

**THE ERWIN BOARD OF COMMISSIONERS  
SEPTEMBER 2023 REGULAR MEETING  
THURSDAY, SEPTEMBER 7, 2023 @ 7:00 P.M.  
ERWIN MUNICIPAL BUILDING BOARDROOM**

**AGENDA**

**1. MEETING CALLED TO ORDER**

- A. Invocation
- B. Pledge of Allegiance

**2. AGENDA ADJUSTMENTS /APPROVAL OF AGENDA**

**3. CONSENT**

*All items on Consent Agendas are considered routine, to be enacted on one motion without discussion. If a Board member or citizen request discussion of an item, the item will be removed from the Consent Agenda and considered under New Business.*

- A. Minutes Regular Meeting on August 3, 2023 (Page 2)**
- B. Creating Outdoor Recreation Economies (CORE) Resolution and MOU (Page 10)**
- C. West K Street (Page 17)**
- D. BOA 2024-01 (Page 30)**
- E. Al Woodall Park Parking Lot (Page 31)**
- F. BOA 2024-02 (Page 32)**
- G. Renewal of SRO Updated MOU (Page 33)**
- H. Wondertown Drive Preliminary Plat (Page 34)**
- I. Pump Station Road Preliminary Plat (Page 35)**

**4. PUBLIC COMMENT**

*Each speaker is asked to limit comments to 3 minutes, and the requested total comment period will be 15 minutes or less. Citizens should sign up prior to the start of the meeting. Please provide the clerk with copies of any handouts you have for the Board. Although the Board is interested in hearing your concerns, speakers should not expect Board action or deliberation on the subject matter brought up during the Public Comment segment. Thank you for your consideration of the Town Board, staff, and other speakers.*

§160A-81.1

**5. PRESENTATION OF SEPTEMBER CITIZEN OF THE MONTH**

**6. PUBLIC HEARING**

- A. Comprehensive Land Use Plan (Page 36 & Separate Presentation)**
- B. ZT-2023-005 (Page 37)**
- C. SU-2023-005 (Page 53)**
- D. SU-2023-006 (Page 75)**

**7. MANAGER'S REPORT**

**8. ATTORNEY'S REPORT**

**9. GOVERNING BODY COMMENTS**

**10. ADJOURNMENT**

**\*\*IN ACCORDANCE WITH ADA REGULATIONS, PLEASE NOTE THAT ANYONE WHO NEEDS AN ACCOMMODATION TO PARTICIPATE IN THE MEETING SHOULD NOTIFY THE TOWN CLERK AT (910) 591-4202 AT LEAST 48 HOURS PRIOR TO THE MEETING.\*\***

**ERWIN BOARD OF COMMISSIONERS**

**REGULAR MINUTES**

**AUGUST 3, 2023**

**ERWIN, NORTH CAROLINA**

The Board of Commissioners for the Town of Erwin with Mayor Baker presiding held its Regular Meeting in the Erwin Municipal Building Board Room on Thursday, August 3, 2023, at 7:00 P.M. in Erwin, North Carolina.

Board Members present were Mayor Randy Baker, Mayor Pro Tem Ricky Blackmon, and Commissioners Timothy Marbell, Charles Byrd, William Turnage, David Nelson, and Alvester McKoy.

Town Manager Snow Bowden, Town Attorney Tim Morris, Town Engineer Bill Dreitzler, Code Enforcement Officer Chris Jones, and Police Chief Jonathan Johnson were present.

Mayor Baker called the meeting to order at 7:00 PM.

Commissioner McKoy gave the invocation.

Commissioner Blackmon led the Pledge of Allegiance.

**AGENDA ADJUSTMENT/APPROVAL OF AGENDA**

Town Manager Snow Bowden requested to remove Item A, SU-2023-003, under Public Hearing. The applicant requested to have their application withdrawn without prejudice. He also requested to add the Out of Town Planning Board Member Application for Nicholas Skatell under Consent as Item E.

Commissioner Blackmon made a motion to approve the agenda as amended and was seconded by Commissioner McKoy. **The Board voted unanimously.**

**CONSENT**

Commissioner Blackmon made a motion to approve **(ITEM A)** Minutes Regular Meeting on July 6, 2023 **(ITEM B)** Minutes Regular Workshop on July 24, 2023 **(ITEM C)** Renewal of SRO MOU **(ITEM D)** Resolution of Support- Erwin Barn Quilt **(ITEM E)** Planning Board Application- Nicholas Skatell and was seconded by Commissioner Turnage. **The Board voted unanimously.**

**PUBLIC COMMENT**

No one was present to speak.

**MINUTES CONTINUED FROM AUGUST 3, 2023**

**PUBLIC HEARING**

**SU-2023-004**

Commissioner McKoy made a motion to open the Public Hearing and was seconded by Commissioner Turnage. **The Board voted unanimously.**

Town Manager Snow Bowden stated that the Town of Erwin received a special use application to operate a vehicular sales business at 129 Bumpas Creek Access. There would be no car sold on the site and the majority of sales would be online. This request is so the property owner could make sales and be in compliance with the regulations, not a typical car lot.

Mayor Baker inquired whether this use was listed among the special uses in the district for which this application was made.

Town Manager Snow Bowden stated yes, the changes were made the previous month.

Mayor Baker inquired whether this request was in conformity with our Land Use Plan.

Town Manager Snow Bowden stated yes, this request would be a low-intensity use, not a high-intensity use. There would be no traffic involved with this request.

Mayor Baker asked if anyone was present to speak in favor of the request.

Applicant, William Morris, of 129 Bumpas Creek Access came forward and promised to tell the truth.

Mr. Morris addressed the Board and stated all of his business would be conducted online. It will have low to no impact at all on the surrounding community. He had occasionally stuck a car at the corner of this property for sale and no one had ever noticed or commented on it.

Commissioner McKoy stated so many people do what they want when it was against the rules and he commended Mr. Morris for coming forward and doing it the right way.

Commissioner Blackmon stated it was all self-explanatory.

Mayor Baker asked if anyone else was present to speak in favor of the request.

No one came forward.

Mayor Baker asked if anyone was present to speak against the request.

No one came forward.

Mayor Baker closed the Public Hearing.

Commissioner Blackmon made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that the requested use is listed among the special uses in the district for which the application is made. Reasoning that vehicular sales are allowed with a special use permit in our RD zoning district.

Commissioner Byrd made a motion in the affirmative, seconded by Commissioner Blackmon, and unanimously approved by the Board that the requested use is essential or desirable to the public

## MINUTES CONTINUED FROM AUGUST 3, 2023

convenience or welfare. Reasoning that the service of providing vehicles will enhance the public's ability to satisfy transportation needs.

Commissioner Nelson made a motion in the affirmative, seconded by Commissioner Blackmon, and unanimously approved by the Board that the requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare. Reasoning that this tract of land is surrounded by primarily residential land uses. Most of the sales will take place at other facilities thus reducing the amount of impact to the surrounding area.

Commissioner McKoy made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that the requested use will be in conformity with the Land Development Plan. Reasoning that this parcel is located in an area identified for Low-Intensity growth in our 2014 Land Use Plan. The requested special use permit will not have any impact on the area due to the fact that there will not be any onsite traffic associated with the use.

Commissioner Turnage made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided. Reasoning that this is an existing site that already has an established driveway. They have an established ditch for drainage and a private company collects their trash.

Commissioner Blackmon made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets. Reasoning this site has an existing driveway and there will be no onsite traffic associated with this requested land use.

Commissioner Byrd made a motion in the affirmative, seconded by Commissioner Nelson, and unanimously approved by the Board that the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except such regulations may, in each instance, be modified by the Board of Commissioners pursuant to the recommendations of the Planning Board. Reasoning that the requested use will be required to adhere to local and state regulatory guidelines in order to perform activities in conjunction with vehicular sales.

Commissioner Blackmon made a motion to recommend that the proposed special use permit application meets all the Findings of Facts in the Affirmative and to recommend the approval of Special Use Permit SU-2023-004 to conduct vehicular sales activities located at 129 Bumpas Creek Access, Harnett County Tax PIN #0595-79-5908.000 and was seconded by Commissioner Byrd. **The Board voted unanimously.**

### **VAR-2023-001**

Commissioner Byrd made a motion to open the Public Hearing and was seconded by Commissioner Blackmon. The Board voted unanimously.

Town Manager Snow Bowden stated the Town of Erwin received a hardship variance request for the site of the old mill. The applicant wanted to subdivide the property and have a zero-lot line on the sides. This hardship variance had nothing to do with the use of the land and the property owners did not have plans for residential use at this time. Residential is not allowed in the M-1 zoning district so any changes would require a zoning amendment to our ordinances.



## MINUTES CONTINUED FROM AUGUST 3, 2023

Mayor Baker asked if anyone was present to speak in favor of the request.

Norman Avery, of 335 Raymond Avery came forward and promised to tell the truth.

*Mr. Avery showed the Board maps of the area which are included in these minutes as an attachment.*

Mr. Avery stated they wanted to tap into the growth coming from the Raleigh and Fayetteville areas. Erwin was in a good spot being in the middle. There was a lot of housing being built and they were striving to get more businesses in Erwin. He stated he agreed to stay for a while and help manage the building for the new owners. Looking at the site plan, the owners would like to subdivide the building and focus on the East half first. There was a lot of work being done, including a new roof, tearing out the old office to make it a storefront, and putting in loading docks. The owners are putting a lot of money into Erwin. He extended an invitation to the Board to come to look at the progress anytime. Any work done on this site had been permitted by Harnett County. The former owners paid three million dollars in clean-up. Everything being done to this site is for the betterment of Erwin. LED light had been installed. The Board approving this request would save the owners \$100,000 a year in insurance costs. He had been in contact with different companies to rent offices. If the Hardship request is approved, the buildings will be split and named two different companies, side one was undecided but side two would still be CCIP.

Commissioner Byrd asked for clarification on the divide.

Mr. Avery stated it would come from J Street, East to West.

Mayor Baker verified that the owners have spoken with Code officials about how the property line would limit the aspects of the buildings.

Mr. Avery stated that was correct. He stated they planned to build three loading docks where the breezeway was and had already been approved by the County.

Commissioner Turnage asked when Mr. Avery anticipated the first phase being completed.

Mr. Avery stated their dates were a little different than his. He stated he thought four months but the owners say two months.

Commissioner Turnage stated he had seen the money being spent including redoing the parking lot. There are big improvements and the Town needed to do everything we could to assist in developing that property.

Mr. Avery stated the big parking lot between J and I Street have not had any lights on it, they planned to cut on two lights on each pole making eight lights total. They received two lawsuits because since spraying the parking lot, everything was black. They were going to go back and paint the speedbumps white or yellow.

Mayor Baker asked for verification that the reasoning for this Hardship Variance was stated in the application and was not for the purpose of adding any additional buildings or encroaching on any other property. What the Board was looking at was a dividing line between the existing building. No expansion would take place to bring any part of the building closer to the property line.

Mr. Avery stated that was correct.

## **MINUTES CONTINUED FROM AUGUST 3, 2023**

Commissioner McKoy stated what Mr. Avery and the owners were doing was great. The parking lot looked great. He was happy to hear that this site will create more jobs for Erwin.

Commissioner Blackmon stated the way the building was, restricted their use of the building. By dividing the building it broadens their possibilities and he completely understood the reasoning for dividing the building.

Mayor Baker asked if anyone else was present to speak in favor of the request.

No one came forward.

Mayor Baker asked if anyone was present to speak against the request.

No one came forward.

Mayor Baker asked if anyone was present to ask a question about the request.

No one came forward.

Mayor Baker closed the Public Hearing.

Mayor Baker verified with staff that the application was a complete application and that the Board could rule on the request at this meeting.

Town Manager Snow Bowden stated we did have a complete application but at our Workshop we discussed tabling the request. The applicants did send updated information and he spoke with the Owner, Michael who was aware of the upgrades he will have to make if the Hardship Variance was approved.

Mayor Baker asked if Town Engineer Bill Dreitzler had any concerns about what was being proposed.

Town Engineer Bill Dreitzler stated from the discussion at the Workshop he did have some concerns but after the presentation from Mr. Avery, he no longer had concerns.

Mr. Avery stated he also wanted to let the Board know that they finally received approval to close in the reservoir. They were going to backfill it in accordance with DDQ and Environmental.

Commissioner Blackmon verified that we were approving a setback in the M-1 district for this specific parcel. Since they have not subdivided the property yet, that was his question.

Town Manager Snow Bowden stated if the Board approved the setbacks, that would subdivide the property.

Commissioner Blackmon stated the applicants have not presented the Board with a subdivision plat showing the easements and setbacks. The applicant was asking for a variance to the setbacks but it was one piece of property. Until the property is divided, you cannot provide a Variance to the setbacks, there was nothing there to give it to. The owners could submit the subdivision and ask for a variance to the setbacks at that time.

Town Manager Snow Bowden stated we need further information before moving forward.

## MINUTES CONTINUED FROM AUGUST 3, 2023

Commissioner Blackmon stated what was presented was fine, it was just brought before the Board before it should be done. Once they subdivide the property, they would come before the Board to request a variance be granted.

Town Attorney Tim Morris stated it wasn't as much a situation of a cart before the horse, it was more a catch-22. When they come to do the subdivision, are they going to say there was no reason for the subdivision?

Commissioner Blackmon stated we would still have to subdivide the property. The issue was which step should come first. He stated Snow was right that a variance was needed because the building did not meet the setbacks now.

Mayor Baker stated this particular parcel will be buried down to a zero lot line. Then with that being done, they would come back with their subdivision and Mr. Bowden could sign off on it. We would be appropriate in acting upon and granting the variance at this meeting.

Commissioner Byrd made a motion in the affirmative, seconded by Commissioner Blackmon, and unanimously approved by the Board that there are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district. Yes, this parcel was developed prior to current zoning code.

Commissioner Blackmon made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that granting the variance the requested will not confer upon the applicant any special privileges denied to other residents of the district in which the property is located. Yes, helping the redevelopment of the property.

Commissioner Blackmon made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that a literal interpretation of the provisions of this ordinance will deprive the applicant of rights commonly enjoyed by other residence of the district in which the property is located. Yes, without the variance it will cost us about \$100,000 more in extra insurance fees.

Commissioner Byrd made a motion in the affirmative, seconded by Commissioner Blackmon, and unanimously approved by the Board that the requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare. Yes, it won't have any negative to the neighborhood.

Commissioner McKoy made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that the special circumstances are not the result of the actions of the applicant. Yes, as it is an already-developed site.

Commissioner Nelson made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that the variance requested is the minimum variance that will make possible the legal use of the land, building, or structure. Yes, this will help the redevelopment of the property as it will reduce insurance costs significantly.

Commissioner Blackmon made a motion to approve the variance for Harnett County PIN #0597-54-8405.000 for a zero lot line and was seconded by Commissioner Byrd. **The Board voted unanimously.**

## MINUTES CONTINUED FROM AUGUST 3, 2023

### MANAGER'S REPORT

Town Manager Snow Bowden informed the Board that:

- We were making progress on the subdivision located off St. Matthews Road. We were still waiting on them to answer a few questions involving stormwater and the roads in the proposed subdivision at this time.
- At the moment, we already had two public hearings scheduled for our meeting next month. One was a rezoning case and the other one was for a special use permit for a large planned unit development. Staff reports should be finished next week and would be available for public inspection.
- We were still working on the Land Use Plan at the moment we still should be on schedule to present the rough draft to the Planning Board this month at their regular meeting on August 21st at 7 PM.

### ATTORNEY'S REPORT

Town Attorney Tim Morris thanked the Board for allowing him to be the Town Attorney.

### GOVERNING COMMENTS

Commissioner Nelson thanked everyone for coming out to the meeting and being involved in our Town. He had come exciting news, we booked Jim Quick and the Coastline Band to come to Erwin on October 20<sup>th</sup>. He thanked all Town Staff for everything they do.

Commissioner Turnage stated he rides up and down the streets of Erwin pretty often and to the park every day. We needed to get the internet company to fill in all the potholes. There were still a lot of holes that had not been patched. He appreciated what Mr. Bowden did to get the hay cut down on Iris Bryant Road and S 13<sup>th</sup> Street. He expressed his concern about two houses on Mason Drive needing to be taken out, 202 and 309 Mason Drive. He was not going to run again but he was not going to leave the residents in WARD 6 without representation. He asked the residents to come to the Board if there are issues to be addressed.

Mayor Baker thanked everyone for coming out to the meeting. For those who were unaware, in our consent agenda, the Board approved a barn quilt and we were looking forward to that. Also, at our Workshop we discussed creating a program for history benches. The Board appreciated all of the help from our citizens, Historical Society, and civic clubs.

### CLOSED SESSION

Commissioner Blackmon made a motion to go into Closed Session in Pursuant to General Statute 143-318.11(a) (3) for the Purpose of Preserving the Attorney-Client Privilege at 7:50 PM. and was seconded by Commissioner Byrd. **The Board voted unanimously.**

**MINUTES CONTINUED FROM AUGUST 3, 2023**

**RECONVENED**

Commissioner Blackmon made a motion to go back in regular session at 8:10 PM. and was seconded by Commissioner Turnage. **The Board voted unanimously.**

**ADJOURNMENT**

Commissioner Blackmon made a motion to adjourn 8:11 P.M. and was seconded by Commissioner Byrd. **The Board voted unanimously.**

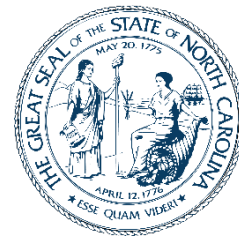
**MINUTES RECORDED AND TYPED BY  
LAUREN EVANS TOWN CLERK**

**ATTEST:**

\_\_\_\_\_  
**Randy Baker**  
**Mayor**

\_\_\_\_\_  
**Lauren Evans**  
**Town Clerk, NCCMC**

N.C. Department of Commerce  
Rural Economic Development Division  
NC Main Street & Rural Planning Center  
Rural Planning Program



**MEMORANDUM OF UNDERSTANDING  
CREATING OUTDOOR RECREATION ECONOMIES (CORE) PROJECT  
Town of Erwin, NC**

This Memorandum of Understanding (MOU) is entered into by and between the North Carolina Department of Commerce, Rural Economic Development Division, Main Street & Rural Planning Center, Rural Planning Program (“Program”), and Town of Erwin, NC, and together the “Parties,” for the purpose of setting out the terms and understandings between the Parties for the Program to provide Creating Outdoor Recreation Economies services to the Town of Erwin.

**WHEREAS**, as part of the North Carolina Department of Commerce, the state’s lead agency for promoting economic development and prosperity, the Program provides services and assistance to add value to local community economic development efforts.

**WHEREAS**, through its American Rescue Plan Travel, Tourism & Outdoor Recreation program, the U.S. Economic Development Administration focused resources to accelerate the recovery of communities that rely on the travel, tourism, and outdoor recreation sectors. This included a non-competitive “State Tourism Grant” to help states quickly invest in marketing, infrastructure, workforce, and other projects to rejuvenate safe leisure, business, and international travel.

**WHEREAS**, as part of North Carolina’s successful request for a State Tourism Grant, the Program developed a technical assistance initiative to provide outdoor recreation economy strategic planning and asset development services to rural North Carolina communities. The initiative, Creating Outdoor Recreation Economies (“CORE”), is intended leverage the abundant outdoor recreation assets available across the state to bolster local economic vitality.

**WHEREAS**, as Town of Erwin applied to receive CORE services and subsequently met with the Program to identify the strategic planning process, asset development and other plan implementation services, and work products that would suit the County’s needs (“CORE Project”), including the roles and responsibilities of the Parties, the involvement of other partners, as well as the projected timeframe to complete the CORE Project.

**WHEREAS**, the mission of the NC Main Street & Rural Planning Center, which includes the Program, is to work in regions, counties, cities, towns, downtown districts, and designated North Carolina Main Street communities to inspire placemaking through building asset-based economic development strategies that achieve measurable results such as investment, business growth, and jobs. To further that mission, the Program may share successful “best practices” with other communities when appropriate. In this context, relevant materials produced from the project and economic outcomes may be shared with other communities, as needed.

## **The Program and Town of Erwin agree as follows:**

### **1. Scope of Work**

#### ***Primary Services***

The primary services to be provided by the Program for Town of Erwin's CORE Project include the following:

#### **1. Outdoor Recreation Asset Mapping**

Map the county's outdoor recreation assets along with relevant businesses to identify gaps and opportunities in assets and resources. By identifying assets and opportunities the county will be able to create a strategic plan to leverage outdoor recreation as an economic development tool

#### **2. Outdoor Recreation Economy Strategic Planning**

##### **Community Assessment**

The Program will facilitate one or more assessment meeting(s) with a local work group to include, but not be limited to:

- 1) Presentation of general information about the outdoor recreation economic sector, as well as relevant outdoor recreation economy and other data.
- 2) Discussion of local outdoor recreation assets and how they relate to the local economy.
- 3) Presentation and discussion of results of interviews, surveys, and other input gathered during the Community Assessment from the local work group, stakeholders, and the community regarding outdoor recreation and the economy.

##### **Development of an Outdoor Recreation Economy Strategic Plan**

Following the Community Assessment, the Program will work with the local work group and Town of Erwin staff to develop a strategic plan focused on the local outdoor recreation economy. The Community Assessment will inform the identification and development of recreation assets, an outdoor recreation economy-building positioning statement/vision, strategies, goals, objectives, actions/projects, and tasks that will comprise the outdoor recreation strategic plan.

- #### **3. Asset Development and Other Plan Implementation Services –** Once the Outdoor Recreation Asset Mapping, if applicable, and the Outdoor Recreation Economy Strategic Planning have been completed, the Program will work with Town of Erwin staff, the local work group, and other project partners, to determine the asset development and plan implementation services that may be the most beneficial for the community's outdoor recreation economy-building efforts, potential resources for acquiring such services, and the timeframe(s) within which the services should be pursued.

#### ***Town of Erwin Roles and Responsibilities***

- #### **A. Local Work Group –** Town of Erwin will be responsible for assembling a local work group to participate in the CORE Project. The local work group may include, but is not limited to, elected officials, municipal or county staff, local business owners/operators, representatives of civic organizations with an interest in the community, and/or active residents.

- B. Meetings – Town of Erwin will be responsible for providing or otherwise securing meeting space for the local work group and other activities related to the CORE Project. If local work group meetings and/or other CORE Project activities must be conducted virtually, using an internet-based video conferencing platform, for example, Town of Erwin will be responsible for ensuring participants are able to access and attend such meetings.
- C. Meeting Materials and Other Information – Town of Erwin will share the meeting agenda, relevant maps and other images, documents, and plans electronically with the Program and all CORE Project participants.

**Project Staff**

Bruce Naegelen, Community Economic Development Planner for North Central Region, is the Program staff member assigned to lead the CORE Project. Other Program staff will assist with the project, as needed.

Snow Bowden, Town Manager, will be Town of Erwin’s primary contact for the CORE Project.

**Proposed Project Timeline**

The CORE Project is planned to begin in October 2023 and to be completed by March 2024.

*Project Schedule:*

Town of Erwin - Proposed Schedule												
	2023			2024								
Task	Qtr 4			Qtr 1			Qtr 2			Qtr 3		
#	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept
1	█	█										
2	█	█	█	█								
3				█	█	█						
4							█	█	█	█	█	

*Project Schedule Tasks*

- 1) Asset Mapping
- 2) Community Assessment
- 3) Strategic Planning
- 4) Asset Development and Other Implementation Projects

**No Cost for Services**

The Program will provide its CORE Project services (including Program staff time, materials, and travel costs), and final project work products at no cost to the Town of Erwin, thanks to the State Tourism Grant from the U.S. Economic Development Administration.

**Next Steps**

The CORE Project will be scheduled to begin upon receipt by the Program of this signed MOU and a signed resolution to request Program services for the CORE Project (sample resolution attached) adopted by the Town of Erwin Board of Commissioners.



## **2. Effective Term and Termination of MOU**

This MOU will be effective on the date the last of the Parties executes it through December 31, 2025. This MOU is subject to modification at any time upon written amendment signed by the Parties. In the event of staff turnover, budget reductions, or other unforeseeable events, however, the Program may be compelled to place a project in an indefinite “hold” status until replacement staff resources can be secured. In rare cases, where very specialized staff skills are unable to be replaced, the project commitment may be terminated by the Program. Projects may also be reprioritized consistent with department or division policies.

## **3. Funding**

The Program will provide its CORE Project services, including Program staff time, labor, materials, and travel costs, as well as project work products produced by the Program, at no cost to the Town of Erwin, thanks to the State Tourism Grant from the U.S. Economic Development Administration.

## **4. Auditing**

The records as they relate to this MOU shall be accessible to the North Carolina State Auditor’s Office in accordance with N.C. Gen. Stat. §147-64.7 and to any other State or federal entity authorized to conduct audits with respect to activities performed pursuant to this MOU.

## **5. Information Sharing/Confidentiality**

To facilitate necessary information sharing and cooperation in fulfilling the purpose of this MOU, the Parties agree that they will protect all confidential information provided to them by the other Party in accordance with applicable state and federal statutes. Those employees who receive confidential information will be limited by the Parties to those who need access to it for the purpose of carrying out the functions outlined in this MOU and confidential information shall not be disclosed to third parties for any purpose, except when required by law.

## **6. Notices**

All notices given in connection with this MOU shall be in writing and, if routine, may be sent by email and, if requested, followed by first class United States mail, postage prepaid, or sent by certified mail, return receipt requested, hand delivered, or delivered by overnight courier. Notices shall be delivered to the appropriate Parties at the addresses set forth below.

### **PROGRAM:**

Karen Smith, AICP, Rural Planning Program Manager  
NC Main Street & Rural Planning Center  
48 Grove Street  
Asheville, NC 28801  
[ksmith@commerce.nc.gov](mailto:ksmith@commerce.nc.gov)

MacDonald Snow Bowden, Jr.  
Town of Erwin  
PO Box 459  
Erwin, NC 28339  
[townmanager@erwin-nc.org](mailto:townmanager@erwin-nc.org)

## **7. Governing Law**

This MOU is governed and construed in accordance with the laws of the State of North Carolina.

**(THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK)**

## 8. Signatures

The Program and Town of Erwin agree to the foregoing understandings as indicated by the signatures below of their respective authorized representatives, on duplicate originals.

**NORTH CAROLINA DEPARTMENT OF COMMERCE  
RURAL ECONOMIC DEVELOPMENT DIVISION  
NC MAIN STREET & RURAL PLANNING CENTER  
RURAL PLANNING PROGRAM**

\_\_\_\_\_  
Karen C. Smith, AICP  
Rural Planning Program Manager

\_\_\_\_\_  
Date

**TOWN OF ERWIN, NC**

\_\_\_\_\_  
Randy Baker, Mayor  
Town of Erwin

\_\_\_\_\_  
Date

**Please sign, date, and return one original, by email or U.S. mail, to:**

Karen Smith, Rural Planning Program Manager  
NC Main Street & Rural Planning Center  
48 Grove Street  
Asheville, NC 28801  
[ksmith@commerce.nc.gov](mailto:ksmith@commerce.nc.gov)

**Please also send a signed copy, by email or U.S. mail, to:**

Bruce Naegelen, Community Economic Development Planner  
8998 US 70 Hwy Business West  
Suite 100  
Clayton, NC 27520  
[Bruce.naegelen@commerce.nc.gov](mailto:Bruce.naegelen@commerce.nc.gov)

**Resolution Requesting  
Creating Outdoor Recreation Economies (CORE) Services  
from the NC Main Street & Rural Planning Center, Rural Planning Program**

**WHEREAS**, the Erwin, NC, Board of Commissioners believes the Town of Erwin would benefit from assistance with outdoor recreation economy strategic planning and asset development; and

**WHEREAS**, the NC Main Street & Rural Planning Center's Rural Planning Program ("Program") has developed the Creating Outdoor Recreation Economies ("CORE") initiative to provide outdoor recreation economy strategic planning and asset development services to rural communities in North Carolina; and

**WHEREAS**, the Erwin Board of Commissioners would like the Program to provide CORE services to the Town of Erwin; and

**WHEREAS**, Town of Erwin and the Program have reached agreement on the scope of work for the Town of Erwin's CORE project, as outlined in the attached Memorandum of Understanding.

**NOW, THEREFORE, BE IT RESOLVED**, that the Erwin Board of Commissioners hereby requests that the Program assist the Town of Erwin with its CORE project and expresses its commitment to the CORE planning process and plan implementation.

**Duly adopted by the Town of Erwin, NC Board of Commissioners, this \_\_\_\_ day of \_\_\_\_\_, 2023.**

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**Randy L. Baker, Mayor, Town of Erwin**

**ATTEST:**

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**Lauren Evans, City Clerk, Town of Erwin, NC**



August 7, 2023

Town of Erwin, NC  
Attn: Bill Dreitzler, Town Engineer  
PO box 459  
Erwin, NC 28339

RE: Scope of Work & Fee Proposal  
West K Street Culvert Replacement  
Town of Erwin, NC

Dear Bill:

Attached to this letter is our Scope of Work & Fee Proposal which outlines the professional surveying and engineering services we propose to provide to the Town of Erwin (Town) for the project to be called *West K Street Culvert Replacement*. The purpose of the project is to address the failed pipe culvert crossing on West K Street located between N 14<sup>th</sup> Street and N 15<sup>th</sup> Street.

We have included the various elements you requested (culvert replacement vs. open channel) and trust the information herein is clear and concise on those two elements. We would be happy to meet with you to review this information should you desire or to provide further clarification if necessary.

Please contact me with any questions you may have. We are prepared to begin work once we have a notice to proceed from the Town.

Sincerely,  
GRADIENT, PLLC

A handwritten signature in blue ink, appearing to read 'Gordon A. Rose'.

Gordon A. Rose, PE



**Scope of Work**  
**K Street Culvert Replacement**  
**Town of Erwin, NC**

**PROJECT DESCRIPTION**

This Scope of Work outlines the professional surveying and engineering services to be provided to the Town of Erwin (Town) for the project to be called *West K Street Culvert Replacement*. The purpose of the project is to replace the failed pipe culvert crossing on West K Street located between N 14<sup>th</sup> Street and N 15<sup>th</sup> Street. The existing culvert crossing West K Street is an approximate 36-inch diameter corrugated metal pipe which has failed, causing significant erosion and potential failure of the roadway. The scope of this project includes:

- Topographic Survey services
- Hydrologic and Hydraulic Investigation
- Culvert design services
- Construction drawings

Items which are not included with this proposal but can be provided as an additional service at a later date include:

- Subsurface Utility Exploration (SUE)
- Bid package development
- Assistance during construction

The Gradient team will include sub-consultants to be used as needed to provide data collection. GEL Solutions will be used for field topographic survey services; this scope will include obtaining finished floor and other critical structure/component elevations, relevant storm pipe and system detail, utility locations (as marked by others), topographic surveys, as well as representative channel cross-sections. Subsurface Utility Engineering (SUE) services can be provided at an additional cost.

Building and Earth Sciences will be used for geotechnical services, to assess the subsurface soil conditions. Inver Consulting will be used to identify any potential wetlands and assist with permitting for proposed impacts.

**PROPOSED SCOPE OF WORK**

Gradient, PLLC (Professional) will provide Hydrologic & Hydraulic (H&H) analysis; design development; and preparation of construction contract documents. Not included with this scope of work but services which can be provided if needed include assistance with bidding and construction contract award services; and assistance during construction as outlined below. The proposed scope of work has been prepared in general accordance with the engineering standard of practice and discussion of the project with the Town and consists of the following basic services:

**1. Preliminary Investigation**

**1.1 Site Visit and Kick Off Meeting**

Professional will attend a site visit with representatives of the Town to walk the site and to observe the proposed working area. The visit will occur prior to the field survey efforts to validate the scope of the project and the survey limits.

## 1.2 Conventional Survey Services

GEL Solutions will provide topographic survey services to assist with the overall project scope. GEL will establish XYZ control via GPS and create a localized point along with secondary control through the project limits (the project limits are shown on Exhibit A). At least one (1) benchmark will be set within the project limits. The following items will be located in the field to complete the final deliverables.

- Sanitary Sewer Structures to include size, type, and inverts
- Locate property along the project limits
- Pavement within the project limits
- Finished floor elevation (FFE) of adjacent structures (as needed)
- Hydrographic features throughout the project limits and further defined during the field scoping meeting
- Existing visible planimetric features including, but not limited to
  - Signs, Poles, Guy Wires, Utility Structures, Fences, etc.
  - Top of valve nut elevations including, but not limited to water, sewer, and gas valves
  - Horizontal SUE paint markings of existing utilities as marked by others
  - Aerial utility connectivity within the project limits

### 1.2.1 Easement Exhibit Maps

Survey easement services, if required, will be provided through our subconsultant, GEL Solutions. GEL will conduct limited boundary surveys and produce map exhibits for the upstream (south) and downstream (north) tie-in locations for the proposed culvert replacements. The easement map exhibits will be delivered to the Town on 8.5X11 or 11X17 sized pages.

It appears from recorded maps there is an existing drainage easement on the parcel on the upstream (south) side of West K Street. It is assumed the existing pipe is within this easement such that no additional easements will be required. We find no evidence of an existing easement on the property on the downstream (north) side of West K Street. We will prepare an easement exhibit map on the north side of the road sufficient to address the work zone only. This does not include preparation of an easement map across the entire parcel.

### 1.2.2 Property Owner Notification

Professional will develop a list of properties that may require access during the survey services. The Town will notify the property owners and provide notice prior to commencement of survey services. Property notification services are not included in this scope.

### 1.2.3 Basemap

The Surveyor (GEL) will update the survey data and basemapping in electronic format, including a surface file for the topographic surveyed areas. The basemap will be used in developing the design and construction drawings.

The following survey services (1.3 and 1.4) are not included in the scope and fee proposal. These services can be added if desired.

## 1.3 Subsurface Utility Engineering (SUE) Quality Level D-B Survey

If requested and upon negotiation of an additional survey fee, GEL will collect available records of existing utilities within the project limits. GEL will then employ non-intrusive geophysical technologies to designate the existence and determine horizontal positions of non-gravity utilities within survey limits. A combination of EM equipment and GPR



equipment will be used to designate the targeted utilities in accordance with the APWA Uniform Color Code scheme. Paint markings and structures will be horizontally located during Task 1.2 to include in the final MicroStation.dgn deliverable.

#### **1.4 Subsurface Utility Engineering (SUE) Quality Level A Test Holes**

Upon completion of Task 1.3, GEL can complete test holes identified by Professional after review of the deliverable from Task 1. GEL will employ non-intrusive geophysical technologies to designate the existence and determine horizontal positions of the targeted utilities described to be in conflict to properly lay out each test hole location. "Vacuum Excavation Reports" will be generated for each test hole completed and be included in the final SUE deliverable.

- Provide equipment, personnel, and supplies necessary for the completion of the test holes. The exact locations of the test holes will be determined by GEL and the Professional based on the actual utility conflicts found during Task 1.
- Excavate test holes to expose the utility to be measured. In performing such excavations, GEL Engineering shall comply with applicable utility damage prevention laws. GEL Engineering shall schedule and coordinate with the utility companies and their inspectors, as required, so they may be present during the excavation of their facilities.
- Provide notification and information concerning: (a) the outside diameter of the utility and configuration of non-encased, multi-conduit systems; (b) the utility structure material composition, when reasonably ascertainable; (c) the type of surface material; (d) the general soil type and site conditions; and (e) such other pertinent information as is reasonably ascertainable from each test hole site.
- Measure and record distance to top of utility, and place a pk, hub/tack, chiseled x, nail, and/or disk over the utility to allow for survey of each test hole.
- Provide restoration of pavement using cold patch asphalt within the limits of the original cut and spoils to be used as fill. When test holes are excavated in areas other than roadway pavement, these disturbed areas shall be restored as nearly as possible to the condition that existed prior to the excavation. Additional restoration efforts will be billed at cost plus 15%.
- We assume that no contaminated soils will be present which would require special equipment decontamination and/or off-site disposal of materials. Spoils will be used for test hole backfill and will be compacted by tamping prior to any surface repair.

##### Survey and SUE Deliverables:

- *2D and 3D Microstation dgn in accordance with NCDOT mapping standard*
- *TIN and corresponding GPK files*
- *Signed and sealed .pdf of the completed survey*
- *Signed and sealed reports of all test holes completed during Task 1.4 (if this option is selected)*

#### **1.5 Geotechnical Services**

The purpose of the geotechnical investigation will to be determine soil types at the site that could be expected during construction. The services include:

##### **1.5.1 Coordination and Field Exploration**

- **Coordination and Scheduling:** Professional will coordinate this work with the Town regarding access to the site.
- **Utility Clearances:** As identified in Task 1.3 and Task 1.4 above.



- **Drilling and Sampling:** Perform a total of two (2) soil test borings. One boring will be advanced to a depth of 15 feet, and the other will be advanced to a depth of 20 feet, below the ground surface.
- **Groundwater:** After drilling the hollow stem auger borings, we will measure the groundwater level at the end of the day. After retrieving the measurement, we will backfill the borehole(s) with soil cuttings.

**1.5.2 Laboratory Testing**

- Laboratory testing is geared towards identifying the materials that should be expected during construction.
- The quantity and nature of the laboratory tests performed will vary depending upon the type of soils encountered. Based on the drilling scope and requested geotechnical evaluations, we anticipate performing the following laboratory tests:

Laboratory Test	ASTM	Number of Tests
Atterberg Limits	D4318	2
Gradation Analysis	D6913	2
Natural Moisture Content	D2216	13

**1.5.3 Engineering Analysis and Reporting**

Perform engineering analysis for shallow foundations. Findings will be sent in an electronic report, which will include, but not necessarily be limited to, the following information:

- Summary of existing surface conditions.
- A description of the subsurface conditions encountered at the boring locations.
- Site preparation considerations including material types to be expected during grading as well as recommendations regarding handling and treatment of unsuitable soils, if encountered.
- Compaction requirements and recommended criteria to establish suitable surfaces for structural backfill.
- Boring logs detailing the materials encountered with soil classifications, penetration values, and groundwater levels (if measured).
- Presentation of laboratory test results.
- Plans and maps showing the location of the project and our onsite work.

**1.6 Preliminary Hydrology & Hydraulics - Culvert Option**

The hydraulics and hydrology for the project will be determined using PCSWMM or other appropriate modeling software. The hydraulic model will utilize LiDAR topography outside the project limits and the surveyed topographic data within the project limits. The H & H analysis will be used to determine the final design culvert configuration. Once the design concept is established, the 25- and 100-year, 24-hour event will be analyzed to estimate flooding conditions.

Deliverables:

- Preliminary design concept plan



## 2. Design Development

### 2.4 Preliminary Plan & Profiles

Professional will use the design concept from the previous Task 1.6 to develop preliminary construction drawings. The preliminary construction drawings, considered to be 30% complete, will include a title sheet, existing conditions sheet (with project survey control), plan and profile sheet, and pertinent project details. The Town will review, provide comments, and give approval to proceed with the 60% design submittal. Professional will also develop a preliminary Opinion of Probable Construction Cost based on the preliminary drawings and unit costs from other, similar projects.

Deliverable:

- *Preliminary 30% construction drawings with Preliminary Opinion of Probable Construction Cost*

### 2.5 Progress Design and Submittals 60% and 90%

Professional will incorporate comments from the preliminary plan submittal to prepare 60% design construction drawings. The 60% design drawings will build on the 30% design preliminary plans by including project details, preliminary utility relocation plans (as required), preliminary traffic control plan/concept, erosion control concept/procedures, and preliminary easement locations. The 60% design submittal will include one (1) progress meeting with Town.

Professional will incorporate comments from the 60% design submittal to prepare 90% design construction drawings. The 90% design drawings will build on the 60% design plans by including general notes and a construction sequence, materials and quantities sheet, utility relocation details, sediment and erosion control plan, and traffic control plan. The 90% design submittal will include a tabulation of bid quantities, an opinion of probable construction cost, a general outline of the technical specifications, and preliminary easement plats. The 90% design submittal will include one (1) progress meeting with Town.

Deliverable:

- *Preliminary 60% construction drawings with Preliminary Opinion of Probable Construction Cost*
- *Preliminary 90% construction drawings with Preliminary Opinion of Probable Construction Cost*

## 3. Construction Contract Documents and Permitting

### 3.4 Develop Project Manual

Professional will develop the final project manual using front-end and technical specifications provided by the Town or from other sources, to be approved by the Town. This includes preparation of the bid tabulation and quantities, as well as editing the pertinent front-end sections and the project specific technical specifications.

### 3.5 Permit Applications

This scope does not include utility permit services, but does include the Town's review, comments, and approval for water and gravity sewer relocation designs (if required).

Biological permitting services will be performed by Inver Consulting as a sub-consultant to Gradient and includes the following:

- Wetland/stream delineation: Identify and characterize potential Clean Water Act resources within the project area according to current methodologies. Establish

Ordinary High-Water Mark along stream channels. Perform NC Stream Assessment Method to document stream functions.

- Coordinate with surveyor on PLS location of stream banks and wetland flagging (if required).
- Discuss design after delineation for compliance with Nationwide Permit.
- Prepare an electronic Pre-Construction Notification for submittal to the USACE and NCDWR, including:
  - PCN Form
  - Species database review
  - Historic resources database review
  - Delineation information
  - Stream functional assessment
  - Mitigation proposal or justification

Items not included:

- *No Jurisdictional Determination will be requested from the USACE due to agency workload. Delineation information will be included in the e-PCN*
- *Design will comply with Nationwide Permit & General Certification conditions and will be Allowable under the Buffer Rules. No Individual Permit or Buffer Variance required.*
- *Permit fees to be paid by others if required.*
- *No compensatory mitigation will be required, or if required will be provided by the Town via in-lieu-fee or mitigation bank payment.*

### **3.6 Final Construction Documents**

Professional will incorporate previous comments to finalize the 100% Design construction drawings and project manual documents. The final construction documents shall be signed, sealed, and prepared for bid advertisement.

### **3.7 Utility Coordination**

Professional will assist during the utility coordination process by answering questions and providing project drawings. Town will coordinate with utility companies having existing utilities within the project area such as electric, cable, telephone and gas and will submit drawings to the various utility providers for review as required. If relocations are required, Town will coordinate the relocation process with the affected utility providers. Proposed relocations, as proposed by the utility companies and approved by the Town, will be indicated on the final drawings.

The following services are not included in this scope of work but can be added at a later date if desired by the Town:

## **4. Bidding and Construction Contract Award**

### **4.1 Bid Advertisement**

The Town will develop a bid advertisement and will post the advertisement. As part of this task the Professional will assist the Town during the bid process by helping to address bidder's questions, and the Professional may attend one pre-bid meeting.

#### **4.2 Distribute Bid Documents**

Professional shall prepare and package the construction drawings and bid documents in pdf format so they can be viewed electronically and/or be printed by the Town for distribution. Town will be responsible for the distribution of the bid documents.

#### **4.3 Bid Opening**

The Town will receive the project bids and conduct the bid opening process. The Professional will assist the Town in reviewing the bid submittals and will draft a recommendation of award letter to the Town.

#### **4.4 Execution of Construction Contract**

The Town will work with the selected construction contractor to implement the construction contract execution. Professional will assist the Town in this process by answering questions.

### **5. Construction Administration**

#### **5.1 Preconstruction Meeting**

Professional will attend one (1) preconstruction meeting with the Town and construction contractor.

#### **5.2 Construction Administration**

The Town will assign a project representative and/or inspector responsible for the construction administration and observation and will be the primary contact for the construction contractor. The Professional will assist the Town representative by periodically visiting the site, addressing design questions during construction, and reviewing project submittals as requested. The construction administration estimated time is based on one (1), four (4) hour visit per week for a 120-day construction time (68 total hours).

#### **5.3 Shop Drawing Review**

The Professional will review shop drawings submitted by the contractor and provide documentation to the Town regarding this review. Final review and approval of shop drawings will be the responsibility of the Town.

#### **5.4 Pay Apps**

The Professional will assist the Town by answering questions from the Town representative on the interpretation and verification of the contractor's requests for payment. The Town will be responsible for verifying quantities during construction.

#### **5.5 Change Orders**

The Professional will assist the Town by reviewing and making recommendations about change order requests that may be submitted by the construction contractor. The Town will be responsible for final approval and execution of change orders.

#### **5.6 Final Inspection**

The Professional will participate with the Town in the final inspection and final project walk-through. The Professional will assist the Town by providing comments and recommendations about final "punch-list" items and approvals.

#### **5.7 Prepare "As-Built" Drawings and Certifications**

Record drawings, as-built surveys, and final certifications are not included in this scope.



### **ADDITIONAL SERVICES: Alternative Design**

The Town may want to consider an alternative to replacement of the existing culvert. This alternative would involve an open channel across West K Street and thereby eliminating through traffic. The tasks described below would be in addition to the tasks identified above for the culvert replacement:

#### **1. Preliminary Investigation**

##### **1.1 Site Visit and Kick Off Meeting**

Same as described above. No additional scope or fee.

##### **1.2 Conventional Survey Services**

Same as described above. No additional scope or fee.

###### **1.2.1 Easement Exhibit Maps**

Same as described above. No additional scope or fee.

###### **1.2.2 Property Owner Notification**

Same as described above. No additional scope or fee.

###### **1.2.3 Basemap**

Same as described above. No additional scope or fee.

##### **1.3 Subsurface Utility Engineering (SUE) Quality Level D-B Survey**

Same as described above. No additional scope or fee.

##### **1.4 Subsurface Utility Engineering (SUE) Quality Level A Test Holes**

Same as described above. No additional scope or fee.

##### **1.5 Geotechnical Services**

###### **1.5.1 Coordination and Field Exploration**

Same as described above. No additional scope or fee.

###### **1.5.2 Laboratory Testing**

Same as described above. No additional scope or fee.

##### **1.6 Preliminary Hydrology & Hydraulics - Open Channel Option**

The hydraulics and hydrology for the open channel option will be determined using PCSWMM or other appropriate modeling software. The hydraulic model will utilize LiDAR topography outside the project limits and the surveyed topographic data within the project limits. The H & H analysis will determine the required channel configuration and grading required to establish adequate side slopes. Once the design concept is established, the 25- and 100-year, 24-hour event will be analyzed to estimate flooding conditions.

#### **2. Design Development**

##### **2.1 Preliminary Plan & Profiles**

Professional will use the design concept from the previous Task 1.6 (Open Channel option) to develop a preliminary plan and profile of the proposed open channel and grading impacts. The preliminary construction drawings, considered to be 30% complete, will include a plan and profile sheet, and pertinent project details. The Town will review, provide comments, and give approval to proceed with the 60% design submittal should this option be selected. Professional will also develop a preliminary Opinion of Probable Construction Cost based on the preliminary drawings and unit costs from other, similar projects.

##### **2.2 Progress Design and Submittals 60% and 90%**

Professional will incorporate comments from the preliminary plan submittal to prepare 60% design construction drawings for the open channel option. The 60% design drawings will

build on the 30% design preliminary plans by including project details, preliminary utility relocation plans (as required), preliminary traffic control plan/concept, erosion control concept/procedures, and preliminary easement locations. The 60% design submittal will include one (1) progress meeting with Town.

Professional will incorporate comments from the 60% design submittal to prepare 90% design construction drawings. The 90% design drawings will build on the 60% design plans by including general notes and a construction sequence, materials and quantities sheet, utility relocation details, sediment and erosion control plan, and traffic control plan. The 90% design submittal will include a tabulation of bid quantities, an opinion of probable construction cost, a general outline of the technical specifications, and preliminary easement plats. The 90% design submittal will include one (1) progress meeting with Town.

Deliverable:

- *Preliminary 60% construction drawings with Preliminary Opinion of Probable Construction Cost*
- *Preliminary 90% construction drawings with Preliminary Opinion of Probable Construction Cost*

**3. Construction Contract Documents and Permitting**

**3.1 Develop Project Manual**  
Same as described above.

**3.2 Permit Applications**  
Same as described above.

**3.3 Final Construction Documents**  
Same as described above.

**3.4 Utility Coordination**  
Same as described above.

**4. Bidding and Construction Contract Award**

**4.1 Bid Advertisement**  
Same as described above.

**4.2 Distribute Bid Documents**  
Same as described above.

**4.3 Bid Opening**  
Same as described above.

**4.4 Execution of Construction Contract**  
Same as described above.

**COMPENSATION**

Compensation for engineering services and reimbursable expenses shall be based on the following fixed fees. These fees will be invoiced monthly based on our estimation of the percentage complete on each task.

<b>Task #</b>	<b>Description</b>	<b>Culvert Replacement Total</b>	<b>Open Channel Total</b>
<b>1</b>	<b>PRELIMINARY INVESTIGATION</b>		
1.1	Site Visit & Kick Off Meeting	\$700.00	\$0.00
1.2	Conventional Survey Services	\$5,595.00	\$0.00
1.2.1	Easement Exhibit Maps	\$1,830.00	\$0.00
1.2.2	Property Owner Notification	\$475.00	\$0.00
1.2.3	Basemap	\$1,730.00	\$0.00
1.3	Subsurface Utility Exploration (SUE)	\$0.00	\$0.00
1.4	Subsurface Utility Exploration (SUE) - Test Holes	\$0.00	\$0.00
1.5	Geotechnical Services	\$0.00	
1.5.1	Coordination & Field Exploration	\$3,000.00	\$0.00
1.5.2	Laboratory Testing	\$1,500.00	\$0.00
1.5.3	Engineering Analysis & Reporting	\$1,000.00	\$0.00
1.6	Preliminary Hydrology & Hydraulics	\$3,590.00	\$1,610.00
	<i>Sub-Total Preliminary Investigation</i>	<b>\$19,420.00</b>	<b>\$1,610.00</b>
<b>2</b>	<b>DESIGN DEVELOPMENT</b>		
2.1	Preliminary Plan & Profile	\$4,600.00	\$3,100.00
2.2	Progress Design & Submittals		
	60% Design	\$6,880.00	\$6,710.00
	90% Design	\$6,380.00	\$6,250.00
	<i>Sub-Total Design Development</i>	<b>\$17,860.00</b>	<b>\$16,060.00</b>
<b>3</b>	<b>CONSTRUCTION CONTRACT DOCUMENTS &amp; PERMITTING</b>		
3.1	Develop Project Manual	\$1,465.00	\$660.00
3.2	Permit Applications	\$2,860.00	\$1,160.00
3.2	Final Construction Documents	\$1,610.00	\$1,280.00
3.4	Utility Coordination	\$1,900.00	\$1,320.00
	<i>Sub-total Construction Contract Documents</i>	<b>\$7,835.00</b>	<b>\$4,420.00</b>
	<b>Total Project</b>	<b>\$45,115.00</b>	<b>\$22,090.00</b>

This proposal is valid for 30 days from the date of the proposal. If the proposal is not accepted within 30 days, we reserve the right to revise or withdraw the proposal entirely at our discretion. Please confirm your acceptance of this proposal by signing one copy and returning it to our office. Our receipt of the executed copy of this proposal will serve as our Notice to Proceed and contract to perform the work described herein. This Agreement is subject to the Gradient Standard Terms and Conditions which are incorporated herein by reference.



**AUTHORIZATION TO PROCEED**  
**Proposal for Surveying & Civil Engineering Services**  
**Town of Erwin**  
**West K Street - Culvert Replacement**

I/We agree and accept Gradient’s proposal to provide the above described services. We understand the Scope of Services as provided herein and agree to the fees estimated for these services. We further acknowledge that Gradient will provide a proposal for any change in the Scope of Services described herein and that a signed agreement to provide those additional services will be executed prior to any work being performed.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**BUDGET ORDINANCE AMENDMENT  
BOA 2024 – 01  
FISCAL YEAR 2023-2024**

BE IT ORDAINED by the Governing Board of the Town of Erwin, North Carolina that the following amendments are made to the annual budget ordinance for the fiscal year ending June 30, 2024.

Section 1. This Budget Ordinance Amendment seeks to Increase Revenues and Increase Expenditures by \$44,115.00. This amendment is for a proposed fix to West K Street.

Section 2. To amend the General Fund: The revenues are to be changed as follows:

Account	Description	Current Approp.	Increase/Decrease	Amended Appropriation
10-3430-000	Powell Bill Revenue	\$150,000	(+) \$44,115	\$194,115

Section 3. To amend the General Fund: The Expenditures are to be changed as follows:

Account	Description	Current Approp.	Increase/Decrease	Amended Appropriation
10-4510-450	Contracted Serv.	\$133,000	(+) \$44,115	\$177,115

Section 4. Copies of this budget amendment shall be furnished to the Clerk, the Governing Board, the Budget Officer and the Finance Director for their direction.

Adopted this 7<sup>th</sup> day of September 2023.

\_\_\_\_\_  
Randy L. Baker, Mayor

ATTEST:

\_\_\_\_\_  
Lauren Evans, Town Clerk NCCMC



RAFTING AND DESIGN  
SERVICES, INC.

6728 Carbonton Road  
Sanford, NC 27330  
(919) 499-8759  
draftinganddesign@ymail.com

August 8, 2023

Mr. William Dreitzler, P.E.  
Town of Erwin  
Erwin, NC

**Reference: Contract/Proposal – Town of Erwin - Al Woodall Parking Lot Expansion**

Mr. Dreitzler;

Drafting and Design Services, Inc. (DDS) is submitting a proposal of services to provide design services for Town of Erwin - Al Woodall Parking Public Parking Lot Expansion

**Project Scope**

- Preliminary/Final Layout/Design of Parking Lot
- Grading and Drainage Design
- Bidding quantities and Engineers Estimate
- Contract Survey Services for Design Data (topo, locations, etc.)

**DDS respectfully will provide design services at an hourly (\$80.00/hr) contract to not to exceed: \$6,000**

We appreciate the opportunity to provide you our services and we look forward to partnering with you on this and future projects. If you have any questions, please contact me directly at 919.499.8759 or [draftinganddesign@ymail.com](mailto:draftinganddesign@ymail.com) . If this proposal is acceptable, please sign below and email or send 1 copy.

Respectfully submitted:

Accepted by:

**Drafting and Design Services, Inc.**

Michael T. Blakley

Principal

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Signature	Title	Date

**BUDGET ORDINANCE AMENDMENT  
BOA 2024 – 02  
FISCAL YEAR 2023-2024**

BE IT ORDAINED by the Governing Board of the Town of Erwin, North Carolina that the following amendments are made to the annual budget ordinance for the fiscal year ending June 30, 2024.

Section 1. This Budget Ordinance Amendment seeks to Increase Revenues and Increase Expenditures by \$6,000. This amendment is for Al Woodall Parking Lot improvements.

Section 2. To amend the General Fund: The revenues are to be changed as follows:

Account	Description	Current Approp.	Increase/Decrease	Amended Appropriation
10-3950-450	Trans. From Capital	\$ 0	(+) \$6,000	\$6,000
Reserve Fund				

Section 3. To amend the General Fund: The Expenditures are to be changed as follows:

Account	Description	Current Approp.	Increase/Decrease	Amended Appropriation
10-6200-450	Contracted Serv.	\$33,975	(+) \$6,000	\$39,975

Section 4. Copies of this budget amendment shall be furnished to the Clerk, the Governing Board, the Budget Officer and the Finance Director for their direction.

Adopted this 7<sup>th</sup> day of September 2023.

\_\_\_\_\_  
Randy L. Baker, Mayor

ATTEST:

\_\_\_\_\_  
Lauren Evans, Town Clerk NCCMC

Re: Renewal of School Resource Officer Program Memorandum of Understanding

Per Article VII entitled "Amendments and Modifications; Additional Policies and Procedures" of the School Resource Officer Program Memorandum of Understanding dated October 1, 2018 ("MOU"), attached hereto, the Harnett County Board of Education and **Town of Erwin** mutually agree to renew the MOU. **The terms are contingent on the negotiations with the Sheriff or Police Chief that allow the school district to address performance issues with individual school resource officers actively.** All other terms and conditions will remain the same for a term of 12 months, beginning July 1, 2023, and ending June 30, 2024.

SIGNATURES:

Duncan E. Jagers \_\_\_\_\_

\_\_\_\_\_

6/29/2023  
DATE

\_\_\_\_\_  
DATE



**GENERAL NOTES:**

1. AREA MEASUREMENTS CALCULATED BY COORDINATE METHOD UNLESS STATED OTHERWISE.
2. ALL MEASUREMENTS ARE HORIZONTAL GROUND MEASUREMENTS, U.S. SURVEY FEET UNLESS STATED OTHERWISE.
3. EXISTING MONUMENTATION WAS FOUND AT PROPERTY CORNERS AS SHOWN HEREON.
4. NO NC GEODETIC MONUMENTS WERE FOUND AND/OR RECOVERED WITHIN 2,000 FT OF THE SITE.
5. NO TITLE SEARCH HAS BEEN CONDUCTED ON THIS PROPERTY BY THIS OFFICE. NO RESPONSIBILITY IS ASSUMED BY THIS SURVEYOR FOR ANY CONDITIONS THAT MAY EXIST BUT ARE UNKNOWN OR REFERENCED HEREON.
6. THE EXISTENCE OF UTILITIES MAY IMPLY THE EXISTENCE OF EASEMENTS OF RECORD.
7. THE NORTH CAROLINA STATE PLANE COORDINATES FOR THIS SURVEY WERE REALIZED WITH A SURVEY GRADE TOPCON HYBRID SYSTEM INCLUDING A HiPer SR RECEIVER AND ROBOTIC TOTAL STATION.
8. HORIZONTAL AND VERTICAL POSITIONS ARE REFERENCED TO NORTH CAROLINA GEODETIC SURVEY (NCGS) VIRTUAL REFERENCE STATION (VRS).
9. HORIZONTAL POSITIONAL DATA WERE OBTAINED BY REAL TIME KINEMATIC AND ROBOTIC OBSERVATIONS WITH 0.05" AVERAGE POSITIONAL ACCURACY.
10. VERTICAL POSITIONAL DATA WERE OBTAINED BY ROBOTIC SYSTEM WITH 0.05" AVERAGE POSITIONAL ACCURACY.

**CERTIFICATE OF FLOODWAY INFORMATION:**

PROPERTY SHOWN HEREON (---) IS (X) IS NOT LOCATED IN A FEMA DESIGNATED FLOOD ZONE 'AE'.

FLOOD HAZARD MAP NUMBER 3720059600J ZONE X, HARNETT COUNTY EFFECTIVE DATE: OCTOBER 3, 2006

PROFESSIONAL LAND SURVEYOR \_\_\_\_\_ DATE \_\_\_\_\_

**CERTIFICATE OF SURVEY ACCURACY:**

I, JASON E. GODWIN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOK 4101, PAGE 483); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS BROKEN(DASHED) LINES (DRAWN FROM INFORMATION FOUND IN MAP BOOK SEE, PAGE REF); THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH N.C.G.S. 47-30 AS AMENDED.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS \_\_\_\_\_

DAY OF \_\_\_\_\_ A.D., 2023

JASON E. GODWIN \_\_\_\_\_ L-5080  
NUMBER LICENSE

I, JASON E. GODWIN, PROFESSIONAL LAND SURVEYOR NO. L-5080, CERTIFY TO ONE OR MORE THE FOLLOWING AS INDICATED THUS X OR:

\_\_\_X\_\_\_A. THAT THIS PLAT IS OF A SURVEY THAT CREATED A SUBDIVISION OF LAND WITHIN THE AREA OF THE COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

\_\_\_B. THAT THIS PLAT IS OF SURVEY THAT IS LOCATED IN SUCH PORTION OF A COUNTY THAT REGULATES PARCELS OF LAND.

- \_\_\_C. ANY ONE OF THE FOLLOWING:
- (1) THAT THE FOLLOWING IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE OF EXISTING STREET.
  - (2) THAT THE SURVEY IS OF AN EXISTING BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS WATERCOURSE; OR
  - (3) THAT THIS SURVEY IS A CONTROL SURVEY.

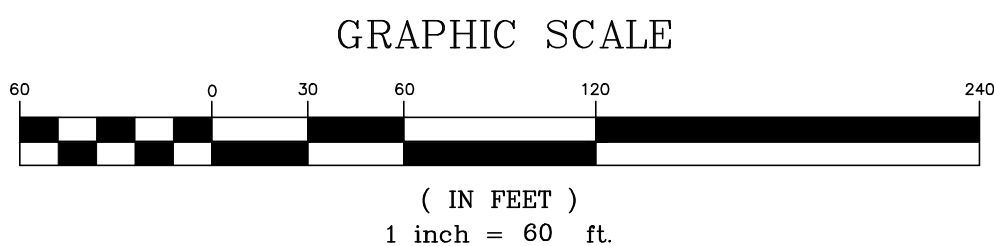
\_\_\_D. THAT THIS PLAT IS OF A SURVEY OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

\_\_\_E. THAT THE INFORMATION AVAILABLE TO THIS SURVEY IS SUCH THAT I AM UNABLE TO MAKE A DETERMINATION TO THE BEST OF MY PROFESSIONAL ABILITY AS TO PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.

JASON E. GODWIN, PROFESSIONAL LAND SURVEYOR \_\_\_\_\_ LICENSE NO. L-5080

**SURVEYOR'S DECLARATION TO WHOM IT MAY CONCERN:**

THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED. A NORTH CAROLINA LICENSED ATTORNEY AT LAW SHOULD BE CONSULTED CONCERNING CORRECT OWNERSHIP, WIDTH, AND LOCATIONS OF EASEMENTS, ANY CEMETERIES OR FAMILY BURYING GROUNDS NOT SHOWN ON RECORDED MAPS OR DEEDS MADE AVAILABLE TO THE SURVEYOR BY PRESENT OWNERS AT THE TIME OF THIS SURVEY AND OTHER TITLE QUESTIONS REVEALED BY TITLE EXAMINATION. NO RESPONSIBILITY OF ANY NATURE IS ASSUMED BY THE SURVEYOR FOR ANY CONDITIONS WHICH MAY PRESENTLY EXIST BUT ARE UNKNOWN SUCH AS: CEMETERIES, FAMILY BURYING GROUNDS, TOXIC OR HAZARDOUS WASTE MATERIAL, ETC.



**REGISTER OF DEEDS CERTIFICATE:**

STATE OF NORTH CAROLINA, COUNTY OF HARNETT  
FILED FOR REGISTRATION AT \_\_\_\_\_  
\_\_\_\_\_, 2023 IN THE REGISTER  
OF DEEDS OFFICE.  
RECORDED IN PLAT BOOK \_\_\_\_\_, PAGE \_\_\_\_\_

REGISTER OF DEEDS  
BY: \_\_\_\_\_

**CERTIFICATE OF REVIEW OFFICER:**

STATE OF NORTH CAROLINA, COUNTY OF HARNETT  
I, \_\_\_\_\_  
REVIEW OFFICER OF HARNETT COUNTY, CERTIFY THAT  
THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED  
MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER \_\_\_\_\_ DATE \_\_\_\_\_

STATE OF NORTH CAROLINA, TOWN OF ERWIN

I, \_\_\_\_\_  
NOTARY PUBLIC FOR THE TOWN OF ERWIN, DO HEREBY  
CERTIFY THAT JASON E. GODWIN PERSONALLY APPEARED  
BEFORE ME THIS DAY AND ACKNOWLEDGED THE DUE  
EXECUTION OF THIS CERTIFICATE. WITNESS MY HAND THIS  
THE \_\_\_ DAY OF \_\_\_\_\_

NOTARY PUBLIC \_\_\_\_\_ DATE \_\_\_\_\_

**SUBDIVISION ADMINISTRATOR'S CERTIFICATE:**

STATE OF NORTH CAROLINA, TOWN OF ERWIN  
I, \_\_\_\_\_  
SUBDIVISION ADMINISTRATOR FOR THE TOWN OF ERWIN,  
HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREIN  
HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION  
ORDINANCE OF TOWN OF ERWIN, NORTH CAROLINA AND THAT  
THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE  
OFFICE OF THE REGISTER OF DEEDS OF HARNETT COUNTY

SUBDIVISION ADMINISTRATOR \_\_\_\_\_ DATE \_\_\_\_\_  
ERWIN, NORTH CAROLINA

**CERTIFICATION OF OWNERSHIP, DEDICATION, AND JURISDICTION:**

I (We) herby certify that I am (we are) the owners or agent of the property shown and described hereon which is located in the subdivision regulation jurisdiction of Harnett County, N.C. and that I (we) adopt this plan of subdivision with my (our) free consent, establish the minimum building setback lines as noted, and dedicate all streets, rights-of-way, and easements to public or private use as noted. I (We) further acknowledge that I (we), nor any subsequent owners, CAN NOT use the minor subdivision provision within 3-years on this property or any other property located within 1,500 feet of the boundaries of this property.

Date \_\_\_\_\_ Signature of Owner or Agent \_\_\_\_\_

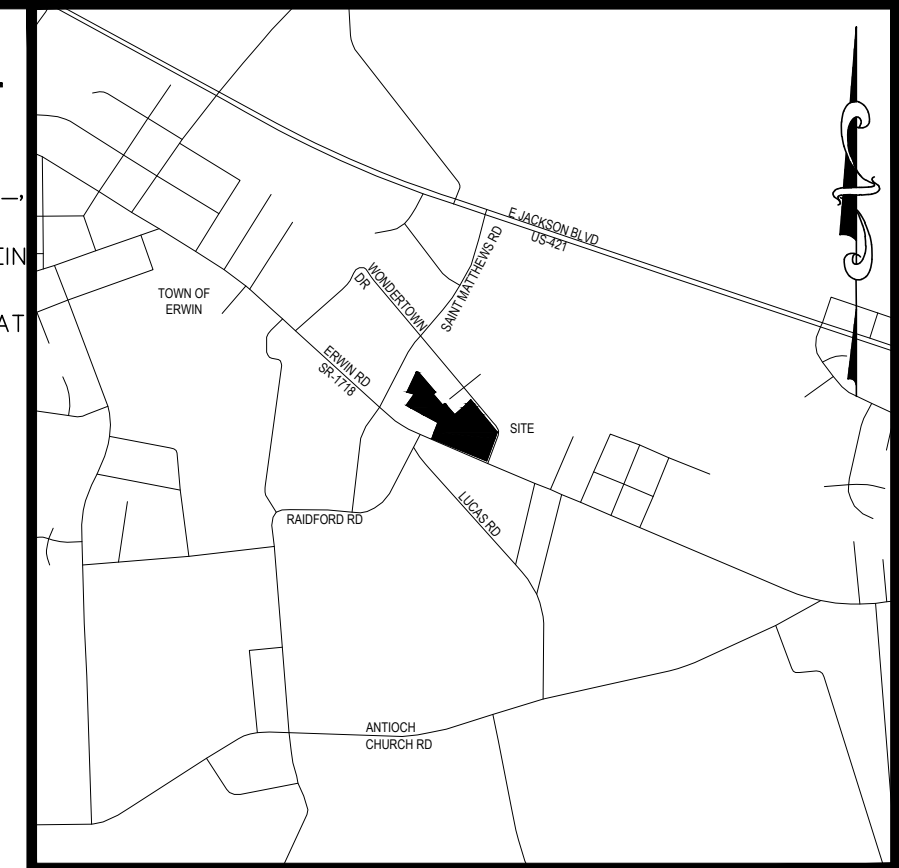
I, \_\_\_\_\_  
CHAIRMAN OF THE PLANNING BOARD FOR THE TOWN OF  
ERWIN, HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN  
HEREIN HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION  
ORDINANCE OF TOWN OF ERWIN, NORTH CAROLINA AND THAT  
THIS PLAT HAS BEEN APPROVED BY THE ERWIN TOWN  
PLANNING BOARD FOR RECORDING IN THE OFFICE OF THE  
REGISTER OF DEEDS OF HARNETT COUNTY

CHAIRMAN OF THE PLANNING BOARD \_\_\_\_\_ DATE \_\_\_\_\_  
ERWIN, NORTH CAROLINA

STATE OF NORTH CAROLINA, TOWN OF ERWIN

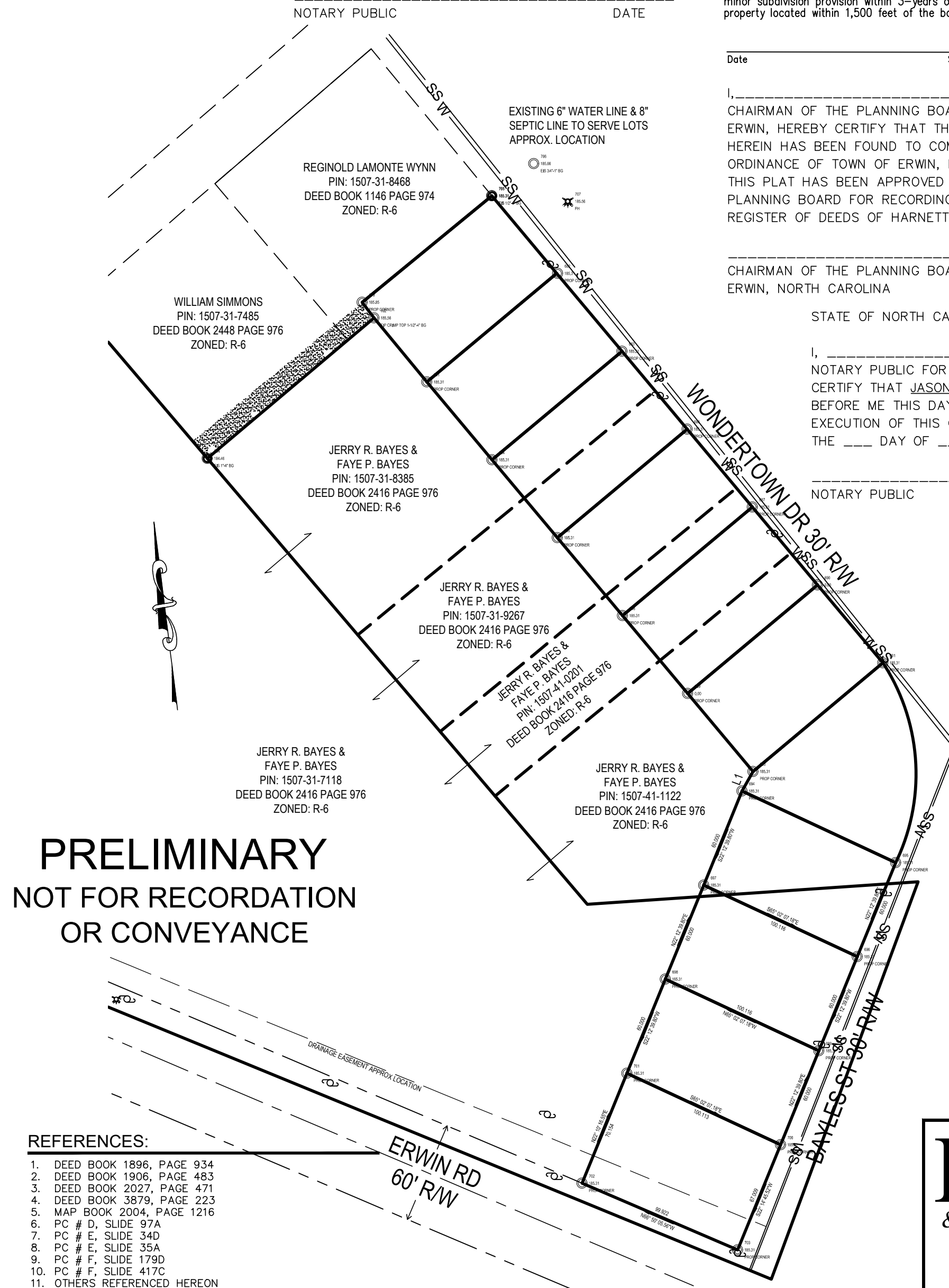
I, \_\_\_\_\_  
NOTARY PUBLIC FOR THE TOWN OF ERWIN, DO HEREBY  
CERTIFY THAT JASON E. GODWIN PERSONALLY APPEARED  
BEFORE ME THIS DAY AND ACKNOWLEDGED THE DUE  
EXECUTION OF THIS CERTIFICATE. WITNESS MY HAND THIS  
THE \_\_\_ DAY OF \_\_\_\_\_

NOTARY PUBLIC \_\_\_\_\_ DATE \_\_\_\_\_



VICINITY-NOT TO SCALE

OWNER: JERRY R. BAYS & FAYE P. BAYES  
SITE ADDRESS: WONDERTOWN DR ERWIN, NC 28334  
WATERSHED DISTRICT: NOT IN WS-IV-P  
FLOOD ZONE: X  
MAP: 3720150600J  
EFFECTIVE: 10/3/2006  
CID: 370456  
PANEL: 1506  
ZONING: R-6  
LOTS WILL BE SERVICED BY EXISTING 6" WATER LINE AND PRIVATE SEPTIC SYSTEMS



**PRELIMINARY  
NOT FOR RECORDATION  
OR CONVEYANCE**

- REFERENCES:**
1. DEED BOOK 1896, PAGE 934
  2. DEED BOOK 1906, PAGE 483
  3. DEED BOOK 2027, PAGE 471
  4. DEED BOOK 3879, PAGE 223
  5. MAP BOOK 2004, PAGE 1216
  6. PC # D, SLIDE 97A
  7. PC # E, SLIDE 34D
  8. PC # E, SLIDE 35A
  9. PC # F, SLIDE 179D
  10. PC # F, SLIDE 417C
  11. OTHERS REFERENCED HEREON

**E**noch  
**Engineers, P.A.**  
& PROFESSIONAL LAND SURVEYORS  
1403 NC Highway 50 South - Benson, NC 27504  
Phone: (919) 894-7765 Fax: (919) 894-8190  
Firm License: C-2061

RECOMBINATION MAP for  
**JERRY R. BAYES**

LOCATION: BAYLES ST & WONDERTOWN DR DUNN, NC 28334 TOWNSHIP: DUKE COUNTY: HARNETT	PROPERTY OWNER(S): JERRY R. BAYES & FAYE P. BAYES PO BOX 343 ERWIN, NC 28334-0000
SURVEYED BY: _____ SURV. DATE: _____	SCALE: 1" = 80' DRAWN BY: EE, PA SHEET: 1 OF 1

NC GRID-DATUM: NAD83 (2011)  
GNSS RTK NETWORK



**GENERAL NOTES:**

1. AREA MEASUREMENTS CALCULATED BY COORDINATE METHOD UNLESS STATED OTHERWISE.
2. ALL MEASUREMENTS ARE HORIZONTAL GROUND MEASUREMENTS, U.S. SURVEY FEET UNLESS STATED OTHERWISE.
3. EXISTING MONUMENTATION WAS FOUND AT PROPERTY CORNERS AS SHOWN HEREON.
4. NO NC GEODETIC MONUMENTS WERE FOUND AND/OR RECOVERED WITHIN 2,000 FT OF THE SITE.
5. NO TITLE SEARCH HAS BEEN CONDUCTED ON THIS PROPERTY BY THIS OFFICE. NO RESPONSIBILITY IS ASSUMED BY THIS SURVEYOR FOR ANY CONDITIONS THAT MAY EXIST BUT ARE UNKNOWN OR REFERENCED HEREON.
6. THE EXISTENCE OF UTILITIES MAY IMPLY THE EXISTENCE OF EASEMENTS OF RECORD.
7. THE NORTH CAROLINA STATE PLANE COORDINATES FOR THIS SURVEY WERE REALIZED WITH A SURVEY GRADE TOPCON HYBRID SYSTEM INCLUDING A HiPer SR RECEIVER AND ROBOTIC TOTAL STATION.
8. HORIZONTAL AND VERTICAL POSITIONS ARE REFERENCED TO NORTH CAROLINA GEODETIC SURVEY (NCGS) VIRTUAL REFERENCE STATION (VRS).
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10. VERTICAL POSITIONAL DATA WERE OBTAINED BY ROBOTIC SYSTEM WITH 0.05" AVERAGE POSITIONAL ACCURACY.

**CERTIFICATE OF FLOODWAY INFORMATION:**

PROPERTY SHOWN HEREON (---) IS (---X---) IS NOT LOCATED IN A FEMA DESIGNATED FLOOD ZONE 'AE'.

FLOOD HAZARD MAP NUMBER 3720058700J ZONE X, HARNETT COUNTY EFFECTIVE DATE: OCTOBER 3, 2006

PROFESSIONAL LAND SURVEYOR \_\_\_\_\_ DATE \_\_\_\_\_

**CERTIFICATE OF SURVEY ACCURACY:**

I, JASON E. GODWIN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOK \_\_\_SEE\_\_\_, PAGE \_\_\_REF\_\_\_); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS BROKEN(DASHED) LINES (DRAWN FROM INFORMATION FOUND IN MAP BOOK 2010, PAGE 572 ); THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH N.C.G.S. 47-30 AS AMENDED.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS \_\_\_\_\_

DAY OF \_\_\_\_\_ A.D., 2023

\_\_\_\_\_  
JASON E. GODWIN, PROFESSIONAL LAND SURVEYOR NO. L-5080, CERTIFY TO ONE OR MORE THE FOLLOWING AS INDICATED THUS X OR:

\_\_\_X\_\_\_A. THAT THIS PLAT IS OF A SURVEY THAT CREATED A SUBDIVISION OF LAND WITHIN THE AREA OF THE COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

\_\_\_B. THAT THIS PLAT IS OF SURVEY THAT IS LOCATED IN SUCH PORTION OF A COUNTY THAT REGULATES PARCELS OF LAND.

- \_\_\_C. ANY ONE OF THE FOLLOWING:
- (1) THAT THE FOLLOWING IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE OF EXISTING STREET.
  - (2) THAT THE SURVEY IS OF AN EXISTING BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS WATERCOURSE; OR
  - (3) THAT THIS SURVEY IS A CONTROL SURVEY.

\_\_\_D. THAT THIS PLAT IS OF A SURVEY OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

\_\_\_E. THAT THE INFORMATION AVAILABLE TO THIS SURVEY IS SUCH THAT I AM UNABLE TO MAKE A DETERMINATION TO THE BEST OF MY PROFESSIONAL ABILITY AS TO PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.

\_\_\_\_\_  
JASON E. GODWIN, PROFESSIONAL LAND SURVEYOR LICENSE NO. L-5080

**SURVEYOR'S DECLARATION TO WHOM IT MAY CONCERN:**

THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED. A NORTH CAROLINA LICENSED ATTORNEY AT LAW SHOULD BE CONSULTED CONCERNING CORRECT OWNERSHIP, WIDTH, AND LOCATIONS OF EASEMENTS, ANY CEMETERIES OR FAMILY BURYING GROUNDS NOT SHOWN ON RECORDED MAPS OR DEEDS MADE AVAILABLE TO THE SURVEYOR BY PRESENT OWNERS AT THE TIME OF THIS SURVEY AND OTHER TITLE QUESTIONS REVEALED BY TITLE EXAMINATION. NO RESPONSIBILITY OF ANY NATURE IS ASSUMED BY THE SURVEYOR FOR ANY CONDITIONS WHICH MAY PRESENTLY EXIST BUT ARE UNKNOWN SUCH AS: CEMETERIES, FAMILY BURYING GROUNDS, TOXIC OR HAZARDOUS WASTE MATERIAL, ETC.

**REGISTER OF DEEDS CERTIFICATE:**

STATE OF NORTH CAROLINA, COUNTY OF HARNETT  
FILED FOR REGISTRATION AT \_\_\_\_\_  
\_\_\_\_\_, 2023 IN THE REGISTER  
OF DEEDS OFFICE.  
RECORDED IN PLAT BOOK \_\_\_\_\_, PAGE \_\_\_\_\_

REGISTER OF DEEDS  
BY: \_\_\_\_\_

**CERTIFICATE OF REVIEW OFFICER:**

STATE OF NORTH CAROLINA, COUNTY OF ERWIN  
I, \_\_\_\_\_  
REVIEW OFFICER, TOWN OF ERWIN, CERTIFY THAT  
THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED  
MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER \_\_\_\_\_ DATE \_\_\_\_\_

STATE OF NORTH CAROLINA, TOWN OF ERWIN

I, \_\_\_\_\_  
NOTARY PUBLIC FOR THE TOWN OF ERWIN, DO HEREBY  
CERTIFY THAT JASON E. GODWIN PERSONALLY APPEARED  
BEFORE ME THIS DAY AND ACKNOWLEDGED THE DUE  
EXECUTION OF THIS CERTIFICATE. WITNESS MY HAND THIS  
THE \_\_\_\_ DAY OF \_\_\_\_

NOTARY PUBLIC \_\_\_\_\_ DATE \_\_\_\_\_

**SUBDIVISION ADMINISTRATOR'S CERTIFICATE:**

STATE OF NORTH CAROLINA, TOWN OF ERWIN  
I, \_\_\_\_\_  
SUBDIVISION ADMINISTRATOR FOR THE TOWN OF ERWIN,  
HEREBY CERTIFY THAT ALL STREETS, UTILITIES, AND OTHER  
REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED IN A  
MANNER APPROVED BY THE APPROPRIATE STATE OR LOCAL  
AUTHORITY AND ACCORDING TO TOWN SPECIFICATIONS IN  
THE \_\_\_\_\_ SUBDIVISION OR THAT GUARENTEES THE  
INSTALLATION OF THE REQUIRED IMPROVEMENTS IN AN  
AMOUNT AND MANNER SATISFACTORY TO THE TOWN OF  
ERWIN HAS BEEN RECEIVED AND THAT THE FILING FEE FOR  
THIS PLAT, IN THE AMOUNT OF \$\_\_\_\_\_ HAS BEEN PAID

\_\_\_\_\_  
SUBDIVISION ADMINISTRATOR DATE \_\_\_\_\_  
ERWIN, NORTH CAROLINA

**CERTIFICATION OF OWNERSHIP, DEDICATION, AND JURISDICTION:**

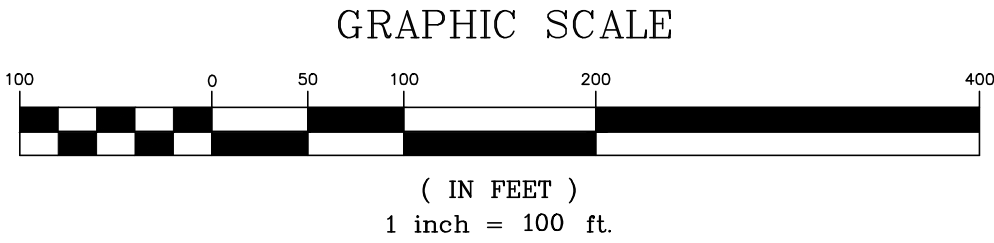
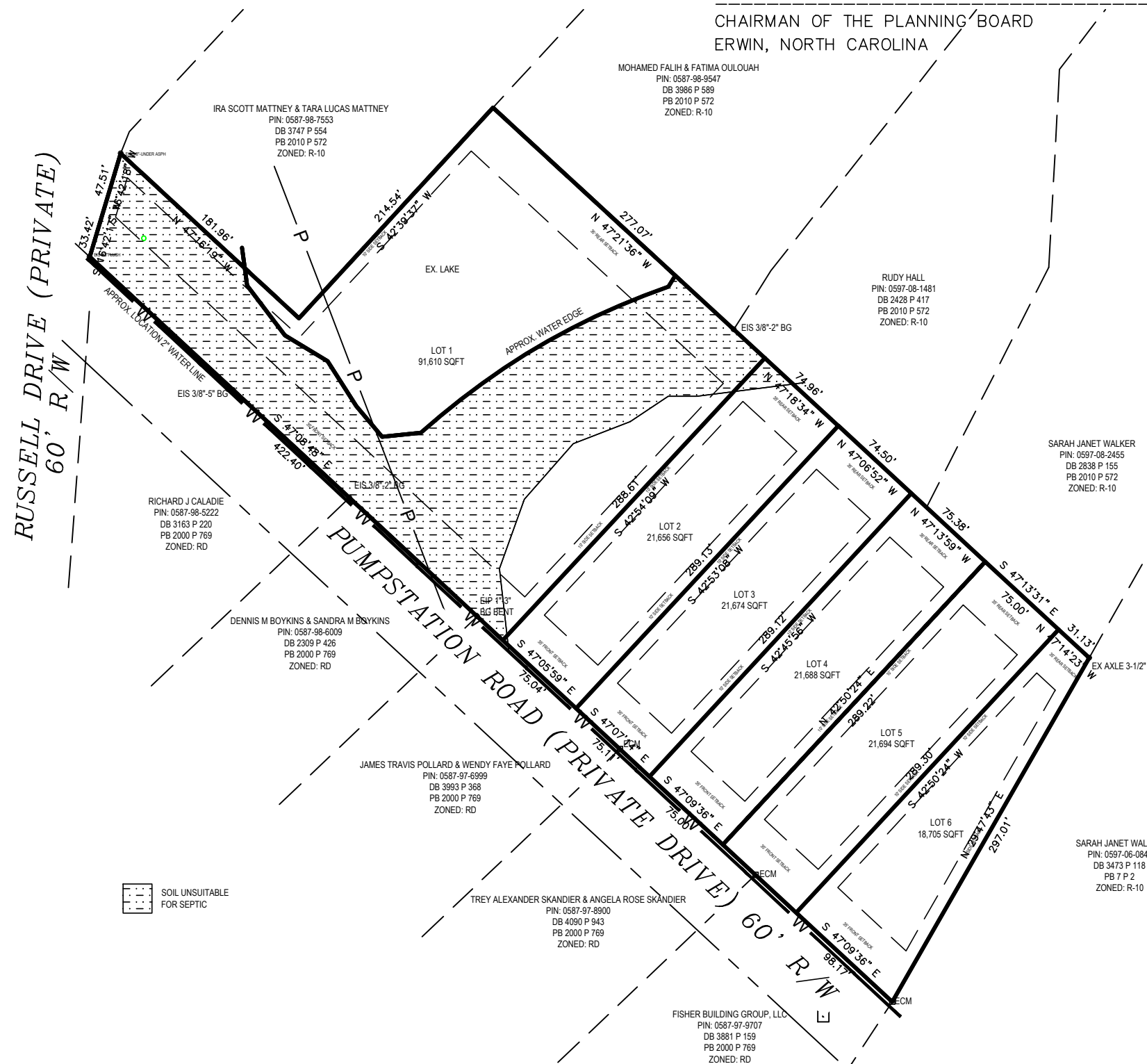
I (We) herby certify that I am (we are) the owners or agent of the  
property shown and described hereon which is located in the subdivision  
jurisdiction of the Town of Erwin and that I (we) hereby adopt this  
plan of subdivision with my (our) free consent, establish the minimum  
building setback lines as noted, and dedicate all streets, rights-of-way,  
and easements to public or private use as noted. I (We) further  
acknowledge that I (we), nor any subsequent owners, CAN NOT use the  
minor subdivision provision within 3-years on this property or any other  
property located within 1,500 feet of the boundaries of this property.

Date \_\_\_\_\_ Signature of Owner or Agent \_\_\_\_\_

I, \_\_\_\_\_  
CHAIRMAN OF THE PLANNING BOARD FOR THE TOWN OF  
ERWIN, HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN  
HEREIN HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION  
ORDINANCE OF TOWN OF ERWIN, NORTH CAROLINA AND THAT  
THIS PLAT HAS BEEN APPROVED BY THE ERWIN TOWN  
PLANNING BOARD FOR RECORDING IN THE OFFICE OF THE  
REGISTER OF DEEDS OF HARNETT COUNTY

\_\_\_\_\_  
CHAIRMAN OF THE PLANNING BOARD DATE \_\_\_\_\_  
ERWIN, NORTH CAROLINA

**PRELIMINARY  
NOT FOR RECORDATION  
OR CONVEYANCE**

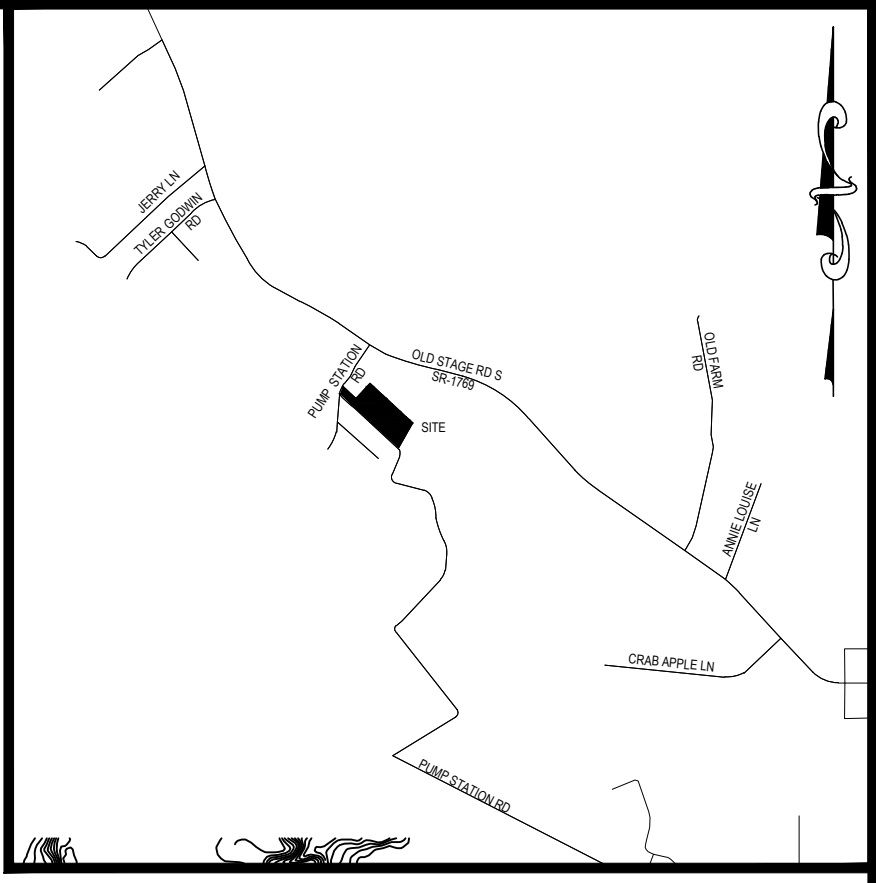


**REFERENCES:**

1. DEED BOOK 3111, PAGE 98
2. DEED BOOK 722, PAGE 428
3. MAP BOOK 2000, PAGE 514
4. MAP BOOK 2001, PAGE 261
5. MAP BOOK 2016, PAGE 245
6. MAP BOOK 2017, PAGE 19
7. MAP BOOK 2001, PAGE 1210
8. OTHERS REFERENCED HEREON

**SITE DATA:**

- |                    |       |
|--------------------|-------|
| 1. MIN FRONT YARD: | 35 FT |
| 2. MIN REAR YARD:  | 35 FT |
| 3. MIN SIDE YARD:  | 10 FT |



OWNER: JSJ PROPERTY SERVICES LLC  
SITE ADDRESS: 1746 NC 27 E  
LILLINGTON, NC 27546  
NC PIN: 0587-98-9110  
DEED BOOK 4156, PAGE 501  
197,013.52 SQFT  
4.52 AC  
WATERSHED DISTRICT: NOT WS-IV-P  
FLOOD ZONE: ZONE X  
ZONING: R-10

**SURVEY LEGEND:**

- AG ABOVE GROUND
- AL AREA LIGHT
- AXLE AXLE IRON
- BC BELOW GROUND
- BO BOLLARD
- CB CATCH BASIN
- CO CLEAN OUT
- CP COMPUTED POINT
- C/L CENTERLINE
- CPP CORRUGATED PLASTIC PIPE
- CMP CORRUGATED METAL PIPE
- ECM EXISTING CONCRETE MONUMENT
- EIP EXISTING IRON PIPE
- EIPC EXISTING IRON PIPE CRIMP
- EIPD EXISTING IRON PIPE DISTURBED
- EIS EXISTING IRON STAKE
- EISD EXISTING IRON STAKE DISTURBED
- ECS EXISTING COTTON SPINDLE
- ERRS EXISTING RAILROAD SPIKE
- EPKN EXISTING PK NAIL
- FWG FLUSH WITH GROUND
- FH FIRE HYDRANT
- GV GAS VALVE
- GP GUY POLE
- ISS IRONS STAKE SET
- IPS IRON PIPE SET
- SPKN SET PK NAIL
- SSMH SANITARY SEWER MAIN HOLE
- TP TELEPHONE PEDESTAL
- TB TRAFFIC BOX
- R/W RIGHT-OF-WAY
- ROW RIGHT-OF-WAY MONUMENT
- UP UTILITY POLE
- OHPL OVERHEAD POWERLINE
- WM WATER METER
- WV WATER VALVE
- F FOUND
- PVMT PAVEMENT
- PVC POLYVINYL CHLORIDE PIPE
- W WATER
- AC ACRES
- SQ FT SQUARE FEET
- MON MONUMENT

- LINES SURVEYED
- - - LINES ADJOINING (NOT SURVEYED)
- RIGHT OF WAY
- CENTERLINE ROADWAY

**Enoch  
Engineers, P.A.**  
& PROFESSIONAL LAND SURVEYORS  
1403 NC Highway 50 South - Benson, NC 27504  
Phone: (919) 894-7765 Fax: (919) 894-8190  
Firm License: C-2061

SUBDIVISION and MAP for: JSJ PROPERTY SERVICES LLC	
LOCATION: RUSSELL DR & PUMP STATION RD ERWIN, NC 28339	PROPERTY OWNER(S): JSJ PROPERTY SERVICES LLC 117 E STONEYBROOK CT BENSON, NC 27504-6595
TOWNSHIP: DUKE COUNTY: HARNETT	
SURVEYED BY: BP, JEG	SCALE: 1" = 80'
SURV. DATE: 03-14-2023	EE PROJECT: 5220
DRAWN BY: EE, PA	SHEET: 1 OF 1

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: September 7, 2023

Subject: Erwin Comprehensive Land Use Plan

We have a representative from Stewart, INC. here tonight to make a presentation on this plan. The Planning Board served as our steering committee and put a lot of work into this updated plan. The Planning Board has recommended this plan as proposed for adoption.

Attachments:

- Draft of proposed Land Use Plan



# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: September 7, 2023

Subject: ZT-2023-005

The Town has received a request to have seven parcels located in Professional Park rezoned from Highway Business to R-6-Conditional District. The applicant wishes to build apartments on these vacant parcels. They have verified with Harnett Regional Water that there is capacity to serve this type of development.

At the moment, apartments are not allowed in our B-2 Zoning District. We are working on a few proposals to consider with our updated Land Use Plan. If you think about apartments they are “commercial” in their business models.

The Planning Board voted 3 for to 2 against recommending this request for approval.

### Attachments:

- ZT-2023-005 Application
- ZT-2023-005 Staff Report
- Harnett County GIS Image with zoning
- Harnett County GIS Image with no zoning
- Property owners notified
- ZT-2023-005 Public Notice Letter
- ZT-2023-005 Newspaper Notice
- Planning Board Statement of Consistency

paid

Revised 9-19-2014

	<b>Application for an Amendment To The Official Zoning Map of Erwin, NC</b>
	<b>Staff Only:</b> Zoning Case # <u>Z-2023-05</u> Fee: _____ Check # _____ MO _____ Cash _____ PB Recommendation: <u>A</u> <u>D</u> <u>A/W</u> Conditions BOC Date: _____ Decision: <u>A</u> <u>D</u> <u>T</u> <u>A/W</u> Conditions

Print Applicant Name: Gregorio Jurado Escarcega  
 Name of Legal Property Owner Rabbit Construction Inc.

Location of Property: 40 Professional Park Erwin NC, 100 Professional Park Erwin, NC, 140 Professional Park Erwin, NC, 137 Professional Park Erwin, NC, 119 Professional Park Erwin, NC, 87 Professional Park Erwin, NC, 51 Professional Park Erwin, NC

Please Circle One of the Following: Less than one Acre    One to 4.99 Acres    **Five or more Acres**

Zoning change requested from B-2 Highway Business to R-6 Residential with special  
 If Conditional District, note conditions: \_\_\_\_\_ condition use for multifamily dwelling, up to  
 \_\_\_\_\_ 10 buildings with 200 units

Harnett County Tax Map PIN: 1507-33-1583, 1507-23-9378, 1507-23-7207,  
 1507-23-7068, 1507-33-0088, 1507-33-2136, 1507-33-3278

Property Owners of the Area Requested and Addresses: (If more space is required, please attach to this document separately) (See attached Exhibit A)

- Submit names and addresses of property owners immediately adjacent to the proposed rezoning area (and properties within 100 feet of proposed rezoning area) and across any street(s) and identify on an area map (See Attached Exhibit B)
- Attach a metes and bounds description, deed drawing of the area involved or a reference to lots in an approved subdivision on the entire property requested for change (See attached Exhibit C)
- This application must be filed with the Town Hall by 4:00 p.m. on the Friday which is at least 25 days before the meeting at which it is to be considered and may be withdrawn without penalty no later than 19 days prior to the public hearing

Whenever an application requesting an amendment has been acted on and denied by the Town Board, such application, or one substantially similar shall not be reconsidered sooner than one year after the previous denial.

It is understood by the undersigned that the Zoning Map, as originally adopted and as subsequently amended, is presumed by the Town to be appropriate to the property involved and that the burden of proof for a zoning amendment rests with the applicant. Applicant is Encouraged to Discuss the Proposed Zoning Amendment with Affected Property Owners.

Gregorio Jurado                      919 559-1644  
 Signature of Applicant                      Contact Number

121 Britt Valley rd Raleigh NC 2763  
 Mailing Address of Applicant

Exhibit "A"

Property Owners of the Area Requested and Addresses:

**Areas Involved:**

Address	Current Legal Description	Owner	Mailing Address
40 Professional Park Erwin, NC 28339	LT#9 RIVERSIDE PROF PARK MAP#2005-715	Rabbit Construction Inc.	121 Britt Valley Rd Raleigh, Nc 27603-8024
100 Professional Park Erwin, NC 28339	LT#8 RIVERSIDE PROF PARK MAP#2005-715	Rabbit Construction Inc.	121 Britt Valley Rd Raleigh, Nc 27603-8024
140 Professional Park Erwin, NC 28339	LT#7 RIVERSIDE PROF PARK MAP#2005-715	Rabbit Construction Inc.	121 Britt Valley Rd Raleigh, Nc 27603-8024
137 Professional Park Erwin, NC 28339	LT#6 RIVERSIDE PROF PARK MAP#2005-715	Rabbit Construction Inc.	121 Britt Valley Rd Raleigh, Nc 27603-8024
119 Professional Park Erwin, NC 28339	LT#4 RIVERSIDE PROF PARK MAP#2005-715	Rabbit Construction Inc.	121 Britt Valley Rd Raleigh, Nc 27603-8024
87 Professional Park Erwin, NC 28339	LT#3 RIVERSIDE PROF PARK MAP#2005-715	Rabbit Construction Inc.	121 Britt Valley Rd Raleigh, Nc 27603-8024
51 Professional Park Erwin, NC 28339	LT#2 RIVERSIDE PROF PARK MAP#2005-715	Rabbit Construction Inc.	121 Britt Valley Rd Raleigh, Nc 27603-8024

**Adjacent Areas & Areas within 100 FT.**

Address	Current Legal Description	Owner	Mailing Address
133 Professional Park Erwin, NC 28339	LT#5 RIVERSIDE PROF PARK MAP#2005-715	Erwin Mob Partners, LLC	3048 Cone Manor Ln Raleigh, NC 27613- 6604
25 Professional Park Erwin, NC 28339	LT#1 RIVERSIDE PROF PARK 1.341ACS MAP#2013- 196	Ruc Erwin LLC	1616 2nd Ave S Ste 100 Birmingham, AL 35233-1712
413 E Jackson Blvd Erwin, NC 28339	7.2 ACRES R L TAYLOR & BRYANT	Michael Jefferson Wood	1431 Bailey Rd Coats, NC 27521-9677
408 E Jackson Blvd Erwin, Nc 28339	1.93ACS HWY 421	Southeastern Properties of Buies Creek	PO Box 4200 Buies Creek, NC 27506
46 Shriji Ln Erwin, Nc 28339	LT#2 NARAYANSWARUP INC MAP#2006-411	Shriji Properties LLC	PO Box 35 Lillington, NC 27546
45 Shriji Ln Erwin Nc 28339	LT#3 NARAYANSWARUP INC MAP#2006-411	45 Shriji Ln Erwin Nc LLC	81 Suttons Lane Piscataway, NJ 08854
111 Pope St Erwin, Nc 28339	LOT#8-9 WONDERTOWN 100X150	Pineda Hoguer Piedra	111 Pope St Erwin, NC 28339-2413
112 Pope St Erwin, NC 28339	LOT#10 WONDERTOWN 50X150	Brian Keith Page & Crystal Underwood Page	10165 Timothy Rd Dunn, NC 28334-9769
110 Pope St Erwin, NC 28339	1 LOT #11 50X150 WONDERTOWN HT	John Duncan Stewart	401 W A St Erwin, NC 28339-2509

Pope St NC	PT/LTS 12&15 20X150 & 50 X 116	John Duncan Stewart	401 W A St Erwin, NC 28339-2509
110 Pope St Erwin, NC 28339	LOTS 16 17 18 164.8X132.5	Rhonda Lee Stewart	110 POPE St Erwin, NC 28339-2414
302 Wondertown Dr Erwin, NC 28339	LT#22 JERNIGAN MB4/34 94X220 MB4P34	Patricia Watts	PO BOX 181 Erwin, NC 28339-0000
301 Wondertown Dr Erwin, NC 28339	LOT#A SHIRLEY B & DEWEY JOHNSON MAP#2019-49	Jeremy R Grady	301 Wondertown Dr. Erwin, NC 28339
206 Morgan St Erwin, NC 28339	8 LOTS TAYLOR 75X125	Joyce N. Parnell	204 Morgan Street Erwin, NC 28339-0000
Wondertown Dr NC	5 LOTS R L TAYLOR 125X210 (.6A)	Meza Zoraida Del Carmen & Paz Humberto Medellin	114 1st Street Erwin, NC 28339
Wondertown Dr NC	4 LOTS TAYLOR 110X210 (.58)	Meza Zoraida Del Carmen & Paz Humberto Medellin	114 1st Street Erwin, NC 28339
1st St Erwin, NC 28339	6 LOTS DAVID BYRD (0.72AC) 150X210 MB#6-110	Meza Zoraida Del Carmen Martinez	114 1st Street Erwin, NC 28339









**REZONING MAP REQUEST  
STAFF REPORT**

Case: ZT-2023-005

Snow Bowden, Town Manager

[townmanager@erwin-nc.org](mailto:townmanager@erwin-nc.org)

Phone: (910) 591-4200 Fax: (910) 897-5543

Planning Board: 08/21/2023

Town Commissioners: 09/07/2023

Requested zoning map amendment to a for seven vacant parcels of land off of Professional Park from Highway Business (B-2) to Residential-Conditional District (R6-CD)

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**Applicant Information**

**Owner of Record:**

Name: Rabbit Construction, LLC.

Address: 121 Britt Valley Road

City/State/Zip: Raleigh, NC 27603

**Applicant:**

Name: Gregorio Jurado Escarcega

Address: 121 Britt Valley Road

City/State/Zip: Raleigh, NC 27603

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**Property Description**

Tract – 40 Professional Park  
Harnett County Tax PIN 1507-33-1583.000  
Acres 1.0  
Zoning District- Highway Business (B-2)

Tract – 100 Professional Park  
Harnett County Tax PIN 1507-23-9378.000  
Acres 1.0  
Zoning District- Highway Business (B-2)

Tract – 140 Professional Park  
Harnett County Tax PIN 1507-23-7207.000  
Acres 1.0  
Zoning District- Highway Business (B-2)

Tract – 137 Professional Park  
Harnett County Tax PIN 1507-23-7068.000  
Acres 1.0  
Zoning District- Highway Business (B-2)

Tract – 119 Professional Park  
Harnett County Tax PIN 1507-33-0088.000  
Acres 1.0  
Zoning District- Highway Business (B-2)

Tract – 87 Professional Park  
Harnett County Tax PIN 1507-33-2136.000  
Acres 1.0  
Zoning District- Highway Business (B-2)

Tract – 51 Professional Park  
Harnett County Tax PIN 1507-33-3278.000  
Acres 1.0  
Zoning District- Highway Business (B-2)

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### **Vicinity Map**

- See Attached Harnett County GIS Image with zoning districts
- See Attached Harnett County GIS Image without zoning districts

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### **Physical Characteristics**

Site Description: Seven vacant tracts of land that is already cleared and has water and sewer available. There is an existing road (Professional Park) that is paved and it connects to HWY 421. The property also abuts Pope Street.

Surrounding Land Uses: This land is located off of HWY 21 and is surround be commercial and residential land uses.

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### **Services Available**

- Harnett County Regional Water
  - Applicant has confirmed that there is water and sewer on site for this development
- Duke Energy for electric
- Centurylink for telephone

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**Staff Evaluation**

The applicant has requested to have seven parcels rezoned from B-2 to Residential-6-Conditional District.

Town Staff would recommend this rezoning request be evaluated for feasibility.

**Staff Evaluation**

Yes  No The IMPACT to the adjacent property owners and the surrounding community is reasonable, and the benefits of the rezoning outweigh any potential inconvenience or harm to the community

- **Reasoning:** The applicant is requesting a residential conditional zoning district. This would not be considered a spot rezoning request.

Yes  No The requested zoning district is COMPATIBLE with the existing Land Use Classification.

- **Reasoning:** This parcel is located in an area identified for high intensity growth in our 2014 Land Use Plan

Yes  No The proposal does ENHANCE or maintain the public health, safety, and general welfare.

- **Reasoning:** The proposed rezoning request would allow for apartments to be built on these parcels which would provide another housing option for our current residents and future residents.

Yes  No The request is for a SMALL SCALE REZONING and should be evaluated for reasonableness.

- **Reasoning:** This rezoning request includes seven vacant parcels that are roughly seven acres all together based off of data found on Harnett County GIS.



<p>There is a convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group. <b>YES</b></p>	<p>This rezoning request is for a conditional district.</p>
<p>There is a convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.) <b>YES</b></p>	<p>They are requesting a conditional district for multi-family dwellings (apartments). Apartments would be appropriate here but the other uses in our R-6 District would not be appropriate right off of the highway</p>
<p>There is a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change. <b>YES</b></p>	<p>This area is located off of HWY 421 and it would not have a major impact on the area or neighborhood</p>
<p>The proposed change is in accord with the Land Development Plan and sound planning principles. <b>YES</b></p>	<p>This parcel is located in an area identified for high intensity growth. This type of development would be considered a high intensity land use</p>

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**Statement of Consistency**

The requested rezoning to R6-CD is compatible with all of the Town of Erwin’s regulatory documents and would not only have a positive impact on the surrounding community, but would enhance the public health, safety, and general welfare as stated in the evaluation. It is recommended that this rezoning request be **Approved**.

Or

#### Statement of In-Consistency

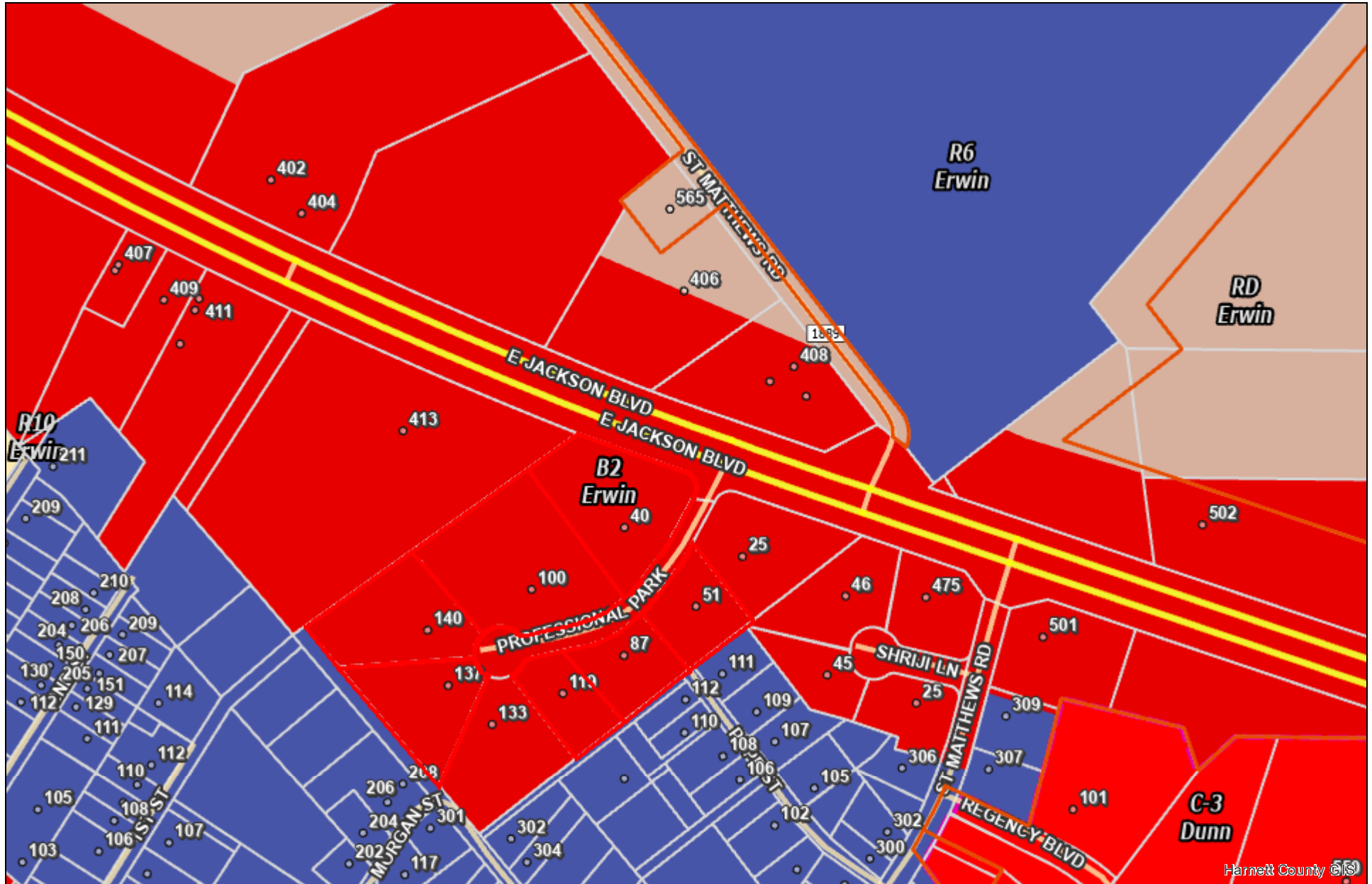
The requested rezoning to R6-CD is **NOT** compatible with all of the Town of Erwin's regulatory documents and it would have a negative impact on the surrounding community. It is recommended that this rezoning request **NOT BE APPROVED**.

#### Attachments:

- ZT-2023-005 Application
- Harnett County GIS Image with zoning districts
- Harnett County GIS Image without zoning districts
- Adjacent property owner sheet
- Public notice letter sent to adjacent property owners

# Harnett GIS

NOT FOR LEGAL USE



GIS/E-911 Addressing  
August 15, 2023

- |                               |                    |                  |
|-------------------------------|--------------------|------------------|
| Surrounding County Boundaries | Airport            | Road Centerlines |
| City Limits                   | <b>Major Roads</b> | Railroad         |
| County Boundary               | Interstate         | Parcels          |
| Address Numbers               | NC                 | Cape Fear River  |
|                               | US                 | ETJ Boundary     |

Harnett County GIS

1 inch = 376 feet A7



# Harnett GIS

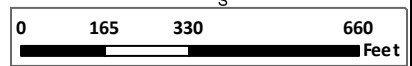
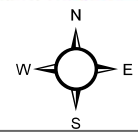
NOT FOR LEGAL USE



Harnett County GIS

GIS/E-911 Addressing  
August 15, 2023

- |  |                               |                    |            |  |                  |
|--|-------------------------------|--------------------|------------|--|------------------|
|  | Surrounding County Boundaries |                    | Airport    |  | Road Centerlines |
|  | City Limits                   | <b>Major Roads</b> |            |  | Railroad         |
|  | County Boundary               |                    | Interstate |  | Parcels          |
|  | Address Numbers               |                    | NC         |  | Cape Fear River  |
|  |                               |                    | US         |  |                  |



1 inch = 376 feet **48**



Rabbit Construction, INC.  
121 Britt Valley Road  
Raleigh, NC 27603

Erwin MOB Partners  
3048 Cone Manor Lane  
Raleigh, NC 27613

Joyce Parnell  
204 Morgan Street  
Erwin, NC 28339

Kimber Group, LLC.  
PO Box 181  
Erwin, NC 28339

Brian and Crystal Page  
10165 Timothy Road  
Dunn, NC 28334

45 Shriji LN Erwin NC LLC.  
81 Suttons Lane  
Piscataway, NC 08854

John Stewart  
401 W A Street  
Erwin, NC 28339

Michael Jefferson Wood  
1431 Bailey Road  
Coats, NC 27521

Carmen Del Zoraida Meza  
Humberto Medellin Paz  
114 1<sup>st</sup> Street  
Erwin, NC 28339

Jeremy Grady  
301 Wondertown Drive  
Erwin, NC 28339

Rhonda Stewart  
110 Pope Street  
Erwin, NC 28339

Hoguer Pineda  
111 Pope Street  
Erwin, NC 28339

RUC Erwin LLC.  
1616 2<sup>nd</sup> AVE.  
STE 100  
Birmingham, AL 35233

NCDOT  
1546 Mail Service Center  
Raleigh, NC 27611

Shriji Properties, LLC  
PO Box 35  
Lillington, NC 27546

Glover Sales, INC.  
406 E Jackson BLVD.  
Erwin, NC 28339

Southeastern Properties of Buies Creek  
PO Box 4200  
Buies Creek, NC 27506



# TOWN OF ERWIN

P.O. Box 459 · Erwin, NC 28339  
Ph: 910-897-5140 · Fax: 910-897-5543  
www.erwin-nc.org

08/15/2023

## Notice of a Public Hearing ZT-2023-005

**Mayor**  
Randy L. Baker  
**Mayor Pro Tem**  
Ricky W. Blackmon  
**Commissioners**  
Alvester L. McKoy  
Timothy D. Marbell  
Charles L. Byrd  
David L. Nelson  
William R. Turnage

The Board of Commissioners of the Town of Erwin will hold a public hearing pursuant to NC General Statute 160D-406 on September 7<sup>th</sup>, 2023 at 7:00 P.M. at the Erwin Town Hall, 100 West F Street, Erwin, North Carolina to hear public comment on a proposed rezoning request.

There has been a zoning map amendment application submitted to the Town. The rezoning request includes numerous vacant parcels of land that are listed below:

- 40 Professional Park (HC Tax PIN 1507-33-1583.000);
- 100 Professional Park (HC Tax PIN 1507-23-9378.000);
- 140 Professional Park (HC Tax PIN 1507-23-7207.000);
- 137 Professional Park (HC Tax PIN 1507-23-7068.000);
- 119 Professional Park (HC Tax PIN 1507-33-0088.000);
- 87 Professional Park (HC Tax PIN 1507-33-2136.000); and
- 51 Professional Park (HC Tax PIN 1507-33-3278.000)

The applicant has requested to have all of the parcels listed above rezoned from Highway Business (B-2) to Residential-6-Conditional District (R6-CD). The applicant would like to build apartments on these vacant parcels. At the moment, multi-family dwellings are not a permitted use in our B-2 Zoning District.

A copy of this case is available for review at the Erwin Town Hall. Questions concerning this case can be addressed to the Town Manager Snow Bowden at 910-591-4200 or by email at [townmanager@erwin-nc.org](mailto:townmanager@erwin-nc.org).

Regards,

Snow Bowden  
Town Manager

# NOTICE OF PUBLIC HEARING

The Town of Erwin Board of Commissioners will conduct a Public Hearing on the following item pursuant to NC General Statute 160D-406, on Thursday, September 7, 2023, at 7:00 P.M. in the Erwin Municipal Building Board Room located at 100 West F Street, Erwin, NC 28339. Questions can be addressed to the Town Manager Snow Bowden at 910-591-4200 or by email at [townmanager@erwin-nc.org](mailto:townmanager@erwin-nc.org).

- Case ZT-2023-005: Request to have the following parcels rezoned from Highway Business (B-2) to Residential-6-Conditional District (R6-CD):
  - \* 40 Professional Park (HC Tax PIN # 1507-33-1583.000)
  - \* 100 Professional Park (HC Tax PIN # 1507-23-9378.000)
  - \* 140 Professional Park (HC Tax PIN # 1507-23-7207.000)
  - \* 137 Professional Park (HC Tax PIN # 1507-23-7068.000)
  - \* 119 Professional Park (HC Tax PIN # 1507-33-0088.000)
  - \* 87 Professional Park (HC Tax PIN # 1507-33-2136.000)
  - \* 51 Professional Park (HC Tax PIN # 1507-33-3278.000)
- Case SU-2023-005: Special Use Permit Application to build a townhome development on a vacant parcel of land. The 6.16-acre parcel does not have an identifying address and is located at the end of N 16th Street. It can also be identified by its Harnett County Tax PIN # 0597-56-2485.000.
- Case SU-2023-006: Special Use Permit Application to build a townhome development on four vacant parcels that are listed below:
  - \* 301 N 15th Street (HC Tax PIN # 0597-55-7446.000)
  - \* 303 N 15th Street (HC Tax PIN # 0597-55-7555.000)
  - \* 307 N 15th Street (HC Tax PIN # 0597-55-7660.000)
  - \* This lot has no identified address and is on the corner of N 15th Street and W K Street (HC Tax PIN # 0597-55-7667.000)
- Erwin Comprehensive Land Use Plan- Final Presentation

These cases are available for review at the Erwin Town Hall. All persons desiring to be heard either for or against the proposed items set forth above are requested to be present at the above-mentioned time and place.

8/22,29/2023



**Statement-of-Consistency**

The requested rezoning to R6-CD is compatible with all of the Town of Erwin's regulatory documents and would not only have a positive impact on the surrounding community, but would enhance the public health, safety, and general welfare as stated in the evaluation. It is recommended that this rezoning request be **Approved**.



Angela Gundersen  
Planning Board Chair



Lauren Evans  
Town Clerk

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: September 7, 2023

Subject: SU-2023-005

The Town has received an application for a townhome development at the end of North 16th Street. The proposed development calls for a total of 90 townhomes. They have spoken with Harnett Regional Water and there is the capacity to serve this amount of new homes. I am still waiting on a little additional information from the applicant.

### Attachments:

- SU-2023-005 Application
- SU-2023-005 Staff Report
- Harnett County GIS Image with zoning
- Harnett County GIS Image with no zoning
- Harnett County GIS Image with easements
- Harnett County GIS Image with water and sewer lines
- Property owners notified
- SU-2023-005 Public Notice Letter
- SU-2023-005 Newspaper Notice



## TOWN OF ERWIN

100 West F St., Post Office Box 459  
 Erwin, NC 28339  
 (910) 897-5140 V (910) 897-5543 F  
 www.erwin-nc.org

### SPECIAL USE PERMIT APPLICATION

#### In the Matter Of the Request to the Erwin Board of Commissioners

Applicant Name	Alternative Investment Holdings, Inc.	Property Owner Name	Temple of New Beginnings Ministries
Mailing Address	324 Mason, Street	Mailing Address	1867 Neills Creek Road
City, State, Zip	Fayetteville, NC 28301	City, State, Zip	Lillington, NC 27546
Telephone	910-670-0630	Telephone	
Email	darrin@crestfund.com	Email	

Address of Subject Property	N 13TH ST ERWIN, NC 28339		
Parcel Identification Number(s) (PIN) of Subject Property	0597	- 56 -	2485 .000
Legal Relationship of Applicant to Owner	Attorney	Floodplain SFHA <u>Yes</u> <input checked="" type="checkbox"/> <u>No</u> <input type="checkbox"/>	
Legal Description: Lot	Block	Subdivisions: 17 AC. E MILLS & TURLINGTON MAP#2000-763	
Zoning District R6	Wetlands <u>Yes</u> <input checked="" type="checkbox"/> <u>No</u> <input type="checkbox"/>	Watershed Area <input checked="" type="checkbox"/> <u>Yes</u> <input type="checkbox"/> <u>No</u> <input type="checkbox"/>	
Public Water Available: <input checked="" type="checkbox"/> Y or N	Public Sewer Available: <input checked="" type="checkbox"/> Y or N	Existing Septic Tank: <input checked="" type="checkbox"/> Y or N	
Number of Buildings to Remain	N/A	Gross Floor Area to Remain	N/A
Describe Proposed Project or Request with Conditions proposed by applicant: Develop the property as multi-family community.			
Total Acreage or Square Footage to be Disturbed	6.17		
Estimated Cost of Project \$	Ten million dollars (\$10,000,000.00)		

Attach a scaled illustrative plot or site plan showing all lot dimensions, buildings, structures, driveways, parking spaces, and distances between structures and property lines.

Provide complete mailing addresses for each adjacent property owners (also property within 100 feet) and/or property owners directly across a street, if any. Names and addresses must be from current Harnett County tax listings.

<b>Office Use Only</b>	
Date Application Submitted <u>8/1/23</u>	Application Fee \$ _____ Received By _____
Case # SU-20 <u>23</u> - <u>005</u>	



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### Special Use Signature Page

It is understood by the undersigned that the development and execution of the Special Use Permit is based upon the division of the Town into districts within which districts the use of land and buildings, and the bulk and location of buildings and structures in relation to the land, is substantially uniform. It is recognized, however, that there are certain uses which, because of their characteristics, cannot be properly classified in any particular district or districts, without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular location. Such special uses fall into two categories.

1. Uses publicly operated or traditionally affected with a public interest
2. Uses entirely private in character, but of such unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

The Zoning Ordinance as originally adopted and as subsequently amended is presumed by the Town to be appropriate to the property involved and that the burden of proof for a Special Use approval rests with the applicant. Applicant is encouraged to discuss the proposed use with affected property owners.

It is further understood that prior to the granting of any special use, the Board of Commissioners may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the special use as it is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified in 9- 411.5 of the Town Code. In all cases in which special uses are granted, the Board of Commissioners shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

- Such conditions may include a time limitation;
- Conditions may be imposed which require that one or more things be done before the use requested can be initiated. (For example, "that a solid board fence be erected around the site to a height of 6 feet before the use requested is initiated");
- Conditions of a continuing nature may be imposed. (For example, "exterior loud speakers shall not be used between hours of 10:00 p.m. and 9:00 a.m.")

**Compliance with Other Codes:** Granting of a Special Use Permit does not exempt applicant from complying with all of the requirements of building codes and other ordinances.

SU- 2023 - 005

Signature Page

Page 1 of 2

**Revocation:** In any case where the conditions of the Special Use Permit have not been or are not being complied with, the Building Inspector shall give the permitted notice of intention to revoke such permit at least ten (10) days prior to a Board of Commissioners review thereof. After conclusion of the review, the Board of Commissioners may revoke such permit.

**Expiration:** In any case where a Special Use Permit has not been exercised within the time limit set by the Board of Commissioners, or within one year if no specific time limit has been set, then without further action, the permit shall be null and void. "Exercised" as set forth in this section shall mean that binding contracts for the construction of the main building have been let; or in the absence of contracts that the main building is under construction to a substantial degree; or that pre-requisite conditions involving substantial investment are contracted for, in substantial development, or completion (sewer, drainage, etc.). When construction is not part of the use, "exercised" shall mean that the use is in operation in compliance with the conditions set for in the permit.

**Duration:** Duration of a special use and any conditions attached shall be perpetually binding to the property unless it is expressly limited.

Applicant Signature and Date:

 7.31.23



**TOWN OF ERWIN**

100 West F St., Post Office Box 459  
Erwin, NC 28339  
(910) 897-5140 V (910) 897-5543 F  
www.erwin-nc.org

**SPECIAL USE APPLICATION**  
**Record of Adjacent Property Owners**  
With Mailing Addresses Per Harnett County Land Records

Property Owner (1) Desserre Hicks Mailing  
Address 702 N. 15th Street City Erwin ST NC Zip 28399

Property Owner (2) Dexter Pierre Cox Mailing  
Address 731 W. M. Street City Erwin ST NC Zip 28399

Property Owner (3) Gregory T. Wilson Mailing  
Address 8608 Appaloosa Way Lane City Charlotte ST NC Zip \_\_\_\_\_

Property Owner (4) Arthur Lee Brown Mailing  
Address 609 N. 16th Street City Erwin ST NC Zip 28399

Property Owner (5) James A Brewington Mailing  
Address 999 Blackman Road City Dunn ST NC Zip 28334

Property Owner (6) Esther Hicks and Others Mailing  
Address 513 West M. Street City Erwin ST NC Zip 28399

Property Owner (7) Sally H. Wilson Mailing  
Address 614 Old Stage Road City Coats ST NC Zip \_\_\_\_\_

Property Owner (8) William Gerald Minshew Mailing  
Address 308 W K Street City Erwin ST NC Zip 28399

Property Owner (9) Phillip Ennis and Anne Ennis Mailing  
Address 2835 Fairground Road City Dunn ST NC Zip 28334

Property Owner (10) Town of Erwin Mailing  
Address PO Box 459 City Erwin ST NC Zip 28399

Property Owner (11) Harnett County Mailing  
Address PO Box 759 City Lillington ST NC Zip 27546

Property Owner (12) David Johnson and Veronica Johnson Mailing  
Address 130 Annie Louise Lane City Erwin ST NC Zip 28399

Property Owner (13) \_\_\_\_\_ Mailing  
Address \_\_\_\_\_ City Erwin ST \_\_\_\_\_ Zip 28399

SU- 201 035



**Town or Erwin Planning Board  
Special Use Guidelines for Findings of Fact**

1. The use requested is listed among the special uses in the district for which application is made:

   Yes    No \_\_\_\_\_  
\_\_\_\_\_

2. The requested use is essential or desirable to the public convenience or welfare

   Yes    No \_\_\_\_\_  
\_\_\_\_\_

3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare

   Yes    No \_\_\_\_\_  
\_\_\_\_\_

4. The requested use will be in conformity with the Land Development Plan

   Yes    No \_\_\_\_\_  
\_\_\_\_\_

5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided

   Yes    No \_\_\_\_\_  
\_\_\_\_\_

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

   Yes    No \_\_\_\_\_  
\_\_\_\_\_

7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners pursuant to the recommendations of the Planning Board

   Yes    No \_\_\_\_\_  
\_\_\_\_\_



## TOWN OF ERWIN

100 West F St., Post Office Box 459  
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www.erwin-nc.org

### **SPECIAL USE APPLICATION PROCEDURES**

1. Completed application for the Special Use Permit, signed by the applicant, shall be addressed to the Board of Commissioners and presented to the Administrative Official. Applications must be submitted by the first Friday of the month prior to the following Town Board.
2. Each application shall contain or be accompanied by such legal descriptions, maps, plans and other information so as to completely describe the proposed use and existing conditions.
3. Pay the Special Use Permit Fee as established by the Board of Commissioners and found in the Schedule of Fees in the Office of the Town Clerk. Current fee is \$300.

#### **Conditions and Guarantees**

Prior to the granting of any special use, the Board of Commissioners may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the special use as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified by ordinance. In all cases in which special uses are granted, the Board of Commissioners shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

- Such conditions may include a time limitation;
  - Conditions may be imposed which require that one or more things be done before the use requested can be initiated. (For example, "that a solid board fence be erected around the site to a height of 6 feet before the use requested is initiated");
  - Conditions of a continuing nature may be imposed. (For example, "exterior loud speakers shall not be used between hours of 10:00 p.m. and 9:00 a.m.")
1. Administrative official posts property at least one (1) week prior to public hearing
  2. Newspaper advertisement once (1) each week for two (2) successive weeks prior to the public hearing
  3. The Board of Commissioners shall approve, modify or deny the application for Special Use Permit following the public hearing.

**Action by the Board of Commissioners**

In granting a Special Use Permit the Board of Commissioners shall make written findings that the applicable regulations of the district in which it is located are fulfilled. With due regard to the nature and state of all adjacent structures and uses, the district within which same is located, and official plans for future development, the Board of Commissioners shall also make written findings that the following provisions are fulfilled:

1. The use requested is listed among the special uses in the district for which application is made
2. The requested use is essential or desirable to the public convenience or welfare
3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare
4. The requested use will be in conformity with the Land Development Plan
5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided
6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets
7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners.



## TOWN OF ERWIN

100 West F St., Post Office Box 459  
Erwin, NC 28339  
(910) 897-5140 V (910) 897-5543 F  
www.erwin-nc.org

### IMPORTANT

This is a complete Special Use Application package consisting of 10 pages. For this application to be accepted, it must be completed and returned with all required documents and entries.

Do be aware that under certain conditions the applicant may be required to obtain a Driveway Permit from the NC Department of Transportation prior to Special Use Permit approval.

#### Using the Zoning Ordinance

- Go to the applicable zoning district in Article 3. That section will serve as a guide to begin the development of your site plan. This section will also direct you to pertinent requirements such as: parking, sign, lighting, and other general provision such as streetscape requirements and other general development regulations that may apply to the proposed development.
- Be sure to read Article 11 – Special Uses.
- Complete the Special Use Permit Application, the Special Use Signature page, and the Record of Adjacent Property Owners sheet; and include other required information with the application. Use additional pages if necessary. Adjacent property owners' names must be from current Harnett County tax listing; so this requires that the applicant contact Harnett County. Addresses of the adjacent property owners must be complete which includes name, mailing address, and zip code.
- The submitted site plan must be drawn to scale and include all dimensions and required provision. Of these dimensions and other requirements, be sure to include the following:
  - Existing structures on the proposed lot, their dimensions and distances between on another and the lot's property lines
  - Proposed structures including their dimensions and distances from other structures on the lot and proposed distances from property lines (i.e. setbacks)
  - All easements and rights-of-way located on the proposed lot
  - All natural features including tree lines, drainage ways, etc.
  - The location and dimensions of required parking area(s) as may be required by Ordinance
  - Proposed lighting plans as may be required by Ordinance
  - Demonstration of the placement of buffers and streetscape as may be required by ordinance



## **TOWN OF ERWIN**

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Erwin, NC 28339

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[www.erwin-nc.org](http://www.erwin-nc.org)

### **Processing Requirements**

Special Uses are not Uses by Right. It is the responsibility of the applicant to demonstrate that the requested use will meet the minimum requirements set forth in the Erwin Zoning Ordinance. The Board's decision will be greatly influenced by the completeness and neatness of the submitted application.

A requested and very necessary tool is the site plan. Its importance cannot be overstated. Applicant is encouraged to portray in detail and to accurately scale the property boundaries, improvements, and any natural features. In some cases, approval or denial may depend on the quality of the Site Plan.

If the proposed use involves business operations, description of the anticipated activity needs to be sufficiently disclosed. This will assist the Board in determining the Town's infrastructure capability, the public health and safety considerations such as traffic and noise, and how neighboring property may be affected.

All uses require dedicated parking spaces and some may require lighting, buffering, fences, landscaping, and other elements. It is suggested that the applicant spend some time reading the Town's Zoning Ordinance prior to application. Copies of the Zoning Ordinance may be purchased at Town Hall. Copies are available in the Erwin Library and Town Hall for review. An electronic copy of the Ordinance can be found on the Town website as well at [www.erwin-nc.org](http://www.erwin-nc.org).

A complete application consists of all documents included in the application package and any required maps, site plan, and/or related documents. These documents become the property of the Town. It is the applicant's responsibility to submit 10 copies of this completed application. Each member of the Governing Board receives a copy including the Town Manager, Town Clerk, Town Attorney, and Code Enforcement Officer.

The completed application and fees must be submitted no later than the first Friday of the month to be placed on following month's Town Board Agenda.

**Town of Erwin  
Record and Decisions**

**Office Use Only**

Notice Mailed \_\_\_\_\_ Property Posted \_\_\_\_\_ Newspaper Advertised Date \_\_\_\_\_

**Public Hearing Date and Comments:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

<u>Governing Body Motion</u>	Record of Decision:	Yea	Nay
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

Town Board Decision and Date \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Certified By:** \_\_\_\_\_





**CERTIFICATE OF BANNER AND ACCOUNT**

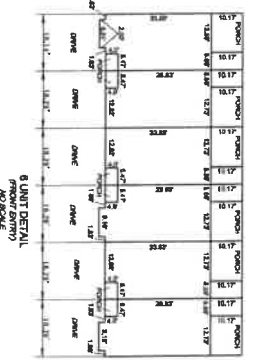
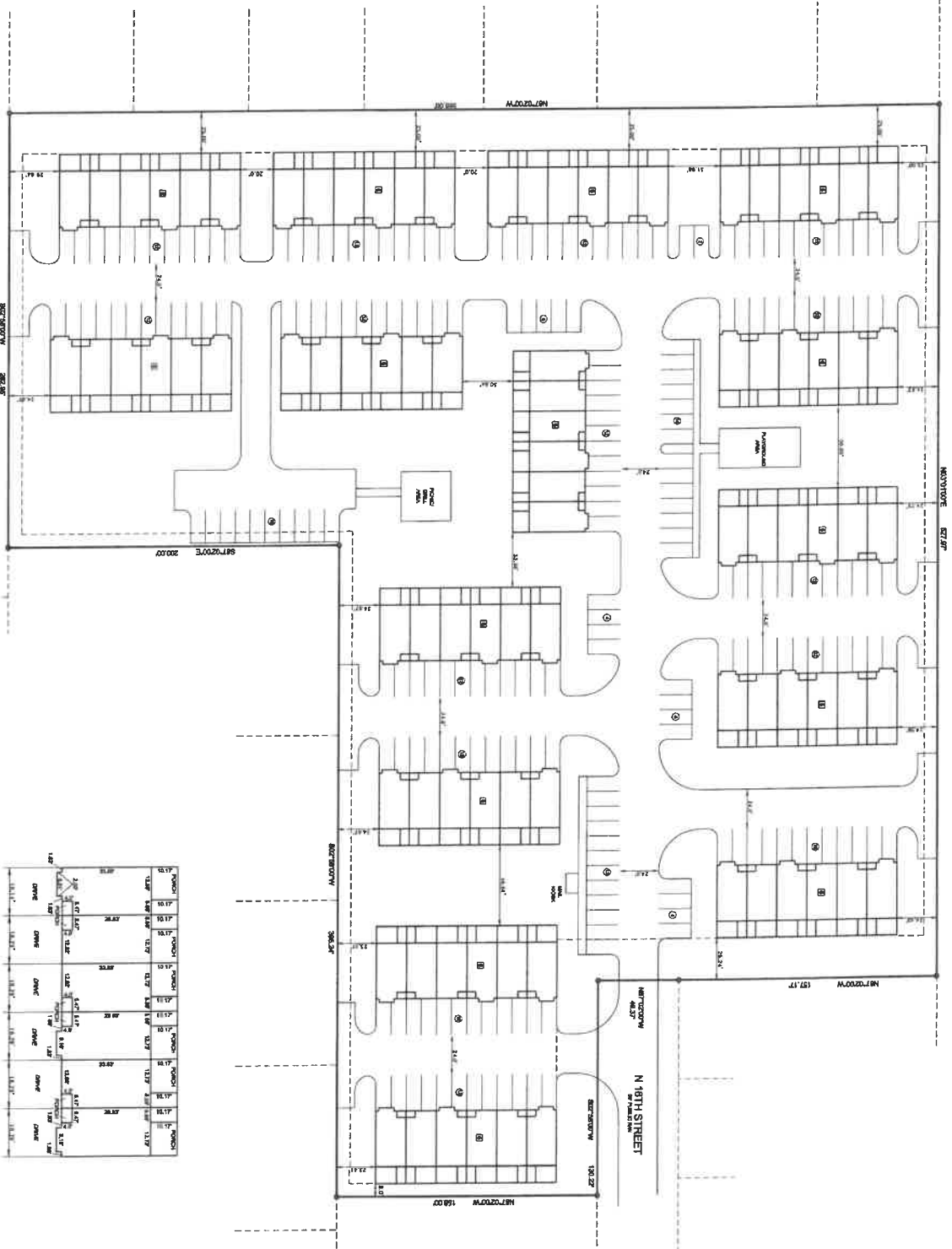
THIS IS TO CERTIFY THAT THE BANNER AND ACCOUNT INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I AM A LICENSED PROFESSIONAL ARCHITECT AND I HAVE REVIEWED THE BANNER AND ACCOUNT INFORMATION CONTAINED HEREIN AND I AM SURE THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE: 01/11/2011  
BY: [Signature]

- SITE PLAN NOTES**
1. TOTAL NUMBER OF UNITS: 100
  2. PROJECT NUMBER: 100-100-100-100
  3. ALL SERVICES SHOWN ARE IN PLACE

**CRESFUND**

ARCHITECT: [Firm Name]  
DATE: 01/11/2011  
PROJECT: [Project Name]



Site - 2523-50



# SPECIAL USE REQUEST STAFF REPORT

Case: SU-2023-005

Snow Bowden, Town Manager

[townmanager@erwin-nc.org](mailto:townmanager@erwin-nc.org)

Phone: (910) 591-4200

Fax: (910) 897-5543

Public Hearing Date: Thursday, September 7th at 7PM

Requested special use permit to build a total of ten (10) townhomes on four separate parcels that would become ten separate parcels if granted.

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## Applicant Information

### Owner of Record:

Name: Temple of New Beginnings Ministries

Address: 1867 Neills Creek Road

City/State/Zip: Lillington, NC 27546

### Applicant:

Name: Alternative Investments Holdings, INC.

Address: 3324 Mason Street

City/State/Zip: Fayetteville, NC 28301

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## Property Description

Harnett County Tax PIN 0597-56-2485.000

Acres 6.17

Zoning District- R-6)

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## Vicinity Map

- See Attached Document

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## Physical Characteristics

Site Description: This is a large vacant tract of land at the end of North 16<sup>th</sup> Street. There does not appear to be any existing easements on the property.

Surrounding Land Uses: The primary land uses that surround this parcel are residential. The old Erwin Mill is across the street from one of the corner lots (301 North 15<sup>th</sup> Street) that is included in this request.

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## Services Available

- Electricity (Duke Energy)
  - Telephone (Centurylink)
  - Harnett Regional Water
- 
- 

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## Zoning District Compatibility

Special Use	R-6
Townhomes	X

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## Staff Evaluation

### Staff Evaluation

Yes  No The use requested is listed among the special uses in the district for which the application is made.

- **Reasoning:** Townhomes are allowed with a special use permit in our R-6 Zoning District.

Yes  No The requested use is essential or desirable to the public convenience or welfare.

- **Reasoning:** Yes, there is a need for additional single-family homes in the area. This would provide 90 additional attached single-family dwellings inside our Town Limits.

Yes  No The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare. .

- **Reasoning:** This tract of land is surrounded by primarily residential land uses. The proposed land use would remain residential.

Yes  No The requested use will be in conformity with the Land Development Plan.

- **Reasoning:** This parcel is located in an area identified for Medium Intensity Growth in our 2014 Land Use Plan. This area should include medium to high density residential land uses.

Yes  No Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided.

- **Reasoning:** Yes, these are parcels already accessible from North 15<sup>th</sup> Street

Yes  No That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

- **Reasoning:** There will be three parking spaces for each unit with one being inside the garage and two spaces in each driveway.

Yes  No That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners.

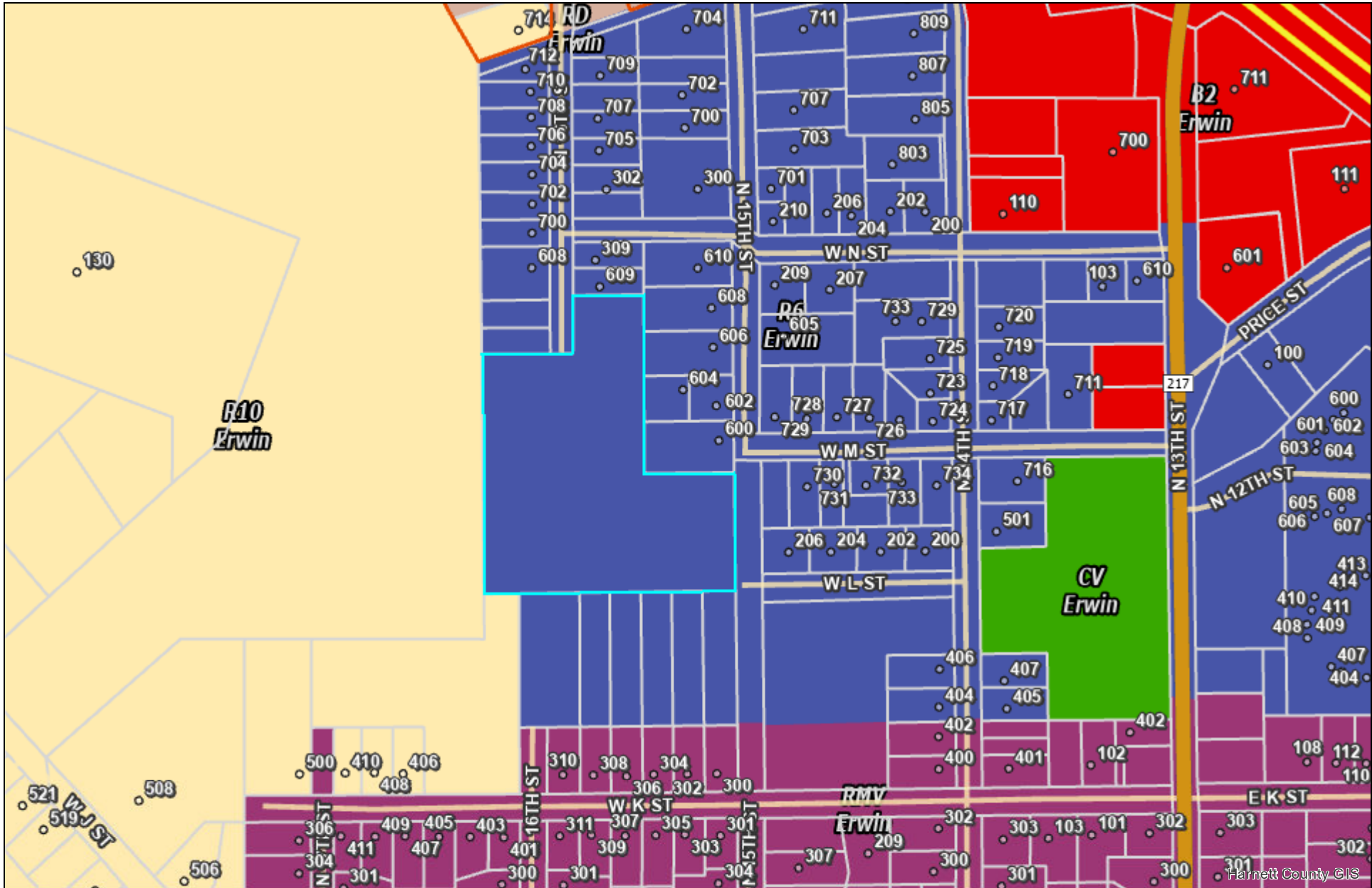
- **Reasoning:** Yes.


Attachments:

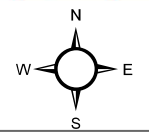
- SU-2023-005 Application
- SU-2023-005 Staff Report
- SU-2023-005 Site Plan
- SU-2023-005 Harnett County GIS Image with Zoning
- SU-2023-005 Harnett County GIS Image with no Zoning
- SU-2023-005 Harnett County GIS Image with easements
- SU-2023-005 Harnett County GIS Image with sewer want water lines shown
- SU-2023-005 property owners notified

# Harnett GIS

NOT FOR LEGAL USE



- |   |  |  |
|---|--|--|
|  Surrounding County Boundaries |  Airport    |  Road Centerlines |
|  City Limits                   | <b>Major Roads</b>   |  Railroad         |
|  County Boundary               |  Interstate |  Parcels          |
|  Address Numbers               |  NC         |  ETJ Boundary     |
|   |  US         |  |



GIS/E-911 Addressing  
August 16, 2023

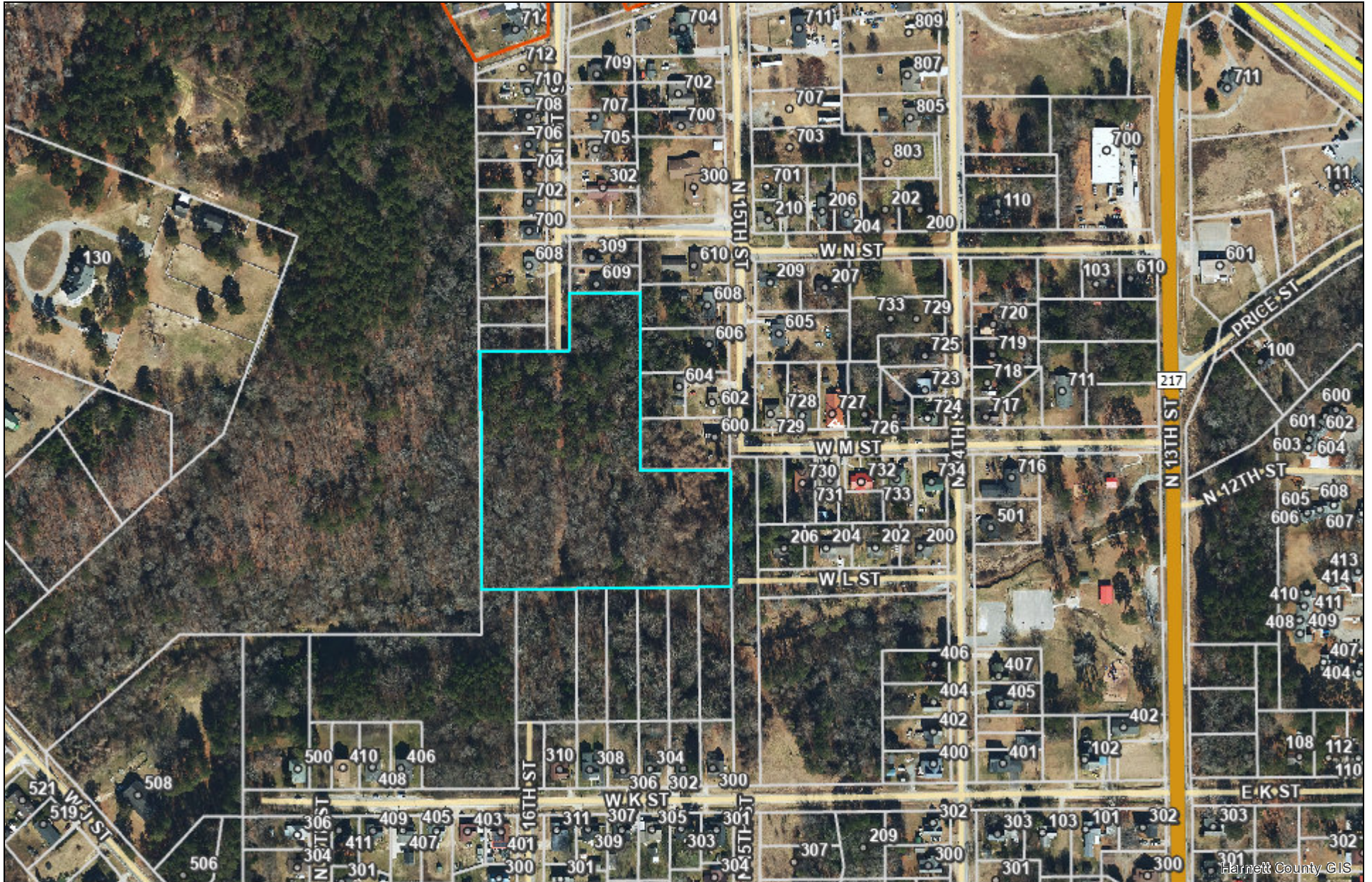
1 inch = 376 feet <sup>69</sup>











Harnett County GIS

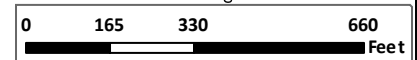
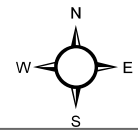


# Harnett GIS

NOT FOR LEGAL USE



- |   |  |   |
|---|--|---|
|  Surrounding County Boundaries |  Airport    |  US              |
|  City Limits                   | <b>MajorRoads</b>  |  RoadCenterlines |
|  County Boundary               |  Interstate |  Railroad        |
|  Address Numbers               |  NC         |  Parcels         |



1 inch = 376 feet <sup>70</sup>

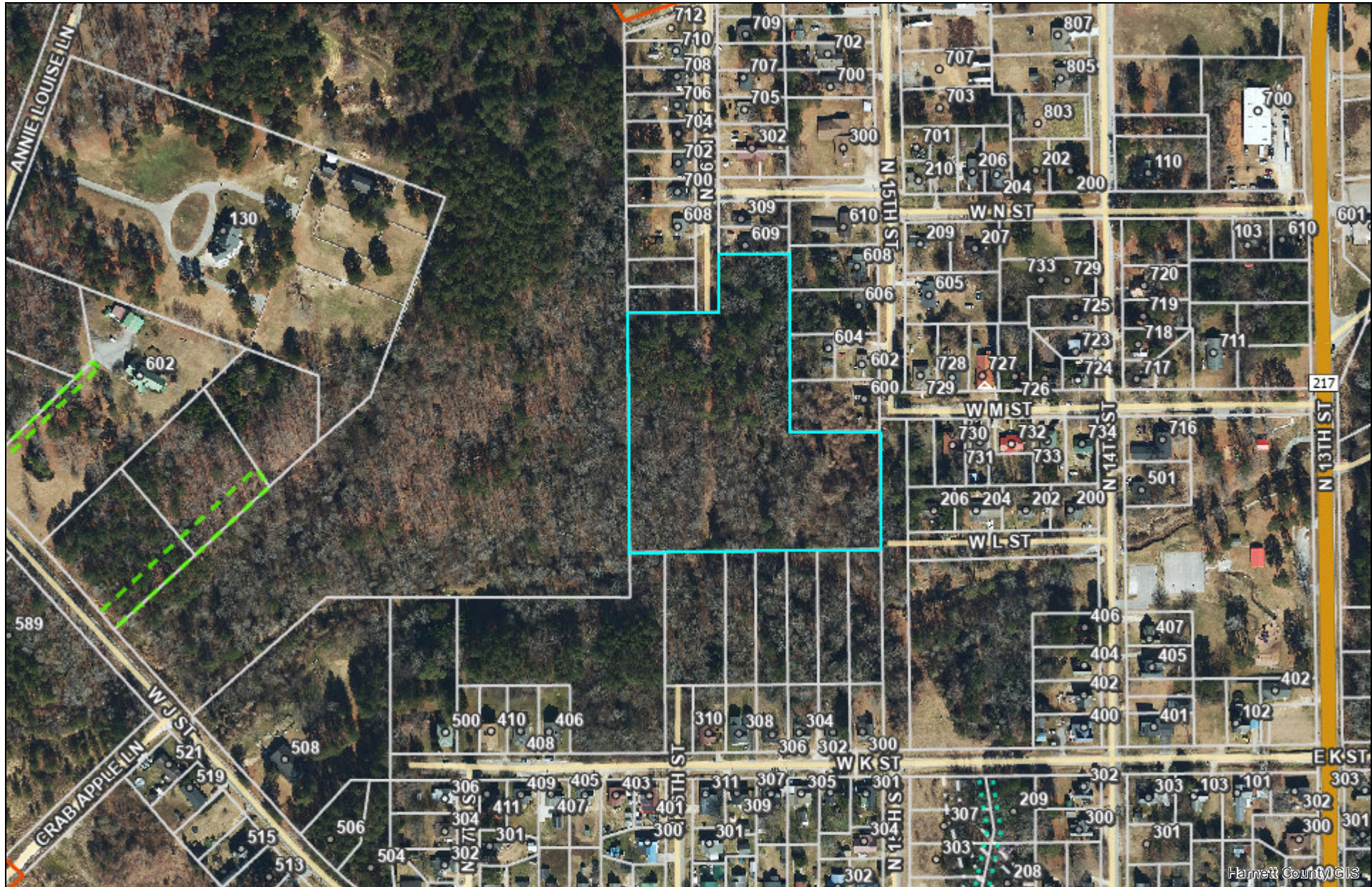
GIS/E-911 Addressing  
August 16, 2023

Harnett County GIS



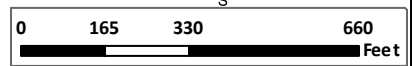
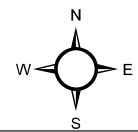
# Harnett GIS

NOT FOR LEGAL USE



Harnett County GIS

- |   |  |   |
|---|--|---|
|  Surrounding County Boundaries |  Airport    |  US              |
|  City Limits                   | <b>MajorRoads</b>  |  RoadCenterlines |
|  County Boundary               |  Interstate |  Railroad        |
|  Address Numbers               |  NC         |   |



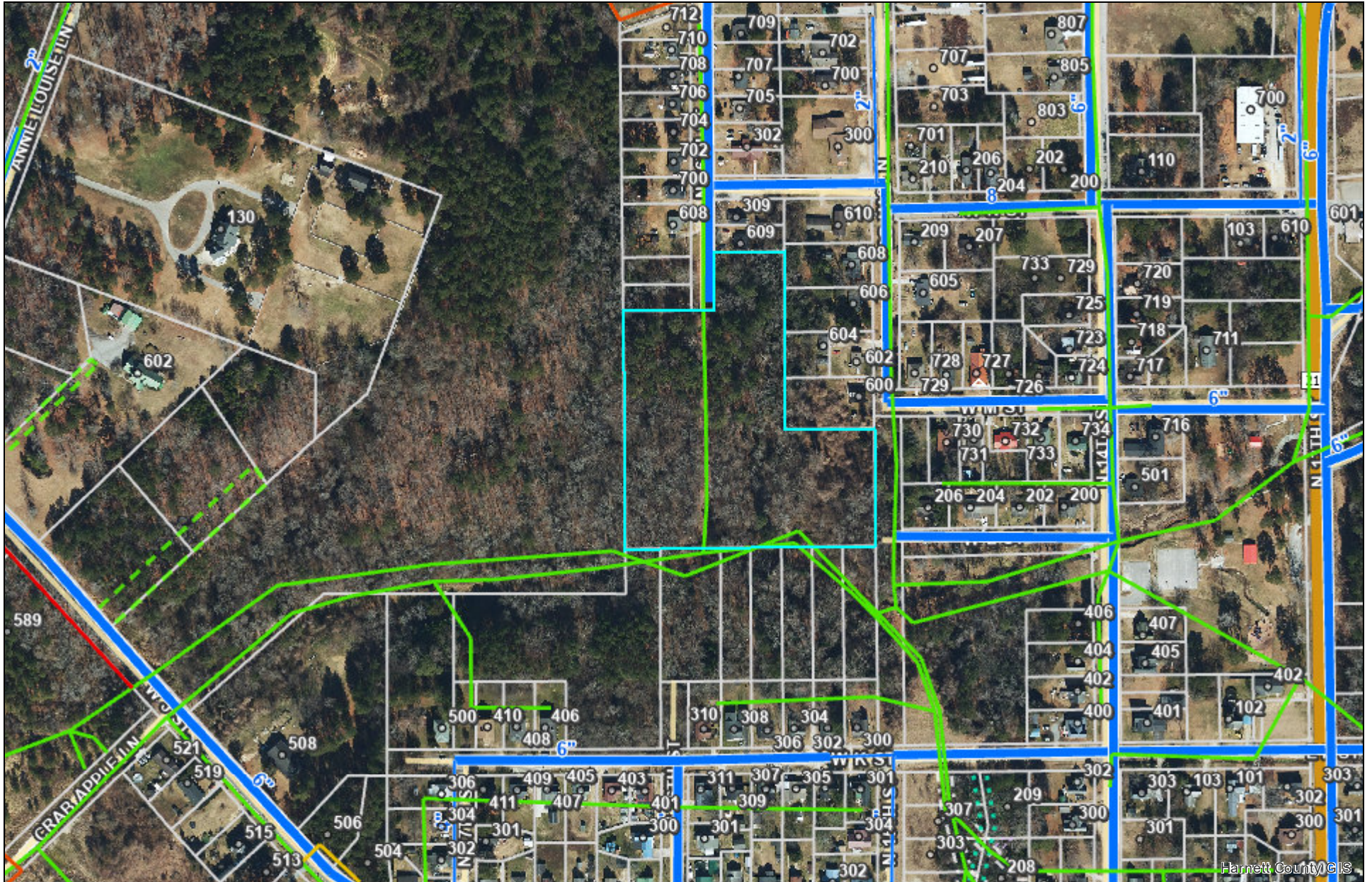
GIS/E-911 Addressing  
August 17, 2023

1 inch = 376 feet <sup>71</sup>

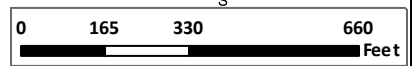
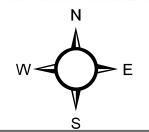


# Harnett GIS

NOT FOR LEGAL USE



- |                               |                  |                           |
|-------------------------------|------------------|---------------------------|
| Surrounding County Boundaries | Gravity          | Lillington Sewer          |
| City Limits                   | Service Laterals | <b>County Water Mains</b> |
| County Boundary               | StepFM           | 2 - 5                     |
| Address Numbers               | Sewer Main       | 6 - 36                    |
| Force Main                    | Force Main       |                           |



GIS/E-911 Addressing  
August 17, 2023

1 inch = 376 feet <sup>72</sup>

Harnett County GIS



Temple of New Beginnings  
1867 Neills Creek Road  
Lillington, NC 27546

Desseree Hicks  
702 N 15<sup>th</sup> Street  
Erwin, NC 28339

Gregory Wilson  
8608 Appaloosa Way LN  
Charlotte, NC 28216

James Brewington  
993 Blackman Road  
Dunn, NC 28334

Harnett County  
PO Box 759  
Lillington, NC 27546

Sally Wilson  
614 Old Stage Road  
Coats, NC 27521

Christopher and Deanna Head  
4219 Elm Trace Drive  
Smellville, GA 30052

Esther Hicks  
600 North 15<sup>th</sup> Street  
Erwin, NC 28339

Dexter Cox  
731 W M Street  
Erwin, NC 28339

Arthur Lee Brown  
609 N 16<sup>th</sup> Street  
Erwin, NC 28339

David and Veronica Johnson  
130 Annie Louise LN  
Erwin, NC 2833

Phillip and Anne Ennis  
2835 Fairground RD  
Dunn, NC 28334

William Minsheu  
308 W K Street  
Erwin, NC 28339

Alternative Investment Holdings, INC.  
324 Mason Street  
Fayetteville, NC 28301



# TOWN OF ERWIN

P.O. Box 459 • Erwin, NC 28339  
Ph: 910-897-5140 • Fax: 910-897-5543  
www.erwin-nc.org

08/15/2023

## Notice of a Public Hearing SU-2023-005

**Mayor**  
Randy L. Baker  
**Mayor Pro Tem**  
Ricky W. Blackmon  
**Commissioners**  
Alvester L. McKoy  
Timothy D. Marbell  
Charles L. Byrd  
David L. Nelson  
William R. Turnage

The Board of Commissioners of the Town of Erwin will hold a public hearing pursuant to NC General Statute 160D-406 on September 7th, 2023 at 7:00 P.M. at the Erwin Town Hall, 100 West F Street, Erwin, North Carolina to hear public comment on a proposed special use permit application request.

There has been a special use permit application submitted to the Town to build a townhome development on a vacant parcel of land. The property does not have an identifying address. It can be identified by its Harnett County Tax PIN # 0597-56-2485.000. The parcel is at the end of North 16<sup>th</sup> Street. It is 6.16 acres.

A copy of this case is available for review at the Erwin Town Hall. Questions concerning this case can be addressed to the Town Manager Snow Bowden at 910-591-4200 or by email at [townmanager@erwin-nc.org](mailto:townmanager@erwin-nc.org).

Regards,

Snow Bowden  
Town Manager

# NOTICE OF PUBLIC HEARING

The Town of Erwin Board of Commissioners will conduct a Public Hearing on the following item pursuant to NC General Statute 160D-406, on Thursday, September 7, 2023, at 7:00 P.M. in the Erwin Municipal Building Board Room located at 100 West F Street, Erwin, NC 28339. Questions can be addressed to the Town Manager Snow Bowden at 910-591-4200 or by email at [townmanager@erwin-nc.org](mailto:townmanager@erwin-nc.org).

- Case ZT-2023-005: Request to have the following parcels rezoned from Highway Business (B-2) to Residential-6-Conditional District (R6-CD):
  - \* 40 Professional Park (HC Tax PIN # 1507-33-1583.000)
  - \* 100 Professional Park (HC Tax PIN # 1507-23-9378.000)
  - \* 140 Professional Park (HC Tax PIN # 1507-23-7207.000)
  - \* 137 Professional Park (HC Tax PIN # 1507-23-7068.000)
  - \* 119 Professional Park (HC Tax PIN # 1507-33-0088.000)
  - \* 87 Professional Park (HC Tax PIN # 1507-33-2136.000)
  - \* 51 Professional Park (HC Tax PIN # 1507-33-3278.000)
- Case SU-2023-005: Special Use Permit Application to build a townhome development on a vacant parcel of land. The 6.16-acre parcel does not have an identifying address and is located at the end of N 16th Street. It can also be identified by its Harnett County Tax PIN # 0597-56-2485.000.
- Case SU-2023-006: Special Use Permit Application to build a townhome development on four vacant parcels that are listed below:
  - \* 301 N 15th Street (HC Tax PIN # 0597-55-7446.000)
  - \* 303 N 15th Street (HC Tax PIN # 0597-55-7555.000)
  - \* 307 N 15th Street (HC Tax PIN # 0597-55-7660.000)
  - \* This lot has no identified address and is on the corner of N 15th Street and W K Street (HC Tax PIN # 0597-55-7667.000)
- Erwin Comprehensive Land Use Plan- Final Presentation

These cases are available for review at the Erwin Town Hall. All persons desiring to be heard either for or against the proposed items set forth above are requested to be present at the above-mentioned time and place.

8/22,29/2023



# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: September 7, 2023

Subject: SU-2023-006

The Town has received a special use application to build ten (10) townhomes on four separate lots at the moment. If approved the four lots would become ten separate lots with an attached-single family dwelling on each parcel.

\*Townhomes are considered single-family dwellings. The unit does have a shared wall but the homeowner owns the unit and the land the parcel is on.

### Attachments:

- SU-2023-006 Application
- SU-2023-006 Staff Report
- Harnett County GIS Image with zoning
- Harnett County GIS Image with no zoning
- Harnett County GIS Image with easements
- Harnett County GIS Image with sewer lines
- Property owners notified
- SU-2023-006 Public Notice Letter
- SU-2023-006 Newspaper Notice



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 Erwin, NC 28339  
 (910) 897-5140 V (910) 897-5543 F  
 www.erwin-nc.org

**PAID**

AUG 11 2023

TOWN OF ERWIN

Check 7704

**SPECIAL USE PERMIT APPLICATION**

**In the Matter Of the Request to the Erwin Board of Commissioners**

Applicant Name	MY Homes LLC	Property Owner Name	MY the VO
Mailing Address	202 Winterlochman dr	Mailing Address	11 11
City, State, Zip	Dunn NC 28334	City, State, Zip	11 11
Telephone	678-468-9675	Telephone	11 11
Email		Email	

Address of Subject Property	Town Homes Development		
Parcel Identification Number(s) (PIN) of Subject Property	see state permit .000		
Legal Relationship of Applicant to Owner	owner	Floodplain SFHA	Yes <input checked="" type="checkbox"/> No
Legal Description: Lot	Block	Subdivision	
Zoning District	Wetlands	Yes	No
Public Water Available: <input checked="" type="checkbox"/> or N	Public Sewer Available: <input checked="" type="checkbox"/> or N	Existing Septic Tank: Y or <input checked="" type="checkbox"/> N	
Number of Buildings to Remain	N/A	Gross Floor Area to Remain	N/A
Describe Proposed Project or Request with Conditions proposed by applicant:  Town homes			
Total Acreage or Square Footage to be Disturbed			
Estimated Cost of Project \$			

Attach a scaled illustrative plot or site plan showing all lot dimensions, buildings, structures, driveways, parking spaces, and distances between structures and property lines.

Provide complete mailing addresses for each adjacent property owners (also property within 100 feet) and/or property owners directly across a street, if any. Names and addresses must be from current Harnett County tax listings.

Date Application Submitted	8/11/23	Office Use Only	Application Fee \$	750	Received By	MJB
Case #	SU-2023-005006					



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Erwin, NC 28339  
(910) 897-5140 V (910) 897-5543 F  
www.erwin-nc.org

### Special Use Signature Page

It is understood by the undersigned that the development and execution of the Special Use Permit is based upon the division of the Town into districts within which districts the use of land and buildings, and the bulk and location of buildings and structures in relation to the land, is substantially uniform. It is recognized, however, that there are certain uses which, because of their characteristics, cannot be properly classified in any particular district or districts, without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular location. Such special uses fall into two categories.

1. Uses publicly operated or traditionally affected with a public interest
2. Uses entirely private in character, but of such unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

The Zoning Ordinance as originally adopted and as subsequently amended is presumed by the Town to be appropriate to the property involved and that the burden of proof for a Special Use approval rests with the applicant. Applicant is encouraged to discuss the proposed use with affected property owners.

It is further understood that prior to the granting of any special use, the Board of Commissioners may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the special use as it is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified in 9- 411.5 of the Town Code. In all cases in which special uses are granted, the Board of Commissioners shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

- Such conditions may include a time limitation;
- Conditions may be imposed which require that one or more things be done before the use requested can be initiated. (For example, “that a solid board fence be erected around the site to a height of 6 feet before the use requested is initiated”);
- Conditions of a continuing nature may be imposed. (For example, “exterior loud speakers shall not be used between hours of 10:00 p.m. and 9:00 a.m.”)

**Compliance with Other Codes:** Granting of a Special Use Permit does not exempt applicant from complying with all of the requirements of building codes and other ordinances.

SU- 2023 - 006

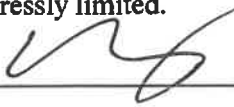
Signature Page

Page 1 of 2

**Revocation:** In any case where the conditions of the Special Use Permit have not been or are not being complied with, the Building Inspector shall give the permitted notice of intention to revoke such permit at least ten (10) days prior to a Board of Commissioners review thereof. After conclusion of the review, the Board of Commissioners may revoke such permit.

**Expiration:** In any case where a Special Use Permit has not been exercised within the time limit set by the Board of Commissioners, or within one year if no specific time limit has been set, then without further action, the permit shall be null and void. "Exercised" as set forth in this section shall mean that binding contracts for the construction of the main building have been let; or in the absence of contracts that the main building is under construction to a substantial degree; or that pre-requisite conditions involving substantial investment are contracted for, in substantial development, or completion (sewer, drainage, etc.). When construction is not part of the use, "exercised" shall mean that the use is in operation in compliance with the conditions set for in the permit.

**Duration:** Duration of a special use and any conditions attached shall be perpetually binding to the property unless it is expressly limited.

Applicant Signature and Date:  ~~10-11-23~~ 8-11-23

see Staff Report



**TOWN OF ERWIN**

100 West F St., Post Office Box 459  
Erwin, NC 28339  
(910) 897-5140 V (910) 897-5543 F  
www.erwin-nc.org

**SPECIAL USE APPLICATION**  
**Record of Adjacent Property Owners**  
With Mailing Addresses Per Harnett County Land Records

Property Owner (1) \_\_\_\_\_ Mailing  
 Address \_\_\_\_\_ City \_\_\_\_\_ ST \_\_\_\_\_ Zip \_\_\_\_\_

Property Owner (2) \_\_\_\_\_ Mailing  
 Address \_\_\_\_\_ City \_\_\_\_\_ ST \_\_\_\_\_ Zip \_\_\_\_\_

Property Owner (3) \_\_\_\_\_ Mailing  
 Address \_\_\_\_\_ City \_\_\_\_\_ ST \_\_\_\_\_ Zip \_\_\_\_\_

Property Owner (4) \_\_\_\_\_ Mailing  
 Address \_\_\_\_\_ City \_\_\_\_\_ ST \_\_\_\_\_ Zip \_\_\_\_\_

Property Owner (5) \_\_\_\_\_ Mailing  
 Address \_\_\_\_\_ City \_\_\_\_\_ ST \_\_\_\_\_ Zip \_\_\_\_\_

Property Owner (6) \_\_\_\_\_ Mailing  
 Address \_\_\_\_\_ City \_\_\_\_\_ ST \_\_\_\_\_ Zip \_\_\_\_\_

Property Owner (7) \_\_\_\_\_ Mailing  
 Address \_\_\_\_\_ City \_\_\_\_\_ ST \_\_\_\_\_ Zip \_\_\_\_\_

Property Owner (8) \_\_\_\_\_ Mailing  
 Address \_\_\_\_\_ City \_\_\_\_\_ ST \_\_\_\_\_ Zip \_\_\_\_\_

Property Owner (9) \_\_\_\_\_ Mailing  
 Address \_\_\_\_\_ City \_\_\_\_\_ ST \_\_\_\_\_ Zip \_\_\_\_\_

Property Owner (10) \_\_\_\_\_ Mailing  
 Address \_\_\_\_\_ City \_\_\_\_\_ ST \_\_\_\_\_ Zip \_\_\_\_\_

Property Owner (11) \_\_\_\_\_ Mailing  
 Address \_\_\_\_\_ City \_\_\_\_\_ ST \_\_\_\_\_ Zip \_\_\_\_\_

Property Owner (12) \_\_\_\_\_ Mailing  
 Address \_\_\_\_\_ City \_\_\_\_\_ ST \_\_\_\_\_ Zip \_\_\_\_\_

Property Owner (13) \_\_\_\_\_ Mailing  
 Address \_\_\_\_\_ City \_\_\_\_\_ ST \_\_\_\_\_ Zip \_\_\_\_\_

SU- 2023 - 2026

See staff report

**Town of Erwin Planning Board  
Special Use Guidelines for Findings of Fact**

1. The use requested is listed among the special uses in the district for which application is made:

   Yes    No \_\_\_\_\_  
\_\_\_\_\_

2. The requested use is essential or desirable to the public convenience or welfare

   Yes    No \_\_\_\_\_  
\_\_\_\_\_

3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare

   Yes    No \_\_\_\_\_  
\_\_\_\_\_

4. The requested use will be in conformity with the Land Development Plan

   Yes    No \_\_\_\_\_  
\_\_\_\_\_

5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided

   Yes    No \_\_\_\_\_  
\_\_\_\_\_

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

   Yes    No \_\_\_\_\_  
\_\_\_\_\_

7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners pursuant to the recommendations of the Planning Board

   Yes    No \_\_\_\_\_  
\_\_\_\_\_





## TOWN OF ERWIN

100 West F St., Post Office Box 459  
Erwin, NC 28339  
(910) 897-5140 V (910) 897-5543 F  
www.erwin-nc.org

### SPECIAL USE APPLICATION PROCEDURES

1. Completed application for the Special Use Permit, signed by the applicant, shall be addressed to the Board of Commissioners and presented to the Administrative Official. Applications must be submitted by the first Friday of the month prior to the following Town Board.
2. Each application shall contain or be accompanied by such legal descriptions, maps, plans and other information so as to completely describe the proposed use and existing conditions.
3. Pay the Special Use Permit Fee as established by the Board of Commissioners and found in the Schedule of Fees in the Office of the Town Clerk. Current fee is \$300.

#### Conditions and Guarantees

Prior to the granting of any special use, the Board of Commissioners may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the special use as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified by ordinance. In all cases in which special uses are granted, the Board of Commissioners shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

- Such conditions may include a time limitation;
  - Conditions may be imposed which require that one or more things be done before the use requested can be initiated. (For example, "that a solid board fence be erected around the site to a height of 6 feet before the use requested is initiated");
  - Conditions of a continuing nature may be imposed. (For example, "exterior loud speakers shall not be used between hours of 10:00 p.m. and 9:00 a.m.")
1. Administrative official posts property at least one (1) week prior to public hearing
  2. Newspaper advertisement once (1) each week for two (2) successive weeks prior to the public hearing
  3. The Board of Commissioners shall approve, modify or deny the application for Special Use Permit following the public hearing.

**Action by the Board of Commissioners**

In granting a Special Use Permit the Board of Commissioners shall make written findings that the applicable regulations of the district in which it is located are fulfilled. With due regard to the nature and state of all adjacent structures and uses, the district within which same is located, and official plans for future development, the Board of Commissioners shall also make written findings that the following provisions are fulfilled:

1. The use requested is listed among the special uses in the district for which application is made
2. The requested use is essential or desirable to the public convenience or welfare
3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare
4. The requested use will be in conformity with the Land Development Plan
5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided
6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets
7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners.



## TOWN OF ERWIN

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[www.erwin-nc.org](http://www.erwin-nc.org)

### IMPORTANT

This is a complete Special Use Application package consisting of 10 pages. For this application to be accepted, it must be completed and returned with all required documents and entries.

Do be aware that under certain conditions the applicant may be required to obtain a Driveway Permit from the NC Department of Transportation prior to Special Use Permit approval.

#### Using the Zoning Ordinance

- Go to the applicable zoning district in Article 3. That section will serve as a guide to begin the development of your site plan. This section will also direct you to pertinent requirements such as: parking, sign, lighting, and other general provision such as streetscape requirements and other general development regulations that may apply to the proposed development.
- Be sure to read Article 11 – Special Uses.
- Complete the Special Use Permit Application, the Special Use Signature page, and the Record of Adjacent Property Owners sheet; and include other required information with the application. Use additional pages if necessary. Adjacent property owners' names must be from current Harnett County tax listing; so this requires that the applicant contact Harnett County. Addresses of the adjacent property owners must be complete which includes name, mailing address, and zip code.
- The submitted site plan must be drawn to scale and include all dimensions and required provision. Of these dimensions and other requirements, be sure to include the following:
  - Existing structures on the proposed lot, their dimensions and distances between on another and the lot's property lines
  - Proposed structures including their dimensions and distances from other structures on the lot and proposed distances from property lines (i.e. setbacks)
  - All easements and rights-of-way located on the proposed lot
  - All natural features including tree lines, drainage ways, etc.
  - The location and dimensions of required parking area(s) as may be required by Ordinance
  - Proposed lighting plans as may be required by Ordinance
  - Demonstration of the placement of buffers and streetscape as may be required by ordinance



## TOWN OF ERWIN

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[www.erwin-nc.org](http://www.erwin-nc.org)

### Processing Requirements

Special Uses are not Uses by Right. It is the responsibility of the applicant to demonstrate that the requested use will meet the minimum requirements set forth in the Erwin Zoning Ordinance. The Board's decision will be greatly influenced by the completeness and neatness of the submitted application.

A requested and very necessary tool is the site plan. Its importance cannot be overstated. Applicant is encouraged to portray in detail and to accurately scale the property boundaries, improvements, and any natural features. In some cases, approval or denial may depend on the quality of the Site Plan.

If the proposed use involves business operations, description of the anticipated activity needs to be sufficiently disclosed. This will assist the Board in determining the Town's infrastructure capability, the public health and safety considerations such as traffic and noise, and how neighboring property may be affected.

All uses require dedicated parking spaces and some may require lighting, buffering, fences, landscaping, and other elements. It is suggested that the applicant spend some time reading the Town's Zoning Ordinance prior to application. Copies of the Zoning Ordinance may be purchased at Town Hall. Copies are available in the Erwin Library and Town Hall for review. An electronic copy of the Ordinance can be found on the Town website as well at [www.erwin-nc.org](http://www.erwin-nc.org).

A complete application consists of all documents included in the application package and any required maps, site plan, and/or related documents. These documents become the property of the Town. It is the applicant's responsibility to submit 10 copies of this completed application. Each member of the Governing Board receives a copy including the Town Manager, Town Clerk, Town Attorney, and Code Enforcement Officer.

The completed application and fees must be submitted no later than the first Friday of the month to be placed on following month's Town Board Agenda.

**Town of Erwin  
Record and Decisions**

**Office Use Only**

Notice Mailed \_\_\_\_\_ Property Posted \_\_\_\_\_ Newspaper Advertised Date \_\_\_\_\_

**Public Hearing Date and Comments:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

<u>Governing Body Motion</u>	Record of Decision:	Yea	Nay
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

Town Board Decision and Date \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Certified By:** \_\_\_\_\_

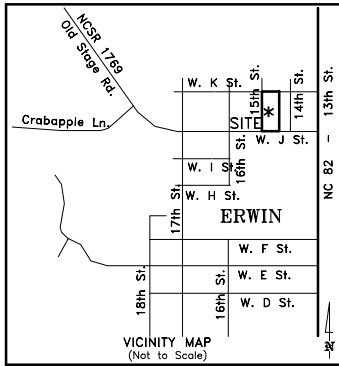








MR. SNOW  
FROM : Brian



**LINE LEGEND:**

- Subject Boundary Surveyed
- - - Subject Boundary Not Surveyed
- ..... Adjacent Property Lines
- ..... Abandoned Property Lines
- ..... Right of Way Lines
- ..... Center of Right-of-Way
- ..... Easement Lines
- ..... Survey Tie Lines
- ..... Minimum Building Setback
- ..... Overhead Electric Lines
- ..... Water Line
- ..... Sanitary Sewer Line

\*\*\*\*\*  
 ~PRELIMINARY PLAT~  
 For Review Only  
 \*\*\*\*\*

**SYMBOLS & ABBREVIATIONS:**

- EIP/EIS... Existing Iron Pipe or Stake
- ERB... Existing ReBar Stake
- ERRS... Existing Rail Road Spike
- EPK... Existing Parker-Kaylon Nail
- EMN... Existing Magnetic Nail
- ECS... Existing Cotton Picker Spindle
- ECM... Existing Concrete Monument
- AG/BG... Above/Below Ground Surface
- △ CP... Calculated Point (not set)
- CMTL... Control Point - Grid Coordinates
- ISS... Iron Stake Set (#4 rebar)
- MNS... Magnetic Nail Set
- CSS... Cotton Spindle Set
- FH... Fire Hydrant
- PF... Power Pole
- OHE... Overhead Electric Lines
- ..... Land Hook (Property combined)
- C/L... Centerline of Road or Easement
- R/W... Right-of-Way
- D.B... Deed Book
- P.B/P.C... Plat Book / Plat Cabinet
- M.B... Map Book
- NC PIN... Parcel Identifier Number
- Ac... Acres (Area of property)
- SF... Square Feet
- [123]... House Address

**SURVEY NOTES:**

- Iron Stakes (1/2" Re-bar) set at all new property corners unless labeled otherwise.
- Magnetic Nails set at all points in paved road surfaces, unless otherwise indicated.
- Areas determined by coordinate method.
- All distances & dimensions are horizontal ground distances unless otherwise indicated.
- No NC Geodetic Survey monuments or other such control monuments were found within 2,000 feet of the subject property unless otherwise shown hereon.
- This survey is based upon the references shown as taken from County GIS records. No title search was provided for this survey. A complete title search by a licensed attorney may reveal other easements, restrictions, and title issues not made available to the surveyor.
- No underground utilities were marked by providers prior to this survey. Call NC 811 prior to any excavation to locate any underground utilities.
- Wetlands, soil conditions, or other environmental features were not delineated for this survey.

**FEMA FLOOD HAZARD STATEMENT**  
 The subject property shown on this plat is located within the FEMA "Zone X" (Minimal Flood Risk) Area as shown on FIRM Number: 3720059700J  
 Effective date: 10/3/2006

\*\*\*\*\*  
 ~PRELIMINARY PLAT~  
 For Review Only  
 \*\*\*\*\*

**Note:**  
 This plat is prepared from previous surveys as noted hereon and is intended to represent proposed improvements to the real property as shown. This plat is for the sole purpose of being submitted to the municipality and reviewed for compliance with development regulations and is therefore not for Recordation, Conveyances, or Sales.

**SITE DATA:**  
 Total Area to be divided: 1.19 Acres (58,008 S.F.)  
 Public Water is located within adjoining streets.  
 Public Sewer is located across the rear of property.  
 Allowable Minimum Lot Size (RMV Zoning): 7,000 S.F.  
 Minimum Lot Width: 65 feet

Proposed Dwelling Units: 10 Townhomes  
 Proposed Minimum Lot Width: 21 feet  
 Proposed Minimum Lot Area: 3,441.4 S.F.

**Revisions:**  
 8/10/23: Townhome plan

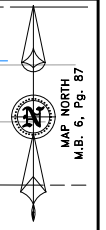
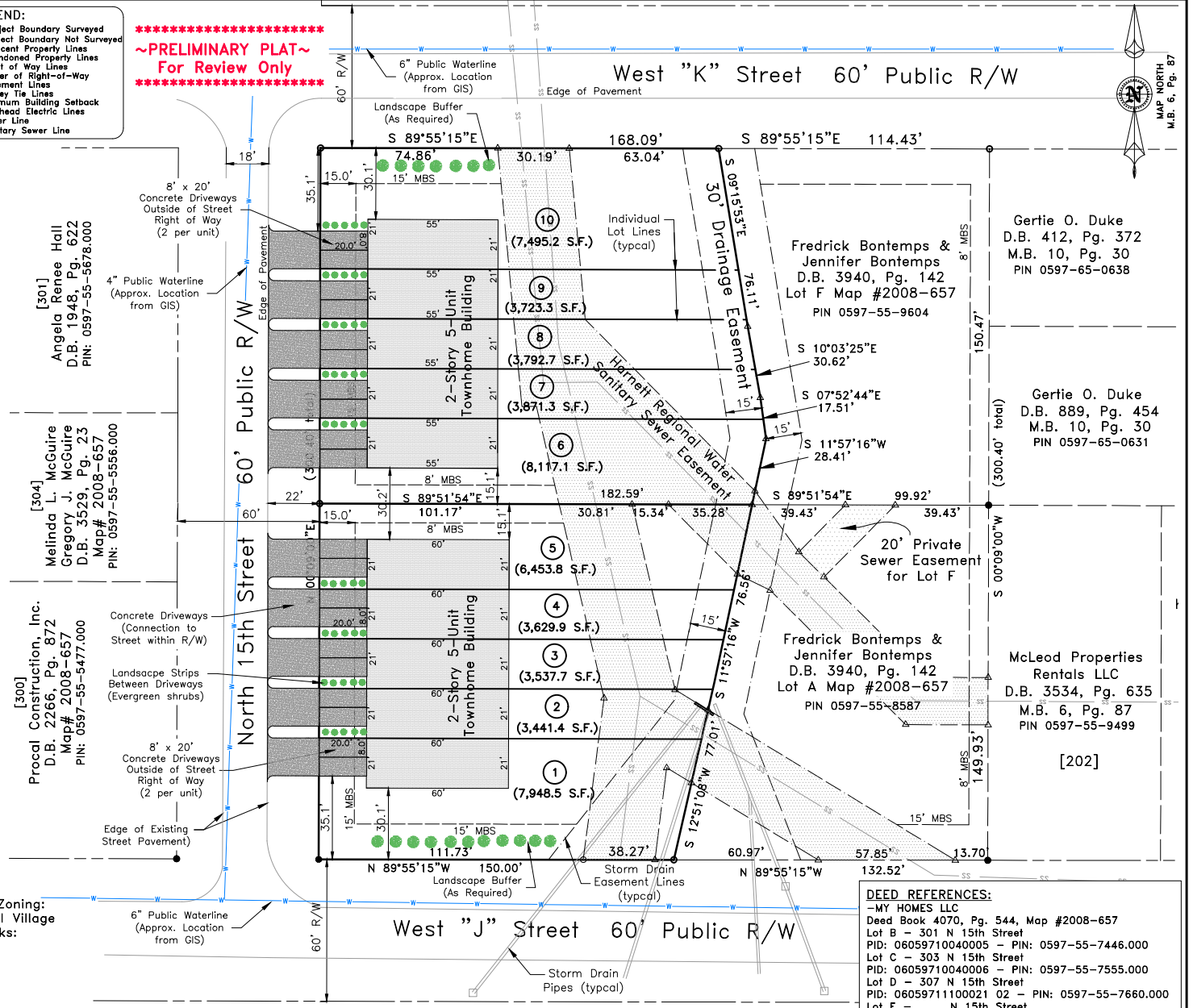
**PRELIMINARY PLAT**  
**PROPOSED TOWNHOME DEVELOPMENT**  
**NORTH 15th STREET**  
 Developed by:  
**MY HOMES LLC**  
 202 Winterlochen Dr., Dunn, NC 28334

TOWN : ERWIN - DUKE TOWNSHIP- HARNETT COUNTY - NORTH CAROLINA  
 ZONE: Town of Erwin RMV

**DEED REFERENCES:**  
 -MY HOMES LLC  
 Deed Book 4070, Pg. 544, Map #2008-657  
 Lot B - 301 N 15th Street  
 PID: 06059710040005 - PIN: 0597-55-7446.000  
 Lot C - 303 N 15th Street  
 PID: 06059710040006 - PIN: 0597-55-7555.000  
 Lot D - 307 N 15th Street  
 PID: 06059711100021 02 - PIN: 0597-55-7660.000  
 Lot E - \_\_\_ N 15th Street  
 PID: 06059711100021 03 - PIN: 0597-55-7667.000

**STREAMLINE LAND SURVEYING, Inc.**  
 NC FIRM C-1898  
 870 NC 55 W, Coats, N.C. 27521  
 Phone: 910-897-7715

SURVEYED DATE: Jan. 31, 2008; March 1, 2021; April 20, 2022  
 SCALE: 1" = 40' SURVEYED BY: REG DRAWN BY: REG  
 FILE: E:\0597\210126M\230710MY.dwg (Townhomes)





# SPECIAL USE REQUEST STAFF REPORT

Case: SU-2023-006

Snow Bowden, Town Manager

[townmanager@erwin-nc.org](mailto:townmanager@erwin-nc.org)

Phone: (910) 591-4200

Fax: (910) 897-5543

Public Hearing Date: Thursday, September 7th at 7PM

Requested special use permit to build a total of ten (10) townhomes on four separate parcels that would become ten separate parcels if granted.

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## Applicant Information

### Owner of Record:

Name: My Homes, LLC.

Address: 202 Winterlochen Drive

City/State/Zip: Dunn, NC 28334

### Applicant:

Name: My Homes, LLC.

Address: 202 Winterlochen Dr.

City/State/Zip: Dunn, NC 28334

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## Property Description

Harnett County Tax PIN 0597-55-7446.000

Acres .27

Zoning District- Residential Mill Village (RMV)

Address- 301 North 15<sup>th</sup> Street

Harnett County Tax PIN 0597-55-7555.000

Acres .30

Zoning District- Residential Mill Village (RMV)

Address- 303 North 15<sup>th</sup> Street

Harnett County Tax PIN 0597-55-7660.000

Acres .32

Zoning District- Residential Mill Village (RMV)

Address- 307 North 15<sup>th</sup> Street

Harnett County Tax PIN 0597-55-7667.000

Acres .30

Zoning District- Residential Mill Village (RMV)

No address



---

---

## Vicinity Map

- See Attached Document

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## Physical Characteristics

Site Description: Currently, four vacant tracts of land that are mostly clear. There is a fairly large sewer easement that runs across these parcels. The parcels are mostly cleared towards the front of each lot. The parcels are near the damage to the side of the road off of West J Street.

Surrounding Land Uses: The primary land uses that surround this parcel are residential. The old Erwin Mill is across the street from one of the corner lots (301 North 15<sup>th</sup> Street) that is included in this request.

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## Services Available

- Electricity (Duke Energy)
- Telephone (Centurylink)
- Harnett Regional Water

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## Zoning District Compatibility

Special Use	RMV
Townhomes	X

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## Staff Evaluation

### Staff Evaluation

Yes  No The use requested is listed among the special uses in the district for which the application is made.

- **Reasoning:** Townhomes are allowed with a special use permit in our Residential Mill Village Zoning District.

Yes  No The requested use is essential or desirable to the public convenience or welfare.

- **Reasoning:** Yes, there is a need for additional single-family homes in the area. This would provide ten additional attached single-family dwellings inside our Town Limits.

Yes  No The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare. .

- **Reasoning:** This tract of land is surrounded by primarily residential land uses. The proposed land use would remain residential.

Yes  No The requested use will be in conformity with the Land Development Plan.

- **Reasoning:** This parcel is located in an area identified for Medium Intensity Growth in our 2014 Land Use Plan. This area should include medium to high density residential land uses.

Yes  No Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided.

- **Reasoning:** Yes, these are parcels already accessible from North 15<sup>th</sup> Street

Yes  No That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

- **Reasoning:** There will be three parking spaces for each unit with one being inside the garage and two spaces in each driveway.

Yes  No That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners.

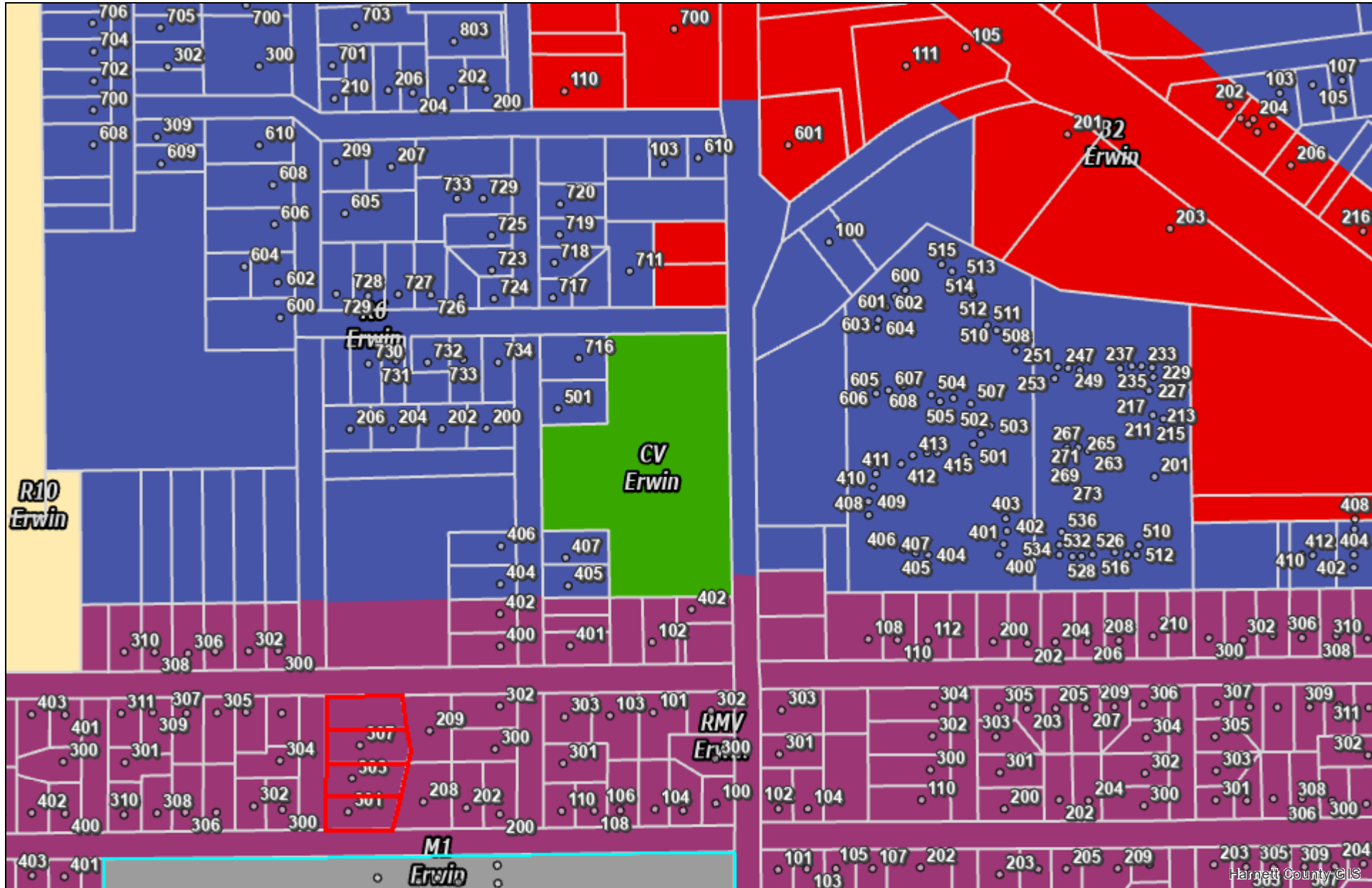
- **Reasoning:** Yes.

Attachments:

- SU-2023-006 Application
- SU-2023-006 Staff Report
- SU-2023-006 Site Plan
- SU-2023-006 Harnett County GIS Image with Zoning
- SU-2023-006 Harnett County GIS Image with no Zoning
- SU-2023-006 Harnett County GIS Image with easements
- SU-2023-006 Harnett County GIS Image with sewer want water lines shown
- SU-2023-006 property owners notified

# Harnett GIS

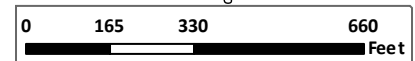
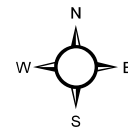
NOT FOR LEGAL USE



GIS/E-911 Addressing

August 16, 2023

- |                               |                    |                  |
|-------------------------------|--------------------|------------------|
| Surrounding County Boundaries | Airport            | Road Centerlines |
| City Limits                   | <b>Major Roads</b> | Railroad         |
| County Boundary               | Interstate         | Parcels          |
| Address Numbers               | NC                 | ETJ Boundary     |
|                               | US                 |                  |



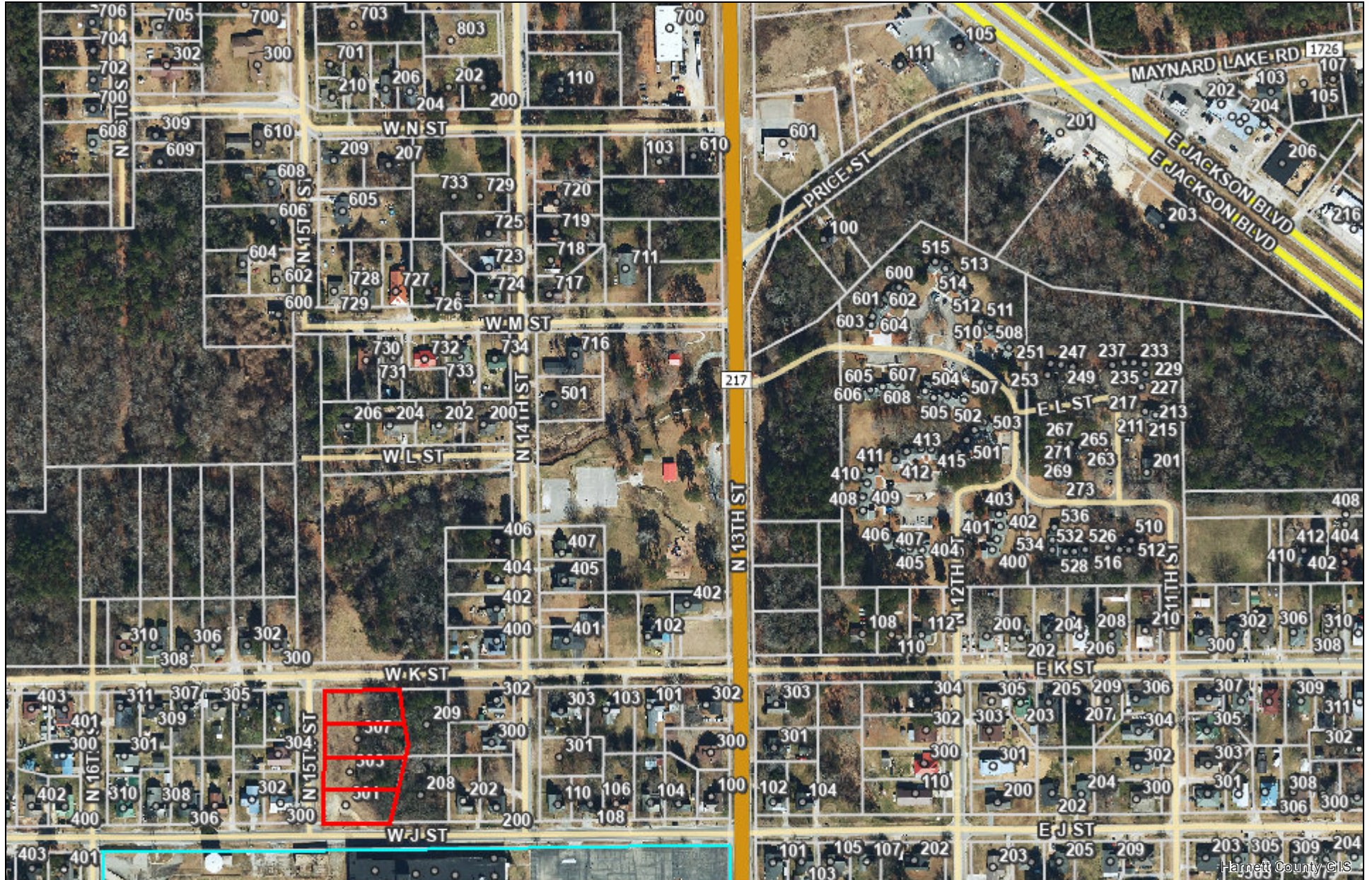
1 inch = 376 feet <sup>93</sup>

Harnett County GIS



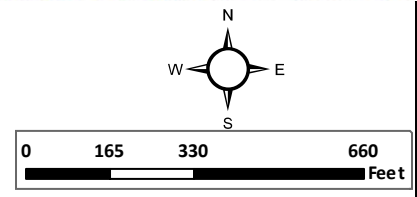
# Harnett GIS

NOT FOR LEGAL USE



GIS/E-911 Addressing  
August 16, 2023

- |   |  |   |
|---|--|---|
|  Surrounding County Boundaries |  Airport    |  US              |
|  City Limits                   | <b>MajorRoads</b>  |  RoadCenterlines |
|  County Boundary               |  Interstate |  Railroad        |
|  Address Numbers               |  NC         |  Parcels         |













# Harnett GIS

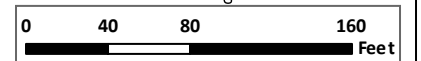
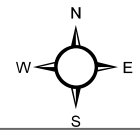
NOT FOR LEGAL USE



Harnett County GIS

GIS/E-911 Addressing  
August 17, 2023

- |   |  |  |
|---|--|--|
|  Surrounding County Boundaries |  Airport    |  US               |
|  City Limits                   | <b>Major Roads</b>   |  Road Centerlines |
|  County Boundary               |  Interstate |  Railroad         |
|  Address Numbers               |  NC         |  |

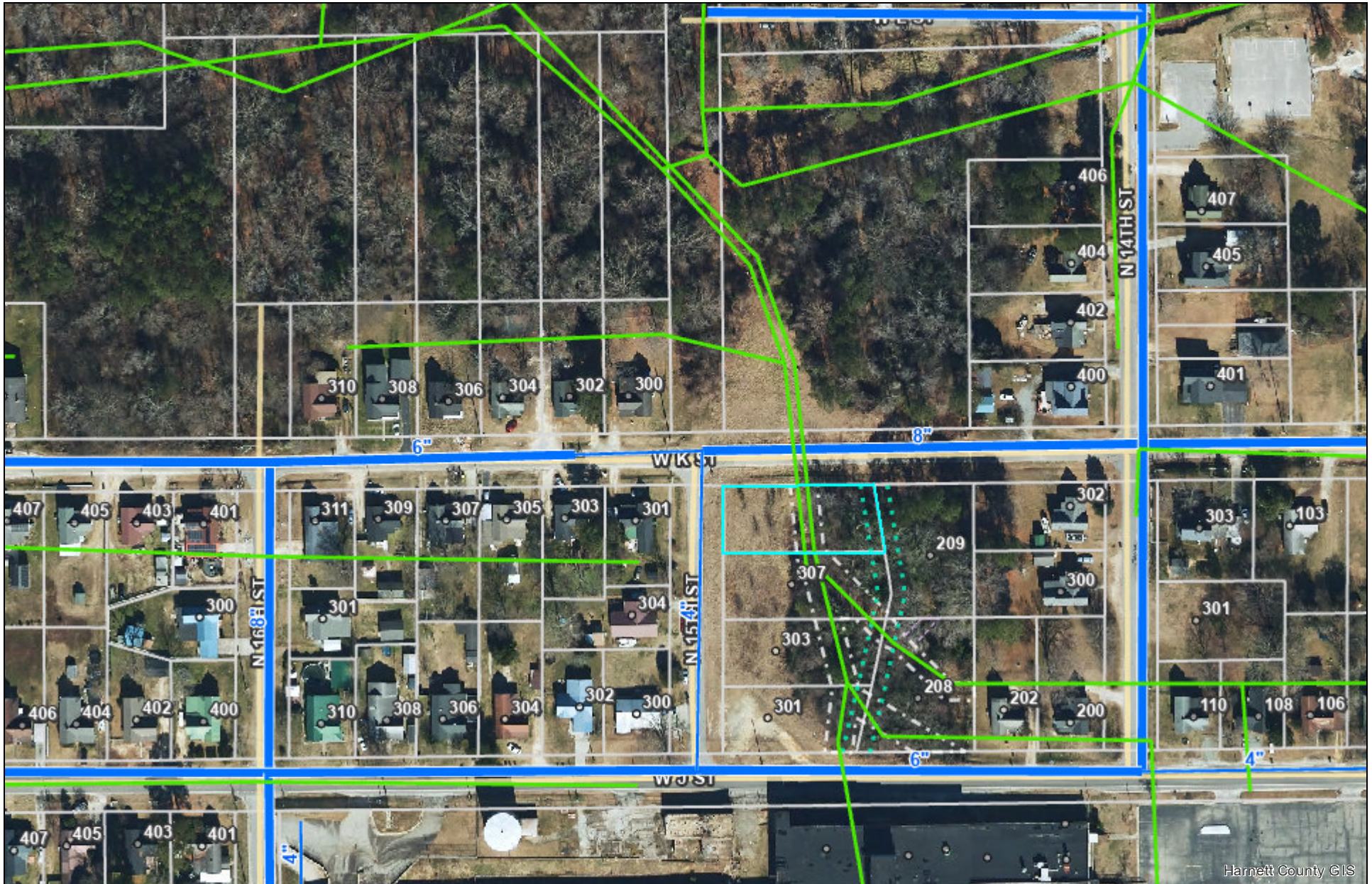


1 inch = 94 feet <sup>95</sup>



# Harnett GIS

NOT FOR LEGAL USE

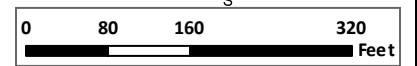
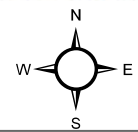


Harnett County GIS

GIS/E-911 Addressing

August 17, 2023

- |  |                               |  |                  |  |                           |
|--|-------------------------------|--|------------------|--|---------------------------|
|  | Surrounding County Boundaries |  | Gravity          |  | Lillington Sewer          |
|  | City Limits                   |  | Service Laterals |  | <b>County Water Mains</b> |
|  | County Boundary               |  | StepFM           |  | 2 - 5                     |
|  | Address Numbers               |  | Sewer Main       |  | 6 - 36                    |
|  | Force Main                    |  | Force Main       |  |                           |



1 inch = 188 feet 96

My Homes LLC  
202 Winterlochen Drive  
Dunn, NC 28334

Procal Construction  
PO Box 387  
Coats, NC 27521

Angela Renee Hall  
301 W K Street  
Erwin, NC 28339

Ricky Smith  
Avis Smith  
PO Box 2652  
Lillington, NC 27546

Fredrick and Jennifer Bontemps  
5104 Highcroft Drive  
Cary, NC 27519

Gregory and Melinda McGuire  
304 N 15<sup>th</sup> Street  
Erwin, NC 28339

W Cliff Martin Company  
PO Box 309  
Polkton, NC 28135

200 North 13 LLC  
320 Roebling St.  
STE 125  
Brooklyn, NY 11211





# TOWN OF ERWIN

P.O. Box 459 · Erwin, NC 28339  
Ph: 910-897-5140 · Fax: 910-897-5543  
[www.erwin-nc.org](http://www.erwin-nc.org)

08/15/2023

## Notice of a Public Hearing SU-2023-006

**Mayor**  
Randy L. Baker  
**Mayor Pro Tem**  
Ricky W. Blackmon  
**Commissioners**  
Alvester L. McKoy  
Timothy D. Marbell  
Charles L. Byrd  
David L. Nelson  
William R. Turnage

The Board of Commissioners of the Town of Erwin will hold a public hearing pursuant to NC General Statute 160D-406 on September 7th, 2023 at 7:00 P.M. at the Erwin Town Hall, 100 West F Street, Erwin, North Carolina to hear public comment on a proposed special use permit application request.

There has been a special use permit application submitted to the Town to build a townhome development on four vacant parcels of land that are listed below:

- 301 North 15<sup>th</sup> Street (HC Tax PIN # 0597-55-7446.000)
- 303 North 15<sup>th</sup> Street (HC Tax PIN # 0597-55-7555.000)
- 307 North 15<sup>th</sup> Street (HC Tax PIN # 0597-55-7660.000)
- No identifying address the lot is on the corner of North 15<sup>th</sup> Street and West K Street (HC Tax PIN # 0597-55-7667.000)

A copy of this case is available for review at the Erwin Town Hall. Questions concerning this case can be addressed to the Town Manager Snow Bowden at 910-591-4200 or by email at [townmanager@erwin-nc.org](mailto:townmanager@erwin-nc.org).

Regards,

Snow Bowden  
Town Manager

# NOTICE OF PUBLIC HEARING

The Town of Erwin Board of Commissioners will conduct a Public Hearing on the following item pursuant to NC General Statute 160D-406, on Thursday, September 7, 2023, at 7:00 P.M. in the Erwin Municipal Building Board Room located at 100 West F Street, Erwin, NC 28339. Questions can be addressed to the Town Manager Snow Bowden at 910-591-4200 or by email at [townmanager@erwin-nc.org](mailto:townmanager@erwin-nc.org).

- Case ZT-2023-005: Request to have the following parcels rezoned from Highway Business (B-2) to Residential-6-Conditional District (R6-CD):
  - \* 40 Professional Park (HC Tax PIN # 1507-33-1583.000)
  - \* 100 Professional Park (HC Tax PIN # 1507-23-9378.000)
  - \* 140 Professional Park (HC Tax PIN # 1507-23-7207.000)
  - \* 137 Professional Park (HC Tax PIN # 1507-23-7068.000)
  - \* 119 Professional Park (HC Tax PIN # 1507-33-0088.000)
  - \* 87 Professional Park (HC Tax PIN # 1507-33-2136.000)
  - \* 51 Professional Park (HC Tax PIN # 1507-33-3278.000)
- Case SU-2023-005: Special Use Permit Application to build a townhome development on a vacant parcel of land. The 6.16-acre parcel does not have an identifying address and is located at the end of N 16th Street. It can also be identified by its Harnett County Tax PIN # 0597-56-2485.000.
- Case SU-2023-006: Special Use Permit Application to build a townhome development on four vacant parcels that are listed below:
  - \* 301 N 15th Street (HC Tax PIN # 0597-55-7446.000)
  - \* 303 N 15th Street (HC Tax PIN # 0597-55-7555.000)
  - \* 307 N 15th Street (HC Tax PIN # 0597-55-7660.000)
  - \* This lot has no identified address and is on the corner of N 15th Street and W K Street (HC Tax PIN # 0597-55-7667.000)
- Erwin Comprehensive Land Use Plan- Final Presentation

These cases are available for review at the Erwin Town Hall. All persons desiring to be heard either for or against the proposed items set forth above are requested to be present at the above-mentioned time and place.

8/22,29/2023