

A G E N D A

HICKORY CITY COUNCIL

October 17, 2023



6:00 p.m.



AGENDA
www.hickorync.gov

If you have any questions about any item on this agenda or if you need more information about any item in addition to the information contained in the agenda package, please call the City Manager at 323-7412. For more information about the City of Hickory go to: www.hickorync.gov.

Hickory City Council
76 North Center Street

October 17, 2023
6:00 p.m.

- I. Call to Order
- II. Invocation by Major David Repass, Co-Officer in Charge The Salvation Army of Greater Hickory and the High Country
- III. Pledge of Allegiance
- IV. Special Presentations
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes
 - A. Regular Meeting of October 3, 2023. **(Exhibit VI.A.)**
- VII. Reaffirmation and Ratification of Second Readings. Votes recorded on first reading will be reaffirmed and ratified on second reading unless Council Members change their votes and so indicate on second reading.
 - A. Budget Revision Number 6. **(First Reading Vote: Unanimous)**
- VIII. Consent Agenda: All items below will be enacted by vote of City Council. There will be no separate discussion of these items unless a Council Member so requests. In which event, the item will be removed from the Consent Agenda and considered under Item IX.
 - A. Call for a Public Hearing to Consider the Voluntary Contiguous Annexation of Property Owned by Emil and Olimpia Belos, Located at the Northeast Corner of Cloninger Mill Road and 13th Street Circle SE, Hickory, PIN 3714-08-97-0980, Containing Approximately .396. (Authorize Public Hearing for November 7, 2023, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building). **(Exhibit VIII.A.)**
 - B. Call for a Public Hearing to Consider the Voluntary Contiguous Annexation of Property Owned by Huffman Project Group, LLC, Located at Catawba Valley Boulevard SE, Hickory, PIN 3711-05-18-8157, Containing Approximately 29.277-Acres. (Authorize Public Hearing for November 7, 2023, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building). **(Exhibit VIII.B.)**
 - C. Approval of the Vacant Building Revitalization Performance Agreement for Hickory Industrial Properties, LLC, in the Amount of \$20,000 for Renovation Assistance for the Vacant Building Located at 731 Main Avenue SW. **(Exhibit VIII.C.)**

Staff requests approval of the Vacant Building Revitalization Performance Agreement for Hickory Industrial Properties, LLC. Hickory Industrial Properties, LLC has applied for a Vacant Building Revitalization Grant in the amount of \$20,000 to assist in the renovation

of the vacant building at 731 Main Avenue SW. The applicant plans to renovate the facility for high tech manufacturing. The applicant plans to invest at least \$180,000 in real property improvements to rehabilitate the building. This makes the project eligible for a \$20,000 grant. The applicant plans to replace the HVAC equipment, roof, resurface the parking lot, and make interior improvements. No payments will be required on the loan provided that the building remains occupied for at least three years. The Business Development Committee reviewed the application and recommended approval. Staff recommends City Council approve the Vacant Building Performance Agreement with Hickory Industrial Properties, LLC in the amount of \$20,000.

D. Budget Revision Number 7. **(Exhibit VIII.D.)**

1. *To appropriate a total of \$3,694 in donations for the Hickory Public Library.*
2. *To appropriate \$2,831 from the General Fund towards the Police Department for BLET tuition reimbursement from former police officers.*
3. *To appropriate \$13,874 from an insurance claim reimbursement for a damaged truck within the Solid Waste Fund.*

IX. Items Removed from Consent Agenda

X. Informational Item

XI. New Business:

A. Public Hearings

1. Consideration of the Voluntary Non-Contiguous Annexation of Property Owned by Boureanu and Creech Properties, LLC, Located at 3940 River Road, Hickory, PIN 3710-09-17-5434, Containing Approximately 49.21-Acres – Presentation by Planning Director Brian Frazier. **(Exhibit XI.A.1.)**

Consideration of the voluntary non-contiguous annexation of 49.21 acres property located at 3940 River Road. This property is identified as PIN 3710-09-17-5434. The property is currently vacant and located within the planning jurisdiction of Catawba County and zoned R-20 Residential. Properties zoned R-20 can be utilized primarily for residential purposes, at a maximum density of two dwelling units per acre. The property owner desires to connect the development to City sewer service, which requires annexation. If annexed, the property owners have requested the property be zoned Planned Development, with their further intentions being the construction of a 178-lot single-family residential subdivision. This would equate to a density of 3.7 dwelling units per acre. Surrounding properties are zoned R-20 Residential and R-1 Residential and are occupied by detached single-family residences, and a wastewater treatment plant. The current tax value of the property is \$330,300. If annexed, the vacant property would generate \$1,502.86 in additional tax revenues. Upon analysis, staff has determined the petition meets the statutory requirements for voluntary non-contiguous annexation, and adequate public services are available. Staff finds the petition to be in conformity with applicable statutes and recommends approval of the petition.

The public hearing was advertised in a newspaper having general circulation in the Hickory area on October 7, 2023.

2. Consideration of Rezoning Petition Number 23-06 for Property Located at 3940 River Road from R-20 Residential to Planned Development (PD) as Requested by Boureanu and Creech Properties, LLC – Presentation by Planning Director Brian Frazier. **(Exhibit XI.A.2.)**

Boureau and Creech Properties, LLC has submitted a petition requesting the consideration of rezoning property located at 3940 River Road from R-20 Residential to Planned Development (PD). The property is vacant and zoned R-20 Residential by Catawba County. Upon completion of the annexation request the owners requested the property be rezoned to Planned Development. The R-20 Residential district permits residential uses (single and two family) at a maximum density of two dwelling units per acre, which could potentially produce up to 98 new dwelling units. The requested Planned Development would consist of up to 178 single-family detached dwellings, which calculates to be 3.7 units per acre. The Hickory Regional Planning Commission conducted a public hearing on September 27, 2023, to consider the petition. During the public hearing the project engineer spoke in favor of the petition, while no one spoke in opposition. Upon closing the public hearing, the Hickory Regional Planning Commission acknowledged the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan. Based upon its findings, the Hickory Regional Planning Commission voted unanimously (8-0) to recommend approval of the petition. Staff concurs with the recommendation of the Hickory Regional Planning Commission.

The public hearing was advertised in a newspaper having general circulation in the Hickory area on October 7, and October 14, 2023.

3. Consideration of Closing an Unused Alley Located Off of 3rd Avenue SE, Petitioned by Jojida, LLC – Presentation by Public Works Director Steve Miller. **(Exhibit XI.A.3.)**

The City Clerk received a petition from Jojida, LLC owner of the properties abutting an unused alley located off of 3rd Avenue SE. The petition requests the City to close the unused alley per NCGS § 160A-299. The unused alley is bound on the north, east and west by the property owned by the Petitioner Jojida, LLC and bound on the south by 3rd Avenue SE. The signature on the petition represent all the owner(s) of the property abutting this portion of the right-of-way. The petition fee of \$830 has been paid. A memo was sent to various departments for their input on the street closing. Public Utilities advised sewer lines are inside this street, and easements for water and sewer would be needed, or abandoned, if they will not be used by the property. Staff recommends Council consider closing the unused alley located off of 3rd Avenue SE, as petitioned by Jojida, LLC.

The public hearing was advertised in a newspaper having general circulation in the Hickory area on September 23, September 30, October 7, and October 14, 2023.

B. Departmental Reports

1. Presentation of the Library's New Strategic Plan – Presented by Library Director Sarah Greene and Library Advisory Board Chair Lanie Wood. **(Exhibit XI.B.1.)**

A current long-range plan is required to qualify for State funding for library services. The Library Advisory Board worked with Library staff and consultants from the State Library of North Carolina to conduct a community survey in spring 2023. Results of the survey and community data were used to develop a new strategic plan to guide library services for the next 3 years. The previous strategic plan was developed and approved in 2019 and covered the years 2019-2022. To meet the current and future needs of City residents, we need to regularly review our library's services, collections, and programs. Based on the community's input, the staff and Advisory Board have worked to develop a comprehensive plan that clearly communicates the library's mission and provides guidance for developing and enhancing library services. Staff recommends acceptance of the 2024-2027 Hickory Public Library Strategic Plan.

2. Appointments to Boards and Commissions

BUSINESS DEVELOPMENT COMMITTEE

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
At-Large (Council Appoints)

VACANT

COMMUNITY APPEARANCE COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 1 (Wood Appoints)
At-Large (Outside City but within HRP) (Council Appoints)

VACANT

VACANT

COMMUNITY RELATIONS COUNCIL

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Other Minority (Council Appoints)
Other Minority (Council Appoints)
Other Minority (Council Appoints)

VACANT

VACANT

VACANT

HICKORY REGIONAL PLANNING COMMISSION

(Term Expiring 6-30; 3-Year Terms With Unlimited Appointments) (Appointed by City Council)
Burke County Representative (Mayor Appoints with Recommendation from Burke County)

VACANT

HISTORIC PRESERVATION COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Historic Properties Owner

VACANT

LIBRARY ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 3 (Seaver Appoints)

VACANT

PUBLIC ART COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 3 (Seaver Appoints)

VACANT

RECYCLING ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 6 (Patton Appoints)
At-Large (Council Appoints)

VACANT

VACANT

C. Presentation of Petitions and Requests

XII. Matters Not on Agenda (requires majority vote of Council to consider)

XIII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business Nature

XIV. Closed Session Per NC General Statutes 143-318.11(a)(1)(3) to consult with the attorneys regarding the following: (Action on these items, if any, will occur in Open Session)

1. *Approval of Closed Session Minutes of September 5, 2023 - NCGS §143-318.11(a)(1)*
2. *Discussion of Pending Litigation - NCGS §143-318.11(a)(3)*

XV. Adjournment

***Hickory City Code Section 2-56. Public Address to Council:**

“When conducting public hearings, considering ordinances, and otherwise considering matters wherein the public has a right to be heard, when it appears that there are persons present desiring to be heard, the Mayor shall require those opposing and favoring the proposed action to identify themselves. Each side of the matter shall be given equal time. Those opposing the proposed action shall be allowed 15 minutes for presentation, followed by 15 minutes for those favoring the action, with the opponents then to have five minutes for rebuttal and the proponents to then have five minutes for surrebuttal. Those persons on either side shall have the right to divide their allotted time among them as they may choose. The Council, by majority vote, may extend the time for each side equally. On matters in which the person desiring to address the Council does not have a legal right to speak, the Council shall determine whether it will hear the person. The refusal to hear a person desiring to speak may be based upon grounds that the subject matter is confidential, that its public discussion would be illegal, that it is a matter not within the jurisdiction of the Council or for any other cause deemed sufficient by the Council. Any person allowed to speak who shall depart from the subject under discussion or who shall make personal, impertinent, or slanderous remarks, or who shall become boisterous while addressing the Council shall be declared out of order by the Mayor, or by vote of the Council, and barred from speaking further before the Council unless permission to continue shall be granted by a majority vote of the Council, under such restrictions as the Council may provide.”

**The City of Hickory holds all public meetings in accessible rooms.
Special requests for accommodation should be submitted by individuals
with disabilities at least 48 hours before the scheduled meeting.
Phone Services (hearing impaired) – Call 711 or 1-800-735-2962**

A Regular Meeting of the City Council of the City of Hickory was held in the Council Chamber of the Municipal Building on Tuesday, October 3, 2023 at 6:00 p.m., with the following members present:

| | | |
|--------------|------------|-------------------|
| Tony Wood | Hank Guess | Anthony Freeman |
| | Aldermen | David P. Zagaroli |
| Danny Seaver | | Jill Patton |

A quorum was present.

Also present were City Manager Warren Wood, City Attorney Timothy Swanson, Deputy City Clerk Crystal B. Mundy, and City Clerk Debbie D. Miller

I. Mayor Guess called the meeting to order. All Council members were present except for Alderwoman Williams. Alderman Zagaroli arrived at 6:02 p.m.

II. Invocation by Reverend Christy Lohr Sapp, St. Andrews Lutheran Church

III. Pledge of Allegiance

Mayor Guess recognized scouts that were present from First United Methodist Church. He asked the Scout Leader to introduce herself and then the scouts could introduce themselves individually.

Scout Leader Amy Hollar advised she was the Scout Master for Troop 1234, which she believed was the first girls BSA Troop in Hickory, North Carolina. She mentioned there was also present a Scout from Troop 234 present. Both these troops were from First United Methodist Church.

Mayor Guess inquired if they were present for a specific reason.

Scout Leader Amy Hollar advised they were working on the citizenship and community merit badge. This was one of the requirements for that merit badge, to visit one of the community meetings.

Mayor Guess asked the Scouts to introduce themselves.

The scouts in attendance introduced themselves. A round of applause was given.

Mayor Guess commented that they were the future leaders.

IV. Special Presentations

A. Presentation of a Proclamation for Fire Prevention Month

Mayor Guess asked staff from the fire department to the podium. He always wanted to take every opportunity that he could in the City of Hickory to recognize all of the co-workers. All of the co-workers do a tremendous job, and he certainly appreciated the job that they do. This week, particularly, he wanted to recognize the fire department personnel. Obviously, all of them could not be present, but this was a great representation of the fire department. He asked Chief Matthew Hutchinson how many total employees were in the fire department.

Chief Matthew Hutchinson advised 139.

Mayor Guess mentioned they were on call 24/7 and they do a tremendous service for the community. He read and presented the Proclamation for Fire Prevention Month to staff from Hickory Fire Department. Photos were taken. He mentioned the fire department still has the service of installing smoke detectors and also carbon monoxide protectors as well to City residents. If anyone knows of somebody or if they are in need of that service, do not hesitate to call the fire department personnel and they will certainly schedule that for them.

V. Persons Requesting to Be Heard

A. Linda Begnoche, 4621 19th Street Court NE, Hickory regarding Traffic Light at Cloninger Mill Road, and 16th Street NE.

Ms. Linda Begnoche was not present to be heard.

VI. Approval of Minutes

A. Regular Meeting of September 19, 2023

Alderwoman Patton moved, seconded by Alderman Seaver that the Regular Meeting Minutes of September 19, 2023 be approved. The motion carried unanimously.

Mayor Guess advised that Alderwoman Williams was not present as she was on a delayed honeymoon. She got married earlier and this was the first opportunity that they had to go on their honeymoon.

- VII. Reaffirmation and Ratification of Second Readings. Votes recorded on first reading will be reaffirmed and ratified on second reading unless Council Members change their votes and so indicate on second reading.

Alderwoman Patton moved, seconded by Alderman Seaver that the following be reaffirmed and ratified on second reading. The motion carried unanimously.

- A. Approval of an Amendment to Section 18-59 of the City of Hickory Code of Ordinance to Permit the Operation of E-Bikes and other Electric Vehicles on Multi-Use Paths. (First Reading Vote: Unanimous)
- B. Approval of the Implementation of an All-Way Stop at the Intersection of 5th Street SE, 3rd Avenue SE and 3rd Avenue Drive SE. (First Reading Vote: Unanimous)
- C. Budget Revision Number 5. (First Reading Vote: Unanimous)
- D. Consideration of Rezoning Petition Number 23-04 for Property Located at 1448 Zion Church Road, Hickory from Industrial (IND) to R-2 Residential. (First Reading Vote: Unanimous)
- E. Consideration of Rezoning Petition Number 23-05 for Property Located at 34th Street Place NE from Catawba County R-20 to Neighborhood Commercial (NC). (First Reading Vote: Unanimous)

- VIII. Consent Agenda: All items below will be enacted by vote of City Council. There will be no separate discussion of these items unless a Council Member so requests. In which event, the item will be removed from the Consent Agenda and considered under Item IX.

Alderwoman Patton moved, seconded by Alderman Freeman approval of the Consent Agenda. The motion carried unanimously.

- A. Called for a Public Hearing to Consider the Voluntary Non-Contiguous Annexation of Property Owned by Boureanu and Creech Properties, LLC, Located at 3940 River Road, Hickory, PIN 3710-09-17-5434, Containing Approximately 49.21. (Authorized Public Hearing for October 17, 2023, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).

RESOLUTION NO. 23-51

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31 AND/OR 160A-58.1, AS AMENDED

WHEREAS, a petition from Boureanu and Creech Properties, LLC requesting annexation of an area described in a petition was received on September 18, 2023 by the City Council of the City of Hickory; and

WHEREAS, G.S. 160A-31 and G.S. 160A-58.1 provide that the sufficiency of the petition shall be investigated by the Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Hickory deems it advisable to proceed in response to this request for annexation.

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

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

CERTIFICATE OF SUFFICIENCY

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

I, Debbie D. Miller, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31 and/or G.S. 160A-58.1, as amended:

Property of Boureanu and Creech Properties, LLC, located at 3940 River Road, containing 49.21 acres more or less, and identified as PIN 3710-09-17-5434.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hickory this 18th day of September 2023.

/s/ Debbie D. Miller, City Clerk

RESOLUTION 23-52

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION, PURSUANT TO G.S. 160A-31 OR G.S. 160A-58.1, AS AMENDED

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

WHEREAS, the City Council of the City of Hickory has, by Resolution, directed the Clerk to investigate the sufficiency thereof; and

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

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

- Section 1: That a public hearing on the question of annexation of the area described herein will be held at 6:00 p.m. on October 17, 2023 in the Council Chambers of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.
- Section 2: The area proposed for annexation is described as follows:
- Property of Boureanu and Creech Properties LLC, located at 3940 River Road, containing 49.21 acres more or less, and identified as PIN 3710-09-17-5434.
- Section 3: Notice of said public hearing shall be published in The Hickory Daily Record, a newspaper having general circulation in the City of Hickory, at least ten (10) days prior to the date of said public hearing.

RESOLUTION NO. 23-53

A RESOLUTION DETERMINING THE INTENT TO ANNEX INTO THE CORPORATE LIMITS OF THE CITY OF HICKORY CERTAIN PROPERTY OF BOUREANU AND CREECH PROPERTIES, LLC AND CALLING FOR A PUBLIC HEARING ON THE SAME

WHEREAS, Boureanu and Creech Properties, LLC is the owner of certain real property as described herein, which property is located at 3940 River Road, Hickory, containing 49.21 acres more or less, and identified as PIN 3710-09-17-5434.

WHEREAS, such property is currently located in the City's extra-territorial jurisdictional (ETJ); and

WHEREAS, it is in the best interest of the health, safety, and well-being of the residents of the City of Hickory to annex such property into the corporate limits of the City of Hickory as authorized by N.C.G.S. Section 160A-31; and

NOW, THEREFORE BE IT RESOLVED by the Hickory City Council, sitting in open session this 3rd day of October 2023, at a regularly scheduled meeting of the governing body of said Council, duly called and posted in accordance with the statutes of the State of North Carolina, as follows:

- Section 1: That the Hickory City Council does determine that it is in the best interest of the health, safety, and well-being of the residents of the City of Hickory to annex the property described hereinafter into the corporate limits of the City of Hickory.
- Section 2: That a public hearing on the question of annexation of the area described herein will be held at 6:00 p.m. on October 17, 2023 in the Council Chambers of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.
- Section 3: The same being that property reflected on maps entitled Boureanu & Creech Properties LLC, Voluntary Non-Contiguous Annexation Map 1, Current City Boundary, subject property outlined in red; Boureanu & Creech Properties, LLC Voluntary Non-Contiguous Annexation Map 2, Current Zoning, subject property outlined in red; Boureanu & Creech

LLC, Voluntary Non-Contiguous Annexation Map 3, Aerial Photography subject property outlined in red.

Section 4: Notice of said public hearing shall be published in The Hickory Daily Record, a newspaper having general circulation in the City of Hickory, at least ten (10) days prior to the date of said public hearing.

- B. Approved a Cemetery Deed Transfer from Ethel Mozeley Sutton, widowed to Paula Sutton White, widowed, Oakwood Cemetery, Gravesites No. 7, 8, 3, and 4 of Section 12, Block G, Lot 1. (Prepared by Robert A. Mullinax).
- C. Approved a Cemetery Deed Transfer from Ethel Mozeley Sutton, widowed, to Deborah Sutton McGee, married, Oakwood Cemetery, Gravesites No. 1 and 2 of Section 12, Block G, Lot 1. (Prepared by Robert A. Mullinax).
- D. Approved an Agreement for Professional Services with Gannett Fleming Consulting Engineers for Construction, Engineering, and Inspection Related to OLLE Art Walk in the Amount of \$1,265,001.88, Contingent Upon North Carolina Department of Transportation Concurrence.

Staff requests Council's approval of an Agreement for Professional Services with Gannett Fleming (GF) for construction, engineering, and inspection (CEI) services related to the OLLE Art Walk (EB-5911/EB-5977) in the amount of \$1,265,001.88, contingent on North Carolina Department of Transportation (NCDOT) approval, EB-5911 - \$1,120,795.05 and EB-5977 - \$144,206.83. The OLLE Art Walk Multi-Use Trail project is an element of the Bond Referendum that was to be added in the future as a continued development of the multi-use path around the City that connected all parts of the City for citizens and visitor's enjoyment. This project has received Federal funding at an 80/20 ratio, Federal and City respectively. Gannett Fleming (GF) was selected based on qualifications-based proposals and was concurred with by NCDOT. GF's fees were negotiated by City of Hickory staff and NCDOT staff. Fees are eligible for reimbursement with NCDOT funds at the same ratio of 80% NCDOT and 20% City of Hickory. CE&I services include the following: construction inspections, construction materials testing, and construction administration. Staff requests Council's approval of an Agreement for Professional Services with Gannett Fleming Consulting Engineers for CEI Services related to OLLE Art Walk Project in the amount of \$1,265,001.88, contingent upon NCDOT concurrence.

- E. Approved a Resolution for Condemnation of Properties for Temporary and Permanent Easements and Rights-of-Way for the 17th Street NW Extension and Associated Multi-Use Trail.

Staff requests Council's consideration of a Resolution regarding condemnation of properties for temporary and permanent easements and rights-of-way for construction of an extension street and associated multi-use path - 17th Street NW Extension. The City of Hickory received \$6M from a Surface Transportation Block Grant – Direct Attributable Award in 2020 from the Greater Hickory Metropolitan Planning Organization (MPO) to extend 17th Street NW from 9th Avenue NW to Clement Boulevard NW. This new connector will serve as an alternative to US 321 for local traffic and also provide additional access for the newly planned Appalachian State University Campus. Per North Carolina General Statutes Chapter 40A the City of Hickory has the power of eminent domain to acquire any property to improve streets, sidewalks, and establish or improve recreational facilities. The City has found it is in the public interest to acquire certain easements and rights-of-way for the construction of a .22-mile street extension and associated 10-foot-wide multi-use pathway. The proposed resolution authorizes staff and legal counsel to institute the condemnation proceedings on these properties. Staff recommends Council's approval of the Resolution regarding condemnation of properties for temporary and permanent easements and rights-of-way for the 17th Street NW extension and associated multi-use trail.

RESOLUTION NO. 23-54

RESOLUTION OF THE HICKORY CITY COUNCIL REGARDING CONDEMNATION OF PROPERTIES FOR TEMPORARY AND PERMANENT EASEMENTS AND RIGHTS-OF-WAY FOR CONSTRUCTION OF A MULTI-USE PATH SYSTEM

RECITALS:

WHEREAS, the City of Hickory (the "City") has the power of eminent domain and may acquire by purchase, gift, or condemnation any property for the purposes of, among other things, opening, widening, extending, or improving roads, streets, alleys, and sidewalks and establishing, enlarging, or improving parks, playgrounds, and other recreational facilities; and

WHEREAS, the City is authorized to institute any and all necessary legal actions under Chapter 40A of the North Carolina General Statutes to condemn and appropriate easements and rights-of-way for the above stated purposes; and

WHEREAS, the City has determined that it is necessary and in the public interest to acquire certain easements and rights-of-way over, across, under and through certain properties located in Hickory, North Carolina for the purpose of constructing a 17th Street NW street extension with an associated 10-foot wide multi-use trail which will extend from the 9th Avenue NW to Clement Blvd, as generally shown on the Overall Plan and Key Sheet prepared by Thompson-Gordon-Shook Consulting Engineers, Inc., a copy of which is attached hereto as Exhibit A (the "Project"); and

WHEREAS, Rosemyr Corporation is the owner of certain real property situated in Hickory Township, Catawba County, North Carolina commonly known as 901 Hwy 321 NW, Hickory, North Carolina 28601, Parcel ID: 279316748608, said property being more particularly described in Deed Book 2843, Page 1881, Catawba County Registry (the "Rosemyr Property"); and

WHEREAS, the City has determined that it is necessary and in the public interest to acquire, by condemnation, certain non-exclusive easements and rights-of-way over, across, under and through a portion of the Rosemyr Property in connection with the Project, including a fee simple rights-of-way, permanent utility easement, drainage utility easement, and temporary construction easement, as shown on a plat prepared by Thompson-Gordon-Shook Consulting Engineers, Inc., a copy of which is attached hereto as Exhibit B (the "Easements"), which Easements are reasonably necessary and will serve a public purpose of improving the function and appearance of the general area, will provide street connectivity from 9th Avenue NW to Clement Blvd, and will provide safety in the Project area.

NOW, THEREFORE, BE IT RESOLVED that:

1. The City adopts as true and correct the foregoing recitals and incorporates them as findings herein.
2. For the purposes specified above, it is necessary, practical, and in the best interest of the public and the City that the City acquire, in its name, the Easements over, across, under and through the Rosemyr Property and such other easements and rights-of-way, either on a temporary or permanent basis, as may be required and which are necessary for completion of the Project.
3. The City, its officers, employees and attorneys, including designated outside counsel, be and are hereby authorized and directed to proceed to take the necessary steps to institute and prosecute such necessary actions and proceed as may be proper for the acquisition of the Easements over, across, under and through the Rosemyr Property and such other easements and rights-of-way, either on a temporary or permanent basis, as may be required and which are necessary for completion of the Project by eminent domain proceedings pursuant to Chapter 40A of the North Carolina General Statutes, and to prepare, sign, execute, serve, publish and file in the name of the City all eminent domain papers, affidavits and pleadings and said attorneys are authorized to have prepared such other instruments and documents as may be necessary in connection therewith.
4. The City finds and determines that the Easements over, across, under and through a portion of the Rosemyr Property are necessary for the public purposes of construction of the Project and hereby authorizes the acquisition of said the Easements and such other easements and rights-of-way, either on a temporary or permanent basis, as may be required and which are necessary for completion of the Project by eminent domain proceedings. The City further authorizes the City Attorney, Deputy City Attorney, his or her staff, or designated outside counsel to correct minor errors or scrivener's errors to said descriptions, if any, with regard to the condemnation proceeding without further action of this council.
5. City Staff is authorized to have the construction plans updated, revised, or corrected, and to utilize such plans in the condemnation action, including committing to said plans, updates, revisions, or corrections, without further action by this Council.
6. The City finds and determines that just compensation for the taking of the Easements is \$127,350.00.

THIS RESOLUTION shall become effective immediately upon adoption.

- F. Approved a Utility Relocation Agreement with Duke Energy for an Estimated Amount of \$372,623.05 for Relocation of Overhead Powerlines and Poles Necessary for Construction of the 17th Street NW Extension and Multi-Use Trail.

Staff requests Council's approval of the Utility Relocation Agreement with Duke Energy with an estimated amount of \$372,623.05 for relocation of overhead power lines and poles necessary for construction of 17th Street NW extension and multi-use trail – HL-0004. The City of Hickory received \$6M from a Surface Transportation Block Grant – Direct Attributable Award in 2020 from the Greater Hickory Metropolitan Planning Organization (MPO) to extend 17th Street NW from 9th Avenue NW to Clement Boulevard NW. This new connector will serve as an alternative to US 321 for local traffic and also provide additional access for the newly planned Appalachian State University Campus. Duke Energy is directly affected in several locations as a part of this project that will require relocation. Staff requested a Utility Relocation Agreement with Duke Energy for the construction necessary to accommodate the 17th Street NW extension and multi-use trail. Duke Energy will invoice the costs based on the actual costs involved with the work. Duke Energy's estimated relocation costs are \$372,623.05. Staff recommends Council's approval of the Utility Relocation Agreement with Duke Energy for an estimated amount of \$372,623.05 for relocation of overhead power lines and poles necessary for construction of the 17th Street NW extension and multi-use trail – HL-0004.

- G. Approved the Offer to Purchase City-Owned Property and Authorized Staff to Advertise for Upset Bids.

Staff requests approval of an offer to purchase a piece of City-owned property at 6301 Hayden Drive that is currently undeveloped. The parcel is further identified by PIN 3735-11-55-0641 on the Catawba County Tax Maps. An existing sewer line runs through the middle of the property. The adjacent property owner has offered \$10,000 for the property. The tax value is \$19,100. However, the property cannot be developed as a single family home due to the sewer line running through the property. Therefore, staff feel that this is a fair offer for the property. A 25-foot sewer easement will be recorded prior to the property closing. As this is surplus property, the sale is required to go through the upset bid process as defined in North Carolina General Statute (NCGS) §160A-269. This process will ensure any other interested parties can bid on the property. Staff requests approval of the offer to purchase City-owned property and authorizes staff to advertise for upset bids.

RESOLUTION NO. 23-55

RESOLUTION AUTHORIZING THE ADVERTISEMENT OF AN OFFER TO PURCHASE CERTAIN PROPERTY

WHEREAS, City Council of the City of Hickory desires to dispose of certain surplus properties of the City of Hickory.

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

1. The following described property is hereby declared to be surplus to the needs of the City of Hickory:

Vacant lot located at 6301 Hayden Drive, Hickory, North Carolina, containing approximately .48 acres, identified as PIN 3735-11-55-0641, Catawba County GIS, being Lot 54, Plat Book 40 at Page 16, being the property in Deed Book 3703 at Page 0782, Catawba County Registry.
2. City Council has received an offer to purchase for the sum of \$10,000 for the property located at 6301 Hayden Drive, Hickory, North Carolina. The person making the offer has deposited into John Crone's Trust Account a sum equal to five percent (5%) of his or her offer in the form of cash, cashier's check, or wire funds.
3. City Council proposes to accept the offer unless a qualifying upset bid shall be made.
4. The City Clerk shall cause a notice of such offer to be published in accordance with G.S. 160A-269.
5. Persons wishing to upset the offer must submit a sealed bid to the City Clerk within ten (10) days after publication of the notice. In addition, the bid must raise the original offer by an amount of at least 10% of the first \$1000 of that offer and 5% of the remainder. The person making the bid must deposit with the City Clerk a sum equal to five percent (5%) of his or her offer in the form of cash, cashier's check, or wire funds to John Crone's Trust Account. At the conclusion of the ten (10) days, the City Clerk shall open the bids, and the highest such qualifying bid

will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

6.

If a qualifying upset bid is received, the City Clerk is directed to re-advertise the offer at the increased upset bid amount, and to continue with this process until a ten (10) day period has passed without receipt of a qualifying upset bid.
7.

Upon approval of the final upset bid, total payment for the property must be received by the City of Hickory within 30 days of the bid award.
8.

City Council authorizes the City Manager to execute all documents related to the sale if no upset bids are received after due advertisement.
- H.

Approved on First Reading Budget Revision Number 6.

ORDINANCE NO. 23-29
BUDGET REVISION NUMBER 6

BE IT ORDAINED by the Governing Board of the City of Hickory that, pursuant to N.C. General Statutes 159.15 and 159.13.2, the following revision be made to the annual budget ordinance for the fiscal year ending June 30, 2024, and for the duration of the Project Ordinance noted herein.

SECTION 1. To amend the General Fund within the FY 2023-24 Budget Ordinance, the expenditures shall be amended as follows:

| FUNCTIONAL AREA | INCREASE | DECREASE |
|----------------------|----------|----------|
| General Government | - | 74,525 |
| Other Financing Uses | 74,525 | - |
| TOTAL | 74,525 | 74,525 |

SECTION 2. To amend the Solid Waste Fund within the FY 2023-24 Budget Ordinance the expenditures shall be amended as follows:

| FUNCTIONAL AREA | INCREASE | DECREASE |
|--------------------------|----------|----------|
| Environmental Protection | 2,030 | - |
| TOTAL | 2,030 | - |

To provide funding for the above, the Solid Waste Fund revenues will be amended as follows:

| FUNCTIONAL AREA | INCREASE | DECREASE |
|-----------------|----------|----------|
| Miscellaneous | 2,030 | - |
| TOTAL | 2,030 | - |

SECTION 3. To amend the 17th Street Northwest Extension (#546018) Capital Project Ordinance the expenditures shall be amended as follows:

| FUNCTIONAL AREA | INCREASE | DECREASE |
|--------------------------|----------|----------|
| General Capital Projects | 372,624 | - |
| TOTAL | 372,624 | - |

To provide funding for the above, the 17th Street Northwest Extension (#546018) revenues will be amended as follows:

| FUNCTIONAL AREA | INCREASE | DECREASE |
|------------------------------|----------|----------|
| Other Financing Sources | 74,525 | - |
| Restricted Intergovernmental | 298,099 | - |
| TOTAL | 372,624 | - |

SECTION 4. Copies of the budget revision shall be furnished to the Clerk of the Governing Board, and to the City Manager (Budget Officer) and the Finance Officer for their direction.

- IX.

Items Removed from Consent Agenda – None
- X.

Informational Item
- XI.

New Business:

A.

Public Hearings

B.

Departmental Reports:

1. Affordable Housing – Presentation by Business Services Manager Dave Leonetti

City Manager Warren Wood advised the City has an array of affordable housing programs that they administer as well as a number of affordable housing efforts in addition to that. They wanted to do a presentation to describe those. He asked Business Services Manager Dave Leonetti to the podium for the presentation.

Business Services Manager Dave Leonetti gave a PowerPoint presentation. He gave a brief update on the different efforts that the City of Hickory has made in regard to affordable housing. He explained an overview of what he would be touching on. Some of the things that the City had done on City-owned property, partnerships with Habitat over the years, and programs for homeowners. He also would talk a little bit about the Unifour Home Consortium, and some of the low-income housing tax credit projects that were occurring and had recently occurred in the City. He would also provide some additional information about the Housing Authority and some resources.

Mr. Leonetti advised over the years the City of Hickory came to own a large number of lots mainly in the Ridgeview community. The City also had some property in other areas of the City. As part of that, in 2018/2019, the City started figuring out ways to try to leverage that property and worked to create affordable housing. That first started with a loan from the Unifour Home Consortium to build two homes on City-owned property. Those homes were sold in the summer of 2021. That project worked fairly well. It was a little challenging because they had to bid out all the work and then they were selling the property. They were paying retail prices and then selling it for the market value. They worked with a company out of Charlotte, in the Lake Norman area called JRN Development. In October of 2021, they contracted with them to build six homes on City-owned property in the area between Taft Broome Park and the Ridgeview Cemetery. Those properties were sold in 2022 to six income qualified buyers. That phase was pretty successful, and late last year they partnered with them to construct 10 more homes on City-owned property in that area. That project was currently underway, the grading was complete. One of the houses has been framed. They did that largely because they had some folks from across the State coming in May of this year. They would be working on the foundations for the additional nine properties and building those in the next couple of months and were hoping to finish those at the end of this year with closings happening in the beginning part of 2024. There were still some additional lots there, roughly six, and they were trying to work on purchasing some additional lots in that area to help bring that total up. If they build what they were thinking they would have about 24 and Habitat also has five additional homes planned in that area. He referred to the PowerPoint and displayed photos of the City built homes that were finished in 2021. He displayed photos of the first phase of the JRN homes that they did the ribbon cutting on back in the fall of last year. He displayed an aerial shot of the current phase of the development, the 10 homes that were under construction. He noted the grading was complete and they would hopefully in this month be working on pouring foundations and installing all of the plumbing work and then begin framing shortly thereafter.

Mr. Leonetti advised that they worked with Habitat over the years. A lot of the time had involved a number of different things. They still worked with them on assistance with water and sewer taps. That was actually something they do too with the JRN homes to help keep the costs down on that. The City's public utilities department offers rebates to them for water and sewer taps. They had done a subdivision where they developed the land and then sold it to Habitat in Green Park, about 10 to 12 years ago that was finished. They had worked with them on their repairs program. Habitat was doing a lot of development right now just south of City Hall near Safe Harbor. They worked with them on a forgivable loan for the demolition of five homes there to help prepare the site. He believed they had completed all five of those homes there. There were two houses on the other side of the street from there where the City provided two \$45,000 loans to help with the reconstruction of those houses. With the Community Development Block Grant funding sometimes, they have to get a little creative because they do not allow them to construct new homes. They only allow them to reconstruct homes that once existed. That was one of the ways that they were able to work through that. Habitat had torn down a house and they were able to assist with the redevelopment. The first one of those two was closing in the next couple of weeks. They actually just got some information today on that. Hopefully that would be closing soon with the second one shortly to follow, he thought early next year. They also conveyed some additional property, three of the lots that he mentioned of the five that Habitat was planning down near the City's JRN partner development. Three of those they conveyed to them and then they did a

property swap with them as well where there was a semi-unbuildable lot that contained part of the City's parking lot near Kiwanis Park that they swapped for a much better lot that they were going to hopefully use to construct a house on. He referred to the PowerPoint and displayed photos of some of the Habitat homes that were either currently under construction or finished.

Mr. Leonetti talked about City programs that were offered for low- and moderate-income homeowners. These were homeowners that earned less than 80% of the area median income. For a family of four that was roughly around \$57,000 a year and it indexed up and down depending on the number of people in the household. They have two main programs. They have a housing rehabilitation loan program that was funded through the Community Development Block Grant (CDBG) that offered deferred and partially forgivable loans up to \$25,000 for folks that earned less than 80% of the area median income. No payments were made on the loan. It was a second or third mortgage on the house and they do not have to make any monthly payments, but it would be paid off if they were to ever sell the house or cease to live there, rent it or if they passed away unfortunately, then their estate would have to pay off the loan. If they live in the house for five years, half the balance of that was forgiven. That allows them to still get some funding back into the program to help continue and make more of these housing rehab loans. They made that change back in 2018. They had a partially deferred loan program and then went fully deferred back about 5 to 6 years ago. That really helped them to help more people because then they do not have to worry about making monthly payments on these loans.

Mr. Leonetti discussed the urgent repair program which was funded by the North Carolina Housing Finance Agency. Those were deferred and forgivable loans for people that make less than 50% of the Statewide median income and have some sort of a special need as well. Whether they were elderly, a single parent, large household, veterans, etc. They could spend up to \$12,000 on those. Then it was forgiven \$3,000 per year as long as the homeowner remains in the home. He referred to the PowerPoint and displayed a map showing where the housing rehabilitation activity had occurred since 2018. The biggest thing he noted was they had done 66 of these since 2018, 25 of the larger housing rehab projects and 38 urgent repairs, and then there were three homeowners that actually received both programs.

Mr. Leonetti advised the City was part of what was known as the Unifour Home Consortium. Back in 1995 the four counties and all of the municipalities came together to form the Unifour Home Consortium, which was administered by the City of Lenoir and the Western Piedmont Council of Governments. They had access to home funding through the Department of Housing and Urban Development. Home funds was one of the larger programs in addition to Community Development Block Grant. Home was specifically about creating opportunities for affordable housing and the City was a voting member on that. Staff attend, and they have annual meetings. They provide input on how the Home Consortium spends its funding. One of the things that they did recently was the City received that loan from the Home Consortium to help construct the two affordable houses. He referred to the PowerPoint and pointed out some of the other things that were highlighted that they worked on regularly. Their biggest program was homebuyer assistance. He mentioned the City used to offer down payment assistance. About five years or so ago, the Home Consortium changed, they used to offer either \$5,000 or \$7,500 and the City supplemented that with a little bit of additional funding of either \$1,500 or \$2,500 for down payment assistance. The Western Piedmont Council of Governments (WPCOG) changed the guidelines through the Home Consortium about five years ago and now they could offer up to 20% of the purchase price up to a maximum of \$30,000 for first time homebuyers. He talked to Rick Oxford, the Administrator on Friday, and they did not have specific numbers on how many were in the City, but there had been 77 since 2018 in Catawba County that had been able to take advantage of this program. That provided a pretty significant amount of a down payment. This was used on these JRN houses as well. A number of the homebuyers received this subsidy on the back end. It was a second mortgage that was partially forgivable. He thought after 10 years if the homeowner lives in the house for 10 years, half the balance would be forgiven. He advised there were other programs through the North Carolina Housing Finance Agency also for down payment assistance. The consortium also provides loans for low-income housing tax credit projects. They probably had seen some of the low-income housing tax credit projects that had happened in the last few years, not all of them, but for some of them, the Home Consortium offers loans, basically gap financing and additional second mortgages on these for the developers. He explained it lowered the amount of Federal tax credit that they need. For the low-income housing tax credit, those projects were extremely competitive, and they were generally going to only fund one per county each

year. That loan allowed the developer to take a slightly smaller subsidy and makes the project more competitive and helps Catawba County and Hickory be successful in landing those projects.

City Manager Warren Wood asked Mr. Leonetti to mention the developments, he knew there were three that came to mind immediately.

Mr. Leonetti advised Center Crossing just south of City Hall, Viewmont Square Court, The Villas at North View, The Lodge down by Walmart Neighborhood Market, Highland Park Apartments behind the Walmart Neighborhood Market in St. Stephen's. There were actually two tax credit projects there, Highland Park and then Catawba Landing as well. Those were some of the more recent ones. Some of the older projects that had kind of aged out were Kenworth Hall, back 35 years ago was a tax credit project as well. There were a few others throughout the City as well. He highlighted the last piece of the Home Consortium. They supported community housing development organizations. They have to spend, he thought 5% of their annual allocation on these. Those generally have been the Habitat affiliates and the four counties had gotten those. There were a couple of others that had been funded over the years. Over the last few years, it was generally the Habitat affiliates that received that funding. He referred to the PowerPoint and displayed a photo of Center Crossing. He noted these were low-income housing tax credit projects, the City and staff worked to prioritize infrastructure improvements surrounding these tax credit projects. With Center Crossing, the Historic Ridgeview Walk was already planned when this one came in, it was going directly on the back side of the development down South Center Street. At The Lodge behind the Walmart Neighborhood Market, public services staff recently completed a sidewalk connection that goes all the way from Highway 70 to North Carolina Highway 127 on the other side to help with improving access to the grocery store and Southside Heights Park. Obviously with the bond program, there were additional improvements planned for that area and that would connect up with the Historic Ridgeview Walk. These folks would have complete pedestrian access to that as well.

Mr. Leonetti referred to the PowerPoint and displayed photos of Catawba Landing. This one was just about finished. The Lodge had 80 units and then this was a 72-unit project that was adjacent to another 80-unit project that was completed a couple of years back.

Mr. Leonetti spoke briefly about the Hickory Housing Authority. They were really the largest affordable housing provider, an individual entity. They manage 357 units and then they also have 551 housing choice vouchers, what was commonly referred to as Section 8. The rental subsidies that go with the income eligible individual. They manage those. The Western Piedmont Council of Governments also offers a Regional Housing Authority for folks generally outside the city limits, but they could use their vouchers within the City. Through the rental assistance demonstration program about two years back, the Housing Authority spent \$8.9 million, and they did renovations on all of their units. They were not complete renovations, but they performed renovations on just about all of their units and then they were working on some additional projects to develop and renovate some additional units. He shared some additional information according to CoStar, which was a commercial real estate software that they use that provides a lot of information on the housing market, there were about 1,300 total units in the immediate vicinity of the City that have at least some sort of rental subsidy and that did not include the Section 8 housing choice vouchers. There were about 7,800 occupied rental units in Hickory to give them an idea of which ones were receiving some sort of subsidy.

Mr. Leonetti discussed affordability challenges. He had reviewed a lot of the information and worked with Taylor Dellinger as they went through this presentation. Affordability challenges was not something that was unique to Catawba County. Overall housing cost burdens for Catawba County were in line with National and State averages for renters. They were actually a little bit below some of those averages for owner occupied units. He mentioned the Unifour area had the oldest or the most pre-1980 housing stock in the State. The biggest reason for that was they have the lowest percentage of post-2000 housing. Some of the things that the planning staff had worked on over the years was looking at different things to help increase the overall supply of housing so that higher income homeowners were not crowding out folks in the lesser expensive units. Some of these things more recently that they had done was they narrowed some of the lot widths that were required, they made some provisions for deeper thinner lots that helped get two lots out of a lot that would not have previously been allowed to be subdivided. Also, permission of some accessory dwelling units in certain areas. For sale inventory remains fairly low. A lot of the realtors say that they would like to see 4 to 6 months of housing supply and there was

currently about a 1.7-month supply in Hickory. As an example, if there were 300 transactions in a month and you have 300 homes listed on the MLS, that would be considered one month's supply. Right now, they were a little bit less than two months. Hopefully they were starting to see some permits being pulled for some of these larger development projects that were underway. That should hopefully increase some of that supply.

Mr. Leonetti mentioned certain places for folks to look if they need resources about affordable housing. Obviously, they could call the City's office, Office of Business Development, community development staff, Anna Beth Walker, was present and Charity Nash could help folks get pointed towards resources. The North Carolina Housing Finance Agency was a great resource for available funding, down payment assistance and other things of that nature. They also offer some foreclosure prevention and counseling as well. The Western Piedmont Council of Governments, they have a down payment assistance program along with some foreclosure prevention. Habitat has their home ownership program, and they also offer repairs for folks. Project Hope was another nonprofit in the area that offered credit counseling and homebuyer classes and services. He concluded his presentation and asked for questions.

Alderman Zagaroli asked if The Lodge was Section 8.

Mr. Leonetti advised it was a low-income housing tax credit.

Alderman Zagaroli asked how it worked. What was the rental structure and how did they pay on that?

Mr. Leonetti explained they have certain numbers of units in there that are affordable to people at various income levels. There was a certain number in there that were affordable to folks at 30%, 50%, and 60%, and there may be some that were also affordable at that 80% income level. Those were all privately owned. He noted the Housing Finance Agency administered the tax credit program, and checked up on the developers to ensure that they were monitoring those and administering the income requirements properly.

Alderman Zagaroli asked if that was kind of the same with the other units that they have in town.

Mr. Leonetti responded yes, almost all of the other units were some sort of a low-income housing tax credit project and also the Housing Authority units were also in there.

Alderman Seaver asked if there was a minimum salary requirement.

Mr. Leonetti confirmed there was a minimum salary requirement for the Housing Choice voucher program, they worked to ensure that they were not spending more than a third of their income on housing. He explained if you own an apartment that you want to rent, you could say you want to accept a housing choice voucher. What they would do was you would get the fair market rent for that home, a number that was established by HUD and then the renter that you get in there would pay 30% of their income and then HUD picked up the rest of it.

Alderman Zagaroli asked for a copy of the presentation.

City Manager Warren Wood advised they could send it to everyone.

Alderman Freeman thanked Mr. Leonetti for what he does in the City. For the last month and a half, he had been lifting up the houses that were being built there in the Ridgeview community. Last Monday they had, which was his very first, candidacy forum. He really wished he had one of those big red buttons, those easy buttons where he could have just pushed it and Mr. Leonetti would have just shown up, and answered the questions for him, but he had certainly been pushing it in the community. He asked with the area median income, and then there was the State median income, could he give him both what they were.

Mr. Leonetti advised the area median income was roughly about \$57,000 for a family of four. The Statewide, they could only do up to 50%, which was in the roughly 40-ish thousand for a family of four. They could use the Statewide median income for the urgent repair program because that was higher than the City's area median income. It gave them some flexibility to help more people with the program. He could get him the exact numbers.

Alderman Freeman commented about the homes that were being built in Ridgeview and some members of the community had been asking him and he

had been forwarding information through email. He asked if it was just for those in the City or those who were living outside of the State to hear about it. If they come in, could they purchase those homes as well as it relates to the area's median income.

Mr. Leonetti commented that they do not have to live within the City limits of Hickory, but they do have to meet the area's income requirements in order to qualify.

Alderman Wood asked Mr. Leonetti to clarify the relationship between the City of Hickory and Hickory Housing Authority. He thought affordable housing got talked about a lot and more often than not, he thought that got lumped in together and, people think that was all under the City's umbrella. He asked Mr. Leonetti to clarify that a little bit.

Mr. Leonetti explained that Hickory Housing Authority was an independent quasi-governmental agency. The Hickory City Council appoints the board members that serve on that.

City Manager Warren Wood interjected the Mayor appoints those members.

Mr. Leonetti advised they were fully independent of the City.

Mayor Guess commented that they get asked that question quite often and the reason being that it was the Hickory Public Housing Authority. He had even had people question if he knew his facts correctly because they just insisted that because it was called the Hickory Housing Authority that the City had jurisdiction and regulated it, which obviously was not the case.

Mr. Leonetti added that they answer to HUD's requirements.

Alderman Wood asked was it safe if he were to say that for the City of Hickory's purposes, affordable housing, the upper threshold of that was 80% of the median income for a family of four in Hickory. That was the upper threshold of affordable housing for the City's purposes. He asked if that was a true statement.

Mr. Leonetti thought so, he believed so. When they were talking about housing, there was subsidized affordable housing and then they have cost burden. That would be the folks that were spending more than 30% or 50% of their income on housing.

Alderman Wood commented affordable housing was a critical issue and it was one that got talked about a lot, but he was not sure that people understood that there was an objective definition of what that means, because affordability was subjective almost by definition, it depends on your income. But for the City, we do have an objective definition of affordable housing.

Mr. Leonetti replied correct. At the State level too, because that was one thing that was important to note, North Carolina local governments were creatures of the State. They were created by the State Legislature, and they can do what the State Legislature tells them they could do. They have certain things as local governments they can do and generally that was housing for persons earning less than 80% of the area median income.

Alderman Wood thanked Mr. Leonetti.

Alderman Seaver commented that Mr. Leonetti mentioned something about they could trade in an old house for a new one.

Mr. Leonetti explained they could not trade in an old house for a new one. For Community Development Block Grant, they do not let them build new housing with those funds. If there was a dilapidated house that was too expensive to renovate, they could tear down that house and build a house in its place.

Alderman Seaver commented as long as they build it right back.

Mr. Leonetti advised it did not necessarily have to be the same size or footprint.

City Manager Warren Wood commented that the Western Piedmont Council of Governments (WPCOG) would tell them that one of the challenges in the region, and Mr. Leonetti mentioned it, we have the oldest housing stock of any metro area in the State. Like the work that City Council does in approving developments, creates new housing, it gives people an opportunity that could afford more and want more or to have more options and it gets to be a backlog

when they do not have that upward mobility with their housing. That was one of the biggest challenges in the region, creating more housing opportunities for folks to move out and up.

Mayor Guess commented just to be clear that the City was not in the housing business, but they certainly were partners and had relationships and were working with entities to help create not just affordable housing but housing in general. From the evidence that they had heard and seen from the presentation tonight, it seemed to be a positive thing and it seemed to be on the right track and he thought they were making tremendous improvements in the existing stock.

Alderman Wood thought that it was exciting to see the different kinds of housing that appeals to people that were at different stages of their lives. He thought they were starting to see some diversification in housing, with things that were focused more on people that were beyond raising family, those types of things and that was exciting development as well.

Mayor Guess asked for any further questions for Mr. Leonetti. He thanked Mr. Leonetti. He commented that was very informative.

2. Appointments to Boards and Commissions

BUSINESS DEVELOPMENT COMMITTEE
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
At-Large (Council Appoints) VACANT
At-Large (Council Appoints) VACANT

Alderman Zagaroli nominated Bianca Carter as an At-Large Representative on the Business Development Committee.

COMMUNITY APPEARANCE COMMISSION
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 1 (Wood Appoints) VACANT
At-Large (Outside City but within HRP) (Council Appoints) VACANT

COMMUNITY RELATIONS COUNCIL
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Other Minority (Council Appoints) VACANT
Other Minority (Council Appoints) VACANT
Other Minority (Council Appoints) VACANT

HICKORY REGIONAL PLANNING COMMISSION
(Term Expiring 6-30; 3-Year Terms With Unlimited Appointments) (Appointed by City Council)
Burke County Representative (Mayor Appoints with Recommendation from Burke County) VACANT

HISTORIC PRESERVATION COMMISSION
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Historic Properties Owner VACANT

LIBRARY ADVISORY BOARD
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 3 (Seaver Appoints) VACANT

PUBLIC ART COMMISSION
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 3 (Seaver Appoints) VACANT

RECYCLING ADVISORY BOARD
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 6 (Patton Appoints) VACANT
At-Large (Council Appoints) VACANT

Mayor Guess moved seconded by Alderman Seaver approval of the above nomination. The motion carried unanimously.

Mayor Guess reminded everyone of the boards and commissions. He thought they had 14 boards and commissions, something like that. They had a lot of different boards and commissions that people voluntarily serve on. All of those were listed in various places, most predominantly on the City’s website. If those were something they thought they might be interested in doing now or in the

future, certainly peruse those. There was a way to put in an application to be able to do that and they would certainly take that into consideration.

Alderman Seaver commented to the younger guest tonight, the Youth Council was also a way to serve.

Mayor Guess mentioned there was a Youth Council as well. They greatly, greatly appreciate the time and the dedication that those folks put into that service. Primarily it was a voluntary service, and they get a lot of good service and information, and a lot of good things happen as a result of those boards and commissions. He thanked them very much for that participation.

C. Presentation of Petitions and Requests

XII. Matters Not on Agenda (requires majority vote of Council to consider)

XIII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business Nature

Alderman Seaver mentioned it was homecoming week at Hickory High, the Powder Puff football game he thought was going on right now.

City Manager Warren Wood advised his son was coaching one of the teams.

Alderwoman Patton mentioned the Charlotte Business Journal that came out, there was an excellent article about Hickory, it recapped where we were, and where we're going in the vision. She thought that it was very well written, and it was a nice shout out to Hickory.

Alderman Freeman advised this coming Saturday, he had been working on this for about two months now, in the Ridgeview community they were going to have what was called "Back to the Future", 18 and older would be playing softball on the softball field. If they would like to see their City Councilman play some softball, he could bring back the old days, that was what he was trying to do. It starts at four o'clock and they were looking to have the championship game at eight o'clock under the lights. It was a seven-team tournament, and it started at four o'clock at Ridgeview at the softball field.

Mayor Guess mentioned that October 18th was the scheduled groundbreaking for the Historic Ridgeview Walk.

Alderman Freeman confirmed October 18th at 10:30 a.m. they would be breaking ground.

Mayor Guess advised that was at Taft Broome Park where that groundbreaking would take place. Obviously, that was something that they had been waiting on for quite some time and it would get underway starting on the 18th. Mayor Guess commented that he was told that grandpas are supposed to do this. He was supposed to brag on his grandchild. He advised he became a grandpa last Wednesday, they welcomed his first grandchild to the world, Salem Olivia Guess. She weighed 7 pounds 4 ounces and was 21 inches long. Now he could say he was a proud grandpa and mom, and baby were doing just fine, and they were extremely proud and extremely excited.

Alderman Zagaroli mentioned Autolawn this weekend at the SALT Block, Porsches, and other European sports cars.

Mayor Guess advised that right before that the River Sweep was being conducted in Hickory at 9:00 a.m. He encouraged everyone to go help clean up the surrounding area around the water and the lake and then go spend the rest of the evening at the SALT Block at the Autolawn.

Alderwoman Patton mentioned Oktoberfest was the following weekend.

Mayor Guess commented they had a lot going on.

City Manager Warren Wood mentioned he was going to correct a wrong, Iris Childers, Administrative Assistant in the City Manager's office brought her child a couple of meetings ago and he failed to introduce her. She had brought her again.

Mayor Guess commented that she needed to stand up so they could see her.

City Manager Warren Wood advised she wants to come work for us because she likes it so much.

Mayor Guess asked her name.

Administrative Assistance Iris Childers advised Harper.

Mayor Guess welcomed Harper.

Harper Childers said Hi.

Mayor Guess asked if she had been helping mama.

Iris Childers commented kind of, she was trying to take her job.

Mayor Guess commented maybe the scouts could encourage her to become part of their organization too. He welcomed Harper and of course, Iris had already settled in and was doing a great job, and they appreciated all that she was doing for the City of Hickory. He thanked both of them.

XIV. There being no further business, the meeting adjourned at 6:47 p.m.

Mayor

City Clerk

5

COUNCIL AGENDA MEMOS

Exhibit VIII.A.

To: City Manager's Office

From: Office of Business Development, Planning Division

Contact Person: Cal Overby, Planning Manager

Date: October 5, 2023

Re: Voluntary contiguous annexation of property owned by Emil and Olimpia Belos

REQUEST

Call for public hearing, to be held on November 7, 2023 for the consideration of the voluntary contiguous annexation of 0.396 acres property located at the northeast corner of Cloninger Mill Road and 13th Street Circle SE. This property is identified as PIN 3714-08-97-0980.

BACKGROUND

The property is vacant and located within the City's Extra Territorial Jurisdiction (ETJ). The property is zoned R-1 Residential. Properties zoned R-1 can be utilized for one and two family housing at a density of 2 dwelling units per acre.

The property owners desire to connect the new home to city sewer service, which requires annexation.

ANALYSIS

The owners of the property intend to construct a single family home on the property, which would be the extent of its development potential.

Surrounding properties are zoned R-1 and R-2 Residential and occupied by single family homes.

The current tax value of the property is \$19,500. If annexed, the vacant property would generate \$88.73 in additional tax revenues.

Upon analysis, staff has determined the petition meets the statutory requirements for voluntary contiguous annexation, and adequate public services are available.

RECOMMENDATION

Staff finds the petition to be in conformity with applicable statutes and recommends approval of the petition.

BUDGET ANALYSIS:**Budgetary Action**

Is a Budget Amendment required?

Yes

☐

No

☒**LIST THE EXPENDITURE CODE:****Reviewed by:**

Brian Frazier
Initiating Department Head

10/05/2023

Date

Rodney Miller
Asst. City Manager R. Miller

10/10/23

Date

M. Miller
Finance Officer, M. Miller

10/10/23

Date

Yaidee Fox
Exe Asst City Manager Yaidee Fox

10/16/23

Date

A. Dula
Deputy City Attorney, A. Dula

10-9-23

Date

R. Beasley
Asst. City Manager, R. Beasley

10/10/23

Date

Cameron McHargue
Deputy Finance Officer,
Cameron McHargue

10-10-23

Date

Recommended for approval and placement on _____ Council agenda (as
Consent, Public Hearing, Informational, Department Report, etc).

Warren Wood
City Manager, Warren Wood

10.12.23

Date

VOLUNTARY CONTIGUOUS ANNEXATION ANALYSIS

APPLICANT: Emil and Olimpia Belos

AGENT: Emil Belos

PROPERTY LOCATION: NE Corner of Cloninger Mill Road and 13th Street Circle NE

PIN: 3714-08-97-0980

REQUESTED ACTION: The request is for a voluntary contiguous annexation.

WARD: If annexed, this property will be located in Ward 2 (Councilwoman Williams).

ACREAGE: 0.396 acres

DEVELOPMENT POTENTIAL: The property is currently vacant and located within the City's Extra Territorial Jurisdiction (ETJ). The property is zoned R-1 and can be utilized for one and two family housing at a density of 2 dwelling units per acre.

The owners of the property intend to construct a single family home on the property, which would be the extent of its development potential.

TAX VALUE: The current tax value of the property is \$19,500. If annexed, the vacant property would generate \$88.73 in additional tax revenues.

POPULATION INCREASES: The owners intend to construct a single family home on the property. When completed and occupied 2.35 new residents could be added to the City's population. This estimate is based upon the U.S. Census Bureau's residential household size estimate for single-family dwellings in the city, which is 2.35 persons per household.

SCHOOL DISTRICTS: The property is located within the jurisdictional area of the Catawba County Public School System, and located in the following school districts:

| School Type | School District | Student Multiplier Per Dwelling | Number of Potential or Existing Dwelling Units | Potential Additional Students |
|-------------|-----------------|---------------------------------|--|-------------------------------|
| Elementary | Clyde Campbell | 0.21 | 1 | <1 |
| Middle | Arndt | 0.09 | 1 | <1 |
| High | St. Stephens | 0.13 | 1 | <1 |

**Note: The student multipliers above reflect estimates and are for single-family dwellings only.*

SURROUNDING ZONING AND LAND USE (See Maps 2 & 3):

- **North:** The properties are zoned R-1 Residential and occupied by single family homes.
- **South:** The properties are zoned R-2 Residential and occupied by single family homes.
- **East:** The properties are zoned R-1 Residential and occupied by single family homes.
- **West:** The properties are zoned R-1 Residential and occupied by single family homes.

UTILITY SERVICE: Water and sewer are available to serve the property.

ACCESS: Access to the property is from Cloninger Mill Road and 13th Street Circle NE, both of which are maintained by the North Carolina Department of Transportation (SR 1400 and SR 2300).

DISTANCE FROM CITY LIMITS (See Map 1): The property is contiguous to the proper city boundary along part of its southwestern boundary.

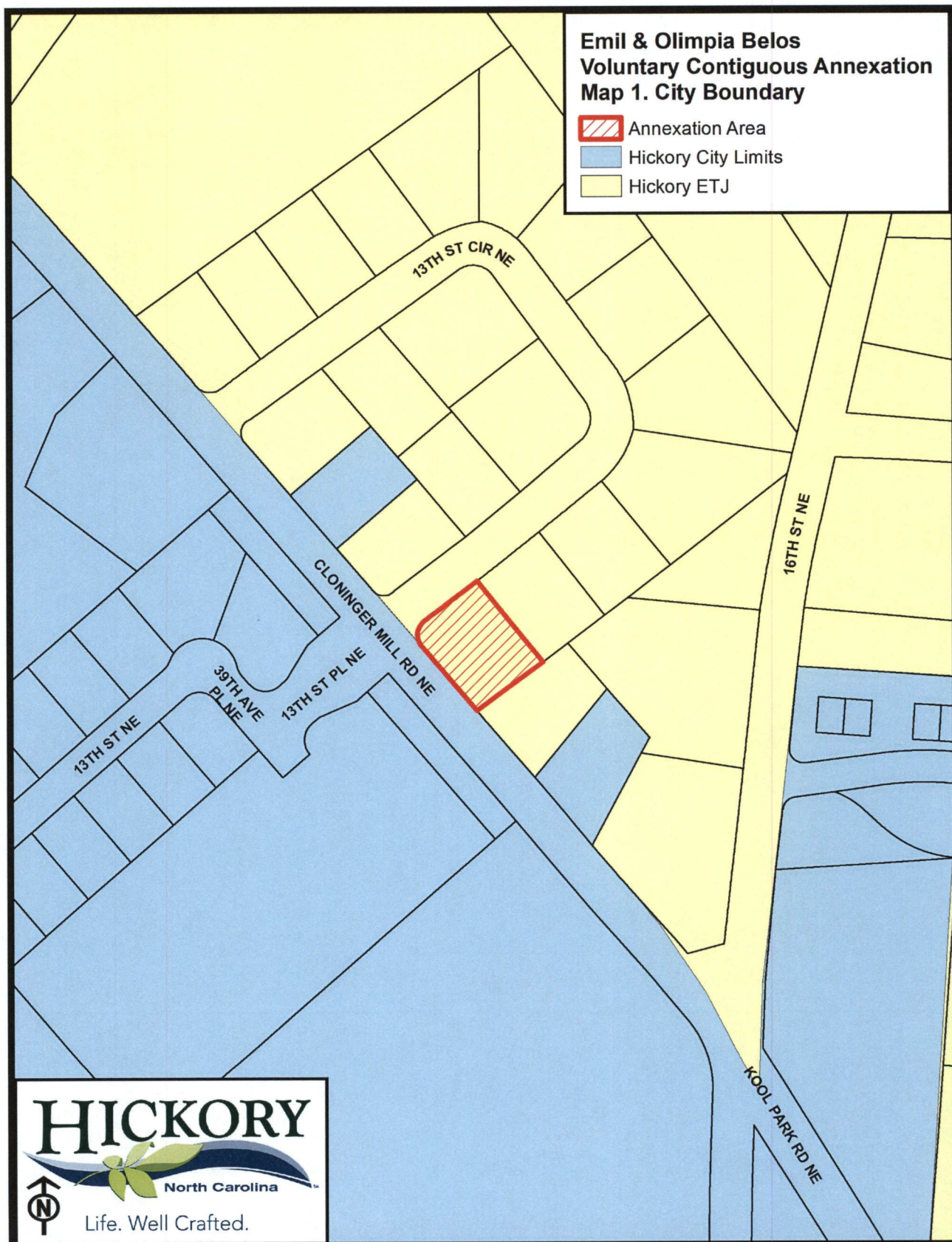
STAFF COMMENTS:

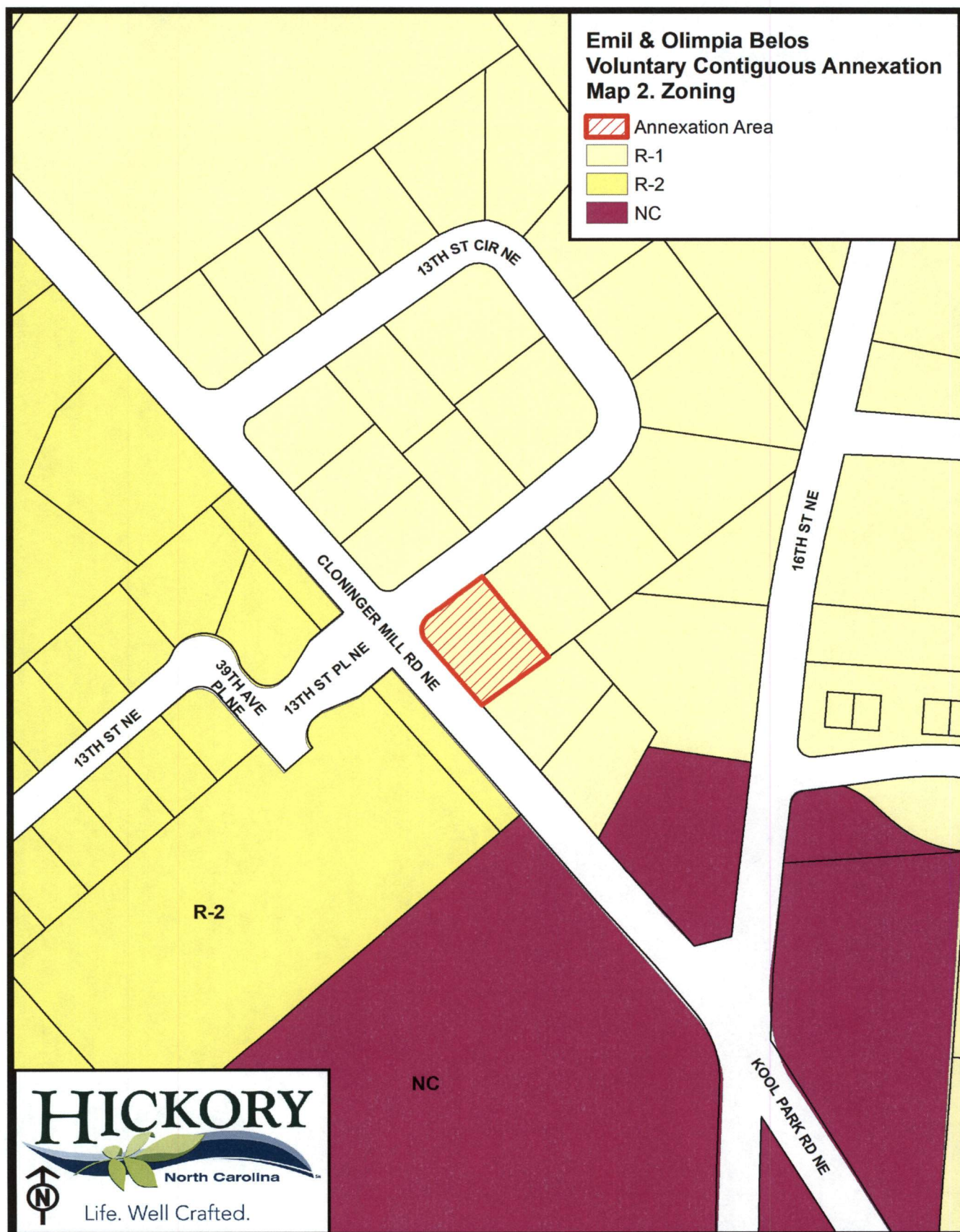
- **Fire:** Annexation of this property would not adversely affect the fire department's operations at this time. The property is currently adjacent to HFD Station 6's response area.
- **Police Department:** Annexation would not adversely affect the police department. The property, upon annexation, would be in Baker PACT.
- **Engineering:** No objections.
- **Planning:** No objections.
- **Public Services:** No objections.
- **Public Utilities:** Water and sewer are currently available to serve the property.
- **Legal:** No objections.
- **City Manager's Office:** No objections.

STAFF RECOMMENDATION: Upon evaluation staff has found the following:

1. The voluntary contiguous annexation petition complies with all applicable statutes regarding the voluntary annexation of contiguous properties.
2. Adequate public services are available in sufficient quantities to properly serve the property, subject to the comments provided above.
3. The annexation of the property will not cause available public services to fall below acceptable levels.

Based upon the findings provided above, staff recommends City Council approve the voluntary contiguous annexation petition.







RESOLUTION NO. 23-____
RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED
UNDER G.S. 160A-31 AND/OR 160A-58.1, AS AMENDED

WHEREAS, a petition from Emil Belos and wife Olimpia Belos requesting annexation of an area described in a petition was received on October 5, 2023, by the City Council of the City of Hickory; and

WHEREAS, G.S. 160A-31 and G.S. 160A-58.1 provide that the sufficiency of the petition shall be investigated by the Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Hickory deems it advisable to proceed in response to this request for annexation.

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

THAT, the Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the City Council the result of her investigation.

CERTIFICATE OF SUFFICIENCY

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

I, Debbie D. Miller, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31 and/or G.S. 160A-58.1, as amended:

Property of Emil Belos and wife, Olimpia Belos, containing .396-acres more or less, located at the northeast corner of Cloninger Mill Road and 13th Street Circle SE, and identified as PIN 3714-08-97-0980.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hickory this 5th day of October, 2023.



Debbie D. Miller

Debbie D. Miller, City Clerk

5. WATER AND SEWER AVAILABILITY AND CONNECTIONS

We, the undersigned property owner(s), hereby understand and agree we shall be responsible for all costs associated with providing for extensions and/or connections to the City of Hickory public utility system (water and sewer). This includes all design, permitting, construction, legal and applicable City of Hickory Tap Fees. Furthermore, we shall be responsible for obtaining any and all necessary easements and encroachment agreements needed to provide for such extensions or connections and provide those to the City of Hickory as appropriate.

The undersigned owner further acknowledges, they shall be responsible for any future utility extensions required to serve the property due to subdivision of the property.

6. OWNER'S AFFIDAVIT

We, the undersigned property owners(s), hereby certify that the information contained herein and submitted in support of this application is true and correct.

EMIL BELOS, Olimpia M Belos
Printed Name of Property Owner(s)

[Signature]
Signature of Property Owner(s)

Address of Property Owner(s)

828 312 7754
Telephone Number of Property Owner(s)

(Please choose the appropriate notary block)

State of North Carolina – County of CATAWBA

I, the undersigned Notary Public of the County and State aforesaid, certify that EMIL BELOS, Olimpia Mariana Belos personally appeared before me this day and acknowledged the due execution of this foregoing instrument for the purposes expressed herein. Witness my hand and Notarial stamp or seal, this 3rd day of October, 2023.

My Commission Expires: 05/30/2028

[Signature]
Notary Public

State of North Carolina – County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged the he / she is the _____ of _____ corporation / limited liability corporation / general partnership / limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity he /she signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____

Notary Public

3815-0144

Exhibit VIII.A.

FILED ELECTRONICALLY
CATAWBA COUNTY NC
DONNA HICKS SPENCER

FILED Jun 14, 2023
AT 01:12:00 PM
BOOK 03815
START PAGE 0144
END PAGE 0146
INSTRUMENT # 10423
EXCISE TAX \$58.00

**NORTH CAROLINA
GENERAL WARRANTY DEED**

Excise Tax: \$58.00

Parcel Identifier No. **371408970980**

Mail after recording to: JOHN G. FULLER, ATTORNEY, 352 2ND ST NW, HICKORY NC 28601

This instrument was prepared by: JOHN G. FULLER, ATTORNEY, 352 2ND ST NW, HICKORY NC 28601

THIS DEED made this 12th day of June 2023 by and between

GRANTOR

Richard Dale Hilton, Sr., by and through his Attorney In Fact, Jenny
Hilton Lail and Margie C Hilton, Husband and Wife
6765 Old Valley School Road
Kernersville NC 27284

GRANTEE

Emil Belos and wife, Olimpia Belos
5187 Ruth Drive
Hickory NC 28602

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the Hickory Township, Catawba County, North Carolina and more particularly described as follows:

BEING LOT NO 14 IN BLOCK "A" OF THE CLONINGER HEIGHTS SUBDIVISION AS PER PLAT RECORDED IN PLAT BOOK 15 ON PAGE 141 IN THE OFFICE OF THE REGISTER OF DEEDS OF CATAWBA COUNTY, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A GREATER CERTAINTY OF DESCRIPTION.

Submitted electronically by "John G. Fuller, Attorney At Law"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Catawba County Register of Deeds.

3815-0145

The property hereinabove described was acquired by Grantor by instrument recorded in Book 1942 and Page 1497, Catawba County Registry.

A map showing the above described property is recorded in Plat Book _____, Page _____, and referenced within this instrument.

The above described property ☒ does ☐ does not include the primary residence of the Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officer(s), the day and year first above written.

Richard Dale Hilton Sr., by and through his attorney in fact, Jenny Hilton Lail (SEAL)
Richard Dale Hilton, Sr., by and through his Attorney In Fact, Jenny Hilton Lail

Margie C Hilton (SEAL)
Margie C Hilton

STATE OF NORTH CAROLINA, COUNTY OF Forsyth

I, Mary C Tang, the undersigned, a Notary Public of the County and State aforesaid, certify that Margie C Hilton appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 13th day of June 2023.

Mary C Tang
Notary Public
My commission expires: 03/21/2027



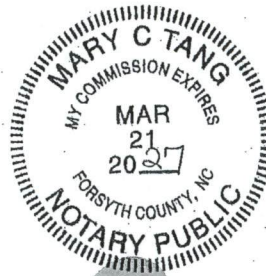
3815-0146

STATE OF North Carolina COUNTY OF Forsyth

I, Mary C. Tang, a Notary Public of the County and State aforesaid, do hereby certify that Jenny Hilton Lail, attorney in fact for Richard Dale Hilton, Sr., personally appeared before me this day, being duly sworn, says that she executed the foregoing and annexed instrument for and in behalf of Richard Dale Hilton, Sr. and that her authority to execute and acknowledge said instrument is contained in an instrument duly executed, acknowledged and recorded the 1st day of November, 2022 and recorded in Book 3726, Page 1750, Forsyth County Registry and that this instrument was executed under and by virtue of the authority given by said instrument granting her power of attorney; that the said Jenny Hilton Lail acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed for and in behalf of the said Richard Dale Hilton, Sr. Witness my hand and official seal this 13 day of June, 2023.

Mary C. Tang

Notary Public

My Commission Expires: 03/21/2027

WEB



RESOLUTION 23-____
RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION,
PURSUANT TO G.S. 160A-31 OR G.S. 160A-58.1, AS AMENDED

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

WHEREAS, the City Council of the City of Hickory has, by Resolution, directed the clerk to investigate the sufficiency thereof; and

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

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

Section 1: That a public hearing on the question of annexation of the area described herein will be held at 6:00 p.m. on November 7, 2023, in the Council Chambers of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.

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

Property of Emil Belos and wife, Olimpia Belos, containing .396-acres more or less, located at the northeast corner of Cloninger Mill Road and 13th Street Circle SE, and identified as PIN 3714-08-97-0980.

Section 3: Notice of said public hearing shall be published in *The Hickory Daily Record*, a newspaper having general circulation in the City of Hickory, at least ten (10) days prior to the date of said public hearing.

Hank Guess
Mayor

Warren Wood, City Manager

Approved As To Form:

Deputy City Attorney for the City of Hickory

Resolution No. 23-____
Emil and Olimpia Belos
Voluntary Contiguous Annexation

RESOLUTION NO. 23-____

A RESOLUTION DETERMINING THE INTENT TO ANNEX INTO THE CORPORATE LIMITS OF THE CITY OF HICKORY CERTAIN PROPERTY OWNED BY EMIL BELOS AND WIFE, OLIMPIA BELOS AND CALLING FOR A PUBLIC HEARING ON THE SAME

WHEREAS, Emil Belos and wife, Olimpia Belos are the owners of certain real property as described herein, which property is located at the northeast corner of Cloninger Mill Road and 13th Street Circle SE, and identified as PIN 3714-08-97-0980, containing .396-acres more or less; and

WHEREAS, such property is currently located in the City's extra-territorial jurisdictional (ETJ); and

WHEREAS, it is in the best interest of the health, safety, and well-being of the residents of the City of Hickory to annex such property into the corporate limits of the City of Hickory as authorized by N.C.G.S. Section 160A-31; and

NOW, THEREFORE BE IT RESOLVED by the Hickory City Council, sitting in open session this 17th day of October, 2023, at a regularly scheduled meeting of the governing body of said Council, duly called and posted in accordance with the statutes of the State of North Carolina, as follows:

Section 1: That the Hickory City Council does determine that it is in the best interest of the health, safety, and well-being of the residents of the City of Hickory to annex the property described hereinafter into the corporate limits of the City of Hickory.

Section 2: That a public hearing on the question of annexation of the area described herein will be held at 6:00 p.m. on November 7, 2023, in the Council Chambers of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.

Section 3: The same being that property reflected on map entitled Emil & Olimpia Belos, Voluntary Contiguous Annexation Map 1 City Boundary, subject property outlined in red; Emil & Olimpia Belos, Voluntary Contiguous Annexation Map 2, Zoning, subject property outlined in red; Emil & Olimpia Belos, Map 3, Aerial Photography, subject property outlined in red.

Section 4: Notice of said public hearing shall be published in *The Hickory Daily Record*, a newspaper having general circulation in the City of

Resolution No. 23-____

Resolution Determining Need For Annexation Of Property Owned by
Emil and Olimpia Belos, and Directing Call For Public Hearing
October 2023

Hickory, at least ten (10) days prior to the date of said public hearing.

Done this 17th day of October, 2023.

(SEAL)

THE CITY OF HICKORY, A
North Carolina Municipal Corporation

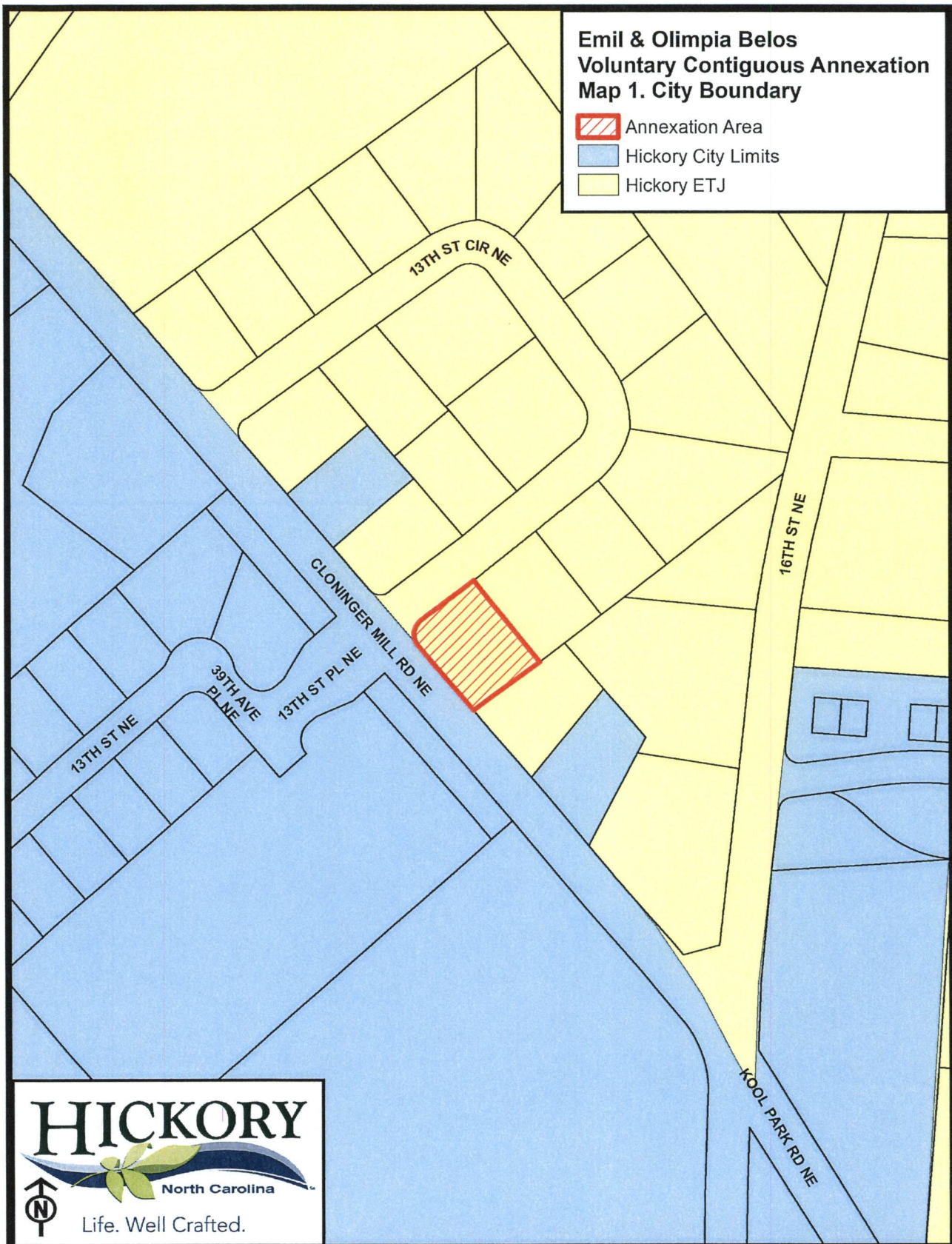
Attest:

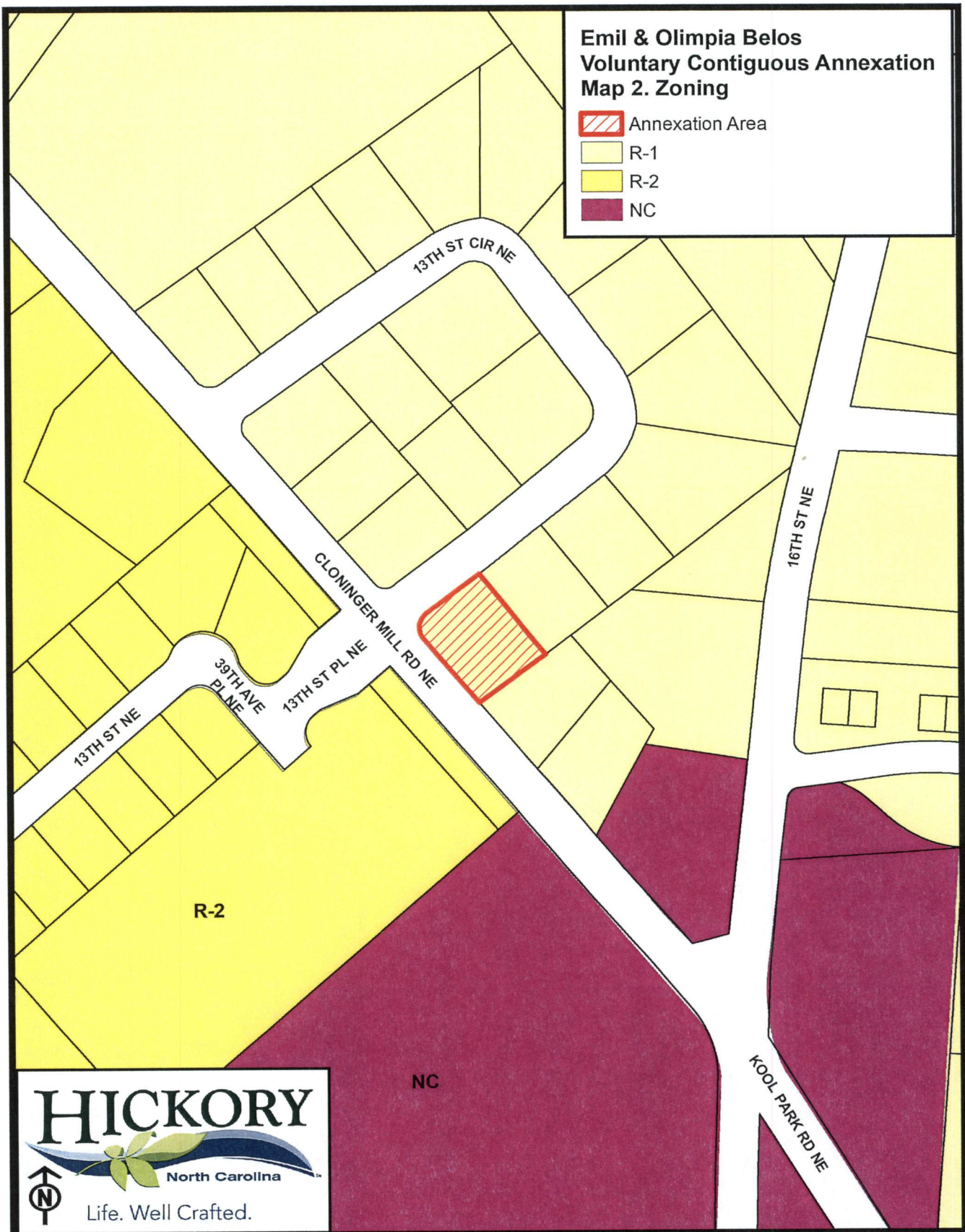
By: _____
Hank Guess, Mayor

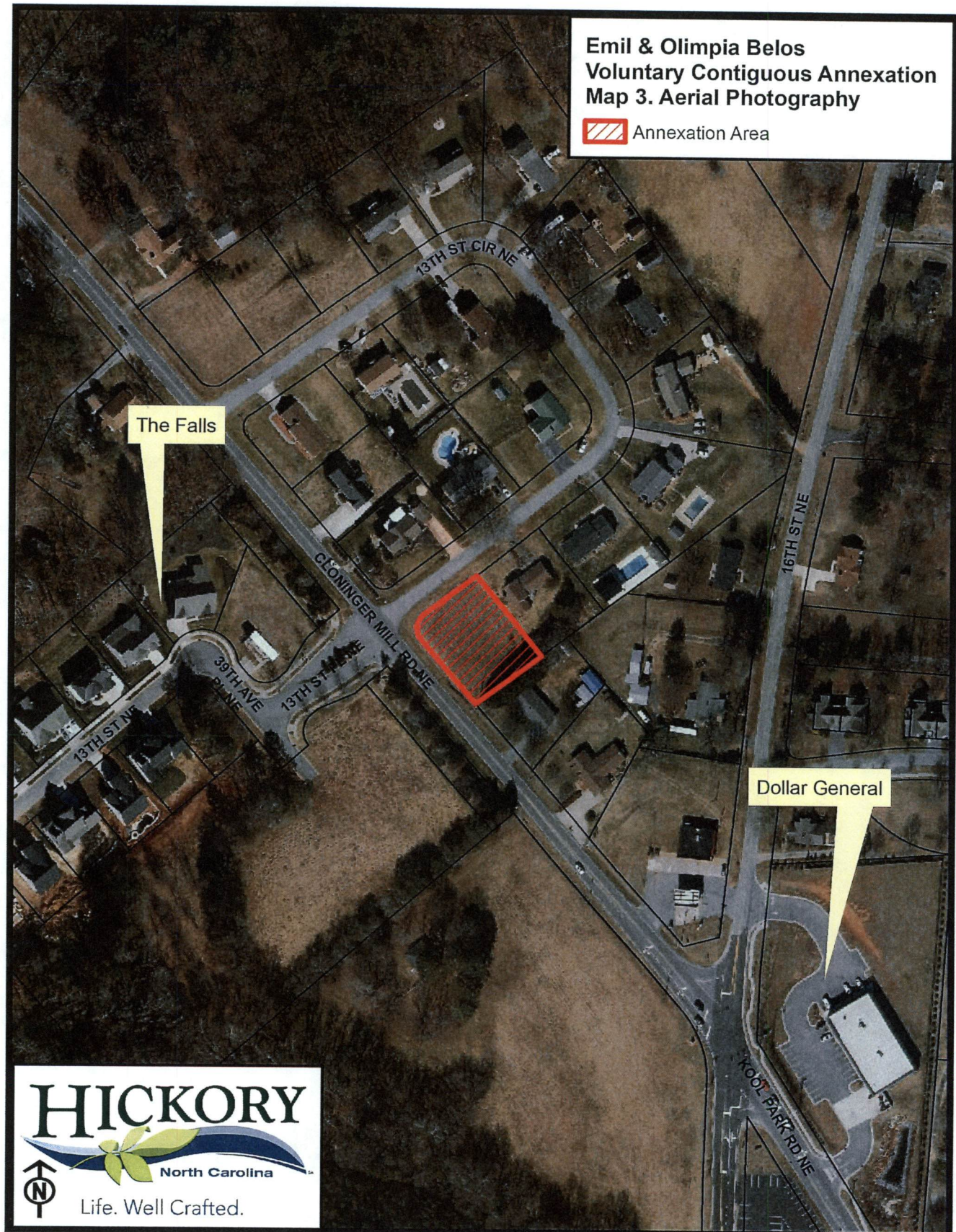
Debbie D. Miller, City Clerk

Approved as to form on behalf of the City of Hickory:

Arnita Dula, Deputy City Attorney







COUNCIL AGENDA MEMOS

To: City Manager's Office

From: Office of Business Development, Planning Division

Contact Person: Cal Overby, Planning Manager

Date: October 5, 2023

Re: Voluntary contiguous annexation of property owned by Huffman Project Group, LLC

REQUEST

Call for public hearing, to be held on November 7, 2023 for the consideration of the voluntary contiguous annexation of 29.277 acres property located on Catawba Valley Blvd SE. This property is identified as PIN 3711-05-18-8157.

BACKGROUND

The property is currently vacant and located within the City's Extra Territorial Jurisdiction (ETJ). The property is split zoned R-1 (+/- 25%) and R-2 (+/- 75%) Residential. Properties zoned R-1 can be utilized for one and two family housing at a density of 2 dwelling units per acre, while properties zoned R-2 can be utilized for single family housing at a density of 4 units per acre.

The property owner desires to connect the development to city sewer service, which requires annexation.

ANALYSIS

The owners of the property have received approval to construct a 99 lot single family residential subdivision, which is currently under construction. The subdivision is being constructed as a conservation subdivision with an overall density of 3.4 units per acre.

Surrounding properties are zoned R-1 and R-2 Residential and occupied by single family homes, or wooded.

The current tax value of the property is \$145,800. If annexed, the vacant property would generate \$663.39 in additional tax revenues.

Upon analysis, staff has determined the petition meets the statutory requirements for voluntary contiguous annexation, and adequate public services are available.

RECOMMENDATION

Staff finds the petition to be in conformity with applicable statutes and recommends approval of the petition.

BUDGET ANALYSIS:**Budgetary Action**

Is a Budget Amendment required?

Yes

☐

No

☒**LIST THE EXPENDITURE CODE:****Reviewed by:**Brian Frazier

Initiating Department Head

10/05/2023

Date

Auntie M Dula

Deputy City Attorney, A. Dula

10-9-23

Date

Rodney Miller

Asst. City Manager R. Miller

10/10/23

Date

R. Beasley

Asst. City Manager, R. Beasley

10/10/23

Date

M. Miller

Finance Officer, M. Miller

10/10/23

Date

Cameron McHargueDeputy Finance Officer,
Cameron McHargue10-10-23

Date

Vaidee Fox

Exe Asst City Manager Vaidee Fox

10/10/23

Date

Recommended for approval and placement on _____ Council agenda (as
Consent, Public Hearing, Informational, Department Report, etc).Warren Wood

City Manager, Warren Wood

10.12.23

Date

VOLUNTARY CONTIGUOUS ANNEXATION ANALYSIS

APPLICANT: Huffman Project Group, LLC

AGENT: Mark Hingson

PROPERTY LOCATION: Catawba Valley Boulevard SE

PIN: 3711-05-18-8157

REQUESTED ACTION: The request is for a voluntary contiguous annexation.

WARD: If annexed, this property will be located in Ward 4 (Councilman Freeman).

ACREAGE: 29.277 acres

DEVELOPMENT POTENTIAL: The property is currently vacant and located within the City's Extra Territorial Jurisdiction (ETJ). The property is split zoned R-1 (+/- 25%) and R-2 (+/- 75%) Residential. Properties zoned R-1 can be utilized for one and two family housing at a density of 2 dwelling units per acre, while properties zoned R-2 can be utilized for single family housing at a density of 4 units per acre.

The owners of the property have received approval to construct a 99 lot single family residential subdivision, which is currently under construction. The subdivision is being constructed as a conservation subdivision with an overall density of 3.4 units per acre.

TAX VALUE: The current tax value of the property is \$145,800. If annexed, the vacant property would generate \$663.39 in additional tax revenues.

POPULATION INCREASES: The owners / developers are constructing a 99 lot residential community. When this development is completed, 234 additional residents could potentially be added to the City's population. This estimate is based upon the U.S. Census Bureau's residential household size estimate for single-family dwellings in the city, which is 2.35 persons per household.

SCHOOL DISTRICTS: The property is located within the jurisdictional area of the Catawba County Public School System, and located in the following school districts:

| School Type | School District | Student Multiplier Per Dwelling | Number of Potential or Existing Dwelling Units | Potential Additional Students |
|-------------|-----------------|---------------------------------|--|-------------------------------|
| Elementary | Blackburn | 0.27 | 99 | 27 |
| Middle | Jacobs Fork | 0.06 | 99 | 6 |
| High | Fred T. Foard | 0.11 | 99 | 11 |

**Note: The student multipliers above reflect estimates and are for single-family dwellings only.*

SURROUNDING ZONING AND LAND USE (See Maps 2 & 3):

- **North:** The properties are zoned R-2 Residential and occupied by single family homes.
- **South:** The properties are zoned R-1 Residential and occupied by single-family homes or wooded.
- **East:** The properties are zoned R-2 Residential and are wooded.
- **West:** The properties are zoned R-2 Residential and occupied by single-family homes (Windsong Village) or wooded.

UTILITY SERVICE: Water and sewer are available to serve the property, and are being extended and installed by the developer.

ACCESS: Access to the subject property is from Catawba Valley Blvd SE, which is maintained by the North Carolina Department of Transportation (SR 1170).

DISTANCE FROM CITY LIMITS (See Map 1): The property is contiguous to the proper city boundary along part of its western boundary.

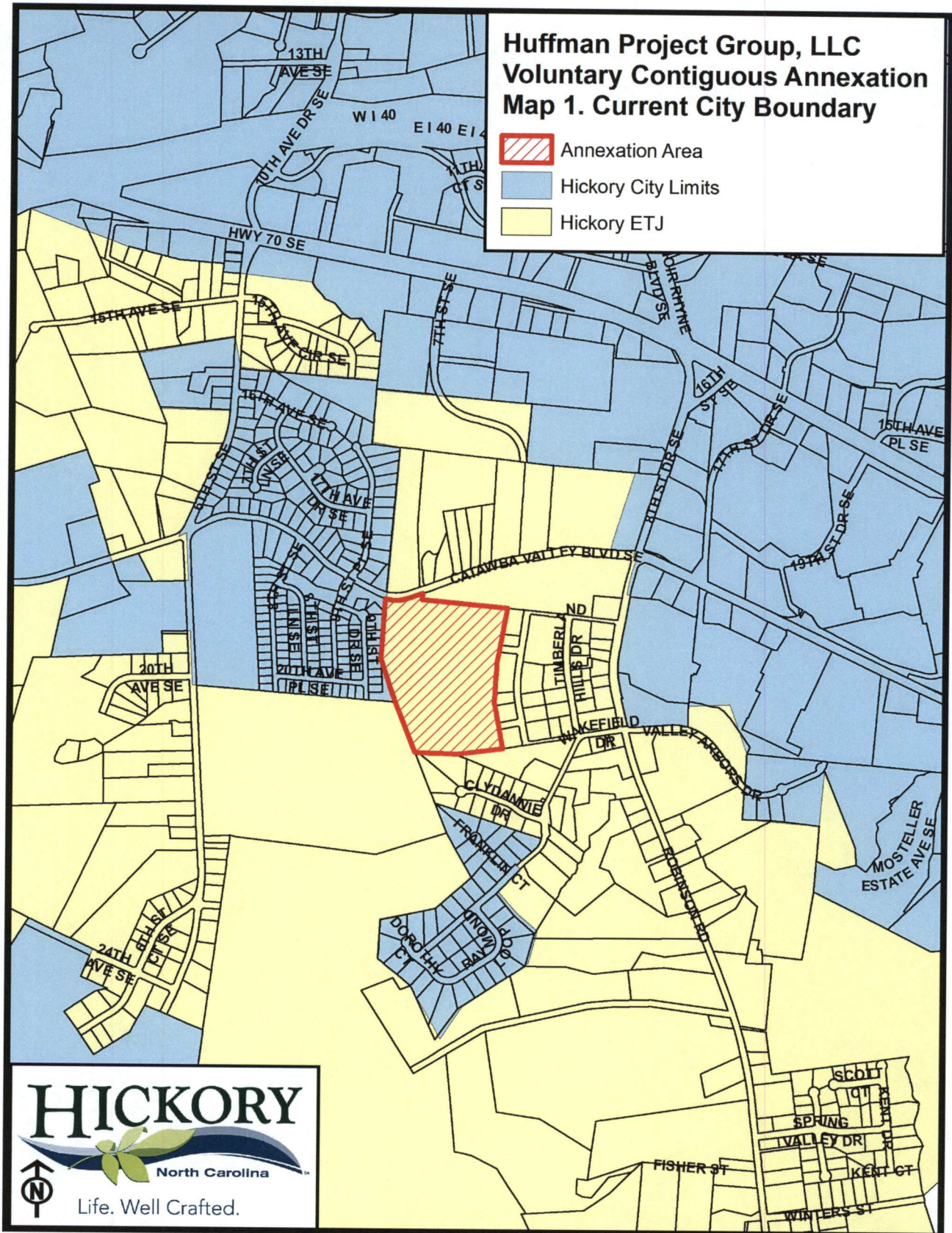
STAFF COMMENTS:

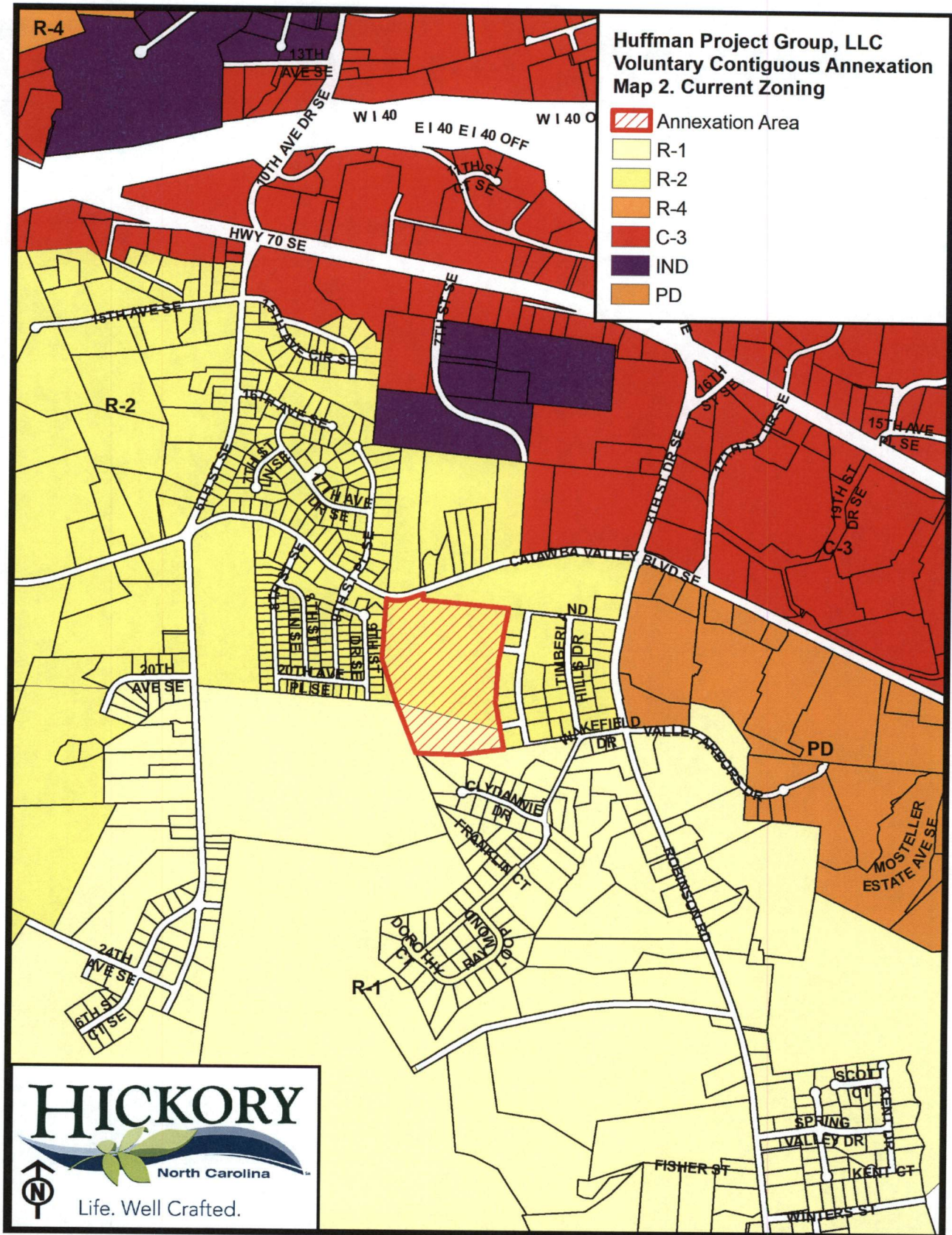
- **Fire:** Annexation of this property would not adversely affect the fire department's operations at this time. The property is currently adjacent to HFD Station 7's response area.
- **Police Department:** Annexation would not adversely affect the police department. The property, upon annexation, would be in Charles PACT.
- **Engineering:** No objections.
- **Planning:** No objections.
- **Public Services:** No objections.
- **Public Utilities:** Water and sewer are currently available to serve the property.
- **Legal:** No objections.
- **City Manager's Office:** No objections.

STAFF RECOMMENDATION: Upon evaluation staff has found the following:

1. The voluntary contiguous annexation petition complies with all applicable statutes regarding the voluntary annexation of contiguous properties.
2. Adequate public services are available in sufficient quantities to properly serve the property, subject to the comments provided above.
3. The annexation of the property will not cause available public services to fall below acceptable levels.

Based upon the findings provided above, staff recommends City Council approve the voluntary contiguous annexation petition.







RESOLUTION NO. 23-____
RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED
UNDER G.S. 160A-31 AND/OR 160A-58.1, AS AMENDED

WHEREAS, a petition from Huffman Project Group, LLC requesting annexation of an area described in a petition was received on October 5, 2023, by the City Council of the City of Hickory; and

WHEREAS, G.S. 160A-31 and G.S. 160A-58.1 provide that the sufficiency of the petition shall be investigated by the Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Hickory deems it advisable to proceed in response to this request for annexation.

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

THAT, the Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the City Council the result of her investigation.

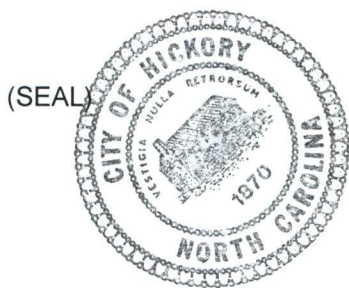
CERTIFICATE OF SUFFICIENCY


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

I, Debbie D. Miller, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31 and/or G.S. 160A-58.1, as amended:

Property of Huffman Project Group, LLC, containing 29.277-acres more or less, located on Catawba Valley Boulevard SE, and identified as PIN 3711-05-18-8157.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hickory this 5th day of October, 2023.





Debbie D. Miller, City Clerk

CITY OF HICKORY
APPLICATION FOR VOLUNTARY ANNEXATION

DATE SUBMITTED: 9/20/2023

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

I (We), the undersigned, do hereby respectfully make application and petition for voluntary annexation into the municipal limits of the City of Hickory, and have provided an annexation plat meeting the requirements of the City of Hickory

1. The property be voluntarily annexed is located on _____
between _____ and _____
and is shown in more detail on the attached survey.
PIN NO. (S): 371105188157
2. Physical (Street) Address: _____
3. The property is owned by: (please print) Huffman Project Group, LLC
(Attach a copy of the most recent deed.)
4. Owner Information:
Name: Huffman Project Group, LLC
Address: 1410 4th St Dr NW #103 Hickory, NC 28601
Phone Number: 828-417-3350
5. The petition is submitted by: Mark Hingson - Manager Member
Agent Information:
Name: _____
Address: _____
Phone Number: _____
4. If annexation is approved by the Hickory City Council, and if the property(s) is not currently zoned by the City of Hickory, the applicant would request that the property be placed into a _____ zoning district.

5. WATER AND SEWER AVAILABILITY AND CONNECTIONS

We, the undersigned property owner(s), hereby understand and agree we shall be responsible for all costs associated with providing for extensions and/or connections to the City of Hickory public utility system (water and sewer). This includes all design, permitting, construction, legal and applicable City of Hickory Tap Fees. Furthermore, we shall be responsible for obtaining any and all necessary easements and encroachment agreements needed to provide for such extensions or connections and provide those to the City of Hickory as appropriate.

The undersigned owner further acknowledges, they shall be responsible for any future utility extensions required to serve the property due to subdivision of the property.

6. OWNER'S AFFIDAVIT

We, the undersigned property owners(s), hereby certify that the information contained herein and submitted in support of this application is true and correct.

Douglas Brian Huffman
Printed Name of Property Owner(s)

Douglas Brian Huffman
Signature of Property Owner(s)

1410 4th St. Dr. #102 Hickory, NC 28601
Address of Property Owner(s)

827-417-3350
Telephone Number of Property Owner(s)

(Please choose the appropriate notary block)

State of North Carolina – County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of this foregoing instrument for the purposes expressed herein. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____

Notary Public

State of North Carolina – County of Catawba

I, the undersigned Notary Public of the County and State aforesaid, certify that Douglas Brian Huffman personally came before me this day and acknowledged the he / ~~she~~ is the Manager Member of Huffman Project Group, LLC corporation / limited liability corporation / ~~general partnership~~ / ~~limited partnership~~ (strike through the inapplicable), and that by authority duly given and as the act of such entity he / ~~she~~ signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 19th day of September, 20 23.

My Commission Expires: 10-02-2024



Christy A. Heafner
Notary Public

5. WATER AND SEWER AVAILABILITY AND CONNECTIONS

We, the undersigned property owner(s), hereby understand and agree we shall be responsible for all costs associated with providing for extensions and/or connections to the City of Hickory public utility system (water and sewer). This includes all design, permitting, construction, legal and applicable City of Hickory Tap Fees. Furthermore, we shall be responsible for obtaining any and all necessary easements and encroachment agreements needed to provide for such extensions or connections and provide those to the City of Hickory as appropriate.

The undersigned owner further acknowledges, they shall be responsible for any future utility extensions required to serve the property due to subdivision of the property.

6. OWNER'S AFFIDAVIT

We, the undersigned property owners(s), hereby certify that the information contained herein and submitted in support of this application is true and correct.

Mark Hinson
Printed Name of Property Owner(s)

MHA
Signature of Property Owner(s)

1400 4th St. Dr. #102, Hickory, NC 28601
Address of Property Owner(s)

828-417-3350
Telephone Number of Property Owner(s)

(Please choose the appropriate notary block)

State of North Carolina – County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of this foregoing instrument for the purposes expressed herein. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____

Notary Public

State of North Carolina – County of Catawba

I, the undersigned Notary Public of the County and State aforesaid, certify that Mark Hinson personally came before me this day and acknowledged the he / she is the Manager Member of Huffman Project Group, LLC corporation / limited liability corporation / general partnership / limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity he / she signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 19th day of September, 2023.

My Commission Expires: 10-02-2024



Christy A. Heafner
Notary Public



LIMITED LIABILITY COMPANY ANNUAL REPORT

1/6/2022

NAME OF LIMITED LIABILITY COMPANY: Huffman Project Group, LLCSECRETARY OF STATE ID NUMBER: 2298496 STATE OF FORMATION: NCREPORT FOR THE CALENDAR YEAR: 2022

Filing Office Use Only
E - Filed Annual Report
2298496
CA202308203044
3/23/2023 01:45

☐ Changes

SECTION A: REGISTERED AGENT'S INFORMATION

1. NAME OF REGISTERED AGENT: Taylor, Terry M

2. SIGNATURE OF THE NEW REGISTERED AGENT: _____

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS

858 2nd Street NE Suite 200858 2nd Street NE Suite 200Hickory, NC 28601 Catawba CountyHickory, NC 28601

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: Real Estate Development2. PRINCIPAL OFFICE PHONE NUMBER: (828) 417-33503. PRINCIPAL OFFICE EMAIL: Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS

5. PRINCIPAL OFFICE MAILING ADDRESS

1410 4th Street Drive NW, Ste 1021410 4th Street Drive NW, Ste 102Hickory, NC 28601Hickory, NC 28601

6. Select one of the following if applicable. (Optional see instructions)

☐

The company is a veteran-owned small business

☐

The company is a service-disabled veteran-owned small business

SECTION C: COMPANY OFFICIALS (Enter additional company officials in Section E.)

NAME: Douglas B HuffmanNAME: Mark Hingson

NAME: _____

TITLE: ManagerTITLE: Manager

TITLE: _____

ADDRESS: _____

ADDRESS: _____

ADDRESS: _____

1410 4th Street Drive NW, STE 1021410 4th Street Drive NW, STE 102Hickory, NC 28601Hickory, NC 28601

SECTION D: CERTIFICATION OF ANNUAL REPORT. Section D must be completed in its entirety by a person/business entity.

Mark Hingson3/23/2023

SIGNATURE

DATE

Form must be signed by a Company Official listed under Section C of This form.

Mark HingsonManager

Print or Type Name of Company Official

Print or Type Title of Company Official

This Annual Report has been filed electronically.

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525

3765-0492

FILED Catawba County

on Aug 25, 2022 at 12:34:00 pm

Excise Tax \$3000.00 (MG)

INST. # 18818

DONNA HICKS SPENCER,
Register of Deeds

Ek 03765 Pg 0492-0497

V(HB) Virginia Coffey

SPECIAL WARRANTY DEED

Excise Tax: \$ 3,000.00

Tax Parcel ID No. 3711-05-18-8157

Verified by _____ County

on the ____ day of _____, 20 ____ By: _____

Mail/Box to: Terry M. Taylor; Young, Morphis, Bach & Taylor, L.L.P., P.O. Drawer 2428, Hickory, NC 28603

This instrument was prepared by: Terry M. Taylor; Young, Morphis, Bach & Taylor, L.L.P.
P.O. Drawer 2428, Hickory, NC 28603

Brief description for the Index: _____

THIS DEED, made this the 25 day of August, 2022, by and between**GRANTOR: CYNTHIA HUFFMAN ROSE, a 25% undivided interest, and husband, ALVIN WESLEY ROSE, JR. (Relinquishing his Marital Rights) and DBH LAND DEVELOPMENT, LLC, a North Carolina limited liability company a 75% undivided interest**
whose mailing address is 208 Springs Rd., NE, Hickory, NC 28601
(herein referred to collectively as Grantor) and**GRANTEE: HUFFMAN PROJECT GROUP, LLC, a North Carolina limited liability company**
whose mailing address is 1410 4th St. DE, NW, Suite 102, Hickory, NC 28601
(herein referred to as Grantee).*[Include mailing address for each Grantor and Grantee; marital status of each individual Grantor and Grantee; and type of entity, e.g., corporation, limited liability company, for each non-individual Grantor and Grantee.]*

WITNESSETH:

For valuable consideration from Grantee to Grantor, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby gives, grants, bargains, sells and conveys unto Grantee in fee simple, subject to the Exceptions and Reservations hereinafter provided, if any, the following described property located in the Township of Hickory, County of Catawba, State of North Carolina, more particularly described as follows:

See Exhibit A

Prepared by Young, Morphis, Bach & Taylor, L.L.P. The attorneys who prepared this instrument, have not performed a title examination of the subject realty and therefore make no opinion or warranty as to the quality of title, nor have said attorneys participated in any real estate closing involving this instrument. The parties to this instrument agree they have reviewed, understand and agree to the terms of this instrument, and that the attorney/client relationship between the client(s) ordering and paying for this instrument and attorneys preparing this instrument is strictly limited to the instrument's preparation.

Said property having been previously conveyed to Grantor by instrument recorded in Book _____, Page _____, and being reflected on plat(s) recorded in Plat Book _____, Page _____, Catawba County Registry.

269134.1

u

3765-0493

All or a portion of the property herein conveyed ____ includes or X does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD unto Grantee, together with all privileges and appurtenances thereunto belonging, in fee simple, subject to the Exceptions and Reservations hereinafter and hereinabove provided, if any.

And Grantor hereby warrants that Grantor has done nothing to impair the title as received by Grantor and that Grantor will forever warrant and defend the title against the lawful claims of all persons claiming by, through or under Grantor.

This conveyance is made subject to the following Exceptions and Reservations:

1. This conveyance is made subject to restrictive covenants and encumbrances of record, and to any and all easements and rights-of-way located on the above-described property heretofore granted or existing in favor of any individuals, corporations, public or private associations of individuals, public utilities, and governmental agents, commissions or departments for the purpose of constructing, erecting, laying, building or maintaining any streets, roads, highways, signs, service alleys, power lines or poles, gas lines, water lines, lines for pipes or sewer lines and any and all other similar or related public or private utility service facilities or otherwise.
2. Matters of Survey.
3. 2022 Ad Valorem Taxes.

All references to Grantor and Grantee as used herein shall include the parties as well as their heirs, successors and assigns, and shall include the singular, plural, masculine, feminine or neuter as required by context.

[Signature and Notarial Acknowledgments Appear on the Following Pages]

WEB

269134.1

3765-0494

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

0494

Cynthia Huffman Rose (SEAL)
Cynthia Huffman Rose

State of North Carolina
County of Catawba

I certify that the following person personally appeared before me this day, each
acknowledging to me that she signed the foregoing document:

Cynthia Huffman Rose

Date: 8/25/2022

My Commission Expires:

3/10/2023

Sherry A. Hollar
Sherry A. Hollar Notary Public
Notary's Printed or Typed Name

(Official/Notarial Seal)



WEB

269134.1

3765-0495

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

 0495
Alvin Wesley Rose, Jr. (SEAL)

State of North Carolina
County of Catawba

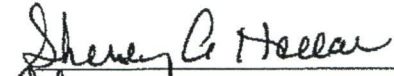
I certify that the following person personally appeared before me this day, each acknowledging to me that she signed the foregoing document:

Alvin Wesley Rose, Jr.

Date: 8/25/22

My Commission Expires:

3/10/2023


Sherry A. Hollar Notary Public
Notary's Printed or Typed Name

(Official/Notarial Seal)



WEB

269134.1

3765-0496

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

DBH LAND DEVELOPMENT, LLC

By: *Douglas B. Huffman*
Douglas B. Huffman, Member/Manager

0496

State of North Carolina
County of Catawba

I certify that the following person personally appeared before me this day, each acknowledging to me that he signed the foregoing document in the capacity indicated on behalf of the company:

Douglas B. Huffman, Member/Manager

Date: 8/25/22*Sherry A. Hollar*
Sherry A. Hollar Notary Public
Notary's Printed or Typed Name

My Commission Expires:

3/10/2023

(Official/Notarial Seal)



WEB

269134.1

3765-0497

EXHIBIT A

0497

Being all of Catawba County PIN No. 3711-05-18-8157.

BEGINNING at an existing 1" pipe, said existing 1" pipe being the southwestern corner of Barbara Ann Bolton (2033/467) located in the northern property line of Tracy Shrum (3054/1879); thence from said existing 1" pipe and with the northern property line of Tracy Shrum the following two (2) calls and distances: (1) S79°07'15"W 298.98 feet to an existing tack in stump and (2) S89°04'10"W passing through an existing 1/2" rebar at a distance of 150.34 feet, a total distance of 197.09 feet to a nail set in stump; thence with the northern property line of Ralph Edward Shrum (1577/601), N88°36'44"W 300.44 feet to an existing stone; thence with the eastern property line of Nancy Frye Seagle (92-E-366 and 344/236), N18°58'16"W 481.91 feet to an existing 1" angle iron; thence with the eastern property line of Windsong Property Owners, Inc. (2676/430), N19°00'03"W 399.68 feet to an existing 1/2" rebar; thence with the eastern property lines of Byron Perez (2590/009), Ich Chan Chiem (3286/1893), Philip Taylor Dellinger (2590/53), Michael Colin McFadden (3474/1149), Brian M. Miller (3463/281), Community Link Home Ownership, LLC (3545/721), and Windsong Property Owners, Inc. (2449/1833), N03°39'36"E 508.52 feet to an existing 1" pipe; thence continuing with the eastern property line of Windsong Property Owners, Inc., N03°34'04"E 54.69 feet to a mag nail set in Catawba Valley Boulevard SE, said mag nail set being located S76°05'34"W 63.88 feet from a fire hydrant located on the north side of Catawba Valley Boulevard SE, said mag nail set also being located S03°34'04"W 27.60 feet from an existing 1/2" rebar on the north side of Catawba Valley Boulevard SE; thence with Catawba Valley Boulevard SE the following five (5) calls and distances: (1) S83°15'20"E 57.30 feet to a mag nail set, (2) N86°51'36"E 68.87 feet to a mag nail set, (3) N87°28'12"E 31.37 feet to a mag nail set, (4) N78°38'54"E 106.35 feet to a mag nail set, and (5) N69°57'04"E 71.25 feet to a mag nail set; thence leaving Catawba Valley Boulevard SE and with the western property line of Benjamin Moser Yoder, Jr. (1841/1006), S03°44'55"W 83.60 feet to an existing 1" pipe; thence with the southern property line of Benjamin Moser Yoder, Jr., S84°40'05"E 755.61 feet to an existing 7/8" pipe; thence with the western property lines of Barbara Jean C. Kite (1618/557) and Barbara Ann Bolton (2033/467), S10°32'41"W passing through an existing 1" pipe at a distance of 220.83 feet, a total distance of 320.75 feet to an existing 1" pipe; thence with the western margin of a 60' right-of-way (undeveloped street) and the western property line of Dorothy Lois Spark Pyatt (713/513), S10°24'13"W 168.31 feet to an existing 7/8" pipe; thence with the western property lines of Dorothy Lois Spark Pyatt and Donald L. Orders (854/153), S03°31'31"W 345.58 feet to an existing 5/8" rebar; thence with the western property lines of Donald L. Orders and Douglas K. Holbrook (2996/244), S10°44'01"E passing through an existing 1/2" rebar at a distance of 24.86 feet, a total distance of 174.93 feet to an existing 5/8" rebar; thence with the western margin of a 60' right-of-way (undeveloped street), S10°34'17"E 60.06 feet to an existing 5/8" rebar; thence with the western property line of Barbara Ann Bolton (2033/467), S10°43'55"E 179.96 feet to the point and place of BEGINNING, containing 29.277 acres according to survey of Derek R. Banton, Professional Land Surveyor, for Huffman Project Group, LLC, dated September 22, 2021.

269134.1

RESOLUTION 23-____
RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION,
PURSUANT TO G.S. 160A-31 OR G.S. 160A-58.1, AS AMENDED

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

WHEREAS, the City Council of the City of Hickory has, by Resolution, directed the clerk to investigate the sufficiency thereof; and

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

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

Section 1: That a public hearing on the question of annexation of the area described herein will be held at 6:00 p.m. on November 7, 2023, in the Council Chambers of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.

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

Property of Huffman Project Group, LLC, containing 29.277-acres more or less, located on Catawba Valley Boulevard SE, and identified as PIN 3711-05-18-8157.

Section 3: Notice of said public hearing shall be published in *The Hickory Daily Record*, a newspaper having general circulation in the City of Hickory, at least ten (10) days prior to the date of said public hearing.

Hank Guess
Mayor

Warren Wood, City Manager

Approved As To Form:

Deputy City Attorney for the City of Hickory

RESOLUTION NO. 23-__

A RESOLUTION DETERMINING THE INTENT TO ANNEX INTO THE CORPORATE LIMITS OF THE CITY OF HICKORY CERTAIN PROPERTY OWNED BY HUFFMAN PROJECT GROUP, LLC AND CALLING FOR A PUBLIC HEARING ON THE SAME

WHEREAS, Huffman Project Group, LLC are the owners of certain real property as described herein, which property is located on Catawba Valley Boulevard SE, and identified as PIN 3711-05-18-8157, containing 29.277-acres more or less; and

WHEREAS, such property is currently located in the City's extra-territorial jurisdictional (ETJ); and

WHEREAS, it is in the best interest of the health, safety, and well-being of the residents of the City of Hickory to annex such property into the corporate limits of the City of Hickory as authorized by N.C.G.S. Section 160A-31; and

NOW, THEREFORE BE IT RESOLVED by the Hickory City Council, sitting in open session this 17th day of October, 2023, at a regularly scheduled meeting of the governing body of said Council, duly called and posted in accordance with the statutes of the State of North Carolina, as follows:

Section 1: That the Hickory City Council does determine that it is in the best interest of the health, safety, and well-being of the residents of the City of Hickory to annex the property described hereinafter into the corporate limits of the City of Hickory.

Section 2: That a public hearing on the question of annexation of the area described herein will be held at 6:00 p.m. on November 7, 2023, in the Council Chambers of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.

Section 3: The same being that property reflected on map entitled Huffman Project Group, LLC, Voluntary Contiguous Annexation Map 1 Current City Boundary, subject property outlined in red; Huffman Project Group, LLC, Voluntary Contiguous Annexation Map 2, Current Zoning, subject property outlined in red; Huffman Project Group, LLC, Map 3, Aerial Photography, subject property outlined in red.

Resolution No. 23-__

Resolution Determining Need For Annexation Of Property Owned by
Huffman Project Group, LLC and Directing Call For Public Hearing
October 2023

Section 4: Notice of said public hearing shall be published in *The Hickory Daily Record*, a newspaper having general circulation in the City of Hickory, at least ten (10) days prior to the date of said public hearing.

Done this 17th day of October, 2023.

(SEAL)

THE CITY OF HICKORY, A
North Carolina Municipal Corporation

Attest:

By: _____
Hank Guess, Mayor

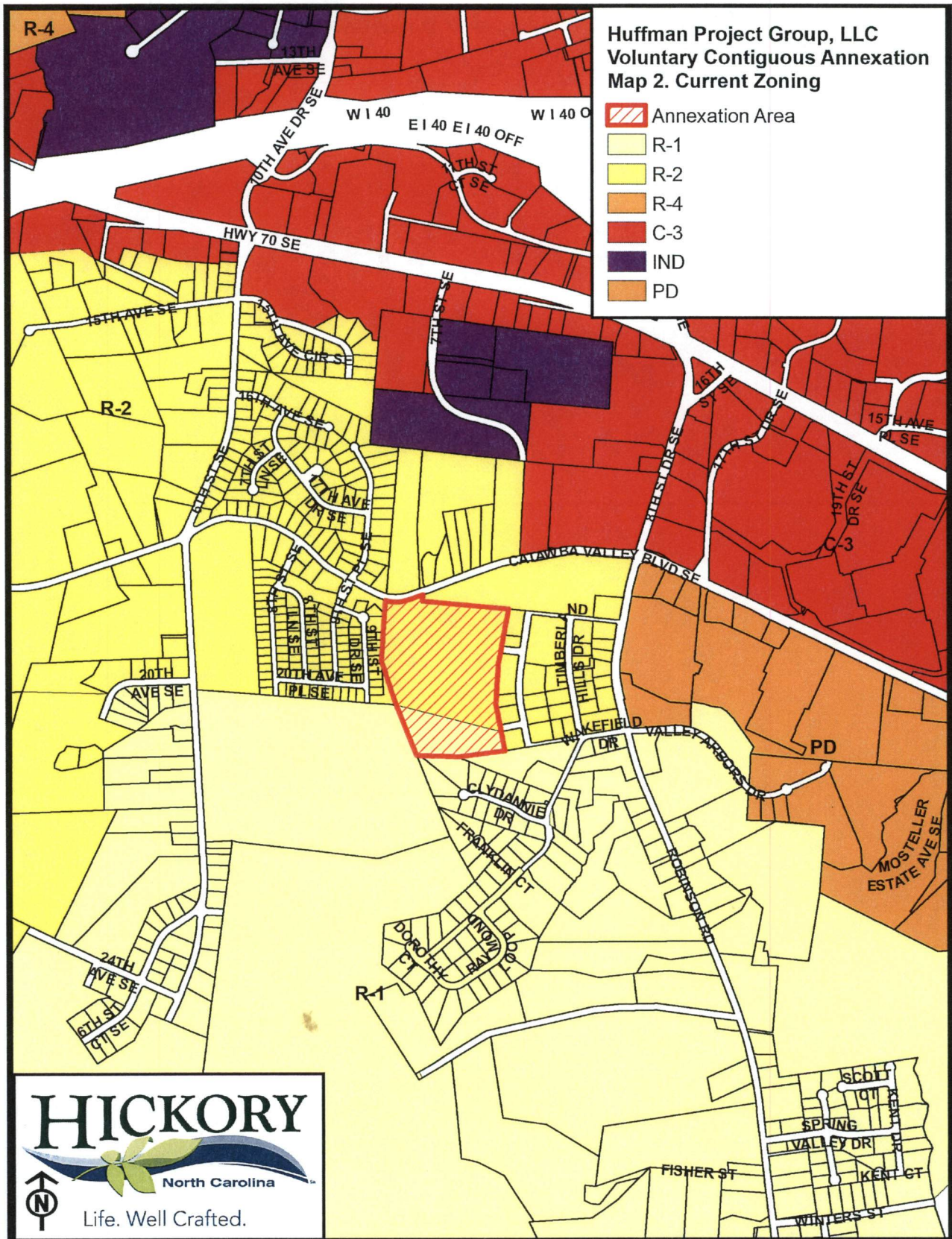
Debbie D. Miller, City Clerk

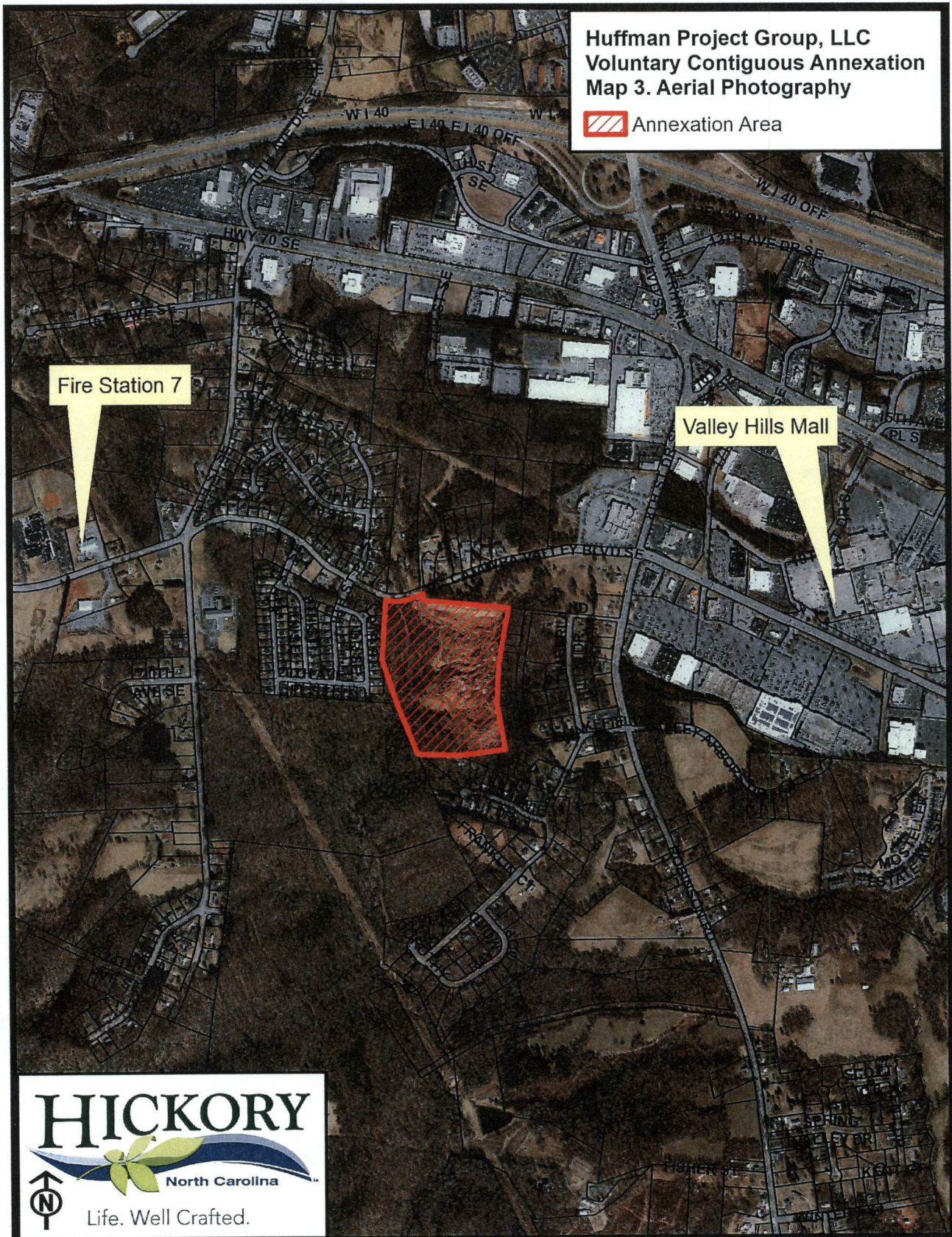
Approved as to form on behalf of the City of Hickory:



Arnita Dula, Deputy City Attorney

Resolution No. 23-____
Resolution Determining Need For Annexation Of Property Owned by
Huffman Project Group, LLC and Directing Call For Public Hearing
October 2023





COUNCIL AGENDA MEMOS

To: City Manager's Office
From: Dave Leonetti, Business Services Manager
Contact Person: Dave Leonetti, Business Services Manager
Date: October 4, 2023
Re: Vacant Building Revitalization Performance Agreement for Hickory Industrial Properties, LLC

REQUEST

Approve Vacant Building Revitalization Performance Agreement for Hickory Industrial Properties, LLC.

BACKGROUND

City Council established the Vacant Building Revitalization and Demolition Grant program on September 16, 2008. The program provides forgivable loan funding up to \$20,000 for projects to renovate and rehabilitate vacant buildings within the Urban Revitalization Area and targeted industrial buildings in other areas of the city. Hickory Industrial Properties, LLC has applied for a Vacant Building Revitalization Grant in the amount of \$20,000 to assist in the renovation of the vacant building at 731 Main Ave. SW. The applicant plans to renovate the facility for high tech manufacturing.

ANALYSIS

The applicant plans to invest at least \$180,000 in real property improvements to rehabilitate the building. This makes the project eligible for a \$20,000 grant. The applicant plans to replace the HVAC equipment, roof, resurface the parking lot, and make interior improvements. No payments will be required on the loan provided that the building remains occupied for at least three years. The Business Development Committee reviewed the application and recommends approval.

RECOMMENDATION

Staff recommends that City Council approve the Vacant Building Performance Agreement with Hickory Industrial Properties, LLC.

BUDGET ANALYSIS:**Budgetary Action**

Is a Budget Amendment required?

Yes

☐

No

☒**LIST THE EXPENDITURE CODE:****010-5016-558-30-04****Reviewed by:**David Leonetti

Initiating Department Head

10/4/2023

Date

Deputy City Attorney, A. Dula

Date

Asst. City Manager Rodney Miller10/10/23

Date

Asst. City Manager, R. Beasley

Date

Finance Officer, Melissa Miller10/10/23

Date

Purchasing Manager

Date

Exe Asst City Manager Yaidee Fox10/16/23

Date

Recommended for approval and placement on _____ Council agenda (as
 Consent, Public Hearing, Informational, Department Report, etc).

City Manager, W. Wood10.12.23

Date

731 Fiber Optics Project
Vacan Building Revitalization Grant Request
Project Summary
9/15/2023

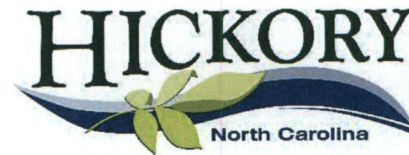
Summary

The proposed project is for the purchase of a manufacturing facility located at 731 Main Avenue SW, Hickory, NC. The building has recently been purchased by Hickory Industrial Properties, LLC. Hickory Industrial Properties plans to rehab the building and then lease it to Novate Systems, Inc., of Raleigh, NC.

The building rehab will total approximately \$180,000 and will bring the building to a white room level specification, designed for high tech manufacturing. A summary of the proposed building improvements is attached.

As soon as the building improvements to 731 Main Avenue SW are completed, Novate Systems plans to start producing fiber optic termination components that connect fiber optic cables and splitters. The process will involve cutting glass fiber to specific lengths, attaching connectors, and then assembling them into termination switches.

Novate proposes hiring fifteen manufacturing associates within the initial 12 months of the project, with a goal of expanding to fifty or more within 5 years. In addition, Novate Systems will invest approximately \$1,000,000 in equipment as part of the initial phase of the project.



Urban Revitalization Area Program Guidelines

The City of Hickory's Operation: No Vacancy initiative aims to redevelop distressed commercial and industrial areas. The changing nature of industrial and commercial development has led to disinvestment in certain areas of the city. This initiative provides infrastructure investments and targeted development incentives to encourage redevelopment and reinvestment for the purpose of preserving older neighborhoods and properties.

Four programs, which are considered Community Development Programs under NCGS §160A-456, represent the core of the initiative. These programs include the Vacant Building Revitalization Program, the Vacant Building Demolition Program, the Residential Production Program, and the Fire Suppression Program. These vacant building revitalization, residential production, and fire suppression programs encourage redevelopment within the Urban Revitalization Area by assisting property owners in making improvements that will result in the occupancy and rehabilitation of buildings and sites. The demolition program aims to encourage the redevelopment of sites with substandard buildings and reduce blight.

Purpose of the Program

- a. Encourage the formation of public/private partnerships for revitalization efforts.
- b. Attract reinvestment in distressed commercial and industrial corridors;
- c. Encourage projects that will help reduce blight in the Urban Revitalization Area.
- d. Encourage new and existing businesses to locate in substandard and functionally obsolete vacant buildings;
- e. Beautify, upgrade, and market, vacant properties in the Urban Revitalization Area;
- f. Stimulate residential development in the downtown area;
- g. Stimulate and encourage good design in the rehabilitation of vacant properties; and
- h. Preserve the unique character of historic properties.

Geographic Boundaries and Eligibility Requirements of the Program

Only vacant commercial and industrial buildings are eligible for the programs. Eligible buildings must be located within designated geographical areas as described below.

The City of Hickory has designated an Urban Revitalization Area (URA) within the city limits. (See attached map.) Buildings receiving funds through these programs must be located within the URA unless otherwise noted in these guidelines. High priority suspect brownfield sites along with former mill or industrial buildings located outside the URA may be considered eligible for the Vacant Building Revitalization and Demolition programs, if the Planning Manager finds that the redevelopment will contribute to the revitalization of the surrounding neighborhood. The Residential Production Program is only open to properties zoned C-1 within the Central Business District located within the URA.

Features of the Program

a. General Features

- Properties may be considered for funding in each of the following programs with certain exceptions.
 - Properties may not receive funding from both the revitalization and demolition programs.
 - Once a property receives funding from one of the four revitalization programs, it may not receive funding from that same revitalization program for a period of five years provided all additional eligibility requirements are met.
- Signage and business equipment expenses are not eligible for funding, with the exception that signage improvements that involve the removal of nonconforming signs may be eligible for funding under the Vacant Building Revitalization and Demolition Programs.

- Structure must be covered by a current insurance policy sufficient to cover the value of the structure plus improvements
- Suspect Brownfield sites and vacant manufacturing and warehouse buildings will be given priority.
- Since one of the purposes of the program is to upgrade the building stock and stabilize declining buildings, successful applications will likely involve buildings that have not been significantly renovated in the past 15 years.
- During the designated demolition and/or revitalization period, the affected property must remain in compliance with the Hickory Code of Ordinances and the Land Development Code.
- Applicants must submit a reuse plan which details the applicant's plans to market and reuse the property.
- All funding is awarded on a competitive basis, as appropriated funds are available within each fiscal year. Projects are reviewed and considered on a first come-first serve basis.
- There is no right or entitlement to funding. All funding decisions are made at the discretion of the Hickory City Council and are subject to budget appropriations.
- Funds are awarded on a reimbursement basis.
- Approvals for all programs must be secured before work begins on the proposed project. No funds will be paid for work done prior to approval of the forgivable loan or grant.

b. Vacant Building Revitalization Forgivable Loans

- One forgivable loan of up to \$20,000 or 15% of eligible projects costs (whichever is less) is available for interior and exterior real property improvements to vacant non-residential buildings between 5,000 and 15,000 square feet. Buildings larger than 15,000 square feet could be eligible to receive a forgivable loan of up to \$25,000 or 15% of project costs (whichever is less).
- Multi-unit office and retail spaces are not eligible unless the entire building is vacant. Proposed renovations must include the entire building.
- Buildings must be vacant for at least 12 months to qualify for funding.
- Applicants must invest at least \$35,000 in eligible project improvements to be eligible for funding. At least \$10,000 of the investment must include exterior improvements to the building.
- Projects must be for improvements to buildings and must respect the architectural integrity of the structure and its historic significance. Designated historic structures must comply with the city's historic preservation requirements.
- Examples of eligible improvements include, but are not limited to, the following list:
 - Window replacement
 - Repairs to the façade
 - Repairs to or replacement of the roof
 - HVAC, plumbing, and electrical systems
 - Interior up-fits
 - Improvements necessary to protect the structural integrity of the building
 - Door repairs or replacement
 - Awnings
 - Environmental site assessment and remediation
 - Site work, landscaping improvements, paving
- All activities must lead to the reuse of the vacant building within 24 months of the loan award.
- End users must be proposed for at least fifty percent of the building square footage. Existing businesses already located within the City of Hickory are not eligible for funding unless the Business Development Committee and City Council conclude that the relocation constitutes a significant expansion of the business. Changes to proposed end users outlined in the original application must be approved by City Council.

c. Vacant Building Demolition Grant Program

- Funds may be used for the demolition of substandard buildings, if approved by the Business Development Committee.
- Grants for demolition are available at a maximum of 35 percent of demolition and site restoration costs up to a maximum of \$15,000. The amount available for demolition grant will be at the discretion of the Business Development Committee and City Council based on whether or not demolition is in the city's best interest and the best interest of the surrounding area.
- Buildings must be at least 10,000 square feet to qualify for demolition funding.
- Buildings must be vacant for at least 12 months to qualify for funding.
- If plans are not submitted for a new structure on the site at the time of the application, the applicant then must submit a site restoration plan for the vacant lot to ensure that the site is adequately cleaned up and will not contribute to blight in the community.
- In cases where city funds are used for demolition and no building is being constructed, the approved site restoration plan must be completed before funds are disbursed.
- Upon inspection and completion of the approved site restoration plan, 100% of the funding award will be disbursed.
- The site plan for demolition must be completed within 180 days of the grant award unless otherwise approved by Council. City Council may in its sole discretion grant a longer time period based upon the complexity of the project.
- During the designated demolition and/or revitalization period, the affected property must remain in compliance with the all applicable sections of the Hickory Code of Ordinance, the Land Development Code, and current master plans.

d. Residential Production Program Forgivable Loans

- This program aims to increase the supply of residential units in the downtown area.
- Only properties zoned C-1 (Central Business District) are eligible for funding.
- Both new construction and rehabilitation of existing buildings are eligible for funding.
- For existing buildings, the entire building need not be vacant to qualify for funding. However, the portion of the building being proposed for rehabilitation into new housing units must have been vacant for at least six months and must not have been used for housing in the past.
- The maximum total funding per property for this program is \$20,000.
- Forgivable loans of \$5 per square foot up to a maximum of \$4,000 per unit to convert and renovate existing space into new housing units may be eligible for funding.
- Applicants must spend at least \$35 per square foot on the residential renovation portion of the project.
- Only costs related to the up-fit of the residential portion of the building are eligible for determining the \$35 square foot minimum investment.
- All activities must lead to the reuse of the building for residential purposes within 24 months of the loan award.

e. Fire Suppression Program Forgivable Loans

- This program aims to support the rehabilitation of existing buildings by providing funds to install code required fire protection infrastructure that facilitates the re-use of an existing building.
- Buildings must have been vacant for at least 12 months prior to the application to qualify for funding.
- Forgivable loans of up to \$8,000 or 50% of fire protection installation costs, whichever is less, may be awarded for the installation of code required fire protection infrastructure.
- Eligible expenses include: sprinkler and fire alarm system installation, fire hydrant installation, and other code required fire protection improvements approved by city staff.

- The total rehabilitation project must be at least \$100,000 in order to qualify for funding. Paid invoices must be provided to determine the total rehabilitation project cost. Only those funds spent on the installation of fire protection equipment will be eligible for re-imbursement.
- All activities must lead to the reuse of the building within 24 months of the loan award.

Funding Eligibility Exclusions

The following uses are not eligible for funding:

- One and Two Family Residential uses (Multi-family and mixed use residential and commercial projects may be considered). Note that existing multi-family complexes and residential structures are not eligible. The building must have been previously used for commercial or industrial purposes;
- Religious organizations for sectarian purposes;
- Not for profit organizations (non-profit organizations may lease buildings from for profit companies provided that the building stays on the property tax roll);
- Buildings not within the City of Hickory municipal limits;
- Individual K-12 schools (public or private);
- Organizations that discriminate on the basis of race, culture, gender, sexual orientation, age, or religion;
- Political activities;
- Adult businesses;
- General storage, which is defined as the haphazard storage of goods within a building, is not permitted as an eligible use. Warehouse operations may be permitted if the business creates at least one full time job based out of the redeveloped building.
- Civic Organizations.

Applicant Eligibility

Applicant must:

- Be the legal owner of the property (a copy of deed to the property is required);
- Furnish a current list of owners/partners and staff;
- Be financially stable and demonstrate the ability to carry out the project;
- Document the proposed financial investment in the project.
- Not owe any back taxes, utilities fees, liens, judgments, or other civil penalties;
- Not have any properties within city limits that are currently subjects of zoning or code enforcement actions.
- Not have started on the renovation or demolition of the building prior to application approval by City Council.

Review Criteria and Process

Staff will review all applications for assistance under these programs and make a recommendation to the Business Development Committee. When reviewing proposals, the Business Development Committee shall take the following into consideration:

- strength of the applicant's Reuse Plan
- impact to the tax base and the overall economic impact of the project
- number of jobs created by the project
- number of housing units created by the project
- whether the project can reasonably be expected to lead to a reduction in crime
- improvement to the overall appearance of the site, building, and business district
- how well the project accomplishes the goal of this program and the overall goals of Operation: No Vacancy
- whether the project meets the overall program requirements

- length of time the building has been vacant
- compliance with the Hickory Code of Ordinances, the Land Development Code, and current master plans
- whether the building is a suspect Brownfield site
- appropriateness of the proposed use and the compatibility of the design of the redeveloped building to the surrounding area
- whether the proposed project will help reduce blight in the surrounding area

The Business Development Committee, in light of the above factors, shall recommend approval of the application or deny the application. This decision shall not be appealable to City Council.

Project Funding Example

\$300,000 total investment in a mixed use 8,000 square foot building with 2 new residential units proposed for the second floor of the building.

\$20,000 vacant building revitalization forgivable loan (15% of \$300,000 with a maximum of \$20,000)

\$8,000 residential production grant (\$5 per square foot up to a max of \$4,000 per unit)

\$8,000 fire suppression grant (50% of sprinkler system installation costs up to a maximum of \$8,000)

\$36,000 potential total funding

Performance Agreement Required

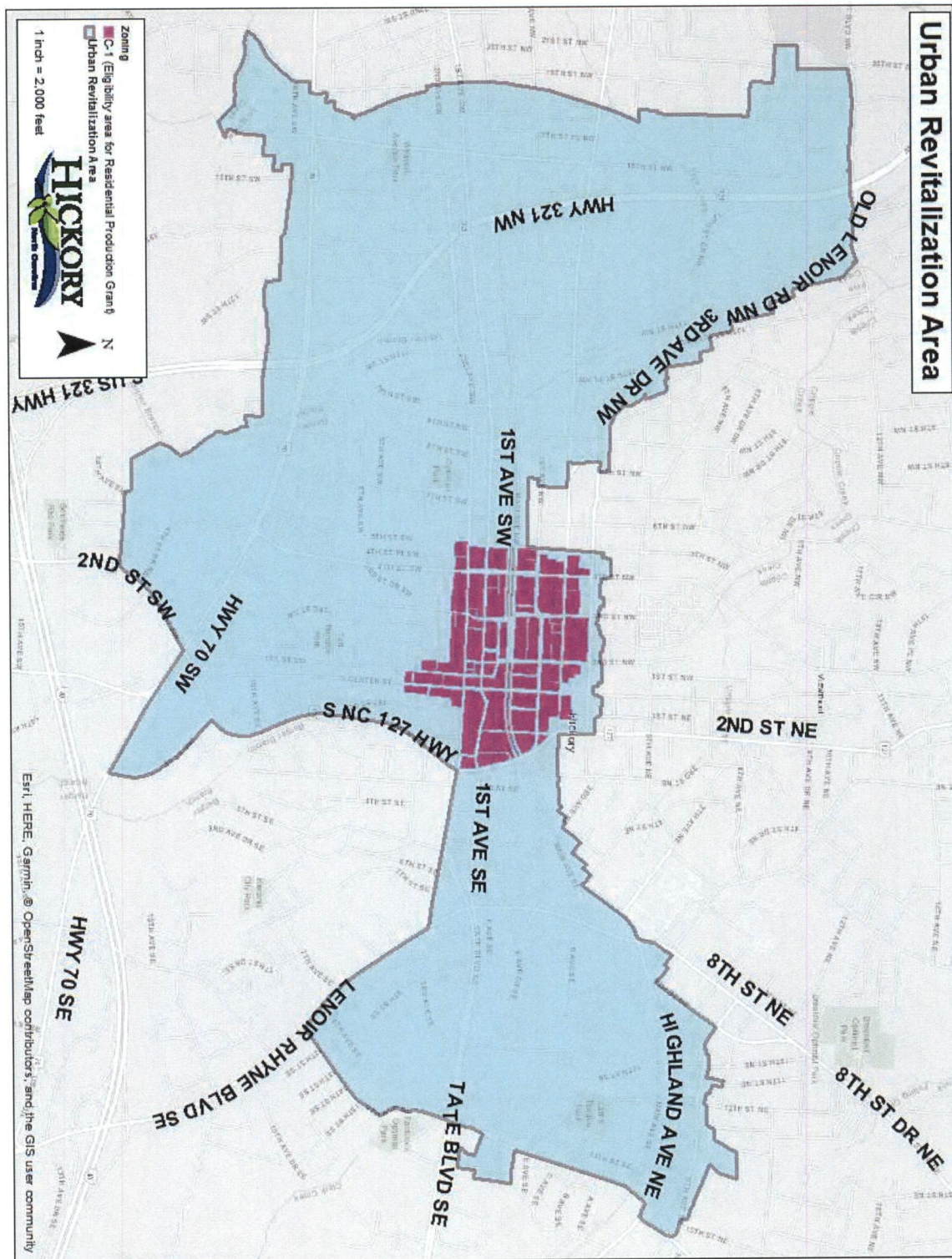
- Applicants approved for funding by City Council must enter into a performance agreement with the City.
- Funds disbursed are treated as a forgivable loan. The performance period will last 3 years from the date funds are disbursed. The loan amount will be forgiven after the performance period provided at least 50 percent of the building square footage remains continuously occupied by a use that is eligible for funding under these guidelines.
- A project will be considered in breach of the performance agreement if any of the following conditions are met:
 - More than 10 percent of the building is occupied by a use not eligible for funding.
 - More than 50 percent of the building square footage is vacant for more than 90 days.
 - Any of the funded improvements are removed within the performance period.
 - Any zoning or code enforcement violations on the subject property are not corrected within 90 days.
- 1/3 of the loan amount will be forgiven annually on the anniversary of the date on which the funds were disbursed. If all conditions of the performance agreement are met, the loan will be forgiven after three years.

Payment Schedule

Building Renovations (includes Revitalization, Residential Production, and Fire Suppression programs)

- Applicant will receive payment upon completion of improvements outlined in the original application, receipt of a permanent Certificate of Occupancy, and occupancy of at least 50 percent of the building square footage by a use that is eligible for funding. If project involves residential production, at least 50% of the units produced must be occupied prior to payment. For example: if three units are produced two must be occupied prior to payment. If two units are produced, one must be occupied prior to payment. If one unit is produced, it must be occupied prior to payment.

- During the designated revitalization period, the affected property must remain in compliance with the all applicable sections of the Hickory Code of Ordinances, the Land Development Code, and current master plans.



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VACANT BUILDING REVITALIZATION GRANT PROGRAM APPLICATION



Applications should be submitted to the Office of Business Development. For more information, please contact David Leonetti at (828) 323-7422.

APPLICANT INFORMATION

Legal Name of Applicant (must be the owner of the property): Hickory Industrial Properties LLC

Mailing Address: 731 Main Ave SW Street Address: 731 Main Ave SW

City: Hickory State: NC Zip: 28602

Telephone: 612-709-7580 E-Mail: peter@strataplast.com

Project Manager Name and Title (if different than above.): Peter Ploumidis

Project Manager Organization Name: Hickory Industrial Properties LLC
Peter Ploumidis - President

PROJECT INFORMATION

Amount Requested: \$ 20,000 Project Title: 731 Fiber Optics

Address of Building: 731 Main Ave SW Zoning of the Parcel: C2

Proposed Use: Fiber Optics Terminations for cables & switchgear.

Year Building was constructed: 1977 Length of Time Building has been Vacant: 12 months
14 months until infrast are made,

Square Footage of Building: 7,392

BUDGET INFORMATION

Total Cost of Renovation Project (excluding property acquisition): \$ 180,000

Total Eligible Project Expenses: \$ 180,000 Amount of Grant Request: \$ 20,000

Total Public Investment: \$ 0 Total Private Investment: \$ 180,000 Total
160,000 with Grant

REQUIRED ATTACHMENTS

All applications must include the following information:

- Completed application form
- A brief written description of the project
- Surveyed site plan indicating the location of all structures, landscaping, parking areas, and other features

- Building elevations of all sides of the building indicating proposed building materials and colors
- Schematic plans including floor plan indicating gross sq. ft. of residential space and sq. ft. protected by sprinkler system, if applicable.
- Detailed Cost Estimates and Scope of Work. A detailed Scope of Work that identifies the work tasks and associated costs should be provided in line-item form. Estimates/bids from at least two (2) contractors must be included for all proposed activities.
- Reuse plan indicating future plans for the property, funding partners, future tenants, etc.
- Site restoration plan, if funding is being used for demolition of a substandard building.
- Color photographs of the existing site or project area
- Current list of owners and occupants
- Copy of applicable insurance
- Copy of lease(s), if applicable

Property Owner Signature: 

(Must be Notarized)

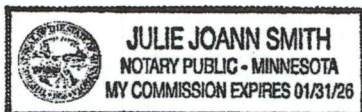
Minnesota
NORTH CAROLINA

Winona COUNTY

I, Julie J. Smith, a Notary Public for said County and State, do hereby certify that
Peter Ploumidis personally appeared before me this day and acknowledge the
due execution of the foregoing instrument.

Witness my hand and official seal, this the 15 day of September, 2023

Julie J. Smith
Notary Public
My Commission Expires: 1/31/2026



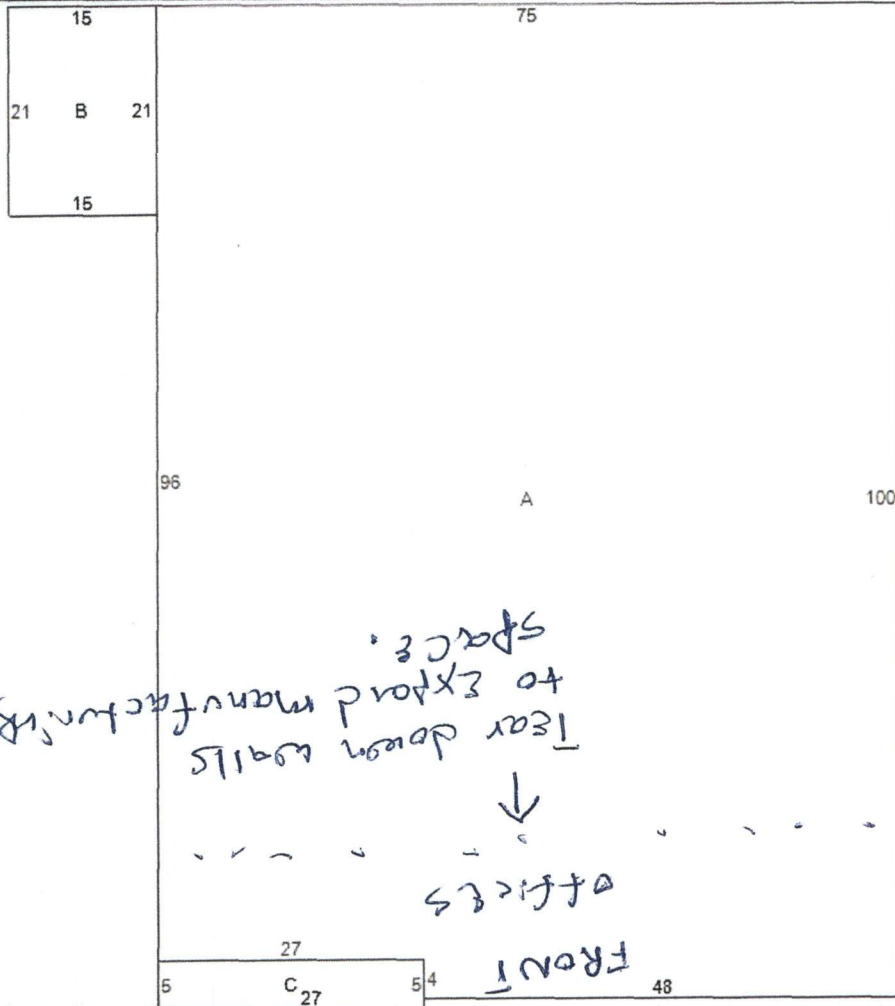
Hickory Industrial Properties, LLC**731 Fiber Optics Project**

731 Main Ave SW Building Improvement Summary

9/15/2023

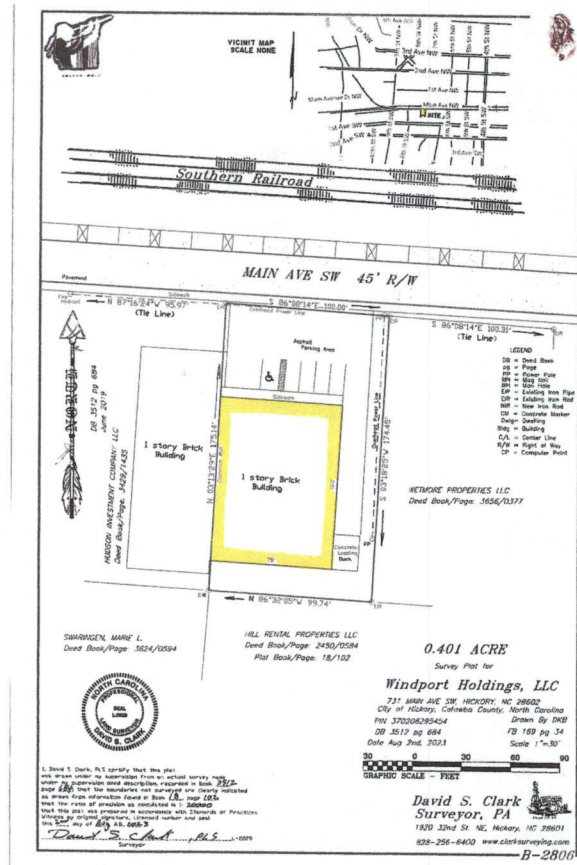
| <u>Proposed Building Improvements</u> | <u>\$</u> |
|---|---------------------------------|
| New Roof: | \$ 75,000 |
| NEW HVAC | \$ 45,000 |
| New Cutters | \$ 5,000 |
| Removal of Interior walls | \$ 20,000 |
| Painting | \$ 15,000 |
| Parking Lot Resurfacing | <u>\$ 20,000</u> |
| Total Proposed Building Improvements | <u><u>\$ 180,000</u></u> |

Exhibit A Page 13 of 26



| ID | Code | Description | Area |
|----|------|----------------------|-------|
| A | 45 | WAREHOUSE | 7392 |
| B | LD1 | LOAD DOCK ST OR CONC | 315 |
| C | RP1 | PORCH-OPEN | 135 |
| D | 85 | ENCLOSURE | 1480* |
| E | OD1 | OVERHEAD DR-WOOD/MTL | 0 |
| F | PA1C | PAVING-ASPHALT PARK | 6000* |

Exhibit A Page 14 of 26



SAM HOLDEN PROPOSAL FOR SERVICES

WINPORT HOLDINGS LLC

731 Main Ave SW

Hickory NC 28602

- Replacing existing 10 TON Trane unit/straight cooling with heating and cooling 10 TON Trane unit
- Replacing existing 4 TON Rheem unit with like unit
- Leaving existing ceiling mount gas unit untouched
- Factory warranty for 5 years
- 1 year labor warranty
- Wiring not included

Total Price: \$29,870.00

(Price good until Oct 1, 2023)

Signature and Date: _____

Signature and Date: _____

PROPOSAL



ADVANCED ROOFING CONCEPTS

3252 20th Ave. SE
 Newton, NC 28658
 (Office) 828.465.9955
 (Fax) 828.465.9992
 Email: eric@advroofingconcepts.com

| | | |
|-----|--|---------------|
| To: | Fax: | Date: 8/24/23 |
| | Job/Location: Roof Replacement 731 Main Ave SW Hickory NC | |

Scope of Work: Roof Total Replacement

- Remove and dispose of existing roof down to metal roof deck
- Remove and dispose of existing roof perimeter metal
- Remove and dispose of existing gutter and downspout
- Remove and replace damaged metal decking and wood blocking at unit pricing
- Provide and install (2) layers of 2.6" (R-30) polyiso insulation board
- Provide and mechanically attach .060 TPO roof membrane
- Provide and install base, wall, and roof penetration flashing
- Provide and install roof tie-in at existing roof drains
- Provide and install new perimeter metal, gutter and downspouts fabricated from 24-gauge prefinished metal
- Provide manufactures 20-year material warranty
- Provide ARC 5-year workmanship warranty

Scope of Work: Membrane Replacement

- Remove and dispose of existing roof membrane and flashing
- Remove and dispose of existing roof perimeter metal
- Remove and dispose of existing gutter and downspouts
- Remove and replace any damaged roof insulation at unit pricing
- Provide and install 1/2" separator board over existing roof insulation
- Provide and mechanically attach .060 TPO roof membrane
- Provide and install base, wall, and roof penetration flashing
- Provide and install roof tie-in at existing roof drains
- Provide and install new perimeter metal, gutter and downspouts fabricated from 24-gauge prefinished metal
- Provide manufactures 20-year material warranty
- Provide ARC 5-year workmanship warranty

Pricing Options:

- Total roof replacement (R-30) insulation: \$69,850.00
- Total roof replacement (R-15) insulation: \$58,450.00
- Roof membrane replacement \$41,800.00

WE PURPOSE hereby to furnish material and labor – complete in accordance with the above specifications, for the sum of:

See Above

Payment to be made as follows: Upon Completion

All material is guaranteed to be as specified. All work to be completed in a professional manner per standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary Insurance. Our workers are fully covered by Worker's Compensation Insurance.

Authorized Signature: Eric Fisher
Eric Fisher - President

Acceptance of Proposal – The above prices, specifications
And conditions are satisfactory and are hereby accepted. You
are authorized to do the work specified. Payment will be made
as outlined above.

Signature: _____



Phong Pham
 Novate Renovation
 731 Main Ave. SW
 Hickory, NC

RE: Novate Remodel

Dear Phong:

Thank you for allowing Omega Construction the opportunity to assist you with your construction needs. As requested, we have estimated budget pricing to remodel the interior of your building in Hickory per walkthrough on 09.12.23.

Scope of Work

Concrete:

- Demo masonry curb under storefront
- Demo brick walkway in between landscaping area
- Grade, level and prep for slab extension
- Vapor barrier, mesh, and dowel into existing slab on grade
- Pour concrete out to flush with building and provide a 6" curb for storefront to sit on.

Metals:

- New metal stairs for loading dock

Carpentry:

- New wood base to match interior of other rooms in conference rooms
- New 4x4 wood post at loading dock

Roofing:

- New roof installed on entire building per ARC Quote with R-30 insulation.
- New metal deck as described in ARC quote
- New flashing at RTU curbs may be adjusted due to HVAC size difference.

Doors / Windows:

- New panic hardware at back man door
- 2 – 3070 HM frames and solid core wood doors
- New 4x8 HM window frame for back demising wall
- Demo existing storefront and reinstall new storefront at new location on 6" concrete curb.
- Glass for 4x8 window in new demising wall

Finishes

1. Drywall
 - a. New 6" demising wall in warehouse area from floor to deck of approximate length of 73'-2"
 - b. Demo front exterior wall above storefront

September 25, 2023

Page 2 of 4

- c. Demo vinyl soffit under the canopy
 - d. Sheet rock over exposed brick in new buildout area
 - e. Frame new exterior wall and bulkhead in new location and prepped for storefront. And raise wall at interior wall at front conference room to newly exposed deck
 - f. Frame from floor to deck new room in warehouse for air compressor. 3-5/8" metal studs and 2" furring on exterior wall with insulation and drywall in entire room. Room to receive a hard ceiling with insulation on top of gyp.
 - g. New demising wall at entrance to create a corridor/ conference room on other side (to deck)
2. Ceilings
- a. Demo tile and grid in front conference area
3. Resilient Flooring
- a. Demo carpet and grind/ seal concrete below in all carpeted rooms
4. Epoxy Floor
- a. Prep warehouse floor
 - b. Clear epoxy floor over existing VCT tiles with SharkBite grit added to resin.
5. Paint
- a. Sand blast & repaint entire joist and deck after deck repairs are made
 - b. Paint new conference room
 - c. Repaint all interior exposed brick walls in warehouse
 - d. Paint new wood doors
 - e. Paint new metal stairs at loading dock
 - f. Paint new joist and deck at front conference room black

Specialties:

- Fix existing/new loading dock bumpers
- New corner guards on drywall corners in warehouse
- New bollards on exterior by roll up doors

Plumbing:

- New food grade compressed air lines ran from air compressor room (50 outlets at 90PSI each)
- New electric air compressor installed in warehouse
- We have included a 45K allowance for this work

HVAC

- 2 new HVAC units to replace existing and meet new CFM requirements per Sam Holden Quote
- Assumption:
 - minimal duct work to get air movement on other side of new demising wall, plenum return, and open supply like exiting on main warehouse side. Other unit to supply the offices and interior rooms
- This excludes any hepa filter requirements

Electrical

- Install (15) 120V drops
- Disconnect and reconnect of HVAC units that are to be replaced
- Provide power for new electrical air compressor

September 25, 2023
Page 3 of 4

- Provide new outlets for front conference room
- Remove existing lay in lights at front conference room and replace with hung LED office lights
- Replace emergency lights to bring to code

General Conditions/ Supervision:

- Supervision of the renovation noted above is included.
- Clean Up, Dumpsters, and Disposal is included.
- Job and Material Protection is included.
- We have included a \$20,000 allowance for engineering/ architectural fees.

Clarifications:

- Work priced during normal day time hours.
- Any changes and/or additions in scope of work or schedule extensions outside of Omega Construction's control are subject to overhead/gen conditions cost (i.e. pm time, insurances, office overhead), necessary time adjustments (if applicable), plus 10% fee.

Exclusions:

- Payment and Performance Bonds
- Exclude any liquidated or consequential damages
- Builder's risk and deductible by owner
- Removal, disposal or testing of hazardous materials
- Removal and Relocation of existing items
- Overtime hours excluded
- Rework of any existing materials that do not meet current building or fire codes or unforeseen
- Rework of any soffit below as all work is planned to take place from above.
- Any item scope not noted above.

Proposal Budget Pricing

Base Bid Repair:

We propose to complete all work as described above in the scope of work for a lump sum budget price of:
(\$599,500.00) **Five Hundred Ninety Nine Thousand Five Hundred Dollars**

See following page for detailed breakdown.



Sincerely,
Omega Construction, INC

Kendall Kruse

Kendall Kruse
Assistant Project Manager

September 25, 2023
Page 4 of 4

| <u>Scope</u> | <u>Cost</u> | |
|------------------------------|-------------------------|---|
| General Conditions | \$79,069 | |
| Architectural/ Engineering | \$20,000 | |
| Concrete | \$8,750 | |
| Metals | \$19,600 | * |
| Carpentry/ Sealants/ Misc. | \$8,500 | * |
| Roofing – ARC | \$176,300 | |
| Doors/ Windows | \$32,317 | |
| Drywall/ Studs | \$29,600 | * |
| Carpet Demo/ Concrete Sealer | \$5,500 | * |
| Epoxy Flooring | \$19,600 | * |
| Painting | \$25,989 | * |
| Plumbing (Allowance) | \$45,000 | |
| HVAC – Sam Holden | \$30,625 | |
| Electrical | \$36,500 | |
| Demolition | \$7,650 | * |
| <u>Sub Total</u> | <u>\$545,000</u> | |
| Overhead/ Profit | \$54,500 | |
| <u>Grand Total</u> | <u>\$599,500</u> | |

* Envisioned in the original Grant Request Budget.
\$116,439



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/4/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | |
|---|---|
| PRODUCER Arthur J Gallagher Risk Management Services, LLC 3600 American Boulevard W, Ste 500 Bloomington MN 55431 | CONTACT NAME: Ruth Barten PHONE (A/C, No, Ext): 952-358-7547 FAX (A/C, No): 952-358-7501 E-MAIL: ruth_barten@ajg.com ADDRESS: |
| INSURED Win-Cloud Holdings, LLC, Winport Holdings LLC PO Box 67 Rice MN 56367 | License#: BR-724491 WINCHOL-02 |

| INSURER(S) AFFORDING COVERAGE | NAIC # |
|---|--------|
| INSURER A : Ohio Security Insurance Company | 24082 |
| INSURER B : Ohio Casualty Insurance Company | 24074 |
| INSURER C : | |
| INSURER D : | |
| INSURER E : | |
| INSURER F : | |

COVERAGES**CERTIFICATE NUMBER:** 216038226**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|--|-----------|----------|---------------|-------------------------|-------------------------|--|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER: | | | BKS2357600965 | 11/12/2022 | 11/12/2023 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$ |
| A | <input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY | | | BAS2357600965 | 11/12/2022 | 11/12/2023 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ |
| B | <input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 0 <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE | | | USO2357600965 | 11/12/2022 | 11/12/2023 | EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | | | | | | PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 RE: Renovation Grant at 731 Main Avenue; Hickory, NC

CERTIFICATE HOLDER**CANCELLATION**

City of Hickory
 PO Box 398
 Hickory NC 28603

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

3831-0524

Exhibit VIII.C
 FILED ELECTRONICALLY
 CATAWBA COUNTY NC
 DONNA HICKS SPENCER

FILED Sep 13, 2023
 AT 01:02:00 PM
 BOOK 03831
 START PAGE 0524
 END PAGE 0526
 INSTRUMENT # 16271
 EXCISE TAX \$1,060.00

NORTH CAROLINA GENERAL WARRANTY DEED

EXCISE TAX \$1060.00

Parcel Identifier No. 370206295454 LRK (REID) 18350
 Verified by _____ County on the ____ day of _____, by _____

****This instrument prepared by a licensed attorney, delinquent taxes, if any to be paid at closing****

This instrument was prepared by: **Raven M. Barron, Attorney**
 Mail after recording to: **Raven M. Barron, PLLC, 200 Union Square NW, Hickory, NC 28601**

Brief Description for the index

Does property include the Primary Residence of Grantor? _____ YES ☒ NO

THIS DEED made **September 11, 2023**, by and between

| GRANTOR | GRANTEE |
|--|--|
| Wayne Bach, as Trustee of the Harold W. Sherrill 2019 Trust, dated May 11, 2019, and any amendments thereto. | Hickory Industrial Properties, LLC A North Carolina Limited Liability Company |
| Mailing Address: P.O. Drawer 2428 Hickory, North Carolina 28603 | Mailing Address: P.O. Box 67 Rice, MN 56367-0067 |

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Catawba County, North Carolina and more particularly described as follows:

SEE ATTACHED EXHIBIT "A"

All of the property herein conveyed DOES NOT include the primary residence of the Grantor.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 3512 Page 0684 of the Catawba County Registry.

submitted electronically by "Raven M. Barron PLLC"
 in compliance with North Carolina statutes governing recordable documents
 and the terms of the submitter agreement with the Catawba County Register of Deeds.

3831-0525

A map showing the above-described property is recorded in Plat Book ____, Page ____, of the Catawba County Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever other than the following exceptions:

Any and all restrictions, covenants, liens and encumbrances of record.

Title to the property hereinabove described is subject to the following exceptions:

This conveyance is made subject to restrictive covenants and easements of record, and to any and all easements and rights-of-way on location on the above-described property heretofore granted or existing in favor of any individuals, corporations, public or private associations of individuals, public utilities, and governmental agents, commissions or departments for the purpose of constructing, erecting, laying, building or maintaining any streets, roads, highways, signs, service alleys, power lines or poles, gas lines, water lines, lines for pipes or sewer lines and any and all other similar or related public or private utility service facilities or otherwise.

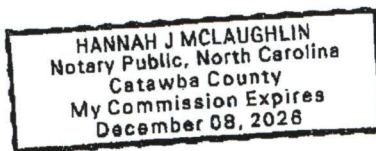
Subject to ad valorem taxes for 2023.

IN WITNESS WHEREOF, the Grantors have hereunto set their hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers by authority of its Board of Directors, the day and year first above written.

 (SEAL)
WAYNE BACH, TRUSTEE,
Harold W. Sherrill 2019 Trust,
Dated May 11, 2019

STATE OF NORTH CAROLINA
 COUNTY OF CATAWBA

I, the undersigned, a Notary Public of County and State aforesaid, certify that **Wayne Bach, Trustee, Harold W. Sherrill 2019 Trust, Dated May 11, 2019**, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal on this the 11 day of September 2023.



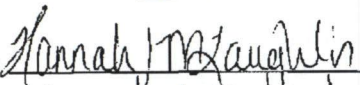
Notary Public: 
 Printed Name: Hannah J. McLaughlin
 My commission Expires: 12-8-26

Exhibit "A"

BEGINNING at a nail in the southern right-of-way margin of Main Avenue, S.W., said beginning point being the northwest corner of the David N. Webber property, and runs thence from said beginning point with Webber's western line, South 2° 24' 35" West 176.72 feet to an iron; thence North 86° 32' 05" West 100.38 feet to an iron; thence North 2° 32' 20" East 173.28 feet to an iron in the southern margin of Main Avenue, S.W.; thence with the southern margin of said avenue, South 88° 30' East 99.98 feet to the BEGINNING, containing 17,528 square feet.

Being the identical property conveyed to the Grantor, Tony L. Lynn by deed recorded in Book 1774 at page 676, Catawba County Registry.

This conveyance is made subject to:

1. Party wall agreement between The Village Corporation and Louie C. Kester and wife, Gladys S. Kester, dated February 16, 1997 and recorded in Book 1122 at page 931, Catawba County Registry.
2. The right-of-way of Southern Railway Company to the extent that the right-of-way encroaches upon the property as above described.
3. Zoning and subdivision ordinances and other laws, rules and regulations governing the use of the property.
4. Ad valorem taxes to be prorated between the parties at closing.

PIN: 370206295454

LRK(REID): 18350



PREPARED BY: Legal Department, City of Hickory
PO Box 398, Hickory, NC 28603

STATE OF NORTH CAROLINA

**VACANT BUILDING
REVITALIZATION
PERFORMANCE
AGREEMENT**

COUNTY OF CATAWBA

THIS AGREEMENT, made and entered into this 4 day of October, 2023, by and between the **CITY OF HICKORY**, a municipal corporation of Catawba County, North Carolina, hereinafter referred to as the CITY, and having a mailing address of P.O. Box 398, Hickory, North Carolina 28603, and **HICKORY INDUSTRIAL PROPERTIES, LLC** a North Carolina Limited Liability Company, hereinafter referred to as the RECIPIENT, and having a mailing address of 731 Main Ave. SW Hickory, NC 28602.

WITNESSETH

THAT WHEREAS, the City is dedicated to the redevelopment and reuse of vacant commercial and industrial buildings as defined in the City of Hickory's Economic Development Assistance Guidelines;

WHEREAS, the City is willing to award forgivable loans for physical improvements for the purpose of assisting in the redevelopment and reuse of certain vacant commercial and industrial buildings provided the Recipient agrees to certain conditions;

WHEREAS, the City's Urban Revitalization Area Program Guidelines state that the city will reimburse up to \$20,000 or 15% percent of eligible project costs (whichever is less) for vacant non-residential buildings between 5,000 and 15,000 square feet.

NOW, THEREFORE, in consideration of the promises and mutual covenants herein contained the parties agree as follows:

1. The Recipient agrees to utilize the forgivable loan funds to fulfill that project as described in the Urban Revitalization Area Program Guidelines and Application Materials attached hereto as Exhibit "A" and to utilize said funds solely for physical improvements. Said guidelines and application materials are made a part of this Agreement and incorporated herein by reference as if more fully set forth.
2. The Recipient agrees to improve those premises at 731 Main Ave. SW as described in the Project Summary contained Exhibit "A" in accordance with the intent of the Urban Revitalization Area Program Guidelines and to prepare the premises for occupancy and reuse in accordance with the specifications established in attached "Exhibit A."
3. The Recipient proposes the following end users for the building (total square footage 7,392):
 - a. High tech manufacturing

4. Any changes to the end users described in Paragraph 3 prior to disbursement of funds must be approved by the Hickory City Council. Recipient shall submit any proposed change to outlined end users in writing to the Business and Community Development Manager.
5. The Recipient agrees to maintain the design integrity of the proposed improvements, creating, retaining and/or modifying those elements, which enhance the premises.
6. The amount of this Vacant Building Revitalization Forgivable Loan is Twenty Thousand Dollars (\$20,000). The forgivable loan is payable upon satisfaction of the following two conditions:
 - a. Completion and inspection of said project described in "Exhibit A" and issuance of a permanent Certificate of Occupancy.
 - b. Occupancy of at least 50 percent of the building square footage of the building by the uses outlined in section 3 and further described in "Exhibit A." Signed leases or other proof of occupancy are required.
7. The City shall require itemized documentation of project expenses and documentation confirming payment of all contractors and/or subcontractors. The City reserves the right to ask for additional information it deems necessary to determine the amount of funds spent on eligible project activities. Said project must be completed within 730 days from the date of this agreement being signed in accordance with those provisions specified in the Urban Revitalization Area Program Guidelines and Application.
8. The Recipient agrees that in the event the actual eligible project costs are less than One Hundred Thirty Thousand Three Hundred Thirty-Three Thousand Dollars and Thirty-Three Cents (\$133,333.33), the total City Vacant Building Revitalization Forgivable Loan will be reduced to 15 percent of the actual project costs that would be eligible for participation in this program. The reduced forgivable loan amount will be disbursed according to the procedure outlined in paragraph 7 above.
9. Funds disbursed are treated as a forgivable loan. The term of the performance period is 3 years from the date funds are disbursed. During the three year performance period, one third of the loan amount will be forgiven annually on the anniversary of the date on which the forgivable loan funds were disbursed. If all conditions of the performance agreement are met, the full amount of the loan will be forgiven three (3) years after the date on which the forgivable loan funds were disbursed.
10. During the performance period, no payments shall be required unless the Recipient is in breach of any of the terms outlined in Paragraph 11.
11. The Recipient will be considered in breach of the performance agreement if any of the following conditions are met:
 - a. More than 10 percent of the building square footage is occupied by a use not eligible for funding;
 - b. More than 50 percent of the building square footage is vacant for a period greater than ninety (90) days;
 - c. Any funded improvements are removed during the performance period; or
 - d. If the property or building is sold, transferred, or otherwise alienated by the recipient within the performance period whether voluntary or involuntary, or by operation of law.

12. The Recipient shall submit quarterly reports to the Business and Community Development Manager certifying compliance with applicable guidelines and this performance agreement.
13. The Recipient agrees to periodic inspections to ensure compliance with the terms of this agreement.
14. Technical assistance provided by the City will be advisory only. The City will not be a party in negotiations between the Recipient and any contractor employed by the Recipient nor will the City provide legal advice or services to any party. The Recipient agrees to hold the City harmless for any defects in workmanship or from any liability, damages, or other costs relative to this project.
15. This Agreement may be terminated and the City may withhold forgivable loan monies upon the Recipient's breach of or failure to perform any of the terms of this agreement. The City shall give the Recipient notice in writing of any potential breach of this Agreement, after which the applicant shall have thirty (30) calendar days in which to cure said breach. The thirty (30) calendar day cure period shall not apply to any of the time requirements described in this agreement.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be signed upon the day and year first written above.

CITY OF HICKORY

By: _____
Hank Guess, Mayor

ATTEST: (SEAL)

Debbie D. Miller, City Clerk

Approved as to form and legality on behalf of the City of Hickory only:

Attorney for the City of Hickory

This document has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Melissa Miller, Financial Officer

HICKORY INDUSTRIAL PROPERTIES, LLC
A North Carolina Limited Liability Company

By: _____
Peter Ploumidis, Member Manager

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

I, _____ a Notary Public of said county and state, certify that **Debbie D. Miller** personally came before me this day and acknowledged that she is City Clerk of the City of Hickory, a North Carolina municipal corporation, and that by authority duly given and as the act of the City Council of the City of Hickory, the foregoing instrument was signed in its name and by its Mayor, sealed with its corporate seal and attested by her as its City Clerk.

Witness my hand and seal this _____ day of _____, 2023.

(Seal)

Notary Public

My Commission Expires: _____

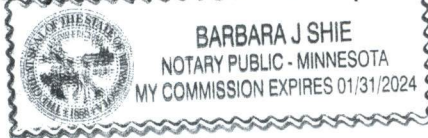
STATE OF ~~NORTH CAROLINA~~ MINNESOTA
COUNTY OF ~~CATAWBA~~ RAMSEY

RAMSEY COUNTY, MINNESOTA

I, BARBARA SHIE, a Notary Public of ~~Catawba County~~, North Carolina, do hereby certify that Peter Ploumidis, Member Manager of Hickory Industrial Properties, LLC, a North Carolina Limited Liability Company, personally appeared before me this day and acknowledged the due execution of the foregoing instrument on behalf of the company.

Witness my hand and official stamp or seal this 4 day of OCTOBER, 2023.

(Seal)



Barbara J Shie
Notary Public

My Commission Expires: 01-31-2024

E-VERIFY ADDENDUM
RECIPIENT

Recipient hereby acknowledges that "E-Verify" is the federal E-Verify program operated by the US Department of Homeland Security and other federal agencies which is used to verify the work authorization of newly hired employees pursuant to federal law and in accordance with Article 2, Chapter 64 of the North Carolina General Statutes. Recipient further acknowledges that all employers, as defined by Article 2, Chapter 64 of the North Carolina General Statutes, must use E-Verify and after hiring an employee to work in the United States, shall verify the work authorization of the employee through E-Verify in accordance with NCGS §64-26(a). Recipient hereby pledges, attests and warrants through execution of this Agreement that Contractor complies with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes and further pledges, attests and warrants that any subcontractors currently employed by or subsequently hired by Recipient shall comply with any and all E-Verify requirements. Failure to comply with the above requirements shall be considered a breach of this Agreement.

BUDGET REVISION # 7

BE IT ORDAINED by the Governing Board of the City of Hickory that, pursuant to N.C. General Statutes 159.15 and 159.13.2, the following revision be made to the annual budget ordinance for the fiscal year ending June 30, 2024 and for the duration of the Project Ordinances noted herein.

| | | | | |
|---|------------------------|--------------|---|-----------------|
| SECTION 1. To amend the | | General Fund | within the FY 2023-24 Budget Ordinance, the | |
| expenditures shall be amended as follows: | | | | |
| | FUNCTIONAL AREA | | INCREASE | DECREASE |
| | Culture & Recreation | | 3,694 | |
| | Public Safety | | 2,831 | |
| | TOTAL | | 6,525 | - |
| To provide funding for the above, the | | | | |
| | | General Fund | revenues will be amended as follows: | |
| | FUNCTIONAL AREA | | INCREASE | DECREASE |
| | Miscellaneous | | 6,525 | |
| | TOTAL | | 6,525 | - |

| | | | | |
|---|--------------------------|------------------|---|-----------------|
| SECTION 2. To amend the | | Solid Waste Fund | within the FY 2023-24 Budget Ordinance, the | |
| expenditures shall be amended as follows: | | | | |
| | FUNCTIONAL AREA | | INCREASE | DECREASE |
| | Environmental Protection | | 13,784 | |
| | TOTAL | | 13,784 | - |
| To provide funding for the above, the | | | | |
| | | Solid Waste Fund | revenues will be amended as follows: | |
| | FUNCTIONAL AREA | | INCREASE | DECREASE |
| | Miscellaneous | | 13,784 | |
| | TOTAL | | 13,784 | - |

SECTION 3. Copies of the budget revision shall be furnished to the Clerk of the Governing Board, and to the City Manager (Budget Officer) and the Finance Officer for their direction.

Adopted this ____ day of _____, 2023

Mayor

Clerk

COUNCIL AGENDA MEMOS

To: City Manager's Office

From: Office of Business Development, Planning Division

Contact Person: Cal Overby, Planning Manager

Date: October 5, 2023

Re: Voluntary non-contiguous annexation of property owned by Boureanu and Creech Properties, LLC.

REQUEST

Consideration of the voluntary non-contiguous annexation of 49.21 acres property located at 3940 River Road. This property is identified as PIN 3710-09-17-5434.

BACKGROUND

The property is currently vacant and located within the planning jurisdiction of Catawba County and zoned R-20 Residential. Properties zoned R-20 can be utilized primarily for residential purposes, at a maximum density of 2 dwelling units per acre.

The property owner desires to connect the development to city sewer service, which requires annexation.

ANALYSIS

If annexed, the property owners have requested the property be zoned Planned Development, with their further intentions being the construction of a 178 lot single-family residential subdivision. This would equate to a density of 3.7 dwelling units per acre.

Surrounding properties are zoned R-20 Residential and R-1 Residential and are occupied by detached single-family residences, and a wastewater treatment plant.

The current tax value of the property is \$330,300. If annexed, the vacant property would generate \$1502.86 in additional tax revenues.

Upon analysis, staff has determined the petition meets the statutory requirements for voluntary non-contiguous annexation, and adequate public services are available.

RECOMMENDATION

Staff finds the petition to be in conformity with applicable statutes and recommends approval of the petition.

BUDGET ANALYSIS:**Budgetary Action**

Is a Budget Amendment required?

Yes

☐

No

☒**LIST THE EXPENDITURE CODE:****Reviewed by:**Brian Frazier

Initiating Department Head

10/05/2023

Date

Antonia Dula

Deputy City Attorney, A. Dula

10-9-23

Date

Robby Miller

Asst. City Manager R. Miller

10/10/23

Date

Rob Beasley

Asst. City Manager, R. Beasley

10/10/23

Date

M. Miller

Finance Officer, M. Miller

10/10/23

Date

Cameron McHargueDeputy Finance Officer,
Cameron McHargue10-10-23

Date

Yaidee Fox

Exe Asst City Manager Yaidee Fox

10/10/23

Date

Recommended for approval and placement on _____ Council agenda (as
Consent, Public Hearing, Informational, Department Report, etc).Warren Wood

City Manager, Warren Wood

10.12.23

Date

CITY OF HICKORY APPLICATION FOR VOLUNTARY ANNEXATION

DATE SUBMITTED: 8/31/2023

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

I (We), the undersigned, do hereby respectfully make application and petition for voluntary annexation into the municipal limits of the City of Hickory, and have provided an annexation plat meeting the requirements of the City of Hickory

1. The property be voluntarily annexed is located on _____ River Road
_____ between _____ Hidden Creek Circle _____ and _____ Grady Lane _____
_____ and is shown in more detail on the attached survey.
PIN NO. (S) : _____ 3710-09-17-5434 _____
2. Physical (Street) Address: _____ 3940 River Road _____
3. The property is owned by: (please print) _____ Boureanu and Creech Properties, LLC _____
(Attach a copy of the most recent deed.)
4. Owner Information:
Name: _____ Boureanu and Creech Properties, LLC _____
Address: _____ 5164 Meadow Park Lane; Hickory, NC 28602-6018 _____
Phone Number: _____ 828.320.4225 _____
5. The petition is submitted by: _____ Shabeldeen Engineering, PA _____
Agent Information:
Name: _____ Daniel Shabeldeen _____
Address: _____ 3145 Tate Blvd. SE; Hickory, NC 28602 _____
Phone Number: _____ 828.320.7252 _____
4. If annexation is approved by the Hickory City Council, and if the property(s) is not currently zoned by the City of Hickory, the applicant would request that the property be placed into a
Planned Development zoning district.

5. WATER AND SEWER AVAILABILITY AND CONNECTIONS

We, the undersigned property owner(s), hereby understand and agree we shall be responsible for all costs associated with providing for extensions and/or connections to the City of Hickory public utility system (water and sewer). This includes all design, permitting, construction, legal and applicable City of Hickory Tap Fees. Furthermore, we shall be responsible for obtaining any and all necessary easements and encroachment agreements needed to provide for such extensions or connections and provide those to the City of Hickory as appropriate.

The undersigned owner further acknowledges, they shall be responsible for any future utility extensions required to serve the property due to subdivision of the property.

6. OWNER'S AFFIDAVIT

We, the undersigned property owners(s), hereby certify that the information contained herein and submitted in support of this application is true and correct.

Daniela Boureanu

Member/Manager Boureanu and Creech Properties, LLC

Printed Name of Property Owner(s)

Signature of Property Owner(s)

5164 Meadow Park LN; Hickory, NC 28602

Address of Property Owner(s)

Telephone Number of Property Owner(s)

(Please choose the appropriate notary block)

State of North Carolina – County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of this foregoing instrument for the purposes expressed herein. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____

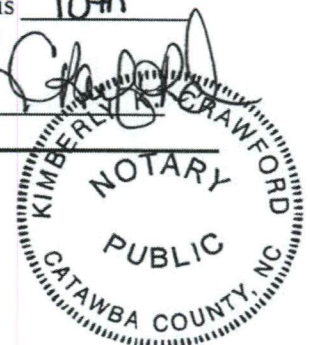
Notary Public

State of North Carolina – County of Catawba

I, the undersigned Notary Public of the County and State aforesaid, certify that Daniela Boureanu personally came before me this day and acknowledged the he / she is the manager/member of Boureanu and Creech, LLC ~~corporation~~ limited liability corporation / ~~general partnership~~ / ~~limited partnership~~ (strike through the inapplicable), and that by authority duly given and as the act of such entity he /she signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 10th day of August, 2023.

My Commission Expires: 1/19/2026

Notary Public





LIMITED LIABILITY COMPANY ANNUAL REPORT

1/6/2022

NAME OF LIMITED LIABILITY COMPANY: Boureau and Creech Properties, LLCSECRETARY OF STATE ID NUMBER: 0915276 STATE OF FORMATION: NCREPORT FOR THE CALENDAR YEAR: 2023

Filing Office Use Only

☐ ChangesSECTION A: REGISTERED AGENT'S INFORMATION1. NAME OF REGISTERED AGENT: Daniela S Boureau

2. SIGNATURE OF THE NEW REGISTERED AGENT: _____

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS

5164 Meadow Park Lane5164 Meadow Park LaneHickory, NC 28602 CatawbaHickory, NC 28602 CatawbaSECTION B: PRINCIPAL OFFICE INFORMATION1. DESCRIPTION OF NATURE OF BUSINESS: Real Estate2. PRINCIPAL OFFICE PHONE NUMBER: (828) 327-4077

3. PRINCIPAL OFFICE EMAIL: _____

Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS

5. PRINCIPAL OFFICE MAILING ADDRESS

5164 Meadow Park Lane5164 Meadow Park LaneHickory, NC 28602 CatawbaHickory, NC 28602 Catawba

6. Select one of the following if applicable. (Optional see instructions)

☐

The company is a veteran-owned small business

☐

The company is a service-disabled veteran-owned small business

SECTION C: COMPANY OFFICIALS (Enter additional company officials in Section E.)NAME: Daniela S Boureau

NAME: _____

NAME: _____

TITLE: Manager/Member

TITLE: _____

TITLE: _____

ADDRESS: _____

ADDRESS: _____

ADDRESS: _____

5164 Meadow Park LaneHickory, NC 28602 CatawbaSECTION D: CERTIFICATION OF ANNUAL REPORT. Section D must be completed in its entirety by a person/business entity.

SIGNATURE

DATE

Form must be signed by a Company Official listed under Section C of This form.

DANIELA S. BOUREAU

Print or Type Name of Company Official

MANAGER/MEMBER

Print or Type Title of Company Official

SUBMIT THIS ANNUAL REPORT WITH THE REQUIRED FILING FEE OF \$200

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525

3747-0530

Exhibit XI.A.1.
FILED ELECTRONICALLY
CATAWBA COUNTY NC
DONNA HICKS SPENCER

FILED May 26, 2022
AT 10:24:00 AM
BOOK 03747
START PAGE 0530
END PAGE 0533
INSTRUMENT # 12029
EXCISE TAX \$700.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$700.00

Parcel Identifier No. 371009175434 Verified by _____ County on the ____ day of _____, 20____
By: _____

Mail/Box to: Law Offices of Amos & Kapral, LLP, 1331 N. Center Street, Hickory, NC 28601

This instrument was prepared by: Law Offices of Amos & Kapral, LLP, 1331 N. Center Street, Hickory, NC 28601

Brief description for the Index: V/L River Rd, Hickory, NC 28602

THIS DEED made this 26th day of May, 2022, by and between

GRANTOR

Catherine M. Colvard, as Successor Trustee of the Colvard Family Trust dated March 18, 2003; and Eric M. Yoder, as Successor Trustee of the Harold M. Yoder Revocable Trust dated May 12, 2009
453 Beaverdam Rd
Asheville, NC 28804

GRANTEE

Boureau and Creech Properties, LLC, a North Carolina limited liability company
5164 Meadow Park Lane
Hickory, NC 28602

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated in the City of _____, Hickory Township, Catawba County, North Carolina and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 2522 page 463.

All or a portion of the property herein conveyed ____ includes or X does not include the primary residence of a Grantor.

3747-0531

A map showing the above described property is recorded in Plat Book _____ page _____.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Any restrictions, easements and/or right-of-way affecting the subject realty.

2022 Ad Valorem Taxes.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Catherine M. Colvard, as Successor Trustee of the Colvard

Family Trust dated March 18, 2003

(Entity Name)

Print/Type Name: _____ (SEAL)

By: Catherine M. Colvard
Print/Type Name & Title: Catherine M. Colvard, Successor Trustee

Print/Type Name: _____ (SEAL)

Eric M. Yoder, as Successor Trustee of the Harold M. Yoder

Revocable Trust dated May 12, 2009

(Entity Name)

Print/Type Name: _____ (SEAL)

By: _____
Print/Type Name & Title: Eric M. Yoder, Successor Trustee

Print/Type Name: _____ (SEAL)

By: _____
Print/Type Name & Title: _____

State of North Carolina - County of Buncombe

I, the undersigned Notary Public of the County and State aforesaid, certify that Catherine M. Colvard, personally appeared before me this 24th day of May, 2022, and acknowledged that she is the Successor Trustee of The Colvard Family Trust dated March 18, 2003, and that by authority duly given and as the act of such entity, she signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 24th day of May, 2022.



Mistie A. Owenburg
Notary Public

My Commission Expires: 12-21-2023

State of _____ - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that Eric M. Yoder, personally appeared before me this day and acknowledged that he is the Successor Trustee of The Harold M. Yoder Revocable Trust dated May 12, 2009, and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of May, 2022.

My Commission Expires: _____

Notary Public

3747-0532

A map showing the above described property is recorded in Plat Book _____ page _____.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Any restrictions, easements and/or right-of-way affecting the subject realty.
2022 Ad Valorem Taxes.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Catherine M. Colvard, as Successor Trustee of the Colvard
Family Trust dated March 18, 2003

(Entity Name)

Print/Type Name: _____ (SEAL)

By: _____
Print/Type Name & Title: Catherine M. Colvard, Successor Trustee

Print/Type Name: _____ (SEAL)

Eric M. Yoder, as Successor Trustee of the Harold M. Yoder
Revocable Trust dated May 12, 2009

(Entity Name)

Print/Type Name: _____ (SEAL)

By: 
Print/Type Name & Title: Eric M. Yoder, Successor Trustee

Print/Type Name: _____ (SEAL)

By: _____
Print/Type Name & Title: _____

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that Catherine M. Colvard, personally appeared before me this day and acknowledged that she is the Successor Trustee of The Colvard Family Trust dated March 18, 2003, and that by authority duly given and as the act of such entity, she signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of May, 2022.

My Commission Expires: 04/30/2026

Notary Public

State of Virginia - County of Virginia Beach

I, the undersigned Notary Public of the County and State aforesaid, certify that Eric M. Yoder, personally appeared before me this day and acknowledged that he is the Successor Trustee of The Harold M. Yoder Revocable Trust dated May 12, 2009, and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 26 day of May, 2022.

My Commission Expires: 04/30/2026

Emily Marie Batkin
Notary Public

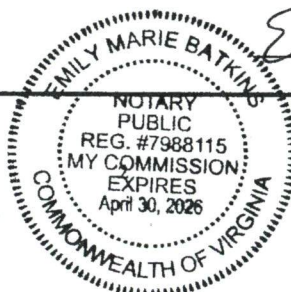


Exhibit A**Tract One:**

BEGINNING at a large Spanish oak on the Robinson line, and runs North 77' East, 102 poles to a Hickory; thence South 77' East, 6 $\frac{1}{4}$ poles to a Sassafras; thence North 56' East, 33 poles to a Willow on the bank of the river; thence down the river as it meanders South 41' East 29 $\frac{1}{2}$ poles to a stone where a Birch formerly stood; thence with the Robinson line South 54 $\frac{1}{4}$ ' West 130 poles to a Post-oak, the corner of the Robinson lands; thence with another of the Robinson lines North 39' West 72 poles to the beginning, containing 38 $\frac{3}{4}$ acres more or less.

Tract Two:

BEGINNING in the center of Sandy Ford Road, a corner of Fred Queen, and runs thence with Queen's line N 30 E 250 feet to a stake in said Queen's line; thence, continuing with Queen's line N 35 E 946 feet to a stake at another of Queen's corners; thence, S 35 E 946 feet to a stake at a corner of Craig Yoder; thence, with the Yoder's line N 59 E 712 feet to a stake in Yoder's line at a corner of Grady Bolick; thence, with Bolick's line S 15 $\frac{1}{2}$ E 190 feet to an iron at another of Bolick's corners; thence, with another of Bolick's lines s 58 $\frac{1}{2}$ W 773 feet to the center of Sandy Ford Road the following courses and distances; N 54 W 200 feet, N 55-15 W 400 feet, and N 56-20 W 375 feet to the point of the BEGINNING. Containing 11 acres, more or less.

The above described lands are conveyed subject to a cart-way or road-way along the Western boundary thereof, adjoining the lands of Fred Queen, as a such cart-way or road-way has been designated upon a certain map of plat of the Aileen Bolick Property, Jacobs Forks Township, made by G. Sam Rowe, C.E., and duly recorded in the Office of the Register of Deeds for Catawba County, in Map Book 7 at page 79.

VOLUNTARY NON-CONTIGUOUS ANNEXATION ANALYSIS

APPLICANT: Boureau and Creech Properties, LLC

AGENT: Dan Shabeldeen, Shabeldeen Engineering

PROPERTY LOCATION: 3940 River Road

PIN: 3710-09-17-5434

REQUESTED ACTION: The request is for a voluntary non-contiguous annexation.

WARD: If annexed, this property will be located in Ward 4 (Councilman Freeman).

ACREAGE: 49.21 acres (1.68 acres lies within street right-of-way and vehicular access easements).

DEVELOPMENT POTENTIAL: The property is currently located within the planning jurisdiction of Catawba County and zoned R-20 Residential. Properties zoned R-20 can be utilized primarily for residential purposes at a density of 2 dwelling units per acre. If annexed, the property owners have requested the property be zoned Planned Development, with their further intentions being the construction of a 178 lot single-family residential subdivision. This would equate to a density of 3.7 dwelling units per acre.

TAX VALUE: The current tax value of the property is \$330,300. If annexed, the vacant property would generate \$1502.86 in additional tax revenues.

POPULATION INCREASES: The property is currently vacant. The owners / developers have expressed their intentions to construct a 178 lot residential community. If this development were to be fully constructed, 418 additional residents could potentially be added to the City's current population. This estimate is based upon the U.S. Census Bureau's current residential household size estimate for single-family dwellings in the city, which is 2.35 persons per household.

SCHOOL DISTRICTS: The property is located within the jurisdictional area of the Catawba County Public School System, and located in the following school districts:

| School Type | School District | Student Multiplier Per Dwelling | Number of Potential or Existing Dwelling Units | Potential Additional Students |
|-------------|-----------------|---------------------------------|--|-------------------------------|
| Elementary | Blackburn | 0.27 | 178 | 48 |
| Middle | Jacobs Fork | 0.06 | 178 | 11 |
| High | Fred T. Foard | 0.11 | 178 | 20 |

**Note: The student multipliers above reflect estimates and are for single-family dwellings only.*

SURROUNDING ZONING AND LAND USE (See Maps 2 & 3):

- **North:** The property is zoned Low Density Residential (R-1) and occupied by a wastewater treatment plant.
- **South:** The properties are zoned R-20 Residential and occupied by single-family residences or used as farmland.
- **East:** The properties are zoned R-20 Residential and are vacant.
- **West:** The property is zoned R-20 Residential and occupied by single-family residences or vacant.

UTILITY SERVICE: Water and sewer are available to serve the property.

ACCESS: Access to the subject property is from River Road, which is maintained by the North Carolina Department of Transportation (SR 1144).

DISTANCE FROM CITY LIMITS (See Map 1): The property is approximately 4,700 linear feet southwest of the closest contiguous portion of the proper city boundary.

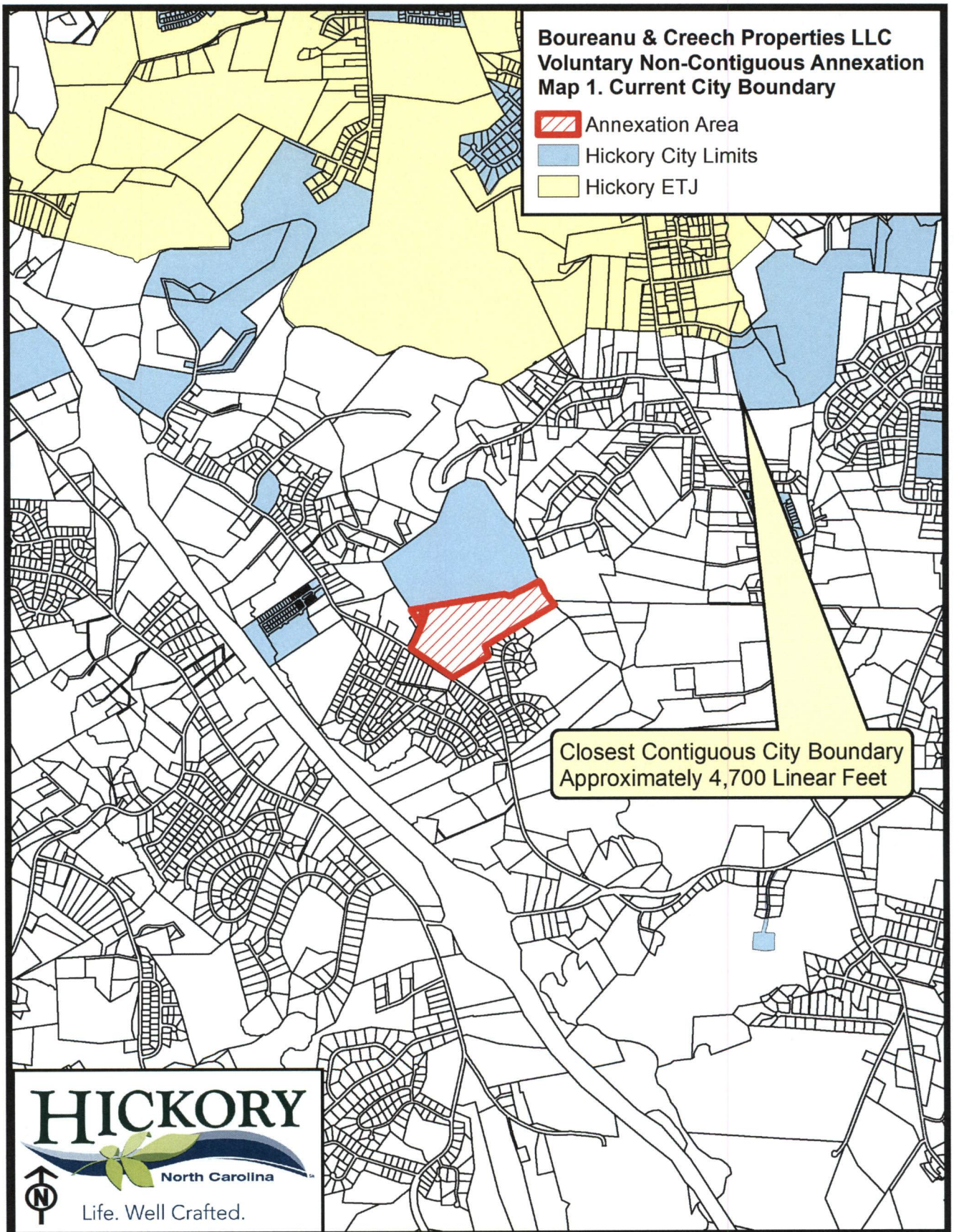
STAFF COMMENTS:

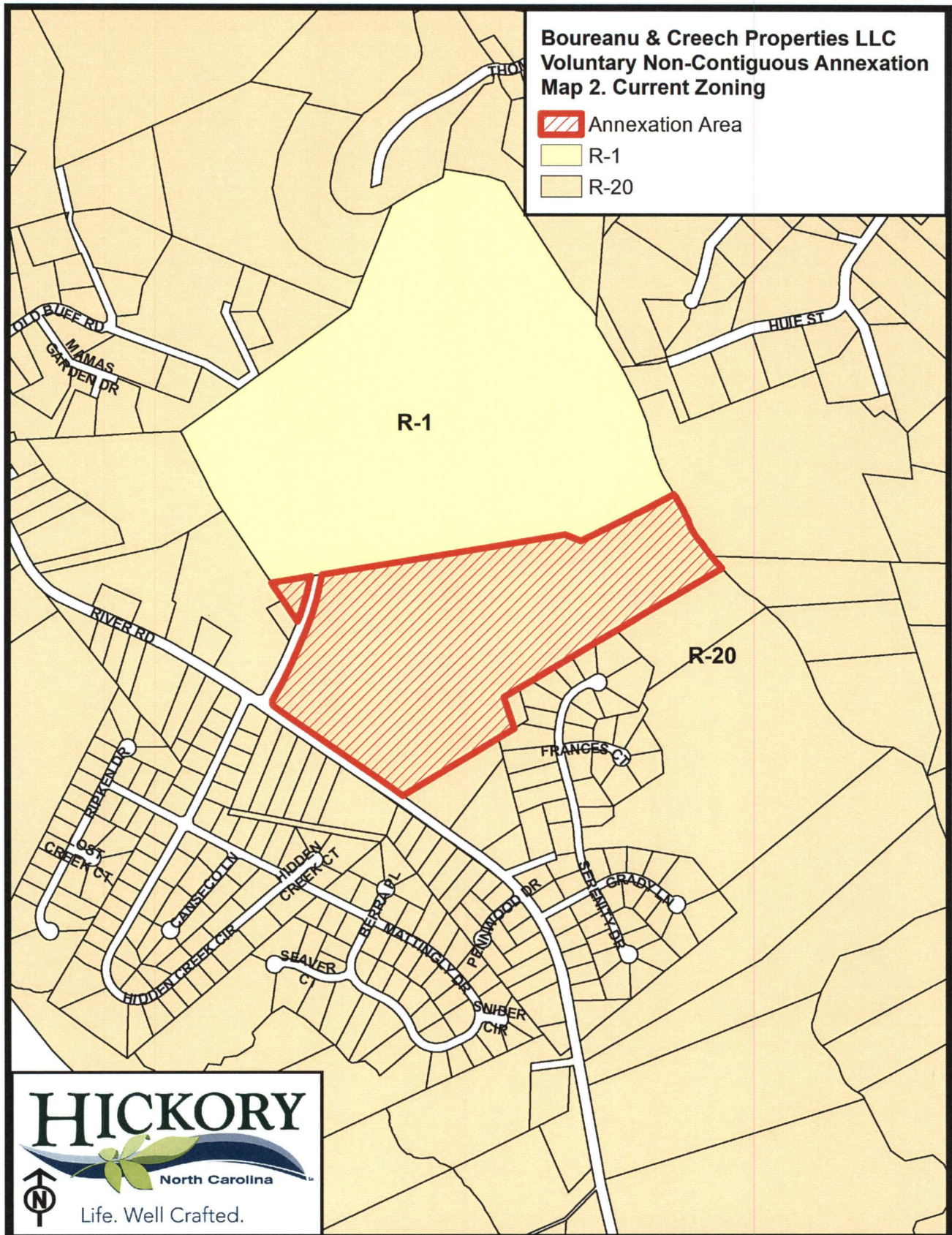
- **Fire:** Annexation of this property would not adversely affect the fire department's operations at this time. The property is currently adjacent to HFD Station 7's response area.
- **Police Department:** Annexation would not adversely affect the police department. The property, upon annexation, would be in Edward PACT.
- **Engineering:** No objections.
- **Planning:** No objections.
- **Public Services:** No objections.
- **Public Utilities:** Water and sewer are currently available to serve the property.
- **Legal:** No objections.
- **City Manager's Office:** No objections.

STAFF RECOMMENDATION: Upon evaluation staff has found the following:

1. The voluntary non-contiguous annexation petition complies with all applicable statutes regarding the voluntary annexation of non-contiguous properties.
2. Adequate public services are available in sufficient quantities to properly serve the property, subject to the comments provided above.
3. The annexation of the property will not cause available public services to fall below acceptable levels.

Based upon the findings provided above, staff recommends City Council approve the voluntary non-contiguous annexation petition.







**Satellite Annexation
by the City of Hickory
known as
Boureau and Creech Properties, LLC.**

That certain Parcel or tract of land lying and being about 4.35 miles south southeast of the center of the City of Hickory. Bounded on the west by the lands of the Betty Walker Heirs as described in Deed Book 1865 at Page 189 and the Sheila Martin Heirs as described in Deed Book 1895 at Page 760; on the north by the lands of the City of Hickory as described in Deed Book 1004 at Page 165; on the east by the Henry Fork River and by the lands of Michael Rollins as described in Deed Book 3526 at Page 180 and Cline's Dairy, Inc. as described in Deed Book 1281 at Page 164; on the south by the lands of the following: Veng Chang as described in Deed Book 3538 at Page 475, Kevin Breiner as described in Deed Book 3511 at Page 243, Joseph Goforth as described in 3367 at Page 515, Connie Tucker as described in Deed Book 2296 at Page 813, Monika Nyvar as described in Deed Book 3085 at Page 680, David Eblin as described in Deed Book 2820 at Page 644, David Fredell Heirs as described in Deed Book 1596 at Page 703, Benny Lawrence as described in Deed Book 2265 at Page 851, Alton Price as described in Deed Book 1473 at Page 675 and the 60' right-of-way of River Rd. (S.R. 1144) and more particularly described as follows to wit.

Beginning at a point in the 60' right-of-way of River Rd. (S.R. 1144), said point being located North 06 degrees 18 minutes 45 seconds East 15.19 feet from NCGS Monument "Hidden", said monument having N.C. grid coordinates (NAD 83/2011) of N 706,835.36, E 1,310,300.36 and running thence, as new City of Hickory city limits lines the following calls: North 29 degrees 10 minutes 03 seconds East 30.13 feet to a $\frac{3}{4}$ " pipe on the north right-of-way of River Rd. (S.R. 1144), the southeast corner of the lands of the Betty Walker Heirs as described in Deed Book 1865 at Page 189; thence, with the east line of the Walker Heirs, North 29 degrees 10 minutes 03 seconds East 207.17 feet to a $\frac{1}{2}$ " pipe in the east line the Walker Heirs; thence, continuing with the Walker Heirs and the Sheila Martin Heirs as described in Deed Book 1895 at Page 760, North 23 degrees 09 minutes 03 seconds East 277.93 feet to a 1" pipe, the easternmost corner of the Martin Heirs; thence, with the northeast line of the Martin Heirs and Walker Heirs, North 34 degrees 58 minutes 44 seconds West 163.00 feet to a $\frac{3}{8}$ " rod, the northernmost corner of the Martin Heirs; thence, continuing with the line of the Walker Heirs, the same bearing, a distance of 79.51 feet to a $\frac{3}{4}$ " pipe, the southwest corner of the City of Hickory as described in Deed Book 1004 at Page 165; thence, with the south line of the City of Hickory and as existing City of Hickory city limit line the following calls: North 80 degrees 47 minutes 29 seconds East 203.32 feet to a point in a double Maple on the west side of the road to the City of Hickory Henry Fork Wastewater Treatment Plant; thence, the same bearing, 65.72 feet to a $\frac{1}{2}$ " rebar on the east side of said road;

thence, the same bearing, 1,412.45 feet to a $\frac{3}{4}$ " pipe; thence South 73 degrees 14 minutes 40 seconds East 103.06 feet to a $\frac{3}{4}$ " pipe; thence North 64 degrees 20 minutes 40 seconds East 487.74 feet to a $\frac{1}{2}$ " rebar; thence, the same bearing, 98.00 feet to a point in the Henry Fork River and in the west line of the lands of Michael Rollins as described in Deed Book 3526 at Page 180; thence, leaving the existing City of Hickory city limits lines as new City of Hickory city limits lines the following calls: with the Henry Fork River, the west line of Rollins and the west line of Cline's Dairy, Inc. as described in Deed Book 1281 at Page 164, South 33 degrees 07 minutes 24 seconds East 486.10 feet to a point, the northeast corner of Veng Chang as described in Deed Book 3538 at Page 475 in the Henry Fork River and in the west line of Cline's Dairy, Inc.; thence, leaving the river, the west line of Cline's Dairy, Inc. and with the north line of Chang, South 59 degrees 52 minutes 25 seconds West 83.85 feet to $\frac{1}{2}$ " rebar in the north line of Chang; thence, continuing with the north line of Chang and with the north line of Kevin Breiner as described in Deed Book 3511 at Page 243, the same bearing, a distance of 748.06 feet to a $\frac{1}{2}$ " rod, the northwest corner of Breiner; thence, with the north line of Joseph Goforth as described in 3367 at Page 515 and Connie Tucker as described in Deed Book 2296 at Page 813, the same bearing, a distance of 278.16 feet to a $\frac{1}{2}$ " rod, the northwest corner of Tucker; thence, with the north line of Monika Nygar as described in Deed Book 3085 at Page 680 and David Eblin as described in Deed Book 2820 at Page 644, the same bearing, a distance of 223.70 feet to a $\frac{1}{2}$ " flat bar, the northwest corner of Eblin and the northeast corner of David Fredell Heirs as described in Deed Book 1596 at Page 703; thence, with the north line of the Fredell Heirs, the same bearing, a distance of 99.23 feet to a $\frac{1}{2}$ " rebar, the northwest corner of the Fredell Heirs; thence, with the west line of the Fredell Heirs, South 14 degrees 22 minutes 35 seconds East 191.09 feet to a $\frac{1}{2}$ " rebar, the southwest corner of the Fredell Heirs in the north line of Benny Lawrence as described in Deed Book 2265 at Page 85; thence, with the north line of Lawrence, South 58 degrees 48 minutes 04 seconds West 95.44 feet to a $\frac{1}{2}$ " pipe at the base of a 30" pine the northwest corner of Lawrence and the northeast corner of Alton Price as described in Deed Book 1473 at Page 675; thence, with the north line of Price, South 58 degrees 56 minutes 45 seconds West 635.05 feet to a $\frac{1}{2}$ " rebar on the east right-of-way of River Rd. (S.R. 1144); thence, the same bearing, 32.91 feet to a point in the right-of-way of River Rd. (S.R. 1144); thence, with River Rd. (S.R. 1144), North 55 degrees 10 minutes 52 seconds West 904.65 feet to point of beginning. Containing 49.21 acres total.

The above description was drawn from a plat by Randal W. Honeycutt PLS L-4399 entitled "Satellite Annexation by the City of Hickory known as Boureau and Creech Properties, LLC." dated September 6, 2023.

Prepared by: Arnita Dula, Deputy City Attorney, City of Hickory
P.O. Box 398, Hickory, NC 28603-0398

ANNEXATION ORDINANCE NO. 492

VOLUNTARY ANNEXATION ORDINANCE (NON-CONTIGUOUS)

Boureau and Creech Properties, LLC

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
CITY OF HICKORY, NORTH CAROLINA, PURSUANT TO
GENERAL STATUTES 160A-58.1, AS AMENDED (NON-CONTIGUOUS)**

WHEREAS, the City Council of the City of Hickory desires to annex the area described herein, under G.S. 160A-58.1, as amended; and

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

WHEREAS, the City Clerk has certified to the sufficiency of said request, and a public hearing on the question of this annexation was held in the Council Chamber of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina, at 6:00 p.m. on the 17th day of October 2023; and

WHEREAS, the City Council of the City of Hickory further finds that the area described therein meets the standards of G.S. 160A-58.1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three miles from the corporate limits of the City of Hickory.
- b. No point on the proposed satellite corporate limits is closer to another city than to the City of Hickory.
- c. The areas described are so situated that the City will be able to provide services on the same basis within the proposed satellite corporate limits that it provides within the primary corporate limits.
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation.

WHEREAS, the City Council of the City of Hickory does hereby find as a fact that said petition has been signed by all the owners of real property in the area who are required by law to sign and all other requirements of G.S. 160A-58.1, as amended have been complied with; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HICKORY, NORTH CAROLINA:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, as amended, the following-described non-contiguous territory is hereby annexed and made a part of the City of Hickory as of the 31st day of October 2023:

**Satellite Annexation
by the City of Hickory
known as
Boueanu and Creech Properties, LLC.**

That certain Parcel or tract of land lying and being about 4.35 miles south southeast of the center of the City of Hickory. Bounded on the west by the lands of the Betty Walker Heirs as described in Deed Book 1865 at Page 189 and the Sheila Martin Heirs as described in Deed Book 1895 at Page 760; on the north by the lands of the City of Hickory as described in Deed Book 1004 at Page 165; on the east by the Henry Fork River and by the lands of Michael Rollins as described in Deed Book 3526 at Page 180 and Cline's Dairy, Inc. as described in Deed Book 1281 at Page 164; on the south by the lands of the following: Veng Chang as described in Deed Book 3538 at Page 475, Kevin Breiner as described in Deed Book 3511 at Page 243, Joseph Goforth as described in 3367 at Page 515, Connie Tucker as described in Deed Book 2296 at Page 813, Monika Nyar as

described in Deed Book 3085 at Page 680, David Eblin as described in Deed Book 2820 at Page 644, David Fredell Heirs as described in Deed Book 1596 at Page 703, Benny Lawrence as described in Deed Book 2265 at Page 851, Alton Price as described in Deed Book 1473 at Page 675 and the 60' right-of-way of River Rd. (S.R. 1144) and more particularly described as follows to wit.

Beginning at a point in the 60' right-of-way of River Rd. (S.R. 1144), said point being located North 06 degrees 18 minutes 45 seconds East 15.19 feet from NCGS Monument "Hidden", said monument having N.C. grid coordinates (NAD 83/2011) of N 706,835.36, E 1,310,300.36 and running thence, as new City of Hickory city limits lines the following calls: North 29 degrees 10 minutes 03 seconds East 30.13 feet to a $\frac{3}{4}$ " pipe on the north right-of-way of River Rd. (S.R. 1144), the southeast corner of the lands of the Betty Walker Heirs as described in Deed Book 1865 at Page 189; thence, with the east line of the Walker Heirs, North 29 degrees 10 minutes 03 seconds East 207.17 feet to a $\frac{1}{2}$ " pipe in the east line the Walker Heirs; thence, continuing with the Walker Heirs and the Sheila Martin Heirs as described in Deed Book 1895 at Page 760, North 23 degrees 09 minutes 03 seconds East 277.93 feet to a 1" pipe, the easternmost corner of the Martin Heirs; thence, with the northeast line of the Martin Heirs and Walker Heirs, North 34 degrees 58 minutes 44 seconds West 163.00 feet to a $\frac{3}{8}$ " rod, the northernmost corner of the Martin Heirs; thence, continuing with the line of the Walker Heirs, the same bearing, a distance of 79.51 feet to a $\frac{3}{4}$ " pipe, the southwest corner of the City of Hickory as described in Deed Book 1004 at Page 165; thence, with the south line of the City of Hickory and as existing City of Hickory city limit line the following calls: North 80 degrees 47 minutes 29 seconds East 203.32 feet to a point in a double Maple on the west side of the road to the City of Hickory Henry Fork Wastewater Treatment Plant; thence, the same bearing, 65.72 feet to a $\frac{1}{2}$ " rebar on the east side of said road; thence, the same bearing, 1,412.45 feet to a $\frac{3}{4}$ " pipe; thence South 73 degrees 14 minutes 40 seconds East 103.06 feet to a $\frac{3}{4}$ " pipe; thence North 64 degrees 20 minutes 40 seconds East 487.74 feet to a $\frac{1}{2}$ " rebar; thence, the same bearing, 98.00 feet to a point in the Henry Fork River and in the west line of the lands of Michael Rollins as described in Deed Book 3526 at Page 180; thence, leaving the existing City of Hickory city limits lines as new City of Hickory city limits lines the following calls: with the Henry Fork River, the west line of Rollins and the west line of Cline's Dairy, Inc. as described in Deed Book 1281 at Page 164, South 33 degrees 07 minutes 24 seconds East 486.10 feet to a point, the northeast corner of Veng Chang as described in Deed Book 3538 at Page 475 in the Henry Fork River and in the west line of Cline's Dairy, Inc.; thence, leaving the river, the west line of Cline's Dairy, Inc. and with the north line of Chang, South 59 degrees 52 minutes 25 seconds West 83.85 feet to $\frac{1}{2}$ " rebar in the north line of Chang; thence, continuing with the north line of Chang and with the north line of Kevin Breiner as described in Deed Book 3511 at Page 243, the same bearing, a distance of 748.06 feet to a $\frac{1}{2}$ " rod, the northwest corner of Breiner; thence, with the north line of Joseph Goforth as described in 3367 at Page 515 and Connie Tucker as described in Deed Book 2296 at Page 813, the same bearing, a distance of

278.16 feet to a ½" rod, the northwest corner of Tucker; thence, with the north line of Monika Nygar as described in Deed Book 3085 at Page 680 and David Eblin as described in Deed Book 2820 at Page 644, the same bearing, a distance of 223.70 feet to a ½" flat bar, the northwest corner of Eblin and the northeast corner of David Fredell Heirs as described in Deed Book 1596 at Page 703; thence, with the north line of the Fredell Heirs, the same bearing, a distance of 99.23 feet to a ½" rebar, the northwest corner of the Fredell Heirs; thence, with the west line of the Fredell Heirs, South 14 degrees 22 minutes 35 seconds East 191.09 feet to a ½" rebar, the southwest corner of the Fredell Heirs in the north line of Benny Lawrence as described in Deed Book 2265 at Page 85; thence, with the north line of Lawrence, South 58 degrees 48 minutes 04 seconds West 95.44 feet to a ½" pipe at the base of a 30" pine the northwest corner of Lawrence and the northeast corner of Alton Price as described in Deed Book 1473 at Page 675; thence, with the north line of Price, South 58 degrees 56 minutes 45 seconds West 635.05 feet to a ½" rebar on the east right-of-way of River Rd. (S.R. 1144); thence, the same bearing, 32.91 feet to a point in the right-of-way of River Rd. (S.R. 1144); thence, with River Rd. (S.R. 1144), North 55 degrees 10 minutes 52 seconds West 904.65 feet to point of beginning. Containing 49.21 acres total.

The above description was drawn from a plat by Randal W. Honeycutt PLS L-4399 entitled "Satellite Annexation by the City of Hickory known as Boureanu and Creech Properties, LLC." dated September 6, 2023.

Section 2. Upon and after the 31st day of October 2023, 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 Hickory and shall be entitled to the same privileges and benefits as other parts of the City of Hickory. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10, as amended.

Section 3. The newly-annexed territory described herein shall become part of Ward No. 4 of the City of Hickory.

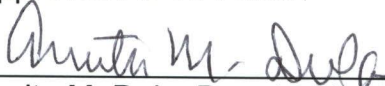
Section 4. The Mayor of the City of Hickory shall cause to be recorded in the Office of the Register of Deeds of Catawba County, and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with duly certified copy of this Ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

ADOPTED THIS 17TH DAY OF OCTOBER 2023.

Hank Guess, Mayor

Warren Wood, City Manager

Approved As To Form:



Arnita M. Dula, Deputy City Attorney

CERTIFICATION OF ANNEXATION ORDINANCE

NORTH CAROLINA
CATAWBA COUNTY
CITY OF HICKORY

I, Debbie D. Miller, City Clerk of the City of Hickory, North Carolina, do hereby certify that the Annexation Ordinance of Boureanu and Creech LLC was adopted at a regular meeting of the Hickory City Council held on October 17, 2023, and that said Ordinance is in full force and effective on October 31, 2023.

City Clerk

NORTH CAROLINA
CATAWBA COUNTY

I, _____, a Notary Public in and for said County and State, do hereby certify that Debbie D. Miller, City Clerk for the City of Hickory, personally appeared before me this date and acknowledged the due execution of the foregoing certificate for the purposes therein expressed.

Witness my hand and notarial seal, this _____ day of _____, 2023.

Notary Public

My Commission Expires: _____

COUNCIL AGENDA MEMOS

To: City Manager's Office

From: Office of Business Development – Planning and Development

Contact Person: Cal Overby, Planning Manager

Date: October 5, 2023

Re: Consideration of Rezoning Petition 23-06

REQUEST

Conduct a public hearing to consider Rezoning Petition 23-06.

BACKGROUND

Boureau and Creech Properties, LLC has submitted a petition requesting the consideration of rezoning property located at 3940 River Road from R-20 Residential to Planned Development (PD).

ANALYSIS

The property is vacant and zoned R-20 Residential by Catawba County. The property is in the process of being annexed, and the owners have requested the property be rezoned to Planned Development upon completion.

The 49.21 acre property is zoned R-20 Residential by Catawba County. This district permits residential uses (single and two family) at maximum density of 2 dwelling units per acre, which could potentially produce up to 98 new dwelling units.

The requested Planned Development would consist of up to 178 single-family detached dwellings, which calculates to be 3.7 units per acre.

RECOMMENDATION

The Hickory Regional Planning Commission conducted a public hearing on September 27, 2023, to consider the petition. During the public hearing the project engineer spoke in favor of the petition, while no one spoke in opposition.

Upon closing the public hearing, the Hickory Regional Planning Commission acknowledged the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan. Based upon its findings, the Hickory Regional Planning Commission voted unanimously (8-0) to recommend approval of the petition. Staff concurs with the recommendation of the Hickory Regional Planning Commission.

CITIZEN INPUT

As of October 5, 2023, staff has received three inquiries regarding this petition.

BUDGET ANALYSIS:**Budgetary Action**

Is a Budget Amendment required?

Yes

☐

No

☒**LIST THE EXPENDITURE CODE:****Reviewed by:**Brian Frazier

Initiating Department Head

10/05/2023

Date

Asst. City Manager R. Miller10/10/23

Date

Finance Officer, M. Miller10/10/23

Date

Exe/Asst City Manager Yaldee Fox10/10/23

Date

Deputy City Attorney, A. Dula10-9-23

Date

Asst. City Manager, R. Beasley10/10/23

Date

Deputy Finance Officer,
Cameron McHargue10-10-23

Date

Recommended for approval and placement on _____ Council agenda (as
 Consent, Public Hearing, Informational, Department Report, etc).

Warren Wood

City Manager, Warren Wood

10.12.23

Date

CITY OF HICKORY
APPLICATION FOR REZONING
(PLANNED DEVELOPMENT OR CONDITIONAL ZONING DISTRICT)

DATE SUBMITTED: 8/31/2023

TO THE PLANNING COMMISSION AND THE CITY COUNCIL OF THE CITY OF HICKORY, NORTH CAROLINA:

I (We), the undersigned, do hereby respectfully make application and petition to amend the Land Development Code and / or change the Zoning Map of the City of Hickory, as hereinafter requested, and in support of this application, the following facts are shown of the application and all required materials):

1. The property proposed to be rezoned is located on River Road
between Hidden Creek Circle and Grady Lane.

PIN NO. (S): 3710-09-17-5434

Physical (Street) Address: 3940 River Road

2. The property is owned by: (please print) Boureaunu and Creech Properties, LLC

(Attach a copy of the most recent deed, contract for purchase or other legal interest demonstrating an interest in the property.)

Owner Information:

Name: Boureaunu and Creech Properties, LLC

Address: 5164 Meadow Park Lane; Hickory, NC 28602-6018

Phone Number: 828.320.4255

Email Address: costel@advelec.net

3. The petition is submitted by: _____
(If the Petition is submitted by someone other than the owner, a letter from the owner(s) authorizing the agent to act on his or her behalf must be submitted with the application. This authorization must be signed and notarized by all owners having an interest in the subject property.)

Agent Information:

Name: _____

Address: _____

Phone Number: _____

4. It is desired and requested that the foregoing property be REZONED:
FROM: County R-20 TO: City Planned Development
5. Please list any overlay districts that apply to the subject property: County ED-O and FMP-O
6. Please list the current use(s) of the property: Wooded; undeveloped
7. Specify the acreage of the proposed development: 47.8
8. Specify the intensity (gross square footage) and/or density (size and number of dwelling units) of the proposed development: 150-180 single family dwellings

Additional Required information

Planned Development Districts

A Planned Development Master Land Use Plan must be submitted as part of all petitions to rezone to a Planned Development district. Such plan shall include maps and plans for the subject property that depicts the following items if relevant:

1. The name of the proposed Planned Development and the names of the developer and design professionals;
2. Scale, dimensions, date, north arrow;
3. Conceptual grading, site preparation and stormwater management;
4. General location, height, number of stories, floor area, orientation, setbacks and proposed land-uses of all structures;
5. Building elevations of all proposed buildings;
6. Open space (designate public or private), floor area, recreation space and impervious surface area necessary to demonstrate conformance with applicable requirements;
7. Landscaping and buffering;
8. Any proposed property subdivision, including proposed future property lines;
9. Primary vehicular and pedestrian circulation system including all proposed exclusive storage bays, turn lanes, vehicular and pedestrian cross access points, points of ingress and egress for principal pedestrian, vehicle, bicycle, and transit;
10. Proposed street layout (both public or private);
11. Location of all parking, loading, sanitation and recycling facilities; area and number of parking spaces in parking lots;
12. Location, character and intensity of all proposed outdoor lighting fixtures;
13. Location of all utility systems;

14. Location, height, dimensions and type of all signs; and
 15. Locally or nationally recognized historic structures.

Conditional Zoning Districts

Conditional Zoning can be applied in conjunction with any base zoning district. Applicants petitioning to rezone to a conditional zoning district must meet all the requirements of the underlying zoning district. All applicants must include a list of additional conditions to be placed upon the subject property with their application. Depending on the complexity of the conditions proposed, a site plan similar to the Master Land Use Plan described above may be required.

9. OWNER'S AFFIDAVIT

We, the undersigned owner(s), hereby certify that the information contained herein and submitted in support of this application is true and correct.

Daniela Bourneau

Member/Manager Bourneau and Creech Properties, LLC

Printed Name of Owner or Agent

Daniela Bourneau
 Signature of Owner or Agent

(Please choose the appropriate notary block)

State of North Carolina – County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of this foregoing instrument for the purposes expressed herein. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____

Notary Public

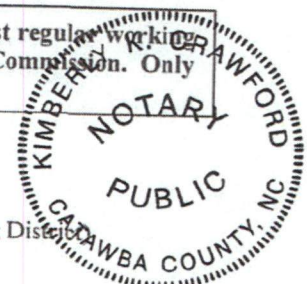
State of North Carolina – County of Catawba

I, the undersigned Notary Public of the County and State aforesaid, certify that Daniela Bourneau personally came before me this day and acknowledged the he / she is the member/manager of Bourneau and Creech, LLC ~~corporation~~ limited liability corporation / general partnership / limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity he /she signed the foregoing instrument in its mane on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 10th day of August, 2023.

My Commission Expires: 1/19/2026

Notary Public

This Application must be submitted to the Planning Department by 5:00 p.m. on the last regular working day of the month preceding the meeting at which it is to be considered by the Planning Commission. Only complete applications will be accepted.





LIMITED LIABILITY COMPANY ANNUAL REPORT

Exhibit XI-A-2:
 SOSID: 0915276
 Date Filed: 4/21/2023
 Elaine F. Marshall
 North Carolina Secretary of State
 CA2023 111 02037

NAME OF LIMITED LIABILITY COMPANY: Boureau and Creech Properties, LLC

SECRETARY OF STATE ID NUMBER: 0915276 STATE OF FORMATION: NC

REPORT FOR THE CALENDAR YEAR: 2023



Filing Office Use Only

☐ Changes

SECTION A: REGISTERED AGENT'S INFORMATION

1. NAME OF REGISTERED AGENT: Daniela S Boureau

2. SIGNATURE OF THE NEW REGISTERED AGENT: _____

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS

5164 Meadow Park Lane

5164 Meadow Park Lane

Hickory, NC 28602 Catawba

Hickory, NC 28602 Catawba

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: Real Estate

2. PRINCIPAL OFFICE PHONE NUMBER: (828) 327-4077

3. PRINCIPAL OFFICE EMAIL _____

Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS

5. PRINCIPAL OFFICE MAILING ADDRESS

5164 Meadow Park Lane

5164 Meadow Park Lane

Hickory, NC 28602 Catawba

Hickory, NC 28602 Catawba



6. Select one of the following if applicable. (Optional see instructions)

☐

The company is a veteran-owned small business

☐

The company is a service-disabled veteran-owned small business

SECTION C: COMPANY OFFICIALS (Enter additional company officials in Section E.)

NAME: Daniela S Boureau

NAME: _____

NAME: _____

TITLE: Manager/Member

TITLE: _____

TITLE: _____

ADDRESS: _____

ADDRESS: _____

ADDRESS: _____

5164 Meadow Park Lane

Hickory, NC 28602 Catawba

SECTION D: CERTIFICATION OF ANNUAL REPORT Section D must be completed in its entirety by a person/business entity.

Daniela S Boureau

04/12/2023

Form must be signed by a Company Official listed under Section C of This form.

DATE

DANIELA S. BOUREAU

MANAGER / MEMBER

Print or Type Name of Company Official

Print or Type Title of Company Official

SUBMIT THIS ANNUAL REPORT WITH THE REQUIRED FILING FEE OF \$200

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525

3747-0530

Exhibit XI.A.2.

FILED ELECTRONICALLY
CATAWBA COUNTY NC
DONNA HICKS SPENCER

FILED May 26, 2022
AT 10:24:00 AM
BOOK 03747
START PAGE 0530
END PAGE 0533
INSTRUMENT # 12029
EXCISE TAX \$700.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$700.00

Parcel Identifier No. 371009175434 Verified by _____ County on the ____ day of _____, 20____
By: _____

Mail/Box to: Law Offices of Amos & Kapral, LLP, 1331 N. Center Street, Hickory, NC 28601

This instrument was prepared by: Law Offices of Amos & Kapral, LLP, 1331 N. Center Street, Hickory, NC 28601

Brief description for the Index: V/L River Rd, Hickory, NC 28602

THIS DEED made this 26th day of May, 2022, by and between

GRANTOR

GRANTEE

Catherine M. Colvard, as Successor Trustee of the Colvard Family Trust dated March 18, 2003; and Eric M. Yoder, as Successor Trustee of the Harold M. Yoder Revocable Trust dated May 12, 2009
453 Beaverdam Rd
Asheville, NC 28804

Boureau and Creech Properties, LLC, a North Carolina limited liability company
5164 Meadow Park Lane
Hickory, NC 28602

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated in the City of _____, Hickory Township, Catawba County, North Carolina and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 2522 page 463.

All or a portion of the property herein conveyed _____ includes or X does not include the primary residence of a Grantor.

3747-0531

A map showing the above described property is recorded in Plat Book _____ page _____.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Any restrictions, easements and/or right-of-way affecting the subject realty.
2022 Ad Valorem Taxes.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Catherine M. Colvard, as Successor Trustee of the Colvard
Family Trust dated March 18, 2003

(Entity Name)

Print/Type Name: _____ (SEAL)

By: Catherine M. Colvard
Print/Type Name & Title: Catherine M. Colvard, Successor Trustee

Print/Type Name: _____ (SEAL)

Eric M. Yoder, as Successor Trustee of the Harold M. Yoder
Revocable Trust dated May 12, 2009

(Entity Name)

Print/Type Name: _____ (SEAL)

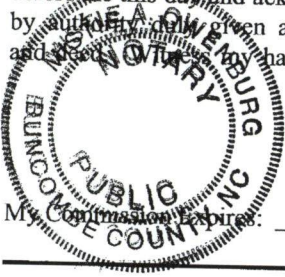
By: _____
Print/Type Name & Title: Eric M. Yoder, Successor Trustee

Print/Type Name: _____ (SEAL)

By: _____
Print/Type Name & Title: _____

State of North Carolina - County of Buncombe

I, the undersigned Notary Public of the County and State aforesaid, certify that Catherine M. Colvard, personally appeared before me this day, and acknowledged that she is the Successor Trustee of The Colvard Family Trust dated March 18, 2003, and that by authority duly given and as the act of such entity, she signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 24th day of May, 2022.



Mistie A. Owenburg
Notary Public

State of _____ - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that Eric M. Yoder, personally appeared before me this day and acknowledged that he is the Successor Trustee of The Harold M. Yoder Revocable Trust dated May 12, 2009, and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of May, 2022.

My Commission Expires: _____

Notary Public

3747-0532

A map showing the above described property is recorded in Plat Book _____ page _____.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Any restrictions, easements and/or right-of-way affecting the subject realty.
2022 Ad Valorem Taxes.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Catherine M. Colvard, as Successor Trustee of the Colvard
Family Trust dated March 18, 2003

(Entity Name)

Print/Type Name: _____ (SEAL)

By: _____
Print/Type Name & Title: Catherine M. Colvard, Successor Trustee

Print/Type Name: _____ (SEAL)

Eric M. Yoder, as Successor Trustee of the Harold M. Yoder
Revocable Trust dated May 12, 2009

(Entity Name)

Print/Type Name: _____ (SEAL)

By: [Signature]
Print/Type Name & Title: Eric M. Yoder, Successor Trustee

Print/Type Name: _____ (SEAL)

By: _____
Print/Type Name & Title: _____

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that Catherine M. Colvard, personally appeared before me this day and acknowledged that she is the Successor Trustee of The Colvard Family Trust dated March 18, 2003, and that by authority duly given and as the act of such entity, she signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of May, 2022.

My Commission Expires: 04/30/2026

Notary Public

State of Virginia - County of Virginia Beach

I, the undersigned Notary Public of the County and State aforesaid, certify that Eric M. Yoder, personally appeared before me this day and acknowledged that he is the Successor Trustee of The Harold M. Yoder Revocable Trust dated May 12, 2009, and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 26 day of May, 2022.

My Commission Expires: 04/30/2026

Emily Marie Batkins
Notary Public

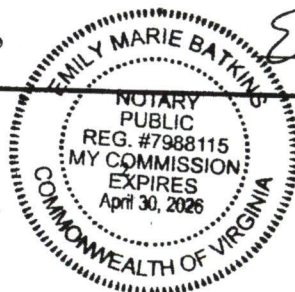


Exhibit A**Tract One:**

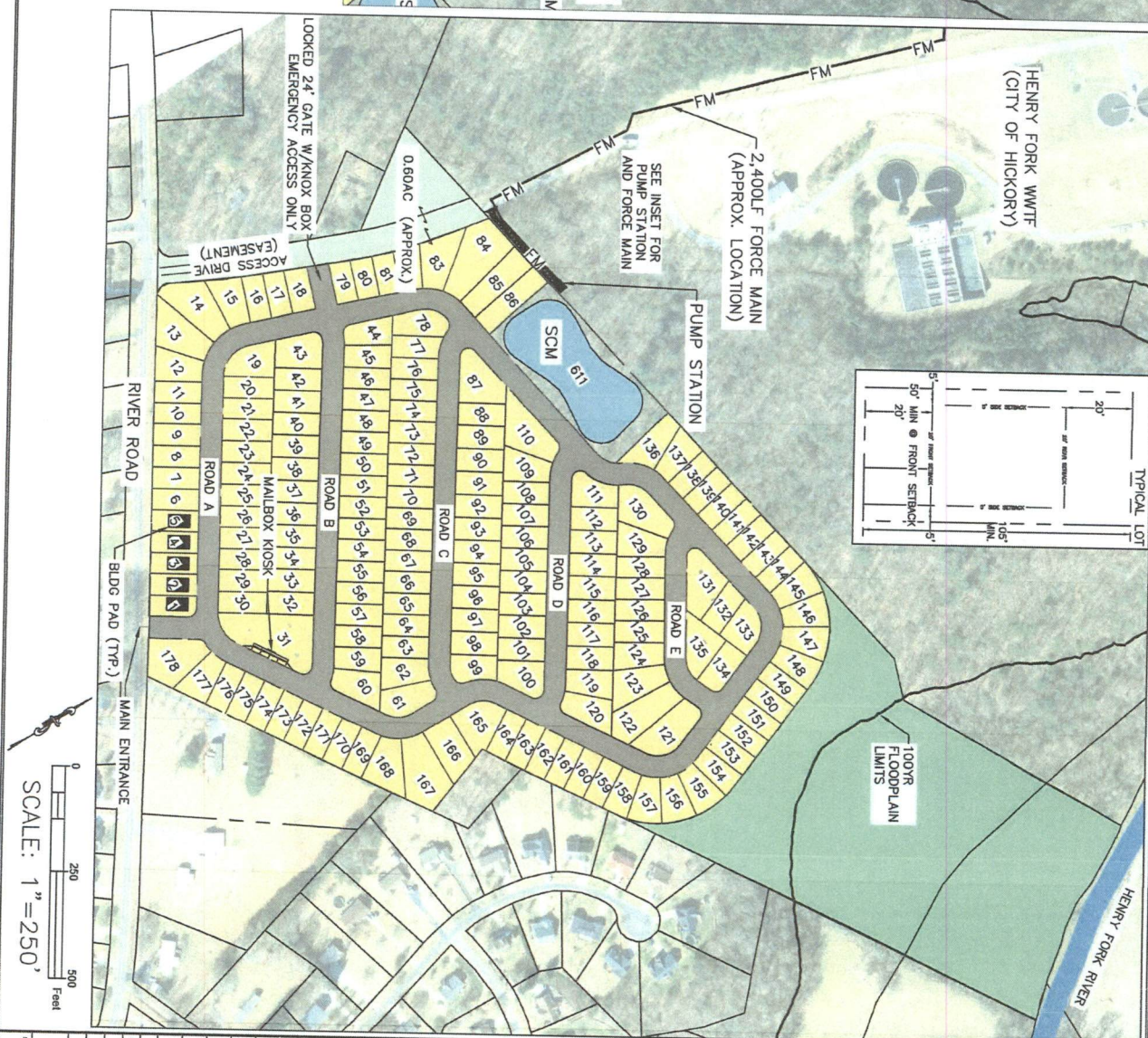
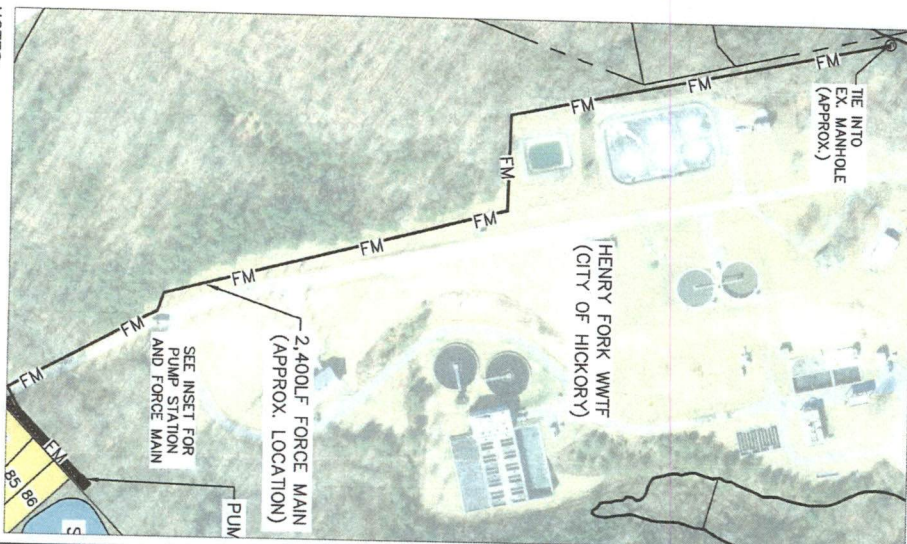
BEGINNING at a large Spanish oak on the Robinson line, and runs North 77' East, 102 poles to a Hickory; thence South 77' East, 6 $\frac{1}{4}$ poles to a Sassafras; thence North 56' East, 33 poles to a Willow on the bank of the river; thence down the river as it meanders South 41' East 29 $\frac{1}{2}$ poles to a stone where a Birch formerly stood; thence with the Robinson line South 54 $\frac{1}{4}$ ' West 130 poles to a Post-oak, the corner of the Robinson lands; thence with another of the Robinson lines North 39' West 72 poles to the beginning, containing 38 $\frac{3}{4}$ acres more or less.

Tract Two:

BEGINNING in the center of Sandy Ford Road, a corner of Fred Queen, and runs thence with Queen's line N 30 E 250 feet to a stake in said Queen's line; thence, continuing with Queen's line N 35 E 946 feet to a stake at another of Queen's corners; thence, S 35 E 946 feet to a stake at a corner of Craig Yoder; thence, with the Yoder's line N 59 E 712 feet to a stake in Yoder's line at a corner of Grady Bolick; thence, with Bolick's line S 15 $\frac{1}{2}$ E 190 feet to an iron at another of Bolick's corners; thence, with another of Bolick's lines s 58 $\frac{1}{2}$ W 773 feet to the center of Sandy Ford Road the following courses and distances; N 54 W 200 feet, N 55-15 W 400 feet, and N 56-20 W 375 feet to the point of the BEGINNING. Containing 11 acres, more or less.

The above described lands are conveyed subject to a cart-way or road-way along the Western boundary thereof, adjoining the lands of Fred Queen, as a such cart-way or road-way has been designated upon a certain map of plat of the Aileen Bolick Property, Jacobs Forks Township, made by G. Sam Rowe, C.E., and duly recorded in the Office of the Register of Deeds for Catawba County, in Map Book 7 at page 79.

- NOTES:
1. CITY HAS A PERPETUAL ACCESS EASEMENT TO THE WWTF.
 2. DEVELOPER WILL DEED THE ACCESS DRIVE AND 0.6-AC PARCEL TO THE CITY.
 3. CITY WILL GIVE DEVELOPER A TIE-IN TO THE WWTF AND A GATED ENTRANCE ON THE ACCESS DRIVE.
1. DENSITY 3.8 UNITS/AC
2. ACREAGE 47.80 AC
3. OPEN SPACE 10.78 AC

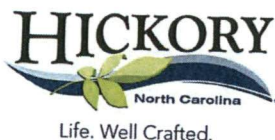


SITE PLANS FOR:
RIVER ROAD SUBDIVISIONS
3940 RIVER RD, HICKORY NC PIN:371009175434

SHABELDEEN ENGINEERING
Ethics • Integrity • Engineering

Civil
Environmental
Stormwater/Erosion Control
Construction Management

HICKORY, NC
P: (828) 320-7244
F: (828) 394-4111
License No. C-2846



HICKORY REGIONAL PLANNING COMMISSION ZONING MAP AMENDMENT CONSISTENCY STATEMENT

On September 27, 2023 the Hickory Regional Planning Commission conducted a Public Hearing for the purpose of considering Rezoning Petition 23-06. Upon consideration, the Hickory Regional Planning Commission found:

1. The general area is classified Low Density Residential by the Hickory by Choice 2030 Comprehensive Plan

The Hickory by Choice 2030 Comprehensive Plan states the following about Low Density Residential areas: "This land use category is intended to provide an area of transition between higher density housing in Hickory and the surrounding rural areas by offering development at two to four units per acre." (HBC 2030, Pg. 25). The comprehensive plan also indicates a density of 2 to 4 dwelling units per acre is appropriate for the Low Density Residential classification.

The master plan for the requested Planned Development (PD) district produces both use types and densities consistent with the language from the comprehensive plan.

2. The area under consideration for rezoning is indicated by the Hickory by Choice 2030 Comprehensive Plan as an area appropriate for residential development.
3. All improvements that are to take place on the property will be required to follow all applicable development regulations.
4. The subject property has access to a NCDOT maintained roadway (River Road / SR 1144), as well as public utilities. The property owner / developer will be responsible for any necessary extensions needed for services. The land-use pattern of the area, with the inclusion of the subject property, represents an efficient use of public services, and the wise use of public funding.
5. The current land use pattern of the larger area consists largely of residential uses, with the exception of the adjacent city-owned wastewater treatment plant (Henry Fork WWTP). The predominant development pattern will continue under the proposed Planned Development (PD), as residences will be the sole land use within the development. The potential future use of the property is best suited to further the existing development pattern of the area. Public resources to provide critical public services are in place or will be provided by the property owner / developer to service the development. These include public utilities and transportation infrastructure.
6. Public resources to provide critical public services are or will be in place to service the property, if developed. These include public utilities and transportation infrastructure.

7. Any future development occurring on the subject properties shall adhere to all state and local building, fire, and flood zone related development regulations. Such regulations will ensure proper protections are provided to ensure surrounding residents, and property are properly protected as prescribed by law.
8. Public resources to provide critical public services are or will be in place to service the property. These include public utilities, transportation infrastructure, as well as police and fire protection.
9. The subject property will be required to be adhere to regulations related to zoning, building and fire code, traffic, stormwater, etc., which will work in conjunction with one another to ensure the health and safety of residents and visitors are properly protected.

Based upon these findings, the Hickory Regional Planning Commission has found Rezoning Petition 23-06 to be consistent with the findings and recommendations of plans outlining development in the area and recommends Hickory City Council approval of the petition.



Bill McBrayer, Chairman

9/27/23
Date

REZONING ANALYSIS

PETITION: 23-06

APPLICANT: Boureanu and Creech Properties, LLC

OWNERS: Boureanu and Creech Properties, LLC

PROPERTY LOCATION: 3940 River Road

PIN: 3710-09-17-5434

WARD: Upon annexation, this property will be located in Ward 4 (Councilman Freeman).

ACREAGE: 49.21 total acres.

REQUESTED ACTION: Rezone the property from Catawba County R-20 Residential to Planned Development (PD).

BACKGROUND: The property is vacant and zoned R-20 Residential by Catawba County. The property is in the process of being annexed, and the owners have requested the property be rezoned to Planned Development upon completion.

DEVELOPMENT POTENTIAL: The 49.21 acre property is zoned R-20 Residential by Catawba County. This district permits residential uses (single and two family) at maximum density of 2 dwelling units per acre, which could potentially produce up to 98 new dwelling units.

The requested Planned Development would consist of up to 178 single-family detached dwellings, which calculates to be 3.7 units per acre.

PROJECT SPECIFICS:

1. Density calculates to 3.7 units per acre (178 total detached single-family homes).
2. Lots sizes are proposed to be 50' X 105' (5250 ft²).
3. Building setbacks are proposed to be:
 - a. 20' front (street) yard.
 - b. 20' rear yard.
 - c. 5' side yard.
4. Preservation of approximately 10 acres of open space (+/- 20% of total land area).

REVIEW CRITERIA: In reviewing and making recommendations on proposed zoning map amendments, review bodies shall consider the following factors:

1. Consistency of the proposed zoning with the *Hickory Comprehensive Land Use and Transportation Plan (Hickory by Choice 2030)* and the stated Purpose and Intent of this Land Development Code;

The general area is classified as Low Density Residential by the Hickory by Choice 2030 Comprehensive Plan. (Note: The Hickory by Choice 2030 Comprehensive Plan's Future Land Use map does not contain parcel line data, as the general boundaries of the land use categories are not concrete.) (Please refer to Map 1 for detail).

The Hickory by Choice 2030 Comprehensive Plan states the following about Low Density Residential areas: "This land use category is intended to provide an area of transition between higher density housing in Hickory and the surrounding rural areas by offering development at two to four units per acre." (HBC 2030, Pg. 25).

The master plan for the requested Planned Development (PD) district produces both use types and densities consistent with the language from the comprehensive plan.

Given these factors, the rezoning of the property to Planned Development (PD) should be considered consistent with the findings and recommendations of the Hickory by Choice (2030) Comprehensive Plan.

Section 1.7 of the Hickory Land Development Code contains its Stated Purpose and Intent. This section contains five (5) specific items which the Land Development Code is intended to uphold. These are as follows:

- Implement the Hickory by Choice 2030 Comprehensive Plan.

The area under consideration for rezoning is indicated by the Hickory by Choice 2030 Comprehensive Plan as a residential area with development density from 2 to 4 dwelling units per acre. The development as proposed meets both the use types and densities outlined within the comprehensive plan.

- Preserve and protect land, air, water and environmental resources and property values.

All improvements that are to take place on the property will be mandated to follow all applicable development regulations.

- Promote land use patterns that ensure efficiency in service provision as well as wise use of fiscal resource and governmental expenditures.

The subject property has access to a NCDOT maintained roadway (River Road / SR 1144), as well as public utilities. The property owner / developer will be responsible for any necessary extensions needed for services. The land-use pattern of the area, with the inclusion of the subject property, represents an efficient use of public services, and the wise use of public funding.

- Regulate the type and intensity of development; and

The current land use pattern of the area consists largely of residential uses, with the exception of the adjacent city-owned wastewater treatment plant (Henry Fork WWTP). The predominant development pattern will continue under the proposed Planned Development (PD), as residences will be the sole land use within the development. The potential future use of the property is best suited to further the existing development pattern of the area. Public resources to provide critical public services

are in place or will be provided by the property owner / developer to service the development. These include public utilities and transportation infrastructure.

- Ensure protection from fire, flood and other dangers.

The subject property will be required to adhere to all state and local building, fire, and flood zone related development regulations. Such regulations will ensure proper protections are provided to ensure surrounding residents, and property are properly protected as prescribed by law.

2. Existing land uses within the general vicinity of the subject property (**Please refer to Maps below for more detail**):

- **North:** The property is zoned Low Density Residential (R-1) and occupied by a wastewater treatment plant.
- **South:** The properties are zoned R-20 Residential and occupied by single-family residences or used as farmland.

East: The properties are zoned R-20 Residential and are vacant.

- **West:** The property is zoned R-20 Residential and occupied by single-family residences or vacant.

3. The suitability of the subject properties for the uses permitted under the existing and proposed zoning classification:

The current zoning and use of the area is predominately residential and agricultural. The current district permits residential as its primary use. The requested Planned Development is proposed to consist entirely of new residential dwellings.

4. The extent to which zoning will detrimentally affect properties within the general vicinity of the subject property:

Given the similarity of the current and requested districts, conflicts in use types would not be anticipated, nor expected to cause detrimental impacts on the surrounding area.

5. The extent to which the proposed amendment (zoning map) will cause public services including roadways, storm water management, water and sewer, fire, and police protection to fall below acceptable levels.

Public resources to provide critical public services are in place or will be put in place by the property owner / developer to serve the development. These include public utilities transportation infrastructure, as well as police and fire protection.

6. The proposed amendment (zoning map) will protect public health, safety, and general welfare.

Any future development that occurs of the subject property as the result of the zoning map amendment, will be required to be adhere to regulations related to zoning, building and fire code, traffic, stormwater, etc.; which will work in conjunction with one another to ensure the health and safety of residents and visitors are properly protected.

fire code, traffic, stormwater, etc.; which will work in conjunction with one another to ensure the health and safety of residents and visitors are properly protected.

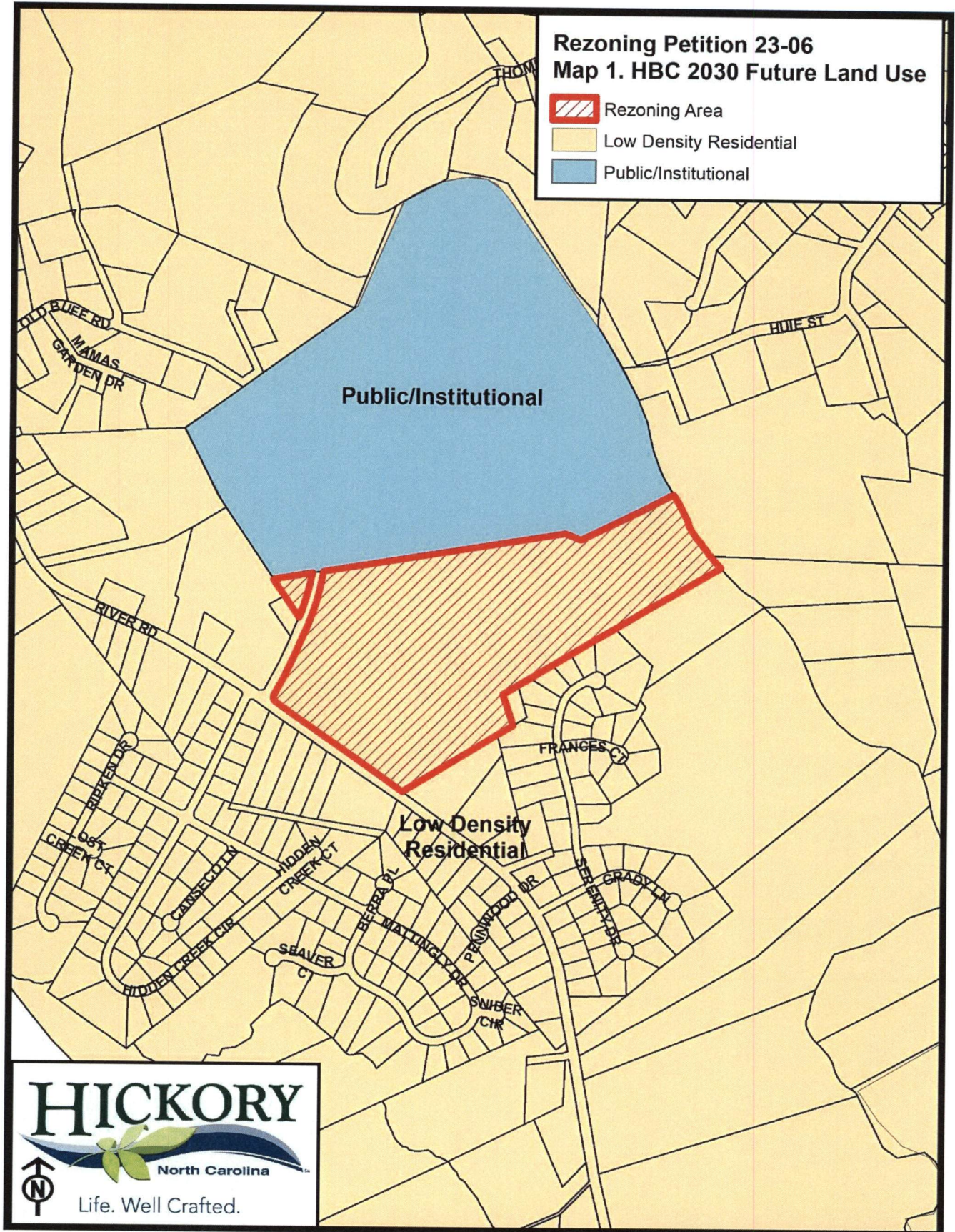
RECOMMENDED ACTION:

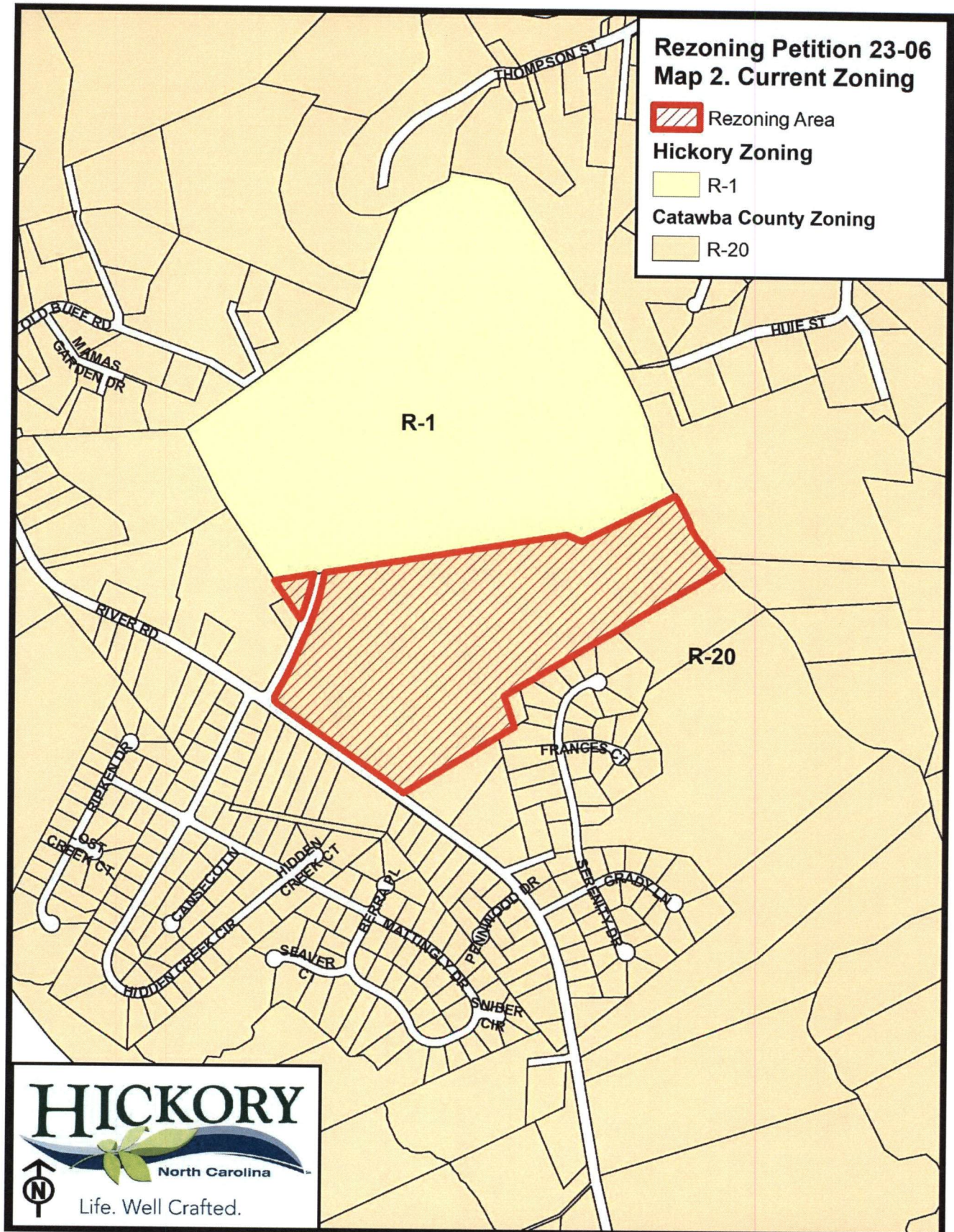
The Hickory Regional Planning Commission conducted a public hearing on September 27, 2023, to consider the petition. During the public hearing the project engineer spoke in favor of the petition, while no one spoke in opposition.

Upon closing the public hearing, the Hickory Regional Planning Commission acknowledged the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan. Based upon its findings, the Hickory Regional Planning Commission voted unanimously (8-0) to recommend approval of the petition. Staff concurs with the recommendation of the Hickory Regional Planning Commission.

CITIZEN INPUT:

As of October 5, 2023, staff has received three (3) inquiries regarding this petition.







ORDINANCE NO. _____

AN ORDINANCE OF THE HICKORY CITY COUNCIL AMENDING THE OFFICIAL HICKORY ZONING ATLAS TO REZONE +/- 49.21 ACRES OF PROPERTY LOCATED AT 3940 RIVER ROAD, FROM CATAWBA COUNTY R-20 RESIDENTIAL TO PLANNED DEVELOPMENT.

WHEREAS, Article 2, Section 2.2 of the Hickory Land Development Code provides for amendments to the Official Zoning Atlas; and

WHEREAS, the property owner has been petitioned to rezone +/- 49.21 acres of property located at 3940 River Road, more particularly described on **Exhibit A** attached hereto, to allow a Planned Development district; and

WHEREAS, the Hickory Regional Planning Commission considered the proposed rezoning during a public hearing on September 27, 2023, and forwarded a recommendation of approval to the City Council; and

WHEREAS, Article 2 of the Hickory Land Development Code requires findings the proposed rezoning is in response to changing conditions and is reasonably necessary to promote the public health, safety and general welfare; and

WHEREAS, the City Council has found Petition 23-06 to be in conformance with the Hickory by Choice 2030 Comprehensive Plan and Zoning Ordinance,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF HICKORY, NORTH CAROLINA, THAT THE REZONING OF PROPERTY DESCRIBED IN EXHIBIT A IS APPROVED.

SECTION 1. Upon considering the matter, the Hickory City Council found:

- The subject property is located at 3940 River Road, and identified as PIN 3710-09-17-5434.
- The rezoning request is intended to further implement the findings and recommendations of the Hickory by Choice 2030 Comprehensive Plan.
- The general area is classified as Low Density Residential by the Hickory by Choice 2030 Comprehensive Plan
- The Hickory by Choice 2030 Comprehensive Plan indicates Low Density Residential areas are intended to provide an area of transition between higher density housing and the surrounding rural areas by offering development at two to four units per acre. The proposed development is a single-family residential neighborhood with an overall density that is consistent with the plan's language.

Ordinance NO. _____

Hickory City Council

Page 1 of 5

Given this, the rezoning of the property to Planned Development (PD) is consistent with the findings and recommendations of the Hickory by Choice (2030) Comprehensive Plan.

FURTHERMORE, the rezoning of the property is reasonable as the development type and intensity is similar to that of the surrounding area and furthers the development pattern while adhering to the recommendations of the Hickory by Choice 2030 Comprehensive Plan.

Section 1.7 of the Hickory Land Development Code contains its Stated Purpose and Intent. This section contains five (5) specific items which the Land Development Code is intended to uphold. These are as follows:

- Implement the Hickory by Choice 2030 Comprehensive Plan.

The area under consideration for rezoning is indicated by the Hickory by Choice 2030 Comprehensive Plan as a residential area with development density from 2 to 4 dwelling units per acre. The development as proposed meets both the use types and densities outlined within the comprehensive plan.

- Preserve and protect land, air, water and environmental resources and property values.

All improvements that are to take place on the property will be mandated to follow all applicable development regulations.

- Promote land use patterns that ensure efficiency in service provision as well as wise use of fiscal resource and governmental expenditures.

The subject property has access to a NCDOT maintained roadway (River Road / SR 1144), as well as public utilities. The property owner / developer will be responsible for any necessary extensions needed for services. The land-use pattern of the area, with the inclusion of the subject property, represents an efficient use of public services, and the wise use of public funding.

- Regulate the type and intensity of development; and

The current land use pattern of the larger area consists largely of residential uses, with the exception of the adjacent city-owned wastewater treatment plant (Henry Fork WWTP). The predominant development pattern will continue under the proposed Planned Development (PD), as residences will be the sole land use within the development. The potential future use of the property is best suited to further the existing development pattern of the area. Public resources to provide critical public services are in place or will be provided by the property owner / developer to service the development. These include public utilities and transportation infrastructure.

Ordinance NO. _____
Hickory City Council
Page 2 of 5

- Ensure protection from fire, flood and other dangers.

The subject property will be required to adhere to all state and local building, fire, and flood zone related development regulations. Such regulations will ensure proper protections are provided to ensure surrounding residents, and property are properly protected as prescribed by law.

- The suitability of the subject properties for the uses permitted under the existing and proposed zoning classification.

The current zoning and use of the area is predominately residential and agricultural. The current district permits residential as its primary use. The requested Planned Development is proposed to consist entirely of new residential dwellings.

- The extent to which zoning will detrimentally affect properties within the general vicinity of the subject property.

Given the similarity of the current and requested districts, conflicts in use types would not be anticipated, nor expected to cause detrimental impacts on the surrounding area.

- The extent to which the proposed amendment (zoning map) will cause public services including roadways, storm water management, water and sewer, fire, and police protection to fall below acceptable levels.

Public resources to provide critical public services are in place or will be put in place by the property owner / developer to serve the development. These include public utilities transportation infrastructure, as well as police and fire protection.

- The proposed amendment (zoning map) will protect public health, safety, and general welfare.

Any future development that occurs of the subject property as the result of the zoning map amendment, will be required to be adhere to regulations related to zoning, building and fire code, traffic, stormwater, etc.; which will work in conjunction with one another to ensure the health and safety of residents and visitors are properly protected.

SECTION 2. All ordinances or provisions of the Hickory City Code which are not in conformance with the provisions of the Amendment occurring herein are repealed as of the effective date of this Ordinance.

Ordinance NO. _____
Hickory City Council
Page 3 of 5

SECTION 3. Conditions of Approval

1. The development of the subject property shall be undertaken as outlined on the approved master plan.
2. All necessary infrastructure extensions and improvements to serve and complete the project shall be the responsibility of the property owner / developer.
3. All infrastructure shall be constructed and maintained to the standards of the City of Hickory.

SECTION 4. This Ordinance shall become effective upon adoption.

ORDAINED by the City Council of Hickory, North Carolina, this, the ____ day of _____, 2023.

(SEAL)

THE CITY OF HICKORY, a
North Carolina Municipal Corporation

Attest:

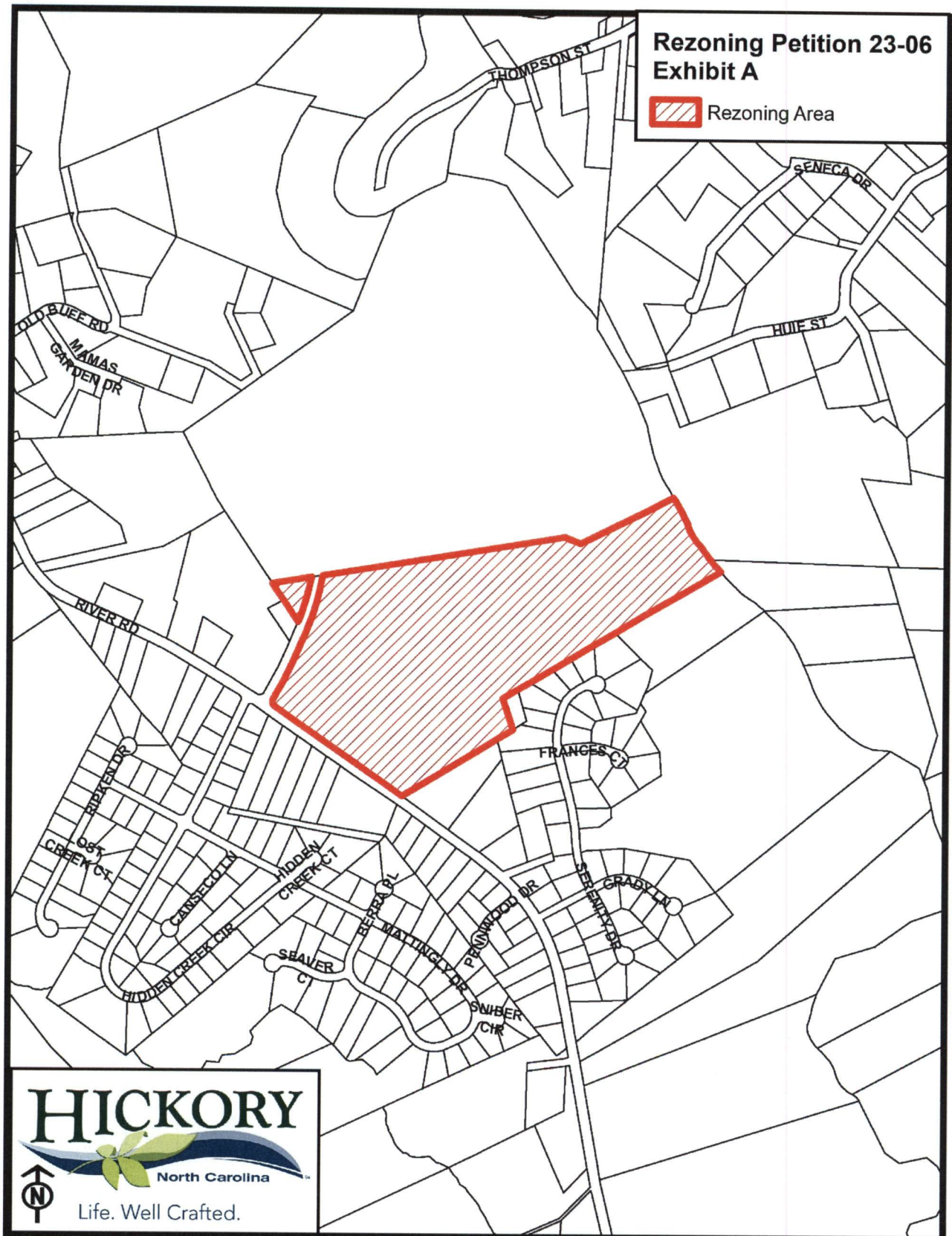
By: _____
Hank Guess, Mayor

Debbie D. Miller, City Clerk

Approved as to form this ____ day of _____, 2023.

Attorney for the City of Hickory

Ordinance NO. _____
Hickory City Council
Page 4 of 5



COUNCIL AGENDA MEMOS**COUNCIL AGENDA MEMOS**

To: City Manager's Office
From: Steve Miller, Public Works Director
Contact Person: Steve Miller
Date: October 17, 2023
Re: Conduct a Public Hearing for Street Closing Petition – Petitioner Jojida, LLC for an unused alley located off of 3rd Avenue SE

REQUEST

Staff request Council conduct a Public Hearing to consider closing an unused alley located off of 3rd Avenue SE as petitioned by Jojida, LLC.

BACKGROUND

The City Clerk received a petition from Jojida, LLC owner of the properties abutting an unused alley located off of 3rd Avenue SE. The petition requests the City to close the unused alley per NCGS § 160A-299.

ANALYSIS

The City Clerk received a petition from Jojida, LLC to close an unused alley located off of 3rd Avenue SE. The unused alley is bound on the north, east and west by the property owned by the Petitioner Jojida, LLC and bound on the south by 3rd Avenue SE. The signature on the petition represent all the owner(s) of the property abutting this portion of the right-of-way. The petition fee of \$830 has been paid.

A memo was sent to various departments for their input on the street closing. Public Utilities advised sewer lines are inside this street, and easements for water and sewer would be needed, or abandoned, if they will not be used by the property.

RECOMMENDATION

Staff recommends Council conduct the public hearing to consider closing an unused alley located off of 3rd Avenue SE, as petitioned by Jojida, LLC.

BUDGET ANALYSIS:**Budgetary Action**

Is a Budget Amendment required?


Yes

☐

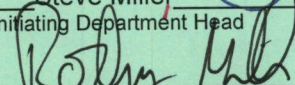
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☐**LIST THE EXPENDITURE CODE:**

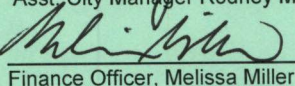
Reviewed by:


 Steve Miller
 Initiating Department Head

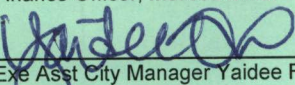
 10/5/23
 Date


 Asst. City Manager Rodney Miller

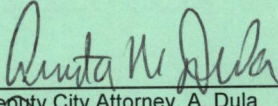
 10/11/23
 Date


 Finance Officer, Melissa Miller

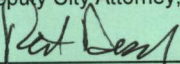
 10/10/23
 Date


 Exe Asst City Manager Yaidee Fox

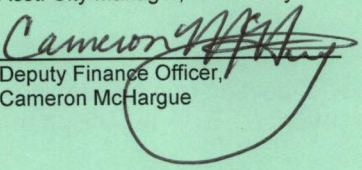
 10/16/23
 Date


 Deputy City Attorney, A. Dula

 10-9-23
 Date

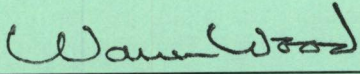

 Asst. City Manager, R. Beasley

 10/10/23
 Date


 Deputy Finance Officer,
 Cameron McHargue

 10-10-23
 Date

 Recommended for approval and placement on _____ Council agenda (as
 Consent, Public Hearing, Informational, Department Report, etc).


 City Manager, W. Wood

 10.12.23
 Date

NORTH CAROLINA
CATAWBA COUNTY

PETITION TO CLOSE UNOPENED ALLEY

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF HICKORY

JOJIDA, LLC ("Petitioner"), petitions the Honorable Mayor and City Council of Hickory, North Carolina to close an alley or street and in support of this states as follows:

1. Petitioner owns the following five (5) parcels of land in Catawba County, North Carolina, that adjoin an unopened alley shown on Plat Book 1, Page 114 and Plat Book 6, Page 36 of the Catawba County Registry:
 - a. PIN # 371205078951 (LRK/REID 28322) Book 2323/Page 1140, Catawba County Registry and same as Lots 3, 4 and 5 of Plat Book 1, Page 114 and Plat Book 6, Page 36.
 - b. PIN # 371205088050 (LRK/REID 28323) Book 2323/Page 1140, Catawba County Registry and same as Lots 11 and 12 of Plat Book 1, Page 114 and Plat Book 6, Page 36.
 - c. PIN #371205088046 (LRK/REID 28324) Book 2323/Page 1140, Catawba County Registry and same as Lots 13 and 14 of Plat Book 1, Page 114 and Plat Book 6, Page 36.
 - d. PIN #371205077953 (LRK/REID 28325) Book 2323/Page 1140, Catawba County Registry and same as Lots 1 and 2 of Plat Book 1, Page 114 and Plat Book 6, Page 36.
 - e. PIN #371205088111 (LRK/REID 28326) Book 2911/Page 1556, Catawba County Registry, and same being a parcel at the northern terminus of the unopened alley.
2. The closing of the alley is not contrary to the public interest in that the unopened alley is not a necessary means of ingress and egress to the property of JOJIDA, LLC or the property of any other owners. There are no other adjoining property owners.
3. The plats for the unopened alley which Petitioner seeks to close are attached hereto as Exhibit A and are also recorded in Plat Book 1, Page 114 and Plat Book 6, Page 36 of the Catawba County Registry. A metes and bounds description of the property is attached hereto as Exhibit B.

RECEIVED
 BY: K. Miller
 DATE: 8-22-2023 154

4. The City of Hickory acting through its Mayor and City Council, is authorized by North Carolina General Statutes §160A-296 et seq. to close the unopened alley as hereinabove described.

WHEREFORE, the undersigned Petitioner requests the Mayor and the City Council of the City of Hickory to declare their intent to close the unopened alley as described above, and to give Notice of Hearing to be held to consider such closing in accordance with the provisions of North Carolina General Statute §160A-299.

This the 11 day of July, 2023.

JOJIDA, LLC

By: [Signature]

Name: MEMBER MANAGER

Title: JIMMY ROWE

NORTH CAROLINA

CATAWBA COUNTY

Whitney Beck

, a Notary Public in and for said County and State, do hereby certify that Jimmy Rowe, Manager of Jojida, LLC, a North Carolina Limited Liability Company, personally appeared before me this day and acknowledged the due execution of the foregoing document, all for the purposes therein expressed.

Witness my hand and notarial seal, this the 11 day of August, 2023.



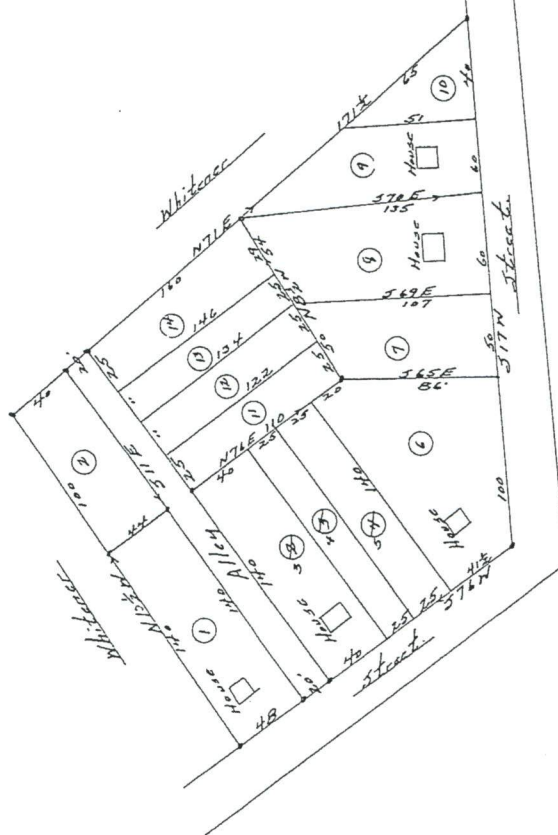
Whitney Beck

Notary Public Whitney Beck

My Commission Expires: April 16, 2025

EXHIBIT A
Recorded Plats

Carson Property
Lincoln Road
Hickory, N.C.
Oct. 27, 1924
E. M. Veder, Surveyor



No. Carolina
 Cat. No. 6.

E. M. Veder being first duly sworn, says: that he is a duly sworn surveyor of N.C., that he made the attached plat, and that the same is in all respects correct, and was found correct by him made on Oct. 27, 1924 and that the variation of the magnetic needle was about 1° West.

E. M. Veder, Surveyor

Sworn to and subscribed before me, this 26th day of Dec. 1924.
 H. E. Stevens
 My Comm. exp. 2/18/26

No. Carolina
 Cat. No. 6.

The foregoing certificate of H. E. Stevens, N.P. of
 Cat. No. 6, is adjudged to be correct, let the instrument
 with the certificate be registered.

Witness my hand this 10th day of Dec. 1924.
 J. C. Radison
 C. J. C.

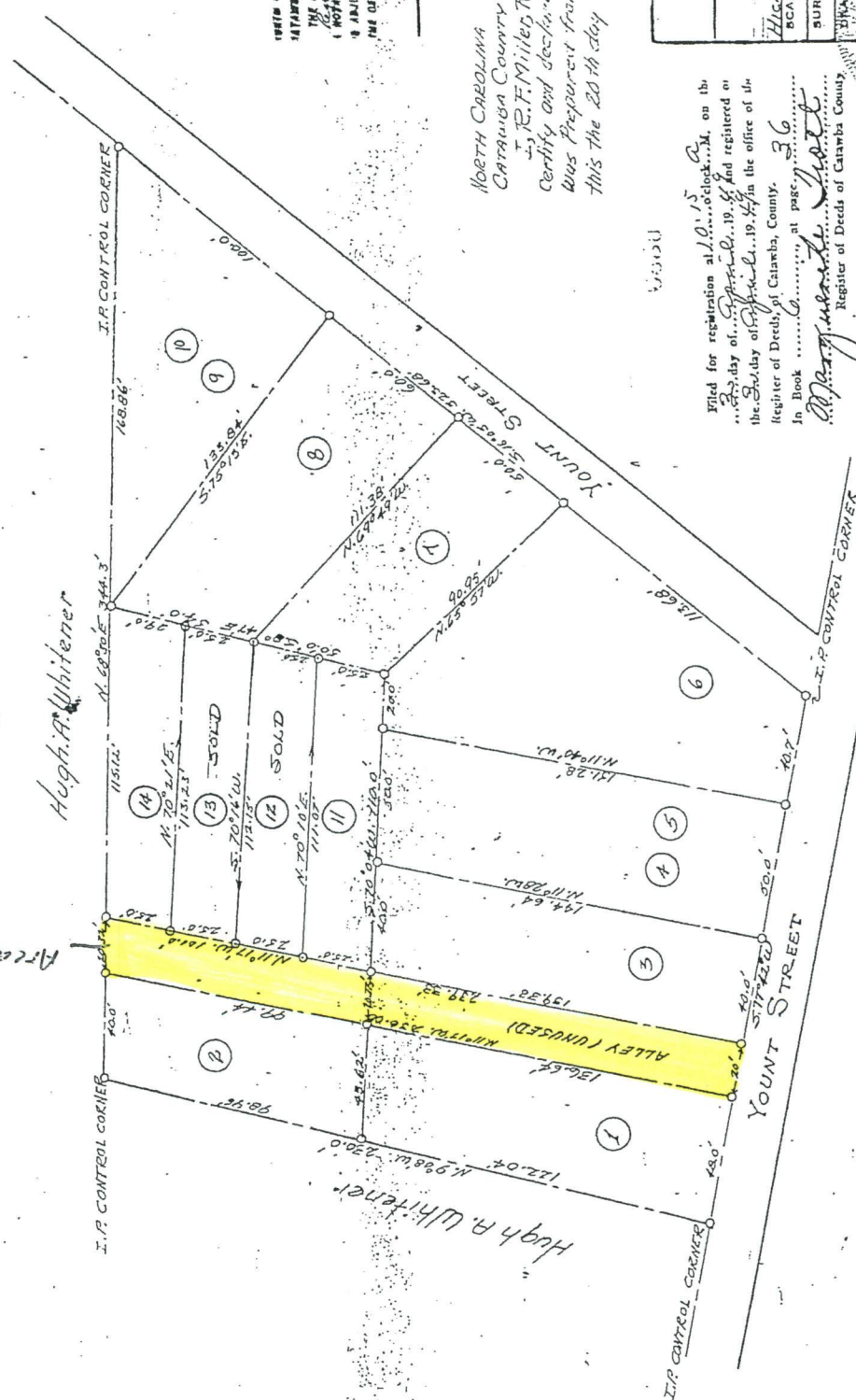
Filed for registration at 4:15 o'clock P.M. on the 10th day
 of Dec. 1924 and registered Dec. 10 1924 in the office
 of the Reg. of Deeds for Cat. No. 6, in Plot Book 106
 Page 114.

J. C. Abernethy
 Reg. of Deeds.

Exhibit A

6/36

Area to close



THE PROFESSIONAL CERTIFICATE OF R.F. MILLER, Registered Surveyor, State of N.C., is hereby declared to be correct. THE CERTIFICATE IS REGISTERED. WITNESSED BY HAND AND OFFICIAL SEAL, THIS 30th day of April, 1949.

NORTH CAROLINA
CATAMBA COUNTY
I, R.F. Miller, Registered Surveyor, do hereby certify and declare that the map shown hereon was prepared from an actual survey made by me, this the 20th day of April, 1949.

| | |
|--|--------------------|
| KERR SAND CO. SURVEYING DEPT. | |
| PROPERTY OF MRS. P. M. SMITH YOUNT STREET HICKORY TOWNSHIP - CATAMBA COUNTY, N.C. | |
| SCALE 1" = 40' | DATE 20 APRIL 1949 |
| SURVEY BY R.F.M. | APPROVED |
| DRAWN BY R.F.M. | SHEET 1 OF 1 |
| TRACED BY M.H. | |

Filed for registration at 10:15 A.M. on the 23rd day of April, 1949, and registered on the 30th day of April, 1949, in the office of the Register of Deeds, of Catamba County, N.C. In Book ... at page 36

NOTE: O denotes Iron stakes at corners.

EXHIBIT B
Metes and Bounds Description

Metes and bounds description of unopened alley.

BEGIN at the northwestern corner of Lot 14, Plat Book 6 at Page 36, Catawba County Registry, in the southern line of Whitener, AND RUNNING THENCE FROM Beginning Corner South $68^{\circ} 50'$ West 20.32 feet with the northern terminus of the alley to the northeastern corner of Lot 2; thence with the western line of the alley, first with the eastern line of Lot 2 South $11^{\circ} 17'$ East 99.44 feet to the southeast corner of Lot 2, northeast corner of Lot 1; continuing with the western line of the alley and the eastern line of Lot 1 South $11^{\circ} 17'$ East 136.64 feet to a corner, southeast corner of Lot 1 in the northern line of Yount Street; thence with the northern line of Yount Street and the southern terminus of the alley North $77^{\circ} 42'$ East 20 feet to the southwest corner of Lot 3; thence with the eastern line of the alley and the western line of Lot 3 North $11^{\circ} 17'$ West 139.33 feet to the northwest corner of Lot 3 and southwest corner of Lot 11; thence continuing with the eastern line of the alley and along the western line of Lots 11, 12, 13, and 14 North $11^{\circ} 17'$ West 100 feet to the POINT OF BEGINNING.

The above description is taken from Plat Book 6 at Page 36, CCR, "Property of Mrs. P.M. Smith, Yount Street."



Parcel: 371205078951, 877 3RD AVE SE HICKORY, 28602

Owners: JOJIDA LLC,

Owner Address: PO BOX 2610, Hickory NC 28603-2610

Values - Building(s): \$0, Land: \$17,400, Total: \$17,400

This map/report product was prepared from the Catawba County, NC Geospatial Information Services. Catawba County has made substantial efforts to ensure the accuracy of location and labeling information contained on this map or data on this report. Catawba County promotes and recommends the independent verification of any data contained on this map/report product by the user. The County of Catawba, its employees, agents, and personnel, disclaim, and shall not be held liable for any and all damages, loss or liability, whether direct, indirect or consequential which arises or may arise from this map/report product or the use thereof by any person or entity.

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Prepared by/Return to: City of Hickory, Legal Department
Deputy City Attorney Arnita Dula
P.O. Box 398
Hickory, NC 28603

RESOLUTION NO. 23-
RESOLUTION AND ORDER

WHEREAS, Joida, LLC owns properties adjoining the following described area, in the City of Hickory, County of Catawba, which is further described as follows:

An unused alley located off of 3rd Avenue SE

Lying and being situate in the City of Hickory, Hickory Township, Catawba County, North Carolina, and being more particularly described as follows:

Being located in Hickory Township, Catawba County, North Carolina and more particularly described as:

BEGINNING at the northwestern corner of Lot 14, Plat Book 6 at Page 36, Catawba County Registry, in the southern line of Whitener, AND RUNNING THENCE FROM Beginning Corner South 68° 50' West 20.32 feet with the northern terminus of the alley to the northeastern corner of Lot 2; thence with the western line of the alley, first with the eastern line of Lot 2 South 11° 17' East 99.44 feet to the southeast corner of Lot 2, northeast corner of Lot 1; continuing with the western line of the alley and the eastern line of Lot 1 South 11° 17' East 136.64 feet to a corner, southeast corner of Lot 1 in the northern line of Yount Street; thence with the northern line of Yount Street and the southern terminus of the alley North 77° 42' East 20 feet to the southwest corner of Lot 3; thence with the eastern line of the alley and the western line of Lot 3 North 11° 17'

RESOLUTION AND ORDER
CLOSING AN UNUSED ALLEY OFF OF 3RD AVE SE
PAGE 1 OF 4

West 139.33 feet to the northwest corner of Lot 3 and southwest corner of Lot 11; thence continuing with the eastern line of the alley and along the western line of Lots 11, 12, 13, and 14 North 11° 17' West 100 feet to the POINT OF BEGINNING.

The above description is taken from Plat Book 6 at Page 36, Catawba County Registry, "Property of Mrs. P.M. Smith, Yount Street."

WHEREAS, following the filing of said petition with the City Council, a notice of public hearing upon the question of closing and abandoning said area for public roadway purposes was advertised in *The Hickory Daily Record* in the issues of September 23, September 30, October 7, and October 14, 2023.

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

THAT, the above-described area be and the same is hereby ordered to be closed and abandoned for roadway or street purposes, in accordance with the provisions of Chapter 160A, Section 299, of the General Statutes of North Carolina, and the Charter of the City of Hickory;

BE IT FURTHER RESOLVED, that the City of Hickory reserves the right, title and interest in any utility improvement or easement within the above-described street or roadway to be closed, pursuant to the provisions of 160A, Section 299, of the General Statutes of North Carolina; and

RESOLVED, FURTHER, that all rights, title and interest of the City of Hickory in and to the area covered by said street shall vest in the respective owners of the land adjoining said area, all in accordance with the provision of the abovementioned section of the General Statutes of North Carolina.

BY ORDER OF THE HICKORY CITY COUNCIL.

ADOPTED ON THIS 17TH DAY OF OCTOBER, 2023.

THE CITY OF HICKORY,
A North Carolina Municipal Corporation

By: _____
Hank Guess, Mayor

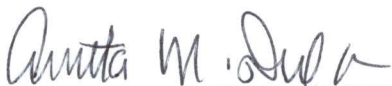
Attest:

(SEAL)

Date: _____

Debbie D. Miller, City Clerk

Approved as to form:



Arnita Dula, Deputy City Attorney

CERTIFICATION OF RESOLUTION AND ORDER CLOSING STREET

NORTH CAROLINA
CATAWBA COUNTY
CITY OF HICKORY

I, Debbie D. Miller, City Clerk of the City of Hickory, North Carolina, do hereby certify that the attached Resolution and Street Closing Order was adopted at a regular meeting of the City Council held on October 17, 2023, and that said Resolution and Street Closing Order is in full force and effect.

City Clerk

NORTH CAROLINA
CATAWBA COUNTY

I, _____, a Notary Public in and for said County and State, do hereby certify that Debbie D. Miller, City Clerk for the City of Hickory, personally appeared before me this date and acknowledged the due execution of the foregoing certificate for the purposes therein expressed.

Witness my hand and notarial seal, this ____ day of _____, 2023.

Notary Public

My Commission Expires: _____

COUNCIL AGENDA MEMOS

To: City Manager's Office
From: Sarah Greene, Library Director
Contact Person: Sarah Greene
Date: 10/6/2023
Re: Library Strategic Plan 2024-2027

REQUEST

To approve the new Strategic Plan for Hickory Public Library

BACKGROUND

A current long-range plan is required to qualify for state funding for library services. The Library Advisory Board worked with Library staff and consultants from the State Library of North Carolina to conduct a community survey in spring 2023. Results of the survey and community data were used to develop a new strategic plan to guide library services for the next 3 years. The previous strategic plan was developed and approved in 2019 and covered the years 2019-2022.

ANALYSIS

To meet the current and future needs of city residents, we need to regularly review our library's services, collections, and programs. Based on the community's input, the staff and Advisory Board have worked to develop a comprehensive plan that clearly communicates the library's mission and provides guidance for developing and enhancing library services.

RECOMMENDATION

Staff recommends approval of the 2024-2027 Hickory Public Library Strategic Plan.

BUDGET ANALYSIS:**Budgetary Action**

Is a Budget Amendment required?

Yes

☐

No

x ☒**LIST THE EXPENDITURE CODE:****Reviewed by:**

Initiating Department Head

Date

Asst. City Manager Rodney Miller

Date

Finance Officer, Melissa Miller

Date

Exe Asst City Manager Yaidee Fox

Date

Deputy City Attorney, A. Dula

Date

Asst. City Manager, R. Beasley

Date

Deputy Finance Officer,
Cameron McHargue

Date

Recommended for approval and placement on _____ Council agenda (as
Consent, Public Hearing, Informational, Department Report, etc).

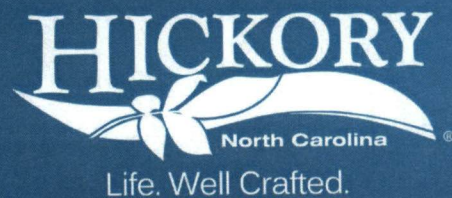
City Manager, W. Wood

Date

HICKORY PUBLIC LIBRARY

STRATEGIC PLAN

2024 - 2027



Introduction

A strategic planning process allows us to assess our current services and establish a direction for the future. This formal, board-approved document establishes the library's goals for the next three years along with a plan for meeting these goals.

Our 2019-2022 Strategic Plan, approved in September 2019, has guided us to a number of improvements in library service, including:

- An expanded Ridgeview Branch Library
- A new makerspace, The Learning Lab
- New Digital Services staff to manage both makerspace activities and digital resources
- Increased focus on community engagement with the redesign of two full-time positions, two full-time outreach positions, and a part-time Marketing Specialist.

The 2024-2027 Strategic Plan was developed by the City of Hickory's Library Advisory Board and Library staff over the past six months. Board members and staff conducted a community survey along with focus groups and individual interviews with local leaders. Survey responses reflected a sense of optimism, combined with concern for affordability and quality of life. Respondents also expressed a desire to connect with neighbors and to become more aware of community resources. These responses helped us understand the priorities and needs of our growing city and develop a roadmap to serve our community well.

Mission

Hickory Public Library promotes a high quality of life by providing empowering opportunities and excellent service.

Values

Learning

We support literacy, education, and personal growth.

Creativity

We encourage imagination and innovation.

Connection

We bring people together around common interests.

For Everyone

We are welcoming to all, with diverse resources, equitable policies, and safe spaces.

Strategic Priorities

Access

Provide library services how, when, and where people need them.

Partnerships

Work together to reach more people and broaden our impact.

Awareness

Enhance communication strategies so that community members know about and value library services.

Impact

Make a meaningful difference in the lives of Hickory's residents.

Access

We will continue to evaluate how, when, and where we provide services. We strive to offer a diverse selection of resources and services, to make our services accessible to all, and to eliminate barriers to library use.

Goals

- Provide off-site access lockers
- Expand hours to include Sunday afternoons
- Create spaces for outdoor events and classes
- Maintain and expand digital services



Partnerships

We will work with community partners to reach more people and broaden our impact. Collaboration with other agencies allows us to enhance our services and to connect patrons to opportunities across the City.

Goals

- Programs to support K-12 students
- Sponsorship Opportunities for local businesses
- Collaborative projects with local colleges and universities
- Annual Literary Festival



Awareness

We will enhance our communication strategies to ensure that community members think of the library as a valuable community service. Improved communication strategies will help us broaden the reach of our services and be responsive to changing community needs.

Goals

- Expanded online & social media presence
- Outreach efforts to new residents & businesses
- Participation in community events
- Annual reports of library usage & service enhancements



Impact

Our services will be responsive to community needs and make a meaningful difference in the lives of Hickory's residents. Library services will encourage and support literacy and educational achievement. Our services and programs will build a more connected and creative community.

Goals

- Increase the number of families and young children participating in early literacy activities
- Provide meaningful educational opportunities at more sites across our city



Measuring Outcomes

In order to evaluate the outcomes of our services, the staff of Hickory Public Library will:

- Maintain Enhanced or Exemplary tiers in each Operational Area of the North Carolina Public Library Standards
- Conduct annual patron satisfaction surveys
- Provide opportunities for patrons to share ideas and evaluate their experiences at the library



Library Advisory Board Members 2022-2023

Lanie Wood, Chair
Jennie Dulin
Allison Little
Cozette Sinclair
Dianne Straley

Nathan Ahlgrim
Kimberly Garcia
Rick Martin
Becky Smith
Julie Voss

Rebecca Alt
Charlie Hayes
Michael McLamb
Sarah Starr
Donna Walton

Thank You to the board members, staff, partners, volunteers and supporters who contributed to the planning process.

Hickory Public Library

Patrick Beaver Memorial Library
375 3rd St NE, Hickory NC 28601
828-345-0500

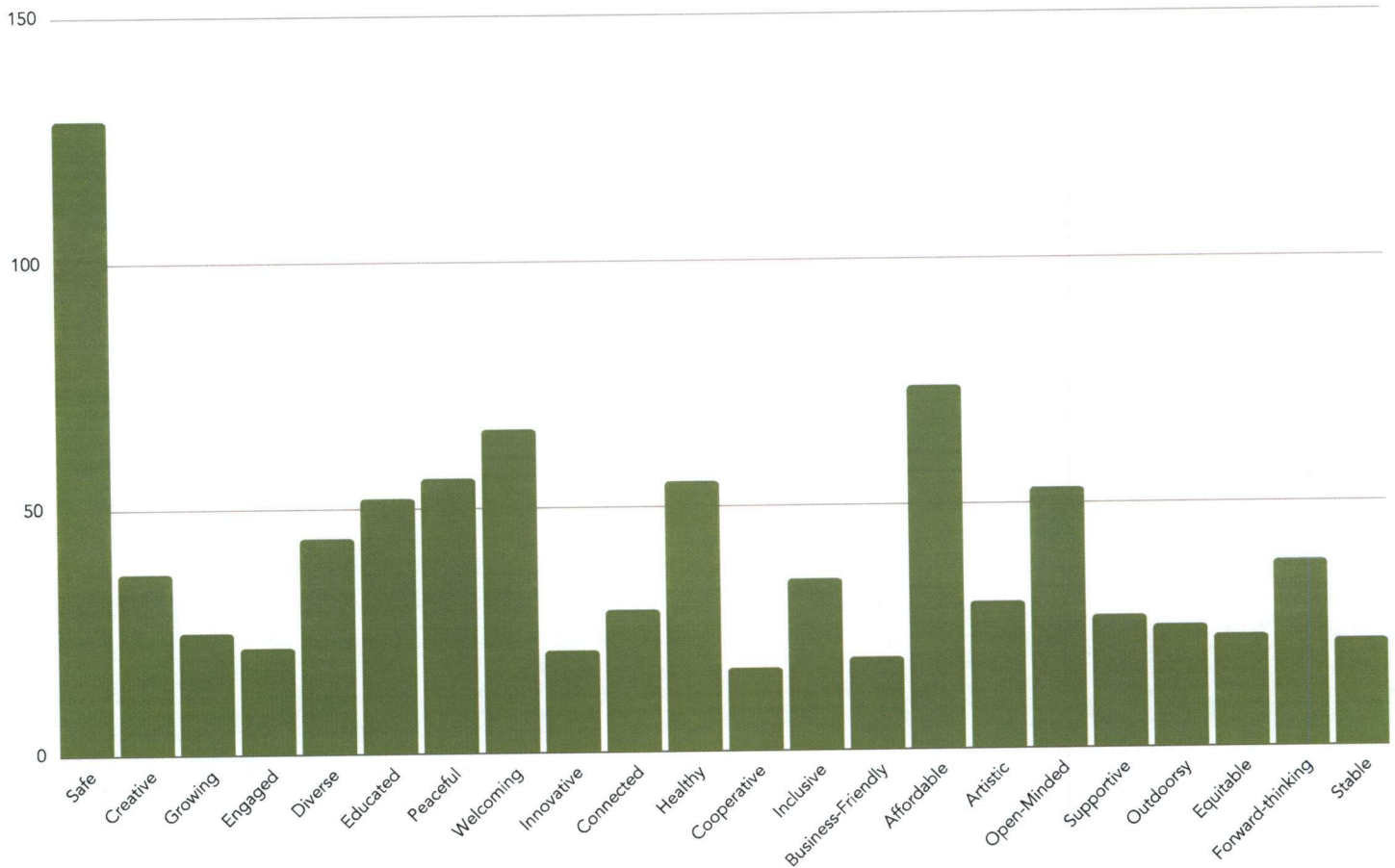
Ridgeview Branch Library
706 1st St SW, Hickory NC 28602
828-345-6037

www.hickorync.gov/library

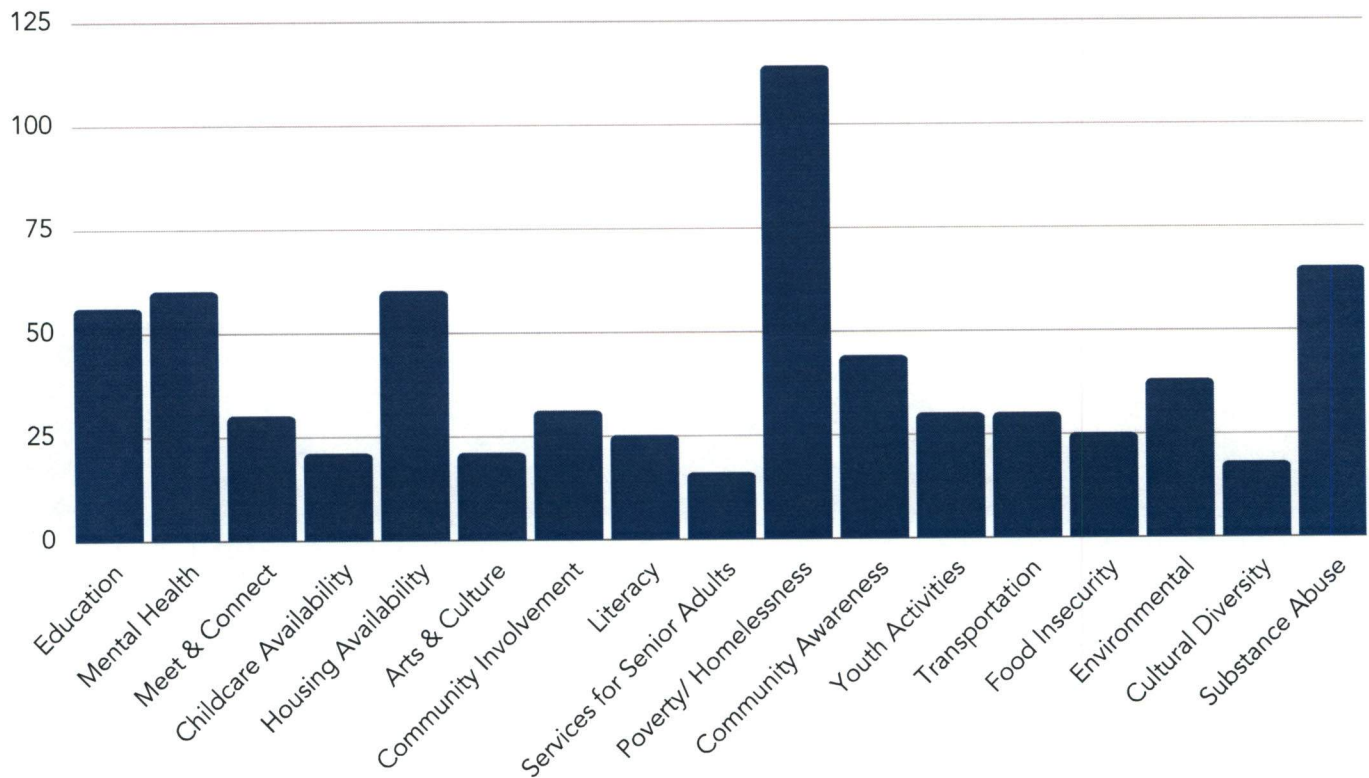
Community Survey Responses

APRIL 2023

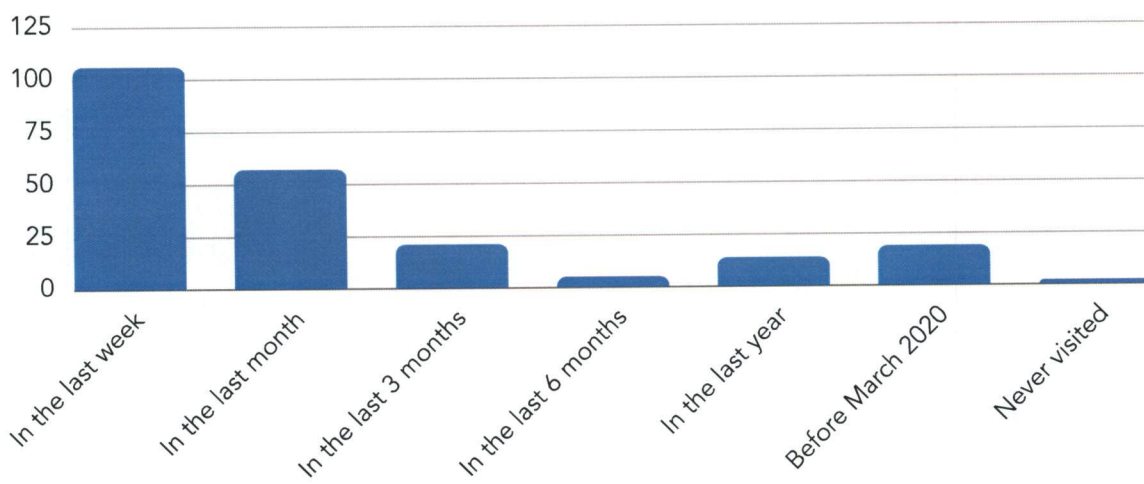
Which of the following terms best describe the type of community you would like to live in?



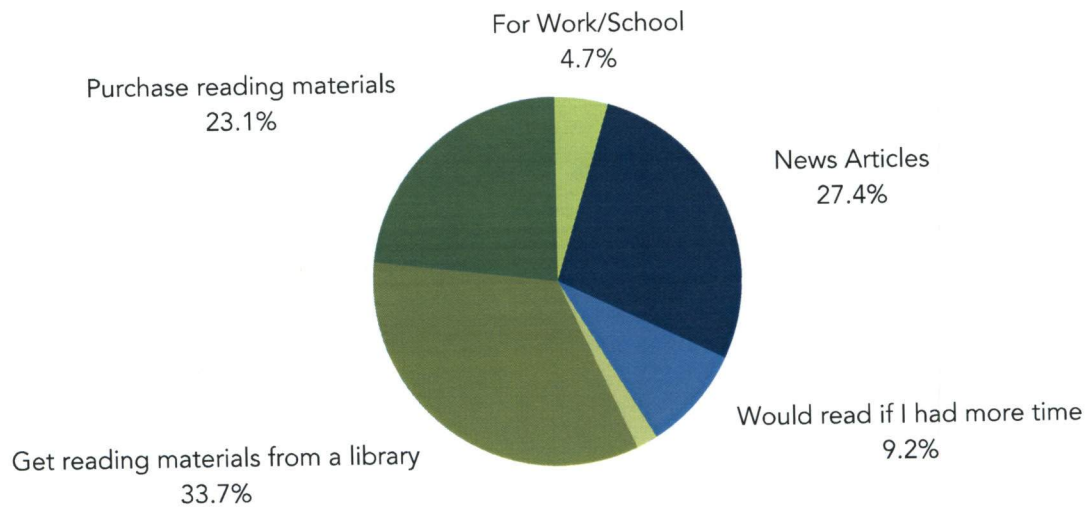
What do you think are the most important issues facing Hickory now?



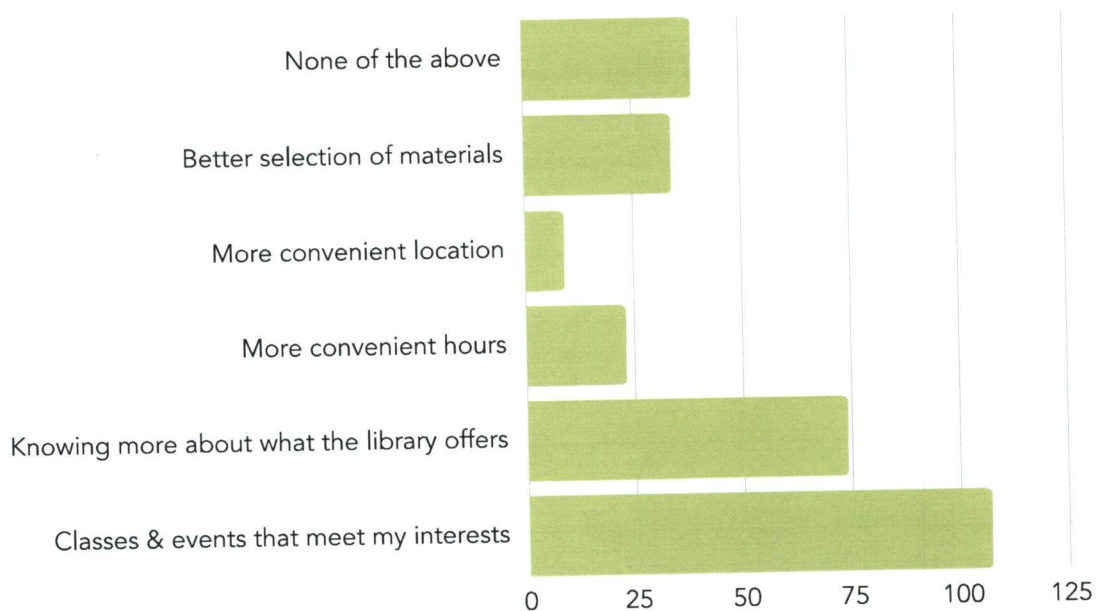
When was the last time you visited Hickory Public Library?



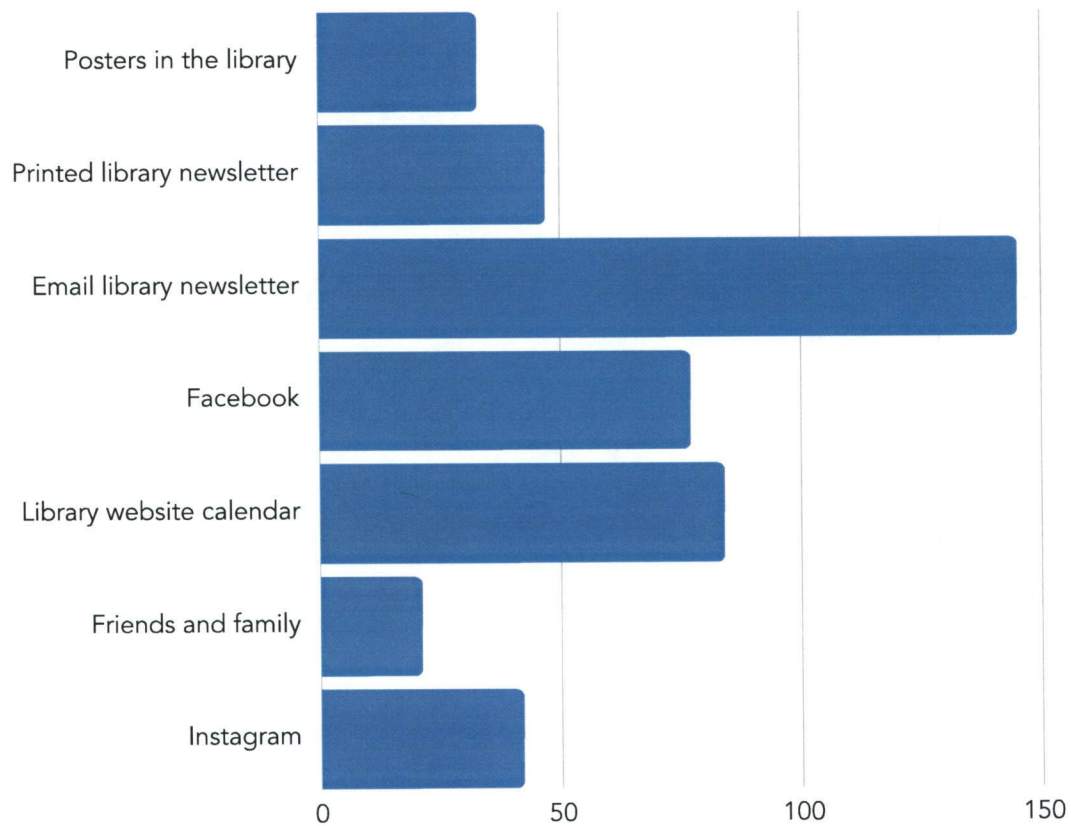
Which of the following best describes your reading habits?



Which of the following would encourage you to use library services more often?



What is the best way to reach you about events or services at the library?



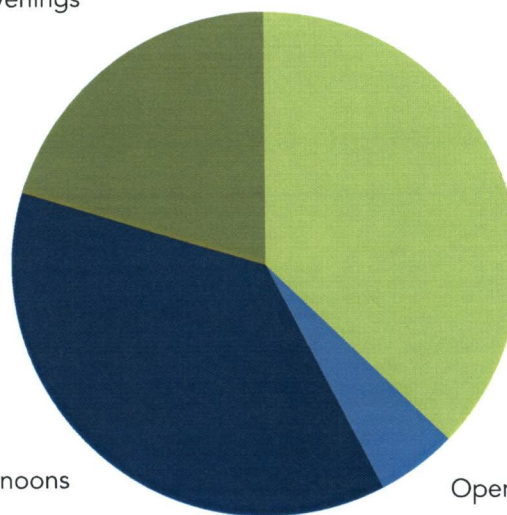
If the Library could fund ONE of the following changes to its hours, which would you choose?

Extended hours on Friday and Saturday evenings
20.3%

Open Sunday afternoons
37.3%

Open earlier than 9am on weekdays
5.2%

None of the above
37.3%



Would you recommend Hickory Public Library
to your friends and neighbors?

