULTANT shall:
- a) Perform General Project Coordination with OWNER on matters affecting the Project and general correspondence preparation, as needed;
 - b) Coordinate with OWNER and funding agencies as necessary, including coordination with airport users on potential construction schedules, submittal of CSPP checklist to NCDOA prior to submission of FAA Form 7460;
 - c) Finalize design of the project and prepare detailed plans at the 100% completion level. An estimated list of sheets for the 100% completion level are as follows;
 - a. Cover Sheet
 - b. Construction Safety and Phasing Plan
 - General and Safety Notes
 - Existing Conditions
 - Project Layout and Phasing Plan
 - Survey Control
 - Construction Equipment Heights
 - c. Grading, Drainage, and Erosion Control Plan and Details
 - d. General Details

- d) Total Anticipated Number of Sheets: ± 12
 - e) Prepare airspace documentation and submit through OE/AAA for FAA review.
 - f) Prepare for review and approval by OWNER, its legal counsel and other advisors, necessary Bidding information, bidding forms, the Conditions of the Contract, and the form of Agreement between the OWNER and Contractor (otherwise referred to as the Front-End Contract Documents including FAA General Provisions);
 - g) Prepare quantity calculations;
 - h) Update Design Report, including adjustments to the preliminary estimate of probable construction costs caused by changes in general scope, extent or character or design requirements of the project or market conditions;
 - i) Perform quality review and revisions prior to submissions of documents;
 - j) Incorporate OWNER and NCDOA comments into 90% and 100% Plan Sets;
 - k) Print and provide necessary copies for in-house production of engineering drawings and contract specifications;
 - l) Distribute documents for approvals to OWNER, NCDOA, and other regulatory agencies; and,
 - m) Submittal will be made at 100% completion level. Submittal will consist of plans, cost estimate, and engineer's report. Electronic copies (PDF) of the plans, final design report, and specifications will be provided to NCDOA and OWNER for review.
3. Bidding Phase: The **CONSULTANT** shall:
- a) Coordinate with the **OWNER** and the **NCDOA** for concurrence to advertise the project;
 - b) Assist the **OWNER** in advertising for, and opening, bids for the **PROJECT**, in accordance with state and federal bidding requirement, and maintain a record of prospective bidders to whom Bidding Documents have been issued, and receive and process payments for Bidding Documents;
 - c) Receive and respond to contractor inquiries related to the **PROJECT**
 - d) Assist the **OWNER** in conducting a pre-bid conference to share pertinent bidding and technical information and requirements with prospective bidders;
 - e) Issue addenda as appropriate to interpret, clarify or expand the Bidding Documents;
 - f) Distribute sets of Bidding Documents to Prospective Bidders and selected plan rooms during the Bidding Phase; and,

- g) Attend the bid opening, prepare certified bid tabulation sheets, assist **OWNER** in evaluating bids, and provide a formal recommendation to award. DBE/MBE/WBE commitments or Good Faith Effort will be provided after bidding and prior to determination of the lowest bidder. Concurrence from **NCDOA** will be obtained prior to providing a formal recommendation to award.
- h) Invite **NCDOA** to all pre- and post-bid meetings with a minimum of five business days' notice; and,
- i) Provide guidance to ensure that all bidding will be in accordance with state bidding laws per NC General Statute 143-129.

B. SPECIAL SERVICES: The **CONSULTANT** shall perform the following Special Services as outlined in Exhibit A of the Master Agreement:

- 1. Project Management/Grant Services: Assist **OWNER** in overall project management, preparation of documentation for local and state authorities and agencies including requests for funding and completion of applicable State and Federal grant forms, including meetings, grant applications, request for reimbursements, and project closeout.
- 2. Environmental and NEPA Coordination: **CONSULTANT** will prepare and coordinate a re-evaluation of the previously developed CATEX from 2018. It is assumed that no more than one set of comment responses will be required.
- 3. Permitting Coordination: **CONSULTANT** will prepare the necessary erosion control permitting documents and coordinate with NCDEQ. Design of erosion control measures is included in Basic Services.

V. PROJECT SCHEDULE

The following is the proposed project design schedule from the date of contract execution:

60% Design Complete	14 days
NCDOA/Client Review and Comments	14 days
100% Design Complete	14 days
NCDOA/Client Review	14 days
Revisions	5 days
Bidding Period	35 days
<hr/>	
Total	96 days

VI. GENERAL ASSUMPTIONS AND CLARIFICATIONS

- 1) Preliminary Design – Prepare 60% Plans
 - a. One site visit is included in this Phase to review existing data and evaluate the site (Sr. Engineer and Engineer).

- 2) Final Design – Prepare 100% Plans
 - a. The 100% Plans will be prepared with a single bid schedule. Alternate bid schedules are not anticipated.
 - b. The Design Phase ends upon submittal of 100% (bid) Plans.
 - c. Construction cost estimates will be submitted to NCDOA for minority goal determination.
- 3) Bidding Phase
 - a. The cost of publishing the advertisement for bids in local publications is not included in this Work Authorization. The City of Statesville will pay for the cost of advertising directly to the publisher.
 - b. The cost of reproducing bid documents is not included. These costs will be passed on to potential bidders.
 - c. The Bidding Phase ends upon submission of the recommendation to award letter to the City.
 - d. Three site visits are included in this Phase: Pre-bid conference (Sr. Engineer and Engineer), Bid Opening (Sr. Engineer) and presentation to City Council (Sr. Engineer).
 - e. After bid opening and prior to recommendation of award, minority paperwork will be submitted to NCDOA for review and approval.
- 4) Deliverables
 - a. Preliminary and Final Design
 - i. PDF of 60% submittal to City of Statesville.
 - ii. PDF of 100% plans, and electronic versions of design report and specifications as outlined above for NCDOA and City of Statesville review.
 - b. Bidding Phase
 - i. Summary of bids received and a unit cost analysis.
 - ii. Recommendation of award.
 - c. Special Services
 - i. Permit package for erosion control.

VII. EXPENSES/RESIDENT PROJECT REPRESENTATIVE (RPR)

Project Expenses have been included utilizing the state rates allowable.

Construction Phase Services, including RPR Services, are not included with this Work Authorization.

VIII. OTHER

No additional information.

IX. CONTACT/CLOSING

The **OWNER** agrees to compensate the **CONSULTANT** for services performed for the work described herein as follows:

A. BASIC SERVICES:

1. Preliminary Design – Prepare 60% Plans: As compensation for providing Preliminary Design – Prepare 60% Plans, the **OWNER** shall pay the **CONSULTANT** the lump sum fee of Twenty-One Thousand Nine Hundred Seven Dollars and no cents (\$21,907.00).
2. Final Design – Prepare 100% Plans: As compensation for providing Final Design – Prepare 100% Plans, the **OWNER** shall pay the **CONSULTANT** the lump sum fee of Thirteen Thousand One Hundred Eighty-Five Dollars and no cents (\$13,185.00).
3. Bidding Phase: As compensation for providing Bidding Phase Services, the **OWNER** shall pay the **CONSULTANT** the lump sum fee of Nine Thousand Two Hundred Twenty-One Dollars and no cents (\$9,221.00).

B. SPECIAL SERVICES:

1. Project Management/Grant Services: As compensation for Project Management/Grant Services, the **OWNER** shall pay the **CONSULTANT** the lump sum fee of Ten Thousand Twenty-Seven Dollars and no cents (\$10,027.00).
2. Permitting Coordination: As compensation for providing Permitting Coordination, the **OWNER** shall pay the **CONSULTANT** the lump sum fee of Six Thousand Eight Hundred Fifteen Dollars and no cents (\$6,815.00).


The total amount of Work Authorization No. 26 is Sixty-One Thousand One Hundred Fifty-Five Dollars and no cents (\$61,155.00).

Agreed as to scope of services, schedule, and budget:

CITY OF STATESVILLE

PARRISH AND PARTNERS OF
NORTH CAROLINA, PLLC

By: _____

By: 
Jon McCalmont, PE
Aviation Director/Principal

Date: _____

Date: 8.20.25

Attachments: Exhibit A – Professional Services Fee Summary
Exhibit B – Project Sketch

PROJECT DESCRIPTION: SVH Runway Safety Area Improvements	DATE PREPARED: 8/19/25
PREPARED BY: Parrish and Partners of North Carolina, PLLC	

Exhibit A - Professional Services Fee Summary

Basic Services

1 Preliminary Design - Prepare 60% Plans

SubTotal: \$21,907.00

2 Final Design - Prepare 100% Plans

SubTotal: \$13,185.00

3 Bidding Phase

SubTotal: \$9,221.00

Special Services

1 Project Management/Grant Services

SubTotal: \$10,027.00

2 Permitting Coordination

SubTotal: \$6,815.00

Total	\$61,155.00
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Total WA No. 26 Amount	\$61,155.00
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PROJECT DESCRIPTION: SVH Runway Safety Area Improvements					DATE PREPARED: 8/19/25			
PREPARED BY: Parrish & Partners								
TASK NUMBER	BASIC SERVICES (A104) ENGINEERING SERVICES TASK DESCRIPTION	Employee Classifications						
			PM/Sr. Engineer	Engineer	Civil Associate	Aviation Project Assistant		SUBTOTAL
Preliminary Design - Prepare 60% Plans								
a	General Project Coordination		4			8		12
	Project Formulation and Coordination		4			4		8
	Prepare Project Scoping and Justification		4			4		8
	Prepare Categorical Exclusion - SWR Documentation		4					
b	Preliminary Design							
	Site Walkover (Sr. Eng and Eng)		4	4				8
	Geometric Design		1		4			5
	Develop CSPP - Existing Conditions		1		2			3
	Develop CSPP - Project Layout		1		4			5
	Develop CSPP - Phasing Plan		2		8			10
	Grading Layout and Preliminary Design		2		16			18
c	Prepare 60% and 100% Plan Sheets							
	Prepare Coversheet		1		1			2
	Prepare General and Safety Notes		1		4			5
	Prepare CSPP Existing Conditions		1		4			5
	Prepare CSPP Project Layout and Phasing Plan		2		8			10
	Prepare Survey Control Layout		1		2			3
	Prepare Preliminary Grading, Drainage, and Erosion Control Plan		4		8			12
g	Prepare Preliminary Design Report		4			4		8
i	Internal QC Reviews/Revisions		2		2	2		6
j	Submit Plans/Cost to Owner and NCDOT		1			2		3
k	Incorporate Owner and NCDOT Comments		2		2			4
	SUBTOTAL HOURS/CLASSIFICATION:		46	4	65	24	0	135
	BASIC HOURLY RATE		\$65.32	\$45.45	\$43.00	\$36.64		
	TOTAL PER CLASSIFICATION		\$3,004.72	\$181.80	\$2,795.00	\$879.36	\$0.00	\$0.00
	Total Labor Cost (Without Multiplier)		\$6,860.88					

Audited Overhead Rate	185.69%	\$12,739.97
Subtotal		\$19,600.85
Profit	11%	\$2,156.09
Cost of Capital	0.27%	\$52.92
TOTAL		\$21,809.86

NON-SALARY COSTS

A. Reimbursable Expense	Quantity	Unit	Rate	Subtotal
Mileage	140	Miles	\$0.700	\$98.00
B. Subcontracting Expenses	Amount	Contract Type		Subtotal
TOTAL DIRECT NON-SALARY COST:				\$98.00

Total: **\$21,907.86**

Lump Sum Amount **\$21,907.00**

PROJECT DESCRIPTION: SVH Runway Safety Area Improvements					DATE PREPARED: 8/19/25			
PREPARED BY: Parrish & Partners								
TASK NUMBER	BASIC SERVICES (A104) ENGINEERING SERVICES TASK DESCRIPTION	Employee Classifications						
			PM/Sr. Engineer	Engineer	Civil Associate	Aviation Project Assistant		SUBTOTAL
Final Design - Prepare 100% Plans								
a	General Project Coordination		4					4
b	Final Design							
	Develop Grading Design		2		8			10
	Develop Erosion Control Design		2		4			6
	Develop Erosion Control Calculations		2		4			6
c	Prepare 60% and 100% Plan Sheets							
	Prepare Coversheet				1			1
	Update CSPP Project Layout and Phasing Plan		1		2			3
	Prepare Construction Equipment Heights incl. Exhibits				4			4
	Prepare Grading, Drainage, and Erosion Control Plan and Details				4			4
	Prepare General Details				4			4
d	Prepare 7460 and Submit to FAA for Review		1		2			3
e	Prepare CSPP Checklist and Submit to NCDOA for Review		1					1
f	Prepare Specifications and Project Manual w/ Frontend		2		4	4		10
g	Prepare Quantity Calculations		2		2	2		6
h	Update Design Report (100%)				4			4
i	Prepare Engineer's Cost Estimate (100%)				4			4
j	Internal QC Reviews/Revisions (100%)				2	4		6
k	Submit Package to Owner & NCDOT (100%)		2					2
l	Incorp. Owner/NCDOT Comments (100%)		4		4			8
	SUBTOTAL HOURS/CLASSIFICATION:		23	0	53	10	0	86
	BASIC HOURLY RATE		\$65.32	\$45.45	\$43.00	\$36.64		
	TOTAL PER CLASSIFICATION		\$1,502.36	\$0.00	\$2,279.00	\$366.40	\$0.00	\$0.00
	Total Labor Cost (Without Multiplier)		\$4,147.76					

Audited Overhead Rate	185.69%	\$7,701.98
Subtotal		\$11,849.74
Profit	11%	\$1,303.47
Cost of Capital	0.27%	31.99
TOTAL		\$13,185.20

NON-SALARY COSTS

A. Reimbursable Expense	Quantity	Unit	Rate	Subtotal
Mileage	0	Miles	\$0.700	\$0.00
B. Subcontracting Expenses	Amount	Contract Type		Subtotal
TOTAL DIRECT NON-SALARY COST:				\$0.00

Total:	\$13,185.20
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Lump Sum Amount	\$13,185.00
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PROJECT DESCRIPTION: SVH Runway Safety Area Improvements					DATE PREPARED: 8/19/25			
PREPARED BY: Parrish & Partners								
TASK NUMBER	BASIC SERVICES (A104) ENGINEERING SERVICES TASK DESCRIPTION	Employee Classifications						
			PM/Sr. Engineer	Engineer	Civil Associate	Aviation Project Assistant		SUBTOTAL
<u>Bidding Phase</u>								
a	Assist Owner with Advertising for Bids					4		4
b	Maintain a Record of Prospective Bidders		1			4		5
c	Receive and Respond to Contractor Questions		4		2	2		8
d	Prepare for and Attend Pre-Bid Conference		5			2		7
e	Prepare for and Issue Appropriate Addenda		2		4	2		8
f	Distribute Plans to Prospective Bidders					6		6
g	Prepare for and Attend Bid Opening		5			1		6
h	Prepare Bid Tabulation and Bid Summary		1		6	2		9
i	Evaluate Bids and Prepare Recommendation of Award		1		4	1		6
	SUBTOTAL HOURS/CLASSIFICATION:		19	0	16	24	0	59
	BASIC HOURLY RATE		\$65.32	\$45.45	\$43.00	\$36.64		
	TOTAL PER CLASSIFICATION		\$1,241.08	\$0.00	\$688.00	\$879.36	\$0.00	\$0.00
	Total Labor Cost (Without Multiplier)		\$2,808.44					

Audited Overhead Rate	185.69%	\$5,214.99
Subtotal		\$8,023.43
Profit	11%	\$882.58
Cost of Capital	0.27%	21.66
TOTAL		\$8,927.67

NON-SALARY COSTS

A. Reimbursable Expense	Quantity	Unit	Rate	Subtotal
Mileage	420	Miles	\$0.700	\$294.00
Meals	0	EA	\$13.30	\$0.00
Xerox Copies	0	EA	\$0.09	\$0.00
Mailing	0	EA	\$25.00	\$0.00
Reproduction - Bond Plans	0	EA	\$0.42	\$0.00
B. Subcontracting Expenses	Amount	Contract Type		Subtotal
TOTAL DIRECT NON-SALARY COST:				\$294.00

Total:	\$9,221.67
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Lump Sum Amount	\$9,221.00
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PROJECT DESCRIPTION: SVH Runway Safety Area Improvements					DATE PREPARED: 8/19/25		
PREPARED BY: Parrish & Partners							
TASK NUMBER	BASIC SERVICES (A104) ENGINEERING SERVICES TASK DESCRIPTION	Employee Classifications					
		PM/Sr. Engineer	Engineer	Civil Associate	Aviation Project Assistant		SUBTOTAL
<u>Project Management/Grant Services</u>							
a	NCDOA Grant Setup		2			6	8
b	GA Development Checklist (AV100 and AV101)		2			6	8
c	Partner Connect Data Entry		1			4	5
d	Complete RFA Package		2			4	6
e	Detailed Project Schedule (MS Project)		2			4	6
f	Prepare Project Budget		2			6	8
g	Prepare Project Sketch		1			2	3
h	Project Coordination with NCDOA APM		2			6	8
i	Post Award Proj. and Grant Mgmt. (5 mon.)		2			8	10
j	Project Closeout		2			8	10
	SUBTOTAL HOURS/CLASSIFICATION:		18	0	0	54	72
	BASIC HOURLY RATE		\$65.32	\$45.45	\$43.00	\$36.64	
	TOTAL PER CLASSIFICATION		\$1,175.76	\$0.00	\$0.00	\$1,978.56	\$0.00
	Total Labor Cost (Without Multiplier)		\$3,154.32				

Audited Overhead Rate	185.69%	\$5,857.26
Subtotal		\$9,011.58
Profit	11%	\$991.27
Cost of Capital	0.27%	24.33
TOTAL		\$10,027.18

NON-SALARY COSTS

A. Reimbursable Expense	Quantity	Unit	Rate	Subtotal
Mileage	0	Miles	\$0.700	\$0.00
Meals	0	EA	\$13.30	\$0.00
Xerox Copies	0	EA	\$0.09	\$0.00
Mailing	0	EA	\$25.00	\$0.00
Reproduction - Bond Plans	0	EA	\$0.42	\$0.00
B. Subcontracting Expenses	Amount	Contract Type		Subtotal
TOTAL DIRECT NON-SALARY COST:				\$0.00

Total:	\$10,027.18
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Lump Sum Amount	\$10,027.00
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PROJECT DESCRIPTION: SVH Runway Safety Area Improvements				DATE PREPARED: 8/19/25			
PREPARED BY: Parrish & Partners							
TASK NUMBER	BASIC SERVICES (A104) ENGINEERING SERVICES TASK DESCRIPTION	Employee Classifications					
		PM/Sr. Engineer	Engineer	Civil Associate	Aviation Project Assistant		SUBTOTAL
Permitting Coordination							
a	Erosion Control Permitting						
	Prepare Erosion Control Plan Sheets	See Basic Services					0
	Prepare Erosion Control Details	See Basic Services					0
	Quality Review and Revisions	See Basic Services					0
	Prepare NCDEQ Permit Package, including Narrative	4	4	8			16
	Review and Respond to NCDEQ Comments (1 Set of Comments Anticipated)	4	8	16			28
	SUBTOTAL HOURS/CLASSIFICATION:	8	12	24	0		44
	BASIC HOURLY RATE	\$65.32	\$45.45	\$43.00	\$36.64		
	TOTAL PER CLASSIFICATION	\$522.56	\$545.40	\$1,032.00	\$0.00	\$0.00	\$0.00
	Total Labor Cost (Without Multiplier)	\$2,099.96					

Audited Overhead Rate	185.69%	\$3,899.42
Subtotal		\$5,999.38
Profit	11%	\$659.93
Cost of Capital	0.27%	16.20
TOTAL		\$6,675.51

NON-SALARY COSTS

A. Reimbursable Expense	Quantity	Unit	Rate	Subtotal
Mileage	140	Miles	\$0.700	\$98.00
Meals	0	EA	\$13.30	\$0.00
Xerox Copies	0	EA	\$0.09	\$0.00
Mailing	1	EA	\$25.00	\$25.00
Reproduction - Bond Plans (10 Sheets, 4 sets)	40	EA	\$0.42	\$16.80
B. Subcontracting Expenses	Amount	Contract Type		Subtotal
TOTAL DIRECT NON-SALARY COST:				\$139.80

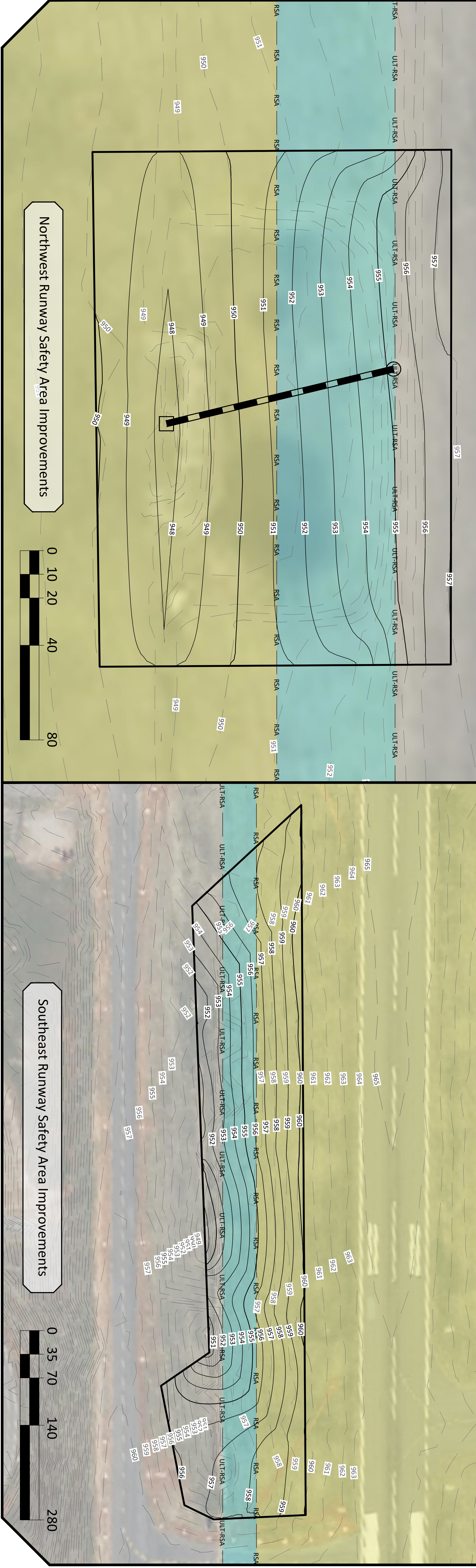
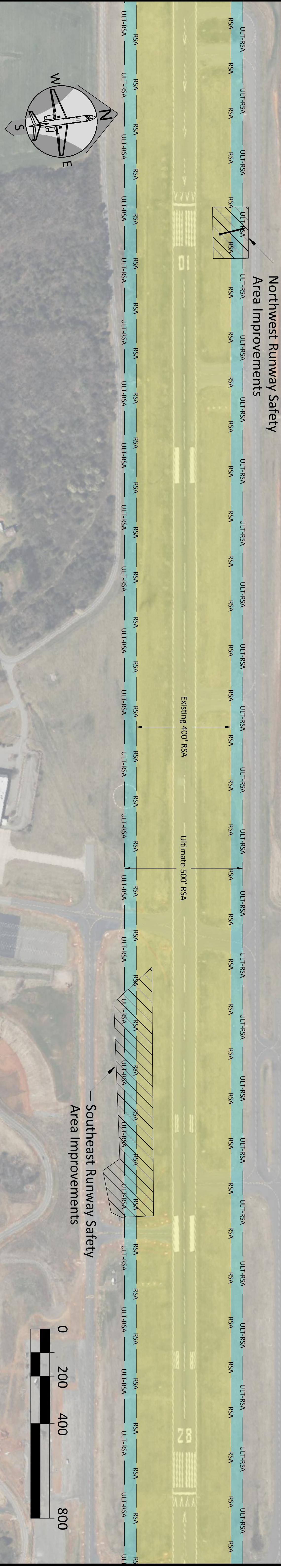
Total:	\$6,815.31
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Lump Sum Amount	\$6,815.00
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Statesville Regional Airport (KSVH)

Exhibit B - Project Sketch

January 2024



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CITY COUNCIL ACTION REQUEST

TO: Mayor and Council
FROM: Ron Smith, City Manager
DATE: 9/5/2025 2:02 PM

ACTION NEEDED ON: September 15, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approving a Request for Proposal for the HOME Funds Administration.

1. Summary of Information:

Request was made to complete a RFP for HOME funds administration. The RFP will be developed with input from the HOME consortium and City leadership.

2. Previous Council or Relevant Actions:

August 18th, 2025 council voted to suspend all HOME projects with the Statesville Housing Authority and prepare a RFP.

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 Quality and Creativity

The HOME program is designed to provide both rehabilitation and construction housing funds for qualified local citizens. It is available to complete rehabilitation as well as new construction for a range of housing options such as single family and townhomes.

4. Budget/Funding Implications:

The City's obligation is a 25% match of all HOME funds spent.

5. Consequences for Not Acting:

Needed housing will not be built or rehabbed.

6. Department Recommendation:

Recommend preparation of a RFP to be posted for interested local agencies or partners.

7. Manager Comments:

After sending to this RFP to City Council for comments, I received none. I recommend moving forward with the RFP and staff will bring the proposals back to Council at a later meeting.

8. Next Steps:

Create the RFP and post for submissions.

9. Attachments:

1. RFP Draft



Request for Proposals (RFP)

HOME Funds – Development

Released _____ 2025

Introduction

The City of Statesville (COS) announces the availability of up to \$1,354,498 in federal funding under the HOME Investment Partnerships Program (HOME) to increase the amount of affordable and attainable housing options for residents residing within the city limits. Proposals are being solicited for the following:

- New construction of affordable and attainable housing (single-family or multifamily)
- Acquisition* and rehabilitation to preserve affordable and attainable housing (single-family or multifamily)
- Conversion of an existing structure from another use to affordable rental housing
- Demolition as it relates to the new construction, acquisition, or rehabilitation of above
- Other HOME-eligible activities, as related to the above

All organizations responding to this RFP must submit their funding proposal(s), including Request Form (Exhibit A) and Statement of Certification (Exhibit B). Each proposal will be considered on a case-by-case basis. Due to the demand for services under the HOME program and the amount of funding available, this RFP will remain open until all HOME funds are committed.

**Acquisition-only proposals will not be accepted.*

Background

The HOME Investment Partnerships Program (HOME) provides formula grants to States and localities that communities use – often in partnership with local nonprofit groups – to fund a wide range of activities including building, buying, and/or rehabilitating affordable and attainable housing for rent or

homeownership. HOME is the largest Federal block grant to state and local governments designed exclusively for this purpose. The U.S. Department of Housing and Urban Development (HUD) manages HOME, and the Community Development Department administers these funds on behalf of COS.

More information about HOME, policy guidance, applicable laws and regulations, waivers and suspensions, rent and income limits, frequently asked questions (FAQs), and other useful information can be found online: [HOME: HOME Investment Partnerships Program - HUD Exchange](#).

Please note that this RFP is for HOME entitlement funding only.

Eligible Activities

The City of Statesville will fund eligible activities in accordance with the [HOME Final Rule 24 CFR Part 92](#) and the City's affordable housing goals as outlined in this RFP. These activities and costs are eligible only if the housing meets the property standards in § 92.251 upon project completion. Only proposals within the city limits will be considered.

Ineligible Activities

Development teams may not request funding for activities that are not listed in this RFP or activities outside the scope specified in the previous section, however; the COS encourages leveraging and utilizing additional applicable funding sources. Development teams must ensure that funds will not be used for costs that will be reimbursed by other federal funding streams. In addition, development teams should be aware of federal, state, and local laws outside of program requirements. For example, federal civil rights and nondiscrimination laws that prohibit discrimination based on race, color, national origin, sex (including gender and gender identity), religion, disability, age, or familial status (including having children), and any applicable environmental laws, must be followed.

Monitoring

The City of Statesville will conduct monitoring reviews on a quarterly and/or semi-annual basis in accordance with the aforementioned [HOME Final Rule 24 CFR Part 92](#). City Leadership and City Finance staff may require additional reporting requirements in alignment with Audit, Budget and Risk Management, and/or Community Development needs. Development teams must cooperate fully in any review conducted by the City, its authorized representatives, and/or the federal government. If it is determined corrective actions must be taken, COS will request a written Corrective Action Plan (CAP) detailing actions that will be taken to remedy the deficiencies.

Funding Details

This RFP will allocate funding from multiple program years (PYs) due to unallocated funds from previous years, changes in funding priorities, and recaptured funding. As projects are committed through Commitment Agreements, these amounts may be reduced. Development teams are encouraged to confirm funding availability.

All grant funding will be paid on a reimbursement basis. Specific grant terms for selected proposals will be negotiated based on an underwriting review. The maximum per-unit subsidy will vary depending on the number of bedrooms and the program year funding source (i.e., PY 2022 funding will need to use 2022 subsidy limits). For more information on subsidy limits, please visit [HOME Maximum Per-Unit Subsidy Limits – HUD Exchange](#).

Additional Considerations

Please note this is not a comprehensive list of all project requirements; however, it does provide guidance on some common components.

- Applicants are restricted from undertaking any physical or choice-limiting actions, including but not limited to property acquisition, demolition, movement, rehabilitation, conversion, repair, or construction until satisfactory completion of an environmental review, evaluation by City staff, and a receipt of Release of Funds from HUD under CFR Part 58.
- Development applications must be site-specific as funds cannot be committed without an address. Evidence the proposed development is permitted under existing zoning and other development-related documentation may be required. COS planning department will be involved in prioritizing all new project decisions.
- Requirements for the development and implementation of HOME underwriting and subsidy layering must be followed.
- In certain cases, a preliminary or firm financing commitment from a private lender or other financing source may be required prior to award.
- Every contract for construction (rehabilitation or new construction) of housing that includes 12 or more units assisted with HOME funds must contain a provision requiring the payment of not less than the wages prevailing in the locality, as predetermined by the Secretary of Labor pursuant to the Davis-Bacon Act (40 U.S.C. 3141) to all laborers and mechanics employed in the development of any part of the housing. Such contracts must also be subject to the overtime provisions, as applicable, of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3701).
- All construction projects shall be in accordance with Section 3 requirements set forth in the Housing and Urban Development Act of 1968 (12 U.S.C. 1701U), as amended.
- All infrastructure projects shall be in accordance with the Build America, Buy America (BABA) requirements, as applicable. This means all iron, steel, manufactured products, and construction materials used in the infrastructure project have been made in the United States, unless the awarding agency has issued a waiver.
- Successful project references of completed projects funded through grant funding.
- Developments that involve temporary relocation must meet the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Projects requiring permanent relocation will not be considered for funding.
- Acquisition and/or rehabilitation of existing housing developments are subject to lead-based paint testing, particularly in units built prior to 1978.

- Organizations must be prepared to meet the following conditions and execute a contract including these provisions:
 - Certify that their insurance coverage is in accordance with North Carolina law and such coverage will remain in effect throughout the period of the contractual agreement.
 - Agree to maintain financial records in accordance with Generally Accepted Accounting Principles (GAAP), to substantiate all expenditures made in connection with this proposal and/or amendments.
 - Certify that their organization will comply with all federal, state, and local laws and services will be rendered without discrimination.
 - Demonstrate evidence of organizational and financial stability and the ability to fund eligible activities prior to seeking reimbursement.

Contents of the Proposal

To receive full consideration for funding, proposals must include Exhibits A and B included in this document, as well as clearly answer all the narrative questions outlined in the Selection Criteria. Additional documentation is welcome and encouraged and should be included, as appropriate.

Please provide a jump drive with all contents of your proposal to: City of Statesville Purchasing Department, PO BOX 1111 Statesville, NC 28677

The organization must be available and able to present the proposal to City staff if requested. This presentation would cover topics related to the proposal and may be expanded.

Invalid Proposals

Submission of proposals from all qualified applicants is encouraged. The COS reserves the right to reject any or all proposals.

Additional Incentives

HOME funding is often layered with other sources and uses of funds. The COS encourages development teams to consider a variety of funding options and incentives, including those listed below. Prior to committing funding, City representatives will assess the agreement to ensure that it does not invest any more HOME funds (alone or in combination with other funds) than are necessary for projects to be successful and the development team's return in excess of the allowable 10% administrative fee is appropriate and reasonable.

Additional information

The prospective applicant certifies by submission of their proposal that neither it nor its principals are presently disbarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal, state, or local department or agency. Any party conducting business with HOME funds as part of the eligible activities cannot be listed on the federal debarred list of contractors. The online debarred list can be found on the System Award Management

(SAM) website: <http://www.sam.org>. Any agencies currently out of compliance with any Iredell County or City of Statesville contracts are ineligible to apply.

Questions

Questions regarding this RFP should be directed to jhatcher@statesvillenc.net

Exhibit A | Request Summary Form

Please print or type your responses below.

Organization Name	
Organization Address	
Organization Unique Entity Identifier (UEI)	
Organization Tax ID #	
Contact Name	
Contact Email	
Contact Phone	
Date of Application Submittal	
Project Category/Description	
Total Project Cost/Proposal Budget	
HOME Funding Request (% of Proposal Budget)	
HOME Match Contribution (25% of HOME Funding Request)	The City of Statesville provides the 25% match provider
Uses of HOME Funds	
Proposal Timeline, incl. Start Date	
# of Households Assisted	
To be completed by eligible CHDOs only:	
CHDO Operating Expenses	
CHDO Operating Fund Request	

Exhibit B | Statement of Certification

I hereby certify that all statements I have provided on this application and in the attachments herein are true; that I am authorized to sign this application and to make these statements on behalf of the applicant organization and that the organization understands that any representation which leads to the improper allocation and expenditure of public funds may result in legal action against the organization for retrieval of any such funds and appropriate penalties.

Signature

Title

Printed Name

Date

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Matthew Kirkendall, Senior Planner
DATE: 9/4/2025 5:19 PM

ACTION NEEDED ON: September 15, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Conduct a public hearing and consider passing first reading of an ordinance to annex AX25-07 The Oaks at James Farm, filed by Mr. Chris LaMack for his parcel located at 474 James Farm Road.

1. Summary of Information:

This property is approximately 14.77 acres located at 474 James Farm Road (see Location Map, Aerial Photo and Site Photo). This parcel was rezoned to R-5MF CZ (High Density Multi-Family Residential) Conditional Zoning District, contingent upon annexation. The applicant requests voluntary annexation to utilize City sewer (see current zoning and utilities map).

2. Previous Council or Relevant Actions:

City Council approved the first reading of the conditional rezoning (ZC25-11) on July 14, 2025, contingent upon annexation (see Concept Plan).

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: N/A

The property is in the Tier 2 Growth Area of the 2045 Land Development Plan, is in the Jane Sowers North Strategic Focus Area, and is adjacent to city limits.

4. Budget/Funding Implications:

The current tax value of the parcel is \$267,000. City of Statesville sewer is available, the estimated value at full buildout is \$32,240,000.

5. Consequences for Not Acting:

Without annexation the city would not collect property taxes. Without annexation, the property owner 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 the first reading of this annexation request.

8. Next Steps:

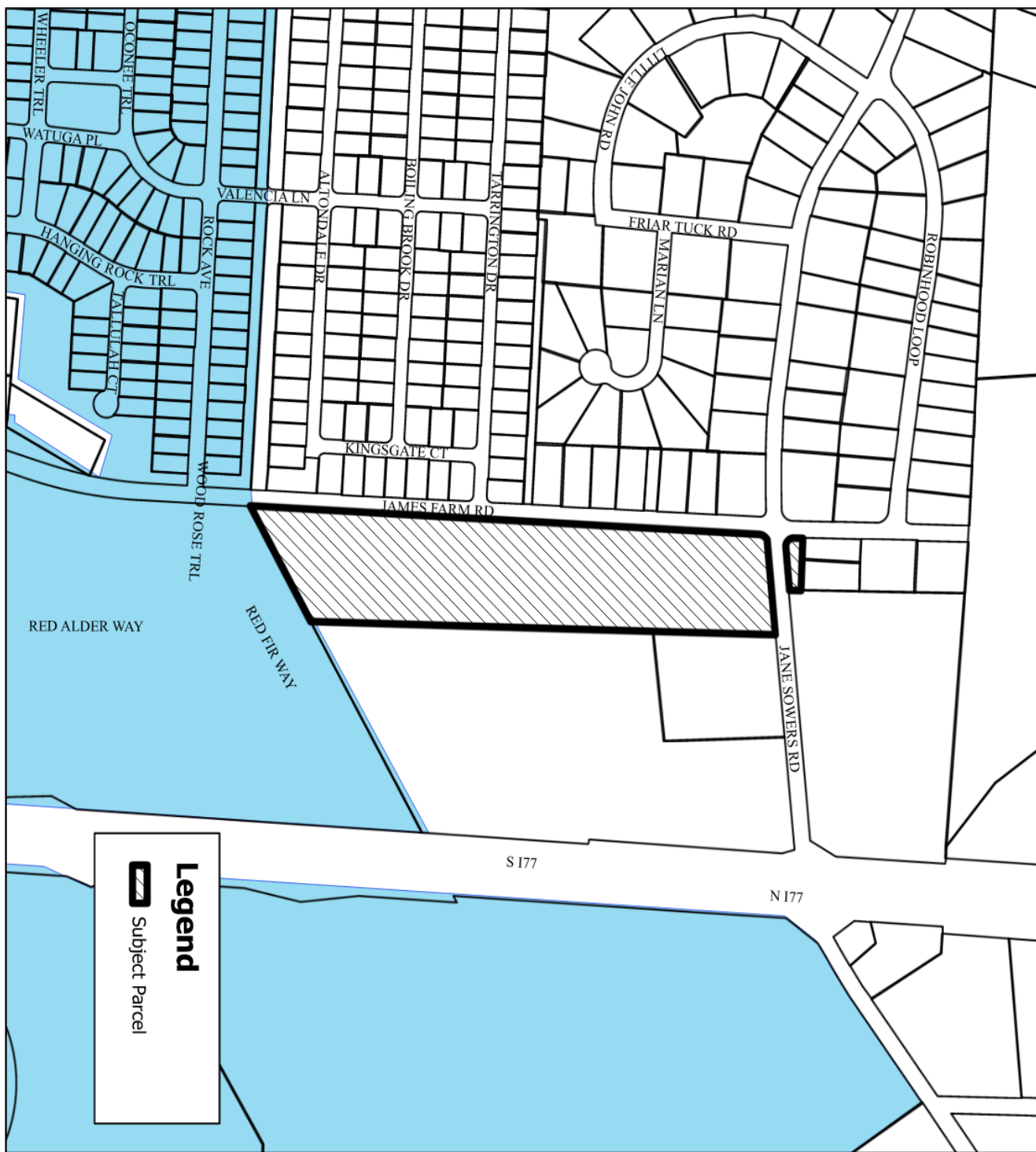
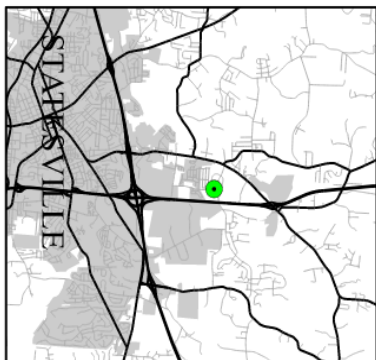
If approved, the second reading will be October 6, 2025.

9. Attachments:

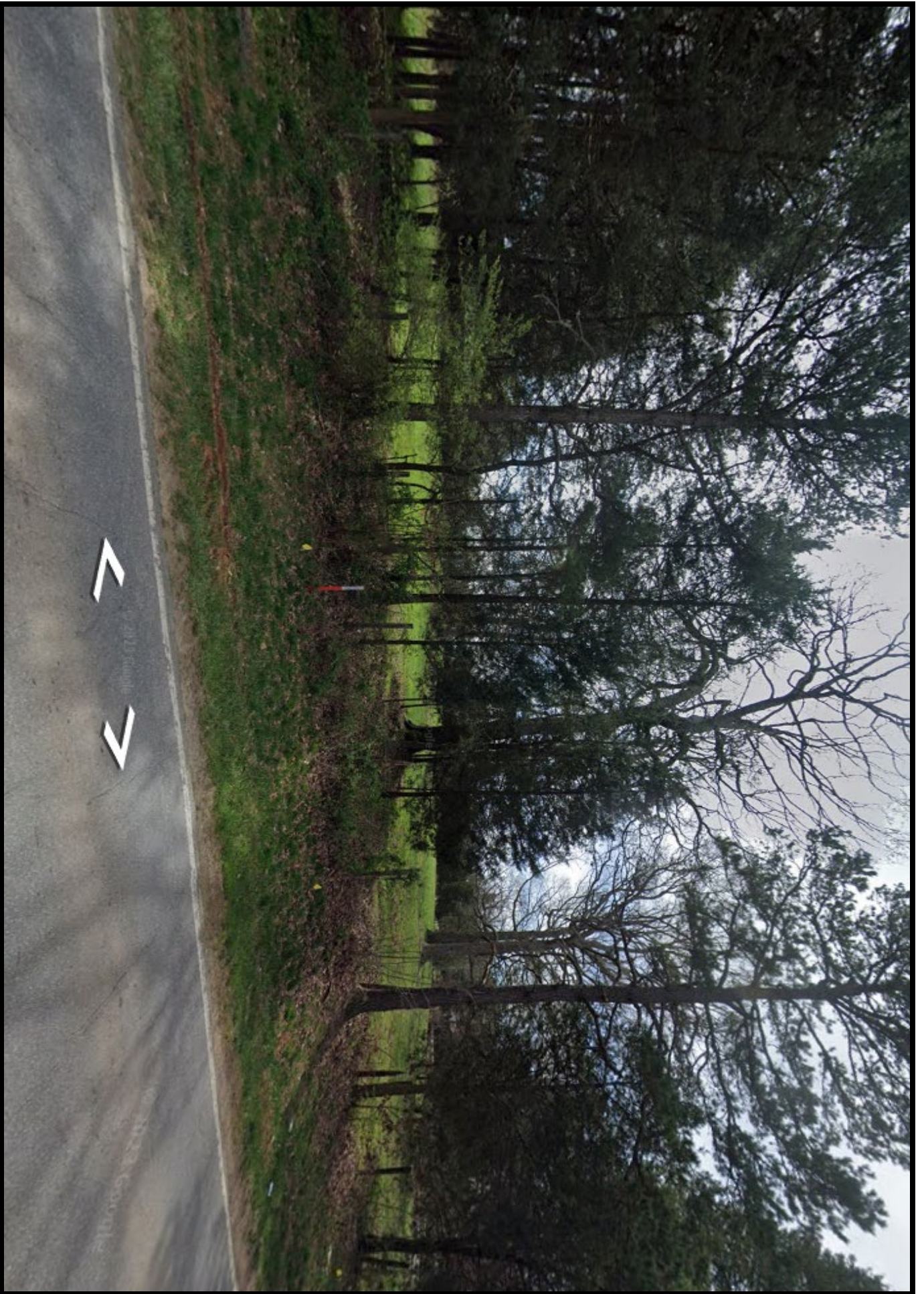
1. Packet Maps AX25-07 The Oaks
2. Ordinance_Annexation_AX25-07 The Oaks at James Farm

City of Statesville Planning Department

AX25-07 The Oaks at
James Farm
4746-72-7613



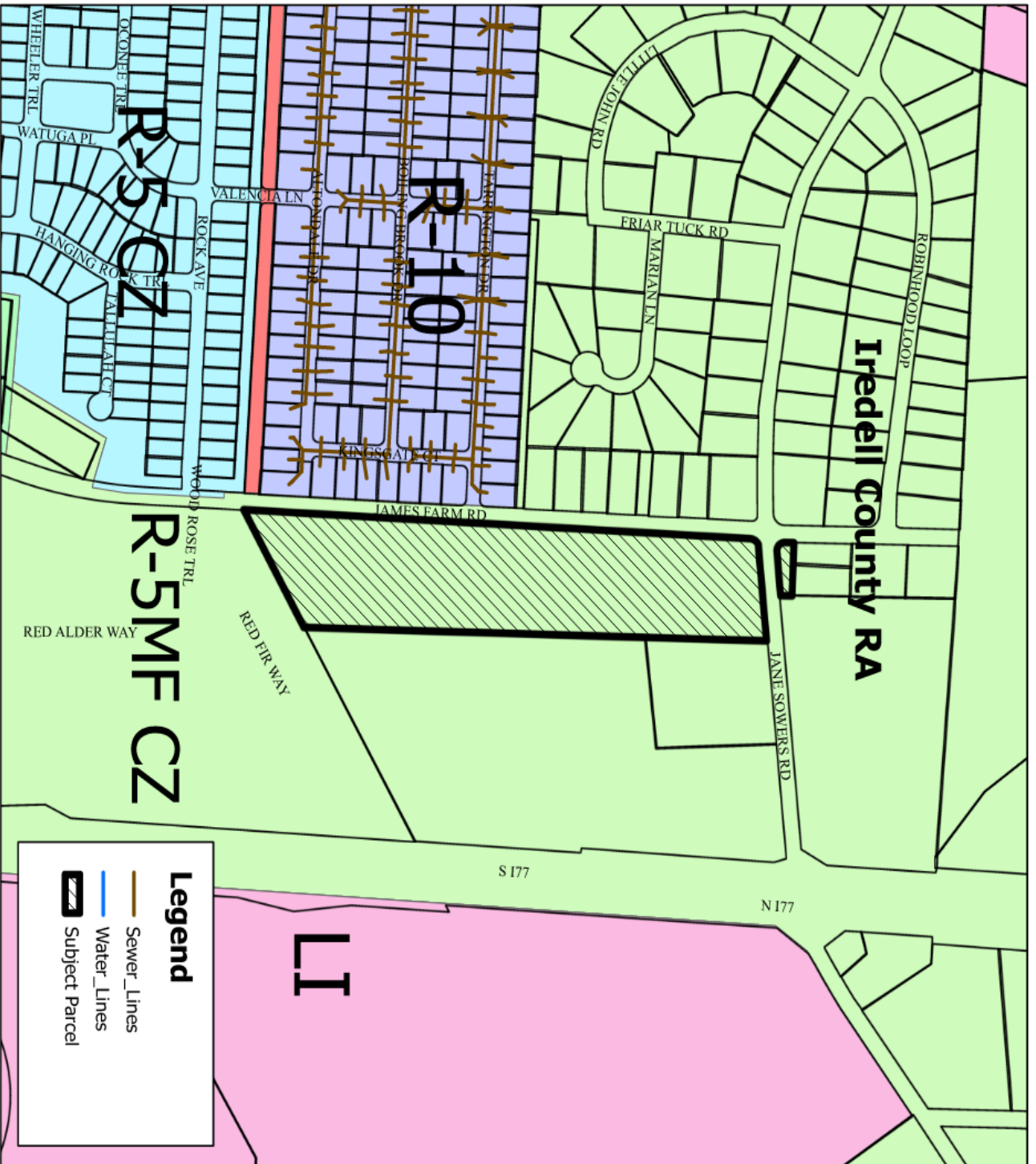
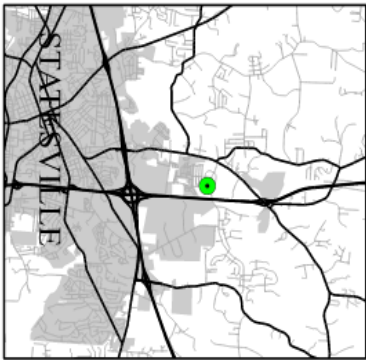




Site Photo – AX25-07 The Oaks at James Farm

City of Statesville
Planning Department

AX25-07 The Oaks at
 James Farm
 4746-72-7613



ORDINANCE NO. _____

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

**Case No. AX25-07 The Oaks at James Farm
Parcel # 4746-72-7613**

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 15th day of September 2025 after due notice by publication on the 4th day of September 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 October 31, 2025, at 11:59 p.m.

Description

BEGINNING at an iron pin located in the southern line of the Rainey Patterson Heirs property as set out in deed recorded in Book 335, at Page 252, Iredell County Registry, said iron pin also being the northeast corner of Ernest Waddell Heirs property as set out in deed recorded in Book 354, at Page 284, Iredell County Registry, and continuing thence with said southern line of Patterson Heirs, North 77° 36' 05" East 124.92 feet to an iron pin, the southeast corner of Dwight F. Martin as set out in deed recorded in Book 298, at Page 443, Iredell County Registry; thence South 10° 28' 15" East 38.66 feet to an iron rod; thence North 79° 50' 05" East 66.30 feet to iron rod; thence South 04° 16' 15" West 348.60 feet to an iron rod located in Sherrill Industrial Park's northern line; thence with Sherrill Industrial Park's northern line, North 88° 02' 55" West 191.92 feet to an iron rod, Kenneth L. Grant's southeast corner thence with Grant's eastern line, North 03° 56' 35" East 341.40 feet to an iron pin, the point and place of Beginning, containing 1.556 acres, more or less, according to a survey by Hildebran Surveying Co., entitled "Toua D. Khang and wife, Shoua H. Khang, Statesville Outside Township, Iredell County, NC", dated March 2, 1998.

Section 2. Upon and after September 30, 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 15th day of September, 2025.

AYES:

NAYES:

The second and final reading of this ordinance was heard on the 6th day of October 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 October 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: Lesley Marion, Ordinance Enforcement Inspector
DATE: 9/2/2025 10:55 AM

ACTION NEEDED ON: September 15, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Conduct a public hearing regarding the condemnation of an abandoned, dilapidated dwelling located at 1013 Park Drive and consider approving first reading of an ordinance to demolish the dwelling as unsafe and a dangerous condition or consider foreclosure.

1. Summary of Information:

The double wide manufactured home is owned by REYES LAURENTINO C+KANDICE C. There appears to be holes in the roof and missing shingles. There is no exterior siding protection and it has significant rot. Both entry doors appear to be missing leaving the house exposed to the elements and animals and there are no windows. The interior is gutted with only studs, and no underpinning. The kitchen and bathroom have been removed with no existing plumbing or electrical wiring. The tax value of the dwelling is \$23,000.

The estimated costs for repairs to the structure are greater than \$71,000. This includes a roof replacement of approximately \$16,000 (shingles, rafters, and sheathing). There are at least 10 windows that need to be replaced and will cost approximately \$20,000. The kitchen replacement is approximately \$15,000 and bathroom replacement approximately \$10,000 X 2. Cost to replace ceilings, floors and walls is undetermined. Cost for plumbing and electrical is undetermined. There is \$2,000 owed to the city for mowing. The cost of repairs exceeds the 50% requirement therefore, the house is eligible for demolition.

2. Previous Council or Relevant Actions:

A renovation permit was obtained by the owner however it expired January 26, 2025.

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

The demolition of this property promotes public safety because the property continues to deteriorate.

4. Budget/Funding Implications:

The city is owed a lien in the amount of \$2,000 for mowing.

5. Consequences for Not Acting:

This dwelling will continue to deteriorate and will ultimately collapse.

6. Department Recommendation:

Staff's recommendation is to approve the ordinance to demolish the dwelling located at 1013 Park Drive. If the cost for demolition is not paid staff will foreclose.

7. Manager Comments:

Recommend approving the ordinance to demolish this dwelling.

8. Next Steps:

If approved, second reading will be on October 6, 2025. If the second reading is approved the engineering department will bid out the demolition of the dwelling. If foreclosure instead of demolition, file will be sent to Iredell County.

9. Attachments:

1. Site photo
2. CondemnationOrd
3. Housing inventory map



Site Photo – 1013 Park Drive

PIN# 4734-02-3012

View from 2023 front, looking onto subject property.



Site Photo – 1013 Park Drive

PIN# 4734-02-3012

View from front window, looking into interior subject property.



Site Photo – 1013 Park Drive

PIN# 4734-02-3012

View from eastside, looking at subject property

ORDINANCE NO. _____

**AN ORDINANCE DIRECTING THE PLANNING DIRECTOR TO DEMOLISH THE
STRUCTURE LOCATED AT 1013 PARK DRIVE,
STATESVILLE, NORTH CAROLINA AS UNFIT FOR HUMAN HABITATION.**

WHEREAS, the City Council of the City of Statesville finds that the house located at 1013 Park Drive, Statesville, North Carolina, is unfit for human habitation under the Statesville Minimum Housing Code, and that all of the provisions of the minimum housing code have been complied with by the Ordinance Enforcement Inspector as a condition of the adoption of this ordinance; and

WHEREAS, the repair, alteration, or improvement of said dwelling can be made only at a cost exceeding 50% of the value of dwelling, and accordingly, said dwelling should be demolished as directed by the Ordinance Enforcement Inspector; and

WHEREAS, the owner of said dwelling Richard C. Harris has been given a reasonable opportunity to repair the dwelling to the standards of the North Carolina Building Code and Statesville City Code or to demolish said dwelling pursuant to an order issued by the Ordinance Enforcement Inspector on **April 7th, 2025** to demolish said building by **June 9th, 2025** and the owner and parties in interest having failed to comply with the order or to make sufficient repairs to bring said dwelling to the standards of the minimum housing code; and

WHEREAS, a notice to the general public was duly given notifying them of a public hearing to be held by the City Council on **September 15th, 2025**, regarding said order for demolishing, said notice having been published in the Statesville Record & Landmark, a newspaper having a general circulation in this area on **September 4th, 2025** and **September 11th, 2025**, all in accordance with G.S. 160A-364; and

WHEREAS, said public hearing was held on **September 15th, 2025**, and all person's present were given an opportunity to be heard on said proposed ordinance prior to any action being taken by the City Council thereon; and

WHEREAS, the said dwelling was posted, notifying the owner, all parties in interest, and the general public of the public hearing; and

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

1. The Planning Director is hereby authorized to demolish the house and all accessory buildings located at **1013 Park Drive**, Statesville, North Carolina, in accordance with the order of the Ordinance Enforcement Inspector to the owner and parties in interest dated **April 7th, 2025**.

The legal description of the above-named house as found in **Deed Book 2276 at Pages 2401** Iredell County Register of Deeds is as follows:

BEGINNING at an existing concrete monument in the eastern right of way line of Park Drive as platted in Plat Book 20, Page 17 Iredell County Registry (ICR), the southwest corner of Laurentino Coma Reyes and wife, Kandice Coma as described in Deed Book 2153, Page 691, (ICR), thence running with the southern boundary line of Laurentino Corza Reyes and wife, Kandice Corza S 77-11-46 E 98.98 feet to an existing iron rebar, the southeast corner of Laurentino Coma Reyes and wife, Kandice Coma, and a corner of the Fred Gene Davis Estate as described in Deed Book 692, Page 702, ICR; thence running with a new line of the Fred Gene Davis Estate N 89-30-38 W 101.06 feet to an existing iron rebar at the terminus of the eastern right of way line of Park Drive and a corner of the Fred Gene Davis Estate; thence running with the eastern right of way line of Park Drive N 12-08-45 E 21.56 feet to the point and place of **BEGINNING** containing 0.0245 acres being a portion of the Fred Gene Davis property as described in Deed Book 692 at Page 702 in the Iredell County Registry.

PIN: 4734-02-3012

Property address: 1013 Park Drive , Statesville, NC 28677

2. This ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction.
3. This ordinance shall become effective on the **6th day of October, 2025** and shall be recorded with the Iredell County Register of Deeds and **shall be indexed in the Grantor section in the name of REYES LAURENTINO C+KANDICE C**, in accordance with G. S. 160A-443(5).

This ordinance was introduced for a first reading by Council member _____, seconded by Council member _____ and carried on the **15th day of September 2025**.

Ayes:

Nays:

The second and final reading of this ordinance was heard on the **6th day of October 2025** and upon motion of Council member _____, seconded by Council member _____, was adopted.

Ayes:

Nays:

This ordinance is to be in full force and effect from and after the **6th day of October 2025**.

CITY OF STATESVILLE

MAYOR

APPROVED AS TO FORM:

By: _____
CITY ATTORNEY

ATTEST:

CITY CLERK

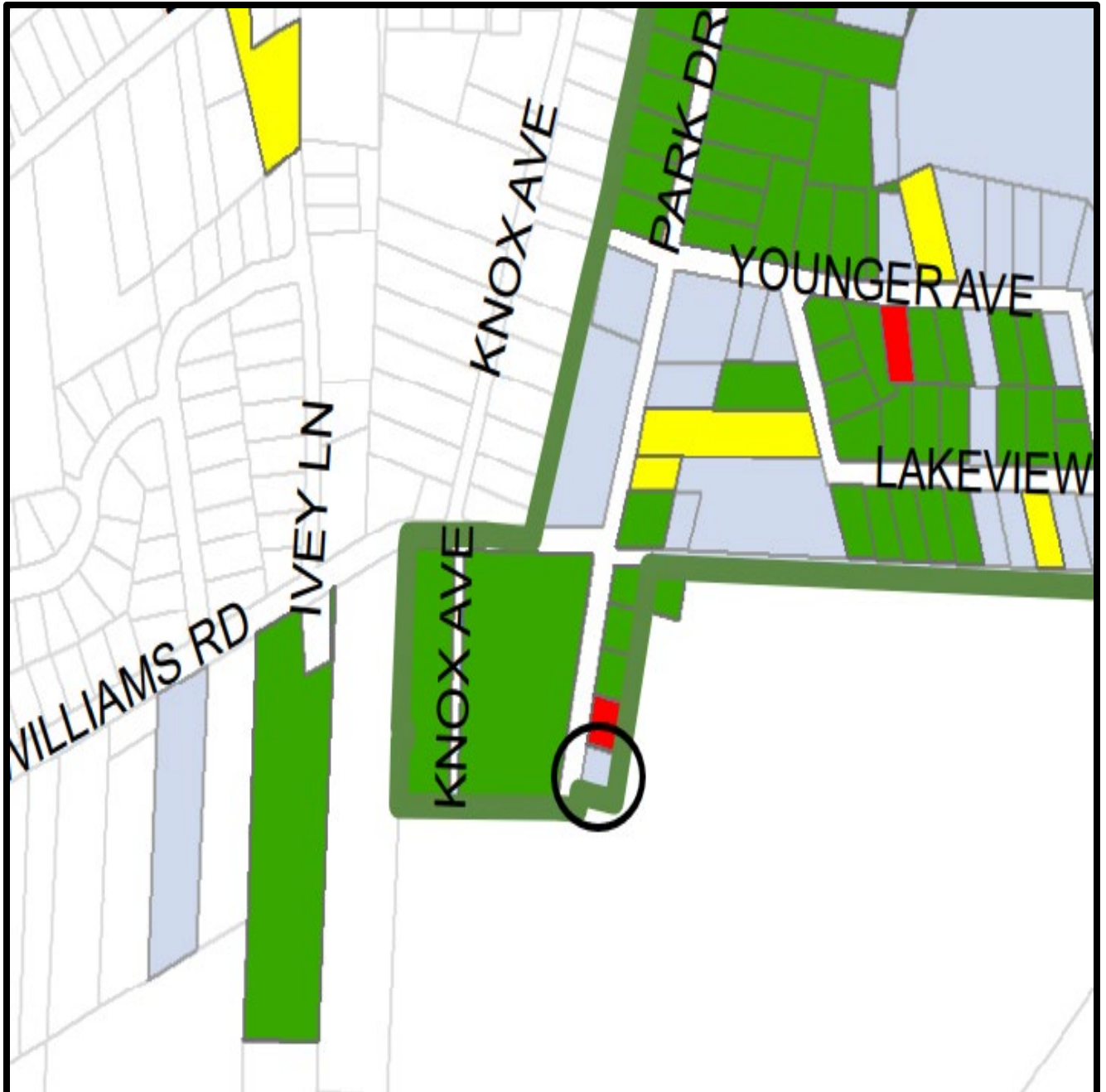
**Index in the Grantor section in the name of REYES LAURENTINO C+KANDICE Cin
accordance with G. S. 160A-443(5).**

NORTH CAROLINA
IREDELL COUNTY

This is to certify that on the _____ day of _____, 2025,
before me personally came Constantine H. Kutteh, Mayor of the City of Statesville, with whom I
am personally acquainted, who, being by me duly sworn deposes and says: That he is the
Mayor of said City and Emily Kurfees is the City Clerk of the City of Statesville, the corporation
described in and which executed the foregoing instrument; that she knows the corporate seal of
said corporation; that the seal affixed to the foregoing instrument is said corporate seal, and the
name of the corporation subscribed thereto by the said Mayor and City Clerk, and said
corporate seal was affixed, all by order of the City Council of said corporation, and that said
instrument is the act and deed of said corporation.

Witness my hand and notarial seal, this the _____ day of _____,
2025.

My Commission Expires: _____



Ward 3

1013 Park Drive

2020 Housing Inventory Map

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Sherry Ashley, Planning Director
DATE: 9/5/2025 2:00 PM

ACTION NEEDED ON: September 15, 2025
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Conduct a public hearing and consider passing the first reading of Rezoning Request ZC25-13 for Compass Data Centers; properties located on Stamey Farm Road, between I-40 and US 70 (Hickory Highway), To rezone from Iredell County RA and Iredell County HB to the City of Statesville LI CZ.

1. Summary of Information:

Rezoning Request

Mr. Brett Collard with Compass Data Centers is requesting to rezone a total of 350 acres from Iredell County RA (Residential Agricultural) District and Iredell County HB (Highway Business) District to the City of Statesville's LI CZ (Light Industrial Conditional Zoning) District for a data center (see attached Location Map, Aerial Map, Site Photos, and Current Zoning and Utilities Map). A data center is a physical facility that houses computer systems, servers, storage devices, and network equipment used for storing, processing, and distributing data. Essentially, it's the physical infrastructure that powers many of the online services and applications used daily, from social media to cloud storage.

Evaluation

The proposed project site is made up of 8 parcels which includes the Stamey Farm and several existing houses with the exception the portion of property across US 70 (Hickory Highway). It is not included in the request. Currently all of these parcels are located in Iredell County's jurisdiction and would need to be annexed into the city. Most if not all existing structures would be removed including the farm ponds.

The applicant is proposing to construct up to 5 buildings (approximately 270,000 sq. ft. each) with 40 backup generators per building in case of power outages. A substation will be constructed on the site for electrical service from Duke Energy (see Concept Plan). In addition, a temporary concrete batch plant may be located on the property during construction. The driveways would be private, with primary access off Stamey Farm Road close to the interstate. A second driveway would be provided from US 70 (Hickory Highway) for emergency access. The site will also be fenced for security purposes.

This is a Conditional Zoning request; if approved, the project will be tied to the concept plan and conditions submitted by the applicant, plus any conditions approved by the Planning Board and City Council. The neighborhood input meeting was held by the applicant on August 14, 2025, at the Civic Center; Approximately 70 people were in attendance. It was clarified that this data center is not the same data center requested in the Town of Mooresville. Questions regarding stormwater, smell,

noise, farmland preservation, light pollution, notification, electric provider, berming, cooling, access traffic, remaining land, biofuel, number of generators, employment including youth, wells, property values, and cyber threats (see attached Meeting Report). No changes to the concept plan were recommended.

The setbacks of 30 ft. front, 20 ft. rear, and 8 ft. side are met. The location of the buildings and generators exceed the setbacks are approximately 500 ft. from the eastern property line, 650 ft. from the western property line and 1,000-2,500 ft. from the southern property line. The buildings are proposed to be 30 ft. in height even though 80 ft. is allowed in the LI District. Dumpsters will be located inside the docks.

There are two large Duke Energy transmission lines that run through the site south of the proposed buildings. A new substation is proposed to be located on the north side of the site adjacent to the interstate.

There are two streams that run through the site, and the concept plan shows the required 25 ft. stream buffers.

The number of parking spaces is 0.5 space per largest shift of employees. Each building is projected to have 40 employees; therefore 100 spaces are required, 200 is proposed.

The concept plan indicates the required buffer yards, street yards, and parking lot trees. In addition, the applicant has increased the required 30 ft. buffer to 50 ft. adjacent to existing homes. Street Trees will be planted in the 8 ft. street yard along Stamey Farm Road, US 70 (Hickory Highway) and I-40. If the site is fenced with chain-link, it will be required to be dark green or black colored adjacent to public streets.

Both a landscape plan and lighting plan will be required for TRC.

Two stormwater ponds are indicated on the concept plan and will be reviewed by TRC. Utilities such as Duke Energy electric and City of Statesville sewer are being planned for the area. Energy United water and City of Statesville water are available (see Current Zoning and Utilities map).

The 2019 Mobility + Development Plan projects Stamey Farm Road to be widened to a 3-lane section with an 80 ft. right-of-way. Hickory Highway is projected to have 60 ft. of right-of-way. Therefore, the applicant will be required to dedicate the right-of-way and install curb, gutter, sidewalk and street trees along both of these streets. Other improvements could be required as part of the approved TIA.

In addition, the applicant has offered the following conditions:

1. Uses limited to Data Centers, Warehouse, Mini Warehouses, Public Utility Uses, Temporary Batch Plant, Outdoor Storage as an Accessory Use, General Office, Parking, and Parks and Playgrounds.
2. Require Traffic Impact Analysis to be performed for City of Statesville review and permitting.
3. Increase property line buffer from 30 ft to 50 ft with additional proportional landscaping at adjacent parcels with existing residential structures to include pins: 4713-28-1975.00, 4714-50-4518.00, and 4714-53-5163.00.

2. Previous Council or Relevant Actions:

On August 26, 2025, the Planning Board voted unanimously to recommend approval of the rezoning request as presented. Approximately 200 persons attended; 15 spoke in opposition and 7 spoke in favor.

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 and encourage Opportunity

The use as a Data Center complies with the City's 2019 Mobility + Development Plan, the 2045 Land Development and the 2045 County Horizons Plan. The properties are located in the Tier 2 Growth Area. Utilities are available or in the planning stages. The data center will provide an increase in the city's tax base.

4. Budget/Funding Implications:

The current tax value is \$1.12 Million, value with improvements will be around \$100 Million.

5. Consequences for Not Acting:

The land will remain zoned Iredell County RA and HB and can be developed under the county's zoning regulations. Properties could be rezoned by Iredell County.

6. Department Recommendation:

The 2019 Mobility + Development Plan projects 2 land use plan options for the Airport/I-40 Focus Area regarding these properties (see attached). Concept A projects half of the properties for mixed use neighborhood and half for manufacturing/logistics. Concept B projects all of these properties for manufacturing/logistics. A data center is neither strictly manufacturing or strictly logistics; it is both because it produces "information" or "data" and manages the flow of equipment, power, cooling and data within the facility. When the 2045 Land Development Plan was adopted afterwards, the mobility plan was taken into consideration and this area was projected as Activity Center or Employment Center/Industrial Flex (see attached). Employment Center/Flex Industrial includes business parks, corporate campuses, flex space, manufacturing, distribution, and other industrial uses. Secondary uses include retail. In addition, these properties are located in the Tier 2 growth area. Utilities are currently available or are in the planning stages.

The 2045 Iredell County Horizons Plan also projects this area as Employment Center- Industrial/Flex Space/Office which allows manufacturing, warehouses, office, and assembly with retail as secondary uses.

Planning staff confirmed with both Iredell County and the State that Stamey Farm is not located within a Farmland Preservation District.

In addition, to the adopted plans referenced above, the concept plan and conditions offered by the applicant provide large buffers and an expanse of undeveloped land between the proposed structures and adjoining properties, the primary entrance is in close proximity to I-40 and the interchange, and a data center is a less intensive use regarding traffic than a distribution center or retail development.

Therefore, Staff recommends approval of the request contingent upon annexation and changing the language of condition #2 as follows:

2. Driveway and road improvements agreed to by the City and NCDOT per the Traffic Impact Analysis will be incorporated into the site plan prior to submitting to the City for review.

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 2019 Mobility + Development Plan projects 2

land use plan options for the Airport/I-40 Focus Area regarding these properties. Concept A projects half of the properties for mixed use neighborhood and half for manufacturing/logistics. Concept B projects all of these properties for manufacturing/logistics. A data center is neither strictly manufacturing or strictly logistics it is both because it produces “information” or “data” and manages the flow of equipment, power, cooling and data within the facility. When the 2045 Land Development Plan was adopted afterwards, the mobility plan was taken into consideration and this area was projected as Activity Center or Employment Center/Industrial Flex. Employment Center/Flex Industrial includes business parks, corporate campuses, flex space, manufacturing, distribution, and other industrial uses. Secondary uses include retail. In addition, these properties are located in the Tier 2 growth area. Utilities are currently available or are in the planning stages.

In addition, to the adopted plans referenced above, the concept plan and conditions offered by the applicant provide large buffers and an expanse of undeveloped land between the proposed structures and adjoining properties, the primary entrance is in close proximity to I-40 and the interchange, and a data center is a less intensive use regarding traffic than a distribution center or retail development.

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 project does not meet the Employment Center/Flex Industrial intent and is not complementary to the surrounding area.

7. Manager Comments:

Recommend for approval.

8. Next Steps:

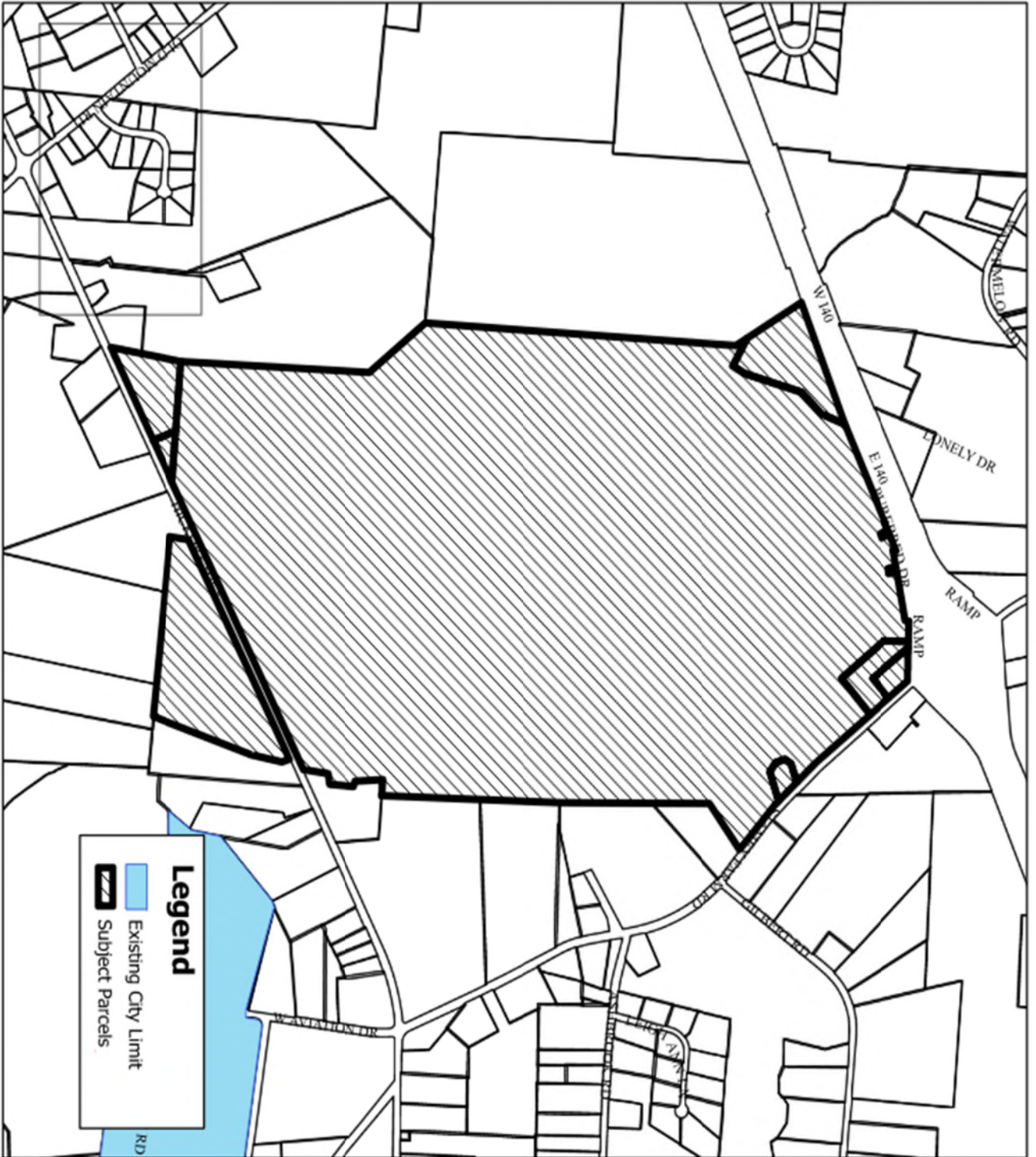
If approved, the second reading would be on October 6, 2025. If denied, another rezoning request cannot be filed for 12 months, a similar request cannot be filed for 24 months.

9. Attachments:

1. Packet Maps ZC25-13 Compass Data Centers
2. Concept Plan_2025.08.18 Compass Revised and Boundary Survey
3. Survey Boundary 081925 - signed
4. Community Meeting Report_Full Package 2025.08.14 Compass
5. 2019 Mobility Development Plan - Activity Center Character Area
6. Zoning Consistency Stmt and Ordinance Pack ZC25-13 Compass Data Centers CC
7. Planning Board Meeting Minutes, Public Hearing Speaker list, and map

City of Statesville Planning Department

ZC25-13 Compass Data Centers
Stanley Farm Road
4713-29-5198, 4713-39-0218,
4714-23-3766, 4714-53-2608,
4714-34-8407, 4714-44-5418,
4714-44-5207, and portion of
4714-31-8718





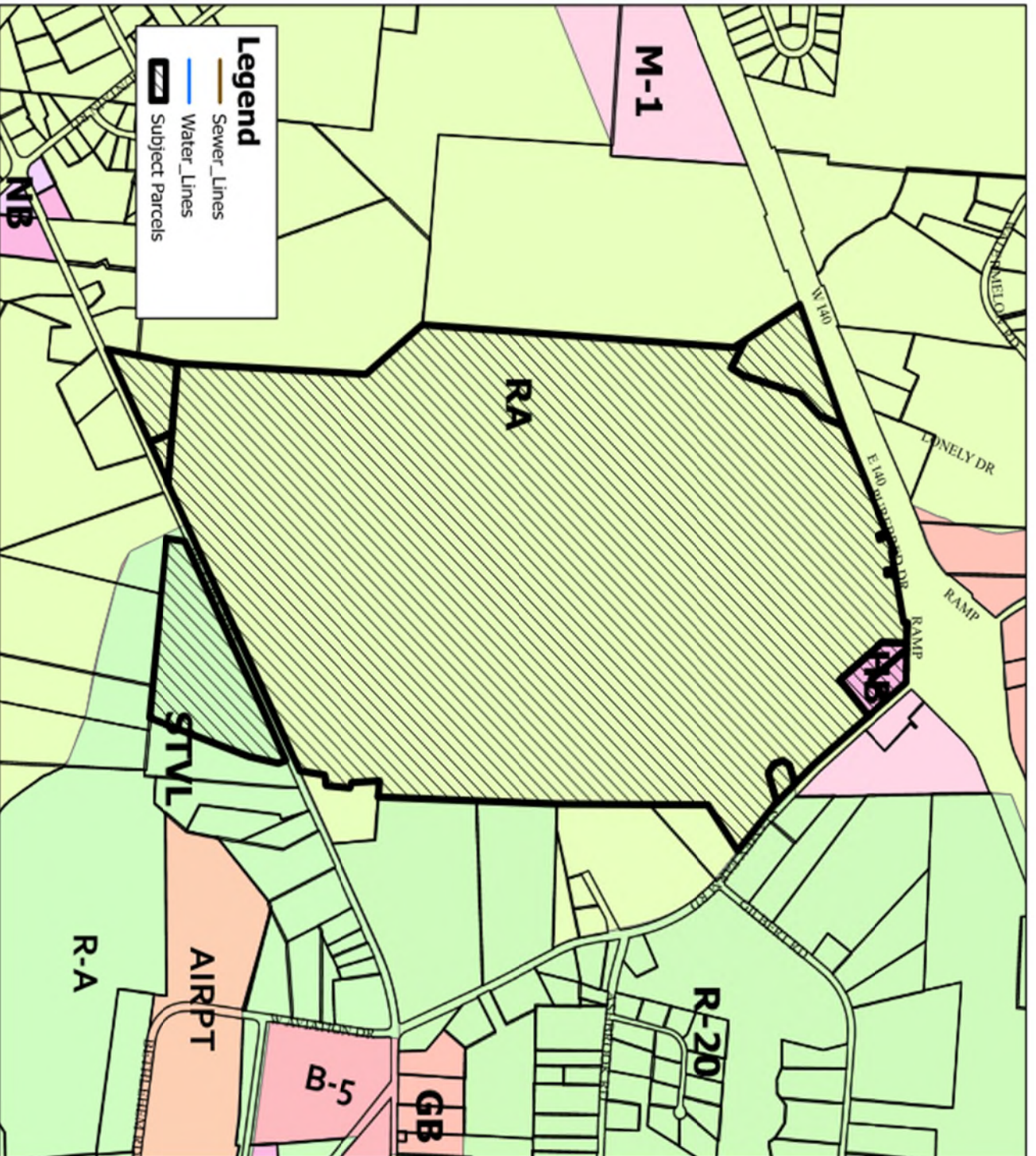
Aerial Photo – ZC25-13 Compass Data Centers

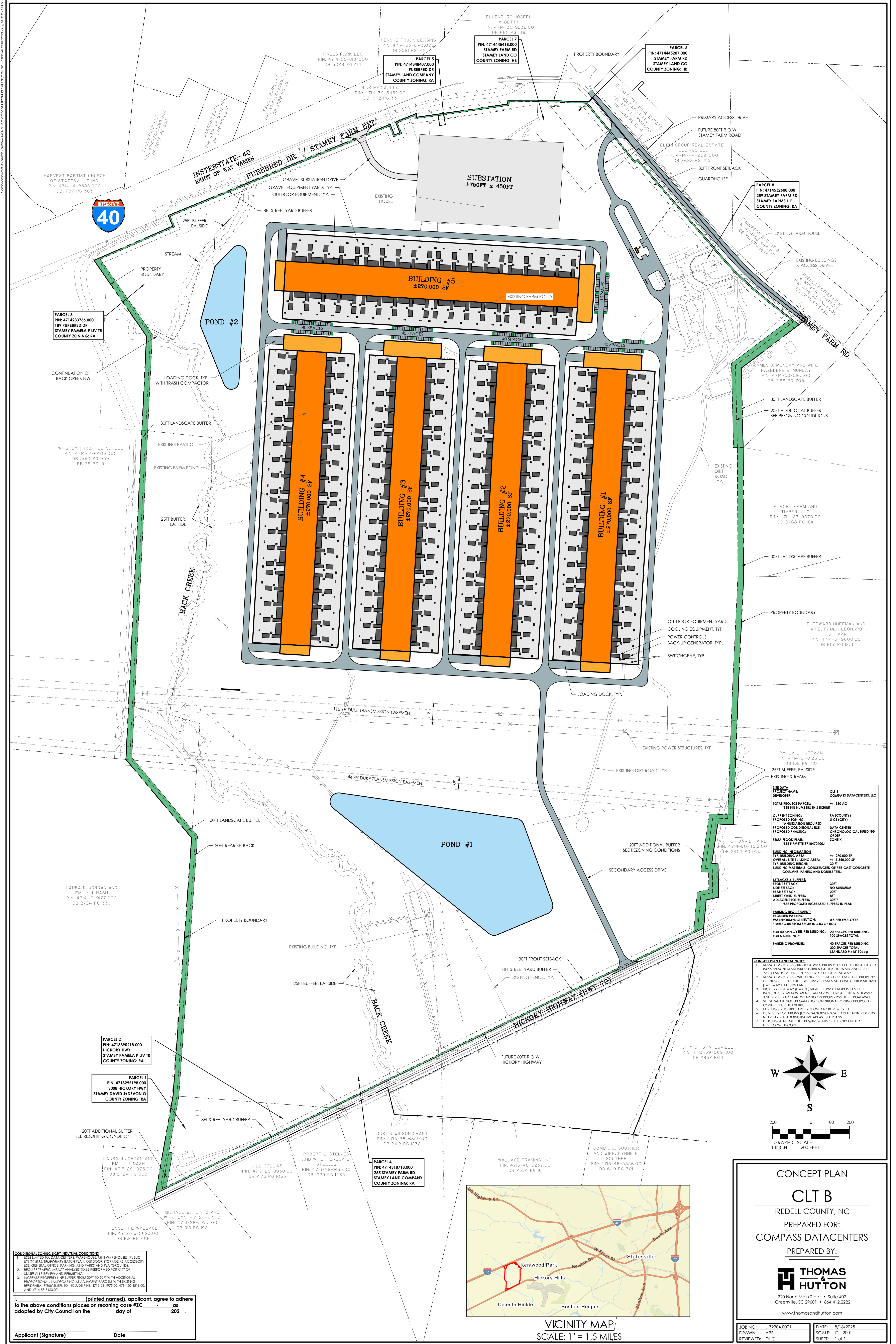


Site Photo – ZC25-13 Compass Data Centers

City of Statesville Planning Department

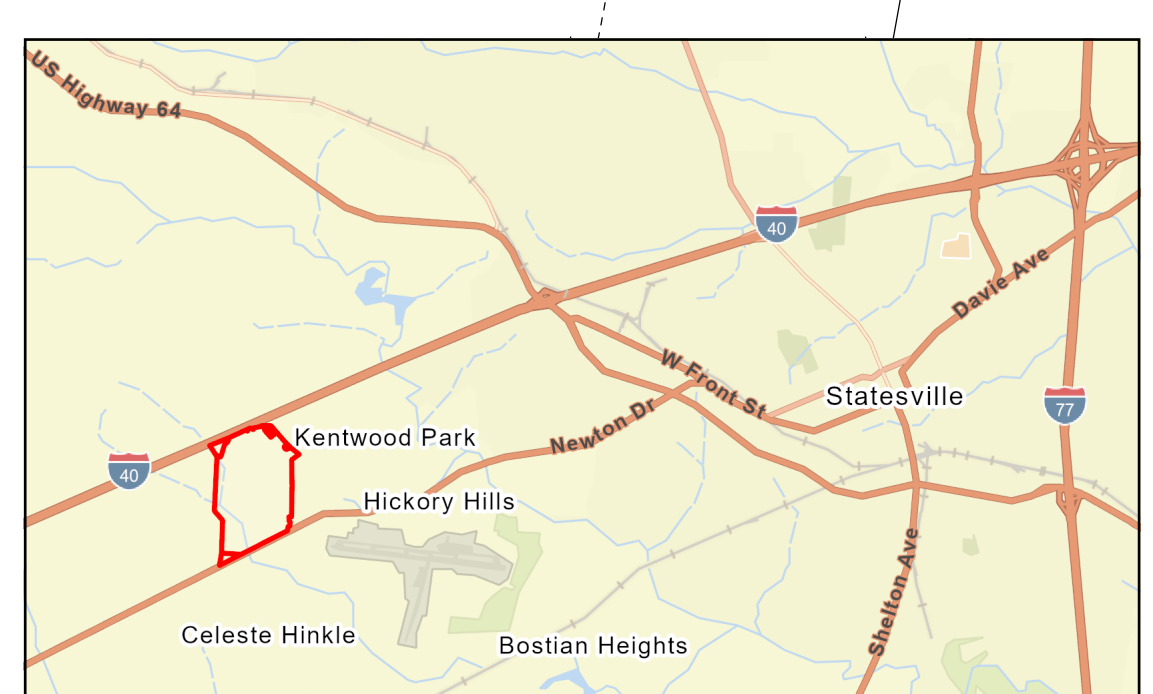
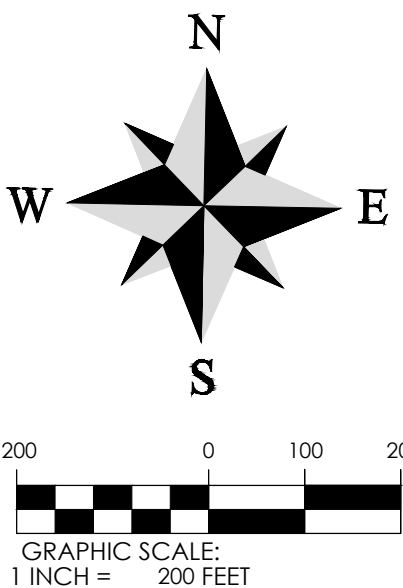
ZC25-13 Compass Data Centers
Stamey Farm Road
4713-29-5198, 4713-39-0218,
4714-23-3766, 4714-53-2608,
4714-34-8407, 4714-44-5418,
4714-44-5207, and portion of
4714-31-8718





SITE DATA	CLT B
PROJECT NAME:	COMPASS DATACENTERS, LLC
TOTAL PROJECT PARCEL:	± 350 AC
CURRENT ZONING:	RA (COUNTY)
PROPOSED ZONING:	LI C2 (CITY)
PROPOSED CONDITIONAL USE:	DATA CENTER
PROPOSED PHASING:	CHRONOLOGICAL BUILDING ORDER
FEMA FLOOD PLAIN:	ZONE X
BUILDING INFORMATION:	
TYP. BUILDING AREA:	± 270,000 SF
OVERALL SITE BUILDING AREA:	± 1,340,000 SF
TYP. BUILDING HEIGHT:	30 FT
BUILDING MATERIALS:	CONSTRUCTED OF PRE-CAST CONCRETE COLUMNS, PANELS AND DOUBLE TEES.
SETBACKS & BUFFERS:	
FRONT SETBACK:	30FT
REAR SETBACK:	NO MINIMUM
STREET YARD BUFFERS:	8FT
ADJACENT LOT BUFFERS:	30FT
SEE PROPOSED INCREASED BUFFERS IN PLAN.	
PARKING REQUIREMENT:	
REQUIRED PARKING:	0.5 PER EMPLOYEE
WAREHOUSE DISTRIBUTION:	TABLE 6.04 FROM SECTION 6.03 OF UDO
FOR 40 EMPLOYEES PER BUILDING:	20 SPACES PER BUILDING
FOR 5 BUILDINGS:	100 SPACES TOTAL
PARKING PROVIDED:	40 SPACES PER BUILDING 200 SPACES TOTAL STANDARD P x 18' YODag

- CONCEPT PLAN GENERAL NOTES:**
1. STAMEY FARM ROAD RIGHT OF WAY PROPOSED 80FT. TO INCLUDE CITY IMPROVEMENT STANDARDS, CURB & GUTTER, SIDEWALK AND STREET YARD LANDSCAPING ON PROPERTY SIDE OF ROADWAY.
 2. STAMEY FARM ROAD WIDENING PROPOSED FOR LENGTH OF PROPERTY FRONTAGE, TO INCLUDE TWO TRAVEL LANES AND ONE CENTER MEDIAN (TWO WAY LEFT TURN LANE).
 3. HICKORY HIGHWAY (HWY 70) RIGHT OF WAY PROPOSED 60FT. TO INCLUDE CITY IMPROVEMENT STANDARDS, CURB & GUTTER, SIDEWALK AND STREET YARD LANDSCAPING ON PROPERTY SIDE OF ROADWAY.
 4. SEE SEPARATE NOTE REGARDING CONDITIONAL ZONING PROPOSED CONDITIONS, THIS EXHIBIT.
 5. EXISTING STRUCTURES ARE PROPOSED TO BE REMOVED.
 6. QUARTER LOCATIONS (COMPACTORS) LOCATED IN LOADING DOCKS NEAR LARGER ADMINISTRATIVE AREAS. SEE PLANS.
 7. FENCING SHALL MEET THE REQUIREMENTS OF THE CITY LIMITED DEVELOPMENT CODE.



CONCEPT PLAN
CLT B
IREDELL COUNTY, NC
PREPARED FOR:
COMPASS DATACENTERS
PREPARED BY:



JOB NO: J-32304.0001	DATE: 8/18/2025
DRAWN: ARF	SCALE: 1" = 200'
REVIEWED: DHC	SHEET: 1 of 1

- CONDITIONAL ZONING LIGHT INDUSTRIAL CONDITIONS**
1. USES LIMITED TO: DATA CENTERS, WAREHOUSE, MINI WAREHOUSES, PUBLIC UTILITY USES, TEMPORARY BATCH PLANT, OUTDOOR STORAGE AS ACCESSORY USE, GENERAL OFFICE, PARKING, AND PARKS AND PLAYGROUNDS.
 2. REQUIRE TRAFFIC IMPACT ANALYSIS TO BE PERFORMED FOR CITY OF STATESVILLE REVIEW AND PERMITTING.
 3. INCREASE PROPERTY LINE BUFFER FROM 30FT TO 30FT WITH ADDITIONAL PROPORTIONAL LANDSCAPING AT ADJACENT PARCELS WITH EXISTING RESIDENTIAL STRUCTURES TO INCLUDE PINS: 4713-28-1975.00, 4714-30-4518.00, AND 4714-33-5163.00.

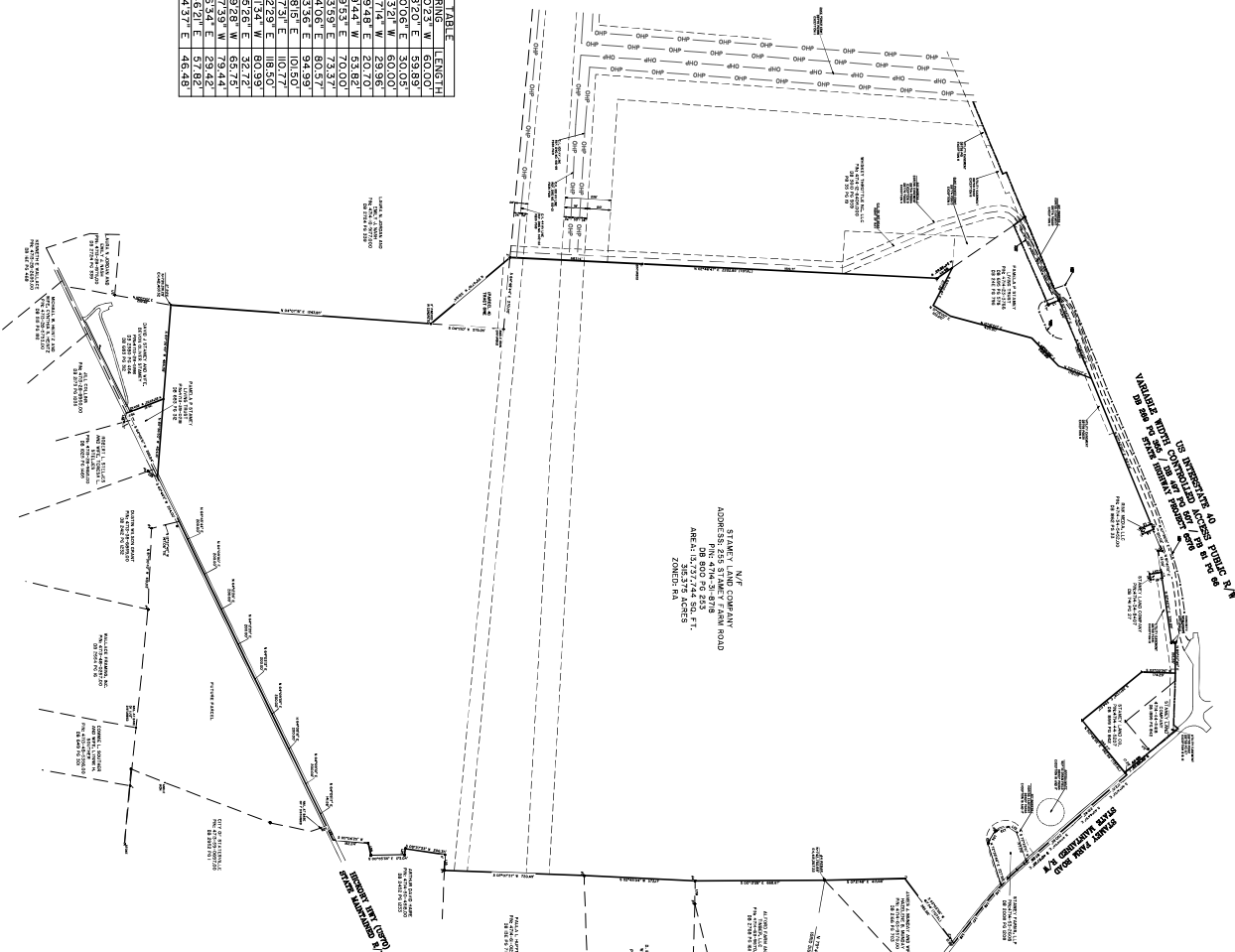
(printed name), applicant, agree to adhere to the above conditions places on rezoning case # **2C** as adopted by City Council on the _____ day of _____, 2022.

Applicant (Signature) _____ Date _____

LINE	NAME	LENGTH
11	N 22°30'23" W	60.00'
12	S 22°48'20" E	50.89'
13	S 67°50'06" E	35.05'
14	N 62°23'21" W	60.00'
15	S 67°31'14" W	28.96'
16	N 05°39'48" E	20.70'
17	S 31°09'44" E	55.82'
18	S 58°05'53" E	70.00'
19	S 17°43'59" E	73.37'
20	S 47°24'06" E	90.59'
21	S 50°33'35" E	84.57'
22	S 54°45'15" E	10.50'
23	S 67°41'31" E	10.77'
24	S 69°32'29" E	18.50'
25	N 78°41'34" W	60.99'
26	S 83°22'26" E	35.72'
27	S 72°28'28" E	66.75'
28	S 64°40'39" W	79.44'
29	S 59°46'34" E	29.42'
30	S 59°46'34" E	51.82'
31	S 75°24'37" E	46.48'

LEGEND

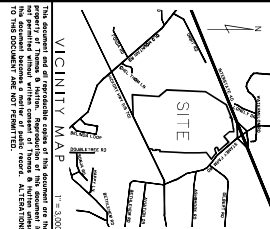
- REBAR FOUND (SIZE NOTED)
- IRON PIPE FOUND (SIZE NOTED)
- CONCRETE MONUMENT
- ⚙ AYLE
- △ NAL.
- ⊕ COMPUTED POINT
- X — FENCE
- OHP — OVERHEAD UTILITY LINES

[illegible]

GPS CERTIFICATE:
I, ALTHOUGH A DRUGAL, CERTIFY THAT THIS PLAY WAS PER-
FORMED BY AN ACTRESS WHO WAS NOT UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE
UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION
WAS USED TO IDENTIFY THE SURVEY:

CLASS OF SURVEY: _____
POSITIONAL ACCURACY: _____
DATE OF SURVEY: JAN 24, 2025
DATUM/EPOCH: NAVD83
RELIEVED/TIGHT CONTROL: NOS SMITH
COMBINED STD FACTOR: 0.99987207
UNITS: US SURVEY FEET

HORIZONTAL POSITIONS ARE REFERENCED TO NAVD83/2011
VERTICAL POSITIONS ARE REFERENCED TO NAVD83 USING
GEOID 2008
COMBINED FACTOR: 0.99987207



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1. ANTHONY S. BROWN, CERTIFY THAT ON THE 10TH DAY OF MARCH, 2025, AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINE AND IMPROVEMENTS, IF ANY, ARE SHOWN HEREON, EXCEPT AS NOTED, THIS PLAT MEETS THE MAXIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA BOARD RULE #600.1 (2 NCAC 66) AND THE ERROR OF CLOSURE FOR THIS PARCEL DOES NOT EXCEED ONE (1) FOOT PER 10,000 LINEAR FEET OF PERIMETER SURVEYED. NOS 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

DATE _____
ANTHONY S. DIBONA, PLS
PROFESSIONAL LAND SURVEYOR
LICENSE NO. L-3967

Digitally signed by Anthony S. DiBona
DN: cn=US,
Email=a@earth.com,
cn=Anthony S. DiBona
Date: 2025.06.19
14:36:46-04'00'

ANTHONY S. DEBONA, N.C. PROFESSIONAL LAND SURVEYOR
LICENSE NO. 1-32867

BOUNDARY

1

255 STAMEY FARM ROAD
PIN # 4714-31-8718

prepared for
STAMEY LAND COMPANY

STATESVILLE, SHILOH TOWNSHIP,
IREDELL COUNTY, NORTH CAROLINA

THOMAS & HUTTON

Charlotte, NC 28203 • 980.201.5503
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1 INCH = 300 F

job 32304.0001 SHEET 1 OF 1



August 18, 2025

Sherry Ashley
Planning Director
City of Statesville
P.O. Box 1111
Statesville, NC 28687

Re: Summary of Community Meeting Held 8/14
Annexation & Rezoning
Compass Datacenters, LLC
Stamey Farm Road Properties
Iredell County, North Carolina

Dear Sherry Ashley:

This report is provided as a summary of the Community Meeting held by Compass Datacenters ("Compass") to discuss the proposed annexation and rezoning of eight parcels located at Stamey Farm Road. The request of Conditional Zoning for Light Industrial requires a public input meeting be hosted by the Applicant, Compass Datacenters, to discuss the proposed project with affected property owners. Compass Datacenters contacted the property owners surrounding the eight parcels to invite them to this public meeting. This report will address parties who were contacted, the meeting place and time, attendance of the meeting, summary of issues discussed and changes to the rezoning application resulting from the meeting.

I.) Parties Contacted

Parties contacted included thirty-six adjacent properties with notices provided to twenty-seven unique owners. Eight property owners for the subject parcels were also contacted. This invitation was provided via United States Post Office First Class Mail. Letters for this notice were mailed out on July 31st, ahead of the 10-day minimum mailing requirement. A list of "Adjacent Property Owners" and "Subject Parcel Owners", the provided notice letters and invoicing supporting the USPS mailing date can be found enclosed within this letter.

II.) Meeting Logistics

The Community Meeting was hosted in the Media Room of the Statesville Civic Center on a Thursday night, August 14th, 2025. The presentation and public input session was started at 6:00 PM and lasted until approximately 7:30 PM. Presentation consisted of a PowerPoint introduction to Compass Datacenters and an overview of the Project Site subject to the annexation and rezoning documents. Public discussion was requested from the invitees after this presentation to receive community feedback and questions.



III.) Meeting Attendance

Attendees were requested to sign-up on an attendance log upon entering the host room. Approximately 70 individuals attended the meeting. A total of 60 individuals signed the attendance log, which can be found enclosed within this report.

IV.) Summary of Issues

Following presentation by the Compass Datacenters team, the floor was open for public discussion. Public discussion focused on the concerns of the community and generally followed the following categorization of questions:

- Relation to Mooresville Data Center
- Power Demands
- Water Demands
- Sound & Light Pollution
- Environmental Concerns
- Customers and Compass Operations
- Economical and Financial Impacts
- Traffic Concerns
- Overall Site Plan
- Public Notifications.

Relation to Mooresville Data Center

Recent publicity and public opposition related to a proposed Data Center in Mooresville, NC brought up concerns that Compass was the same developer moving to a new site after recent withdrawal of the Mooresville project earlier in the week. This topic was brought up on multiple occasions with a center question: Any relation to Mooresville Data Center?

Compass Datacenters and this proposed site share no relation to the developer or proposition to rezone the areas associated with the Mooresville Data Center. Compass comes to the Statesville site with a planned development in mind and are not pursuing the requested rezoning for speculative purposes. City Manager, Ron Smith, was present during the meeting and joined in addressing the topic that these were not the same developers.

Power Demands

Questions on the power needs and sourcing were brought up throughout the meeting. Concerns on how power will be provided to the site, power consumption/drawdown impacts on the neighbors, and cost burden to existing power customers. Additional questions were asked on back-up generators regarding operation frequency, count and fuel source.



Compass clarified that power for the site will be directly provided by Duke Energy from existing nearby Duke Substation and new transmission lines. Energy United (local provider) would not be sourced for power supply. As a result, the power consumption by the site will not impact the local services to neighbors. Overall improvements to the Duke System as a result of this project could see improved reliability to the area. Costs for the on-site power substation would be covered by Compass for the construction of substation, performed by Duke. Buildings were noted to be 40MW capacity each, or 200MW for the proposed campus.

Compass addressed generator questions providing a count of 42 generators per building. Generators would only be operated for two reasons: periodic testing and a power failure scenario. The fuel source for generators was noted as hydrotreated vegetable oil (HVO), a sustainability initiative of Compass.

Questions regarding the sources of Duke Energy's power make-up were brought up. These means and methods are dictated by Duke Energy to supply the overall grid and cannot be spoken to by Compass.

Questions were raised about the EMF from the data centers themselves and if the Compass data center could improve cellular service. EMF studies are completed by Compass due to the proximity of the transmission lines in place. The data centers operations are highly sensitive to those frequencies. Compass Data Centers does not build cellular networks or towers. Ancillary to overall power, the question of Solar was brought up. Compass does not intend to develop any solar on-site.

Water Demands

Concerns of the site's demand for water and its impact on the existing utilities, similar to power concerns, were brought-up. Compass assured that their cooling system proposed is an air-cooled system that does not demand water supply and demand for the site water will be the domestic need for typical plumbing fixtures. A hybrid cooling system may be utilized where fluid is used in a closed-loop system. This system would similarly not impact demands, and Compass noted this system would be filled outside of the water utility provider's system.

Sound and Light Pollution

Concerns of sound and light nuisance from the campus were discussed and one attendee asked about decibel levels.

Compass assured that City provides limitations for sound levels in daytime and nighttime hours and it would comply with those limitations. Compass noted testing of generators would be performed during daytime hours. Compass noted fans for air cooled systems are not loud enough to prevent conversation among individuals standing in the proximity.



Compass noted site lighting would meet City requirements and shared that lighting is important to support security of the campus. Statesville Airport director made a comment after the meeting to ensure the Airport is coordinated with during planning to prevent adverse impacts to the airport.

Environmental Concerns

Topics of stormwater runoff, groundwater, existing lagoon and farm ponds, farmland preservation districts, land outside development footprint, generator emissions, electronic waste,

The following responses were provided on these environmental topics:

- The project will be required to show compliance with local, state and federal requirements for permanent water quantity and quality through on-site stormwater management.
- Groundwater and surface waters generally improve with the elimination of herbicides, pesticides and chemicals related to farming operations and removal of wells and septic systems eliminate drawdown points on aquifers.
- The existing lagoon (source of open-air odors) will be removed.
- The existing farm ponds will be removed.
- Remaining land (~140 acres) not required for project development is not proposed to be developed.
- Generator emissions will be reviewed against regulatory thresholds for air permitting needs.
- Electronic waste is addressed on the Client side and not under Compass's control.

Regarding Farmland Preservation Districts, it was noted during the meeting that the site had not been identified as impacted by these buffers. This was confirmed after the Community Meeting. The Iredell County GIS shows parcels located East of the project site with ownership by "Hartness" and "Cloaninger" as Farmland Preservation District. A Farmland ½ Mile Buffer is also shown around these parcels on the GIS. The proposed site development for this project is located outside of this buffer zone.

Customers and Compass Operations

Compass shared their plan is to develop the campus, retain ownership and operation of the campus and lease space to its customers. Meeting attendees shared their questions on Compass and their Clients asking the following:

- What type of Data Center?
 - o Compass indicated it will be occupied by a top-tier hyperscale or cloud computing provider.
- Who is the Customer?
 - o Compass does not divulge customer names out of respect for confidentiality and security, but assures their customers are well established, reputable parties.
- Is Compass building in other rural areas?
 - o Compass confirmed yes.
- What is an expected timeline?
 - o Compass shared a target deployment in late 2028.

- Will the community get to meet with Compass's Clients?
 - o Compass stated no.
- Have Clients required reprimanding in the past?
 - o Compass stated no and reiterated their Client base is of reputable standing.
- Do terrorists frequently target Compass facilities?
 - o Compass stated no.
- Does Compass own the land?
 - o Compass has not purchased the land at the time of this meeting.
- Is Compass purchasing the land contingent on the zoning?
 - o Compass confirmed the rezoning is one of many factors on the matter.
- Compass's Red Oak site is in Texas?
 - o Compass confirmed yes.
- Is Google a client at the Red Oak site?
 - o Compass noted that Google has its own data center in the Red Oak area, among other providers.
- Will Compass work with local schools?
 - o Compass shared case studies of involvement within their Red Oak community and noted that they work with local leaders to determine the needs of the community and how that aligns with Compass values and community investment priorities. Schools and workforce development are one of a few priorities for Compass. However, the project has not progressed to those discussions at this time.
- Will Compass consider donations to the FFA due to developing farmland?
 - o Compass shared interest in getting involved in the community and noted if this was a cause supported by the community it would be a consideration.
- Has Compass supported FFA elsewhere?
 - o Compass shared they have not.
- What are the provisions against a Cyber Attack?
 - o Compass emphasized the importance of security and the physical security measure in place including gated and guarded entrances. For the most part, the tenant dictates security specifics.

Economics & Financial Items

Members of the public expressed interest in how the Compass project will bring benefit to the community on a tax and employment level. Questions from the public included tax revenue amounts, employee counts and salaries, employees based locally, youth employment, real estate value impacts, and tax incentives.

Regarding the tax revenue amounts and tax incentives, Compass noted that benefits would be noticeable for the City and those figures are not yet quantified. Employee count could range from 20 to 40 individuals per building and generally the salaries are higher than the County average income level, however, the Client controls salaries. Employees would be hired by the Clients leasing space and Compass noted these companies would typically hire locally, if the



skilled experience is present. Compass shared case study of their collaboration with local community college near Red Oak to introduce a curriculum for students to get into the industry.

Compass recommended accessing www.centerofyourdigitalworld.org for information regarding data centers and their financial impacts among communities.

Traffic Concerns

The question of how the site will be accessed and whether a traffic counts are known was asked by the public. Compass identified the primary access would be along Stamey Farm Road, near I-40 interchange and a secondary, emergency, access would be located along Hickory Highway. Traffic counts were noted to be based on employee counts, which are approximately 20-40 employees per building. It was noted that a traffic study would be provided as part of the conditional zoning conditions.

Overall Site Plan

A few questions focused on the layout of the proposed concept plan itself. It was asked to clarify the intent for land south of the high voltage lines which Compass confirmed would include a stormwater pond, but no other proposed development. Compass emphasized the overall property would retain approximately 140 acres of undeveloped area. Confirmation on connection points to the public roadways was asked and Compass identified the primary access on Stamey Farm Road and emergency access on Hickory Highway. One attendee asked how the development may impact the future Bethlehem Road realignment south of the Airport and Compass confirmed this development did not expect any impact to this planned roadway.

Public Notifications

A few members of the public highlighted concerns on lack of notice for this Community Meeting, many citing they had not heard of the meeting until Facebook posts the morning of, or day before. City Planning Director, Sherry Ashley, kindly informed the attendees that this meeting was only required to notify the adjacent property owners, which was performed based on the letters discussed previously here-in.

Compass provided dates for upcoming meeting during the presentation and reiterated these dates for further opportunities for public input.

Compass was asked about a separate project where notifications had failed to be provided in the required schedule and/or frequency. Compass clarified that this instance was a unique case of failure on the behalf of the municipality that caused a delay in one advertisement but the meetings were thoroughly noticed through a variety of channels and very well attended by hundreds of local residents, the majority of whom spoke out in favor of the project.



V.) V.) Impacts on Rezoning Application

The proposed rezoning application to pursue a Conditional Zoning Light Industrial with the proposed Conditions remains unchanged as a result of this meeting. Concerns brought up by the community were discussed and either addressed against the current plan for the site or requirements set by permitting authorities. Examples are:

- Utility concerns (water & power) are already addressed with Compass's envisioned product which is low water demand (domestic water needs only) and direct power supply from Duke Energy with on-site substation.
- Environmental concerns regarding ground water, stormwater and harmful chemicals/toxins related to equipment are governed by local, state and federal regulations and solutions to address these requirements would need to be included within permit packages in a later stage of the project.
- Nuisances (sound and light) are addressed with City of Statesville requirements on maximum noise levels and limitations to outdoor lighting per City UDC Section 5.05.
- Traffic is addressed within the CZ Conditions by already requiring a traffic study be performed.

Community attendees were shared upcoming dates for public meetings (Planning Board and City Council Meetings) and encouraged to attend for additional discussion and project details.

Thank you,
THOMAS & HUTTON ENGINEERING CO.

A handwritten signature in blue ink, appearing to read 'Dillon Callaham', is written over a light blue horizontal line.

Dillon Callaham, P.E.
Project Manager

EXHIBIT A: UNIQUE MAILING CONTACTS FOR ADJACENT PROPERTY OWNERS

Owner Name	Owner Street Address	City	State	Zip
DUKE POWER CO	PO BOX 1007 MC-ST22M	CHARLOTTE	NC	28201
HARVEST BAPTIST CHURCH OF STATESVILLE	PO BOX 5395	STATESVILLE	NC	28687
FALLS PARK LLC	117 CROSSLAKE PARK DR	MOORESVILLE	NC	28117
PARSONS EARL	164 LONLEY DR	STATESVILLE	NC	28625
PENSKE TRUCK LEASING CO LP	2675 MORGANTOWN RD	READING	PA	19607
ELLENBURG JOSEPH A + BETTY	353 STAMEY FARM RD	STATESVILLE	NC	28625
JENKINS SONJA S	2740 WILKESBORO HWY	STATESVILLE	NC	28625
ELENI GROUP REAL ESTATE HOLDINGS II LLC	306 STAMEY FARM RD	STATESVILLE	NC	28677
THOMPSON ROBERT B	252 STAMEY FARM RD	STATESVILLE	NC	28677
SHIELDS KATHERINE M	234 STAMEY FARM RD	STATESVILLE	NC	28677
MUNDAY JAMES J + HAZELENE B REVOC LIV TR	227 STAMEY FARM RD	STATESVILLE	NC	28677
ALFORD FARM + TIMBER LLC	138 STAMEY FARM RD	STATESVILLE	NC	28677
WATT DORIS C LE	237 CELESTE ESTATES RD	STATESVILLE	NC	28677
HUFFMAN D EDWARD + PAULA L	157 STAMEY FARM RD	STATESVILLE	NC	28677
HUFFMAN PAULA L	157 STAMEY FARM RD	STATESVILLE	NC	28677
HAIRE ARTHUR D	2844 HICKORY HWY	STATESVILLE	NC	28677
CITY OF STATESVILLE	PO BOX 1111	STATESVILLE	NC	28687
SOUTHER COMMIE L + LYNNE	166 BELINDA LOOP	STATESVILLE	NC	28677
WALLACE FRAMING INC	126 SLIP SHOT LN	TROUTMAN	NC	28166
GRANT DUSTIN W	2969 HICKORY HWY	STATESVILLE	NC	28677
STELJES ROBERT L + TERESA	1614 OLD MOUNTAIN RD	STATESVILLE	NC	28677
COLLINS JILL	2991 HICKORY HWY	STATESVILLE	NC	28677
HEINTZ CYNTHIA S	3015 HICKORY HWY	STATESVILLE	NC	28677
WALLACE KENNETH E + EDWARD W WALLACE JR	3027 HICKORY HWY	STATESVILLE	NC	28677
JODRAN LAURA N + EMILY J NASH	3022 HICKORY HWY	STATESVILLE	NC	28677
WHISKEY THROTTLE NC LLC	309 JOHNSON FARM RD	HIDDENITE	NC	28636
RINK MEDIA LLC	PO BOX 405	NEWTON	NC	28658

EXHIBIT B: LETTER PROVIDED TO ADJACENT PROPERTY OWNERS

Compass Datacenters, LLC
14555 North Dallas Parkway, Suite 125
Dallas, TX 75254

Dear Property Owner,

You are invited to a public input meeting regarding the annexation and conditional rezoning of approximately 330 acres located west of Stamey Farm Road between Interstate-40 and Hickory Highway. An annexation petition has been provided to the City of Statesville for the parcels to be annexed into the City. A rezoning application has been provided to the City of Statesville to request a conditional light industrial zoning. The purpose of this community meeting is to share with you our vision for the planning of this project.

This invitation is being provided to you as the owner of a parcel located adjacent to the land being proposed for annexation and rezoning. At this meeting, we would like to address any concerns and/or questions that you may have about the project.

The meeting details are as follows:

Statesville Civic Center
August 14, 2025, 6:00 PM
in the Media Room
300 South Center St
Statesville, NC 28677

We look forward to your attendance and participation in our meeting. If you have any questions prior to our meeting, please email us at:

compassland@compassdatacenters.com

Thank you,

Compass Datacenters, LLC

14555 North Dallas Parkway, Suite 125, Dallas, TX 75254

EXHIBIT C: USPS Mailings - Adjacent Property Owners

United States Postal Service Postage Statement — First-Class Mail and USPS Ground Advantage			Comments: List: 25207		Post Office: Note Mail Arrival Date & Time (Do Not Round-Stamp) 8/1/2025 2:13pm	
MAILER	Permit Holder's Name and Address and Email Address, if Any Mail Solutions LLC- PO BOX 5122 GREENVILLE SC 29602-9999 tracy@mailsolutionsllc.com EPS Cust. Ref. No. CRID 4997167		Telephone (864)-277-1234 Extension		Name and Address of Mailing Agent (If other than permit holder) Mail Solutions LLC- PO BOX 5122 GREENVILLE SC 29602-9999 tracy@mailsolutionsllc.com CRID 4997167	
			Telephone (864)-277-1234 Extension		Name and Address of Mail Owner (If other than permit holder) Spartangburg County Public Works 9039 Fairforest Rd Spartanburg SC 29301-9999 CRID 17912382	
MAILING	Post Office of Mailing GREENVILLE SC 296029999		Mailer's Mailing Date 07/31/2025		Federal Agency Cost Code Statement Seq. No. 25207001	
	Type of Postage <input checked="" type="checkbox"/> Permit Imprint <input type="checkbox"/> Precanceled Stamps <input type="checkbox"/> Metered		Processing Category <input checked="" type="checkbox"/> Letters <input type="checkbox"/> Flats <input type="checkbox"/> Parcels		For Mail Enclosed Within Another Class <input type="checkbox"/> Marketing Mail <input type="checkbox"/> Bound Printed Matter <input type="checkbox"/> Library Mail <input type="checkbox"/> Periodicals <input type="checkbox"/> Media Mail	
	Move Update Method <input type="checkbox"/> ASE <input type="checkbox"/> NCOALink <input type="checkbox"/> ACS <input type="checkbox"/> Alternative Method		<input type="checkbox"/> Multiple <input type="checkbox"/> OneCode ACS <input type="checkbox"/> n/a Alternative Address Format		Weight of a Single Piece 0.0500 pounds Total Pieces 27 Total Weight 1.3500	
			Comb Mailing/Discount <input type="checkbox"/> Single Class <input type="checkbox"/> SCF Pallet Discount		Letter or Flat-size mailpieces contain: <input type="checkbox"/> Round Trip ONLY: One DVD/CD or other disk Political Campaign Mailing <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Election Mail - Official Ballots <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Election Mail - Non-Ballot Materials <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
				Permit # 1234 No. & Type of Containers 1' MM Trays 1 2' EMM Trays Total Trays 1 Flat Trays Sacks Pallets Other		
Parts Completed (Select all that apply) <input type="checkbox"/> A <input checked="" type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> S <input type="checkbox"/> NSA						
POSTAGE	1 Subtotal Postage (Add parts totals)					19.98
	2 Price at Which Postage Affixed (Check one). Complete if the mailing includes pieces bearing metered/PC Postage or precanceled stamps. <input type="checkbox"/> Correct <input type="checkbox"/> Lowest <input type="checkbox"/> Neither pcs. x \$ = Postage Affixed					
	3 Incentive/Discount Flat Dollar Amount					
	4 Fee Flat Dollar Amount					
	5 Permit # 1234 Net Postage Due (Line 1 +/- Lines 2, 3, 4)					19.98
USPS	Additional Postage Payment (State reason)					
	For postage affixed add additional payment to net postage due; for permit imprint add additional payment to total postage.					
	Total Adjusted Postage Affixed					
	Postmaster: Report Total Postage in AIC 121 (Permit Imprint Only) Total Adjusted First-Class Postage Permit Imprint					
CERTIFICATION	Postmaster: Report Total Postage in AIC 128 (Permit Imprint Only) Total Adjusted USPS Ground Advantage Postage Permit Imprint					
	Incentive/Discount Claimed: Type of Fee:					
	The mailer's signature certifies acceptance of liability for and agreement to pay any revenue deficiencies assessed on this mailing, subject to appeal. If an agent signs this form, the agent certifies that he or she is authorized to sign on behalf of the mailer and that the mailer is bound by the certification and agrees to pay any deficiencies. In addition, agents may be liable for any deficiencies resulting from matters within their responsibility, knowledge, or control. The mailer hereby certifies that all information furnished on this form is accurate, truthful, and complete; that the mail and the supporting documentation comply with all postal standards and the mailing qualifies for the prices and fees claimed; and that the mailing does not contain any matter prohibited by law or postal regulation. I understand that anyone who furnishes false or misleading information on this form or who omits information requested on this form may be subject to criminal and/or civil penalties, including fines and imprisonment.					
	Privacy Notice: For information regarding our Privacy Policy visit www.usps.com .					
USPS USE ONLY	Signature of Mailer or Agent		Printed Name of Mailer or Agent Signing Form Thomas Gardner		Telephone Extension	
	Weight of a Single Piece _____ pound		Total Weight		Are postage figures at left adjusted from mailer's entries? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, reason:	
	Total Pieces		Total Postage		Round Stamp (Required) Payment Date	
	Presort Verification Performed? (If required) <input type="checkbox"/> Yes <input type="checkbox"/> No		Date Mailer Notified		Contact	
USPS USE ONLY	I CERTIFY that this mailing has been inspected for each item below if required: (1) eligibility for postage prices claimed; (2) proper preparation (and presort where required); (3) proper completion of postage statement; (4) payment of annual fee; and (5) sufficient funds on deposit (if required).		By (Initials)		Time AM PM	
	USPS Employee's Signature		Print USPS Employee's Name			

Part B — First-Class Mail**Non Automation Prices**

Postcards <i>(eligible for postcard price)</i>	Price	No. of Pieces	Subtotal Postage	Discount Total	Fee Total	Total Postage
B1 Presorted	0.468					
B2 Single-Piece	0.610					

Machinable Letters	Price	No. of Pieces	Subtotal Postage	Discount Total	Fee Total	Total Postage
B3 AADC	0.644					
B4 Mixed AADC	0.686					
B5 Residual	0.780					
<i>From First-Class Mail Mailing (Includes up to 1 oz. and Between 1 oz. and 3.5 oz.)</i>						
B6 Nonpresorted/Single Piece*	0.740	27	19.9800			19.9800
B7 Single-Piece <i>(from USPS Marketing Mail Mailing)</i>	0.780					

Nonmachinable Letters	Price	No. of Pieces	Subtotal Postage	Discount Total	Fee Total	Total Postage
B8 5-Digit	0.813					
B9 3-Digit	0.939					
B10 Mixed AADC	1.088					
B11 Nonpresorted/Single-Piece*	0.740					
B12 Single-Piece <i>(from USPS Marketing Mail Mailing)</i>	0.780					
B13 Nonmachinable Surcharge** <i>(for single-piece letters)</i>	0.490					

Flats	Price	No. of Pieces	Subtotal Postage	Discount Total	Fee Total	Total Postage
B14 Presorted	1.520					
B15 Single-Piece	1.630					
B16 Single-Piece <i>(from USPS Marketing Mail Mailing)</i>	1.630					

Permit Reply Mail	Price	No. of Pieces	Subtotal Postage	Discount Total	Fee Total	Total Postage
B17 Single-Piece Letters <i>(1 oz. or less)</i>	0.740					
B18 Single-Piece Letters <i>(over 1 oz. to 3.5 oz.)</i>	0.740					
B19 Single-Piece Flats <i>(1 oz. or less)</i>	1.630					
B20 Single-Piece Flats <i>(over 1 oz. to 13 oz.)</i>	1.630					

* First-Class Mail metered letter price

** Only on FCM letters with one or more nonmachinable characteristics

B21	Part B Total <i>(Add lines B1-B20)</i>	19.9800
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SCF Pallet Discount

B22 DISPLAY ONLY	Nonauto Presorted Postcards - Number of pieces that comply:	x	0.002 = \$
B23 DISPLAY ONLY	AADC Nonauto Machinable Letters - Number of pieces that comply:	x	0.004 = \$
B24 DISPLAY ONLY	5-Digit Nonauto Nonmach Letters - Number of pieces that comply:	x	0.004 = \$
B25 DISPLAY ONLY	3-Digit Nonauto Nonmach Letters - Number of pieces that comply:	x	0.004 = \$
B26 DISPLAY ONLY	Nonautomation Presorted Flats - Number of pieces that comply:	x	0.018 = \$

EXHIBIT D: UNIQUE MAILING CONTACTS FOR SUBJECT PROPERTY OWNERS

Owner Name	Owner Address	City	State	Zip
STAMEY DAVID J & STAMEY DEVON OLIVER	516 Sullivan Rd	Statesville	NC	28677
STAMEY PAMELA P LIVING TRUST	255 Stamey Farm Rd	Statesville	NC	28677
STAMEY LAND COMPANY	255 Stamey Farm Rd	Statesville	NC	28677
STAMEY FARMS LLP	255 Stamey Farm Rd	Statesville	NC	28677

EXHIBIT E: LETTER PROVIDED TO SUBJECT PROPERTY OWNERS

Compass Datacenters, LLC
14555 North Dallas Parkway, Suite 125
Dallas, TX 75254

Dear Property Owner,

You are invited to a public input meeting regarding the annexation and conditional rezoning of approximately 330 acres located west of Stamey Farm Road between Interstate-40 and Hickory Highway. An annexation petition has been provided to the City of Statesville for the parcels to be annexed into the City. A rezoning application has been provided to the City of Statesville to request a conditional light industrial zoning. The purpose of this meeting is to share with the community our vision for the planning of this project.

This invitation is being provided as you are a property owner of the parcels being proposed for annexation and rezoning.

The meeting details are as follows:

Statesville Civic Center
August 14, 2025, 6:00 PM EST
in the Media Room
300 South Center St
Statesville, NC 28677

We look forward to your attendance and participation in our meeting. If you have any questions prior to our meeting, please email us at:


compassland@compassdatacenters.com

Thank you,

Compass Datacenters, LLC

14555 North Dallas Parkway, Suite 125, Dallas, TX 75254

EXHIBIT F: USPS Mailings - Subject Property Owners

United States Postal Service Postage Statement — First-Class Mail and USPS Ground Advantage		Comments: List: 25207		Post Office: Note Mail Arrival Date & Time (Do Not Round-Stamp) 8/1/2025 2:13pm	
MAILER	Permit Holder's Name and Address and Email Address, if Any Mail Solutions LLC- PO BOX 5122 GREENVILLE SC 29602-9999 tracy@mailsolutionsllc.com EPS Cust. Ref. No. _____ CRID 4997167		Telephone (864)-277-1234 Extension		Name and Address of Mailing Agent (If other than permit holder) Mail Solutions LLC- PO BOX 5122 GREENVILLE SC 29602-9999 tracy@mailsolutionsllc.com CRID 4997167
	Name and Address of Mail Owner (If other than permit holder) Spartangburg County Public Works 9039 Fairforest Rd Spartanburg SC 29301-9999 CRID 17912382				
MAILING	Post Office of Mailing GREENVILLE SC 296029999		Mailing Date 07/31/2025		Federal Agency Cost Code 25207001
	Type of Postage <input checked="" type="checkbox"/> Permit Imprint <input type="checkbox"/> Precanceled Stamps <input type="checkbox"/> Metered Move Update Method <input type="checkbox"/> ASE <input type="checkbox"/> NCOALink <input type="checkbox"/> ACS <input type="checkbox"/> Alternative Method		Processing Category <input checked="" type="checkbox"/> Letters <input type="checkbox"/> Flats <input type="checkbox"/> Parcels <input type="checkbox"/> Multiple <input type="checkbox"/> OneCode ACS <input type="checkbox"/> n/a Alternative Address Format		Statement Seq. No. 25207001 SSF Transaction ID# 0.0500 pounds Total Pieces 4 Total Weight 0.2000
USPS	For Mail Enclosed Within Another Class <input type="checkbox"/> Marketing Mail <input type="checkbox"/> Bound Printed Matter <input type="checkbox"/> Library Mail <input type="checkbox"/> Periodicals <input type="checkbox"/> Media Mail Comb Mailing/Discount <input type="checkbox"/> Single Class <input type="checkbox"/> SCF Pallet Discount		Letter or Flat-size mailpieces contain: <input type="checkbox"/> Round Trip ONLY: One DVD/CD or other disk Political Campaign Mailing <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Election Mail - Official Ballots <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Election Mail - Non-Ballot Materials <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Permit # 1234 Parcels Only Hold For Pickup (HFPU) No. of Pieces 1 Customer Generated Electronic Labels <input type="checkbox"/> SigCon For Auto Price Pieces, Enter Date of Address Matching and Coding 07/31/2025
	No. & Type of Containers 1' MM Trays 1 2' MM Trays 2' EMM Trays Flat Trays Sacks Pallets Other				
Parts Completed (Select all that apply) <input type="checkbox"/> A <input checked="" type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> S <input type="checkbox"/> NSA					
POSTAGE	1 Subtotal Postage (Add parts totals)				2.96
	2 Price at Which Postage Affixed (Check one). Complete if the mailing includes pieces bearing metered/PC Postage or precanceled stamps. <input type="checkbox"/> Correct <input type="checkbox"/> Lowest <input type="checkbox"/> Neither pcs. x \$ = Postage Affixed				
	3 Incentive/Discount Flat Dollar Amount				
	4 Fee Flat Dollar Amount				
	5 Permit # 1234 Net Postage Due (Line 1 +/- Lines 2, 3, 4)				2.96
CERTIFICATION	Additional Postage Payment (State reason)				
	For postage affixed add additional payment to net postage due; for permit imprint add additional payment to total postage.				Total Adjusted Postage Affixed
	Postmaster: Report Total Postage in AIC 121 (Permit Imprint Only)				Total Adjusted First-Class Postage Permit Imprint
	Postmaster: Report Total Postage in AIC 128 (Permit Imprint Only)				Total Adjusted USPS Ground Advantage Postage Permit Imprint
Incentive/Discount Claimed: _____ Type of Fee: _____					
The mailer's signature certifies acceptance of liability for and agreement to pay any revenue deficiencies assessed on this mailing, subject to appeal. If an agent signs this form, the agent certifies that he or she is authorized to sign on behalf of the mailer and that the mailer is bound by the certification and agrees to pay any deficiencies. In addition, agents may be liable for any deficiencies resulting from matters within their responsibility, knowledge, or control. The mailer hereby certifies that all information furnished on this form is accurate, truthful, and complete; that the mail and the supporting documentation comply with all postal standards and the mailing qualifies for the prices and fees claimed; and that the mailing does not contain any matter prohibited by law or postal regulation. I understand that anyone who furnishes false or misleading information on this form or who omits information requested on this form may be subject to criminal and/or civil penalties, including fines and imprisonment. Privacy Notice: For information regarding our Privacy Policy visit www.usps.com .					
USPS ONLY	Signature of Mailer or Agent 		Printed Name of Mailer or Agent Signing Form Thomas Gardner		Telephone Extension
	Weight of a Single Piece _____ pound		Total Weight		Round Stamp (Required) Payment Date
	Total Pieces		Total Postage		
	Presort Verification Performed? (If required) <input type="checkbox"/> Yes <input type="checkbox"/> No		Are postage figures at left adjusted from mailer's entries? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, reason:		
	I CERTIFY that this mailing has been inspected for each item below if required: (1) eligibility for postage prices claimed; (2) proper preparation (and presort where required); (3) proper completion of postage statement; (4) payment of annual fee; and (5) sufficient funds on deposit (if required).		Date Mailer Notified By (Initials)		
USPS Employee's Signature		Print USPS Employee's Name			

Part B — First-Class Mail**Non Automation Prices**

Postcards <i>(eligible for postcard price)</i>	Price	No. of Pieces	Subtotal Postage	Discount Total	Fee Total	Total Postage
B1 Presorted	0.468					
B2 Single-Piece	0.610					

Machinable Letters	Price	No. of Pieces	Subtotal Postage	Discount Total	Fee Total	Total Postage
B3 AADC	0.644					
B4 Mixed AADC	0.686					
B5 Residual	0.780					
<i>From First-Class Mail Mailing (Includes up to 1 oz. and Between 1 oz. and 3.5 oz.)</i>						
B6 Nonpresorted/Single Piece*	0.740	4	2.9600			2.9600
B7 Single-Piece <i>(from USPS Marketing Mail Mailing)</i>	0.780					

Nonmachinable Letters	Price	No. of Pieces	Subtotal Postage	Discount Total	Fee Total	Total Postage
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B10 Mixed AADC	1.088					
B11 Nonpresorted/Single-Piece*	0.740					
B12 Single-Piece <i>(from USPS Marketing Mail Mailing)</i>	0.780					
B13 Nonmachinable Surcharge** <i>(for single-piece letters)</i>	0.490					

Flats	Price	No. of Pieces	Subtotal Postage	Discount Total	Fee Total	Total Postage
B14 Presorted	1.520					
B15 Single-Piece	1.630					
B16 Single-Piece <i>(from USPS Marketing Mail Mailing)</i>	1.630					

Permit Reply Mail	Price	No. of Pieces	Subtotal Postage	Discount Total	Fee Total	Total Postage
B17 Single-Piece Letters <i>(1 oz. or less)</i>	0.740					
B18 Single-Piece Letters <i>(over 1 oz. to 3.5 oz.)</i>	0.740					
B19 Single-Piece Flats <i>(1 oz. or less)</i>	1.630					
B20 Single-Piece Flats <i>(over 1 oz. to 13 oz.)</i>	1.630					

* First-Class Mail metered letter price

** Only on FCM letters with one or more nonmachinable characteristics

B21	Part B Total <i>(Add lines B1-B20)</i>	2.9600
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SCF Pallet Discount

B22 DISPLAY ONLY	Nonauto Presorted Postcards - Number of pieces that comply:	x	0.002 = \$
B23 DISPLAY ONLY	AADC Nonauto Machinable Letters - Number of pieces that comply:	x	0.004 = \$
B24 DISPLAY ONLY	5-Digit Nonauto Nonmach Letters - Number of pieces that comply:	x	0.004 = \$
B25 DISPLAY ONLY	3-Digit Nonauto Nonmach Letters - Number of pieces that comply:	x	0.004 = \$
B26 DISPLAY ONLY	Nonautomation Presorted Flats - Number of pieces that comply:	x	0.018 = \$

EXHIBIT G: Community Meeting Sign-in Sheet

ATTENDEE SIGN-IN SHEET

Compass Datacenters
CLT B - Statesville

Meeting Location:
Statesville Civic Center
in the Media Room
300 South Center St
Statesville, NC 28677

Meeting Date & Time:
August 14, 2025, 6:00 PM

Name	Address	Phone Number	Email
Drew Callahan	220 N. Main St Ste 408 Greenville SC 29601	864-412-2229	callahan.d@andh.com
Jen Bossert	146 N. Center St Statesville, NC 28677 28617	919-412-9072	jen@ireadcell.com
Celia Goodson	" "	336-934-3097	celia@medicare.com
Lynne M Taylor	Mooreville NC 28115	704-517-3981	mooregrits@gmail.com
Matt Kiker	1111 Metropolitan Ave, Charlotte, NC 28204	980-521-5909	kiker.m@tandn.com
KMassyn	116 Shadow Lakes Rd Ste 1, NC	980-759-4114	kmassyn41@gmail.com
Drew Jenkins	2740 Wilkesboro Hwy		
Jeff Wilcox	211 Ashbrook Rd	704-885-8359	

ATTENDEE SIGN-IN SHEET

Name	Address	Phone Number	Email
Jeffrey L. Freese	2663 Hickory Hwy, Statesville, NC	704.657.2188	
Shawn Hiley	City of Statesville		
Shawn Kandy Johnson	3050 Hickory Hwy	704-402-3847	
Billy Ray Gairin	169 Ashbrook Rd, Statesville, NC	304 828-810-0307	
Avery Spawelle	392 Gilbert	872 3409	
Shelly Bustle	294 Mearns Farm Rd	704.832-2151	shellybustle@aol.com
Monica Skell	234 Storey Town Rd	704 459 8815	
Ben Smith	P.O. Box 1111 Syl 28687	704-846-6081	ben@smithstatesville.com
Ed Hufnagel	157 STAMES/	704 1657	stehufnagel@msn.com
Paula Hufnagel	FAON RD	8695	
John Cashion		704.657.125	
John Ferguson	221 Kelly St. Apt. 1 28617	704.860.6817	jferguson@statesville.nc.net
Brett Freund	418 Auguste Drive		
Doni Reed	2605 Ashbrook Rd.		

ATTENDEE SIGN-IN SHEET

Name	Address	Phone Number	Email
Jaymy Passer	150 Hearns Ln	704 912 7900	
Bil McConds	117 Slingshot Road	914 291 5172	bmccondsb@mccondsb-steel.com
Mac McConds	STATESVILLE NC		
Becky Couson	141 Jim Ln Statesville NC	704-880-2355	beckyb3@roadrunner.com
Bob Leber	1111 Old Mt. Rd. State 28617	704-437-6525	bubee012@roadrunner.com
Christian Campbell	130 Hummingbird Ln State 28623	704-920-1741	
Jacob Byers	3983 Hickory Hwy 28617	704-881-3917	
Dawn Curtis	375 Bethelwood Rd. 28617	704-880-8002	dawn.curtis1917@gmail.com
Dan & Kathy Leik	214 Ashbrook Rd 28617		
Carolina Gonzalez	119 Hawthornwood Dr. 28617	953-884-9147	
John Mason	374 Gilbert Rd		masonjohn65@gmail.com
Fred Foster	466 Charles St	704/1980	frederick.foster2403@gmail.com

ATTENDEE SIGN-IN SHEET

Name	Address	Phone Number	Email
Rusty Lee	737 ST. CLOUD DRIVE, STATESVILLE	704-929-7725	RUSTY@NCDONENVUE.COM
Steve Rounds	135 DUBLIN CT STATESVILLE	704-632-4786	
Louis Rounds	135 DUBLIN CT. STATESVILLE	704-795-3576	
Richard Rogers	408 LAKEVIEW DR. STATESVILLE	704-881-4098	ROGERS@STATESVILLE.NC.NET
Tommy Chapman	212 CIRCLE DR. STATESVILLE	704-880-4402	traytransport@gnucor.com
Mac McCombs	143 PINE OAK DR. STATESVILLE	704-902-4534	MACCOMBS@NCDONENVUE.COM
Julia Wilson	743 OLD MOOREVILLE		JuliaWilson@gnucor.com
Randy Wilson	Gilbert Rd. Statesville	704-888-8300	
Rex Thompson	219 Ashbrook Rd	704-437-1228	Rex.Thompson@AgSouthFc.com

ATTENDEE SIGN-IN SHEET

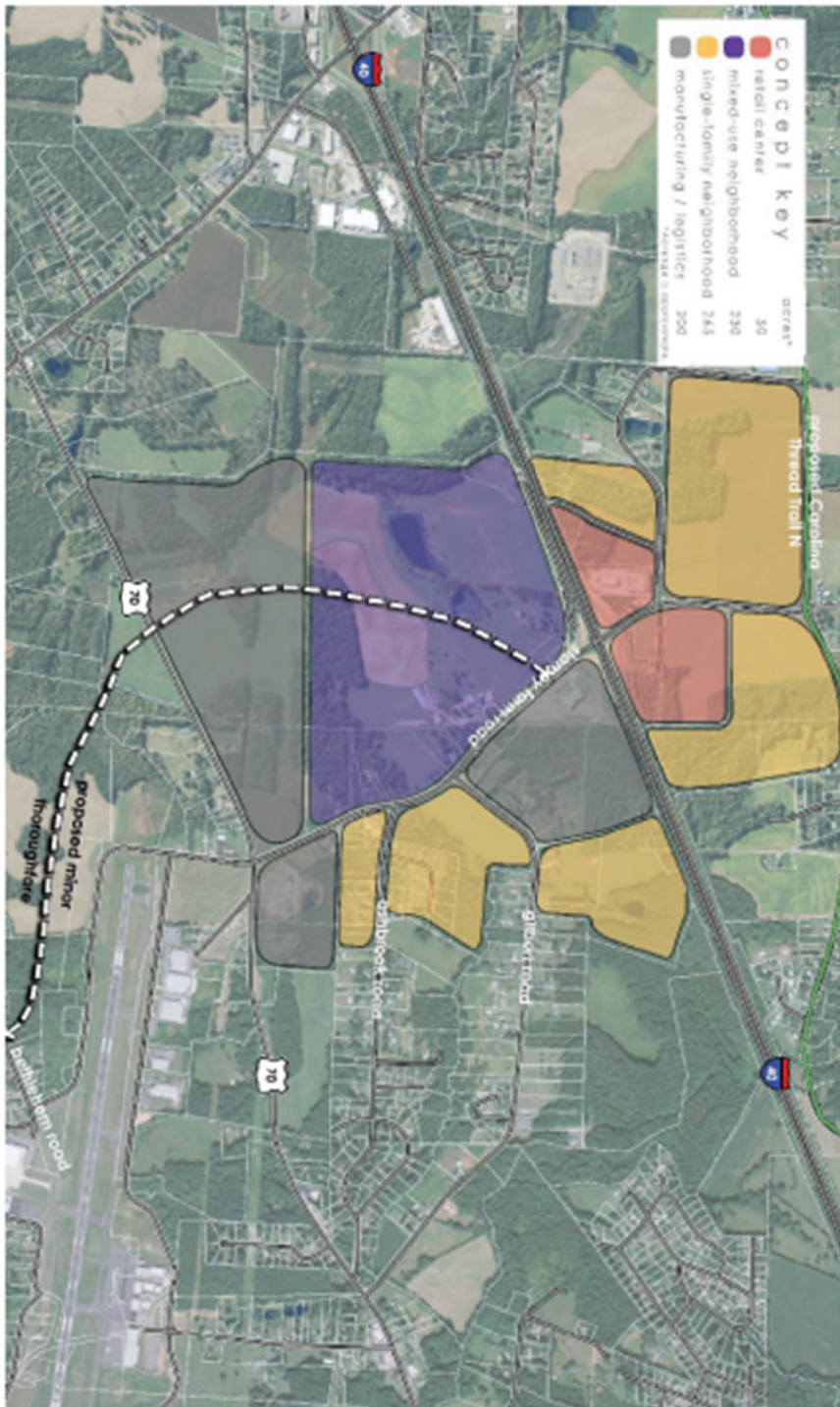
Name	Address	Phone Number	Email
Don & Fela Cypel	138 Storey Farm Rd	704-902-0105	JALFOND@LNU.DENVER.CO
Melissa Coker	359 Bethlehem Rd, Statesville	900-434-389	madisonmckay8@gmail
William Arison	188 Antebank Rd Sta 28077		allwill1806@gmail.com
Doug Hendrix	117 N. Mulberry St. Statesville	960-435-678	jdouglashendrix@gmail.com
Bernard Robert	531 W Trent St	704 973 1838	
Caroline Fleming	3815 Hickory Run, Statesville	704-872-2911	
Susan Wood	1111 Old Mtn Rd.	704-437-6522	
Jim Campbell	130 Hummingbird Lane State	704-989-0052	

ATTENDEE SIGN-IN SHEET

Name	Address	Phone Number	Email
MAURIE BENSUN	151 Dublin Ct, Statesville 28687	704-450-1331	Reysha Sebellsmith
THURRY CHURBY	230 BEECH BROOK LN STATESVILLE, NC 28625	704 902 5352	thurrychurby@gmail.com
JEFF CHURBY	11 169 Branchwood Rd Statesville	704 905-1790	jeffchurby@bellsouth.net
Amy Miller	169 Branchwood Rd 28625		milleramie@gmail.com
PAUL Turner	3327 Skyland Rd STATESVILLE 28625		
Natalie Cline	3841 Hwy Hwy Statesville		nataliecline@gmail.com
Linda Krider	✓ 153 Gilbert Rd Statesville	704-437-0177	llakran@aol.com
Jeff Krider			
Lidgahm Huddleston	310 Ashbrooked St SV NC	828 506 1451	lahuddleston@gmail.com



Concept Design A Stamley Farm

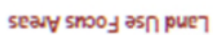


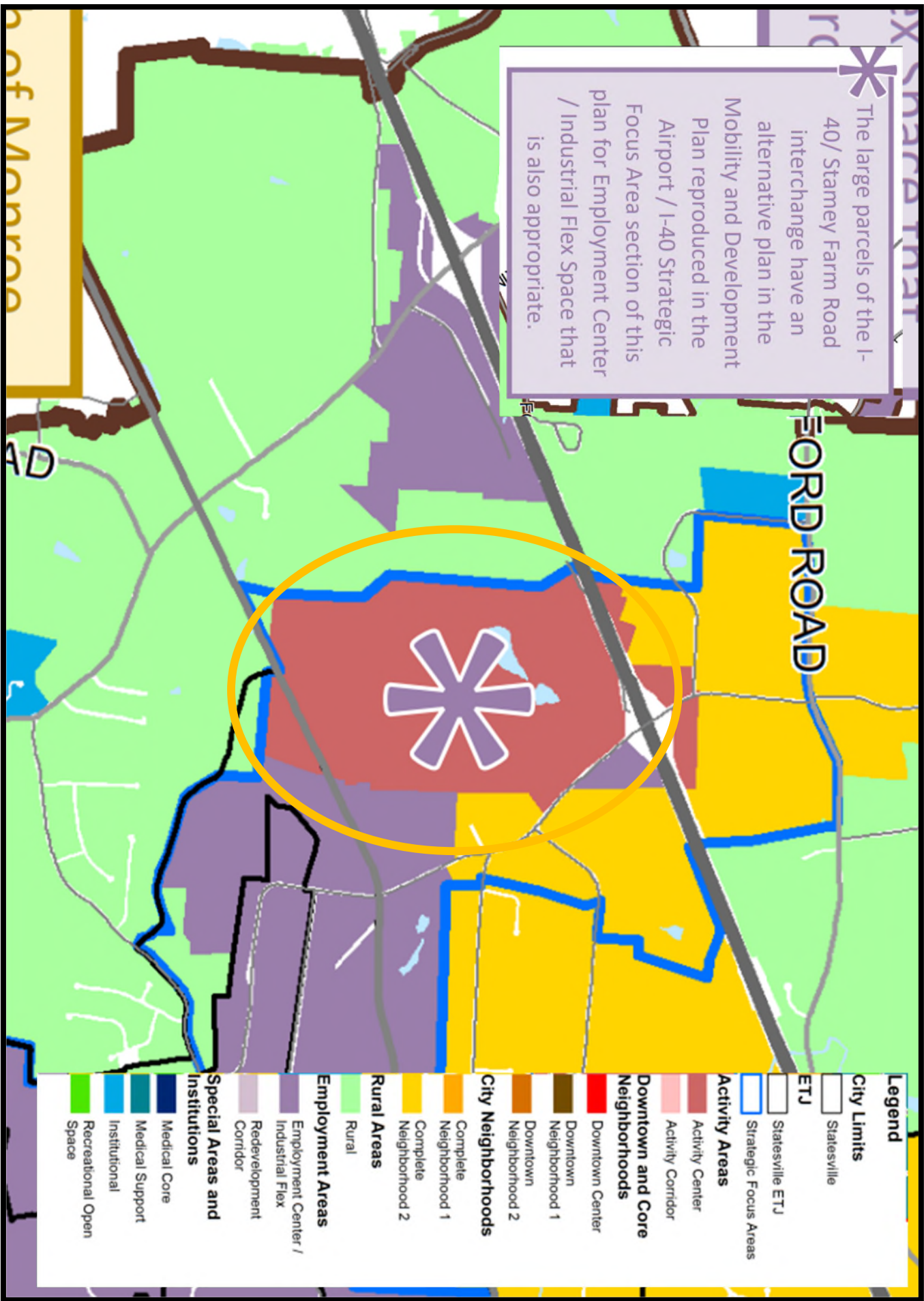
Land Use Focus Areas

Statesville, NC
Mobility + Development Plan



Concept Design B





Employment Center / Industrial Flex

Character Intent

This character area serves as an engine of employment for the city including business parks, corporate campuses, flex space, as well as heavy manufacturing, warehousing, logistics and distribution, research and development and other industrial uses. These areas are located along major road corridors that provide adequate truck access. The market for employment space is changing and requires flexibility to cater to new production models, employee preferences, and customers. Production facilities may include public-facing show rooms, test kitchens, or tour spaces. This character area allows for such diversification while maintaining a focus on industrial and manufacturing uses. Restaurants and convenience commercial are appropriate uses in these areas to reduce worker commutes and enhance productivity. Uses and loading areas should be buffered from adjacent lower intensity uses with landscaping and other transitions. Developments fronting gateway corridors should have enhanced landscaping and buffering to maximize visual quality along the corridor. Corporate campuses should be master planned to maximize pedestrian access between buildings and create a visually appealing entranceway through landscaping and signage.

For information about the changing market for employment space, See Real Estate Market Analysis Report, page 36.

Pattern & Form

Large format buildings on mid-size to longer block lengths.

Opportunities

New industries and employers.

Primary Uses

Heavy and light industrial, office, office – corporate campus, heavy commercial, entrepreneurial incubator spaces.

Secondary Uses

Convenience retail, restaurants and bars.

Form Characteristics

Building Height	One to five stories
Building Orientation	Buildings oriented toward primary street, complexes may be designed around common space or service streets, 20-50 ft setbacks
Building Types	Large and mid-size format production facilities, offices, and small format retail and service uses
Street Character	Streets capable of accommodating regular truck traffic, sidewalks connecting sites encouraged
Parking Character	Surface lots that serve development sites, shared parking preferred, parking includes adequate loading, maneuvering, and equipment parking, parking located to side or rear



Activity Center

Character Intent

The Activity Center land use and character area provides community and regional scale commerce. It includes opportunities for large format retail commercial establishments. It also includes opportunities for smaller commercial businesses within a walkable environment or organized around a civic space (such as a plaza) that promotes users parking once and accessing multiple entertainment, eating, and shopping experiences on foot. Multifamily residential on upper stories of commercial uses, or in adjacent blocks to commercial areas, is encouraged. Activity Centers should be designed to emphasize walkability through highly connected pedestrian facilities between parking and storefronts, between individual establishments, and as appropriate, to adjacent surrounding uses and streets. Master planning of multi-parcel Activity Centers is preferred to maximize design cohesion, connectivity, and use of land. Major street frontages should be reserved for anchors or commercial uses for high visibility. Activity Centers include both existing traditional, suburban style commercial centers that can evolve and be redeveloped over time, as well as undeveloped sites that will be developed as determined by the real estate market. Though a variety of housing type choices are encouraged in this area, tracts of new single family detached homes are not aligned with this character intent.

Pattern & Form

Large footprint mixed use commercial centers that prioritize pedestrian connectivity between uses and are organized around public spaces or using a traditional main street format.

Opportunities

Redevelopment of existing commercial centers into mixed-use centers, multimodal street redevelopment, new public spaces.

Primary Uses

Retail, entertainment, hotel/hospitality, restaurants and bars, personal services, office, breweries and distilleries, residential.

Secondary Uses

institutional, public spaces, small park or open space.

Form Characteristics

Building Height	One to four stories
Building Orientation	Buildings oriented around public space or fronting internal streets in traditional main street style format, 0-30 ft setbacks
Building Types	Large and small footprint commercial and multifamily residential, upper story residential and office, and a variety of housing type choices (see page 37).
Street Character	Arterial streets and access streets along edges; smaller internal streets provide pedestrian networks for circulation
Parking Character	Parking at individual buildings or in a central location, with large parking lots divided into “pods” to side or rear of development





To: Statesville City Council

From: Sherry Ashley, Planning Director

Date: September 15, 2025

Subject: Rezoning

Case: ZC25-13 Compass Data Centers

Address: Properties located on Stamey Farm Road, between I-40 and US 70 (Hickory Highway), Statesville, NC; Tax ID #'s 4713-29-5198, 4713-39-0218, 4714-23-3766, 4714-31-8718 portion, 4714-34-8407, 4714-44-5207, 4714-44-5418, and 4714-53-2608.

- ☐ 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 2019 Mobility + Development Plan projects 2 land use plan options for the Airport/I-40 Focus Area regarding these properties. Concept A projects half of the properties for mixed use neighborhood and half for manufacturing/logistics. Concept B projects all of these properties for manufacturing/logistics. A data center is neither strictly manufacturing or strictly logistics it is both because it produces "information" or "data" and manages the flow of equipment, power, cooling and data within the facility. When the 2045 Land Development Plan was adopted afterwards, the mobility plan was taken into consideration and this area was projected as Activity Center or Employment Center/Industrial Flex. Employment Center/Flex Industrial includes business parks, corporate campuses, flex space, manufacturing, distribution, and other industrial uses. Secondary uses include retail. In addition, these properties are located in the Tier 2 growth area. Utilities are currently available or are in the planning stages.

In addition, to the adopted plans referenced above, the concept plan and conditions offered by the applicant provide large buffers and an expanse of undeveloped land between the proposed structures and adjoining properties, the primary entrance is in close proximity to I-40 and the interchange and a data center is a less intensive use regarding traffic than a distribution center or retail development.

- ☐ 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 the public interest
because: _____
-

Date: Constantine H. Kutteh, Mayor

Date: Sherry Ashley, Planning Director



To: Statesville City Council

From: Sherry Ashley, Planning Director

Date: September 15, 2025

Subject: Rezoning

Case: ZC25-13 Compass Data Centers

Address: Properties located on Stamey Farm Road, between I-40 and US 70 (Hickory Highway), Statesville, NC; Tax ID #'s 4713-29-5198, 4713-39-0218, 4714-23-3766, 4714-31-8718 portion, 4714-34-8407, 4714-44-5207, 4714-44-5418, and 4714-53-2608.

- ☐ 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 project does not meet the Employment Center/Flex Industrial intent and is not complementary to the surrounding area.

Date: Constantine H. Kutteh, Mayor

Date: Sherry Ashley, Planning Director

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF THE AFTER DESCRIBED PROPERTIES FROM IREDELL COUNTY RA (RESIDENTIAL AGRICULTURAL) DISTRICT AND IREDELL COUNTY HB (HIGHWAY BUSINESS) DISTRICT TO THE CITY OF STATESVILLE'S LI CZ (LIGHT INDUSTRIAL CONDITIONAL ZONING) DISTRICT FOR A DATA CENTER.

ZC25-13 Compass Data Centers

located on Stamey Farm Road, between I-40 and US 70 (Hickory Highway), Statesville, NC; Tax ID #'s 4713-29-5198, 4713-39-0218, 4714-23-3766, 4714-31-8718 portion, 4714-34-8407, 4714-44-5207, 4714-44-5418, and 4714-53-2608

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 August 26, 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 HB (Highway Business) District to the City of Statesville's LI CZ (Light Industrial Conditional Zoning) District for a data center, warehouse, mini-warehouse, public utility uses, temporary batch plant, outdoor storage as an accessory use, general office, parking, and parks and playgrounds; said notice having been published in the Statesville Record and Landmark, a newspaper having general circulation in this area on September 4 and 11, 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 properties being more particularly described as follows:

Description

Parcel 1
PIN 4713295198.000

BEGINNING AT AN IRON STAKE, GANT'S CORNER, AND RUNS SOUTH 5 DEGREES WEST 31 1/2 POLES TO A STAKE IN THE CENTER OF #10 HIGHWAY, NOW NASH'S CORNER; THENCE WITH THE CENTER OF SAID ROAD, NORTH 66 DEGREES EAST 62 POLES TO THE CENTER OF SAID ROAD, GANT'S LINE; THENCE WITH HER LINE NORTH 85 DEGREES WEST 52 1/2 POLES TO BEGINNING, CONTAINING 4 8/10 ACRES, MORE OR LESS.

LESS AND EXCEPT THAT PORTION OF THE PROPERTY CONVEYED IN DEED BOOK 683, PAGE 312.

Parcel 2
PIN 4713390218.000

BEGINNING AT A POINT LOCATED IN THE CENTER OF U.S. HIGHWAY 64-70, COMMON CORNER OF HOWARD STAMEY AND EWALL A. STEVENSON, THENCE WITH THE CENTER OF U.S. HIGHWAY 64-70 SOUTH 64 DEG. 29 MIN. WEST 367.11 FEET TO A POINT, SAID POINT LOCATED NORTH 64 DEG. 29 MIN. EAST 52.5 FEET FROM A CULVERT RUNNING UNDER U.S. HIGHWAY 64-70, THENCE WITH THE NEW LINE OF STEVENSON NORTH 20 DEG. 26 MIN 18 SEC. WEST 204.62 FEET TO AN IRON PIN, HOWARD STAMEY'S LINE, THENCE WITH STANLEY'S LINE SOUTH 85 DEG. 13 MIN 54 SEC. EAST 404.16 FEET TO THE POINT AND PLACE OF BEGINNING, CONTAINING 0.859 ACRES, MORE OR LESS, ALL IN ACCORDANCE WITH A SURVEY BY R. B. KESTLER, JR., REGISTERED SURVEYOR, DATED FEBRUARY 7, 1983.

SUBJECT TO THE EASEMENT AND RIGHT OF WAY OVER THE ABOVE DESCRIBED PROPERTY FROM THE PROPERTY SHOWN ON THE SURVEY ATTACHED TO DEED BOOK 683, PAGE 312 AT THE EWALL A. STEVENSON PROPERTY, BOOK 214, PAGE 162, TO THAT CULVERT LYING BENEATH U. S. HIGHWAY 64-70 AS SHOWN ON THE ATTACHED SURVEY, TO DIG AND MAINTAIN A DITCH FOR THE PURPOSES OF CARRYING OFF SURPLUS WATER OVER THE CONVEYED PREMISES, WHERE WATER WOULD NATURALLY FLOW, PROVIDING SUCH DIGGING AND MAINTENANCE SHALL BE FREE OF COST AND WITHOUT DAMAGE TO THE GRANTEE.

Parcel 3
PIN 4714233766.000

BEGINNING AT A STAKE AT A GUM TREE, J. F. MOOSE AND MRS. HOWARD GANT'S CORNER, AND RUNS THENCE WITH MRS. GANT'S LINE, SOUTH 84 DEG. EAST 149.5 FEET TO A STAKE ON THE BRANCH; THENCE WITH MRS. GANT'S LINE AND THE BRANCH SOUTH 59 DEG. 10 MIN EAST 217 FEET TO A STAKE ON THE BRANCH; THENCE CONTINUING WITH MRS. GANT'S LINE NORTH 35 DEG. 55 MIN. EAST 103 FEET TO A STAKE ON ANOTHER BRANCH; THENCE WITH SAID BRANCH AND MRS. GANT'S LINE NORTH 19 DEG. 15 MIN. EAST 435 FEET TO A STAKE; THENCE NORTH 50 DEG. EAST 200 FEET TO A STAKE; THENCE NORTH 24 DEG. 30 MIN. EAST 178 FEET TO A STAKE, LACKEY'S CORNER ON THE SOUTH MARGIN OF THE RIGHT OF WAY OF U. S. HIGHWAY NO. 64 NORTH BY-PASS; THENCE WITH SAID HIGHWAY SOUTH 72 DEG. WEST 755.4 FEET TO A STAKE ON J. F. MOOSE'S LINE; THENCE WITH HIS LINE SOUTH 54 DEG. WEST 407.2 FEET TO THE BEGINNING, CONTAINING 6.8 ACRES, MORE OR LESS, ACCORDING TO A SURVEY MADE BY L. B. GRIER, REGISTERED SURVEYOR, AUGUST 3, 1956.

PARCEL 4 PORTION TRACT 1-3
PIN#: 4714-31-8718

EXCLUDING THE 18.127 ACRE TRACT BEING SUBDIVIDED OUT OF THE EXISTING TRACT, SOUTH OF HICKORY HWY (US70).

BEING ALL THOSE CERTAIN PIECES, PARCELS OF TRACTS OF LAND LYING AND BEING IN THE TOWN OF STATESVILLE, SHILOH TOWNSHIP, IREDELL COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A #4 REBAR HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 742,760.88; E: 1,415,367.22 (NAD 83/2011), SAID POINT BEING N 79°49'49" W, 861.28 FEET FROM NGS MONUMENT "SMITH", AND BEING THE COMMON CORNER WITH BOTH THE ALFORD FARM AND TIMBER, LLC PROPERTY, AS RECORDED IN BOOK 2768 PAGE 1611 AND THE JAMES J. MUNDAY AND WIFE, HAZELENE B. MUNDAY PROPERTY, AS RECORDED IN BOOK 2166 PAGE 703, SAID POINT BEING LABELED POB"B" AND BEING THE POINT OF BEGINNING.

THENCE ALONG THE ALFORD FARM AND TIMBER, LLC PROPERTY, S 00°13'28" E, 668.67 FEET TO A #4 REBAR AND BEING THE NORTHWESTERN CORNER OF THE D. EDWARD HUFFMAN AND WIFE, PAULA LEONARD HUFFMAN PROPERTY AS RECORDED IN BOOK 1031 PAGE 1231, SAID POINT BEING N 89°32'29" W, 118.50 FEET FROM A #4 REBAR.

THENCE ALONG SAID PROPERTY LINE S 02°45'04" W, 572.17 FEET TO A #3 REBAR, AND BEING THE COMMON CORNER OF THE PAULA L. HUFFMAN PROPERTY, AS RECORDED IN BOOK 13E PAGE 710.

THENCE ALONG SAID PROPERTY LINE S 02°07'37" W, 720.49 FEET TO A #4 REBAR, AND BEING THE COMMON CORNER OF THE ARTHUR DAVID HAIRE PROPERTY AS RECORDED IN BOOK 2452 PAGE 1233.

THENCE ALONG SAID PROPERTY LINE THE FOLLOWING (6) COURSES AND DISTANCES, (1) N 87°41'34" W, 80.99 FEET TO A #3 REBAR, (2) S 08°37'33" W, 206.35 FEET TO A CONCRETE MONUMENT, (3) S 83°25'26" E, 32.72 FEET TO A CONCRETE MONUMENT, (4) S 00°55'35" E, 173.04 FEET TO A CONCRETE MONUMENT, (5) S 77°29'28" W, 65.75 FEET TO A CONCRETE MONUMENT, (6) S 05°04'25" W, 182.24 FEET TO A POINT IN THE CENTERLINE OF HICKORY HIGHWAY.

THENCE ALONG SAID CENTERLINE OF ROAD THE FOLLOWING (12) COURSES AND DISTANCES, (1) S 64°07'39" W, 79.44 FEET TO A POINT, (2) S 64°07'39" W, A DISTANCE OF 79.44 FEET TO A POINT, (3) S 64°09'17" W, A DISTANCE OF 141.58 FEET TO POINT, (4) S 64°09'10" W, A DISTANCE OF 200.00 FEET TO A POINT, (5) S 64°09'16" W, A DISTANCE OF 200.00 FEET TO A POINT, (6) S 64°09'35" W, A DISTANCE OF 200.00 FEET TO A POINT, (7) S 64°03'13" W, A DISTANCE OF 200.00 FEET TO POINT, (8) S 64°12'29" W, A DISTANCE OF 200.00 FEET TO A POINT, (9) S 64°12'26" W A DISTANCE OF 200.00 FEET TO A POINT, (10) S 64°09'00" W, A DISTANCE OF 200.00 FEET TO A POINT, (11) S 64°45'44" W, A DISTANCE OF 200.00 FEET TO A TO A POINT, (12) S 63°46'11" W, A DISTANCE OF 254.00 FEET TO A POINT NEAR THE CENTERLINE OF HICKORY HIGHWAY, AND BEING THE EASTERN CORNER OF THE PAMELA P STAMEY LIVING TRUST PROPERTY AS RECORDED IN BOOK 683 PAGE 312.

THENCE LEAVING SAID HIGHWAY ALONG SAID PROPERTY LINE N 85°36'50" W, 404.16 FEET TO AN AXLE, BEING A COMMON CORNER WITH THE DAVID J STAMEY AND WIFE, DEVON OLIVER STAMEY PROPERTY AS RECORDED IN BOOK 2380 PAGE 464.

THENCE ALONG SAID PROPERTY LINE N 85°36'49" W, 486.08 FEET TO A 2" IRON PIPE, BEING A COMMON CORNER WITH THE LAURA N. JORDAN AND EMILY J. NASH PROPERTY AS RECORDED IN BOOK 2724 PAGE 339.

THENCE ALONG SAID PROPERTY LINE THE FOLLOWING (2) COURSES AND DISTANCES, (1) N 04°07'16" E, 1343.85 FEET TO A 3" PINCHED PIPE IN CONCRETE, (2) N 39°57'16" W, 531.64 FEET TO A 3" IRON PIPE, BEING A COMMON CORNER WITH THE WHISKEY THROTTLE NC, LLC PROPERTY AS RECORDED IN BOOK 3010 PAGE 939.

THENCE ALONG SAID PROPERTY LINE THE FOLLOWING (2) COURSES AND DISTANCES, (1) N 02°46'47" E, PASSING A 1" DISTURBED IRON PIPE AT 683.14 FEET, FOR A TOTAL OF 2202.85 FEET TO A 1" REBAR, (2) N 34°38'53" W, A DISTANCE OF 95.36 FEET TO A POINT BEING A COMMON CORNER WITH THE PAMELA P STAMEY LIVING TRUST TRACT AS RECORDED IN BOOK 6954 PAGE 578.

THENCE ALONG SAID PROPERTY LINE THE FOLLOWING (5) COURSES AND DISTANCES, (1) S 63°06'18" E, A DISTANCE OF 217.32 FEET TO A POINT, (2) N 31°56'00" E, A DISTANCE OF 103.00 FEET TO A POINT, N 15°16'00" E, A DISTANCE OF 435.00 FEET TO A POINT, N 46°01'00" E, A DISTANCE OF 200.00 FEET TO A POINT, N 20°31'00" E, A DISTANCE OF 178.00 FEET TO A POINT ON THE SOUTHERN RIGHT OF WAY OF US INTERSTATE 40.

THENCE ALONG SAID RIGHT OF WAY N 67°40'00" E, 812.54 FEET TO A 1" IRON PIPE, BEING A COMMON CORNER WITH THE RINK MEDIA, LLC PROPERTY AS RECORDED IN BOOK 18762 PAGE 33.

THENCE LEAVING SAID RIGHT OF WAY ALONG SAID PROPERTY LINE, THE FOLLOWING (3) COURSES AND DISTANCES, (1) S 22°18'20" E, 59.89 FEET TO A 1" IRON PIPE, (2) N 67°50'06" E, 30.05 FEET TO A 1" IRON PIPE, (3) N 22°23'21" W, 60.00 FEET TO A 1" IRON PIPE ON THE SOUTHERN RIGHT OF WAY OF US INTERSTATE 40.

THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING (3) COURSES AND DISTANCES, (1) N 67°36'10" E, 120.02 FEET TO A 1" IRON PIPE, (2) S 05°03'21" W, 20.70 FEET TO A 1" IRON PIPE, (3) N 81°45'12" E, 113.00 FEET TO A 1" IRON PIPE, BEING A COMMON CORNER WITH THE STAMEY LAND COMPANY AS RECORDED IN BOOK 741 PAGE 27.

THENCE LEAVING SAID RIGHT OF WAY ALONG SAID PROPERTY LINE, THE FOLLOWING (3) COURSES AND DISTANCES, (1) S 08°14'48" E, 60.00 FEET TO A 1" IRON PIPE, (2) N 81°45'12" E, 30.00 FEET TO A 1" IRON PIPE, (3) N 08°12'36" W, 59.70 FEET TO A 1" IRON PIPE ON THE SOUTHERN RIGHT OF WAY OF US INTERSTATE 40.

THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING (3) COURSES AND DISTANCES, (1) N 81°45'12" E, 335.69 FEET TO A DISTURBED CONCRETE MONUMENT, (2) N 05°39'48" E, 20.70 FEET TO A DISTURBED CONCRETE MONUMENT, (3) N 89°57'49" E, 155.56 FEET TO A POINT, BEING A COMMON CORNER WITH THE STAMEY LAND CO. AS RECORDED IN BOOK 1899 PAGE 842.

THENCE LEAVING SAID RIGHT OF WAY ALONG SAID PROPERTY LINE, THE FOLLOWING (3) COURSES AND DISTANCES, (1) S 02°00'26" W, 174.29 FEET TO A NAIL, (2) S 39°11'04" E, 394.07 FEET TO A NAIL, (3) N 50°48'56" E, 362.56 FEET TO A POINT IN THE CENTERLINE OF STAMEY FARM ROAD.

THENCE ALONG THE CENTERLINE OF SAID ROAD THE FOLLOWING (4) COURSES AND DISTANCES, (1) S 40°41'01" E, 173.15 FEET TO A POINT, (2) S 40°44'51" E, 210.42 FEET TO A POINT, (3) S 41°09'20" E, 200.82 FEET TO A POINT, (4) S 40°27'32" E, 97.36 FEET TO A POINT, BEING A COMMON CORNER WITH THE STAMEY FARMS LLP PROPERTY AS RECORDED IN BOOK 2008 PAGE 1208.

THENCE LEAVING THE CENTERLINE OF SAID ROAD, ALONG SAID PROPERTY LINE, THE FOLLOWING (5) COURSES AND DISTANCES, (1) S 72°33'51" W, 157.09 FEET TO A POINT, (2) S 33°19'44" W, 53.82 FEET TO A POINT, (3) S 18°09'53" E, 70.00 FEET TO A #5 REBAR, (4) S 57°43'59" E, 73.37 FEET TO A #5 REBAR, (5) N 72°35'46" E, 227.95 FEET TO A NAIL IN THE CENTERLINE OF STAMEY FARM ROAD.

THENCE ALONG THE CENTERLINE OF SAID ROAD THE FOLLOWING (4) COURSES AND DISTANCES, (1) S 47°24'06" E, 80.57 FEET TO A POINT, (2) S 50°33'36" E, 94.99 FEET TO A POINT, (3) S 51°48'15" E, 101.50 FEET TO A POINT, (4) S 51°47'31" E, 110.77 FEET TO A POINT, BEING A COMMON CORNER WITH THE JAMES J. MUNDAY AND WIFE, HAZELENE B. MUNDAY, AS RECORDED IN BOOK 2166 PAGE 703.

THENCE LEAVING THE CENTERLINE OF SAID ROAD, ALONG SAID PROPERTY LINE, THE FOLLOWING (2) COURSES AND DISTANCES, (1) S 53°03'56" W, PASSING A 2" IRON PIPE AT 31.88 FEET, FOR A TOTAL OF 417.54 FEET TO A 1" IRON PIPE, (2) S 01°21'48" E, 412.68 FEET TO THE POINT AND PLACE OF BEGINNING.

THE PROPERTY AS DESCRIBED CONTAINS 300.877 ACRES, MORE OR LESS. ALL AS SHOWN ON A BOUNDARY SURVEY PREPARED BY THOMAS AND HUTTON (ANTHONY S. DIBONA, PLS) AND DATED AUGUST 14, 2025.

Parcel 5
PIN 4714348407.000

BEGINNING AT AN IRON STAKE ON THE SOUTHERN EDGE OF THE CONTROLLED ACCESS RIGHT OF WAY OF INTERSTATE HIGHWAY 40; THENCE SOUTH 06-34-40 EAST 60 FEET TO AN IRON; THENCE SOUTH 83-25-20 WEST 30 FEET TO AN IRON; THENCE NORTH 06-34-40 WEST 60 FEET TO AN IRON ON SAID RIGHT OF WAY; THENCE WITH SAID RIGHT OF WAY, NORTH 83-25-20 EAST 30 FEET TO THE BEGINNING CONTAINING 1,800 SQUARE FEET, MORE OR LESS, AND BEING DESCRIBED ACCORDING TO A PLAT AND SURVEY PREPARED BY R. B. PHARR, REGISTERED SURVEYOR, DATED NOVEMBER 10, 1970, AND BEING DESIGNED AS SITE #2 ON A COPY OF SAID PLAT RECORDED IN DEED BOOK 497 AT PAGE 509, IREDELL COUNTY REGISTRY.

Parcel 6
PIN 4714445207.000

BEGINNING AT AN IRON, SAID IRON BEING LOCATED IN THE SOUTHERN LINE OF A TRACT CONVEYED TO REPROCO, INC., AND BEING SOUTH 39-13-30 EAST 180 FEET FROM A CONCRETE MONUMENT LOCATED IN THE SOUTHWEST QUADRANT FORMED BY INTERSTATE HIGHWAY #40 AND FRYEGILBERT ROAD (STATE ROAD #1512); THENCE NORTH 50-46-30 EAST 30.27 FEET TO A POINT IN THE CENTER OF STATE ROAD #1512; THENCE WITH THE CENTER OF STATE

ROAD #1512, SOUTH 39-13-30 EAST 170 FEET TO A POINT IN THE CENTER OF STATE ROAD #1512; THENCE LEAVING STATE ROAD #1512 SOUTH 50-46-30 WEST 30.27 FEET TO AN IRON LOCATED ON THE WEST BANK OF STATE ROAD #1512; THENCE CONTINUING SOUTH 50-46-30 WEST 315.0 FEET TO AN IRON; THENCE NORTH 39-13-30 WEST 394.07 FEET TO A RAILROAD SPIKE IN ROOT OF TREE; THENCE NORTH 1-58-00 EAST 174.29 FEET TO AN IRON LOCATED ON THE CONTROLLED ACCESS LINE OF INTERSTATE HIGHWAY #40; THENCE WITH THE CONTROLLED ACCESS LINE OF INTERSTATE HIGHWAY #40, SOUTH 88-02-00 EAST 40.36 FEET TO AN IRON, SAID IRON BEING THE NORTHWEST CORNER OF THE 1.12 ACRE TRACT CONVEYED TO REPROCO, INC.; THENCE WITH THE REPROCO, INC. LINE SOUTH 39-13-30 EAST 328.70 FEET TO AN IRON, THE SOUTHWEST CORNER OF REPROCO, INC. TRACT; THENCE NORTH 50-46-30 EAST 169.73 FEET TO AN IRON, THE POINT AND PLACE OF BEGINNING, CONTAINING 2.38 ACRES, MORE OR LESS, AND BEING MORE PARTICULARLY SHOWN ON A PHYSICAL SURVEY DATED MARCH 11, 1970; PREPARED BY KESTLER AND MACKAY, REGISTERED SURVEYORS.

Parcel 7
PIN 4714445418.000

BEGINNING AT A CONCRETE MONUMENT LOCATED IN THE SOUTHWEST QUADRANT FORMED BY THE INTERSECTION OF INTERSTATE HIGHWAY #40 AND FRYE-GILBERT ROAD (STATE ROAD #1512), SAID CONCRETE MONUMENT BEING SOUTH 33-14-00 EAST 304.10 FEET FROM N.C. GEODETIC SURVEY MONUMENT LOCATED IN THE NORTHWEST QUADRANT FORMED BY THE INTERSECTION OF INTERSTATE HIGHWAY #40 AND FRYE-GILBERT ROAD (STATE ROAD #1512); THENCE NORTH 39-47-30 EAST 30.83 FEET TO A POINT IN THE CENTER OF STATE ROAD #1512; THENCE WITH THE CENTER OF STATE ROAD #1512 SOUTH 39-13-5-00 EAST 185.87 FEET TO A POINT IN THE CENTER OF STATE ROAD #1512; THENCE LEAVING STATE ROAD #1512, SOUTH 50-46-30 WEST 30.27 FEET TO AN IRON LOCATED ON THE BANK OF STATE ROAD #1512; THENCE CONTINUING SOUTH 50-46-30 WEST 169.73 FEET TO AN IRON; THENCE NORTH 39-13-30 WEST 328.70 FEET TO AN IRON LOCATED ON THE CONTROLLED ACCESS LINE OF INTERSTATE HIGHWAY #40; THENCE WITH THE SOUTHERN CONTROLLED ACCESS LINE OF INTERSTATE HIGHWAY #40, SOUTH 88-02-00 EAST 225.70 FEET TO THE CONCRETE MONUMENT DESIGNATED AS THE POINT AND PLACE OF BEGINNING, CONTAINING 1.12 ACRES, MORE OR LESS, AND BEING MORE PARTICULARLY SHOWN ON A PHYSICAL SURVEY DATED MARCH 11, 1970 PREPARED BY KESTLER AND MACKAY, REGISTERED SURVEYORS.

Parcel 8
PIN 4714532608.000

BEGINNING AT A MAG NAIL SET SAID POINT IN THE RIGHT-OF-WAY OF STATE ROAD 1512 AND BEING NORTH 53-53-16 WEST 449.91 FEET GRID FROM THE N.C.G.S. GILBERT HAVING READINGS OF NORTH: 743,406.0656'; EAST: 1,415,753.527'; NAD 83; THENCE FROM SAID POINT OF BEGINNING, SOUTH 72-34-15 WEST 227.33 FEET TO A REBAR SET; THENCE NORTH 57-42-22 WEST 73.38 FEET TO A REBAR SET; THENCE NORTH 18-07-38 WEST 70.00 FEET TO A REBAR SET; THENCE NORTH 33-21-59 EAST 53.82 FEET TO A REBAR SET; THENCE NORTH 72-34-15 EAST 157.25 FEET TO A MAG NAIL SET; THENCE WITHIN THE

RIGHT-OF-WAY OF STATE ROAD 1512, THE FOLLOWING CALLS: SOUTH 40-59-27 EAST 17.48 FEET; SOUTH 41-36-50 EAST 48.78 FEET; SOUTH 43-04-43 EAST 62.72 FEET; SOUTH 45-01-33 EAST 45.19 FEET; SOUTH 46-33-45 EAST 3.30 FEET TO THE POINT OF BEGINNING, CONTAINING 0.818 ACRE, MORE OR LESS, AS SHOWN ON SURVEY BY DAVID B. JORDAN, REGISTERED LAND SURVEYOR, DATED SEPTEMBER 30, 2003.

THERE IS ALSO CONVEYED IS THE EASEMENTS DESCRIBED IN DEED RECORDED IN BOOK 1527, PAGES 365-367, IREDELL COUNTY, NORTH CAROLINA.

This ordinance was introduced for first reading by Councilmember _____, seconded by Councilmember _____, and unanimously carried on the 15th day of September, 2025.

Ayes:

Nayes:

The second and final reading of this ordinance was heard on the 6th day of October, 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 6th day of October, 2025.

CITY OF STATESVILLE

Constantine H. Kutteh, Mayor

APPROVED AS TO FORM:

By: _____
City Attorney

ATTEST:

City Clerk

Planning Board Meeting Minutes
City Hall Council Chambers – 227 S. Center Street
August 26, 2025 – 6:00 p.m.

Members Present: Alisha Cordle, Bernard Robertson, Joel Mashburn, Mark Tart, Roger Bejcek, Darrin Rucker, Cory Sloan, Trey Robertson

Members Absent:

Staff: Sherry Ashley, Herman Caulder, Joseph Campbell, Matthew Kirkendall, Christopher Hooper, Ron Smith, Scott Harrell, April Nesbit

Statesville Police: Chief David Onley, Assistant Chief John Ivarrison, Assistant Chief John Galliher, 3 City of Statesville Police Officers

Statesville Fire: Chief Glenn Kurfees, Fire Marshal Taylor Menster

Attendance: Per the City of Statesville Fire Marshal, the City Council chambers were at capacity (97), so he directed participants to the overflow area in the City Hall lobby, which also filled to capacity (70) and there were approximately (30) people outside of City Hall waiting to participate.

Chairwoman Cordle called the meeting to order.

Bejcek made a motion to approve July 27, 2025, Planning Board minutes, seconded by B. Robertson, motion passes unanimously.

Election of Officers:

Bejcek made a motion to elect Alisha Cordle as Planning Board Chair. Seconded by Mashburn, the motion carried unanimously.

Bejcek made a motion to elect Bernard Robertson as Planning Board Vice Chair. Seconded by Mashburn. The motion carried unanimously.

ZC25-13 Compass Data Centers: Courtesy Hearing for a rezoning application filed by Mr. Brett Collard; for properties located on Stamey Farm Road between I-40 and US 70 (Hickory Highway) Statesville, NC; Iredell County Tax Map Parcel #'s 4713-29-5198, 4713-39-0218, 4714-23-3766, 4714-31-8718 portion, 4714-34-8407, 4714-44-5207, 4714-44-5418, and 4714-53-2608; To rezone from Iredell County RA (Residential Agricultural) District and Iredell County HB (Highway Business) District to City of Statesville LI CZ (Light Industrial Conditional Zoning) District.

Sherry Ashley presented on behalf of Mr. Brett Collard with Compass Data Centers who is requesting to rezone a total of 350 acres from Iredell County RA (Residential Agricultural) District and Iredell County HB (Highway Business) District to the City of Statesville's LI CZ (Light Industrial Conditional Zoning) District for a data center (see attached Location Map, Aerial Map, Site Photos, and Current Zoning and Utilities Map). Ashley provided clarification to the board and crowd that Compass is not the same developer who recently withdrew an application from the

Town of Mooresville recently. A data center is a physical facility that houses computer systems, servers, storage devices, and network equipment used for storing, processing, and distributing data. Essentially, it's the physical infrastructure that powers many of the online services and applications used daily, from social media to cloud storage.

Evaluation

The proposed project site is made up of 8 parcels which includes the Stamey Farm and several existing houses with the exception the portion of property across US 70 (Hickory Highway). It is not included in the request. Currently all of these parcels are located in Iredell County's jurisdiction and would need to be annexed into the city. Most if not all existing structures would be removed including the farm ponds.

The applicant is proposing to construct up to 5 buildings (approximately 270,000 sq. ft. each) with 40 backup generators per building in case of power outages. A substation will be constructed on the site for electrical service from Duke Energy (see Concept Plan). In addition, a temporary concrete batch plant may be located on the property during construction. The driveways would be private, with primary access off Stamey Farm Road close to the interstate. A second driveway would be provided from US 70 (Hickory Highway) for emergency access. The site will also be fenced for security purposes.

This is a Conditional Zoning request; if approved, the project will be tied to the concept plan and conditions submitted by the applicant, plus any conditions approved by the Planning Board and City Council. The neighborhood input meeting was held by the applicant on August 14, 2025, at the Civic Center; Approximately 70 people were in attendance. It was clarified that this data center is not the same data center requested in the Town of Mooresville. Questions regarding stormwater, smell, noise, farmland preservation, light pollution, notification, electric provider, berming, cooling, access traffic, remaining land, biofuel, number of generators, employment including youth, wells, property values, and cyber threats (see attached Meeting Report). No changes to the concept plan were recommended.

The setbacks of 30 ft. front, 20 ft. rear, and 8 ft. side are met. The location of the buildings and generators exceed the setbacks are approximately 500 ft. from the eastern property line, 650 ft. from the western property line and 1,000-2,500 ft. from the southern property line. The buildings are proposed to be 30 ft. in height even though 80 ft. is allowed in the LI District. Dumpsters will be located inside the docks.

There are two large Duke Energy transmission lines that run through the site south of the proposed buildings. A new substation is proposed to be located on the north side of the site adjacent to the interstate.

There are two streams that run through the site and the concept plan shows the required 25 ft. stream buffers.

The number of parking spaces is 0.5 space per largest shift of employees. Each building is projected to have 40 employees; therefore 100 spaces are required, 200 is proposed.

The concept plan indicates the required buffer yards, street yards, and parking lot trees. In addition, the applicant has increased the required 30 ft. buffer to 50 ft. adjacent to existing homes. Street Trees will be planted in the 8 ft. street yard along Stamey Farm Road, US 70 (Hickory

Highway) and I-40. If the site is fenced with chain-link, it will be required to be dark green or black colored adjacent to public streets.

Both a landscape plan and lighting plan will be required for TRC.

Two stormwater ponds are indicated on the concept plan and will be reviewed by TRC.

Utilities such as Duke Energy Electric and City of Statesville sewer are being planned for the area. Energy United water and City of Statesville water are available (see Current Zoning and Utilities map).

The 2019 Mobility + Development Plan projects Stamey Farm Road to be widened to a 3-lane section with an 80 ft. right-of-way. Hickory Highway is projected to have 60 ft. of right-of-way. Therefore, the applicant will be required to dedicate the right-of-way and install curb, gutter, sidewalk and street trees along both of these streets. Other improvements could be required as part of the approved TIA.

In addition, the applicant has offered the following conditions:

1. Uses limited to Data Centers, Warehouse, Mini Warehouses, Public Utility Uses, Temporary Batch Plant, Outdoor Storage as an Accessory Use, General Office, Parking, and Parks and Playgrounds.
2. Require Traffic Impact Analysis to be performed for City of Statesville review and permitting.
3. Increase property line buffer from 30 ft to 50 ft with additional proportional landscaping at adjacent parcels with existing residential structures to include pins: 4713-28-1975.00, 4714-50-4518.00, and 4714-53-5163.00.

Staff Recommendation

The 2019 Mobility + Development Plan projects 2 land use plan options for the Airport/I-40 Focus Area regarding these properties (see attached). Concept A projects half of the properties for mixed use neighborhood and half for manufacturing/logistics. Concept B projects all of these properties for manufacturing/logistics. A data center is neither strictly manufacturing or strictly logistics it is both because it produces “information” or “data” and manages the flow of equipment, power, cooling and data within the facility. When the 2045 Land Development Plan was adopted afterwards, the mobility plan was taken into consideration and this area was projected as Activity Center or Employment Center/Industrial Flex (see attached). Employment Center/Flex Industrial includes business parks, corporate campuses, flex space, manufacturing, distribution, and other industrial uses. Secondary uses include retail. In addition, these properties are located in the Tier 2 growth area. Utilities are currently available or are in the planning stages.

The 2045 Iredell County Horizons Plan also projects this area as Employment Center-Industrial/Flex Space/Office which allows manufacturing, warehouses, office, and assembly with retail as secondary uses.

Planning staff confirmed with both Iredell County and the State that Stamey Farm is not located within a Farmland Preservation District.

In addition, to the adopted plans referenced above, the concept plan and conditions offered by the applicant provide large buffers and an expanse of undeveloped land between the proposed structures and adjoining properties, the primary entrance is in close proximity to I-40 and the interchange and a data center is a less intensive use regarding traffic than a distribution center or retail development.

Staff recommends approval of the request contingent upon annexation and changing the language of condition #2 as follows:

2. Driveway and road improvements agreed to by the City and NCDOT per the Traffic Impact Analysis will be required by the developer at time of site plan approval.

Attachments:

1. Location Map
2. Aerial Photo Map
3. Site Photos
4. Zoning & Utilities Map
5. Concept Plan
6. Boundary Survey for Stamey Farm
7. Community Meeting Report
8. 2019 Mobility + Development Plan
9. 2045 LDP Land Use & Character Map
10. Employment Center/Industrial Flex Character Area
11. Activity Center Character Area
12. Zoning Consistency Statement (approval or denial)
13. Ordinance

Tart asked Ashley if the on-site substation had to meet building setbacks and landscape buffers. Ashley stated it would have to meet setbacks, and the buffering is a little different when dealing with utilities but there is an existing buffer from I-40 that would remain, but it would not be required but staff could ask the developer for increased buffering.

Chairwoman Cordle informed the crowd about the overall policies of the Public Hearing policies and opened the Public Hearing.

Pam Ford of Troutman came to the podium and spoke in opposition of the rezoning for various reasons including noise and light pollution, water and air contamination, few community benefits and water and energy consumption. Ford passed to the Board evidence from Duke Power regarding energy use spikes. (See attached – Exhibit A)

The developers of the project, Katie Hancock and Brett Collard, came to the podium to give their presentation and answer questions from the board. Hancock, leader of community relations spoke regarding her relationship with Compass. Hancock explained Compass's sustainability commitment is what drove her to decide Compass was the company she wanted to work for. Hancock stated that Compass uses airside cooling and that they do not use water for cooling. Hancock stated that Duke has assured Compass that there is enough power the 200 megawatts of IT load, and 330 megawatts of total power capacity over time. Hancock stated the sound produced at night would be 55 DBA, and during the day 65 DBA at 100ft away. Another question from community meetings was light pollution. Hancock stated they would be using downcast light around the perimeter, and there would be no outdoor activities happening at

night so there would be no need for stadium styled lighting. Hancock stated the backup generators would be fueled by HVO fuel (hydrogenated vegetable furl, which would be 70% cleaner than common fuels.

B. Roberston asked how much tax revenue would bring the Statesville. Hancock stated she would defer the question to the city, but stated that the overall investment by Compass, the customers, and investors would be well over one billion dollars.

Brett Collard, Senior Vice President of Land Development for Compass came to the podium to continue the presentation. Collard spoke to the geographical aspect of the Statesville location. Collard stated this would be the first NC based campus. Collard states the Duke Power substation on the other side of I-40, less than one mile from the location, would support this proposed campus, which has a capacity of upwards of 500 megawatts of energy capacity which was attractive for this scale. That substation, along with the high voltage powerlines in the area is what made this area a suitable location for this campus.

Chairwoman Cordle continued the Public Hearing and requested since so many people signed up to speak, for capacity issues, if after the speakers had an opportunity to speak if they would step out to allow more speakers the opportunity.

Gordon Moore of Gilbert Road (Iredell County) came to the podium to speak in opposition to the rezoning proposal. Moore stated the sound estimates were high hopes and believes the proposed site will produce more sound. Moore voiced concerns about fires with data centers, and proximity to residential areas. Moore also had concerns with only adjacent property owners being notified of the meeting, and not those in proximity.

Tony Henderson of Commanche Ct (Iredell County), came to the podium and spoke in favor of the proposed rezoning. Henderson spoke of the importance of these centers within the armed services and the public.

Sheila Shuford of Mt. Herman Rd (Iredell County), spoke in opposition to the proposed rezoning. Shuford spoke of pollution from generators and the site, and proximity of site to school.

Bill McCombs, owner of business on Slingshot Rd and resident of Mooresville, came to the podium and spoke in favor of the proposed rezoning. McCombs spoke of increase to tax revenue and stated this use would be the least impactful to the area.

Jeff Tucker of Ashbrook Ln (Iredell County), spoke in opposition to the proposed rezoning. Tucker spoke about proximity to school, loss of agricultural areas, and how this will change the longevity of the area. Tucker requested to see impacts from already existing data centers in similar areas and requested this case be taken to a joint session with the City Planning and Iredell County Planning and Commissioners.

Johnathan Griffin of Black Rd (Iredell County), spoke in favor of the proposed rezoning. Griffin stated from his research that Compass was a state-of-the-art business, and that this proposed use would be the least impactful to the area. Griffin also stated this was significant as one of the largest investments of all time in our area and this would be a significant opportunity for Iredell County.

John Gallina of Galax Dr (Iredell County), spoke in favor of the proposed rezoning. Gallina spoke about the job opportunities that would be brought to the area. Gallina also spoke to the consistency to the land use plan of the county and the city with the proposed rezoning and use of the property.

Thomas Hamel of Kentwood Rd (ETJ resident) spoke in opposition to the proposed rezoning. Hamel raised concerns regarding national security, proximity to schools and residential areas, and concerns about concerns in the event of a fire.

Deidra Pickens of Parker Grove Ln (Iredell County), spoke in opposition to the proposed rezoning. Reasons including noise, light, and health pollution. Loss of farmland. No jobs for residents and emissions concerns.

John Michaels of Oakridge Farm Rd (Mooresville, NC) spoke in opposition to the proposed rezoning. Michaels stated these data centers would not do anything to benefit the local community and would be a drain on local infrastructure.

Erika Hernandez of Peridot Cir (Charlotte, NC) spoke in opposition to the proposed rezoning with reasonings being the strain on utilities and water and asked for the board to request more information regarding environmental impacts.

Cody Blizzard of Jo Monni Loop (Iredell County) spoke in opposition to the proposed rezoning with reasons being the draining of resources, rising utility costs, and negative environmental impacts.

Rusty Lee of St. Cloud Dr (City of Statesville) spoke in favor of the proposed rezoning. Lee shared his history working with data centers overtime and commended Compass for their overall craftsmanship of campuses.

Leighann Huddleston of Mills Forest Ln (Iredell County) spoke in opposition with reasons being health impacts, the scale of the project in a rural area, and lack of benefits to the local community.

Paula Huffman of Stamey Farm Rd (Iredell County), as an adjacent property owner spoke in favor of the rezoning. Huffman stated she did not want anything to happen to the land and wants it to remain the same, however the proposed use would be the least impactful.

Mark Cash of Loray Ln (Iredell County) spoke in favor of the rezoning. Cash stated how the Statesville Fire Department could handle any fires and commented on them for response time. Cash also spoke about how this use would be the least impactful to the area and have good tax benefits.

Josh King (Stony Point, NC) spoke in opposition to the proposed rezoning. King's reasonings were that these centers need to be built in areas that need economic drivers.

Samuel Estes of Old Mountain Rd (Iredell County) spoke in opposition to the proposed rezoning. Estes stated the data center should be placed within city limits instead of out in rural areas and concerns of decreasing property values.

Jeff Byers of Greenwich Dr (Iredell County) spoke in opposition to the proposed rezoning for reasons including distrusting the local community leaders and the developers of this project. Byers also requested an update to the Bethlehem Rd project.

Dale Warren of Greenwich Dr (Iredell County) spoke in opposition to the proposed rezoning. Warren stated his farm was downstream from the proposed site and was concerned about potential contamination. Warren also stated that the creek had recently had contamination from a yogurt byproduct being used as fertilizer at Stamey Farm and had caused a massive fish die-off.

Renee Moran of Stewart Rock Rd (Iredell County) spoke in opposition to the proposed rezoning. Moran spoke of concerns about longevity of the use of the property and concerns of waste from the campus.

With no one else signed up to speak, Chairwoman Cordle closed the Public Hearing.

Bejcek stated in the 50's when I-40 came by the farmland, it was projected to one day be industrialized, and that the farm has been for sale for at least three years. Bejcek stated this project had low impact to the surrounding area. Bejcek stated growth is tough, but this project checks the boxes of the long-range plan.

Bejcek began to make a motion as members of the audience began to shout at the board. Chairwoman Cordle began asking for order in the room. Officers of the Statesville Police Department came in and began instructing those who were being disruptive to exit the room. There was a slight break in the meeting as those exiting the building began protesting the board's decision. Mashburn gave an analogy regarding resistance of growth and how in the end everything typically works out and expressed optimism for this use.

Bejcek made a motion to approve ZC25-13 Compass Data Centers: Courtesy Hearing for a rezoning application filed by Mr. Brett Collard; for properties located on Stamey Farm Road between I-40 and US 70 (Hickory Highway) Statesville, NC; Iredell County Tax Map Parcel #'s 4713-29-5198, 4713-39-0218, 4714-23-3766, 4714-31-8718 portion, 4714-34-8407, 4714-44-5207, 4714-44-5418, and 4714-53-2608; To rezone from Iredell County RA (Residential Agricultural) District and Iredell County HB (Highway Business) District to City of Statesville LI CZ (Light Industrial Conditional Zoning) District. The 2019 Mobility + Development Plan projects 2 land use plan options for the Airport/I-40 Focus Area regarding these properties. Concept A projects half of the properties for mixed use neighborhood and half for manufacturing/logistics. Concept B projects all of these properties for manufacturing/logistics. A data center is neither strictly manufacturing or strictly logistics it is both because it produces "information" or "data" and manages the flow of equipment, power, cooling and data within the facility. When the 2045 Land Development Plan was adopted afterwards, the mobility plan was taken into consideration, and this area was projected as Activity Center or Employment Center/Industrial Flex. Employment Center/Flex Industrial includes business parks, corporate campuses, flex space, manufacturing, distribution, and other industrial uses. Secondary uses include retail. In addition, these properties are located in the Tier 2 growth area. Utilities are currently available or are in the planning stages. Seconded by B. Robertson. The motion carried unanimously.

ZC25-04 Hill Haven Subdivision: Courtesy Hearing for a rezoning application filed by Mr. Robert Williamsen; located at the intersection of Shelton Avenue and Hill Haven Road, Statesville, NC; Iredell County Tax Map Parcel #'s 4733-52-0766, 4733-52-8140, 4733-61-2340, 4733-61-5608, 4733-71-0390, 4733-71-4134, 4733-71-4950, 4733-71-6507, 4733-72-0499, 4733-70-1799, 4733-70-0921, 4733-72-7358, 4733-72-7106, and 4733-72-7265; To rezone from Iredell County R-20 (Single-Family Residential) District, Iredell County HB CUD (Highway Business Conditional Use) District, and Iredell County NB (Neighborhood Business) District to City of Statesville R-8 CZ (Medium Density Single-Family Residential Conditional Zoning) District.

Herman Caulder presented on behalf of Mr. Robert Williamsen (applicant) who is requesting to rezone a total of 147.28 acres (11 parcels) from Iredell County R-20 (Rural Residential) District, Iredell County HB CUD (Highway Business Conditional Use) District and Iredell County NB (Neighborhood Business) District to R-8 CZ (Medium Density Single-Family Residential Conditional Zoning) District, to provide a proposed 385 lot single family development known as Hill Haven, utilizing the Cluster Subdivision development pattern (see attached Location Map, Aerial Map, Site Photos, and Current Zoning and Utilities Map).

Evaluation

The proposed project site is approximately 147.28 acres located in the Southern section of the city at the intersection of Hill Haven Road and Highway 21 (Shelton Avenue). All these parcels are located a little over one half mile outside the contiguous city limits and would need to be annexed. The intent of this conditional zoning request is to amend the zoning to allow a 385-lot residential development (see Concept Plan).

This is a Conditional Zoning request; if approved, the project will be tied to the concept plan and conditions submitted by the applicant, plus any conditions approved by the Planning Board and City Council. The neighborhood input meeting was held by the applicant on March 26, 2025; the meeting had 6 participants, with questions generally being about density, traffic, property line buffers, lot size, and price range. Questions were answered (see attached Hill Haven Meeting Report).

The base R-8 District allows for a minimum of 8,000 s.f. lots (at a maximum single-family density of approximately five dwelling units per acre); with a minimum of 70 feet in lot width at the front setback line, minimum 25' front yard, 25' rear yard and 8' side yard setbacks and 35' maximum height. The development must have a minimum of 10% active open space (minimum 14.72 acres for the proposed project). They will be using an existing building as their clubhouse and build a pool beside it.

However, the purpose of the Cluster Subdivision development pattern (as outlined in Section 7.01 of the UDC) is to provide creative and innovative single family developments that minimize land disturbance and maximize the preservation and conservation of sensitive natural areas and open space by grouping dwellings in clusters through variation of lot sizes and use of open space. The minimum lot size in the R-8 Cluster development for single-family homes can be reduced to 6,000 sq. ft., with the difference added to open space. Furthermore, in cluster subdivision proposals, lots must conform to the setback requirements for the underlying zoning district except that no minimum lot width is required (other than a required 10-foot separation between buildings).

The project is required to provide Type A (8') street yards along all streets and Type C (15') vegetative buffers on all sides. As a condition, the developer will create an enhanced tree buffer along the sides that abut Hill Haven Road and Wallace Springs Road in an effort to screen the backs of houses from street view.

There are 5 entrances off of Hill Haven Road and one off of Highway 21 (Shelton Avenue). At least two entrances are required to be completed when the 100th home is built. There will also be sidewalks, curbs, and gutters as well as street trees along both sides of all streets. Driveway and road improvements agreed to by the City and NCDOT per the Traffic Impact Analysis will be required by the developer at time of site plan approval. The project will be required to provide driveway and road improvements agreed to by the City and NCDOT. In addition, there will be walking trails on site, which will be 5' in width and maintained by the HOA.

The subject property is located within the Tier 2 Growth Area as depicted on the Tiered Growth Map. In addition, the 2045 Land Development Plan classifies this site as a Complete Neighborhood 2 and Activity Corridor (see attachment). Water, sewer, and Power will be provided by City of Statesville.

Staff Recommendation

This property is in a Tier 2 Growth area and meets the definition of Complete Neighborhood 2 but does not meet definition of Activity Corridor in the 2045 Land Development Plan. However, since the proposed subdivision does match the surrounding area, which is mainly residential, and the topography of the area near the highway is very challenging, an amendment to the 2045 Land Development Plan is acceptable. Utility services are available to the site and it is within a 4-minute response time for the Fire Department.

Therefore, **staff recommends approval** of the rezoning contingent upon annexation, list of corrections, and the attached conditions.

Corrections:

1. Addition of a walking trail connecting amenities, sidewalks, etc.
2. Construct an entrance off Wallace Springs Road instead of cul-de-sac at the Northern quadrant of the development.
3. Replace hammer head with cul-de-sac below the first entrance off Hill Haven Road on the East side of the development.
4. Need to provide a set of renderings of the homes.
5. SCM Ponds will need to be dry within 5 miles of the airport.
6. Provide a chart with lot sizes to verify open space.

Conditions:

1. Provide a range of units for a minimum of 350 to a maximum of 405 units.
2. Dedicate 45' ROW from Centerline along Shelton Avenue (Carolina Thread Trail)
3. Dedicate 45' ROW from Centerline along Hill Haven Road.
4. Driveway and road improvements agreed to by the City and NCDOT per the Traffic Impact Analysis will be required by the developer at time of site plan approval. Provide traffic calming measures along internal streets (to be determined by City Engineer during TRC review).
5. Use a mixture of at least 2 building materials on the front of homes.

6. Installation of Verkada Cameras at entrances by Statesville Police Department.
7. Provide enhanced landscaped entrances into the subdivision.
8. Shield the back of houses with enhanced tree landscaping along Hill Haven Road, Shelton Avenue, and Wallace Springs Road.
9. Provide larger lots along perimeter.

Attachments:

1. Staff Report
2. Location Map
3. Aerial Photo
4. Site Photos
5. Zoning & Utilities Map
6. Community Meeting Report
7. 2045 LDP Land Use Map
8. Concept Plan
9. Complete Neighborhood 2 Character Intent
10. Activity Corridor Character Intent
11. Ordinance
12. Zoning Consistency Statement

B. Robertson asked about the city limits and proximity with this location. Caulder explained it was outside of city limits and would be non-contiguous, a satellite annexation.

Nolan Groce, developer for the project, came to the podium to give a presentation and to answer any questions from the board. Groce explained to the board after consideration of the input from the community meetings, the range of units decreased from 517 units from the initial concept to 350-405 units being proposed tonight. Also, connections to Wallace Springs Rd and Hill Haven Rd were removed after the community meeting.

Chairwoman Cordle opened the Public Hearing.

Angela Matthews of Southview Drive came to the podium and requested that since the Hill Haven proposal had a smaller audience could her time be increased to 5 minutes. Chairwomen Cordle stated she did not have an issue with that. Tart stated if the board created an exception for Matthews, the board would need to honor that for everyone else.

Matthews spoke in opposition to the proposed rezoning with concerns of safety and services, sewer capacity, and capacity of the schools in proximity to this proposed site.

James Tarman of Wallace Springs Rd spoke in opposition to the proposed rezoning with concerns of the growing density of the area, increased traffic, and general quality of life deterioration. Tarman also asked the board to investigate changing from a proposed R-8 zoning, to a R-10 with increased berms.

Mike Edelbrock of Southview Dr spoke in opposition to the proposed rezoning lack of jobs, grocery stores, and overall infrastructure for the proposed development.

Bekie Edelbrock Southview Dr spoke in opposition to the proposed rezoning with concerns about where the children will go to school and increase in density.

Cathy Eudy of Wallace Springs Rd spoke in opposition to the proposed rezoning with concerns of increased traffic, the amount of damage to the roads, and the high density of the area.

With no one else signed up to speak, Chairwomen Cordle closed the Public Hearing.

Tart stated he agreed with some of the speakers and said that most recent developments have been R-5, and he asked if there was a way to re-examine setbacks of the higher density zoning districts.

Bejcek agreed with Tart, and asked Caulder regarding some of the statements from the speakers, how the board could educate the public when claims are made about sewer capacity or school capacities in the area. Caulder stated that they are taken into consideration, and that analysis's have been made regarding grocery stores in a particular area; However, it was quoted that the area did not have adequate "rooftops" to support a new store. Caulder also stated that the Third Creek plant could support these homes, and water would not be an issue either. Caulder stated there was a developer data sheet that is typically presented to City Council but could see about getting the planning board a copy of that as well for planning board meetings.

Mashburn asked what would be the problem with going to larger sized lot. Caulder stated it would be up to the developers who propose these subdivisions.

Bob Williamsen, a developer of the proposed subdivision, came to the podium to speak to the board regarding the density of the proposed site. Williamsen stated the economy was a driving force in the smaller lots, that they were more "affordable" than larger homes on larger lots.

Bejcek made a motion to approve Hill Haven Subdivision: Courtesy Hearing for a rezoning application filed by Mr. Robert Williamsen; located at the intersection of Shelton Avenue and Hill Haven Road, Statesville, NC; Iredell County Tax Map Parcel #'s 4733-52-0766, 4733-52-8140, 4733-61-2340, 4733-61-5608, 4733-71-0390, 4733-71-4134, 4733-71-4950, 4733-71-6507, 4733-72-0499, 4733-70-1799, 4733-70-0921, 4733-72-7358, 4733-72-7106, and 4733-72-7265; To rezone from Iredell County R-20 (Single-Family Residential) District, Iredell County HB CUD (Highway Business Conditional Use) District, and Iredell County NB (Neighborhood Business) District to City of Statesville R-8 CZ (Medium Density Single-Family Residential Conditional Zoning) District. The zoning amendment is approved and is consistent with the City's comprehensive land use plan, is reasonable, and in the public interest because: This property is in a Tier 2 Growth area and meets the definition of Complete Neighborhood 2 but does not meet definition of Activity Corridor in the 2045 Land Development Plan. However, since the proposed subdivision does match the surrounding area, which is mainly residential, and the topography of the area near the highway is very challenging, an amendment to the 2045 Land Development Plan is acceptable. Utility services are available to the site, and it is within a 4-minute response time for the Fire Department. Seconded by B. Robertson. The vote went as follows:

Ayes: Mashburn, Bejcek, Rucker, Cordle, B. Robertson

Nays: Tart

The motion carried 5-1

Other Business

Mashburn followed up from the previous meeting and asked if, along with planning staff, could some of our ordinances be looking into regarding the density. Caulder stated as a recommending board to Council, if they see things that need to be changed they could make that recommendation. Caulder stated it could be achieved through a Text Amendment, and if the board would like to look into the densities of the districts, they could put it on the agenda for the next meeting so it can be discussed in a public forum, or create a work session which would be a called meeting which would be a public session. Mashburn stated he would like to see that move forward. The board agreed to a work session and would like to schedule before the October/November meeting. Scheduling will be tough with the holidays approaching, but will be set at a later time.

The next Planning Board meeting is scheduled for September 23rd, 2025.

B. Robertson made a motion to adjourn, seconded by Mashburn. The motion carried unanimously.

PUBLIC HEARING
ZC25-13 Compass Data Centers
AX25-08 Compass Data Centers

Please **PRINT** Clearly

	NAME	ADDRESS	CITY RESIDENT?	ADJOINING PROPERTY OWNER
✓ 1.	Bunford	361 Duck Creek Rd Troutman	No	No
✓ 2.	Golden Mable	382 Gilbert Rd, Statesville	No	No
✓ 3.	Tony Henderson	104 Commerce Ct STATESVILLE	No	No
✓ 4.	Tina Shelia Stanford	128 Mt Hermon Rd S.v.ille		Yes
✓ 5.	Bill McCombs	117 Slingshot Road SVILLE		No
✓ 6.	Jeff Tucker	211 Ashbrook Rd Statesville	No	No
✓ 7.	Jonathan Griffin	178 Black Rd Statesville, NC 28697	No	No
✓ 8.	Tommy Charran	212 CELESTE STATES RD	No	No
✓ 9.	Thomas Hamd	834 Kentwood Dr Statesville NC	No	No
10.	Steve Bogart	444		
✓ 11.	John Gallina	104 Galax Dr. Statesville NC	No/Resident	No.
✓ 12.	Deidra Piskars	118 Parker Grove Ln S.v.ille		Yes
✓ 13.	Tolte Michaels	1307 Oak Ridge Farm Hwy STATESVILLE	No	No
✓ 14.	Enha Hernandez	7705 Reidt Circle NW Charlotte	No	No

PUBLIC HEARING
ZC25-13 Compass Data Centers
AX25-08 Compass Data Centers

Please **PRINT** Clearly

	NAME	ADDRESS	CITY RESIDENT?	ADJOINING PROPERTY OWNER
✓15	Cody Blizard	126 Jo Monni Loop	Yes	NO
✓16	Rusty Lee	737 St. Cloud Drive	Yes	NO
✓17	LeighAnn Huddleston	124 Mills Forest Ln 30 Ashbrook Rd	NO	NO
18	Paula			
✓19	Paula Huffman	159 Stoney Farm Rd	NO	Yes
✓20	Mark Curb	232 Loney Ln	NO	NO
✓21	Pamela Locke	2253 Old Mt N Rd / 227 Stoney Farm Rd Parents live	NO	Yes - Parents/sister
22	Paula Huffman	3054 Mt N Rd / 227 Stoney Farm Rd		
✓23	Jeff Byers	125 Greenwich Dr. Sta	NO	Yes
✓24	Dale N. Arden	144 Greenwidge Dr	NO	NO
25	Jessie Courney	231 Gardner Ct	NO	NO
✓26	Dale Ray	1231 Calhoun Dr	NO	NO
✓27	Bencey Moran	327 Stewart Rock Rd	NO	NO
✓28	Samuel Estes	1754 Old Mt N Road	NO	Yes
29				

PUBLIC HEARING

ZC25-04 Hill Haven Subdivision

AX25-10 Hill Haven Subdivision

Please PRINT Clearly

	NAME	ADDRESS	CITY RESIDENT?	ADJOINING PROPERTY OWNER
1.	Angela Matthews	210 Southview Dr	No	
2.	James Tamm	548 Walker Springs Rd	No	No
3.	Mike Edelback	27 Southview Dr.	No	No
4.	Bekie Edelback	217 Southview Dr.	No	No
5.	Cathy Eudy	472 Wallace Spr. Rd	No	Yes
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				

(Exhibit A)

2:39



← duke



1/1 result found



Thursday, Jan 4, 2024 • 6:44 PM

Texting with 71729 (SMS/MMS)

Duke Energy: Tomorrow, 2024-01-05, we anticipate energy demand to be high. Please take steps to minimize power use from 6:00 to 9:00 am to keep energy demand low. Get tips at <https://duk.to/gfzg2RcNUq3>. Type STOP to cancel future notifications.

6:44 PM

⊕ Text message



(Exhibit A)

2:39



30296



Sunday, Dec 25, 2022 • 6:52 PM

Texting with 30296 (SMS/MMS)

Duke Energy: Your assistance kept the lights on for everyone! While we continue to see high demand due to extreme temperatures, your energy conservation helped lessen the strain on the grid. With another day of exceptionally low temps in the forecast, we ask you to continue keeping nonessential electric devices powered down & minimize unnecessary energy use until 10AM Monday to help avoid rotating outages in the early morning hours. Learn more about how we respond to these grid emergencies and how you can help at [duk.us/32](https://www.duke.com/32). We are grateful for your efforts. Text stop to cancel.

6:52 PM



Text message



Subject Help reduce energy use today

To:

From Duke Energy <info@email.dukeenergy.com>

Date: Mon, Jun 23, 2025 at 12:20 PM



Help reduce demand on the electric grid by conserving energy use until 8 p.m.

Successive days of extreme temperatures are driving unusually high energy demand in our area, and reserve power supplies are currently very limited.

Energy conservation can play a crucial role to help protect the energy grid and reduce the potential need for temporary power outages.

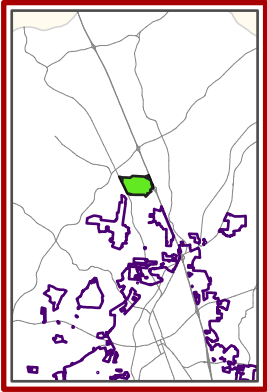
As we continue working to manage our existing power resources, here are some ways you can help:

- **Set your thermostat at the highest comfortable setting,** particularly from the hours of 3-8 p.m. The smaller the difference between the inside and outside temperatures, the lower your energy usage and demand on the system.
- **Avoid using your washer/dryer and dishwasher** until after 8 p.m. this evening.
- **Use microwaves and/or cooktops instead of an electric oven.** You can also consider outdoor grilling to keep your indoor temperatures lower.
- **Limit all nonessential energy use.** Turn off any unnecessary appliances, computers, unused plug-ins, gaming devices and lights.
- **Charge electric vehicles and other battery-powered equipment** overnight or during morning hours.

We understand that reducing your energy use can be challenging, especially indoor cooling during an unusually warm day. We greatly appreciate your assistance - your actions make a difference.

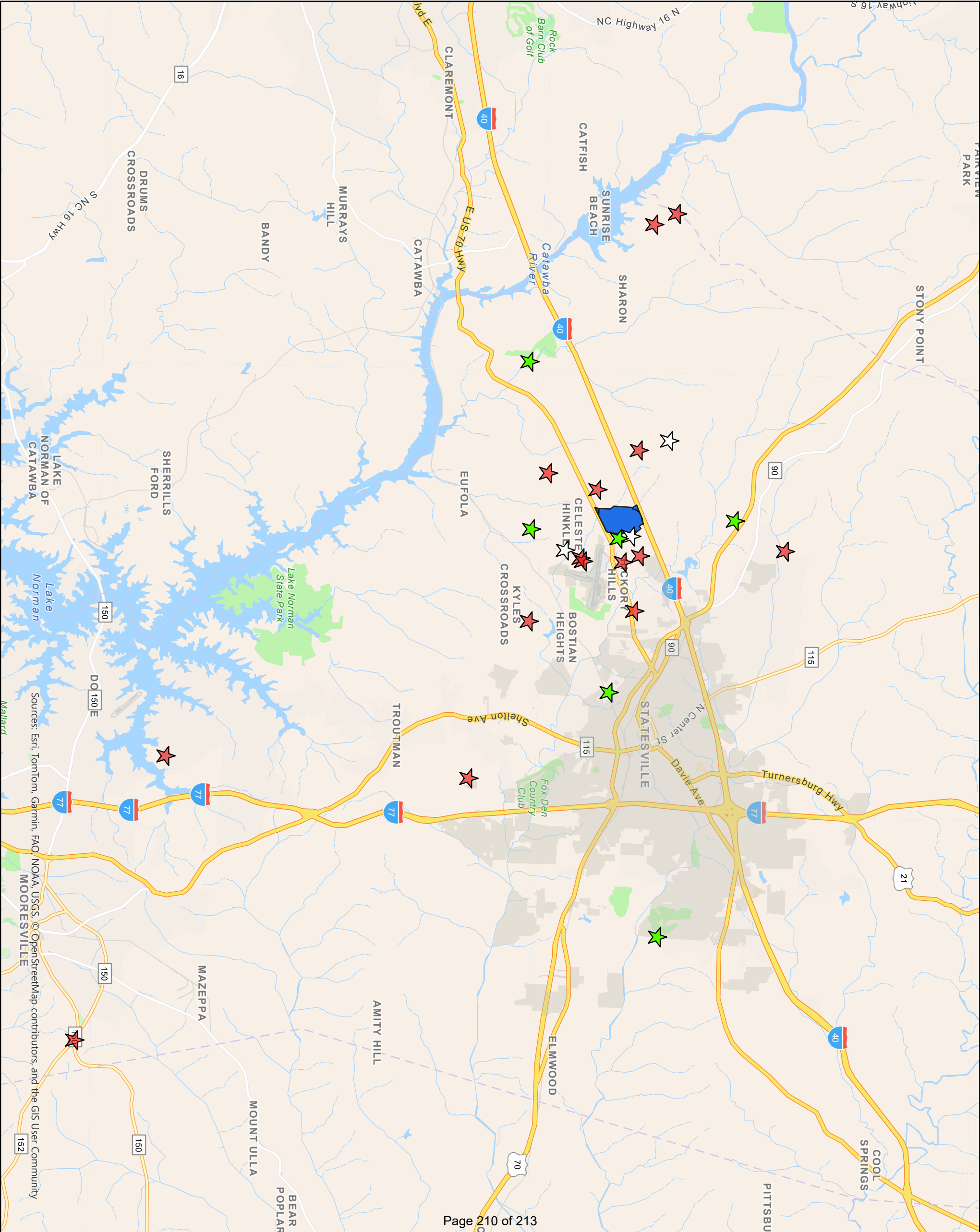
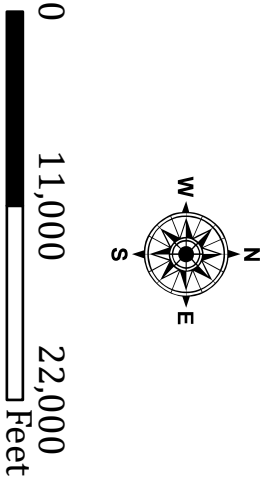


Statesville Board Meeting August 26th, 2025 Public Attendee Home Location



- St_NumSuff
- ☆ Didn't Speak
 - ★ In Favor
 - ★ Opposed

- CityLimits
- Compass Data Center Parcels



**DESIGN REVIEW COMMITTEE MEETING
CITY HALL COUNCIL CHAMBERS
JULY 10, 2025 @ 2:00 pm**

Members Present: Chuck Goode, Rebecca Jones, John Furlow, Bryan George, John Marshall

Absent: None

Staff Present: Marci Sigmon, Lori Deal

Chairman Goode called the meeting to order and stated item 5 on the agenda will be heard first.

Consider Design Review Application DRC 25-04 from James Lussier, represented by Jeff Nichols with Design Associates Architecture, to renovate the exterior of the building located at 106 Court Street; Tax Map 4734-95-9534.

Sigmon gave the following staff report:

The property located at 106 Court Street was originally built ca. 1925 and is a two-story brick structure with two altered storefronts. The historic survey describes the upper elevations as being rather plain, with four two-over two double-hung sash windows (which are the middle two paired) and a cornice of small corbelled pendants. Currently, the first floor is being used as retail and the second floor is vacant.

The owner, James Lussier of Beauty from Restoration, LLC, represented by Jeff Nichols with Schaeffer Architecture Design Associates, is requesting to renovate the front, side, and rear façade of the building. The owner would like to restore the storefront in keeping with the original character but with modifications to suit the current use and proposed use of the building. The owner plans to continue using the first floor as retail or a restaurant and renovate the second floor for office space or an apartment.

The owner plans to:

- Remove the existing paint from the brick if possible along the storefront. If the paint cannot be removed the owner will repaint the building and will submit a color scheme to the DRC for approval as needed.
- The existing cast iron column covers will be exposed and painted.
- Install a new storefront will be installed in keeping with original character of the building (see historic photos of the building in applicant's information). Storefront will be a combination of painted aluminum storefront and metal-clad wood.
- Install solid kick panels on the storefront made of metal clad or painted fypon.
- Install a new fabric awning at the upper portion of the storefront along Court Street.
- Install new windows on the second floor of all sides of the building. The windows will be wood metal clad to match the design of the renovated storefront. The owner is consulting with a window manufacturer to provide casement windows that match the frame/trim profiles of the existing single hung windows. Should that not be possible windows will be replaced with new single hung windows.

- Remove the plaster from the west elevation brick. If the brick is viable the west elevation will remain brick. The plaster cannot be removed then the owner will paint the existing plaster another color approved by the DRC.
- The west elevation first floor windows have been bricked over in the past and the owner plans to leave the windows bricked over.
- On the rear façade, the building consists of plaster applied over the brick, a small brick addition on the first floor, and a small CMU addition on the second floor. The owner plans to keep the first floor addition and remove the second floor addition. Where the second floor addition existed previously will be replaced with an extension of the first floor walls and have a balcony with metal railing for the second floor apartment. Additionally, a spiral staircase will be added on this balcony for access to the new rooftop deck.
- The rear elevation first floor openings will be closed in with brick where they are opposite the adjacent building due to proximity to meet building code opening requirements.
- The rear elevation second floor currently has an opening which will remain as a door opening to the new balcony. This door will wood metal-clad.
- The rear elevation will also be painted.
- A new rooftop deck will be added at the Court Street side of the building where occupancy will be limited to five people.
- The deck and walkway from the spiral staircase will be constructed of wood over new roofing.
- Metal railings will be provided along the walkway and deck. On Court Street side the railing will be set inboard of the existing brick parapet so that it will not impact the parapet and could be removed in the future without damaging the original building. This approach also limits the visibility of the railing from the ground.
- New HVAC equipment will be installed on the roof at the same location as the current HVAC units.
- The exterior materials will include fypon trim and the requested awning will be black and white striped fabric material with a painted aluminum frame.

Goode asked for anyone to speak on behalf of the project and James Lussier, owner stated he wants the building to incorporate safety, be airy, and have a lot of light.

Goode asked if sandblasting will be used to remove the paint from the brick and Jeff Nichols, Design Associates stated the intent is restore to the original brick if possible and they will probably use soda to remove the paint on the front but will test on an area first. It has not been determined what method will be used to remove the paint. Goode asked if chemical stripping compounds have been considered and Nichols stated they will consider it and the concern is not to damage the brick and it to look good. Goode stated his experience with historic buildings is that soda sandblasting harms the brick 99% of the time, so he is opposed to it. Jones stated she does not remember this building without paint and removing the paint may not reveal the red brick they are hoping for. Furlow stated sandblasting will harm the brick and the mortar, so pressure washing with chemicals may be a better option.

Goode asked if this is a tax act project and Sigmon stated this building is non-contributing to the downtown due to all of the previous changes. Marshall stated he would like to see an attempt to remove the paint and plaster without damaging the brick and not use sandblasting and Nichols stated that is fair. Goode stated he is in favor to proceed without using mechanical methods to strip the paint.

Jones asked if there will be two store fronts and Nichols stated the left entrance is to the second floor and the there is no change to the tenant space on the ground floor. George asked if the second floor will be sprinkled if it is an apartment and Nichols stated the space will meet code as an office space or a residential space. The intent is to install a residential sprinkler system even though it is technically not required.

Nichols stated the intent to replace the windows on the second floor with casement style windows instead of double hung style windows is for achieving the same look as the existing windows. Marshall asked if the windows are clad on the outside and wood on the inside and Nichols stated yes. The safety concern is for the windows to fully open in case of an emergency.

Jones asked about the roof top area and Nichols stated it is a small roof top deck for use as a hangout space if the second floor is used as an apartment. It is a small space overlooking the park and is limited to five occupants. Jones asked if it provides access to the roof and Nichols stated no, it will have a railing to prevent roof access.

Marshall made a motion to approve Design Review Application DRC 25-04 from James Lussier, represented by Jeff Nichols with Design Associates Architecture to renovate the exterior of the building with the understanding they are to avoid sandblasting and use other methods to uncover sections of the brick and if the condition of the brick is not suitable they will return to discuss plans to remediate the brick exterior, seconded by George. The motion carried unanimously.

Meeting Minutes

Furlow made a motion to approve the June 12, 2025 DRC meeting minutes as presented, seconded by Jones. The motion carried unanimously.

George made a motion to approve the May 9, 2024 DRC meeting minutes as presented, seconded by Goode. The motion carried unanimously.

Marshall made a motion to approve the September 12, 2024 DRC meeting minutes as presented, seconded by Furlow. The motion carried unanimously.

Other Business

Sigmon stated the next regular DRC meeting will be August 14, 2025.

The meeting was adjourned.