

Welcome and Call to Order by Mayor O. Stanhope Anthony, III

Invocation

Pledge of Allegiance

A. Approval of Agenda

Discussion and revision of the proposed agenda, including consent agenda; adoption of an agenda.

- 1) Motion to adopt the agenda as proposed or amended

B. Special Presentation:

1 - 2

- 1) Presentation of the City of Shelby's Insurance Service Office (ISO) public protection classification by the North Carolina Office of the State Fire Marshal (OSFM) – Chief Hunt and representatives from the North Carolina Office of the State Fire Marshal Office

C. Public Comment:

3

In accordance with City Council's policy, public comment is only taken at the second regular meeting each month. Any citizen who wishes to address Council must register with the City Clerk prior to 6:00 p.m. on the meeting night. The Mayor will call upon each individual during this portion of the meeting and will allow three (3) minutes to speak.

D. Public Hearings:

- 1) Consideration of a resolution in support of the Project Crystal Economic Incentives: Resolution No. 43-2024 4 - 7
- 2) Consideration of a resolution in support of the Project Crystal Building Reuse Grant: Resolution No. 44-2024 8 - 24

- 3) Consideration of a proposed ordinance amending the zoning map of the City Of Shelby, North Carolina for parcel 28088: Ordinance No. 45-2024 25 - 39

E. Consent Agenda:

Prior to approval and adoption of the agenda, a Council Member may move an item from the Consent Agenda to the regular agenda. Items remaining on the Consent Agenda will be considered collectively through a single motion and vote.

- 1) Approval of the Minutes of the Regular Meeting of June 3, 2024 40 - 46
- 2) Approval of a resolution honoring Scott Edwin Ledford on the occasion of his retirement from employment with the City Of Shelby: Resolution No. 45-2024 47 - 49
- 3) Approval of a resolution authorizing the City Manager to contract with an architect for the Historic Webbley Project: Resolution No. 46-2024 50 - 63
- 4) Adoption of a Budget Ordinance Amendment for the City of Shelby's Depot Project: Ordinance No. 46-2024 64 - 67
- 5) Approval of Special Event applications: 68 - 74
- a) First Friday at Greenbrook Design, requested date: August 2, 2024
- 6) Management Reports: 75 - 79
- a) Planning Report – May, 2024

END OF CONSENT AGENDA

- F. Unfinished Business:** 80
- None

G. New Business: 80

H. City Manager's Report 80

I. Council Announcements and Remarks 80

J. Closed Session: 80

1) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations pursuant to North Carolina General Statute § 143-318.11(a)(4).

K. Adjournment: 80

To adjourn a meeting of City Council, a majority of the Council Members must vote for a motion to adjourn.

1) Motion to adjourn

B. Special Presentations:

Agenda Item B-1

- 1) Presentation of the City of Shelby's Insurance Service Office (ISO) public protection classification by the North Carolina Office of the State Fire Marshal (OSFM) – Chief Hunt and representatives from the North Carolina Office of the State Fire Marshal Office

Presenting: (William Hunt, Fire Chief)

- Memorandum dated May 24, 2024, from William Hunt, Fire Chief to Rick Howell, City Manager

City Manager's Recommendation / Comments

This time is scheduled on City Council agenda to allow a representative from the Office of the State Fire Marshal to present the City with the Insurance Service Office (ISO) public protection classification.

As noted in Chief Hunt's memorandum this rating process is generally conducted every five (5) years. The rating scale ranges from Class 10 to 1. The best rating an agency can receive is a Class 1. The City currently holds a Class 2 rating.



May 24, 2024

Memorandum:

To: Rick Howell, City Manager
From: William Hunt, Fire Chief
Subject: Presentation of the City of Shelby's Insurance Service Office (ISO) public protection classification by the North Carolina Office of the State Fire Marshal (OSFM).

Background

The *Insurance Services Office (ISO)* provides advisory services to insurance companies for underwriting risk and establishing insurance rates in communities. Through the *Public Protection Classification (PPC™)* program, the ISO rates municipal fire-protection efforts in communities throughout the United States. In each community, the ISO individually evaluates the fire suppression force (50%), the water delivery system (40%), and the 911 communications (10%) using the *Fire Suppression Rating Schedule (FSRS)*, and then assigns an overall public protection classification from 1 to 10 based on the compiled data. Class 1 generally represents superior property fire protection, and Class 10 indicates that the community's fire-suppression program does not meet the ISO's minimum criteria. In North Carolina, the *Office of the State Fire Marshal (OSFM)* administers the program on behalf of the ISO as the *North Carolina Response Rating System (NCRRS)* in communities with less than 100,000 population. A community's protection class rating is among the factors used to determine local residential and commercial insurance rates. Communities in North Carolina are rated every five years. The City of Shelby was last rated in 2019 and received a public protection classification rating ISO Class 2.

Review

On November 27, 2023, the city was notified by OSFM of its scheduled protection survey and received its pre-survey packet. On March 12, 2024, senior field inspector Vernon Ward and rating inspector Jeremy Hunt conducted the site visit portion of the survey. The findings from the pre-survey data and the site visit were then validated and verified by OSFM and ISO. On May 21, 2024, representatives from State Fire Marshal Brian Taylor's office contacted the Fire & Rescue Department requesting to present the city's new property protection classification rating in person.

Action

Please place on the Shelby City Council meeting for June 17, 2024, for representatives from the North Carolina Office of the State Fire Marshal to present the City of Shelby's new property protection classification rating.

C. Public Comment:

In accordance with City Council's policy, public comment is only taken at the second regular meeting each month. Any citizen who wishes to address Council must register with the City Clerk prior to 6:00 p.m. on the meeting night. The Mayor will call upon each individual during this portion of the meeting and will allow three (3) minutes to speak.

Members of the public are asked to sign up prior to the meeting indicating their name and street address for the record. Members of the public are asked to print your name and address so that the Mayor may appropriately recognize you.

A reminder that it has been past practice of City Council to only listen to public comment without reply except to refer citizens with requests and concerns to the Office of the City Manager so that they may be addressed in a timely fashion or included on a future agenda for consideration by Council. If this is warranted and directed by City Council.

D. Public Hearings:

Agenda Item: D-1

- 1) Consideration of a resolution in support of the Project Crystal Economic Incentives: Resolution No. 43-2024

Presenting: (Rick Howell, City Manager)

Summary of Available Information:

- Memorandum dated June 11, 2024, from Brandon Ruppe, Economic Developer to Rick Howell, City Manager
- Notice of Public Hearing
- Resolution No. 43-2024

City Manager's Recommendation / Comments

This time is scheduled on the agenda for City Council to conduct the required public hearing in accordance with the NC General Statutes. This hearing has been duly advertised as required by law. Subsequent to the hearing a resolution and agreement for City Council has been prepared for consideration at the regular meeting to be held Monday, June 17, 2024. That resolution generally proposes the following.

1. Project Crystal agrees to invest no less than \$22,500,000. within the city limits creating approximately 13 new jobs with an average annual compensation exceeding the average manufacturing wage for the county over the next 3 years.
2. The City agrees to make 3 annual incentive grant payments in an amount equaling 20% of the City's tax levy on the **actual** net new assessed value investment made by Project Crystal. This is estimated to be an annual payment of (Year 1 - \$7,245, Year 2 - \$18,113. and Year 3 – \$23,288. A total of \$48,646.
3. The City will receive an estimated \$243,226 over this three-year period less the total grant incentive e award of \$48,646 for a net total of \$194,580. After the third year the City will retain 100% of the property taxes paid by the company.

After the conclusion of the public hearing City Council may act upon Resolution No. 43-2024. It is my recommendation that Resolution No. 43-2024 be adopted and approved by City Council at this time.



PO Box 207 • Shelby, NC 28151-0207

Memorandum

To: Rick Howell, City Manager
From: Brandon Ruppe, Economic Developer
RE: Resolution to Accept and Approve Incentive Grant for Project Crystal
Date: June 11th, 2024

SUMMARY STATEMENT:

- Project Crystal (the “Company”) is a major manufacturing employer in Shelby who is considering expansion in Shelby, Idaho, or Illinois. Logistics and the overall cost of doing business are drivers for the expansion.
- 13 new jobs with \$60,769 average wage.
- \$22,500,000 real property investment over 3 years.

PROPOSAL:

It is recommended that the City of Shelby support Project Crystal by providing an ad valorem tax grant. The proposed grant would be for three (3) years at 20% of the \$0.5175 tax rate.

YEARS	NEW INVESTMENT	CUMMULATIVE INVESTMENT	PROPERTY TAX	ESTIMATED VALUE OF GRANT; 20% OF THE \$0.5175 TAX RATE
1	\$7,000,000.00	\$7,000,000.00	\$36,225.00	\$7,245.00
2	\$10,500,000.00	\$17,500,000.00	\$90,563.00	\$18,113.00
3	\$5,000,000.00	\$22,500,000.00	\$116,438.00	\$23,288.00
TOTAL	\$22,500,000.00	\$22,500,000.00	\$243,226.00	\$48,646.00

The City is authorized to provide this grant pursuant to N.C. Gen. Stat. § 158-7.1. In providing this grant, the City will be successful in inducing the Company to continue its operations in Shelby, NC and to expand those operations in Shelby over the other competing states. This expansion will not only create the mentioned 13 new jobs and add to the existing tax base, but it will further diversify the economy, assist in growing the City’s population, and assist in creating future economic growth for the City.

RECOMMENDATION:

Following the public hearing on June 17, 2024, it is recommended that City Council approve a resolution entitled: **RESOLUTION IN SUPPORT OF THE PROJECT CRYSTAL ECONOMIC INCENTIVES.**

NOTICE OF PUBLIC HEARING

The Shelby City Council will conduct a public hearing, in accordance with N.C. Gen. Stat. § 158-7.1, to solicit public input regarding the proposed provision of industrial incentive grants for an economic development project entitled **PROJECT CRYSTAL**.

The City Council, subject to public input at the public hearing, proposes to approve to enter into contracts for and take other action to officially grant the following incentives to an existing North Carolina company in order to encourage that company to expand a manufacturing facility as described below and named **Project Crystal**:

Industrial incentive grants over a period of three (3) years, with an estimated total value of \$48,646. The incentive grants would be offered to the company to encourage it to expand an existing manufacturing facility on the Property which is anticipated to create at least **13 new full-time permanent jobs within the first eighteen months (18)** and which is anticipated to create net new investment of approximately **\$22,500,000 million in real and personal property over the next three (3) years**. The investment and job creation would take place in **Shelby, North Carolina**. Funding for the annual cash grants would be annually appropriated from the City's General Fund Reserve.

The Shelby City Council believes that Project Crystal will stimulate and provide stability for the local economy. It further believes that this project will provide local economic benefits for the citizens of the City of Shelby through an increase in sales tax revenues, increased personal property tax revenues, increased purchases of local goods and services, increased revenues from having the project as an expanding customer of the City for water and sewer services, electric, and natural gas service, and the creation of a substantial number of new full-time permanent jobs.

The public hearing on the proposed incentive grants will be held at the Don Gibson Theatre located at 318 South Washington Street Shelby, NC 28150 on June 17, 2024, at 6:00pm. At this time, the general public will have an opportunity to provide input regarding these matters. Persons wishing to speak must sign up with the City Clerk prior to the start of the hearing for Project Crystal.

Carrol Williams
Clerk, City of Shelby

RESOLUTION NO. 43-2024

**A RESOLUTION IN SUPPORT OF THE PROJECT CRYSTAL
ECONOMIC INCENTIVES**

WHEREAS, following a public hearing pursuant to N.C. Gen. Stat. § 158-7.1, City Council for the City of Shelby, North Carolina determined that Project Crystal intends to create thirteen new full-time jobs over the next three years with an average annual wage of sixty thousand seven hundred sixty-nine dollars (\$60,769.00); and

WHEREAS, over the next three years, Project Crystal plans to create approximately twenty-two million five hundred thousand dollars (\$22,500,000.00) in net new investment comprising of both real and personal property, which will contribute to population growth, an increase in taxable property, and overall expansion of business generating increased revenues for the City; and

WHEREAS, given the planned expansion within the City of Shelby, Project Crystal will contribute to increases in the City’s utilities to include increases in water, electricity, natural gas, and sewer; and

WHEREAS, it will aid the public by investing in real and personal property totaling twenty-two million five hundred thousand dollars (\$22,500,000.00); and

NOW, THEREFORE BE IT RESOLVED, by the City Council for the City of Shelby, North Carolina:

Section 1. The City Council hereby authorizes the City Manager to enter into negotiations to enter into a formal contract agreement with Project Crystal to provide economic incentives intended to encourage expansion within the City of Shelby and the creation of new jobs.

Section 2. The Mayor and City Clerk of the City of Shelby are hereby authorized to execute the agreement specified in section 1 of this resolution on behalf of the City of Shelby.

Section 3. This resolution shall become effective upon its adoption and approval.

Adopted this the 17th day of June, 2024.

O. Stanhope Anthony III
Mayor

ATTEST:

Carol Williams
City Clerk

Agenda Item: D-2

- 2) Consideration of a resolution in support of the Project Crystal Building Reuse Grant: Resolution No. 44-2024

Presenting: (Rick Howell, City Manager)

Summary of Available Information:

- Memorandum dated June 11, 2024, from Brandon Ruppe, Economic Developer to Rick Howell, City Manager
 - Notice of Public Hearing
 - Resolution No. 44-2024
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City Manager's Recommendation / Comments

This time is scheduled on the agenda for City Council to conduct the required public hearing in accordance with the NC General Statutes. This hearing has been duly advertised as required by law. Subsequent to the hearing a resolution and agreement for City Council has been prepared for consideration at the regular meeting to be held Monday, June 17, 2024. That resolution generally proposes the following.

- 1) Project Crystal agrees to invest no less than \$22,500,000. within the city limits creating approximately 13 new jobs with an average annual compensation exceeding the average manufacturing wage for the county over the next 3 years.
- 2) The City of Shelby authorizes the City Manager to negotiate an agreement with Project Crystal to provide a required 5% grant match of the anticipated \$100,000 grant as an incentive to encourage expansion to include the net new investment noted above and the creation of 13 new jobs within the City of Shelby.

After the conclusion of the public hearing City Council may act upon Resolution No. 44-2024. It is my recommendation that Resolution No. 44-2024 be adopted and approved by City Council at this time.



PO Box 207 • Shelby, NC 28151-0207

Memorandum

To: Rick Howell, City Manager

From: Brandon Ruppe, Economic Developer

RE: Resolution to Accept and Approve Building Reuse Grant for Project Crystal

Date: June 11th, 2024

SUMMARY STATEMENT:

- Project Crystal is a major manufacturing employer in Shelby who is considering expansion in Shelby, Idaho, or Illinois. Logistics and the overall cost of doing business are drivers for the expansion.
- 13 new jobs with \$60,769 average wage.
- \$22,500,000 real and personal property investment over 3 years.

PROPOSAL:

North Carolina Department of Commerce, Rural Economic Development Division, has authorized Project Crystal to apply for the Building Reuse Grant for an amount of \$100,000 to support the company's expansion. This grant requires a local government applicant and a local match of 5% (\$5,000). Currently, Cleveland County has agreed to be the local government applicant for Project Crystal. Should Cleveland County vote not to support the Building Reuse Grant at the June 18th County Commissioner meeting, it is recommended that the City of Shelby become the local government applicant and provide the match.

In order for the City to act quickly in the event of a negative vote by the County Commissioners, the City published notice and is prepared to hear public comments concerning its involvement and five percent (5%) match requirement. I have also prepared a resolution that will take effect on June 19th in the event of a negative vote. Council may vote on the resolution and in the event the County Commissioners approve their resolution, the City will have no further obligations and the resolution will not take effect, meaning the City will not be required to provide the match.

RECOMMENDATION:

Following the public hearing on June 17, 2024, it is recommended that City Council approve a resolution entitled: **RESOLUTION IN SUPPORT OF THE PROJECT CRYSTAL BUILDING REUSE GRANT.**

NOTICE OF PUBLIC HEARING

The Shelby City Council will conduct a public hearing, in accordance with N.C. Gen. Stat. § 158-7.1, to solicit public input regarding the proposed provision of industrial incentive grants for an economic development project entitled **PROJECT CRYSTAL**.

The City Council, subject to public input at the public hearing, proposes to approve to enter into contracts for and take other action to officially grant the following incentives to an existing North Carolina company in order to encourage that company to expand a manufacturing facility as described below and named **Project Crystal**:

Industrial incentive pursuant to the State Rural Building Reuse grant for the renovation, or expansion of a building occupied by an existing North Carolina company wishing to expand in their current location over a period of three (3) years. The City must provide a five percent (5%) grant match based upon the grant award provided by the State of North Carolina, which would be offered to the company to encourage it to expand an existing manufacturing facility on the Property. The expansion is anticipated to create at least **13 new full-time permanent jobs within the first eighteen months (18)** and which is anticipated to create net new investment of approximately **\$22,500,000 million in real and personal property over the next three (3) years**. The investment and job creation would take place in **Shelby, North Carolina**. Funding for the grant match would be appropriated from the City's General Fund Reserve.

The Shelby City Council believes that Project Crystal will stimulate and provide stability for the local economy. It further believes that this project will provide local economic benefits for the citizens of the City of Shelby through an increase in sales tax revenues, increased personal property tax revenues, increased purchases of local goods and services, increased revenues from having the project as an expanding customer of the City for water and sewer services, electric, and natural gas service, and the creation of a substantial number of new full-time permanent jobs.

The public hearing on the proposed incentive grants will be held at the Don Gibson Theatre located at 318 South Washington Street Shelby, NC 28150 on June 17, 2024, at 6:00pm. At this time, the general public will have an opportunity to provide input regarding these matters. Persons wishing to speak must sign up with the City Clerk prior to the start of the hearing for Project Crystal.

Carrol Williams
Clerk, City of Shelby

The Rural Economic Development Division, as authorized under N.C.G.S. 143B-472.127, provides grants and loans to local government units to support economic development activity that will lead to the creation of new, full-time jobs. The program gives priority to projects located in the 80 most distressed counties in the state; and resident companies as defined in N.C.G.S. 143B-472 (a) 4.

PROGRAM CATEGORIES

Rural Building Reuse—Three categories of funding are available for 1) the renovation of vacant buildings, 2) the renovation or expansion of a building occupied by an existing North Carolina company wishing to expand in their current location and 3) the renovation, expansion or construction of health care facilities that will lead to the direct creation of new, full-time jobs.

Rural Infrastructure—Funding is available for publicly-owned infrastructure including water, sewer, electric, broadband, rail, and road improvements that will lead to the direct creation of new, full-time jobs.

HOW TO APPLY

Funding Availability and Target Industry Projects

The potential funding available for each project will be assessed through analysis of the project and will be based upon the project’s location, the quantity and quality of jobs committed, the overall economic impact of the project, and at the discretion of the Rural Infrastructure Authority.

Projects that meet all the criteria below may receive the highest priority consideration:

- Located in a Tier 1 or Tier 2 county,*
- Meet or exceed the county average annual wage,*
- Identified as a Target Industry (see table below),
- Offer at least 50% employer-paid health insurance
- Will create a significant number of new, full-time jobs

*Check County Tier Designations and County Average Private Sector Wages at: <http://www.nccommerce.com/research-publications/incentive-reports/county-tier-designations>

Target industries are identified in the table below. The first step in assisting target industry projects begins with the developers at the Economic Development Partnership of North Carolina (EDPNC). EDPNC Representatives will guide the local government and business through the initial information gathering phase of the project and EDPNC will refer the project to Commerce. Applicants may find more information about the EDPNC at www.edpnc.com.

Target Industries
Aerospace/Aviation/Defense
Automotive/Truck/Heavy Equipment
Agriculture/Forestry/Food
Biotech/Life Sciences
Business and Financial Services
Energy
Information Technology
Manufacturing (Chemical/Furniture/Metals/Plastics/Textiles)
Other Headquarters

Conference Call

The application process requires a pre-application conference call. For a target industry projects, the conference call will be conducted after the project’s referral to Commerce is complete.

- To request a pre-application conference call, submit pages 6-10 of this application package along with at least two proposed dates/times for the call to the appropriate program manager.
- The local government, business owner, and property owner (Building Reuse) are required to be on the call. Other project partners may also participate.
- Once the conference call is complete, eligible applicants should submit the full application package—pages 6-10 of this including any revisions discussed in the pre-application conference call, along with the documents requested in Tabs 1-5 on pages 4-5 of this application package.

ELIGIBLE APPLICANTS

- **Rural Building Reuse**—Eligible applicants are units of local government located in Tier 1 or Tier 2 counties, and rural census tracts in Tier 3 counties. As authorized in N.C.G.S. 143B-472.127(a)(2), a rural census tract[†] is an area having a population density of less than 500 people per square mile in accordance with the most recent decennial federal census.
- **Rural Infrastructure**—Eligible applicants are units of local government with priority given to the Tier 1 and Tier 2 counties.

[†]Check census tracts at: <http://ncommerce.maps.arcgis.com/apps/webappviewer/index.html?id=5863f411469f4c08a40edded88b42167>

BUILDING REUSE ELIGIBLE PROJECTS AND EXPENSES

Vacant Building Category

- renovation of buildings that have been vacant for at least three months prior to application deadline
- initial upfit of a shell building is eligible if the building is at least 5 years old and has never been occupied
- only renovations within the existing footprint are eligible

Existing Business Building Category

- buildings occupied for at least 12 months by one of a business identified as a target industry (see table on page 1)
- jobs are required to meet the county wage standard and provide 50% paid health insurance
- renovation within the existing footprint and connected additions are eligible

Rural Health Category

- new construction, renovation, or expansion of health care facilities
- NC licensure required for participating health care companies

Eligible Expenses – Building Reuse, All Categories

- improvements to real property, including, but not limited to: materials and labor to install HVAC, electrical, plumbing, fire alarm/suppression system, roofing, flooring, carpentry, drywall, paint, etc.
- a company owned or operated by any project partner may not be used as a contractor for the renovation project unless the company holds a valid NC General Contractors license. A copy of the company's NC General Contractor's license must be included in Tab 3 of the application materials

Ineligible Expenses – Building Reuse, All Categories

- the following are examples of prohibited expenses and may not be submitted for reimbursement or to meet the matching funds requirement: building purchase, design costs, engineering costs, permit fees, surveys, legal fees, machinery & equipment, cranes, security, telephone, and computer hardware and software, solar panels, signage, landscaping, silo and other ancillary structures, furnishings, paving, fencing, kitchen equipment, and refrigeration equipment. This list is not comprehensive and specific items of concern should be discussed with program staff.
- renovations for housing or government uses are not eligible

INFRASTRUCTURE ELIGIBLE PROJECTS AND EXPENSES

- construct public infrastructure improvements
- upgrade or repair of public drinking water or wastewater treatment plants
- upgrade, extensions, or repair of public water or sewer lines
- publicly owned natural gas lines (requires an executed Pipeline Construction, Operating and Resale Agreement)
- installation or extension of public broadband infrastructure
- construction of publicly owned access roads not funded or owned by the Department of Transportation
- construction of public rail spur improvements

Eligible Expenses – Infrastructure

- eligible expenses include planning, materials, labor, and administration to complete public infrastructure improvements

Ineligible Expenses – Infrastructure

- privately owned infrastructure improvements
- projects that address building construction
- land acquisition costs or fees with the exception those associated with public easements for the project

JOB CREATION REQUIREMENTS

- Applicants must show that the improvements will result in the creation of new, full-time jobs in the private sector within 18 months of the grant award. Part-time, Full-Time Equivalents (FTE) positions, or contract and consulting jobs are ineligible.
- Each position must be filled with one full-time employee. Full-time employment is defined as one person working at least 35 hours per week, whose wages are subject to withholding, and who is employed in a permanent position.
- Priority will be given to projects that offer higher salaries/wages and provide at least 50% employer-paid health benefits to employees.
- The company must pay North Carolina Unemployment Insurance on each employee for whom a job is committed.
- The company will be expected to maintain all existing full-time jobs in North Carolina reported at the time of application (baseline) plus create the new, full-time jobs committed.
- The baseline will be established using the most recently filed NCUI 101 Form filed with the NC Department of Commerce Division of Employment Security at the time of application submittal.
- To meet the terms of the grant the company must maintain the baseline number plus the new, full-time jobs concurrently for at least six consecutive months.
- All participating companies must agree to provide the local government and the Department of Commerce access to company employment records necessary to verify the creation of new jobs.

LOCAL GOVERNMENT REQUIREMENTS & LIABILITIES

- The local government will coordinate and oversee all aspects of the project, including the application process, contracting process, reporting requirements, payments, job verification, and loan repayment if required.
- The local government is required to analyze the participating company's financial and organizational strength regarding its ability to successfully meet the terms of the job creation and maintenance requirements, and the ability to meet the potential for repayment of loan funds.
- In the event the company defaults on the job commitment, the local government is required to repay the loan to Commerce irrespective of whether the funds are collected from the property/business owner.
- When the improvements are owned by the local government, state regulations regarding procurement, including N.C.G.S.14-234 are required.
- Local governments are subject to state audit and reporting requirements.

MATCH REQUIREMENTS

- A cash match equivalent to at least 5% of the grant amount is required for all projects.
- The cash match shall come from local resources and may not be derived from other State or federal grant funds.
- Costs that are ineligible for grant funding may not be considered for the match. The only exception is paid grant administration when paid to an organization separate from the applicant organization.
- In-kind match is not allowable.
- In addition to the 5% match described above, the building reuse program requires a dollar for dollar match up to the total grant amount.

REPAYMENT REQUIREMENTS

- If job creation goals are not met, a pro-rata share of funds for each job not created must be repaid to the Department of Commerce by the local government.
- For Building Reuse projects, the local government will secure the funds through a Legally Binding Commitment and Promissory Note executed between the local government and the property owner.
- For Infrastructure projects, the local government will secure the funds through a Legally Binding Commitment executed between the local government and the company owner.
- Repayment forgiveness is offered upon the successful verification of the required job creation by the Department of Commerce.

APPLICATION CHECKLIST

Submit a complete application package **including the application form and the documents listed within the checklist below.** Provide one tabbed and bound copy along with two tabbed, non-bound copies of the materials.

Tab 1

- Application Form.** The form should be signed by local government chief elected official.
- Local Government Resolution.** Submit a signed resolution adopted by the governing board in support of application submission to the Department of Commerce. The resolution must state the purpose of the project, indicate the local government's support for the project, and commitment to provide a cash match of at least 5% of the grant request amount toward the project.

Tab 2

- Job Commitment Letters.** Submit a signed letter of job commitment from each company that will participate in the project. The letter should include **(1)** the number of existing full-time and part-time employees (listed separately) at all company locations in North Carolina, and **(2)** the number of new, full-time jobs to be created by the company and maintained concurrently for six-consecutive months within two years of the grant award date. The letter must be printed on the company's letterhead and signed by the company's Chief Executive Officer, Chief Financial Officer or President.
- Employer's Quarterly Tax and Wage Report—NCUI 101 Form(s).** Submit a copy of the of the *Employer's Quarterly Tax and Wage Report* (NCUI 101 form) for each company that will commit jobs to the project. The form must have been filed with the North Carolina Department of Commerce Division of Employment Security for the quarter ending closest to the application deadline. The entire Social Security Number for each person should be redacted (blacked out). The name and wages must remain readable. Any discrepancy in the number of employees listed on the NCUI 101 form(s) for the last month of the quarter and the number reported in the Job Commitment letter must be thoroughly explained in the narrative section of this application.
NOTE: If any company has more than one location in North Carolina, a NCUI-101 multi-site report or forms for each company location must be provided.
- Business Financial Documents.** Submit a copy of the most recent three years of certified or CPA prepared financial statements that include Balance Sheet, Income Statement and Statement of Cash Flows for each non-start-up company participating in the project.

Tab 3 – *Building Reuse Projects Only*

- Line Item Budget.** Submit a line item budget that lists the proposed renovation/construction expenses and the cost for each expense (example expenses include, but are not limited to: HVAC, electrical, plumbing, roofing, flooring, painting, etc.).
- Cost Estimates.** Submit cost estimates for each expense identified in the line item budget. The estimates must be prepared by a contractor, sub-contractor or architect and provided on that company's letterhead. A company owned or operated by any project partner may not provide estimates or be used as a contractor for the renovation project unless the company holds a valid NC General Contractors license. A copy of the company's valid NC General Contractor's license must be included in this section of the application materials.
- Site Control Documents.** Submit a copy of the property deed. Also, if the job creating company does not own the building, submit a copy of an executed lease agreement. If the property ownership will change, provide a detailed explanation of the real estate transaction that will occur with the legal names of the seller and buyer and date that the sale will close. Once the transaction is complete, a copy of the new deed must be submitted. The project will not be placed under contract until all correct, complete site control documents are received.

Tab 3 – Infrastructure Projects Only

- Preliminary Engineering Report (PER).** The PER should detail the proposed improvements and the current infrastructure that supports the proposed improvements. The PER should be sealed and dated and include an opinion of cost that is not more than six months old at the time of the application. The PER should include a map that shows the location of the business(es) as well as the location of the current infrastructure serving the project area and the proposed infrastructure improvements that will be supported through the project assistance.
- Line Item Budget.** Submit a line item budget that lists the expenses associated with the proposed infrastructure improvements and the cost for each expense.
- Proof of Funding Availability.** Submit a signed letter of funding availability from each source of funds committed for the project. The total of all funding commitment letters must meet or exceed the total project cost. If loan or other grant funds are pledged, a loan/grant commitment letter from each source of funds must be included.

Tab 4

- Photographs.** Submit photographs representative of the proposed project. Include digital copies on a flash drive along with printed copies.

Tab 5 – Start-Up Businesses Only

- Business Plan.** A complete and detailed Business Plan that includes three years of financial projections (including balance sheets, cash flow statements and income statements) along with a Source and Use of Funds statement, with detailed assumptions upon which the financial projections were built. The Business Plan must also include a marketing plan that details what the company plans to sell and how they will market the product or service. The Business Plan should also provide a thorough description of the management team and the members' background that support the success of the venture. A description of the company's competitors should be provided, with an explanation of how the company will garner its expected share of the market.
- Capital Plan.** Details and evidence regarding the capital that has been or will be raised. This must include where the capital is currently on deposit and the total amount that is required to launch the business and sustain it in the early years. A letter from the depository holding the funds in escrow can serve as proof of the available capital.
 - Evidence of initial capitalization (loans, private investor commitments), as well as the ability to meet working capital needs must be provided.
 - A commitment letter from a bank for an operating line of credit needed to fund the "cash cycle" of the business and provide for unforeseen needs. In addition, the source of the funding for any machinery and equipment required for the project.
- Articles of Incorporation.** For each start-up company submit a copy of the company's "Articles of Incorporation" filed with the NC Department of the Secretary of State.
- Contracts with potential customers or letters of intent to buy from the company when it begins operations.**
- Copies of the bylaws, shareholder agreement or operating agreement of the business.**
- Copies of any certifications by regulatory bodies necessary to operate the business.**
- An understanding with the principal owners that they may be required to sign a personal guarantee of the performance of the grant and provide complete personal financial statements for each guarantor.**

APPLICATION SUBMISSION

Applicants should submit pages 6-10 of this application package including any revisions discussed in the pre-application conference call, along with the documents requested in Tabs 1-5 on pages 4-5 of this application package. Full applications should be received at Commerce by 5:00 p.m. on the selected full-application deadline. The full list of application deadlines can be found on the Commerce website at <http://www.nccommerce.com/rgp>.

Mail Application Materials:

Building Reuse Projects-Hazel Edmond or Infrastructure Projects-Melody Adams

North Carolina Department of Commerce
Rural Economic Development Division
4346 Mail Service Center (US Mail)
301 North Wilmington Street (FedEx, UPS)

Raleigh, NC 27699-4346

Application # _____
(For internal use only)

Vacant Building Existing Business Building Rural Health Care Rural Infrastructure

Applicant Information

Local Government

Name: _____ County: _____ Tier #: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Primary Telephone: _____ Federal Tax ID #: _____

Website: _____

Chief Elected Official Name: _____ Title: _____

Telephone: _____ Email: _____

Manager/Administrator Name: _____ Title: _____

Telephone: _____ Email: _____

Local Government Project Manager (If different than above):

Name: _____ Title: _____

Telephone(s): _____ Email: _____

Grant Administrator Company Name (if applicable): _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Name: _____ Title: _____

Telephone(s): _____ Federal Tax ID #: _____

Website: _____ Email: _____

Project Information

Project Title: _____ Grant Amount Requested (\$): _____

Number of Businesses to be Assisted: _____ Number of Jobs to be Created: _____

Project Description (provide a summary of the project below):

Has any project participant ever benefitted from a grant with the Department of Commerce?

Yes

No

If Yes, please explain ↴

Project Budget

List all expenses related to the project, the amount of each expense, and the corresponding funding source(s) in the table below. The table should include costs for acquisition, construction, infrastructure improvements, equipment, training, etc. The table should clearly show all planned expenditures and all funding sources for the project.

Project Expense	Source Name: Amount	Source Name: Amount	Source Name: Amount	Source Name: Amount
Sub Total (\$)				
Total Construction Cost:				(\$) _____
Total Project Cost:				(\$) _____

Project Narrative

- 1 Provide a detailed description of the project company and the jobs to be created.

- 2 Provide a listing of all the company’s existing locations along with the number of current full-time and part-time jobs and whether any change in employment are planned for each location.

- 3 Provide a detailed description of the construction/renovation project.

- 4 Provide description of the project property/building and its significance.

Property Owner Information

Property Owner Legal Name: _____

Property Owner Representative Name (First and Last): _____
(Authorized to sign loan documents for Building Reuse)

Property Owner Rep.
Mailing Address: _____ City: _____ State: _____ Zip: _____

Property Owner Rep.
Phone: _____ Email: _____

Property Information

Property Address
for Project: _____ City: _____ State: _____ Zip: _____

Year Building Was Constructed: _____ Number of Months Building Vacant: _____ Square Footage of Building: _____

Is the property listed on the National Register of Historic Places? Yes No

If you are unsure whether the property is listed on the National Register of Historic Places, you can check the address by accessing the following website: <http://gis.ncdcr.gov/hpoweb/>. If the property is listed, the provisions of NCGS 121-12(a) will be required.

Company Information

BUSINESS Name: _____ Federal ID Tax #: _____

Business Representative Name: _____ NAICS Code: _____

Business Mailing Address: _____ City: _____ State: _____ Zip: _____

Business Representative
Phone: _____ Business Representative Email: _____

Check ONE box below for the Industry Type of the Business:

- Data & Call Services Healthcare Manufacturing Processing Warehouse/Distribution
 Professional Service Restaurant Retail Non-Profit

Is the proposed Business a startup? Yes No If no, how many years in business in NC? _____

Number of existing part-time employees in NC: _____ Will the business provide health benefits? Yes No

Number of existing full-time employees in NC: _____ What % of health benefits are employer paid? _____ %

Number of new full-time jobs committed: _____ Average annual wage of the new jobs committed? _____

If more than one company will participate in the project, please copy this page and complete for each additional company.

Average Annual Wage Computation Work Sheet

Number of New Employees	Position Type	Gross Annual Wages

Total (A)

Total Annual Wages
Divide Total Wages (B) by the Total Number of New Employees (A)
for the **Average Annual Wage**
Percent Employer-Paid Health Insurance

	(B)
	(B/A)
	%

Company Certifications

- 1 **Overdue Tax Debts** Does the Company or the Related Member(s) currently have any overdue tax debts with any City, Town or County in, or with the State of North Carolina?
 Yes No

- 2 **Occupational Safety and Health Act Violations** Does the Company, or the Related Member(s) have any citation under the Occupational Safety and Health Act that have become a final order within the past three years for willful serious violations or for failing to abate serious violations?
 Yes No

- 3 **Loan Defaults** Is the Company, or the Related Member(s) currently in default on any loan or grant previously made by the State of North Carolina?
 Yes No

- 4 **Incentive History** Has the Company, or Related Member(s) ever defaulted on an economic development grant or incentive or been sued by a grantor with respect to an economic development grant or incentive?
 Yes No

- 5 **Creditor Losses, Litigation, Government Investigations** Has any member of management or any principal of the Company, or the Related Member(s) been involved in a financial reorganization, a bankruptcy, or other situation that led to losses by creditors or bond buyers, investor lawsuits, or government investigation alleging fraud or impropriety?
 Yes No

- 6 **Pending or Threatened Litigation** Is the Company, or Related Member(s) subject to any claim, suit, action, proceeding, or government investigation that is pending or threatened that, individually or in the aggregate, would reasonably be expected to have a material adverse effect on the proposed grantee's finances or operations or the ability to conduct the proposed project, or that would reasonably be expected to impact the Rural Infrastructure Authority's decision to award a grant?
 Yes No

If you answered YES to any of the questions above, please provide a detailed description:

If more than one company will participate in the project, please copy this page and complete for each additional company.

Local Government Certifications

The attached statements and exhibits are hereby made part of this application, and the undersigned representative of the applicant certifies that the information in this application and the attached statements and exhibits are true, correct, and complete to the best of the signatory's knowledge and belief. The signatory further certifies:

- 1 as Authorized Representative, the signatory has been authorized to file this application by formal action of the governing body;
- 2 that the governing body or agrees that if a grant is awarded, the applicant will provide proper and timely submittal of all documentation requested by the Grantor Agency;
- 3 that the applicant has substantially complied with or will comply with all federal, state, and local laws, rules, regulations, and ordinances as applicable to this project;
- 4 that the applicant has analyzed the participating companies' financial and organizational strength regarding the ability to successfully meet the terms of the job creation and maintenance requirements, carry out the renovation project, as well as, the ability to meet the potential for repayment of loan funds; and
- 5 that the project is in accordance with the applicant's economic development plan and that the applicant has investigated any impact that the project may have on existing businesses within the applicant's jurisdiction.

Signature of Local Government Chief Elected Official

Typed Name

Typed Title

Date

Signature of Property Owner Representative

Typed Name

Typed Title

Date

Signature of Company CEO/CFO/COO/President

Typed Name

Typed Title

Date

RESOLUTION NO. 44-2024

**RESOLUTION IN SUPPORT OF THE PROJECT CRYSTAL
BUILDING REUSE GRANT**

WHEREAS, following a public hearing pursuant to N.C. Gen. Stat. § 158-7.1, City Council for the City of Shelby, North Carolina determined that Project Crystal meets the requirements of N.C. Gen. Stat. § 143B-472.127; and

WHEREAS, Project Crystal intends to create thirteen new full-time jobs over the next two years with an average annual wage of sixty thousand seven hundred sixty-nine dollars (\$60,769.00); and

WHEREAS, over the next three years, Project Crystal plans to create approximately twenty-two million five hundred thousand dollars (\$22,500,000.00) in net new investment comprising of both real and personal property, which will contribute to population growth, an increase in taxable property and business for the City; and

WHEREAS, given the planned expansion within the City of Shelby, which is located within a Tier 2 county as defined under N.C. Gen. Stat. § 143B-437.08, was selected along with Project Crystal for the North Carolina Department of Commerce, Rural Economic Development Division, Building Reuse Grant Program authorizing Project Crystal is eligible to receive up to one hundred thousand dollars and no cents \$100,000.00 and the City of Shelby agrees to provide the State mandated five percent (5%) match of said funds; and

WHEREAS, approval and participation in the Building Reuse Grant Program will aid the public by encouraging Project Crystal to invest in real and personal property within the City of Shelby totaling twenty-two million five hundred thousand dollars (\$22,500,000.00), which will create additional tax revenue, additional jobs, and diversify the economy.

NOW, THEREFORE BE IT RESOLVED, NOW, THEREFORE BE IT RESOLVED, by the City Council for the City of Shelby, North Carolina:

Section 1. The City Council hereby authorizes the City Manager to enter into negotiations to enter a formal contract agreement with Project Crystal to provide the five percent (5%) grant match intended to encourage expansion within the City of Shelby and the creation of new jobs.

Section 2. The Mayor and City Clerk of the City of Shelby are hereby authorized to execute the agreement specified in section 1 of this resolution on behalf of the City of Shelby.

Section 3. This resolution shall become effective on June 19, 2024, pending a negative vote of the Cleveland County Board of County Commissioners to participate as the government authority providing the State mandated five percent (5%) match.

Adopted this the 17th day of June, 2024.

Resolution No. 44-2024
June 17, 2024
Page 2

O. Stanhope Anthony, III
Mayor

ATTEST:

Carol Williams
City Clerk

Agenda Item: D-3

- 3) Consideration of a proposed ordinance amending the zoning map of the City Of Shelby, North Carolina for parcel 28088: Ordinance No. 45-2024

Presenting: (Justin Longino, Assistant City Manager)

Summary of Available Information:

- Memorandum dated June 11, 2024, from Justin Longino, Assistant City Manager to Rick Howell, City Manager
 - General Application
 - Location Map, Zoning Map, Future Land Use Map
 - Notice of Public Hearing
 - Letter to Surrounding Property Owners
 - Staff Report
 - Certified Recommendation
 - Ordinance No. 45-2024
-

City Manager's Recommendation / Comments

This time is scheduled on the agenda for City Council to conduct the required public hearing in accordance with the NC General Statutes. Following the conclusion of the hearing the Council may act on the item under consideration. A certified recommendation from the Planning and Zoning Board is included as part of the packet. I would call attention to Mr. Longino's memorandum noting that the zoning map amendment is **consistent** with the City's current land use plan. I would further note that the recommendation of the Planning and Zoning Board is advisory in nature only and that as a legislative matter Council has broad discretion to take action it believes is in the best interests of the City. City Council has adopted plans and established an advisory board for the purpose of providing reasonable guidance in the decision-making process.

The following excerpt from the NC General Statutes is provided as a reminder as to the statutory guidance provided to Council when considering changes in zoning and development regulations.

See Next Page

§ 160D-605. Governing board statement.

(a) Plan Consistency. – When adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning board's recommendations and any relevant portions of an adopted comprehensive plan. If a zoning map amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment shall have the effect of also amending any future land-use map in the approved plan, and no additional request or application for a plan amendment shall be required. A plan amendment and a zoning amendment may be considered concurrently. The plan consistency statement is not subject to judicial review. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the governing board statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the action taken.

(b) Additional Reasonableness Statement for Rezonings. – When adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the governing board. This statement of reasonableness may consider, among other factors, (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the governing board statement on reasonableness may address the overall rezoning.

(c) Single Statement Permissible. – The statement of reasonableness and the plan consistency statement required by this section may be approved as a single statement. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).)

After the conclusion of the public hearing City Council may act upon Ordinance No. 45-2024

Possible actions:

Motion to approve Ordinance No. 45-2024 as presented.

OR

Motion to deny approval of Ordinance No. 45-2024 as presented.

TO: Mr. Rick Howell, City Manager
FROM: Justin Longino, Assistant City Manager
DATE: June 11, 2024
SUBJECT: Polkville Road Zoning Map Amendment

Background

The subject property is located north of the city in the ETJ. It is a 1-acre undeveloped parcel zoned R20. Adjacent properties are zoned R20 though the parcel across Polkville Road to the west is zoned GB2 and the parcel immediately to the north is an interchange for the future bypass.

Water is available nearby. The only sewer immediately in the area is a force main and will most likely not be an option for connection.

The request is to rezone to the GB2 General Business District. The GB2 district is established as a district in which the permitted uses are identical to the GB district except that billboards (outdoor advertising signs) are not permitted in the GB2 district. This district will allow for a wide range of commercial uses, including retail, offices, restaurants, institutions and professional services, recreational facilities, and some wholesale trades.

The Future Land Use Map shows parcel 28088 designated as Commercial. There is a large Commercial designation in this area which surrounds the future bypass access. Section 3.5.10 of the Comprehensive Land Use Plan states, "Commercial is the retail land use designation including a range of retail uses and identifies general business and other commercial districts as appropriate zoning classifications for this use area."

Recommendation

The Comprehensive Land Use Plan supports rezoning parcel 28088 to GB2. The Future Land Use Map designates the property in a Commercial use area. Since there is GB2 already in the area, and the Bypass intersects Polkville Rd in this area, this change will be consistent with expected future growth in the area.

Staff and Planning Board recommend approval of the rezoning application as presented.

Attachments

Rezoning Application, Map of the Area, Zoning Map, FLU Map, Notice of Public Hearing, Letter to Surrounding Property Owners, Mailing List, Planning Board Report & Recommendation



City of Shelby
Planning and Development Services Department

General Application

Address of Subject Property:

Polkville Rd. Parcel ID 28088
Shelby, NC 28150

Applicant(s) Name: Christopher + Dena Cook (Endeavour Homes)

Address: 2305 Flint Hill Ch. Rd.

Shelby, NC 28152

Email: chris@endeavourhomes.com

Phone: 828-764-5275

Owner(s) Name: Barbara Maddox

Email:

Phone: 231 Reliance Rd. Kingsmtn, NC 28086

Relationship to Property: Owner Developer, Contractor, etc. Other: Potential Buyer

Request for (Check all that apply):

- Annexation (Contiguous & Satellite)
- Change in Tenant/Building Use
- Site Plan Review & Zoning Permit
- Street Name Change
- Street/ROW Closing
- Conditional Use Permit or Special Use Permit
- UDO Text Amendment
- Zoning Map Amendment
- Conditional Use Map Amendment
- Zoning Permit or Home Occupation Permit

Project Information (Fill in applicable information):

Parcel Number: 28088

Proposed Zoning: GB2

Proposed Land Use: Commercial

Previous Use: Residential

Approx. Building Sq. Ft.:

Approx. Project Acreage:

Business Name:

Construction Sq. Ft.:

Valuation:

Provide a detailed description of the proposed project. Attach additional pages or documentation if necessary.

would like to place our commercial construction sales office.

Oath: By signing, I hereby certify that all information that I have provided in this application is correct and complete to the best of my knowledge. I understand that providing false or incomplete information may be grounds for denial of my request or may result in future action by the City Council to revoke the permit.

Christopher Cook
Signature of Applicant

4-8-24
Date

Received by:

4/8/24
Date



City of Shelby
Planning and Development Services

Appointed Agent Form

Address of Subject Property:

TBD POLKVILLE ROAD SHELBY, NC 28150

I, BARBARA KAY MADDOX, owner of the property located at said address and identified by the Cleveland County Tax Assessor's Office as PIN: 2537393391, located in Cleveland County, North Carolina, do hereby appoint ENDEAVOUR HOMES LLC to represent me in filing an application for a permit with the City of Shelby Planning and Development Services Department.

I further authorize ENDEAVOUR HOMES LLC to act as my agent in all matters, formal and informal, and to receive all official correspondence as it relates to the ZONING PERMIT REVIEW and APPROVAL PROCESS.

Barbara Kay Maddox
Signature of Property Owner

4-9-2024
Date

Applicant(s) Name: ENDEAVOUR HOMES LLC - CHRISTOPHER COOK
Address: 33 BURGIN ST. #P 2305 FLINT HILL CHURCH RD.
MARION, NC 28752 SHELBY, NC 28152
Email: chris@endeavourhomes.com
Phone: (888) 764-5275

STATE OF NORTH CAROLINA
COUNTY OF CLEVELAND

I, C. ANDREW NEISLER, JR., a Notary Public for said County and State, do hereby certify that BARBARA KAY MADDOX, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 9TH day of APRIL, 2024.



C. Andrew Neisler, Jr.
Notary Public

My Commission Expires: 4-23-2028

June 2016

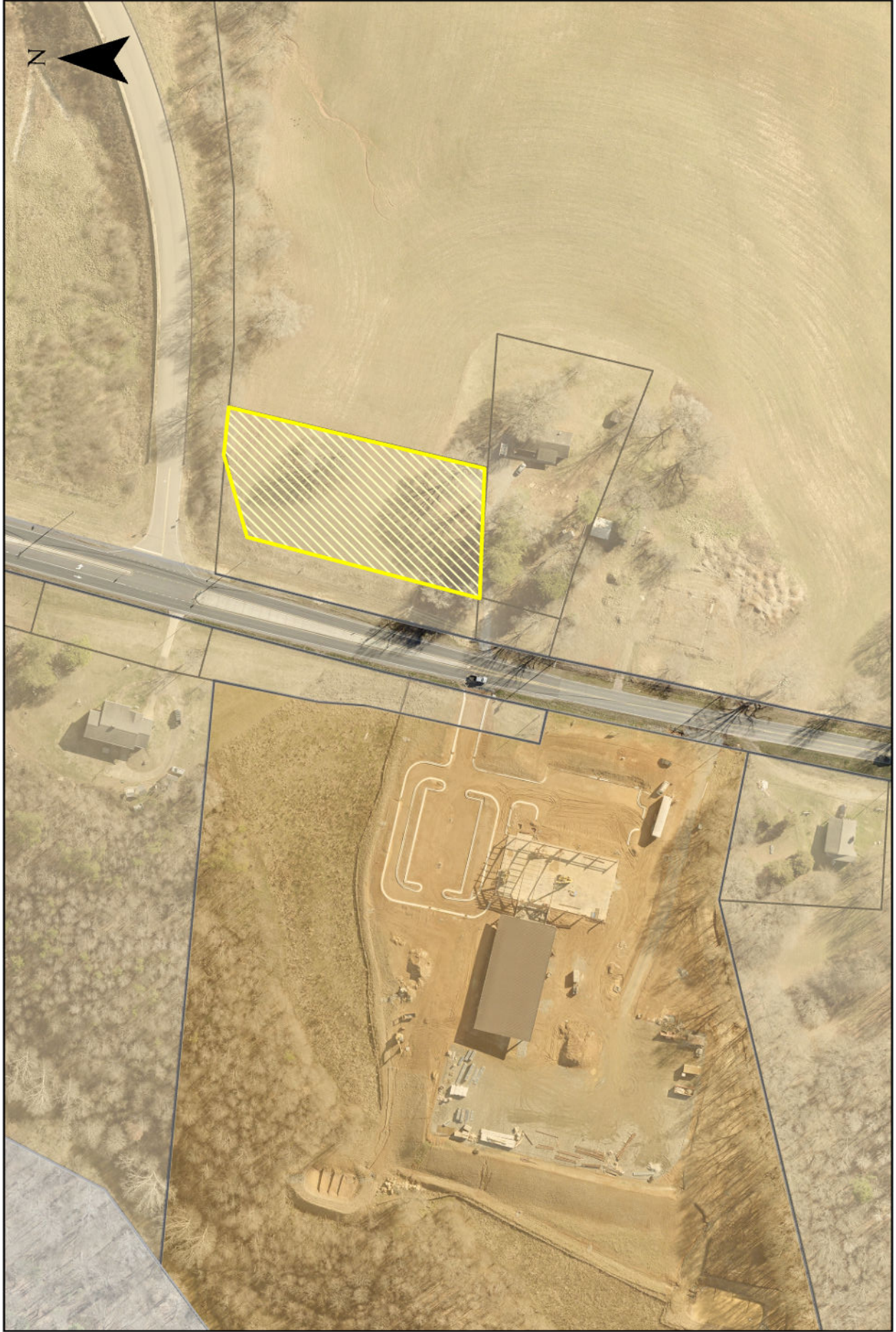
Polkville Rd Rezoning Location Map



City Limits



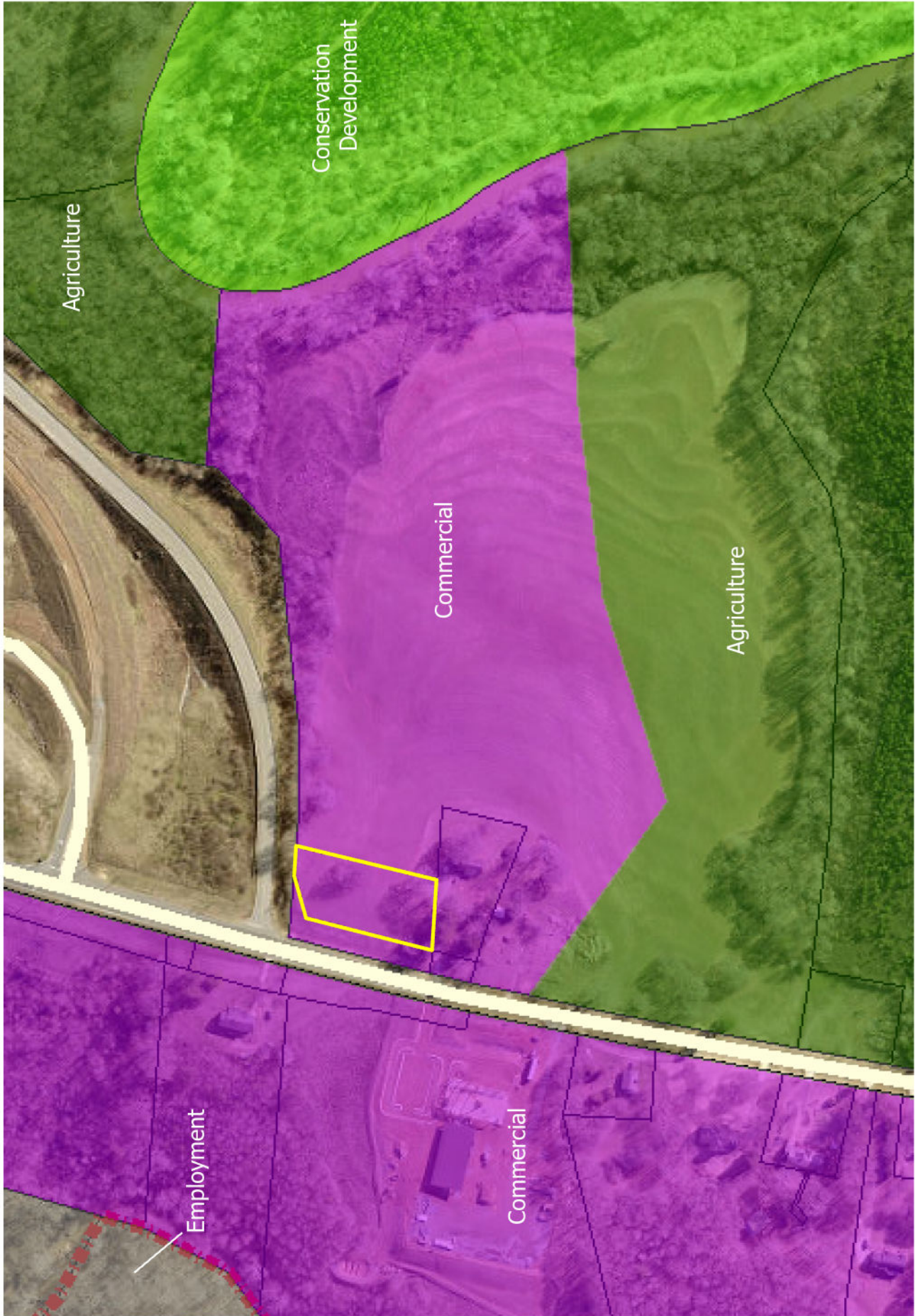
Polkville Rd Zoning Map



CityLimits Zoning
R20 LI GB2

0 75 150 300 US Feet

Polkville Rd Future Land Use Map



NOTICE OF PUBLIC HEARING ZONING MAP AMENDMENT

The City Council of Shelby, North Carolina will conduct a public hearing during its regular meeting at 6:00 p.m., Monday, June 17, 2024 in the Don Gibson Theatre at 318 South Washington Street, Shelby, North Carolina to consider a proposed zoning map amendment from R20 Residential Zoning to GB2 General Business 2 for a property located on Polkville Rd south of the new bypass interchange, having Cleveland County parcel number 28088.

A more detailed description and map of these properties are available for public inspection in the Planning and Development Services Department located at 315 South Lafayette Street, Shelby, North Carolina, during regular business hours, 8:00 AM until 5:00 PM. Also, you can call (704) 484-6829 for more information.

Persons interested in being heard on this matter are invited to comment on the proposed rezoning at the hearing, whether for or against. Comments may be presented orally at the hearing, in writing prior to the hearing, or both.

Members of the public with special needs wishing to attend this meeting should call the City Clerk (704 484-6800) at least 24 hours prior to the meeting to request assistance.

Carol Williams
City Clerk

The Shelby Star:

Please publish this notice as a legal line ad on Monday, June 3, 2024 and the same ad again on Monday, June 10, 2024.

Mail invoices with affidavits to Audrey Whetten Godfrey, City of Shelby, PO Box 207, Shelby, NC 28151. Thank you.



May 29, 2024

<<RECIPIENT>>
<<ADDRESS>>
SHELBY NC 28150

RE: Parcel 28088 - Proposed Zoning Map Amendment

Dear DENNIS R MCCRACKEN TRUST,

The City Council of Shelby, North Carolina will conduct a public hearing during its regular meeting at 6:00 p.m., Monday, June 17, 2024 in the Don Gibson Theatre at 318 South Washington Street, Shelby, North Carolina to consider a proposed zoning map amendment from R20 Residential Zoning to GB2 General Business 2 for a property located on Polkville Rd south of the new bypass interchange, having Cleveland County parcel number 28088.

A more detailed description and map of these properties are available for public inspection in the Planning and Development Services Department located at 315 South Lafayette Street, Shelby, North Carolina, during regular business hours, 8:00 AM until 5:00 PM. Also, you can call (704) 484-6829 for more information.

Persons interested in being heard on this matter are invited to comment on the proposed rezoning at the hearing, whether for or against. Comments may be presented orally at the hearing, in writing prior to the hearing, or both.

Members of the public with special needs wishing to attend this meeting should call the City Clerk (704 484-6800) at least 24 hours prior to the meeting to request assistance.

Enclosed are the application, location map, and zoning map.

If you have any questions or require additional information, please contact me at brian.finnegan@cityofshelby.com or 704-484-6829.

Sincerely,


Brian Finnegan
Planner

Enclosures

DENNIS R MCCRACKEN TRUST
1530 MCCRACKEN DR
SHELBY NC 28150

BRIDGES LELA JEAN
724 POLKVILLE RD
SHELBY NC 28150

DEPARTMENT OF TRANSPORTATION
NORTH CAROLINA STATE AN
AGENCY OF
1546 MAIL SERVICE CE

I certify that the letter to adjacent
property owners was mailed to the
above reference addresses on May 29,
2024. 

Staff Report



To: Shelby Planning & Zoning Board
From: Brian Finnegan
Planner

Date: May 7, 2024
Meeting: May 16, 2024
File: #1203

OWNER/APPLICANT: Christopher and Dena Cook—Applicant; Barbara Maddox – Owner

LOCATION: Polkville Rd

PARCEL ID #: 28088

PRESENT ZONING: R20

REQUESTED ZONING: GB2

SURROUNDING ZONING: **North:** R20 **South:** R20 **East:** R20 **West:** GB2

UTILITIES: **Water:** Yes **Sewer:** No **Floodplain:** No **Watershed:** Yes

ANALYSIS: The subject property is located north of the city, located with the ETJ. The site is a 1 acre undeveloped site zoned R20. R20 is the most restrictive residential use that allows for low density single family housing. The site is adjacent to R20 on the north, east and south, and there is GB2 across the ROW to the west. There water in available nearby. The only sewer immediately in the area is a force main and will most likely not be an option for connection. Immediately to the north is right of way property owned by NCDOT that includes an interchange for the future US 74 Bypass extension.

The request is to rezone to the GB2 General Business District. The GB2 district is established as a district in which the permitted uses are identical to the GB district except that billboards (outdoor advertising signs) are not permitted in the GB2 district. This district will allow for a wide range of commercial uses, including retail, offices, restaurants, institutions and professional services, recreational facilities, and some wholesale trades.

On the Future Land Use Map parcel 28088 is designated as Commercial. There is a large Commercial designation in this area which surrounds the future bypass access. Section 3.5.10 of the Comprehensive Land Use Plan states Commercial is the retail land use designation including a range of retail uses and identifies general business and other commercial districts as appropriate zoning classifications for this use area.

STAFF COMMENTS: The Comprehensive Land Use Plan supports rezoning parcel 28088 to GB2. The Future Land Use Map designates the property in a Commercial use area. Since there is GB2 already in the area, and the Bypass intersects Polkville Rd in this area this change will be consistent with expected future growth in the area. Staff recommends approval of the rezoning application as presented.

Certified Recommendation

City of Shelby Planning & Zoning Board



Case File: # 1203

Amendment: A Zoning Map Amendment for property located at Polkville Rd, Cleveland County Parcel 28088 from Residential R20 to General Business GB2.

Recommendation: The Planning and Zoning Board recommends approval of the proposed Zoning Map Amendment for property identified as Cleveland County Parcel 28088 from Residential R20 to General Business GB2.

Findings &

Reasons:

1. The proposed zoning map amendment is consistent with surrounding zoning.
2. The proposed zoning map amendment is consistent with the future land use map.

Motion: Mr. Washburn made a motion to send a recommendation to approve based on the consistency with the future land use plan and expected development in the area

Second: Mr. Taylor

Action: This motion passed unanimously.

Signatures: Brian Finnegan
Planner

A handwritten signature in black ink, appearing to be "B. Finnegan", written over a horizontal line.

Date: 5/16/2024

Mark Carter
Planning and Zoning Board Chair

A handwritten signature in black ink, appearing to be "Mark T. Carter", written over a horizontal line.

Date: 5/16/2024

ORDINANCE NO. 45-2024

**A PROPOSED ORDINANCE AMENDING THE ZONING MAP OF
THE CITY OF SHELBY, NORTH CAROLINA FOR
PARCEL 28088**

WHEREAS, the City of Shelby has received an application requesting the rezoning of property on Polkville Road (Parcel 28088) located in Cleveland County and within the corporate limits of the City of Shelby; and,

WHEREAS, the Shelby Planning and Zoning Board has reviewed said application for a zoning change and has made its findings and recommendations to City Council; and,

WHEREAS, the Shelby Planning and Zoning Board found that the zoning change is consistent with the Comprehensive Land Use Plan for the proposed land use and consistent with the surrounding zoning and uses; and,

WHEREAS, in accordance with N.C. Gen. Stat. § 160D-602, a public hearing on this proposed rezoning was held by City Council on May 20th after due publication of said hearing as required by law; and,

WHEREAS, after hearing all who wished to be heard on this matter and upon review of the findings and recommendations of the Planning and Zoning Board, City Council now desires to act on this matter.

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

Section 1. This zoning change is reasonable and in the public interest based on being consistent with the City of Shelby Comprehensive Land Use Plan for the proposed land use.

Section 2. In accordance with Chapter 160D, Article 6 and Article 7 of the North Carolina General Statutes, as amended, the Shelby Unified Development Ordinance and Shelby Zoning Map (Appendix A of the Shelby City Code), the parcel on Polkville Rd (Parcel 28088) is hereby amended from R20 to GB2 (General Business).

Section 4. The City Clerk of the City of Shelby is hereby authorized and directed to cause the provisions of Section 2 of this ordinance to be properly codified, and the City Clerk is further authorized and directed to cause her official records and the Official Zoning Map of the City of Shelby to be properly amended to reflect the approved zoning changes.

Section 5. This ordinance shall become effective on June 17th, 2024 upon its adoption and approval.

ADOPTED AND APPROVED this the 17th day of June 2024.

O. Stanhope Anthony III
Mayor

ATTEST:

Carol Williams
City Clerk

APPROVED AS TO FORM:

Jason Lunsford
City Attorney

E. Consent Agenda:

Agenda Item: E-1

- 1) Approval of the Minutes of the Regular Meeting of June 3, 2024

Consent Agenda Item: (Carol Williams, City Clerk)

Summary of Available Information:

Please read and offer changes as you deem necessary.

- Minutes of the Regular Meeting of June 3, 2024

City Manager's Recommendation / Comments

Approve the minutes as presented or as amended by the Mayor and City Council via the Consent Agenda.

MINUTES

Regular Meeting of Shelby City Council
Don Gibson Theatre

June 3, 2024
Monday, 6:00 p.m.

Present: Mayor O. Stanhope Anthony, III, presiding; Council Members Andrew L. Hopper, Sr., David Causby, Violet Arth, David White, Charles Webber, and Emilie Bullock; City Manager Rick Howell, MPA, ICMA-CM, Assistant City Manager Ben Yarboro, Assistant City Manager Justin Longino, MBA, City Attorney Jason Lunsford, City Clerk Carol Williams, Deputy City Clerk Breanna Jones, Director of Human Resources Deborah (Deb) Jolly, Director of Finance Elizabeth (Beth) Beam, CPA, Fire Chief William Hunt, EFO, Chief of Police Brad Fraser, Director of Water Resources Brian Wilson, Public Works Director Scott Black, Director Parks and Recreation Charlie Holtzclaw, Public Information and Communications Officer Chip Nuhrah, Economic Developer Brandon Ruppe, Electric Department Operations Manager Ronnie Davis, and Jennipher H. Harrill, Social Media Manager, Blue Eyes Media Connections

Mayor Anthony called the meeting to order at 6:00 p.m. and delivered the invocation.

Mrs. Bullock led the Pledge of Allegiance.

A. Approval of agenda:

1) Motion to adopt the proposed agenda presented.

ACTION TAKEN: Upon a motion by Mr. White, City Council voted unanimously to approve the agenda as presented

B. Public Hearing:

1) Proposed Fiscal Year (FY) 2024-2025 Annual Operating Budget for the City of Shelby

a. Consideration of Fiscal Year (FY) 2024-2025 Budget Ordinance: Ordinance No. 41-2024

b. Consideration of Fiscal Year (FY) 2024-2025 Supplemental Budget Ordinance: Ordinance No. 42-2024

Presentation – Rick Howell, City Manager

Mr. Howell recapped the proposed budget for FY 2024-2025 as follows:

- the overall budget is \$104,713,489 but could change with transfers and natural gas prices fluctuating
- capital spending is down
- a 4% increase in water and sewer rates
- a 3.5% reduction in electric retail rates with these savings passed on to customers
- the tax rate remains at 51.75 cents per \$100 valuation

Mayor Anthony opened the public hearing at 6:06 p.m. and invited comments from the public. The public offered no comments.

Mayor Anthony closed the public hearing at 6:07 p.m.

ACTION TAKEN: Upon a motion made by Mr. Hopper, City Council voted unanimously to approve Ordinance No. 41-2024 entitled, "FISCAL YEAR (FY) 2024-2025 BUDGET ORDINANCE."

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted unanimously to approve Ordinance No. 42-2024 entitled, "FISCAL YEAR (FY) 2024-2025 SUPPLEMENTAL BUDGET ORDINANCE."

D. Consent Agenda:

Mayor Anthony presented the consent agenda. Mr. Causby moved to approve the consent agenda and the following items were unanimously adopted:

- 1) Approval of the Minutes of the Special Meeting of April 30, 2024
- 2) Approval of the Minutes of the Special Meeting of May 14, 2024
- 3) Approval of the Minutes of the Regular Meeting of May 20, 2024
- 4) Approval of a Resolution honoring Samuel Scott Champion on the occasion of his retirement from employment with the City of Shelby: Resolution No. 38-2024
- 5) Approval of a Resolution honoring Richard Perry Ivey, Jr. on the occasion of his retirement from employment with the City of Shelby: Resolution No. 39-2024
- 6) Approval of a Resolution to withdraw the City's acceptance of the Rural Transformation Grant Fund, Grant Agreement Rural Downtown Transformation Grant: Resolution No. 40-2024

7) Adoption of FY 2023-2024 Budget Ordinance Amendment No. 11:
Ordinance No. 43-2024

8) Approval of a Special Event Application:

a) First Baptist Church Block Party, requested date: June 19, 2024

9) Management Reports:

a) Monthly Financial Summary – April 2024

10) Notice of Cancellation in the Regular Meeting Schedule of Shelby
City Council – July 1, 2024

END OF CONSENT AGENDA

D. Unfinished Business:

1) City of Shelby's City Hall Annex Renovations Project:

a) Adoption of budget ordinance amendment for the City
Hall Annex Renovations Project: Ordinance No. 44-2024

b) Approval of a resolution awarding the construction contract
for the City of Shelby's City Hall Annex Renovations Project:
Resolution No. 41-2024

Presentation – Rick Howell, City Manager:

- The plan is to renovate the old Shelby Police Department to house the Planning, Code Enforcement, Building Inspections and Human Resource departments
- Upland Architects has been selected and come up with a plan after input from staff
- The lowest bid was for approximately \$1,881,000 from Neill Construction
- Funds will come from the General Fund reserves, no debt issued for this project
- Work is expected to begin later this summer

ACTION TAKEN: Upon a motion made by Ms. Arth, City Council voted unanimously to approve Ordinance No. 44-2024 entitled, "A BUDGET ORDINANCE AMENDMENT FOR THE CITY HALL ANNEX RENOVATIONS PROJECT."

ACTION TAKEN: Upon a motion made by Ms. Arth, City Council voted unanimously to approve Resolution No. 41-2024 entitled, “A RESOLUTION AWARDDING THE CONSTRUCTION CONTRACT FOR THE CITY OF SHELBY’S CITY HALL ANNEX RENOVATIONS PROJECT.”

E. New Business:

- 1) Approval of a Resolution to adopt the proposed City of Shelby Electric Service Terms and Conditions and the proposed City of Shelby New Development Electric Service Agreement: Resolution No. 42-2024

Presentation – Ben Yarboro, Assistant City Manager

- In 2005, the City adopted the existing Terms and Conditions Policy for the Electric Department, the City needs an updated policy due to many changes in the development of the Electric industry, costs of materials, and material availability
- Staff compared several municipalities in our area and our size to come up with a policy that is reasonable for development
- Goals of the proposed Electric Service Terms and Conditions and the proposed City of Shelby New Development Electric Service Agreement:
 - Clearly outline the roles and responsibilities of both the City and the Developer/Customer in regard to electric service
 - Ensure fair and equitable treatment of all new and existing electric customers
 - Use the policy as a training document for new employees in regard to customer service
 - Update is intended to address evolving electric system issues (ex. increasing costs, material lead times, development, etc.)
 - Allows the City to maintain a reasonable payback period for new installations
- Proposed policy addresses Installation and Service fees and what portion the City is responsible for and how much the developer is responsible for; in most instances, the developer would be responsible for approximately one-third of the various fees

ACTION TAKEN: Upon a motion made by Mrs. Bullock, City Council voted unanimously to approve Resolution No. 42-2024 entitled, “A RESOLUTION TO ADOPT THE PROPOSED CITY OF SHELBY ELECTRIC SERVICE TERMS AND CONDITIONS AND THE PROPOSED CITY OF SHELBY NEW DEVELOPMENT ELECTRIC SERVICE AGREEMENT.”

F. City Manager's Report

- The Comprehensive Land Use Plan contract has been signed with the Stewart firm.
- The Public Art Advisory Board is going to be soliciting proposals for the Eastern gateway at Marion Street and Dixon Boulevard
- The pool opening was delayed but was successfully opened on Saturday
- TAMP Phase II of paving has begun; updates are on the City website to show what is going to be paved and what has been paved
- Depot and Depot Park project will go out to bid at the end of June 2024
- Rail Trail Phase II project will go out to bid this Fall
- County Home Road construction is delayed due to an easement issue with an adjoining property owner and Duke Energy, out of our hands at this point
- Grove Street Stormwater project with KFC and Fastop is ongoing but slow

G. Council Announcements and Remarks

Mayor Anthony reminded Council of the upcoming events:

June 6th – CAGO meeting at Palmer Grove Baptist Church in Kingstown

June 8th – Fly-In at the Shelby-Cleveland County Regional Airport

July 3rd – Fireworks at the Shelby City Park

Mr. Webber acknowledged the Burns High School baseball team for finishing 2nd in the State 2A tournament.

H. Closed Session:

- 1) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged pursuant to North Carolina General Statute § 143-318.11(a)(3).**
- 2) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations pursuant to North Carolina General Statute § 143-318.11(a)(4).**
- 3) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or**

proposed contract for the acquisition of real property by purchase, option, exchange, or lease pursuant to North Carolina General Statute § 143-318.11(a)(5).

ACTION TAKEN: Mr. White made a motion to enter a closed session pursuant to the appropriate North Carolina General Statutes as cited. Mayor Anthony invited all Council members present, along with Mr. Howell, Mr. Lunsford, Mr. Longino, Mr. Yarboro, Mrs. Jolly, Mr. Ruppe, Mrs. Williams and Mrs. Jones to attend. The motion passed unanimously, and Council moved into closed session at 6:37 p.m.

At the conclusion of the Closed Session item, Mr. White made a motion for City Council to return to the regular session at 7:16 p.m. and seal the minutes.

I. Adjournment:

1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Ms. Arth, City Council voted unanimously to adjourn the meeting at 7:17 p.m.

Respectfully submitted,

Carol Williams
City Clerk

O. Stanhope Anthony, III
Mayor

Minutes of June 6, 2024

Agenda Item: E-2

- 2) Approval of a resolution honoring Scott Edwin Ledford on the occasion of his retirement from employment with the City Of Shelby: Resolution No. 45-2024

Consent Agenda Item: (Brad Fraser, Chief of Police)

Summary of Available Information:

- Memorandum dated May 30, 2024, from Brad Fraser, Chief of Police to Rick Howell, City Manager
- Resolution No. 45-2024

City Manager's Recommendation / Comments

This time is scheduled on your agenda to consider a resolution recognizing Sergeant Scott Edwin Ledford on the occasion of his retirement from employment. In keeping with policy Resolution No. 45-2024 will recognize him for having served the City faithfully for the past 25 years as a City of Shelby Police Officer. He is to be congratulated! Sergeant Ledford will be greatly missed by his fellow police officers.

As is in keeping with current policy Sgt. Ledford will be presented with a framed resolution, a city lapel pin, and a key to the City. It is customary and appropriate to recognize Scott Ledford for his many years of service to the City. Sgt. Ledford's dedication to the City is to be admired.

Please join me in wishing him a healthy and happy retirement.

It is recommended that Resolution No. 45-2024 be adopted and approved via the Consent Agenda.

Shelby Police Department



Memorandum

To: Rick Howell, City Manager
From: Brad Fraser, Chief of Police
Date: May 30, 2024
RE: Retirement Resolution Request; Scott Edwin Ledford

Background

Sergeant Scott Edwin Ledford was hired by the City of Shelby as a law enforcement officer on November 16, 1998. On July 1, 2024, Sergeant Ledford will retire after twenty-five years of honorable service to the Shelby Police Department and our community. During his tenure with the Shelby Police Department, Sergeant Ledford served in many roles, including Patrol Officer, Detective, Vice-Narcotics Detective, Crime Scene Detective, Patrol Sergeant, and rounding out his career serving as Community Oriented Policing Sergeant. Sergeant Ledford is well known and respected both within the department and in our community. During his tenure, Sergeant Ledford completed over 1,500 hours of law enforcement training and has received his Law Enforcement Advanced Certificate from the North Carolina Criminal Justice Education and Training Standards Commission.

Review

When Sergeant Ledford retires on July 1, 2024, he will have twenty-five years of credible service in the NC Local Government Retirement System. A retirement reception will be held in honor of his service to our community and during this time, he will be honored for his leadership, loyalty, and commitment to protect and serve our community with courage and compassion.

Recommendation

Sergeant Ledford has had a long, successful career with the City of Shelby and has demonstrated his dedication and commitment to public service over the last twenty-five years. It is recommended that consideration be given honoring Sergeant Ledford's service to our community through a Shelby City Council resolution.

RESOLUTION NO. 45-2024

**A RESOLUTION HONORING SCOTT EDWIN LEDFORD
ON THE OCCASION OF HIS RETIREMENT FROM EMPLOYMENT
WITH THE CITY OF SHELBY**

WHEREAS, on the occasion of his retirement from employment on July 1, 2024, it is fitting for City Council to express its appreciation to Scott Edwin Ledford for his loyal service to the City of Shelby from November 16, 1998 to July 1, 2024; and

WHEREAS, Mr. Ledford has been a loyal team member in the continuing development of the City of Shelby Police Department and to the City of Shelby government as a whole; and,

WHEREAS, the City of Shelby is most grateful for the professional contributions Mr. Ledford has given to all the citizens and organizations within the Shelby community; and,

WHEREAS, the City Council of the City of Shelby wishes to acknowledge and express its appreciation to Mr. Ledford for his over 25 years of employment, noting that Mr. Ledford will be missed both professionally and as a fellow co-worker.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council publicly express their sincere appreciation to Scott Edwin Ledford and extend the very best wishes for a successful, healthy, safe, and happy retirement.

BE IT FURTHER RESOLVED that this Resolution be entered upon the permanent Minutes of the City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Shelby to be affixed this the 17th day of June, 2024.

O. Stanhope Anthony III
Mayor

ATTEST:

Carol Williams
City Clerk

Agenda Item: E-3

- 3) Approval of a resolution authorizing the City Manager to contract with an architect for the Historic Webbley Project: Resolution No. 46-2024

Consent Agenda Item: (Justin Longino, Assistant City Manager)

Summary of Available Information:

- Memorandum dated June 11, 2024, from Justin Longino, Assistant City Manager to Rick Howell, City Manager
- Proposal from Clearscapes Architecture
- Resolution No. 46-2024

City Manager's Recommendation / Comments

Resolution No. 46-2024 is presented for City Council consideration via the Consent Agenda. The City has solicited statements of qualifications from architectural firms to oversee the renovation and restoration of the Webbley house. After sending out a request for statements of qualifications (RFQ) and receiving responses from six qualified firms it is my recommendation that Clearscapes Architecture be selected to conduct this work.

As you know the intent of the renovation and restoration is to preserve the history of this property for the community. The City has previously secured funding from a directed grant within the budget approved by the NC General Assembly in the amount of \$3,995,500. These funds have been received by the City and are currently being held in a segregated account.

It is my recommendation that Resolution No. 46-2024 be adopted and approved by City Council at this time via the Consent Agenda.

TO: Mr. Rick Howell, City Manager
FROM: Justin Longino, Assistant City Manager
DATE: June 11, 2024
SUBJECT: Webbley Architect Selection

Background

City staff, in conjunction with the Development Finance Initiative at the School of Government, issued an RFQ on April 18th to solicit proposals from qualified architectural firms for work on the Webbley restoration project. Six firms ultimately submitted proposals. Firms ranged from Shelby to Raleigh.

Staff and DFI reviewed the submittals and paid close attention to previous experience with similar projects, qualifications of the individuals employed by the firm, capability to manage the work, and other criteria.

Recommendation

Staff and DFI recommend selecting Clearscapes as the architect for the Webbley project. This firm had the most experience with similar projects and was highly recommended.

Attachments

Clearscapes proposal
Resolution



QUALIFICATIONS FOR ARCHITECTURAL & ENGINEERING SERVICES HISTORIC WEBBLEY MANSION

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- 5 Fee Proposal

Lewis-Smith House (Raleigh NC).

May 17, 2024

Justin Longino
Assistant City Manager
City of Shelby
300 S Washington Street
Shelby, NC
justin.longino@cityofshelby.com

RE: Architectural and Design Services for the Historic Webbley Mansion

Dear Mr. Longino:

We are captivated by this project’s potential. Building upon and re-imagining the “Shelby Dynasty” to support your downtown’s continued evolution is a transformative opportunity for your community. We have a deep understanding of both the opportunities and challenges that will shape this important endeavor.

Clearscapes specializes in creating “people places” and is recognized as one of the most creative design firms in the region. Most of our firm’s work is focused on the design of important public facilities. We have completed dozens of projects for municipal clients across North Carolina, including museums, visitor centers, cultural centers, libraries, and parks. We bring the experience, expertise, and creativity to deftly balance municipal needs with the public realm, and we embrace the accountability for upholding and projecting your vision while investing public resources in a manner that generates the greatest value.

We are currently leading municipal projects for Wake County, Raleigh, Morrisville, Apex, and Gibsonville.

We have significant experience working in highly-sensitive historic settings and in places of cultural and community significance. We have completed hundreds of certified historic projects, have worked with historic preservation commissions across North Carolina as well as state and federal historic agencies. We are recognized as community leaders in the field of historic and cultural preservation. Fred has chaired the Raleigh Historic Development Commission as well as the statewide non-profit Preservation North Carolina, and now has the privilege of serving on the National Register Advisory Committee for North Carolina. We are currently leading projects in historic districts in Raleigh, Durham, Chapel Hill, Apex, Edenton, Greenville, Halifax, and the Village of Pinehurst, and we are currently managing multiple historic preservation grants through the NC State Historic Preservation Office and the National Park Service.

We also bring specialized expertise in transforming important historic residential structures into new commercial and public uses. We have completed dozens of similar projects for both public and private clients with a broad range of new uses including restaurant, event venue, guest lodging, visitor center, museum, and office. With our experience, we understand how to work creatively and efficiently within building code constraints and how to cost effectively adapt existing structural and building systems to support new uses. We are currently working with several historic houses, including:

Tunstall House (Apex NC)

Located at the namesake peak in downtown Apex, we are working with the Town to fully restore this historic farmhouse as a municipal office and conference facility.

Isham R Faison House (Faison NC)
We are working in partnership with Preservation NC to restore this house as a museum and conference center.

William R Davie House (Halifax NC)
We are working with NC State Historic Sites to restore this house as museum and conference space to be associated with Historic Halifax.

Robert Lee Humber House (Greenville NC)
We are working State Historic Sites to restore this house as the Eastern Regional Office for NCSHPO.

Thomas Day House and Workshop (Milton NC)
We are working with State Historic Sites to restore this landmark as a living history museum and visitor center.

During our long history of working with important structures, we have developed a deep bench of collaborators that understand the challenges and opportunities with integrating building systems and modifying historic structural systems. As each of these buildings is unique, we would conduct a site visit to evaluate the Webbley Mansion to inform our building systems and structural collaborators.

Clearscapes is a HUB Certified woman-owned full-service design firm comprised of (10) registered architects, (4) project designers, and (2) administrative support staff. As a North Carolina licensed architectural firm based in Raleigh NC, we work across the state. With our passion for creatively working with existing structures to meet municipal needs while celebrating and sharing the stories of the communities that they serve, we are fully committed to providing the personnel, time, and resources required to assist you in continuing to evolve and steward this important community landmark.

Sincerely,
CLEARSCAPES, PA



Fred Belledin, AIA

Fred will serve as project contact for this RFQ process.

Clearscapes
501 S. Person Street
Raleigh, NC 27601
919.821.2775 (o)
www.clearscapes.com

Fred Belledin
919.741.7360 (m)
fbelledin@clearscapes.com



BLOUNT STREET COMMONS

HISTORIC PRESERVATION / ADAPTIVE USE OF HISTORIC HOUSES RALEIGH, NORTH CAROLINA

Located in the shadow of the Governor's Mansion, Blount Street was once home to Raleigh's political leaders and captains of industry but had fallen into severe disrepair under state ownership. One hundred and fifty years later, the City embarked upon an ambitious plan to restore the crumbling historic district to its former grandeur.

Clearscapes worked with the Raleigh Historic Development Commission (RHDC), NC Historic Preservation Office (NCSHPO), and a local developer on a detailed plan to save the neighborhood, relocating a number of historic homes to fill in gaps and create a cohesive district fronting Blount Street and creating a development master plan for the balance of the property to offset the cost of saving the historic structures.

The resulting plan secured historic approvals from RHDC, NCSHPO, and the National Park Service, and Clearscapes has led the restoration and commercial expansion of several of the properties:

Merrimon-Wynne House: The 1876 home of a prominent North Carolina judge was moved one block from its original location and carefully renovated to become a premier wedding and event venue in Raleigh. Under the review of the RHDC, non-historic additions were removed, the original structure was meticulously restored, and a modest addition was constructed to support the catering and support needs of the event facility. Historic tax credits were utilized to fund 40% of the renovation work.

Lewis-Smith House: Constructed in the 1850s and moved from its original site in 1974, the Lewis-Smith House served as the State Historic Preservation Office for North Carolina until it was sold to a private owner in 2012. Utilizing Historic Tax Credits, the house was adapted for continued use as an office for the local realty and development firm. The house was restored to its original 1850's exterior proportions and interior room layout, and the non-historic rear addition was removed and replaced with an addition inspired by the 1915 renovation to better serve the new office needs.

Higgs-Coble-Helms House: The 1875 Victorian structure suffered a fire in the early 1930s where its historic tower was lost. Afterwards, a series

of unsympathetic additions and renovations threatened its historic character, including its conversion into office space for the State of North Carolina. Under the oversight of RHDC and utilizing Historic Tax Credits, the house was renovated and restored to its original proportions, with the footprint of the tower re-established for future reconstruction.

Andrews-Duncan Carriage House: Constructed in the 1920s as a multi-bay carriage house for the prominent Andrews-Duncan residence, the structure was converted into apartments in the 1950s until the State purchased it in the 1970s. Under the oversight of RHDC and utilizing Historic Tax Credits, the structure was renovated and restored for continued residential use.

Pell House: Much of the original character and details of this 1920s Georgian brick home remained intact, but were in need of restoration and repair due to years of neglect under the ownership of the state. The home was purchased by private developers who painstakingly repaired the deteriorated structure and finishes and introduced accessible amenities to support its use as office and event space. Historic Tax Credits were utilized to help fund the renovation work.

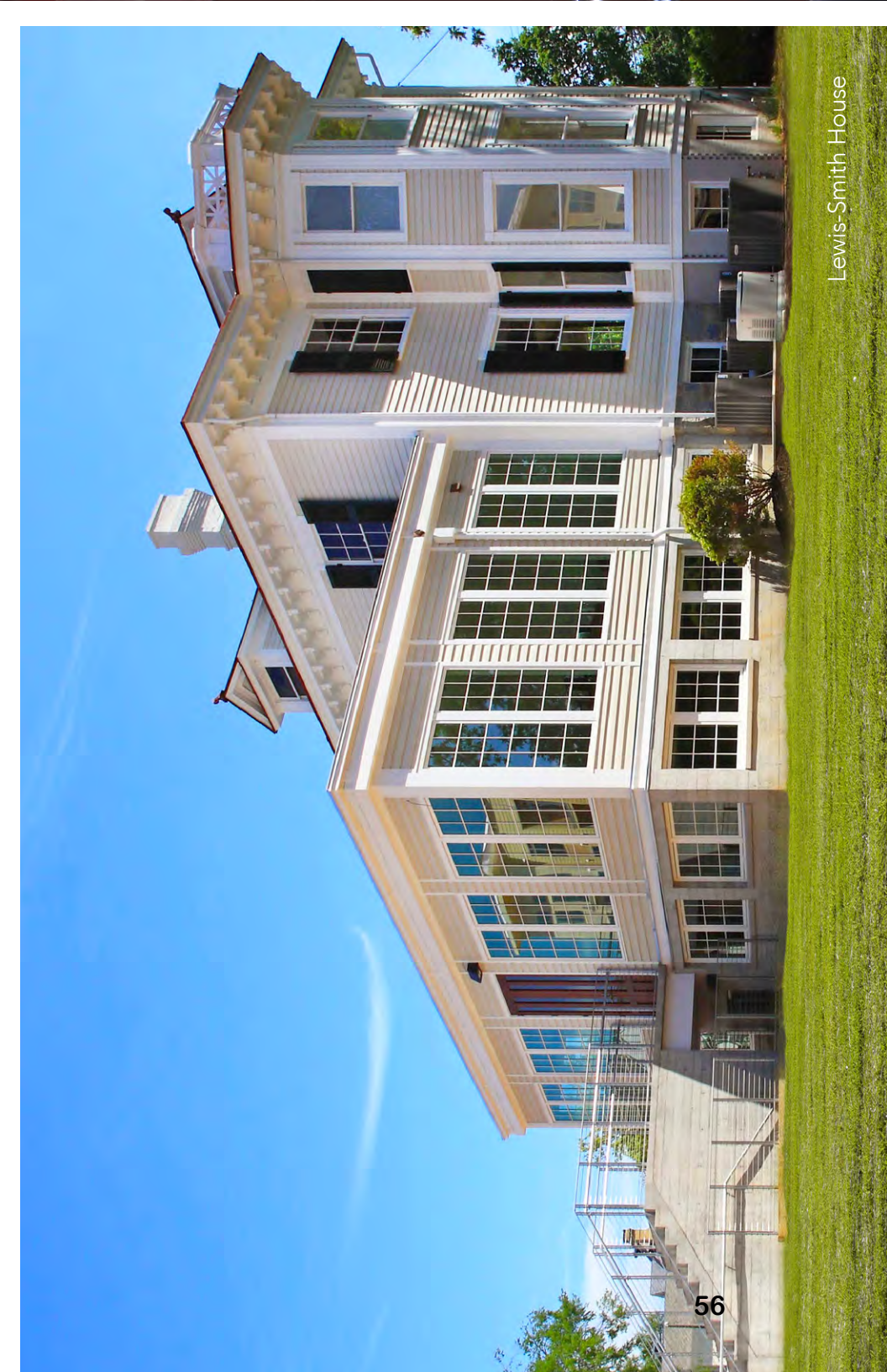
Murphey School: Neglected and severely deteriorated, the historic 1930s WPA era Murphey School building was threatened with demolition. This 42,000 square foot, three-story building was the first peaceably integrated public school in a southern state capital, and is a prominent landmark in the Blount Street District. Working with a private non-profit developer and a local construction company, Clearscapes designed the conversion of the building into 52 units of affordable housing for seniors. Twenty years later, Clearscapes was invited back to renovate the structure and make significant energy improvements to this important public residence facility.



Higgs-Coble-Helms House



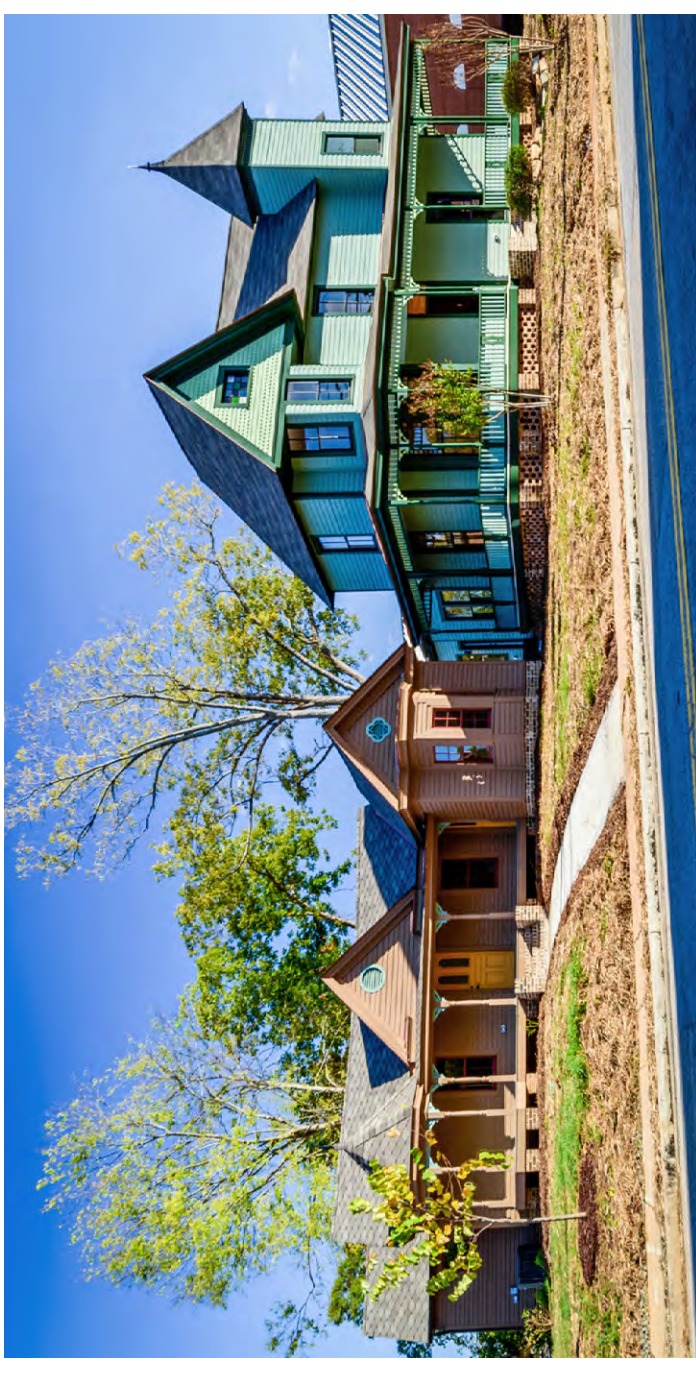
Pell House



Lewis-Smith House

GRAVES/HALL HOUSES (PRESERVATION NC)

HISTORIC PRESERVATION / ADAPTIVE USE OF HISTORIC HOUSES RALEIGH, NORTH CAROLINA



Built in the 1880s, the Plummer T. Hall and Graves-Fields Houses vividly speak to the untold story of Oberlin Village, where former slaves optimistically embraced the opportunity to build a better life for themselves and their children through education and hard work, overcoming relentless obstacles to secure remarkable achievements.

At its peak, Oberlin Village counted 1,000+ residents and was a thriving community with churches, schools, businesses, and family homes. Today, the Hall and Graves-Field Houses are two of only five remaining landmarks in the community and were in danger of being swallowed up by new development. Clearscapes assisted Preservation NC in a complex, last-minute effort to save both houses by converting them into a new headquarters and community repository for the statewide non-profit.

In partnership with the City of Raleigh, both houses were moved onto a diminutive city-owned parcel. To address conflicting zoning code and historic preservation requirements, the two houses were connected with a below-grade addition to qualify as a single building for code purposes while maintaining the appearance of two separate houses to comply with historic covenants. Additional challenges created by the narrow lot and inadequate municipal services were addressed through a number of code compliance alternatives negotiated with City code officials.

Both houses have been carefully restored to remove later alterations and to restore or replace original materials, finishes, and paint colors while complying with commercial building code requirements. Ongoing research into the Graves and Hall families continues to yield amazing personal and family stories and historical connections that will be documented and shared with the community.

PROJECT DATA

Project Size: 3,500 sf
Project Cost: \$1,100,000 (inc. relocation)
Completion Date: 2019

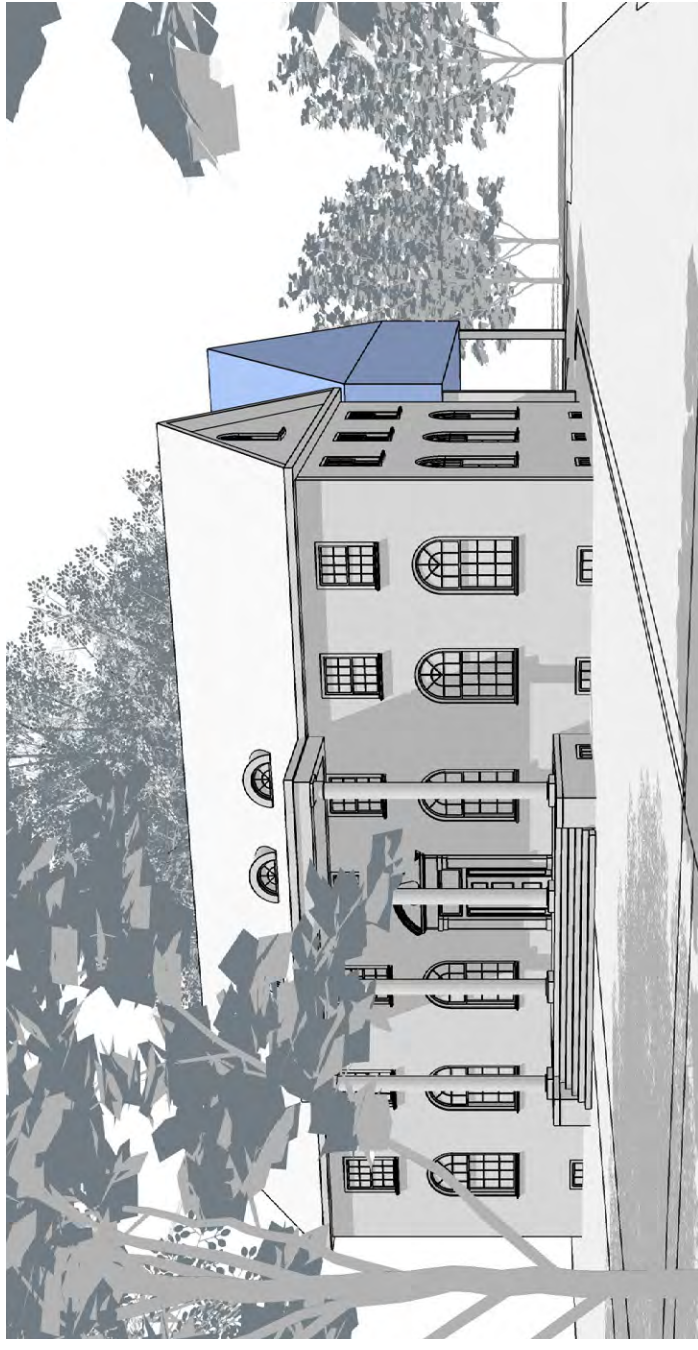
PROJECT REFERENCE

Myrick Howard
President Emeritus
Preservation North Carolina
919.810.1578
mhoward@presnc.org



COATES HALL

EXAMPLE STUDY FOR ADAPTIVE USE OF HISTORIC STRUCTURE CHAPEL HILL, NORTH CAROLINA



Occupying a prominent site on Franklin Street in Chapel Hill's Franklin-Rosemary Historic District, Coates Hall is a unique property in the University's portfolio as it is subject to all local historic requirements. Clearscapes worked with Development & Construction Insight (DCI) to study options for repurposing and potentially expanding the existing building to meet the evolving needs of the University.

PROJECT DATA

Project Size: +/-25,000sf
Project Cost: T.B.D

PROJECT REFERENCES

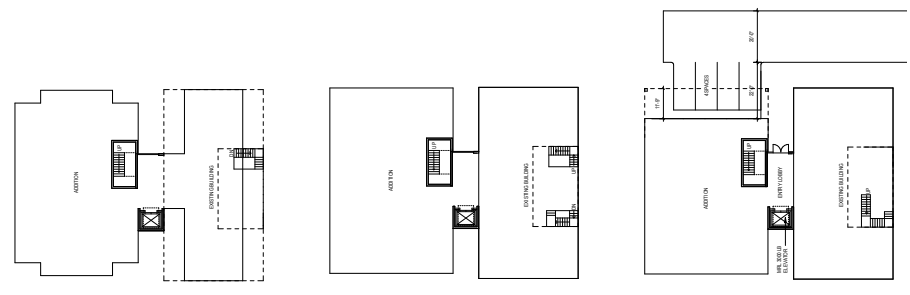
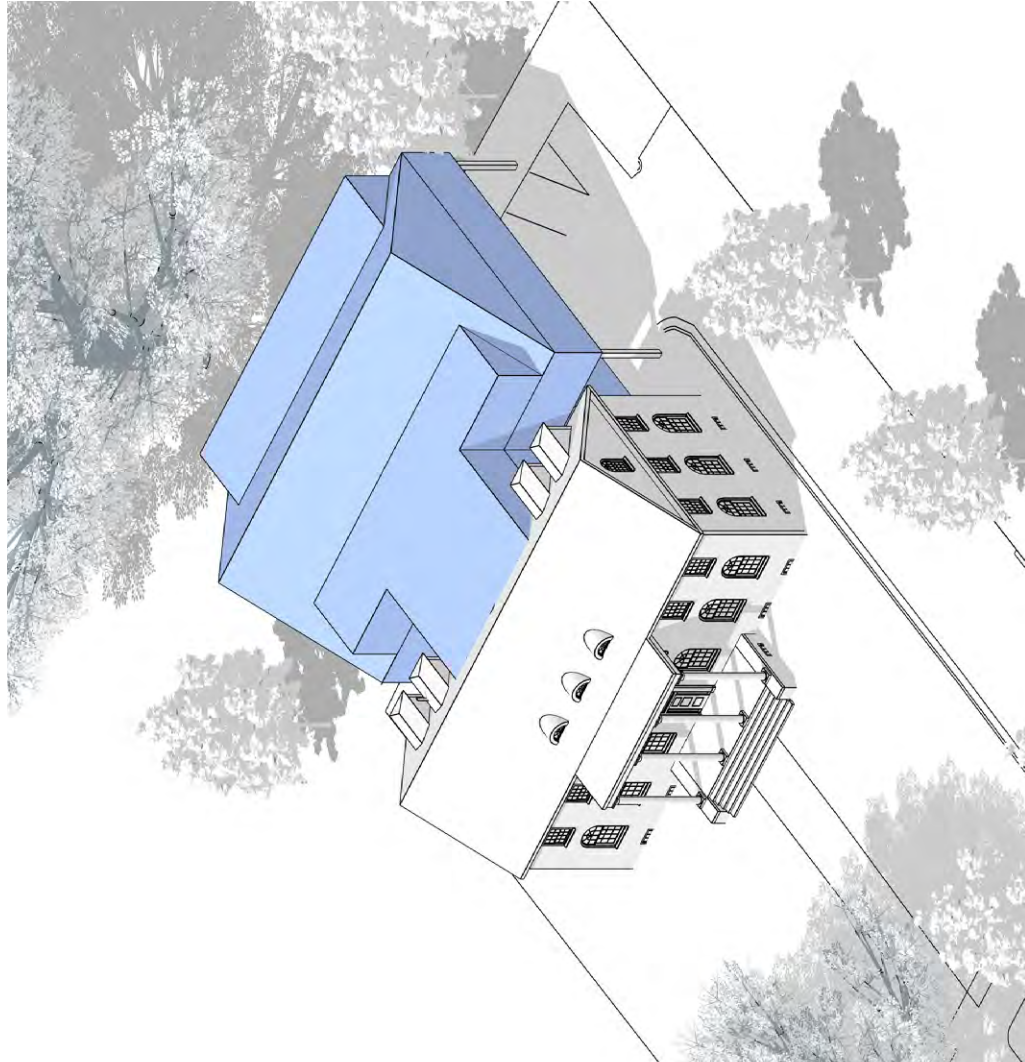
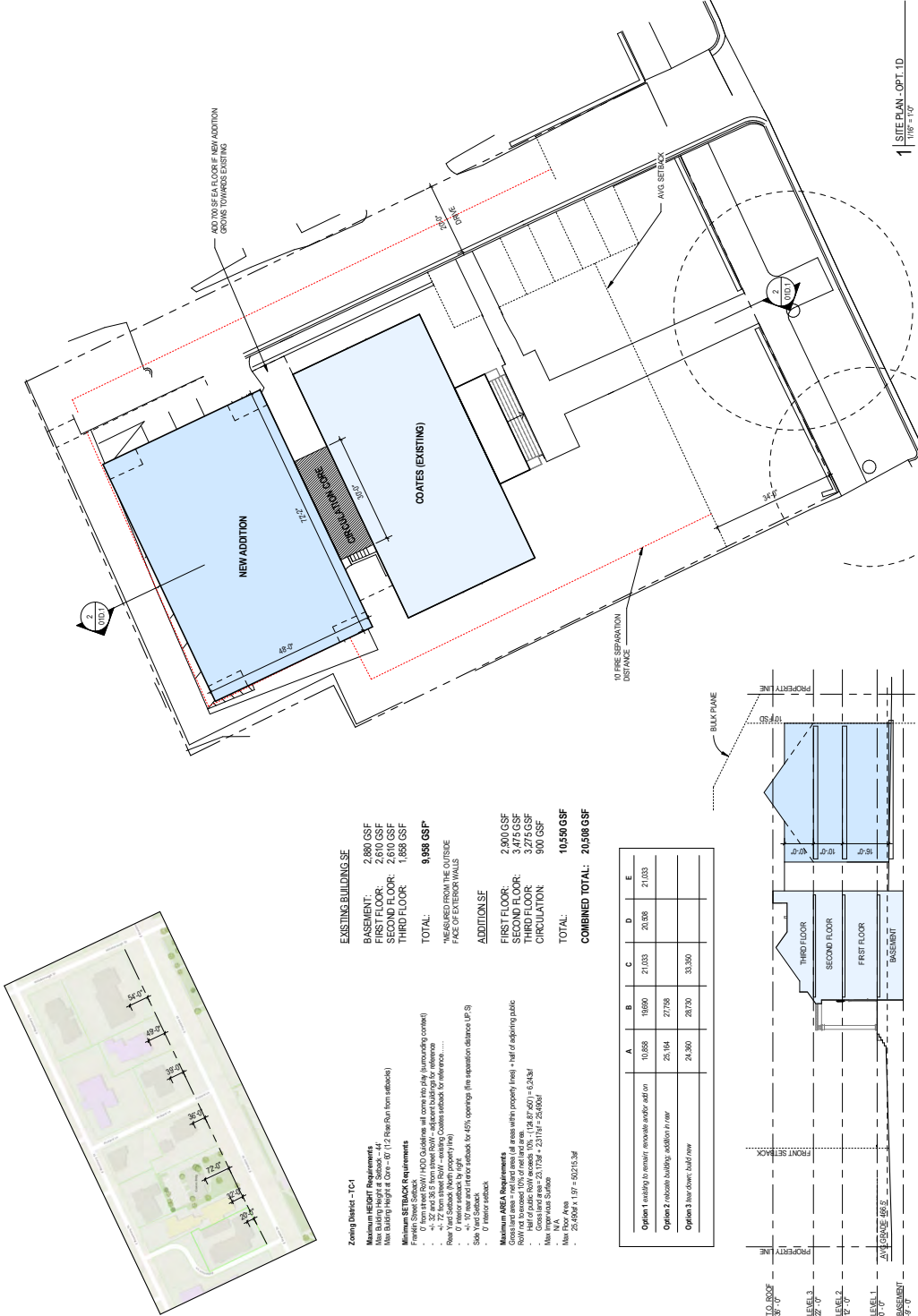
Thomas Ragsdale
DCI
919.757.8379
thomasr@dcsightllc.com

The comprehensive space study included renovation, relocation/expansion, and replacement options to assist in determining the best balance of cost and square footage for the University's planned investment.

Floor plates for each option were test fit for different programmatic uses and the team worked with general contractors to optimize options for constructability and cost benefit.

We worked closely with Town of Chapel Hill Historic Commission Staff to ensure that the University's development goals could be met while complying with historic district requirements.

The University Board of Trustees is currently utilizing the study to determine the highest and best use for the property.



SIMILAR HISTORIC PRESERVATION EXPERIENCE

RECENT HISTORIC PROJECTS (LOCAL GOVERNMENT / INSTITUTIONAL)



DR. WILLIAM C. COKER HOUSE / ALLISON RESIDENCE, CHAPEL HILL, NC
 Size: 6,223 sf
 Scope: Renovation and Addition, Schematic Design, Historic Approvals, Design Development, Permit/Construction Documents, Construction Admin, Building Systems Replaced, Exterior Improvements, Landscaping & Site Work
 Cost: Not Available Per Owner Request
 Dates: Phase 1: February 2021- August 2022
 Phase 2: September- November 2022
 Owner Contact:
 Susan Allison, Owner, susanallison1231@att.net



EDENTON HISTORIC SITES VISITORS CENTER, EDENTON, NC
 Size: 5,100 sf
 Scope: Existing Conditions Report, Concept Design, Schematic Design, Design Development, Construction Documents, Bidding, Construction Admin, Structural Repair, Building Systems Improvements, Civil Engineering
 Cost: \$680,787
 Dates: January 2019 - January 2022
 Time Adherence: Initially delayed due to the onset of Covid-19 and subsequent supply chain issues
 Owner Contact:
 Steven Miller, NCDCCR, steven.miller@ncdcr.gov



ALL FAITHS CHAPEL AT DIX PARK, RALEIGH, NC
 Size: 10,800 sf
 Scope: Programming, Schematic Design, CD Documents, Permit Documents, Building Permit, Construction Documents, Construction Administration, Site & Civil Engineering
 Cost: \$2,700,000
 Dates: March 2020 - March 2021
 Time Adherence: Completed on time with Owner's schedule
 Owner Contact:
 Kate Pearce, City of Raleigh Planning Supervisor
 kate.pearce@raleighnc.gov



CHRIST EPISCOPAL CHURCH, RALEIGH, NC
 Size: 47,800 sf
 Scope: Master Planning, Architecture and Interior Design, Historic Approvals, Outreach, Design Development, Construction Documents, Permits, Construction Admin
 Cost: \$5,525,000
 Dates: August 2014 - September 2016
 Time Adherence: Completed on time with Owner's schedule
 Owner Contact:
 The Reverend James P. Adams, Rector
 jadams@christchurchraleigh.org

SIMILAR HISTORIC PRESERVATION EXPERIENCE

RECENT HISTORIC PROJECTS (LOCAL GOVERNMENT / INSTITUTIONAL)



GRAVES/HALL HOUSES, PRESERVATION NC HEADQUARTERS, RALEIGH NC
 Size: 3,500 sf
 Scope: COA, Design Development, Construction Documents, Construction Administration
 Cost: \$1,100,000 (Including relocation)
 Dates: July 2018 - 2019
 Time Adherence: Completed on time with Owner's schedule
 Owner Contact:
 J. Myrick Howard, President, Preservation NC
 mhoward@presnc.org



MORDECAI INTERPRETIVE CENTER, RALEIGH, NC
 Size: 5,000 sf
 Scope: Master Plan, Building & Site Concept, Public Presentations, Schematic Design, Design Development, Construction Documents, Bidding, Construction Admin
 Cost: \$1,800,000
 Dates: 2010 - 2014
 Time Adherence: Completed on time with Owner's schedule
 Owner Contact:
 Shawsheen Baker, Senior Planner, City of Raleigh
 shawsheen.baker@raleighnc.gov



HIGGS-COBLE-HELMS HOUSE, RALEIGH, NC
 Size: 3,750 sf
 Scope: Feasibility Study, Design Development, Construction Documents, Bidding, Construction Admin, Historic Tax Credits
 Cost: \$450,000
 Dates: 2016 - 2018
 Time Adherence: Completed on time with Owner's schedule
 Owner Contact:
 J. Blount Williams, c/o Alfred Williams & Company
 bwilliams@alfredwilliams.com



ZEBULON MUNICIPAL COMPLEX, ZEBULON, NC
 Size: 18,300 sf Town Hall, 13,700 sf Police Station
 Scope: Feasibility Study, Concept Design, Schematic Design, Design Development, Construction Documents, Bidding, Construction Admin, Parking Lots, Roadways, Site & Civil Work
 Cost: \$3,600,000
 Dates: 2007 - 2009
 Time Adherence: Completed on time with Owner's schedule
 Owner Contact:
 Chris Ray, Public Works Director, Town of Zebulon,
 cray@townofzebulon.org

PROJECT TEAM

FIRM BACKGROUND AND EXPERIENCE



Mordecai I Historic Park Visitor Center (Raleigh NC)

We have completed dozens of projects for municipalities across the state, including community centers, performing and cultural arts centers, libraries, museums, and park facilities. We understand the responsibility that comes with designing important public facilities and the accountability for upholding a community's vision in a fiscally responsible way to generate the greatest public value for future generations.

CLEARSCAPES was formed in 1981 out of a collaboration between an architect and an artist, around the shared idea that architecture should be a functional work of art that serves to engage and inspire its users and their community. This simple premise of inspiration, collaboration, and community is the basis of our firm. We are a firm of architects and artists, and since our inception, we have merged the practice of architecture and art to inspire new ways of seeing and thinking about each.

We are a firm of collaborators- we are in constant collaboration with each other, our clients, our consultants, and our communities. The stories of our projects are the stories of our clients; and our coworkers are empowered to share equally in the privilege and responsibility of bringing these stories to life in built form.

We are a firm of citizen activists- as proponents of community-based architecture, we believe it is the responsibility of individuals to engage the broader

community for the common good. Our coworkers can be found serving on city commissions and local, state, or national non-profit boards providing outreach with many local institutions, leading in professional organizations, serving as critics or lecturers in education, or participating in other grassroots initiatives.

Clearscapes is a HUB Certified woman-owned full-service design firm comprised of (7) registered architects, (4) project designers, (2) architectural interns, and (2) administrative support staff. Structured differently than traditional firms, our principals are intimately involved with every project from initial concept design through project closeout. We provide architectural design services for a range of public, private, and institutional clients across North Carolina. In addition, we have more than 100 public and private art installations throughout the US. Over the past 40 years, our commitment to design and client service is evidenced by the 80+ design awards that we have received and the fact that two-thirds of our work is for repeat clients.



FRED
BELLEDIN
AIA

PRINCIPAL IN CHARGE / PROJECT MANAGER

Fred has led many of Clearscapes' largest and most sustainable projects. As a principal, he oversees collaborative design processes from project concept through construction. Long interested in both design and craft, Fred joined Clearscapes as an architectural intern in 1997, working in both the architecture and art studios. Today, Fred's focus is on community-driven work including public convention, community, and transit centers and destination mixed use and collaborative spaces. He brings special expertise in working with historic structures, completing dozens of historic tax credit projects and chairing state and local historic preservation boards and commissions.

SELECTED EXPERIENCE

Coker House/Allison Residence, Chapel Hill, NC*
 214 Glenburnie Residence, Chapel Hill, NC*
 All Faiths Chapel, Dorothea Dix Park, Raleigh, NC*
 John Chavis Memorial Park, Raleigh, NC*
 Dowd Center Theatre, Monroe, NC*
 Graves/Hall Houses, Preservation NC HQ, Raleigh, NC*
 Historic Oak View Park, Raleigh, NC*
 Raleigh Union Station, Raleigh, NC
 Transfer Company Food Hall, Raleigh, NC*
 Saxapahaw Rivermill & Ballroom, Saxapahaw, NC
 Mordecai Interpretive Center, Raleigh, NC*
 Halle Cultural Arts Center, Apex, NC*
 Raleigh Convention Center, Raleigh, NC
 Zebulon Town Hall, Zebulon, NC*
 Prairie Building Affordable Housing, Raleigh, NC*
 Vidari Chocolate Factory and Coffee Shop, Raleigh, NC
 Bhavana Dim Sum, Book, Flower Shop, Raleigh, NC
 Brew House Artist Community, Pittsburgh, PA*
 Washington Trust Affordable Housing, Washington, PA*
 *Historic preservation project

AFFILIATIONS

Preservation NC, Past Chair
 Raleigh Historic Development Commission, Past Chair
 Raleigh Historic Resources and Museum Advisory Board, Past Chair
 NCSU College of Design Urban Design Conference Committee, Past Member
 NC National Register Advisory Committee
 Covington Foundation, Board Member

EDUCATION

Bachelor of Architecture with Honors
 Carnegie Mellon University, 1995

CERTIFICATION/REGISTRATION

Registered Architect: North Carolina, Pennsylvania



BRANDY
THOMPSON
AIA, LEED AP

PRINCIPAL / PROJECT ARCHITECT

Brandy joined Clearscapes in 2004, and as a Principal, is responsible for the leadership and development of projects throughout all phases of design and construction. She was drawn to architecture by her interest in historic preservation and adaptive reuse, and found a passion for improving communities through quality design and place-making. Brandy's experience includes a range of public and private sector work, often requiring consensus building among complex stakeholder groups. Many of the projects Brandy has led are historic tax credit projects and contribute to the preservation and revitalization of historic districts and cultural heritage sites across the state.

SELECTED EXPERIENCE

NCSM Academic Commons Addition and Dining Hall
 Renovation Advance Planning, Durham, NC
 USGA Golf House Pinehurst, Pinehurst, NC
 Edenton Historic Visitors Center, Edenton, NC*
 All Faiths Chapel, Dorothea Dix Park, Raleigh, NC*
 Bureau of Mines Building Renovation, NCSU, Raleigh, NC*
 Episcopal Diocesan House, Raleigh, NC
 Morrisville Sikh Temple, Morrisville, NC
 St. Philip's Episcopal Church Campus Master Plan, Durham, NC
 Christ Episcopal Church Addition/Renovation, Raleigh, NC*
 North Regional Library, Raleigh, NC
 Boylan-Pearce Building, Raleigh, NC*
 Merrimon-Wynne Event Center, Raleigh, NC*
 Contemporary Art Museum, Raleigh, NC*
 Clayton Community Center, Clayton, NC
 Halle Cultural Arts Center Renovations, Apex, NC*
 Murphey School Renovation, Raleigh, NC*
 Saxapahaw River Mill, Saxapahaw, NC*
 The Clayton Center, Clayton, NC*
 *Historic preservation project

AFFILIATIONS

LEED Accredited Professional, GBCI
 The American Institute of Architects (AIA)
 City of Raleigh Appearance Commission, Past Chair

EDUCATION

Bachelor of Environmental Design in Architecture
 North Carolina State University, 2001
 Bachelor of Architecture
 North Carolina State University, 2002

CERTIFICATION/REGISTRATION

Registered Architect: North Carolina

PRELIMINARY SCOPE OF SERVICES

ITERATIVE AND COLLABORATIVE DESIGN PROCESS



Addition to Lewis Smith House (Raleigh NC)

We actively seek out opportunities to work with important existing and historic structures. With each of these projects, we collaborate closely with the client to identify the character-defining spatial and material features that are most unique and work carefully to develop a design solution that celebrates these features and tells the story of the building while ensuring that the project program works efficiently within the inherent constraints of each existing condition.

Our approach is centered on drawing out meaningful cultural, ecological, and historical narratives for each site and community that we work with and weaving those stories into site-specific works of architecture. Through this process, we are recognized for our design of some of the most inventive and beloved places in the state. We utilize a charrette-based process to allow us to work in close collaboration with City and DFI staff. This approach effectively leverages the knowledge and vision of your stakeholders to consider the broadest possible range of ideas.

STEP 1: INFORMATION GATHERING

This step will compile all base information needed to inform the study and is anticipated to include:

1. **Prepare Base Drawings**
Working from any existing drawings or CAD files (if available from the City) and/or field measurements, we will prepare a REVIT model of the existing building.

STEP 2: PRELIMINARY PROGRAM ASSESSMENT

This step will include a high-level review of the range of potential program use options and their associated community impact, functional criteria, regulatory requirements, and cost implications to confirm or narrow down the range of potential uses to be studied further:

1. Create Program Matrix

Working from the base information compiled in STEP 1 and in collaboration with DFI for the development feasibility aspects, we will develop a program matrix to compare the various opportunities and constraints for each of the potential uses to be considered. Criteria will include but not necessarily be limited to:

- Building code implications (structural needs, egress and accessibility requirements, hvac capacity and fresh air requirements, etc)
- Zoning code implications (allowable uses, conditional use requirements, parking minimums, loading, buffer/other requirements, etc)
- Historic and contextual implications for the property and the surrounding area
- Potential community benefit and/or impact (context, sustainability, economic, traffic, etc)
- Functional impact (parking, access, loading, program fit, etc)
- Cost implications (first cost, operating costs, revenue potential, etc)

We will meet with City and DFI staff to evaluate and refine these criteria as needed to allow for an intentional decision-making process to determine which program options warrant further study. Based on the information included in the RFQ, we anticipate a minimum of three potential program uses to be selected for STEP 3.

Deliverables will include minutes for each meeting including all feedback received from stakeholders and all versions of the program matrix in PDF format.

STEP 3: BUILDING/SITE OPTIONALITY ANALYSES

This step will test fit the range of options selected in STEP 2 for the building and site:

1. Develop Building and Site Test Fit(s)

Based on best practices, our experience with each of the potential uses, and the existing building opportunities and constraints, we will study a range of options to fit each potential use into the existing building footprints + potential new construction if/as

needed and appropriate. We will also develop a range of site options to work with the building uses with a focus on incorporating potential civic or community amenity space while meeting zoning, accessibility, and functional requirements (parking, vehicular and pedestrian access, buffers, landscaping, etc).

We will meet with City and DFI staff to evaluate and iteratively refine and review to arrive at a final preferred development concepts for each program option. We anticipate 2-4 rounds for this process.

2. Prepare ROM Cost Estimates

For each preferred development concept, we will prepare Rough Order of Magnitude (ROM) development cost estimates.

Deliverables will include drawings in PDF and RVT format and a narrative/graphic report in PDF format.

STEP 4: FINAL CONCEPT DESIGN

For each preferred development concept, we will prepare final presentation graphics to include site plan, building plan, and 3D images and assemble a final report for presentation.

Deliverables will include a narrative/graphic report in PDF format and accompanying graphic files.

Per NC Architecture Board Requirements, our understanding is that we may provide a fee at the conclusion of a qualifications-based selection process.

Based on our previous project experience, the fee for a study of this type can vary significantly depending upon the number of options assessed at each stage, the actual level of technical analysis needed/desired (including any engineering disciplines), and the quality and scope of the presentation package. We work closely with each our clients to carefully tailor our scope and fees to meet budget needs.

Our deep passion for the people, places, and stories that make North Carolina unique is what drives our firm and our work. Webbley Mansion is an integral part of the history of the City of Shelby and a physical connection to the broader story of the “Shelby Dynasty”. We would welcome the opportunity to collaborate with your team to celebrate this story and breathe new life into it for generations to come.

PROJECT REFERENCES

MUNICIPAL CLIENTS



Morrisville Town Center, Morrisville NC

Town of Morrisville
Parks, Recreation and Cultural Resources

Contact: Mary Faucette

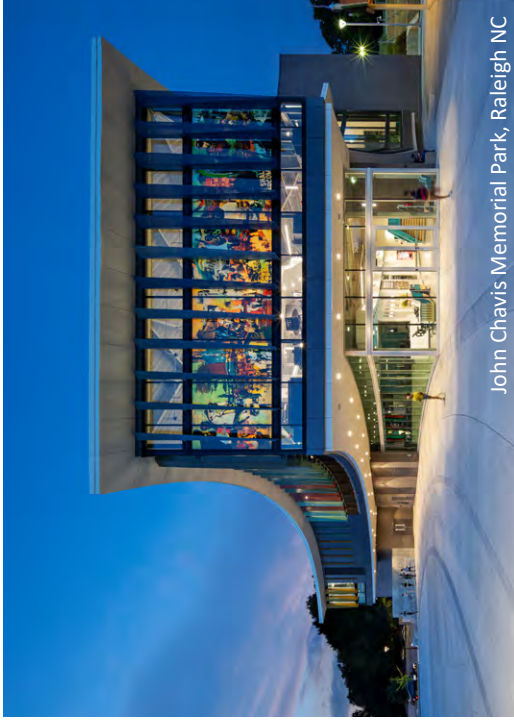
Title: CPRP Director

Phone: 336.266.2248

Email: mfaucette@townofmorrisville.org

Projects:

Morrisville Town Center



John Chavis Memorial Park, Raleigh NC

City of Raleigh

Parks, Recreation and Cultural Resources

Contact: Shawsheen Baker

Title: Capital Projects Superintendent

Phone: 919.996.4782

Email: shawsheen.baker@raleighnc.gov

Projects:

John Chavis Memorial Park

Pullen Arts Center

Mordecai Interpretive Center



Five County Stadium, Raleigh NC

County of Wake

Facilities Design & Construction

Contact: Mark Forestieri

Title: Director

Phone: 919.856.6350

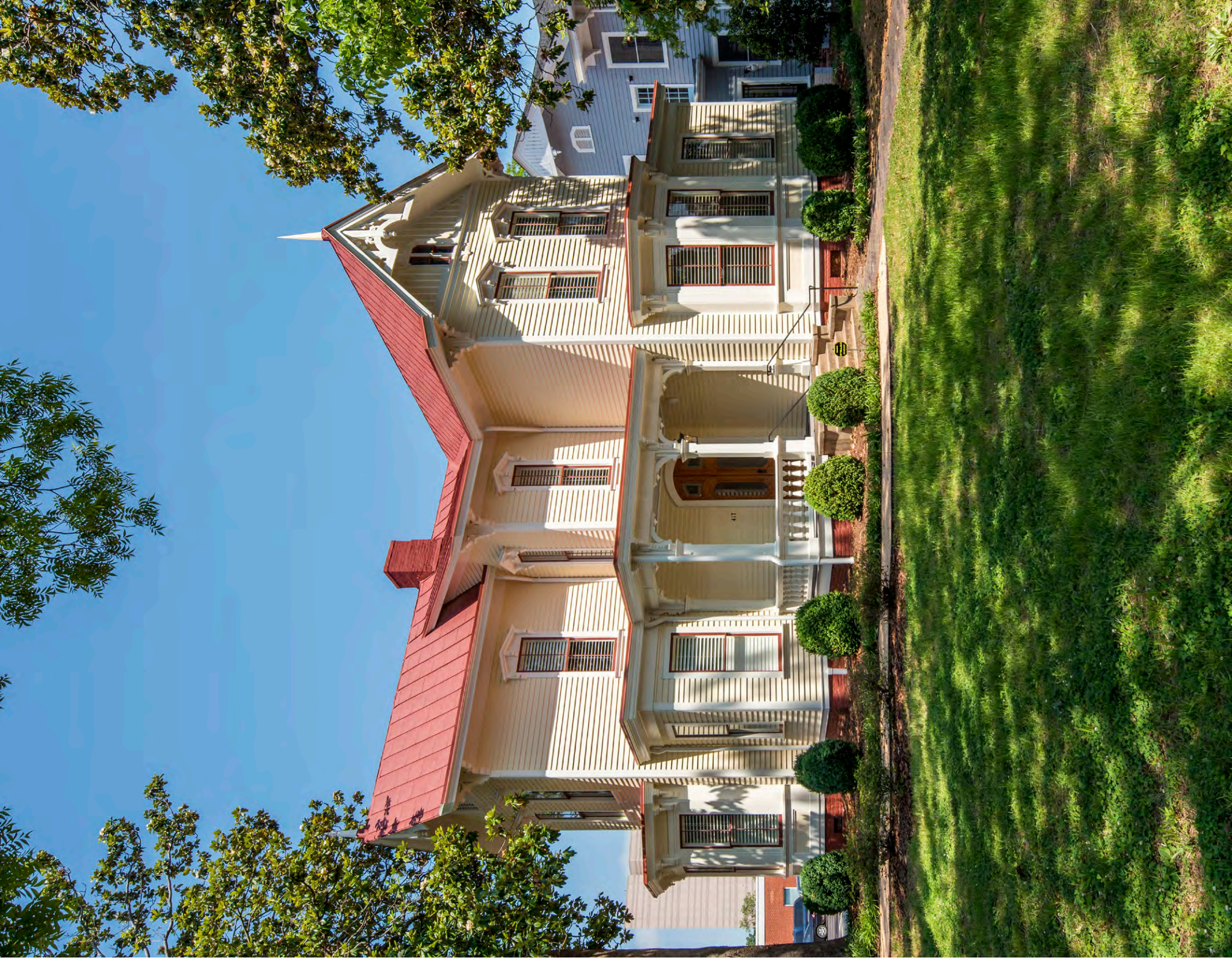
Email: mforestieri@wake.gov

Projects:

Marbles Kids Museum & IMAX Theater
inc. ongoing facilities improvements (20+ years)

Cary Regional Library & Parking Deck

Five County Stadium Improvements



RESOLUTION NO. 46-2024

A RESOLUTION AUTHORIZING THE CITY MANAGER TO CONTRACT
WITH AN ARCHITECT FOR THE HISTORIC WEBBLEY PROJECT

WHEREAS, the City of Shelby, North Carolina is authorized by NC General Statute 160A-209(c)15 to undertake historic preservation projects and programs; and,

WHEREAS, the City Council for the City of Shelby has determined that redevelopment and preservation of the historic home of former Governor O. Max Gardner known as Webbley located at 403 S. Washington Street is important in preserving the history of Shelby and the economic viability of the central business district; and,

WHEREAS, the City of Shelby has been awarded a directed grant from the NC General Assembly within the adopted state budget in the amount of \$3,995,000 “for the purchase and restoration of the historic home of former Governor O. Max Gardner; and,

WHEREAS, the City Council of the City of Shelby recognizes the specific need to seek architectural assistance for the redevelopment of the Webbley project in order to evaluate potential paths for restoration and future uses; and,

WHEREAS, the City of Shelby has received proposals from qualified architects and architectural firms after the release for a Request for Qualifications on April 18, 2024; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA:

SECTION 1. The City Council does authorize the City Manager in consultation with the City Attorney to enter into an agreement with Clearscapes Architecture for the described services noted in the proposal.

SECTION 2. This resolution shall become effective upon its adoption and approval.

Adopted and approved this 17th day of June 2024.

O. Stanhope Anthony III
Mayor

ATTEST:

Carol Williams
City Clerk

Agenda Item: E-4

- 4) Adoption of a Budget Ordinance Amendment for the City of Shelby's Depot Project:
Ordinance No. 46-2024

Consent Agenda Item: (Rick Howell, City Manager and Beth Beam, Director of Finance)

Summary of Available Information:

- Memorandum dated June 4, 2024, from Beth Beam, Director of Finance to Rick Howell, City Manager
- Ordinance No. 46-2024

City Manager's Recommendation / Comments

Ordinance No. 46-2024 is presented for City Council consideration via the Consent Agenda. If approved this resolution would reflect within the existing project budget the withdrawal of acceptance of funding previously awarded to the City for renovation of the historic depot building. As a reminder the City was made aware after the award that it would have to comply with recommendations from the State Historic Preservation Office in order to avoid a finding of adverse impact by that office. As such the project architect was asked to establish a cost estimate as to what that cost would be. It was estimated that meeting the requirements as explained to the City would cost as much as \$2,800,000. Given the fact that the grant awarded was an amount not to exceed \$750,000 it was recommended to City Council to withdraw acceptance. It is still the City's intent to retain as many historic features of the building as possible.

It is my recommendation that Ordinance No. 46-2024 be adopted and approved by City Council at this time via the Consent Agenda.



To: Rick Howell, City Manager
From: Beth B. Beam, Director of Finance
Date: June 4, 2024
Subject: Depot Rural Transformation Grant acceptance withdrawal

Background:

The City of Shelby received a Rural Transformation Grant from NC Commerce in the amount of \$750,000 which was recognized by Budget Amendment #48-2023 approved October 16, 2023 in the Depot project account.

Review and Comments:

Due to Resolution #40-2024 approved on June 3, 2024, the attached project budget amendment is needed to reflect the withdrawal of the acceptance of the grant.

Recommendation:

The recommendation from staff is to approve the attached project budget amendment to the Depot project.

ORDINANCE NO. 46-2024

BUDGET ORDINANCE AMENDMENT FOR THE CITY OF SHELBY’S DEPOT PROJECT

WHEREAS, in accordance with applicable provisions of the North Carolina Budget and Fiscal Control Act, the City of Shelby finds it advisable and necessary to revise and amend its capital project ordinance and budgets for the City of Shelby’s Depot Project; and

WHEREAS, the City Manager (Budget Officer) has recommended certain amendments to the budget which the governing body finds acceptable; and,

WHEREAS, City Council now desires to act on the recommended budget amendments and approve the same for implementation and compliance with the North Carolina Local Government Budget and Fiscal Control Act;

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

Section 1. Ordinance No. 48-2023, the City’s Depot Project, is hereby amended as follows to provide for Budget Amendment No. 2 for said project:

General Fund Capital Projects:

Commerce Grant	11101000-34717-DEPOT	(\$ 750,000)
Construction	111612-53000-DEPOT	(\$ 750,000)

Section 2. That the revenues, expenditures and amendments set forth in Section 1 of this ordinance are hereby summarized as follows:

General Fund Capital Projects:

	<u>Current Budget</u>	<u>Amendment No. 2</u>
Revenues:		
Transferred from General Fund	\$ 50,000	\$ 50,000
Cleveland County Grant	\$ 198,450	\$ 198,450
State SCIF Grant	\$ 100,000	\$ 100,000
Power Agency Grant	\$ 10,000	\$ 10,000
Commerce Grant	\$ 750,000	\$ 0
Appropriation:		
Engineering	\$ 300,000	\$ 300,000
Construction	\$ 808,450	\$ 58,450

Section 3. Copies of this Budget Ordinance Amendment shall be furnished to the City Manager as Budget Officer and to the Finance Director to be kept on file by them for their direction in the collection and disbursement of funds. Said officials are hereby authorized to receive and expend funds as herein set forth in accordance with the Shelby City Code, the General Statutes of North Carolina, and the provisions of the original budget ordinance; inclusive of GS 159-28 governing budgetary accounting of appropriations.

Ordinance No. 46-2024
June 17, 2024
Page 2

Section 4. This ordinance shall become effective upon its adoption and approval.

Adopted and Approved this the 17th day of June, 2024.

O. Stanhope Anthony, III
Mayor

ATTEST:

Carol Williams
City Clerk

APPROVED AS TO FORM:

Jason Lunsford
City Attorney

Agenda Item: E-6

5) Approval of Special Event applications:

a) First Friday at Greenbrook Design, requested date: August 2, 2024

Consent Agenda Item: (Carol Williams, City Clerk)

Summary of Available Information:

- Memorandum(s) dated June 11, 2024, from Carol Williams, City Clerk to Rick Howell, City Manager
- Special Event Application(s)

City Manager's Recommendation / Comments

This event is in keeping with special event practices of the City. It is my recommendation that this item be approved by City Council at this time via the Consent Agenda.

Memo

To: Rick Howell, City Manager

From: Carol Williams, City Clerk

Date: June 11, 2024

Re: Special Event Permit Application

BACKGROUND:

A Special Event Permit Application has been submitted for the following:

- ✓ First Friday: requested date: August 2, 2024

REVIEW:

All responding City departments have received, reviewed, and approved the referenced application.

RECOMMENDATION:

Please place the attached Special Event Permit Application on the Consent Agenda of June 17, 2024 for Council's review and approval.

ATTACHMENT:

- A. Special Event Permit Application packet received June 10, 2024

criminal in nature, shall be subject to the maximum penalty authorized by G.S. 14-4, as amended.

CITY OF SHELBY SPECIAL EVENT PERMIT APPLICATION

Each question must be legible and answered clearly and completely. Applications must be filed with the City Clerk not less than thirty (30) days before the date on which the event is to take place. A fee of \$20.00 will be due upon submission of the application form.

1. EVENT NAME:

_____ First Friday _____

2. PURPOSE AND BRIEF DESCRIPTION OF EVENT:

_____ Net working _____

3. LOCATION OF EVENT (ATTACH MAP):

_____ 112 N. Calypso St. / Campbell St. _____

4. PLEASE INDICATE:

Approximately how many people will attend the event? 75-100

Approximately how many vehicles will be present? N/A

Approximately how many animals will be present? 0

If the event is a parade, please indicate the amount of street that will be needed:

Single lane N/A

All lanes in travel direction _____

Whole street _____

5. PLEASE LIST THE FOLLOWING PARTY (IES) RESPONSIBLE FOR THE EVENT:

Name: Stacey Walker / Greenbrook Design

Address: 112 N. Lafayette St. Shelby MS 38150

Phones: 980-404-9600 (Daytime) 704-692-0550 (Evening)

E-mail address: Stacey@greenbrookdesign.com

Name: _____

Address: _____

Phones: _____ (Daytime) _____ (Evening)

E-mail address _____

6. PLEASE LIST THE FOLLOWING:

Requested day(s) and date(s) August 2nd 2024

Alternate day(s) and date(s) N/A

Requested hours of operation, from 4 AM/PM to 7:30 AM/PM

7. EVENT NOTIFICATION TO RESIDENTS AND BUSINESSES: As an event planner, you are responsible for notifying the neighbors and businesses in the surrounding area of your event. The City requires notifying as many businesses and residents around the event site as possible as early as possible. Please provide your plan of notification at the time you submit your permit application.

8. SANITATION: Please attach your "Plan for Clean-Up." Please check Application Instruction sheet for details.

9. AVAILABILITY OF FOOD, BEVERAGES, AND/OR ENTERTAINMENT:

If there will be music, sound amplification, or any other noise impact, please describe on attached sheet, including the intended hours of the music, sound, or noise.

Will alcoholic beverages be served? NO

If yes, attach to the application a copy of your permit from the Cleveland County Alcoholic beverage Control Board. Alcohol may not be served without a permit.

Will food and/or no-alcoholic beverages be served? yes. inside GBD

If yes, attach to the application a copy of your permit from the Cleveland County Department of Health Services.

10. SECURITY AND SAFETY PROCEDURES: Attach to this application a copy of your building permit(s) if you are installing any electrical wiring on a temporary or permanent basis and/or if you are building any temporary or permanent structures such as bleachers, scaffolding, a grandstand, viewing stands, stages, or platforms.

Attach a copy of your Shelby Fire & Rescue Department Permit or permits to this application if you will use parade floats; an open flame; fireworks; or pyrotechnics; vehicle fuel; cooking facilities; enclosures (and tables within those enclosures); tents; air-supported structures; and/or any fabric shelter.

Give name, address, and phone numbers of the agency or agencies, which will provide first aid staff and equipment. Attach additional sheets if necessary.

Name: _____

Address: _____

Phones: _____

Indicate medical services that will be provided for the event.

AMBULANCE: _____

DOCTOR (S): _____

PARAMEDICS: _____

11. CITY SERVICES/EQUIPMENT REQUESTED FOR THIS EVENT:

Street Closure barricades

Event Power Request Form and Pricing

To utilize the event panels for power in Uptown Shelby, this form must be submitted with event application and payment made at time of application.

Please use the map below for event panel locations, circle the event panels that you need for your event. If you have questions about the electrical requirements for your event, please contact the Electric Superintendent at 704-669-6649.

Name of Special Event: _____

Authorize Event/Vendor Coordinator: _____

Phone No.: _____ Mobile No.: _____

Email: _____

Event panel (EP) cost is \$15.00 per day per event panel.

Stage panel (STG PAN) cost is \$110.00 per day per stage panel.

Full Day Rentals only

Total Number of Event Panels:

_____ x \$15.00 x Number of Days _____ = \$ _____

Total Number of Stage Panels:

_____ x \$110.00 x Number of Days _____ = \$ _____

All fees must be paid at the time of event application.

Any event panel not requested and paid for in advance and requested the day of the event will be subject to an after-hours charge.

12. ANY ADDITIONAL COMMENTS:

THE CITY OF SHELBY IS NOT A CO-SPONSOR OF THE EVENT

It is understood and agreed that any permit issued pursuant to this application is issued on the condition that the answers herein given are true and correct to the best of the knowledge, information, and belief of the applicant.


SIGNATURE

Sierra McLaughlin 704-418-0619
APPLICANT PHONE

112 N. Lafayette St. Shelby NC
PHYSICAL ADDRESS

Sierra@quebrechdesign.com
E-MAIL ADDRESS

06/07/2024
DATE

Agenda Item: E-7

6) Management Reports:

a) Planning Report – May 2024

Consent Agenda Item: (Justin Longino, Assistant City Manager)

Summary of Available Information:

- Memorandum dated June 11, 2024, from Justin Longino, Assistant City Manager to Rick Howell, City Manager
 - May 2024 Planning Report
 - Recently approved preliminary plats
-

City Manager's Recommendation / Comments

The above-listed report is for City Council information and are placed on the agenda to ensure documentation that they were formally presented by management during a regular meeting.

MEMORANDUM

To: Rick Howell – City Manager
 From: Justin Longino – Assistant City Manager
 Date: June 11, 2024
 Subject: May Planning Report

PERMITS ISSUED / FEES COLLECTED

Permit Type	May	April	YTD	2023
<i>Inspections</i>				
Single Family Reno/Addition Building Permits	11	6	33	167
New Single Family Building Permits	18	22	74	142
Commercial Reno/Addition Building Permits	6	0	16	30
New Commercial Building Permits	3	5	9	25
Permit Fees	\$51,056	\$649,873*	\$849,377	\$160,855
<i>Planning</i>				
Commercial Site Plan Review	6	6	35	31
Annexation	0	0	0	3
Major Subdivision (more than 5 lots)	3	2	13	7
Minor Subdivision (less than 5 lots)	3	6	23	26
Residential Site Plan	34	23	121	177
Zoning Map Amendment (Rezoning)	1	2	6	11
Conditional Use Map Amendment	0	0	1	4
Special Use Permit	0	0	1	5
Zoning Permit	14	6	40	127
Preliminary Plats Approved*	2**	0	2	--
Permit Fees	\$4,920	\$4,395	\$20,610	\$63,547
<i>Code Enforcement (Closed Cases)</i>				
Cases Open / Closed	129 / 171	164 / 94	393	--
Solid Waste	20	26	81	137
High Grass/Weeds	92	30	131	927
Trash	7	5	16	28
Abandoned Vehicle	0	2	11	28
Minimum Housing	2	1	6	40
Planning Violation	8	0	17	47
Violation Fees	\$11,943	\$966	\$15,122	\$\$\$

Notes:

*Includes \$590k for courthouse inspection fees

**Planning Board approved the following preliminary plats this month:

Villas of Kings View (extension of a 2023 plat approval) – Single Family, 49 lots

Cleveland Hill (new approval) – Single Family, 193 lots

SUBDIVISION	TYPE	COUNCIL APPROVAL ?	STATUS	# UNITS
Conceptual				
Rhoda Springs (Toms St/Wyke Rd)	SF	Y	CZ approved 2022; awaiting revised submittal; removal of road connection will require new CZ	117
Meacham/Mull properties	SF	Y	Awaiting revised submittal and CZ application	453
E Ross Grove Rd near N. Lafayette (parcel 26972)	TBA	Y	Sketch plan meeting held; awaiting sketch submittal	68
Spake Circle		Y	Awaiting sketch plan submittal	200
McClendon Meadows	SF	Y	Awaiting sketch plan submittal	455
Homestead	SF	Y	Awaiting sketch plan submittal	351
E. Marion/Borders	SF	Y	Revised submittal for AX and CZ under review	161
365 Washburn Switch Rd	SF	TBD	Awaiting sketch plan submittal	TBD
Unnamed Royster subdivision (Marion/74)	TBD	TBD	Awaiting sketch plan submittal	40
Charles Rd/Dellinger Rd	SF	N	Sketch plan comments sent 5/13	9
Sedgefield/Leander THs	TH	N	Awaiting revised submittal or CDs	12
Magness Rd / Moonshadow Ln	SF	N	Awaiting revised submittal or CDs	51
Metcalf Rd / Grover St (parcel 21522)	SF	N	Revised submittal under review	141
W. Sumter at Hartley St	SF	N	withdrawn; per surveyor "the client is not sure what he wants to do here"	
Senior Center THs	TH	N	Sketch plan under review	8
East of Metcalf/west of N. Lafayette (parcel 64208)	TBD	N	Email inquiry; we're compiling watershed variance info for them to conduct test fit on site	TBD
W. Elm subdivision	TBD	TBD	requested utility availability letter; 2022 sketch plan showed 187 SFR	TBD
Pending Council action				
Earl Rd / Industry Dr	SF	Y	Conventional rezoning application under review	166
Waiting on civil drawings				
The Preserve at Edgewater (ETJ)	SF	N	PZB approval expired; must reapply	20
Kings View THs	TH	Y	SUP1 expired March 2024; must reapply	101
Gidney St THs	TH	Y	SUP1 approved	159
Thrift Rd / Nancy Dr	SF	Y	CZ and annexation approved	213
Blanton Farm	SF / TH	Y	CZ approved	1642
Riverwalk	SF	N	Will go back to PZB	144
Willowbrook (adjacent to Magnolia Plantation)	SF	N		144
Fincastle Glen (S. Lafayette/Melrose)	SF	Y	CZ approved	137
Civil drawings under review				
Cambridge Commons	MF	Y	SUP1 approved; revised submittal under review	98
W. Ross Grove Rd THs	TH	N	revised submittal approved; awaiting preliminary plat submittal for PZB	10
Willow Estates	SF / TH	N	Site construction underway; RTAP under review	
Joe's Lake Road THs	TH	Y	SUP1 approved; first submittal under review	84
Zoning approved; construction not begun				
Cleveland Hill (Eaves Road)	SF	Y	AX approved; Approved by PZB	193
The Pines at Edgewater (ETJ)	SF	N	Approved by PZB; Final plat signed	8
Maple Glen	SF / TH	N	Approved by PZB	60
Royster Ave THs	TH	N	Building permit is awaiting details from applicant	12
Site and/or dwelling construction underway				
Villas at Kingsview	SF	N	Site construction underway	49
Willow Estates	SF / TH	N	Site construction underway; RTAP under review	246
Seattle Crossing	SF	N	Site construction underway; some building permits issued, others under review	78
Arboretum at Edgewater (ETJ)	SF	N	Preliminary plat approved by PZB; 3 building permits issued	17
Palisades	MF	Y	Construction on-going; now leasing with TCO	312
Pinnacle Estates	SF	N	Construction of dwellings on-going	92
Lake George Drive	SF	N	Construction of dwellings on-going	37
TOTAL DWELLING UNITS				6089

F. Unfinished Business

None

G. New Business:

None

Agenda Item: H

City Manager's Report

I will report to Mayor and Council about ongoing projects and issues. The projects and issues reported upon are intended to be for your information and do not necessarily require action by Council.

Agenda Item: I

Council Announcements and Remarks

J. Closed Session:

- 1) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations pursuant to North Carolina General Statute § 143-318.11(a)(4).

K. Adjournment:

To adjourn a meeting of City Council, a majority of the Council members must vote for a motion to adjourn.

- 1) Motion to adjourn