



February 14, 2022 Council Meeting

Mayor Bryan Hough
Mayor Pro-Tem Phyllis Harris
Councilman Ivory Craig
Councilman Jeff Meadows
Councilman David Moore
Councilwoman Christina Pawlish
Councilwoman Lauren Shoemaker
Marie Anders, City Attorney
Miles Braswell, City Manager

**CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL MEETING AGENDA**



**February 14, 2022
7:00 P.M.**

CALL TO ORDER BY THE MAYOR

INVOCATION

Reverend Shirley Canty, Burge Memorial UMC

PLEDGE OF ALLEGIANCE

SET THE AGENDA

CONSENT AGENDA

1. Approval of Budget Amendment
 - Police—Allocate funds to replace an existing canine (Hondo)
2. Approval of the Release of Brookline's financial guarantee for Beatty Woods
3. Approval of a letter of credit reduction request by True Homes for Kendrick Farms Phase 4
4. Call for a public hearing to consider a modification to the development agreement for 725 Elm Street
5. Approval of the Conflict of Interest Policy
6. Approval of Minutes of the January 24, 2022 Council Work Session Meeting

PRESENTATIONS

1. Presentation of Springfest Golf tournament proceeds to CRO *Mark Jusko/Cheri Love*
2. Special Recognition for Fire Department *Mayor Bryan Hough/Chief Ryan Baker*
3. Presentation on the Mount Holly-Charlotte Water PS and FM Project *David Johnson*

PUBLIC HEARING

1. Public Hearing to consider rezoning a 0.41-acre tract of land, Gaston County Parcel ID # 227246, located to rear and adjacent to Mount Holly Farm Supply, from R-12 SF to B-2 Neighborhood Business
Brandon Livingston
2. Public Hearing to Consider a Resolution Closing Portions of S. Lee Street, E. Catawba Avenue and S. Alexander Street *Greg Beal*
3. Public Hearing to Consider a Resolution Closing a Portion of Park Avenue *Greg Beal*
4. Public Hearing to consider a proposed rezoning for a 33.69-acre tract, Parcel ID # 178067, located at 933 Old Hwy 27, from Conditional District Single Family to Conditional District Single Family
Greg Beal

PUBLIC COMMENT – Three (3) Minute Limit

OLD BUSINESS

1. Consideration and Approval of a Social District Ordinance *Chief Don Roper/Marie Anders*

NEW BUSINESS

1. Consideration and Approval of amendments to the Backflow and Cross Connection Control Ordinance
Doug Shoudt
2. Consideration and Approval of amendments to the Wastewater Enforcement Response Plan
Jonathan Wilson

CLOSED SESSION

1. Closed Session Pursuant to N.C.G.S 143-318.11 (a) (3 and 5)

ADJOURN

CONSENT AGENDA



City of Mount Holly Action Agenda Item

To: City Council

Date: 2/03/2022

From: Deputy Chief Reagan

Meeting Date: 2/14/2022

Agenda Item to be considered:

Request for a budget amendment in the amount \$10,000.00 to replace an existing canine. This request is due to an unforeseen injury that is requiring this canine to be removed from service.

Will this require a public hearing?

☐ YES

☒ NO

Background/Purpose of Request: Canine Hondo was injured in December 2021 during the inclement weather resulting in a broken bone within the foot. After several weeks of treatment and discussion with the Veterinarian, it is determined that the canine being 12 years of age will have to be removed from service. The Veterinarian stated the bone is not going to heal to a level that will allow the canine to continue to perform the duties of a patrol dog. This is due to the age of the canine along with the severity of the injury. This canine was originally scheduled to be replaced within the FY22-23 budget.

Fiscal Impact:

Will Item affect current budget	☒ YES	☒ NO	☐ N/A
Reviewed by Finance Director	☒ YES	☐ NO	☐ N/A
Preaudit Certification required	☐ YES	☒ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☒ NO	☐ N/A
Budget Transfer required	☒ YES	☐ NO	☐ N/A
Total City Dollars: \$10,000.00			
Budget Code: 10-10-4310-550			
Reviewed by City Attorney	☐ YES	☐ NO	☒ N/A

Manager/Staff Recommendation:

Result of City Council Decision:

Attachments:



CITY OF MOUNT HOLLY
FY 21-22 Budget Amendment

Account Number	Description	Account Debit	Account Credit
10-10-4310-550	Capital Outlay	\$10,000.00	
10-00-3991-000	Appropriated Fund Balance		\$ 10,000.00
TOTAL		\$10,000.00	\$ 10,000.00
Date Submitted:	14-Feb-22		
Finance Officer:			
City Manager:			
Department Comments:			
Amendment to allocate fund Balance to replace canine			
Unassigned Fund Balance after Budget Amendment Approval: \$6,221,271			
% of Budget after Budget Amendment Approval: 42.535%			



City of Mount Holly Action Agenda Item

To: Mayor and City Council From: David E. Johnson, PE	Date: February 4, 2022 Meeting Date: February 14, 2022
Agenda Item to be considered: Release of the Subdivision Bond posted for Beatty Woods Subdivision Phase 1 	
Will this require a public hearing? ☐ YES ☒ NO	
Background/Purpose of Request : Beatty Woods Subdivision Phase 1 Subdivision Bond of \$145,183.20 was posted by Brookline Homes, LLC on February 20, 2020. This financial guarantee covered the improvements to Pearl Beatty Road. The road extension has been completed in accordance with City standards and criteria. The infrastructure has been inspected and punch lists completed to the satisfaction of the City staff. The extension of Pearl Beatty Road has been completed and acceptable for City ownership and maintenance. 	
Fiscal Impact:	
Will Item affect current budget	☐ YES ☒ NO ☐ N/A
Reviewed by Finance Director	☐ YES ☒ NO ☐ N/A
Preaudit Certification required	☐ YES ☒ NO ☐ N/A
Capital Project Ordinance required	☐ YES ☐ NO ☒ N/A
Budget Transfer required	☐ YES ☐ NO ☒ N/A
Total City Dollars:	\$
Budget Code	
Reviewed by City Attorney	☐ YES ☒ NO ☐ N/A
Manager/Staff Recommendation: <u>Recommend release of the Subdivision Bond to Brookline Homes, LLC and accept Pearl Beatty Road extension for maintenance</u>	
Result of City Council Decision: 	
Attachments: Developer Request, Subdivision Bond, Site Inspector Approval	



Beatty Woods Bond Release

messages

Brad Albrecht <b.albrecht@mybrooklinehome.com>
x: "Derek Dixon (derek.dixon@mttholly.us)" <derek.dixon@mttholly.us>
c: "david.johnson@mttholly.us" <david.johnson@mttholly.us>

Tue, Jan 25, 2022 at 4:20 F

Derek,

I am requesting the release of bond # 90497431 in the amount of \$145,183.20 for the Beatty Woods subdivision.

I have attached a copy of the bond for your convenience.

Thanks,

Brad Albrecht

Production Manager





Credit Administration- Nashville
150 3rd Avenue South, Suite 900
Nashville, TN 37201
(615) 744-3700

IRREVOCABLE STANDBY LETTER OF CREDIT NO. 90497431

Date: February 12, 2020

Beneficiary:
City of Mount Holly
400 E. Central Avenue
Mount Holly, NC 28120

Applicant:
Brookline Homes, LLC
425 E. Catawba Street
Belmont, NC 28012

Amount: USD \$145,183.20

Date of Expiration: February 12, 2022

Project Name: Beatty Woods Subdivision, Phase 1, Map 1, Lots 1-78

We hereby establish our Irrevocable Standby Letter of Credit in your favor in the aggregate amount up to One Hundred Forty Five Thousand One Hundred Eighty Three and 20/100 US Dollars (USD \$145,183.20), available by your draft(s) at sight drawn on us, signed by the City of Mount Holly, and presented for payment at our counters, which must be accompanied by this Letter and the following documentation:

This original Letter of Credit shall be honored by the undersigned when presented together with all amendments thereto and a statement signed on behalf of Beneficiary by its Mayor or City Manager containing the following language: "The undersigned certifies that Brookline Homes, LLC has failed to comply in a timely manner with the terms and conditions set forth in the Beatty Woods Subdivision Agreement, Phase 1, Map 1, Lots 1-78, dated February 4, 2020."

We hereby engage with you that draft(s) drawn under and in accordance with the terms and conditions of the Letter of Credit will be duly honored if presented at our counters at Pinnacle Bank, 5980 Fairview Road, Attn: Letter of Credit Department, Charlotte, NC 28210, on or before February 12, 2022.

Draft(s) must be marked "Drawn under Pinnacle Bank Letter of Credit No. 90497431, dated February 12, 2020" and must be presented together with the documents as specified. In the event that any draft drawn on this Letter of Credit is dishonored, we will provide to you without delay a written statement to the reasons for such dishonor by delivering the statement to the City of Mount Holly via facsimile.

This credit shall expire February 12, 2022, provided that it shall be deemed automatically extended without amendment for an additional period of one year from the initial and each future expiration date unless, not less than sixty (60) days prior to the then relevant expiration date, Pinnacle Bank notifies the City of Mount Holly by certified mail, overnight courier, or other manner showing proof or confirmation of delivery, that the Bank elects not to extend this credit for an additional period. Upon the City's receipt of such notification, the City may draw its sight draft on Bank prior to the then relevant expiration date for the unused balance of this Letter of Credit, which shall be accompanied by the City's written statement that "The City of Mount Holly received the notification of Pinnacle Bank's election not to extend."

Except so far as otherwise expressly stated, this credit is subject to the Uniform Customs & Practice for Documentary Credits, 2007 Revision, International Chamber of Commerce Publication No. 600 and to the extent not inconsistent therewith, Article 5 of the Uniform Commercial Code of the State of North Carolina.

Thad Downs, SVP
Pinnacle Bank

Credit Administration- Nashville
150 3rd Avenue South, Suite 900
Nashville, TN 37201
(615) 744-3700



MEMO

TO: David E. Johnson P.E.
FROM: Derek J Dixon
DATE: 1/26/21
RE: Bond release Beatty Woods

David,

Brookline Homes has requested the release of their financial guarantee for all phases of Beatty Woods. All infrastructure covered by the financial guarantee has been constructed on 100% of phases 1 and 2. The infrastructure has been constructed per plan and Mount Holly specifications. Mount Holly has received all as-built drawings and documents that are required at this time. I approve of the release of financial guarantee 90497431 for the amount of \$145,183.20.

Derek J Dixon

Site Inspector



City of Mount Holly Action Agenda Item

To: Mayor and City Council

Date: Feb 4, 2022

From: David E. Johnson, PE

Meeting Date: Feb 14, 2022

Agenda Item to be considered:

Reduction of the Performance Bond posted for Kendrick Farms Phase 4 in accordance with the Subdivision and Land Development Guidelines Ordinance.

Will this require a public hearing?

☐ YES

☒ NO

Background/Purpose of Request :

Phase 4 letter of credit of \$183,215.49 was posted by Dependable Development, Inc. (True Homes). This phase of Kendrick Farms has 100% of the lots improved and the developer has completed the water, sewer, drainage and road facilities in accordance with the approved construction plans. True Homes is asking for a reduction to 30% of the total amount at this time in accordance with the Subdivision Ordinance.

If approved, the LOC amount required will be \$54,964.65

Fiscal Impact:

Will Item affect current budget	☐ YES	☒ NO	☐ N/A
Reviewed by Finance Director	☐ YES	☒ NO	☐ N/A
Preaudit Certification required	☐ YES	☒ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☐ NO	☒ N/A
Budget Transfer required	☐ YES	☐ NO	☒ N/A
Total City Dollars:	\$		
Budget Code			
Reviewed by City Attorney	☐ YES	☒ NO	☐ N/A

Manager/Staff Recommendation: Recommend reduction of the Performance Bond as requested by True Homes

Result of City Council Decision:

Attachments: Developer request, Site Inspector approval memo, Financial Estimate and Letter of Credit



endrick Farm P4 - LOC Reduction Request

messages

Shaun Gasparini <sgasparini@truehomesusa.com>

cc: Derek Dixon <derek.dixon@mtolly.us>

cc: David Johnson <david.johnson@mtolly.us>, Brandon Wentz <bwentz@truehomesusa.com>, Jarred Barr <jbarr@truehomesusa.com>

Thu, Jan 27, 2022 at 2:43 P

Derek,

Please accept this formal request to reduce our Letter of Credit at Kendrick Farm P4. See attached for a pdf of the original. Thanks.

Shaun

Shaun Gasparini

Market Partner – Land Development

True Homes

M: 704-779-4126



Enclave at Kendrick Farm Letter of Credit.pdf

92K



MEMO

TO: David E. Johnson P.E.
FROM: Derek J Dixon
DATE: 1/27/21
RE: Kendrick Farms Phase 4

David,

True Homes has requested a reduction of their financial guarantee for Phase 4 of Kendrick Farms. 100% of the lots in Phase 4 have been improved upon and home building is underway. Water, sewer, drainage, and roadway items have been constructed per plan and Mount Holly specifications. I approve of a 70% reduction of the financial guarantee amount of \$183,215.49 to \$54,964.65.

Derek J Dixon

Site Inspector



For Constructed Infrastructure

Jun-19

Financial Estimate Requirements for Developers

Date: 04 / 30 / 2021

Development: Kendrick Phase 4

Phase: Phase 4

Map:

Lots encompassed: 1 through 53

Item	Plan Quantity	Unit	Unit Cost	Bonded Quantity	Item Cost
Streets and Sidewalk					
7.0" ABC Base Course	6863	SY	\$15.00	686.3	\$10,294.50
2.0" IM Course	6863	SY	\$14.00	686.3	\$9,608.20
Milling IM Course	3865	SY	\$5.00	386.5	\$1,932.50
1.5" Surface Course	6863	SY	\$12.00	686.3	\$8,235.60
2.0' Valley Gutter	4412	LF	\$27.00	441.2	\$11,912.40
5.0' Sidewalk	4578	LF	\$25.00	457.8	\$11,445.00
Street Signs	12	EA	\$500.00	12	\$6,000.00
Barricades	1	EA	\$1,000.00	1	\$1,000.00
Handicap ramp	14	EA	\$600.00	14	\$8,400.00
Drainage/Storm					
Structure Repair	10	EA	\$2,500.00	10	\$25,000.00
System clean out	1	EA	\$1,500	1	\$1,500.00
Water					
Test & Chlorinate	1	EA	\$750.00	1	\$750.00
Tap to Test	1	EA	\$100.00	1	\$100.00
Water Repairs	528	LF	\$100.00	52.8	\$5,280.00
Sewer					
Air Test	16	EA	\$500.00	16	\$8,000.00
Mandrel Test	16	EA	\$500.00	16	\$8,000.00
Manhole adjust	8	EA	\$750.00	8	\$6,000.00
Repairs	223	LF	\$100.00	22.3	\$2,230.00
Erosion Control					
Rip Rap	14	Ton	\$75.00	14	\$1,050.00
Removal of ERSC	3	EA	\$5,000.00	3	\$15,000.00
Seeding & Fertilization	29177	SY	\$3.75	2917.7	\$10,941.38
Miscellaneous					
Total Cost of Items					\$152,679.58
120% Financial Guarantee					\$183,215.49

Instructions: Fill in the plan quantity column using respective units. The sheet will autofill amounts required.

Note: The undersigned Engineer certifies to the City of Mount Holly that the Estimate attached hereto and dated, 05/04/2021 (Date), has been given under seal has been prepared by the undersigned in accordance with generally accepted engineering standards, but the undersigned does not guarantee such costs.





Credit Administration- Nashville
150 3rd Avenue South, Suite 900
Nashville, TN 37201
(615) 744-3700

IRREVOCABLE STANDBY LETTER OF CREDIT NO. 90684915

Date: June 16, 2021

Beneficiary:
City of Mount Holly
400 E. Central Avenue
Mount Holly, NC 28120

Applicant:
Dependable Development, Inc.
2649 Brekonridge Centre Drive, Suite 104
Monroe, NC 28110

Amount: USD \$183,215.49

Date of Expiration: June 16, 2023

Project Name: Enclave at Kendrick Farm (A.K.A. Kendrick Farm), Phase 4, Lots 1-53

We hereby establish our Irrevocable Standby Letter of Credit in your favor in the aggregate amount up to One Hundred Eighty-Three Thousand Two Hundred Fifteen and 49/100 US Dollars (USD \$183,215.49), available by your draft(s) at sight drawn on us, signed by the City of Mount Holly, and presented for payment at our counters, which must be accompanied by this Letter and the following documentation:

This original Letter of Credit shall be honored by the undersigned when presented together with all amendments thereto and a statement signed on behalf of Beneficiary by its Mayor or City Manager containing the following language: "The undersigned certifies that Dependable Development, Inc. has failed to comply in a timely manner with the terms and conditions set forth in the Enclave at Kendrick Farm (A.K.A Kendrick Farm) Subdivision Agreement, Phase 4, Lots 1-53, dated June 14, 2021."

We hereby engage with you that draft(s) drawn under and in accordance with the terms and conditions of the Letter of Credit will be duly honored if presented at our counters at Pinnacle Bank, 5980 Fairview Road, Attn: Letter of Credit Department, Charlotte, NC 28210, on or before June 16, 2023.

Draft(s) must be marked "Drawn under Pinnacle Bank Letter of Credit No. 90684915, dated June 16, 2021" and must be presented together with the documents as specified. In the event that any draft drawn on this Letter of Credit is dishonored, we will provide to you without delay a written statement to the reasons for such dishonor by delivering the statement to the City of Mount Holly via facsimile.

This credit shall expire June 16, 2023, provided that it shall be deemed automatically extended without amendment for an additional period of one year from the initial and each future expiration date unless, not less than sixty (60) days prior to the then relevant expiration date, Pinnacle Bank notifies the City of Mount Holly by certified mail, overnight courier, or other manner showing proof or confirmation of delivery, that the Bank elects not to extend this credit for an additional period. Upon the City's receipt of such notification, the City may draw its sight draft on Bank prior to the then relevant expiration date for the unused balance of this Letter of Credit, which shall be accompanied by the City's written statement that "The City of Mount Holly received the notification of Pinnacle Bank's election not to extend."

Except so far as otherwise expressly stated, this credit is subject to the Uniform Customs & Practice for Documentary Credits, 2007 Revision, International Chamber of Commerce Publication No. 600 and to the extent not inconsistent therewith, Article 5 of the Uniform Commercial Code of the State of North Carolina.

Ellen Palmer, SVP
Pinnacle Bank

Credit Administration- Nashville
150 3rd Avenue South, Suite 900
Nashville, TN 37201
(615) 744-3700

MEMORANDUM

TO: Mayor and City Council
FROM: Marie M. Anders, City Attorney
RE: 725 Elm St.- Modification to Development Agreement with OMB
DATE: February 10, 2022

At the July 21, 2021, Council meeting, the City Council approved the sale of 725 Elm St. to OMB Property Holdings LLC ("OMB") for economic redevelopment under NCGS 158-7.1 pursuant to the terms and conditions of an "Agreement for Purchase and Sale of Real Property" and a "Development Agreement." The Development Agreement called for OMB to demolish the existing water treatment plant and related improvements and construction an approximately 5,000 square feet brewery restaurant and biergarten and an approximately 12,000 square feet warehouse.

In a phone meeting with John Marrino, Manager of OMB Property Holdings LLC, he updated City staff to let the City know that after working on multiple iterations of the site layout with OMB's design team, it became apparent that the restaurant, biergarten, warehouse, and parking would not all fit on the site. In order to build the warehouse, it would require severely curtailing either the parking or the biergarten. Therefore, OMB now proposes to no longer construct the warehouse, with the expectation that OMB will instead increase the size of the restaurant, biergarten, and parking lot. Section 2.4 of the Development Plan states that "Material modifications to the Development Plan are subject to City Council and regulatory approval." OMB has requested a modification to the Development Agreement to reflect this change in the development plan and revise the Exhibit "B" to reflect the accurate development plan with estimated development budget.

If the City Council wishes to proceed, the next step in the process is to call for a public hearing, advertise the public hearing at least 10 days in advance, and then Council will have the legal authority to approve the modification to the Development Agreement.

RESOLUTION TO CALL FOR A PUBLIC HEARING
ON THE QUESTION OF THE POSSIBLE CONVEYANCE
OF THE FORMER PUBLIC WORKS BUILDING
LOCATED IN MOUNT HOLLY AT 725 ELM STREET
IN ACCORDANCE WITH THE PROVISIONS OF NCGS 158-7.1

I move that a public hearing be held at the City Council meeting on March 14, 2022, at 7:00 PM, to discuss the City's intention to sell the property owned by the City of Mount Holly located at 725 Elm Street, under the economic development provisions of NC General Statute Section 158-7.1. The interest to be conveyed is fee simple. The value of the interest is estimated to be \$350,000.00 without being subjected to any covenants, conditions, and restrictions, and is estimated to be \$165,000.00 subject to the covenant of the proposed buyer to demolish the existing water treatment plant and related improvements. The proposed consideration is \$200,000.00. Notice of this public hearing shall be published in the Gaston Gazette, a newspaper having general circulation in the City of Mount Holly, at least ten (10) days prior to the date of the public hearing.

Motion by:

Seconded by:

Vote:

AMENDMENT TO DEVELOPMENT AGREEMENT

THIS AMENDMENT TO DEVELOPMENT AGREEMENT (this “Amendment”) is made effective as of the ____ day of February, 2022, by and between **OMB PROPERTY HOLDINGS LLC**, a North Carolina limited liability company (“Developer”) and **THE CITY OF MOUNT HOLLY**, a North Carolina municipal corporation (“City”).

BACKGROUND STATEMENT

A. Developer and City entered into that certain Development Agreement effective as of July 12, 2021, (the “Agreement”) with respect to that certain real property consisting of approximately 2.06 acres located at 725 Elm Street, Mount Holly, Gaston County, North Carolina and being part of Gaston County Tax Parcel 123513 and a portion of 123347, (the “Property”), as more particularly described in the Agreement.

B. In designing the Project, Developer has determined that the 12,000 square foot brewery production support building is not feasible in order to allow for adequate parking for the brewery restaurant and biergarten.

C. Developer and City desire to amend the Agreement to amend the Development Plan set forth in Exhibit B to the Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties, Developer and City agree as follows:

1. Change in Development Plan. Developer and City acknowledge and agree that Developer no longer intends to build the 12,000 square foot brewery production support building described in Section 1.5 and Exhibit B of the Agreement.
2. Exhibit B. Exhibit B, “DEVELOPMENT PLAN”, to the Agreement is deleted in its entirety and replaced with the amended Exhibit B attached hereto.
3. Counterparts. This Amendment may be executed in multiple counterparts, each of which will be deemed an original but all of which taken together will constitute one and the same instrument. Facsimile and electronic executions and deliveries will have the full force and effect of original signatures.
4. Miscellaneous. Except as specifically amended herein, all remaining terms and conditions of the Agreement shall remain in full force and effect. To the extent of any conflict between the terms and conditions of this Amendment and the terms and conditions of the Agreement, the terms and conditions of this Amendment shall control. Capitalized terms used herein but not otherwise defined shall have the meanings as set forth in the Agreement.

[signatures appear on following page]

IN WITNESS WHEREOF, Developer and City have caused this Amendment to be executed and sealed by their duly authorized representatives on the day and year first above written.

BUYER:

OMB PROPERTY HOLDINGS LLC,
a North Carolina limited liability company

By: _____ (SEAL)
John A. Marrino, Manager

SELLER:

THE CITY OF MOUNT HOLLY, a North Carolina
municipal corporation

By: _____ (SEAL)
Name: _____
Title: _____

1255907

EXHIBIT B
DEVELOPMENT PLAN

Developer plans to design and build a minimum 5,000 square feet brewery restaurant and biergarten and, at the option of Developer, ancillary brewery support buildings, to be used by Olde Mecklenburg Brewery on property currently owned by the City of Mount Holly containing approximately 2.06 acres and located at 725 Elm Street, Mount Holly North Carolina, which property will be purchased from the City of Mount Holly. The Project shall be developed substantially in accordance with plans and specifications to be prepared by Developer and mutually approved by Developer and the City of Mount Holly. Construction will be completed pursuant to the construction schedule set forth in the Development Agreement, and the Project shall be subject to certain restrictions set forth in the Deed for the property to be delivered to Developer by the City of Mount Holly at closing. Development of the Project will include removal of the old water treatment plant, garage, underground cisterns, and related facilities that are currently located on the Property.

Set forth below is an estimated development budget prepared by Developer based on experience from another similar project currently being developed by Developer. After the Development Agreement is finalized and signed, Developer will engage an architect, engineer or similar design professional to design and estimate the costs of the Project.

OMB Property Holdings (OMBPH) and The Olde Mecklenburg Brewery (OMB)

OMB Property Holdings (OMBPH) and The Olde Mecklenburg Brewery (OMB)

FY 2022 - 2023 Investment Budget Mt. Holly Site

Initial Investment Schedule

OMBPH Land Acquisition and WTP Demo Budget

	Size (s.f.)	Unit Cost (\$/s.f.)	Budget (\$)	Completion by
Land Acquisition	88,862	\$2.25	\$200,000	Jan-22
Demolition WTP			\$185,000	Apr-22
Sub-Total			\$385,000	

OMBPH Shell Construction Cost Budget (Shells to be leased to OMB)

	Size (s.f.)	Unit Cost (\$/s.f.)	Budget (\$)	Completion by
Restaurant building (cold dark shell) and site work	7,000	\$225	\$1,575,000	Dec-22
Sub-Total			\$1,575,000	

Upfit Cost/CAPEX Budget (OMB)

	Size (s.f.)	Unit Cost (\$/s.f.)	Budget (\$)	Completion by
Restaurant upfit	7,000	\$300	\$2,100,000	Mar-23
Exterior Biergarten Upfit and Landscaping			\$350,000	
Sub-Total			\$2,450,000	

Total Investment 2022 - 2023	\$4,410,000			
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City of Mount Holly Action Agenda Item

To: City Council	Date: 2/10/2022		
From: Michelle Wood	Meeting Date: 2/14/2022		
Agenda Item to be considered: Approval of a Conflict-of-Interest Policy			
Will this require a public hearing? ☐ YES ☒ NO			
Background/Purpose of Request: The City of Mount Holly was awarded a SCIF – State Capital & Infrastructure grant from the State of North Carolina in the amount of \$800,000 for the Mount Holly Police Memorial Plaza. The Office of State Budget and Management requires the recipients to adopt a Conflict-of-Interest Policy in order to receive the funds. Once adopted and submitted to the State along with some other documents required the funds will be awarded to the City on February 26, 2022.			
Fiscal Impact:			
Will Item affect current budget	☐ YES	☒ NO	☐ N/A
Reviewed by Finance Director	☒ YES	☐ NO	☐ N/A
Preaudit Certification required	☐ YES	☒ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☒ NO	☐ N/A
Budget Transfer required	☐ YES	☒ NO	☐ N/A
Total City Dollars:			
Budget Code:			
Reviewed by City Attorney	☒ YES	☐ NO	☐ N/A
Manager/Staff Recommendation:			
Result of City Council Decision:			
Attachments:			

Conflicts of Interest Policy
For City of Mount Holly
Mount Holly Police Department Memorial Plaza
State Capital and Infrastructure Grant

I. Purpose

The purpose of this policy is to establish conflicts of interest guidelines that meet or exceed the requirements under state law and local policy during the term of the State Capital and Infrastructure Fund grant received from the State of North Carolina for the Mount Holly Police Department Memorial Plaza, hereafter "Grant".

II. Policy

This policy applies during the term of the Grant. This policy also applies to any subrecipients of the Grant.

The employee responsible for managing the Grant shall review the notice of award to identify any additional conflict of interest prohibitions or requirements associated with the award, and shall notify all employees, officers, and agents, including subrecipients, of the requirements of this policy and any additional prohibitions or requirements.

A. Conflicts of Interest. In addition to the prohibition against self-benefitting from a public contract under G.S. 14-234, no officer, employee, elected official or agent of the City of Mount Holly shall have any financial interest, direct or indirect, in any contract or subcontract or the proceeds thereof, for work to be performed in connection with the program assisted under this Grant. Immediate family members of said officers, employees, elected officials or agents are similarly barred from having any financial interest in the Grant. The City of Mount Holly shall incorporate, or cause to be incorporated, in all such contracts or subcontracts, a provision prohibiting such interest pursuant to the purpose of this policy. A real or apparent conflict exists when any of the following parties has a financial or other interest in or receives a tangible personal benefit from a firm considered for award of a contract:

1. The officer, employee, or agent involved in the selection, award, or administration of a contract;
2. Any member of his or her immediate family;
3. His or her partner; or
4. An organization which employs or is about to employ any of these parties.

Any officer, employee, or agent with an actual, apparent, or potential conflict of interest as defined in this policy shall report the conflict to his or her immediate supervisor or if an elected official, to the City Manager. Any such conflict shall be disclosed in writing to the Office of State Budget and Management.

B. Gifts. In addition to the prohibition against accepting gifts and favors from vendors and contractors under G.S. 133-32, officers, elected officials, employees, and agents of

the City of Mount Holly are prohibited from accepting or soliciting gifts, gratuities, favors, or anything of monetary value from contractors, suppliers, or parties to subcontracts associated with this Grant. Items of nominal value valued at less than \$50.00 which fall into one of the following categories may be accepted:

1. Promotional items;
2. Honoraria for participation in meetings; or
3. Meals furnished at banquets.

Any officer, employee, or agent who knowingly accepts an item of nominal value allowed under this policy shall report the item to his or her immediate supervisor or if an elected official, to the City Manager.

III. Violation

Employees violating this policy will be subject to discipline up to and including termination. Contractors violating this policy will result in termination of the contract and may not be eligible for future contract awards.

Adopted by the City Council of the City of Mount Holly on February 14, 2022.

CITY OF MOUNT HOLLY

By: _____
Bryan M. Hough, Mayor

Attest:

Amy Miller, City Clerk

City of Mount Holly
Mount Holly City Council Work Session Meeting
Monday, January 24, 2022
Council Chambers
6:30 pm

Call to Order

Mayor Hough called the meeting to order at 6:30 pm. The following were present:

Mayor Bryan Hough	Brian DuPont, Asst City Manager
Mayor Pro Tem Phyllis Harris	Don Roper, Police Chief
Councilman Ivory Craig	Brian Reagan, Deputy Police Chief
Councilman Jeff Meadows	Ryan Baker, Fire Chief
Councilman David Moore	Mark Jusko, Recreation Supervisor
Councilwoman Christina Pawlish	Tony Walker, Street and Solid Waste Director
Councilwoman Lauren Shoemaker	David Johnson, City Engineer/ Director of Utilities
Miles Braswell, City Manager	Greg Beal, Planning Director
Marie Anders, City Attorney	Michelle Wood, Finance Director

Invocation

Mayor Hough led the Council, staff and attendees in prayer.

SET THE AGENDA

Mayor Hough asked for any changes to the agenda. Councilwoman Pawlish made the motion to approve the agenda as presented. Councilman Moore seconded the motion. All Council Members voted in favor. (Motion carried)

CONSENT AGENDA

1. Approval of Safer Grant Application
2. Approval of Minutes from the January 10, 2022 Council Meeting Minutes
Councilwoman Shoemaker made a motion to approve the consent agenda. Councilman Meadows seconded the motion. All Council Members present voted in favor. (Motion Carried)

AGENDA

1. Discussion of Traffic Control Device on North Hawthorne Avenue
Mr. Walker advised that at the January 10th meeting Council asked staff to come back with a recommendation in regard to a traffic controlling device on North Hawthorne. He advised that staff recommends lowering the speed limit to 25mph. This would help slow down the traffic at a minimal expense to the City. Mayor Pro Tem Harris made a motion to reduce the speed limit on North Hawthorne Avenue to 25mph as petitioned by the citizens in the area.

Councilwoman Pawlish seconded the motion. All Council Members voted in favor. Motion carried.

2. Presentation of Mid-Year Financial Update

Michelle Wood

Mrs. Wood came before the City Council to present her Mid-Year Financial Update. She advised that the General Fund Revenue collected is a little over the \$10 million. This is 61% of the budgeted amount. The General Fund Expenditures are at 51.46% of the budget. She further advised that the Enterprise Fund Revenues are at \$5.6 million which is 58% of the budgeted amount and Enterprise Fund Expenditures are at 64% of the budgeted amount. As of December 31st the Fund Balance amount is \$6,231,271 which is 42.603%.

3. Discussion of potential amendments to the Mount Holly Noise Ordinance

Mrs. Neal advised that the dogs in the city has been reported as one of the biggest noise complaints. To deal with these complaints we need to put some teeth in the current ordinance that deals with animal noise. Mayor Hough added that we have a specific situation but under normal neighborhood conditions the City would work Gaston County Animal Control. In this circumstance it becomes an issue for the Police Department. Chief Roper advised that in situations pertaining to animals it is hard for his Department to enforce because by the time the Police arrives at the scene the complaint is under control. There was continued discussion in regard to the enforcement and a suggestion made to possibly look into the dog ordinance versus the noise ordinance. It was the consensus of Council for the Police Department and the City Attorney to look into this further and bring back to the Council at a future meeting with a recommendation and further discussion.

4. Discussion of an Ordinance would Allow for a Social District in the Downtown Area

Ms. Anders advised that she has been meeting with staff to discuss new legislation that would allow each municipality to pass an ordinance to develop a designated social district. The Social District Ordinance would allow people to carry their alcoholic beverage out of the bars and onto the sidewalks in the designated areas. She advised that there are certain stipulations that the local bars would have to abide by too be recognized as part of the social district. One of which each bar would have cups that identify themselves. Individuals would not be allowed to go into a different bar with the same drink. The drink and cup would need to be disposed of before entering. She further advised that staff is working to develop an application process. The proposed Social District map was presented and an explanation given as to why certain areas was left out of the proposed district.

Council discussed the proposed Social District Ordinance and the opportunity that would allow our downtown businesses to grow. There were questions in regard to the nonprofits that sell beer and wine during the downtown events and the effect on them. It was determined that the nonprofits would still be allowed to sell and individuals could carry their beverage away from the previously designated garden area. There was continued discussion in regard to the days and times that the social district would be permitted. Mrs. Anders added that the social district would have to be clearly marked with signage with the information related to timing included on the signage. Chief Roper commented that there would be no additional Police staff patrolling during the social district hours if the hours are other than those already scheduled as downtown events. He clarified that during the downtown events the Police Department is staffed with three (3) additional officers to work the particular event. During regular patrol hours there

are four (4) patrol officers on duty to patrol the entire City and therefore not enough officers to keep one in the downtown area at all times. Council directed staff to look further into the timing of the Social District hours and expand the map to include the downtown on the other side of the railroad tracks. Council also suggested that staff visit the businesses that would be effected by the Social District and get a feel from them as to how they feel about the ordinance and come back with a recommendation at the next Council Meeting.

ADJOURN

With no additional items for discussion, Mayor Hough entertained a motion to adjourn. Councilwoman Pawlish made the motion to adjourn the January 24, 2022 Council Work Session Meeting. Councilwoman Shoemaker seconded the motion. All Council Members present voted in favor. (Motion Carried)

The meeting adjourned at 8:14 pm.

PRESENTATIONS



To: Mayor and City Council From: Mark Jusko	Date: 2-8-22 Meeting Date: 2-14-22
Agenda Item to be considered: Presentation of Springfest golf tournament proceeds to the CRO	
Will this require a public hearing? ☐ YES ☒ NO	
Background/Purpose of Request : Cheri Love, Special Events Coordinator, will be presenting the proceeds to the Community Relief Organization (CRO) from this past Springfest golf tournament. Even though Springfest was cancelled last year, the golf tournament was held on May 3. A check in the amount of \$1500.00 will be presented to CRO.	
Fiscal Impact:	
Will Item affect current budget	☐ YES ☒ NO ☐ N/A
Reviewed by Finance Director	☐ YES ☒ NO ☐ N/A
Preaudit Certification required	☐ YES ☒ NO ☐ N/A
Capital Project Ordinance required	☐ YES ☒ NO ☐ N/A
Budget Transfer required	☐ YES ☒ NO ☐ N/A
Total City Dollars:	\$
Budget Code	
Reviewed by City Attorney	☐ YES ☒ NO ☐ N/A
Manager/Staff Recommendation:	
Result of City Council Decision: 	
Attachments: None	



City of Mount Holly Action Agenda Item

To: Mayor and City Council	Date: 2/9/2022
From: Fire Department	Meeting Date: 2/14/2022
Agenda Item to be considered:	
Special Recognition for Fire Department	
Will this require a public hearing? ☐ YES ☒ NO	
Background/Purpose of Request :	
We will recognize Assistant Chief Eddie Summerlin for his dedicated service to the City of Mount Holly. Chief Summerlin has served the City for 40 years as a volunteer Firefighter/EMT and as the Assistant Fire Chief of Volunteers, and we will present him with a special plaque and proclamation.	
Fiscal Impact:	
Will Item affect the current budget	☐ YES ☐ NO ☒ N/A
Reviewed by Finance Director	☐ YES ☐ NO ☒ N/A
Pre-audit Certification required	☐ YES ☐ NO ☒ N/A
Capital Project Ordinance required	☐ YES ☐ NO ☒ N/A
Budget Transfer required	☐ YES ☐ NO ☒ N/A
Total City Dollars:	\$ 0
Budget Code	
Reviewed by City Attorney	☐ YES ☐ NO ☒ N/A
Manager/Staff Recommendation:	
Result of City Council Decision:	

Attachments: Facts sheet with data and dates of the grant.	



City of Mount Holly Action Agenda Item

To: Mayor and City Council

Date: February 8, 2022

From: David E. Johnson, PE

Meeting Date: February 14, 2022

Agenda Item to be considered:

Mount Holly – Charlotte Water Pump Station & Force Main Project Presentation will highlight the project moving forward from the January 2022 Notice To Proceed. The presentation will focus on construction, sequence of events and schedule.

Will this require a public hearing?

☐ YES

☒ NO

Background/Purpose of Request :

Mount Holly – Charlotte Water Pump Station & Force Main Project Presentation highlighting the construction activities from January 2022 – February 2024 and the impact this construction will have on the citizens of Mount Holly.

The presentation will be by:

Derek Dixon, City's Site Inspector

Josh LeFevre, Project Manager for Haskell

Available to answer any questions of Charlotte Water will be:

Ron Hargrove, Charlotte Water Deputy Director for Operations

Nicole Bartlett, Charlotte Water Senior Engineering Project Manager

Fiscal Impact:

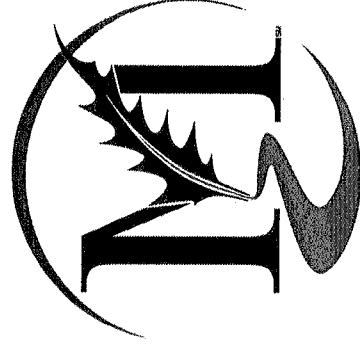
Will Item affect current budget	☐ YES	☒ NO	☐ N/A
Reviewed by Finance Director	☐ YES	☒ NO	☐ N/A
Preaudit Certification required	☐ YES	☒ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☐ NO	☒ N/A
Budget Transfer required	☐ YES	☐ NO	☒ N/A
Total City Dollars:	\$		
Budget Code			
Reviewed by City Attorney	☐ YES	☒ NO	☐ N/A

Manager/Staff Recommendation – Presentation Only- no action required

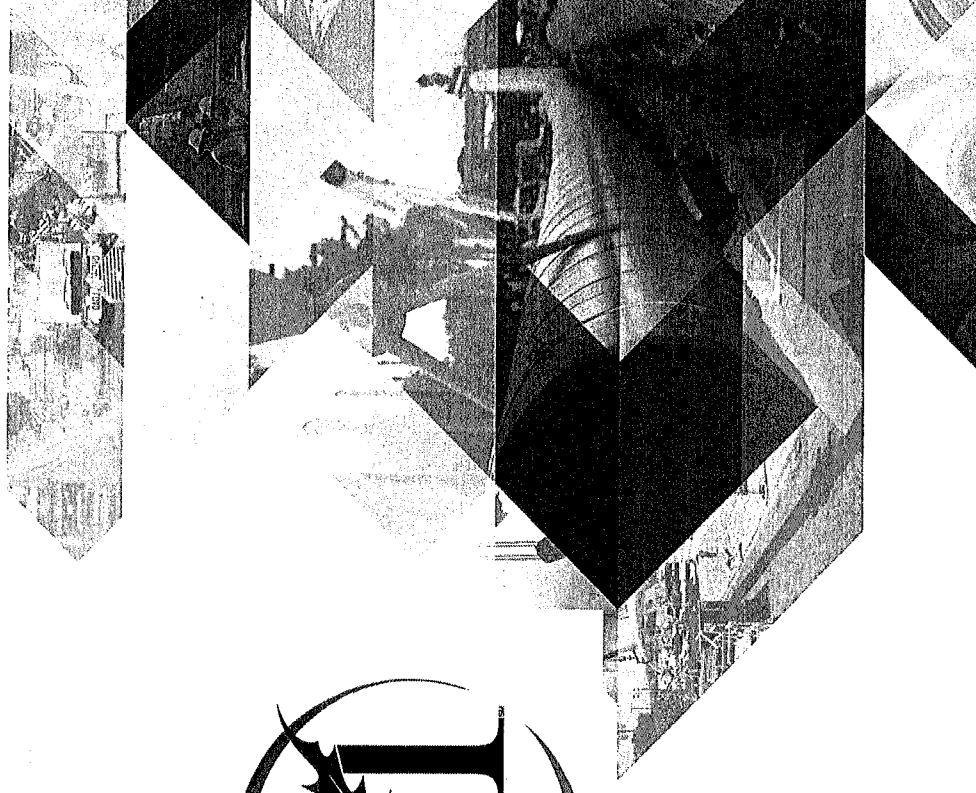
Result of City Council Decision:

Attachments: Presentation

CHARLOTTE WATER



Mount Holly Pumping Station
and Force Mains Project
February 14, 2022



BLACK & VEATCH

MICHELS®

Agenda

- Stowe WRRF Overview
- Early Work Package #2 – Force Mains
- Early Work Package #3 – Pump Station
- Coordination with Operations & Mount Holly Public

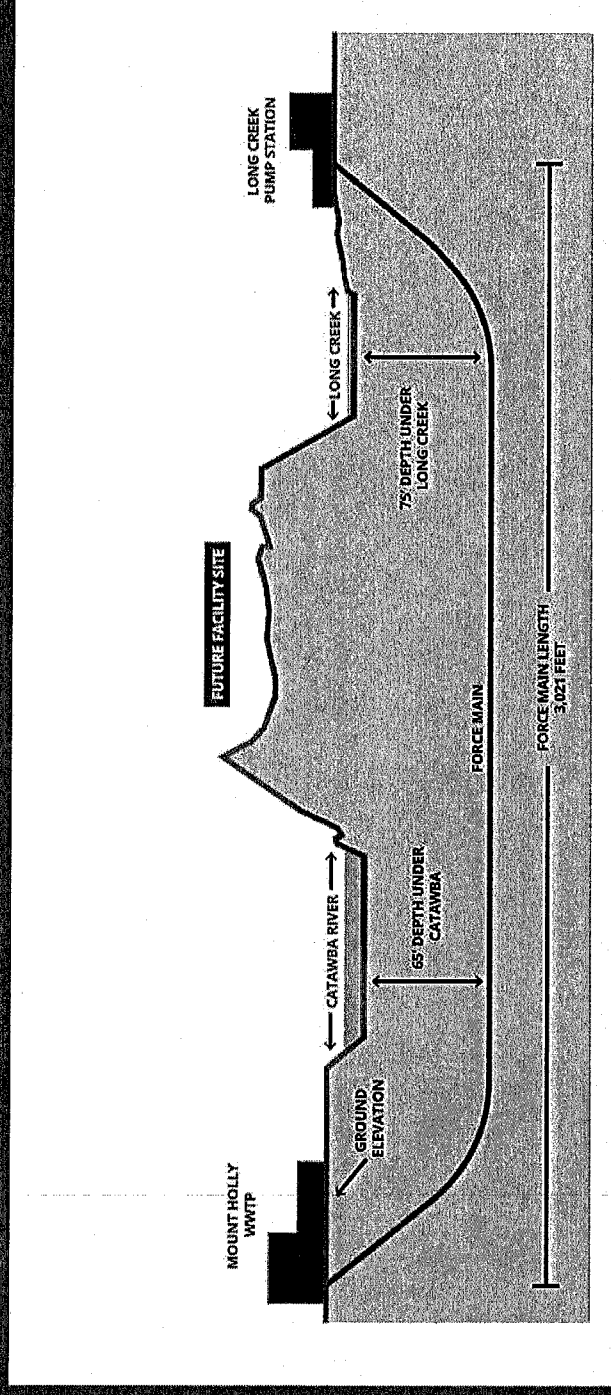
Project Purpose

- Mount Holly has partnered with the City of Charlotte (Charlotte Water) to implement a regional partnership that will provide wastewater treatment services to communities in Northwestern Mecklenburg County and Eastern Gaston County.
- The completion of the Mount Holly Pump Station and Force Mains Project will allow for the City of Mount Holly to convey the entirety of their wastewater flow into Charlotte Water's collection system.
- Charlotte Water will provide services for wastewater treatment needs only; the City of Mount Holly Utilities Department will continue to provide the Water Treatment services for the community.

Early Work Package #2 – Force Mains

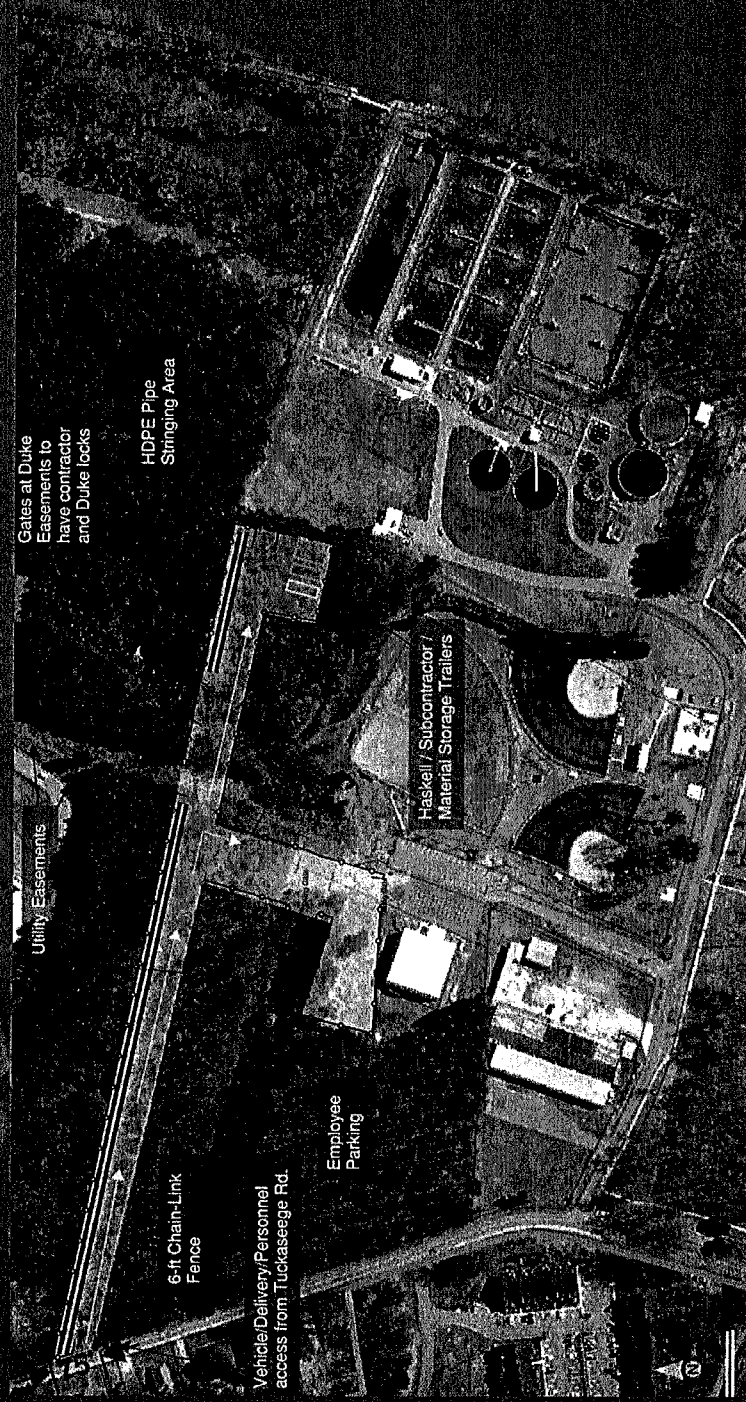
- Clearing, Erosion Control, Site Prep for HDD
- Establish Site Laydown, Parking, Fencing, Trailers
- Electrical & Lighting Refeed
- Horizontal Directional Drilling
- Generator Procurement

3,038-ft Pipe Length
HDPE 26" OD Pipe
38" Bore Hole
15 Pipe Delivery Trucks



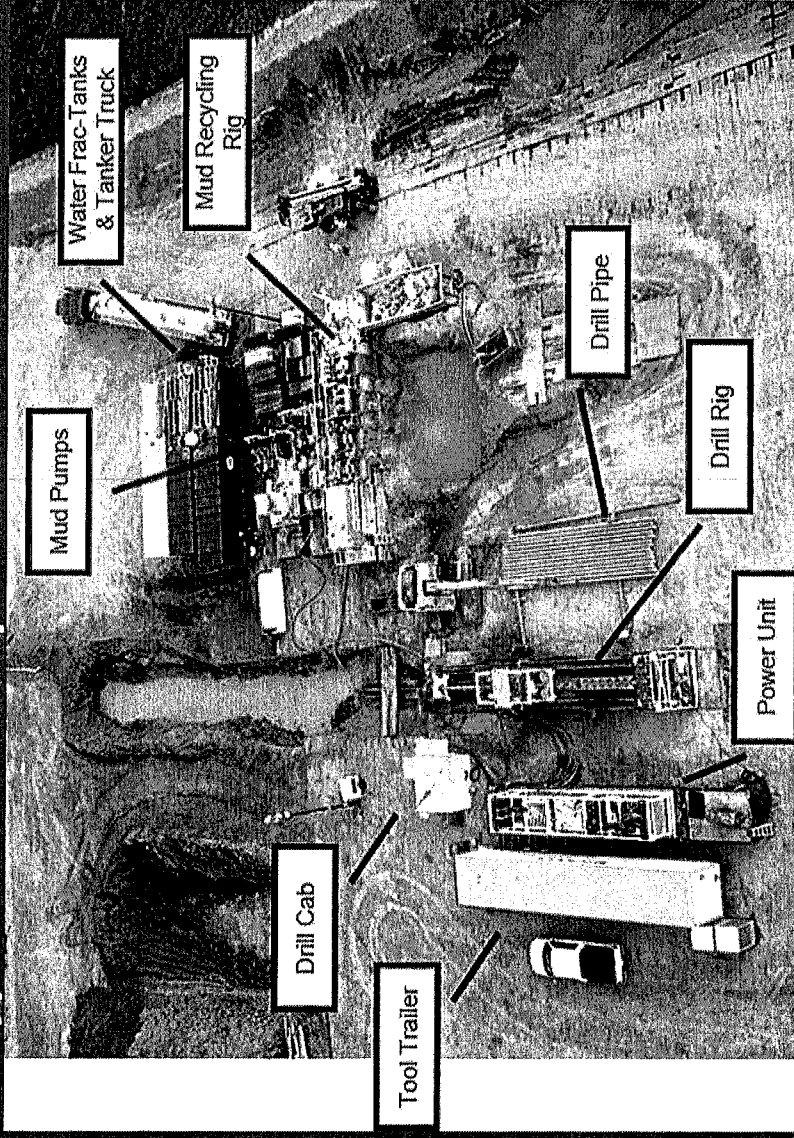
Early Work Package #2 – Force Mains

Site Utilization

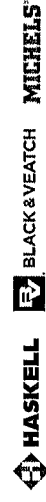


Early Work Package #2 – Force Mains

Typical HDD Setup



**Pump Station
New Influent Piping,
Pump Station Discharge,
valves, meters
Electrical Building &
Generator
Paving, Restoration,
Fencing**



EWP #3 – Pump Station



EWP #3 – Pump Station

**Long Creek Pump Station
Additional Capacity**

**Piping to Accept MH
Flows**

Additional Equalization



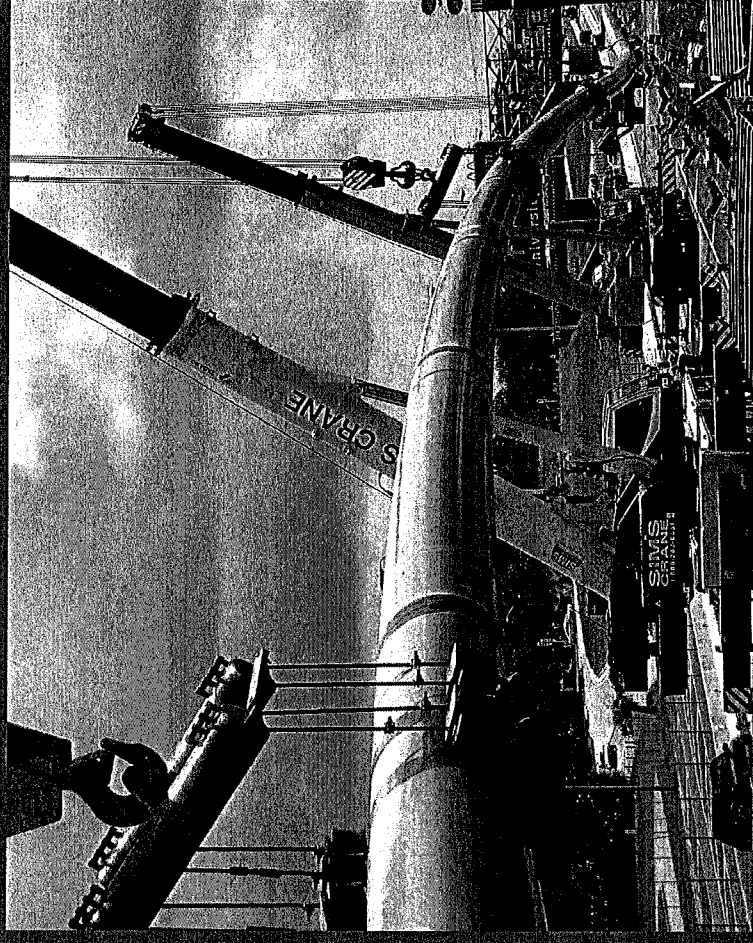
Anticipated Schedule

Force Mains

- Pipe Delivery & Begin HDD – March
- 17 weeks per Force Main
- HDD Completion – December

Pump Station Facilities

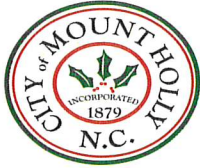
- NTP – April 2022
- Substantial Completion – January 2024
- Final Completion – February 2024



Coordination with Public & City Operations

- Switchover to New Electrical Service
- Re-feed existing Lighting Loop
- Coordination of deliveries, tanker trucks, dump trucks
- Temporary Fencing, Erosion Control Measures
- Equipment Noise
- Connect/Intercept existing pipe
- Pump Station Startup and Commissioning

PUBLIC HEARINGS



City of Mount Holly Action Agenda Item

To: City Council	Date: 2-9-22
From: Brandon Livingston	Meeting Date: 2-14-22
Agenda Item to be considered: Public hearing to consider an application, submitted by Eric Jones, to rezone a 0.41-acre tract of land at Tax Parcel #227246 (behind Mount Holly Farm Supply Co.) from R-12 Single Family to B-2 Neighborhood Business.	
Will this require a public hearing? ☒ YES ☐ NO	
Background/Purpose of Request: An application was submitted by Eric Jones with the Mount Holly Farm Supply Co. to rezone a 0.41-acre tract of land at Tax Parcel #227246 from R-12 Single Family to B-2 Neighborhood Business. This is a landlocked parcel that is adjacent to the business and will be used as extra space for Mount Holly Farm Supply. Mr. Jones is seeking to provide the business with extra parking and storage on this lot through this rezoning. The Vision Plan and Future Land Use Plan promote the expansion of business opportunities for such uses. A rezoning from R-12 SF to B-2 Neighborhood Business for Mt. Holly Farm Supply had been approved in October 2011. Mr. Jones claims that he mistakenly thought that the parcel before you, was rezoned for business purposes. It was not; it was only another property directly behind the business. Due to neighbor complaints when grading started, the City informed Mr. Jones that a rezoning would be needed for the parking/storage use related to his business, as the current zoning was residential. Work continued under his contractor, and the City issued a stop work order, which resulted in a meeting with Mr. Jones. The corrective action in this case calls for the applicant to stop work and apply for said rezoning. The Land Use Plan, adopted in June 2020, calls for this area on South Main Street/Belmont Mount Holly Road to be a Community Corridor with retail/office as a primary use. The intent under the plan is to: Incorporate neighborhood-serving commercial uses (e.g., grocery stores, restaurants, shops, and services). Under the Future Land Use Map, the Community Corridor does not extend to Rose St. However, it does appear to include this property for business purposes based on the Future Land Use Map. Staff supports this rezoning as there will be no impact to Rose St, primarily made up of residences. If approved, Mr. Jones must obtain proper permits to complete the work and install a screening device, such as a solid fence, before any use of the property can be undertaken. Planning Commission voted unanimously in support of a recommendation to City Council for the rezoning request from R-12 Single Family to B-2 neighborhood business during their February 7, 2022 meeting. The Commission based this approval upon the rezoning being consistent with the 2020 Comprehensive Land Use Plan in establishing more commercial uses along the main thoroughfares of the City, while protecting the residential neighborhoods from commercial encroachment.	

Fiscal Impact:

Will Item affect current budget	☐ YES	☐ NO	☒ N/A
Reviewed by Finance Director	☐ YES	☐ NO	☒ N/A
Preaudit Certification required	☐ YES	☐ NO	☒ N/A
Capital Project Ordinance required	☐ YES	☐ NO	☒ N/A
Budget Transfer required	☐ YES	☐ NO	☒ N/A
Total City Dollars:	\$		
Budget Code			
Reviewed by City Attorney	☐ YES	☐ NO	☒ N/A

Manager/Staff Recommendation:

Staff supports the approval by City Council for the zoning amendment from R-12 Single Family to B-2 Neighborhood Business.

Result of City Council Decision:

Attachments:

- 1. Rezoning Application**
- 2. Maps of the property**
- 3. Letter to adjacent property owners**
- 4. Statement of Consistency**
- 5. Community Corridor Map**
- 6. Future Land Use Map**

**REZONING APPLICATION
CITY OF MOUNT HOLLY, NORTH CAROLINA**

Date Filed: January 7, 2022 Application Number: 1-7-22A

The undersigned does (do) hereby respectfully make the application and request to the City of Mount Holly to amend the Zoning Map of Mount Holly as hereinafter requested and in support of this application the following facts are shown:

1. The real property, sought to be rezoned, is owned in fee simple by: Mt. Holly Supply Co. Inc. Address: [unassigned] adjacent to 1120 South Main Street as evidenced by Deed Book 4954; on Page 0203 in the Gaston County Registry. There are no restrictions or covenants of record appearing in the chain of title, which would prohibit the property from being put to the use specified in Paragraph five (5) of this application.
2. The real property sought to be rezoned is located at/on [unassigned] adjacent to the northwest corner of 1120 South Main Street on the Left or **Right** side of the South Main Street behind Mount Holly Grill between Rose Street and South Main Street, and has a Tax Listing of: Tax Parcel # 227246. Said lot(s) has (have) a frontage of n/a feet and is approximately 0.41 acres in size.
3. A complete legal description of the boundaries of said realty (to be completed by an attorney) is attached to this application along with a survey or tax map of said realty N/A
4. It is desired and requested that the real property herein described be rezoned from R-12 Single Family to B-2 Neighborhood Business.
5. If Conditional District rezoning is requested, a site specific plan (see Appendix) is hereby attached (check) Yes or **X** N/A.
6. If the Conditional District Rezoning is requested, it is proposed that the real property be put to the following use, with the following specific improvements including building sizes and proposed screening in accordance with the attached site plan as mentioned in Paragraph five (5).
7. Attached is a list of all the properties adjacent to the subject property including the owners' name(s) and address and tax book, map, and parcel number of each lot as shown on the Gaston County Tax Maps. Adjacent properties are considered all those immediately or diagonally adjacent to the subject property, including any properties immediately across any creeks, rivers, railroads, highways or other natural or man-made barriers. (City Planning has list)

Mt. Holly Supply Co., Inc. [Eric Jones]
Name of Applicant(s)

Applicant's Address: 1120 South Main Street, Mount Holly, NC 28120

Phone Number: (704) 363-8175

Signature:

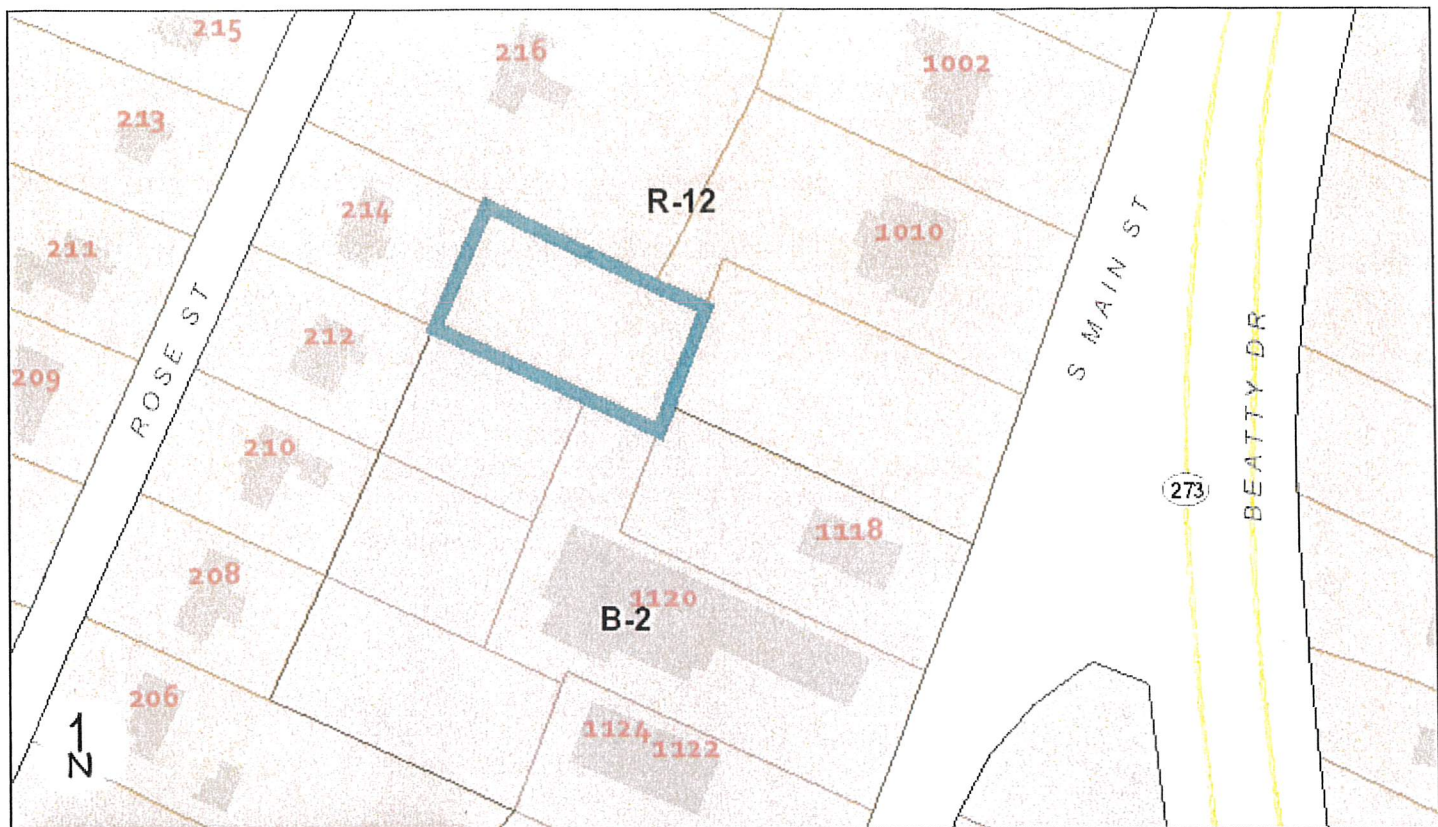
Charles Eric Jones
Charles ERIC Jones

INSTRUCTIONS: Applications must be TYPED or LEGIBLE and filed with the City of Mount Holly Planning and Zoning Department, together with the application fee in the amount of **(\$300.00)** at least 15 days prior to the Planning Commission meeting for initial consideration.

Current Zoning: R-12 Single Family
Proposed Zoning: B-2 Neighborhood Business

- Parcel Under Review
- B-2
- R-12





Primary Property Address

NO ASSIGNED ADDRESS

Tax Information

PARCEL #: 227246
PIN #: 3596428352
CURRENT OWNERS: MT HOLLY SUPPLY CO INC
MAILING ADDRESS: 1120 S MAIN ST , MT HOLLY, NC 28120-2023
NBHD #: MH009
NBHD NAME: CATAWBA HEIGHTS
TOWNSHIP: SOUTH POINT TOWNSHIP
LEGAL DESC: HARVEY ELMORE P/L 5
UNREC 15 008C 101 00 000

Tax Information

DEED BOOK: 4954 PAGE: 0203
DEED RECORDING DATE: 12/29/2017
SALES AMOUNT: \$40,000
PLAT BOOK: PAGE:
STRUCTURE TYPE:
YEAR BUILT: 0
VACANT: IMPROVED
SQUARE FOOTAGE: 0
BASEMENT: NO
BED: 0 BATH: 0 HALF-BATH:
MULTI-STRUCTURES: NO
ACREAGE: 0.41
TAX DISTRICT: MOUNT HOLLY CITY
VOLUNTARY AG DISTRICT: NO
PROPERTY USE: COMMERCIAL

Tax Values

MARKET LAND VALUE: \$16,740
MARKET IMPR. VALUE: \$0
MARKET VALUE: \$16,740
FARM DISCOUNT: NO
EXEMPTION: NO
TAXABLE VALUE: \$16,740

Election Information

PRECINCT NAME: CATAWBA HEIGHTS
POLLING PLACE: CROSSROADS CHURCH
POLLING ADDRESS: 101 BEATY RD
WARD #:
CONGRESS REPRESENTATIVE: TED BUDD
CONGRESSIONAL DISTRICT: 13
HOUSE REPRESENTATIVE: JOHN A. TORBETT
HOUSE DISTRICT: 108
SENATOR: KATHY HARRINGTON
SENATE DISTRICT: 43

Parcel Information

CITY LIMITS: MT HOLLY
ETJ: NOT IN ETJ
POLICE DISTRICT: MOUNT HOLLY
FIRE DISTRICT: MOUNT HOLLY
FLOOD:
LOCAL WATERSHED: CATAWBA HEIGHTS
CENSUS TRACT: 312.01



Brandon Livingston, CZO
Planner I
Planning & Development

400 East Central Avenue • Post Office Box 406 • Mount Holly, North Carolina 28120 • 704-827-3931 • 704-827-5672 fax • www.mtholly.us

NOTICE OF PUBLIC HEARING

January 25, 2022

Dear Property Owner,

The City of Mount Holly City Council will hold a public hearing on Monday February 14, 2022 at 7 PM at the Municipal Complex, located at 400 East Central Avenue. The purpose of this hearing will be to review a rezoning request by Mount Holly Supply Co. (Eric Jones) to rezone a 0.41-acre tract of land at Tax Parcel #227246 (behind Mount Holly Farm Supply Co.) from R-12 Single Family to B-2 Neighborhood Business. Also, the Mount Holly Planning Commission will hold a public hearing on Monday February 7, 2022 at 6:30 PM at the Municipal Complex, located at 400 East Central Avenue. All interested parties are encouraged to attend the public hearing where the opportunity to be heard will be given. For more information, please call the Planning Department at (704) 951-3017.

Sincerely,

Brandon Livingston
Planning & Development

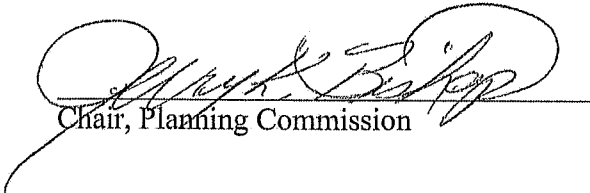


Statement of Consistency

In considering the request associated with petition 1-7-2022A, an amendment of the Zoning Map to B-2 Neighborhood Business District for Tax Parcel ID#227246, the Mount Holly Planning Commission finds the petition to be a reasonable request and in the public interest. It further finds it to be consistent with the Land Use Plan because:

- It promotes the adopted Future Land Use Map that identifies this area as a Community Corridor for retail and office use, as a connector to Downtown. A similar rezoning for a property behind Farm Supply was approved by Council on October 10, 2011. Furthermore, this rezoning will not extend to Rose Street and must be screened under Article 10 of the Mount Holly Zoning Ordinance.

This finding(s) is supported by a 8 - 0 vote by the Mount Holly Planning Commission during its Feb 7, 2022 meeting.


Chair, Planning Commission

2-7-22
Date

GASTON
COUNTY

NORTH GATEWAY

Sandy Ford
Neighborhood Center

North Gateway

30% Residential
50% Retail
20% Office

WEST GATEWAY

West Gateway

50% Residential
25% Retail

SOUTH GATEWAY

Catawba Heights
Neighborhood Center

Downtown South
Neighborhood Center

FUTURE LAND USE

- Downtown
- Gateway Center
- Neighborhood Center
- Community Corridor
- Core Residential
- Neighborhood Residential
- Rural Residential & Agriculture
- Industrial
- Sensitive Areas

UTILITIES

- Sewer
- Water
- Lift Station
- Study Area Boundary

- Park
- School
- Potential Future Roadway
- Study Area Boundary

BELMONT

COMMUNITY CORRIDOR

The Community Corridor areas serve as primary connections to Downtown. These areas link the City's key gateways, commercial nodes, major employers, local destinations, and neighborhoods. The design and performance of the Community Corridor areas is important to the entire community and will vary based on the surrounding context of corridor segments. Community Corridor areas should have a more unified approach that improves both aesthetics and economic viability by focusing more intense commercial/mixed-use nodes at key intersections with transitional uses between nodes and as a buffer to adjacent residential areas.

Intent

- Incorporate neighborhood-serving commercial uses (e.g., grocery stores, restaurants, shops, and services).
- Link neighborhoods to destinations in Mount Holly and draw people from the edges of Mount Holly to the community core.
- Balance access and mobility with a design that emphasizes good esthetics and safety for all users.
- Promote smaller-scale development that contributes to quality small-town character.

Typical Uses

Primary

Retail

Service

Office

Secondary

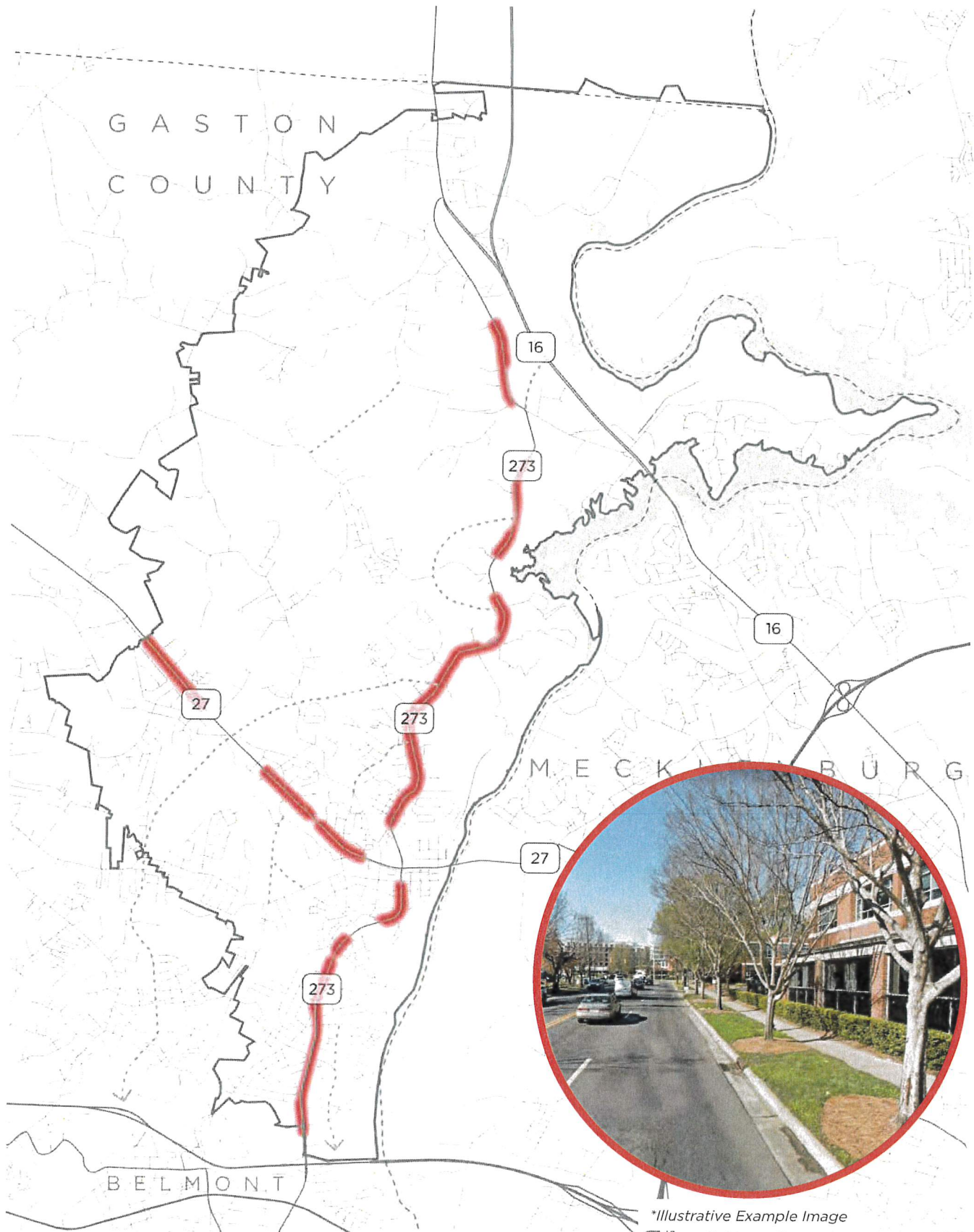
Residential

Institutional

Characteristics

Land Use	Land Use Mix	<i>Commercial fronting public street Residential one block back from public street</i>
	Building Form	<i>Front facade adjacent to public sidewalk</i>
	Building Height (typical)	<i>35'</i>
	Residential Density	<i>n/a</i>
	Non-Residential Intensity	<i>No Limit</i>
	Lot Coverage (typical)	<i>50% Commercial 30% Residential</i>
Transportation	Transportation Options	<i>Auto, Bicycle, Pedestrian</i>
	Access & Connectivity	<i>Sidewalks, Limit Curb Cuts</i>
	Parking Provision	<i>On-Site, side & rear only</i>

PLACE TYPE LOCATION MAP





City of Mount Holly Action Agenda Item

To: City Council Greg Beal, Economic Development From: Coordinator, Planning Director	Date: February 9, 2022 Meeting Date: February 14, 2022
Agenda Item to be considered: <u>Public Hearing to consider a resolution closing portions of S. Lee Street, E. Catawba Ave and S. Alexander Street.</u>	
Will this require a public hearing? ☒ YES ☐ NO	
Background/Purpose of Request: Over the past few months, staff has been working with Clariant Corporation on the closure of public streets for their property. In May 2012, the City voted to close Piedmont Avenue on this parcel of land. There was at least one attempt in the past to close the remaining streets. After some coordination with Clariant officials and the City Attorney, a revised map was provided by the City to Clariant to be included in the petition. Upon receiving a request/petition for the closure of a public street, State Statutes require that Council adopt a resolution for the intent to close said street or streets and set a public hearing date, as the first steps in the process. The City would then advertise said resolution in the local newspaper, notify adjacent property owners by certified mail and post signage along the street(s), for four consecutive weeks, and then, hold the public hearing to consider closure. All of these aforementioned requirements have been met. Utility easements are intended to be maintained. Clariant does not seek to install fencing or gates, and if they do in the future, access will be coordinated with police and fire. This will help one of our corporate citizens maintain safety standards and avoid issues with trespassing in the future. Duke Energy requested that Council delay their decision to February 14th, which Council did through continuation of the public hearing. City Attorney Marie Anders has provided a memo offering further clarification and direction on next steps.	
Fiscal Impact:	
Will Item affect current budget	☐ YES ☐ NO ☒ N/A
Reviewed by Finance Director	☐ YES ☐ NO ☒ N/A
Preaudit Certification required	☐ YES ☐ NO ☒ N/A
Capital Project Ordinance required	☐ YES ☐ NO ☒ N/A
Budget Transfer required	☐ YES ☐ NO ☒ N/A
Total City Dollars:	\$
Budget Code	
Reviewed by City Attorney	☒ YES ☐ NO ☐ N/A
Manager/Staff Recommendation: <u>The applicant, Clariant Corp, requests that Council take action to close portions of S. Lee St and E. Catawba Ave at the public hearing, which is reflected in the Order prepared by City Attorney Marie Anders. This would enable Clariant to work with Duke Energy on a resolution/easement for South Alexander Street and reapply for street closure, once an agreed-upon decision is made between these two private parties. The City would then follow the same standards for the street closure process under the statutes.</u>	
Result of City Council Decision:	

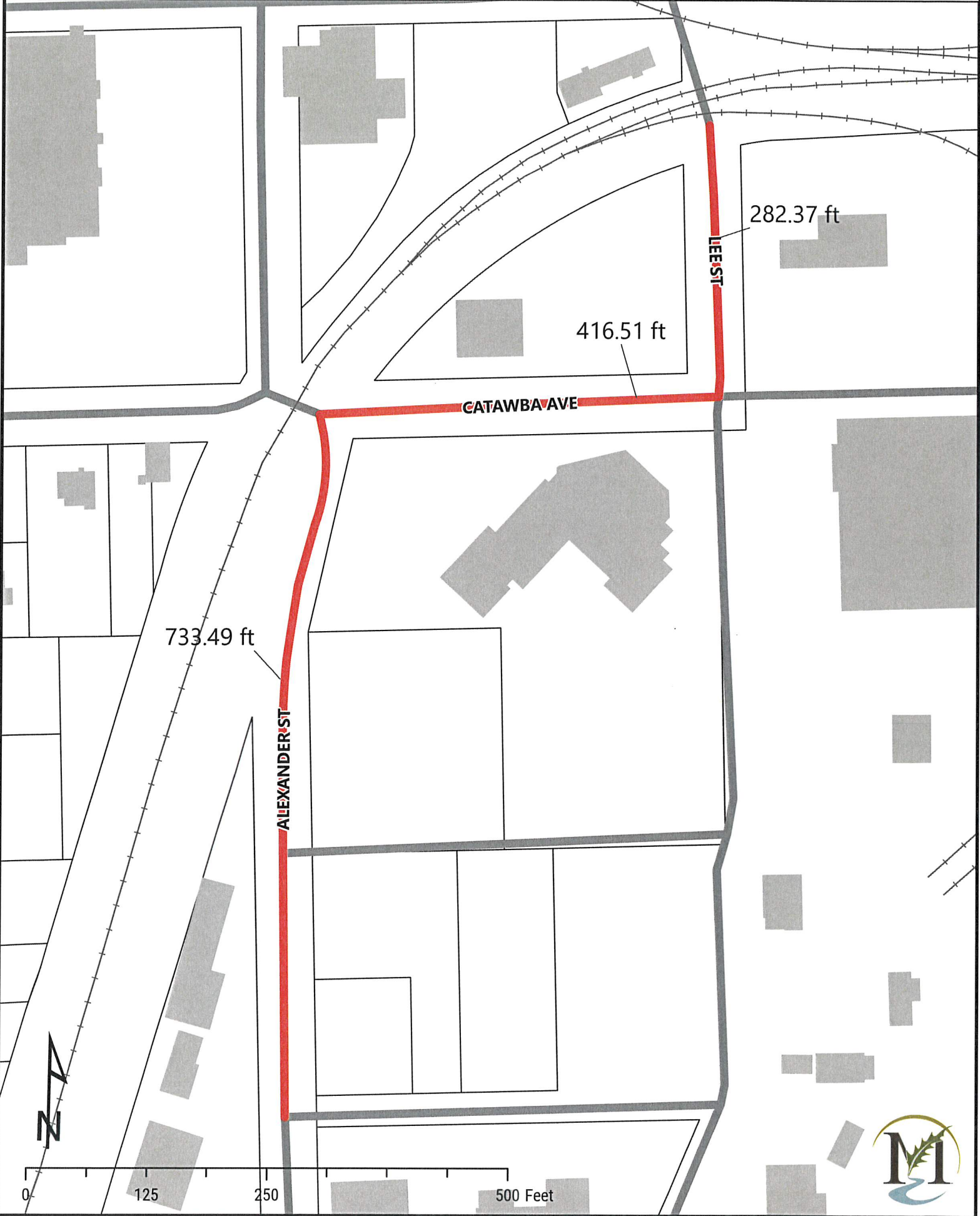
Attachments: *Petition for Street Closure*

Street Closure Map

Memo from City Attorney

Order for Street Closure (S. Lee & E. Catawba)

Street Closure - Clariant, 625 E. Catawba Ave



MEMORANDUM

TO: City Manager, Mayor, and City Council of the City of Mount Holly

FROM: Marie M. Anders, City Attorney

SUBJECT: Clariant Street Closing Order

DATE: February 9, 2022

Attached is a proposed Street Closing Order pursuant to a petition by Clariant in an effort to control trespassing at its plant. In June, Clariant petitioned the City to close the following streets: 1) that portion of S. Lee Street south of the railroad, 2) that portion of E. Catawba Avenue east of the railroad, and 3) that portion of S. Alexander Street south of the railroad. In response to this petition, the City Council passed a Resolution of Intent to close these streets on December 13, 2021. The Resolution provided that in accordance with N.C.G.S. 160A-299, a public hearing would be set for the council meeting on January 10, 2022, and the required notices would be advertised in the newspaper, posted along the streets, and mailed to adjoining property owners.

The required notices have been given and the public hearing was opened during the January 10, 2022, Council meeting and continued to the February 14, 2022, meeting. This public hearing will allow any person the opportunity to be heard that feels the street closing would be detrimental to the public interest or the property rights of any individual. After the public hearing, if Council feels that closing the streets is not contrary to the public interest and that no individual owning property in the vicinity of the street would be deprived of reasonable means of access to his property, then Council may approve the Street Closing Order.

Duke Energy owns property adjacent to S. Alexander Street touching its southern terminus at 599 American Street (parcel # 123986). The public hearing set for the January 10, 2022, meeting was continued to the February 14, 2022, meeting at the request of Tim Huie, a real estate representative for Duke Energy. Duke Energy and Clariant are currently negotiating a private easement across Clariant's property in the location of S. Alexander Street to serve Duke Energy's property, and this easement is not likely to be completed by the February 14, 2022, meeting. Clariant's representative has contacted Greg Beal and asked that S. Alexander Street be removed from the proposed street closing order so that the City Council can move forward with closing portions of S. Lee Street and E. Catawba Avenue without objection from Duke Energy. The proposed street closing order no longer includes any portion of S. Alexander Street per Clariant's request.

Once a street is closed, the statute provides that the adjoining property owners become owners of the street to the centerline. Because Clariant now owns the property on either side of the streets, if they are closed Clariant will then own those portions of the streets that are closed. The City is reserving an easement for any utilities that are located within these streets.

STREET CLOSING ORDER

A Resolution Ordering the Closing of those portions of certain public roads known as S. Lee Street and E. Catawba Avenue, all located in Mount Holly, North Carolina, as hereinafter described.

WHEREAS, on the 13th day of December, 2021, the City Council of Mount Holly directed the City Clerk to publish the Resolution of Intent of the City Council to consider closing certain streets in the City of Mount Holly in the Gaston Gazette once each week for four successive weeks, such resolution advising the public that a meeting would be conducted in the Mount Holly Municipal Complex at 7:00 PM on January 10, 2022; and

WHEREAS, the City Council on the 13th day of December, 2021, ordered the City Clerk to notify all person owning property adjoining said streets as shown on the county tax records by registered or certified mail of the proposed street closings by enclosing with such notification a copy of the Resolution of Intent; and

WHEREAS, the City Clerk has advised the City Council that she caused the appropriate advertisement to run in the Gaston Gazette and has sent a letter to each of said adjoining property owners advising them of the day, time, and place of the meeting, enclosing a copy of the Resolution of Intent, and advising said adjoining property owners that the question as to closing the portions of the public streets as shown would be acted upon, said letters having been sent by registered or certified mail; and

WHEREAS, the City Clerk has advised the City Council that adequate notices were posted on the applicable streets as required by G.S. 160A-299; and

WHEREAS, after full and complete consideration of the matter and after having granted full and complete opportunity for all interested persons to appear and register any objections that they might have with respect to the closing of said streets in the public hearing opened on January 10, 2022, and continued to and held upon February 14, 2022, it now appears to the satisfaction of the City Council that the closing of the portion of said streets is not contrary to the public interest and that no individual owning property, either abutting the streets or in the vicinity of said streets or in the subdivision in which said streets are located, will as a result of said closing be thereby deprived of a reasonable means of ingress and egress to his property;

NOW, THEREFORE, subject to the reservation of a 15 feet easement to the City of Mount Holly for any existing utilities as may exist (the center of said 15 feet being the center of any utility installation), those portions of those certain streets described below are hereby ordered closed, and all right, title, and interest that may be vested in the public to said areas for street purposes are hereby released and quitclaimed to the adjoining property owners in accordance with the provisions of G.S. 160A-299. Said portions of public streets hereby closed are described as follows:

- A. S. Lee Street from its southern terminus north to its intersection with the centerline of the Piedmont & Northern Railroad tracks, said right-of-way being approximately sixty (60) feet in width.
- B. E. Catawba Avenue from its intersection with the western margin of the right of way for S. Lee Street west to its intersection with the centerline of the Piedmont & Northern Railroad tracks, said right-of-way being approximately sixty (60) feet in width.

The City Clerk is hereby ordered and directed to file with the Office of the Register of Deeds of Gaston County a certified copy of this resolution and order.

Upon motion duly made by Councilperson _____ and duly seconded by Councilperson _____, the above resolution as duly adopted by the City Council at a meeting held on the 14th day of February, 2022, in the Mount Holly Municipal Complex.

Upon call for a vote the following Councilpersons present voted in the affirmative:

_____.

This the 14th day of February, 2022.

Mayor

Attest:

City Clerk

STATE OF NORTH CAROLINA
COUNTY OF GASTON

NOTARY ACKNOWLEDGMENT

I, _____, a Notary Public in and for said County and State, do hereby certify that Bryan M. Hough personally came before me this day and acknowledged that he is Mayor of the CITY OF MOUNT HOLLY, a North Carolina municipal corporation, and that by authority duly given and as the act of the City Council of the City of Mount Holly, NC, the foregoing instrument was signed in its name by Bryan M. Hough as its Mayor, sealed with its corporate seal, and attested by Amy Miller as its City Clerk. Witness my hand and notarial seal, this _____ day of _____, 2022.

Notary Public

My commission expires: _____

(seal)



City of Mount Holly Action Agenda Item

To: City Council
Greg Beal, Economic Development
From: Coordinator, Planning Director

Date: February 9, 2022

Meeting Date: February 14, 2022

Agenda Item to be considered: Public Hearing to consider a resolution closing a portion of Park Avenue

Will this require a public hearing? ☒ YES ☐ NO

Background/Purpose of Request:

Over the past couple of months, staff has been working with Greg Dimmer on the development of five lots of record off Webb Street. For years, actually nearly 100 years since they were platted, these lots have not been developed due to their landlocked nature, with access provided by two, unopened street right-of-ways. For existing lots of record, the Subdivision and Land Development Ordinance does not apply.

Mr. Dimmer and his attorney have been working through the legal issues with this closure with City Attorney Marie Anders. When first proposed, Mr. Dimmer had proposed to close Webb St, Park Avenue and Mill Street, which staff opposed. Mill Street would provide needed access to the future laydown yard off Legion Road. There is no reason to close Webb Street. This led to Mr. Dimmer filing the petition to close Park Avenue and provide the required 20-foot access, which he intends to pave and maintain privately, if Council chooses to close Park Avenue, as proposed.

Upon receiving a request/petition for the closure of a public street, State Statutes require that Council adopt a resolution for the intent to close, as well as set a public hearing date, which you did at your last meeting on January 10th. The City advertised said resolution in the local newspaper and posted signage along the street, for four consecutive weeks. The City Attorney's Office also notified adjacent property owners of the public hearing on the proposed closure, following statutes.

Utility easements are intended to be maintained. Mr. Dimmer is proposing to build five infill homes on these lots of record in the near future, if the closure is approved.

Fiscal Impact:

Will Item affect current budget	☐ YES	☐ NO	☒ N/A
Reviewed by Finance Director	☐ YES	☐ NO	☒ N/A
Preaudit Certification required	☐ YES	☐ NO	☒ N/A
Capital Project Ordinance required	☐ YES	☐ NO	☒ N/A
Budget Transfer required	☐ YES	☐ NO	☒ N/A
Total City Dollars:	\$		
Budget Code			
Reviewed by City Attorney	☒ YES	☐ NO	☐ N/A

Manager/Staff Recommendation: The City Attorney has prepared the Order to Close Park Avenue in the following document, which is staff supported.

Result of City Council Decision:

Attachments: *Petition for Street Closure*
Order to Close Park Avenue

NORTH CAROLINA

GASTON COUNTY

PETITION TO THE MOUNT HOLLY
CITY COUNCIL

The undersigned Petitioner(s) hereby petition(s) that portions of certain public roads in Mount Holly, North Carolina, be closed, as follows: OFF OF WEBB ST.

Name of road(s) to be closed: ROAD RIGHT OF WAY 40 WIDE BETWEEN PARCEL 124301, 124309, 124307 + 124304 NO GIVEN ST. NAME ON GIS

Attached hereto as Exhibit "A" is a survey or map showing the public roads and depicting the portions which the undersigned desire to close. A written description of the portion of the roads Petitioner desires for the City of Mount Holly to close is as follows:
(Insert description here or attach as Exhibit "B".)

SEE ATTACHED GIS MAP

The Petitioner requests that this matter be placed for hearing before the City Council and that all interested property owners be notified in accordance with North Carolina General Statute 160A-299.

Submitted this 6th day of DECEMBER, 2021.

Petitioner:

By: [Signature] GREG DINNEN
Name: DINNEN & SONS CONSTRUCTION, INC.
Address: P.O. BOX 442 MT. HOLLY NC 28120

By: _____
Name: _____
Address: _____

By: _____
Name: _____
Address: _____



ATTACHED
EXHIBIT B

By: [Signature]

STREET CLOSING ORDER

A Resolution Ordering the Closing of a portion of that certain public road known as Park Avenue located in Mount Holly, North Carolina, as hereinafter described.

WHEREAS, on the 10th day of January, 2022, the City Council of Mount Holly directed the City Clerk to publish the Resolution of Intent of the City Council to consider closing a certain street in the City of Mount Holly in the Gaston Gazette once each week for four successive weeks, such resolution advising the public that a meeting would be conducted in the Mount Holly Municipal Complex at 7:00 PM on February 14, 2022; and

WHEREAS, the City Council on the 10th day of January, 2022, ordered the City Clerk to notify all person owning property adjoining said street as shown on the county tax records by registered or certified mail of the proposed street closing by enclosing with such notification a copy of the Resolution of Intent; and

WHEREAS, the City Clerk has advised the City Council that she caused the appropriate advertisement to run in the Gaston Gazette and has sent a letter to each of said adjoining property owners advising them of the day, time, and place of the meeting, enclosing a copy of the Resolution of Intent, and advising said adjoining property owners that the question as to closing the portion of the public street as shown would be acted upon, said letters having been sent by registered or certified mail; and

WHEREAS, the City Clerk has advised the City Council that adequate notices were posted on the applicable street as required by G.S. 160A-299; and

WHEREAS, after full and complete consideration of the matter and after having granted full and complete opportunity for all interested persons to appear and register any objections that they might have with respect to the closing of said street in the public hearing held on February 14, 2022, it now appears to the satisfaction of the City Council that the closing of the portion of said street is not contrary to the public interest and that no individual owning property, either abutting the street or in the vicinity of said street or in the subdivision in which said street is located, will as a result of said closing be thereby deprived of a reasonable means of ingress and egress to his property;

NOW, THEREFORE, subject to the reservation of a 15 feet easement to the City of Mount Holly for any existing utilities as may exist (the center of said 15 feet being the center of any utility installation), that portion of that certain street described below is hereby ordered closed, and all right, title, and interest that may be vested in the public to said area for street purposes are hereby released and quitclaimed to the adjoining property owners in accordance with the provisions of G.S. 160A-299. Said portion of the public street hereby closed is described as follows:

Park Avenue from its western terminus east to its intersection with the western margin of the right of way for Webb Street, said Park Avenue right-of-way being approximately forty (40) feet in width.

The City Clerk is hereby ordered and directed to file with the Office of the Register of Deeds of Gaston County a certified copy of this resolution and order.

Upon motion duly made by Councilperson _____ and duly seconded by Councilperson _____, the above resolution as duly adopted by the City Council at a meeting held on the 14th day of February, 2022, in the Mount Holly Municipal Complex.

Upon call for a vote the following Councilpersons present voted in the affirmative:

_____.

This the 14th day of February, 2022.

Mayor

Attest:

City Clerk

STATE OF NORTH CAROLINA
COUNTY OF GASTON

NOTARY ACKNOWLEDGMENT

I, _____, a Notary Public in and for said County and State, do hereby certify that Bryan M. Hough personally came before me this day and acknowledged that he is Mayor of the CITY OF MOUNT HOLLY, a North Carolina municipal corporation, and that by authority duly given and as the act of the City Council of the City of Mount Holly, NC, the foregoing instrument was signed in its name by Bryan M. Hough as its Mayor, sealed with its corporate seal, and attested by Amy Miller as its City Clerk. Witness my hand and notarial seal, this _____ day of _____, 2022.

Notary Public

My commission expires: _____

(seal)



City of Mount Holly Action Agenda Item

To: City Council Greg Beal, Planning & From: Development Director	Date: February 9, 2022 Meeting Date: February 14, 2022
Agenda Item to be considered: <u>Public hearing to consider an application, submitted by True Homes, for a proposed rezoning for a 33.69-acre tract, Parcel ID # 178067, located at 933 Old Hwy 27, from Conditional District Single Family, approved on May 13, 2019, to Conditional District Single Family.</u>	
Will this require a public hearing? ☒ YES ☐ NO	
Background/Purpose of Request: <u>An application was submitted by True Homes, for a proposed rezoning for a 33.69-acre tract, Parcel ID # 178067, to Conditional District Single Family back in 2019. This property, along with the already zoned and annexed Parcel ID # 178060, was rezoned and annexed into the City on May 13, 2019 and August 31, 2019, respectively, for a proposed 134 single family homes with zoning conditions.</u>	
<u>The proposed development and conditions shall remain the same. However, the applicant is seeking an amendment to open space/offsite improvements found under the approved conditions. The applicant seeks to change this condition to allow for money-in-lieu for offsite/open space improvements, due to not being able to obtain right-of-way from adjacent property owners for a sidewalk connection in between the two, planned entryways for Moreland Oaks.</u>	
<u>A Public Involvement Meeting (P.I.M.) was held on Friday, February 4th from 4:00 pm until 6:00 pm at the Mount Holly Municipal Complex in which 2 people were in attendance. These two attendees lived in the Cottonwood Drive area, and they had no concerns seeing that there no other proposed changes in the already-approved plan.</u>	
<i>Fiscal Impact:</i>	
Will Item affect current budget	☐ YES ☐ NO ☒ N/A
Reviewed by Finance Director	☐ YES ☐ NO ☒ N/A
Preaudit Certification required	☐ YES ☐ NO ☒ N/A
Capital Project Ordinance required	☐ YES ☐ NO ☒ N/A
Budget Transfer required	☐ YES ☐ NO ☒ N/A
Total City Dollars:	\$
Budget Code	
Reviewed by City Attorney	☒ YES ☐ NO ☐ N/A

Manager/Staff Recommendation:

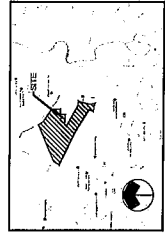
The Planning Commission made a unanimous recommendation to Council to approve the conditional rezoning for a 33.69-acre tract, Parcel ID # 178067, located at 933 Old Hwy 27, from Conditional District Single Family, approved on May 13, 2019, to Conditional District Single Family with the proposed amendment/condition to allow money-in-lieu for offsite/open space improvements with the recommended note, "as agreed upon by the applicant and the

City.” This should not be an issued because there is an already agreed-upon engineer estimate that has been accepted by the City.

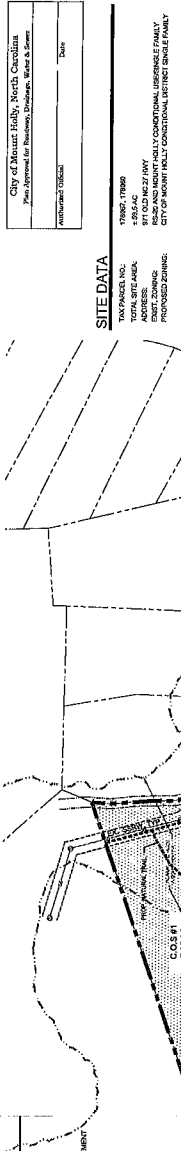
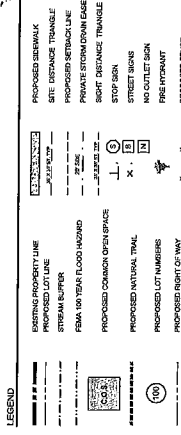
Result of City Council Decision:

Attachments:

- 1. Rezoning Application***
- 2. Rezoning Plan***
- 3. Sidewalk Exhibit Plan***



VICINITY MAP - NTS



SITE DATA

OWNER: [Name]
PROJECT: [Name]
DATE: [Date]

DEVELOPMENT STANDARDS

LOT AREA: [Value]
LOT WIDTH: [Value]
LOT DEPTH: [Value]

NOTES

1. LOT AREA SHALL BE AS SHOWN ON THIS PLAN.

RETAINING WALL NOTES

1. RETAINING WALLS SHALL BE CONSTRUCTED OF CONCRETE.

ARCHITECTURAL NOTES

1. ARCHITECTURAL STANDARDS SHALL BE AS SHOWN ON THIS PLAN.

GENERAL NOTES

1. GENERAL NOTES SHALL BE AS SHOWN ON THIS PLAN.

MOORELAND OAKS

ANNEXATION & REZONING PLAN

ANNEXATION & REZONING PLAN

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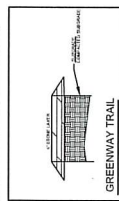
ANNEXATION & REZONING PLAN

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ANNEXATION & REZONING PLAN



Scale: 1" = 100'

Sheet Number: RZ-1

SHEET 1 OF 1 TOTAL



ANNEXATION & REZONING PLAN
CASE # XXX
MOORELAND OAKS
MOUNT HOLLY, GASTON COUNTY, NORTH CAROLINA
TRUE HOMES, LLC

ARCHITECTURAL NOTES:

ARCHITECTURAL STANDARDS - SINGLE FAMILY HOMES SHALL COMPLY WITH THE ARCHITECTURAL STANDARDS OUTLINED BELOW. OTHER COMPARABLE STYLES AND DESIGN DETAILS MEETING THESE STANDARDS MAY BE PERMITTED THAT ARE CONSISTENT WITH THE FOLLOWING STANDARDS.

1. FACIAL MATERIALS SHALL BE OF 1/2 IN. CEMENT BINDER, BRICK, STONE, OR MASONRY STUCCO.
2. IF INSTALLED, GARDEN WALLS IN THE FRONT YARD SHALL BE CONSTRUCTED OF BRICK, STONE OR MASONRY WALLS.
3. IF INSTALLED, FENCES IN THE FRONT AND SIDE YARDS SHALL BE CONSTRUCTED OF WOOD, WROUGHT IRON OR PLASTIC, AND TO BE REGULATED THROUGH HOA COVENANTS.
4. IF INSTALLED, FENCES IN THE REAR YARD SHALL BE CONSTRUCTED OF CHAIN LINK, WROUGHT IRON, PLASTIC OR WOOD, AND TO BE REGULATED THROUGH HOA COVENANTS.
5. ROOF SHALL BE CAD OR STANDING SEAM METAL, TORIC, OR ASPHALT SHINGLES.
6. ACCESSORY BUILDING GREATER THAN THREE HUNDRED (300) SQUARE FEET SHALL BE

CONFIGURATIONS:

1. ALL NEW CONSTRUCTION AND ADDITIONS MUST BE CONSISTENT WITH THE SURROUNDING HOMES.
2. HOMES AND SETBACKS MUST REMAIN CONSISTENT WITH THE SURROUNDING HOMES.
3. ORIENT A LOT OR PAVING TREATMENT MUST REMAIN CONSISTENT WITH THAT OF SURROUNDING HOMES.

IN ALL NEW HOME CONSTRUCTION, A HOUSE-BUILDING TYPE SHALL PROVIDE DETAILLED DESIGN ALIGNED WITH THE HIGHEST BUILDING SELECTION. DETAILLED DESIGN SHALL BE PROVIDED BY USING THE FOLLOWING ARCHITECTURAL FEATURES AS ALLOWED FOR THE ARCHITECTURAL STYLE.

1. DOWNSPUTS AND CABLES AS BUILDERS' PLANS ALLOW
2. FRONT PORCH SHALL BE A MINIMUM OF 10 FEET CULINARY HOME
3. CHARGE CORDS MUST HAVE AN ARCHITECTURAL DESIGN TO BECOME A HANDMADE

4. EAVES (MINIMUM 18 INCH PROJECTION WHICH MAY INCLUDE GUTTERS)
5. HORIZONTAL GUT-SETS IN BUILDING OR ON ROOF (MAY NOT NECESSARILY BE VERTICAL)
6. WINDOW TRIM (MINIMUM 4 INCHES WIDE)
7. IF BRICKED MOORS OR ON STEEL WITH BRICK OR STONE FINISH AROUND THE FRONT AND NO FACE OF GARAGE PORCH SHALL EXTEND ABOVE 11'4" ~~2'11"~~ THE FRONT PORCH TOWARDS THE STREET
8. SAME FRONT ELEVATION SHALL NOT BE NEXT TO OR ACROSS THE STREET FROM ONE ANOTHER
10. PRIMARY SIGNS COLOR SHALL NOT BE NEXT TO OR ACROSS THE STREET FROM ONE

GENERAL NOTES

[illegible]

DPZ

landscape architecture
civil engineering
planning

DPZ Associates, Inc., 4239 Hawthorne Lane • Charlotte, NC 28204
phone 704.332.1204 • fax 704.332.1210 • www.dpzassociates.net

Project Manager	HVN
Drawn By	BLH
Checked By	HVN
Date	5/17/19
Project Number	17016

**REZONING APPLICATION
CITY OF MOUNT HOLLY, NORTH CAROLINA**

Date Filed: January 27, 2022

Application Number: 1-27-22A

The undersigned does (do) hereby respectfully make the application and request to the City of Mount Holly to amend the Zoning Map of Mount Holly as hereinafter requested and in support of this application the following facts are shown:

1. The real property, sought to be rezoned, is owned in fee simple by: Dependable Development Inc. Address: 2649 Brekonridge Centre Drive, Monroe, NC 28110 as evidenced by Deed Book 4081; on Page 1676 in the Gaston County Registry. There are no restrictions or covenants of record appearing in the chain of title, which would prohibit the property from being put to the use specified in Paragraph five (5) of this application.

2. The real property sought to be rezoned is located at/on 933 Old NC 27, Mount Holly, NC 28120 on the Left or Right side of the Old NC 27 between Craig Street and Noell Drive, and has a Tax Listing of: Tax Parcel # 178067. Said lot(s) has (have) a frontage of 841 feet and is approximately 33.69 acres in size.

3. A complete legal description of the boundaries of said realty (to be completed by an attorney) is attached to this application along with a survey or tax map of said realty N/A

4. It is desired and requested that the real property herein described be rezoned from CD Single Family to CD Single Family.

5. If Conditional District rezoning is requested, a site specific plan (see Appendix) is hereby attached (check) X Yes or N/A.

6. If the Conditional District Rezoning is requested, it is proposed that the real property be put to the following use, with the following specific improvements including building sizes and proposed screening in accordance with the attached site plan as mentioned in Paragraph five (5).

134 Single Family Lots, as approved on May 13, 2019 and annexed into the City on August 31, 2019; One condition changed to money-in-lieu for offsite/open space improvements as agreed upon by the City and applicant, due to not obtaining easements for sidewalk connection along Old NC 27.

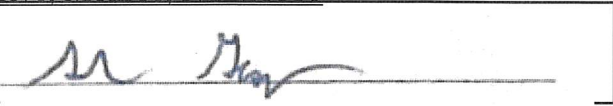
7. Attached is a list of all the properties adjacent to the subject property including the owners' name(s) and address and tax book, map, and parcel number of each lot as shown on the Gaston County Tax Maps. Adjacent properties are considered all those immediately or diagonally adjacent to the subject property, including any properties immediately across any creeks, rivers, railroads, highways or other natural or man-made barriers. (City Planning has list)

Shaun Gasparini, Dependable Development, Inc.
Name of Applicant(s)

Owner
Interest of Applicant in Subject Realty
(Must be Owner if requesting Conditional Rezoning)

Applicant's Address: 2649 Brekonridge Centre Drive, Monroe, NC 28110

Phone Number: (704) 3779-4126

Signature: 

INSTRUCTIONS: Applications must be TYPED or LEGIBLE and filed with the City of Mount Holly Planning and Zoning Department, together with the application fee in the amount of (N/A) at least 15 days prior to the Planning Commission meeting for initial consideration.

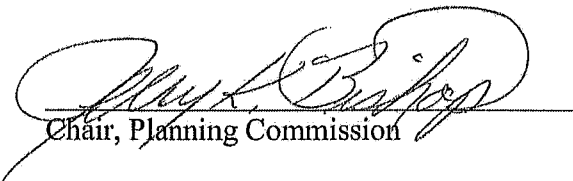


Statement of Consistency

In considering the request associated with petition 1-27-2022A, an amendment of the Zoning Map to Conditional District Single Family for Tax Parcel ID# 178067/178060, the Mount Holly Planning Commission finds the petition to be a reasonable request and in the public interest. It further finds it to be consistent with the Land Use Plan because:

- It promotes the adopted Future Land Use Map that identifies this area as a Neighborhood Residential Area composed of future single family homes. The previous conditional district single family rezoning for Moreland Oaks was approved prior to the Land Use Map adoption on May 13, 2019, but this CD SF rezoning remains consistent with the Plan, as the only change is a proposed money-in-lieu contribution by the applicant, True Homes, for open space/offsite improvements, due to not being able to obtain necessary easements for a sidewalk extension.

This finding(s) is supported by a 8 - 0 vote by the Mount Holly Planning Commission during its Feb 7th, 2022 meeting.


Chair, Planning Commission

2-7-22
Date