



AGENDA

Regular Town Board Meeting

March 20, 2023 - 6:00 PM

TOWN HALL (101 Huntersville-Concord Road)

Live Stream available via YouTube @townofhuntersvillenc28078

Persons desiring to address the Board during a public comment period or a public hearing shall list their full name, address, telephone number, and subject matter to be discussed on the speaker sign-up sheet as provided by the Town Clerk prior to the beginning of the meeting. Once the meeting has begun, a person may not sign up to speak.
(Public Comment and Public Hearing Policy - Adopted April 19th 2021)

1. Pre-meeting - 5:15 p.m.

1.A. FY2023 Market Study Review and Recommendations. *(Jackie Huffman)*

2. Call to Order

3. Invocation/ Moment of Silence

4. Pledge of Allegiance

5. Staff Questions

6. Public Comments, Requests, or Presentations

6.A. Presentation of Police Awards. *(Major Graham)*

7. Agenda Changes/Adoption of Agenda

8. Consent Agenda

8.A. Approve budget amendment appropriating \$2,971.78 from Insurance - Parks and Recreation to Maintenance - Bldg & Grounds for water damage sustained due to burst pipes at the Barry Park storage building. *(Michael Jaycocks)*

8.B. Approve budget amendment appropriating \$8,500 to Downtown Revitalization revenue for SculptOUR art piece. *(Tracy Houk)*

- 8.C. Accept Streets in Bryton Parcel 3 - Bryton Crossing for Town Maintenance. *(Kevin Fox)*
- 8.D. Accept Streets in Bryton Single Family Subdivision for Town Maintenance. *(Kevin Fox)*
- 8.E. Accept Streets in Arrington Phase 3, Maps 1, 2, and 3 for Town Maintenance. *(Kevin Fox)*
- 8.F. Accept Street in the Park Huntersville - Torrence Ford Development for Town Maintenance *(Kevin Fox)*
- 8.G. Approve the artwork submitted by Phoenix Montessori Academy for the Peace Pole public art project. *(Tracy Houk)*
- 8.H. Adopt Resolution calling a public hearing for Monday, April 3, 2023 at 6:00 p.m. at Huntersville Town Hall on Petition #ANNEX 23-01, a request by Camden Bowman, LLC to annex 33.535 acres of Parcel #011-241-04 into the Town of Huntersville. *(Nathan Farber)*
- 8.I. Adopt Resolution calling a public hearing for Monday, April 3, 2023 at 6:00 p.m. at Huntersville Town Hall on Petition #ANNEX 23-02, a request by Bobby MacNaughton, Richard Carpentieri, Emily Bice, Logan Ruffin, Abril Jimenez, and Chirag B. Patel to annex 62.593 acres of Parcels 021-031-04, 021-031-32, 021-031-07, 021-031-38, 021-033-89 thru 021-033-91, 021-033-01 thru 021-033-18, 021-033-52 thru 021-033-88 into the Town of Huntersville. *(Nathan Farber)*

9. Public Hearings

10. Other Business

- 10.A. Consider adopting Ordinance to Amend Article 94.46 of the Huntersville Code of Ordinance, Entitled "Livestock." *(Emily Sloop)*
- 10.B. Consider decision on Petition #R22-05, Oak Grove Hill - Addition, a request by Carver Bowman, LLC to rezone +/- 28.87-acres generally located north of Mt. Holly-Huntersville Road, east of Beatties-Ford Road and south of Pembroke Road from existing Neighborhood Residential - Conditional District (existing Oak Grove Hill CD-Rezoning) and Rural to Neighborhood Residential - Conditional District (REVISED Oak Grove Hill CD-Rezoning) for a 161-lot subdivision; (Parcel #s 01526443, 01526504, 0152606, 01526460, 015254432, 01526456, 01526432, 01526450, 01526455, 01526428, 01526429 & 015264431). *(David Peete)*
- 10.C. Consider decision on Petition #R23-04, Oak Grove Hill - Revision, a request by Carver Bowman, LLC to remove +/- 6.89-acres generally located north of Mt. Holly-

Huntersville Road, east of Beatties-Ford Road and south of Pembroke Road from the existing Oak Grove Hill Neighborhood Residential - Conditional District. The removal of the 6.89-acres is contingent upon approval of R22-05, a proposed revision to Oak Grove Hill CD-Rezoning for an overall 161-lot subdivision (see R22-05); (Parcel #s 015254432 & 01526450). (*David Peete*)

- 10.D. Consider decision on Petition #R22-01, a request by DDRTC Birkdale Village, LLC to rezone +/- 8.82 acres located at the intersection of Townley Drive and Lindholm Drive (Parcels 00537157 and 00537197) from Highway Commercial Conditional District to Highway Commercial Conditional District for 150,000 sq. ft. office and 25,000 sq. ft. commercial. (*Brian Richards*)
- 10.E. Consider decision on Petition #TA22-16 Multi-Family Use One Building One Lot, a request by the Huntersville Planning Department to amend Zoning Ordinance Articles 3.2 General Districts and 9 Conditions for Certain Uses to establish buffer standards for a multi-family home use in one building, on one lot. (*Jack Simoneau*)
- 10.F. Consider decision on Petition #TA22-17, a request by the Huntersville Planning Department to amend Section 7.5.3 of the Huntersville Zoning Ordinance increasing the buffer for major residential subdivisions from 20' to 40' when the proposed subdivision is two times greater than the existing residential subdivision. (*Jack Simoneau*)
- 10.G. Consider adopting Resolution to acquire property, including use of eminent domain, for Gibson Park Phase 2 project. (*Stephen Trott*)

11. Mayor and Commissioner Reports/Closing Comments

12. Adjourn

Special Accommodations: Anyone needing special accommodations when attending this meeting and/or if this information is needed in an alternative format please contact the Town Clerk. The Clerk can be reached by phone or fax: 704-875-6541, email: clerk@huntersville.org or at 101 Huntersville-Concord Rd, Huntersville, NC 28078.

We request at least 72-hours' notice prior to the meeting to make the appropriate arrangements.

The Board reserves the right to deviate from the agenda.

**Town of Huntersville
Town Board
March 20, 2023**

To: Town Board

From: Michael Jaycocks, Director of Parks & Recreation

Date: March 20, 2023

Subject: Budget Amendment - Barry Park insurance Claim

EXPLAIN REQUEST:

Appropriate \$2,971.78 to Insurance - Parks and Recreation (103810.9999) for water damage sustained due to burst pipes at the Barry Park storage building (106200.0351). This is the final payment from the insurance company.

ACTION RECOMMENDED:

Approve Budget Amendment

FINANCIAL IMPLICATIONS:

No net impact to fund balance; offsetting revenue and expense.

ATTACHMENTS:

None

**Town of Huntersville
Town Board
March 20, 2023**

To: Town Board

From: Tracy Houk, Assistant Director of Parks & Recreation

Date: March 20, 2023

Subject: SculpTOUR Budget Amendment

EXPLAIN REQUEST:

On December 2, 2022, the Town was awarded funds from Arts and Science Council 2023 Cultural Vision Grant in the amount of \$8,500 to use towards the SculpTOUR project. The SculpTOUR exhibition will be located in Holbrook Park, along the Downtown Greenway. Appropriate \$8,500 to Downtown Revitalization revenue (403477.9999.19004) for an art piece (406200.0314.19004).

ACTION RECOMMENDED:

Approve Budget Amendment

FINANCIAL IMPLICATIONS:

No net impact to fund balance; offsetting revenue and expense.

ATTACHMENTS:

None

**Town of Huntersville
Town Board
March 20, 2023**

To: Town Board

From: Kevin Fox, Director of Public Works

Date: March 20, 2023

Subject: Accept Streets for Maintenance - Bryton Parcel 3 - Bryton Crossing

EXPLAIN REQUEST:

It is recommended that the Town of Huntersville accept the streets listed below for maintenance, which are located in the Bryton Parcel 3 (Bryton Crossing) Subdivision.

Street Name	From	To	Approx. Length
Meacham Farm Drive	Bryton Ridge Parkway	End of Roadway	1070
Winding Gorge Drive	Meacham Farm Drive	Leafy Canopy Lane	375

ACTION RECOMMENDED:

Accept streets for Town Maintenance

FINANCIAL IMPLICATIONS:

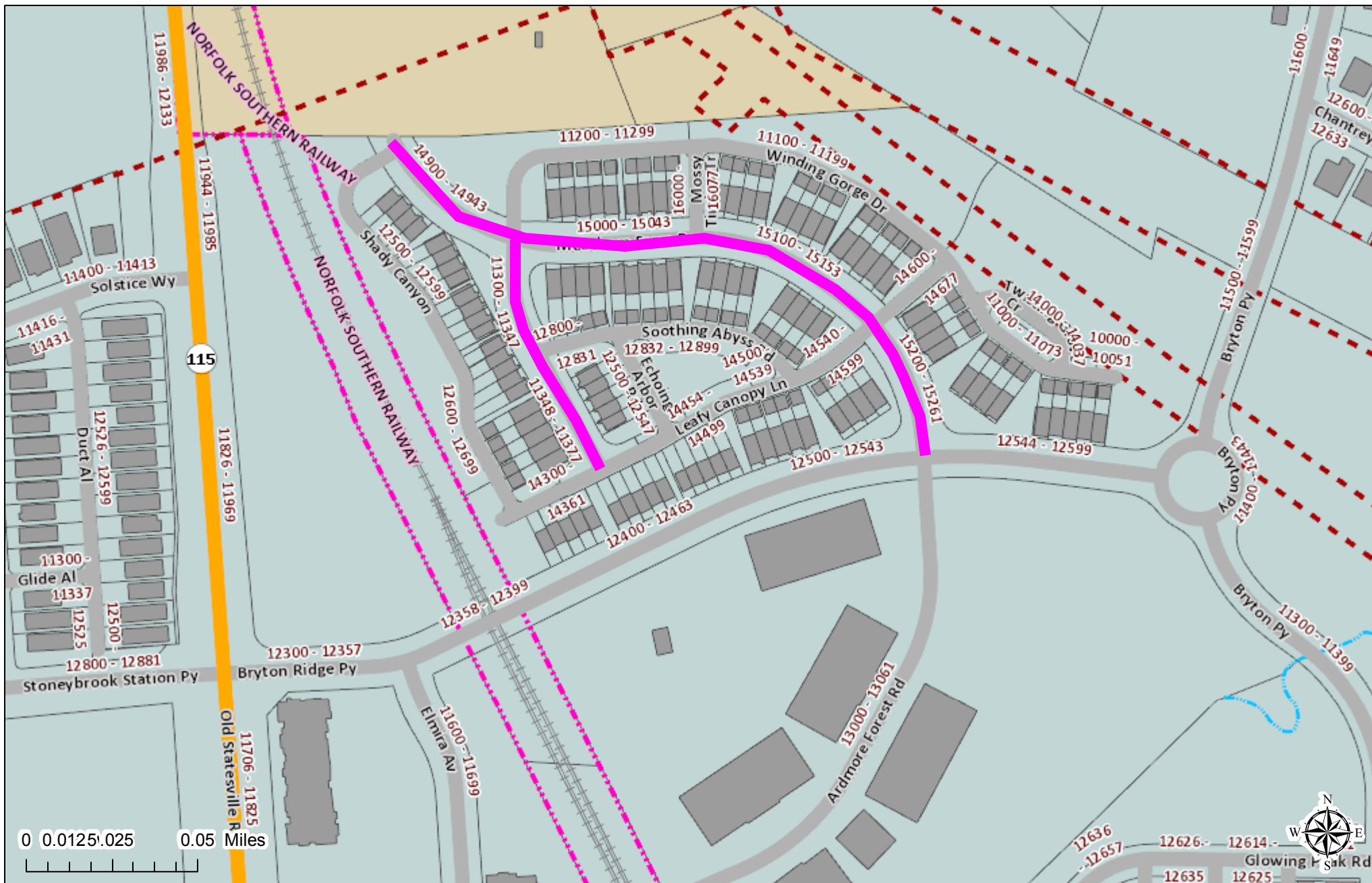
Powell Bill

ATTACHMENTS:

1. Bryton Parcel 3 - Map

Bryton Parcel 3

Date Printed: 11/29/2022 8:51:52 AM



This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

**Town of Huntersville
Town Board
March 20, 2023**

To: Town Board

From: Kevin Fox, Director of Public Works

Date: March 20, 2023

Subject: Accept Streets for Maintenance - Bryton Single Family Subdivision

EXPLAIN REQUEST:

It is recommended that the Town of Huntersville accept the streets listed below for maintenance, which are located in Phase 2, Map 2 of the Bryton Single Family Subdivision.

Street Name	From	To	Approx. Length
Bryton Parkway	Roderick Drive	Roderick Drive	1390
Bordley Place	Roderick Drive	Bryton Parkway	455
Briarstead Place	Roderick Drive	End of Roadway	610
Roderick Drive	Maher Lane	End of Roadway	600

ACTION RECOMMENDED:

Accept streets for Town Maintenance

FINANCIAL IMPLICATIONS:

Powell Bill

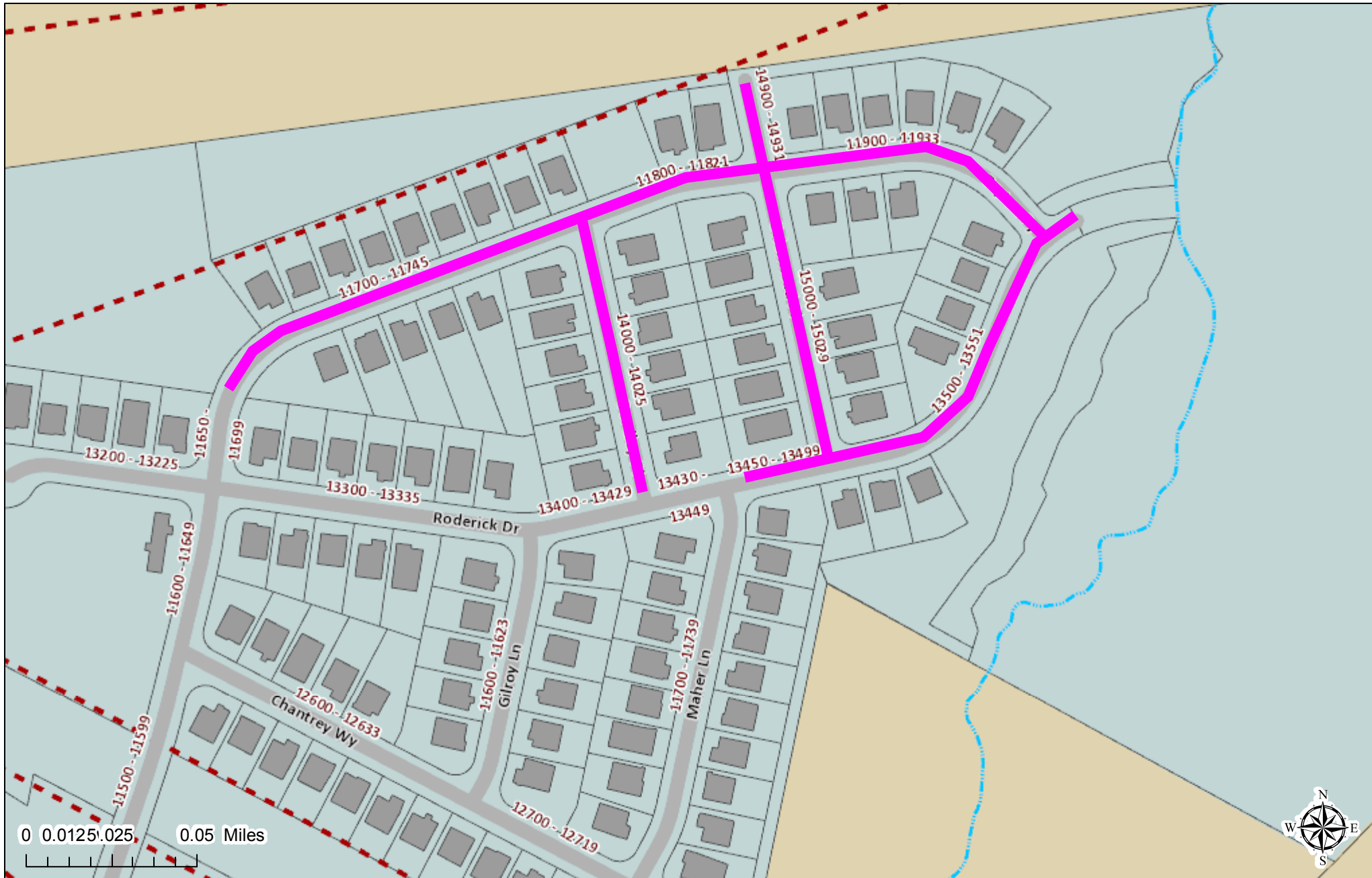
ATTACHMENTS:

1. Bryton SFR Ph 2 M2 - Map

Polaris 3G Map – Mecklenburg County, North Carolina

Bryton Single Family Residence Ph2

Date Printed: 11/29/2022 10:47:44 AM



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**Town of Huntersville
Town Board
March 20, 2023**

To: Town Board

From: Kevin Fox, Director of Public Works

Date: March 20, 2023

Subject: Accept Streets for Maintenance - Arrington Phase 3, Maps 1, 2, and 3

EXPLAIN REQUEST:

It is recommended that the Town of Huntersville accept the streets listed below for maintenance, which are located in Phase 3 of the Arrington Subdivision.

Street Name	From	To	Approx. Length
Rickard Drive	Charmont Place	End of Road	1620
Barnette Crest Dr	Rickard Drive	Rickard Dr	530
Cantrell Way	Rickard Drive	190' E of Rickard Dr	190
Grenfell Ave	Rickard Drive	120' E of Caledonia Dr	2220
Genfell Ave	Mona Vale Drive	60' N of Branmore Dr	715
Watergum Dr	Grenfell Ave	End of Road	155
McCowan Dr	Grenfell Ave (East)	Grenfell Ave (West)	640
Mona Vale Dr	Grenfell Ave	Rickard Drive	285
Charmont Place	Grenfell Ave	143' E of Rickard Dr	345
Caledonia Dr	McCowan Dr	164' N of Grenfell Ave	395
Powderworks Dr	Bud Henderson Rd	Beecroft Valley Dr	1195

Beecroft Valley Dr	Powderworks Dr	End of Road	1065
Mackellar Lane	Beecroft Valley Dr	End of Road	290

ACTION RECOMMENDED:

Accept streets for Town Maintenance

FINANCIAL IMPLICATIONS:

Powell Bill

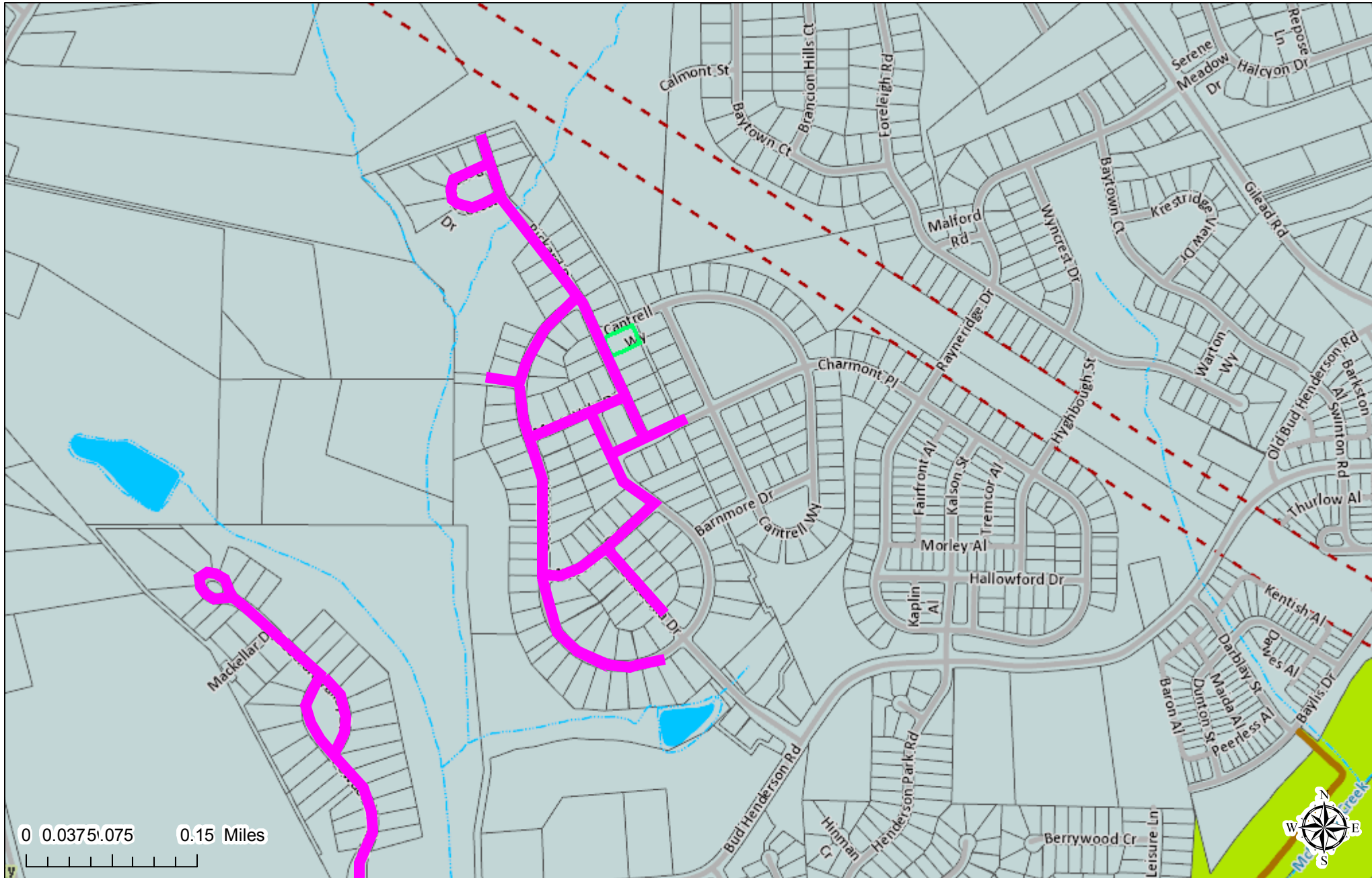
ATTACHMENTS:

1. Arrington Phase 3 - Map

Polaris 3G Map – Mecklenburg County, North Carolina

Arrington Phase 3 M1, 2 & 3

Date Printed: 1/13/2023 11:53:57 AM



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**Town of Huntersville
Town Board
March 20, 2023**

To: Town Board

From: Kevin Fox, Director of Public Works

Date: March 20, 2023

Subject: Accept Street for Maintenance - The Park Huntersville Torrence Ford Development

EXPLAIN REQUEST:

It is recommended that the Town of Huntersville accept the street listed below for maintenance, which is located in the Park Huntersville - Torrence Ford Industrial – Commercial Development.

Street Name	From	To	Approx. Length
Torrence Ford Dr	End of Road	765-ft East of Reese Blvd	365 ft

ACTION RECOMMENDED:

Accept street for Town Maintenance

FINANCIAL IMPLICATIONS:

Powell Bill

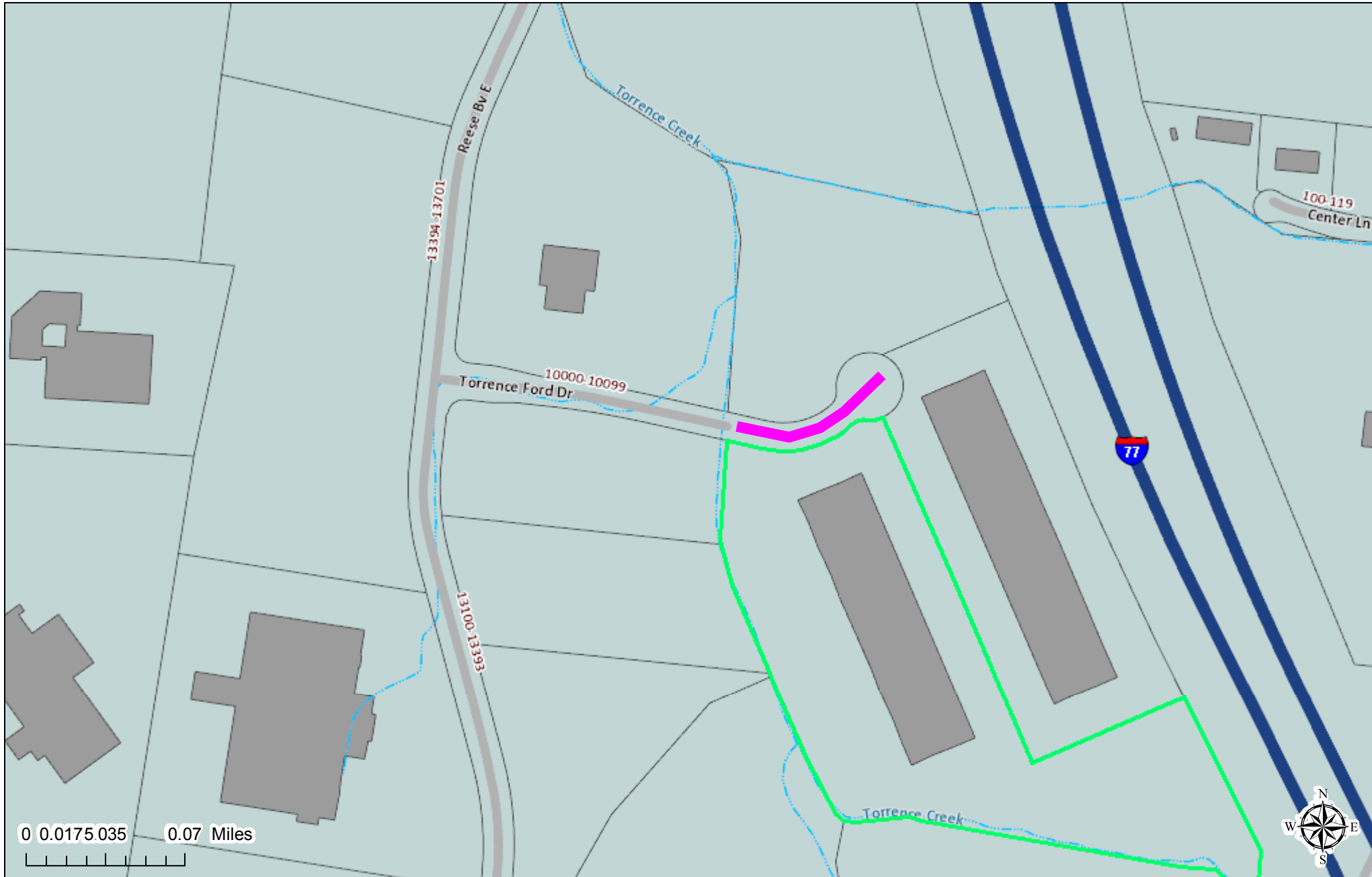
ATTACHMENTS:

1. Torrence Ford Development - Map

Polaris 3G Map – Mecklenburg County, North Carolina

Torrence Ford Development

Date Printed: 3/9/2023 3:12:02 PM



This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

**Town of Huntersville
Town Board
March 20, 2023**

To: Town Board

From: Tracy Houk, Assistant Director of Parks & Recreation

Date: March 20, 2023

Subject: Art work for Peace Poles

EXPLAIN REQUEST:

Each individual school that is participating in the Public Art Peace Pole project has submitted their design for the project. The Public Art Commission approved the designs of the Phoenix Montessori Academy on March 13, 2023.

ACTION RECOMMENDED:

Consider approving the artwork submitted by individual schools for the Peace Pole public art project

FINANCIAL IMPLICATIONS:

Each pole is funded by Phoenix Montessori Academy.

ATTACHMENTS:

1. Peace Pole Designs - 2nd Round



Public Art Commission Peace Pole Project

Additional - School Artwork Submissions

PAC members reviewed and approved March 13, 2023

Phoenix Montessori School – Middle School



Phoenix Montessori School – High School



**Town of Huntersville
Town Board
March 20, 2023**

To: Town Board

From: Nathan Farber, Planner I

Date: March 20, 2023

Subject: Petition #ANNEX 23-01

EXPLAIN REQUEST:

Call a public hearing for April 3, 2023 at 6:00pm at Huntersville Town Hall on Petition #ANNEX 23-01, a request by Camden Bowman, LLC to annex 33.535 acres of Parcel #011-241-04 into the Town of Huntersville.

ACTION RECOMMENDED:

Call a public hearing

FINANCIAL IMPLICATIONS:

NA

ATTACHMENTS:

1. Template for Resolution for Fixing Date of Public Hearing (Contiguous)
2. Annexation Plat
3. Camden Annexation Petition
4. Certificate of Sufficiency 23-01

RESOLUTION FIXING DATE OF PUBLIC HEARING
ON QUESTION OF ANNEXATION PURSUANT TO N.C.G.S. 160A-31

(Camden Property)

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

WHEREAS, the Board of Commissioners have directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Huntersville, North Carolina that:

Section 1. A public hearing on the question of annexation of the contiguous area described herein will be held at the Town Hall at 6:00 p.m. on the 3rd day of April 2023.

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

(Metes and bounds description attached hereto as Exhibit A.)

Section 3. Notice of said public hearing shall be published in the Charlotte Observer, a newspaper having a general circulation in the Town of Huntersville, at least ten (10) days prior to the date of said public hearing.

Mayor

Town of Huntersville, North Carolina

ATTEST:

Town Clerk

Exhibit A: Camden Property Metes & Bounds.

ALL that certain piece, parcel or tract of land lying and being in the Town of Huntersville, Huntersville Township, Mecklenburg County, North Carolina, and being more particularly described as follows:

Land of
Camden Bowman, LLC
Mecklenburg County Parcel #01124104B
Annexation Description

Beginning at an existing 1" pipe on the norther margin of McCord Road, a common corner with the land now or formerly of Michael & Kimberly Powell (Deed Bk-16950, Pg-1), said point being located N48°02'17"E 15,809.43' of NGS Monument "Lead", having grid coordinates N:609,119.894' and E:1,446,785.708'; thence turning and running with said "Powell" property N22°02'08"E 479.24' to an existing #4 rebar (passing an existing #4 rebar at 4.66'), said point being a common corner with land now or formerly of Calvin and Joann Mason;

Thence, turning and running with said "Mason" property on the same course of N22°02'08"E 1,271.32' (passing an existing #4 rebar at 1,231.32') to a computed point near the center of Ramah Creek, said point being the southerly line of land now or formerly of T.M. Westmoreland Family L.P. (Deed Bk-10160, Pg-527);

Thence, turning and running with said "Westmoreland" property S83°18'56"E 299.48' to a computed point near the center of Ramah Creek;

Thence, leaving said Ramah Creek, turning and running S06°18'53"E 714.70' (passing an existing #4 rebar at 40.00') to an existing 1" pipe, a common corner of land now or formerly of Blackwood Knoll community Association, Inc. (Deed Bk-35843, Pg-100);

Thence, turning with said "Blackwood Knoll" property S06°19'14"E 1,123.10' to an existing #4 rebar, a common corner of land now or formerly of Vigneswaran and Anushya Velayuthan (Deed Bk-28644, Pg-956), said point being located N73°23'40"W 115.32' of an existing #4 rebar;

Thence, turning and running with said "Velayuthan" property the following two (2) courses and distances:

1. N77°42'39"W 5.42' to an existing #4 rebar;
2. S41°01'34"W 270.00' to an existing #4 rebar, a common corner of land now or formerly of Wayne and Gladys Bowman (Deed Bk-21741, Pg-286);

Thence, turning and running with said "Bowman" property N47°11'04"W 90.06' to an existing #4 rebar, common corner of land now or formerly of Brandon Jentz (Deed Bk-28420, Pg-178);

Thence, turning and running with said "Jentz" property the following two (2) courses and distances:

1. N47°11'15"W 90.13' to an existing #4 rebar;
2. S41°01'19"W 241.26' to an existing #4 rebar on the northerly margin of McCord Road;

Thence, turning and running with the northerly margin of McCord Road the following two (2) courses and distances:

1. S45°44'23"E 19.55' to computed point;
2. With the arc of a curve to the left, having a radius of 3,270.99', an arc length of 160.62' with a chord bearing S47°19'29"E 160.60' to a computed point;

Thence, turning and running with a line within the right of way of McCord Road the following four (4) courses and distances:

1. S41°01'55"W 29.91' to computed point;
2. With the arc of a curve to the right, having a radius of 3,300.90', an arc length of 162.14' with a chord bearing N47°19'28"W 162.12' to a computed point;

3. N45°55'02"W 337.79' to a computed point;
4. N46°07'46"W 137.88' a computed point on the limits of an area previously annexed into the Town of Huntersville in Map Bk-52, Pg-563;

Thence, turning and running through the subject parcel with said previously annexed portion the following seventeen (17) courses and distances:

1. N43°52'14"E 35.41' to a computed point;
2. With the arc of a curve to the right, having a radius of 30.00', an arc length of 47.21' with a chord bearing N00°49'57"W 42.49' to a computed point;
3. N44°15'13"E 13.45' to a computed point;
4. With the arc of a to the left, having a radius of 113.00', an arc length of 136.62' with a chord bearing N09°37'00"E 128.45' to a computed point;
5. N25°01'14"W 67.00' to a computed point;
6. With the arc of a curve to the right, having a radius of 20.00', an arc length of 31.41' with a chord bearing N19°58'46"E 28.28' to a computed point;
7. N64°58'46"E 27.00' to a computed point;
8. N25°01'14"W 46.00' to a computed point;
9. S64°58'46"W 27.00' to a computed point;
10. With the arc of a curve to the right, having a radius of 20.00', an arc length of 31.41' with a chord bearing N70°01'14"W 28.28' to a computed point;
11. N25°01'14"W 27.00' to a computed point;
12. S64°58'46"W 46.00' to a computed point;
13. S25°01'14"E 180.00' to a computed point;
14. With the arc of a curve to the right, having a radius of 67.00', an arc length of 81.00' with a chord bearing S09°37'00"W 76.16' to a computed point;
15. S44°15'13"W 13.77' to a computed point;
16. With the arc of a tangent curve to the right, having a radius of 30.00', an arc length of 47.03' with a chord bearing S89°10'03"W 42.36' to a computed point;
17. S43°52'14"W 35.80' to a computed point within the margin of McCord Road;

Thence, turning and running within McCord Road the following two (2) courses and distances:

1. N46°07'46"W 144.50' to a computed point;
2. N78°17'17"W 157.31' to the Point and Place of Beginning;

Contains 1,406,791 sq. ft. or 33.535 acres more or less.



PETITION REQUESTING ANNEXATION

To the Board of Commissioners of the Town of Huntersville:

1. We, the undersigned owners of all or a part of the real property described on the metes and bounds description attached hereto, request that the described area be annexed to the Town of Huntersville.
2. The area to be annexed is (contiguous) (non-contiguous) [circle one] to the primary corporate limits of the Town of Huntersville. The petitioner attaches hereto and submits as part of the petition:

(a) a metes and bounds description of the parcel(s) identified in paragraph 1, and

(b) a plat, suitable for recordation in the office of the Mecklenburg County Register of Deeds, showing the area proposed for annexation with relation to the primary corporate limits of the Town of Huntersville.

3. The petitioner (does) (does not) [circle one] claim vested rights in the property pursuant to N.C.G.S. 153A-344.1 or 160A-385.1. The basis of this claim of vested rights is as follows:

SKETCH PLAN APPROVAL (EPM # 387751-APPROVED 10/03/2018), AND

PRELIMINARY PLAN APPROVAL (EPM# 419250-APPROVED 10/07/2021)

4. This petition may be one of multiple petitions of all owners within the described area and, if so, shall be considered as a single petition. If petitioner is the owner of a portion of described area, a brief description of that portion (for example, lot number on a recorded plat or tax parcel number), as of the date of this petition, is as follows:

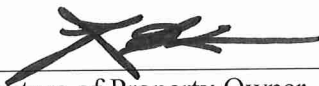
PID 01124104B

CAMDEN BOWMAN, LLC
Property Owner(s)

13815 CINNABAR PLACE, HUNTERSVILLE, NC 28078
Address of Property Owner(s)

704-875-9704
Telephone Number

NATEBOWMAN15@GMAIL.COM
E-mail address


Signature of Property Owner

9/7/22
Date

CERTIFICATE OF SUFFICIENCY

To the Board of Commissioners of the Town of Huntersville, North Carolina:

I, Janet Pierson, Town Clerk, do hereby certify that I have investigated the attached petition and hereby make the following findings:

- a. The petition contains an adequate property description of the area proposed for annexation.
- b. The area described in the petition is contiguous to the Town of Huntersville primary corporate limits, as defined by G.S. 160A-31.
- c. The petition is signed by and includes addresses of all owners of real property lying in the area described therein.

The undersigned therefore certifies that the petition is sufficient for the voluntary annexation of a contiguous area pursuant to NCGS §160A-31.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the seal of the Town of Huntersville this _____ day of _____, 2023.

Janet Pierson, Town Clerk

(TOWN SEAL)

**Town of Huntersville
Town Board
March 20, 2023**

To: Town Board

From: Nathan Farber, Planner I

Date: March 20, 2023

Subject: Call for Public Hearing - Petition #ANNEX 23-02

EXPLAIN REQUEST:

Call a public hearing for April 3, 2023 at 6:00pm at Huntersville Town Hall on Petition #ANNEX 23-02, a request by Bobby MacNaughton, Richard Carpentieri, Emily Bice, Logan Ruffin, Abril Jimenez, and Chirag B. Patel to annex 62.593 acres of Parcel #021-031-04, 021-031-32, 021-031-07, 021-031-38, 021-033-89 thru 021-033-91, 021-033-01 thru 021-033-18, 021-033-52 thru 021-033-88 into the Town of Huntersville.

ACTION RECOMMENDED:

Call a public hearing

FINANCIAL IMPLICATIONS:

NA

ATTACHMENTS:

1. Resolution for Fixing Date of Public Hearing (Non Contiguous)
2. Annexation Plat
3. ANNEX Petition
4. Certificate of Sufficiency (Non-Contiguous) ANNEX23-02

RESOLUTION FIXING DATE OF PUBLIC HEARING
ON QUESTION OF ANNEXATION PURSUANT TO N.C.G.S. 160A-58.2

(The Hills Property)

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

WHEREAS, the Board of Commissioners have directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Huntersville, North Carolina that:

Section 1. A public hearing on the question of annexation of the contiguous area described herein will be held at the Town Hall at 6:00 p.m. on the 3rd day of April 2023.

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

(Metes and bounds description attached hereto as Exhibit A.)

Section 3. Notice of said public hearing shall be published in the Charlotte Observer, a newspaper having a general circulation in the Town of Huntersville, at least ten (10) days prior to the date of said public hearing.

Mayor

Town of Huntersville, North Carolina

ATTEST:

Town Clerk

Exhibit A: The Hills Property Metes & Bounds.

ALL that certain piece, parcel or tract of land lying and being in the Town of Huntersville, Huntersville Township, Mecklenburg County, North Carolina, and being more particularly described as follows:

County Tax Parcel #021-031-04, 021-031-32, 021-031-07, 021-031-38, 021-033-89 thru 021-033-91, 021-033-01 thru 021-033-18, 021-033-52 thru 021-033-88

Non- Contiguous Annexation Area – 62.593 Acres

All that certain parcel of land, situated, lying, and being in Mecklenburg County, State of North Carolina, and being more particularly described as follows:

Beginning at an Axle Found, the southeast corner of the Thomas and Boyd Dimmock property as shown in Deed 24182-930 and recorded in the Mecklenburg County Register of Deeds Office. Said point also being a corner of the KB Home Charlotte LLC property as shown in Deed 35855-188 and recorded in the Mecklenburg County Register of Deeds Office.

Thence from said Axle Found 2 calls with the Thomas and Boyd Dimmock property; 1)N27-47-20W 257.06' to a point; 2) N45-38-49W 303.00' to a point, the southeast corner of the Brian O. Nappier property as shown in Deed 9006-556 and recorded in the Mecklenburg County register of Deeds Office; Thence with the eastern line of the Brian O. Nappier property N06-09-38W 707.64' to a point, the southeast corner of the Robert W. Gurley property as shown in Deed: 9006-556; Thence with the Gurley property N17-51-53W 230.09' to a point, the southwest corner of the KB Home Charlotte, LLC property as shown in Deed:35855-188 and recorded in the Mecklenburg County register of Deeds Office, said point being in Autumncrest Road; Thence running in Autumncrest Road 13 calls; 1) S88-36-58E 233.87' to a point; 2) with the arc of a curve to the right having a radius of 915.08' an arc length of 103.28' (subtended by chord S85-22-58E 103.23') to a point; 3) S82-08-58E 100.00' to a point; 4) with the arc of a curve to the right having a radius of 1014.08 and an arc length of 96.10' (subtended by chord S79-26-06E 96.06') to a point; 5) S18-28-20E 52.41' to a point; 6)S18-28-20E 18.63' to a point; 7) S76-21-09E 108.38' to a point; 8) with the arc of a curve to the right having a radius of 187.58' and an arc length of 34.63' (subtended by chord S71-03-51E 34.58') to a point; 9) with the arc of a curve to the right having a radius of 187.58' and an arc length of 50.11' (subtended by chord S58-07-21E 49.96') to a point; 10) S50-28-09E 69.37' to a point; 11)S50-28-09E 14.18' to a point; 12) with the arc of a curve to the left having a radius of 178.45' and an arc length of 108.23' (subtended by chord S67-50-44E 106.58') to a point; 13) S85-27-09E 25.47' to a point, the northwestern corner of the Eric C. and Stacia M. Hamilton property as shown in Deed:30494-583 and recorded in the Mecklenburg County Register of Deeds Office, said point also being the northeast corner of the KB Home Charlotte LLC property; Thence 5 calls with the eastern line of the KB Home Charlotte LLC property; 1) S18-30-02E 765.13' to a point; 2) S18-15-50E 255.30' to a point; 3) S18-26-06E 254.82' to a point; 4) S19-32-29E 462.39' to a point; 5) S20-44-24E 140.12' to a point, the southeast corner of the KB Home Charlotte LLC property and the northeast corner of the George Sprague Jr. and Bethany Sprague property as shown in Deed:32163-286 and recorded in the Mecklenburg County Register of Deeds Office; Thence N79-29-34W 766.90' to a point; Thence N77-15-29W 152.63' to a point, the northeast corner of the George Sprague Jr. and Bethany Sprague property as shown in Deed:34765-755 and recorded in the Mecklenburg County Register of Deeds Office; Thence N77-28-43W 250.55' to a point, Thence S10-28-06W 159.34' to a point; Thence S10-18-04W 447.60' to a point, the northeast corner of the George Sprague Jr. and Bethany Sprague property as shown in Deed:32163-286 and recorded in the Mecklenburg County Register of Deeds Office; Thence N86-50-56W 472.00' to a point, the southeast corner of the Jason Allen Williams property as shown in Deed:18848-683 and recorded in the Mecklenburg County Register of Deeds Office; Thence 2 calls with the Jason Allen Williams property; 1)N17-38-56W 235.50' to a point; 2) N86-50-56W 400.00' to a point in Asbury Chapel Road; Thence 5 calls in Asbury Chapel Road; 1) N10-05-18W 231.23' to a point; 2) N05-37-23E 18.67' to a point; 3) N04-15-16W 261.50' to a point; 4) N04-15-16W 41.15' to a point; 5) N07-22-36W 29.61' to a point; Thence leaving Ashley Chapel Road S86-50-56E 210.03' to a point, the southeastern corner of the Daniel Pressley property as shown in Deed:18520-309 and recorded in the Mecklenburg County Register of Deeds Office; Thence with the eastern line of the Daniel Pressley property

N01-50-31E 208.96' to a point in the southern line of the Donna P. McCormick property as shown in Deed:18520-309 and recorded in the Mecklenburg County Register of Deeds Office; Thence 2 calls with the Donna P. McCormick property 1) S86-49-26E 91.05' to a point; 2) N01-49-00E 152.23' to a point, the northeastern corner of the Donna P. McCormick property; Thence S81-16-12E 915.62' to the Point of Beginning.

Said Non-Contiguous Annexation Area containing 62.593 acres

* I STATE THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION NOT RECORDED IN BOOK 37743, PAGE 698; THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN BOOK 37743, PAGE 698; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS IN EXCESS OF 1:10,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600).

THIS 22 DAY OF February, 2023.

PROFESSIONAL LAND SURVEYOR

THIS PLAT REPRESENTS ONE AREA ANNEXED TO THE TOWN OF HUNTERSVILLE, NORTH CAROLINA PURSUANT TO NCOS 160A-58, BY ORDINANCE DULY ADOPTED BY THE TOWN OF HUNTERSVILLE, NORTH CAROLINA (ANNEXATION ORDINANCE NO. 2023-01) AND IS NOT SUBJECT TO REVIEW OR APPROVAL BY THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION.

THIS DAY OF February, 2023.

TOWN OF HUNTERSVILLE

ATTEST:
JANET PIERSON
TOWN CLERK

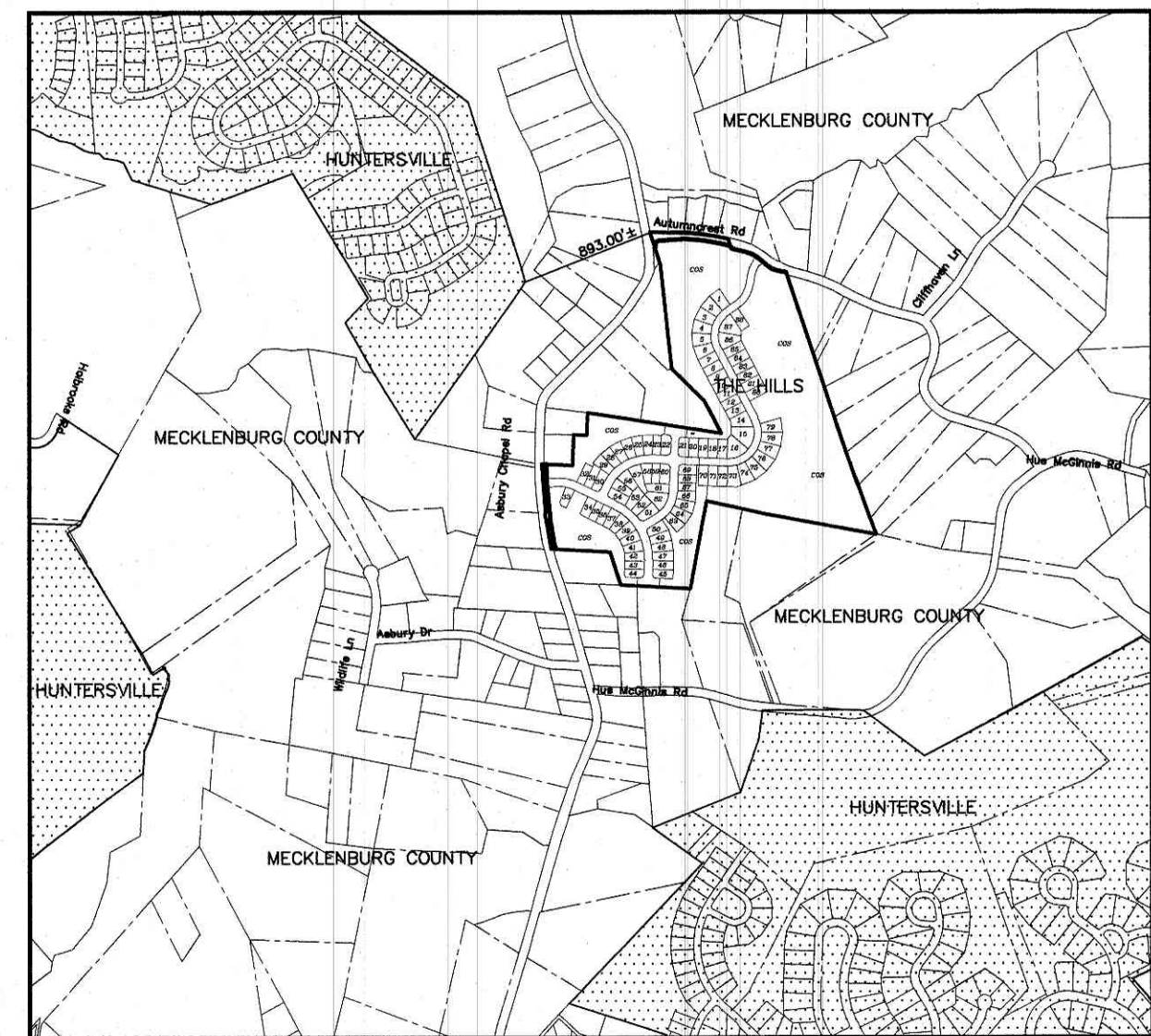
I, MECKLENBURG COUNTY, CERTIFY THAT THE REVIEW OFFICER OF WHICH THIS CERTIFICATION IS AFFIRMED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER DATE

LEGEND

MB - MAP BOOK
PG - PAGE
EOP - EDGE OF PAVEMENT
EOD - EDGE OF GRAVEL
BMAE - BMP MAINTENANCE & ACCESS EASEMENT
CB - CATCH BASIN
SAN - SANITARY
FES - FLARED END SECTION
DI - DROP INLET
CO - SEWER CLEAN OUT
MH - MAN HOLE
CMP - CORRUGATED METAL PIPE
RCP - REINFORCED CONCRETE PIPE
HW - HEAD WALL
R/W - RIGHT OF WAY
MECH - MECHANICALS
TELE PED - TELEPHONE PEDESTAL
CAB PED - CABLE PEDESTAL
UG - UNDERGROUND
COMM - COMMUNICATIONS CABLE
ELEC - ELECTRIC
FO - FIBER OPTIC
VLT - VAULT
EXT - EXISTING
PROP. - PROPOSED
OHE - OVERHEAD ELECTRIC
CONC - CONCRETE
D.O.T. - DEPARTMENT OF TRANSPORTATION
STE - 35'X35' SIGHT TRIANGLE EASEMENT
STEZ - 10'X70' SIGHT TRIANGLE EASEMENT

AREA CALCULATED BY COORDINATE METHOD
NO NCOS TRAVERSE STATION WITHIN 2000'.
THIS PROPERTY MAY BE SUBJECT TO WETLAND RESTRICTIONS.
IRON PINS ON ALL CORNERS UNLESS OTHERWISE NOTED.
THIS PROPERTY IS SUBJECT TO ALL OTHER RIGHTS-OF-WAY AND EASEMENTS OF RECORD NOT OBSERVED AT TIME OF SURVEY.
WHICH MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
THIS PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA FIRM PANEL 370466000, DATED 11/16/2018.
THE SOLE PURPOSE OF THIS MAP IS TO ANNEX 62.593 ACRES TO THE TOWN OF HUNTERSVILLE.



I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED. FURTHERMORE, I DEDICATE ALL SEWER LINES AND ALL WATER LINES TO THE CHARLOTTE-MECKLENBURG UTILITY DEPARTMENT, IF APPLICABLE.

OWNER(S) DATES

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED. FURTHERMORE, I DEDICATE ALL SEWER LINES AND ALL WATER LINES TO THE CHARLOTTE-MECKLENBURG UTILITY DEPARTMENT, IF APPLICABLE.

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OWNER(S) DATES

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OWNER(S) DATES

LINE	LENGTH	BEARING
L1	49.74	N09°22'23"W
L2	48.69	N07°47'59"W
L3	49.56	N06°16'04"W
L4	49.83	N05°51'08"W
L5	49.84	N05°24'28"W
L6	49.61	N05°07'48"W
L7	45.54	N04°40'20"W
L8	49.31	N03°38'35"W
L9	23.46	N02°12'05"W
L10	25.50	N02°12'05"W
L11	20.41	N00°46'37"W
L12	22.41	N00°45'49"W
L13	4.71	N04°40'20"W
L14	22.22	N07°48'24"W
L15	14.87	N85°57'47"E
L16	63.93	N86°42'17"E
L17	19.82	N86°40'38"E
L18	73.76	N87°06'14"E
L19	48.32	S88°41'04"E
L20	80.83	S84°41'40"E
L21	83.31	S80°12'47"E
L22	47.37	S77°39'25"E
L23	23.60	S77°39'25"E
L24	34.43	S75°30'56"E
L25	18.63	N18°28'20"W
L26	52.41	N18°28'20"W
L27	69.37	S50°28'09"E
L28	14.18	S50°28'09"E
L29	25.47	S85°27'09"E

CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C27	49.10	30.00	43.80	N30°04'42"E	93°46'10"
C28	103.28	915.08	103.23	S85°22'58"E	6°28'01"
C29	96.10	1014.08	96.06	S79°28'06"E	5°25'46"
C30	34.63	187.58	34.58	S77°03'51"E	10°34'35"
C31	50.11	187.58	49.96	S58°07'21"E	15°18'28"
C32	106.23	178.45	106.58	S67°50'44"E	34°44'58"
C39	93.59	984.56	93.55	N12°52'47"W	5°26'46"

JAMES P. & DONNA P. MCCORMACK
PARCEL D# 0203030
DB 18020 PG 306
1300 ASBURY CHAPEL RD
HUNTERSVILLE, NC, 28078
MECKLENBURG COUNTY

JOSE L. & DANIEL PRESLEY
PARCEL D# 0203030
DB 18020 PG 309
1301 ASBURY CHAPEL RD
HUNTERSVILLE, NC, 28078
MECKLENBURG COUNTY

DANIEL A. BLOCH
PARCEL D# 0203040
DB 2478 PG 941
RD BOX 3114
HUNTERSVILLE, NC, 28070
MECKLENBURG COUNTY

THOMAS & BOYD DINWIDDIE
PARCEL D# 0203034
DB 24182 PG 820
8400 BOUNDARY RD
RALEIGH, NC, 27605
MECKLENBURG COUNTY

TRANSFORMED
REWORK
FOR
ELEVATION CORRECTION
NO. 180 AND NO. 83 R/W NO. 81

BMP 2

ERIC C. & STACIA M. HAMILTON
PARCEL D# 0203030
DB 30468 PG 583
MECKLENBURG COUNTY

JERRY W. BARNETTE
PARCEL D# 0203030
DB 30468 PG 583
MECKLENBURG COUNTY

TERRY WAYNE BARNETTE & SCHONNIE TANNER
PARCEL D# 0203030
DB 30468 PG 583
MECKLENBURG COUNTY

ERIC W. & MARCIA A. KNIGHT
PARCEL D# 0203030
DB 30468 PG 583
MECKLENBURG COUNTY

GARY D. & MARION D. STON
PARCEL D# 0203030
DB 30468 PG 583
MECKLENBURG COUNTY

DREW F. & TABIA L. JEFFERY
PARCEL D# 0203030
DB 30468 PG 583
MECKLENBURG COUNTY

CAROL B. MOSER
PARCEL D# 0203030
DB 30468 PG 583
MECKLENBURG COUNTY

NOW OR FORMERLY
JENNIFER A. PNEAR & BETHANY BRADLEY
PARCEL #02-03-18
MECKLENBURG COUNTY

NOW OR FORMERLY
JENNIFER A. PNEAR & BETHANY BRADLEY
PARCEL #02-03-18
MECKLENBURG COUNTY

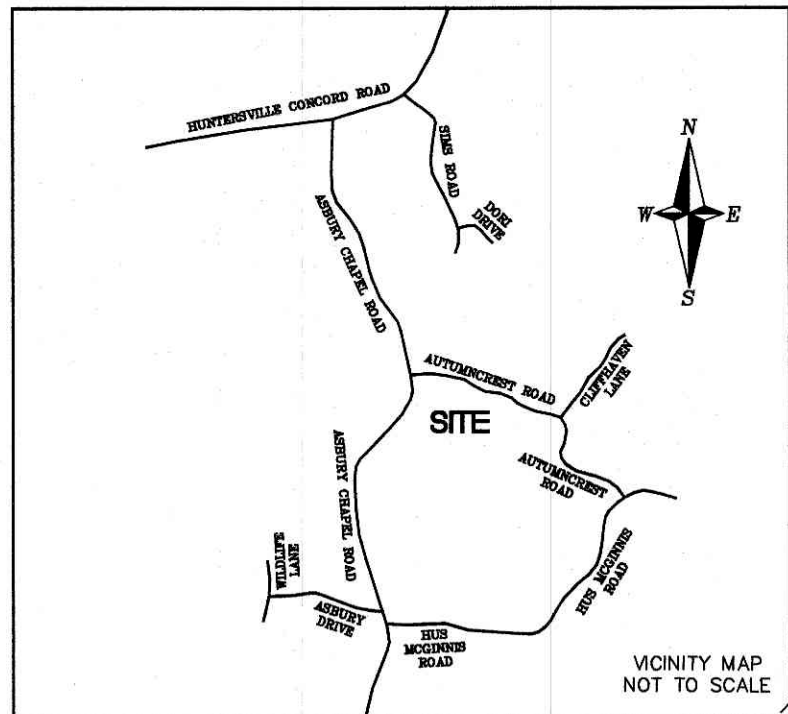
NOW OR FORMERLY
JENNIFER A. PNEAR & BETHANY BRADLEY
PARCEL #02-03-18
MECKLENBURG COUNTY

NOW OR FORMERLY
JENNIFER A. PNEAR & BETHANY BRADLEY
PARCEL #02-03-18
MECKLENBURG COUNTY

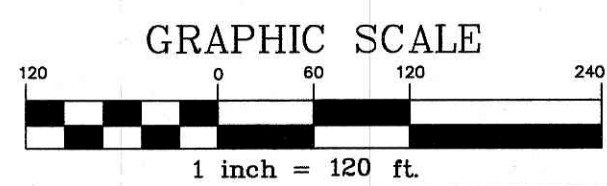
NOW OR FORMERLY
JENNIFER A. PNEAR & BETHANY BRADLEY
PARCEL #02-03-18
MECKLENBURG COUNTY

NOW OR FORMERLY
JENNIFER A. PNEAR & BETHANY BRADLEY
PARCEL #02-03-18
MECKLENBURG COUNTY

BEARINGS BASED ON
NC GRID



LOT SIZE	REQUIRED NUMBER OF CANOPY TREES
LESS THAN 10,000 SQ.FT.	1 FRONT YARD, 1 REAR YARD
10,000-15,000 SQ.FT.	1 FRONT YARD, 2 REAR YARD
15,000-20,000 SQ.FT.	2 FRONT YARD, 2 REAR YARD
MORE THAN 20,000 SQ.FT.	3 FRONT YARD, 3 REAR YARD



SHEET TITLE

**NON-CONTIGUOUS ANNEXATION PLAT
(62.593 ACRES)**

PROJECT **THE HILLS PHASE 1 & 2**
HUNTERSVILLE TOWNSHIP, MECKLENBURG COUNTY, NC
FOR: KB HOME CHARLOTTE LLC, DEED:35855-188
OWNERS : SEE ABOVE

PROJECT NO.

SCALE
1"=120'

DATE
02/15/22

DRAWN BY
YWH

CHECKED BY
JEW

DRAWING NO.

XX-XX

SHT 1 OF 1 SHTS

YARBROUGH-WILLIAMS & HOULE, INC.
Planning • Surveying • Engineering
730 Windsor Oak Court, 28273
Charlotte, North Carolina, 28134
704.556.1990 704.556.0006(fax)

NC Corporate
Registration #C-0475



Annexation Petition

Petition Requesting Annexation

To the Board of Commissioners of the Town of Huntersville:

1. We, the undersigned owners of all or a part of the real property described on the metes and bounds description attached hereto, request that the described area be annexed to the Town of Huntersville.
2. This is a single petition that may be one of multiple petitions by all other owners of land within the tract petitioned for annexation. If this is the case, please include a brief description of the portion of land, as of the date of this petition, owned by the undersigned petitioner (ex. lot number from a recorded plat or tax parcel number).

TAX PARCEL #'S 021-031-04 / 021-031-32 / 021-031-07 / 021-031-38 /
021-033-89 / 021-033-91 / 021-033-90 / 021-033-01 thru 021-033-12 /
021-033-52 thru 021-033-88

3. The area to be annexed is (contiguous) (non-contiguous) [circle one] to the primary corporate limits of the Town of Huntersville. The petitioner attaches hereto and submits as part of the petition:
 - ✓(a) Metes and bounds description of the parcel(s) identified in paragraph 1, and
 - ✓(b) A plat, suitable for recordation in the office of the Mecklenburg County Register of Deeds, showing the area proposed for annexation with relation to the primary corporate limits of the Town of Huntersville.
4. The petitioner does / does not [circle one] claim vested rights in the property pursuant to N.C.G.S. 153A-344.1 or 160A-385.1. The basis of this claim of vested rights is as follows

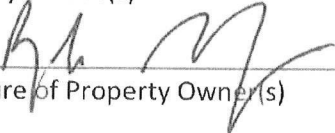
Previously approved subdivisions plan for The Hills

Petitioner & Owner Information

Bobby MacNaughton
Petitioner


Signature of Petitioner

KB Home Charlotte LLC
Property Owner(s)


Signature of Property Owner(s)

2/14/23
Date



Annexation Petition

Petition Requesting Annexation

To the Board of Commissioners of the Town of Huntersville:

1. We, the undersigned owners of all or a part of the real property described on the metes and bounds description attached hereto, request that the described area be annexed to the Town of Huntersville.
2. This is a single petition that may be one of multiple petitions by all other owners of land within the tract petitioned for annexation. If this is the case, please include a brief description of the portion of land, as of the date of this petition, owned by the undersigned petitioner (ex. lot number from a recorded plat or tax parcel number).

TAX PARCEL # 021-033-05

3. The area to be annexed is (contiguous) (non-contiguous) [circle one] to the primary corporate limits of the Town of Huntersville. The petitioner attaches hereto and submits as part of the petition:
 - ✓(a) Metes and bounds description of the parcel(s) identified in paragraph 1, and
 - ✓(b) A plat, suitable for recordation in the office of the Mecklenburg County Register of Deeds, showing the area proposed for annexation with relation to the primary corporate limits of the Town of Huntersville.
4. The petitioner (does) (does not) [circle one] claim vested rights in the property pursuant to N.C.G.S. 153A-344.1 or 160A-385.1. The basis of this claim of vested rights is as follows

Previously Approved Subdivides PLAN FOR THE HIGH

Petitioner & Owner Information

Richard F Campbell
Petitioner

Emily K Bice

[Signature]
Signature of Petitioner

Emily K Bice

Richard F Campbell
Property Owner(s)

Emily K Bice

[Signature]
Signature of Property Owner(s)

Emily K Bice

02/10/2023
Date

02/10/2023

NOTICE OF ANNEXATION TO TOWN OF HUNTERSVILLE

PROPERTY ADDRESS: 12328 Rowan Hill Drive, Huntersville, NC 28078

The undersigned, Emily K. Bice and Richard F. Carpentieri (Collectively, "Buyer") do hereby acknowledge that the real property know as 12328 Rowan Hill Drive, Huntersville, NC 28078, as further shown on Exhibit "A" (the "Property") was intended to be annexed into the Town of Huntersville (the "Town") prior to Buyer's purchase of the Property. Buyer desires the property to be annexed into the Town. KB Home Charlotte Inc., ("KB") has agreed to annex the Property and incur the costs associated with the annexation.

Buyer agrees to fully cooperate with KB during the annexation process and provide any documentation, signatures, meeting attendance or any other request from KB to assist in the annexation of the property. Buyer understands that Buyers signature will be required on the Annexation request and plat to be recorded and will sign both promptly when requested. Failure to timely respond to KB may result in a delay in the annexation or failure of the property to be annexed.

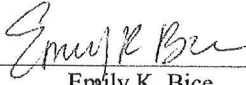
Buyer agrees to close on the purchase of the Property while the property is being annexed into the Town. Buyer further understands that Town will not be providing garbage services until the annexation is complete. KB has provided the Buyer with the contact information for a garbage service provider that Buyer may elect to use while waiting for the Town services to become available. All costs and fees associated with the above referenced service provider is the responsibility of Buyer.

Buyer understands their escrow account for payment of taxes is based off the current taxing authorities and will be subject to change once the property is annexed. This may result in shortage of Buyers escrow account for tax payment and Buyer agrees it is their responsibility to remit an additional payment that may be required to cure the shortage in the escrow account.

Buyer further waives any breach of contract by KB due to the lack of annexation to the Town under the KB Purchase Agreement dated January 16, 2023, by and between Buyer and KB (the "Contract"), so long as KB continues to make reasonable efforts to annex the property to the Town. Buyer further fully waives any breach of contract by KB if the property is not annexed to the Town due to the Buyers failure to cooperate with KB.

(Signature Page to Follow)

Buyer has the executed this Notice of Annexation to Town of Huntersville this the 10th day of February 2023.



Emily K. Bice



Richard F. Carpentieri

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, a Notary Public for the State and County above listed, do hereby certify that Emily K. Bice and Richard F. Carpentieri personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 10th of February 2023.

Notary Public

My Commission Expires:

(SEAL)



Annexation Petition

Petition Requesting Annexation

To the Board of Commissioners of the Town of Huntersville:

1. We, the undersigned owners of all or a part of the real property described on the metes and bounds description attached hereto, request that the described area be annexed to the Town of Huntersville.
2. This is a single petition that may be one of multiple petitions by all other owners of land within the tract petitioned for annexation. If this is the case, please include a brief description of the portion of land, as of the date of this petition, owned by the undersigned petitioner (ex. lot number from a recorded plat or tax parcel number).

TAX PARCEL # 021-033-06

3. The area to be annexed is (contiguous) (non-contiguous) [circle one] to the primary corporate limits of the Town of Huntersville. The petitioner attaches hereto and submits as part of the petition:
 - (a) Metes and bounds description of the parcel(s) identified in paragraph 1, and
 - (b) A plat, suitable for recordation in the office of the Mecklenburg County Register of Deeds, showing the area proposed for annexation with relation to the primary corporate limits of the Town of Huntersville.

4. The petitioner (does) (does not) [circle one] claim vested rights in the property pursuant to N.C.G.S. 153A-344.1 or 160A-385.1. The basis of this claim of vested rights is as follows

Previously APPROVED SUBDIVISION PLAN FOR THE HILLS

Petitioner & Owner Information

Abril Jimenez

Chirag B. Patel

Petitioner

DocuSigned by:

Abril Jimenez

Signature of Petitioner

Abril Jimenez

DocuSigned by:

Chirag B. Patel

Chirag B. Patel

Property Owner(s)

DocuSigned by:

Abril Jimenez

Signature of Property Owner(s)

2/23/2023

Date

DocuSigned by:

Chirag B. Patel

2/23/2023

Certificate Of Completion

Envelope Id: 6D8CC7EB459F4715BED59FF49D6D99AB

Status: Completed

Subject: Complete with DocuSign: Annexation Petition (Application 2023).pdf

Source Envelope:

Document Pages: 2

Signatures: 4

Envelope Originator:

Audrey Riddick

Certificate Pages: 6

Initials: 0

9102 Southpark Ctr LP Suite 100

AutoNav: Enabled

Orlando, FL 32819

Envelopeld Stamping: Enabled

amriddick@kbhome.com

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

IP Address: 104.129.205.122

Record Tracking

Status: Original

Holder: Audrey Riddick

Location: DocuSign

2/23/2023 9:43:12 AM

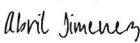
amriddick@kbhome.com

Signer Events

Abril Jimenez

abril.jcolonna@gmail.com

Security Level: Email, Account Authentication
(None)**Signature**

DocuSigned by:

90F2C3EDBAD5432...

Signature Adoption: Pre-selected Style

Using IP Address: 172.58.155.156

Signed using mobile

Timestamp

Sent: 2/23/2023 9:51:52 AM

Viewed: 2/23/2023 9:52:39 AM

Signed: 2/23/2023 9:53:06 AM

Electronic Record and Signature Disclosure:

Accepted: 1/17/2023 11:08:31 AM

ID: 617ca83f-8e52-423e-b086-524ade0f314a

Company Name: KB Home

Chirag B. Patel

patel71985@gmail.com

Security Level: Email, Account Authentication
(None)

DocuSigned by:

FBE82EA53EDA4A2...

Signature Adoption: Pre-selected Style

Using IP Address: 166.196.89.85

Signed using mobile

Sent: 2/23/2023 9:51:53 AM

Viewed: 2/23/2023 9:52:41 AM

Signed: 2/23/2023 9:52:59 AM

Electronic Record and Signature Disclosure:

Accepted: 2/23/2023 9:52:41 AM

ID: e70269f1-5995-4244-a100-726e87797b1d

Company Name: KB Home

In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp****Carbon Copy Events****Status****Timestamp**

Bobby MacNaughton

rmacnaughton@kbhome.com

Security Level: Email, Account Authentication
(None)**COPIED**

Sent: 2/23/2023 9:51:53 AM

Viewed: 2/23/2023 9:52:22 AM

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Carbon Copy Events

Paula Saunders Stroupe
pastroupe@kbhome.com
Sales Representative
KB Home

Status**COPIED****Timestamp**

Sent: 2/23/2023 9:51:53 AM

Witness Events**Signature****Timestamp****Notary Events****Signature****Timestamp****Envelope Summary Events****Status****Timestamps**

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Certified Delivered	Security Checked	2/23/2023 9:52:41 AM
Signing Complete	Security Checked	2/23/2023 9:52:59 AM
Completed	Security Checked	2/23/2023 9:53:06 AM

Payment Events**Status****Timestamps****Electronic Record and Signature Disclosure**

CONSENT AND AGREEMENT TO RECEIVE, SIGN AND INITIAL ELECTRONIC PURCHASE AGREEMENT DOCUMENTS, NOTICES AND DISCLOSURES BY BUYER(S) ("E-transaction Agreement") CONSUMER DISCLOSURE

This E-transaction Agreement contains important information that you are entitled to receive before you consent and agree to electronically receive, sign and initial your purchase agreement documents, notices and disclosures related to your home purchase (collectively, "documents, notices and disclosures" from the Seller ("we," "us" or "Company"), and/or its parent company KB Home, its affiliates and subsidiaries.

By checking the "I Agree" box, I consent, agree and confirm that:

- 1. I am solely responsible for reading all of the electronic purchase agreement documents, notices and disclosures, including, without limitation, all of the information that appears between prompts for electronic initials and signatures; and**
- 2. I have the opportunity to scroll up and down in all of the electronic documents by using the scrolling navigation bar along the right side of the documents; and**
- 3. By clicking "next" to forward to the next electronic initial or signature, the prompt may skip over pages to the next electronic initial or signature, but that I can scroll up or down at any time to review all pages; and**
- 4. I will not claim that I did not know or understand what I was initialing or signing if pages are skipped by clicking "next" to forward to the next electronic initial or signature; and**
- 5. I am not required to use electronic initials and signatures; and**
- 6. If, at any time prior to completion of the electronic signature process, I do not want to utilize electronic initials and signatures, I may cancel the electronic signature process and request that I sign and initial all documents by hand in person; and**
- 7. I am voluntarily choosing to use electronic initials and signatures which will create a binding purchase agreement with Seller.**

Buyer(s) acknowledge, understand and accept that Buyer's electronic signatures and initials create a binding purchase agreement with Seller. If you do not want to conduct your purchase transaction by electronic signatures, then exit this program without clicking the 'I Agree' box. If you voluntarily elect to proceed to conduct your purchase transaction by electronic signatures with Seller, please read this E-transaction Agreement carefully, follow the instructions to click the 'I Agree' box, and download, save and/or print a copy of the E-transactions Agreement for your files.

Buyer(s) understand and accept that Buyer(s) are voluntarily agreeing to participate in this E-transaction Agreement during Seller's purchase agreement process. During this process, it is possible that circumstances may arise causing Seller to require Buyer(s) to provide wet signatures on some or all documents, notices and disclosures before closing. If this occurs, Seller will not have any liability to Buyer(s) and will not pay any compensation or consideration to Buyer(s) for any such duplication of signatures or other inconvenience to Buyer(s). From time to time, Seller may provide Buyer(s) ("you") with purchase agreement documents, notices, and disclosures related to your home purchase and we may provide you with certain written documents, notices or disclosures. State laws, the Uniform Electronic Transaction Act (UETA), and federal law, the Electronic Signatures in Global and National Commerce Act (ESIGN), state that a document or signature cannot be denied legal effect or enforceability solely because it is in electronic form. Both laws allow electronic signatures to be used in real estate transactions. Described below are the terms and conditions for providing you with such documents, notices

and disclosures electronically through the DocuSign, Inc. ("DocuSign") electronic signing system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' box.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after signing session and, if you elect to create a DocuSign signer account, you may access them for a limited period of time (usually 30 days) after such documents are first sent to you.

Withdrawing your consent

If you decide to electronically sign and receive documents, notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required documents, notices and disclosures only in paper format. How you must inform us of your decision to receive future documents, notices and disclosures in paper format and withdraw your consent to receive documents, notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required documents, notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required documents, notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper documents, notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of a DocuSign envelope instead of signing it. This will indicate to us that you have withdrawn your consent to receive required documents, notices and disclosures electronically from us and you will no longer be able to use the DocuSign system to receive required documents, notices and consents electronically from us or to sign electronically documents from us.

Documents, notices and disclosures sent to you electronically may sometimes also require wet signatures

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system required documents, notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any documents, notice or disclosure, we prefer to provide, to the extent possible, the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive the documents, disclosures and notices electronically or in paper format through the paper mail delivery system. However, your consent and agreement does not mean that we are obligated to provide all documents, notices and disclosures to you electronically. We may, in our sole and exclusive discretion, deliver any documents, notices and disclosures to you in paper form should we choose to do so. We may also require that certain communications with you, and certain documents, notices and disclosures be delivered to us in paper form at a specified address. It is also possible that certain third parties involved in the purchase transaction, including but not limited to certain lenders and FHA, VA and USDA loans, may not accept electronic signatures and may require wet signatures

on certain documents, notices and disclosures before closing. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the documents, notices and disclosures electronically from us.

Seller disclaimer of representations, warranties and liability

Seller does not represent or warranty that the DocuSign electronic signature system are or will be error- free. Seller makes no representations or warranties of any kind, whether express, implied in fact or by operation of law, or statutory as to the DocuSign electronic signature system. Seller disclaims all implied warranties of merchantability and fitness for a particular purpose for the DocuSign electronic signature system. Seller expressly disclaims any and all liability arising out of or related to any failures of the DocuSign electronic signature system. If the DocuSign electronic signature system fails in part or in whole, or if Seller discontinues usage of the DocuSign electronic signature system, Buyer(s) understand and accept that Seller may require Buyer(s) to re-execute and provide wet signatures on duplicate purchase agreement documents, notices and disclosures without any compensation or consideration to Buyers.

How to contact KB Home:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive documents, notices and disclosures electronically as follows: To contact us by email send messages to: kbhomes@kbhome.com.

To advise KB Home of your new e-mail address

To let us know of a change in your e-mail address and where we should send documents, notices and disclosures electronically, you must send an email message to us at kbhomes@kbhome.com and in the body of such request you must state: your previous e-mail address and your new e-mail address. We do not require any other information from you to change your email address.

To request paper copies from KB Home

To request delivery from us of paper copies of the documents, notices and disclosures previously provided by us to you electronically, you must send an e-mail to kbhomes@kbhome.com and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with KB Home

To inform us that you no longer want to receive future documents, notices and disclosures in electronic format you may: i. decline to sign a document from within your DocuSign session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;

ii. send us an e-mail to kbhomes@kbhome.com and in the body of such request you must state your e-mail, full name, US Postal Address, and telephone number. We do not need any other information from you to withdraw consent. The consequences of withdrawing consent for online documents will be that transactions may take a longer time to process.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic documents, notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving documents, notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I Agree' box.

By checking the 'I Agree' box, I consent, agree and confirm that:

- I can access and read this CONSENT AND AGREEMENT TO RECEIVE, SIGN AND INITIAL ELECTRONIC PURCHASE AGREEMENT DOCUMENTS, NOTICES AND DISCLOSURES; and
- I can print on paper the disclosure or save or send this E-transaction Agreement to a place where I can download, save and/or print it, for future reference and access; and
- Until or unless I notify Seller as described above, I consent and agree to receive from Seller through electronic means all purchase agreement documents, notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Seller during the course of my relationship with Seller.

I confirm that I have: (a) established an exclusive email address used to authenticate access to, (b) created a password or passcode with, and (c) had my identity validated by authentication through the DocuSign e-signature system on which I am electronically signing this E-transaction Agreement.

My electronic signatures and initials create a binding purchase agreement with Seller when signed pursuant to this E-transaction Agreement.



Annexation Petition

Petition Requesting Annexation

To the Board of Commissioners of the Town of Huntersville:

1. We, the undersigned owners of all or a part of the real property described on the metes and bounds description attached hereto, request that the described area be annexed to the Town of Huntersville.
2. This is a single petition that may be one of multiple petitions by all other owners of land within the tract petitioned for annexation. If this is the case, please include a brief description of the portion of land, as of the date of this petition, owned by the undersigned petitioner (ex. lot number from a recorded plat or tax parcel number).

TAX PARCEL # 021-033.07

3. The area to be annexed is (contiguous) (non-contiguous) [circle one] to the primary corporate limits of the Town of Huntersville. The petitioner attaches hereto and submits as part of the petition:
 - ☒ (a) Metes and bounds description of the parcel(s) identified in paragraph 1, and
 - ☒ (b) A plat, suitable for recordation in the office of the Mecklenburg County Register of Deeds, showing the area proposed for annexation with relation to the primary corporate limits of the Town of Huntersville.

4. The petitioner (does) (does not) [circle one] claim vested rights in the property pursuant to N.C.G.S. 153A-344.1 or 160A-385.1. The basis of this claim of vested rights is as follows

Previously Approved Subdivided Plan For THE HILLS

Petitioner & Owner Information

Logan Ruffin

Petitioner

DocuSigned by:

Logan Ruffin

Signature of Petitioner

Logan Ruffin

Property Owner(s)

DocuSigned by:

Logan Ruffin

Signature of Property Owner(s)

2/23/2023

Date

CERTIFICATE OF SUFFICIENCY

To the Board of Commissioners of the Town of Huntersville, North Carolina:

I, Janet Pierson, Town Clerk, do hereby certify that I have investigated the attached petition by Bobby MacNaughton, Emily Bice, Richard Carpentieri, Abril Jimenez, Chirag Patel, and Logan Ruffin for the non-contiguous annexation of certain property known as the Hills Property, and hereby make the following findings:

- a) The petition is signed by all the owners of real property lying in the area described therein in accordance with North Carolina General Statutes 160A-58.1.

I further find that the area meets the standards for a noncontiguous area as specified in G.S. 160A-58.1(b), in that:

- b) The nearest point on the proposed satellite corporate limits is no more than three miles from the primary corporate limits of the Town of Huntersville;
- c) No point on the proposed satellite corporate limits is closer to the primary corporate limits of another city than to the primary corporate limits of the Town of Huntersville;
- d) The area is situated so that the Town of Huntersville will be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits;
- e) To the extent that the proposed satellite area contains any portion of a subdivision, the entire subdivision is included;
- f) The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits of the Town of Huntersville, does not exceed ten percent (10%) of the area within the primary corporate limits of the Town of Huntersville.

The undersigned therefore certifies that the petition is sufficient for the voluntary annexation of a non-contiguous area pursuant to NCGS §160A-58.1.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the seal of the Town of Huntersville this _____ day of _____, 2023.

Janet Pierson, Town Clerk

(TOWN SEAL)

**Town of Huntersville
Town Board
March 20, 2023**

To: Town Board

From: Emily Sloop, Town Attorney

Date: March 20, 2023

Subject: Amend Code of Ordinance Article 94.46 Entitled "Livestock."

EXPLAIN REQUEST:

Consider adopting Ordinance to Amend Article 94.46 of the Huntersville Code of Ordinance, Entitled "Livestock."

ACTION RECOMMENDED:

Approval

FINANCIAL IMPLICATIONS:

None

ATTACHMENTS:

1. Chapter 94.46 Chicken Coop ordinance
2. Chapter 94.46 Chicken Coops redline

AN ORDINANCE TO AMEND THE TOWN OF HUNTERSVILLE

CODE OF ORDINANCES

Section 1. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that subsection (E) of Article 94.46 in Chapter 94 of the Code of Ordinances, Livestock, is hereby amended as follows:

- E. Shelters for large livestock such as cows and horses shall be kept at a minimum distance of 75 feet from any property line. Shelters for small livestock and hutches, coops or pens for fowl and rabbits shall be kept at a minimum of 15 ~~25~~ feet from any property line. No ~~such shelter, stall, stable, shed, barn, or coop, or hutch~~ shall be closer than 50 ~~100~~ feet to the nearest point of any adjoining property owner's residence, ~~or~~ other building used for the purpose of human habitation by an adjoining property owner, or any public meeting place, such as schools, churches, recreation areas or the like. Notwithstanding the foregoing, for riding academies and for agricultural industry in residential districts, as permitted under the Huntersville zoning ordinance, the standards of the zoning ordinance shall control.

Section 2. Effective Date.

This ordinance shall become effective upon the date of adoption.

94.46 Livestock

- A. No person, firm or corporation shall keep, possess or maintain, within the corporate limits of the town, any livestock, including horse, mule, pony, cow, cattle, hog, swine (except potbellied pigs considered to be domestic pets), sheep, goat or any rabbits or fowl, (with the exception of pet birds maintained within a residence), except in compliance with this chapter.
- B. Large animals, such as horses, cows or pigs, shall be kept on tracts of two acres or more, and the total number shall not exceed one such animal per acre, except that for riding academies permitted under the Huntersville zoning ordinance, the standards of the zoning ordinance shall control.
- C. Small animals, such as goats or sheep, shall be kept only on tracts of one acre or more, and the total number shall not exceed one animal per one-half acre.
- D. Domestic fowl, such as chickens, turkeys, ducks and the like and rabbits shall be kept only in appropriate coops, fowl houses or hutches, and no more than 20 such fowl or rabbits shall be kept or maintained per acre. The number of fowl or rabbits should be proportionate to the acreage. For agricultural industry in Residential Districts, as permitted under the Huntersville zoning ordinance, the standards of the zoning ordinance shall control.
- E. Shelters for large livestock such as cows and horses shall be kept at a minimum distance of 75 feet from any property line. Shelters for small livestock and hutches, coops or pens for fowl and rabbits shall be kept at a minimum of ~~25~~ 15 feet from any property line. No ~~such shelter~~, stall, stable, shed, barn, ~~or~~ coop, or hutch shall be closer than ~~5~~ 100 feet to the nearest point of any adjoining property owner's residence, ~~or~~ other building used for the purpose of human habitation by an adjoining property owner, or any public meeting place, such as schools, churches, recreation areas or the like. Notwithstanding the foregoing, for riding academies and for agricultural industry in residential districts, as permitted under the Huntersville zoning ordinance, the standards of the zoning ordinance shall control.
- F. No animals covered by this section shall be permitted to run at large and shall at all times be confined within proper fencing or other enclosures, except when under the physical control of the owner or other person. All fencing for any livestock must be constructed in such a manner that the animals may not reach legs, necks, wings or other body parts on to a neighbor's property or to any shrub or growing plant on a neighbor's property. Fencing shall be constructed in a manner reasonably expected to confine the animal and prevent it from leaving the owner's property.
- G. Venomous reptiles and wild or exotic animals shall not be kept in the Town of Huntersville except in connection with recognized zoological parks, academic institutions, museums, raptor center, pet shops, veterinarians holding such animals for medical treatment, wildlife rehabilitators with proper permits and similar facilities, provided that such animals are maintained in quarters so constructed and maintained as to prevent escape. A wild or exotic animal shall be defined as one which would ordinarily be confined to a zoo or one which would otherwise cause a reasonable person to be fearful of significant destruction of property or bodily harm and the latter includes but is not limited to such animals as monkeys, raccoons, squirrels, ocelots, bobcats, wolves, hybrid wolves and other such animals or one which causes zoonotic diseases. Such animals are further defined as being those mammals or nonvenomous reptiles weighing over 50 pounds at maturity, which are known at law as ferae naturae. Wild or exotic animals specifically do not include animals

of a species customarily used in North Carolina as ordinary house pets, animals of a species customarily used in North Carolina as domestic farm animals, fish confined in an aquarium, birds or insects.

- H. These regulations shall not be construed to restrict the present operation of any bonafide farm, dairy farm or horse farm in existence at the time of the adoption of this chapter or which comes into the town because of subsequent annexations.
- I. Any new annexations into the Town of Huntersville shall have 180 days from the date of annexation to bring their property and maintenance of their livestock into compliance with this section; provided, however, such annexation shall not affect any bonafide farm, horse farm or dairy farm existing within the area annexed at the time of annexation; provided, further, those annexes not in compliance as to the number of animals permitted or for whom it would be impossible to relocate existing shelters or fencing because of the size of the property shall not be required to do so, but shall not replace any animals on their property until such time as the number are in compliance with this chapter and shall thereafter not exceed the permitted numbers nor make any additions to construct any new shelter except in compliance with this chapter.
- J. Persons maintaining such animals shall not permit the same to become a nuisance to neighbors, and neighbors shall not be limited to actions to abate a nuisance, subject to the provisions of G.S. § 106-701.

**Town of Huntersville
Town Board
March 20, 2023**

To: Town Board

From: David Peete, Principal Planner

Date: March 20, 2023

Subject: Petition #R22-05, Oak Grove Hill - Addition

EXPLAIN REQUEST:

Consider Final Action on Petition #R22-05 Oak Grove Hill - Addition, a request by Carver Bowman, LLC to rezone +/- 28.87-acres generally located north of Mt. Holly-Huntersville Road, east of Beatties-Ford Road and south of Pembroke Road to rezone from existing Neighborhood Residential - Conditional District (existing Oak Grove Hill CD-Rezoning) and Rural (R) to Neighborhood Residential - Conditional District (REVISED Oak Grove Hill CD-Rezoning) for a 161-lot subdivision; (Parcel #s 01526443, 01526504, 0152606, 01526460, 015254432, 01526456, 01526432, 01526450, 01526455, 01526428, 01526429 & 015264431).

ACTION RECOMMENDED:

Consider Final Action

FINANCIAL IMPLICATIONS:

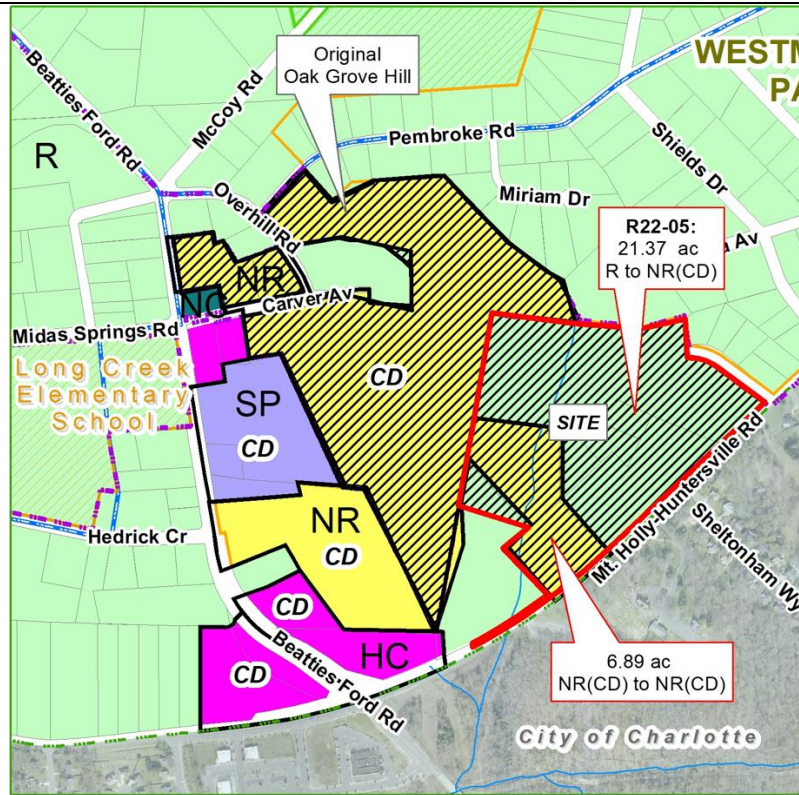
N/A

ATTACHMENTS:

1. R22-05 Final Action Staff Report
2. Attachment A - Rezoning Application (Hamilton)
3. Attachment A - Rezoning Application (Puckett)
4. Attachment B - Oak Grove Hill Rezoning & Sketch Plan (3-13-23 Final Action set)
5. Attachment C - 1st Oak Grove Hill Community Mtg summary
6. Attachment C - 2nd Oak Grove Hill Community Mtg summary
7. Attachment D - CMS Report - Phase 3 Oak Grove Hill Rezoning - Update 2-13-2023
8. Attachment E - Charlotte Treasure Tree Report

Petition R22-05 Oak Grove Hill - ADDITION Conditional District Rezoning.

PART 1: PROJECT SUMMARY



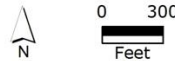
R22-05: Oak Grove Hill Addition

Rezone 21.37 ac
from R to NR (CD) and
rezone 6.89 ac
from NR (CD) to NR (CD)
for a total of 28.26 ac
zoned NR (CD)

Applicant:
Carver Bowman, LLC

Parcel(s):
01526456, 01526432,
01526450, 01526455,
01526428, 01526429,
01526431, 01526443

- Addition Boundary
- Proposed Overall Oak Grove Hill Boundary
- NR Neighborhood Residential
- SP Special Purpose
- R Rural
- HC Highway Commercial
- NC Neighborhood Center



Applicant: Carver Bowman, LLC

Property Owner: Hamilton Hoyt, Conrad Puckett & Carver Bowman, LLC.

Property Address: N/A.

Project Size: (+/-) 28.26-acres
(21.37-ac of new parcels &
6.89-ac of reconfigured parcels
formerly within Oak Grove Hill
CD Rezoning).

Parcel Numbers: 01526456,
01526432, 01526450, 01526455,
01526428, 01526429 & 01526431.

Current Zoning: Rural District
(R) & Oak Grove Hill
Neighborhood Residential -
Conditional District (NR-CD).

Current Land Use: Vacant &
Single-Family Home.

Proposed Zoning:
Neighborhood Residential –
Conditional District (NR-CD)

Proposed Land Use: 51
Single Family Residential.

Application Summary:

- Proposal: Rezone +/- 28.26 acres consisting of 21.37-acres zoned Rural (R) and 6.89-acres zoned Neighborhood Residential – Conditional District (Oak Grove Hill NR-CD) to Neighborhood Residential – Conditional District to add a new “Phase 3” to the existing single-family residential development known as Oak Grove Hill. The area from the existing CD Rezoning is shown as reconfigured below. The site for the addition is generally located east of Beatties Ford Road, north of Mt. Holly-Huntersville Road and south of Pembroke Road. A Subdivision Sketch Plan has been submitted with the Rezoning Plan and would be administratively approved if the Rezoning Plan is approved (See Attachments A & B).



Original Layout

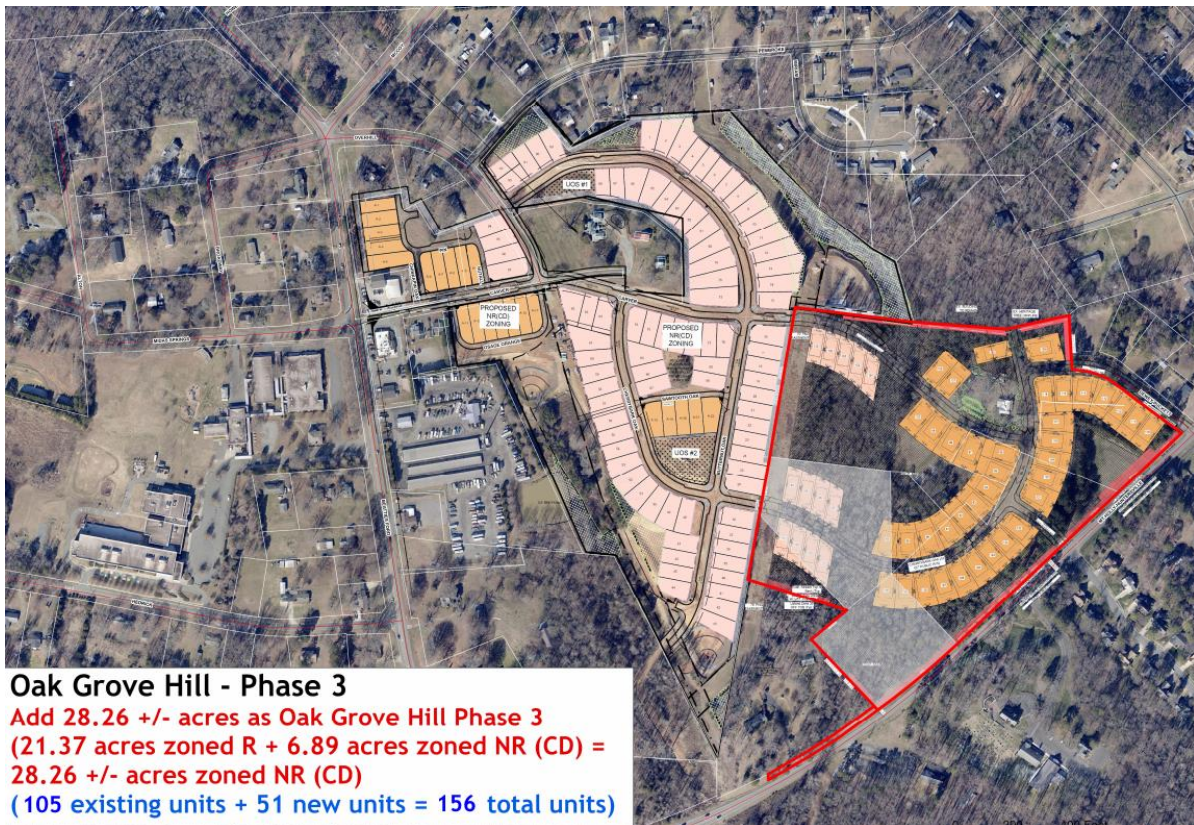


Proposed Layout

- NOTE: Rezoning Petition #R23-04 has also been submitted to remove the 6.89-acres from the existing CD-Rezoning and to add it to this proposed Phase 3 section. These two rezoning petitions will be reviewed by the Town together.
- Adjoining Zoning and Land Uses (see Context Map on page 2):
 - North - Rural (R): Vacant & Single-family lots.
 - South – City of Charlotte R-3 & R-9PUD: Mt. Holly-Huntersville Road right-of-way, single family homes & St. Mark’s Episcopal Church.
 - East - Rural (R): Vacant & Single-family lots (Westminster Park Subdivision).
 - West – Neighborhood Residential – Conditional District (NR-CD) & Rural (R): Single-family lots (existing Oak Grove Hill).
- Two Community Meetings were held on January 11, and February 8, 2023, at Huntersville Arts & Cultural Center. See Attachment C for complete meeting summaries.

PART 2: REZONING/SITE PLAN HIGHLIGHTS

The existing Oak Grove Hill Conditional District Rezoning was approved by the Town of Huntersville on January 26, 2020. The applicant, Carver Bowman, LLC, has acquired additional adjacent acreage and has petitioned to add 28.26-acres and 51 single-family homes to create a new “Phase 3”. If approved, Oak Grove Hill – for all 3 Phases - would consist of 66.92-acres and 156 single-family homes (see below).



The proposed Conditional District Rezoning Plan - Addition is generally compliant with the Zoning Ordinance and Subdivision Regulations. Significant elements include:

- Proposed Uses: 51 new single-family homes in Phase 3. 156 homes overall (Phases 1-3).
- One new Urban Open Space “Park” is proposed.
- New and additional right-of-way to be dedicated along Mt. Holly-Huntersville Road, as required by NCDOT and CDOT. New public streets (and all required right-of-way) are proposed, which will connect into the existing Oak Grove Hill Phases 1 & 2 and to Mt. Holly-Huntersville Road. There is one future stub connection to the north (see Context Map above for details).

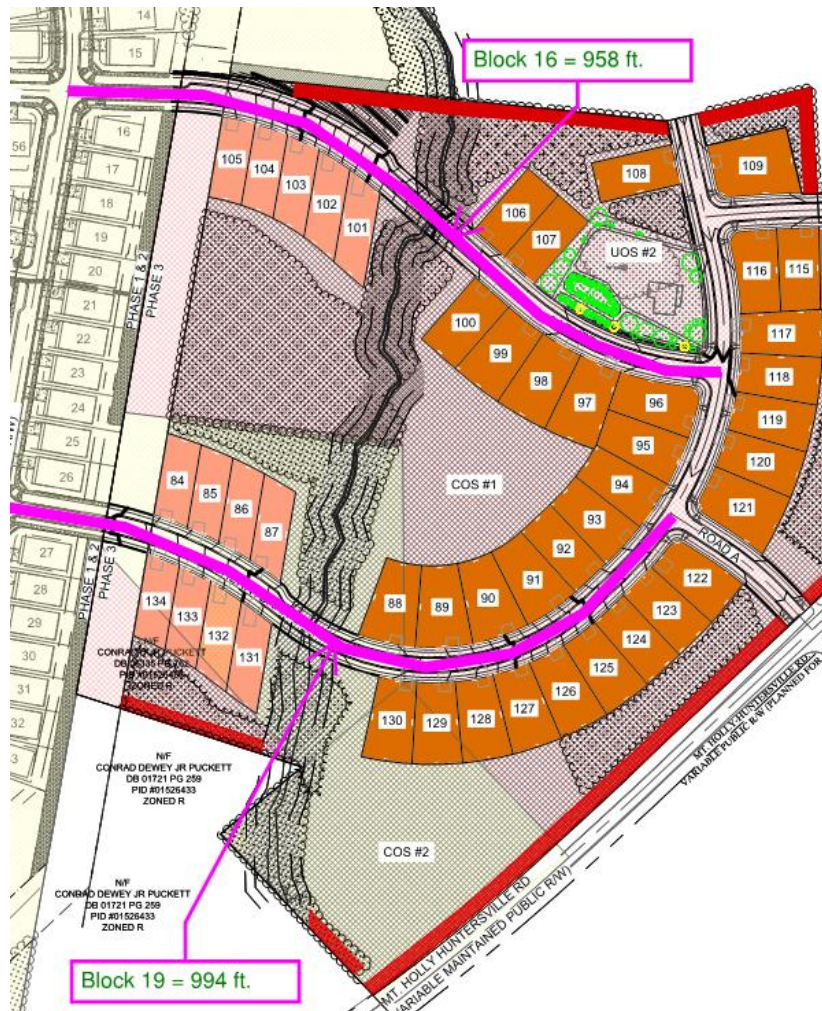
- Minimum Tree Preservation in the NR Zoning District is 10% and the proposed addition looks to save 21.9% of existing canopy (6.20-acres). Specimen tree save in the NR zoning district is also 10% and the proposed development looks to save 19 existing specimen trees (22%).
- If the Rezoning Plan is approved, Staff, at the construction document phase, will review the plans for compliance with the Water Quality Ordinance, Erosion Control Ordinance and Stream Buffer Requirements, as found in the Zoning Ordinance.
- The addition is to be developed as one (1) phase (Phase 3).
- Of specific note is the proposed preservation of a Charlotte Treasure Tree located on site which is over 90-ft tall and approximately 78-inches in diameter (see below). This tree will be the focal point of the proposed Urban Open Space "Park".



The applicant is requesting the following modification to Ordinance Requirements:

- **Block Length:** Article 5.2 states that major residential subdivision blocks are not to exceed 800 linear feet and there are two blocks that exceed this limit. Block 16 (Carver Ave.) is 958 linear feet and Block 19 (Cherrybark Oak Ln.) is 994 linear feet long (see diagram on page 4). Article 5.2 also allows the Town Board to authorize greater block lengths where a longer block length will reduce the number of railroad grade crossings, major stream crossings; or, where longer blocks will result in an arrangement of street connections, lots and public space more consistent with Article 5 and Article 7 (see pink highlights on image on page 4). Staff recommends approval of both block length modifications as both streets cross both a 70 ft. wide gas line easement, and a stream SWIM buffer. In particular, Block 16's additional length creates the space to create the Park that will preserve the Charlotte Treasure Tree (see Attachment E) located on site. There is a street-stub proposed to adjoining parcels to the north, and any adjustment to that stub will also impact the Treasure Tree area. Lastly, NCDOT's curb-cut spacing requirements

from major intersections will not permit a street connection further to the west, which could have reduced the length of Block 19.



The following comments/items are not consistent with Town Ordinances and/or Manuals or remain to-be-addressed by the applicant:

Engineering Comments:

- NCDOT and CDOT recommendations should be incorporated.

Planning Comments:

- Rezoning Notes from Sheet SP-8 of the original Oak Grove Hill Rezoning Plan must be added to plan set.
- If this rezoning is approved, all notes and data will need to be coordinated with R23-04, which would remove the 6.89-acres from the original Oak Grove Hill rezoning, and permit incorporation into this addition.
- BMP Access: maintenance and access easements for the BMPs appear to encroach into the SWIM buffer. Access to be provided outside of these buffers.
- All outstanding comments must be addressed.

PART 3: TRANSPORTATION HIGHLIGHTS

Traffic impact analysis (TIA): A TIA Determination was submitted on 9-23-22 for combined phases 1, 2, and 3 which included 143 single family detached housing units and 39 townhome units. The determination was made that the development is over the Town TIA threshold of 150 peak hour trips and 1,500 daily trips. A TIA scoping package was

submitted in October to define the study scope. Based on the scoping package, no intersections were above the threshold to require a TIA, therefore no TIA was required.

The applicants were further advised to contact North Carolina Dept. of Transportation (NCDOT) and Charlotte Dept. of Transportation (CDOT) regarding improvements they may require, and the following comments were received:

NCDOT:

- A left and right turn lane to enter the site at the access point on Mt. Holly-Huntersville Road, including 100'(min.) of storage and appropriate tapers;
- No on-street parking on state-maintained roads;
- Widening of Carver Avenue & Overhill Road required to widen from 16' to 20' along all site frontage;
- Curb island at southeast corner of intersection of Carver Avenue and Beatties Ford Road.
- Alley-fed lots on Beatties Ford Road, Carver Avenue and Overhill Road will not be allowed a driveway or access to respective streets. Homes to be addressed to the alley behind the lots;
- Lots fronting Overhill Road will not be allowed to front-load. They will only be allowed a shared driveway (this may be waived if Huntersville takes over maintenance of this street).

CDOT:

- Recommends a three (3) approach-lane section at Mt. Holly-Huntersville Road and Road C. This would include an 11' right-turn lane, 11' left turn lane and a 13' receiving lane. This section to be carried to the first stub street.
- Recommends a 12' Multi-Use Path or buffered bike lane along frontage. (CDOT specified improvements to be shown on Construction Plans).

PART 4: REZONING CRITERIA

Article 11.4.7(d) of the Zoning Ordinance states that “in considering any petition to reclassify property, the Planning Board in its recommendation and the Town Board in its decision shall take into consideration any identified relevant adopted land-use plans for the area including, but not limited to, comprehensive plans, strategic plans, district plans, area plans, neighborhood plans, corridor plans, and other land-use policy documents”.

Huntersville 2040 Community Plan – Staff finds the proposed Conditional District Rezoning petition consistent with the following polices of the 2040 Community Plan; adopted December 21, 2020:

- **Policy LU-2: Encourage residential development that follows the pattern outlined in the future land use map.**
 - **LU 2.1: Higher intensity residential uses will be focused generally within two miles of I-77 / NC-115 corridor and the future Activity Centers in the eastern and western areas of Huntersville’s zoning jurisdiction.**
 - **LU 2.2: Lower intensity residential uses are expected within the Residential Edge and Rural Conservation areas identified on the Future Land Use Map.**

STAFF COMMENT: The proposed Oak Grove Hill - Addition acreage is located adjacent to, but mainly outside of the Activity Center identified for the Mt. Holly-Huntersville and Beatties Ford Road intersection in the Town’s 2040 Community Plan. The existing portion of the development that is proposed to be incorporated into Phase 3 is still located within the edge of the Activity Center (see map on page 6). Activity Centers are defined as “including a mix of non-residential and residential uses and are usually located at key intersection of major or minor thoroughfares”. “Residential uses include a mix of housing types centered around shopping, service or civic uses. Residential uses transition to lower gross density with more open space away from Activity Centers.” The area of the proposed rezoning outside of the Activity Center is in the Rural Conservation designation, which is described below:

Rural Conservation

These areas preserve elements of rural character. They balance open space conservation and some residential development. Development form is farms and associated structures, Farmhouse Clusters, and low-density Conservation Subdivisions (if access to utilities exists). New development has a 0.9 unit/acre maximum, and typically 45%+ open space is required.

This addition will be part of a development that is currently mostly within the Activity Center and the proposed density in the added area (1.8 DUA) is less than the current area's density of 2.63 DUA. Combined with the additional open space and a new total density of 2.42-units per acre, this addition could fit within the general role of low-density residential at the edge of a designated Activity Center.



- **Policy LU-3: Manage residential growth in the eastern and western parts of Huntersville's planning jurisdiction.**
 - **Policy LU3.1: Discourage rezonings to higher intensity residential districts in the Residential Edge and Rural Conservation future land use character areas.**
- STAFF COMMENT: Generally, it would not be consistent to rezone this area for a density above 0.9 dwelling units per acre, but as the exiting portion of the proposed addition lies within an Activity Center and the remainder is immediately adjacent to this Activity Center, combined with lower density than the existing development, it is consistent with the supported intensification located near the intersection of these two thoroughfares to view this Phase addition as a transition from slightly higher density within the Activity Center to a density closer to the surrounding Rural zoning designation.
- **Policy LU-7.1: Require all new development to adhere to the following design principles:**
 - **In Activity Centers, streets and sidewalks are meant to be attractive and inviting. New development in these areas shall follow these principles:**
 - All buildings shall front a public street or open space.
 - Streets should be connected, have short blocks and sidewalks on both sides of streets.
 - Improve connectivity, particularly for pedestrians and vehicles.
 - Accommodate a mix of housing types.
 - **In lower intensity area (Rural Conservation) preservation of rural character and natural resources are prioritized.**
 - In these areas, structures can be set back further from the road and should blend into the landscape and the scenic nature of roadways should be preserved.

STAFF COMMENT: In the proposed Phase 3 of Oak Grove Hill, all homes will front on a public street. With the exception of the two blocks requesting a modification, all streets have Ordinance-compliant block lengths, connect to both Phases 1 & 2 of Oak Grove Hill, as well as connect in two locations to Mt. Holly-Huntersville Road. There are sidewalks on both sides of all streets. While the type of housing proposed is not mixed, the lot sizes are varied, which may provide a range of housing prices. The proposed homes within Phase 3 (along Mt. Holly-Huntersville Road) are set back 80 feet (or more) from the thoroughfare and are located behind a buffer of existing trees.

- **Policy LU-10.2: Continue to encourage a mix of lot sizes in new developments.**

STAFF COMMENT: As previously stated, there are two types of lot sizes in this addition and there will be four types of lot sizes for all phases of the development.

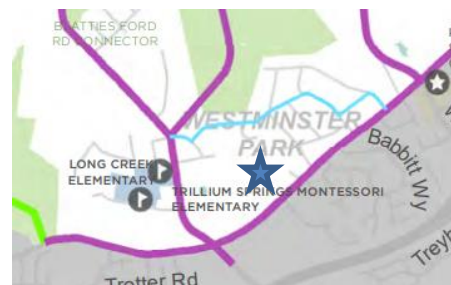
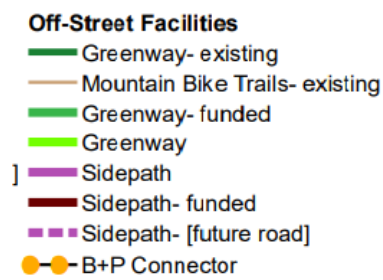
- **Policy LU-10.4: Consider allowing additional flexibility in site design in exchange for more quality open space preservation to allow for conservation of natural resources in the Traditional and Rural zoning districts.**
STAFF COMMENT: The proposed Phase 3 has set aside a 36,038-sq. ft. “Park” to serve as Urban Open Space. This space is centered on a 90-ft tall White Oak that is on the Charlotte Treasure Tree list (See Attachment E). The entire canopy of this tree will be within the area of this open space for preservation.
- **Policy LU-12.3: Blend new development with existing neighborhoods, structures, and landscapes through the use of transitions in building types and placement of open space, buffers and other site features.**
STAFF COMMENT: The Urban Open Space “Park” has been designed within the site layout to protect and preserve the 90’ tall Treasure Tree. The lots and street network were laid-out to avoid this area and create a focal open space for this phase of the development.
- **Policy EOS 1.1: Support and enhance regulations pertaining to open space design and protection.**
 - Continue to encourage the preservation of ... prominent natural features.
 - Enhance open space design criteria by prioritizing the following:
 - Historic landscapes.
- **Policy EOS-4.1: Require street trees and encourage the preservation of heritage trees.**
STAFF COMMENT: The designation of 36,038 square feet “Park” to provide open space for this phase of the development that preserves and protects a Charlotte Treasure Tree is an excellent feature and will provide a focal point for this development.

Huntersville 2040 Community Plan – Staff finds the proposed Conditional District Rezoning petition is **not consistent** with the following policies of the 2040 Community Plan; adopted December 21, 2020:

- **Policy EOS-10: Improve bicycle and pedestrian facilities throughout Town.**
STAFF COMMENT: While the proposed Rezoning Plan provides a bike lane within the cross-section of Mt. Holly-Huntersville Road, the Huntersville Bike Master Plan calls for a 10’ multi-use path along this section of thoroughfare and Charlotte DOT (CDOT) has also called for this in their road improvement list. This should be added to this part of the phase.
- **Policy T-3.2: Improve multimodal connectivity by coordinating with other departments to implement Huntersville Bicycle Master Plan, expanding the greenway network, and supporting enhanced pedestrian connections.**
STAFF COMMENT: A bike lane is shown in the new cross-section for Mt. Holly-Huntersville Road; however, the Huntersville Bike Master Plan calls for a 10’ multipath along this road. This should be added to the cross-section.

Huntersville Greenway and Bikeway Master Plan (Approved December 2020) – Staff finds the proposed Conditional District Rezoning Addition is **not consistent** with the Huntersville Bike Plan.

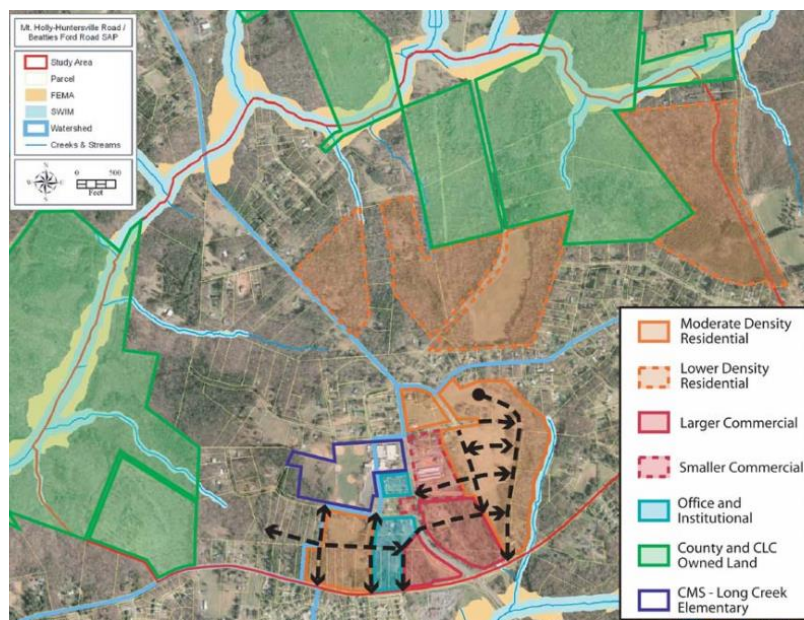
STAFF COMMENT: Per the Huntersville Bike Plan, a Side path (purple line) is called for along Mt. Holly-Huntersville Road, see map below. To address the Bike Plan, a Side path will need to be added to the Mt. Holly-Huntersville Road cross-section.



Beatties Ford Road and Mt. Holly-Huntersville Small Area Plan; Adopted October 17, 2005 - Staff finds the proposed Conditional District Rezoning petition consistent with the Beatties Ford Road and Mt. Holly-Huntersville Small Area Plan.

STAFF COMMENT: The concept of the Small Area Plan is to create a new, low intensity “urban village”, with moderate density and low-density residential development. See the map from the Small Area Plan below.

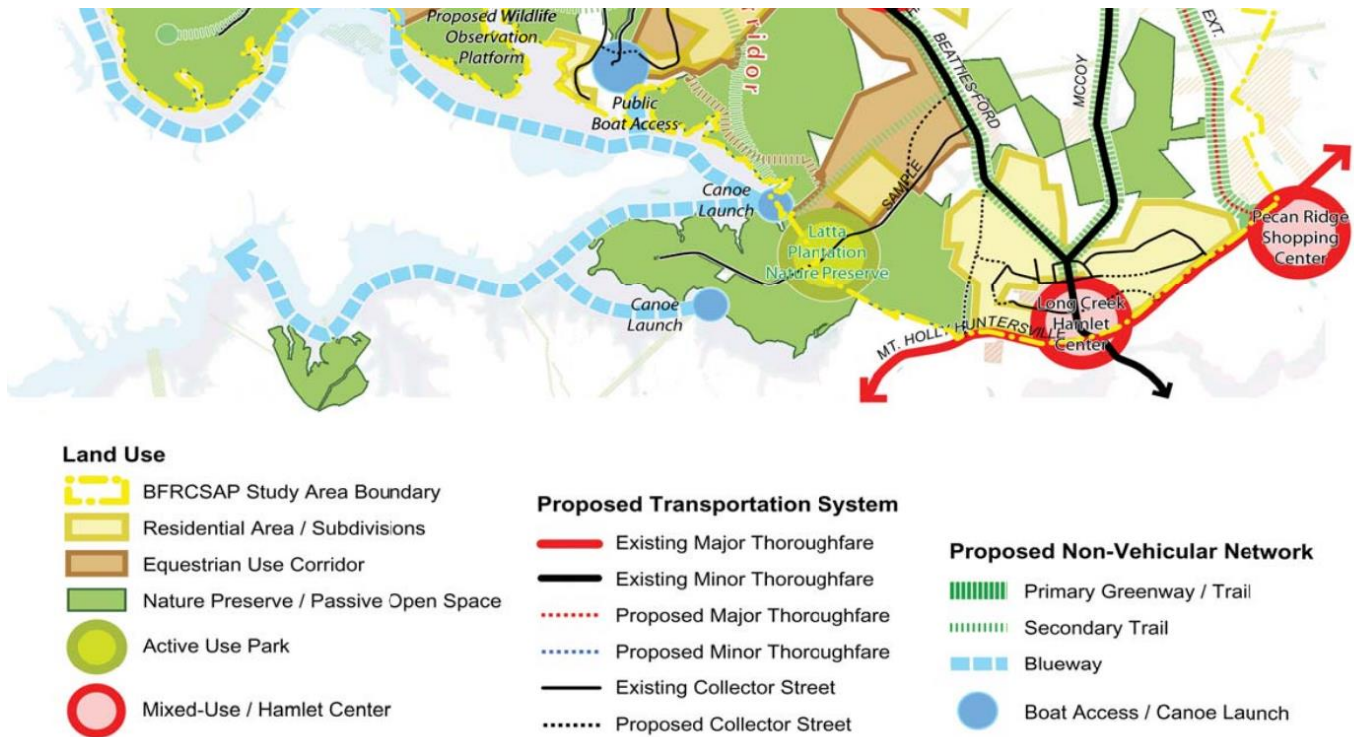
The Small Area Plan calls attention to the extension of existing street network, while avoiding the promotion of high-speed cut-through traffic in existing and proposed residential neighborhoods. The design of the proposed street network within the proposed new Phase of Oak Grove Hill Conditional District Rezoning Plan does not provide a direct link between the existing Phases 1 & 2 and Mt. Holly-Huntersville Road. Traffic is sufficiently calmed via the Town’s residential street cross-section. There is one proposed stub-street, which will continue the street network called for in the Small Area Plan. The Rezoning Plan does not provide a straight connection from Beatties Ford Road to Mt. Holly-Huntersville Road, but rather a connection made-up of several intersections to calm traffic.



Beatties Ford Road Corridor Small Area Plan; Adopted September 19, 2007 - Staff finds the proposed Conditional District Rezoning petition consistent with the Beatties Ford Road Corridor Small Area Plan.

STAFF COMMENT: This Small Area Plan addressed concerns regarding pressure for commercial development along the Beatties Ford Road corridor. The goal of this Small Area Plan was to establish a long-term vision, define land use changes, influence form/design of future commercial development, provide a framework for transportation improvements, and integrate an open space network. The proposed Phase 3 of the Conditional District Rezoning is partially located within the “Long Creek Hamlet Center” (see above). The Small Area Plan also acknowledges the Beatties Ford Road and Mt. Holly-Huntersville Small Area Plan (see staff comments in previous section). The Small Area Plan highlights the opportunity for increased residential development and retail development on Mt. Holly-Huntersville Road in this area.

The Small Area Plan also laid out a vision for new transportation systems in the area of the requested Conditional District rezoning site (see map above). The Small Area Plan stopped the study at the creek, which runs through the proposed Phase 3 addition. Staff does not find expanding the area of the “Hamlet Center” down to Mt. Holly-Huntersville Road as inconsistent with the intent of the Small Area Plan. The Proposed Phase 3 site plan expands the street network in a manner in keeping with the envisioned transportation system by providing stubs streets to facilitate the collector street network.



Article 11 Section 11.4.7(e) of the Zoning Ordinance states that: “in considering any petition to reclassify property the Planning Board in its recommendation and the Town Board in its decision should consider:

1. Whether the proposed reclassification is consistent with the overall character of existing development in the immediate vicinity of the subject property.

STAFF COMMENT:

The surrounding area is generally low density residential with the exception of a few commercial and civic (schools) uses. See the context map on page 2. The existing Oak Grove Hill Conditional-District rezoning plan was seen as consistent with development patterns described in the Town’s 2030 Community Plan, the Beatties Ford Road and Mt. Holly-Huntersville Small Area Plan, and the Beatties Ford Road Corridor Small Area Plan. The proposed lot sizes and orientation will not match the older subdivision to the north, but there is open space and buffers to create transition zones between the new development and the existing.

2. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, transit service, parks and recreational facilities, police and fire protection, hospitals and medical services, schools, storm water drainage systems, water supplies, and wastewater and refuse disposal.

STAFF COMMENT:

- No transportation improvements were warranted through the Transportation Impact Analysis, however NCDOT and CDOT have outlined several requirements – see Part 3 of this report.
- The 28.26-acres to be added to Oak Grove Hill are not located within the Town Limits. However, the applicants have acknowledged an intent to annex the entire Phase 3 into the Town Limits. Upon annexation police and fire protection and trash collection will be provide as Town Services.
- A Willingness-to-serve letter has been provided from Charlotte Water (water and sewer).
- A Conceptual Storm Water Drainage plan (PCO-1) has been provided and is in review.
- The Conditional District Rezoning petition was sent to Charlotte-Mecklenburg School (CMS) for consideration. CMS reported, if approved, the addition to the Oak Grove Hill Subdivision may add approximately 26 students to the schools in this area. The following data was provided by CMS as of 20th Day of the 2021-2022 school year. See Attachment D.

3. Whether the proposed reclassification will adversely affect a known archeological, environmental, historical or cultural resource.”

STAFF COMMENT:

Planning staff has no indication that the request will adversely affect known archeological, environmental, historical or cultural resources, as the identified Treasure Tree is proposed to be saved within an Urban Open Space “Park”.

PART 5: PUBLIC HEARING COMMENTS

The Public Hearing will be held on February 20, 2023.

PART 6: STAFF COMMENTS/RECOMMENDATION

Staff finds the proposed addition to the Oak Grove Hill Conditional District Rezoning Plan to be generally consistent with the 2040 Community Plan, the Beatties Ford Road-Mt. Holly-Huntersville Road Small Area Plan and the Beatties Ford Road Corridor Plan. These plans support moderate density within an Activity Center and the proposed 2.42-units per acre falls under that category.

Staff also recommends:

- Approval of the block length modifications for Blocks 16 and 19.
- A 10’ wide multi-use path should be provided along Mt. Holly-Huntersville Road, as called for in the most recent Huntersville Bike Master Plan.
- Add note indicating willingness to annex the entire Phase 3 (28.26-acres) into the Town of Huntersville.
- Rezoning Notes from Sheet SP-8 of the original plan must be added to plan set.
- If this rezoning is approved, all notes and data will need to be coordinated with Rezoning Petition R23-04, which would remove the 6.89-acres from the original rezoning to permit this addition.
- BMP Access: Maintenance and Access Easements for the BMPs appear to encroach into SWIM buffers. Access should be provided outside of these buffers.
- All outstanding redline comments must be addressed.

PART 7: PLANNING BOARD RECOMMENDATION

On February 28, 2023, the Planning Board recommended approval of R22-05 Oak Grove Hill – Addition as it is consistent with policies LU-2, LU-2.1, LU2.2, LU3.1, LU7.1, LU10.2, LU10.4, LU12.3, EOS1.1, EOS4.1, EOS 10 and T3.2 of the 2040 Community Plan. It is also consistent with the objectives of both the Beatties Ford Road and Mt. Holly Huntersville Road small area plan and the Beatties Ford Road corridor plan. The Planning Board also makes the following recommendations for plan completeness. 1. Approval of the block length modification for Block 16, Carver Avenue for 958 linear feet and Block 19, Cherry Bark Oak Lane for 994 linear feet. 2. A 10-foot-wide multi-use path should be provided along Mt. Holly-Huntersville Road as called for in the Huntersville Bike Master Plan. 3. Add a note of willingness to annex the entire Phase 3 into the Town of Huntersville. 4. Rezoning notes from sheet SP-8 of the original plan must be added to plan set. 5. If this rezoning is approved, all notes and data will need to be coordinated with Petition R23-04 which would remove the 6.89 acres from the original rezoning to permit this addition. 6. Ensure the maintenance and access easements for the BMPs do not encroach into the swim buffers. 7. All outstanding redline comments from staff are addressed. It is reasonable and in the public interest to approve the conditional district rezoning plan because it is consistent with the plans for the surrounding area and meets the applicable provisions of the zoning ordinance.

Vote: The motion passed unanimously (8 -0).

PART 8: ATTACHMENTS/ENCLOSURES

Attachments

- A – Rezoning Application
- B – Proposed Rezoning Plan
- C – Community Meeting Summaries
- D – CMS Report
- E – Charlotte Treasure Tree Report

PART 9: CONSISTENCY STATEMENT – R22-05: OAK GROVE HILL - ADDITION

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed Conditional District Rezoning application R22-05 Oak Grove Hill - Addition, the Planning staff RECOMMENDS APPROVAL to rezone 28.87-acres from Rural (R) and Neighborhood Residential Conditional District (NR-CD) to Oak Grove Hill Neighborhood Residential – Conditional District (NR-CD), as it is consistent with Policy Recommendations LU-2, LU-2.1, LU-2.2, LU-3.1, LU-7.1, LU-10.2, LU-10.4, LU-12.3, EOS-1.1, EOS-4.1, EOS-10 & T-3.2 of the 2040 Community Plan and consistent with the objectives of both the Beatties Ford Road & Mt. Holly-Huntersville Road Small Area Plan and the Beatties Ford Road Corridor Plan. <u>It is reasonable and in the public interest to approve the Conditional District Rezoning Plan - Addition, BECAUSE it is consistent with the Plans outlined above and the applicable provisions of the Zoning Ordinance can be adequately addressed.</u>	APPROVAL: In considering the proposed Conditional District Rezoning application R22-05 Oak Grove Hill - Addition, the Planning Board recommends approval by 8-0 vote, as it is consistent with policies LU-2, LU-2.1, LU2.2, LU3.1, LU7.1, LU10.2, LU10.4, LU12.3, EOS1.1, EOS4.1, EOS 10 and T3.2 of the 2040 Community Plan. It is also consistent with the objectives of both the Beatties Ford Rd. and Mt. Holly-Huntersville Rd. small area plan and the Beatties Ford Rd. corridor plan. The Planning Board also makes the following recommendations 1. Approval of the block length modification for Block 16, Carver Ave. for 958 linear ft. and Block 19, Cherry Bark Oak Ln. for 994 linear ft. 2. A 10-foot-wide multi-use path should be provided along Mt. Holly-Huntersville Rd. as called for in the Huntersville Bike Master Plan. 3. Add a note of willingness to annex Phase three into the Town. 4. Rezoning notes from sheet SP-8 of the original plan must be added to plan set. 5. If this rezoning is approved, all notes and data will need to be coordinated with Petition R23-04 which would remove the 6.89 acres from the original rezoning to permit this addition. 6. Ensure maintenance and access easements for the BMPs do not encroach into swim buffers. 7. All outstanding redline comments from staff are addressed. It is reasonable and in the public interest to approve the conditional district rezoning plan because it is consistent with the plans for the surrounding area and meets the applicable provisions of the zoning ordinance.	APPROVAL: In considering the proposed Conditional District Rezoning application R22-05 Oak Grove Hill - Addition, the Town Board recommends approval based on the Plan being consistent with <u>(insert applicable plan reference).</u> <u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>
DENIAL:	DENIAL	DENIAL: In considering the proposed Conditional District Rezoning application R22-05 Oak Grove Hill - Addition, the Planning Board recommends denial based on <u>(consistent OR inconsistent) with (insert applicable plan reference).</u> <u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>



General Application

INCOMPLETE SUBMISSIONS WILL NOT BE ACCEPTED. PLEASE CHECK ALL ITEMS CAREFULLY.

1. Application Type

Please indicate the type of application you are submitting. In addition to the application, the submission process for each application type can be found at <https://www.huntersville.org/528/Permits-Process>

- ☐ Change of Use
- ☐ Commercial Site Plan
- ☒ Conditional Rezoning
- ☐ General Rezoning
- ☐ Master Signage Program
- ☐ Special Use Permit
- ☐ Revision to
Original Project # _____
- ☐ Other _____

- SUBDIVISION CATEGORIES: Per the Huntersville Subdivision Ordinance
- ☐ Sketch Plan
 - ☐ Preliminary Plan
 - ☐ Final Plat (Includes Minor Subdivision)
 - ☐ Exempt Subdivision
 - ☐ Final Plat Revision
 - ☐ Farmhouse Cluster

2. Project Data

Date of Application September 9, 2022

Name of Project Oak Grove Hill Phase # (if subdivision) _____

Project Address 9301 Carver Avenue, Huntersville, NC 28078

Parcel Identification Number(s) (PIN) 01526456, 01526432, 01526450, 01526455, 01526428, 01526429, 01526431, 01526443

Current Zoning District NR(CD), R Proposed District (for rezoning only) NR(CD)

Property Size (acres) 67.78ac Street Frontage (feet) _____

Current Land Use Single Family Residential

Proposed Land Use(s) Single Family Residential

Is the project within Huntersville's corporate limits?

Yes _____ No ☒ If no, does the applicant intend to voluntarily annex? Yes

3. Description of Request

Explain the nature of this request. If a separate sheet is necessary, please attach to this application.

This is a conditional rezoning to the Oak Grove Hill property.

Approximately 22.66 ac additional and 45 additional lots.

4. Site Plan Submittals

Consult the particular type of *Review Process* for the application type selected above. These can be found at <https://www.huntersville.org/528/Permits-Process>.

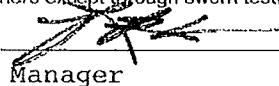
5. Outside Agency Information

Other agencies may have applications and fees associated with the land development process. The *Review Process* list includes plan documents needed for most town and county reviewing agencies. For major subdivisions, commercial site plans, and rezoning petitions please enclose a copy of the Charlotte-Mecklenburg Utility *Willingness to Serve* letter for the subject property.

6. Applicant

Printed Name Carver Bowman, LLC Phone 704-875-9704
☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Commissioners except through sworn testimony at the public hearing. (Applicable for Special Use Permits and Subdivisions)

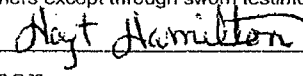
Signature  Printed Name: Robert Bowman
Title Manager Email bowman31@gmail.com

Address of Applicant 13815 Cinnabar Place, Huntersville, NC 28078

7. Property Owner (if different than applicant)

*Printed Name Hamilton Hoyt, Conrad Puckett Phone 704-875-9704
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☒ By signature below, I hereby acknowledge, as/on behalf of (circle one) the owner my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Commissioners except through sworn testimony at the public hearing. (Applicable for Special Use Permits and Subdivisions)

Signature  Printed Name Hamilton Hoyt, Conrad Puckett
Title Owner Email bowman31@gmail.com

Address of Property Owner 8411 & 8705 MT HOLLY-HUNTERSVILLE RD, HUNTERSVILLE NC 28078

* Property owner hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

Every owner of each parcel included in this application, or the owner (s) duly authorized agent, must sign this application. If signed by an agent on behalf of the Owner, this application MUST be accompanied by a notarized Limited Power of Attorney signed by the property owner (s), specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION. If additional space is needed for signatures, attach the Town of Huntersville Signature Addendum Form.

8. Development/Design Firm Contact Information

Carver Bowman, LLC	Robert Bowman	704-875-9704	bowman31@gmail.com
Development Firm	Name of Contact	Phone	Email
R Joe Harris	Daniel Gates	80-802-1799	dgates@rjoeharris.com
Design Firm	Name of Contact	Phone	Email

Contact Information

Town of Huntersville	Phone:	704-875-7000
Planning Department	Fax:	704-992-5528
PO Box 664	Physical Address:	105 Gilead Road, Third Floor
Huntersville, NC 28070	Website:	https://www.huntersville.org/228/Planning-Department

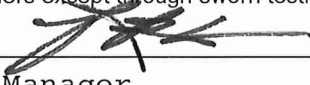
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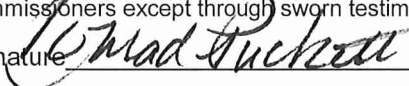
Signature  Printed Name: Robert Bowman
Title Manager Email bowman31@gmail.com

Address of Applicant 13815 Cinnabar Place, Huntersville, NC 28078

7. Property Owner (if different than applicant)

*Printed Name Hamilton, Hoyt, Conrad Puckett Phone 704-875-9704
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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Signature  Printed Name Hamilton Hoyt, Conrad Puckett
Title Owner Email bowman31@gmail.com

Address of Property Owner 8411 & 8705 MT HOLLY-HUNTERSVILLE RD, HUNTERSVILLE NC 28078

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Development Firm	Name of Contact	Phone	Email
R Joe Harris	Daniel Gates	80-802-1799	d gates@rjoe harris.com
Design Firm	Name of Contact	Phone	Email

Contact Information

Town of Huntersville	Phone:	704-875-7000
Planning Department	Fax:	704-992-5528
PO Box 664	Physical Address:	105 Gilead Road, Third Floor
Huntersville, NC 28070	Website:	https://www.huntersville.org/228/Planning-Department

OAK GROVE HILL REZONING / SKETCH PLAN (PETITION R22-05)

ORIGINAL REZONING / SKETCH (2018) EPM # 400982
PHASE 3 ADDITION - REZONING / SKETCH (2022) EPM # 441493
REVISION TO ORIGINAL REZONING / SKETCH (2022) EPM # 441269

TOWN OF HUNTERSVILLE
MECKLENBURG COUNTY, NORTH CAROLINA

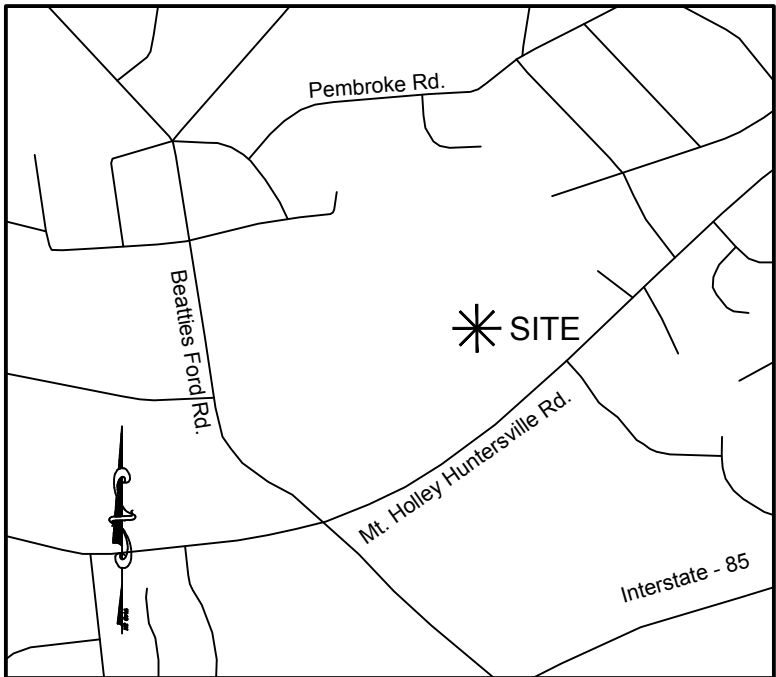
PREPARED FOR :

Carver Bowman, LLC

13815 Cinnabar Place
Huntersville, NC 28078
Phone: (704) 875-9704

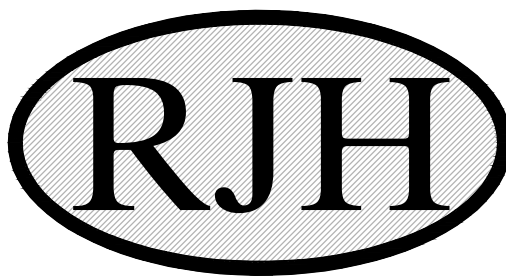
OAK GROVE HILL - PHASES 1 & 2 PRELIMINARY CONSTRUCTION
PLANS (2021) EPM # 409691 / CASE # R18-10A
APPROVED 01/26/2021

March 8, 2023



VICINITY MAP - N.T.S.

PREPARED BY:



R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning
Management
1186 Stonecrest Blvd., Tega Cay, SC 29708 Phone: (803) 802-1799

ORIGINAL REZONING / SKETCH (2018) EPM # 400982
PHASE 3 ADDITION - REZONING / SKETCH (2022) EPM # 441493
REVISION TO ORIGINAL REZONING / SKETCH (2022) EPM # 441269

Sheet List Table	
Sheet Number	Sheet Title
COVER	COVER
SP-1	OVERALL SITE&REZONING PLAN: ALL PHASES
SP-2	OVERALL SITE PLAN: PHASE 3
SP-3 - SP-5	SITE PLAN: PHASE 1&2
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EX-1	OVERALL EXISTING CONDITIONS: ALL PHASES
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LP-1	OVERALL LANDSCAPE PLAN: ALL PHASES
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LP-3 - LP-5	LANDSCAPE PLAN: PHASE 1&2
LP-6	URBAN OPEN SPACE DESIGN: PHASE 1&2
LP-7	OVERALL LANDSCAPE PLAN: PHASE 3
LP-8	URBAN OPEN SPACE DESIGN: PHASE 3
UT-1	OVERALL UTILITY PLAN: PHASE 3

OAK GROVE HILL PHASE 3 IS BASED ON TOWN OF HUNTERSVILLE
WILLINGNESS TO ANNEX ALL 28.26 ACRES OF PHASE 3

NO DUKE ENERGY TRANSMISSION ROW SHOWN
WITHIN PROJECT LIMITS. IF IMPACTS ARE TO DUKE
ENERGY DISTRIBUTION FACILITIES PLEASE
CONTACT 800.777.9898 TO HAVE A WORK ORDER
SET-UP TO DISCUSS PROJECT WITH A
DISTRIBUTION ENGINEER.

APPROVAL OF THIS CONCEPT PLAN DOES NOT
IMPLY OR GUARANTEE APPROVAL OF THE FINAL
CONSTRUCTION PLAN. FINAL CONSTRUCTION PLAN
WILL BE REVIEWED FOR COMPLIANCE PER ALL
TOWN, COUNTY AND STATE REGULATIONS IN
EFFECT AT TIME OF SUBMITTAL.

DATE	ISSUED FOR	REV
8/15/2022	Pre Submittal to Town of Huntersville	0
11/23/2022	Initial Submittal to Town of Huntersville	1
1/20/2023	Second Submittal to Town of Huntersville	2
3/08/2023	Third Submittal to Town of Huntersville	3

Engineer:

R. Joe Harris & Associates, Inc.
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www.rjoe Harris.com

This drawing shall not be used for construction purposes until the seal and signature of the responsible registrant appears on the drawing, and proper permit forms and related fees are transmitted by the Owner, Owner's Agent or Contractor to the Authority having Jurisdiction.

Corporate Seal	Engineer's Seal

Project Manager	Drawn
D. Gates	T. Alston
Department Manager	Checked
P. Murphy	D. Gates
Print/Plot Date	
March 8, 2023	
Asbuilt Drawn	Asbuilt Date
-	-
Client	
Carver Bowman, LLC 13815 CINNABAR PLACE HUNTERSVILLE, NC 28078 P: (704) 875-9704	
Project:	
Oak Grove Hill Rezoning/Sketch Plan: Phase 3	
Drawing Title:	
Cover Sheet Petition R22-05	
Project No.	Drawing No.
5259	
DWG File Name:	
5259_Cover	Cover

Huntersville General Notes:

- All development and construction shall comply with all zoning and subdivision standards of the Town of Huntersville, Mecklenburg County, and NCDOT, as applicable.
- This property may be subject to any easements and/or right-of-way of record.
- All applicable federal, state, and local environmental permits and approvals will be obtained by the Developer.
- All areas designated as common and/or urban open space shall be owned and maintained by the homeowners association and dedicated for perpetuity.
- Access (ingress/egress) location and width, front-loading garages shall be recessed at least 10 feet behind the primary plane of the front facade of the structure. Exception for single family detached dwellings with 1400 square feet or less of heated air space: single bay front loading garages may be built flush with, but may not project in front of, the primary plane of the front facade of the structure; double bay front loading garages shall be recessed at least 10 feet behind the primary plane of the front facade of the structure. On lots 60 feet or less in width, alley access is required if on-site parking is provided except as provided below. Detached garages may only be placed in the established rear yard or be attached side or rear loading. (Article 8.16.1 & 2 & 6 TOH ZO).
- Garage pick-up shall be via roll-out trash and mail delivery shall be to mail kiosks.
- Residential Garages: On lots greater than 60' in width, front-loading garages shall be recessed at least 10 feet behind the primary plane of the front facade of the structure. On lots 60 feet or less in width, alley access is required if on-site parking is provided except as provided below. Detached garages may only be placed in the established rear yard or be attached side or rear loading. (Article 8.16.1 & 2 & 6 TOH ZO).
- Once the streets are accepted by the Town, street trees shall be maintained and cared for by the property owner adjacent to the tree except in subdivisions where the property owner association is responsible for maintenance(ZO, Article 7.3.7).
- Block Lengths shall adhere to the approved Sketch Plan.
- Side Lot Lines: Side lot lines shall, as nearly as practicable, be at right angles or radial to street lines where side lot lines intersect at the rear of the lot, the angle of intersection shall not be less than 60 degrees (Sect. 7.220 TOH ZO).
- Building Separation: All detached principle structures in all districts shall preserve a minimum building separation of 10 feet. The requirement of the district to conform to an existing plan of building spacing along a street may require a greater separation or the provision of specified side. All detached accessory structures in all districts shall maintain a minimum building separation of 4 feet, as measured from the overhang (Article 8.10 TOH ZO).
- HVAC/Other Utilities must be located outside an established setback, required side yard, and not within 5' of a side or rear lot line (Article 8.8.2 TOH ZO).
- All signs will be reviewed and approved separately and shall meet Article 10 of the TOH ZO.
- Except as specifically provided in the Rural and Transitional districts, detached house types shall have the option to attach house types shall be required to have a lot width greater than 50' feet. Developers shall have the option to provide lot widths 50' wide or less when alley access allowing on-site parking is provided for detached house types and two-unit attached house types. Further, developers shall also have the option to apply for conditional district rezoning to create lot widths 50' wide or less when an alley provided if it can demonstrate the development can accommodate on-street parking, meet all the provisions of the zoning ordinance including installation of street trees, and demonstrate public services such as trash pick-up can be provided.
- (Traffic Control/Pavement Markings & Street Lighting Plan) - (1) Standard street markers must be installed by the developer at one corner of all intersections, including private streets, before any certificates of occupancy may be issued for buildings or residences along those streets. The design, material, location and installation of the signs must be in accordance with standards specified in the Land Development Standards Manual unless an alternative design is approved. (2) Barricades must be installed at the end of all dead-end streets except dead-end streets, which have been improved with a permanent turnaround as required by this Ordinance. Design, material, and installation of the barricades must be in accordance with the Land Development Standards Manual. (3) No department, officer, agent, or employee of the town will accept for maintenance, lay out, open, improve, grade, pave or light any streets or authorize the laying of water mains, sewers, electrical service extensions or other facilities or utilities in any street in the town unless: such street has been accepted or open as, or has otherwise received the legal status of, a public street prior to the effective date of this ordinance, or for any new street, such street corresponds in location and lines with a street shown on a preliminary subdivision plan, tentatively approved by the Town Manager or Designated Administrative Agent, or such street has been accepted as a public street by the State of North Carolina, or such street is an approved private street built in conformance with provisions of all applicable ordinances. (Section 8.170 & 8.200 TOH ZO).
- Maintenance Guarantee: All improvements required by this ordinance shall be guaranteed against defects in workmanship and materials by the subdivider for a period of one year from the date of the filing of the final plat or the date of the completion, whichever is the later. The subdivider shall file with the Town a maintenance bond with adequate sureties in an amount determined by the Town of Huntersville/Mecklenburg County to be sufficient to assure proper maintenance and repair of such improvements for the one-year warranty period. (Section 8.400 TOH ZO).
- Maintenance Covenants: Prior to the issuance of an Occupancy Permit for any building within a permitted development served by a BMP, the applicant or owner of the BMP shall establish a formal Maintenance Covenant approved by the Mecklenburg County Land Use and Environmental Services Agency and recorded in the Office of the Register of Deeds in which the owner acknowledges the duty of the owner and all subsequent owners of the property to maintain the BMP in accordance with the terms of the Covenant.
- Alley access for on-site parking is strongly encouraged for three-unit or more attached house types.
- Direct access from lots to a thoroughfare is prohibited.
- Lots subject to flooding should not be established in subdivisions except as provided in Section 7.280 (if applicable).
- Any construction or use within the areas delineated by floodway fringe district boundary line and floodway district encroachment line is subject to the restrictions imposed by floodway regulation.
- All alleyways shall be open from general use by the general public but shall not be accepted by the public for maintenance. Maintenance shall be the responsibility of the developer/associations of homeowners.
- Build-to-line: A line extending through a lot which is generally parallel to the front property line and marks the location from which the principle vertical plane of the front building elevation must be erected; intended to create an even building facade line on a street. The build-to-line is established on the record plat (final plat).
- The proposed method for providing potable water & sanitary sewer shall be provided by Charlotte Water via connected waterlines & sewer lines.
- Water Quality LID Maintenance: BMPs that are constructed on privately owned land and that are not within a public easement shall be maintained by the Property Owners Association or the owner of the subject property. BMPs that are constructed on public land within public right-of-way, and/or within public easements shall be maintained by the public body with ownership/jurisdiction of the subject property.
- Water Quality LID: Financial Arrangements are to be made through Meck. County guaranteeing the installation and maintenance of required BMPs until the issuance of CO's for seventy-five percent (75%) of all construction which might reasonably be anticipated to be built within the area which drains into the BMP, allowing credit for improvements completed prior to the submission of the final plat. The approval of the High Density Development Permit will be subject to developer compliance with Section 10.509 paragraph 3 of the Mecklenburg County Zoning Ordinance, the provisions of which, including subsequent amendments, are incorporated herein.

ROAD NAME LENGTH

ROAD NAME	LENGTH
BUTTERNUT OAK TERR	2,433 LF
CARVER AVE	2,685 LF
CHERRYBARK OAK LN	2,174 LF
ROAD A	279 LF
ROAD B	663 LF

ROAD BLOCK LENGTHS

ROAD	BL 1	BL 7	BL 13	BL 19
BL 1	1,242'	1,336'	1,116'	1,157'
BL 7	283'	1,178'	1,115'	
BL 13	352'	1,307'	1,157'	
BL 19	551'	1,442'	1,166'	
BL 2	236'	1,111'	1,368'	
BL 8	135'	1,112'	1,478'	

*In major subdivisions the dimension of blocks may not exceed 800 linear feet between cross streets.

ALLEY NAME LENGTH

ALLEY NAME	LENGTH
CHINKAPIN OAK ALLEY	437 LF
OSAGE ORANGE ALLEY	184 LF
SAWTOOTH OAK ALLEY	626 LF
NUTTALL ALLEY	361 LF
	232 LF

ALLEY BLOCK LENGTHS

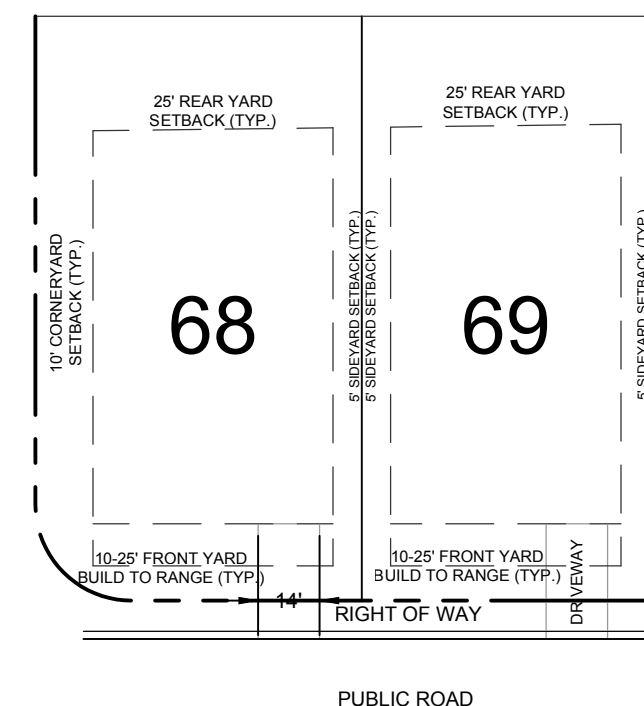
ALLEY	AL 14	AL 16	AL 17	AL 18	AL 19
AL 14	215'	51'	171'	181'	361'
AL 16	222'	171'	181'	361'	
AL 17	181'	361'			
AL 18	361'				
AL 19	361'				

Parcel Line and Curve Table				L
Line #/Curve #	Length	Bearing/Delta	Radius	
C1	223.08	S 58° 12' 00" E	1469.00	
C2	33.53	N 130° 11' 30" E	1700.00	
C3	71.27	S 76° 00' 00" E	532.88	
C4	170.43	N 115° 00' 00" E	845.00	
L1	137.83	S 70° 15' 02.81" W		
L2	81.41	S 70° 15' 02.81" W		
L3	128.99	N 31° 31' 24.74" W		
L4	44.12	S 64° 35' 26.87" W		
L5	60.54	N 6° 07' 20.97" W		
L6	200.13	S 81° 00' 10.39" W		
L7	273.43	S 81° 52' 53.75" E		
L8	184.38	N 79° 27' 40.55" E		
L9	109.25	S 9° 07' 07.48" E		
L10	186.97	N 79° 12' 35.09" E		
L11	223.70	N 79° 12' 35.09" E		
L12	289.43	N 1° 10' 17.70" W		
L13	343.27	N 96° 00' 36.20" W		
L14	263.13	S 80° 13' 33.74" W		
L15	103.01	N 36° 08' 11.61" W		
L16	43.55	N 39° 42' 08.24" W		

Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
L17	218.110	N40° 39' 07.52" E	
L18	203.71	S41° 29' 25.17" E	
L19	220.02	N62° 30' 22.84" E	
L20	236.50	N86° 02' 26.57" E	
L21	60.08	N86° 02' 26.57" E	
L22	60.05	N85° 59' 35.18" E	
L23	249.57	S45° 00' 21.52" E	
L24	207.49	S45° 01' 00.46" E	
L25	234.82	S52° 51' 13.07" E	
L26	94.14	S61° 08' 54.19" E	
L27	220.66	S15° 58' 39.63" E	
L28	415.63	N63° 29' 47.60" W	
L29	524.77	S9° 49' 49.70" W	
L30	206.19	S37° 38' 48.47" W	
L31	225.58	S49° 52' 72.72" W	
L32	206.36	S59° 52' 21.71" W	
L33	421.11	S10° 10' 22.20" W	
L34	750.43	N27° 17' 08.31" W	
L35	107.42	N85° 10' 03.37" W	
L36	725.59	N24° 44' 03.37" W	

Impervious Area Table Phase 1 & 2		Impervious Area Table Phase 3		Impervious Area Table All Phases	
% Impervious Shown	Max. Allowable	% Impervious Shown	Max. Allowable	% Impervious Shown	Max. Allowable
13.72 Ac. (30.4%)	38.29 Ac. (100%)	8.13 Ac. (28.16%)	28.26 Ac. (100%)	21.85 Ac. (32.65%)	66.92 Ac. (100%)
NOTE: 1% or less sq/ft of impervious area per lot added to overall to allow for addition of future impervious area by the homeowner/occupant.					

NOTE: 1% or 150 sqft of impervious area per lot added to overall to allow for addition of future impervious area by the homeowner/occupant.



LOT SETBACKS: FRONT LOAD

- Lots 60' wide or less shall have driveways no more than 14' wide as measured along the public streets ROW.
- Driveways shall extend a minimum of 20' from back of public ROW.

TREE PRESERVATION

Specimen tree - A tree (or group of trees) that may be considered important community assets due to their unique or noteworthy characteristics or values. A tree may be considered a specimen tree based on its size, age, rarity or special historical or ecological significance and may also meet the following criteria:

- Large hardwood (e.g. oaks, poplars, maples, etc.) and softwoods (e.g. pines) in good or better or better condition with a DBH of 24" or greater.
- Smaller understory trees (e.g. dogwoods, redbuds, sourwoods, persimmons, etc.) in good or better condition with a DBH of 12" or greater.
- Lesser-sized trees of rare species or special intrinsic value as approved by staff.

Heritage tree - A tree that is listed in the North Carolina Big Tree List, the American Forest Association's Champion Tree List, the Mecklenburg County Tree List or any tree that would meet 80% of the points of a tree on North Carolina's Big Tree List.

Note: Urban open spaces shall comply with Article 7.7 of the Zoning Ordinance and include one or more of the following: landscaping, walks, seating, fountains, playground equipment, statues, etc. Materials used shall be a combination of brick pavers, stamped asphalt, stone, wrought iron, wood, crushed gravel or stone etc.

OAK GROVE HILL TREE PRESERVATION

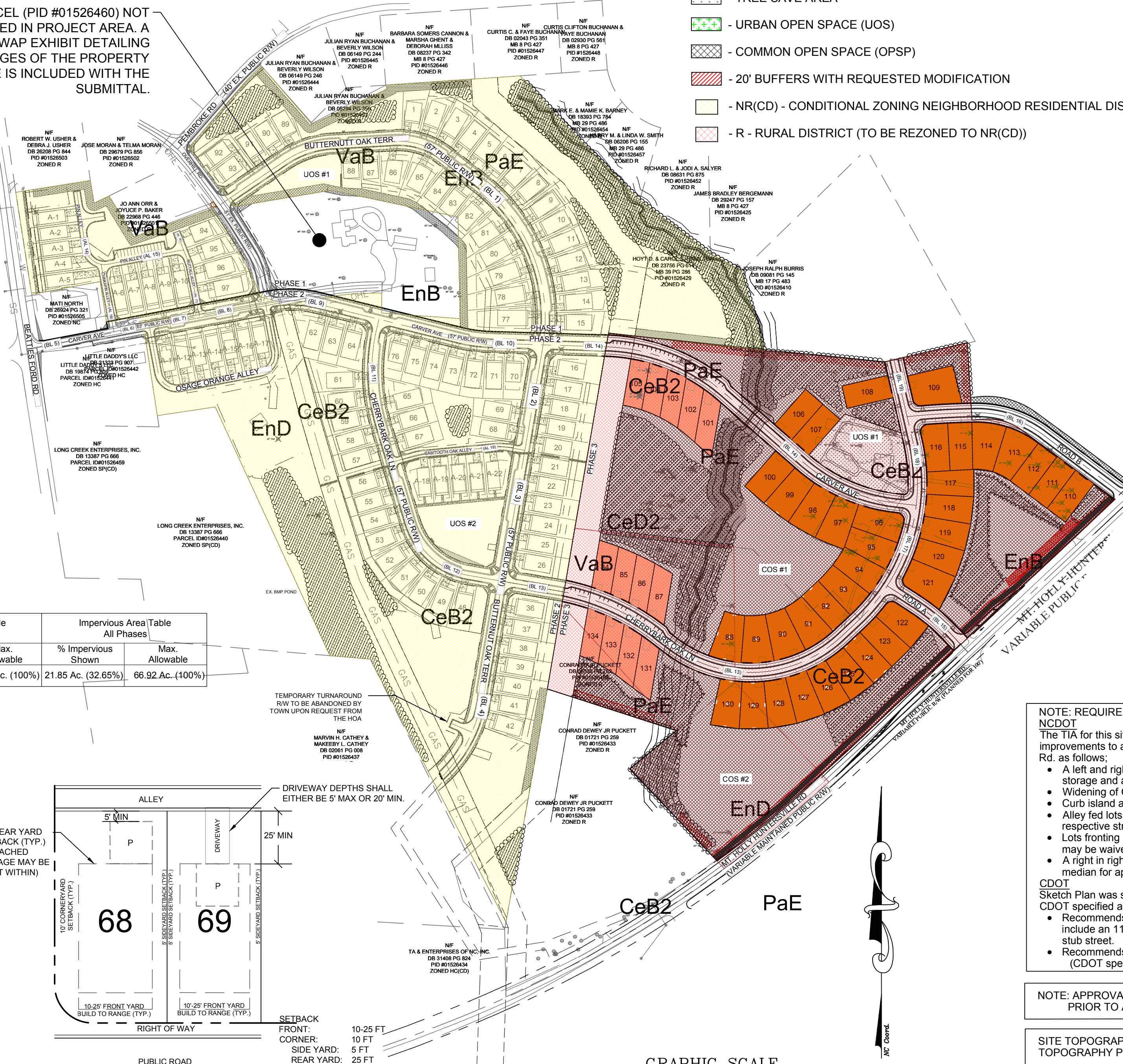
	PHASE 1&2	PHASE 3	ALL PHASES
SITE ACREAGE	38.29± ACRES	28.26± AC	66.55± AC
% COVERED BY TREE CANOPY	26.26± AC (68.6%)	22.07± AC (78.1%)	48.33± AC (72.6%)
% OF TREE CANOPY PRESERVATION REQUIRED	3.83± AC (10%)	2.82± AC (10%)	6.69± AC (10%)
% OF TREE CANOPY PROVIDED	3.48± AC (9.1%)	6.21± AC (22.0%)	9.69± AC (14.5%)
NO. OF SPECIMEN TREES ON-SITE*	8	81	89
NO. OF SPECIMEN TREES TO BE SAVED (MIN REQ. 10%)	3 (37%)	19 (22%)	22 (25%)
NO. OF HERITAGE TREES ON SITE	0	1	1

* DOES NOT INCLUDE SPECIMEN TREES WITH PROPOSED SMITH PROPERTY BOUNDARY

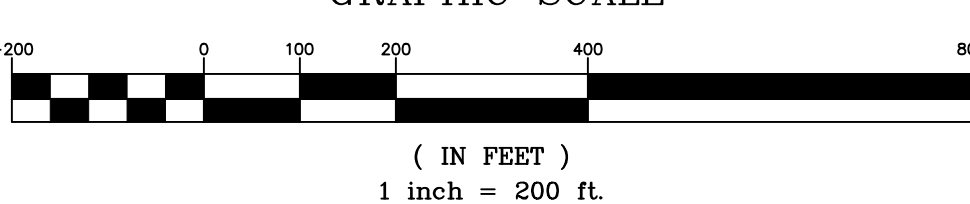
TREE LEGEND

- TR - Tree
- EL - Elm
- BE - Beach
- P - Pine
- PO - Poplar
- CA - Oak
- GU - Gum
- MA - Maple
- PE - Pecan
- WA - Walnut
- HI - Hickory

SMITH PARCEL (PID #01526460) NOT INCLUDED IN PROJECT AREA. A LAND SWAP EXHIBIT DETAILING THE CHANGES OF THE PROPERTY LINE IS INCLUDED WITH THE SUBMITTAL.

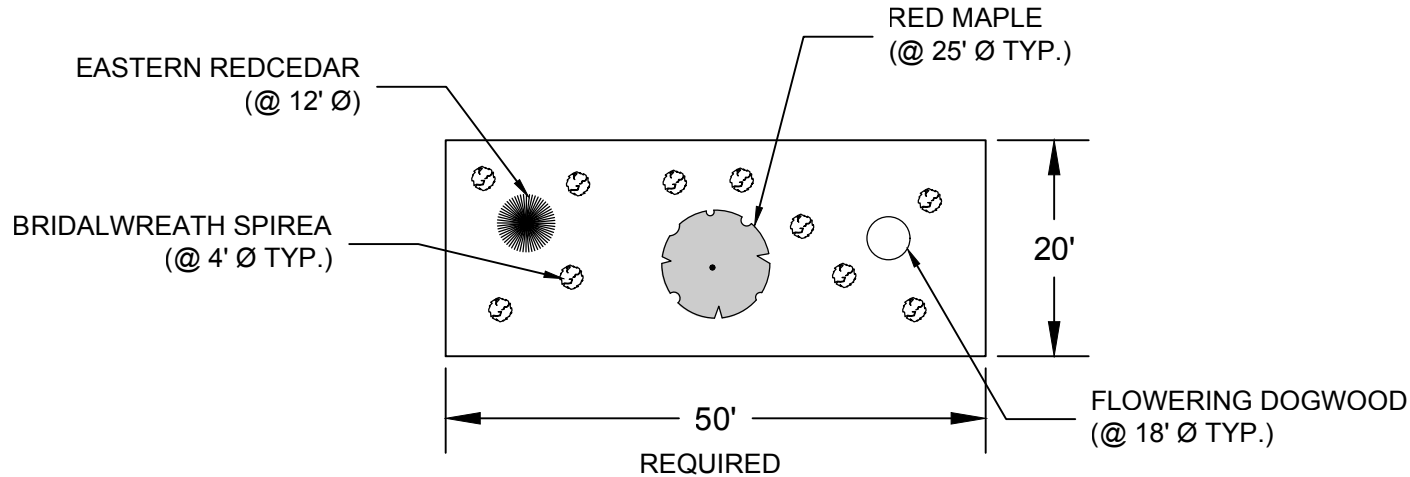


GRAPHIC SCALE



SUPPLEMENTAL RESIDENTIAL BUFFER YARD LANDSCAPING ALONG ABUTTING PROPERTIES

TOTAL LENGTH = 50 LINEAR FEET X 20 LINEAR FEET = 1000SQFT



- 25% (1 TREE) EVERGREEN TREES PER 50LF
- 25% (1 TREE) CANOPY TREES PER 50LF (LARGE MATURING)
- 25% (1 TREE) UNDERSTORY TREES PER 50LF (SMALL MATURING)
- 10 SHRUBS PER 50LF

(NUMBER OF TREES & SHRUBS SHOWN MUST BE THE MINIMUM NUMBER PLANTED. TYPE & ACTUAL LOCATION MAY VARY.) (EXISTING TREES AND SHRUBS CAN COUNT TOWARDS PLANTING REQUIREMENTS, AS LONG AS THEY MEET THE REQUIRED SIZE)

LEGEND

- 35' SWIM BUFFER
- 20' UNDISTURBED BUFFER
- 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY
- 20' REPLANTED BUFFER
- TREE SAVE AREA
- URBAN OPEN SPACE (UOS)
- COMMON OPEN SPACE (OPSP)
- 20' BUFFERS WITH REQUESTED MODIFICATION
- NR(CD) - CONDITIONAL ZONING NEIGHBORHOOD RESIDENTIAL DISTRICT
- R - RURAL DISTRICT (TO BE REZONED TO NR(CD))

Open Space Table: Phase 1 & 2						Open Space Table: Phase 3					
Urban Open Space			Common Open Space			Urban Open Space			Common Open Space		
U.O.S.#	Area	Type	C.O.S.#	Area	Type	U.O.S.#	Area	Type	C.O.S.#	Area	Type
1	12,833 SF	MiniPocket Park	1	521,413 SF	COS	1	36,038 SF	MiniPocket Park	1	593,223 SF	COS
2	30,477 SF	Green	2	67,062 SF	Buffers				2	57,168 SF	Buffers
Total	43,110 SF 0.99 Acres		Total	588,476 SF 13.51 Acres		Total	36,038 SF 0.83 Acres		Total	650,391 SF 14.93 Acres	

Open Space Table: All Phases					
Urban Open Space			Common Open Space		
U.O.S.#	Area	Type	C.O.S.#	Area	Type
1	12,833 SF	MiniPocket Park	1	1,247,930 SF	COS
2	30,477 SF	Green	2	141,674 SF	Buffers
3	36,038 SF	MiniPocket Park			
Total	79,149 SF 1.82 Acres		Total	1,236,887 SF 28.44 Acres	

Open Space Table: All Phases					
Urban Open Space			Common Open Space		
U.O.S #	Area	Type	C.O.S #	Area	Type
1	12,633 SF	MiniPocket Park	1	1,247,930 SF	COS
2	30,477 SF	Green	2	141,674 SF	Buffers
3	36,038 SF	MiniPocket Park			
Total	79,148 SF 1.82 Acres		Total	1,238,887 SF 28.44 Acres	

NOTE: REQUIRED ROAD IMPROVEMENTS

NCDOT

The TIA for this site was scoped by the Town of Huntersville and the Applicant. Huntersville required no improvements to adjacent roads. NCDOT specified improvements to the connection at Mount Holly - Huntersville Rd. as follows:

- A left and right turn lane to enter the site at the access point on Mt. Holly-Huntersville Rd, including 100' min storage and appropriate tapers
- Widening of Carver avenue and Overhill Rd. from 16' to 20' along all site frontage.
- Curb island at south east corner of intersection of Carver Ave. and Beatties Ford Rd.
- Alley feed lots on Beatties Ford Rd., Carver Ave., and Overhill Rd will not be allowed a driveway or access to respective streets. Homes should be addressed to the alley behind the lots.
- Lots fronting Overhill Rd will not be allowed to front load. They will only be allowed a shared driveway (this may be waived if Huntersville takes over maintenance of this street)
- A right in turn only entrance will be allowed at Dewey Puckett Rd. This entrance shall have a 4' raised median for approximately 50' in length along Mt. Holly-Huntersville Rd.

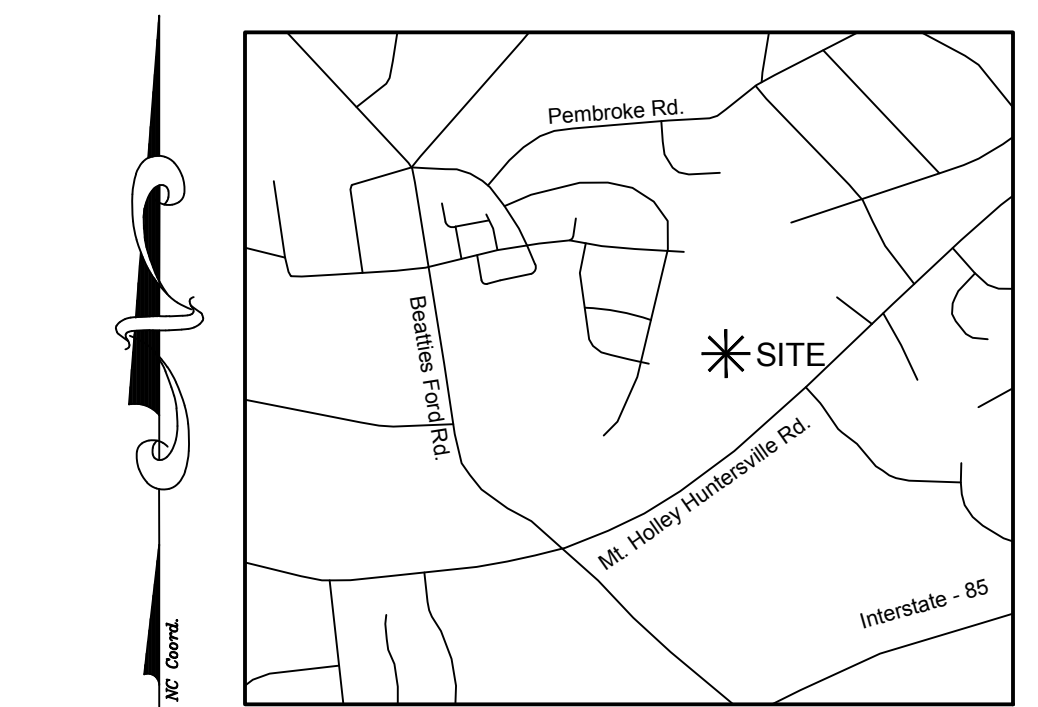
- Sketch Plan was submitted to CDOT for comments on Mt. Holly-Huntersville road intersection improvements. CDOT specified additional improvements as follows:
- Recommends a three (3) approach-lane section at Mt. Holly-Huntersville Road and Road C. This would include an 11' right-turn lane, 11' left-turn lane and a 13' receiving lane. This section to be carried to the first stub street.
- Recommends a 12' Multi-use Path or buffered bike lane along frontage. (CDOT specified improvements to be shown on Construction Plans)

NOTE: APPROVAL FOR ENCROACHMENTS ONTO PIEDMONT NATURAL GAS EASEMENTS TO BE OBTAINED PRIOR TO APPROVAL OF CONSTRUCTION PLANS.

SITE TOPOGRAPHY & LOCATE FIELD RUN BY R. JOE HARRIS & ASSOCIATES, INC. SUPPLEMENTAL TOPOGRAPHY PROVIDED FROM MECKLENBURG COUNTY AERIAL TOPOGRAPHY (OFF-SITE).

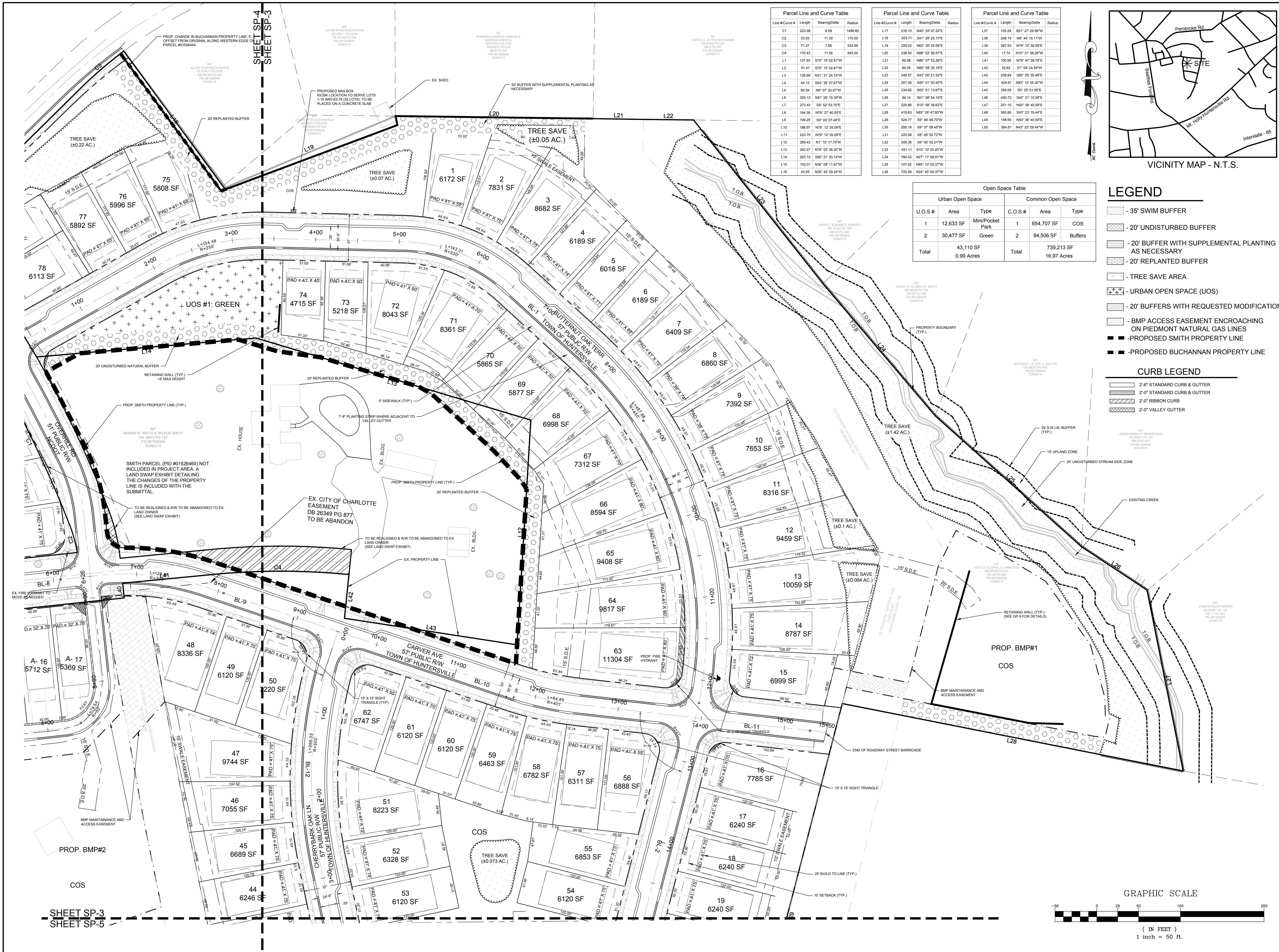
THIS SITE IS NOT LOCATED WITHIN THE 100 YEAR FLOOD HAZARD ZONE AS DEFINED ON COMMUNITY PANEL 3710453800-K OF THE FLOOD INSURANCE RATE MAPS FOR MECKLENBURG COUNTY DATED 09-02-2015.

BOUNDARY SURVEY PROVIDED BY R. JOE HARRIS & ASSOCIATES, INC. HORIZONTAL DATUM TIED TO NAD 83 AND VERTICAL DATUM BASED ON NAVD 88. CONTACT R. JOE HARRIS & ASSOCIATES, INC. FOR BENCHMARKS AND CONTROL INFORMATION.



VICINITY MAP - N.T.S.

Development Information:			
Project Name:	Oak Grove Hill Phases 1 & 2 Construction Plans Huntersville, NC (Mecklenburg County)	Oak Grove Hill Phase 3 Construction Plans Huntersville, NC (Mecklenburg County)	Oak Grove Hill Phase 1, 2, & 3 Construction Plans Huntersville, NC (Mecklenburg County)
Developer:	Bowman Bayard Bradford, LLC 13815 Cornelia Place Huntersville, NC 28078	Bowman Bayard Bradford, LLC 13815 Cornelia Place Huntersville, NC 28078	Bowman Bayard Bradford, LLC 13815 Cornelia Place Huntersville, NC 28078
Tax I.D.:	0103441, 0103454, 0103455, 0103456, 0103457, 0103458, 0103459, 0103460, 0103461, 0103462, 0103463, 0103464, 0103465, 0103466, 0103467, 0103468, 0103469, 0103470, 0103471, 0103472, 0103473, 0103474, 0103475, 0103476, 0103477, 0103478, 0103479, 0103480, 0103481, 0103482, 0103483, 0103484, 0103485, 0103486, 0103487, 0103488, 0103489, 0103490, 0103491, 0103492, 0103493, 0103494, 0103495, 0103496, 0103497, 0103498, 0103499, 0103500, 0103501, 0103502, 0103503, 0103504, 0103505, 0103506, 0103507, 0103508, 0103509, 0103510, 0103511, 0103512, 0103513, 0103514, 0103515, 0103516, 0103517, 0103518, 0103519, 0103520, 0103521, 0103522, 0103523, 0103524, 0103525, 0103526, 0103527, 0103528, 0103529, 0103530, 0103531, 0103532, 0103533, 0103534, 0103535, 0103536, 0103537, 0103538, 0103539, 0103540, 0103541, 0103542, 0103543, 0103544, 0103545, 0103546, 0103547, 0103548, 0103549, 0103550, 0103551, 0103552, 0103553, 0103554, 0103555, 0103556, 0103557, 0103558, 0103559, 0103560, 0103561, 0103562, 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Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
C1	223.08	N40° 39' 07.52"E	1489.60
C2	33.53	N11° 20' 25.17"E	170.00
C3	71.27	N62° 30' 22.94"E	532.98
C4	170.43	N11° 56' 02.81"W	845.00
L1	137.93	S70° 15' 02.81"W	
L2	81.41	S70° 15' 02.81"W	
L3	128.99	N31° 31' 24.74"W	
L4	44.12	S64° 30' 27.67"W	
L5	60.54	N0° 07' 20.67"W	
L6	200.13	S81° 00' 10.39"W	
L7	273.43	S8° 52' 53.75"E	
L8	184.38	N79° 27' 40.50"E	
L9	159.25	S9° 07' 07.48"E	
L10	186.97	N0° 12' 35.09"E	
L11	233.70	N79° 12' 35.09"E	
L12	269.43	N1° 10' 17.70"W	
L13	343.27	N78° 03' 36.20"W	
L14	263.13	S80° 21' 33.74"W	
L15	153.01	N38° 08' 11.81"W	
L16	43.55	N39° 42' 09.24"W	

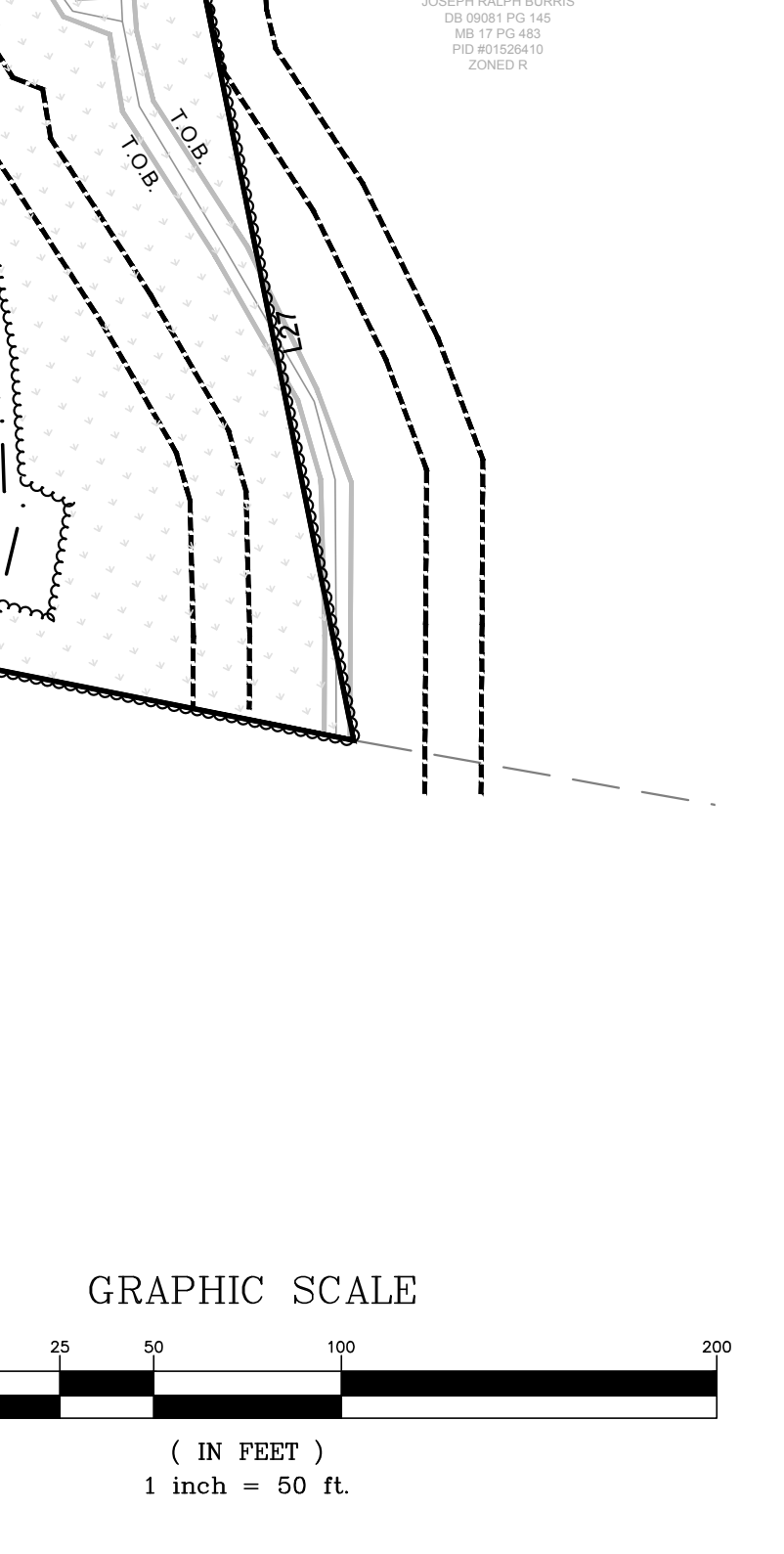
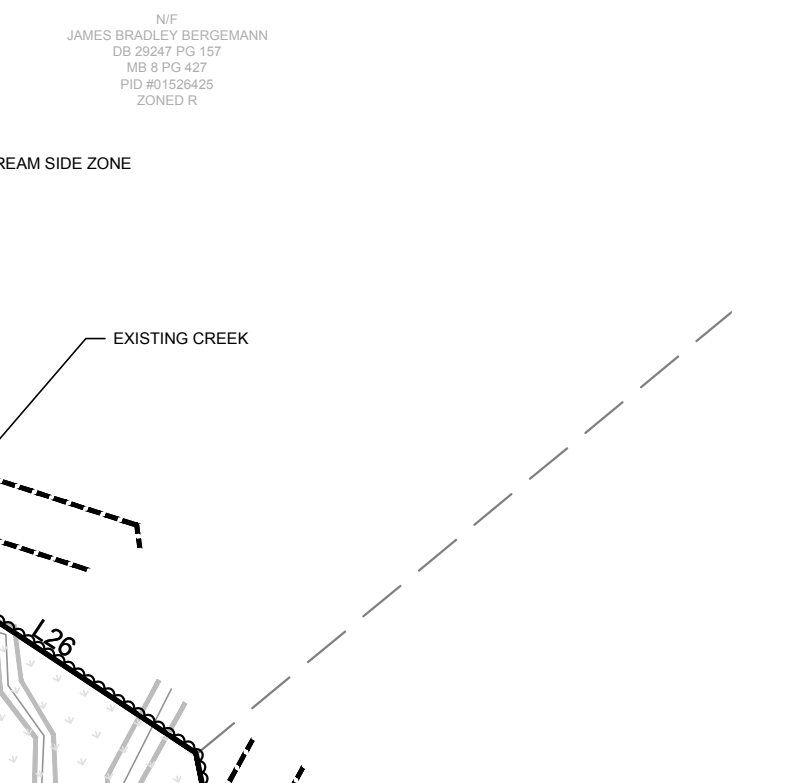
Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
L17	218.10	N40° 39' 07.52"E	
L18	203.71	S41° 29' 25.17"E	
L19	220.02	N62° 30' 22.94"E	
L20	236.50	N86° 02' 26.97"E	
L21	60.08	N86° 07' 52.26"E	
L22	60.05	N85° 59' 35.18"E	
L23	249.57	S43° 00' 21.52"E	
L24	207.49	S45° 01' 00.49"E	
L25	234.82	S52° 51' 13.07"E	
L26	94.14	S61° 08' 54.19"E	
L27	220.66	S15° 38' 40.56"E	
L28	415.63	N53° 29' 47.80"W	
L29	534.77	S9° 49' 49.70"W	
L30	208.19	S9° 37' 08.47"W	
L31	235.58	S9° 45' 52.72"W	
L32	206.36	S9° 50' 52.21"W	
L33	421.11	S10° 10' 22.20"W	
L34	784.03	N27° 17' 08.81"W	
L35	107.42	N85° 10' 00.37"W	
L36	725.59	N24° 45' 00.37"W	

Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
L37	155.28	S81° 27' 26.96"W	
L38	208.14	N8° 44' 16.11"W	
L39	367.53	N79° 12' 35.09"E	
L40	17.74	N10° 31' 08.26"W	
L41	100.95	N79° 47' 38.78"E	
L42	52.62	S11° 09' 24.58"W	
L43	208.84	S85° 55' 35.48"E	
L44	424.81	N83° 15' 25.30"W	
L45	359.58	S0° 25' 51.55"E	
L46	450.72	S42° 21' 15.28"E	
L47	201.10	N50° 38' 40.56"E	
L48	362.86	S43° 23' 19.44"E	
L49	158.90	N50° 38' 40.56"E	
L50	364.61	N43° 22' 29.44"W	

Open Space Table					
Urban Open Space			Common Open Space		
U.O.S #	Area	Type	C.O.S #	Area	Type
1	12,633 SF	Mini/Pocket Park	1	654,707 SF	COS
2	30,477 SF	Green	2	84,506 SF	Buffers
Total	43,110 SF 0.99 Acres		Total	739,213 SF 16.97 Acres	

- ### LEGEND
- 35' SWIM BUFFER
 - 20' UNDISTURBED BUFFER
 - 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY
 - 20' REPLANTED BUFFER
 - TREE SAVE AREA
 - URBAN OPEN SPACE (UOS)
 - 20' BUFFERS WITH REQUESTED MODIFICATION
 - BMP ACCESS EASEMENT ENCRANCHING ON PIEDMONT NATURAL GAS LINES
 - PROPOSED SMITH PROPERTY LINE
 - PROPOSED BUCHANNAN PROPERTY LINE

- ### CURB LEGEND
- 2'-6" STANDARD CURBS & GUTTER
 - 2'-0" STANDARD CURBS & GUTTER
 - 2'-0" RIBBON CURBS
 - 2'-0" VALLEY GUTTER



DATE	ISSUED FOR	REV
4/13/20	Pre-Submittal Meeting	0
5/1/20	Initial EPM Submittal	1
8/5/20	Second EPM Submittal	2
10/13/20	Third EPM Submittal	3
12/18/20	Fourth EPM Submittal	4

Engineer:

R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning Management
1166 Stonecrest Blvd., Tega Cay, S.C. 29708 P: (803) 802-1799

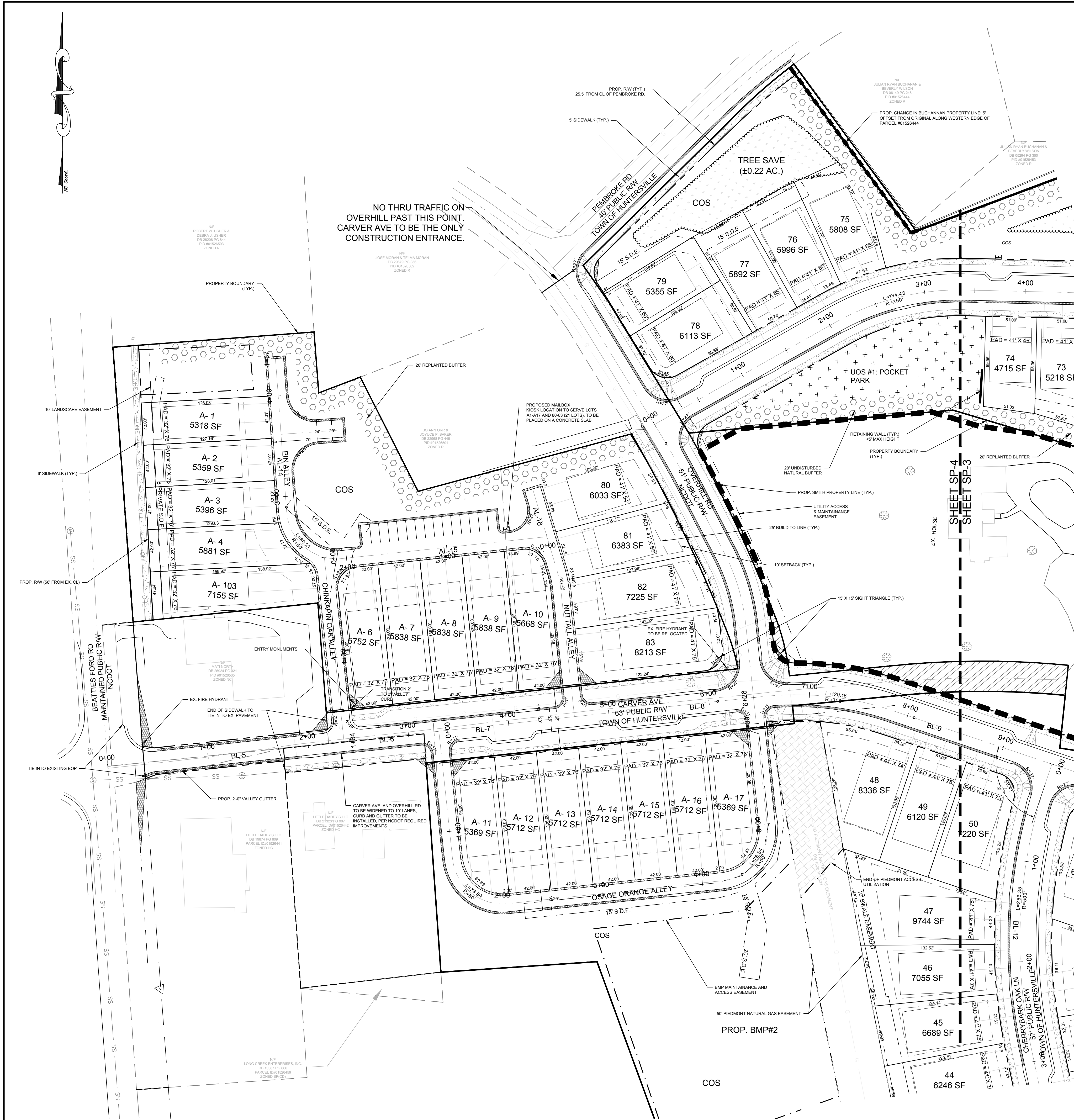
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CORPORATE SEAL

ENGINEER'S SEAL

Project Manager	Drawn
D. Gates	T. Alston
Department Manager	Checked
P. Murphy	D. Gates
Print/Plot Date	March 8, 2023
Asbuilt Drawn	Asbuilt Date
Client	BOWMAN DEVELOPMENT GROUP 13815 CINNABAR PLACE HUNTERSVILLE, NC 28078 P: (704) 875-9704
Project:	Oak Grove Hill-Phases 1&2
Drawing Title:	Site Plan 1: Phase 1 & 2
Project No.	2839
DWG File Name:	2839-Resizing & Site Plan
Drawing No.	SP-2

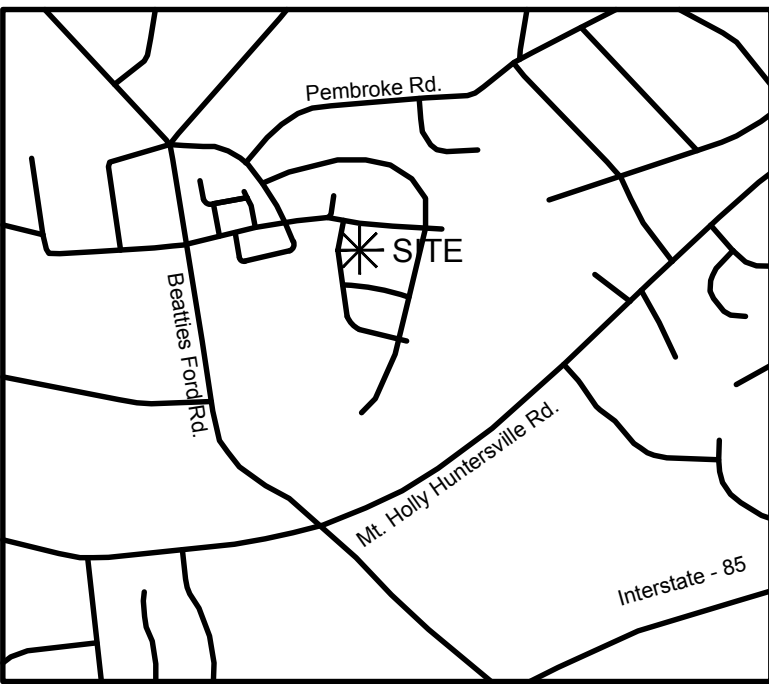


LEGEND

- 35' SWIM BUFFER
- 20' UNDISTURBED BUFFER
- 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY
- 20' REPLANTED BUFFER
- TREE SAVE AREA
- URBAN OPEN SPACE (UOS)
- 20' BUFFERS WITH REQUESTED MODIFICATION
- BMP ACCESS EASEMENT ENCRANCHING ON PIEDMONT NATURAL GAS LINES
- PROPOSED SMITH PROPERTY LINE
- PROPOSED BUCHANNAN PROPERTY LINE

CURB LEGEND

- 2'-6" STANDARD CURB & GUTTER
- 2'-0" STANDARD CURB & GUTTER
- 2'-0" RIBBON CURB
- 2'-0" VALLEY GUTTER



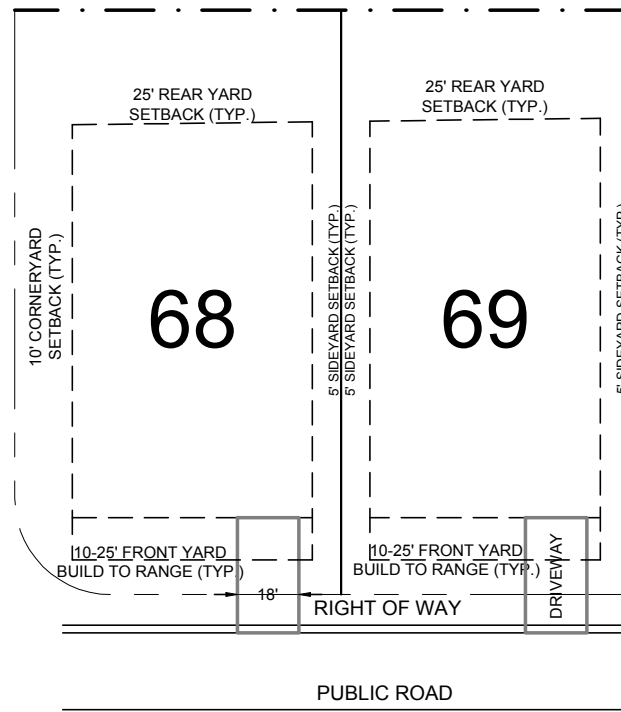
VICINITY MAP - N.T.S.

Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
C1	223.08	8.56	1489.60
C2	33.53	11.30	170.00
C3	71.27	7.66	532.98
C4	170.43	11.26	845.00
L1	137.82	S70° 12' 08.81"W	
L2	81.41	S70° 15' 02.81"W	
L3	126.99	N31° 31' 34.74"W	
L4	44.12	S64° 32' 27.67"W	
L5	60.54	N6° 07' 20.97"W	
L6	200.13	S81° 02' 10.30"W	
L7	273.43	S8° 52' 53.75"E	
L8	164.38	N79° 27' 40.55"E	
L9	109.25	S9° 03' 07.48"E	
L10	186.97	N79° 12' 35.09"E	
L11	223.70	N79° 12' 35.09"E	
L12	269.43	N1° 10' 17.70"W	
L13	343.27	N78° 03' 36.20"W	
L14	263.13	S80° 21' 33.74"W	
L15	153.01	N36° 08' 11.61"W	
L16	43.55	N39° 42' 09.24"W	

Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
L17	218.10	N40° 39' 07.52"E	
L18	203.71	S41° 29' 25.11"E	
L19	220.02	N62° 30' 22.94"E	
L20	236.50	N86° 02' 26.57"E	
L21	60.08	N89° 07' 52.87"E	
L22	80.05	N89° 59' 36.19"E	
L23	249.57	S45° 00' 21.52"E	
L24	207.49	S45° 01' 00.45"E	
L25	234.82	S52° 51' 13.67"E	
L26	94.14	S81° 08' 54.19"E	
L27	220.66	S19° 08' 36.63"E	
L28	415.03	N83° 29' 47.60"W	
L29	524.77	S9° 49' 49.70"W	
L30	206.19	S9° 37' 08.45"W	
L31	225.58	S9° 45' 52.72"W	
L32	206.36	S9° 50' 52.21"W	
L33	421.11	S10° 10' 22.20"W	
L34	784.03	N27° 17' 08.81"W	
L35	107.42	N85° 10' 00.37"W	
L36	725.59	N24° 45' 00.37"W	

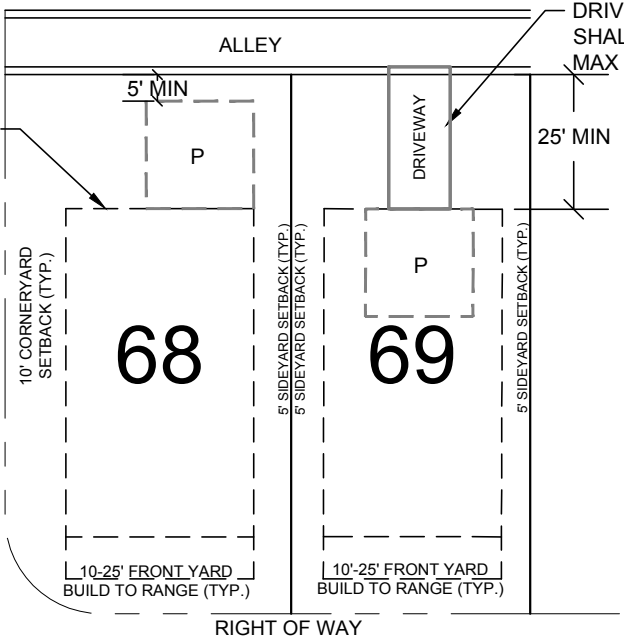
Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
L37	155.28	S81° 27' 28.96"W	
L38	208.14	N8° 44' 16.11"W	
L39	367.53	N79° 12' 35.09"E	
L40	17.74	N10° 31' 08.20"E	
L41	100.35	N79° 47' 08.78"E	
L42	52.52	S1° 09' 24.58"W	
L43	208.94	S85° 55' 35.48"E	
L44	424.81	N81° 19' 35.30"W	
L45	359.58	S0° 25' 51.55"E	
L46	450.72	S42° 21' 15.28"E	
L47	201.10	N50° 30' 40.56"E	
L48	362.86	S43° 23' 19.44"E	
L49	158.90	N50° 30' 40.56"E	
L50	384.61	N43° 22' 29.44"W	

Urban Open Space Table		
U.O.S.#	Area	Type
1	12,633 SF	MiniPocket Park
2	30,477 SF	Green



LOT SETBACKS: FRONT LOAD

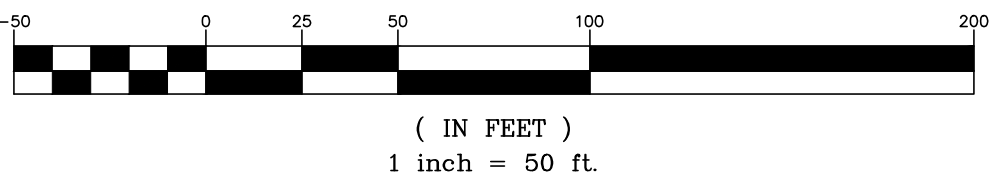
- Lots 60' wide or less shall have driveways no more than 14' wide as measured along the public streets ROW.
- Driveways shall extend a minimum of 20' from back of public ROW.



LOT SETBACKS: ALLEY ACCESS

- If placed more than 5' from rear alley curb, garage must be placed on site to have a minimum 20' Driveway.

GRAPHIC SCALE



DATE	ISSUED FOR	REV
4/13/20	Pre-Submittal Meeting	0
5/1/20	Initial EPM Submittal	1
8/5/20	Second EPM Submittal	2
10/13/20	Third EPM Submittal	3
12/18/20	Fourth EPM Submittal	4



Engineer:



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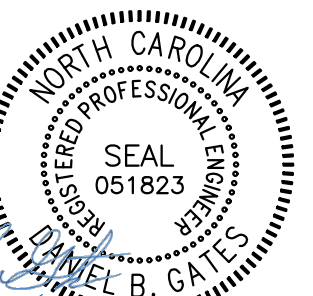
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Corporate Seal



Engineer's Seal



Project Manager D. Gates	Drawn T. Alston
Department Manager P. Murphy	Checked D. Gates

Print/Plot Date

March 8, 2023

Asbuilt Drawn

Asbuilt Date

Client

BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

Project:

Oak Grove Hill-Phases 1&2

Drawing Title:

Site Plan 2: Phase 1 & 2

Project No.

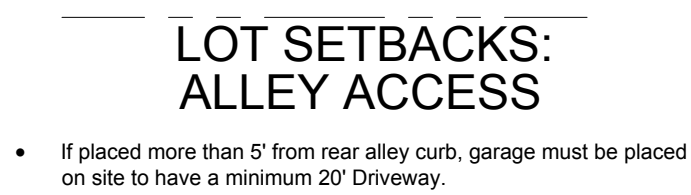
2839

DWG File Name:

2839-Rezoning & Site Plan

Drawing No.

SP-3



EXISTING DATA:

FEMA Panel: 3710453800K

Watershed: Long Watershed

Soil Types:	CeB2 - Cecil sandy clay loam, 2 to 8 percent slopes	55.6%
	CeD2 - Cecil sandy clay loam 8 to 15 percent slopes	6.5%
	EnB - Enon sandy loam, 2 to 8 percent slopes	7.7%
	EnD - Enon sandy loam, 8 to 15 percent slopes	4.9%
	PaE - Pacolet sandy loam, 15 to 25 percent slopes	24.5%
	VaB - Vance sandy loam, 2 to 8 percent slopes	0.7%

TREE SPECIES:

PN	PINE TREE
SG	SWEETGUM
TP	TUPLIP POPLAR
WO	WILLOW OAK

Soil Hydrologic Groups: (% of site area)	
ZONING:	NR (CD)
ACREAGE:	28.87± ACRES
Group A	0
Group B	24.8± ACRES(85.90%)
Group C	4.07± ACRES (14.10%)
Group D	0± ACRES (0%)
Group B/D	0± ACRES (0%)

*THE PROPOSED METHOD FOR PROVIDING POTABLE WATER & SANITARY SEWER SHALL BE PROVIDED BY CHARLOTTE WATER VIA CONNECTED WATERLINES & SEWER LINES.

Watershed District & High/Low Density	
Watershed District:	Long Creek
High Density:	8.13 Ac. (28.16%)
Low Density:	20.26 Ac. (72.84%)

Impervious Area Table	
% Impervious Shown	Max. Allowable
8.13 Ac. (28.16%)	28.87 Ac. (100%)

NOTE: 1% or 150 sq/ft of impervious area per lot added to overall to allow for addition of future impervious area by the homeowner/occupant.

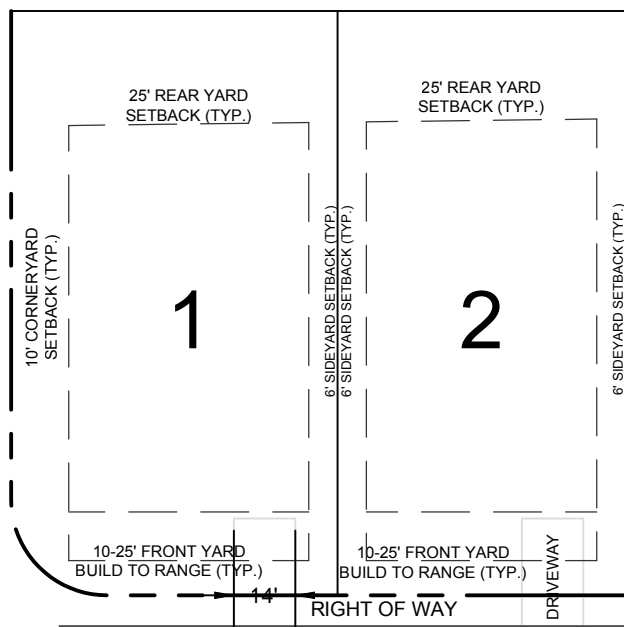
ROAD NAME	LENGTH
ROAD A =	279 LF
ROAD B =	663 LF
CARVER AVE =	2,665 LF
CHERRYBARK OAK LN =	2,174 LF

ROAD BLOCK LENGTHS

BL 13 1160'	BL 16 663'	BL 19 155'
BL 14 1115'	BL 17 228'	
BL 15 279'	BL 18 238'	

Parcel Area Table		Parcel Area Table		Parcel Area Table	
Parcel #	Area	Parcel #	Area	Parcel #	Area
84	6,721 SF	104	6,494 SF	124	7,847 SF
85	6,570 SF	105	6,391 SF	125	8,454 SF
86	6,721 SF	106	7,625 SF	126	8,454 SF
87	6,933 SF	107	7,625 SF	127	8,454 SF
88	8,923 SF	108	7,625 SF	128	8,454 SF
89	8,923 SF	109	11,463 SF	129	8,433 SF
90	8,923 SF	110	7,625 SF	130	8,454 SF
91	8,923 SF	111	7,625 SF	131	7,160 SF
92	7,704 SF	112	7,625 SF	132	7,042 SF
93	8,350 SF	113	9,268 SF	133	6,753 SF
94	8,397 SF	114	9,164 SF	134	6,545 SF
95	8,602 SF	115	7,839 SF		
96	8,759 SF	116	8,409 SF		
97	9,221 SF	117	8,224 SF		
98	9,237 SF	118	8,224 SF		
99	9,178 SF	119	8,224 SF		
100	8,500 SF	120	8,224 SF		
101	7,424 SF	121	10,341 SF		
102	7,094 SF	122	8,584 SF		
103	6,717 SF	123	8,062 SF		

CONSTRAINING FEATURES: PHASE 3	
ZONING:	R
ACREAGE:	28.87± ACRES
SWIM BUFFER	2.28± ACRES
SLOPE ANALYSIS: (% OF SITE AREA)	
0% - 10%	18.04 ACRES (62.35%)
10% - 15%	5.38 ACRES (18.64%)
15% - 25%	4.55 ACRES (15.76%)
25% - 100%	0.29 ACRES (1.00%)



LOT SETBACKS

- Lots 60' wide or less shall have driveways no more than 14' wide as measured along the public streets ROW.
- Driveways shall extend a minimum of 20' from back of public ROW.

Huntersville General Notes:

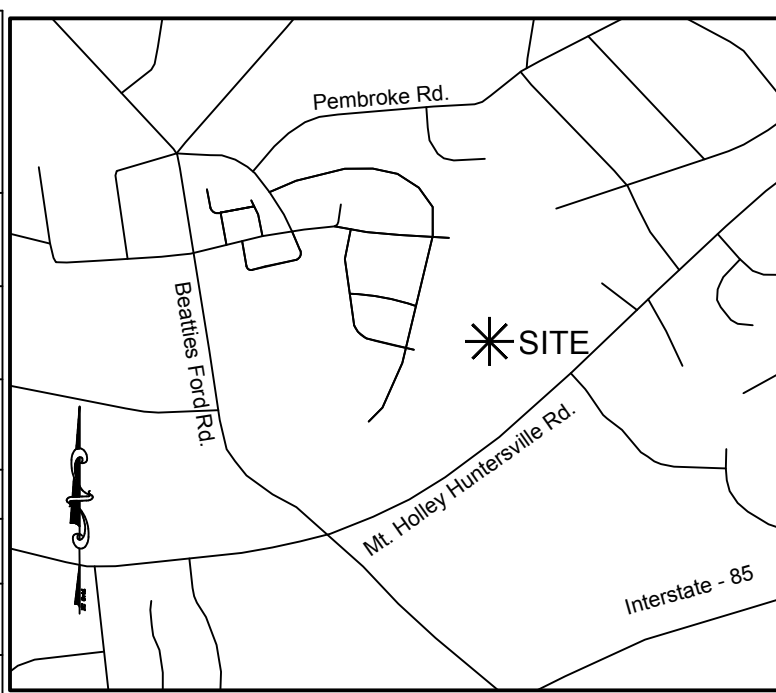
- All development and construction shall comply with all zoning and subdivision standards of the Town of Huntersville, Mecklenburg County, and NCDOT, as applicable.
- This property may be subject to any easements and/or right-of-way of record.
- All areas designated as common and/or urban open space shall be owned and maintained by the homeowners association and dedicated for perpetuity.
- Access (ingress/egress) location and design shown on this sketch plan area subject to achieving vertical and horizontal sight distances, turn lane improvements (including right-of-way) and intersection with adjacent and opposing access points. Modifications to plan may result.
- Large maturing trees will be planted 4' O/C within the required planting strip along all streets. Small maturing trees are to be used where overhead power lines exist.
- Garbage pick-up shall be via roll-out trash and mail delivery shall be to mail kiosks.
- Direct access from lots to a thoroughfare is prohibited.
- Lots subject to flooding should not be established in subdivisions except as provided in Section 7.280 (if applicable).
- Any construction or use within the areas delineated by floodway fringe district boundary line and floodway district encroachment line is subject to the restrictions imposed by floodway regulation.

Site Plan Data Table: Phase 3

TOTAL AREA:	28.87 Ac = 1,257,577 SF
PRINCIPAL USES:	RESIDENTIAL
BUILDING TYPE	DETACHED HOUSE
SETBACK:	SINGLE FAMILY: FRONT: 10-25 FT. SIDE: 6 FT. CORNER: 10 FT. REAR: 25 FT.
Minimum Lot Width:	SINGLE FAMILY: 51 FT.
Lot Width Range:	60.1-70 FT.
Lot Size Range:	SINGLE FAMILY: 38 6,000 SQ. FT. - 9,300 SQ. FT. 9,300 SQ. FT. - 13,500 SQ. FT.
	SF: 49 Lots 2 Lots

Development Information: Phase 3

Project Name:	Oak Grove Hill Rezoning Plan Huntersville, NC (Mecklenburg County)
Developer:	Bowman Bayard Bradford, LLC 13815 Cinnabar Place Huntersville, NC 28078
Tax I.D.:	01526456, 01526432, 01526450, 01526455, 01526428, 01526429, 01526431
Property Owners of Record	Carver Bowman LLC, Hoyt Hamilton, Pamela Hamilton, Carol Hamilton
Zoning:	NR (CD)
Acres:	28.87± ACRES = 1,257,577 SF
Building type (Lot Count):	Detached House (51 lots)
Common Open Space:	3.82 Acres
Natural Open Space:	5.64 Acres
Lot Width Range:	SINGLE FAMILY: 51-60.1 FT 60.1-70 FT
Lot Size Range:	SINGLE FAMILY: 49 Lots 2 Lots



VICINITY MAP - N.T.S.

TREE PRESERVATION

ZONING:	NR (CD)
ACREAGE:	28.87± ACRES
COVERED BY TREE CANOPY:	78.5%
TREE CANOPY PRESERVATION REQUIRED:	10%
TREE CANOPY PRESERVATION PROVIDED:	21.5%
NO. OF SPECIMEN TREES ON-SITE:	81
NO. OF SPECIMEN TREES SAVED (Min. Req. 10%):	19 (Provided 22.2%)
NO. OF HERITAGE TREES ON-SITE:	1
NO. OF HERITAGE TREES SAVED:	1 (Provided 100%)

TREE PRESERVATION

Specimen tree - A tree (or group of trees) that may be considered important community assets due to their unique or noteworthy characteristics or values. A tree may be considered a specimen tree based on its size, age, rarity or special historical or ecological significance and may also meet the following criteria:

- Large hardwood (e.g. oaks, poplars, maples, etc.) and softwoods (e.g. pines) in good or better condition with a DBH of 24" or greater.
- Smaller understory trees (e.g. dogwoods, redbuds, sourwoods, persimmons, etc.) in good or better condition with a DBH of 12" or greater.
- Lesser-sized trees of rare species or special intrinsic value as approved by staff.

Heritage tree - A tree that is listed in the North Carolina Big Tree List, the American Forest Association's Champion Tree list, the Mecklenburg County treasure Tree List or any tree that would meet 80% of the points of a tree on North Carolina's Big Tree List.

Note: Urban open spaces shall include one or more of the following: landscaping, walks, seating, fountains, playground equipment, statues, etc. Materials used shall be a combination of brick pavers, stamped asphalt, stone, wrought iron, wood, crushed gravel or stone etc.

ZONING CONDITIONAL NOTES

GENERAL NOTES:

- BOUNDARY SURVEY PROVIDED BY RJH & ASSOCIATES, CHARLOTTE, NC - DATED: 06/15/2018
- ADJACENT PARCEL & INFORMATION PROVIDED BY 2018 MECKLENBURG COUNTY FIELD DATA
- PORTIONS OF ADJACENT PROPERTY (PID #01526460) WITHIN NEW RIGHT OF WAY OF CARVER AVENUE SHALL BE ACQUIRED BY THE DEVELOPER, INCLUDED IN THE ANNEXATION PETITION, AND TURNED OVER TO THE TOWN FOR MAINTENANCE. IF EVENTS DO NOT ALLOW CARVER AVENUE TO BE TAKEN OVER BY THE TOWN, PLANS MUST BE REVISED TO REMOVE ON STREET PARKING AND MEET NCDOT LANE WIDTH STANDARDS.
- ENTIRE SITE WILL BE ANNEXED INTO THE TOWN OF HUNTERSVILLE UPON PLAN APPROVAL. ADDITIONALLY, PARCEL #01526460 WILL BE INCLUDED IN THE ANNEXATION PETITION TO PREVENT THE CREATION OF AN UN-ANNEXED ISLAND.

BUFFERS

- BUFFER AREAS ESTABLISHED IN THESE DEVELOPMENT STANDARDS SHALL CONFORM TO THE STANDARDS ESTABLISHED IN THE ORDINANCE NOTWITHSTANDING THE FOREGOING, THE BUFFER REQUIREMENT FOR THE NR DISTRICT MAY BE MODIFIED AS SHOWN ON THE REZONING PLAN.
- BUFFER AREAS SHALL REMAIN UNDISTURBED, EXCEPT TO THE EXTENT NECESSARY TO ACCOMMODATE ACCESS POINTS, DRAINAGE PIPES OR CHANNELS, UTILITY LINES AND FACILITIES, PEDESTRIAN PATHWAYS AND BICYCLE PATHWAYS (AS PROVIDED IN THE HUNTERSVILLE ZONING ORDINANCE 7.5.8). UTILITY INSTALLATIONS MAY ONLY CROSS BUFFER AREAS AT THE INTERIOR ANGLES MEASURED AT THE PROPERTY LINE WHICH ARE NOT LESS THAN 75 DEGREES.
- NO BUILDINGS, PARKING SPACES, MANEUVERING AREAS MAY BE LOCATED WITHIN BUFFER AREAS. HOWEVER WATER QUALITY/LOW IMPACT DEVELOPMENT (LID) FACILITIES, SUCH AS RAIN GARDENS, MAY BE WITHIN THE BUFFERS (AS PER HUNTERSVILLE ZONING ORDINANCE ARTICLE 3.3.2-B SECTION 9). STORM WATER DETENTION FACILITIES SHALL REMAIN OUT OF BUFFER AREAS.
- IN ALL BUFFER AREAS WHERE EXISTING TREES AND NATURAL VEGETATION HAVE BEEN CLEARED TO ACCOMMODATE PEDESTRIAN SIDEWALKS OR PATHWAYS OR THE INSTALLATION OF UTILITY LINES OR FACILITIES, THE CLEARED, UNIMPROVED AREAS WILL BE LANDSCAPED WITH TREES AND SHRUBS IN ACCORDANCE WITH ARTICLE 7 OF HUNTERSVILLE ZONING ORDINANCE (PER ARTICLE 7.5.8).

SETBACKS, SIDE YARDS, AND REAR YARDS

- ALL BUILDINGS CONSTRUCTED WITHIN THE SITE SHALL SATISFY OR EXCEED THE BUILD-TO, REAR YARD AND SIDE YARD REQUIREMENTS ESTABLISHED UNDER THE ORDINANCE FOR THE NR ZONING DISTRICT.

SCREENING AND LANDSCAPING AREAS

- LANDSCAPE AREAS WILL BE PLANTED ON THE SITE TO MEET OR EXCEED THE REQUIREMENTS OF THE ORDINANCE
- SCREENING SHALL CONFORM WITH THE STANDARDS AND TREATMENTS SPECIFIED IN THE ORDINANCE, REQUIRED LANDSCAPING OR TREES AND SHRUBS LOCATED WITHIN THE BUFFER SHALL CONFORM TO THE ORDINANCE
- LIMITED AMOUNT OF CLEARING SHALL BE ALLOWED WITHIN THE BUFFERS/SETBACK AREAS TO PROMOTE THE GROWTH OF EXISTING VEGETATION AND/OR ENHANCE THE AESTHETIC APPEAL OF THE SITE. THE FOLLOWING WOULD BE ALLOWED IN A BUFFER/SETBACK AREA:
 - HAND PRUNING ONLY, NO HEAVY EQUIPMENT OR VEHICLES ALLOWED IN THE BUFFER (I.E. BULLDOZERS)
 - PLANT MATERIAL, WHICH MAY BE REMOVED, SHALL BE CUT FLUSH WITH THE GROUND, NO DISTURBANCE OF THE SOIL WILL BE ALLOWED.
 - NO LIMB REMOVAL WITH THE EXCEPTION OF DEAD OR DISEASED LIMBS.
 - PEITIONER MAY REMOVE WEEDS AND VINES.
 - PEITIONER MAY REMOVE TREES THAT MEASURE LESS THAN 2" CALIPER AT THE BASE THAT ARE CLEARLY WITHIN THE DRIP LINE OF A TREE THAT IS 2" OR GREATER. DRIP LINE IS DEFINED AS AN IMAGINARY LINE ON THE GROUND THAT WOULD FORM THE PERIMETER OF THE TREES CANOPY.
 - PEITIONER MAY REMOVE DEAD TREES AND MATERIAL, DISEASED TREES MAY BE REMOVED AT THE DISCRETION OF AN URBAN FORESTER.
 - MULCH MAY BE APPLIED TO THE WOODLAND BUFFER, KEEP MULCH 2-3" AWAY FROM THE BARK OF TREES.
- ALL BUFFERS AND SETBACKS SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION AS TREE PRESERVATION AREAS MAY BE SUPPLEMENTED TO ENHANCE THE APPEARANCE OF THE PROJECT. LIKEWISE, BUFFERS AND SETBACKS TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION MAY BE MODIFIED AS ALLOWED IN THE ORDINANCE.

PAVING/PARKING FACILITIES

- OFF STREET AND ON STREET PARKING WILL MEET THE MINIMUM STANDARDS ESTABLISHED UNDER THE ORDINANCE.

LIGHTING

- PETITIONER AGREES TO INSTALL PEDESTRIAN SCALE LIGHTING ALONG INTERNAL STREETS. THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE, INCLUDING ITS BASE, SHALL NOT EXCEED 30 FEET.
- ALL DIRECT LIGHTING WITHIN THE SITE SHALL BE FULLY SHIELDED AND DESIGNED SUCH THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY EXTERIOR PROPERTY LINE. CONSIDERATION WILL BE GIVEN TO THE IMPACT OF LIGHTING BOTH WITHIN AND OUTSIDE THE PERIMETER OF THE SITE. ITEMS FOR CONSIDERATION WILL INCLUDE INTENSITY, CUTOFF ANGLES, COLOR, ENERGY EFFICIENCY AND SHIELDING OF SOURCES OF LIGHT.

OPEN SPACE

- IN COMMON LOCAL SPACE AREAS LOCATED OUTSIDE OF THE UNDISTURBED BUFFERS THE PETITIONER RESERVES THE RIGHT FOR IMPROVEMENTS TO INCLUDE: SIDEWALKS, PLAYGROUND (TOT LOT), PEDESTRIAN LIGHTING, BENCHES, TABLES AND CHAIRS, BENCHES, FOUNTAINS, ADDITIONAL HARDSCAPE MATERIALS, TRASH RECEPTACLES AND ANY OTHER SITE AMENITY ALLOWED BY THE ORDINANCE.

ARCHITECTURAL CONTROLS AND RESTRICTIVE COVENANTS

- ALL BUILDINGS CONSTRUCTED ON THE SITE SHALL BE ARCHITECTUALLY COMPATIBLE IN APPEARANCE THROUGH THE USE OF SIMILAR, AS WELL AS COMPLIMENTARY BUILDING MATERIALS, COLORS AND DESIGN (GIVING DUE CONSIDERATIONS TO THE USE OF EACH BUILDING).
- THE FIRST FLOOR OF ALL BUILDINGS SHALL BE DESIGNED TO ENCOURAGE AND COMPLEMENT PEDESTRIAN SCALE INTEREST AND ACTIVITY.
- BUILDINGS LOCATED WITHIN THE DEVELOPMENT SHALL BE DESIGNATED TO RELATE TO THE OVERALL PEDESTRIAN ENVIRONMENT. BUILDINGS SHALL BE DESIGNED TO RAISE THE STANDARD LEVEL OF THE DESIGN TO CREATE A PLACE OF INTEREST.
- BUILDING ELEVATIONS FOR SINGLE-FAMILY HOMES FRONTING BEATTIES FORD ROAD SHALL BE SUBMITTED FOR REVIEW AND APPROVAL TO THE TOWN OF HUNTERSVILLE PLANNING DEPARTMENT, PRIOR TO ISSUANCE OF BUILDING PERMITS. THE TOWN OF HUNTERSVILLE PLANNING DEPARTMENT SHALL HAVE THE OPPORTUNITY TO REVIEW THE PROPOSED PLANS AGAINST THE APPROVED CONDITIONAL PLANS TO ASSURE COMPLIANCE WITH DESIGN PRINCIPLES ILLUSTRATED ON THE PLANS.
- RESIDENTIAL BUILDINGS WILL BE REQUIRED TO INCORPORATE BALCONIES, BAY WINDOWS, PORCHES, AND OTHER ARCHITECTURAL ENHANCEMENTS AS A WAY OF ADDRESSING THE PEDESTRIAN NATURE OF THE VILLAGE. FRONT DOORS SHOULD ORIENT TOWARD THE STREET OR STREET CORNER OR OPEN SPACE/COURTYARD OR AS OTHERWISE ALLOWED BY THE ORDINANCE.

FIRE PROTECTION

- FIRE HYDRANTS WILL BE PROVIDED WITHIN THE LANDSCAPE SETBACK AREAS AS REQUIRED BY THE FIRE MARSHAL. HYDRANT LOCATIONS MUST BE APPROVED BY THE FIRE MARSHAL.

SIDEWALKS AND INTERNAL STREETS

- PETITIONER SHALL MEET THE ORDINANCE FOR SIDEWALKS AND STREET TREES. HOWEVER, IF THE PETITIONER ELECTS TO INSTALL AN ALTERNATE SIDEWALK THAT SIDEWALK WILL BE A MINIMUM OF 5 FEET WIDE. THE SIDEWALK MAY MEANDER IN ORDER TO PERMIT THE PETITIONER TO EXERCISE GOOD FAITH EFFORTS TO SAVE EXISTING 8 INCH OR LARGER CALIPER TREES WITHIN THE APPLICABLE BUILDING SETBACK ALONG THE EXISTING ROAD THAT ARE BEING BROUGHT TO HUNTERSVILLE STANDARDS. (PER ARTICLE 8.140 OF HUNTERSVILLE SUBDIVISION ORDINANCE).
- EXCEPT WHERE NECESSARY TO ACCOMMODATE SIGNIFICANT DESIGN AND ARCHITECTURAL ELEMENTS LOCATED ON THE SITE, INTERNAL STREETS SHALL BE DESIGNED TO HAVE STREET TREES AND (SUBJECT TO THE PROVISIONS OF NOTE 1 OF THIS SECTION) SIDEWALKS A MINIMUM OF 5 FEET IN WIDTH PROVIDED THAT ANY DEVIATION FROM THE MINIMUM 5 FEET SIDEWALK WIDTH SHALL RELATE TO PEDESTRIAN WALK AREAS OF AN APPROPRIATE WIDTH INCLUDED AS PART OF THE ABOVE DESCRIBED SIGNIFICANT DESIGN FEATURES.

BEATTIES FORD ROAD SECTION AND FRONTAGE

- DEVELOPER TO PROVIDE CROSS SECTIONAL DETAIL OF THE FUTURE BEATTIES FORD ROAD EXTENSION BUT IS NOT RESPONSIBLE FOR THE CONSTRUCTION OR IMPROVEMENTS OF THIS SECTION. THE INSTALLATION OF THE SIDEWALK SHALL BE THE RESPONSIBILITY OF THE PETITIONER. THE DEVELOPER TO PROVIDE DOUBLE ROW STREET TREES, BUT IS NOT RESPONSIBLE FOR THE DAMAGE OR REMOVAL OF TREES DURING THE IMPROVEMENTS OF BEATTIES FORD ROAD. DEVELOPER TO ACCOMMODATE FOR THE EXPANDED CROSS SECTION WITH BUILDING PLACEMENT AND R/W DEDICATION. ELEVATIONS FOR THIS SECTION OF IMPROVEMENTS BY THE DEVELOPER (STREET TREES AND SIDEWALK) WILL BE BASED ON CURRENT CENTERLINE ELEVATION AND PROJECTED OUTWARD.
- LOTS FRONTING BEATTIES FORD ROAD SHALL BE REAR ENTRY. WITH ALL PARKING PROVIDED BY ALLEY ACCESS. THESE LOTS SHALL BE ADDRESSED TO THE ALLEY. NO ON STREET PARKING IS ALLOWED ON NCDOT ROADS.

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Engineer:



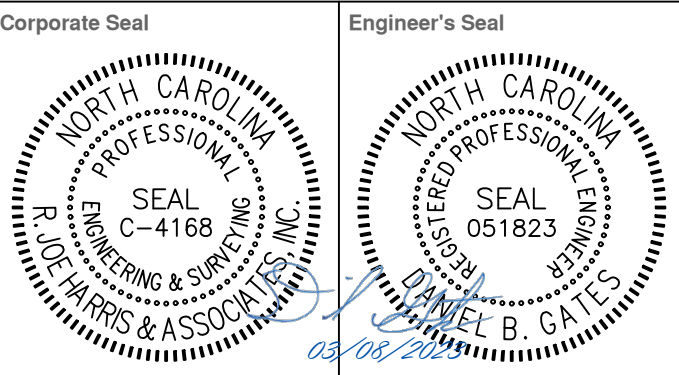
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Project Manager	Drawn
D. Gates	T. Alston
Department Manager	Checked
P. Murphy	D. Gates
Print/Plot Date	

March 8, 2023

Asbuilt Drawn	Asbuilt Date
-	-
Client	

Carver Bowman, LLC

13815 Cinnabar Place

Huntersville, NC 28078

P: (704) 875-9704

Project:

OAK GROVE HILL
REZONING/SKETCH
PLAN: PHASE 3

Drawing Title:

Site Plan: Phase 3

Project No.	Drawing No.
-------------	-------------

5259

DWG File Name:

5259_Site-Phase 3

SP-5

SITE INFORMATION

TAX PARCEL ID # 01526443, 01526504, 01526506, 01526450, 01526432
EXISTING ZONING: Rural (R)
PROPOSED ZONING: NEIGHBORHOOD RESIDENTIAL (NR-CD)

ZONING CONDITIONAL NOTES

GENERAL NOTES:

- BOUNDARY SURVEY PROVIDED BY RJH & ASSOCIATES, CHARLOTTE, NC. DATED: 6, 15, 2018.
- ADJACENT PARCEL & INFORMATION, PROVIDED BY 2018 MECKLENBURG COUNTY FIELD DATA.
- PORTIONS OF ADJACENT PROPERTY (PID #01526460) WITHIN NEW RIGHT OF WAY OF CARVER AVENUE SHALL BE ACQUIRED BY THE DEVELOPER, INCLUDED IN THE ANNEXATION PETITION, AND TURNED OVER TO THE TOWN FOR MAINTENANCE. IF EVENTS DO NOT ALLOW CARVER AVENUE TO BE TAKEN OVER BY THE TOWN, PLANS MUST BE REVISED TO REMOVE ON STREET PARKING AND MEET NCDOT LANE WIDTH STANDARDS.
- ENTIRE SITE WILL BE ANNEXED INTO THE TOWN OF HUNTERSVILLE UPON PLAN APPROVAL. ADDITIONALLY, PARCEL #01526460 WILL BE INCLUDED IN THE ANNEXATION PETITION TO PREVENT THE CREATION OF AN UN-ANNEXED ISLAND.

BUFFERS

- BUFFER AREAS ESTABLISHED IN THESE DEVELOPMENT STANDARDS SHALL CONFORM TO THE STANDARDS ESTABLISHED IN THE ORDINANCE NOTWITHSTANDING THE FOREGOING; THE BUFFER REQUIREMENT FOR THE NR DISTRICT MAY BE MODIFIED AS SHOWN ON THE REZONING PLAN .
- BUFFER AREAS SHALL REMAIN UNDISTURBED, EXCEPT TO THE EXTENT NECESSARY TO ACCOMMODATE ACCESS POINTS, DRAINAGE PIPES OR CHANNELS, UTILITY LINES AND FACILITIES, PEDESTRIAN PATHWAYS AND BICYCLE PATHWAYS (AS PROVIDED IN THE HUNTERSVILLE ZONING ORDINANCE 7.5.8). UTILITY INSTALLATIONS MAY ONLY CROSS BUFFER AREAS AT THE INTERIOR ANGLES MEASURED AT PROPERTY LINE WHICH ARE NOT LESS THAN 75 DEGREES.
- NO BUILDINGS, PARKING SPACES, MANEUVERING AREAS MAY BE LOCATED WITHIN BUFFER AREAS. HOWEVER, WATER QUALITY/LOW IMPACT DEVELOPMENT (LID) FACILITIES, SUCH AS RAIN GARDENS, MAY BE WITHIN THE BUFFERS (AS PER HUNTERSVILLE ZONING ORDINANCE ARTICLE 3.3.2-B SECTION g). STORM WATER DETENTION FACILITIES SHALL REMAIN OUT OF BUFFER AREAS.
- IN ALL BUFFER AREAS WHERE EXISTING TREES AND NATURAL VEGETATION HAVE BEEN CLEARED TO ACCOMMODATE PEDESTRIAN SIDEWALKS OR PATHWAYS OR THE INSTALLATION OF UTILITY LINES OR FACILITIES, THE CLEARED, UNIMPROVED AREAS WILL BE LANDSCAPED WITH TREES AND SHRUBS IN ACCORDANCE WITH ARTICLE 7 OF THE HUNTERSVILLE ZONING ORDINANCE (PER ARTICLE 7.5.8a).

SETBACKS, SIDE YARDS AND REAR YARDS

- ALL BUILDINGS CONSTRUCTED WITHIN THE SITE SHALL SATISFY OR EXCEED THE BUILD-TO, REAR YARD AND SIDE YARD REQUIREMENTS ESTABLISHED UNDER THE ORDINANCE FOR THE NR ZONING DISTRICT.

SCREENING AND LANDSCAPING AREAS

- LANDSCAPE AREAS WILL BE PLANTED ON THE SITE TO MEET OR EXCEED THE REQUIREMENTS OF THE ORDINANCE.
- SCREENING SHALL CONFORM WITH THE STANDARDS AND TREATMENTS SPECIFIED IN THE ORDINANCE. REQUIRED LANDSCAPING OR TREES AND SHRUBS LOCATED WITHIN THE BUFFER SHALL CONFORM TO THE ORDINANCE.
- LIMITED AMOUNT OF CLEARING SHALL BE ALLOWED WITHIN THE BUFFER/SETBACK AREAS TO PROMOTE THE GROWTH OF EXISTING VEGETATION AND/OR ENHANCE THE AESTHETIC APPEAL OF THE SITE. THE FOLLOWING WOULD BE ALLOWED IN A BUFFER/SETBACK AREA:
A. HAND PRUNING ONLY. NO HEAVY EQUIPMENT OR VEHICLES ALLOWED IN THE BUFFER (I.E. BULLDOZERS).
B. PLANT MATERIAL, WHICH MAY BE REMOVED, SHALL BE CUT FLUSH WITH THE GROUND. NO DISTURBANCE OF THE SOIL WILL BE ALLOWED.
C. NO LIMB REMOVAL WITH THE EXCEPTION OF DEAD OR DISEASED LIMBS.
D. PETITIONER MAY REMOVE WEEDS AND VINES.
E. PETITIONER MAY REMOVE TREES THAT MEASURE LESS THAN 2" CALIPER AT THE BASE THAT ARE CLEARLY WITHIN THE DRIP LINE OF A TREE THAT IS 2" OR GREATER. DRIP LINE IS DEFINED AS AN IMAGINARY LINE ON THE GROUND THAT WOULD FORM THE PERIMETER OF THE TREE'S CANOPY.
F. PETITIONER MAY REMOVE DEAD TREES AND MATERIAL. DISEASED TREES MAY BE REMOVED AT THE DISCRETION OF AN URBAN FORESTER.
G. MULCH MAY BE APPLIED TO THE WOODLAND BUFFER. KEEP MULCH 2-3" AWAY FROM THE BARK OF TREES.
- ALL BUFFERS AND SETBACKS SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION AS TREE PRESERVATION AREAS THAT MAY BE SUPPLEMENTED TO ENHANCE THE APPEARANCE OF THE PROJECT. LIKEWISE, BUFFERS AND SETBACKS TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION MAY BE MODIFIED AS ALLOWED IN THE ORDINANCE.

PAVING/ PARKING FACILITIES

- OFF STREET AND ON STREET PARKING WILL MEET THE MINIMUM STANDARDS ESTABLISHED UNDER THE ORDINANCE.

LIGHTING

- PETITIONER AGREES TO INSTALL PEDESTRIAN SCALE LIGHTING ALONG INTERNAL STREETS. THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE, INCLUDING ITS BASE, SHALL NOT EXCEED 30 FEET.
- ALL DIRECT LIGHTING WITHIN THE SITE SHALL BE FULLY SHIELDED AND DESIGNED SUCH THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY EXTERIOR PROPERTY LINE. CONSIDERATION WILL BE GIVEN TO THE IMPACT OF LIGHTING BOTH WITHIN AND OUTSIDE OF THE PERIMETER OF THE SITE. ITEMS FOR CONSIDERATION WILL INCLUDE INTENSITY, CUTOFF ANGLES, COLOR, ENERGY EFFICIENCY AND SHIELDING OF SOURCES OF LIGHT.

OPEN SPACE

- IN COMMON OPEN SPACE AREAS LOCATED OUTSIDE OF THE UNDISTURBED BUFFERS THE PETITIONER RESERVES THE RIGHT FOR IMPROVEMENTS TO INCLUDE SIDEWALKS, PLAYGROUND (TOT LOT), PEDESTRIAN LIGHTING, BENCHES, TABLES AND CHAIRS, FOUNTAINS, ADDITIONAL HARDSCAPE MATERIALS, TRASH RECEPTACLES AND ANY OTHER SITE AMENITY ALLOWED BY THE ORDINANCE.

ARCHITECTURAL CONTROLS AND RESTRICTIVE COVENANTS

- ALL BUILDINGS CONSTRUCTED ON THE SITE SHALL BE ARCHITECTURALLY COMPATIBLE IN APPEARANCE THROUGH THE USE OF SIMILAR, AS WELL AS COMPLEMENTARY BUILDING MATERIALS, COLORS AND DESIGN (GIVING DUE CONSIDERATIONS TO THE USE OF EACH BUILDING).
- THE FIRST FLOOR OF ALL BUILDINGS SHALL BE DESIGNED TO ENCOURAGE AND COMPLEMENT PEDESTRIAN SCALE INTEREST AND ACTIVITY.
- BUILDINGS LOCATED WITHIN THE DEVELOPMENT SHALL BE DESIGNED TO RELATE TO THE OVERALL PEDESTRIAN ENVIRONMENT. BUILDINGS SHALL BE DESIGNED TO RAISE THE STANDARD LEVEL OF THE DESIGN TO CREATE A PLACE OF INTEREST.
- BUILDING ELEVATIONS FOR SINGLE-FAMILY HOMES FRONTING BEATTIES FORD ROAD SHALL BE SUBMITTED FOR REVIEW AND APPROVAL TO THE TOWN OF HUNTERSVILLE PLANNING DEPARTMENT, PRIOR TO ISSUANCE OF BUILDING PERMITS. THE TOWN OF HUNTERSVILLE PLANNING DEPARTMENT SHALL HAVE THE OPPORTUNITY TO REVIEW THE PROPOSED PLANS AGAINST THE APPROVED CONDITIONAL PLANS TO ASSURE COMPLIANCE WITH DESIGN PRINCIPALS ILLUSTRATED ON THE PLANS.
- RESIDENTIAL BUILDINGS WILL BE REQUIRED TO INCORPORATE BALCONIES, BAY WINDOWS, PORCHES AND OTHER ARCHITECTURAL ENHANCEMENTS AS A WAY OF ADDRESSING THE PEDESTRIAN NATURE OF THE VILLAGE. FRONT DOORS SHOULD ORIENT TOWARD THE STREET OR STREET CORNER OR OPEN SPACE/COURTYARD OR AS OTHERWISE ALLOWED BY THE ORDINANCE.

FIRE PROTECTION

FIRE HYDRANTS WILL BE PROVIDED WITHIN THE LANDSCAPE SETBACK AREAS AS REQUIRED BY THE FIRE MARSHALL. HYDRANT LOCATIONS MUST BE APPROVED BY THE FIRE MARSHALL.

SIDEWALKS AND INTERNAL STREETS

- PETITIONER SHALL MEET THE ORDINANCE FOR SIDEWALKS AND STREET TREES. HOWEVER, IF THE PETITIONER ELECTS TO INSTALL AN ALTERNATE SIDEWALK THAT SIDEWALK WOULD BE A MINIMUM 5 FOOT WIDE WALK. THE SIDEWALK MAY MEANDER IN ORDER TO PERMIT THE PETITIONER TO EXERCISE GOOD FAITH EFFORTS TO SAVE EXISTING 8 INCH OR LARGER CALIPER TREES WITHIN THE APPLICABLE BUILDING SETBACK ALONG THE EXISTING ROADS THAT ARE BEING BROUGHT TO HUNTERSVILLE STANDARDS. (PER ARTICLE 8.140 OF HUNTERSVILLE SUBDIVISION ORDINANCE)
- EXCEPT WHERE NECESSARY TO ACCOMMODATE SIGNIFICANT DESIGN AND ARCHITECTURAL ELEMENTS LOCATED ON THE SITE, INTERNAL STREETS SHALL BE DESIGNED TO HAVE STREET TREES AND (SUBJECT TO THE PROVISIONS OF NOTE 1 OF THIS SECTION) SIDEWALKS A MINIMUM OF 5 FEET IN WIDTH PROVIDED THAT ANY DEVIATION FROM THE MINIMUM 5 FEET SIDEWALK WIDTH SHALL RELATE TO PEDESTRIAN WALK AREAS OF AN APPROPRIATE WIDTH INCLUDED AS PART OF THE ABOVE DESCRIBED SIGNIFICANT DESIGN FEATURES.

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HOMES FRONTING BEATTIES FORD RD.



NOTE: ADDITIONAL ELEVATIONS SPECIFIED DURING CONSTRUCTION PLANS MUST BE APPROVED BY STAFF.

DATE	ISSUED FOR	REV
4/13/20	Pre-Submittal Meeting	0
5/1/20	Initial EPM Submittal	1
8/5/20	Second EPM Submittal	2
10/13/20	Third EPM Submittal	3
12/18/20	Fourth EPM Submittal	4



Engineer:



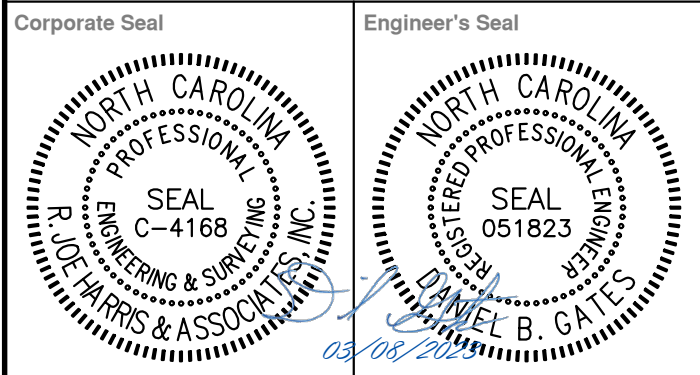
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Project Manager D. Gates	Drawn T. Alston
Department Manager P. Murphy	Checked D. Gates

Print/Plot Date

March 8, 2023

Asbuilt Drawn -	Asbuilt Date -
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Client

BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

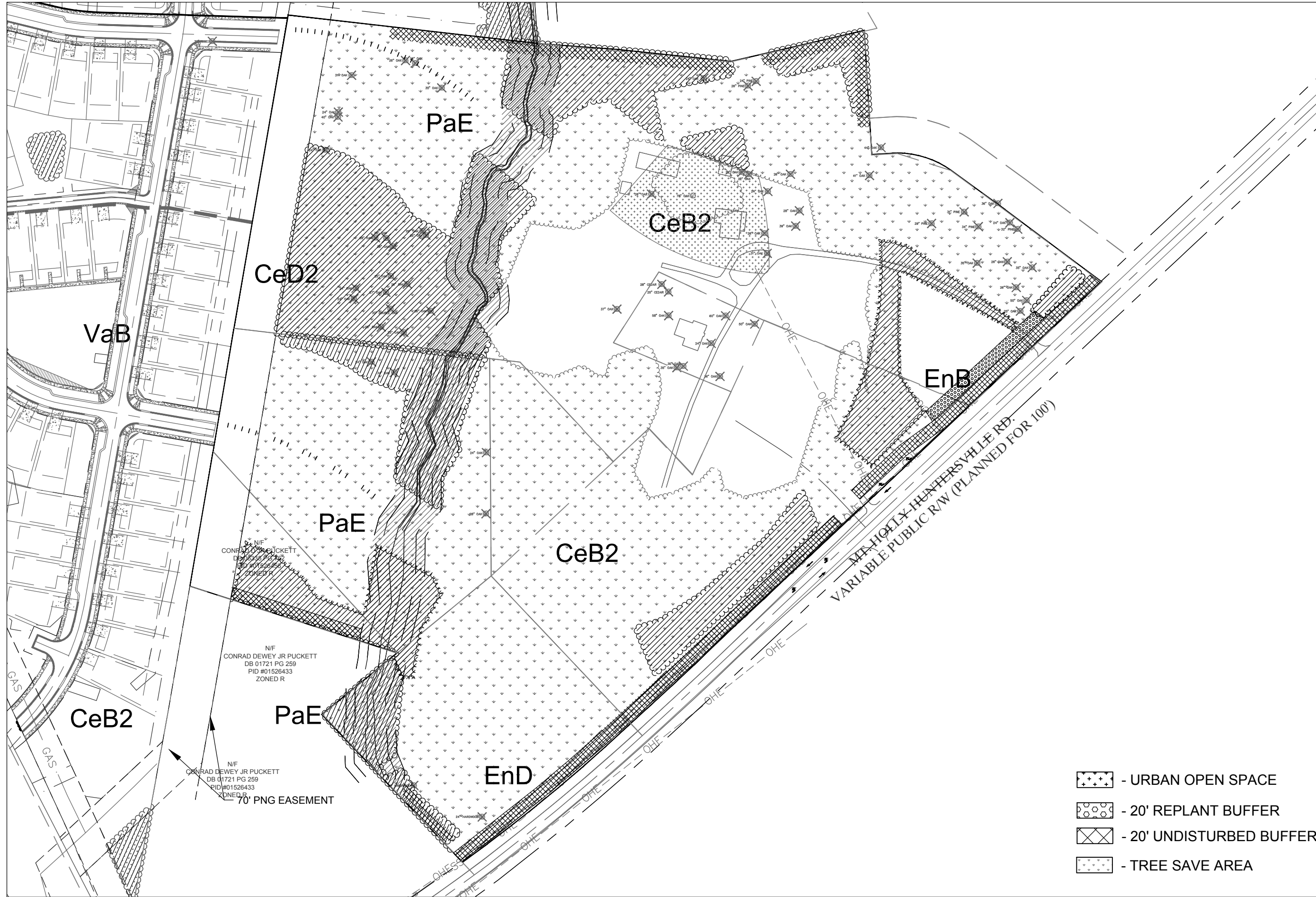
Project:

Oak Grove Hill-Phases 1&2

Drawing Title:

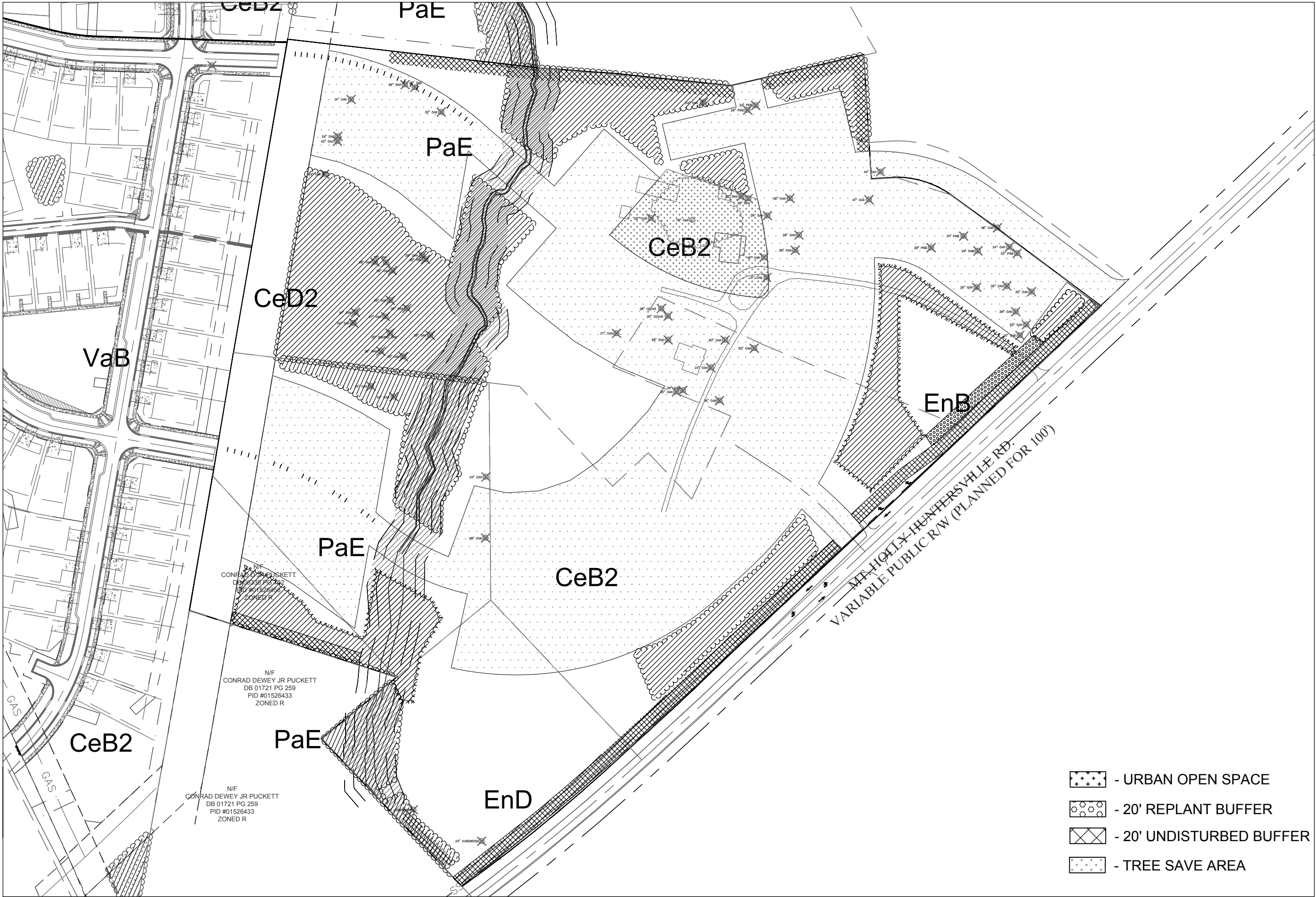
Rezoning Notes

Project No. 2839 DWG File Name: 2839-Rezoning & Site Plan	Drawing No. SP-7
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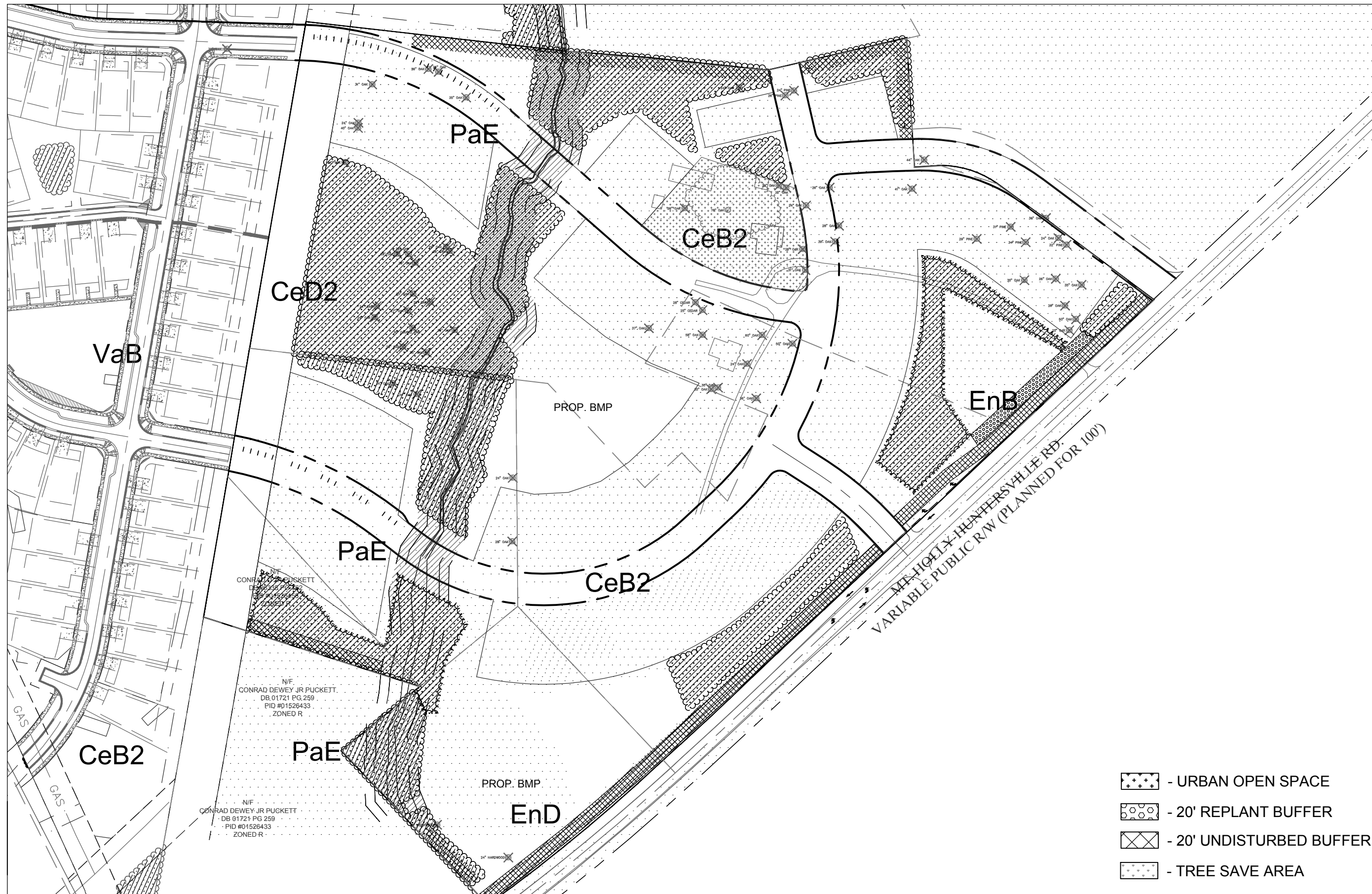
STEP 1: IDENTIFY OPEN SPACE

THE HATCHED AREAS REPRESENT THE OPEN SPACE. THE PROPOSED OPEN SPACE AREAS WILL CONTAIN CREEKS/STREAMS, STEEP SLOPES, NATURAL HARDWOODS, SPECIMEN TREES, OR REQUIRED LANDSCAPE BUFFER AREAS. AS MUCH OF THE OPEN SPACE IN THE EAST AND WEST PORTION OF THE SITE IS POTENTIAL OPEN SPACE.



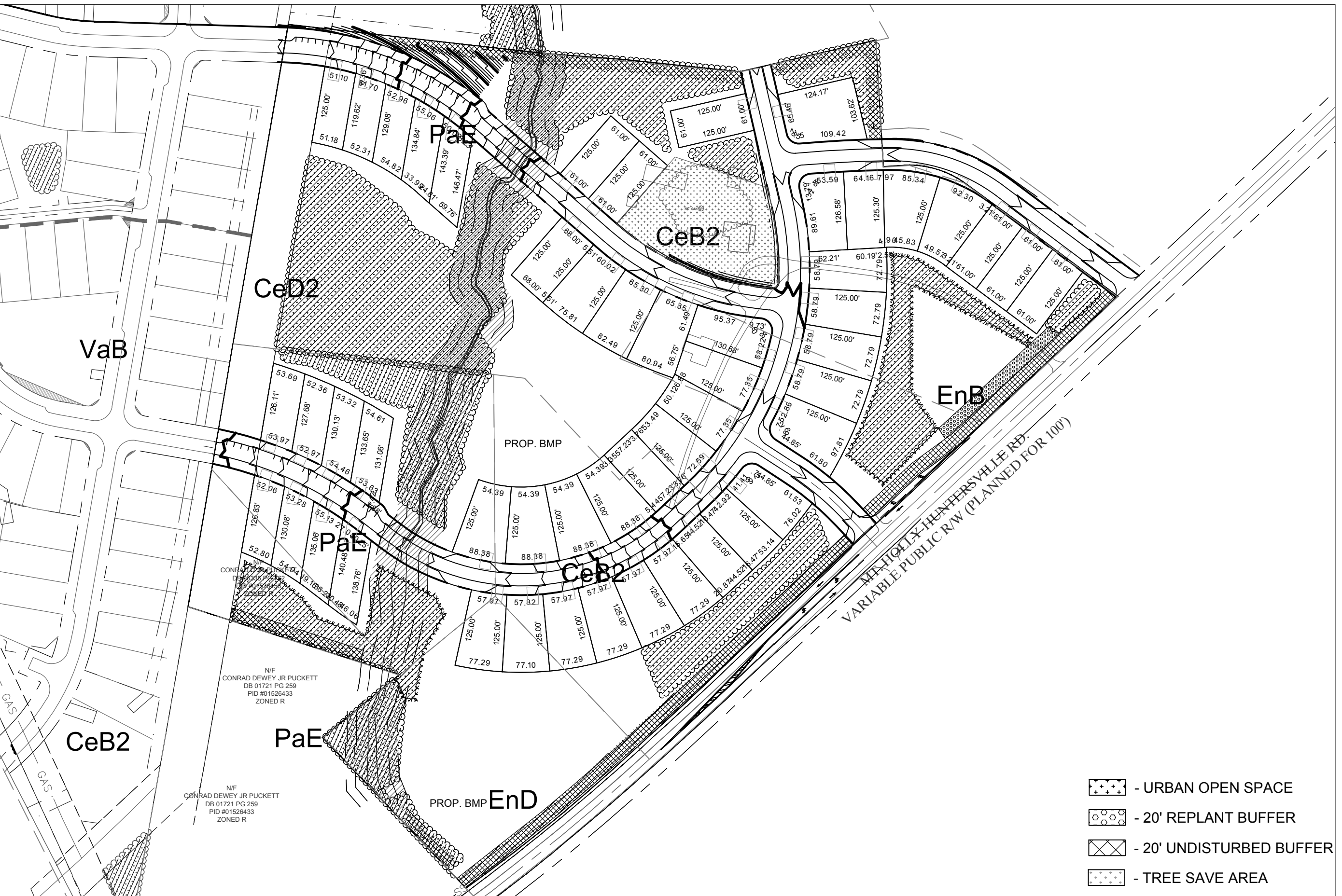
STEP 2: LOCATION OF HOUSE SITES

THE AREAS IDENTIFIED AS HOUSE SITES ARE LARGE, OPEN AREAS, THE HOUSE SITES AVOID THE STEEP SLOPES AND ARE PLACED ON GOOD TERRAIN. IN SOME AREAS, THE HOUSE SITES ARE PLACED WHERE THERE IS SOME EXISTING HARDWOOD TREES.



STEP 3: STREET AND LOT LAYOUT

BASED ON THE PREVIOUS TWO STEPS, A GENERAL ROAD AND LOT LAYOUT WAS CREATED. THE RESIDENTIAL ENTRY ROAD ENTERS FROM MT HOLLY-HUNTERSVILLE ROAD AT TWO POINTS AND LOOPS THROUGH THE MIDDLE OF THE SITE AND ATTACHES AS AN EXTENSION TO ANOTHER RESIDENTIAL SITE. THE LOCATION OF THE ENTRY ROADS WERE CHOSEN BASED ON THE VAST FIELD AREA AND MINIMAL SLOPING TOPOGRAPHY AND WITH THE PRESERVATION OF EXISTING TREES IN MIND. THE LOTS WERE LAID OUT TO AVOID THE EXISTING STREAMS, AND TOPOGRAPHY. BY USING THIS APPROACH, THE LOTS ARE PROPOSED ON THE MOST SUITABLE BUILDING SITES. THE STREAMS WILL NOT BE DISTURBED.



STEP 4: DRAWING LOT LINES

WE WERE ABLE TO CREATE 51 LOTS WITHIN THE BUILDABLE AREA. THE LOTS RANGE IN SIZE (NO SMALLER THAN 51' WIDE). THE LOTS LINES WERE DRAWN PERPENDICULAR TO THE ROADWAY THEY MEET TO ALLOW FOR VISUAL AESTHETICS WHEN DRIVING DOWN THE ROADS. THE VARYING LOT SIZES ALLOW FOR VISUAL APPEAL AND A LESS UNIFORM LOOKING RESIDENTIAL AREA.

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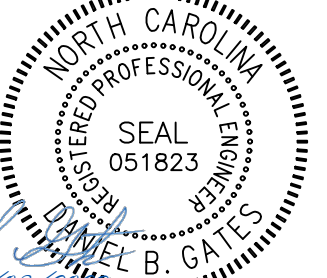
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D. Gates

Department Manager
P. Murphy

Print/Plot Date
March 8, 2023

Asbuilt Drawn
-

Client
Carver Bowman, LLC
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

Project:
Oak Grove Hill
Rezoning/Sketch Plan:
Phase 3

Drawing Title:
Four Step Process: Phase 3

Project No.
5259
DWG File Name:
5259_Four Step Process

Drawing No.
SP-9

Impervious Area Table Phase 1 & 2		Impervious Area Table Phase 3		Impervious Area Table All Phases	
% Impervious Shown	Max. Allowable	% Impervious Shown	Max. Allowable	% Impervious Shown	Max. Allowable
13.72 Ac. (35.06%)	38.05 Ac. (100%)	8.13 Ac. (28.16%)	28.87 Ac. (100%)	21.85 Ac. (32.65%)	66.92 Ac. (100%)

NOTE: 1% or 150 sq/ft of impervious area per lot added to overall to allow for addition of future impervious area by the homeowner/occupant.



CONSTRAINING FEATURES: PHASE 1 & 2		PHASE 3	ALL PHASES
ZONING:	NR-CD	NR-CD	NR-CD
ACREAGE:	38.05± ACRES	28.87± ACRES	66.92± ACRES
SWIM BUFFER	2.43± ACRES	2.28± ACRES	4.71± ACRES
SLOPE ANALYSIS: (% OF SITE AREA)			
0% - 10%	29.3 ACRES (77.00%)	18.0 ACRES (62.35%)	47.3 ACRES (70.68%)
10% - 15%	4.34 ACRES (11.41%)	5.38 ACRES (18.64%)	9.72 ACRES (14.52%)
15% - 25%	2.74 ACRES (7.20%)	4.55 ACRES (15.76%)	7.29 ACRES (10.89%)
25% - 100%	1.70 ACRES (4.47%)	0.29 ACRES (1.00%)	1.99 ACRES (2.97%)

Soil Hydrologic Groups: (% of site area)			
	Phase 1 & 2	Phase 3	All Phases
ZONING:	NR-CD	NR-CD	NR-CD
ACREAGE:	38.05± ACRES	28.87± ACRES	66.92± ACRES
Group A	0	0	0
Group B	20.2± ACRES(53.0%)	24.8± ACRES (85.90%)	44.88± ACRES (67.1%)
Group C	17.9± ACRES (47.0%)	4.07± ACRES (14.10%)	22.04± ACRES (32.9%)
Group D	0	0	0
Group B/D	0	0	0

OAK GROVE HILL TREE PRESERVATION			
	PHASE 1&2	PHASE 3	ALL PHASES
SITE ACREAGE	38.05± AC	28.87± AC	66.92± AC
% COVERED BY TREE CANOPY	26.26± AC (69.0%)	22.07± AC (76.4%)	48.33± AC (72.2%)
% OF TREE CANOPY PRESERVATION REQUIRED	3.81± AC (10%)	2.89± AC (10%)	6.69± AC (10%)
% OF TREE CANOPY PROVIDED	3.48± AC (9.15%)	6.20± AC (21.5%)	9.68± AC (14.5%)
NO. OF SPECIMEN TREES ON-SITE*	8	81	89
NO. OF SPECIMEN TREES TO BE SAVED (MIN REQ. 10%)	3 (37%)	19 (22%)	22 (25%)
NO. OF HERITAGE TREES ON SITE	0	1	1

TREE CANOPY MITIGATION

- Large maturing trees required for tree canopy mitigation = 46,532 ± Nos.
- Trees planted as tree canopy mitigation shall be a minimum of 2" in caliper and 25% shall be evergreens
 - Mitigated trees to be placed 40' on center

TREE LEGEND

TR	- Tree	GU	- Gum
EL	- Elm	MA	- Maple
BE	- Beach	PE	- Pecan
P	- Pine	WA	- Walnut
PO	- Poplar	HI	- Hickory
OA	- Oak		

TREE PRESERVATION

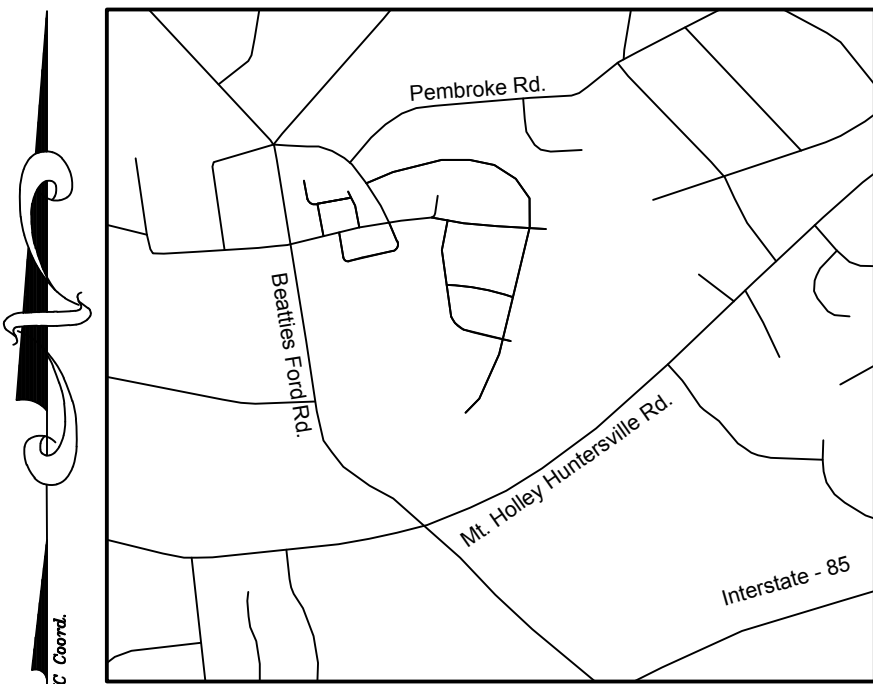
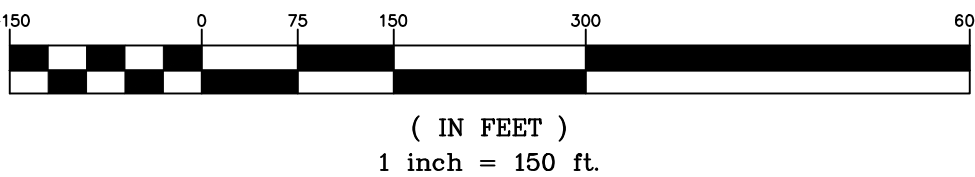
Specimen tree - A tree (or group of trees) that may be considered important community assets due to their unique or noteworthy characteristics or values. A tree may be considered a specimen tree based on its size, age, rarity or special historical or ecological significance and may also meet the following criteria:

- Large hardwood (e.g. oak, poplars, maples, etc.) and softwoods (e.g. pines) in good or better or better condition with a DBH of 24" or greater.
- Smaller understory trees (e.g. dogwoods, redbuds, sourwoods, persimmons, etc.) in good or better condition with a DBH of 12" or greater.
- Lesser-sized trees of rare species or special intrinsic value as approved by staff.

Heritage tree - A tree that is listed in the North Carolina Big Tree List, the American Forest Association's Champion Tree list, the Mecklenburg County treasure Tree List or any tree that would meet 80% of the points of a tree on North Carolina's Big Tree List.

Note: Urban open spaces shall include one or more of the following: landscaping, walks, seating, fountains, playground equipment, statues, etc. Materials used shall be a combination of brick pavers, stamped asphalt, stone, wrought iron, wood, crushed gravel or stone etc.

GRAPHIC SCALE



VICINITY MAP - N.T.S.

LEGEND

- S.W.I.M BUFFER
- 30' POST CONSTRUCTION BUFFER
- EX. TREE LINE
- SOIL LINE
- EX. TREE AREA
- TREE SAVE AREA
- 25%-100% SLOPE
- SPECIMEN TREE TO REMAIN
- SPECIMEN TREE TO BE REMOVED

EXISTING DATA:

FEMA Panel: 3710453800K

Watershed: Long Watershed

Soil Types:	CeB2 - Cecil sandy clay loam, 2 to 8 percent slopes	55.6%
	CeD2 - Cecil sandy clay loam 8 to 15 percent slopes	6.5%
	EnB - Enon sandy loam, 2 to 8 percent slopes	7.7%
	EnD - Enon sandy loam, 8 to 15 percent slopes	4.9%
	PaE - Pacolet sandy loam, 15 to 25 percent slopes	24.5%
	VaB - Vance sandy loam, 2 to 8 percent slopes	0.7%

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Corporate Seal



Engineer's Seal



Project Manager D. Gates	Drawn T. Alston
Department Manager P. Murphy	Checked D. Gates
Print/Plot Date March 8, 2023	
Asbuilt Drawn -	Asbuilt Date -
Client	

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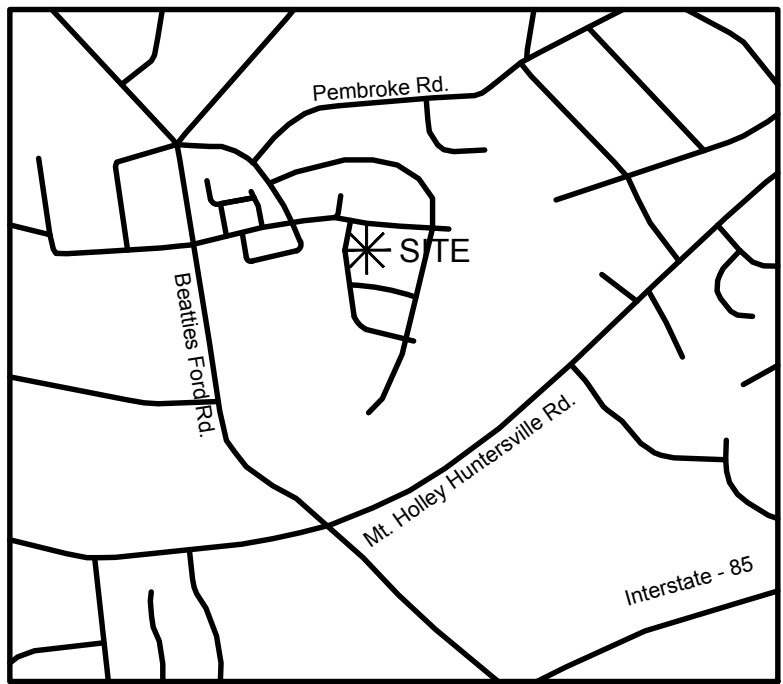
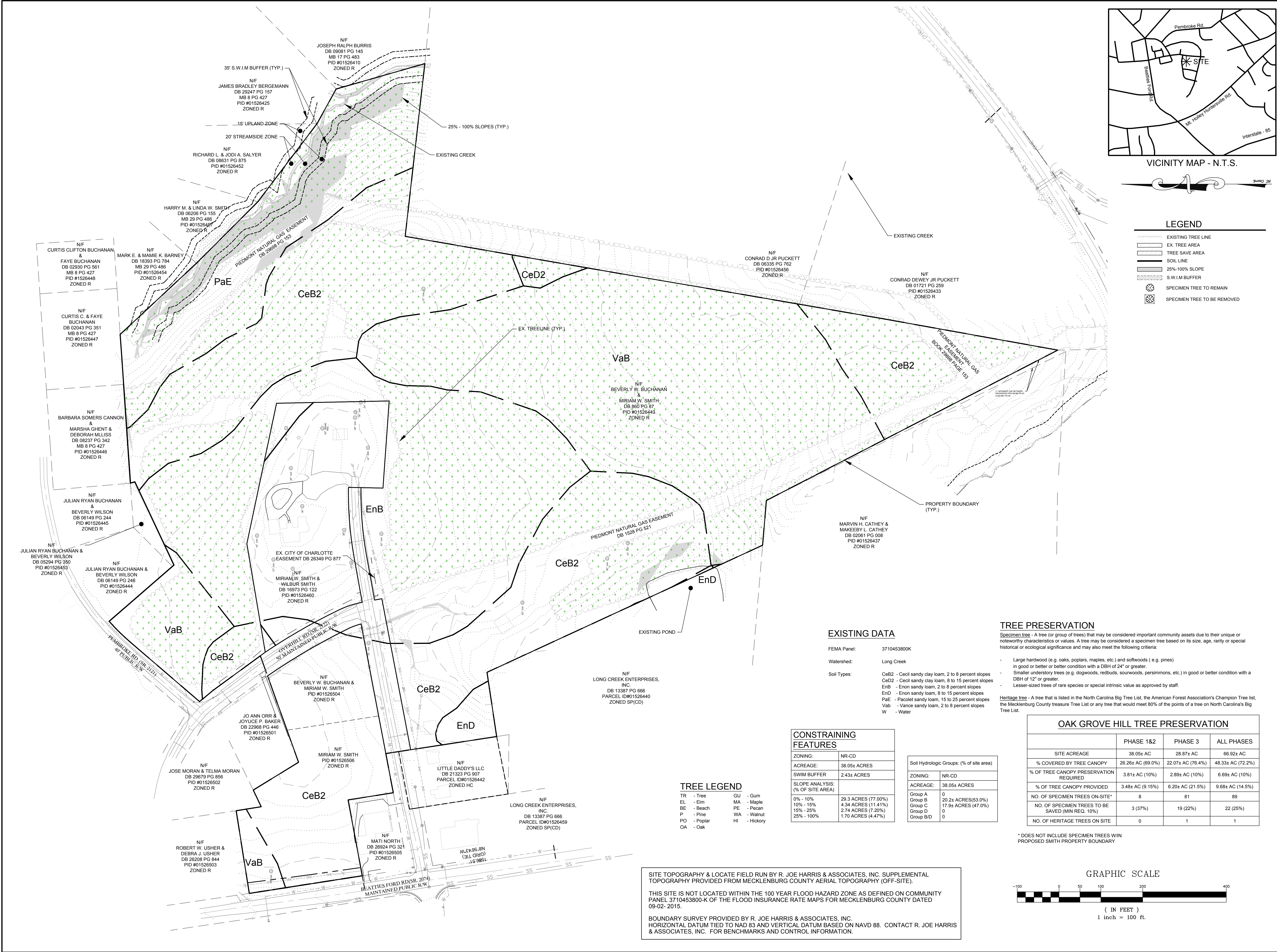
Oak Grove Hill
Rezoning/Sketch Plan:
Phase 3

Drawing Title:

Overall Existing Conditions

Project No. 5259	Drawing No. 5259 Existing Conditions-Phase 1 & 2
---------------------	---

EX-1



VICINITY MAP - N.T.S.



LEGEND

- EXISTING TREE LINE
- EX. TREE AREA
- TREE SAVE AREA
- SOIL LINE
- 25%-100% SLOPE
- S.W.I.M BUFFER
- SPECIMEN TREE TO REMAIN
- SPECIMEN TREE TO BE REMOVED

EXISTING DATA

FEMA Panel: 3710453800K
Watershed: Long Creek
Soil Types:
CeB2 - Cecil sandy clay loam, 2 to 8 percent slopes
CeD2 - Cecil sandy clay loam, 8 to 15 percent slopes
EnB - Enon sandy loam, 2 to 8 percent slopes
EnD - Enon sandy loam, 15 to 25 percent slopes
PaE - Pacolet sandy loam, 15 to 25 percent slopes
VaB - Vance sandy loam, 2 to 8 percent slopes
W - Water

CONSTRAINING FEATURES

ZONING:	NR-CD
ACREAGE:	38.05± ACRES
SWIM BUFFER:	2.43± ACRES
SLOPE ANALYSIS: (% OF SITE AREA)	
0% - 10%	29.3 ACRES (77.00%)
10% - 15%	4.34 ACRES (11.41%)
15% - 25%	2.74 ACRES (7.20%)
25% - 100%	1.70 ACRES (4.47%)

Soil Hydrologic Groups: (% of site area)	
ZONING:	NR-CD
ACREAGE:	38.05± ACRES
Group A	0
Group B	20.2± ACRES (53.0%)
Group C	17.9± ACRES (47.0%)
Group D	0
Group B/D	0

TREE LEGEND

- TR - Tree
- EL - Elm
- BE - Beach
- P - Pine
- PO - Poplar
- OA - Oak
- GU - Gum
- MA - Maple
- PE - Pecan
- WA - Walnut
- HI - Hickory

TREE PRESERVATION

Specimen tree - A tree (or group of trees) that may be considered important community assets due to their unique or noteworthy characteristics or values. A tree may be considered a specimen tree based on its size, age, rarity or special historical or ecological significance and may also meet the following criteria:

- Large hardwood (e.g. oaks, poplars, maples, etc.) and softwoods (e.g. pines)
- In good or better or better condition with a DBH of 24" or greater.
- Smaller understory trees (e.g. dogwoods, redbuds, sourwoods, persimmons, etc.) in good or better condition with a DBH of 12" or greater.
- Lesser-sized trees of rare species or special intrinsic value as approved by staff.

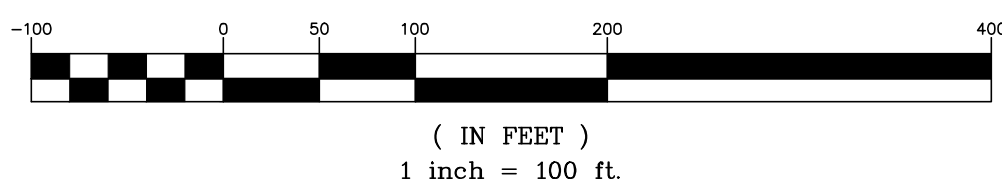
Heritage tree - A tree that is listed in the North Carolina Big Tree List, the American Forest Association's Champion Tree List, the Mecklenburg County treasure Tree List or any tree that would meet 80% of the points of a tree on North Carolina's Big Tree List.

OAK GROVE HILL TREE PRESERVATION

	PHASE 1&2	PHASE 3	ALL PHASES
SITE ACREAGE	38.05± AC	28.87± AC	66.92± AC
% COVERED BY TREE CANOPY	26.26± AC (69.0%)	22.07± AC (76.4%)	48.33± AC (72.2%)
% OF TREE CANOPY PRESERVATION REQUIRED	3.81± AC (10%)	2.89± AC (10%)	6.69± AC (10%)
% OF TREE CANOPY PROVIDED	3.48± AC (9.15%)	6.20± AC (21.5%)	9.68± AC (14.5%)
NO. OF SPECIMEN TREES ON-SITE*	8	81	89
NO. OF SPECIMEN TREES TO BE SAVED (MIN REQ. 10%)	3 (37%)	19 (22%)	22 (25%)
NO. OF HERITAGE TREES ON SITE	0	1	1

* DOES NOT INCLUDE SPECIMEN TREES WITH PROPOSED SMITH PROPERTY BOUNDARY

GRAPHIC SCALE



SITE TOPOGRAPHY & LOCATE FIELD RUN BY R. JOE HARRIS & ASSOCIATES, INC. SUPPLEMENTAL TOPOGRAPHY PROVIDED FROM MECKLENBURG COUNTY AERIAL TOPOGRAPHY (OFF-SITE).

THIS SITE IS NOT LOCATED WITHIN THE 100 YEAR FLOOD HAZARD ZONE AS DEFINED ON COMMUNITY PANEL 3710453800-K OF THE FLOOD INSURANCE RATE MAPS FOR MECKLENBURG COUNTY DATED 09-02-2015.

BOUNDARY SURVEY PROVIDED BY R. JOE HARRIS & ASSOCIATES, INC. HORIZONTAL DATUM TIED TO NAD 83 AND VERTICAL DATUM BASED ON NAVD 88. CONTACT R. JOE HARRIS & ASSOCIATES, INC. FOR BENCHMARKS AND CONTROL INFORMATION.

DATE	ISSUED FOR	REV
4/13/20	Pre-Submittal Meeting	0
5/1/20	Initial EPM Submittal	1
8/5/20	Second EPM Submittal	2
10/13/20	Third EPM Submittal	3
12/18/20	Fourth EPM Submittal	4



Engineer:



R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning Management

127 Ben Casey Drive, Suite 101, Fort Mill, S.C. 29708 P: (803) 802-1799

www.rjoe-harris.com

This drawing shall not be used for construction purposes until the seal and signature of the responsible registrant appears on the drawing, and proper permit forms and related fees are transmitted by the Owner, Owner's Agent or Contractor to the Authority having jurisdiction.

Corporate Seal



Engineer's Seal



Project Manager

D. Gates

Drawn

T. Alston

Department Manager

P. Murphy

Checked

D. Gates

Print/Plot Date

March 8, 2023

Asbuilt Drawn

-

Asbuilt Date

-

Client

BOWMAN DEVELOPMENT GROUP

13815 CINNABAR PLACE

HUNTERSVILLE, NC 28078

P: (704) 875-9704

Project:

Oak Grove Hill-Phases 1&2

Drawing Title:

Existing Conditions Overall:
Phase 1 & 2

Project No.

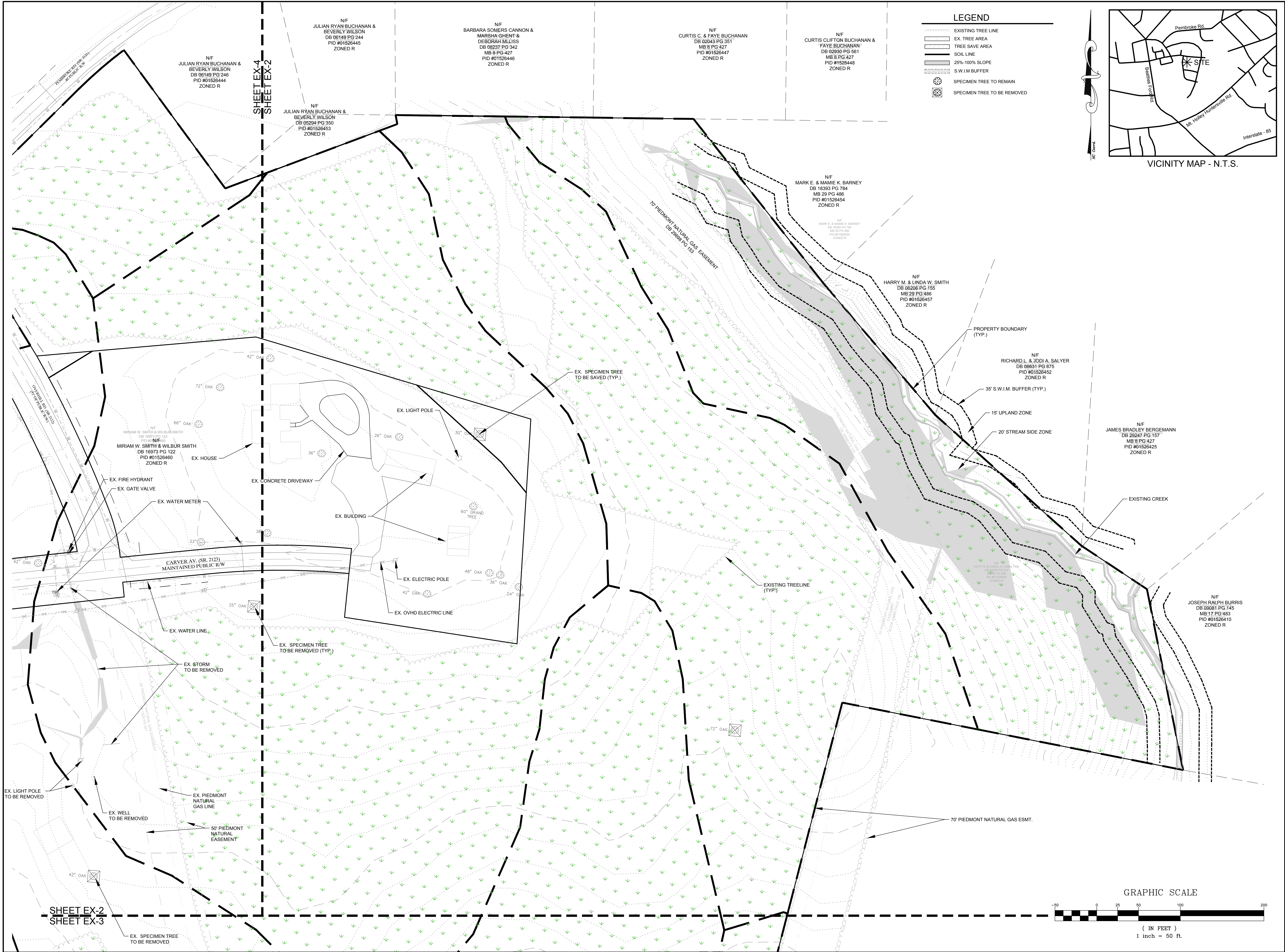
2839

Drawing No.

DWG File Name:

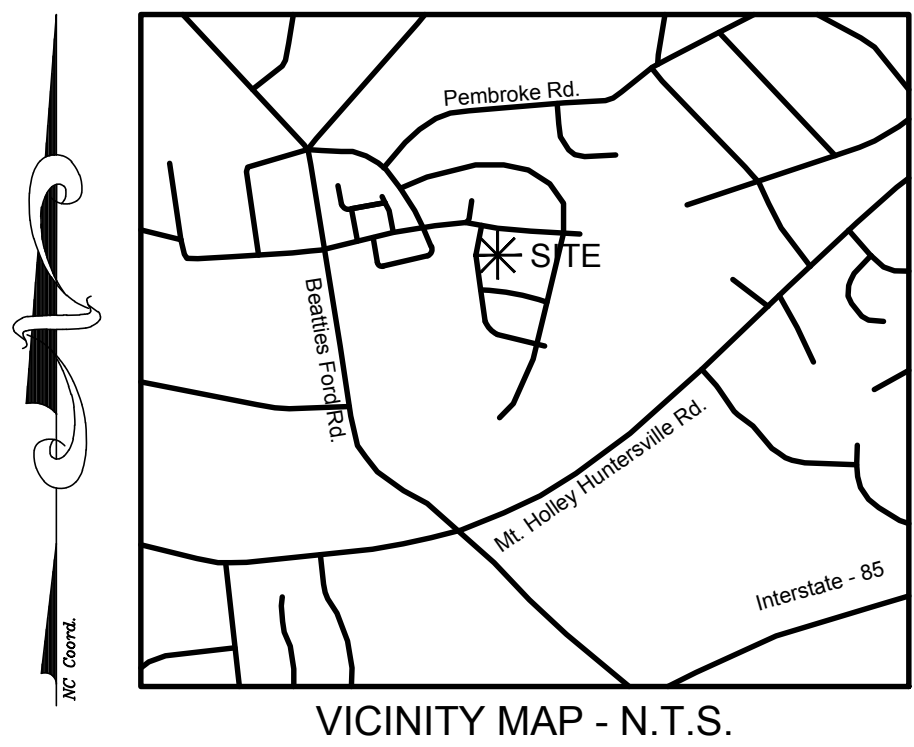
2839-Existing Condition

EX-2



LEGEND

- EXISTING TREE LINE
- EX. TREE AREA
- TREE SAVE AREA
- SOIL LINE
- 25%-100% SLOPE
- S.W.I.M. BUFFER
- SPECIMEN TREE TO REMAIN
- SPECIMEN TREE TO BE REMOVED



DATE	ISSUED FOR	REV

Engineer:

R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning Management
127 Ben Casey Drive, Suite 101, Fort Mill, S.C. 29708 P: (803) 802-1799

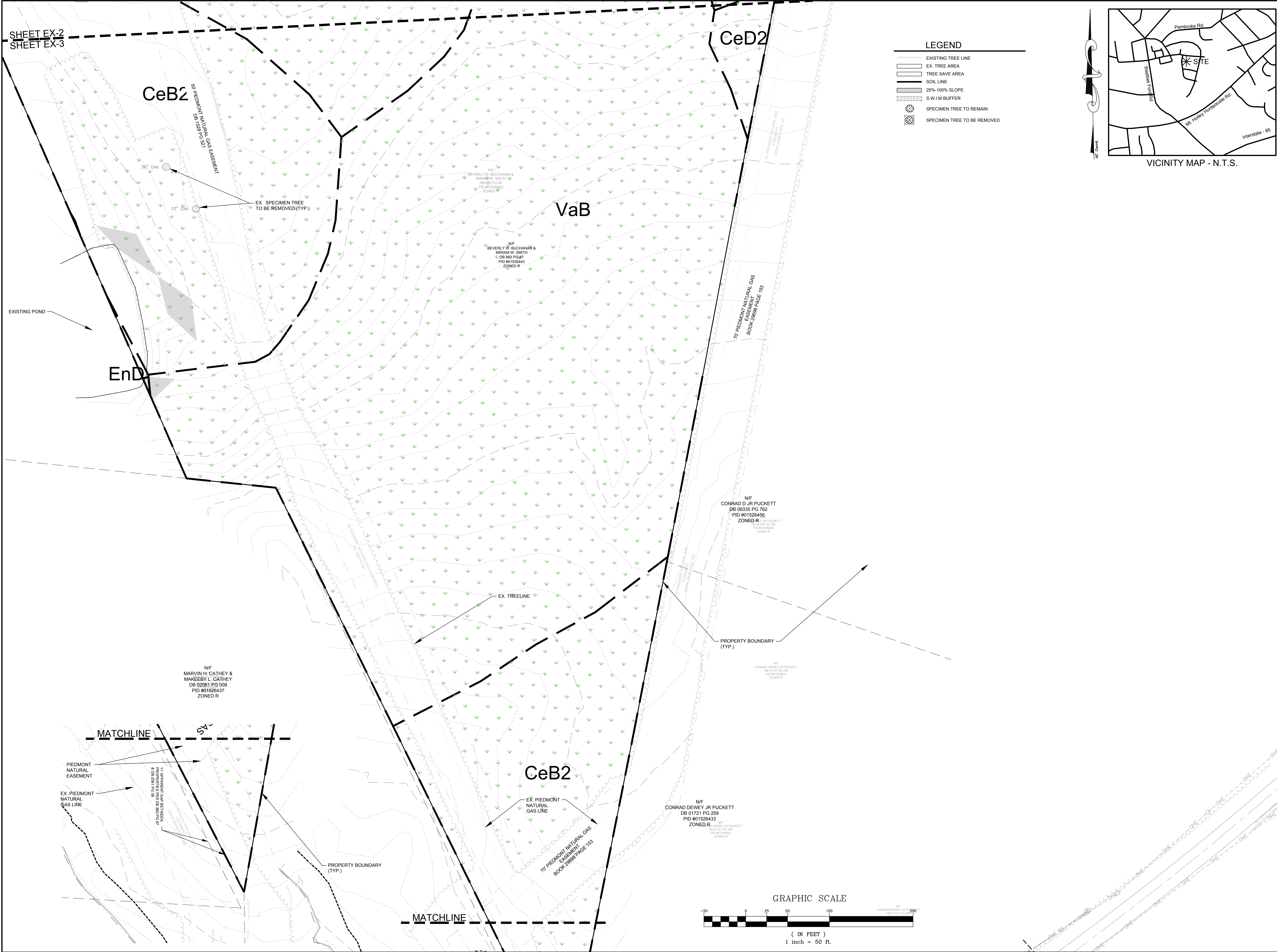
www.rjoeharris.com

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CORPORATE SEAL
R. JOE HARRIS & ASSOCIATES, INC.
SEAL
C-4168
REGISTERED PROFESSIONAL ENGINEER
LAND SURVEYING & PLANNING

ENGINEER'S SEAL
DANIEL B. GATES
SEAL
051823
REGISTERED PROFESSIONAL ENGINEER
LAND SURVEYING & PLANNING

Project Manager	Drawn
D. Gates	T. Alston
Department Manager	Checked
P. Murphy	P. Murphy
Print/Plot Date	
March 8, 2023	
Asbuilt Drawn	Asbuilt Date
-	-
Client	
BOWMAN DEVELOPMENT GROUP 13815 CINNABAR PLACE HUNTERSVILLE, NC 28078 P: (704) 875-9704	
Project:	
OAK GROVE HILL	
Drawing Title:	
Existing Conditions: Phase 1 & 2	
Project No.	Drawing No.
2839	EX-3
DWG File Name:	
2839-Existing Condition	



DATE	ISSUED FOR	REV



Engineer:



R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning
Management

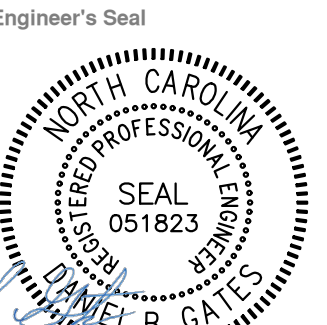
127 Ben Casey Drive, Suite 101, Fort Mill, S.C. 29708 P: (803) 802-1799

www.rjoeharris.com

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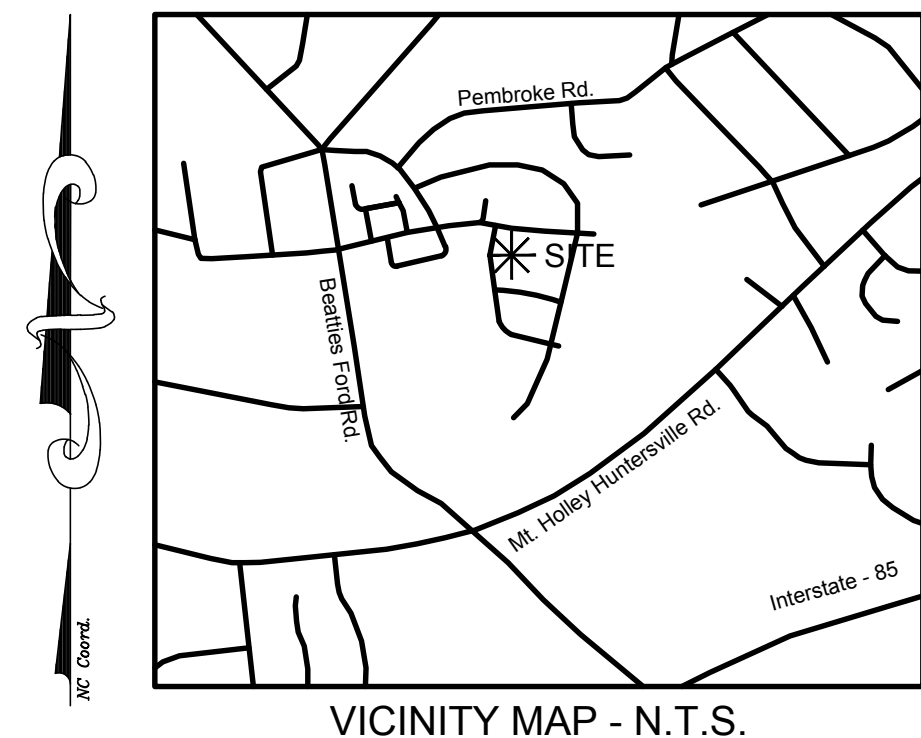


CORPORATE SEAL
NORTH CAROLINA
REGISTERED PROFESSIONAL
LAND SURVEYOR
R. JOE HARRIS & ASSOCIATES, INC.
SEAL C-4168

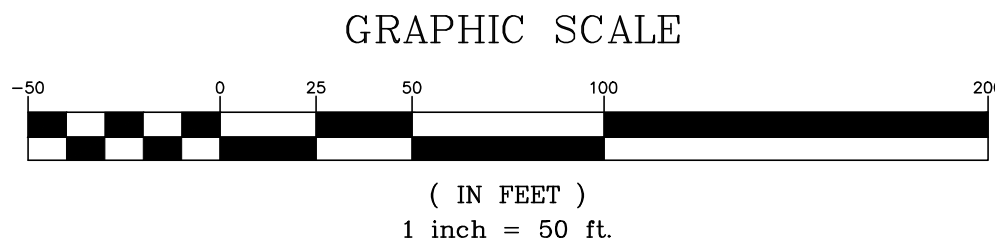


ENGINEER'S SEAL
NORTH CAROLINA
REGISTERED PROFESSIONAL
ENGINEER
DANIEL B. GATES
SEAL 051823
03/08/2023

Project Manager	Drawn
D. Gates	T. Alston
Department Manager	Checked
P. Murphy	P. Murphy
Print/Plot Date	
March 8, 2023	
Asbuilt Drawn	Asbuilt Date
-	-
Client	
BOWMAN DEVELOPMENT GROUP 13815 CINNABAR PLACE HUNTERSVILLE, NC 28078 P: (704) 875-9704	
Project:	
OAK GROVE HILL	
Drawing Title:	
Existing Conditions: Phase 1 & 2	
Project No.	Drawing No.
2839	EX-4
DWG File Name:	
2839-Existing Condition	



LEGEND	
	EXISTING TREE LINE
	EX. TREE AREA
	TREE SAVE AREA
	SOIL LINE
	25%-100% SLOPE
	S.W.I.M BUFFER
	SPECIMEN TREE TO REMAIN
	SPECIMEN TREE TO BE REMOVED



DATE	ISSUED FOR	REV

Engineer:

R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning
Management
127 Ben Casey Drive, Suite 101, Fort Mill, S.C. 29708 P: (803) 802-1799

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CORPORATE SEAL

ENGINEER'S SEAL

Project Manager D. Gates	Drawn T. Alston
Department Manager P. Murphy	Checked P. Murphy
Print/Plot Date March 8, 2023	
Asbuilt Drawn -	Asbuilt Date -
Client BOWMAN DEVELOPMENT GROUP 13815 CINNABAR PLACE HUNTERSVILLE, NC 28078 P: (704) 875-9704	
Project: OAK GROVE HILL	
Drawing Title: Existing Conditions: Phase 1 & 2	
Project No. 2839	Drawing No. EX-5
DWG File Name: 2839-Existing Condition	

TREE PRESERVATION

Specimen tree - A tree (or group of trees) that may be considered important community assets due to their unique or noteworthy characteristics or values. A tree may be considered a specimen tree based on its size, age, rarity or special historical or ecological significance and may also meet the following criteria:

- Large hardwood (e.g. oaks, poplars, maples, etc.) and softwoods (e.g. pines) in good or better or better condition with a DBH of 24" or greater.
- Smaller understory trees (e.g. dogwoods, redbuds, sourwoods, persimmons, etc.) in good or better condition with a DBH of 12" or greater.
- Lesser-sized trees of rare species or special intrinsic value as approved by staff.

Heritage tree - A tree that is listed in the North Carolina Big Tree List, the American Forest Association's Champion Tree list, the Mecklenburg County treasure Tree List or any tree that would meet 80% of the points of a tree on North Carolina's Big Tree List.

Note: Urban open spaces shall include one or more of the following: landscaping, walks, seating, fountains, playground equipment, statues, etc. Materials used shall be a combination of brick pavers, stamped asphalt, stone, wrought iron, wood, crushed gravel or stone etc.

TREE PRESERVATION	
ZONING:	NR (CD)
ACREAGE:	28.26± ACRES
COVERED BY TREE CANOPY:	78.1%
TREE CANOPY PRESERVATION REQUIRED: 10%:	±2.83 ACRES
TREE CANOPY PRESERVATION PROVIDED: 21.9%:	±6.20 ACRES
NO. OF SPECIMEN TREES ON-SITE:	81
NO. OF SPECIMEN TREES SAVED:(Min. Req. 10%):	18 (Provided 22.2%)
NO. OF HERITAGE TREES ON-SITE:	1
NO. OF HERITAGE TREES SAVED:(Min. Req. 100%):	1 (Provided 100%)

TREE LEGEND

- TR - Tree

EL - Elm

BE - Beach

P - Pine

PO - Poplar

OA - Oak
- GU - Gum

MA - Maple

PE - Pecan

WA - Walnut

HI - Hickory

TREE CANOPY MITIGATION

Large maturing trees required for tree canopy mitigation = 56.932
 =Nos.

- Trees planted as tree canopy mitigation shall be a minimum of 2" in caliper and 25% shall be evergreens
- Mitigated trees to be placed 40' on center

CONSTRAINING FEATURES

ZONING:	R
ACREAGE:	28.87± ACRES
SWIM BUFFER	2.28± ACRES
TREE COVERAGE:	20.94± ACRES
SLOPE ANALYSIS: (% OF SITE AREA)	
0% - 10%	18.43 ACRES (63.84%)
10% - 15%	5.50 ACRES (19.04%)
15% - 25%	4.65 ACRES (16.10%)
25% - 100%	0.30 ACRES (1.03%)

Soil Hydrologic Groups: (% of site area)	
ZONING:	R
ACREAGE:	28.87± ACRES
Group A	0
Group B	24.8± ACRES(85.90%)
Group C	4.07± ACRES (14.10%)
Group D	0± ACRES (0%)
Group B/D	0± ACRES (0%)

EXISTING DATA:

FEMA Panel: 3710453800K

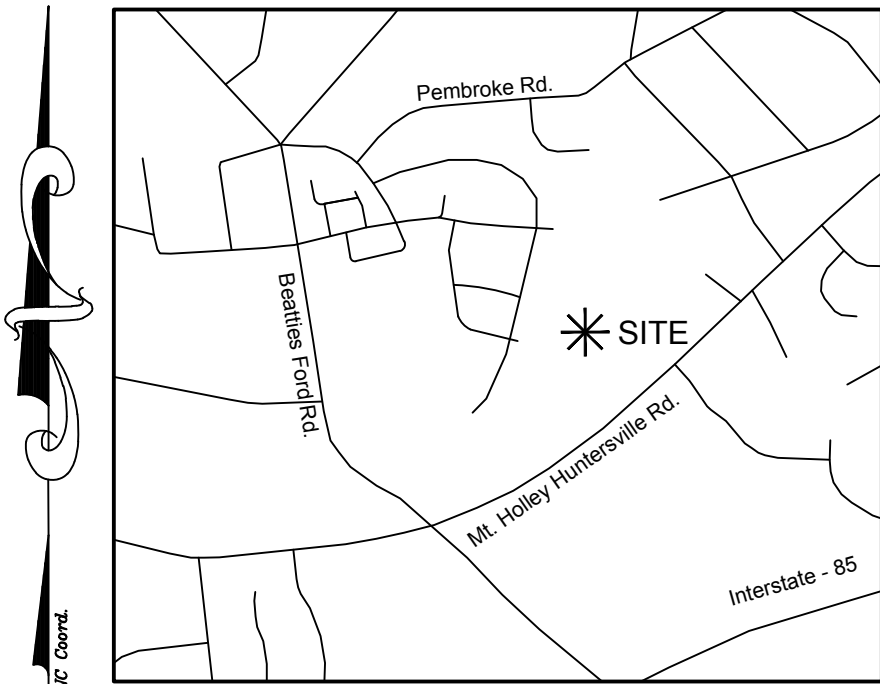
Watershed: Long Watershed

Soil Types:	CeB2 - Cecil sandy clay loam, 2 to 8 percent slopes	55.6%
	CeD2 - Cecil sandy clay loam 8 to 15 percent slopes	6.5%
	EnB - Enon sandy loam, 2 to 8 percent slopes	7.7%
	EnD - Enon sandy loam, 8 to 15 percent slopes	4.9%
	PaE - Pacolet sandy loam, 15 to 25 percent slopes	24.5%
	VaB - Vance sandy loam, 2 to 8 percent slopes	0.7%

Slopes Table				
Number	Min. Slope	Max. Slope	Area	Color
1	25.00%	100.00%	13068.00	■

Impervious Area Table	
% Impervious Shown	Max. Allowable
8.13 Ac. (28.16%)	28.87 Ac. (100%)

NOTE: 1% or 150 sqft of impervious area per lot added to overall to allow for addition of future impervious area by the homeowner/occupant.



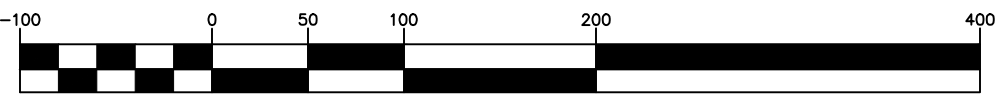
VICINITY MAP - N.T.S.

LEGEND

S.W.I.M Buffer

- 30' Post Construction Buffer

GRAPHIC SCALE



DATE	ISSUED FOR	REV
8/15/2022	Pre Submittal to Town of Huntersville	0
11/23/2022	Initial Submittal to Town of Huntersville	1
1/20/2023	Second Submittal to Town of Huntersville	2
3/08/2023	Third Submittal to Town of Huntersville	3

Engineer:

R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning Management

1188 Stonecrest Blvd., Tega Cay, S.C. 29708 P: (803) 802-1799

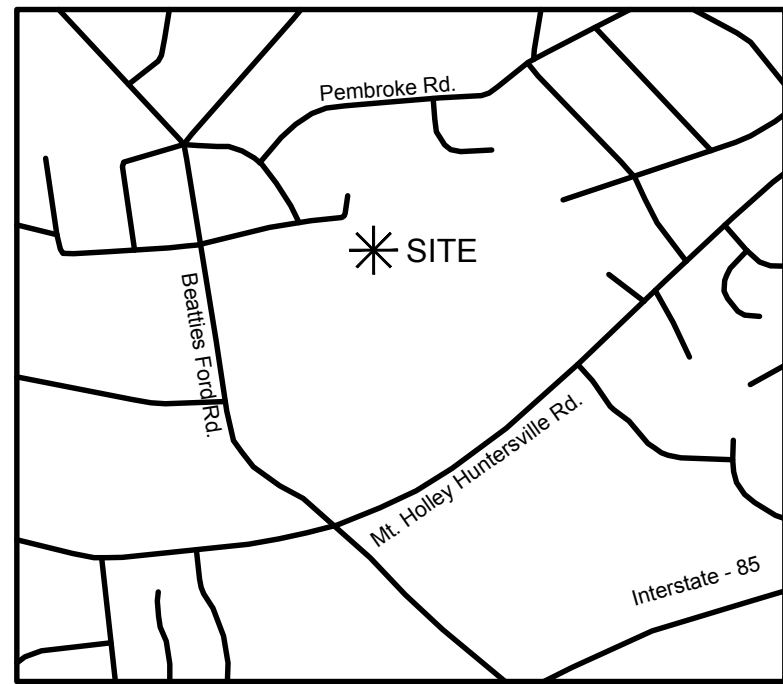
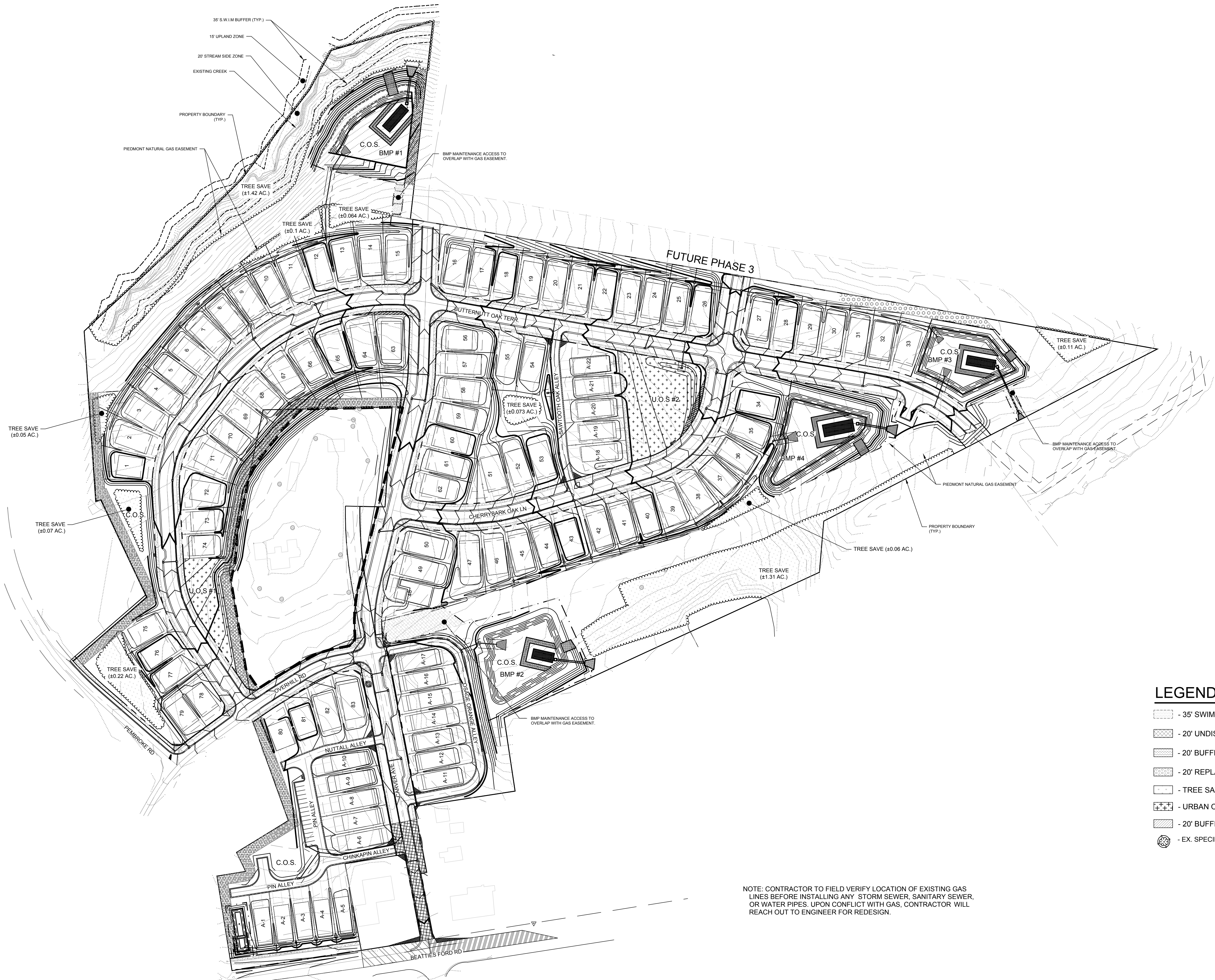
www.rjoeharris.com

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Corporate Seal

Engineer's Seal

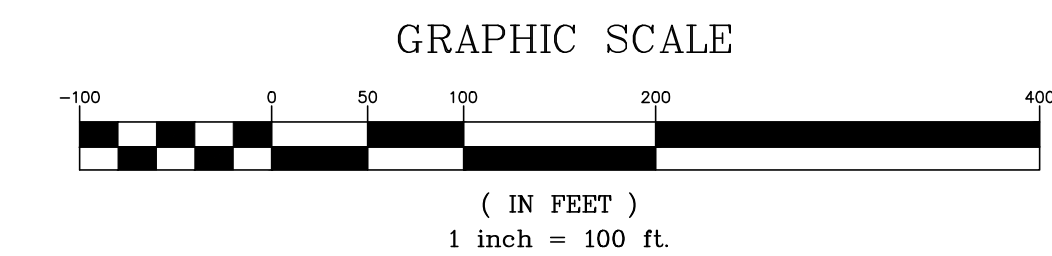
Project Manager	Drawn
D. Gates	T. Alston
Department Manager	Checked
P. Murphy	D. Gates
Print/Plot Date	
March 8, 2023	
Asbuilt Drawn	Asbuilt Date
-	-
Client	
Carver Bowman, LLC 13815 CINNABAR PLACE HUNTERSVILLE, NC 28078 P: (704) 875-9704	
Project:	
Oak Grove Hill Rezoning/Sketch Plan: Phase 3	
Drawing Title:	
Existing Conditions: Phase 3	
Project No.	Drawing No.
5259	EX-6
DWG File Name:	
5259_Existing Conditions	



LEGEND

- 35' SWIM BUFFER
- 20' UNDISTURBED BUFFER
- 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY
- 20' REPLANTED BUFFER
- TREE SAVE AREA
- URBAN OPEN SPACE (UOS)
- 20' BUFFERS WITH REQUESTED MODIFICATION
- EX. SPECIMEN TREE TO BE SAVED W/ PROTECTION

NOTE: CONTRACTOR TO FIELD VERIFY LOCATION OF EXISTING GAS LINES BEFORE INSTALLING ANY STORM SEWER, SANITARY SEWER, OR WATER PIPES. UPON CONFLICT WITH GAS, CONTRACTOR WILL REACH OUT TO ENGINEER FOR REDESIGN.



DATE	ISSUED FOR	REV
4/13/20	Pre-Submittal Meeting	0
5/1/20	Initial EPM Submittal	1
8/5/20	Second EPM Submittal	2
10/13/20	Third EPM Submittal	3
12/18/20	Fourth EPM Submittal	4



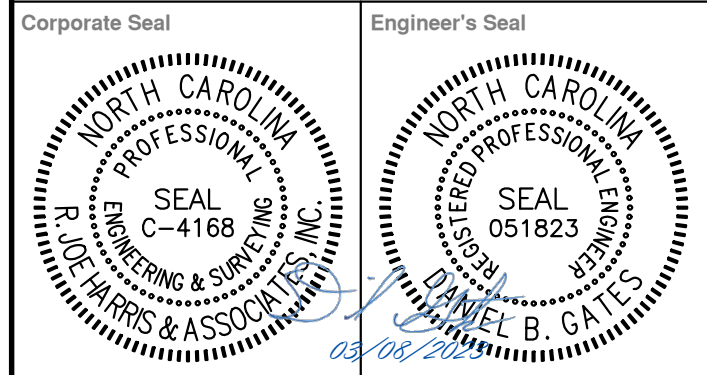
Engineer:



R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning
Management
1166 Stonecrest Blvd., Tega Cay, S.C. 29708 P: (803) 802-1799

www.rjoeharris.com

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Project Manager D. Gates	Drawn T. Alston
Department Manager P. Murphy	Checked D. Gates
Print/Plot Date March 8, 2023	

Asbuilt Drawn -	Asbuilt Date -
--------------------	-------------------

Client

BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

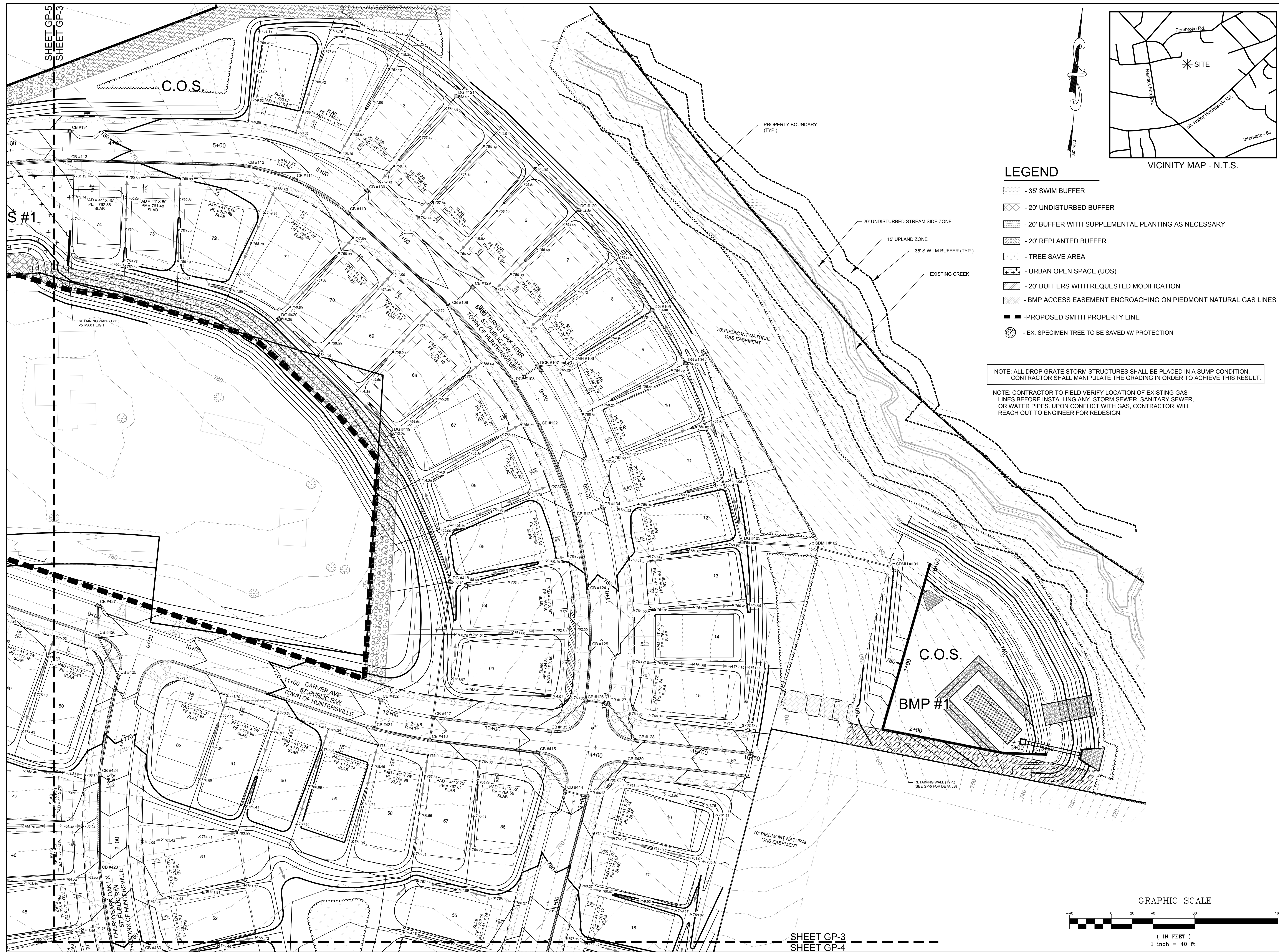
Project:

Oak Grove Hill-Phases 1&2

Drawing Title:

Overall Grading Plan:
Phase 1 & 2

Project No. 2839 DWG File Name: 2839-Grading Plan	Drawing No. GP-2
--	-------------------------



DATE	ISSUED FOR	REV
4/13/20	Pre-Submittal Meeting	0
5/1/20	Initial EPM Submittal	1
8/5/20	Second EPM Submittal	2
10/13/20	Third EPM Submittal	3
12/18/20	Fourth EPM Submittal	4



Engineer:



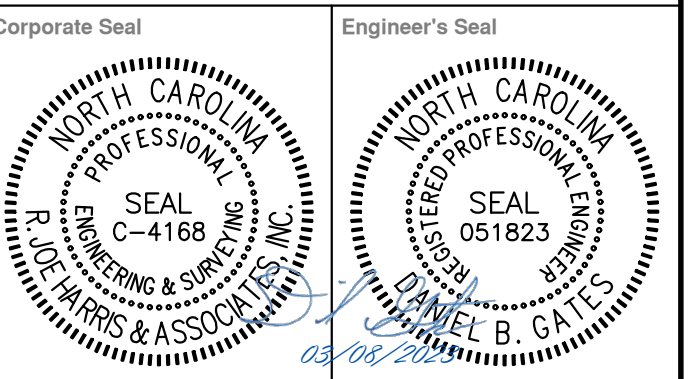
R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning
Management

186 Stonecrest Blvd., Tega Cay, S.C. 29708 P: (803) 802-1799

www.rjoe Harris.com

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Project Manager D. Gates	Drawn T. Alston
Department Manager P. Murphy	Checked D. Gates

Print/Plot Date

March 8, 2023

Asbuilt Drawn

BOWMAN DEVELOPMENT GROUP
3815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

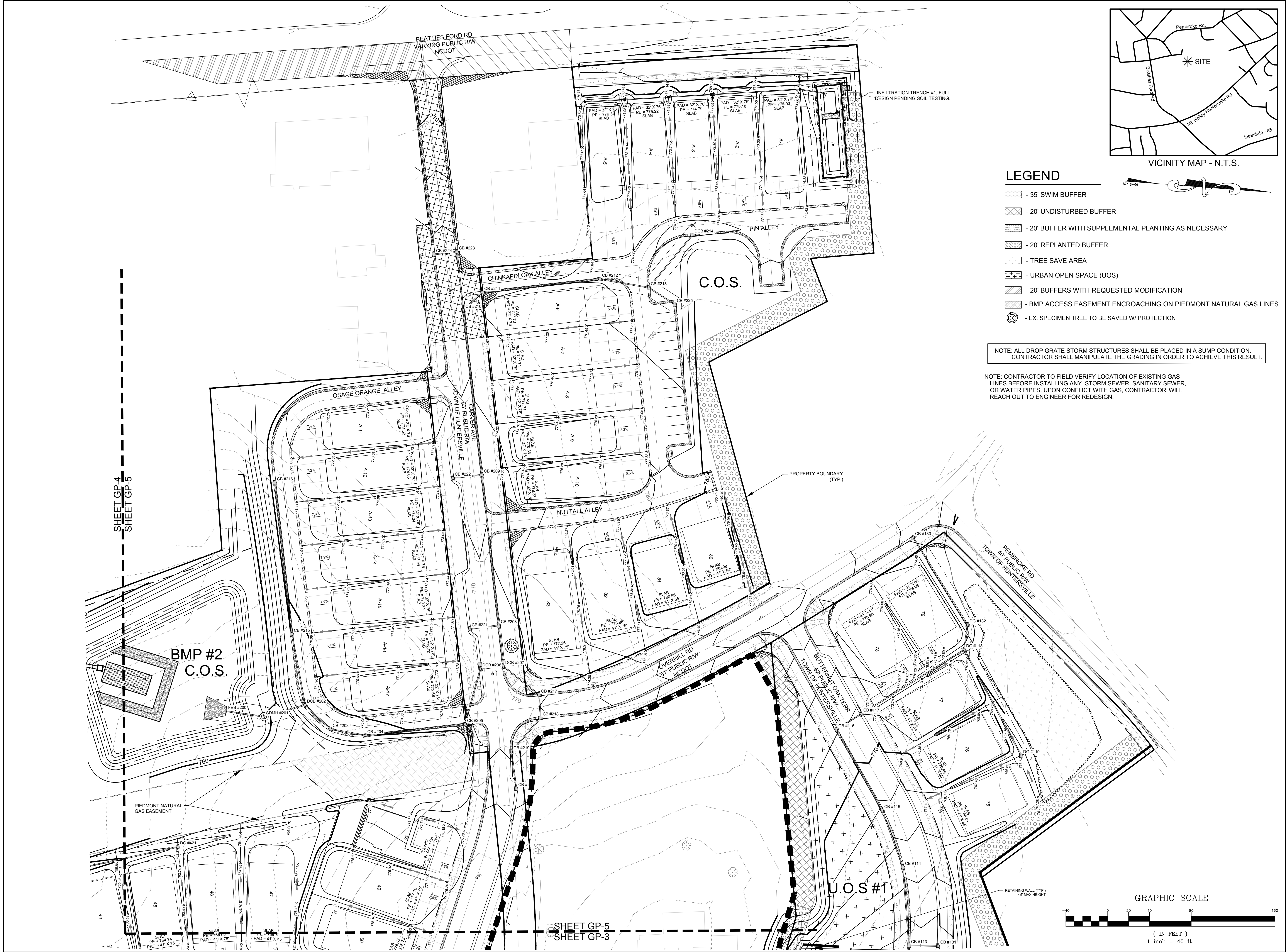
Project:

Oak Grove Hill-Phases 1&2

Drawing Title:

Grading Plan 1: Phase 1 & 2

Project No.	Drawing No.
8839	
DWG File Name:	
8839-Grading Plan	GP-3



DATE	ISSUED FOR	REV
4/13/20	Pre-Submittal Meeting	0
5/1/20	Initial EPM Submittal	1
8/5/20	Second EPM Submittal	2
10/13/20	Third EPM Submittal	3
12/18/20	Fourth EPM Submittal	4



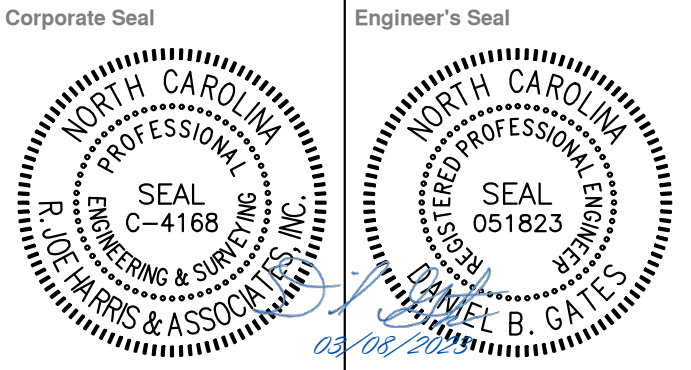
Engineer:



R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning
Management
1166 Stonerock Blvd., Tega Cay, S.C. 29708 P: (803) 802-1799

www.rjoe Harris.com

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Project Manager D. Gates	Drawn T. Alston
Department Manager P. Murphy	Checked D. Gates

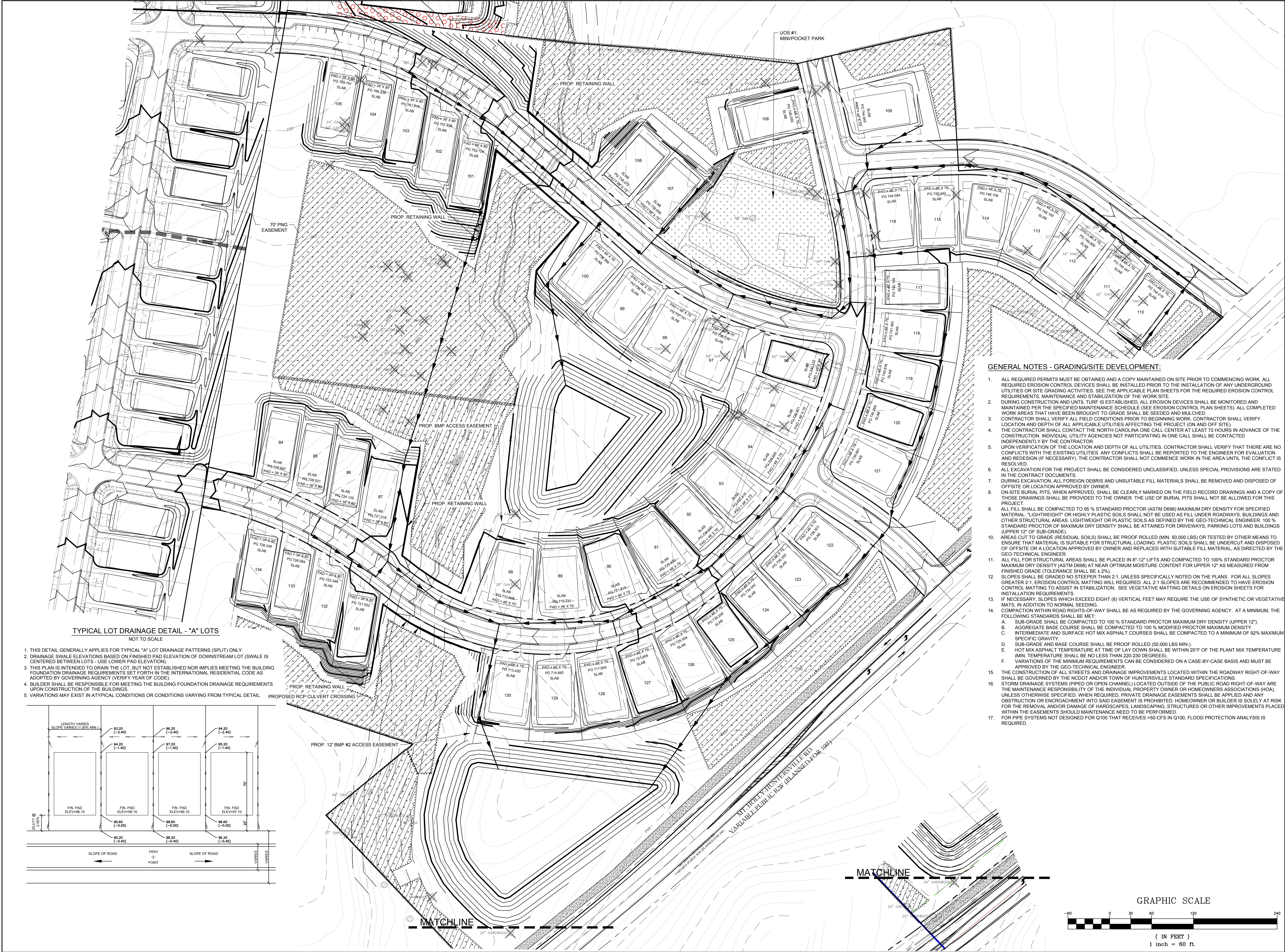
Print/Plot Date
March 8, 2023
Asbuilt Drawn
Asbuilt Date

Client
BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

Project:
Oak Grove Hill-Phases 1&2

Drawing Title:
Grading Plan 3:
Phase 1 & 2

Project No. 2839 DWG File Name: 2839-Grading Plan	Drawing No. GP-5
--	---------------------



DATE	ISSUED FOR	REV
8/15/2022	Pre Submittal to Town of Huntersville	0
11/23/2022	Initial Submittal to Town of Huntersville	1
1/20/2023	Second Submittal to Town of Huntersville	2
3/08/2023	Third Submittal to Town of Huntersville	3

Engineer:

R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning Management
1168 Stonerock Blvd., Tega Cay, S.C. 29708 P: (803) 802-1799

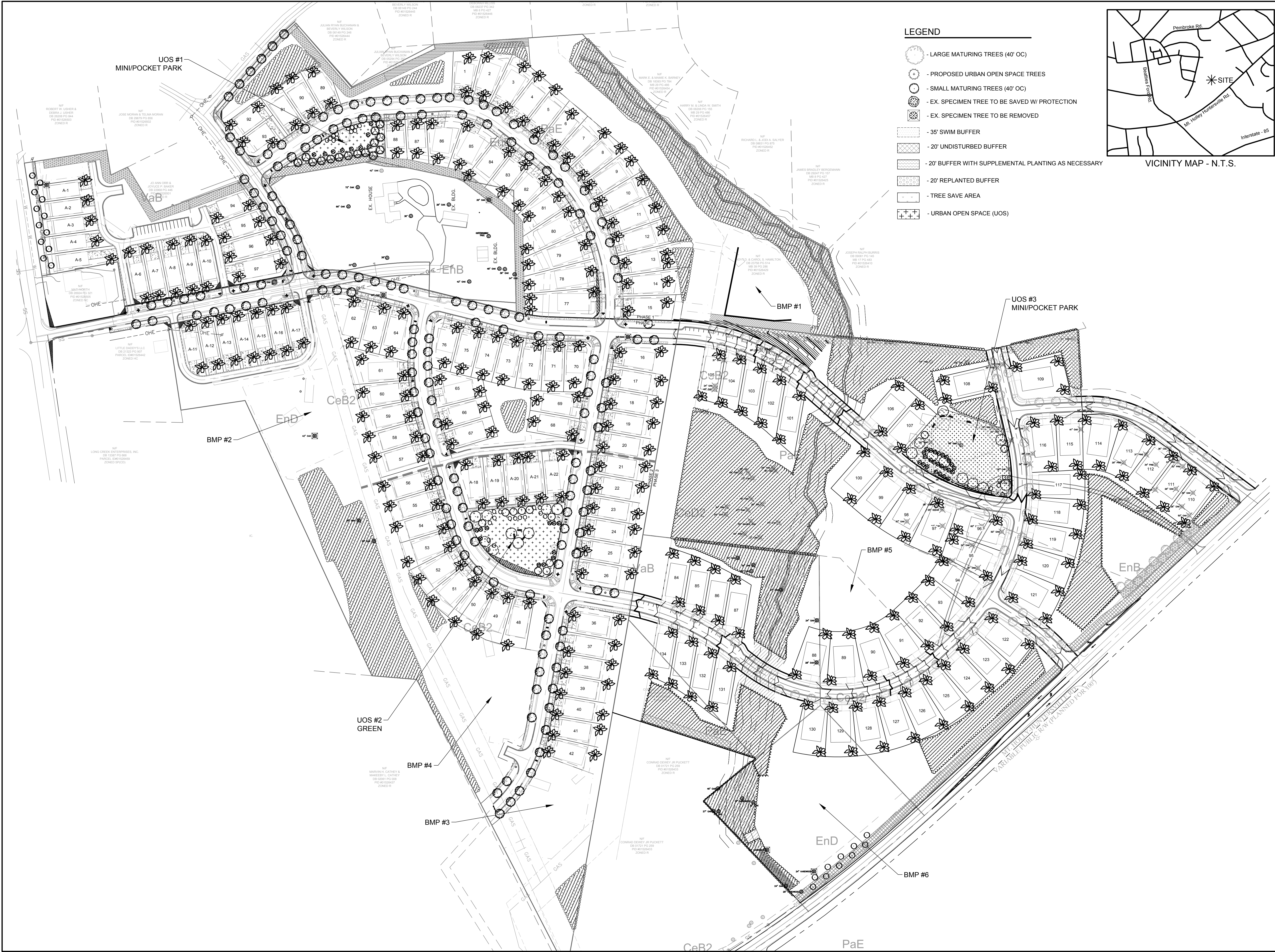
www.rjoeharris.com

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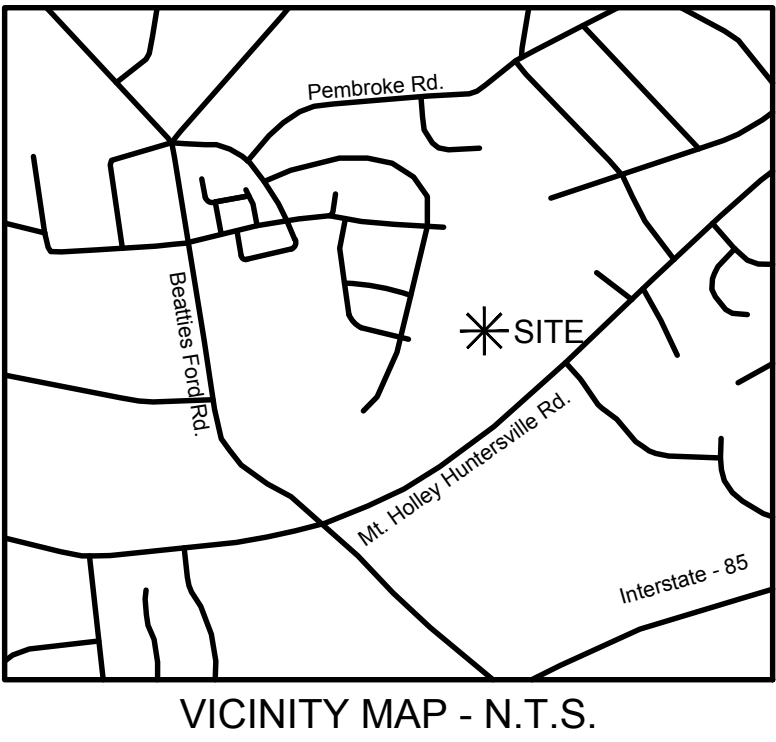
Corporate Seal

Engineer's Seal

Project Manager	Drawn
D. Gates	J. Vavrina
Department Manager	Checked
P. Murphy	D. Gates
Print/Plot Date	
March 8, 2023	
Asbuilt Drawn	Asbuilt Date
-	-
Client	
Carver Bowman, LLC 13815 CINNABAR PLACE HUNTERSVILLE, NC 28078 P: (704) 875-9704	
Project: Oak Grove Hill Rezoning/Sketch Plan: Phase 3	
Drawing Title: Grading Plan: Phase 3	
Project No. 5259 DWG File Name: 5259-Grading	Drawing No. GP-6



- LEGEND**
- LARGE MATURING TREES (40' OC)
 - PROPOSED URBAN OPEN SPACE TREES
 - SMALL MATURING TREES (40' OC)
 - EX. SPECIMEN TREE TO BE SAVED W/ PROTECTION
 - EX. SPECIMEN TREE TO BE REMOVED
 - 35' SWIM BUFFER
 - 20' UNDISTURBED BUFFER
 - 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY
 - 20' REPLANTED BUFFER
 - TREE SAVE AREA
 - URBAN OPEN SPACE (UOS)



DATE	ISSUED FOR	REV
8/15/2022	Pre Submittal to Town of Huntersville	0
11/23/2022	Initial Submittal to Town of Huntersville	1
1/20/2023	Second Submittal to Town of Huntersville	2
3/08/2023	Third Submittal to Town of Huntersville	3



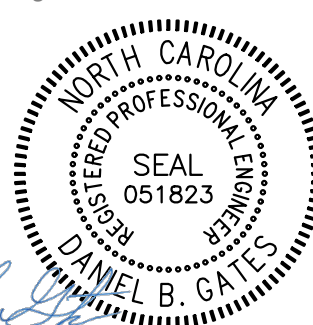
Engineer:



R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning
Management
1186 Stonemont Blvd., Tega Cay, S.C. 29708 P: (803) 802-1799

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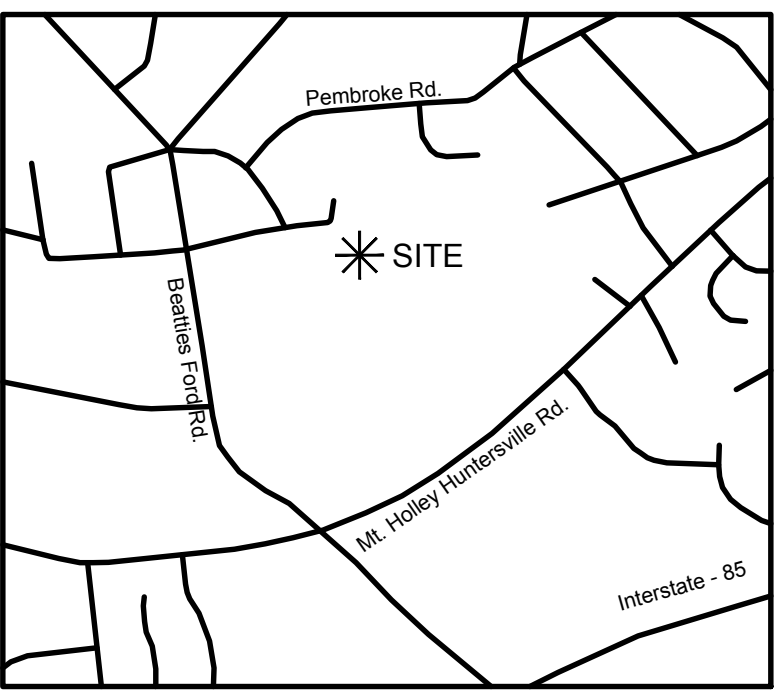
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Corporate Seal

Engineer's Seal

Project Manager D. Gates	Drawn T. Alston
Department Manager P. Murphy	Checked D. Gates
Print/Plot Date March 8, 2023	
Asbuilt Drawn -	Asbuilt Date -
Client Carver Bowman, LLC 13815 CINNABAR PLACE HUNTERSVILLE, NC 28078 P: (704) 875-9704	
Project: Oak Grove Hill Rezoning/Sketch Plan: Phase 3	
Drawing Title: Overall Landscape	
Project No. 5259 DWG File Name: 5259_Landscape Plan	Drawing No. LP-1



VICINITY MAP - N.T.S.



LEGEND

- LARGE MATURING TREES (40' OC)
- PROPOSED URBAN OPEN SPACE TREES
- SMALL MATURING TREES (40' OC)
- EX. SPECIMEN TREE TO BE SAVED W/ PROTECTION
- EX. SPECIMEN TREE TO BE REMOVED
- 35' SWIM BUFFER
- 20' UNDISTURBED BUFFER
- 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY
- 20' REPLANTED BUFFER
- TREE SAVE AREA
- URBAN OPEN SPACE (UOS)
- 20' BUFFERS WITH REQUESTED MODIFICATION
- RESIDENTIAL LOT TREE
- STREET LIGHT
- STOP SIGN
- STREET SIGN
- SPEED LIMIT SIGN

TREE LEGEND

- | | | | |
|----|----------|----|-----------|
| TR | - Tree | GU | - Gum |
| EL | - Elm | MA | - Maple |
| BE | - Beach | PE | - Pecan |
| P | - Pine | WA | - Walnut |
| PO | - Poplar | HI | - Hickory |
| OA | - Oak | | |

STREET TREE REQUIREMENTS

Plantable ROAD Frontage (LF)	Large Trees	Small Trees	Street Name
2,432 (X2)	122	0	Butternut Oak Terr.
1,550 (X2)	77	0	Carver Ave.
315 (X1)	8	0	Pembroke Rd.
293 (X2) + 185 (X1)	19	0	Overhill Rd.
1,030 (X2)	52	0	Cherrybark Oak Ln.
+ 273 (Dbl. Row)	+ 0	+ 7 (X2)	Beattles Ford Rd.
11,383	278	14	Total (189)

See Development Data on cover sheet.

Road Frontage: 11,383 LF

Street Trees Required: 11,110 / 40 = 277 Street Trees + 14(Mt. Holly-Huntersville and Beattles Ford Double Row)

201 - Total Required

Proposed: 163 Large 12 Small

- Large maturing trees shall be from approved urban forestry species list.

- Different species of trees shall be used on different streets.

No heritage trees exist on this property.

Note:

- Street tree location to be approximate and subject to change at preliminary/construction plan phase.

- No street trees within 40 feet of a radius return.

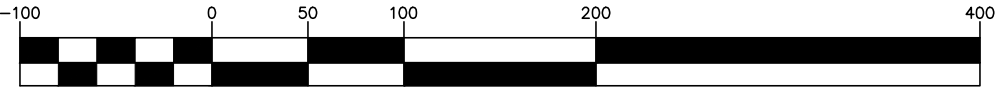
- Trees planted as tree canopy mitigation shall be a minimum of 2" in caliper and 25% shall be evergreens.

- For any small maturing trees planted under power lines, if power lines are relocated, large maturing canopy trees shall be planted instead.

LANDSCAPING NOTES (PER TOWN OF HUNTERSVILLE):

- STREET TREES ARE REQUIRED TO BE WITHIN A MINIMUM 7-FOOT PLANTING STRIP LOCATED BETWEEN THE PROPOSED STREET AND PROPOSED SIDEWALK. PLANTING SHALL BE PROVIDED AS FOLLOWS:
 - A) LARGE MATURING CANOPY TREES SHALL BE PLANTED AT A SPACING NOT TO EXCEED 40 FEET ON CENTER EXCEPT THAT SPACING MAY BE ALTERED SLIGHTLY TO ACCOMMODATE DRIVEWAYS.
 - B) SMALL MATURING "CANOPY-LIKE" TREES SHALL BE PLANTED 30 FEET ON CENTER WHERE EXISTING OVERHEAD UTILITY LINES PROHIBIT THE USE OF LARGE MATURING CANOPY TREES.
- ALL REQUIRED PLANTINGS SHALL BE INSTALLED IN A MANNER THAT INSURES THE AVAILABILITY OF SUFFICIENT SOIL AND WATER FOR HEALTHY GROWTH AND THAT IS NOT INTRUSIVE TO ABOVEGROUND AND UNDERGROUND UTILITIES
- ALL STREET TREES MUST BE FROM THE "TOWN OF HUNTERSVILLE TREE AND SHRUB LIST."
- ALL TREES SHALL BE A MINIMUM OF 2 INCHES IN CALIPER AND 8 FEET IN HEIGHT AT THE TIME OF PLANTING, UNLESS OTHERWISE SPECIFIED.
- INSTALLATION OF TREES AND SHRUBS SHALL COMPLY WITH THE TOWN OF HUNTERSVILLE ENGINEERING STANDARDS AND PROCEDURES MANUAL.
- EVERY REASONABLE EFFORT SHALL BE MADE TO PROTECT AND RETAIN EXISTING TREES AND SHRUBS NOT ACTUALLY LYING IN PLANNED ROADWAYS, DRAINAGEWAYS, BUILDING FOUNDATION SITES AND CONSTRUCTION ACTIVITY AREAS, EXCEPT WHEN NECESSARY TO PROVIDE ACCESS TO A SITE OR TO INSURE THE SAFETY AND SECURITY OF PEOPLE AND PROPERTY. ANY EXISTING HEALTHY TREES THAT ARE EIGHT INCHES OR GREATER IN CALIPER, LOCATED WITH A PUBLIC RIGHT-OF-WAY OR UNDEVELOPED REQUIRED YARD SHALL BE RETAINED UNLESS APPROVED FOR REMOVAL BY STAFF DURING PLAN REVIEW.
- TREES SHALL NOT BE PLANTED WITHIN 40' OF THE CURB RETURN ON A STOP/YIELD CONTROLLED APPROACH. ALSO NOTE THAT TREES SHALL BE PLANTED AT LEAST 10' FROM DRAINAGE STRUCTURES.
- ALL LOT TREES AS PER SECTION 7.7 (STREET TREES AND INTERNAL LANDSCAPING) OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE. EXISTING SPECIMEN TREES TO BE USED IN LIEU OF NEW PLANTINGS (AS APPROVED BY TOWN OF HUNTERSVILLE).
- STREET TREE LOCATIONS SHOWN ON THIS PLAN ARE GENERAL IN NATURE AND SUBJECT TO REFINEMENT DURING THE CONSTRUCTION PLAN DEVELOPMENT PROCESS.

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

TREE PRESERVATION

Specimen tree - A tree (or group of trees) that may be considered important community assets due to their unique or noteworthy characteristics or values. A tree may be considered a specimen tree based on its size, age, rarity or special historical or ecological significance and may also meet the following criteria:

- Large hardwood (e.g. oaks, poplars, maples, etc.) and softwoods (e.g. pines) in good or better or better condition with a DBH of 24" or greater.
- Smaller understory trees (e.g. dogwoods, redbuds, sourwoods, persimmons, etc.) in good or better condition with a DBH of 12" or greater.
- Lesser-sized trees of rare species or special intrinsic value as approved by staff.

Heritage tree - A tree that is listed in the North Carolina Big Tree List, the American Forest Association's Champion Tree list, the Mecklenburg County treasure Tree List or any tree that would meet 80% of the points of a tree on North Carolina's Big Tree List.

Note: Urban open spaces shall include one or more of the following: landscaping, walks, seating, fountains, playground equipment, statues, etc. Materials used shall be a combination of brick pavers, stamped asphalt, stone, wrought iron, wood, crushed gravel or stone etc.

OAK GROVE HILL TREE PRESERVATION

	PHASE 1&2	PHASE 3	ALL PHASES
SITE ACREAGE	38.05± AC	28.87± AC	66.92± AC
% COVERED BY TREE CANOPY	26.28± AC (69.0%)	22.07± AC (76.4%)	48.33± AC (72.2%)
% OF TREE CANOPY PRESERVATION REQUIRED	3.81± AC (10%)	2.89± AC (10%)	6.69± AC (10%)
% OF TREE CANOPY PROVIDED	3.48± AC (9.15%)	6.20± AC (21.5%)	9.68± AC (14.5%)
NO. OF SPECIMEN TREES ON-SITE*	8	81	89
NO. OF SPECIMEN TREES TO BE SAVED (MIN REQ. 10%)	3 (37%)	19 (22%)	22 (25%)
NO. OF HERITAGE TREES ON SITE	0	1	1

* DOES NOT INCLUDE SPECIMEN TREES WITH PROPOSED SMITH PROPERTY BOUNDARY

URBAN OPEN SPACE

Note: Urban open spaces shall include one or more of the following: landscaping, walks, seating, fountains, playground equipment, statues, etc. Materials used shall be a combination of brick pavers, stamped asphalt, stone, wrought iron, wood, crushed gravel or stone etc.

Urban Open Space Table		
U.O.S #	Area	Type
1	12,633 SF	Mini/Pocket Park
2	30,477 SF	Green

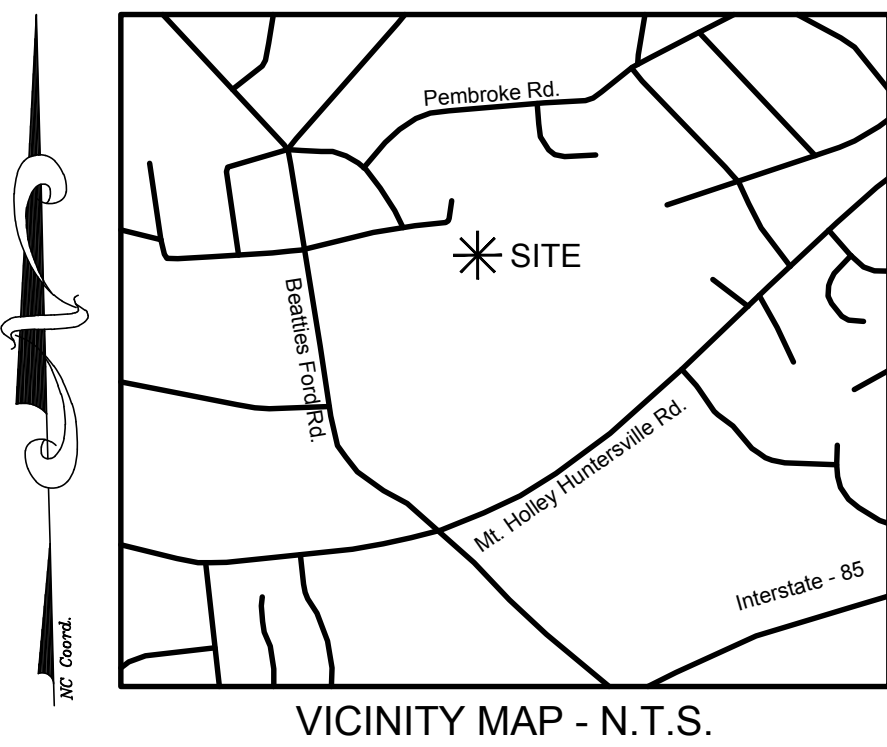
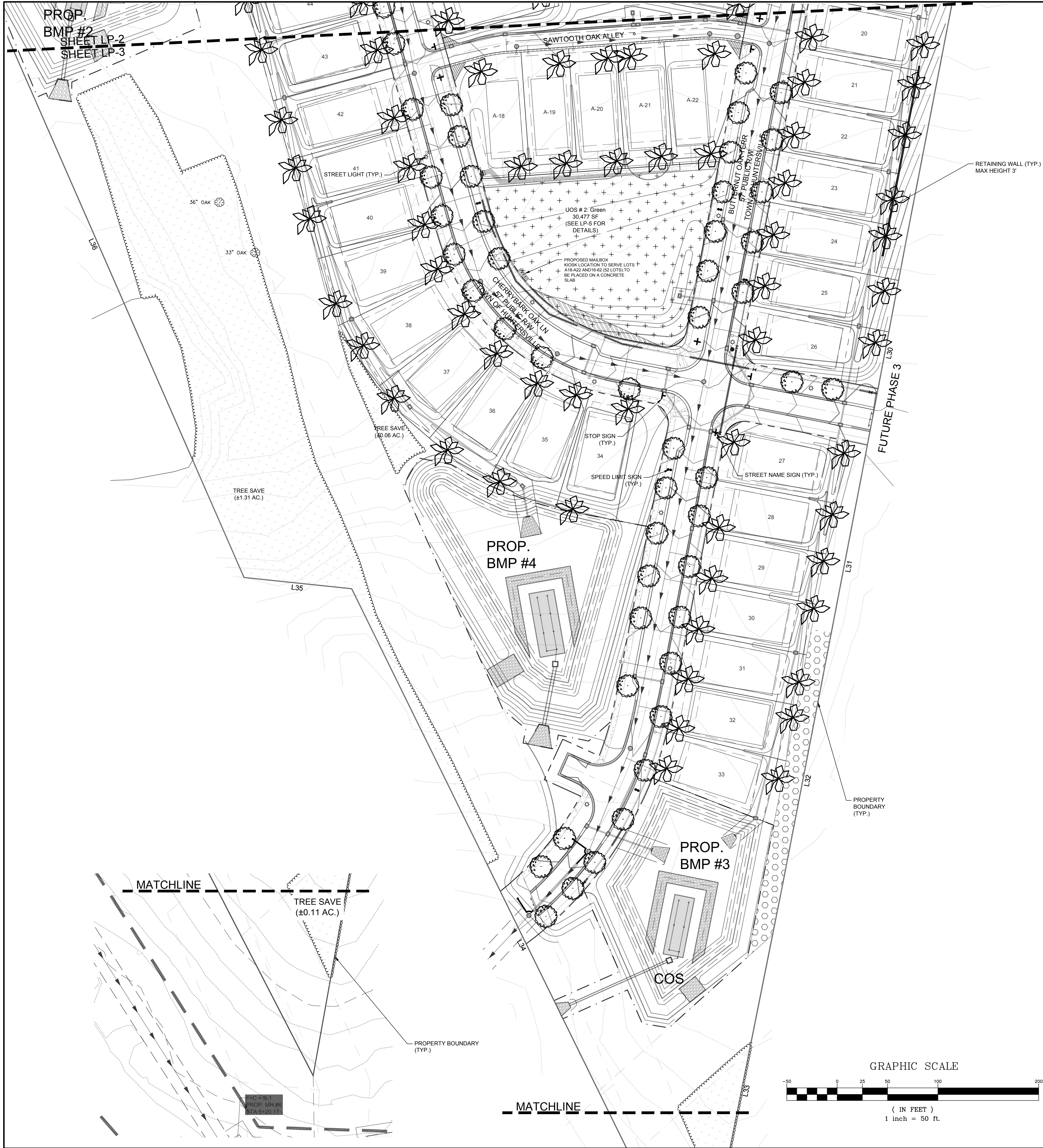
Residential Lot Trees:

In order to maintain or replenish the urban tree canopy in areas of new residential subdivision, each lot shall provide canopy trees in accordance with the following schedule:

Lot Size	Number of Lots	Required Number of Canopy Trees
Less than 10,000 SF	103	1 Front yard, 1 Rear yard
10,000-15,000 SF	2	1 Front yard, 2 Rear yard
15,001-20,000 SF	0	2 Front yard, 2 Rear yard
More than 20,000 SF	0	3 Front yard, 3 Rear yard
	105	109 Front yard, 111 Rear yard

Lot Trees Required 105 x (1 Front + 1 Rear) + 2 x (1 Front + 2 Rear) = 216
Lot Trees Proposed 216

The use of existing trees to satisfy this requirement is encouraged. Required street trees may not be counted towards the fulfillment of this requirement.



LEGEND

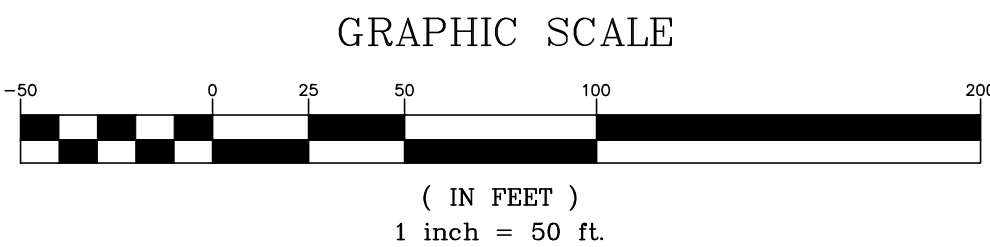
- LARGE MATURING TREES (40' OC)
- PROPOSED URBAN OPEN SPACE TREES
- SMALL MATURING TREES (40' OC)
- EX. SPECIMEN TREE TO BE SAVED
- EX. SPECIMEN TREE TO BE REMOVED
- RESIDENTIAL LOT TREE
- STREET LIGHT
- STOP SIGN
- STREET SIGN
- SPEED LIMIT SIGN
- 35' SWIM BUFFER
- 20' UNDISTURBED BUFFER
- 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY
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5/1/20	Initial EPM Submittal	1
8/5/20	Second EPM Submittal	2
10/13/20	Third EPM Submittal	3
12/18/20	Fourth EPM Submittal	4



Engineer:

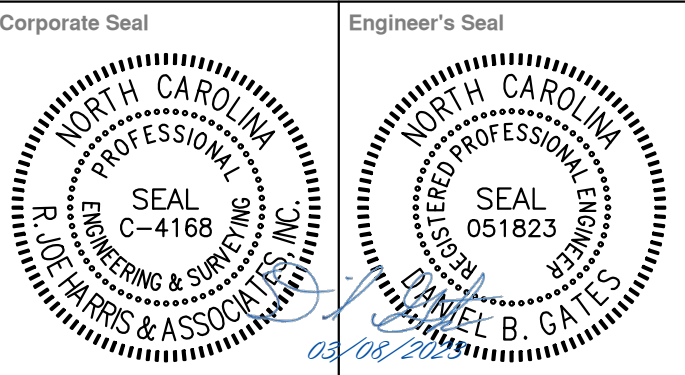


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1166 Stonecrest Blvd., Tega Cay, S.C. 29708 P: (803) 802-1799

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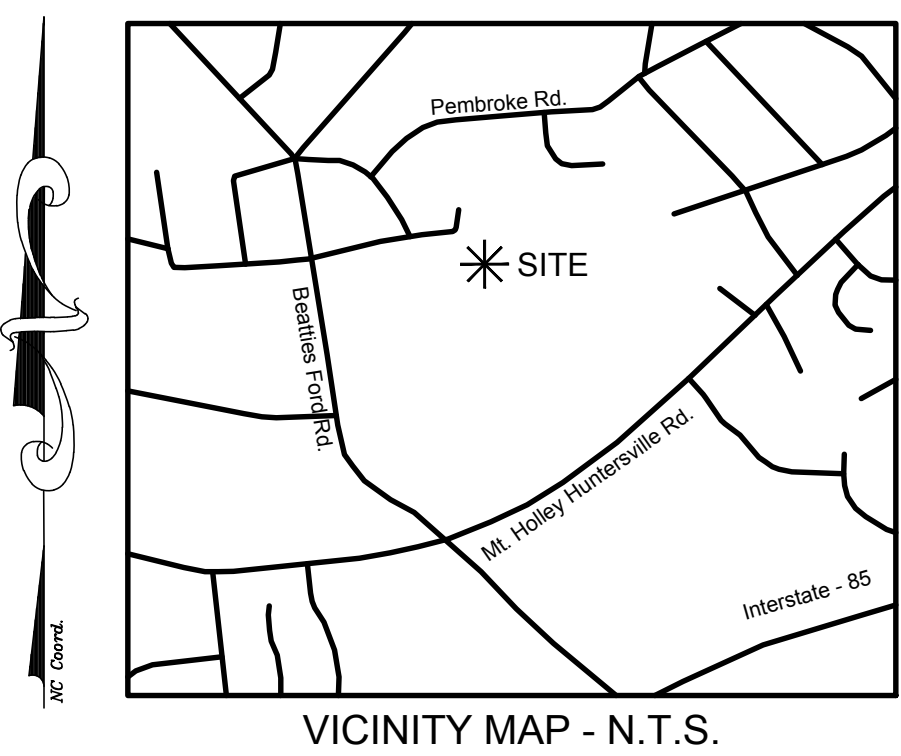


Project Manager D. Gates	Drawn T. Alston
Department Manager P. Murphy	Checked D. Gates
Print/Plot Date March 8, 2023	
Asbuilt Drawn -	Asbuilt Date -
Client BOWMAN DEVELOPMENT GROUP 13815 CINNABAR PLACE HUNTERSVILLE, NC 28078 P: (704) 875-9704	

Project:
Oak Grove Hill-Phases 1&2

Drawing Title:
**Landscape Plan 3:
Phase 1 & 2**

Project No. 2839	Drawing No. LP-4
DWG File Name: 2839-Landscape plan	



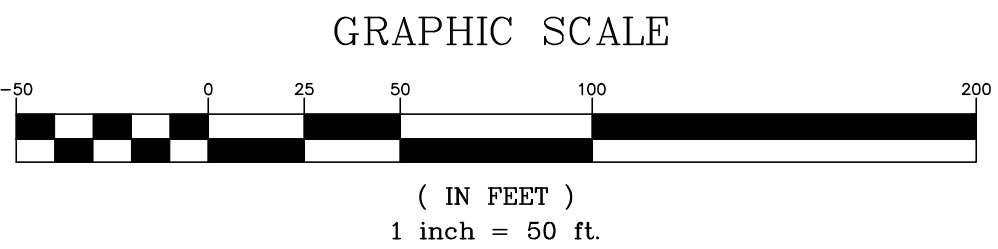
- LEGEND**
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 - PROPOSED URBAN OPEN SPACE TREES
 - SMALL MATURING TREES (40' OC)
 - EX. SPECIMEN TREE TO BE SAVED
 - EX. SPECIMEN TREE TO BE REMOVED
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The use of existing trees to satisfy this requirement is encouraged. Required street trees may not be counted towards the fulfillment of this requirement.

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U.O.S.#	Area	Type
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Corporate Seal

Engineer's Seal

Project Manager	Drawn
D. Gates	T. Alston
Department Manager	Checked
P. Murphy	D. Gates
Print/Plot Date	
March 8, 2023	
Asbuilt Drawn	Asbuilt Date
-	-
Client	
BOWMAN DEVELOPMENT GROUP	
13815 CINNABAR PLACE	
HUNTERSVILLE, NC 28078	
P: (704) 875-9704	

Project:

Oak Grove Hill-Phases 1&2

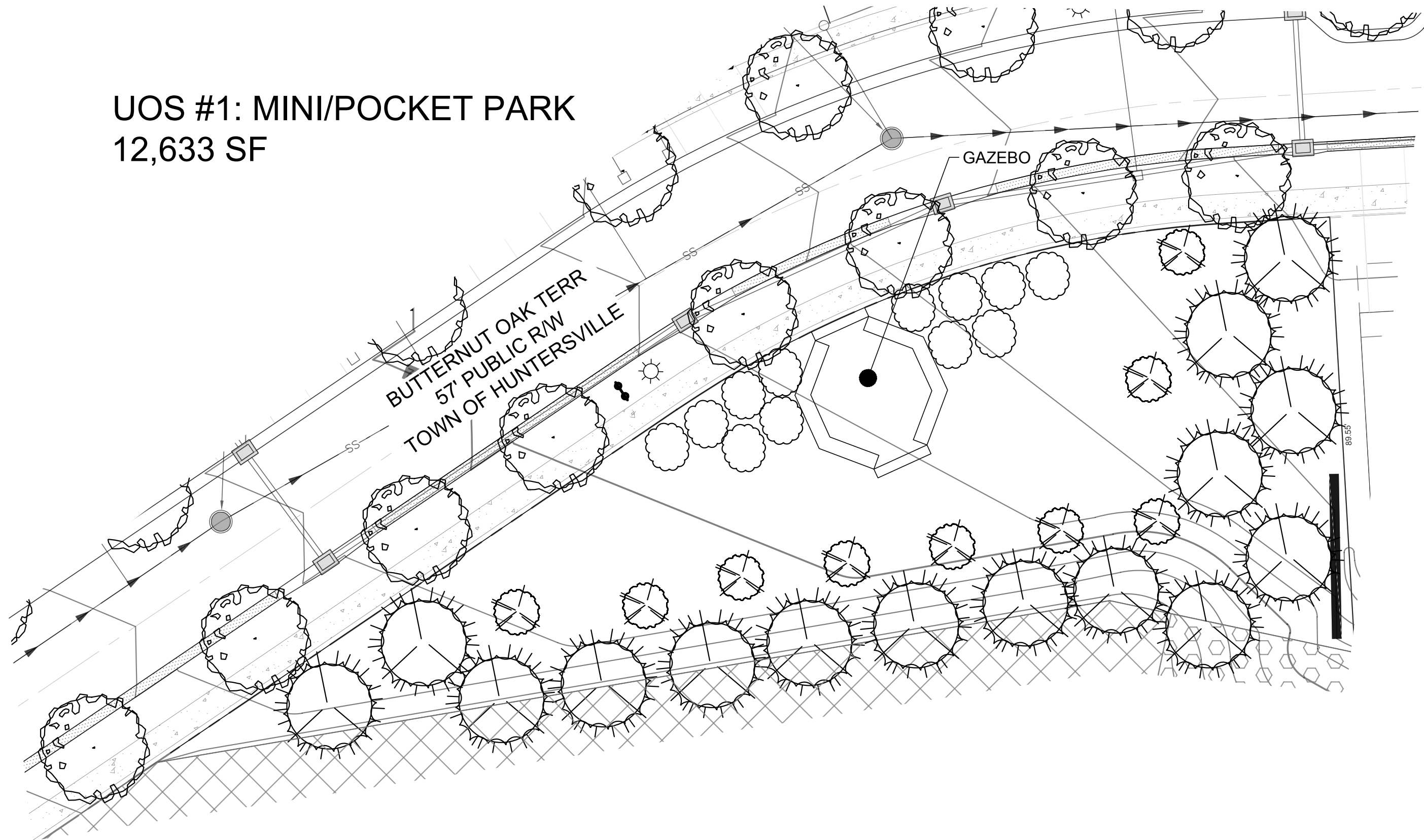
Drawing Title:

Landscape Plan 4:
Phase 1 & 2

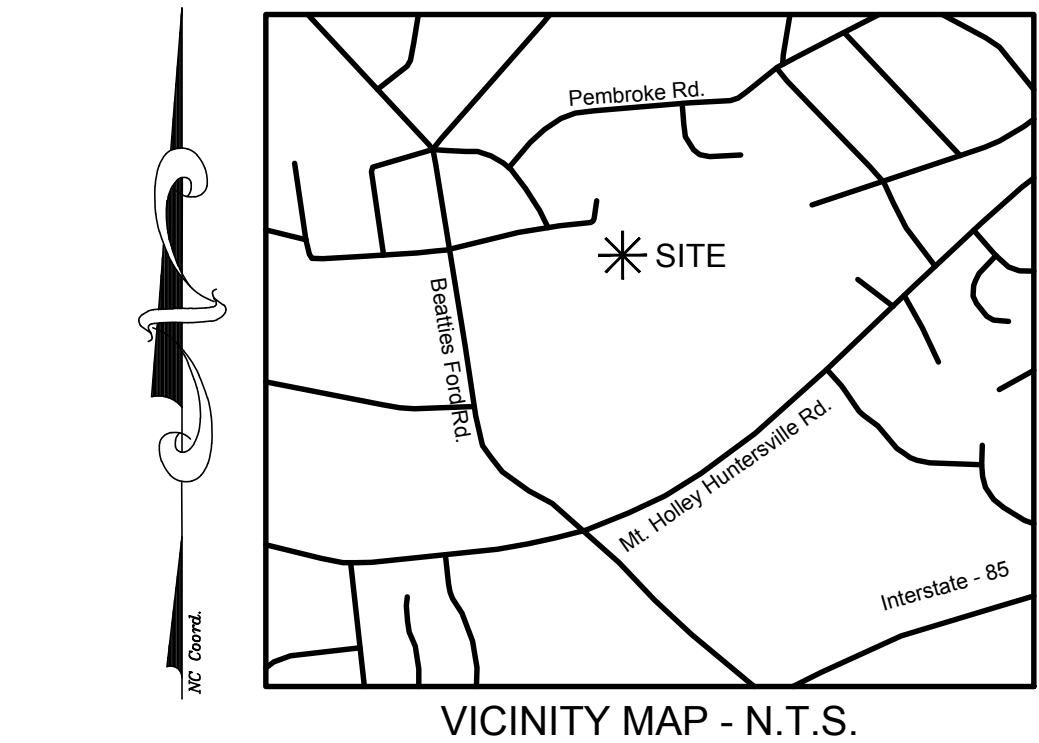
Project No.	Drawing No.
2839	
DWG File Name:	
2839-Landscape plan	

LP-5

UOS #1: MINI/POCKET PARK
12,633 SF



GAZEBO FOR MINI/POCKET PARK

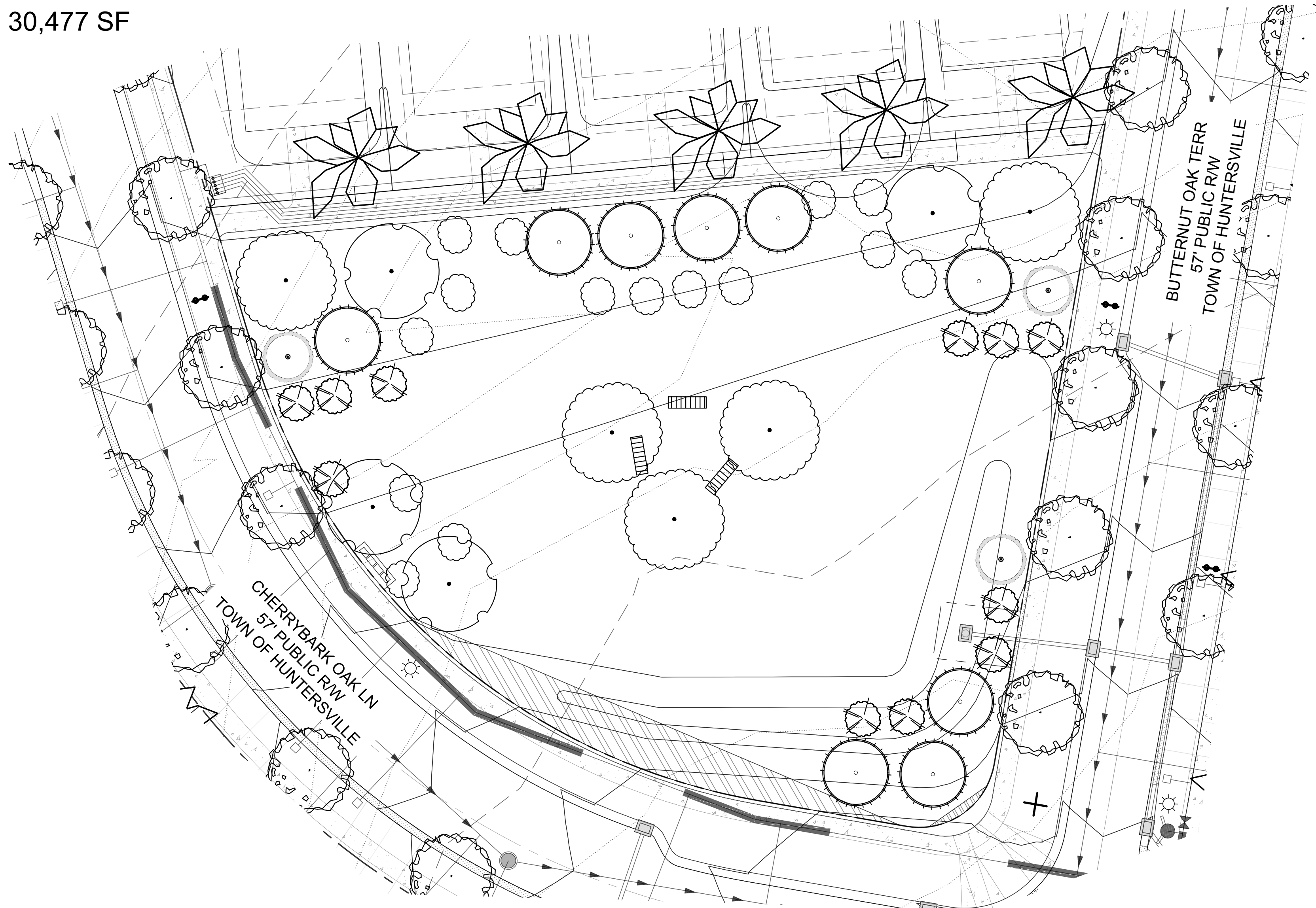


VICINITY MAP - N.T.S.

LEGEND

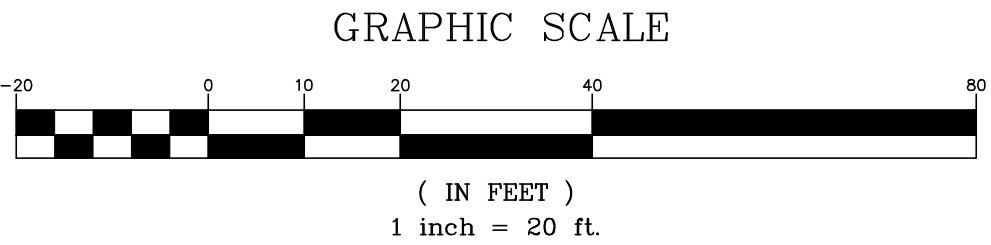
- RESIDENTIAL LOT TREE
- LARGE MATURING TREES (40' OC)
- LIVE OAK
- NUTTALL OAK
- RED CEDAR
- CRYPTOMERIA
- LITTLE GEM MAGNOLIA
- WAX MYRTLE
- LOROPETALUM
- PARK BENCH
- STREET LIGHT
- STOP SIGN
- STREET SIGN
- SPEED LIMIT SIGN

UOS # 2: Green
30,477 SF



UOS Totals			
ITEM	UOS #1	UOS #2	TOTAL
LIVE OAK	0	5	5
NUTTALL OAK	0	4	4
RED CEDAR	15	0	15
CRYPTOMERIA	0	9	9
LITTLE GEM MAGNOLIA	0	3	3
WAX MYRTLE	9	11	20
LOROPETALUM	12	15	28
PARK BENCH	0	3	3
GAZEBO	1	0	1

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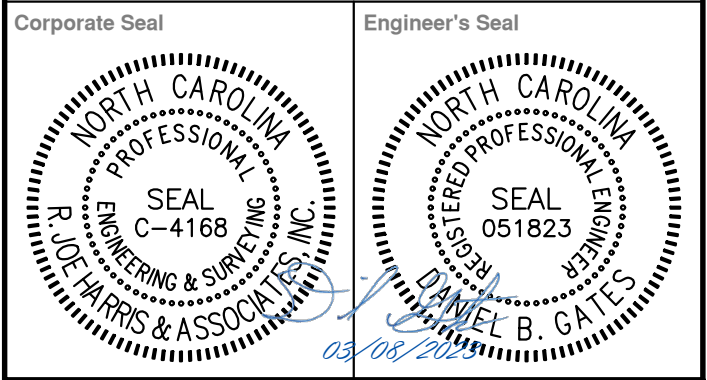


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Print/Plot Date March 8, 2023	
Asbuilt Drawn -	Asbuilt Date -

Client

BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

Project:

Oak Grove Hill-Phases 1&2

Drawing Title:

Urban Open Space Design:
Phase 1 & 2

Project No. 2839 DWG File Name: 2839-Landscape plan	Drawing No. LP-6
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TREE LEGEND

TR	- Tree	GU	- Gum
EL	- Elm	MA	- Maple
BE	- Beach	PE	- Pecan
P	- Pine	WA	- Walnut
PO	- Poplar	HI	- Hickory
OA	- Oak		

Urban Open Space			Common Open Space		
U.O.S #	Area	Type	C.O.S #	Area	Type
1	36,038 SF	Mini/Pocket Park	1	593,223 SF	COS
			2	57,168 SF	Buffers
Total	36,038 SF 0.83 Acres		Total	650,391 SF 14.93 Acres	

TREE PRESERVATION

ZONING:	NR (CD)
ACREAGE:	28.87± ACRES
COVERED BY TREE CANOPY:	76.4%
TREE CANOPY PRESERVATION REQUIRED: 10%	±2.87 ACRES
TREE CANOPY PRESERVATION PROVIDED: 21.5%	±6.20 ACRES
NO. OF SPECIMEN TREES ON-SITE:	81
NO. OF SPECIMEN TREES SAVED (Min. Req. 10%):	19 (Provided 22.2%)
NO. OF HERITAGE TREES ON-SITE:	1
NO. OF HERITAGE TREES SAVED (Min. Req. 100%):	1 (Provided 100%)

TREE PRESERVATION

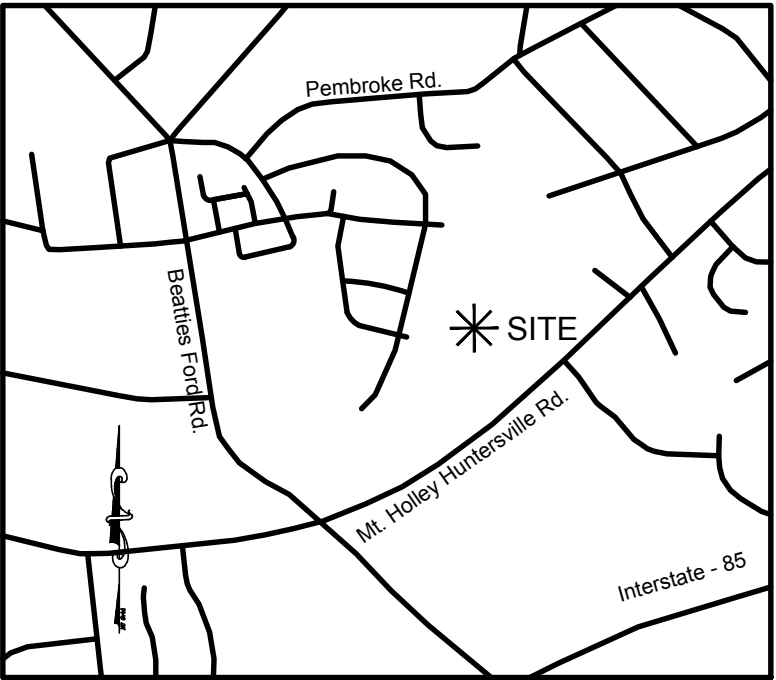
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Note: Yard Trees will be planted as to not conflict with street trees.



VICINITY MAP - N.T.S.

LEGEND

- 35' S.W.I.M BUFFER
- 30' Post Construction Buffer
- 20' Natural Buffer (1.05 Acres total)
- Urban Open space
- Tree Save space
- 82 LARGE MATURING TREES (40' OC)
- 106 RED MAPLE LOT TREES
- EXISTING SPECIMEN TREE

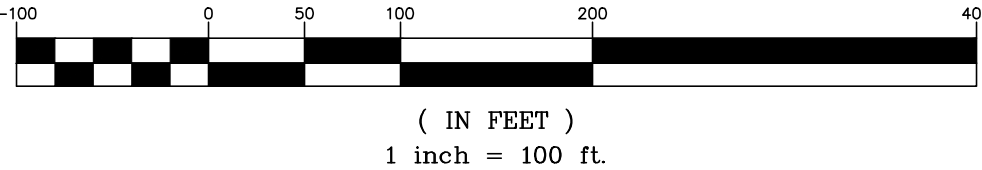


LANDSCAPING NOTES (PER TOWN OF HUNTERSVILLE):

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A) LARGE MATURING CANOPY TREES SHALL BE PLANTED AT A SPACING NOT TO EXCEED 40-FEET ON CENTER EXCEPT THAT SPACING MAY BE ALTERED SLIGHTLY TO ACCOMMODATE DRIVEWAYS.
B) SMALL MATURING "CANOPY-LIKE" TREES SHALL BE PLANTED 30-FEET ON CENTER WHERE EXISTING OVERHEAD UTILITY LINES PROHIBIT THE USE OF LARGE MATURING CANOPY TREES.
- NEW TREES SHALL BE REQUIRED WITHIN EACH RESIDENTIAL LOT. IN ORDER TO MAINTAIN OR REPLENISH THE URBAN TREE CANOPY IN AREAS OF NEW RESIDENTIAL SUBDIVISION, EACH LOT SHALL PROVIDE AN APPROVED CANOPY TREE AS LISTED ON THE TOWN OF HUNTERSVILLE TREE AND SHRUB LIST. (SEE LOT SIZE CHART THIS PAGE)
FOR LOTS LESS THAN 10,000 SQ. FT., 1 FRONT YARD AND 1 REAR YARD CANOPY TREE SHALL BE REQUIRED.
FOR LOTS BETWEEN 10,000 SQ. FT. AND 15,000 SQ. FT., 1 FRONT YARD AND 2 REAR YARD CANOPY TREES SHALL BE REQUIRED.
FOR LOTS BETWEEN 15,000 SQ. FT. AND 20,000 SQ. FT., 2 FRONT YARD AND 2 REAR YARD CANOPY TREES SHALL BE REQUIRED.
FOR LOTS MORE THAN 20,000 SQ. FT., 3 FRONT YARD AND 3 REAR YARD CANOPY TREES SHALL BE REQUIRED.
- ALL REQUIRED PLANTINGS SHALL BE INSTALLED IN A MANNER THAT INSURES THE AVAILABILITY OF SUFFICIENT SOIL AND WATER FOR HEALTHY GROWTH AND THAT IS NOT INTRUSIVE TO ABOVEGROUND AND UNDERGROUND UTILITIES
- ALL STREET TREES MUST BE FROM THE "TOWN OF HUNTERSVILLE TREE AND SHRUB LIST."
- ALL TREES SHALL BE A MINIMUM OF 2-INCHES IN CALIPER AND 8-FEET IN HEIGHT AT THE TIME OF PLANTING, UNLESS OTHERWISE SPECIFIED.
- INSTALLATION OF TREES AND SHRUBS SHALL COMPLY WITH THE TOWN OF HUNTERSVILLE ENGINEERING STANDARDS AND PROCEDURES MANUAL.
- EVERY REASONABLE EFFORT SHALL BE MADE TO PROTECT AND RETAIN EXISTING TREES AND SHRUBS NOT ACTUALLY LYING IN PLANNED ROADWAYS, DRAINAGEWAYS, BUILDING FOUNDATION SITES AND CONSTRUCTION ACTIVITY AREAS. EXCEPT WHEN NECESSARY TO PROVIDE ACCESS TO A SITE OR TO INSURE THE SAFETY AND SECURITY OF PEOPLE AND PROPERTY ANY EXISTING HEALTHY TREES THAT ARE EIGHT INCHES OR GREATER IN CALIPER, LOCATED WITHIN A PUBLIC RIGHT-OF-WAY OR UNDEVELOPED REQUIRED YARD SHALL BE RETAINED UNLESS APPROVED FOR REMOVAL BY STAFF DURING PLAN REVIEW.
- TREES SHOULD NOT BE PLANTED: WITHIN 40' OF THE CURB RETURN.
WITHIN 10' FROM DRAINAGE STRUCTURES.
WITHIN 40' OF RADIUS RETURN AT AN INTERSECTION.
AT OR IN A STORM DRAINAGE EASEMENT.
ON TOP OF STORM DRAIN LINE.
WITHIN SIGHT DISTANCE.
- ALL LOT TREES AS PER SECTION 7.7 (STREET TREES AND INTERNAL LANDSCAPING) OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE. EXISTING SPECIMEN TREES TO BE USED IN LIEU OF NEW PLANTINGS (AS APPROVED BY TOWN OF HUNTERSVILLE).
- AS THE REMAINDER OF THE THOROUGHFARE IS BUILT, DOUBLE ROW OF TREES AND SIDEWALKS WILL BE REQUIRED.



GRAPHIC SCALE



DATE	ISSUED FOR	REV
8/15/2022	Pre Submittal to Town of Huntersville	0
11/23/2022	Initial Submittal to Town of Huntersville	1
1/20/2023	Second Submittal to Town of Huntersville	2
3/08/2023	Third Submittal to Town of Huntersville	3



Engineer:



R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning
Management
1188 Stonerock Blvd., Tega Cay, S.C. 29708 P: (803) 802-1799

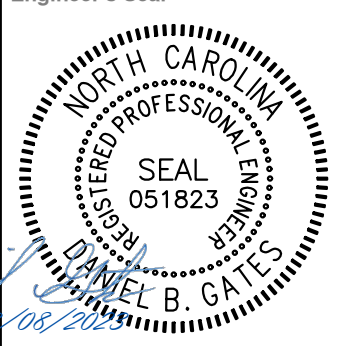
www.rjoeharris.com

This drawing shall not be used for construction purposes until the seal and signature of the responsible registrant appears on the drawing, and proper permit forms and related fees are transmitted by the Owner, Owner's Agent or Contractor to the Authority having jurisdiction.

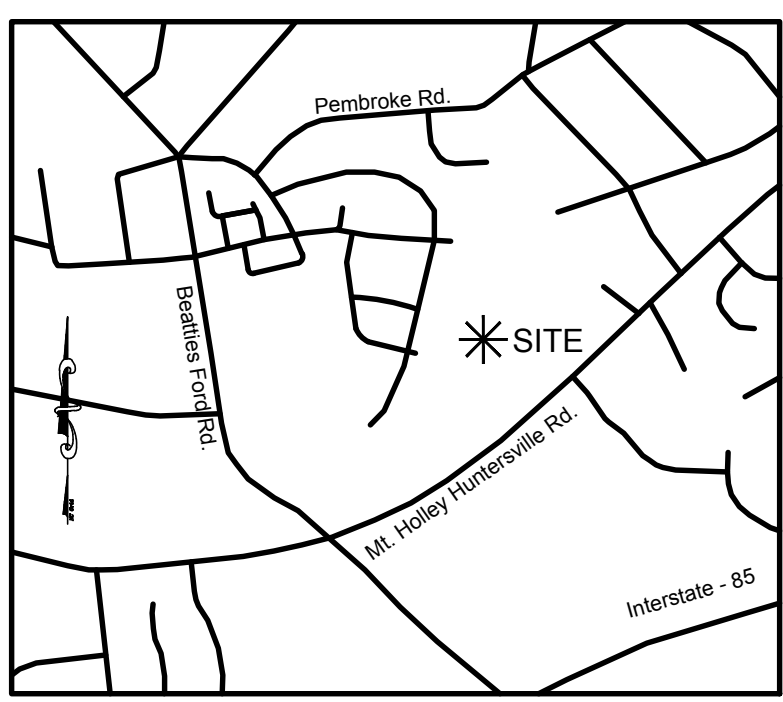
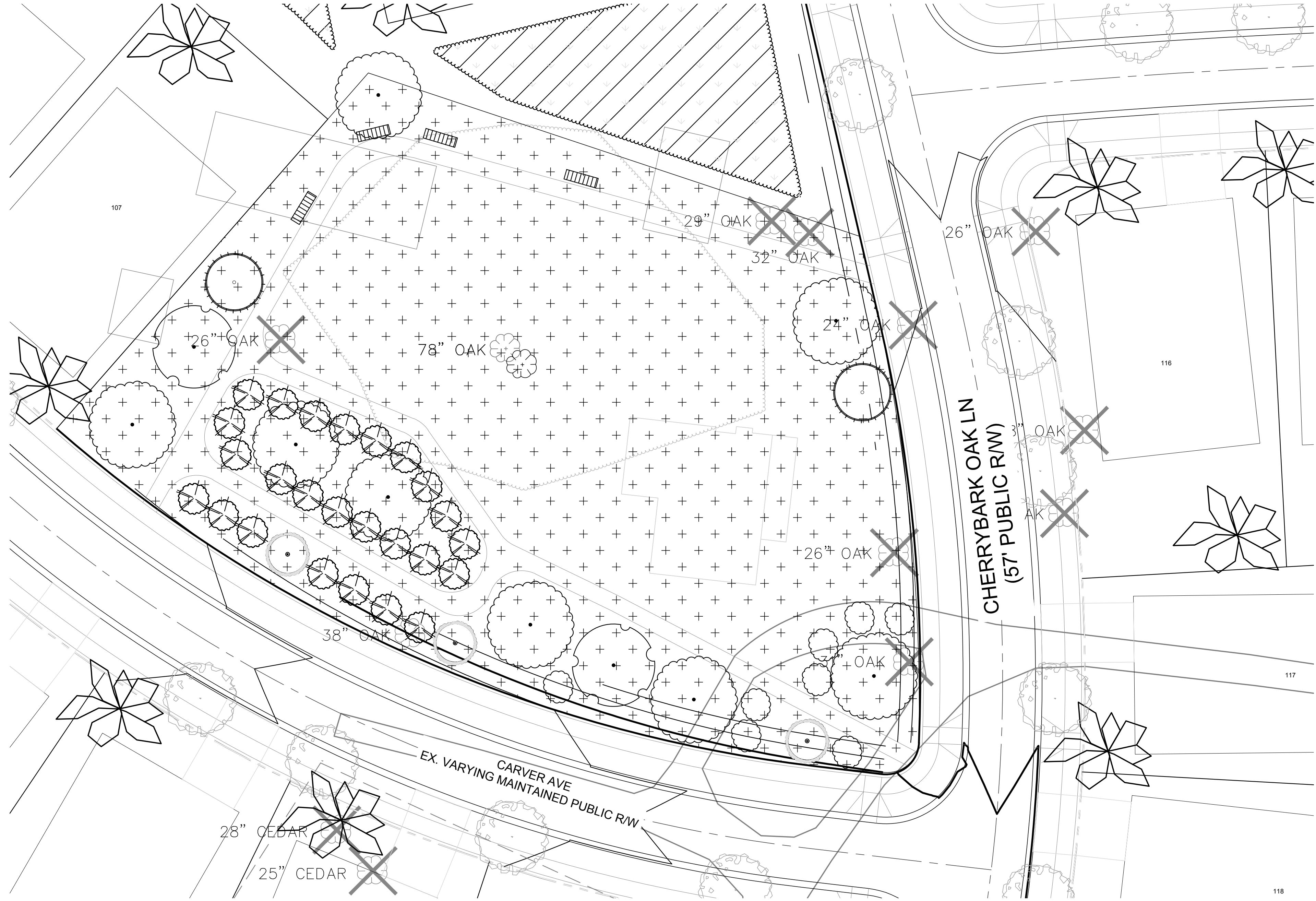
Corporate Seal



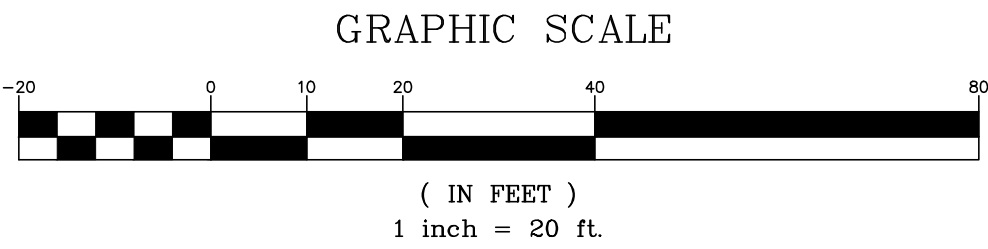
Engineer's Seal



Project Manager D. Gates	Drawn T. Alston
Department Manager P. Murphy	Checked D. Gates
Print/Plot Date March 8, 2023	
Asbuilt Drawn -	Asbuilt Date -
Client Carver Bowman, LLC 13815 CINNABAR PLACE HUNTERSVILLE, NC 28078 P: (704) 875-9704	
Project: Oak Grove Hill Rezoning/Sketch Plan: Phase 3	
Drawing Title: Landscape	
Project No. 5259 DWG File Name: 5259_Landscape Plan	Drawing No. LP-7



VICINITY MAP - N.T.S.



LEGEND

- RESIDENTIAL LOT TREE
- LARGE MATURING TREES (40' OC)
- LIVE OAK
- NUTTALL OAK
- RED CEDAR
- CRYPTOMERIA
- LITTLE GEM MAGNOLIA
- WAX MYRTLE
- LOROPETALUM
- PARK BENCH
- STREET LIGHT
- STOP SIGN
- STREET SIGN
- SPEED LIMIT SIGN



SEATING BENCH
PROVISION OF SEATING BENCH UNDER/NEAR
ARBOR/PERGOLA AND MAY CONSIST OF THE FOLLOWING
MATERIALS:

- TREATED WOOD/TIMBERS
- ALUMINUM OR CAST IRON/STEEL
- COMPOSITE MATERIALS
- DURABLE PLASTICS

Open Space Table					
Urban Open Space			Common Open Space		
U.O.S #	Area	Type	C.O.S #	Area	Type
1	12,633 SF	Mini/Pocket Park	1	593,223 SF	COS
2	30,477 SF	Green	2	57,168 SF	Buffers
3	36,038 SF	Mini/Pocket Park			
Total	79,148 SF 1.82 Acres		Total	650,391 SF 14.93 Acres	

UOS Totals				
ITEM	UOS #1	UOS #2	UOS #3	TOTAL
LIVE OAK	0	5	8	13
NUTTALL OAK	0	4	2	6
RED CEDAR	15	0	0	15
CRYPTOMERIA	0	9	2	11
LITTLE GEM MAGNOLIA	0	3	3	6
WAX MYRTLE	9	11	25	45
LOROPETALUM	12	15	8	36
PARK BENCH	0	3	4	7
GAZEBO	1	0	0	1

DATE	ISSUED FOR	REV
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Corporate Seal

Engineer's Seal

Project Manager D. Gates	Drawn T. Alston
Department Manager P. Murphy	Checked D. Gates
Print/Plot Date March 8, 2023	
Asbuilt Drawn -	Asbuilt Date -
Client Carver Bowman, LLC 13815 CINNABAR PLACE HUNTERSVILLE, NC 28078 P: (704) 875-9704	
Project: Oak Grove Hill Rezoning/Sketch Plan: Phase 3	
Drawing Title: UOS-Design: Phase 3	
Project No. 5259 DWG File Name: 5259_Landscape Plan	Drawing No. LP-8



- LEGEND:**
- Prop. PVC Water Line
 - Prop. DIP Water Line
 - Prop. Fire Hydrant Assembly
 - Prop. Gate Valve
 - Prop. Reducer
 - Prop. Sanitary Sewer Line
 - Prop. Sanitary Sewer Manhole
 - Prop. RCP Storm Pipe

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8/15/2022	Pre Submittal to Town of Huntersville	0
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Engineer:



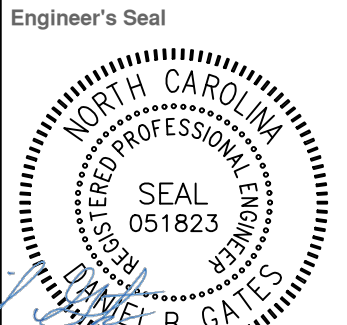
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www.rjoeharris.com

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CORPORATE SEAL
NORTH CAROLINA
PROFESSIONAL
SEAL
C-4168
R. JOE HARRIS & ASSOCIATES, INC.



ENGINEER'S SEAL
NORTH CAROLINA
PROFESSIONAL ENGINEER
SEAL
051823
DANIEL B. GATES
03/08/2023

Project Manager	Drawn
D. Gates	T. Alston
Department Manager	Checked
P. Murphy	D. Gates
Print/Plot Date	March 8, 2023
Asbuilt Drawn	-
Asbuilt Date	-
Client	Carver Bowman, LLC 13815 Cinnabar Place Huntersville, NC 28078 P: (704) 875-9704
Project:	Oak Grove Hill Sketch Plan
Drawing Title:	Utility Plan
Project No.	5259
DWG File Name:	5259_Utillies
Drawing No.	UT-1

Oak Grove Hill
Neighborhood Meeting
1/11/2023
6:00 pm
Huntersville Cultural and Arts Building

Introductions

Bowman Development: Nate Bowman, Whitney Hodges

RJ Harris Engineering: Daniel Gates

Town of Huntersville: David Peete, Lauren Speight

Description of project

Bowman Development went over the highlights of the plan (site plan attached). Of note:

- Original Oak Grove Hill is at least nine months from starting. Lots will not be ready until April, and housing construction will begin shortly after. DR Horton is the builder.
- Wanted to solve a traffic problem
 - Added an additional property now known as Phase 3
- Open Space exceeds requirements

Questions:

Rhynes S:

Who was notified? He had a neighbor that did not receive a letter. Mr. Peete answered the question that notifications were sent based on the ordinance which is 200' from the property line. (Later in the meeting it was verified that the neighbor had been notified).

What was the State's rationale for lining up the road with Sheltonham Way? Mr. Gates responded that NCDOT prefers to line up cross streets to create a full movement intersection. It creates fewer conflict points. Widening for road improvements will occur all to the development side.

Unidentified person:

Will there be a red light at Sheltonham Way and Mt. Holly-Huntersville Road? Answer: Not at this time. That is a decision for NCDOT or CDOT.

Weir:

Why is there not a cul-de-sac at the larger lots? The plan shows a street stub. Mr. Bowman answered it is not a town connectivity policy. Mr. Peete expanded. She asked why other stub decisions were made. Mr. Peete explained the easement constraints and surrounding developments.

Rhynes, S:

Where is sewer and water for Mt. Holly-Huntersville? Mr. Gates explained where and how these extensions would occur.

Barney:

How far up the creek will this line go? Mr. Bowman said we are not at that point in the process. We are getting closer to Westminster, which will help if the septic fails. Also, explained how Charlotte Water extends sewer lines within 1000'.

What is the lot average? Answer: 8,000 sq ft., 1/5 of an acre.

Wier:

Has DR Horton changed the price point? Mr. Bowman stated that we do not control price and gave community anecdotes

Wallace:

Shared concerns about trees. Mr. Bowman stated we will be saving as many trees in the buffers and will be saving trees in the tree save areas. She wanted maples verses willow oaks.

Are the powerlines underground? Yes

Rhynes ,G:

Still has concerns about the functionality Sheltonham Way. Mr Gates will send the NCDOT regulations. She asked about traffic lights or caution lights. NCDOT has warrants that would have to be met. Further Mr. Peete explained that CDOT controls Mt. Holly-Huntersville Rd

Weir:

What are the plans for "5 points" intersection in regards to traffic mitigation? Mr. Bowman suggested contacting Stephen Trott for the Capital Improvement Project list, which is also found on the website.

Rahlfino (sp?):

What is the span of the creek? What will you put in? Mr. Bowman stated that whatever the Town requires will be installed. Mr. Gates also stated that water studies on the two creeks will be done with the construction plans.

Brooks, Jane:

When would the RI/RO construction start? Mr. Bowman stated that construction for this phase would likely begin at the end of 2023 to the start of 2024.

McElroy:

Who maintains the buffers? Mr. Bowman stated the HOA will eventually take over. If there issue right now, call Nate.

Brooks, Jason:

Concerned about his father's property. Mr. Gates stated that there will be a 4' median in the center of the road on the existing road. There is a very small chance we might have to ask for ROW to provide better ditches per NCDOT, but we are trying to stay on our side. More information will be known at the construction phase of this project.

Dickerson:

Explained the road improvements on BFR. Was there a TIA required? Answer: No. Traffic counts did require some improvements.

Will there be a buffer along the roads? Answer: Yes. Mr. Bowman stated we plan to leave the trees and plant to supplement the 50' buffer.

Will it be a nice entrance? Yes, to both entrances will have enhanced landscaping.

Wallace:

Do they require a left turn lane into the neighborhood on Harris Blvd? Yes.

Next Steps to the Public Process

Mr. Pete explained next steps for the rezoning process.

The meeting ended at 6:45 pm.



OAK GROVE HILL

HUNTERSVILLE, NC

NEW OVERALL PLAN

+/- 66.45 ACRES

156 LOTS

2.35 UNITS PER ACRE

OPEN SPACE 32.15 ACRES (48%)

SIGN IN SHEET

[illegible]

BOWMAN DEVELOPMENT GROUP

R 22-05 OAK GROVE HILL NEIGHBORHOOD MEETING MINUTES

The meeting began at 6:00 pm at the Huntersville Cultural Arts Center, 109 S. Old Statesville Road.

In attendance were David Peete, Principal Planner (Town of Huntersville, and Drew Bowman and Whitney Hodges (Bowman Development Group). There was no public in attendance.

Notifications were sent on January 31, 2023. Letter, maps, and mailing list are attached to these minutes.



Planning Services

4421 Stuart Andrew Blvd.

Charlotte, NC 28217

Phone: 980-343-6246

Email: planning@cms.k12.nc.us

Town of Huntersville: Phase 3 - Oak Grove Hill - Update

IMPACT OF THE PROPOSED DEVELOPMENT

Proposed Housing Units: 51 single family detached

CMS Planning Area: North

Average Student Yield per Unit: 0.5118 (single family detached) =

This development may add 26 students to the schools in this area.

The following data is as of 20th Day of the 2021-22 school year.

<i>Schools Affected</i>	<i>Total Classroom Teachers</i>	<i>Building Classrooms/ Teacher Stations</i>	<i>20th Day, Enrollment (non-ec)</i>	<i>Building Classroom/ Adjusted Capacity (Without Mobiles)</i>	<i>20th Day, Building Utilization (Without Mobiles)</i>	<i>Additional Students As a result of this development</i>	<i>Utilization As of result of this development (Without Mobiles)</i>
LONG CREEK ELEMENTARY	36.00	39	496	537	92%	10	95%
FRANCIS BRADLEY MIDDLE	57	53	1075	1000	108%	7	108%
HOPEWELL HIGH	99.0	100	1809	1827	99%	9	99%

The total estimated capital cost of providing the additional school capacity for this new development is \$259,000; calculated as follows:

Middle School: $7 \times \$37,000 = \$259,000$

RECOMMENDATION

Adequacy of existing school capacity is a significant problem. We are particularly concerned about a case where school utilization exceeds 100% since the proposed development may exacerbate the situation. Approval of this petition may increase overcrowding and/or reliance upon mobile classrooms at the schools listed above.

#037 White Oak (Quercus alba)

This White Oak stands by an original farmhouse built over 220 years ago. The tree was planted before the construction of the house and stands in a row of other extremely large White Oaks. These Oaks likely lined a pasture and provided a large amount of shade for those operations. The property has been in the same family for hundreds of years, although some of the surrounding land has been sold off over the years. The man in the original photo is the current homeowner, photographed in 1992! The owner noted that Hurricane Hugo (1989) damaged every single tree on the property except for this Treasure Tree.

Statistics (1992//2020)

- **Circumference (In.):** 190"/127"
- **Height (Ft.):** 90'/92'
- **Avg. Crown Spread (Ft.):** 110'/130'
- **Total Points:** 316/342

More Information

- **Nominated By:** Hoyt Hamilton
- **Year Added:** 1992
- **Owned By:** Hoyt and Carol Hamilton
- **Current condition:** Good
- **Neighborhood:** Mountain Island
- **Property Type:** Private Home



**Town of Huntersville
Town Board
March 20, 2023**

To: Town Board

From: David Peete, Principal Planner

Date: March 20, 2023

Subject: Petition #R23-04, Oak Grove Hill - Revision

EXPLAIN REQUEST:

Consider Final Action on Petition #R23-04, Oak Grove Hill - Revision, a request by Carver Bowman, LLC to remove +/- 6.89-acres generally located north of Mt. Holly-Huntersville Road, east of Beatties-Ford Road and south of Pembroke Road from the existing Oak Grove Hill Neighborhood Residential - Conditional District. The removal of the 6.89-acres is contingent upon approval of R22-05, a proposed revision to Oak Grove Hill CD-Rezoning for an overall 161-lot subdivision (see R22-05); (Parcel #s 015254432 & 01526450).

ACTION RECOMMENDED:

Consider Final Action

FINANCIAL IMPLICATIONS:

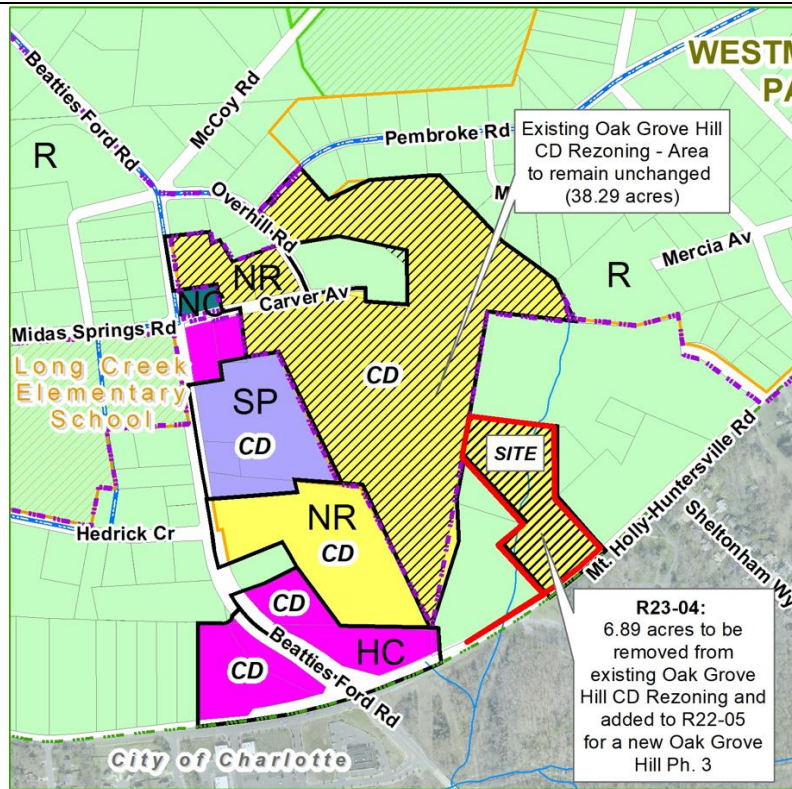
N/A

ATTACHMENTS:

1. R23-04 Final Action Staff Report
2. Attachment A - Rezoning Application (Bowman)
3. Attachment B - Oak Grove Hill Rezoning & Sketch (3-13-23 Final Action set)
4. Attachment C - Oak Grove Hill Community Mtg summary

Petition R23-04 Oak Grove Hill - REVISION Conditional District Rezoning.

PART 1: PROJECT SUMMARY



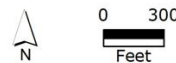
R23-04: Oak Grove Hill - Revision

Remove 6.89 acres from existing Oak Grove Hill Rezoning and add to R22-05 for a new Oak Grove Hill Phase 3

Applicant:
Carver Bowman, LLC

Parcel(s):
01526506, 01526504,
01526443, 01526450,
and 01526432

- ▬ Rezoning Boundary
- ▬ Existing Oak Grove Hill Boundary
- NR Neighborhood Residential
- SP Special Purpose
- R Rural
- NC Highway Commercial
- Neighborhood Center



Applicant: Carver Bowman, LLC

Property Owner: Carver Bowman, LLC.

Property Address: N/A.

Project Size: (+/-) 45.18-acres

Parcel Numbers:
01526443, 01526432, 01526450,
01526506, 01526504.

Current Zoning: Oak Grove Hill Neighborhood Residential - Conditional District (NR-CD).

Current Land Use: Vacant & Single-Family Homes (under construction).

Proposed Zoning: "Revised" Oak Grove Hill Neighborhood Residential – Conditional District (NR-CD)

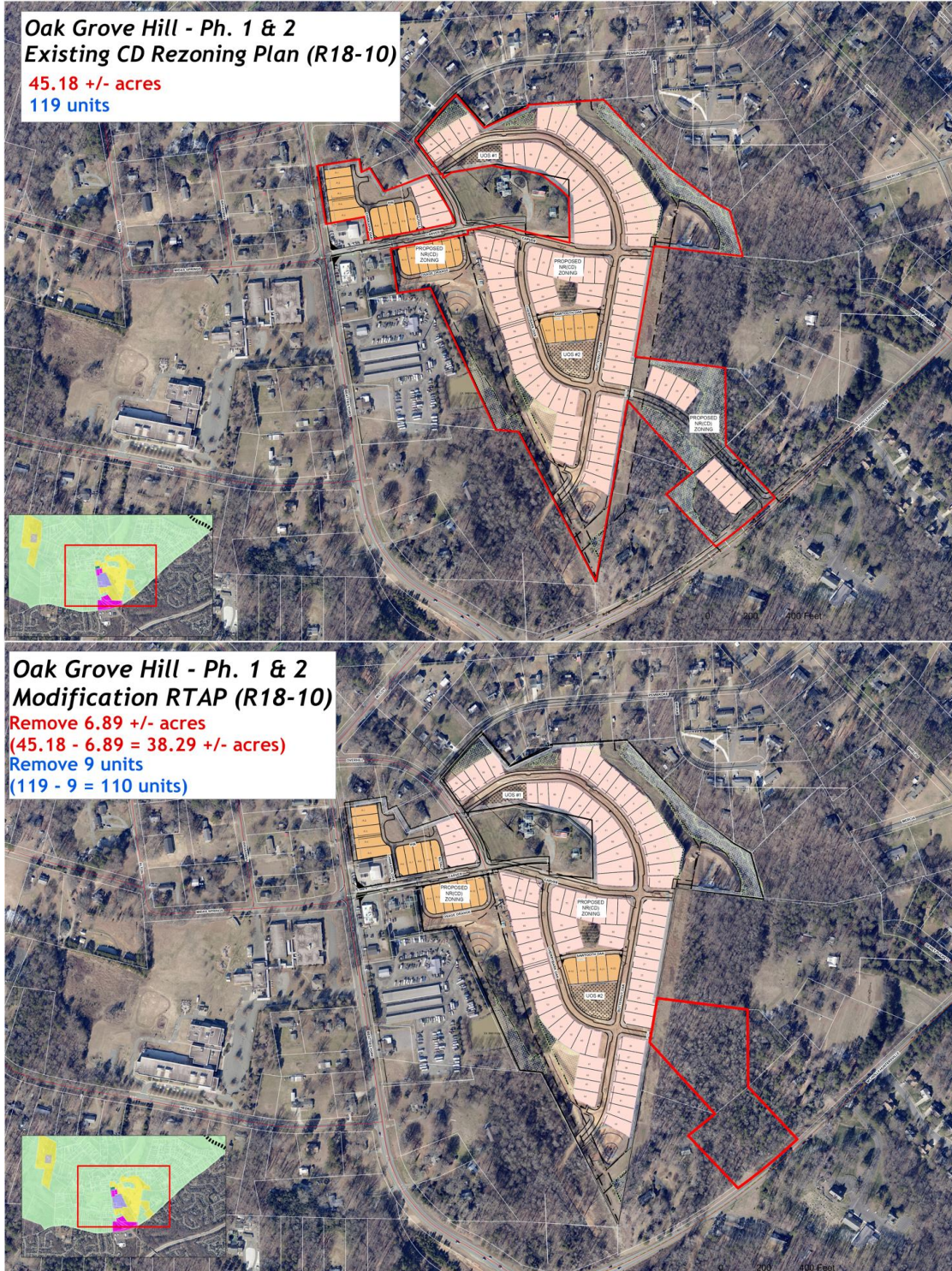
Proposed Land Use: Single Family Residential.

Application Summary:

- Proposal: Remove +/- 6.89-acres (east of Beatties Ford Road, north of Mt. Holly-Huntersville Road and south of Pembroke Road) from Oak Grove Hill Neighborhood Residential – Conditional District (NR-CD) to create a "Revised" Oak Grove Hill Neighborhood Residential – Conditional District. If CD Rezoning # R22-05 is approved, the 6.89-acres will become part of a proposed Phase 3 of the Oak Grove Hill Rezoning Plan. The remaining 38.29-acres of Oak Grove Hill CD-Rezoning will remain unchanged from the original approval. A Subdivision Sketch Plan has been submitted with the Rezoning Plan and would be administratively approved if the Rezoning Plan is approved (See Attachments A & B).
- Adjoining Zoning and Land Uses (see Context Map on page 2):
 - North - Rural (R): Single-family lots.
 - South – Neighborhood Residential – Conditional District (NR-CD): congregate care home, Highway Commercial – Conditional District (HC-CD): City of Charlotte R-3 & R-9PUD: Mt. Holly-Huntersville Road right-of-way, single family homes & St. Mark's Episcopal Church.
 - East - Rural (R): Vacant & Single-family lots (Westminster Park Subdivision).
 - West – Neighborhood Commercial (NC): small businesses, Special Purpose (SP): outdoor storage, Neighborhood Residential – Conditional District (NR-CD) & Rural (R): Single-family lots (existing Oak Grove Hill).
- Two Community Meetings were held on January 11, and February 8, 2023, at Huntersville Arts & Cultural Center. See Attachment C for complete meeting summaries.

PART 2: REZONING/SITE PLAN HIGHLIGHTS

The existing Oak Grove Hill Conditional District Rezoning was approved by the Town of Huntersville on January 26, 2020. The applicant, Carver Bowman, LLC, has acquired additional adjacent acreage and has petitioned to amend the plan to add 28.87-acres and 51 single-family homes to create a Phase 3. The new development (Phases 1-3) would consist of 66.92-acres and 161 single-family homes.



The proposed Conditional District Rezoning Plan - Revision is generally compliant with the Zoning Ordinance and Subdivision Regulations. Significant elements include:

- Proposed Uses: remove 9 single-family homes from Phase 1 & 2 and add them to Phase 3 – If R22-05 is approved. The new total for Oak Grove Hill would be 161 homes overall for Phases 1-3.
- Urban Open Space is not impacted by the revision.
- New and additional right-of-way to be dedicated along Mt. Holly-Huntersville Road, as required by NCDOT and CDOT would be provided as part of R22-05 – if approved. R22-05 will still connect new public streets (and all required right-of-way) into the existing Oak Grove Hill Phases 1 & 2 and to Mt. Holly-Huntersville Road.
- Minimum Tree Preservation and specimen tree save in the NR Zoning District is 10% and the proposed tree preservation for Phases 1 & 2 will be reduced but would still comply if R22-05 is approved.
- If the Rezoning Plan is approved, Staff, at the construction document phase, will review the plans for compliance with the Water Quality Ordinance, Erosion Control Ordinance and Stream Buffer Requirements, as found in the Zoning Ordinance.
- The 38.29-acres left after the revision will be developed as two phases (Phases 1 & 2).

The following comments/items are not consistent with Town Ordinances and/or Manuals or remain to-be-addressed by the applicant:

Planning Comments:

- If this rezoning is approved, all notes and data will need to be coordinated with R22-05 (if approved), which would remove the 6.89-acres from the original rezoning.
- All outstanding comments must be addressed.

PART 3: TRANSPORTATION HIGHLIGHTS

Traffic impact analysis (TIA): A TIA Determination was submitted on 9-23-22 for combined phases 1, 2, and 3 which included 143 single family detached housing units and 39 townhome units. The determination was made that the development is over the Town TIA threshold of 150 peak hour trips and 1,500 daily trips. A TIA scoping package was submitted in October to define the study scope. Based on the scoping package, no intersections were above the threshold to require a TIA, therefore no TIA was required.

The applicants were further advised to contact North Carolina Dept. of Transportation (NCDOT) and Charlotte Dept. of Transportation (CDOT) regarding improvements they may require, and the following comments were received:

NCDOT:

- A left and right turn lane to enter the site at the access point on Mt. Holly-Huntersville Road, including 100'(min.) of storage and appropriate tapers;
- No on-street parking on state-maintained roads;
- Widening of Carver Avenue & Overhill Road required to widen from 16' to 20' along all site frontage;
- Curb island at southeast corner of intersection of Carver Avenue and Beatties Ford Road.
- Alley-fed lots on Beatties Ford Road, Carver Avenue and Overhill Road will not be allowed a driveway or access to respective streets. Homes to be addressed to the alley behind the lots;
- Lots fronting Overhill Road will not be allowed to front-load. They will only be allowed a shared driveway (this may be waived if Huntersville takes over maintenance of this street).

CDOT:

- Recommends a three (3) approach-lane section at Mt. Holly-Huntersville Road and Road C. This would include an 11' right-turn lane, 11' left turn lane and a 13' receiving lane. This section to be carried to the first stub street.
- Recommends a 12' Multi-Use Path or buffered bike lane along frontage. (CDOT specified improvements to be shown on Construction Plans).

PART 4: REZONING CRITERIA

Article 11.4.7(d) of the Zoning Ordinance states that “in considering any petition to reclassify property, the Planning Board in its recommendation and the Town Board in its decision shall take into consideration any identified relevant

adopted land-use plans for the area including, but not limited to, comprehensive plans, strategic plans, district plans, area plans, neighborhood plans, corridor plans, and other land-use policy documents”.

Huntersville 2040 Community Plan – Staff finds the proposed Conditional District Rezoning petition consistent with the following policies of the 2040 Community Plan; adopted December 21, 2020:

- **Policy LU-2: Encourage residential development that follows the pattern outlined in the future land use map.**
 - **LU 2.1: Higher intensity residential uses will be focused generally within two miles of I-77 / NC-115 corridor and the future Activity Centers in the eastern and western areas of Huntersville’s zoning jurisdiction.**
 - **LU 2.2: Lower intensity residential uses are expected within the Residential Edge and Rural Conservation areas identified on the Future Land Use Map.**

STAFF COMMENT: The removal of 6.89-acres from this CD Rezoning to a new addition (Phase 3) does not change the consistency with the 2040 Community Plan if R22-05 is approved prior to this request.

- **Policy LU-3: Manage residential growth in the eastern and western parts of Huntersville’s planning jurisdiction.**
 - **Policy LU3.1: Discourage rezonings to higher intensity residential districts in the Residential Edge and Rural Conservation future land use character areas.**

STAFF COMMENT: The removal of 6.89-acres from this CD Rezoning to a new addition (Phase 3) does not change the consistency with the 2040 Community Plan if R22-05 is approved prior to this request.

- **Policy LU-7.1: Require all new development to adhere to the following design principles:**
 - **In Activity Centers, streets and sidewalks are meant to be attractive and inviting. New development in these areas shall follow these principles:**
 - All buildings shall front a public street or open space.
 - Streets should be connected, have short blocks and sidewalks on both sides of streets.
 - Improve connectivity, particularly for pedestrians and vehicles.
 - Accommodate a mix of housing types.
 - **In lower intensity area (Rural Conservation) preservation of rural character and natural resources are prioritized.**
 - **In these areas, structures can be set back further from the road and should blend into the landscape and the scenic nature of roadways should be preserved.**

STAFF COMMENT: The removal of 6.89-acres from this CD Rezoning to a new addition (Phase 3) does not change the consistency with the 2040 Community Plan if R22-05 is approved prior to this request.

- **Policy LU-10.2: Continue to encourage a mix of lot sizes in new developments.**

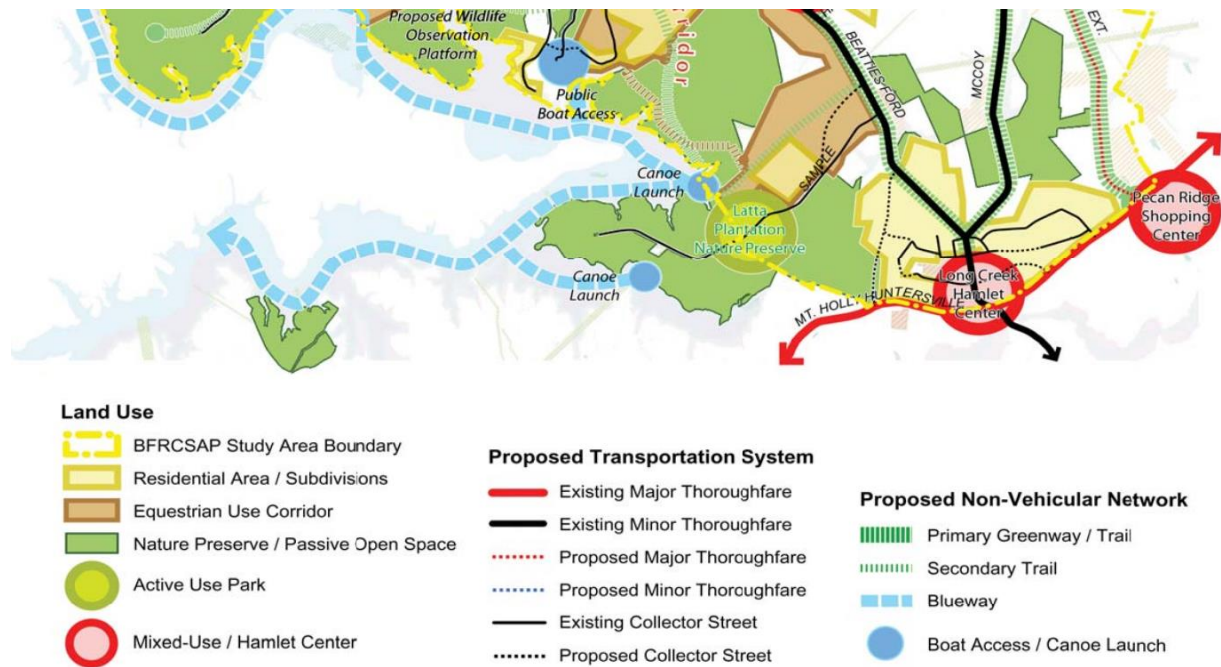
STAFF COMMENT: The removal of 6.89-acres from this CD Rezoning to a new addition (Phase 3) does not change the consistency with the 2040 Community Plan if R22-05 is approved prior to this request.

Beatties Ford Road and Mt. Holly-Huntersville Small Area Plan; Adopted October 17, 2005 - Staff finds the proposed Conditional District Rezoning petition consistent with the Beatties Ford Road and Mt. Holly-Huntersville Small Area Plan.

STAFF COMMENT: The removal of 6.89-acres from this CD Rezoning to a new addition (Phase 3) does not change the consistency with the Beatties Ford Road and Mt. Holly-Huntersville Small Area Plan if R22-05 is approved prior to this request.

Beatties Ford Road Corridor Small Area Plan; Adopted September 19, 2007 - Staff finds the proposed Conditional District Rezoning petition consistent with the Beatties Ford Road Corridor Small Area Plan.

STAFF COMMENT: The removal of 6.89-acres from this CD Rezoning to a new addition (Phase 3) does not change the consistency with the 2040 Community Plan if R22-05 is approved prior to this request.



Article 11 Section 11.4.7(e) of the Zoning Ordinance states that: “in considering any petition to reclassify property the Planning Board in its recommendation and the Town Board in its decision should consider:

- Whether the proposed reclassification is consistent with the overall character of existing development in the immediate vicinity of the subject property.**

STAFF COMMENT:

The existing Oak Grove Hill Conditional-District rezoning plan was seen as consistent with development patterns described in the Town’s 2030 Community Plan, the Beatties Ford Road and Mt. Holly-Huntersville Small Area Plan, and the Beatties Ford Road Corridor Small Area Plan. The removal of this 6.89-acres from this development, will not impact previous recommendations, if R22-05 is approved.

- The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, transit service, parks and recreational facilities, police and fire protection, hospitals and medical services, schools, storm water drainage systems, water supplies, and wastewater and refuse disposal.**

STAFF COMMENT:

- The removal of the 6.89-acres will have no impact on public facilities for the remainder of the development.

- Whether the proposed reclassification will adversely affect a known archeological, environmental, historical or cultural resource.”**

STAFF COMMENT:

Planning staff has no indication that the removal of 6.89-acres will adversely affect known archeological, environmental, historical or cultural resources within the Oak Grove Hill development.

PART 5: PUBLIC HEARING COMMENTS

The Public Hearing will be held on February 20, 2023.

PART 6: STAFF COMMENTS/RECOMMENDATION

Staff finds the proposed addition to the Oak Grove Hill Conditional District Rezoning Plan to be generally consistent with the 2040 Community Plan, the Beatties Ford Road-My. Holly-Huntersville Road Small Area Plan and the Beatties Ford Road Corridor Plan. These plans support moderate density within an Activity Center and the proposed 2.42-units per acre falls under that category.

Staff also recommends:

- Only approve this Rezoning Revision if R22-05 is approved prior to this request.
- If this rezoning is approved, all notes and data for this request will need to be coordinated with Rezoning Petition R22-05.
- All outstanding redline comments must be addressed.

PART 7: PLANNING BOARD RECOMMENDATION

On February 28, 2023, the Planning Board recommended approval of R23-04 Oak Grove Hill - Revision to remove 6.89 acres from Oak Grove Hill Conditional District. This recommendation for approval is conditioned upon final approval of R22-05 Oak Grove Hill - Addition. The approval of R22-05 would facilitate the removal of the 6.89 acres as it would not impact the original Oak Grove Hill consistency with adopted policies as outlined in R18-10a. It is reasonable and in the public interest to approve the Conditional District rezoning plan revision because it is consistent with the plans referenced in R18-10A and the applicable provisions of the zoning ordinance can be adequately addressed.

Vote: The motion passed unanimously (8-0).

PART 8: ATTACHMENTS/ENCLOSURES

Attachments

A – Rezoning Application

B – Proposed Rezoning Plan

C – Community Meeting Summaries

PART 9: CONSISTENCY STATEMENT – R23-04: OAK GROVE HILL - REVISION

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed Conditional District Rezoning application R23-04 Oak Grove Hill - Revision, the Planning staff RECOMMENDS APPROVAL to remove 6.89-acres from Oak Grove Hill Neighborhood Residential Conditional District (NR-CD), if R22-05 is previously approved. The approval of R22-05 would facilitate the removal of this 6.89-acres as it would not impact the original Oak Grove Hill's consistency with adopted policies, as outline in R18-10A. <u>It is reasonable and in the public interest to approve the Conditional District Rezoning Plan - Revision, BECAUSE it is consistent with the Plans outlined above and the applicable provisions of the Zoning Ordinance can be adequately addressed.</u>	APPROVAL: In considering the proposed Conditional District Rezoning application R23-04 Oak Grove Hill - Revision, the Planning Board recommends by 8-0 vote, approval to remove 6.89 acres from Oak Grove Hill conditional district zoning NR (CD). This recommendation for approval is conditional upon final approval of R22-05 Oak Grove Hill Addition. The approval of R22-05 would facilitate the removal of 6.89 acres and would not impact the original Oak Grove Hills consistency with adopted policies as outlined in R18-10A. It is reasonable and in the public interest to approve the Conditional District rezoning plan revision because it is consistent with the plans referenced in R18-10A and the applicable provisions of the zoning ordinance can be adequately addressed.	APPROVAL: In considering the proposed Conditional District Rezoning application R23-04 Oak Grove Hill - Revision, the Town Board recommends approval based on the Plan being consistent with <u>(insert applicable plan reference)</u>. <u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>
DENIAL:	DENIAL:	DENIAL: In considering the proposed Conditional District Rezoning application R23-04 Oak Grove Hill - Revision, the Planning Board recommends denial based on <u>(consistent OR inconsistent) with (insert applicable plan reference)</u>. <u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>



General Application

INCOMPLETE SUBMISSIONS WILL NOT BE ACCEPTED. PLEASE CHECK ALL ITEMS CAREFULLY.

1. Application Type

Please indicate the type of application you are submitting. In addition to the application, the submission process for each application type can be found at <https://www.huntersville.org/528/Permits-Process>

- ☐ Change of Use
- ☐ Commercial Site Plan
- ☒ Conditional Rezoning
- ☐ General Rezoning
- ☐ Master Signage Program
- ☐ Special Use Permit
- ☐ Revision to
Original Project # _____
- ☐ Other _____

- SUBDIVISION CATEGORIES: Per the Huntersville Subdivision Ordinance
- ☐ Sketch Plan
 - ☐ Preliminary Plan
 - ☐ Final Plat (Includes Minor Subdivision)
 - ☐ Exempt Subdivision
 - ☐ Final Plat Revision
 - ☐ Farmhouse Cluster

2. Project Data

Date of Application September 9, 2022

Name of Project Oak Grove Hill Phase # (if subdivision) _____

Project Address 9301 Carver Avenue, Huntersville, NC 28078

Parcel Identification Number(s) (PIN) 01526456, 01526432, 01526450, 01526455, 01526428, 01526429, 01526431, 01526443

Current Zoning District NR(CD), R Proposed District (for rezoning only) NR(CD)

Property Size (acres) 67.78ac Street Frontage (feet) _____

Current Land Use Single Family Residential

Proposed Land Use(s) Single Family Residential

Is the project within Huntersville's corporate limits?

Yes _____ No ☒ If no, does the applicant intend to voluntarily annex? Yes

3. Description of Request

Explain the nature of this request. If a separate sheet is necessary, please attach to this application.

This is a conditional rezoning to the Oak Grove Hill property.

Approximately 22.66 ac additional and 45 additional lots.

4. Site Plan Submittals

Consult the particular type of *Review Process* for the application type selected above. These can be found at <https://www.huntersville.org/528/Permits-Process>.

5. Outside Agency Information

Other agencies may have applications and fees associated with the land development process. The *Review Process* list includes plan documents needed for most town and county reviewing agencies. For major subdivisions, commercial site plans, and rezoning petitions please enclose a copy of the Charlotte-Mecklenburg Utility *Willingness to Serve* letter for the subject property.

6. Applicant

Printed Name Carver Bowman, LLC Phone 704-875-9704
☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Commissioners except through sworn testimony at the public hearing. (Applicable for Special Use Permits and Subdivisions)

Signature [Signature] Printed Name: Robert Bowman
Title Manager Email bowman31@gmail.com

Address of Applicant 13815 Cinnabar Place, Huntersville, NC 28078

7. Property Owner (if different than applicant)

*Printed Name Hamilton Hoyt, Conrad Puckett Phone 704-875-9704
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☒ By signature below, I hereby acknowledge, as/on behalf of (circle one) the owner my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Commissioners except through sworn testimony at the public hearing. (Applicable for Special Use Permits and Subdivisions)

Signature [Signature] Printed Name Hamilton Hoyt, Conrad Puckett
Title Owner Email bowman31@gmail.com

Address of Property Owner 8411 & 8705 MT HOLLY-HUNTERSVILLE RD, HUNTERSVILLE NC 28078

* Property owner hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

Every owner of each parcel included in this application, or the owner (s) duly authorized agent, must sign this application. If signed by an agent on behalf of the Owner, this application MUST be accompanied by a notarized Limited Power of Attorney signed by the property owner (s), specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION. If additional space is needed for signatures, attach the Town of Huntersville Signature Addendum Form.

8. Development/Design Firm Contact Information

Carver Bowman, LLC	Robert Bowman	704-875-9704	bowman31@gmail.com
Development Firm	Name of Contact	Phone	Email
R Joe Harris	Daniel Gates	80-802-1799	dgates@rjoe-harris.com
Design Firm	Name of Contact	Phone	Email

Contact Information

Town of Huntersville	Phone:	704-875-7000
Planning Department	Fax:	704-992-5528
PO Box 664	Physical Address:	105 Gilead Road, Third Floor
Huntersville, NC 28070	Website:	https://www.huntersville.org/228/Planning-Department

OAK GROVE HILL REZONING / SKETCH PLAN (PETITION R23-04)

ORIGINAL REZONING / SKETCH (2018) EPM # 400982
PHASE 3 ADDITION - REZONING / SKETCH (2022) EPM # 441493
REVISION TO ORIGINAL REZONING / SKETCH (2022) EPM # 441269

TOWN OF HUNTERSVILLE
MECKLENBURG COUNTY, NORTH CAROLINA

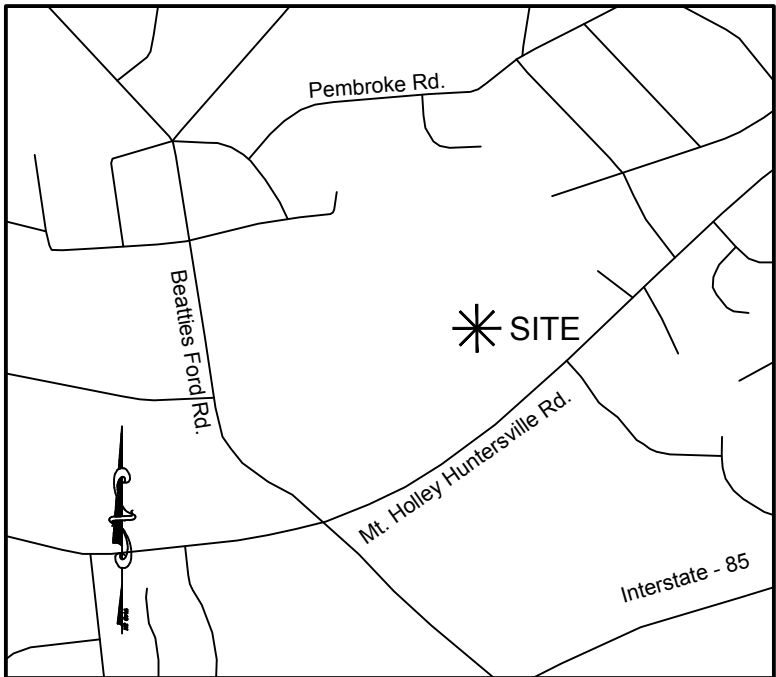
PREPARED FOR :

Carver Bowman, LLC

13815 Cinnabar Place
Huntersville, NC 28078
Phone: (704) 875-9704

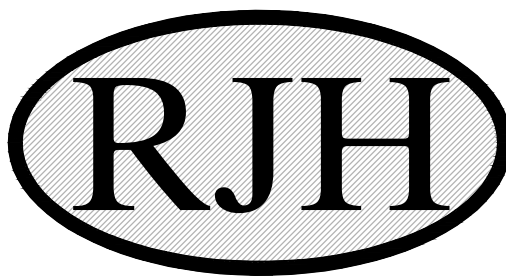
OAK GROVE HILL - PHASES 1 & 2 PRELIMINARY CONSTRUCTION
PLANS (2021) EPM # 409691 / CASE # R18-10A
APPROVED 01/26/2021

March 8, 2023



VICINITY MAP - N.T.S.

PREPARED BY:



R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning
Management

1186 Stonecrest Blvd., Tega Cay, SC 29708 Phone: (803) 802-1799

ORIGINAL REZONING / SKETCH (2018) EPM # 400982
PHASE 3 ADDITION - REZONING / SKETCH (2022) EPM # 441493
REVISION TO ORIGINAL REZONING / SKETCH (2022) EPM # 441269

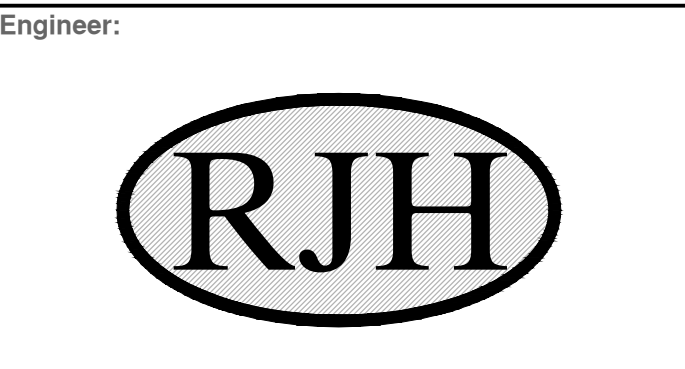
Sheet List Table	
Sheet Number	Sheet Title
COVER	COVER
SP-1	OVERALL SITE & REZONING PLAN
SP-2	OVERALL SITE PLAN
SP-3 - SP-6	SITE PLANS
SP-7 - SP-8	SITE PLAN DETAILS
EX-1	OVERALL EXISTING CONDITIONS
EX-2 - EX-4	EXISTING CONDITIONS
GP-1	OVERALL GRADING PLAN
GP-2 - GP-4	GRADING PLANS
BMP-1	PRE DEV. DRAINAGE AREAS
BMP-2	POST DEV. DRAINAGE AREAS
LP-1	OVERALL LANDSCAPE PLAN
LP-2 - LP-4	LANDSCAPE PLANS

OAK GROVE HILL PHASE 3 IS BASED ON TOWN OF HUNTERSVILLE
WILLINGNESS TO ANNEX ALL 28.26 ACRES OF PHASE 3

NO DUKE ENERGY TRANSMISSION ROW SHOWN
WITHIN PROJECT LIMITS. IF IMPACTS ARE TO DUKE
ENERGY DISTRIBUTION FACILITIES PLEASE
CONTRACT 800.777.9898 TO HAVE A WORK ORDER
SET-UP TO DISCUSS PROJECT WITH A
DISTRIBUTION ENGINEER.

APPROVAL OF THIS CONCEPT PLAN DOES NOT
IMPLY OR GUARANTEE APPROVAL OF THE FINAL
CONSTRUCTION PLAN. FINAL CONSTRUCTION PLAN
WILL BE REVIEWED FOR COMPLIANCE PER ALL
TOWN, COUNTY AND STATE REGULATIONS IN
EFFECT AT TIME OF SUBMITTAL.

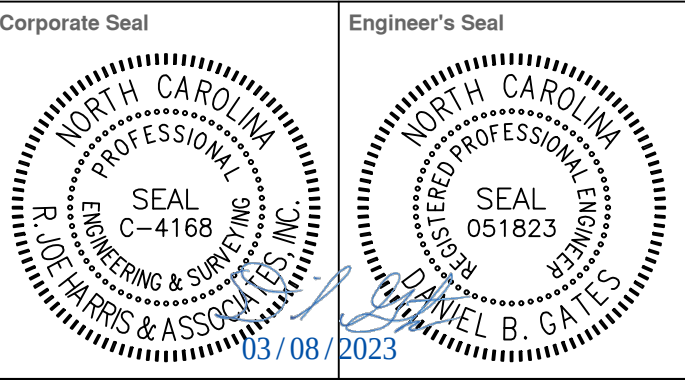
DATE	ISSUED FOR	REV
8/15/2022	Pre Submittal to Town of Huntersville	0
11/23/2022	Initial Submittal to Town of Huntersville	1
1/20/2023	Second Submittal to Town of Huntersville	2
3/08/2023	Third Submittal to Town of Huntersville	3



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Management
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www.rjoe Harris.com

This drawing shall not be used for construction purposes until the
seal and signature of the responsible registrant appears on the
drawing, and proper permit forms and related fees are transmitted
by the Owner, Owner's Agent or Contractor to the Authority
having jurisdiction.



Project Manager D. Gates	Drawn T. Alston
Department Manager P. Murphy	Checked D. Gates
Print/Plot Date March 8, 2023	
Asbuilt Drawn -	Asbuilt Date -
Client Carver Bowman, LLC 13815 CINNABAR PLACE HUNTERSVILLE, NC 28078 P: (704) 875-9704	

Project:
Oak Grove Hill
Rezoning/Sketch Plan:
Phase 3

Drawing Title:
Cover Sheet Petition
R23-04

Project No. 5259 DWG File Name: 5259_Cover	Drawing No. Cover
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Huntersville General Notes:

- All development and construction shall comply with all zoning and subdivision standards of the Town of Huntersville, Mecklenburg County, and NCDOT, as applicable.
- This property may be subject to any easements and/or right-of-way of record.
- All applicable federal, state, and local environmental permits and approvals will be obtained by the Developer.
- All areas designated as common and/or urban open space shall be owned and maintained by the homeowners association and dedicated for perpetuity.
- Access (ingress/egress) location and improvements (including right-of-way and intersection with adjacent and opposing access points. Modifications to plan may result.
- Large maturing trees will be planted 40' O.C. within the required planting strip along all streets. Small maturing trees are to be used where overhead power lines exist.
- Provide notations on the process of mail delivery, garbage pickup and any special notation for fire apparatuses.
- Garbage pick-up shall be via roll-off trash and mail delivery shall be to mail kiosks.
- Residential Garages: On lots greater than 60' in width, front-loading garages shall be recessed at least 10 feet behind the primary plane of the front facade of the structure. Exception for single family detached dwellings with 1400 square feet or less of heated air space: single bay front loading garages may be built flush with, but may not project in front of, the primary plane of the front facade of the structure; double bay front loading garages shall be recessed at least 10 feet behind the primary plane of the front facade of the structure. On lots 60 feet or less in width, alley access is required if on-site parking is provided except as provided below. Detached garages may only be placed in the established rear yard or be attached side or rear loading. (Article 8.16.1 & 2 & 6 TOH ZO).
- Once the streets are established by the Town, street trees shall be maintained and cared for by the property owner adjacent to the tree except in subdivisions where the property owner association is responsible for maintenance(ZO, Article 7.3.7).
- Block Lengths shall adhere to the approved Sketch Plan.
- Side Lot Lines: Side lot lines shall, as nearly as practicable, be at right angles or radial to street lines where side lot lines intersect at the rear of the lot, the angle of intersection shall not be less than 60 degrees (Sect. 7.220 TOH ZO).
- Building Separation: All detached principle structures in all districts shall preserve a minimum building separation of 10 feet. The requirement of the district to conform to an existing pattern of building spacing along a street may require a greater separation or the provision of specified side. All detached accessory structures in all districts shall maintain a minimum building separation of 4 feet, as measured from the overhang (Article 8.10 TOH ZO).
- HVAC/Other Utilities must be located outside an established setback, required side yard, and not within 5' of a side or rear lot line (Article 8.8.2 TOH ZO).
- All signs will be reviewed and approved separately and shall meet Article 10 of the TOH ZO.
- Except as specifically provided in the Rural and Transitional districts, detached house types must be installed by the developer at one corner of all intersections, including private streets, before any certificates of occupancy may be issued for buildings or residences along those streets. The design, material, location and installation of the signs must be in accordance with standards specified in the Land Development Standards Manual unless an alternative design is approved. (2) Barricades must be installed at the end of all dead-end streets, except cul-de-sac streets, which have been improved with a permanent turnaround as required by this Ordinance. Design, material, and installation of the barricades must be in accordance with the Land Development Standards Manual. (3) No department, officer, agent, or employee of the town will accept for maintenance, lay out, open, improve, grade, pave or light any streets or authorize the laying of water mains, sewers, electrical service extensions or other facilities or utilities in any street in the town unless: such street has been accepted or open as, or has otherwise received the legal status of, a public street prior to the effective date of this ordinance, or for any new street, such street corresponds in its location and lines with a street shown on a preliminary subdivision plan, tentatively approved by the Town Manager or Designated Administrative Agent; or such street has been accepted as a public street by a vote of a majority of all the members of the Town Board or by the State of North Carolina; or such street has been accepted as a public street by the State of North Carolina; or such street is an approved private street built in conformance with provisions of all applicable ordinances. (Section 5.170 & 8.200 TOH ZO)
- Maintenance Guarantee: All improvements required by this ordinance shall be guaranteed against defects in workmanship and materials by the subdivider for a period of one year from the date of the filing of the final plat or the date of the completion, whichever is the later. The subdivider shall file with the Town a maintenance bond with adequate sureties in an amount determined by the Town of Huntersville/Mecklenburg County to be sufficient to assure proper maintenance and repair of such improvements for the one-year warranty period. (Section 8.400 TOH ZO)
- Maintenance Covenants: Prior to the issuance of an Occupancy Permit for any building within a permitted development served by a BMP, the applicant or owner of the BMP shall establish a formal Maintenance Covenant approved by the Mecklenburg County Land Use and Environmental Services Agency and recorded in the Office of the Register of Deeds in which the owner acknowledges the duty of the owner and all subsequent owners of the property to maintain the BMP in accordance with the terms of the Covenant.
- Alley access for on-site parking is strongly encouraged for three-unit or more attached house types.
- Direct access from lots to a thoroughfare is prohibited.
- Lots subject to flooding should not be established in subdivisions except as provided in Section 7.280 (if applicable).
- Any construction or use within the areas delineated by floodway fringe district boundary line and floodway district encroachment line is subject to the restrictions imposed by floodway regulation.
- All alleyways shall be open for general public but shall not be accepted by the public for maintenance. Maintenance shall be the responsibility of the developer/associations of homeowners.
- Build-to-line: A line extending through a lot which is generally parallel to the front property line and marks the location from which the principle vertical plane of the front building elevation must be erected, intended to create an even building facade line on a street. The build-to-line is established on the record plat (final plat).
- The proposed method for providing potable water & sanitary sewer shall be provided by Charlotte Water via connected waterlines & sewer lines.
- Water Quality LID Maintenance: BMPs that are constructed on privately owned land and that are not within a public easement shall be maintained by the Property Owners Association or the owner of the subject property. BMP's that are constructed on public land within public right-of-way, and/or within public easements shall be maintained by the public body having jurisdiction of the subject property.
- Water Quality LID: Financial Arrangements are to be made through Meck. County guaranteeing the installation and maintenance of required BMP's until the issuance of CO's for seventy-five percent (75%) of all construction which might reasonably be anticipated to be built within the area which drains into the BMP, allowing credit for improvements completed prior to the submission of the final plat. The approval of the High Density Development Permit will be subject to developer compliance with Section 10.509 paragraph 3 of the Mecklenburg County Zoning Ordinance, the provisions of which, including subsequent amendments, are incorporated herein.

EXISTING DATA

FEMA Panel:	3710453800K
Waterways:	Long Creek
Soil Types:	CeB2 - Cecil sandy clay loam, 2 to 8 percent slopes CeB2 - Cecil sandy clay loam, 8 to 15 percent slopes EnD - Enon sandy loam, 2 to 8 percent slopes EnD - Enon sandy loam, 8 to 15 percent slopes PaE - Pacolet sandy loam, 15 to 25 percent slopes VaB - Vance sandy loam, 2 to 8 percent slopes W - Water

CONTRAINING

FEATURES: PHASE 1 & 2	PHASE 3	ALL PHASES
ZONING: NR-CD	NR-CD	NR-CD
ACREAGE: 38.29± ACRES	6.89± ACRES	45.18± ACRES
SWIM BUFFER 1.18± ACRES	1.25± ACRES	2.43± ACRES
SLOPE ANALYSIS: (% OF SITE AREA)		
0% - 10%	29.3 ACRES (77.00%)	5.30 ACRES (76.92%)
10% - 15%	4.34 ACRES (11.41%)	0.79 ACRES (11.47%)
15% - 25%	2.74 ACRES (7.20%)	0.50 ACRES (7.17%)
25% - 100%	1.70 ACRES (4.47%)	0.31 ACRES (4.45%)

Soil Hydrologic Groups: (% of site area)	Phase 1 & 2	Phase 3	All Phases
ZONING: NR-CD	NR-CD	NR-CD	NR-CD
ACREAGE: 38.29± ACRES	6.89± ACRES	45.18± ACRES	
Group A	0	0	0
Group B	20.3± ACRES (53.0%)	3.7± ACRES (53.7%)	24.0± ACRES (53.0%)
Group C	18.0± ACRES (47.0%)	3.2± ACRES (46.3%)	21.2± ACRES (47.0%)
Group D	0	0	0
Group B/D	0	0	0

TREE PRESERVATION

Specimen tree - A tree (or group of trees) that may be considered important community assets due to their unique or noteworthy characteristics or values. A tree may be considered a specimen tree based on its size, age, rarity or special historical or ecological significance and may also meet the following criteria:

- Large hardwood (e.g. oaks, poplars, maples, etc.) and softwoods (e.g. pines) in good or better or better condition with a DBH of 24" or greater.
- Small understory trees (e.g. dogwoods, redbuds, sourwoods, persimmons, etc.) in good or better condition with a DBH of 12" or greater.
- Lesser-sized trees of rare species or special intrinsic value as approved by staff.

Heritage tree - A tree that is listed in the North Carolina Big Tree List, the American Forest Association's Champion Tree list, the Mecklenburg County Specimen Tree List or any tree that would meet 80% of the points of a tree on North Carolina's Big Tree List.

Note: Urban open spaces shall comply with Article 7.7 of the Zoning Ordinance and include one or more of the following: landscaping, walks, seating, fountains, playground equipment, statues, etc. Materials used shall be a combination of brick pavers, stamped asphalt, stone, wrought iron, wood, crushed gravel or stone etc.

OAK GROVE HILL TREE PRESERVATION

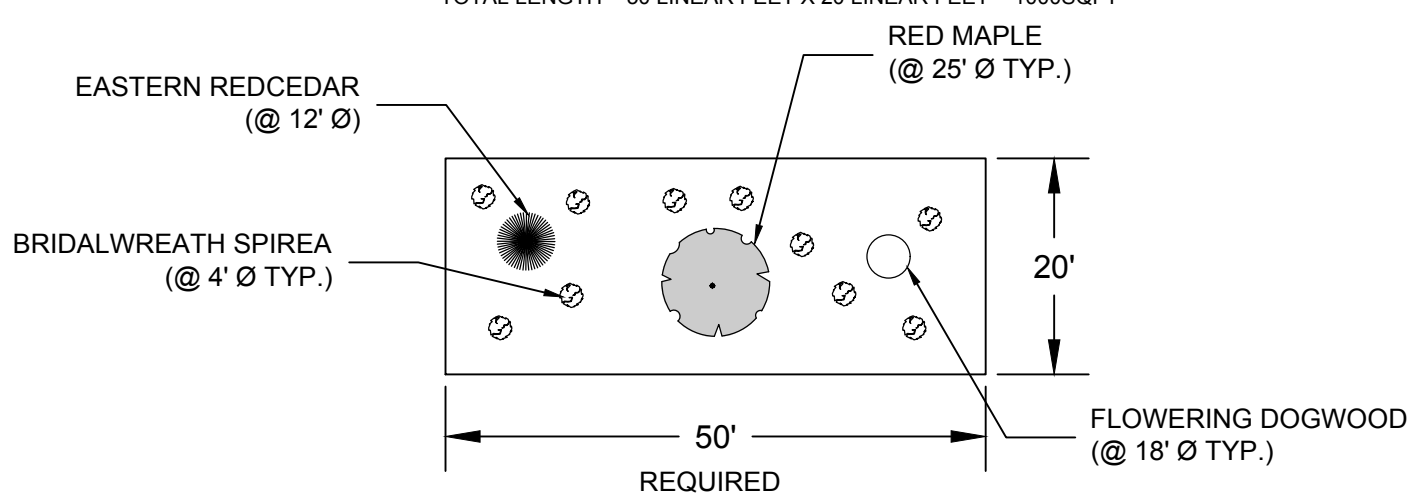
	PHASE 1&2	PHASE 3	ALL PHASES
SITE ACREAGE	38.29± AC	6.89± AC	45.18± AC
% COVERED BY TREE CANOPY	26.26± AC (68.6%)	6.42± AC (93.2%)	32.68± AC (72.3%)
% OF TREE CANOPY PRESERVATION REQUIRED	3.83± AC (10%)	0.69± AC (10%)	4.52± AC (10%)
% OF TREE CANOPY PROVIDED	3.48± AC (9.1%)	1.58± AC (22.9%)	5.06± AC (11.2%)
NO. OF SPECIMEN TREES ON-SITE*	8	14	22
NO. OF SPECIMEN TREES TO BE SAVED (MIN REQ. 10%)	3 (37%)	11 (79%)	14 (64%)
NO. OF HERITAGE TREES ON SITE	0	0	0

* DOES NOT INCLUDE SPECIMEN TREES W/IN PROPOSED SMITH PROPERTY BOUNDARY

TREE LEGEND

- TR - Tree
- EL - Elm
- BE - Beach
- P - Pine
- PO - Poplar
- CA - Oak
- GU - Gum
- MA - Maple
- PE - Pecan
- WA - Walnut
- HI - Hickory

SUPPLEMENTAL RESIDENTIAL BUFFER YARD LANDSCAPING ALONG ABUTTING PROPERTIES



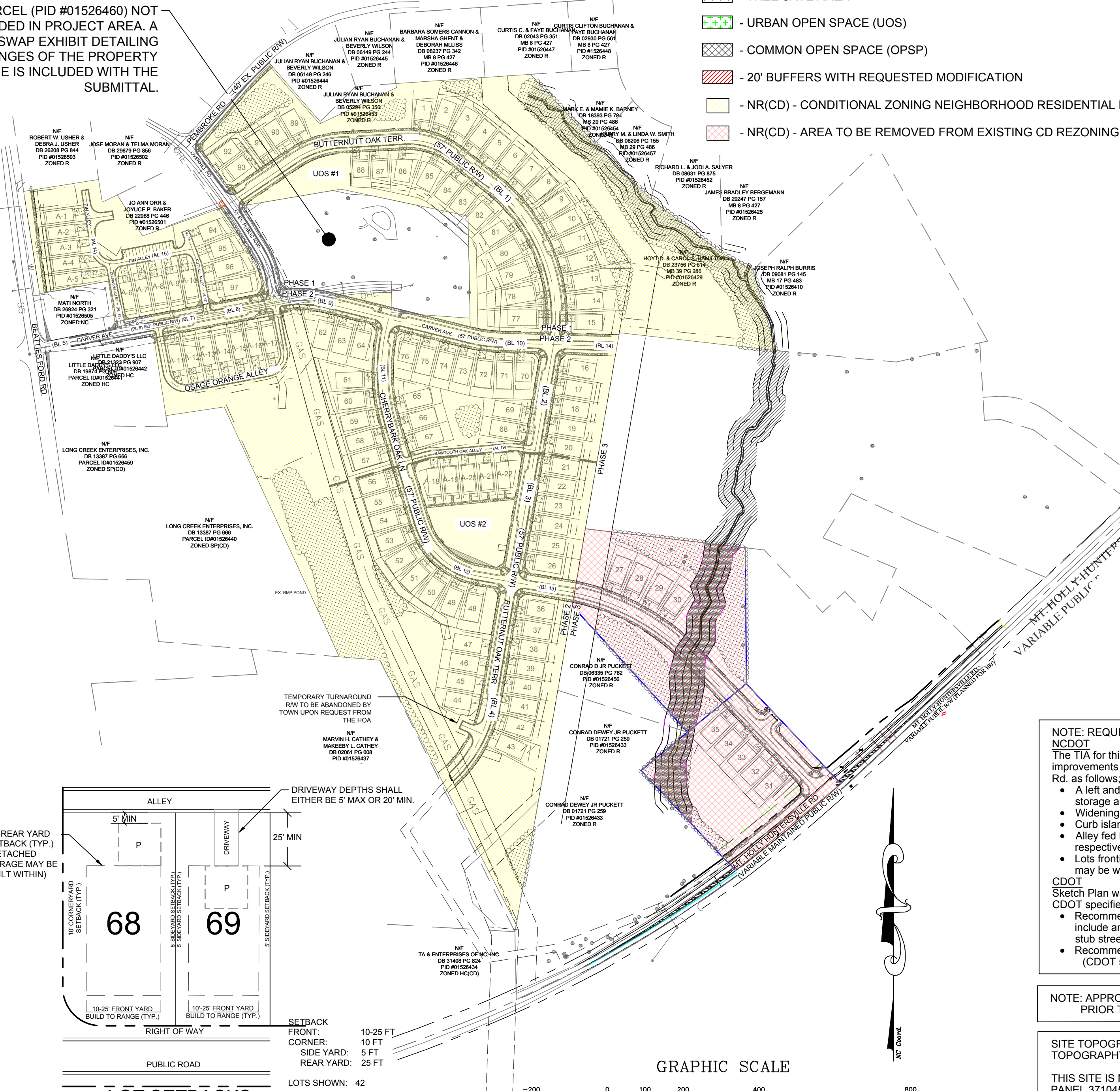
- 25% (1 TREE) EVERGREEN TREES PER 50LF
- 25% (1 TREE) CANOPY TREES PER 50LF (LARGE MATURING)
- 25% (1 TREE) UNDERSTORY TREES PER 50LF (SMALL MATURING)
- 10 SHRUBS PER 50LF

(NUMBER OF TREES & SHRUBS SHOWN MUST BE THE MINIMUM NUMBER PLANTED. TYPE & ACTUAL LOCATION MAY VARY.)
(EXISTING TREES AND SHRUBS CAN COUNT TOWARDS PLANTING REQUIREMENTS, AS LONG AS THEY MEET THE REQUIRED SIZE)

LEGEND

- 35' SWIM BUFFER
- 20' UNDISTURBED BUFFER
- 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY
- 20' REPLANTED BUFFER
- TREE SAVE AREA
- URBAN OPEN SPACE (UOS)
- COMMON OPEN SPACE (OPSP)
- 20' BUFFERS WITH REQUESTED MODIFICATION
- NR(CD) - CONDITIONAL ZONING NEIGHBORHOOD RESIDENTIAL DISTRICT
- NR(CD) - AREA TO BE REMOVED FROM EXISTING CD REZONING

SMITH PARCEL (PID #01526460) NOT INCLUDED IN PROJECT AREA. A LAND SWAP EXHIBIT DETAILING THE CHANGES OF THE PROPERTY LINE IS INCLUDED WITH THE SUBMITTAL.



ROAD NAME LENGTH

ROAD NAME	LENGTH
BUTTERNUT OAK TERR	2,433 LF
CARVER AVE	1,551 LF
CHERRYBARK OAK LN	1,901 LF

ROAD BLOCK LENGTHS

BL 1	BL 2	BL 3	BL 4	BL 5
1,245'	283'	136'	1160'	1115'
352'	9	307'	279'	279'
551'	10	442'	388'	388'
236'	11	388'	479'	479'

*In major subdivisions the dimension of blocks may not exceed 800 linear feet between cross streets.

ALLEY NAME LENGTH

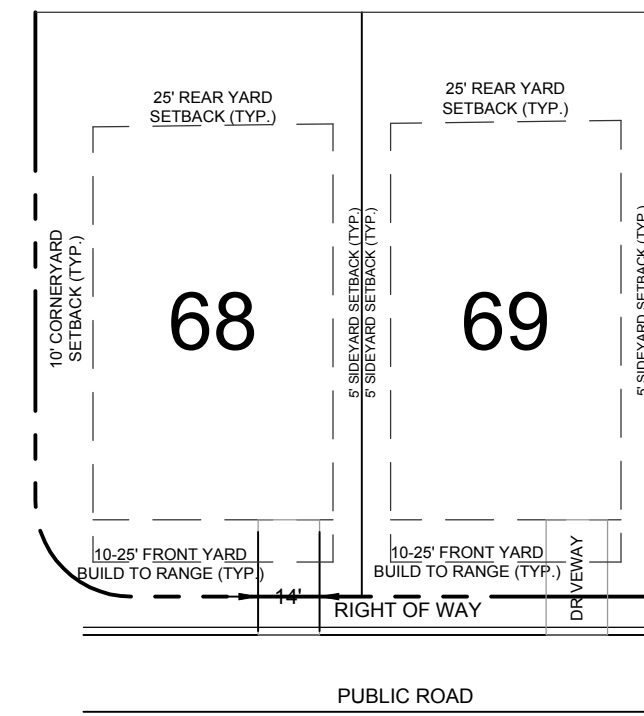
ALLEY NAME	LENGTH
CHINKAPIN OAK ALLEY	437 LF
OSAGE ORANGE ALLEY	184 LF
SAWTOOTH OAK ALLEY	626 LF
NUTTALL ALLEY	361 LF
	232 LF

ALLEY BLOCK LENGTHS

AL 1	AL 2	AL 3	AL 4	AL 5
215'	16	51'	17	181'
222'	17	181'	381'	381'

Impervious Area Table All Phases	
% Impervious Shown	Max. Allowable
13.72 Ac. (30.38%)	45.18 Ac. (100%)

NOTE: 1% or 150 sqft of impervious area per lot added to overall to allow for addition of future impervious area by the homeowner/occupant.



LOT SETBACKS: FRONT LOAD

- Lots 60' wide or less shall have driveways no more than 14' wide as measured along the public streets ROW.
- Driveways shall extend a minimum of 20' from back of public ROW.

LOT SETBACKS: ALLEY ACCESS

- If placed more than 5' from rear alley curb, garage must be placed on site to have a minimum 20' Driveway.

NOTE: REQUIRED ROAD IMPROVEMENTS NCDOT

- The TRA for this site was scoped by the Town of Huntersville and the Applicant. Huntersville required no improvements to adjacent roads. NCDOT specified improvements to the connection at Mount Holly - Huntersville Rd. as follows:
- A left and right turn lane to enter the site at the access point on Mt. Holly-Huntersville Rd, including 100' min storage and appropriate tapers
 - Widening of Carver Avenue and Overhill Rd. from 16' to 20' along all site frontage.
 - Curb island at south east corner of intersection of Carver Ave. and Beatties Ford Rd.
 - Alley fed lots on Beatties Ford Rd, Carver Ave, and Overhill Rd will not be allowed a driveway or access to respective streets. Homes should be addressed to the alley behind the lots.
 - Lots fronting Overhill Rd will not be allowed to front load. They will only be allowed a shared driveway (this may be waived if Huntersville takes over maintenance of this street)

- CDOT**
Sketch Plan was submitted to CDOT for comments on Mt. Holly-Huntersville road intersection improvements. CDOT specified additional improvements as follows;
- Recommends a three (3) approach-lane section at Mt. Holly-Huntersville Road and Road C. This would include an 11' right-turn lane, 11' left-turn lane and a 13' receiving lane. This section to be carried to the first stub street.
 - Recommends a 12' Multi-use Path or buffered bike lane along frontage.

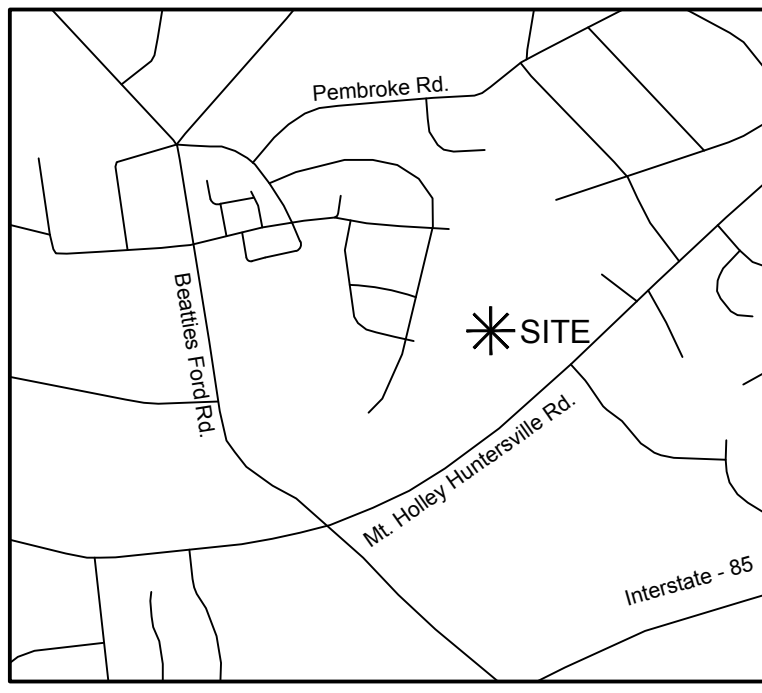
NOTE: APPROVAL FOR ENCROACHMENTS ONTO PIEDMONT NATURAL GAS EASEMENTS TO BE OBTAINED PRIOR TO APPROVAL OF CONSTRUCTION PLANS.

SITE TOPOGRAPHY & LOCATE FIELD RUN BY R. JOE HARRIS & ASSOCIATES, INC. SUPPLEMENTAL TOPOGRAPHY PROVIDED FROM MECKLENBURG COUNTY AERIAL TOPOGRAPHY (OFF-SITE).

THIS SITE IS NOT LOCATED WITHIN THE 100 YEAR FLOOD HAZARD ZONE AS DEFINED ON COMMUNITY PLAN 3710453800-K OF THE FLOOD INSURANCE RATE MAPS FOR MECKLENBURG COUNTY DATED 09-02-2015.

BOUNDARY SURVEY PROVIDED BY R. JOE HARRIS & ASSOCIATES, INC. HORIZONTAL DATUM TIED TO NAD 83 AND VERTICAL DATUM BASED ON NAVD 88. CONTACT R. JOE HARRIS & ASSOCIATES, INC. FOR BENCHMARKS AND CONTROL INFORMATION.

DATE	ISSUED FOR	REV
8/15/2022	Pre Submittal to Town of Huntersville	0
11/23/2022	Initial Submittal to Town of Huntersville	1



VICINITY MAP - N.T.S.

Development Information:			
Project Name:	Oak Grove Hill Phases 1 & 2 Construction Plans Huntersville, NC (Mecklenburg County)	Oak Grove Hill Phase 3 Construction Plans Huntersville, NC (Mecklenburg County)	Oak Grove Hill Phase 1, 2 & 3 Construction Plans Huntersville, NC (Mecklenburg County)
Developer:	CARVER BOWMAN LLC, 13815 Cinnabar Place Huntersville, NC 28078	CARVER BOWMAN LLC, 13815 Cinnabar Place Huntersville, NC 28078	CARVER BOWMAN LLC, 13815 Cinnabar Place Huntersville, NC 28078
Tax I.D.:	0102041, 0102044, 010208, 010209, 010210, 010211, 010212, 010213, 010214, 010215, 010216, 010217, 010218, 010219, 010220, 010221, 010222, 010223, 010224, 010225, 010226, 010227, 010228, 010229, 010230, 010231, 010232, 010233, 010234, 010235, 010236, 010237, 010238, 010239, 010240, 010241, 010242, 010243, 010244, 010245, 010246, 010247, 010248, 010249, 010250, 010251, 010252, 010253, 010254, 010255, 010256, 010257, 010258, 010259, 010260, 010261, 010262, 010263, 010264, 010265, 010266, 010267, 010268, 010269, 010270, 010271, 010272, 010273, 010274, 010275, 010276, 010277, 010278, 010279, 010280, 010281, 010282, 010283, 010284, 010285, 010286, 010287, 010288, 010289, 010290, 010291, 010292, 010293, 010294, 010295, 010296, 010297, 010298, 010299, 010300, 010301, 010302, 010303, 010304, 010305, 010306, 010307, 010308, 010309, 010310, 010311, 010312, 010313, 010314, 010315, 010316, 010317, 010318, 010319, 010320, 010321, 010322, 010323, 010324, 010325, 010326, 010327, 010328, 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011704, 011705, 011706, 011707, 011708, 011709, 011710, 011711, 011712, 011713, 011714, 011715, 011716, 011717, 011718, 011719, 01		

HUNTERSVILLE GENERAL NOTES:

- All development and construction shall comply with all zoning and subdivision standards of the Town of Huntersville, Mecklenburg County, and NCDOT, as applicable.
- This property may be subject to any easements and/or right-of-way of record.
- All areas designated as common and/or urban open space shall be owned and maintained by the homeowners association and dedicated for perpetuity.
- Access (ingress/egress) location and design shown on this sketch plan area subject to achieving vertical and horizontal sight distances, turn lane improvements (including) right-of-way and intersection with adjacent and opposing access points. Modifications to plan may result.
- Large maturing trees will be planted 40' O.C. within the required planting strip along all streets with the exception of rural parkways where existing trees can satisfy the street tree requirement. Small maturing trees are to be used where overhead power lines exist.
- Garbage pick-up shall be via roll-out trash and mail delivery shall be to mail kiosks.
- Except as specifically provided in the Rural and Transitional districts, detached house types and two-unit attached house types shall be required to have a lot width greater than 50' feet. Developers shall have the option to provide lots widths 50' feet wide or less when alley access allowing on-site parking is provided for detached house types and two-unit attached house types. Further, developers shall also have the option to apply for a conditional district rezoning to create lot widths of 50 feet wide or less without an alley provided it can demonstrated the development can accommodate on-street parking, meet all the provisions of the zoning ordinance including installation of street trees, and demonstrate public services such as trash pick-up can be provided.
- Alley access for on-site parking is strongly encouraged for three-unit or more attached house types.
- Direct access from lots to a thoroughfare is prohibited.
- Lots subject to flooding should not be established in subdivisions except as provided in Section 7.280.
- Any construction or use within the areas delineated by floodway fringe district boundary line and floodway district encroachment line is subject to the restrictions imposed by floodway regulations.
- All alleyways shall be open from general usage by the general public but shall not be accepted by the public for maintenance. Maintenance shall be responsibility of developer/associations of homeowners.
- Build-to line - A line extending through a lot which is generally parallel to the front property line and marks the location from which the principle vertical plane of the front building elevation must be erected; intended to create an even building facade line on a street. The build-to line is established on the record plat (final plat).
- The proposed method for providing potable water & sanitary sewer shall be provided by Charlotte Water via connected waterlines & sewer lines.

LEGEND

- 35' SWIM BUFFER

- 20' UNDISTURBED BUFFER

- 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY

- 20' REPLANTED BUFFER

- TREE SAVE AREA

- URBAN OPEN SPACE (UOS)

- 20' BUFFERS WITH REQUESTED MODIFICATION

TREE PRESERVATION

Specimen tree - A tree (or group of trees) that may be considered important community assets due to their unique or noteworthy characteristics or values. A tree may be considered a specimen tree based on its size, age, rarity or special historical or ecological significance and may also meet the following criteria:

- Large hardwood (e.g. oaks, poplars, maples, etc.) and softwoods (e.g. pines) in good or better or better condition with a DBH of 24" or greater.
- Smaller understory trees (e.g. dogwoods, redbuds, sourwoods, persimmons, etc.) in good or better condition with a DBH of 12" or greater.
- Lesser-sized trees of rare species or special intrinsic value as approved by staff.

Heritage tree - A tree that is listed in the North Carolina Big Tree List, the American Forest Association's Champion Tree list, the Mecklenburg County treasure Tree List or any tree that would meet 80% of the points of a tree on North Carolina's Big Tree List.

Note: Urban open spaces shall include one or more of the following: landscaping, walks, seating, fountains, playground equipment, statues, etc. Materials used shall be a combination of brick pavers, stamped asphalt, stone, wrought iron, wood, crushed gravel or stone etc.

OAK GROVE HILL TREE PRESERVATION			
	PHASE 1&2	PHASE 3	ALL PHASES
SITE ACREAGE	38.29± AC	6.89± AC	45.18± AC
% COVERED BY TREE CANOPY	26.26± AC (68.6%)	6.42± AC (93.2%)	32.68± AC (72.3%)
% OF TREE CANOPY PRESERVATION REQUIRED	3.83± AC (10%)	0.89± AC (10%)	4.52± AC (10%)
% OF TREE CANOPY PROVIDED	3.48± AC (9.1%)	1.58± AC (22.9%)	5.06± AC (11.2%)
NO. OF SPECIMEN TREES ON-SITE*	8	14	22
NO. OF SPECIMEN TREES TO BE SAVED (MIN REQ. 10%)	3 (37%)	11 (79%)	14 (64%)
NO. OF HERITAGE TREES ON SITE	0	0	0

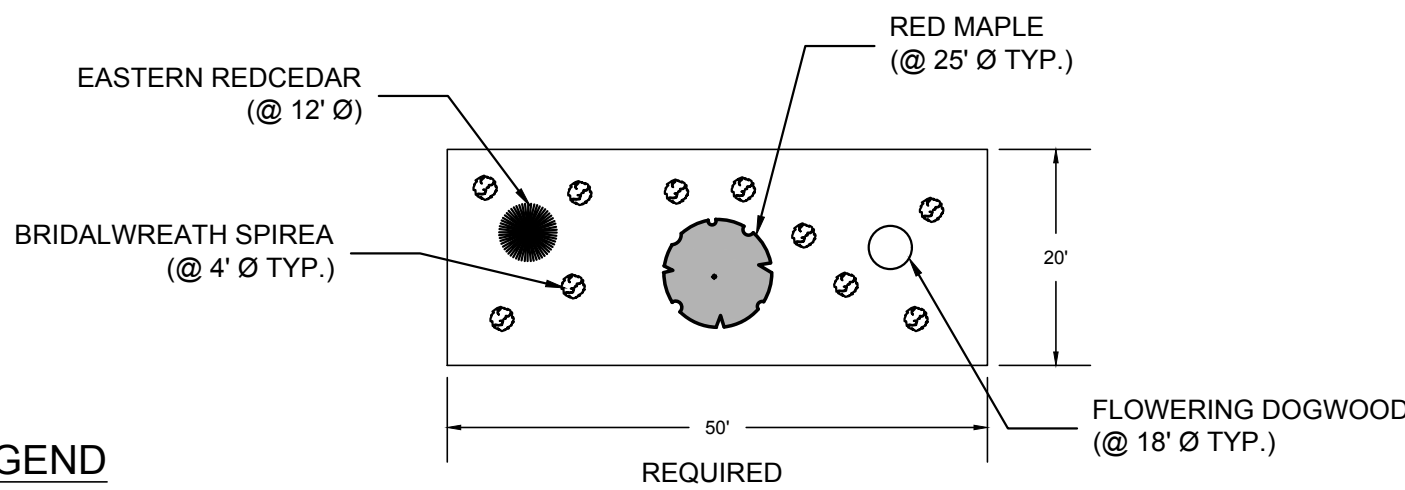
* DOES NOT INCLUDE SPECIMEN TREES WITH PROPOSED SMITH PROPERTY BOUNDARY

TREE LEGEND

TR	- Tree	GU	- Gum
EL	- Elm	MA	- Maple
BE	- Beach	PE	- Pecan
P	- Pine	WA	- Walnut
PO	- Poplar	HI	- Hickory
OA	- Oak		

SUPPLEMENTAL RESIDENTIAL BUFFER YARD LANDSCAPING ALONG ABUTTING PROPERTIES

TOTAL LENGTH = 50 LINEAR FEET X 20 LINEAR FEET = 1000SQFT



- 25% (1 TREE) EVERGREEN TREES PER 50LF
- 25% (1 TREE) CANOPY TREES PER 50LF (LARGE MATURING)
- 25% (1 TREE) UNDERSTORY TREES PER 50LF (SMALL MATURING)
- 10 SHRUBS PER 50LF

(NUMBER OF TREES & SHRUBS SHOWN MUST BE THE MINIMUM NUMBER PLANTED. TYPE & ACTUAL LOCATION MAY VARY.)
(EXISTING TREES AND SHRUBS CAN COUNT TOWARDS PLANTING REQUIREMENTS, AS LONG AS THEY MEET THE REQUIRED SIZE)

ROAD NAME LENGTH

BUTTERNUT OAK TERR	2,433 LF
CARVER AVE	1,550 LF
CHERRYBARK OAK LN	1,014 LF

ROAD BLOCK LENGTHS

BL 1 1,248'	BL 7 136'
BL 2 283'	BL 8 178'
BL 3 352'	BL 9 307'
BL 4 551'	BL 10 442'
BL 5 236'	BL 11 388'
BL 6 135'	BL 12 479'

*In major subdivisions the dimension of blocks may not exceed 800 linear feet between cross streets.

ALLEY BLOCK LENGTHS

AL 14 215'	AL 16 51'
AL 15 222'	AL 17 181'
AL 18 181'	AL 19 361'

ALLEY NAME LENGTH

PIN ALLEY	437 LF
CHINKAPIN OAK ALLEY	184 LF
OSAGE ORANGE ALLEY	628 LF
SAWTOOTH OAK ALLEY	361 LF
NUTTALL ALLEY	232 LF

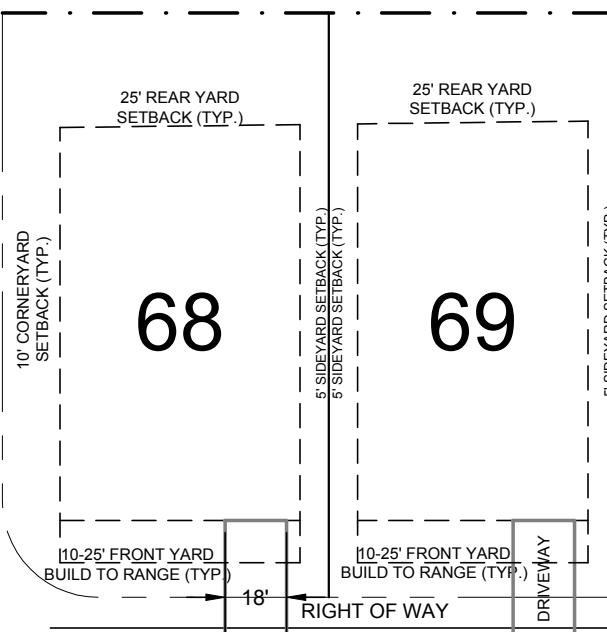
CONSTRAINING FEATURES

ZONING:	NR-CD
ACREAGE:	38.05± ACRES
SWIM BUFFER	2.43± ACRES
SLOPE ANALYSIS: (% OF SITE AREA)	
0% - 10%	29.3 ACRES (77.00%)
10% - 15%	4.34 ACRES (11.41%)
15% - 25%	2.74 ACRES (7.20%)
25% - 100%	1.70 ACRES (4.47%)

Soil Hydrologic Groups: (% of site area)	
ZONING:	NR-CD
ACREAGE:	38.05± ACRES
Group A	0
Group B	20.2± ACRES(53.0%)
Group C	17.9± ACRES (47.0%)
Group D	0
Group B/D	0

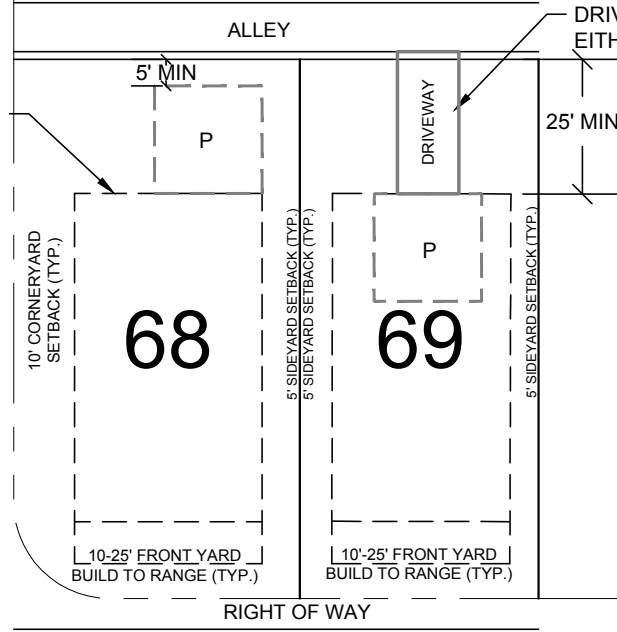
EXISTING DATA

FEMA Panel:	3710453800K
Watershed:	Long Creek
Soil Types:	CeB2 - Cecil sandy clay loam, 2 to 8 percent slopes CeD2 - Cecil sandy clay loam, 8 to 15 percent slopes EnB - Eron sandy loam, 2 to 5 percent slopes EnD - Eron sandy loam, 8 to 15 percent slopes PaE - Pacolet sandy loam, 15 to 25 percent slopes VaB - Vance sandy loam, 2 to 8 percent slopes W - Water



LOT SETBACKS: FRONT LOAD

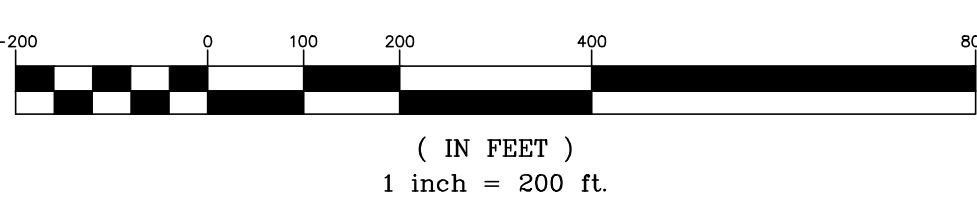
- Lots 60' wide or less shall have driveways no more than 14' wide as measured along the public streets ROW.
- Driveways shall extend a minimum of 20' from back of public ROW.



LOT SETBACKS: ALLEY ACCESS

- If placed more than 5' from rear alley curb, garage must be placed on site to have a minimum 20' Driveway.

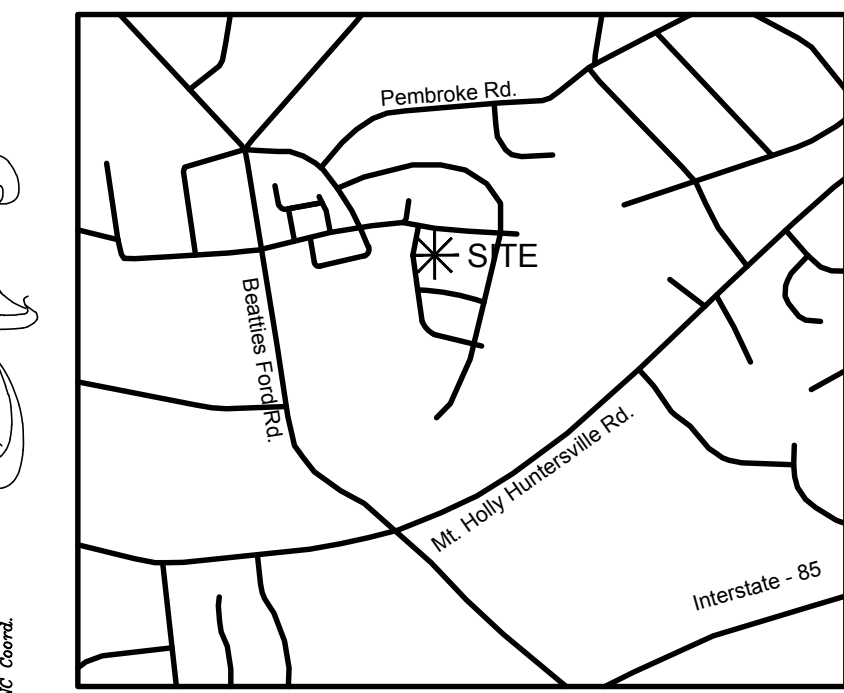
GRAPHIC SCALE



SITE TOPOGRAPHY & LOCATE FIELD RUN BY R. JOE HARRIS & ASSOCIATES, INC. SUPPLEMENTAL TOPOGRAPHY PROVIDED FROM MECKLENBURG COUNTY AERIAL TOPOGRAPHY (OFF-SITE).

THIS SITE IS NOT LOCATED WITHIN THE 100 YEAR FLOOD HAZARD ZONE AS DEFINED ON COMMUNITY PANEL 3710453800-K OF THE FLOOD INSURANCE RATE MAPS FOR MECKLENBURG COUNTY DATED 09-02-2015.

BOUNDARY SURVEY PROVIDED BY R. JOE HARRIS & ASSOCIATES, INC. HORIZONTAL DATUM TIED TO NAD 83 AND VERTICAL DATUM BASED ON NAVD 88. CONTACT R. JOE HARRIS & ASSOCIATES, INC. FOR BENCHMARKS AND CONTROL INFORMATION.



VICINITY MAP - N.T.S.

Development Information:

Project Name:	Oak Grove Hill Phases 1, 2, & 3 Construction Plans Huntersville, NC (Mecklenburg County)
Developer:	Bowman Bayard Bradford, LLC 13815 Cinnabar Place Huntersville, NC 28078
Tax I.D.:	01526443, 01526504, 0152606, 01526460 (Land Swap), 01526443, 01525432
Property Owners of Record	Buchanan, Beverly W.; Smith, Miriam W
Zoning:	NR-CD
Acreage:	38.05± ACRES = 1,657,458 SF
Building type:	Detached House (114 lots)
Build to Line:	
	SINGLE FAMILY 42-50': FRONT: 10-25 FT. SIDE: 5 FT. CORNER: 10 FT. REAR: 25 FT.
	SINGLE FAMILY 51-60': FRONT: 10-25 FT. SIDE: 5 FT. CORNER: 10 FT. REAR: 25 FT.
	SINGLE FAMILY 61-83': FRONT: 10-25 FT. SIDE: 5 FT. CORNER: 10 FT. REAR: 25 FT.
Minimum Lot Width:	SINGLE FAMILY: 51 FT. SINGLE FAMILY: 10-25 FT. SINGLE FAMILY: 42 FT. SINGLE FAMILY: 53 FT.
Lot Width Range (Measured at Build-To line):	SINGLE FAMILY: 51-70 FT. 88 4
	42-50 FT. SINGLE FAMILY: 22
Lot Size Range:	SF: 62 Lots 52 Lots
	5,000 SQ. FT. - 6,500 SQ. FT. 6,500 SQ. FT. - 11,500 SQ. FT.

Open Space Table					
Urban Open Space			Common Open Space		
U.O.S #	Area	Type	C.O.S #	Area	Type
1	12,633 SF	Mini/Pocket Park	1	654,707 SF	COS
2	30,477 SF	Green	2	84,506 SF	Buffers
Total	43,110 SF 0.99 Acres		Total	739,213 SF 16.97 Acres	

Parcel Line and Curve Table

Line #/Curve #	Length	Bearing/Delta	Radius
C1	223.08	8.58	1489.60
C2	33.53	11.30	170.00
C3	71.27	7.66	532.98
C4	170.43	11.56	845.00
L1	137.93	S70° 15' 02.81"W	
L2	81.41	S70° 15' 02.81"W	
L3	126.99	N31° 31' 24.74"W	
L4	44.12	S64° 35' 27.67"W	
L5	60.54	N6° 07' 20.97"W	
L6	200.13	S81° 00' 10.39"W	
L7	273.43	S8° 52' 53.75"E	
L8	184.38	N79° 27' 40.55"E	
L9	109.25	S9° 03' 07.48"E	
L10	186.97	N79° 12' 35.09"E	
L11	223.70	N79° 12' 35.09"E	
L12	269.43	N1° 10' 17.70"W	
L13	343.27	N78° 03' 36.20"W	
L14	263.13	S80° 21' 33.74"W	
L15	153.01	N30° 38' 11.61"W	
L16	43.55	N29° 22' 29.44"W	

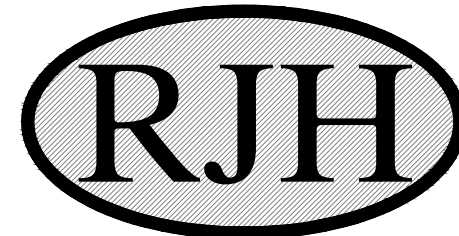
Parcel Line and Curve Table

Line #/Curve #	Length	Bearing/Delta	Radius
L17	218.10	N40° 30' 07.52"E	
L18	203.71	S41° 28' 25.17"E	
L19	220.02	N62° 30' 22.94"E	
L20	236.50	N86° 02' 26.57"E	
L21	60.08	N86° 07' 52.28"E	
L22	60.05	N85° 59' 35.18"E	
L23	249.57	S43° 00' 21.52"E	
L24	207.49	S45° 01' 00.45"E	
L25	234.82	S52° 51' 13.67"E	
L26	94.14	S81° 08' 54.19"E	
L27	220.86	S15° 38' 39.63"E	
L28	415.63	N83° 29' 47.60"W	
L29	524.77	S9° 49' 49.70"W	
L30	206.19	S9° 37' 08.45"W	
L31	225.58	S9° 45' 52.72"W	
L32	206.36	S9° 50' 52.21"W	
L33	421.11	S10° 10' 22.20"W	
L34	784.03	N20° 17' 06.81"W	
L35	107.42	N85° 01' 00.37"W	
L36	725.59	N24° 49' 00.37"W	

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Engineer:



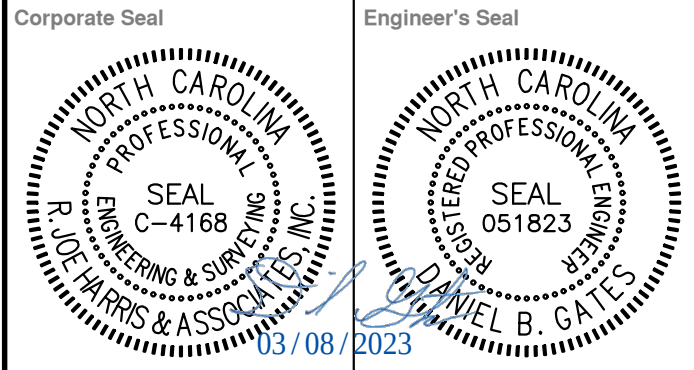
R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning Management

1188 Stonecrest Blvd., Tega Cay, S.C. 29708 P: (803) 802-1799

www.rjoeharris.com

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Project Manager	Drawn
D. Gates	T. Alston
Department Manager	Checked
P. Murphy	D. Gates

Print/Plot Date

March 8, 2023

Asbuilt Drawn	Asbuilt Date
-	-
Client	

BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

Project:

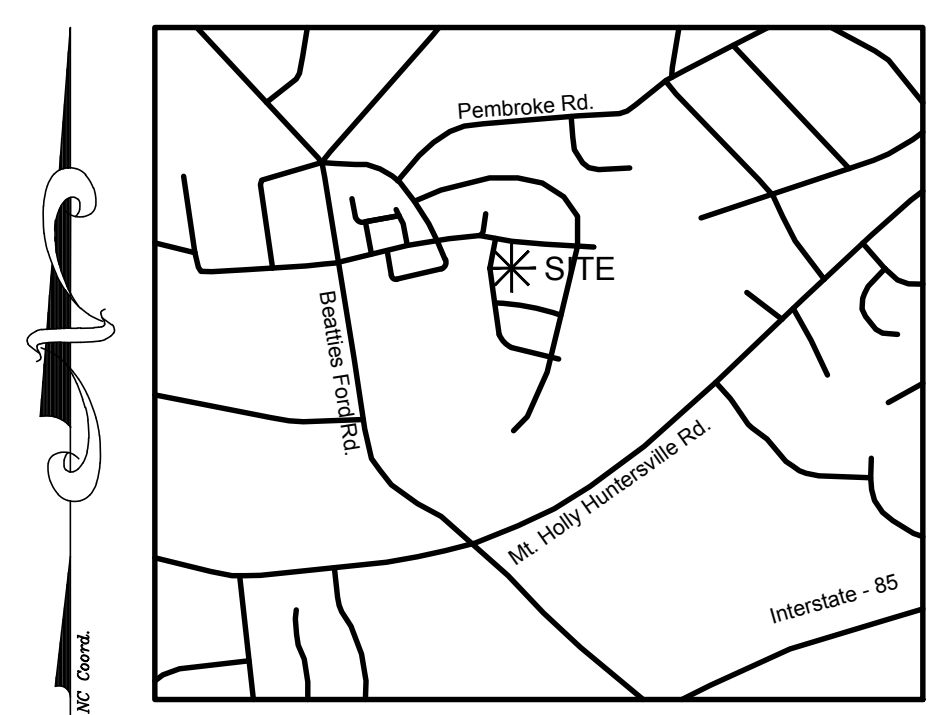
Oak Grove Hill-Phases 1&2

Drawing Title:

Phases 1 & 2 Site Plan

Project No.	Drawing No.
2839	
DWG File Name:	
2839-Resizing & Site Plan	

SP-2



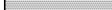
Parcel Line and Curve Table				
Line #	Curve E	Length	Bearing/Delta	Radius
C1		223.08	8.58	1489.60
C2		33.53	11.30	170.00
C3		71.27	7.66	532.98
		137.43	11.56	845.00
L1		150.83	S70° 15' 02.81"W	
L2		18.41	S70° 15' 02.81"W	
L3		129.19	N31° 13' 24.74"E	
L4		44.12	S64° 35' 27.67"W	
L5		65.54	S81° 07' 20.97"W	
L6		200.13	S81° 00' 10.39"W	
L7		273.43	S8° 52' 53.75"E	
L8		184.38	N78° 27' 40.55"E	
L9		109.25	S8° 03' 07.48"E	
L10		186.97	N39° 12' 35.09"E	
L11		223.70	N27° 12' 35.09"E	
L12		269.43	N1° 10' 17.70"W	
L13		343.27	N78° 03' 36.20"W	
L14		263.21	S80° 21' 33.74"W	
L15		153.01	N36° 08' 11.61"W	
L16		43.55	N39° 42' 09.24"W	

Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Date	Radius
L17	218.10	N40° 39' 07.52"E	
L18	203.71	S41° 29' 25.17"E	
L19	220.02	N22° 94' 22.96"E	
L20	236.50	N08° 02' 28.57"E	
L21	60.08	N58° 07' 52.26"E	
L22	60.05	N58° 56' 52.26"E	
L23	249.57	S43° 09' 21.50"E	
L24	249.47	S45° 01' 01.52"E	
L25	234.82	S52° 51' 13.67"E	
L26	94.14	061° 08' 54.19"E	
L27	220.06	S15° 58' 39.63"E	
L28	415.63	N83° 29' 47.40"W	
L29	524.77	S9° 49' 40.70"W	
L30	206.19	S9° 37' 08.45"W	
L31	225.58	S49° 55' 52.72"W	
L32	206.36	S9° 50' 52.21"W	
L33	421.11	S10° 17' 22.20"W	
L34	784.03	N27° 17' 08.81"W	
L35	107.42	N85° 10' 00.37"W	
L36	725.59	N24° 45' 00.37"W	

Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
L37	155.28	S81° 27' 26.96"W	
L38	208.14	N8° 44' 16.11"W	
L39	367.53	N79° 12' 35.09"E	
L40	174.74	N10° 31' 08.26"W	
L41	100.95	N79° 47' 38.78"E	
L42	52.62	S1° 09' 24.58"W	
L43	208.84	S85° 55' 35.48"E	
L44	424.81	N83° 15' 25.30"W	
L45	259.58	S0° 25' 51.55"E	
L46	251.72	S42° 21' 15.28"E	
L47	40.10	N50° 36' 40.56"E	
L48	362.86	S43° 23' 19.44"E	
L49	158.90	N50° 36' 40.56"E	
L50	364.61	N43° 22' 29.44"W	

Open Space Table					
Urban Open Space			Common Open Space		
U.O.S #	Area	Type	C.O.S #	Area	Type
1	12,633 SF	Mini/Pocket Park	1	654,707 SF	COS
2	30,477 SF	Green	2	84,506 SF	Buffers
Total	43,110 SF 0.99 Acres		Total	739,213 SF 16.97 Acres	

- # LEGEND
-
-  - 35' SWIM BUFFER
 -  - 20' UNDISTURBED BUFFER
 -  - 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY
 -  - 20' REPLANTED BUFFER
 -  - TREE SAVE AREA
 -  - URBAN OPEN SPACE (UOS)
 -  - 20' BUFFERS WITH REQUESTED MODIFICATION
 -  - BMP ACCESS EASEMENT ENCRDACHING ON PIEDMONT NATURAL GAS LINES
 -  - PROPOSED SMITH PROPERTY LINE
 -  - PROPOSED BUCHANANN PROPERTY LINE

- ## CURB LEGEND
- | | |
|---|------------------------------|
|  | 2'-6" STANDARD CURB & GUTTER |
|  | 2'-0" STANDARD CURB & GUTTER |
|  | 2'-0" RIBBON CURB |
|  | 2'-0" VALLEY GUTTER |

DATE	ISSUED FOR	REV
4/13/20	Pre-Submittal Meeting	0
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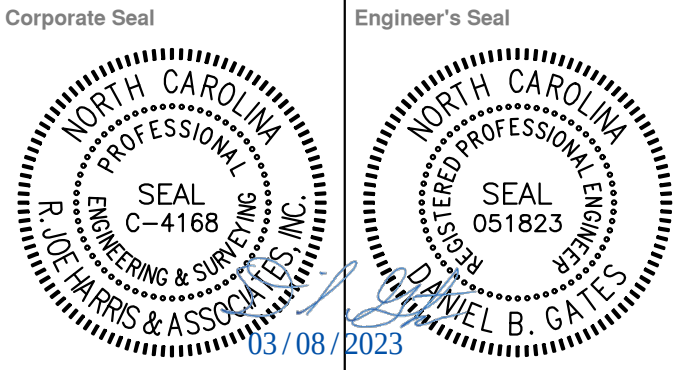
Engineer:



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D. Gates	T. Alston
Department Manager	Checked
P. Murphy	D. Gates

BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

Project:

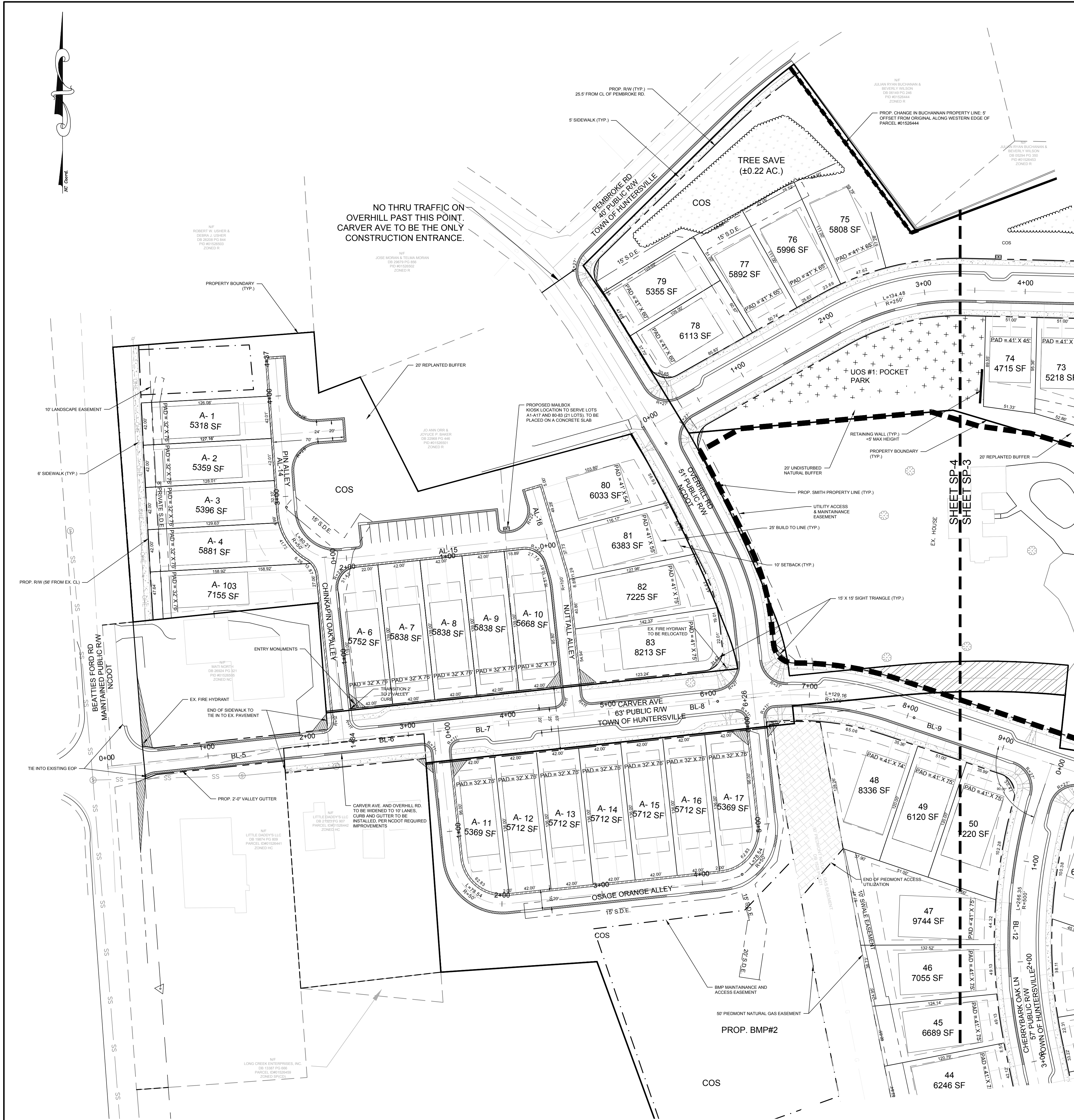
Oak Grove Hill-Phases 1&2

Drawing Title:

Site Plan 1: Phase 1 & 2

Project No.	Drawing No.
2839	SP-3
DWG File Name:	
2839-Rezoning & Site Plan	

SP-3

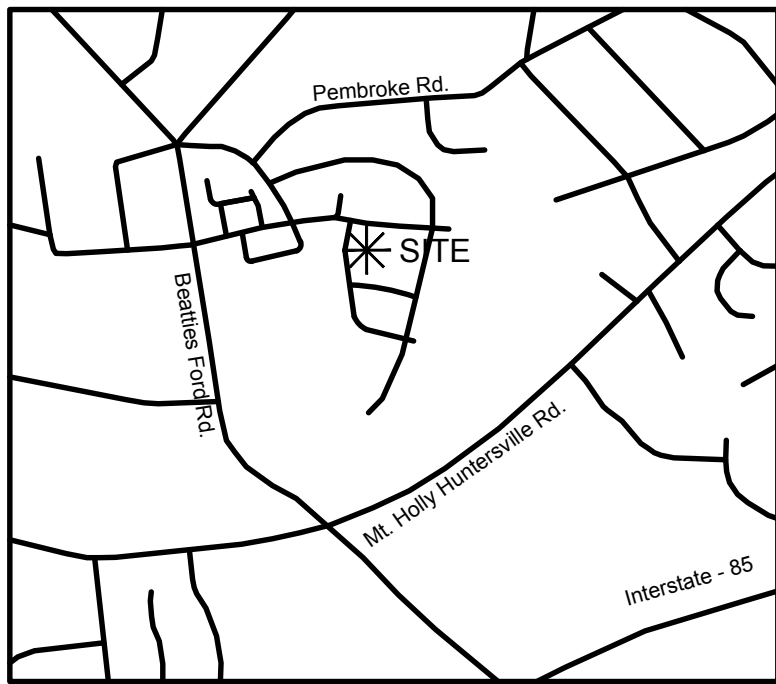


LEGEND

- 35' SWIM BUFFER
- 20' UNDISTURBED BUFFER
- 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY
- 20' REPLANTED BUFFER
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- 2'-6" STANDARD CURB & GUTTER
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- 2'-0" RIBBON CURB
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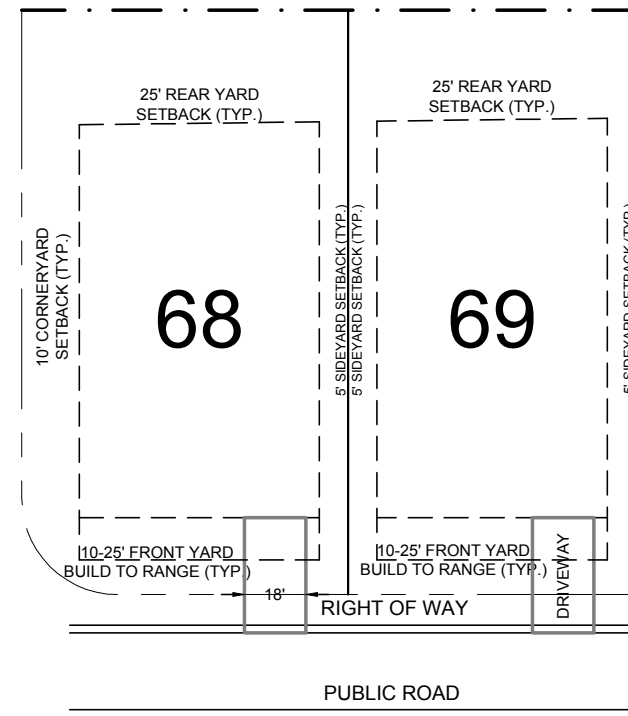
VICINITY MAP - N.T.S.

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L8	164.38	N79° 27' 40.55"E	
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L11	223.70	N79° 12' 35.09"E	
L12	269.43	N1° 10' 17.70"W	
L13	343.27	N78° 03' 36.20"W	
L14	263.13	S80° 21' 33.74"W	
L15	153.01	N36° 08' 11.61"W	
L16	43.55	N39° 42' 09.24"W	

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L21	60.08	N89° 07' 52.89"E	
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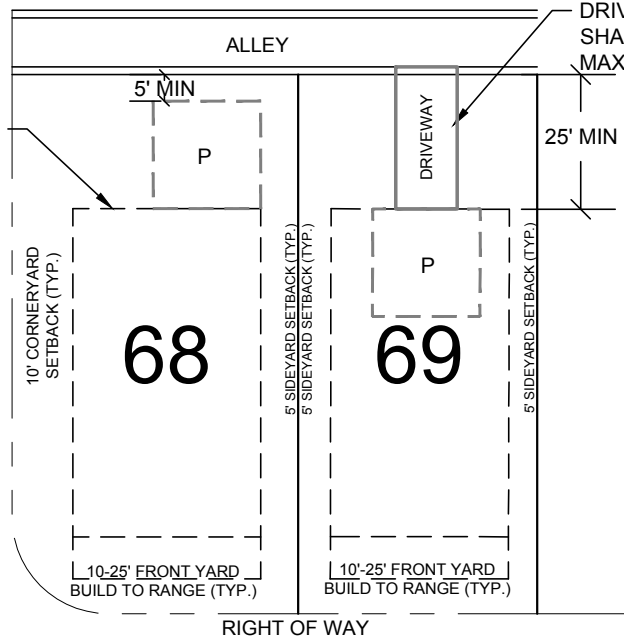
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L41	100.35	N79° 47' 08.78"E	
L42	52.52	S1° 09' 24.58"W	
L43	208.94	S85° 55' 35.48"E	
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L45	359.58	S0° 25' 51.55"E	
L46	450.72	S42° 21' 15.28"E	
L47	201.10	N50° 36' 40.56"E	
L48	362.86	S43° 23' 19.44"E	
L49	158.90	N50° 36' 40.56"E	
L50	384.61	N43° 22' 29.44"W	

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U.O.S #	Area	Type
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2	30,477 SF	Green



LOT SETBACKS: FRONT LOAD

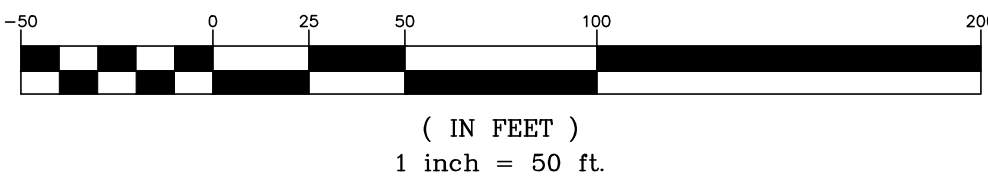
- Lots 60' wide or less shall have driveways no more than 14' wide as measured along the public streets ROW.
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LOT SETBACKS: ALLEY ACCESS

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GRAPHIC SCALE



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Engineer:



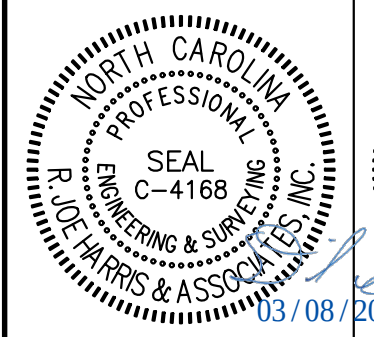
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Corporate Seal



Engineer's Seal



Project Manager D. Gates	Drawn T. Alston
Department Manager P. Murphy	Checked D. Gates

Print/Plot Date

March 8, 2023

Asbuilt Drawn

Asbuilt Date

Client

BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERVILLE, NC 28078
P: (704) 875-9704

Project:

Oak Grove Hill-Phases 1&2

Drawing Title:

Site Plan 2: Phase 1 & 2

Project No.

2839

DWG File Name:

2839-Rezoning & Site Plan

Drawing No.

SP-4

SHEET SP-3
SHEET SP-5

NOT
LONG CREEK ENTERPRISES, INC.
DB 1337 PG 66
PARCELS SHOWN
(ZONED SP/CO)

PROP. BMP#2

EX. POND

TREE SAVE
(±1.31 AC.)

COS
PROP. BMP#4

PIEDMONT NATURAL GAS EASEMENT

MATCHLINE

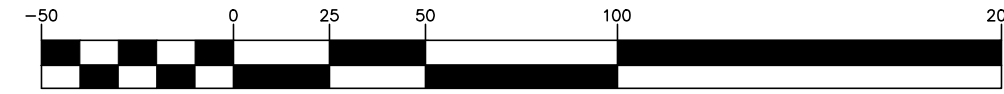
TREE SAVE
(±0.11 AC.)

END OF ROADWAY STREET BARRICADE

PROPERTY BOUNDARY
(TYP.)

MATCHLINE

GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.



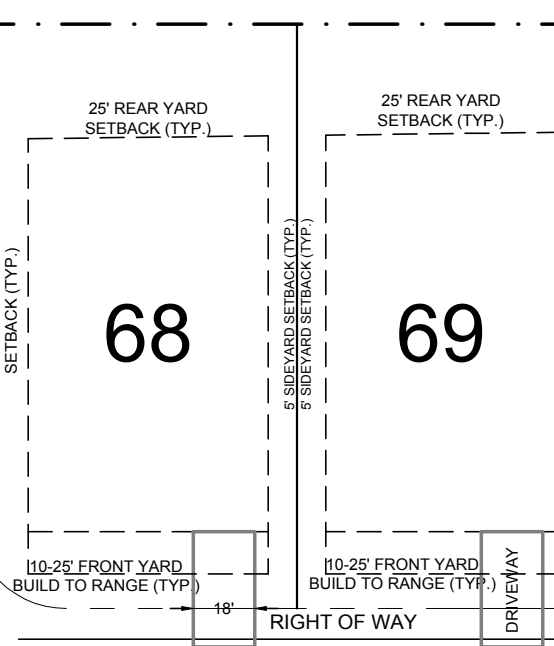
VICINITY MAP - N.T.S.

LEGEND

- 35' SWIM BUFFER
- 20' UNDISTURBED BUFFER
- 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY
- 20' REPLANTED BUFFER
- TREE SAVE AREA
- URBAN OPEN SPACE (UOS)
- 20' BUFFERS WITH REQUESTED MODIFICATION
- PHASE LINE

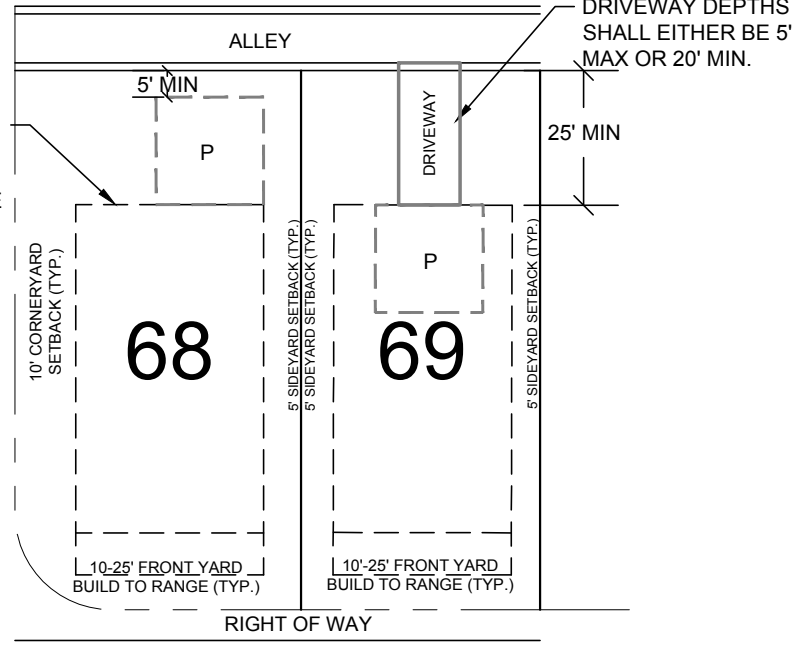
CURB LEGEND

- 2'-6" STANDARD CURB & GUTTER
- 2'-0" STANDARD CURB & GUTTER
- 2'-0" RIBBON CURB
- 2'-0" VALLEY GUTTER



LOT SETBACKS: FRONT LOAD

- Lots 60' wide or less shall have driveways no more than 14' wide as measured along the public streets ROW.
- Driveways shall extend a minimum of 20' from back of public ROW.



LOT SETBACKS: ALLEY ACCESS

- If placed more than 5' from rear alley curb, garage must be placed on site to have a minimum 20' Driveway.

Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
C1	223.08	S 55° 07' 02"E	4489.60
C2	33.53	N 11° 30' 25"E	170.00
C3	71.27	S 76° 02' 02"E	532.96
C4	170.43	N 11° 30' 25"E	845.00
L1	137.83	S 70° 15' 02.81"W	
L2	81.41	S 70° 15' 02.81"W	
L3	126.99	N 31° 31' 24.74"W	
L4	44.12	S 64° 35' 27.67"W	
L5	60.54	N 0° 07' 20.97"W	
L6	200.13	S 81° 00' 10.39"W	
L7	273.43	S 8° 52' 53.75"E	
L8	184.38	N 79° 27' 40.55"E	
L9	109.25	S 0° 03' 07.48"E	
L10	186.87	N 79° 12' 35.09"E	
L11	223.70	N 79° 12' 35.09"E	
L12	269.43	N 1° 10' 17.70"W	
L13	343.27	N 78° 03' 36.20"W	
L14	263.13	S 80° 21' 33.74"W	
L15	153.01	N 36° 08' 11.61"W	
L16	43.55	N 39° 42' 09.24"W	

Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
L17	218.10	N 40° 39' 07.52"E	
L18	203.71	S 41° 29' 25.17"E	
L19	230.02	N 60° 30' 32.94"E	
L20	236.50	N 80° 02' 26.57"E	
L21	60.08	N 80° 07' 52.26"E	
L22	60.05	N 80° 59' 35.18"E	
L23	249.57	S 43° 00' 21.52"E	
L24	207.49	S 45° 01' 00.45"E	
L25	234.82	S 52° 51' 13.67"E	
L26	94.14	S 61° 08' 54.19"E	
L27	220.66	S 15° 28' 39.63"E	
L28	415.63	N 83° 28' 47.60"W	
L29	524.77	S 9° 49' 49.70"W	
L30	206.19	S 9° 37' 08.45"W	
L31	225.58	S 9° 45' 52.72"W	
L32	206.36	S 9° 50' 52.21"W	
L33	421.11	S 10° 10' 22.20"W	
L34	784.03	N 27° 17' 08.81"W	
L35	107.42	N 85° 10' 00.37"W	
L36	725.59	N 24° 45' 00.37"W	

Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
L37	155.28	S 81° 27' 25.96"W	
L38	208.14	N 8° 44' 16.11"W	
L39	367.53	N 79° 12' 35.09"E	
L40	17.74	N 10° 31' 08.26"W	
L41	100.95	N 79° 47' 38.78"E	
L42	52.62	S 1° 09' 24.58"W	
L43	208.84	S 85° 59' 35.48"E	
L44	424.81	N 83° 15' 25.30"W	
L45	359.58	S 0° 25' 51.55"E	
L46	450.72	S 42° 21' 15.28"E	
L47	201.10	N 50° 36' 40.56"E	
L48	362.86	S 43° 23' 19.44"E	
L49	158.90	N 50° 36' 40.56"E	
L50	364.61	N 43° 22' 29.44"W	

Urban Open Space Table		
U.O.S #	Area	Type
1	12,633 SF	Mini/Pocket Park
2	30,477 SF	Green

DATE	ISSUED FOR	REV
4/13/20	Pre-Submittal Meeting	0
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10/13/20	Third EPM Submittal	3
12/18/20	Fourth EPM Submittal	4



Engineer:



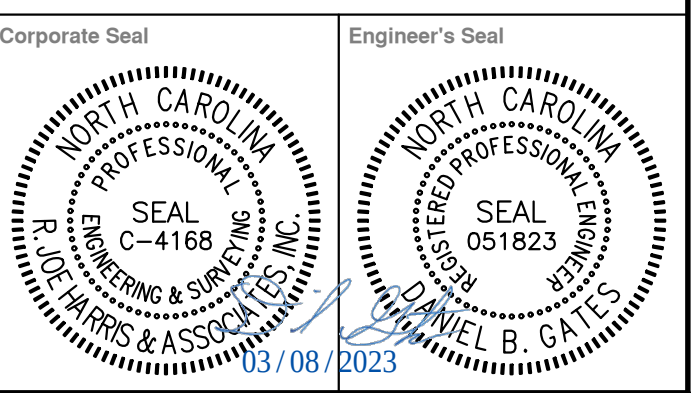
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Project Manager D. Gates	Drawn T. Alston
Department Manager P. Murphy	Checked D. Gates
Print/Plot Date January 20, 2023	
Asbuilt Drawn -	Asbuilt Date -
Client Bowman Development Group	

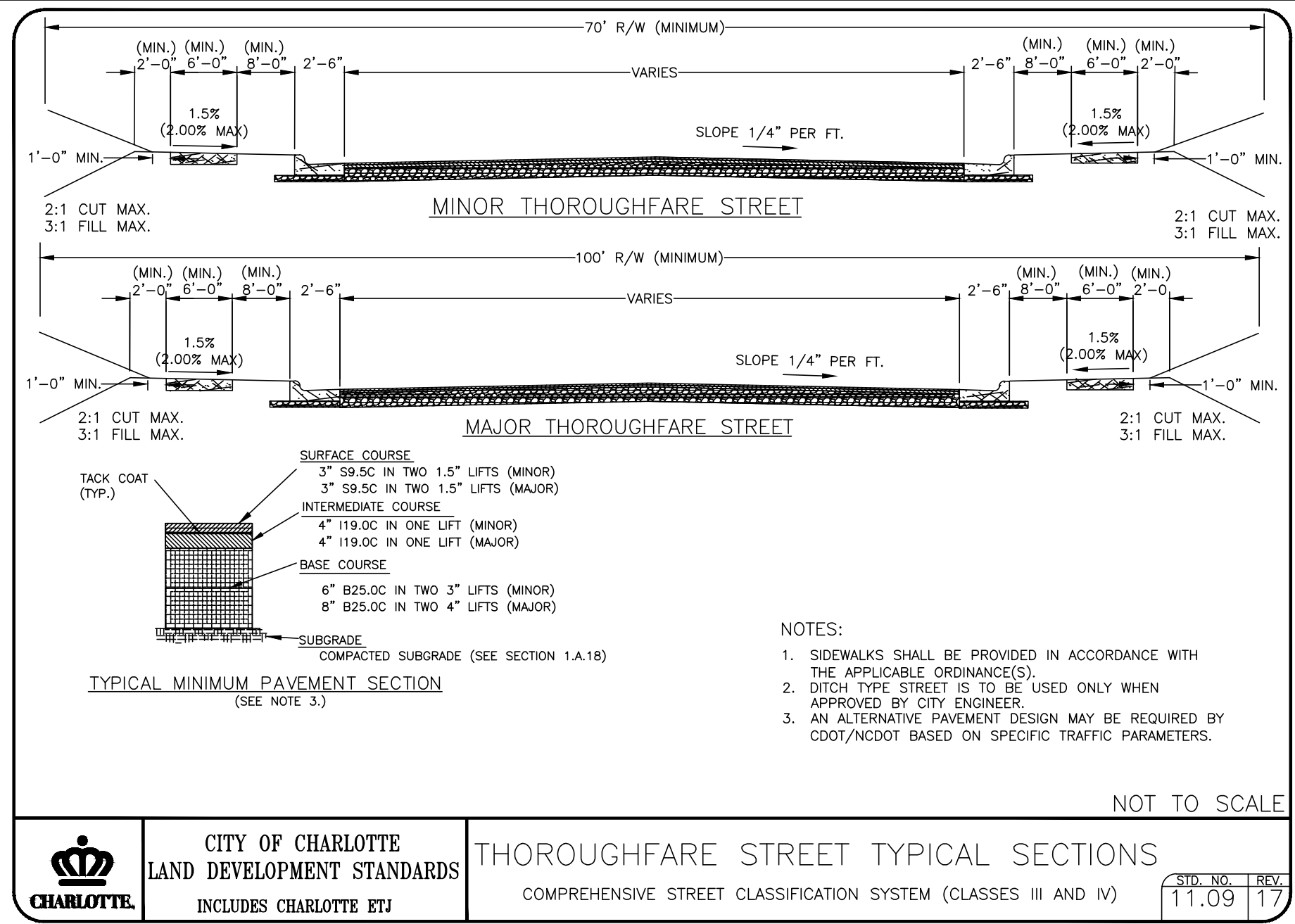
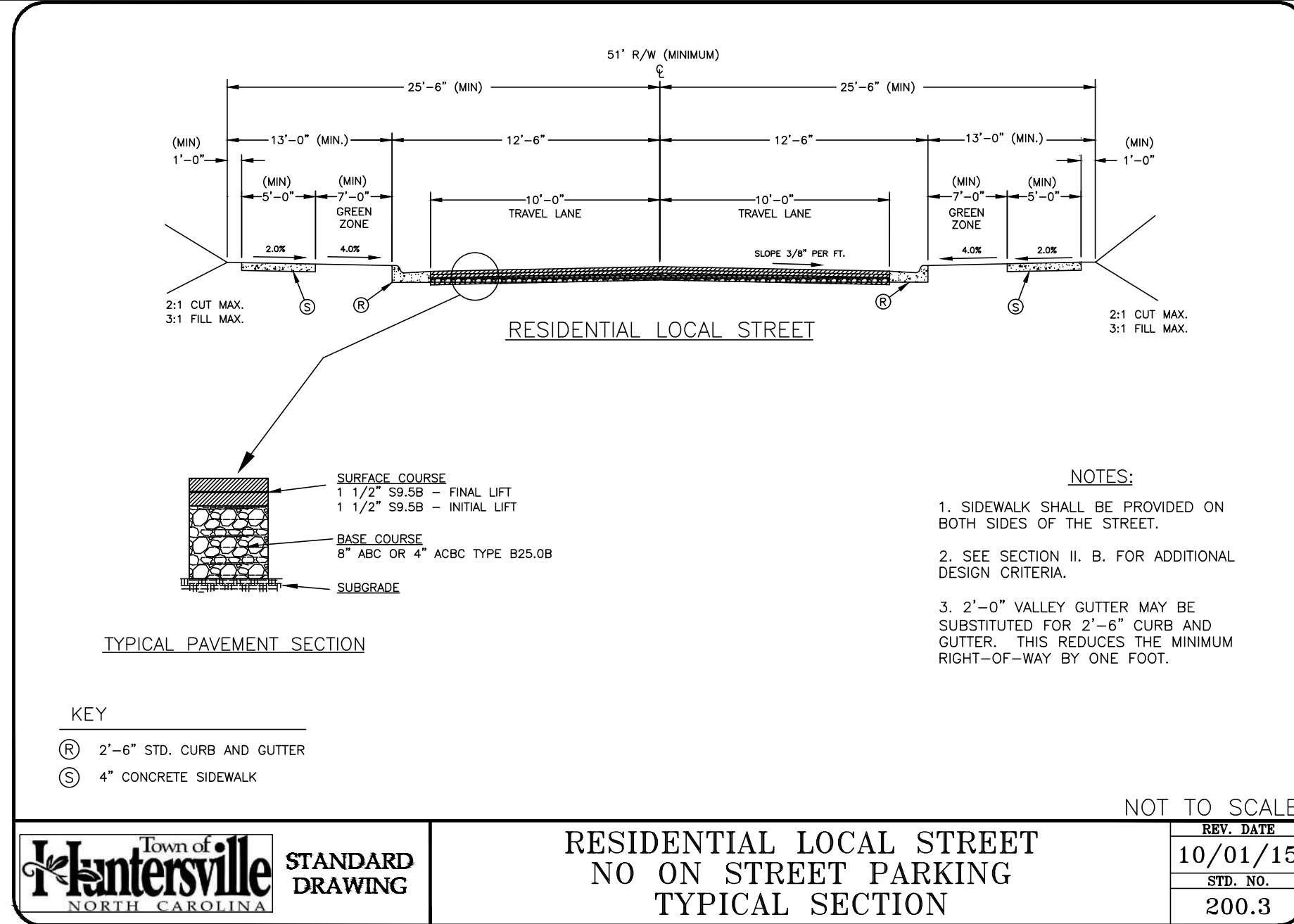
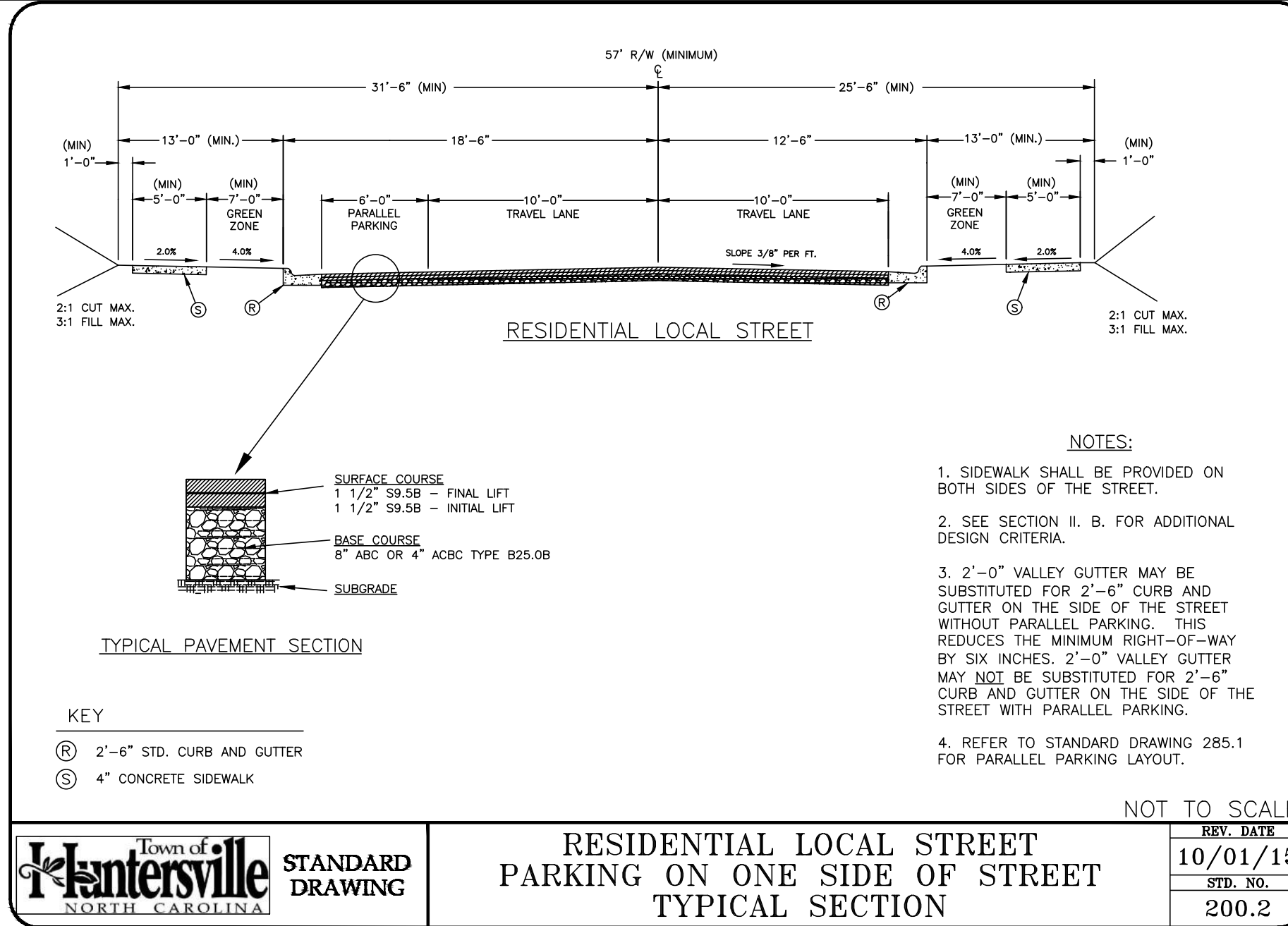
Bowman Development Group
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

Project:
Oak Grove Hill-Phases 1&2

Drawing Title:

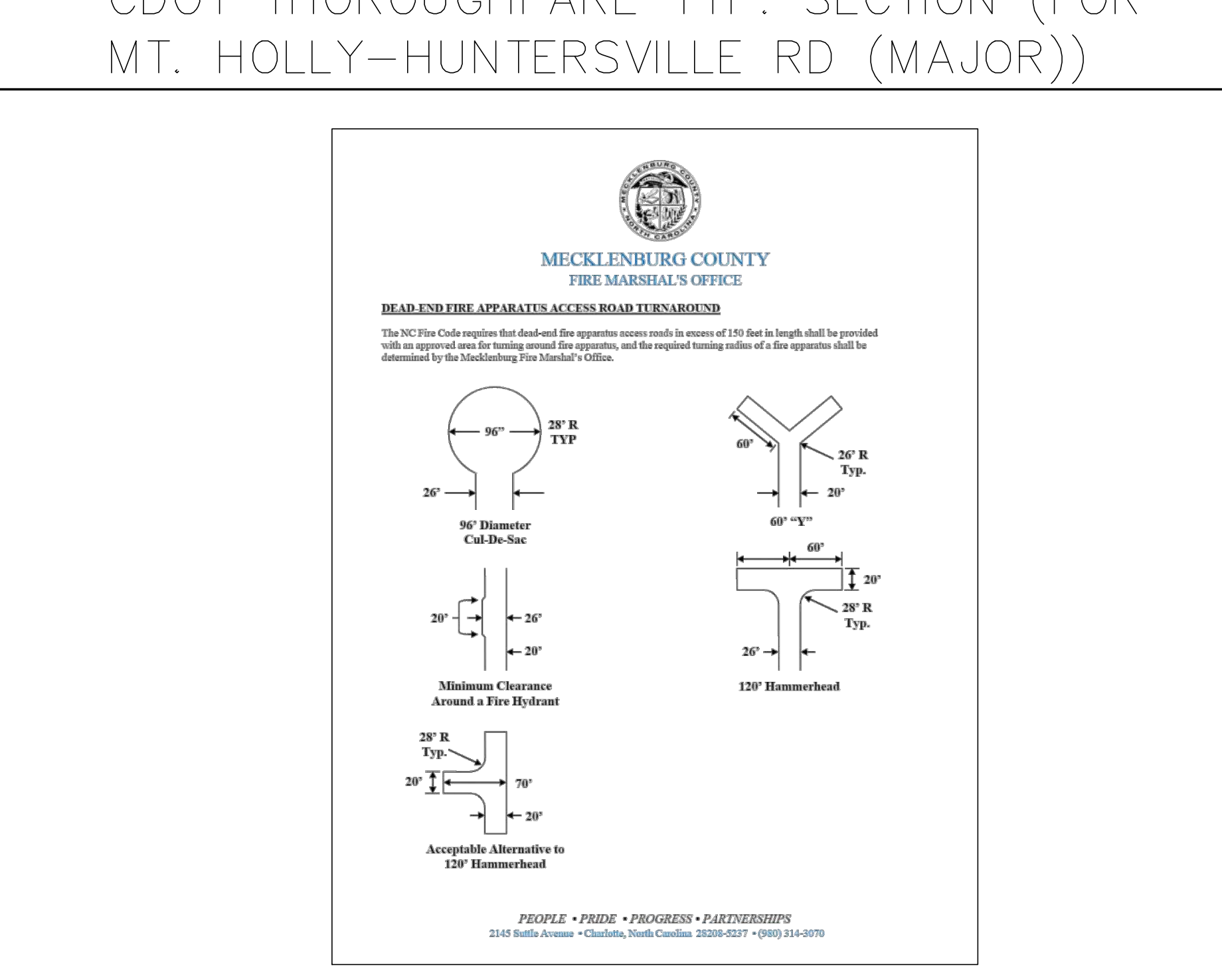
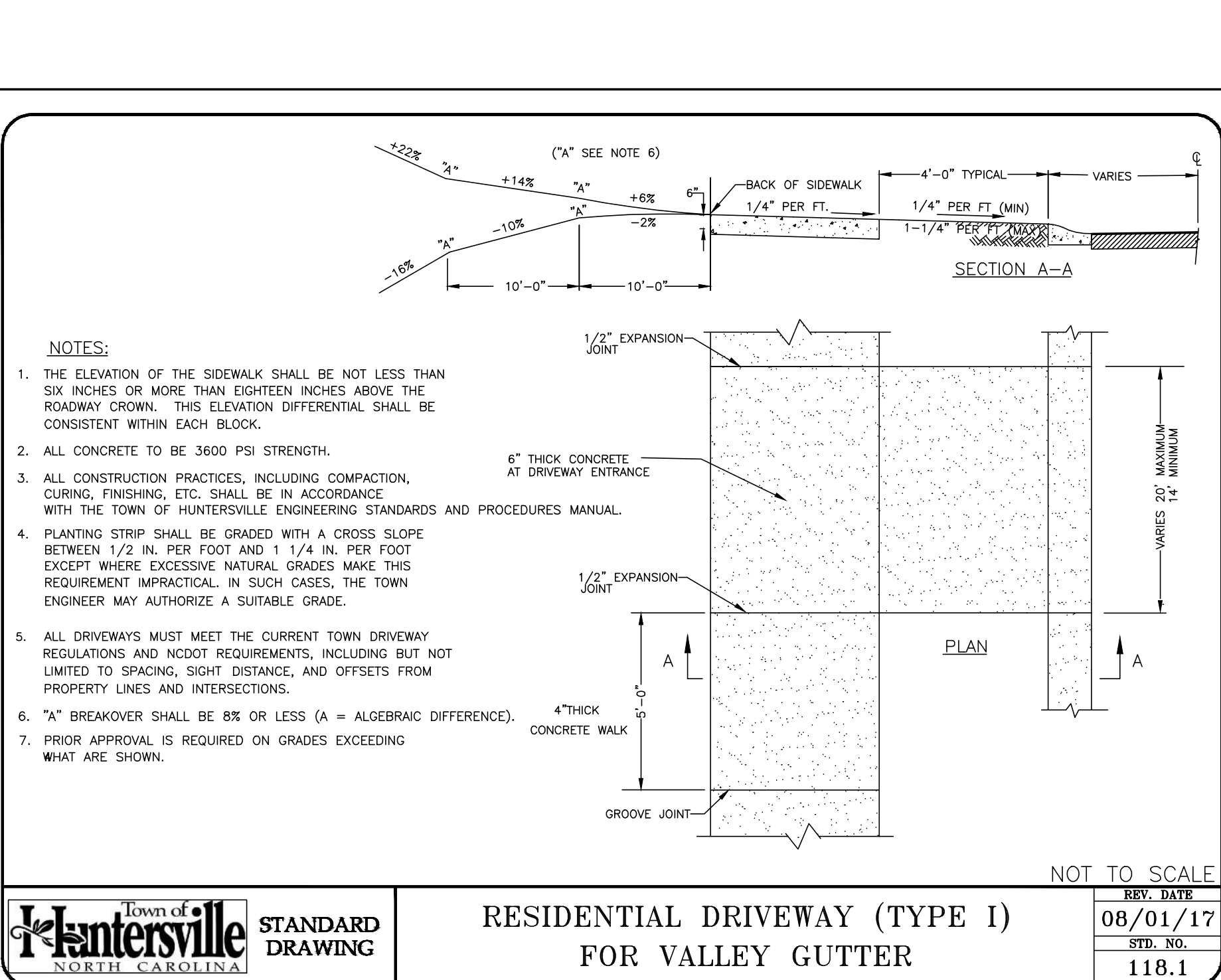
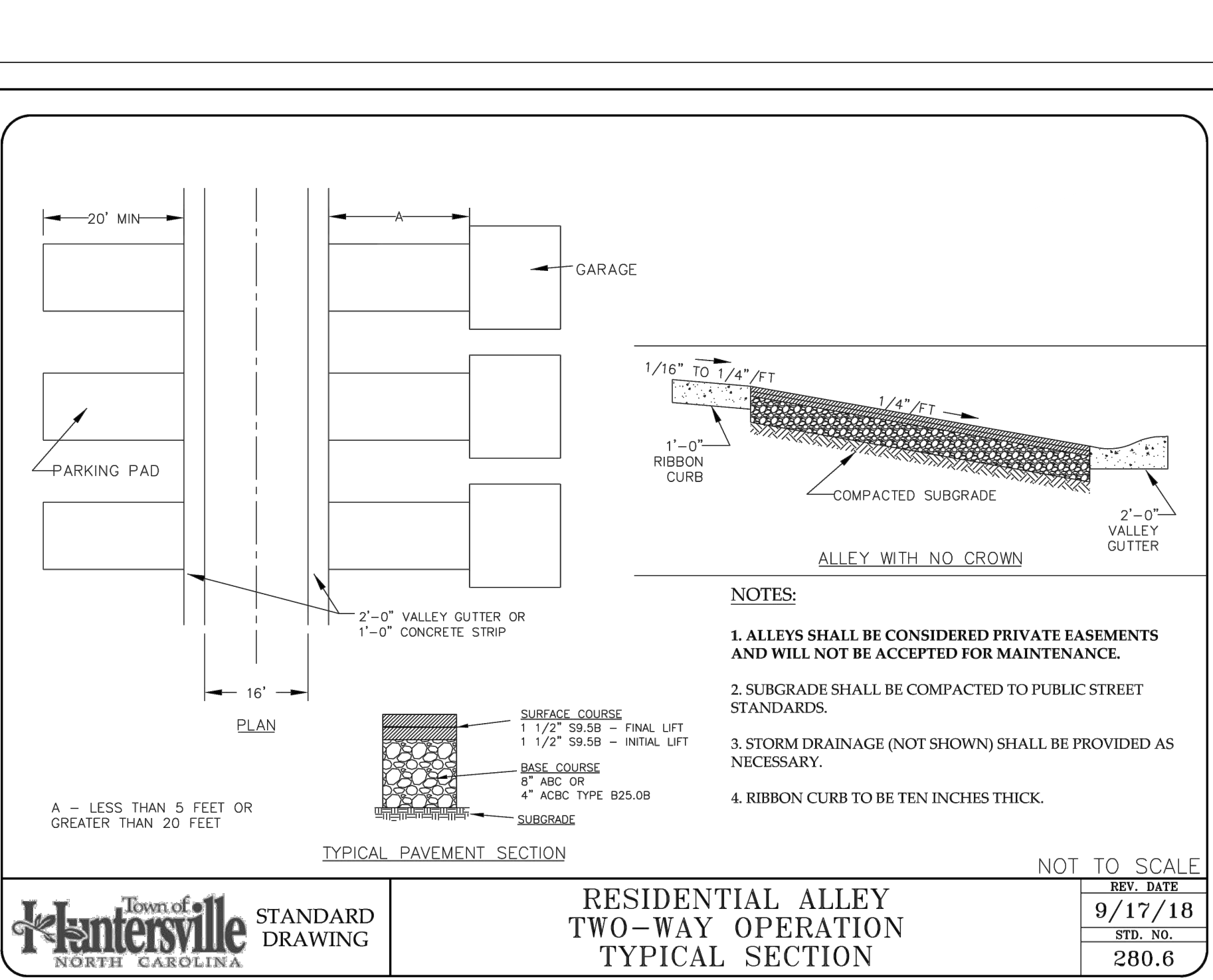
Site Plan 3: Phase 1 & 2

Project No. 2839	Drawing No. SP-5
DWG File Name: 2839-Res zoning & Site Plan	



DATE	ISSUED FOR	REV
4/13/20	Pre-Submittal Meeting	0
5/1/20	Initial EPM Submittal	1
8/5/20	Second EPM Submittal	2
10/13/20	Third EPM Submittal	3
12/18/20	Fourth EPM Submittal	4

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Engineering:

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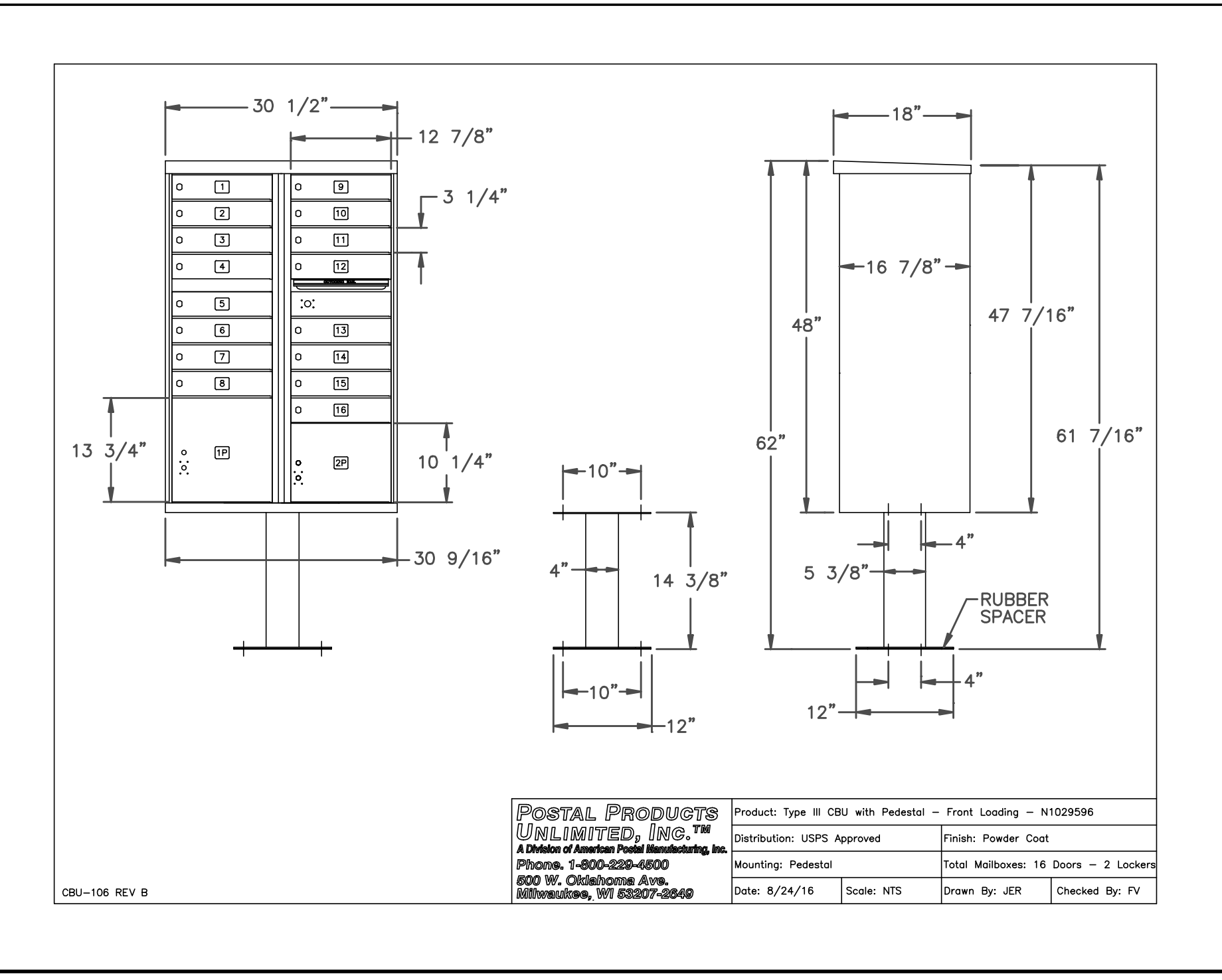
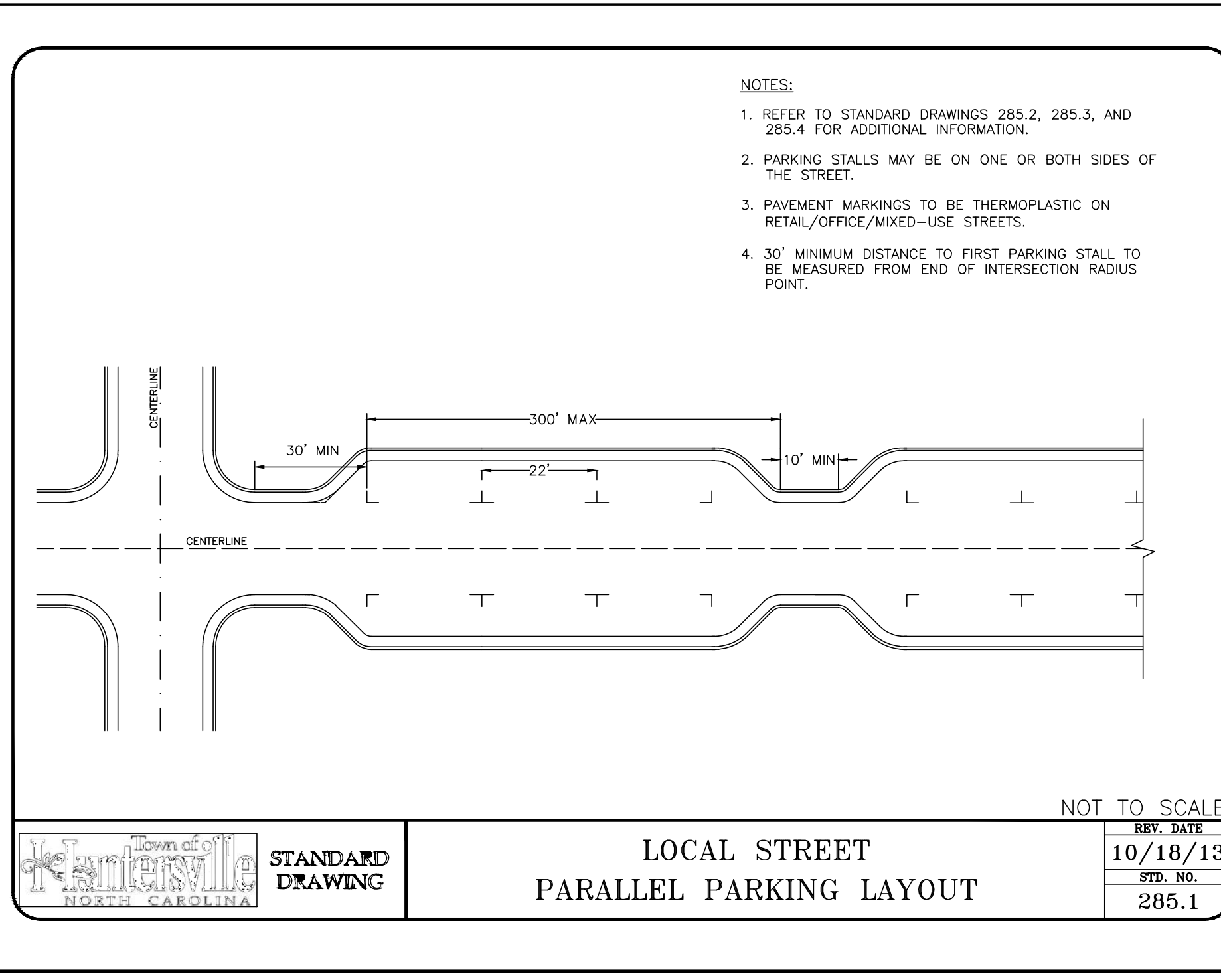
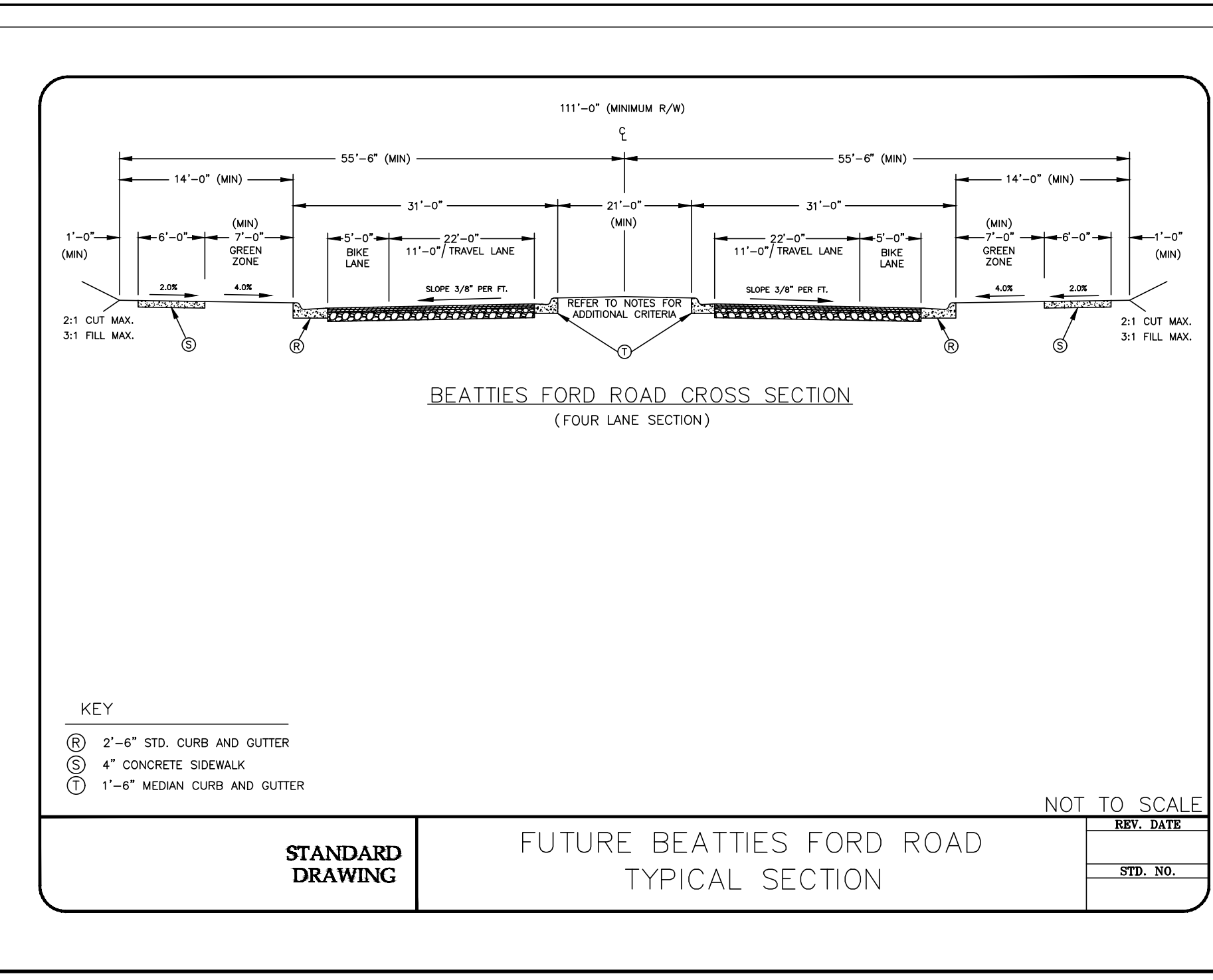
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Corporate Seal: NORTH CAROLINA PROFESSIONAL SEAL C-4168 R. JOE HARRIS & ASSOCIATES, INC. 03/08/2023

Engineer's Seal: NORTH CAROLINA REGISTERED PROFESSIONAL ENGINEER SEAL 051823 DANIEL B. GATES 03/08/2023



Project Manager: D. Gates
Department Manager: P. Murphy
Print/Plot Date: March 8, 2023
Asbuilt Drawn: -
Client: BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERVILLE, NC 28078
P: (704) 875-9704

Project: Oak Grove Hill-Phases 1&2

Drawing Title: Details

Project No.: 2839
DWG File Name: 2839-Rezoning & Site Plan

Drawing No.: T. Alston
Checked: D. Gates

POSTAL PRODUCTS UNLIMITED, INC.™
A Division of American Postal Manufacturing, Inc.
Phone: 1-800-828-6800
600 W. Clatskanie Ave.
Milwaukie, OR 97137-3440

Product: Type II CBU with Pedestal - Front Loading - N1029596
Distributions: USPS Approved
Mounting: Pedestal
Date: 8/24/16
Scale: NTS
Finish: Powder Coat
Total Mailboxes: 16 Doors - 2 Lockers
Drawn By: JER
Checked By: PV

SP-7

SITE INFORMATION

TAX PARCEL ID # 01526443, 01526504, 01526506, 01526450, 01526432
EXISTING ZONING: Rural (R)

PROPOSED ZONING: NEIGHBORHOOD RESIDENTIAL (NR-CD)

ZONING CONDITIONAL NOTES

GENERAL NOTES:

- BOUNDARY SURVEY PROVIDED BY RJH & ASSOCIATES, CHARLOTTE, NC. DATED: 6, 15, 2018.
- ADJACENT PARCEL & INFORMATION, PROVIDED BY 2018 MECKLENBURG COUNTY FIELD DATA.
- PORTIONS OF ADJACENT PROPERTY (PID #01526460) WITHIN NEW RIGHT OF WAY OF CARVER AVENUE SHALL BE ACQUIRED BY THE DEVELOPER, INCLUDED IN THE ANNEXATION PETITION, AND TURNED OVER TO THE TOWN FOR MAINTENANCE. IF EVENTS DO NOT ALLOW CARVER AVENUE TO BE TAKEN OVER BY THE TOWN, PLANS MUST BE REVISED TO REMOVE ON STREET PARKING AND MEET NCDOT LANE WIDTH STANDARDS.
- ENTIRE SITE WILL BE ANNEXED INTO THE TOWN OF HUNTERSVILLE UPON PLAN APPROVAL. ADDITIONALLY, PARCEL #01526460 WILL BE INCLUDED IN THE ANNEXATION PETITION TO PREVENT THE CREATION OF AN UN-ANNEXED ISLAND.

BUFFERS

- BUFFER AREAS ESTABLISHED IN THESE DEVELOPMENT STANDARDS SHALL CONFORM TO THE STANDARDS ESTABLISHED IN THE ORDINANCE NOTWITHSTANDING THE FOREGOING; THE BUFFER REQUIREMENT FOR THE NR DISTRICT MAY BE MODIFIED AS SHOWN ON THE REZONING PLAN .
- BUFFER AREAS SHALL REMAIN UNDISTURBED, EXCEPT TO THE EXTENT NECESSARY TO ACCOMMODATE ACCESS POINTS, DRAINAGE PIPES OR CHANNELS, UTILITY LINES AND FACILITIES, PEDESTRIAN PATHWAYS AND BICYCLE PATHWAYS (AS PROVIDED IN THE HUNTERSVILLE ZONING ORDINANCE 7.5.8). UTILITY INSTALLATIONS MAY ONLY CROSS BUFFER AREAS AT THE INTERIOR ANGLES MEASURED AT PROPERTY LINE WHICH ARE NOT LESS THAN 75 DEGREES.
- NO BUILDINGS, PARKING SPACES, MANEUVERING AREAS MAY BE LOCATED WITHIN BUFFER AREAS. HOWEVER, WATER QUALITY/LOW IMPACT DEVELOPMENT (LID) FACILITIES, SUCH AS RAIN GARDENS, MAY BE WITHIN THE BUFFERS (AS PER HUNTERSVILLE ZONING ORDINANCE ARTICLE 3.3.2-B SECTION g). STORM WATER DETENTION FACILITIES SHALL REMAIN OUT OF BUFFER AREAS.
- IN ALL BUFFER AREAS WHERE EXISTING TREES AND NATURAL VEGETATION HAVE BEEN CLEARED TO ACCOMMODATE PEDESTRIAN SIDEWALKS OR PATHWAYS OR THE INSTALLATION OF UTILITY LINES OR FACILITIES, THE CLEARED, UNIMPROVED AREAS WILL BE LANDSCAPED WITH TREES AND SHRUBS IN ACCORDANCE WITH ARTICLE 7 OF THE HUNTERSVILLE ZONING ORDINANCE (PER ARTICLE 7.5.8a).

SETBACKS, SIDE YARDS AND REAR YARDS

- ALL BUILDINGS CONSTRUCTED WITHIN THE SITE SHALL SATISFY OR EXCEED THE BUILD-TO, REAR YARD AND SIDE YARD REQUIREMENTS ESTABLISHED UNDER THE ORDINANCE FOR THE NR ZONING DISTRICT.

SCREENING AND LANDSCAPING AREAS

- LANDSCAPE AREAS WILL BE PLANTED ON THE SITE TO MEET OR EXCEED THE REQUIREMENTS OF THE ORDINANCE.
- SCREENING SHALL CONFORM WITH THE STANDARDS AND TREATMENTS SPECIFIED IN THE ORDINANCE. REQUIRED LANDSCAPING OR TREES AND SHRUBS LOCATED WITHIN THE BUFFER SHALL CONFORM TO THE ORDINANCE.
- LIMITED AMOUNT OF CLEARING SHALL BE ALLOWED WITHIN THE BUFFER/SETBACK AREAS TO PROMOTE THE GROWTH OF EXISTING VEGETATION AND/OR ENHANCE THE AESTHETIC APPEAL OF THE SITE. THE FOLLOWING WOULD BE ALLOWED IN A BUFFER/SETBACK AREA:
A. HAND PRUNING ONLY. NO HEAVY EQUIPMENT OR VEHICLES ALLOWED IN THE BUFFER (I.E. BULLDOZERS).
B. PLANT MATERIAL, WHICH MAY BE REMOVED, SHALL BE CUT FLUSH WITH THE GROUND. NO DISTURBANCE OF THE SOIL WILL BE ALLOWED.
C. NO LIMB REMOVAL WITH THE EXCEPTION OF DEAD OR DISEASED LIMBS.
D. PETITIONER MAY REMOVE WEEDS AND VINES.
E. PETITIONER MAY REMOVE TREES THAT MEASURE LESS THAN 2" CALIPER AT THE BASE THAT ARE CLEARLY WITHIN THE DRIP LINE OF A TREE THAT IS 2" OR GREATER. DRIP LINE IS DEFINED AS AN IMAGINARY LINE ON THE GROUND THAT WOULD FORM THE PERIMETER OF THE TREE'S CANOPY.
F. PETITIONER MAY REMOVE DEAD TREES AND MATERIAL. DISEASED TREES MAY BE REMOVED AT THE DISCRETION OF AN URBAN FORESTER.
G. MULCH MAY BE APPLIED TO THE WOODLAND BUFFER. KEEP MULCH 2-3" AWAY FROM THE BARK OF TREES.
- ALL BUFFERS AND SETBACKS SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION AS TREE PRESERVATION AREAS THAT MAY BE SUPPLEMENTED TO ENHANCE THE APPEARANCE OF THE PROJECT. LIKEWISE, BUFFERS AND SETBACKS TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION MAY BE MODIFIED AS ALLOWED IN THE ORDINANCE.

PAVING/ PARKING FACILITIES

- OFF STREET AND ON STREET PARKING WILL MEET THE MINIMUM STANDARDS ESTABLISHED UNDER THE ORDINANCE.

LIGHTING

- PETITIONER AGREES TO INSTALL PEDESTRIAN SCALE LIGHTING ALONG INTERNAL STREETS. THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE, INCLUDING ITS BASE, SHALL NOT EXCEED 30 FEET.
- ALL DIRECT LIGHTING WITHIN THE SITE SHALL BE FULLY SHIELDED AND DESIGNED SUCH THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY EXTERIOR PROPERTY LINE. CONSIDERATION WILL BE GIVEN TO THE IMPACT OF LIGHTING BOTH WITHIN AND OUTSIDE OF THE PERIMETER OF THE SITE. ITEMS FOR CONSIDERATION WILL INCLUDE INTENSITY, CUTOFF ANGLES, COLOR, ENERGY EFFICIENCY AND SHIELDING OF SOURCES OF LIGHT.

OPEN SPACE

- IN COMMON OPEN SPACE AREAS LOCATED OUTSIDE OF THE UNDISTURBED BUFFERS THE PETITIONER RESERVES THE RIGHT FOR IMPROVEMENTS TO INCLUDE SIDEWALKS, PLAYGROUND (TOT LOT), PEDESTRIAN LIGHTING, BENCHES, TABLES AND CHAIRS, FOUNTAINS, ADDITIONAL HARDSCAPE MATERIALS, TRASH RECEPTACLES AND ANY OTHER SITE AMENITY ALLOWED BY THE ORDINANCE.

ARCHITECTURAL CONTROLS AND RESTRICTIVE COVENANTS

- ALL BUILDINGS CONSTRUCTED ON THE SITE SHALL BE ARCHITECTURALLY COMPATIBLE IN APPEARANCE THROUGH THE USE OF SIMILAR, AS WELL AS COMPLEMENTARY BUILDING MATERIALS, COLORS AND DESIGN (GIVING DUE CONSIDERATIONS TO THE USE OF EACH BUILDING).
- THE FIRST FLOOR OF ALL BUILDINGS SHALL BE DESIGNED TO ENCOURAGE AND COMPLEMENT PEDESTRIAN SCALE INTEREST AND ACTIVITY.
- BUILDINGS LOCATED WITHIN THE DEVELOPMENT SHALL BE DESIGNED TO RELATE TO THE OVERALL PEDESTRIAN ENVIRONMENT. BUILDINGS SHALL BE DESIGNED TO RAISE THE STANDARD LEVEL OF THE DESIGN TO CREATE A PLACE OF INTEREST.
- BUILDING ELEVATIONS FOR SINGLE-FAMILY HOMES FRONTING BEATTIES FORD ROAD SHALL BE SUBMITTED FOR REVIEW AND APPROVAL TO THE TOWN OF HUNTERSVILLE PLANNING DEPARTMENT. PRIOR TO ISSUANCE OF BUILDING PERMITS, THE TOWN OF HUNTERSVILLE PLANNING DEPARTMENT SHALL HAVE THE OPPORTUNITY TO REVIEW THE PROPOSED PLANS AGAINST THE APPROVED CONDITIONAL PLANS TO ASSURE COMPLIANCE WITH DESIGN PRINCIPALS ILLUSTRATED ON THE PLANS.
- RESIDENTIAL BUILDINGS WILL BE REQUIRED TO INCORPORATE BALCONIES, BAY WINDOWS, PORCHES AND OTHER ARCHITECTURAL ENHANCEMENTS AS A WAY OF ADDRESSING THE PEDESTRIAN NATURE OF THE VILLAGE. FRONT DOORS SHOULD ORIENT TOWARD THE STREET OR STREET CORNER OR OPEN SPACE/COURTYARD OR AS OTHERWISE ALLOWED BY THE ORDINANCE.

FIRE PROTECTION

FIRE HYDRANTS WILL BE PROVIDED WITHIN THE LANDSCAPE SETBACK AREAS AS REQUIRED BY THE FIRE MARSHALL. HYDRANT LOCATIONS MUST BE APPROVED BY THE FIRE MARSHALL.

SIDEWALKS AND INTERNAL STREETS

- PETITIONER SHALL MEET THE ORDINANCE FOR SIDEWALKS AND STREET TREES. HOWEVER, IF THE PETITIONER ELECTS TO INSTALL AN ALTERNATE SIDEWALK THAT SIDEWALK WOULD BE A MINIMUM 5 FOOT WIDE WALK. THE SIDEWALK MAY MEANDER IN ORDER TO PERMIT THE PETITIONER TO EXERCISE GOOD FAITH EFFORTS TO SAVE EXISTING 8 INCH OR LARGER CALIPER TREES WITHIN THE APPLICABLE BUILDING SETBACK ALONG THE EXISTING ROADS THAT ARE BEING BROUGHT TO HUNTERSVILLE STANDARDS. (PER ARTICLE 8.140 OF HUNTERSVILLE SUBDIVISION ORDINANCE)
- EXCEPT WHERE NECESSARY TO ACCOMMODATE SIGNIFICANT DESIGN AND ARCHITECTURAL ELEMENTS LOCATED ON THE SITE, INTERNAL STREETS SHALL BE DESIGNED TO HAVE STREET TREES AND (SUBJECT TO THE PROVISIONS OF NOTE 1 OF THIS SECTION) SIDEWALKS A MINIMUM OF 5 FEET IN WIDTH PROVIDED THAT ANY DEVIATION FROM THE MINIMUM 5 FEET SIDEWALK WIDTH SHALL RELATE TO PEDESTRIAN WALK AREAS OF AN APPROPRIATE WIDTH INCLUDED AS PART OF THE ABOVE DESCRIBED SIGNIFICANT DESIGN FEATURES.

BEATTIES FORD ROAD SECTION AND FRONTAGE

- DEVELOPER TO PROVIDE CROSS SECTIONAL DETAIL OF THE FUTURE BEATTIES FORD ROAD EXTENSION BUT IS NOT RESPONSIBLE FOR THE CONSTRUCTION OR IMPROVEMENTS OF THIS SECTION BEYOND THE INSTALLATION OF THE SIDEWALK THAT IS TO FRONT THE SINGLE-FAMILY UNITS. THE DEVELOPER TO PROVIDE DOUBLE ROW STREET TREES, BUT IS NOT RESPONSIBLE FOR THE DAMAGE OR REMOVAL AND REPLACEMENT OF TREES DURING THE IMPROVEMENTS OF BEATTIES FORD ROAD. DEVELOPER TO ACCOMMODATE FOR THE EXPANDED CROSS SECTION WITH BUILDING PLACEMENT AND R/W DEDICATION. ELEVATIONS FOR THIS SECTION OF IMPROVEMENTS BY THE DEVELOPER (STREET TREES AND SIDEWALK) WILL BE BASED ON CURRENT CENTERLINE ELEVATIONS AND PROJECTED OUTWARD.
- LOTS FRONTING BEATTIES FORD ROAD SHALL BE REAR ENTRY, WITH ALL PARKING PROVIDED BY ALLEY ACCESS. THESE LOTS SHALL BE ADDRESSED TO THE ALLEY. NO ON STREET PARKING IS ALLOWED ON NCDOT ROADS.



HOMES FRONTING BEATTIES FORD RD.



NOTE: ADDITIONAL ELEVATIONS SPECIFIED DURING CONSTRUCTION PLANS MUST BE APPROVED BY STAFF.

DATE	ISSUED FOR	REV
4/13/20	Pre-Submittal Meeting	0
5/1/20	Initial EPM Submittal	1
8/5/20	Second EPM Submittal	2
10/13/20	Third EPM Submittal	3
12/18/20	Fourth EPM Submittal	4



Engineer:



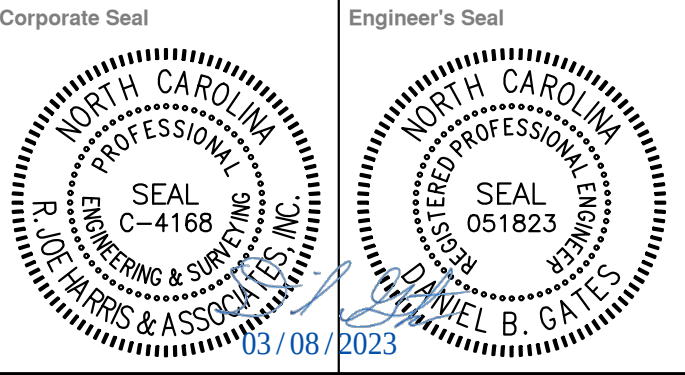
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Project Manager D. Gates	Drawn T. Alston
Department Manager P. Murphy	Checked D. Gates

Print/Plot Date

January 20, 2023

Asbuilt Drawn -	Asbuilt Date -
Client	

BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

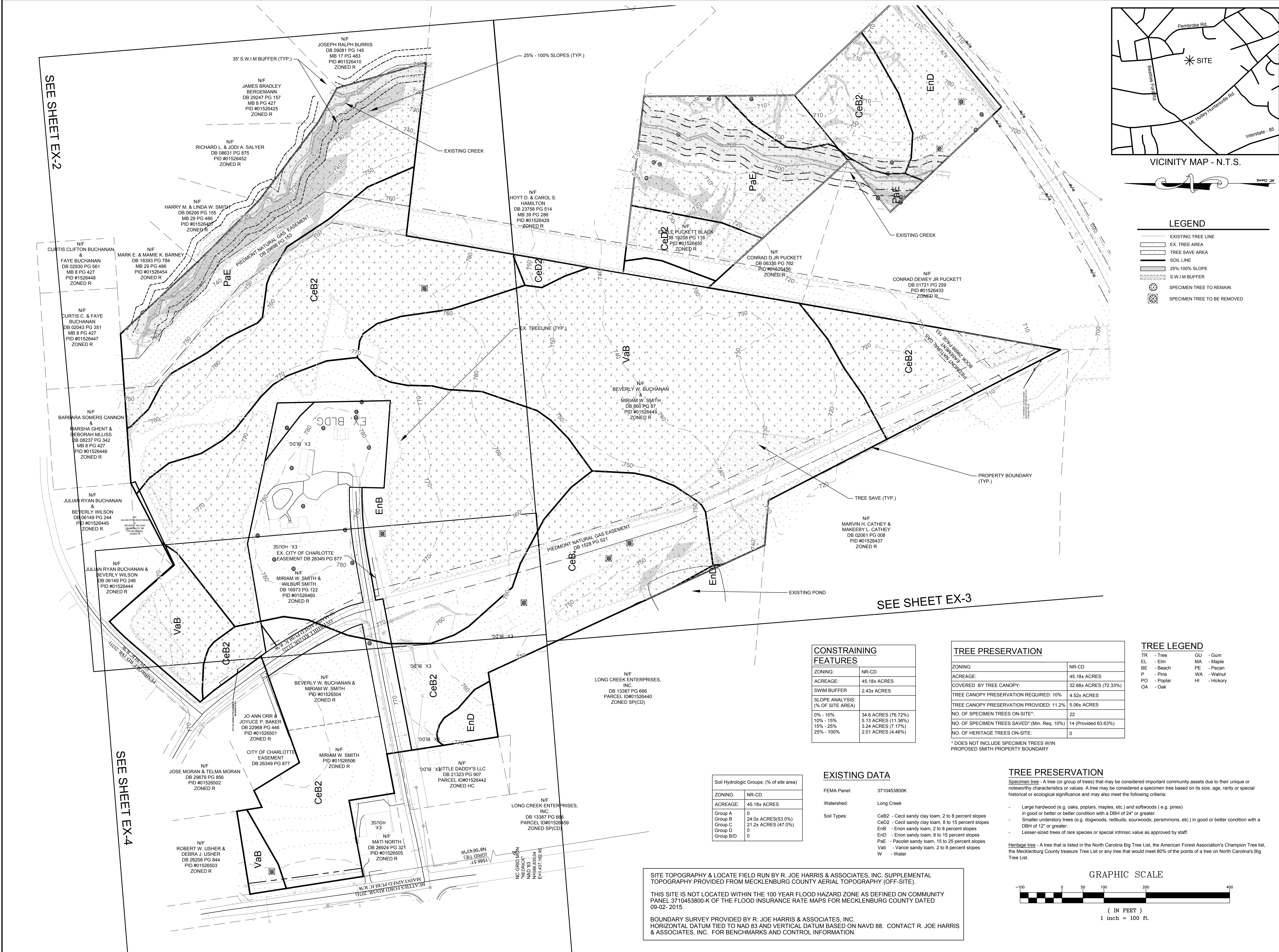
Project:

Oak Grove Hill-Phases 1&2

Drawing Title:

Rezoning Notes

Project No. 2839 DWG File Name: 2839-Rezoning & Site Plan	Drawing No. SP-8
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DATE	ISSUED FOR	REV
08/14/19	Pre-Submittal Meeting	0
09/03/19	Initial Submittal to Huntersville EPM	1
11/04/19	Second Submittal to Huntersville EPM	2
1/23/20	Third Submittal to Huntersville EPM	3
3/2/20	Fourth Submittal to Huntersville EPM	4



Engineer:

RJH

R. Joe Harris & Associates, Inc.

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Management

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Corporate Seal

Engineer's Seal

SEAL
C-4168
R. JOE HARRIS & ASSOCIATES, INC.

SEAL
036836
P. MURPHY

3/2/2020

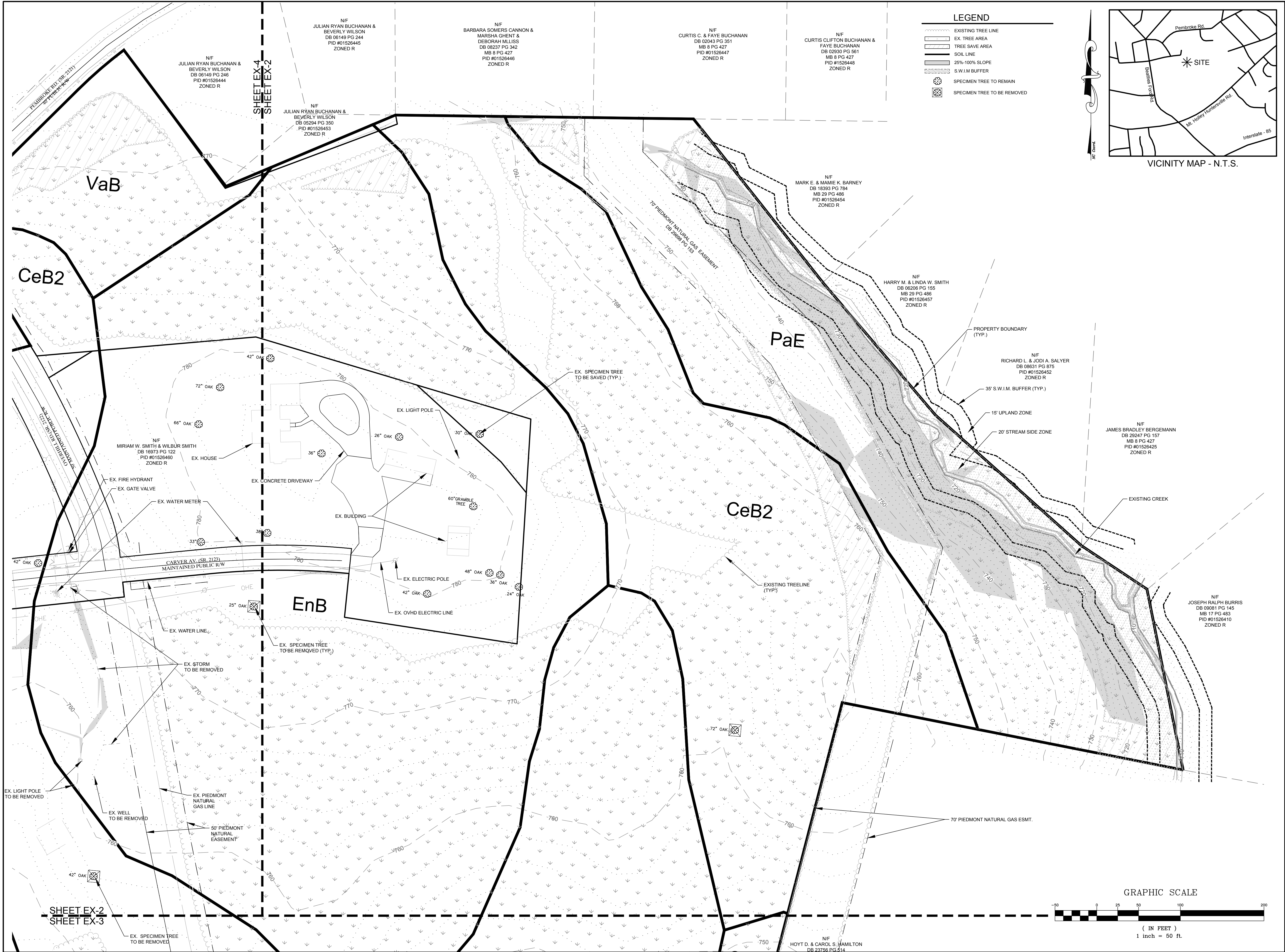
Project Manager D. Gates	Drawn C. Brown
Department Manager P. Murphy	Checked P. Murphy
Print/Plot Date March 2, 2020	
Asbuilt Drawn -	Asbuilt Date -
Client	

BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

Project:
OAK GROVE HILL

Drawing Title:
Existing Conditions Overall

Project No. 2839 DWG File Name: 2839-Existing Condition	Drawing No. EX-1
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DATE	ISSUED FOR	REV
08/14/19	Pre-Submittal Meeting	0
09/03/19	Initial Submittal to Huntersville EPM	1
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Engineer:

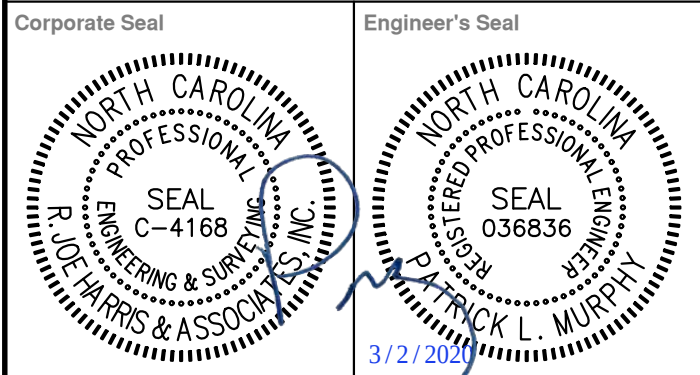


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Management

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Project Manager D. Gates	Drawn C. Brown
Department Manager P. Murphy	Checked P. Murphy

Print/Plot Date
March 2, 2020

Asbuilt Drawn -	Asbuilt Date -
--------------------	-------------------

Client

BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

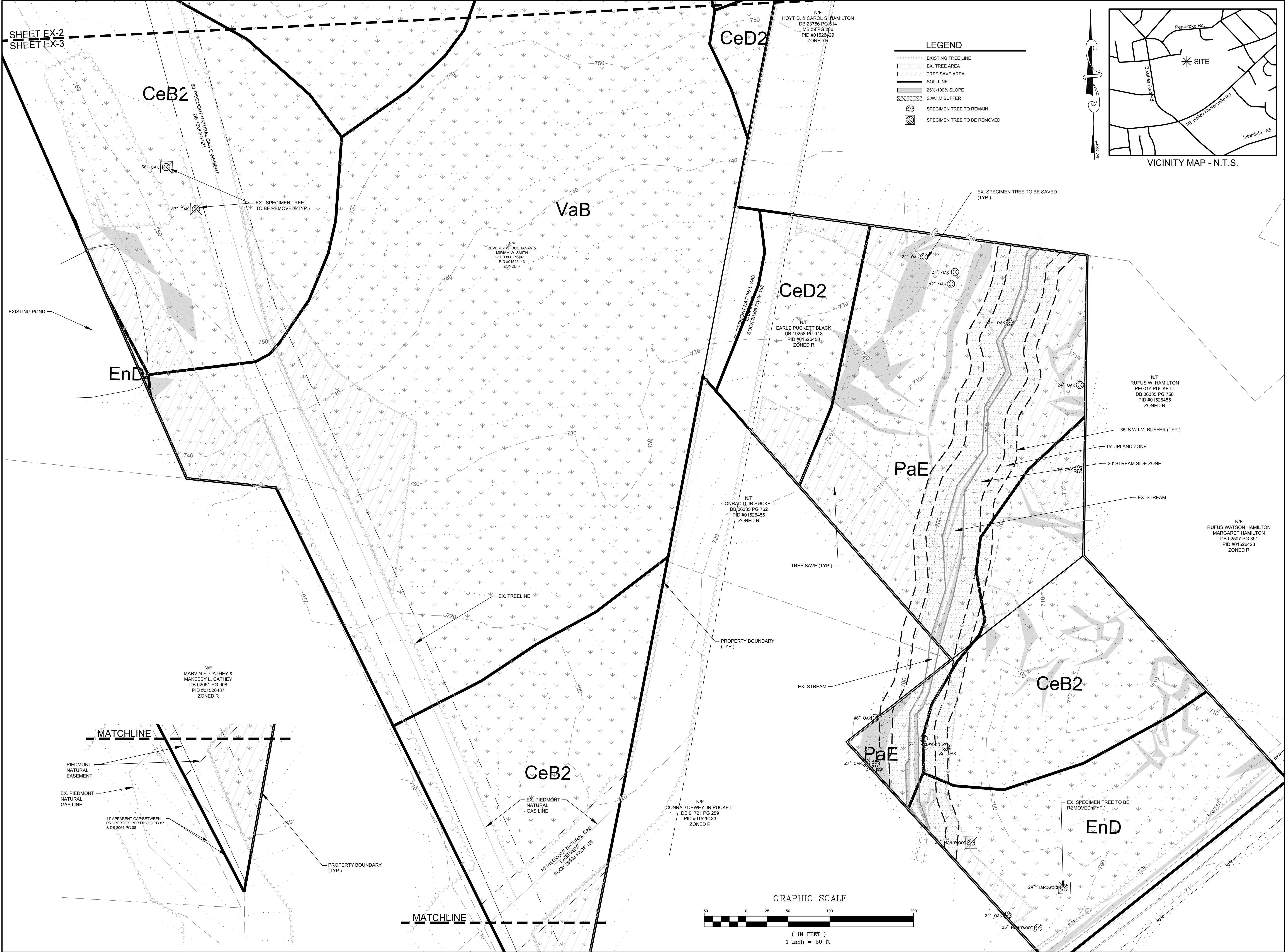
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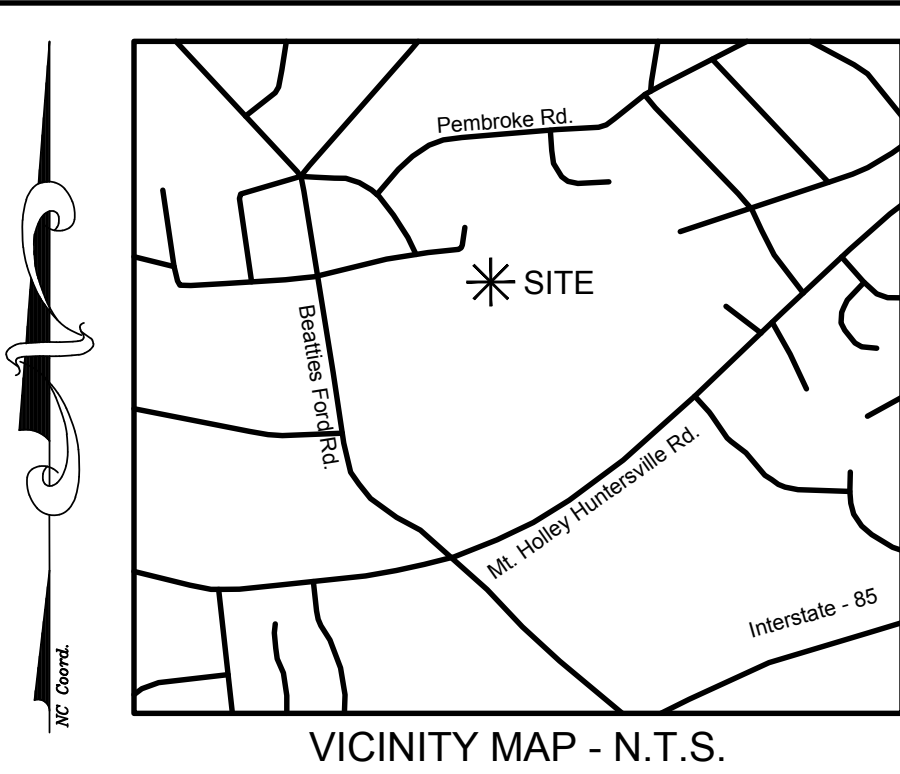
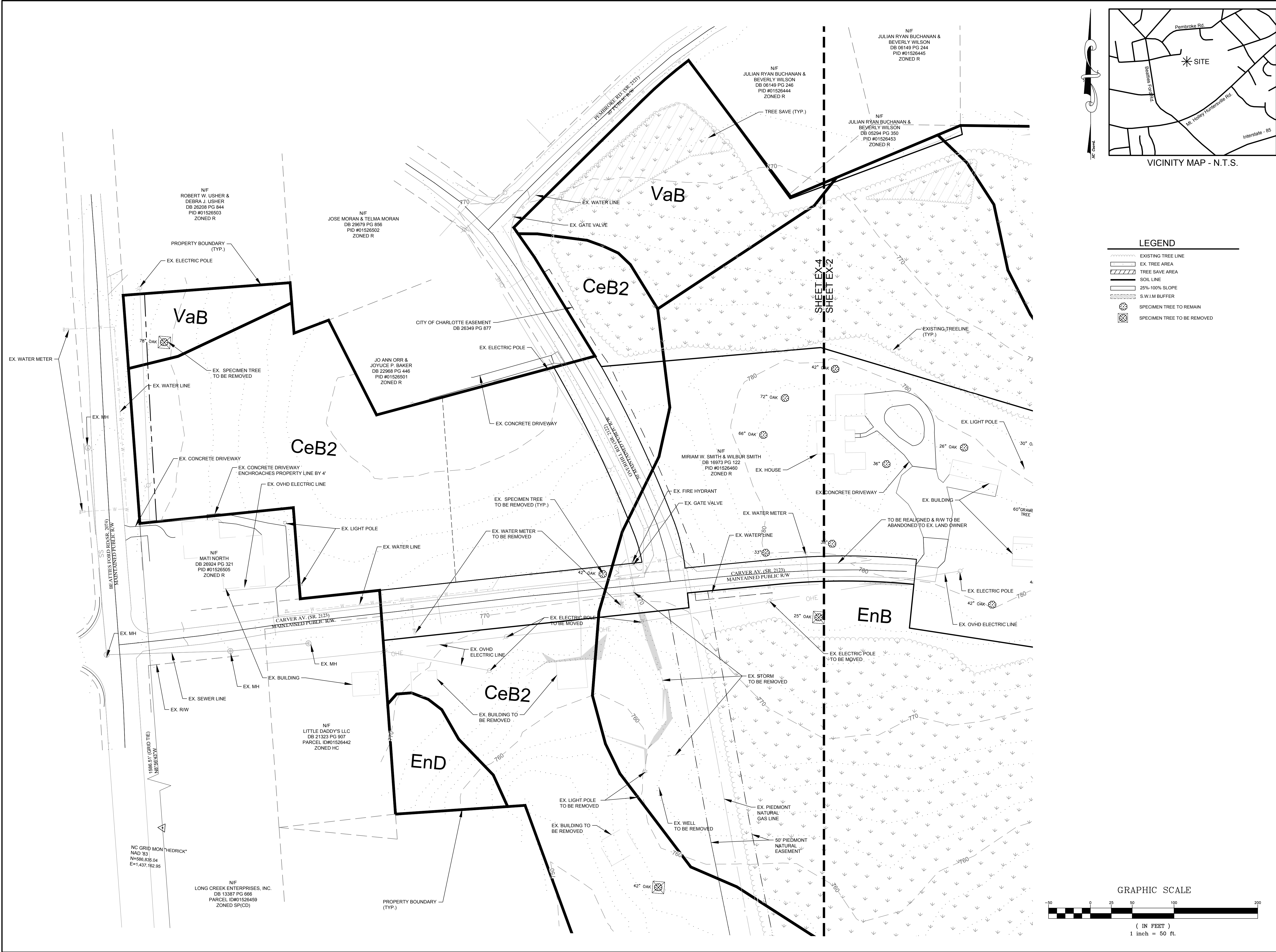
OAK GROVE HILL

Drawing Title:

Existing Conditions

Project No. 2839	Drawing No. EX-2
DWG File Name: 2839-Existing Condition	





LEGEND	
	EXISTING TREE LINE
	EX. TREE AREA
	TREE SAVE AREA
	SOIL LINE
	25%-100% SLOPE
	S.W.I.M. BUFFER
	SPECIMEN TREE TO REMAIN
	SPECIMEN TREE TO BE REMOVED

DATE	ISSUED FOR	REV
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Engineer:

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Corporate Seal

Engineer's Seal

Project Manager D. Gates	Drawn C. Brown
Department Manager P. Murphy	Checked P. Murphy
Print/Plot Date March 2, 2020	
Asbuilt Drawn -	Asbuilt Date -

Client

BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

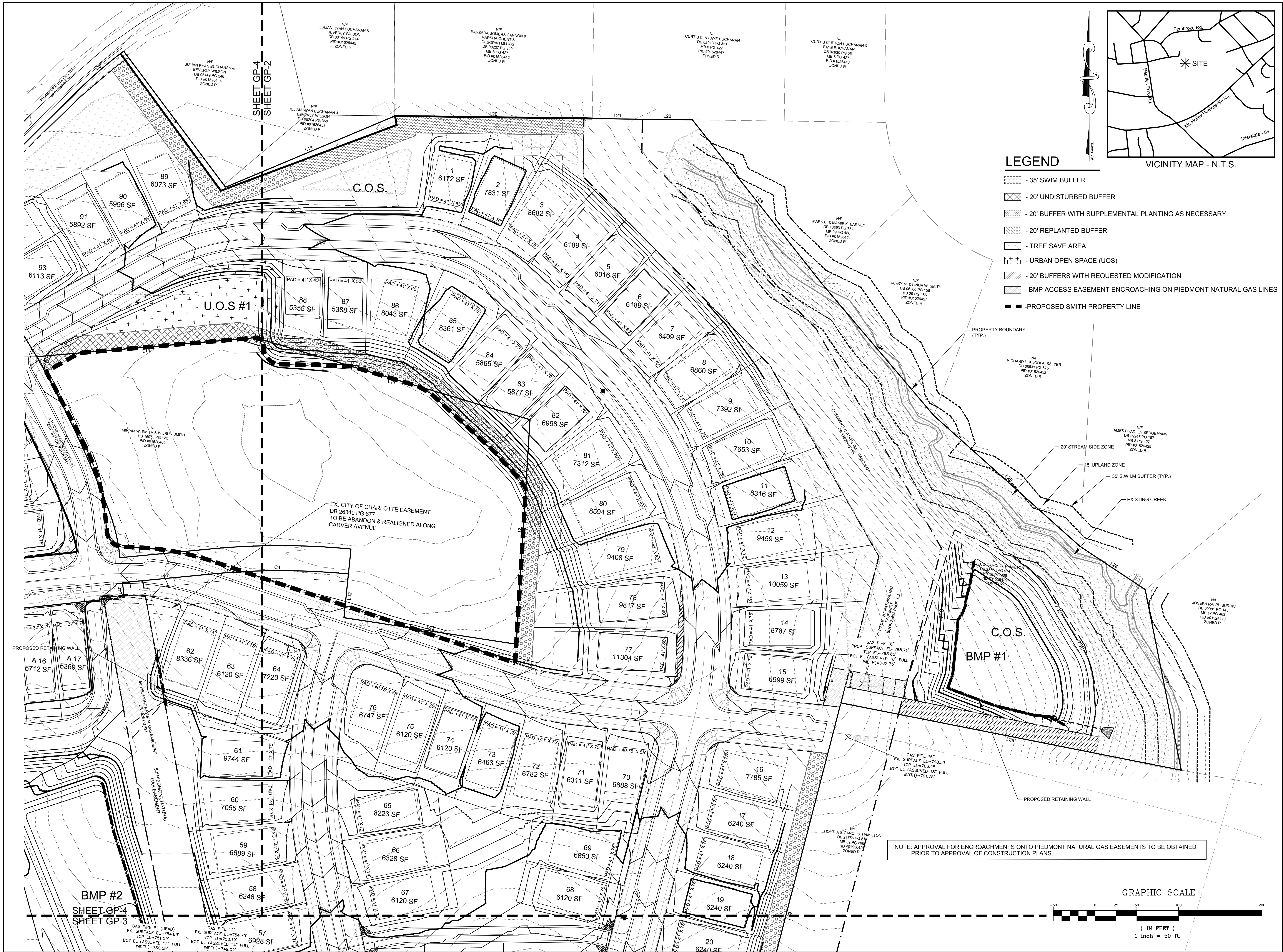
Project:

OAK GROVE HILL

Drawing Title:

Existing Conditions

Project No. 2839	Drawing No. EX-4
DWG File Name: 2839-Existing Condition	



DATE	ISSUED FOR	REV
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Engineer:



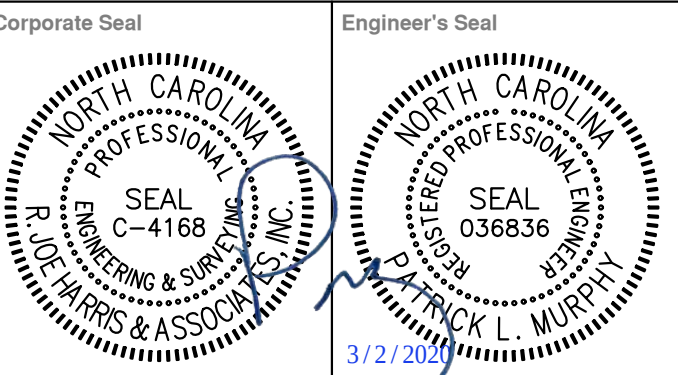
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Department Manager P. Murphy	Checked P. Murphy

Print/Plot Date
March 2, 2020

Asbuilt Drawn
Asbuilt Date

Client

BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

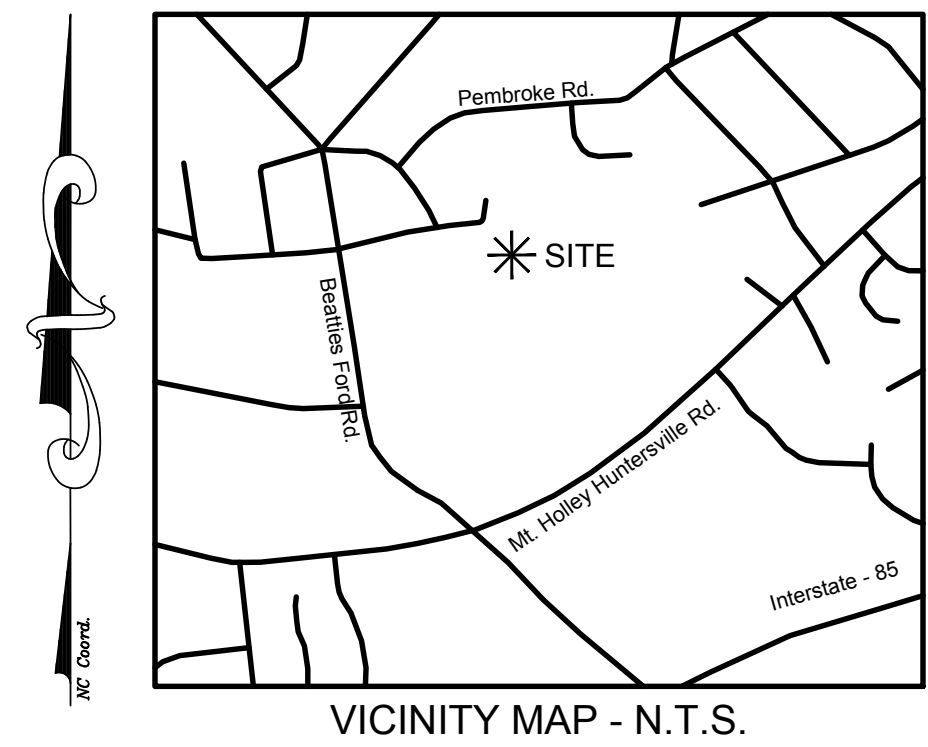
Project:
OAK GROVE HILL

Drawing Title:
Grading Plan 1

Project No.
2839

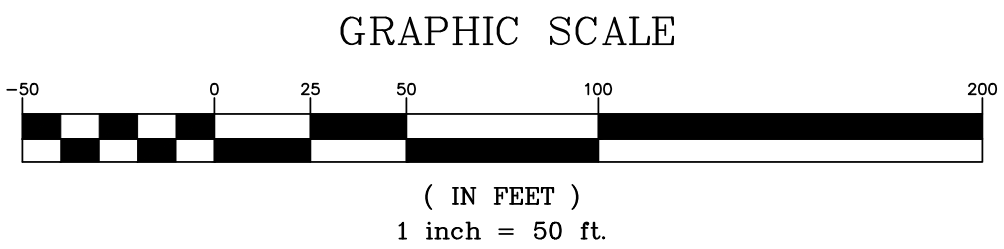
Drawing No.
GP-2

DWG File Name:
2839-Grading Plan



- LEGEND**
- 35' SWIM BUFFER
 - 20' UNDISTURBED BUFFER
 - 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY
 - 20' REPLANTED BUFFER
 - TREE SAVE AREA
 - URBAN OPEN SPACE (UOS)
 - 20' BUFFERS WITH REQUESTED MODIFICATION
 - BMP ACCESS EASEMENT ENCROACHING ON PIEDMONT NATURAL GAS LINES

NOTE: APPROVAL FOR ENCROACHMENTS ONTO PIEDMONT NATURAL GAS EASEMENTS TO BE OBTAINED PRIOR TO APPROVAL OF CONSTRUCTION PLANS.



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Engineer:

RJH

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Corporate Seal

Engineer's Seal

Seal of R. Joe Harris & Associates, Inc. (Professional Engineer, License No. C-4168)

Seal of R. Joe Harris & Associates, Inc. (Professional Engineer, License No. C-4168)

3/2/2020

Project Manager	Drawn
D. Gates	C. Brown
Department Manager	Checked
P. Murphy	P. Murphy
Print/Plot Date	
March 2, 2020	
Asbuilt Drawn	Asbuilt Date
-	-

Client

BOWMAN DEVELOPMENT GROUP

13815 CINNABAR PLACE

HUNTERSVILLE, NC 28078

P: (704) 875-9704

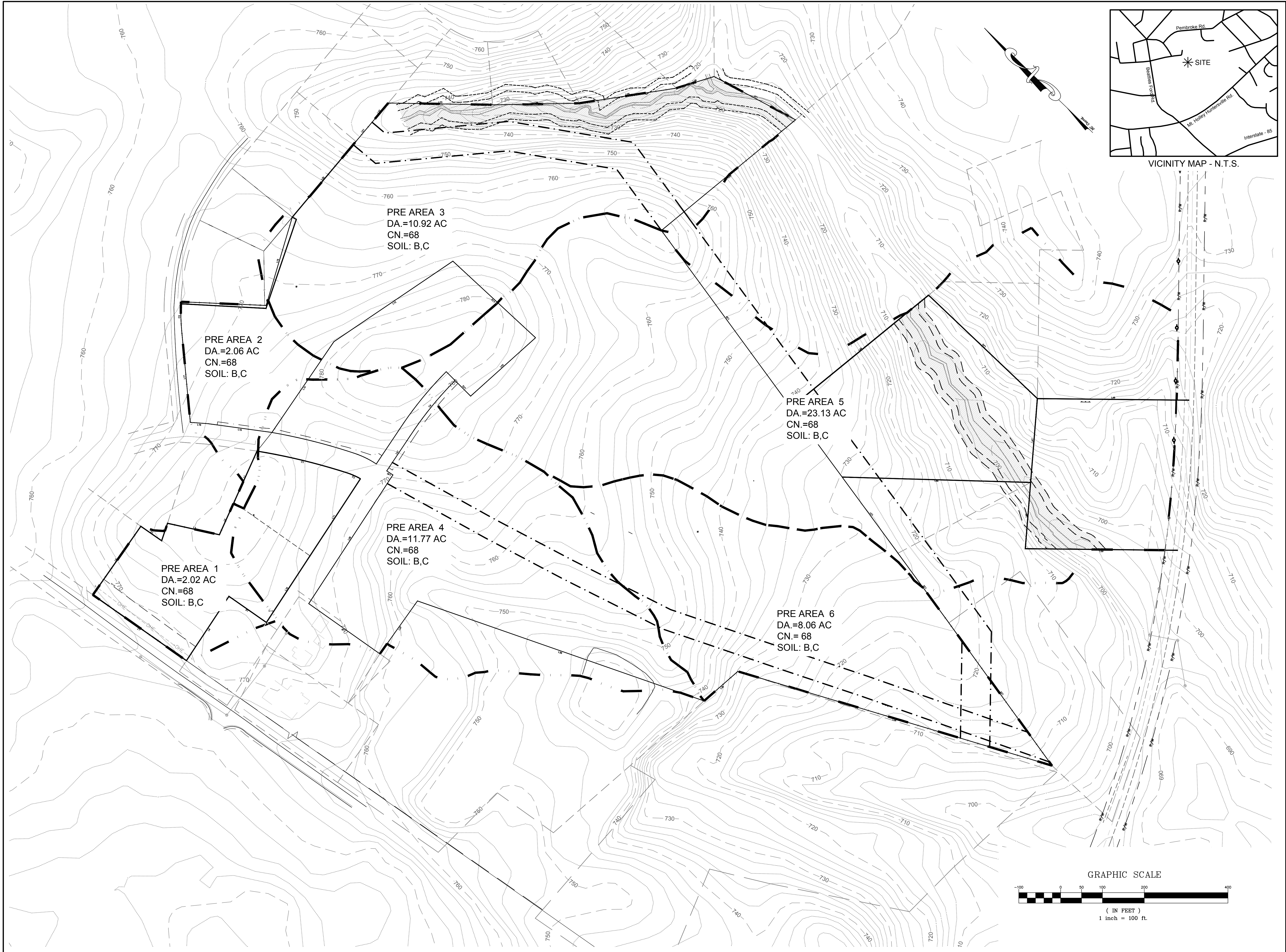
Project:

OAK GROVE HILL

Drawing Title:

Grading Plan 3

Project No.	Drawing No.
2839	GP-4
DWG File Name:	
2839-Grading Plan	



DATE	ISSUED FOR	REV
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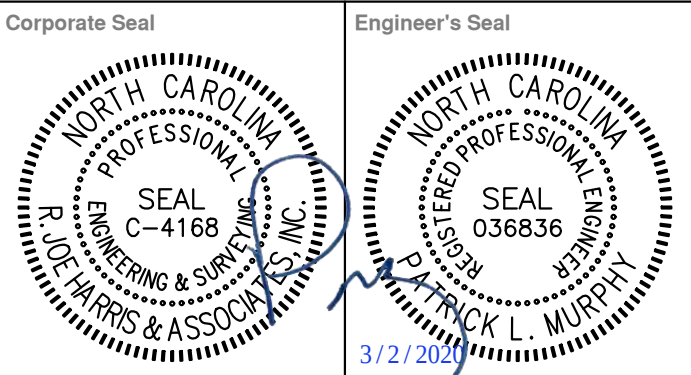
Engineer:



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127 Ben Casey Drive, Suite 101, Fort Mill, S.C. 29708 P: (803) 802-1799

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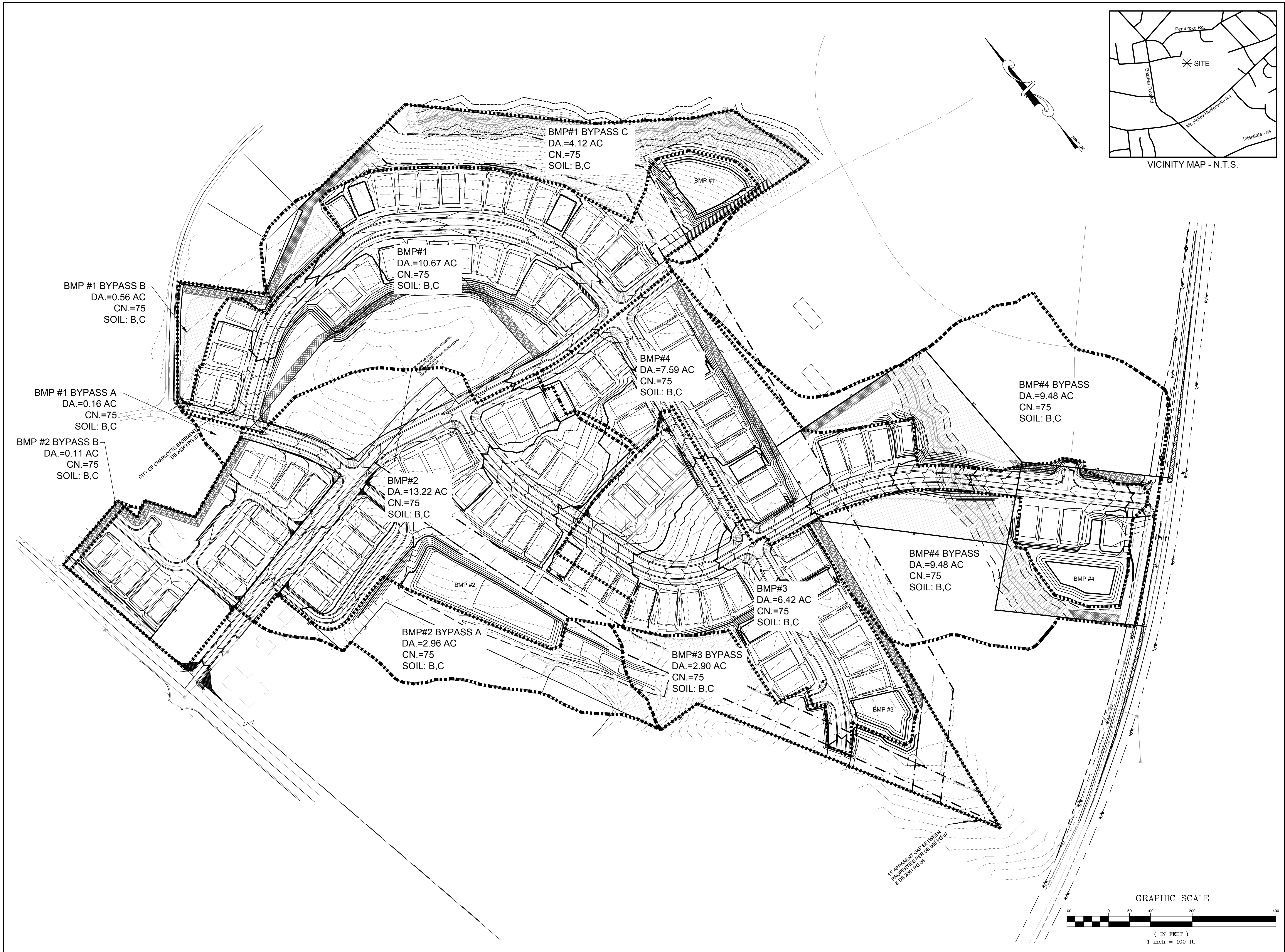


Project Manager D. Gates	Drawn C. Brown
Department Manager P. Murphy	Checked P. Murphy
Print/Plot Date March 2, 2020	
Asbuilt Drawn -	Asbuilt Date -
Client BOWMAN DEVELOPMENT GROUP 13815 CINNABAR PLACE HUNTERSVILLE, NC 28078 P: (704) 875-9704	

Project:
OAK GROVE HILL

Drawing Title:
PRE DEV. DRAINAGE
AREAS

Project No. 2839 DWG File Name: 2839-BMP.DA	Drawing No. BMP-1
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Engineer:



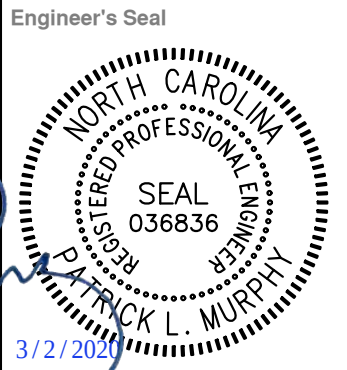
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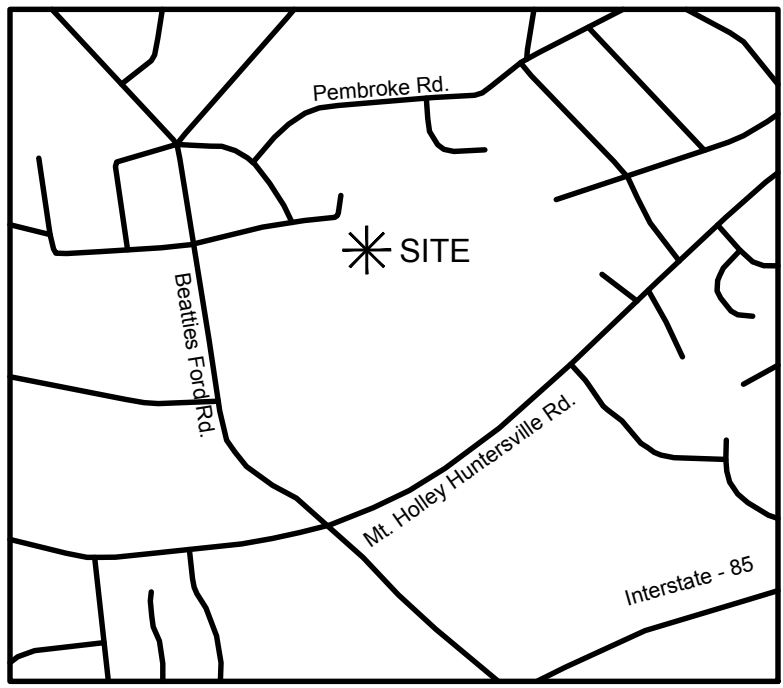
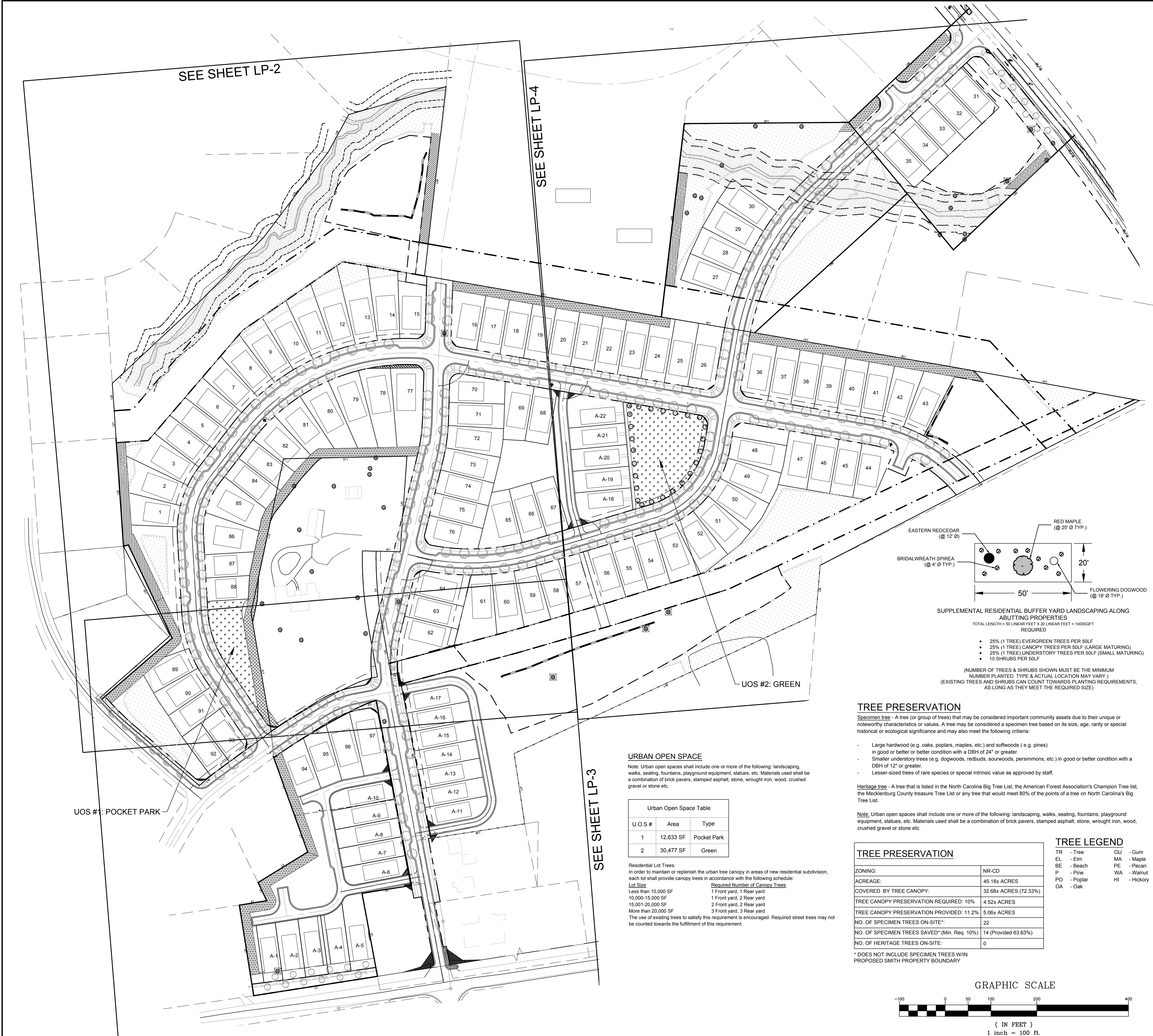


CORPORATE SEAL
R. JOE HARRIS & ASSOCIATES, INC.
SEAL
C-4168
LAND SURVEYING & SURVEYING
3/2/2020



ENGINEER'S SEAL
R. JOE HARRIS & ASSOCIATES, INC.
SEAL
036836
LAND SURVEYING & SURVEYING
3/2/2020
PATRICK L. MURPHY

Project Manager	Drawn
D. Gates	C. Brown
Department Manager	Checked
P. Murphy	P. Murphy
Print/Plot Date	
March 2, 2020	
Asbuilt Drawn	Asbuilt Date
-	-
Client	
BOWMAN DEVELOPMENT GROUP 13815 CINNABAR PLACE HUNTERSVILLE, NC 28078 P: (704) 875-9704	
Project:	
OAK GROVE HILL	
Drawing Title:	
POST DEV. DRAINAGE AREAS	
Project No.	Drawing No.
2839	BMP-2
DWG File Name:	
2839-BMP DA	



LEGEND

- LARGE MATURING TREES (40' OC)
- PROPOSED URBAN OPEN SPACE TREES
- SMALL MATURING TREES (40' OC)
- EX. SPECIMEN TREE TO BE SAVED
- EX. SPECIMEN TREE TO BE REMOVED
- 35' SWIM BUFFER
- 20' UNDISTURBED BUFFER
- 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY
- 20' REPLANTED BUFFER
- TREE SAVE AREA
- URBAN OPEN SPACE (UOS)
- 20' BUFFERS WITH REQUESTED MODIFICATION

STREET TREE REQUIREMENTS

Plantable ROAD Frontage (LF)	Large Trees	Small Trees	Street Name
2,432 (X2)	122	0	Road A
1,550 (X2)	77	0	Carver Ave.
315 (X1)	8	0	Pembroke Rd.
293 (X2) + 185 (X1)	19	0	Overhill Rd.
1,901 (X2)	95	0	Road C
360 (Dbl. Row)	0	9 (X2)	Mt. Holly-Huntersville Rd.
+ 273 (Dbl. Row)	+ 0	+ 7 (x2)	Beattles Ford Rd.
13,491	321	32	Total (290)

See Development Data on cover sheet.

Road Frontage: 13,491 LF

Street Trees Required: 12,585 / 40 = 321 Street Trees + 32 (Mt. Holly-Huntersville and Beattles Ford Double Row)

353 - Total Required

Proposed: 243 Large 23 Small

- Large maturing trees shall be from approved urban forestry species list.
- Different species of trees shall be used on different streets.

No heritage trees exist on this property.

Note:

- Street tree location to be approximate and subject to change at preliminary/construction plan phase.
- No street trees within 40 feet of a radius return.
- Trees planted as tree canopy mitigation shall be a minimum of 2" in caliper and 25% shall be evergreens.
- For any small maturing trees planted under power lines, if power lines are relocated, large maturing canopy trees shall be planted instead.

LANDSCAPING NOTES (PER TOWN OF HUNTERSVILLE):

- STREET TREES ARE REQUIRED TO BE WITHIN A MINIMUM 7-FOOT PLANTING STRIP LOCATED BETWEEN THE PROPOSED STREET AND PROPOSED SIDEWALK. PLANTING SHALL BE PROVIDED AS FOLLOWS:
 - A) LARGE MATURING CANOPY TREES SHALL BE PLANTED AT A SPACING NOT TO EXCEED 40-FEET ON CENTER EXCEPT THAT SPACING MAY BE ALTERED SLIGHTLY TO ACCOMMODATE DRIVEWAYS.
 - B) SMALL MATURING "CANOPY-LIKE" TREES SHALL BE PLANTED 30-FEET ON CENTER WHERE EXISTING OVERHEAD UTILITY LINES PROHIBIT THE USE OF LARGE MATURING CANOPY TREES.
- ALL REQUIRED PLANTINGS SHALL BE INSTALLED IN A MANNER THAT INSURES THE AVAILABILITY OF SUFFICIENT SOIL AND WATER FOR HEALTHY GROWTH AND THAT IS NOT INTRUSIVE TO ABOVEGROUND AND UNDERGROUND UTILITIES
- ALL STREET TREES MUST BE FROM THE 'TOWN OF HUNTERSVILLE TREE AND SHRUB LIST.'
- ALL TREES SHALL BE A MINIMUM OF 2-INCHES IN CALIPER AND 8-FEET IN HEIGHT AT THE TIME OF PLANTING, UNLESS OTHERWISE SPECIFIED.
- INSTALLATION OF TREES AND SHRUBS SHALL COMPLY WITH THE TOWN OF HUNTERSVILLE ENGINEERING STANDARDS AND PROCEDURES MANUAL.
- EVERY REASONABLE EFFORT SHALL BE MADE TO PROTECT AND RETAIN EXISTING TREES AND SHRUBS NOT ACTUALLY LYING IN PLANNED ROADWAYS BUILDING FOUNDATION SITES AND CONSTRUCTION ACTIVITY AREAS. EXCEPT WHEN NECESSARY TO PROVIDE ACCESS TO A SITE OR TO INSURE THE SAFETY AND SECURITY OF PEOPLE AND PROPERTY ANY EXISTING HEALTHY TREES THAT ARE EIGHT INCHES OR GREATER IN CALIPER LOCATED WITH A PUBLIC RIGHT-OF-WAY OR UNDERDEVELOPED REQUIRED YARD SHALL BE RETAINED UNLESS APPROVED FOR REMOVAL BY STAFF DURING PLAN REVIEW.
- TREES SHALL NOT BE PLANTED WITHIN 40' OF THE CURB RETURN ON A STORYYIELD CONTROLLED APPROACH. ALSO NOTE THAT TREES SHALL BE PLANTED AT LEAST 10' FROM DRAINAGE STRUCTURES.
- ALL LOT TREES AS PER SECTION 7.7 (STREET TREES AND INTERNAL LANDSCAPING) OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE. EXISTING SPECIMEN TREES TO BE USED IN LIEU OF NEW PLANTINGS (AS APPROVED BY TOWN OF HUNTERSVILLE).
- STREET TREE LOCATIONS SHOWN ON THIS PLAN ARE GENERAL IN NATURE AND SUBJECT TO REFINEMENT DURING THE CONSTRUCTION PLAN DEVELOPMENT PROCESS

TREE PRESERVATION

Specimen tree - A tree (or group of trees) that may be considered important community assets due to their unique or noteworthy characteristics or values. A tree may be considered a specimen tree based on its size, age, rarity or special historical or ecological significance and may also meet the following criteria:

- Large hardwood (e.g. oaks, poplars, maples, etc.) and softwoods (e.g. pines) in good or better condition with a DBH of 24" or greater.
- Smaller understory trees (e.g. dogwoods, redbuds, sourwoods, persimmons, etc.) in good or better condition with a DBH of 12" or greater.
- Lesser-sized trees of rare species or special intrinsic value as approved by staff.

Heritage tree - A tree that is listed in the North Carolina Big Tree List, the American Forest Association's Champion Tree list, the Mecklenburg County treasure Tree List or any tree that would meet 80% of the points of a tree on North Carolina's Big Tree List.

Note: Urban open spaces shall include one or more of the following: landscaping, walks, seating, fountains, playground equipment, statues, etc. Materials used shall be a combination of brick pavers, stamped asphalt, stone, wrought iron, wood, crushed gravel or stone etc.

TREE LEGEND

- TR - Tree
- EL - Elm
- BE - Beach
- P - Pine
- PO - Poplar
- OA - Oak
- GU - Gum
- MA - Maple
- PE - Pecan
- WA - Walnut
- HI - Hickory

TREE PRESERVATION

ZONING:	NR-CD
ACREAGE:	45.18± ACRES
COVERED BY TREE CANOPY:	32.68± ACRES (72.33%)
TREE CANOPY PRESERVATION REQUIRED: 10%	4.52± ACRES
TREE CANOPY PRESERVATION PROVIDED: 11.2%	5.06± ACRES
NO. OF SPECIMEN TREES ON-SITE:	22
NO. OF SPECIMEN TREES SAVED: (Min. Req. 10%)	14 (Provided 63.63%)
NO. OF HERITAGE TREES ON-SITE:	0

* DOES NOT INCLUDE SPECIMEN TREES WITH PROPOSED SMITH PROPERTY BOUNDARY

GRAPHIC SCALE



URBAN OPEN SPACE

Note: Urban open spaces shall include one or more of the following: landscaping, walks, seating, fountains, playground equipment, statues, etc. Materials used shall be a combination of brick pavers, stamped asphalt, stone, wrought iron, wood, crushed gravel or stone etc.

Urban Open Space Table		
U.O.S.#	Area	Type
1	12,633 SF	Pocket Park
2	30,477 SF	Green

Residential Lot Trees:

In order to maintain or replenish the urban tree canopy in areas of new residential subdivision, each lot shall provide canopy trees in accordance with the following schedule:

Lot Size	Required Number of Canopy Trees
Less than 10,000 SF	1 Front yard, 1 Rear yard
10,000-15,000 SF	1 Front yard, 2 Rear yard
15,001-20,000 SF	2 Front yard, 2 Rear yard
More than 20,000 SF	3 Front yard, 3 Rear yard

The use of existing trees to satisfy this requirement is encouraged. Required street trees may not be counted towards the fulfillment of this requirement.

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Engineer:



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Engineering • Land Surveying • Planning
Management

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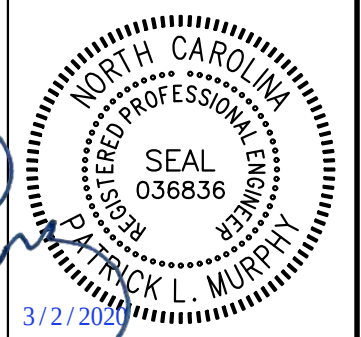
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Corporate Seal



Engineer's Seal



Project Manager	Drawn
D. Gates	C. Brown
Department Manager	Checked
P. Murphy	P. Murphy

Print/Plot Date

March 2, 2020

Asbuilt Drawn

Asbuilt Date

-

Client

BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

Project:

OAK GROVE HILL

Drawing Title:

LANDSCAPE PLAN

Project No.

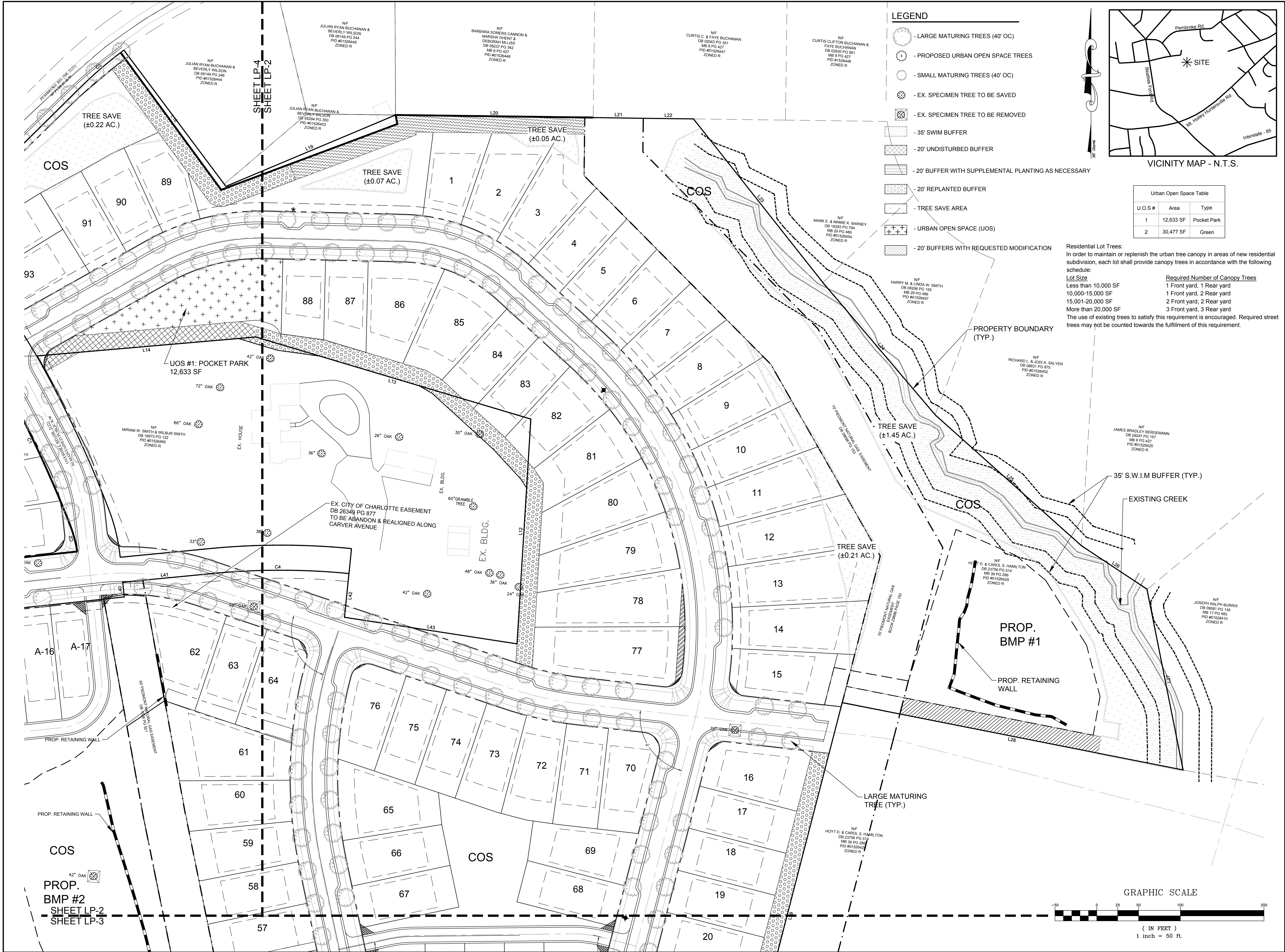
2839

DWG File Name:

2839-Landscape plan

Drawing No.

LP-1



DATE	ISSUED FOR	REV
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Engineer:

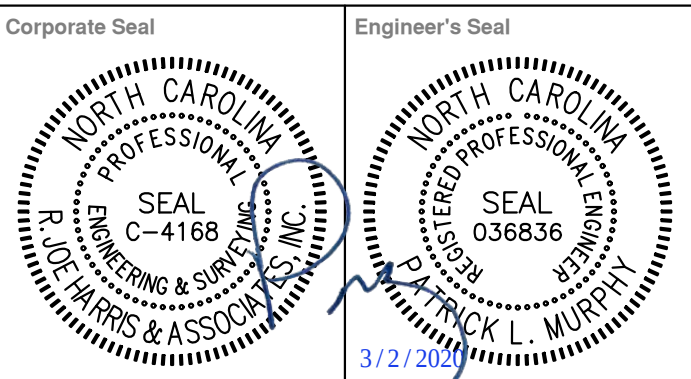


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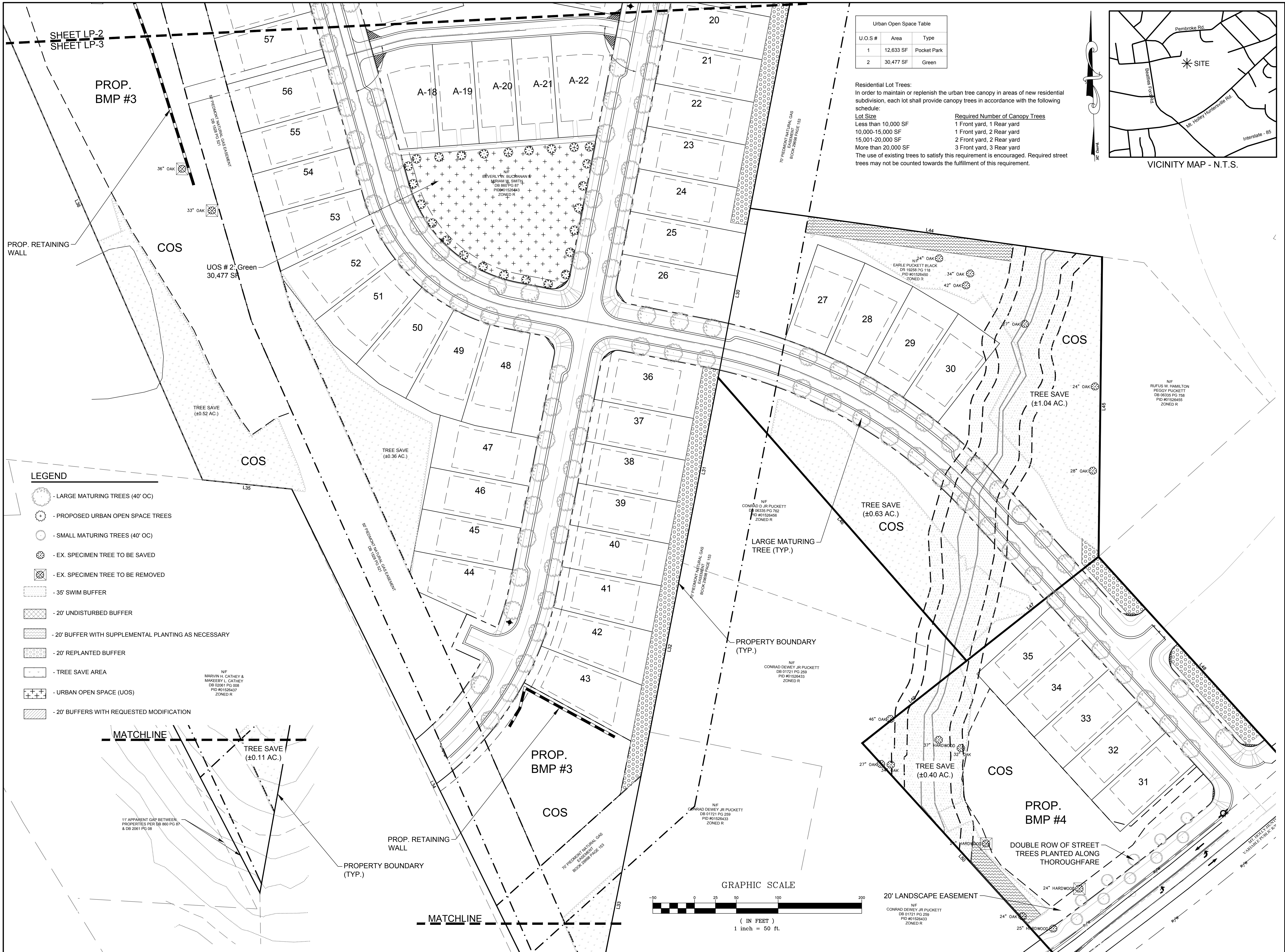
Project Manager D. Gates	Drawn C. Brown
Department Manager P. Murphy	Checked P. Murphy
Print/Plot Date March 2, 2020	
Asbuilt Drawn -	Asbuilt Date -
Client BOWMAN DEVELOPMENT GROUP	

BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

Project:
OAK GROVE HILL

Drawing Title:
LANDSCAPE PLAN

Project No. 2839	Drawing No. LP-2
DWG File Name: 2839-Landscape plan	



DATE	ISSUED FOR	REV
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Engineer:

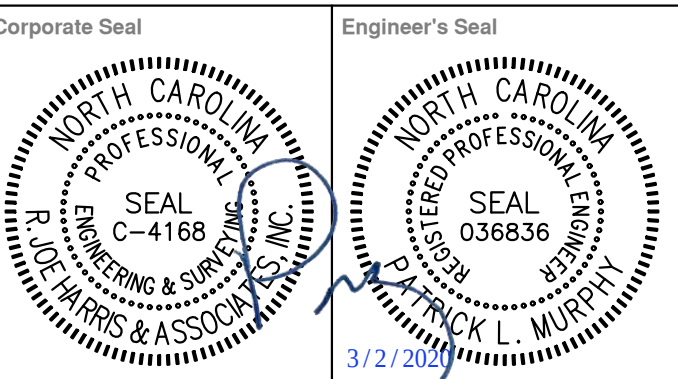


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Project Manager D. Gates	Drawn C. Brown
Department Manager P. Murphy	Checked P. Murphy
Print/Plot Date March 2, 2020	

Asbuilt Drawn -	Asbuilt Date -
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Client

BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

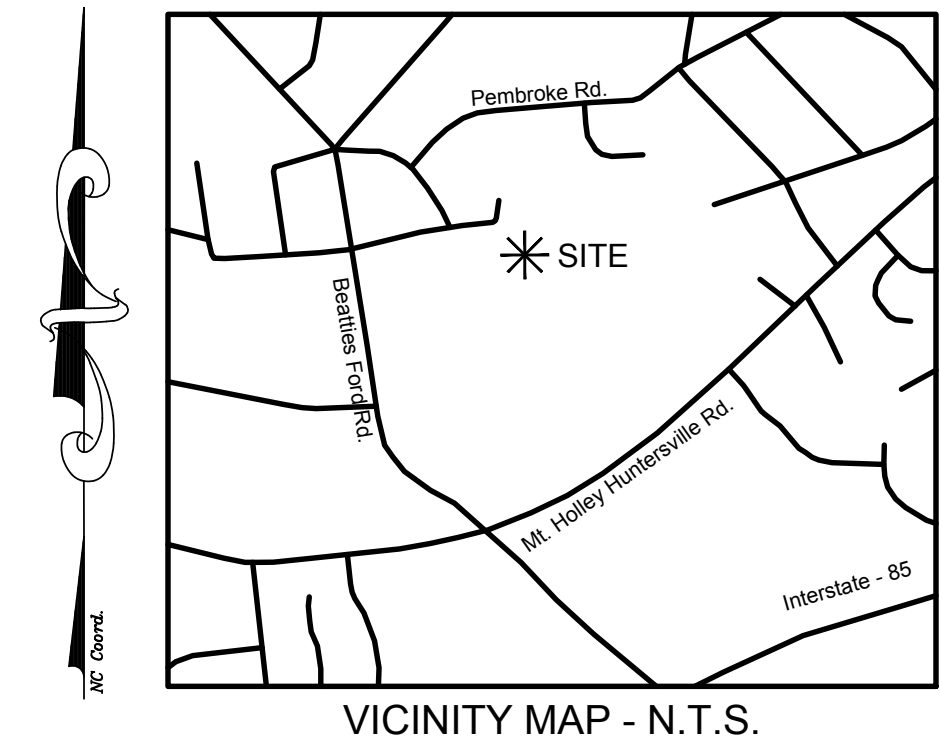
Project:

OAK GROVE HILL

Drawing Title:

LANDSCAPE PLAN

Project No. 2839	Drawing No. LP-3
DWG File Name: 2839-Landscape plan	



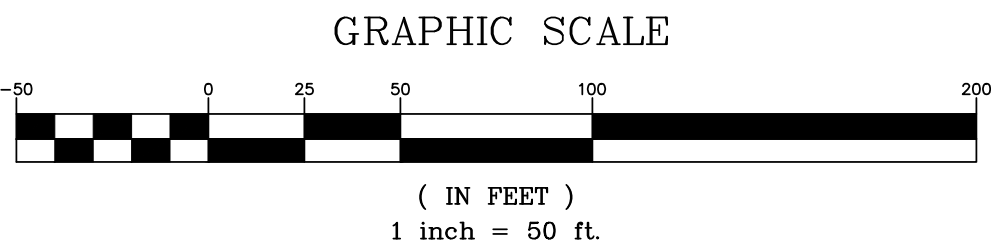
-  - LARGE MATURING TREES (40' OC)
-  - PROPOSED URBAN OPEN SPACE TREES
-  - SMALL MATURING TREES (40' OC)
-  - EX. SPECIMEN TREE TO BE SAVED
-  - EX. SPECIMEN TREE TO BE REMOVED
-  - 35' SWIM BUFFER
-  - 20' UNDISTURBED BUFFER
-  - 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY
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U.O.S #	Area	Type
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15,001-20,000 SF	2 Front yard, 2 Rear yard
More than 20,000 SF	3 Front yard, 3 Rear yard

The use of existing trees to satisfy this requirement is encouraged. Required street trees may not be counted towards the fulfillment of this requirement.



DATE	ISSUED FOR	REV
08/14/19	Pre-Submittal Meeting	0
09/03/19	Initial Submittal to Huntersville EPM	1
11/04/19	Second Submittal to Huntersville EPM	2
1/23/20	Third Submittal to Huntersville EPM	3
3/2/20	Fourth Submittal to Huntersville EPM	4



Engineer:

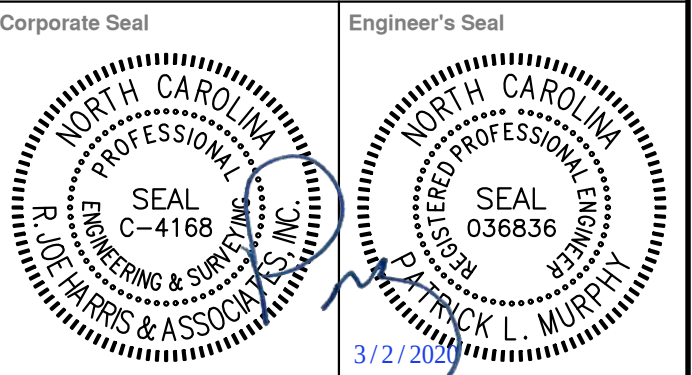


R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning
Management

127 Ben Casey Drive, Suite 101, Fort Mill, S.C. 29708 P: (803) 802-1799

www.rjoe Harris.com

This drawing shall not be used for construction purposes until the seal and signature of the responsible registrant appears on the drawing, and proper permit forms and related fees are transmitted by the Owner, Owner's Agent or Contractor to the Authority having jurisdiction.



Project Manager	Drawn
D. Gates	C. Brown
Department Manager	Checked
P. Murphy	P. Murphy

Print/Plot Date	
March 2, 2020	
Asbuilt Drawn	Asbuilt Date
-	-
Client	
BOWMAN DEVELOPMENT GROUP	
13815 CINNABAR PLACE	
HUNTERSVILLE, NC 28078	
P: (704) 875-9704	

Project:

OAK GROVE HILL

Drawing Title:

LANDSCAPE PLAN

Project No. 2839	Drawing No.
DWG File Name: 2839-Landscape plan	LP-4

BOWMAN DEVELOPMENT GROUP

R 22-05 OAK GROVE HILL NEIGHBORHOOD MEETING MINUTES

The meeting began at 6:00 pm at the Huntersville Cultural Arts Center, 109 S. Old Statesville Road.

In attendance were David Peete, Principal Planner (Town of Huntersville, and Drew Bowman and Whitney Hodges (Bowman Development Group). There was no public in attendance.

Notifications were sent on January 31, 2023. Letter, maps, and mailing list are attached to these minutes.

**Town of Huntersville
Town Board
March 20, 2023**

To: Town Board

From: Brian Richards, Assistant Planning Director

Date: March 20, 2023

Subject: Petition #R22-01 Rezoning Request by DDRTC Birkdale Village

EXPLAIN REQUEST:

Consider decision on Petition #R22-01, a request by DDRTC Birkdale Village, LLC to rezone +/- 8.82 acres located at the intersection of Townley Drive and Lindholm Drive (Parcels 00537157 and 00537197) from Highway Commercial Conditional District to Highway Commercial Conditional District for 150,000 sq. ft. office and 25,000 sq. ft. commercial.

ACTION RECOMMENDED:

Consider decision on Petition #R22-01, a request by DDRTC Birkdale Village, LLC to rezone +/- 8.82 acres located at the intersection of Townley Drive and Lindholm Drive (Parcels 00537157 and 00537197) from Highway Commercial Conditional District to Highway Commercial Conditional District for 150,000 sq. ft. office and 25,000 sq. ft. commercial.

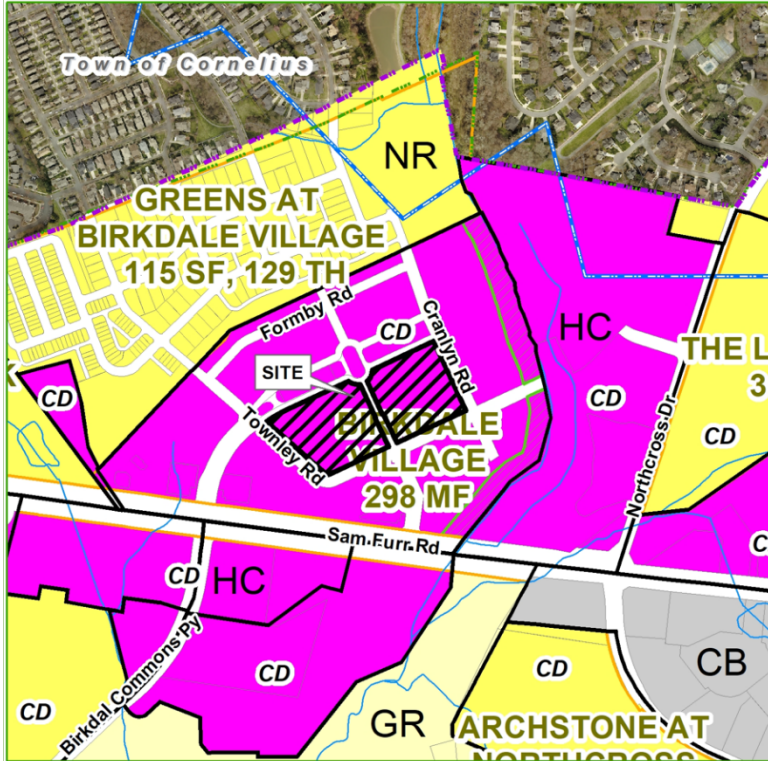
FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. R22-01 TB Staff Report 3-20-23
2. A - TOH_General_Application
3. B - Birkdale_Village_Rezoning_Plan_Set_V7
4. C - Birkdale Neighborhood Meeting Report Package v.01
5. E - Birkdale Narrative 1.30.23.02
6. F - Architectural Images

Petition R22-01 Birkdale Village

PART 1: PROJECT SUMMARY



Applicant: DDRTC Birkdale Village, LLC
Property Owner: DDRTC Birkdale Village, LLC
Property Address: 8725 Townley Dr
Project Size: (+/-) 8.82 acres
Parcel Numbers: 00537157 & 00537197
Current Zoning: Highway Commercial Conditional District (HC-CD)
Current Land Use: Multifamily, Commercial, Office.
Proposed Zoning: Highway Commercial Conditional District (HC-CD)
Proposed Land Use: 150,000 sf Office and 25,000 sf Commercial.

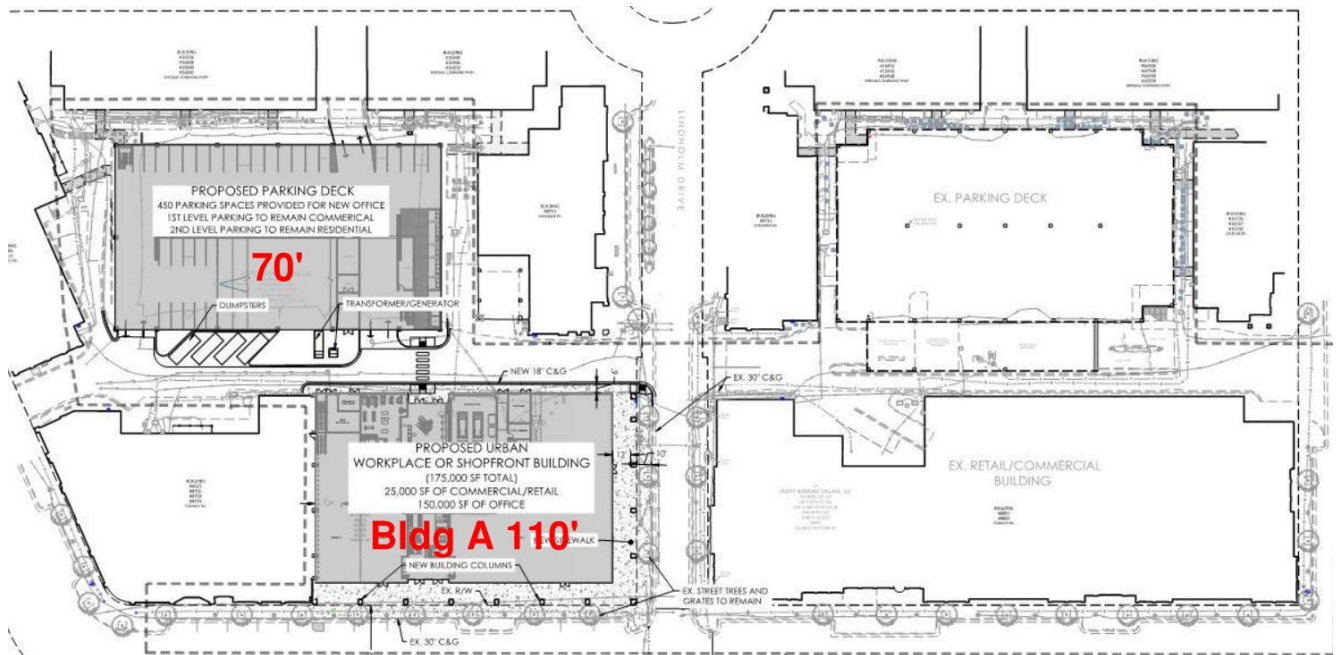
- Application was referred to the Planning Board due to substantial changes to the original rezoning plans (Town Board decision 2-6-23).
- Per Article 11.4.4 (c) If the Town Board deems the amendments to the Rezoning plan as a substantial change the Board shall defer action for 30 days (March 20, 2023, meeting) to allow interested parties to comment on the amended petition.
Staff Comment – The removal of the previously proposed Hotel, Multi-Family building, and associated parking deck would constitute a substantial change.
- Purpose: Rezone 8.82 acres at the intersection of Townley Dr and Lindholm Dr. from Highway Commercial Conditional District (HC-CD) to Highway Commercial Conditional District (HC-CD) for up to 150,000 sf Office and 25,000 sf Commercial.
- Adjoining Zoning and Land Uses.
North: Neighborhood Residential – Greens at Birkdale Village Subdivision.
South: Highway Commercial – Birkdale & Birkdale Landing Developments
East: Highway Commercial – North Pointe Office Park.
West: Neighborhood Residential – Greens at Birkdale Village Subdivision.
- A neighborhood meeting was held on September 22, 2022, and the questions asked by residents and the responses from the applicants are summarized in the Neighborhood Meeting Report (see Attachment C).
- Birkdale Village was originally rezoned in 1996 (R96-07) and has had two revisions (R97-23 & R01-03). A Major Sketch Plan revision was approved in 2021 and construction is wrapping up now.
- Notice for this rezoning petition was sent via a postcard to adjoining property owners; a legal ad placed in the Charlotte Observer; and posting of rezoning signs on the property along Sam Furr Rd and inside of Birkdale Village.

PART 2: REZONING/SITE PLAN

The proposed Conditional District Rezoning Plan is generally compliant with the Zoning and Subdivision Regulations. Significant elements include:

- Replacement of one existing building with a multistory mixed-use building. Building A (150,000 sf Office, 25,000 sf Commercial). See site plan image below.
- Replacement of one existing parking deck (70') with an additional 450 spaces. There will be an overall increase of 450 parking spaces (2,312 total for Birkdale Village – 1,684 are required to meet Article 5).
- The new building and parking deck exceed current height limit allowed by the Zoning Ordinance (Article 4 - Urban Workplace 48'/ Shopfront 36'). The applicants are requesting modification of the current height amendment as provided in Section 11.4.7(k).

"In approving a conditional zoning district, the Town Board may modify standards established in the Zoning or Subdivision ordinance provided the spirit of the regulations are maintained."



- Urban Open Space is being provided by the existing McDowell Creek Greenway (4.62 acres) and a Promenade (0.16 acres). There are 2.2 acres of Common Open Space. All are existing and there are no changes proposed.
- There will be no impacts to the existing tree canopy or specimen tree count as part of this rezoning.
- There are no identified Heritage Trees on site.
- Formal Building elevations for the proposed structure have not been submitted. Architectural references have been provided (Attachment E & F).
- The applicant has requested a 5-year vesting period for the Rezoning Plan. The Zoning Ordinance currently offers a 2-year vesting period (Article 2.2.3).
- Planning, Transportation, and Storm Water Engineering staff have minor rezoning plan comments outstanding that need to be addressed prior to final plan approval.
- One (1) Ordinance Modification is Proposed:
 - Article 4.2 Urban Workplace – Has a maximum building height of 45'. The applicant is requesting to increase the maximum height to 110'
 - Article 4.4 Shopfront Building – Has a maximum building height of 48'. The applicant is requesting to increase the maximum height to 110'
 - Office building (110') and one accessory parking deck (70').

Staff Comment - The request would allow for a significant increase in building height over what is currently permitted by the Zoning Ordinance. This is not in keeping with the Spirit of the Ordinance, staff DOES NOT SUPPORT this modification request.

PART 3: TRANSPORTATION ISSUES

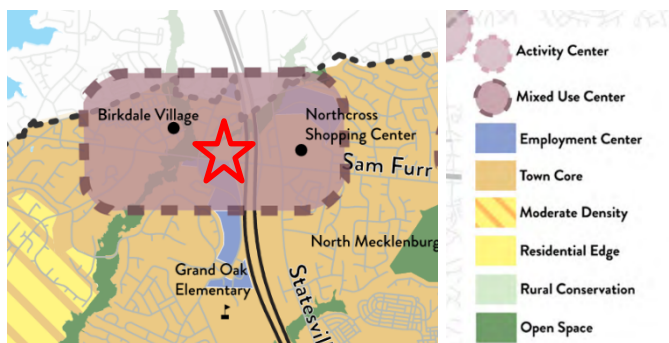
Traffic Impact Analysis (TIA)

Both the Town and NCDOT required a TIA. The Town deferred the TIA to NCDOT. The TIA did not recommend any additional improvements. Please note NCDOT project U-5765 is programmed for construction to begin in 2026 with Right-of Way acquisition to beginning in 2023.

PART 4: REZONING CRITERIA

Article 11.4.7(d) of the Zoning Ordinance states that “in considering any petition to reclassify property, the Planning Board in its recommendation and the Town Board in its decision shall take into consideration any identified relevant adopted land-use plans for the area including, but not limited to, comprehensive plans, strategic plans, district plans, area plans, neighborhood plans, corridor plans, and other land-use policy documents”.

2040 Huntersville Community Plan



STAFF COMMENT – The 2040 Huntersville Community Plan DOES SUPPORT this project through the following sections:

- **Policy LU 2.1:** Higher intensity residential uses will be focused generally within 2 miles of the I77/NC115 corridor and future activity centers in the eastern and western areas of Huntersville zoning jurisdiction.
- **Policy LU 6.1:** A mix of land uses is encouraged in Mixed-Use Centers, Activity Centers, Employment Centers identified on the Future Land Use Map.
- **Policy LU 6.2:** Commercial uses are encouraged in the Town Core and as specified in adopted Small Area Plans.
- **Policy LU 7.1:** Require all new development to adhere to the following design principles: In Mixed Use Centers, Activity Centers, Town Core, and Moderate Density Areas, Streets and sidewalk are meant to be attractive and inviting. New development in these areas shall follow these principles:
 - In Mixed-Use Centers, Activity Centers, Town Core, and Moderate Density Areas, streets and sidewalks are meant to be attractive and inviting. New development in these areas shall follow these principles:
 - All buildings shall front a public street or open space.
 - Streets should be connected, have short blocks and sidewalks on both sides of streets.
 - Improve connectivity, particularly for pedestrians and vehicles.
 - Parking lots, if required, should be predominately located behind buildings screened from view and larger lots should be broken by buildings and or landscape features.
 - In lower intensity areas (including MD, RE, RC, CW) preservation of rural character and natural resources are prioritized.

- In these areas, structures can be set back further from the road and should blend into the landscape and the scenic nature of roadways should be preserved.
- **Policy LU 8.1:** Continue to emphasize form and flexibility in development regulations for these areas.
 - The current zoning ordinance has basic form based standards with flexibility built-in. Key elements include allowing multiple types of land uses, a mix of uses, minimal setbacks, and parking requirements.
- **Policy LU 8.2:** Evaluate and strengthen incentives to encourage the achievement of higher design standards. Consider incentives that allow applicants to demonstrate excellence in design and exceptional public benefit for projects in key areas.
 - Offer flexibility using performance standards, guided by the design principles.
 - Specify intended outcomes and how site or building-specific design solutions can better achieve desired outcomes.
 - Evaluate incentives periodically to determine their value given shifting market and neighborhood conditions.
 - Incentives that could include:
 - Modification of height limit.
 - Increase in percent of allowable attached residential.
 - Reduced parking requirements.
 - Reduced buffer yard requirements
- **Policy EV 1.2:** Focus economic development in areas that support growth
 - Preserve areas suitable for business and industrial development, along with a mixture of support uses, to ensure an adequate inventory of land for future growth and development, with increases to this inventory as required. These areas should have proximity to existing or future activity centers, have access to transportation options and utility service, and offer amenities for employees.

STAFF COMMENT – The 2040 Huntersville Community Plan DOES NOT SUPPORT this project through the following sections:

- **Policy LU 5.1:** Allow for more intense development only where transportation infrastructure and utilities already exist. Staff Comment – NCDOT widening project will not begin until 2026. The widening project completion will most likely occur after the construction of the new buildings at Birkdale.
- **Policy LU-11: Protect Existing Housing Stock.**
 - **LU 11.1:** Protect and enhance the unique character of Huntersville’s neighborhoods by using planning tools to safeguard from potentially negative impacts of development and redevelopment.
 - Promote quality design and neighborhood improvements including increasing access to parks and recreation and mobility options.
 - Encourage coordination with neighborhoods to address infrastructure needs such as sidewalks and drainage.
 - **LU 11.2:** Along existing streets, encourage new buildings to respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.
- **Policy LU 12.3:** Blend new development with existing neighborhoods, structures and landscapes through the use of transitions in building types and placement of open space, buffers, and other site features.

Article 11 Section 11.4.7(e) of the Zoning Ordinance states that: “in considering any petition to reclassify property the Planning Board in its recommendation and the Town Board in its decision should consider:

- 1. Whether the proposed reclassification is consistent with the overall character of existing development in the immediate vicinity of the subject property.**

STAFF COMMENT:

The proposed rezoning for the Birkdale Village is consistent with envisioned uses and development pattern set forth in the 2040 Community Plan. Attachments E & F provide a hypothetical building elevation and surrounding context.

2. **The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, transit service, parks and recreational facilities, police and fire protection, hospitals and medical services, schools, storm water drainage systems, water supplies, and wastewater and refuse disposal.**

STAFF COMMENT:

- A Transportation Impact Analysis was not required – see Part 3 of this report.
- Charlotte Water currently provides service to the site.
- CMS Student Generation Report: No longer applicable as there are no new residential units.

3. **Whether the proposed reclassification will adversely affect a known archeological, environmental, historical, or cultural resource.”**

STAFF COMMENT:

Planning staff has no indication that the request will adversely affect known archeological, environmental, or cultural resources. Staff and applicant are awaiting a final determination from the Historic Landmarks Commission. Currently the site is not encumbered by any historic easements or deed restrictions.

PART 5: STAFF RECOMMENDATION

While there are multiple Huntersville 2040 Plan policies the proposed rezoning plan is consistent with, in considering the proposed rezoning petition R22-01, Birkdale Village, staff recommends denial based on the amendment being inconsistent with Huntersville 2040 Community Plan policies LU 5.1, LU 11.1, LU 11.2, and LU 12.3.

It is not reasonable and in the public interest to amend the Zoning Ordinance because the building height modification requested under Section 11.4.7(k) of 110', substantially exceed the maximums for Urban Workplace (45') and Shopfront (48') buildings and is not "in the spirit of the regulations". Previous height modifications requested under Section 11.4.7(k) have been several feet to one story and some involved unusual topography to demonstrate the modifications were in the "spirit of the regulations".

PART 6: PUBLIC HEARING COMMENTS

A Public Hearing was held on October 3, 2022.

PART 7: PLANNING BOARD RECOMMENDATION

A Planning Board hearing was held on February 28, 2023.

Motion: F. Gammon made a Motion to recommend approval of R22-01 Birkdale Village. The Planning Board has considered and found the rezoning is consistent with Huntersville Zoning Ordinance article 11.4.7 d and 11.4.7 e. Further the petitioner is consistent with the Huntersville 2040 Community Plan and supported by policies LU 2.1, LU 6.1, LU 7.1, LU 8.1, LU 8.2, and EV 1.2. The Planning Board also recommends approval of the requested modification to the Zoning Ordinance to allow increased building heights for the proposed multi-use building to a maximum height of 110 feet and an accessory parking deck to a maximum height of 70 feet. This recommendation for approval is based upon the Huntersville 2040 Community Plan policy 8.1. This policy allows consideration for incentives to allow applicants to demonstrate excellence in design and exceptional public benefit for projects in key areas. Incentives that include modification of height limits. Birkdale Village is certainly a Huntersville key area. The Planning Board further recommends approval of the applicants request for Zoning Ordinance modification to increase the vesting period from 2 to 5 years. The recommendation for approval is contingent upon all outstanding staff redline comments being addressed. It is reasonable and in public interest to amend the zoning ordinance because the rezoning is consistent with the envisioned uses and development pattern set forth in the 2040 Community Plan. G. Baber seconded the motion.

Vote: The motion failed (2-5) with C. Boyd, T. Loomis, G. Baber, J. Sny & J. Wright opposed.

PART 8: TOWN BOARD CONSIDERATION

Town Board consideration is scheduled for March 20, 2023

PART 9: ATTACHMENTS/ENCLOSURES

Attachments

- A – Rezoning Application
- B – R22-01 Rezoning Plan V7
- C – Neighborhood Meeting Report (September 22, 2022)
- E – Birkdale Narrative
- F – Architectural Images

PART 10: CONSISTENCY STATEMENT – R22-01 Birkdale Village

Planning Department	Planning Board	Board of Commissioners
	Motion: F. Gammon made a Motion to recommend approval of R22-01 Birkdale Village. The Planning Board has considered and found the rezoning is consistent with Huntersville Zoning Ordinance article 11.4.7 d and 11.4.7 e. Further the petitioner is consistent with the Huntersville 2040 Community Plan and supported by policies LU 2.1, LU 6.1, LU 7.1, LU 8.1, LU 8.2, and EV 1.2. The Planning Board also recommends approval of the requested modification to the Zoning Ordinance to allow increased building heights for the proposed multi-use building to a maximum height of 110 feet and an accessory parking deck to a maximum height of 70 feet. This recommendation for approval is based upon the Huntersville 2040 Community Plan policy 8.1. This policy allows consideration for incentives to allow applicants to demonstrate excellence in design and exceptional public benefit for projects in key areas. Incentives that include modification of height limits. Birkdale Village is certainly a Huntersville key area. The Planning Board further recommends approval of the applicants request for Zoning Ordinance modification to increase the vesting period from 2 to 5 years. The recommendation for approval is contingent upon all outstanding staff redline comments being addressed. It is reasonable and in public interest to amend the zoning ordinance because the rezoning is consistent with the envisioned uses and development pattern set forth in the 2040 Community Plan. G. Baber seconded the motion. Vote: The motion failed (2-5) with C. Boyd, T. Loomis, G. Baber, J. Sny & J. Wright opposed.	APPROVAL: In considering the proposed rezoning application R22-01, Birkdale Village, the Town Board recommends approval based on the Plan being consistent with <u>(insert applicable plan reference)</u>. <u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>
DENIAL: While there are multiple Huntersville 2040 Plan policies the proposed rezoning plan is consistent with, in considering the proposed rezoning petition R22-01, Birkdale Village, staff recommends denial based on the amendment being inconsistent with Huntersville 2040 Community Plan policies LU 5.1, LU 11.1, LU 11.2, and LU 12.3. It is not reasonable and in the public interest to amend the Zoning Ordinance because the building height modification requested under Section 11.4.7(k) of 110', substantially exceed the maximums for Urban Workplace (45') and Shopfront (48') buildings and is not "in the spirit of the regulations". Previous height modifications requested under Section 11.4.7(k) have been several feet to one story and some involved unusual topography to demonstrate the modifications were in the "spirit of the regulations".		DENIAL: In considering the proposed rezoning application R22-01, Birkdale Village, the Town Board recommends denial based on the Plan being <u>(consistent OR inconsistent) with (insert applicable plan reference)</u>. <u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>



General Application

INCOMPLETE SUBMISSIONS WILL NOT BE ACCEPTED. PLEASE CHECK ALL ITEMS CAREFULLY.

1. Application Type

Please indicate the type of application you are submitting. In addition to the application, the submission process for each application type can be found at <https://www.huntersville.org/528/Permits-Process>

- ☐ Change of Use
- ☐ Commercial Site Plan
- ☒ Conditional Rezoning
- ☐ General Rezoning
- ☐ Master Signage Program
- ☐ Special Use Permit
- ☐ Revision to
Original Project # _____
- ☐ Other _____

- SUBDIVISION CATEGORIES: Per the Huntersville Subdivision Ordinance
- ☐ Sketch Plan
 - ☐ Preliminary Plan
 - ☐ Final Plat (Includes Minor Subdivision)
 - ☐ Exempt Subdivision
 - ☐ Final Plat Revision
 - ☐ Farmhouse Cluster

2. Project Data

Date of Application 03/30/2022

Name of Project Birkdale Village Rezoning Phase # (if subdivision) _____

Project Address 8725 Townley Rd, Huntersville NC 28078

Parcel Identification Number(s) (PIN) 00537157 & 00537197

Current Zoning District HC-(CD) Proposed District (for rezoning only) HC-(CD)

Property Size (acres) 8.82 acres (2 parcels) Street Frontage (feet) 1,651 feet + 1,544 feet

Current Land Use Commercial

Proposed Land Use(s) Office, Hotel, Multi-Family, Commercial

Is the project within Huntersville's corporate limits?

Yes X No _____ If no, does the applicant intend to voluntarily annex? _____

3. Description of Request

Explain the nature of this request. If a separate sheet is necessary, please attach to this application.

The request is to amend the existing rezoning plans for Birkdale Village so that the owner can develop a 7-story office/commercial building, 12-story hotel, and a mixed use commercial/ residential building with 350 multifamily units. 2 new 6-story parking decks will also be added to accommodate the new development, in replacement of the existing ones.

4. Site Plan Submittals

Consult the particular type of *Review Process* for the application type selected above. These can be found at <https://www.huntersville.org/528/Permits-Process>.

5. Outside Agency Information

Other agencies may have applications and fees associated with the land development process. The *Review Process* list includes plan documents needed for most town and county reviewing agencies. For major subdivisions, commercial site plans, and rezoning petitions please enclose a copy of the Charlotte-Mecklenburg Utility *Willingness to Serve* letter for the subject property.

6. Applicant

Printed Name DDRTC Birkdale Village, LLC Phone 404-946-0939
☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☒ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Commissioners except through sworn testimony at the public hearing. (Applicable for Special Use Permits and Subdivisions)

Signature  Printed Name: Mike Lant

Title Senior VP Development Email Mike.Lant@NAProperties.com

Address of Applicant 1175 Peachtree Street, Suite 1650, Atlanta Georgia 30361

7. Property Owner (if different than applicant)

*Printed Name _____ Phone _____
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the owner my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Commissioners except through sworn testimony at the public hearing. (Applicable for Special Use Permits and Subdivisions)

Signature _____ Printed Name _____

Title _____ Email _____

Address of Property Owner _____

* Property owner hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

Every owner of each parcel included in this application, or the owner (s) duly authorized agent, must sign this application. If signed by an agent on behalf of the Owner, this application **MUST** be accompanied by a notarized Limited Power of Attorney signed by the property owner (s), specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an **INVALID APPLICATION**. **If additional space is needed for signatures, attach the Town of Huntersville Signature Addendum Form.**

8. Development/Design Firm Contact Information

North American Properties	Nick Lombardo	404-946-0939	nick.lombardo@naproperties.com
Development Firm	Name of Contact	Phone	Email
HensonFoley	Jay Henson	704-875-1615	jay@hensonfoley.com
Design Firm	Name of Contact	Phone	Email

Contact Information

Town of Huntersville	Phone:	704-875-7000
Planning Department	Fax:	704-992-5528
PO Box 664	Physical Address:	105 Gilead Road, Third Floor
Huntersville, NC 28070	Website:	https://www.huntersville.org/228/Planning-Department

Sheet List Table	
Sheet Number	Sheet Title
Z01	COVER
Z02	SURVEY-EXISTING FEATURES
Z02A	SURVEY-EXISTING FEATURES
Z03	REZONING PLAN
Z04	PRELIM GRADING PLAN
Z05	PRELIM LANDSCAPE PLAN

REZONING PLAN PACKAGE

PROPOSED

BIRKDALE VILLAGE OFFICE / HOTEL

HUNTERSVILLE, MECKLENBURG COUNTY, NC

EPM#439459

R22-01

OWNER/DEVELOPER:

DDRTC BIRKDALE VILLAGE, LLC

C/O NORTH AMERICAN PROPERTIES

8712 LINDHOLM DR SUITE 206

HUNTERSVILLE, NC 28078

PH: (404) 946-0939



VICINITY MAP

SCALE: N.T.S.



BIRKDALE VILLAGE REZONING

PIN #00537157 / 00537197

LINDHOLM DR AND TOWNLEY RD, HUNTERSVILLE NC 28078

COVER

REVISIONS:

- 2022/08/23 - REZONING COMMENTS
- 2022/09/19 - REZONING COMMENTS
- 2022/11/02- REZONING COMMENTS
- 2023/01/03- REZONING COMMENTS
- 2023/01/27- REZONING COMMENTS

Z01 - COVER.DWG	
PROJECT NUMBER:	222020
DATE: 06/21/2022	DRAWN BY: TSF
Z01	5
SHEET	OF

1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE DEPARTMENT OF TRANSPORTATION.
4. SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART P, OR AS AMENDED.



CONTROL #108
N=622,187.962'
E=1,435,768.273'
EL:734.95'
MAG NAIL

TOWNLEY ROAD
69' WIDE PUBLIC R/W (MB 34 PG 795)

BIRKDALE COMMONS PARKWAY
37.5' WIDE PUBLIC R/W (MB 33 PG 319 & MB 34 PG 795)

N 64°49'30" E 346.32'

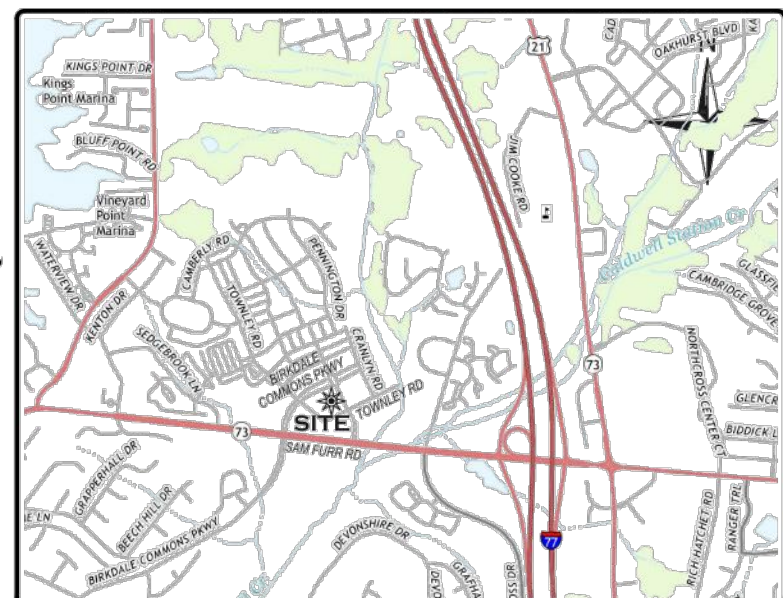
CONTROL #116
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E=1,440,090.441'
EL:731.02'
DRILL HOLE

CONTROL #119
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EL:731.46'
DRILL HOLE

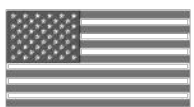
CONTROL #112
N=622,349.882'
E=1,440,301.896'
EL:731.32'
DRILL HOLE (PROPERTY CORNER)

BUILDING
#16836
#16838
#16840
#16842
BIRKDALE COMMONS PKWY.

BUILDING
#16848
#16846
#16850
BIRKDALE COMMONS PKWY.



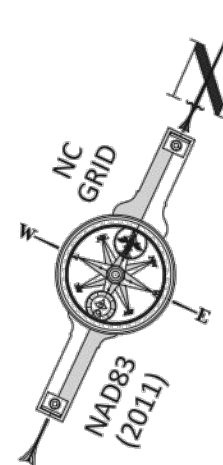
VICINITY MAP (NO SCALE)



CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	688.95'	125.86'	125.68'	N 59°17'40" E
C2	70.50'	64.32'	62.11'	S 74°17'30" E
C3	20.50'	24.07'	22.71'	N 82°40'38" W

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 64°45'52" W	3.49'

N/F
DDRTC BIRKDALE VILLAGE, LLC
PIN #005-371-97
DB 21859 PG 546
LOT 6, MB 33 PG 319 &
MB 34 PG 795
ZONED: HC(CD)
8711 - 8715 LINDHOLM DR.
16735 - 16739 CRANLYN RD.
8805 - 8825 TOWNLEY RD.
16916 - 16932 BIRKDALE COMMONS PKWY.



LINE LEGEND

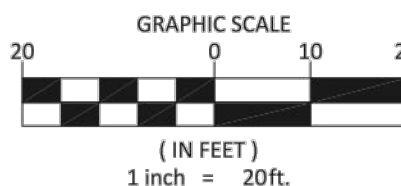
---	PROPERTY BOUNDARY
---	ADJACENT BOUNDARY (NOT SURVEYED)
---	PROPERTY BOUNDARY TIE LINE ONLY
---	RIGHT OF WAY LINE
---	EASEMENT LINE
---	CURB AND GUTTER
---	STORM DRAIN PIPE
---	HAND RAIL
---	SANITARY SEWER PIPE
---	FIBER OPTIC MARKOUT
---	TELECOMMUNICATIONS MARKOUT
---	TELEVISION MARKOUT
---	UNDERGROUND ELECTRIC MARKOUT
---	GAS MARKOUT
---	WATERLINE MARKOUT
---	UNKNOWN UTILITY

SYMBOL LEGEND

●	REBAR FOUND (RFB)
✕	DRILL HOLE FOUND (DHF)
⬢	MAG NAIL FOUND (MNF)
⬢	MAG NAIL SET (MNS)
△	CALCULATED POINT (CP)
⊙	SURVEY CONTROL POINT
⊞	AIR CONDITIONER
⊞	POSTAL MAILBOX
⊞	GAS METER
⊞	GAS VALVE
⊞	SANITARY CLEAN OUT
⊞	SANITARY MANHOLE
⊞	WATER METER
⊞	WATER VALVE
⊞	FIRE HYDRANT
⊞	FIRE DEPARTMENT CONNECTION
⊞	BACKFLOW PREVENTER
⊞	TELEPHONE HAND HOLE
⊞	TELEPHONE BOX
⊞	COMMUNICATIONS HAND HOLE
⊞	CABLE TV BOX
⊞	ELECTRIC HAND HOLE
⊞	ELECTRIC BOX
⊞	ELECTRIC TRANSFORMER
⊞	ELECTRIC METER
⊞	LIGHT POLE
⊞	STORM MANHOLE
⊞	CURB INLET
⊞	DROP INLET
⊞	AREA DRAIN
⊞	STORM CLEAN OUT
⊞	END OF INFORMATION
⊞	LINE CONTINUES

ABBREVIATIONS

DB	DEED BOOK
MB	MAP BOOK
PG	PAGE
N/F	NOW OR FORMERLY
R/W	RIGHT-OF-WAY
SF	SQUARE FEET
AC	ACRES
EX.	EXISTING



PLAT SHOWING A
BOUNDARY &
TOPOGRAPHIC SURVEY

PREPARED FOR:
DDRTC BIRKDALE VILLAGE, LLC
LOT 5, BIRKDALE VILLAGE - MAP 1
(MAP BOOK 34 PAGE 795)
TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY
NORTH CAROLINA
DEED REFERENCE: DB 21859, PG 546
TAX PARCEL ID #005-371-57

GUISEWHITE PROFESSIONAL
LAND SURVEYING, PC

GPLS

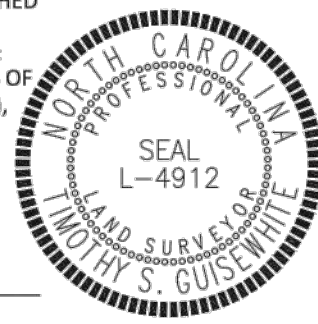
P.O. BOX 680388
CHARLOTTE, NC 28216
(704) 530-1700 NC FIRM #C-4411

NOTES:

- THIS PLAT IS NOT INTENDED FOR RECORDATION AS PER G.S. 47-30 AS AMENDED.
- THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. GUISEWHITE PROFESSIONAL LAND SURVEYING, PC DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
- ALL CORNERS MONUMENTED AS SHOWN.
- BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
- PHYSICAL IMPROVEMENTS MAY EXIST ON THIS PROPERTY THAT ARE NOT SHOWN HEREON.
- NO NORTH CAROLINA GEODETIC SURVEY HORIZONTAL CONTROL IS LOCATED WITHIN 2000' OF THIS SITE.
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE SHOWN.
- AREAS COMPUTED BY COORDINATE GEOMETRY.
- THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. ALL UTILITIES SHOWN HEREON ARE SUBJECT TO VERIFICATION.
- ANY ZONING & SETBACK INFORMATION SHOWN HEREON IS PER INFORMATION AVAILABLE AT THE TIME OF SURVEY AND IS SUBJECT TO VERIFICATION AND INTERPRETATION BY GOVERNING AUTHORITIES.

I, TIMOTHY S. GUISEWHITE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DASHED LINES, DRAWN FROM INFORMATION REFERENCED ON THE FACE OF THIS PLAT; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 0.07250ppm; THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600); THIS 28TH DAY OF FEBRUARY, A.D., 2022.

Devised by:
9102ABDFC66CAF...
TIMOTHY S. GUISEWHITE, PLS
N.C. REG. NO.: L-4912

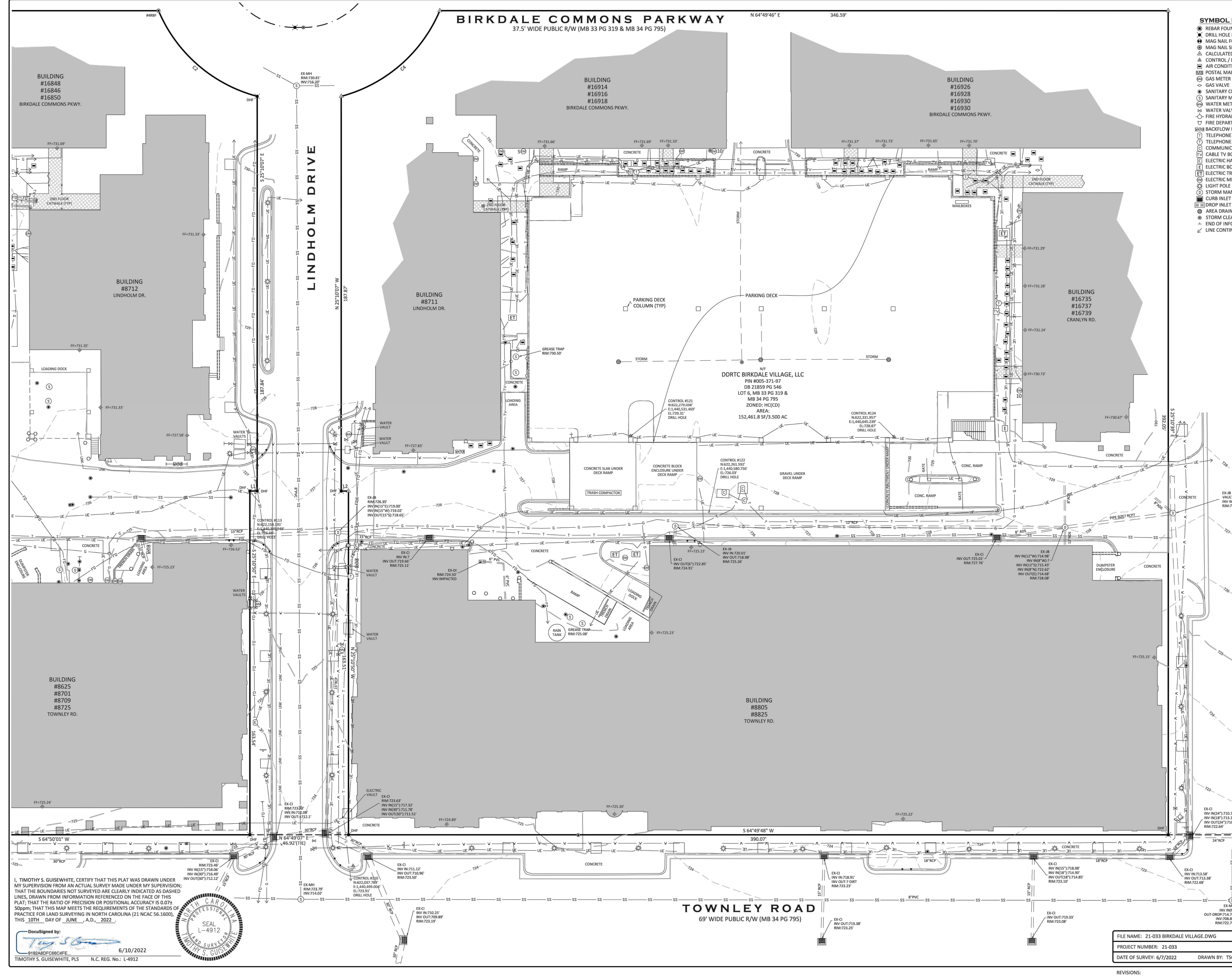


BUILDING
#8625
#8701
#8709
#8725
TOWNLEY RD.

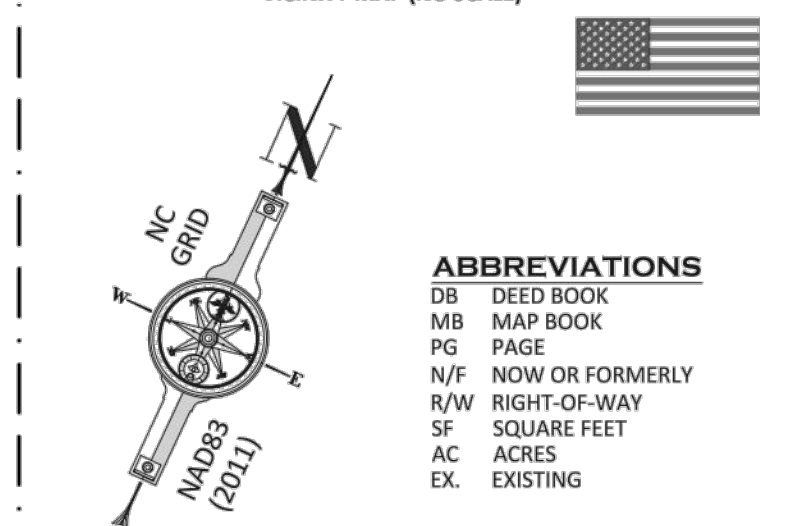
TOWNLEY ROAD
69' WIDE PUBLIC R/W (MB 34 PG 795)

FILE NAME: 21-033 BIRKDALE VILLAGE.DWG
PROJECT NUMBER: 21-033
DATE OF SURVEY: XX/XX/2019
DRAWN BY: TSG

REVISIONS:



- SYMBOL LEGEND**
- REBAR FOUND (RBF)
 - DRILL HOLE FOUND (DHF)
 - MAG NAIL FOUND (MNF)
 - MAG NAIL SET (MNS)
 - CALCULATED POINT (CP)
 - CONTROL / BENCHMARK
 - AIR CONDITIONER
 - POSTAL MAILBOX
 - GAS METER
 - GAS VALVE
 - SANITARY CLEAN OUT
 - SANITARY MANHOLE
 - WATER METER
 - WATER VALVE
 - FIRE HYDRANT
 - FIRE DEPARTMENT CONNECTION
 - BACKFLOW PREVENTER
 - TELEPHONE HAND HOLE
 - TELEPHONE BOX
 - COMMUNICATIONS HAND HOLE
 - CABLE TV BOX
 - ELECTRIC HAND HOLE
 - ELECTRIC BOX
 - ELECTRIC TRANSFORMER
 - ELECTRIC METER
 - LIGHT POLE
 - STORM MANHOLE
 - CURB INLET
 - SEWER INLET
 - AREA DRAIN
 - STORM CLEAN OUT
 - END OF INFORMATION
 - LINE CONTINUES



LINE LEGEND

---	PROPERTY BOUNDARY
---	ADJACENT BOUNDARY (NOT SURVEYED)
---	PROPERTY BOUNDARY TIE LINE ONLY
---	EASEMENT LINE
---	CURB AND GUTTER
---	STORM DRAIN PIPE
---	HAND RAIL
---	SANITARY SEWER PIPE
---	FIBER OPTIC MARKOUT
---	TELECOMMUNICATIONS MARKOUT
---	TELEVISION MARKOUT
---	UNDERGROUND ELECTRIC MARKOUT
---	GAS MARKOUT
---	WATERLINE MARKOUT
---	UNKNOWN UTILITY

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	688.50	125.80	125.80	N 59°37'48" E
C2	70.50	64.32	62.11	S 74°17'30" E
C3	20.50	24.07	22.71	N 82°40'38" W
C4	70.50	64.30	62.09	N 23°54'55" E

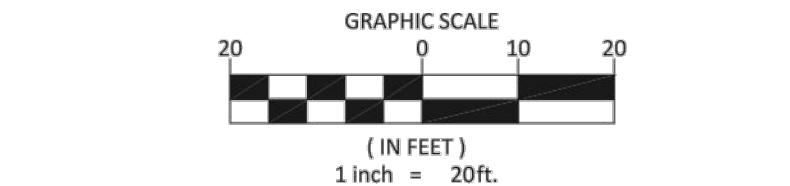
LINE TABLE

LINE	BEARING	DISTANCE
L1	S 64°45'52" W	3.49
L2	S 64°49'10" W	3.47

- NOTES:**
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 - THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. GUISEWHITE PROFESSIONAL LAND SURVEYING, PC DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
 - ALL CORNERS MONUMENTED AS SHOWN.
 - BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
 - PHYSICAL IMPROVEMENTS MAY EXIST ON THIS PROPERTY THAT ARE NOT SHOWN HEREON.
 - NO NORTH CAROLINA GEODETIC SURVEY HORIZONTAL CONTROL IS LOCATED WITHIN 200' OF THIS SITE.
 - ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE SHOWN.
 - AREAS COMPUTED BY COORDINATE GEOMETRY.
 - THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. ALL UTILITIES SHOWN HEREON ARE SUBJECT TO VERIFICATION.
 - ANY ZONING & SETBACK INFORMATION SHOWN HEREON IS PER INFORMATION AVAILABLE AT THE TIME OF SURVEY AND IS SUBJECT TO VERIFICATION AND INTERPRETATION BY GOVERNING AUTHORITIES.

PLAT SHOWING A BOUNDARY & TOPOGRAPHIC SURVEY

PREPARED FOR:
DDRTC BIRKDALE VILLAGE, LLC
LOT 6, BIRKDALE VILLAGE - MAP 1
(MAP BOOK 34 PAGE 795)
TOWN OF HUNTERSVILLE
MECKLENBURG COUNTY
NORTH CAROLINA
DEED REFERENCE:
DB 21859, PG 546
TAX PARCEL ID #005-371-97



GUISEWHITE PROFESSIONAL LAND SURVEYING, PC

P.O. BOX 680388
CHARLOTTE, NC 28216
(704) 530-1700 NC FIRM #C-4411

FILE NAME: 21-033 BIRKDALE VILLAGE.DWG
PROJECT NUMBER: 21-033
DATE OF SURVEY: 6/7/2022
DRAWN BY: TSG

REVISIONS:

I, TIMOTHY S. GUISEWHITE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DASHED LINES, DRAWN FROM INFORMATION REFERENCED ON THE FACE OF THIS PLAT; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 0.072 50ppm; THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600), THIS 10TH DAY OF JUNE, A.D., 2022.



DocuSigned by:
Timothy S. Guisewhite
9182A8DFC684FE
6/10/2022
TIMOTHY S. GUISEWHITE, PLS N.C. REG. NO.: L-4912



VICINITY MAP
SCALE: N.T.S.

SITE DATA	
LOCATION: LINDHOLM DR AND TOWNLEY RD HUNTERSVILLE, MECKLENBURG COUNTY 28078	
CURRENT ZONING: HC (CD)	
PROPOSED ZONING: HC (CD)	
CURRENT USE: COMMERCIAL	
PROPOSED USE: COMMERCIAL, OFFICE	
CONTACT: HENSONFOLEY (JAY HENSON) 704-875-1615	
ITEM PROVIDED	
TOTAL BIRKDALE VILLAGE AREA	53.39 AC (2,325,468 SF)
PARCEL ACREAGE	8.82 AC (384,199 SF)
PROJECT LIMITS	5.37 AC (234,067 SF)
PRINCIPAL USE(S)	COMMERCIAL, OFFICE
LOT & BUILDING TYPE	URBAN WORKPLACE OR SHOPFRONT BUILDING
MAX. BUILDING HEIGHT	URBAN WORKPLACE/SHOPFRONT BUILDING (WITH OFFICE) - 110' PARKING DECK - 70'
ZONING DISTRICT	HC-CD (REZONING CASE #R01-03)
OVERLAY DISTRICT	PA-2 MIN ISLAND LAKE WATERSHED
PERCENT IMPERVIOUS ALLOWED	HIGH DENSITY - 70%
PERCENT IMPERVIOUS SHOWN	NO NET GAIN WITHIN PROJECT AREA
BUILD TO LINE	0' - 15' SIDE & REAR - 0'
CORNER SETBACK	REPLICATE FRONTAGE CONDITIONS
WATERSHED	MCDOWELL
FEMA MAP NUMBER	1710465100K
FEMA EFFECTIVE DATE	09/02/2015
SOIL TYPE	Ce&D, Ce&B2

PARKING COUNT	
PROJECT SCOPE	
EXISTING PARALLEL PARKING	37 PARKING SPACES
PROPOSED PARALLEL PARKING	37 PARKING SPACES
EXISTING PARKING DECK	141 PARKING SPACES
PROPOSED PARKING DECK	591 PARKING SPACES
TOTAL PARKING TO BE ADDED	450 PARKING SPACES
TOTAL BIRKDALE VILLAGE	
EXISTING RESIDENTIAL SF 81 SPACES PER DWELLING UNIT (1 BR) 1.5 SPACES PER DWELLING UNIT (2+ BR)	164 (1 BR) X 1 = 164 SPACES 134 (2 BR) X 1.5 = 201 SPACES 22 (3 BR) X 1.5 = 33 SPACES TOTAL 398 PARKING SPACES
REQUIRED PARKING SPACES	398 PARKING SPACES
EXISTING RETAIL/RESTAURANT SF 82 SPACES/1,000 SF	342,073 SF (342,073 x 2 = 684) 82 SPACES/1,000 SF
REQUIRED PARKING SPACES	684 PARKING SPACES
EXISTING OFFICE SF 82 SPACES/1,000 SF	150,829 SF (150,829 x 2 = 302) 82 SPACES/1,000 SF
TOTAL REQUIRED PARKING SPACES	302 PARKING SPACES
PROPOSED OFFICE SF 82 SPACES/1,000 SF	150,000 SF (150,000 x 2 = 300) 82 SPACES/1,000 SF
TOTAL REQUIRED PARKING SPACES	300 PARKING SPACES
TOTAL REQUIRED PARKING	1,684 PARKING SPACES
TOTAL EXISTING PARKING	1,862 PARKING SPACES
TOTAL PROVIDED PARKING (WITH NEW PARKING DECK)	2,312 PARKING SPACES (+450 PARKING SPACES)

PARKING DECK TABLE	
PARKING DECK (7 LEVELS - MAX. 70')	
TOTAL SPACES - EX. PARKING DECK	141 PARKING SPACES
TOTAL SPACES - PROP. PARKING DECK	591 PARKING SPACES
LEVEL 1	COMMERCIAL
LEVEL 2	EX. RESIDENTIAL UNITS
LEVEL 3-7	OFFICE/COMMERCIAL
REQUIRED FOR NEW OFFICE BUILDING	300 PARKING SPACES
PROVIDED FOR NEW OFFICE BUILDING	450 PARKING SPACES
(AND PUBLIC PARKING DURING NON OFFICE HOURS)	

ZONING SUMMARY	
PREVIOUSLY APPROVED GROSS AREA - MAX. ALLOWABLE DEVELOPMENT	INDOOR MOVIE THEATRE/FUTURE COMMERCIAL - 75,000 SF COMMERCIAL/RETAIL/RESTAURANT - 275,000 SF OFFICE - 160,000 SF RESIDENTIAL - 320 UNITS
EXISTING DEVELOPMENT	INDOOR THEATRE/FUTURE COMMERCIAL - 53,270 SF COMMERCIAL/RETAIL/RESTAURANT - 252,090 SF OFFICE - 150,829 SF RESIDENTIAL - 320 UNITS
PROPOSED DEVELOPMENT (AS A PART OF THIS REZONING)	INDOOR THEATRE/FUTURE COMMERCIAL - 53,270 SF COMMERCIAL (RETAIL/RESTAURANT) - 252,090 SF OFFICE - 300,829 SF (+150,000 SF) RESIDENTIAL - 320 UNITS

DORTC BIRKDALE REZONING NOTES

- REZONING PETITION.** THESE REZONING NOTES COMPRISE THE DEVELOPMENT STANDARDS (THE "DEVELOPMENT STANDARDS") ASSOCIATED WITH THE REZONING PETITION (THE "REZONING PETITION") FILED BY DORTC BIRKDALE VILLAGE, LLC ("PETITIONER") AS REZONING PETITION #R02-03 & ASSOCIATED REZONING PLAN (THE "REZONING PLAN") FOR THAT APPROXIMATELY 8.82 ACRE TRACT OF LAND IDENTIFIED ON THIS SITE AS A PORTION OF BIRKDALE VILLAGE (THE "PROJECT"), DATED JULY 23, 2022 WITH SUBSEQUENT SUBSTANTIAL AMENDMENTS TO THE INITIAL FILED PLAN SUBMITTED ON JANUARY 20, 2023 (THE "FILING DATE") IN CONNECTION WITH TAX PARCEL NUMBERS 0837157 AND 0837158 (THE "PROPERTY"). THE PURPOSE OF THE REZONING PETITION IS TO AMEND THE CURRENT ZONING CLASSIFICATION OF THE PROPERTY TO HC (CD) HIGHWAY COMMERCIAL ZONING DISTRICT AS INDICATED ON THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND OTHERWISE PURSUANT TO THE APPLICABLE PROVISIONS OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE (THE "ORDINANCE"), PETITIONER HAVING ELECTED TO ADOPT SUCH PROVISIONS IN EFFECT ON THE FILING DATE.
- DEVELOPMENT STANDARDS.** THE DEVELOPMENT STANDARDS FOR BIRKDALE VILLAGE, FILED IN CONNECTION WITH THE REZONING PETITION NO. 97-23 (THE "ORIGINAL STANDARDS"), AS AMENDED, GOVERN THE DEVELOPMENT OF THE PROPERTY EXCEPT AS SPECIFICALLY NOTED FOR THE PROPERTY IN THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN. UNLESS THE DEVELOPMENT STANDARDS AND THE REZONING PLAN ESTABLISH A MORE STRINGENT STANDARD(S), OR UNLESS OTHERWISE NOTED ON THE REZONING PLAN OR IN THESE DEVELOPMENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE IN PLACE ON THE FILING DATE FOR THE HC (CD) ZONING DISTRICT GOVERN DEVELOPMENT OF THE CHANGES PROPOSED BY THE REZONING PLAN. IN THE EVENT OF A CONFLICT BETWEEN THE DEVELOPMENT STANDARDS AND THE REZONING PLAN THE PROVISIONS OF THESE DEVELOPMENT STANDARDS SHALL GOVERN.
- SCHEMATIC NATURE OF REZONING PLAN.** THE LOTS AND PROPOSED IMPROVEMENTS SHOWN ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND EXACT LOCATIONS, ARCHITECTURE, SIZE, NUMBER OR QUANTITY AND CONFIGURATIONS OF LOTS, UNITS AND BUILDINGS (INCLUDING PARKING GARAGES) MAY BE MODIFIED DURING DESIGN, ENGINEERING AND CONSTRUCTION PHASES OF THE DEVELOPMENT SO LONG AS SUCH MODIFICATION IS COMPATIBLE WITH THE ASSUMPTIONS SET FORTH IN THE TRAFFIC IMPACT ANALYSIS SUBMITTED WITH THE REZONING PETITION (THE "TIA").
- PHASING.** THE DEVELOPMENT OF THE PROPERTY AS GENERALLY DEPICTED ON THE REZONING PLAN MAY BE PHASED; ANY PROPOSED PHASING MUST ALIGN WITH THE TIA, AND ASSOCIATED INFRASTRUCTURE AND STORMWATER IMPROVEMENTS; PROVIDED, HOWEVER, A) PETITIONER WILL COORDINATE ANY MITIGATION REQUIRED BY NCDOT WITH NCDOT; B) SEQUENCING OF CONSTRUCTION TO MINIMIZE DISRUPTION OF SURROUNDING BIRKDALE VILLAGE IS PERMITTED; AND C) EACH PHASE OR SEQUENCE OF IMPROVEMENTS IN THE PROJECT WILL MEET ALL ORDINANCE REQUIREMENTS, UTILITIES, INFRASTRUCTURE AND GRADING SHALL BE DELIVERED TO EACH INDIVIDUAL PHASE AS EACH IS DEVELOPED.
- VESTED RIGHTS.** THIS REZONING PLAN IS A SITE SPECIFIC DEVELOPMENT PLAN AND APPROVAL THEREOF CONSTITUTES VESTED RIGHTS IN THE REZONING PLAN FOR A PERIOD OF FIVE YEARS PURSUANT TO THE PROVISIONS OF THE ORDINANCE AND 1600 OF THE NORTH CAROLINA GENERAL STATUTES.
- PERMITTED USES.** THE PROPERTY MAY BE DEVELOPED FOR USES (INCLUDING ACCESSORY USES), DENSITIES AND SQUARE FOOTAGES PERMITTED IN THE HC ZONING DISTRICT, SUBJECT TO THESE DEVELOPMENT STANDARDS ASSOCIATED WITH SUCH USES. PERMITTED USES SHALL INCLUDE, BUT NOT BE LIMITED TO OFFICE LOFTS AND SUITES. THE FOLLOWING USES ARE PROHIBITED AS DESCRIBED IN THE ORIGINAL STANDARDS: ARMORIES FOR MEETINGS AND TRAINING OF MILITARY ORGANIZATIONS, AUCTION SALES, PAWNSHOPS AND SECOND-HAND SALES, VOCATIONAL AND TECHNICAL SCHOOLS, BOARDING OR ROOMING HOUSES, FRATERNAL OR CLUB FACILITIES, ADULT ESTABLISHMENTS, SALES/SERVICE/RENTAL OF BOATS OR MOTOR VEHICLES, OUTDOOR KENNELS, AND "FAST FOOD" RESTAURANTS. ANY LABELLING ON THE REZONING PLAN OR ZONING SUMMARY MAY BE AN INDICATION OF THE CURRENT INTENTION ON THE PART OF PETITIONER BUT SHALL NOT RESTRICT THE PROPERTY IN A MANNER THAT CONFLICTS WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. DRIVE-UP AND WALK-UP AUTOMATED TELLER MACHINES ARE SPECIFICALLY PERMITTED SO LONG AS THEY MEET THE DESIGN REQUIREMENTS OF THE ORDINANCE.
- ACCESS.** THE NUMBER OF SITE ACCESS POINTS, DRIVEWAYS AND CONNECTIONS TO ROADS ARE SCHEMATIC IN NATURE, TO THE EXTENT PERMITTED BY APPLICABLE DRIVEWAY PERMIT REQUIREMENTS, FUTURE DRIVEWAYS, ACCESS POINTS AND ROAD CONNECTIONS MAY CROSS THE SETBACK AND SHALL NOT REQUIRE A REZONING OF THE PROPERTY, BUT SHALL OTHERWISE COMPLY WITH APPLICABLE DRIVEWAY PERMIT REQUIREMENTS.
- SUBDIVISION.** THE PROPERTY IS ONE DEVELOPMENT AND MAY BE FURTHER WITHOUT A REZONING TO ALLOW SEPARATE OWNERS OF INDIVIDUAL PARCELS SO LONG AS SUCH SUBDIVISION IS IN COMPLIANCE WITH APPLICABLE SUBDIVISION REGULATIONS. HOWEVER, RECOMBINATION, CONDOMINIUMIZATION AND TECHNICAL SCHOOLS, BOARDING OR ROOMING HOUSES, FRATERNAL OR CLUB FACILITIES, ADULT ESTABLISHMENTS, SALES/SERVICE/RENTAL OF BOATS OR MOTOR VEHICLES, OUTDOOR KENNELS, AND "FAST FOOD" RESTAURANTS, ANY LABELLING ON THE REZONING PLAN OR ZONING SUMMARY MAY BE AN INDICATION OF THE CURRENT INTENTION ON THE PART OF PETITIONER BUT SHALL NOT RESTRICT THE PROPERTY IN A MANNER THAT CONFLICTS WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. DRIVE-UP AND WALK-UP AUTOMATED TELLER MACHINES ARE SPECIFICALLY PERMITTED SO LONG AS THEY MEET THE DESIGN REQUIREMENTS OF THE ORDINANCE.
- DESIGN ELEMENTS.**
 - a. DESIGN ELEMENTS THAT EXCEED THE REQUIREMENTS OF THE ORDINANCE HAVE BEEN INCLUDED IN THIS REZONING PLAN TO ACHIEVE EXCEPTIONAL DESIGN. TOWN BOARD APPROVAL OF THIS REZONING PLAN CONSTITUTES APPROVAL OF UNIQUE DESIGN ELEMENTS SHOWN ON THE REZONING PLAN THAT ARE MINOR CHANGES FROM THE ORDINANCE, INCLUDING, BUT NOT LIMITED TO:
 - i. PARKING LOT CONNECTIVITY, VEHICULAR AND PEDESTRIAN CONNECTIONS AND STUBS TO ADJOINING PROPERTIES AS SHOWN ON THE PLAN;
 - ii. BLOCK LENGTH;
 - iii. THE HEIGHT OF THE URBAN WORKPLACE OR SHOPFRONT BUILDING CONTAINING OFFICE USES AND COMMERCIAL USES SHALL NOT EXCEED ONE HUNDRED TEN FEET (110');
 - iv. ANY ASSOCIATED PARKING DECKS SHALL NOT EXCEED SEVENTY FEET (70'); PROVIDED THAT ANY PORTION OF THE PARKING DECK THAT IS EXPOSED AT ANY POINT ABOVE ADJACENT STRUCTURES AND VISIBLE FROM PUBLIC STREETS SHALL MEET THE FOLLOWING ADDITIONAL REQUIREMENTS:
 - v. OFFICE LOFTS AND SUITES ARE INCLUDED IN THE LIST OF PERMITTED USES.
- ADDITIONAL DESIGN ELEMENTS.** SIGNS AND GRAPHICS, STORM WATER MANAGEMENT AND WATERSHED PROTECTION, ENTRANCES, BUFFER YARDS, LANDSCAPE AREAS AND SCREENING WILL FOLLOW THE GUIDELINES OF THE ORIGINAL STANDARDS.
- ELEVATIONS AND PERSPECTIVES.** CONCEPTUAL ELEVATIONS AND PERSPECTIVES SHOWING THE GENERAL THEME OF THE ARCHITECTURE WITHIN THE PROPERTY HAVE BEEN SUBMITTED WITH THE REZONING PLAN. THE ARCHITECTURAL DESIGN WITHIN THE PROPERTY SHALL BE IN KEEPING WITH THIS GENERAL THEME.

1. COMPLEMENT THE SCALE AND CHARACTER OF NEARBY DEVELOPMENT.

2. HAVE AN ARCHITECTURAL FACADE THAT BLENDS WITH EXISTING STRUCTURES. THE FACADES SHALL INCLUDE BOTH VERTICAL AND HORIZONTAL TREATMENT THAT RESEMBLES PATTERNS AND ARCHITECTURE OF THE BUILDINGS WITHIN THE DEVELOPMENT, INCLUDING USE OF SIMILAR MATERIALS AND A SIMILAR RHYTHM OF WINDOW OPENINGS. ANY OPENINGS SHALL BE SCREENED USING DECORATIVE ELEMENTS SUCH AS GRILLWORK, LOUVERS, GREEN WALLS, OR A SIMILAR TREATMENT.
3. FOR PARKING DECK STRUCTURES WITH ROOFTOP PARKING, A PARAPET WALL OF NO LESS THAN FOUR FEET (4') IN HEIGHT AS MEASURED FROM THE SURFACE OF THE ROOF IS REQUIRED.
4. PORTIONS OF THE PARKING DECKS NOT FRONTING OR VISIBLE FROM PUBLIC STREETS SHALL NOT BE SUBJECT TO THE ABOVE REQUIREMENTS.
5. OFFICE LOFTS AND SUITES ARE INCLUDED IN THE LIST OF PERMITTED USES.
6. GUIDELINES. BUILDING ELEVATIONS WILL FOLLOW THE DESIGN GUIDELINES ESTABLISHED IN THE ORIGINAL STANDARDS, INCLUDING BUT NOT LIMITED TO:
 - i. BUILDING ENTRIES WILL BE DEFINED BY THE USE OF VARIED FORMS AND/OR OTHER ARCHITECTURAL DETAILS. PRIMARY ELEVATIONS I.E. ELEVATIONS ALONG A PRIMARY STREET OR THE PRINCIPAL POINT OF ENTRY INTO A BUILDING WILL ALSO BE ARTICULATED THROUGH THE USE OF COLOR, PATTERNING AND OTHER ARCHITECTURAL DESIGNING.
 - ii. YARD RESTRICTIONS. IN EVERY INSTANCE, THE SIDE YARD, SETBACK AND REAR YARD FOR EACH PARCEL DEVELOPED WITHIN THE PROPERTY SHALL COMPLY WITH AT LEAST THE MINIMUM STANDARDS OF THE ORDINANCE. WITHIN THE PARAMETERS OF THESE MINIMUM STANDARDS, SETBACKS WILL BE UTILIZED IN A MANNER TO ENCOURAGE PEDESTRIAN ACTIVITY.
 - iii. DRIVEWAYS AND STREETS. ALL STREETS SHALL BE PUBLIC STREETS IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE. ALL STREETS AND HIGHWAY IMPROVEMENTS, TO THE EXTENT REQUIRED BY THE TIA, WILL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS ESTABLISHED BY THE GOVERNMENTAL AUTHORITIES HAVING JURISDICTION OVER THEIR MAINTENANCE AND OPERATION.
 - iv. OPEN SPACE. OPEN SPACE WILL BE DESIGNED TO INCORPORATE NATURAL DRAINAGE WAYS AND WOODED AREAS. THE FOLLOWING THREE SIGNIFICANT OPEN SPACES ARE TO REMAIN AS OPEN SPACES ACCORDING TO THE ORIGINAL STANDARDS:
 - i. TRANSCO PIPELINE
 - ii. MCDOWELL CREEK BUFFER
 - iii. SAM FURR FRONTAGE
 - v. ADDITIONAL DESIGN ELEMENTS. SIGNS AND GRAPHICS, STORM WATER MANAGEMENT AND WATERSHED PROTECTION, ENTRANCES, BUFFER YARDS, LANDSCAPE AREAS AND SCREENING WILL FOLLOW THE GUIDELINES OF THE ORIGINAL STANDARDS.
 - vi. ELEVATIONS AND PERSPECTIVES. CONCEPTUAL ELEVATIONS AND PERSPECTIVES SHOWING THE GENERAL THEME OF THE ARCHITECTURE WITHIN THE PROPERTY HAVE BEEN SUBMITTED WITH THE REZONING PLAN. THE ARCHITECTURAL DESIGN WITHIN THE PROPERTY SHALL BE IN KEEPING WITH THIS GENERAL THEME.

IMPERVIOUS SUMMARY - SITE

ITEM	SQUARE FOOT	ACRES	PERCENTAGE OF TOTAL SITE
TOTAL SITE AREA WITHIN PROJECT LIMITS	234,067 SF	5.37 AC	N/A
EXISTING IMPERVIOUS WITHIN PROJECT LIMITS	232,886 SF	5.35 AC	99.50 %
PROPOSED IMPERVIOUS WITHIN PROJECT LIMITS	232,886 SF	5.35 AC	99.50 %
TOTAL PROPOSED PERVIOUS	1,181 SF	0.03 AC	0.50 %
NET IMPERVIOUS GAIN WITHIN PROJECT LIMITS	0		
TOTAL IMPERVIOUS (ALL OF BIRKDALE VILLAGE)	1,582,970 SF	36.34 AC	

Lot Type / Urban Workplace		Lot Type / Shopfront Building		Building Type / Urban Workplace		Building Type / Shopfront Building			
Building Placement/Parking/Vehicle Access		Encroachment/Pedestrian Access to Building		Building Placement/Parking/Vehicular Access		Encroachment/Pedestrian Access to Building			
1. Buildings shall be placed on the lot within the zone represented by the hatched area. In most cases, the build to line will range from 0' to 15' behind street ROW. Special site conditions such as topography, pattern of lot widths, or setbacks of existing lots may require a different placement. 2. Building facade shall be generally parallel to frontage property lines. The facade shall be determined by the nature of the building. 3. Parking shall be located primarily to the rear of the building; sidewalk parking shall occupy no more than 25% of the primary frontage line and shall not be placed in any sidewalk abutting an intersecting street. Where dimensions of existing lots require parking behind buildings, the limitations on sidewalk parking may be modified. 4. Points of permitted access to the parking indicated by arrows. 5. Hedges, garden walls, or fences may be built on property lines or as the continuation of building walls. A garden wall, fence, or hedge (min. 3' in height) shall be installed along any street frontage adjacent to parking areas. 6. Parking areas on adjacent lots shall be connected wherever practical. 7. Trash containers shall be located in a rear parking area (see Parking Regulations) and shall be screened from the right-of-way. 8. Mechanical and utility equipment at ground level shall be placed in the side or rear yard and shall be screened from view by opaque screening from grade level along any public street or adjacent property (Article 7-6.2). Buildings that front on more than one public street may have mechanical and utility equipment located within a street facing yard, provided it is visually screened using compatible building materials and design as the principal structure. This is applicable only where no other reasonable option exists as determined by the Administrator. Examples of features limiting the location of mechanical and utility equipment may include, but not limited to, the physical layout of existing building, the presence of easements, elevation changes, etc. 9. Building facades at street frontage lines shall be pedestrian oriented and of pedestrian scale.		1. Balconies, bay windows, arcades, porches at an upper level and their supports at ground level, together with awnings above head height (min. 7'-0" if permitted within the sidewalk as shown by the hatched area. Encroaching arcades should cover entire sidewalk. 2. Primary pedestrian access into the building shall be from the street frontage line (indicated by larger arrows). Secondary access may be from parking areas (indicated by smaller arrows). 3. Building facades shall be generally parallel to frontage property lines. 4. Parking shall be located to the rear of the building; sidewalk parking shall occupy no more than 25 percent of the primary frontage line and shall not be placed in an established sidewalk abutting an intersecting street. Where dimensions of existing lots require parking behind buildings, the limitations on sidewalk parking may be modified. 5. Points of permitted access to the parking indicated by arrows. 6. Hedges, garden walls, or fences may be built on property lines or as the continuation of building walls. A garden wall, fence, or hedge (min. 3' in height) shall be installed along any street frontage adjacent to parking areas. 7. Trash containers on adjacent lots shall be connected wherever practicable. 8. Points of permitted access to the parking indicated by arrows. 9. Hedges, garden walls, or fences may be built on property lines or as the continuation of building walls. A garden wall, fence, or hedge (min. 3' in height) shall be installed along any street frontage adjacent to parking areas. 10. Parking areas on adjacent lots shall be connected wherever practicable. 11. Trash containers shall be located in a rear parking area (see Parking Regulations) and shall be screened from the right-of-way. 12. Mechanical and utility equipment at ground level shall be placed in the side or rear yard and shall be screened from view by opaque screening from grade level along any public street or adjacent property (Article 7-6.2). Buildings that front on more than one public street may have mechanical and utility equipment located within a street facing yard, provided it is visually screened using compatible building materials and design as the principal structure. This is applicable only where no other reasonable option exists as determined by the Administrator. Examples of features limiting the location of mechanical and utility equipment may include, but not limited to, the physical layout of existing building, the presence of easements, elevation changes, etc. 13. Building facades at street frontage lines shall be pedestrian oriented and of pedestrian scale.		1. The location of buildings in all locations must be to relate the principal facade to the sidewalk and public space of the street. 2. Drive-through customer service, if permitted in the district, must be located at the rear of the building or on a side street that does not abut a street. 3. Canopies, balconies at street corners will generally replace frontage conditions. However, side setbacks on a corner street may be less than a street. 4. Within the limits described, front and side setbacks will vary depending upon site conditions. Setbacks should be used in a manner which encourages pedestrian activity. For example, square or slightly defined setbacks within building setbacks areas can act as focal points for pedestrians.		1. Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves or the highest level of a flat roof. 2. The height of parapet walls may vary depending upon the need to screen mechanical equipment. 3. Building heights to the ridge may vary depending on the roof pitch. 4. Permitted uses are indicated above, and are further controlled by zoning district standards.		1. Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves or the highest level of a flat roof. 2. The height of parapet walls may vary depending upon the need to screen mechanical equipment. 3. Building heights to the ridge may vary depending on the roof pitch. 4. Permitted uses are indicated above, and are further controlled by zoning district regulations.	
Principles A. To perpetuate the unique building character of the town and its environs, and to re-establish its local identity, development shall generally employ building types that are sympathetic to the historic architectural vocabulary of the area in their massing and external materials. B. Building elevations facing or visible from public streets shall be clad with masonry, wood, vinyl siding, stucco, or similar material. Metal paneling may not compete a street fronting building facade. Decorative metal panels, such as Aluminum Composite Material (ACM) panels, may be used as an accent or trim material and as cladding for building accent elements such as canopies and their supporting structures. However, decorative metal panel accents may not be used for any facade element facing the street. C. The first elevations facing the street, and the overall massing shall communicate an emphasis on the human scale and the pedestrian environment. D. Each building should be designed to form part of a larger composition of the area in which it is situated. Adjacent buildings should then be of similar scale, height, and configuration. E. Trailers (mobile units) may not be used as permanent shopfront buildings. Configurations A. Two wall materials may be combined horizontally on one facade. The "heavier" material should be below and cover the first floor only (i.e. brick below wood siding). B. Street level windows shall be unadorned. Tinted glass with a minimum visual transmittance factor of 35 is permitted. Mirrored or reflective glass is not permitted in any location. C. Windows shall be of square or vertical proportion. Special windows may be circular or regular polygons. Techniques A. Windows should be set to the inside of the building face wall. B. All rooftop equipment shall be enclosed in a building material that matches the structure or is visually compatible with the structure.		Principles A. To perpetuate the unique building character of the town and its environs, and to re-establish its local identity, development shall generally employ building types that are sympathetic to the historic architectural vocabulary of the area in their massing and external materials. B. Building elevations facing or visible from public streets shall be clad with masonry, wood, vinyl siding, stucco, or similar material. Metal paneling may not compete a street fronting building facade. C. The first elevations facing the street, and the overall massing shall communicate emphasis on the human scale and the pedestrian environment. D. Each building should be designed to form part of a larger composition of the area in which it is situated. Adjacent buildings should then be of similar scale, height, and configuration. E. Trailers (mobile units) may not be used as permanent shopfront buildings. Configurations A. Two wall materials may be combined horizontally on one facade. The "heavier" material should be below and cover the first floor only (i.e. brick below wood siding). B. Street level windows shall be unadorned. Tinted glass with a minimum visual transmittance factor of 35 is permitted. Mirrored or reflective glass is not permitted in any location. C. Windows shall be of square or vertical proportion. Special windows may be circular or regular polygons. Techniques A. Windows should be set to the inside of the building face wall. B. All rooftop equipment shall be enclosed in a building material that matches the structure or is visually compatible with the structure.							
1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION. 2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC. 3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE DEPARTMENT OF TRANSPORTATION. 4. SHORING WILL BE ACCORDING TO OSHA TRENCING STANDARDS PART 1926 SUBPART F, OR AS AMENDED.		1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION. 2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC. 3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE DEPARTMENT OF TRANSPORTATION. 4. SHORING WILL BE ACCORDING TO OSHA TRENCING STANDARDS PART 1926 SUBPART F, OR AS AMENDED.		1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION. 2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC. 3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE DEPARTMENT OF TRANSPORTATION. 4. SHORING WILL BE ACCORDING TO OSHA TRENCING STANDARDS PART 1926 SUBPART F, OR AS AMENDED.					

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121 Gilead, Huntersville, NC 28078
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NC ENGINEERING BOARD LICENSE #: C-9381
NC LANDSCAPE ARCHITECTURE BOARD LICENSE #: C-399

North Arrow
GRAPHIC SCALE 1"=30 FT.
NOTED & APPROVED
JAY HENSON
09/27/2023
MDC NC
PH #00537157
DB 33353161
LOT 1, MB 331
CROSS PG 54
16812 CRANLYN
16812 CRANLYN

BIRKDALE VILLAGE REZONING

LINDHOLM DR AND TOWNLEY RD, HUNTERSVILLE NC 28078
PIN #00537157, 00537197

REZONING PLAN

REVISIONS:

2022/08/23 - REZONING COMMENTS
2022/09/19 - REZONING COMMENTS
2022/11/02 - REZONING COMMENTS
2023/01/03 - REZONING COMMENTS
2023/01/27 - REZONING COMMENTS

GENERAL NOTES:

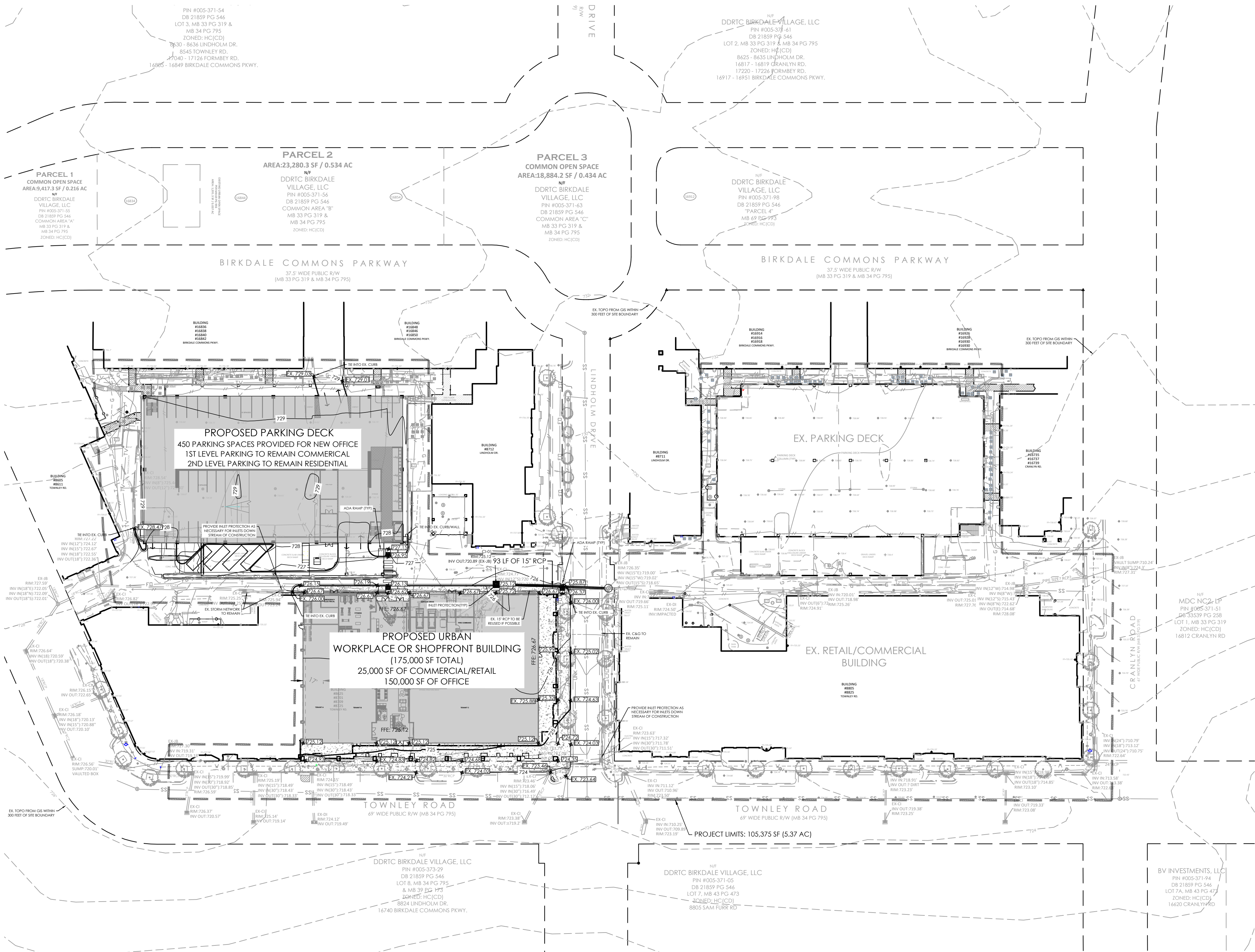
- APPROVAL OF THIS PLAN IS NOT AN AUTHORIZATION TO GRADE ADJACENT PROPERTIES. WHEN FIELD CONDITIONS WARRANT OFF-SITE GRADING, PERMISSION MUST BE OBTAINED FROM THE AFFECTED OWNERS.
- THE DEVELOPER SHALL MAINTAIN EACH STREAM, CREEK, OR BACKWASH CHANNEL IN AN UNOBSTRUCTED STATE AND SHALL REMOVE FROM THE CHANNEL AND BANKS OF THE STREAM ALL DEBRIS, LOGS, TIMBER, JUNK AND OTHER ACCUMULATIONS.
- COMMUNITY ENCROACHMENT LINE MUST BE MARKED AND MAINTAINED ON SITE UNTIL FINAL GRADING IS COMPLETED.
- ANY CONSTRUCTION OR USE WITHIN THE AREAS DELINEATED AS FLOODWAY DISTRICT FRINGE BOUNDARY LINE OR FLOODWAY DISTRICT ENCROACHMENT BOUNDARY LINE IS SUBJECT TO THE RESTRICTIONS IMPOSED BY THE FLOODWAY REGULATIONS OF THE TOWN OF HUNTERSVILLE AND MECKLENBURG COUNTY.
- THE MECKLENBURG COUNTY OR TOWN OF HUNTERSVILLE ENGINEERING DEPARTMENT HAS NOT REVIEWED THE STRUCTURAL STABILITY OF ANY RETAINING WALLS ON THE SITE AND DOES NOT ASSUME RESPONSIBILITY FOR THEM.
- NON-STANDARD ITEMS (I.E.: PAVERS, IRRIGATION SYSTEMS, ETC.) IN THE RIGHT-OF-WAY REQUIRE A RIGHT-OF-WAY ENCROACHMENT AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION OR TOWN OF HUNTERSVILLE BEFORE INSTALLATION.
- ALL ROOF DRAINS TO CONNECT TO UNDERGROUND STORM DRAINAGE SYSTEM.

NOTE: ALL SPOT ELEVATIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED

GENERAL NOTES:

- ALL STORM WATER CATCH BASINS, INLETS, MANHOLES, ETC. SHALL BE PERMANENTLY LABELED AS "NO DUMPING, DRAINS TO RIVER" AND INCLUDE A FISH SYMBOL.
- SOIL FILL (GEOTECH REPORT SHALL TAKE PRECEDENCE OVER THIS SPECIFICATION IF EXISTS).
- FLOW, SCARIFY, BENCH, OR BREAK UP SLOPED SURFACES STEEPER THAN 1 VERTICAL TO 4 HORIZONTAL SO FILL MATERIAL WILL BOND WITH EXISTING MATERIAL.
- PLACE AND COMPACT FILL MATERIAL IN LAYERS TO REQUIRED ELEVATIONS AS FOLLOWS:
 - UNDER GRASS AND PLANTED AREAS, USE SATISFACTORY SOIL MATERIAL.
 - UNDER WALKS AND PAVEMENTS, USE SATISFACTORY SOIL MATERIAL.
 - UNDER STEPS AND RAMPS, USE ENGINEERED FILL.
 - UNDER BUILDING SLABS, USE ENGINEERED FILL.
 - UNDER FOOTINGS AND FOUNDATIONS, USE ENGINEERED FILL.
 - PLACE SOIL FILL ON SUBGRADES FREE OF MUD, FROST, SNOW, OR ICE.
- SOIL MOISTURE CONTROL
 - REVISE PERCENTAGES IN THIS ARTICLE ACCORDING TO GEOTECHNICAL ENGINEER'S WRITTEN RECOMMENDATIONS.
 - UNIFORMLY MOISTEN OR AERATE SUBGRADE AND EACH SUBSEQUENT FILL OR BACKFILL SOIL LAYER BEFORE COMPACTION TO WITHIN 2 PERCENT OF OPTIMUM MOISTURE CONTENT.
 - DO NOT PLACE BACKFILL OR FILL SOIL MATERIAL ON SURFACES THAT ARE MUDDY, FROZEN, OR CONTAIN FROST OR ICE.
 - REMOVE AND REPLACE, OR SCARIFY AND AIR DRY, OTHERWISE SATISFACTORY SOIL MATERIAL THAT EXCEEDS OPTIMUM MOISTURE CONTENT BY 2 PERCENT AND IS TOO WET TO COMPACT TO SPECIFIED DRY UNIT WEIGHT.
- COMPACTION OF SOIL BACKFILLS AND FILLS
 - PLACE BACKFILL AND FILL SOIL MATERIALS IN LAYERS NOT MORE THAN 8 INCHES (200 MM) IN LOOSE DEPTH FOR MATERIAL COMPACTED BY HEAVY COMPACTION EQUIPMENT, AND NOT MORE THAN 4 INCHES (100 MM) IN LOOSE DEPTH FOR MATERIAL COMPACTED BY HAND-OPERATED TAMPERS.
 - PLACE BACKFILL AND FILL SOIL MATERIALS EVENLY ON ALL SIDES OF STRUCTURES TO REQUIRED ELEVATIONS, AND UNIFORMLY ALONG THE FULL LENGTH OF EACH STRUCTURE.
 - COMPACT SOIL MATERIALS TO NOT LESS THAN THE FOLLOWING PERCENTAGES OF MAXIMUM DRY UNIT WEIGHT ACCORDING TO ASTM D 498:
 - UNDER STRUCTURES, BUILDING SLABS, STEPS, AND PAVEMENTS, SCARIFY AND RECOMPACT TOP 12 INCHES (300 MM) OF EXISTING SUBGRADE AND EACH LAYER OF BACKFILL OR FILL SOIL MATERIAL AT 100 PERCENT.
 - UNDER WALKWAYS, SCARIFY AND RECOMPACT TOP 6 INCHES (150 MM) BELOW SUBGRADE AND COMPACT EACH LAYER OF BACKFILL OR FILL SOIL MATERIAL AT 95 PERCENT.
 - UNDER TURF OR UNPAVED AREAS, SCARIFY AND RECOMPACT TOP 6 INCHES (150 MM) BELOW SUBGRADE AND COMPACT EACH LAYER OF BACKFILL OR FILL SOIL MATERIAL AT 85 PERCENT.
 - FOR UTILITY TRENCHES, COMPACT EACH LAYER OF INITIAL AND FINAL BACKFILL SOIL MATERIAL AT 95 PERCENT.

- GRADING
 - GENERAL: UNIFORMLY GRADE AREAS TO A SMOOTH SURFACE, FREE OF IRREGULAR SURFACE CHANGES. COMPLY WITH COMPACTION REQUIREMENTS AND GRADE TO CROSS SECTIONS, LINES, AND ELEVATIONS INDICATED.
 - PROVIDE A SMOOTH TRANSITION BETWEEN ADJACENT EXISTING GRADES AND NEW GRADES.
 - CUT OUT SOFT SPOTS, FILL LOW SPOTS, AND TRIM HIGH SPOTS TO COMPLY WITH REQUIRED SURFACE TOLERANCES.
 - SITE ROUGH GRADING: SLOPE GRADES TO DIRECT WATER AWAY FROM BUILDINGS AND TO PREVENT PONDING. FINISH SUBGRADES TO REQUIRED ELEVATIONS WITHIN THE FOLLOWING TOLERANCES:
 - TURF OR UNPAVED AREAS: PLUS OR MINUS 1 INCH (25 MM).
 - WALKS: PLUS OR MINUS 1/2 INCH (13 MM).
 - PAVEMENTS: PLUS OR MINUS 1/2 INCH (13 MM).
 - GRADING INSIDE BUILDING LINES: FINISH SUBGRADE TO A TOLERANCE OF 1/2 INCH (13 MM) WHEN TESTED WITH A 10-FOOT (3-M) STRAIGHTEDGE.
 - FIELD QUALITY CONTROL.
 - TESTING AGENCY: OWNER WILL ENGAGE A QUALIFIED GEOTECHNICAL ENGINEERING TESTING AGENCY TO PERFORM TESTS AND INSPECTIONS.
 - ALLOW TESTING AGENCY TO INSPECT AND TEST SUBGRADES AND EACH FILL OR BACKFILL LAYER. PROCEED WITH SUBSEQUENT EARTH MOVING ONLY AFTER TEST RESULTS FOR PREVIOUSLY COMPLETED WORK COMPLY WITH REQUIREMENTS.
 - FOOTING SUBGRADE: AT FOOTING SUBGRADES, AT LEAST ONE TEST OF EACH SOIL STRATUM WILL BE PERFORMED TO VERIFY DESIGN BEARING CAPACITIES. SUBSEQUENT VERIFICATION AND APPROVAL OF OTHER FOOTING SUBGRADES MAY BE BASED ON A VISUAL COMPARISON OF SUBGRADE WITH TESTED SUBGRADE WHEN APPROVED BY ARCHITECT.
 - TESTING AGENCY WILL TEST COMPACTION OF SOILS IN PLACE ACCORDING TO ASTM D 1556, ASTM D 2147, ASTM D 2922, AND ASTM D 2937, AS APPLICABLE. TESTS WILL BE PERFORMED AT THE FOLLOWING LOCATIONS AND FREQUENCIES:
 - PAVED AND BUILDING SLAB AREAS: AT SUBGRADE AND AT EACH COMPACTED FILL AND BACKFILL LAYER, AT LEAST ONE TEST FOR EVERY 2000 SQ. FT. (186 SQ. M) OR LESS OF PAVED AREA OR BUILDING SLAB, BUT IN NO CASE FEWER THAN THREE TESTS.
 - FOUNDATION WALL BACKFILL: AT EACH COMPACTED BACKFILL LAYER, AT LEAST ONE TEST FOR EVERY 100 FEET (30 M) OR LESS OF WALL LENGTH, BUT NO FEWER THAN TWO TESTS.
 - TRENCH BACKFILL: AT EACH COMPACTED INITIAL AND FINAL BACKFILL LAYER, AT LEAST ONE TEST FOR EVERY 150 FEET (46 M) OR LESS OF TRENCH LENGTH, BUT NO FEWER THAN TWO TESTS.
 - WHEN TESTING AGENCY REPORTS THAT SUBGRADES, FILLS, OR BACKFILLS HAVE NOT ACHIEVED DEGREE OF COMPACTION SPECIFIED, SCARIFY AND MOISTEN OR AERATE, OR REMOVE AND REPLACE SOIL MATERIALS TO DEPTH REQUIRED; RECOMPACT AND RETEST UNTIL SPECIFIED COMPACTION IS OBTAINED.



- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
- ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE DEPARTMENT OF TRANSPORTATION.
- SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART F, OR AS AMENDED.

811 Know what's below.
Call before you dig.

REVISIONS:

- | |
|--------------------------------|
| 2022/08/23 - REZONING COMMENTS |
| 2022/09/19 - REZONING COMMENTS |
| 2022/11/02 - REZONING COMMENTS |
| 2023/01/03 - REZONING COMMENTS |
| 2023/01/27 - REZONING COMMENTS |

Z04 - PRELIM GRADING.DWG

PROJECT NUMBER: 222020

DATE: 06/21/2022 DRAWN BY: TSS

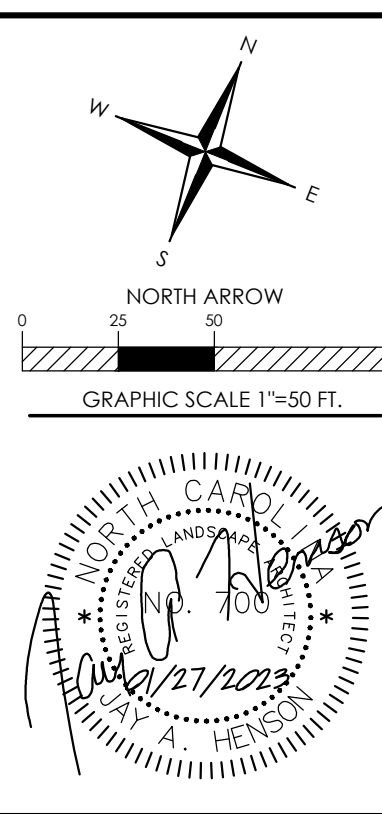
SHEET Z04 OF 5

BIRKDALE VILLAGE REZONING

PIN #00537157, 00537197

LINDHOLM DR AND TOWNLEY RD, HUNTERSVILLE NC 28078

PRELIM GRADING PLAN



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NC ENGINEERING BOARD LICENSE # C-2891
NC LANDSCAPE ARCHITECTURE BOARD LICENSE # C-5899

PIN #005-371-54
DB 21859 PG 546
LOT 3, MB 33 PG 319 &
MB 34 PG 795
ZONED: HC(CD)
8630 - 8636 LINDHOLM DR.
8545 TOWNLEY RD.
17040 - 17126 FORMBEY RD.
16805 - 16849 BIRKDALE COMMONS PKWY

DDRTC BIRKDALE VILLAGE, LLC
PIN #005-371-61
DB 21859 PG 546
LOT 2, MB 33 PG 319 & MB 34 PG 795
ZONED: HC(CD)
8625 - 8635 LINDHOLM DR.
16817 - 16819 CRANLYN RD.
17220 - 17226 FORMBEY RD.
16917 - 16951 BIRKDALE COMMONS PKWY

PARCEL 1
COMMON OPEN SPACE
AREA: 9,417.3 SF / 0.216 AC
N/R
DDRTC BIRKDALE
VILLAGE, LLC
PIN #005-371-55
DB 21859 PG 546
COMMON AREA "A"
MB 33 PG 319 &
MB 34 PG 795
DOWDY-HACARD

PARCEL 2
AREA: 23,280.3 SF / 0.534 AC
N/E
DDRTC BIRKDALE
VILLAGE, LLC
PIN #005-371-56
DB 21859 PG 546
COMMON AREA "B"
MB 33 PG 319 &
MB 34 PG 795
ZONED: HC(CO)

PARCEL 3
COMMON OPEN SPACE
AREA:18,884.2 SF / 0.434 AC
N/F
DDRTC BIRKDALE
VILLAGE, LLC
PIN #005-371-63
DB 21859 PG 546
COMMON AREA "C"
MB 33 PG 319 &
MB 34 PG 795
ZONED: HC(CD)

N/F
DDRTC BIRKDALE
VILLAGE, LLC
PIN #005-371-98
DB 21859 PG 546
"PARCEL 4"
MB 69 PG 993
ZONED: HC(JCD)

BIRKDALE COMMONS PARKWAY

BIRKDALE COMMONS PARKWAY

PROPOSED PARKING DECK
PARKING SPACES PROVIDED FOR NEW OFFICE
LEVEL PARKING TO REMAIN COMMERCIAL
D LEVEL PARKING TO REMAIN RESIDENTIAL

PROPOSED URBAN
WORKPLACE OR SHOPFRONT BUILDING
(175,000 SF TOTAL)
25,000 SF OF COMMERCIAL/RETAIL
150,000 SF OF OFFICE

EX. RETAIL/COMMERCIAL
BUILDING

TOWNLEY ROAD
4% WIDE PUBLIC R/W (MB 24 PG 795)

69' WIDE PUBLIC R/W (MB 34 PG 795)

PROJECT LIMITS: 105,375 SF (5.37 AC)

DDRTC BIRKDALE VILLAGE, LLC
PIN #005-373-29
DB 21859 PG 546
LOT 8, MB 34 PG 795
& MB 39 PG 173
ZONED: HC(CD)
8824 LINDHOLM DR.
14740 BIRKDALE COMMONS PKWY

DDRTC BIRKDALE VILLAGE, LLC
PIN #005-371-05
DB 21859 PG 546
LOT 7, MB 43 PG 473
ZONED: HC(CD)
8805 S&M E188 RD

BV INVESTMENT
PIN #005-371-5
DB 21859 PG 5
LOT 7A, MB 43 PG
ZONED: HC(CD)
16620 CRANLEY

BIRKDALE VILLAGE REZONING

PIN #00537157, 00537197

JINDHOLM DR AND TOWNLEY RD, HUNTERSVILLE NC 28078

PRELIM LANDSCAPE PLAN

REVISIONS:

[2022/08/23 - REZONING COMMENTS](#)
[2022/09/19 - REZONING COMMENTS](#)
[2022/11/02- REZONING COMMENTS](#)
[2023/01/03- REZONING COMMENTS](#)
[2023/01/27- REZONING COMMENTS](#)

Z05 -PRELIM LANDSCAPE PLAN.DWG

PROJECT NUMBER:	222020
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DATE: 06/21/2022 DRAWN BY: TS

SHEET Z05 OF 5

1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE DEPARTMENT OF TRANSPORTATION.
4. SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART P, OR AS AMENDED.



Know what's below.
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Birkdale Village Rezoning

Neighborhood Meeting Report

Date: September 22, 2022

Time: 6:00pm-7:45pm

Location: Dellwood Community Center, 508 Dellwood Drive, Huntersville, North Carolina 28078

Applicants and the neighborhood attendees discussed the following comments and questions:

General Comments

- There are traffic and congestion issues in Birkdale Village and the surrounding residences
 - Sam Furr/Highway 73 traffic
 - Lindholm Drive traffic
 - Formby Rd. traffic
 - Delivery truck traffic
 - Landscaper traffic
 - Cut through traffic in the Greens, specifically Pennington Dr.
 - Potential connection to Northcross Dr. with Townley Rd. extension
 - Traffic can be overwhelming sometimes and make it hard to leave the neighborhood
- Music volume on the speakers in Birkdale is too high, also change music selection
- Light pollution from the new buildings
- Current security of the property needs to be upgraded
- The design of the new buildings should be in keeping with the aesthetic and character of Birkdale Village
- The office building is very nice, and could be better if there were some design elements that fit with the original design
- Parking issues
 - Developer could remove some parking on Formby Rd. to make it more inviting to residents and visitors
- Neighbors would like to see the TIA and traffic count data
- Neighbors would like to see the future roadway improvement plans for the Sam Furr/Highway 73 corridor
- I love this project and the plans look great, I am just worried about traffic and congestion
- Birkdale is a little village, and the new buildings might change that
- Birkdale's original design was as a *Neotraditional* aesthetic with European-like streets

Questions

***Answers in bold**

1. Where will deliveries be made to the new buildings?
 - **There are alleyways to the rear of the new buildings where deliveries will be made.**
2. Can you design the office building and other structures to conform to the theme and design of the current Birkdale Village?
 - **The developer will explore options to better fit the aesthetic. Final design will be reviewed by Staff.**

3. Did the TIA consider the development of the Birkdale Golf Club across Highway 73?
 - **Yes, the Birkdale Golf Club is an approved plan and was included in the TIA calculations.**
4. Did the TIA consider the construction on Birkdale Commons Parkway during their traffic count?
 - **The TIA process includes traffic counts from a number of intersections and these intersections were designated by NCDOT.**
5. Can the developer remove parallel parking on certain streets (specifically Formby and other narrow roads) to allow for a more inviting pedestrian experience?
 - **This is public parking on a public street that the developer does not control.**
6. Is there a project on the books for the Townley Rd. extension to Northcross Dr.?
 - **This extension to Northcross Dr. has been contemplated for about 17 years. There is no official/definitive date on when this will occur.**
7. Can the developer give money to the Town to expedite the construction of the bridge connection to Northcross Drive?
 - **Developer will explore solutions with the Town, NCDOT, and landowners.**
8. With the scheduled improvements to Sam Furr/Highway 73, how much more capacity will the roads have? Can we see the documents related to NCDOT's plans?
 - **Significantly more capacity, turning Hwy 73 into a superstreet and other traffic alleviating measures will reduce the current stress on traffic in the area. Primarily traffic will be routed to Northcross Dr. to avoid gridlock at the I-77 Interchange.**
 - **NCDOT's plans are available on their website and are included in the Neighborhood Meeting presentation.**
9. What is the current parking ratio for Birkdale (parking spots per dwelling unit)?
 - **Current parking ratio is about 4.5, and after construction of the additional buildings the ratio will remain at about 4.5. However, on weekday evenings and weekends when the office tenants are not there, the ratio will increase due to the additional supply of 400 spots to the general public.**
10. What can the developer do to limit cut through traffic on Townley and Pennington?
 - **These are public roads, but the developer can explore options with the Town and NCDOT.**
11. Will parking in the new parking decks be free?
 - **Yes.**
12. Can the developer add no parking signs in areas where there are congestion issues?
 - **If it is a public street then most likely not, but developer can look into solutions.**
13. How will the NCDOT improvement projects line up with the new development?
 - **NCDOT improvements to Sam Furr/73 are scheduled for 2025-2026. The office building is at least 5 years out and the multi-family component/hotel would be completed after that. The NCDOT improvements and the construction of the new buildings coincide with each other based on the current schedule.**
14. If NCDOT plans get delayed will the Birkdale improvements be delayed?
 - **No, but the right of way acquisition process and easement acquisition process are currently underway for the Sam Furr/73 improvements.**
15. Can the developer tie construction of this project to the NCDOT improvements?

- **This agreement cannot be made as it would eliminate the opportunity for the developer to market the buildings to prospective tenants.**
16. When will all the NCDOT improvements to Sam Furr/Highway 73 be complete?
- **The improvements are scheduled for 2025-2026, right of way and easement acquisition are currently underway.**
17. What if there is another pandemic? Will this development continue?
- **Difficult to predict.**
18. Are there plans to expand Northcross Dr. and Westmoreland Rd.?
- **Yes, Northcross Drive will extend and connect to Westmoreland Rd., there are also traffic alleviation plans that will direct more traffic to Northcross Dr. and away from the I-77 Interchange.**
19. What is the timeline for the construction of the office, hotel, and multi-family?
- **The office and hotel are planned first, and that construction is at least 5 years out, financing will take at least 1-2 years from now to complete so the timeline is not set in stone. The multi-family component would begin after that.**
20. While NCDOT is constructing improvements to Northcross Dr. (including the roundabout) can they also construct the connection bridge to Townley Rd. at the same time?
- **Can explore options with NCDOT and the Town.**
21. Regal just went bankrupt, will this impact the Regal at Birkdale?
- **This will not impact the movie theater at Birkdale.**
22. Will the office building look like a 12-story building?
- **The office building's first floor is retail (height of 20 ft.), second floor conference center (height of 20 ft.), and 5 floors of class-A office space above (height of 15 ft. each).**
23. Did North American Properties build the office building in Avalon?
- **Yes.**
24. How many rooms are in the hotel?
- **125 rooms.**
25. What brand of hotel? Will it be a 4 or 5 star/higher quality hotel?
- **Will be a boutique hotel, 4 stars, similar to a Moxy or AC by Marriot or a Tempo by Hilton.**
26. What about the hotel across the street?
- **This hotel is lower quality and is currently on hold.**
27. What will this do for air quality? Will this create smog?
- **Developer is following all environmental requirements/regulations.**
28. Will there be apartments in the new buildings?
- **Yes, there are plans for 350 1 & 2-bedroom apartments.**
29. What are the prices for the new apartments? What about the old apartments
- **Current prices for 1-bedroom is about \$1600/month but will be closer to \$2000/month when completed, 2-bedroom apartments are closer to \$2500/month and could be higher once completed.**
 - **The older apartments are being renovated in line with the quality of the new apartments.**
30. Has the developer thought about doing condos instead of apartments?

- **There is not a demand for condos in this area and it doesn't make financial sense.**
31. What does class-A office mean?
- **Everything is higher quality, the materials used, interior furnishings and amenities are of a higher/highest standard.**
32. Why is there so much glass on the office building?
- **Office tenants require the large windows, especially in a class-A office.**
33. What about the remote/work from home movement, will this make the office building obsolete? Is there a market for this type of office?
- **There is a demand for this type of office in Huntersville. Currently Huntersville has no class-A office space available. With the proximity to Lake Norman this is a great location for this type of office.**
34. Can the developer put the office building across the street near the Birkdale Golf Club?
- **The developer does not own this land.**
35. Is Red Rocks being demolished? Is there a building going on top of Red Rocks?
- **Red Rocks is staying, they are upgrading and adding more outdoor seating. There is nothing going on top of Red Rocks.**
36. Where will the conference center be located?
- **Located on the second floor of the office building.**
37. What is going on top of Total Wine?
- **Nothing is going on top of Total Wine.**
38. Is the office building in the picture longer than the current Barnes & Noble building?
- **No, the perspective of the picture made it seem that way.**
39. How will the developer limit light pollution at night?
- **All the buildings are smart buildings and lights will turn off at night.**
40. How will the developer ensure that the greenery on the building will last and not die?
- **This is included in the developer's rezoning plans and is part of the rezoning requirement.**
41. Where are the parking decks located?
- **They will stay at their current location but will be upgraded to increase the number of parking spots.**
42. How is this hotel allowed to build up to 12 stories when the hotel across the street could only do 6?
- **These are two very different development, Birkdale is able to ask for this increase in height due to its density and size.**
43. There is another hotel across from Kenton Place, how will this impact the new Birkdale hotel?
- **This is a different type of hotel that will attract a different type of clientele.**
44. How tall will the buildings be?
- **The 7-story office building and the hotel will be around the same height (145'), the multi-family urban workplace building will be 75', and the parking garages will be 67'.**
45. Is the multi-family building as tall as the hotel?
- **No, hotel is 145' and multi-family is 75'.**
46. Is there currently a height limit in Birkdale?
- **Yes Birkdale has a current limit of 48'.**
47. Is Birkdale zoned as an urban center?

- **Yes.**
48. Will there be new designated delivery zones for delivery trucks?
- **Delivery trucks will use the current alleyways behind the new office building and the hotel/multi-family.**
49. Will there be any electric vehicle charging stations?
- **Yes, there will be infrastructure to support electric charging stations based on demand.**
50. Will there be dedicated electric/normal bike lanes?
- **There will not be dedicated bike lanes, but the new traffic pattern around Birkdale should calm the traffic enough for bikers and drivers to share the road safely.**
51. Can the developer do something to ensure that the firepit area is safe?
- **The firepit is designed to code and has a remote on-off switch. Only on-site personnel will be able to start the fireplace. Security routinely monitors the area.**
52. Will the rooftop beer garden be safe? Will drunk people fall over the sides or down the steps?
- **Yes, this beer garden will meet all the necessary standards.**
53. Will there be any escalators or elevators?
- **Where necessary, elevators will be placed in buildings. There are no plans for any escalators to reach the rooftop bar.**
54. Will there be a new wine bar?
- **Yes, Foxcroft Wine.**
55. How many more apartments will be constructed?
- **350.**
56. Is the Cheesecake Factory a new tenant?
- **Cannot say, there is no signed contract.**
57. Has North American Properties done anything like this before?
- **Yes, this is what North American Properties does. They did this in Alpharetta, Georgia with Avalon and have done similar projects in Atlanta and in Kentucky among others.**
58. Is there a phase 2 to this project?
- **This was just on the PowerPoint for labeling purposes, the “first phase” is the \$20 million refurbishment of the current Birkdale Village and the “second phase” would be the construction of the office building, hotel, and multi-family.**
59. When can the neighbors get a good look at the design and configuration of the hotel and multi-family component?
- **The neighbors will be kept in the loop regarding design plans as the development approval process continues.**
60. Are the plans done for this project?
- **These are concepts plans, the fully rendered architectural drawings would be completed after approval of the rezoning due to costs.**
61. Once the detailed plans are done do they go back to the Town Board for review or is that something that Planning Staff handles?
- **Staff handles the review of the construction documents and finalized plans to ensure that they meet all Town and other requirements.**
62. Will the building follow any of the green initiatives?
- **Yes, the building will incorporate green building initiatives.**

63. Is this a finalized design for the hotel and apartments?
- **No, these are just example images to show the quality and potential design of the buildings.**
64. Do you know what the parking garages will look like?
- **Portions that can be seen from the public ROW will blend in with the aesthetic of the adjacent building. There are guidelines that the developer must follow to ensure this.**
65. What is the developer asking for in the zoning amendment?
- **Developer is asking to change the height of the buildings to allow for these new uses.**
66. How much more height is the developer requesting for the parking decks?
- **The developer is adding 4 levels to the parking decks, totaling 6 levels each.**
67. What are the logistics for the staging areas related to the construction of these new buildings?
- **Office construction would begin first, Barnes & Noble will be demolished and the parking area directly in front will be used as staging area for that construction. Similarly with the hotel and multi-family, once demolition happens the adjacent parking areas will be used as staging areas.**
68. What buildings will be torn down?
- **Barnes & Noble is leaving, they no longer have stores of this size (24,000 square feet), this will be demolished for the office building. The building that houses Girl's Supply and the Dick's building will be demolished for the hotel and multi-family. The parking garages will be demolished and rebuilt to modern standards.**
69. Are Girl's Supply and Dick's leaving?
- **Yes, they will be leaving at some point in the future.**
70. Could we get a Trader Joe's or grocer into the development?
- **Developer would love to get Trader Joe's or another grocer in the development. They are exploring options.**
71. What is going where the Gap is?
- **A new tenant.**
72. What is the ratio of dining options to retail options?
- **Developer wants to have about 40-50% dining options.**
73. What is the cost of valet parking? Where are the cars parked for valet?
- **Valet parking is \$15, and the cars are parked in the bottom floor of one of the parking decks.**
74. What is the price tag for all these new buildings?
- **\$240 million.**

NEIGHBORHOOD MEETING

SIGN IN SHEET

September 22, 2022, 6:00pm to 7:00pm

Birkdale Village Rezoning

Location: Dellwood Community Center, 508 Dellwood Drive, Huntersville, North Carolina 28078

Name	Address	Phone Number	Email Address
Beth Ann Archer			
Nathan Furber			
Jon Bossiano			
Fetsje Goettsch			
Leslie Brown			
BREAN HARRISON			
Chris Boggiano			
Jenni Fu Takung			
Helen Mason			
Kitty Miese			

SIGN IN SHEET

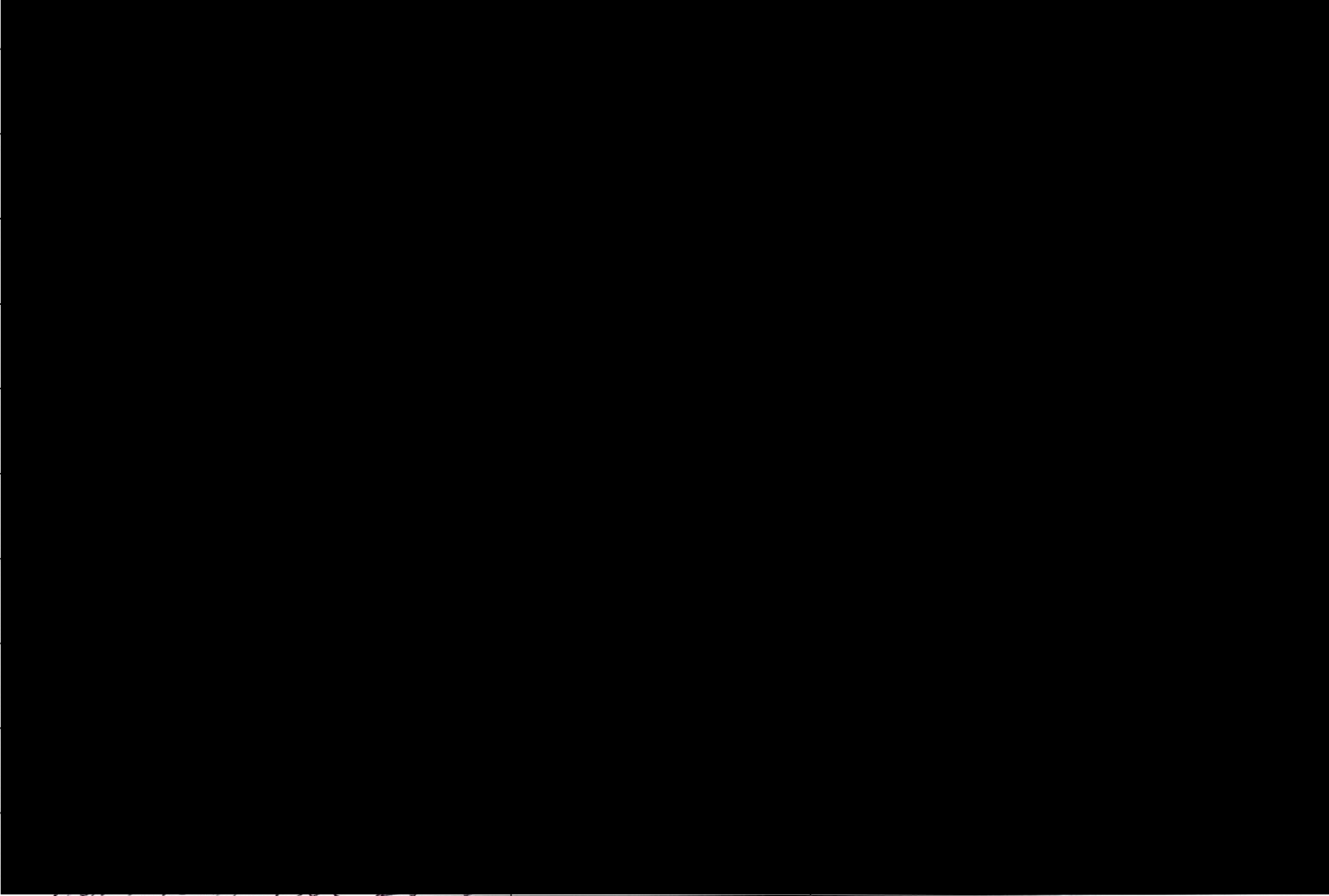
Birkdale Village Rezoning

Location: Dellwood Community Center, 508 Dellwood Drive, Huntersville, North Carolina 28078

Name	Address	Phone Number	Email Address
Gay C. Rudisill			
Linda Barnes			
Sydney Zarsadiaz			
Randy Moose			
Kim Zarsadiaz			

NEIGHBORHOOD MEETING
SIGN IN SHEET
September 22, 2022, 6:00pm to 7:00pm
Birkdale Village Rezoning

Location: Dellwood Community Center, 508 Dellwood Drive, Huntersville, North Carolina 28078

Name	Address	Phone Number	Email Address
Jill Brown			
Thomas Wright			
TERRI GAAR			
David Reed			
Pierre McCork			
Nick O'Shaughnessy			
Mark Keener			
Daryl + Karen Poppen			
MAGGIE PARK			
Sharon BOWD			
Dawn Snow			



BIRKDALE
VILLAGE

Rezoning 22-01 Conditional Rezoning

OFFICE, HOTEL, COMMERCIAL, MULTI-FAMILY, PARKING GARAGES



PHASE 1 - \$20 Million Project

Community Garden & Dog Park

Warby Parker

Good Wurst

Beer Garden

Concierge
& Valet

Stage and
LED Screen

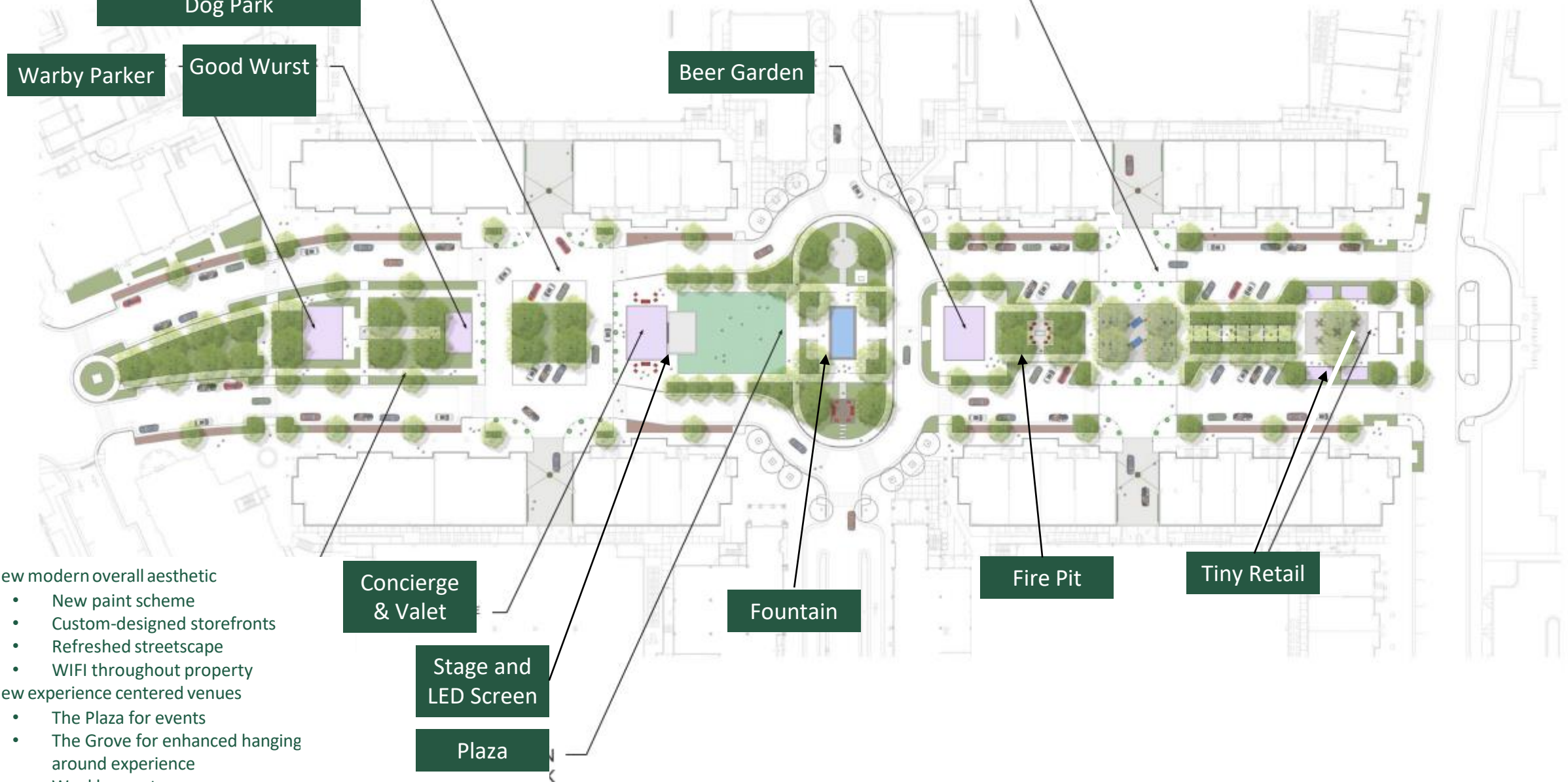
Plaza

Fountain

Fire Pit

Tiny Retail

- New modern overall aesthetic
 - New paint scheme
 - Custom-designed storefronts
 - Refreshed streetscape
 - WIFI throughout property
- New experience centered venues
 - The Plaza for events
 - The Grove for enhanced hanging around experience
 - Weekly events



Parking in Birkdale Village: Guest Comments

Follow up is there any plans to improve parking with the amount of extra people showing up parking must be a nightmare

I have no idea! 😬 there's no more parking...

. All this new stuff makes no difference unless they fix the parking problem. If they don't fix that everything they do is for nothing. Still going to have the same congestion problems.

When will new owners fix the parking issues

Would love to come if we could find parking that was taken away

Yeah, won't be coming back to Birkdale anytime soon. More congestion and no parking. Catering to who?

They just keep removing parking areas so you can valet. You're not South Park.

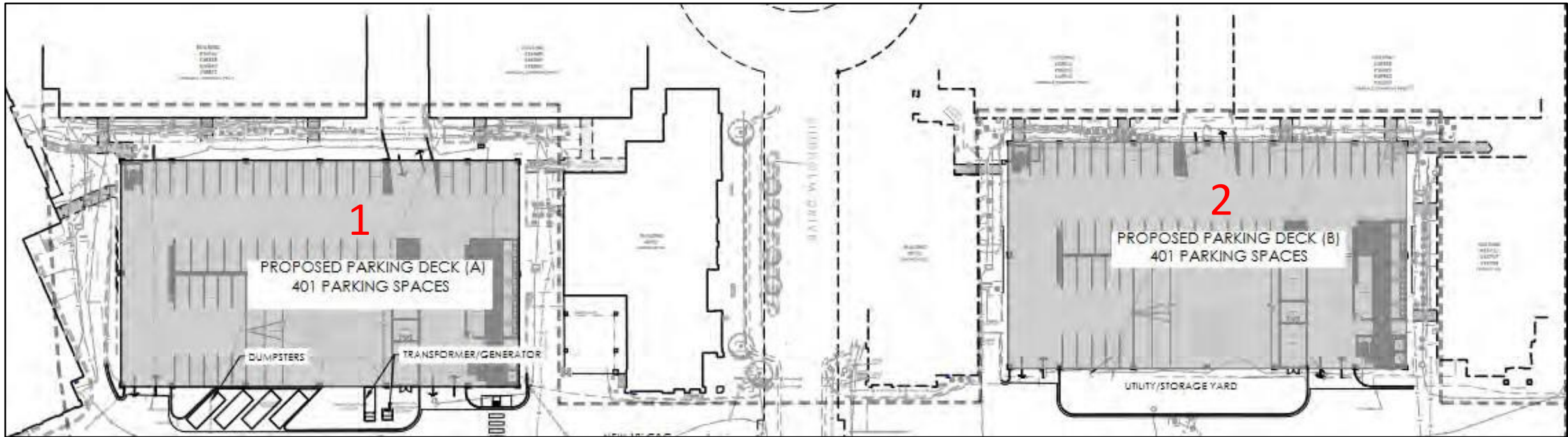
Unfortunately good luck finding parking

What a horrible idea. There's not enough parking today. Trying to change Birkdale too much.

Ah Yes ! The congestion, the increase of traffic onto streets already busy busy, and OMG – parking will be an even BIGGER problem ! ! Is there any realistic planning effort going into this "PLAN" or are residents and shoppers just supposed to "tolerate" the problems and troubles that will result ? ?



Parking in Birkdale Village: Upgraded Parking Garages



DECK #1

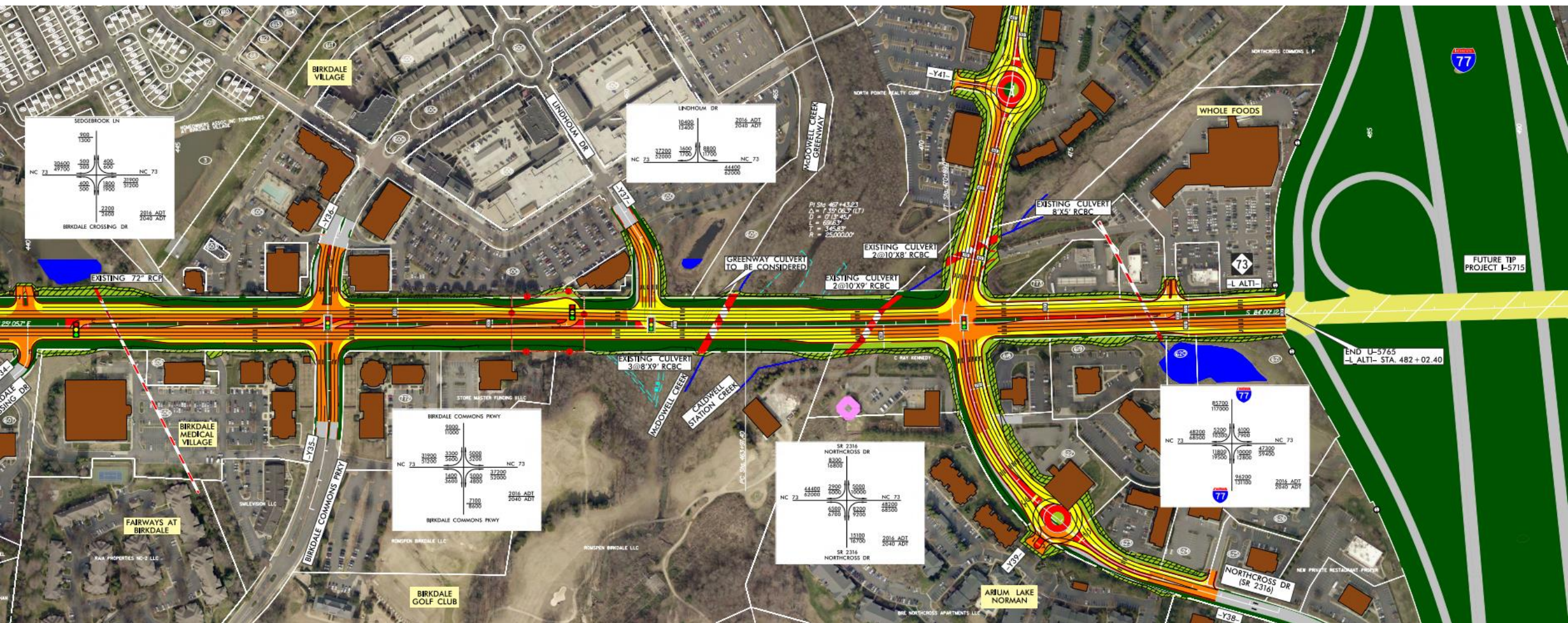
Enlarged to park 400 new spaces for the Office Building
All office parking spaces are available for public use after 5pm
and on weekends

DECK #2

Enlarged to park the additional Multi Family units.
Approx 150 spaces for Hotel and Conference Center for
public use.



NCDOT Highway 73 Improvements





NORTH AMERICAN PROPERTIES

Development Experience – Making Places to Hang Out











BIRKDALE
VILLAGE

NEW AND UPGRADED TENANT MIX

New Additions

- Foxcroft Wine Co.
- Morelia Gourmet Paletas
- The Good Wurst Co.
- Warby Parker
- Beck on Broad
- Cosmo Gypsy
- Icebox Cryotherapy
- Green Brothers Juice Co.
- Apricot Lane
- Girl Supply
- Lovesac
- Brown Bag Seafood
- Sephora
- Locals in small retail buildings

Upgrading Current Location

- Brixx Pizza
- EeZ Fusion & Sushi
- Midwood Smokehouse
- Red Rocks Café
- Savory Spice



- 86-acre mixed-use destination
- Best-in-class retailers
- Numerous dining options
- Movie theater
- Full-service hotel with conference center
- Luxury apartments and single-family residences
- Class-A office space

Nationally renowned Mixed-Use Development



What makes a great Mixed-Use Development



Connectivity



Activity



Food and Beverage



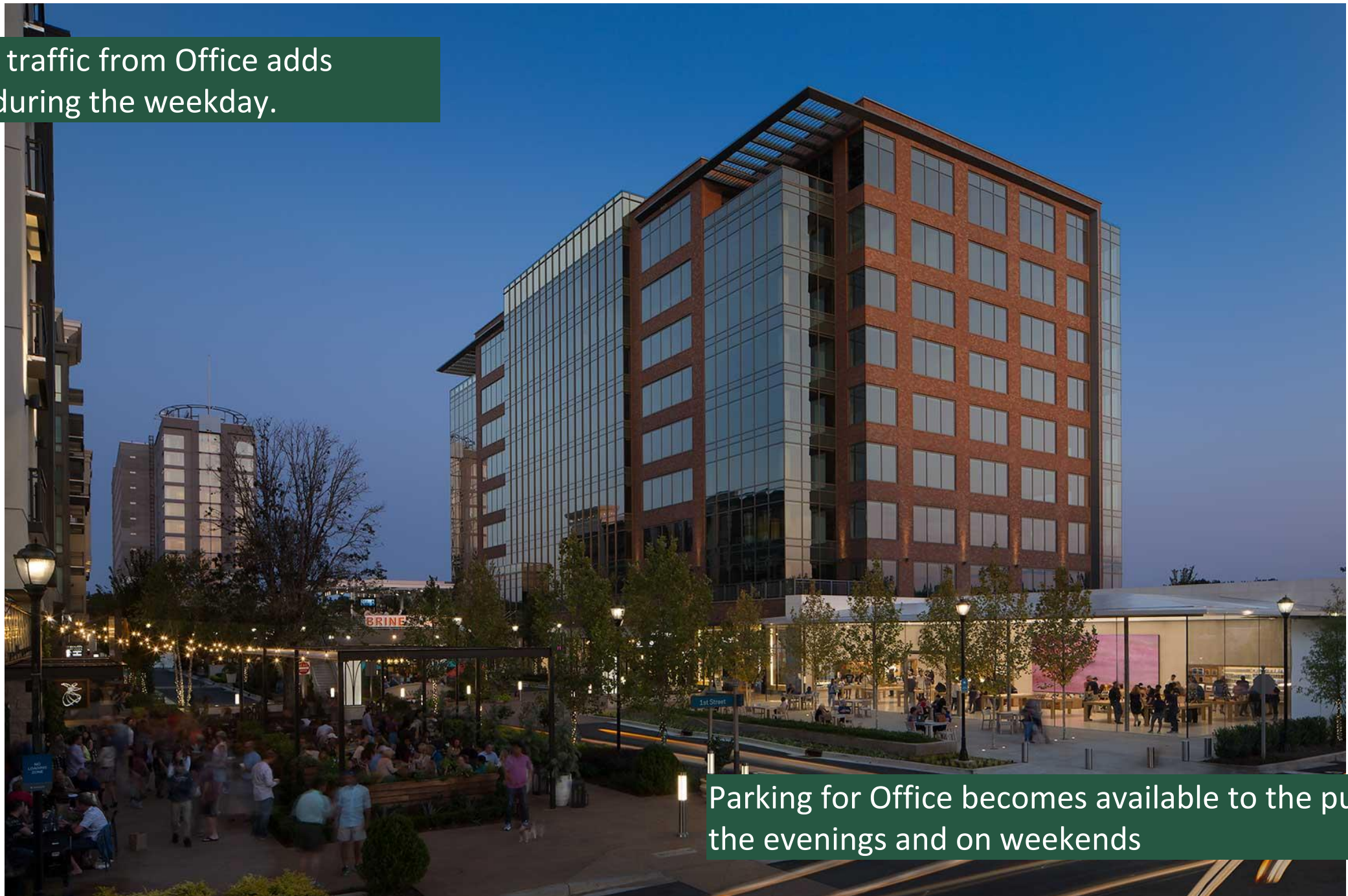
Programming





Daytime traffic goes home
Nighttime traffic comes home

Daytime traffic from Office adds activity during the weekday.



Parking for Office becomes available to the public in the evenings and on weekends





Parking Upgrades



Parking in Birkdale Village: Guest Comments

Follow up is there any plans to improve parking with the amount of extra people showing up parking must be a nightmare

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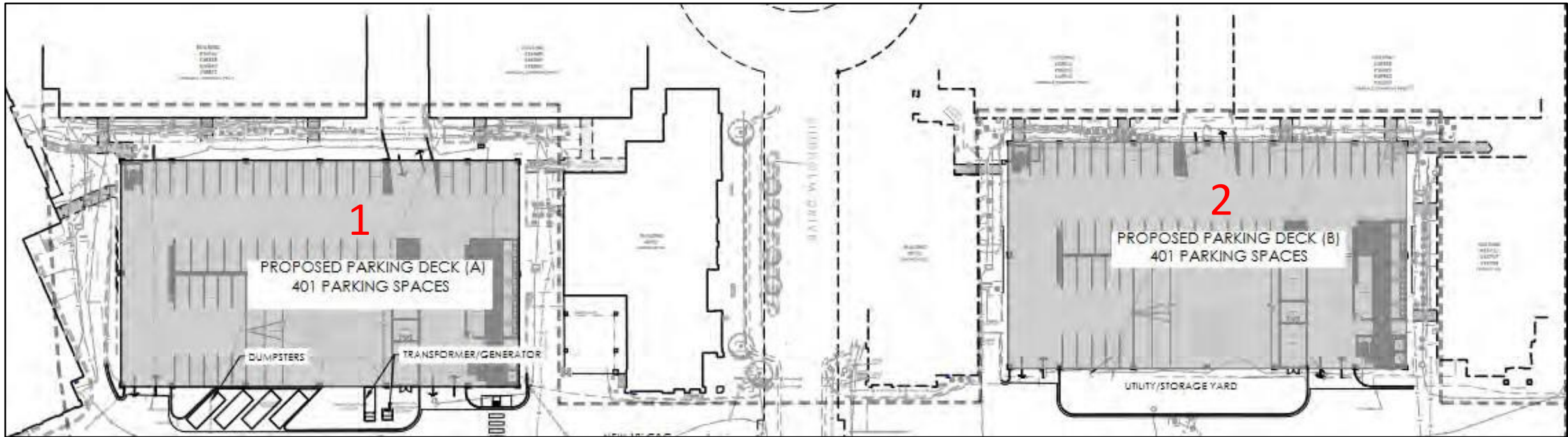
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Parking in Birkdale Village: Upgraded Parking Garages



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Enlarged to park 400 new spaces for the Office Building
All office parking spaces are available for public use after 5pm
and on weekends

DECK #2

Enlarged to park the additional Multi Family units.
Approx 150 spaces for Hotel and Conference Center for
public use.





Design Concepts







Office/Conference Center Concept



 Office/Conference Center Concept



Hotel Concepts



Full service, Boutique type, similar to Moxy or AC by Marriott or Tempo by Hilton



Hotel Concepts



1- & 2- bedroom units
Few families with children

Mixed- Use Urban Workplace Concept





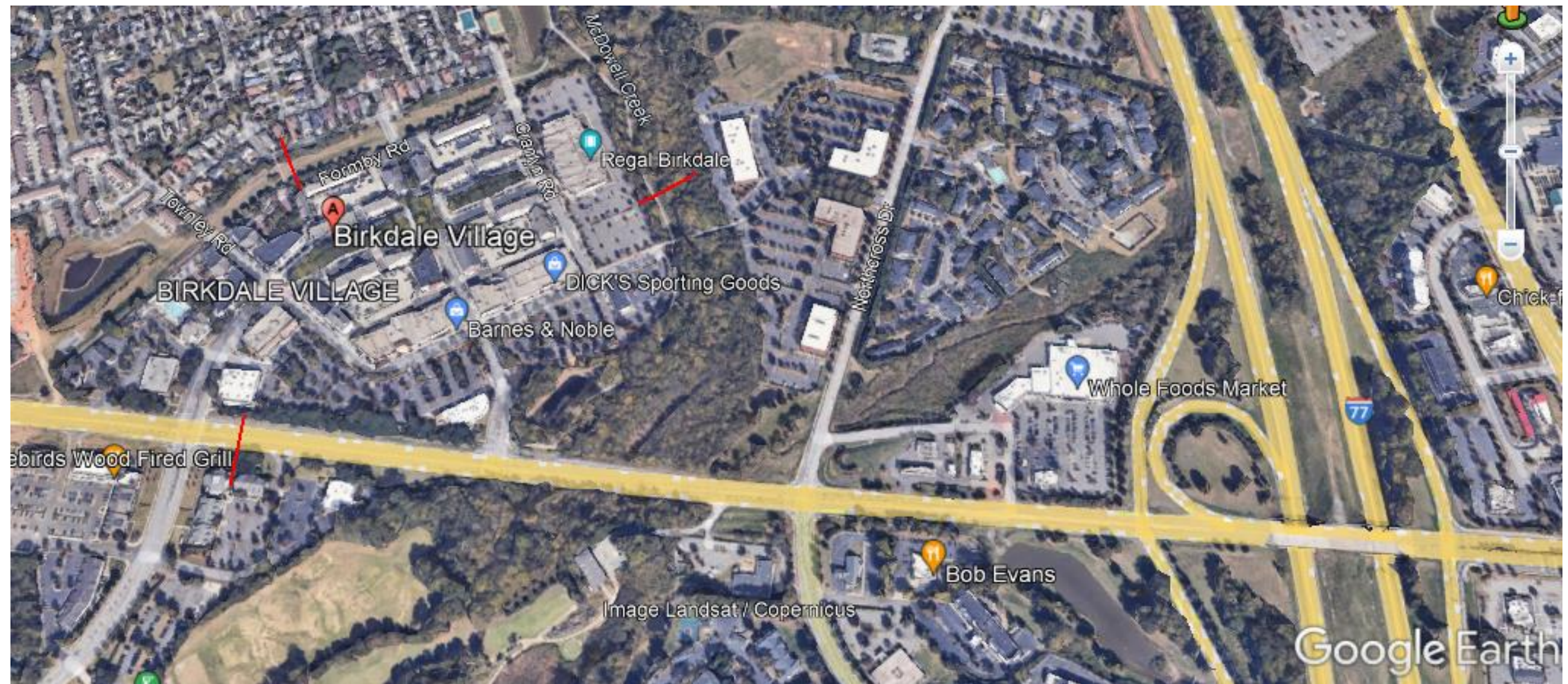
Smart Home Features
Nest thermostats
Tiled showers
Granite / Quartz counter tops
Upgraded Appliance package
Electronic entry locks

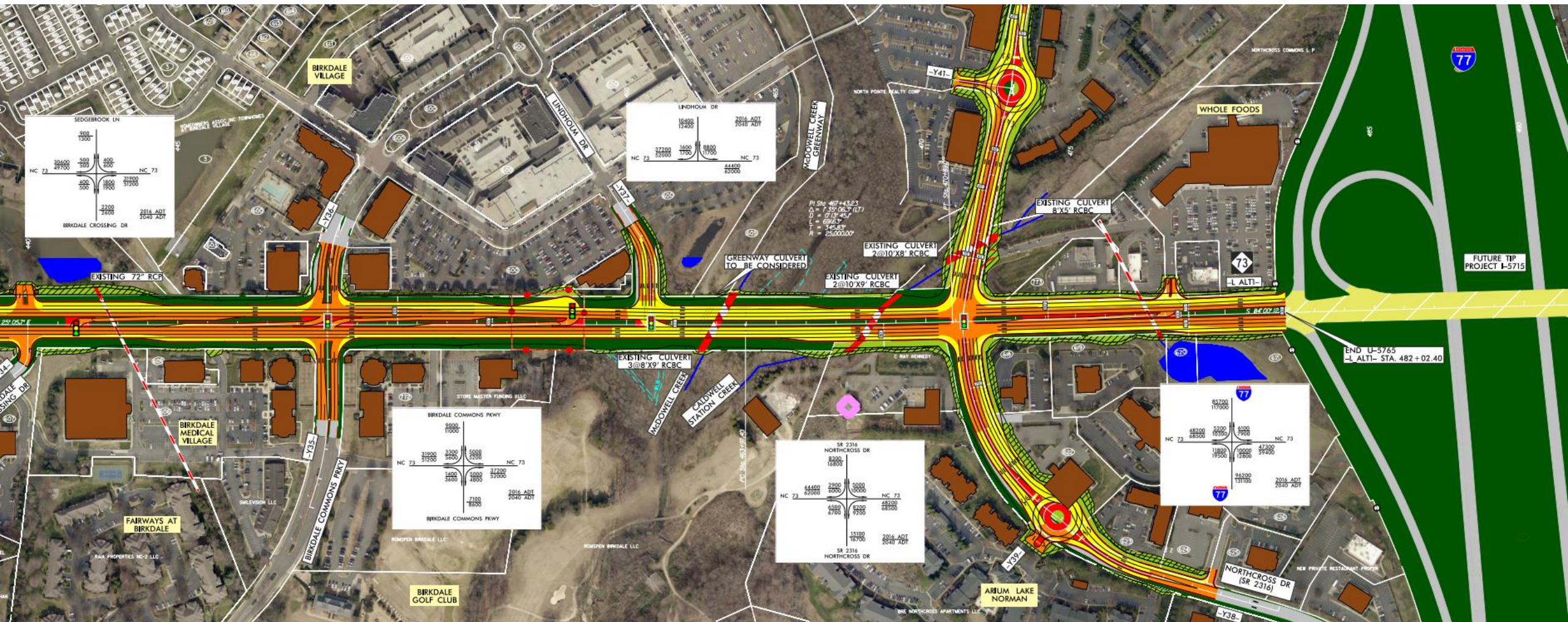




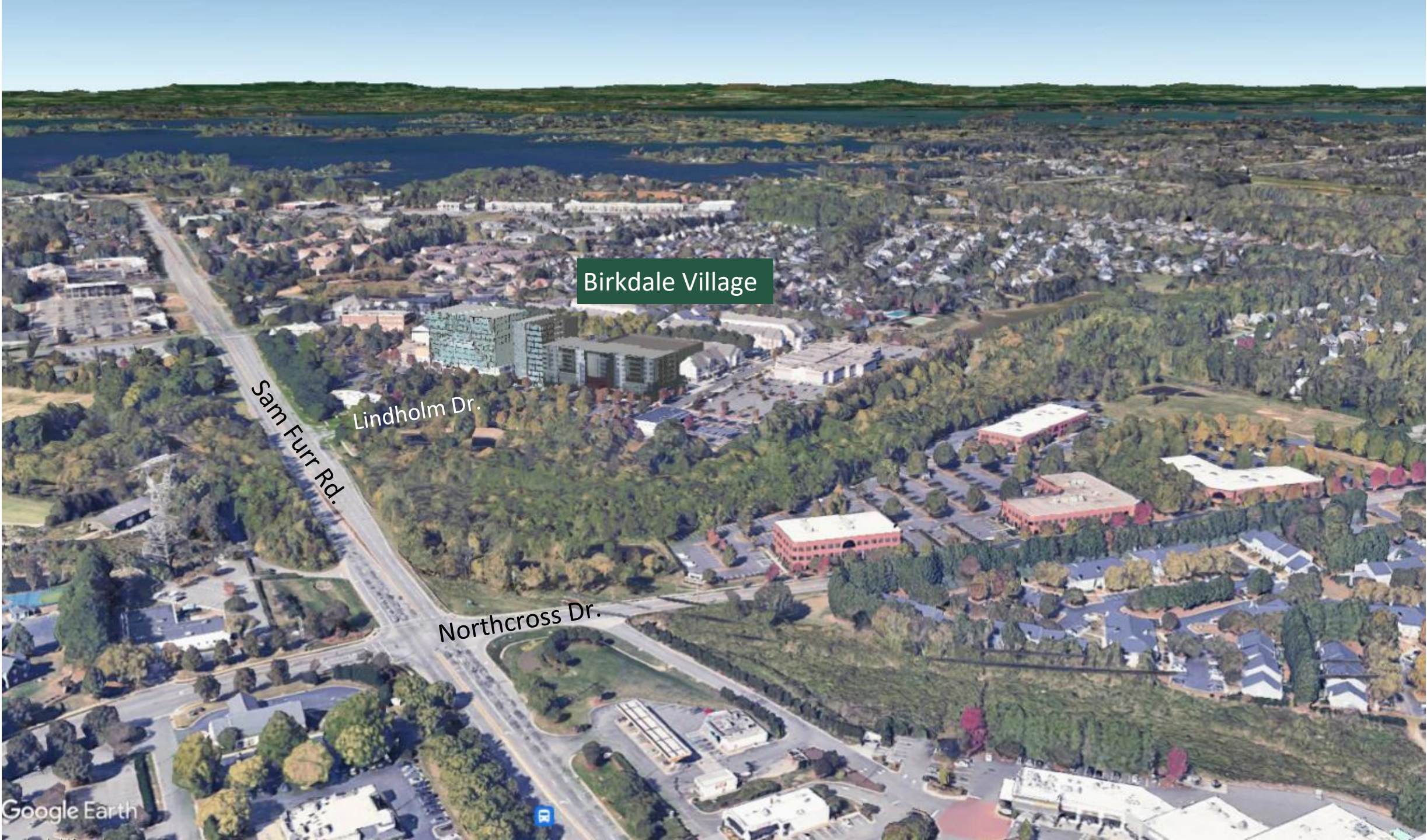
Location











Birkdale Village

Sam Furr Rd.

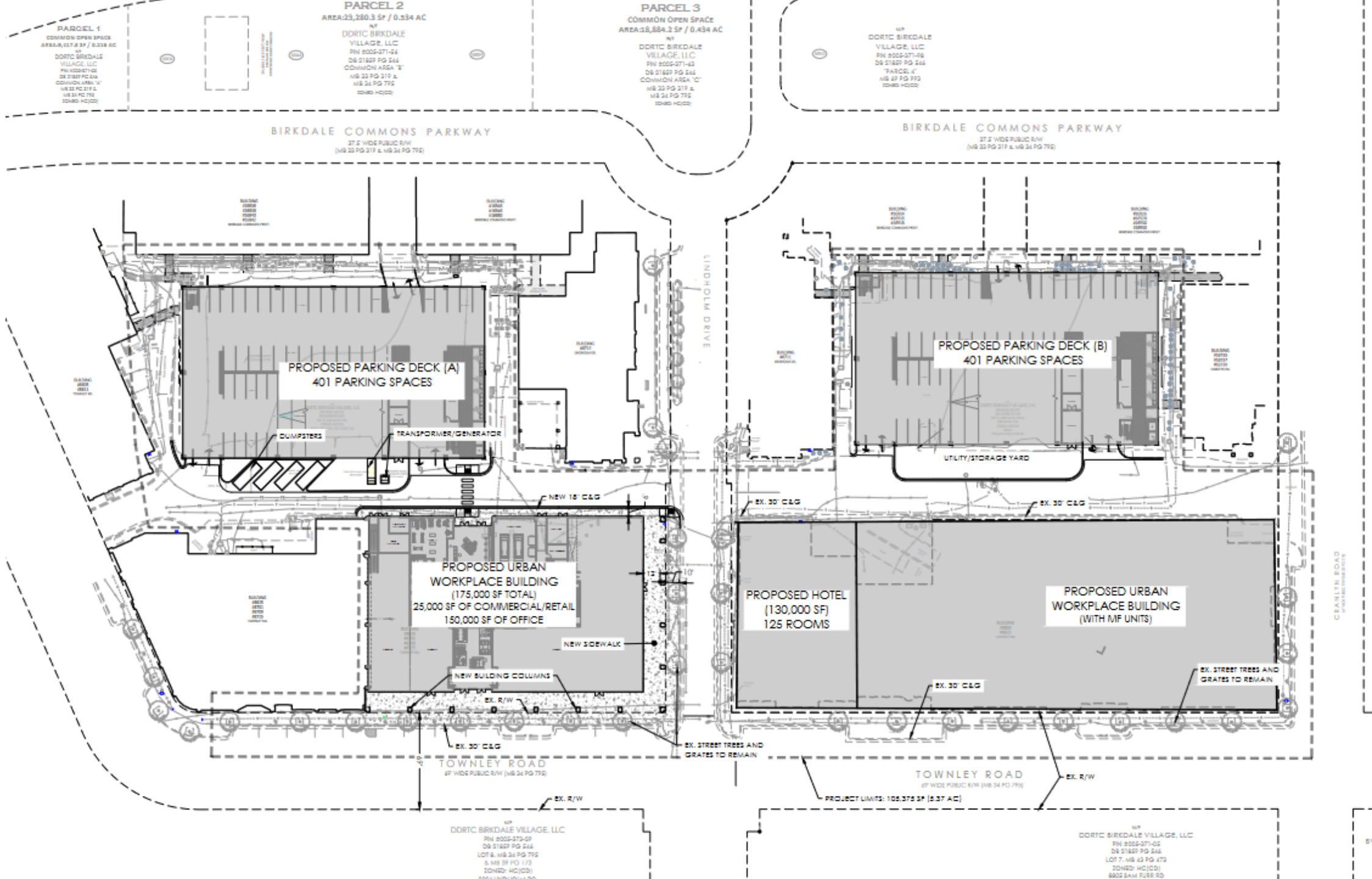
Lindholm Dr.

Northcross Dr.



Office Building







IMPLAN Economic Study





BIRKDALE
VILLAGE

IMPLAN STUDY: Economic Benefits

- IMPLAN is an economic impact assessment software program based in Huntersville, NC.
- Their local-level input-output models can estimate the economic impact from everything, including:
 - New firms moving to the area
 - Recreation/tourism
 - Commercial/Industrial development
 - Residential development

IMPLAN users in the region include:

- | | |
|---|-----------------------------|
| ▪ Lake Norman Economic Development Commission (EDC) | ▪ City of Miami |
| ▪ City of Greensboro | ▪ City of Sacramento |
| ▪ Pitt County Development Commission (Greenville, NC) | ▪ University of Chapel Hill |
| ▪ Asheville, NC Area Chamber of Commerce | ▪ University of Asheville |
| ▪ Birmingham Airport Authority | ▪ University of Charlotte |
| | ▪ Clemson University |

IMPLAN – Types of Benefits in Huntersville



Direct Benefits - Financial resources spent to build; including materials and labor



Indirect Benefits - Architectural and engineering services, appliance stores, employment services



Induced Benefits - Spending from people employed as a result of the development (restaurants and health care)



An architectural rendering of a city street scene. In the background, there are modern multi-story buildings with large glass windows and balconies. Lush green trees line the sidewalks. In the foreground, a paved street with yellow and white lane markings is shown. Several people are depicted: a person on a bicycle in the center-right, a group of pedestrians on the left, and others further back. A blue car is parked on the left, and a yellow car is on the right. The sky is blue with some white clouds.

	Construction Benefits for Huntersville (28078)
Direct	\$258,000,000.00
Indirect	\$1,633,559.22
Induced	\$726,873.80
Total	<u>\$260,360,433.02</u>

	Employment Benefits for Huntersville (28078)
Direct	\$210,316,781.85
Indirect	\$1,644,167.85
Induced	\$68,232.37
Total	<u>\$212,029,182.07</u>



BIRKDALE
VILLAGE

Thank you.





ESTD 1954

**NORTH AMERICAN
PROPERTIES**

September 7, 2022

SUBJECT: Notice of neighborhood meeting for information related to a Conditional Rezoning of approximately 8.82 acres on the northwest side of the intersection at Lindholm Drive and Townley Road, Huntersville, NC. The parcels are 005-371-57 and 005-371-97. The property owner and Applicant of the subject parcels is the DDRTC Birkdale Village, LLC.

To Whom It May Concern:

Recipients of this letter meet the notification requirements of the Town of Huntersville as being adjacent landowners with at least a portion of their properties located within 250 ft. of the subject properties, and neighborhood organizations registered with the Town of Huntersville within 2,000 ft. of any portion of the rezoning site. The purpose of the meeting is to provide an opportunity for the Applicant/Developer to describe the proposed project and to answer any questions you may have. The Applicant/Developer is requesting approval from the Town to amend the existing rezoning plans for Birkdale Village to accommodate revisions to its existing mixed-use development including new upgraded parking decks and two urban workplace buildings and a hotel to replace existing buildings.

MEETING DETAILS:

6:00 P.M. to 7:00 P.M.

Thursday, September 22, 2022

Dellwood Community Center

508 Dellwood Drive

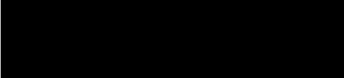
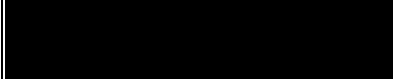
Huntersville, NC 28078

You are welcome to attend the above-mentioned neighborhood meeting. There will be an opportunity to ask questions about the proposed subdivision.

Sincerely,

Mike Lant, Senior VP Development
DDRTC Birkdale Village, LLC

EXHIBIT A
Owners/Adjacent Owners to Parcel Numbers:
00537157 & 00537197

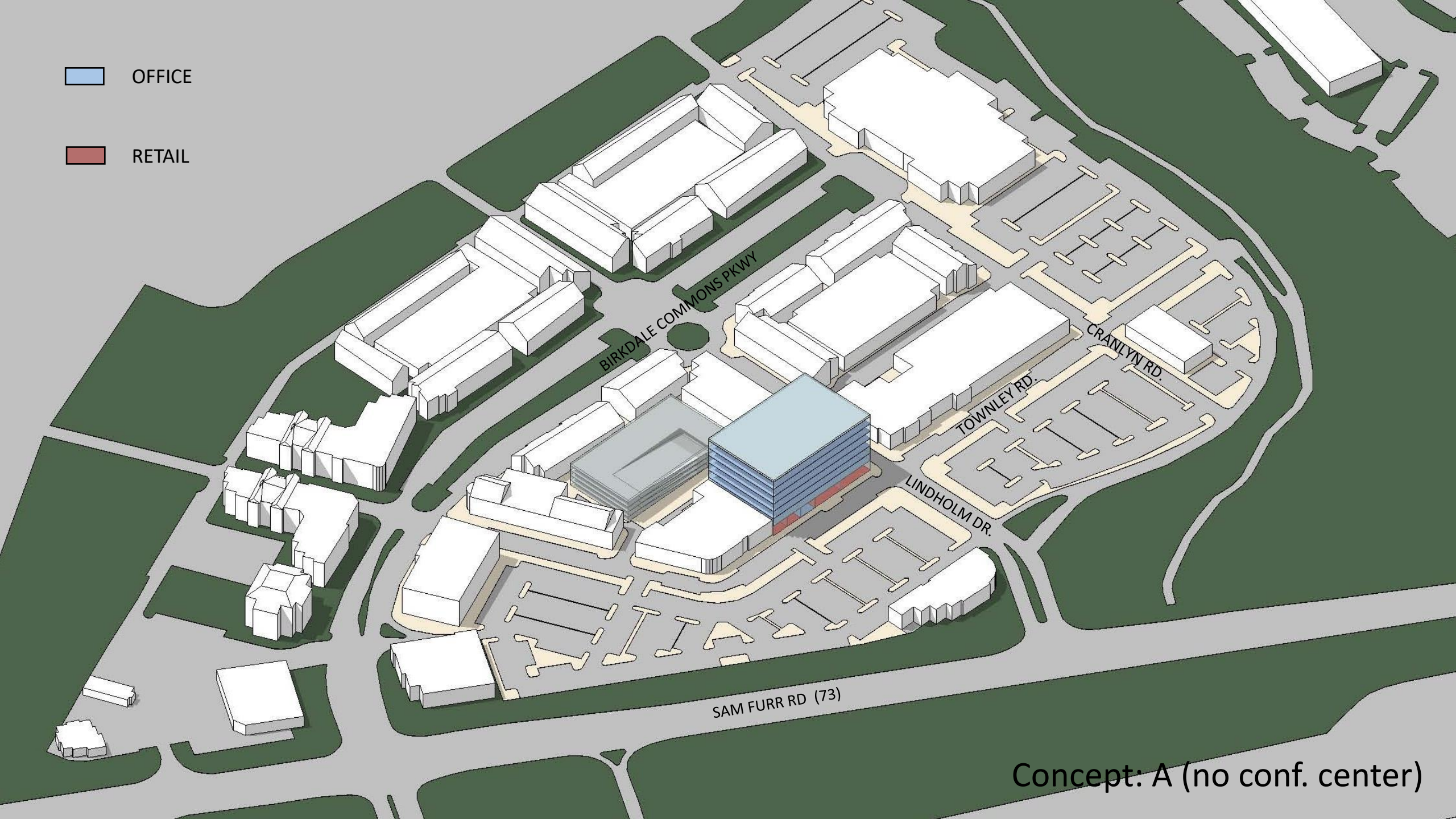
PARCEL 00537157, 00537154, 00537197, 00537161, 00537329, 00537105, 00537402 DDRTC BIRKDALE VILLAGE LLC C/O NORTH AMERICAN PROPERTIES 	PARCEL 00537151 MDC NC2 LP C/O REALTY INCOME CORPORATION 
PARCEL 00537194 BV INVESTMENTS LLC 	PARCEL 00537114, 00537112, 00537113, 00537156, 00537163, 00537155 DDRTC BIRKDALE VILLAGE LLC C/O DEVELOPERS REALTY CORP 
GREENS AT BIRKDALE VILLAGE, PROPERTY OWNERS ASSOC INC 	TOWNHOMES AT BIRKDALE VILLAGE HOMEOWNERS ASSOC INC 
GREENS AT BIRKDALE VILLAGE, PROPERTY OWNERS ASSOC INC 	THE GREENS AT BIRKDALE VILLAGE PROPERTY OWNERS ASSOC 
TOWNHOMES AT BIRKDALE VILLAGE HOMEOWNERS ASSOC INC 	GREENS AT BIRKDALE VILLAGE PROPERTY OWNERS ASSOC INC 
STRATFORD FOREST COMMUNITY ASSOCIATION INC 	CSP COMMUNITY OWNER LLC C/O CAMDEN SEDGEBROOK 
THE LANDINGS APARTMENTS LLC 	

Birkdale Class A



OFFICE

RETAIL



Concept: A (no conf. center)

OFFICE

RETAIL

SAM FURR RD (73)

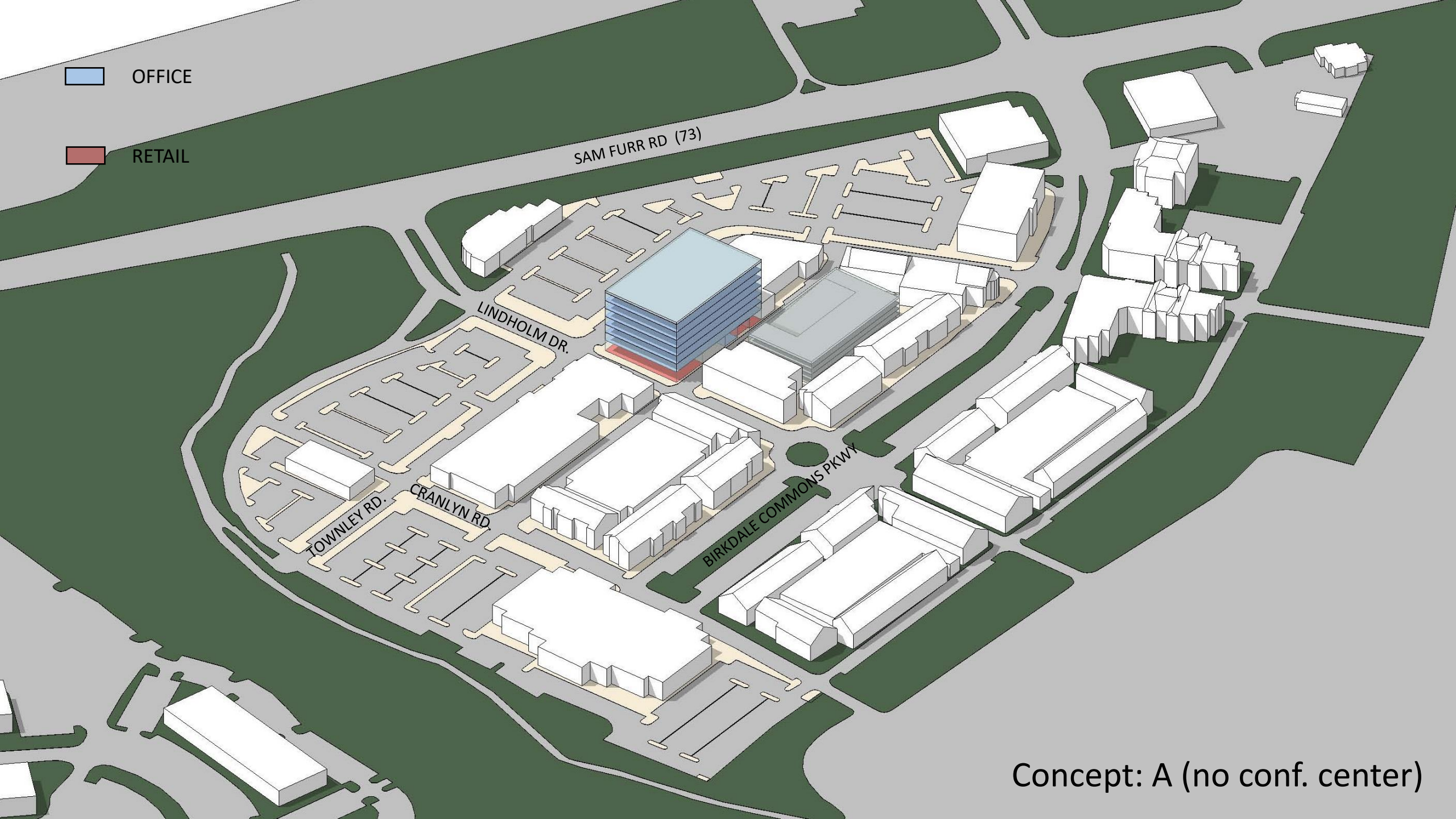
LINDHOLM DR.

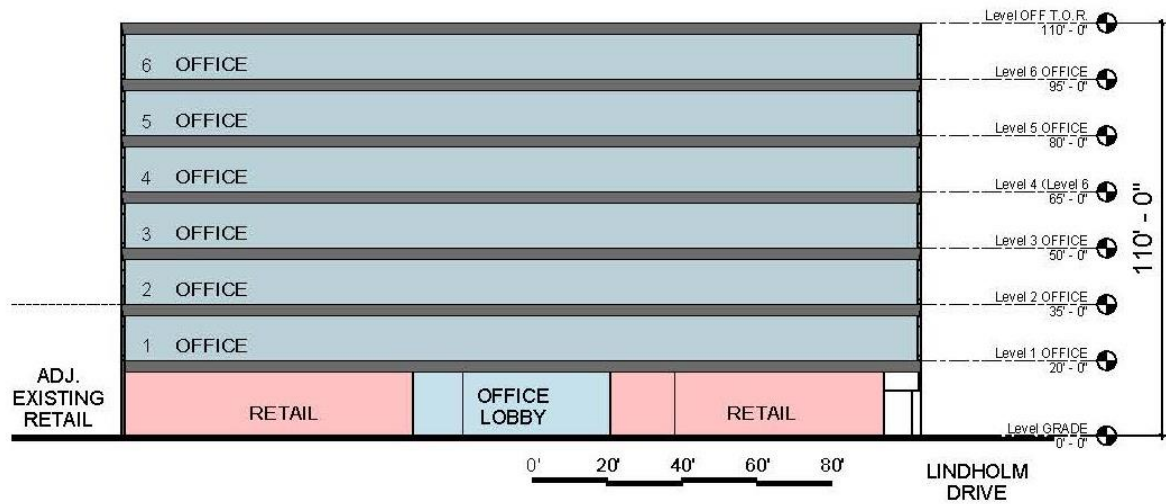
TOWNLEY RD.

CRANLYN RD.

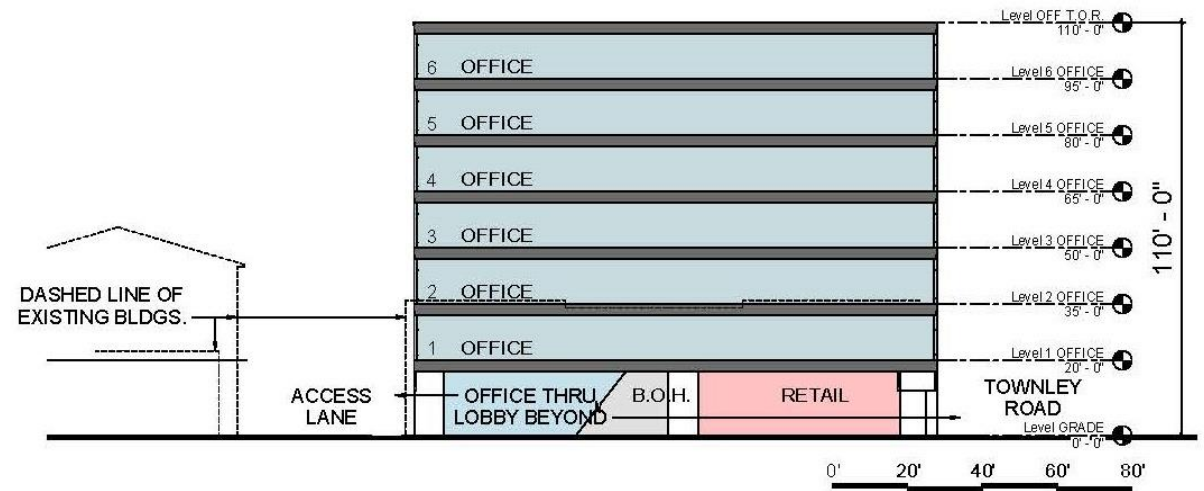
BIRKDALE COMMONS PKWY

Concept: A (no conf. center)





1 BLDG. HEIGHT SECTION - OFFICE BLDG.
1" = 20'-0"



2 BLDG. CROSS SECTION - OFFICE BLDG.
1" = 20'-0"

Concept: A (no conf. center)





New Parking

450 new parking spaces

- Rebuilding existing 2 levels (1st level (75) remains public parking)
- 5 new levels – 450 new spaces
- Available to the public after 5 on weeknights and on weekends
- Centrally located near the Plaza to avoid neighborhood street parking
- 3 entry/exit points onto Birkdale Commons, Townley, and Lindholm

Economic Benefits

Construction Benefits to Huntersville

Total Construction Value

\$90,891,927.61

Construction Taxes

\$115,066.36

Estimated Property Taxes to Huntersville per year

Proposed
(office/commercial only)

\$170,000.00

9-5 office workers support businesses during
daytime hours



Daytime population from office adds activity for restaurants/retail during the weekday.

Parking for office becomes available to the public weekdays after 5:00pm and on weekends.





Architectural Details



Add brick header (solid course)
at ALL arcade openings at base.



**Town of Huntersville
Planning Board
March 20, 2023**

To: Town Board

From: Jack Simoneau, Planning Director

Date: March 20, 2023

Subject: Petition #TA22-16 Petition #TA22-16 Multi-Family Use One Building One Lot

EXPLAIN REQUEST:

Consider decision on Petition #TA22-16 Multi-Family Use One Building One Lot, a request by the Huntersville Planning Department to amend Zoning Ordinance Articles 3.2 General Districts and 9 Conditions for Certain Uses to establish buffer standards for a multi-family home use in one building, on one lot.

ACTION RECOMMENDED:

Make a recommendation

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. TA22-16 Staff Report
2. Text Amendment Application
3. Ordinance for Adoption
4. Examples of Approved 1 Apt. Building on 1 Lot
5. January 5 HOAB Minutes

TA22-16 – Multi-Family Use in One Building on One Lot

PART 1: DESCRIPTION

TA22-16 is a request by the Huntersville Planning Department for a text amendment to the Zoning Ordinance to amend Article 3.2 General Districts and Article 9 Conditions for Certain Uses to establish buffer standards for a multi-family home use in one building, on one lot.

PART 2: BACKGROUND

In the Neighborhood Residential (NR), Neighborhood Center (NC), Town Center (TC), and Highway Commercial (HC) Zoning Districts, one apartment building on one lot is permitted by-right. There is concern that buffers from adjoining lower density development (detached house, duplex house, attached house) do not currently increase based on apartment size (i.e., 4-unit apartment building has same buffer when adjoining single-family homes as a 250-unit apartment).

To address this issue, the proposed amendment is to move multi-family home use from a **use permitted by right** to a **use permitted with conditions** in the NR, NC, TC, and HC Zoning Districts. The condition for a multi-family home use would be that the width of the required landscape buffer increases as the density of the proposed apartment building increases.

- The width of the landscape buffer starts at 5'. The 5' would apply if: a) the apartment has 4 dwelling units or less; b) boundaries are internal to a major subdivision containing the apartment; or c) the apartment adjoins property zoned TC, TOD R or TOD E regardless of number of units, density, or adjoining land use.
- The buffer width can increase to 10', 20', 30', or 40' based on the proposed density of development and if the development adjoins a detached house, duplex, or attached house.

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN

TA22-16 is consistent with Land Use Policies LU 7.2, LU-9, and LU 11.1 of the 2040 Community Plan.

Policy LU 7.2: Consider updates to the Huntersville Design Guidebook and/or Zoning Ordinance as needed to improve the commercial and multi-family design. Consider amending the Town's Zoning Ordinance to:

- Address issues including setbacks, architectural requirements, streetscape standards, and landscaping requirements

Staff Comment: Amendment will update Zoning Ordinance to address issues of noise and privacy by requiring increased buffers when existing residential development is adjacent to an infill multi-family use in one building on one lot.

Policy LU-9: New residential development should follow appropriate housing design principles.

Staff Comment: Amendment to create appropriate buffer standards for one building, one lot multi-family infill that is adjacent to less dense residential.

Policy LU 11.1: Protect and enhance the unique character of Huntersville's neighborhoods by using planning tools to safeguard from potentially negative impacts of development and redevelopment.

Staff Comment: To help protect against noise and the privacy of existing residential developments, the amendment will require increased landscape buffers when a one building, one lot multi-family infill development is adjacent to less dense residential. The buffers will naturally decrease density (as there will be less usable land), provide a greater barrier for noise, and help to protect the privacy of adjacent residential development.

PART 4: STAFF RECOMMENDATION

Staff recommends approval of the proposed text amendment.

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD

The Huntersville Ordinances Advisory Board (HOAB) recommended approval (6-1) of the proposed text amendment on January 5, 2023.

PART 6: PUBLIC HEARING

The public hearing was held February 20, 2023, with no public comment received.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board recommended approval (8-0) of the proposed amendment at the February 28, 2023 meeting.

PART 8: TOWN BOARD RECOMMENDATION

March 20, 2023

PART 9: ATTACHMENTS

1. Text Amendment Application
2. Ordinance for Adoption
3. Examples of Existing 1 Apartment Building on 1 Lot
4. January 5 HOAB Minutes

PART 10: STATEMENT OF CONSISTENCY – TA22-16

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA22-16, Planning Staff recommends approval based on consistency with policies LU 7.2, LU-9, and LU 11.1 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because the amendment will help to protect the privacy of existing residential development from one building, one lot multi-family infill development.	APPROVAL: The Planning Board recommend approval of petition TA22-16 based on the amendment being consistent with policies LU 7.2, LU-9, and LU 11.1 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because the amendment will help to protect the privacy of existing residential development from one building, one lot multi-family infill development.	APPROVAL: In considering the proposed amendment TA22-16, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...<i>(Explain)</i>
DENIAL: N/A	DENIAL: N/A	DENIAL: In considering the proposed amendment TA22-16, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>. It is not reasonable and in the public interest to amend the Zoning Ordinance because.... <i>(Explain)</i>



Text Amendment Application

Date of Application November 10, 2022

Fee

See Current Town of Huntersville Fee Schedule for Text Amendment to the Zoning/Subdivision Ordinance

Type of Change

☐ New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other

☒ Revision/Modification to text of Zoning Ordinance / Subdivision Ordinance / Other

Description of Change

Proposed text amendment will affect the following:

Ordinance(s): Zoning Article(s): 3 and 9 Section(s): See attached

See attached

Current Ordinance

See attached

Proposed Text

Reason for Proposed
Change

To address concern for large multi-family buildings on one lot with minimal standards.

Attach additional pages if needed.

NOTE: If the proposed text amendment effects property located along Hwy 73; is 2000 feet from an adjoining municipality, and/or the Mountain Island and Lake Norman Watersheds, additional peer review is required.

Applicant

Printed Name Jack Simoneau

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: Huntersville Planning

Signature _____ Date 11/10/22

Title Planning Director Email jsimoneau@huntersville.org

Address of Applicant PO Box 664, Huntersville NC

Property Owner (if different than applicant)

* Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____ Date _____

Title _____ Email _____

Address of Property Owner _____

* Property owner hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

Every owner of each parcel included in this application, or the owner (s) duly authorized agent, must sign this application. If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION. **If additional space is needed for signatures, attach the Town of Huntersville Signature Addendum Form.**

Contact Information

**Town of Huntersville
Planning Department**
PO Box 664
Huntersville, NC 28070

Phone: 704-875-7000
Fax: 704-875-6546
Physical Address: 105 Gilead Road, Third Floor, Huntersville, NC 28078
Website: <https://www.huntersville.org/228/Planning-Department>

Date Received By Planning Department: July 1, 2022

Staff Initials: JS

**AN ORDINANCE TO AMEND ARTICLE 3 & 9 OF THE ZONING ORDINANCE TO
ESTABLISH BUFFER STANDARDS FOR A MULTI-FAMILY HOME USE IN ONE
BUILDING, ON ONE LOT**

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.4 of the Zoning Ordinance is hereby amended as follows:

3.2.4 NEIGHBORHOOD RESIDENTIAL DISTRICT (NR)

Intent: The Neighborhood Residential District provides for residential **infill** development around the Town Core, Activity Centers and Mixed-Use Centers and their logical extensions identified in adopted long range plans. Streets in the Neighborhood Residential District must be interconnected, according to Article 5, Streets, and Urban Open Space provided according to Article 7. A range of housing types is encouraged. Low-intensity business activity is permitted in mixed-use and commercial buildings at residential scale, according to locational criteria. The intensity to which permitted uses may be built is regulated by the building type which corresponds to the use.

a) Permitted Uses

Uses permitted by right

- bed and breakfast inns
- boarding or rooming houses for up to four roomers
- congregate housing designed within the “civic” building type
- family care home
- ~~multi-family homes~~
- single family homes

Uses permitted with conditions

- cemeteries, (9.7)
- religious institutions, (9.8)
- commercial use in a mixed-use building¹, located on an arterial or at the intersection of a local street and a larger capacity street
- commercial use, in a detached house building type, located within ¼ mile of a Town Center district and fronting a major or minor thoroughfare (Includes properties in which any portion falls within the ¼ mile boundary) (9.51)
- essential services 1 and 2, (9.14)
- government buildings up to 5000 sq. ft. of gross floor area
- neighborhood and outdoor recreation, (9.21)
- parks, (9.29)
- retirement communities (9.50)
- schools, (9.35)
- transit-oriented parking lots as a principal use, (9.49)
- transit shelters, (9.39)
- **multi-family homes (9.64)**

Section 2. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.5 of the Zoning Ordinance is hereby amended as follows:

3.2.5 NEIGHBORHOOD CENTER DISTRICT (NC)

Intent: The Neighborhood Center District is provided for the location of shops, services, small workplaces, civic and residential buildings central to a neighborhood or grouping of neighborhoods and within walking distance of dwellings. A neighborhood center shall be developed on an interconnected pattern of streets and is limited to approximately ¼ mile in radius. Uses in the neighborhood center will have a primary market area of 1 mile and buildings compatible with surrounding residences. If a neighborhood center is the focus of a planned transit stop, it should be designed to serve the neighborhood’s residential base plus transit riders.

a) Permitted Uses

Uses permitted by right

- bed and breakfast inns
- boarding or rooming houses for up to six roomers
- civic, fraternal, cultural, community, or club facilities
- commercial uses
- congregate housing designed within the “civic” building type
- family care home
- indoor amusement
- indoor recreation
- ~~multi-family homes~~
- single family homes

Uses permitted with conditions

- cemeteries, (9.7)
- religious institutions, (9.8)
- commercial marinas, (9.43)
- day care center, (9.11)
- essential services 1 and 2, (9.14)
- government buildings up to 6,000 sq. ft. of first floor area neighborhood
- gasoline stations, excluding major service and repair of motor vehicles (9.22)
- parking lot as principal use (9.28)
- parks, (9.29)
- schools, (9.35)
- temporary mobile food sales (9.37)
- temporary outdoor sales of seasonal agricultural products and customary accessory products (example: farmers’ markets, Christmas tree/pumpkin sales), (9.37)
- transit-oriented parking lots as a principal use, (9.49)
- transit shelters, (9.39)
- multi-family homes (9.64)

Section 3. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.6 of the Zoning Ordinance is hereby amended as follows:

3.2.6 TOWN CENTER DISTRICT (TC)

Intent: The Town Center District provides for revitalization, reuse, and infill development in Huntersville’s traditional town center. A broad array of uses is expected in a pattern which integrates shops, restaurants, services, work places, civic, educational, and religious facilities, and higher density housing in a compact, pedestrian-oriented environment. The Town Center anchors the surrounding residential neighborhoods while also serving the broader community. The district is coded to accommodate the higher overall intensity of development required to support a rail transit station. It is to be expected that the Town Center District will be expanded over time through the zoning change process to an approximate ½ mile radius to meet growth in demand for downtown facilities and services.

a) Permitted Uses

Uses permitted by right

- bed and breakfast inns
- boarding or rooming houses for up to six roomers
- civic, fraternal, cultural, community, or club facilities
- commercial uses
- congregate housing designed within the “civic” building type
- family care home
- government buildings
- hotels
- indoor amusement
- ~~multi-family homes~~
- nightclubs, music clubs, bars, and similar entertainment facilities
- single family homes

Uses permitted with conditions

- automobile and/or motorcycle sales, automobile service and repair, up to 2 acres in size, with a principal building of at least 8,000 sq. ft., all damaged vehicles and auto parts to be screened opaque (9.25)
- cemeteries, (9.7)
- religious institutions, (9.8)
- essential services 1 and 2, (9.14)
- neighborhood gasoline stations, excluding major service and repair of motor vehicles (9.22)
- parking lot as principal use (9.28)
- parks, (9.29)
- schools, (9.35)
- temporary mobile food sales (9.37)

- temporary outdoor sales of seasonal agricultural products and customary accessory products (example: farmers' markets, Christmas tree/pumpkin sales), (9.37)
- transit-oriented parking lots as a principal use, (9.49)
- transit shelters, (9.39)
- **multi-family homes (9.64)**

Section 4. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.7 of the Zoning Ordinance is hereby amended as follows:

3.2.7 HIGHWAY COMMERCIAL DISTRICT (HC)

Intent: The Highway Commercial District is established to provide primarily for auto-dependent uses in areas not amenable to easy pedestrian access and a comfortable pedestrian environment. It is expected that the Highway Commercial District will serve not only the Huntersville Community, but interstate travelers as well. Because of the scale and access requirements of uses in this category, they often cannot be compatibly integrated within the Town Center or Neighborhood Center Districts. Development at district boundaries must provide a compatible transition to uses outside the district; property boundaries adjacent to freeways or expressways will require a 50-foot foliated buffer yard; and frontages on major or minor arterials will require formal street tree planting.

a) Permitted Uses

Uses permitted by right

- amusement facilities: all indoor uses
- armories for meetings and training of military organizations
- auction sales
- boarding or rooming houses for up to six roomers
- religious institutions
- civic, fraternal, cultural, community, or club facilities
- commercial uses
- contractor offices and accessory storage yards, excluding the storage of general construction equipment and vehicles
- family care home
- government buildings
- indoor and outdoor recreation
- ~~multi-family homes~~
- nightclubs, music clubs, bars, and similar entertainment facilities
- pawnshops and second-hand shops
- single family homes
- vocational and technical schools
- wholesale sales with related office, storage and warehousing entirely within an enclosed building; truck terminals not permitted

Uses permitted with conditions

- adult establishments, (9.2)
- amusement facilities, outdoor, limited to par 3 golf courses, golf driving ranges, and archery ranges, (9.5)
- car wash, (9.6)
- commercial marinas, (9.43)
- day care center, (9.11)
- essential services 1 and 2, (9.14)
- gasoline service stations, including service and repair of motor vehicles, (9.22)
- hotels spaced 250' or more from residential or mixed-use zones, (9.45)
- parks, (9.29)
- temporary outdoor sales of seasonal agricultural products (example: Christmas tree/pumpkin sales), (9.37)
- temporary mobile food sales, (9.37)
- transit-oriented parking lots as a principal use, (9.49)
- transit shelters, (9.39)
- vehicle and boat service, rental, cleaning, mechanical repair, and body repair, (9.25; 9.26)
- **multi-family homes (9.64)**

Section 5. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 9 of the Zoning Ordinance is hereby amended as follows:

Article 9.64 – Multi-Family Homes
--

Multi-family homes in the NR, NC, TC and HC zones shall be subject to the following provisions:

.1 One multi-family home on one lot shall be subject to the following:

a) Minimum buffer widths for adjoining property lines excluding street rights-of-way shall be as follows:

- 1. Five feet (5') minimum buffer width in any of the following circumstances: a) the apartment house has four (4) dwelling units or less; b) boundaries are internal to a major subdivision containing the apartment house; or c) the apartment house adjoins property zoned TC, TOD R or TOD E regardless of number of units, density, or adjoining land use.**
- 2. Ten feet (10') minimum buffer width in either of the following circumstances: a) density is less than 10 units an acre regardless of the adjoining use; or b) the apartment house is 10 units an acre or more and adjoins anything other than a detached house, duplex house, or attached house.**
- 3. Twenty feet (20') minimum buffer width when density is between 10 to 15 units an acre and is adjoining a detached house, duplex house, or attached house.**
- 4. Thirty feet (30') minimum buffer width when density is between 15+ to 20 units an acre and is adjoining a detached house, duplex house, or attached house.**

5. Forty feet (40') minimum buffer width when density exceeds 20 units an acre and is adjoining a detached house, duplex house, or attached house.
- b) There shall be three (3) trees per 1000 square feet of buffer area with a minimum of 50% large maturing, minimum of 25% small maturing, and a minimum of 75% evergreen. Further, there shall be ten (10) shrubs per 1000 square feet of buffer area and 100% shall be evergreen.
- .2 Two or more multi-family homes on one lot constitutes a major subdivision and shall comply with all applicable requirements, including the Multi-Building Sites approval process found in Section 6.800 of the Subdivision Ordinance.

Section 6. This ordinance shall become effective upon the date of adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: January 5, 2023

PUBLIC HEARING DATE: February 20, 2023

PLANNING BOARD MEETING: February 28, 2023

TOWN BOARD DECISION: March 20, 2023

Approved Multi-Family Use in 1 Apartment Building on 1 Lot

1. Mosaic Senior Living (approved)
9102 Beatties Ford Road
130 units, 9.85 acres (13 units/acre)



2. Norman Lofts (approved)
14801 Statesville Rd.
45 units, 2 acres (22 units/acre)



3. Stumptown Apartments (under construction)
14801 Stumptown Rd
18 units, 1.07 acres (16 units/acre)



4. Bellamoore Senior Living (built)
16515 Old Statesville Rd
116 units, 5.03 acres (23 units/acre)



5. 14719 N Old Statesville Apartments (built)
8 units, .31 acres (25 units/acre)



6. Caldwell Station Senior Apartments (approved)
11130 Will Knox Road
134 units, 6.4 acres (20 units/acre)

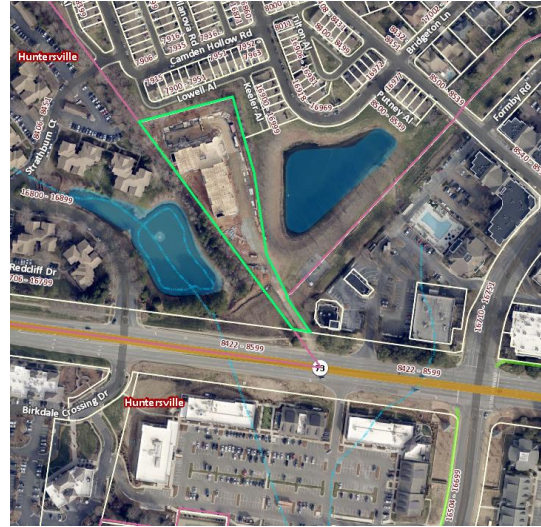


Approved Multi-Family Use in 1 Apartment Building on 1 Lot

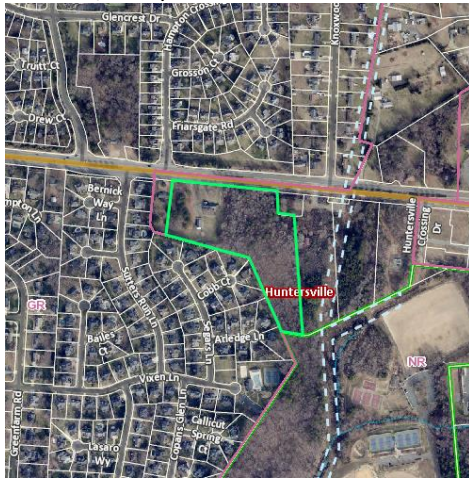
7. Album Senior Living (under construction)
6930 Prosperity Church Rd
168 units, 5.77 acres (29 units/acre)



8. Sam Furr Senior (under construction)
8521 Sam Furr Rd.
62 units, 2.02 acres (30 units/acre)



9. Sam Furr Apartments (not approved yet)
10400 Sam Furr
244 units proposed, 10.03 acres (24 units/acre)



Minutes of the Town of Huntersville Ordinance Advisory Board

The Town of Huntersville Ordinance Advisory Board met in person at 3:30 p.m. on Thursday, January 5, 2023.

Call to Order/Roll Call

Chairman Jones called the meeting to order at 3:30 pm.

Voting Members Present: M. Jones, J. Kluttz, K. Jones, F. Gammon, B. Skelly, H. Whittaker, T. Taylor

Voting Members Absent: A. Hallman & T. Finlay

Non-Voting Members Present: Commissioner Munger, J. Simoneau, T. Barron, E. Sloop, and J. Glass

Non-Voting Members Absent: None

Approval of Minutes

Item 2A. Consider approval of the December 15, 2022, Regular Meeting Minutes

Motion: J. Kluttz made a Motion to Approve the December 15, 2022, minutes. H. Whittaker seconded the motion.

Vote: The motion passed unanimously (6-0-1) with T. Taylor abstaining because he was not in attendance.

Public Comments

Commissioner D. Boone, 317 Southland Drive thanked (the members with terms expiring) T. Finlay, T. Taylor & B. Skelly for their service on the Board.

Action Agenda

Item 5C: Discuss petition TA22-16, a request by the Huntersville Planning Department amending the Town Zoning Ordinance to place standards for a single multi-family home on one lot.

J. Simoneau, Planning Director stated that one issue identified by staff as a concern is one apartment building on one lot can get quite large and can be adjacent to lower density existing development. This amendment is to address the buffer requirements. This amendment is amend Article 3 to move the multi-family homes as a use permitted by right and put it as a use permitted with conditions in the NR, NC, TC, and HC zoning districts. In Article 9.64 would be amended to show different setbacks based on the circumstances involved with one building/one lot. In part B it also indicates how much buffer and screening would be required within that setback. Subsection 2 states that if it is part of a major subdivision it will be subject to this amendment. Staff reviewed the proposed amendment and provided examples of how this would have affected recently approved projects.

F. Gammon asked staff what current zones are by-right zoning for multi-family. Staff replied TC, NC, NR, and HC which are all included in the proposed amendment.

F. Gammon commented that he supports this amendment and the transparency of having this discussed in public forum with public comment. It will not stop multi-family development but the Town Board will be looped back in the discussion and not surprised by by-right development.

Motion: B. Skelly made a Motion to Approve TA22-16 as written. H. Whittaker seconded the motion.

Vote: The motion was approved (6-1) with M. Jones opposed.

**Town of Huntersville
Town Board
March 20, 2023**

To: Town Board

From: Jack Simoneau, Planning Director

Date: March 20, 2023

Subject: Petition #TA22-17 to Amend Zoning Ordinance Section 7.5.3

EXPLAIN REQUEST:

Consider decision on Petition #TA22-17, a request by the Huntersville Planning Department to amend Section 7.5.3 of the Huntersville Zoning Ordinance increasing the buffer for major residential subdivisions from 20' to 40' when the proposed subdivision is two times greater than the existing residential subdivision.

ACTION RECOMMENDED:

Take action

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. TA22-17 Staff Report TB
2. Signed Text Amendment Application
3. TA22-17 Bufferyard Amendment Ordinance
4. TA22-17 Option 2 Bufferyard Amendment Ordinance
5. HOAB Minutes TA 22-17

TA 22-17 – Increase Buffer for Major Residential Subdivisions

PART 1: DESCRIPTION

TA 22-17 is a request by the Huntersville Planning Department to amend Section 7.5.3 of the Huntersville Zoning Ordinance increasing the buffer for proposed major residential subdivisions from 20' to 40' when the proposed subdivision is two times greater than the existing residential subdivision.

PART 2: BACKGROUND

Major subdivisions are now approved administratively versus through a quasi-judicial process (TA 22-05; 8-1-2022). When that occurred, it removed the Town's ability to increase the minimum 20' buffer requirement when a proposed major subdivision is deemed incompatible with an existing adjoining development. This amendment would require new major subdivisions with twice the density of the adjacent existing development to provide a minimum buffer of 40 feet except in the Town Center zone when adjoining other Town Center zoned property.

EXAMPLES

Whitaker Pointe (aka Cook Farm) – No increased buffer because lots are the same size and type as existing Gilead Ridge.



Hamlet at Huntersville – Increase of 20' buffer to 40' because the Hamlet is more than 2 times as dense as the existing Plum Creek neighborhood.



The amendment language as approved by the HOAB and presented at the public hearing is as follows:

20 feet minimum in Town Center zone when adjoining the Town Center zone and where density is less than two times greater than existing development. In all other cases 40 feet minimum is required.

That wording inadvertently increases the setback for major residential subdivisions when adjoining vacant property from 20 feet to 40 feet. To correct that oversight, the following wording is recommended by staff:

40 feet minimum when density is two times greater than the existing development except in Town Center zone when adjoining the Town Center zone. In all other cases 20 feet minimum is required.

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN

The proposed text amendment **could be supported** by the following policies in the Huntersville 2040 Community Plan:

Policy LU-11: Protect Existing Housing Stock

LU 11.1: Protect and enhance the unique character of Huntersville’s neighborhoods by using planning tools to safeguard from potentially negative impacts of development and redevelopment.

LU 11.2: Along existing streets, encourage new buildings to respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.

STAFF COMMENTS: The additional setback for denser major subdivisions would protect existing housing stock of less dense development.

Policy DT-2: Step down in intensity and density near established residential neighborhoods. (DT is a Downtown Recommendation)

- Housing types that provide good transitions include townhomes, duplexes, triplexes, and other small-scale products.
- Design features such as setbacks, step backs, tree preservation, and open space placement can help provide transitions.

STAFF COMMENT: Additional setback required if proposed major residential subdivision adjoins an existing neighborhood not zoned Town Center.

PART 4: STAFF RECOMMENDATION

Staff recommends approval (see Part 9)

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD

The Huntersville Ordinances Advisory Board (HOAB) recommended approval (9-0) on December 1, 2022.

PART 6: PUBLIC HEARING

Held on February 6, 2023. No one spoke about the amendment at that meeting.

PART 7: PLANNING BOARD RECOMMENDATION

February 28, 2023

PART 8: ATTACHMENT

Attachment 1: Application

Attachment 2: Ordinance as approved by the HOAB and presented at the Public Hearing

Attachment 3: **Option 2** Ordinance as recommended by staff and Planning Board to not increase the buffer when adjoining vacant land

Attachment 4: Huntersville Ordinance Advisory Board December 1, 2022, minutes

PART 9: STATEMENT OF CONSISTENCY – TA22-17

<i>Planning Department</i>	<i>Planning Board</i>	<i>Board of Commissioners</i>
APPROVAL: In considering the proposed amendment TA22-17, Planning staff recommends approval of Option 2 based on the amendment being consistent with Policy LU-11 and DT-2 of the 2040 Huntersville Community Plan. <i>It is reasonable and in the public interest to amend the Zoning Ordinance because it helps protect the unique character of the existing housing stock.</i>	APPROVAL: Approve TA22-17, Staff Option 2, based on the amendment being consistent with policy LU-11 and DT-2 of the 2040 Huntersville Community Plan. <i>It is reasonable and in the public interest to amend the zoning ordinance because it helps protect the unique character of the existing housing stock. C. Boyd seconded the motion. (8-0)</i>	APPROVAL: In considering the proposed amendment TA22-17, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> <i>It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)</i>
DENIAL: N/A	DENIAL: N/A	DENIAL: In considering the proposed amendment TA22-17, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>. <i>It is not reasonable and in the public interest to amend the Zoning Ordinance because.... (Explain)</i>



Text Amendment Application

Date of Application November 1, 2022

Fee

See Current Town of Huntersville Fee Schedule for Text Amendment to the Zoning/Subdivision Ordinance

Type of Change

☐ New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other

☒ Revision/Modification to text of Zoning Ordinance / Subdivision Ordinance / Other

Description of Change

Proposed text amendment will affect the following:

Ordinance(s): Zoning Article(s): 7 Section(s): 7.5.3 Table

20 feet

Current Ordinance

20 feet minimum in Town Center zone when adjoining the Town Center zone and where density is less than two times greater than existing development. In all other cases 40 feet minimum is required.

Proposed Text

Reason for Proposed Change

When the Town changed residential subdivisions from a quasi-judicial process to an administrative process, there was no longer flexibility to require larger buffers from adjoining lower density development. This amendment addresses that issue by increasing the buffer when the proposed development is two times or more greater in density than the adjoining development.

Attach additional pages if needed.

NOTE: If the proposed text amendment effects property located along Hwy 73; is 2000 feet from an adjoining municipality, and/or the Mountain Island and Lake Norman Watersheds, additional peer review is required.

Applicant

Printed Name Jack Simoneau

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☒ Other: _____

Signature  Date 11-1-22

Title Huntersville Planning Director Email jsimoneau@huntersville.org

Address of Applicant PO Box 664, Huntersville NC 28070

Property Owner (if different than applicant)

* Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____ Date _____

Title _____ Email _____

Address of Property Owner _____

* Property owner hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

Every owner of each parcel included in this application, or the owner (s) duly authorized agent, must sign this application. If signed by an agent on behalf of the Owner, this petition **MUST** be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION. **If additional space is needed for signatures, attach the Town of Huntersville Signature Addendum Form.**

Contact Information

**Town of Huntersville
Planning Department**
PO Box 664
Huntersville, NC 28070

Phone: 704-875-7000
Fax: 704-875-6546
Physical Address: 105 Gilead Road, Third Floor, Huntersville, NC 28078
Website: <https://www.huntersville.org/228/Planning-Department>

Date Received By Planning Department: Nov. 1, 2022

Staff Initials: JS

**AN ORDINANCE TO AMEND ARTICLE 7, LANDSCAPING AND OPEN SPACE INCREASING
BUFFER YARDS FOR HIGHER DENSITY MAJOR RESIDENTIAL SUBDIVISIONS**

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 7, Section 7.5.3 of the Zoning Ordinance is hereby amended by modifying the Table for Major Residential subdivisions as follows:

Residential	Any major residential subdivision abutting a property zoned residential or developed residential, not internal to a planned community ⁴	20 feet <u>minimum in Town Center zone when adjoining the Town Center zone and where density is less than two times greater than existing development. In all other cases 40 feet minimum is required.</u>	3 trees per 1000 sq/ft of buffer area; 25% large maturing; 25% small maturing; 25% evergreen	10 shrubs per 1000 sq/ft 100% evergreen
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Section 2. This ordinance shall become effective upon adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: November 3, December 1, 2022 (Approval 8-0-1)

PUBLIC HEARING DATE: February 6, 2023

PLANNING BOARD MEETING: February 28, 2023

TOWN BOARD DECISION: March 20, 2023

Option 2 as recommended by staff to not increase the buffer when adjoining vacant property

**AN ORDINANCE TO AMEND ARTICLE 7, LANDSCAPING AND OPEN SPACE INCREASING
BUFFER YARDS FOR HIGHER DENSITY MAJOR RESIDENTIAL SUBDIVISIONS**

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 7, Section 7.5.3 of the Zoning Ordinance is hereby amended by modifying the Table for Major Residential subdivisions as follows:

Residential	Any major residential subdivision abutting a property zoned residential or developed residential, not internal to a planned community ⁴	<u>40 feet minimum when density is two times greater than the existing development except in Town Center zone when adjoining the Town Center zone. In all other cases 20 feet minimum is required.</u>	3 trees per 1000 sq/ft of buffer area; 25% large maturing; 25% small maturing; 25% evergreen	10 shrubs per 1000 sq/ft 100% evergreen
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Section 2. This ordinance shall become effective upon adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: November 3, December 1, 2022

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TOWN BOARD DECISION: March 20, 2023

HUNTERSVILLE ORDINANCE ADVISORY BOARD MINUTES TA 22-17 BUFFER AMENDMENT

December 1, 2022

Item 4B: Consider an amendment to Section 7.3.3 of the Zoning Ordinance to increase the buffer yard width when a proposed development is denser than adjoining existing development.

J. Simoneau, Planning Director explained that with the adjustments to land development that is now approved administratively versus through quasi-judicial occurred it removed the Town's ability to increase a setback requirement as they have done in the past. This amendment would require new development with twice the density of the adjacent existing development to increase the buffer to a minimum of 40 feet in all zoning except Town Center. Staff presented examples of how this has been applied to previously approved development. Staff presented three options based on the November 2022 discussion of this item by the Ordinance Advisory Board.

A. Hallman asked Staff to confirm that the buffer can be reduced if granted through conditional rezoning. Staff confirmed that is correct.

K. Jones commented on the conditional rezoning not effectively communicating the buffer reductions that are requested at neighborhood meetings. Staff confirmed that the legal requirement is to inform the adjacent properties.

H. Whittaker expressed support for Option 3 as presented.

M. Jones commented that in his opinion he does not see a consistent procedure when a parcel is adjacent to multiple parcels with varying densities and asked if there should be a formula with a weighted average applied to determine the buffer size. Staff responded that staff is comfortable with the clarity and process with what is presented but if the Ordinance Advisory Board wishes to make a recommendation, that will be presented with this amendment request as it moves forward.

M. Jones commented on the inefficiency of process and the non-tax performing land used for buffers and open space that must be subsidized by the structures on the land and increase housing costs. He continued to express the importance of considering the long-term impact created when deciding on land development requirements such as street trees and maintenance of sidewalks.

H. Whittaker asked Staff to clarify how lots adjacent to Town Center would be affected if redeveloped as well as homes sitting on large lots.

K. Jones asked Staff to clarify which density would be considered if there was in-fill development in a neighborhood such as her neighborhood. Staff responded that if multiple parcels were acquired, the parcels were adjacent to Town Center, and a development was proposed that was twice the density, the applicant could apply for rezoning and would be required to have the 40-foot buffer adjacent to existing development. If they could not meet the 40-foot buffer requirement, then they could apply for a conditional rezoning which would then allow them to request the Town Board grant them a reduced buffer.

E. Sloop advised that grammatically there should be commas added to Option 3 if selected to state, "20 feet minimum in Town Center zone, adjoining Town Center zone, and where density is less than two times greater than existing development. In all other cases 40 feet minimum is required."

T. Finlay asked if the three options reflect iterations or if staff has one specific option that it is recommending. Staff responded that option two was the original wording and found to be too wordy, option one is what staff recommended and option three is the iteration following last months discussion with this Board and staff would also find that option to be acceptable.

M. Jones commented that he would accept a motion, or he would be willing to propose a motion despite not being a fan of residential buffers since they are non-tax revenue generating. His proposed motion would include a weighted average for buffers.

Motion: A. Hallman made a Motion to recommend Approval amending Ordinance 7.3.3 with Option 3 as presented by staff with the commas recommended by Legal Department. F. Gammon seconded the motion.

Substitute Motion: M. Jones made a Substitute Motion to recommend Approval amending Ordinance 7.3.3 with Option 3 with the addition of the calculation of the density of the existing development is completed on a weighted average basis with the commas recommended by Legal Department. F. Gammon seconded the motion for discussion.

Staff responded that they are comfortable with the current method of determining buffers based on adjacent density.

F. Gammon commented that Staff has expressed their comfort with the process, and it is a process they do often so he will not support the substitute motion.

Substitute Motion Vote: The motion failed (1-8) with B. Skelly, K. Jones, A. Hallman, T. Taylor, T. Finlay, H. Whittaker, and F. Gammon opposed.

B. Skelly asked for clarification on the Legal department grammatical recommendations. Staff explained that it is really two options being presented in the proposed Option 3 and demonstrated it would read, "20 feet minimum in Town Center zone adjoining Town Center zone, and where density is less than two times greater than existing development. In all other cases 40 feet minimum is required."

For clarity, B. Skelly recommended an amendment to the motion for the text to state, "20 feet minimum in Town Center zone when adjoining Town Center zone, and where density is less than two times greater than existing development. In all other cases 40 feet minimum is required." Staff accepted that recommendation. A. Hallman and F. Gammon accepted the amendment.

Vote: The motion passed (8-0-1) with M. Jones abstaining.

**Town of Huntersville
Town Board
March 20, 2023**

To: Town Board

From: Stephen Trott, Director of Engineering

Date: March 20, 2023

Subject: Resolution - Gibson Park Phase 2 Property Acquisition

EXPLAIN REQUEST:

Consider Resolution to acquire property including use of eminent domain due to unresponsiveness of property owners.

ACTION RECOMMENDED:

Adopt Resolution to acquire property including use of eminent domain for Gibson Park Phase 2 project.

FINANCIAL IMPLICATIONS:

Bond Funds

ATTACHMENTS:

1. P7 Resolution to Acquire Property 3-13-23 (1)



**RESOLUTION OF THE TOWN OF HUNTERSVILLE BOARD OF COMMISSIONERS TO ACQUIRE
PROPERTY NECESSARY FOR THE CONSTRUCTION OF GIBSON PARK DRIVE PHASE 2**

WHEREAS, the Town of Huntersville (the “Town”) has determined that the acquisition of property is necessary for the construction of Gibson Park Drive Phase 2 (the “Project”); and

WHEREAS, the statutory powers of the Town include the power to acquire real property (N.C.G.S. §160A-11 and §160A-240.1), including the power of eminent domain (N.C.G.S. Chapter 40); and

WHEREAS, the Town has certified that a portion of the parcel(s) (“the Property”), listed on Exhibits A and more particularly described on Exhibit B, is needed for the Project; and

WHEREAS, on January 18, 2022, the Town Board authorized the acquisition of the Property at a price not to exceed the Property’s appraised value and permitted Administrative Adjustments; and

WHEREAS, the Town could not acquire the property by negotiations at the authorized price.

***NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF HUNTERSVILLE BOARD OF
COMMISSIONERS (the “Town Board”) AS FOLLOWS:***

1. The Town Board approves and authorizes the acquisition of the necessary Property as listed on Exhibit A, and more particularly described on Exhibit B, by instituting and pursuing acquisition by the process of Eminent Domain according to the procedures contained in Chapter 40A, including but not limited to, giving notice of intent to the property owner, executing and filing a complaint and declaration of taking, and depositing the amount estimated to be just compensation with the Clerk of Superior Court of Mecklenburg County; and
2. The Town Board hereby authorizes the Town Manager, acting on advice of counsel, to take any actions necessary to carry out the provisions of this Resolution; and
3. This Resolution shall be effective as of the date its adoption.

Adopted this 20th day of March, 2023.

ATTEST:

TOWN OF HUNTERSVILLE

Town Clerk

Town Mayor

APPROVED AS TO FORM:

Town Attorney

EXHIBIT A - PARCEL INDEX

PARCEL #	PARCEL ID #	PROPERTY OWNER NAME
7	019-054-27	Manuel Vazquez, Maria Vazquez

Exhibit B

LEGEND:

- POINT NOT SET (UNLESS OTHERWISE NOTED)
- ◆ 5/8" REBAR W/ CAP SET
- ▨ TEMPORARY CONSTRUCTION EASEMENT (TCE)
- ▩ PERMANENT DRAINAGE/UTILITY EASEMENT (DUE)
- P— PROPERTY LINE

CURVE TABLE

CURVE	RADIUS	LENGTH	DIRECTION	DISTANCE
C1	462.62'	57.52'	S 72° 37' 46" W	57.52'
C2	462.62'	7.79'	S 76° 40' 26" W	7.79'

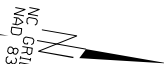
DUE LINE TABLE

LINE	BEARING	DISTANCE
L1	N 78° 36' 36" E	5.26'
L2	S 12° 52' 48" E	11.21'
L3	N 00° 23' 29" E	0.39'
L4	S 06° 59' 39" E	7.74'
L5	N 12° 52' 48" W	11.21'

TCE LINE TABLE

LINE	BEARING	DISTANCE
L1	N 81° 08' 03" E	35.37'
L2	N 68° 29' 44" E	23.08'
L3	S 06° 59' 39" E	7.74'
L4	N 12° 52' 48" W	11.21'

DONALD K. HOLBROOK
DB 22971 PG. 609
P.I.N. 01905322

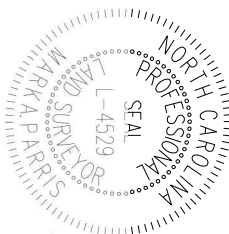


DUE AREA	74 SF	0.002 AC
TCE AREA	489 SF	0.011 AC

MARY L. SHERILL
DB 12726 PG. 920
P.I.N. 01905459

MANUEL VAZQUEZ
and
MARIA VAZQUEZ
DB 9520 PG. 542
PIN: 01905427

ROBERT C. SCHMIT
and
ANN KRISTIN SCHMIT
DB 37524 PG. 941
P.I.N. 01905458



GIBSON PARK DR.

EXISTING R/W

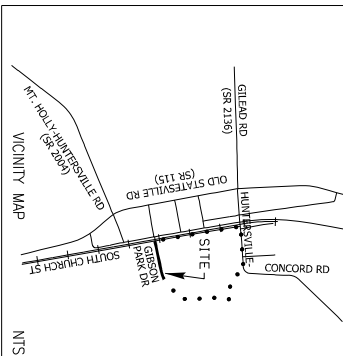
DocuSigned by:
Mark A. Harris
F157C8B5C7248A...

9/28/2022

DATE

SIGNATURE

NO.	DESCRIPTION	DATE



- NOTES:
1. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
 2. ALL BEARINGS ARE BASED ON N.C. GRID BEARINGS.
 3. AREAS SHOWN ARE SUBJECT TO EASEMENTS OF RECORD.
 4. RECORD REFERENCES: D.B. 9520 PG. 542.
 5. PARCEL I.D. NUMBER: 01905427.
 6. NO MISSING CORNERS SET.
 7. PROPERTY LINES SHOWN ARE APPROXIMATE AND BASED ON EXISTING DEEDS, PLATS, AND VISIBLE FIELD MONUMENTATION DISCOVERED ALONG PROJECT AREA. PROPERTY LINES SHOWN ARE NOT INTENDED TO REPRESENT AN ACTUAL BOUNDARY SURVEY.

I HEREBY CERTIFY THAT THIS MAP WAS PREPARED UNDER MY DIRECT SUPERVISION FOR THE PURPOSE OF RIGHT OF WAY OR EASEMENT BOUNDARY SURVEY. I AM NOT INTENDING TO REPRESENT AN ACTUAL BOUNDARY SURVEY. THIS MAP IS EXEMPT FROM REVIEW BY A REVIEW OFFICER.

PROPOSED ROADWAY PROJECT
EASEMENT PLAT

ALONG GIBSON PARK DRIVE FOR
THE TOWN OF HUNTERSVILLE
MECKLENBURG COUNTY, NORTH CAROLINA

■ Middleboro, Kentucky 40965
Phone: (606) 248-6600
■ Asheville, North Carolina 28806
Phone: (828) 253-2796
■ Charlotte, North Carolina 28217
Phone: (704) 357-0488

Vaughn & Melton Consulting Engineers

EASEMENT ACROSS THE PROPERTY OF:

MANUEL VAZQUEZ
DB 9520 PG. 542

Scale: 1"=30'	Dt. By: RDB	Sheet: 1
Date: SEPT 27 2022	Job No: 32110-08	File: parcel7_Vazquez.DGN
30	15	0
30	15	0