

AGENDA ROXBORO CITY COUNCIL MEETING
TUESDAY, JULY 10, 2018 at 7:00 P.M.
CITY HALL COUNCIL CHAMBER

CALL TO ORDER		Mayor Marilyn P. Newell
INVOCATION:		
PLEDGE OF ALLEGIANCE:		Mayor Marilyn P. Newell
AGENDA ADOPTION:		Mayor Marilyn P. Newell
CONSENT AGENDA		Mayor Marilyn P. Newell
Minutes		
Fire Department		
Police Department		
Fuel Expenditures		
Planning/RDG Report		
RECOGNITIONS:		
PUBLIC COMMENT:	<i>(5 minutes per Citizen)</i>	Mayor Marilyn P. Newell
PUBLIC HEARINGS AND ORDINANCE MATTERS:		
1. Rezoning Request – 305 N. Morgan Street – <i>Public Hearing</i>		Planning Director Lauren Johnson
2. Rezoning Request – 608 S. Main Street – <i>Public Hearing</i>		Planning Director Lauren Johnson
3. Special Use Permit – 2081 Old Durham Road – <i>Quasi-Judicial</i>		Planning Director Lauren Johnson
4. Special Use Permit – 50 Providence Road – <i>Quasi-Judicial</i>		Planning Director Lauren Johnson
5. UDO Text Amendment – SUP Review Process		Planning Director Lauren Johnson
6. Special Use Permit – 265 Old Durham Road – <i>Quasi-Judicial</i>		Planning Director Lauren Johnson
NEW BUSINESS:		
7. Planning Board and Board of Adjustment – Board Appointments		Planning Director Lauren Johnson
8. Resolution Approving Local Water Supply Plan		Public Services Director Andy Oakley
9. Revolving Loan Application - Barefoot Development Group		Finance Director Dan Craig
OLD BUSINESS:		
10. Approval of Bond Anticipation Notice		Finance Director Dan Craig
11. Wastewater Treatment Plant Project Bid		Assistant Manager Tommy Warren
COMMITTEE REPORTS:		Mayor Marilyn P. Newell
ADMINISTRATIVE REPORTS:		
12. Financial & Tax Report		Finance Director Dan Craig
13. Assistant Manager’s Report		Assistant Manager Tommy Warren
14. Manager’s Report		City Manager Brooks Lockhart
COUNCIL DISCUSSION:		
CLOSED SESSION:		
ADJOURNMENT:	Motion	Second

Consent Agenda

CITY OF ROXBORO, NC Consent Agenda

The Regular meeting of the Roxboro City Council was held in the Council Chamber of City Hall at 7:00 p.m. Tuesday, July 10, 2018.

The following members of the Roxboro City Council were present:

The following members of the Roxboro City Council were absent:

Mayor Marilyn P. Newell presented the consent agenda and asked if any item should be added or removed before calling for action. After some discussion, a **motion was offered by _____ to approve the Consent Agenda as presented with a second by _____** and upon being put to a vote, was carried unanimously.

- Minutes of June 12, 2018 (*Regular Meeting*)
- Minutes of June 27, 2018 (*Budget Session*)
- Fire/EMS Monthly Report (*June 2018*)
- Police Dept. Monthly Report (*June 2018*)
- Fuel Expenditures Monthly Report (*June 2018*)
- Planning/RDG Monthly Report (*June 2018*)

Trevie Adams, MMC/NCCMC
City Clerk

Mission Statement: "To create an inviting environment with opportunities that will add value to the Community of Roxboro"

**MINUTES/MEETING OF THE ROXBORO CITY COUNCIL
TUESDAY JUNE 12, 2018 – 7:00 P.M. CITY COUNCIL MEETING
CITY HALL IN THE COUNCIL CHAMBERS - ROXBORO, NC**

Members Present: Mayor Marilyn P. Newell
Mayor Pro-Tem Tim Chandler
Council Member Mark Phillips
Council Member Byrd Blackwell
Council Member Reggie Horton
Council Member Sandy Stigall

Members Absent: Assistant Manager Tommy Warren

Others Present: City Manager Brooks Lockhart
City Clerk Trevie Adams
City Attorney Nick Herman

CALL TO ORDER:

Mayor Marilyn P. Newell called the meeting to order at 7:00 p.m. welcoming everyone in attendance. Public Services Director Andy Oakley provided the invocation.

PLEDGE OF ALLEGIANCE:

Mayor Marilyn P. Newell then led Council and those in attendance in reciting the Pledge of Allegiance to the Flag.

AGENDA ADOPTION:

Mayor Marilyn P. Newell presented the agenda and asked for any additions or changes. **A motion to approve the agenda as presented by Council Member Sandy Stigall with a second by Council Member Mark Phillips** and upon being put to a vote was carried unanimously.

CONSENT AGENDA ADOPTION:

Mayor Marilyn P. Newell presented the consent agenda and asked if anyone had any comments. **A motion was offered by Council Member Byrd Blackwell to approve the consent agenda as presented with a second by Council Member Reggie Horton**, and upon being put to a vote, was carried unanimously.

RECOGNITION:

- Lt. Chris Dickerson with the Roxboro Police Department presented: Corp. Wesley Brown, Officer Trey Wright, Canine Officer Brad Solomon, Officer SeanPatrick Leech and Sgt. James Watson for Unit Commendation.
- Fire Chief Kenneth Torain presented Colby Clayton for recognition of the Young Servant Award that Mr. Clayton received from the Roxboro Jaycees.
- 2018 Graduates of Roxboro Employees included: Ms. Pam Rodgers, Ms. Lauren Johnson, Chief David Hess and Tanya Thomas of the Roxboro Police Department.

PUBLIC COMMENT:

Mayor Marilyn P. Newell invited anyone interested in addressing Council to sign-up for the public record and to limit his/her comments to five minutes.

PUBLIC HEARINGS & ORDINANCE MATTERS:

1. Budget Amendment

Finance Director Dan Craig presented Council with Budget Amendment #5. After a brief discussion, **Council Member Reggie Horton offered a motion to approve the Budget Amendment #5 as presented with a second by Council Member Mark Phillips** and upon being put to a vote, was carried unanimously. **Clerk's Note: A copy of said Budget Amendment #5 is hereby incorporated into the minutes of this meeting.**

2. Budget for Fiscal Year 2018-2019 – Public Hearing

Mayor Marilyn P. Newell opened the Public Hearing at 7:24 p.m. **City Manager Brooks Lockhart** presented Council with a slide presentation explaining in detail the requested budget items. Mayor Newell asked for any comment from the public and there being none, closed the Public Hearing at 7:39 p.m.

3. Annexation – Patterson Drive – Public Hearing

Mayor Marilyn P. Newell opened the Public Hearing at 7:40 p.m. **Planning Director Lauren Johnson** reported to the Mayor and Council that in May 2018 the City of Roxboro received a petition requesting that the City annex two adjoining parcels of land, Tax Map & Parcel Numbers 102 2 and 102 81. The area to be annexed is located off of Patterson Drive, approximately .2 miles from 501 S, contiguous to the existing city limits along Patterson Drive. The area is deemed contiguous as it abuts the existing City of Roxboro corporate limits. As such, this will be a voluntary contiguous annexation. The total area to be annexed is 16.06 acres. The petitioner requests vested rights for these two properties. County Planning Director, Lori Oakley, confirmed the validity of the vested rights for the development proposal per the County's Ordinances. **Mayor Newell** asked for any comment from the public and there being none, closed the Public Hearing at 7:43 p.m. After a brief discussion, **Council Member Mark Phillips offered a motion to approve the annexation as presented and to include vested rights as requested by the petitioner, with a second by Council Member Reggie Horton** and upon being put to a vote was carried unanimously.

4. Rezoning Request – Satterfield – Public Hearing

Mayor Marilyn P. Newell opened the Public Hearing at 7:44 p.m. **Planning Director Lauren Johnson** reported to the Mayor and Council that the City of Roxboro Planning Board met on May 7, 2018 to review a request for Rezoning for the parcels located off 501 S across from the Bessie Daniel Road intersection, identified as Tax Map A51 Lot 17 and A62 Lot 112. The rezoning request presented in Docket #RZ2018-02 for the two parcels identified above from County Zoning B-1 (Highway Commercial to City Zoning R-8 (Medium Density Residential), consistent with the City's Comprehensive Land Use Plan in that it;

- Promotes the orderly and efficient use of land, which allows for a variety of land uses;
- Provides opportunity for a variety of housing types, densities, and price ranges within the City of Roxboro; and
- Provides an opportunity for prime development that can occur along and near a major transportation route, providing access to major employment centers in the region.

Furthermore, this plan is in the public interest of the City of Roxboro as it will appropriately zone a large tract of land that can be developed for single-family residential units, creating growth for the municipality and increased housing options for individuals seeking to

relocate within the City of Roxboro. **Mayor Newell** asked for any public comment at this time and there being none, closed the Public Hearing at 7:50 p.m. After a brief discussion, **Council Member Mark Phillips offered a motion to approve the Consistency Statement and the rezoning request as presented with a second by Council Member Reggie Horton** and upon being put to a vote was carried unanimously.

NEW BUSINESS

5. Board Appointment – Person County TDA

Mayor Merilyn P. Newell informed Council that two application had been received to fill an unexpired term with the Person County Tourism Development Association (TDA). The term will expire in December 2018 and appointee would have to re-apply at that time to serve a full term. The applicants were: Mr. Hayden Newell of Boones Mill, Virginia. Mr. Newell is a property owner in Uptown Roxboro and Mrs. Kim Fox of Roxboro, N.C. and works in the City at Fidelity Bank. After a brief discussion, **Council Member Reggie Horton offered a motion to appoint Mrs. Kim Fox to fill the unexpired term until December 2018 with a second by Council Member Mark Phillips** and upon being put to a vote was carried unanimously.

6. Copier Lease Agreement

City Manager Brooks Lockhart reported to the Mayor and Council that the City received proposals for a five year copier lease. The current lease expires the end of June 2018. Five proposals were received from, Canon Solution's America, Inc., System Business Equipment, Sharp Business Systems, and Carolina Office Systems. To determine the lowest overall cost to the City, the number of copies per month needed to be determined. Based on samples from the past five years the City makes between 22,000 and 28,000 copies per month. The number of copies per month is expected to increase as the City will stop printing accounting reports on green bar paper using dot-matrix printers and begin using regular copiers. It is estimated that the total monthly copies will increase to 30,000 per month.

Based on 30,000 copies per month, Canon Solution's America submitted the most favorable proposal. The company offered the lowest per copy price in both black and white and color copies at \$1,030 per month and \$0.0310 per color and \$0.0040 per black and white copies. Canon currently has the copier lease and the City has received good service from the company. After a brief discussion, **Mayor Pro Tem Tim Chandler offered a motion to approve the lease as presented by Canon Solution's America, Inc., with a second by Council Member Byrd Blackwell** and upon being put to a vote was carried unanimously.

7. Bond Order for WWTP

Finance Director Dan Craig presented Council with a Resolution for the Bond Order of the City of Roxboro authorizing the issuance of water and sewer system revenue bonds as requested by the USDA. After a brief discussion, **Mayor Pro Tem Tim Chandler offered a motion to approve the BOND ORDER OF CITY OF ROXBORO AUTHORIZING THE ISSUANCE OF WATER AND SEWER SYSTEM REVENUE BONDS TO PROVIDE FUNDS FOR THE ACQUISITION, INSTALLATION AND EQUIPPING OF A WASTEWATER TREATMENT SYSTEM; PROVIDING FOR THE ISSUANCE OF ADDITIONAL REVENUE BONDS FOR VARIOUS PURPOSES; PROVIDING FOR THE ISSUANCE OF REVENUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF REVENUE BONDS; PROVIDING FOR THE CREATION OF CERTAIN SPECIAL FUNDS; PLEDGING TO THE PAYMENT OF THE PRINCIPAL OF AND THE INTEREST ON THE REVENUE BONDS AND NOTES CERTAIN REVENUES OF THE WATER AND SEWER SYSTEM; SETTING FORTH THE RIGHTS AND REMEDIES OF HOLDERS; AND**

SETTING FORTH THE DETAILS OF CERTAIN RELATED MATTERS and not to exceed \$23,785,000.00 with a second by Council Member Sandy Stigall and upon being put to a vote was carried unanimously.

8. Uptown Development Incentive District Grant (UDIDG)

Finance Director Dan Craig presented the Mayor and Council with an application from Hall's Agribusiness, LLC for the UDIDG Program. The grant amount will be as follows:

• 2017-18 year	80%	\$3,192.07
• 2018-19 year	60%	\$2,394.05
• 2019-20 year	40%	\$1,596.04
• 2020-21 year	20%	\$798.02

After a brief discussion, **Council Member Mark Phillips offered a motion to approve the UDIDG as presented with a second by Council Member Byrd Blackwell**, and upon being put to a vote was carried unanimously.

OLD BUSINESS:

Committee Reports:

Mayor Marilyn P. Newell asked for any committee reports at this time.

- 1) **Person County Animal Control – Council Member Sandy Stigall** – No report at this time.
- 2) **Senior Center Advisory Board – Council Member Byrd Blackwell** – Parking Lot event to be held on Friday, June 15, 2018 at the Senior Center. Senior exercise program is doing well and Council Member Blackwell invited all to come and join in.
- 3) **Kerr Tar Council of Government – Council Member Reggie Horton** – met for five hours for budget session. Also, attended the RPO with five notations for Person County. Council Member Horton also reported that he attended the Memorial Day Service at the Person County Museum and some of the High School events leading to graduation.
- 4) **Fire Chief's Association – Council Member Mark Phillips** – still have not received official contracts from the County yet.
- 5) **United Way – Mayor Pro Tem Tim Chandler** reported that no report for United Way, but City Manager Brooks Lockhart, Assistant Manager Tommy Warren and Mayor Pro Tem Tim Chandler met with the Person County School Board and NCDOT to discuss the proposed round about for Morgan Street and Long Avenue intersection.
- 6) **Mayor Marilyn P. Newell** – reported that she attended the Town and State Dinner in Raleigh and explained this event took the place of the annual Town Hall Day to give more attention to Legislation hearing of the concerns for Cities and Towns across North Carolina.

ADMINISTRATIVE REPORTS

9. Financial & Tax Report

Finance Director Dan Craig presented Council with Financial reports for months ending April 30, 2018 and tax reports for May 31, 2018. **Clerk's Note: A copy of said financial and tax report is hereby incorporated into the minutes of this meeting.**

10. Assistant Manager's Report

Public Services Director Andy Oakley reported for Assistant Manager Tommy Warren in Mr. Warren's absence that the paving on Old Durham Road is finished. The contractor addressed the problem of ground water the best that he could by installing French drains in some of the areas and the repairs should last for a decade. Final touches include fix the driveways, stripe the road, and build up the edges on the shoulders.

The repairs on Depot Street Parking Lot are continuing and Satterfield Street has been rebuilt using concrete. Concrete needs to cure for at least seven days before allowing traffic on it. Once the parking lot concrete is poured, the newly repaired area will remain closed for at least a week.

While inspecting the Southside Pump Station, the pump station mechanic discovered that the concrete base for the submersible pump was broken. The station has two pumps and further investigation showed that both pump bases were broken. Currently, the station is being operated by the standby portable pump and it is estimated that it will cost approximately \$20,000 to repair both bases and replace the pump guides.

11. Manager's Report

City Manager Brooks Lockhart reported to the Mayor and Council some upcoming dates stating that a date needs to be set for the adoption of the 2018-2019 budget. After some discussion, it was the consensus of Council to set the budget adoption date for Wednesday, June 27, 2018 at 5:30 p.m. Some dates to remember include: Rox N' Roll – June 15th in Uptown Roxboro, July 4th Parade at 10:00 a.m. and the fireworks display at 8:30 p.m. that evening, Manager Vacation, August 15th – 19th and Personality Festival – August 24th and 25th.

Mr. Lockhart reported to the Mayor and Council that staff still anticipates full implementation of the new software by August 2018. Also, staff is working with legal counsel of the ordinance review for the City Code Title XI: Business Regulations and will bring to Council for a public hearing and adoption in July or August. As stated earlier, City Staff has submitted an application to the LGC for consideration on their July Agenda. With approval from the LGC in July, funding will be secured and Council will be able to give the contractor a notice to proceed at the July meeting.

COUNCIL DISCUSSION:

Mayor Newell asked for any discussion or concerns from Council Members.

ADJOURNMENT:

There being no further business to discuss, **A motion was offered by Council Member Sandy Stigall with a second by Council Member Byrd Blackwell to adjourn this meeting and** upon being put to a vote, was carried unanimously. Meeting adjourned at 9:06 p.m.

Submitted by:

Trevie Adams, MMC/NCCMC
City Clerk

June 12, 2018

**MINUTES/MEETING OF THE ROXBORO CITY COUNCIL
WEDNESDAY, JUNE 27, 2018 6:00 P.M. SPECIAL MEETING
CITY HALL IN THE COUNCIL CHAMBERS - ROXBORO, NC**

Members Present: Mayor Marilyn P. Newell
Mayor Pro-Tem Tim Chandler
Council Member Byrd Blackwell
Council Member Sandy Stigall
Council Member Mark Phillips
Council Member Reggie Horton

Absent Members: City Attorney Nicholas Herman

Others Present: City Manager Brooks Lockhart
Assistant City Manager Tommy Warren
City Clerk Trevie Adams
Finance Director Dan Craig

CALL TO ORDER:

Mayor Marilyn P. Newell called the meeting to order at 5:31 p.m. welcoming everyone in attendance.

AGENDA ADOPTION:

Mayor Marilyn P. Newell presented the agenda and asked for any additions or corrections at this time. **Council Member Mark Phillips offered a motion to approve the agenda as presented with a second by Mayor Pro Tem William Davis** and upon being put to a vote was carried unanimously.

ORDINANCES AND PUBLIC HEARINGS:

1. Budget Amendment

Interim Finance Director Dan Craig presented Council with Budget Amendment #6. After a brief discussion, **Council Member Mark Phillips offered a motion to approve Budget Amendment #6 as presented with a second by Council Member Byrd Blackwell** and upon being put to a vote was carried unanimously. **Clerk's Note: A copy of said budget amendment is hereby incorporated into the minutes of this meeting.**

2. Approval of IT Contract

City Manager Brooks Lockhart presented the Mayor and Council with the Information Technology Services Contract with the County. This is a two year contract and shows an increase of 2%, with the intent of this provision is to provide for a 2% increase every two years. The City will make quarterly payments of \$20,000 to Person County Government for the continuation of their services. After some discussion, **Mayor Pro Tem Tim Chandler offered a motion to approve the contract as presented, but to give the Manager authorization to look at some other options the City could consider for Informational Technology support in the future with a second by Council Member Mark Phillips** and upon being put to a vote, was carried unanimously.

3. Proposed Budget Adoption (FY 2018-2019)

City Manager Brooks Lockhart presented Council with the proposed budget for FY 2018-2019. The total budget for the fiscal year 2018-2019 is \$18,720, 022.00 After a brief discussion, **Mayor Pro Tem Tim Chandler** offered a motion to approve the budget as presented including sections 1 thru 9, with second by Council Member **Reggie Horton** and upon being put to a vote was carried unanimously.

A break-down of the approved budget is as follows:

General Fund:	\$10,917,785.00
Enterprise:	\$ 7,607,238.00
All Other:	<u>\$ 194,998.00</u>
Total	\$18,720,021.00

COUNCIL DISCUSSION:

Mayor Marilyn P. Newell read a thank you note from Piedmont Community College for the continued support of the City. City Manager Brooks Lockhart asked that the Community Request for the annual budget be held differently next year.

ADJOURNMENT:

There being no further business to discuss, **A motion was offered by Council Member Sandy Stigall with a second by Council Member Byrd Blackwell to adjourn this meeting at 6:01 p.m.** upon being put to a vote, was carried unanimously.

Mayor Marilyn P. Newell

ATTEST:

Trevie Adams, MMC/NCCMC
City Clerk

June 27, 2018

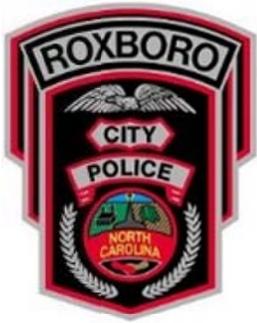


**City of Roxboro
Fire and Rescue Department**

Date: July 9, 2018
To: Mayor Newell
Roxboro City Council
From: Kenneth M. Torain, Fire Chief

Highlight

- **Responses** - During the month of June the City of Roxboro Fire Department responded to 16 fire calls within the city limits, and 24 fire calls outside the city limits. Also, the department responded to 65 first responder calls within the city, and 22 first responder calls in our county response district. Over the course of June, we had to call back off-duty personnel and auxiliary personnel for a total of 1 full alarms. Roxboro Fire Department responded to 146 dispatched calls this month.
- **Heal the Burn Motorcycle Ride** The fire service motorcycle club called the Red Knights hosted a motorcycle ride for the Person County Burn Children. The made over \$2000 dollars and presented it to the burn children. Also during the event it was over 50 motorcycles that rode in the rain during the event.
- **City Picnic** Roxboro fire Department hosted the annual city picnic this year at station two.
- **Vocation Bible School** Lt. Horton helped with getting fire props to Antioch Church vocation bible school in June. It was a great event and several of the firefighter attend on the Wednesday night and the first day of the event for the kids.
- **Safety Day** Roxboro fire department participated in Eaton Corp. safety day in June.
- **Walmart Public Safety day.** Roxboro Fire Department attended the Walmart event. Chief Torain was Landing Zone Command and landed Duke Lifeflight in the parking lot without any problems. We responded early to the location to blow off the parking lot to get rid of paper and gravel.
- **EMT CON ED.** We had Dr. Phillips from Medaccess at the station for our continuing education on medical events we encounter.



ROXBORO POLICE DEPARTMENT



109 North Lamar Street
Roxboro, North Carolina 27573

Office 336 599 8345

www.cityofroxboro.com

City Council Report

June 2018

Patrol Division

Highlighted Events

- Trainee Officer Brice Warren began field training.
- Patrol received (16) requests for traffic enforcement in various areas throughout the city.
- Chief Hess and Deputy Chief Hawkins worked uniformed patrol for several hours answering 911 calls and enforcing traffic laws. The opportunity received positive feedback from patrol officers.



Community Policing

- K9 Officer Solomon conducted a K-9 demonstration at Stories Creek Elementary School.
- During a tour of the building, a child of one our Citizen Police Academy Alumni meet K-9 Kilo.

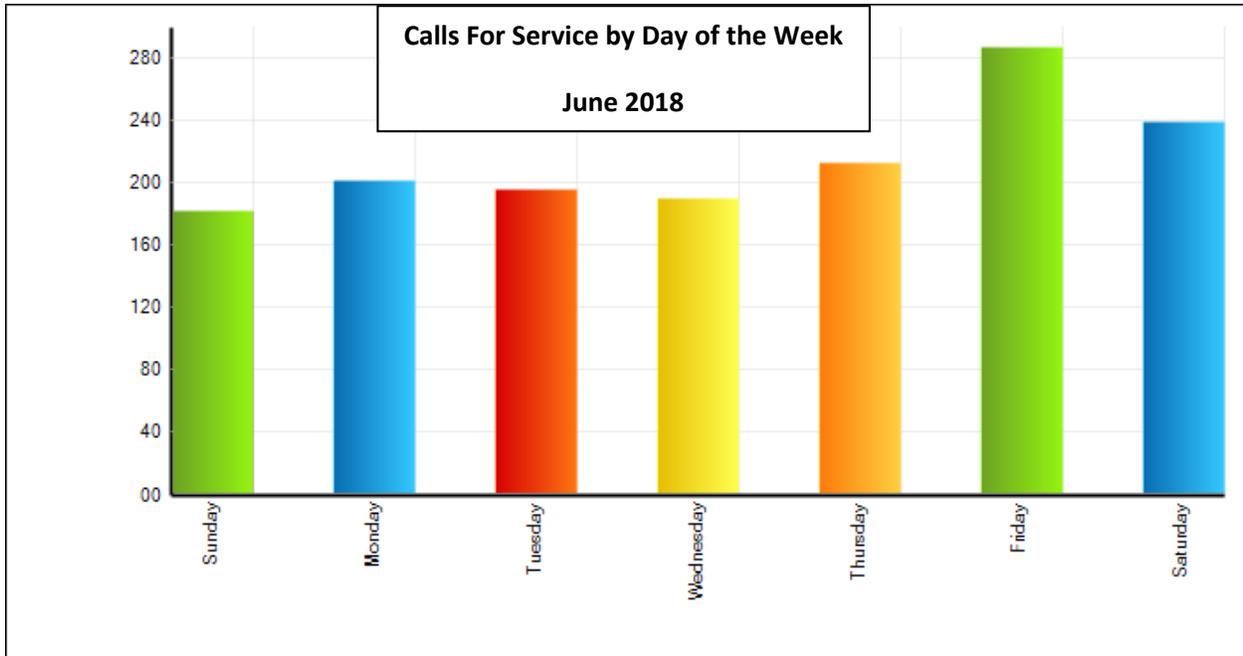


- Hosted a Crime Prevention Through Environmental Design site survey course for the PCC Small Business program.
- Sergeant Watson spoke with children at Antioch Baptist Church about "Community Helpers".
- Attended Garden of Hope event at Roxboro Savings Bank.
- Hosted collaboration meetings with, Windridge Apartments, Roxboro Housing Authority and Pine Ridge Apartment property managers.
- Lieutenant Hughes coordinated two outreach opportunities for youth in Harris Gardens and Weatherly Heights. The initial meetings are

scheduled for July 10th and 16th. The concept is a non-enforcement relationship building approach. Various activities are planned.

Monthly Activities

Calls for Service: 1509	Incident Reports: 90
Traffic Enforcement Requests: 16	Traffic Stops: 423
Traffic Crashes: 44	Citations Issued: 146
Total Arrests: 61	Warnings: 32
Directed/Foot Patrol: 200	



Criminal Investigations Division

- CID investigated a day time shooting in Harris Gardens during June. The offender was arrested in Daniville, VA and currently awaiting extradition to North Carolina. Outstanding job by investigators to identify the offender and take swift action to ensure the pursuit of justice.
- Investigators are completed four background investigations for new hire police officers.
- Det. Howe presented on criminal forensics for PCC Criminal Justice students.

Total Numbers for the Month

Cases Assigned: 10	Follow Up Hours in the Field: 94
Hours Completing Paperwork: 60	Follow Up Hours by Phone: 30
Call Outs: 6	Out of Town Follow Ups: 3
Felony Warrants Obtained: 13	Misdemeanor Warrants Obtained: 3
Total Arrests: 2	Interviews Conducted: 12
Cases Closed: 4	Total Forensics Cases: --
Background Investigations for New Hires: 4	Court Hours: 6

Street Crimes Unit

- Preparing case files for grand jury.
- Due to staffing shortages in CID, Street Crimes detectives will begin carrying general investigation caseloads and after hour call out scheduling.
- Began a covert investigation with the assistance of a federal agency. One search warrant was executed yielding an arrest and several felony drug charges. Investigation on going.

Administrative Services Unit

- Hiring update: Four candidates will attend BLET at Vance Granville Community College beginning in August. A second hiring process is ongoing. agencies. ASU has consistently attempted to recruit experience certified police officers from other agencies. Those perspective candidates could not afford reductions in salary to work with RPD.
- Sgt. Ford attended a GHSP kick off campaign. He met Governor Cooper at the event.
- ASU is administering policy training through PowerDMS© software. The software tracks the amount of time an employee reviewed policy and records their electronic signature acknowledging they have read and understand the policy.
- Lt. Walker attended National Night Out planning meetings. Mrs. Jeffers is the event coordinator.

Administration

Meetings

- Met with concerned citizens.
- Daily meetings with Command Staff.
- Attended various community events.
- Retired Lieutenant Bradley Brann viewing and funeral.
- Phone conferences for various NC Chiefs of Police Association business.
- District Attorney, Roxboro Housing Authority, Pine Ridge Property Managers, Rotary, City Manager, Human Resources, Boys and Girls Club stakeholders, Person County TDA, Judge Galloway,
- Staff meetings, department head meeting, City Council.

Upcoming Events

- Applications being accepted for the 11th Session of the Citizen's Police Academy. Interested applicants can call Lieutenant Walker or Sergeant Ford at the police department during business hours. The session is scheduled to begin September 18th at 6 PM. Applications will be accepted through the end of Personality Festival.
- National Night Out- Tuesday, August 7th, 5 PM-9 PM at Helena Elementary School.



THANK YOU FOR YOUR CONTINUED SUPPORT

City of Roxboro, North LM
 Distribution of Gas Tic WD
 31-May-18

Lawn Mowers
 Weed Eaters
 Chain Saws
 Gas Cans, ETC.

Shell
 Account Number: 80-001-3945-4

Gas 0.5340
 Diesel 0.5940

0.05
 2.00%
 per gallon
 Discount

2.00%
 Discount

Net
 Cost

Average
 Cost
 Per Gallon

Card Number	Dept Number	Make	Model	Gallons	Total Cost	Tax Adjust	per gallon Discount	2.00% Discount	Net Cost	Average Cost Per Gallon
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Summary

1	4120	City Hall		17.90	46.70	9.56	0.90	0.36	35.89	2.609
2	4130	Finance		15.30	41.00	8.17	0.77	0.31	31.76	2.680
3	4160	Public Buildings		151.33	430.74	80.81	7.57	3.03	339.34	2.846
4	4180	Purchasing		-	-	-	-	-	-	#DIV/0!
17	4910	Planning & Zoning		-	-	-	-	-	-	#DIV/0!
		Total Administrative		184.53	518.44	98.54	9.23	3.69	406.98	2.810
5	4310	Police		2,214.38	5,896.47	1,182.48	110.72	44.29	4,558.98	2.663
6	4311	CID		93.72	249.03	50.05	4.69	1.87	192.42	2.657
26	4312	Narcotics		-	-	-	-	-	-	#DIV/0!
9	4380	Animal Control		-	-	-	-	-	-	#DIV/0!
		Total Police		2,308.10	6,145.50	1,232.53	115.41	46.16	4,751.41	2.663
7	4340	Fire		1,384.44	3,843.68	793.04	69.22	27.69	2,953.73	2.776
8	4341	Fire Inspections		83.82	222.32	44.76	4.19	1.68	171.69	2.652
		Total Fire Dept.		1,468.26	4,066.00	837.80	73.41	29.37	3,125.42	2.769
10	4510	Public Services		12.88	33.62	6.88	0.64	0.26	25.84	2.610
11	4511	Streets		336.59	952.29	186.66	16.83	6.73	735.17	2.829
12	4512	Street Cleaning		-	-	-	-	-	-	#DIV/0!
13	4513	Garage		67.84	191.40	38.09	3.39	1.36	148.56	2.821
14	4710	Residential Garbage		1,132.40	3,339.49	672.65	56.62	22.65	2,587.58	2.949
15	4711	Commercial Garbage		823.56	2,441.52	487.83	41.18	16.47	1,896.04	2.965
16	4740	Cemetery		181.48	607.11	96.91	9.07	3.63	497.50	3.345
		Total Public Services		2,554.75	7,565.43	1,489.02	127.74	51.10	5,890.68	2.961
		Total General Fund		6,515.64	18,295.37	3,657.88	325.78	130.31	14,174.50	2.808
18	7112	Meter Reading		237.60	632.36	126.88	11.88	4.75	488.85	2.661
19	7114	Lake Warden		83.84	233.10	44.77	4.19	1.68	182.46	2.780
25	7118	Pump Stations		20.68	54.00	11.04	1.03	0.41	41.51	2.611
20	7120	Water Plant		109.71	292.42	58.59	5.49	2.19	226.16	2.665
21	7121	Water Line Maintenar		872.27	2,546.53	470.00	43.61	17.45	2,015.47	2.919
22	7130	WWTP		67.79	179.34	36.20	3.39	1.36	138.39	2.646
23	7131	Sewer Line Maintenar		540.14	1,493.65	298.91	27.01	10.80	1,156.93	2.765
24	7132	WWTP II		20.60	56.66	11.00	1.03	0.41	44.22	2.750
		Total Enterprise Fund		1,952.63	5,488.06	1,057.39	97.63	39.05	4,293.98	2.811
		Total All Funds		8,468.27	23,783.43	4,715.27	423.41	169.37	18,468.48	2.809



July 3, 2018

To: Mayor Newell
Roxboro City Council

From: Lauren Johnson, Planning & Development Director

Subject: July Council Report

Uptown Development/Roxboro Development Group:

- Uptown Website : As a part of the branding project, Roxboro Development Group is working to redevelop the Uptown website. Director, Lynda Clayton met with website designers this month to get quotes and feedback on services for this overhaul. The RDG Board of Directors will receive information about the project over the next two months during their regularly scheduled board meetings, with hopes that that project can be completed by the holiday season.
- Rox N' Roll Cruise-In Series: RDG hosted a VERY successful Cruise-In in June. The special “guys night” event brought more than 160 cars to Uptown Roxboro, and a number of spectators enjoying the music, vehicles, and fellowship. July’s Cruise-In is scheduled for the 20th and will include special giveaway items that coincide with the “ladies night” theme. The remaining dates for the Cruise-Ins are August 17, September 21, and October 19.
- Uptown Ornament: The Directors’ RoundTable and RDG will be working together again this year to develop and market a commemorative ornament for Roxboro. This year’s ornament is scheduled to feature a street view of Uptown with several antique cars in front of the buildings. This designs was selected because of the fifth year anniversary of the Rox N’ Roll Cruise-In. The ornaments, which are hand-painted glass, will be on sale once a proof of the ornament is finalized. Last year, pre-sales were taken during Personality and the final Rox N’ Roll.
- Uptown Developments:
 - The Courier-Times plans to open at their new 111 N Main location by the end of July.
 - Rell’s Computer Shop closed.
 - Danny Long completed his relocation to the newly developed space on Gordon Street.
 - Independence Day Parade held July 4th, courtesy of Directors’ RoundTable.
 - Cole’s Pharmacy continues upgrades to their second story residential unit.



Planning & Development:

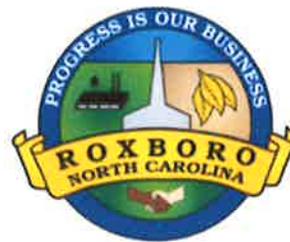
- DOT Transportation Meetings – Staff attended a public comment meeting at the Division 5 office of NC DOT in Durham. During the meeting, attendees were given an opportunity to review the proposed transportation projects for the region for the next round of budget consideration. Additionally, staff attended, via conference call, the June Kerr-Tar TCC/TAC meeting. The meeting involved a review of the submitted P5 regional and division project scores from the subcommittees. There were three projects that scored well for Person County. More information to come.
- Sign Violations – As previously mentioned, staff has embarked on the tedious process of identifying temporary signage violations in the City limits. Courtesy letters identifying the various violations are going out in batches. Many of the sign violations are actually advertisements placed by businesses outside of the City limits in the right of way of roads and intersections. Violators received a three month courtesy period to remove the signs voluntarily. After this deadline passes, Notices of Violation will go out and any signs found in the public right of way will be disposed of by City staff.
- Desert Sands Redevelopment – Staff met with Eddie Belk of Belk Architecture, Jeremy Anderson of Coulter Jewell Thames P.A., and additional engineering staff to assess the remaining structural walls of the property at 208 N Main Street. Phillip Fish operated the crane too allow the assessors to access the tops of the walls. Staff will hold a conference call with the representatives from Coulter Jewell Thames P.A. on July 7th. After this meeting, staff hopes to have a better idea of what work will be immediately necessary to ensure the safety of the remaining walls and prepare for redevelopment.

Additional Updates:

- Met with Mosca regarding possible upgrades or additions to Uptown Christmas decorations.
- Received a demolition permit application for one of the pending minimum housing cases.
- Prepared six Special Use Permit requests and Rezoning requests for July Council meeting.
- Received Rezoning request for Patterson Drive annexed properties.

1. Rezoning Request - 305 N. Morgan Street Public Hearing

Memo



To: Mayor Newell and Roxboro City Council
From: Lauren Johnson/ Planning & Development Director
cc: Trevie Adams City Clerk (for City Records)
Date: June 28, 2018
Re: Recommendation from Planning Board Regarding Rezoning Request for
property at 305 N Morgan Street, Tax Map 34 29

Madam Mayor and Council,

Please be advised that the City of Roxboro Planning Board met on June 4th, 2018 to review a request for a Rezoning for the parcel located at 305 N Morgan Street, identified as Tax Map 34 29.

Upon review of the enclosed application and staff report, the City Planning Board offers a favorable recommendation to approve the request for Rezoning. Enclosed you will find the written consistency statement signed by the Planning Board Chair and Department head.

Application for

Official Zoning Map Amendment



Roxboro Planning & Development
105 S Lamar Street Roxboro, N.C. 27573 336-322-6018

TO THE PLANNING BOARD AND THE CITY COUNCIL:

I/We, the undersigned, do hereby make application and petition to the City Council of the City of Roxboro to amend the Official Zoning Map of the City of Roxboro as hereinafter requested. I hereby certify that I have full legal right to request such action. (Type or Print Clearly)

Petitioner(s): TODD + PATTI CRUM

Address: 18 BLAZING STAR LN BAHAMA, NC 27503

Telephone Number: 336-504-2088 Fax Number: 336-599-1456

Interest in Property: OWNER
(I.e., Owner, Part Owner, Option holder, Governmental Agency, Etc.)

Property Information:

Address: 305 N MORGAN ST

Watershed: Roanoke Lot Size: .26 AC

Township: Croy Tax Map/Lot #: 34.-29

Current Use: Accountant's Office

Available Utilities: (check all that apply)

City Water City Sewer Well Septic System None

Zoning Map Amendment:

Current Zoning Classification: R-6 Residential

Requested Zoning Classification: O/I Office Institutional

The undersigned hereby certify that the application material is complete and accurate. Furthermore, the undersign hereby authorizes the City of Roxboro's Zoning Administrator or designated representative to enter upon the above referenced property for the purpose of evaluating this request.

Todd B. Crum
Applicant Signature

4-26-18
Date

Staff Use Only:

Date Received:
5/1/18

Docket #:
R72018-03

Planning Board Meeting Date:
6/4/18

City Council Meeting Date:
7/10/18

Required Submittal Items:

A complete application must contain the following additional items for consideration:

- Application Fee - \$200 (cash, check, or money order accepted)
- Copy of the applicable Person County Tax Map, or other documentation verifying the location and size of the parcel(s)
- Property Deed – Please enclose most recent deed to the property. This can be obtained from the Person County Register of Deeds Office.
- Survey Plat – Please enclose a copy of the property survey plat, if on record with the Person County Register of Deeds Office.
- If the applicant is not the owner of the property, a letter must be provided with the notarized signature of the property owner, verifying awareness of the request being made.
- List of adjacent property owners, with addresses of same.

301 N MORGAN ST
SAVING HOUSES, LLC
693 COON RIDGE TRAIL
SEMORA NC 27343

309/319 N MORGAN ST
STONBRAKER PROPERTIES LLC
197 BLACK ANGUS RD
LEASBURG, NC 27291

308 MOREHEAD ST
NANCY GARRETT
507 W GORDON ST

Tax map #
parcel #

34-291

NOT FOR LEGAL USE

Person County GIS



Person County GIS, NCDOT, Person County GIS, City of Roxboro

4/26/2018 NOT FOR LEGAL USE

Legend

▼ E-911 Addresses

Easements

— Conservation

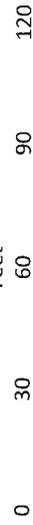
— Easement

— Utility

— All Other



Feet



Miles



Document #
0025043

FILED
PERSON COUNTY NC
11/07/2003 11:28 AM
RUSSELL JONES
Tax Administrator

Issued Nov 07 2003
\$78.00
State of PERSON
North Carolina County
Real Estate Excise Tax

FILED in PERSON County, NC
on Nov 07 2003 at 11:39:01 AM
by: AMANDA W. GARRETT
REGISTER OF DEEDS
BOOK 462 PAGE 408

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$78.00

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

Mail/Box to: _____

This instrument was prepared by: _____ Walter B. Cates, Esquire

Brief description for the Index: _____

THIS DEED made this 5th day of November, 2003, by and between

GRANTOR	GRANTEE
Frederick G. Crum and wife, Judith A. Crum	Todd B. Crum and wife, Patti S. Crum

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 City of Roxboro, Roxboro Township, Person County, North Carolina and more particularly described as follows:

See attached "Exhibit A."

The property hereinabove described was acquired by Grantor by instrument recorded in Book 329 page 583.

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:

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

(Entity Name)

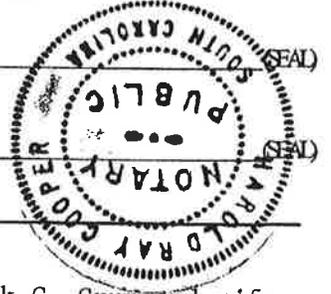
Frederick G. Crum (SEAL)
Frederick G. Crum

By: _____
Title: _____

Judith A. Crum (SEAL)
Judith A. Crum

By: _____
Title: _____

By: _____
Title: _____



State of ~~North~~ Carolina - County of Harold
South

I, the undersigned Notary Public of the County and State aforesaid, certify that Frederick G. Crum and wife, Judith A. Crum personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 6th day of November, 2003

My Commission Expires: 3-18-03

Harold Ray Cooper
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 that he is the _____ of _____, a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), 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 _____, 20__.

My Commission Expires: _____

Notary Public

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____

Witness my hand and Notarial stamp or seal, this _____ day of _____, 20__.

My Commission Expires: _____

Notary Public

The foregoing Certificate(s) of Harold Ray Cooper (State of South Carolina Notary Public) is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

By: Amanda W. Garrett Register of Deeds for PERSON County
Jaye Snyder Deputy/Assistant - Register of Deeds

“EXHIBIT A”

Being a certain lot or parcel of realty lying, being, and situate within the corporate limits of the City of Roxboro, in Roxboro Township, Person County, North Carolina, and BEGINNING at a point on the North side of the sidewalk on Morgan Street 105 feet from the intersection at corner of said Morgan and Morehead Street; thence extending North 105 feet with W. Y. Pass's line; thence East 105 feet with Joe Word's line to E. J. Tucker's line; thence South with E. J. Tucker's line to the sidewalk; thence with the sidewalk West 105 feet to the point of Beginning, and containing one-half of Lot No. 82.

For chain of title, see that Deed from Betty H. Carver, *et vir*, to Frederick G. Crum, *et ux*, of record in Deed Book 329, Page 583, Person Registry.

ADJACENT PROPERTY OWNERS

301 N MORGAN ST
SAVING HOUSES, LLC
693 COON RIDGE TRAIL
SEMORA, NC 27343

309/319 N MORGAN ST
STONBRAKER PROPERTIES, LLC
197 BLACK ANGUS RD
LEASBURG, NC 27291

308 MOREHEAD ST
NANCY GARRETT
507 W GORDON ST
ROXBORO, NC 27573

300 N MORGAN ST
LANDIS PROPERTIES OF NC, LLC
1225 MOULTON RD
LOUISBURG, NC 27549

304 N MORGAN ST
DORIS HOBBS
304 N MORGAN ST
ROXBORO, NC 27573

308 N MORGAN ST
NANCY FOX
298 NOAH DAVIS RD
ROXBORO, NC 27574



CITY OF ROXBORO STAFF REPORT

Prepared by: Lauren Johnson, Planning & Development Director

Meeting Dates: Planning Board: June 4, 2018 City Council: July 10, 2018	Request: <input checked="" type="checkbox"/> Rezoning <input type="checkbox"/> Special Use Permit
Property Location: 305 N Morgan Street	Current Zoning: R-6 (Residential District, High Density)
Tax Map#: 34 29	Proposed Zoning: O/I (Office/Institutional)
Applicant Information: Todd & Patti Crum 18 Blazing Star Lane Bahama, NC 27503 336-504-2088	Future Land Use Map Classification: Low-Density Residential

Summary:

Todd Crum requests a rezoning for the property located at 305 N Morgan Street, R-6 (High-Density Residential) to O/I (Office/Institutional). The property is identified as Person County Tax Map 34 29.



The surrounding properties are zoned B-1 (Highway Business) and R-6 (Residential).

Conformity to the Land Use Plan (LUP):

Goals and Implementation Strategies (LUP, p. 69-75):

- An implementation strategy listed in the City's comprehensive Land Use Plan indicates the need to "encourage industrial and commercial growth in appropriate locations within Roxboro's corporate limits and in selected areas within Person County." The current use of the property as an accounting agency makes this property non-conforming with the existing ordinance. Rezoning the parcel to Office/Institutional would make the existing use compliant, and does so in an area that already has commercial use in close proximity.
- Another Land Use strategy in the City's comprehensive Land Use Plan advises the City "develop regulations/guidelines that would ensure new development or redevelopment is compatible with established character and community vision. This rezoning request would not deviate greatly from the character of the neighborhood given the number of commercial establishments located in the vicinity, but leaves the door open for the property to serve as a residential dwelling. Given the proximity of this property to the major transportation corridor, it is a candidate for transitional zoning between Highway Commercial usage and High-Density Residential usage.

Future Land Use Map Classification: Commercial

Low-Density Residential (LUP, p. 77):

Residential uses including detached site-built, modular and manufactured homes, duplexes and triplexes; public parks; limited non-residential uses such as churches, schools, and other public institutional uses.

While the Future Land Use Plan calls for this property to be developed as Low-Density Residential, it is worth noting that none of the residential properties in this vicinity are Low-Density (12,000 square foot minimum lots). Furthermore, in the years passed since the adoption of the Land Use Plan in 2001, this area has become more of a transition zone with commercial development on one side and residential to the other.

Staff Remarks:

It is staff's opinion that this rezoning is not inconsistent with the Future Land Use Plan, despite the fact that the designation for this property and future land use is low-density residential. The disparities between low-density residential uses and highway-business uses are great. It is in the public interest to have a sort of "buffer" zone between the two uses to create a natural progression of the use intensity as one moves throughout the city.

Staff encourages the board to remember that rezoning request reviews should take into consideration all uses allowed within the respective zoning. Furthermore, as a legislative decision, comments provided by the public regarding this matter may be influential in making a determination.

City of Roxboro Unified Development Ordinance
Permitted/Special Uses by District

R-6 Residential District (continued)

Special Uses:

Adult care home (over 6 residents)
Athletic fields
Barber shops, beauty shops
Church, synagogue, temple or other religious building, including accessory services
Country clubs
Dwelling, manufactured home Class A (on a single lot)
Dwelling, multi-family
Family foster home
Fire stations
Government buildings/offices
Multi-unit assisted housing with services
Museums
Nursing home
School, elementary or secondary
Swimming clubs
Tourist homes

Special Uses with Supplemental Regulations (refer to UDO Article 7):

Bed & breakfast
Cemetery as an accessory use to a church, including columbarium
Child care center
Dwelling, townhouse development
Golf courses
Public utility towers, substations, and storage tanks
Residential child-care facility
Satellite dish antennas, commercial
Temporary emergency, construction, and repair residences
Wireless communication facilities, 50' tall or less
Wind energy generating facility, accessory

City of Roxboro Unified Development Ordinance
Permitted/Special Uses by District

R-6 Residential District

Permitted Uses:

Accessory buildings/structures
Accessory uses
Agricultural uses
Community gardens
Dwelling, garage apartment
Dwelling, single-family
Dwelling, two-family (duplex)
Off-street parking facilities (as permitted by Article 9, Part II)
Public utility pumping stations
Publicly-owned and operated outdoor recreational facilities
Rooming and boardinghouse
Signs (as permitted by Article 9, Part III)

Permitted Uses with Supplemental Regulations (refer to UDO Article 7):

Family care home
Family child care home
Forestry activities
Granny pods/temporary health care structures
Home occupations
Retaining walls and fences
Satellite dish antennas, non-commercial use
Small child care center
Solar energy generating facility, accessory
Swimming pools, private
Temporary storage facility (portable storage units)
Tiny houses

City of Roxboro Unified Development Ordinance
Permitted/Special Uses by District

O/I Office/Institutional District

Permitted Uses:

Accessory buildings/structures
Accessory uses
Ambulance service, rescue squad
Accounting agencies
Advertising agencies
Attorneys
Adult care home (over 6 residents)
Automobile parking garages or parking lots (independent)
Banks/financial services
Barber shops, beauty shops
Catering
Church, synagogue, temple, or other religious building, including accessory services
Chiropractic
Colleges, universities, community colleges
Community gardens
Contractors offices (no outside storage)
Dwelling, multi-family
Dwelling, single-family
Dwelling, two-family (duplex)
Dog grooming (no outdoor kennels)
Electrical repair or contractor (no open storage)
Emergency management operation
Fire stations
General contractors (no open storage)
Government buildings/offices
Governmental postal facilities
Health spa
Heating and air conditioning installation and repair (no open storage)
Insurance office
Interior decorating service
Libraries, public or private
Medical and dental offices/clinics
Medical support offices (testing labs)
Military reserve, National Guard centers
Music studio
Nursing home
Off-street parking facilities (as permitted by Article 9, Part II)
Opticians
Pet cemetery
Plumbing repair contractor (no open storage)

City of Roxboro Unified Development Ordinance
Permitted/Special Uses by District

O/I Office/Institutional District (continued)

Permitted Uses (continued):

Police stations
Printing, publishing, and engraving establishments
Private postal shipping and receiving
Public utility pumping stations
Publicly-owned and operated outdoor recreational facilities
Real estate office/appraisal
Restaurants, excluding fast food & drive thru services
Service establishments
Signs (as permitted by Article 9, Part III)
Tennis courts, commercial
Travel agencies
Veterinarian, animal clinic, no outside kennel

Permitted Uses with Supplemental Regulations (refer to UDO Article 7):

Battery charging station
Battery exchange station
Child care center (as an accessory use for a principal business/industry)
Dwelling, single-family (as an accessory for a principal business)
Engineering/surveying/architectural services – general
Family care home
Forestry activities
Granny pods/temporary health care structures
Home occupations
Retaining walls and fences
Satellite dish antennas, non-commercial use
Small child care center
Solar energy generating facility, accessory
Temporary storage facility (portable storage units)
Temporary emergency, construction, and repair residences

City of Roxboro Unified Development Ordinance
Permitted/Special Uses by District

O/I Office/Institutional District (continued)

Special Uses:

Athletic fields
Coliseums, stadiums designed to accommodate more than 1,000 people
Community centers
Country clubs
Family foster home
Fraternal clubs and lodges, non-profit
Funeral home
Hospitals, clinics, other medical treatment facilities
Hotels and motels
Kindergarten/nursery schools/pre-K
Multi-unit assisted housing with services
Museums
Outdoor athletic and exercise facilities
Radio and TV stations/studios
School, elementary or secondary
School, trade, or vocational
Swimming clubs
Tourist homes
Utility company (no open-air storage)

Special Uses with Supplemental Regulations (refer to UDO Article 7):

Bed & breakfast
Cemetery as an accessory use to a church, including columbarium
Cemetery
Child care center
Crematorium
Daycare facility, adult
Dwelling, townhouse development
Golf courses
Manufactured home parks, including recreational vehicles
Public utility towers, substations, and storage tanks
Residential child-care facility
Satellite dish antennas, commercial
Swimming pools, commercial/community
Swimming pools, private
Temporary use/sales
Tiny houses
Wind energy generating facility, accessory
Wireless communication facilities, 50' tall or less

CITY OF ROXBORO, NORTH CAROLINA
Planning Board

June 4, 2018
6:00 p.m.

MEMBERS PRESENT: Tony Cole, Robert Trotter, Margaret Kay, Kenneth Montgomery, and Danny Cultra

STAFF: Lauren Johnson, Planning Director

MINUTES

Chairman Trotter called the meeting to order at 6:08pm.

APPROVAL OF MINUTES

Mr. Danny Cultra made a motion to approve the minutes from the May 7, 2018 meeting. Mr. Kenneth Montgomery seconded. Motion carried.

REPORTS OF COMMITTEES

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

- A. Rezoning Request – 305 N Morgan Street, Tax Map 34 29– Ms. Johnson began by directing the Board to their packets for review of the application, supplemental documents, and staff report. Ms. Johnson advised the request before the Board is to rezone the property from R-6, Residential to O/I, Office-Institutional and directed the members to the map of the property. The properties surrounding are a mixture of R-6 and B-1, identifying this parcel in a transition zone from between commercial and residential uses. Ms. Johnson advised that staff felt the request for the rezoning was reasonable, despite the lack of existing O/I zoned properties in the vicinity because of this unique location. The property is currently the location of an accounting firm, which is a non-conforming use. Rezoning the parcel would make the existing use compliant. Ms. Johnson read the section of the staff report that addresses consistency with the City's land use plan,

indicating that the rezoning would be in keeping with the character of the property. However, Ms. Johnson did advise the board that the Future Land Use Map shows this parcel recommended for residential use. Ms. Johnson did state the Future Land Use Map was developed in 2001, so it is dated and there are a number of commercial uses in close proximity of this parcel. Ms. Johnson advised the Board that staff did not feel this request was inconsistent with the Future Land Use Plan and in the public interest, as it would create a buffer zone between two uses that have great disparities in allowed uses. Ms. Johnson then reminded the Board that in considering the rezoning, the Board should take note of all allowed uses in the zones.

Chairman Trotter opened the floor for individuals wishing to speak to the matter. Mr. Crum, applicant and owner of the property, came forward to advise the Council that his plan is to rebuild the structure in a similar residential manner so that it could be utilized for residential or office use when he reaches an age to retire.

Chairman Trotter asked if there was anyone else that would like to come forward. There were none. Mr. Trotter declared the public comment period closed.

Chairman Trotter stated that he was familiar with the property and felt the proposed use would not be in conflict with the neighborhood.

Ms. Johnson stated that this was a unique situation where the requested zone is not found in the vicinity of the parcel, but that it was her opinion the request was not out of line because of the unique location and character of that area.

Chairman Trotter stated he was aware of the proximity to commercial uses, as well as an apartment complex.

Vice-Chair Danny Cultra said the parcel is completely surrounded by residentially zoned property, and therefore lends itself to spot zoning. Ms. Johnson advised that she consulted with the City attorney regarding this matter, and was instructed the reasoning/justification for the rezoning is critical when spot zoning is a concern.

Chairman Trotter asked if there were any other comments or questions.

Board member, Tony Cole, asked the applicant how much work was needed to repair the structure. Mr. Crum advised the structure was in such a state that demolition was really the only option. Ms. Johnson interjected that she and the applicant considered several avenues to allow him to renovate/repair the property, but ultimately arrived at a rezoning as the only option as Mr. Crum would have to relocate his business due to the non-conforming use in a residential zone. Ms. Johnson also advised that she was unaware of any complaints regarding the existing location of this business.

Vice-Chair Cultra asked if the existing zoning would allow for multi-family development. Ms. Johnson advised that residential does allow for multi-family. Mr. Cultra stated this was similar to Mr. Crum's intended use. Ms. Johnson advised that Mr. Crum's intention is to continue the operation of his accounting

firm, but build the new structure to look like a residential unit so that it could potentially be used as such in the future when he retires.

Board Member, Tony Cole, asked if there was any opposition to the request. Mr. Crum stated none of the neighbors have expressed a concern. Ms. Johnson advised that she also received no negative comments. A few folks called to inquire about the sign, but offered no comments regarding concerns about the request.

Vice-Chair Danny Cultra asked if the use could continue and be maintained if the property were simply renovated/added on to. Ms. Johnson advised renovations/additions of a certain percentage were allowed without having to change to a conforming use. However, she reminded Mr. Cultra that Mr. Crum has structural issues on the property that do not allow for renovation in a financially feasible manner. Mr. Cultra then stated "so you're out of options?" Ms. Johnson advised that she and the applicant reviewed the ordinance in detail trying to find a way for him to continue his business and repair the structure, but determined a rezoning was the only way to allow the business to continue.

Chairman Trotter asked if there were any additional comments. There were none.

Board Member, Tony Cole made a motion to recommend approval of the rezoning based on the staff report. Mr. Kenneth Montgomery seconded the motion. Mr. Trotter, Mr. Cole, Ms. Kay, and Mr. Montgomery voted in favor of the motion. Vice-Chair Cultra did not. Motion carried.

- B. Rezoning Request – 608 S Main Street, Tax Map 16 12– Ms. Johnson directed the Board to the second tab in their packets. The request is rezone the property from B-1 Highway Commercial to R-6 Residential. Ms. Johnson spoke to the zoning map in the packet that shows the properties surrounding this parcel zoned B-1, with some R-6 adjacent across one or two parcels. Ms. Johnson continued by addressing the items in the City's comprehensive Land Use Plan that indicate this rezoning is consistent with the plan. Ms. Johnson also referenced the City's Future Land Use Map, which classifies this property for residential development, though it falls right at a transition line between residential and commercial zoning.

Vice-Chair Danny Cultra inquired about the age of the Future Land Use Map, which Ms. Johnson stated was approximately 17 years old and in need of an update soon. Mr. Cultra continued by stating that the new UDO allows for things that were unknown at the time the Land Use Map was created.

Chairman Trotter stated he was very familiar with this area and its history. He advised that it used to be entirely residential, but has transitioned over the years for various uses, including the former funeral home.

Ms. Johnson advised that as it is currently zoned, the property could be developed for a gas station, which she did not feel was appropriate for the character of that area.

Chairman Trotter declared the public comment period open.

The applicant, Chris McDonald, came forward. Mr. McDonald stated his plans were to add two, three-bedroom units on the bottom floor, in addition to the two apartments on the top floor. He also wants to allow residents to park in the existing covered parking area, and make the bottom-floor units handicap accessible.

Chairman Trotter asked if there was anyone else who wished to speak. There were none so the public comment period was closed.

Chairman Trotter asked if the Board had anything to discuss. Board member, Margaret Kay, motioned the Board recommend approval of the rezoning based on the staff report. Vice-Chair Danny Cultra seconded the motion. Motion carried, unanimously.

- C. Special Use Permit Request for "Church" at 2081 Old Durham Road Tax Map 101 10 – Ms. Johnson directed the Board to the staff report located behind tab three in their packets.

Ms. Johnson read through the facts outlined as a part of the Board packet. The request for the use of "church" at an existing location. The property is the current location of a daycare, which will continue to operate. The church will operate on weekends and after 7pm on weekdays, which is during the times the daycare is not open. Ms. Johnson also stated staff recommends one condition for approval, which is that a compliance inspection must be conducted to ensure the property meets building code requirements for the intended use.

Chairman Trotter opened the floor for public comment. The applicant, John Lyon, came forward to state that this is a start-up ministry. Mr. Lyon identified himself as the pastor of the church, and advised that once the ministry grows the church will seek another location for their members to meet. Presently, the church has just 5 members, and the existing location offers adequate space for those members to conduct church services and bible study.

Chairman Trotter declared the public comment period closed since there was no one else present to speak. Mr. Trotter then stated that he was familiar with the area and had no issues.

Board member, Tony Cole, stated his only concern was what the church intended to do if there was a need for overflow parking, since the existing lot will only accommodate 12 vehicles at a time.

Mr. Lyon indicated there is additional room for parking in the back of the lot, and that the church members have utilized the vacant parking lot across the street before.

Ms. Johnson advised the Board that it is within their power to set a condition regarding approval of the requested use, if they deem necessary, such as a need for an overflow parking plan.

Vice-Chair Cultra asked if Planning Staff has analyzed parking based on availability and non-competing uses in the Ordinance. Ms. Johnson advised she

would be happy to look further into the matter, but saw nothing that seemed non-compliant given the size of the church and the hours of operation outside the hours of the existing daycare.

Mr. Cultra also asked if it would be possible the church might hold funeral services, weddings, etc. at this site. Mr. Lyon advised that if a member of their church wanted to hold any of these events they would have to do so elsewhere.

Ms. Johnson also advised the Board the church has been in operation at this location for approximately six months with no known complaints or concerns from the neighboring property owners.

Chairman Trotter asked if there were any additional questions or comments from the Board. Board member, Tony Cole made the motion to recommend approval of the request without the conditions recommended by Ms. Johnson. Ms. Kay seconded the motion. The motion carried, unanimously.

D. UDO Text Amendment – Special Use Permit Review Process - Ms. Johnson advised the Board that she did a “quick fix” of a known issue with the new UDO, which requires Planning Board review of a Special Use Permit request. Ms. Johnson simply removed all references to the Planning Board and their review. This is in reference to the recommendations to the City attorney’s recommendation to remove the Planning Board review of the process.

Chairman Trotter asked if there were any questions or comments. There was no one left in the audience to speak and no questions from the Board.

Vice-Chair Cultra made a motion to recommend approval of the proposed text amendment for the City’s UDO. Mr. Montgomery seconded the motion. Motion carried, unanimously.

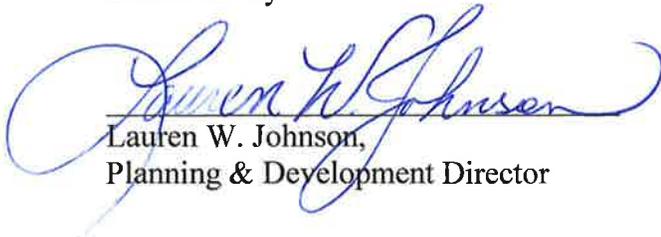
OLD BUSINESS

None.

ADJOURNMENT

There being no further business the meeting adjourned at 6:42pm.

Submitted by:


Lauren W. Johnson,
Planning & Development Director

Motion Format Requirements:

Per NCGS 153A-341, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment, the governing board shall adopt one of the following statements regarding plan consistency, which shall not be subject to a judicial review.

A) A statement approving the zoning amendment and describing its consistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.

B) A statement rejecting the zoning amendment and describing its inconsistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.

C) A statement approving the zoning amendment and containing at least all of the following:

1. A declaration that the approval is also deemed an amendment to the comprehensive plan. The governing board shall not require any additional request or application for amendment to the comprehensive plan.

2. An explanation of the change in conditions the governing board took into account in amending the zoning ordinance to meet the development needs of the community.

3 Why the action was reasonable and in the public interest.

The Planning Board shall advise and comment on whether the proposed amendment is consistent with a comprehensive plan and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the City Council that addresses comprehensive plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with a comprehensive plan shall not preclude consideration or approval of the proposed amendment by the City Council.

Planning Board Motion Format for Recommended Approval of Request:

I make a motion that we recommend approval of the rezoning request presented in Docket #RZ2018-03 for the parcel identified as Tax Map 34 Lot 29 from R-6 (High-Density Residential) to O/I (Office/Institutional), because the application is consistent with the City's Comprehensive Land Use Plan in that it;

- Encourages commercial growth in an appropriate location within the City limits; and
- Is compatible with the established character and community vision of the area.

Furthermore, this plan is in the public interest of the City of Roxboro as it creates a buffer for transition of commercial and residential uses along a minor-thoroughfare, thereby creating a more natural progression of use intensities.

Motion Made by: Tony Cole

Seconded by: Kenneth Montgomery

Approved: 4 to 1

This report reflects the recommendation of the Planning Board, this the 4th day of June, 2018.

Attest:

Robert Trotter

Robert Trotter, Planning Board Chairman

Lauren W. Johnson

Lauren W. Johnson, Planning Director

File name: Sign Placement 305 N Morgan.jpg

Date: Friday, May 18, 2018 5:52 PM

Size: --

Dimensions: 4032 x 3024

Shot: 1/800 sec f/1.7 4.2mm

ISO: 50

Device: SM-G935V

Folder Path:

C:\Users\kween\Desktop\City Docs
Advisory Boards\Planning Board
Planning Board Hearing - June 4, 2018

Source: This PC

Location: Roxboro



[Open Map](#)





Memo

To: Mayor Newell, Roxboro City Councilmen
From: Lauren Johnson
cc: City Clerk, Trevie Adams
Date: June 18, 2018
Re: Certification of Written Notice

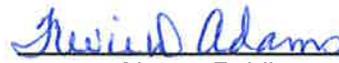
Please be advised letters were mailed First Class to the following property owners notifying same of the pending Rezoning Request, Docket #: RZ2018-03, for the parcel identified as 34 29 on today's date. This list includes all property owners with land adjacent to the parcels within 200 feet, as well as the listed owners of the property under consideration. The applicant was CC'd regarding this matter.

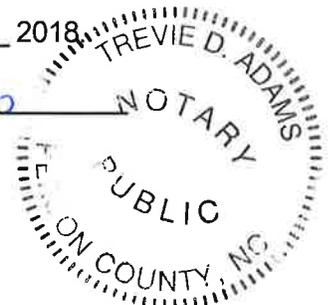
- | | |
|--|--------------------------------------|
| 1. Stonbraker Properties, LLC. | 12. Leron Brandon |
| 2. Saving Houses, LLC. | 13. The Margaret Blansfield Rev |
| 3. Nancy Garrett | 14. Calvin Clayton |
| 4. Landis Properties of NC, LLC. | 15. Barefoot Development Group, LLC. |
| 5. Doris Hobbs | 16. Dale Lunsford, Jr. |
| 6. Nancy Fox | 17. Deborah Holt McDowell |
| 7. Boddie Noell Enterprises, Inc. | 18. Judith Martin |
| 8. Jackson Pleasant | 19. Todd B. Crum |
| 9. Anna Westmoreland | |
| 10. FJR Holdings, LLC. | |
| 11. ComptonCommercial Properties, LLC. | |


 Lauren W. Johnson, CZO
 Planning & Development Director

ATTEST:

Witness my hand and notarial seal, this 18th day of June, 2018.


 Notary Public



My Commission Expires: February 11, 2022



City of Roxboro
June 18, 2018



Stonbraker Properties, LLC.
197 Black Angus Road
Leasburg, NC 27291

Dear sir or madam,

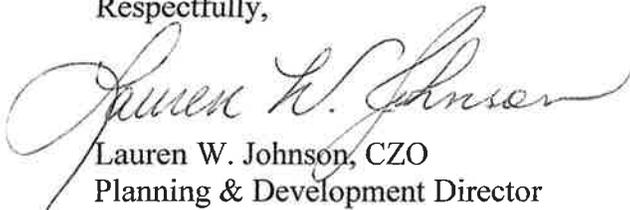
Please be advised that a site adjacent to your property (see attached) is under consideration for **Rezoning from R-6 High Density Residential to O/I Office Institutional.**

The application for 305 N Morgan Street, identified as Tax Map 34 29 is pending review by the Roxboro City Council. The applicant has requested an O/I Office/Institutional Zone, which allows for limited residential and commercial use.

The application will be reviewed by the Roxboro City Council at 7 p.m. on July 10, 2018. This meeting is a Public Hearing and will be held at 105 S. Lamar Street, Roxboro, N.C. 27573 in the Council Chambers. Comments made by the public may be considered by Council when making a decision.

If you have any questions regarding this matter please contact the Roxboro Planning and Development Office at 336.322.6018.

Respectfully,


Lauren W. Johnson, CZO
Planning & Development Director
City of Roxboro

Enclosure





City of Roxboro

June 18, 2018



Todd B. Crum
18 Blazing Star Lane
Bahama, NC 27503

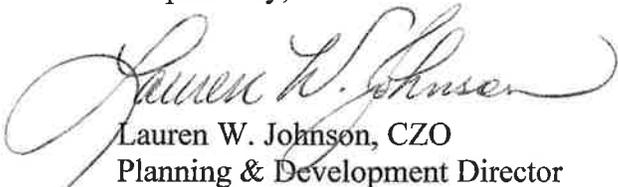
Dear sir or madam,

This letter is to inform you of the pending Public Hearing for the request for ***Rezoning from R-6 High Density Residential to O/I Office/Institutional*** for the property located at 305 N Morgan Street, identified as Tax Map 34 29.

The application will be reviewed by the Roxboro City Council at 7 p.m. on July 10, 2018. This meeting is a Public Hearing and will be held at 105 S. Lamar Street, Roxboro, N.C. 27573 in the Council Chambers. Comments made by the public may be considered by Council when making a decision.

If you have any questions regarding this matter please contact the Roxboro Planning and Development Office at 336.322.6018.

Respectfully,


Lauren W. Johnson, CZO
Planning & Development Director
City of Roxboro

Consistency Statement:

The rezoning request presented in Docket #RZ2018-03 for the parcel identified as Tax Map 34 Lot 29, from R-6 (Residential) to City Zoning O/I (Office/Institutional), is consistent with the City's Comprehensive Land Use Plan in that it;

- Encourages commercial growth in an appropriate location within the City limits; and
- Is compatible with the established character and community vision of the area.

Furthermore, this plan is in the public interest of the City of Roxboro as it creates a buffer for transition of commercial and residential uses along a minor-thoroughfare, thereby creating a more natural progression of use intensities.

Motion To Adopt Made by: _____

Seconded by: _____

Approved: ____ to ____

Attest:

Merilyn P. Newell, Mayor

Trevie Adams, City Clerk



City of Roxboro

An Ordinance Amending the City of Roxboro's Official Zoning Map

The City Council has received and reviewed the application of Todd Crum to amend the City of Roxboro's Zoning Map as follows:

Tax Map	Present Zoning	Proposed Zoning	Deed BK/PG	Acreage
34 29	R-6 (Residential)	O/I (Office- Institutional)	462/408	.26

WHEREAS, the Roxboro City Council of the City of Roxboro, North Carolina, after due notices, conducted a public hearing on the 10th day of July, 2018 concerning the adoption amending the City of Roxboro's Zoning Map pursuant to G.S. 160-364; and

The Roxboro City Council has determined that the proposed action is consistent with the City of Roxboro's Comprehensive Plan; and the City Council's action on the proposed zoning map amendment is reasonable and in the public interest as identified in the adopted consistency statement.

NOW, THEREFORE, BE IT ORDAINED by the City Council that it is in the best interest of the City to approve the amendment.

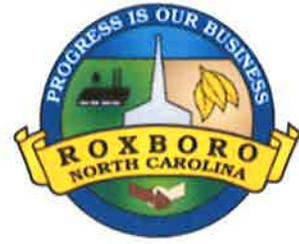
Duly adopted by the Council of the City of Roxboro this 10th day of July, 2018.

Mayor Marilyn P. Newell

Hevie Adams,
City Clerk

2. Rezoning Request - 608 S. Main Street Public Hearing

Memo



To: Mayor Newell and Roxboro City Council
From: Lauren Johnson/ Planning & Development Director
cc: Trevie Adams City Clerk (for City Records)
Date: June 28, 2018
Re: Recommendation from Planning Board Regarding Rezoning Request for
property at 608 S Main Street, Tax Map 16 12

Madam Mayor and Council,

Please be advised that the City of Roxboro Planning Board met on June 4th, 2018 to review a request for a Rezoning for the parcel located at 608 S Main Street, identified as Tax Map 16 Lot 12.

Upon review of the enclosed application and staff report, the City Planning Board offers a unanimous recommendation to approve the request for Rezoning. Enclosed you will find the written consistency statement signed by the Planning Board Chair and Department head.

Application for

Official Zoning Map Amendment



Roxboro Planning & Development
105 S Lamar Street Roxboro, N.C. 27573 336-322-6018

TO THE PLANNING BOARD AND THE CITY COUNCIL:

I/We, the undersigned, do hereby make application and petition to the City Council of the City of Roxboro to amend the Official Zoning Map of the City of Roxboro as hereinafter requested. I hereby certify that I have full legal right to request such action. (Type or Print Clearly)

Petitioner(s): CHRIS McDONALD CM SPECTRUM PROPERTIES LLC.

Address: 644 FOX LAIR TRL. SEMORA, NC 27343

Telephone Number: 434-470-4623 Fax Number: EMAIL CHRIS@CMSPECTRUM.COM

Interest in Property: _____
(I.e., Owner, Part Owner, Option holder, Governmental Agency, Etc.)

Property Information:

Address: 608 S. MAIN ROXBORO NC 27573

Watershed: ROANOKE Lot Size: 0.25

Township: ROXBORO Tax Map/Lot #: 16 12 #15889

Current Use: NONE/VACANT

Available Utilities: (check all that apply)

City Water City Sewer Well Septic System None

Zoning Map Amendment:

Current Zoning Classification: B-1

Requested Zoning Classification: R-6

The undersigned hereby certify that the application material is complete and accurate. Furthermore, the undersign hereby authorizes the City of Roxboro's Zoning Administrator or designated representative to enter upon the above referenced property for the purpose of evaluating this request.

[Signature]
Applicant Signature

5/1/18
Date

Staff Use Only:

Date Received:
5/1/2018

Docket #:
RZ2018-04

Planning Board Meeting Date:
6-4-2018

City Council Meeting Date:
7-16-2018

Required Submittal Items:

A complete application must contain the following additional items for consideration:

- Application Fee - \$200 (cash, check, or money order accepted)
- Copy of the applicable Person County Tax Map, or other documentation verifying the location and size of the parcel(s)
- Property Deed - Please enclose most recent deed to the property. This can be obtained from the Person County Register of Deeds Office.
- Survey Plat - Please enclose a copy of the property survey plat, if on record with the Person County Register of Deeds Office.
- If the applicant is not the owner of the property, a letter must be provided with the notarized signature of the property owner, verifying awareness of the request being made.
- List of adjacent property owners, with addresses of same.

#1
16 11 #14434
606 S. MAIN
VILLINES RONALD
2ND PATRICIA

#2
16 13 #8984
610 S MAIN
BEATTY PECOLIA

#3
16 17 #8933
608 S MAIN
BARNETT MARY W. EST

To City of Roxboro and or Whom it May Concern

4/19/2018

The property located at 608 South Main Street has recently entered into a purchase contract that has been accepted by buyer and seller with special conditions.

As owners of the property located at 608 South Main Street , we give permission to Christopher McDonald (Buyer) , to apply for the proper permits and zoning requirements as needed and required by the City of Roxboro for the property to be modified into a tri-plex.

Mr.McDonald will pay for all fees and permits needed for this transaction and attend any required meetings.

Sincerely,

James R. Nelson, Sr. 4/19/18
J.C. Cunningham, Jr. 4/19/18
by po.4:opc

Co-Owners
Cunningham + Nelson Funeral Home
608 S. Main St
Roxboro, NC 27573

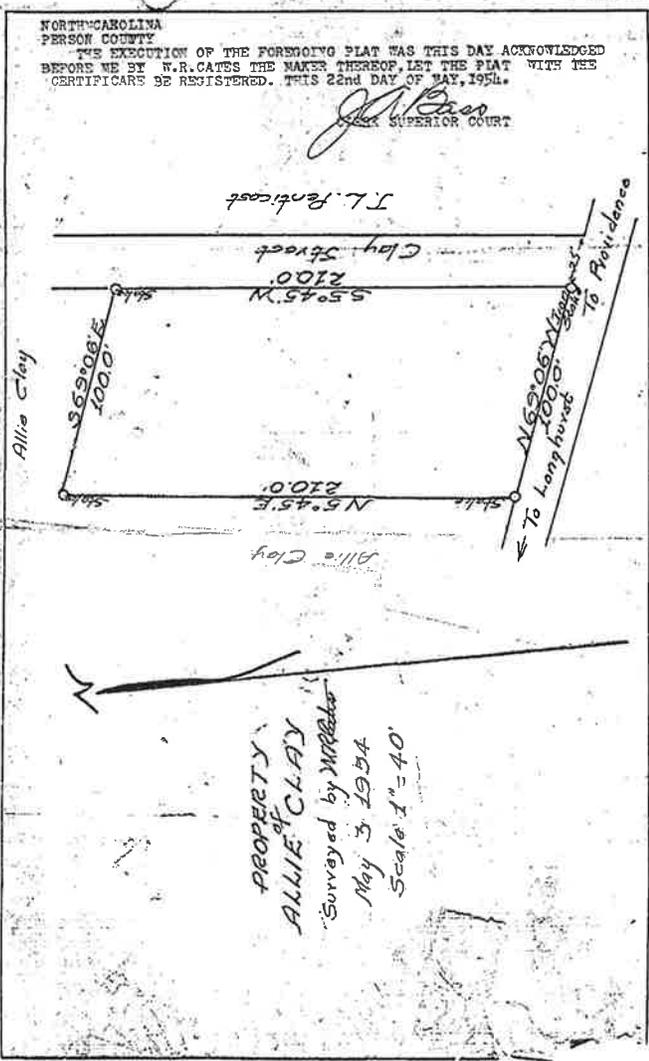
my Commission expire June 5, 2020



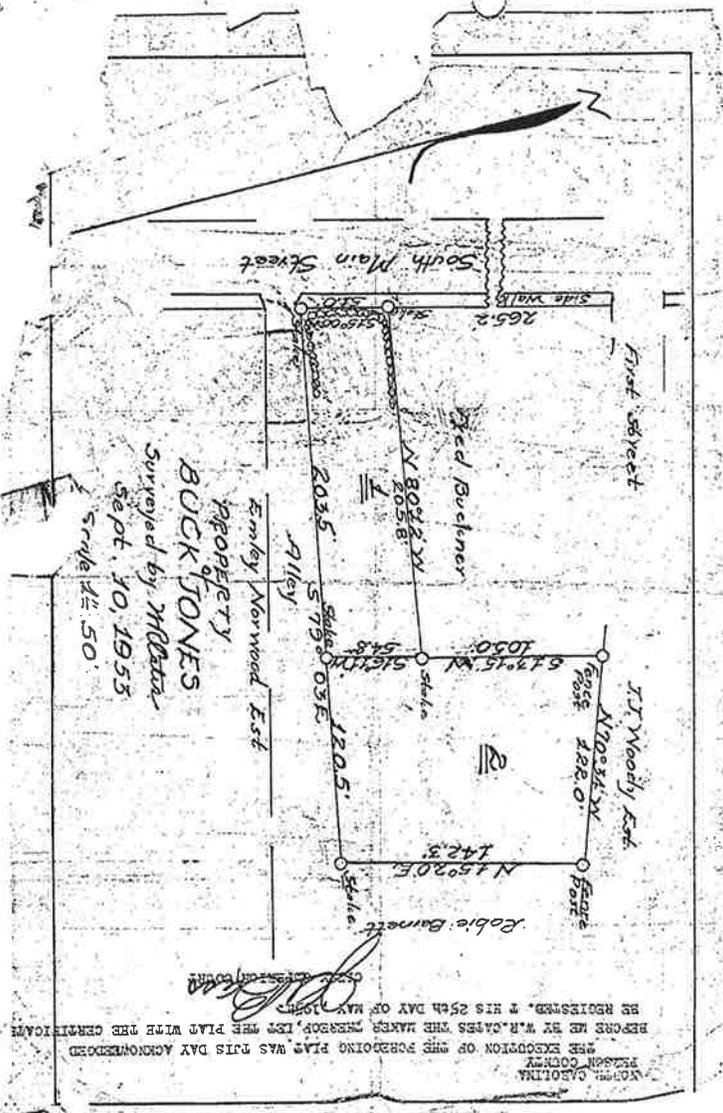
2

NORTH CAROLINA
PERSON COUNTY
THE EXECUTION OF THE FOREGOING PLAT WAS THIS DAY ACKNOWLEDGED
BEFORE ME BY W.R. CATTS THE MAKER THEREOF, LET THE PLAT WITH ITS
CERTIFICATE BE REGISTERED. THIS 22nd DAY OF MAY, 1954.

J.P. Bass
SUPERIOR COURT



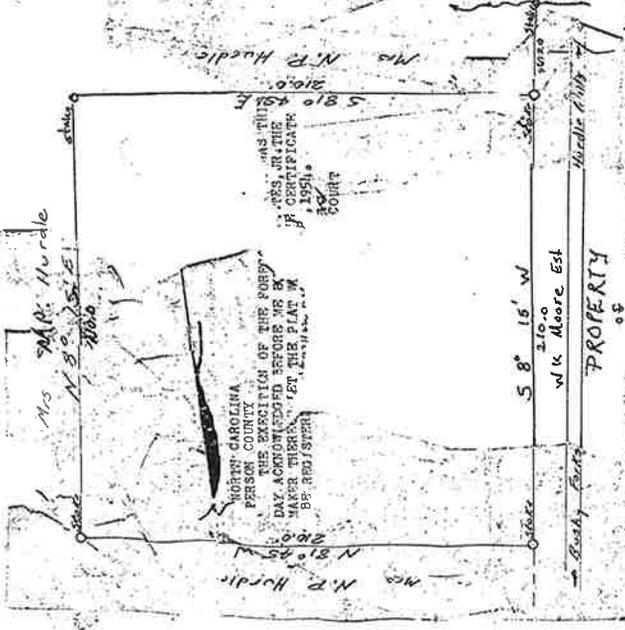
PROPERTY
of
ALLIE CLAY
Surveyed by M.R. Bass
May 3, 1954
Scale 1" = 40'



PROPERTY
of
BUCK JONES
Surveyed by M.R. Bass
Sept. 30, 1953
Scale 1/2" = 50'

NORTH CAROLINA
PERSON COUNTY
THE EXECUTION OF THE FOREGOING PLAT WAS THIS DAY ACKNOWLEDGED
BEFORE ME BY W.R. CATTS THE MAKER THEREOF, LET THE PLAT WITH ITS
CERTIFICATE BE REGISTERED. THIS 25th DAY OF MAY, 1954.

J.P. Bass
SUPERIOR COURT



PROPERTY
of
CLARENCE G. HURDLE
Surveyed by M.R. Bass
May 1954
Scale 1" = 40'

NORTH CAROLINA
PERSON COUNTY
THE EXECUTION OF THE FOREGOING
PLAT WAS THIS DAY ACKNOWLEDGED
BEFORE ME BY W.R. CATTS THE MAKER
THEREOF, LET THE PLAT WITH ITS
CERTIFICATE BE REGISTERED. THIS
25th DAY OF MAY, 1954.

J.P. Bass
SUPERIOR COURT

Transfer Information Received

2 Sept. 1993

Alan S. Hicks, Attorney At Law

8107

FILED FOR RECORD

230 381

SEP 2 11 50 AM '93

PERSON COUNTY

09-02-23



\$10.00

Real Estate Excise Tax

Excise Tax \$ 10.00

AMMIL BARNETT
REGISTRAR OF DEEDS
PERSON COUNTY, NC

Recording Time, Book and Page

Tax Lot No.

Parcel Identifier No.

Verified by

County on the

day of

19

by

Mail after recording to

Ossie L. Cunningham

Route 6, Charlie Stovall Road, Roxboro, North Carolina 27573

This instrument was prepared by

Alan S. Hicks, Attorney At Law

Brief description for the Index

Lot, City of Roxboro

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 1st day of September, 19 93, by and between

GRANTOR

GRANTEE

SHELRED L. CUNNINGHAM and wife, FLOSSIE E. CUNNINGHAM

OSSIE L. CUNNINGHAM, JR. and wife, NADINE L. CUNNINGHAM

Enter in appropriate block for each party: name, 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 or parcel of land situated in the City of Roxboro, Roxboro Township, Person County, North Carolina and more particularly described as follows:

Bounded on the North by the lands of Ronald Villines, bounded on the East by the lands of Mary W. Barnette, bounded on the South by the lands of Pecolia Beatty, bounded on the West by the right of way of South Main Street, and being all of what is shown and designated as Lot 1 on that plat of survey entitled "PROPERTY OF BUCK JONES", surveyed by W. R. Cates, R.L.S., dated September 10, 1953 and of record in Plat Book 6, Page 2, Person County Registry, which said plat is hereby specifically incorporated herein by referenced for greater certainty of description.

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 153, Page 263, ..
Person County Registry

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 except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

* There is conveyed hereby a one-sixth undivided interest in the above described property, such that the same is now owned in undivided interests as follows: one-third by John T. Nelson, one-third by Ossie L. Cunningham, Jr., one-sixth by Ossie L. Cunningham, Jr. and Nadine L. Cunningham, and one-sixth by J. Roger Nelson and wife, Stella P. Nelson.

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 officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

.....
(Corporate Name)
By: ..
..... President
ATTEST:
.....
..... Secretary (Corporate Seal)

USE BLACK INK ONLY

Shelred L. Cunningham (SEAL)
Shelred L. Cunningham
Flossie E. Cunningham (SEAL)
Flossie E. Cunningham
..... (SEAL)
..... (SEAL)



NORTH CAROLINA, Person County.
I, a Notary Public of the County and State aforesaid, certify that SHELRED L. CUNNINGHAM
and wife, FLOSSIE E. CUNNINGHAM Grantor,
personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my
hand and official stamp or seal, this 1st day of September 1993.
My commission expires: 8-7-95 Amy C. Adcock Notary Public

SEAL-STAMP
NORTH CAROLINA, County.
I, a Notary Public of the County and State aforesaid, certify that
personally came before me this day and acknowledged that he is Secretary of
..... a North Carolina corporation, and that by authority duly
given and as the act of the corporation, the foregoing instrument was signed in its name by its
President, sealed with its corporate seal and attested by as its Secretary.
Witness my hand and official stamp or seal, this day of, 19.....
My commission expires: Notary Public

The foregoing Certificate(s) of Amy C. Adcock

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

By Amanda W. Garrett REGISTER OF DEEDS FOR PERSON COUNTY
Amanda W. Garrett Deputy Assistant - Register of Deeds



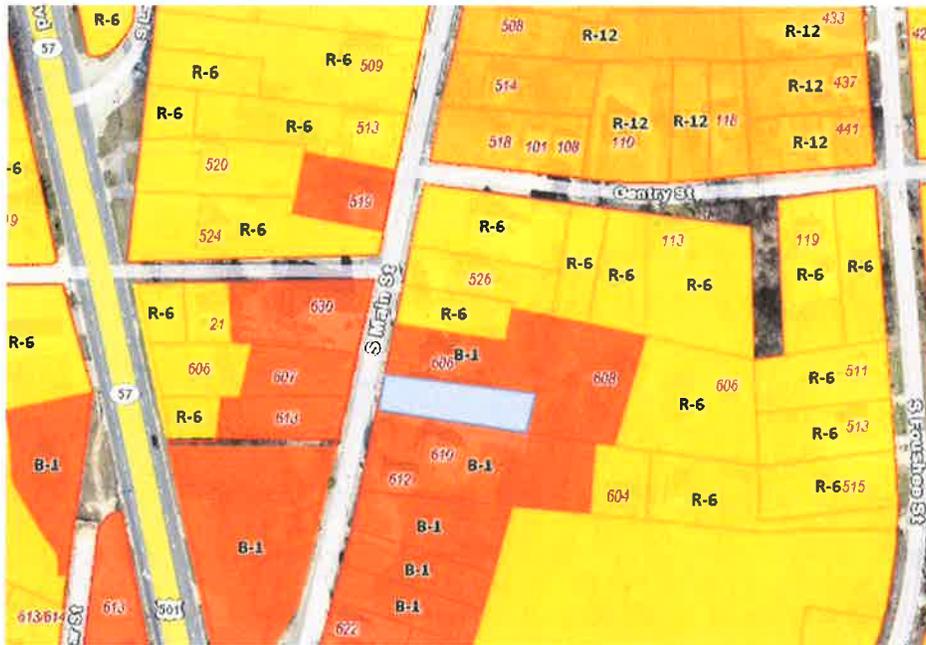
CITY OF ROXBORO STAFF REPORT

Prepared by: Lauren Johnson, Planning & Development Director

Meeting Dates: Planning Board: June 4, 2018 City Council: July 10, 2018	Request: <input checked="" type="checkbox"/> Rezoning <input type="checkbox"/> Special Use Permit
Property Location: 608 S Main Street	Current Zoning: B-1 (Highway Commercial)
Tax Map#: 16 12	Proposed Zoning: R-6 (Residential, High Density)
Applicant Information: Chris McDonald, CM Spectrum Properties 644 Fox Lair Trail Semora, NC 27343 434-470-4623	Future Land Use Map Classification: Low-Density Residential

Summary:

Chris McDonald of CM Spectrum Properties, LLC. requests a rezoning for the property located at 608 S Main Street, from B-1 (Highway Business) to R-6 (Residential, High Density). The property is identified as Person County Tax Map 16 12.



The surrounding properties are zoned B-1 (Highway Business) and R-6 (Residential).

Conformity to the Land Use Plan (LUP):

Goals and Implementation Strategies (LUP, p. 69-75):

- A Land Use strategy identified in the City's Comprehensive Land Use Plan directs the City to "provide for a variety of housing types, densities, and price ranges. This rezoning request would open this parcel up to development for residential use. While there are a number of residential units in the vicinity, this particular property is currently only available for commercial development under existing zoning.
- A Housing Goal identified in the City's Comprehensive Land Use Plan calls for the City to "identify areas that are prime for development and those in need of redevelopment." This property was previously the location of a funeral home. Given the proximity to the Uptown district, and walkability to several service and recreation establishments, (i.e. library, post office, shopping/dining options), it lends itself as an ideal location for residential redevelopment.

Future Land Use Map Classification: Commercial

Low-Density Residential (LUP, p. 77):

Residential uses including detached site-built, modular and manufactured homes, duplexes and triplexes; public parks; limited non-residential uses such as churches, schools, and other public institutional uses.

It is worth noting this property is located along the borderline of two Future Land Use Classifications on the map. It appears the Plan calls for this property to be developed as Low-Density Residential. However, it is also worth noting that none of the residential properties in this vicinity are Low-Density (12,000 square foot minimum lots). The residential-zoned properties are all R-6, which is High Density (6,000 square foot minimum lots) and the others are B-1 (Highway Business).

Staff Remarks:

Given the proximity of this location to the walkable Uptown district, it is staff's opinion that the rezoning is consistent with the City's Comprehensive Land Use Plan as it provides an opportunity for residential redevelopment that is consistent with the character of the neighborhood. Furthermore, this rezoning is in the public interest, as it provides an opportunity for a more compatible redevelopment of an existing property (residential near other residential, as opposed to commercial development in a residential area), thereby promoting the potential use of an existing building and potentially preventing further deterioration of a vacant property.

Staff encourages the board to remember that rezoning request reviews should take into consideration all uses allowed within the respective zoning. Furthermore, as a legislative decision, comments provided by the public regarding this matter may be influential in making a determination.

City of Roxboro Unified Development Ordinance
Permitted/Special Uses by District

R-6 Residential District

Permitted Uses:

Accessory buildings/structures
Accessory uses
Agricultural uses
Community gardens
Dwelling, garage apartment
Dwelling, single-family
Dwelling, two-family (duplex)
Off-street parking facilities (as permitted by Article 9, Part II)
Public utility pumping stations
Publicly-owned and operated outdoor recreational facilities
Rooming and boardinghouse
Signs (as permitted by Article 9, Part III)

Permitted Uses with Supplemental Regulations (refer to UDO Article 7):

Family care home
Family child care home
Forestry activities
Granny pods/temporary health care structures
Home occupations
Retaining walls and fences
Satellite dish antennas, non-commercial use
Small child care center
Solar energy generating facility, accessory
Swimming pools, private
Temporary storage facility (portable storage units)
Tiny houses

City of Roxboro Unified Development Ordinance
Permitted/Special Uses by District

R-6 Residential District (continued)

Special Uses:

Adult care home (over 6 residents)
Athletic fields
Barber shops, beauty shops
Church, synagogue, temple or other religious building, including accessory services
Country clubs
Dwelling, manufactured home Class A (on a single lot)
Dwelling, multi-family
Family foster home
Fire stations
Government buildings/offices
Multi-unit assisted housing with services
Museums
Nursing home
School, elementary or secondary
Swimming clubs
Tourist homes

Special Uses with Supplemental Regulations (refer to UDO Article 7):

Bed & breakfast
Cemetery as an accessory use to a church, including columbarium
Child care center
Dwelling, townhouse development
Golf courses
Public utility towers, substations, and storage tanks
Residential child-care facility
Satellite dish antennas, commercial
Temporary emergency, construction, and repair residences
Wireless communication facilities, 50' tall or less
Wind energy generating facility, accessory

City of Roxboro Unified Development Ordinance
Permitted/Special Uses by District

B-1 Highway Business District

Permitted Uses:

ABC store
Accessory buildings/uses
Accessory uses
Accounting agencies
Advertising agencies
Agricultural product warehousing
Agriculturally-related business
Antique stores
Art galleries
Attorneys
Automobile parking garages or parking lots (independent)
Automobile parts and accessories, with installation
Automobile repair services or body shop
Automobile sales and service
Automobile service stations, including routine/minor maintenance
Automobile window tinting, stereo or rim installation
Bakery (retail)
Banks/financial services
Barber shops, beauty shops
Book store, including the retail of stationery, books, magazines, newspapers
Bowling alleys
Building supplies and sales
Bus terminal
Campgrounds
Car wash
Catering
Chiropractic
College, universities, community colleges
Coliseums, stadiums designed to accommodate more than 1,000 people
Commercial greenhouse or nursery
Community centers
Community gardens
Computer sales and repair
Contractors offices (no outside storage)
Convenience stores, less than one (1) acre
Deli
Dog grooming (no outdoor kennels)
Drug store
Dry cleaner, Laundromat
Electrical equipment sales and repair

City of Roxboro Unified Development Ordinance
Permitted/Special Uses by District

B-1 Highway Business District (continued)

Permitted Uses (continued):

Electrical repair or contractor (no open storage)
Electrical repair or contractor (open storage allowed)
Emergency management program
Engine repair, small (including motorcycle)
Exterminating and pest control services
Fabric store
Farm, craft, produce markets
Farm equipment, and boat sales or rental or sales and service
Fire stations
Florists
Funeral home
Furniture store
General contractors (no open storage)
General contractors (open storage allowed)
Gift shops
Government buildings/offices
Governmental postal facilities
Grocery/food store
Hardware store
Health spa
Heating and air conditioning installation and repair (no open storage)
Heating and air conditioning installation and repair (open storage allowed)
Home appliance dealers
Home appliance repair
Hotels and motels
Ice cream stand or store
Insurance office
Indoor athletic and exercise facilities
Indoor tennis and squash courts
Interior decorating service
Jewelry store/repair
Leather goods store
Medical and dental offices/clinics
Medical support offices (testing labs)
Military reserve, National Guard centers
Miniature golf courses
Movie theaters
Music instrument sales and service
Music studio
Nail/tanning salon

City of Roxboro Unified Development Ordinance
Permitted/Special Uses by District

B-1 Highway Business District (continued)

Permitted Uses (continued):

Office, clerical, research and services not primarily related to goods and merchandise
Office supplies
Off-street parking facilities (as permitted by Article 9, Part II)
Opticians
Paint store
Pet cemetery
Pet store
Photo studios
Plumbing repair contractor (no open storage)
Plumbing repair contractor (open storage allowed)
Police stations
Printing, publishing, and engraving establishments
Private postal shipping and receiving
Publicly-owned and operated outdoor recreational facilities
Public utility pumping stations
Real estate office/appraisal
Rental of goods, merchandise, and equipment (no outside storage or display of goods)
Rental of goods, merchandise, and equipment (with outside storage or display of goods)
Restaurants, excluding fast food & drive thru services
Restaurants, including fast food & drive thru services
Sales of goods, merchandise, and equipment (no outside storage or display of goods)
Sales of goods, merchandise, and equipment (with outside storage and display of goods)
Self-service storage facility
Service establishments
Shoe store or repair
Signs (as permitted by Article 9, Part III)
Sporting goods store
Storage inside completely enclosed structure
Storage of goods not related to the sale or use of those goods on the same lot where they are stored
Tailor/dressmaker/seamstress
Taxi stands
Tennis courts, commercial
Tire sales, no outside storage
Toy store
Travel agencies
Truck stop
Truck wash
Upholstery – furniture repair
Veterinarian, animal clinic, no outside kennel

City of Roxboro Unified Development Ordinance
Permitted/Special Uses by District

B-1 Highway Business District (continued)

Permitted Uses (continued):

Warehouses
Wholesale sales

Permitted Uses with Supplemental Regulations (refer to UDO Article 7):

Artisan's workshop (3,000 square feet or less)
Bars
Battery charging station
Battery exchange station
Bingo
Dance halls
Distilleries
Dwelling, single-family (as an accessory for a principal business)
Engineering/surveying/architectural services – general
Gamerooms
Gas sales operations
Golf courses
Manufactured home sales/modular home sales
Microbrewery
Retaining walls and fences
Satellite dish antennas, non-commercial use
Solar energy generating facility, accessory
Tattoo/body piercing parlors
Temporary emergency, construction, and repair residences
Temporary storage facility (portable storage units)
Towing, automobile and truck
Veterinarian, animal clinic, outside kennel

Special Uses:

Adult care home (over 6 residents)
Ambulance service, rescue squad
Athletic fields
Church, synagogue, temple, or other religious building, including accessory services
Convenience stores, one (1) acre or more
Farm stand
Fraternal clubs and lodges, non-profit
Golf driving ranges not accessory to golf courses
Hospitals, clinics, other medical treatment facilities
Kindergarten/nursery schools/pre-K
Museums
Nursing home

City of Roxboro Unified Development Ordinance
Permitted/Special Uses by District

B-1 Highway Business District (continued)

Special Uses (continued):

Outdoor athletic and exercise facilities
Par 3 golf courses
Repair shops not otherwise listed
School, elementary or secondary
Shopping center, less than 30,000 sq ft gross enclosed floor area
Shopping center, greater than 30,000 sq ft gross enclosed floor area
Skateboard parks
Skating rinks
Swimming clubs
Tire sales, with outside storage
Utility company (no open-air storage)
Water slides

Special Uses with Supplemental Regulations (refer to UDO Article 7):

Artisan's workshop (exceeding 3,000 square feet)
Billiards and pool halls
Child care center
Child care center (as an accessory use for a principal business/industry)
Cemetery
Crematorium
Daycare facility, adult
Mixed Use
Night clubs and social clubs
Public utility towers, substations, and storage tanks
Satellite dish antennas, commercial
Storage outside completely enclosed structure
Swimming pools, commercial/community
Swimming pools, private
Temporary uses/sales
Wind energy generating facility, accessory
Wind farm
Wireless communication facilities, 50' tall or less

Motion Format Requirements:

Per NCGS 153A-341, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment, the governing board shall adopt one of the following statements regarding plan consistency, which shall not be subject to a judicial review.

A) A statement approving the zoning amendment and describing its consistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.

B) A statement rejecting the zoning amendment and describing its inconsistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.

C) A statement approving the zoning amendment and containing at least all of the following:

1. A declaration that the approval is also deemed an amendment to the comprehensive plan. The governing board shall not require any additional request or application for amendment to the comprehensive plan.

2. An explanation of the change in conditions the governing board took into account in amending the zoning ordinance to meet the development needs of the community.

3 Why the action was reasonable and in the public interest.

The Planning Board shall advise and comment on whether the proposed amendment is consistent with a comprehensive plan and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the City Council that addresses comprehensive plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with a comprehensive plan shall not preclude consideration or approval of the proposed amendment by the City Council.

Planning Board Motion Format for Recommended Approval of Request:

I make a motion that we recommend approval of the rezoning request presented in Docket #RZ2018-04 for the parcel identified as Tax Map 16 Lot 12 from B-1 (Highway Commercial) to R-6 (High Density Residential), because the application is consistent with the City's Comprehensive Land Use Plan in that it;

- Provides opportunity for a variety of housing types, densities, and price ranges within the City of Roxboro; and
- Identifies an area that is prime for and in need of redevelopment.

Furthermore, this plan is in the public interest of the City of Roxboro as it will appropriately zone this area for development residential use that will keep with the existing nature and character of the area, while providing housing that is within walking distance of the basic necessities.

Motion Made by: Margaret Key

Seconded by: Danny Cultra

Approved: 5 to 0

This report reflects the recommendation of the Planning Board, this the 4th day of June, 2018.

Attest:

Robert Trotter
Robert Trotter, Planning Board Chairman

Lauren W. Johnson
Lauren W. Johnson, Planning Director

File name
Sign Placement 608 S Main.jpg

Date
Friday, May 18, 2018 5:45 PM

Size

Dimensions
4032 x 3024

Shot
1/1560 sec. f/1.7, 4.2mm

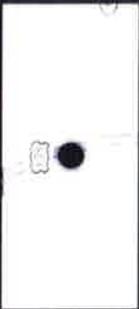
ISO
50

Device
SM-G935V

Folder Path
C:\Users\jwernm\Desktop\City Docs
Advisory Boards\Planning Board
Planning Board Hearing - June 4, 2018

Source
This PC

Location
Roadside



[Open Map](#)





Memo

To: Mayor Newell, Roxboro City Councilmen
From: Lauren Johnson
cc: City Clerk, Trevie Adams
Date: June 18, 2018
Re: Certification of Written Notice

Please be advised letters were mailed First Class to the following property owners notifying same of the pending Rezoning Request, Docket #: RZ2018-04, for the parcel identified as 16 12 on today's date. This list includes all property owners with land adjacent to the parcels within 200 feet, as well as the listed owners of the property under consideration. The applicant was CC'd regarding this matter.

1. 4C Properties, LLC
2. Clarence & Simone Hamlett
3. Hester, Whitted, and Daye
4. Pecolia Beatty
5. Ronald & Patricia Villines
6. Wayne & Judith Winstead
7. Brooks & White, LLC
8. Helen West Estate
9. Mary Barnette Estate
10. Deborah Street
11. Newell & Sons, Inc.
12. Cunningham & Nelson Funeral Home
13. Christopher McDonald

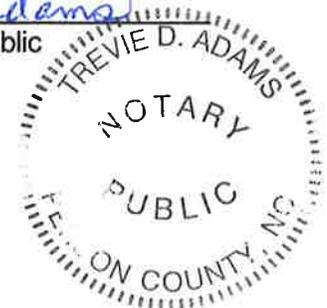

Lauren W. Johnson, CZO
Planning & Development Director

ATTEST:

Witness my hand and notarial seal, this 18th day of June 2018.


Notary Public

My Commission Expires: February 11, 2022.





City of Roxboro

June 18, 2018

Pecolia Beatty
610 S Main Street
Roxboro, NC 27573

Dear sir or madam,

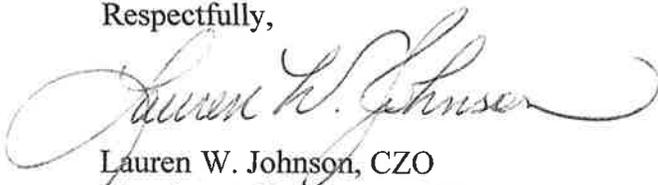
Please be advised that a site adjacent to your property (see attached) is under consideration for **Rezoning from B-1 Highway Business to R-6 High Density Residential**.

The application for 608 S Main Street, identified as Tax Map 16 12 is pending review by the Roxboro City Council. The applicant has requested an R-6 Residential Zone, which allows for single-family and multi-family residential use.

The application will be reviewed by the Roxboro City Council at 7 p.m. on July 10, 2018. This meeting is a Public Hearing and will be held at 105 S. Lamar Street, Roxboro, N.C. 27573 in the Council Chambers. Comments made by the public may be considered by Council when making a decision.

If you have any questions regarding this matter please contact the Roxboro Planning and Development Office at 336.322.6018.

Respectfully,



Lauren W. Johnson, CZO
Planning & Development Director
City of Roxboro

Enclosure



City of Roxboro

June 18, 2018

Chris McDonald/CM Spectrum Properties, LLC.
644 Fox Lair Trail
Semora, NC 27343

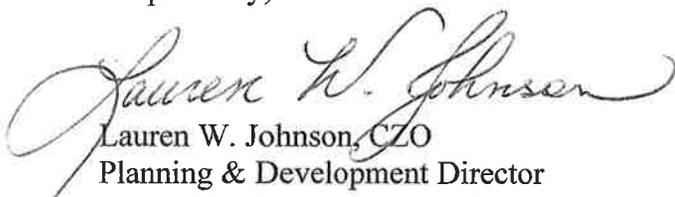
Dear sir or madam,

This letter is to inform you of the pending Public Hearing for the request for ***Rezoning from B-1 Highway Business to R-6 High Density Residential*** for the property located at 608 S Main Street, identified as Tax Map 16 12.

The application will be reviewed by the Roxboro City Council at 7 p.m. on July 10, 2018. This meeting is a Public Hearing and will be held at 105 S. Lamar Street, Roxboro, N.C. 27573 in the Council Chambers. Comments made by the public may be considered by Council when making a decision.

If you have any questions regarding this matter please contact the Roxboro Planning and Development Office at 336.322.6018.

Respectfully,



Lauren W. Johnson, CZO
Planning & Development Director
City of Roxboro

CC: Chris McDonald/CM Spectrum Properties, LLC.
644 Fox Lair Trail
Semora, NC 27343

Consistency Statement:

The rezoning request presented in Docket #RZ2018-04 for the parcel identified as Tax Map 16 Lot 12, from B-1 (Highway Commercial) to R-6 (High Density Residential), is consistent with the City's Comprehensive Land Use Plan in that it;

- Provides opportunity for a variety of housing types, densities, and price ranges within the City of Roxboro; and
- Identifies an area that is prime for and in need of redevelopment.

Furthermore, this plan is in the public interest of the City of Roxboro as it will appropriately zone this area for development residential use that will keep with the existing nature and character of the area, while providing housing that is within walking distance of the basic necessities.

Motion To Adopt Made by: _____

Seconded by: _____

Approved: ____ to ____

Attest:

Merilyn P. Newell, Mayor

Trevie Adams, City Clerk



City of Roxboro

An Ordinance Amending the City of Roxboro's Official Zoning Map

The City Council has received and reviewed the application of Chris McDonald/CM Spectrum Properties, LLC. to amend the City of Roxboro's Zoning Map as follows:

Tax Map	Present Zoning	Proposed Zoning	Deed BK/PG	Acreage
16 12	B-1 (Highway Commercial)	R-6 (Residential)	230/381	.25

WHEREAS, the Roxboro City Council of the City of Roxboro, North Carolina, after due notices, conducted a public hearing on the 10th day of July, 2018 concerning the adoption amending the City of Roxboro's Zoning Map pursuant to G.S. 160-364; and

The Roxboro City Council has determined that the proposed action is consistent with the City of Roxboro's Comprehensive Plan; and the City Council's action on the proposed zoning map amendment is reasonable and in the public interest as identified in the adopted consistency statement.

NOW, THEREFORE, BE IT ORDAINED by the City Council that it is in the best interest of the City to approve the amendment.

Duly adopted by the Council of the City of Roxboro this 10th day of July, 2018.

Mayor Marilyn P. Newell

ATTEST:

Trevie Adams,
City Clerk

3. Special Use Permit - 2081 Old Durham Road Quasi-Judicial

Memo



To: Mayor Newell and Roxboro City Council
From: Lauren Wrenn/ Planning & Development Director
cc: Trevie Adams City Clerk (for City Records)
Date: July 3, 2018
Re: Recommendation from Planning Board Regarding Special Use Permit for
2081 Old Durham Road

Madam Mayor and Council,

Please be advised that the City of Roxboro Planning Board met on June 4, 2018 to review the Special Use Permit request for allowing a "church" as an accessory use at the property located at 2081 Old Durham Road, Tax Map 101 10.

Upon review of the enclosed application and staff report, the City Planning Board offers a unanimous recommendation to approve the request for the use, with no added conditions, as the Board found the request to meet all Findings of Fact enumerated in the staff report and established by Article 4, Section 4.9.4.5. in the Unified Development Ordinance, and to be consistent with the City's Land Use Plan.

Application for

Special Use Permit



Roxboro Planning & Development
105 S Lamar Street Roxboro, N.C. 27573 336-322-6018

TO THE PLANNING BOARD AND THE CITY COUNCIL;

I/We, the undersigned, do hereby make application and petition to the City Council of the City of Roxboro for a SPECIAL USE PERMIT for the property listed below. I hereby certify that I have full legal right to request such action. (Type or Print Clearly)

Petitioner(s): House of Prayer Ministries Church of God In Christ

Address: 4614 Carlton Crossing Drive, Durham, NC 27703

Telephone Number: (919) 475-4110 Fax Number: N/A

Interest in Property: Use for church services and Bible study
(I.e., Owner, Part Owner, Option holder, Governmental Agency, Etc.)

Property Information:

Address: 2081 OLD DURHAM RD ROXBORO NC 27574

Watershed: Falls ~~Flat River~~ Lot Size: 101.000, 92 acres

Township: Croy ~~Roxboro~~ Tax Map/Lot #: 101 / 10

Zoning District: Residential District (R-6)

Available Utilities: (check all that apply)

City Water City Sewer Well Septic System None

Special Use Request:

Existing Use: 95/100A/SOMERSET DAYCARE

Proposed Use: Use for church services and Bible study

The undersigned hereby certifies that the application material is complete and accurate. Furthermore, the undersign hereby authorizes the City of Roxboro's Zoning Administrator or designated representative to enter upon the above referenced property for the purpose of evaluating this request.

John K. Agnew Sr.
Applicant Signature

5/3/2018
Date

Staff Use Only:

Date Received:
5/3/18

Docket #:
SUP-2018-02

Planning Board Meeting Date:
6/4/18

City Council Meeting Date:
7/10/18

Required Submittal Items:

A complete application must contain the following additional items for consideration:

- Application Fee - \$200 (cash, check, or money order accepted)
- Complete Site Plan for proposed development – Please see Section 5.7 of the City of Roxboro Unified Development Ordinance.
- If the applicant is not the owner of the property, a letter must be provided with the notarized signature of the property owner, verifying awareness of the request being made.
- List of adjacent property owners, with addresses of same.
- Written statement addressing the following;
 - The Roxboro City Council shall issue a Special Use Permit only when the City Council makes the affirmative finding as follows:
 - (a) That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.**

 - (b) That the special use will be in harmony with the existing development and uses within the area in which it is to be located.**

 - (c) That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**

 - (d) That adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.**

 - (e) That the special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.**

 - (f) That public access shall be provided in accordance with the recommendations of the city's land use plan and access plan or the present amount of public access and public parking as exists within the city now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.**

 - (g) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the City Council.**

*A Special Use Permit, for which vested rights, as specified in Section 4.7 of the City's UDO, have not been secured shall expire automatically if, within one (1) year after the issuance of such permit have not met the requirements of Section 4.4 of the City's UDO. Special Use Permits for which vested rights have been secured, as specified in Section 4.7 of the City's UDO, shall expire at the end of the two-year vesting period.

Lauren Johnson

From: House of Prayer Ministries <houseofprayermin@gmail.com>
Sent: Friday, May 04, 2018 5:05 PM
To: Lauren Johnson
Subject: Re: Special Use Permit Information

Lauren,

House of Prayer Ministries affirms the following in accordance to Roxboro City Council's requirements for its Special Use Permit:

(a) That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.

The facility will be used to hold Bible Study sessions and worship services. These activities will not be detrimental to or endanger the public health, safety, or general welfare.

(b) That the special use will be in harmony with the existing development and uses within the area in which it is to be located.

The facility will be used to hold Bible Study sessions and worship services. These activities will not modify the harmony or uses.

(c) That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The times at which the facility will be used to hold Bible Study sessions and worship services will not interfere with operational times for its current use. Note that usage times for this request is weekends or 7 pm and after on weekdays.

(d) That adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.

Adequate utilities, access roads, drainage, parking, and necessary facilities are all provided.

(e) That the special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.

House of Prayer Ministries will conform to all the applicable regulations of this district.

(f) That public access shall be provided in accordance with the recommendations of the city's land use plan and access plan or the present amount of public access and public parking as exists within the city now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

House of Prayer Ministries will comply.

(g) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the City Council.

House of Prayer Ministries' use will be in conformity.

Josephine Green

675 TODD RD, ROXBORO, NC 27574 | (919) 358-9452

May 3, 2018

Roxboro Planning & Development
105 S Lamar Street
Roxboro, N.C. 27573

Dear Roxboro Planning & Development:

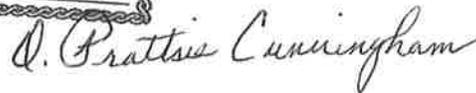
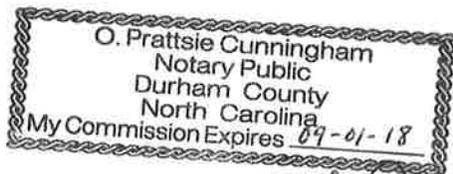
I am writing this letter to affirm that I am aware of the request by Pastor John Lyon to the zoning board for a special use request for my facility. I do affirm that I have given my permission and approval for Pastor Lyon to hold services and Bible study for House of Prayer Ministries in the Learn and Play childcare facility.

Please contact me if any additional information is required.

Sincerely,



Josephine Green
Owner





CITY OF ROXBORO STAFF REPORT

Prepared by: **Lauren Johnson, Planning & Development Director**

<p>Meeting Dates: Planning Board: June 4, 2018 City Council: July 10, 2018</p>	<p>Request: <input type="checkbox"/> Rezoning <input checked="" type="checkbox"/> Special Use Permit</p>
<p>Property Location: 2081 Old Durham Road</p>	<p>Current Zoning: R-6 (High Density Residential)</p>
<p>Tax Map#: 101 10</p>	<p>Proposed Use: Church</p>
<p>Applicant Information: House of Prayer Ministries, Pastor John Lyon 4614 Carlton Crossing Drive Durham, NC 27703 919-475-4110</p>	<p>Proposed Business: House of Prayer Ministries Church of God in Christ</p>

Summary:

House of Prayer Ministries representative, Pastor John Lyon, requests a Special Use Permit for the use of “Church” for the property located at 2081 Old Durham Road. The property is otherwise identified as Person County Tax Map 101, Lot 10. The property constitutes .92 acres.



The surrounding properties are zoned R-6 (Residential) and I-2 (Heavy Industrial).

Special Use Permit Review Process:

The City of Roxboro Unified Development Ordinance allows some uses as a “special use” subject to issuance of a Special Use Permit by the City Council upon recommendation of the Planning Board. City Council consideration of Special Use Permits are quasi-judicial decisions. The purpose of these “special uses” requiring board review and approval is to ensure they will be compatible with surrounding development and in keeping with the purposes of the general zoning district in which they are located. In approving an application for a special use permit, in accordance with G.S. 160A-381, the City Council may impose reasonable and appropriate conditions and safeguards upon the approval. The petitioner will have a reasonable opportunity to consider and respond to any additional requirements prior to approval or denial by City Council.

Staff collects comments from each City department as a part of the comprehensive review of the requests. Those comments are incorporated into the staff report below, with each departments response included as an individual exhibit.

Findings:

The property in question currently houses the Learn & Play Children Academy. The applicant indicates their secondary use of the existing facility will be solely for conducting bible study and worship services on weekends and after 7:00pm on weekdays, which falls outside the hours of operation for the existing Learn and Play Childcare. Owner of the property, Josephine Green, has given Pastor Lyon and the House of Prayer Ministries permission to operate out of the facility, pending approval by the Council.

Staff’s review of the request included consultation with other City departments to determine accessibility issues, water/sewer capacity issues, compliance with Fire and Building Code, etc. Staff also contacted a local appraiser to determine if this proposed development would have any bearing on neighboring property values. Attached to this packet are the responses received to the inquiries. The Fire Department, Police Department, and Public Services Department reported no issues with the proposed use. Building Inspections Director, Dale Tillman, advised a compliance inspection would be necessary to determine what, if any, modifications would be necessary for the building to meet Code for this proposed use. Staff advised applicant of same.

Abutting the property on either side are residential homes. Across the street is a former manufacturing plant zoned I-2 for industrial use. Along Old Durham Road, there are a number of different uses, including churches, commercial businesses, and residences. The nearest church is approximately .25 miles from the property in question.

An evaluation of the property site shows there is a two-entrance driveway, allowing for a constant flow of vehicles into and out of the lot. The parking lot, while not paved, can easily accommodate a dozen cars at a time. The applicant indicates there are five members of the church, presently. The City’s UDO requires four parking spaces per 1,000 square feet or one space for every four fixed seats for an institutional/civic use. This property is approximately 1800 square feet in size with just five members. Additionally, the ordinance requires two spaces per classroom for school uses; this facility has four classrooms, one office and a kitchen. Based on the section of the UDO that specifies requirements for *Joint Use of Required Parking Spaces*, this facility meets the minimum parking space requirements for both uses, as the church will

operate on Sundays and after 7pm on weekdays, while the daycare is open from 6:00AM to 5:30PM Monday through Friday. The property is accessible from the two drives facing onto the City-maintained thoroughfare. Old Durham Road feeds on 501 to the north and south, with several connector roads running perpendicular between the two.

This property is identified in the City's Comprehensive Land Use Plan on the Future Land Use Map for Low-Density Residential use.

The City Council shall issue a Special Use Permit only if it has evaluated an application, through a quasi-judicial process, and determined that the following statements are found in the affirmative.

- (a) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.**
- (b) The special use will be in harmony with the existing development and uses within the area in which it is to be located.**
- (c) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**
- (d) Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.**
- (e) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.**
- (f) The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.**
- (g) Public access shall be provided in accordance with the recommendations of the city's land use plan and access plan or the present amount of public access and public parking as exists within the city now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.**
- (h) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the City Council.**

Conditions:

Prior to granting any Special Use Permit, the Planning Board may recommend and Council may require, conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the "special use," as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified above. The

reasons/justifications for special conditions must be stated and tied to one or more of the findings above.

Staff recommends the following conditions;

- 1. Applicant must conduct a compliance inspection with Person County Building Inspections, and make any modifications necessary to meet Building Code for the use of "Church" at this site.** This condition pertains to findings (a) and (f) ensuring regulations are met and the public health, safety, and welfare are protected.

Lauren Johnson

From: Wayne Ross <wayne@rossappraisals.net>
Sent: Wednesday, May 23, 2018 10:26 AM
To: Lauren Johnson
Subject: Re: Two More Items

Good Morning Lauren,

Thank you for your email. I am familiar with both of those properties. Because of the specific locations of each site and the fact that each is in, or in very close proximity to, other multi-use neighborhoods, I can see no impact on values in either of the markets. Hope this helps. It is always good hearing from you.

Wayne

On Tue, May 22, 2018 at 4:17 PM, Lauren Johnson <lwjohnson@cityofroxboro.com> wrote:

Wayne,

I received two more applications for Special Use Permits. Can you please indicate whether the following will have an impact on neighboring property values in any way?

[134 Weeks Drive](#) (former Sears building) – Application for private school pre-school through 12th grade

[2081 Old Durham Road](#) – Church

Please let me know if you have any questions to be able to offer feedback on these two properties.

Best,

Lauren W. Johnson, CZO

Director, Planning and Development Department

City of Roxboro

P.O. Box 128

Lauren Johnson

Exhibit B

From: Andrew Oakley
Sent: Monday, May 21, 2018 9:11 PM
To: Lauren Johnson
Subject: Re: Special Use Permit Requests

I am good with these.

Sent from my iPad

On May 21, 2018, at 3:10 PM, Lauren Johnson <lwjohnson@cityofroxboro.com> wrote:

Hey folks,

I've received applications for two Special Use Permits. Attached are the applications. Please review and let me know if you have any information to contribute regarding either of these proposals. I would love to have your responses by the end of the week, if at all possible! The findings to be addressed are on the applications. Let me know if you have any questions at all!

Many thanks,

Lauren W. Johnson, CZO
Director, Planning and Development Department
City of Roxboro
P.O. Box 128
Roxboro, NC 27573
[336.322.6018](tel:336.322.6018)

<image003.png>

All e-mail correspondence to and from this address is subject to the North Carolina Public Records Law, which may result in monitoring and disclosure to third parties, including law enforcement.

<4195_001.pdf>

<4196_001.pdf>

Exhibit C

Lauren Johnson

From: Chris Robinson
Sent: Thursday, May 24, 2018 3:46 PM
To: Lauren Johnson
Subject: RE: Special Use Permit Requests

Lauren,

Has far as the fire code everything looks good to go on both of these permits.

Chris Robinson

From: Lauren Johnson
Sent: Monday, May 21, 2018 3:10 PM
To: Andrew Oakley <aoakley@cityofroxboro.com>; David Hess <dhess@cityofroxboro.com>; Kenneth Torain <ktorain@cityofroxboro.com>
Cc: Wayne Wrenn <wwrenn@cityofroxboro.com>; Chris Robinson <crobison@cityofroxboro.com>
Subject: Special Use Permit Requests

Hey folks,

I've received applications for two Special Use Permits. Attached are the applications. Please review and let me know if you have any information to contribute regarding either of these proposals. I would love to have your responses by the end of the week, if at all possible! The findings to be addressed are on the applications. Let me know if you have any questions at all!

Many thanks,

Lauren W. Johnson, CZO
Director, Planning and Development Department
City of Roxboro
P.O. Box 128
Roxboro, NC 27573
[336.322.6018](tel:336.322.6018)



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ARTICLE 9. DESIGN STANDARDS

Classification	Off-Street Parking Requirement
RESIDENTIAL	
Dwelling, single-family	2 spaces
Dwelling, manufactured home	2 spaces
Dwelling, multi-family – One bedroom – Two bedrooms – Three bedrooms or more	1.5 spaces per unit 1.75 spaces per unit 2 spaces per unit
Independent living, elderly	1.5 spaces/dwelling unit
Assisted living/nursing home	1 space/5 beds
ACCESSORY USES/BUILDINGS	
Accessory business or residential unit (including home occupations)	2 spaces per business or residence
Accessory buildings, non single-family residential	Same ratio as the principal use
COMMERCIAL & OFFICE/INSTITUTIONAL	
Bank	1 space per 300 square feet
Retail	4 spaces per 1,000 square feet
Restaurant	1 space per 150 square feet enclosed floor area
Office	3 spaces per 1,000 square feet
Lodging	1 space per room
Institutional/civic (auditorium, funeral homes, assembly, spectator)	1 space per 4 fixed seats or 4 spaces per 1,000 square feet, whichever is greater
School, secondary	4 spaces/classroom
School, elementary	2 spaces/classroom
INDUSTRIAL USES	
Adult entertainment establishments	1 space per 100 square feet of gross floor area or 1 space per every 3 persons of maximum seating capacity, whichever is greater; plus 1 space per employee
All other industrial uses	1 space per 500 square feet of gross floor area OR 1 space per employee based on largest number of employees on site at any one time, whichever is greater
RECREATION/ENTERTAINMENT	
The most applicable of the following standards shall apply for all recreational uses:	1 space per 4 fixed seats; 1 space for each 40 square feet of floor area available in establishment as a meeting room; 1 space for each 150 square feet of gross floor area.

ARTICLE 9. DESIGN STANDARDS**PART II. OFF-STREET PARKING AND OFF-STREET LOADING REQUIREMENTS****SECTION 9.8 OFF-STREET PARKING REQUIREMENTS.**

There shall be provided at the time of the erection of any building, or at the time any principal building is enlarged or increased in capacity by adding dwelling units, guest rooms, seats, or floor area, permanent off-street parking space in the amount specified by this section. Such parking space may be provided in a parking garage or properly graded open space that complies with the standards for parking established in this section. The B-3 district is exempt from these regulations.

9.8.1. Certification of Minimum Parking Requirements.

Each application for a certificate of zoning compliance submitted to the UDO Administrator as provided for in Section 5.5.7 of this Ordinance shall include information as to the location and dimensions of off-street parking and the means of entrance and exit to the space. This information shall be in sufficient detail to enable the UDO Administrator to determine whether or not the requirements of this section are met.

9.8.2. Joint Use of Required Parking Spaces.

9.8.2.1. One parking area may contain required spaces for several different uses, but except as otherwise provided in this section, the required space assigned to one use may not be credited to any other use.

9.8.2.2. To the extent that developments that wish to make joint use of the same parking spaces operate at different times, the same spaces may be credited to both uses. For example, if a parking lot is used in connection with an office building on Monday through Friday but is generally ninety (90) percent vacant on weekends, another development that operates only on weekends could be credited with ninety (90) percent of the spaces on that lot. Or, if a church parking lot is generally occupied only to fifty (50) percent of capacity on days other than Sunday, another development could make use of fifty (50) percent of the church lot's spaces on those other days.

9.8.2.3. If the joint use of the same parking spaces by two (2) or more principal uses involves satellite parking spaces, then the provisions of Section 9.9.3 are also applicable.

Planning Board Decision Statement:

The decision to recommend approval of the Special Use Permit for 2081 Old Durham Road, Docket #SUP2018-02, for an accessory use of “Church” at the existing structure was made as a result of the evidence provided in the application, staff report, and testimony during the hearing of June 4, 2018.

Members of the Planning Board reviewed the information and found the presented evidence to support each of the required findings outlined in Section 4.9.4.5. of the City’s Unified Development Ordinance. There was some discussion about the parking accommodations and overflow as a result of special events like funerals, weddings, etc. The applicant, who was present at the time indicated that no such events would be held at this site. With only five active members of the church, it was unlikely any of these events would be requested, but in the event that one of the members wished to have such an event, they would be directed to do so at another location. Additionally, the applicant advised that guests to the church that result in any overflow parking are directed to the back lawn of the property to park in the grassy area. The Vice-Chair asked Ms. Johnson, Planning Director, to gather additional information for the Council to consider regarding non-competing uses as indicated in the UDO prior to the Council hearing.

After these items were satisfactorily addressed, Board Member Tony Cole, made the motion for recommended approval without the proposed conditions, citing the facts outlined in the staff report as the basis for consistency with the Land Use Plan. Board Member, Margaret Kay, seconded the motion. The motion carried unanimously.

This report reflects the recommendation of the Planning Board on the 4th day of June, 2018.

Attest:


Robert Trotter, Planning Board Chairman


Lauren W. Johnson, Planning Director



File Name
Sign Placement 2081 Old Durham
Road.jpg

Date
Friday, May 18, 2018 2:43 PM

Size
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Dimensions
4032 x 3024

Shot
1/3200 sec. f/1.7 4.2mm

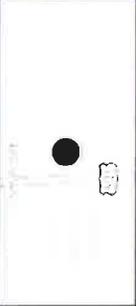
ISO
50

Device
SM-G935V

Folder Path
C:\Users\lwernn\Desktop\City Docs
Advisory Boards\Planning Board
Planning Board Hearing - June 4, 2018

Source
This PC

Location
Roxboro



[Open Map](#)



Memo

To: Mayor Newell, Roxboro City Councilmen
From: Lauren Johnson
cc: City Clerk, Trevie Adams
Date: June 18, 2018
Re: Certification of Written Notice

Please be advised letters were mailed First Class to the following property owners notifying same of the pending Special Use Permit Request, Docket #: SUP2018-02, for the parcel identified as 101 10 on today's date. This list includes all property owners with land adjacent to the parcels within 200 feet, as well as the listed owners of the property under consideration. The applicant was CC'd regarding this matter.

1. Brian Vermilya
2. Dominion Person, Inc., A Del Corp
3. Chad Horner Trustee
4. Floyd & Hazel Roberson
5. Shelia Williams
6. AlSCO Metals Corporation
7. Troy Enterprises, Inc.
8. Charles & Joy Pierce
9. Wayne Ridgeway
10. Allie Farman, Spec Need Trust
11. Christopher Jacobs
12. Life Estate of Josephine Green
13. House of Prayer Ministries, Church of God In Christ

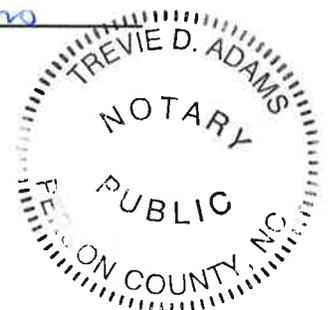

Lauren W. Johnson, CZO
Planning & Development Director

ATTEST:

Witness my hand and notarial seal, this 18th day of June 2018.


Trevie D. Adams
Notary Public

My Commission Expires: February 11, 2022





City of Roxboro

June 18, 2018

Brian Vermiliya
2099 Old Durham Road
Roxboro, NC



Dear sir or madam,

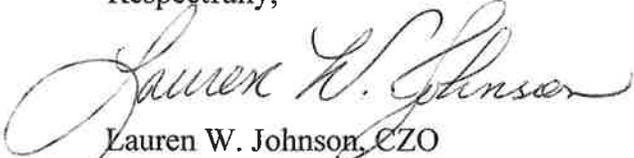
Please be advised that a site adjacent to your property (see attached) is under consideration for a *Special Use Permit for "church" as an accessory use.*

The application for 2081 Old Durham Road, identified as Tax Map 101 10 is pending review by the Roxboro City Council. The applicant has requested to utilize the existing facility at 2081 Old Durham Road during weekday evenings and on weekends for church services and bible study.

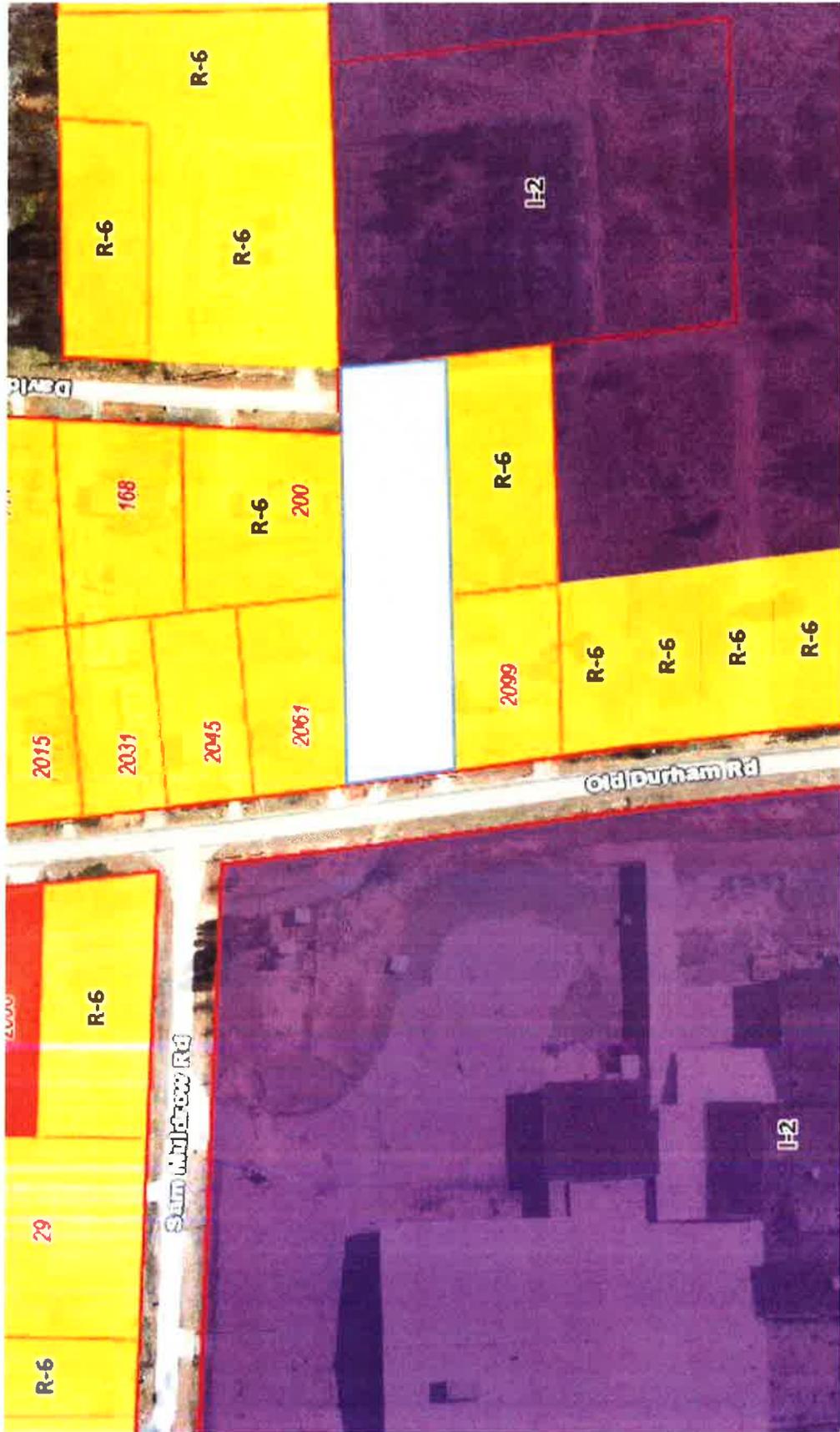
The application will be reviewed by the Roxboro City Council at 7 p.m. on July 10, 2018. This meeting is a Public Hearing and will be held at 105 S. Lamar Street, Roxboro, N.C. 27573 in the Council Chambers. Comments made by the public must be factual testimony pertaining to the hearing item.

If you have any questions regarding this matter please contact the Roxboro Planning and Development Office at 336.322.6018.

Respectfully,


Lauren W. Johnson, CZO
Planning & Development Director
City of Roxboro

Enclosure



R-6

29

R-6

2000

2015

2031

2045

2061

168

R-6

200

2099

R-6

R-6

R-6

R-6

R-6

I-2

R-6

R-6

R-6

I-2

Salem Highway Rd

Old Durham Rd



City of Roxboro

June 18, 2018



Life Estate of Josephine Green
675 Todd Road
Roxboro, NC 27574

Dear sir or madam,

This letter is to inform you of the pending Public Hearing for the request for *a Special Use Permit for "church" as an accessory use* at the property located at 2081 Old Durham Road, identified as Tax Map 101 10.

The application will be reviewed by the Roxboro City Council at 7 p.m. on July 10, 2018. This meeting is a Public Hearing and will be held at 105 S. Lamar Street, Roxboro, N.C. 27573 in the Council Chambers. Comments made by the public must be factual testimony pertaining to the hearing item.

If you have any questions regarding this matter please contact the Roxboro Planning and Development Office at 336.322.6018.

Respectfully,

Lauren W. Johnson, CZO
Planning & Development Director
City of Roxboro

CC: House of Prayer Ministries
4614 Carlton Crossing Drive
Durham, NC 27703

Motion Format Samples:

FAVORABLE: I make a motion we approve the Special Use Permit request for 2081 Old Durham Road for the use “church,” with the proposed conditions outlined in the hearing packet for Docket #SUP2018-02, as it meets the required findings outlined in Section 4.9.4.5. of the City’s UDO.

UNFAVORABLE: I make a motion we deny the Special Use Permit request for 2081 Old Durham Road for the use “church,” as it will not meet the required findings outlined in Section 4.9.4.5. of the City’s UDO.

4. Special Use Permit - 50 Providence Road Quasi-Judicial

Memo



To: Mayor Newell and Roxboro City Council
From: Lauren Wrenn/ Planning & Development Director
cc: Trevie Adams City Clerk (for City Records)
Date: July 3, 2018
Re: Recommendation from Planning Board Regarding Special Use Permit for
50 Providence Road

Madam Mayor and Council,

Please be advised that the City of Roxboro Planning Board met on May 7, 2018 to review the Special Use Permit request for allowing "Light Manufacturing" at the existing Cotton Mill located at 50 Providence Road, Tax Map 50 4.

Upon review of the enclosed application and staff report, the City Planning Board offers a unanimous recommendation to approve the request for the use, with the suggested conditions, as the Board found the request to meet all Findings of Fact enumerated in the staff report and established by Article 4, Section 4.9.4.5. in the Unified Development Ordinance, and to be consistent with the City's Land Use Plan.

Application for
Special Use Permit



Roxboro Planning & Development
 105 S Lamar Street Roxboro, N.C. 27573 336-322-6018

TO THE PLANNING BOARD AND THE CITY COUNCIL;

I/We, the undersigned, do hereby make application and petition to the City Council of the City of Roxboro for a SPECIAL USE PERMIT for the property listed below. I hereby certify that I have full legal right to request such action. (Type or Print Clearly)

Petitioner(s): DAVID NEWELL J REID & Co., INC

Address: PO Box 1098 Roxboro NC 27573

Telephone Number: 336-597-2244 Fax Number: _____

Interest in Property: OWNER
 (I.e., Owner, Part Owner, Option holder, Governmental Agency, Etc.)

Property Information:

Address: 50 Providence Rd Roxboro, NC

Watershed: Roanoke Lot Size: 8.87 acres

Township: CRoxboro Tax Map/Lot #: 50 4

Zoning District: B-1

Available Utilities: (check all that apply)

City Water City Sewer Well Septic System None

**A portion of lot is in the flood zone*

Special Use Request:

Existing Use: MFG WET MOPS, BROOKS, MOP YARN

Proposed Use: MFG WET MOPS, BROOKS, MOP YARN

The undersigned hereby certifies that the application material is complete and accurate. Furthermore, the undersign hereby authorizes the City of Roxboro's Zoning Administrator or designated representative to enter upon the above referenced property for the purpose of evaluating this request.

David Newell
 Applicant Signature

3/22/18
 Date

Staff Use Only:

Date Received:
3-23-18

Docket #:
SDP2018-01

Planning Board Meeting Date:
5-7-2018

City Council Meeting Date:
6-12-2018

Required Submittal Items:

A complete application must contain the following additional items for consideration:

- Application Fee - \$200 (cash, check, or money order accepted)
- Complete Site Plan for proposed development – Please see Section 5.7 of the City of Roxboro Unified Development Ordinance.
- If the applicant is not the owner of the property, a letter must be provided with the notarized signature of the property owner, verifying awareness of the request being made.
- List of adjacent property owners, with addresses of same. *Same as List for Zoning Report*
- Written statement addressing the following;
 - The Roxboro City Council shall issue a Special Use Permit only when the City Council makes the affirmative finding as follows;

(a) That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.

no change from Present use.

(b) That the special use will be in harmony with the existing development and uses within the area in which it is to be located.

all within fenced area.

(c) That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

No change from Existing use.

(d) That adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.

all utilities are in place

(e) That the special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.

all other met B-1 zoning

(f) That public access shall be provided in accordance with the recommendations of the city's land use plan and access plan or the present amount of public access and public parking as exists within the city now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

all access the same as last 100 yrs.

(g) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the City Council.

all uses met B-1

*A Special Use Permit, for which vested rights, as specified in Section 4.7 of the City's UDO, have not been secured shall expire automatically if, within one (1) year after the issuance of such permit have not met the requirements of Section 4.4 of the City's UDO. Special Use Permits for which vested rights have been secured, as specified in Section 4.7 of the City's UDO, shall expire at the end of the two-year vesting period.

David Newell 3/23/18

Required Submittal Items:

A complete application must contain the following additional items for consideration:

- Application Fee - \$200 (cash, check, or money order accepted)
- Copy of the applicable Person County Tax Map, or other documentation verifying the location and size of the parcel(s)
- Property Deed - Please enclose most recent deed to the property. This can be obtained from the Person County Register of Deeds Office.
- Survey Plat - Please enclose a copy of the property survey plat, if on record with the Person County Register of Deeds Office.
- If the applicant is not the owner of the property, a letter must be provided with the notarized signature of the property owner, verifying awareness of the request being made.
- List of adjacent property owners, with addresses of same.

① COMMERCIAL WAREHOUSE LEASING
P.O. Box 64076
FAYETTEVILLE, NC 28306

② STRICKLAND FUNERAL HOME
P.O. BOX 3040
1314 N. MAIN ST
ROXBORO, NC 27573

③ RONALD PULLIAM
632 NORA POOLE Rd
ROXBORO, NC 27573

④ DEAL OF ROXBORO LLC
34 Lock Ridge Dr
ROXBORO, NC 27573

⑤ DEBRA HICKS
83 LONESOME OAK Dr
ROXBORO NC 27573

⑥ JUICYE OLIVER
141 THAXTON Rd
ROXBORO NC 27573

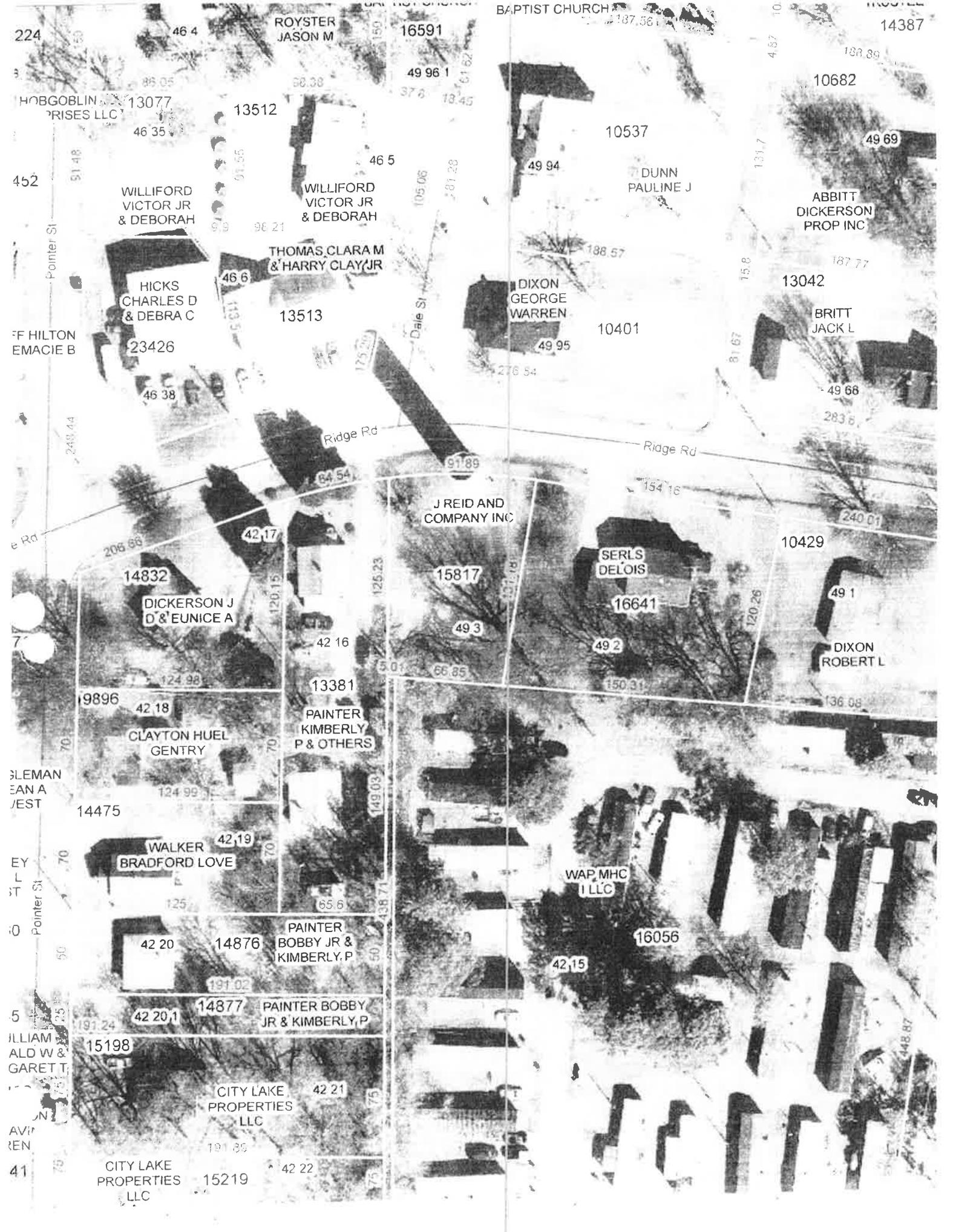
⑦ PATRICIA HATCHETT
165 THAXTON Rd
ROXBORO, NC 27573

⑧ CLAUDIA RICHARDSON
203 Ridge Rd
ROXBORO, NC 27573

⑨ AUSTIN WIENN EST
339 THAXTON Rd
ROXBORO, NC 27573

⑩ DAVID BOYETTE
1314 ANTIOCH Rd

NEW BERN, NC 28560



224

46 4

ROYSTER
JASON M

16591

BAPTIST CHURCH

14387

HOBGOBLIN
PRISES LLC

13077

13512

49 96 1

10537

10682

452

WILLIFORD
VICTOR JR
& DEBORAH

WILLIFORD
VICTOR JR
& DEBORAH

46 5

49 94

DUNN
PAULINE J

49 69

ABBITT
DICKERSON
PROP INC

HICKS
CHARLES D
& DEBRA C

THOMAS CLARAM
& HARRY CLAY JR

13513

DIXON
GEORGE
WARREN

10401

13042

BRITT
JACK L

HILTON
EMACIE B

23426

49 95

49 68

46 38

Ridge Rd

Ridge Rd

J REID AND
COMPANY INC

14832

DICKERSON J
D & EUNICE A

15817

SERLS
DELOIS

10429

49 1

DIXON
ROBERT L

e Rd

206 66

42 17

49 3

16641

120 26

9896

CLAYTON HUEL
GENTRY

13381

PAINTER
KIMBERLY
P & OTHERS

GLEMAN
EAN A
WEST

14475

WALKER
BRADFORD LOVE

42 19

WAP, MHC
I LLC

16056

EY
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42 20

PAINTER
BOBBY JR &
KIMBERLY P

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PAINTER BOBBY
JR & KIMBERLY P

ILLIAM
ALD W &
GARET T

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CITY LAKE
PROPERTIES
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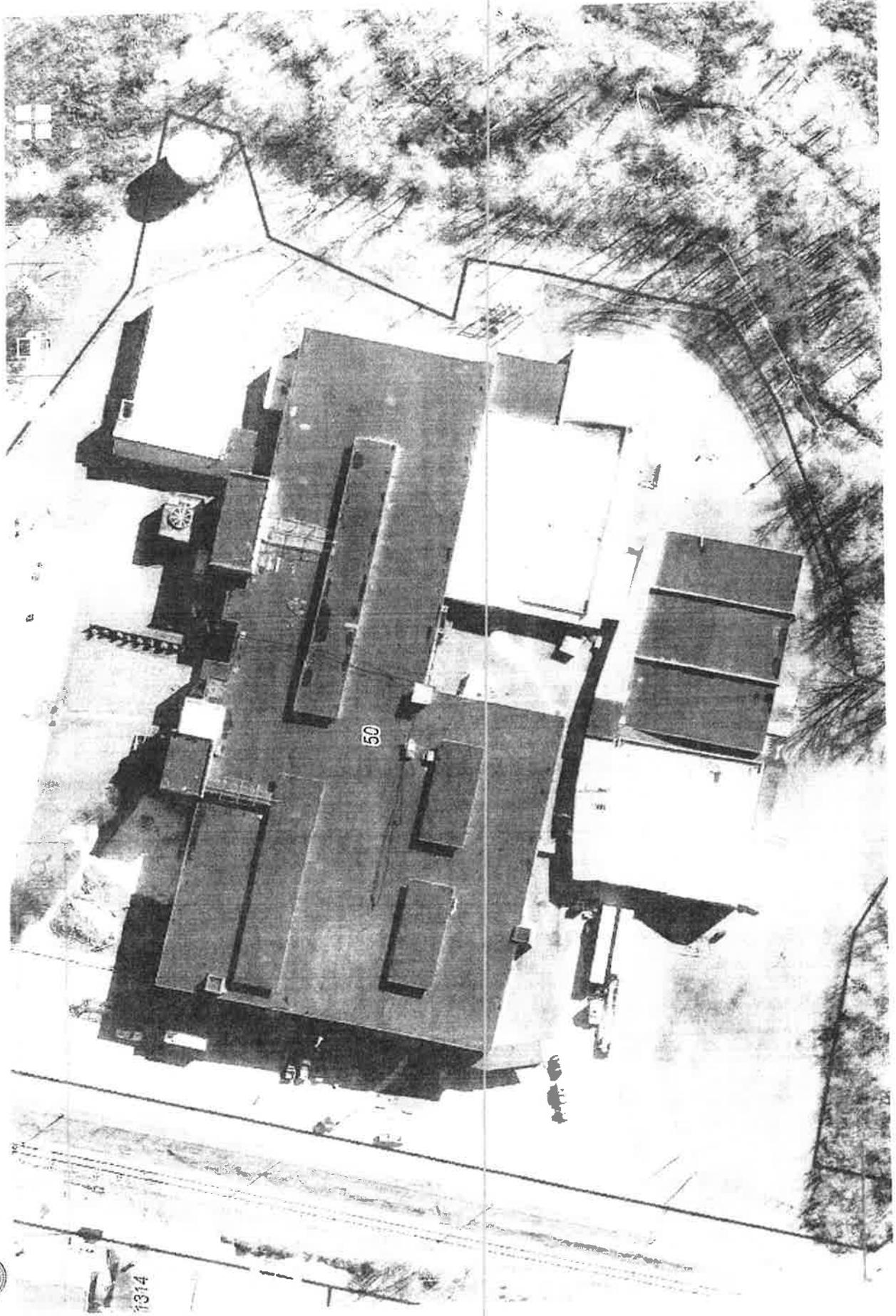
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CITY LAKE
PROPERTIES
LLC

15219

42 22

448 87





CITY OF ROXBORO STAFF REPORT

Prepared by: **Lauren Johnson, Planning & Development Director**

<p>Meeting Dates: Planning Board: May 7, 2018 City Council: June 12, 2018</p>	<p>Request: <input type="checkbox"/> Rezoning <input checked="" type="checkbox"/> Special Use Permit</p>
<p>Property Location: 50 Providence Road</p>	<p>Current Zoning: B-1 (Highway Commercial)</p>
<p>Tax Map#: 50 4</p>	<p>Proposed Use: Light Manufacturing</p>
<p>Applicant Information: David Newell/J Reid & Co., Inc. PO Box 1098 Roxboro, NC 27573 336-597-2248</p>	<p>Proposed Business: Newell & Sons, Inc. – Brooms, Wet-Mops, and Janitorial supply manufacturing</p>

Summary:

David Newell, representative of J Reid & Co., Inc. requests a Special Use Permit for the use of “Light Manufacturing,” for the property located at 50 Providence Road. The property is otherwise identified as Person County Tax Map 51, Lot 4. The property constitutes 8.87 acres.



The surrounding properties are zoned B-1 (Highway Business), R-6 (High Density Residential), and O/I (Office Institutional).

Special Use Permit Review Process:

The City of Roxboro Unified Development Ordinance allows some uses as a “special use” subject to issuance of a Special Use Permit by the City Council upon recommendation of the Planning Board. City Council consideration of Special Use Permits are quasi-judicial decisions. The purpose of these “special uses” requiring board review and approval is to ensure they will be compatible with surrounding development and in keeping with the purposes of the general zoning district in which they are located. In approving an application for a special use permit, in accordance with G.S. 160A-381, the City Council may impose reasonable and appropriate conditions and safeguards upon the approval. The petitioner will have a reasonable opportunity to consider and respond to any additional requirements prior to approval or denial by City Council.

Staff collects comments from each City department as a part of the comprehensive review of the requests. Those comments are incorporated into the staff report below, with each departments response included as an individual exhibit.

Findings:

The City Council shall issue a Special Use Permit only if it has evaluated an application, through a quasi-judicial process, and determined that the following statements are found in the affirmative. Below each statement are the facts presented in reference to this special use request.

(a) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.

The Applicant describes the day-to-day operations of the “Light Manufacturing” use as a broom and wet-mop manufacturing facility. Applicant indicates no chemicals are used in the manufacture or assembly of the mops and brooms at this location, and sewing machines are the only equipment/machinery used as a part of the process, see Exhibit 1. Applicant did indicate there is storage of materials and goods on-site. Staff pulled information from the “Newell & Sons, Inc.” catalog for more information on the type of materials used for their products, see Exhibit 4. This catalog indicates wet-mop materials are made of cotton, rayon, and synthetic material blends, as well as recyclable materials. The brooms are made of “top grade broom corn, or blends of corn and stool fiber.” Other products listed in the catalog include push brooms and brushes. These products are made of horsehair, nylon, Palmyra, Palmyra stalk, polypropylene, and polystyrene. Staff consulted with the City of Roxboro Fire Department to determine if all Fire Codes are met at this facility. Battalion Chief, Chris Robinson, provided the information found in Exhibit 2, which indicates the current sprinkler system inside the building at 50 Providence Road is inoperable and will need to be made operational in order to meet the requirements of Chapter 9, Section 901.6 of the Fire Prevention Code. Battalion Chief Robinson also noted a number of other violations to the Fire Prevention Code that will need to be corrected, see Exhibit 2.

(b) The special use will be in harmony with the existing development and uses within the area in which it is to be located.

The properties surrounding 50 Providence Road are a mixture of Office/Institutional, Highway Business, and High Density Residential, see Exhibit 5 for definitions of each district. While there are no residential properties directly abutting the site of this Light Manufacturing use, it is located within 100 feet of properties that are zoned for residential use. The properties that are adjacent to this site are all commercial in zone, and include a heat and air repair office, church, and hair salon. The applicant stated there are approximately two to three trucks that provide delivery of materials and shipment of product daily. As defined in the City of Roxboro Unified Development Ordinance, Appendix A – Definitions, the “Light

Manufacturing” use must not create a noticeable amount of noise, dust, odor, smoke, glare, or vibration outside of the building in which the activity takes place, must not require outside storage of goods or materials, and will not generate high amounts of truck traffic, see Exhibit 6. It is worth noting at this juncture of the proposal review that the applicant has operated out of this building for some time. On his application, Mr. Newell states that the entirety of the business operation takes place within a fenced area. Current staff has not received any complaints from the surrounding property owners regarding the operations at this facility, short of a noise complaint for a car show that took place a few years back. This property is the former site of the Roxboro Cotton Mill, and the surrounding residential units are a result of the development practices of the time. Housing a manufacturing site within the confines of this property mimics the original use of the site. While there is no buffer requirement for this use at this site, all dumpsters or other trash holding areas shall be screened on three sides by means of a 6-foot high Opaque Wooden or Masonry Fence, Opaque Wall, or 6-foot high Solid Vegetative Buffer, per Section 9.4.5. of the City’s Unified Development Ordinance.

(c) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The applicant stated there would be “no changes from existing use” on his application. Staff consulted with Wayne Ross of Ross Appraisals regarding the proposed use, which he stated he felt confident would have no impact on surrounding property values. Again, residential properties are in the vicinity of this property, but existing homes are primarily located 250-300 feet from the property line of this site. Again, the applicant states there are no chemicals or machinery that would be noticeable from the exterior of the building.

(d) Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.

The applicant proposes no changes to the parking lot, access roads, utilities, or entrances to the property. Staff requested information from Public Services Director, Andy Oakley, regarding any concerns with the “Light Manufacturing” use. Mr. Oakley advised that bringing the sprinkler system on-line could result in some changes to the existing utilities, but that would need to be evaluated when plans were submitted for installation/repair of the sprinkler system. The traffic associated with this proposed use is not indicative of a major increase on the primary access roads. At present, trucks may enter the facility from N Main Street, Thaxton Road, or Providence Road. Again, current staff has received no complaints regarding the traffic to and from this site as it is currently used. The property is also home to a used car lot, and various offices. When asked for the number of employees associated with this use, the applicant indicated there would be eleven employees. According to the City of Roxboro Unified Development Ordinance, industrial uses require 1 space for every 500 square feet of gross floor area dedicated to the use, or 1 space per employee at peak operation. Office space requires 3 spaces per 1,000 square feet, and retail requires 4 spaces per 1,000 square feet. While the applicant did not provide a site plan, he did state there is “adequate parking and then some” when asked about the number of employees and established parking, as indicated in Exhibit 1. The City of Roxboro Unified Development Ordinance states that in the case of mixed uses within one structure, parking requirements shall be the sum of the minimum requirement for all combined uses. Staff would like to note that handicap spaces need to be in accordance with the regulations set forth by the Americans with Disabilities Act, the NC Department of Transportation, the NC Division of Motor Vehicles ADA requirements, the NC State Building Code, and ICC A 117.1. Furthermore, at least one loading space must be provided for each non-residential use, meeting requirements as outline in Section 9.15 of Article 9 of the Unified Development Ordinance.

(e) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

This property has two primary points of ingress and egress. The Providence Road entrance is a two-way drive allowing for dual ingress and egress. The Thaxton Road entrance is a single driveway. Both

entrances connect to major thoroughfares; N Main Street to the west and 501 N to east. The two drives are connected by a long parking/driving area at the front of the building, where cars/trucks may stack if necessary. There are also two side lots for delivery vehicles to maneuver.

(f) The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.

Parking, loading, and buffers/landscaping have all been addressed in previous items of this report. At this time, there are no sign permits on file for the property. Any signage to be installed on the building, or freestanding, shall require a sign permit to verify compliance with maximum square footage requirements. This requirement shall apply to all signage at the site, except that which is located on the interior of the building. Any accessory buildings the applicant intends to place on the site will also require a zoning permit to verify the buildings meet all setback requirements and do not exceed the maximum lot coverage for principal and accessory buildings as outlined in the City of Roxboro's Unified Development Ordinance Section 6.6.

(g) Public access shall be provided in accordance with the recommendations of the city's land use plan and access plan or the present amount of public access and public parking as exists within the city now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

Applicant states that all access will remain the same as it has for the last 100 years. The City's comprehensive Land Use Plan calls for the "orderly development along existing and proposed major transportation routes to minimize disruption to free flow of traffic," page 71, Exhibit 7.

(h) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the City Council.

The City's Future Land Use Plan identifies this area for commercial development. The term "commercial" is defined in the City's Land Use Plan, on page 79 (Exhibit 8); "The commercial land use classification includes existing retail, wholesale, and business and professional services. Where such development has an established pattern, other lands that represent a logical extension of commercial use are also included. New commercial development should occur with limited and/or shared access to major thoroughfares.

Conditions:

Prior to granting any Special Use Permit, the Planning Board may recommend and Council may require, conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the "special use," as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified above. The reasons/justifications for special conditions must be stated and tied to one or more of the findings above.

Staff recommends the following conditions;

1. As it pertains to finding (a) **"that the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare,"** staff recommends the application of a condition requiring the applicant to install/repair the existing sprinkler system and bring all other violations of the Fire Prevention Code into compliance, as outlined in the report from Battalion Chief Robinson, Exhibit 2. Applicant should provide a letter/certificate of compliance to the Zoning Administrator once this has been accomplished for proper documentation.

2. As it pertains to finding (a) **“that the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare,”** staff recommends the application of a condition requiring the applicant to meet all requirements of the NC Building Code as it pertains to this use of the property. Applicant should provide a letter/certificate of compliance to the Zoning Administrator once this has been accomplished for proper documentation.
3. As it pertains to finding (d) **“adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided,”** staff recommends the application of a condition requiring the applicant to confer with Public Services Director Andy Oakley, to ensure all utility requirements are met as a part of the Fire Prevention Code and Building Code compliance up fits.
4. As it pertains to finding (d) **“adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided,”** staff recommends the application of a condition requiring the applicant to provide a sketch site plan of the facility indicating the total square footage for the proposed use, as well as the designated parking areas to accommodate the requirements set forth in the City of Roxboro’s Unified Development Ordinance.
5. As it pertains to finding (f) **“the special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located,”** staff recommends the application of a condition requiring the applicant to file for sign permits for all signage to be installed at this location, as well as zoning permits for any proposed accessory structures at this site.

Lauren Johnson

Exhibit # 1

From: Newell and Sons <newell@esinc.net>
Sent: Tuesday, March 27, 2018 4:05 PM
To: Lauren Johnson
Subject: RE: Special Use Permit Information

Lauren,

I have answered the questions below.

David Newell

President
Newell & Sons Inc.

From: Lauren Johnson <lwjohnson@cityofroxboro.com>
Sent: Tuesday, March 27, 2018 12:40 PM
To: newell@esinc.net
Subject: Special Use Permit Information

Mr. Newell,

I got the paperwork you dropped off last week. Do have a few questions for you to help me in preparing my report for the Planning Board's review...

- With the manufacturing of your mops and brooms, are any chemicals used? **NO**
- Is there any machinery or equipment that is a part of the process? **YES, SEWING MACHINES**
- How many employees do you have and how many parking spaces are there on the lot? (Only asking to verify there is adequate parking to accommodate the car lot and employee/customer parking) **11 EMPLOYEES, ADEQUATE PARKING & THEN SOME**
- Do you have delivery trucks that come and go to bring supplies and deliver finished products? How many and how often (approximation is fine)? **YES, DAILY, @ 2-3 TRUCKS**
- Does the manufacturing process require water usage beyond normal bathroom/hand-washing? **NO**
- Does your manufacturing include storage of materials? If so, what types of materials? **YES, MOP YARN & FINISHED GOODS**

If you can provide me with this information, I would be most appreciative!

Best,

Lauren W. Johnson
Planning and Development Director
City of Roxboro
P.O. Box 128
Roxboro, NC 27573
[336.322.6018](tel:336.322.6018)

From: Chris Robinson
Sent: Wednesday, April 25, 2018 12:28 PM
To: Lauren Johnson
Subject: 50 Providence Rd.

Lauren,

Here are the issues that I have found and that need to be corrected:

1. Fire Prevention Code states in chapter 9 section 901.6 Fire detection, alarms and extinguishing systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. This building has a sprinkler system in it and it has to be OPERATIONAL, with a fire alarm system that dials out.
2. Fire Prevention Code chapter 9 section 906.2 Portable fire extinguishers shall be selected, installed and maintained in accordance with this section and NFPA 10. During the last inspection they were all out of date.
3. Fire Prevention Code chapter 10 section 1002 Blocked Exits in Fire Prevention unblock all blocked or boarded up exits.
4. Fire Prevention Code chapter 10 section 1006.3 states the power supply for means of egress illumination shall normally be provided by the premises' electrical supply.
5. Fire Code Section chapter 6 section 605.6 Unapproved conditions. Open junction boxes and open-wire splices shall be prohibited. Panel boxes has to have covers in all open spots.
6. Fire Prevention Code Section 110.1 states if during the inspection of a premises, a building or structure or any building system, in whole or in part, constitutes a clear and inimical threat to human life, safety or health, the fire code official shall issue such notice or orders to remove or remedy the conditions as shall be deemed necessary in accordance with this section and shall refer the building to the building department for any repairs, alterations, remodeling or demolition required. I found several holes in the floors in the back area and the warehouse on the right side if looking from Main St. Also in the back there is a main support beam that is broke. See picture. The warehouse on the right also has major leaks in the roof and is unsafe to enter.

What plans have been made to fix these issues since you have know about them for several years?

Chris Robinson
Roxboro Fire Department
Battalion Chief
336-599-9222
crobinson@cityofroxboro.com



EXIT



Lauren Johnson

From: David Hess
Sent: Monday, April 23, 2018 10:38 AM
To: Lauren Johnson
Subject: Re: Special Use Permit Application for 50 Providence Road

No mam.

Respectfully,

David L. Hess
Chief of Police
FBINA 264

Roxboro Police Department
[109 South Lamar Street](#)
[Roxboro, NC 27573](#)

Office: [336 599 8345](tel:3365998345)
Email: dhess@cityofroxboro.com
Twitter: @ChiefDavidHess
@CityofRoxboro

Follow us on Facebook

On Apr 23, 2018, at 10:36, Lauren Johnson <lwjohnson@cityofroxboro.com> wrote:

Did you have any comments on the Special Use proposal for 50 Providence Road, below? That is the building Mr. Newell is planning to utilize for light manufacturing use. Do you have any issues with this use, as they pertain to the required findings listed below, that I need to include in my report to the board? The information copied here includes the only information I have from Mr. Newell regarding his operations.

I got the paperwork you dropped off last week. Do have a few questions for you to help me in preparing my report for the Planning Board's review...

- With the manufacturing of your mops and brooms, are any chemicals used? NO
- Is there any machinery or equipment that is a part of the process? YES, SEWING MACHINES
- How many employees do you have and how many parking spaces are there on the lot? (Only asking to verify there is adequate parking to accommodate the car lot and employee/customer parking) 11 EMPLOYEES, ADEQUATE PARKING & THEN SOME
- Do you have delivery trucks that come and go to bring supplies and deliver finished products? How many and how often (approximation is fine)? YES, DAILY, @ 2-3 TRUCKS
- Does the manufacturing process require water usage beyond normal bathroom/hand-washing? NO
- Does your manufacturing include storage of materials? If so, what types of materials? YES, MOP YARN & FINISHED GOODS

Lauren W. Johnson
Planning and Development Director
City of Roxboro
P.O. Box 128
Roxboro, NC 27573
[336.322.6018](tel:336.322.6018)

<image002.png>

All e-mail correspondence to and from this address is subject to the North Carolina Public Records Law, which may result in monitoring and disclosure to third parties, including law enforcement.

From: Lauren Johnson
Sent: Friday, April 06, 2018 2:48 PM
To: Wayne Wrenn; Chris Robinson; Andrew Oakley; David Hess
Subject: Special Use Permit Application for 50 Providence Road

Hey folks,

I am reviewing Mr. Newell's Special Use Permit request for Manufacturing of wet mops, brooms, and mop yarn at 50 Providence Road. Can you please send any information you feel may be useful for the Planning Board's review of the application?

Below are the findings that must be confirmed for the Board to issue the permit. If you have information that addresses any of these, please let me know. I will prepare my report to the board to go with Mr. Newell's application at the May 7th meeting.

- (a) That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.**
- (b) That the special use will be in harmony with the existing development and uses within the area in which it is to be located.**
- (c) That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**
- (d) That adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.**
- (e) That the special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.**
- (f) That public access shall be provided in accordance with the recommendations of the city's land use plan and access plan or the present amount of public access and public parking as exists within the city now. If any recommendations are found to**

conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

(g) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the City Council.

Thanks,

Lauren W. Johnson
Planning and Development Director
City of Roxboro
P.O. Box 128
Roxboro, NC 27573
336.322.6018

<image001.png>

All e-mail correspondence to and from this address is subject to the North Carolina Public Records Law, which may result in monitoring and disclosure to third parties, including law enforcement.

Newell & Sons Inc.



**Quality Janitorial Cleaning
Products and Supplies**

About Our Company

What makes Newell and Sons your best choice for janitorial supplies? The answer is simple.... *we have experience!* For over 30 years, Newell and Sons has teamed up with its sister company, Roxboro Broom Works, to become one of the leading manufacturers of mops and brooms in the country. The first Newell broom came off the production line in 1920, and was later followed by the first Newell mop in 1975. Since then, our companies have believed that dedication is the key to producing quality products.

Both our mop and broom factories are located in Roxboro, North Carolina, and have been run by the Newell family for three generations. Our company prides itself in being one of the oldest family businesses in our state that is still up and running today. We guarantee that our years of experience and vast product knowledge will be evident in the items that you purchase.



We've gone green! We feel it is our duty to help our planet and reuse and recycle. About 90% of our mops use 60-80% of reclaimed materials and our goal is for 100% of our mops to use 100% reclaimed materials! We promise to provide you with the highest performing products available at the lowest cost possible.

For it is our motto that,

***"Quality never costs as much
as the money it saves!"***

The Right Wet Mop

Selecting the Right Wet Mop

At Newell & Sons, we realize that every cleaning job is different. To insure that our products meet your specific needs, we offer a variety of yarns and mops styles to help users to complete their tasks more efficiently. The following product information will assist you in choosing the right mop for your cleaning needs.

Yarn

Yarns are like cleaning jobs, different. Certain yarns handle specific tasks better than others. For maximum efficiency and value, it's important to select the right yarn. Please refer to the chart below for further explanation.

Yarn Ply

Yarn ply indicates the number of strands twisted together to make a single strand of yarn. While higher ply numbers provide added strength and durability to the yarn, they decrease its absorbency rate. It is more cost effective to choose a higher quality yarn with a low ply number, than a low quality yarn with a high ply number.

YARN	ADVANTAGES	DISADVANTAGES	USES
Cotton	Superior absorption & retention. Low initial cost. Limited Shrinkage.	Requires break-in. Lints & dries slowly, which promotes mildew and deterioration.	Picking up liquids. Scrubbing.
Rayon	Quick absorption & Quick release. Dries fast, mildew resistant. Cleaner yarn, less lint.	Less liquid retention. Shrinks when laundered.	Applying liquids, such as finishes & disinfectants.
Synthetic	No lint. Long staple fiber insuring superior tensile strength.	Higher cost. Poor absorption.	Rough surfaces. Cleanrooms.
Blends	Ideal combination of price, performance, & durability.	Subject to shrinkage, unless pre-shrunk.	Perfect for professionals who require longer lasting mops.

Twist

A yarn's twist refers to how tightly the fiber strands are wound together. Tightly twisted yarn is stronger and lasts longer; however, it decreases the mop's absorbency rate. Like yarn ply, the best value is not determined by the yarn's twist, but by the quality of the yarn and the mop's construction.

Size

When choosing a mop size, the cleaning task, mop wringer, and user size should be taken into consideration. Cut-end mops are sized by their approximate weight in ounces, while looped-end mops are sized according to industry standards since they absorb and retain more liquid than a cut-end mop of comparable weight.

Cut-End

The cut-end is the standard, most popular and economical (initially) mop style. Cut-end mops tend to fray and unravel, leaving lint and loose strands behind. Without tailbands, cut-end mops cover less area per pass; and because they cannot be laundered, they are often disposed of before their useful life is over.

Looped-End

The looped-end is a premium style mop designed for superior performance. This type of mop passes over floor surfaces in a wide and even path; and because the ends are looped, they do not fray or unravel. Looped-end mops can be laundered for a longer life and cleaner appearance. Although, the initial investment may be larger, it is soon compensated with increased performance and lower replacement. (Tip: 1 Looped-End Mop = 8 Cut-End Mops)

Treatment

Micro-Ban™ Antimicrobial Treatment can be applied to wet-mop yarns to prohibit the growth of bacteria and other germs that cause odors, disease, and mop deterioration. It will also reduce cross contamination, and the treatment will never wash out.

Headbands & Tailbands

Headbands are made of a synthetic mesh material, and provide nonabrasive scrubbing to help dislodge dirt. 1-1/4" headbands, also referred to as **Narrowbands**, are designed for use with stirrup-type handles, and they are useful for laying finish or applying disinfectants. 5" headbands, or **Widebands**, are compatible with clamp and stirrup-type handles.

Tailbands are placed towards the ends of the mop strands to create the appearance of a fantail. We offer **single tailbands** and **double tailbands**.

Microwrap Mops

Newell & Sons Inc. feels it is our duty to help our planet by reusing and recycling. About 90% of our mops use 60-80% of reclaimed materials. What does that mean? It means we are reducing thousands of pounds of waste materials going into our landfills. We buy the waste from other companies that would, more often than not, go into a landfill as a loss. Then we remanufacture the waste to make what we call, **The Microwrap Mop***, which is made of 100% reclaimed materials. So **The Microwrap Mop*** does 3 positive things:

1. Takes thousands of pounds of waste materials out of our landfills - **Helps our Planet**
2. Puts money back into the companies that were throwing it away as a loss - **Helps our economy**
3. Becomes a new and better product to offer our customers for less money - **Helps You !!!**

Our **Microwrap Mops*** have not only proven to be just as effective as mops made from 100% new materials but are much more durable!! Consumers such as McDonalds and the State of North Carolina are now using **The Microwrap Mop***! We offer **The Microwrap Mop*** in cotton or rayon. **The Microwrap Mop*** is constructed only in loop form, but for considerably less money than conventional yarn. **The Microwrap Mop*** is just that, microfiber mops manufactured from reclaimed yarn. This yarn absorbs 8 to 10 times its weight in water as compared to 4 times its weight with regular cotton and rayon yarn. Loop mops also outlast cut-end mops by 8-1. So you not only pay less, you're also buying fewer mops!

For it is our motto that,

"Quality never costs as much as the money it saves!"

* Patent Pending

100% "Green" Microwrap Mops*

Cotton Microwrap

The Cotton Microwrap is a loop mop made from 100% reclaimed multicolor microfiber cotton material. It can be made in narrow or wide bands, also from reclaimed materials, for the same price. This is the most economical cotton mop available on the market. Individually poly-bagged. Fantail available upon request.

Item Weight	Narrow Band	Wide Band
12 oz.	SMWCN	SMWCW
16 oz.	MMWCN	MMWCW
20 oz.	LMWCN	LMWCW
24 oz.	XLMWCN	XLMWCW



Rayon Microwrap

The rayon Microwrap mop is the same as the cotton Microwrap mop but made from a blend of reclaimed microfiber rayon materials. It is also available in both narrow or wide bands made from reclaimed materials for the same price. This is the most economical rayon mop available on the market. Individually poly-bagged.

Item Weight	Narrow Band	Wide Band
12 oz.	SMWRN	SMWRW
16 oz.	MMWRN	MMWRW
20 oz.	LMWRN	LMWRW
24 oz.	XLMWRN	XLMWRW



Brooms

All brooms are made of top grade broom corn or blends of corn and sotol fiber. Each quality constructed broom is wire wound with a clear handle. Nail cuff brooms are available in plastic or corn construction. All brooms are hand crafted for longer wear, and they have coordinating color stitching. 12/bundle.

Item #	Handle Diameter	# Sew	Style	Weight/ Dozen
S-WHISK	7/8"	2	Whisk	10 lbs.
S-TOY	7/8"	2	Toy	15 lbs.
S-MILL	7/8"	5	Mill	24 lbs.
BPB	15/16"	5	Black Plastic	22 lbs.
LAB	15/16"	Mounted	Large Plastic Angle	18 lbs.
S-RB	7/8"	Tied	Round	20 lbs.
S-24	15/16"	5	Eagle	24 lbs.
S-28	1"	5	Janitor	28 lbs.
S-32	1-1/8"	5	Warehouse	32 lbs.
S-32/AC	1-1/8"	4	Industrial Warehouse w/ Metal Band	36 lbs.



Push Broom Fibers

Push Broom Information

Fibers

HORSEHAIR

Produced in the United States, South America, Canada, Australia, and China from the tails and manes. The tails produce the stiffer grades in both black and grey. The mane hair is soft and produced in both black and grey, also. Horsehair is used in a variety of brushes such as, floor sweeps, shoe shine brushes, tin handle acid brushes, counter dusters, window brushes, etc.

NYLON

A synthetic man-made filament that offers excellent resiliency and durability. This fiber has high water absorbency and is impervious to solvents, alkalis and certain acids and is immune to most common chemicals. Nylon can withstand use near high temperatures and has high resistance to abrasion.

PALMYRA

Palmyra is a natural cinnamon-color fiber obtained from the leaf stalk of a palm tree native to India. Palmyra is obtainable in the prime stiff and medium stiff grades. This fiber is used in garage floor brushes, gong or fender washing brushes, deck brushes, scrub brushes, etc.

PALMYRA STALK

This is a very coarse fill having the appearance of split bamboo. The stiff long-lasting material is used almost exclusively in street and contractor brooms.

POLYPROPYLENE

Available in a variety of diameters and colors. Polypropylene is highly resistant to petroleum solvents, acids, caustics and detergents. Polypropylene is used in brushes such as acid brushes, garage floor brushes, and black-top coater brushes. POLYPROPYLENE IS NOT AFFECTED BY ACIDS.

POLYSTYRENE

Also available in a variety of diameters and colors. Polystyrene is highly resistant to acids and detergents, but has a lower resistance to petroleum solvents. Polystyrene has excellent flexibility and wear ability, which makes it the popular choice for a filament in floor sweeping brushes, car washing brushes, scrub brushes and many others.



Newell & Sons Inc.

P.O. Box 1098
211 Clayton Avenue
Roxboro, N.C. 27573

PHONE: 1.800.467.8996
LOCAL: 1.336.597.2248
FAX: 1.336.599.3354
EMAIL: newell@esinc.net
WEBSITE: www.newellandsons.com

ARTICLE 6. ZONING DISTRICTS

- **Uses Not Permitted:** Uses not marked with a P, PS, S, or SS are not permitted.

If a use is not specifically listed in any of the districts listed in this Ordinance, then the UDO Administrator shall have the authority to interpret in which district the use, if any, should be permitted. If the UDO Administrator rejects a proposal for a use that is not clearly disallowed in a particular district, then the UDO Administrator shall:

- Ensure that the citizen is provided with a copy of the interpretation in writing.
- Inform the citizen of the right to appeal the decision to the Board of Adjustment.
- Assist with the development of a proposed zoning text change for consideration by the Planning Board and City Council allowing policy-makers to determine whether the proposed use should be an allowable use in the district or not. Financial responsibility for a proposed zoning text change shall be on the applicant.

SECTION 6.3 PRIMARY ZONING DISTRICTS.

For the purposes of this Ordinance, the City of Roxboro, North Carolina is hereby divided into the following primary zoning districts:

6.3.1. R-12 Residential Agricultural District. The R-12 district is established as a district in which the principal use of land is for low-density residential and some limited agricultural uses. Lots in this district have or can be provided access to public water and/or sewer systems. Minimum lot size is 12,000 square feet.

6.3.2. R-8 Residential District. The R-8 district is established to allow a medium density of residential land use in areas which are served by both public water and sewer systems. Minimum lot size is 8,000 square feet.

6.3.3. R-6 Residential District. The R-6 district is established to allow a high density of residential land use along with other uses compatible with the residential uses and primarily in older sections of the city and where water and sewer systems are available. Minimum lot size is 6,000 square feet.

ARTICLE 6. ZONING DISTRICTS

6.3.4. PUD Planned Unit Development Special Zoning District. The PUD district allows a large site to be developed with a mixture of land uses according to an approved overall site plan. For example, a large tract may be developed with a mix of single-family and multi-family housing, with part of the site also devoted to commercial and office uses. The PUD district allows for greater flexibility in dimensional standards (such as lot sizes and setbacks) upon approval of an overall master plan for the entire development. The district does not require a rigid separation of different land uses. Uses are limited to the uses identified in the Table of Uses and Activities. All of the site specific standards and conditions, including a site plan are incorporated into the zoning district regulations for the PUD. Approval of the site plan establishes all zoning requirements for the subject property. A PUD district shall not be less than five (5) acres in area. Refer to Section 7.26.

6.3.5. B-1 Highway Business District. The B-1 district is established as a district in which to accommodate highway-oriented retail and commercial service businesses which generally have as their market area the entire city and surrounding area. The major objectives of this district are to (i) encourage planned commercial and office parks; (ii) encourage vehicular access from service drives and other local commercial streets rather than directly from arterial streets; and (iii) provide a location for major shopping facilities and land uses requiring large outdoor spaces for accessory support such as parking.

6.3.6. B-2 Neighborhood Business District. The B-2 district is established to primarily provide retail services to adjacent residential areas. The neighborhood district(s) should have no or limited access to federal highways.

6.3.7. B-3 Uptown Business District. The B-3 district is established to maintain the central city high-density business area for residents to obtain goods and services.

6.3.8. O/I Office/Institutional District. The O/I district is established as a district in which the principal use of land is for residences, services, offices, and institutional types such as hospitals, medical offices, and clinics. For residential uses, R-6 minimum lot size requirements shall apply. In promoting the general purposes of this Ordinance, the specific intent of this district is to:

6.3.8.1. To encourage the construction of, and continued use of, land for offices and institutional uses;

ARTICLE 6. ZONING DISTRICTS

6.3.8.2. To prohibit commercial and industrial uses of land which would generate large volumes of traffic or would interfere with the use of land for residential and office and institutional uses;

6.3.8.3. To encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this section;

6.3.8.4. To encourage the development of areas which will serve as a buffer between business districts and residential districts provided for in this Ordinance.

6.3.9. I-1 Light Industrial District. The I-1 district is for industries and warehouses which are not considered detrimental to surrounding land uses or those industries that are not considered to cause unnecessary loads or strain on existing public utility facilities. Further, these industries are to comply with applicable state and federal agencies' standards for emissions, effluents, noise, or odor.

6.3.10. I-2 Heavy Industrial District. The I-2 district is established for the purpose of limiting the location of industries which by nature of their activities are not compatible with residential, institutional, and commercial uses. In addition to the permitted uses in the I-2 Heavy Industrial District, any building or land may be used for any other industrial purpose, except that no building or occupancy permit shall be issued for any of those uses not meeting state and/or federal agencies' standards for objectionable emissions, effluents, noise, or odor.

6.3.11. Overlay Districts. The following are considered overlay districts: Falls Lake Watershed, NPDES Phase II Watershed Districts, and Water Supply Watershed WSIII (see Section 9.87).

APPENDIX A. DEFINITIONS

J

Junkyard

An establishment or place of business which is maintained, operated or used for storing, keeping, buying or selling junk or for maintenance or operation of a used car junkyard and shall include sanitary landfills. The open storage of one (1) or more wrecked or inoperable vehicles or parts of one (1) or more vehicles for ten (10) days or more shall be deemed a junkyard. An unlicensed vehicle stored for ten (10) days or more shall be deemed an inoperable vehicle.

K

Kennel

A commercial operation that: (i) provides food and shelter and care of animals for purposes not primarily related to medical care (a kennel may or may not be run by or associated with a veterinarian), (ii) engages in the breeding of animals for sale, or (iii) engages in the training or breeding of animals.

L

Landowner

Any owner of a legal or equitable interest in real property, including the heirs, devisees, successors, assigns, and personal representative of such owner. The landowner may allow a person holding a valid option to purchase to act as their agent or representative for purposes of submitting a proposed site specific development plan or a phased development plan under this Ordinance.

Light Manufacturing

Any operation which assembles, improves, treats, compounds, or packages goods or materials in a manner which does not create a noticeable amount of noise, dust, odor, smoke, glare, or vibration outside of the building in which the activity takes place, which does not require outside storage of goods or materials, and does not generate high amounts of truck traffic.

Loading and Unloading Area

That portion of the vehicle accommodation area used to satisfy the requirements of Article 9, Part II.

Exhibit
#7

up fees for new development within areas already served by city services.

- h) Identify appropriate locations/criteria for siting manufacturing housing parks/developments.

C. Economic Development

1. Economic Development Goal:

Provide a strong local planning environment that supports and enhances the economic growth potential of the City of Roxboro.

2. Implementation Strategies:

- a) Promote continued economic investment through retention and expansion of existing industrial concerns and the recruitment of new industries and commercial businesses.
- b) Encourage well-planned commercial establishments to provide necessary goods and services to area employers and residents.
- c) Encourage industrial and commercial growth in appropriate locations within Roxboro's corporate limits and in selected areas within Person County.
- d) Discourage the intermingling of residential land uses in commercial or industrial areas that often results in conflicting land use problems.
- e) Explore feasibility of establishing service road parallel to inactive railroad corridors to promote economic development along major/minor thoroughfares.
- f) Develop regulations/guidelines that would ensure new development or redevelopment is compatible with established character and community vision.

D. Transportation

1. Transportation Goal 1:

Provide for orderly development along existing and proposed major transportation routes to minimize disruption to free flow of traffic.

2. Transportation Goal 1 Implementation Strategies:

- a) Protect major transportation corridors (Highways 501, 49, 157, 57) as community gateways by establishing appropriate regulations to control access to these corridors.

uptown area. Every effort should be made to strengthen and enhance the uptown business core as the heart of the City.

4. Commercial:

The commercial land use classification includes existing retail, wholesale, and business and professional services. Where such development has an established pattern, other lands that represent a logical extension of commercial use are also included. New commercial development should occur with limited and/or shared access to major thoroughfares.

5. Industrial:

The purpose of the industrial classification is to provide for a wide variety of general manufacturing, assembly, and warehousing land uses. Planned industrial parks as well as freestanding manufacturing establishments are included within the industrial classification. Some intensive business service uses, such as automotive and miscellaneous repair services, could also be appropriate uses within this classification. Included in this classification are land areas that are currently used for industrial purposes as well as areas where future industrial land use is anticipated.

5-6 employees
1st shift
8:00-5:00 July 79

have dumpster
pala
3 running since bldg

city
537-0128

Lauren Johnson

Exhibit #9

From: Dale Tillman
Sent: Tuesday, May 01, 2018 8:19 AM
To: Lauren Johnson
Subject: the cotton mill

Lauren,

The noncompliance on my end would be the abandoned electrical wiring if the building would need to be removed, any structural damage on any part of the building being used would need to be repaired, the basement does not have proper headroom or proper egress to be used. If he intends to use any parts of the building that has sprinkler system installed it has to be maintained (this is actually part of the fire code but hand in hand with the Building code). If he uses an area under 12,000 square feet and it is separated from the rest of the building with the proper fire protection (IE fire walls or fire barriers) it will not require sprinklers for the broom manufacturing area. He will need the proper number of restroom facilities for the area he will be using.

Dale L Tillman

Director of Inspections
Person County Inspections
dtillman@personcounty.net
Phone 336 597 0570
Fax 336 598 6838

CITY OF ROXBORO, NORTH CAROLINA
Planning Board

May 7, 2018
6:00 p.m.

MEMBERS PRESENT: Tony Cole, Robert Trotter, Margaret Kay, Kenneth Montgomery, and Danny Cultra

STAFF: Lauren Johnson, Planning Director

MINUTES

Vice-Chair and Acting Chairman Trotter called the meeting to order at 6:00pm.

APPROVAL OF MINUTES

Mr. Danny Cultra made a motion to approve the minutes from the March 5, 2018 meeting. Mr. Kenneth Montgomery seconded. Motion carried.

REPORTS OF COMMITTEES

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

- A. Rezoning Request – Two Parcels on 501 S near Bessie Daniel Road, Tax Map A51 17 and A62 112– Ms. Johnson began by identifying the parcels in question and notifying the Board that while currently outside of the City of Roxboro corporate limits, the parcels are under consideration for annexation. The hearing to determine if the parcels will be annexed will take place the following day, May 8, 2018 at 7:00pm at the City Council meeting in the Council Chambers. Ms. Johnson continued by explaining to the Board that all parcels annexed into the corporate limits require a rezoning process to change the zoning of the parcels from County zoning to City zoning. This process must be done within sixty (60) days of the effective date of the annexation, or the parcel(s) will be considered to be un-zoned. Ms. Johnson advised the Board that the effective date for this rezoning, if approved, would be set for the same effective date as the

annexation. The effective date requested for the annexation is June 30, 2018. Furthermore, Ms. Johnson advised that if the annexation were not approved, the rezoning request would become null and void.

Ms. Johnson advised that parcels surrounding these properties are zoned B-1 and R-12. She reiterated that the request is for two parcels, which combined will equal approximately 202.15 acres of land.

Proceeding through the presentation of the staff report, Ms. Johnson highlighted the sections of the City's Land Use Plan that apply to the rezoning request, stating the ways in which the request is consistent with said plan.

Ms. Johnson reminded the Board of the pending annexation request hearing, then offered staff's opinion that this request is consistent with the land use plan and is in the public interest for the citizens of the City of Roxboro as it provides an "opportunity for growth of the municipality and increased housing options."

Board member Danny Cultra asked Ms. Johnson to speculate what the Future Land Use Plan might classify this parcel were it located within the City limits and a part of the comprehensive plan. Ms. Johnson stated that it is likely it would have a similar recommended land use as the areas adjacent to it (Commercial). However, Ms. Johnson noted that there is only a portion of the very large tract that fronts on the highway corridor, and that a complete study of the area might include a mixture of proposed uses for this area, including some residential and commercial.

Chairman Trotter declared the public comment period for this request open and asked that anyone present who wished to speak on the matter to please come forward.

Randy Hall, an engineer with Summit Engineering, came forward to speak on behalf of the owners of the properties. He explained that the property owners have plans to develop the parcels for single-family residential, but that the plans for development do not include the portions of the lots which front on 501. He advised that it may be possible for those areas to be subdivided at a later date and potential prepared for some form of commercial development. Mr. Hall advised the current layout of the project, while not formally approved, would include approximately 380 lots. Streets in the proposed subdivision would be public, with lot layouts meeting all R-8 zoning requirements. Open space will be provided as a part of the development, which will include a trail and natural vegetation.

Ms. Kay inquired about the type of housing to be developed.

Mr. Hall indicated these would be "starter homes." Ms. Kay then asked if that would include low-income housing of any sort. Mr. Hall advised that he did not wish to be "quoted on this" but that he believed the average sale price would be in the \$170-\$200K.

Chairman Trotter asked if there were any other members of the audience that wished to speak for or against the matter. There were none.

Ms. Johnson asked the Board to please remember that the rezoning request should and could not be based on the described development proposal Mr. Hall outlined in his address. All rezoning reviews must consider all allowed uses within the requested zone and directed the members to the complete list of approved uses in the R-8 district that were provided in their packets.

Chairman Trotter declared the public comment period closed and asked if there were any additional questions from the board members.

Board Member, Margaret Kay, motioned to recommend approval of the rezoning request as it is consistent with the land use plan and in the public interest as outlined in the staff report presented. Board Member, Tony Cole, seconded the motion. Motion carried.

B. Special Use Permit Request for 50 Providence Road – Ms. Johnson began with an overview of the request from J Reid & Company, Inc. for the Light Manufacturing use at 50 Providence Road. Ms. Johnson outlined the specific use as the assembly of wet mops, brooms, and similar products.

Before moving into the specifics of the application and staff report, Mr. Cultra asked if this review would be Quasi-Judicial. Ms. Johnson advised that while the Council's review of this request is a Quasi-Judicial process, the City of Roxboro UDO specifically stipulates that the Planning Board review does not require a Quasi-Judicial review. However, Ms. Johnson did remind the Board only factual information and evidence shall be considered in the determination of a recommendation for this request.

Ms. Johnson informed the Board of the zoning of the areas surrounding the 50 Providence Road location; B-1 and O/I, with some residential in the vicinity, separated by commercially zoned properties.

As a part of the staff report presentation, Ms. Johnson outlined the procedures for review and approval of a Special Use Permit for the benefit of the Board, as well as members of the audience. Ms. Johnson then continued in her presentation of the facts and information outlined in the application from Mr. Newell, as well as her report compiling researched information and statements from the other relevant City Departments.

At the end of the presentation of her information and report, Ms. Johnson asked if there were any questions. Board Member, Danny Cultra, pointed out that while there were statements submitted by "experts," those experts were not present to be questioned regarding their testimonies and therefor the Board had only the information presented to make their decision. Ms. Johnson advised that was true, but that the Board could deny the request if they felt there was not sufficient evidence to affirm the required findings as outlined by the UDO.

Chairman Trotter asked Ms. Johnson if there was a staff recommendation. Ms. Johnson stated that she did not offer a recommendation as this is a factual review and therefor the Board must make their decision solely based on the facts and evidence presented.

Chairman Trotter then declared the public comment period open for this item on the agenda.

The applicant, David Newell, came forward to speak. Mr. Newell stated he did not have much to add to the information presented by Ms. Johnson, but addressed the sprinkler system within his building. Mr. Newell stated that he had been in contact with the Roxboro Fire Department to discuss the necessary work to meet Fire Code for the property, but that he was reluctant to move forward until he was sure his use/business would be approved. He went on to say that there were some requirements that could allow the construction of a fire wall in certain areas that would satisfy the Code and make the sprinkler system unnecessary. Mr. Newell then asked if the Board had any questions for him.

Board Member, Margaret Kay, asked Mr. Newell if he would be moving his operations to another area that does not require sprinklers. Mr. Newell elaborated that the building is "a bit of a City itself," with "more square footage than Uptown Roxboro." He said that he would potentially need some clarification on the historical nature of the building and what Codes are different for historical structures, but that he was under the understanding that if the area does not exceed 12,000 square feet, sprinklers are not necessary though the area would have to be isolated by the fire wall.

Mr. Newell went on to address his perceptions of the availability of water to service a sprinkler system at the facility. He advised that he has had conversations with a sprinkler company once a finding has been made regarding what "his future is going to hold." He also commented on the economic feasibility of installing a sprinkler system and that he may be forced to demolish instead of develop if that is not sorted out.

Board Member Cole asked if the water tank near the property had anything to do with Mr. Newell's property. He advised it was a part of the lines years ago.

Chairman Trotter asked what is happening at the property now. Mr. Newell said when he first purchased the property he thought might develop residential and commercial uses in the property and had it rezoned to commercial. Since then, his son has taken over a used car business that is now housed at the site, as well as corporate offices for Newell & Sons, Inc. He distinguished between J Reid & Co., Inc. and Newell & Sons. Mr. Newell then said he primarily had storage for mop yarn at the site.

Mr. Newell said that his "big idea" for this property is to turn the top floor of the building into a greenhouse for growing food.

Chairman Trotter stated "I am really concerned with reference to the Fire Department and the violation of their requirements. If nothing is done with that. I don't see how we can... I just... this is where I have a real dilemma."

At this point, a member of the audience (identified as Mr. Newell's son, but who did not come forward to address the Board) asked if records could be pulled prior

to when they purchased the building with a signature from the Fire Department. Ms. Johnson stated this had no bearing.

Board Member, Tony Cole, asserted that the conditions would have to be met for approval of the use and asked for confirmation of this statement. Ms. Johnson began to answer when Mr. Newell interrupted saying "you can put any type of stipulations you want to." Ms. Johnson corrected Mr. Newell saying that the Board can't assign anything it wants, but is allowed to assign conditions that pertain to the required findings outlined for approval of Special Use Permit. Ms. Johnson then reiterated that this is only the case if the Council adopts the suggested conditions.

Board Member, Danny Cultra, asserted that the assigned conditions would be things that have to be met regardless of the Special Use Permit. Ms. Johnson advised that was correct. Mr. Cole said that this is what he understood also that these violations would have to be fixed regardless of if they were a condition of the approval or not. Ms. Johnson said that was correct.

Mr. Cultra said he could understand why a developer would want assurance of approval for their proposed use before going to unnecessary expense of upfitting the building.

Ms. Kay asked if the Board could recommend approval provided the Codes were met. The other members of the Board said that is what Ms. Johnson proposed in her report.

Ms. Johnson advised that each of her suggested conditions were tied to one of the required findings outlined in the UDO, but the Planning Board can choose not to recommend any of the conditions, or may recommend some and not others.

Mr. Cole said "but he still has to meet these criteria regardless." Mr. Newell stated he did. Mr. Cole stated he did not think the conditions needed to be a part of the approval because they were required regardless. Ms. Johnson advised they were attached as conditions so that it was a part of the record for approval of the use that the violations be corrected.

Chairman Trotter asked if there were any other questions or comments.

Mr. Cultra said "They're telling you that you can operate under 12,000 square feet in that facility without a sprinkler system?" Mr. Newell corrected that it must be confined area. He continued that the main structure of the building has about 100,000 square feet on the top and bottom floors, but there are attached buildings that are under 12,000 square feet each. He stated Duke Energy has come in to retrofit these smaller attachments with new lighting. Mr. Cultra asked if these areas would need to be partitioned off to meet Fire Code. Mr. Newell stated that it already is. Mr. Newell stated there were about 12 different areas that would be less than 12,000 square feet that could be partitioned off to not require sprinklers. Mr. Newell said he could go to the expense of partitioning off 12,000 square feet 12 different times in the building, though that seemed illogical.

Ms. Kay asked where the brooms were being manufactured. Mr. Newell said Mexico. He stated that they bring in the brooms and repackage them and ship them out. He said that they do this in the main structure, but will be relocating to a smaller area of the building for the purposes of Fire Code compliance and air conditioning costs.

Chairman Trotter asked Ms. Johnson if there was a recommendation to approve, would the conditions have to be applied. Ms. Johnson said the Board can recommend approval of all, some, or none of the conditions as a part of the permit approval. She also said Council then has the discretion to take their recommendation or not.

Mr. Cultra reiterated that Council can "throw out" any recommendation the Planning Board makes.

Chairman Trotter reiterated that approving these conditions would require the violations be fixed, as opposed to simply saying no since the Codes are not met. Mr. Newell said you do not have to approve those condition recommendations, but that they were options.

Chairman Trotter asked if there was anyone willing to make a motion. Board Member Tony Cole made a motion that the Board offer a favorable recommendation to the Council for the Special Use Permit, based on the facts presented in the staff report and this hearing, with the proposed conditions as outlined in the staff report, as it will meet the requirements outlined in the UDO and is consistent with the City's land use plan. Ms. Kay seconded the motion. Motion carried unanimously.

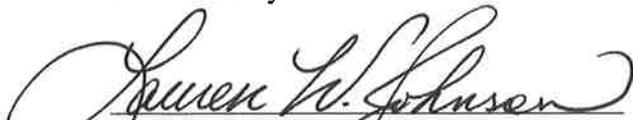
OLD BUSINESS

None.

ADJOURNMENT

There being no further business the meeting adjourned at 6:54pm.

Submitted by:


Lauren W. Johnson
Planning & Development Director

Planning Board Decision Statement:

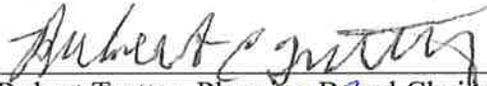
The decision to recommend approval of the Special Use Permit for 50 Providence Road, Docket #SUP2018-01, for Light Manufacturing was made as a result of the evidence provided in the application, staff report, and testimony during the hearing of May 7, 2018.

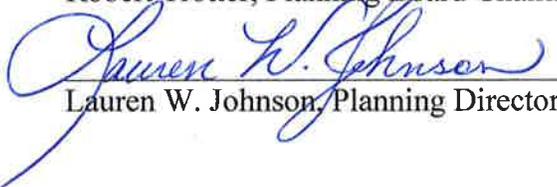
Members of the Planning Board reviewed the information and found the presented evidence to support each of the required findings outlined in Section 4.9.4.5. of the City's Unified Development Ordinance. Though there was concern about the known violations of State Building Code and Fire Code regulations, the applied conditions satisfied those concerned. The Board found this proposal consistent with the City's Comprehensive Land Use Plan as it pertains to development within the City limits.

Board Member, Tony Cole, made the motion for recommended approval with the proposed conditions, citing the facts outlined in the staff report as the basis for consistency with the Land Use Plan. Board Member, Margaret Kay, seconded the motion. The motion carried unanimously.

This report reflects the recommendation of the Planning Board on the 7th day of May, 2018.

Attest:


Robert Trotter, Planning Board Chairman


Lauren W. Johnson, Planning Director



File name
20180409_115855.jpg

Date
Monday, April 09, 2018 11:58 AM

Size
7.2 MB

Dimensions
4032 x 3024

Sheet
1/1660 sec./11.7 4.2mm

ISO
50

Device
SM-G935V

Source
This PC

Location
Roxboro,



[Open Map](#)



Memo

To: Mayor Newell, Roxboro City Councilmen
From: Lauren Johnson
cc: City Clerk, Trevie Adams
Date: June 18, 2018
Re: Certification of Written Notice

Please be advised letters were mailed First Class to the following property owners notifying same of the pending Special Use Permit Request, Docket #: SUP2018-01, for the parcel identified as 50 4 on today's date. This list includes all property owners with land adjacent to the parcels within 200 feet, as well as the listed owners of the property under consideration. The applicant was CC'd regarding this matter.

1. Deal of Roxboro, LLC.
2. Ronald & Kathy Pulliam
3. Strickland Funeral Home, Inc.
4. Commercial Warehouse Leasing, LLC.
5. Faye & Haywood Carver
6. Claudia Richardson
7. Austin Wrenn, Jr. Estate
8. Brian Pulliam
9. NC2017 Roxboro, LLC.
10. Robert Dixon
11. Jack Britt
12. Abbitt Dickerson Properties, Inc.
13. Charles Wilborn Trustee
14. LT Holdings of Roxboro, LLC.
15. North Roxboro Baptist Church
16. J Reid & Co., Inc.
17. David & Henry Newell


Lauren W. Johnson, CZO
Planning & Development Director

ATTEST:

Witness my hand and notarial seal, this 18th day of June 2018.


Trevie D. Adams
Notary Public

My Commission Expires: February 11, 2022





City of Roxboro

June 18, 2018

Strickland Funeral Home, Inc.
PO Box 3040
Roxboro, NC 27573

Dear sir or madam,

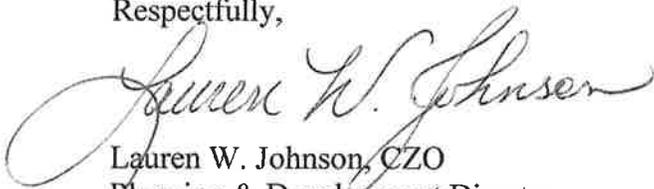
Please be advised that a site adjacent to your property (see attached) is under consideration for **a Special Use Permit for "light manufacturing" use.**

The application for 50 Providence Road, identified as Tax Map 50 4 is pending review by the Roxboro City Council. The applicant has requested to utilize the existing facility at 50 Providence Road for manufacturing of mops, brooms, and similar items. This use will be in addition to the existing office spaces and used-car lot at the location.

The application will be reviewed by the Roxboro City Council at 7 p.m. on July 10, 2018. This meeting is a Public Hearing and will be held at 105 S. Lamar Street, Roxboro, N.C. 27573 in the Council Chambers. Comments made by the public must be factual testimony pertaining to the hearing item.

If you have any questions regarding this matter please contact the Roxboro Planning and Development Office at 336.322.6018.

Respectfully,


Lauren W. Johnson, CZO
Planning & Development Director
City of Roxboro

Enclosure



City of Roxboro

June 18, 2018

David and Henry Newell
58 Newell Drive
Roxboro, NC 27573

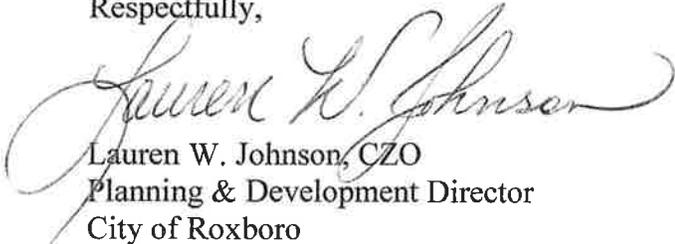
Dear sir or madam,

This letter is to inform you of the pending Public Hearing for the request for **a Special Use Permit for "light manufacturing" use.**

The application will be reviewed by the Roxboro City Council at 7 p.m. on July 10, 2018. This meeting is a Public Hearing and will be held at 105 S. Lamar Street, Roxboro, N.C. 27573 in the Council Chambers. Comments made by the public must be factual testimony pertaining to the hearing item.

If you have any questions regarding this matter please contact the Roxboro Planning and Development Office at 336.322.6018.

Respectfully,



Lauren W. Johnson, CZO
Planning & Development Director
City of Roxboro

CC: J Reid & Co., Inc.
PO Box 1098
Roxboro, NC 27573

Motion Format Samples:

FAVORABLE: I make a motion we approve the Special Use Permit request for 50 Providence Road for the use “Light Manufacturing,” with the proposed conditions outlined in the hearing packet for Docket #SUP2018-01, as it meets the required findings outlined in Section 4.9.4.5. of the City’s UDO.

UNFAVORABLE: I make a motion we deny the Special Use Permit request for 50 Providence Road for the use “Light Manufacturing,” as it will not meet the required findings outlined in Section 4.9.4.5. of the City’s UDO.

5. UDO Text Amendment - USP Review Process

Memo



To: Mayor Newell and Roxboro City Council
From: Lauren Johnson/ Planning & Development Director
cc: Trevie Adams City Clerk (for City Records)
Date: June 28, 2018
Re: City of Roxboro Unified Development Ordinance Amendment

Madam Mayor and Council,

Please review the enclosed proposed City of Roxboro *Unified Development Ordinance* amendments as reviewed by the Planning Board at their meeting on June 4, 2018. The Board offered a favorable recommendation to the proposed changes. These changes were also reviewed by the City attorney's office for appropriateness, prior to your consideration.

Attached are the documents that illustrate the proposed text changes. Staff does recommend approval for the following reasons, as outlined in the statement signed by the Planning Board Chair;

- Per the City's LUP (p. 71) a primary economic development goal is identified as the need to "provide a strong local planning environment that supports and enhances the economic growth potential of the City of Roxboro." *The amendment to this section of the ordinance removes an unnecessary step of the review process for Special Use Permit requests, thereby shortening the time period a request may be under review and limiting the City's potential for any ex-parte communication as a result of unnecessary steps.*

Planning Board Statement of Consistency:

We recommend approval of the proposed text amendments because they are consistent with the City's Comprehensive Land Use Plan in that it;

- removes an unnecessary step of the review process for Special Use Permit requests, thereby shortening the time period a request may be under review.

Furthermore, this plan is in the public interest of the City of Roxboro as it limits the City's potential for any ex-parte communication as a result of unnecessary steps.

Motion Made by: Danny Cultra

Seconded by: Kenneth Montgomery

Approved: 5 to 0

This report reflects the recommendation of the Planning Board, this the 4th day of June, 2018.

Attest:

Robert Trotter
Robert Trotter, Planning Board Chairman

Lauren W. Johnson
Lauren W. Johnson, Planning Director

ARTICLE 4. LEGISLATIVE/QUASI-JUDICIAL PROCEDURES

4.7.8. A vested right obtained under this section is not a personal right, but shall attach to and run with the applicable property. After approval of a site-specific development plan, all successors to the original landowner shall be entitled to exercise such vested rights.

4.7.9. The city shall not require a landowner to waive their vested rights as a condition of developmental approval.

SECTION 4.8 MORATORIUM.

The city may adopt temporary moratoria on any city development approval required by law in accordance with NCGS 160A-381(e).

PART III. QUASI-JUDICIAL PROCEDURES

SECTION 4.9 SPECIAL USE PERMITS.

4.9.1. Purpose and Applicability.

This Ordinance provides for a number of uses to be located by right in each general zoning district subject to the use meeting certain area, height, yard, and off-street parking and loading requirements. In addition to these uses, this Ordinance allows some uses to be allowed in these districts as a special use subject to issuance of a special use permit by the City Council ~~upon recommendation of the Planning Board~~. City Council consideration of special use permits are quasi-judicial decisions. The purpose of having the uses being special is to ensure that they would be compatible with surrounding development and in keeping with the purposes of the general zoning district in which they are located and would meet other criteria as set forth in this section. All special use permits require some form of a site plan as outlined in Section 5.7.

4.9.2. Application Process/Completeness.

4.9.2.1. The deadline for which a special use permit application shall be filed with the UDO Administrator is thirty (30) calendar days prior to the meeting at which the application will be heard. Permit application forms shall be provided by the UDO Administrator. In the course of evaluating the proposed special use, ~~the Planning Board or~~ City Council may request additional information from the applicant. A request for any additional information may stay any further consideration of the application by the ~~Planning Board or~~ City Council.

ARTICLE 4. LEGISLATIVE/QUASI-JUDICIAL PROCEDURES

4.9.2.2. No application shall be deemed complete unless it contains or is accompanied by a site plan drawn to scale which complies with the requirements contained in Section 5.7.1 and a fee as specified in Section 4.2.1.

4.9.2.3. One (1) hard copy and one (1) digital copy of the application, and all attachments and maps, for a special use permit shall be submitted to the UDO Administrator.

4.9.3. ~~Planning Board Review and Comment Reserved for Future Use~~

~~4.9.3.1.4.9.1.1. The Planning Board may, in its review, suggest reasonable conditions to the location, nature, and extent of the proposed use and its relationship to surrounding properties, parking areas, driveways, pedestrian and vehicular circulation systems, screening and landscaping, timing of development, and any other conditions the Planning Board may find appropriate. The conditions may include dedication of any rights-of-way or easements for streets, water, sewer, or other public utilities necessary to serve the proposed development.~~

~~4.9.3.2.4.9.1.1. The Planning Board shall forward its recommendation to the City Council within 45 days of reviewing the application. If a recommendation is not made within 45 days, the application shall be forwarded to the City Council without a recommendation from the Planning Board.~~

~~4.9.3.3.4.9.1.1. All comments prepared by the Planning Board shall be submitted by a Planning Board representative to the City Council as testimony at the public hearing required by this section. This representative of the Planning Board shall be subject to the same scrutiny as other witnesses. Review of the special use application by the Planning Board shall not be a quasi-judicial procedure. The Planning Board shall include in its comments a statement as to the consistency of the application with the city's currently adopted Comprehensive Plan. Comments of the Planning Board may be considered with other evidence submitted at the public hearing.~~

4.9.4. City Council Action.

4.9.4.1. City Council consideration of special use permits are quasi-judicial decisions approved by a simple majority vote. Quasi-judicial decisions must be conducted in accordance with Section 4.11. For the purposes of this section, vacant positions on the City Council and members who are disqualified from voting on a quasi-judicial matter shall not be considered "members of the Council" for calculation of the requisite majority if there are no qualified alternates available to take the place of such members.

ARTICLE 4. LEGISLATIVE/QUASI-JUDICIAL PROCEDURES

~~4.9.4.2. Once the comments of the Planning Board have been made, or the 45-day period elapses without a recommendation, the~~The City Council shall hold a public hearing to consider the application at its next regularly scheduled meeting. A quorum of the City Council is required for this hearing. Notice of the public hearing shall be as specified in Section 4.3.

4.9.4.3. In approving an application for a special use permit in accordance with the principles, conditions, safeguards, and procedures specified herein, the City Council may impose reasonable and appropriate conditions and safeguards upon the approval. The petitioner will have a reasonable opportunity to consider and respond to any additional requirements prior to approval or denial by the City Council.

4.9.4.4. The applicant has the burden of producing competent, substantial evidence tending to establish the facts and conditions which subsection 4.9.4.5 below requires.

4.9.4.5. The City Council shall issue a special use permit if it has evaluated an application through a quasi-judicial process and determined that:

4.9.4.5.1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.

4.9.4.5.2. The special use will be in harmony with the existing development and uses within the area in which it is to be located.

4.9.4.5.3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

4.9.4.5.4. Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.

4.9.4.5.5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

4.9.4.5.6. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.

4.9.4.5.7. Public access shall be provided in accordance with the recommendations of the city's land use plan and access plan or the present amount of public access and public parking as exists within the city now. If any recommendations are found

ARTICLE 4. LEGISLATIVE/QUASI-JUDICIAL PROCEDURES

to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

4.9.4.5.8. The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the City Council.

4.9.4.6. *Conditions and Guarantees.* Prior to the granting of any special use, the Planning Board may recommend, and the City Council may require, conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the special use as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified above. In all cases in which special uses are granted, the City Council may require guarantees to ensure compliance with the special use permit conditions. The reasons/justification for special conditions must be stated/tied to Section 4.9.4.5.

4.9.4.7. The City Council may not attach additional conditions that modify or alter the specific requirements set forth in this Ordinance unless the development in question presents extraordinary circumstances that justify the variation from the specified requirements.

4.9.4.8. Without limiting the foregoing, the City Council may attach to a permit a condition limiting the permit to a specified duration.

4.9.4.9. All additional comments or requirements shall be entered on the permit and are enforceable in the same manner and to the same extent as any other applicable requirements of this Ordinance.

4.9.4.10. In the event that a rezoning is sought in conjunction with a special use permit, such deliberation would be legislative in nature and not part of the quasi-judicial process.

4.9.5. *Effect of Approval.*

If an application for a special use permit is approved by the City Council, the owner of the property shall have the ability to develop the use in accordance with the stipulations contained in the special use permit, or develop any other use listed as a permitted use for the general zoning district in which it is located.

4.9.6. *Binding Effect.*

Any special use permit so authorized shall be binding to the property included in the permit unless subsequently changed or amended by the City Council.

ARTICLE 4. LEGISLATIVE/QUASI-JUDICIAL PROCEDURES

4.9.7. Certificate of Occupancy.

No certificate of occupancy for a use listed as a special use shall be issued for any building or land use on a piece of property which has received a special use permit for the particular use unless the building is constructed or used, or the land is developed or used, in conformity with the special use permit approved by the City Council. In the event that only a segment of a proposed development has been approved, the certificate of occupancy shall be issued only for that portion of the development constructed or used as approved.

4.9.8. Change in Special Use Permit.

An application to materially change a special use permit once it has been issued must first be submitted, reviewed, and approved in accordance with Section 4.9.3 and 4.9.4, including payment of a fee in accordance with the fee schedule approved by the City Council.

SECTION 4.10 APPEALS AND VARIANCES

4.10.1. Appeals.

4.10.1.1. Any person who has standing under GS 160A-393(d) or the city may appeal a decision of an administrative officer charged with the enforcement of this Ordinance to the Board of Adjustment. An appeal is taken by filing a notice of appeal with the City Clerk. The notice of appeal shall state the grounds for the appeal. A notice of appeal shall be considered filed with the City Clerk when delivered to the City Hall, and the date and time of filing shall be entered on the notice by the city staff.

4.10.1.2. The official who made the decision shall give written notice to the owner of the property that is the subject of the decision and to the party who sought the decision, if different from the owner. The written notice shall be delivered by personal delivery, electronic mail, or by first-class mail.

4.10.1.3. The owner or other party shall have thirty (30) days from receipt of the written notice within which to file an appeal. Any other person with standing to appeal shall have thirty (30) days from receipt from any source of actual or constructive notice of the decision within which to file an appeal.

4.10.1.4. The official who made the decision shall transmit to the Board of Adjustment all documents and exhibits constituting the record upon which the action appealed from is taken. The official shall also provide a copy of the record to the appellant and to the owner of the property that is the subject of the appeal if the appellant is not the owner.

Consistency Statement:

The text amendment presented by Planning Staff to delete the Planning Board review of Special Use Permit requests is consistent with the City's Comprehensive Land Use Plan in that it;

- Removes an unnecessary step of the review process for Special Use Permit requests, thereby shortening the time period a request may be under review and providing a planning environment that supports and enhances the economic growth potential of the City of Roxboro, per the LUP (p. 71).

Furthermore, this plan is in the public interest of the City of Roxboro as it limits the City's potential for any ex-parte communication as a result of unnecessary steps in the review process.

Motion To Adopt Made by: _____

Seconded by: _____

Approved: ____ to ____

Attest:

Marilyn P. Newell, Mayor

Trevie Adams, City Clerk

**AN ORDINANCE OUTLINING LEGISLATIVE/QUASI-JUDICIAL PROCEDURES;
AMENDING ARTICLE 4, PART III, SECTION 4.9
THE CITY OF ROXBORO UNIFIED DEVELOPMENT ORDINANCE**

WHEREAS, the City Council of the City of Roxboro finds that it is in the public interest to amend Article 4 of the City's Unified Development Ordinance to provide for a more efficient review process for special use permit request; and

WHEREAS, the City Council of the City of Roxboro, after due notice, conducted a public hearing on the _____ day of _____ 2018, upon the question of amending the Unified Development Ordinance in this respect.

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

PART ONE. That Article 4, Part III, Section 4.9 of the Unified Development Ordinance of the City of Roxboro, North Carolina, is hereby amended and rewritten in its entirety to read as follows:

“Part III. Quasi-Judicial Procedures Section 4.9 Special Use Permits”

4.9.1. Purpose and Applicability.

This Ordinance provides for a number of uses to be located by right in each general zoning district subject to the use meeting certain area, height, yard, and off-street parking and loading requirements. In addition to these uses, this Ordinance allows some uses to be allowed in these districts as a special use subject to issuance of a special use permit by the City Council . City Council consideration of special use permits are quasi-judicial decisions. The purpose of having the uses being special is to ensure that they would be compatible with surrounding development and in keeping with the purposes of the general zoning district in which they are located and would meet other criteria as set forth in this section. All special use permits require some form of a site plan as outlined in Section 5.7.

4.9.2. Application Process/Completeness.

4.9.2.1. The deadline for which a special use permit application shall be filed with the UDO Administrator is thirty (30) calendar days prior to the meeting at which the application will be heard. Permit application forms shall be provided by the UDO Administrator. In the course of evaluating the proposed special use, City Council may request additional information from the applicant. A request for any additional information may stay any further consideration of the application by the City Council.

4.9.2.2. No application shall be deemed complete unless it contains or is accompanied by a site plan drawn to scale which complies with the requirements contained in Section 5.7.1 and a fee as specified in Section 4.2.1.

4.9.2.3. One (1) hard copy and one (1) digital copy of the application, and all attachments and maps, for a special use permit shall be submitted to the UDO Administrator.

4.9.3. *Reserved for Future Use*

4.9.4. *City Council Action.*

4.9.4.1. City Council consideration of special use permits are quasi-judicial decisions approved by a simple majority vote. Quasi-judicial decisions must be conducted in accordance with Section 4.11. For the purposes of this section, vacant positions on the City Council and members who are disqualified from voting on a quasi-judicial matter shall not be considered “members of the Council” for calculation of the requisite majority if there are no qualified alternates available to take the place of such members.

4.9.4.2. The City Council shall hold a public hearing to consider the application at its next regularly scheduled meeting. A quorum of the City Council is required for this hearing. Notice of the public hearing shall be as specified in Section 4.3.

4.9.4.3. In approving an application for a special use permit in accordance with the principles, conditions, safeguards, and procedures specified herein, the City Council may impose reasonable and appropriate conditions and safeguards upon the approval. The petitioner will have a reasonable opportunity to consider and respond to any additional requirements prior to approval or denial by the City Council.

4.9.4.4. The applicant has the burden of producing competent, substantial evidence tending to establish the facts and conditions which subsection 4.9.4.5 below requires.

4.9.4.5. The City Council shall issue a special use permit if it has evaluated an application through a quasi-judicial process and determined that:

4.9.4.5.1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.

4.9.4.5.2. The special use will be in harmony with the existing development and uses within the area in which it is to be located.

4.9.4.5.3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

4.9.4.5.4. Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.

4.9.4.5.5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

4.9.4.5.6. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.

4.9.4.5.7. Public access shall be provided in accordance with the recommendations of the city's land use plan and access plan or the present amount of public access and public parking as exists within the city now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

4.9.4.5.8. The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the City Council.

4.9.4.6. *Conditions and Guarantees.* Prior to the granting of any special use, the City Council may require, conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the special use as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified above. In all cases in which special uses are granted, the City

Council may require guarantees to ensure compliance with the special use permit conditions. The reasons/justification for special conditions must be stated/tied to Section 4.9.4.5.

4.9.4.7. The City Council may not attach additional conditions that modify or alter the specific requirements set forth in this Ordinance unless the development in question presents extraordinary circumstances that justify the variation from the specified requirements.

4.9.4.8. Without limiting the foregoing, the City Council may attach to a permit a condition limiting the permit to a specified duration.

4.9.4.9. All additional comments or requirements shall be entered on the permit and are enforceable in the same manner and to the same extent as any other applicable requirements of this Ordinance.

4.9.4.10. In the event that a rezoning is sought in conjunction with a special use permit, such deliberation would be legislative in nature and not part of the quasi-judicial process.

4.9.5. Effect of Approval.

If an application for a special use permit is approved by the City Council, the owner of the property shall have the ability to develop the use in accordance with the stipulations contained in the special use permit, or develop any other use listed as a permitted use for the general zoning district in which it is located.

4.9.6. Binding Effect.

Any special use permit so authorized shall be binding to the property included in the permit unless subsequently changed or amended by the City Council.

4.9.7. Certificate of Occupancy.

No certificate of occupancy for a use listed as a special use shall be issued for any building or land use on a piece of property which has received a special use permit for the particular use unless the building is constructed or used, or the land is developed or used, in conformity with the special use permit approved by the City Council. In the event that only a segment of a proposed development has been approved, the certificate of occupancy shall be issued only

for that portion of the development constructed or used as approved.

4.9.8. Change in Special Use Permit.

An application to materially change a special use permit once it has been issued must first be submitted, reviewed, and approved in accordance with Section 4.9.3 and 4.9.4, including payment of a fee in accordance with the fee schedule approved by the City Council.

PART TWO. Section 4.9.3. is repealed and hereby reserved for future use.

PART THREE. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

PART FOUR. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

PART FIVE. The enactment of this ordinance shall in no way affect the running of any amortization provisions or enforcement actions, or otherwise cure any existing violations.

PART SIX. This ordinance shall be in full force and effect from and after the date of its adoption. Adopted this _____ day of _____, 2018.

Merilyn P. Newell, Mayor

ATTEST: Approved as to form:

Trevie Adams, City Clerk

Nick Herman, City Attorney

6. Special Use Permit - 265 Old Durham Road
Quasi-Judicial

Memo



To: Mayor Newell and Roxboro City Council
From: Lauren Wrenn/ Planning & Development Director
cc: Trevie Adams City Clerk (for City Records)
Date: July 3, 2018
Re: Special Use Permit Request for 265 Old Durham Road

Madam Mayor and Council,

Please be advised that staff received an application for a Special Use Permit request to allow the expansion of the use "church" at the property located at 265 Old Durham Road, Tax Map 95 10.

Due to the approval of the text amendment to the City's UDO, in the section addressing the review of Special Use Permit requests, this application did not go to the Planning Board for an initial review.

Application for

Special Use Permit



Roxboro Planning & Development
105 S Lamar Street Roxboro, N.C. 27573 336-322-6018

TO THE PLANNING BOARD AND THE CITY COUNCIL;

I/We, the undersigned, do hereby make application and petition to the City Council of the City of Roxboro for a SPECIAL USE PERMIT for the property listed below. I hereby certify that I have full legal right to request such action. (Type or Print Clearly)

Petitioner(s): NEW BROOK UMC

Address: 265 OLD DURHAM RD., Roxboro

Telephone Number: _____ Fax Number: _____

Interest in Property: OWNER
(I.e., Owner, Part Owner, Option holder, Governmental Agency, Etc.)

Property Information:

Address: 265 OLD DURHAM RD, ROXBORO

Watershed: ROANOKE Lot Size: 1.42

Township: Roxboro Tax Map/Lot #: 95-10

Zoning District: R-12

Available Utilities: (check all that apply)

City Water City Sewer Well Septic System None

Special Use Request:

Existing Use: Church

Proposed Use: Church Addition

The undersigned hereby certifies that the application material is complete and accurate. Furthermore, the undersign hereby authorizes the City of Roxboro's Zoning Administrator or designated representative to enter upon the above referenced property for the purpose of evaluating this request.

[Signature]
Applicant Signature

6/8/18
Date

Staff Use Only:

Date Received:

6/12/18

Docket #:

SUP2018-03

Planning Board Meeting Date:

N/A change Policy

City Council Meeting Date:

7/10/18

Required Submittal Items:

A complete application must contain the following additional items for consideration:

- ☑ Application Fee - \$200 (cash, check, or money order accepted)
- ☑ Complete Site Plan for proposed development – Please see Section 5.7 of the City of Roxboro Unified Development Ordinance.
- ☑ If the applicant is not the owner of the property, a letter must be provided with the notarized signature of the property owner, verifying awareness of the request being made.
- ☑ List of adjacent property owners, with addresses of same.
- ☑ Written statement addressing the following:
 - The Roxboro City Council shall issue a Special Use Permit only when the City Council makes the affirmative finding as follows;

(a) That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.

(b) That the special use will be in harmony with the existing development and uses within the area in which it is to be located.

(c) That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

(d) That adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.

(e) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

(f) That the special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.

(g) That public access shall be provided in accordance with the recommendations of the city's land use plan and access plan or the present amount of public access and public parking as exists within the city now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

(h) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the City Council.

*A Special Use Permit, for which vested rights, as specified in Section 4.7 of the City's UDO, have not been secured shall expire automatically if, within one (1) year after the issuance of such permit have not met the requirements of Section 4.4 of the City's UDO. Special Use Permits for which vested rights have been secured, as specified in Section 4.7 of the City's UDO, shall expire at the end of the two-year vesting period.

New Brook United Methodist Church is seeking a special use permit for the addition of a choir room on the rear of the existing sanctuary. Our statement addressing items are below:

- a) Addition is in keeping with existing church and will not be detrimental.
- b) Addition will be in harmony with existing church.
- c) Addition will not impede normal development.
- d) Addition will utilize existing utilities, parking, access, etc.
- e) Addition will create no additional traffic.
- f) Addition will conform to existing church.
- g) Public access will be provided.
- h) Proposed use conforms to existing church use.

Mark Duncan

A handwritten signature in black ink, appearing to read 'Mark Duncan', with a long horizontal flourish extending to the right.

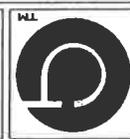
Legacy Building Co, LLC

GC for New Brook UMC

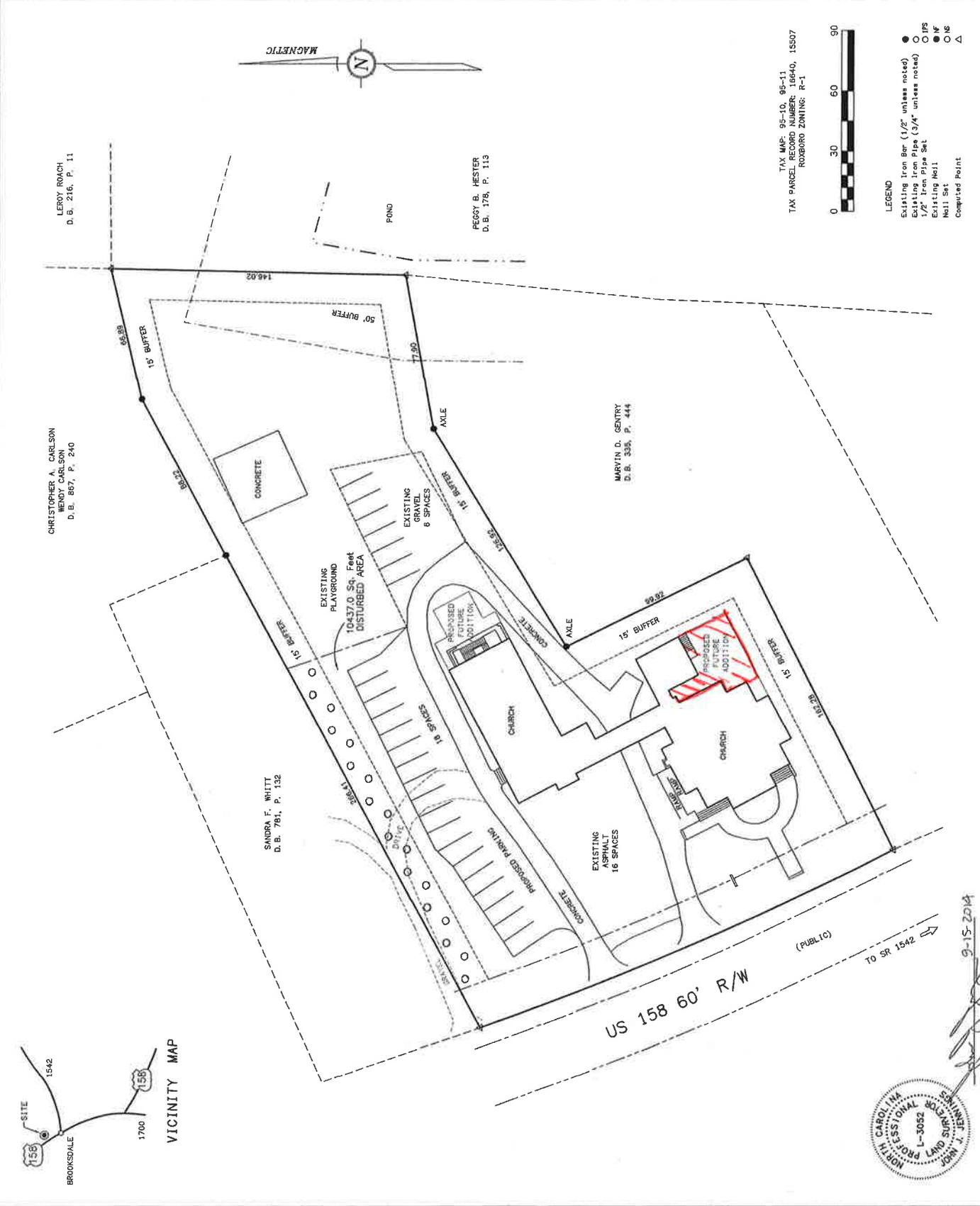
Sheet No.	1 of 1
Drawn By	AM
Checked By	AM
Scale	1"=50'
Project No.	148-02
Date	SEPT. 2, 2014
Survey Date	NOV. 11, 2014

Other References:

SITE PLAN
NEW BROOK UNITED METHODIST CHURCH
 ROXBORO TWP., PERSON COUNTY, N.C.
 Property Address: 265 OLD DURHAM ROAD



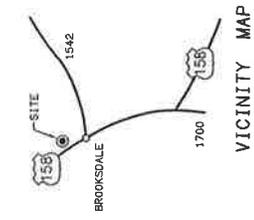
Counter|Jewell|Thames
 ENGINEERING/LAND SURVEYING/ARCHITECTURE
 212 S. LAMAR STREET, ROXBORO, N.C. 27573
 P. 336.898.8742 F. 336.398.3019 info@cjtp.com
 LIC. #1208



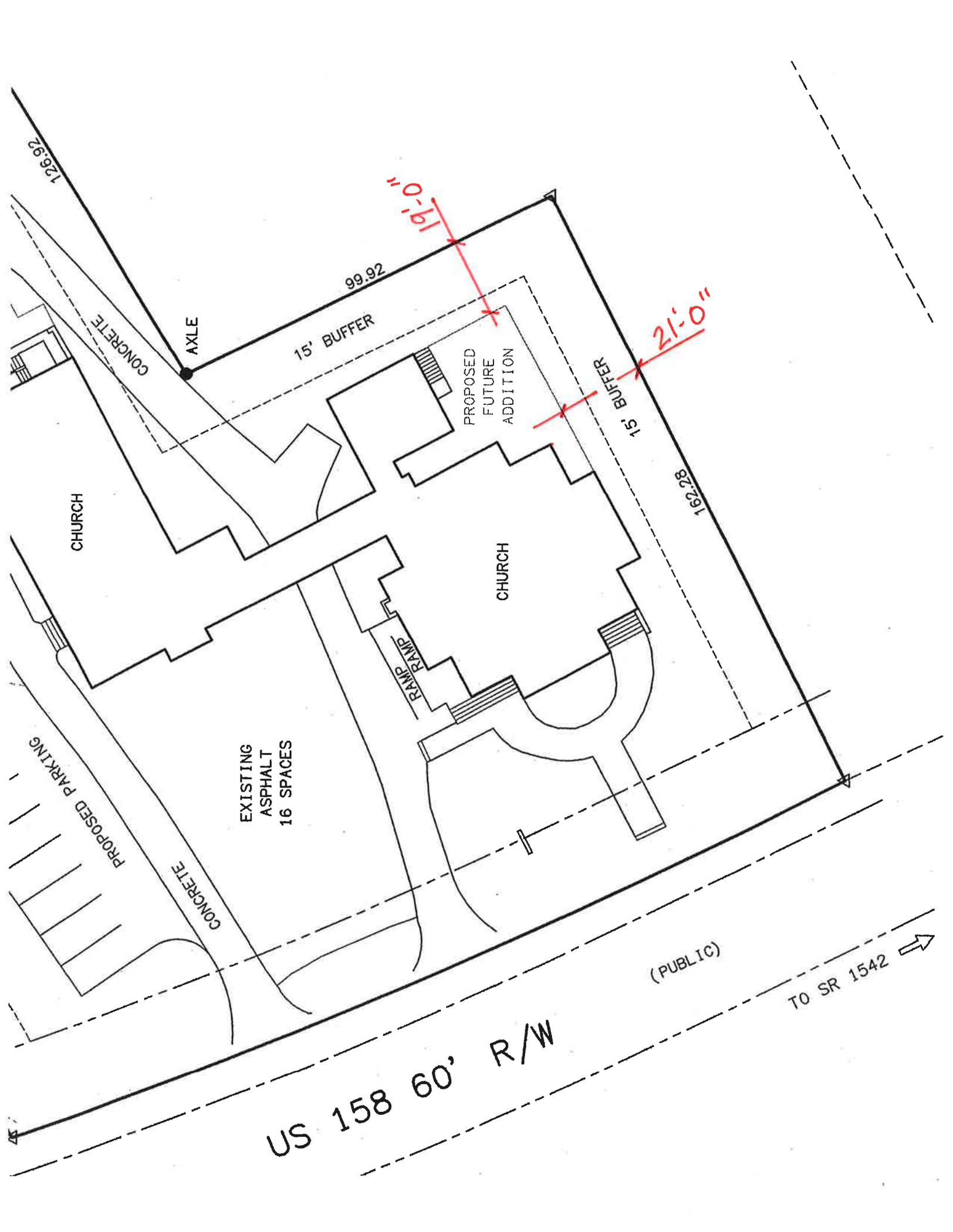
TAX MAP: 95-10, 95-11
 TAX PARCEL RECORD NUMBER: 19640, 15507
 ROXBORO ZONING: R-1



- LEGEND**
- Existing Iron Bar (1/2" unless noted)
 - Existing Iron Pipe (3/4" unless noted)
 - 1/2" Iron Pipe Set
 - Existing Nail
 - Nail Set
 - △ Computed Point



9-15-2014



126.92

99.92

162.28

19'-0"

21'-0"

US 158 60' R/W

(PUBLIC)

TO SR 1542 →

CHURCH

CHURCH

EXISTING ASPHALT 16 SPACES

PROPOSED FUTURE ADDITION

AXLE

15' BUFFER

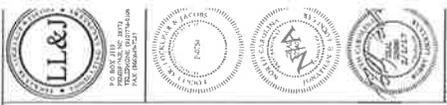
15' BUFFER

CONCRETE

CONCRETE

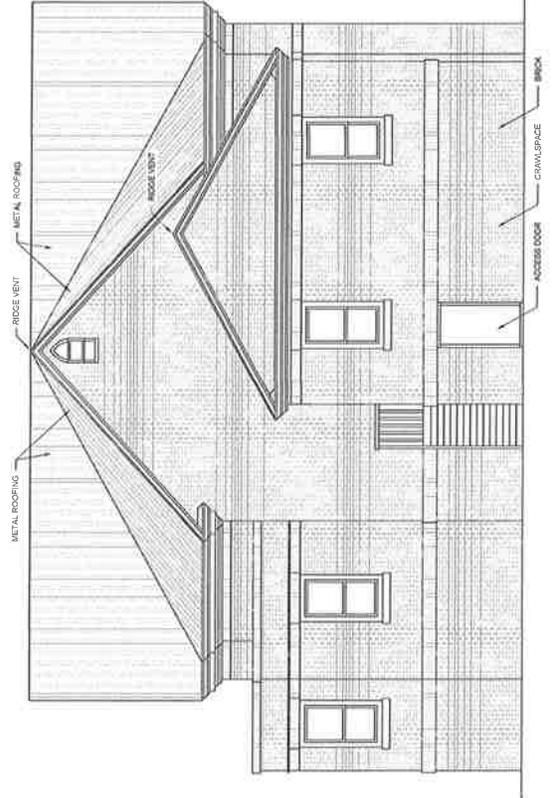
PROPOSED PARKING

RAMP

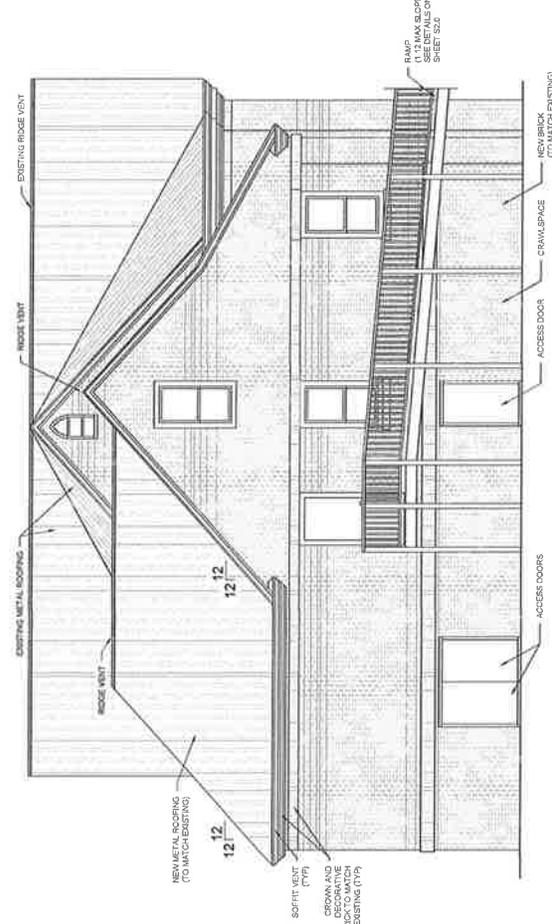


NEW BROOK UNITED METHODIST
 CHURCH ADDITION
 265 OLD DURHAM RD
 KOBORO, NC 27573

DATE: 01-14-2022	TIME: 11:58:33 AM
PROJECT: 265 OLD DURHAM RD CHURCH ADDITION	PROJECT: 265 OLD DURHAM RD CHURCH ADDITION
CLIENT: NEW BROOK UNITED METHODIST CHURCH	CLIENT: NEW BROOK UNITED METHODIST CHURCH
ARCHITECT: LL&J ARCHITECTS, INC.	ARCHITECT: LL&J ARCHITECTS, INC.
DESIGNER: [Name]	DESIGNER: [Name]
DRAWN BY: [Name]	DRAWN BY: [Name]
CHECKED BY: [Name]	CHECKED BY: [Name]
SCALE: 1/4" = 1'-0"	SCALE: 1/4" = 1'-0"
SHEET TITLE: EXISTING REAR ELEVATION	SHEET TITLE: EXISTING REAR ELEVATION
PROJECT NUMBER: G3.0	PROJECT NUMBER: G3.0
DATE PLOTTED: 01-14-2022	DATE PLOTTED: 01-14-2022
TIME PLOTTED: 11:58:33 AM	TIME PLOTTED: 11:58:33 AM



EXISTING REAR ELEVATION
 SCALE: 1/4" = 1'-0"



NEW REAR ELEVATION
 SCALE: 1/4" = 1'-0"

FINAL DRAWINGS
 RELEASED FOR REVIEW



CITY OF ROXBORO STAFF REPORT

Prepared by: Lauren Johnson, Planning & Development Director

Meeting Dates: City Council: July 10, 2018	Request: <input type="checkbox"/> Rezoning <input checked="" type="checkbox"/> Special Use Permit
Property Location: 265 Old Durham Road	Current Zoning: R-12 (Low Density Residential)
Tax Map#: 95 10	Proposed Use: Church (expansion)
Applicant Information: New Brook UMC 265 Old Durham Rd Roxboro, NC 27573 336-597-9755	Proposed Business: Expansion of existing building to add choir room for church use

Summary:

On behalf of New Brook United Methodist Church, Mark Duncan of Legacy Building, Co., requests a Special Use Permit for expanding the use of "Church" for the property located at 265 Old Durham Road. The property is otherwise identified as Person County Tax Map 95, Lot 10. The property constitutes 1.42 acres.



The surrounding properties are zoned R-12 and R-6 (Residential).

Special Use Permit Review Process:

The City of Roxboro Unified Development Ordinance allows some uses as a “special use” subject to issuance of a Special Use Permit by the City Council. City Council consideration of Special Use Permits are quasi-judicial decisions. The purpose of these “special uses” requiring board review and approval is to ensure they will be compatible with surrounding development and in keeping with the purposes of the general zoning district in which they are located. In approving an application for a special use permit, in accordance with G.S. 160A-381, the City Council may impose reasonable and appropriate conditions and safeguards upon the approval. The petitioner will have a reasonable opportunity to consider and respond to any additional requirements prior to approval or denial by City Council.

Staff collects comments from each City department as a part of the comprehensive review of the requests. Those comments are incorporated into the staff report below, with each department’s response included as an individual exhibit.

Findings:

The property in question is the existing location of New Brook UMC. The proposal includes the addition of a choir room and restroom facilities onto the existing structure. The choir room, as outlined in the submitted drawing documents, will be approximately 28’ by 20’ in size. The additional restrooms and closets will constitute approximately 256 square feet of additional space.

Staff’s review of the request included consultation with other City departments to determine accessibility issues, water/sewer capacity issues, compliance with Fire and Building Code, etc. Staff also contacted a local appraiser to determine if this proposed development would have any bearing on neighboring property values. Attached to this packet are the responses received to the inquiries. The Fire Department, Appraiser, and Public Services Department reported no issues with the proposed use. The Police Department reported no issues, but did ask if it were not required by Building Code, that lights be installed on the rear of this addition for safety measures.

Abutting the property on either side are residential homes. Across the street is a multi-family apartment complex. Along Old Durham Road, there are a number of different uses, including churches, commercial businesses, and residences.

The development requirements for the R-12 district vary for two different types of developments; single-family residences or duplexes and multi-family residential. While neither of these uses are the same as a church, staff feels comfortable recommending the minimum setback requirements for a multi-family residential development be applied to this use. Those setback requirements are as follows;

- 30’ front yard
- 15’ side yard
- 15’ rear yard
- 35’ max building height

According to the site plan and development drawings submitted by the applicant, this addition would have setbacks of 21’ for the side yard and 19’ for the rear yard. The height of the structure

from the finished floor is 22' with an approximate 7' crawl space beneath. Total height being less than the 35' maximum allowed.

While this proposed addition does result in an expansion of the church use of the property, it is the evaluation of staff that it is unlikely to result in any significant increase of vehicular traffic as the church already has an existing choir. Parking requirements for a church require one parking space per four fixed seats or four spaces per 1,000 square feet, whichever is greater. Based on the approximate seating of 225 people in the facility, staff estimates this expansion of the building would not trigger the need for additional parking spaces.

One can see from the submitted development plans the exterior of the addition will look quite similar to the existing structure.

This property is identified in the City's Comprehensive Land Use Plan on the Future Land Use Map for Commercial use.

The City Council shall issue a Special Use Permit only if it has evaluated an application, through a quasi-judicial process, and determined that the following statements are found in the affirmative.

- (a) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.**
- (b) The special use will be in harmony with the existing development and uses within the area in which it is to be located.**
- (c) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**
- (d) Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.**
- (e) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.**
- (f) The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.**
- (g) Public access shall be provided in accordance with the recommendations of the city's land use plan and access plan or the present amount of public access and public parking as exists within the city now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.**
- (h) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the City Council.**

Conditions:

Prior to granting any Special Use Permit, the Council may require, conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the “special use,” as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified above. The reasons/justifications for special conditions must be stated and tied to one or more of the findings above.

Staff recommends the following conditions;

- 1. Applicant must meet all necessary requirements of the NC Building Code and Fire Code as a part of the construction of this addition.** This condition pertains to findings (a) and (f) ensuring regulations are met and the public health, safety, and welfare are protected.

Lauren Johnson

Exhibit A

From: Andrew Oakley
Sent: Friday, June 22, 2018 9:39 AM
To: Lauren Johnson
Subject: RE: Special Use Permit Requests

They prepared for this in the plans that were submitted in 2014 with an overall stormwater plan. So they are fine with stormwater.

Sent from [Mail](#) for Windows 10

From: [Lauren Johnson](#)
Sent: Friday, June 22, 2018 9:35 AM
To: [Andrew Oakley](#); [Chris Robinson](#); [David Hess](#); [Wayne Wrenn](#); [Dale Tillman](#)
Subject: Special Use Permit Requests

Hi folks,

Attached is a special use permit request I received from New Brook UMC for an expansion to the rear of their property. Please take a look and let me know if you have any comments to offer prior to the hearing. I will be preparing my report to submit by July 5, so I would greatly appreciate receipt of your comments by the 27th (next Friday) if at all possible.

Also, the following are requests I sent over a month or so ago. I wanted to check in and see if there is any new information you need to share with me before these go to the Council for consideration of approval:

50 Providence Road – Special Use for Light Manufacturing

2081 Old Durham Road – Special Use for Church as an additional use at existing facility

If you have any questions, or need additional info, please let me know!

Thanks,

Lauren W. Johnson, CZO
Director, Planning and Development Department
City of Roxboro
P.O. Box 128
Roxboro, NC 27573
[336.322.6018](tel:336.322.6018)



All e-mail correspondence to and from this address is subject to the North Carolina Public Records Law, which may result in monitoring and disclosure to third parties, including law enforcement.

From: CityHall@cityofroxboro.com [<mailto:CityHall@cityofroxboro.com>]
Sent: Friday, June 22, 2018 9:18 AM
To: Lauren Johnson
Subject: Attached Image

Lauren Johnson

Exhibit B

From: David Hess
Sent: Sunday, June 24, 2018 9:22 AM
To: Lauren Johnson
Subject: Re: Special Use Permit Requests

Only request, which might already be a building code requirement, is the church addition have exterior lights on the rear o the church that remain illuminated at night as a crime prevention and security measure.

Respectfully,

David L. Hess
Chief of Police
FBINA 264

Roxboro Police Department
[109 South Lamar Street](#)
[Roxboro, NC 27573](#)

Office: [336 599 8345](tel:3365998345)
Email: dhess@cityofroxboro.com
Twitter: @ChiefDavidHess
@CityofRoxboro

Follow us on Facebook

On Jun 22, 2018, at 09:35, Lauren Johnson <lwjohnson@cityofroxboro.com> wrote:

Hi folks,

Attached is a special use permit request I received from New Brook UMC for an expansion to the rear of their property. Please take a look and let me know if you have any comments to offer prior to the hearing. I will be preparing my report to submit by July 5, so I would greatly appreciate receipt of your comments by the 27th (next Friday) if at all possible.

Also, the following are requests I sent over a month or so ago. I wanted to check in and see if there is any new information you need to share with me before these go to the Council for consideration of approval:

50 Providence Road – Special Use for Light Manufacturing
2081 Old Durham Road – Special Use for Church as an additional use at existing facility

If you have any questions, or need additional info, please let me know!

Thanks,

Lauren W. Johnson, CZO
Director, Planning and Development Department
City of Roxboro
P.O. Box 128
Roxboro, NC 27573

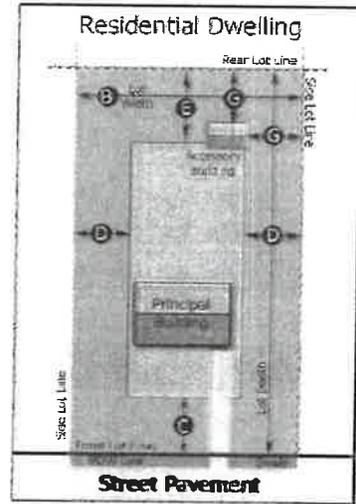
ARTICLE 6. ZONING DISTRICTS

SECTION 6.5 ZONING DISTRICT DEVELOPMENT STANDARDS.

6.5.1. R-12 Residential Agricultural District.

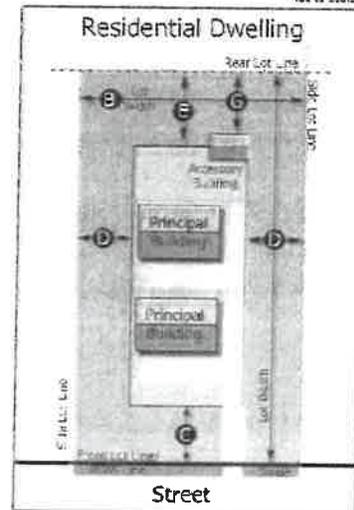
**6.5.1.1. Dimensional Requirements:
Single-Family & Two-Family Residential.**

(A) Minimum lot area	
•Not served by municipal sewer	20,000 sq. ft.
•Served by municipal sewer	12,000 sq. ft.
(B) Minimum lot width	80 ft.
(C) Minimum front yard	30 ft.
(D) Minimum side yards	15 ft.
(E) Minimum rear yard	30 ft.
(F) Maximum building height	35 ft.
(G) Accessory buildings	see Section 6.6.1



**6.5.1.2. Dimensional Requirements:
Multi-Family Residential.**

(A) Minimum lot area	4,000 sq. ft. per d/u
(B) Minimum lot width	80 ft.
(C) Minimum front yard	30 ft.
(D) Minimum side yards	15 ft.
(E) Minimum rear yard	15 ft.
(F) Maximum building height	35 ft.
(G) Accessory buildings	see Section 6.6.1



6.5.1.3. Corner Lots. On corner lots, the setback for all structures located in street yards shall not be less than one-half (1/2) the front yard requirement.

6.5.1.4. Additional Requirements. Refer to Section 6.6, Notes to Zoning District Development Standards.

6.5.1.5. Signs. Signs shall be permitted as provided in Article 9, Part III.

6.5.1.6. Parking. Off-street parking shall be provided as required in Article 9, Part II.

ARTICLE 9. DESIGN STANDARDS

Classification	Off-Street Parking Requirement
RESIDENTIAL	
Dwelling, single-family	2 spaces
Dwelling, manufactured home	2 spaces
Dwelling, multi-family – One bedroom – Two bedrooms – Three bedrooms or more	1.5 spaces per unit 1.75 spaces per unit 2 spaces per unit
Independent living, elderly	1.5 spaces/dwelling unit
Assisted living/nursing home	1 space/5 beds
ACCESSORY USES/BUILDINGS	
Accessory business or residential unit (including home occupations)	2 spaces per business or residence
Accessory buildings, non single-family residential	Same ratio as the principal use
COMMERCIAL & OFFICE/INSTITUTIONAL	
Bank	1 space per 300 square feet
Retail	4 spaces per 1,000 square feet
Restaurant	1 space per 150 square feet enclosed floor area
Office	3 spaces per 1,000 square feet
Lodging	1 space per room
Institutional/civic (auditorium, funeral homes, assembly, spectator)	1 space per 4 fixed seats or 4 spaces per 1,000 square feet, whichever is greater
School, secondary	4 spaces/classroom
School, elementary	2 spaces/classroom
INDUSTRIAL USES	
Adult entertainment establishments	1 space per 100 square feet of gross floor area or 1 space per every 3 persons of maximum seating capacity, whichever is greater; plus 1 space per employee
All other industrial uses	1 space per 500 square feet of gross floor area OR 1 space per employee based on largest number of employees on site at any one time, whichever is greater
RECREATION/ENTERTAINMENT	
The most applicable of the following standards shall apply for all recreational uses:	1 space per 4 fixed seats; 1 space for each 40 square feet of floor area available in establishment as a meeting room; 1 space for each 150 square feet of gross floor area.

File Info

File name
Sign posting image for 265 Old Durham Road.jpg

Date
Wednesday, June 13, 2018 3:05 PM

Size

Dimensions
4032 x 3024

Shot
1/2000 sec. f/1.7-4.2mm

ISO
50

Device
SM-G935V

Folder Path
C:\Users\wrenn\Desktop\City Docs
Advisory Boards\Special Use Permit
Hearings

Source
This PC

Location
Boxboro



Open Map

View all photos





Memo

To: Mayor Newell, Roxboro City Councilmen
From: Lauren Johnson
cc: City Clerk, Trevie Adams
Date: June 18, 2018
Re: Certification of Written Notice

Please be advised letters were mailed First Class to the following property owners notifying same of the pending Special Use Permit Request, Docket #: SUP2018-03, for the parcel identified as 95 10 on today's date. This list includes all property owners with land adjacent to the parcels within 200 feet, as well as the listed owners of the property under consideration. The applicant was CC'd regarding this matter.

1. Marvin Doyle Gentry
2. Niner Properties, LLC.
3. Leroy & Margie Roach
4. Christopher & Wendy Carlson
5. Sandra Whitt
6. Eric & Lisa Smith
7. Pensco Trust Company, LLC.,
Custodian
8. Windridge Apartments, LLC.
9. Jackson McKee
10. Timothy Walker
11. Emily & Clint Roach
12. Melissa Clark
13. Brooksdale United Methodist
Church
14. Legacy Building Company

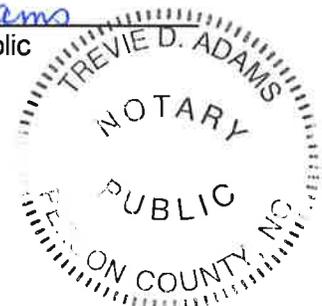

Lauren W. Johnson, CZO
Planning & Development Director

ATTEST:

Witness my hand and notarial seal, this 18th day of June 2018.


Trevie D. Adams
Notary Public

My Commission Expires: February 11, 2022





City of Roxboro
June 18, 2018

Sandra Whitt
223 Old Durham Road
Roxboro, NC 27573

Dear sir or madam,

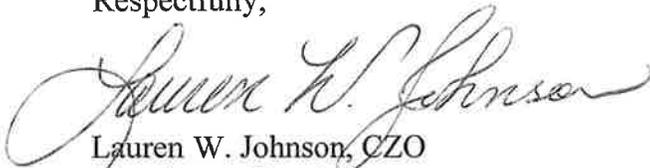
Please be advised that a site adjacent to your property (see attached) is under consideration for **a Special Use Permit for expanding the use of "church" at an existing location.**

The application for 265 Old Durham Road, identified as Tax Map 95 10 is pending review by the Roxboro City Council. The applicant has requested to build an addition to the right rear of the existing building, which will house a choir room.

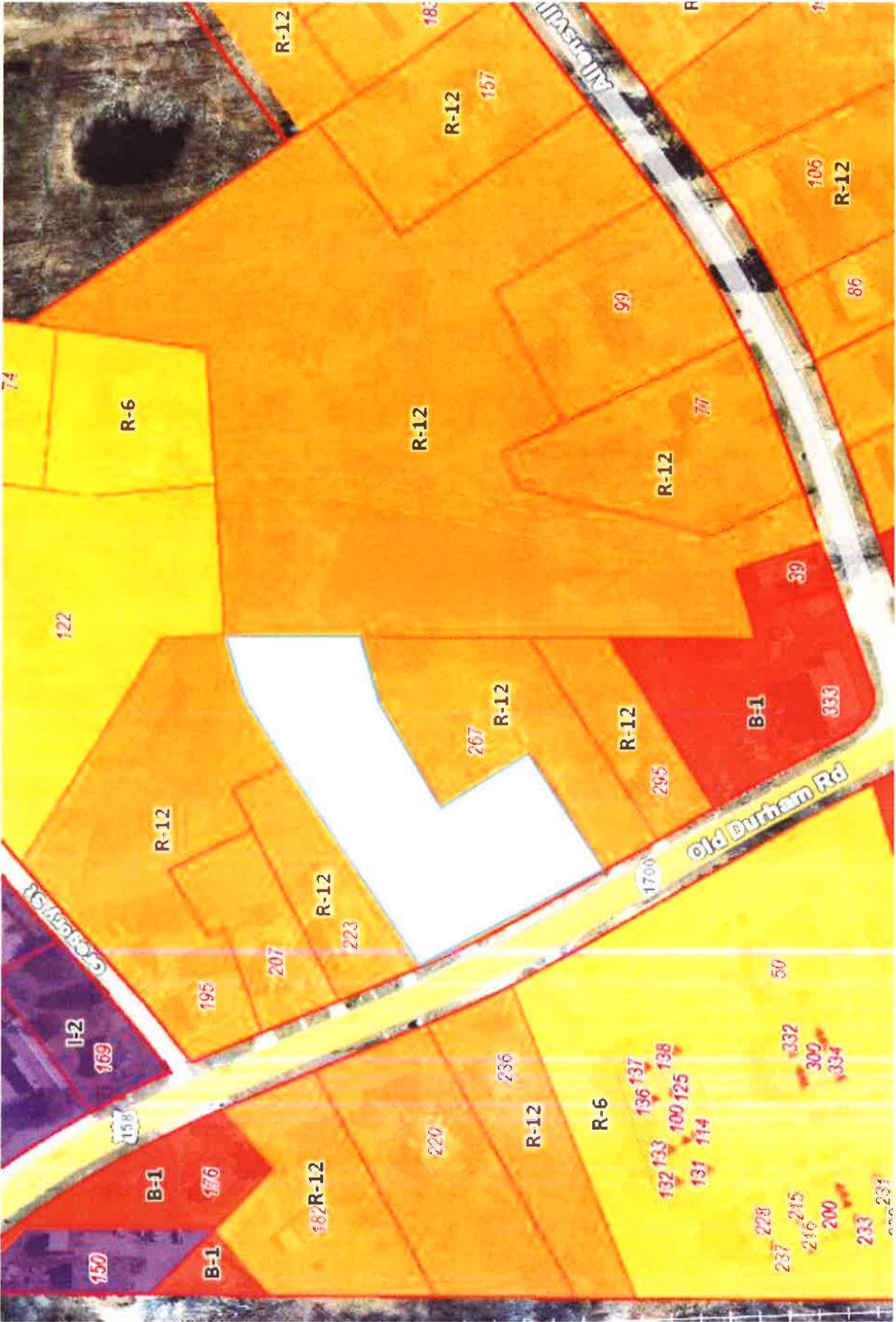
The application will be reviewed by the Roxboro City Council at 7 p.m. on July 10, 2018. This meeting is a Public Hearing and will be held at 105 S. Lamar Street, Roxboro, N.C. 27573 in the Council Chambers. Comments made by the public must be factual testimony pertaining to the hearing item.

If you have any questions regarding this matter please contact the Roxboro Planning and Development Office at 336.322.6018.

Respectfully,


Lauren W. Johnson, CZO
Planning & Development Director
City of Roxboro

Enclosure





City of Roxboro

June 18, 2018

Brooksdale United Methodist Church
PO Box 1052
Roxboro, NC 27573

Dear sir or madam,

This letter is to inform you of the pending Public Hearing for the request for *a Special Use Permit for expanding the use of "church" at 265 Old Durham Road.*

The application will be reviewed by the Roxboro City Council at 7 p.m. on July 10, 2018. This meeting is a Public Hearing and will be held at 105 S. Lamar Street, Roxboro, N.C. 27573 in the Council Chambers. Comments made by the public must be factual testimony pertaining to the hearing item.

If you have any questions regarding this matter please contact the Roxboro Planning and Development Office at 336.322.6018.

Respectfully,

Lauren W. Johnson, CZO
Planning & Development Director
City of Roxboro

CC: Legacy Building, Co.
PO Box 1133
Roxboro, NC 27573

Motion Format Samples:

FAVORABLE: I make a motion we approve the Special Use Permit request for 265 Old Durham Road for expanding the use “church,” with the proposed conditions outlined in the hearing packet for Docket #SUP2018-03, as it meets the required findings outlined in Section 4.9.4.5. of the City’s UDO.

UNFAVORABLE: I make a motion we deny the Special Use Permit request for 265 Old Durham Road for expanding the use “church,” as it will not meet the required findings outlined in Section 4.9.4.5. of the City’s UDO.

7. Planning Board and Board of Adjustment Board Appointments

CITY OF ROXBORO
APPLICATION FOR CITIZEN ADVISORY BOARDS

This application form is designed to protect individual rights and privacy and to insure equal opportunity. All questions are considered important and no other use is intended for the information you submit.

PERSONAL INFORMATION

Name: Benjamin Gault IV

Home Address: 26 Oak St.

City, State, Zip: Roxboro, NC 27573

Home Phone: 919.308.9781 Work/Day Time Phone: 336.599.3388

Do you live within the city limits of Roxboro? Yes No

BOARD/COMMISSION APPLYING FOR

Choice #1: Planning Board

Choice #2: _____

Additional Comments: _____

EMPLOYMENT

Current Occupation/Title: Sales Manager

Employer Name: Dreamworks Motorsports

Employer Address: 707 Leasburg Rd

City, State, Zip: Roxboro, NC 27573

Supervisor's Name: Adam Wolfe

Name of School	Education Year Graduated	Degree
High School: <u>Pinson</u>	<u>1999</u>	<u>High School Diploma</u>
College: _____	_____	_____
Graduate School: _____	_____	_____
Other: _____	_____	_____

Please describe community services, include membership on other public boards, experience and interest in serving: _____

COMMUNITY EVENTS AT LOCAL CHURCHES & BUSINESSES WITH MY
JOB, PAST MEMBER OF BOY SCOUTS, PERSON HIGH MARCHING BAND,
STROTZ, INTERESTED IN HELPING OUR COMMUNITY & CITY GROW
WHILE PRESERVING ITS CHARACTER

PERSONAL REFERENCES

Name: KEN WOLFE Daytime phone: 336-504-3649

Address: 3006 UNION GROVE CHURCH RD Relationship: FRIEND

City, State, Zip: HURDLE MILLS NC 27541

Name: TAMMY DANIELS Daytime phone: 317-435-1614

Address: 20 OAK ST Relationship: FRIEND / NEIGHBOR

City, State, Zip: ROXBORO NC, 27573

Have you ever been convicted of an offense against the law or forfeited a bond? Yes
 No. If "YES" please explain. A criminal record will not necessarily exclude you from employment. Such factors as age at time of offense, rehabilitation efforts, recent and seriousness of the crime will be taken into account. You may omit (1) traffic violations of which you paid a fine of \$30.00 or less, and (2) any offense committed before your 21st birthday, which was finally disposed of in a juvenile court or under a Youth Offender Law.

Explain:

Please return completed application to:

City of Roxboro
Office of City Clerk
PO Box 128
Roxboro, NC 27573

CITY OF ROXBORO
APPLICATION FOR CITIZEN ADVISORY BOARDS

This application form is designed to protect individual rights and privacy and to insure equal opportunity. All questions are considered important and no other use is intended for the information you submit.

PERSONAL INFORMATION

Name: Julie Michelle Gentry Jeffreys
Home Address: 314 S. Main St
City, State, Zip: Roxboro, NC 27573
^{Cell} Home Phone: 336-583-6656 Work/Day Time Phone: same
Do you live within the city limits of Roxboro? Yes No

BOARD/COMMISSION APPLYING FOR

Choice #1: City Planning Board
Choice #2: _____
Additional Comments: _____

EMPLOYMENT

Current Occupation/Title: I homeschool my son
Employer Name: Me
Employer Address: _____
City, State, Zip: _____
Supervisor's Name: _____

EDUCATION		
<u>Name of School</u>	<u>Year Graduated</u>	<u>Degree</u>
High School: <u>Person</u>	<u>94'</u>	<u>diploma</u>
College: <u>UNCW</u>	<u>99'</u>	<u>Psychology</u>
Graduate School: _____	_____	_____
Other: <u>PCC - nursing degree</u>	_____	_____

Please describe the community services, include membership on other public boards, experience and interest in serving: Board of directors for the Person County Museum of History.
Volunteer for the Christian Help Center.

PERSONAL REFERENCES

Name: Margaret McMann Daytime Phone: 336-504-8816
Address: 303 Windsor Dr Relationship: Long time friend
City, State, Zip: Roxboro, NC 27573

Name: Ruthy Young Daytime Phone: 336-597-2884
Address: _____ Relationship: Worked with her at the museum, she is the Director
City, State, Zip: _____

Have you ever been convicted of an offense against the law or forfeited a bond ?
Yes _____ No If "YES", please explain. A criminal record will not necessarily exclude you from employment. Such factors as age at time of offense, rehabilitation efforts, recent and seriousness of the crime will be taken into account. You may omit (1) traffic violations of which you paid a fine of \$30.00 or less; and (2) any offense committed before your 21st birthday, which was finally disposed of in a juvenile court or under a Youth Offender Law.

Explain:

Please return completed application to:

City of Roxboro
Office of City Clerk
P.O. Box 128
Roxboro, NC 27573

CITY OF ROXBORO
APPLICATION FOR CITIZEN ADVISORY BOARDS

This application form is designed to protect individual rights and privacy and to insure equal opportunity. All questions are considered important and no other use is intended for the information you submit.

PERSONAL INFORMATION	
Name:	<u>JAMES REARDON</u>
Home Address:	<u>514 S. MAIN ST.</u>
City, State, Zip:	<u>ROXBORO, N. C. 27573</u>
Home Phone:	<u>597-4876</u> Work/Day Time Phone: _____
Do you live within the city limits of Roxboro? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

BOARD/COMMISSION APPLYING FOR	
Choice #1:	<u>BOARD OF ADJUSTMENTS</u>
Choice #2:	<u>PLANNING BOARD</u>
Additional Comments: _____	

EMPLOYMENT	
Current Occupation/Title:	<u>RETIRED</u>
Employer Name:	_____
Employer Address:	_____
City, State, Zip:	_____
Supervisor's Name:	_____

Name of School	Education Year Graduated	Degree
High School: <u>WESTBURY</u>	<u>1977</u>	_____
College: <u>SUNY @ CORTLAND</u>	<u>1978</u>	<u>B.S.E.</u>
Graduate School:	_____	_____
Other:	_____	_____

Please describe community services, include membership on other public boards, experience and interest in serving: _____

LACROSS COACH - Community School

Knights of Columbus member

PERSONAL REFERENCES

Name: JACK HESTER Daytime phone: 599-1943

Address: 509 S. MAIN ST Relationship: Neighbor

City, State, Zip: Roxboro

Name: BLOSSOM GARDNER Daytime phone: 599-0996

Address: 1101 GARDNER RD Relationship: Friend

City, State, Zip: Roxboro NC 27574

Have you ever been convicted of an offense against the law or forfeited a bond? Yes
 No. If "YES" please explain. A criminal record will not necessarily exclude you from employment. Such factors as age at time of offense, rehabilitation efforts, recent and seriousness of the crime will be taken into account. You may omit (1) traffic violations of which you paid a fine of \$30.00 or less, and (2) any offense committed before your 21st birthday, which was finally disposed of in a juvenile court or under a Youth Offender Law.

Explain:

Please return completed application to:

City of Roxboro
Office of City Clerk
PO Box 128
Roxboro, NC 27573

CITY OF ROXBORO
APPLICATION FOR CITIZEN ADVISORY BOARDS

This application form is designed to protect individual rights and privacy and to insure equal opportunity. All questions are considered important and no other use is intended for the information you submit.

PERSONAL INFORMATION

Name: Margaret McManis
Home Address: 303 Windsor Drive
City, State, Zip: Roxboro NC 27573
Home Phone: 336.599.8123 Work/Day Time Phone: 336.597.2689
Do you live within the city limits of Roxboro? Yes No

BOARD/COMMISSION APPLYING FOR

Choice #1: Board of Adjustment
Choice #2: _____
Additional Comments: Re-Appointment

EMPLOYMENT

Current Occupation/Title: Executive Director PC Tourism Development Authority
Employer Name: PC TDA
Employer Address: POB 4 1775
City, State, Zip: Roxboro NC 27573
Supervisor's Name: Herman Gentry - Board Chair

Name of School	Education Year Graduated	Degree
High School: <u>GW High School</u> <u>DANVILLE VA</u>	<u>1965</u>	<u>College Prep</u>
College: <u>Elon College</u> <u>ELON, NC</u>	<u>1968</u>	<u>BA English</u>
Graduate School: _____	_____	_____
Other: _____		

Please describe community services, include membership on other public boards, experience and interest in serving: Member of Rotary Club of Roxboro;

Ex-Officio Board Member - Roxboro Area Chamber of Commerce;

Roxboro Development Group; Member of The Directors' Roundtable;

President of Friends of the Library; I am a Guardian ad Litem for PC Court System.

PERSONAL REFERENCES

Name: Lois Wenstead Daytime phone: 336-599-6265

Address: 219 S. Lamas Street Relationship: former TDA Board Member

City, State, Zip: Roxboro NC 27573

Name: Randy King Daytime phone: 336-504-1857

Address: 104 Erroll Ct Relationship: friend

City, State, Zip: Leasburg NC 27291

Have you ever been convicted of an offense against the law or forfeited a bond? Yes
 No. If "YES" please explain. A criminal record will not necessarily exclude you from employment. Such factors as age at time of offense, rehabilitation efforts, recent and seriousness of the crime will be taken into account. You may omit (1) traffic violations of which you paid a fine of \$30.00 or less, and (2) any offense committed before your 21st birthday, which was finally disposed of in a juvenile court or under a Youth Offender Law.

Explain:

Please return completed application to:

City of Roxboro
Office of City Clerk
PO Box 128
Roxboro, NC 27573

8. Resolution Approving Local Water Supply Plan

**RESOLUTION FOR APPROVING
LOCAL WATER SUPPLY PLAN**

WHEREAS, North Carolina General Statute 143-355(I) requires that each unit of local government that provides public water service or that plans to provide public water service and each large community water system shall, either individually or together with other units of local government and large community water systems, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for the City of Roxboro, has been developed and submitted to the Roxboro City Council for approval; and

WHEREAS, the Roxboro City Council finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355(I) and that it will provide appropriate guidance for the future management of water supplies for the City of Roxboro, as well as useful information to the Department of Environmental Quality for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Roxboro City Council of the City of Roxboro that the Local Water Supply Plan entitled, Resolution for Approving Local Water Supply Plan dated July 10, 2018, is hereby approved and shall be submitted to the Department of Environmental Quality, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Roxboro City Council intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the _____ day of _____, 20____.

Marilyn P. Newell, Mayor

Attest:

Trevie Adams, MMC/NCCMC

9. Revolving Loan Application - Barefoot Development Group

July 2, 2018

For City Council Meeting July 10, 2018

From: Dan Craig, Finance Director

Subject: Revolving Loan Program

Barefoot Development Group LLC, members of the LLC are Cecil Barker and Renee Barker, has applied for a loan of \$30,000 from the City of Roxboro's Revolving Loan Program. The property is located at 111 N Main Street. Substantial renovation is being completed on the property, which will become rental property.

The City will be in the position of a second lien deed of trust on the property. The present property tax listing value is \$71,834. After the renovation, the tax value of the property is expected to be in excess of the first deed of trust and the City's deed of trust. Barefoot Development Group LLC has demonstrated the ability to repay this loan and the Barkers, through another entity, previously had a loan from this program that was fully repaid within the terms of that loan. The note receivable, deed of trust, and related legal documents are currently ready to be in process to have this loan in place.

It is recommended that this loan application be approved by Roxboro City Council.

10. Approval of Bond Anticipation Notice

CITY COUNCIL
OF THE
CITY OF ROXBORO, NORTH CAROLINA

Excerpt of Minutes
of Meeting of
July 10, 2018

Present: _____ presiding, and

Councilmembers: _____

Absent: _____

* * * * *

Councilmember _____ introduced the following resolution, the title of which was read:

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTES OF THE CITY OF ROXBORO IN THE AGGREGATE PRINCIPAL AMOUNT OF \$23,785,000

WHEREAS, the City of Roxboro (the “City”), acting by and through its City Council (the “City Council”), has determined that the issuance of bonds to finance improvements to the water and sewer system within the City, including the acquisition, installation and equipping of a wastewater treatment plant in the City (collectively, the “Project”) will benefit and be in the best interests of the City;

WHEREAS, on June 12, 2018, the City Council adopted a bond order (the “Bond Order”) entitled:

“BOND ORDER OF CITY OF ROXBORO AUTHORIZING THE ISSUANCE OF WATER AND SEWER SYSTEM REVENUE BONDS TO PROVIDE FUNDS FOR THE ACQUISITION, INSTALLATION AND EQUIPPING OF A WASTEWATER TREATMENT SYSTEM; PROVIDING FOR THE ISSUANCE OF ADDITIONAL REVENUE BONDS FOR VARIOUS PURPOSES; PROVIDING FOR THE ISSUANCE OF REVENUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF REVENUE BONDS; PROVIDING FOR THE CREATION OF CERTAIN SPECIAL FUNDS; PLEDGING TO THE PAYMENT OF THE PRINCIPAL OF AND THE INTEREST ON THE REVENUE BONDS AND NOTES CERTAIN REVENUES OF THE WATER AND SEWER SYSTEM; SETTING FORTH THE RIGHTS AND REMEDIES OF HOLDERS; AND SETTING FORTH THE DETAILS OF CERTAIN RELATED MATTERS”; and

WHEREAS, the Bond Order authorizes the issuance of bond anticipation notes in accordance with Section 3.02 thereof in order to finance System Improvements (as defined in the Bond Order);

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

ARTICLE I DEFINITIONS

Section 1.01. Meaning of Words and Terms. Unless otherwise required by the context, capitalized words and terms used herein which are defined in the Bond Order shall have the meanings assigned to them therein, and the following capitalized words and terms shall have the following meanings:

“Act” means collectively, Article 16 of Chapter 160A of the North Carolina General Statutes, and The State and Local Government Revenue Bond Act, constituting Article 5 of Chapter 159 of the General Statutes of North Carolina, as amended.

“Bond Order” means the Bond Order adopted by the City Council on June 18, 2018, authorizing and securing the issuance of Bonds, including the Notes, together with all orders amendatory hereof and all orders supplemental hereto as herein permitted.

“Bond Registrar” means the Finance Director of the City, as designated by Section 2.01.

“Business Day” means a day that is not a Saturday or a Sunday and is a day that the Bond Registrar is open for the conducting of business.

“Closing” means the delivery of and payment for the Notes.

“Closing Date” means the date of the Closing.

“Date of Taxability” shall mean the first date upon which interest on the Notes is included in the gross income of the Purchaser for federal income tax purposes as a result of an Event of Taxability or a Determination of Taxability.

“Default Rate” means the highest of (A) the Prime Rate or (B) the sum of the Overnight Bank Funding Rate plus fifty (50) basis points (0.50%).

“Determination of Taxability” means a determination that the interest on the Notes is included in gross income of the Purchaser for federal income tax purposes, which determination shall be deemed to have been made upon the occurrence of the first to occur of the following: (a) the date on which the Purchaser is advised in writing by the Commissioner or any District Director of the Internal Revenue Service that, as a consequence of an Event of Taxability, the interest on the Notes is included in the gross income of the Purchaser for federal income tax purposes; (b) the date on which the City receives notice from the Purchaser that the Purchaser has been advised in writing that the Internal Revenue Services has issued a statutory notice of deficiency or similar notice to the Purchaser which asserts, in effect, that interest on the Notes received by the Purchaser is included in the gross income of the Purchaser for federal income tax purposes, as a result of an Event of Taxability; (c) the day on which the City is advised in writing by the Commissioner or any District Director of the Internal Revenue Service that there has been issued a public or private ruling of the Internal Revenue Service that the interest on the Notes is

included in the gross income of the Purchaser for federal income tax purposes as a result of an Event of Taxability; or (d) the day on which the City is advised in writing by counsel to the Purchaser that a final determination, from which no further right of appeal exists has been made by a court of competent jurisdiction in the United State of America in a proceeding with respect to which the City has been given notice and an opportunity to participate and defend that interest on the Notes is included in the gross income of the Purchaser for federal income tax purposes as a result of an Event of Taxability.

“Event of Taxability” means any event, occurrence or situation, resulting from an action, or failure to act, by the City, the effect of which is to cause the interest on the Notes to be includible in the gross income of the Purchaser for federal income tax purposes.

“Interest Payment Date” means each January 24 and July 24, commencing January 24, 2019, and the Maturity Date (or such earlier date on which the Notes are prepaid in accordance with Section 3.01 hereof).

“Maturity Date” means July 24, 2020.

“Notes” means the \$23,785,000 City of Roxboro, North Carolina Water and Sewer System Revenue Bond Anticipation Notes, Series 2018 issued pursuant to the Bond Order and this Series Resolution.

“Overnight Bank Funding Rate” shall mean, for any day, the rate comprised of both overnight federal funds and overnight Eurocurrency borrowings by U.S.-managed banking offices of depository institutions, as such composite rate shall be determined by the Federal Reserve Bank of New York (“NYFRB”), as set forth on its public website from time to time, and as published on the next succeeding Business Day as the overnight bank funding rate by the NYFRB (or by such other recognized electronic source (such as Bloomberg) selected by the Bank for the purpose of displaying such rate); provided, that if such day is not a Business Day, the Overnight Bank Funding Rate for such day shall be such rate on the immediately preceding Business Day; provided, further, that if such rate shall at any time, for any reason, no longer exist, a comparable replacement rate determined by the Bank at such time (which determination shall be conclusive absent manifest error). If the Overnight Bank Funding Rate determined as above would be less than zero, then such rate shall be deemed to be zero. The rate of interest charged shall be adjusted as of each Business Day based on changes in the Overnight Bank Funding Rate without notice to the City.

“Prime Rate” means the rate publicly announced by PNC Bank, National Association from time to time as its prime rate. The Prime Rate is determined from time to time by the Purchaser as a means of pricing some loans to its borrowers. The Prime Rate is not tied to any external rate of interest or index, and does not necessarily reflect the lowest rate of interest actually charged by PNC Bank, National Association to any particular class or category of customers.

“Purchaser” means PNC Bank, National Association, as the original purchaser of the Notes, and any permitted assignee or transferee of the Notes.

“Regular Record Date” means the Business Day next preceding any Interest Payment Date.

Section 1.02. **Rules of Construction.** Words of the masculine gender shall be deemed and construed to include correlative words of the feminine and neuter genders. Unless the

context shall otherwise indicate, words used herein shall include the plural as well as the singular number. References herein to particular articles or sections are references to articles or sections of this Series Resolution unless some other reference is indicated.

ARTICLE II
**AUTHORIZATION, FORM, ISSUANCE AND DELIVERY OF THE
NOTES**

Section 2.01. Authorization and Issuance of the Notes. The City hereby authorizes the issuance of the Series 2018 Bond Anticipation Notes designated “City of Roxboro, North Carolina Water and Sewer System Revenue Bond Anticipation Notes, Series 2018” in the aggregate principal amount of \$23,785,000 for the purpose of providing funds, together with any other available funds, to (a) pay the costs of the Project and (b) pay the other costs and expenses incurred in connection with the issuance of the Notes. The Notes shall be issued under and pursuant to the Constitution and the laws of the State, including the Act, the Bond Order and this Series Resolution, subject to the conditions set forth herein and therein.

The Finance Director of the City is hereby appointed as Bond Registrar for the Notes pursuant to the provisions of the Bond Order and this Series Resolution.

The Notes shall be secured by the Net Revenues pledged under the Bond Order, and by the proceeds from the issuance of bonds to be issued under the Bond Order and purchased by the [United States Department of Agriculture – Rural Development \(the “USDA”\)](#) no later than the Maturity Date.

Section 2.02. Form of Notes. The definitive Notes shall be initially issued as one fully registered note without coupons numbered R-1 in the aggregate principal amount of \$23,785,000, and shall be initially registered in the name of the Purchaser. The definitive Notes shall be substantially in the form set forth in Exhibit A attached hereto and made a part hereof, with such appropriate variations, omissions and insertions as are permitted or required by the Bond Order or this Series Resolution. Notwithstanding anything in the Bond Order to the contrary, the Notes may be transferred in the manner specified in the Bond Order, but may not be exchanged for any denomination other than the outstanding principal amount thereof.

Notwithstanding any other provisions of the Bond Order or this Series Resolution to the contrary, the Bond Registrar shall not register the transfer of the Notes to any person other than a bank, insurance company or similar financial institution unless such transfer has been previously approved by the City. The provisions of this paragraph may not be amended without the prior written consent of the City.

Section 2.03. Details of Notes. The Notes shall be dated the Closing Date, shall bear interest at a rate of 3.30% per annum (computed on the basis of a 360-day year consisting of twelve 30-day months), except as provided below, such principal and interest being payable on each Interest Payment Date, all as set forth in the form of the Notes included in Exhibit A attached hereto and made a part hereof.

Upon the occurrence and during the continuation of an event of default under the Bond Order, all amounts outstanding under the Notes shall bear interest at the Default Rate.

If at any time there is a Determination of Taxability or Event of Taxability, the fixed rate of interest shall be increased to and be calculated at the rate which will provide to the Purchaser the effective yield which it would have received if there had not been a Determination of Taxability or an Event of Taxability, such rate to be determined by the Purchaser (the “Alternative Rate of Interest”), and shall be payable from the Date of Taxability to such time as the Notes are paid in full. In such event, the City shall be required to pay to the Purchaser all amounts, if any, which may be necessary to reimburse the Purchaser for any interest, penalties or other charges assessed by the Internal Revenue Service and the Department of Revenue of the State of North Carolina against the Purchaser by reason of the Purchaser’s failure to include the interest on the Notes in its gross income for income tax purposes. The City shall pay to the Purchaser the above mentioned Alternative Rate of Interest notwithstanding any Transfer by the Purchaser or payment or prepayment by the City prior to the date such Determination of Taxability was made.

Principal of and interest on the Notes are payable, to such account in the United States as the Holder may designate, by wire transfer or other immediately available funds delivered on the payable date.

Section 2.04. Terms and Conditions for Issuance of Notes. The Notes shall be executed substantially in the form and in the manner herein and in the Bond Order set forth and shall be deposited with the Bond Registrar for authentication, but before the Notes shall be authenticated and delivered to the State Treasurer for redelivery to the Purchaser, there shall be filed with the Bond Registrar and the Purchaser, the following:

(a) copies, certified by the Clerk to be true and correct copies, of the Bond Order and this Series Resolution;

(b) a certificate of the City authorizing the award of the Notes;

(c) an opinion of bond counsel to the City to the effect that the Notes have been validly issued in accordance with the provisions of the Bond Order and this Series Resolution in form and substance satisfactory to the Purchaser;

(d) an opinion of counsel to the City in form and substance satisfactory to the Purchaser and bond counsel to the City;

(e) evidence that the Local Government Commission of North Carolina has approved the issuance and sale of the Notes;

(f) a letter from ~~United States Department of Agriculture—Rural Development~~ (the “~~the~~ USDA”), evidencing a commitment by USDA to purchase the bond in anticipation of which the Notes are being issued ~~at on~~ the ~~maturity date of the Notes~~ **Maturity Date**; and

(g) such other documentation or opinions as may reasonably be requested by the Bond Registrar, the Purchaser or bond counsel.

When the documents mentioned in Section 2.08 of the Bond Order and subsections (a) to (c), inclusive, of this Section shall have been filed with the Bond Registrar and the Purchaser,

and when the Notes shall have been executed and authenticated as required by the Bond Order and this Series Resolution, the Notes shall be delivered to or upon the order of the State Treasurer for redelivery to or upon the order of the Purchaser, but only upon the deposit with the Bond Registrar of the purchase price of the Notes.

ARTICLE III
REDEMPTION OF NOTES

Section 3.01. Redemption of Notes. The Notes shall be subject to redemption in whole or in part, at the option of the City, at any time on or after the date that is sixty (60) days prior to the Maturity Date.

ARTICLE IV
ACCOUNTS, REVENUES AND FUNDS; OTHER COVENANTS

Section 4.01. Payment of Notes. The City shall, subject to the provisions of Section 5.04 of the Bond Order, cause the Net Revenues deposited in the Revenue Fund to be used to pay the principal of, premium, if any, and interest on the Notes on each Interest Payment Date or any redemption date for the Notes.

Section 4.02. Establishment of Project Fund; Deposit of Note Proceeds to the Project Fund; Disbursement of Money in Project Fund. Simultaneously with the Closing the Purchaser will deposit the purchase price for the Notes in a deposit account of the City held by the Purchaser (the "Project Fund"). Such funds will be disbursed to pay costs of the Project. If the moneys held in the Project Fund and any other moneys provided by the City are insufficient to pay all of the costs of the Project and costs and expenses incurred in connection with the issuance of the Notes, the City shall provide any balance of the funds needed to complete the acquisition, construction and equipping of the Project. Any moneys remaining in the Project Fund after completion of the acquisition, construction and equipping of the Project, as evidenced by a written certificate of completion executed by a City Representative and delivered to the Purchaser stating that the Project has been completed and there are no mechanic's or other liens against the Project for labor or materials furnished in connection with the Project, may be applied to the repayment of interest on the maturity date of the Notes.

Section 4.03. Investment of Money. Money held for the credit of the Project Fund shall be continuously invested and reinvested by the City in Qualified Investments to the extent practicable. Any such Qualified Investments shall mature not later than the dates when the money held for the credit of the Project Fund will be required for the purposes intended. The City shall sell or reduce to cash in a commercially reasonable manner a sufficient amount of such Qualified Investments whenever it is necessary to do so in order to provide money to make any payment from the Project Fund.

Section 4.04. Payment of Principal and Interest and Premium and Pledge of Net Revenues. The City covenants that it will promptly pay the principal of and the interest on the Notes issued under the provisions of this Series Resolution at the place, on the dates and in the manner provided herein and in the Notes and any premium required for the retirement of the Notes in whole or in part by purchase or redemption of the Notes, according to the true intent and meaning thereof. The City further covenants that it will faithfully perform at all times all of its

covenants, undertakings and agreements contained in this Series Resolution and the Bond Order, or in any Notes executed, authenticated and delivered hereunder or in any proceedings of the City pertaining thereto. Pursuant to Section 159-163 of the North Carolina General Statutes, the City hereby pledges as security for the Notes, and grants a charge and lien on, the proceeds of Bonds issued for the Project, and agrees to take such action as may be required to issue the Bonds in order to provide funds to pay the principal of the Notes upon maturity. The City represents and covenants that it is duly authorized under the Constitution and laws of the State, particularly the Act, to issue the Notes authorized hereby and to pledge the proceeds of Bonds and Net Revenues in the manner and to the extent herein and in the Bond Order set forth; that all action on its part for the issuance of the Notes has been duly and effectively taken; and that such Notes in the hands of the Holders thereof are and will be valid and binding special revenue obligations of the City payable according to their terms. The Notes shall also be secured pari passu as to the pledge of Net Revenues and shall be entitled to the same benefit and security under the Bond Order as all other Bonds issued or incurred thereunder and then outstanding.

The City covenants, for the benefit of the owners of the Notes, to act with due diligence and commercial reasonableness in undertaking the Project, and will take such actions as may be reasonably required so that the Bonds are issued in a timely manner.

Section 4.05. Tax Covenants. The City covenants to do and perform all acts and things permitted by law in order to assure that interest paid on the Notes which is excludable from the gross income of its Holders for federal income taxes on the date of its issuance shall continue to be so excludable.

Section 4.06. Delivery of Audited Financial Statements; Other Information. While the Notes are outstanding, the City covenants to provide to the Purchaser, within one-hundred eighty (180) days of the end of each fiscal year of the City, a copy of the City's audited financial statements for such fiscal year. The City further covenants to provide the Purchaser with any other customary information as requested by the Purchaser from time to time.

ARTICLE V THE TRUSTEE

Section 5.01. Designation of Trustee. The City may at any time, with the approval of the City and the Holder, appoint a Trustee to administer the provisions of the Bond Order and this Series Resolution and may adopt such supplements to the Bond Order and this Series Resolution as shall be necessary or desirable to effectuate such appointment. Such Trustee shall meet the requirements set forth in Section IX of the Bond Order.

ARTICLE VI SUPPLEMENTAL RESOLUTIONS

Section 6.01. Modification Without Consent of Holders. The City may, from time to time and at any time, without the consent of any Holders of the Notes, execute and deliver such resolutions supplemental hereto (which supplemental resolutions shall thereafter form a part

hereof) as shall be substantially consistent with the terms and provisions of this Series Resolution and shall not materially and adversely affect the interest of the Holders:

(a) to cure any ambiguity or formal defect or omission, to correct or supplement any provision herein that may be inconsistent with any other provision herein, to make any other provisions with respect to matters or questions arising under this Series Resolution or to modify, alter, amend, add to or rescind, in any particular manner, any of the terms or provisions contained in this Series Resolution, as is substantially consistent with the terms and provisions of this Series Resolution and does not materially and adversely affect the interest of the Holders;

(b) to grant or to confer upon the Holders any additional rights, remedies, powers, authority or security that may lawfully be granted to or conferred upon the Holders;

(c) to add to the covenants and agreements of the City in this Series Resolution other covenants and agreements thereafter to be observed by the City or to surrender any right or power herein reserved to or conferred upon the City; or

(d) to permit the qualification of this Series Resolution under any federal statute now or hereafter in effect or under any state blue sky laws, and, in connection therewith, if the City so determines, to add to this Series Resolution or any supplemental series resolution such other terms, conditions and provisions as may be permitted or required by such federal statute or blue sky laws.

At least thirty (30) days prior to the execution and delivery of any supplemental series resolution for any of the purposes of this Section, the Bond Registrar shall cause a notice of the proposed supplemental series resolution to be mailed first-class, postage prepaid, to the City and to the Holders of the Notes. Such notice shall briefly set forth the nature of the proposed supplemental series resolution and shall state that copies thereof are on file at the principal office of the Bond Registrar for inspection by the Holders of the Notes. A failure on the part of the Bond Registrar to mail the notice required by this Section shall not affect the validity of such supplemental series resolution.

Notwithstanding the foregoing or anything contained in the Bond Order, so long as the Purchaser is the sole owner of the Note, the City shall not amend or supplement this Series Resolution without the consent of the Purchaser, and, so long as the Note is the only obligation outstanding under the Bond Order, the City shall not amend or supplement the Bond Order without the consent of the Purchaser; provided that, the City may adopt a series resolution authorizing the issuance of revenue bonds to repay the Note without any such consent.

Section 6.02. Modification of Series Resolution With Consent of Holders. Subject to the terms and provisions contained in this Section, and not otherwise, the Holders of the Notes shall have the right, from time to time, anything contained in this Series Resolution to the contrary notwithstanding, to consent to and approve the adoption by the City of such supplemental series resolutions as shall be deemed necessary or desirable by the City for the purpose of modifying, altering, amending, adding to or rescinding, in any particular, any of the terms or provisions contained in this Series Resolution or in any supplemental series resolution. Nothing herein contained, however, shall be construed as making necessary the approval by the Holders of the

Notes of the execution and delivery of any supplemental series resolution as authorized in Section 6.01.

The Bond Registrar shall, at the expense of the City, such expense to be paid from the Revenue Fund or from any other available moneys, cause notice of the proposed supplemental series resolution to be mailed, postage prepaid, to the City and the Holders of the Notes as of the date such notice is mailed. Such notice shall briefly set forth the nature of the proposed supplemental series resolution and shall state that copies thereof are on file at the principal office of the Bond Registrar for inspection by such Holders.

Whenever, at any time after the date of the mailing of such notice, the City receives an instrument in writing purporting to be executed by the Holders of the Notes, which instrument shall refer to the proposed supplemental series resolution described in such notice and shall specifically consent to and approve the adoption thereof in substantially the form of the copy thereof referred to in such notice, thereupon, but not otherwise, the City may adopt such supplemental series resolution in substantially such form, without liability or responsibility to such Holders.

If the Holders of the Notes have consented to and approved the adoption thereof as herein provided, to the extent permitted by law, the Holders shall have no right to object to the adoption of such supplemental series resolutions, to object to any of the terms and provisions contained therein or the operation thereof, to question the propriety of the adoption thereof, or enjoin or restrain the City from adopting the same or from taking any action pursuant to the provisions thereof.

Upon the adoption of any supplemental series resolution pursuant to the provisions of this Section or Section 6.01, this Series Resolution shall be and be deemed to be modified and amended in accordance therewith, and the respective rights, duties and obligations under this Series Resolution of the City, the Bond Registrar and the Holders of the Notes shall thereafter be determined, exercised and enforced in all respects pursuant to the provisions of this Series Resolution, as so modified and amended.

Section 6.03. Responsibilities of City Under this Article. The City shall be entitled to exercise its discretion in determining whether or not any proposed supplemental series resolution or any term or provision therein contained is desirable, after considering the purposes of such instrument, the needs of the City and the rights and interests of the Holders of the Notes.

ARTICLE VII MISCELLANEOUS PROVISIONS

Section 7.01. Manner of Giving Notice. All notices, demands and requests to be given to or made hereunder by the City, the Commission or the Bond Registrar shall be given or made in writing and shall be deemed to be properly given if sent by United States registered or certified mail, return receipt requested, or by national overnight delivery service addressed as follows:

- (a) **As to the City or Bond Registrar --**

City of Roxboro, North Carolina
Post Office Box 128

Roxboro, North Carolina 27573
Attention: Finance Director

(b) **As to the Local Government Commission --**

North Carolina Local Government Commission
3200 Atlantic Avenue
Longleaf Building
Raleigh, North Carolina 27604
Attention: Secretary

(c) **As to the Purchaser –**

PNC Bank, National Association
301 Fayetteville Street
Suite 2100
Raleigh, North Carolina 27601
Attention: Kyle Huber

Any such notice, demand or request shall be deemed to be properly given on the date such notice, demand or request is received, as evidenced by the receipt or other tracking information provided by the U.S. Postal Service or the overnight delivery service.

Any of such addresses may be changed at any time upon written notice of such change sent by United States registered or certified mail, postage prepaid, to the other parties by the party effecting the change.

Section 7.02. Reserved.

Section 7.03. City, Bond Registrar and Holder Alone Have Rights Under Series Resolution. Except as herein otherwise expressly provided, including, without limitation, nothing in this Series Resolution, express or implied, is intended or shall be construed to confer upon any person, firm or corporation, other than the City, the Bond Registrar and the Holder of the Notes, any right, remedy or claim, legal or equitable, under or by reason of this Series Resolution or any provision being intended to be and being for the sole and exclusive benefit of the City, the Bond Registrar and the Holder of the Notes.

Section 7.04. Application to the Commission. The Local Government Commission of North Carolina is hereby requested to sell the Notes at private sale and without advertisement pursuant to G.S. 159-123 to the Purchaser.

Section 7.05. Effect of Partial Invalidity. In case any one or more of the provisions of this Series Resolution or the Notes shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions of this Series Resolution or the Notes, but this Series Resolution and the Notes shall be construed and enforced as if such illegal or invalid provisions had not been contained therein. In case any covenant, stipulation, obligation or agreement contained in this Series Resolution or the Notes shall for any reason be held to be in violation of law, then such covenant, stipulation, obligation or agreement shall be deemed to be the covenant, stipulation, obligation or agreement of the City to the full extent permitted by law.

Section 7.06. Effect of Covenants; Governing Law. All covenants, stipulations, obligations and agreements of the City contained in this Series Resolution shall be deemed to be covenants, stipulations, obligations and agreements of the City to the full extent permitted by the Constitution and laws of the State. This Series Resolution is executed and delivered with the intent that the laws of the State shall govern this construction.

Section 7.07. Headings. Any heading preceding the text of the several articles hereof, any table of contents or marginal notes appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this Series Resolution, nor shall they affect its meaning, construction or effect.

Section 7.08. Further Authority. The officers, attorneys, employees and other agents of the City are hereby authorized to do all acts and things required of them by this Series Resolution for the full, punctual and complete performance of all of the terms, covenants and agreements contained in the Notes and this Series Resolution.

The Mayor or the City Manager, the Finance Director and the Clerk, or any of them or their deputies, are further authorized and directed (without limitation except as expressly provided herein) to take such action and to execute and deliver such documents, certificates, agreements or other instruments as they, with the advice of counsel, may deem necessary or appropriate to effect the transactions contemplated by the Bond Order and this Series Resolution.

Section 7.09. Payment Due on Holidays. If the date for making any payment or the last day for performance of any act or the exercising of any right as provided in this Series Resolution is not a Business Day, such payment may be made or act performed or right exercised on the next Business Day with the same force and effect as if done on the date provided in this Series Resolution.

Section 7.10. No Advisory or Fiduciary Role. The City acknowledges and agrees that: (1) the primary role of the Purchaser is to purchase the Notes for its own account, in an arms' length commercial transaction between the City and the Purchaser and the Purchaser has financial and other interests that differ from those of the City; (2) the Purchaser is acting solely as principal and is not acting as municipal advisor, financial advisor or fiduciaries to the City and has not assumed any advisory or fiduciary responsibility to the City with respect to the transaction contemplated hereby and the discussions, undertakings and procedures leading thereto; (3) the only obligations the Purchaser has to the City with respect to the transaction contemplated hereby expressly are set forth in this Series Resolution and the Notes; and (4) the City has consulted its own financial and/or municipal, legal, accounting, tax and other advisors, as applicable, to the extent it has deemed appropriate.

Section 7.11. ~~Section 7.10.~~—Series Resolution Effective. This Series Resolution shall take effect upon its adoption.

Councilmember _____ moved the passage of the foregoing resolution and Councilmember _____ seconded the motion and the resolution was passed by the following vote:

Ayes: Councilmember _____

Nays: Councilmember _____

Not voting: Councilmember _____

* * * * *

I, Trevie ~~Andrews~~Adams, Clerk for the City of Roxboro, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City at a regular meeting duly called and held on July 10, 2018, and that the proceedings of such meeting are recorded in the Minutes of the City. Pursuant to G.S. § 143-318.12, a current copy of a schedule of regular meetings of the City Council of the City is on file in my office.

WITNESS my hand and the official seal of the City this ____ day of July __, 2018.

Clerk
City of Roxboro, North Carolina

(SEAL)

FORM OF NOTES

R-1

\$23,785,000

United States of America
State of North Carolina

CITY OF ROXBORO, NORTH CAROLINA
WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE
SERIES 2018

The City of Roxboro, North Carolina (the “City”), a municipal corporation validly organized and existing under the laws of the State of North Carolina, for value received, hereby promises to pay, but solely from the sources and in the manner hereinafter provided, to PNC Bank, National Association or registered assigns or legal representative, the principal sum of Twenty Three Million Eight Hundred Seventy Five Thousand Dollars (\$23,785,000.00) in a single payment of principal due on the date of maturity which is July 24, 2020 (the “Maturity Date”), and to pay, but solely from said sources, interest from the date hereof on the unpaid portion of said principal sum until payment thereof (computed on the basis of a 360-day year consisting of twelve 30-day months) at the rate of 3.30% per annum (subject to adjustment as provided below), such interest being payable on each Interest Payment Date.

If at any time there is a Determination of Taxability or Event of Taxability (each as defined in the Series Resolution described below), the fixed rate of interest shall be increased to and be calculated at the rate which will provide to the Purchaser the effective yield which it would have received if there had not been a Determination of Taxability or an Event of Taxability, such rate to be determined by the Purchaser (the “Alternative Rate of Interest”), and shall be payable from the Date of Taxability to such time as this note is paid in full.

Upon the occurrence and during the continuation of an event of default under the Bond Order, all amounts outstanding under this Note shall bear interest at the Default Rate (as defined below). The “Default Rate” shall be the highest of (A) the Prime Rate (as defined herein) or (B) the sum of the Overnight Bank Funding Rate (as defined herein) plus fifty (50) basis points (0.50%).

The “Prime Rate” shall mean the rate publicly announced by PNC Bank, National Association from time to time as its prime rate. The Prime Rate is determined from time to time by the Purchaser as a means of pricing some loans to its borrowers. The Prime Rate is not tied to any external rate of interest or index, and does not necessarily reflect the lowest rate of interest actually charged by the PNC Bank, National Association to any particular class or category of customers.

The “Overnight Bank Funding Rate” shall mean, for any day, the rate comprised of both overnight federal funds and overnight Eurocurrency borrowings by U.S.-managed banking offices of depository institutions, as such composite rate shall be determined by the Federal

Reserve Bank of New York (“NYFRB”), as set forth on its public website from time to time, and as published on the next succeeding Business Day as the overnight bank funding rate by the NYFRB (or by such other recognized electronic source (such as Bloomberg) selected by the Bank for the purpose of displaying such rate); provided, that if such day is not a Business Day, the Overnight Bank Funding Rate for such day shall be such rate on the immediately preceding Business Day; provided, further, that if such rate shall at any time, for any reason, no longer exist, a comparable replacement rate determined by the Bank at such time (which determination shall be conclusive absent manifest error). If the Overnight Bank Funding Rate determined as above would be less than zero, then such rate shall be deemed to be zero. The rate of interest charged shall be adjusted as of each Business Day based on changes in the Overnight Bank Funding Rate without notice to the City.

The interest so payable and punctually paid or duly provided for on the Maturity Date will be paid to the person in whose name this note is registered at the close of business on the Regular Record Date for such interest, which shall be the Business Day next preceding such date. Any such interest not so punctually paid or duly provided for shall forthwith cease to be payable to the registered owner on such Regular Record Date, and may be paid to the person in whose name this note is registered at the close of business on a special record date for the payment of such defaulted interest to be fixed by the Finance Director of the City (the “Bond Registrar”), notice whereof being given to the registered owners not less than ten (10) days prior to such special record date, or may be paid at any time in any other lawful manner not inconsistent with the requirements of any securities exchange on which the notes (hereinafter mentioned) may be listed and upon such notice as may be required by such exchange, or as more fully provided in the Bond Order (hereinafter defined). All such payments shall be made in such coin or currency of the United States of America as at the time of payment is legal tender for payment of public and private debts. Principal of and interest on this are payable, to such account in the United States as the Holder may designate, by wire transfer or other immediately available funds delivered on the payable date. Upon payment in full of principal and interest on this note, the Holder shall mark this note paid in full and shall deliver the note so marked to the Bond Registrar.

This note is a duly authorized revenue bond anticipation note of the City designated “City of Roxboro, North Carolina Water and Sewer System Revenue Bond Anticipation Note, Series 2018” (the “Notes”) issued under and pursuant to the Constitution and laws of the State of North Carolina, including the Act, an order of the City adopted on June 12, 2018 (the “Bond Order”), and a Series Resolution adopted on July 10, 2018 (the “Series Resolution”), authorizing the issuance of the Notes. The Notes are being issued in anticipation of the issuance of Bonds issued for the purpose of providing funds, together with any other available funds, to (a) pay the costs of acquiring, constructing and equipping the Project (as defined in the Bond Order and the Series Resolution) and (b) pay the costs and expenses incurred in connection with the issuance of the Bonds. Capitalized terms used herein and not otherwise defined have the meanings given such terms in the Bond Order and the Series Resolution.

The City has not heretofore issued any debt pursuant to the Bond Order. The Bond Order provides for the issuance or incurrence from time to time under the conditions, limitations and restrictions set forth therein of bonds, notes or other evidences of indebtedness secured by a pledge of Net Revenues. The Notes are a special revenue obligation of the City secured by a pledge, charge and lien on the proceeds of Bonds to be issued for this Project and by a pledge of Net Revenues on a *pari passu* basis with any Outstanding Bonds hereafter issued or incurred

pursuant to the Bond Order. Pursuant to Section 159-163 of the North Carolina General Statutes, the City hereby pledges as security for the Notes, and grants a charge and lien on, the proceeds of Bonds issued for the Project. **This Note is also secured by the proceeds from the sale to the USDA (as defined in the Series Resolution) of any bonds issued under the Bond Order in order to repay the Notes on the Maturity Date.** The City is not obligated to pay the principal of or the interest on the Notes except as provided in the Bond Order from the proceeds of Bonds, Net Revenues or certain other monies made available therefor under the Bond Order, and neither the faith and credit nor the taxing power of the State of North Carolina or any political subdivision thereof or the City is pledged to the payment of the principal of and the interest on the Notes.

Reference is made to the Bond Order and the Series Resolution for a more complete statement of the provisions thereof and of the rights of the City and the registered owner of the Notes. Copies of the Bond Order and the Series Resolution are available for inspection by the registered owner of the Notes at all reasonable times at the principal office of the Bond Registrar. By the purchase and acceptance of the Notes, the registered owner hereof signifies assent to all of the provisions of the Bond Order and the Series Resolution.

The Bond Registrar shall keep at its principal office books for the registration of transfer of the Notes. The transfer of the Notes may be registered only upon such books and as otherwise provided in the Bond Order upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall deliver in exchange for the Notes a new bond registered in the name of the transferee in an aggregate principal amount equal to the principal amount of the Notes, containing the same principal installments and bearing interest at the same rate. The Notes may not be exchanged for any denomination other than the outstanding principal amount thereof.

Notwithstanding any other provisions of the Bond Order or the Series Resolution to the contrary, the Bond Registrar shall not register the transfer of the Notes to any person other than a bank, insurance company or similar financial institution unless such transfer has been previously approved by the Commission.

The principal of the Note is subject to redemption in whole or in part, at the option of the City, at any time on or after the date that is sixty (60) days prior to the Maturity Date.

The registered owner of the Notes shall have no right to enforce the provisions of the Bond Order or to institute action to enforce the covenants therein, or to take any action with respect to any event of default under the Bond Order, or to institute, appear in or defend any suit or other proceeding with respect thereto, except as provided in the Bond Order.

Modifications or alterations of the Bond Order and the Series Resolution or in any supplement series resolution thereto may be made only to the extent and in the circumstances permitted by the Bond Order and the Series Resolution, as the case may be.

The Notes, notwithstanding the provisions for registration of transfer stated herein and contained in the Bond Order and the Series Resolution, at all times shall be, and shall be understood to be, an investment security within the meaning of and for all the purposes of Article 8 of the Uniform Commercial Code of North Carolina. The Notes are issued with the intent that the laws of the State of North Carolina shall govern its construction.

All acts, conditions and things required to happen, exist and be performed precedent to and in the issuance of the Notes and the execution and delivery of the Bond Order and the Series Resolution have happened, exist and have been performed as so required.

The Notes shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Bond Order or the Series Resolution until it shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the City of Roxboro, North Carolina, by order duly passed by its City Council, has caused this Note to be manually signed by the City Manager and the City Clerk and its official seal to be impressed hereon, all as of the ___ day of July, 2018.

[SEAL]

City Manager

City Clerk

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within Note has been approved under the provisions of The State and Local Government Revenue Bond Act.

Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

The Note is a bond anticipation note of the series designated therein and issued under the provisions of the within mentioned Bond Order and Series Resolution.

By: _____
Bond Registrar

Date of authentication: _____

L.G.C. No. _____

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

PLEASE INSERT SOCIAL SECURITY NUMBER
OR OTHER IDENTIFYING NUMBER OF ASSIGNEE

PLEASE PRINT OR TYPEWRITE NAME AND ADDRESS OF TRANSFEREE

the within note and all right thereunder, and hereby irrevocably constitutes and appoints __
_____, attorney, to transfer the within note on the
books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

In the presence of:

NOTICE: Signature must be guaranteed by an
institution which is a participant in the
Securities Transfer Agent Medallion Program
(STAMP) or similar program.

The signature to this assignment must
correspond with the name as it appears upon
the face of the within bond in every particular,
without alteration or enlargement or any
change whatever.

1.

Document comparison by Workshare 9 on Thursday, July 5, 2018 12:49:05 PM

Input:	
Document 1 ID	interwovenSite://DMSPROXY/Active/103654280/2
Description	#103654280v2<Active> - City of Roxboro - 2018 RBAN - Series Resolution (July 10, 2018)
Document 2 ID	interwovenSite://DMSPROXY/Active/103654280/3
Description	#103654280v3<Active> - City of Roxboro - 2018 RBAN - Series Resolution (July 10, 2018)
Rendering set	MW Standard

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	12
Deletions	6
Moved from	1
Moved to	1
Style change	0
Format changed	0
Total changes	20

covenants, stipulations, obligations and agreements of the City to the full extent permitted by the Constitution and laws of the State. This Series Resolution is executed and delivered with the intent that the laws of the State shall govern this construction.

Section 7.07. Headings. Any heading preceding the text of the several articles hereof, any table of contents or marginal notes appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this Series Resolution, nor shall they affect its meaning, construction or effect.

Section 7.08. Further Authority. The officers, attorneys, employees and other agents of the City are hereby authorized to do all acts and things required of them by this Series Resolution for the full, punctual and complete performance of all of the terms, covenants and agreements contained in the Notes and this Series Resolution.

The Mayor or the City Manager, the Finance Director and the Clerk, or any of them or their deputies, individually or collectively, are further authorized and directed (without limitation except as expressly provided herein) to take such action and to execute and deliver such documents, certificates, agreements or other instruments as they, with the advice of counsel, may deem necessary or appropriate to effect the transactions contemplated by the Bond Order and this Series Resolution.

Section 7.09. Payment Due on Holidays. If the date for making any payment or the last day for performance of any act or the exercising of any right as provided in this Series Resolution is not a Business Day, such payment may be made or act performed or right exercised on the next Business Day with the same force and effect as if done on the date provided in this Series Resolution.

Section 7.10. No Advisory or Fiduciary Role. The City acknowledges and agrees that: (1) the primary role of the Purchaser is to purchase the Notes for its own account, in an arms' length commercial transaction between the City and the Purchaser and the Purchaser has financial and other interests that differ from those of the City; (2) the Purchaser is acting solely as principal and is not acting as municipal advisor, financial advisor or fiduciaries to the City and has not assumed any advisory or fiduciary responsibility to the City with respect to the transaction contemplated hereby and the discussions, undertakings and procedures leading thereto; (3) the only obligations the Purchaser has to the City with respect to the transaction contemplated hereby expressly are set forth in this Series Resolution and the Notes; and (4) the City has consulted its own financial and/or municipal, legal, accounting, tax and other advisors, as applicable, to the extent it has deemed appropriate.

Section 7.11. Series Resolution Effective. This Series Resolution shall take effect upon its adoption.

Councilmember _____ moved the passage of the foregoing resolution and Councilmember _____ seconded the motion and the resolution was passed by the following vote:

11. Wastewater Treatment Plant Project Bid

Wastewater Treatment Plant Upgrade

Award of Contract

On Wednesday, May 23, 2018, at 2:00 pm, bids were received, opened and publicly read for the Roxboro Wastewater Treatment Plant Upgrade. Eight bids were received and ranged in price from \$16,897,000 to \$26,184,00. Low bidder was Haren Construction Company

Contractor	Base Bid
Haren Construction Company	\$16,897,000.00
English Construction Company	\$18,092,950.00
State Utility Contractors, Inc.	\$18,398,000.00
TA Loving Company	\$19,049,000.00
Shook Construction Co. Inc.	\$19,156,000.00
Wharton-Smith, Inc.	\$20,157,250.00
Crowder Construction Company	\$21,915,000.00
Adams Robinson Enterprises, Inc.	\$26,184,000.00

Attached is LaBella's Recommendation of Award. They have verified the bids and checked the contractor's references and recommend awarding the bid to Haren Construction Company in the amount of \$16,897,000.00.

The contractor is ready to begin work and has staged excavation equipment at the wastewater plant so they can begin work on Wednesday July 11, 2018. In order to begin that quick, provided LGC approves the funding and City Council approves the award on July 10, LaBella had prepared the Agreement for Construction Contract and the Notice of Award. These documents have been forwarded to Haren for their signature on July 11, 2018. The documents are currently configured for my signature so that they can be signed by the City Wednesday morning July 11 as well, provided City Council is agreeable and authorizes me to sign the construction agreement and Notice to Proceed and other documents as needed.

Haren Construction Company has obtained the necessary insurance and bonds and have signed documentation from the bonding company to sign and date the bonds the same date as the contract. LeBella has copies of this information and has reviewed it for compliance with the contract documents.

It is recommended that City Council approve the awarding of the bid to Haren Construction Company for the Wastewater Treatment Plant Improvements in the amount of \$16,897,000 and authorize Thomas S. Warren Jr to sign the "Agreement Between Owner and Contractor for Construct Contract (Stipulated Price)" and the "Notice to Proceed" and other documents related to the awarding of this bid.



May 24, 2018

Mr. Thomas S. Warren, Jr
Assistant City Manager
City of Roxboro
779A Mountain Road
Roxboro NC 27573

Reference: Roxboro WWTP Upgrade
City of Roxboro
Roxboro, North Carolina
LaBella Commission No. 2150948

Subject: Recommendation of Award of Contract

Dear Tommy:

On Wednesday, May 23, 2019, at 2:00 PM in the City of Roxboro City Hall, 105 South Lamar Street, Roxboro, NC, bids for the referenced project were received, opened and publicly read. Bids were received for Single-Prime Construction of the Roxboro Wastewater Treatment Plant Upgrade Project.

A total of eight (8) bids were received as follows:

Contractor	Total Base Bid
Haren Construction Company, Inc.	\$16,897,000.00
English Construction Company, Inc.	\$18,092,950.00
State Utility Contractors, Inc.	\$18,398,000.00
TA Loving Company	\$19,049,000.00
Shook Construction Co., Inc.	\$19,156,000.00
Wharton-Smith, Inc.	\$20,157,250.00
Crowder Construction Company	\$21,915,000.00
Adams Robinson Enterprises, Inc.	\$26,184,000.00

One copy of the Bid Tabulation is included with this letter.

We have confirmed the responsiveness of the low bid submitted by Haren Construction Company, Inc., and have received confirmation from them that their bid contained no substantive errors. They have also indicated that their bid was made on the basis of the named and specified major equipment providers.

We have confirmed the status of their General Contractor's License in the State of North Carolina. Furthermore, we have reviewed their qualifications statement information which was provided with their bid, and have contacted references for the firm and for the Project Manager / Superintendent team that they have indicated will staff the City's Project, receiving very positive feedback on their performance.

1520 South Boulevard, Suite 210 | Charlotte, NC 28203 | p 704-376-6423 | f 704-332-6177
www.labellapc.com



LaBella Associates, PC recommends that the Single-Prime Construction Contract be awarded to Haren Construction Company, Inc. based on the total base bid of \$16,897,000.00

Please do not hesitate to contact me with any questions or comments regarding this information or the project in general at 704.941.2110 or by email at BHouston@LaBellaPC.com.

Respectfully submitted,

LaBella Associates

Brian R. Houston, PE
Senior Project Manager

c: Jonathan Jones, Rural Development

CERTIFICATE OF OWNER'S ATTORNEY AND AGENCY CONCURRENCE

CERTIFICATE OF OWNER'S ATTORNEY

PROJECT NAME: City of Roxboro Waste Water Treatment Plant Upgrade

CONTRACTOR NAME: Haren Construction Co., Inc.

I, the undersigned, _____, the duly authorized and acting legal representative of the City of Roxboro, North Carolina, do hereby certify as follows: I have examined the attached Contract(s) and performance and payment bond(s) and the manner of execution thereof, and I am of the opinion that each of the aforesaid agreements is adequate and has been duly executed by the proper parties thereto acting through their duly authorized representatives; that said representatives have full power and authority to execute said agreements on behalf of the respective parties named thereon; and that the foregoing agreements constitute valid and legally binding obligations upon the parties executing the same in accordance with the terms, conditions, and provisions thereof.

Name

Date

AGENCY CONCURRENCE

As lender or insurer of funds to defray the costs of this Contract, and without liability for any payments thereunder, the Agency hereby concurs in the form, content, and execution of this Agreement.

Agency Representative

Date

Name



NOTICE OF AWARD

Date of Issuance: **July 11, 2018**
Owner: **City of Roxboro, North Carolina**
Engineer: **LaBella Associates** Engineer's Project No.: **2150948**
Project: **Roxboro Waste Water Treatment Plant Upgrade** Contract Name: **Roxboro WWTP Upgrade**
Bidder: **Haren Construction Co., Inc.**
Bidder's Address: **1715 Highway 411 North / PO Box 350 / Etowah, TN 37331**

TO BIDDER:

You are notified that Owner has accepted your Bid dated **May 23, 2018** for the above Contract, and that you are the Successful Bidder and are awarded a Contract for the **Roxboro Wastewater Treatment Plant Upgrade**, with no Alternates deducted.

The Contract Price of the awarded Contract is: **\$16,897,000.00**, subject to Unit Prices and Allowance as outlined in the Bid Form.

Five (5) unexecuted counterparts of the Agreement accompany this Notice of Award, and the Contract Documents and Drawings have been transmitted to Bidder electronically.

You must comply with the following conditions precedent within 15 days of the date of this Notice of Award:

1. Deliver to Owner **Five (5)** counterparts of the Agreement, fully executed by Bidder.
2. Deliver with the executed Agreement(s) the Contract security [*e.g., performance and payment bonds*] and insurance documentation as specified in the Instructions to Bidders and General Conditions, Articles 2 and 6.

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within ten days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Agreement, together with any additional copies of the Contract Documents as indicated in Paragraph 2.02 of the General Conditions.

Owner: **City of Roxboro, North Carolina**

Authorized Signature

By: **Thomas S. Warren, Jr.**

Title: **Assistant City Manager**

Copy: Engineer

EJCDC® C-510 (Rev. 1), Notice of Award.

Prepared and published 2013 by the Engineers Joint Contract Documents Committee.

Page 1 of 1

AGREEMENT
BETWEEN OWNER AND CONTRACTOR
FOR CONSTRUCTION CONTRACT (STIPULATED PRICE)

THIS AGREEMENT is by and between the City of Roxboro, North Carolina ("Owner") and

Haren Construction Co., Inc. ("Contractor").

Owner and Contractor hereby agree as follows.

ARTICLE 1 - WORK

1.01 Contractor shall complete all Work as specified or indicated in the Contract Documents. The

Work is generally described as follows: the construction of upgrades to the existing Roxboro Waste Water Treatment Plant, consisting primarily of: construction of a 5.0 MGD capacity Oxidation Ditch; conversion of the existing aeration tanks to Flow Equalization; construction of a 3.0 MGD Equalization Pump Station; replacement of the existing Recycle / Waste Activated Sludge Pump System; construction of a new 1.0 MG Digester; construction of a new Laboratory / Office Building; conversion of the existing laboratory to a Chlorine Building; and all associated structures, sitework, piping, and appurtenances.

ARTICLE 2 - THE PROJECT

2.01 The Project, of which the Work under the Contract Documents is a part, is generally described as follows: City of Roxboro Waste Water Treatment Plant Upgrade

ARTICLE 3 - ENGINEER

3.01 The part of the Project that pertains to the Work has been designed by LaBella Associates

3.02 The Owner has retained LaBella Associates ("Engineer") to act as Owner's representative, assume all duties and responsibilities, and have the rights and authority assigned to Engineer in the Contract Documents in connection with the completion of the Work in accordance with the

Contract Documents.

ARTICLE 4 - CONTRACT TIMES

4.01 Time of the Essence

A. All time limits for Milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

4.02 Contract Times: Days

A. The Work will be substantially completed within 730 days after the date when the Contract Times commence to run as provided in Paragraph 4.01 of the General Conditions, and completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions within 775 days after the date when the Contract Times commence to run.

Associates,
WWTP

4.03 Liquidated Damages

A. Contractor and Owner recognize that time is of the essence as stated in Paragraph 4.01 above and that Owner will suffer financial and other losses if the Work is not completed and Milestones not achieved within the times specified in Paragraph 4.02 above, plus any extensions thereof allowed in accordance with the Contract. The parties also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty):

1. Substantial Completion: Contractor shall pay Owner \$1,500 for each day that expires after the time (as duly adjusted pursuant to the Contract) specified in Paragraph 4.02.A above for Substantial Completion until the Work is substantially complete.
2. Completion of Remaining Work: After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Times (as duly adjusted pursuant to the Contract) for completion and readiness for final payment, Contractor shall pay Owner \$500 for each

day that expires after such time until the Work is completed and ready for final payment.

3. Liquidated damages for failing to timely attain Substantial Completion and final completion are not additive and will not be imposed concurrently.

4.04 [DELETED]

ARTICLE 5 - CONTRACT PRICE

5.01 Owner shall pay Contractor for completion of the Work in accordance with the Contract

Documents the amounts that follow, subject to adjustment under the Contract:

- A. For all Work other than Unit Price Work, a lump sum of: \$16 595 750.00. All specific cash allowances are included in the above price in accordance with Paragraph

13.02 of the General Conditions.

- B. For all Unit Price Work, an amount equal to the sum of the extended prices (established for each separately identified item of Unit Price Work by multiplying the unit price times the actual quantity of that item):

Unit Price Work					
Item No.	Description	Unit	Estimated Quantity	Unit Price	Extended Price
1	Rock Excavation	Cubic yard	9,000	\$15.00	\$135,000.00
2	Solids Disposal	Dry Ton	95	\$1,750.00	\$166,250.00
Total of all Extended Prices for Unit Price Work (subject to final adjustment based on actual quantities)					\$301,250.00

The extended prices for Unit Price Work set forth as of the Effective Date of the Contract are based on estimated quantities. As provided in Paragraph 13.03 of the General Conditions, estimated quantities are not guaranteed, and determinations of actual quantities and classifications are to be made by Engineer.

Associates,

1 1/15/2017

AGREEIO,NT

- C. Total of Lump Sum Amount and Unit Price Work (subject to final Unit Price adjustment) \$16 897 000.00.
- D. For all Work, at the prices stated in Contractor's Bid, attached hereto as an exhibit.

ARTICLE 6 - PAYMENT PROCEDURES

6.01 Submittal and Processing of Payments

- A. Contractor shall submit Applications for Payment in accordance with Article 15 of the General Conditions. Applications for Payment will be processed by Engineer as provided in the General Conditions.

6.02 Progress Payments; Retainage

- A. Owner shall make progress payments on account of the Contract Price on the basis of Contractor's Applications for Payment on or about the 20th day of each month during performance of the Work as provided in Paragraph 6.02.A.1 below, provided that such Applications for Payment have been submitted in a timely manner and otherwise meet the requirements of the Contract. All such payments will be measured by the Schedule of Values established as provided in the General Conditions (and in the case of Unit Price Work based on the number of units completed) or, in the event there is no Schedule of Values, as provided elsewhere in the Contract.
 - 1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as Owner may withhold, including but not limited to liquidated damages, in accordance with the Contract
 - a. 95 percent of Work completed (with the balance being retainage); and
 - b. 95 percent of cost of materials and equipment not incorporated in the Work (with the balance being retainage).
 - B. Upon Substantial Completion of the entire construction to be provided under the Contract Documents, Owner shall pay an amount sufficient to increase total payments to Contractor to 98 percent of the Work completed, less such amounts set off by Owner pursuant to Paragraph 15.01.E of the General Conditions, and less 100 percent of Engineer's estimate of the value of Work to be completed or corrected as shown on the punch list of items to be completed or corrected prior to final payment.

6.03 Final Payment

- A. Upon final completion and acceptance of the Work in accordance with Paragraph 15.06 of the General Conditions, Owner shall pay the remainder of the Contract Price as recommended by Engineer as provided in said Paragraph 15.06.

ARTICLE 7 - INTEREST

7.01 All amounts not paid when due shall bear interest at the rate of 3.0 percent per annum.

ARTICLE 8 - CONTRACTOR'S REPRESENTATIONS

8.01 In order to induce Owner to enter into this Contract, Contractor makes the following representations:

- A. Contractor has examined and carefully studied the Contract Documents, and any data and reference items identified in the Contract Documents.
- B. Contractor has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
- C. Contractor is familiar with and is satisfied as to all Laws and Regulations that may affect cost, progress, and performance of the Work.
- D. Contractor has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.
- E. Contractor has considered the information known to Contractor itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Contract Documents; and the Site-related reports and drawings identified in the Contract Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor; and (3) Contractor's safety precautions and programs.
- F. Based on the information and observations referred to in the preceding paragraph, Contractor agrees that no further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract.
- G. Contractor is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.
- H. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.

I. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work,

J. Contractor's entry into this Contract constitutes an incontrovertible representation by Contractor that without exception all prices in the Agreement are premised upon performing and furnishing the Work required by the Contract Documents,

ARTICLE 9 - CONTRACT DOCUMENTS

9.01 Contents

A. The Contract Documents consist of the following:

Associates,

11/15/2017

1. This Agreement (pages 1 to Z, inclusive).
 2. Performance bond (pages to inclusive).
 3. Payment bond (pages to inclusive).
 4. [DELETED]
 5. General Conditions (pages 1 to 65 inclusive).
 6. Supplementary Conditions (pages to 20, inclusive).
 7. Specifications as listed in the table of contents of the Project Manual.
 8. Drawings (not attached but incorporated by reference) consisting of 179 sheets with each sheet bearing the following general title: Roxboro Waste Water Treatment Plant Upgrade.
 9. Addenda (numbers 1 to 3, inclusive).
 10. Exhibits to this Agreement (enumerated as follows):
 - a. Contractor's Bid (pages 1 to 6, inclusive).
 11. The following which may be delivered or issued on or after the Effective Date of the Contract and are not attached hereto:
 - a. Notice to Proceed.
 - b. Work Change Directives.
 - c. Change Orders.
 - d. Field Orders.
- B. The documents listed in Paragraph 9.01.A are attached to this Agreement (except as expressly noted otherwise above).
- C. There are no Contract Documents other than those listed above in this Article 9.

- D. The Contract Documents may only be amended, modified, or supplemented as provided in the General Conditions.

ARTICLE 10 - MISCELLANEOUS

10.01 Terms

- A. Terms used in this Agreement will have the meanings stated in the General Conditions and the Supplementary Conditions.

10.02 Assignment of Contract

- A. Unless expressly agreed to elsewhere in the Contract, no assignment by a party hereto of any rights under or interests in the Contract will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, money that may become due and money that is due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

Associates,

10.03 Successors and Assigns

- A. Owner and Contractor each binds itself, its successors, assigns, and legal representatives to the other party hereto, its successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

10.04 Severability

- A. Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon Owner and Contractor, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

10.05 Contractor's Certifications

- A. Contractor certifies that it has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for or in executing the Contract. For the purposes of this Paragraph 10.05:

1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process or in the Contract execution;

2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process or the execution of the Contract to the detriment of Owner, (b) to establish Bid or Contract prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish Bid prices at artificial, non-competitive levels; and
4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

10.06 Other Provisions

- A. Owner stipulates that if the General Conditions that are made a part of this Contract are based on EJCDC@ C-700, Standard General Conditions for the Construction Contract, published by the Engineers Joint Contract Documents Committee@, and if Owner is the party that has furnished said General Conditions, then Owner has plainly shown all modifications to the standard wording of such published document to the Contractor, through a process such as highlighting or "track changes" (redline/strikeout), or in the Supplementary Conditions.

Associates,

IN WITN ESS WHEREOF, Owner and Contractor have signed this Agreement.

This Agreement will be effective on (which is the Effective Date of the Contract).

OWNER:

City of Roxboro

By: Thomas S. Warren, Jr.

Title: Assistant City Manager

Attest:

Title.

Address for giving notices:

779A Mountain Road

P.O. Box 128

Roxboro, NC 27573

(If Owner is a corporation, attach evidence of authority to sign. If Owner is a public body, attach evidence of authority to sign and resolution or other documents authorizing execution of this Agreement.)

Associates,

CONTRACTOR:

Haren Construction Co., Inc.

By:

Title.

(If Contractor is a corporation, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest:

Title:

Address for giving notices: 1715 Highway 411 North

PO Box 350

Etowah, TN 37331

License No.: 7770

(where applicable)

12. Financial and Tax Report

City of Roxboro, North Carolina
Financial Statement - Unadjusted
Modified Accrual Basis
For the Eleven Months Ended May 31, 2018

	Original Budget	Amended Budget	Actual	Annual Variance Favorable (Unfavorable)	Annual 91.67% Percent of Budget
General Fund (10)					
Ad Valorem Taxes	\$ 4,725,597	\$ 4,725,597	\$ 4,866,999.91	\$ 141,402.91	102.99%
Local Option Sales Tax	1,585,466	1,595,434	1,576,732.19	(18,701.81)	98.83%
Other Taxes and Licenses	12,000	12,000	15,399.66	3,399.66	128.33%
Unrestricted Intergovernmental	983,648	983,648	677,348.75	(306,299.25)	68.86%
Restricted Intergovernmental	637,276	737,276	682,801.57	(54,474.43)	92.61%
Permits and Fees	7,000	7,000	7,891.10	891.10	112.73%
Sales and Services	667,120	667,120	611,382.97	(55,737.03)	91.65%
Miscellaneous	21,000	53,500	78,108.81	24,608.81	146.00%
Investment Earnings	2,500	2,500	14,197.77	11,697.77	567.91%
Interfund Transfers	1,131,557	1,203,472	822,130.00	(381,342.00)	68.31%
Sale of Fixed Assets	15,000	15,000	4,195.24	(10,804.76)	27.97%
Total Revenues	9,788,164	10,002,547	9,357,187.97	(645,359.03)	93.55%
Expenditures:					
Governing Body - City Council	207,026	208,993	206,916.66	2,076.34	99.01%
City Hall Administration	566,487	646,403	650,133.96	(3,730.96)	100.58%
Finance	255,152	255,152	234,750.86	20,401.14	92.00%
Sales Tax	88,100	88,100	113,758.44	(25,658.44)	129.12%
Tax Collections	64,194	64,194	66,493.74	(2,299.74)	103.58%
Buildings & Grounds	266,923	266,923	138,295.39	128,627.61	51.81%
Safety / Purchasing	22,625	22,625	17,358.30	5,266.70	76.72%
Police	3,127,834	3,181,584	2,562,785.70	618,798.30	80.55%
Fire	2,003,748	2,003,748	1,720,980.30	282,767.70	85.89%
Emergency Communications 911	95,800	95,800	87,341.06	8,458.94	91.17%
Transportation - Streets	1,986,644	1,986,644	1,327,981.74	658,662.26	66.85%
Environmental Protection	1,079,582	1,079,582	755,875.60	323,706.40	70.02%
Economic Development	259,281	359,281	175,120.22	184,160.78	48.74%
Cultural & Recreational	500	500	-	500.00	0.00%
Debt Service	539,120	539,120	290,239.69	248,880.31	53.84%
Interfund Transfers	75,000	75,000	-	75,000.00	0.00%
Total Expenditures	10,638,016	10,873,649	8,348,031.66	2,525,617.34	76.77%
Excess of Revenues Over (Under) Expenditures	(849,852)	(871,102)	1,009,156.31	1,880,258.31	
Other Financing Sources					
Proceeds of Capital Lease	583,392	583,392	-	(583,392.00)	0.00%
Fund Balance Appropriated	266,460	287,710	-	(287,710.00)	0.00%
Total Other Financing Sources	849,852	871,102	-	(871,102.00)	0.00%
Excess of Revenues Over (Under) Expenditures	\$ -	\$ -	1,009,156.31	\$ 1,009,156.31	
Fund Balance Beginning of Year			4,702,534.97		
Fund Balance Current Period			\$ 5,711,691.28		

City of Roxboro, North Carolina
Financial Statement - Unadjusted
Modified Accrual Basis
For the Eleven Months Ended May 31, 2018

			Annual		
	Original Budget	Amended Budget	Actual	Variance Favorable (Unfavorable)	91.67% Percent of Budget
Enterprise Funds					
Revenues:					
Water & Sewer Fund 60					
Charges for Services	\$ 5,236,752	\$ 5,236,752	\$ 4,599,593.84	\$ (637,158.16)	87.83%
Assessments	-	-	-	-	#DIV/0!
Tapping Fees	20,000	20,000	37,040.56	17,040.56	185.20%
Other Operating Revenues	35,475	35,475	43,910.33	8,435.33	123.78%
Nonoperating Revenues	500	500	103.02	(396.98)	20.60%
Interfund Transfers-MERP	-	24,050	-	-	-
Interfund Transfers	924,719	924,719	-	(924,719.00)	0.00%
Sale of Fixed Assets	15,000	15,000	7,830.00	(7,170.00)	52.20%
Total Water & Sewer Fund 60	6,232,446	6,256,496	4,688,477.75	(1,543,968.25)	74.94%
Triple Tier Fund 61					
Operating Revenues	6,965	6,965	7,619.26	654.26	109.39%
Nonoperating Revenues	100	100	61.42	(38.58)	61.42%
Rural Center Engineering Grant	-	-	-	-	#DIV/0!
Capital Reserve Fund 69					
Operating Revenues	704,247	704,247	690,272.05	(13,974.95)	98.02%
Nonoperating Revenues	1,500	1,500	2,532.37	1,032.37	168.82%
Interfund Transfers	-	-	-	-	#DIV/0!
Total Revenues	6,945,258	6,969,308	5,388,962.85	(1,556,295.15)	77.32%
Expenditures:					
Public Utilities: Administration	-	-	-	-	#VALUE!
Sales Tax	-	-	-	-	#DIV/0!
Billing & Collection	171,938	176,138	119,803.87	56,334.13	68.02%
Meter Section	281,863	281,863	262,976.87	18,886.13	93.30%
Raw Water Supply	58,294	58,294	54,669.43	3,624.57	93.78%
Water Plant	1,400,199	1,405,689	1,216,849.95	188,839.05	86.57%
Water Maint and Construction	647,114	650,914	498,082.87	152,831.13	76.52%
Wastewater Plant II	127,955	127,955	112,584.34	15,370.66	87.99%
Wastewater Plant	1,194,179	1,196,514	1,057,984.89	138,529.11	88.42%
Pump Stations	417,978	417,978	348,104.18	69,873.82	83.28%
Wastewater Maint & Construction	436,882	445,107	352,474.54	92,632.46	79.19%
Debt Service	479,487	479,487	479,486.83	0.17	100.00%
Interfund Transfers-MERP	-	-	-	-	-
Interfund Transfers	1,016,557	1,016,557	822,130.00	194,427.00	80.87%
Total Water & Sewer Fund 60	6,232,446	6,256,496	5,325,147.77	931,348.23	85.11%
Triple Tier Fund 61	7,065	7,065	-	7,065.00	0.00%
Capital Reserve Fund 69	705,747	705,747	-	705,747.00	0.00%
Total Expenditures	6,945,258	6,969,308	5,325,147.77	1,644,160.23	76.41%
Excess of Revenues Over (Under) Expenditures	-	-	63,815.08	87,865.08	
Other Financing Sources					
Proceeds of Capital Lease	-	-	-	-	#DIV/0!
Interfund Transfers 61 TT	-	-	-	-	#DIV/0!
Fund Balance Appropriated 60 WS	-	-	-	-	#DIV/0!
Fund Balance Appropriated 61 TT	-	-	-	-	#DIV/0!
Fund Balance Appropriated 69 CR	-	-	-	-	#DIV/0!
Total Other Financing Sources	-	-	-	-	#DIV/0!
Excess of Revenues Over (Under) Expenditures	\$ -	\$ -	63,815.08	\$ 87,865.08	
Fund Balance Beginning of Year			2,262,190.12		
Fund Balance Current Period			\$ 2,326,005.20		

**City of Roxboro, North Carolina
Financial Statement - Unadjusted
Modified Accrual Basis
For the Eleven Months Ended May 31, 2018**

	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Actual</u>	<u>Variance Favorable (Unfavorable)</u>	<u>Annual 91.67% Percent of Budget</u>
<u>Central Depository</u>					
Cash		11100000	2,717,986.23		
BB&T MMA		11100001	128,249.41		
NCCMT		11100002	1,511,106.61		
Flexible Spending Account AFLAC		11100003	10,777.85		
Roxboro Savings Bank		11100004	519,217.29		
Gateway Bank MMA Finistar		11100005	-		
CD's		11130000	-		
Total Cash and Investments			\$ 4,887,337.39		\$4,887,337.39
<u>Breakdown by Fund:</u>					
General		10	\$ 5,154,863.31		
CDBG-Revolving Loan Fund		13	86,960.19		
Old Durham Road Project Fund		20	(826.62)		
Vehicle Special Revenue		26	4,398.10		
Ridge Road Capital Project		30	(589,384.44)		
Stormwater Capital Fund		50	148,524.20		
Enterprise		60	(498,285.03)		
Triple Tier Water		61	23,900.75		
Capital Reserve		69	1,105,981.24		
Wastewater Plant Capital Project		71	(873,966.78)		
Annexation Area Capital Project		73	198,861.89		
Christmas Club / Flex Fund		75	51,503.12		
LEO Pension Trust Fund		79	74,807.46		
Reserve for Interest Earned			-		
Total of Fund's Cash and Investments			\$ 4,887,337.39		\$4,887,337.39

City of Roxboro, North Carolina
Fund Balance
General Fund
As of May 31, 2018

	General Fund			
	31-May-18 Fund Balances	Percentage of Total Fund Balance	Percentage of Fiscal Year 2018 Budget	Percentage of Prior Year Actual Expenditures
Fund Balances				
Reserved				
Reserved for inventories	\$ 45,118	0.79%	0.41%	0.44%
Reserved by state statute	653,781	11.45%	6.01%	6.33%
Reserved for streets - Powell Bill	287,458	5.03%	2.64%	2.78%
Reserved for cemetery	30,269	0.53%	0.28%	0.29%
Reserved for drug enforcement	-	0.00%	0.00%	0.00%
Reserved for public safety	<u>134,988</u>	<u>2.36%</u>	<u>1.24%</u>	<u>1.31%</u>
Total fund balance reserved	<u>1,151,614</u>	<u>20.16%</u>	<u>10.59%</u>	<u>11.14%</u>
Unreserved				
Designated by Council	-	0.00%	0.00%	0.00%
Designated for subsequent year's expenditures	-	0.00%	0.00%	0.00%
Undesignated	<u>4,560,077</u>	<u>79.84%</u>	<u>41.94%</u>	<u>44.13%</u>
Total fund balance unreserved	<u>4,560,077</u>	<u>79.84%</u>	<u>41.94%</u>	<u>44.13%</u>
Total equity and other credits	<u>\$ 5,711,691</u>	<u>100.00%</u>	<u>52.53%</u>	<u>55.28%</u>
Budget Ordinance for June 30, 2018, as Amended			\$ 10,873,649	
Prior Year Expenditures				\$ 10,333,189

City of Roxboro, North Carolina
Fund Balance
Enterprise Fund
As of May 31, 2018

	Enterprise Fund			
	31-May-18 Fund Balances	Percentage of Total Fund Balance	Percentage of Fiscal Year 2018 Budget	Percentage of Prior Year Actual Expenditures
Fund Balances				
Reserved				
Reserved for encumbrances	\$ 14,267	0.61%	0.27%	0.28%
Reserved by state statute	422,861	18.18%	8.07%	8.26%
Reserved for capital outlay (C89 + C91)	<u>1,784,478</u>	<u>76.72%</u>	<u>34.06%</u>	<u>34.85%</u>
Total fund balance reserved	2,221,606	95.51%	42.40%	43.39%
Unreserved				
Designated for subsequent year's expenditures	-	0.00%	0.00%	0.00%
Undesignated	<u>104,399</u>	<u>4.49%</u>	<u>1.99%</u>	<u>2.04%</u>
Total fund balance unreserved	<u>104,399</u>	<u>4.49%</u>	<u>1.99%</u>	<u>2.04%</u>
Total equity and other credits	<u>\$ 2,326,005</u>	<u>100.00%</u>	<u>44.39%</u>	<u>45.43%</u>
Budget Ordinance for June 30, 2018, as Amended			\$ 5,239,939	
Prior Year Expenditures				\$ 5,120,360

**City of Roxboro
Tax Collection Report
For the Month Ended
30-Jun-18**

	2017 Tax Levy	2016 Tax Levy	2015 Tax Levy
Original Levy	\$ 4,350,663.68	\$ 4,342,813.89	\$ 4,197,916.89
Motor Vehicles Added to Levy	0.00	0.00	0.00
Motor Vehicles Added to Levy-DMV	499,691.97	493,114.72	340,607.97
Public Utilities	-	-	-
Adjusted Original Levy	4,850,355.65	4,835,928.61	4,538,524.86
+Discoveries	105,836.64	123,960.93	439,665.94
Levy	4,956,192.29	4,959,889.54	4,978,190.80
-Releases	10,995.58	5,990.49	24,645.62
Current Levy	4,945,196.71	4,953,899.05	4,953,545.18
Collection year-to-date	\$ 4,868,527.15	\$ 4,923,510.80	\$ 4,936,034.08
Uncollected	\$ 76,669.56	\$ 30,388.25	\$ 17,511.10
Collection % of Current Levy	98.45%	99.39%	99.65%
Property Tax Rate Per \$100	\$ 0.670	\$ 0.670	\$ 0.660

13. Assistant Manager's Report

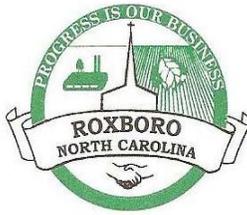
Assistant City Manager's Report

Depot Street Parking Lot- The concrete replacement has been completed for the funds that were allocated for FY 2017-2018. The last concrete was poured on Friday July 1, 2018. That section has been blocked off to allow the concrete to cure. While it takes concrete 28 day to reach it rated strength, after 7 days it is about at 75% and is ready for light use. The barricades will be removed on Monday July 9. The dumpster box will not be moved back to its original location until the end of July. The dumpster truck is a heavy load and has the potential to crack the fresh concrete. The areas repaired covered the sections with the largest cracked and broken pieces.

Southside Pump Station Repair - Last month it was reported to Council that the bases holding the submersible pumps had broken. The repairs to the bases of the submersible pumps has been completed. The station was back to normal operation last week. This was a \$20,000 repair.

Old Durham Road – The old Durham Road is complete. While the last invoice has not been submitted, based upon measureable quantities, the job should come in under budget.

14. Manager's Report



City of Roxboro

MEMORANDUM

TO: Mayor Newell and City Council
FROM: Brooks Lockhart
SUBJECT: Manager's Report
DATE: July 10th, 2018

- Please take note of several upcoming dates.
 - 3rd Thursday – July 19th, 5pm to 8pm – throughout Person County with participating businesses
 - Rox N' Roll Cruise-In, 6pm on July 20th in Uptown
 - City Council Meeting, 7pm on August 14th at City Hall
 - Manager Vacation, August 15th-19th
 - Rox N' Roll Cruise-In, 6pm on August 17th in Uptown
 - Personality Festival – August 24 & 25
 - Council Work Session, August or September TBD
- Staff is preparing for software training for the new fiscal management software. The conversion process has continued to create additional work load for the finance and human resources staff. Our general ledger, accounts payable, and payroll have been implemented. By the end of July we will be using the new system for purchasing (check requests, purchase orders) and project accounting (tool for tracking non-budgetary data, for tracking grants and possibly holding data on capital projects). Utility Billing will be the last conversion as it contains the most data points and will immediately impact our customers. Utility Billing will see improvements to our pay portal and significant enhancements to our workflow processes. We still anticipate full implementation in August.
- Finance, Planning, and Administrative Staff have been working with our legal counsel on ordinance reviews for our **City Code Title XI: Business Regulations**. As noted in the last months, the goal of this review is to update our ordinances to comply with new state laws (removal of privilege licenses, ride-share laws, sweepstakes, peddling, and etc.) and create consistency in our City Code with our UDO. Staff would like to schedule a Council Work Session in August or September to provide for council discussion prior to scheduling a public hearing for consideration of their adoption.
- The 2018 Independence Day Celebration was a great success! I would like to thank the community in making our Independence Day celebrations with the parade and the fireworks a success. I would like to thank City Council, Person County Government, and the Directors' Round Table for providing financial support for the Fireworks Display. I would especially like to thank Chief Torain for his efforts in coordinating the Fireworks Display, for spreading information, and for assisting the Fireworks crew. I would like to thank Larry Cole and the Directors' Round Table for all of their efforts. Finally, I would like to thank Dave Bradsher and Radio Roxboro (WKRX) for their support. I have received numerous compliments about the overall appearance of the City and the professionalism of all City Staff which make our celebrations fantastic.