TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES

February 20, 2023
6:00 p.m. – Huntersville Town Hall
101 Huntersville-Concord Road

PRE-MEETING

The Huntersville Board of Commissioners held a Pre-meeting at Huntersville Town Hall, 101 Huntersville-Concord Road, at 5:30 p.m. on February 20, 2023.

GOVERNING BODY MEMBERS PRESENT: Mayor Melinda Bales; Commissioners Dan Boone, Rob Kidwell, Amber Kovacs, Lance Munger, Derek Partee and Stacy Phillips.

Mayor Bales called the Pre-meeting to order.

Property Acquisition Process Discussion. Stephen Trott, Director of Engineering, reviewed the project property acquisition process. *Refer to PowerPoint attached hereto as Exhibit No. 1.*

Mr. Trott requested the Board reconsider use of eminent domain as part of the initial property acquisition resolution. Right now staff has to bring the resolutions back to the Board to ask for use of eminent domain on specific parcels.

Commissioner Phillips noted she would like more communication. If a project is on the CIP, the landowner should be notified that their parcel is on a project.

Ms. Sloop pointed out that landowners receive a 30-day notice before anything is filed and then once the complaint is actually filed, they receive a separate notice, so they are receiving multiple notices throughout the process.

Following additional discussion, it was the consensus of the Board to take time for additional review before making any decision on the process.

There being no further business, the Pre-meeting was adjourned.

REGULAR MEETING
TOWN OF HUNTERSVILLE
BOARD OF COMMISSIONERS

The Regular Meeting of the Huntersville Board of Commissioners was held at the Huntersville Town Hall, 101 Huntersville-Concord Road, at 6:00 p.m. on February 20, 2023.

GOVERNING BODY MEMBERS PRESENT: Mayor Melinda Bales; Commissioners Dan Boone, Rob Kidwell, Amber Kovacs, Lance Munger, Derek Partee and Stacy Phillips.

Mayor Bales called the meeting to order.

Mayor Bales called for a moment of silence.

Mayor Bales led the Pledge of Allegiance.

STAFF QUESTIONS

None

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

Brett Canipe, NCDOT, 716 W. Main Street, Albemarle, recognized Sean Epperson from NCDOT who was also present.

Mr. Canipe presented update on the NC 73 project in Huntersville. *Refer to PowerPoint attached hereto as Exhibit No. 2.*

Commissioner Phillips expressed concern that the concept will not work for the area and will destroy businesses in the Brown Mill Road area.

Commissioner Kidwell noted he had sent a list of his questions and expressed concern on how the trailers from the horse farm on Brown Mill Road would maneuver the proposed improvements.

Commissioner Kovacs expressed concern about the project disrupting established businesses, and property owners not being able to sell their property if there's no access.

Following further discussion, the Board requested Mr. Canipe coordinate with the Town Manager to schedule an information session for elected officials, followed by an information session with the public.

Debbie Hendricks, 9900 Lariat Court, said I'm here tonight to hopefully get an amendment change for Section 94.46 for us to be able to have a chicken coop closer to where your dwelling place is. Right now, it says it has to be 100' away. You have to have 20' to 25' as far as your property lines. Davidson and Cornelius have 10' from a dwelling place and 10' from property lines.

Errol Genois, 8537 Camberly Road, said an appeal to commonsense. Reading from information legalmatch.com, Merriam Webster Dictionary, The Fence Post, I discovered substantial information that supports action to stop inappropriate construction in the Greens at Birkdale Village. The theory of nuisance might serve as a basis for further remodeling of the current project in order to protect property and quality of living in the Village. Judging the construction plan as a nuisance will supply a requirement for redesigning the construction. It follows that a possible legal threshold for a substantial threat to the expectations for normal lives as homeowners and the values of their properties exist. The possible loss of property values as a nuisance to homeowners strengthens the opposition to the present details of the North American Property plan. Obviously, the current construction plan will continue to replace healthy fresh air, soil with tons of ticky tacky junky structures and an outdoor village shopping area that once upon a time provided an inviting area of the mall. For example, we received a skating

rink without a vote of approval by Village residents. No one I know voted for a miniature skating rink as a substantial substitute for our original setting. In addition, the proposal for a huge office building and a parking deck may mask a more general outcome of the plan that is to replace our homes with a business center between Sam Furr Road and Robbins Park. Please consider the NAP construction plan as a nuisance with a cause of sizeable not imaginary loss of future homeowner property values and vote against rezoning. Already hampered by insufficient auto exits such as roundabouts or traffic lights to Sam Furr Road and Catawba Avenue, the construction plans for an office building and a parking lot threaten the actual appeal of home ownership in the Village. Moreover, the new construction and traffic patterns will create a perfect storm of traffic congestion in the minds of potential homebuyers causing a home selling craze at lower sales prices. As a result, the business center will replace most homes in the Village with the approval of rezoning. I appeal to the Huntersville Town Council, Mayor, Planning Board.

AGENDA CHANGES

Commissioner Kidwell made a motion to adopt the agenda. Commissioner Kovacs seconded motion. Motion carried unanimously.

CONSENT AGENDA

Approval of Minutes – 2023 Winter Retreat. Commissioner Phillips made a motion to approve the minutes of the Town Board 2023 Winter Retreat. Commissioner Kidwell seconded motion. Motion carried unanimously.

Approval of Minutes – February 6, 2023. Commissioner Phillips made a motion to approve the minutes of the February 6, 2023, Regular Town Board Meeting. Commissioner Kidwell seconded motion. Motion carried unanimously.

Budget Amendment – Parks & Recreation. Commissioner Phillips made a motion to approve budget amendment appropriating $13,551,04 from Insurance – Parks & Recreation to Maintenance – Bldg & Grounds for water damage sustained due to burst pipes at the Barry Park storage building. Commissioner Kidwell seconded motion. Motion carried unanimously.

Budget Amendment – Bud Henderson Sidewalk Project. Commissioner Phillips made a motion to approve budget amendment appropriating revenue in the amount of $38,820 Contributed Capital from Standard Pacific of the Carolinas escrow account for the purpose of the construction of the 7225 Bud Henderson Road sidewalk project ($34,820) and for property acquisition services ($4,000). Commissioner Kidwell seconded motion. Motion carried unanimously.

PUBLIC HEARINGS

Petition #R22-05. Mayor Bales called to order continuation of public hearing 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, Principal Planner, entered the Staff Report into the record and reviewed the request. *Refer to Staff Report and Staff PowerPoint attached hereto as Exhibit No. 3.*

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 (all Phases 1-3) would consist of 66.92-acres and 161 single-family homes.

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.

Nate Bowman is agreeable to all of the conditions recommended by staff.

Daniel Gates, 10830 Saltmarsh Lane, Charlotte, said I'm the engineer for the project and available to answer any questions.

Commissioner Munger said if we looked at this as 161 houses all at once, would that have triggered a TIA.

Stephen Trott, Director of Engineering, said we can take a look at it, but it would be close to the threshold, but it may still be under.

Commissioner Munger said from my perspective, I see a pattern here where I'm only going to ask for 50 houses. I'm only going to ask 50 more. I'm only going to ask for 50 more. I'm only going to ask for 50 more. And when I get 50, 50, 50, 50, none of those trigger a TIA, but when I get up to 200, if I had looked at the entire thing and said I have 200 houses, that would have triggered a TIA. It feels like we're playing games.

Mr. Trott said it's probably more of an ordinance question, but developments can't be subdivided or piecemealed to get around the rules that are a current ordinance requirement.

Commissioner Partee said in my hand I have a neighborhood meeting sign-in sheet. There is no date and time stamp on it and then on the back of the sheet it states that notification was sent out per letter, a list attached to these minutes. In attendance was David Peete, Principal Planner, Huntersville; Drew

Bowman; and Whitney Hodges, Bowman Development Group. There were no public attendees. Then I have signatures on the sheet. Can you explain?

Mr. Peete said why no one came out to the meeting? I cannot.

Commissioner Partee said who signed the sheets?

Mr. Peete said what you are looking at is the front page, is the first meeting. The second meeting was held because the item was continued.

Commissioner Partee said there was no date and time on the first sheet that's why I was questioning it.

Mr. Peete said the applicant can certainly add that. I was there. I was party to it, so I can vouch that the second meeting was held. The first meeting had in the neighborhood of 15 folks and most of them were from Charlotte, not that doesn't mean that they didn't have a standing in that notification. But the second meeting with the same list, in fact it was a larger list, no one attended.

Commissioner Partee said was there any pushback at the first meeting regarding this development?

Mr. Peete said there were some questions. I think there was curiosity about how St. Marks could be better served with turning lane movements. Again, those were all kind of being handed down by CDOT. There were some questions about the value or what they were going to sell for. There was not concern necessarily, well I don't want to speculate what they weren't concerned about, but they were definitely concerned about Mt. Holly-Huntersville and its traffic volume. They were concerned about turning movements. I think they would love to see the entry in several other places, but they also saw why it was going there as well. Beyond that, I don't recall anything strongly mentioned.

Nate Bowman said the original rezoning was contentious in several neighborhood meetings. The key question was cut-through traffic and we always contemplated correcting that as best as we could once the Hamilton family, which is who we are buying this property from, wanted to sell. This is really a culmination of what we wanted to tell people we were going to do and provide access to Beatties Ford Road so that there wouldn't be any cut-through traffic really through Westminster. We're building the road connections that could take you through Mt. Holly all the way over to Beatties Ford through our neighborhood, but giving you more options. It's not a straight shot, but everybody that moves into the neighborhood is going to know where the connections are and how they are to be made. This should really relieve everything that Westminster was worried about and basically that's why it wasn't heavily attended. I did call one of the neighborhood activists to make sure she came. We think we've got a better plan and CDOT, NCDOT and the Town of Huntersville like the new connection and the Dewey Puckett connection is also right-in/right-out, so this gives us the street network that we are always looking for in a loop road. We are preserving the Hamilton House. Part of the home is 200 years old.

Commissioner Kidwell said the park area on Page 4 of 12, will you be providing public access to get in and out of that public park area?

Mr. Bowman said it's going to be a public park, but the house itself will probably be a part of the homeowners' association, so they can have activities there and use it for whatever purposes.

Commissioner Munger said on the portion already approved, have you started construction on that yet?

Mr. Bowman said no, we had a six-month delay over a sewer easement, which I had agreed to. It was about 500 sq. ft. and we had agreed to a price of $10,000, which was probably five times what Charlotte Water would have paid and once we were getting ready to sign it, they wanted $80,000, so we decided to pay Mr. Puckett to go through his property. That was a six-month hold up and just like anything else we've been strung for curb out there since Thanksgiving and it's a muddy mess. We've been having some construction issues due to the weather.

Commissioner Munger said if memory serves, it's been 37 months since this was approved. So, 2-1/2 years just kind of haven't had the right set of circumstances.

Mr. Bowman said yes. It sat there probably six to eight months over the sewer easement.

Commissioner Munger said I guess the only reason I bring this up is I look at patterns of behavior and if I look at this project and it was approved 37 months ago, 3 years and 1 month ago, and it hasn't started and I look at some other projects similar with Vermillion Village, nothing's happening.

Mr. Bowman said that's because Charlotte Water ran out of sewer.

Commissioner Munger said I hear lots of excuses, I'm just curious why nothing seems to move.

Mr. Bowman said there's a lot of gatekeepers in our business.....not giving any warning to having no more sewer in the total east basin of Huntersville was very dramatic and hurtful for my business and still isn't resolved. They won't have it until April 2024, and we are still trying to get them to allow us to begin construction and put our pipe in the ground with conditional capacity and that's going to DEQ right now with Charlotte Water and we're hoping to get that by March so we can start three projects in April, but we don't have that resolved with Charlotte Water yet.

Commissioner Munger said I'm also curious, are you pursuing any of the other properties in the area, if I'm permitted to ask. I guess you aren't required to answer, but I'm curious.

Mr. Bowman said no, this is the only property we contemplated so we could make the road access work.

Mayor Bales recognized Planning Board members present: Frank Gammon and Jay Henson.

Frank Gammon, Planning Board, said based on Mr. Munger's previous question regarding the TIA, I have a request that the Planning Department or Mr. Trott provide that answer regarding the TIA on this project to the Planning Board either in the Staff Report or by whatever means he deems necessary.

Mr. Bowman said even without the TIA, we're doing 100' storage left-turn lanes and right-turn lanes on Mt. Holly-Huntersville. Overhill and Carver are both going to be widened from 16' to 20'. We're adding curb and gutter, sidewalk on both sides, some on-street parking, so we are making road improvements to Overhill, Carver, and to Mt. Holly-Huntersville Road. I would assume that if a TIA was done, those are probably what we would have been required to do, but since we had to satisfy CDOT, NCDOT and the Town, we went ahead and agreed to all of that.

Commissioner Kovacs said I wanted to know if we could get the numbers because you stated the CMS information that we have in here does not include Phase 1 because that hasn't been built yet, so could we get that information.

Mr. Peete said I have it for the old from the 2018 and the 2020, which I can provide.

Mr. Peete said Stephen has an answer to the TIA question.

Mr. Trott said it's a lot of numbers to keep up with, so I had to look it up to refresh my memory. The overall development was looked at for the latest TIA determination. It was over. The Town's thresholds have changed since the original development went through. Now based on the new rules, it still was over the TIA threshold, however, we went through the scoping process to figure out which intersections had to be studied. None of them were above that threshold, so therefore no TIA was completed, because those thresholds were also changed as part of the amendment process, so the first box yes. Hit the second box to figure out what you are going to study. Nothing came out of that for them to study, so therefore a new TIA was not required.

Commissioner Boone said once we start the roundabout at five points, the Pembroke Road and Overhill, you will not be able to go into the five points area, is that not correct. It'll be stubbed?

Mr. Trott said the Beatties Ford and McCoy intersection project that we're currently working, we're working on a traditional intersection at that location, not a roundabout. I just want to clarify that. We are still finalizing the right-of-way plans, but the plans that we have so far do not include a connection to Overhill.

Commissioner Boone said so that's going to be stubbed at Pembroke or do you know that or do you know the specifics yet.

Mr. Trott said we're still working through those because Pembroke is currently a state-maintained road, so we've got to work through that with them. We're looking to make it a four-legged intersection instead of a five-legged intersection.

There being no further questions or comments, Mayor Bales closed the public hearing.

Petition #R23-04. Mayor Bales called to order public hearing 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 Petition #R22-05, a proposed revision to Oak Grove Hill CD-Rezoning for an overall 161 lot subdivision (see Petition #R22-05); (Parcel #s 015254432 & 01526450).

David Peete, Principal Planner, entered the Staff Report into the record and reviewed the request. *Refer to Staff Report and Staff PowerPoint attached hereto as Exhibit No. 4.*

This will be much simpler and more streamlined than the last presentation, but please keep all of that information in mind. You can see the red bordered box at the bottom of the image, 6.89 acres. This is very simply in this action to be removed. This is only to occur if the previous request were to be approved. They dovetail together, taking this 6 acres and sliding it into the new.

The recommendation here is to only take this action if the previous action were to be approved next month and then we would make sure that all the notes are updated to reflect that in terms of open space percentages and unit counts and such.

Commissioner Kovacs said is the removal of that from the Phase 1 approved plan considered a substantial change?

Mr. Peete said it is, that is why this is before you. Anytime we look at an alteration to an external boundary, we declare that major.

Joe Sailers, 9332 Westminster Drive, said we were just told that you, the Town, are talking about doing away with a five-point intersection at Overhill, McCoy, Beatties Ford, and the water road. If you do away with the Overhill connection to Beatties Ford Road, people that live here now are going to go down Pembroke to Westminster Park and out where we fought the first time around because it was all one phase that they would not dump traffic through the Westminster subdivision. If the Town is now going to do away with Overhill being able to get out to McCoy, it's going to end up dumping people into Westminster Park. Yes, he's going to have two entrances to Mt. Holly-Huntersville Road, but that's in Phase 3. Originally, we only had one phase, and if we have one phase, then the connection that was supposed to be done to Mt. Holly-Huntersville Road would've been completed, but now there will be no completions of any roads into Mt. Holly-Huntersville Road until the completion of Phase 3, which means the 160 units or 130 units, however many he gets done before he makes the intersection to Mt. Holly-Huntersville Road connected, we're going to have all that traffic backed and dumped into us, whether we like it or not, because right now we're having cut-through traffic because of the stoplight at Beatties Ford Road and Mt. Holly-Huntersville Road. It backs up from that intersection toward Huntersville all the way to W. T. Harris where it dead ends into Mt. Holly-Huntersville Road. It backs up from Beatties Ford Road and Mt. Holly-Huntersville Road all the way to Hopewell Presbyterian Church right now in the mornings and in the afternoons, so you're going to add another 160 cars times three because the families are going to have more than one car and we're going be ended up being stuck with too much traffic.

There being no further questions or comments, Mayor Bales closed the public hearing.

Petition #TA22-16. Mayor Bales called to order public hearing on Petition #TA22-16, 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, Planning Director, entered the Staff Report into the record and reviewed the request. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 5.*

Currently in the Neighborhood Residential, Neighborhood Commercial, Town Center, and Highway Commercial district, we allow one apartment building on one lot and it's a use permitted by right. However, the setbacks don't differentiate, so if I build a 4-unit apartment building or a 200-unit apartment building, the setbacks are the same even if I adjoin a single-family. What we are proposing to do is to amend the ordinance and increase setbacks based on what the adjoining uses are and the greater the density, the bigger the setback.

The staff recommends this amendment be approved. The Huntersville Ordinances Advisory Board did recommend approval 6-1 on January 5. It will go to the Planning Board next week and then ultimately to the Town Board for decision.

Mayor Bales said I think a more tailored buffer makes a lot of sense for the adjoining property lines.

There being no further questions or comments, Mayor Bales closed the public hearing.

OTHER BUSINESS

Petition #TA22-13. Petition #TA22-13 is a request by the Huntersville Planning Department for a text amendment to the Zoning Ordinance to amend Article 3.3.1(a) Manufactured Home Overlay District to update skirting requirements to comply with N.C.G.S. §160D-910 and to amend Article 11.6.1(a) Zoning Compliance to clarify application requirements and to amend Article 9.9 Commercial Communication Tower to comply with N.C.G.S. §160D-937 on collocating wireless facilities on Town utility poles.

Kayleigh Mielenz, Planner I, entered the Staff Report into the record and reviewed request. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 6.*

Petition #TA22-13 addresses three separate topics: (1) Compliance with NCGS 160D-910(g) by removing the masonry skirting requirement for manufactured homes located on land leased to the owner of the manufactured home; (2) Amendment to article 11.6.1(a) Zoning Compliance to state property owner(s) must sign application; (3) Compliance with NCGS Chapter 160D-937 on the conditions and fees for co-locating wireless facilities on Town utility poles.

Commissioner Boone made a motion in considering the proposed amendment TA22-13, the Town Board recommends approval based on the amendment being consistent with Policies Land Use 10, LU-10.1 and LU-11.1 of the Huntersville 2040 Community Plan as the amendment is necessary to comply with the State Legislature. It is reasonable and in the public interest to amend the Zoning Ordinance because it is necessary to coordinate the Huntersville Zoning Ordinance to comply with State Legislature.

Commissioner Partee seconded motion.

Commissioner Kidwell said I'm going to ask some questions on manufactured home skirting. Who is going to enforce this?

Ms. Mielenz said our Code Enforcement would, but really it's going to come up with new manufactured homes being placed. They have to pull a building permit when a new manufactured or mobile home is going to be placed. We review all building permits for zoning, so when they were to pull that permit, that is when we are going to start asking do you own the trailer, who owns the trailer, are you leasing the land, that kind of stuff and at that point we would determine what kind of skirting they would need and then at the end of that, once it's placed and everything, they have a zoning inspection that will be done, so that is one thing that we would look for at that time as well.

Commissioner Kidwell said to clarify, we're only looking at new units, we're not going to send someone out to look at existing units.

Ms. Mielenz said correct, yes.

Commissioner Munger said just to elaborate on, and I believe it was in Commissioner Boone's motion, but because this is part of 160D, this is us complying with the state law and if we say no, it applies anyway.

Ms. Mielenz said correct, except for Section 2, but Sections 3 and 1 would still apply regardless.

Mayor Bales called for the vote to approve Petition #TA22-13.

Motion carried 5 to 1, with Commissioner Kidwell opposed.

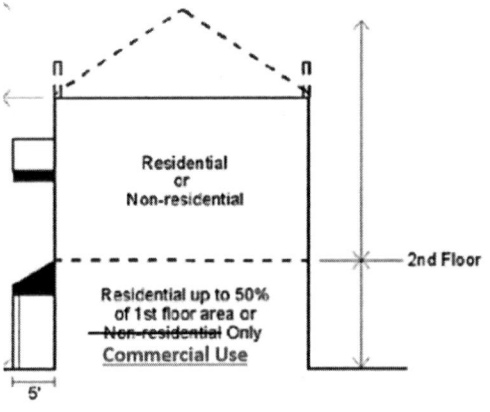
Petition #TA22-12. Petition #TA22-12 is a request by the Huntersville Town Board to amend Articles 4 and 12 of the Zoning Ordinance clarifying first floor residential and commercial area requirements for Shopfront and Workplace mixed-use buildings and associated definition amendment.

Jack Simoneau, Planning Director, entered the Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 7.*

Petition #TA22-12 is a request by the Town Board to clarify for mixed-use buildings the mixture of residential and non-residential. As the ordinance is written today and through this process, we have changed the word non-residential to commercial use.

First floor Shopfront and Workplace Buildings have the following standard: "Residential up to 50% of 1st floor area or Non-residential Only." The Town Board disagreed with staff assigning shared residential and non-residential floor area (i.e., mechanical rooms, maintenance space, etc.) as non-residential floor area. They requested an amendment indicating that only floor area dedicated 100% to non-residential uses would qualify as non-residential floor area.

Through the review process, it was determined the term "non-residential" should be replaced by the term "commercial" as it better aligned with the Town Board's intentions and is defined in the Zoning Ordinance. Below is the initial proposal presented at the public hearing, but has been modified per input from the Huntersville Ordinances Advisory Board and the Planning Board.



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 height to the ridge may vary depending on the roof pitch.
4. Permitted uses are indicated above and are further controlled by district regulations.
5. Where an existing residential building converts to a mixed-use building, at least 40% of the habitable floors area shall be residential
6. **First floor commercial area shall include floor area used exclusively for commercial use and shall not include any floor area that contains or is shared with residential uses, such as storage, mechanical rooms, etc. Any floor area devoted partially or wholly to serving residential uses, shall be considered residential floor area.**

The one thing I want to point out is the difference between the Planning Board and Planning staff recommendation and the Huntersville Ordinances Advisory Board recommendation. The Planning Board and Planning staff recommended the commercial use or up to 50% of first floor area. However, the Ordinances Advisory Board recommended up to 40% residential, so they wanted less residential, a little bit more commercial.

Commissioner Kovacs made a motion in considering the proposed amendment #TA22-12, the Town Board recommends approval with the following change: commercial use or up to 40% residential use from first floor area. The recommendation is based on the amendment being consistent with

Huntersville 2040 Community Plan Policies LU-6, LU-7, LU-10, EV-1, EV-2, DT-1, DT-10. It is reasonable and in the public interest to amend the Zoning Ordinance because the amendment clarifies commercial use and residential first floor area requirements. Further, stating commercial use first and requiring a minimum of 60% commercial space be allocated to commercial use, emphasizes commercial usage of the first floor area in mixed-use buildings.

Commissioner Phillips seconded motion.

Commissioner Boone said since the percentages have changed, in Article 3.2.7 there's a footnote and it's footnote No. 2, that I'll read "The mixed-use building duplicates the shopfront building type and has at least two occupiable stories; at least 50% of the habitable area of the building shall be a residential use, the remainder shall be in commercial use." Will that change at all.

Mr. Simoneau said no, that will not change. In that section of the ordinance, it's talking about the total square footage of all stories of the building, whereas this text amendment is that first floor which is right on the street.

Mayor Bales called for the vote to approve Petition #TA22-12.

Motion carried unanimously.

Petition #SUP22-02. Petition #SUP22-02 is a request by Hitesh Patel on behalf of Hotel Ventures of Lake Norman, Inc. for a Special Use Permit for a hotel at 16221 Northcross Drive (Parcel #00930115).

Mayor Bales said this hearing is a quasi-judicial hearing on the application submitted for petition as Special Use Permit #22-02, which is a request by Hitesh Patel on behalf of Hotel Ventures of Lake Norman, Inc. for a Special Use Permit for a hotel at 16221 Northcross Drive.

Quasi-judicial hearings are evidentiary in nature. Only parties with standing including the applicant, property owner, local government, and individuals who can show they will suffer special damages, have the right to participate fully in the hearing. Special damages must be particularized separate and distinct from damages to the public at large. Special damages are a fact specific inquiry. While proximity may bear weight in the determination of special damages, proximity in and of itself is insufficient to grant standing.

Parties may present evidence, call witnesses, and make legal arguments. Other individuals may, but are not required to be, allowed to speak as a witness. However, they will not be allowed to participate fully as a party, such as by questioning other witnesses or by calling other persons to testify.

Witnesses must swear or affirm their testimony. General witness testimony is limited to facts, not personal preferences or opinions. Certain topics require expert witnesses, including projections about impacts on property values and traffic impacts. Individuals providing expert opinion testimony must be qualified as experts and provide the factual evidence upon which they base their expert opinion. Mere conclusionary testimony lacking the foundation of the expert's opinion is insufficient to establish the existence or non-existence of a fact or conclusion.

The Board must base quasi-judicial decisions upon competent, material, and substantial evidence in the record. Competent evidence is evidence that is sufficiently trustworthy and reliable and that is legally fit and acceptable for consideration by the Board. Speculative, irrelevant, or vague evidence; non-expert

opinions as to something that requires an expert; and non-excepted hearsay evidence will likely not be competent evidence.

Material evidence is evidence that shows that the standards will or will not be met.

Evidence is substantial if it is relevant and regarded by a reasonable person as sufficient to support a specific conclusion. Speculation, unsubstantiated fears of the community, or vague assertions do not constitute substantial evidence.

Quasi-judicial hearings are constrained by standards in the ordinance and the facts presented.

Even though the Board may hear other evidence, if it is not objected to, the Board should rely on competent, material, and substantial evidence in making its decision.

The Board will recognize the applicant as a party, as well as the other property owners if different from the applicant. Are there other persons who believe they have standing to participate fully as a party? If so, please come forward at this time.

Seeing none. If you do not wish to participate as a party, please wait to come up until after we've identified parties with standing, but it looks like the only parties here today with standing are the applicant. Is the landowner here by chance? The applicant?

Susanne Todd said yes, [inaudible].

Mayor Bales said okay, thank you, then we will move forward.

Will each party with standing please come up and we need to swear you in, and at the same time we'll do that with staff as well.

Mayor Bales swore in Jack Simoneau, Jesse James, Stephen Trott, Hitesh Patel, Jay Henson, Susanne Todd and Zachary Spurgeon.

Mayor Bales said for those of you who are here, we have not done a quasi-judicial hearing or had a quasi-judicial hearing since last July, so please bear with me.

The parties to this case are entitled to an impartial Board. A Board member may not participate in this hearing if she or he has a fixed opinion about the matter, a financial interest in the outcome of the matter, or a close relationship with an affected person. Does any Board member have any conflicts of interest to offer at tonight's meeting?

Commissioner Phillips said I would like to disclose that in my interim job I am working with the hospitality industry and I'm on the board of Visit Lake Norman, so if the Board would prefer, I can recuse myself.

Mayor Bales said I don't think that would be necessary. I mean, you are representing the Town on Visit Lake Norman, so I think we are good there.

The parties to this case have rights for any ex parte communication to be disclosed. Ex parte communication is any communication about the case outside of the hearing. That may be email communication, as well as conversations with parties, staff, or the general public. Does any Board member have any ex parte communications to disclose?

Commissioner Kovacs said I had a two second one-sided conversation with Commissioner Kidwell before realizing it was quasi-judicial, since it wasn't shared with us that it was.

Commissioner Phillips said I've had general conversations, we've received emails in the past, and we had the public comments during the public hearing. I just wanted to put that on record for all, but nothing that has been done has swayed me one way or another.

Commissioner Munger said I did not realize this was quasi-judicial either, and I have had conversations with at least two people on this Board, but it does not affect how I feel in general about it.

Commissioner Kidwell said I talked to a ton of people on this Board. We've had, you know, in-depth conversations, hours long. Just kidding. Does not [inaudible] me.

Mayor Bales said this is public record.

Commissioner Kidwell said yeah, I know.

Mayor Bales said based on the disclosures we've heard from the Board concerning partiality and ex parte communications, does any member of the Board or any party to this matter, have an objection to a Board member's participation in this hearing? I will first look to this Board, and now I will look to the parties. Do you have any objections?

Susanne Todd, Attorney for Applicant, said it's hard to say since I don't know what the conversations were about.

Mayor Bales said please disclose if you have had conversations.

Commissioner Munger said I went over some of the questions that I had tonight for the applicant and just kind of broad general questions about specifically some of the numbers related to the medians, the various scenarios that were presented.

Commissioner Kidwell said I had a conversation with Commissioner Kovacs tonight just on where I fell on this and pretty much said undecided.

Commissioner Kovacs said ditto. We went down the list, how we feel about items. I said this, I'm not sure.

Ms. Todd said we have no objection as long as they can make impartial decision.

Mayor Bales said I'd like to call on Planning staff for the presentation.

Jesse James, Principal Planner, said I'm going over SUP22-02. Please enter the Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 8.*

As we've already discussed, all the items that go within a special use permit, quasi-judicial hearing, burden of producing competent material and substantial evidence lies on the applicant. There's a simple majority vote for approval. So why is a SUP needed in this particular case for Northcross Hotel? Included in this, the second part of this SUP is a conditional district rezoning and part of the analysis into that was Section 3.2.9, which goes into the Corporate Business district, which is the zoning that the applicant is looking to go for for the approval of a hotel, specifies that any hotel that borders a single-family residential zone or use, and that's property line to property line, don't confuse it with structure to property line, requires a special use permit.

The conditions for that section are Article 9.4.5, which is the hotel and motel use under the Corporate Business district. As we already spoke about, one of the triggers that hits this for a special use permit is property line to property line. You'll see a site plan. Next it shows that site plan with the single-family residential use to the rear.

The other part that does trigger an SUP is the height for a hotel or motel cannot exceed the district for which they're going for. The Corporate Business district does allow some uses within other building types to go over 45', but this particular building type has a height max of 45'. The applicant is asking for 47'.

The site plan on the screen shows what I was speaking about before. The back property line is directly adjacent to those single-family homes to the rear, and the proposed hotel, which is 47', goes over the building lot type of 45'. Article 9.45 does allow an increase in height with the condition of a special use permit.

The current slide shows the situation at that area. You see the site plan with the wooded evergreen trees and some of the deciduous trees in the back. The single-family residential neighborhood behind that, and it is surrounded by commercial uses on either side with I-77 across.

I just wanted to show an elevation of the proposed hotel. We'll see more of this in the conditional district rezoning hearing. This height, as I talked about before, which is a workplace building type, is 47' proposed. The maximum height is 45'. An important note, CB does allow up to 48' or four stories with other building types. In a hotel use the best building type and lot type that work within that district is the workplace building type.

Part of any special use permit is Section 11.4.10(e)(2) and that goes into the applicant burden section. Part of staff's analysis is to go through these five criteria and list any staff findings within this burden. The applicant has the burden to prove that these are all met.

I'll go over the staff's findings.

1. The proposed special use permit will not materially engage the public health or safety. From our analysis and going into permitting and reviewing any site plan, we would go into any public health or safety that might be impacted. That includes fire and building safety codes that would be done by Mecklenburg County and this would not endanger public health or safety. We wouldn't allow that through the permitting process.
2. The proposed special use will not substantially injure the value of abutting property or it constitutes a public necessity. The applicant did have an Impact Analysis on neighboring property values completed by Hotel and Club Appraisal and Consulting Services. Their analysis

found that property values of abutting properties will not be negatively affected. The applicant does have a presentation on that.

3. The proposed special use will be in harmony with the area in which it is located and in general conformity with the comprehensive plan and any applicable small area plan. Staff's review of this, the proposal is consistent with the Huntersville 2040 Community Plan LU-5.1, 6.2, 7.1, and EV-1.3. Furthermore, hotels are a use by right in the Corporate Business district currently and this proposal complies with all the applicable ordinances with the exception of one minor modification of the 2' of height, which also triggers a special use permit. A reminder, it does require the conditional district rezoning.
4. The proposed special use will comply with all of the lot, size, yard, and other standards which this ordinance applies to all uses permitted in the zoning district in which the property is located. Through our analysis and review of the plans, the proposal does comply with all applicable standards with exception to the one minor modification.
5. The proposed special use will comply with all general and specific standards required by the appropriate section of the ordinance for issuance of a special use permit. This is simply all the standards will be met through the review process.

As far as staff recommendations, staff does find that the special use permit application meets all the requirements for a proposed hotel based on the above findings of fact. Staff recommends approval if the Board finds that the applicant has presented competent, material, and substantial evidence that proves the criteria for a special use permit.

I am available for questions. The applicant is also here for a presentation if there are not questions of me.

Mayor Bales said does the applicant.....would you like to speak or testify or do you want to call your first witness. How would you like to proceed?

Ms. Todd said I have a presentation, but I do have some notebooks to hand out to the Board members with information that we are presenting, including affidavits from two expert witnesses who are here today.

Mayor Bales asked they are also testifying what's in the notebook?

Ms. Todd said yes, they've been sworn in and they can answer any questions.

Mayor Bales said then we will allow that. Thank you. While she's bringing those binders up, does anyone have any questions currently for Mr. James.

Commissioner Munger said one of the things with the hotel is that it has to be 250' away from the nearest property, and we know this one abuts a neighboring property. But that's property line to property line. One of the things I saw in there is that the actual structure of the hotel will be 339' away from the neighboring property line, which would imply, and I know some of this you might have to draw some conclusions, but to me that would indicate that the actual property to property distance is probably about 400'. Does that seem like a fair assessment?

Mr. James said the conditions for this particular use in that district call for the measurement to be property line to property line, so I can't make that conclusion. The fact is, the structure of the hotel is that distance you had said from the actual single-family property line. There is a buffer as well that I'll

go into in more detail with the conditional district rezoning, but that goes over the required buffer for that district of 80'. That buffer is 124' proposed, and then you've got the parking lot between those two that adds an additional distance.

Commissioner Munger said I'll probably leave that one alone then.

Mayor Bales said does anyone else have any other questions at this time for Mr. James? As you come, if you will also as you begin, please state your name and address for the record, as well as the relation that you have to this case.

Susanne Todd said I'm a land use attorney. My address is 1065 East Morehead Street, Charlotte, NC 28204. Before I begin, is there anyone in opposition to this?

Mayor Bales said no one else has signed up.

Ms. Todd said I'm here today on behalf of Hotel Ventures of Lake Norman, the applicant. With me are two generations of the Patel family – Hitesh Patel and his brother Rakesh, and father Mr. Patel as well.

Again, we are asking for a special use permit to allow hotel use in this area, as well as following we'll be asking for a rezoning from Corporate Business to Corporate Business.

As you know, this is our burden and so I'm going to go through this information as quickly as I can and we may not use all exhibits, but I did want to share with you, just kind of run through the exhibits that are in this notebook.

The first one is, of course, a copy of our site plan overlaid onto an aerial because I thought that was more effective than the basic site plan. We also have the Article 9.45. This is something that you have already seen that shows what we need to show if we need a special use permit, and of course we need a special use permit for the distance as well as for the height. With a special use permit, a hotel can actually go up to six stories and stories is not defined. We have to be a minimum of 141' from the property line with the edge of the structure, and we're actually 339'.

Access has to be along or front on a major or minor thoroughfare and you can see that Northcross Drive is in fact a minor thoroughfare, so we comply with that, and there's also a requirement in the hotel use conditions that we comply with applicable standards and ordinance. The staff's findings validate that we do comply with the applicable standards and ordinances with that minor request for an additional 2' of height.

Exhibits 1 through 5 address those hotel specific conditions. If you look at Exhibits 1 through 5 in the Index, the Staff Report, the minor thoroughfare exhibit, as well as separation requirements and the site plan and the Article 9.45, you can see that we've complied with those aspects.

The next thing we have to comply with are the SUP standards, which are also in your ordinance, which are set forth and which Mr. James also addressed. We are going to run through those quickly as well.

The next item in the notebook is in fact Exhibit 6. I'm just reading these into the record. That's our Application Burden Form. We also have an affidavit of Zachary Spurgeon who is with Hotel and Club. He's an MAI appraiser. You'll be hearing from him, as well as a copy of this Impact Study.

We have an affidavit of Mr. Jay Henson who is also with us today. He's going to testify that the site plan meets general specific ordinance requirements. And also, he's got a great cross-section that's attached to his affidavit as well.

The last affidavit is not an expert, but it's from in the sense of what we need to show, but it is by Mr. Hitesh Patel. He has a Northcross Masters Association plan approval letter attached to that.

The last item, No. 10, is actually proposed findings of fact should you care to consider any of those.

The first witness I'm going to call is Mr. Spurgeon to talk about his impact study and to address the proposed special use will not substantially injure the value of abutting property. He'll also be able to address the proposed special use will not materially endanger public health or safety. You've also heard that in the Staff Analysis that there's no reason to believe that this building will not be constructed in compliance with all ordinances and building code requirements, as well as address the special use to be in harmony with the area which is located in general conformity.

Mayor Bales said Mr. Spurgeon, as you come up, if you will please state your name and address for the record, and again your relation to this case.

Zachary Spurgeon, 3717 West Market Street, Greensboro, said I am a partner with Hotel and Club Associates out of Greensboro. I have been with the firm since 2006 and have more than 16 years of experience on real estate consulting and appraisal. I'm here today as a consultant. I hold a Bachelor of Science degree from NC State University and a Certificate in Hotel Real Estate Investments and Asset Management from Cornell.

Our firm was retained by the applicant to evaluate three items relative to the hotel – whether it will materially endanger the public health or safety, whether it will be in harmony with the area and conform to the Comprehensive Plan, and whether it will have any adverse impact on neighboring property values. I prepared the report in front of you, which I will refer to in my testimony.

In developing opinions on these matters, I visited the proposed hotel site and surrounding neighborhood, reviewed site plans and building plans for the hotel, aerial maps of the neighborhood, and reviewed the Huntersville long-term 2040 Community Plan. In analyzing any potential impacts to property values, I completed a matched pairs analysis.

Regarding whether the hotel will materially endanger the public health or safety, the hotel will be a good quality modern hotel. It will meet all applicable fire and building safety codes. Primary ingress and egress will be on Northcross Drive, a minor commercial thoroughfare. It will be a franchise hotel, which will require the owner to maintain high levels of maintenance, along with fire and life safety standards. For these reasons, it's my opinion that the hotel will not materially endanger the public health or safety.

Regarding whether the hotel will be in harmony with the area and conform to the Comprehensive Plan, the hotel is within the Employment Center character area. As previously noted, it's adjoined to the north and south by commercial uses and to the west by a single-family residential neighborhood. There's a 124' wooded buffer which will separate the residential neighborhood from the hotel improvements.

The Comprehensive Plan encourages more intense development where transportation and utilities already exist, LU-5.1, which is the case with the hotel project. In the Employment Center, there are

expanded options for frontages, including buildings fronting the street, LU-7.1 which is also the case with the hotel. The hotel project will create job growth, support small business and entrepreneurship, and expand the local tax base, contributing to the economic vitality of Huntersville, EV-2.1. As previously noted, hotels are a use by right within a zoning district, EV-1.3. For these reasons, it's my opinion that the hotel will be in harmony with the area and conform to the Comprehensive Plan.

Whether the hotel will have any adverse impact on neighboring property values, there are three residential lots in Birkdale that adjoin the hotel site. These lots will be buffered by a 124' wooded area. The hotel improvement will be constructed as noted earlier on the far eastern portion of the site, with the closest residential lot being 339' from the hotel building. The hotel will also have kind of a unique step-down design that's three stories on the western side, closest to the residential lots and four stories in the middle.

I performed a matched pairs analysis to analyze the potential impacts the hotel project might have on property values. Three paired sales analysis were completed on residential neighborhoods that adjoin a hotel property. First, I looked at recent sales data for homes that adjoined the existing hotels. Next, I looked at recent sales data for homes in the same neighborhood that are not adjacent to that existing hotel. After adjusting for certain factors, I compared the two sets of data to determine whether there was any adverse impact on property values due to the proximity to a hotel.

The closest residential neighborhood that I analyzed is in Huntersville, near Exit 23. The hotel is the Best Western Plus on Statesville Road and the neighborhood is immediately east. I completed a similar assignment in Durham and have included two residential neighborhoods in Durham that are adjacent to an existing hotel.

In all three analysis, the average adjusted sale prices per sq. ft. for properties adjoining hotels did not indicate any adverse impact on property values when compared to the same metric for properties in the same neighborhoods not adjacent to the hotel. In other words, market data shows no adverse on property values as a result of proximity to a hotel. Therefore, it is my professional opinion that the proposed hotel will not have any adverse impact on neighboring property values.

If you have any questions for me, I'll be happy to answer them.

Mayor Bales said does the Board have questions for this witness?

Commissioner Munger said is there a particular reason you use median instead of mean when you were comparing the values.

Mr. Spurgeon said I just thought the median would be a good reflection of the.....

Commissioner Munger said the reason I ask that is if I take five numbers 2, 4, 6, 10,000 and 20,000, the median is 6. The mean is 5,002. It tends to disguise something that may be happening underlying with data. I did have some questions about some of the particular scenarios you put forth. On the first one, the Best Western Hotel, the question I had was specifically about No. 5, 406 Mt. Holly-Huntersville Road. On that one, it has an inground pool. It's the furthest away property. It's on a minor thoroughfare and has a much higher acreage. All of these which suggest a much higher value and as you know, this one actually skews downward as the suggested sq. ft. is $40 below average. For me, this looked like more of an outlier than a comparable. If I remove that, the adjusted non-hotel comps go to $212.07, and again

these are averages, and the hotel neighboring property $201.97 per sq. ft., meaning the difference in mean is -5 percent compared to 0.9 percent. Would you disagree with that?

Mr. Spurgeon said could you repeat the last couple of sentences.

Commissioner Munger said the adjusted non-hotel comps goes to $212.07 and the hotel neighboring property stays constant $201.97 and the difference in mean is -5 percent compared to a -0.09 percent.

Mr. Spurgeon said that sounds accurate. I'd have to do the calculations.

Commissioner Munger said the next one I'm going to look at is Scenario Two, a Trinity Park residence and the house in question that I'm looking at is the 109 Watts Street. This one has a nearly 50 percent larger lot, has the most sq. ft. Year built range of all other houses is 1906 to 1925, whereas this house was built in 2009. Again, this looks like more of an outlier to me. If I take that one out, the adjusted non-hotel comps are $366.01 per sq. ft. The hotel neighboring property stays constant $409.69. The difference in mean is a +10.7 percent compared to a +0.2 percent. Just throwing out numbers. The last one, the Durham LaQuinta, this one actually makes sense to me. The only thing I want to point out is the hotel neighboring property is the only one that did not sell for above asking price, spent 45 days on the market, when none of the others even hit double digit days on market. Again, difference in mean is +6.9 percent, whereas the median difference is a +5.6 percent. That's kind of the point of emphasis. Anytime I see a median, it makes me jump. I'm a data person. Overall, the interesting thing is in two out of the three scenarios, property values actually increased for the hotel neighboring property, which is just kind of an interesting thing. In general, if you can explain why the outliers were chosen and was there in any way a directive given to you to get that number as close to zero.

Mr. Spurgeon said was a directive given to me?

Commissioner Munger said yes.

Mr. Spurgeon said absolutely no. No, I acted very independently the whole time. In regards to the Residence Inn in Durham, that if I recall, just because I understand the other ones are older properties and historic, this one is 13 years old roughly. But that doesn't necessarily mean that it wouldn't be a comparable sale. I understand it's got newer finishes, but it is in the same neighborhood. Size-wise, it's right in line with the other ones in terms of some of the other features. I'd have to go back and look at the MLS data sheet and talk to the listing broker again about it. On the surface, you know, just because of the age, I wouldn't necessarily discount it totally as a comparable. On that last neighborhood, the LaQuinta one, I can't remember which cell you were referring to.

Commissioner Munger said I was referring to the hotel adjacent being on the market for 45 days and it was the only one that was at listed price, everything else was over listed price.

Mr. Spurgeon said the days on market were a little higher for that one. I acknowledge that. Potentially that implies that you may have a more limited buyer pool in that case. But did it impact the value that you actually got for your house. That doesn't appear to be the case. Interestingly, in the second analysis on the Residence Inn, the No. 1 which actually borders the hotel, had a days on market of five days and there's actually no buffer. There's a brick fence that's maybe 8' tall that separates the hotel from this house, and they had some vegetation, but it was snapped up pretty quick.

Commissioner Kovacs said just out of curiosity were these numbers.....was there anything in the formula that took into account the fact that some of these times were the highest point of our market in our zip code.

Mr. Spurgeon said I believe all the sales were within the same general time period and were adjusted for the date of sale and because they were all kind of in the general same timeframe, I don't see any impact from that.

Mayor Bales said any other questions for this witness?

There were no other questions.

Mayor Bales said Ms. Todd, do you wish to call any other witnesses to speak on behalf of the case?

Ms. Todd said did any of the comments on the mean versus median, did that change your opinion?

Mr. Spurgeon said no, it did not.

Ms. Todd said you mentioned the buffers between the properties. Can you explain what buffer was between the Best Western and the adjacent property.

Mr. Spurgeon said the Best Western here in Huntersville has a wooded buffer, it's in my report, but I believe it's roughly 85' of a wooded buffer versus the applicant's buffer of 124'.

Ms. Todd said I have no further questions and I would just call Mr. Henson.

Mayor Bales said Mr. Henson as you come, if you will please state for the record your name, address, and relation to the case.

Jay Henson, 121 Gilead Road, said we were contracted to do the site development plans. We did the site plan, the site engineering, so we did prepare the plans. We did a grading plan that showed sort of a cross-section of how the site works. We provided underground stormwater detention to sort of increase a little bit of that buffer in the rear so that we were able to save more of the existing trees. In addition, we committed to some landscape material, larger evergreens on top of the wall in addition to the buffer to sort of protect with headlights and some additional visual screening. We've coordinated and contacted NCDOT with driveways and have worked with staff regarding any other site plan items such as parking, layout, setbacks, etc. I'll be glad to answer any specific questions y'all have.

Mayor Bales said are there any questions for this witness?

There were no questions.

Mayor Bales said Ms. Todd, do you have any additional witnesses?

Ms. Todd said we do have an affidavit from Mr. Patel that concerns there were questions raised during the public hearing with regards to maybe the difference in types of hotel uses, extended stay versus the different products. I don't know if that's 100 percent appropriate for here, but if there is a concern about that, then I would rather address that in here as a health and safety issue.....if there is a concern about the hotel products, let me put it that way.

Mayor Bales said are there any questions from this Board regarding hotel product?

Ms. Todd said he does address that in his affidavit.

Mayor Bales said seeing none.

Ms. Todd said again, the rest of the presentation really has to do with efforts made by the client with regards to massing. As you heard previously, the, you know, moving, setting in the fourth story so that gives a perception of being more of a third story building with the fourth kind of in the center, so it's set off from the road and from the properties behind in an effort to make this harmonious with the surrounding area. You can see, I like this cross-section because I really think it shows you the 124' buffer that's between the residents, as well as the proposed retaining wall, and then we will have on top of that retaining wall a row of evergreens. And then, of course, you do have the parking lot trees and then the 339' before you even get to the structure itself, so I do think that's valuable to see.

Again, you can see how this property lines up with the existing property's parking lots and the rear of the property. Attached to Mr. Patel's affidavit is a letter from the Northcross Master Association, property where he receives approval for the plan. They've approved the plan as well as the architectural specifications.

Mr. Spurgeon did mention, as well as staff, it's always difficult to weigh in on whether something complies with the Land Use Plan when you have the experts and the staff sitting there telling you it does and we would agree with staff's assessment of that as well, that this does comply. It's in the Employment Center and it does comply with the Land Use Plan. We're available for any questions you might have.

Mayor Bales said are there any other questions for the applicant?

Ms. Todd said I'd like to do a little bit of housekeeping, if I may, and tender both witnesses as experts in their field of land evaluation as well as architectural site plan design, and tender the notebook Exhibits 1 through 10 into the record. *Exhibits attached hereto was Exhibit No. 9.*

Mayor Bales said does the Board have any more questions for the parties or witnesses before we move into deliberation? Hearing no additional questions or presentation of relevant facts, the Board will now begin deliberation. The evidentiary hearing remains open so that the Board may ask clarifying questions, if needed. As a reminder, this Board is tasked with deciding if, based on competent, material and substantial evidence presented at the hearing before this Board, this proposal meets the applicable standards.

If the applicant meets their burden of producing competent material and substantial evidence that the standards in the ordinance will be met, the burden shifts to the other parties opposing the application to show by competent material and substantial evidence that the standards in the ordinance will not be met.

If conflicting evidence is to be a standard as presented, the Board will weigh through that evidence and we did not have anyone opposing, a party opposing the application. If the applicant does not meet their burden of producing competent, material, and substantial evidence, that the standards in the ordinance will be met, the Board must deny the application.

The application as originally submitted was considered by the Planning Board and the Planning Board made a recommendation. Nothing that occurred at the Planning Board level, including the Planning Board's recommendation, is considered evidence that you can base your decision on. However, the Planning Board's recommendation may be useful to the Board in identifying issues that this Board may want to consider and evaluate based upon the evidence that was presented at the hearing before this Board.

Is there any deliberation that needs to be had? Any additional questions for the applicant or the witnesses?

Seeing none, is there a motion regarding this request?

Commissioner Partee said I have a question, Ms. Sloop, and I may be out of order. In my career in law enforcement when a defendant or a person of standing presents evidence, normally under discovery we receive the evidence prior to the hearing, so we have a chance to evaluate and come up with questions that may be appropriate at the time of the trial or at the time of the hearing and tonight I'm just getting a booklet without having to properly examine the content and then you want myself to make a decision on this case, so therefore are we out of order or is this appropriate or is this a pattern when it comes to quasi-judicial.

Emily Sloop, Town Attorney, said first just a point of clarification, quasi-judicial is not the same as a formal evidentiary hearing. At the quasi-judicial hearing, you're only able to base your decision on information that is provided at the quasi-judicial evidentiary hearing and seeing as how the witnesses were here to testify as to what they put in the affidavit, it's appropriate because they are testifying as to the same information included in the notebook. The counsel had indicated that she is preserving the record by presenting the notebook into the record.

Commissioner Boone made a motion in considering the Special Use Permit #SUP22-02, Northcross Hotel, we the Town Board finds the request meets all required criteria for granting a Special Use Permit for a hotel spaced less than 250' from a residential zone, as outlined in the Zoning Ordinance Article 9.45. The Town Board grants SUP22-02 and incorporates staff's findings of facts for the standards to grant SUP22-02.

Commissioner Phillips seconded motion.

Mayor Bales said is there any discussion?

Mayor Bales called for the vote to approve Petition #SUP22-02.

Motion carried unanimously.

Mayor Bales said the staff will draft and I will sign the final written decision to reflect the vote and reasoning for this decision. Thank you to everyone for attending the hearing regarding Petition #SUP22-02, a request by Hitesh Patel on behalf of Hotel Ventures of Lake Norman, Inc. for a special use permit at 16221 Northcross Drive. We welcome you to stay for the other items on the agenda, and if you are leaving, please do so quietly at this time.

Commissioner Phillips said a point of housekeeping. Ms. Sloop what would you like us to do with the notebooks.

Ms. Sloop said you can keep them and read them again if you would like or you can give them to the Clerk.

Petition #R22-06. Petition #R22-06 is a request by Hitesh Patel of behalf of Hotel Ventures of Lake Norman, Inc. to rezone approximately 2.66 acres at 16221 Northcross Drive from Corporate Business Conditional District to Corporate Business Conditional District to permit a four-story 109-room hotel.

Jesse James, Senior Planner, entered the Staff Report into the record and reviewed the request. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 10.*

This request is for a conditional district rezoning from CB-CD to CB-CD. The main difference between the two is the site plan within the original CB does not allow hotels as a land use.

The growth in 1997 shows the commercial district for the CB-CD was graded in 1997, where the residential subdivision to the rear was not yet established. In 2002, you can see part of that commercial district being built and then the single-family residences to the back were added around 2002, with some of that site actually being graded later for the commercial district.

The current zone is still Corporate Business Conditional District. The main item there is hotels were excluded from uses to be allowed in that district. That was in 1994, or actually before that, and was amended in 1994 to convert to conditional business instead of business park conditional district. The important part of that is Corporate Business now does allow hotel uses with conditions.

This rezoning request is for a hotel – 109 rooms, 109 parking spaces, 4 stories, 47' high. They are proposing 339' building separation from the residential zoning line. That gives an additional buffer that they did not have to do. A special use permit is required. That's already been gone over. They meet the specimen tree save number of 30 percent and actually are going 10 percent higher than that. In the rear there's an 80' vegetated buffer provided. Actually, it's 124' buffer provided, 80' is required with the additional row of evergreen trees. This site plan does not show that, but it's along the back of that retaining wall against the parking lot. There's actually a proposed connection to the La Unica restaurant, which is a requirement in the ordinance and they are asking for the 2' modification, which is part of a conditional district rezoning. That is the minor modification request.

During the Neighborhood Meeting, some of the residences were concerned with windows on the back of the hotel. I worked with the applicants to take those windows off the back to provide more security on the back. Also, in the ordinance we require buildings that do not meet the massing, meaning the adjacent properties which are one and two stories, to then make that massing perceive to be smaller, so they did that on the top. They took actually part of the back and the front and the sides and reduced those down as well as adding architectural features for different exterior building requirements, so they have concrete and then brick and then another material on top.

One item that was not present at the hearing is NCDOT TIP Project I-5715 that will add an on-ramp from I-77 northbound to connect to 21 and Northcross Drive. They still have to do the right-of-way acquisition, but that will add more traffic on Northcross and possibly add more commercial uses that have not been added before and just have more visibility for commercial uses as well and by also relieving some of the congestion on 73.

The proposed site is within the Employment Center. The Employment Center asks for a mix of retail, residential, live and work units. An important part of the aspect is when you have employers, you need a place for them to stay temporarily, so the Employment Center does ask for hotel uses within that. With that being said, the Planning Board recommended approval of R22-06. It does meet the Community Plan 5.1, 6.2, 7.1 and EV-1.3, the same land use plan items that were approved under the Special Use Permit. The proposed development is consistent with the surrounding development's character by varying the massing of the building and further adds additional buffering that is not required under the ordinance. It is reasonable and in the public interest to approve the rezoning plan because the rezoning is consistent with the envisioned use and development pattern set forth in the 2040 Community Plan. The Planning Board had that same approval statement and that was approved 8-0, with one recusal.

Commissioner Boone made a motion in considering the proposed application R22-06, Northcross Hotel, the Town Board recommends approval based on the Plan being consistent with the Huntersville 2040 Community Plan policies LU-5.1, LU-6.2, LU-7.1 and EV-1.3. The proposed development is consistent with the surrounding development's character by varying the massing of buildings to reduce the perceived scale and volume and further provides additional buffering than required by code with the adjacent single-family residential zoning to the west. It is reasonable and in the public interest to approve the rezoning plan because the rezoning is consistent with the envisioned use and development pattern set forth in the 2040 Community Plan.

Commissioner Partee seconded motion.

Commissioner Kidwell said where the parking lot extends back, to the left and right of the proposed area, it extends further than the other two parking lots. My question is on the photo, though, it looks like there's either a retention pond or a natural area.

Mr. James said the difference between those sites and this, this site provides, it's kind of you can see it in the box area in the parking area, that's an underground retention. That actually helps provide more parking, but then it allows for additional buffering.

Commissioner Kidwell said my other question is for the applicant. In terms of heating and air-conditioning units, where will those be located and will those be able to be seen from the road.

Hitesh Patel, 3836 Honors way, Augusta, Georgia, said no, all of the equipment would be screened so we would have some rooftop equipment, two I believe, and they will be screened as well from street level and adjacent areas and then any that we have on ground level will be screened with landscaping or little wooden fences and so forth.

Commissioner Munger said I'm not sure if this is for the applicant or staff, you mentioned the connection to La Unica, has La Unica agreed to the connection and is the space available, meaning are there parking spaces they're going to lose because of that connection.

Mr. James said La Unica was required to have that stub, so that stub actually goes to the property line, so this would actually just join that stub. The parking spaces that they have now I think they just use for overage parking or convenient parking in the front, but they are not meant for parking spaces.

Commissioner Munger said it's technically not a parking space, it's just a stub and they're connecting stub to stub.

Mr. James said they're convenient parking spaces now, but they were never meant for parking spaces.

Mayor Bales called for the vote to approve Petition #R22-06.

Motion carried unanimously.

Huntersville Ordinances Advisory Board Appointments. Three members (Brandy Skelly, Thomas Finlay and Tim Taylor) have terms expiring February 2023 and are not seeking reappointment.

Six applications were received for the three positions.

Commissioner Munger nominated David Johnson, Jacob Palillo, Darryl Wood.
Commissioner Partee nominated Scott Harrington, Jacob Palillo and Michael Pollard.
Commissioner Kidwell nominated David Johnson, Edward Montague, Michael Pollard.
Commissioner Kovacs nominated David Johnson, Jacob Palillo, Michael Pollard.
Commissioner Boone Harrington, Palillo, Pollard.
Commissioner Phillips nominated Harrington, Palillo, Pollard.

Commissioner Kidwell said isn't Mr. Palillo on your housing authority.

Mayor Bales said Mr. Palillo was appointed to the Affordable Housing Task Force.

Commissioner Kidwell said does that interfere with.....I know no one can be on two different committees.

Emily Sloop, Town Attorney, said in the resolution that the Town Board previously passed in 2018, they did include waiver language that would allow the Town Board to appoint someone to an additional appointed board if the Board essentially deemed fit.

Mayor Bales said based off my numbers, I have Mr. Palillo and Mr. Pollard appointed to the Ordinances Advisory Board. There was a two-way tie between Mr. Johnson and Mr. Harrington. I'm going to ask one more time and we're going to stick with those two names.

Commissioner Phillips nominated Harrington.
Commissioner Boone nominated Harrington.
Commissioner Kovacs nominated Johnson.
Commissioner Kidwell nominated Johnson.
Commissioner Partee nominated Harrington.
Commissioner Munger nominated Harrington.

Mayor Bales noted that Mr. Harrington currently serves on the Parks & Recreation Commission and has agreed to resign from that commission if appointed to HOAB.

Commissioner Boone made a motion to appoint Mr. Harrington, Mr. Palillo and Mr. Pollard to the Huntersville Ordinances Advisory Board.

Commissioner Partee seconded motion.

Motion carried unanimously.

Resolution – CIP Funding/RAISE Grant. The Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant Program, to which the Town of Huntersville is applying for funding to complete multi-use paths along Church Street and Holbrooks Road, and a sidewalk on Dellwood Drive, requires a minimum of 20 percent local funding match. This resolution is requesting approval for designating $2,430,000 in CIP funds that are already committed to the Church Street Extension project, from Holbrooks Road to Dellwood Drive, as the Town's local match for the RAISE Grant project.

Commissioner Partee made a motion to approve the $2,430,00 in capital improvement project funds that are already committed to the Church Street Extension Project from Holbrooks Road to Dellwood Drive as our local match for the RAISE grant project.

Mayor Bales asked Commissioner Partee to amend his motion to $2,541,225.

Commissioner Partee amended his motion to approve $2,541,225.

Commissioner Kidwell seconded motion.

Motion carried unanimously.

Resolution attached hereto as Exhibit No. 11.

Contract for Audit Services. The Town released a RFP for audit services on December 14, 2022 and posted an invitation to bid on the Town's website. After reviewing a list of audit firms from the LGC website, an invitation to bid was emailed to five firms providing governmental audit services in our area. Only one firm responded, and the firm was Martin Starnes. Staff recommends approval of the contract with Martin Starnes.

Commissioner Kovacs made a motion to approve the contract with Martin Starnes for audit services.

Commissioner Kidwell seconded motion.

Motion carried unanimously.

Contract attached hereto as Exhibit No. 12.

MAYOR AND COMMISSIONER REPORTS/CLOSING COMMENTS

Commissioner Munger

- The Department of Environmental Quality will hold a public hearing on Colonial Pipeline's Wastewater Treatment Plant permit application on March 16.
- Next meeting of Huntersville Ordinances Advisory Board is March 3.
- Consider supporting local non-profits.

Commissioner Partee

- No report.

- Advocate for gun safety – HPD has free gun safety locks.
- Advocate for non-profits, specifically Cool Kids Clubhouse

Commissioner Kidwell
- Provided update from the Charlotte Regional Transportation Planning Organization meeting.

Commissioner Kovacs
- Provided update from Lake Norman Chamber of Commerce.
- Pottstown Community Meeting is on February 23.

Commissioner Boone
- The committee to look into full-time firefighters will meet later this month.

Commissioner Phillips
- No Report

Mayor Bales
- Next Metropolitan Transit Commission meeting is March 22.MTC our next meeting is March 22. Last month the MTC received update on micro-transit.
- SEG Systems announced their relocation to Huntersville.
- The Affordable Housing Task Force will have its first meeting on February 28.
- Mayor's Fitness Challenge begins March 12.
- Yesterday was 9-year anniversary of the murder of Peter Jordan. Encouraged anyone that has information to contact Crimestoppers.

Commissioner Kovacs reminded everyone of Huntersville's 150th birthday party this Saturday.

There being no further business, the meeting was adjourned.

Approved this the 3rd day of April 2023.

Janet Pierson, Town Clerk

Project Property Acquisition Process Discussion

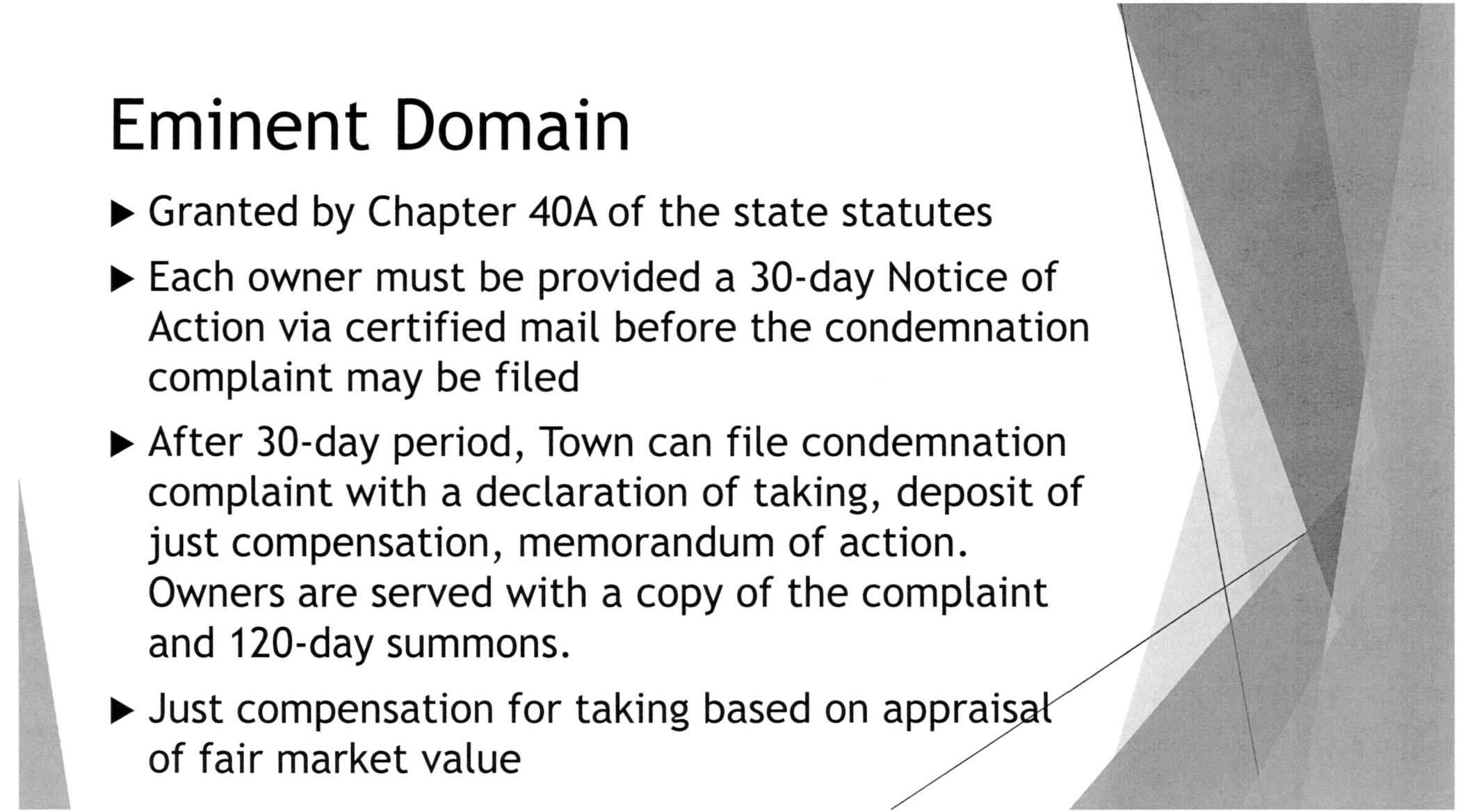
Exhibit No. 1

Overview of the process

- Project funded
- Survey completed and construction plans developed
- Exhibits and legal descriptions developed to identify which properties or portions of properties need to be acquired
- Resolution to acquire property
- Work with property owner on settlements based on fair market values
- Town can use eminent domain if unable to negotiate

Eminent Domain

- Granted by Chapter 40A of the state statutes
- Each owner must be provided a 30-day Notice of Action via certified mail before the condemnation complaint may be filed
- After 30-day period, Town can file condemnation complaint with a declaration of taking, deposit of just compensation, memorandum of action. Owners are served with a copy of the complaint and 120-day summons.
- Just compensation for taking based on appraisal of fair market value

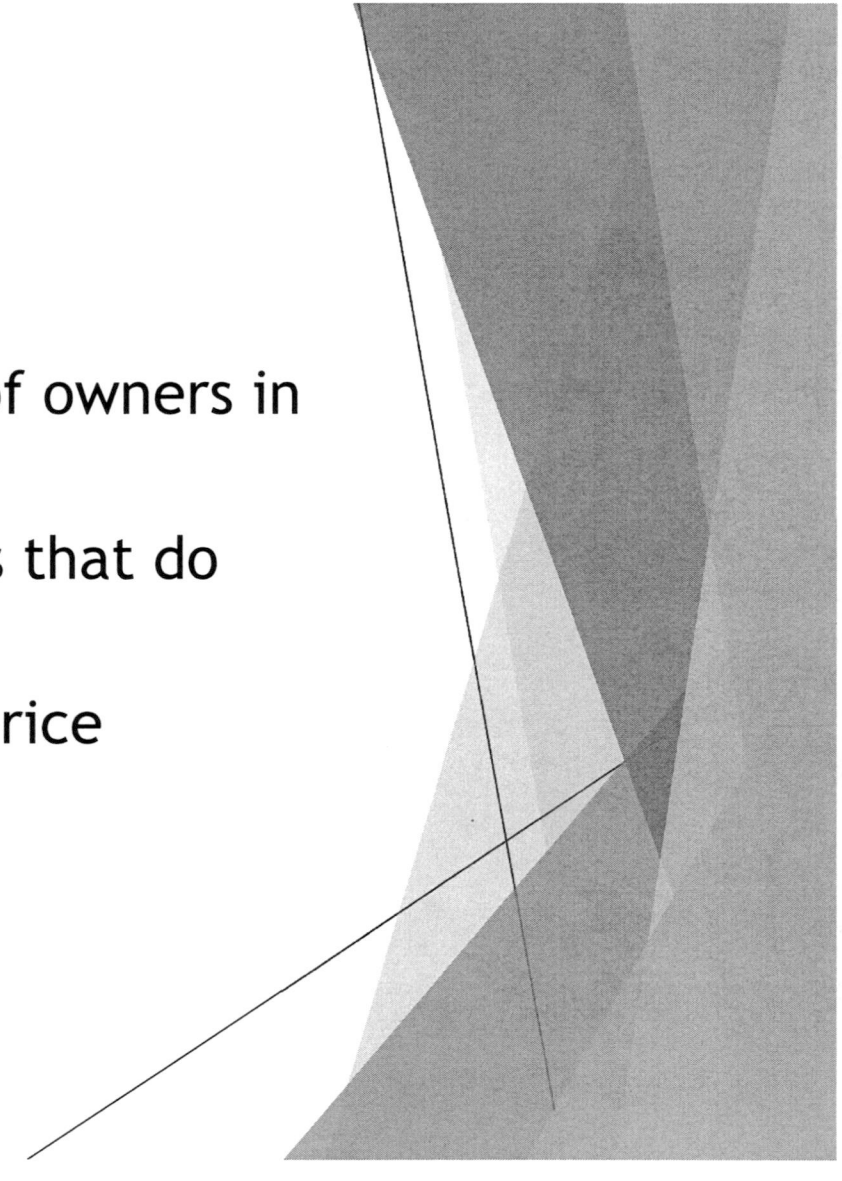


Challenges of Acquisition

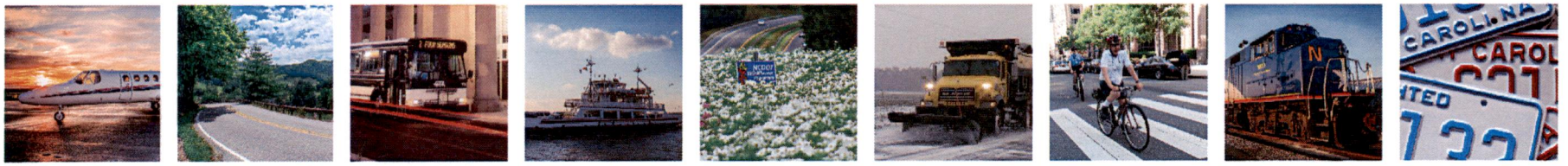
- Multiple owners
- Owners out of state/country
- Health of owners
- HOAs (depends on covenants of that subdivision)
- Time
- Money

Examples

- HOA with covenants that require 2/3 of owners in the subdivision to approve
- Business association with many owners that do not agree
- Property owner says no regardless of price
- Property owner does not respond
- Current project costs



NORTH CAROLINA
Department of Transportation



NC 73 In Huntersville

Exhibit No. 2

Town of Huntersville
NORTH CAROLINA

73

February 20, 2023

Today's Meeting

Purpose: Provide the Town of Huntersville with NC 73 project updates and address issues from the Town

Agenda:

- Scope, Schedule, and Budget
- Median-Divided Roadways with Reduced Conflict Intersections (RCIs)
- Project Specific Information
- NC 73 at Beatties Ford, West Catawba Avenue, and Birkdale/Lindholm
- Comparison of Conventional High Conflict Intersections to RCIs
  - Travel Time Analysis
- Next Steps

Scope, Schedule and Budget

- Four projects on NC 73 in Huntersville, from west to east

TIP #	DESCRIPTION	RIGHT OF WAY & UTILITY RELOCATION	CONSTRUCTION	COST
R-5721B	VANCE ROAD EXTENSION/BEATTIES FORD ROAD TO SR 5544 (WEST CATAWBA AVENUE). WIDEN TO MULTILANES.	2023	2026	$46,596,000
U-5765	SR 5544 (WEST CATAWBA AVENUE) TO SR 2316 (NORTHCROSS DRIVE). WIDEN EXISTING ROADWAY.	2023	2026	$97,499,000
I-5715	NC 73 INTERCHANGE. UPGRADE EXISTING INTERCHANGE TO SPLIT DIAMOND CONFIGURATION.	2023	2025	$43,450,000
R-2632AB	NC 115 TO SR 2693 (DAVIDSON-CONCORD ROAD).	2023	2026	$56,000,000
			TOTAL	$243,545,000

NCDOT Mission

- **Connecting people, products, and places safely and efficiently with customer focus, accountability, and environmental sensitivity to enhance the economy and vitality of North Carolina.**

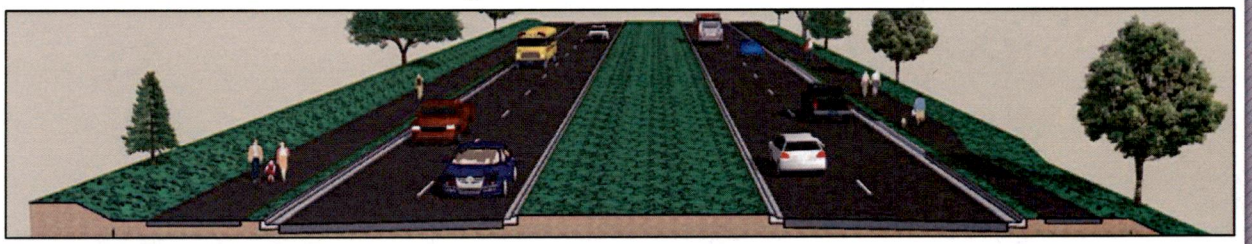
Every Project – Median Divided Roadway

Every Reduced Conflict Intersection (RCI) Type

- **Reduces Conflicts - Safety**
- **Provides Direct Primary Movements – Efficient Mobility**
- **Redirects Secondary Movements – Efficient Mobility**

Median-Divided Roadways

- No more 5-lane Sections with Continuous TWLTL
  - Conflict points everywhere
- Modern Design - Median-divided roadways
  - Reduced Conflicts
    - Directional crossovers
    - Right turns from side streets
    - Redirected movements
    - U-turns



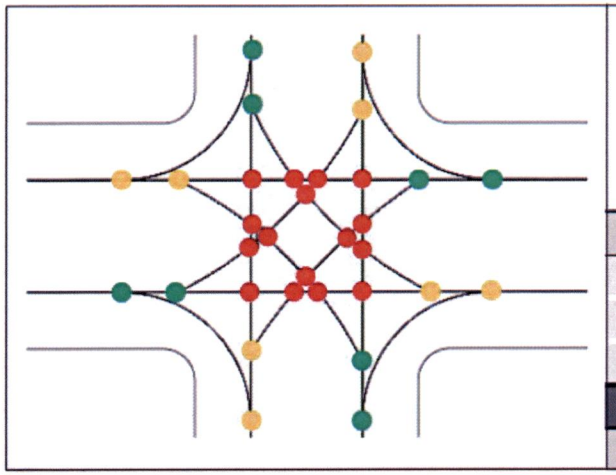
Why Reduced Conflict Intersections (RCI)?

- Safer
- Less "wait time" or delays
- Quickens progression through traffic signals
- Allows speed control through signal timing
- Enhances business activity
- Improves pedestrian service

NC 55 – Holly Springs, NC

Improved Safety (RCI)

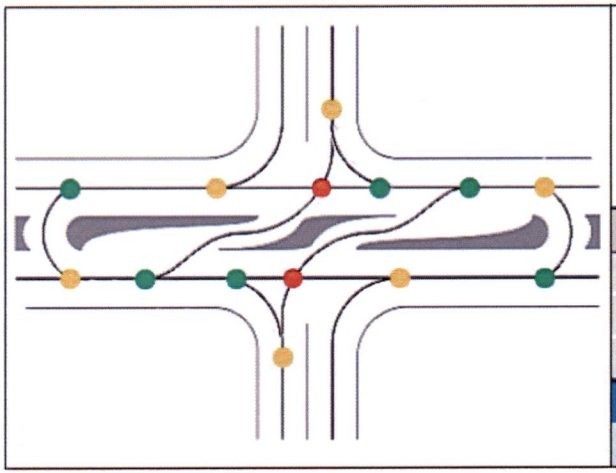
Conventional Intersection: Conflict Points



Legend
= Crossing
= Merging
= Diverging

Conflict Type	Count
Crossing	16
Merging	8
Diverging	8
Total:	
32 Conflicts	

RCUT Intersection: Conflict Points



Legend
= Crossing
= Merging
= Diverging

Conflict Type	Count
Crossing	2
Merging	6
Diverging	6
Total:	
14 Conflicts	

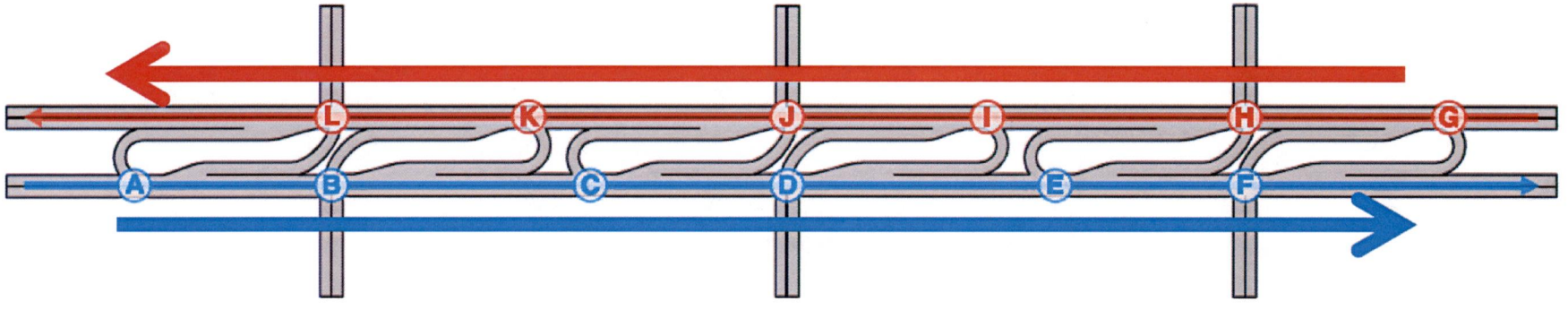
Image source: https://safety.fhwa.dot.gov/intersection/innovative/uturn/fhwasa18048/

All Movement Intersection
24 Conflict points
(32 including U-turns)

RCI
14 Conflict points
(Including U-turns)

Signalized - Reduces crashes by 15%, injury and fatal crashes 22%
Unsignalized - Reduces crashes by 46%, injury and fatal crashes 63%

Less Delay (RCI)



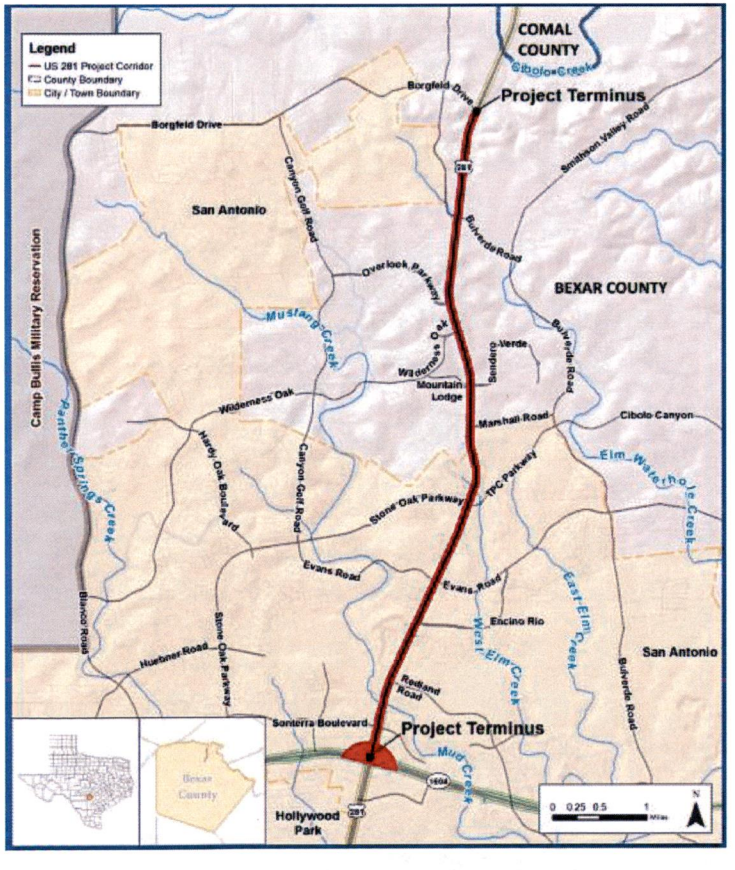
- Each direction of main street travel operates independently
- Allows for One-Way Street – Ideal progression in both directions
- Maximizes efficiency
- Effective at any speed or any signal spacing
- Controls speed using progression – signal timing can adjust progression speed by location, direction, time, day – drivers will adjust quickly
- No special signal equipment is needed

RCI – Economic Impacts – NC Study (June 2022)

Four Parts:

- Utilized remote sensing radiance (satellite) data to analyze economic activity at adjacent businesses
  - Mostly, No effect
  - Positive, significant effect at two locations
  - Negative effect to industrial development
- A business survey
  - Businesses with a large number of customers and that are busiest later in the day (Retail) are more likely to believe RCIs make their business easier to reach
  - Industrial Users were less likely to agree that RCIs make their businesses easier to reach
- A residential real estate analysis
  - Mixed results, indicate RCI's have potential to support home values
  - Extended wait times at U-turns could have negative effect
- A resident survey
  - residents are willing to "pay" for safety with increased wait times but are decidedly more averse to additional time to turn left

RCI - Economic Impacts - Texas

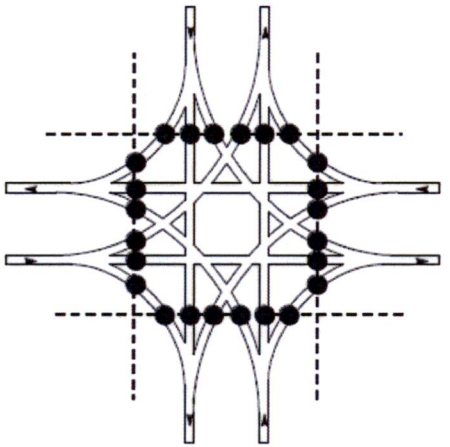


U.S. 281, completed Oct. 2010

- Danny Elliot, SVP, Reata Real Estate Service:
  - "We are close to 90% leased with no pad sites left"
  - "A lot of our tenants say they feel like business has increased since the superstreet was finished."
- Duane Wilson, President/CEO, North San Antonio Chamber of Commerce
  - "They are pretty doggoned pleased with it."
  - Before the RCI, "My wife would go out of her way to go somewhere else."

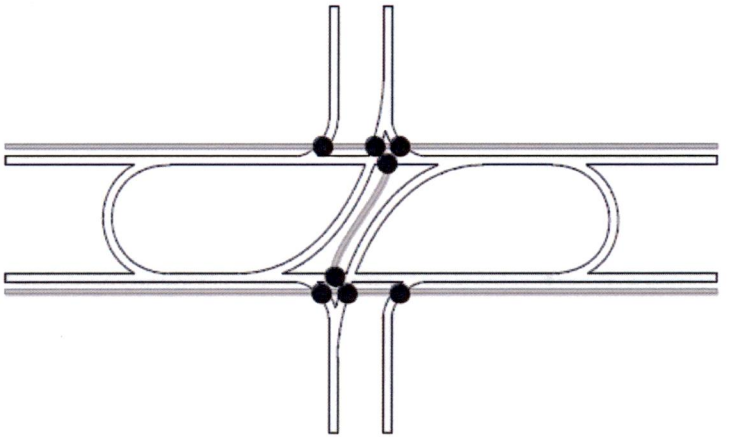
Improved Bicycle/Pedestrian Safety

- 66% less Bike/Ped Conflict Points at crossings



All Movement Intersection

24 Conflict Points



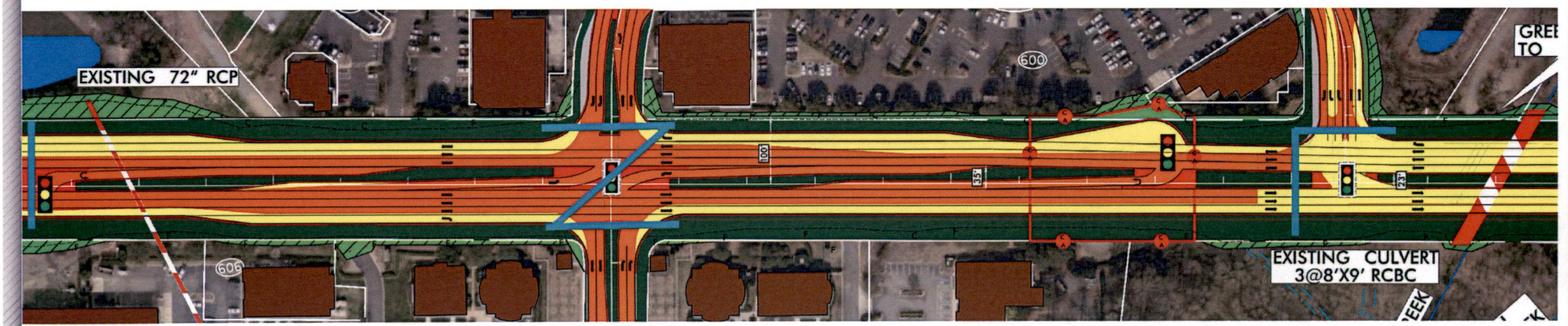
Reduced Conflict Intersection

8 Conflict Points

Pedestrian Movements

Birkdale Commons / Lindholm

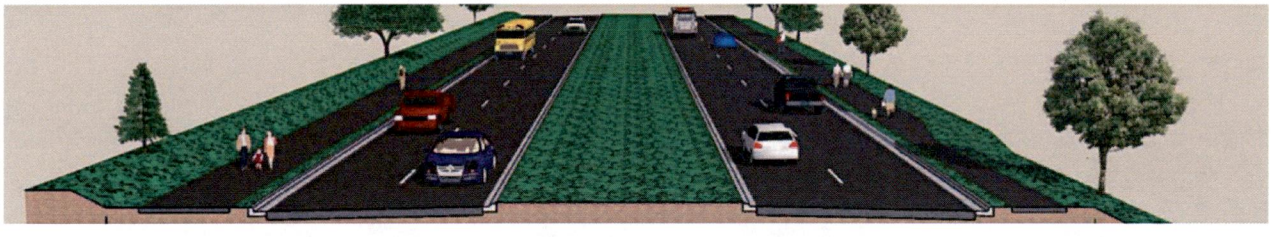
- 3x more crossing locations: more closely spaced crossings
- Safer: Fewer conflicts with motor vehicles
- More frequent crossings due to much shorter cycle length
- Shorter crossing distances
- Ample median refuge



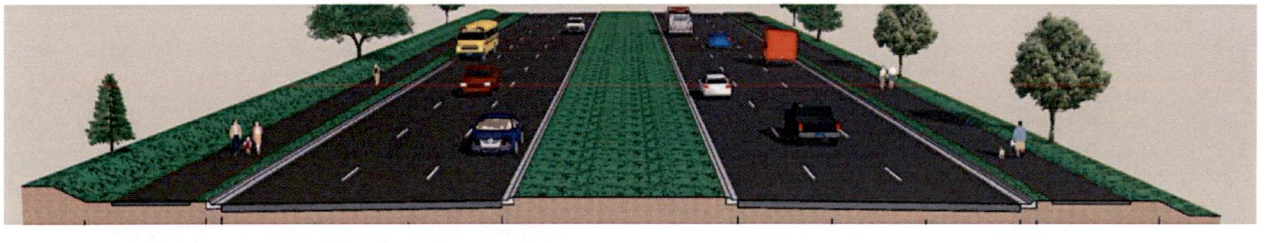
Project Specific Info

Projects R-5721B / U-5765

- Beatties Ford to W Catawba
  - By 2040, traffic is project to increase 35%

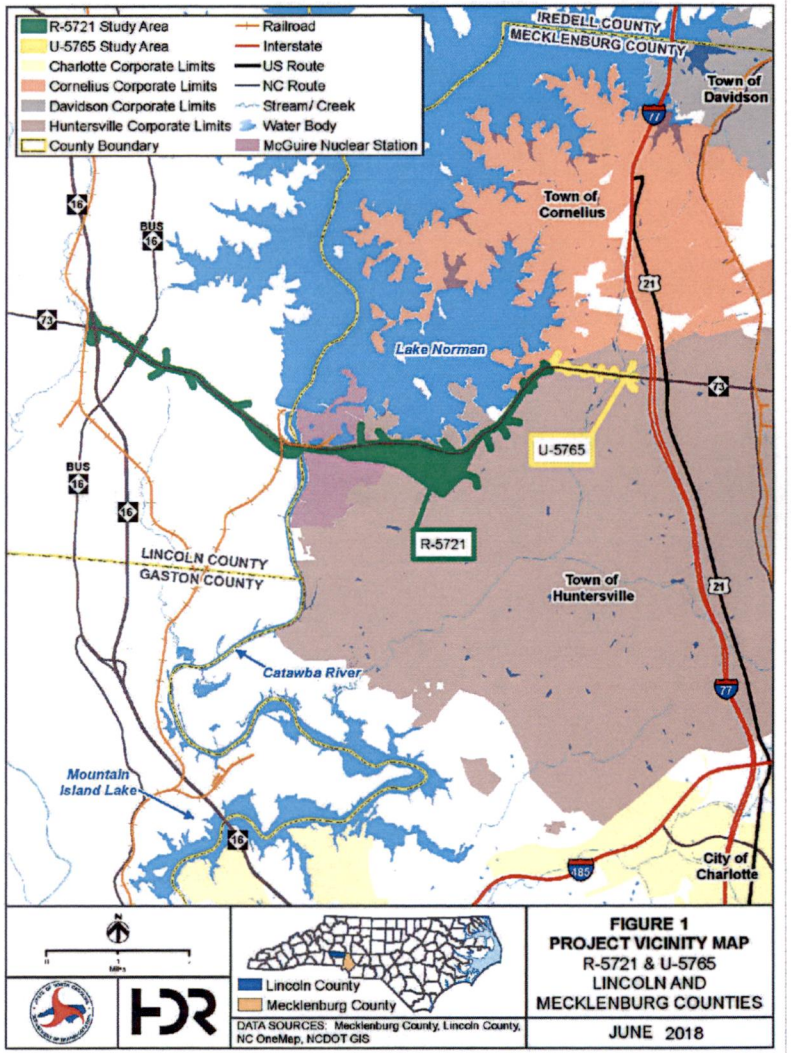


- W. Catawba to Northcross / I-77
  - By 2040, traffic is project to increase 60%



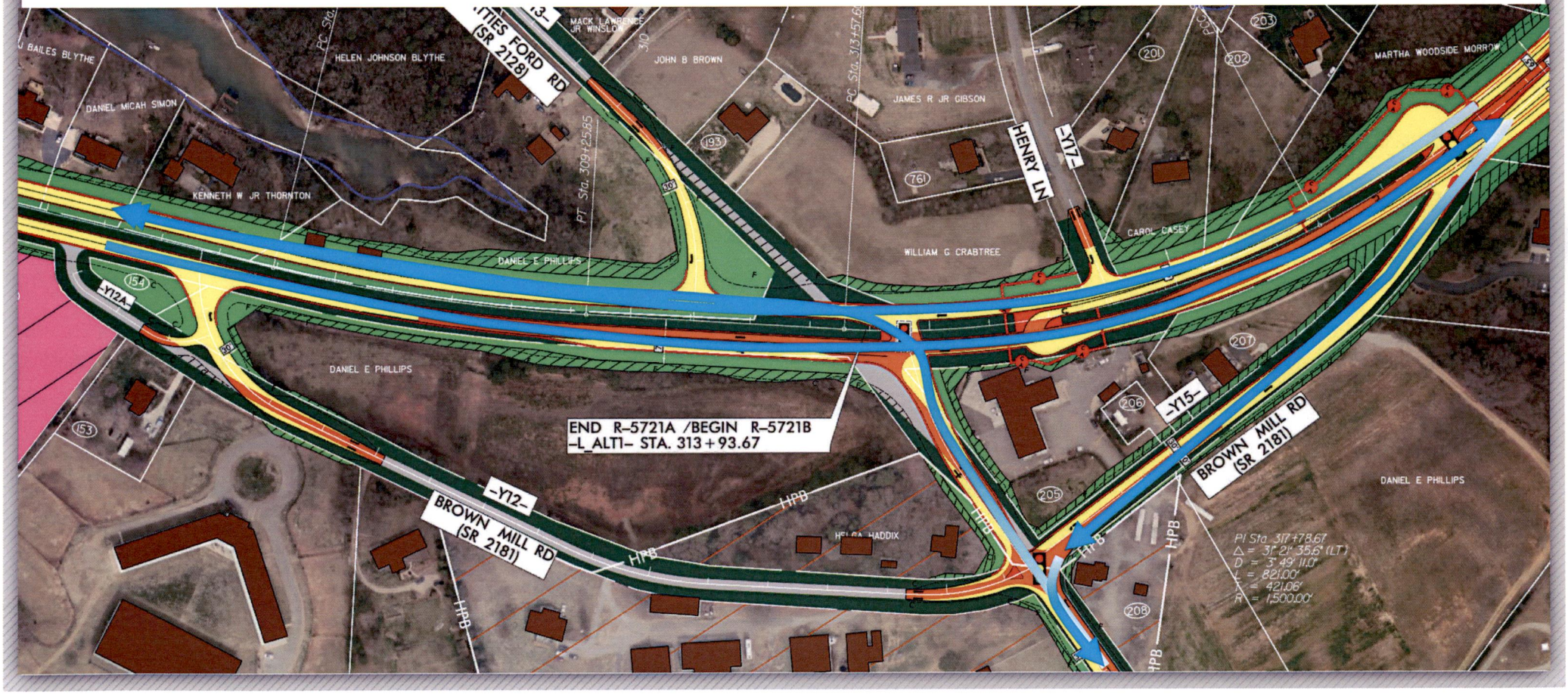
Projects R-5721B / U-5765

- Public Meetings in October 2018
- Since that time:
  - Newsletter sent out Spring 2019
  - Selected Preferred Alternative (1) at Beatties Ford Road
    - Press release distributed 4/18/2019
  - Prepared right of way plans and updated cost estimates
  - Updated designs at Beatties Ford and West Catawba
  - Coordinating relocations with Utility companies



R-5721B / U-5765
Major Intersection Designs

Design at Beatties Ford / Brown Mill



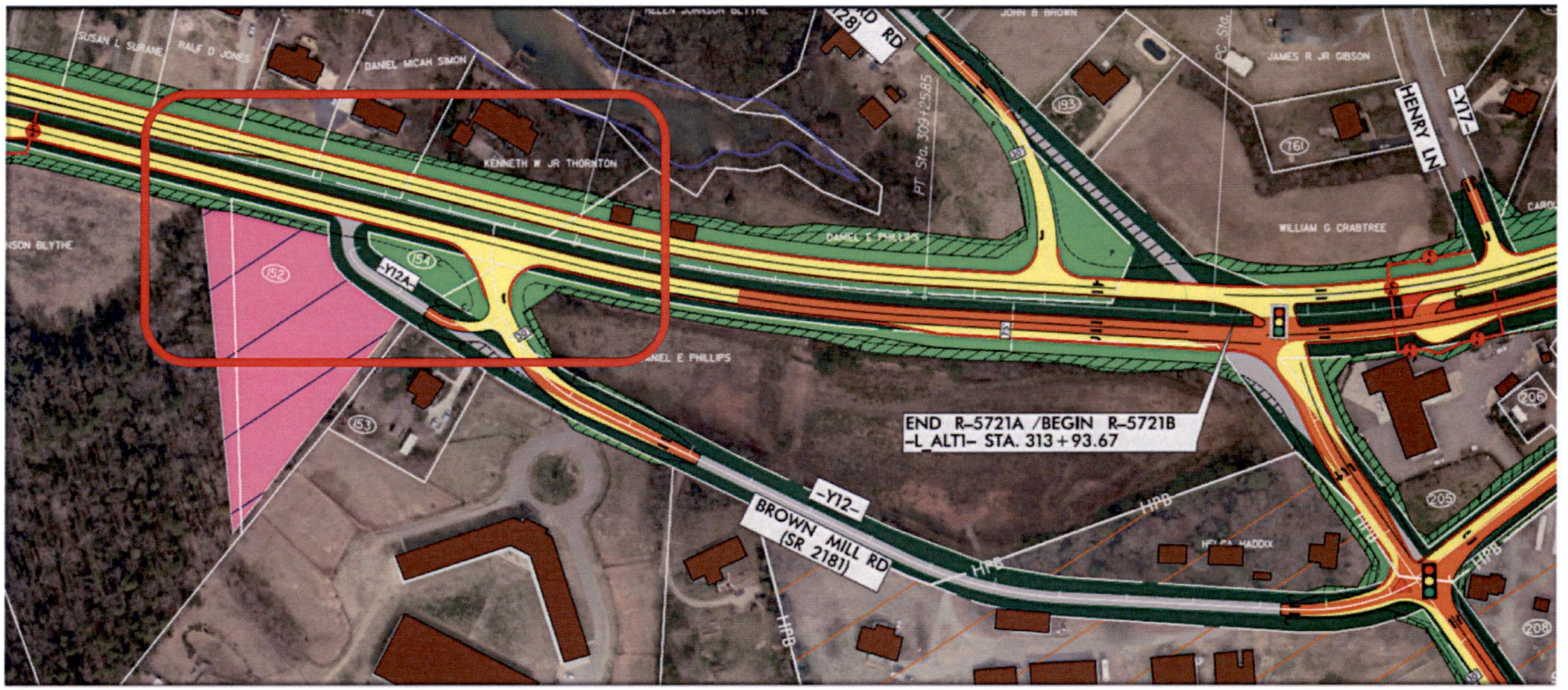
Design at Beatties Ford / Brown Mill

Reverse RCI & RCI

- Direct Primary Movements (at Beatties Ford)
  - Thrus on NC 73
  - Lefts out from Beatties Ford

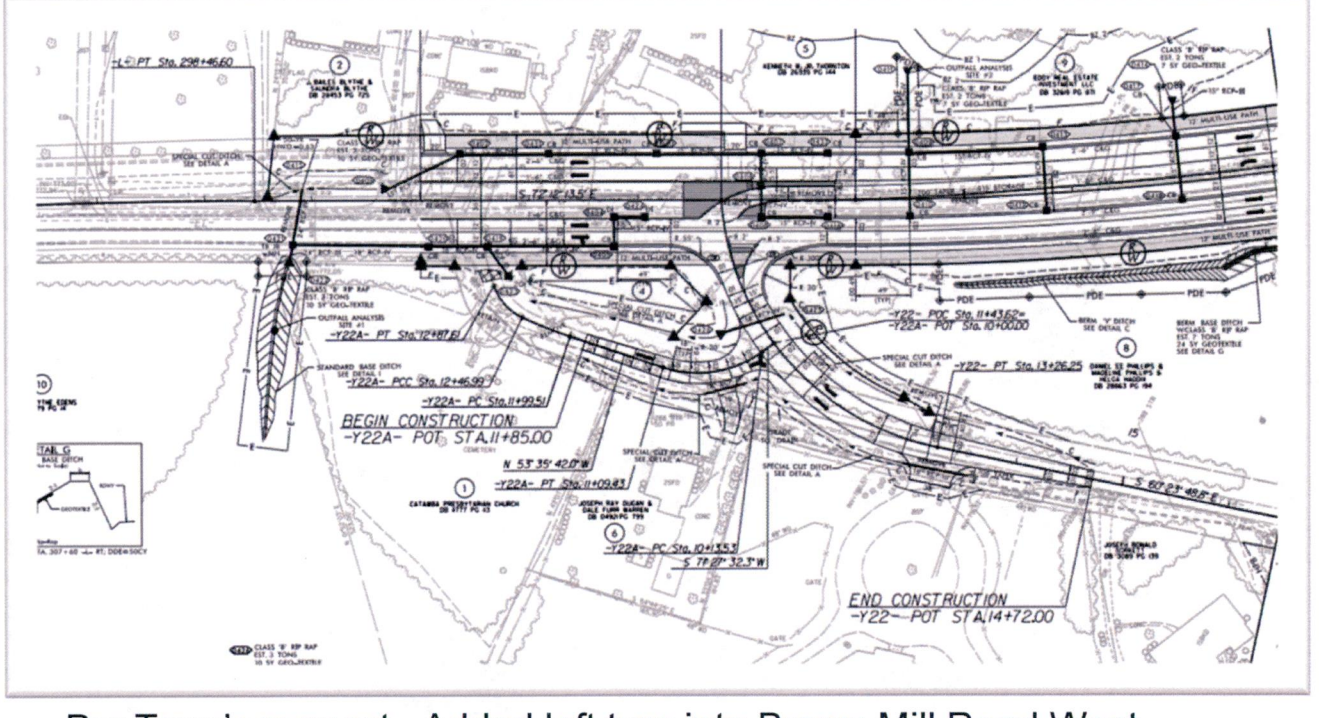
- Redirected Secondary Movements (at Brown Mill East)
  - Lefts into Brown Mill then Beatties Ford

Previous Design at Beatties Ford Rd



From 2018 Public Hearing Map

Updated Design at Beatties Ford Rd

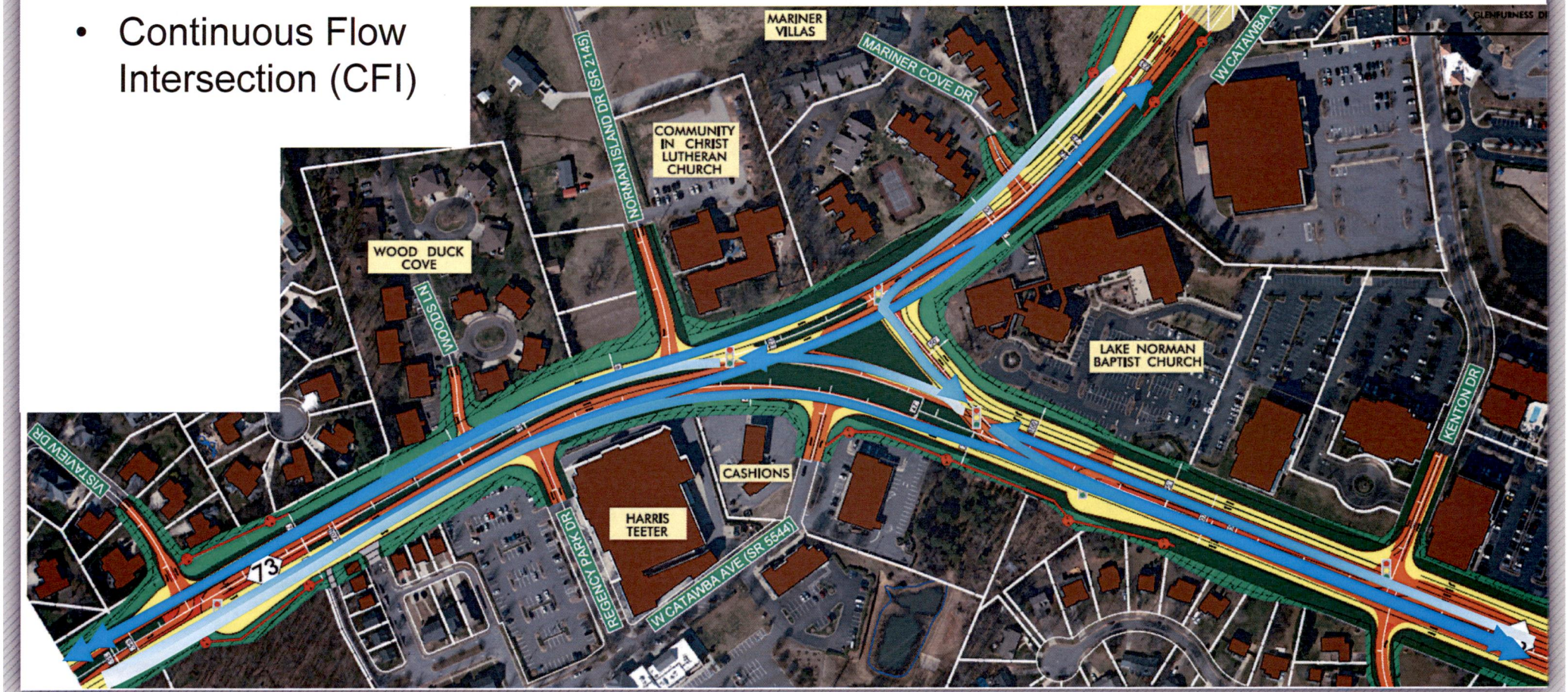


Per Town's request - Added left turn into Brown Mill Road West

Also, currently evaluating Town's request for Traditional Intersection at Brown Mill and Beatties Ford

Updated Design at W. Catawba

- Continuous Flow Intersection (CFI)



Updated Design at West Catawba

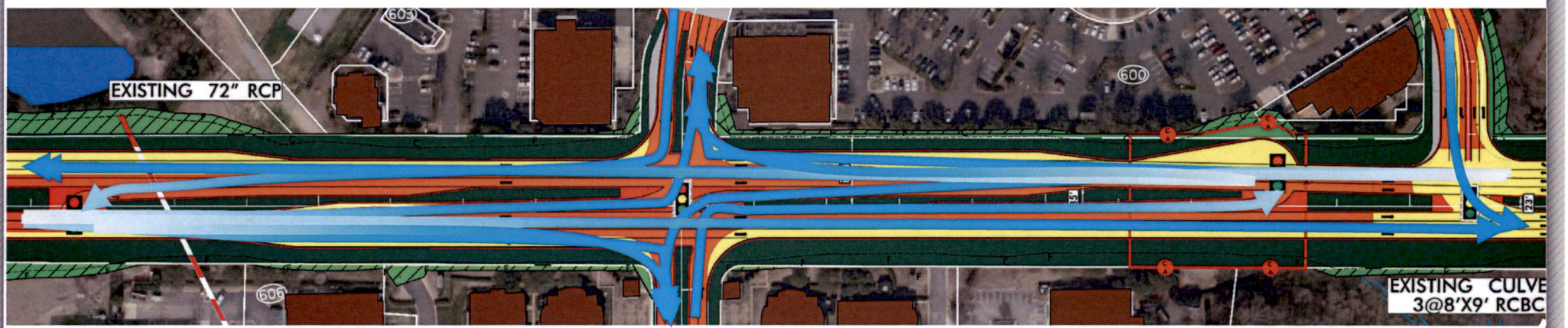
Continuous Flow Intersection (CFI) - Similar to NC 16 at Mount Holly – Huntersville Rd)

- Spreads movements across multiple reduced conflict intersections
  - Accommodates a higher number of vehicles with less delay
  - Reduces number of conflict points
- Expands refuge for bicyclist/pedestrian crossings
  - Allows better and safer crossing opportunities
- Preserves vehicular access to adjacent properties (i.e. Regency Village)

Design at Birkdale Commons / Lindholm

RCI & Reverse RCI

- Direct Primary Movements
  - Thrus, Lefts and Rights from NC 73 to Birkdale Commons
  - Lefts out from Lindholm
- Redirected Secondary Movements
  - Lefts and thrus from Birkdale Commons turn right, then U-turn

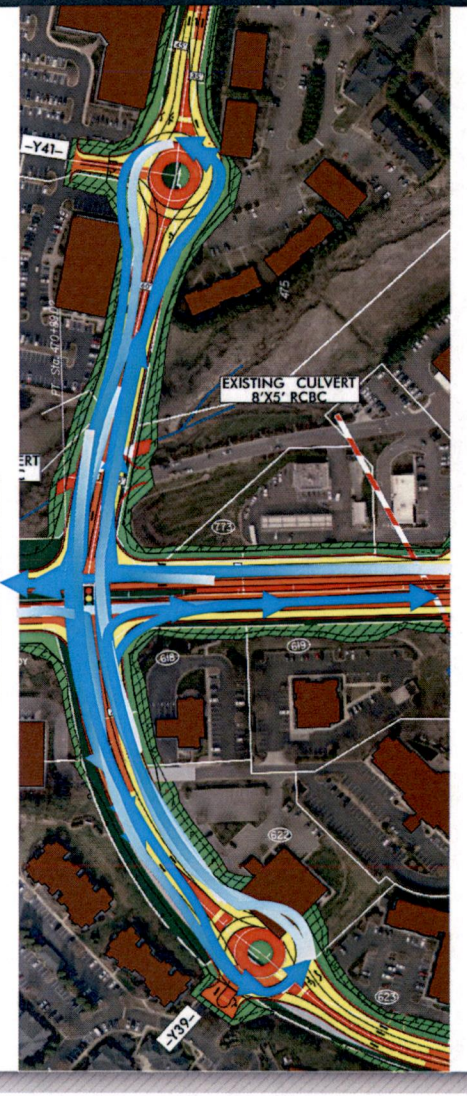


Design at Northcross Drive

Bowtie or Barbell RCI – No left turns

- Direct Primary Movements
  - Thrus and Rights on NC 73
  - Thrus and Rights on Northcross

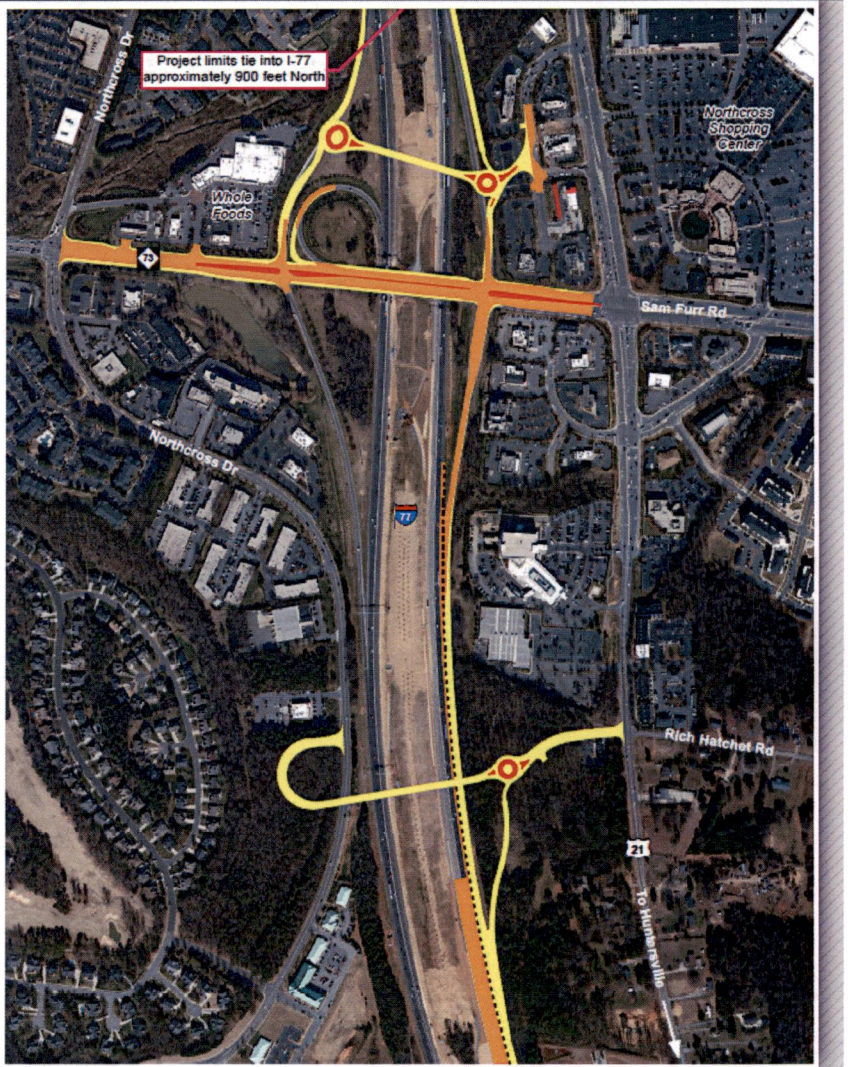
- Redirected Secondary Movements
  - Lefts from NC 73 turn right, use RAB's
  - Lefts from Northcross go thru, use RAB's



Project I-5715 - Split Diamond Interchange

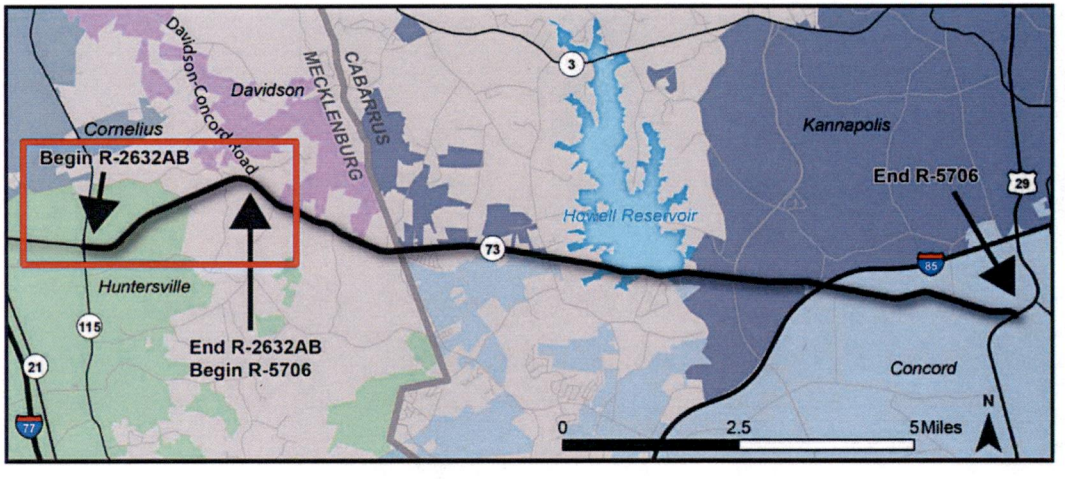
Public Meeting in February 2018

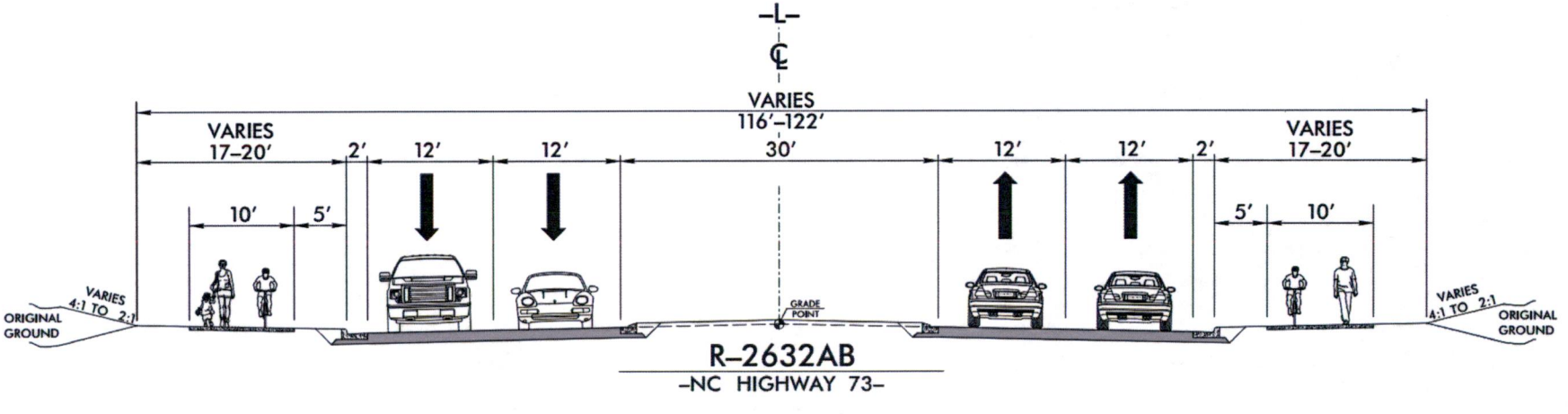
- Since that time:
  - Prepared right of way plans and cost estimates
    - Flipped loop on connector road to the south
    - Selected 4-leg roundabout option, NE quadrant
  - Coordinating relocations with Utility companies
  - ROW 2023, Const 2025



Project R-2632AB

- NC 115 to Davidson-Concord Rd
- ROW 2023, Const 2026





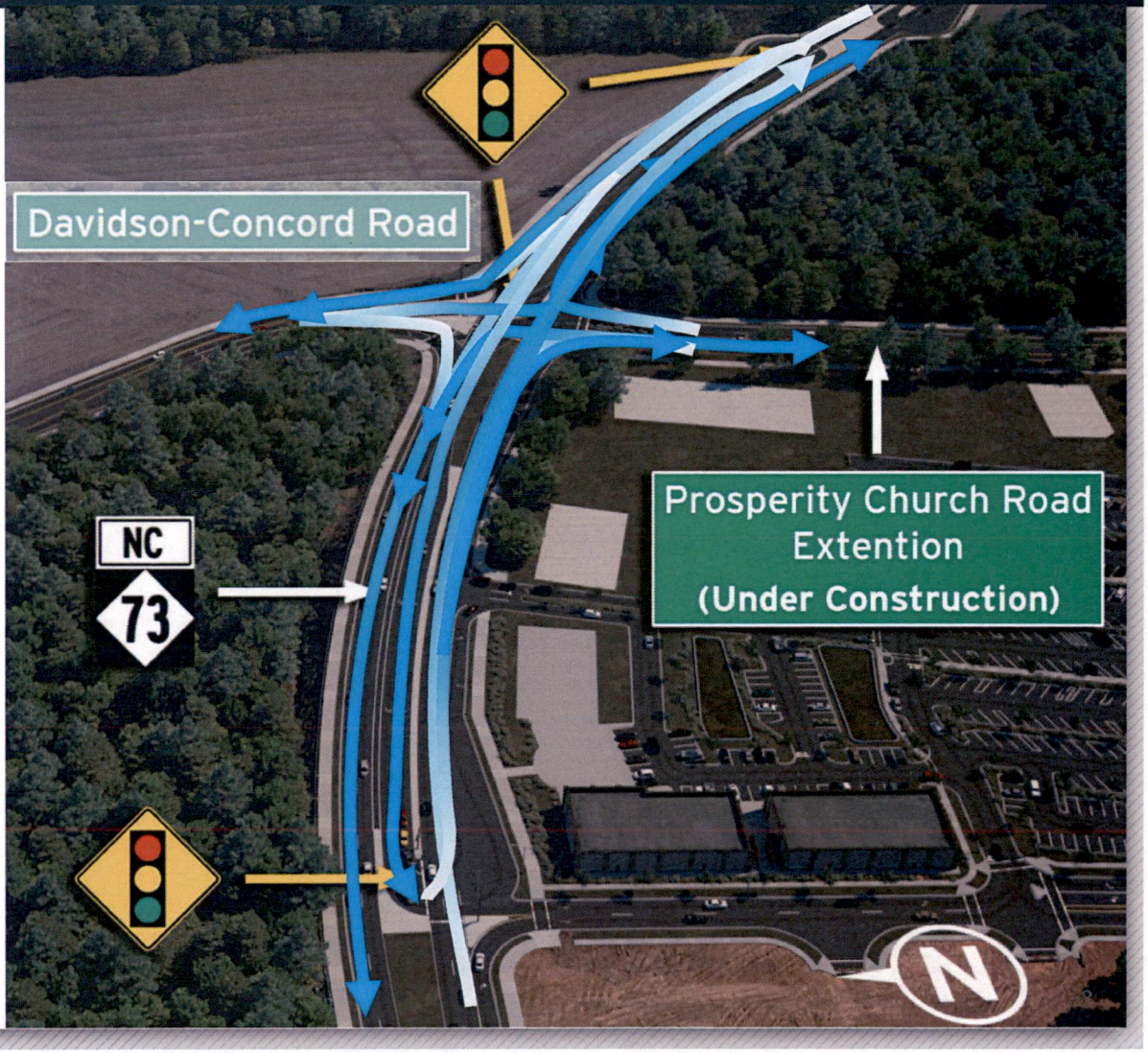
Project R-2632AB

- Public Meeting in January 2019
- Since that time:
  - Davidson Concord Road
    - In coordination with Towns and developer, updated design to reverse RCI
  - Prepared right of way plans and updated estimates
  - Coordinating relocations with Utility companies

Davidson-Concord Rd

Reverse RCI

- Direct Primary Movements
  - Thrus on NC 73
  - Rights and Lefts out of Davidson Concord and Prosperity Church
- Redirected Secondary Movements
  - Lefts from NC 73 to Davidson Concord and Prosperity Church Ext
  - Thrus from Davidson Concord and Prosperity Church Ext
  - Use U-turns



Travel Time Analysis

- Per the Town's request in Fall 2018
- Compared Traditional Full Movement to RCI
- Analyzed arterial travel time & delays for the through movements along NC 73

Arterial Travel Time[1]

Metric		AM			PM		
		Full Movement Intersections	RCI Intersections	Differential	Full Movement Intersections	RCI Intersections	Differential
Travel Time (min)	EB	10.0	8.3	-17.0% 1 min 42 sec	9.0	7.8	-13.3% 1 min 12 sec
	WB	7.7	7.5	-2.6% 12 sec	9.5	8.0	-15.8% 1 min 30 sec
Delay (s/veh)	EB	293.3	182.9	-37.6%	231.9	153.1	-34.0%
	WB	211.5	158.7	-25.0%	272.8	188.9	-30.8%

[1] *This travel time comparison represents an arterial-level analysis (along mainline NC 73). It is applicable for the section of NC 73 between Beatties Ford Road and Northcross Drive.*

Travel Time Analysis Summary

- Arterial Analysis
  - Through movements along NC 73
  - RCIs experience **25-37%** less delay
  - RCIs save between **1 minute 12 seconds** and **1 min 42 seconds per direction**

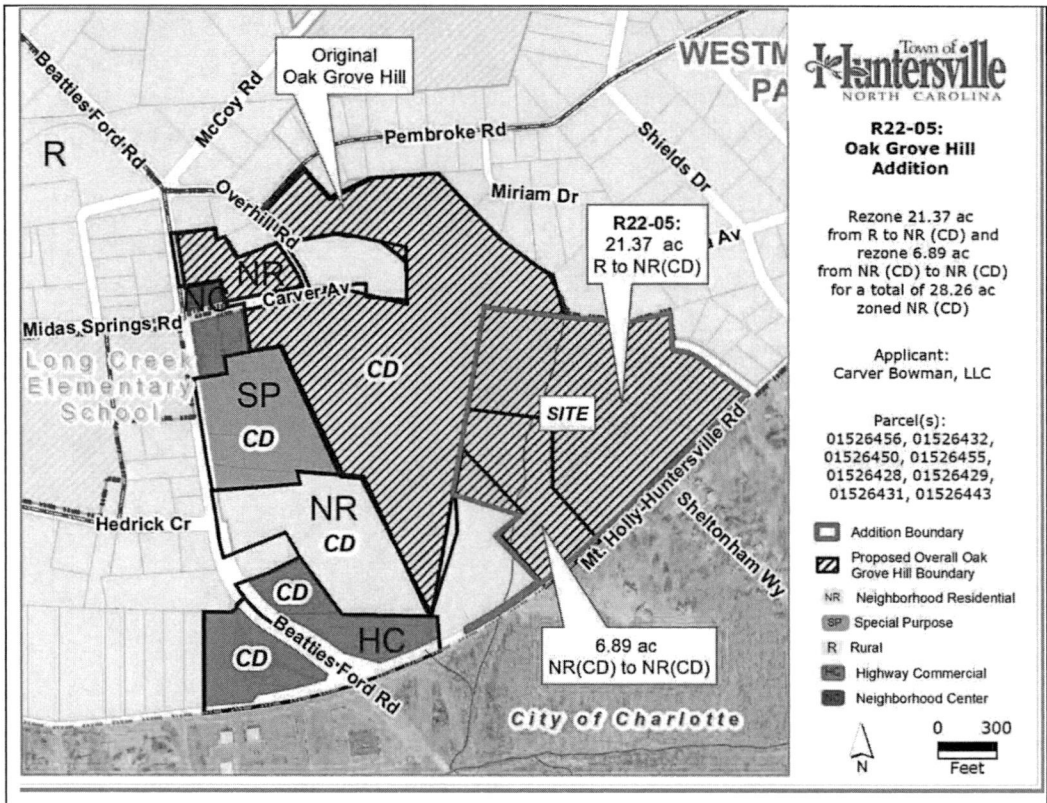
Next Steps

- Right of Way Acquisition and Utility Coordination
  - On going / begins within the next few months
- Construction begins 2026

Questions?

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

PART 1: PROJECT SUMMARY



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).

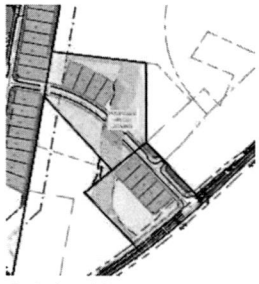
Current Land Use: Vacant & Single-Family Home.

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

Proposed Land Use: 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

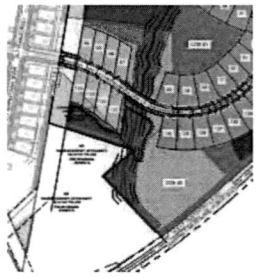
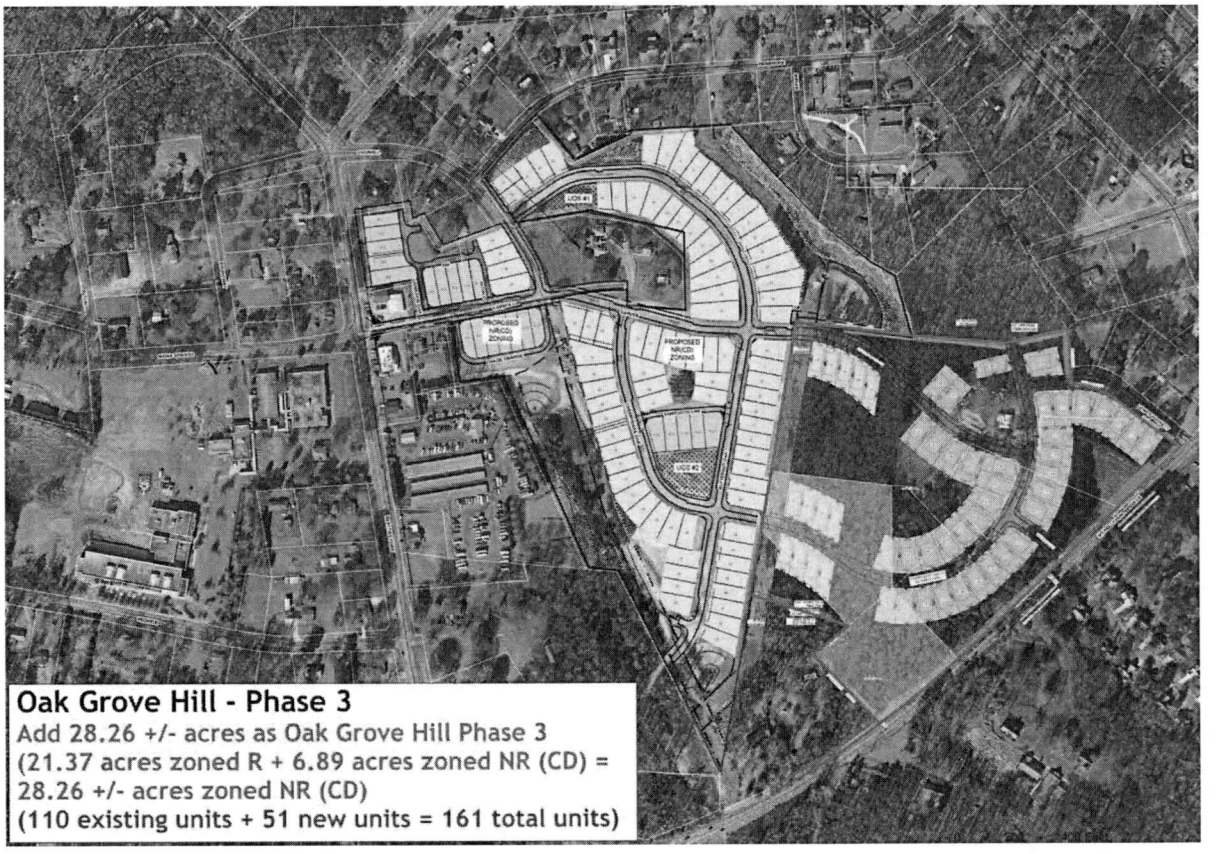

Proposed Layout

Exhibit No. 3

- 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 (all Phases 1-3) would consist of 66.92-acres and 161 single-family homes (see below).

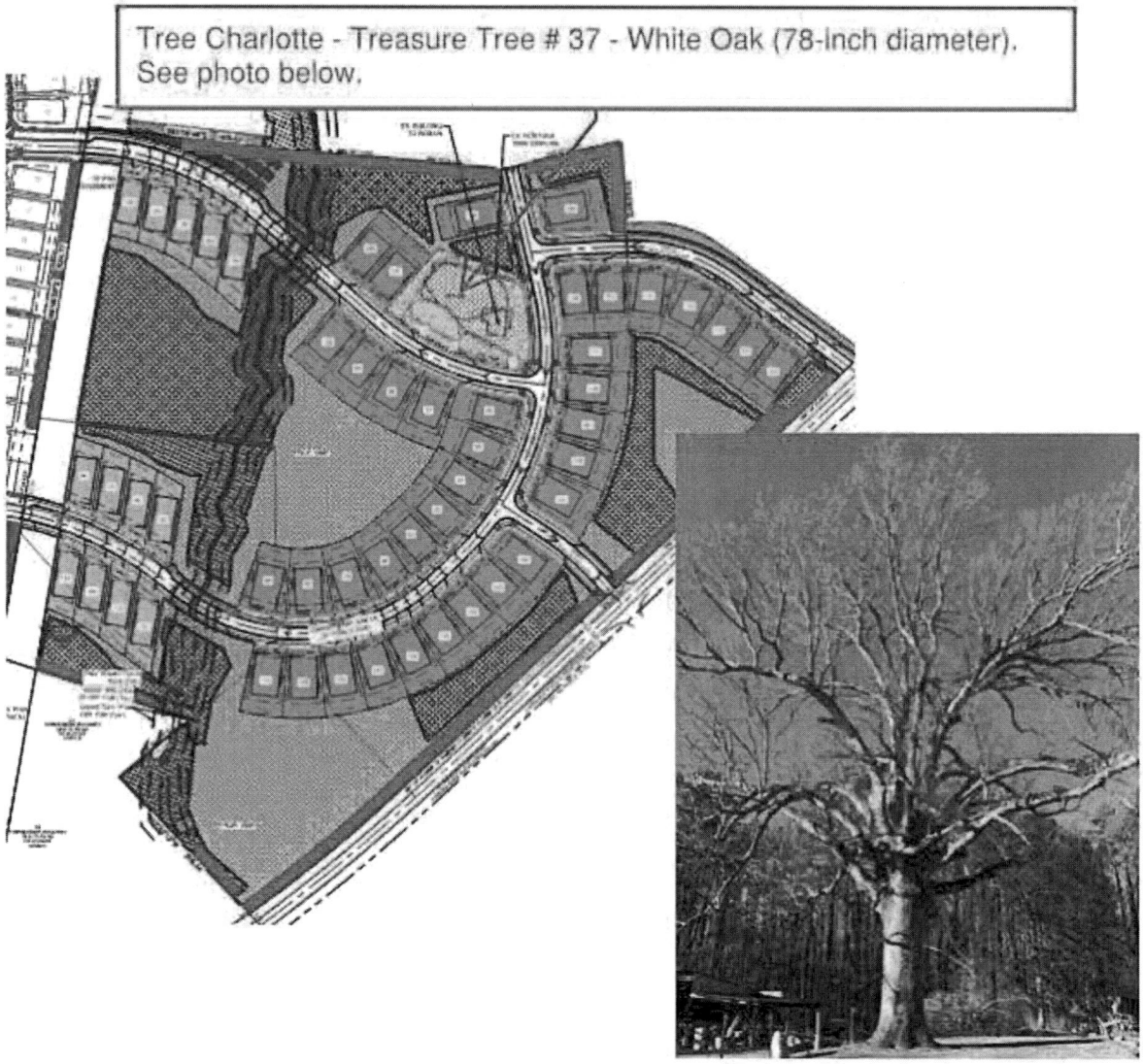


The proposed Conditional District Rezoning Plan - Addition is generally compliant with the Zoning Ordinance and Subdivision Regulations. Significant elements include:

- Proposed Uses: 51 new single-family homes in Phase 3. 161 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).

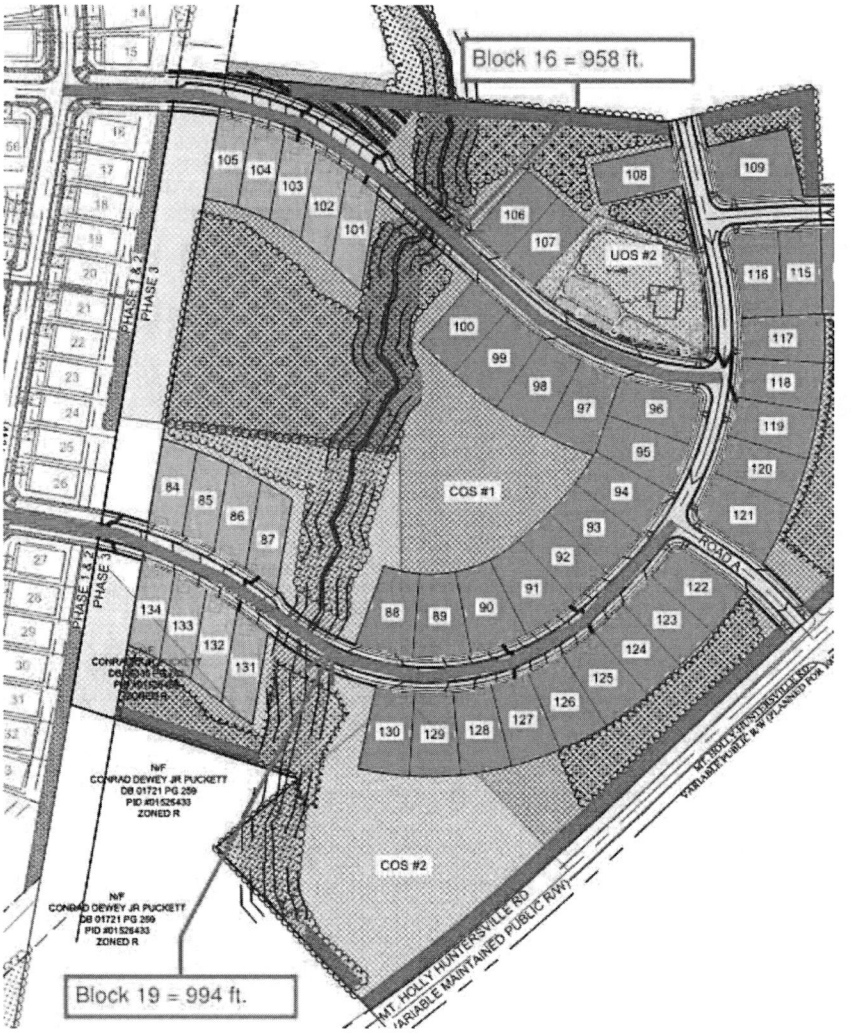
- Minimum Tree Preservation in the NR Zoning District is 10% and the proposed addition looks to save 21.9% of existing canopy (6.20-acres). Specimen tree save in the NR zoning district is also 10% and the proposed development looks to save 19 existing specimen trees (22%).
- If the Rezoning Plan is approved, 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): The original TIA from the 2018 submittal was re-scoped based upon the amended rezoning plan. On October 26, 2022, Town Engineering Staff determined the amended TIA is acceptable and that no improvements are required by the Town to meet the thresholds identified in Article 14.4 of the Town Zoning Ordinance. 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.**

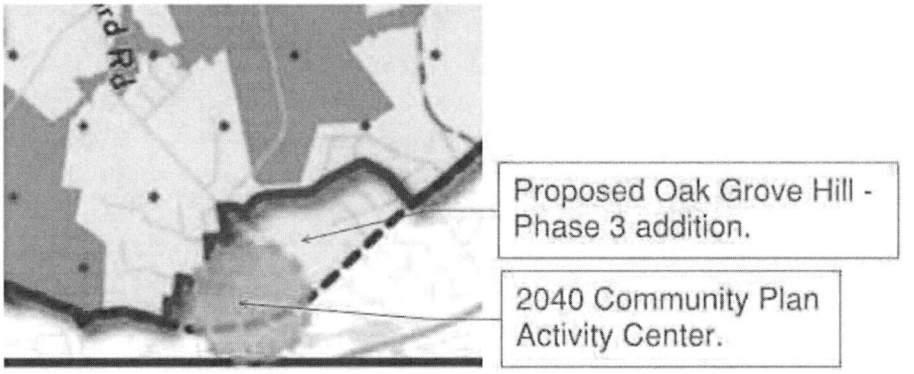
  STAFF COMMENT: The proposed Oak Grove Hill - Addition acreage is located adjacent to, but mainly outside of the Activity Center identified for the Mt. Holly-Huntersville and Beatties Ford Road intersection in the Town's 2040 Community Plan. The existing portion of the development that is proposed to 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 all 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.

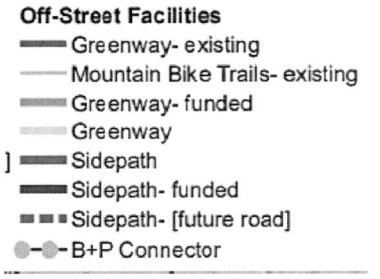
Huntersville 2040 Community Plan – Staff finds the proposed Conditional District Rezoning petition is **not consistent** with the following polices of the 2040 Community Plan; adopted December 21, 2020:

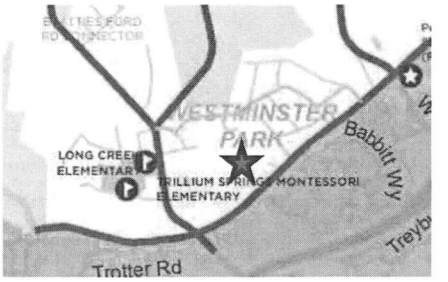
- **Policy EOS-10: Improve bicycle and pedestrian facilities throughout Town.**
STAFF COMMENT: While the proposed Rezoning Plan provides a bike lane within the cross-section of Mt. Holly-Huntersville Road, the Huntersville Bike Master Plan calls for a 10' multi-use path along this section of thoroughfare 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.

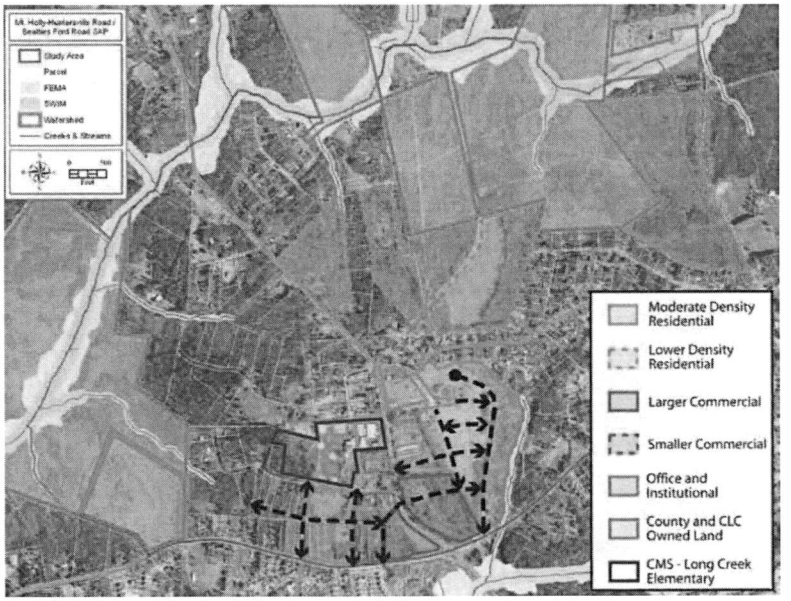




Beatties Ford Road and Mt. Holly-Huntersville Small Area Plan; Adopted October 17, 2005 - Staff finds the proposed Conditional District Rezoning petition consistent with the Beatties Ford Road and Mt. Holly-Huntersville Small Area Plan.

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.

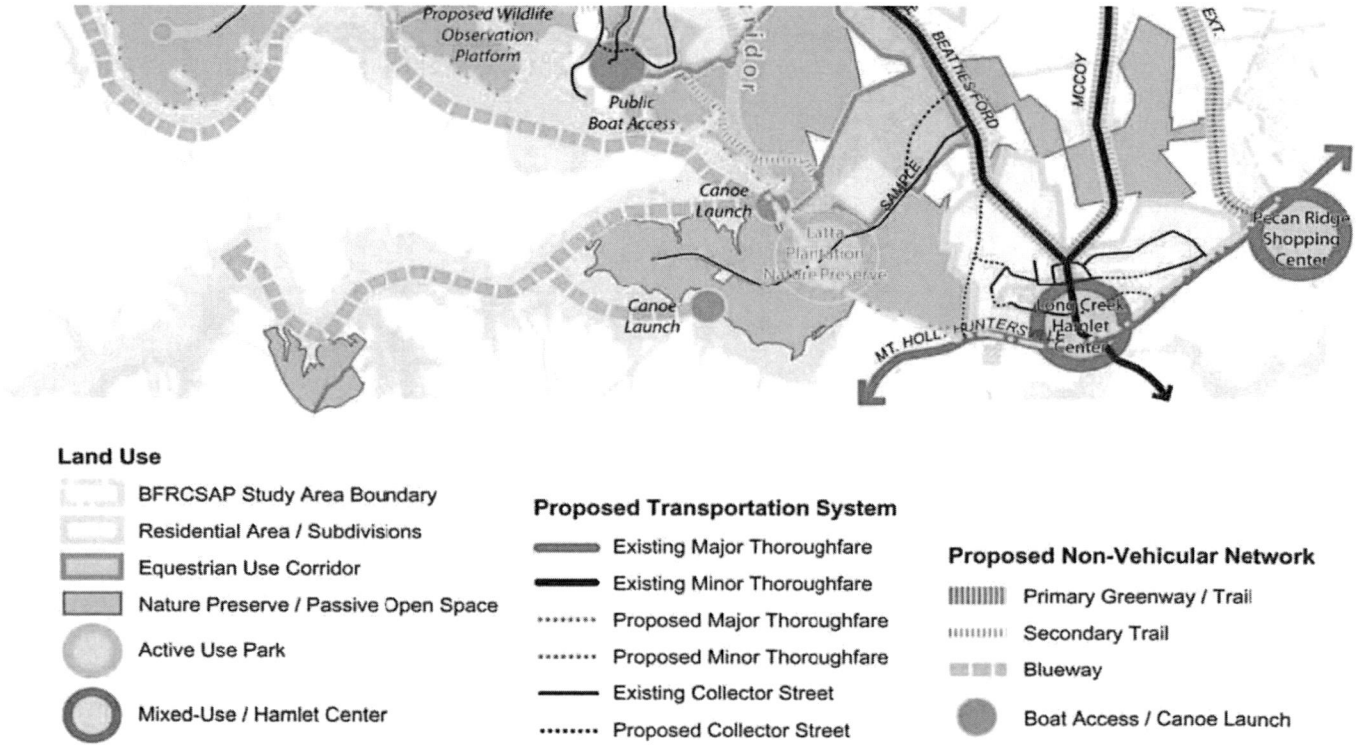


Beatties Ford Road Corridor Small Area Plan; Adopted September 19, 2007 - Staff finds the proposed Conditional District Rezoning petition consistent with the Beatties Ford Road Corridor Small Area Plan.

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-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:

- 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

Planning Board will review the rezoning petition on February 28, 2023.

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. **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.**	APPROVAL: In considering the proposed Conditional District Rezoning application R22-05 Oak Grove Hill - Addition, the Planning Board recommends approval based on the Plan being consistent with **(insert applicable plan reference).** **It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)**	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 **(insert applicable plan reference)**. **It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)**
DENIAL:	DENIAL: In considering the proposed Conditional District Rezoning application R22-05 Oak Grove Hill - Addition, the Planning Board recommends denial based on **(consistent OR inconsistent) with (insert applicable plan reference).** **It is not reasonable and not in the public interest to approve the Rezoning Plan because... (Explain)**	DENIAL: In considering the proposed Conditional District Rezoning application R22-05 Oak Grove Hill - Addition, the Planning Board recommends denial based on **(consistent OR inconsistent) with (insert applicable plan reference).** **It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)**

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 Hoyt Hamilton 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

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

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

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

OAK GROVE HILL REZONING / SKETCH PLAN

REZONING / SKETCH
EPM # 441493 / 441269

TOWN OF HUNTERSVILLE
MECKLENBURG COUNTY, NORTH CAROLINA

ASSOCIATED EPM #'S.
400982
409691
441269

PREPARED FOR :

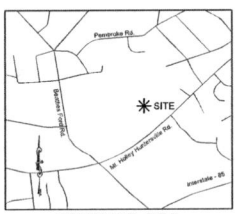
Carver Bowman, LLC

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

Sheet List Table

Sheet Number	Sheet Title
COVER	COVER
SP-1	REZONING PLAN: PHASE 1 &2
SP-2	OVERALL SITE PLAN: PHASE 1&2
SP-3 - SP-5	SITE PLAN: PHASE 1&2
SP-7 - SP-8	SITE PLAN DETAILS: PHASE 1&2
SP-9	OVERALL SITE & REZONING PLAN: PHASE 3
SP-10	OVERALL SITE PLAN: PHASE 3
SP-11	SITE DETAILS: PHASE 3
SP-12	FOUR STEP PROCESS: PHASE 3
EX-1	OVERALL EXISTING CONDITIONS: PHASE 1&2
EX-2 - EX-4	EXISTING CONDITIONS: PHASE 1&2
EX-5	EXISTING CONDITIONS: PHASE 3
GP-1	OVERALL GRADING PLAN: PHASE 1&2
GP-2 - GP-4	GRADING PLANS: PHASE 1&2
GP-5	OVERALL GRADING PLAN: PHASE 3
BMP-1	PRE DEV. DRAINAGE AREAS: PHASE 1&2
BMP-2	POST DEV. DRAINAGE AREAS: PHASE 1&2
BMP-3	POST DEV. DRAINAGE AREAS: PHASE 3
LP-1	OVERALL LANDSCAPE PLAN: PHASE 1&2
LP-2 - LP-4	LANDSCAPE PLAN: PHASE 1&2
LP-5	OVERALL LANDSCAPE PLAN: PHASE 3
LP-6	URBAN OPEN SPACE DESIGN: PHASE 3
UT-1	OVERALL UTILITY PLAN: PHASE 3

November 23, 2022



VICINITY MAP - N.T.S.

PREPARED BY:

RJH

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

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

NORTH CAROLINA 811 — Know what's below. Call before you dig.

Engineer:

R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning Management
127 Bus Loop Drive, Suite 103, Port Mill, S.C. 29715 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: NORTH CAROLINA PROFESSIONAL SEAL C-4168 ENGINEERING & SURVEYING CORP R. JOE HARRIS & ASSOCIATES, INC.

Engineer's Seal: NORTH CAROLINA PROFESSIONAL SEAL 051823 ENGINEER DANIEL B. GATES 11/23/2022

Project Manager	Drawn
D. Gates	J. Vavrina
Department Manager	Checked
P. Murphy	D. Gates
Print/Plot Date	
November 23, 2022	
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

Project No.	Drawing No.
5259	Cover
DWG File Name: 5259_Cover	

Huntersville General Notes:

1. All development and construction shall comply with all zoning and subdivision standards of the Town of Huntersville, Mecklenburg County, and NCDOT, as applicable.
2. This property may be subject to any easements and/or right-of-way of record.
3. All areas designated as common and/or urban open space shall be owned and maintained by the homeowners association and dedicated for perpetuity.
4. 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 intervention with adjacent and opposing access points. Modifications to plan may result.
5. 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.
6. Garbage pick-up shall be via roll-out trash and mail delivery shall be to mail kiosks.
7. Direct access from lots to a thoroughfare is prohibited.
8. Lots subject to flooding should not be established in subdivisions except as provided in Section 7.280 (if applicable).
9. 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.
10. 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.

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 6 percent slopes
EnD - Enon sandy loam, 9 to 15 percent slopes
PaE - Pacolet sandy loam, 15 to 25 percent slopes
Vsb - Vance sandy loam, 2 to 8 percent slopes
W - Water

CONSTRAINING FEATURES: PHASE 3

ZONING:	NR-CD
ACREAGE:	45.18± ACRES
SWIM BUFFER	2.43± ACRES
SLOPE ANALYSIS: (% OF SITE AREA)	
0% - 10%	34.6 ACRES (76.72%)
10% - 15%	5.13 ACRES (11.36%)
15% - 25%	3.24 ACRES (7.17%)
25% - 100%	2.01 ACRES (4.46%)

Soil Hydrologic Groups: (% of site area)	
ZONING:	NR-CD
ACREAGE:	45.18± ACRES
Group A	0
Group B	24.0± ACRES(53.0%)
Group C	21.2± ACRES (47.0%)
Group D	0
Group B/D	0

TREE PRESERVATION

Specimen trees - 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 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	38.19± AC	28.26± AC	66.45± AC
% COVERED BY TREE CANOPY	26.26± AC (68.8%)	22.97± AC (79.1%)	32.69± AC (72.7%)
% OF TREE CANOPY PRESERVATION REQUIRED	3.82± AC (10%)	2.83± AC (10%)	6.65± AC (10%)
% OF TREE CANOPY PROVIDED	3.46± AC (9.11%)	6.20± AC (21.9%)	9.66± AC (14.6%)
NO. OF SPECIMEN TREES ON-SITE*	8	81	89
NO. OF SPECIMEN TREES TO BE SAVED (MIN REQ. 10%)	3 (37%)	19 (23%)	22 (25%)
NO. OF HERITAGE TREES ON SITE	0	1	1

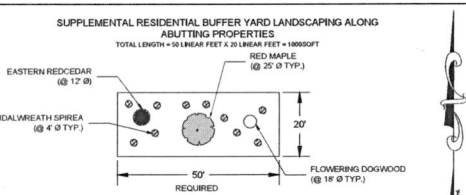
* DOES NOT INCLUDE SPECIMEN TREES WITH PROPOSED SMITH PROPERTY BOUNDARY

TREE LEGEND

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

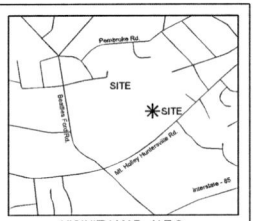
SUPPLEMENTAL RESIDENTIAL BUFFER YARD LANDSCAPING ALONG ABUTTING PROPERTIES

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)



VICINITY MAP - N.T.S.

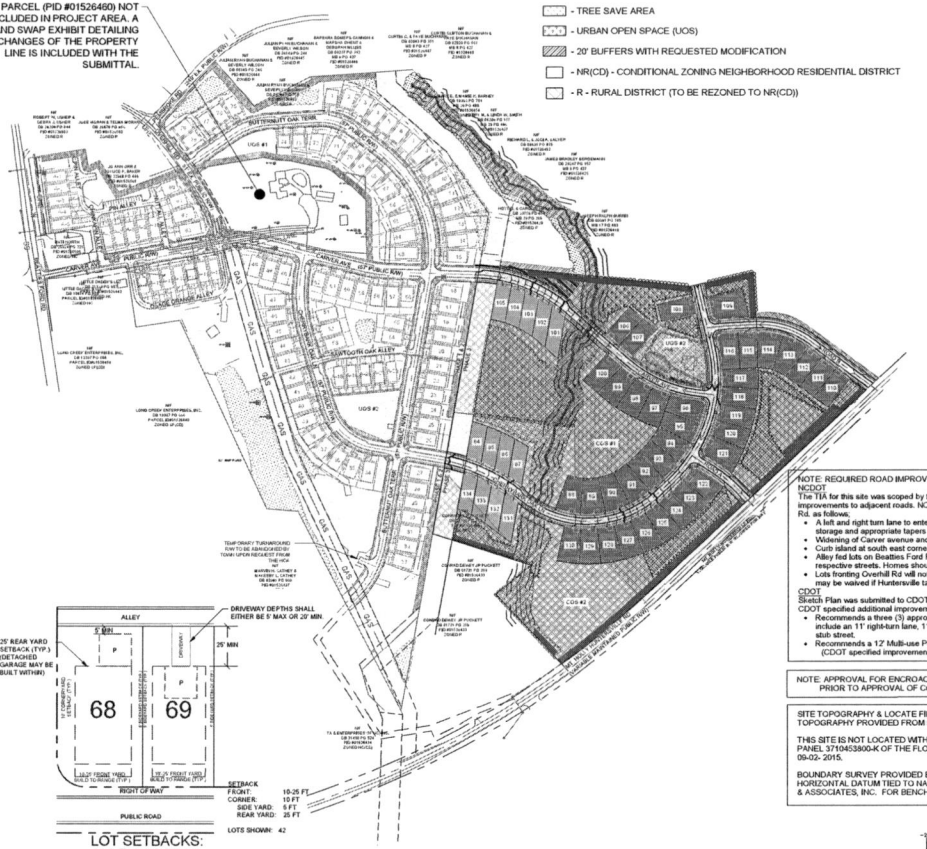
LEGEND

- 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
- NR(CD) - CONDITIONAL ZONING NEIGHBORHOOD RESIDENTIAL DISTRICT
- R - RURAL DISTRICT (TO BE REZONED TO NR(CD))

Development Information: Phase 3

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, 01526354, 01526456, 01526460 (Land Swap), 01526445, 01526452, 01526454, 01526402, 01526455, 01526404, 01526439, 01526451
Property Owners of Record	Buchanan, Beverly W.; Smith, Miriam W. H. Hoyle, C., Puckett
Zoning:	NR-CD
Acreage:	45.12± ACRES = 1,965,427 SF
Building type:	Detached House (156 lots)
Build In 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 61-93' FRONT: 10-25 FT. SIDE: 5 FT. CORNER: 10 FT. REAR: 25 FT.
Minimum Lot Width:	SINGLE FAMILY: 51 FT. SINGLE FAMILY: 42 FT. SINGLE FAMILY: 93 FT
Lot Width Range (Measured at Build-To line):	
61-93 FT.	SINGLE FAMILY: 38
51-60 FT.	SINGLE FAMILY: 96
42-50 FT.	SINGLE FAMILY: 22
Lot Size Range:	SF:
5,000 SQ. FT - 6,500 SQ. FT., 6,500 SQ. FT. - 11,500 SQ. FT.	65 Lots 91 Lots

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

BUTTERNUT OAK TERR	2,432 LF
CARVER AVE.	1,551 LF
CHERRY PARK OAK LN	1,901 LF

ROAD BLOCK LENGTHS

BL 1 1,246'	BL 7 136'	BL 13 479'	BL 19 326'
BL 2 283'	BL 8 178'	BL 14 789'	BL 20 823'
BL 3 352'	BL 9 357'	BL 15 240'	BL 21 468'
BL 4 551'	BL 10 442'	BL 16 580'	BL 22 616'
BL 5 236'	BL 11 157'	BL 17 277'	BL 23 200'
BL 6 94'	BL 12 389'	BL 18 560'	

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

ALLEY NAME LENGTH

PIN ALLEY	437LF
CHINKAPIN OAK ALLEY	184LF
OSAGE ORANGE ALLEY	626LF
SAWTOOTH OAK ALLEY	360LF
HUTTALL ALLEY	232LF

ALLEY BLOCK LENGTHS

AL 14 215'	AL 16 51'
AL 15 222'	AL 17 181'

Impervious Area Table	
% 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.

Open Space Table: Phase 3					
	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	36,938 SF	Mini/Pocket Park			
Total	79,148 SF 1.82 Acres		Total	650,391 SF 14.93 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 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. (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).

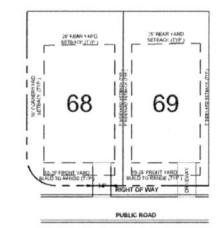
THIS SITE IS NOT LOCATED WITHIN THE 100 YEAR FLOOD HAZARD ZONE AS DEFINED ON COMMUNITY PANEL 3710453800-K OF THE FLOOD INSURANCE RATE MAPS FOR MECKLENBURG COUNTY DATED 09-02- 2015.

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.

GRAPHIC SCALE

-100 0 100 200 400 800

(IN FEET)
1 inch = 200 ft.



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.

SETBACK:
FRONT: 10-25 FT
CORNER: 10 FT
SIDE YARD: 5 FT
REAR YARD: 25 FT

LOTS SHOWN: 42

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	225.96	9.5±	>600.00
C2	39.63	11.3±	170.00
C3	71.27	7.1±	512.96
C4	109.43	11.8±	445.00
L1	107.16	S70° 16' 02.8"W	
L2	80.41	S76° 16' 02.8"W	
L3	124.39	N37° 27' 24.7"W	
L4	44.12	N44° 26' 27.4"W	
L5	48.84	N6° 07' 29.9"W	
L6	280.13	S51° 06' 18.2"W	
L7	270.40	S8° 12' 54.1"E	
L8	104.36	N39° 27' 49.5"E	
L9	198.25	S8° 53' 51.4"E	
L10	196.37	N79° 12' 15.0"E	
L11	229.76	N33° 21' 51.9"E	
L12	266.49	N1° 10' 17.7"W	
L13	343.27	N76° 59' 14.2"W	
L14	293.11	N36° 21' 31.3"W	
L15	192.15	N34° 36' 11.1"W	
L16	44.87	N39° 47' 58.9"W	

Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
L17	234.18	S48° 28' 55.1"E	
L18	339.71	S41° 36' 35.1"E	
L19	328.82	S82° 28' 24.4"E	
L20	276.59	N87° 57' 25.1"E	
L21	40.98	N66° 57' 53.2"E	
L22	19.56	N89° 38' 35.1"E	
L23	249.57	S41° 46' 25.1"E	
L24	267.48	S42° 57' 05.0"E	
L25	394.82	S52° 21' 13.0"E	
L26	94.14	S67° 48' 54.5"E	
L27	238.46	S43° 58' 38.4"E	
L28	418.83	S62° 28' 47.9"W	
L29	524.73	S4° 49' 49.7"W	
L30	264.19	S9° 37' 59.4"E	
L31	238.09	S9° 41' 57.1"W	
L32	260.78	S9° 58' 53.3"W	
L33	424.11	S15° 18' 22.3"W	
L34	264.01	S27° 17' 58.8"W	
L35	187.42	S56° 18' 58.9"W	
L36	728.78	N34° 48' 39.0"W	

Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
L37	105.28	S85° 37' 34.9"W	
L38	289.19	N87° 44' 15.1"W	
L39	747.63	N75° 12' 11.4"E	
L40	17.74	N19° 31' 56.2"W	
L41	194.16	N79° 47' 34.7"E	
L42	52.82	S1° 58' 24.8"W	
L43	288.84	S85° 10' 37.4"E	
L44	434.81	N80° 10' 25.9"W	
L45	351.59	N9° 20' 51.0"E	
L46	460.73	S42° 31' 15.3"E	
L47	281.75	N75° 16' 45.5"E	
L48	352.86	S47° 13' 14.4"E	
L49	191.90	N5° 41' 40.6"E	
L50	748.61	N42° 23' 28.4"W	

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

811 Know what's below. Call before you dig.

Engineer:

RJH

R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning Management

1520 Brantley Blvd., Sign City, S.C. 29678 P: (864) 882-2500

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 turns and related fees are transmitted by the Owner, Owner's Agent or Contractor to the Authority having jurisdiction.

Corporate Seal: NORTH CAROLINA PROFESSIONAL ENGINEER SEAL C-4168 R. JOE HARRIS & ASSOCIATES, INC. ENGINEERING & SURVEYING

Engineer's Seal: NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 051623 DANIEL B. GATES 11-23-2022

Project Manager: D. Gates	Drawn: T. Alston
Department Manager: P. Murphy	Checked: D. Gates
Print/Plot Date: November 23, 2022	
Ashbill Drawn: -	Ashbill 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 Site & Rezoning Plan: Phase 3

Project No.: 5259	Drawing No.: SP-9
DWG File Name: 5259_Site-Phase 3	

EXISTING DATA:

FEMA Panel: 3710453600K

Watershed: Long Watershed

Soil Types:

CeB2	- Cecil sandy clay loam, 2 to 6 percent slopes	55.6%
CeD2	- Cecil sandy clay loam 6 to 15 percent slopes	6.5%
EnB	- Enon sandy loam, 2 to 6 percent slopes	7.7%
EnD	- Enon sandy loam, 6 to 15 percent slopes	4.9%
PaE	- Pacolet sandy loam, 15 to 25 percent slopes	24.5%
VaB	- Vance sandy loam, 2 to 6 percent slopes	0.7%

TREE SPECIES:

PN	PINE TREE
SG	SWEETGUM
TP	TULIP POPLAR
WO	WILLOW OAK

Soil Hydrologic Groups: (% of site area)	
ZONING:	NR (CD)
ACREAGE:	28.26± ACRES
Group A	0
Group B	24.4± ACRES(86.34%)
Group C	3.86± ACRES (13.66%)
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:	8.00 Ac. (28.29%)
Low Density:	20.26 Ac. (72.71%)

Impervious Area Table	
% Impervious Shown	Max. Allowable
8.00 Ac. (28.29%)	28.26 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.

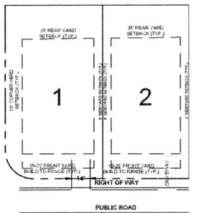
ROAD NAME	LENGTH
ROAD A =	279 LF
ROAD B =	663 LF
CARVER AVE =	958 LF
CHERRYBARK OAK LN =	1,615 LF

ROAD BLOCK LENGTHS

BL 19	958'	BL 19	994'	BL 22	100'
BL 17	279'	BL 20	228'		
BL 18	663'	BL 21	238'		

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

CONSTRAINING FEATURES: PHASE 3	
ZONING:	R
ACREAGE:	28.26± ACRES
SWIM BUFFER	2.28± ACRES
SLOPE ANALYSIS: (% OF SITE AREA)	
0% - 10%	18.04 ACRES (63.84%)
10% - 15%	5.28 ACRES (18.84%)
15% - 25%	4.55 ACRES (16.10%)
25% - 100%	0.29 ACRES (1.03%)



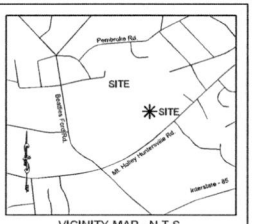
LOT SETBACKS

- 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.

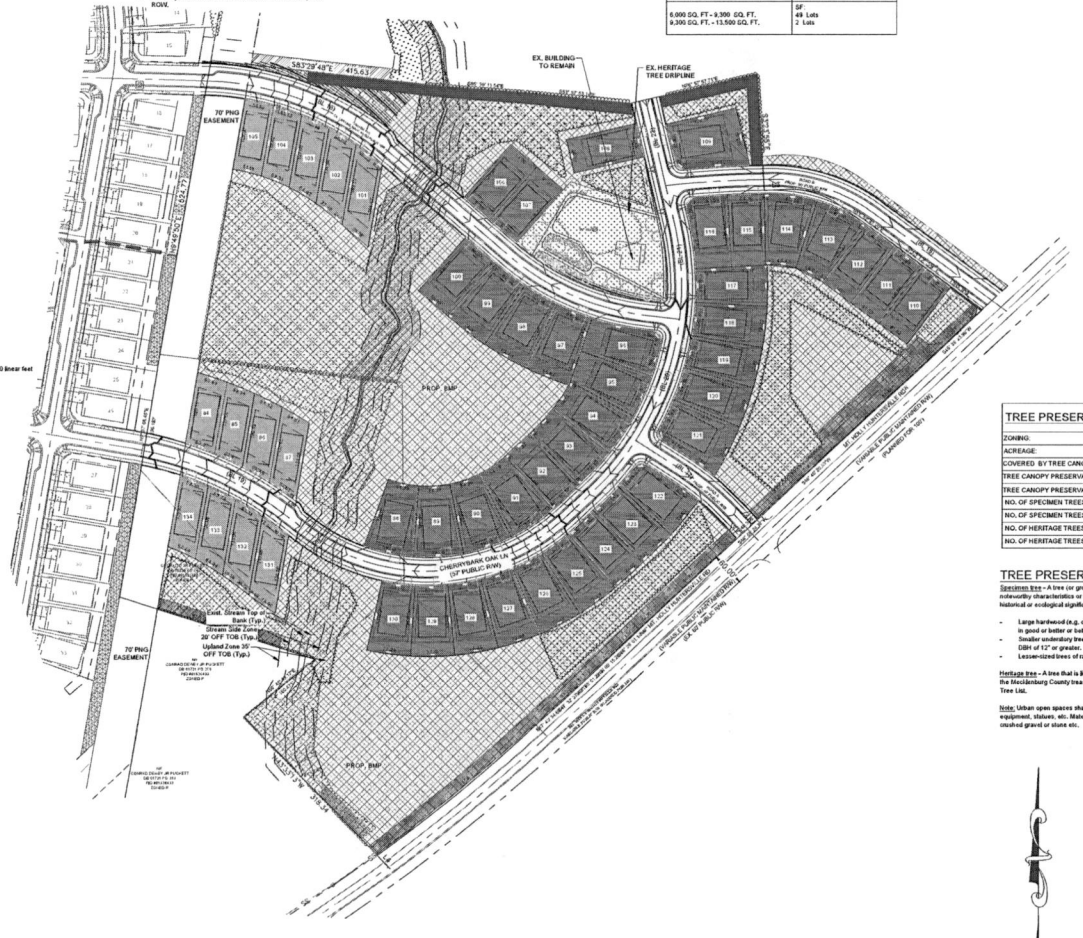
Huntersville General Notes:

1. All development and construction shall comply with all zoning and subdivision standards of the Town of Huntersville, Mecklenburg County, and NCDOT, as applicable.
2. This property may be subject to any easements and/or right-of-way of record.
3. All areas designated as common and/or urban open space shall be owned and maintained by the homeowners association and dedicated for perpetuity.
4. 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.
5. 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.
6. Garbage pick-up shall be via roll-out trash and mail delivery shall be to mail kiosks.
7. Direct access from lots to a thoroughfare is prohibited.
8. Lots subject to flooding should not be established in subdivisions except as provided in Section 7.300 (if applicable).
9. 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:	28.26 Ac = 1,231,145 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.	SINGLE FAMILY: 39
51-60.1 FT.	SINGLE FAMILY: 13
Lot Size Range:	
6,000 SQ. FT - 9,399 SQ. FT. 9,300 SQ. FT. - 13,500 SQ. FT.	SF: 49 Lots 2 Lots



VICINITY MAP - N.T.S.



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)
Acreage:	28.26± ACRES = 1,231,145 SF
Building type (Lot Count):	Detached House (51 lots)
Common Open Space:	3.82 Acres
Natural Open Space:	5.64 Acres

TREE PRESERVATION	
ZONING:	NR (CD)
ACREAGE:	28.26± ACRES
COVERED BY TREE CANOPY:	78.1%
TREE CANOPY PRESERVATION REQUIRED: 10%	±2.82 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%)	19 (Provided 22.2%)
NO. OF HERITAGE TREES ON-SITE:	1
NO. OF HERITAGE TREES SAVED:	1 (Provided 100%)

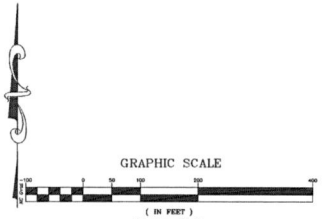
TREE PRESERVATION

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 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, walls, 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.



Parcel Area Table		Parcel Area Table		Parcel Area Table	
Parcel #	Area	Parcel #	Area	Parcel #	Area
64	6,721 SF	104	6,494 SF	124	7,847 SF
65	6,570 SF	105	6,391 SF	125	8,454 SF
66	6,721 SF	106	7,625 SF	126	8,454 SF
67	6,933 SF	107	7,625 SF	127	8,454 SF
68	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		

DATE	ISSUED FOR	REV
6/15/2022	Pre Submittal to Town of Huntersville	0
11/23/2022	Initial Submittal to Town of Huntersville	1

NORTH CAROLINA 811 — Know what's below. Call before you dig.

Engineer:

RJH

R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning Management

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

Engineer's Seal: NORTH CAROLINA REGISTERED PROFESSIONAL SEAL 051623 ENGINEER DANIEL B. GATES

Project Manager: D. Gates	Drawn: T. Alston
Department Manager: P. Murphy	Checked: D. Gates
Print Plot Date: November 23, 2022	
Ashbill Drawn: -	Ashbill Date: -

Client:

Carver Bowman, LLC
13815 Cinnabar Place
Huntersville, NC 28078
P: (704) 875-9704

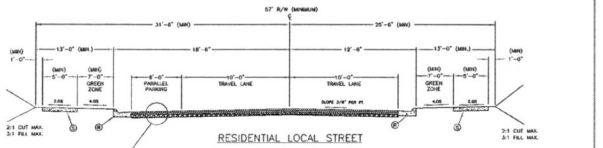
Project:

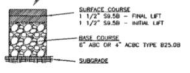
OAK GROVE HILL REZONING/SKETCH PLAN: PHASE 3

Drawing Title:

Site Plan: Phase 3

Project No.: 5259	Drawing No.: SP-10
DWG File Name: 5259_Site-Phase 3	





TYPICAL PAVEMENT SECTION

KEY

Ⓡ 2'-6" STD. CURB AND GUTTER

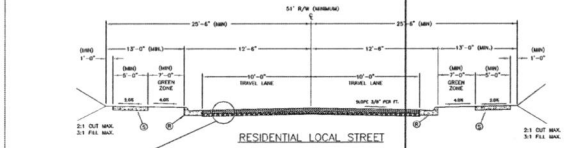
Ⓢ 4" CONCRETE SIDEWALK

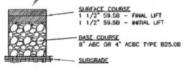
NOTES:

1. SIDEWALK SHALL BE PROVIDED ON BOTH SIDES OF THE STREET.
2. SEE SECTION 8. B. FOR ADDITIONAL DESIGN CRITERIA.
3. 2'-0" VALLEY GUTTER MAY BE SUBSTITUTED FOR 2'-6" CURB AND GUTTER ON THE SIDE OF THE STREET WITHOUT PARALLEL PARKING. THIS REDUCES THE MINIMUM RIGHT-OF-WAY BY SIX INCHES. 2'-0" VALLEY GUTTER MAY NOT BE SUBSTITUTED FOR 2'-6" CURB AND GUTTER ON THE SIDE OF THE STREET WITH PARALLEL PARKING.
4. REFER TO STANDARD DRAWING 285.1 FOR PARALLEL PARKING LAYOUT.

NOT TO SCALE

STANDARD DRAWING	RESIDENTIAL LOCAL STREET PARKING ON ONE SIDE OF STREET TYPICAL SECTION	REV. DATE 10/01/15 STD. NO. 200.2





TYPICAL PAVEMENT SECTION

KEY

Ⓡ 2'-6" STD. CURB AND GUTTER

Ⓢ 4" CONCRETE SIDEWALK

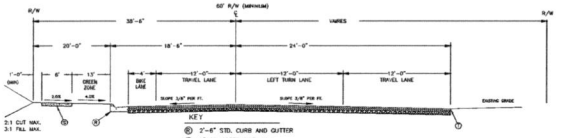
NOTES:

1. SIDEWALK SHALL BE PROVIDED ON BOTH SIDES OF THE STREET.
2. SEE SECTION 8. B. FOR ADDITIONAL DESIGN CRITERIA.
3. 2'-0" VALLEY GUTTER MAY BE SUBSTITUTED FOR 2'-6" CURB AND GUTTER. THIS REDUCES THE MINIMUM RIGHT-OF-WAY BY ONE FOOT.

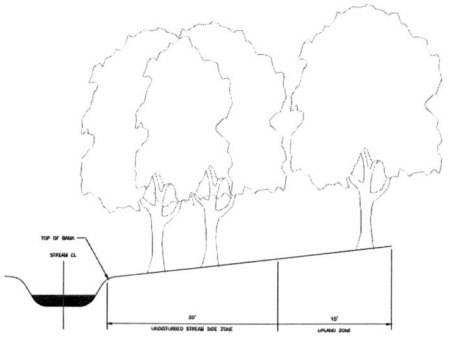
NOT TO SCALE

STANDARD DRAWING	RESIDENTIAL LOCAL STREET NO ON STREET PARKING TYPICAL SECTION	REV. DATE 10/01/15 STD. NO. 200.3

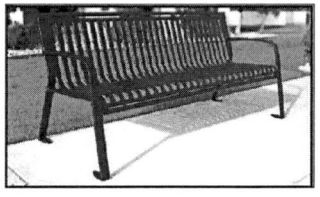
VICINITY MAP - N.T.S.



MT. HOLLY-HUNTERSVILLE TYPICAL SECTION(W/ PROPOSED WIDENING)
SCALE: N.T.S.



35' SWIM BUFFER DETAIL:



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

DATE	ISSUED FOR	REV
8/15/2022	Pre Submittal to Town of Huntersville	0
9/29/2022	Initial Submittal to Town of Huntersville	1
10/20/2022	Second Submittal to Town of Huntersville	2

NORTH CAROLINA 811 — Know what's below. Call before you dig.

Engineer:

RJH

R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning Management

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

Engineer's Seal: NORTH CAROLINA REGISTERED PROFESSIONAL SEAL 051823 ENGINEER DANIEL B. GATES

Project Manager	Drawn
D. Gates	T. Alston
Department Manager	Checked
P. Murphy	D. Gates
Print/Plot Date	
November 23, 2022	
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:

Details: Phase 3

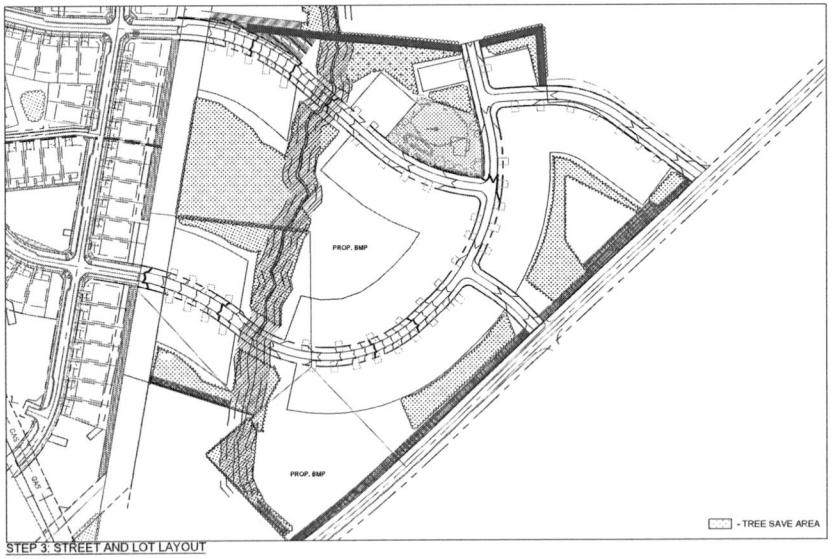
Project No.	Drawing No.
5259	SP-11
DWG File Name: 5259_Site-Phase 3	

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.

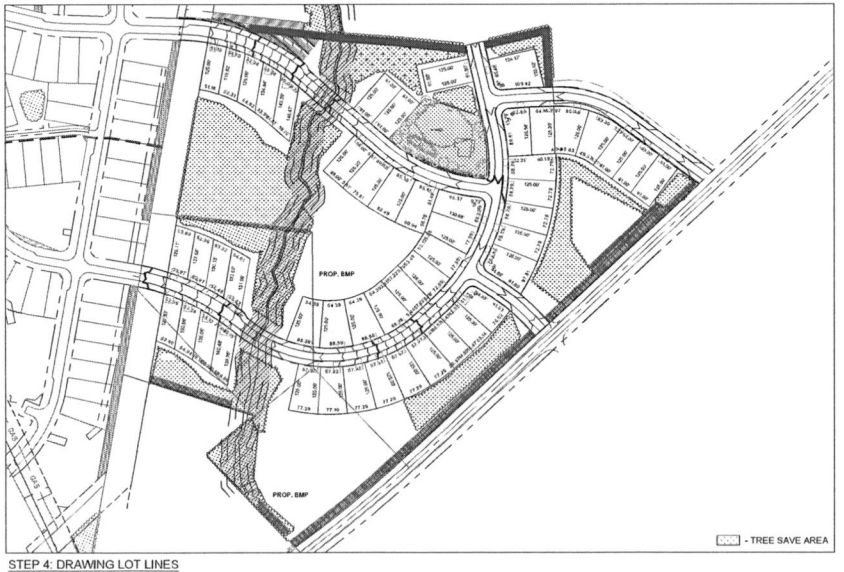
STEP 2: LOCATION OF HOUSE SITES

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.

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

811 Know what's below. Call before you dig.

Engineer:

RJH

R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning Management

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: NORTH CAROLINA PROFESSIONAL SEAL C-4168 ENGINEERING & SURVEYING, INC. R. JOE HARRIS & ASSOCIATES

Engineer's Seal: NORTH CAROLINA REGISTERED PROFESSIONAL SEAL 051623 ENGINEER DANIEL B. GATES 11/23/2022

Project Manager: D. Gates	Drawn: T. Alston
Department Manager: P. Murphy	Checked: D. Gates
Print Plot Date: November 23, 2022	
Addendi Drawn: -	Addendi 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:

Four Step Process: Phase 3

Project No.: 5259	Drawing No.: SP-12
DWG File Name: 5259_Four Step 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 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	GU	- Gum
EL	- Elm	MA	- Maple
BE	- Beach	PE	- Pecan
P	- Pine	WA	- Walnut
PO	- Poplar	HI	- Hickory
OA	- Oak		

TREE CANOPY MITIGATION

Large maturing trees required for tree canopy mitigation = 540 =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:	28.26± ACRES
SWIM BUFFER	2.28± ACRES
TREE COVERAGE:	20.94± ACRES
SLOPE ANALYSIS: (% OF SITE AREA)	
0% - 10%	18.04 ACRES (63.84%)
10% - 15%	5.38 ACRES (19.04%)
15% - 25%	4.55 ACRES (16.10%)
25% - 100%	0.29 ACRES (1.03%)

Soil Hydrologic Groups: (% of site area)	
ZONING:	R
ACREAGE:	28.26± ACRES
Group A	0
Group B	24.4± ACRES(86.34%)
Group C	3.86± ACRES (13.66%)
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, 9 to 15 percent slopes 4.9%
- PaE - Parcelal 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%	187966.40	

Impervious Area Table	
% Impervious Shown	Max. Allowable
12.65 Ac. (22.74%)	55.63 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.

LEGEND

- S.W.I.M Buffer
- 50' Post Construction Buffer

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

NORTH CAROLINA 811 Know what's below. Call before you dig.

Engineer:

RJH

R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning Management

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: NORTH CAROLINA PROFESSIONAL SEAL C-4168 ENGINEERING & SURVEYING, INC. RJH ENGINEERING & ASSOCIATES, INC.

Engineer's Seal: NORTH CAROLINA REGISTERED PROFESSIONAL ENGINEER SEAL 051623 DANIEL B. GATES 11-23-2022

Project Manager: D. Gates	Drawn: T. Alston
Department Manager: P. Murphy	Checked: D. Gates
Print Plot Date: November 23, 2022	
Asbuilt Drawn: -	Asbuilt Date: -

Client:

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

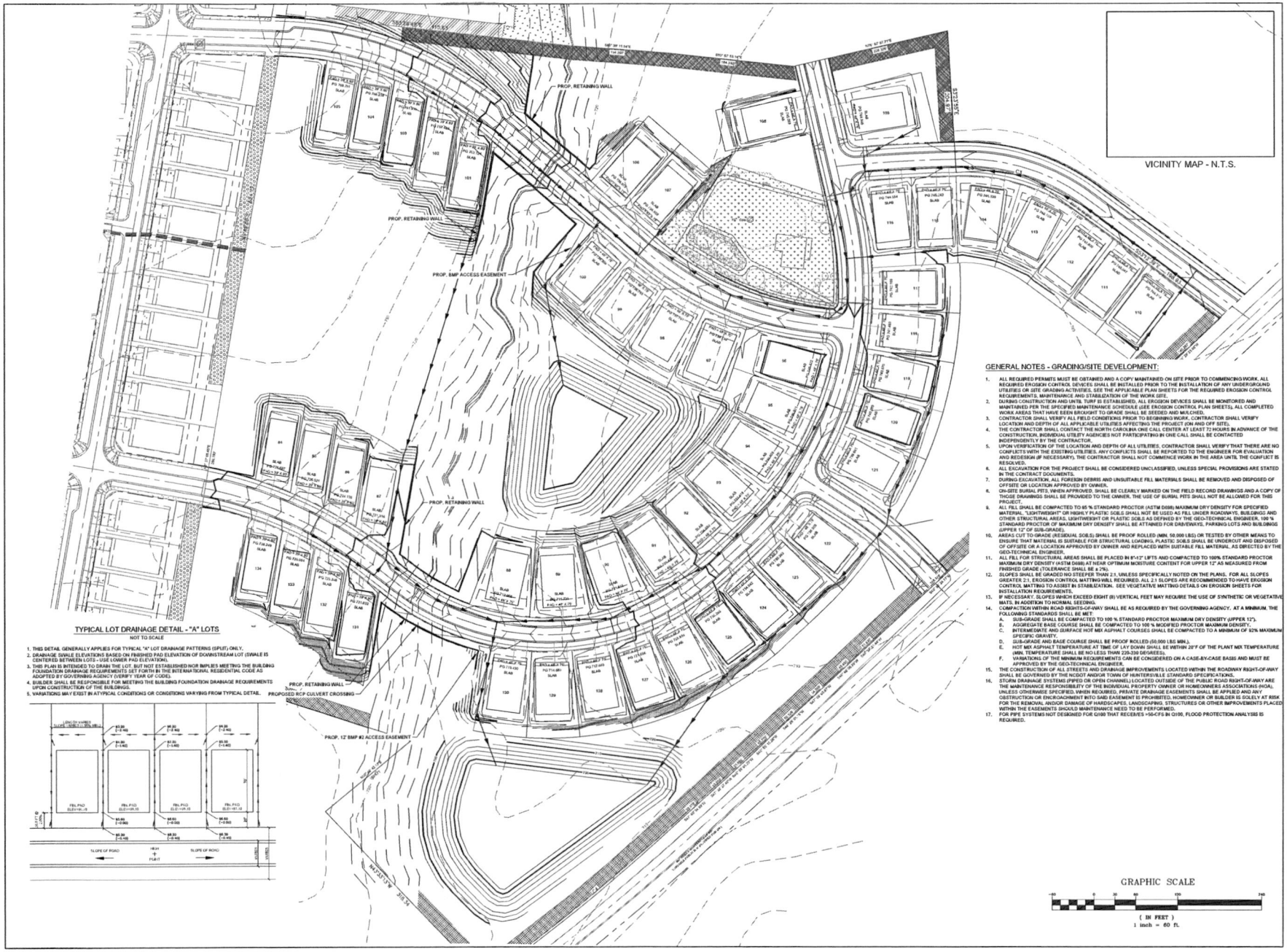
Project:

Oak Grove Hill Rezoning/Sketch Plan: Phase 3

Drawing Title:

Existing Conditions: Phase 3

Project No.	Drawing No.
5259	EX-5
DWG File Name: 5259_Existing Conditions	



TYPICAL LOT DRAINAGE DETAIL - "A" LOTS

NOT TO SCALE

1. THIS DETAIL GENERALLY APPLIES FOR TYPICAL "A" LOT DRAINAGE PATTERNS (SPLIT) ONLY.
2. DRAINAGE SWALE ELEVATIONS BASED ON FINISHED PAD ELEVATION OF DOWNSTREAM LOT (SWALE IS CENTERED BETWEEN LOTS - USE LOWER PAD ELEVATION).
3. THIS PLAN IS INTENDED TO DRAIN THE LOT, BUT NOT ESTABLISHED NOR IMPLIES MEETING THE BUILDING FOUNDATION DRAINAGE REQUIREMENTS SET FORTH IN THE INTERNATIONAL RESIDENTIAL CODE AS ADOPTED BY GOVERNING AGENCY (VERIFY YEAR OF CODE).
4. BUILDER SHALL BE RESPONSIBLE FOR MEETING THE BUILDING FOUNDATION DRAINAGE REQUIREMENTS UPON CONSTRUCTION OF THE BUILDINGS.
5. VARIATIONS MAY EXIST IN ATYPICAL CONDITIONS OR CONDITIONS VARYING FROM TYPICAL DETAIL.

GENERAL NOTES - GRADING/SITE DEVELOPMENT:

1. ALL REQUIRED PERMITS MUST BE OBTAINED AND A COPY MAINTAINED ON SITE PRIOR TO COMMENCING WORK. ALL REQUIRED EROSION CONTROL DEVICES SHALL BE INSTALLED PRIOR TO THE INSTALLATION OF ANY UNDERGROUND UTILITIES OR SITE GRADING ACTIVITIES. SEE THE APPLICABLE PLAN SHEETS FOR THE REQUIRED EROSION CONTROL REQUIREMENTS, MAINTENANCE AND STABILIZATION OF THE WORK SITE.
2. DURING CONSTRUCTION AND UNTIL TURF IS ESTABLISHED, ALL EROSION DEVICES SHALL BE MONITORED AND MAINTAINED PER THE SPECIFIED MAINTENANCE SCHEDULE (SEE EROSION CONTROL PLAN SHEETS). ALL COMPLETED WORK AREAS THAT HAVE BEEN BROUGHT TO GRADE SHALL BE SEEDED AND MULCHED.
3. CONTRACTOR SHALL VERIFY ALL FIELD CONDITIONS PRIOR TO BEGINNING WORK. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL APPLICABLE UTILITIES AFFECTING THE PROJECT (ON AND OFF SITE).
4. THE CONTRACTOR SHALL CONTACT THE NORTH CAROLINA ONE CALL CENTER AT LEAST 72 HOURS IN ADVANCE OF THE CONSTRUCTION, IN/MEDIAL UTILITY AGENCIES NOT PARTICIPATING IN ONE CALL SHALL BE CONTACTED INDEPENDENTLY BY THE CONTRACTOR.
5. UPON VERIFICATION OF THE LOCATION AND DEPTH OF ALL UTILITIES, CONTRACTOR SHALL VERIFY THAT THERE ARE NO CONFLICTS WITH THE EXISTING UTILITIES. ANY CONFLICTS SHALL BE REPORTED TO THE ENGINEER FOR EVALUATION AND REDESIGN (IF NECESSARY). THE CONTRACTOR SHALL NOT COMMENCE WORK IN THE AREA UNTIL THE CONFLICT IS RESOLVED.
6. ALL EXCAVATION FOR THE PROJECT SHALL BE CONSIDERED UNCLASSIFIED, UNLESS SPECIAL PROVISIONS ARE STATED IN THE CONTRACT DOCUMENTS.
7. DURING EXCAVATION, ALL FOREIGN DEBRIS AND UNSUITABLE FILL MATERIALS SHALL BE REMOVED AND DISPOSED OF OFFSITE OR LOCATION APPROVED BY OWNER.
8. ON-SITE BURIAL PITS, WHEN APPROVED, SHALL BE CLEARLY MARKED ON THE FIELD RECORD DRAWINGS AND A COPY OF THOSE DRAWINGS SHALL BE PROVIDED TO THE OWNER. THE USE OF BURIAL PITS SHALL NOT BE ALLOWED FOR THIS PROJECT.
9. ALL FILL SHALL BE COMPACTED TO 95 % STANDARD PROCTOR (ASTM D698) MAXIMUM DRY DENSITY FOR SPECIFIED MATERIAL. "LIGHTWEIGHT OR HIGHLY PLASTIC SOILS SHALL NOT BE USED AS FILL UNDER ROADWAYS, BUILDINGS AND OTHER STRUCTURAL AREAS. LIGHTWEIGHT OR PLASTIC SOILS AS DEFINED BY THE GEO-TECHNICAL ENGINEER, 100 % STANDARD PROCTOR OF MAXIMUM DRY DENSITY SHALL BE ATTAINED FOR DRIVEWAYS, PARKING LOTS AND BUILDINGS (UPPER 12" OF SUB-GRADE).
10. AREAS CUT TO GRADE (RESIDUAL SOILS) SHALL BE PROOF ROLLED (MIN. 50,000 LBS) OR TESTED BY OTHER MEANS TO ENSURE THAT MATERIAL IS SUITABLE FOR STRUCTURAL LOADING. PLASTIC SOILS SHALL BE UNDERCUT AND DISPOSED OF OFFSITE OR A LOCATION APPROVED BY OWNER AND REPLACED WITH SUITABLE FILL MATERIAL, AS DIRECTED BY THE GEO-TECHNICAL ENGINEER.
11. ALL FILL FOR STRUCTURAL AREAS SHALL BE PLACED IN 8"-12" LIFTS AND COMPACTED TO 100% STANDARD PROCTOR MAXIMUM DRY DENSITY (ASTM D698) AT NEAR OPTIMUM MOISTURE CONTENT FOR UPPER 12" AS MEASURED FROM FINISHED GRADE (TOLERANCE SHALL BE ± 2%).
12. SLOPES SHALL BE GRADED NO STEEPER THAN 2:1, UNLESS SPECIFICALLY NOTED ON THE PLANS. FOR ALL SLOPES GREATER 2:1, EROSION CONTROL MATTING WILL REQUIRED. ALL 2:1 SLOPES ARE RECOMMENDED TO HAVE EROSION CONTROL MATTING TO ASSIST IN STABILIZATION. SEE VEGETATIVE MATTING DETAILS ON EROSION SHEETS FOR INSTALLATION REQUIREMENTS.
13. IF NECESSARY, SLOPES WHICH EXCEED EIGHT (8) VERTICAL FEET MAY REQUIRE THE USE OF SYNTHETIC OR VEGETATIVE MATS, IN ADDITION TO NORMAL SEEDING.
14. COMPACTION WITHIN ROAD RIGHTS-OF-WAY SHALL BE AS REQUIRED BY THE GOVERNING AGENCY. AT A MINIMUM, THE FOLLOWING STANDARDS SHALL BE MET:
    A. SUB-GRADE SHALL BE COMPACTED TO 100 % STANDARD PROCTOR MAXIMUM DRY DENSITY (UPPER 12").
    B. AGGREGATE BASE COURSE SHALL BE COMPACTED TO 100 % MODIFIED PROCTOR MAXIMUM DENSITY.
    C. INTERMEDIATE AND SURFACE HOT MIX ASPHALT COURSES SHALL BE COMPACTED TO A MINIMUM OF 92% MAXIMUM SPECIFIC GRAVITY.
    D. SUB-GRADE AND BASE COURSE SHALL BE PROOF ROLLED (50,000 LBS MIN.).
    E. HOT MIX ASPHALT TEMPERATURE AT TIME OF LAY DOWN SHALL BE WITHIN 20°F OF THE PLANT MIX TEMPERATURE (MIN. TEMPERATURE SHALL BE NO LESS THAN 225-230 DEGREES).
    F. VARIATIONS OF THE MINIMUM REQUIREMENTS CAN BE CONSIDERED ON A CASE-BY-CASE BASIS AND MUST BE APPROVED BY THE GEO-TECHNICAL ENGINEER.
15. THE CONSTRUCTION OF ALL STREETS AND DRAINAGE IMPROVEMENTS LOCATED WITHIN THE ROADWAY RIGHT-OF-WAY SHALL BE GOVERNED BY THE NCDOT AND/OR TOWN OF HUNTERSVILLE STANDARD SPECIFICATIONS.
16. STORM DRAINAGE SYSTEMS (PIPED OR OPEN CHANNEL) LOCATED OUTSIDE OF THE PUBLIC ROAD RIGHT-OF-WAY ARE THE MAINTENANCE RESPONSIBILITY OF THE INDIVIDUAL PROPERTY OWNER OR HOMEOWNERS ASSOCIATIONS (HOA), UNLESS OTHERWISE SPECIFIED. WHEN REQUIRED, PRIVATE DRAINAGE EASEMENTS SHALL BE APPLIED AND ANY OBSTRUCTION OR ENCROACHMENT INTO SAID EASEMENT IS PROHIBITED. HOMEOWNER OR BUILDER IS SOLELY AT RISK FOR THE REMOVAL AND/OR DAMAGE OF HARDSCAPES, LANDSCAPING, STRUCTURES OR OTHER IMPROVEMENTS PLACED WITHIN THE EASEMENTS SHOULD MAINTENANCE NEED TO BE PERFORMED.
17. FOR PIPE SYSTEMS NOT DESIGNED FOR Q100 THAT RECEIVES >50-CFS IN Q100, FLOOD PROTECTION ANALYSIS IS REQUIRED.

GRAPHIC SCALE

0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

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

NORTH CAROLINA 811 — Know what's below. Call before you dig. 811

Engineer:

RJH

R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning Management

1268 Statesview Blvd., Fort Mill, S.C. 29715 P: (803) 802-4766

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: NORTH CAROLINA PROFESSIONAL SEAL C-4168 ENGINEERING & SURVEYING INC.

Engineer's Seal: NORTH CAROLINA PROFESSIONAL SEAL 051823 ENGINEER DANIEL B. GATES

Project Manager	Drawn
D. Gates	J. Vavrina
Department Manager	Checked
P. Murphy	D. Gates
Print/Plot Date	
November 23, 2022	
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.	Drawing No.
5259	GP-5
DWG File Name:	
5259_Grading	

TREE LEGEND

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

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	583,223 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	

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: 28.2%	±7.97 ACRES
NO. OF SPECIMEN TREES ON-SITE:	81
NO. OF SPECIMEN TREES SAVED:(Min. Req. 10%)	(Provided 22.2%)
NO. OF HERITAGE TREES ON-SITE:	1
NO. OF HERITAGE TREES SAVED:(Min. Req. 100%)	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 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.

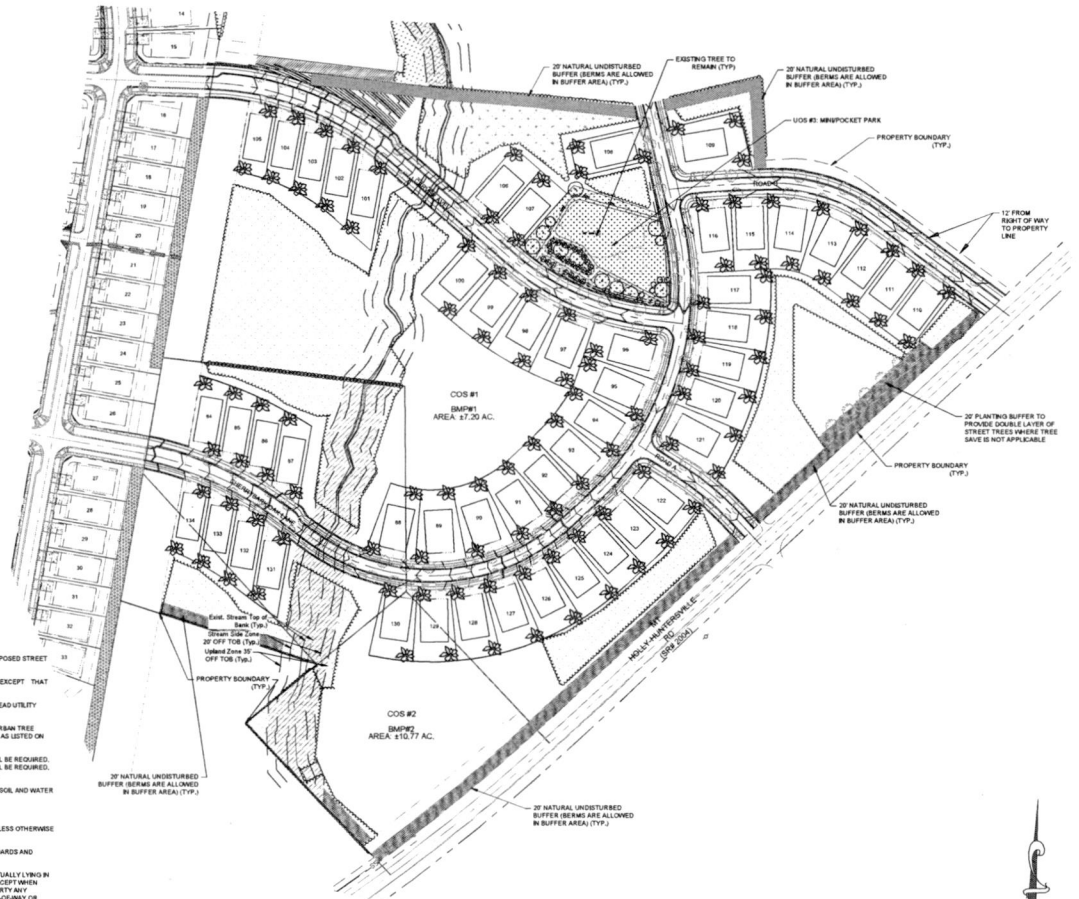
Note: Urban open spaces shall include one or more of the following: landscaping, walks, seating, fountains, playground equipment, statues, etc. Materials used shall be a combination of brick pavers, stamped asphalt, stone, wrought iron, wood, crushed gravel or stone etc.

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

VICINITY MAP - N.T.S.

LOT TREES

SQ.FT. :	LOT NUMBER :	LOT TREES REQUIRED:
LESS THAN 10,000 :	84–108; 110–120; 122–134	1 FRONT & 1 REAR
10,000 – 15,000 :	109; 121	1 FRONT & 2 REAR
APPROVED LOT TREES: RED MAPLE, SUGAR MAPLE, COMMON HACKBERRY, WHITE ASH, SCARLET OAK, SOUTHERN RED OAK, OVERCUP OAK, WILLOW OAK, NORTHERN RED OAK, EASTERN RED OAK, SHUMARD OAK, LACEBARK ELM, JAPANESE ZELKOVA (SEE TOWN OF HUNTERSVILLE TREE LIST FOR COMPLETE APPROVED LIST)		



LEGEND

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

LANDSCAPING NOTES (PER TOWN OF HUNTERSVILLE):

1. 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.
2. 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.
3. 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
4. ALL STREET TREES MUST BE FROM THE "TOWN OF HUNTERSVILLE TREE AND SHRUB LIST."
5. ALL TREES SHALL BE A MINIMUM OF 2-INCHES IN CALIPER AND 8-FEET IN HEIGHT AT THE TIME OF PLANTING, UNLESS OTHERWISE SPECIFIED.
6. INSTALLATION OF TREES AND SHRUBS SHALL COMPLY WITH THE TOWN OF HUNTERSVILLE ENGINEERING STANDARDS AND PROCEDURES MANUAL.
7. 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.
8. 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.
9. 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).
10. AS THE REMAINDER OF THE THOROUGHFARE IS BUILT, DOUBLE ROW OF TREES AND SIDEWALKS WILL BE REQUIRED.

GRAPHIC SCALE

-100 0 50 100 200 400

(IN FEET)

1 inch = 100 ft.

DATE	ISSUED FOR	REV
8/15/2022	Pre Submittal to Town of Huntersville	0
11/29/2022	Initial Submittal to Town of Huntersville	1

NORTH CAROLINA 811 — Know what's below. Call before you dig.

Engineer:

R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning Management

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

Engineer's Seal: NORTH CAROLINA PROFESSIONAL SEAL 051823 DANIEL B. GATES

Project Manager	Drawn
D. Gates	T. Alston
Department Manager	Checked
P. Murphy	D. Gates
Plot/Plot Date	
November 23, 2022	
As-built Drawn	As-built Date
-	-

Client:

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

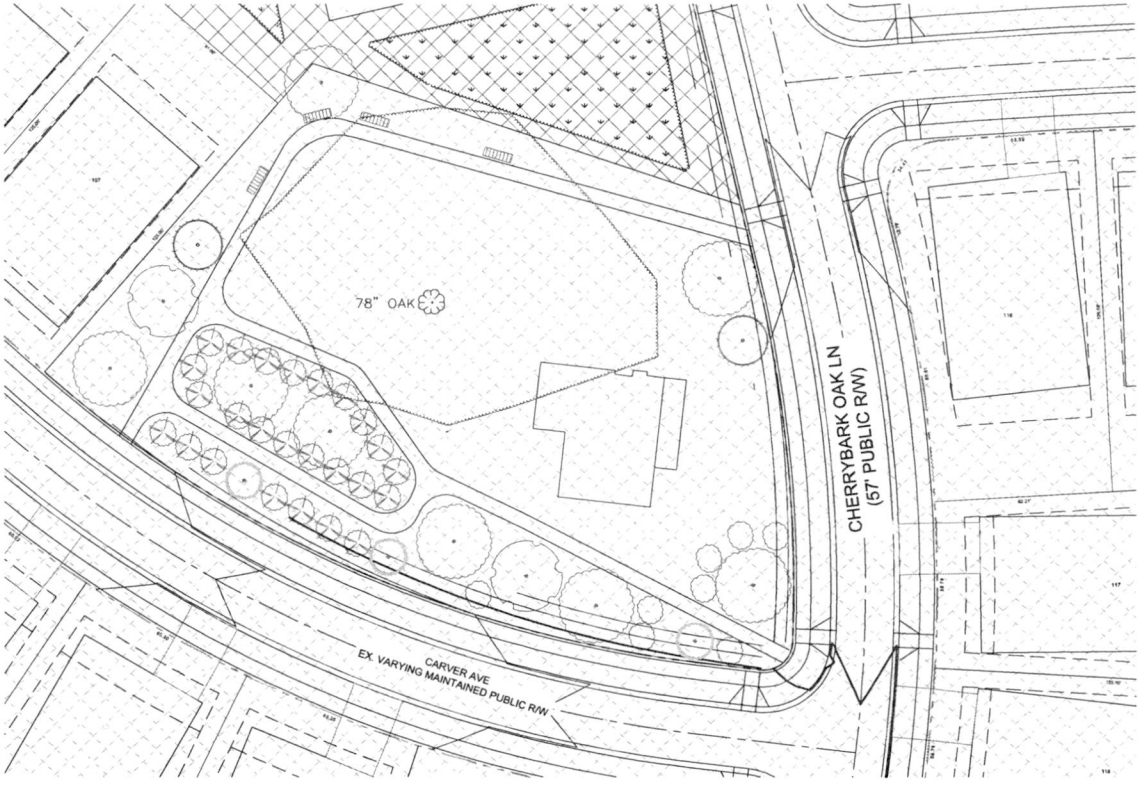
Project:

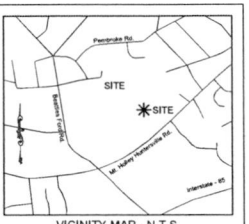
Oak Grove Hill Rezoning/Sketch Plan: Phase 3

Drawing Title:

Landscape

Project No.	Drawing No.
5259	LP-5
DWG File Name: 5259_Landscape Plan	





VICINITY MAP - N.T.S.

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

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 Totals					
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
8/15/2022	Pre Submittal to Town of Huntersville	0
11/23/2022	Initial Submittal to Town of Huntersville	1

NORTH CAROLINA 811 — Know what's below. Call before you dig.

Engineer:
RJH
R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning Management
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: NORTH CAROLINA PROFESSIONAL ENGINEER SEAL C-4158 R. JOE HARRIS & ASSOCIATES, INC.

Engineer's Seal: NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 051823 DANIEL B. GATES 11/23/2022

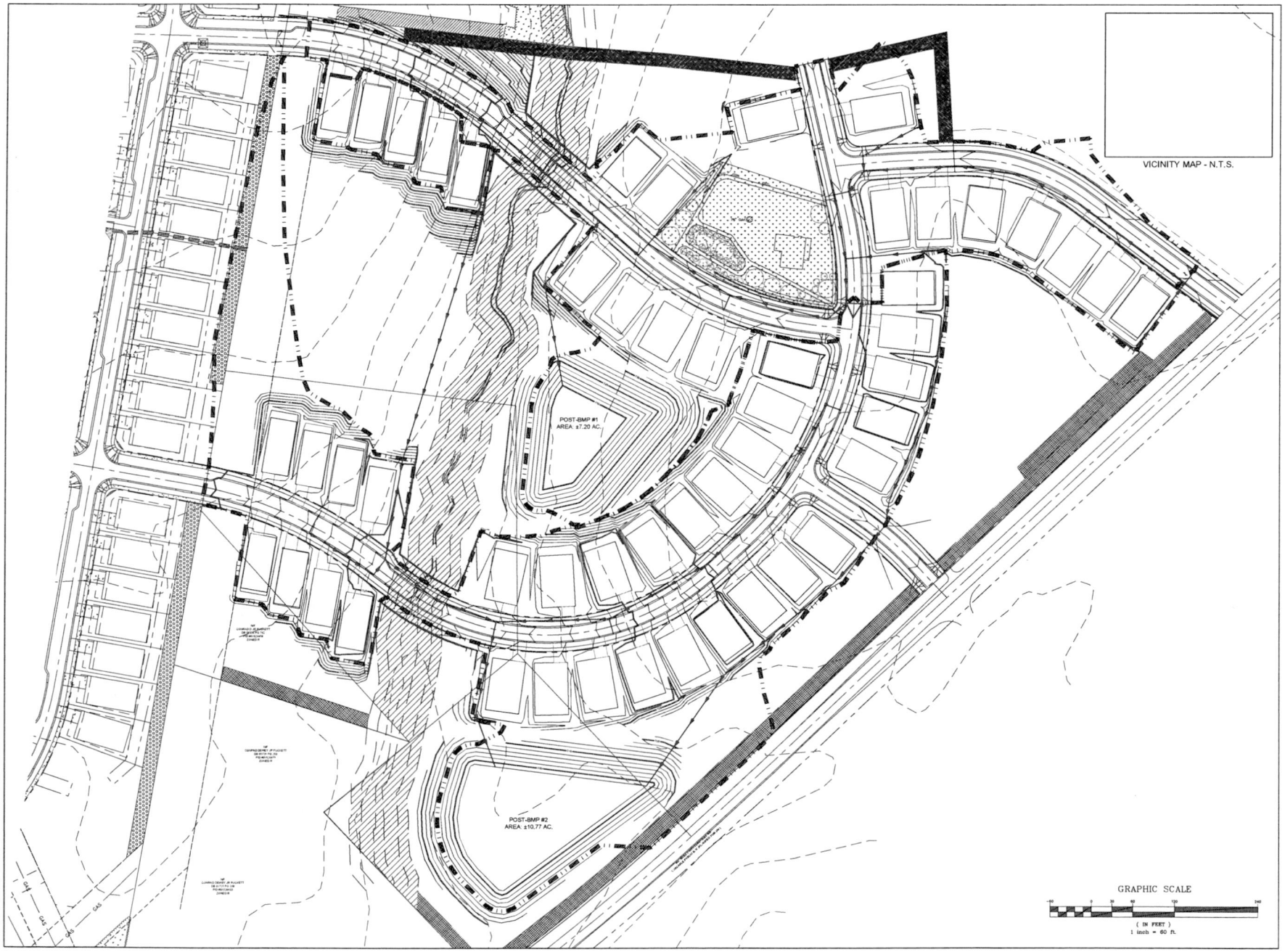
Project Manager: D. Gates	Drawn: T. Alston
Department Manager: P. Murphy	Checked: D. Gates
Print/Plot Date: November 23, 2022	
As-built Drawn: -	As-built Date: -

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

Project No.: 5259	Drawing No.: LP-6
DWG File Name: 5259_Site-Phase 3	



VICINITY MAP - N.T.S.

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

NORTH CAROLINA 811 — 811 Know what's below. Call before you dig.

Engineer:

RJH

R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning Management

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: NORTH CAROLINA PROFESSIONAL ENGINEERING & LAND SURVEYING SEAL C-4168 R. JOE HARRIS & ASSOCIATES, INC.

Engineer's Seal: NORTH CAROLINA REGISTERED PROFESSIONAL ENGINEER SEAL 051823 DANIEL B. GATES

Project Manager	Drawn
D. Gates	J. Vavrina
Department Manager	Checked
P. Murphy	D. Gates
Print/Plot Date	
November 23, 2022	
Asbuilt Drawn	Asbuilt Date
-	-

Client

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

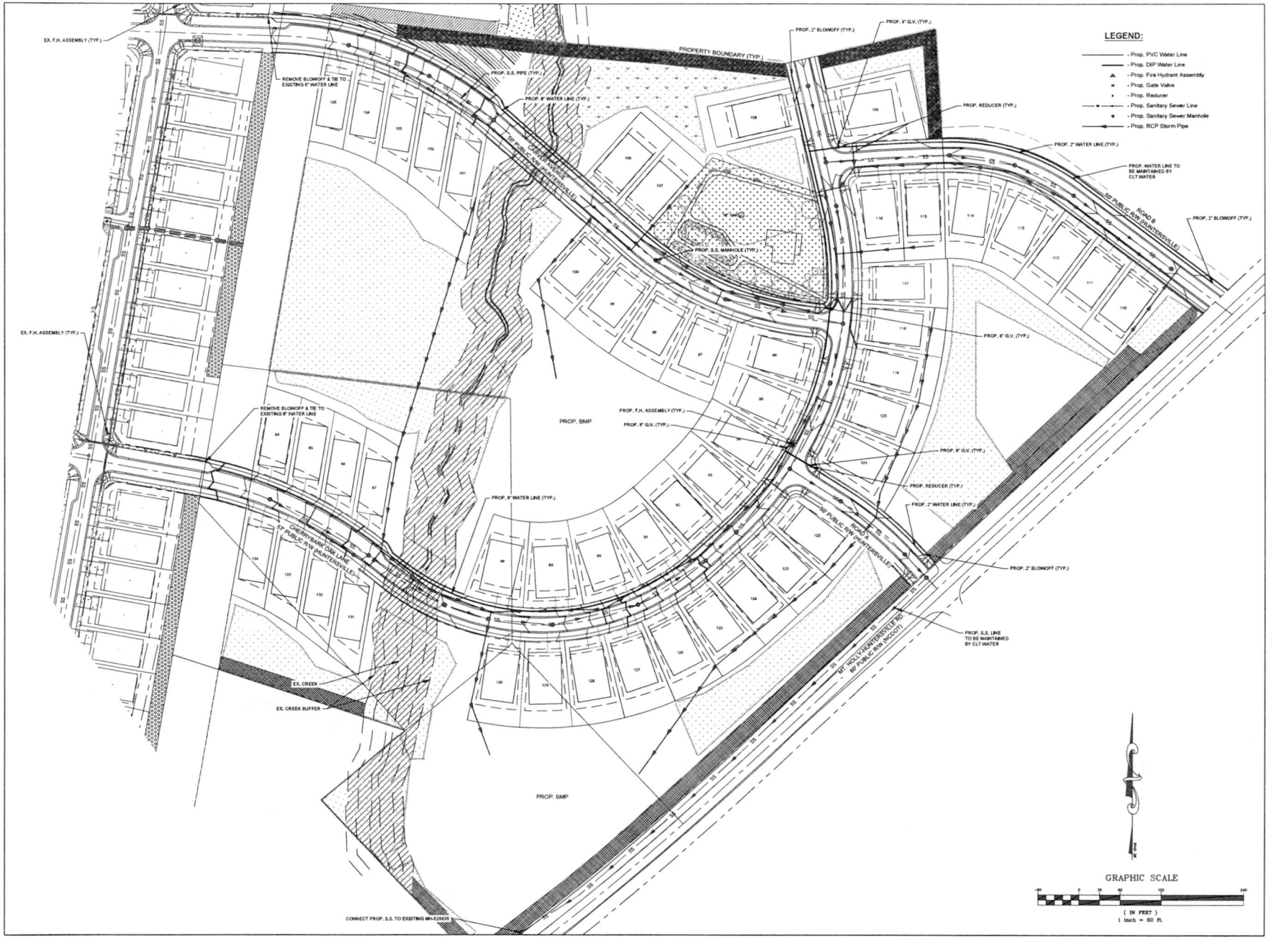
Project:

Oak Grove Hill
Rezoning/Sketch Plan:
Phase 3

Drawing Title:

Post-Drainage Map

Project No.	Drawing No.
5259	BMP-3
DWG File Name: 5258_Post Drainage	



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

NORTH CAROLINA 811 — Know what's below. Call before you dig.

Engineer:

RJH

R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning Management

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: NORTH CAROLINA PROFESSIONAL ENGINEERING & LAND SURVEYING CORP. SEAL C-4168 R. JOE HARRIS & ASSOCIATES, INC.

Engineer's Seal: NORTH CAROLINA REGISTERED PROFESSIONAL ENGINEER SEAL 051823 DANIEL B. GATES 11/23/2022

Project Manager	Drawn
D. Gates	T. Alston
Department Manager	Checked
P. Murphy	D. Gates
Print/Plot Date	
November 23, 2022	
Addn/B Drawn	Addn/B 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.	Drawing No.
5259	UT-1
DWG File Name: 5259_UtilSke	

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.

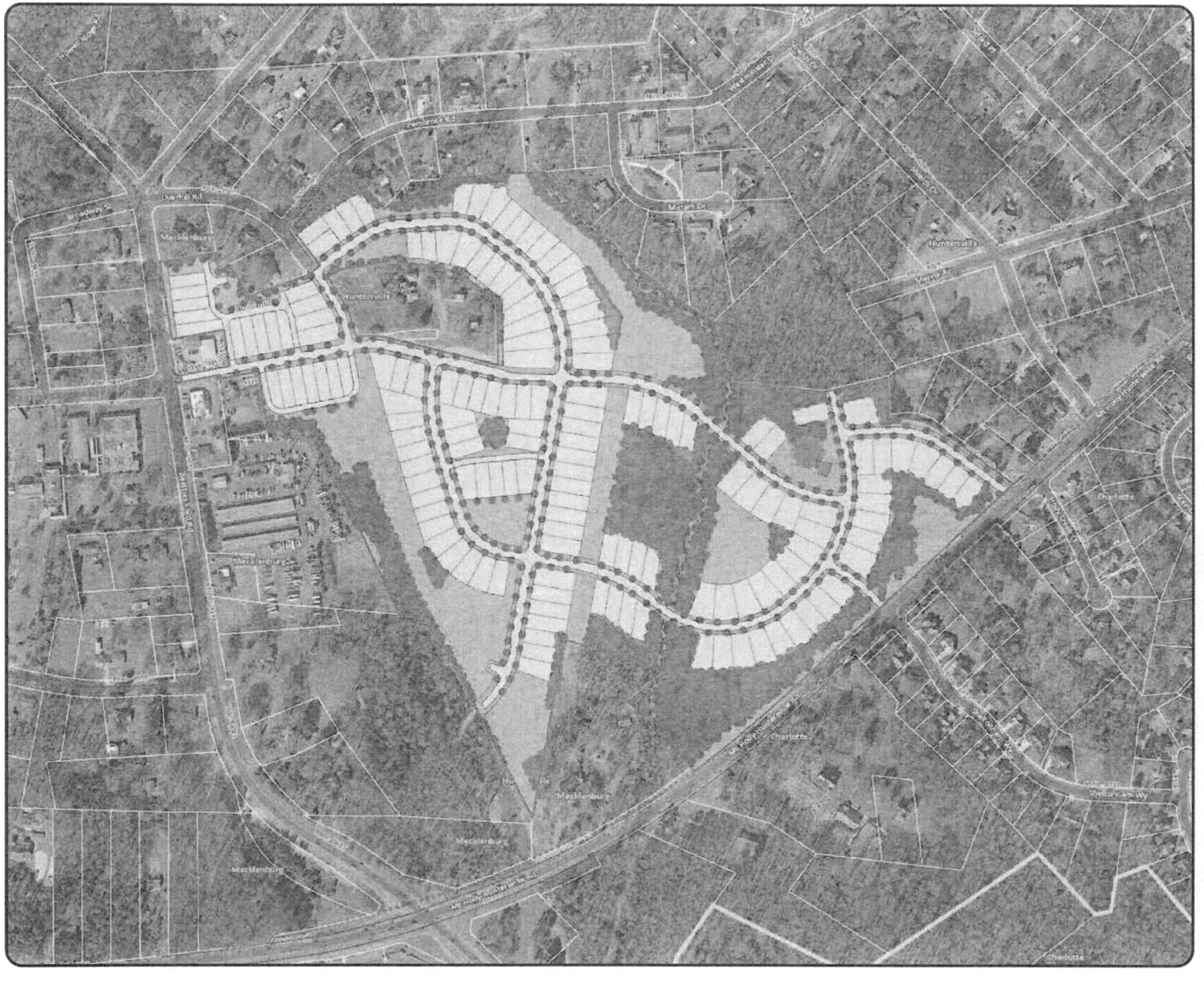
Wallace:

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%)

NEIGHBORHOOD MEETING

SIGN IN SHEET

NAME	ADDRESS	PHONE #	EMAIL ADDRESS
Bill McElroy	9547 Pembroke Rd	7043940472	sevonef@bellsouth.net
Sevonea Gwen Rhynes	8724 Sheltonham Way	704.905-5473	~~sevonef@bellsouth.net~~ sevonefrhynes@
Frank Gammon	8912 Deerland Court	704.408.6507	fgammon@roadrunner.com
Daniel Gaster	10830 Saltmarsh Lane (Engineer)	—	—
Christopher Dickerson	8728 Mt. Holly - Huntersville	704.917.9447	mrchristopherdickerson@gmail.com
Jason Brooks	105 Villa Ave Hunt	8503856684	
Deborah Weir	9319 Wedgewood Dr.	704996-3355	dweir222@gmail.com
Chris Rohlfing	9039 Miriam Drive	704-906-5272	—
Mark Barney	9039 Miriam Dr.	704-996-7544	
Nick Reid	9524 Pembroke Rd	(704)996-7526	NReid0347@gmail.com
Wallace			

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.

13815 Cinnabar Place • Huntersville • NC • 28078
704.875.9704

Charlotte-Mecklenburg Schools

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.

Schools Affected	*Total Classroom Teachers*	*Building Classrooms/ Teacher Stations*	*20th Day, Enrollment (non-ec)*	*Building Classroom/ Adjusted Capacity (Without Mobiles)*	*20th Day, Building Utilization (Without Mobiles)*	*Additional Students As a result of this development*	*Utilization As of result of this development (Without Mobiles)*
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:

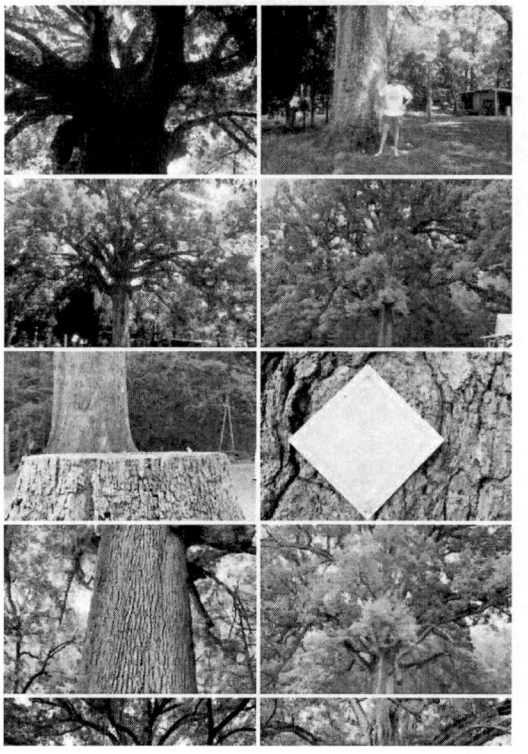
Middle School: 7 x $37,000 = $259,000

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.

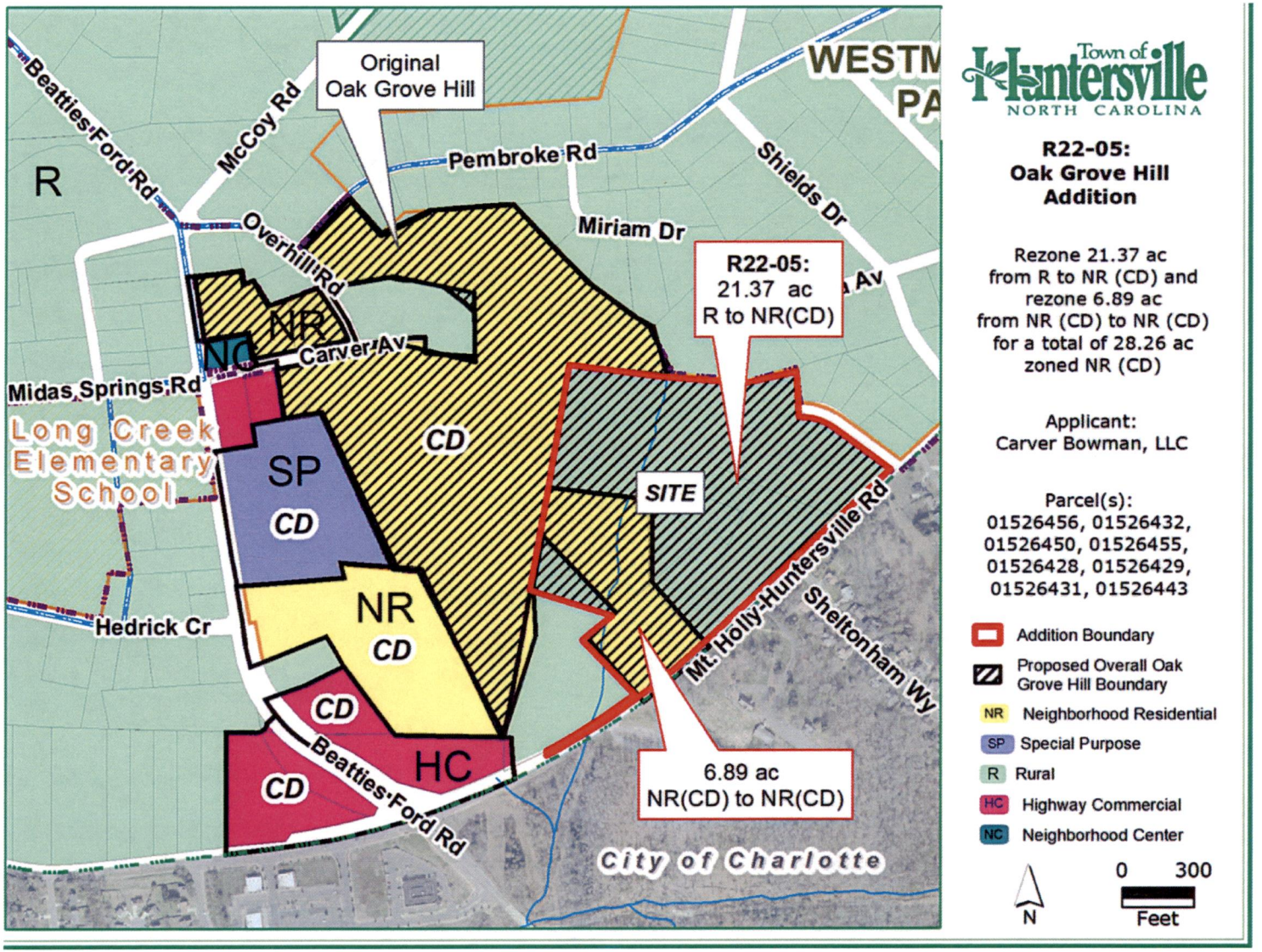


Statistics (1992//2020)

- 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
NORTH CAROLINA

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)

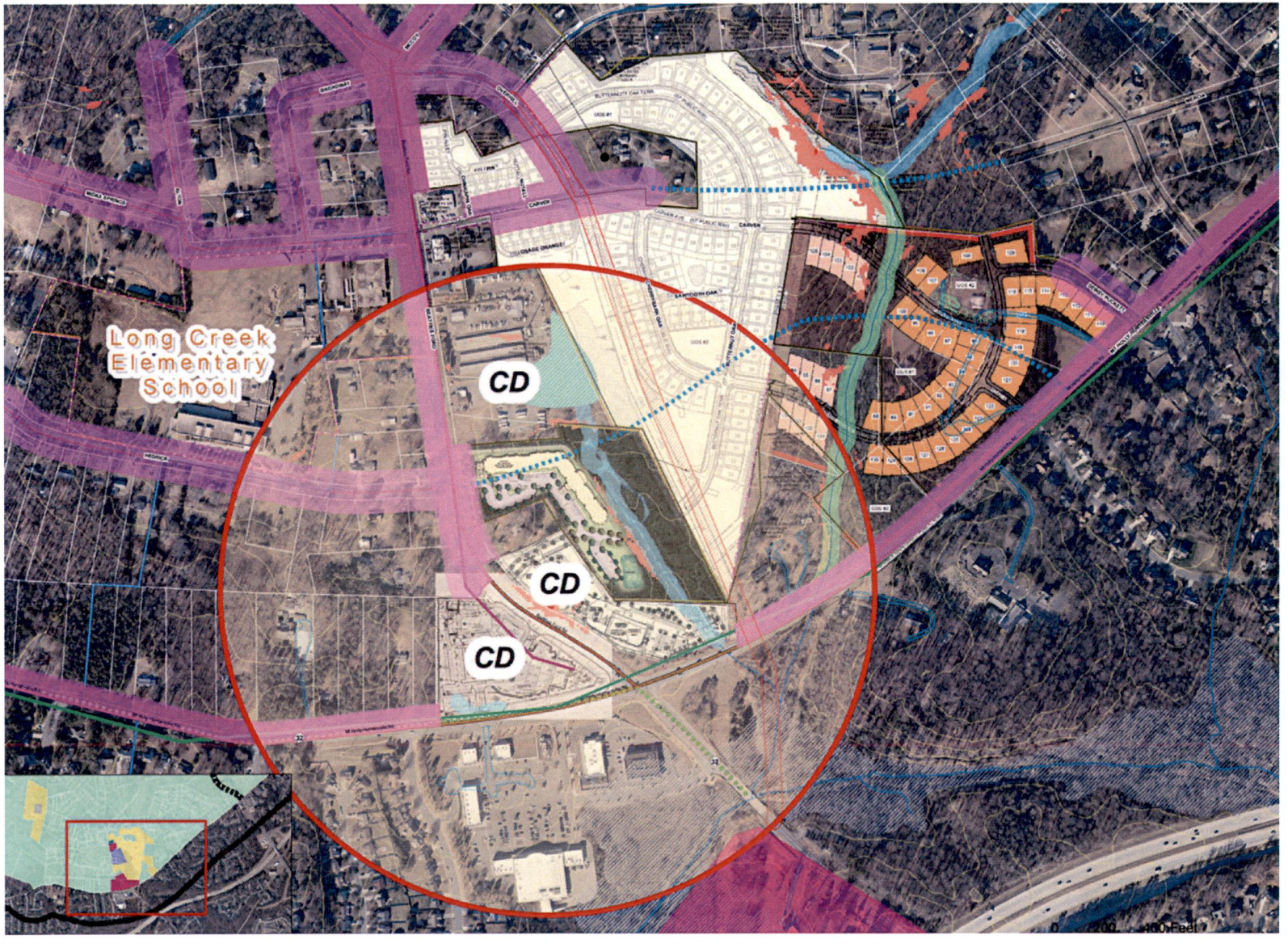
Applicant:
Carver Bowman, LLC

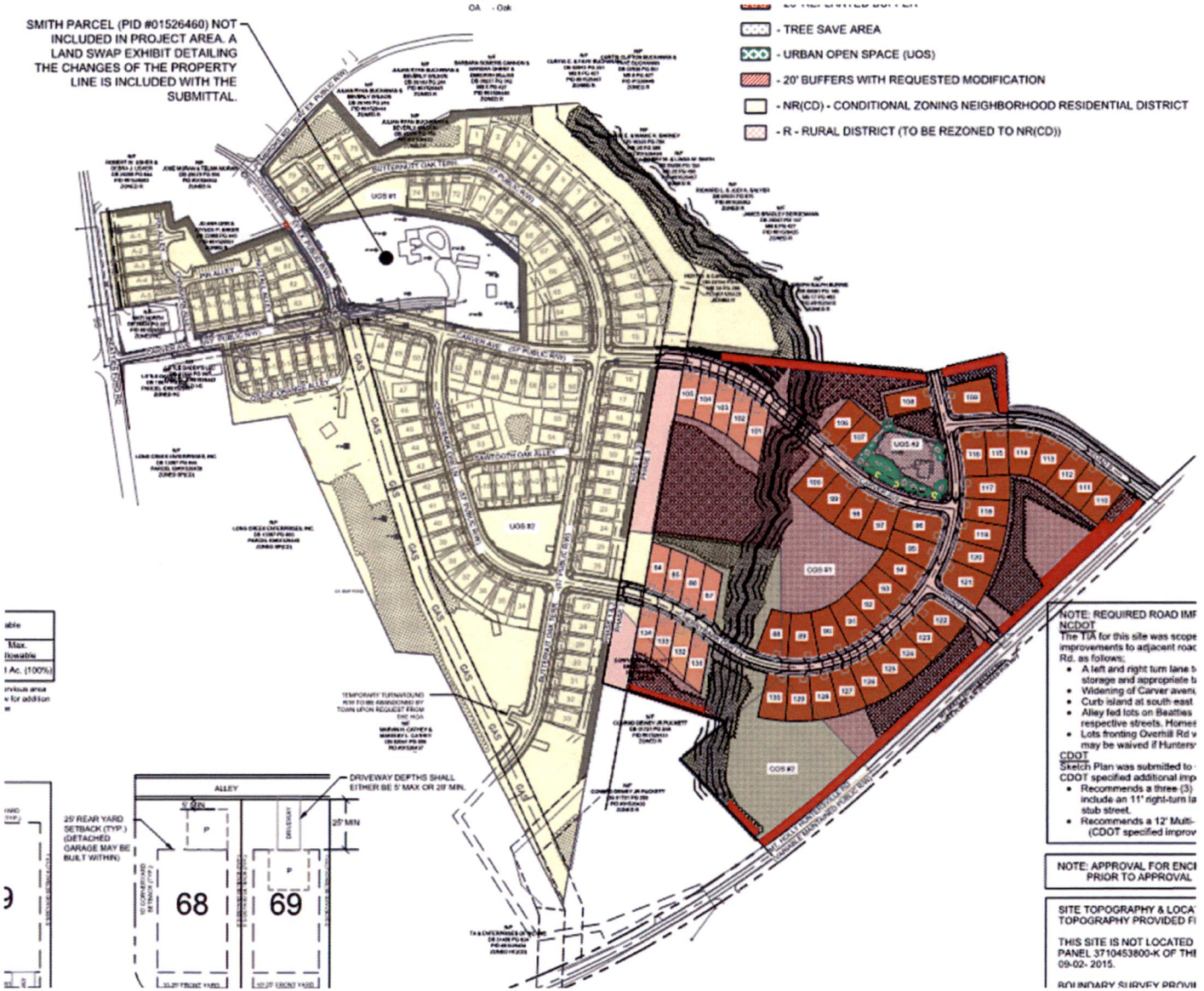
Parcel(s):
01526456, 01526432,
01526450, 01526455,
01526428, 01526429,
01526431, 01526443

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

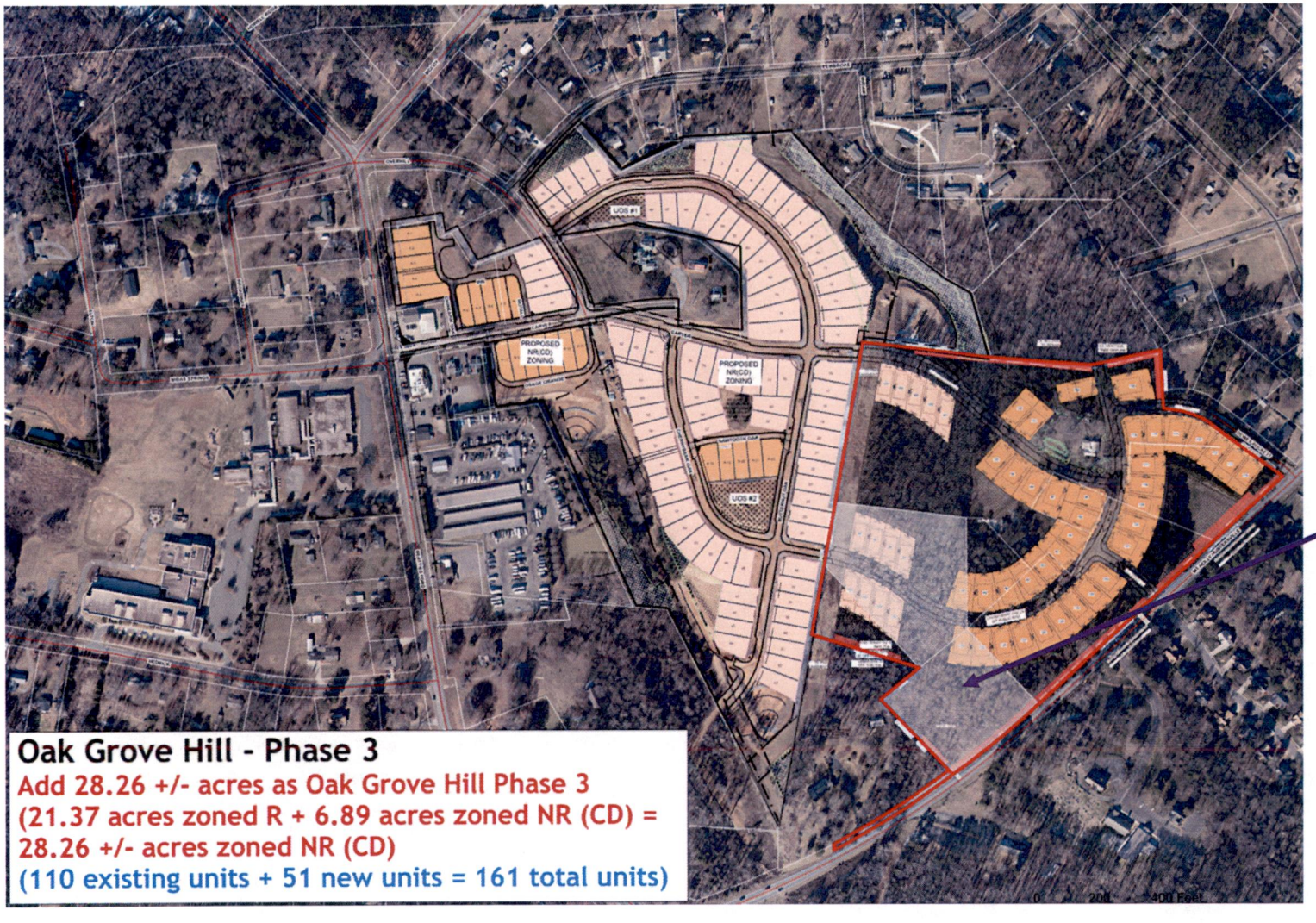
N

0 300
Feet


Long Creek Elementary School
CD
CD
CD
0 1,200 2,400 Feet

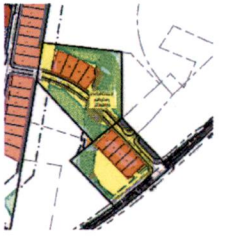


R22-05
OAK GROVE HILL - ADDITION

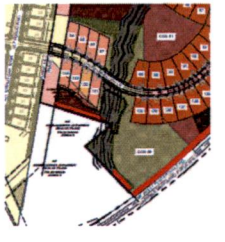


Oak Grove Hill - Phase 3

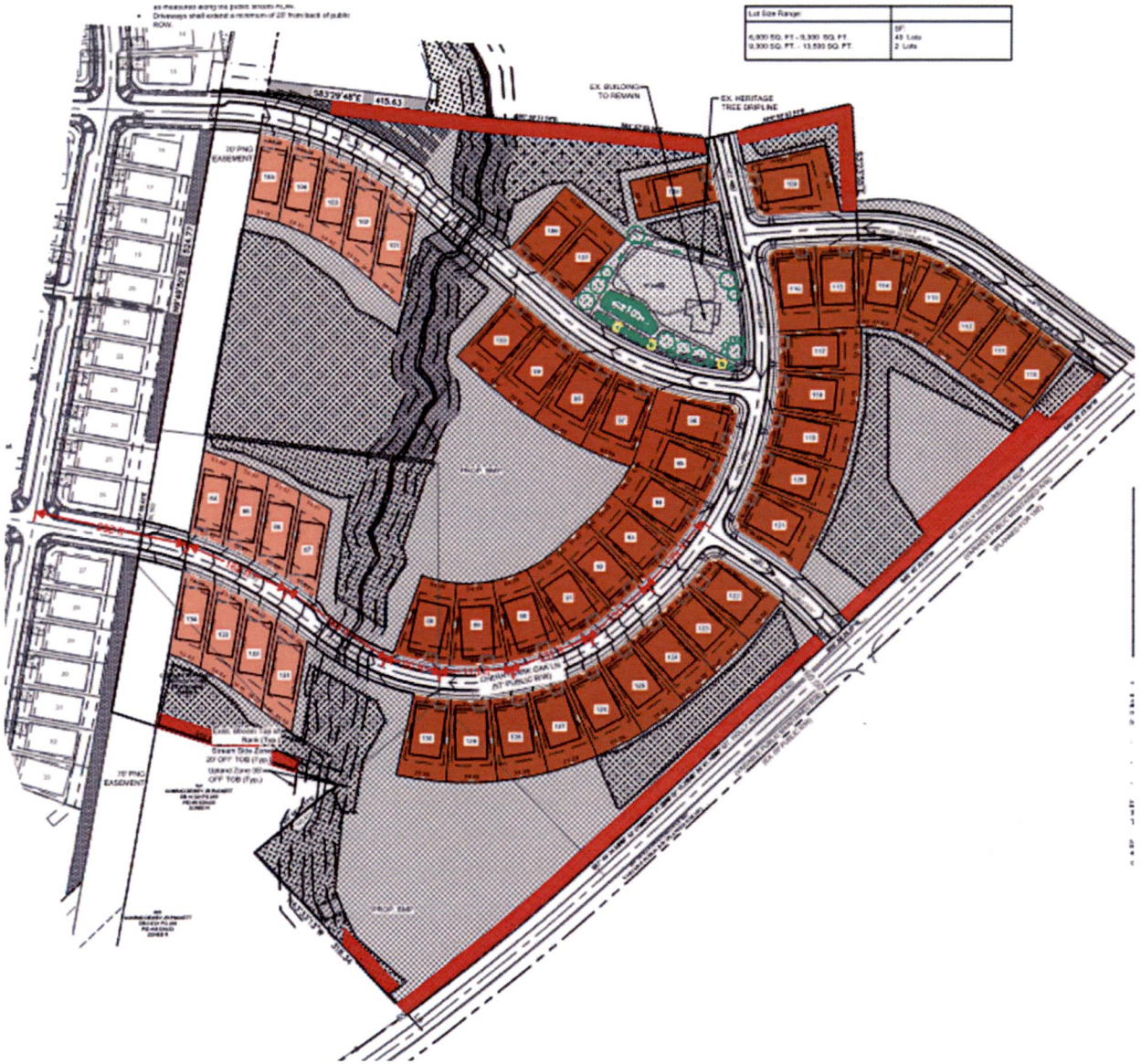
Add 28.26 +/- acres as Oak Grove Hill Phase 3
(21.37 acres zoned R + 6.89 acres zoned NR (CD) =
28.26 +/- acres zoned NR (CD)
(110 existing units + 51 new units = 161 total units)



ORIGINAL LAYOUT

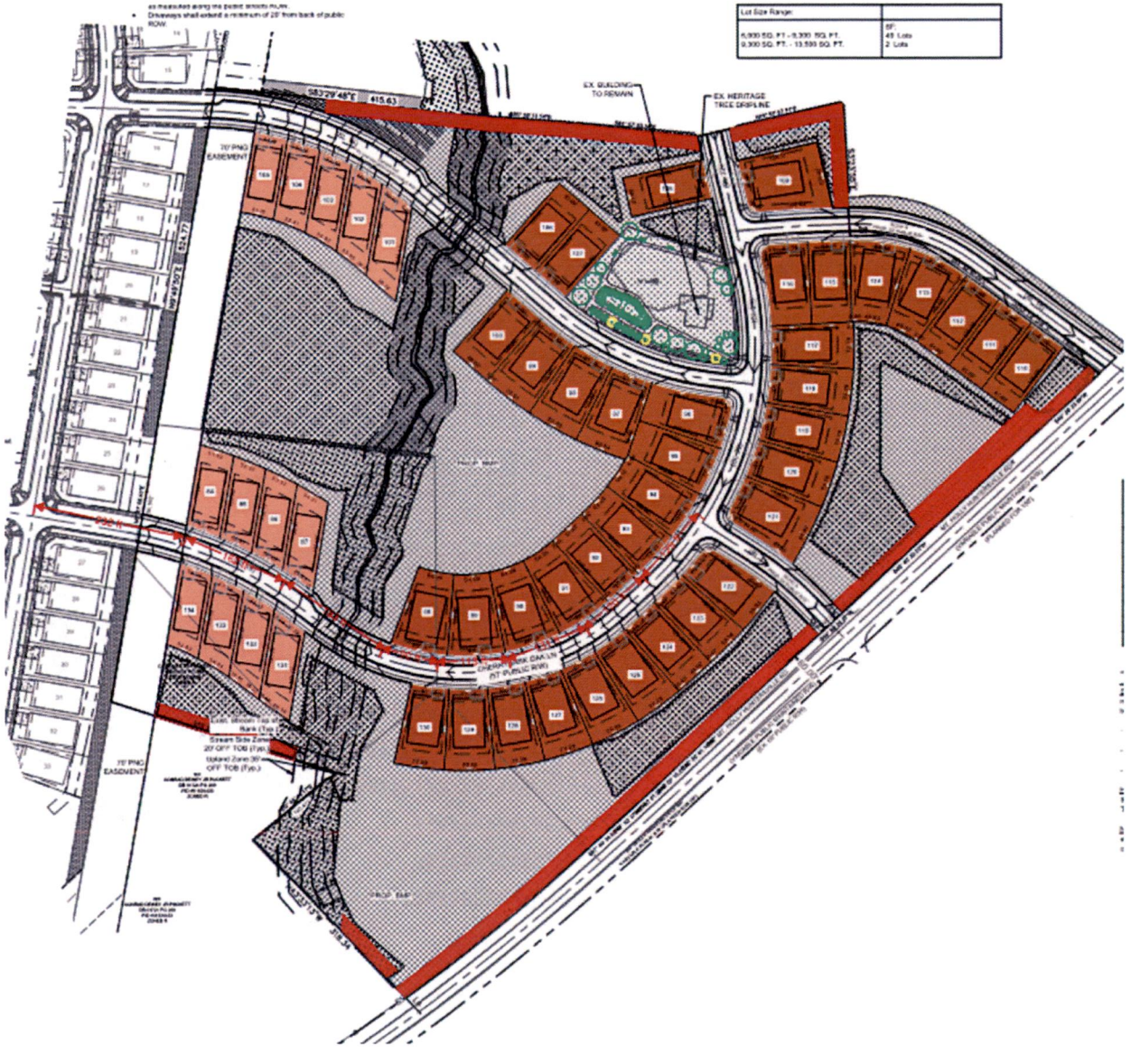


PROPOSED LAYOUT



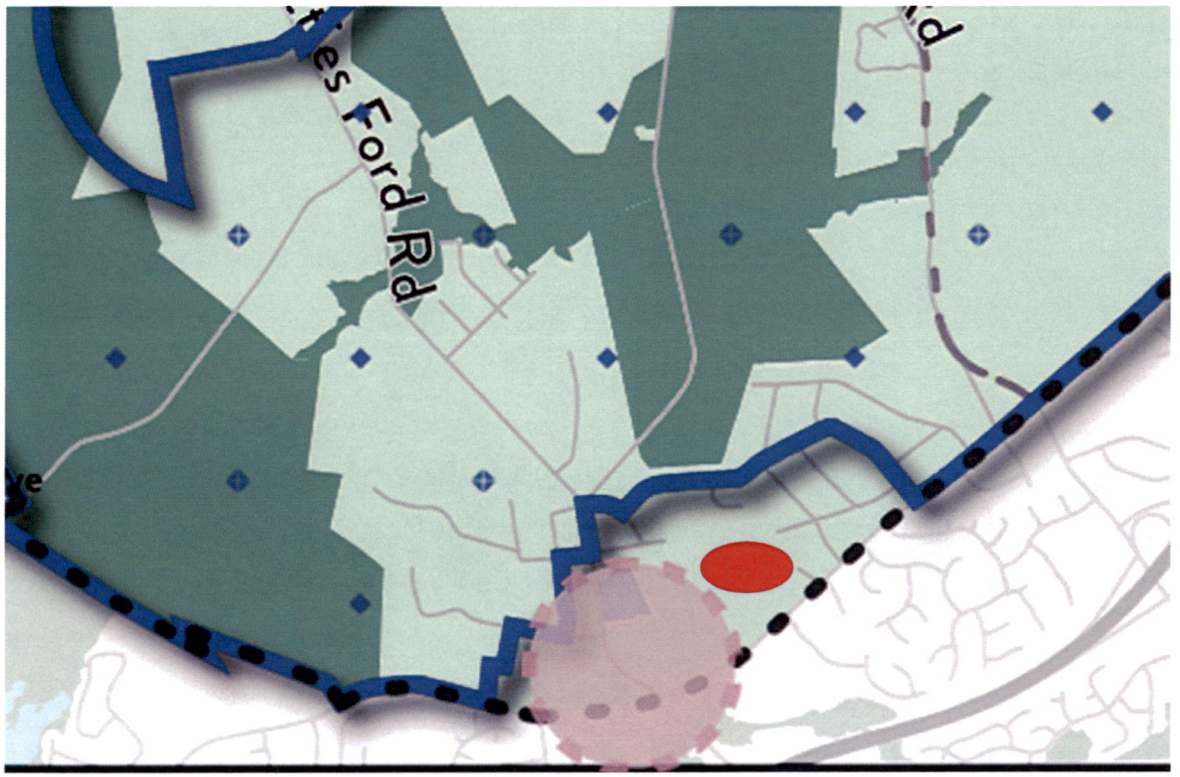
PROPOSAL SUMMARY:

SIZE:	28.26-acres
Current Zoning:	Neighborhood Residential – Conditional District (NR-CD) & Rural (R)
Proposed Zoning:	Neighborhood Residential – Conditional District (NR-CD)
Proposed Use:	Single-Family Homes.
Number of Lots:	161
Proposed Density:	1.8 units/ac for addition area (2.42 units/ac for all 3 Phases).


Lot Size Range:
9,000 SQ. FT. - 9,300 SQ. FT.
9,300 SQ. FT. - 13,500 SQ. FT.
SF:
45 Lots
2 Lots
EX. BUILDING TO REMAIN
EX. HERITAGE TREE DRIPLINE
70' PNG EASEMENT
70' PNG EASEMENT
DRIVEWAY (PRIVATE) 24' PUBLIC R/W)

Town of Huntersville 2040 Community Plan

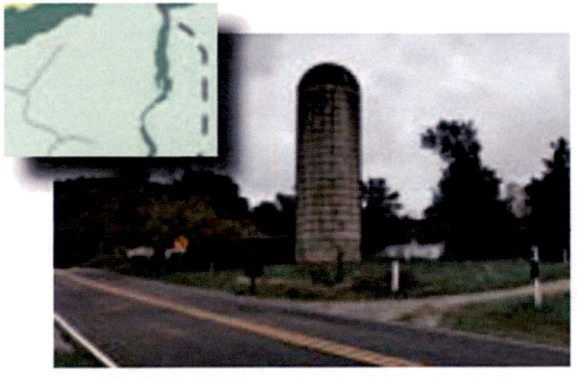
Future Land Use Map



Consistent with Policies:
LU-2, LU-3.1, LU-7.1, LU-10.2, LU-10.4, LU-12.3, EOS-1.1 & EOS-4.1.

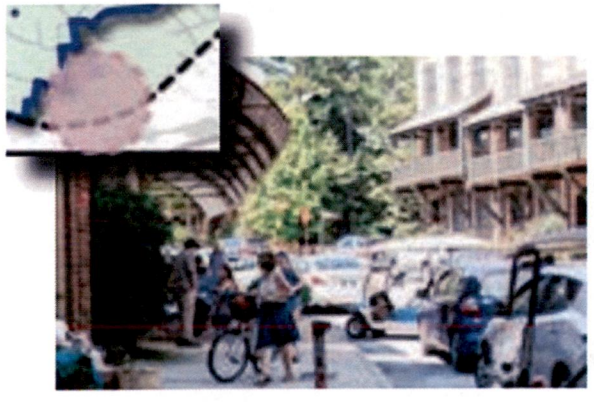
Not Consistent with Policies:
EOS-10 & T-3.2.

HUNTERSVILLE 2040 PLAN – FUTURE LAND USE CHARACTER AREAS



Rural Conservation

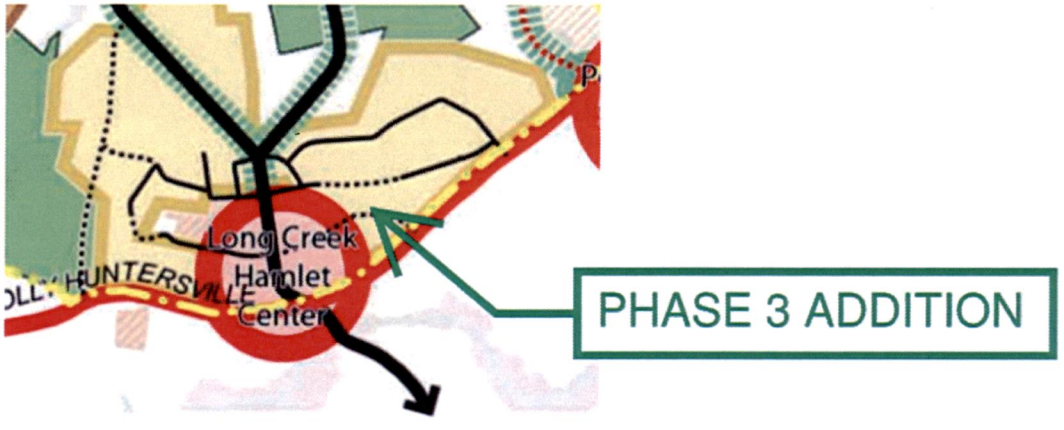
These areas preserve elements of rural character. They balance open space conservation and some residential development. Development form is farms and associated structures, Farmhouse Clusters, and low-density Conservation Subdivisions (if access to utilities exists). New development has a 0.9 unit/acre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



Activity Centers

Planned Activity Centers include a mix of non-residential and residential uses and are usually located at key intersections of major or minor thoroughfares. New non-residential uses are limited in scale and overall footprint (generally less than 40,000 square feet of non-residential). 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.

Beatties Ford Road Corridor Small Area Plan
Master Plan



Land Use

- BFRCSAP Study Area Boundary
- Residential Area / Subdivisions
- Equestrian Use Corridor
- Nature Preserve / Passive Open Space
- Active Use Park
- Mixed-Use / Hamlet Center

Proposed Transportation System

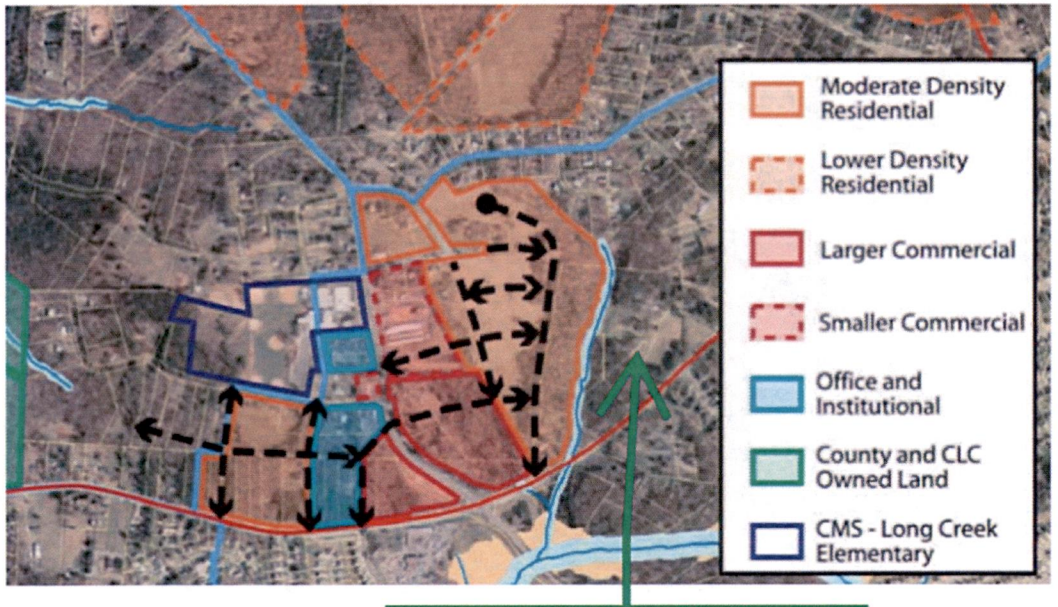
- Existing Major Thoroughfare
- Existing Minor Thoroughfare
- Proposed Major Thoroughfare
- Proposed Minor Thoroughfare
- Existing Collector Street
- Proposed Collector Street

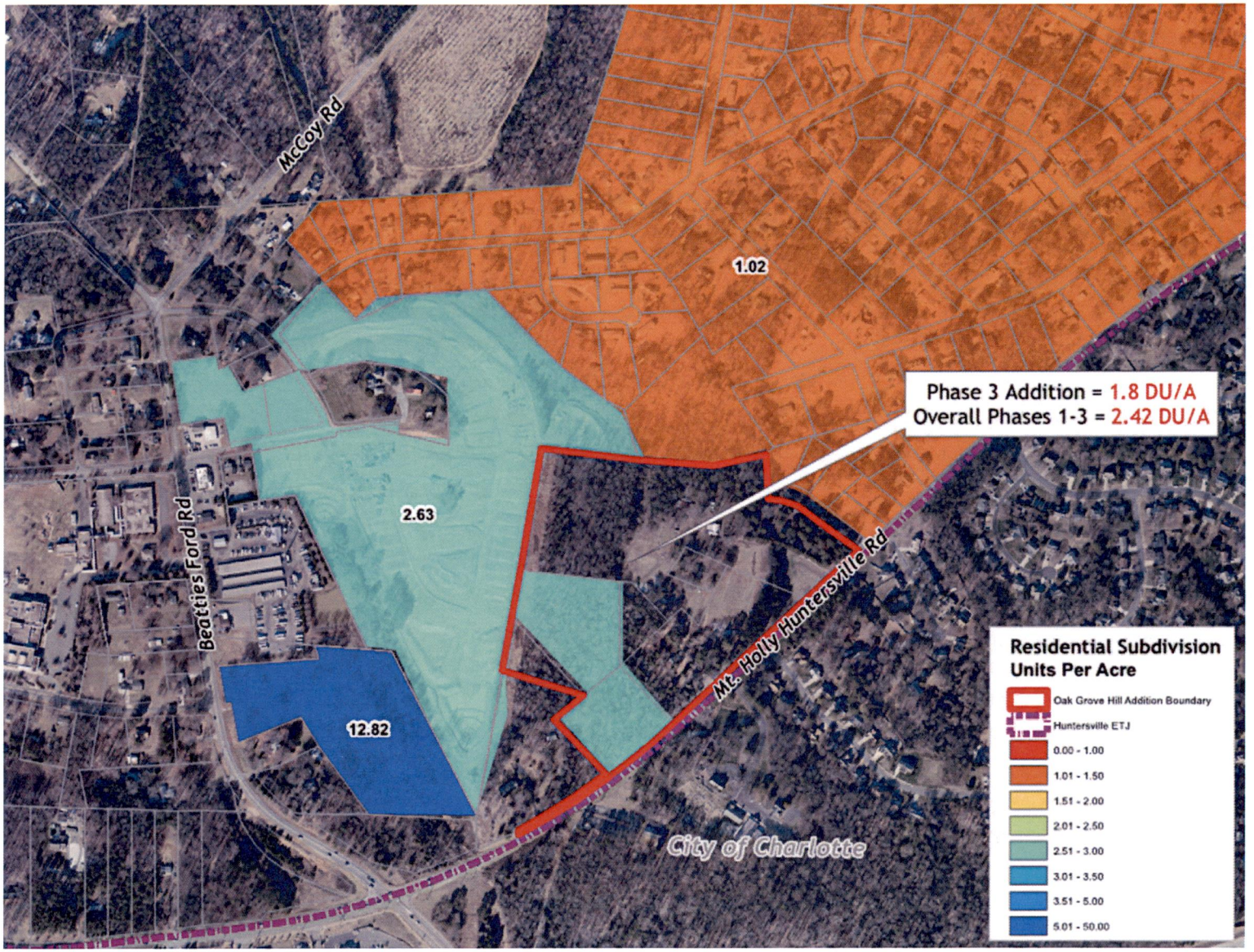
Proposed Non-Vehicular Network

- Primary Greenway / Trail
- Secondary Trail
- Blueway
- Boat Access / Canoe Launch

Beatties Ford Road & Mt. Holly-Huntersville Road Small Area Plan

Future Land Use Map




McCoy Rd
1.02
Phase 3 Addition = 1.8 DU/A
Overall Phases 1-3 = 2.42 DU/A
2.63
Beatties Ford Rd
Mt. Holly Huntersville Rd
12.82
City of Charlotte
Residential Subdivision
Units Per Acre
Oak Grove Hill Addition Boundary
Huntersville ETJ
0.00 - 1.00
1.01 - 1.50
1.51 - 2.00
2.01 - 2.50
2.51 - 3.00
3.01 - 3.50
3.51 - 5.00
5.01 - 50.00

PART 3: TRANSPORTATION HIGHLIGHTS

Traffic impact analysis (TIA): The original TIA from the 2018 submittal was re-scoped based upon the amended rezoning plan. On October 26, 2022, Town Engineering Staff determined the amended TIA is acceptable and that no improvements are required by the Town to meet the thresholds identified in Article 14.4 of the Town Zoning Ordinance. 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:

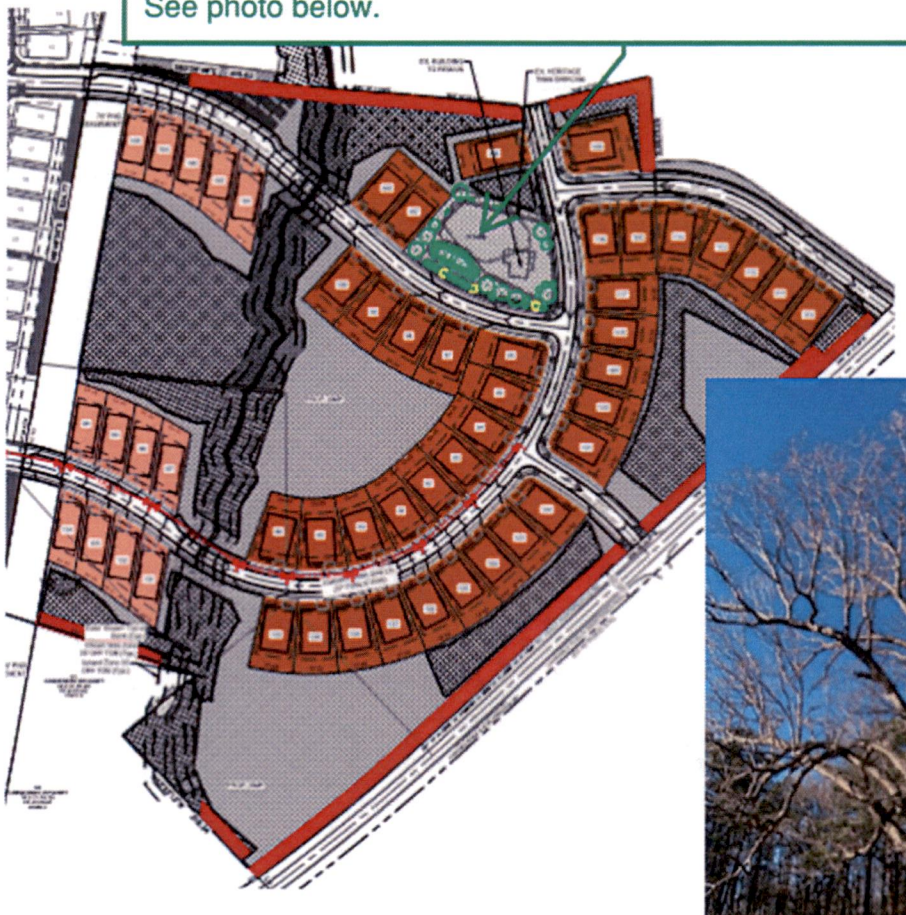
NCDOT:

- 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).

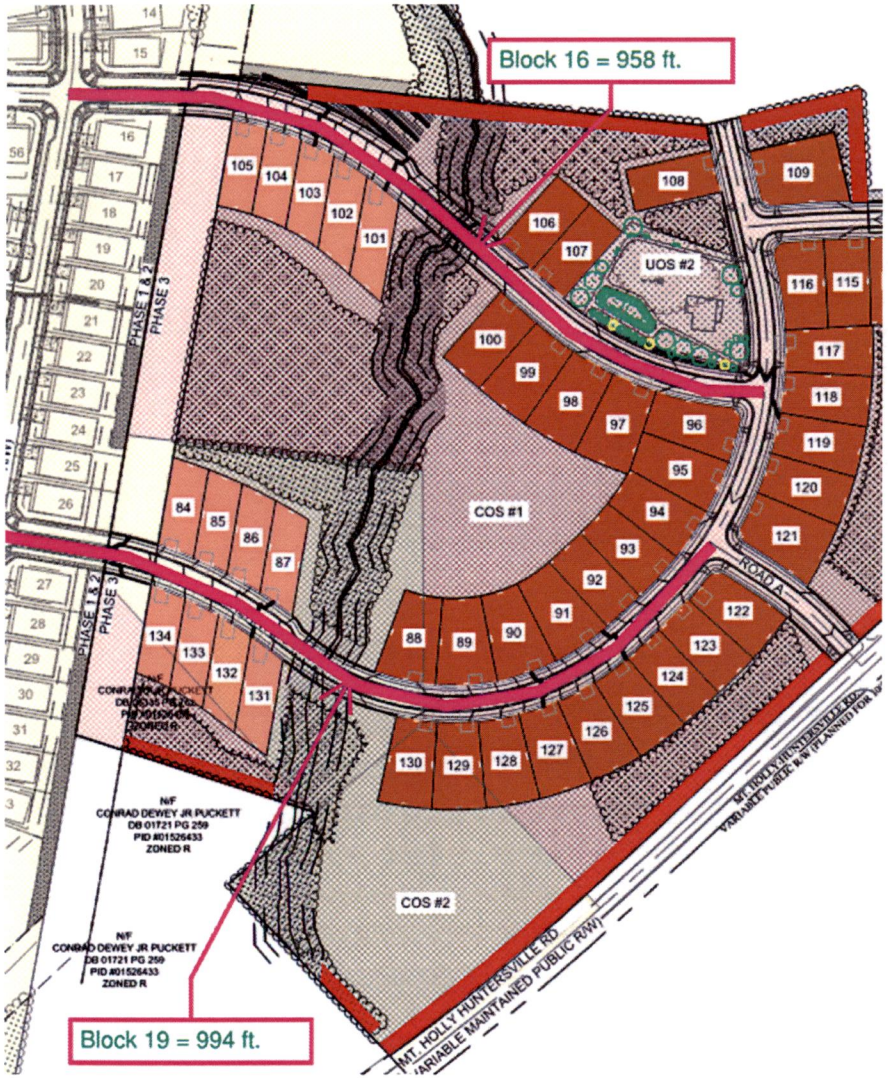
CDOT:

- 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).

Tree Charlotte - Treasure Tree # 37 - White Oak (78-inch diameter).
See photo below.

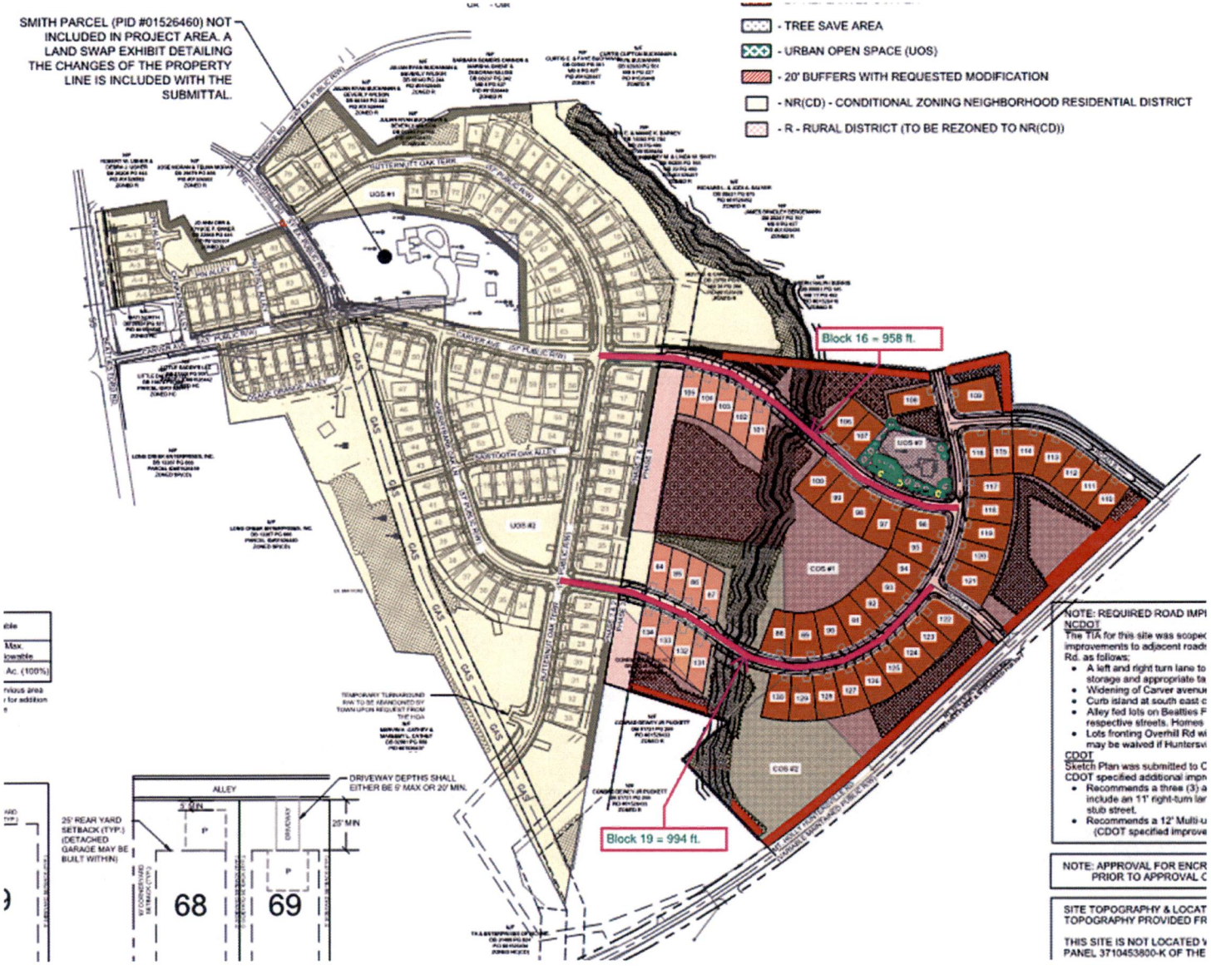


Charlotte Treasure Tree
#37 – White Oak



ORDINANCE MODIFICATION REQUEST:

To allow Blocks 16 & 19 to exceed 800 ft. in length.


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.
- TREE SAVE AREA
- URBAN OPEN SPACE (UOS)
- 20' BUFFERS WITH REQUESTED MODIFICATION
- NR(CD) - CONDITIONAL ZONING NEIGHBORHOOD RESIDENTIAL DISTRICT
- R - RURAL DISTRICT (TO BE REZONED TO NR(CD))
Block 16 = 958 ft.
Block 19 = 994 ft.
UOS #1
UOS #2
UOS #7
COS #1
COS #2
TEMPORARY TURNAROUND
ALLEY
DRIVEWAY DEPTHS SHALL EITHER BE 9' MAX OR 20' MIN.
25' REAR YARD SETBACK (TYP.) (DETACHED GARAGE MAY BE BUILT WITHIN)
5' MIN
25' MIN
68
69
NOTE: REQUIRED ROAD IMPI
NCDOT
The TIA for this site was scope
improvements to adjacent roads
Rd. as follows:
A left and right turn lane to
storage and appropriate ta
Widening of Carver avenue
Curb island at south east c
Alley fed lots on Beatties F
respective streets. Homes
Lots fronting Overhill Rd w
may be waived if Hunterswi
CDOT
Sketch Plan was submitted to C
CDOT specified additional impr
Recommends a three (3) a
include an 11' right-turn lar
stub street.
Recommends a 12' Multi-u
(CDOT specified improve
NOTE: APPROVAL FOR ENCR
PRIOR TO APPROVAL C
SITE TOPOGRAPHY & LOCAT
TOPOGRAPHY PROVIDED FR
THIS SITE IS NOT LOCATED
PANEL 3710453800-K OF THE

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.

Schools Affected	*Total Classroom Teachers*	*Building Classrooms/ Teacher Stations*	*20th Day, Enrollment (non-ec)*	*Building Classroom/ Adjusted Capacity (Without Mobiles)*	*20th Day, Building Utilization (Without Mobiles)*	*Additional Students As a result of this development*	*Utilization As of result of this development (Without Mobiles)*
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 x $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.

R 22-05 – OAK GROVE HILL - ADDITION

STAFF RECOMMENDATION:
Staff CAN SUPPORT the subdivision with the following addressed:

- Rezoning is CONSISTENT with the Huntersville 2040 Community Plan, Beatties Ford Road – Mt. Holly-Huntersville Road Small Area Plan and Beatties Ford Road Corridor Plan;

- 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.

R 22-05 – OAK GROVE HILL - ADDITIION

NEXT STEPS:

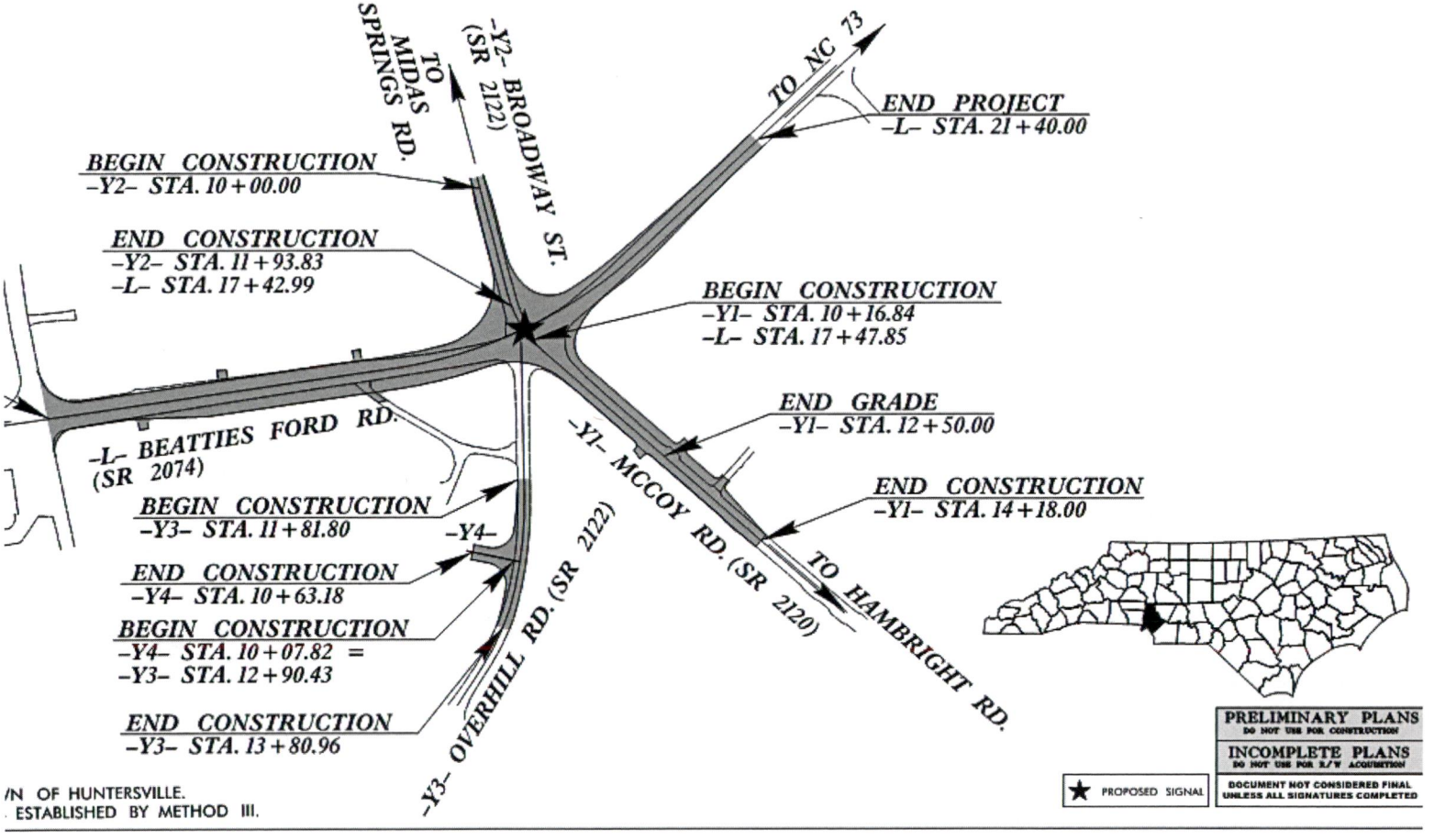
Public Hearing	**February 20, 2023**
Planning Board	**February 28, 2023**
(Eligible for) Final Action	**March 20, 2023**

ANY QUESTIONS?

LOCATION: INTERSECTION IMPROVEMENTS AT BEATTIES FORD RD (SR 2074), MCCOY RD (SR 2120), BROADWAY ST (SR 2122), AND OVERHILL RD (SR 2122)

TYPE OF WORK: GRADING, DRAINAGE, PAVING, SIGNING AND SIGNALS

NAD 83



/N OF HUNTERSVILLE.
. ESTABLISHED BY METHOD III.

★ PROPOSED SIGNAL

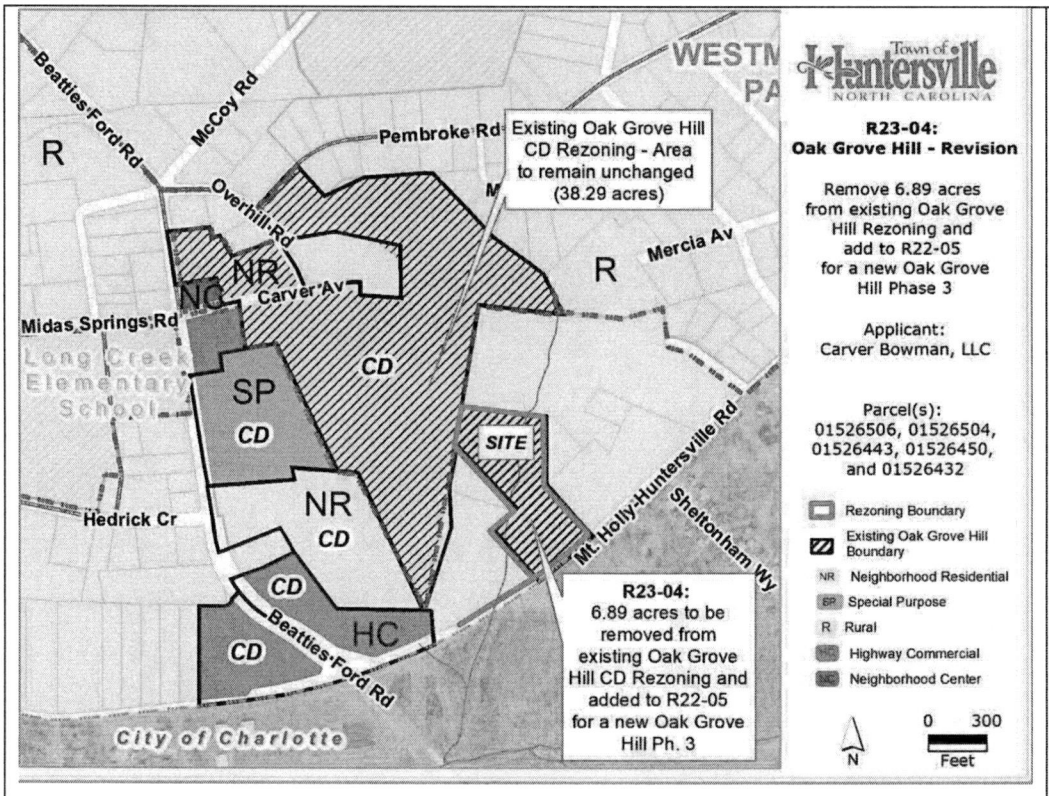
PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

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

PART 1: PROJECT SUMMARY



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.

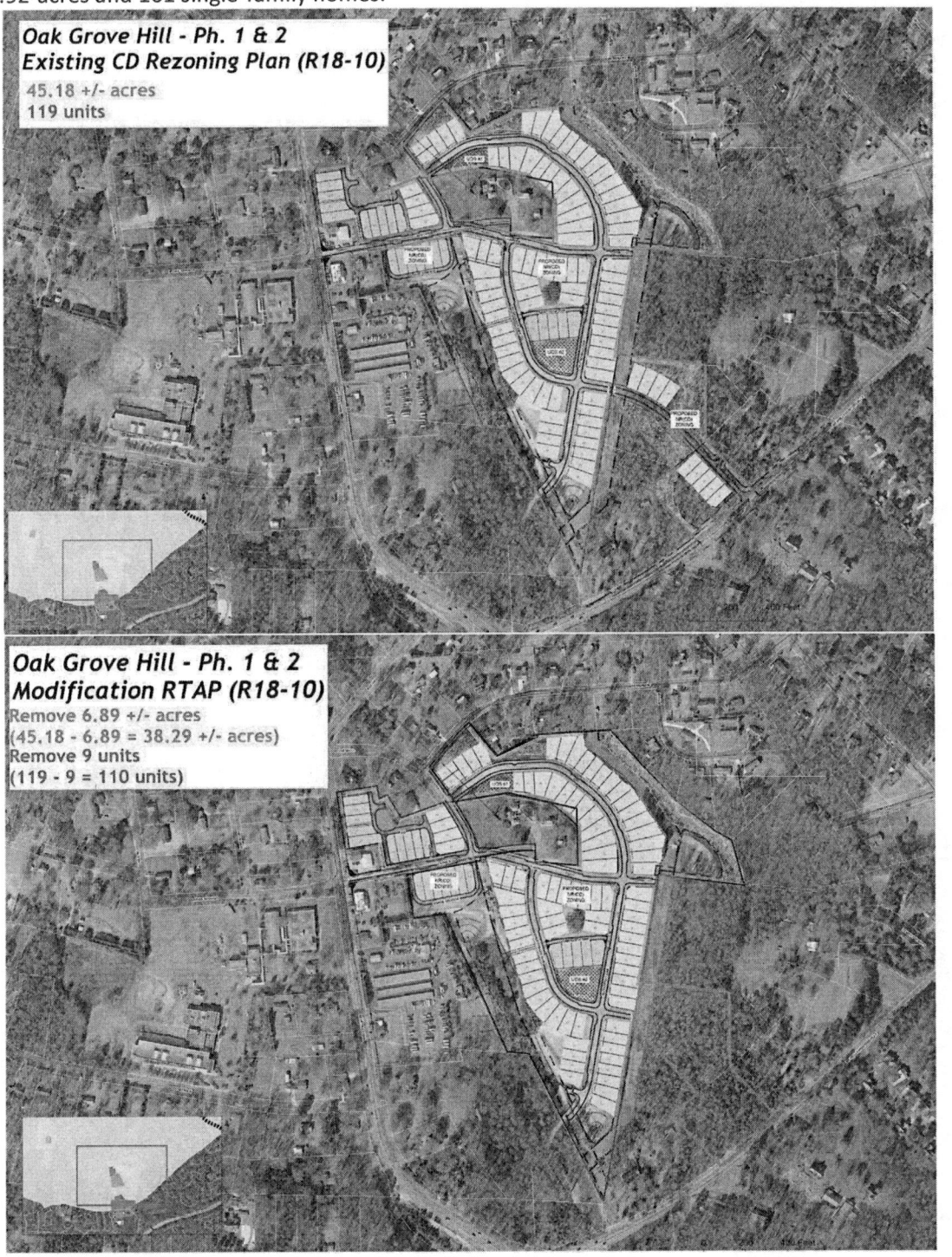
Application Summary:

- 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.

Exhibit No. 4

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): The original TIA from the 2018 submittal was re-scoped based upon the amended rezoning plan. On October 26, 2022, Town Engineering Staff determined the amended TIA is acceptable and that no improvements are required by the Town to meet the thresholds identified in Article 14.4 of the Town Zoning Ordinance. **All of the required improvements below will cover the area re-assigned to Phase 3 by R22-05 (if approved).** 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 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.

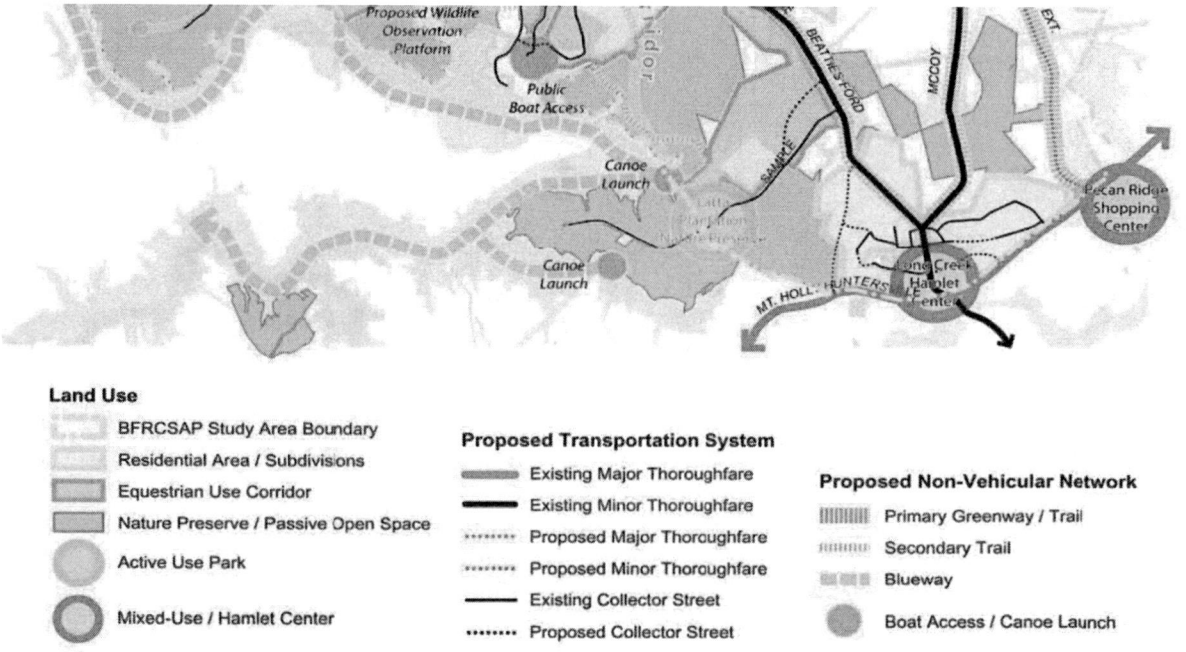
- **Policy LU-10.2: Continue to encourage a mix of lot sizes in new developments.**
  STAFF COMMENT: The removal of 6.89-acres from this CD Rezoning to a new addition (Phase 3) does not change the consistency with the 2040 Community Plan if R22-05 is approved prior to this reque

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:

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 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.

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

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 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

Planning Board will review the rezoning petition on February 28, 2023.

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. **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.**	APPROVAL: In considering the proposed Conditional District Rezoning application R23-04 Oak Grove Hill - Revision, the Planning Board recommends approval based on the Plan being consistent with **(insert applicable plan reference).** **It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)**	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 **(insert applicable plan reference)**. **It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)**
DENIAL:	DENIAL: In considering the proposed Conditional District Rezoning application R23-04 Oak Grove Hill - Revision, the Planning Board recommends denial based on **(consistent OR inconsistent) with (insert applicable plan reference).** **It is not reasonable and not in the public interest to approve the Rezoning Plan because... (Explain)**	DENIAL: In considering the proposed Conditional District Rezoning application R23-04 Oak Grove Hill - Revision, the Planning Board recommends denial based on **(consistent OR inconsistent) with (insert applicable plan reference).** **It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)**

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 Hoyt Hamilton 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

OAK GROVE HILL REZONING / SKETCH PLAN

REZONING / SKETCH
EPM # 441493 / 441269

TOWN OF HUNTERSVILLE
MECKLENBURG COUNTY, NORTH CAROLINA

ASSOCIATED EPM #'S
400982
409691
441269

PREPARED FOR :

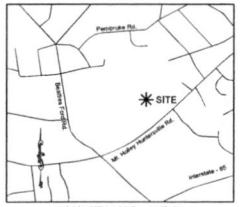
Carver Bowman, LLC

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

Sheet List Table

Sheet Number	Sheet Title
COVER	COVER
SP-1	REZONING PLAN: PHASE 1 &2
SP-2	OVERALL SITE PLAN: PHASE 1&2
SP-3 - SP-5	SITE PLAN: PHASE 1&2
SP-7 - SP-8	SITE PLAN DETAILS: PHASE 1&2
SP-9	OVERALL SITE & REZONING PLAN: PHASE 3
SP-10	OVERALL SITE PLAN: PHASE 3
SP-11	SITE DETAILS: PHASE 3
SP-12	FOUR STEP PROCESS: PHASE 3
EX-1	OVERALL EXISTING CONDITIONS: PHASE 1&2
EX-2 - EX-4	EXISTING CONDITIONS: PHASE 1&2
EX-5	EXISTING CONDITIONS: PHASE 3
GP-1	OVERALL GRADING PLAN: PHASE 1&2
GP-2 - GP-4	GRADING PLANS: PHASE 1&2
GP-5	OVERALL GRADING PLAN: PHASE 3
BMP-1	PRE DEV. DRAINAGE AREAS: PHASE 1&2
BMP-2	POST DEV. DRAINAGE AREAS: PHASE 1&2
BMP-3	POST DEV. DRAINAGE AREAS: PHASE 3
LP-1	OVERALL LANDSCAPE PLAN: PHASE 1&2
LP-2 - LP-4	LANDSCAPE PLAN: PHASE 1&2
LP-5	OVERALL LANDSCAPE PLAN: PHASE 3
LP-6	URBAN OPEN SPACE DESIGN: PHASE 3
UT-1	OVERALL UTILITY PLAN: PHASE 3

November 23, 2022



VICINITY MAP - N.T.S.

PREPARED BY:

R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning Management
1196 Stonecrest Blvd., Tega Cay, SC 29708 Phone: (803) 802-1709

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

NORTH CAROLINA 811 — Know what's below. Call before you dig.

Engineer:

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

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: NORTH CAROLINA PROFESSIONAL ENGINEERING & SURVEYING CORP. SEAL C-4166 R. JOE HARRIS & ASSOCIATES, INC.

Engineer's Seal: NORTH CAROLINA REGISTERED PROFESSIONAL ENGINEER SEAL 051823 DARRELL B. GATES 11/23/2022

Project Manager: D. Gates	Drawn: J. Vavrina
Department Manager: P. Murphy	Checked: D. Gates
Print/Plot Date: November 23, 2022	
Autodit Drawn: -	Autodit 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

Project No.: 5259	Drawing No.: Cover
DWG File Name: 5259_Cover	

Huntersville General Notes:

1. All development and construction shall comply with all zoning and subdivision standards of the Town of Huntersville, Mecklenburg County, and NCDOT, as applicable.
2. This property may be subject to any easements and/or right-of-way of record.
3. All areas designated as common and/or urban open space shall be owned and maintained by the homeowners association and dedicated for perpetuity.
4. 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.
5. 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.
6. Garbage pick-up shall be via roll-out trash and mail delivery shall be to mail kiosks.
7. Direct access from lots to a thoroughfare is prohibited.
8. Lots subject to flooding should not be established in subdivisions except as provided in Section 7.280 (if applicable).
9. 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.
10. 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.

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, 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

CONSTRAINING FEATURES: PHASE 3

ZONING:	NR-CD
ACREAGE:	45.18± ACRES
SWIM BUFFER	2.43± ACRES
SLOPE ANALYSIS: (% OF SITE AREA)	
0% - 10%	34.8 ACRES (76.72%)
10% - 15%	5.13 ACRES (11.36%)
15% - 25%	3.24 ACRES (7.17%)
25% - 100%	2.01 ACRES (4.45%)

Soil Hydrologic Groups: (% of site area)	
ZONING:	NR-CD
ACREAGE:	45.18± ACRES
Group A	0
Group B	34.0± ACRES(53.9%)
Group C	21.2± ACRES (47.0%)
Group D	0
Group B/D	0

TREE PRESERVATION

Specimen tree - A tree (or group of trees) that may be considered important community assets due to their unique or note-worthy 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 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	38.19± AC	28.26± AC	66.45± AC
% COVERED BY TREE CANOPY	26.26± AC (68.8%)	22.07± AC (78.1%)	32.68± AC (72.7%)
% OF TREE CANOPY PRESERVATION REQUIRED	3.82± AC (10%)	2.83± AC (10%)	6.65± AC (10%)
% OF TREE CANOPY PROVIDED	3.48± AC (9.11%)	6.20± AC (21.9%)	9.98± AC (14.9%)
NO. OF SPECIMEN TREES ON-SITE*	9	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

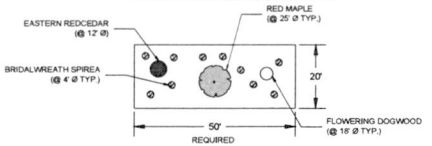
* DOES NOT INCLUDE SPECIMEN TREES WITH PROPOSED SMITH PROPERTY BOUNDARY

TREE LEGEND

TR	- Tree	GU	- Gum
EL	- Elm	MA	- Maple
BE	- Beech	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



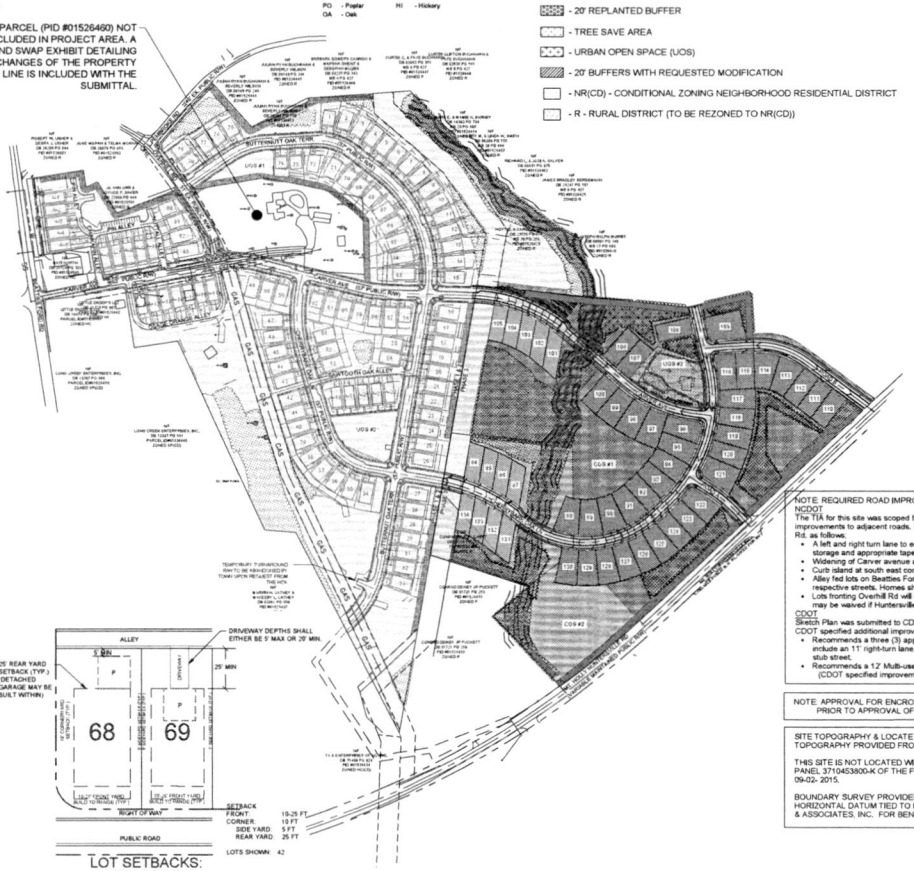
- 25% (1 TREE) EVERGREEN TREES PER 50LF
- 25% (1 TREE) CANOPY TREES PER 50LF (LARGE MATURING)
- 25% (1 TREE) UNDERSTORY TREES PER 50LF (SMALL MATURING)
- 10 SHRUBS PER 50LF

(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)

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
- NR(CD) - CONDITIONAL ZONING NEIGHBORHOOD RESIDENTIAL DISTRICT
- R - RURAL DISTRICT (TO BE REZONED TO NR(CD))

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.


BUTTERNUT OAK TERR
CARVER AVE
CHERRYBARK OAK LN
OSAGE ORANGE ALLEY
SAWTOOTH OAK ALLEY
PIN ALLEY
CHINKAPIN OAK ALLEY
MUTTALL ALLEY
UOS #1
UOS #2
CGS #1
CGS #2
OAS
OAS
OAS

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	TULIP POPLAR
WO	WILLOW OAK

Soil Hydrologic Groups: (% of site area)	
ZONING:	NR (CD)
ACREAGE:	28.26± ACRES
Group A	0
Group B	24.4± ACRES(86.34%)
Group C	3.86± ACRES (13.66%)
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:	8.00 Ac. (28.29%)
Low Density:	20.26 Ac. (72.71%)

Impervious Area Table	
% Impervious Shown:	Max. Allowable:
8.00 Ac. (28.29%)	28.26 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.

ROAD NAME LENGTH

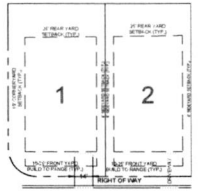
ROAD A =	279 LF
ROAD B =	663 LF
CARVER AVE =	958 LF
CHERRYBARK OAK LN =	1,615 LF

ROAD BLOCK LENGTHS

BL 18 958' BL 19 994' BL 22 155'
BL 17 278' BL 20 228'
BL 18 663' BL 21 238'

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

CONSTRAINING FEATURES: PHASE 3	
ZONING:	R
ACREAGE:	28.26± ACRES
SWIM BUFFER	2.28± ACRES
SLOPE ANALYSIS: (% OF SITE AREA)	
0% - 10%	18.04 ACRES (63.84%)
10% - 15%	5.29 ACRES (18.04%)
15% - 25%	4.55 ACRES (16.10%)
25% - 100%	0.29 ACRES (1.03%)



LOT SETBACKS

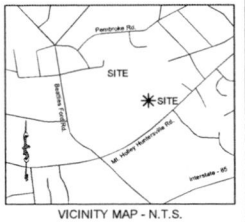
- Lots 60' wide or less shall have driveways no more than 14' wide as measured along the public streets ROW.
- Driveways shall extend a minimum of 20' from back of public ROW.

Huntersville General Notes:

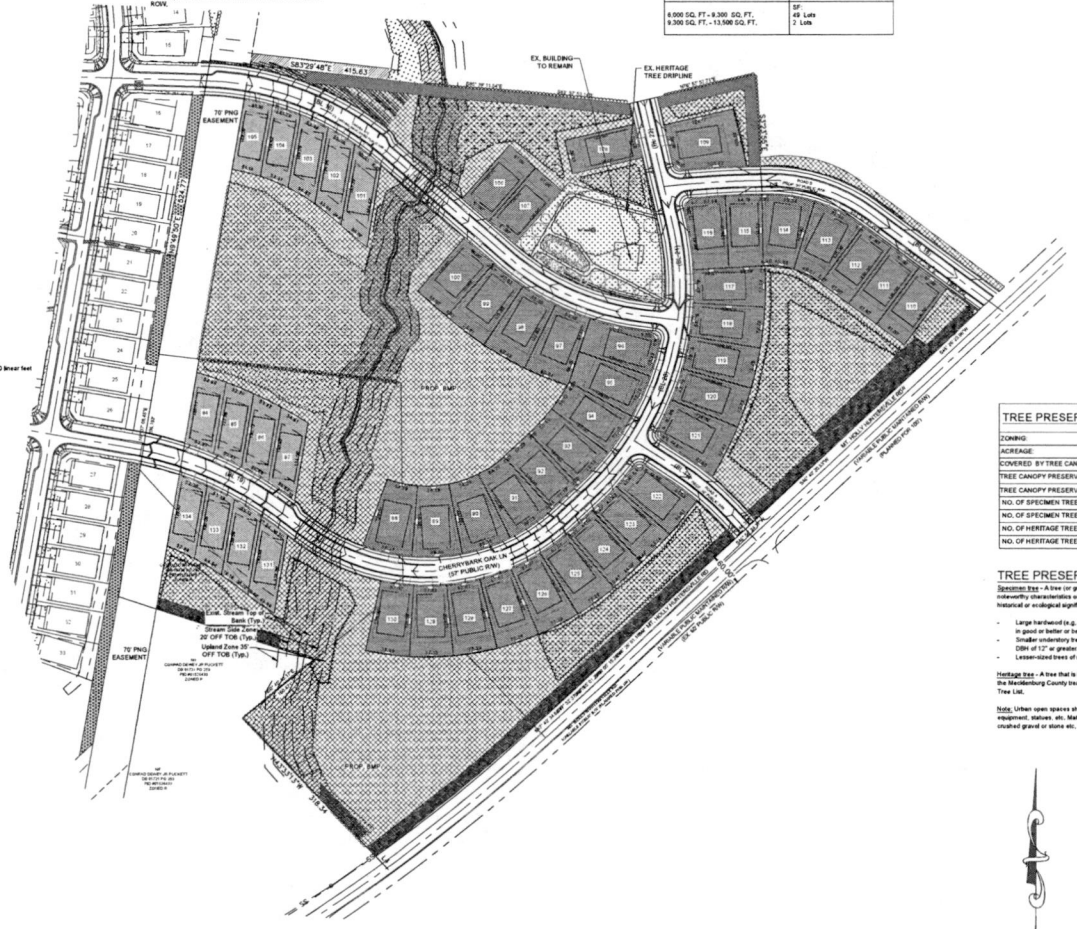
1. All development and construction shall comply with all zoning and subdivision standards of the Town of Huntersville, Mecklenburg County, and NCDOT, as applicable.
2. This property may be subject to any easements and/or rights-of-way of record.
3. All areas designated as common and/or urban open space shall be owned and maintained by the homeowners association and dedicated for perpetuity.
4. Access (ingress/egress) location and design shown on this sketch plan are 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.
5. 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.
6. Garbage pick-up shall be via rollout trash and mail delivery shall be to mail kiosks.
7. Direct access from lots to a thoroughfare is prohibited.
8. Lots subject to flooding should not be established in subdivisions except as provided in Section 7.280 (if applicable).
9. 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:	28.26 Ac = 1,231,145 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.	SINGLE FAMILY: 38
51-60.1 FT.	SINGLE FAMILY: 13
Lot Size Range:	
6,000 SQ. FT - 9,300 SQ. FT. 9,300 SQ. FT. - 13,500 SQ. FT.	SF: 49 Lots 2 Lots



VICINITY MAP - N.T.S.



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)
Acreage:	28.26± ACRES = 1,231,145 SF
Building type (Lot Count):	Detached House (51 lots)
Common Open Space:	3.82 Acres
Natural Open Space:	5.64 Acres

TREE PRESERVATION

ZONING:	NR (CD)
ACREAGE:	28.26± ACRES
COVERED BY TREE CANOPY:	78.1%
TREE CANOPY PRESERVATION REQUIRED: 10%	≥2.82 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%)	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 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
(IN FEET)
1 inch = 100 ft.

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		

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

NORTH CAROLINA 811 — Know what's below. Call before you dig.

Engineer:

R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning Management
1488 Westmoore Blvd., Suite One, N.C. 28078 P: (803) 802-6794

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: NORTH CAROLINA PROFESSIONAL ENGINEERING & LAND SURVEYING CORP. SEAL C-4168

Engineer's Seal: NORTH CAROLINA REGISTERED PROFESSIONAL ENGINEER SEAL 051823 DARRELL B. GATES 11/23/2022

Project Manager	Drawn
D. Gates	T. Alston
Department Manager	Checked
P. Murphy	D. Gates
Print/Plot Date	
November 23, 2022	
As-built Drawn	As-built Date
-	-

Client

Carver Bowman, LLC
13815 Cinnabar Place
Huntersville, NC 28078
P: (704) 875-9704

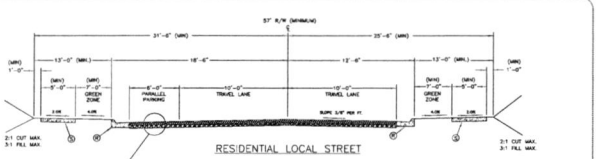
Project:

OAK GROVE HILL REZONING/SKETCH PLAN: PHASE 3

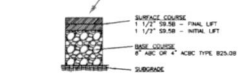
Drawing Title:

Site Plan: Phase 3

Project No.	Drawing No.
5259	SP-10
DWG File Name: 5259_Site-Phase 3	



RESIDENTIAL LOCAL STREET



TYPICAL PAVEMENT SECTION

KEY

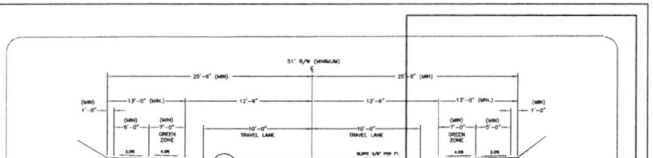
(R) 2'-6" STD. CURB AND GUTTER
(S) 4" CONCRETE SIDEWALK

NOTES:

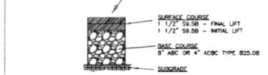
1. SIDEWALK SHALL BE PROVIDED ON BOTH SIDES OF THE STREET.
2. SEE SECTION II. B. FOR ADDITIONAL DESIGN CRITERIA.
3. 2'-0" VALLEY GUTTER MAY BE SUBSTITUTED FOR 2'-6" CURB AND GUTTER ON THE SIDE OF THE STREET WITHOUT PARALLEL PARKING. THIS REDUCES THE MINIMUM RIGHT-OF-WAY BY SIX INCHES. 2'-0" VALLEY GUTTER MAY NOT BE SUBSTITUTED FOR 2'-6" CURB AND GUTTER ON THE SIDE OF THE STREET WITH PARALLEL PARKING.
4. REFER TO STANDARD DRAWING 285.1 FOR PARALLEL PARKING LAYOUT.

NOT TO SCALE

STANDARD DRAWING	RESIDENTIAL LOCAL STREET PARKING ON ONE SIDE OF STREET TYPICAL SECTION	REV. DATE 10/01/15 STD. NO. 200.2



RESIDENTIAL LOCAL STREET



TYPICAL PAVEMENT SECTION

KEY

(R) 2'-6" STD. CURB AND GUTTER
(S) 4" CONCRETE SIDEWALK

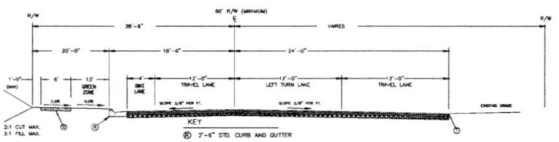
VICINITY MAP - N.T.S.

NOTES:

1. SIDEWALK SHALL BE PROVIDED ON BOTH SIDES OF THE STREET.
2. SEE SECTION II. B. FOR ADDITIONAL DESIGN CRITERIA.
3. 2'-0" VALLEY GUTTER MAY BE SUBSTITUTED FOR 2'-6" CURB AND GUTTER. THIS REDUCES THE MINIMUM RIGHT-OF-WAY BY ONE FOOT.

NOT TO SCALE

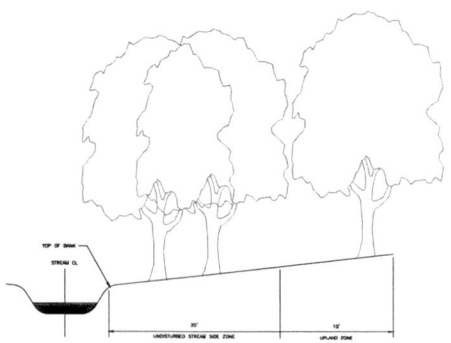
STANDARD DRAWING	RESIDENTIAL LOCAL STREET NO ON STREET PARKING TYPICAL SECTION	REV. DATE 10/01/15 STD. NO. 200.3



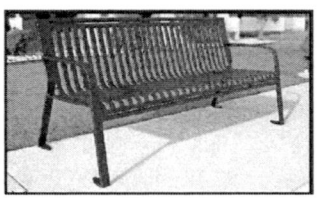
KEY

(R) 2'-6" STD. CURB AND GUTTER
(S) 4" CONCRETE SIDEWALK
(T) EXISTING EDGE OF PAVEMENT

MT. HOLLY-HUNTERSVILLE TYPICAL SECTION(W/ PROPOSED WIDENING)
SCALE: N.T.S.



35' SWIM BUFFER DETAIL:



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

DATE	ISSUED FOR	REV
8/15/2022	Pre Submittal to Town of Huntersville	0
9/29/2022	Initial Submittal to Town of Huntersville	1
10/29/2022	Second Submittal to Town of Huntersville	2

NORTH CAROLINA 811 — 811 Know what's below. Call before you dig.

Engineer:

RJH

R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning Management

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: NORTH CAROLINA PROFESSIONAL ENGINEERING & SURVEYING SEAL C-4168 R. JOE HARRIS & ASSOCIATES, INC. 11-29-2022

Engineer's Seal: NORTH CAROLINA REGISTERED PROFESSIONAL ENGINEER SEAL 051823 DANIEL B. GATES 11-29-2022

Project Manager	Drawn
D. Gates	T. Alston
Department Manager	Checked
P. Murphy	D. Gates
Print/Plot Date	
November 23, 2022	
As-built Drawn	As-built 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:

Details: Phase 3

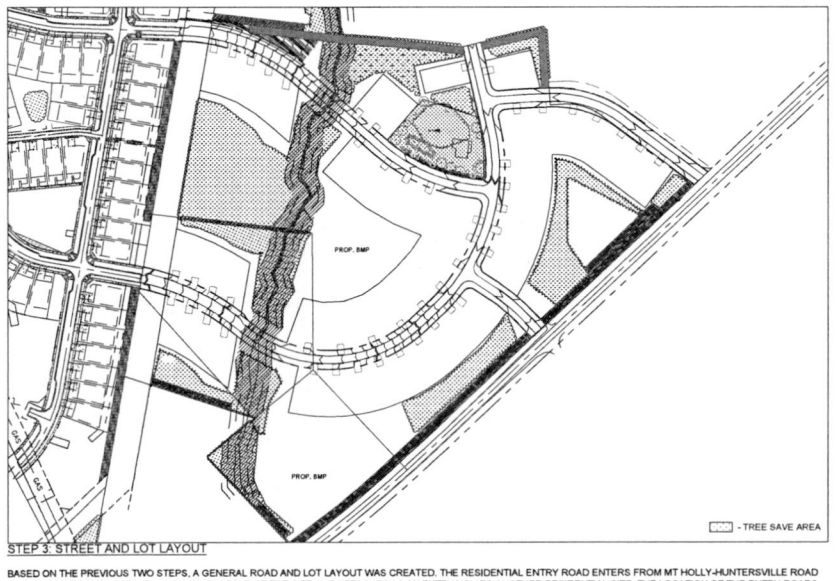
Project No.	Drawing No.
5259	SP-11
DWG File Name: 5259_Site-Phase 3	

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.

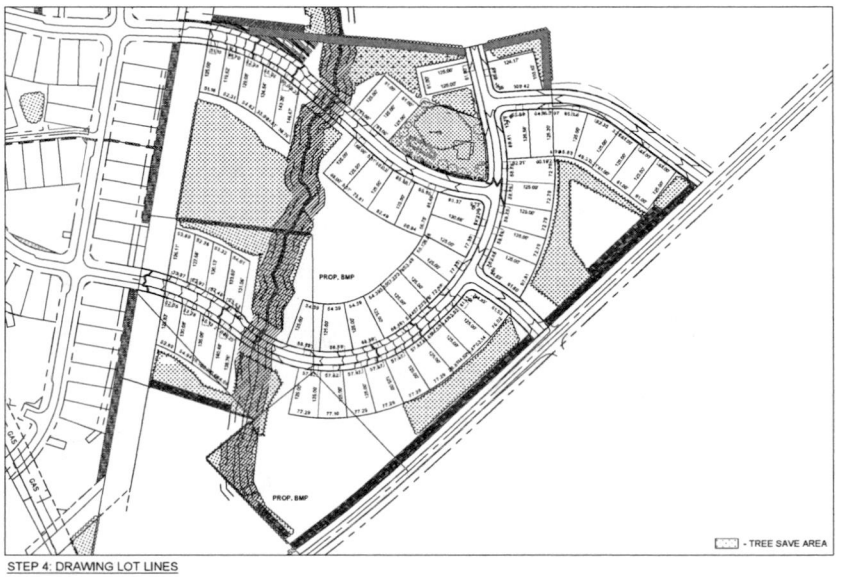
STEP 2: LOCATION OF HOUSE SITES

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.

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

811 Know what's below. Call before you dig.

Engineer:
RJH
R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning Management
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: NORTH CAROLINA PROFESSIONAL SEAL C-4168 ENGINEERING & SURVEYING CORPORATION
Engineer's Seal: NORTH CAROLINA REGISTERED PROFESSIONAL SEAL 051823 ENGINEER DANIEL S. GATES 11/23/2022

Project Manager: D. Gates	Drawn: T. Alston
Department Manager: P. Murphy	Checked: D. Gates
Print/Plot Date: November 23, 2022	
As-built Drawn: -	As-built 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:
Four Step Process: Phase 3

Project No.: 5259	Drawing No.: SP-12
DWG File Name: 5259_Four Step 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 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	GU	- Gum
EL	- Elm	MA	- Maple
BE	- Beech	PE	- Pecan
P	- Pine	WA	- Walnut
PO	- Poplar	HI	- Hickory
OA	- Oak		

TREE CANOPY MITIGATION

Large maturing trees required for tree canopy mitigation ~~=0~~ =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:	28.26± ACRES
SWIM BUFFER	2.26± ACRES
TREE COVERAGE:	20.94± ACRES
SLOPE ANALYSIS: (% OF SITE AREA)	
0% - 10%	18.04 ACRES (63.84%)
10% - 15%	5.38 ACRES (19.04%)
15% - 25%	4.55 ACRES (16.10%)
25% - 100%	0.29 ACRES (1.03%)

Soil Hydrologic Groups: (% of site area)	
ZONING:	R
ACREAGE:	28.26± ACRES
Group A	0
Group B	24.4± ACRES(86.34%)
Group C	3.86± ACRES (13.66%)
Group D	0± ACRES (0%)
Group B/D	0± ACRES (0%)

EXISTING DATA:

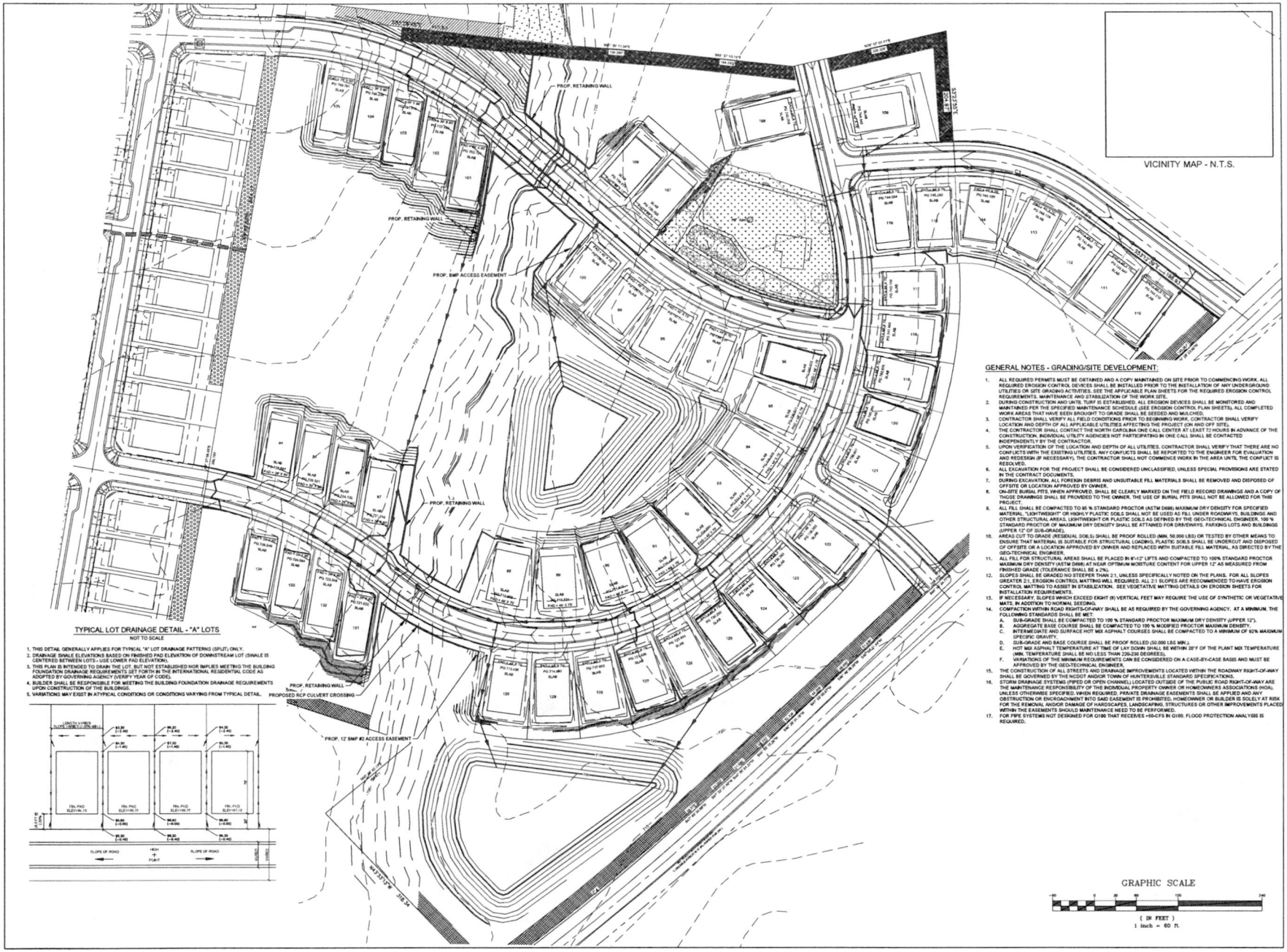
FEMA Panel: 3710453800K

Watershed: Long Watershed

Soil Types:
- CeB2 - Cecil sandy clay loam, 2 to 8 percent slopes 55.8%
- 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 4.3%
- PaE - Parcelet 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%	187966.40	

CeB2
CeD2
VaB
PaE
EnB
EnD
PROPERTY BOUNDARY (TYP.)
HERITAGE TREE (TREE/DRIPLINE TREES LOST)
EXISTING INTERNAL BOUNDARY (TYP.)
PROPERTY BOUNDARY (TYP.)
30' S.W.I.M. BUFFER (TYP.)
30' SWIM SIDE ZONE BUFFER (TYP.)
EXISTING CREEK
EXISTING POND
L3
C7
S 13°33'57" E
204.97'
S 43°17'39" E
196.51'
N 43°17'39" W
S 43°17'39" E
N 43°17'39" W
S 43°17'39" E
N 43°17'39" W
S 43°17'39" E



VICINITY MAP - N.T.S.

TYPICAL LOT DRAINAGE DETAIL - "A" LOTS

NOT TO SCALE

1. THIS DETAIL GENERALLY APPLIES FOR TYPICAL "A" LOT DRAINAGE PATTERNS (SPLIT) ONLY.
2. DRAINAGE SWALE ELEVATIONS BASED ON FINISHED PAD ELEVATION OF DOWNSTREAM LOT (SWALE IS CENTERED BETWEEN LOTS - USE LOWER PAD ELEVATION).
3. THIS PLAN IS INTENDED TO DRAIN THE LOT, BUT NOT ESTABLISHED NOR IMPLIES MEETING THE BUILDING FOUNDATION DRAINAGE REQUIREMENTS SET FORTH IN THE INTERNATIONAL RESIDENTIAL CODE AS ADOPTED BY GOVERNING AGENCY (VERIFY YEAR OF CODE).
4. BUILDER SHALL BE RESPONSIBLE FOR MEETING THE BUILDING FOUNDATION DRAINAGE REQUIREMENTS UPON CONSTRUCTION OF THE BUILDINGS.
5. VARIATIONS MAY EXIST IN ATYPICAL CONDITIONS OR CONDITIONS VARYING FROM TYPICAL DETAIL.

GENERAL NOTES - GRADING/SITE DEVELOPMENT:

1. ALL REQUIRED PERMITS MUST BE OBTAINED AND A COPY MAINTAINED ON SITE PRIOR TO COMMENCING WORK. ALL REQUIRED EROSION CONTROL DEVICES SHALL BE INSTALLED PRIOR TO THE INSTALLATION OF ANY UNDERGROUND UTILITIES OR SITE GRADING ACTIVITIES. SEE THE APPLICABLE PLAN SHEETS FOR THE REQUIRED EROSION CONTROL REQUIREMENTS, MAINTENANCE AND STABILIZATION OF THE WORK SITE.
2. DURING CONSTRUCTION AND UNTIL TURF IS ESTABLISHED, ALL EROSION DEVICES SHALL BE MONITORED AND MAINTAINED PER THE SPECIFIED MAINTENANCE SCHEDULE (SEE EROSION CONTROL PLAN SHEETS). ALL COMPLETED WORK AREAS THAT HAVE BEEN BROUGHT TO GRADE SHALL BE SEEDED AND MULCHED.
3. CONTRACTOR SHALL VERIFY ALL FIELD CONDITIONS PRIOR TO BEGINNING WORK. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL APPLICABLE UTILITIES AFFECTING THE PROJECT (ON AND OFF SITE).
4. THE CONTRACTOR SHALL CONTACT THE NORTH CAROLINA ONE CALL CENTER AT LEAST 72 HOURS IN ADVANCE OF THE CONSTRUCTION. INDIVIDUAL UTILITY AGENCIES NOT PARTICIPATING IN ONE CALL SHALL BE CONTACTED INDEPENDENTLY BY THE CONTRACTOR.
5. UPON VERIFICATION OF THE LOCATION AND DEPTH OF ALL UTILITIES, CONTRACTOR SHALL VERIFY THAT THERE ARE NO CONFLICTS WITH THE EXISTING UTILITIES. ANY CONFLICTS SHALL BE REPORTED TO THE ENGINEER FOR EVALUATION AND REDESIGN (IF NECESSARY). THE CONTRACTOR SHALL NOT COMMENCE WORK IN THE AREA UNTIL THE CONFLICT IS RESOLVED.
6. ALL EXCAVATION FOR THE PROJECT SHALL BE CONSIDERED UNCLASSIFIED, UNLESS SPECIAL PROVISIONS ARE STATED IN THE CONTRACT DOCUMENTS.
7. DURING EXCAVATION, ALL FOREIGN DEBRIS AND UNSUITABLE FILL MATERIALS SHALL BE REMOVED AND DISPOSED OF OFFSITE OR LOCATION APPROVED BY OWNER.
8. ON-SITE BURIAL PITS, WHEN APPROVED, SHALL BE CLEARLY MARKED ON THE FIELD RECORD DRAWINGS AND A COPY OF THOSE DRAWINGS SHALL BE PROVIDED TO THE OWNER. THE USE OF BURIAL PITS SHALL NOT BE ALLOWED FOR THIS PROJECT.
9. ALL FILL SHALL BE COMPACTED TO 95 % STANDARD PROCTOR (ASTM D698) MAXIMUM DRY DENSITY FOR SPECIFIED MATERIAL. "LIGHTWEIGHT" OR HIGHLY PLASTIC SOILS SHALL NOT BE USED AS FILL UNDER ROADWAYS, BUILDINGS AND OTHER STRUCTURAL AREAS. LIGHTWEIGHT OR PLASTIC SOILS AS DEFINED BY THE GEOTECHNICAL ENGINEER, 100 % STANDARD PROCTOR OF MAXIMUM DRY DENSITY SHALL BE ATTAINED FOR DRIVEWAYS, PARKING LOTS AND BUILDINGS (UPPER 12" OF SUB-GRADE).
10. AREAS CUT TO GRADE (RESIDUAL SOILS) SHALL BE PROOF ROLLED (MIN. 50,000 LBS) OR TESTED BY OTHER MEANS TO ENSURE THAT MATERIAL IS SUITABLE FOR STRUCTURAL LOADING. PLASTIC SOILS SHALL BE UNDERCUT AND DISPOSED OF OFFSITE OR A LOCATION APPROVED BY OWNER AND REPLACED WITH SUITABLE FILL MATERIAL, AS DIRECTED BY THE GEO-TECHNICAL ENGINEER.
11. ALL FILL FOR STRUCTURAL AREAS SHALL BE PLACED IN 6"-12" LIFTS AND COMPACTED TO 100% STANDARD PROCTOR MAXIMUM DRY DENSITY (ASTM D698) AT NEAR OPTIMUM MOISTURE CONTENT FOR UPPER 12" AS MEASURED FROM FINISHED GRADE (TOLERANCE SHALL BE ± 2%).
12. SLOPES SHALL BE GRADED NO STEEPER THAN 2:1, UNLESS SPECIFICALLY NOTED ON THE PLANS. FOR ALL SLOPES GREATER 2:1, EROSION CONTROL MATTING SHALL BE REQUIRED. A 2:1 SLOPES ARE RECOMMENDED TO HAVE EROSION CONTROL MATTING TO ASSIST IN STABILIZATION. SEE VEGETATIVE MATTING DETAILS ON EROSION SHEETS FOR INSTALLATION REQUIREMENTS.
13. IF NECESSARY, SLOPES WHICH EXCEED EIGHT (8) VERTICAL FEET MAY REQUIRE THE USE OF SYNTHETIC OR VEGETATIVE MATS, IN ADDITION TO NORMAL SEEDING.
14. CONSTRUCTION WITHIN ROAD RIGHT-OF-WAY SHALL BE AS REQUIRED BY THE GOVERNING AGENCY. AT A MINIMUM, THE FOLLOWING STANDARDS SHALL BE MET:
    A. SUB-GRADE SHALL BE COMPACTED TO 100 % STANDARD PROCTOR MAXIMUM DRY DENSITY (UPPER 12").
    B. AGGREGATE BASE COURSE SHALL BE COMPACTED TO 100 % MODIFIED PROCTOR MAXIMUM DENSITY.
    C. INTERMEDIATE AND SURFACE HOT MIX ASPHALT COURSES SHALL BE COMPACTED TO A MINIMUM OF 92% MAXIMUM SPECIFIC GRAVITY.
    D. SUB-GRADE AND BASE COURSE SHALL BE PROOF ROLLED (50,000 LBS MIN.).
    E. HOT MIX ASPHALT TEMPERATURE AT TIME OF LAY DOWN SHALL BE WITHIN 20°F OF THE PLANT MIX TEMPERATURE (MIN. TEMPERATURE SHALL BE NO LESS THAN 225-230 DEGREES).
    F. VARIATIONS OF THE MINIMUM REQUIREMENTS CAN BE CONSIDERED ON A CASE-BY-CASE BASIS AND MUST BE APPROVED BY THE GEO-TECHNICAL ENGINEER.
15. THE CONSTRUCTION OF ALL STREETS AND DRAINAGE IMPROVEMENTS LOCATED WITHIN THE ROADWAY RIGHT-OF-WAY SHALL BE GOVERNED BY THE NCDOT AND/OR TOWN OF HUNTERSVILLE STANDARD SPECIFICATIONS.
16. STORM DRAINAGE SYSTEMS (PIPED OR OPEN CHANNEL) LOCATED OUTSIDE OF THE PUBLIC ROAD RIGHT-OF-WAY ARE THE MAINTENANCE RESPONSIBILITY OF THE INDIVIDUAL PROPERTY OWNER OR HOMEOWNERS ASSOCIATIONS (HOA), UNLESS OTHERWISE SPECIFIED, WHEN REQUIRED. PRIVATE DRAINAGE EASEMENTS SHALL BE APPLIED AND ANY OBSTRUCTION OR ENCROACHMENT INTO SAID EASEMENT IS PROHIBITED. HOMEOWNER OR BUILDER IS SOLELY AT RISK FOR THE REMOVAL AND/OR DAMAGE OF HARDSCAPES, LANDSCAPING, STRUCTURES OR OTHER IMPROVEMENTS PLACED WITHIN THE EASEMENTS SHOULD MAINTENANCE NEED TO BE PERFORMED.
17. FOR PIPE SYSTEMS NOT DESIGNED FOR Q100 THAT RECEIVES >50-CFS IN Q100, FLOOD PROTECTION ANALYSIS IS REQUIRED.

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

NORTH CAROLINA 811 — 811 Know what's below. Call before you dig.

Engineer:

RJH

R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning Management

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: NORTH CAROLINA PROFESSIONAL ENGINEERING & ASSOCIATES, INC. SEAL C-4168

Engineer's Seal: NORTH CAROLINA REGISTERED PROFESSIONAL ENGINEER DANIEL B. GATES SEAL 051823

Project Manager	Drawn
D. Gates	J. Vavrina
Department Manager	Checked
P. Murphy	D. Gates
Print/Plot Date	
November 23, 2022	
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.	Drawing No.
5259	GP-5
DWG File Name:	
5259_Grading	

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	

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: 28.2%	±7.97 ACRES
NO. OF SPECIMEN TREES ON-SITE:	81
NO. OF SPECIMEN TREES SAVED (Min. Req. 10%)	(Provided 22.2%)
NO. OF HERITAGE TREES ON-SITE:	1
NO. OF HERITAGE TREES SAVED (Min. Req. 100%)	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 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.

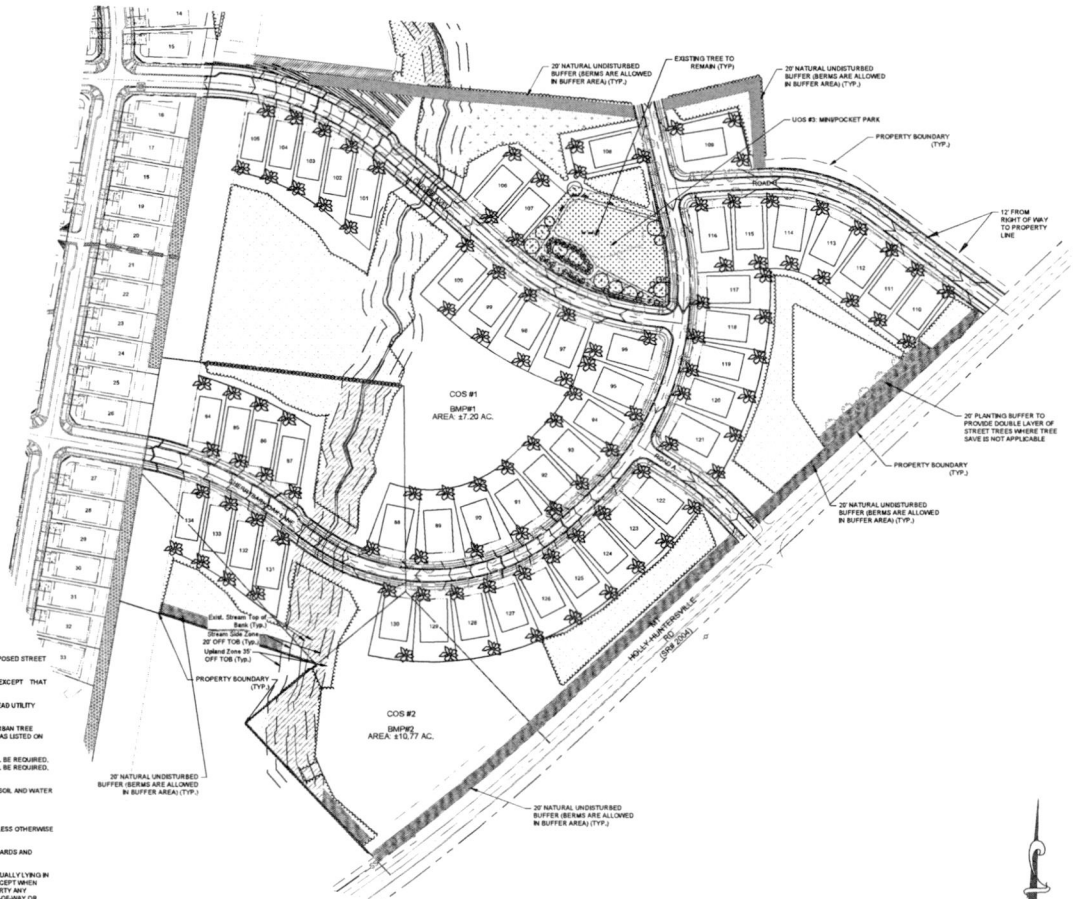
Note: Yard Trees will be planted as to not conflict with street trees.

VICINITY MAP - N.T.S.

TREE LEGEND

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

LOT TREES		
SQ.FT. :	LOT NUMBER :	LOT TREES REQUIRED:
LESS THAN 10,000 :	84–108; 110–120; 122–134	1 FRONT & 1 REAR
10,000 – 15,000 :	109; 121	1 FRONT & 2 REAR
APPROVED LOT TREES: RED MAPLE, SUGAR MAPLE, COMMON HACKBERRY, WHITE ASH, SCARLET OAK, SOUTHERN RED OAK, OVERCUP OAK, WILLOW OAK, NORTHERN RED OAK, EASTERN RED OAK, SHUMARD OAK, LACEBARK ELM, JAPANESE ZELKOVA (SEE TOWN OF HUNTERSVILLE TREE LIST FOR COMPLETE APPROVED LIST)		



LEGEND

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

LANDSCAPING NOTES (PER TOWN OF HUNTERSVILLE):

1. 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.
2. 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.
3. 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
4. ALL STREET TREES MUST BE FROM THE "TOWN OF HUNTERSVILLE TREE AND SHRUB LIST."
5. ALL TREES SHALL BE A MINIMUM OF 2-INCHES IN CALIPER AND 8-FEET IN HEIGHT AT THE TIME OF PLANTING, UNLESS OTHERWISE SPECIFIED.
6. INSTALLATION OF TREES AND SHRUBS SHALL COMPLY WITH THE TOWN OF HUNTERSVILLE ENGINEERING STANDARDS AND PROCEDURES MANUAL.
7. 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.
8. 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.
9. 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).
10. AS THE REMAINDER OF THE THOROUGHFARE IS BUILT, DOUBLE ROW OF TREES AND SIDEWALKS WILL BE REQUIRED.

GRAPHIC SCALE

-100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

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

NORTH CAROLINA 811 — Know what's below. Call before you dig. 811

Engineer:

RJH

R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning Management

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: NORTH CAROLINA PROFESSIONAL SEAL C-4168 ENGINEERING & SURVEYING R. JOE HARRIS & ASSOCIATES, INC.

Engineer's Seal: NORTH CAROLINA PROFESSIONAL SEAL 051823 ENGINEER DANIEL B. GATES 11/23/2022

Project Manager	Drawn
D. Gates	T. Alston
Department Manager	Checked
P. Murphy	D. Gates
Print/Plot Date	
November 23, 2022	
As-built Drawn	As-built Date
-	-

Client

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

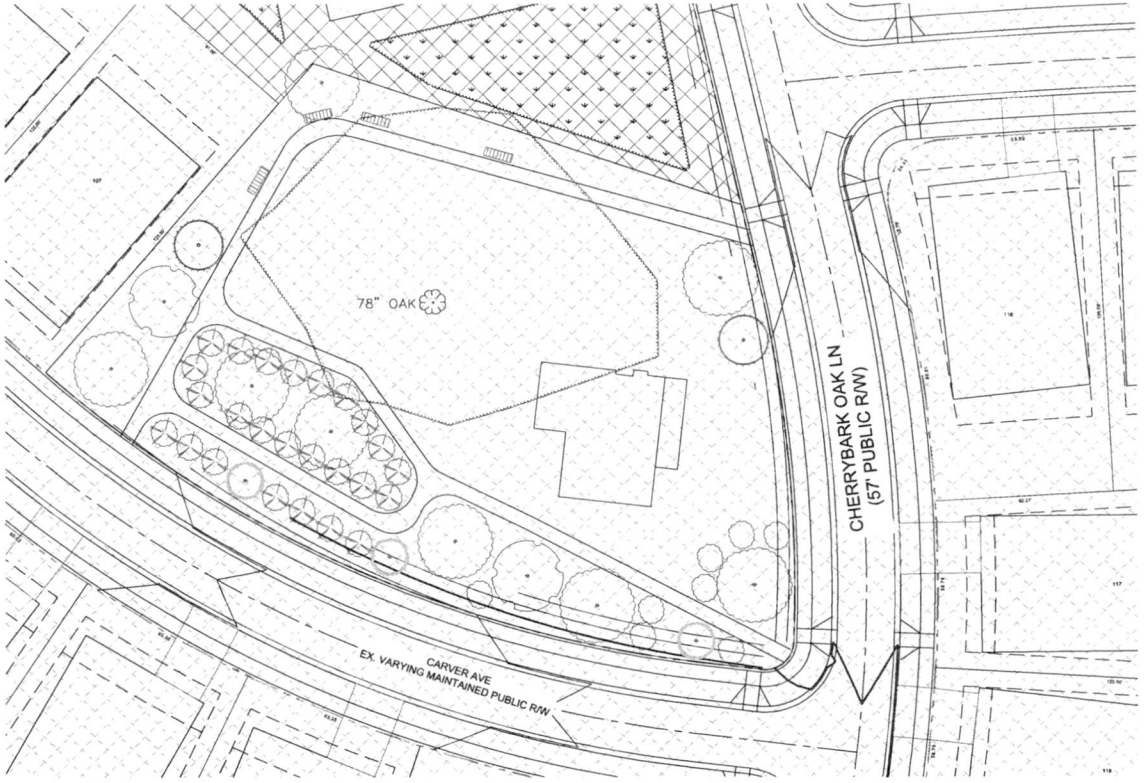
Project:

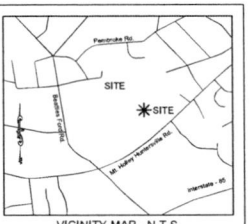
Oak Grove Hill Rezoning/Sketch Plan: Phase 3

Drawing Title:

Landscape

Project No.	Drawing No.
5259	LP-5
DWG File Name: 5259_Landscape Plan	





VICINITY MAP - N.T.S.

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

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	34,038 SF	Mini/Pocket Park			
Total	78,148 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
8/15/2022	Pre Submittal to Town of Huntersville	0
11/23/2022	Initial Submittal to Town of Huntersville	1

NORTH CAROLINA 811 — Know what's below. Call before you dig.

Engineer:
RJH
R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning Management
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: NORTH CAROLINA PROFESSIONAL SEAL C-4168 ENGINEERING & LAND SURVEYING R. JOE HARRIS & ASSOCIATES, INC.

Engineer's Seal: NORTH CAROLINA PROFESSIONAL SEAL 051822 ENGINEER DANIEL B. GATES

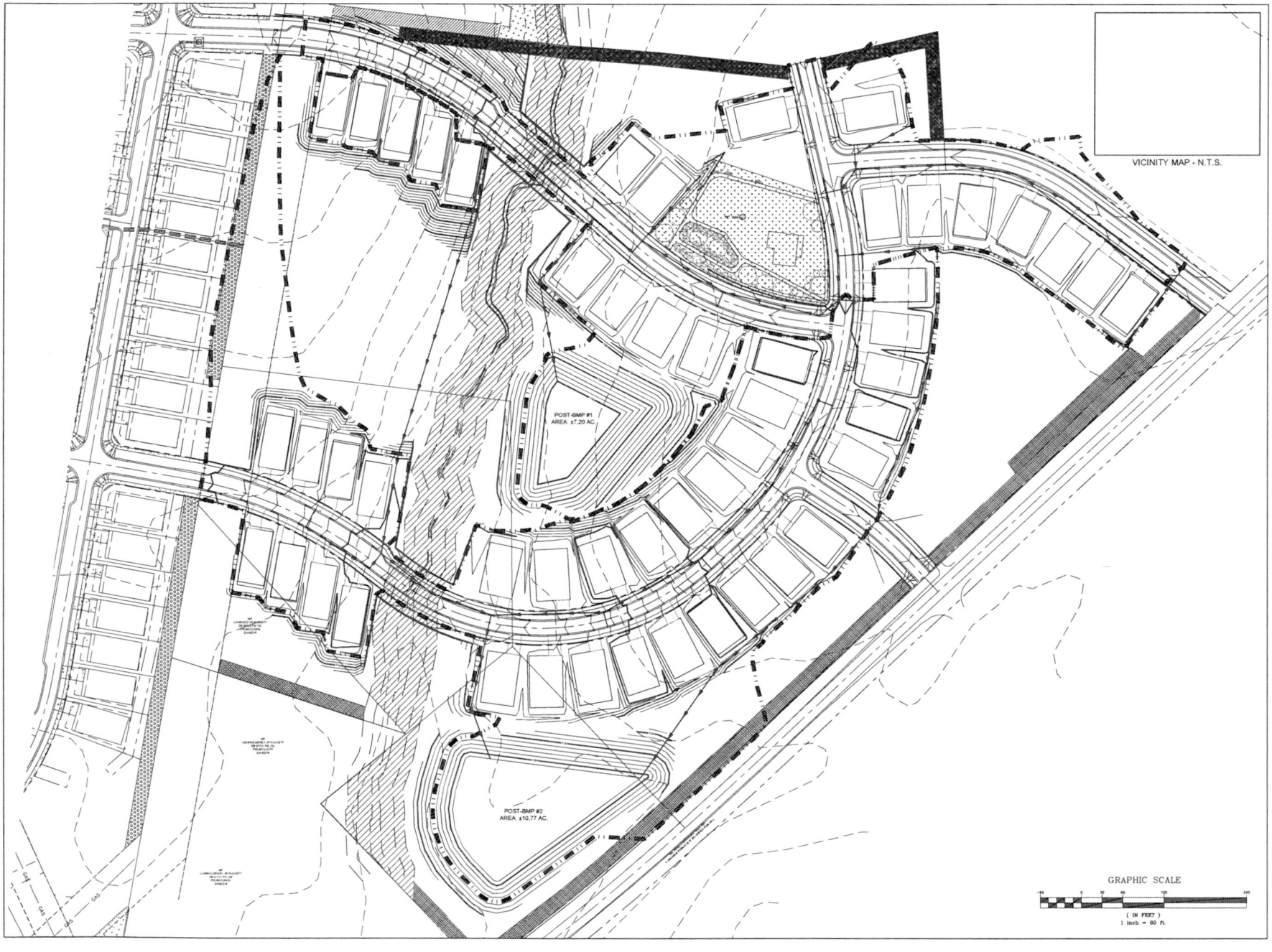
Project Manager: D. Gates	Drawn: T. Alston
Department Manager: P. Murphy	Checked: D. Gates
Print/Plot Date: November 23, 2022	
Asbuilt Drawn: -	Asbuilt Date: -

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

Project No.: 5259	Drawing No.: LP-6
DWG File Name: 5259_Ske-Phase 3	



VICINITY MAP - N.T.S.

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

NORTH CAROLINA 811 — 811 Know what's below. Call before you dig.

Engineer:

RJH

R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning Management

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: NORTH CAROLINA PROFESSIONAL SEAL C-4168 ENGINEERING & SURVEYING R. JOE HARRIS & ASSOCIATES, INC.

Engineer's Seal: NORTH CAROLINA REGISTERED PROFESSIONAL SEAL 051823 ENGINEER DANIEL B. GATES

Project Manager	Drawn
D. Gates	J. Vavrina
Department Manager	Checked
P. Murphy	D. Gates
Print/Plot Date	
November 23, 2022	
As-built Drawn	As-built Date
-	-

Client:

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

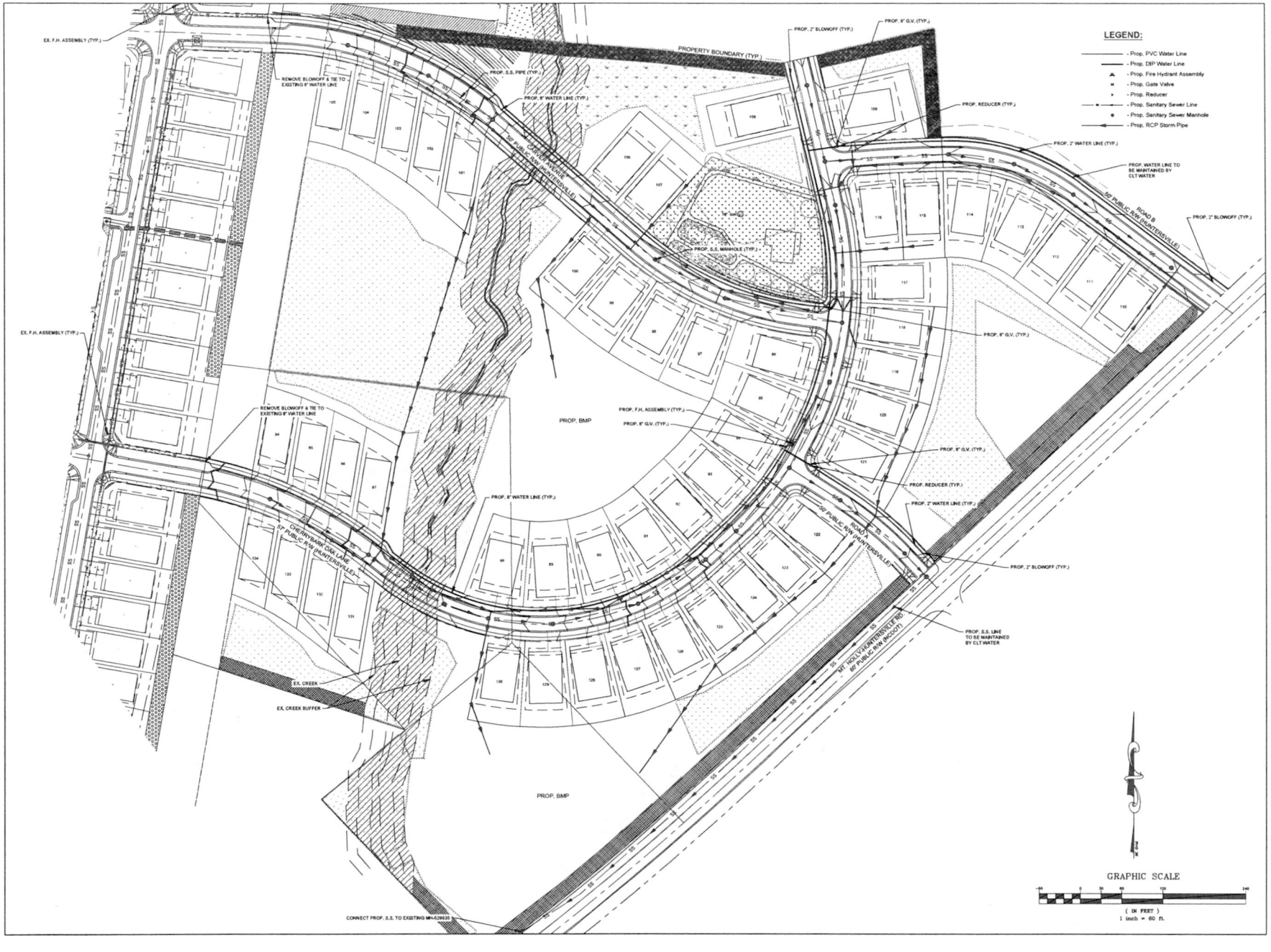
Project:

Oak Grove Hill
Rezoning/Sketch Plan:
Phase 3

Drawing Title:

Post-Drainage Map

Project No.	Drawing No.
5259	BMP-3
DWG File Name:	
5259_Post Drainage	



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

NORTH CAROLINA 811 — Know what's below. Call before you dig.

Engineer:

RJH

R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning Management

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: NORTH CAROLINA PROFESSIONAL ENGINEERING & LAND SURVEYING CORP. SEAL C-4168 R. JOE HARRIS & ASSOCIATES, INC.

Engineer's Seal: NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 051822 DANIEL S. GATES

Project Manager	Drawn
D. Gates	T. Alston
Department Manager	Checked
P. Murphy	D. Gates
Print/Plot Date	
November 23, 2022	
As-built Drawn	As-built 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.	Drawing No.
5259	UT-1
DWG File Name:	
5259_UtilMas	

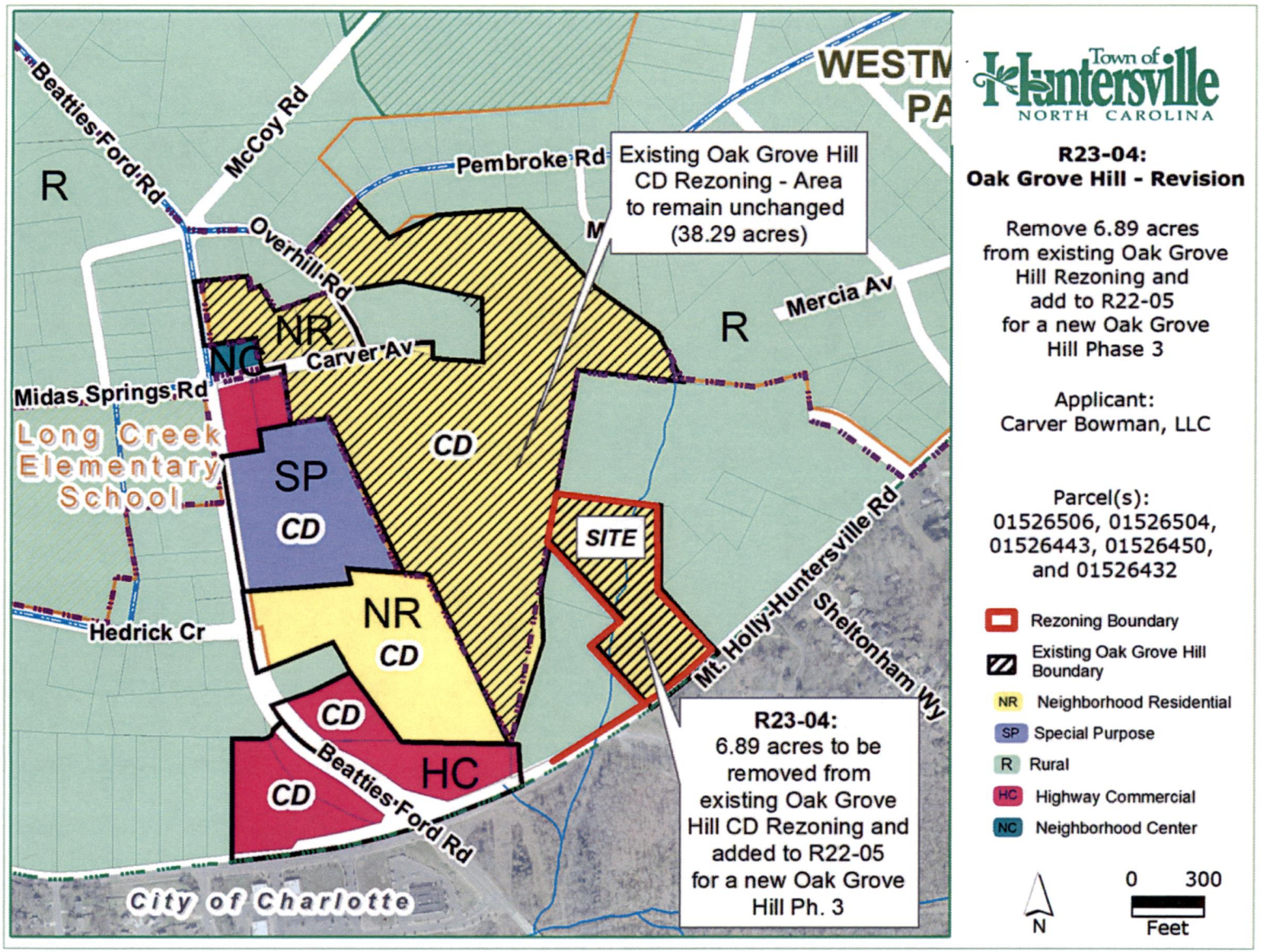
BOWMAN DEVELOPMENT GROUP

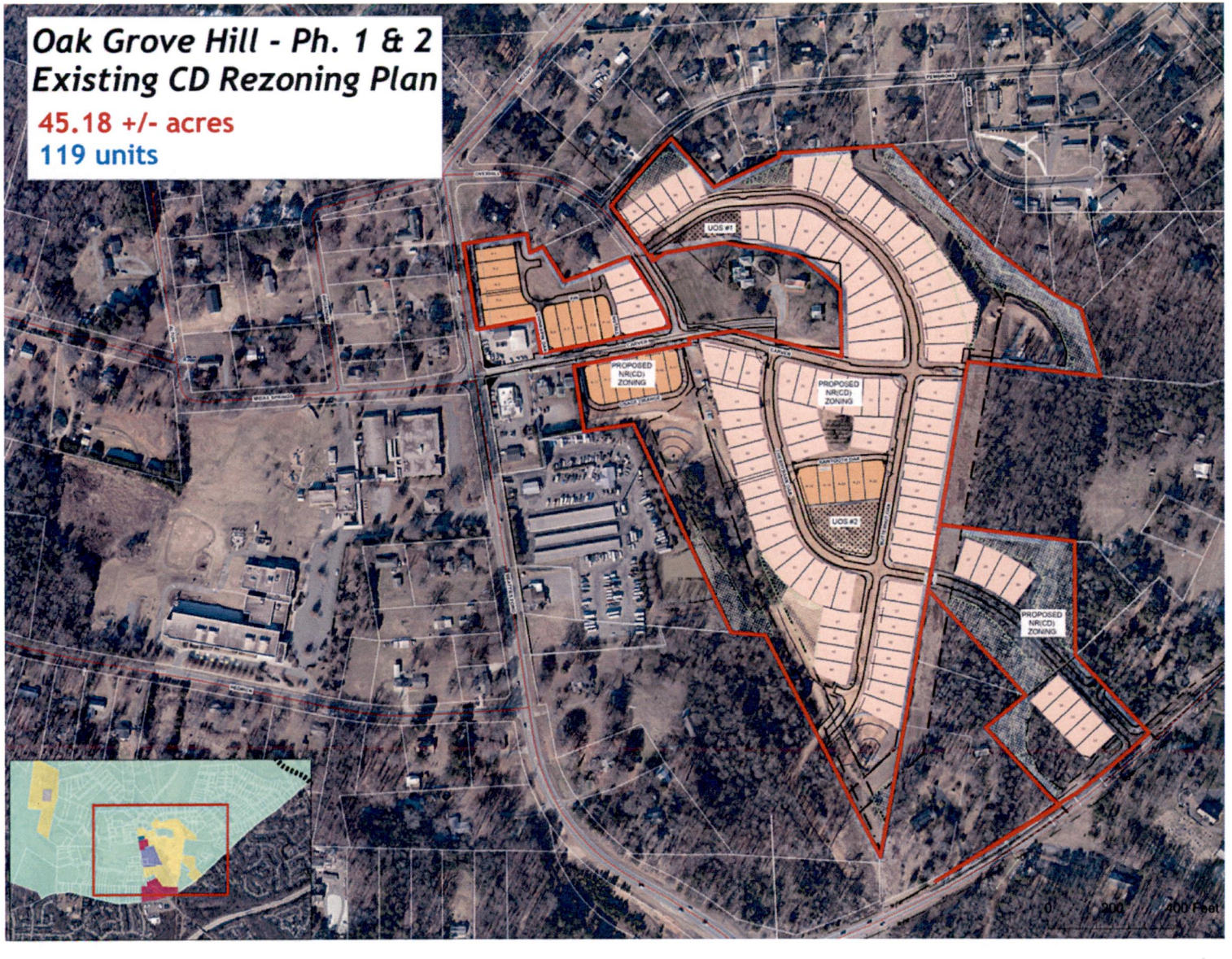
R 22-05 OAK GROVE HILL NEIGHBORHOOD MEETING MINUTES

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.

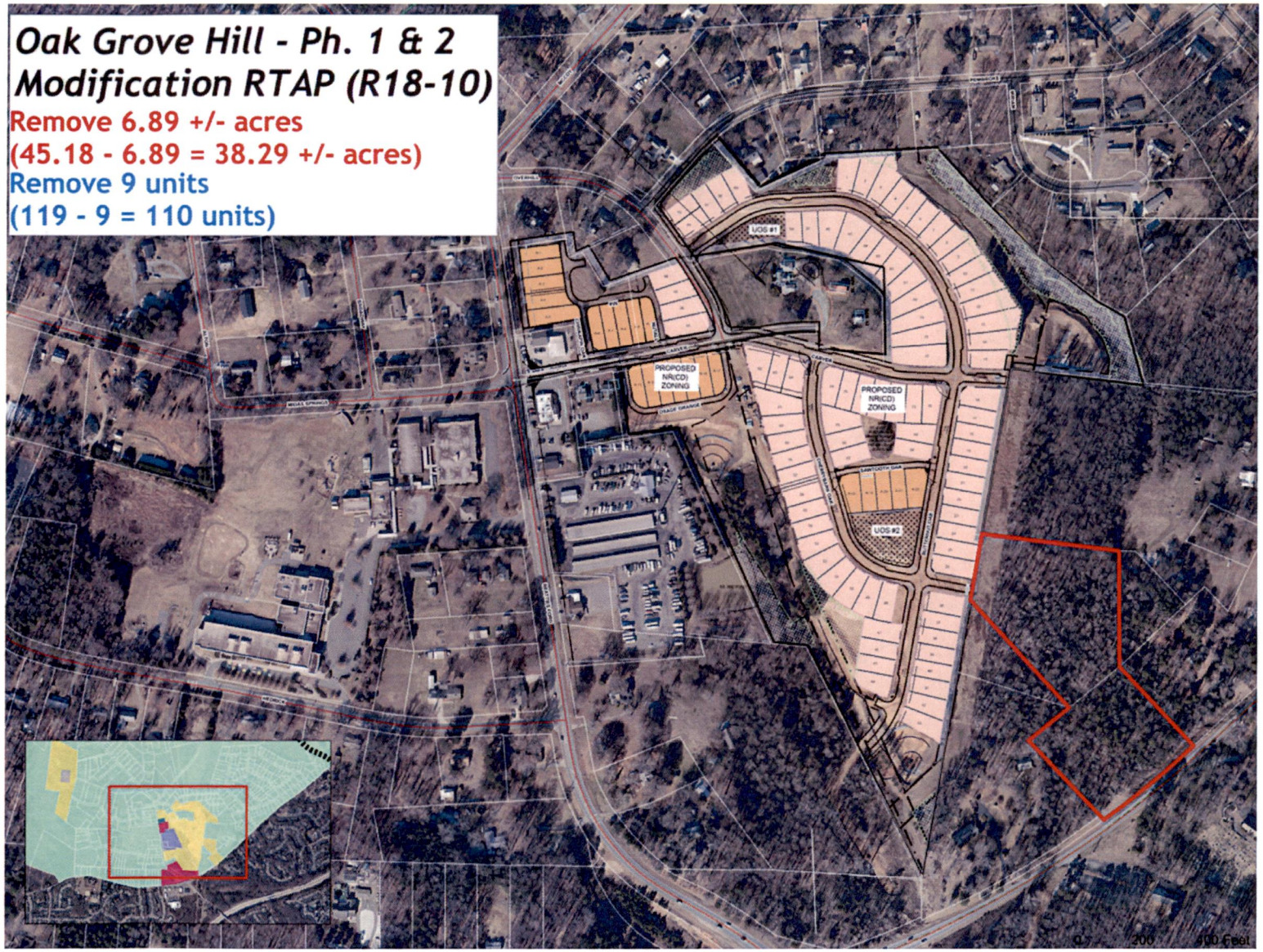
Notifications were sent on January 31, 2023. Letter, maps, and mailing list are attached to these minutes.


Beatties Ford Rd
McCoy Rd
Pembroke Rd
Overhill Rd
Carver Av
Mercia Av
Midas Springs Rd
Long Creek Elementary School
Hedrick Cr
Mt. Holly-Huntersville Rd
Sheltonham Wy
Beatties Ford Rd
City of Charlotte
R
NR
NC
SP
CD
HC
SITE
Existing Oak Grove Hill CD Rezoning - Area to remain unchanged (38.29 acres)
R23-04:
6.89 acres to be removed from existing Oak Grove Hill CD Rezoning and added to R22-05 for a new Oak Grove Hill Ph. 3
Town of Huntersville
NORTH CAROLINA
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
HC Highway Commercial
NC Neighborhood Center
N
0
300
Feet



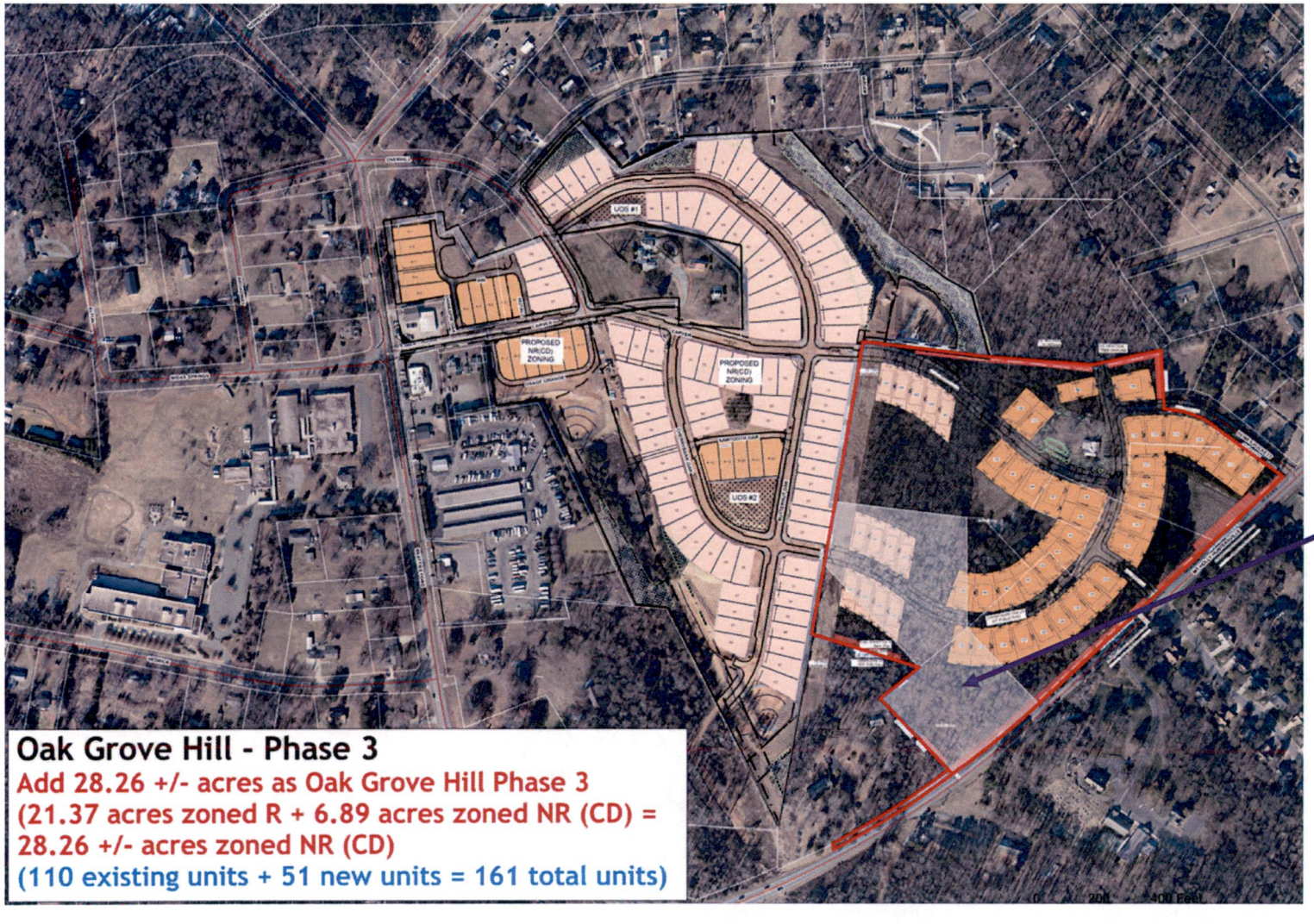
R23-04

OAK GROVE HILL - REVISION



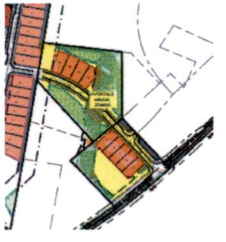
R23-04

OAK GROVE HILL - REVISION



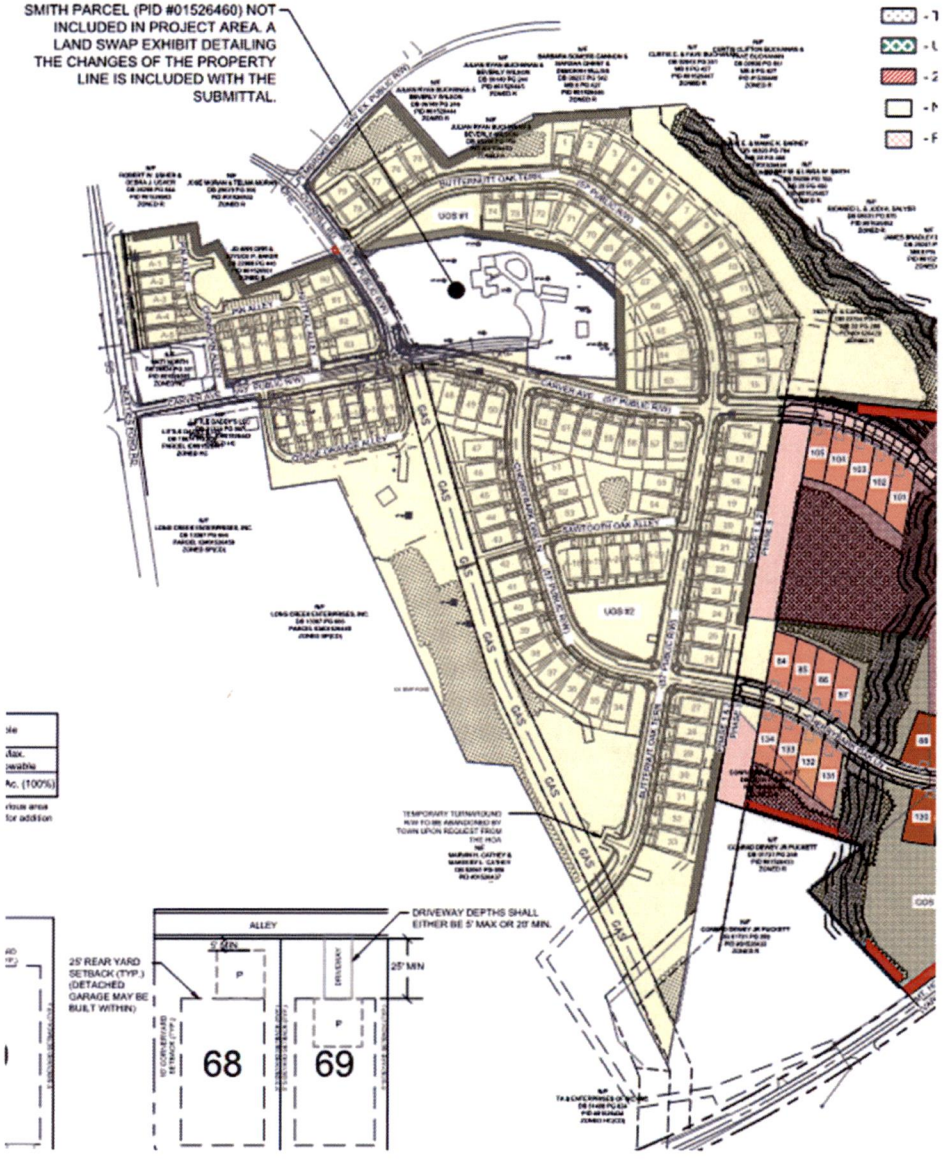
Oak Grove Hill - Phase 3

Add 28.26 +/- acres as Oak Grove Hill Phase 3
(21.37 acres zoned R + 6.89 acres zoned NR (CD) =
28.26 +/- acres zoned NR (CD)
(110 existing units + 51 new units = 161 total units)

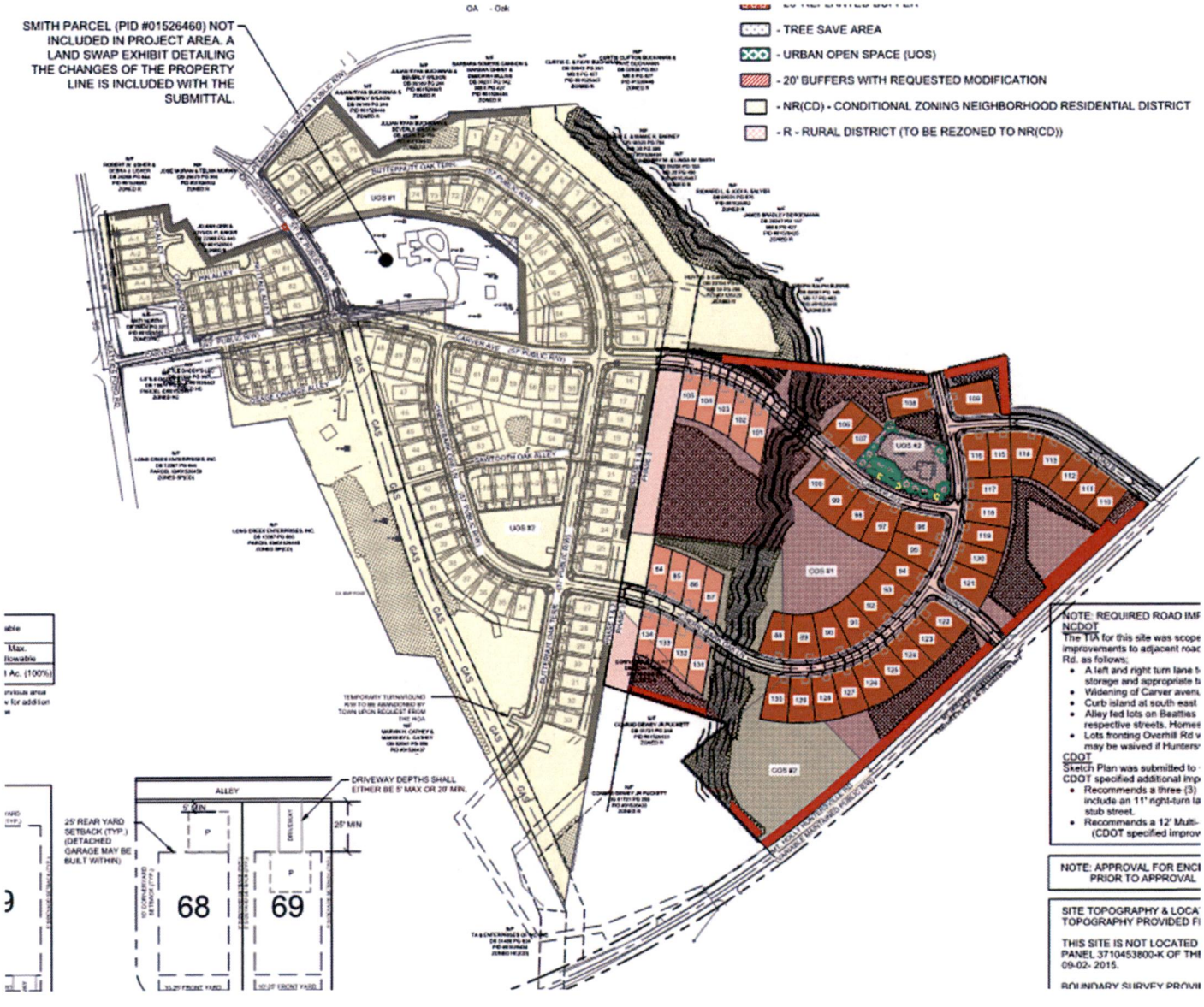


ORIGINAL LAYOUT

PROPOSED LAYOUT



R23-04
OAK GROVE HILL - REVISION



R22-05
OAK GROVE HILL - ADDITION

R 23-04 – OAK GROVE HILL - REVISION

STAFF RECOMMENDATION:

Staff CAN SUPPORT the subdivision with the following addressed:

- Rezoning is CONSISTENT with the Huntersville 2040 Community Plan, Beatties Ford Road – Mt. Holly-Huntersville Road Small Area Plan and Beatties Ford Road Corridor Plan;

- 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.

R 22-05 – OAK GROVE HILL - REVISION

NEXT STEPS:

Public Hearing	**February 20, 2023**
Planning Board	**February 28, 2023**
(Eligible for) Final Action	**March 20, 2023**

ANY QUESTIONS?

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.

Exhibit No. 5

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 (7-1) of the proposed text amendment on January 5, 2023.

PART 6: PUBLIC HEARING

February 20, 2023

PART 7: PLANNING BOARD RECOMMENDATION

February 28, 2023

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:** In considering the proposed amendment TA22-16, the Planning Board recommends approval based on the amendment being consistent with **(insert applicable plan reference)** It is reasonable and in the public interest to amend the Zoning Ordinance because... *(Explain)*	**APPROVAL:** In considering the proposed amendment TA22-16, the Town Board recommends approval based on the amendment being consistent with **(insert applicable plan reference)** It is reasonable and in the public interest to amend the Zoning Ordinance because... *(Explain)*
DENIAL: N/A	**DENIAL:** In considering the proposed amendment TA22-16, the Planning Board recommends denial based on the amendment being **(consistent OR inconsistent)** with **(insert applicable plan reference).** It is not reasonable and in the public interest to amend the Zoning Ordinance because.... *(Explain)*	**DENIAL:** In considering the proposed amendment TA22-16, the Town Board recommends denial based on the amendment being **(consistent OR inconsistent)** with **(insert applicable plan reference).** It is not reasonable and in the public interest to amend the Zoning Ordinance because.... *(Explain)*

Town of Huntersville
NORTH CAROLINA

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

X
_____ 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 attched

Current Ordinance

See attached

Proposed Text

See attached

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 building[1], 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:

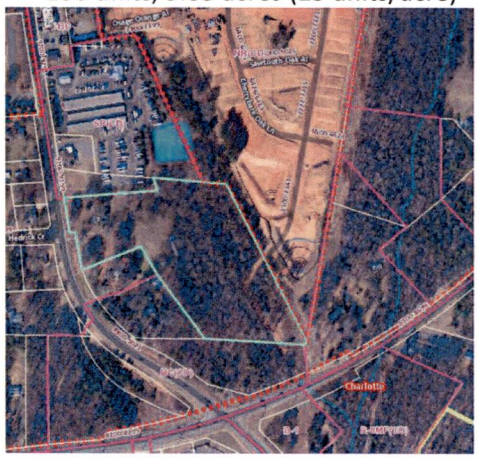
1. **Five feet (5') minimum buffer width in any of the following circumstances: a) the apartment has four (4) dwelling units or less; b) boundaries are internal to a major subdivision containing the apartment; or c) the apartment adjoins property zoned TC, TOD R or TOD E regardless of number of units, density, or adjoining land use.**
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 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.

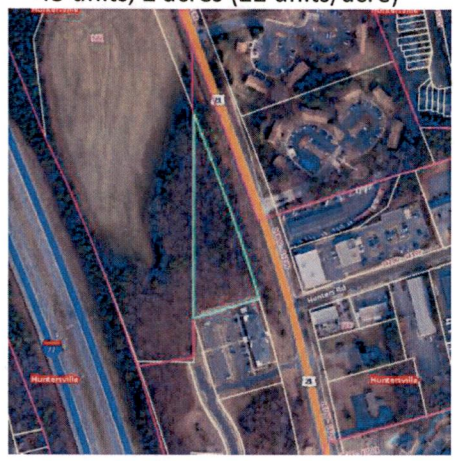
.2 Two or more multi-family homes on one lot constitutes a major subdivision and shall comply with all applicable requirements, including the Multi-Building Sites approval process found in Section 6.800 of the Subdivision Ordinance.

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. Bellamoor 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.

TA22-16 **Multi-Family Use on One Lot in One Apartment Building**

In Neighborhood Residential, Neighborhood Commercial, Town Center, Highway Commercial, one apartment building on one lot is permitted by right.

4 Units

200 Units

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 building[1], 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)**

Zoning Districts Amended

Neighborhood Residential (NR)
Neighborhood Center (NC)
Town Center (TC)
Highway Commercial (HC)

TA22-16

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 has four (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.**
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 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.**

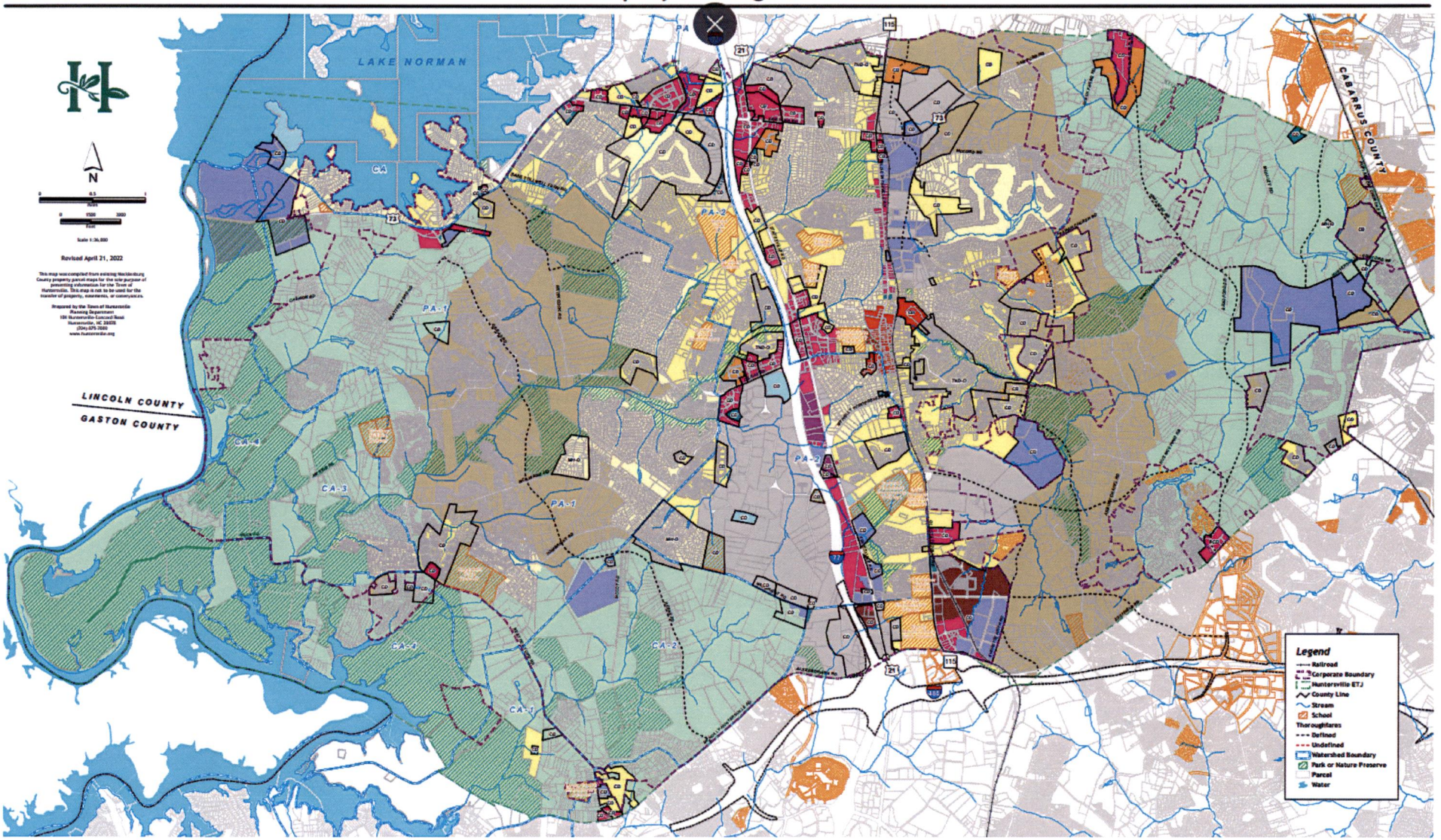
b) There shall be three (3) trees per 1000 square feet of buffer area with a minimum of 50% large maturing, minimum of 25% small maturing, and a minimum of 75% evergreen. Further, there shall be ten (10) shrubs per 1000 square feet of buffer area and 100% shall be evergreen.

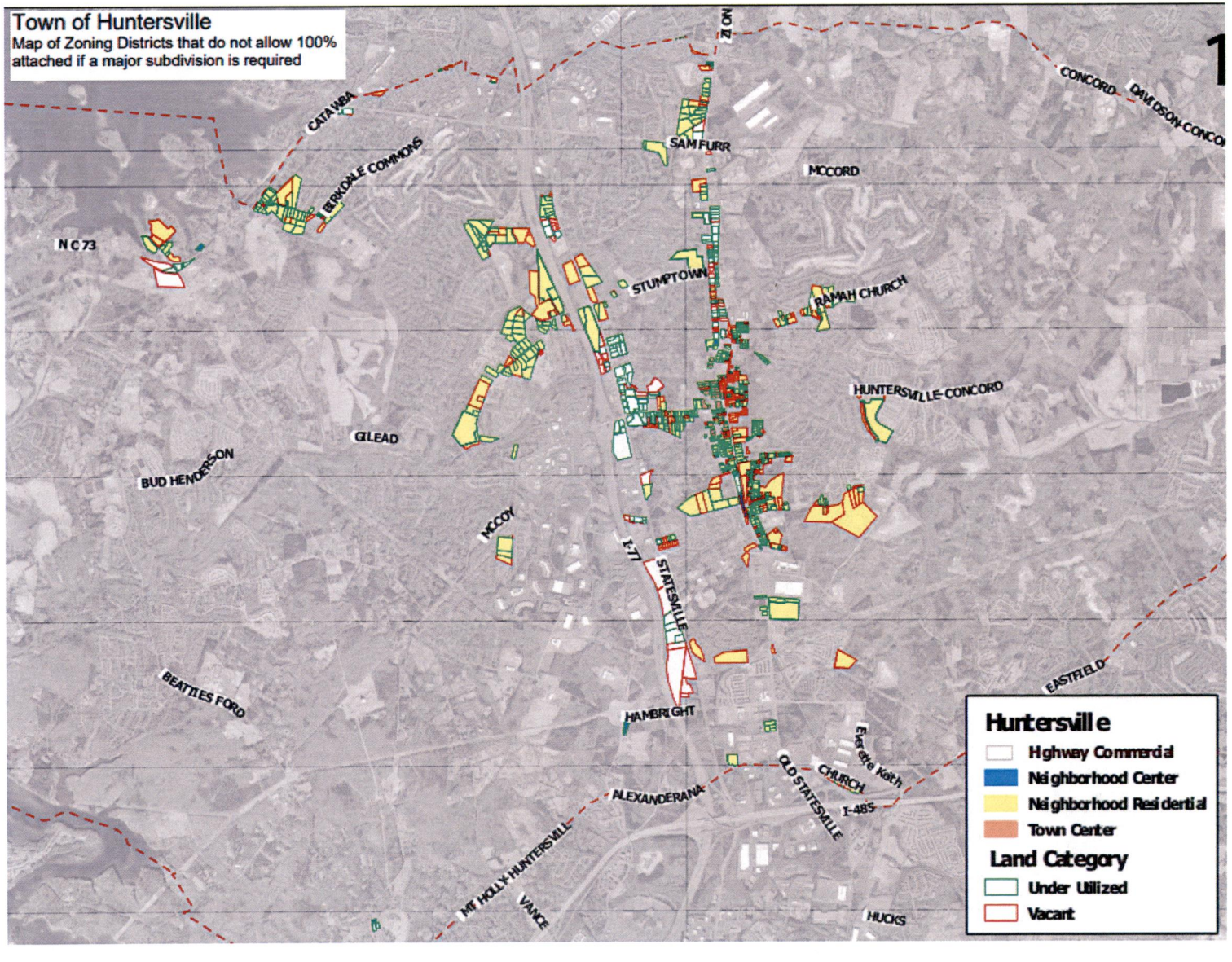
.2 Two or more multi-family homes on one lot constitutes a major subdivision and shall comply with all applicable requirements, including the Multi-Building Sites approval process found in Section 6.800 of the Subdivision Ordinance.

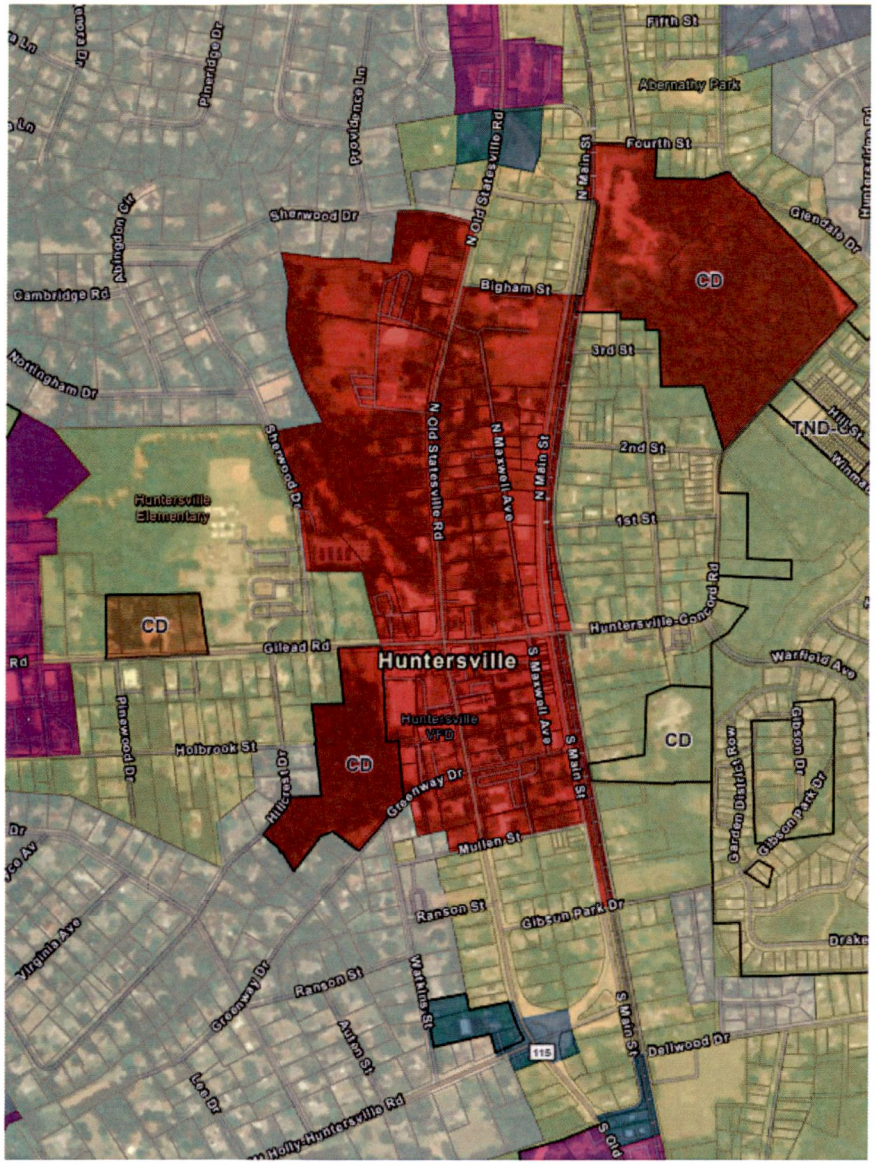
TA22-16

- Planning staff recommends approval of the text amendment.
- The Huntersville Ordinances Advisory Board recommended approval (6-1) of the text amendment on January 5, 2023.
- Planning Board: 02/28/23
- Town Board decision: 03/20/23

2022 Map of Zoning Districts




Town of Huntersville
Map of Zoning Districts that do not allow 100% attached if a major subdivision is required
CATAWBA
PERKDALE COMMONS
NC 73
SAM FURR
MCCORD
ZION
CONCORD
DAVIDSON-CONCO
STUMPTOWN
RAMAH CHURCH
HUNTERSVILLE-CONCORD
GILEAD
BUD HENDERSON
MCCOY
I-77
STATESVILLE
BEATTIES FORD
HAMBRIGHT
EASTFIELD
Everette Keith
CHURCH
OLD STATESVILLE
I-485
ALEXANDERANA
MT HOLLY-HUNTERSVILL
VANCE
HUCKS
Huntersville
Highway Commercial
Neighborhood Center
Neighborhood Residential
Town Center
Land Category
Under Utilized
Vacant



Huntersville Zoning Overlay Districts

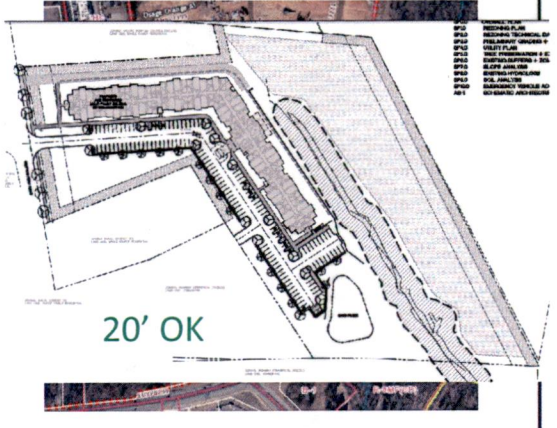
- Conditional District
- Transitional Neighborhood Development

Huntersville Zoning Districts

- Neighborhood Residential
- General Residential
- Traditional Neighborhood Development Urban
- Town Center
- Neighborhood Center
- Highway Commercial
- Corporate Business
- Special Purpose
- Parcels

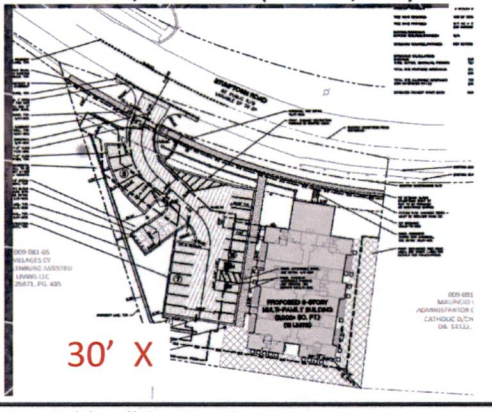
Approved Multi-Family Use in 1 Apartment Building on 1 Lot

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. Bellamoor Senior Living (built)
   16515 Old Statesville Rd
   116 units, 5.03 acres (23 units/acre)

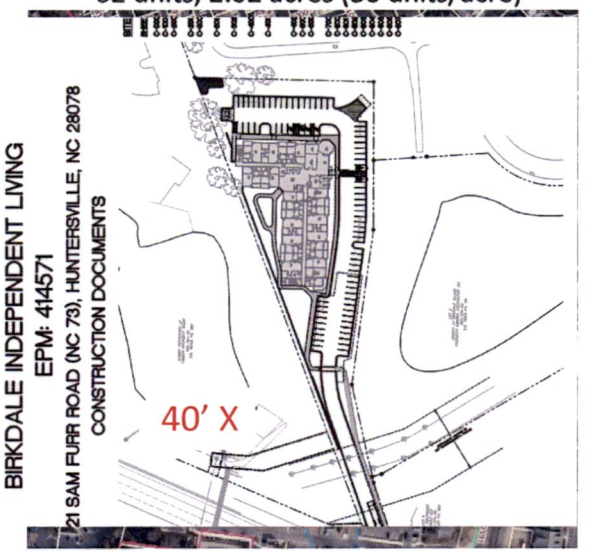
5. 14719 N Old Statesville Apartments (built)
   8 units, .31 acres (25 units/acre)

6. Caldwell Station Senior Apartments (approved)
   11130 Will Knox Road
   134 units, 6.4 acres (20 units/acre)

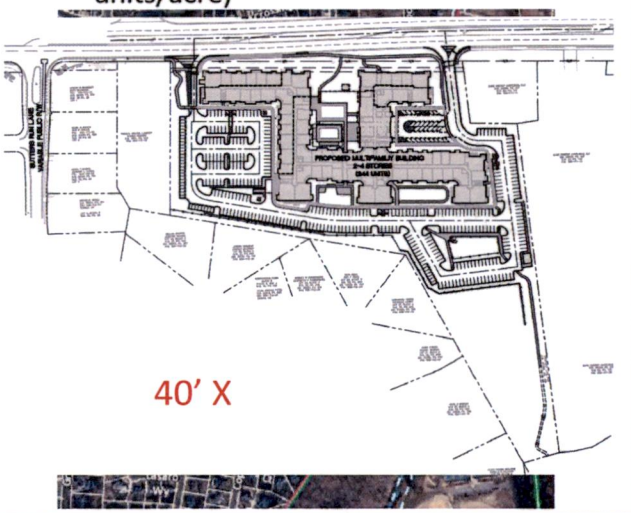
Approved Multi-Family Use in 1 Apartment Building on 1 Lot

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)



TA22-13 – Manufactured Home Skirting, Permit Application, & Tower Collocation

PART 1: DESCRIPTION

TA22-13 is a request by the Huntersville Planning Department for a text amendment to the Zoning Ordinance to amend:

1. Article 3.3.1(a) Manufactured Home Overlay District to update skirting requirements for manufactured homes to comply with G.S. Chapter 160D-910;
2. Article 11.6.1(a) Zoning Compliance to clarify application requirements;
3. Article 9.9 Commercial Communication Tower to comply with G.S. Chapter 160D-937 on collocating wireless facilities on town utility poles.

PART 2: BACKGROUND

Manufactured Home Skirting

The Zoning Ordinance requires masonry skirting for all manufactured homes, whether the land that the home sits on is owned or leased by the owner of the manufactured home. Masonry skirting is required for aesthetic and practical purposes (i.e. protection of pipes, home temperature regulation, prevention of animal intrusion, etc.). In August 2021, General Statute Chapter 160D-910(g) was amended to state masonry skirting shall not be required if the manufactured home is located on land leased to the owner of the manufactured home. When presenting the text amendment to the Huntersville Ordinance Advisory Board, the question was raised if the Town could require non-masonry skirting in such cases. It was determined by the Town Attorney that the Town could require non-masonry skirting. Staff then updated the amendment language to require non-masonry skirting if masonry skirting could not be required.

Below are three scenarios that identify whether masonry or non-masonry skirting would be required.

1. Joe owns the land and Joe owns and resides in the manufactured home= masonry skirting required

2. Joe owns the land and Joe owns the manufactured home but leases the manufactured home/land to Tim= masonry skirting required

3. Joe owns the land but leases the land to Tim who owns the manufactured home= non-masonry skirting required

Permit Application

Staff is amending Article 11.6.1 Zoning Compliance, to specify that the application for a zoning permit must be signed by the property owner(s). Staff already requires this but recently had a property owner refuse to sign an application for a zoning use permit that the tenant of their property was applying for. Staff was unable to issue the zoning permit without the property owner signature. At the suggestion of the Town Attorney, staff is proposing an amendment to codify the requirement.

Communication Tower

Staff is amending the Commercial Communication Tower standards to specify towers must comply with G.S. Chapter 160D-937/938 on the collocation of wireless facilities on town utility poles. 160D-937 applies to town owned utility poles and has standards on the right to collocate on town utility poles, the fees for such, and the terms and conditions for collocation.

Exhibit No. 6

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN

TA22-13 is consistent with Land Use Policies LU-10, LU 10.1, and LU 11.1 of the 2040 Community Plan.

- Policy LU-10: Encourage a diversity of housing options.
  - LU 10.1: Align housing options with resident needs and promote attainable housing options.
    - Staff comment: The manufactured home skirting amendment lessens the burden on those who own the manufactured home but lease the land the home sits on. Those who lease land for their manufactured home are more likely to move the home to a new lot from time to time. The amendment will help reduce the cost and burden of having to install and then un-install masonry skirting when moving the manufactured home to a new lot. For some people, this could make owning a manufactured home more attainable.
- 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: Regarding the manufactured home amendment, to help protect the aesthetic of existing neighborhoods, Huntersville will still require non-masonry skirting for manufactured homes located on land leased to the homeowner.

TA22-13 is consistent with all other policies of the Huntersville 2040 Community Plan as portions of the amendment are necessary to comply with State Legislature.

PART 4: STAFF RECOMMENDATION

Staff recommends approval of the proposed text amendment.

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD

The Huntersville Ordinances Advisory Board had discussion on the text amendment at the November 3, 2022 meeting. The Huntersville Ordinances Advisory Board (HOAB) recommended approval (7-1) of the proposed text amendment on December 1, 2022.

PART 6: PUBLIC HEARING

The public hearing was held January 3, 2023 and no comments from the public were made.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board recommended approval (9-0) of the text amendment at the January 24, 2023 meeting.

PART 8: TOWN BOARD RECOMMENDATION

February 20, 2023

PART 9: ATTACHMENTS

1. Text Amendment Application
2. Ordinance for Adoption
3. G.S. 160D-910 Manufactured Homes
4. G.S. 143-145 Manufactured Home Definition
5. G.S. 160D-937 Access to Utility Poles
6. G.S. 160D-938 Wireless Applicability
7. November 3rd and December 1st HOAB Minutes

PART 10: STATEMENT OF CONSISTENCY – TA22-13		
Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA22-13, Planning Staff recommends approval based on consistency with policies LU-10, LU 10.1, and LU 11.1 of the Huntersville 2040 Community Plan and with all policies of the Huntersville 2040 Community Plan as the amendment is necessary to comply with State Legislature. It is reasonable and in the public interest to amend the Zoning Ordinance because it is necessary to coordinate the Huntersville Zoning Ordinance to comply with State Legislature.	**APPROVAL:** C. Boyd made a motion to recommend approval of petition TA22-13 based on the amendment being consistent with policies LU-10, LU 10.1, and LU 11.1 of the Huntersville 2040 Community Plan and with all policies of the Huntersville 2040 Community Plan as the amendment is necessary to comply with State Legislature. It is reasonable and in the public interest to amend the Zoning Ordinance because it is necessary to coordinate the Huntersville Zoning Ordinance to comply with State Legislature.	**APPROVAL:** In considering the proposed amendment TA22-13, the Town Board recommends approval based on the amendment being consistent with **(insert applicable plan reference)** It is reasonable and in the public interest to amend the Zoning Ordinance because...*(Explain)*
DENIAL: N/A	**DENIAL:** N/A	**DENIAL:** In considering the proposed amendment TA22-13, the Town Board recommends denial based on the amendment being **(consistent OR inconsistent)** with **(insert applicable plan reference).** It is not reasonable and in the public interest to amend the Zoning Ordinance because.... *(Explain)*

Town of Huntersville
NORTH CAROLINA

Text Amendment
Application

Date of Application 10/01/22

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

__X__ 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): _____ Section(s): _____

Current Ordinance: See attached

Proposed Text: See attached

Reason for Proposed Change: To comply with G.S. 160D-910 on manufactured home skirting & comply with G.S. 160D-937 on the co-location of wireless facilities on town owned utility poles. Also to update permit application standards for Zoning Use permits.

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 Town of Huntersville Planning Department

☐ Corporation ☐Limited Liability Company ☐ Trust ☐ Partnership ☑ Other: Municipality

Signature Kayleigh Mielenz Date 10/01/22

Title Planner I Email KMielenz@huntersville.org

Address of Applicant 105 Gilead Rd, 3rd Floor, 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: 10/01/22

Staff Initials: KIM

TA22-13

AN ORDINANCE TO AMEND THE TOWN OF HUNTERSVILLE ZONING ORDINANCE ARTICLE 3.3.1(a) MANUFACTURED HOME OVERLAY DISTRICT TO UPDATE SKIRTING REQUIREMENTS FOR MANUFACTURED HOMES TO COMPLY WITH G.S. CHAPTER 160D-910 AND TO AMEND ARTICLE 11.6.1(a) ZONING COMPLIANCE TO CLARIFY APPLICATION REQUIREMENTS AND TO AMEND ARTICLE 9.9 COMMERCIAL COMMUNICATION TOWER TO COMPLY WITH G.S. CHAPTER 160D-937 ON CO-LOCATING WIRELESS FACILITIES ON TOWN UTILITY POLES

Section 1. **BE IT ORDAINED** by the Board of Commissioners of the Town of Huntersville, North Carolina, that Zoning Ordinance Section 3.3.1(a) Manufactured Home Overlay District (MH-O), Permitted Uses, is hereby amended as follows:

a) Permitted Uses

Uses permitted by right

- all uses permitted by right in the underlying district, according to the standards of the underlying district
- family care homes

Uses permitted with conditions

- all uses permitted with conditions in the underlying district, according to the standards and conditions associated with the underlying district.
- Manufactured Homes, provided that:

  (a) The home shall be set up in accordance with the standards set by the North Carolina Department of Insurance.

  (b) A continuous, permanent masonry wall, having the appearance of a conventional load-bearing foundation wall, unpierced except for required ventilation and access, shall be installed under the perimeter of the manufactured home. **Notwithstanding the foregoing, neither masonry walls nor masonry skirting shall be required for manufactured homes located on land leased to the owner of the manufactured home; however, non-masonry skirting shall be installed on such manufactured homes.**

  (c) The home will have all wheels, transporting lights, and towing apparatuses removed.

  (d) The structure must be at least 14 feet in width along the majority of its length.

  (e) The roof shall have at least a 3:12 pitch.

  (f) Exterior wall and roofing materials and finishes shall be comparable in composition, appearance and durability to those commonly used in conventional residential construction. As examples, exterior walls would be expected to be covered in wood, stucco, brick, stone, other masonry materials, or similar conventional exterior finishes. Roofing material should consist of wood shingle, wood shake, synthetic composite shingle, ceramic tile, concrete tile, or similar conventional roofing materials.

(g) All entrances to a manufactured home shall be provided with permanent steps, porch or similar suitable entry.

Section 2. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Zoning Ordinance Article 11.6.1(a) Zoning Compliance is hereby amended as follows:

11.6 Zoning Compliance

.1 Zoning Compliance

a. A completed application form for a Zoning Permit shall be submitted by filing a copy of the application in the office of the Zoning Administrator. **All applications shall be signed by the property owner(s).**

b. The **Zoning** Administrator shall approve the Zoning Permit unless ~~he~~ **the Zoning Administrator** finds, after reviewing the application and consulting with the applicant that:

1) The requested Permit is not within ~~his~~**their** jurisdiction according to the Permitted Uses; or

2) The application is incomplete; or

3) If completed as proposed in the application, the development will not comply with one (1) or more requirements of this ordinance (not including those requirements for which a variance has been granted); or

4) If required under Article 14, no Traffic Impact Assessment has been approved by the Town.

Section 3. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Zoning Ordinance Article 9.9 Commercial Communication Tower is hereby amended as follows:

9.9 Commercial Communication Tower

A Commercial Communication tower shall meet the following standards:

1. To encourage future shared use of commercial communication towers, the tower owner must demonstrate that the tower will support a specified number of antennas and must file a letter of intent with the town to lease the space to other users in good faith. In turn, the owner may charge users a proportionate share of capital, financing, and operating costs, plus the cost of insulating equipment so that the transmissions do not interfere with one another. To encourage collocation of commercial communication antenna and facilities and to reduce the need for new commercial communication towers, co-location of such antennae and facilities shall be permitted on any commercial communication tower or tower for radio communication for business or governmental purposes of which the tower was in existence on July 20, 2009, regardless of when it was constructed, the underlying zoning district, or any condition of approval for the existing tower other than a condition which was imposed or accepted by the Board of Commissioners. To the extent practical as determined by the Planning Director, all standards of this Section 9.9 shall be applicable.

.2 No new commercial communication tower may be established if there is a technically suitable space available on an existing communications tower within the geographic area that the proposed tower is to serve.

.3 The entire facility must be aesthetically compatible with its environment. If not otherwise camouflaged, towers shall be of a coloration that will blend with the surroundings. Example: brown/green/gray.

.4 Fencing must be provided to secure the communication equipment on site. If chain link or similar fencing material is used on the site, an opaque screen shall be provided on the exterior side of the fence.

.5 All obsolete or unused facilities must be removed within 12 months of cessation of operations at the site.

.6 Equipment, mobile or immobile, not used in direct support of the transmission or relay facility shall be stored or parked on the site unless repairs to the facility are being made.

.7 Towers shall not be artificially lighted except to ensure human safety as required by the Federal Aviation Administration (FAA) regulations. To the extent possible, tower lighting shall be located and directed to avoid flashing or shining into the interior spaces of dwellings.

.8 An opaque screen expected to reach minimum 8' height at maturity shall be planted around the perimeter of the area occupied by the tower, security fencing, and auxiliary uses such as parking. In addition, existing onsite trees and other vegetation shall be preserved to the extent possible.

.9 No more than one communication tower shall be constructed on a single tract of land.

.10 If such a structure is located on a lot adjacent to a lot or lots located in a residential or mixed-use district, it must be located at least 200 feet from all property lines adjacent to the residential or mixed use district(s).

.11 To be permitted as an incidental accessory use in any zoning district, a tower shall be camouflaged on, with, or in an existing or proposed conforming structure (e.g., inside religious institution steeple, on utility transmission line tower). A detailed site plan and structural elevations must be submitted to the Planning Department for approval. The affirmative decision of the Planning Department shall be based upon a determination that the proposed tower is so camouflaged as to be unnoticeable to the public; or if placed upon a utility transmission line tower, that the additional equipment would not further diminish the quality of the view from surrounding properties and public streets, nor would additional light(s) intrude upon the private interior or exterior living areas of existing dwellings.

.12 Commercial Communication Towers, in addition to meeting criteria 9.9.1-9.9.10, may be allowed in the Rural (R) district only if they meet the following criteria and are subject to a Special Use Permit, according to the procedures of Section 11.4.10:

a. The height of the commercial communication tower may not exceed 199 feet above ground level;

b. The commercial communication tower may only be placed on properties in eight and a half (8.5) acres on a tract that existed as an eight and a half (8.5) acre tract or greater on February 6, 2012;

c. The commercial communication tower must be set back a distance of at least 500 feet from any public right-of-way and 200 feet from any property line;

d. The commercial communication tower may only be placed on a property where it will not require artificial illumination;

e. The commercial communication tower must provide technically-suitable space for at least four (4) users;

f. The commercial communication tower must be set back a distance of at least the tower's fall zone, as certified by a North Carolina Professional Engineer, from any occupied structure.

g. All commercial communication towers in the Rural district shall be constructed using a monopole design.

h. A new communication tower cannot be placed within a one-mile radius of an existing tower.

.13 Collocation on town-owned utility poles shall be in accordance with N.C.G.S. § 160D-937.

.14 Nothing in Article 9.9 shall be interpreted to conflict with the provisions of N.C.G.S. § 160D-938.

Section 4. EFFECTIVE DATE

This ordinance shall become effective upon the date of adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: November 3, 2022 & December 1, 2022

PUBLIC HEARING DATE: January 3, 2023

PLANNING BOARD MEETING: January 24, 2023

TOWN BOARD DECISION: February 20, 2023

§ 160D-910. Manufactured homes.

(a) The General Assembly finds that manufactured housing offers affordable housing opportunities for low- and moderate-income residents of this State who could not otherwise afford to own their own home. The General Assembly further finds that some local governments have adopted zoning regulations that severely restrict the placement of manufactured homes. It is the intent of the General Assembly in enacting this section that local governments reexamine their land-use practices to assure compliance with applicable statutes and case law and consider allocating more residential land area for manufactured homes based upon local housing needs.

(b) For purposes of this section, the term "manufactured home" is defined as provided in G.S. 143-145(7).

(c) A local government may not adopt or enforce zoning regulations or other provisions that have the effect of excluding manufactured homes from the entire zoning jurisdiction or that exclude manufactured homes based on the age of the home.

(d) A local government may adopt and enforce appearance and dimensional criteria for manufactured homes. Such criteria shall be designed to protect property values, to preserve the character and integrity of the community or individual neighborhoods within the community, and to promote the health, safety, and welfare of area residents. The criteria shall be adopted by ordinance.

(e) In accordance with the local government's comprehensive plan and based on local housing needs, a local government may designate a manufactured home overlay district within a residential district. Such overlay district may not consist of an individual lot or scattered lots but shall consist of a defined area within which additional requirements or standards are placed upon manufactured homes.

(f) Nothing in this section shall be construed to preempt or supersede valid restrictive covenants running with the land. The terms "mobile home" and "trailer" in any valid restrictive covenants running with the land shall include the term "manufactured home" as defined in this section.

(g) A local government may require by ordinance that manufactured homes be installed in accordance with the Set-Up and Installation Standards adopted by the Commissioner of Insurance; provided, however, a local government shall not require a masonry curtain wall or masonry skirting for manufactured homes located on land leased to the homeowner. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d); 2021-117, s. 6(a).)

§ 143-145. Definitions.

The following definitions apply in this Article:

(1) Act. – The National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. § 5401, et seq., federal regulations adopted under the Act, and any laws enacted by the United States Congress that supersede or supplement the Act.

(2) Commissioner. – The Commissioner of Insurance of the State of North Carolina or an authorized designee of the Commissioner.

(3) Repealed by Session Laws 1999-393, s. 2.

(4) HUD. – The United States Department of Housing and Urban Development or any successor agency.

(5) Inspection department. – A North Carolina city or county building inspection department authorized by Chapter 160A or Chapter 153A of the General Statutes.

(6) Label. – The form of certification required by HUD to be permanently affixed to each transportable section of each manufactured home manufactured for sale to a purchaser in the United States to indicate that the manufactured home conforms to all applicable federal construction and safety standards.

(7) Manufactured home. – A structure, transportable in one or more sections, which in the traveling mode is eight body feet or more in width, or 40 body feet or more in length, or, when erected on site, is 320 or more square feet; and which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained therein. "Manufactured home" includes any structure that meets all of the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of HUD and complies with the standards established under the Act.

For manufactured homes built before June 15, 1976, "manufactured home" means a portable manufactured housing unit designed for transportation on its own chassis and placement on a temporary or semipermanent foundation having a measurement of over 32 feet in length and over eight feet in width. "Manufactured home" also means a double-wide manufactured home, which is two or more portable manufactured housing units designed for transportation on their own chassis that connect on site for placement on a temporary or semipermanent foundation having a measurement of over 32 feet in length and over eight feet in width.

(8) Repealed by Session Laws 1999-393, s. 2. (1969, c. 961, s. 2; 1971, c. 1172, s. 1; 1985, c. 487, s. 7; 1987, c. 429, ss. 10, 19; 1999-393, s. 2.)

§ 160D-937. Access to city utility poles to install small wireless facilities.

(a) A city may not enter into an exclusive arrangement with any person for the right to collocate small wireless facilities on city utility poles. A city shall allow any wireless provider to collocate small wireless facilities on its city utility poles at just, reasonable, and nondiscriminatory rates, terms, and conditions, but in no instance may the rate exceed fifty dollars ($50.00) per city utility pole per year. The North Carolina Utilities Commission shall not consider this subsection as evidence in a proceeding initiated pursuant to G.S. 62-350(c).

(b) A request to collocate under this section may be denied only if there is insufficient capacity or for reasons of safety, reliability, and generally applicable engineering principles, and those limitations cannot be remedied by rearranging, expanding, or otherwise reengineering the facilities at the reasonable and actual cost of the city to be reimbursed by the wireless provider. In granting a request under this section, a city shall require the requesting entity to comply with applicable safety requirements, including the National Electrical Safety Code and the applicable rules and regulations issued by the Occupational Safety and Health Administration.

(c) If a city that operates a public enterprise as permitted by Article 16 of Chapter 160A of the General Statutes has an existing city utility pole attachment rate, fee, or other term with an entity, then, subject to termination provisions, that attachment rate, fee, or other term shall apply to collocations by that entity or its related entities on city utility poles.

(d) Following receipt of the first request from a wireless provider to collocate on a city utility pole, a city shall, within 60 days, establish the rates, terms, and conditions for the use of or attachment to the city utility poles that it owns or controls. Upon request, a party shall state in writing its objections to any proposed rate, terms, and conditions of the other party.

(e) In any controversy concerning the appropriateness of a rate for a collocation attachment to a city utility pole, the city has the burden of proving that the rates are reasonably related to the actual, direct, and reasonable costs incurred for use of space on the pole for such period.

(f) The city shall provide a good-faith estimate for any make-ready work necessary to enable the city utility pole to support the requested collocation, including pole replacement, if necessary, within 60 days after receipt of a complete application. Make-ready work, including any pole replacement, shall be completed within 60 days of written acceptance of the good-faith estimate by the applicant. For purposes of this section, the term "make-ready work" means any modification or replacement of a city utility pole necessary for the city utility pole to support a small wireless facility in compliance with applicable safety requirements, including the National Electrical Safety Code, that is performed in preparation for a collocation installation.

(g) The city shall not require more make-ready work than that required to meet applicable codes or industry standards. Fees for make-ready work shall not include costs related to preexisting or prior damage or noncompliance. Fees for make-ready work, including any pole replacement, shall not exceed actual costs or the amount charged to other communications service providers for similar work and shall not include any consultant fees or expenses.

(h) Nothing in this Part shall be construed to apply to an entity whose poles, ducts, and conduits are subject to regulation under section 224 of the Communications Act of 1934, 47 U.S.C. § 151, et seq., as amended, or under G.S. 62-350.

(i) Nothing in this Part shall be construed to apply to an electric membership corporation organized under Chapter 117 of the General Statutes that owns or controls poles, ducts, or conduits and is exempt from regulation under section 224 of the Communications Act of 1934, 47 U.S.C. § 151, et seq., as amended. Nothing in this section shall be construed to affect the authority of an electric membership corporation to deny, limit, restrict, or determine the rates, fees, terms, and conditions for the use of or attachment to its utility poles or wireless support structures by a wireless provider. This section shall not be construed to alter or affect the provisions of G.S. 62-350, and the rates, terms, or conditions for the use by communications

service providers, as defined in G.S. 62-350, of poles, ducts, or conduits owned by electric membership corporations. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d); 2021-180, s. 38.10(o).)

§ 160D-938. Applicability.

(a) A city shall not adopt or enforce any ordinance, rule, regulation, or resolution that regulates the design, engineering, construction, installation, or operation of any small wireless facility located in an interior structure or upon the site of any stadium or athletic facility. This subsection does not apply to a stadium or athletic facility owned or otherwise controlled by the city. This subsection does not prohibit the enforcement of applicable codes.

(b) Nothing contained in this Part shall amend, modify, or otherwise affect any easement between private parties. Any and all rights for the use of a right-of-way are subject to the rights granted pursuant to an easement between private parties.

(c) Except as provided in this Part or otherwise specifically authorized by the General Statutes, a city may not adopt or enforce any regulation on the placement or operation of communications facilities in the rights-of-way of State-maintained highways or city rights-of-way by a provider authorized by State law to operate in the rights-of-way of State-maintained highways or city rights-of-way and may not regulate any communications services.

(d) Except as provided in this Part or specifically authorized by the General Statutes, a city may not impose or collect any tax, fee, or charge to provide a communications service over a communications facility in the right-of-way.

(e) The approval of the installation, placement, maintenance, or operation of a small wireless facility pursuant to this Part does not authorize the provision of any communications services or the installation, placement, maintenance, or operation of any communications facility, including a wireline backhaul facility, other than a small wireless facility, in the right-of-way. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).)

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, November 3, 2022, at Town Hall 101 Huntersville-Concord Road.

Call to Order/Roll Call
Chairman Jones called the meeting to order at 3:30 pm.

Voting Members Present: M. Jones, T. Taylor, A. Hallman, K. Jones, H. Whittaker, and F. Gammon
Voting Members Absent: B. Skelly, J. Kluttz, T. Finlay

Non-Voting Members Present: Commissioner Boone, J. Simoneau, T. Barron, E. Sloop, and J. Glass
Non-Voting Members Absent: None

Approval of Minutes
Item 2A. Consider approval of the October 6, 2022, Regular Meeting Minutes
Motion: K. Jones made a Motion to Approve the October 6, 2022, minutes. A. Hallman seconded the motion.

Vote: The motion passed unanimously (6-0).

Public Comments
No comments.

Action Agenda
Item 4A. Consider recommendation on petition #TA22-13, a request by the Huntersville Planning Department for a text amendment to the Zoning Ordinance to amend Article 3.3.1(a) Manufactured Home Overlay District to update skirting requirements to comply with G.S. Chapter 160D-910 and to amend Article 11.6.1(a) Zoning Compliance to clarify application requirements and to amend Article 9.9 Commercial Communication Tower to comply with G.S. Chapter 160D-937 on co-locating wireless facilities on Town utility poles
K. Mielenz, Planner I presented text amendment TA22-13 in three parts, the first part related to amending Article 3.3.1(a) to update skirting requirements to comply with NCGS Chapter 160D-910 for manufactured homes. Staff reviewed that the proposed amendments would update the skirting requirements for manufactured homes that are leased to the homeowner.

T. Taylor asked if the amendment would eliminate all under pinning or just masonry since only masonry is mentioned and some type of under pinning would be recommended. Staff responded that the current proposed statement would eliminate the masonry requirement.

F. Gammon asked who owns the manufactured home that is being leased out. M. Jones stated that if the owner of the land and home are the same then this exemption does not apply. If the owner of the land and the owner of the home are not the same person, then this exemption would apply.

H. Whittaker agreed that we may want to specify more clearly how the exemption applies with the proposed wording. He then asked why this would be an exemption for some and not others. Staff responded and shared the exact wording of the state statute and stated that the proposed amendment is to comply with the state statute. Staff continued that we are in agreement with the statement T. Taylor made that requiring some skirting would be a good recommendation and we could require an alternative skirting and not require masonry skirting.

K. Jones asked if existing landowners leasing to manufactured homes would be required to comply with this amendment. Staff responded that existing properties this applies to would be grandfathered in until which time a request to place a manufactured home was placed and then the amendment would apply.

M. Jones asked if this state statute is creating an unintended consequence of owners and renters being treated differently. Staff responded that it is possible that is occurring but this is not being proposed by staff, it is a state statute that we must comply with.

Motion: M. Jones made a motion to defer this item to the December 2022 meeting and requested that Staff provide additional language to address alternative skirting options for manufactured home owners that are leasing land and for staff to provide a rent versus own legal perspective referencing Adam Lovelady's article from 5/24/22 regarding build to rent communities from the UNC School of Government site. H. Whittaker seconded the motion.

Vote: The motion passed unanimously (6-0).

Staff provided the background on the requested amendment to Article 11.6.1(a) Zoning Compliance to clarify application requirements and that all applications shall be signed by the property owner and the proposed amendment to comply with NCGS Chapter 160D-937 on co-locating wireless facilities on town utility poles.

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 more dense than adjoining existing development.

J. Simoneau, Planning Director advised that the Board could take this item for discussion or recommendation today. Staff explained that when amendments were made to the Subdivision Ordinance process there were adjustments that changed conformity from a requirement to a general guideline. Changing "Conformity" from a **Requirement** to a **General Guideline** does not allow the town to modify the 20'-wide buffers between developments on a case-by-case basis. The proposed amendment would allow buffer widths to be 20 or, where the proposed development is more than 2 times greater than the existing adjoining development, 40 feet..

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, December 1, 2022, at Town Hall 101 Huntersville-Concord Road.

Call to Order/Roll Call
Chairman Jones called the meeting to order at 3:30 pm.

Voting Members Present: M. Jones, T. Taylor, A. Hallman, K. Jones, H. Whittaker, F. Gammon, B. Skelly, and T. Finlay
Voting Members Absent: J. Kluttz

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 November 3, 2022, Regular Meeting Minutes
Motion: A. Hallman made a Motion to Approve the Amended November 3, 2022, minutes. H. Whittaker seconded the motion.

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

Public Comments
No comments.

Action Agenda
Item 4A. Consider recommendation on petition #TA22-13, a request by the Huntersville Planning Department for a text amendment to the Zoning Ordinance to amend Article 3.3.1(a) Manufactured Home Overlay District to update skirting requirements to comply with G.S. Chapter 160D-910 and to amend Article 11.6.1(a) Zoning Compliance to clarify application requirements and to amend Article 9.9 Commercial Communication Tower to comply with G.S. Chapter 160D-937 on co-locating wireless facilities on Town utility poles
K. Mielenz, Planner I presented text amendment TA22-13 in three parts, the first part related to amending Article 3.3.1(a) to update skirting requirements to comply with NCGS Chapter 160D-910 for manufactured homes. Staff reviewed the updated proposed amendment following the discussion of the text amendment at the November 2022 Ordinance Advisory Board meeting to reflect that masonry skirting would not be required but alternative skirting would still be required. The second and third part of the proposed amendment have not adjusted from the November 2022 Ordinance Advisory Board meeting.

Commissioner Munger asked staff if consideration was given for non-masonry skirting to be permitted in all manufactured home cases. Staff responded that was not a consideration.

M. Jones asked if this meets the test of equal protection, the question being, are similarly situated persons treated similarly. E. Sloop responded referencing the A. Lovelady statements that there are examples in our statutes where the form of ownership is distinct, and you can treat different situations differently based on ownership. Lease versus own can be considered differently because that authority has been granted to do so by the General Assembly.

M. Jones asked if constitutionally this met the requirements of equal protection. E. Sloop commented that since skirting is required in both cases they are being treated equally. M. Jones stated that since the materials are different, he does not find them to be equal.

Motion: F. Gammon made a Motion to recommend Approval of TA22-13, manufactured home skirting, permit application and tower co-location and advancement to Public Hearing, Planning Board and Town Board. B. Skelly seconded the motion.

Vote: The motion passed unanimously (8-0)

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 more dense 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.

TA22-13 Manufactured Home Skirting, Permit Application, & Tower Collocation

TA22-13 addresses:

1. Compliance with G.S. Chapter 160D-910(g) by removing the masonry skirting requirement for manufactured homes located on land leased to the owner of the manufactured home

2. Amendment to article 11.6.1(a) Zoning Compliance to state property owner(s) must sign application

3. Compliance with G.S. Chapter 160D-937 on the conditions and fees for collocating wireless facilities on town utility poles

Section 1. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Zoning Ordinance Section 3.3.1(a) Manufactured Home Overlay District (MH-O), Permitted Uses, is hereby amended as follows:

a) Permitted Uses

Uses permitted by right

- all uses permitted by right in the underlying district, according to the standards of the underlying district
- family care homes

Uses permitted with conditions

- all uses permitted with conditions in the underlying district, according to the standards and conditions associated with the underlying district.
- Manufactured Homes, provided that:

  (a) The home shall be set up in accordance with the standards set by the North Carolina Department of Insurance.

  (b) A continuous, permanent masonry wall, having the appearance of a conventional load-bearing foundation wall, unpierced except for required ventilation and access, shall be installed under the perimeter of the manufactured home. **Notwithstanding the foregoing, neither masonry walls nor masonry skirting shall be required for manufactured homes located on land leased to the owner of the manufactured home; however, non-masonry skirting shall be installed on such manufactured homes.**

Manufactured Home Scenarios:

1. Joe owns the land and Joe owns and resides in the manufactured home= **masonry** skirting required
2. Joe owns the land and Joe owns the manufactured home but leases the manufactured home/land to Tim= **masonry** skirting required
3. Joe owns the land but leases the land to Tim, owner of the manufactured home= **non-masonry** skirting required

TA22-13 Permit Application & Tower Co-location

Section 2. **BE IT ORDAINED** by the Board of Commissioners of the Town of Huntersville, North Carolina, that Zoning Ordinance Article 11.6.1(a) Zoning Compliance is hereby amended as follows:

11.6 Zoning Compliance

.1 Zoning Compliance

a. A completed application form for a Zoning Permit shall be submitted by filing a copy of the application in the office of the Zoning Administrator. **All applications shall be signed by the property owner(s).**

b. The **Zoning** Administrator shall approve the Zoning Permit unless ~~he~~ **the Zoning Administrator** finds, after reviewing the application and consulting with the applicant that:

1) The requested Permit is not within ~~his~~**their** jurisdiction according to the Permitted Uses; or

Section 3. **BE IT ORDAINED** by the Board of Commissioners of the Town of Huntersville, North Carolina, that Zoning Ordinance Article 9.9 Commercial Communication Tower is hereby amended as follows:

9.9 Commercial Communication Tower

A Commercial Communication tower shall meet the following standards:

.13 Collocation on town-owned utility poles shall be in accordance with N.C.G.S. § 160D-937.

.14 Nothing in Article 9.9 shall be interpreted to conflict with the provisions of N.C.G.S. § 160D-938.

TA22-13

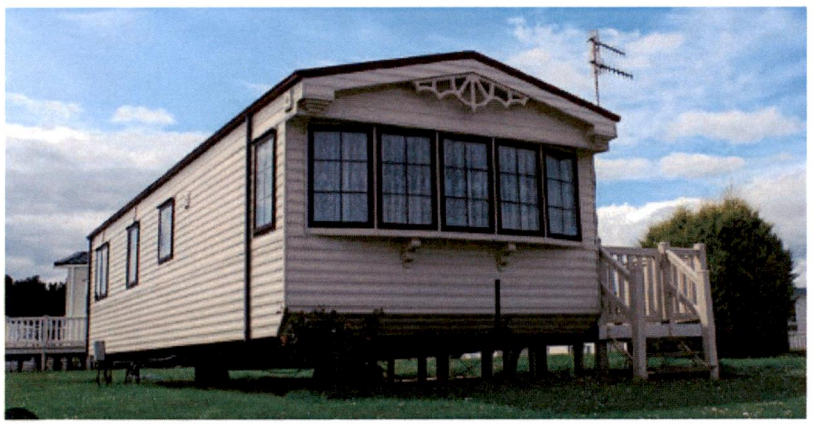
- Planning staff recommends approval of the text amendment.
- The Huntersville Ordinances Advisory Board recommended approval (7-1) of the text amendment on December 1, 2022.
- The public hearing was held January 3, 2023, with no public comment received
- The Planning Board recommended approval (9-0) of the text amendment at the January 24, 2023 meeting.
- Town Board decision: 02/20/23

PART 10: STATEMENT OF CONSISTENCY – TA22-13		
Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA22-13, Planning Staff recommends approval based on consistency with policies LU-10, LU 10.1, and LU 11.1 of the Huntersville 2040 Community Plan and with all policies of the Huntersville 2040 Community Plan as the amendment is necessary to comply with State Legislature. It is reasonable and in the public interest to amend the Zoning Ordinance because it is necessary to coordinate the Huntersville Zoning Ordinance to comply with State Legislature.	**APPROVAL:** C. Boyd made a motion to recommend approval of petition TA22-13 based on the amendment being consistent with policies LU-10, LU 10.1, and LU 11.1 of the Huntersville 2040 Community Plan and with all policies of the Huntersville 2040 Community Plan as the amendment is necessary to comply with State Legislature. It is reasonable and in the public interest to amend the Zoning Ordinance because it is necessary to coordinate the Huntersville Zoning Ordinance to comply with State Legislature.	**APPROVAL:** In considering the proposed amendment TA22-13, the Town Board recommends approval based on the amendment being consistent with **(insert applicable plan reference)** It is reasonable and in the public interest to amend the Zoning Ordinance because…*(Explain)*
DENIAL: N/A	**DENIAL:** N/A	**DENIAL:** In considering the proposed amendment TA22-13, the Town Board recommends denial based on the amendment being **(consistent OR inconsistent)** with **(insert applicable plan reference).** It is not reasonable and in the public interest to amend the Zoning Ordinance because…. *(Explain)*

TA22-13 Manufactured Home Skirting

Masonry Skirting

No Skirting



Plywood Skirting

Faux Rock Skirting

Metal Skirting

TA 22-12 – Town of Huntersville: Clarifying First Floor Residential and Commercial Area for Shopfront and Workplace Mixed-Use Buildings

PART 1: DESCIPTION

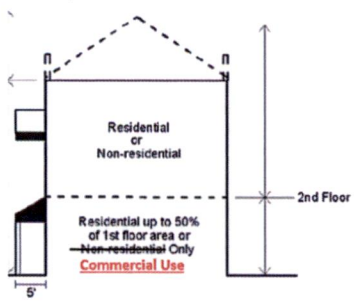
TA 22-12 is a request by the Huntersville Town Board to amend Articles 4 and 12 of the Zoning Ordinance clarifying first floor residential and commercial area requirements for Shopfront and Workplace mixed-use buildings.

PART 2: BACKGROUND

First floor Shopfront and Workplace Buildings have the following standard: "Residential up to 50% of 1st floor area or Non-residential Only".

The Town Board disagreed with staff assigning shared residential and non-residential floor area (i.e., mechanical rooms, maintenance space, etc.) as non-residential floor area. They requested and amendment indicating that only floor area dedicated 100% to non-residential uses would qualify as non-residential floor area.

Through the review process, it was determined the term "non-residential" should be replaced by the term 'commercial" as it better aligned with the Town Board's intentions and is defined in the Zoning Ordinance. Below is the initial proposal presented at the public hearing but has been modified per input from the HOAB and Planning Board (page 2 and 3).



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 height to the ridge may vary depending on the roof pitch.
4. Permitted uses are indicated above and are further controlled by district regulations.
5. Where an existing residential building converts to a mixed-use building, at least 40% of the habitable floors area shall be residential
6. **First floor commercial area shall include floor area used exclusively for commercial use and shall not include any floor area that contains or is shared with residential uses, such as storage, mechanical rooms, etc. Any floor area devoted partially or wholly to serving residential uses, shall be considered residential floor area.**

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-6: Support a mix of land uses in key locations.

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.

LU 6.2: Commercial uses are encouraged in the Town Core and as specified in adopted Small Area Plans.

LU 6.3: Small scale, neighborhood-serving commercial and office uses may be allowed in Town Core and Moderate Density areas specified on the Future Land Use map at key locations if designed in a context sensitive manner.

Staff Comment: The proposed text amendment clarifies ambiguities for calculating residential and commercial floor area and may remove barriers to constructing mixed-use buildings.

Policy EV-1: Support a balanced economy through job growth in target industry sectors.

EV 1.4: Review development standards to support business growth.

- Support efforts to improve efficiency and responsiveness of the development review process for development proposals. Regularly review the market to ensure that standards are in line with current demand.
- Prioritize changes to standards that would encourage small business growth.

Exhibit No. 7

Staff Comment: The proposed text amendment clarifies ambiguities for calculating residential and commercial floor area and may remove barriers to constructing mixed-use buildings.

Policy EV-2: Encourage existing economic assets and entrepreneurial business development.

EV 2.1: Promote and encourage local businesses, particularly small businesses.
EV 2.2: Leverage Downtown as a unique destination.
EV 2.3: Attract businesses to Downtown.
Staff Comment: The proposed text amendment clarifies ambiguities for calculating residential and commercial floor area and may remove barriers to constructing mixed-use buildings.

Policy DT-1: Encourage future development in the Downtown area to adhere to the Regulating Plan.

DT 1.1: Encourage vertical mixed-use development with active visual engagement between the street and the ground and upper floors along Active Frontages
DT 1.2: In Tier 1 areas, encourage multistory buildings and allow for a mix of uses, including commercial, office, and residential.
Staff Comment: The proposed text amendment clarifies ambiguities for calculating residential and commercial floor area and may remove barriers to constructing mixed-use buildings.

PART 4: STAFF RECOMMENDATIONS

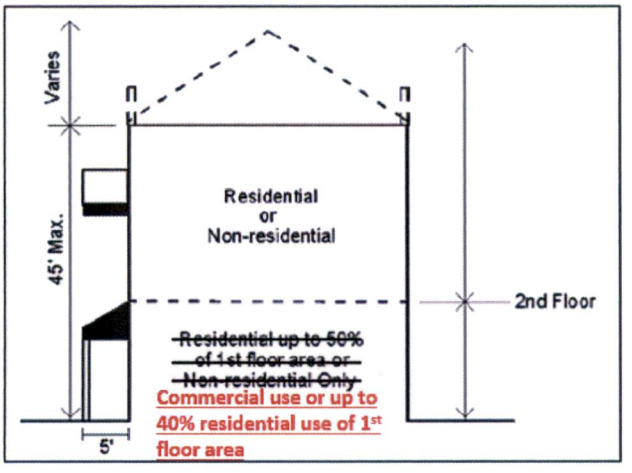
Approval with the illustration wording "Commercial Use or up to 50% residential use of 1st floor area" as recommend by the Planning Board. See Part 9 below.

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD

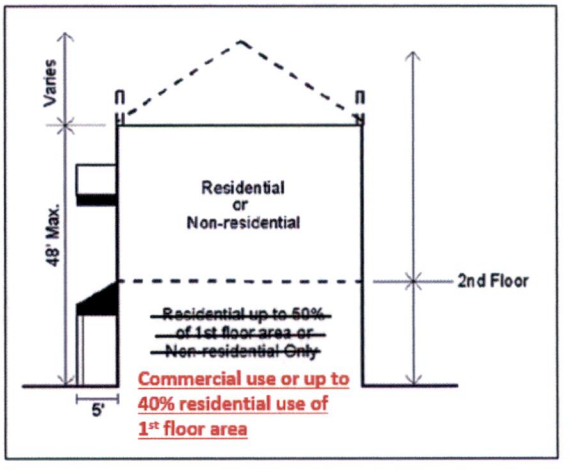
The HOAB discussed the request on November 3, December 1, and December 15, 2022. On January 5, 2023, the HOAB voted 5 to 2 (Skelly, Whittaker) to recommend TA 22-12 as follows:

The Huntersville Ordinance Advisory Board (HOAB) recommends that Text Amendment 22-12, move forward for Public Hearing, Planning Board recommendation, and Town Board decision as written with the following change: Delete first floor diagram wording in Section 2 and Section 3 and replace with: "Commercial use, or up to 40% residential use of 1st floor area" This recommendation is based on the amendment being consistent with LU-6, LU-7, LU-10, EV-1, EV-2, DT-1 and DT-10 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because the amendment clarifies first floor residential and commercial area requirements.

Building Type / Urban Workplace



Building Type / Shopfront Building



PART 6: PUBLIC HEARING

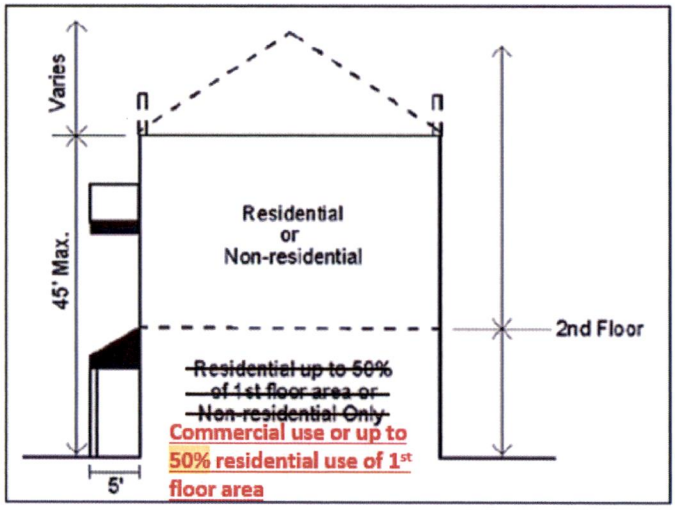
January 3, 2023 & January 17, 2023.

PART 7: PLANNING BOARD RECOMMENDATION

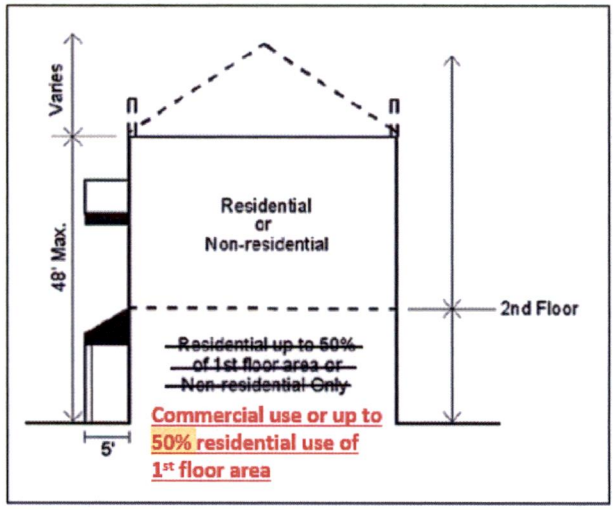
January 24, 2023 - **Motion:** F. Gammon made a motion to recommend approval of petition TA22-12 with the following change (from what was presented by staff). Delete first floor diagram wording in section two and three and replace with "Commercial Use or Use up to 50% residential use first floor area." The recommendation is based on the amendment being consistent with Huntersville 2040 Community Plan policies LU-6, Lu-7, LU-10, EV-1, EV-2, DT-1, DT-10. It is reasonable and in the public interest to amend the zoning ordinance because the amendment clarifies commercial use and residential first floor area requirements. Further, stating commercial use first and requiring a minimum of 50% commercial space be allocated to commercial use emphasizes commercial usage of the first-floor area in mixed use buildings. S. Swanick accepted the motion.

The amended motion passed (8-1) with G. Baber opposed.

Building Type / Urban Workplace



Building Type / Shopfront Building



PART 8: ATTACHMENTS

1. Application
2. Ordinance
3. Huntersville Ordinance Advisory Board Minutes November 3, December 1, December 15, 2022, January 5, 2023
4. Floor Area Requirement Comparison of Nearby Cities

PART 9: STATEMENT OF CONSISTENCY

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA22-12, the Planning Staff recommends approval based on the amendment being consistent with LU-6, EV-1, EV-2, and DT-1 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because the amendment clarifies first floor residential and commercial area requirements.	**APPROVAL:** In considering the proposed amendment TA22-12, the Planning Board recommends approval based is based on the amendment being consistent with Huntersville 2040 Community Plan policies LU-6, LU-7, LU-10, EV-1, EV-2, DT-1, DT-10. It is reasonable and in the public interest to amend the zoning ordinance because the amendment clarifies commercial use and residential first floor area requirements. Further, stating commercial use first and requiring a minimum of 50% commercial space be allocated to commercial use emphasizes commercial usage of the first-floor area in mixed use buildings.	**APPROVAL:** In considering the proposed amendment TA22-12, the Town Board recommends approval based on the amendment being consistent with (insert applicable plan reference) of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)
		DENIAL: In considering the proposed amendment TA22-12, the Town Board recommends denial based on the amendment being (consistent OR inconsistent) with (insert applicable plan reference) of the Huntersville 2040 Community Plan. It is not reasonable and in the public interest to amend the Zoning Ordinance because.... (Explain)

Text Amendment
Application

Date of Application October 4, 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

X Revision/Modification to text of Zoning Ordinance / Subdivision Ordinance / Other

Description of Change

Proposed text amendment will affect the following:

Ordinance(s): Zoning Ord. Article(s): 4 Section(s): Shopfront & Workplace Bldg.

Current Ordinance

See attached

Proposed Text

See attached

Reason for Proposed Change

To clarify determination of residential/ non-residential/commercial floor area in a mixed-use building (Shopfront & Workplace building type)

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 Jack Simoneau (For Huntersville Town Board) Date 10/4/22

Title Planning Director Email jsimoneau@huntersville.org

Address of Applicant PO Box 664, Huntersville, NC 28070

Property Owner (if different than applicant)

* Printed Name N/A

☐ 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: October 4, 2022

Staff Initials: JS

AN ORDINANCE TO AMEND ARTICLE 4, URBAN WORKPLACE AND SHOPFRONT BUILDINGS OF THE ZONING ORDINANCE TO CLARIFY THE RESIDENTIAL AND COMMERCIAL FLOOR AREA REQUIREMENTS

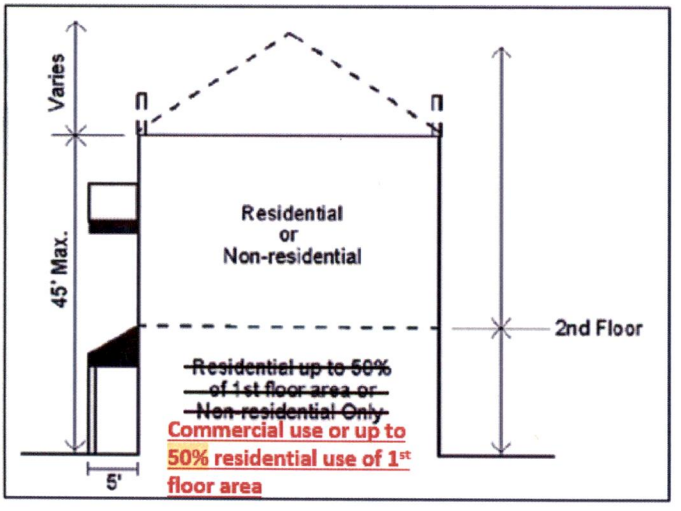
Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 12, Definitions, of the Zoning Ordinance is hereby amended by modifying the definition of Commercial Use and adding a new definition of non-residential use as follows:

Commercial use. A category of uses that includes retail establishments, offices, professional and personal services, light manufacturing and assembly, branch banks, financial services, health care services, indoor motion picture theatres, conference centers, laboratories and associated research facilities whose products or waste products entail no special environmental handling requirements, studios, broadcast facilities (excluding towers), inns, theatres, restaurants without drive-through windows, bars, and day care facility as a principle use. Each use permitted in the commercial use category shall also meet any applicable conditions set out in Article 9, Conditions for Certain Uses. Excluded from the commercial use category are adult uses; vehicle, boat, or manufactured home sales, service, and repair; drive-through windows as a principal or accessory use; wholesale sales; heavy manufacturing; outdoor storage; **floor area that is shared with residential uses as provided in Article 4;** outside commercial kennels, and other uses that, by their nature or service characteristics are auto dependent, have potential for environment degradation, or are otherwise incompatible with nearby residential use.

Non-residential use. All uses that are not a residential use.

Section 2. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 4, Workplace Building, of the Zoning Ordinance is hereby amended as follows:

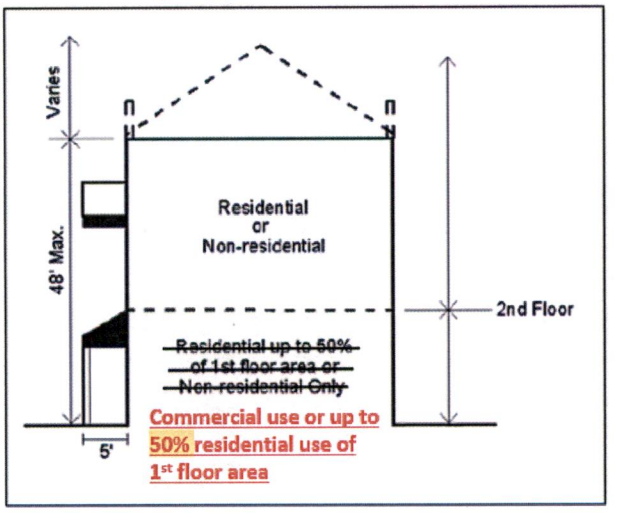
Building Type / Urban Workplace



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 height to the ridge may vary depending on the roof pitch.
4. Permitted uses are indicated above and are further controlled by zoning district standards.
5. Hotels in the Highway Commercial (HC) zoning district may exceed the maximum building height (shown above), not to exceed six (6) stories, subject to the provisions of Article 9.45.
6. **First floor commercial floor area shall include floor area used exclusively for commercial use and shall not include any floor area that contains or is shared with residential uses, such as storage, mechanical rooms, etc. Any floor area devoted partially or wholly to serving residential uses, shall be considered residential floor area.**

Section 3. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 4, Shopfront Building, of the Zoning Ordinance is hereby amended as follows:

Building Type / Shopfront Building



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 height to the ridge may vary depending on the roof pitch.
4. Permitted uses are indicated above and are further controlled by district regulations.
5. Where an existing residential building converts to a mixed-use building, at least 40% of the habitable floors area shall be residential
6. **First floor commercial area shall include floor area used exclusively for commercial use and shall not include any floor area that contains or is shared with residential uses, such as storage, mechanical rooms, etc. Any floor area devoted partially or wholly to serving residential uses, shall be considered residential floor area.**

Section 4. This ordinance shall become effective upon adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: November 3, December 1, December 15, 2022, and January 5, 2023; recommended approval (5-2) with **"Commercial use up to 40% residential use of 1st floor area"**

PUBLIC HEARING DATE: January 3 and 17, 2023

PLANNING BOARD MEETING: January 24, 2023; recommended approval (9-0) with **"Commercial use up to 50% residential use of 1st floor area"**

TOWN BOARD DECISION: February 20, 2023

HOAB November 3, 2022, Minutes

Item 4C: Consider a Town Board sponsored amendment to Article 4, Urban Workplace and Shopfront Building Types clarifying how to count residential and non-residential floor areas in mixed-use buildings.
J. Simoneau, Planning Director reviewed the recent approved plan that identified that referencing non-residential space may not be achieving the desired results of the use of the space. The proposed amendment would adjust 'non-residential' to 'commercial' use for shopfront and workplace building types with the added wording to achieve the percentage indicated being used for commercial purposes only.

K. Jones reviewed the use of 'up to' in the proposed language and when would a developer be allowed to adjust this requirement. Staff confirmed that the proposed language would allow for the residential use to vary from 0 – 50% with the remaining square footage being used for commercial and a developer can always request a conditional rezoning that the Town Board would have to decide to grant or not grant on a variance from the standard.

K. Jones asked if 100% commercial could be proposed. Staff stated that the Board could offer that recommendation, staff would recommend keeping it as it is since there are times that commercial may not make sense on the first floor of these buildings, such as when facing a side property yard.

F. Gammon commented on approaches to the language that could create the requirement for this to be a conditional rezoning and allow for the developer to come before the Planning and Town Board to assist with avoiding further issues.

A. Hallman commented that she would like to see greater commercial percentage on the first floor in Town Center and that commercial areas that do not face the storefront may be a good opportunity for start-up businesses with a lower rent option that can be connected to larger businesses.

M. Jones commented that there seems to be two pieces to this, the ordinance, and the interpretation. Staff agreed that clarity is the goal and the proposed language is intended to achieve that. M. Jones commented that a clear and consistent method for interpretation of the Board, motions, Staff, and the Ordinances.
NOTE: NO MOTION WAS MADE AS THIS WAS A DISCUSSION ITEM.

HOAB December 1, 2022, Minutes

Item 4C: Consider a Town Board sponsored amendment to Article 4, Urban Workplace and Shopfront Building Types clarifying how to count residential and non-residential floor areas in mixed-use buildings.

J. Simoneau, Planning Director presented the proposed amendment that would adjust 'non-residential' to 'commercial' use for shopfront and workplace building types with the added wording to achieve the percentage indicated being used for commercial purposes only. Staff reviewed research completed of a comparison of mixed-use standards in Downtown for local area municipalities.

F. Gammon referenced paragraph 5 of Article 4, Shopfront Building Types and asked about the reference to 40% habitable area requirement. Staff responded that this refers to an existing building and would be different criteria than the land development criteria being discussed.

F. Gammon shared that there is no definition for 'commercial, residential or non-residential' in the Ordinance and this could leave it open to interpretation which seems to lend to the confusion. Staff responded that the proposed amendment is to clarify the text and use and staff is comfortable with interpreting this in reviewing land development.

K. Jones commented that she would like the requirement to be 75% or greater for commercial use.

A. Hallman agreed that it should be 75% or greater for commercial use particularly because this is for Town Center, and we are focused on invigorating our Downtown and we do not have that many existing store front/shop front roads, so we need this type of requirement to attract as much commercial development as possible. She then expressed her support of definitions for words as F. Gammon stated. She agreed that the purpose of the definitions is not for staff but rather for developers who may have one use and definition of terms and may not choose to update the descriptions on their plans which can lead to lack of clarity between developers, planners, and citizens as to what the intended use is for that space. The definition and the implementation of the words would be important. Staff commented that the new software for the Ordinances will allow you to search for a word and find all references to that word which will assist with accessing existing definitions such as commercial.

F. Gammon commented that he agreed with the recommendations of 75% commercial, but he does not want to be too restrictive for a developer. He would recommend a 75% commercial, 25% residential through a modification request to be approved by the Town Board so they could view the circumstances of that development and not overregulate the developer.

Commissioner Munger agreed that the true definition of commercial would be beneficial to alleviate confusion. He then referred to the local area municipality research that was shared and commented that the wording of Concord is good phrasing. Staff agreed that presenting the definition with the proposed amendment would be beneficial. The current definition of commercial use is all encompassing.

Commissioner Munger responded that the goal is to clearly identify that a mailroom, storage room or other shared space are not what is intended. The intention is tax revenue generating space.

M. Jones requested staff bring up MuniCode and the definition for Commercial in the Zoning Ordinance.

F. Gammon recommended the implied understandings be included in the definition such as storage rooms, HVAC space when used for commercial only versus HVAC that is shared with commercial and residential. E. Sloop commented that the Ordinances currently define residential and commercial, and she would recommend the addition of non-residential to the definitions as 'everything not residential.'

M. Jones commented that the definition piece and interpreting Town Board conditions and the Ordinance in a consistent fashion is also critical, and he recommends it be wrapped into this as well.

Motion: M. Jones made a motion to call a virtual Special Meeting of the Ordinance Advisory Board on Thursday, December 15, 2022, at 3:30 p.m. to hear Items 4C, 5A, 5B & 5C from the December 1, 2022, agenda and to include an Item 5D to discuss forming sub-committees. K. Jones seconded the motion.

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

HOAB December 15, 2022, Minutes

Item 4A: Consider recommendation on petition TA22-12, a Town Board sponsored text amendment to Article 4, Urban Workplace and Shopfront Building Types to clarify how to count residential and non-residential floor areas in mixed-use buildings.

J. Simoneau, Planning Director reviewed the proposed amendment with the normal definition of commercial use, exclusions to commercial use category as outlined in Article 4. Staff reviewed local area communities and it is staff's recommendation for commercial use requirement to be at 50%. This is an increase over the current requirements, and it is Staff's opinion that it would be a disincentive to increase the first-floor commercial requirement to 75-100%.

A. Hallman commented that she would support an increased percentage requirement for commercial since developers would still have the opportunity to request that be reduced with the Town Board.

M. Jones asked Staff to confirm that definition of non-residential and commented on concerns over the clarity. Staff stated that this is not a new definition and Staff is comfortable with it.

M. Jones asked Staff if the definition should be improved with the statements added by E. Sloop that all Commercial is Non-Residential but not all Non-Residential is Commercial. Staff responded that the Board is welcome to make a recommendation of that. M. Jones followed up that he thinks the definition of Non-Residential should be more specific because in his mind he does not necessarily think Commercial.

A. Hallman asked when this will go to Public Hearing. Staff responded that Public Hearing is January 3, 2023, and a recommendation from the Ordinance Advisory Board would be preferable. The Town Board could also keep the Public Hearing open and not close it and forward it to the Planning Board, otherwise it would go to the Planning Board on January 24, 2023, and then to the Town Board for final decision on February 20, 2023.

A. Hallman followed up and said it would be nice to understand more of what the Non-Residential uses could be that are not Commercial and additional time to figure that out would be helpful.

M. Jones commented that the interpretation is also important to create a more comprehensive solution which he believes is what the Town Board was trying to address. He then stated that he has written up some recommendations to the rules of construction for the Zoning Ordinance and Subdivision Ordinance that he thinks would be in keeping with the solution that the Town Board is seeking. Staff responded that they would defer to Legal to weigh in since staff's concern is that the rules of construction amendments have not been advertised so if there is going to be discussion on amending Section 2.2 of the Subdivision Ordinance or Section 12.1 of the Zoning Ordinance, that needs to be a clear agenda item. E. Sloop responded that this is a Special Meeting, and that discussion is not on the agenda we should wait until it is properly advertised to discuss it. M. Jones commented that he brought this up at each of the previous two discussions on this item so he does not understand how this would be new or unrelated. Staff commented that it was understood M. Jones wanted to work on those sections, but it was not clear that was meant to be in conjunction with TA22-12, so the sections referenced have not been advertised.

F. Gammon commented that his understanding of the Rules of Procedure was that the Board had more leniency to discuss the ordinances that may apply but he would defer to Legal.

A. Hallman said that if it cannot legally be discussed now then the Board should not spin their wheels discussing part of the problem versus the entire solution that as a Board they should be considering for clarity for all future users of the Zoning Ordinance for years to come.

F. Gammon followed up that he does not want to encumber this text amendment with discussion that has not been totally vetted and will slow down the process. It may be appropriate for discussion in Item 5A on how to improve the Zoning Ordinance.

M. Jones asked Commissioner Munger if in his opinion the proposed text amendment is a comprehensive solution that addresses the concerns expressed by the Town Board that led to the proposal of the amendment. Commissioner Munger commented that while he can see room for improvement it is a step in the right direction, and he would be open to the Ordinance Advisory Board trying to work out whatever additions may be appropriate. Another consideration is that the Town Board does review the notes forwarded from the Ordinance Advisory Board meetings and that is taken into consideration when determining how to proceed and what the final amendment should look like when the Town Board reviews it.

M. Jones then asked Commissioner Munger if he felt like conditions imposed by the Town Board that the applicant agrees to should have precedence over other aspects or everything else. Commissioner Munger stated he would defer to Legal. Staff clarified that the Board is specifically authorized in the Ordinance through conditional rezoning to modify existing codes which takes precedence.

M. Jones said he would entertain a motion to defer if the Board was with him to broaden the discussion related to this text amendment to include the aspects he has brought up.

Motion: K. Jones made a Motion to Defer TA22-12 until next regularly scheduled meeting and include aspects of rules of construction in that recommendation. A. Hallman seconded the motion to support some more thought about what non-residential but not commercial is.

Vote: The motion passed (5-3) with T. Finlay, F. Gammon, B. Skelly opposed

HOAB January 5, 2023, Minutes

Item 4A: Consider recommendation on petition TA22-12, a Town Board sponsored text amendment to Article 4, Urban Workplace and Shopfront Building Types to clarify how to count residential and non-residential floor areas in mixed-use buildings.

J. Simoneau, Planning Director stated that staff's recommendation remains the same and staff is available to answer any questions the Board may have. Staff shared with the Board the alternate language provided by F. Gammon to the Board.

F. Gammon commented that he has drafted the proposed language after speaking with the members of this Board for whom he has phone numbers, as well as Commissioners with the goal of getting this amendment moved along in the approval process.

Motion: F. Gammon made a Motion to Approve TA22-12 move forward to Public Hearing, Planning Board recommendation and Town Board decisions as written with the following change, delete first floor diagram wording in section two and section three and replace with, "100% commercial use of first floor area; however, up to 40% residential and/or non-residential floor space may be allowed. Any additional residential or non-residential floor space shall require conditional rezoning." The HOAB feels that the rewording of the proposed amendment provides multiple zoning districts adaptability allowing mixed-use building to configured for success based upon their specific site locations. The recommendation is based on the amendment being consistent with LU-6, LU-7, LU-10, EV-1, EV-2, D-1, D-10 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because the amendment clarifies first floor residential and commercial area requirements.

E. Sloop commented for clarity that the proposed language is contradictory because commercial use is non-residential use.

K. Jones seconded the motion.

F. Gammon provided comments on the motion he put forth stating that he requested the Planning Department consider if there is a different need for floor space requirements within the Town Center district, based on a discussion he had with A. Hallman. Also, that the Planning Department address the concerns the Commissioners raised at the Public Hearing which included comments from Commissioner Boone to consider orienting first floor commercial use space on primary streets. F. Gammon stated he did not add this to the motion at this time because he believes it needs to be fully researched for the best application across multiple zoning districts and varied street styles. F. Gammon then shared, Commissioner Phillips mentioned not regulating commercial spaces on first floor for the disabled and elderly since most of these types of buildings do not have elevators and that while there are age restricted accommodations there may be a need for an elderly or disabled resident to reside near a place of care or family member where single or multi-storied housing where accommodations do not exist. Lastly, Mr. Simoneau' s comments that requiring an applicant to return to the Town Board would add a month to the process. This is valid, but it's currently taking 4+ months for approval and I provide Birkdale and Northstate as examples.

J. Kluttz asked about the concerns brought up by E. Sloop.

F. Gammon commented that he is open to amending the motion. He wrote it as 100% commercial use not commercial which is the defined term in the Zoning Ordinance. There is other commercial not defined in our commercial use which is non-residential.

M. Jones commented that there are uses that are neither commercial or residential that non-residential incorporates. Staff confirmed there are some uses that are not under commercial use or residential use such as a school. M. Jones commented that if we don't have non-residential in the amendment then those uses would not be allowed in that first floor.

H. Whittaker asked staff to review what led to the proposed language. Staff stated we were originally comfortable with non-residential. There was a desire of the Town Board to have more commercial uses for the first floor and staff was asked to prepare an amendment. Staff proposed the amendment with up to 50% residential or commercial use because it was the sense that this is what the Town Board wanted and that is why non-residential use is not included in what staff proposed.

F. Gammon asked E. Sloop if after hearing the reasoning there were remaining concerns. E. Sloop stated that as worded there is an internal conflict since all commercial is non-residential. F. Gammon said he is willing to amend it and asked if there are commercial areas that could be put on the first floor that is non-residential that is not listed in commercial use. E. Sloop stated that there are non-residential uses that are not commercial that could go there and it is her understanding that the desire of the Town Board was to indicate the use would be commercial so she is not sure this wording meets the goals of the Town Board. Additionally, she would not recommend stating that a developer could request a modification of the ordinance. The developer has the option to seek a conditional rezoning but we do not call that out in every single instance so she would not recommend doing that in this instance either.

F. Gammon commented that he is willing to remove non-residential from the motion at this time so that the item can move forward and could be added in the future if valid.

Amended Motion: "100% commercial use of first floor area; however, up to 40% residential floor space may be allowed. Any additional residential or non-residential floor space shall require conditional rezoning." K. Jones seconded the amendment.

K. Jones expressed concerns over removing non-residential as an option stating that a small start-up church would not be allowed.

F. Gammon commented that he would prefer the statement be written out that a conditional rezoning is required for any alterations. Staff commented that because it is not written out in every other instance it raises the question of why it is not listed elsewhere.

M. Jones stated he understood that the Town Board wants to focus on commercial and our Ordinances currently allow 100% of first floor to be non-residential. As originally written up to 100% is the interpretation of commercial on the first floor but then you can have the ability to have 40% of your residential or non-residential uses. So, we are making it more restrictive on the first floor not allowing non-residential uses if we remove that.

K. Jones followed up and said that is where she had concern because daycare is allowed under commercial, but a small start-up church would not be allowed because they are non-residential, and she would like them to have the same opportunities. Staff stated that as originally proposed they stuck with the term non-residential and there were some concerns from this committee and Town Board, so we are comfortable leaving it commercial use.

M. Jones commented that the 40% residential or non-residential allows for some flexibility and does not restrict the non-residential uses in the first floor of the building. Without that statement there is effectively a minimum of 60% commercial required. For this reasonA M. Jones asked F. Gammon if he would withdraw his amendment. F. Gammon agreed and withdrew his amendment. K. Jones seconded withdrawing the amendment.

M. Jones commented that there is a motion on the floor, but it does not include the interpretation aspect that would provide a more comprehensive solution. F. Gammon commented that he supports the things M. Jones has written but he would prefer to see it as a separate text amendment. M. Jones asked if F. Gammon would amend his motion that HOAB will sponsor that as a separate text amendment. Staff confirmed we will handle the interpretation piece next, and no amendment is necessary.

J. Kluttz asked if Staff was fine with the motion and asked why we do not suggest it. Staff responded that our recommendation is to remain at 50% commercial while acknowledging that the proposed motion could get you to 60% commercial, so it is close, but because the simpler you make it to develop here the more attractive you make it. Through the research of neighboring communities, the goal is to not create a regulation that is a disincentive. The second reason Staff is not comfortable with what is being proposed is because of the wording outlining the conditional rezoning exception. In staff's opinion the only difference between the proposed amendment and staff's wording appears to be an increase of 10% of commercial use and staff would simply word that differently.

F. Gammon asked what happens when you are not building in Town Center, you are building in a node, and you want to come back to the Town Board and say you want to build 40% commercial and 60% residential and non-residential. The flexibility is there for any building in any zoning. E. Sloop expressed concern about the numbers not adding up and there being conflict in the statement.

Following discussion as to what the percentages would allow and how this could be interpreted, M. Jones recommended the motion first state, "Up to 40% residential and/or non-residential floor space, or commercial use only." Staff stated that the wording works for staff.

B. Skelly commented that this wording still does not appear to resolve the conflicting issue as stated by E. Sloop. It appears that the same could be accomplished by adjusting staff's proposed wording to 60% commercial. Staff asked if the wording could be adjusted to, "Up to 40% residential and/or non-residential (not including commercial uses), or commercial use only."

F. Gammon stated he thinks commercial use should be mentioned first as this is the primary goal. He offered a rewording of, "Commercial Use or up to 40% residential of the first-floor area." Staff confirmed that avoids the non-residential confusion. He asked if the Board agreed that met the objective. M. Jones said he could live with it.

K. Jones asked for confirmation that a developer could still go through conditional rezoning and commercial on the first floor could be reduced to 20%. Staff confirmed that is always the case, but it is a four and a half month process and the applicant would be opening themselves up to all different things in that process.

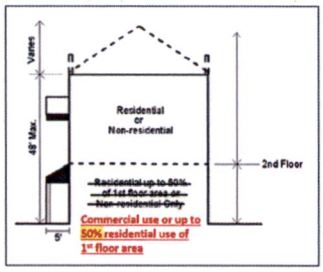
Commissioner Munger followed up on the statement made by B. Skelly that adjusting staff's proposed wording to 60% commercial would in his opinion achieve the intent of what the Board is discussing while resolving the legal intent issues that have been raised.

Revised Amended Motion: "Commercial Use or up to 40% residential of the first-floor area."

	Definition of Mixed-Use?	1st Floor Use Restriction for Mixed-Use Buildings in the Downtown?
Huntersville	Mixed-Use Building: The mixed-use building duplicates the shopfront building type and has at least two occupiable stories; at least 50% of the habitable area of the building shall be in residential use, the remainder shall be in commercial use.	Yes, mixed-use buildings allowed **up to** 50% of the 1st floor area as residential
Charlotte	Mixed-Use Development: Development of a project with a residential component listed in the Residential Uses category and a nonresidential component listed in the Commercial Uses category or the Industrial Uses category of the Use Matrix in Article 15.	No
Cornelius	Mixed-Use Building: Buildings with the ground floor occupied by commercial/retail/service uses and residential units above	Yes, the ground floor of any mixed-use building **shall exclusively** contain retail, service, or office uses.
Davidson	None	Yes, the 1st floor facing the primary streets of a mixed-use building (storefront building type) **shall** be designed to accommodate retail uses
Matthews	Mixed Use Development: A development which includes at least two of the following uses: office, institutional, civic, residential, and/or service/retail in 1 or more buildings or a combination of single and mixed use buildings in a pedestrian-oriented environment.	Yes, 1st floor of a mixed-use building in the Historic Urban Core zoning district **must** devote 50% of the gross floor area to "retail acitvities". The term "retail" includes the sales of merchandise and personal services, but not drive-through financial services.
Mooresville	Mixed-Use: A single structure or tract of land containing more than one type of use, where the different types of uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.	In the Traditional Downtown zoning district, vertical mixed-use development with residential uses above ground-floor nonresidential development is **encouraged but not required.**
Concord	Mixed Use Building: A vertically integrated mixed-use building. The building is able to accommodate a wide variety of uses, including apartments for sale or rent, small professional offices, ground floor retail or restaurant.	Yes, the first floor (street level) of any new multi-story building in the City Center zoning district **shall** be devoted to retail, commercial, and service uses. Such buildings shall include said uses along not less than 50% of its street frontage.

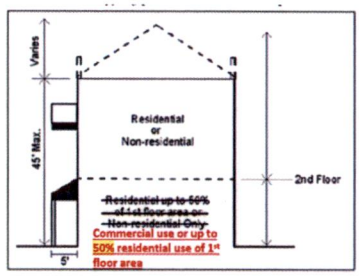
TA 22-12

Shopfront Building Proposed



First floor commercial floor area shall include floor area used exclusively for commercial uses and shall not include any floor area that contains or is shared with residential uses, such as storage, mechanical rooms, etc. Any floor area devoted partially or wholly to serving residential uses, shall be considered residential floor area.

Workplace Building Proposed

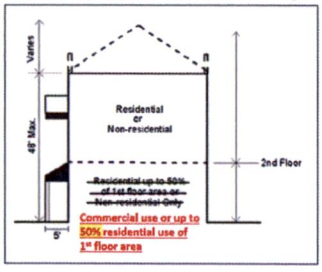


Commercial use. A category of uses that includes retail establishments, offices, professional and personal services, light manufacturing and assembly, branch banks, financial services, health care services, indoor motion picture theatres, conference centers, laboratories and associated research facilities whose products or waste products entail no special environmental handling requirements, studios, broadcast facilities (excluding towers), inns, theatres, restaurants without drive-through windows, bars, and day care facility as a principle use. Each use permitted in the commercial use category shall also meet any applicable conditions set out in Article 9, Conditions for Certain Uses. Excluded from the commercial use category are adult uses; vehicle, boat, or manufactured home sales, service, and repair; drive-through windows as a principal or accessory use; wholesale sales; heavy manufacturing; outdoor storage; **floor area that is shared with residential uses as provided in Article 4;** outside commercial kennels, and other uses that, by their nature or service characteristics are auto dependent, have potential for environment degradation, or are otherwise incompatible with nearby residential use.

Non-residential use. All uses that are not a residential use.

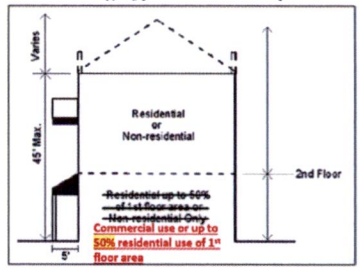
TA22-12

Shopfront Building Proposed

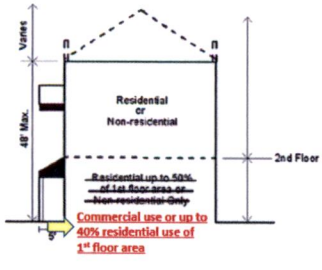


Planning Board &
Planning Staff Recommendation

Workplace Building Proposed

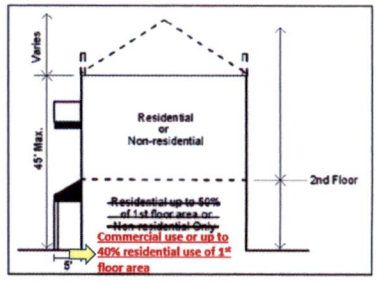


Shopfront Building Proposed



Huntersville Ordinances Advisory
Board Recommendation

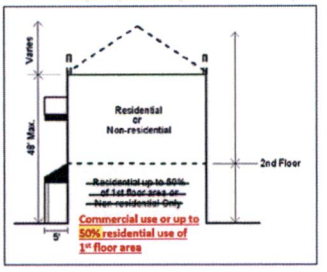
Workplace Building Proposed



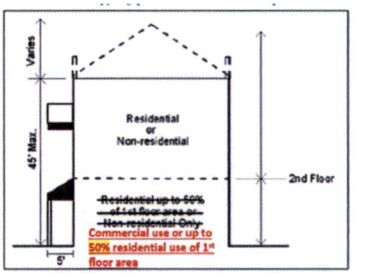
Shopfront Building Proposed

TA 22-12

Workplace Building Proposed



First floor commercial floor area shall include floor area used exclusively for commercial uses and shall not include any floor area that contains or is shared with residential uses, such as storage, mechanical rooms, etc. Any floor area devoted partially or wholly to serving residential uses, shall be considered residential floor area.



Commercial use. A category of uses that includes retail establishments, offices, professional and personal services, light manufacturing and assembly, branch banks, financial services, health care services, indoor motion picture theatres, conference centers, laboratories and associated research facilities whose products or waste products entail no special environmental handling requirements, studios, broadcast facilities (excluding towers), inns, theatres, restaurants without drive-through windows, bars, and day care facility as a principle use. Each use permitted in the commercial use category shall also meet any applicable conditions set out in Article 9, Conditions for Certain Uses. Excluded from the commercial use category are adult uses; vehicle, boat, or manufactured home sales, service, and repair; drive-through windows as a principal or accessory use; wholesale sales; heavy manufacturing; outdoor storage; **floor area that is shared with residential uses as provided in Article 4;** outside commercial kennels, and other uses that, by their nature or service characteristics are auto dependent, have potential for environment degradation, or are otherwise incompatible with nearby residential use.

Non-residential use. All uses that are not a residential use.

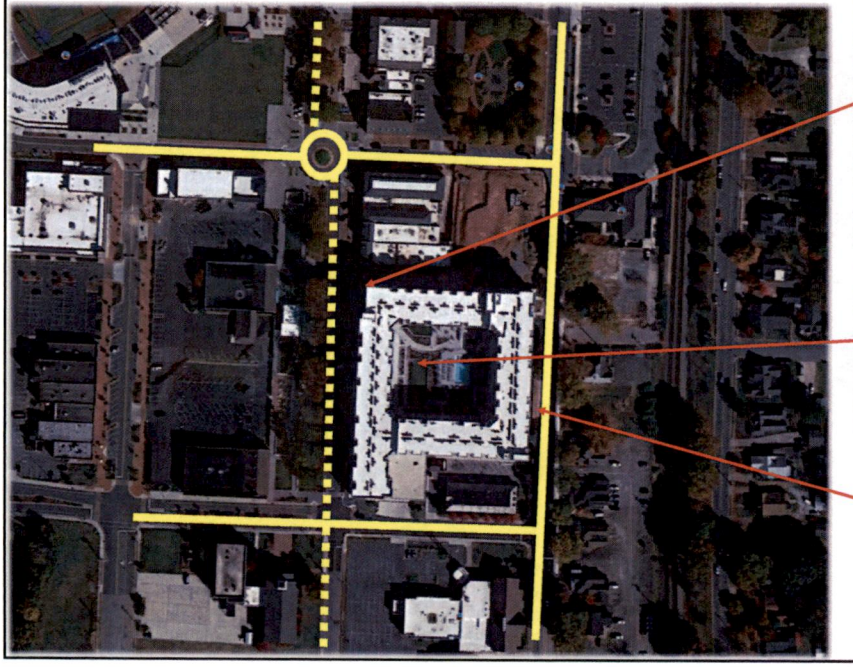
PART 9: STATEMENT OF CONSISTENCY

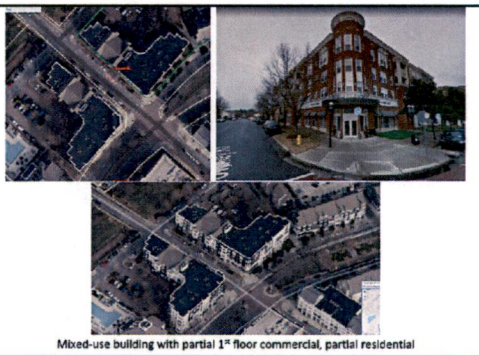
Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA22-12, the Planning Staff recommends approval based on the amendment being consistent with LU-6, EV-1, EV-2, and DT-1 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because the amendment clarifies first floor residential and commercial area requirements.	**APPROVAL:** In considering the proposed amendment TA22-12, the Planning Board recommends approval based is based on the amendment being consistent with Huntersville 2040 Community Plan policies LU-6, LU-7, LU-10, EV-1, EV-2, DT-1, DT-10. It is reasonable and in the public interest to amend the zoning ordinance because the amendment clarifies commercial use and residential first floor area requirements. Further, stating commercial use first and requiring a minimum of 50% commercial space be allocated to commercial use emphasizes commercial usage of the first-floor area in mixed use buildings.	**APPROVAL:** In considering the proposed amendment TA22-12, the Town Board recommends approval based on the amendment being consistent with (insert applicable plan reference) of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)
		DENIAL: In considering the proposed amendment TA22-12, the Town Board recommends denial based on the amendment being (consistent OR inconsistent) with (insert applicable plan reference) of the Huntersville 2040 Community Plan. It is not reasonable and in the public interest to amend the Zoning Ordinance because.... (Explain)

Comparison of Mixed-Use Standards in Downtown

	Definition of Mixed-Use?	1st Floor Use Restriction for Mixed-Use Buildings in the Downtown?
Huntersville	Mixed-Use Building: The mixed-use building duplicates the shopfront building type and has at least two occupiable stories; at least 50% of the habitable area of the building shall be in residential use, the remainder shall be in commercial use.	Yes, mixed-use buildings allowed **up to** 50% of the 1st floor area as residential
Charlotte	Mixed-Use Development: Development of a project with a residential component listed in the Residential Uses category and a nonresidential component listed in the Commercial Uses category or the Industrial Uses category of the Use Matrix in Article 15.	No
Cornelius	Mixed-Use Building: Buildings with the ground floor occupied by commercial/retail/service uses and residential units above	Yes, the ground floor of any mixed-use building **shall exclusively** contain retail, service, or office uses.
Davidson	None	Yes, the 1st floor facing the primary streets of a mixed-use building (storefront building type) **shall** be designed to accommodate retail uses
Matthews	Mixed Use Development: A development which includes at least two of the following uses: office, institutional, civic, residential, and/or service/retail in 1 or more buildings or a combination of single and mixed use buildings in a pedestrian-oriented environment.	Yes, 1st floor of a mixed-use building in the Historic Urban Core zoning district **must** devote 50% of the gross floor area to "retail acitvities". The term "retail" includes the sales of merchandise and personal services, but not drive-through financial services.
Mooresville	Mixed-Use: A single structure or tract of land containing more than one type of use, where the different types of uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.	In the Traditional Downtown zoning district, vertical mixed-use development with residential uses above ground-floor nonresidential development is **encouraged but not required.**
Concord	Mixed Use Building: A vertically integrated mixed-use building. The building is able to accommodate a wide variety of uses, including apartments for sale or rent, small professional offices, ground floor retail or restaurant.	Yes, the first floor (street level) of any new multi-story building in the City Center zoning district **shall** be devoted to retail, commercial, and service uses. Such buildings shall include said uses along not less than 50% of its street frontage.

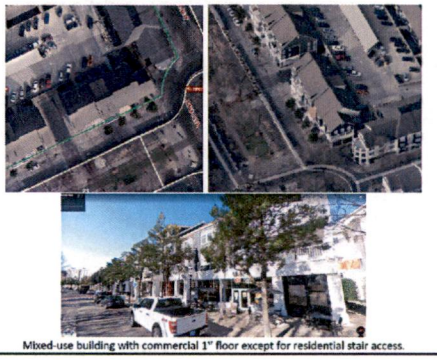
Vida -Kannapolis



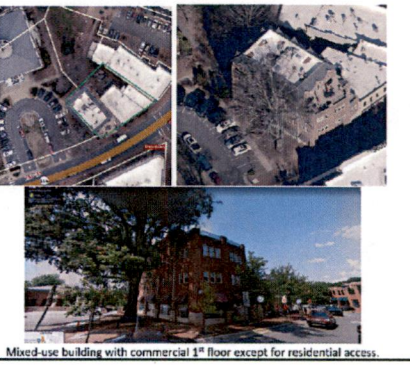


Mixed-use building with partial 1st floor commercial, partial residential

Mixed-use building with commercial only fronting road, remainder residential



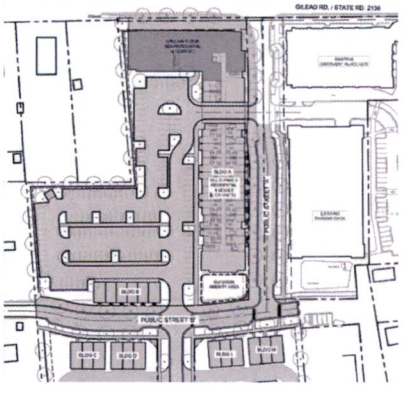
Mixed-use building with commercial 1st floor except for residential stair access.



Mixed-use building with commercial 1st floor except for residential access.

Huntersville Town Center with **non-residential** (dark grey) facing Gilead Road representing 34% first floor area. Through a conditional rezoning, Town Board approved a reduction of minimum 50% first floor **non-residential** use to 34%).

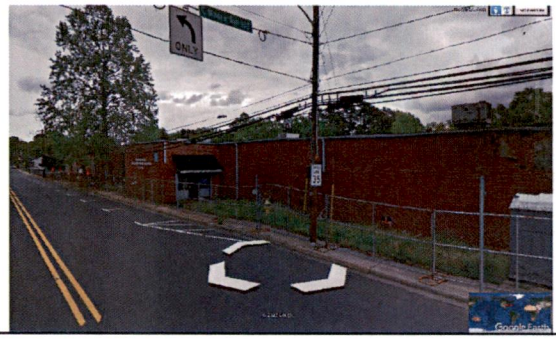
Under the proposed text amendment, the word **non-residential** will be replaced with **commercial.** Additionally, spaces shared between the commercial and residential uses (i.e., mechanical & maintenance areas) that were approved as **non-residential** for this project will be counted as residential under the proposed text amendment.

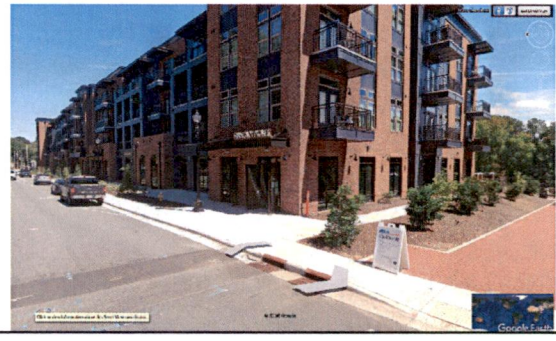


2018

Mill One, Mooresville

2022





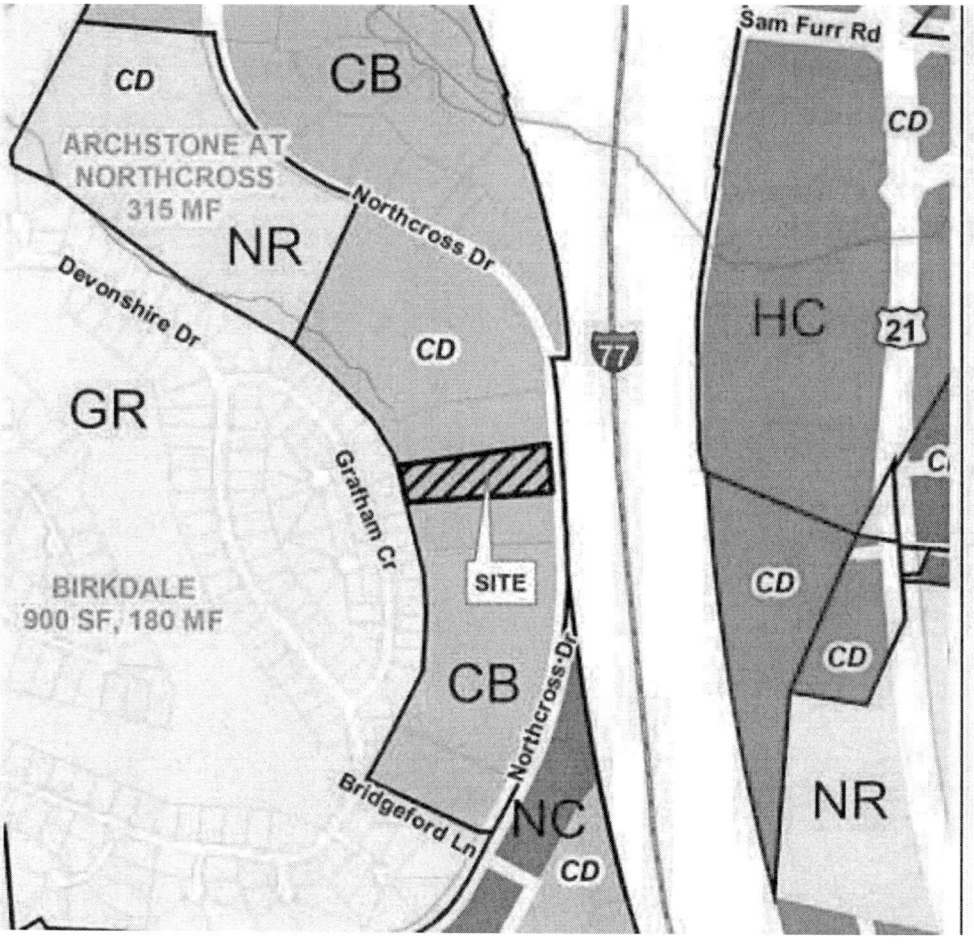
REQUEST:

Special Use Permit Application for Hotel Use in Corporate Business District – SUP22-02

1: DESCRIPTION

Petition #SUP22-02, Northcross Hotel, is a request by Hitesh Patel on behalf of Hotel Ventures of Lake Norman, Inc for a Special Use Permit for a hotel on at 16221 Northcross Drive PIN 00930115. Hotels are permitted in the Corporate Business (CB) zoning district with the issuance of a special use permit and subject to the conditions outlined in Article 9.45. (this proposal also requires a rezoning and is proposed for a conditional district rezoning-see R22-06)

PART 2: LOCATION



Applicant: Hotel Ventures of Lake Norman, Inc.

Property Owner: Manah Limited Partnership

Property Address: 16221 Northcross Drive

Project Size: (+/-) 2.66 acres

Parcel Numbers: 00930115

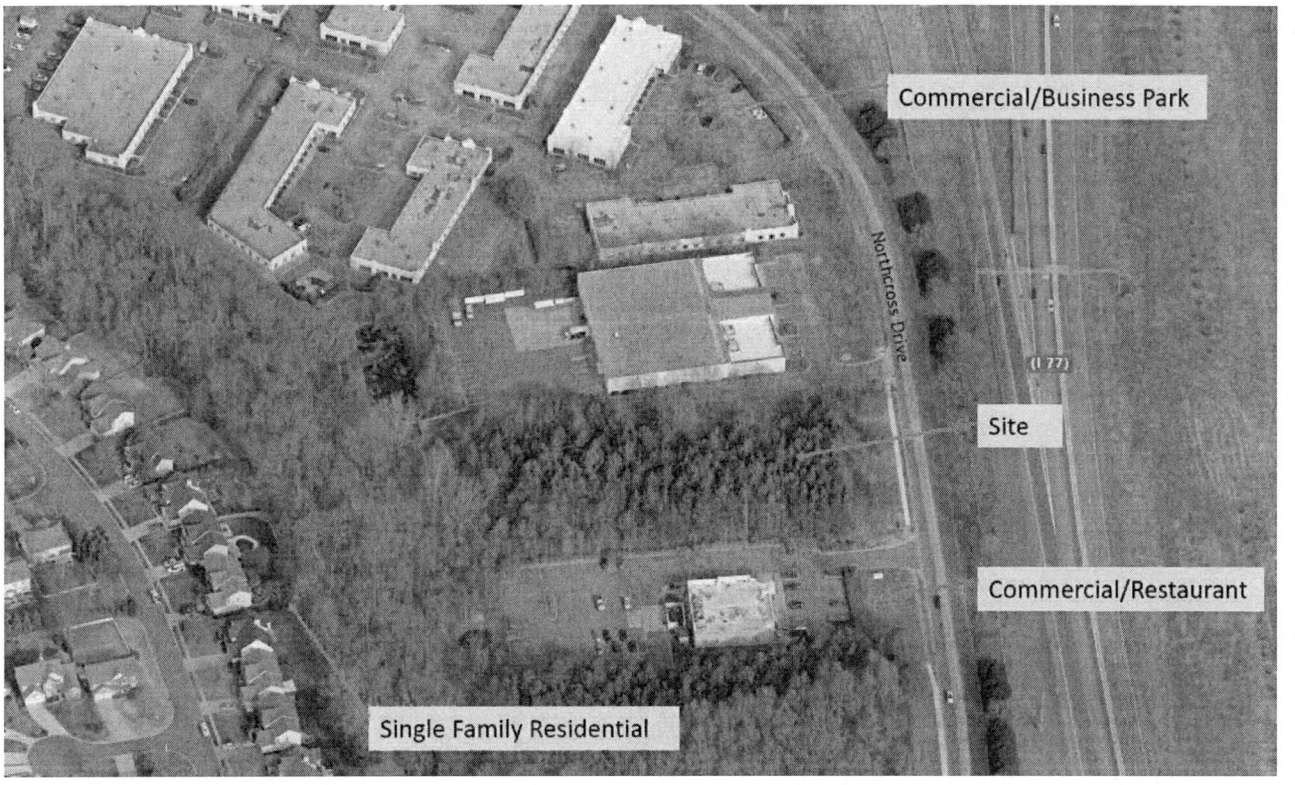
Current Zoning: Corporate Business Conditional District (CB-CD)

Current Land Use: Vacant

Proposed Zoning: Corporate Business Conditional District (CB-CD)

Proposed Land Use: Hotel 109 Rooms

Exhibit No. 8



PART 3: STAFF FINDINGS

Article 9.45 Hotels and Motels:

Hotels are permitted in the Highway Commercial and Corporate Business Districts subject to the requirements below; Motels are permitted in the Corporate Business District only, subject to the requirements below:

1. Any structure in which a hotel or motel is the principal or accessory use shall be separated by a distance of at least 250 feet from any residential or mixed-use zoning district, measured from the closest point of the lot occupied by the hotel or motel to the closest point of lots in residential and mixed-use zoning districts.

   STAFF FINDINGS: The subject property is directly adjacent to a residential zoning district.

2. **a)** Any structure in which a hotel or motel is the principle or accessory use shall be separated by a distance no less than three (3) times the height of the proposed structure closest to the common lot line of the adjoining residential and mixed-use zone, but in no case less than 100 feet.

   STAFF FINDINGS: The proposal calls for a maximum height of 47 feet, this height times three equals 141 feet. The separation distance proposed under the condition above is at 339 feet, which can be seen in the provided site plans attached.

   b) That all other site design requirements stated in this code are met. Any structure in which a hotel or motel is the principal or accessory use is spaced less than established in 1 above shall

require a special use permit subject to the following standards as well as all other standards applicable for special use permits:

STAFF FINDINGS: The application requires this special use permit

c) That vehicular access to the use will be provided only by way of a major or minor thoroughfare, or a Retail/Mixed-Use Local or Collector Street within a commercial or mixed-use project.

STAFF FINDINGS: Northcross Drive is classified as a minor throughfare.

3. Any structure in which a hotel or motel is the principal or accessory use may exceed the permitted building height of the zoning district, not to exceed six (6) stories, subject to a Special Use Permit, and the requirements of Article 9.45.2.

   STAFF FINDINGS: The Corporate Business District allows Urban Workplace building types in which 45 feet (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) is the maximum permitted building height.

   The height proposed for the hotel is 47 feet, which by this code requires approval of a special use permit.

Article 11.4.10(e)(2) The applicant has the burden of producing competent, material, and substantial evidence establishing that:

i. The proposed special use will not materially endanger the public health or safety;

   STAFF FINDINGS: There is no reason to believe that this project would endanger the public health or safety. All applicable fire and building safety codes will be met if approved.

ii. The proposed special use will not substantially injure the value of abutting property or it constitutes a public necessity;

   STAFF FINDINGS: Attached is an Impact Analysis on neighboring property values completed for the applicant by Hotel and Club Appraisal and Consulting Services. This details their findings and conclusions as they relate to subsection ii. This is also summarized in the applicants Special Use Permit Applicant Burden document attached.

iii. The proposed special use will be in harmony with the area in which it is located and in general conformity with the comprehensive plan and any applicable small area plan;

   STAFF FINDINGS: the proposal is consistent with the Huntersville 2040 Community Plan policies LU 5.1, 6.2, 7.1, and EV-1.3. Furthermore, Hotels are a use by right with conditions under the Corporate Business zoning district and this proposal complies with all applicable ordinances with only one minor modification requested for additional two feet of height above the maximum allowed in the district. (requires a conditional district rezoning see R22-06)

iv. The proposed special use will comply with all of the lot, size, yard, and other standards which this ordinance applies to all uses permitted in the zoning district in which the property is located;

STAFF FINDINGS: The proposal complies with all applicable standards and ordinances with one minor modification requested for additional two feet of height above the maximum allowed in the district. (requires a conditional district rezoning see R22-06)

v. The proposed special use will comply with all general and specific standards required by the appropriate section of this ordinance for the issuance of a special use permit for this use.

STAFF FINDINGS: All standards will be met and the proposed plan meets these standards. (see 1 & 2 above)

PART 4: PLANNING STAFF RECOMMENDATION

In considering the Special Use Permit SUP22-02, Northcross Hotel, Planning Staff find that the request meets the requirements for a hotel spaced less than 250 feet from a residential zone, based on the above findings of fact. Staff recommends approval if the Board finds that the applicant has presented competent, material, and substantial evidence that proves the criteria for a special use permit is met.

PART 5: PUBLIC HEARING/FINAL ACTION

The Special Use Permit Hearing will be held on February 20, 2023

PART 6: ATTACHEMENTS

A: Application
B: Special Use Permit Set (Site Plans)
C: Architectural Plans and Elevations
D: Impact on Neighboring Property Values Analysis
E: Special Use Permit Applicant Burden Document

PART 7: Town Board Decision Statements

In considering the Special Use Permit SUP22-02, Northcross Hotel, we, the Town Board, find that the request meets all required criteria for granting a Special Use Permit for a hotel spaced less than 250 feet from a residential zone, as outlined in the ZONING ORDINANCE Article 9.45. The Town Board grants SUP 22-02 and (Choose option A, B, or C):

A) Incorporates Staff's Findings of Facts for the standards to Grant SUP22-02.

B) Incorporates Staff's Findings of Facts numbered XXX (specify which Findings to accept and which to reject) and makes the following Findings of Facts for the Standards to Grant SUP 22-02:

1)
2)

Add additional statements as necessary.

C) Rejects Staff's Findings of Facts and makes the following Findings of Facts for the standards to grant SUP22-02 (The Findings must be in relation to the applicable standards):

1)
2)
Add additional statements as necessary.

Against Special Use Permit

In considering the Special Use Permit SUP22-02, Northcross Hotel, we, the Town Board, find that the request does not meet the required criteria for granting a Special Use Permit for a hotel spaced less than 250 feet from a residential zone, as outlined in the Zoning Ordinance Article 9.45, based on the following Findings of Fact:

(List which conditions are not being met)

1)
2)
Add additional statements as necessary.

Town of Huntersville NORTH CAROLINA

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 10-03-2022

Name of Project Northcross Hotel Special Use Plan Phase # (if subdivision) _____

Project Address 16221 Northcross Drive, Huntersville NC 28078

Parcel Identification Number(s) (PIN) 00930115

Current Zoning District CB (CD) Proposed District (for rezoning only) CB (CD)

Property Size (acres) 2.66 acres Street Frontage (feet) 196 feet

Current Land Use Vacant

Proposed Land Use(s) 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.
This submittal is a part of the rezoning for this parcel to allow for a 4-story Hotel adjacent to single family residential lots. The hotel building footprint is approximately 20,225 sf with 110 rooms.

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 Hotel Ventures of Lake Norman, Inc. Phone 404-368-9227

☒ 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: Hitesh Patel

Title Vice President Email hpatel@hotelventuresinc.com

Address of Applicant _____

7. Property Owner (If different than applicant)

*Printed Name Manah Limited Partnership 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 Nagiba A Habshi Nagiba A Habshi (Oct 3, 2022 16:48 EDT) Printed Name Nagiba A. Habashi

Title _____ Email _____

Address of Property Owner 16115 Weatherly Way, 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

Development Firm	Name of Contact	Phone	Email

Design Firm	Name of Contact	Phone	Email

Contact Information

Town of Huntersville
Planning Department
PO Box 664
Huntersville, NC 28070

Phone: 704-875-7000
Fax: 704-992-5528
Physical Address: 105 Gilead Road, Third Floor
Website: https://www.huntersville.org/228/Planning-Department

Sheet List Table	
Sheet Number	Sheet Title
C01	COVER
C02	SURVEY
C02A	TREE SAVE PLAN
C03	SPECIAL USE PLAN
C04	PRELIM GRADING PLAN
C05	LANDSCAPE-UTILITY PLAN

VICINITY MAP
SCALE: N.T.S.

SPECIAL USE PLAN PACKAGE
PROPOSED

NORTHCROSS HOTEL
HUNTERSVILLE, MECKLENBURG COUNTY, NC

EPM# 442291

DEVELOPER:
HOTEL VENTURES, OF LAKE NORMAN INC.
3836 HONORS WAY
MARTINEZ, GA 30907
PH: (404) 368-9227
CONTACT: HITESH PATEL

OWNER:
MANAH LIMITED PARTNERSHIP
16115 WEATHERLY WAY
HUNTERSVILLE, NC 28078

1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ACQUIRING 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.

811 Know what's below. Call before you dig.

HensonFoley
Landscape Architecture | Civil Engineering
121 Gilead Road Huntersville, NC 28078
p: 704.875.1615 | f: 704.875.0959 | www.hensonfoley.com
NC ENGINEERING BOARD LICENSE #: C-0291
NC LANDSCAPE ARCHITECTURE BOARD LICENSE #: C-0291

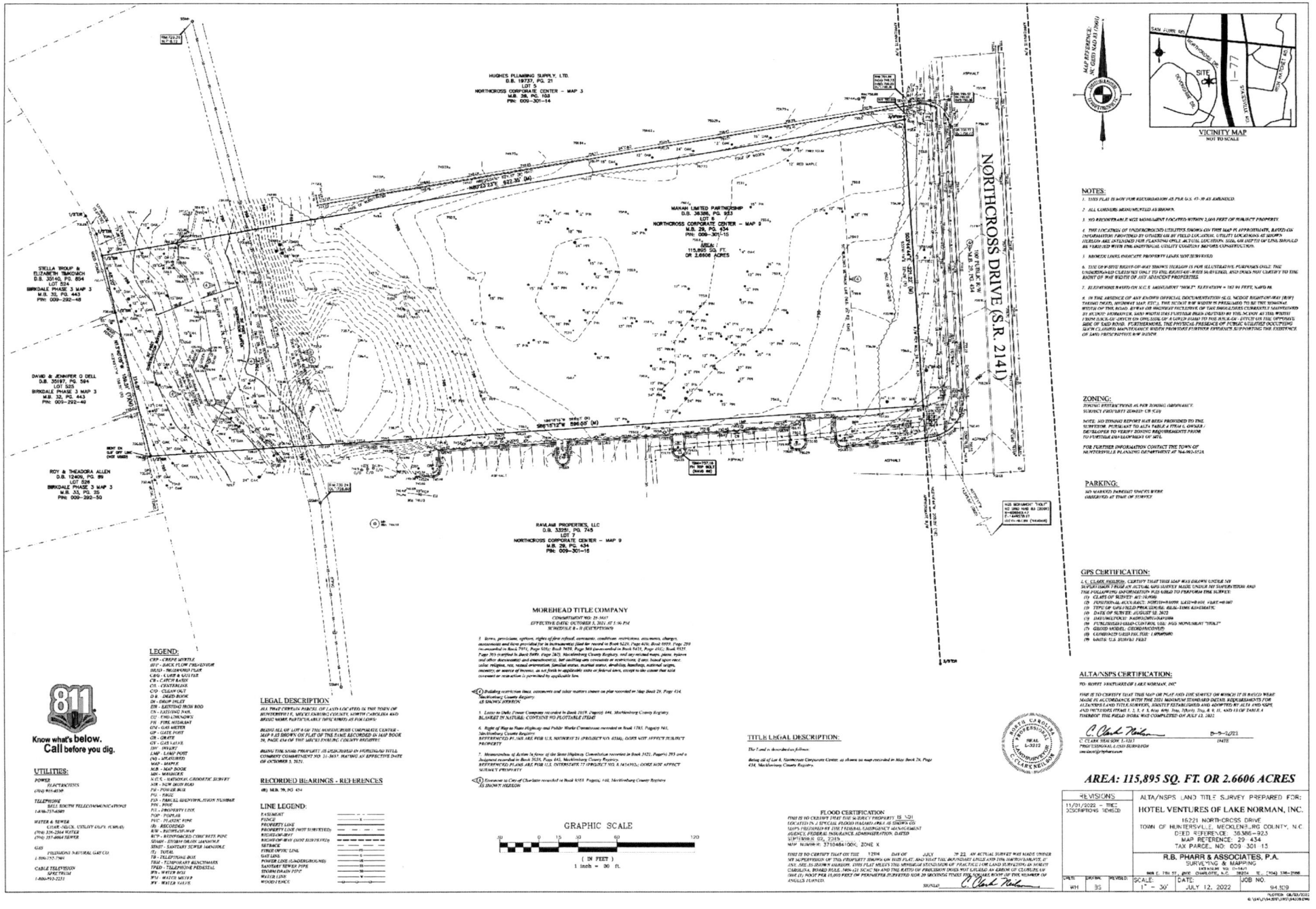
NORTH CAROLINA
PROFESSIONAL ENGINEER
SEAL
038708
1-20-2023
JAY A. HENSON

NORTHCROSS HOTEL
PARCEL ID: 00930115
16221 NORTHCROSS DR HUNTERSVILLE NC 28078
COVER

REVISIONS:
2022/11/07 - REZONING/SUP COMM.
2023/01/20 - REZONING/SUP COMM.

C01 - COVER.DWG
PROJECT NUMBER 221098
DATE: 09/15/2022 DRAWN BY: TSF
SHEET C01 OF 5

C01 - COVER.DWG - PLOT: Tess - FRI, 1-20-2023 11:17 AM


HUGHES PLUMBING SUPPLY, LTD.
D.B. 19737, PG. 21
LOT 5
NORTHCROSS CORPORATE CENTER – MAP 3
M.B. 28, PG. 103
PIN: 009-301-14
MAHAN LIMITED PARTNERSHIP
D.B. 36386, PG. 923
LOT 6
NORTHCROSS CORPORATE CENTER – MAP 3
M.B. 29, PG. 434
PIN: 009-301-15
AREA: ±
115,895 SQ. FT.
OR 2.6606 ACRES
RAVLAM PROPERTIES, LLC
D.B. 33251, PG. 745
LOT 7
NORTHCROSS CORPORATE CENTER – MAP 9
M.B. 29, PG. 434
PIN: 009-301-16
STELLA TROUP & ELIZABETH TIMKOVICH
D.B. 35140, PG. 894
LOT 524
BIRKDALE PHASE 3 MAP 3
M.B. 32, PG. 443
PIN: 009-292-48
DAVID & JENNIFER O DELL
D.B. 20167, PG. 584
LOT 525
BIRKDALE PHASE 3 MAP 3
M.B. 32, PG. 443
PIN: 009-292-49
ROY & THEADORA ALLEN
D.B. 12409, PG. 89
LOT 526
BIRKDALE PHASE 3 MAP 3
M.B. 33, PG. 25
PIN: 009-292-50
NORTHCROSS DRIVE (S.R. 2141)
N87°03'23"E 942.30' (M)
S86°15'12"W 596.05' (M)
SITE
SAM FURR RD.
NORTHCROSS DR.
DOOLEY DR.
I-77
STATESVILLE RD.
VICINITY MAP
NOT TO SCALE
MAP REFERENCE: NC GRID NAD 83 (2011)
MECKLENBURG COUNTY
NOTES:
1. THIS PLAT IS NOT FOR RECORDATION AS PER G.S. 47-30 AS AMENDED.
2. ALL CORNERS MONUMENTED AS SHOWN.
3. NO RECOVERABLE NGS MONUMENT LOCATED WITHIN 2,000 FEET OF SUBJECT PROPERTY.
4. THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE, OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE APPROPRIATE UTILITY COMPANY BEFORE CONSTRUCTION.
5. BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
6. THE DEPICTED RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERGROUND CLEARING ONLY TO THE EXISTING WIDTH SURVEYED, AND DOES NOT CORRECT TO THE RIGHT OF WAY WIDTH OF JUST ADJACENT PROPERTIES.
7. ELEVATIONS BASED ON N.G.S. MONUMENT "HOLT". ELEVATION = 763.99 FEET, NAVD 88.
8. IN THE ABSENCE OF ANY KNOWN OFFICIAL DOCUMENTATION SUCH AS DOT RIGHT-OF-WAY (R/W) TAKING MAPS, MONUMENTS, ETC.), THE SCRIBE R/W WIDTH IS PRESUMED TO BE THE MINIMUM WIDTH OF THE ROAD, R/WAY OR MONUMENTATION OF THE BOUNDARIES CURRENTLY MAINTAINED BY MUNICIPALITY/DOT. SAID WIDTH HAS TYPICALLY BEEN DEFINED BY THE MINIMUM DISTANCE FROM BACK-OF-DITCH ON OPPOSING SIDE OF A GIVEN ROAD TO THE BACK-OF-DITCH ON THE OPPOSITE SIDE OF SAID ROAD. FURTHERMORE, THE PHYSICAL PRESENCE OF PUBLIC UTILITIES OCCUPYING SUCH CLEARED MAINTENANCE WIDTH PROVIDES FURTHER EVIDENCE SUPPORTING THE EXISTENCE OF SAID PERSPECTIVE R/W WIDTH.
ZONING:
ZONING RESTRICTIONS AS PER ZONING ORDINANCE.
SUBJECT PROPERTY ZONED: CR-CAV
NOTE: NO ZONING REPORT HAS BEEN PROVIDED TO THE SURVEYOR, PURSUANT TO ALTA TABLE A ITEM 6, OWNER / DEVELOPER TO VERIFY ZONING REQUIREMENTS PRIOR TO PURSUING DEVELOPMENT OF SITE.
FOR FURTHER INFORMATION CONTACT THE TOWN OF HUNTERSVILLE PLANNING DEPARTMENT AT 704-992-5528.
PARKING:
NO MARKED PARKING SPACES WERE OBSERVED AT TIME OF SURVEY.
GPS CERTIFICATION:
I, C. CLARK NELSON, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:
(1) CLASS OF SURVEY: AS-SURVEY
(2) POSITIONAL ACCURACY: NORTH=0.0059, EAST=0.001, VERT.=0.040
(3) TYPE OF GPS FIELD PROCEDURE: REAL-TIME KINEMATIC
(4) DATE OF SURVEY: AUGUST 12, 2022
(5) DATUM/EPOCH: NAD83(2011)/EPOCH:2010
(6) PUBLISHED/FIXED-CONTROL USED: NGS MONUMENT "HOLT"
(7) GEOID MODEL: GEOID18(CONUS)
(8) COMBINED GRID FACTOR: 1.0000500
(9) UNITS: U.S. SURVEY FEET
ALTA/NSPS CERTIFICATION:
TO: HOPPE VENTURES OF LAKE NORMAN, INC.
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(a), 6(b), 7(a), 8, 9, 11, AND 13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JULY 12, 2022.
C. CLARK NELSON L-3212
PROFESSIONAL LAND SURVEYOR
cnelson@rpharr.com
8-9-2022
DATE
SEAL L-3212
NORTH CAROLINA PROFESSIONAL LAND SURVEYOR C. CLARK NELSON
AREA: 115,895 SQ. FT. OR 2.6606 ACRES
LEGEND:
CRP - CREPE MYRTLE
BFP - BACK FLOW PREVENTOR
BRAD - BRADFORD PEAR
CBG - CURB & GUTTER
CB - CATCH BASIN
CTL - CENTERLINE
C/O - CLEAN OUT
D.B. - DEED BOOK
DI - DROP INLET
EIR - EXISTING IRON ROD
EN - EXISTING NAIL
CU - END UMBRELLAS
FH - FIRE HYDRANT
GM - GAS METER
GP - GATE POST
GR - GRATE
GV - GATE VALVE
INV - INVERT
LMP - LAMP POST
(M) - MEASURED
MAP - MAPPLE
M.B. - MAP BOOK
MH - MANHOLE
N.G.S. - NATIONAL GEODETIC SURVEY
NIR - NEW IRON ROD
PM - POWER BOX
PG - PAGE
PIN - PARCEL IDENTIFICATION NUMBER
PIN - PINE
P.O. - PROPERTY LINE
POP - POPLAR
PVC - PLASTIC PIPE
(R) - RECORDED
R/W - RIGHT-OF-WAY
RCP - REINFORCED CONCRETE PIPE
SDMH - STORM DRAIN MANHOLE
SSMH - SANITARY SEWER MANHOLE
(T) - TOTAL
TB - TELEPHONE BOX
TBM - TEMPORARY BENCHMARK
TPED - TELEPHONE PEDESTAL
WB - WATER BOX
WM - WATER METER
WV - WATER VALVE
UTILITIES:
POWER
ELECTRICITIES
(704) 919-6030
TELEPHONE
BELL SOUTH TELECOMMUNICATIONS
1-800-753-5009
WATER & SEWER
CHAR.-MECK. UTILITY DEPT. (CMUD)
(704) 336-2364 WATER
(704) 357-4664 SEWER
GAS
PIEDMONT NATURAL GAS CO.
1-800-752-7504
CABLE TELEVISION
SPECTRUM
1-800-933-2251
811
Know what's below.
Call before you dig.
LEGAL DESCRIPTION
ALL THAT CERTAIN PARCEL OF LAND LOCATED IN THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEING ALL OF LOT 6 OF THE NORTHCROSS CORPORATE CENTER - MAP 9 AS SHOWN ON PLAT OF THE SAME RECORDED IN MAP BOOK 29, PAGE 434 OF THE MECKLENBURG COUNTY REGISTRY.
BEING THE SAME PROPERTY AS DESCRIBED IN HUNTINGTON TITLE COMPANY COMMITMENT NO. 21-3657, HAVING AN EFFECTIVE DATE OF OCTOBER 5, 2021.
RECORDED BEARINGS - REFERENCES
(R) M.B. 29, PG. 434
LINE LEGEND:
EASEMENT
FENCE
PROPERTY LINE
PROPERTY LINE (NOT SURVEYED)
RIGHT-OF-WAY
RIGHT-OF-WAY (NOT SURVEYED)
SETBACK
FIBER OPTIC LINE
GAS LINE
POWER LINE (UNDERGROUND)
SANITARY SEWER PIPE
STORM DRAIN PIPE
WATER LINE
WOODEN FENCE
MOREHEAD TITLE COMPANY
COMMITMENT NO: 21-3657
EFFECTIVE DATE: OCTOBER 5, 2021 AT 5:56 PM
SCHEDULE B - II (EXCEPTIONS)
1. Terms, provisions, options, rights of first refusal, covenants, conditions, restrictions, easements, charges, assessments and liens provided for in instrument(s) filed for record in Book 5229, Page 636; Book 5959, Page 259 (re-recorded in Book 7951, Page 926); Book 7658, Page 568 (re-recorded in Book 8433, Page 492); Book 8935, Page 703 (certified in Book 8956, Page 282), Mecklenburg County Registry, and any recorded maps, plans, replats and other document(s) and amendment(s), but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
2. Building restriction lines, easements and other matters shown on plat recorded in Map Book 29, Page 434, Mecklenburg County Registry.
AS SHOWN HEREON.
3. Lease to Duke Power Company recorded in Book 1019, Page(s) 444, Mecklenburg County Registry.
BLANKET IN NATURE; CONTAINS NO PLOTTABLE ITEMS
6. Right of Way to State Highway and Public Works Commission recorded in Book 1785, Page(s) 561, Mecklenburg County Registry.
REFERENCED PLANS ARE FOR U.S. HIGHWAY 21 (PROJECT NO. 4334), DOES NOT AFFECT SUBJECT PROPERTY
7. Memorandum of Action in favor of the State Highway Commission recorded in Book 3121, Page(s) 293 and a Judgment recorded in Book 3126, Page 443, Mecklenburg County Registry.
REFERENCED PLANS ARE FOR U.S. INTERSTATE 77 (PROJECT NO. 8.1614302), DOES NOT AFFECT SUBJECT PROPERTY
8. Easement to City of Charlotte recorded in Book 8505, Page(s) 148, Mecklenburg County Registry.
AS SHOWN HEREON.
GRAPHIC SCALE
-30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.
TITLE LEGAL DESCRIPTION:
The Land is described as follows:
Being all of Lot 6, Northcross Corporate Center, as shown on map recorded in Map Book 29, Page 434, Mecklenburg County Registry.
FLOOD CERTIFICATION
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED SEPTEMBER 02, 2015.
NEW NUMBER: 3710484100K, ZONE X
THIS IS TO CERTIFY THAT ON THE 12TH DAY OF JULY 20 22, AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 21NCAC 56 AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 15,000 FEET OF PERIMETER SURVEYED NOR 20 GROUNDSTAKES PER SQUARE FOOT OF THE NUMBER OF ANGLES TURNED.
SIGNED: C. Clark Nelson
REVISIONS
11/01/2022 - TREE DESCRIPTIONS REVISED
ALTA/NSPS LAND TITLE SURVEY PREPARED FOR:
HOTEL VENTURES OF LAKE NORMAN, INC.
16221 NORTH CROSS DRIVE
TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, N.C.
DEED REFERENCE: 36386-923
MAP REFERENCE: 29 434
TAX PARCEL NO: 009 301 15
R.B. PHARR & ASSOCIATES, P.A.
SURVEYING & MAPPING
LICENSE NO. C-1617
600 E. 7TH ST., STE. 200C CHARLOTTE, N.C. 28202 TEL: (704) 336-2186
DRAWN: WH
CHECKED: SS
REVISED:
SCALE: 1" = 30'
DATE: JULY 12, 2022
JOB NO. 94109
PLOTTED: 08/03/2022
G:\94\CAD\94109.DWG

TREE PROTECTION NOTES:

PROTECTIVE BARRICADES SHALL BE PLACED AROUND ALL PROTECTED TREES DESIGNATED TO BE SAVED IN DEVELOPMENT AREAS, PRIOR TO THE START OF DEVELOPMENT ACTIVITIES OR GRADING. PROTECTIVE BARRICADES SHALL REMAIN IN PLACE UNTIL DEVELOPMENT ACTIVITIES ARE COMPLETE OF CONSTRUCTION IN ACCORDANCE WITH STANDARDS SET FORTH IN THIS SECTION COMMENCES, THE AREA WITHIN THE PROTECTIVE BARRICADE SHALL REMAIN FREE OF ALL BUILDING MATERIALS, DIRT OR OTHER CONSTRUCTION DEBRIS. CONSTRUCTION TRAFFIC, STORAGE OF VEHICLES AND MATERIALS, AND GRADING SHALL NOT TAKE PLACE WITHIN THE DRIPLINE OF THE EXISTING TREES TO BE PROTECTED. BARRICADES SHALL BE ERECTED AT A MINIMUM DISTANCE FROM THE BASE OF PROTECTED TREES ACCORDING TO THE FOLLOWING STANDARDS:

A. FOR TREES 10" OR LESS DBH: PROTECTIVE BARRICADES SHALL BE PLACED A MINIMUM DISTANCE OF 5' FROM THE BASE OF EACH PROTECTED TREE, OR OUTSIDE THE DRIPLINE, WHICHEVER IS GREATER.

B. FOR TREES GREATER THAN 10" DBH: PROTECTIVE BARRICADES SHALL BE PLACED AT A MINIMUM DISTANCE EQUAL TO 10' FROM THE BASE OF THE PROTECTED TREE PLUS AN ADDITIONAL 1' FOR EACH ADDITIONAL 1" DBH GREATER THAN 10" DBH, OR OUTSIDE THE DRIPLINE, WHICHEVER IS GREATER.

C. CONSTRUCTION ACCESS TO A SITE SHOULD OCCUR WHERE AN EXISTING OR PROPOSED ENTRANCE/EXIT IS LOCATED.

D. EXCEPT FOR DRIVEWAY ACCESS FOR ITS, SIDEWALKS, CURB AND GUTTER, NO PAVING WITH CONCRETE OR OTHER IMPERVIOUS MATERIALS WITHIN A TREE DRIPLINE SHALL BE ALLOWED.

E. WHERE GRADING WITHIN A TREE DRIPLINE CANNOT BE AVOIDED,

F. LIMB CUT AND FILLS TO 2/3 THE AREA WITHIN THE DRIPLINE.

G. AVOID CUT AND FILL AMOUNTS BY FIRST CIRCUMFERENCE OF TRUNK.

H. WHERE GRADING LEAVES ROOTS EXPOSED, CUT ROOTS CLEAN.

I. AVOID PILING WITHIN THE DRIPLINE OF A TREE WITHOUT SOME MECHANISM TO ALLOW AIR AND WATER TO REACH THE ROOTS.

TREE SAVE CALCULATIONS

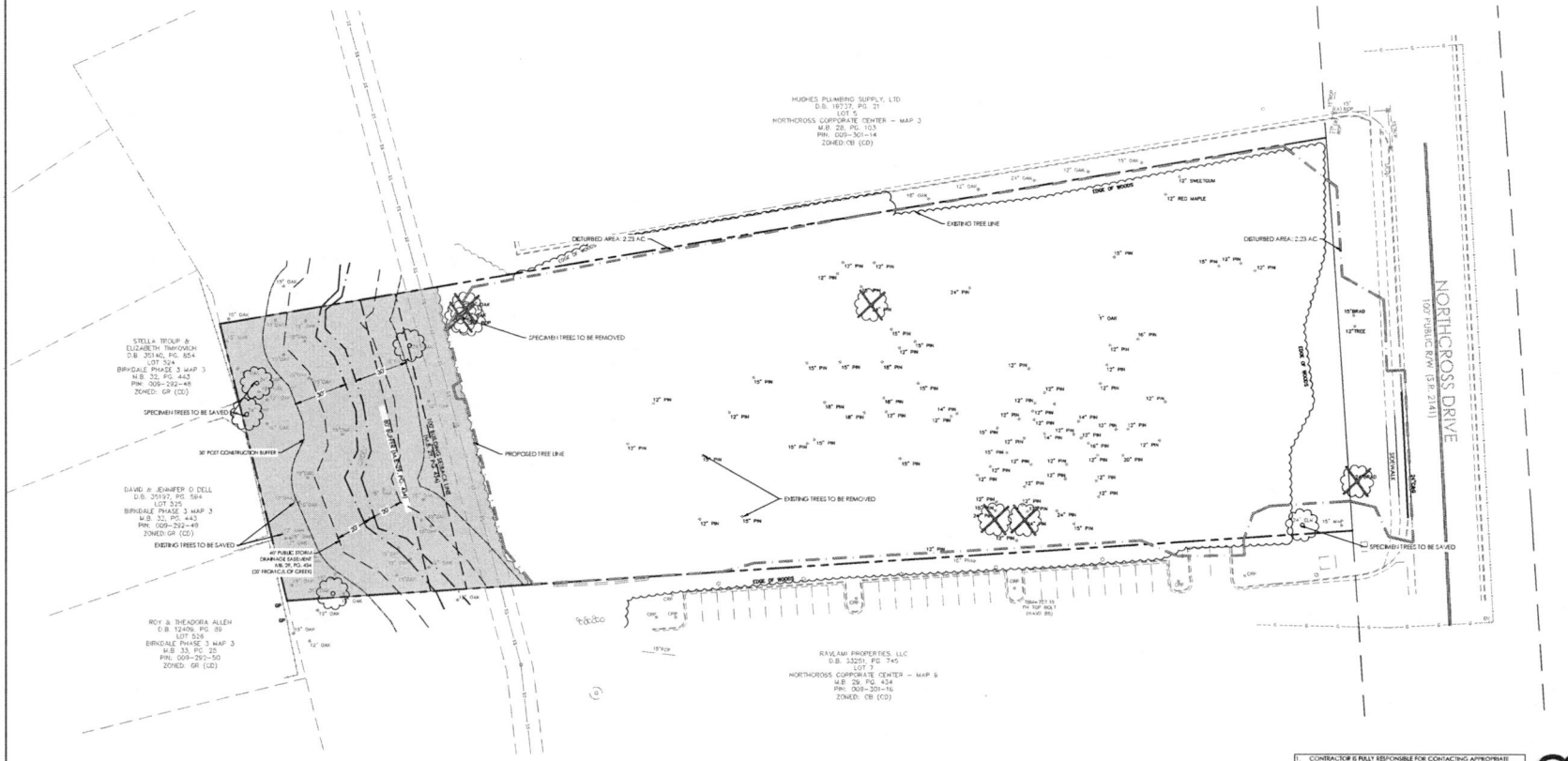
EXISTING CANOPY REQUIRED TO BE SAVED= 0% EXISTING SPECIMEN TREES REQUIRED TO BE SAVED= 30% (CB)	
EXISTING SPECIMEN TREES ON SITE	12 SPECIMEN TREES
EXISTING SPECIMEN TREES REQUIRED TO BE SAVED	0.3x 12 = 3.6 SPECIMEN TREES
SPECIMEN TREES TO BE SAVED	5 SPECIMEN TREES

SPECIMEN TREE TABLE

SIZE (IN)	SPECIES	INVENTORY
24	OAK	KEEP
24	OAK	KEEP
36	OAK	KEEP
24	OAK	KEEP
24	OAK	REMOVE
24	OAK	REMOVE
26	POPLAR	REMOVE
24	PINE	REMOVE
24	PINE	REMOVE
24	PINE	REMOVE
24	PEAR	REMOVE
24	ELM	KEEP

LEGEND

- TREE CANOPY SAVED
- SPECIMEN TO BE SAVED
- SPECIMEN TREE DISTURBED
- NON-SPECIMEN TREES



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 PLACARDS, 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.

811 Know what's below. Call before you dig.

HensonFoley
Landscape Architecture | Civil Engineering
121 Gilead, Huntersville, NC 28078
p: 704.875.1615 | f: 704.875.0959 | www.HensonFoley.com
NC LANDSCAPE ARCHITECTURE BOARD LICENSE # 1.2249

NORTH ARROW

GRAPHIC SCALE 1"=30 FT.

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1.2249 TIMOTHY A. HENSON 01-20-2023

NORTHCROSS HOTEL

PARCEL ID: 00930115

16221 NORTHCROSS DR HUNTERSVILLE NC 28078

TREE SAVE PLAN

REVISIONS:

2022/12/07 - RETOOK/SUP COMM.

2023/01/20 - RESOOK/SUP COMM.

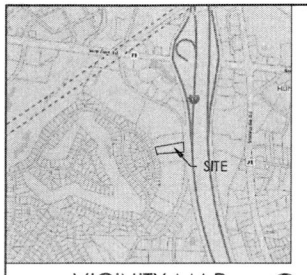
C02A TREE SAVE PLAN.DWG

PROJECT NUMBER: 221088

DATE: 09/15/2022 DRAWN BY: TSF

SHEET C02A OF 5

C02A TREE SAVE PLAN.DWG - PLOT: Tess - FRI, 1-20-2023 11:13 AM



VICINITY MAP
SCALE: N.T.S.

IMPERVIOUS SUMMARY - SITE			
ITEM	SQUARE FOOT	ACRES	PERCENTAGE OF TOTAL SITE
TOTAL PARCEL AREA	115,895 SF	2.66 AC	N/A
TOTAL EXISTING IMPERVIOUS	0 SF	0.00 AC	0.00 %
TOTAL PROPOSED IMPERVIOUS	71,291 SF	1.64 AC	61.51 %
TOTAL PROPOSED PERVIOUS	44,604 SF	1.02 AC	38.49 %
MAX ALLOWABLE BUA	81,126.5 SF	1.86 AC	70.00 %

SITE DATA

LOCATION: 16221 NORTHCROSS DRIVE HUNTERSVILLE, MECKLENBURG COUNTY 28078	(PARCEL ID: 00930115)
CURRENT ZONING: CB (CD)	PROPOSED ZONING: CB (CD)
CURRENT USE: VACANT	PROPOSED USE: HOTEL
CONTACT: HENSONFOLEY (JAY HENSON) 7046751615	

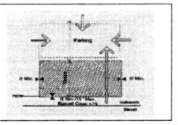
ITEM	PROVIDED
TOTAL PARCEL AREA	2.66 ACRES (115,895 SF)
PRINCIPAL USE(S)	HOTEL
LOT 5 BUILDING TYPE	URBAN WORKPLACE
MAX. BUILDING HEIGHT	47'
ZONING DISTRICT	CB (CD)
OVERLAY DISTRICT	PA-2 MITIGLIANO LAKE WATERSHED
PERCENT IMPERVIOUS ALLOWED	HIGH DENSITY - 70%
BUILD TO LINE	0' - 15' SIDE & REAR - 0'
CORNER SETBACK	REPLICATE FRONTAGE CONDITIONS
WATERSHED	RAGDOWELL
FEMA MAP NUMBER	3710465100K
FEMA EFFECTIVE DATE	09/02/2015
SOIL TYPE	CeD2, CeB2

PARKING CALCULATIONS

TOTAL REQUIRED PARKING SPACES = 1 SPACE PER ROOM+ PLUS ONE SPACE FOR EVERY 800 SF OF ANCILLARY USE	109 ROOMS + 0 SF ANCILLARY USE = 109 PARKING SPACES
TOTAL REQUIRED ADA PARKING SPACES	5 ADA SPACES ; 1 VAN ACCESSIBLE SPACE
TOTAL PROVIDED PARKING SPACES	109 PARKING SPACES
TOTAL PROVIDED ADA PARKING SPACES	7 ADA SPACES ; 1 VAN ACCESSIBLE SPACE

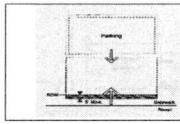
Lot Type / Urban Workplace

Building Placement/Parking/Vehicle Access



1. Buildings shall be placed on the lot within the area 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 buildings permit a larger setback.
2. Building facades shall be generally parallel to frontage property lines. The facade shall be determined by the massing of the building, shielding an intersecting street. Where dimensions of existing lots restrict parking behind buildings, the limitations on sideyard parking may be modified.
3. Parking shall be located primarily to the rear of the building; sideyard parking shall occupy no more than 35% of the primary frontage line and shall not be placed in any sideyard 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 at 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 principle structure. This is applicable only where no other reasonable option exists as determined by the Administrator. Examples of features lowering 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.

Encroachment/Pedestrian Access to Building



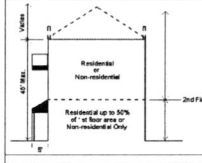
1. Balconies, bay windows, arcades, porches at an upper level and their supports at ground level, together with awnings above head height (min. 7'-6") are permitted within the sidewalk as shown by the hatched area. Encroaching awnings should cover entire sidewalk.
2. Primary pedestrian access into the building shall be from the street frontage line (indicated by larger arrows). Secondary access may be from parking areas (indicated by smaller arrow).

Special Conditions:
1. Buildings in all locations should relate the principal facade to the sidewalk and public space of the street.
2. Corner Setback at street corners will generally replicate frontage conditions. Side setbacks on a minor street may be less than the front dimensions.
3. 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, separate or specially defined places within building setback areas can act as focal points for pedestrians.

Description:
The workplace building may be a large structure (15,000+ square feet) and may have a single user/tenant. Office, industrial, and commercial tenants are typical. Southern mill villages often provide examples of how these buildings can renovated to fit other businesses and homes, Cotton Mill Plaza, in Concord, provides a good example with its placement at the end of prestigious Union Street. These buildings are critical to the town as employment centers and commercial service locations. The buildings will provide space for industry, large offices, as well as hotels, conference facilities and large retail uses such as a full service grocery store. Where possible, structures shall be designed to terminate views or serve as key focal points in the neighborhood.

Building Type / Urban Workplace

Permitted Height and Uses



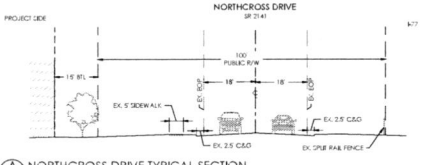
1. Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves or the highest level of a flat roof.
2. The height of parapet walls may vary depending upon the need to screen mechanical equipment.
3. Building height to the ridge may vary depending on the roof pitch.
4. Permitted uses are indicated above, and are further controlled by zoning district standards.

Architectural Standards

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 compatible in the historic architectural vocabulary of the area in their massing and external treatment.
B. Building elevations fronting or visible from public streets shall be clad with masonry, wood, vinyl siding, stucco, or similar material. Metal paneling may not comprise a street fronting building face.
C. The front 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 thus be of similar scale height, and configuration
E. Trailers (mobile units) may not be used as permanent workplace buildings.

Configurations
A. Two wall materials may be combined horizontally on one facade. The "heavier" material should be below and can cover the first floor only (i.e. brick below wood siding).
B. Street level windows shall be untinted. 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.



A NORTHCROSS DRIVE TYPICAL SECTION
SCALE: 1"=20'-0"

GENERAL REZONING NOTES:

SCHEMATIC NATURE OF REZONING PLAN
- THE PROPOSED IMPROVEMENTS SHOWN ON THE REZONING PLAN ARE SCHEMATIC IN NATURE. MINOR MODIFICATIONS TO THE PLAN MAY OCCUR DURING DESIGN, ENGINEERING, AND CONSTRUCTION PHASES OF THE DEVELOPMENT. THE REMOVAL OF TREES, AND VEGETATION TO ACCOMPLISH THE IMPROVEMENTS IS GENERALLY CONTEMPLATED AS SHOWN ON THE REZONING PLAN.
- THIS IS A REZONING PLAN, AND AS SUCH IS TO BE GRAPHICALLY REPRESENTATIVE OF WHAT IS PROPOSED. THE FINAL ENGINEERING PLAN WILL HAVE MINOR CHANGES. THE BUILDING LOCATION, SIZE, ORIENTATION, AND FEATURES MAY HAVE MINOR CHANGES BASED ON FINAL ENGINEER DESIGN, AS APPROVED BY STAFF.

USE AND COMPATIBILITY
- THE SITE IS LOCATED ALONG NORTHCROSS DRIVE, AND IS A PART OF THE ORIGINAL NORTHCROSS CORPORATE CENTER REZONING PLANS. THE ADJACENT LAND USES CONSIST OF A RESTAURANT AND A COMMERCIAL BUSINESS. THE REAR PROPERTY LINE ABUTS SINGLE FAMILY RESIDENTIAL HOMES. THE APPLICANT IS ASKING TO MODIFY THE ORIGINAL REZONING CONDITIONS FOR THE PARCEL TO ALLOW FOR A HOTEL. GIVEN THE NATURE OF THE OTHER BUSINESSES ALONG NORTHCROSS DRIVE AND PROXIMITY TO LAKE NORMAN, IF YOU MOVE NORTH TOWARDS SAM FURR RD.

PERMITTED USES (WITH SPECIAL USE PERMIT)
- ARTICLE 9.45 – HOTELS & MOTELS ;
  - ANY STRUCTURE BY WHICH A HOTEL OR MOTEL IS THE PRINCIPLE OF ACCESSORY USE SHALL BE SEPARATED BY A DISTANCE NO LESS THAN THREE (3) TIMES THE HEIGHT OF THE PROPOSED STRUCTURE CLOSEST TO THE COMMON LOT LINE OF THE ADJOINING RESIDENTIAL AND MIXED USE ZONE, BUT IN NO CASE LESS THAN 100 FEET.

MODIFICATION REQUESTS
- REQUEST TO MODIFY THE MAX. BUILDING HEIGHT PER THE TOWN OF HUNTERSVILLE URBAN WORKPLACE BUILDING/LOT TYPE FROM 45' MAX. TO 47' MAX.

ACCESS
- THE PRIMARY VEHICULAR ACCESS IS THE SINGLE ACCESS DRIVEWAY LOCATED ON NORTHCROSS DRIVE
- THERE WILL BE A REQUIRED CROSS ACCESS DRIVE TO THE ADJACENT PARCEL, 00930116, WHERE AN EXISTING STUB OUT FOR CROSS ACCESS IS LOCATED.

SIGNAGE
- ALL SIGNS SHALL COMPLY WITH THE TOWN OF HUNTERSVILLE CODE. ALL SIGNS WILL BE PERMITTED SEPARATELY.

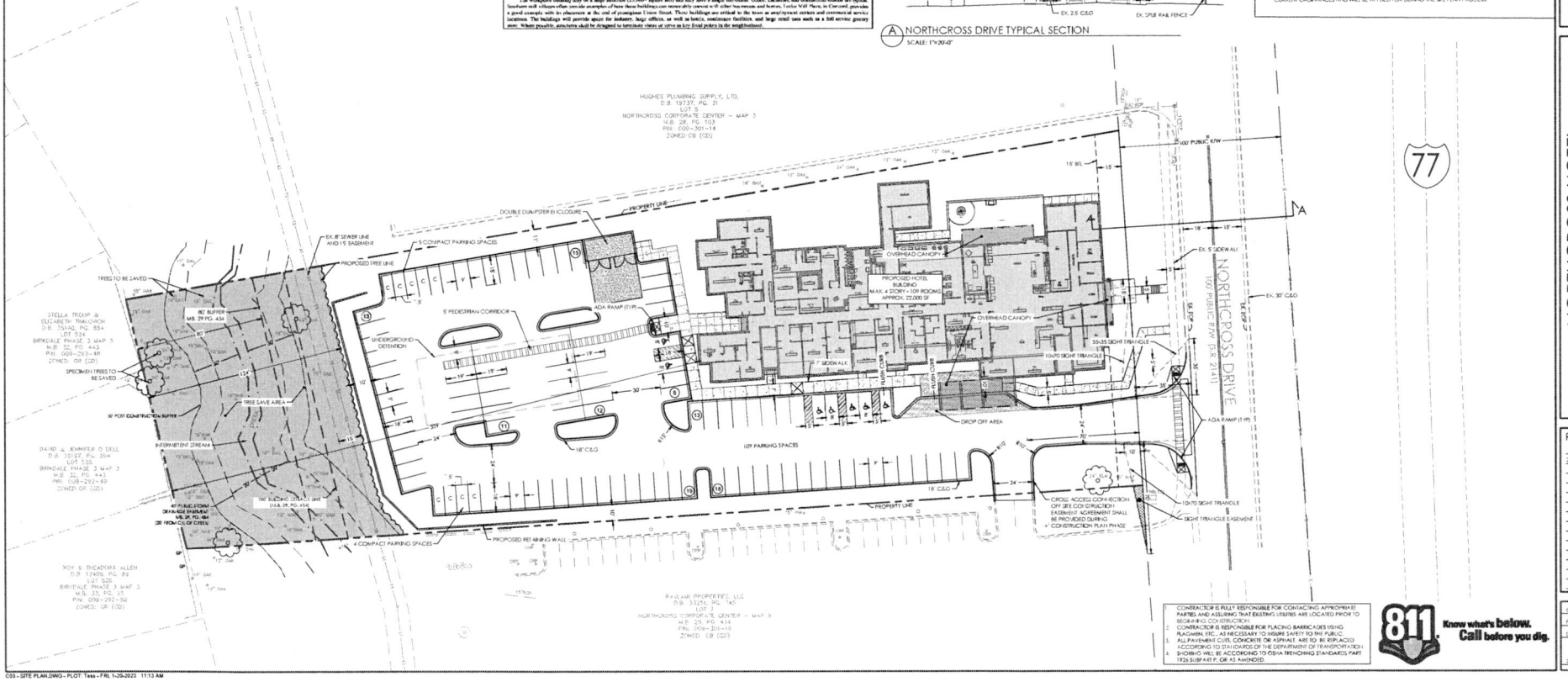
TRASH
- GARBAGE SERVICES WILL BE PROVIDED IN A DUMPSTER FACILITY ON SITE.

HVAC / UTILITY EQUIPMENT
- ALL BUILDING UTILITY EQUIPMENT SHALL BE BEHIND BUFFER SCREENING AND NOT VISIBLE FROM ADJACENT PROPERTIES.

WATER/ SEWER / UTILITIES
- SEWER AVAILABLE IN THE REAR OF THE PROPERTY
- WATER AVAILABLE ON PROJECT SIDE OF NORTHCROSS DRIVE

LIGHTING
- THE LIGHTING FOR THE PROJECT WILL MEET THE REQUIREMENTS OF 8.26.

ENVIRONMENTAL
- EROSION CONTROL PLANS WILL COMPLY WITH CURRENT ORDINANCES, AND BE APPLIED FOR DURING THE COMMERCIAL SITE PLAN PROCESS.
- WATER QUALITY, POST CONSTRUCTION, AND STORM WATER MANAGEMENT WILL COMPLY WITH THE CURRENT ORDINANCES AND WILL BE APPLIED FOR DURING THE SITE PLAN PROCESS.



- 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 P, OR AS AMENDED.

811 Know what's below. Call before you dig.

HensonFoley
Landscape Architecture | Civil Engineering
121 Gilead, Huntersville NC, 28078
p: 704.875.1615 | f: 704.875.0959 | www.hensonfoley.com
NC BOARD FOR LICENSING OF LANDSCAPE ARCHITECTS
NC BOARD FOR LICENSING OF ENGINEERS

N
NORTH ARROW
GRAPHIC SCALE 1"=30 FT.

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT SEAL 3012 JAY A. HENSON

NORTHCROSS HOTEL
PARCEL ID: 00930115
16221 NORTHCROSS DR HUNTERSVILLE NC 28078

SPECIAL USE PLAN

REVISIONS:
2022/12/07 - REZONING/SUP COMM.
2023/01/30 - REZONING/SUP COMM.

C03 - SITE PLAN.DWG
PROJECT NUMBER: 221088
DATE: 09/15/2022 DRAWN BY: TSF
SHEET C03 OF 5

C03 - SITE PLAN.DWG - PLOT: Tess - FRI, 1-20-2023 11:13 AM

GENERAL GRADING NOTES (CONT.) :

7. GRADING
7.1. 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.
7.2. PROVIDE A SMOOTH TRANSITION BETWEEN ADJACENT EXISTING GRADES AND NEW GRADES.
7.3. CUT OUT SOFT SPOTS, FILL LOW SPOTS, AND TRIM HIGH SPOTS TO COMPLY WITH REQUIRED SURFACE TOLERANCES.
7.4. SITE ROUGH GRADING: SLOPE GRADES TO DIRECT WATER AWAY FROM BUILDINGS, AT 0% TO PREVENT PONDING. FINISH SUBGRADES TO REQUIRED ELEVATION WITHIN THE FOLLOWING TOLERANCES:
7.4.1. TURF OR UNPAVED AREAS: PLUS OR MINUS 1 INCH (25 MM).
7.4.2. WALKS: PLUS OR MINUS 1 INCH (25 MM).
7.4.3. PAVEMENTS: PLUS OR MINUS 1/2 INCH (13 MM).
7.5. GRADING INSIDE BUILDING LINES: FINISH SUBGRADE TO A TOLERANCE OF 1/2 INCH (13 MM) WHEN TESTED WITH A 10-FOOT (3-M) STRAIGHTEDGE.

8. FIELD QUALITY CONTROL
8.1. TESTING AGENCY: OWNER WILL ENGAGE A QUALIFIED GEOTECHNICAL ENGINEERING TESTING AGENCY TO PERFORM TESTS AND INSPECTIONS.
8.2. 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.
8.3. 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.
8.4. TESTING AGENCY: WILL TEST COMPACTION OF SOILS IN PLACE ACCORDING TO ASTM D 1556, ASTM D 2167, ASTM D 2922, AND ASTM D 2937, AS APPLICABLE. TESTS WILL BE PERFORMED AT THE FOLLOWING LOCATIONS AND FREQUENCIES:
8.5. 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 NO CASE FEWER THAN THREE TESTS.
8.6. FOUNDATION WALL BACKFILL: AT EACH COMPACTED BACKFILL LAYER, AT LEAST ONE TEST FOR EVERY 150 FEET (50 M) OR LESS OF WALL LENGTH, BUT NO FEWER THAN TWO TESTS.
8.7. 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.
8.8. 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.

GENERAL GRADING NOTES:

1. ALL STORM WATER CATCH BASINS, INLETS, MANHOLES, ETC. SHALL BE PERMANENTLY LABELED AS "NO DUMPING, DRAINS TO RIVER" AND INCLUDE A FISH SYMBOL.
2. SOIL FILL (GEOTECH REPORT SHALL TAKE PRECEDENCE OVER THIS SPECIFICATION IF EXISTS.)
3. PLOW, SCARIFY, BENCH, OR BREAK UP SLOPED SURFACES STEEPER THAN 1 VERTICAL TO 4 HORIZONTAL SO FILL MATERIAL WILL BOND WITH EXISTING MATERIAL.
4. PLACE AND COMPACT FILL MATERIAL IN LAYERS TO REQUIRED ELEVATIONS AS FOLLOWS:
4.1. UNDER GRASS AND PLANTED AREAS, USE SATISFACTORY SOIL MATERIAL
4.2. UNDER WALKS AND PAVEMENTS, USE SATISFACTORY SOIL MATERIAL
4.3. UNDER STEPS AND RAMPS, USE ENGINEERED FILL
4.4. UNDER BUILDING SLABS, USE ENGINEERED FILL
4.5. UNDER FOOTINGS AND FOUNDATIONS, USE ENGINEERED FILL
4.6. PLACE SOIL FILL ON SUBGRADES FREE OF MUD, FROST, SLUSH, OR ICE.

5. SOIL MOISTURE CONTROL
5.1. REMOVE PERCEIVED AGED IN THIS ARTICLE ACCORDING TO GEOTECHNICAL ENGINEER'S WRITTEN RECOMMENDATIONS.
5.2. UNIFORMLY MOISTEN OR AERATE SUBGRADE AND EACH SUBSEQUENT FILL OR BACKFILL SOIL LAYER BEFORE COMPACTION TO WITHIN 2 PERCENT OF OPTIMUM MOISTURE CONTENT.
5.3. DO NOT PLACE BACKFILL OR FILL SOIL MATERIAL ON SURFACES THAT ARE MUDDY, FROZEN, OR CONTAIN FROST OR ICE.
5.4. 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.

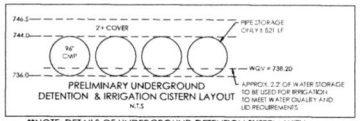
6. COMPACTION OF SOIL BACKFILLS AND FILLS
6.1. PLACE BACKFILL AND FILL SOIL MATERIALS IN LAYERS NOT MORE THAN 8 INCHES (200 MM) IN LOOSE DEPTH FOR MATERIAL COMPACTED BY HEAVY COMPACTION EQUIPMENT, AND NOT MORE THAN 4 INCHES (100 MM) IN LOOSE DEPTH FOR MATERIAL COMPACTED BY HAND-OPERATED TAMPERS.
6.2. PLACE BACKFILL AND FILL SOIL MATERIALS EVENLY ON ALL SIDES OF STRUCTURES TO REQUIRED ELEVATIONS, AND UNIFORMLY ALONG THE FULL LENGTH OF EACH STRUCTURE.
6.3. COMPACT SOIL MATERIALS TO NOT LESS THAN THE FOLLOWING PERCENTAGES OF MAXIMUM DRY UNIT WEIGHT ACCORDING TO ASTM D 698:
6.3.1. 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.
6.3.2. 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.
6.3.3. 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.
6.4. FOR UTILITY TRENCHES, COMPACT EACH LAYER OF INITIAL AND FINAL BACKFILL SOIL MATERIAL AT 95 PERCENT.

HUNTERSVILLE NOTES:

1. COMMUNITY ENCROACHMENT LINE MUST BE MARKED AND MAINTAINED ON SITE UNTIL FINAL GRADING IS COMPLETED.
2. INSPECTIONS SHALL BE CONDUCTED AS PRESCRIBED BY THE ENFORCEMENT OFFICER. ADDITIONAL INSPECTIONS MAY BE CONDUCTED BY THE TOWN OF HUNTERSVILLE AND USE AND ENVIRONMENTAL DEFICIES AGENCY OR ANY REASONABLE BASIS, INCLUDING, BUT NOT LIMITED TO, ROUTINE INSPECTIONS, RANDOM INSPECTIONS, INSPECTIONS BASED UPON COMPLAINTS OF DEFECTIVE OR POLLUTED VEGETATIVE, INSPECTIONS OF DRAINAGE BASINS AND AREAS SERVING A PROPERTY OR DEVELOPMENT, AND INSPECTIONS OF BUILDINGS CONTAINING OR POLLUTANTS OR ANY OBJECTIONS OF A TYPE WHICH ARE LIKELY TO EMANATE FROM THE SPECIAL DISCHARGES TO CAUSE VIOLATIONS OF STATE OF FEDERAL WATER QUALITY STANDARDS OR THE NPDES STORM WATER PERMIT. AND JOINT INSPECTION WITH OTHER AGENCIES INSPECTION UNDER ENVIRONMENTAL AND SAFETY LAWS. INSPECTIONS MAY INCLUDE, BUT ARE LIMITED TO, REVIEWING MAINTENANCE AND REPAIR RECORDS, SAMPLING DISCHARGES, SURFACE WATER, GROUNDWATER, AND MATERIAL OR WATER IN BASINS, EVALUATING THE CONDITION OF BMPS, AND STORM WATER MANAGEMENT FACILITIES.
3. READY FOR INSPECTION: WHEN ANY NEW BMP IS INSTALLED ON PRIVATE PROPERTY, THE PROPERTY OWNER SHALL CONTACT THE TOWN OF HUNTERSVILLE AND USE AND ENVIRONMENTAL SERVICES AGENCY TO SCHEDULE AN INSPECTION. A RESPONSIBLE PARTY MUST BE ON A RESPONSIBLE SUMMER FOR THE PURPOSE OF INSPECTION. THE INCLUSION OF ANY BMP ON A PROPERTY SHALL NOT BE CONSTRUED TO CREATE LIABILITY ON THE TOWN OF HUNTERSVILLE LAND USE AND ENVIRONMENTAL SERVICES AGENCY WAS A REASONABLE BASIS TO BELIEVE THAT A VIOLATION OF THIS REGULATION IS OCCURRING OR HAS OCCURRED, AND TO ENTER WHEN NECESSARY FOR ABATEMENT OF A PUBLIC NUISANCE OR CORRECTION OF A VIOLATION OF THIS REGULATION.

PRELIMINARY BMP CALCS

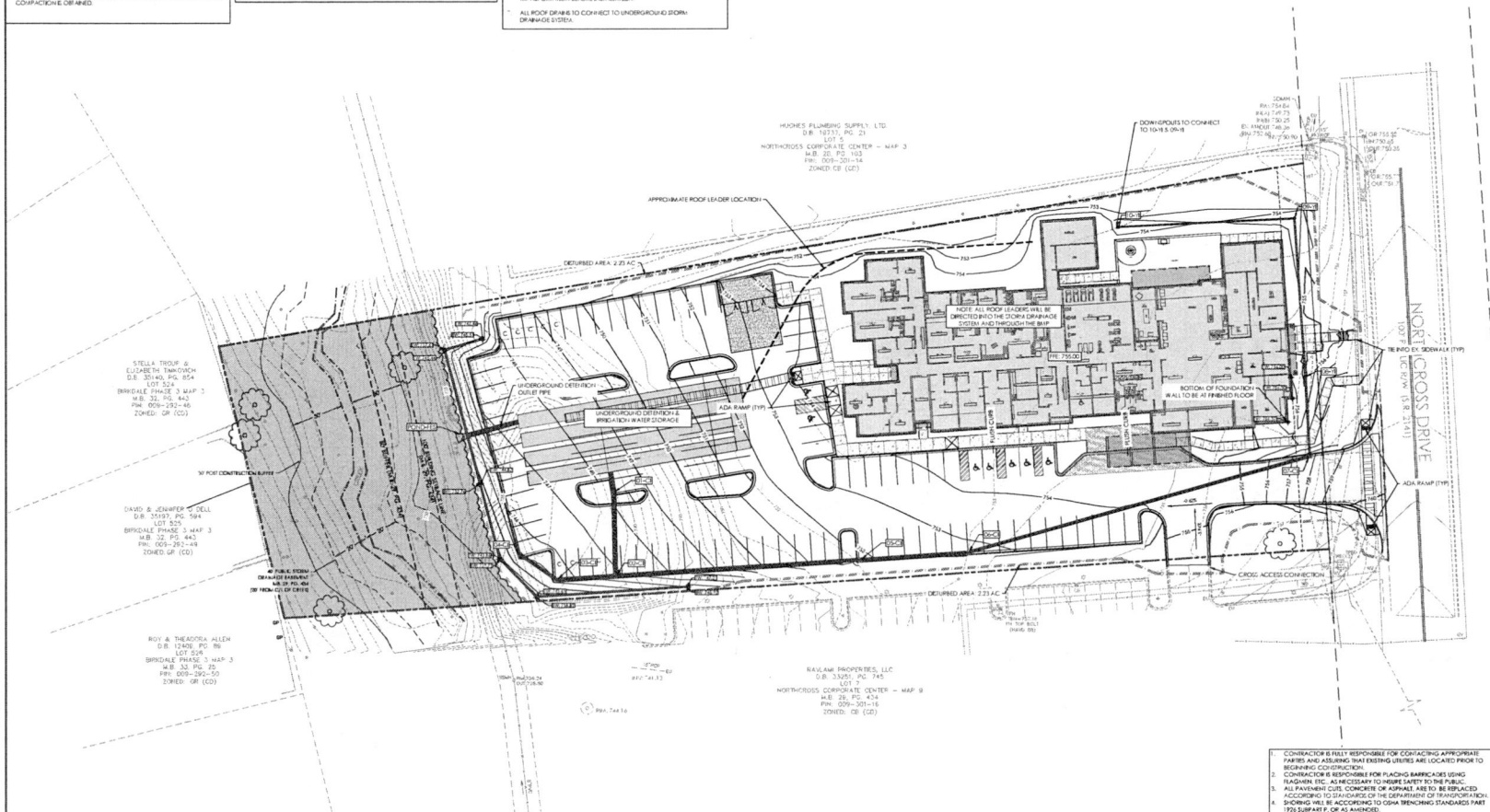
DRAINAGE AREA = ± 2.13 AC
~10,000 CF PER ACRE=21,316 CF STORAGE



PRELIMINARY UNDERGROUND DETENTION & IRRIGATION CISTERN LAYOUT
N.T.S.

**NOTE: DETAILS OF UNDERGROUND DETENTION SYSTEM WITH IRRIGATION STORAGE TO BE PROVIDED DURING CONSTRUCTION DOCUMENTS.

DISTURBED LIMITS: 2.23 AC



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, OF AS AMENDED.

811 Know what's below. Call before you dig.

HensonFoley
Landscape Architecture | Civil Engineering
121 Gilead, Huntersville, NC 28078
p: 704.875.1615 | f: 704.875.0959 | www.hensonfoley.com
NC Licensed Landscape Architect #: C-0781
NC Licensed Engineering Corporation #: C-2687

NORTH ARROW
GRAPHIC SCALE 1"=30' FT

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT No. 781 SEAL BRIAN A. HENSON 10-20-2023

NORTHCROSS HOTEL

PARCEL ID: 00930115
16221 NORTHCROSS DR HUNTERSVILLE NC 28078

PRELIM GRADING PLAN

REVISIONS:
2023/1/2023 - RETOUR KG/SUP COMM.
2023/01/20 - RECHNING/SUP COMM.

C04-PRELIM GRADING.DWG
PROJECT NUMBER: 221068
DATE: 09/15/2022 DRAWN BY: TZF
SHEET C04 OF 5

C04-PRELIM GRADING.DWG - PLOT: Tess - FRI, 1-20-2023 11:14 AM

GENERAL PLANTING NOTES:

1. THIS PLAN FOR PLANTING LOCATIONS ONLY. IF FOUND CONDITIONS VARY FROM THE CONTRACTOR TO CONTACT OWNER'S REPRESENTATIVE FOR RESOLUTION. FAILURE TO DO SO WILL RESULT IN CONTRACTOR'S LIABILITY TO REPLACE PLANT MATERIALS.
2. CONTRACTOR TO COORDINATE WITH OWNER'S REPRESENTATIVE FOR EXISTING PLANT MATERIAL TO BE REMOVED AND/OR RELOCATED.
3. CONTRACTOR WILL BE RESPONSIBLE FOR LOCATING AND PROTECTING ALL UNDERGROUND AND ABOVE GROUND UTILITIES. CONTRACTOR SHALL BE LIABLE FOR DAMAGE TO ANY AND ALL PUBLIC OR PRIVATE UTILITIES. CONTRACTOR WILL BE HELD RESPONSIBLE FOR THE COST OF REPAIR TO ALL DAMAGED UTILITIES.
4. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL PLANT MAINTENANCE, INCLUDING SHRUBS AND GROUNDCOVER, AND SHALL MAINTAIN AREA IN A WEED AND DEBRIS FREE CONDITION, THROUGHOUT GUARANTEE PERIOD.
5. WHERE TREES ARE PLANTED IN ROWS, THEY SHALL BE UNIFORM IN SIZE AND SHAPE.
6. SIZES SPECIFIED IN THE PLANT LIST ARE MINIMUM SIZES TO WHICH THE PLANTS ARE TO BE JUDGED. FAILURE TO MEET MINIMUM SIZE OF ANY PLANT WILL RESULT IN REJECTION OF THAT PLANT.
7. PLANTING SIZE DETERMINATION:
   SHADE TREES: HEIGHT SHALL BE MEASURED FROM THE CROWN OF THE ROOT BALL TO THE TOP OF MATURE GROWTH. SPREAD SHALL BE MEASURED TO THE END OF BRANCHING EQUALLY AROUND THE CROWN FROM THE CENTER OF THE TRUNK. MEASUREMENTS ARE NOT TO INCLUDE ANY TERMINAL GROWTH. SINGLE TRUNK TREES SHALL BE FREE OF "V" CROTCHES THAT COULD BE POINTS OF WEAK LIMB STRUCTURE OR DISEASE INFESTATION.
   SHRUBS: HEIGHT SHALL BE MEASURED FROM THE CROWN OF THE ROOT BALL TO THE AVERAGE HEIGHT OF THE TOP OF THE PLANT. SPREAD SHALL BE MEASURED TO THE END OF BRANCHING EQUALLY AROUND THE SHRUB MASS. MEASUREMENTS ARE NOT TO INCLUDE ANY TERMINAL GROWTH.
8. ALL PLANTS SHALL BE FRESHLY DUG, SOUND, HEALTHY, VIGOROUS, WELL BRANCHED, FREE OF DISEASE, INSECT EGGS, AND LARVAE, AND SHALL HAVE ADEQUATE ROOT SYSTEMS.
9. ALL CONTAINER GROWN MATERIAL SHALL BE HEALTHY, VIGOROUS, WELL-ROOTED PLANTS AND ESTABLISHED IN THE CONTAINER IN WHICH THEY ARE SOLD. THE PLANTS SHALL HAVE TOPS WHICH ARE GOOD QUALITY AND ARE IN A HEALTHY GROWING CONDITION. ALL ROOT BOUND PLANTS SHALL BE REJECTED.
10. GROUPS OF SHRUBS SHALL BE PLACED IN A CONTINUOUS MULCH BED WITH SMOOTH CONTINUOUS LINES. ALL MULCHED BED EDGES SHALL BE CURVILINEAR IN SHAPE FOLLOWING THE CONTOUR OF THE PLANT MASS. TREES LOCATED WITHIN FOUR FEET OF SHRUB BEDS SHALL SHARE SAME MULCH BED.
11. CONTRACTOR TO SLIGHTLY ADJUST PLANT LOCATIONS IN THE FIELD AS NECESSARY TO BE CLEAR OF DRAINAGE SWALES AND UTILITIES. FINISHED PLANTING BEDS SHALL BE GRADED SO AS TO NOT IMPEDE DRAINAGE AWAY FROM BUILDINGS. IF SIGNIFICANT RELOCATIONS ARE REQUIRED, CONTRACTOR SHALL CONTACT OWNER'S REPRESENTATIVE FOR RESOLUTION. FAILURE TO MAKE SUCH RELOCATIONS KNOWN TO THE OWNER'S REPRESENTATIVE WILL RESULT IN CONTRACTOR'S LIABILITY OF PLANT MATERIALS.
12. ALL PLANT MATERIAL SHALL BE SPACED AND LOCATED PER PLAN. IF CONFLICTS ARISE BETWEEN ACTUAL SIZE OF AREA AND PLANTS, CONTRACTOR SHALL CONTACT OWNER'S REPRESENTATIVE FOR RESOLUTION. FAILURE TO MAKE SUCH CONFLICTS KNOWN TO THE OWNER'S REPRESENTATIVE WILL RESULT IN CONTRACTOR'S LIABILITY TO RELOCATE MATERIALS.
13. ALL SUBSTITUTIONS OF PLANT MATERIAL ARE TO BE REQUESTED IN WRITING TO THE OWNER'S REPRESENTATIVE AND APPROVED IN WRITING BY THE OWNER PRIOR TO INSTALLATION. FAILURE TO OBTAIN SUBSTITUTION APPROVAL IN WRITING MAY RESULT IN LIABILITY TO THE CONTRACTOR.
14. ALL CONTRACTORS SHALL BE REQUIRED TO COMPLETELY REMOVE ALL TRASH, DEBRIS AND EXCESS MATERIALS FROM THE WORK AREA AND THE PROPERTY (ESPECIALLY AT ALL CURB, GUTTERS AND SIDEWALKS) DAILY DURING INSTALLATION.
15. CONTRACTOR SHALL GUARANTEE ALL LANDSCAPE IMPROVEMENTS, INCLUDING SEEDING. CONTRACTOR MUST CONTACT THE OWNER AT LEAST 10 WORKING DAYS IN ADVANCE TO SCHEDULE ACCEPTANCE INSPECTION(S). CONTRACTOR MUST REPLACE ALL DEAD OR UNACCEPTABLE PLANTS DURING THE FOLLOWING RECOMMENDED PLANTING SEASON.
16. ADJUST TREE PLANTING LOCATIONS TO AVOID UNDERGROUND UTILITIES WHERE POSSIBLE. CONTACT OWNER'S REPRESENTATIVE FOR A COORDINATED SOLUTION FOR ANY UTILITY CONFLICTS. CONTRACTOR SHALL BE LIABLE FOR DAMAGE TO ANY AND ALL PUBLIC OR PRIVATE UTILITIES.
17. REFER TO PLANTING DETAILS FOR ADDITIONAL PLANTING INFORMATION.
18. ALL PLANTINGS SHALL COMPLY WITH CURRENT LOCAL ORDINANCES AND GUIDELINES.
19. LANDSCAPE AREAS TO BE IRRIGATED WITH AUTOMATIC IRRIGATION SYSTEM.

INSTALLATION GUARANTEE REQUIRED

1. A FINAL CERTIFICATE OF OCCUPANCY MAY BE ISSUED PRIOR TO THE INSTALLATION OF TREES AND SHRUBS, EXCLUDING YARD TREES, DURING THE NON-PLANTING SEASON IF A CASH BOND, SURETY BOND OR LETTER OF CREDIT IS ISSUED FOR 120% OF THE COST OF MATERIALS AND INSTALLATION. PLANTING SHALL BE COMPLETED DURING THE NEXT PLANTING SEASON.
2. THE PLANTING SEASON SHALL RUN FROM OCTOBER 15 TO MARCH 15, EXCEPT FOR EXTREME WEATHER CONDITIONS AS DETERMINED BY STAFF. A FINAL CERTIFICATE OF OCCUPANCY SHALL NOT BE GIVEN DURING THE PLANTING SEASON UNLESS ALL OF THE LANDSCAPING IS COMPLETELY INSTALLED ACCORDING TO THIS ARTICLE.

MAINTENANCE SURETY REQUIRED

1. DEVELOPERS SHALL ENTER INTO A MAINTENANCE SURETY AGREEMENT WITH MECKLENBURG COUNTY GUARANTEEING THE VIABILITY OF STREET TREES AND TREES AND SHRUBS PLANTED IN BUFFER YARDS, FOR A PERIOD OF 1 YEAR FOLLOWING PLANTING. THE AMOUNT OF THE SURETY SHALL BE EQUAL TO 50% OF THE VALUE OF THE NEW TREES OR LANDSCAPE MATERIAL AND THEIR INSTALLATION. THE MAINTENANCE SURETY SHALL BE PROVIDED WHEN ALL OF THE REQUIRED TREES AND SHRUBS HAVE BEEN PLANTED.

TREE PLANTING NOTES:

1. ALL TREES SHALL BE PLANTED PER TOWN OF HUNTERSVILLE STANDARDS AND DETAILS.
2. ALL STRAPPING AND TOP 1/3 OF WIRE BASKET MUST BE CUT AWAY AND REMOVED FROM THE ROOT BALL PRIOR TO BACKFILLING PLANTING PIT.
3. LARGE MATURING TREES MAY NOT BE PLANTED WHERE OVERHEAD DISTRIBUTION OR TRANSMISSION LINES EXIST. IF TREES CONFLICT WITH POWER LINES OR SIGNS, CALL THE URBAN FORESTER TO RESOLVE BEFORE PLANTING.
4. ADJUST TREE PLANTING LOCATIONS TO AVOID UNDERGROUND UTILITIES.
5. NEW TREES SHALL BE A MINIMUM 2" CALIPER FOR STREET TREE REQUIREMENTS.
6. SEE TREE PRESERVATION NOTES ON GRADING AND EROSION CONTROL SHEETS.
7. ALL TREES ARE TO BE NURSERY GROWN, BALL AND BURLAP (B&B) PREFERRED. MINIMUM A TREE SIZE IS 2" CALIPER (MEASURED 6" ABOVE ROOT BALL) & MINIMUM HEIGHT.
8. STAKING IS OPTIONAL. RUBBER HOSE AND ROPE OR WIRE FOR STAKING IS NOT RECOMMENDED. NO WIRE OR ROPE IS TO BE IN DIRECT CONTACT WITH TRUNK. REMOVE ALL TRUNK WRAP, TREE STRAPS, AND STAKING WIRE OR ROPE AFTER ONE GROWING SEASON.
9. GUY WIRES ARE NOT PERMITTING IN THE STREET RIGHT-OF-WAY.
10. ALL TREES AND SHRUBS SHALL MEET THE NORMAL REQUIREMENTS FOR THE AMERICAN STANDARD FOR NURSERY STOCK, LATEST EDITION, PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMAN (AAN).
11. NEW AND EXISTING TREES ARE PERMITTED WITHIN SITE TRIANGLE, BUT MUST BE LIMED UP TO 6' HEIGHT CLEARANCE PER AASHTO REQUIREMENTS.
12. SIMILAR CRITERIA FOR TREE PLACEMENT AND PRUNING UP SHOULD BE CONSIDERED AT DRIVEWAY/STREET INTERSECTIONS.
13. CONTRACTOR TO MAINTAIN CLEAR LEVEL BETWEEN 30" AND 72" ABOVE STREET. AREA MUST BE FREE OF LIMBS AND FOLIAGE FOR SAFE CROSS VISIBILITY.

TOWN OF HUNTERSVILLE UTILITY NOTES:

1. NO UTILITIES TO BE LOCATED ON NORTHCROSS DRIVE SIDE OF BUILDING.
2. ALL UTILITIES TO BE SCREENED IN ACCORDANCE WITH TOWN OF HUNTERSVILLE ORDINANCES.
3. ANY WORK RELATED TO SITE UTILITY CONNECTION AND CONSTRUCTION IS THE RESPONSIBILITY OF THE OWNER/GENERAL CONTRACTOR. WHERE WORK TAKES PLACE IN THE RIGHT-OF-WAY, OR ON ADJACENT PROPERTY, THE GENERAL CONTRACTOR WILL BE RESPONSIBLE FOR ANY REPAIRS TO THE CURB, LANDSCAPE, TURF, AND IRRIGATION SYSTEM.

NOTE: ALL BACKFLOW PREVENTERS SHALL BE COVERED IN A NON-REFLECTIVE MATERIAL AND SHALL BE SURROUNDED, ON ALL SIDES VISIBLE FROM PUBLIC STREETS AND ABUTTING PROPERTIES, BY A LANDSCAPED OPAQUE SCREEN

CLT WATER NOTES:

- CUSTOMER IS RESPONSIBLE FOR STAKING SITE AS NECESSARY TO DETERMINE SERVICE LOCATIONS AND ELEVATIONS PRIOR TO CLT WATER CONTRACTOR MOBILIZING TO INSTALL SERVICES. SITE ADDRESS MUST BE VISIBLY POSTED AT SITE
- ON-SITE CONTRACTOR IS RESPONSIBLE FOR RELOCATING ANY APPLICABLE CONFLICTING UTILITIES NECESSARY TO COMPLETE SERVICE INSTALLATIONS. ADDITIONAL FEES MAY APPLY AND CONSTRUCTION TIMELINES EXTENDED IF CONFLICTING UTILITIES ARE NOT SHOWN ON PLANS.
- WATER AND SEWER CONNECTIONS SHALL NOT BE LOCATED WITHIN PROPOSED CONSTRUCTION ENTRANCES.
- PAYMENT FOR A QUOTED SERVICE CONNECTION SHALL BE CONSIDERED ACKNOWLEDGEMENT & APPROVAL OF CLT WATER COMMENTS BY THE APPLICANT. PAYMENT DOES NOT INCLUDE ANY ADDITIONAL FEES REQUIRED DUE TO UNFORESEEN CONDITIONS THAT ARE/WERE NOT DEPICTED ON THE SITE PLAN PROVIDED BY THE APPLICANT.
- CLT WATER WILL INSTALL 6" DIP 8" LATERAL INTO DOGHOUSE OR EXISTING MH AND BRING INSIDE R/W AS SHOWN. CLT WATER WILL PLUG END OF LATERAL & SET A 4"X4" POST TO MARK LOCATION OF PROPOSED PVT MH BY OTHERS. CONTRACTOR, IF A PVT MH IS SHOWN ON PLANS.
- EACH CLT WATER-REQUIRED BPA IS REQUIRED TO BE TESTED BY A CLT WATER-APPROVED CERTIFIED TESTER PRIOR TO PLACING THE WATER SYSTEM IN SERVICE.
- BACKFLOW PREVENTION REVIEW SHALL BE COORDINATED THROUGH MECKLENBURG CO. CODE ENFORCEMENT PERMITTING PROCESS. AT TIME OF APPLICATION FOR BUILDING PERMITS. THESE REQUIREMENTS CAN BE FOUND AT HTTP://CHARLOTTENC.GOV/WATER/PAGES/BACKFLOWCONSTRUCTIONGUIDELINES.ASPX. PLEASE CONTACT JAMIE HYDE AT 704-432-0208, FOR MORE INFORMATION. ANY REVISION TO TAP AND/OR METER LOCATIONS MAY BE SUBJECT TO RE-SUBMITTAL TO BACKFLOW FOR REVIEW.

GENERAL SITE UTILITY NOTES:

1. ALL PIPE LENGTHS ARE HORIZONTAL DISTANCE AND ARE APPROXIMATE.
2. CONTRACTOR SHALL PROVIDE ALL THE MATERIALS AND APPURTENANCES NECESSARY FOR THE COMPLETE INSTALLATION OF THE UTILITIES. ALL PIPES AND FITTINGS SHALL BE INSPECTED BY THE BUILDING INSPECTOR PRIOR TO BEING COVERED.
3. ALL WORK SHALL COMPLY WITH ALL APPLICABLE CODES, REGULATIONS, AND/OR LOCAL STANDARDS IMPOSED BY LOCAL UTILITY.
4. ALL WATER LINES SHALL HAVE A MINIMUM COVER OF 36" ABOVE TOP OF PIPE.
5. CONTRACTOR SHALL ADJUST LOCATION OF PROPOSED WATER LINES AS REQUIRED TO AVOID CONFLICTS WITH STORM SEWER OR OTHER UTILITIES.
6. LOCATION, SIZE AND INVERT ELEVATIONS OF SANITARY SEWER SHALL BE COORDINATED WITH THE APPROVED PLUMBING PLANS FOR THE BUILDING.
7. GENERAL CONTRACTOR SHALL INSTALL UTILITIES TO WITHIN 5' OF BUILDING. PLUMBING CONTRACTOR SHALL BE RESPONSIBLE FOR UTILITIES IN THE BUILDING AND WITHIN 5' OF THE BUILDING.
8. INSTALLATION AND REPAIR OF UNDERGROUND ELECTRICAL, GAS AND TELEPHONE UTILITIES IN DISTURBED AREAS SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR OR APPLICABLE UTILITY COMPANY. THE DISTURBED AREAS BENEATH EXISTING ASPHALT SHALL BE RECOMPACTED TO THE REQUIRED SPECIFICATION & AT THE STONE BASE AND ASPHALT BE RETURNED TO ITS ORIGINAL CONDITION.
9. THE GENERAL CONTRACTOR SHALL COORDINATE ALL NEW UTILITY TAP/CONNECTION LOCATIONS WITH THE UTILITY DEPARTMENT. FEES SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR. HOWEVER, IMPACT/CAPACITY FEES TO BE PAID BY DEVELOPER/OWNER.
10. THERE SHALL BE NO TAPS, PIPING BRANCHES, UNAPPROVED BYPASS PIPING, HYDRANTS, FIRE DEPT. CONNECTION POINTS, OR OTHER WATER-USING APPURTENANCES CONNECTED TO THE SUPPLY LINE BETWEEN ANY WATER METER AND ITS CLT WATER REQUIRED BACKFLOW PREVENTER.
11. EACH REQUIRED BACI FLOW PREVENTION ASSEMBLY IS REQUIRED TO BE TESTED BY A CLT WATER APPROVED CERTIFIED TESTER PRIOR TO PLACING THE WATER SYSTEM IN SERVICE.

IRRIGATION SLEEVING NOTES:

1. CONTRACTOR SHALL LAY ALL SLEEVES AND CONDUIT AT 2'-0" BELOW THE FINISH GRADE OF THE TOP OF PAVEMENT.
2. CONTRACTOR SHALL MARK THE LOCATION OF ALL SLEEVES AND CONDUIT WITH THE SLEEVING MATERIAL TILLED TO 2'-0" ABOVE FINISH GRADE AND CAPPED.
3. CONTRACTOR SHALL FURNISH THE IRRIGATION DESIGNER WITH ALL AS-BUILT DRAWING SHOWING ALL SLEEVES AND THE RESPECTIVE DEPTHS BELOW THE FINISH GRADE AND/OR PAVEMENT.
4. EXTEND ALL SLEEVES TO 2'-0" BEYOND THE EDGE OF ALL PAVEMENT.
5. ADD 6" DIAMETER SLEEVES TO ALL ISOLATED PLANTING AREAS NOT SHOWN ON THE DRAWINGS, OR UNDER PAVEMENT ADDED AFTER THE PLAN WAS COMPLETED.
6. ALL SLEEVES SHALL BE SCHEDULED 40 PVC.

SEED/SOD/MULCH:

1. TURF AREAS WILL BE SEEDED OR SODDED WITH REBEL III FESCUE WITH EXCEPTION OF SOD WITHIN THE FLOOR OF STORMWATER MANAGEMENT AND WATER QUALITY BASINS AND FILTERS. SOD WILL BE REQUIRED NEXT TO BUILDING STRUCTURES, DRIVEWAYS ENTRANCES, AND AREAS DISTURBED IN THE FRONT SETBACK AS NOTED ON PLAN. LANDSCAPE CONTRACTOR TO SEED ALL OTHER DISTURBED AREAS.
2. PINE NEEDLE MULCH IS THE GENERALLY ACCEPTED MULCH, FOR THE INITIAL PLANTING. IT IS ALSO ACCEPTABLE TO UTILIZE DOUBLE HAMMERED BARK MULCH FOR GOOD SOIL AND BED MAINTENANCE. FUTURE YEARS, THOUGH, WILL REQUIRE THE PROPERTY TO BE CONVERTED TO PINE NEEDLES.

1.1 PLANTING SOIL MIX

A. MIX TOPSOIL, WITH THE FOLLOWING SOIL AMENDMENTS IN THE FOLLOWING QUANTITIES:

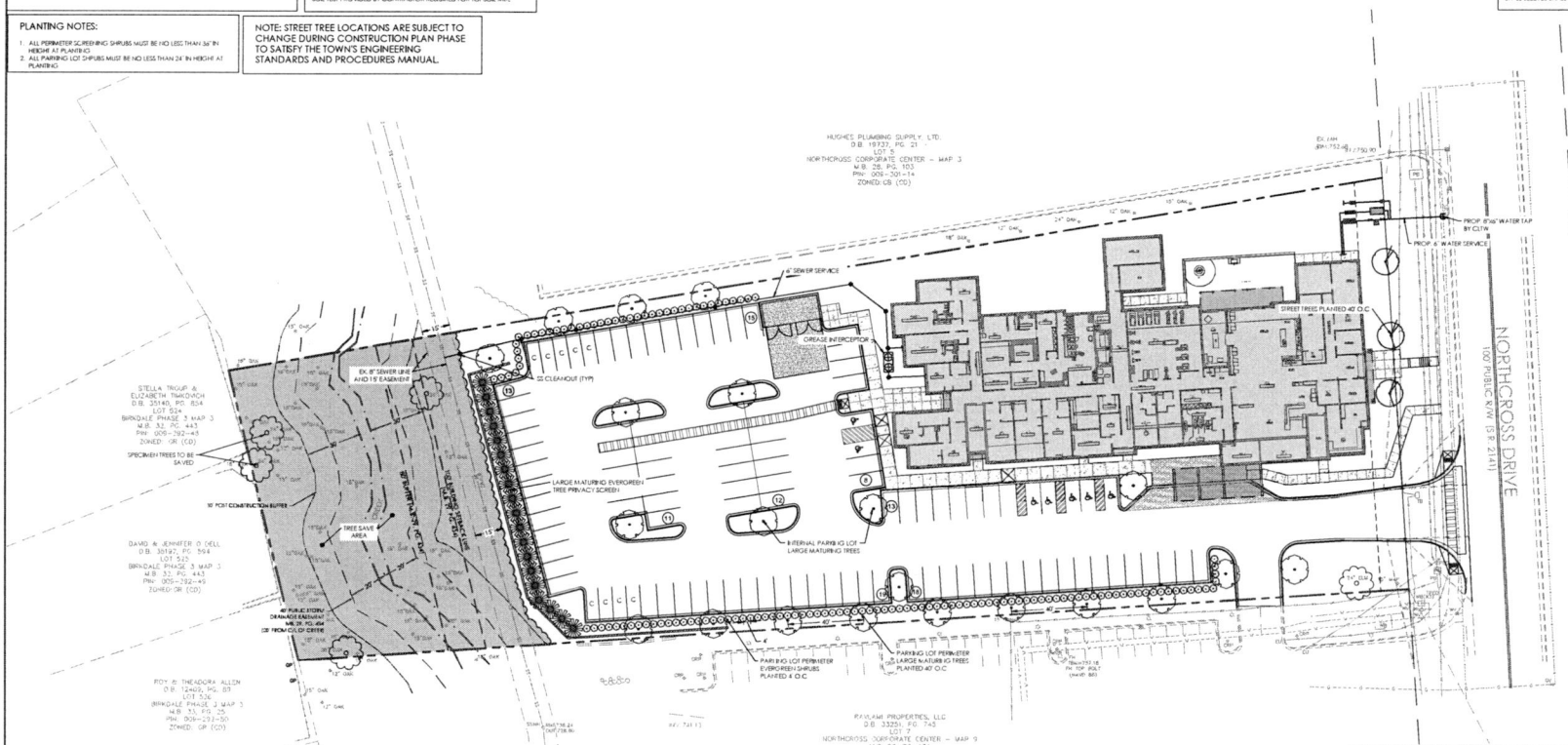
1. WEIGHT OF LIME PER 1000 SQ. FT.
2. RATIO OF LOOSE COMPOST TO TOPSOIL BY VOLUME: 1:4
3. RATIO OF LOOSE WOOD DERIVATIVES TO TOPSOIL BY VOLUME:
4. WEIGHT OF BONEMEAL PER 1000 SQ. FT.
5. WEIGHT OF COMMERCIAL FERTILIZER PER 1000 SQ. FT.
6. WEIGHT OF SLOW-RELEASE FERTILIZER PER 1000 SQ. FT.

SOIL TEST PROVIDED BY CONTRACTOR REQUIRED FOR TOPSOIL MIX.

PLANTING NOTES:

1. ALL PERIMETER SCREENING SHRUBS MUST BE NO LESS THAN 36"IN HEIGHT AT PLANTING
2. ALL PARKING LOT SHRUBS MUST BE NO LESS THAN 24" IN HEIGHT AT PLANTING

NOTE: STREET TREE LOCATIONS ARE SUBJECT TO CHANGE DURING CONSTRUCTION PLAN PHASE TO SATISFY THE TOWN'S ENGINEERING STANDARDS AND PROCEDURES MANUAL.



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 (SIGNS, 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.

811 Know what's below. Call before you dig.

HensonFoley
Landscape Architecture | Civil Engineering
121 Gilead Huntersville NC 28078
p: 704.875.1615 | f: 704.875.0959 | www.hensonfoley.com
NC ENGINEERING BOARD LICENSE # C-2391
NC LANDSCAPE ARCHITECTURAL BOARD LICENSE # C-1309

NORTH ARROW
GRAPHIC SCALE 1"=30 FT.

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT SEAL 2978 JEFFREY A. HENSON 1-27-2023

NORTHCROSS HOTEL

PARCEL ID: 00930115

16221 NORTHCROSS DR HUNTERSVILLE NC 28078

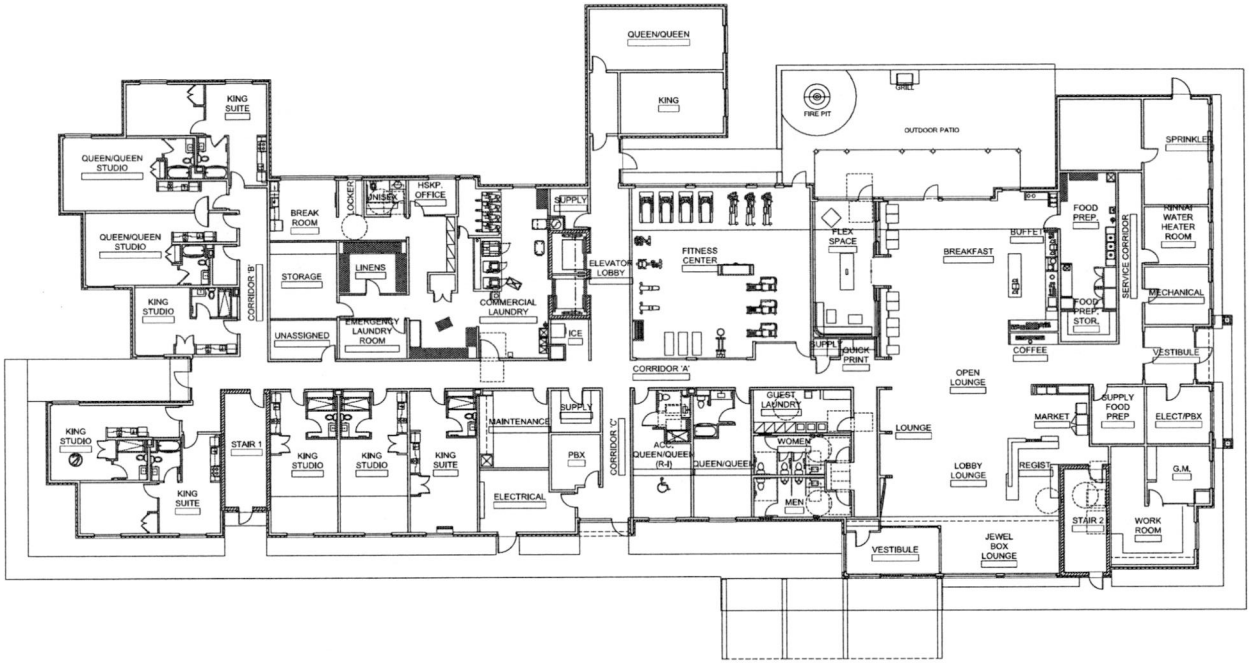
LANDSCAPE-UTILITY PLAN

REVISIONS:
2022/12/07 - REZONING/SUP COMM.
2023/01/20 - REZONING/SUP COMM.

C05 - LANDSCAPE-UTILITY.DWG
PROJECT NUMBER: 221088
DATE: 09/15/2022 DRAWN BY: TSF

C05 SHEET 5 OF

C05 - LANDSCAPE-UTILITY.DWG - PLOT: Tess - FRI, 1-20-2023 11:14 AM



1 A101 1ST FLOOR PLAN

SCALE: 3/32" = 1'-0"

GENERAL NOTES:
ALL GLASS TO BE CLEAR GLASS NOT TINTED.

GUESTROOM MATRIX		
Home Story	STORY	Quantity
1ST FLOOR PLAN		
	ACC. QUEEN/QUEEN (R-I)	1
	KING	1
	KING STUDIO	4
	KING SUITE	3
	QUEEN/QUEEN	2
	QUEEN/QUEEN STUDIO	2
2ND FLOOR PLAN		
	ACC. KING SUITE (R-I)	1
	KING	8
	KING STUDIO	6
	KING SUITE	5
	QUEEN/QUEEN	15
	QUEEN/QUEEN STUDIO	2
3RD FLOOR PLAN		
	ACC. KING SUITE (TUB)	1
	ACC. QUEEN/QUEEN (TUB)	1
	KING	8
	KING STUDIO	6
	KING SUITE	5
	QUEEN/QUEEN	14
	QUEEN/QUEEN STUDIO	2
4TH FLOOR PLAN		
	KING	14
	KING STUDIO	2
	QUEEN/QUEEN	6
		109

BUILDING SQUARE FOOTAGE	
STORY	SQFT
1ST FLOOR PLAN	19,770
2ND FLOOR PLAN	17,449
3RD FLOOR PLAN	17,449
4TH FLOOR PLAN	17,449
	72,117 ft²

#	DESCRIPTION	DATE	BY

DRAWN BY	APPROVED
VGW	RWH
PROJECT #	DATE
21019	01/05/23

QUALITY FIRST

isom ham
DESIGN GROUP, PA
Architecture • Planning
1309 Collegiate Drive Matthews, NC 28207 www.isomham.com

NC

OVERALL FIRST FLOOR PLAN

TOWNEPLACE SUITES BY MARRIOTT

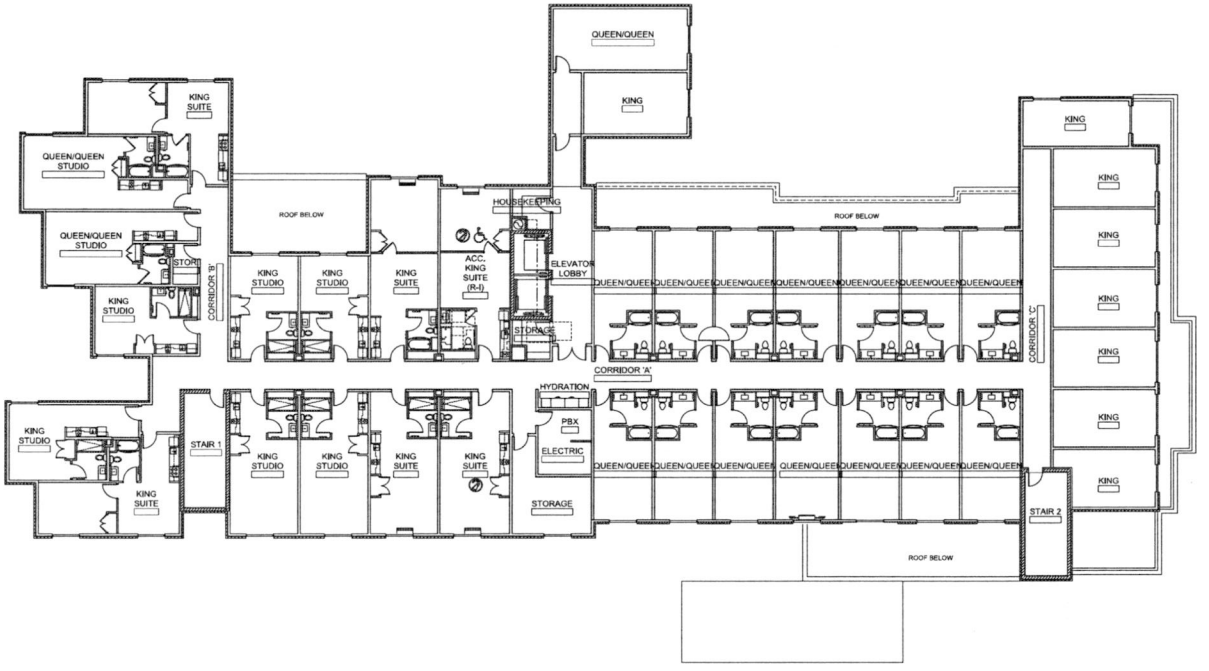
Fairfield BY MARRIOTT

Huntersville

SHEET
A101

ALL CONTRACTORS AND SUB-CONTRACTORS SUBMITTING BIDS ON THIS PROJECT SHALL BE REQUIRED TO RECEIVE THE ENTIRE SET OF DRAWINGS. BROKEN SETS ARE NOT ALLOWED FOR BIDDING PROJECTS. UNDER NO CIRCUMSTANCES ARE THE DRAWINGS TO BE SCALED!!!

NOT RELEASED FOR CONSTRUCTION



1 A102 2ND FLOOR PLAN

SCALE: 3/32" = 1'-0"

GENERAL NOTES:
ALL GLASS TO BE CLEAR GLASS NOT TINTED.

GUESTROOM MATRIX		
Home Story	STORY	Quantity
1ST FLOOR PLAN		
	ACC. QUEEN/QUEEN (R-I)	1
	KING	1
	KING STUDIO	4
	KING SUITE	3
	QUEEN/QUEEN	2
	QUEEN/QUEEN STUDIO	2
2ND FLOOR PLAN		
	ACC. KING SUITE (R-I)	1
	KING	8
	KING STUDIO	6
	KING SUITE	5
	QUEEN/QUEEN	15
	QUEEN/QUEEN STUDIO	2
3RD FLOOR PLAN		
	ACC. KING SUITE (TUB)	1
	ACC. QUEEN/QUEEN (TUB)	1
	KING	8
	KING STUDIO	6
	KING SUITE	5
	QUEEN/QUEEN	14
	QUEEN/QUEEN STUDIO	2
4TH FLOOR PLAN		
	KING	14
	KING STUDIO	2
	QUEEN/QUEEN	6
		109

BUILDING SQUARE FOOTAGE	
STORY	SQFT
1ST FLOOR PLAN	19,770
2ND FLOOR PLAN	17,449
3RD FLOOR PLAN	17,449
4TH FLOOR PLAN	17,449
	72,117 ft²

#	DESCRIPTION	DATE	BY

DRAWN BY: VGW | APPROVED: RWH
PROJECT #: 21019 | DATE: 9/18/23

QUALITY FIRST

isom ham
DESIGN GROUP PA
Architecture | Interiors | Planning
1309 Collegiate Drive Wilkesboro, NC 28697 www.isomham.com

ALL CONTRACTORS AND SUB-CONTRACTORS SUBMITTING BIDS ON THIS PROJECT SHALL BE REQUIRED TO RECEIVE THE ENTIRE SET OF DRAWINGS. BROKEN SETS ARE NOT ALLOWED FOR BIDDING PROJECTS. UNDER NO CIRCUMSTANCES ARE THE DRAWINGS TO BE SCALED!!!

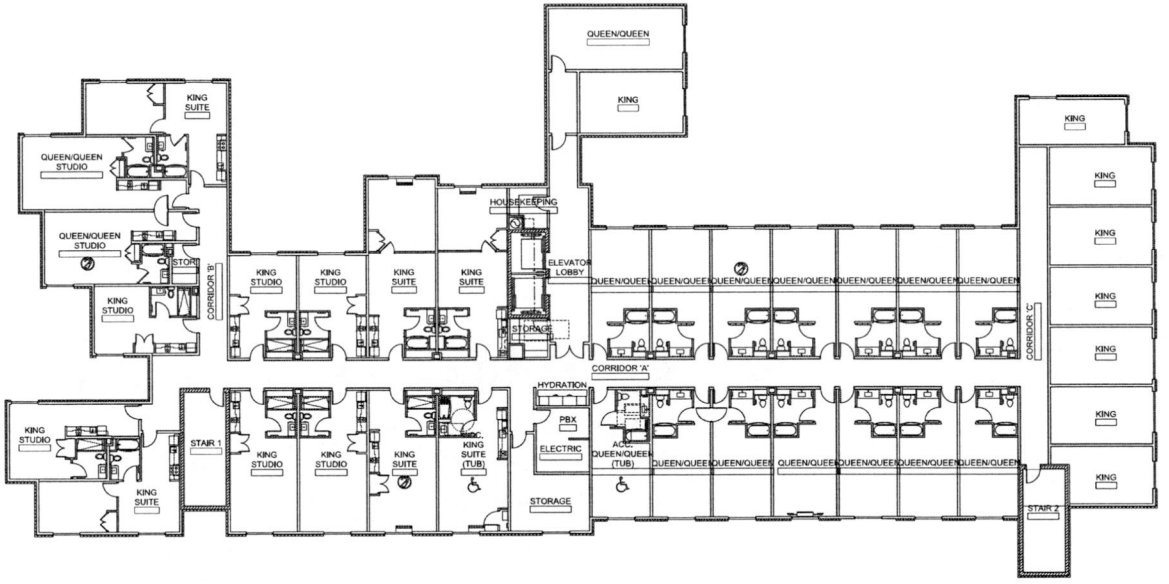
OVERALL SECOND FLOOR PLAN

TOWNEPLACE SUITES® BY MARRIOTT | Fairfield BY MARRIOTT

Huntersville NC

SHEET A102

NOT RELEASED FOR CONSTRUCTION



1 A103 3RD FLOOR PLAN

SCALE: 3/32" = 1'-0"

GENERAL NOTES:
ALL GLASS TO BE CLEAR GLASS NOT TINTED.

GUESTROOM MATRIX		
Home Story	STORY	Quantity
1ST FLOOR PLAN		
	ACC. QUEEN/QUEEN (R-I)	1
	KING	1
	KING STUDIO	4
	KING SUITE	3
	QUEEN/QUEEN	2
	QUEEN/QUEEN STUDIO	2
2ND FLOOR PLAN		
	ACC. KING SUITE (R-I)	1
	KING	8
	KING STUDIO	6
	KING SUITE	5
	QUEEN/QUEEN	15
	QUEEN/QUEEN STUDIO	2
3RD FLOOR PLAN		
	ACC. KING SUITE (TUB)	1
	ACC. QUEEN/QUEEN (TUB)	1
	KING	8
	KING STUDIO	6
	KING SUITE	5
	QUEEN/QUEEN	14
	QUEEN/QUEEN STUDIO	2
4TH FLOOR PLAN		
	KING	14
	KING STUDIO	2
	QUEEN/QUEEN	6
		109

BUILDING SQUARE FOOTAGE	
STORY	SQFT
1ST FLOOR PLAN	19,770
2ND FLOOR PLAN	17,449
3RD FLOOR PLAN	17,449
4TH FLOOR PLAN	17,449
	72,117 ft²

#	DESCRIPTION	DATE	BY

DRAWN BY: VGW | APPROVED: RWH
PROJECT #: 21019 | DATE: 01/09/23

ALL CONTRACTORS AND SUB-CONTRACTORS SUBMITTING BIDS ON THIS PROJECT SHALL BE REQUIRED TO RECEIVE THE ENTIRE SET OF DRAWINGS. BROKEN SETS ARE NOT ALLOWED FOR BIDDING PROJECTS. UNDER NO CIRCUMSTANCES ARE THE DRAWINGS TO BE SCALED!!!

QUALITY FIRST

isom ham
DESIGN GROUP PA
Architecture • Planning
1300 Collegiate Drive Wilkesboro, NC 28697 www.isomham.com

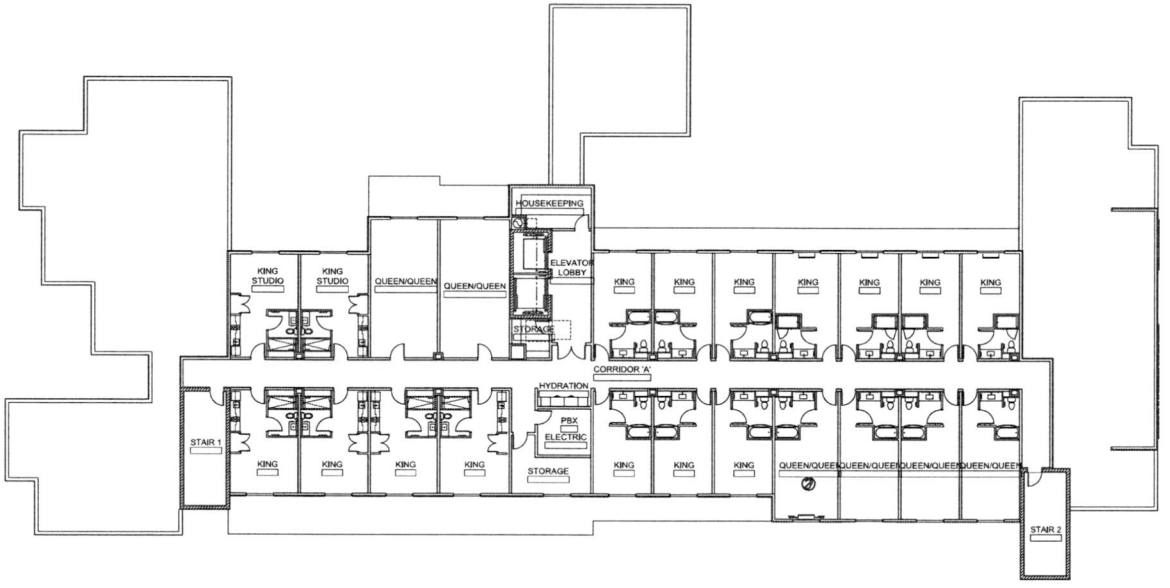
OVERALL THIRD FLOOR PLAN

TOWNEPLACE SUITES® BY MARRIOTT | Fairfield BY MARRIOTT

Huntersville NC

SHEET A103

NOT RELEASED FOR CONSTRUCTION



1 A104 4TH FLOOR PLAN

SCALE: 3/32" = 1'-0"

GENERAL NOTES:
ALL GLASS TO BE CLEAR GLASS NOT TINTED.

GUESTROOM MATRIX		
Home Story	STORY	Quantity
1ST FLOOR PLAN		
	ACC. QUEEN/QUEEN (R-I)	1
	KING	1
	KING STUDIO	4
	KING SUITE	3
	QUEEN/QUEEN	2
	QUEEN/QUEEN STUDIO	2
2ND FLOOR PLAN		
	ACC. KING SUITE (R-I)	1
	KING	8
	KING STUDIO	6
	KING SUITE	5
	QUEEN/QUEEN	15
	QUEEN/QUEEN STUDIO	2
3RD FLOOR PLAN		
	ACC. KING SUITE (TUB)	1
	ACC. QUEEN/QUEEN (TUB)	1
	KING	8
	KING STUDIO	6
	KING SUITE	5
	QUEEN/QUEEN	14
	QUEEN/QUEEN STUDIO	2
4TH FLOOR PLAN		
	KING	14
	KING STUDIO	2
	QUEEN/QUEEN	6
		109

BUILDING SQUARE FOOTAGE	
STORY	SQFT
1ST FLOOR PLAN	19,770
2ND FLOOR PLAN	17,449
3RD FLOOR PLAN	17,449
4TH FLOOR PLAN	17,449
	72,117 ft²

#	DESCRIPTION	DATE	BY

DRAWN BY: VGW | APPROVED: ISW1
PROJECT #: 21019 | DATE: 01/09/23

ALL CONTRACTORS AND SUB-CONTRACTORS SUBMITTING BIDS ON THIS PROJECT SHALL BE REQUIRED TO RECEIVE THE ENTIRE SET OF DRAWINGS. BROKEN SETS ARE NOT ALLOWED FOR BIDDING PROJECTS. UNDER NO CIRCUMSTANCES ARE THE DRAWINGS TO BE SCALED!!!

QUALITY FIRST

isom ham
DESIGN GROUP, PA.
Architecture : Planning
1320 Collegiate Drive Wilkesboro, NC 28697 www.isomham.com

OVERALL FOURTH FLOOR PLAN

TOWNEPLACE SUITES® BY MARRIOTT | Fairfield BY MARRIOTT

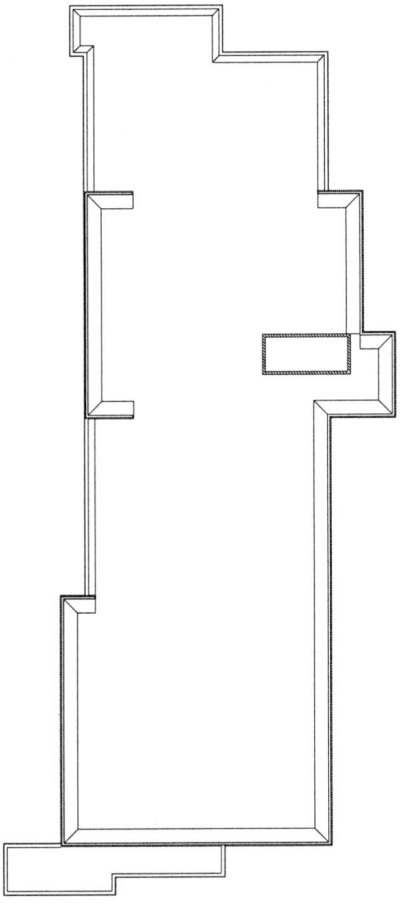
Huntersville NC

SHEET A104

NOT RELEASED FOR CONSTRUCTION

A105 1 ROOF PLAN

SCALE: 3/32" = 1'-0"



ALL CONTRACTORS AND SUB-CONTRACTORS SUBMITTING BIDS ON THIS PROJECT SHALL BE REQUIRED TO RECEIVE THE ENTIRE SET OF DRAWINGS. BROKEN SETS ARE NOT ALLOWED FOR BIDDING PROJECTS. UNDER NO CIRCUMSTANCES ARE THE DRAWINGS TO BE SCALED!!!

SHEET A105

OVERALL ROOF PLAN

TOWNEPLACE SUITES BY MARRIOTT | Fairfield BY MARRIOTT

Huntersville NC

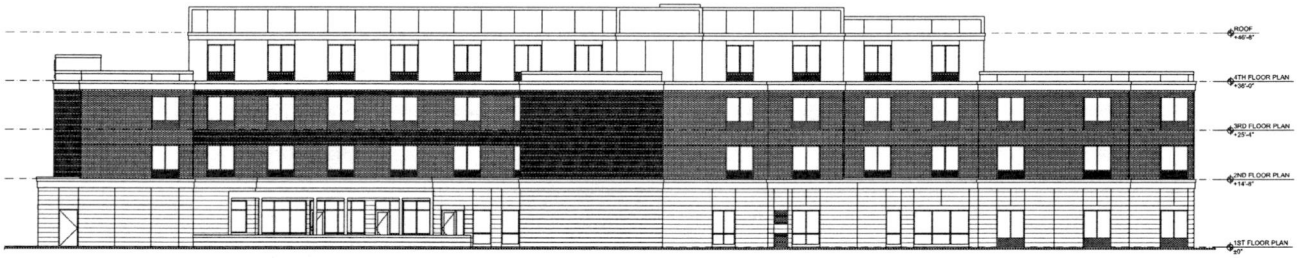
isom ham DESIGN GROUP, PA
Architecture · Planning
1309 Collegiate Drive Wilkesboro, NC 28697 www.isomham.com

QUALITY FIRST

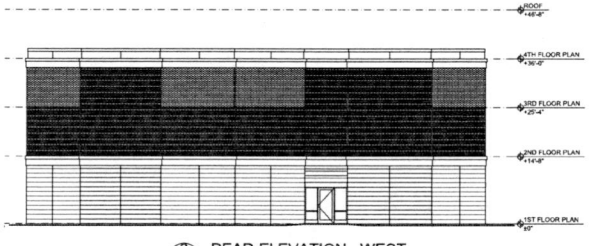
DRAWN BY: WDH
PROJECT #: 21013
DRAWING DATE: 08/30/23
APPROVED: RWH

VOLUME XXIII

NOT RELEASED FOR CONSTRUCTION



4 A201 SIDE ELEVATION - NORTH
SCALE: 3/32" = 1'-0"



3 A201 REAR ELEVATION - WEST
SCALE: 3/32" = 1'-0"

2 A201 FRONT ELEVATION - EAST
SCALE: 3/32" = 1'-0"

1 A201 SIDE ELEVATION - SOUTH
SCALE: 3/32" = 1'-0"

#	DESCRIPTION	DATE	BY

DRAWN BY: VGW | APPROVED: RWH
PROJECT #: 21019 | DATE: 01/09/23

ALL CONTRACTORS AND SUB-CONTRACTORS SUBMITTING BIDS ON THIS PROJECT SHALL BE REQUIRED TO RECEIVE THE ENTIRE SET OF DRAWINGS. BROKEN SETS ARE NOT ALLOWED FOR BIDDING PROJECTS. UNDER NO CIRCUMSTANCES ARE THE DRAWINGS TO BE SCALED!!!

QUALITY FIRST

isom ham
DESIGN GROUP, PA
Architecture | Planning
1303 Collegiate Drive Wilkesboro, NC 28697 www.isomham.com

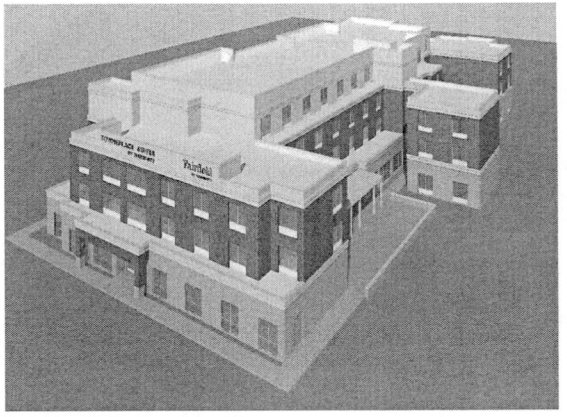
EXTERIOR ELEVATIONS

TOWNEPLACE SUITES BY MARRIOTT | Fairfield BY MARRIOTT

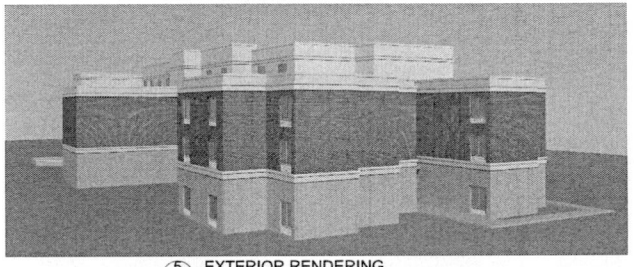
Huntersville NC

SHEET
A201

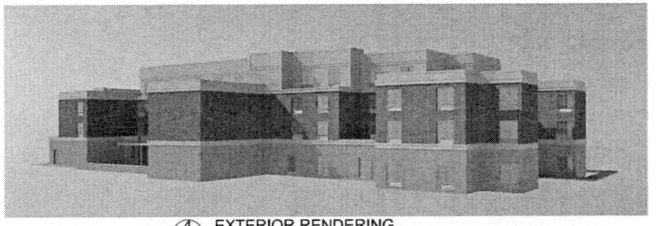
NOT RELEASED FOR CONSTRUCTION



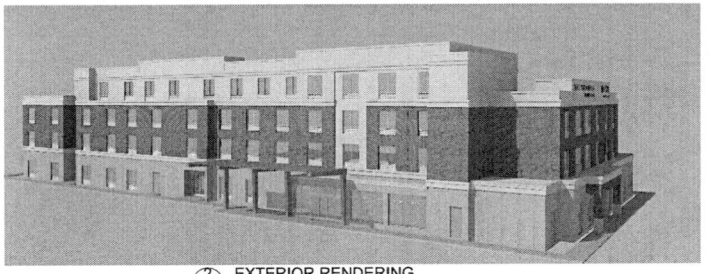
7 A202 EXTERIOR AERIAL
NOT TO SCALE



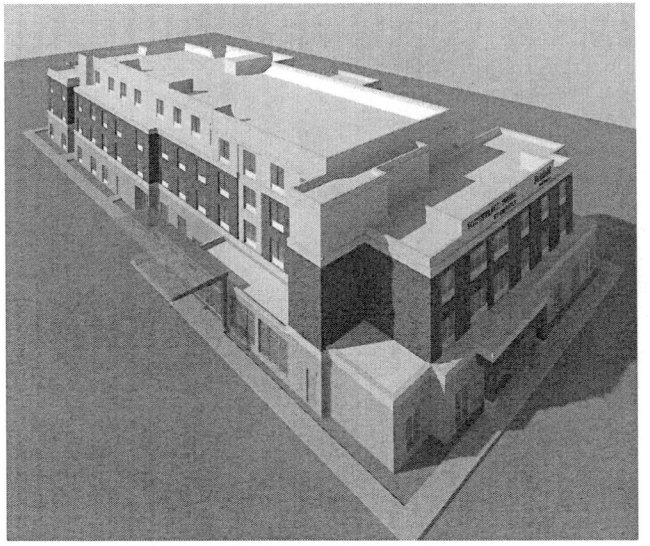
5 A202 EXTERIOR RENDERING
NOT TO SCALE



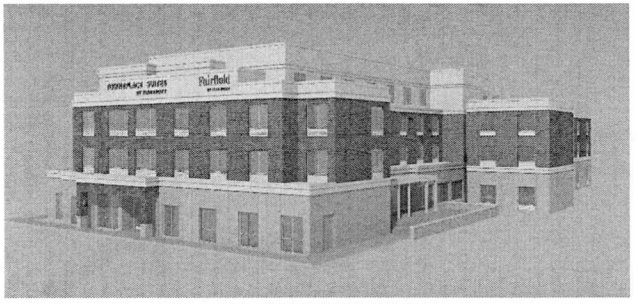
4 A202 EXTERIOR RENDERING
NOT TO SCALE



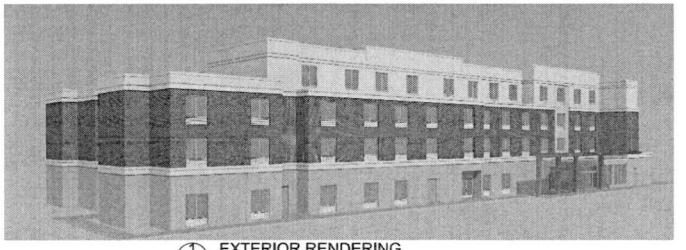
2 A202 EXTERIOR RENDERING
NOT TO SCALE



6 A202 EXTERIOR AERIAL
NOT TO SCALE



3 A202 EXTERIOR RENDERING
NOT TO SCALE



1 A202 EXTERIOR RENDERING
NOT TO SCALE

#	DESCRIPTION	DATE	BY

DRAWN BY VGW | APPROVED RWH
PROJECT # 21019 | DATE 01/09/23

QUALITY FIRST

ALL CONTRACTORS AND SUB-CONTRACTORS SUBMITTING BIDS ON THIS PROJECT SHALL BE REQUIRED TO RECEIVE THE ENTIRE SET OF DRAWINGS. BROKEN SETS ARE NOT ALLOWED FOR BIDDING PROJECTS. UNDER NO CIRCUMSTANCES ARE THE DRAWINGS TO BE SCALED!!!

isom ham
DESIGN GROUP, PA
Architecture • Planning
1309 Collegiate Drive Wilkesboro, NC 28697 www.isomham.com

EXTERIOR RENDERINGS

TOWNEPLACE SUITES BY MARRIOTT | Fairfield BY MARRIOTT

Huntersville NC

SHEET A202

NOT RELEASED FOR CONSTRUCTION

Special Use Permit- Applicant Burden

Applicant Burden of Proof for Special Use Permits, Article 11.4.10(e).2:

The applicant has the burden of producing competent, material, and substantial evidence establishing that:

1. The proposed special use will not materially endanger the public health or safety;
2. The proposed special use will not substantially injure the value of abutting property or it constitutes a public necessity;
3. The proposed special use will be in harmony with the area in which it is located and in general conformity with the comprehensive plan and any applicable small area plan;
4. The proposed special use will comply with all of the lot, size, yard, and other standards which this ordinance applies to all uses permitted in the zoning district in which the property is located; and
5. The proposed special use will comply with all general and specific standards required by the appropriate section of this ordinance for the issuance of a special use permit for this use.

Please note, if the applicant fails to provide substantial, material, and competent evidence addressing the applicable criteria, then the Town Board must deny the permit. That is true regardless of whether potential opponents present any evidence on point or not.

Expert Witness & Competent, Material, and Substantial Evidence:

Expert Witness:

- Generally, an expert witness is one qualified by knowledge, skill, experience, training, or education to provide specialized knowledge to help with the understanding of evidence or the determination of facts.
- Expert witnesses may include (but are not limited to):
    - A qualified appraiser when determining property value impact.
        - In North Carolina an owner of real property is generally competent to testify as to the value of their own property even though their knowledge on the subject would not qualify them as a witness were they not the owner.
            - An owner is generally expected to know what price the owner paid for the property and the uses to which the property may be put and to have a reasonably good idea of what it is worth. It is understood that the owner's opinion of the value of her own property may be subject to bias.
    - A transportation engineer when determining traffic impact.
    - A doctor or scientist when determining if the emissions from a proposed development would endanger the public health.

Competent, Material, and Substantial Evidence:

- Competent evidence is evidence that is sufficiently trustworthy and reliable, and that is legally fit and acceptable for consideration by the Board.
    - Speculative, irrelevant, or vague evidence; non-expert opinions on something that requires an expert; and hearsay evidence will likely not be competent evidence.
- Material evidence is evidence that shows that the standards will or will not be met.
- Evidence is substantial if it is relevant and regarded by a reasonable person as sufficient to support a specific conclusion.
    - Speculation, unsubstantiated fears of the community, or vague assertions do not constitute substantial evidence.

Special Use Permit- Applicant Burden

- Competent, material, and substantial evidence may include (but is not limited to):
  - Documentation
    - Staff Reports
    - Notice of Violation
    - Adopted Town Plans
    - Academic Journal
    - Wills and Deeds
    - Financial Reports and Documents
    - Transactional Reports and Documents
    - Photograph
  - Expert Testimony

Applicant Response:

In the following space, indicate what competent, material, & substantial evidence you will provide to establish that:

1. The proposed special use will not materially endanger the public health or safety.

The proposed special use will not materially endanger the public health or safety. It will be constructed according to applicable local and state building codes. It will have primary ingress and egress on a commercial thoroughfare and will have modern construction and design attributes. It will be flagged within the Marriott family of brands, which will require it to maintain high levels of maintenance and meet certain fire/life safety standards. The hotel may also have undergo periodic inspections from the fire marshal and health department.

2. The proposed special use will not substantially injure the value of abutting property or it constitutes a public necessity.

An Impact Analysis was completed by Hotel & Club Associates, Inc., which concluded that the hotel will have no measurable impact to abutting property values. The study utilizes a paired sales analysis to study the impact, if any, on residential property values as a result of their proximity to an existing hotel. The paired sales analysis examined three residential neighborhoods that are adjacent to an existing hotel. Market data from the three matched pair analyses shows no impact on residential property values as a result of their location adjacent to an existing hotel.

Town of Huntersville NORTH CAROLINA

Special Use Permit- Applicant Burden

3. The proposed special use will be in harmony with the area in which it is located and in general conformity with the comprehensive plan and any applicable small area plan.

The proposed hotel will be in harmony with the area in which it is located and generally conform to the Huntersville Long Term Community Plan. "The requested Hotel use is permitted in the existing CB zoning district with a special use permit. The inclusion of a use as a [special] use in a particular zoning district establishes a prima facie case that the permitted use is in harmony with the general zoning plan." Mann Media Inc. v Randolph County Planning Board, 356 N.C.1; 565 S.E. 2d 9 (2002). Primary ingress and egress will be on Northcross Drive. Land uses along Northcross Drive are interstate/commercial oriented and the residential neighborhood to the west of Northcross is well buffered. Existing transportation infrastructure and utilities are in place to support hotel development as are sidewalks that provide connectivity and walkability to nearby commercial uses. The project will support the economic vitality of Huntersville by expanding the local commercial tax base, creating job growth, and supporting a small business/entrepreneurship. From an environmental perspective, the tree canopy within the buffer zone on the western end of the site will also be preserved.

4. The proposed special use will comply with all of the lot, size, yard, and other standards which this ordinance applies to all uses permitted in the zoning district in which the property is located.

The proposed special use complies with all lot, size, yard and other applicable standards for the CB (CD) zoning district found in the Town of Huntersville Zoning Ordinance. Evidence of this can be found in the Northcross Hotel Special Use Permit plan set. A modification is requested to the Town of Huntersville Article 4 - Urban Workplace Building/Lot type. The maximum building height per Article 4 is 45 feet. The applicant is asking for a modification to allow a maximum building height of 47 feet.

5. The proposed special use will comply with all general standards in Article 11.4 and all specific standards in Article 9 for the issuance of a special use permit for this use.

The proposed special use complies with all general standards of Article 11.4 and all specific standards of Article 9. The special use complies with all standards of Article 9.45.2 (a.- c.) regarding Hotels and Motels in the CB(CD) zoning district. Evidence of this can be found in the Northcross Hotel Special Use Permit plan set.

Attach additional documents if needed.

HOTEL &CLUB

APPRAISAL AND CONSULTING SERVICES

December 7, 2022

Mr. Hitesh Patel
Vice President
Hotel Ventures, Inc.

RE: EPM Rezoning #442291; Special Use Permit Supplemental Information
Impact on Neighboring Properties Values, Harmony with Area, Public Health & Safety
Dual-branded TownePlace Suites by Marriott and Fairfield by Marriott
16221 Northcross Drive, Huntersville, NC 28078

Dear Mr. Patel,

At your request, I have studied the potential impact of a proposed dual-branded TownePlace Suites by Marriott and Fairfield by Marriott hotel to be constructed at 16221 Northcross Drive in Huntersville on surrounding properties. Specifically, I have been asked to give my professional opinion on whether the proposed hotel will have any adverse impact on neighboring property values, whether it would materially endanger the public health or safety, and whether it will be in harmony with the area and conform to the comprehensive plan.

In developing opinions on these issues, I have visited the proposed hotel site and inspected the surrounding neighborhood, making observations about various factors that could potentially impact property values. I have reviewed site and building plans for the hotel, neighborhood GIS aerial maps, the Huntersville Long Term Community Plan, and researched residential sales in similar situations.

To develop an opinion on whether the hotel development would be injurious to the value of abutting properties, an Impact Analysis was completed. The Impact Analysis utilizes a paired sales analysis to study the impact, if any, on residential property values as a result of their proximity to an existing hotel or commercial property. The paired sales analysis examines three residential neighborhoods that are adjacent to an existing hotel. One of these neighborhoods is in

Huntersville. I recently completed a similar assignment in Durham and have included two neighborhoods in Durham that are adjacent to a hotel. Additionally, sales in the Birkdale residential neighborhood are studied relative to a property that adjoins the Birkdale Business Park. My conclusions are based upon the results of these studies along with my general real estate experience and knowledge.

Conclusions

The hotel will be constructed according to applicable local and state building codes. It will have primary ingress and egress on a commercial thoroughfare and will have modern construction and design attributes. It will be flagged within the Marriott family of brands, which will require it to maintain high levels of maintenance and meet certain fire/life safety standards. The hotel may also have undergo periodic inspections from the fire marshal and health department. Therefore, it is reasonable to conclude that the proposed hotel will not materially endanger the public health or safety.

The 2.66-acre hotel site is surrounded by commercial uses to the north and south and to the east by Interstate 77. There are three houses in the Birkdale residential neighborhood that adjoin the hotel site to the west. A 115' wooded buffer will separate the hotel parking lot from the closest residential lot. The hotel building will be constructed on the far eastern portion of the site and will be 339' from the closest residential lot. The primary ingress/egress for the hotel is on Northcross Drive, a commercial thoroughfare.

Market data from three matched pair analyses shows no impact on residential property values as a result of their location adjacent to an existing hotel. This includes one hotel property in Huntersville and two hotel properties in Durham. A fourth matched paired analysis is supportive of this conclusion as it shows no impact on residential property values as a result of proximity to the Birkdale Business Park, a commercial use just north of the hotel site. Therefore, it is my opinion that the proposed hotel will not have any measurable impact on the value of abutting properties.

The proposed hotel will be in harmony with the area in which it is located and generally conform to the Huntersville Long Term Community Plan. The hotel site is surrounded to the north and south by existing commercial uses and to the east by a major interstate highway. Primary ingress and egress will be on Northcross Drive. Land uses along Northcross Drive are interstate/commercial oriented and the residential neighborhood to the west of Northcross is well

buffered. It appears this wooded buffer was deliberate in the planning and development of this area.

The hotel is within the Employment Center district on Huntersville's comprehensive plan (Huntersville 2040 Community Plan). The Employment Center contains a mix of office, industrial, and institutional uses including some residential and retail to create a live, work, and play environment. A key policy emphasis (LU-8) of the Employment District is flexibility, which allows for multiple land uses and offers flexibility in the form-based design principles. It allows for buildings fronting the street, which is proposed for the hotel development. Existing transportation infrastructure and utilities are in place to support hotel development as are sidewalks that provide connectivity and walkability to nearby commercial uses. The project will support the economic vitality of Huntersville by expanding the local commercial tax base, creating job growth, and supporting a small business/entrepreneurship. From an environmental perspective, the tree canopy within the buffer zone on the western end of the site will also be preserved.

Introduction

My name is Zach Spurgeon and I am a partner at Hotel & Club Associates, Inc. based in Greensboro, NC. Hotel & Club Associates is a real estate appraisal and consulting firm that was founded in 1991. I began my career at Hotel & Club in 2006 and have 16 years of real estate appraisal and consulting experience. I graduated from N.C. State University in 2004 with a B.S. degree in Business Management. I hold the MAI designation through the Appraisal Institute and a Certification in Hotel Real Estate Investments & Asset Management from Cornell University. I hold an active N.C. Certified General appraisal license.

Scope of Work

I reviewed site and building plans of the proposed hotel. I visited the proposed hotel site and drove the surrounding neighborhood. I have reviewed the Huntersville Long Term Community Plan. In the paired sales analysis, I analyzed residential property sales in the Birkdale neighborhood that are adjacent to the Birkdale Business Park. I also analyzed residential property sales in a second residential neighborhood in Huntersville that adjoins an existing hotel site, the Best Western Plus at 13830 Statesville Road. I analyzed residential sales in two residential neighborhoods in Durham that adjoin a hotel property. Sales of residential properties that adjoin the hotel were analyzed against other residential sales in the neighborhood that are not adjacent to the hotel to determine if there was any adverse impact on property values from the presence of the hotel.

Overview of Hotel Site / Buffers & Compatibility

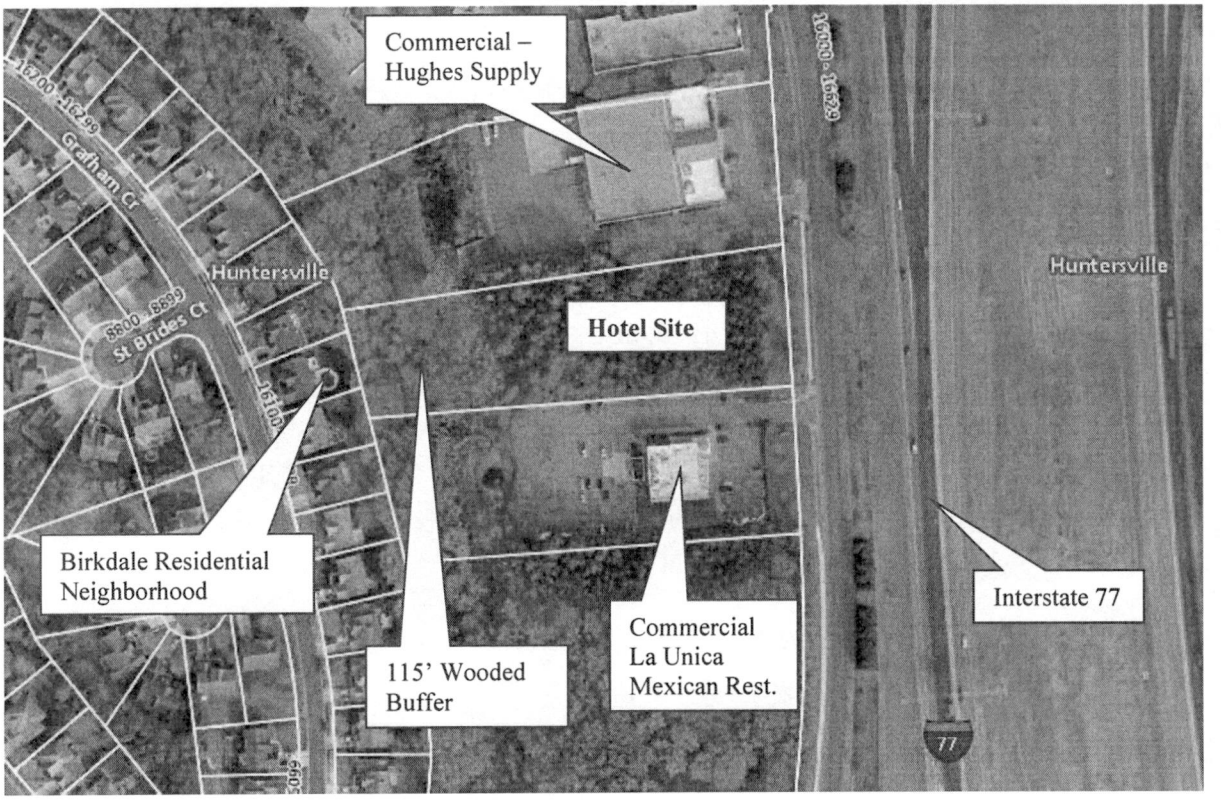
The hotel site is surrounded by commercial uses to the north and south, and residential to the west.

Adjacent Uses to Hotel Site		
Direction	**Use**	**Name**
North	Commercial	Hughes Supply - Kitchen & Bath Showroom
South	Commercial	La Unica Mexican Restaurant
East	N/A	Interstate 77
West	Residential	Birkdale residential neighborhood

To the north, Hughes Supply and the adjacent Birkdale Business Park were constructed in 1999 while La Unica Mexican Restaurant to the south was built in 2006. Most of the adjacent homes in the Birkdale residential neighborhood were built around 2000-2001.

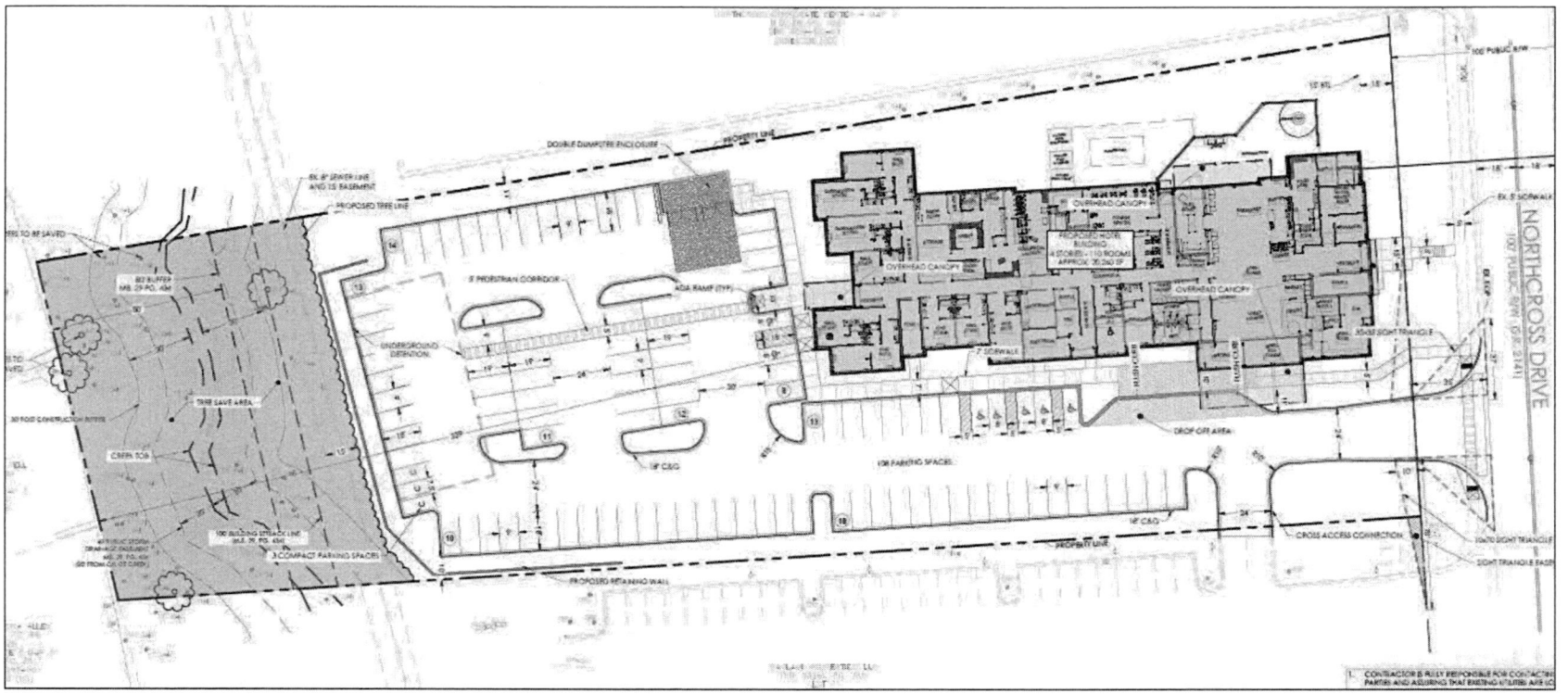
There are three residential lots in Birkdale that adjoin the hotel site. These residential lots will be buffered from the subject development via a 115' wooded area located on the subject site. The hotel improvement will be constructed on the far eastern portion of the site and the closest residential lot will be 339' from the hotel building. The wooded buffer will remain intact during development of the hotel.

Neighborhood Aerial Map



The hotel site is compatible with the adjacent uses to the north and south, which are commercial in nature. The residential uses to the west will be buffered via a 115' wooded area. This is consistent with the commercial uses to the north and south, which also feature a wooded buffer area.

Site Plan

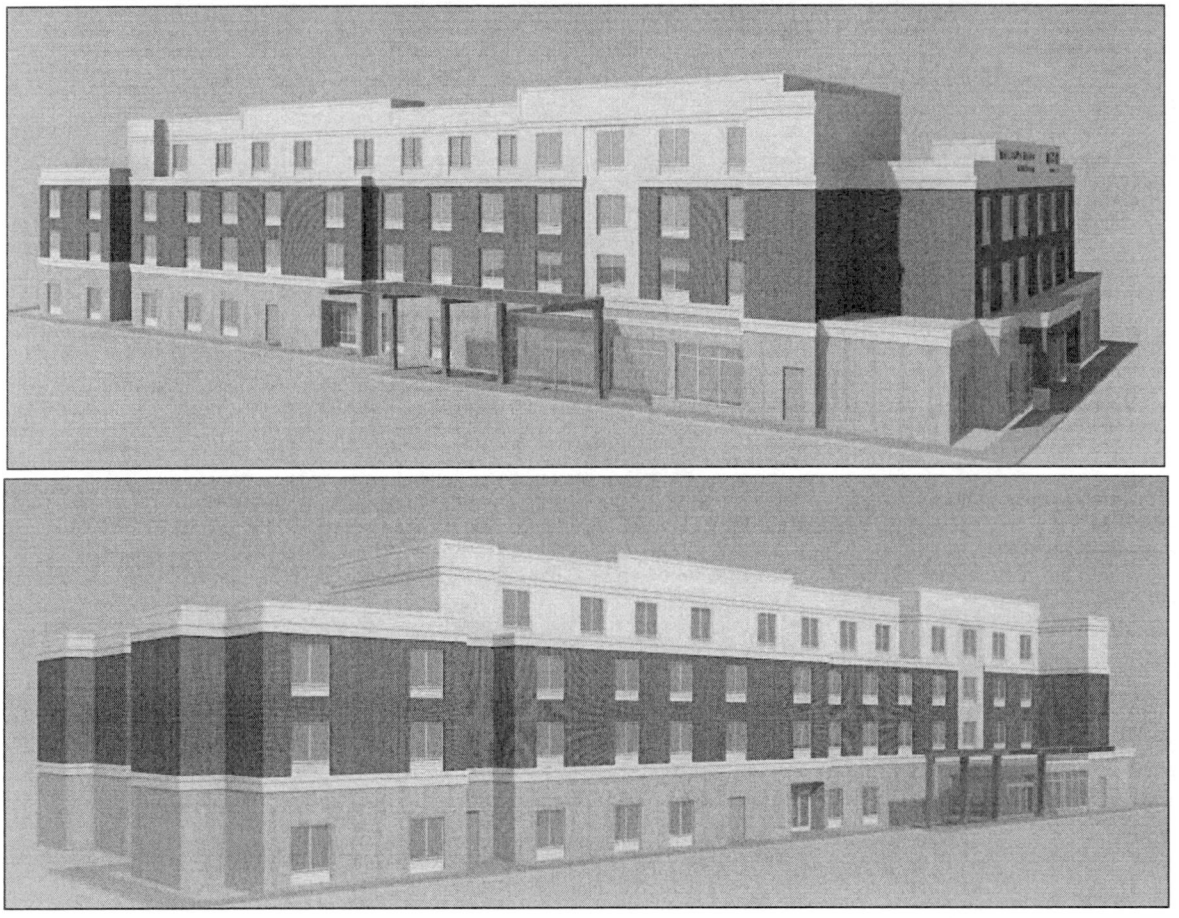

NORTHCROSS DRIVE
100 PUBLIC R/W
PROPOSED TREE LINE
TREE SAVE AREA
DOUBLE DUMPSTER ENCLOSURE
PROPERTY LINE
8' PEDESTRIAN CORRIDOR
ADA RAMP (TYP)
UNDERGROUND DETENTION
OVERHEAD CANOPY
PROPOSED HOTEL BUILDING
4 STORIES - 110 ROOMS
APPROX 35,240 SF
7' SIDEWALK
DROP OFF AREA
106 PARKING SPACES
18" CSP
CROSS ACCESS CONNECTION
100' BUILDING SETBACK LINE
3 COMPACT PARKING SPACES
PROPOSED RETAINING WALL
35X35 SIGHT TRIANGLE
10X70 SIGHT TRIANGLE

Hotel Construction & Design / Franchise Characteristics

The hotel will have a unique 3 and 4 story construction that is designed to minimize the height on the western end of the building closest to the residential development. The front (eastern) portion of the building will also be 3 stories with a 4 story section in the middle.

The hotel will be flagged as a TownePlace Suites by Marriott and Fairfield by Marriott. The building will be constructed as a modern design with good quality finishes. Marriott requires its franchisees to maintain strict design and quality standards. This includes brand-mandated renovations every few years. The typical franchise term for a newly built Marriott hotel is 20 years with an additional 15-20 year renewal periods. Additionally, the subject represents a $15.0+ million investment and current or future ownership is incentivized to maintain high quality standards over the years in order to protect the investment. Based on these factors, it is reasonable that the hotel will operate as a good quality hotel into the foreseeable future.

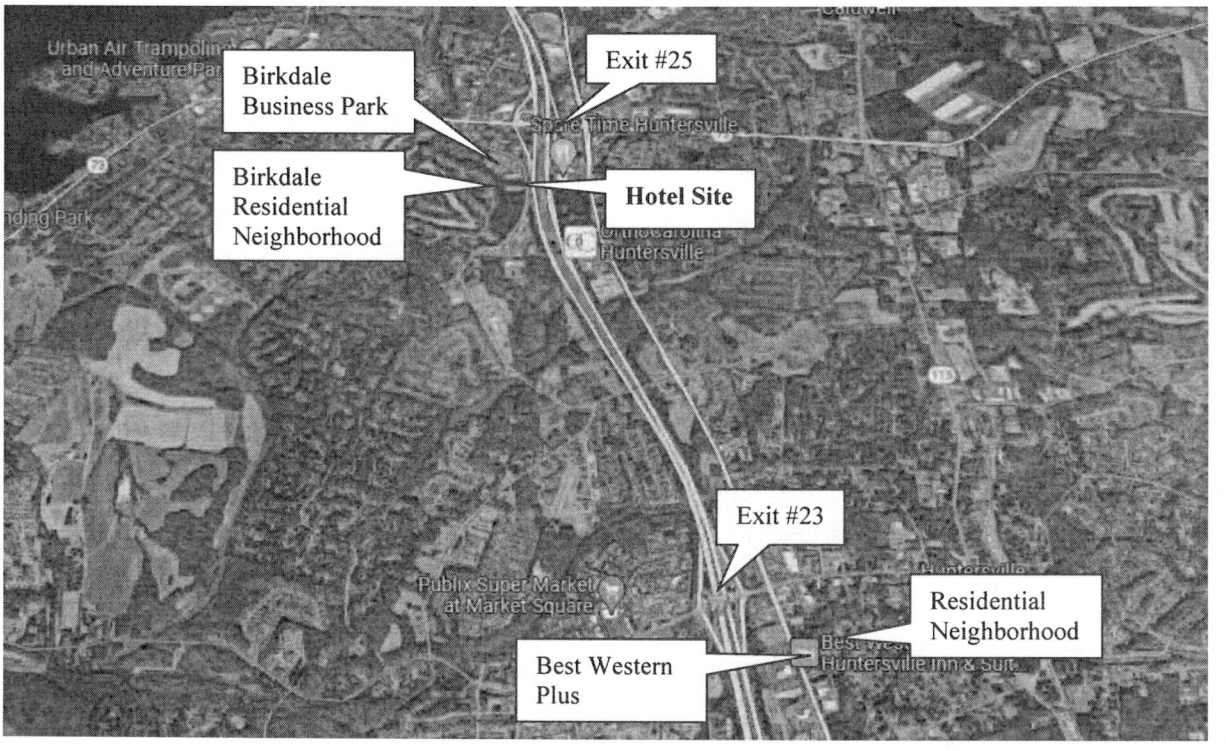
TownePlace Suites by Marriott and Fairfield by Marriott – Exterior Renderings



Impact Study via Paired Sales Analysis

A widely accepted methodology for measuring the impact of a single characteristic's effect on value is paired sales analysis or paired data analysis. According to **The Appraisal of Real Estate**, 14th Edition by the Appraisal Institute page 399, this analysis is described as *a quantitative technique used to identify and measure adjustments to the sale prices of comparable properties*. It is based on the premise that when two properties are equivalent in all respects but one, the value of the single difference can be measured by the difference in price between the two properties.

I have relied on four paired sales analysis in this report. Three of the paired sales analysis are completed on residential neighborhoods that adjoin a hotel property including one in Huntersville and two in Durham, NC. A fourth paired sales analysis includes the Birkdale residential neighborhood and a house that adjoins the Birkdale Business Park near the subject hotel site. The two local sales in Huntersville are illustrated on the map below.

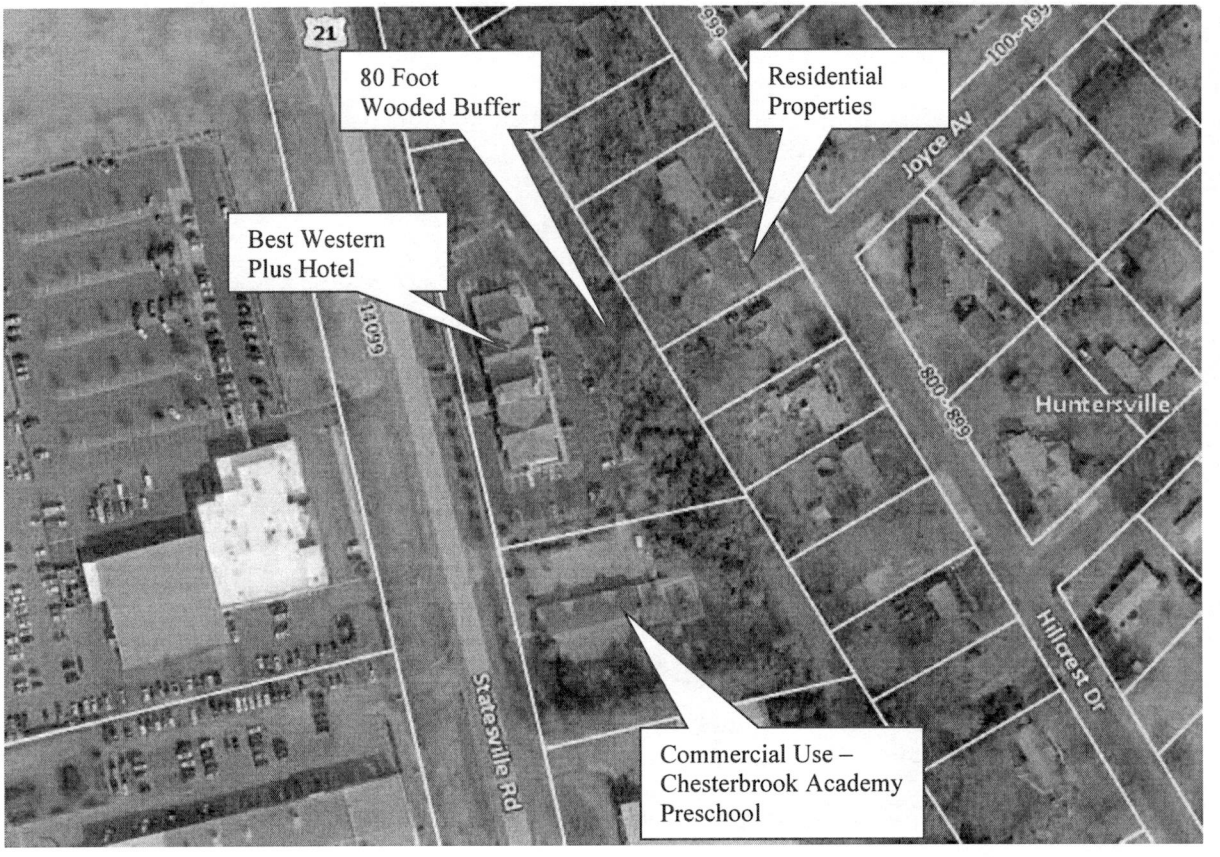


The Best Western Plus hotel at exit #23 in Huntersville adjoins a residential neighborhood. There is one house that adjoins the hotel site that recently sold and is analyzed against other single family home sales in the same neighborhood that are not adjacent to the existing hotel. The sales

are adjusted for various factors and the adjusted sale price per square foot is analyzed to determine if there is any adverse impact on property values given the proximity of the exiting hotel. I have completed the same analysis for the Birkdale neighborhood and two neighborhoods in Durham.

Best Western Plus (13830 Statesville Rd., Huntersville) Adjacent to Residential Neighborhood

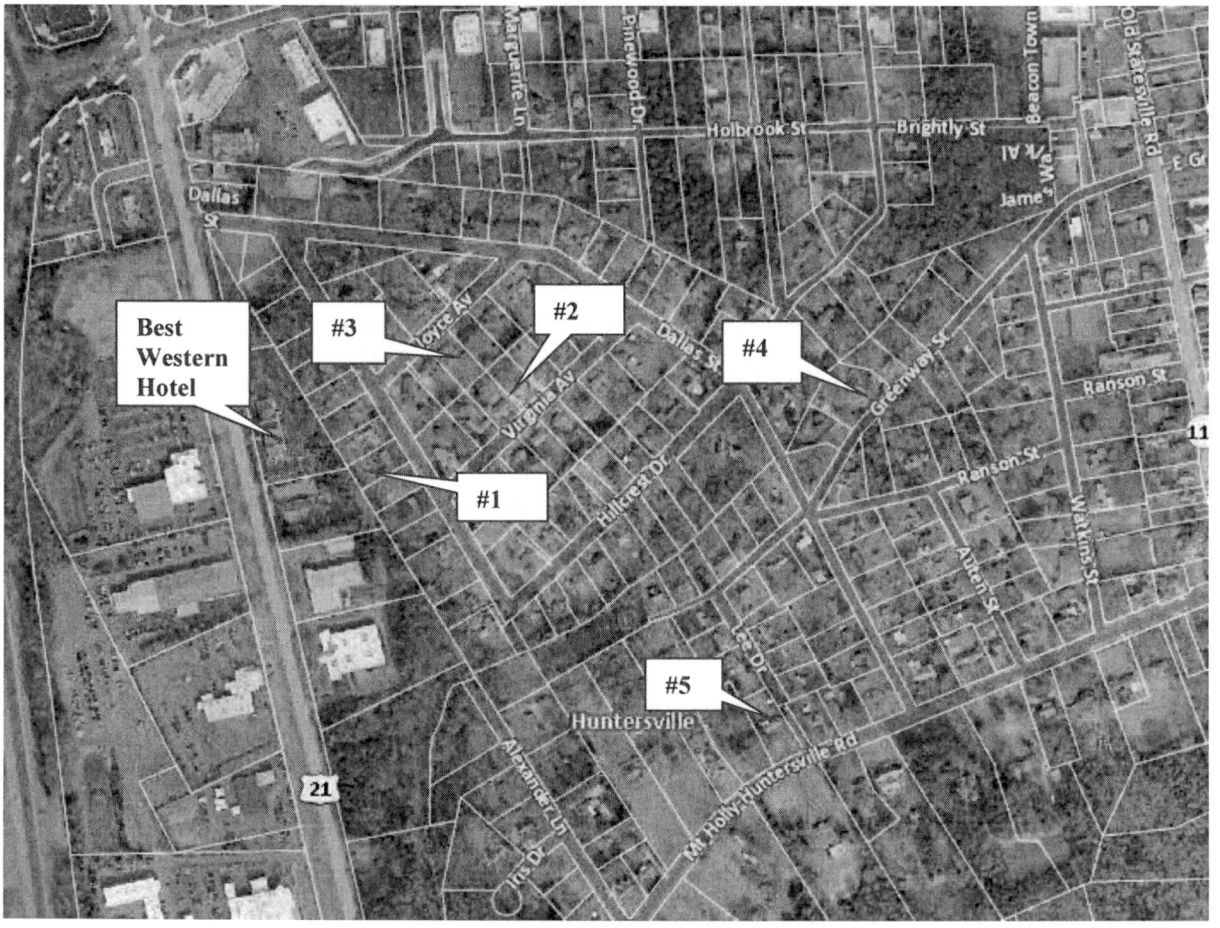
The Best Western Plus is 3.1 miles south of the TownePlace-Fairfield by Marriott site near exit #23. The 64-room Best Western Plus hotel opened in 2000 and is on the Statesville Road commercial thoroughfare. It is surrounded by commercial uses to the north, south, and west. A residential neighborhood adjoins the hotel site to the east. Five residential properties adjoins the hotel site to the east and are buffered by an approximate 80-foot wooded area. The closest house is 230± feet from the hotel building.



There are five improved residential properties that abut the hotel site. Of these, one house at 405 Hillcrest Drive sold in June 2022. I have compared this property to other houses in the neighborhood that have recently sold to determine if there was any impact from the proximity to the hotel. I have selected comparable sales that are similar in terms of size, condition, and other factors. A chart summarizing the details of these sales along with a map is shown below.

Residential Sales: Adjacent & Non-Adjacent to Best Western Plus Huntersville														
#	Adjoin Hotel	Address	Sale Date	List Price	Sale Price	Price Per SF	Square Feet	Yr. Built	BR/BA	Parking	Design	Acres	Other	DOM
1	Yes	405 Hillcrest Dr.	6/23/2022	$449,000	$430,000	$201.97	2,129	1973	5/3	1 Car Garage / Carport	1 stry Ranch	0.47	Above Ground Pool, Fence	12
2	No	108 Virginia Ave.	12/10/2021	$337,900	$338,000	$200.47	1,686	1969	3/2	None	1 stry Ranch	0.44	2 Sheds	23
3	No	107 Joyce Avenue	8/5/2022	$325,000	$327,500	$260.33	1,258	1965	3/2	Detached 2 Car Garage	1 stry Ranch	0.49	Fence	3
4	No	216 Greenway St.	12/22/2021	$448,000	$448,000	$240.21	1,865	1989	3/3	2 Car Garage	1 stry Ranch	0.63	None	1
5	No	406 Mount Holly-Huntersville Rd.	12/17/2021	$380,000	$370,000	$187.72	1,971	1979	3/2	Detached 2 Car Garage / Carport	1 stry Ranch	0.82	In Ground Pool	14
-	**Average**	-	**3/10/2022**	**$387,980**	**$382,700**	**$218.14**	**1,782**	**1,975**	-	-	-	**0.57**	-	**11**
-	**Median**	-	**12/22/2021**	**$380,000**	**$370,000**	**$201.97**	**1,865**	**1,973**	-	-	-	**0.49**	-	**12**

Residential Sales Map



The sales are adjusted for time, bathrooms, pool, basement square footage, and other features. The adjusted price per square foot for the sales is shown below.

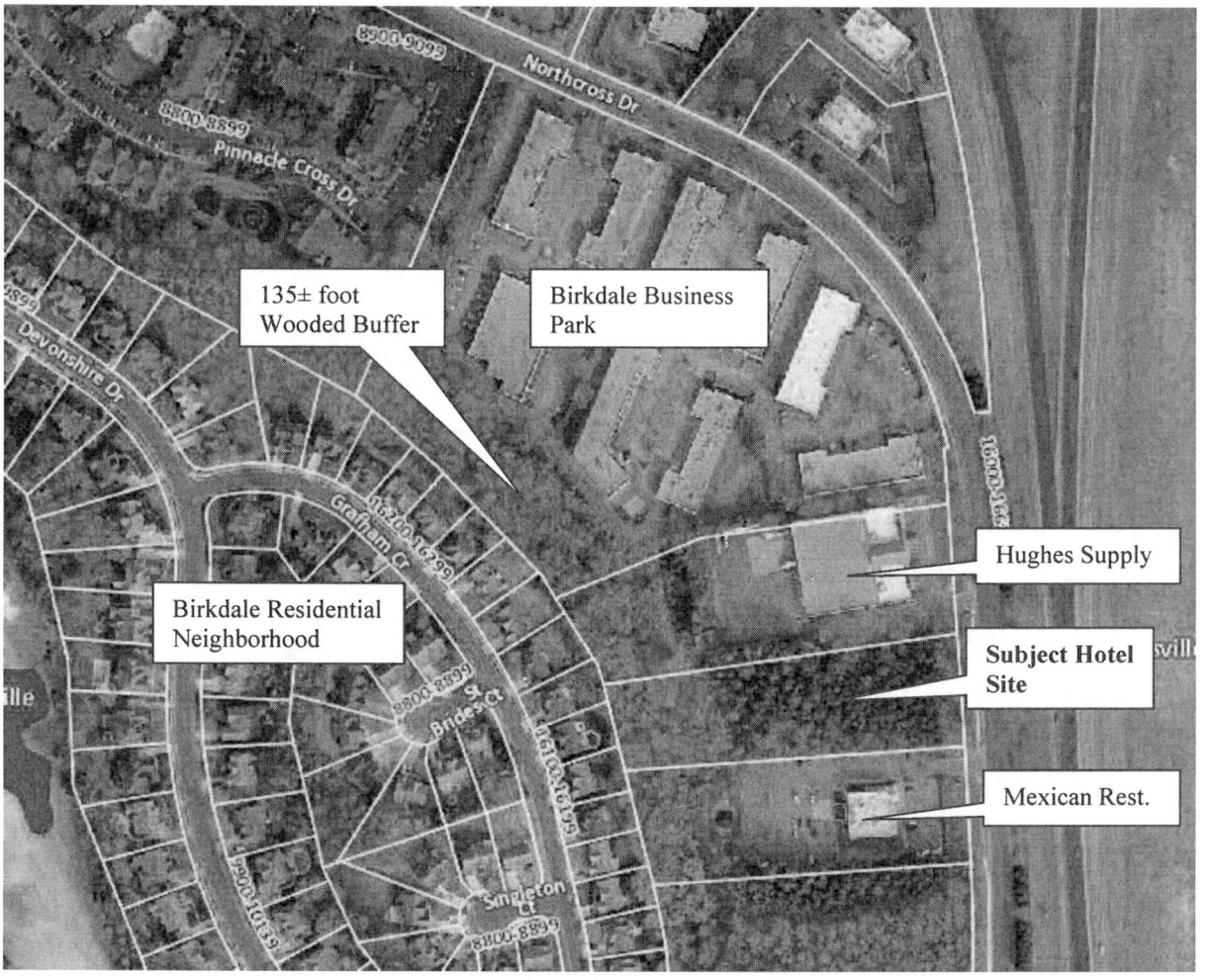
Residential Sales Adjustment Chart			
#	Address	Total	Adjusted $ / SF
1	405 Hillcrest Dr.	$430,000	$201.97
2	108 Virginia Ave.	$323,000	$191.58
3	107 Joyce Avenue	$287,500	$228.54
4	216 Greenway St.	$403,000	$216.09
5	406 Mount Holly-Huntersville Rd.	$315,000	$159.82

Sale Adjoining Hotel (1)		
	Average	Median
Adjusted Sale Price Per SF	$201.97	$201.97
Sales Not Adjacent to Hotel (2-5)		
	Average	Median
Adjusted Sale Price Per SF	$199.00	$203.83
Difference in Median (Adjoining vs. non-adjacent)		-0.9%

After adjustments, the price per square foot for the home adjoining the hotel is 1.0% less than homes not adjoining the hotel. This is within a typical range of variation to be expected in real estate transactions. The house adjoining the hotel (sale #1) had a days on market (DOM) of 12, which is near the average for the other homes that have sold within the neighborhood. This house is buffered from the hotel improvement via an 80-foot wooded buffer. The subject site will have a 115-foot wooded buffer. Therefore, **the preceding market data is indicative that there is no adverse impact on property values from the presence of the hotel.**

Birkdale Neighborhood Adjacent to Birkdale Business Park (Commercial) on Northcross Dr.

The east end of the Birkdale residential neighborhood borders several commercial sites including the Birkdale Business Park, Hughes Supply, La Unica Mexican Restaurant, and the proposed hotel site. The homes that border these commercial sites are along Grafham Circle as illustrated on the map below.

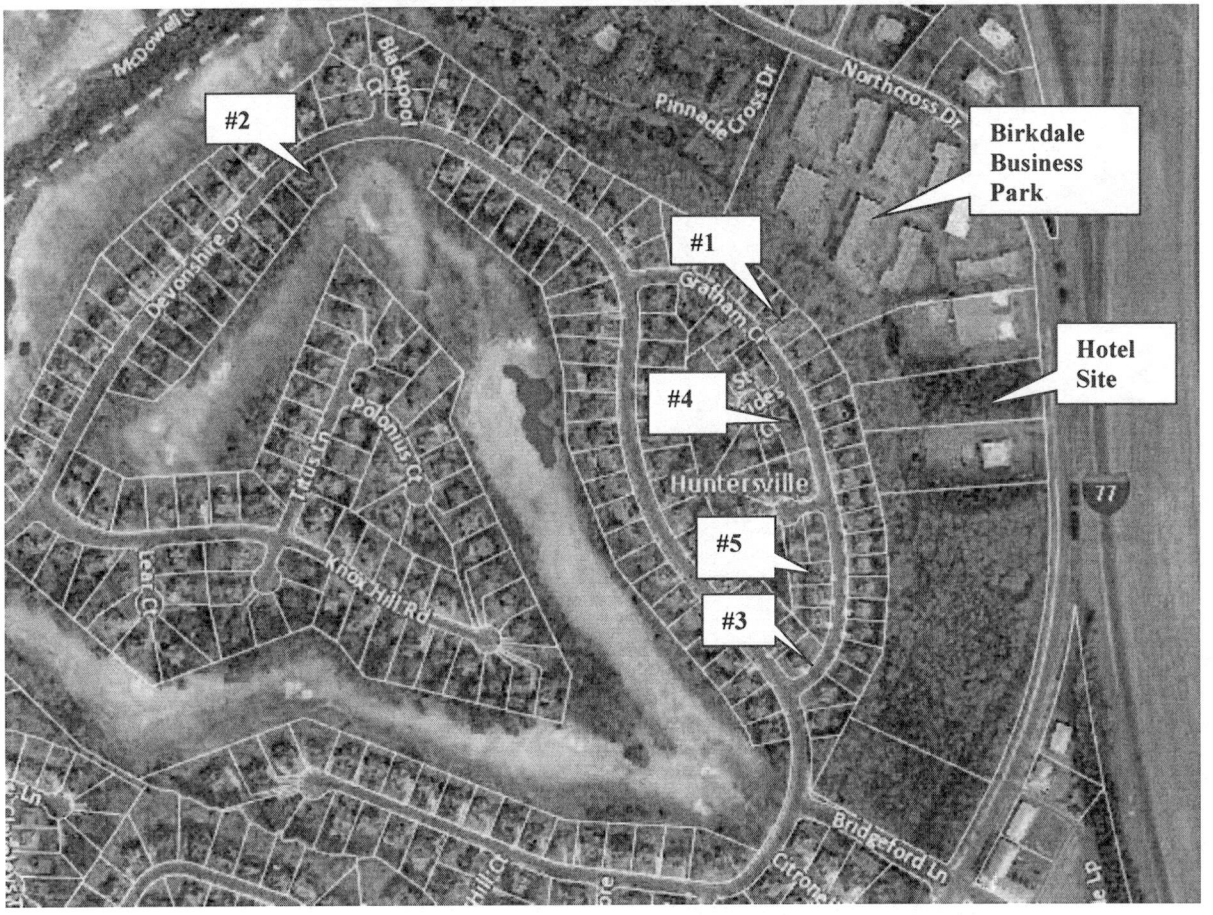


A residential house at 16214 Grafham Circle that adjoins the Birkdale Business Park sold in September 2022. Within the paired sales analysis, I have identified four additional comparable sales in the Birkdale neighborhood that have recently sold and do not adjoin a commercial site. These sales are reasonably similar in terms of size, condition, and other factors.

A chart summarizing the details of these sales along with a map is shown below.

Birkdale Residential Sales: Adjacent & Non-Adjacent to a Commercial Use (Birkdale Business Park)													
#	Adjoin Commercial	Address	Sale Date	List Price	Sale Price	Price Per SF	Square Feet	Yr. Built	BR/BA	Parking	Design	Acres	Other	DOM
1	Yes	16214 Grafham Circle	9/1/2022	$615,000	$595,000	$218.03	2,729	2000	4/2.5	Garage	2 stry	0.22	Fence	34
2	No	9624 Devonshire Dr.	5/6/2022	$710,000	$780,000	$212.38	3,343	2001	4/2.5	Garage	2 stry	0.37	Deck/Outdoor Fireplace	0
3	No	10135 Devonshire Dr.	12/1/2021	$684,900	$675,000	$200.12	3,373	2001	4/3.5	Garage	2 stry	0.27	Deck	68
4	No	8818 St Brides Ct.	8/3/2022	$550,000	$570,000	$224.06	2,544	2001	4/2.5	Garage	2 stry	0.30	Patio/Fence	1
5	No	16027 Grafham Circle	6/16/2022	$650,000	$725,000	$254.03	2,854	2001	5/3	Garage	2 stry	0.22	Patio/Fence	35
-	Average	-	5/24/2022	$641,980	$669,000	$221.72	2,969	2,001	-	-	-	0.28	-	28
-	Median	-	6/16/2022	$650,000	$675,000	$218.03	2,854	2,001	-	-	-	0.27	-	34

Birkdale Residential Neighborhood Sales Map



The sales are adjusted for time, bathrooms, and other features. The adjusted price per square foot for the sales is shown below.

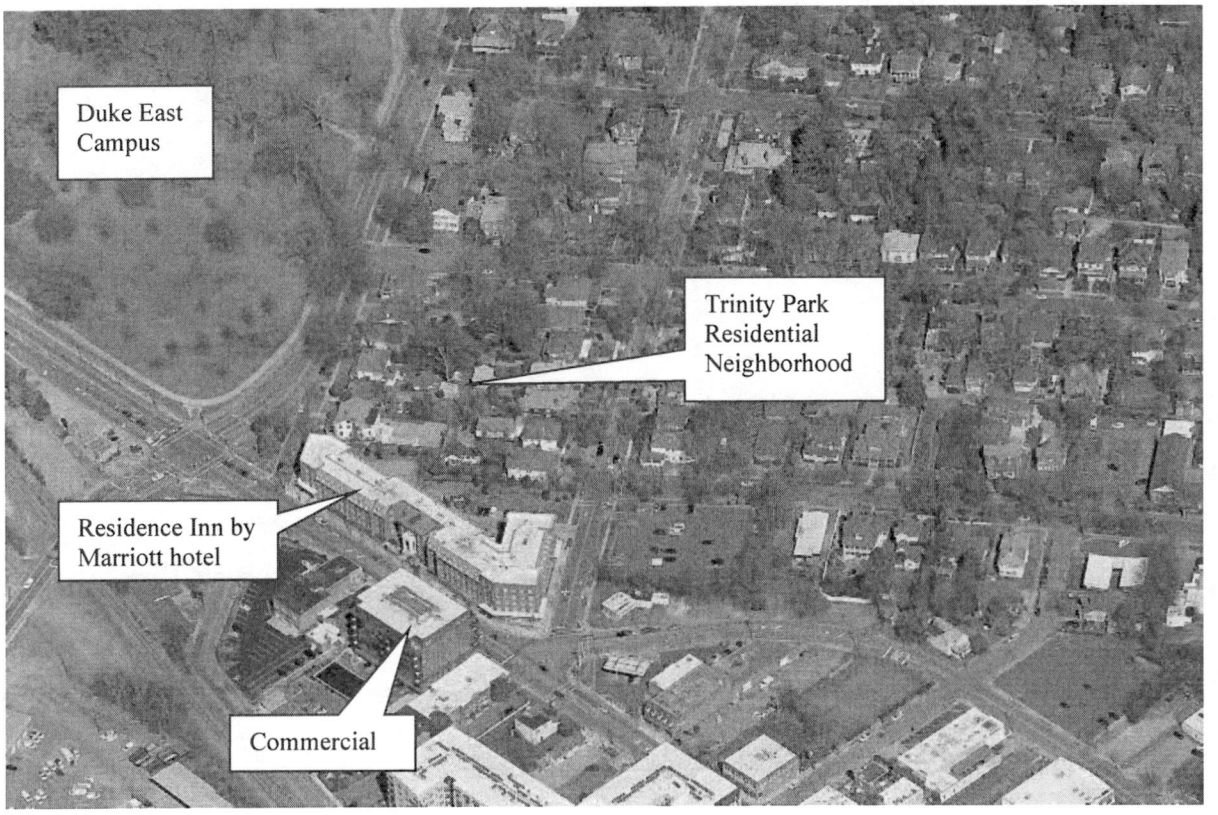
Residential Sales Adjustment Chart			
#	Address	Total	Adjusted $ / SF
1	16214 Grafham Circle	$595,000	$218.03
2	9624 Devonshire Dr.	$770,000	$230.33
3	10135 Devonshire Dr.	$680,250	$201.68
4	8818 St Brides Ct.	$570,000	$224.06
5	16027 Grafham Circle	$717,500	$251.40

Sales Adjoining Hotel (1)		
	Average	Median
Adjusted Sale Price Per SF	$218.03	$218.03
Sales Not Adjacent to Hotel (2-5)		
	Average	Median
Adjusted Sale Price Per SF	$226.87	$227.19
Difference in Median (Adjoining vs. non-adjacent)		-4.0%

After adjustments, the price per square foot for the house adjoining the commercial use (Birkdale Business Park) is 4.0% less than the adjusted median square foot for houses not adjoining the Birkdale Business Park. This is within a typical range of variation to be expected in real estate transactions. Sale #1 had a days on market (DOM) of 34 days, which was generally in line with the median DOM for the other sales in the neighborhood. Therefore, **the preceding market data is indicative that there is no adverse impact on property values from the presence of the commercial use (Birkdale Business Park).**

Trinity Park Adjacent to Residence Inn by Marriott (1108 W. Main St, Durham, NC)

The Residence Inn by Marriott is a 147-room hotel that opened in mid-2015. It is on the W. Main Street commercial thoroughfare. Adjacent uses include the Trinity Park residential neighborhood to the north, commercial uses to the south and east, and Duke's east campus to the west. The hotel site adjoins the Trinity Park residential neighborhood to the north and two improved residential properties abut the hotel site. These two properties are buffered by an approximate 10-foot brick fence.



There are two improved residential properties that abut the hotel site. Of these, one house sold in January 2022. I have compared this properties to other houses that have sold within the Trinity Park neighborhood to determine if there was any impact from their proximity to the hotel. I have selected comparable sales that are similar to these properties in terms of size, condition, and other factors.

A chart summarizing the details of these sales along with a map is shown below.

Residential Sales: Trinity Park Neighborhood														
#	Adjoin Hotel	Address	Sale Date	List Price	Sale Price	Price Per SF	Square Feet	Yr. Built	BR/BA	Parking	Design	Acres	Other	DOM
1	Yes	115 Watts St.	1/31/2022	$1,700,000	$1,700,000	$390.18	4,357	1920	6/4	Garage	2 stry	0.23	Pool, Fence	5
2	No	114 N. Buchanan St.	5/21/2021	$1,000,000	$1,100,000	$263.54	4,174	1924	3/3	Garage	2 stry	0.22	Fence	3
3	No	116 N. Buchanan St.	11/1/2019	$975,000	$940,000	$222.17	4,231	1925	5/3	None	2 stry	0.23	Fence	1
4	No	1009 Watts St.	7/15/2021	$1,845,000	$1,845,000	$419.70	4,396	2009	4/4.5	Garage	2 stry	0.33	Fence	3
5	No	1010 Gloria Ave.	8/12/2020	$1,400,000	$1,375,000	$331.72	4,145	1910	4/2.5	None	2 stry	0.17	Fence	14
6	No	1005 Lamond Ave.	6/1/2022	$890,000	$965,000	$396.14	2,436	1906	3/3	None	2 stry	0.22	Fence	3
7	No	1111 Urban Ave.	6/2/2022	$892,000	$920,000	$369.63	2,489	1918	3/2	None	2 stry	0.12	Fence	5
-	**Average**	-	**6/20/2021**	**$1,243,143**	**$1,263,571**	**$341.87**	**3,747**	**1,930**	-	-	-	**0.22**	-	**5**
-	**Median**	-	**7/15/2021**	**$1,000,000**	**$1,100,000**	**$369.63**	**4,174**	**1,920**	-	-	-	**0.22**	-	**3**

Trinity Park Sales Map

The sales are adjusted for time, bathrooms, pool, and other features. The adjusted price per square foot for the sales is shown below.

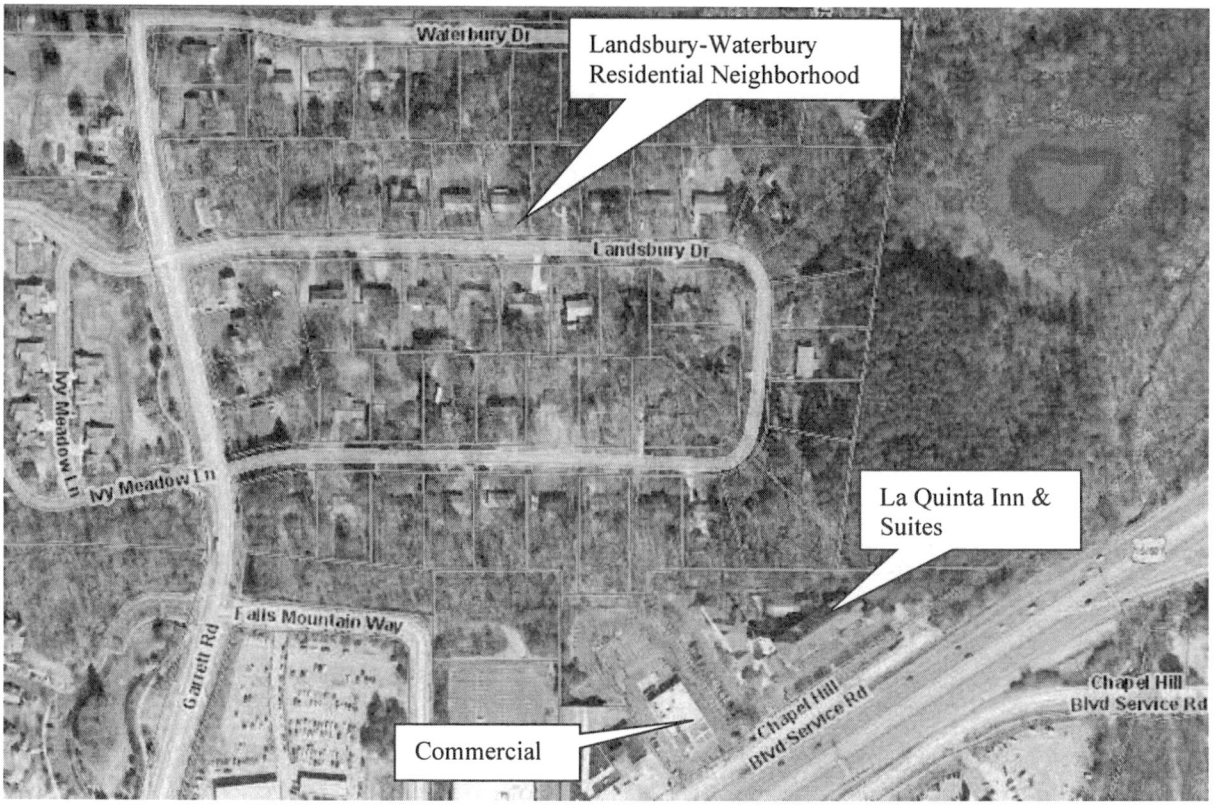
Residential Sales Adjustment Chart			
#	Address	Total	Adjusted $ / SF
1	115 Watts St.	$1,785,000	$409.69
2	114 N. Buchanan St.	$1,239,000	$296.84
3	116 N. Buchanan St.	$1,240,000	$293.07
4	1009 Watts St.	$2,052,000	$466.79
5	1010 Gloria Ave.	$1,722,500	$415.56
6	1005 Lamond Ave.	$1,030,000	$422.82
7	1111 Urban Ave.	$1,000,000	$401.77

Sales Adjoining Hotel (1)		
	Average	Median
Adjusted Sale Price Per SF	$409.69	$409.69
Sales Not Adjacent to Hotel (2-7)		
	Average	Median
Adjusted Sale Price Per SF	$382.81	$408.66
Difference in Median (Adjoining vs. non-adjacent)		0.2%

After adjustments, the price per square foot for the house adjoining the hotel is generally in line with the houses not adjoining the hotel. Sale #1 had a days on market (DOM) of 5, which is similar to the other homes that have sold within the neighborhood. This home is buffered from the hotel site via the 10' fence and significant vegetation. **The preceding market data is indicative that there is no adverse impact on property values from the presence of the hotel.**

Landsbury/Waterbury Neighborhood Adjacent to La Quinta Inn & Suites (4414 Durham-Chapel Hill Blvd., Durham)

The La Quinta Inn & Suites is located 5.3 miles south of the TownePlace site along the Durham-Chapel Hill Blvd. (US 15-501) commercial thoroughfare. The 130-room La Quinta Inn opened in 1999. Adjacent uses include the Landsbury-Waterbury residential neighborhood to the north, commercial to the south and west, and vacant land to the east. There are three residential homes in the neighborhood that are abutting the hotel site.

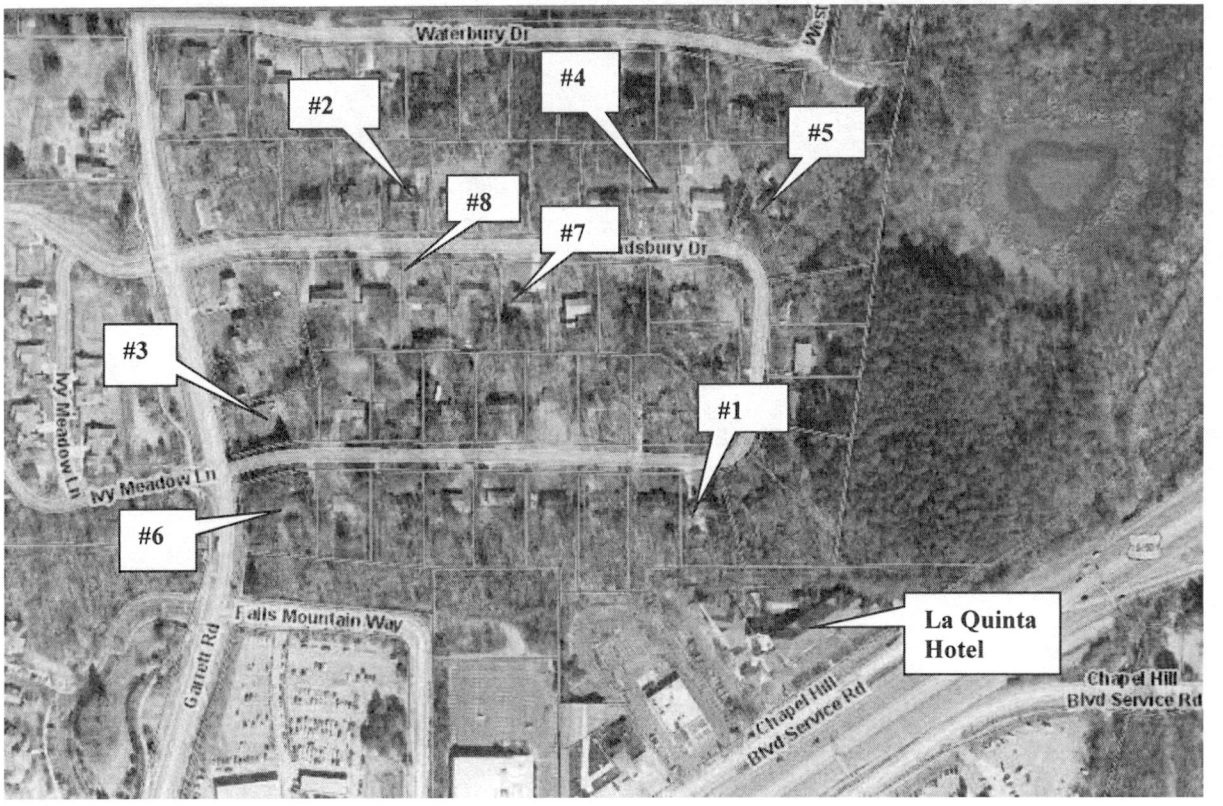


Of the three houses that adjoin the hotel site, two have sold within the last year. However, one of these homes was very dated and has been excluded from the analysis. The house at 118 Landsbury Drive adjoins the hotel and is analyzed against other recently sold homes in the neighborhood that do not adjoin the hotel site. I have selected comparable sales that are reasonably similar in terms of size, condition, and other factors.

A chart summarizing the details of these sales along with a map is shown below.

Residential Sales: Trinity Park Neighborhood													
#	Adjoin Hotel	Address	Sale Date	List Price	Sale Price	Price Per SF	Square Feet	Yr. Built	BR/BA	Parking	Design	Acres	DOM
1	Yes	118 Landsbury Dr.	6/14/2021	$449,000	$449,000	$259.84	1,728	1971	3/2	Garage	1 stry	0.49	45
2	No	226 Landsbury Dr.	2/8/2022	$419,000	$500,000	$191.50	2,188	1974	4/3	Garage	1 stry	0.47	3
3	No	4011 Garrett Rd.	3/21/2022	$449,900	$505,000	$291.23	1,734	1965	4/3	None	1 stry	0.48	5
4	No	204 Landsbury Dr.	8/30/2021	$370,000	$395,000	$238.67	1,655	1966	3/2	None	1 stry	0.47	6
5	No	142 Landsbury Dr.	9/14/2020	$329,000	$349,153	$201.59	1,732	1977	3/2	None	1 stry	0.85	3
6	No	102 Landsbury Dr.	11/18/2021	$340,000	$370,000	$209.99	1,762	1972	3/2	None	1 stry	0.61	4
7	No	217 Landsbury Dr.	8/13/2020	$279,900	$306,350	$212.60	1,441	1998	3/5	Garage	1 stry	0.46	2
-	**Average**	-	**7/9/2021**	**$376,686**	**$410,643**	**$229.35**	**1,749**	**1,975**	-	-	-	**0.55**	**10**
-	**Median**	-	**8/30/2021**	**$370,000**	**$395,000**	**$212.60**	**1,732**	**1,972**	-	-	-	**0.48**	**4**

Landsbury-Waterbury Sales Map



The sales are adjusted for time, bathrooms, and other features. The adjusted price per square foot for the sales is shown below.

Residential Sales Adjustment Chart			
#	Address	Total	Adjusted $ / SF
1	118 Landsbury Dr.	$493,900	$285.82
2	226 Landsbury Dr.	$394,000	$180.07
3	4011 Garrett Rd.	$585,150	$337.46
4	204 Landsbury Dr.	$480,550	$290.36
5	142 Landsbury Dr.	$465,492	$268.76
6	102 Landsbury Dr.	$449,600	$255.16
7	217 Landsbury Dr.	$392,620	$272.46

Sales Adjoining Hotel (1)		
	Average	Median
Adjusted Sale Price Per SF	$285.82	$285.82
Sales Not Adjacent to Hotel (2-7)		
	Average	Median
Adjusted Sale Price Per SF	$267.38	$270.61
Difference in Median (Adjoining vs. non-adjacent)		5.6%

After adjustments, the price per square foot for the home adjoining the hotel is 5.6% more than the adjusted median square foot for home not adjoining the hotel. This is within a typical range of variation to be expected in real estate transactions. Sale #1 had a days on market (DOM) that was longer than other sales in the neighborhood, which could indicate a smaller buyer pool for the property. However, **ultimately there does not appear to be any adverse impact on value.**

Conclusion – Paired Sales Analysis

Based on the market data presented in the three hotel related paired sales analyses, it is my opinion that there is no adverse impact on market value to the houses adjacent to a hotel property. In the case of the Best Western Plus in Huntersville, an 80' wooded buffer separated the hotel parking lot from the adjoining residential lots. There was an even smaller buffer for the two residential houses that abutted the Residence Inn and La Quinta Inn in Durham. The subject hotel site will have a 115' wooded buffer separating its improved parking lot from the closest residential lot. Therefore, it is reasonable to conclude that there will be no adverse impact on market value for the residential homes adjoining the hotel site. The paired sales analysis of the house adjoining the Birkdale Business Park (while not a hotel) is supportive of this conclusion.

Respectfully submitted,

Zachary J. Spurgeon, MAI

Appraiser & Consultant Qualifications

Zachary J. Spurgeon, MAI

Hotel & Club Associates, Inc.
3717-D West Market Street
Greensboro, North Carolina 27403
Office: (336) 379-1400
zspurgeon@hotelandclub.com

PROFESSIONAL EXPERIENCE:

Hotel and Club Associates, Inc. – Partner	2018 - Present
Hotel and Club Associates, Inc. – Appraiser and Consultant	2006 - 2018

PROFESSIONAL DESIGNATIONS:

MAI (Member, The Appraisal Institute)
CHIA (Certification in Hotel Industry Analytics from the American Hotel & Lodging Educational Institute and Smith Travel Research)

EDUCATION:

N.C. State University – Bachelor of Science Degree, Business Management (2004)
Cornell University – Certificate in Hotel Real Estate Investments & Asset Management (2017)

STATE CERTIFICATIONS/LICENSES:

N.C. Certified General Appraiser – A7157	GA Certified General Appraiser – 339129
S.C. Certified General Appraiser – CG 6658	PA Certified General Appraiser - GA004286
VA Certified General Appraiser – 4001-014498	N.C. Licensed Real Estate Broker (inactive) – 250158
TN Certified General Appraiser - 4647	

PROFESSIONAL EXPERIENCE:

Zach began his career with Hotel & Club Associates, Inc. in 2006 and has completed over 700 assignments including appraisals, market studies, feasibility studies, and consultations for lending institutions, developers, property owners, attorneys, and municipalities throughout the United States.

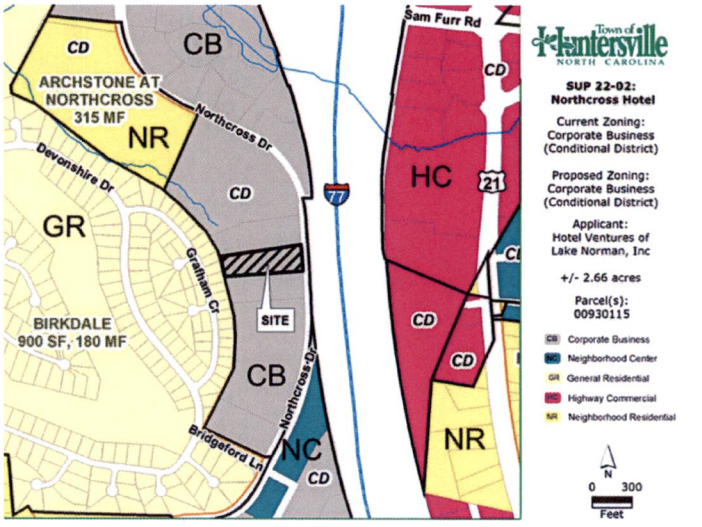
COURSEWORK:

Completion of the comprehensive exam and coursework required for the MAI designation.
Completion of 28 hours of appraisal related continuing education every two years.
Specialized hotel coursework through Cornell University's Certification Program.
Completion of the coursework required to obtain an N.C. Certified General Appraisal License.
Completion of the coursework required to obtain an N.C. Real Estate Broker License.

SUP 22-02
Northcross Hotel

Hotel Ventures of Lake Norman, Inc.

Town Board
February 20, 2023



Special Use Permits

- Quasi Judicial Hearing.
- Decisions are based on facts/evidence presented.
- The burden of producing **competent, material, and substantial evidence** proving the ordinance requirements are being satisfied is on the applicant.(Article 11.4.10(e)(2)
- If the applicant meets that burden, then the burden of producing **competent, material, and substantial evidence** shifts to parties arguing against the Special Use Permit.
- Simple majority vote for approval.

Why is a SUP Needed?

3.2.9 CORPORATE BUSINESS (CB)

Intent: The Corporate Business district is established to provide for large business or light industrial which, because of the scale of the buildings or the nature of the use, cannot be fully integrated into uses such as schools and religious institutions may be appropriate if they are sited properly and properties; nonetheless, buildings in the corporate business district that front a town street shall re street and scaled for compatibility with the surrounding environment are also permitted in the High TND Districts. Such workplaces should not be reclassified to the Corporate Business District. The co loading facilities such as warehouse/distribution operations.

(a) **Permitted Uses.**

Uses Permitted by Right.

- office
- distributive businesses
- inns
- laboratories and research facilities
- manufacturing and assembly, excluding hea
- government buildings
- warehouses, except mini-warehouse storag
- wholesale sales
- vocational and technical schools

Uses Permitted With Conditions.

- automotive country club, (9.57)
- day care center, (9.11)
- commercial communication tower, (9.9)
- essential services 1 and 2, (9.14)
- hotels and motels spaced 250' or more from residential or mixed use zones, (9.45)
- parks, (9.29)
- temporary mobile food sales, (9.37)
- transit-oriented parking lots as a principal use, (9.49)
- transit shelters, (9.39)

Uses Permitted with Special Use Permit.

- hotels and motels spaced less than 250' from residential or mixed us zones (9.45)
- schools (9.35)
- solar energy facility, minor residential, as follows: located on the façade elevation facin facing public street or common access (9.54)

9.45 Hotels And Motels

Hotels are permitted in the Highway Commercial and Corporate Business Districts subject to the requirements below; Motels are permitted in the Corporate Business District only, subject to the requirements below:

1. Any structure in which a hotel or motel is the principal or accessory use shall be separated by a distance of at least 250 feet from any residential or mixed-use zoning district, measured from the closest point of the lot occupied by the hotel or motel to the closest point of lots in residential and mixed-use zoning districts.

2. a. Any structure in which a hotel or motel is the principle or accessory use shall be separated by a distance no less than three (3) times the height of the proposed structure closest to the common lot line of the adjoining residential and mixed-use zone, but in no case less than 100 feet.

   b. That all other site design requirements stated in this code are met. Any structure in which a hotel or motel is the principal or accessory use is spaced less than established in 1 above shall require a special use permit subject to the following standards as well as all other standards applicable for special use permits:

   c. That vehicular access to the use will be provided only by way of a major or minor thoroughfare, or a Retail/Mixed-Use Local or Collector Street within a commercial or mixed-use project.

3. Any structure in which a hotel or motel is the principal or accessory use may exceed the permitted building height of the zoning district, not to exceed six (6) stories, subject to a Special Use Permit, and the requirements of Article 9.45.2.

Requires Special Use Permit

Conditions for Hotel Use

Article 9.45 Hotels and Motels

1. Any structure in which a hotel or motel is the principal or accessory use shall be separated by a distance of at least 250 feet from any residential or mixed-use zoning district, measured from the closest point of the lot occupied by the hotel or motel to the closest point of lots in residential and mixed-use zoning districts.

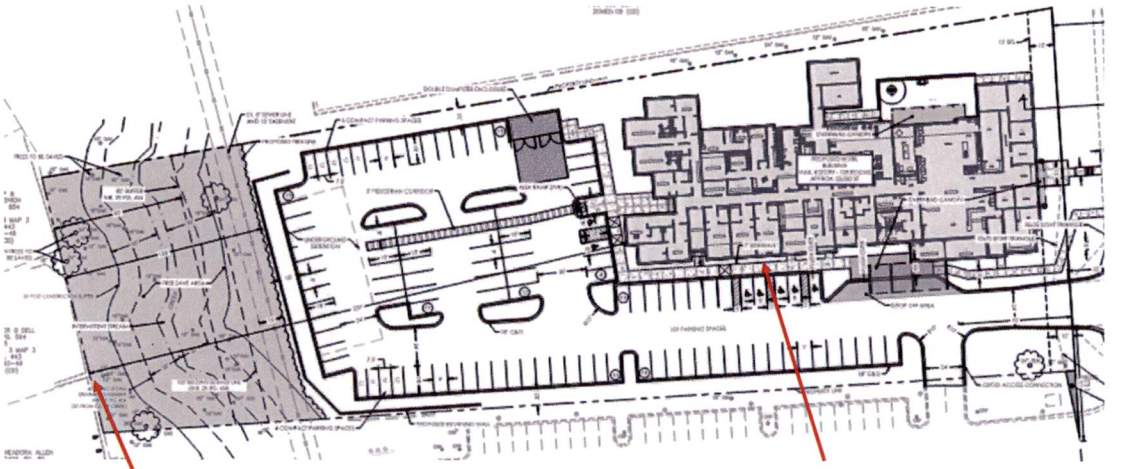
2. a. Any structure in which a hotel or motel is the principle or accessory use shall be separated by a distance no less than three (3) times the height of the proposed structure closest to the common lot line of the adjoining residential and mixed-use zone, but in no case less than 100 feet.

b. That all other site design requirements stated in this code are met. Any structure in which a hotel or motel is the principal or accessory use is spaced less than established in 1 above shall require a special use permit subject to the following standards as well as all other standards applicable for special use permits:

c. That vehicular access to the use will be provided only by way of a major or minor thoroughfare, or a Retail/Mixed-Use Local or Collector Street within a commercial or mixed-use project.

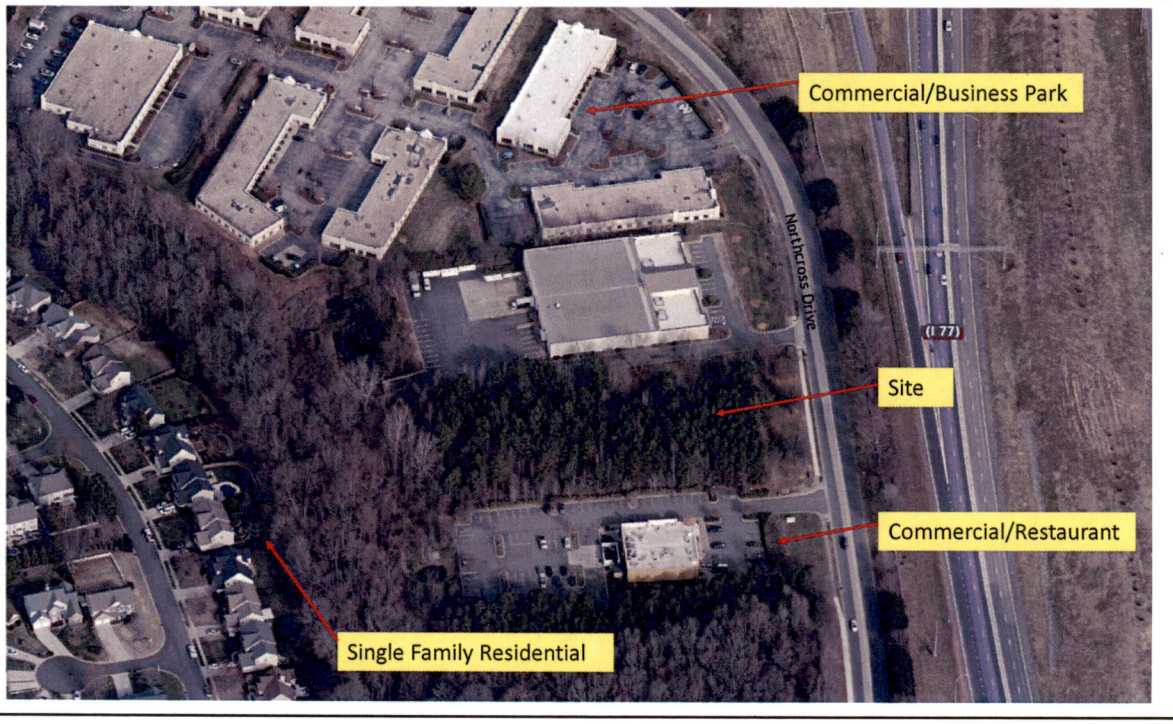
3. Any structure in which a hotel or motel is the principal or accessory use may exceed the permitted building height of the zoning district, not to exceed six (6) stories, subject to a Special Use Permit, and the requirements of Article 9.45.2.

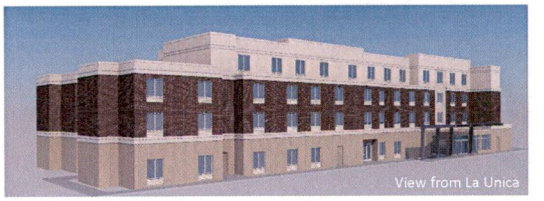
Proposed Hotel Site Plan



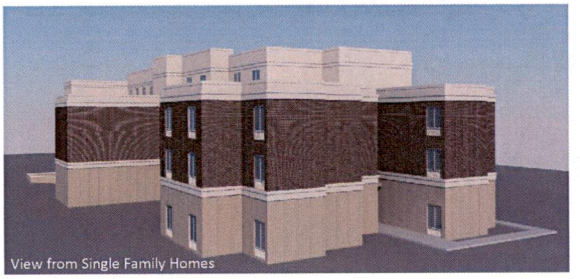
SFR Use/Zone-Property lines are directly adjacent.

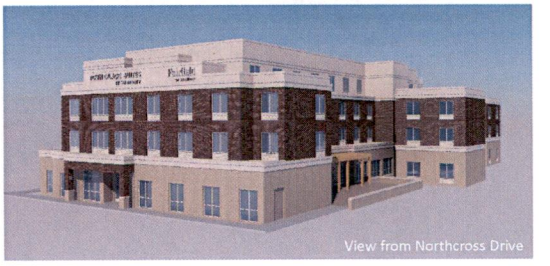
Proposed 47'-Building Lot Type 45' permitted.





Height 47'(Workplace B Type)- Permitted Height 45' SUP Needed
Important note: CB does allow heights up to 48' or 4 Stories with other building types.





Please note: Graphics are illustrative, and elements may be subject to change

Staff Findings(Applicant Burden 11.4.10(e)(2):

- i. The proposed special use will not materially endanger the public health or safety; There is no reason to believe that this project would endanger the public health or safety. All applicable fire and building safety codes will be met if approved.
- ii. The proposed special use will not substantially injure the value of abutting property or it constitutes a public necessity; An impact Analysis on neighboring property values completed for the applicant by Hotel and Club Appraisal and Consulting Services and found that property values of abutting properties will not be negatively affected.
- iii. The proposed special use will be in harmony with the area in which it is located and in general conformity with the comprehensive plan and any applicable small area plan; the proposal is consistent with the Huntersville 2040 Community Plan policies LU 5.1, 6.2, 7.1, and EV-1.3. Furthermore, Hotels are a use by right with conditions under the Corporate Business zoning district and this proposal complies with all applicable ordinances with only one minor modification requested for additional two feet of height above the maximum allowed in the district. (requires a conditional district rezoning see R22-06)
- iv. The proposed special use will comply with all of the lot, size, yard, and other standards which this ordinance applies to all uses permitted in the zoning district in which the property is located; The proposal complies with all applicable standards and ordinances with one minor modification requested for additional two feet of height above the maximum allowed in the district. (requires a conditional district rezoning see R22-06)
- v. The proposed special use will comply with all general and specific standards required by the appropriate section of this ordinance for the issuance of a special use permit for this use. All standards will be met and the proposed plan meets these standards.

Staff Recommendation:

Staff finds this Special Use Permit application meets the requirements for the proposed hotel use based the above findings of fact. Staff recommends approval if the Board finds that the applicant has presented competent, material, and substantial evidence that proves the criteria for a special use permit is met.

Town Board Decision Statements

For Special Use Permit:
In considering the Special Use Permit SUP22-02, Northcross Hotel, we, the Town Board, find that the request meets all required criteria for granting a Special Use Permit for a hotel spaced less than 250 feet from a residential zone, as outlined in the ZONING ORDINANCE Article 9.45. The Town Board grants SUP 22-02 and (Choose option A, B, or C):

- A) Incorporates Staff's Findings of Facts for the standards to Grant SUP22-02.
- B) Incorporates Staff's Findings of Facts numbered XXX (specify which Findings to accept and which to reject) and makes the following Findings of Facts for the Standards to Grant SUP 22-02:
  (Add additional statements as necessary.)
- C) Rejects Staff's Findings of Facts and makes the following Findings of Facts for the standards to grant SUP22-02 (The Findings must be in relation to the applicable standards):
  (Add additional statements as necessary.)

Against Special Use Permit:
In considering the Special Use Permit SUP22-02, Northcross Hotel, we, the Town Board, find that the request does not meet the required criteria for granting a Special Use Permit for a hotel spaced less than 250 feet from a residential zone, as outlined in the Zoning Ordinance Article 9.45, based on the following Findings of Fact:

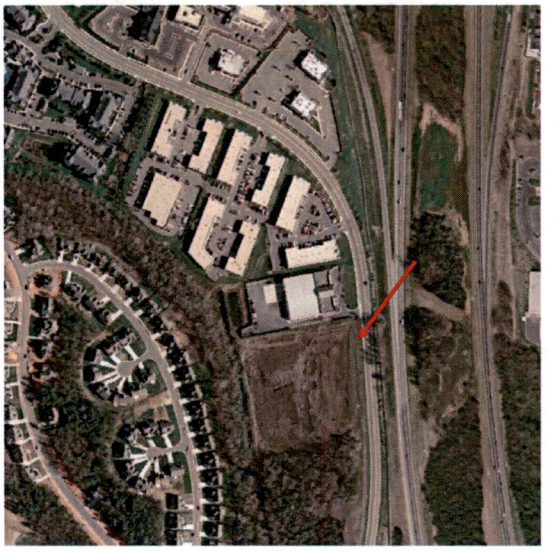
- (List which conditions are not being met)

  (Add additional statements as necessary.)

Growth Pattern of Northcross Drive

Circa 1997

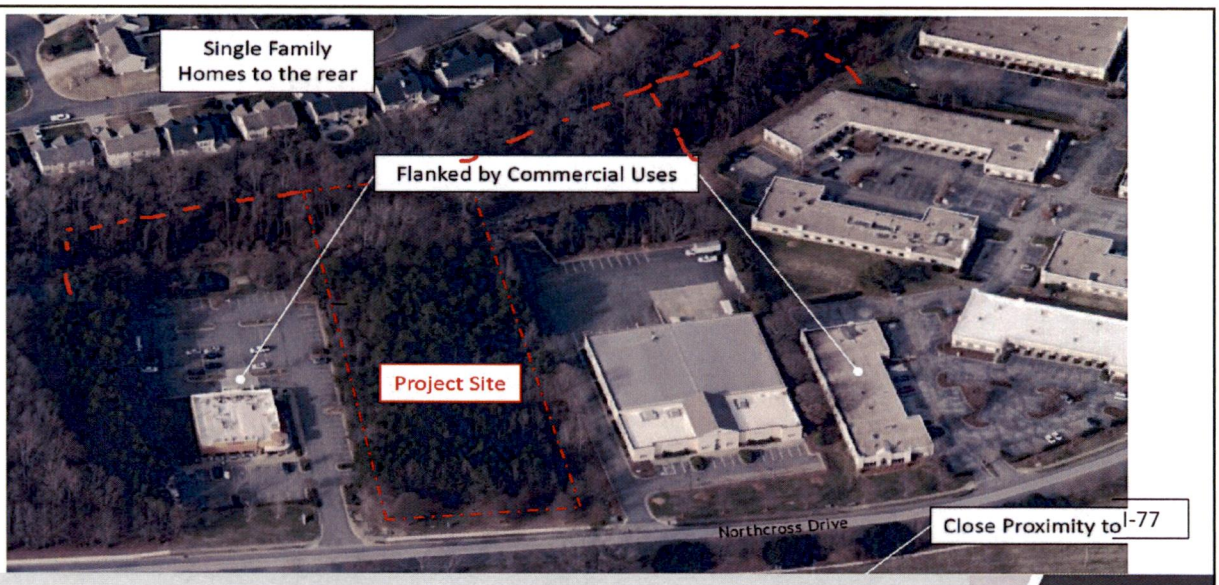
Circa 2002



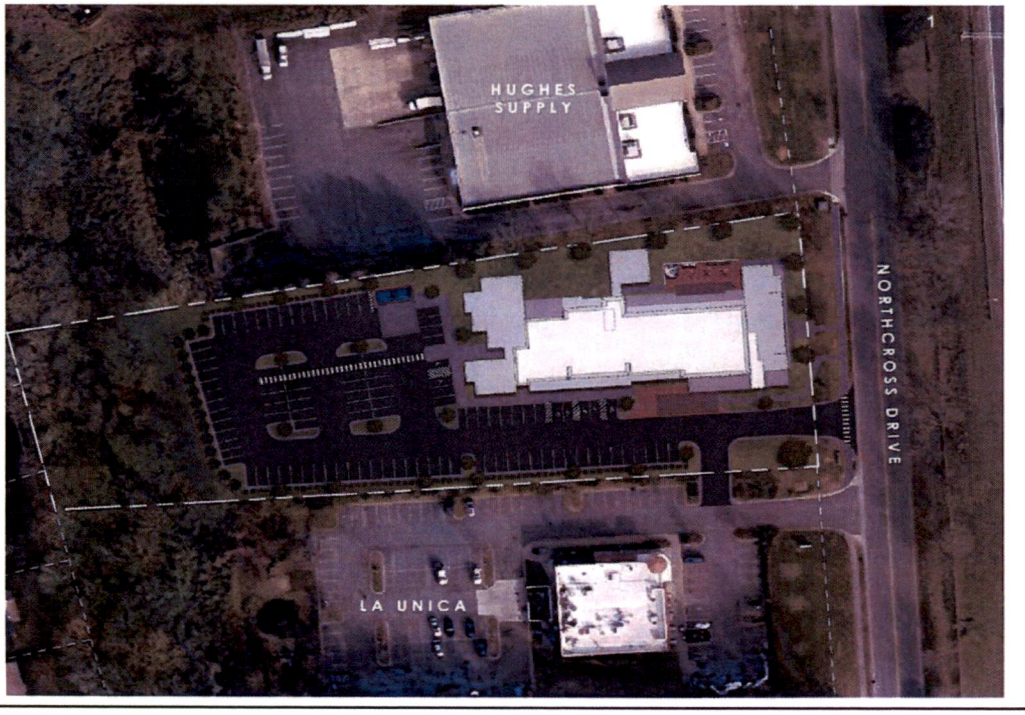
Northcross Hotel

SUP Petition : 22-02

HOTEL VENTURES INC | JOHNSTON ALLISONHORD | HensonFoley Landscape Architecture | Civil Engineering



Context and Proximity



Article 9.45 – Hotels & Motels

Hotels are permitted in the Highway Commercial and Corporate Business Districts subject to the requirements below; Motels are permitted in the Corporate Business District only, subject to the requirements below:

1. Any structure in which a hotel or motel is the principal or accessory use shall be separated by a distance of at least 250 feet from any residential or mixed use zoning district, measured from the closest point of the lot occupied by the hotel or motel to the closest point of lots in residential and mixed use zoning districts.

2. Any structure in which a hotel or motel is the principal or accessory use is spaced less than established in 1 above shall require a special use permit subject to the following standards as well as all other standards applicable for special use permits:

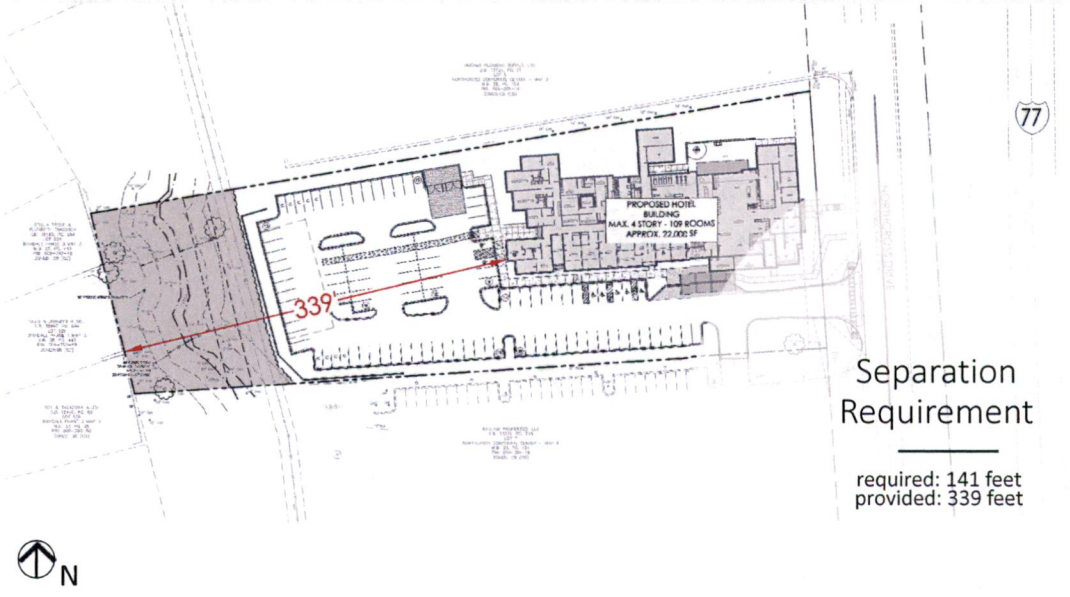
a. Any structure in which a hotel or motel is the principle or accessory use shall be separated by a distance no less than three (3) times the height of the proposed structure closest to the common lot line of the adjoining residential and mixed use zone, but in no case less than 100 feet.

b. That all other site design requirements stated in this code are met.

c. That vehicular access to the use will be provided only by way of a major or minor thoroughfare, or a Retail/Mixed-Use Local or Collector Street within a commercial or mixed use project.

3. Any structure in which a hotel or motel is the principal or accessory use may exceed the permitted building height of the zoning district, not to exceed six (6) stories, subject to a Special Use Permit, and the requirements of Article 9.45.2

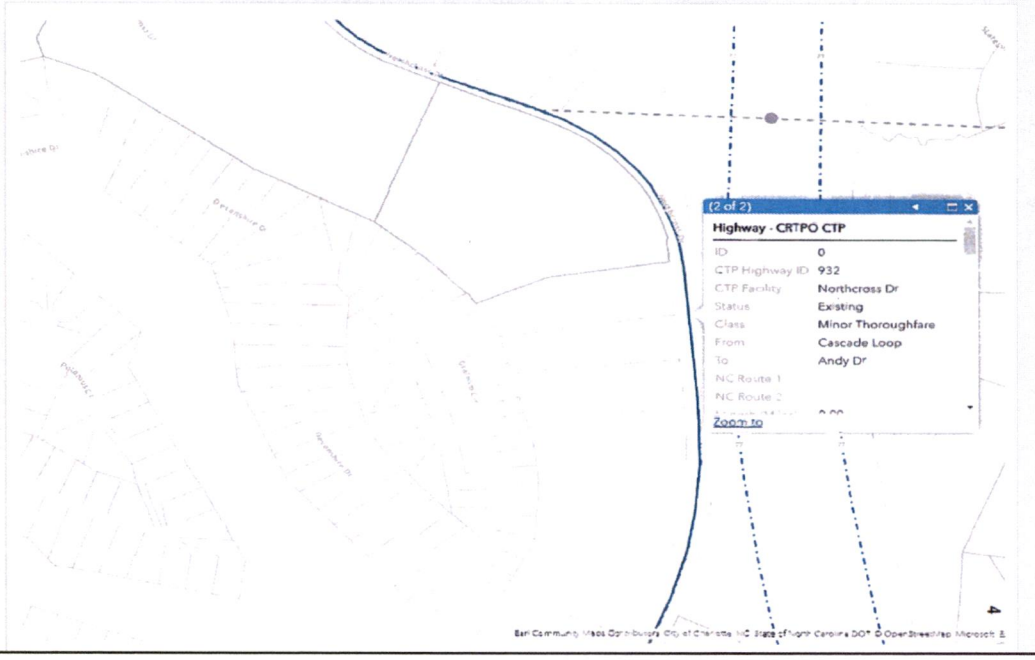
Structure must be minimum 141 feet from residential property line

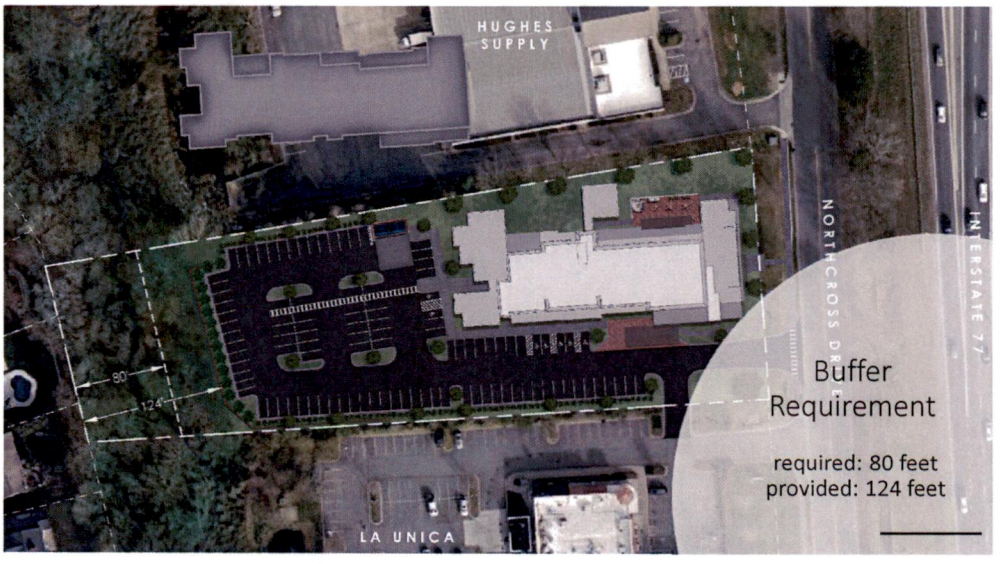


Separation Requirement

required: 141 feet
provided: 339 feet

Use must be located on major or minor thoroughfare





Staff Findings: The proposal complies with all applicable standards and ordinances with one minor modification requested for additional two feet of height above the maximum allowed in the district (requires a conditional district rezoning see R22-06).

SUP Standards

1. The proposed special use will not materially endanger the public health or safety.
2. The proposed special use will not substantially injure the value of abutting property or it constitutes a public necessity.
3. The proposed special use will be in harmony with the area in which it is located and in general conformity with the comprehensive plan and any applicable small area plan.
4. The proposed special use will comply with all of the lot, size, yard and other standards which this ordinance applies to all uses permitted in the zoning district in which the property is located.
5. The proposed special use will comply with all general and specific standards required by the appropriate section of this ordinance for the issuance of a special use permit for this use.

Documents that comply with SUP Standards

- Affidavit of Zachary Spurgeon
  - Impact Study Report
- Affidavit of Jay Henson
  - Cross Section
- Affidavit of Hitesh Patel
- Northcross Master Association Plan Approval
- Proposed Findings of Fact

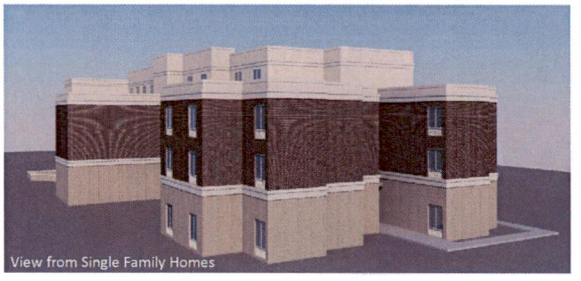
Massing Requirement

Article 3.2.4(d) states that "1) Along existing streets, new building shall respesct the general spacing of structure, building mass and scale, and street frontage relationships of existing buildings. New building which exceed the scale and volume of existing building may demonstrate compatibility by **varying the massing of building to reduce perceived scale and volume**." Remove portions of the fourth floor at each end of the building to give the appearance of a three-story building.

Please note: Graphics are illustrative, and elements may be subject to change

View from La Unica

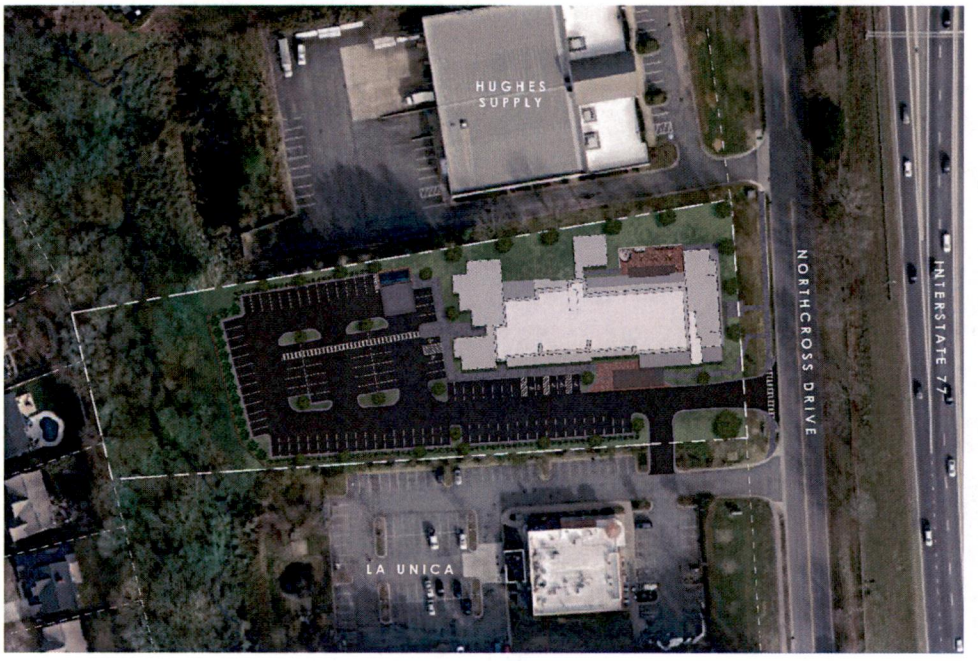
View from La Unica


View from Single Family Homes

View from Northcross Drive

Please note: Graphics are illustrative, and elements may be subject to change

Cross Section



Northcross Approval Letter

MPV PROPERTIES
Merrifield Patrick Vermillion

Ian H. Bruce
Director of Association Management

704-561-5270
Ibruce@mpvre.com

January 5, 2023

Hitesh Patel
Vice President
Hotel Ventures of Lake Norman, Inc
3836 Honors Way
Martinez, GA 30907

Re: Northcross Master Association, Inc (the "Association")
16221 Northcross Drive, Huntersville, NC (the "Property")
Architectural Plans and Elevations prepared by Isom Ham dated 8.4.2022
Special Use Permit Plan Package prepared by Hanson Foley dated 12.7.2022 (the "Plans")

Dear Hitesh:

MPV Properties is the property manager and agent for the Association. In accordance with the Declaration of Covenants, Conditions and Restrictions dated March 15, 1990, as amended (the "Declaration") the Association has reviewed and approved the Plans for the Property.

The manufacturers, color selections and specifications for all building exterior materials must be submitted for review by the Association. EIFS designed to simulate the look of brick is an approved material.

This approval is given in accordance with the Declaration only. All approvals and consents required from any other party, including all municipal authorities, must also be obtained by the owner of the Property. Any changes to the Property not specified in the Plans must be submitted to and approved by the Association.

Sincerely,

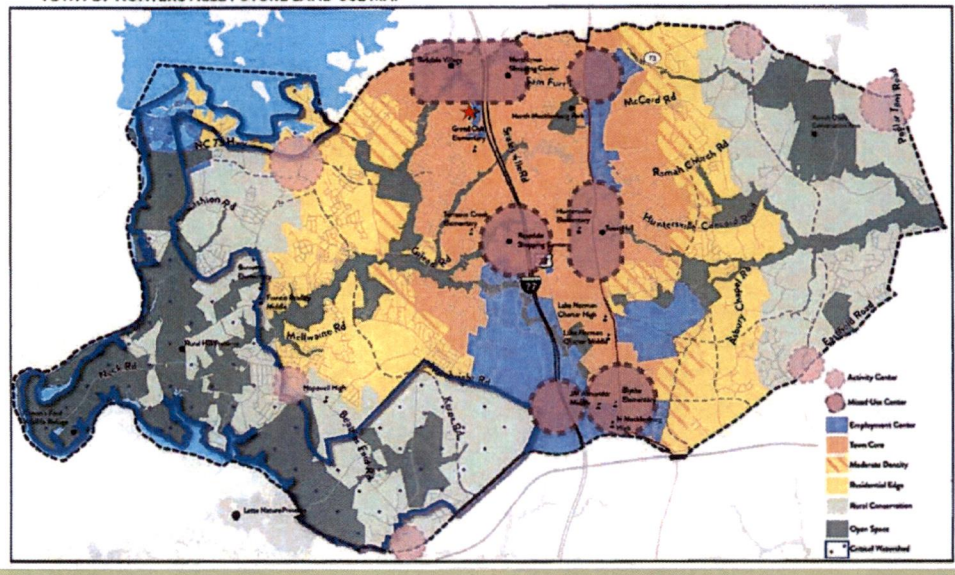
Ian Bruce

Ian H. Bruce

2400 South Boulevard, Suite 300 Charlotte, NC 28203 T 704.248.2300 F 704.248.2301 www.mpvre.com

FUTURE LAND USE

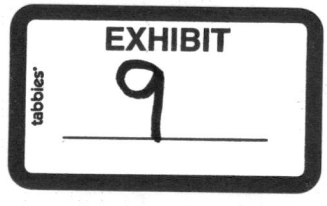
TOWN OF HUNTERSVILLE FUTURE LAND USE MAP



NORTHCROSS HOTEL

SUP22-02

HOTEL VENTURES INC | JOHNSTON ALLISONHORD | HensonFoley Landscape Architecture Civil Engineering



Index

Site Plan 1

Article 9.45 of Ordinance: Hotels & Motels 2

Separation Exhibit 3

Northcross Drive/Minor Thoroughfare Exhibit 4

Staff Report 5

SUP Applicant Burden Form 6

Affidavit of Zachary Spurgeon 7

Impact Study Report ..... A

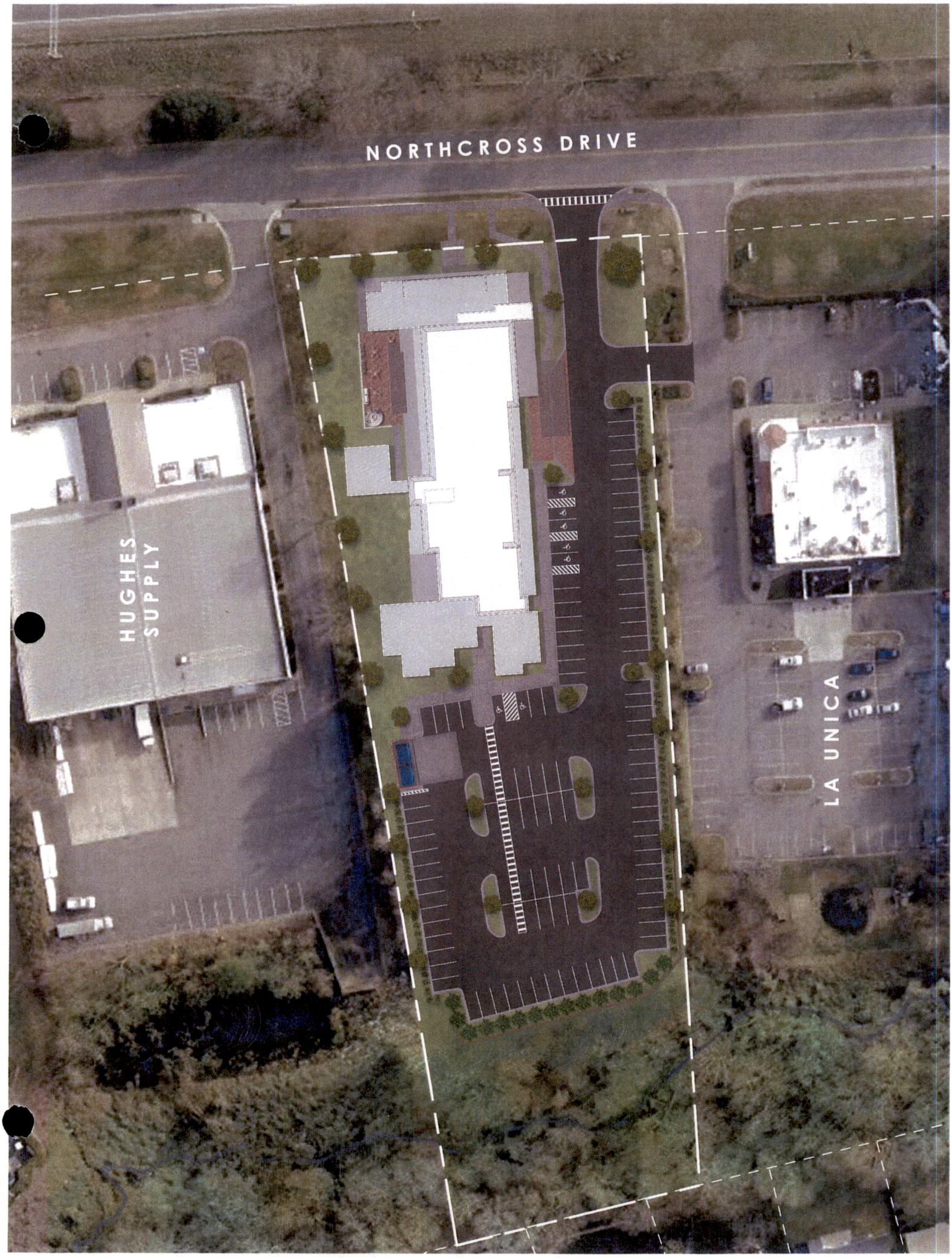
Affidavit of Jay Henson 8

Cross Section ..... B

Affidavit of Hitesh Patel 9

Northcross Master Association Plan Approval C

Proposed Findings of Fact 10


NORTHCROSS DRIVE
HUGHES SUPPLY
LA UNICA

Article 9.45 - Hotels & Motels

Hotels are permitted in the Highway Commercial and Corporate Business Districts subject to the requirements below; Motels are permitted in the Corporate Business District only, subject to the requirements below:

.1 Any structure in which a hotel or motel is the principal or accessory use shall be separated by a distance of at least 250 feet from any residential or mixed use zoning district, measured from the closest point of the lot occupied by the hotel or motel to the closest point of lots in residential and mixed use zoning districts.

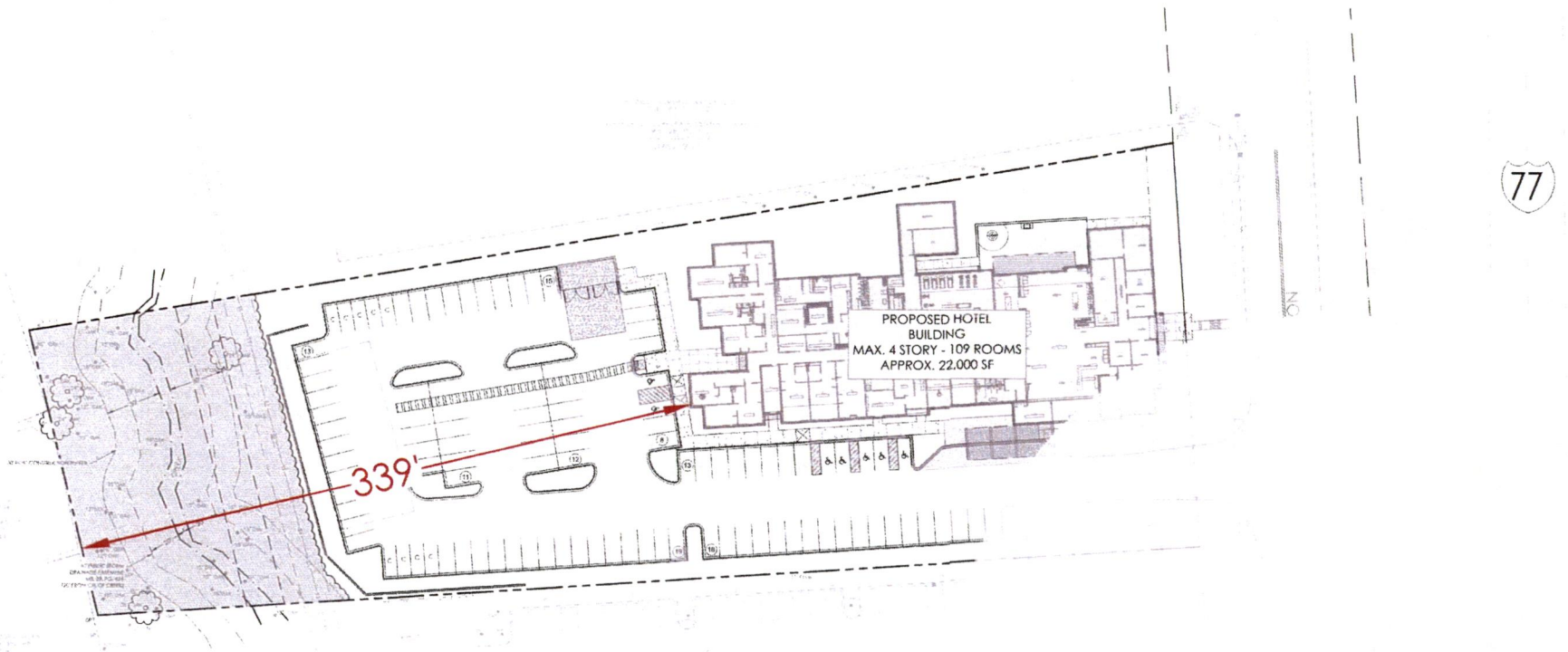
.2 Any structure in which a hotel or motel is the principal or accessory use is spaced less than established in 1 above shall require a special use permit subject to the following standards as well as all other standards applicable for special use permits:

a. Any structure in which a hotel or motel is the principle or accessory use shall be separated by a distance no less than three (3) times the height of the proposed structure closest to the common lot line of the adjoining residential and mixed use zone, but in no case less than 100 feet.

b. That all other site design requirements stated in this code are met.

c.That vehicular access to the use will be provided only by way of a major or minor thoroughfare, or a Retail/Mixed-Use Local or Collector Street within a commercial or mixed use project.

3 Any structure in which a hotel or motel is the principal or accessory use may exceed the permitted building height of the zoning district, not to exceed six (6) stories, subject to a Special Use Permit, and the requirements of Article 9.45.2



Separation Requirement

required: 141 feet
provided: 339 feet

N

(2 of 2)
Highway - CRTPO CTP
ID 0
CTP Highway ID 932
CTP Facility Northcross Dr
Status Existing
Class Minor Thoroughfare
From Cascade Loop
To Andy Dr
NC Route 1
NC Route 2
Zoom to
Devonshire Dr
Graham Cir
Polonius Ct
Esri Community Maps Contributors, City of Charlotte, NC, State of North Carolina DOT, © OpenStreetMap, Microsoft, Es

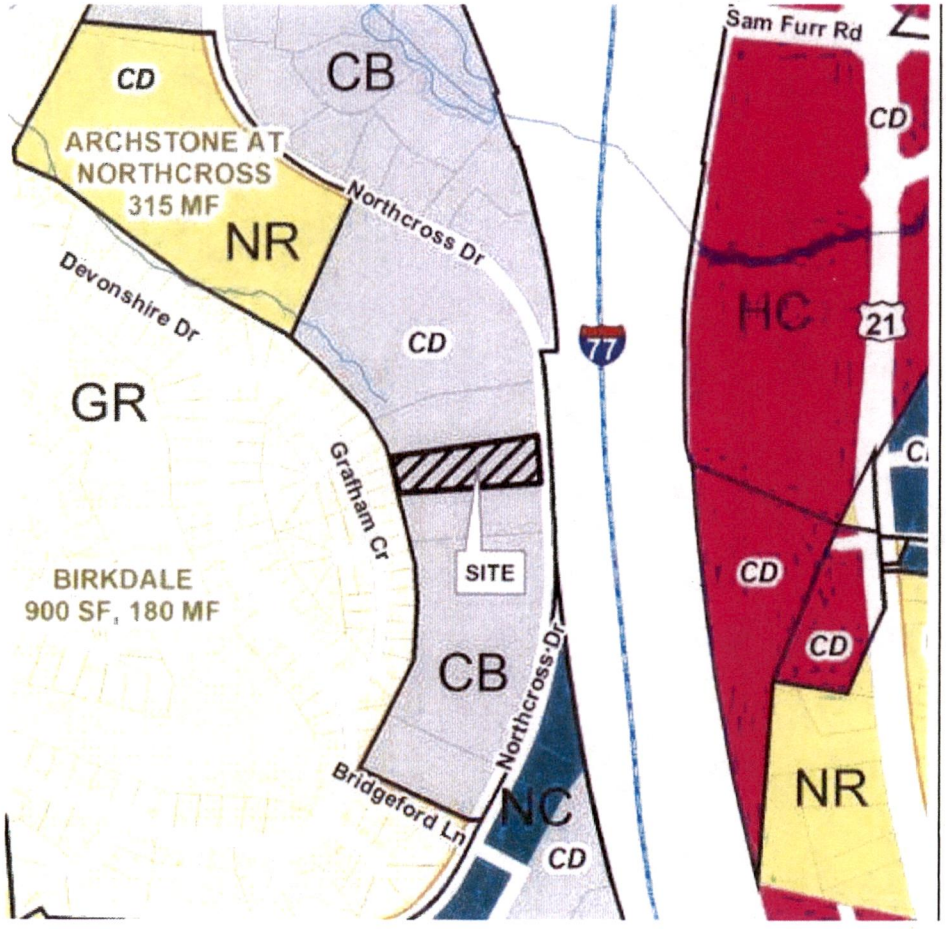
REQUEST:

Special Use Permit Application for Hotel Use in Corporate Business District – SUP22-02

1: DESCRIPTION

Petition #SUP22-02, Northcross Hotel, is a request by Hitesh Patel on behalf of Hotel Ventures of Lake Norman, Inc for a Special Use Permit for a hotel on at 16221 Northcross Drive PIN 00930115. Hotels are permitted in the Corporate Business (CB) zoning district with the issuance of a special use permit and subject to the conditions outlined in Article 9.45. (this proposal also requires a rezoning and is proposed for a conditional district rezoning-see R22-06)

PART 2: LOCATION



Applicant: Hotel Ventures of Lake Norman, Inc.

Property Owner: Manah Limited Partnership

Property Address: 16221 Northcross Drive

Project Size: (+/-) 2.66 acres

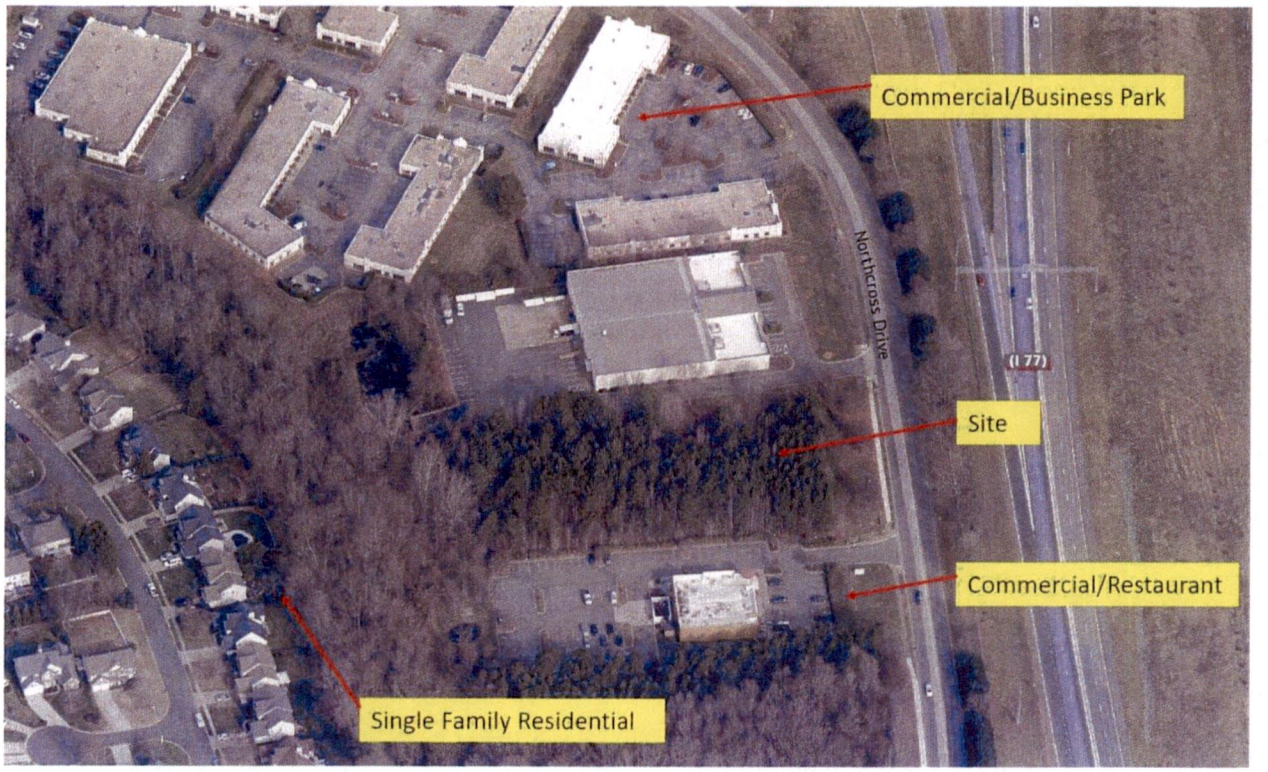
Parcel Numbers: 00930115

Current Zoning: Corporate Business Conditional District (CB-CD)

Current Land Use: Vacant

Proposed Zoning: Corporate Business Conditional District (CB-CD)

Proposed Land Use: Hotel 109 Rooms



PART 3: STAFF FINDINGS

Article 9.45 Hotels and Motels:

Hotels are permitted in the Highway Commercial and Corporate Business Districts subject to the requirements below; Motels are permitted in the Corporate Business District only, subject to the requirements below:

1. Any structure in which a hotel or motel is the principal or accessory use shall be separated by a distance of at least 250 feet from any residential or mixed-use zoning district, measured from the closest point of the lot occupied by the hotel or motel to the closest point of lots in residential and mixed-use zoning districts.

   STAFF FINDINGS: The subject property is directly adjacent to a residential zoning district.

2. **a)** Any structure in which a hotel or motel is the principle or accessory use shall be separated by a distance no less than three (3) times the height of the proposed structure closest to the common lot line of the adjoining residential and mixed-use zone, but in no case less than 100 feet.

   STAFF FINDINGS: The proposal calls for a maximum height of 47 feet, this height times three equals 141 feet. The separation distance proposed under the condition above is at 339 feet, which can be seen in the provided site plans attached.

   b) That all other site design requirements stated in this code are met. Any structure in which a hotel or motel is the principal or accessory use is spaced less than established in 1 above shall

require a special use permit subject to the following standards as well as all other standards applicable for special use permits:

STAFF FINDINGS: The application requires this special use permit

c) That vehicular access to the use will be provided only by way of a major or minor thoroughfare, or a Retail/Mixed-Use Local or Collector Street within a commercial or mixed-use project.

STAFF FINDINGS: Northcross Drive is classified as a minor throughfare.

3. Any structure in which a hotel or motel is the principal or accessory use may exceed the permitted building height of the zoning district, not to exceed six (6) stories, subject to a Special Use Permit, and the requirements of Article 9.45.2.

   STAFF FINDINGS: The Corporate Business District allows Urban Workplace building types in which 45 feet (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) is the maximum permitted building height.

   The height proposed for the hotel is 47 feet, which by this code requires approval of a special use permit.

Article 11.4.10(e)(2) The applicant has the burden of producing competent, material, and substantial evidence establishing that:

i. The proposed special use will not materially endanger the public health or safety;

   STAFF FINDINGS: There is no reason to believe that this project would endanger the public health or safety. All applicable fire and building safety codes will be met if approved.

ii. The proposed special use will not substantially injure the value of abutting property or it constitutes a public necessity;

   STAFF FINDINGS: Attached is an Impact Analysis on neighboring property values completed for the applicant by Hotel and Club Appraisal and Consulting Services. This details their findings and conclusions as they relate to subsection ii. This is also summarized in the applicants Special Use Permit Applicant Burden document attached.

iii. The proposed special use will be in harmony with the area in which it is located and in general conformity with the comprehensive plan and any applicable small area plan;

   STAFF FINDINGS: the proposal is consistent with the Huntersville 2040 Community Plan policies LU 5.1, 6.2, 7.1, and EV-1.3. Furthermore, Hotels are a use by right with conditions under the Corporate Business zoning district and this proposal complies with all applicable ordinances with only one minor modification requested for additional two feet of height above the maximum allowed in the district. (requires a conditional district rezoning see R22-06)

iv. The proposed special use will comply with all of the lot, size, yard, and other standards which this ordinance applies to all uses permitted in the zoning district in which the property is located;

STAFF FINDINGS: The proposal complies with all applicable standards and ordinances with one minor modification requested for additional two feet of height above the maximum allowed in the district. (requires a conditional district rezoning see R22-06)

v. The proposed special use will comply with all general and specific standards required by the appropriate section of this ordinance for the issuance of a special use permit for this use.

STAFF FINDINGS: All standards will be met and the proposed plan meets these standards. (see 1 & 2 above)

PART 4: PLANNING STAFF RECOMMENDATION

In considering the Special Use Permit SUP22-02, Northcross Hotel, Planning Staff find that the request meets the requirements for a hotel spaced less than 250 feet from a residential zone, based on the above findings of fact. Staff recommends approval if the Board finds that the applicant has presented competent, material, and substantial evidence that proves the criteria for a special use permit is met.

PART 5: PUBLIC HEARING/FINAL ACTION

The Special Use Permit Hearing will be held on February 20, 2023

PART 6: ATTACHEMENTS

A: Application
B: Special Use Permit Set (Site Plans)
C: Architectural Plans and Elevations
D: Impact on Neighboring Property Values Analysis
E: Special Use Permit Applicant Burden Document

PART 7: Town Board Decision Statements

In considering the Special Use Permit SUP22-02, Northcross Hotel, we, the Town Board, find that the request meets all required criteria for granting a Special Use Permit for a hotel spaced less than 250 feet from a residential zone, as outlined in the ZONING ORDINANCE Article 9.45. The Town Board grants SUP 22-02 and (Choose option A, B, or C):

A) Incorporates Staff's Findings of Facts for the standards to Grant SUP22-02.

B) Incorporates Staff's Findings of Facts numbered XXX (specify which Findings to accept and which to reject) and makes the following Findings of Facts for the Standards to Grant SUP 22-02:

1)
2)

Add additional statements as necessary.

C) Rejects Staff's Findings of Facts and makes the following Findings of Facts for the standards to grant SUP22-02 (The Findings must be in relation to the applicable standards):

1)
2)
Add additional statements as necessary.

Against Special Use Permit

In considering the Special Use Permit SUP22-02, Northcross Hotel, we, the Town Board, find that the request does not meet the required criteria for granting a Special Use Permit for a hotel spaced less than 250 feet from a residential zone, as outlined in the Zoning Ordinance Article 9.45, based on the following Findings of Fact:

(List which conditions are not being met)

1)
2)
Add additional statements as necessary.

Special Use Permit- Applicant Burden

Applicant Burden of Proof for Special Use Permits, Article 11.4.10(e).2:

The applicant has the burden of producing competent, material, and substantial evidence establishing that:

1. The proposed special use will not materially endanger the public health or safety;
2. The proposed special use will not substantially injure the value of abutting property or it constitutes a public necessity;
3. The proposed special use will be in harmony with the area in which it is located and in general conformity with the comprehensive plan and any applicable small area plan;
4. The proposed special use will comply with all of the lot, size, yard, and other standards which this ordinance applies to all uses permitted in the zoning district in which the property is located; and
5. The proposed special use will comply with all general and specific standards required by the appropriate section of this ordinance for the issuance of a special use permit for this use.

Please note, if the applicant fails to provide substantial, material, and competent evidence addressing the applicable criteria, then the Town Board must deny the permit. That is true regardless of whether potential opponents present any evidence on point or not.

Expert Witness & Competent, Material, and Substantial Evidence:

Expert Witness:

- Generally, an expert witness is one qualified by knowledge, skill, experience, training, or education to provide specialized knowledge to help with the understanding of evidence or the determination of facts.
- Expert witnesses may include (but are not limited to):
  - A qualified appraiser when determining property value impact.
    - In North Carolina an owner of real property is generally competent to testify as to the value of their own property even though their knowledge on the subject would not qualify them as a witness were they not the owner.
      - An owner is generally expected to know what price the owner paid for the property and the uses to which the property may be put and to have a reasonably good idea of what it is worth. It is understood that the owner's opinion of the value of her own property may be subject to bias.
  - A transportation engineer when determining traffic impact.
  - A doctor or scientist when determining if the emissions from a proposed development would endanger the public health.

Competent, Material, and Substantial Evidence:

- Competent evidence is evidence that is sufficiently trustworthy and reliable, and that is legally fit and acceptable for consideration by the Board.
  - Speculative, irrelevant, or vague evidence; non-expert opinions on something that requires an expert; and hearsay evidence will likely not be competent evidence.
- Material evidence is evidence that shows that the standards will or will not be met.
- Evidence is substantial if it is relevant and regarded by a reasonable person as sufficient to support a specific conclusion.
  - Speculation, unsubstantiated fears of the community, or vague assertions do not constitute substantial evidence.

- Competent, material, and substantial evidence may include (but is not limited to):
  - Documentation
    - Staff Reports
    - Notice of Violation
    - Adopted Town Plans
    - Academic Journal
    - Wills and Deeds
    - Financial Reports and Documents
    - Transactional Reports and Documents
    - Photograph
  - Expert Testimony

Applicant Response:

In the following space, indicate what competent, material, & substantial evidence you will provide to establish that:

1. The proposed special use will not materially endanger the public health or safety.

The proposed special use will not materially endanger the public health or safety. It will be constructed according to applicable local and state building codes. It will have primary ingress and egress on a commercial thoroughfare and will have modern construction and design attributes. It will be flagged within the Marriott family of brands, which will require it to maintain high levels of maintenance and meet certain fire/life safety standards. The hotel may also have undergo periodic inspections from the fire marshal and health department.

2. The proposed special use will not substantially injure the value of abutting property or it constitutes a public necessity.

An Impact Analysis was completed by Hotel & Club Associates, Inc., which concluded that the hotel will have no measurable impact to abutting property values. The study utilizes a paired sales analysis to study the impact, if any, on residential property values as a result of their proximity to an existing hotel. The paired sales analysis examined three residential neighborhoods that are adjacent to an existing hotel. Market data from the three matched pair analyses shows no impact on residential property values as a result of their location adjacent to an existing hotel.

Town of Huntersville
NORTH CAROLINA

Special Use Permit- Applicant Burden

3. The proposed special use will be in harmony with the area in which it is located and in general conformity with the comprehensive plan and any applicable small area plan.

The proposed hotel will be in harmony with the area in which it is located and generally conform to the Huntersville Long Term Community Plan. "The requested Hotel use is permitted in the existing CB zoning district with a special use permit. The inclusion of a use as a [special] use in a particular zoning district establishes a prima facie case that the permitted use is in harmony with the general zoning plan." Mann Media Inc. v Randolph County Planning Board, 356 N.C.1; 565 S.E. 2d 9 (2002). Primary ingress and egress will be on Northcross Drive. Land uses along Northcross Drive are interstate/commercial oriented and the residential neighborhood to the west of Northcross is well buffered. Existing transportation infrastructure and utilities are in place to support hotel development as are sidewalks that provide connectivity and walkability to nearby commercial uses. The project will support the economic vitality of Huntersville by expanding the local commercial tax base, creating job growth, and supporting a small business/entrepreneurship. From an environmental perspective, the tree canopy within the buffer zone on the western end of the site will also be preserved.

4. The proposed special use will comply with all of the lot, size, yard, and other standards which this ordinance applies to all uses permitted in the zoning district in which the property is located.

The proposed special use complies with all lot, size, yard and other applicable standards for the CB (CD) zoning district found in the Town of Huntersville Zoning Ordinance. Evidence of this can be found in the Northcross Hotel Special Use Permit plan set. A modification is requested to the Town of Huntersville Article 4 - Urban Workplace Building/Lot type. The maximum building height per Article 4 is 45 feet. The applicant is asking for a modification to allow a maximum building height of 47 feet.

5. The proposed special use will comply with all general standards in Article 11.4 and all specific standards in Article 9 for the issuance of a special use permit for this use.

The proposed special use complies with all general standards of Article 11.4 and all specific standards of Article 9. The special use complies with all standards of Article 9.45.2 (a.- c.) regarding Hotels and Motels in the CB(CD) zoning district. Evidence of this can be found in the Northcross Hotel Special Use Permit plan set.

Attach additional documents if needed.

STATE OF NORTH CAROLINA	)	BEFORE THE
	)	HUNTERSVILLE TOWN BOARD
TOWN OF HUNTERSVILLE	)	SUP 22-02
	)	R22-06
	)	
	)	
SPECIAL USE PERMIT APPLICATION	)	AFFIDAVIT OF
FOR HOTEL USE	)	ZACHARY J. SPURGEON
	)	

NOW COMES the undersigned Affiant, who, being first duly sworn deposes and says:

1. I am over eighteen (18) years of age, am of sound mind, and have personal knowledge of all matters set forth in this Affidavit.

2. I am a partner at Hotel & Club Associates, Inc., a real estate appraisal and consulting firm established in 1991.

3. I am a Certified Licensed Appraiser licensed in North Carolina, South Carolina, and surrounding states. I have been actively and continuously engaged in real estate appraisal and consulting in North Carolina for the past 16 years.

4. I am also a Member of the Appraisal Institute ("MAI"). As defined by the Appraisal Institute, the MAI membership designation is held by appraisers who are experienced in the valuation and evaluation of commercial, industrial, residential, and other types of properties, and advise clients on real estate investment decisions. These designated members have met rigorous requirements relating to education, testing, experience and demonstration of knowledge, understanding and ability.

5. Additionally, I hold a Certificate in Hotel Real Estate Investments & Asset Management from Cornell University.

6. A true, accurate and genuine copy of my qualifications is included in my Report.

7. Over the past several years, I have researched hundreds of hotels in numerous states. I have researched existing and proposed hotel sites in North Carolina, reviewed articles through the Appraisal Institute and other studies and prepared appraisals, feasibility studies and market studies for hundreds of hotel sites, as well as discussed their likely impacts with other real estate professionals.

8. Applicant, Hotel Ventures of Lake Norman Inc., proposes to construct a hotel on approximately 2.66 acres of land located at 16221 Northcross Drive in the Town of Huntersville (Mecklenburg County) North Carolina (the "Site").

9. I have been retained as an expert by the Applicant to prepare a report for the purpose of forming an opinion as to whether (1) the proposed hotel use will or will not materially endanger

the public health or safety; (2) whether the proposed hotel use will or will not substantially injure the value of abutting property; and (3) whether the proposed hotel use will or will not be in harmony with the area in which it is located, and in general conformity with the applicable land use plan(s).

10. In connection with the preparation of my Report, I inspected the Site and the surrounding area; looked at adjoining and abutting parcels of land surrounding the Site, and specifically, the adjoining uses and permitted uses for same. I also performed various research including, but not limited to, review of market and hotel related studies, reviewed the proposed Site Plan, elevations and applicable sections of the Town of Huntersville's Long Term Community Plan (the "2040 Huntersville Community Plan").

11. A copy of my report dated December 7, 2022 is attached hereto as Exhibit A ("Report") and incorporated herein by reference.

12. The hotel will be a dual branded Fairfield Inn by Marriott and TownePlace Suites.

13. The hotel will be constructed in accordance with applicable local and state building codes, including applicable fire/life safety standards.

14. The Site will be required to secure all necessary permits and approvals prior to construction, including grading, soil erosion control and driveway permits.

15. The Site is bounded by commercial uses to the north and south, I-77 to the east, and 3 residential lots to the west. The Site is flanked by a plumbing supply company and a Mexican restaurant.

16. The hotel will be accessed only via Northcross Drive, a minor thoroughfare.

17. The hotel structure will be located 339 feet from the common residential property line.

18. As detailed in my Report, I conducted a paired sales analysis by comparing the sale of 4 residences that abut hotel use, with the sale of other single family homes in the same neighborhood in order to determine whether the proximity of an existing hotel to the adjacent homes had an adverse impact on property values.

19. Based on my analysis of the market data, I concluded that there is no adverse impact on property values from the presence of an adjacent hotel use.

20. The analysis in my Report is based on a 115 foot wooded buffer separating the proposed hotel use and adjacent single family residential. Since the preparation of my Report, the buffer area has increased from 115 feet to 124 feet. Applicant has also agreed to install a row of evergreens along the back edge of the Hotel parking lot. The proposed larger buffer area and increased vegetative screening does not change my opinion that adjacent hotel use does not adversely impact residential property values.

21. The Site is zoned Corporate Business Zoning District Conditional. Hotel use is a permitted use (subject to conditions) within the Corporate Business Zoning District.

22. The hotel will be 47 feet in height (below the parapet) and consist of 4 stories. However, sides of the hotel facing Northcross Drive and the residential lots have been stepped back from 4 stories to 3 stories, giving the appearance of a three story building, reducing the perceived mass of the building and making it compatible in size with surrounding existing commercial and residential structures.

23. A row of evergreen plantings along the rear parking lot will provide additional visual from the Hotel and serve as an additional noise barrier from I-77 Freeway.

24. No Hotel signage or windows will face the residential lots.

25. The Site Plan reflects that the proposed hotel use will comply with Ordinance requirements, including those requirements intended to mitigate the impacts from hotel use on adjacent properties.

26. The Future Land Use Map in the 2040 Huntersville Community Plan shows the Site and adjacent properties as located within the Employment Center and Town Core areas. Both areas contemplate a mix of uses including commercial, office, industrial, institutional, and residential housing types. Although the more recent 2040 Huntersville Community Plan discourages single family residential in Employment Center, Town Core support a variety of housing types and the existing residential, commercial and office, combined with the proposed Hotel use, organically create live, work, play opportunities envisioned by the 2040 Huntersville Community Plan.

27. Proposed Hotel use will be in harmony with the area in which it is located and in general conformity with the 2040 Huntersville Community Plan because the Site and proposed hotel structure will meet or exceed Ordinance requirements intended to mitigate any negative impacts related to development of the Site for hotel use and because the proposed Hotel use in general conformity with the 2040 Huntersville Community Plan.

28. Based upon my research, knowledge, experience and the detailed information and conclusions contained in my Report and herein, it is my professional opinion that the proposed hotel use:
(1) will NOT materially endanger the public health or safety;
(2) will NOT substantially injure the value of abutting property; and
(3) if developed in accordance with the Site Plan, WILL be in harmony with the area in which it is located, and is in general conformity with the 2040 Huntersville Community Plan.

Further the Affiant sayeth not.

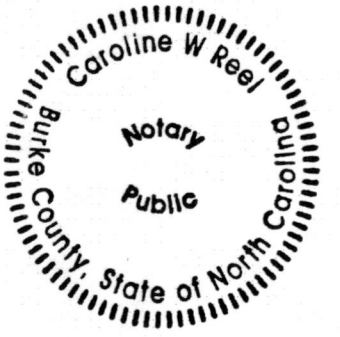
This the 20th day of January, 2023.

Zachary J. Spurgeon

State of North Carolina
County of Burke
Sworn and subscribed to before me this
20th day of January, 2023, by Zachary J. Spurgeon

Caroline W. Reel
Notary Public

My Commission Expires: March 30, 2025



HOTEL &CLUB

APPRAISAL AND CONSULTING SERVICES

December 7, 2022

Mr. Hitesh Patel
Vice President
Hotel Ventures, Inc.

RE: EPM Rezoning #442291; Special Use Permit Supplemental Information
Impact on Neighboring Properties Values, Harmony with Area, Public Health & Safety
Dual-branded TownePlace Suites by Marriott and Fairfield by Marriott
16221 Northcross Drive, Huntersville, NC 28078

Dear Mr. Patel,

At your request, I have studied the potential impact of a proposed dual-branded TownePlace Suites by Marriott and Fairfield by Marriott hotel to be constructed at 16221 Northcross Drive in Huntersville on surrounding properties. Specifically, I have been asked to give my professional opinion on whether the proposed hotel will have any adverse impact on neighboring property values, whether it would materially endanger the public health or safety, and whether it will be in harmony with the area and conform to the comprehensive plan.

In developing opinions on these issues, I have visited the proposed hotel site and inspected the surrounding neighborhood, making observations about various factors that could potentially impact property values. I have reviewed site and building plans for the hotel, neighborhood GIS aerial maps, the Huntersville Long Term Community Plan, and researched residential sales in similar situations.

To develop an opinion on whether the hotel development would be injurious to the value of abutting properties, an Impact Analysis was completed. The Impact Analysis utilizes a paired sales analysis to study the impact, if any, on residential property values as a result of their proximity to an existing hotel or commercial property. The paired sales analysis examines three residential neighborhoods that are adjacent to an existing hotel. One of these neighborhoods is in

Huntersville. I recently completed a similar assignment in Durham and have included two neighborhoods in Durham that are adjacent to a hotel. Additionally, sales in the Birkdale residential neighborhood are studied relative to a property that adjoins the Birkdale Business Park. My conclusions are based upon the results of these studies along with my general real estate experience and knowledge.

Conclusions

The hotel will be constructed according to applicable local and state building codes. It will have primary ingress and egress on a commercial thoroughfare and will have modern construction and design attributes. It will be flagged within the Marriott family of brands, which will require it to maintain high levels of maintenance and meet certain fire/life safety standards. The hotel may also have undergo periodic inspections from the fire marshal and health department. Therefore, it is reasonable to conclude that the proposed hotel will not materially endanger the public health or safety.

The 2.66-acre hotel site is surrounded by commercial uses to the north and south and to the east by Interstate 77. There are three houses in the Birkdale residential neighborhood that adjoin the hotel site to the west. A 115' wooded buffer will separate the hotel parking lot from the closest residential lot. The hotel building will be constructed on the far eastern portion of the site and will be 339' from the closest residential lot. The primary ingress/egress for the hotel is on Northcross Drive, a commercial thoroughfare.

Market data from three matched pair analyses shows no impact on residential property values as a result of their location adjacent to an existing hotel. This includes one hotel property in Huntersville and two hotel properties in Durham. A fourth matched paired analysis is supportive of this conclusion as it shows no impact on residential property values as a result of proximity to the Birkdale Business Park, a commercial use just north of the hotel site. Therefore, it is my opinion that the proposed hotel will not have any measurable impact on the value of abutting properties.

The proposed hotel will be in harmony with the area in which it is located and generally conform to the Huntersville Long Term Community Plan. The hotel site is surrounded to the north and south by existing commercial uses and to the east by a major interstate highway. Primary ingress and egress will be on Northcross Drive. Land uses along Northcross Drive are interstate/commercial oriented and the residential neighborhood to the west of Northcross is well

buffered. It appears this wooded buffer was deliberate in the planning and development of this area.

The hotel is within the Employment Center district on Huntersville's comprehensive plan (Huntersville 2040 Community Plan). The Employment Center contains a mix of office, industrial, and institutional uses including some residential and retail to create a live, work, and play environment. A key policy emphasis (LU-8) of the Employment District is flexibility, which allows for multiple land uses and offers flexibility in the form-based design principles. It allows for buildings fronting the street, which is proposed for the hotel development. Existing transportation infrastructure and utilities are in place to support hotel development as are sidewalks that provide connectivity and walkability to nearby commercial uses. The project will support the economic vitality of Huntersville by expanding the local commercial tax base, creating job growth, and supporting a small business/entrepreneurship. From an environmental perspective, the tree canopy within the buffer zone on the western end of the site will also be preserved.

Introduction

My name is Zach Spurgeon and I am a partner at Hotel & Club Associates, Inc. based in Greensboro, NC. Hotel & Club Associates is a real estate appraisal and consulting firm that was founded in 1991. I began my career at Hotel & Club in 2006 and have 16 years of real estate appraisal and consulting experience. I graduated from N.C. State University in 2004 with a B.S. degree in Business Management. I hold the MAI designation through the Appraisal Institute and a Certification in Hotel Real Estate Investments & Asset Management from Cornell University. I hold an active N.C. Certified General appraisal license.

Scope of Work

I reviewed site and building plans of the proposed hotel. I visited the proposed hotel site and drove the surrounding neighborhood. I have reviewed the Huntersville Long Term Community Plan. In the paired sales analysis, I analyzed residential property sales in the Birkdale neighborhood that are adjacent to the Birkdale Business Park. I also analyzed residential property sales in a second residential neighborhood in Huntersville that adjoins an existing hotel site, the Best Western Plus at 13830 Statesville Road. I analyzed residential sales in two residential neighborhoods in Durham that adjoin a hotel property. Sales of residential properties that adjoin the hotel were analyzed against other residential sales in the neighborhood that are not adjacent to the hotel to determine if there was any adverse impact on property values from the presence of the hotel.

Overview of Hotel Site / Buffers & Compatibility

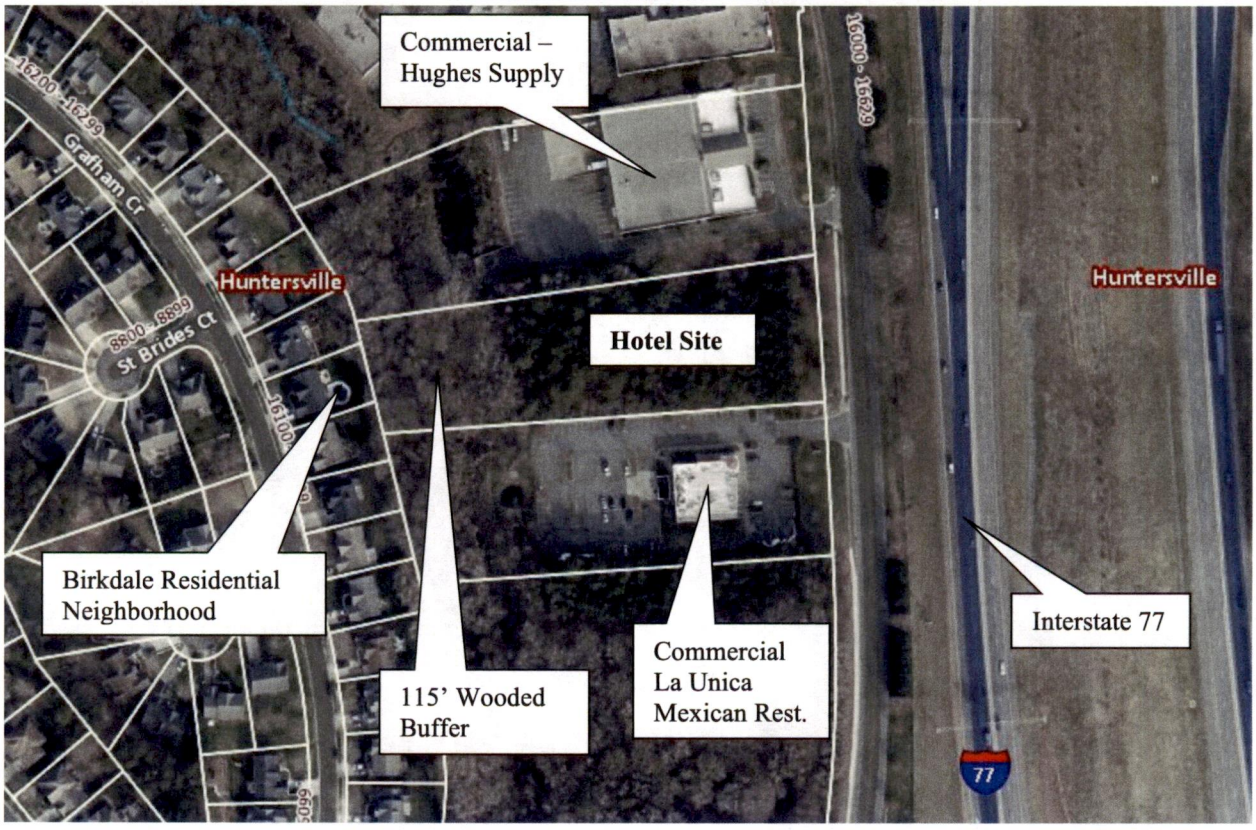
The hotel site is surrounded by commercial uses to the north and south, and residential to the west.

Adjacent Uses to Hotel Site		
Direction	**Use**	**Name**
North	Commercial	Hughes Supply - Kitchen & Bath Showroom
South	Commercial	La Unica Mexican Restaurant
East	N/A	Interstate 77
West	Residential	Birkdale residential neighborhood

To the north, Hughes Supply and the adjacent Birkdale Business Park were constructed in 1999 while La Unica Mexican Restaurant to the south was built in 2006. Most of the adjacent homes in the Birkdale residential neighborhood were built around 2000-2001.

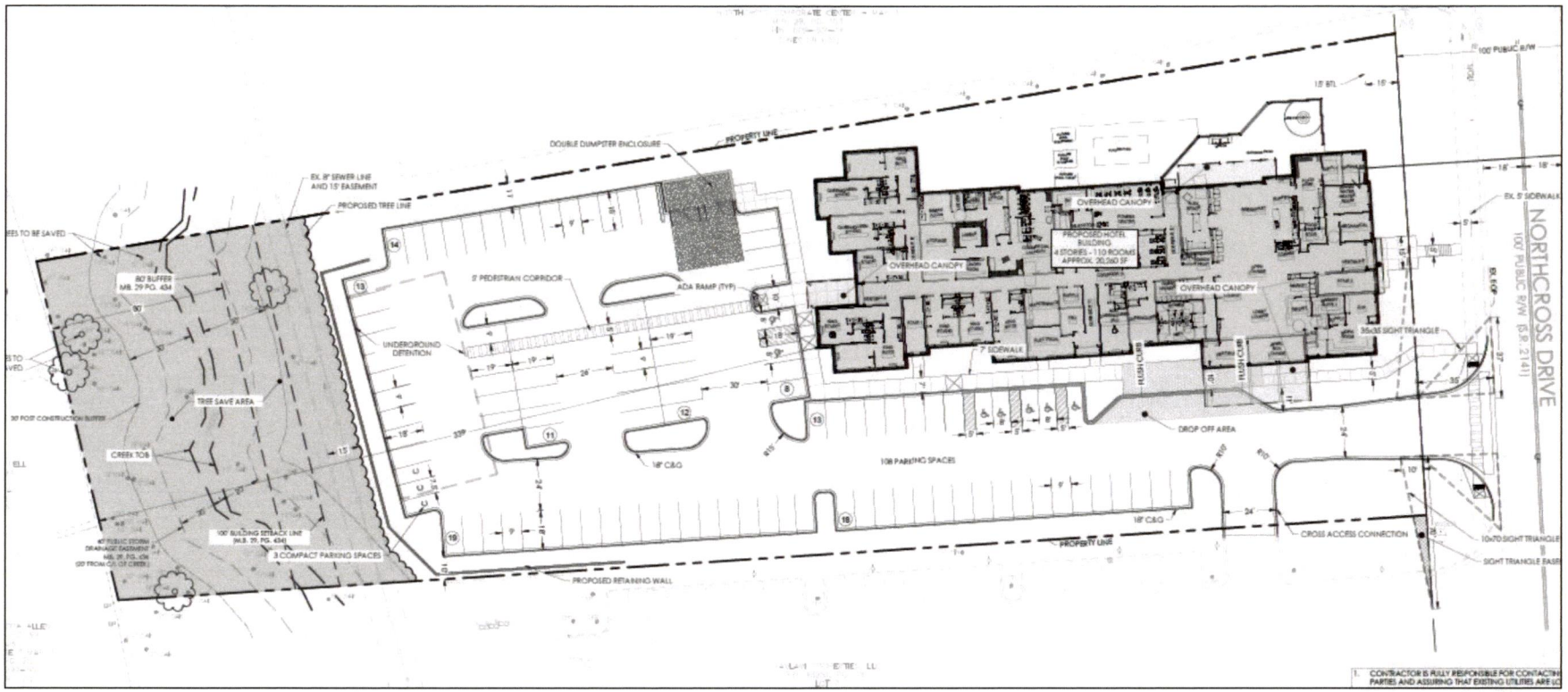
There are three residential lots in Birkdale that adjoin the hotel site. These residential lots will be buffered from the subject development via a 115' wooded area located on the subject site. The hotel improvement will be constructed on the far eastern portion of the site and the closest residential lot will be 339' from the hotel building. The wooded buffer will remain intact during development of the hotel.

Neighborhood Aerial Map



The hotel site is compatible with the adjacent uses to the north and south, which are commercial in nature. The residential uses to the west will be buffered via a 115' wooded area. This is consistent with the commercial uses to the north and south, which also feature a wooded buffer area.

Site Plan


NORTHCROSS DRIVE
100' PUBLIC R/W (S.R. 2141)
PROPOSED HOTEL BUILDING
4 STORIES - 110 ROOMS
APPROX. 20,260 SF
OVERHEAD CANOPY
DROP OFF AREA
108 PARKING SPACES
5' PEDESTRIAN CORRIDOR
ADA RAMP (TYP)
UNDERGROUND DETENTION
TREE SAVE AREA
80' BUFFER
MB. 29 PG. 434
3 COMPACT PARKING SPACES
PROPOSED RETAINING WALL
DOUBLE DUMPSTER ENCLOSURE
PROPOSED TREE LINE
EX. 8" SEWER LINE AND 15' EASEMENT
CROSS ACCESS CONNECTION
PROPERTY LINE
5' SIDEWALK
FLUSH CURB
18" C&G
35x35 SIGHT TRIANGLE
10x70 SIGHT TRIANGLE

Hotel Construction & Design / Franchise Characteristics

The hotel will have a unique 3 and 4 story construction that is designed to minimize the height on the western end of the building closest to the residential development. The front (eastern) portion of the building will also be 3 stories with a 4 story section in the middle.

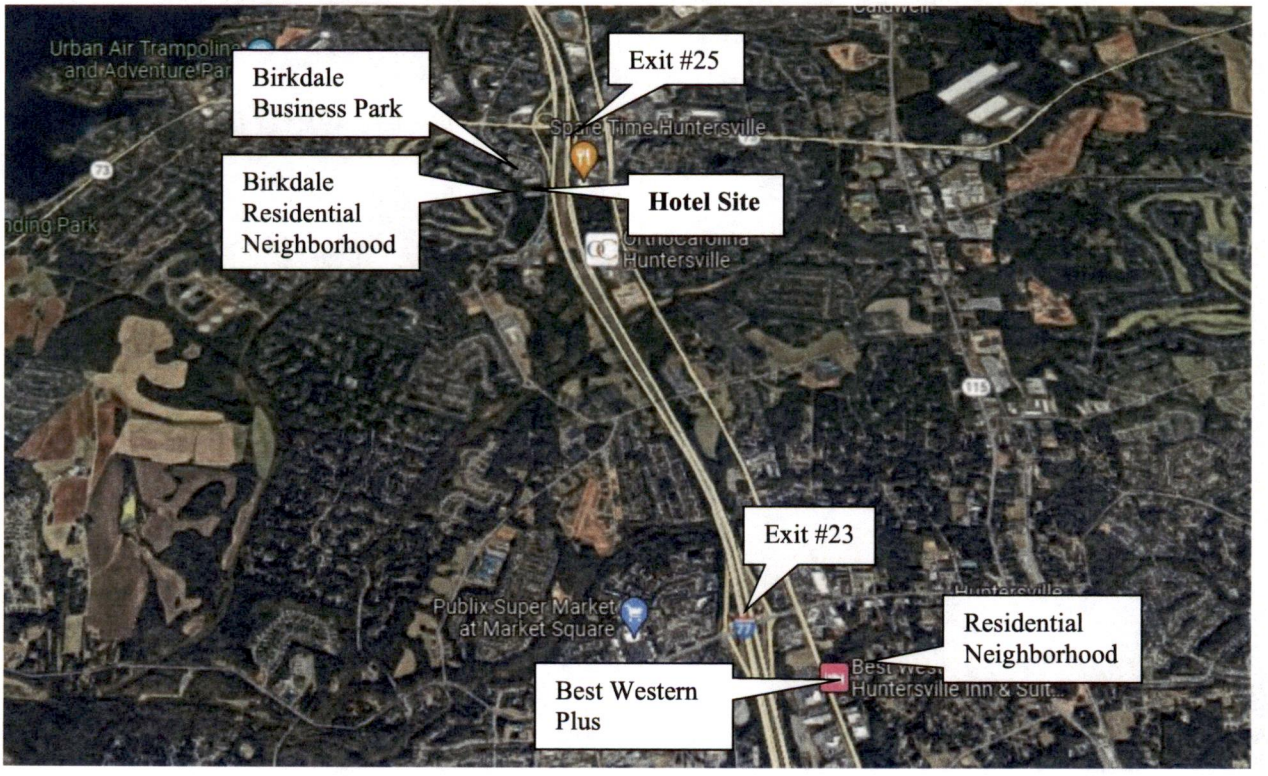
The hotel will be flagged as a TownePlace Suites by Marriott and Fairfield by Marriott. The building will be constructed as a modern design with good quality finishes. Marriott requires its franchisees to maintain strict design and quality standards. This includes brand-mandated renovations every few years. The typical franchise term for a newly built Marriott hotel is 20 years with an additional 15-20 year renewal periods. Additionally, the subject represents a $15.0+ million investment and current or future ownership is incentivized to maintain high quality standards over the years in order to protect the investment. Based on these factors, it is reasonable that the hotel will operate as a good quality hotel into the foreseeable future.

TownePlace Suites by Marriott and Fairfield by Marriott – Exterior Renderings

Impact Study via Paired Sales Analysis

A widely accepted methodology for measuring the impact of a single characteristic's effect on value is paired sales analysis or paired data analysis. According to **The Appraisal of Real Estate**, 14th Edition by the Appraisal Institute page 399, this analysis is described as *a quantitative technique used to identify and measure adjustments to the sale prices of comparable properties*. It is based on the premise that when two properties are equivalent in all respects but one, the value of the single difference can be measured by the difference in price between the two properties.

I have relied on four paired sales analysis in this report. Three of the paired sales analysis are completed on residential neighborhoods that adjoin a hotel property including one in Huntersville and two in Durham, NC. A fourth paired sales analysis includes the Birkdale residential neighborhood and a house that adjoins the Birkdale Business Park near the subject hotel site. The two local sales in Huntersville are illustrated on the map below.

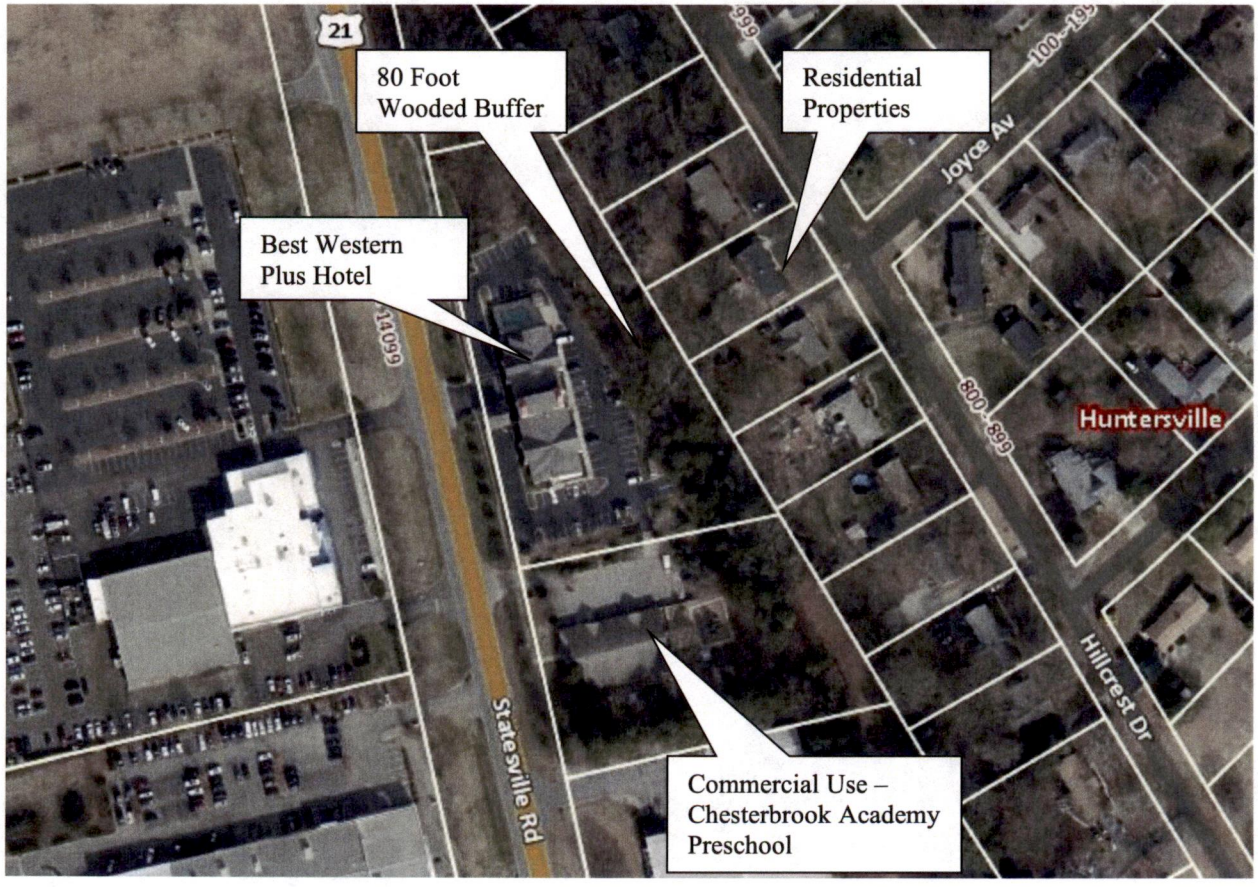


The Best Western Plus hotel at exit #23 in Huntersville adjoins a residential neighborhood. There is one house that adjoins the hotel site that recently sold and is analyzed against other single family home sales in the same neighborhood that are not adjacent to the existing hotel. The sales

are adjusted for various factors and the adjusted sale price per square foot is analyzed to determine if there is any adverse impact on property values given the proximity of the exiting hotel. I have completed the same analysis for the Birkdale neighborhood and two neighborhoods in Durham.

Best Western Plus (13830 Statesville Rd., Huntersville) Adjacent to Residential Neighborhood

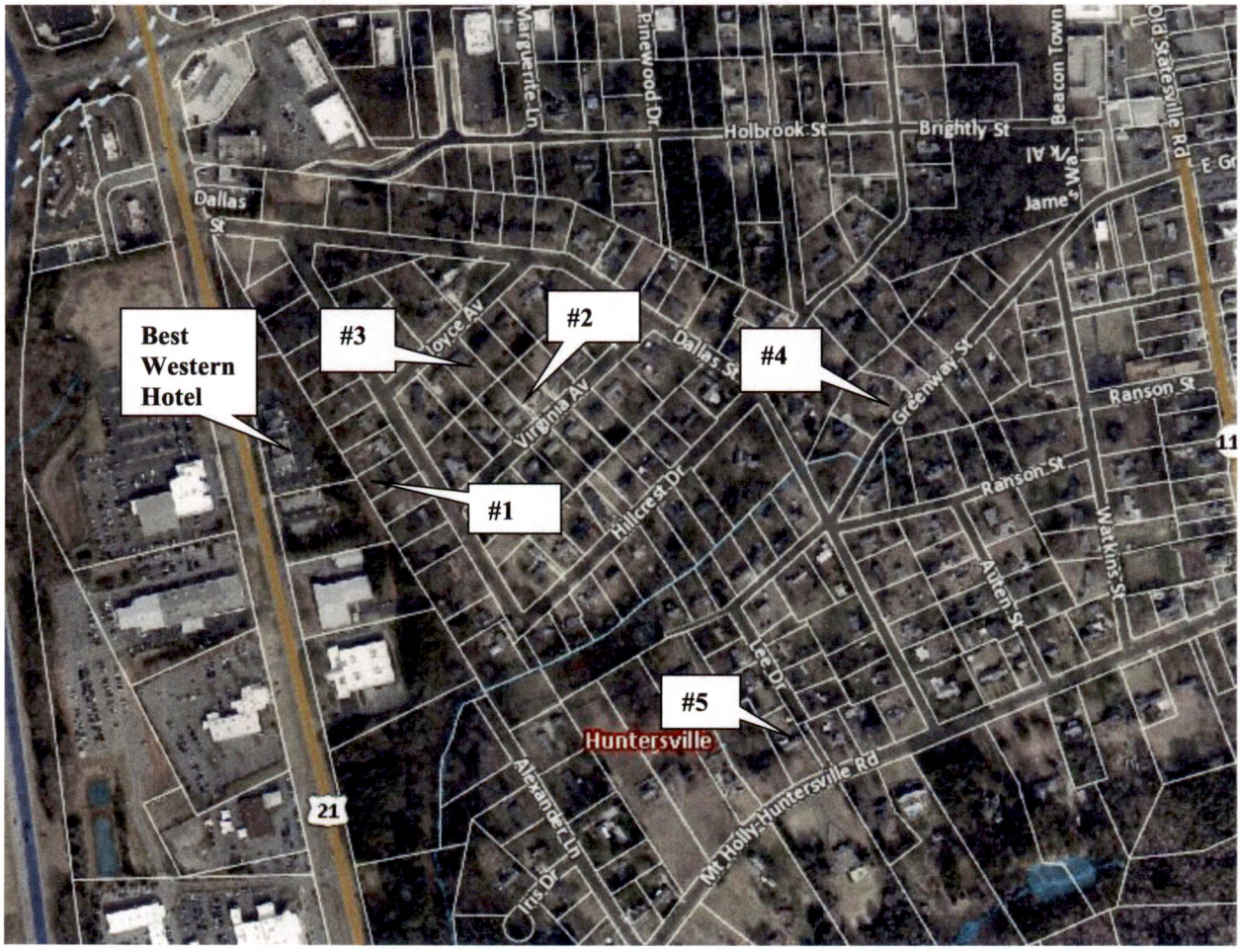
The Best Western Plus is 3.1 miles south of the TownePlace-Fairfield by Marriott site near exit #23. The 64-room Best Western Plus hotel opened in 2000 and is on the Statesville Road commercial thoroughfare. It is surrounded by commercial uses to the north, south, and west. A residential neighborhood adjoins the hotel site to the east. Five residential properties adjoins the hotel site to the east and are buffered by an approximate 80-foot wooded area. The closest house is 230± feet from the hotel building.



There are five improved residential properties that abut the hotel site. Of these, one house at 405 Hillcrest Drive sold in June 2022. I have compared this property to other houses in the neighborhood that have recently sold to determine if there was any impact from the proximity to the hotel. I have selected comparable sales that are similar in terms of size, condition, and other factors. A chart summarizing the details of these sales along with a map is shown below.

Residential Sales: Adjacent & Non-Adjacent to Best Western Plus Huntersville														
#	Adjoin Hotel	Address	Sale Date	List Price	Sale Price	Price Per SF	Square Feet	Yr. Built	BR/BA	Parking	Design	Acres	Other	DOM
1	Yes	405 Hillcrest Dr.	6/23/2022	$449,000	$430,000	$201.97	2,129	1973	5/3	1 Car Garage / Carport	1 stry Ranch	0.47	Above Ground Pool, Fence	12
2	No	108 Virginia Ave.	12/10/2021	$337,900	$338,000	$200.47	1,686	1969	3/2	None	1 stry Ranch	0.44	2 Sheds	23
3	No	107 Joyce Avenue	8/5/2022	$325,000	$327,500	$260.33	1,258	1965	3/2	Detached 2 Car Garage	1 stry Ranch	0.49	Fence	3
4	No	216 Greenway St.	12/22/2021	$448,000	$448,000	$240.21	1,865	1989	3/3	2 Car Garage	1 stry Ranch	0.63	None	1
5	No	406 Mount Holly-Huntersville Rd.	12/17/2021	$380,000	$370,000	$187.72	1,971	1979	3/2	Detached 2 Car Garage / Carport	1 stry Ranch	0.82	In Ground Pool	14
-	**Average**	-	**3/10/2022**	**$387,980**	**$382,700**	**$218.14**	**1,782**	**1,975**	-	-	-	**0.57**	-	**11**
-	**Median**	-	**12/22/2021**	**$380,000**	**$370,000**	**$201.97**	**1,865**	**1,973**	-	-	-	**0.49**	-	**12**

Residential Sales Map



The sales are adjusted for time, bathrooms, pool, basement square footage, and other features. The adjusted price per square foot for the sales is shown below.

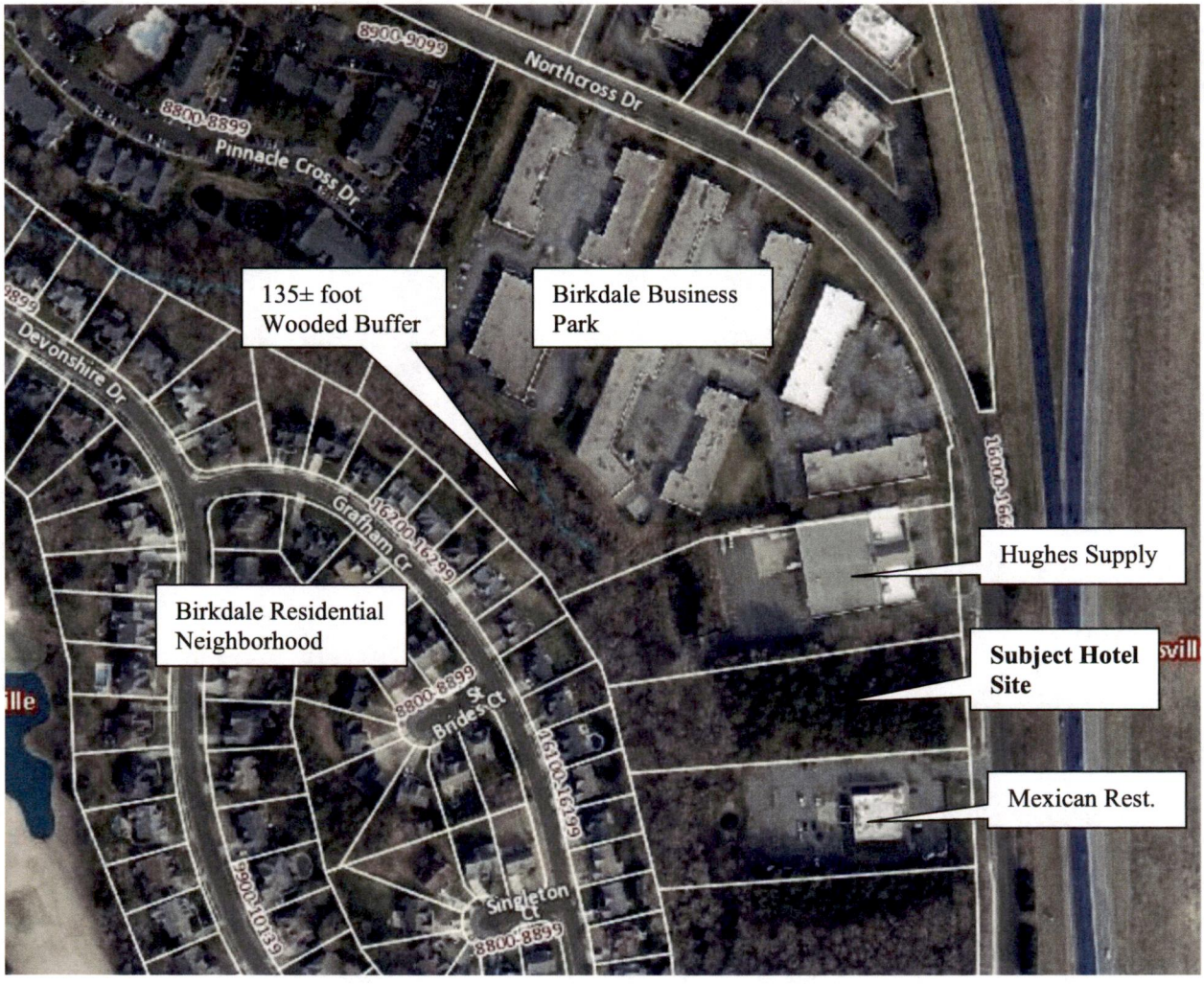
Residential Sales Adjustment Chart			
#	Address	Total	Adjusted $ / SF
1	405 Hillcrest Dr.	$430,000	$201.97
2	108 Virginia Ave.	$323,000	$191.58
3	107 Joyce Avenue	$287,500	$228.54
4	216 Greenway St.	$403,000	$216.09
5	406 Mount Holly-Huntersville Rd.	$315,000	$159.82

Sale Adjoining Hotel (1)		
	Average	Median
Adjusted Sale Price Per SF	$201.97	$201.97
Sales Not Adjacent to Hotel (2-5)		
	Average	Median
Adjusted Sale Price Per SF	$199.00	$203.83
Difference in Median (Adjoining vs. non-adjacent)		-0.9%

After adjustments, the price per square foot for the home adjoining the hotel is 1.0% less than homes not adjoining the hotel. This is within a typical range of variation to be expected in real estate transactions. The house adjoining the hotel (sale #1) had a days on market (DOM) of 12, which is near the average for the other homes that have sold within the neighborhood. This house is buffered from the hotel improvement via an 80-foot wooded buffer. The subject site will have a 115-foot wooded buffer. Therefore, **the preceding market data is indicative that there is no adverse impact on property values from the presence of the hotel.**

Birkdale Neighborhood Adjacent to Birkdale Business Park (Commercial) on Northcross Dr.

The east end of the Birkdale residential neighborhood borders several commercial sites including the Birkdale Business Park, Hughes Supply, La Unica Mexican Restaurant, and the proposed hotel site. The homes that border these commercial sites are along Grafham Circle as illustrated on the map below.



A residential house at 16214 Grafham Circle that adjoins the Birkdale Business Park sold in September 2022. Within the paired sales analysis, I have identified four additional comparable sales in the Birkdale neighborhood that have recently sold and do not adjoin a commercial site. These sales are reasonably similar in terms of size, condition, and other factors.

A chart summarizing the details of these sales along with a map is shown below.

Birkdale Residential Sales: Adjacent & Non-Adjacent to a Commercial Use (Birkdale Business Park)														
#	Adjoin Commercial	Address	Sale Date	List Price	Sale Price	Price Per SF	Square Feet	Yr. Built	BR/BA	Parking	Design	Acres	Other	DOM
1	Yes	16214 Grafham Circle	9/1/2022	$615,000	$595,000	$218.03	2,729	2000	4/2.5	Garage	2 stry	0.22	Fence	34
2	No	9624 Devonshire Dr.	5/6/2022	$710,000	$780,000	$212.38	3,343	2001	4/2.5	Garage	2 stry	0.37	Deck/Outdoor Fireplace	0
3	No	10135 Devonshire Dr.	12/1/2021	$684,900	$675,000	$200.12	3,373	2001	4/3.5	Garage	2 stry	0.27	Deck	68
4	No	8818 St Brides Ct.	8/3/2022	$550,000	$570,000	$224.06	2,544	2001	4/2.5	Garage	2 stry	0.30	Patio/Fence	1
5	No	16027 Grafham Circle	6/16/2022	$650,000	$725,000	$254.03	2,854	2001	5/3	Garage	2 stry	0.22	Patio/Fence	35
-	**Average**	-	**5/24/2022**	**$641,980**	**$669,000**	**$221.72**	**2,969**	**2,001**	-	-	-	**0.28**	-	**28**
-	**Median**	-	**6/16/2022**	**$650,000**	**$675,000**	**$218.03**	**2,854**	**2,001**	-	-	-	**0.27**	-	**34**

Birkdale Residential Neighborhood Sales Map

The sales are adjusted for time, bathrooms, and other features. The adjusted price per square foot for the sales is shown below.

Residential Sales Adjustment Chart			
#	Address	Total	Adjusted $ / SF
1	16214 Grafham Circle	$595,000	$218.03
2	9624 Devonshire Dr.	$770,000	$230.33
3	10135 Devonshire Dr.	$680,250	$201.68
4	8818 St Brides Ct.	$570,000	$224.06
5	16027 Grafham Circle	$717,500	$251.40

Sales Adjoining Hotel (1)		
	Average	Median
Adjusted Sale Price Per SF	$218.03	$218.03
Sales Not Adjacent to Hotel (2-5)		
	Average	Median
Adjusted Sale Price Per SF	$226.87	$227.19
Difference in Median (Adjoining vs. non-adjacent)		-4.0%

After adjustments, the price per square foot for the house adjoining the commercial use (Birkdale Business Park) is 4.0% less than the adjusted median square foot for houses not adjoining the Birkdale Business Park. This is within a typical range of variation to be expected in real estate transactions. Sale #1 had a days on market (DOM) of 34 days, which was generally in line with the median DOM for the other sales in the neighborhood. Therefore, **the preceding market data is indicative that there is no adverse impact on property values from the presence of the commercial use (Birkdale Business Park).**

Trinity Park Adjacent to Residence Inn by Marriott (1108 W. Main St, Durham, NC)

The Residence Inn by Marriott is a 147-room hotel that opened in mid-2015. It is on the W. Main Street commercial thoroughfare. Adjacent uses include the Trinity Park residential neighborhood to the north, commercial uses to the south and east, and Duke's east campus to the west. The hotel site adjoins the Trinity Park residential neighborhood to the north and two improved residential properties abut the hotel site. These two properties are buffered by an approximate 10-foot brick fence.

There are two improved residential properties that abut the hotel site. Of these, one house sold in January 2022. I have compared this properties to other houses that have sold within the Trinity Park neighborhood to determine if there was any impact from their proximity to the hotel. I have selected comparable sales that are similar to these properties in terms of size, condition, and other factors.

A chart summarizing the details of these sales along with a map is shown below.

Residential Sales: Trinity Park Neighborhood													
#	Adjoin Hotel	Address	Sale Date	List Price	Sale Price	Price Per SF	Square Feet	Yr. Built	BR/BA	Parking	Design	Acres	Other	DOM
1	Yes	115 Watts St.	1/31/2022	$1,700,000	$1,700,000	$390.18	4,357	1920	6/4	Garage	2 stry	0.23	Pool, Fence	5
2	No	114 N. Buchanan St.	5/21/2021	$1,000,000	$1,100,000	$263.54	4,174	1924	3/3	Garage	2 stry	0.22	Fence	3
3	No	116 N. Buchanan St.	11/1/2019	$975,000	$940,000	$222.17	4,231	1925	5/3	None	2 stry	0.23	Fence	1
4	No	1009 Watts St.	7/15/2021	$1,845,000	$1,845,000	$419.70	4,396	2009	4/4.5	Garage	2 stry	0.33	Fence	3
5	No	1010 Gloria Ave.	8/12/2020	$1,400,000	$1,375,000	$331.72	4,145	1910	4/2.5	None	2 stry	0.17	Fence	14
6	No	1005 Lamond Ave.	6/1/2022	$890,000	$965,000	$396.14	2,436	1906	3/3	None	2 stry	0.22	Fence	3
7	No	1111 Urban Ave.	6/2/2022	$892,000	$920,000	$369.63	2,489	1918	3/2	None	2 stry	0.12	Fence	5
-	**Average**	-	**6/20/2021**	**$1,243,143**	**$1,263,571**	**$341.87**	**3,747**	**1,930**	-	-	-	**0.22**	-	**5**
-	**Median**	-	**7/15/2021**	**$1,000,000**	**$1,100,000**	**$369.63**	**4,174**	**1,920**	-	-	-	**0.22**	-	**3**

Trinity Park Sales Map

The sales are adjusted for time, bathrooms, pool, and other features. The adjusted price per square foot for the sales is shown below.

Residential Sales Adjustment Chart			
#	Address	Total	Adjusted $ / SF
1	115 Watts St.	$1,785,000	$409.69
2	114 N. Buchanan St.	$1,239,000	$296.84
3	116 N. Buchanan St.	$1,240,000	$293.07
4	1009 Watts St.	$2,052,000	$466.79
5	1010 Gloria Ave.	$1,722,500	$415.56
6	1005 Lamond Ave.	$1,030,000	$422.82
7	1111 Urban Ave.	$1,000,000	$401.77

Sales Adjoining Hotel (1)		
	Average	Median
Adjusted Sale Price Per SF	$409.69	$409.69
Sales Not Adjacent to Hotel (2-7)		
	Average	Median
Adjusted Sale Price Per SF	$382.81	$408.66
Difference in Median (Adjoining vs. non-adjacent)		0.2%

After adjustments, the price per square foot for the house adjoining the hotel is generally in line with the houses not adjoining the hotel. Sale #1 had a days on market (DOM) of 5, which is similar to the other homes that have sold within the neighborhood. This home is buffered from the hotel site via the 10' fence and significant vegetation. **The preceding market data is indicative that there is no adverse impact on property values from the presence of the hotel.**

Landsbury/Waterbury Neighborhood Adjacent to La Quinta Inn & Suites (4414 Durham-Chapel Hill Blvd., Durham)

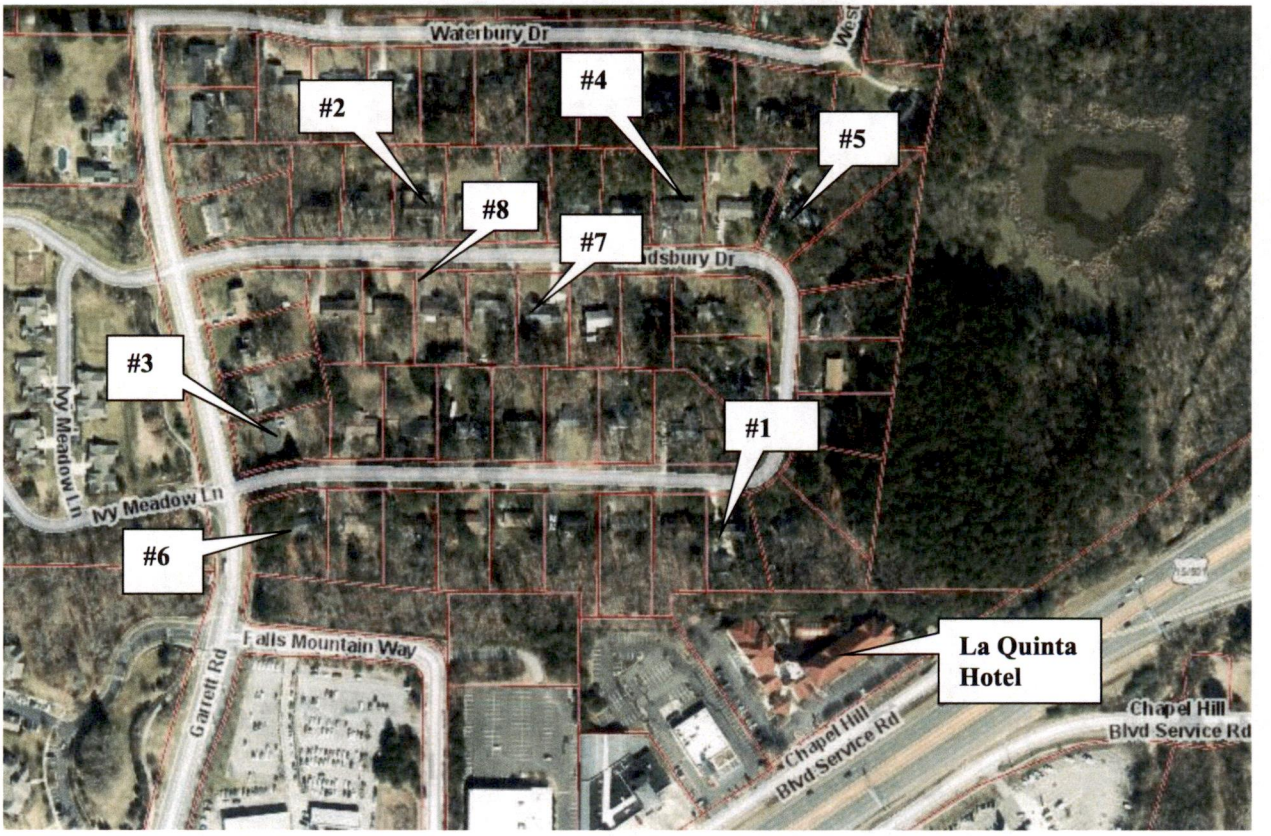
The La Quinta Inn & Suites is located 5.3 miles south of the TownePlace site along the Durham-Chapel Hill Blvd. (US 15-501) commercial thoroughfare. The 130-room La Quinta Inn opened in 1999. Adjacent uses include the Landsbury-Waterbury residential neighborhood to the north, commercial to the south and west, and vacant land to the east. There are three residential homes in the neighborhood that are abutting the hotel site.

Of the three houses that adjoin the hotel site, two have sold within the last year. However, one of these homes was very dated and has been excluded from the analysis. The house at 118 Landsbury Drive adjoins the hotel and is analyzed against other recently sold homes in the neighborhood that do not adjoin the hotel site. I have selected comparable sales that are reasonably similar in terms of size, condition, and other factors.

A chart summarizing the details of these sales along with a map is shown below.

Residential Sales: Trinity Park Neighborhood													
#	Adjoin Hotel	Address	Sale Date	List Price	Sale Price	Price Per SF	Square Feet	Yr. Built	BR/BA	Parking	Design	Acres	DOM
1	Yes	118 Landsbury Dr.	6/14/2021	$449,000	$449,000	$259.84	1,728	1971	3/2	Garage	1 stry	0.49	45
2	No	226 Landsbury Dr.	2/8/2022	$419,000	$500,000	$191.50	2,188	1974	4/3	Garage	1 stry	0.47	3
3	No	4011 Garrett Rd.	3/21/2022	$449,900	$505,000	$291.23	1,734	1965	4/3	None	1 stry	0.48	5
4	No	204 Landsbury Dr.	8/30/2021	$370,000	$395,000	$238.67	1,655	1966	3/2	None	1 stry	0.47	6
5	No	142 Landsbury Dr.	9/14/2020	$329,000	$349,153	$201.59	1,732	1977	3/2	None	1 stry	0.85	3
6	No	102 Landsbury Dr.	11/18/2021	$340,000	$370,000	$209.99	1,762	1972	3/2	None	1 stry	0.61	4
7	No	217 Landsbury Dr.	8/13/2020	$279,900	$306,350	$212.60	1,441	1998	3/5	Garage	1 stry	0.46	2
-	**Average**	-	**7/9/2021**	**$376,686**	**$410,643**	**$229.35**	**1,749**	**1,975**	-	-	-	**0.55**	**10**
-	**Median**	-	**8/30/2021**	**$370,000**	**$395,000**	**$212.60**	**1,732**	**1,972**	-	-	-	**0.48**	**4**

Landsbury-Waterbury Sales Map



The sales are adjusted for time, bathrooms, and other features. The adjusted price per square foot for the sales is shown below.

Residential Sales Adjustment Chart			
#	Address	Total	Adjusted $ / SF
1	118 Landsbury Dr.	$493,900	$285.82
2	226 Landsbury Dr.	$394,000	$180.07
3	4011 Garrett Rd.	$585,150	$337.46
4	204 Landsbury Dr.	$480,550	$290.36
5	142 Landsbury Dr.	$465,492	$268.76
6	102 Landsbury Dr.	$449,600	$255.16
7	217 Landsbury Dr.	$392,620	$272.46

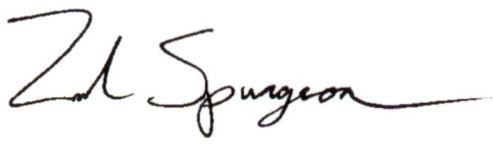
Sales Adjoining Hotel (1)		
	Average	Median
Adjusted Sale Price Per SF	$285.82	$285.82
Sales Not Adjacent to Hotel (2-7)		
	Average	Median
Adjusted Sale Price Per SF	$267.38	$270.61
Difference in Median (Adjoining vs. non-adjacent)		5.6%

After adjustments, the price per square foot for the home adjoining the hotel is 5.6% more than the adjusted median square foot for home not adjoining the hotel. This is within a typical range of variation to be expected in real estate transactions. Sale #1 had a days on market (DOM) that was longer than other sales in the neighborhood, which could indicate a smaller buyer pool for the property. However, **ultimately there does not appear to be any adverse impact on value.**

Conclusion – Paired Sales Analysis

Based on the market data presented in the three hotel related paired sales analyses, it is my opinion that there is no adverse impact on market value to the houses adjacent to a hotel property. In the case of the Best Western Plus in Huntersville, an 80' wooded buffer separated the hotel parking lot from the adjoining residential lots. There was an even smaller buffer for the two residential houses that abutted the Residence Inn and La Quinta Inn in Durham. The subject hotel site will have a 115' wooded buffer separating its improved parking lot from the closest residential lot. Therefore, it is reasonable to conclude that there will be no adverse impact on market value for the residential homes adjoining the hotel site. The paired sales analysis of the house adjoining the Birkdale Business Park (while not a hotel) is supportive of this conclusion.

Respectfully submitted,



Zachary J. Spurgeon, MAI

Appraiser & Consultant Qualifications

Zachary J. Spurgeon, MAI

Hotel & Club Associates, Inc.
3717-D West Market Street
Greensboro, North Carolina 27403
Office: (336) 379-1400
zspurgeon@hotelandclub.com

PROFESSIONAL EXPERIENCE:

Hotel and Club Associates, Inc. – Partner	2018 - Present
Hotel and Club Associates, Inc. – Appraiser and Consultant	2006 - 2018

PROFESSIONAL DESIGNATIONS:

MAI (Member, The Appraisal Institute)
CHIA (Certification in Hotel Industry Analytics from the American Hotel & Lodging Educational Institute and Smith Travel Research)

EDUCATION:

N.C. State University – Bachelor of Science Degree, Business Management (2004)
Cornell University – Certificate in Hotel Real Estate Investments & Asset Management (2017)

STATE CERTIFICATIONS/LICENSES:

N.C. Certified General Appraiser – A7157	GA Certified General Appraiser – 339129
S.C. Certified General Appraiser – CG 6658	PA Certified General Appraiser - GA004286
VA Certified General Appraiser – 4001-014498	N.C. Licensed Real Estate Broker (inactive) – 250158
TN Certified General Appraiser - 4647	

PROFESSIONAL EXPERIENCE:

Zach began his career with Hotel & Club Associates, Inc. in 2006 and has completed over 700 assignments including appraisals, market studies, feasibility studies, and consultations for lending institutions, developers, property owners, attorneys, and municipalities throughout the United States.

COURSEWORK:

Completion of the comprehensive exam and coursework required for the MAI designation.
Completion of 28 hours of appraisal related continuing education every two years.
Specialized hotel coursework through Cornell University's Certification Program.
Completion of the coursework required to obtain an N.C. Certified General Appraisal License.
Completion of the coursework required to obtain an N.C. Real Estate Broker License.

STATE OF NORTH CAROLINA	)	BEFORE THE
	)	HUNTERSVILLE TOWN BOARD
TOWN OF HUNTERSVILLE	)	SUP 22-02
	)	R22-06
	)	
	)	
SPECIAL USE PERMIT AND REZONING APPLICATION FOR HOTEL USE	)	AFFIDAVIT OF JAY HENSON
	)	
	)	

NOW COMES the undersigned Affiant, who, being first duly sworn deposes and says:

1. I am over eighteen (18) years of age, am of sound mind, and have personal knowledge of all matters set forth in this Affidavit.

2. I am President of HensonFoley, a landscape architect/civil engineering consulting firm I founded in 2000.

3. I attended West Virginia University and graduated with a Bachelor of Science degree in Landscape Architecture. I am a professionally licensed landscape architect, registered in North Carolina, South Carolina and Virginia and have been actively and continuously engaged in site planning for over 35 years.

4. Applicant, Hotel Ventures of Lake Norman Inc., proposes to construct a hotel on approximately 2.66 acres of land located at 16221 Northcross Drive in the Town of Huntersville (Mecklenburg County) North Carolina (the "Site").

5. Our firm prepared the Site Plan submitted with the Special Use Permit and Rezoning Applications and as revised during the approval process.

6. In connection with preparing the Site Plan, I inspected the Site and the surrounding area; including adjoining and abutting parcels of land surrounding the Site, and specifically, the adjoining uses and permitted uses for same. I researched the Site's current zoning classification as well as the Site's zoning history. I also researched applicable sections of the Town of Huntersville Zoning Ordinance ("Ordinance") to determine the general and specific standards related to the proposed hotel use.

7. The Site is zoned Corporate Business Zoning Conditional District. Hotel use is permitted in Corporate Business Zoning District.

8. The Site was originally part of the Northcross Master Plan, a 27 acre mixed use project approved in the late 1980s/early 1990's. The master plan divided the acreage into lots and restricted one or more lots to certain uses. The entire 27 acres was then rezoned based on the intended use of each lot as shown on the master plan. The area in which the Site was located was intended for development as an office/business park and therefore rezoned to Business Park (BP) District. The master plan prohibited several uses otherwise permitted in BP zoning, including hotel use, on the

BP zoned lots; not because of abutting uses, but because either the master plan did not include hotel use, or hotel use was intended for other lots within the master plan. After the Town of Huntersville acquired jurisdiction over the Site in 1994, the BP zoning was changed to Corporate Business (CB) to comply with the Town's zoning designations. Although hotel use is a permitted use within the CB zoning district, the 27 acres remained tied to the master plan that prohibited hotel use on the Site. Although some of the CB zoned lots were developed as the Northcross Business Park, the remaining CB zoned property remained vacant and the lots were eventually sold to new owners. The Site remains restricted by the master plan and therefore needs to be amended. The site will remain CB (CD) to allow the hotel use.

9. The hotel will be accessed only via Northcross Drive, a minor thoroughfare.

10. I have compared the Site Plan with the Ordinance requirements applicable to Corporate Business zoning district and hotel use.

11. The hotel structure will be 339 feet from the common residential property line.

12. The Site will have a 124 foot wooded buffer area along the western property line and separating the hotel use from the adjacent residential properties.

13. The Hotel will be 47 feet in height (below the parapet) and consist of 4 stories. Sides of the hotel facing Northcross Drive and the residential lots have been stepped back from 4 stories to 3 stories, giving the appearance of a three story building, reducing the perceived mass of the building and making it compatible in size with surrounding existing structures in accordance with Article 3.2.4(d) of the Ordinance.

14. A row of evergreen plantings along the rear parking lot will provide additional visual from the Hotel and additional noise barrier from I-77 Freeway.

15. No Hotel signage or windows will face the residential lots.

16. As shown on the Site Plan, and as illustrated by the cross section attached hereto as Exhibit A and incorporated herein by reference, the proposed hotel use will meet or exceed all applicable Ordinance requirements, including those regulations intended to mitigate any impacts from hotel use on adjacent properties.

17. Therefore, it is my professional opinion that if developed in accordance with the Site Plan, the proposed hotel use will comply with all of the lot, size, yard and other standards which this Ordinance applies to all uses permitted in the zoning district in which the property is located.

18. It is further my professional opinion that if developed in accordance with the Site Plan, the proposed hotel use will comply with all general and specific standards required by the appropriate section of this Ordinance for the issuance of a special use permit for hotel use

Further the Affiant sayeth not.

This the 19 day of January, 2023.

Jay Henson

State of North Carolina
County of Mecklenburg

Sworn and subscribed to before me this
19 day of January, 2023, by Jay Henson

Kim M Stephens
Notary Public

OFFICIAL SEAL
NOTARY PUBLIC, NORTH CAROLINA
KIM M. STEPHENS
LINCOLN COUNTY

My Commission Expires: 01-18-2027

Exhibit A

339' SEPARATION PROVIDED
141' SEPARATION REQUIRED
124' BUFFER PROVIDED
80' BUFFER REQUIRED
PROPERTY LINE
30' PCO BUFFER
30'
30'
80' BUFFER
30' PCO BUFFER
PROPOSED PARKING LOT
PROPOSED HOTEL
R/W
NORTHCROSS DRIVE
100' PUBLIC R/W
S.R. #2141
R/W
I-77
INTERMITTENT STREAM
PROPOSED RETAINING WALL

STATE OF NORTH CAROLINA	)	BEFORE THE
	)	HUNTERSVILLE TOWN BOARD
TOWN OF HUNTERSVILLE	)	SUP 22-02
	)	
	)	
SPECIAL USE PERMIT APPLICATION	)	
FOR HOTEL USE	)	AFFIDAVIT OF
	)	HITESH PATEL
	)	

NOW COMES the undersigned Affiant, who, being first duly sworn deposes and says:

1. I am over eighteen (18) years of age, am of sound mind, and have personal knowledge of all matters set forth in this Affidavit.

2. I am Vice President of Hotel Ventures Inc., a family owned business that has been successfully developing, owning and managing hotels since 1984.

3. Applicant, Hotel Ventures of Lake Norman Inc., proposes to construct a 109 room hotel on approximately 2.66 acres of land located at 16221 Northcross Drive in the Town of Huntersville (Mecklenburg County) North Carolina (the "Site").

4. The proposed hotel will be a dual branded Fairfield Inn by Marriott and TownePlace Suites by Marriott. The Fairfield Inn will consist of approximately 64 rooms, and the TownePlace Suites will comprise the remaining approximately 45 rooms.

5. Hotels within the Marriott portfolio are required to maintain high levels of maintenance, quality and guest services. The proposed hotel will create approximately 25 new employee positions.

6. Marriott franchisees must maintain strict design and quality standards including brand mandated renovations every few years.

7. The proposed hotel will be constructed as a modern design with good quality finishes and in accordance with applicable local and state building codes, including applicable fire/life safety standards.

8. The Site is part of the original Northcross Master Plan and therefore governed by certain covenants, conditions and restrictions that require architectural review and plan approval of the proposed hotel use by the Northcross Master Association prior to development. A copy of the Northcross Master Association approval is attached hereto as Exhibit A.

9. The Marriott flag represents a $15.0+ million investment, further incentivizing the current or future hotel owner to maintain high quality standards in order to protect its investment.

10. Both Fairfield Inn and TownePlace Suites brands are designed to cater to the corporate business traveler. The Fairfield Inn brand offers several types (referred to as "room" or "suite" depending on size). The TownePlace Suites brand offers a larger suite with kitchen amenities intended for the business traveler who plans to stay for more than one night or just wants additional room to spread out.

9. All rooms and suites will rent on a daily rate only, with no monthly rate option available. Hotel reception will be staffed 24/7 and whether a guest chooses a room or a suite, all guests enjoy the same services and amenities. Guests are offered complimentary daily hot breakfast, daily room service, and 24/7 complimentary coffee in the lobby. Other guest amenities include fitness room, free Wi-Fi, and business center. Per Marriott standards, the hotel will be a 100% smoke free.

11. Just like services, quality and price point vary from one typical hotel to another based on brand affiliation, extended stay hotels also vary in service, quality and price points based on their brand affiliation. Unlike lower tiered extended stay brands, the proposed Marriott branded TownePlace Suites will position itself at a higher price point, and further distinguish itself by being staffed 24/7, and providing daily room service with complimentary hot breakfast to the corporate traveler. The proposed hotel is not designed to serve as a monthly or yearly rental property nor as alternate long-term housing

Further the Affiant sayeth not.

This the 20 day of January, 2023.

Hitesh Patel

State of Georgia
City/County of Richmond

Sworn and subscribed to before me this
20 day of January, 2023, by Hitesh Patel

Notary Public

My Commission Expires: 6. 26. 2026

OVEATER F STREET
NOTARY PUBLIC
RICHMOND COUNTY, GEORGIA
MY COMMISSION EXPIRES
JUNE 26, 2026

MPV PROPERTIES
Merrifield Patrick Vermillion

Ian H. Bruce
Director of Association Management

704-561-5270
ibruce@mpvre.com

January 5, 2023

Hitesh Patel
Vice President
Hotel Ventures of Lake Norman, Inc
3836 Honors Way
Martinez, GA 30907

Re: Northcross Master Association, Inc (the "Association")
16221 Northcross Drive, Huntersville, NC (the "Property")
Architectural Plans and Elevations prepared by Isom Ham dated 8.4.2022
Special Use Permit Plan Package prepared by Hanson Foley dated 12.7.2022 (the "Plans")

Dear Hitesh:

MPV Properties is the property manager and agent for the Association. In accordance with the Declaration of Covenants, Conditions and Restrictions dated March 15, 1990, as amended (the "Declaration") the Association has reviewed and approved the Plans for the Property.

The manufacturers, color selections and specifications for all building exterior materials must be submitted for review by the Association. EIFS designed to simulate the look of brick is an approved material.

This approval is given in accordance with the Declaration only. All approvals and consents required from any other party, including all municipal authorities, must also be obtained by the owner of the Property. Any changes to the Property not specified in the Plans must be submitted to and approved by the Association.

Sincerely,

Ian Bruce

Ian H. Bruce

Proposed Findings of Facts

i. The proposed special use will not materially endanger the public health or safety;

There is no reason to believe that this project would endanger the public health or safety. [Staff Report]

All applicable fire and building safety codes will be met if approved. [Staff Report]

The hotel will be constructed in accordance with applicable local and state building codes, including applicable fire/life safety standards. [Spurgeon Affidavit]

The Site will be required to secure all necessary permits and approvals prior to construction, including grading, soil erosion control and driveway permits.[Spurgeon Affidavit]

ii. The proposed special use will not substantially injure the value of abutting property;

The hotel will be accessed only via Northcross Drive, a minor thoroughfare. [Staff Report; Spurgeon Affidavit; Henson Affidavit]

The proposed hotel use will be separated from abutting houses by a 124 foot wide wooded buffer. [Site Plan; Staff Report; Henson Affidavit]

The proposed hotel structure will be separated 339 feet from the abutting residential property line. [Site Plan; Staff Report; Henson Affidavit]

The Site Plan for the proposed hotel meets or exceeds Ordinance regulations intended to mitigate potential impacts from the proposed hotel use on adjacent properties. [Henson Affidavit; Staff Report]

MAI appraiser Zachary Spurgeon performed an impact study that included 4 matched pair sales (3 homes adjacent to hotel use; one home adjacent to a commercial use) which the appraiser analyzed to conclude that hotel use has no adverse impact on abutting residential property values. [Spurgeon Report]

The matched pair sales analyzed were separated by smaller buffers than the 124 foot wooded buffer proposed by Applicant to separate the proposed hotel use from abutting houses. [Spurgeon Report]

Sworn testimony of MAI appraiser Zachary Spurgeon that in his professional opinion, the proposed hotel use will not substantially injure adjacent property values. [Spurgeon Affidavit]

iii. **The proposed special use will be in harmony with the area in which it is located and in general conformity with the comprehensive plan and any applicable small area plan;**

STAFF FINDING: the proposal is consistent with the Huntersville 2040 Community Plan policies LU 5.1, 6.2, 7.1, and EV 1.3. Furthermore, Hotels are a use by right with conditions under the Corporate Business zoning district and this proposal complies with all applicable ordinances with only one minor modification requested for additional two feet of height above the maximum allowed in the district (requires a conditional district rezoning see R22-06).

The inclusion of a use as a [special] use in a particular zoning district establishes a prima facie case that the permitted use is in harmony with the general zoning plan." *Mann Media Inc. v Randolph County Planning Board,* 356 N.C.1; 565 S.E. 2d 9 (2002).

Hotels may exceed the maximum height allowed in Corporate Business zoning districts up to 6 stories in height with a Special Use Permit.

The proposed hotel use will be 4 stories in height in the center of the building but reduced to 3 stories on the sides fronting the abutting houses and Northcross Drive to conform to the character of surrounding structures. [Staff Report; Henson Affidavit]

The proposed hotel use is located on Northcross Drive with commercial uses on each side and in close proximity to Northcross Business Park and Interstate 1-77. [Spurgeon Affidavit; Henson Affidavit]

The proposed hotel use is located within an Employment Center and will employ approximately 25 persons. [Patel Affidavit]

iv. The proposed special use will comply with all of the lot, size, yard, and other standards which this ordinance applies to all used permitted in the zoning district in which the property is located;

STAFF FINDING: The proposal complies with all applicable standards and ordinances with one minor modification requested for additional two feet of height above the maximum allowed in the district (requires a conditional district rezoning see R22-06).

The Site will have a 124 foot wooded buffer area along the western property line and separating the hotel use from the adjacent residential properties. [Henson Affidavit; Staff Report]

The Hotel will be 47 feet in height (below the parapet) and consist of 4 stories. Sides of the hotel facing Northcross Drive and the residential lots have been stepped back from 4 stories to 3 stories, giving the appearance of a three story building, reducing the perceived mass of the building and making it compatible in size with surrounding existing structures in accordance with Article 3.2.4(d) of the Ordinance. [Staff Report; Henson Affidavit]

Expert opinion of professionally licensed landscape architect, Jay Henson, that if developed in accordance with the Site Plan, the proposed hotel use will comply with all of the lot, size, yard and other standards which this Ordinance applies to all uses permitted in the zoning district in which the property is located. [Henson Affidavit]

v. The proposed special use will comply with all general and specific standards required by the appropriate section of this ordinance for the issuance of a special use permit for this use.

STAFF FINDING: All standards will be met and proposed plan meets these standards (see 1 & 2 above).

The proposed hotel will be accessed only via Northcross Drive, a minor thoroughfare. [Henson Affidavit; Staff Report; Notebook Exhibit]

The proposed hotel structure will be 339 feet from the common residential property line. [Henson Affidavit, Staff Report; Site Plan]

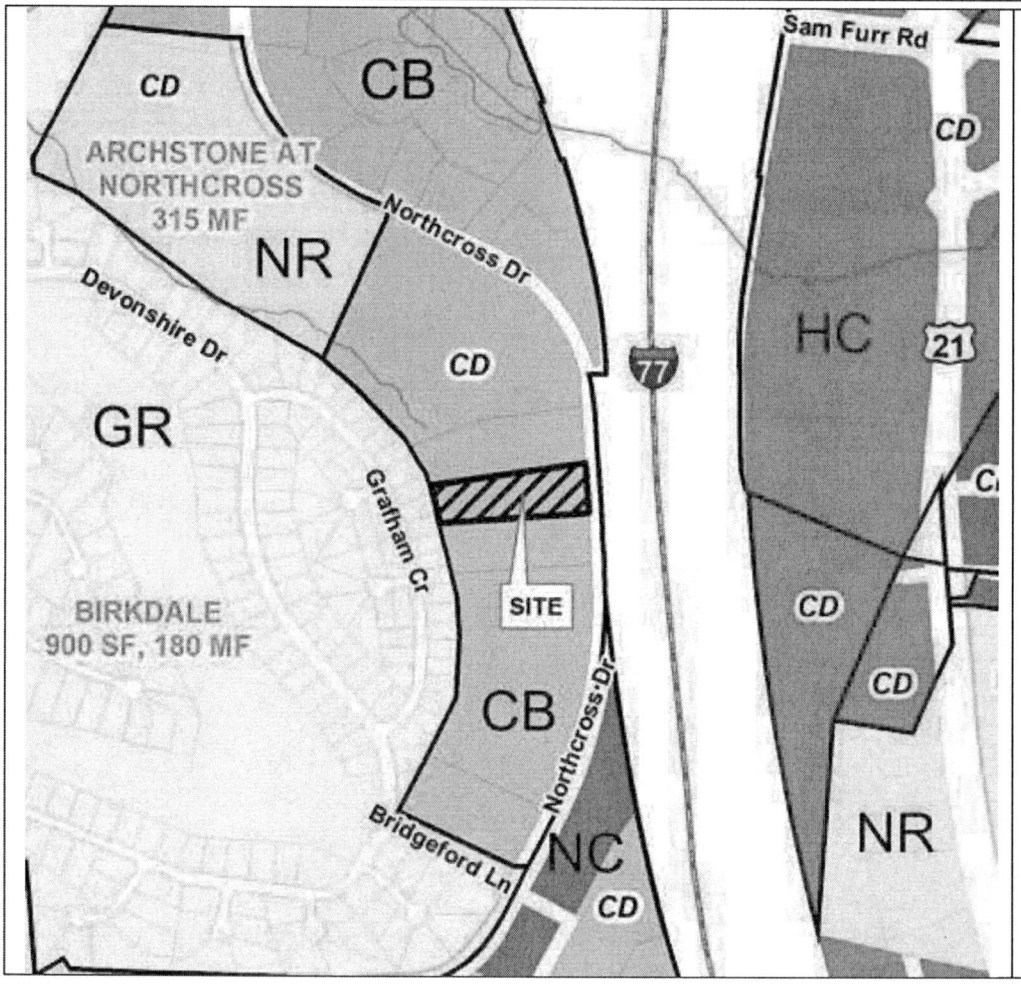
The proposed hotel use will meet or exceed all applicable Ordinance requirements, including those regulations intended to mitigate any impacts from hotel use on adjacent properties.[Staff Report; Henson Affidavit]

A row of evergreen plantings along the rear parking lot will provide additional visual from the proposed hotel and additional noise barrier from 1-77 Freeway. [Henson Affidavit]

Expert opinion of professionally licensed landscaped architect, Jay Henson, that if developed in accordance with the Site Plan, the proposed hotel use will comply with all general and specific standards required by the appropriate section of this Ordinance for the issuance of a special use permit for hotel use. [Henson Affidavit]

Petition R22-06
Northcross Hotel

PART 1: PROJECT SUMMARY



Applicant: Hotel Ventures of Lake Norman, Inc.

Property Owner: Manah Limited Partnership

Property Address: 16221 Northcross Drive

Project Size: (+/-) 2.66 acres

Parcel Numbers: 00930115

Current Zoning: Corporate Business Conditional District (CB-CD)

Current Land Use: Vacant

Proposed Zoning: Corporate Business Conditional District (CB-CD)

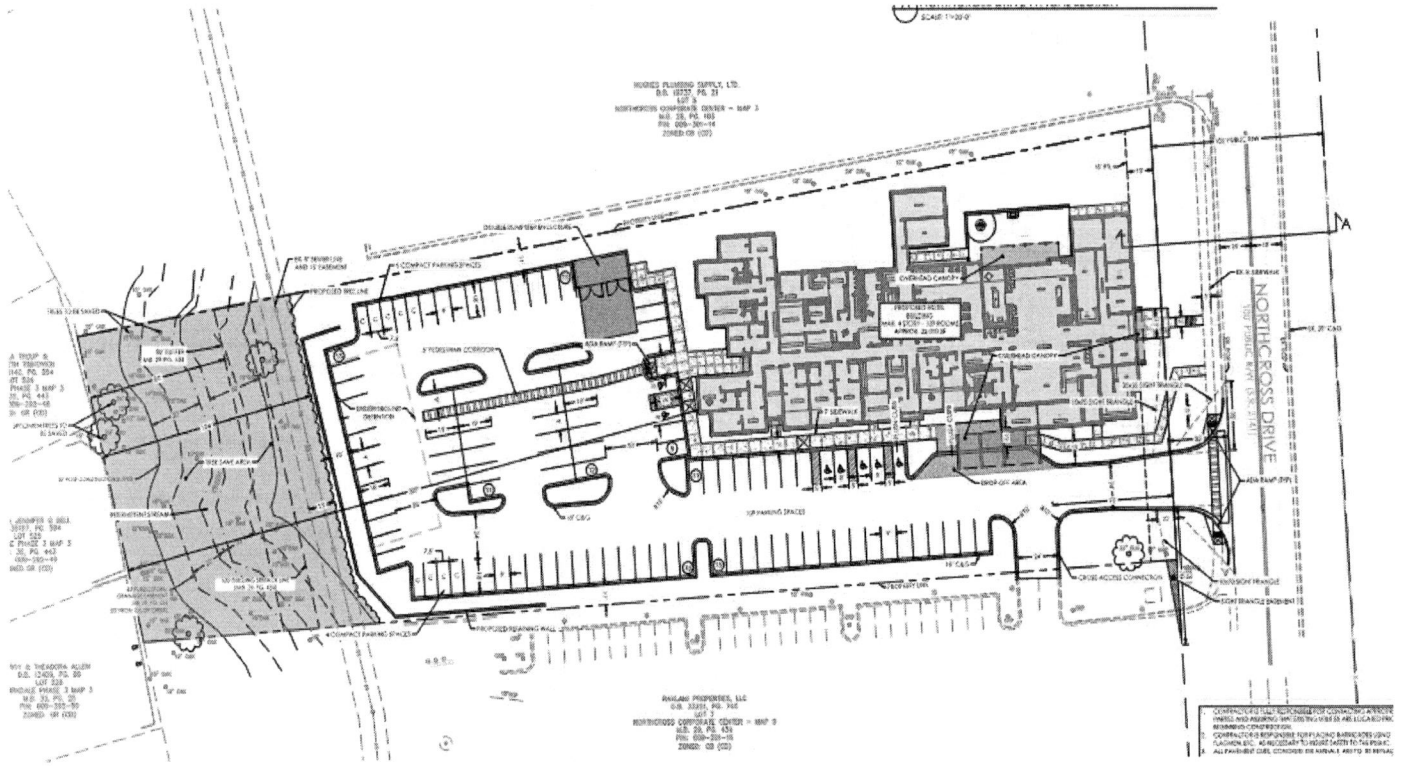
Proposed Land Use: Hotel 109 Rooms

1. Purpose: Rezone 2.66-acres at 16221 Northcross Drive from Corporate Business Conditional District (CB-CD) to Corporate Business Conditional District (CB-CD) to accommodate for a proposed 4-story 109 room hotel. CB-CD is proposed due to the exclusion of hotels as a permitted use under the current CB-CD plan. This application also requires an approved Special Use Permit due to the proximity of an adjacent residential zoned district within 250 feet.
2. Hotels are not a permitted land use under the original Business Park Conditional District (BP-CD) Northcross Corporate Center plan (site plan attached, approved prior to Huntersville jurisdiction and later amended in 1994 by Town of Huntersville), however under the 1996 adoption of the current zoning ordinance, BP was replaced with the Corporate Business District zoning in which hotels are a permitted land use with conditions.
3. Any structure in which a hotel or motel is the principle or accessory use shall be separated by a distance no less than three (3) times the height of the proposed structure closest to the common lot line of the adjoining residential and mixed-use zone, but in no case less than 100 feet. The proposal calls for a maximum height of 47 feet, this height times three equals 141 feet. The separation distance proposed under the condition above is at 339 feet, which can be seen in the provided site plans attached.
4. Adjoining Zoning and Land Uses.
   - North: Corporate Business Conditional District– Office/Service
   - South: Corporate Business Conditional District- Restaurant
   - East: Northcross Drive and I-77
   - West: General Residential- Single Family Residential.

Exhibit No. 10

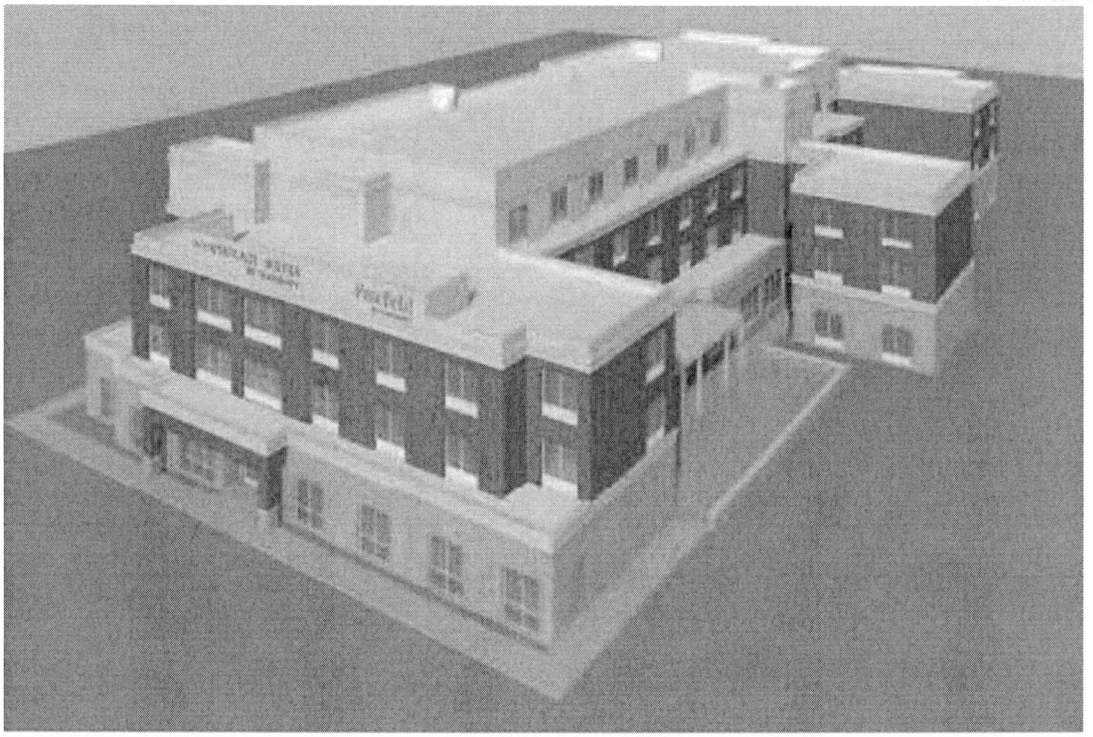
5. A neighborhood meeting was held on Thursday, November 17, 2022 and the questions asked by residents and the responses from the applicants are summarized in the Neighborhood Meeting Report (see Attachment D).
6. Notice for this rezoning petition was sent via letter to adjoining property owners; a legal ad placed in the Charlotte Observer; and posting of rezoning signs on the property along Northcross Drive.

PART 2: REZONING/SITE PLAN

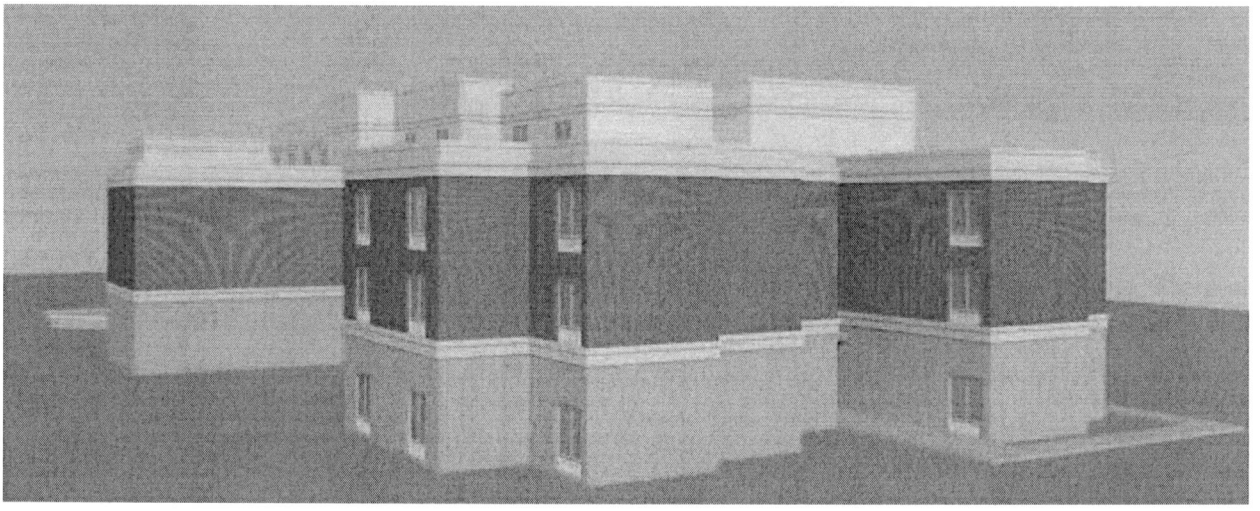


The proposed Conditional District Rezoning Plan is generally compliant with the Zoning Regulations. Significant elements include:

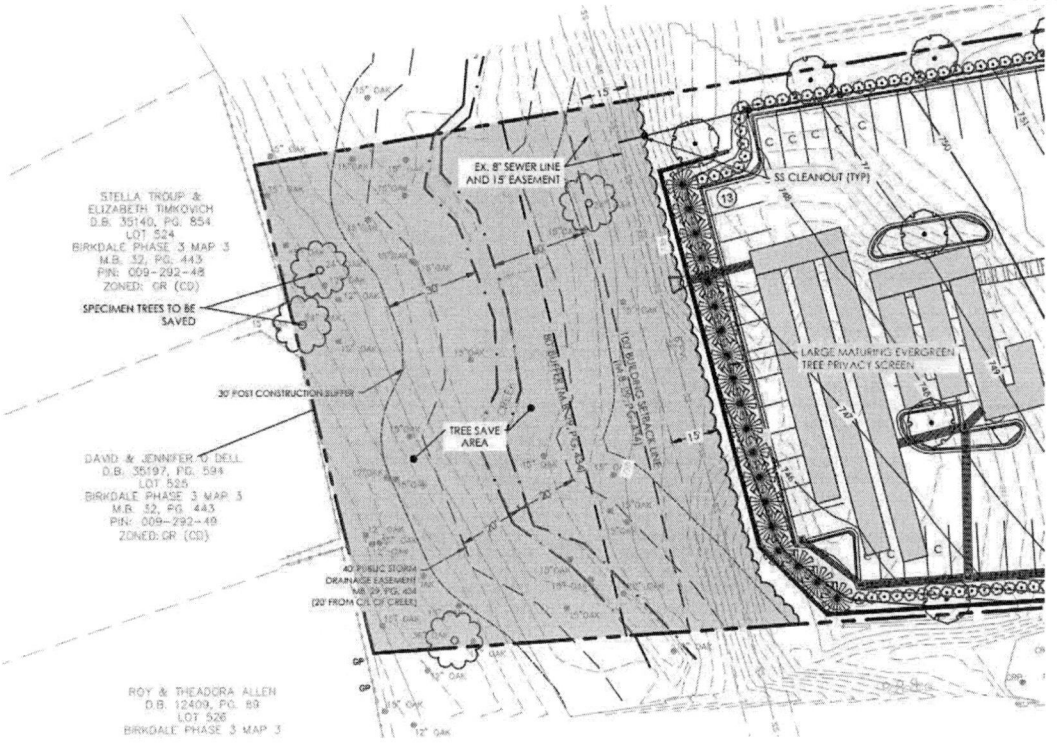
- The proposal is for a single building four story hotel with 109 rooms, fronting Northcross Drive.
- Article 3.2.4(d) states that "1) Along existing streets, new buildings shall respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.
    - New buildings which adhere to the scale, massing, volume, spacing, and setback of existing buildings along fronting streets exhibit demonstrable compatibility.
    - New buildings which exceed the scale and volume of existing buildings may demonstrate compatibility by **varying the massing of buildings to reduce perceived scale and volume**." The applicant has proposed to break up the building massing with modulating building walls and scaling back of forth level floor area. This is seen most clearly by the proposed site plan above and the elevation provided below.

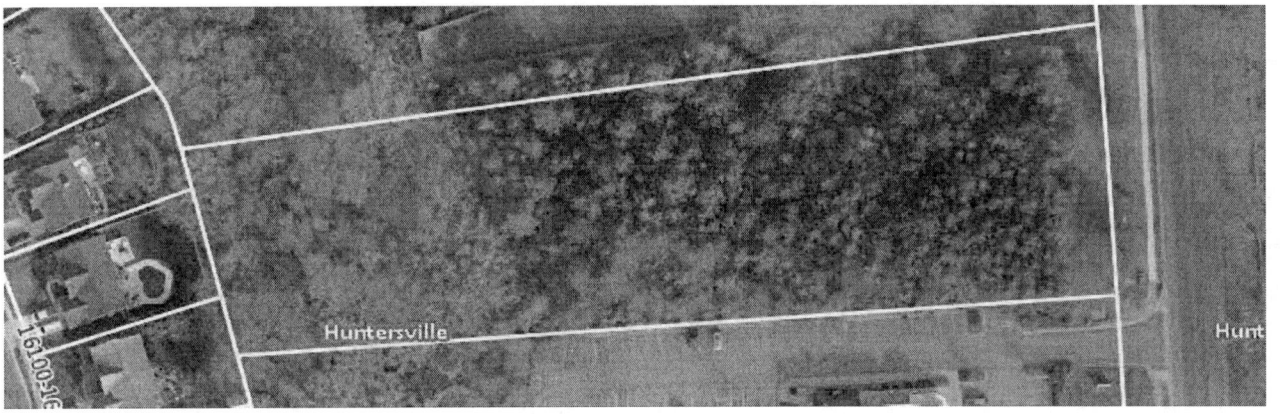


- The proposed rear elevation is also scaled back to give massing relief to the adjacent single family residential neighborhood. Rear windows have also been designed to overlook the commercial projects to the side property lines and not the residential zone. This can be seen below.



- Article 7.5: Requires an 80 foot in width buffer abutting residential property. The applicant is offering 124 feet of undisturbed buffer with existing vegetation which exceeds the minimum requirement. In addition to the buffering width that exceeds the requirement, the applicant is offering an additional row of large maturing evergreen trees along the back of the parking lot to allow for supplemental evergreen buffering due to much of the existing buffering being of the deciduous variety as seen below:





- Minimum Tree Preservation (canopy tree save) for Corporate Business is 0%. The applicant is proposing to save 124 feet of existing canopy buffering the western property line.
- Minimum Tree Preservation (specimen tree save) for Corporate Business is 30%. The Rezoning Plan saves roughly 40% of existing specimen trees.
- There are no identified Heritage Trees on site.
- Planning, Transportation, and Storm Water Engineering staff have minor site plan comments outstanding that need to be addressed prior to final plan approval.

- <u>One minor modification is requested</u>. The applicant is requesting that the overall height below the parapet wall be increased from the 45 foot maximum height permitted to 47 feet.

PART 3: TRANSPORTATION ISSUES

<u>Traffic Impact Analysis (TIA)</u>

The Application for Determination was submitted on 9/29/22 and is based on a 109 Room hotel. No TIA is required.

NCDOT Project STIP I-5715

The N.C. Department of Transportation proposes to reconfigure the I-77 and N.C. 73 (Sam Furr Road) interchange. The purpose of this project is to improve mobility and connectivity for local traffic accessing properties adjacent to this interchange. A secondary purpose is to reduce delay and congestion on N.C. 73 through the I-77/N.C. 73 interchange.

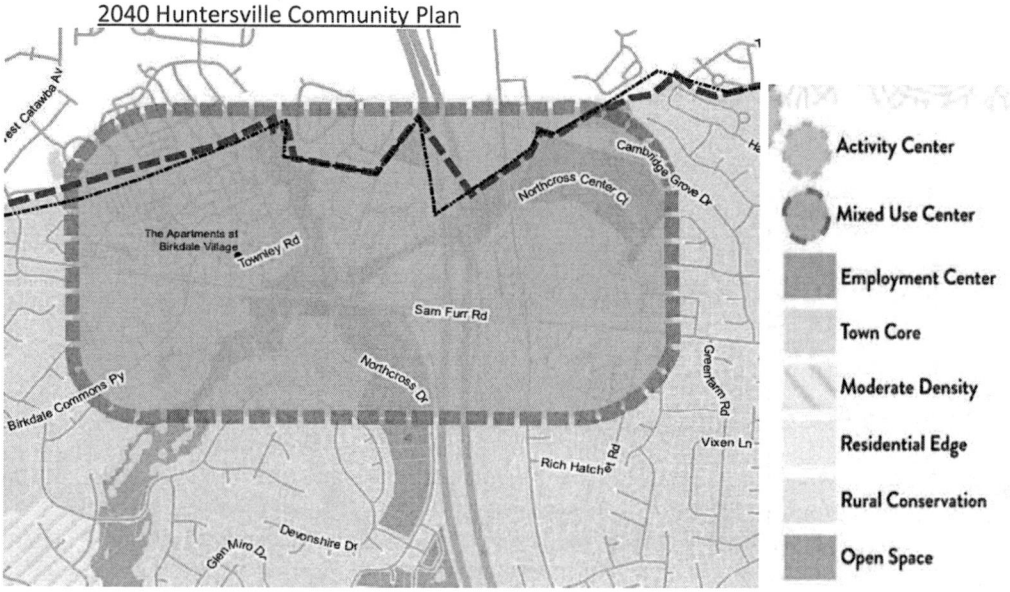
The new interchange design is called a "split diamond." As part of this design, the existing ramps will remain in approximately their same locations, and two new bridges will be added across I-77. The northern crossing will connect with the I-77 ramps with roundabouts on both sides. On the east end, the roundabout will also connect to Caldwell Creek Drive. Two alternatives for the eastern roundabout, a four and a five leg roundabout, are under consideration.

The southern crossing will connect Northcross Drive and U.S. 21 (Statesville Road), using a loop on the west side and a roundabout on the east side. Drivers using the I-77 northbound off-ramp will have the choice to access the new crossing or go directly to N.C. 73. (See attachment).

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 – Staff finds the proposed use/project is ***consistent*** with the following policies of the *2040 Huntersville Community Plan*:

- LU 5.1: Allow more intense development only where transportation infrastructure and utilities already exist.
  Comment- This parcel is located where transportation and utility infrastructure exist.
- LU 6.2: Commercial uses are encouraged in the Town Core and as specified in adopted Small Area Plans.
  Comment- This parcel is within the Town Core.
- LU 7.1: Require all new development to adhere to the following design principles:
  - All buildings shall front a public street or open space
  -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.
  -Improve connectivity, particularly for pedestrians and vehicles.

Comment- The proposed plan fronts the public street with emphasis on the human scale, locates parking in the rear of the building and is well screened, and allows for connectivity for pedestrians with sidewalks internally that connect to the street sidewalk, and the proposed plan provides a driveway connection with the adjacent commercial site.

- EV 1.3: Inventory and protect strategic development sites.
  - Allow new commercial or multi-family land uses in Employment Centers only if they are complimentary and do not jeopardize large employment sites' viability.
  Comment-This site is approximately 2.66 acres and is adjacent to developed sites on all sides. This proposal would not jeopardize any large employment sites and it is complementary to the adjacent developed commercial sites by adding a mixture of uses in that general area.

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 Northcross Hotel is consistent with the overall character of the surrounding area. The additional buffering of the single-family properties to the west and the breaking up of the massing in accordance with article 3.2.9 make this rezoning proposal consistent with the character of the existing development in the immediate vicinity of the subject property.

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:
   There is no indication this project will have a negative impact on public facilities and or services.

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.

PART 5: STAFF RECOMMENDATION

In considering the proposed rezoning petition R22-06, Northcross Hotel, staff recommends approval as submitted with the proposal being consistent with the Huntersville 2040 Community Plan policies LU 5.1, 6.2, 7.1, and EV-1.3. Furthermore, Hotels are a use by right with conditions under the Corporate Business zoning district and this proposal complies with all applicable ordinances with only one minor modification requested for additional two feet of height above the maximum allowed in the district.

PART 6: PUBLIC HEARING COMMENTS

A Public Hearing was held on January 3, 2023. Two residents of an adjacent neighborhood voiced concerns over the proposed hotel as not being harmonious with the surrounding area(see public Hearing Minutes, Youtube Video hearing). Several questions were asked to the proposed hotel ownership regarding the branding of the hotel.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board met on January 24, 2023, with a unanimous (8-0) vote in favor of approving this petition (J. Henson recused due to work on the project) contingent upon Huntersville Town Board approval of SUP 22-02.

PART 8: TOWN BOARD RECOMMENDATION

Town Board Meeting is scheduled for February 20, 2023.

PART 9: ATTACHMENTS

A – Rezoning Application
B – Proposed CD Rezoning Plan
C-Northcross Corporate Center Approved CD Plan
C – Charlotte Willingness To Serve Letter
D – Neighborhood Meeting Report (11-17-22)
E- TIA Determination
F- NCDOT STIP Project I-5715
G- Public Hearing Minutes

PART 10: CONSISTENCY STATEMENT – R22-06 Northcross Hotel

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed rezoning petition R22-06, Northcross Hotel, staff recommends approval as submitted as the proposal is consistent with the Huntersville 2040 Community Plan policies LU 5.1, 6.2, 7.1, and EV 1.3. The Proposed development is consistent with the surrounding development's character by varying the massing of buildings to reduce perceived scale and volume and further, provides additional buffering than required by code with the adjacent single family residential zoning to the West. **It is reasonable and in the public interest to approve the Rezoning Plan because the rezoning is consistent with the envisioned use and development pattern set forth in the 2040 Community Plan.**	APPROVAL: APPROVAL: In considering the proposed rezoning application R22-06, Northcross Hotel, the Planning Board recommends approval based on the Plan being consistent with the Huntersville 2040 Community Policies, LU-5.1, LU-6.2, LU-7.1, EV-1.3. The proposed development is consistent with the surrounding developments character by varying the massing of buildings to reduce perceived scale and volume and further provides additional buffering than required by code with the adjacent single-family residential zoning to the west. **It is reasonable and in the public interest to approve the Rezoning Plan because the rezoning is consistent with the envisioned use and development pattern set forth in the 2040 Community Plan.**	APPROVAL: APPROVAL: In considering the proposed rezoning application R22-06, Northcross Hotel, the Town Board recommends approval based on the Plan being consistent with **(insert applicable plan reference)**. **It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)**
		DENIAL: DENIAL: In considering the proposed rezoning application R22-06, Northcross Hotel, the Town Board recommends denial based on the Plan being **(consistent OR inconsistent) with (insert applicable plan reference).** **It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)**

Town of Huntersville
NORTH CAROLINA

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 09-26-2022

Name of Project Northcross Hotel Rezoning Phase # (if subdivision) _____

Project Address 16221 Northcross Drive, Huntersville NC 28078

Parcel Identification Number(s) (PIN) 00930115

Current Zoning District CB (CD) Proposed District (for rezoning only) CB (CD)

Property Size (acres) 2.66 acres Street Frontage (feet) 196 feet

Current Land Use Vacant

Proposed Land Use(s) 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.

This project consists of the rezoning for this parcel to allow for a 4-story Hotel.
The hotel building footprint is approximately 20,225 sf with 110 rooms.

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 Hotel Ventures of Lake Norman, Inc. Phone 404-368-9227

☒ 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 HP Printed Name: Hitesh Patel

Title Vice President Email hpatel@hotelventuresinc.com

Address of Applicant 3836 HONORS WAY, MARTINEZ GA 30907

7. Property Owner (If different than applicant)

*Printed Name Manah Limited Partnership 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 Nagiba A. Habashi Nagiba A. Habashi (Sep 28, 2022 16:39 EDT) Printed Name Nagiba A. Habashi

Title _____ Email shabashi@nsmgpa.com

Address of Property Owner 16115 Weatherly Way, 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

Development Firm	Name of Contact	Phone	Email

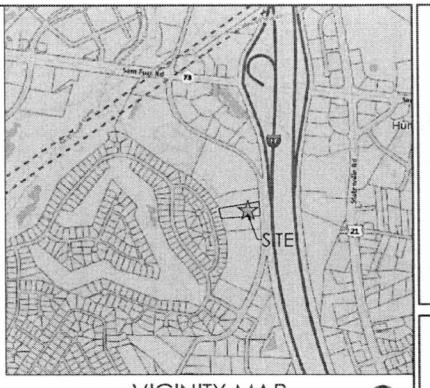
Design Firm	Name of Contact	Phone	Email

Contact Information

Town of Huntersville
Planning Department
PO Box 664
Huntersville, NC 28070

Phone: 704-875-7000
Fax: 704-992-5528
Physical Address: 105 Gilead Road, Third Floor
Website: https://www.huntersville.org/228/Planning-Department

Sheet List Table	
Sheet Number	Sheet Title
Z01	COVER
Z02	SURVEY
Z02A	TREE SAVE PLAN
Z03	REZONING PLAN
Z04	PRELIM GRADING PLAN
Z05	LANDSCAPE-UTILITY PLAN



VICINITY MAP
SCALE: N.T.S.

REZONING SITE PLAN PACKAGE
PROPOSED

NORTHCROSS HOTEL
HUNTERSVILLE, MECKLENBURG COUNTY, NC

EPM# 442177

DEVELOPER:

HOTEL VENTURES, OF LAKE NORMAN INC.
3836 HONORS WAY
MARTINEZ, GA 30907
PH: (404) 368-9227
CONTACT: HITESH PATEL

OWNER:

MANAH LIMITED PARTNERSHIP
16115 WEATHERLY WAY
HUNTERSVILLE, NC 28078

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.

811 Know what's below. Call before you dig.

HensonFoley
Landscape Architecture | Civil Engineering
121 Gilead, Huntersville, NC 28078
p: 704.875.1615 | f: 704.875.0959 | www.hensonfoley.com
NC ENGINEERING BOARD LICENSE # C-2291
NC LANDSCAPE ARCHITECTURE BOARD LICENSE # C-2291

NORTH CAROLINA
2019
10-10-2019
REGISTERED
LANDSCAPE ARCHITECT

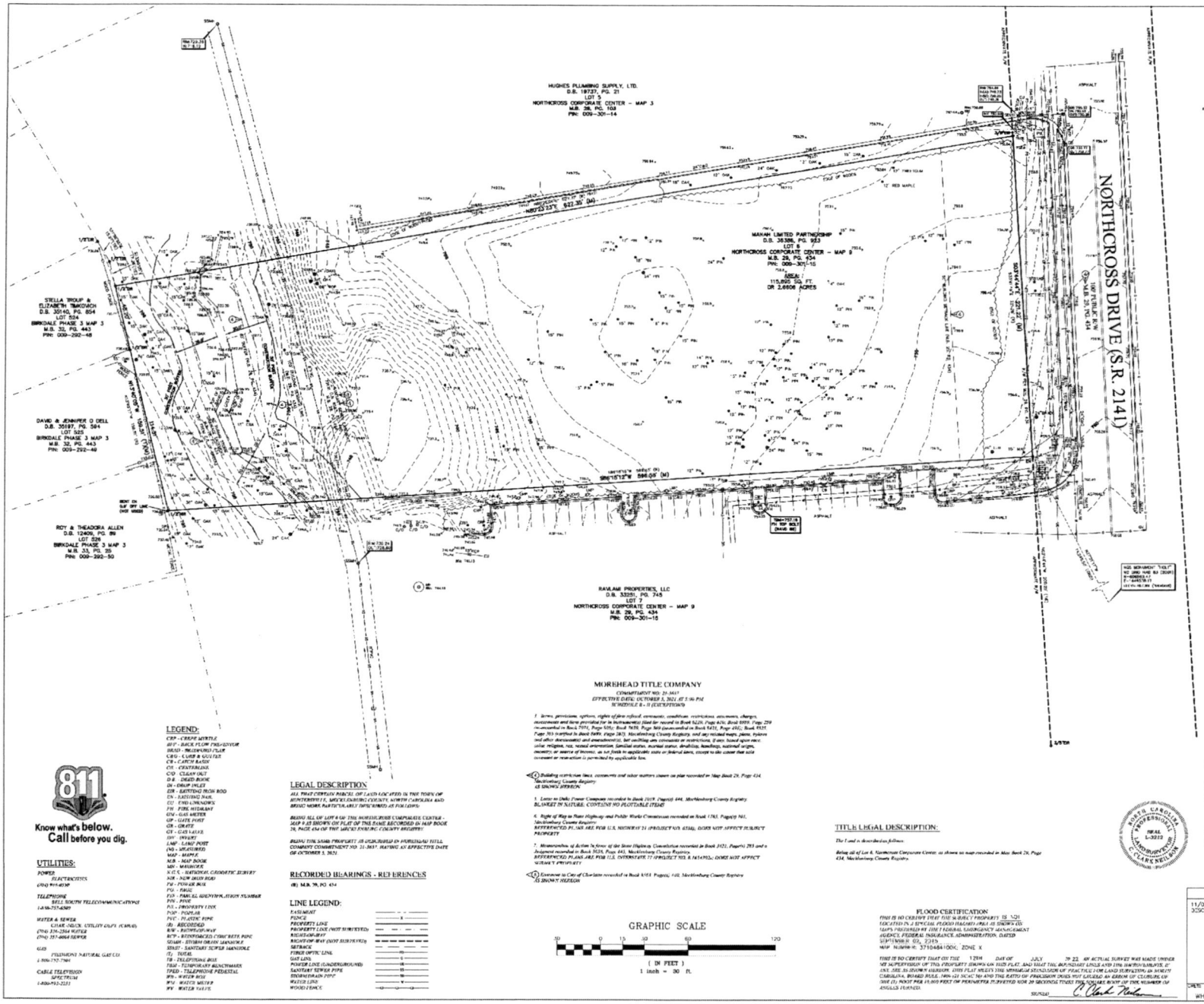
NORTHCROSS HOTEL
PARCEL ID: 00930115
16221 NORTHCROSS DR HUNTERSVILLE NC 28078

COVER

REVISIONS:
2022/11/07 - REZONING/SUP COMM.
2023/01/20 - REZONING/SUP COMM.

Z01 - COVER.DWG
PROJECT NUMBER: 221088
DATE: 09/15/2022 DRAWN BY: TSF
SHEET Z01 OF 5

Z01 - COVER.DWG - PLOT: Tess - FRI, 1-20-2023 10:53 AM



VICINITY MAP
NOT TO SCALE

NOTES:

1. THIS PLAT IS MADE FOR RECORDATION AS PER G.S. 47–30 AS AMENDED.
2. ALL CORNERS MONUMENTED AS SHOWN.
3. NO RECOVERABLE NGS MONUMENT LOCATED WITHIN 2,000 FEET OF SUBJECT PROPERTY.
4. THE LOCATIONS OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS APPROXIMATE, BASED ON INFORMATION PROVIDED BY UTILITIES OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE, OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANY BEFORE CONSTRUCTION.
5. BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
6. THE ON-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES NOT TO THE RIGHT-OF-WAY SURVEYED, AND DRAWN NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.
7. ELEVATIONS BASED ON N.C.G.S. MONUMENT "HOLT". ELEVATION = 763.94 FEET, NAVD 88.
8. IN THE ABSENCE OF ANY KNOWN OFFICIAL DOCUMENTATION (E.G. NCDOT RIGHT-OF-WAY [R/W] TAKING DATA, HIGHWAY MAP, ETC.), THIS SURVEY R/W WIDTH IS PRESUMED TO BE THE NOMINAL WIDTH OF THE ROAD. R/W OR HIGHWAY INCLUSIVE OF THE ENCLOSURES CURRENTLY MAINTAINED BY ATLANTIC INFRASTRUCTURE. SAID WIDTH HAS FURTHER BEEN ENTERED BY THE SURVEYOR AS THE WIDTH FROM BACK-OF-DITCH ON OPPOSING OF A GIVEN ROAD TO THE BACK-OF-DITCH ON THE OPPOSITE SIDE OF SAID ROAD. FURTHERMORE, THE PHYSICAL PRESENCE OF PUBLIC UTILITIES OCCUPYING SUCH CLAIMED MAINTENANCE WIDTH PROVIDES FURTHER EVIDENCE SUPPORTING THE EXISTENCE OF SAID PRESCRIPTIVE R/W WIDTH.

ZONING:

ZONING RESTRICTIONS AS PER ZONING ORDINANCE.
SUBJECT PROPERTY ZONED: CR-CZ(CD)

NOTE: NO ZONING REPORT HAS BEEN PROVIDED TO THE SURVEYOR. PURSUANT TO ALTA TABLE A ITEM 6, OWNER / DEVELOPER TO VERIFY ZONING REQUIREMENTS PRIOR TO PURSUE ON CLOSING OF SITE.

FOR FURTHER INFORMATION CONTACT THE TOWN OF HUNTERSVILLE PLANNING DEPARTMENT AT 704-903-5520.

PARKING:

NO MARKED PARKING SPACES WERE OBSERVED AT TIME OF SURVEY.

GPS CERTIFICATION:

I, C. CLARK NELSON, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

(1) CLASS OF SURVEY: A(1)/10,000
(2) POSITIONAL ACCURACY: NORTH=0.039ft, EAST=0.031ft, 1DRMS=0.050ft
(3) TYPE OF GPS FIELD PROCEDURE: REAL-TIME KINEMATIC
(4) DATE OF SURVEY: AUGUST 12, 2022
(5) DATUM/EPOCH: NAD83(2011)/EPOCH:2010
(6) PUBLISHED/FIXED-CONTROL USE: NGS MONUMENT "HOLT"
(7) GEOID MODEL: GEOID18(CONUS)
(8) COMBINED GRID FACTOR: 1.0004728
(9) UNITS: U.S. SURVEY FEET

ALTA/NSPS CERTIFICATION:

TO: ROBERT VENTURES OF LAKE NORMAN, INC.

THAT IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6, 8(a), 8(b), 9(a), 7(b)(1), 7(c), 8, 9, 11, AND 13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JULY 12, 2022.

C Clark Nelson — 8-9-2022
C. CLARK NELSON L-3212 — DATE
PROFESSIONAL LAND SURVEYOR
cnelson@rbpharr.com

AREA: 115,895 SQ. FT. OR 2.6606 ACRES

LEGEND:

CBP - CREPE MYRTLE
BFP - BACK FLOW PREVENTOR
BRSD - BRUSH/WOOD LINE
C&G - CURB & GUTTER
CB - CATCH BASIN
CL - CENTERLINE
C/O - CLEAN OUT
D.B. - DEED BOOK
DI - DROP INLET
EIR - EXISTING IRON ROD
EN - EXISTING NAIL
FO - FIBER OPTIC
FH - FIRE HYDRANT
GM - GAS METER
GP - GATE POST
GR - GRATE
GV - GAS VALVE
HW - HWBH
LMP - LIGHT POST
(M) - MEASURED
MAP - MAPPLE
M.B. - MAP BOOK
MH - MANHOLE
N.G.S. - NATIONAL GEODETIC SURVEY
NIR - NEW IRON ROD
PM - POWER POLE
P/O - PAGE
PID - PARCEL IDENTIFICATION NUMBER
PIN - PINE
P/L - PROPERTY LINE
PVC - PLASTIC PIPE
(R) - RECORDED
R/W - RIGHT-OF-WAY
RCP - REINFORCED CONCRETE PIPE
SDMH - STORM DRAIN MANHOLE
SMAT - SANITARY SEWER MANHOLE
(T) - TOTAL
TB - TELEPHONE BOX
TBM - TEMPORARY BENCHMARK
TPED - TELEPHONE PEDESTAL
WB - WATER BOX
WM - WATER METER
WV - WATER VALVE

UTILITIES:

POWER
ELECTRICITIES
(704) 969-8500

TELEPHONE
BELL SOUTH TELECOMMUNICATIONS
1-800-757-4500

WATER & SEWER
CHAR-MECK. UTILITY DEPT. (CMUD)
(704) 336-2564 WATER
(704) 357-6064 SEWER

GAS
PIEDMONT NATURAL GAS CO.
1-800-752-7504

CABLE TELEVISION
SPECTRUM
1-800-892-2253

Know what's below. Call before you dig.

LEGAL DESCRIPTION:

ALL THAT CERTAIN PARCEL OF LAND LOCATED IN THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL OF LOT 6 OF THE NORTHCROSS CORPORATE CENTER – MAP 9 AS SHOWN ON PLAT OF THE SAME RECORDED IN MAP BOOK 28, PAGE 434 OF THE MECKLENBURG COUNTY REGISTRY.

BEING THE SAME PROPERTY AS DESCRIBED IN MOREHEAD TITLE COMPANY COMMITMENT NO. 21-3617, HAVING AN EFFECTIVE DATE OF OCTOBER 5, 2021.

RECORDED BEARINGS - REFERENCES

(R) M.B. 28, PG. 434

LINE LEGEND:

EASEMENT
FENCE
PROPERTY LINE
PROPERTY LINE (NOT SURVEYED)
RIGHT-OF-WAY
RIGHT-OF-WAY (NOT SURVEYED)
SETBACK
FIBER OPTIC LINE
GAS LINE
POWER LINE (UNDERGROUND)
SANITARY SEWER PIPE
STORMDRAIN PIPE
WATER LINE
WOOD FENCE

MOREHEAD TITLE COMPANY

COMMITMENT NO: 21-3617
EFFECTIVE DATE: OCTOBER 5, 2021 AT 5:00 PM
SCHEDULE B – II (EXCEPTIONS)

1. Terms, provisions, options, rights of first refusal, covenants, conditions, restrictions, easements, charges, assessments and liens provided for in instrument(s) filed for record in Book 5220, Page 656; Book 5959, Page 259 (re-recorded in Book 7091, Page 656); Book 7658, Page 568 (re-recorded in Book 8431, Page 492); Book 9535, Page 765 (certified in Book 9699, Page 283), Mecklenburg County Registry, and any related maps, plans, bylaws and other documents) and amendment(s), but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.

2. Building restriction lines, easements and other matters shown on plat recorded in Map Book 28, Page 434, Mecklenburg County Registry.
AS SHOWN HEREON.

3. Lease to Duke Power Company recorded in Book 3019, Page(s) 444, Mecklenburg County Registry.
BLANKET IN NATURE. CONTAINS NO PLOTTABLE ITEMS

4. Right of Way to State Highway and Public Works Commission recorded in Book 1783, Page(s) 501, Mecklenburg County Registry.
REFERENCED PLAN ARE PER U.S. HIGHWAY 21 (PROJECT NO. 4734), DOES NOT AFFECT SUBJECT PROPERTY

7. Memorandum of Action in favor of the State Highway Constitution recorded in Book 3121, Page(s) 283 and a Judgment recorded in Book 3526, Page 443, Mecklenburg County Registry.
REFERENCED PLANS ARE PER U.S. INTERSTATE 77 (PROJECT NO. 8.1615702), DOES NOT AFFECT SUBJECT PROPERTY

8. Easement to City of Charlotte recorded in Book 8161, Page(s) 410, Mecklenburg County Registry.
AS SHOWN HEREON

TITLE LEGAL DESCRIPTION:

The Land is described as follows:

Being all of Lot 6, Northcross Corporate Center, as shown on map recorded in Map Book 28, Page 434, Mecklenburg County Registry.

FLOOD CERTIFICATION:

THIS IS TO CERTIFY THAT THE SURVEY PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED SEPTEMBER 02, 2015
MAP NUMBER: 3710484100K, ZONE X

THIS IS TO CERTIFY THAT ON THE 12TH DAY OF JULY 20 22, AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1400-1 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 15,000 FEET OR PERIMETER SURVEYED NOR DO BEARINGS TURN FROM ANGLES TURNED.

SIGNED: C Clark Nelson

GRAPHIC SCALE

30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

NORTH CAROLINA PROFESSIONAL SEAL L-3212 LAND SURVEYOR C. CLARK NELSON

REVISIONS	ALTA/NSPS LAND TITLE SURVEY PREPARED FOR:
11/01/2022 – TREE DESCRIPTIONS REVISED	HOTEL VENTURES OF LAKE NORMAN, INC.
	16721 NORTHCROSS DRIVE
	TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, N.C.
	DEED REFERENCE: 36386–923
	MAP REFERENCE: 28–434
	TAX PARCEL NO: 009–301–15

R.B. PHARR & ASSOCIATES, P.A.
SURVEYING & MAPPING
1418 NEW RD. NO. 11-1401
BANK OF TRUST BLDG. CHARLOTTE, N.C. 28214 TEL. (704) 376-1555

CHKD.	DRAWN	REVISED	SCALE:	DATE:	JOB NO.
WH	BS		1" = 30'	JULY 12, 2022	94109

© 1941,1954,2007,2010,2016,2022

TREE PROTECTION NOTES:

PROTECTIVE BARRICADES SHALL BE PLACED AROUND ALL PROTECTED TREES DESIGNATED TO BE SAVED IN DEVELOPMENT AREAS, PRIOR TO THE START OF DEVELOPMENT ACTIVITIES OR GRADING. PROTECTIVE BARRICADES SHALL REMAIN IN PLACE UNTIL DEVELOPMENT ACTIVITIES ARE COMPLETE OR CONSTRUCTION IN ACCORDANCE WITH STANDARDS SET FORTH IN THIS SECTION COMMENCES. THE AREA WITHIN THE PROTECTIVE BARRICADE SHALL REMAIN FREE OF ALL BUILDING MATERIALS, DIRT OR OTHER CONSTRUCTION DEBRIS. CONSTRUCTION TRAFFIC, STORAGE OF VEHICLES AND MATERIALS, AND GRADING SHALL NOT TAKE PLACE WITHIN THE DRIPLINE OF THE EXISTING TREES TO BE PROTECTED. BARRICADES SHALL BE ERECTED AT A MINIMUM DISTANCE FROM THE BASE OF PROTECTED TREES ACCORDING TO THE FOLLOWING STANDARDS:

A. FOR TREES 10" OR LESS DBH, PROTECTIVE BARRICADES SHALL BE PLACED A MINIMUM DISTANCE OF 5' FROM THE BASE OF EACH PROTECTED TREE, OR OUTSIDE THE DRIPLINE, WHICHEVER IS GREATER.
B. FOR TREES GREATER THAN 10" DBH, PROTECTIVE BARRICADES SHALL BE PLACED AT A MINIMUM DISTANCE EQUAL TO 1/2' FROM THE BASE OF THE PROTECTED TREE PLUS AN ADDITIONAL 1' FOR EACH ADDITIONAL 1" DBH GREATER THAN 10" DBH, OR OUTSIDE THE DRIPLINE, WHICHEVER IS GREATER.
C. CONSTRUCTION ACCESS TO A SITE SHOULD OCCUR WHERE AN EXISTING OR PROPOSED ENTRANCE/EXIT IS LOCATED.
D. EXCEPT FOR DRIVEWAY ACCESS POINTS, SIDEWALKS, CURB AND GUTTER, NO PAVING WITH CONCRETE OR OTHER IMPERVIOUS MATERIALS WITHIN A TREE DRIPLINE SHALL BE ALLOWED.
E. WHERE GRADING WITHIN A TREE DRIPLINE CANNOT BE AVOIDED.
F. LIMIT CUT AND FILLS TO 6" TO 8" IN THE AREA WITHIN THE DRIPLINE.
G. AVOID CUT AND FILL AROUND ENTIRE CIRCUMFERENCE OF TRUNK.
H. WHERE GRADING LEAVES ROOTS EXPOSED, CUT ROOTS CLEAN.
I. AVOID FILLING WITHIN THE DRIPLINE OF A TREE WITHOUT SOME MECHANISM TO ALLOW AIR AND WATER TO REACH THE ROOTS.

TREE SAVE CALCULATIONS

EXISTING CANOPY REQUIRED TO BE SAVED = 0% EXISTING SPECIMEN TREES REQUIRED TO BE SAVED = 30% (CB)	
EXISTING SPECIMEN TREES ON SITE	12 SPECIMEN TREES
EXISTING SPECIMEN TREES REQUIRED TO BE SAVED	0.3 x 12 = 3.6 SPECIMEN TREES
SPECIMEN TREES TO BE SAVED	5 SPECIMEN TREES

SPECIMEN TREE TABLE

SIZE (IN)	SPECIES	INVENTORY
24	OAK	KEEP
24	OAK	KEEP
36	OAK	KEEP
24	OAK	KEEP
24	OAK	REMOVE
24	OAK	REMOVE
26	POPLAR	REMOVE
24	PINE	REMOVE
24	PINE	REMOVE
24	PINE	REMOVE
24	PEAR	REMOVE
24	ELM	KEEP

LEGEND
- TREE CANOPY SAVED
- SPECIMEN TO BE SAVED
- SPECIMEN TREE DISTURBED
- NON-SPECIMEN TREES

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.

811 Know what's below. Call before you dig.

HensonFoley
Landscape Architecture | Civil Engineering
Planning | Surveying
p: 704.875.1615 | f: 704.875.0959 | www.hensonfoley.com
NC ENGINEERING BOARD LICENSE #: C-0391
NC LANDSCAPE ARCHITECTURAL BOARD LICENSE #: C-0391

NORTH ARROW
GRAPHIC SCALE 1"=50 FT.

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT SEAL 108 — 01-20-2023 — KEVIN A. TESSE

NORTHCROSS HOTEL

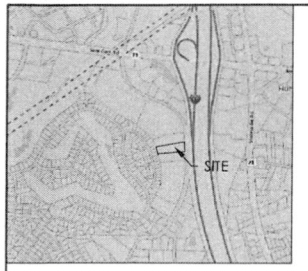
PARCEL ID: 00930115
16221 NORTHCROSS DR HUNTERSVILLE NC 28078

TREE SAVE PLAN

REVISIONS:
2022/12/07 - RESCHED/SUP COMM.
2023/01/20 - RESCHED/SUP COMM.

202A TREE SAVE PLAN.DWG
PROJECT NUMBER: 221098
DATE: 09/15/2022 DRAWN BY: TSF
SHEET Z02A OF 5

202A TREE SAVE PLAN.DWG - PLOT: Tess - FRI, 1-20-2023 10:53 AM



VICINITY MAP
SCALE: N.T.S.

SITE DATA

LOCATION: 16221 NORTHCROSS DRIVE HUNTERSVILLE, MECKLENBURG COUNTY 28078	(PARCEL ID: 00930115)
CURRENT ZONING: CB (CD)	PROPOSED ZONING: CB (CD)
CURRENT USE: VACANT	PROPOSED USE: HOTEL
CONTACT: HENSONFOLEY (JAY HENSON) 704-875-1615	

ITEM	PROVIDED
TOTAL PARCEL AREA	2.66 ACRES (115,895 SF)
PRINCIPAL USE(S)	HOTEL
LOT S: BUILDING TYPE	URBAN WORKPLACE
MAX. BUILDING HEIGHT	40'
ZONING DISTRICT	CB (CD)
OVERLAY DISTRICT	PA-2 MTI / ELAND LAKE WATERSHED
PERCENT IMPERVIOUS ALLOWED	HIGH DENSITY - 70%
BUILD TO LINE	0' - 15' SIDE & REAR - 0'
CORNER SETBACK	REPLICATE FRONTAGE CONDITIONS
WATERSHED	McDOWELL
FEMA MAP NUMBER	3710465100K
FEMA EFFECTIVE DATE	09/02/2015
SOIL TYPE	CeD2, CeB2

PARKING CALCULATIONS

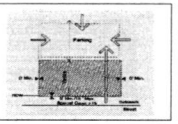
TOTAL REQUIRED PARKING SPACES +1 SPACE PER ROOM / PLUS ONE SPACE FOR EVERY 1000 SF OF ANCILLARY USE	109 ROOMS + 0 SF ANCILLARY USE = 109 PARKING SPACES
TOTAL REQUIRED ADA PARKING SPACES	5 ADA SPACES ; 1 VAN ACCESSIBLE SPACE
TOTAL PROVIDED PARKING SPACES	109 PARKING SPACES
TOTAL PROVIDED ADA PARKING SPACES	7 ADA SPACES ; 1 VAN ACCESSIBLE SPACE

IMPERVIOUS SUMMARY - SITE

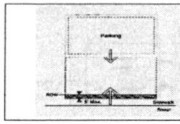
ITEM	SQUARE FOOT	ACRES	PERCENTAGE OF TOTAL SITE
TOTAL PARCEL AREA	115,895 SF	2.66 AC	N/A
TOTAL EXISTING IMPERVIOUS	0 SF	0.00 AC	0.00 %
TOTAL PROPOSED IMPERVIOUS	71,291 SF	1.64 AC	61.51 %
TOTAL PROPOSED PERVIOUS	44,604 SF	1.02 AC	38.49 %
MAX ALLOWABLE BUA	81,126.5 SF	1.86 AC	70.00 %

Lot Type / Urban Workplace

Building Placement/Parking/Vehicle Access



Encroachment/Pedestrian Access to Building



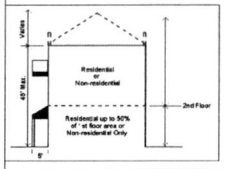
1. Buildings shall be placed on the lot within the zone represented by the hatched area, in most cases, the build to line will range from 0' to 15' behind street ROW. Special site conditions such as topography, pattern of lot widths, or setbacks of existing buildings permit a larger setback.
2. Building facades shall be generally parallel to frontage property lines. The facade shall be determined by the massing of the building.
3. Parking shall be located primarily to the rear of the building; sideyard parking shall occupy no more than 35% of the primary frontage line and shall not be placed in any sideyard abutting an intersecting street. Where dimensions of existing lots restrict parking behind buildings, the limitations on sideyard 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 principle structures. This is applicable only where no other reasonable option exists as determined by the Administrator. Examples of locations 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.
10. Balconies, bay windows, arcades, porches at an upper level and their supports at ground level, together with awnings above head height (min. 7'-6") are permitted within the sidewalk as shown by the hatched area. Encroaching awnings should cover entire sidewalk.
11. Primary pedestrian access into the building shall be from the street frontage line (indicated by larger arrow). Secondary access may be from parking areas (indicated by smaller arrow).

Special Conditions:
1. Buildings at all locations should relate the principal facade to the sidewalk and public space of the street.
2. Corners: Setback at street corners will generally replicate frontage conditions. Side setbacks on a minor street may be less than the front dimension.
3. 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, squares or specially defined places within building setback areas can act as focal points for pedestrians.

Description:
The workplace building may be a large structure (15,000+ square feet) and may have a single use/tenant. Office, industrial, and commercial tenants are typical. Southern mill villages often provide examples of how these buildings can reasonably coexist with other has-nesses and homes. Leslie Mill Plaza, in Concord, provides a good example with its placement at the end of prestigious Union Street. These buildings are critical to the town as employment centers and commercial service locations. The buildings will provide space for industry, large offices as well as banks, conference facilities and large retail uses such as a full service grocery store. Where possible, structures shall be designed to terminate views or curve as key focal points in the neighborhood.

Building Type / Urban Workplace

Permitted Height and Uses



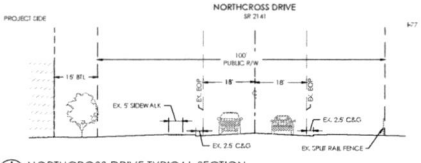
1. Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves or the highest level of a flat roof.
2. The height of parapet walls may vary depending upon the need to screen mechanical equipment.
3. Building height to the ridge may vary depending on the roof pitch.
4. Permitted uses are indicated above, and are further controlled by zoning district standards.

Architectural Standards

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 compatible to the historic architectural vocabulary of the area in their massing and external treatment.
B. Building elevations fronting or visible from public streets shall be clad with masonry, wood, vinyl siding, stucco, or similar material. Metal panelling may not comprise a street fronting building face.
C. The front 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 thus be of similar scale height, and configuration.
E. Trailers (mobile units) may not be used as permanent workplace buildings.

Configurations
A. Two wall materials may be combined horizontally on one facade. The "heavier" material should be below and can occur the first floor only (i.e. brick below wood siding).
B. Mirror level windows shall be untinted. 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 in 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.



A NORTHCROSS DRIVE TYPICAL SECTION
SCALE: 1"=20'-0"

GENERAL REZONING NOTES:

SCHEMATIC NATURE OF REZONING PLAN
- THE PROPOSED IMPROVEMENTS SHOWN ON THE REZONING PLAN ARE SCHEMATIC IN NATURE. MINOR MODIFICATIONS TO THE PLAN MAY OCCUR DURING DESIGN, ENGINEERING AND CONSTRUCTION PHASES OF THE DEVELOPMENT. THE REMOVAL OF TREES, AND VEGETATION TO ACCOMPLISH THE IMPROVEMENTS IS GENERALLY CONTEMPLATED AS SHOWN ON THE REZONING PLAN.
- THIS IS A REZONING PLAN, AND AS SUCH IS TO BE GRAPHICALLY REPRESENTATIVE OF WHAT IS PROPOSED. THE FINAL ENGINEERING PLAN WILL MAY BE MINOR CHANGES. THE BUILDING LOCATION, SIZE, ORIENTATION, AND FEATURES MAY HAVE MINOR CHANGES BASED ON FINAL ENGINEER DESIGN, AS APPROVED BY STAFF.

USE AND COMPATIBILITY
- THE SITE IS LOCATED ALONG NORTHCROSS DRIVE, AND IS A PART OF THE ORIGINAL NORTHCROSS CORPORATE CENTER REZONING PLANS. THE ADJACENT LAND USE CONSIST OF A RESTAURANT, AND A COMMERCIAL BUSINESS. THE REAR PROPERTY LINE ABUTS SINGLE FAMILY RESIDENTIAL HOMES. THE APPLICANT IS ASKING TO MODIFY THE ORIGINAL REZONING CONDITIONS FOR THIS PARCEL TO ALLOW FOR A HOTEL, ON THE NATURE OF THE OTHER BUSINESSES ALONG NORTHCROSS DRIVE AND PROXIMITY TO LAKE IDLE AS YOU MOVE NORTH TOWARDS I-77 EXIT 28.

PERMITTED USES (WITH SPECIAL USE PERMIT)
- ARTICLE 9.45 - HOTELS & MOTELS
  - ANY STRUCTURE BY WHICH A HOTEL OR MOTEL IS THE PRINCIPLE OR ACCESSORY USE SHALL BE SEPARATED BY A DISTANCE NO LESS THAN THREE (3) TIMES THE HEIGHT OF THE PROPOSED STRUCTURE CLOSEST TO THE COMMON LOT LINE OF THE ADJOINING RESIDENTIAL AND MIXED USE ZONE, BUT IN NO CASE LESS THAN 100 FEET

MODIFICATION REQUESTS
- REQUEST TO MODIFY THE MAX. BUILDING HEIGHT PER THE TOWN OF HUNTERSVILLE URBAN WORKPLACE BUILDING/LOT TYPE FROM 45' MAX. TO 47' MAX.

ACCESS
- THE PRIMARY VEHICULAR ACCESS IS THE SINGLE ACCESS DRIVEWAY LOCATED ON NORTHCROSS DRIVE
- THERE WILL BE A REQUIRED CROSS ACCESS DRIVE TO THE ADJACENT PARCEL, 00930116, WHERE AN EXISTING STUB OUT FOR CROSS ACCESS IS LOCATED.

SIGNAGE
- ALL SIGNS SHALL COMPLY WITH THE TOWN OF HUNTERSVILLE CODE. ALL SIGNS WILL BE PERMITTED SEPARATELY.

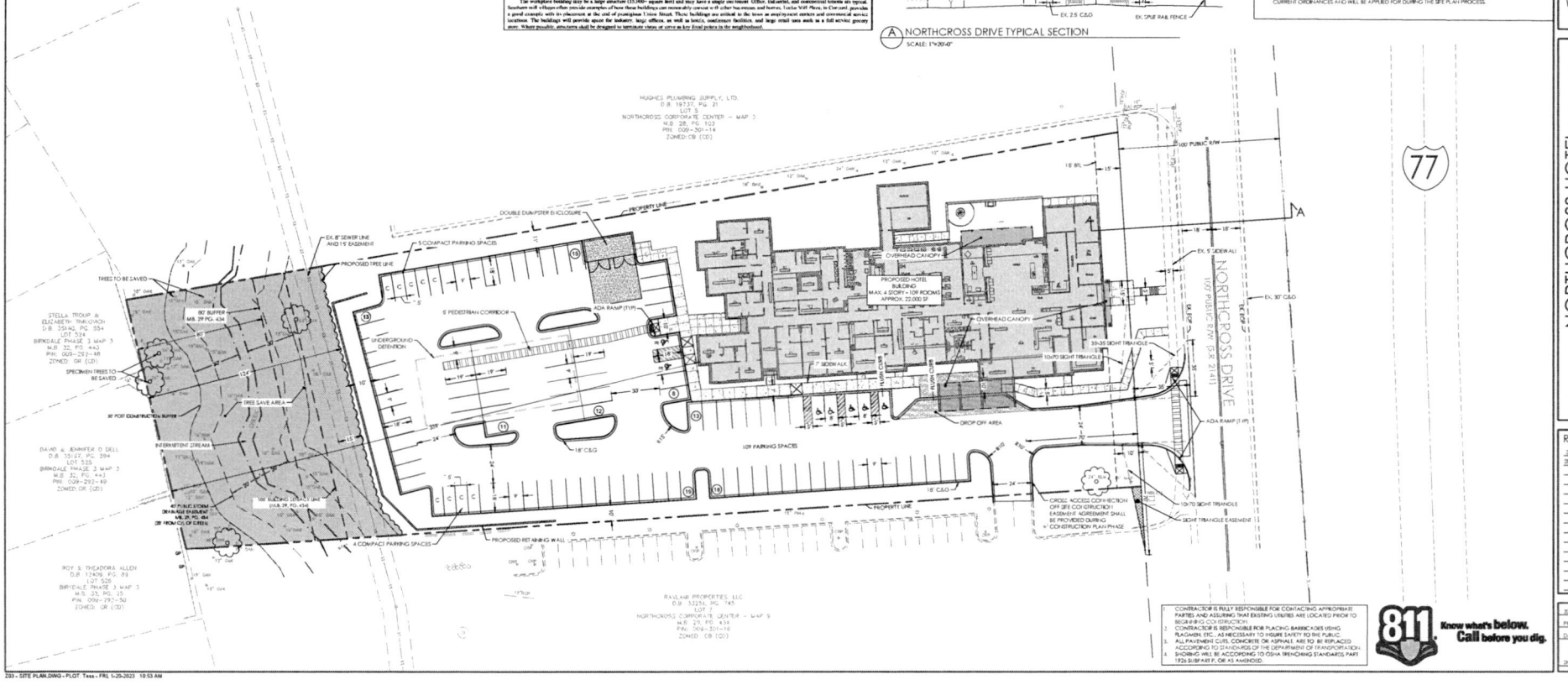
TRASH
- GARBAGE SERVICES WILL BE PROVIDED IN A DUMPSTER FACILITY ON SITE.

HVAC / UTILITY EQUIPMENT
- ALL BUILDING UTILITY EQUIPMENT SHALL BE BEHIND BUFFER SCREENING AND NOT VISIBLE FROM ADJACENT PROPERTIES.

WATER/ SEWER / UTILITIES
- SEWER AVAILABLE IN THE REAR OF THE PROPERTY
- WATER AVAILABLE ON PROJECT SIDE OF NORTHCROSS DRIVE

LIGHTING
- THE LIGHTING FOR THIS PROJECT WILL MEET THE REQUIREMENTS OF 8.26.

ENVIRONMENTAL
- EROSION CONTROL PLANS WILL COMPLY WITH CURRENT ORDINANCES AND BE APPLIED FOR DURING THE COMMERCIAL SITE PLAN PROCESS.
- WATER QUALITY, POST CONSTRUCTION, AND STORM WATER MANAGEMENT WILL COMPLY WITH THE CURRENT ORDINANCES AND WILL BE APPLIED FOR DURING THE SITE PLAN PROCESS.



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.

811 Know what's below. Call before you dig.

HensonFoley
Landscape Architecture | Civil Engineering
121 Gilead, Huntersville NC, 28078
p: 704.875.1615 | f: 704.875.0959 | www.hensonfoley.com
NC BOARD OF LANDSCAPE ARCHITECTURE #1,...
NC BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS #...

N
NORTH ARROW
GRAPHIC SCALE 1"=30 FT.

NORTH CAROLINA
JAY HENSON
10-20-2022

NORTHCROSS HOTEL
PARCEL ID: 00930115
16221 NORTHCROSS DR HUNTERSVILLE NC 28078

REZONING PLAN

REVISIONS:
2022/01/24/07 - REZONING/SUP COMM.
2023/01/30 - REZONING/SUP COMM.

Z03 - SITE PLAN.DWG
PROJECT NUMBER: 221006
DATE: 09/15/2022 DRAWN BY: TFF
SHEET Z03 OF 5

Z03 - SITE PLAN.DWG - PLOT: Tess - FRI, 1-20-2023 10:53 AM

GENERAL GRADING NOTES (CONT.) :

7. GRADING
7.1. 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.
7.2. PROVIDE A SMOOTH TRANSITION BETWEEN ADJACENT EXISTING GRADES AND NEW GRADES.
7.3. CUT OUT SOFT SPOTS, FILL LOW SPOTS, AND TRIM HIGH SPOTS TO COMPLY WITH REQUIRED SURFACE TOLERANCES.
7.4. SITE ROUGH GRADING: SLOPE GRADE TO DIRECT WATER AWAY FROM BUILDINGS. AVOID PREVENT PONDING. FINISH SUBGRADES TO REQUIRED ELEVATIONS WITHIN THE FOLLOWING TOLERANCES:
7.4.1. TURF OR UNPAVED AREAS: PLUS OR MINUS 1 INCH (25 MM).
7.4.2. WALKS: PLUS OR MINUS 1 INCH (25 MM).
7.4.3. PAVEMENT: PLUS OR MINUS 1/2 INCH (13 MM).
7.5. GRADING INSIDE BUILDING LINES: FINISH SUBGRADE TO A TOLERANCE OF 1/2 INCH (13 MM) WHEN TESTED WITH A 10-FOOT (3-M) STRAIGHTEDGE.

8. FIELD QUALITY CONTROL
8.1. TESTING AGENCY: OWNER WILL ENGAGE A QUALIFIED GEOTECHNICAL ENGINEERING TESTING AGENCY TO PERFORM TESTS AND INSPECTIONS.
8.2. 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.
8.3. 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.
8.4. TESTING AGENCY: WILL TEST COMPACTION OF SOILS IN PLACE ACCORDING TO ASTM D 1556, ASTM D 2167, ASTM D 2922, AND ASTM D 2937, AS APPLICABLE. TESTS WILL BE PERFORMED AT THE FOLLOWING LOCATIONS AND FREQUENCIES:
8.5. 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.
8.6. 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.
8.7. 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.
8.8. 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.

GENERAL GRADING NOTES:

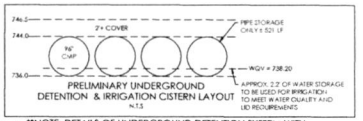
1. ALL STORM WATER CATCH BASINS, INLETS, MANHOLES, ETC. SHALL BE PERMANENTLY LABELED AS "NO DUMPING, DRAINS TO RIVER" AND INCLUDE A FISH SYMBOL.
2. SOIL FILL (GEOTECH REPORT SHALL TAKE PRECEDENCE OVER THIS SPECIFICATION IF EXISTS.)
3. PLOW, SCARIFY, BENCH, OR BREAK UP SLOPED SURFACES STEEPER THAN 1 VERTICAL TO 4 HORIZONTAL SO FILL MATERIAL WILL BOND WITH EXISTING MATERIAL.
4. PLACE AND COMPACT FILL MATERIAL IN LAYERS TO REQUIRED ELEVATIONS AS FOLLOWS:
   4.1. UNDER GRASS AND PLANTED AREAS, USE SATISFACTORY SOIL MATERIAL.
   4.2. UNDER WALKS AND PAVEMENTS, USE SATISFACTORY SOIL MATERIAL.
   4.3. UNDER STEPS AND RAMPS, USE ENGINEERED FILL.
   4.4. UNDER BUILDING SLABS, USE ENGINEERED FILL.
   4.5. UNDER FOOTINGS AND FOUNDATIONS, USE ENGINEERED FILL.
   4.6. PLACE SOIL FILL ON SUBGRADES FREE OF MUD, FROST, SNOW, OR ICE.
5. SOIL MOISTURE CONTROL
   5.1. REMOVE PERCEIVED AGES IN THIS ARTICLE ACCORDING TO GEOTECHNICAL ENGINEER'S WRITTEN RECOMMENDATIONS.
   5.2. UNIFORMLY MOISTEN OR AERATE SUBGRADE AND EACH SUBSEQUENT FILL OR BACKFILL SOIL LAYER BEFORE COMPACTION TO WITHIN 2 PERCENT OF OPTIMUM MOISTURE CONTENT.
   5.3. DO NOT PLACE BACKFILL OR FILL SOIL MATERIAL ON SURFACES THAT ARE MUDDY, FROZEN, OR COVERED FROST OR ICE.
   5.4. 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.
6. COMPACTION OF SOIL BACKFILLS AND FILLS
   6.1. 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.
   6.2. PLACE BACKFILL AND FILL SOIL MATERIALS EVENLY ON ALL SIDES OF STRUCTURES TO REQUIRED ELEVATIONS, AND UNIFORMLY ALONG THE FULL LENGTH OF EACH STRUCTURE.
   6.3. COMPACT SOIL MATERIALS TO NOT LESS THAN THE FOLLOWING PERCENTAGES OF MAXIMUM DRY UNIT WEIGHT ACCORDING TO ASTM D 698:
      6.3.1. 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.
      6.3.2. 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.
      6.3.3. 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.
   6.4. FOR UTILITY TRENCHES, COMPACT EACH LAYER OF INITIAL AND FINAL BACKFILL SOIL MATERIAL AT 95 PERCENT.

HUNTERSVILLE NOTES:

- COMMUNITY ENCROACHMENT LINE MUST BE MARKED AND MAINTAINED ON SITE UNTIL FINAL GRADING IS COMPLETED.
- INSPECTIONS SHALL BE CONDUCTED AS PRESCRIBED BY THE MAINTENANCE COVENANT. ADDITIONAL INSPECTIONS MAY BE CONDUCTED BY THE TOWN OF HUNTERSVILLE LAND USE AND ENVIRONMENTAL SERVICES AGENCY OR ANY REASONABLE BASIS, INCLUDING, BUT NOT LIMITED TO, ROUTINE INSPECTIONS, RANDOM INSPECTIONS, INSPECTIONS BASED UPON COMPLAINTS OF OTHER NOTICE OF POSSIBLE VIOLATIONS, INSPECTIONS OF DRAINAGE BASINS OR AREAS IDENTIFIED AS HIGHLY VULNERABLE OR THREATENED DUE TO EROSION, AND EVALUATIONS OF POLLUTANTS OR PARAMETERS OF CONCERN FOR THE WATERSHED. NO PERSON SHALL INTERFERE WITH ANY SUCH INSPECTION OR STATEMENT. NO PERSON SHALL REFUSE ENTRY OR ACCESS TO ANY AUTHORIZED REPRESENTATIVE OF THE TOWN OF HUNTERSVILLE LAND USE AND ENVIRONMENTAL SERVICES AGENCY WHO PRESENTS APPROPRIATE CREDENTIALS TO ANY PROPERTY OR FACILITY FOR THE PURPOSE OF INSPECTION, EXAMINATION, OR SAMPLING.
- THE OWNER SHALL PERFORM ROUTINE INSPECTIONS OF THE BMP(S) AND MAINTAIN RECORDS OF INSPECTIONS AND MAINTENANCE. THESE RECORDS SHALL BE MADE AVAILABLE TO THE TOWN OF HUNTERSVILLE LAND USE AND ENVIRONMENTAL SERVICES AGENCY UPON REQUEST.
- THE OWNER SHALL MAINTAIN THE BMP(S) IN GOOD WORKING CONDITION AT ALL TIMES AND IN A MANNER THAT ENSURES COMPLIANCE WITH THE APPROVED PLANS AND THE TERMS AND CONDITIONS OF THE PERMIT. FAILURE TO MAINTAIN THE BMP(S) IN GOOD WORKING CONDITION, OR ALLOWING UNAUTHORIZED MODIFICATIONS TO THE BMP(S), SHALL BE A VIOLATION OF THE ORDINANCE.
- THE OWNER SHALL NOTIFY THE TOWN OF HUNTERSVILLE LAND USE AND ENVIRONMENTAL SERVICES AGENCY IN WRITING OF ANY CHANGE IN OWNERSHIP OF THE PROPERTY AT LEAST 30 DAYS BEFORE THE TRANSFER OF OWNERSHIP. THE NEW OWNER SHALL BE RESPONSIBLE FOR COMPLIANCE WITH THE PERMIT AND THE ORDINANCE.
- THE OWNER SHALL GRANT TO THE TOWN OF HUNTERSVILLE LAND USE AND ENVIRONMENTAL SERVICES AGENCY AND ITS REPRESENTATIVES, IN REASONABLE TIMES AND UNDER REASONABLE CIRCUMSTANCES, A RIGHT OF ENTRY FOR THE PURPOSE OF INSPECTION. THIS INCLUDES THE RIGHT TO ENTER A PROPERTY WHEN THE TOWN OF HUNTERSVILLE LAND USE AND ENVIRONMENTAL SERVICES AGENCY HAS A REASONABLE BASIS TO BELIEVE THAT A VIOLATION OF THIS REGULATION IS OCCURRING OR HAS OCCURRED, AND TO ENTER WHEN NECESSARY FOR ABATEMENT OF A PUBLIC NUISANCE OR CORRECTION OF A VIOLATION OF THE REGULATION.

PRELIMINARY BMP CALCS

DRAINAGE AREA = 2.13 AC
10,000 CF PER ACRE=21,316 CF STORAGE



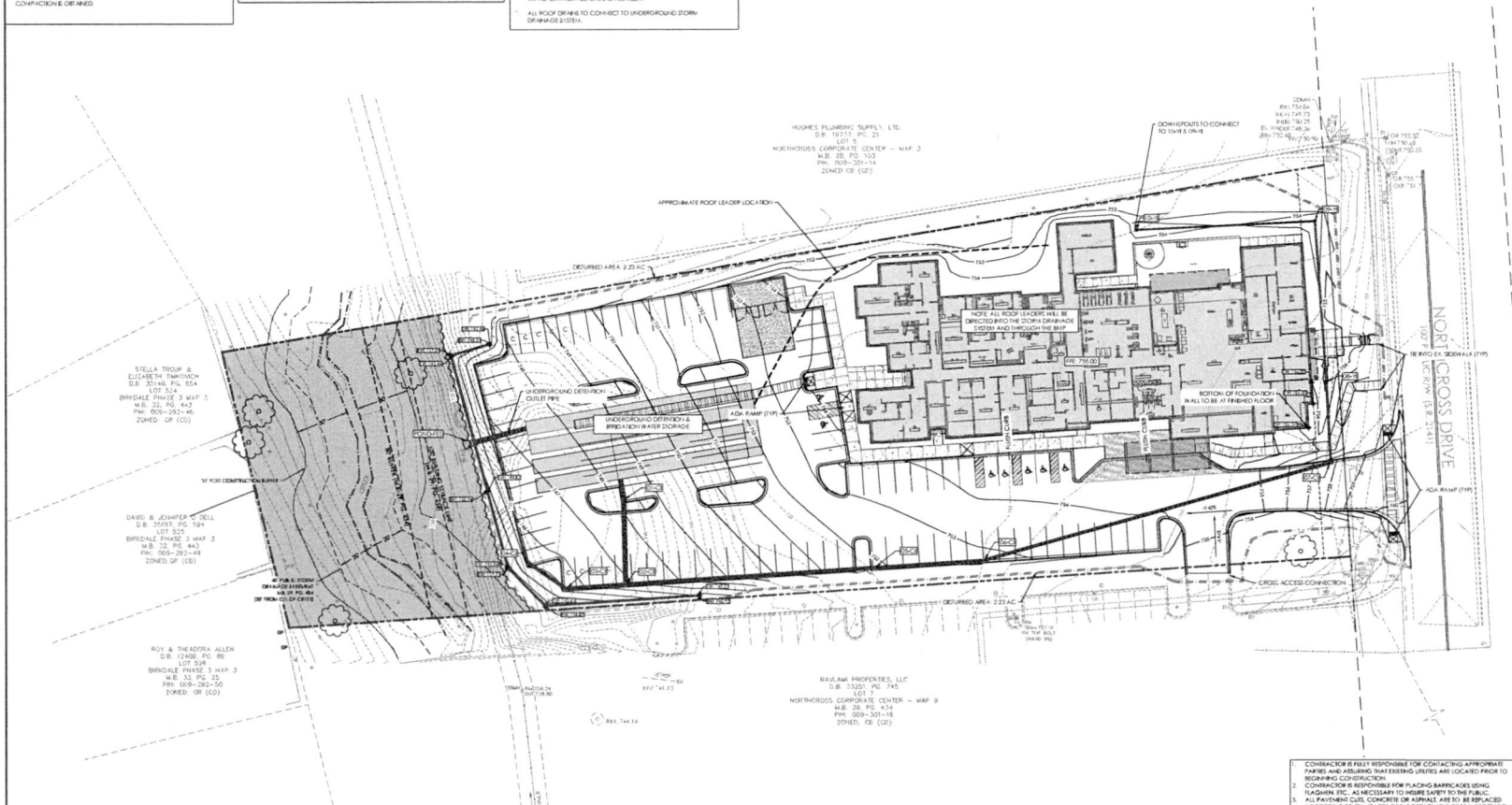
PRELIMINARY UNDERGROUND DETENTION & IRRIGATION CISTERN LAYOUT
N.T.S.

**NOTE: DETAILS OF UNDERGROUND DETENTION SYSTEM WITH IRRIGATION STORAGE TO BE PROVIDED DURING CONSTRUCTION DOCUMENTS.

GENERAL GRADING NOTES:

1. APPROVAL OF THE PLAN IS NOT AN AUTHORIZATION TO GRADE ADJACENT PROPERTIES. WHEN FIELD CONDITIONS WARRANT OFFSITE GRADING, PERMISSION MUST BE OBTAINED FROM THE AFFECTED OWNERS.
2. 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.
3. COMMUNITY ENCROACHMENT LINE MUST BE MARKED AND MAINTAINED ON SITE UNTIL FINAL GRADING IS COMPLETED.
4. 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.
5. THE MECKLENBURG COUNTY ENGINEERING DEPARTMENT OR THE TOWN OF HUNTERSVILLE HAS NOT REVIEWED THE STRUCTURAL STABILITY OF ANY RETAINING WALLS ON THE SITE AND DOES NOT ASSUME RESPONSIBILITY FOR THEM.
6. NONSTANDARD 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 BEFORE INSTALLATION.
7. ALL ROOF DRAINS TO CONNECT TO UNDERGROUND STORM DRAINAGE SYSTEM.

DISTURBED LIMITS: 2.23 AC



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.

811 Know what's below. Call before you dig.

HensonFoley
Landscape Architecture | Civil Engineering
121 Gilead, Huntersville, NC 28078
p: 704.875.1615 | f: 704.547.8101 | www.hensonfoley.com
NC LANDSCAPE ARCHITECTURE BOARD LICENSE # C-0179
NC LANDSCAPE ARCHITECTURE BOARD LICENSE # C-0179 | NC CIVIL ENGINEERING CORPORATION LICENSE # C-2378

NORTH ARROW
GRAPHIC SCALE 1"=30 FT.

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 706 JAMES ALEXANDER HENSON 11-30-2023

NORTHCROSS HOTEL

PARCEL ID: 00930115
16221 NORTHCROSS DR HUNTERSVILLE NC 28078

PRELIM GRADING PLAN

REVISIONS:
2023/01/2027 - RESCHNG/SUP COMM.
2023/03/1 (R) - RESCHNG/SUP COMM.

Z04-PRELIM GRADING.DWG
PROJECT NUMBER: 221088
DATE: 09/15/2022 DRAWN BY: TJZ
SHEET Z04 OF 5

Z04-PRELIM GRADING.DWG - PLOT: Tess - FRI, 1-20-2023 10:54 AM

GENERAL PLANTING NOTES:

1. THIS PLAN FOR PLANTING LOCATIONS ONLY. IF FOUND CONDITIONS VARY FROM THE CONTRACTOR TO CONTACT OWNER'S REPRESENTATIVE FOR RESOLUTION. FAILURE TO DO SO WILL RESULT IN CONTRACTOR'S LIABILITY TO REPLACE PLANT MATERIALS.
2. CONTRACTOR TO COORDINATE WITH OWNER'S REPRESENTATIVE FOR EXISTING PLANT MATERIAL TO BE REMOVED AND/OR RELOCATED.
3. CONTRACTOR WILL BE RESPONSIBLE FOR LOCATING AND PROTECTING ALL UNDERGROUND AND ABOVE GROUND UTILITIES. CONTRACTOR SHALL BE LIABLE FOR DAMAGE TO ANY AND ALL PUBLIC OR PRIVATE UTILITIES. CONTRACTOR WILL BE HELD RESPONSIBLE FOR THE COST OF REPAIR TO ALL DAMAGED UTILITIES.
4. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL PLANT MAINTENANCE, INCLUDING SHRUBS AND GROUNDCOVER, AND SHALL MAINTAIN AREA IN A WEED AND DEBRIS FREE CONDITION, THROUGHOUT GUARANTEE PERIOD.
5. WHERE TREES ARE PLANTED IN ROWS, THEY SHALL BE UNIFORM IN SIZE AND SHAPE.
6. SIZES SPECIFIED IN THE PLANT LIST ARE MINIMUM SIZES TO WHICH THE PLANTS ARE TO BE JUDGED. FAILURE TO MEET MINIMUM SIZE ON ANY PLANT WILL RESULT IN REJECTION OF THAT PLANT.
7. PLANTING SIZE DETERMINATION:
   SHADE TREES: HEIGHT SHALL BE MEASURED FROM THE CROWN OF THE ROOT BALL TO THE TOP OF MATURE GROWTH. SPREAD SHALL BE MEASURED TO THE END OF BRANCHING EQUALLY AROUND THE CROWN FROM THE CENTER OF THE TRUNK. MEASUREMENTS ARE NOT TO INCLUDE ANY TERMINAL GROWTH. SINGLE TRUNK TREES SHALL BE FREE OF "V" CROTCHES THAT COULD BE POINTS OF WEAKNESS IN STRUCTURE OR DISEASE INFESTATION.

   SHRUBS: HEIGHT SHALL BE MEASURED FROM THE CROWN OF THE ROOT BALL TO THE AVERAGE HEIGHT OF THE TOP OF THE PLANT. SPREAD SHALL BE MEASURED TO THE END OF BRANCHING EQUALLY AROUND THE SHRUB MASS. MEASUREMENTS ARE NOT TO INCLUDE ANY TERMINAL GROWTH.
8. ALL PLANTS SHALL BE FRESHLY DUG, SOUND, HEALTHY, VIGOROUS, WELL BRANCHED, FREE OF DISEASE, INSECT EGGS, AND LARVAE, AND SHALL HAVE ADEQUATE ROOT SYSTEMS.
9. ALL CONTAINER GROWN MATERIAL SHALL BE HEALTHY, VIGOROUS, WELL-ROOTED PLANTS AND ESTABLISHED IN THE CONTAINER IN WHICH THEY ARE SOLD. THE PLANTS SHALL HAVE TOPS WHICH ARE GOOD QUALITY AND ARE IN A HEALTHY GROWING CONDITION. ALL ROOT BOUND PLANTS SHALL BE REJECTED.
10. GROUPS OF SHRUBS SHALL BE PLACED IN A CONTINUOUS MULCH BED WITH SMOOTH CONTINUOUS LINES. ALL MULCHED BED EDGES SHALL BE CURVILINEAR IN SHAPE FOLLOWING THE CONTOUR OF THE PLANT MASS. TREES LOCATED WITHIN FOUR FEET OF SHRUB BEDS SHALL SHARE SAME MULCH BED.
11. CONTRACTOR TO SLIGHTLY ADJUST PLANT LOCATIONS IN THE FIELD AS NECESSARY TO BE CLEAR OF DRAINAGE SWALES AND UTILITIES. FINISHED PLANTING BEDS SHALL BE GRADED SO AS TO NOT IMPEDE DRAINAGE AWAY FROM BUILDINGS. IF SIGNIFICANT RELOCATIONS ARE REQUIRED, CONTRACTOR SHALL CONTACT OWNER'S REPRESENTATIVE FOR RESOLUTION. FAILURE TO MAKE SUCH RELOCATIONS KNOWN TO THE OWNER'S REPRESENTATIVE WILL RESULT IN CONTRACTOR'S LIABILITY OF PLANT MATERIALS.
12. ALL PLANT MATERIAL SHALL BE SPACED AND LOCATED PER PLAN. IF CONFLICTS ARISE BETWEEN ACTUAL SIZE OF AREA AND PLANS, CONTRACTOR SHALL CONFACT OWNER'S REPRESENTATIVE FOR RESOLUTION. FAILURE TO MAKE SUCH CONFLICTS KNOWN TO THE OWNER'S REPRESENTATIVE WILL RESULT IN CONTRACTOR'S LIABILITY TO RELOCATE MATERIALS.
13. ALL SUBSTITUTIONS OF PLANT MATERIAL ARE TO BE REQUESTED IN WRITING TO THE OWNER'S REPRESENTATIVE AND APPROVED IN WRITING BY THE OWNER PRIOR TO INSTALLATION. FAILURE TO OBTAIN SUBSTITUTION APPROVAL IN WRITING MAY RESULT IN LIABILITY TO THE CONTRACTOR.
14. ALL CONTRACTORS SHALL BE REQUIRED TO COMPLETELY REMOVE ALL TRASH, DEBRIS AND EXCESS MATERIALS FROM THE WORK AREA AND THE PROPERTY (ESPECIALLY AT ALL CURB, GUTTERS AND SIDEWALKS) DAILY DURING INSTALLATION.
15. CONTRACTOR SHALL GUARANTEE ALL LANDSCAPE IMPROVEMENTS, INCLUDING SEEDING. CONTRACTOR MUST CONTACT THE OWNER AT LEAST 10 WORKING DAYS IN ADVANCE TO SCHEDULE ACCEPTANCE INSPECTION(S). CONTRACTOR MUST REPLACE ALL DEAD OR UNACCEPTABLE PLANTS DURING THE FOLLOWING RECOMMENDED PLANTING SEASON.
16. ADJUST TREE PLANTING LOCATIONS TO AVOID UNDERGROUND UTILITIES WHERE POSSIBLE. CONTACT OWNER'S REPRESENTATIVE FOR A COORDINATED SOLUTION FOR ANY UTILITY CONFLICTS. CONTRACTOR SHALL BE LIABLE FOR DAMAGE TO ANY AND ALL PUBLIC OR PRIVATE UTILITIES.
17. REFER TO PLANTING DETAILS FOR ADDITIONAL PLANTING INFORMATION.
18. ALL PLANTINGS SHALL COMPLY WITH CURRENT LOCAL ORDINANCES AND GUIDELINES.
19. LANDSCAPE AREAS TO BE IRRIGATED WITH AUTOMATIC IRRIGATION SYSTEM.

INSTALLATION GUARANTEE REQUIRED

1. A FINAL CERTIFICATE OF OCCUPANCY MAY BE ISSUED PRIOR TO THE INSTALLATION OF TREES AND SHRUBS, EXCLUDING YARD TREES, DURING THE NON-PLANTING SEASON BY A CASH BOND, SURETY BOND OR LETTER OF CREDIT IS ISSUED FOR 120% OF THE COST OF MATERIALS AND INSTALLATION. PLANTING SHALL BE COMPLETED DURING THE NEXT PLANTING SEASON.
2. THE PLANTING SEASON SHALL RUN FROM OCTOBER 15 TO MARCH 15, EXCEPT FOR EXTREME WEATHER CONDITIONS AS DETERMINED BY STAFF. A FINAL CERTIFICATE OF OCCUPANCY SHALL NOT BE GIVEN DURING THE PLANTING SEASON UNLESS ALL OF THE LANDSCAPING IS COMPLETELY INSTALLED ACCORDING TO THIS ARTICLE.

MAINTENANCE SURETY REQUIRED

1. DEVELOPERS SHALL ENTER INTO A MAINTENANCE SURETY AGREEMENT WITH MECKLENBURG COUNTY GUARANTEEING THE VIABILITY OF STREET TREES AND TREES AND SHRUBS PLANTED IN BUFFER YARDS FOR A PERIOD OF 1 YEAR FOLLOWING PLANTING. THE AMOUNT OF THE SURETY SHALL BE EQUAL TO 50% OF THE VALUE OF THE NEW TREES OF LANDSCAPE MATERIAL AND THEIR INSTALLATION. THE MAINTENANCE SURETY SHALL BE PROVIDED WHEN ALL OF THE REQUIRED TREES AND SHRUBS HAVE BEEN PLANTED.

TREE PLANTING NOTES:

1. ALL TREES SHALL BE PLANTED PER TOWN OF HUNTERSVILLE STANDARDS AND DETAILS.
2. ALL STRAPPING AND TOP 3/5 OF WIRE BASKET MUST BE CUT AWAY AND REMOVED FROM THE ROOT BALL PRIOR TO BACKFILLING PLANTING PIT.
3. LARGE MATURING TREES MAY NOT BE PLANTED WHERE OVERHEAD DISTRIBUTION OR TRANSMISSION LINES EXIST. IF TREES CONFLICT WITH POWER LINES OR SIGNS, CALL THE URBAN FORESTER TO RESOLVE BEFORE PLANTING.
4. ADJUST TREE PLANTING LOCATIONS TO AVOID UNDERGROUND UTILITIES.
5. NEW TREES SHALL BE A MINIMUM 2" CALIPER FOR STREET TREE REQUIREMENTS.
6. SEE TREE PRESERVATION NOTES ON GRADING AND EROSION CONTROL SHEETS.
7. ALL TREES ARE TO BE NURSERY GROWN, BALL AND BURLAP (B&B) PREFERRED. MINIMUM TREE SIZE IS 2" CALIPER (MEASURED 6" ABOVE ROOT BALL) & MINIMUM HEIGHT.
8. STAKING IS OPTIONAL. RUBBER HOSE AND ROPE OR WIRE FOR 2" CALIPER IS NOT RECOMMENDED. NO WIRE OR ROPE IS TO BE IN DIRECT CONTACT WITH TRUNK. REMOVE ALL TRUNK WRAP, TREE STRAPS, AND STAKING WIRE OR ROPE AFTER ONE GROWING SEASON.
9. GUY WIRES ARE NOT PERMITTING IN THE STREET RIGHT-OF-WAY.
10. ALL TREES AND SHRUBS SHALL MEET THE MINIMAL REQUIREMENTS FOR THE AMERICAN STANDARD FOR NURSERY STOCK, LATEST EDITION, PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMAN (AAN).
11. NEW AND EXISTING TREES ARE PREFERRED WITHIN SITE TRIANGLE, BUT MUST BE LIMED UP TO 6 HEIGHT CLEARANCE PER ADA REQUIREMENTS.
12. SIMILAR CRITERIA FOR TREE PLACEMENT AND PRUNING UP SHOULD BE CONSIDERED AT DRIVEWAY/STREET INTERSECTIONS.
13. CONTRACTOR TO MAINTAIN CLEAR LEVEL BETWEEN 30" AND 72" ABOVE STREET AREA MUST BE TREE OF LIMBS AND FOLIAGE FOR SAFE CROSS VISIBILITY.

CLT WATER NOTES:

- CUSTOMER IS RESPONSIBLE FOR STAKING SITE AS NECESSARY TO DETERMINE SERVICE LOCATIONS AND ELEVATIONS PRIOR TO CLT WATER CONTRACTOR MOBILIZING TO INSTALL SERVICES. SITE ADDRESS MUST BE VISIBLY POSTED AT SITE
- ON-SITE CONTRACTOR IS RESPONSIBLE FOR RELOCATING ANY APPLICABLE CONFLICTING UTILITIES NECESSARY TO COMPLETE SERVICE INSTALLATIONS. ADDITIONAL FEES MAY APPLY AND CONSTRUCTION TIMELINES EXTENDED IF CONFLICTING UTILITIES ARE NOT SHOWN ON PLANS.
- WATER AND SEWER CONNECTIONS SHALL NOT BE LOCATED WITHIN PROPOSED CONSTRUCTION ENTRANCES.
- PAYMENT FOR A QUOTED SERVICE CONNECTION SHALL BE CONSIDERED ACKNOWLEDGEMENT & APPROVAL OF CLT WATER COMMENTS BY THE APPLICANT. PAYMENT DOES NOT INCLUDE ANY ADDITIONAL FEES REQUIRED DUE TO UNFORESEEN CONDITIONS THAT ARE/WERE NOT DEPICTED ON THE SITE PLAN PROVIDED BY THE APPLICANT.
- CLT WATER WILL INSTALL 6" CIP/ST LATERAL INTO DOGHOUSE OR EXISTING MH AND BRING INSIDE R/W AS SHOWN. CLT WATER WILL PLUG END OF LATERAL & SET A 4"X4" POST TO MARK LOCATION OF PROPOSED PVT MH BY OWNER/CONTRACTOR, IF A PVT MH IS SHOWN ON PLANS.
- EACH CLTW ATER-REQUIRED BPA IS REQUIRED TO BE TESTED BY A CLTW ATER-APPROVED CERTIFIED TESTER PRIOR TO PLACING THE WATER SYSTEM IN SERVICE
- BACKFLOW PREVENTION REVIEW SHALL BE COORDINATED THROUGH MECKLENBURG CO. CODE ENFORCEMENT PERMITTING PROCESS AT TIME OF APPLICATION FOR BUILDING PERMITS. THESE REQUIREMENTS CAN BE FOUND AT HTTP://CHA.FLOTEC.COM/WATER/PASS/BACK-FLOW-CONSTRUCTION-GUIDELINES.ASPX. PLEASE CONTACT JAMIE HYDE AT 704-432-0808, FOR MORE INFORMATION. ANY REVISION TO TAP AND/OR METER LOCATIONS MAY BE SUBJECT TO RESUBMITAL TO BACKFLOW FOR REVIEW

TOWN OF HUNTERSVILLE UTILITY NOTES:

1. NO UTILITIES TO BE LOCATED ON NORTHCROSS DRIVE SIDE OF BUILDING.
2. ALL UTILITIES TO BE SCREENED IN ACCORDANCE WITH TOWN OF HUNTERSVILLE ORDINANCES.
3. ANY WORK RELATED TO SITE UTILITY CONNECTION AND CONSTRUCTION IS THE RESPONSIBILITY OF THE OWNER/GENERAL CONTRACTOR. WHERE WORK TAKES PLACE IN THE RIGHT-OF-WAY, OR ON ADJACENT PROPERTY, THE GENERAL CONTRACTOR WILL BE RESPONSIBLE FOR ANY REPAIRS TO THE CURB, LANDSCAPE, TURF, AND IRRIGATION SYSTEM.

NOTE: ALL BACKFLOW PREVENTERS SHALL BE COVERED IN A NON-REFLECTIVE MATERIAL AND SHALL BE SURROUNDED, ON ALL SIDES VISIBLE FROM PUBLIC STREETS AND ABUTTING PROPERTIES, BY A LANDSCAPED OPAQUE SCREEN

GENERAL SITE UTILITY NOTES:

1. ALL PIPE LENGTHS ARE HORIZONTAL DISTANCE AND ARE APPROXIMATE.
2. CONTRACTOR SHALL PROVIDE ALL THE MATERIALS AND APPURTENANCES NECESSARY FOR THE COMPLETE INSTALLATION OF THE UTILITIES. ALL PIPES AND FITTINGS SHALL BE INSPECTED BY THE BUILDING INSPECTOR PRIOR TO BEING COVERED.
3. ALL WORK SHALL COMPLY WITH ALL APPLICABLE CODES, REGULATIONS, AND/OR LOCAL STANDARDS IMPOSED BY LOCAL UTILITY.
4. ALL WATER LINES SHALL HAVE A MINIMUM COVER OF 36" ABOVE TOP OF PIPE.
5. CONTRACTOR SHALL ADJUST LOCATION OF PROPOSED WATER LINES AS REQUIRED TO AVOID CONFLICTS WITH STORM SEWER OR OTHER UTILITIES.
6. LOCATION, SIZE AND INVERT ELEVATIONS OF SANITARY SEWER SHALL BE COORDINATED WITH THE APPROVED PLUMBING PLANS FOR THE BUILDING.
7. GENERAL CONTRACTOR SHALL INSTALL UTILITIES TO WITHIN 5' OF BUILDING. PLUMBING CONTRACTOR SHALL BE RESPONSIBLE FOR UTILITIES IN THE BUILDING AND WITHIN 5' OF THE BUILDING.
8. INSTALLATION AND REPAIR OF UNDERGROUND ELECTRICAL, GAS AND TELEPHONE UTILITIES AND DISTURBED AREAS SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR OR APPLICABLE UTILITY COMPANY. THE DISTURBED AREAS BETWEEN EXISTING ASPHALT SHALL BE RE-COMPACTED TO THE REQUIRED SPECIFICATION & AT THE STONE BASE AND ASPHALT BE RETURNED TO ITS ORIGINAL CONDITION.
9. THE GENERAL CONTRACTOR SHALL COORDINATE ALL NEW UTILITY TAP/CONNECTION LOCATIONS WITH THE UTILITY DEPARTMENT. FEES SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR. HOWEVER, IMPACT/CAPACITY FEES TO BE PAID BY DEVELOPER/OWNER.
10. THERE SHALL BE NO TAPS, PIPING BRANCHES, UNAPPROVED BYPASS PIPING, HYDRANTS, PIPE DEPT. CONNECTION POINTS, OR OTHER WATER-USING APPURTENANCES CONNECTED TO THE SUPPLY LINE BETWEEN ANY WATER METER AND ITS CLTW ATER REQUIRED BACKFLOW PREVENTER.
11. EACH REQUIRED BACKFLOW PREVENTION ASSEMBLY IS REQUIRED TO BE TESTED BY A CLTW ATER APPROVED CERTIFIED TESTER PRIOR TO PLACING THE WATER SYSTEM IN SERVICE.

IRRIGATION SLEEVING NOTES:

1. CONTRACTOR SHALL LAY ALL SLEEVES AND CONDUIT AT 2'-0" BELOW THE FINISH GRADE OF THE TOP OF PAVEMENT.
2. CONTRACTOR SHALL MARK THE LOCATION OF ALL SLEEVES AND CONDUIT WITH THE SLEEVING MATERIAL TILLED TO 2'-0" ABOVE FINISH GRADE AND CAPPED.
3. CONTRACTOR SHALL FURNISH THE IRRIGATION DESIGNER WITH ANY AS-BUILT DRAWING SHOWING ALL SLEEVES AND THE RESPECTIVE DEPTHS BELOW THE FINISH GRADE AT EDGE OF PAVEMENT.
4. EXTEND ALL SLEEVES TO 2'-0" BEYOND THE EDGE OF ALL PAVEMENT.
5. ADD 4" DIAMETER SLEEVES TO ALL ISOLATED PLANTING AREAS NOT SHOWN ON THE DRAWING, OR UNDER PAVEMENT ADDED AFTER THIS PLAN IS AS COMPLETED.
6. ALL SLEEVES SHALL BE SCHEDULED 40 PVC.

SEED/SOD/MULCH:

1. TURF AREAS WILL BE SEEDED OR SODDED WITH REBEL III FESCUE WITH EXCEPTION OF SOD WITHIN THE FLOOR OF STORMWATER MANAGEMENT AND WATER QUALITY BASINS AND FILTERS. SOD WILL BE REQUIRED NEXT TO BUILDING STRUCTURES, DRIVEWAYS ENTRANCES AND AREAS DISTURBED IN THE FRONT SETBACK AS NOTED ON PLAN. LANDSCAPE CONTRACTOR TO SEED ALL OTHER DISTURBED AREAS.
2. PINE NEEDLE MULCH IS THE GENERALLY ACCEPTED MULCH, FOR THE INITIAL PLANTING. IF IS ALSO ACCEPTABLE TO UTILIZE DOUBLE HAMMERED BARK MULCH FOR GOOD SOIL AND BED MANAGEMENT. FUTURE YEARS, THOUGH, WILL REQUIRE THE PROPERTY TO BE CONVERTED TO PINE NEEDLES.

1.1 PLANTING SOIL MIX

A. MIX TOPSOIL WITH THE FOLLOWING SOIL AMENDMENTS IN THE FOLLOWING QUANTITIES:

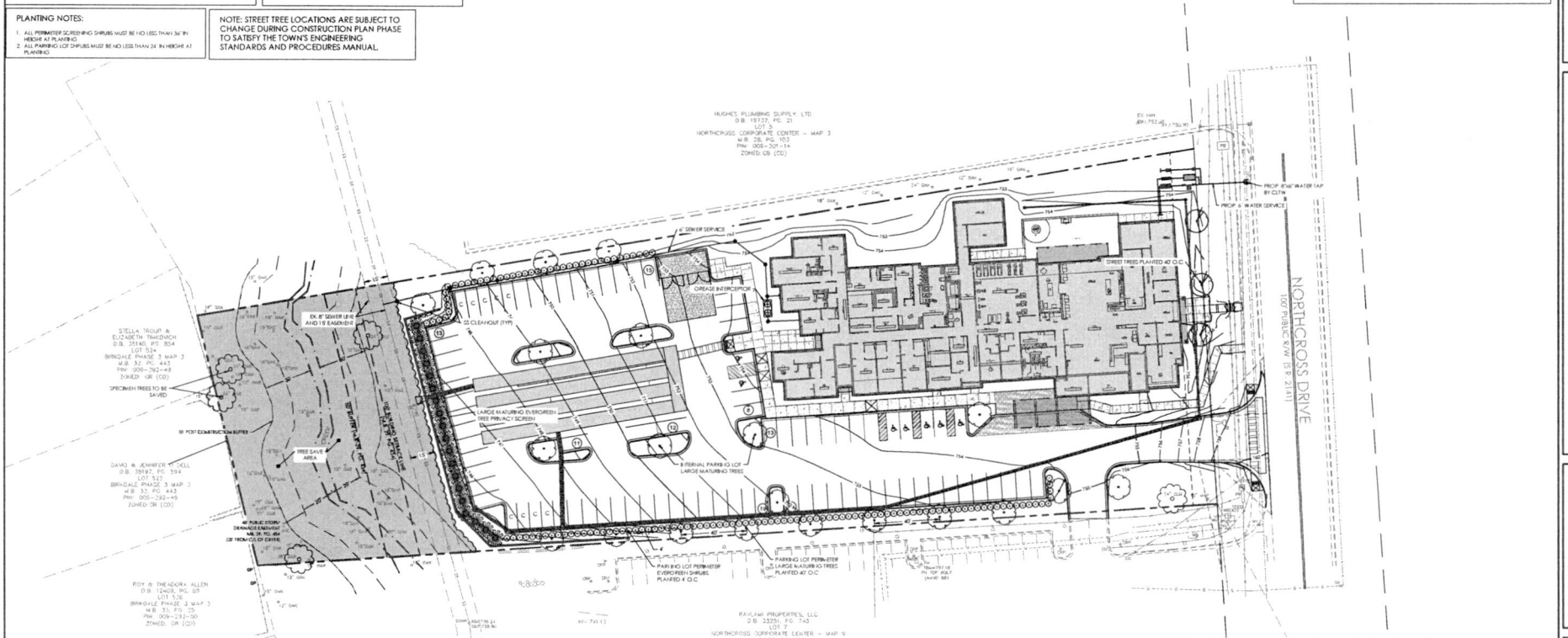
1. WEIGHT OF LIME PER 1000 SQ. FT.
2. RATIO OF LOOSE COMPOST TO TOPSOIL BY VOLUME: 1:4
3. RATIO OF LOOSE WOOD DERIVATIVES TO TOPSOIL BY VOLUME
4. WEIGHT OF BIOHEMEAL PER 1000 SQ. FT.
5. WEIGHT OF COMMERCIAL FERTILIZER PER 1000 SQ. FT.
6. WEIGHT OF SLOW-RELEASE FERTILIZER PER 1000 SQ. FT.

SOIL TEST PROVIDED BY CONTRACTOR REQUIRED FOR TOPSOIL MIX.

PLANTING NOTES:

1. ALL PERIMETER SCREENING SHRUBS MUST BE NO LESS THAN 36" IN HEIGHT AT PLANTING
2. ALL PARKING LOT SHRUBS MUST BE NO LESS THAN 24 IN HEIGHT AT PLANTING

NOTE: STREET TREE LOCATIONS ARE SUBJECT TO CHANGE DURING CONSTRUCTION PHASE TO SATISFY THE TOWN'S ENGINEERING STANDARDS AND PROCEDURES MANUAL.



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.

811 Know what's below. Call before you dig.

HensonFoley
Landscape Architecture | Civil Engineering
121 Gilead, Huntersville NC 28078
p: 704.875.1615 | f: 704.875.0959 | www.hensonfoley.com
NC: Bob Hensonfoley, Scott Jones & Justin Cox
SC: Scott Jones & Justin Cox

NORTH ARROW
GRAPHIC SCALE 1"=30 FT.

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 2012 HENSON

NORTHCROSS HOTEL

PARCEL ID: 00930115

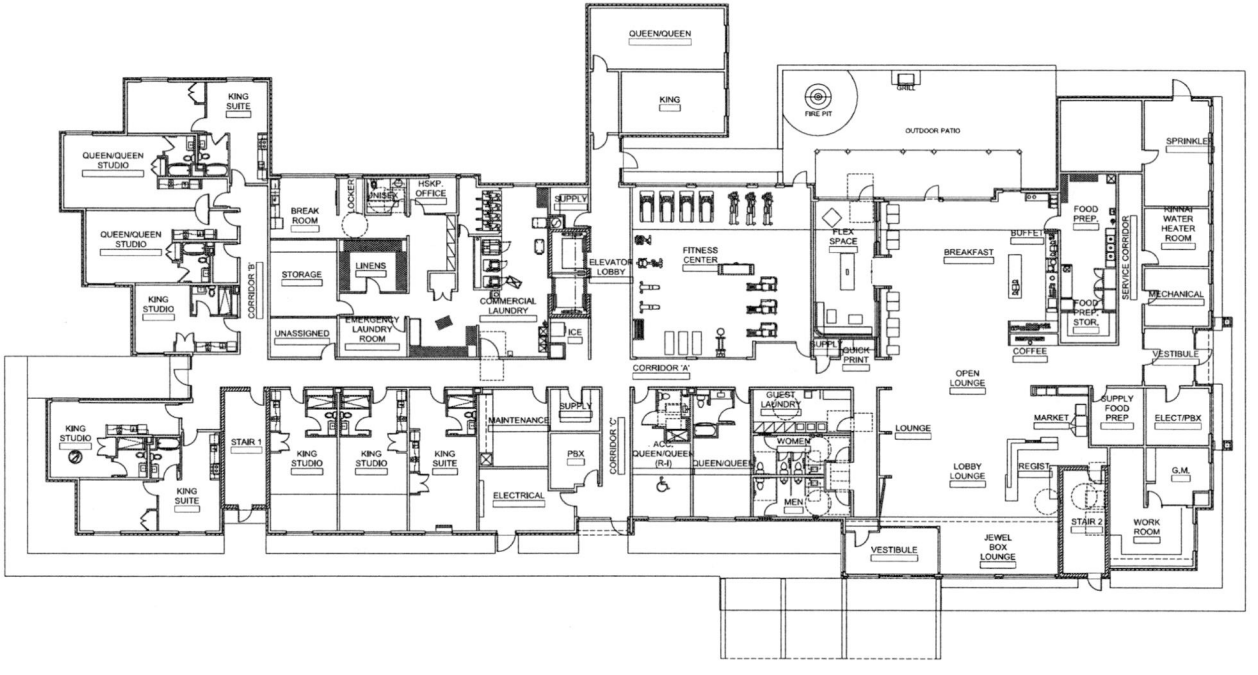
16221 NORTHCROSS DR HUNTERSVILLE NC 28078

LANDSCAPE-UTILITY PLAN

REVISIONS:
2022.01.20.07 - REZONING/SUP COMM.
2023.01.20 - REZONING/SUP COMM.

205 - LANDSCAPE-UTILITY.DWG
PROJECT NUMBER: 221088
DATE: 09/15/2022 DRAWN BY: TZF
SHEET Z05 OF 5

205 - LANDSCAPE-UTILITY.DWG - PLOT: Tess - FRI, 1-20-2023 - 10:54 AM



1 A101 1ST FLOOR PLAN

SCALE: 3/32" = 1'-0"

GENERAL NOTES:
ALL GLASS TO BE CLEAR GLASS NOT TINTED.

GUESTROOM MATRIX		
Home Story	STORY	Quantity
1ST FLOOR PLAN		
	ACC. QUEEN/QUEEN (R-I)	1
	KING	1
	KING STUDIO	4
	KING SUITE	3
	QUEEN/QUEEN	2
	QUEEN/QUEEN STUDIO	2
2ND FLOOR PLAN		
	ACC. KING SUITE (R-I)	1
	KING	8
	KING STUDIO	6
	KING SUITE	5
	QUEEN/QUEEN	15
	QUEEN/QUEEN STUDIO	2
3RD FLOOR PLAN		
	ACC. KING SUITE (TUB)	1
	ACC. QUEEN/QUEEN (TUB)	1
	KING	8
	KING STUDIO	6
	KING SUITE	5
	QUEEN/QUEEN	14
	QUEEN/QUEEN STUDIO	2
4TH FLOOR PLAN		
	KING	14
	KING STUDIO	2
	QUEEN/QUEEN	6
		109

BUILDING SQUARE FOOTAGE	
STORY	SQFT
1ST FLOOR PLAN	19,770
2ND FLOOR PLAN	17,449
3RD FLOOR PLAN	17,449
4TH FLOOR PLAN	17,449
	72,117 ft²

#	DESCRIPTION	DATE	BY

DRAWN BY	APPROVED
VGW	RWH
PROJECT #	DATE
21019	01/09/23

ALL CONTRACTORS AND SUB-CONTRACTORS SUBMITTING BIDS ON THIS PROJECT SHALL BE REQUIRED TO RECEIVE THE ENTIRE SET OF DRAWINGS. BROKEN SETS ARE NOT ALLOWED FOR BIDDING PROJECTS. UNDER NO CIRCUMSTANCES ARE THE DRAWINGS TO BE SCALED!!!

QUALITY FIRST

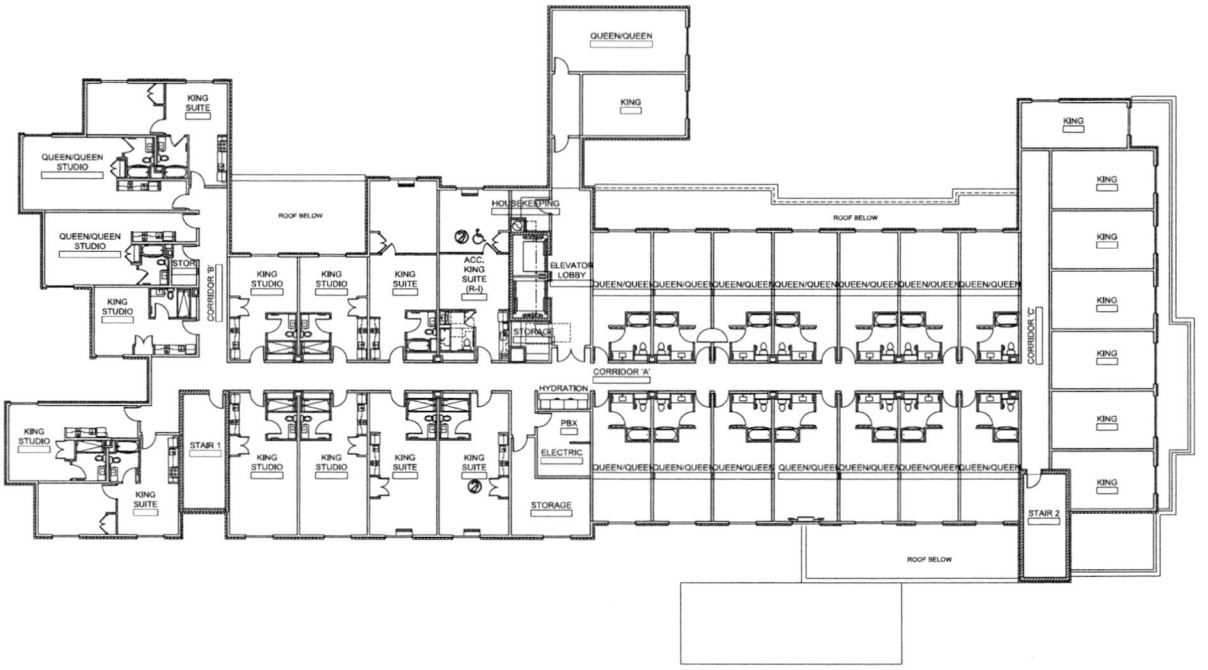
isom ham
DESIGN GROUP, PA
Architecture - Planning
1300 Callegate Drive Matthews, NC 28697 www.isomham.com

TOWNEPLACE SUITES BY MARRIOTT
Fairfield BY MARRIOTT
Huntersville, NC

OVERALL FIRST FLOOR PLAN

SHEET
A101

NOT RELEASED FOR CONSTRUCTION



1 A102 2ND FLOOR PLAN

SCALE: 3/32" = 1'-0"

GENERAL NOTES:
ALL GLASS TO BE CLEAR GLASS NOT TINTED.

GUESTROOM MATRIX		
Home Story	STORY	Quantity
1ST FLOOR PLAN		
	ACC. QUEEN/QUEEN (R-I)	1
	KING	1
	KING STUDIO	4
	KING SUITE	3
	QUEEN/QUEEN	2
	QUEEN/QUEEN STUDIO	2
2ND FLOOR PLAN		
	ACC. KING SUITE (R-I)	1
	KING	8
	KING STUDIO	6
	KING SUITE	5
	QUEEN/QUEEN	15
	QUEEN/QUEEN STUDIO	2
3RD FLOOR PLAN		
	ACC. KING SUITE (TUB)	1
	ACC. QUEEN/QUEEN (TUB)	1
	KING	8
	KING STUDIO	6
	KING SUITE	5
	QUEEN/QUEEN	14
	QUEEN/QUEEN STUDIO	2
4TH FLOOR PLAN		
	KING	14
	KING STUDIO	2
	QUEEN/QUEEN	6
		109

BUILDING SQUARE FOOTAGE	
STORY	SQFT
1ST FLOOR PLAN	19,770
2ND FLOOR PLAN	17,449
3RD FLOOR PLAN	17,449
4TH FLOOR PLAN	17,449
	72,117 ft²

#	DESCRIPTION	DATE	BY

DRAWN BY	APPROVED
VGW	RWH
PROJECT #	DATE
21019	01/09/23

ALL CONTRACTORS AND SUB-CONTRACTORS SUBMITTING BIDS ON THIS PROJECT SHALL BE REQUIRED TO RECEIVE THE ENTIRE SET OF DRAWINGS. BIDDERS SETS ARE NOT ALLOWED FOR BIDDING PROJECTS. UNDER NO CIRCUMSTANCES ARE THE DRAWINGS TO BE SCALED!!!

QUALITY FIRST

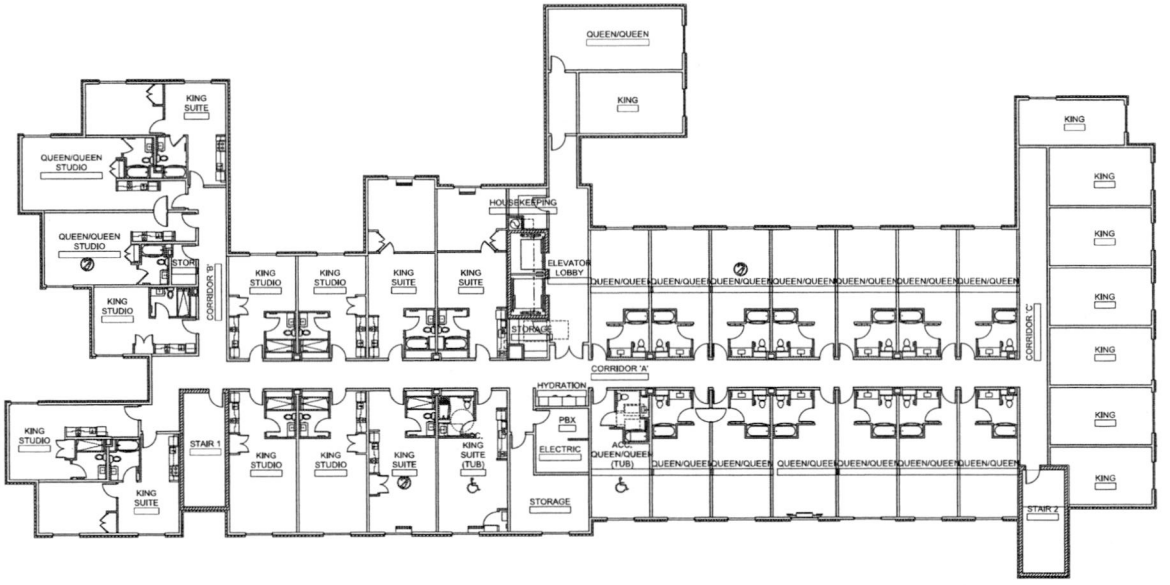
isom ham
DESIGN GROUP, PA
Architecture • Planning
1309 Culbreth Drive Wilmington, NC 28405 www.isomham.com

TOWNEPLACE SUITES® BY MARRIOTT
Fairfield BY MARRIOTT
Huntersville NC

OVERALL SECOND FLOOR PLAN

SHEET
A102

NOT RELEASED FOR CONSTRUCTION



1 A103 3RD FLOOR PLAN

SCALE: 3/32" = 1'-0"

GENERAL NOTES:
ALL GLASS TO BE CLEAR GLASS NOT TINTED.

GUESTROOM MATRIX		
Home Story	STORY	Quantity
1ST FLOOR PLAN		
	ACC. QUEEN/QUEEN (R-I)	1
	KING	1
	KING STUDIO	4
	KING SUITE	3
	QUEEN/QUEEN	2
	QUEEN/QUEEN STUDIO	2
2ND FLOOR PLAN		
	ACC. KING SUITE (R-I)	1
	KING	8
	KING STUDIO	6
	KING SUITE	5
	QUEEN/QUEEN	15
	QUEEN/QUEEN STUDIO	2
3RD FLOOR PLAN		
	ACC. KING SUITE (TUB)	1
	ACC. QUEEN/QUEEN (TUB)	1
	KING	8
	KING STUDIO	6
	KING SUITE	5
	QUEEN/QUEEN	14
	QUEEN/QUEEN STUDIO	2
4TH FLOOR PLAN		
	KING	14
	KING STUDIO	2
	QUEEN/QUEEN	6
		109

BUILDING SQUARE FOOTAGE	
STORY	SQFT
1ST FLOOR PLAN	19,770
2ND FLOOR PLAN	17,449
3RD FLOOR PLAN	17,449
4TH FLOOR PLAN	17,449
	72,117 ft²

#	DESCRIPTION	DATE	BY

DRAWN BY: VGW | APPROVED: RWH
PROJECT #: 21019 | DATE: 01/05/23

ALL CONTRACTORS AND SUB-CONTRACTORS SUBMITTING BIDS ON THIS PROJECT SHALL BE REQUIRED TO RECEIVE THE ENTIRE SET OF DRAWINGS. BROKEN SETS ARE NOT ALLOWED FOR BIDDING PROJECTS. UNDER NO CIRCUMSTANCES ARE THE DRAWINGS TO BE SCALED!!!

QUALITY FIRST

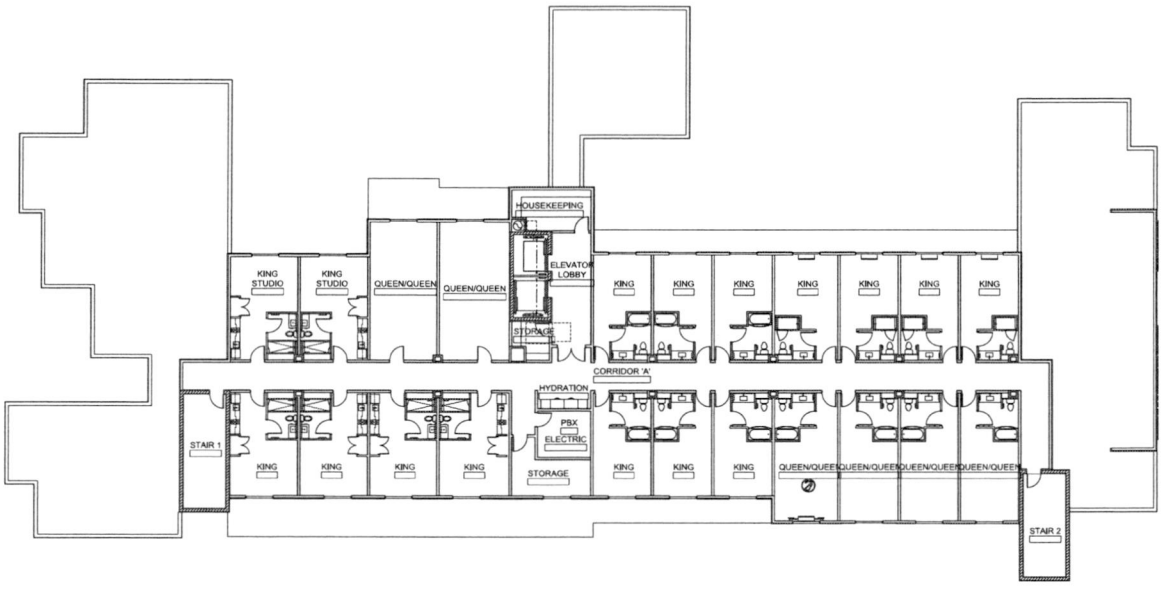
isom ham
DESIGN GROUP, PA
Architecture Interiors Planning
1300 Culbreth Drive Wilmington, NC 28405 www.isomham.com

OVERALL THIRD FLOOR PLAN

TOWNEPLACE SUITES® BY MARRIOTT
Fairfield BY MARRIOTT
Huntersville NC

SHEET
A103

NOT RELEASED FOR CONSTRUCTION



1 A104 4TH FLOOR PLAN

SCALE: 3/32" = 1'-0"

GENERAL NOTES:
ALL GLASS TO BE CLEAR GLASS NOT TINTED.

GUESTROOM MATRIX		
Home Story	STORY	Quantity
1ST FLOOR PLAN		
	ACC. QUEEN/QUEEN (R-I)	1
	KING	1
	KING STUDIO	4
	KING SUITE	3
	QUEEN/QUEEN	2
	QUEEN/QUEEN STUDIO	2
2ND FLOOR PLAN		
	ACC. KING SUITE (R-I)	1
	KING	8
	KING STUDIO	6
	KING SUITE	5
	QUEEN/QUEEN	15
	QUEEN/QUEEN STUDIO	2
3RD FLOOR PLAN		
	ACC. KING SUITE (TUB)	1
	ACC. QUEEN/QUEEN (TUB)	1
	KING	8
	KING STUDIO	6
	KING SUITE	5
	QUEEN/QUEEN	14
	QUEEN/QUEEN STUDIO	2
4TH FLOOR PLAN		
	KING	14
	KING STUDIO	2
	QUEEN/QUEEN	6
		109

BUILDING SQUARE FOOTAGE	
STORY	SQFT
1ST FLOOR PLAN	19,770
2ND FLOOR PLAN	17,449
3RD FLOOR PLAN	17,449
4TH FLOOR PLAN	17,449
	72,117 ft²

#	DESCRIPTION	DATE	BY

DRAWN BY: VGW
APPROVED: RWH
PROJECT #: 21019
DATE: 01/05/23

THIS DOCUMENT AND ANY DATA ELECTRONICALLY TRANSMITTED FROM IT ARE INSTRUMENTS OF SERVICE OF ISOM HAM DESIGN GROUP, P.A. AND SHALL NOT BE USED BY ANY PERSON OR ENTITY FOR ANY PURPOSE UNRELATED TO THE PROJECT WITHOUT THE EXPRESS WRITTEN CONSENT OF ISOM HAM DESIGN GROUP, P.A.

QUALITY FIRST

isom ham
DESIGN GROUP, PA.
Architecture | Interiors | Planning
1309 Collegiate Drive Williamston, NC 28697 www.isomham.com

NC

OVERALL FOURTH FLOOR PLAN

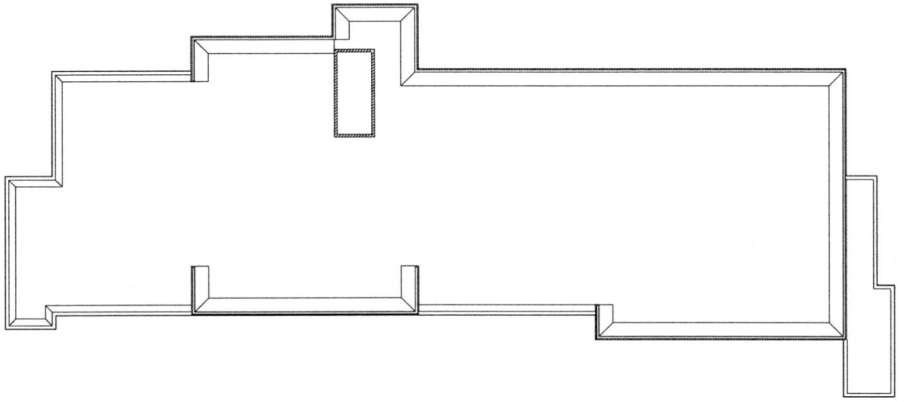
TOWNEPLACE SUITES® BY MARRIOTT | Fairfield BY MARRIOTT

Huntersville

SHEET
A104

ALL CONTRACTORS AND SUB-CONTRACTORS SUBMITTING BIDS ON THIS PROJECT SHALL BE REQUIRED TO RECEIVE THE ENTIRE SET OF DRAWINGS. BROKEN SETS ARE NOT ALLOWED FOR BIDDING PROJECTS. UNDER NO CIRCUMSTANCES ARE THE DRAWINGS TO BE SCALED!!!

NOT RELEASED FOR CONSTRUCTION



1 A105 ROOF PLAN
SCALE: 3/32" = 1'-0"

#	DESCRIPTION	DATE	BY

DRAWN BY: VGW | APPROVED: RWH
PROJECT #: 21019 | DATE: 01/09/23

THIS DOCUMENT WAS ELECTRONICALLY SEALED AND THE AUTHENTICATION MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

QUALITY FIRST

isom ham
DESIGN GROUP PA
Architecture • Planning
1300 Callingwood Drive Wilkesboro, NC 28697 www.isomham.com

NC

TOWNEPLACE SUITES® BY MARRIOTT
Fairfield BY MARRIOTT
Huntersville

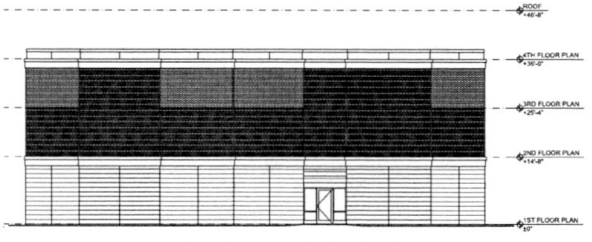
OVERALL ROOF PLAN

SHEET
A105

ALL CONTRACTORS AND SUB-CONTRACTORS SUBMITTING BIDS ON THIS PROJECT SHALL BE REQUIRED TO RECEIVE THE ENTIRE SET OF DRAWINGS. BROKEN SETS ARE NOT ALLOWED FOR BIDDING PROJECTS. UNDER NO CIRCUMSTANCES ARE THE DRAWINGS TO BE SCALED!!!

NOT RELEASED FOR CONSTRUCTION

4 A201 SIDE ELEVATION - NORTH
SCALE: 3/32" = 1'-0"



3 A201 REAR ELEVATION - WEST
SCALE: 3/32" = 1'-0"

2 A201 FRONT ELEVATION - EAST
SCALE: 3/32" = 1'-0"

1 A201 SIDE ELEVATION - SOUTH
SCALE: 3/32" = 1'-0"

#	DESCRIPTION	DATE	BY

DRAWN BY: VGW
APPROVED: RWH
PROJECT #: 21019
DATE: 01/09/23

ALL CONTRACTORS AND SUB-CONTRACTORS SUBMITTING BIDS ON THIS PROJECT SHALL BE REQUIRED TO RECEIVE THE ENTIRE SET OF DRAWINGS. BIDDERS WHO ARE NOT ALLOWED FOR BIDDING PROJECTS. UNDER NO CIRCUMSTANCES ARE THE DRAWINGS TO BE SCALED!!!

QUALITY FIRST

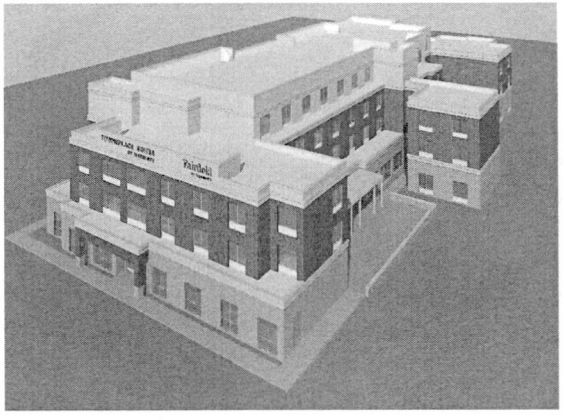
isom ham
DESIGN GROUP PA
Architecture • Planning
1329 Gallagher Drive Williamston, NC 27892 www.isomham.com

EXTERIOR ELEVATIONS

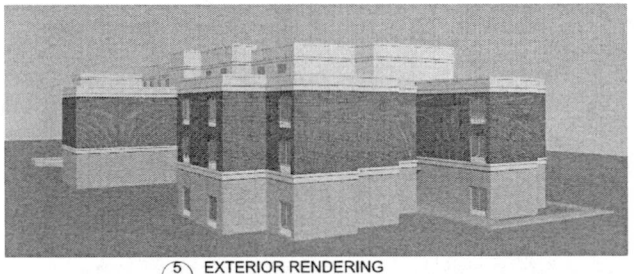
TOWNEPLACE SUITES BY MARRIOTT
Fairfield BY MARRIOTT
Huntersville NC

SHEET
A201

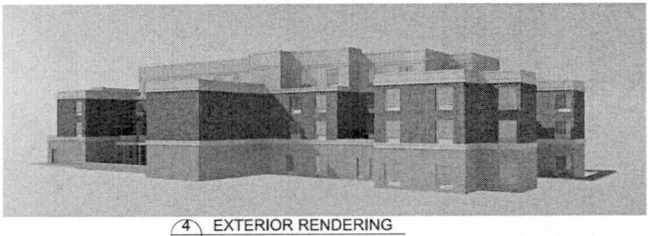
NOT RELEASED FOR CONSTRUCTION



7 A202 EXTERIOR AERIAL
NOT TO SCALE

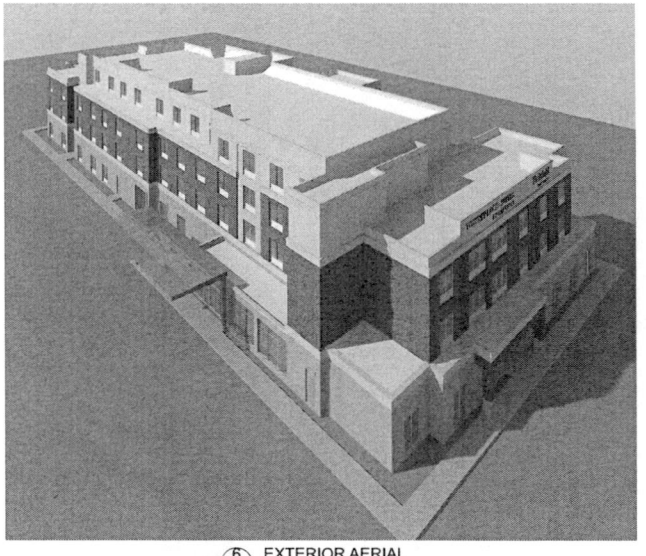


5 A202 EXTERIOR RENDERING
NOT TO SCALE

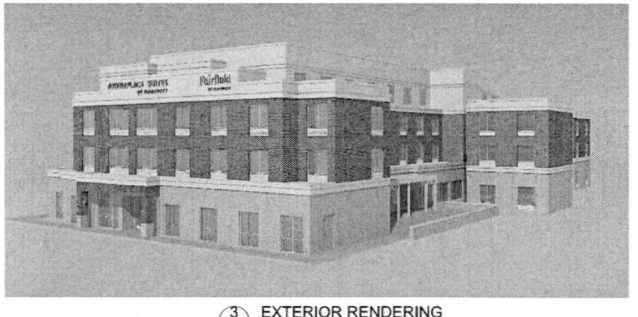


4 A202 EXTERIOR RENDERING
NOT TO SCALE

2 A202 EXTERIOR RENDERING
NOT TO SCALE



6 A202 EXTERIOR AERIAL
NOT TO SCALE



3 A202 EXTERIOR RENDERING
NOT TO SCALE

1 A202 EXTERIOR RENDERING
NOT TO SCALE

#	DESCRIPTION	DATE	BY

DRAWN BY: VGW | APPROVED: RWH
PROJECT #: 21019 | DATE: 01/09/23

ALL CONTRACTORS AND SUB-CONTRACTORS SUBMITTING BIDS ON THIS PROJECT SHALL BE REQUIRED TO RECEIVE THE ENTIRE SET OF DRAWINGS. BROKEN SETS ARE NOT ALLOWED FOR BIDDING PROJECTS. UNDER NO CIRCUMSTANCES ARE THE DRAWINGS TO BE SCALED!!!

QUALITY FIRST

isom ham
DESIGN GROUP, PA
Architecture • Planning
1300 Culbreath Drive Wilmington, NC 28405 www.isomham.com

EXTERIOR RENDERINGS

TOWNEPLACE SUITES BY MARRIOTT
Huntersville, NC

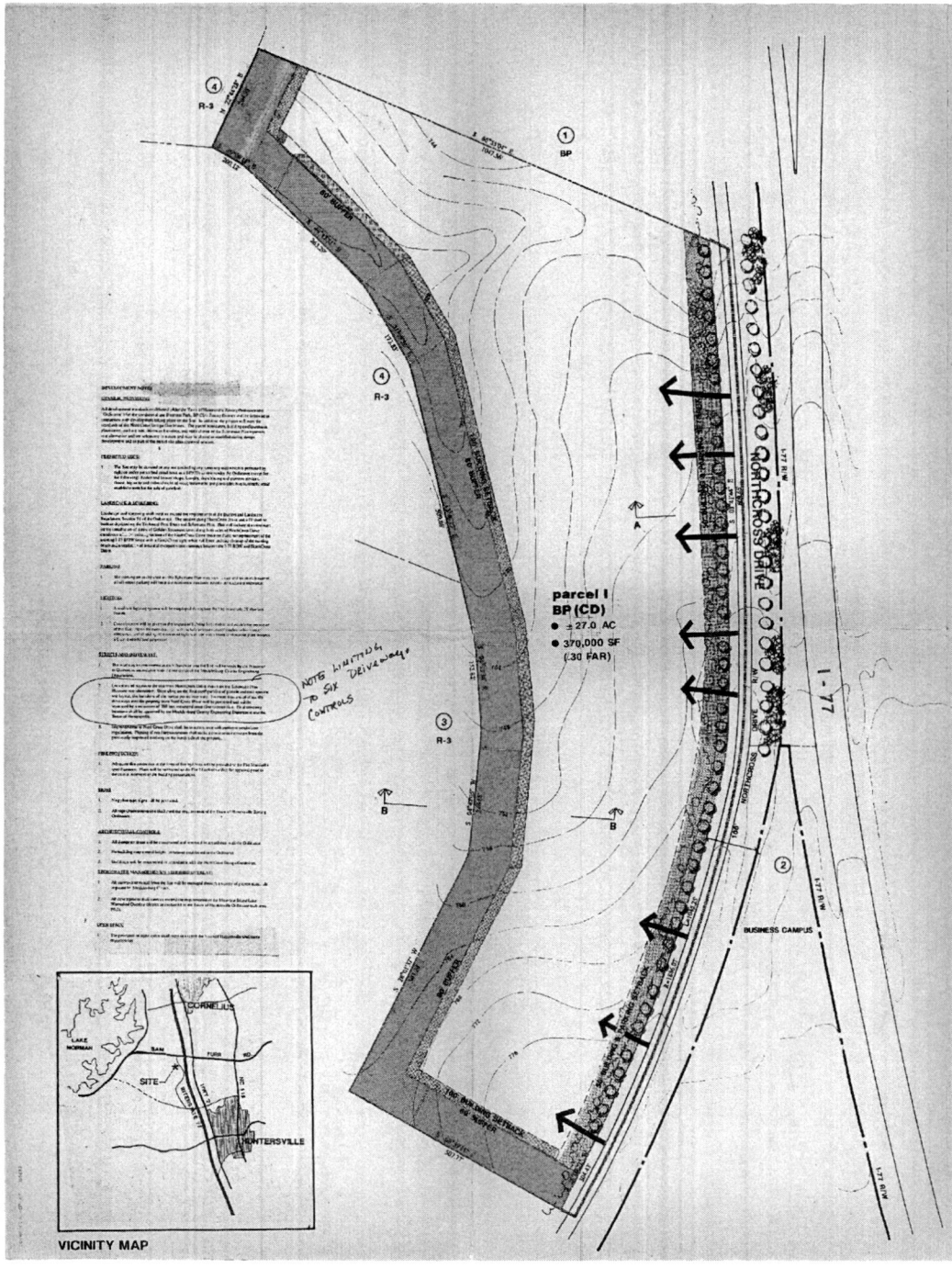
Fairfield BY MARRIOTT

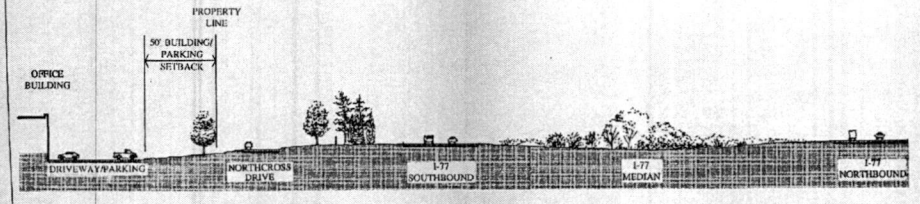
SHEET
A202

NOT RELEASED FOR CONSTRUCTION

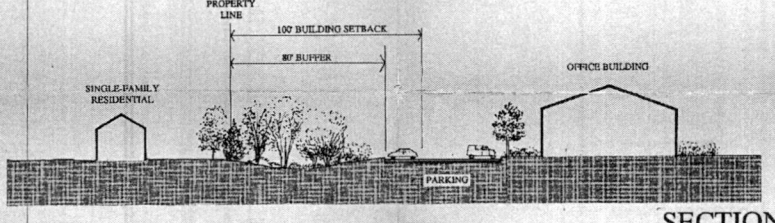
NORTHCROSS CORPORATE CENTER

The Crosland Group





SECTION AA
1" = 40'



SECTION BB
1" = 30'

SITE DATA:

TOTAL AREA:	±27.0 AC
EXISTING ZONING:	R-3
PROPOSED ZONING:	BP(CD) • 370,000 SF OFFICE SPACE • ±1.31 AC ROAD R/W

LEGEND

- PROPOSED ACCESS POINTS
- ZONING BOUNDARY
- BUFFER
- YARDS & SETBACKS

This Revision Approved as minor administrative change addressing access changed Zoning across NorthCross Drive (R-3 to BP(CD)) as measured

Chas Hammond 11/28/94 Town of Huntersville

SCALE: 1" = 100'

0' 100' 200' 300' 400'

TECHNICAL DATA SHEET

Final Revision

DATE: DECEMBER 6,1994
PROJECT NO.: 14238
REVISIONS:
JANUARY 5, 1995
JANUARY 12, 1995
FEBRUARY 8,1995
MARCH 21, 1995
JANUARY 24, 1997

Land Design Inc.
Landscape Architecture Land Planning
Urban Design

SHEET NO. 1 OF 2

CHARLOTTE WATER

September 21, 2022

Mrs. Tess Fallova
Henson Foley Design
121 Gilead Rd
Huntersville, NC 28078

SUBJECT: PRELIMINARY CAP REVIEW
NORTHCROSS HOTEL
16221 NORTHCROSS DRIVE, HUNTERSVILLE, NC 28078

After an analysis by Charlotte Water's Capacity Assurance Program (CAP) of the sanitary sewer system associated with the proposed **NORTHCROSS HOTEL** development, it was determined that there is currently sufficient capacity to accommodate the proposed sewer flow (**19,250** *gallons per day*), at the connection point(s) indicated on the submitted exhibit plan for transmission to the ***McDowell Creek*** *Wastewater Treatment Plant;(*NPDES permit number **NC0036277**),

Please note that the availability of flow is subject to change and that this **PRELIMINARY CAP REVIEW (Pre-CAP), does not guarantee future capacity or reserve capacity in the public sewer system. A full CAP application with fully engineered site utility plan must be submitted and approved to reserve sewer capacity for this project**. Please contact new Services at 704-432-2854 for official submittal guidelines to the Capacity Assurance Program.

CLTWater agrees to furnish water to the subject project. The water quality to the subject project is regulated by the State Drinking Water Act Amendments of 1986 and, The Water Supply Management Plan, PWS ID **# 0160010**, on file with the Public Water Supply Section of NC DEQ. However, CLTWater cannot guarantee a constant pressure or quality of flow.

The applicant should understand that due to the involvement of other agencies and continuing growth of the water and sewer system, the ability to provide service for future projects cannot be guaranteed nor reserved. Connection to the CLTWater and sewer system is accepted on a first come, first served basis.

The applicant should understand that this letter is not an authorization to construct or extend private water or sewer systems, as the appropriate local or State permits are required prior to construction. The analysis performed determines available capacity within the existing public gravity sewer system. The development is responsible for any additional private or public sewer infrastructure required to convey flow from the proposed development to the existing public sewer.

If you have any questions, please do not hesitate to contact me at (704) 432-5801.

Sincerely,

Pedro Galarreta

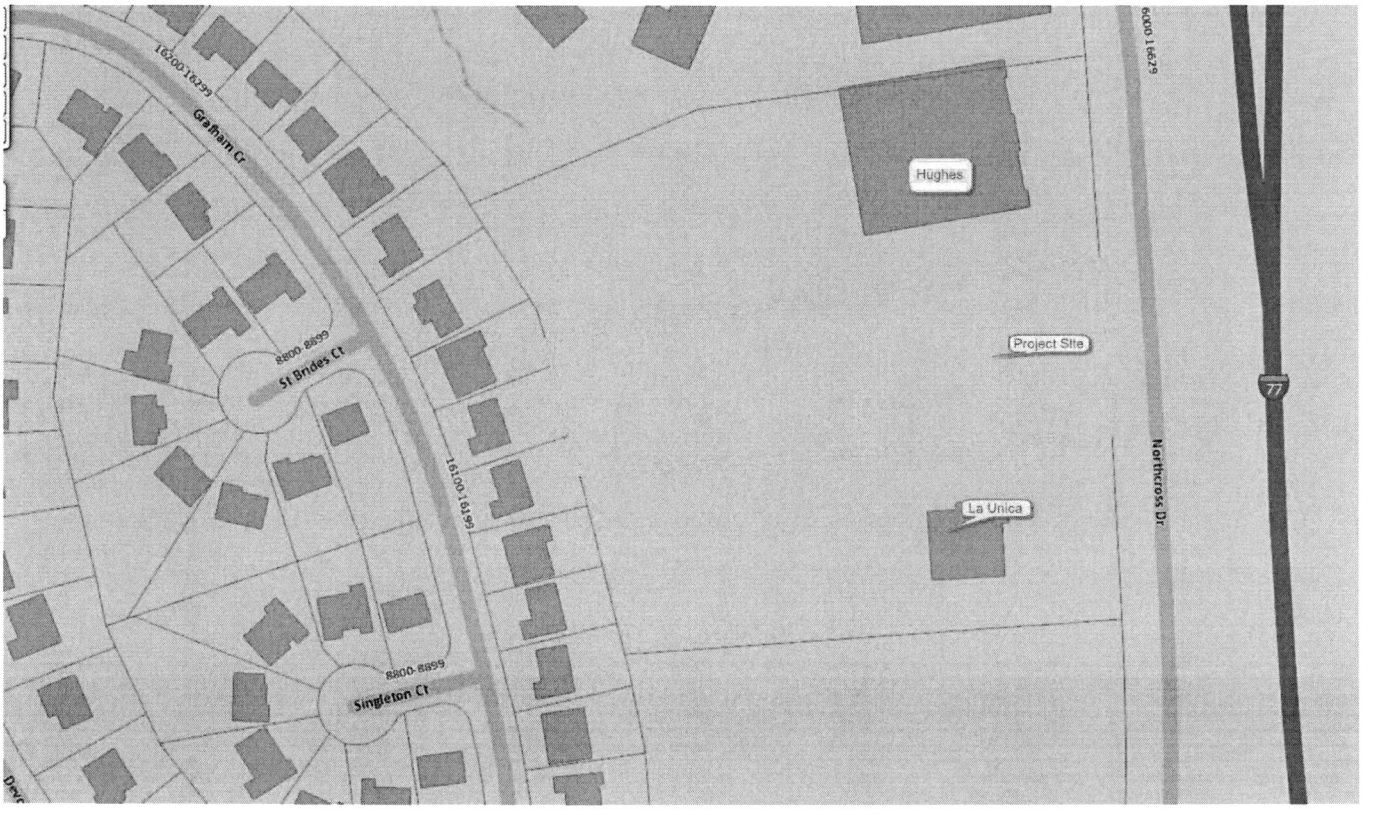
Pedro Galarreta BSCE, BBA / *Engineering Assistant*
CHARLOTTE WATER / charlottewater.org

HensonFoley

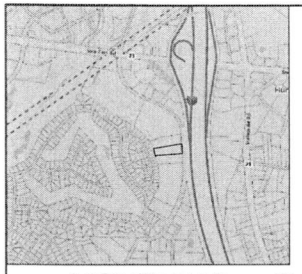
Landscape Architecture I Civil Engineering I Surveying

Community Meeting Notice

Project:	Northcross Drive Hotel 16222 Northcross Drive Huntersville, NC
Parcel ID:	00930115
Exist. Zoning:	CB (CD)
Proposed Zoning:	CB (CD)
Proposed Use:	Hotel
Meeting Location:	Spring Hill Suites by Marriott 13610 REESE BV W HUNTERSVILLE NC 28078 The Park
Meeting Time:	November 17, 2022 6pm
Brief Description:	Petitioner is requesting a conditional rezoning from CB (CD) To CB (CD) which would allow for a new hotel.



121 Gilead Road, Huntersville, NC 28078 - 704.875.1615 ph - 704.875.0959 fax
www.hensonfoley.com tim@hensonfoley.com
NC Engineering Board Liscense #: C-3781
NC Landscape Architecture Board Liscense #: C-399



VICINITY MAP
SCALE: N.T.S.

IMPERVIOUS SUMMARY - SITE			
ITEM	SQUARE FOOT	ACRES	PERCENTAGE OF TOTAL SITE
TOTAL PARCEL AREA	115,895 SF	2.66 AC	N/A
TOTAL EXISTING IMPERVIOUS	0 SF	0.00 AC	0.00 %
TOTAL PROPOSED IMPERVIOUS	75,298 SF	1.73 AC	64.97 %
TOTAL PROPOSED PERVIOUS	40,597 SF	0.93 AC	35.03 %
MAX ALLOWABLE BUA	81,126.5 SF	1.86 AC	70.00 %

SITE DATA

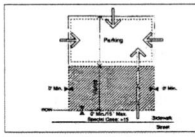
LOCATION: 16221 NORTHCROSS DRIVE HUNTERSVILLE, MECKLENBURG COUNTY 28078	(PARCEL ID: 00930115)
CURRENT ZONING: CB (CD)	PROPOSED ZONING: CB (CD)
CURRENT USE: VACANT	PROPOSED USE: HOTEL
CONTACT: HENSON FOLEY (JAY HENSON) 704-875-1615	
ITEM	**PROVIDED**
TOTAL PARCEL AREA	2.66 ACRES (115,895 SF)
PRINCIPAL USE(S)	HOTEL
LOT S: BUILDING TYPE	SHOP FRONT BUILDING
MAX. BUILDING HEIGHT	4/9
ZONING DISTRICT	CB (CD)
OVERLAY DISTRICT	PA-2 MTN ISLAND LAKE WATERSHED
PERCENT IMPERVIOUS ALLOWED	HIGH DENSITY - 70%
BUILD TO LINE	0 - 15' SIDE S. REAR - 0'
CORNER SETBACK	REPLICATE FRONTAGE CONDITIONS
WATERSHED	McDOWELL
FEMA MAP NUMBER	3710465100K
FEMA EFFECTIVE DATE	09/02/2015
SOIL TYPE	CeB2, CeB2

PARKING CALCULATIONS

TOTAL REQUIRED PARKING SPACES = 1 SPACE PER ROOM+ PLUS ONE SPACE FOR EVERY 1000 SF OF ANCILLARY USE	110 ROOMS + 0 SF ANCILLARY USE = 110 PARKING SPACES
TOTAL REQUIRED ADA PARKING SPACES	7 ADA SPACES , 1 VAN ACCESSIBLE SPACE
TOTAL PROVIDED PARKING SPACES	112 PARKING SPACES
TOTAL PROVIDED ADA PARKING SPACES	7 ADA SPACES , 1 VAN ACCESSIBLE SPACE

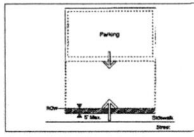
Lot Type / Shopfront Building

Building Placement/Parking/Vehicular Access



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 buildings permit a larger setback.
2. Building facades shall be generally parallel to frontage property lines.
3. Parking shall be located to the rear of the building; sideyard parking shall occupy no more than 25 percent of the primary frontage line and shall not be placed in an established sideyard abutting an intersecting street. Where dimensions of existing lots restrict parking behind buildings, the limitations on sideyard parking may be waived/mod.
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 practicable.
7. Trash containers shall be located in a rear parking area (see Parking Regulations).
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 principle 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.

Encroachment/Pedestrian Access to Building



1. Balconies, bay windows, arcades, porches at an upper level and their supports at ground level, together with awnings above head height, are 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).

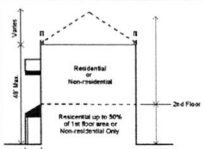
Special Conditions:

1. The storefront of buildings at all locations must be to relate the principal facade to the sidewalk and public space of the street.
2. Drive-through customer services, if permitted in the district, must be located at the rear of the building, or on a side which does not abut a street.
3. Corner Setbacks at street corners will generally replicate frontage conditions. However, side setbacks on a corner street may be less than the front dimension.
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. Spaces or specially defined places within building setback areas can act as focal points for pedestrians.

Description:
The shopfront building is a small-scale structure which can accommodate a variety of uses. The structure is typically a maximum of 15,000 square feet. A group of shopfront buildings can be constructed to form a mixed-use neighborhood center. Individual shopfront buildings can be used to provide some community service, such as a convenience food store, or close proximity to homes. Traditional commercial buildings on the site have provide good examples. Hotels, inns, and conference centers may be placed in shopfront or mixed-use buildings. Where possible, structures shall be designed to terminate vistas or serve as key focal points in the neighborhood.

Building Type / Shopfront Building

Permitted Height and Uses



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 height to the ridge may vary depending on the roof pitch.
4. Permitted uses are indicated above, and are further controlled by district regulations.
5. Where an existing residential building converts to a mixed-use building, at least 40% of the habitable floors area shall be residential.

Architectural Standards

Principles

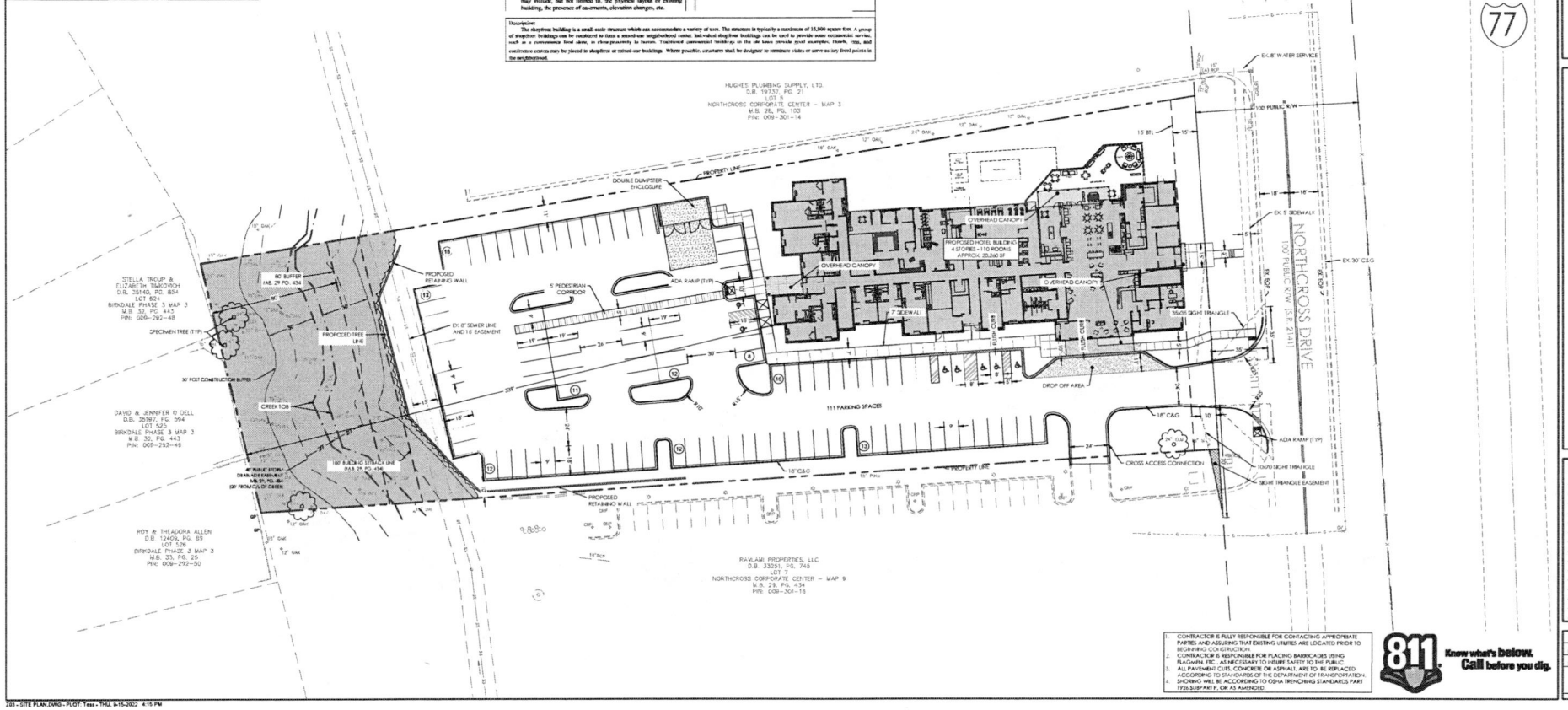
A. To perpetuate the unique building character of the town and its environs, and to re-establish its local identity, development shall generally employ building types that are sympathetic to the historic architectural vocabulary of the area in their massing and external materials.
B. Building elevations fronting or visible from public streets shall be clad with masonry, wood, vinyl siding, stucco, or similar material. Metal paneling may not comprise a street fronting building floor.
C. The front 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 thus 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 can cover the first floor only (i.e. brick below wood siding).
B. Street level windows should be minimal. 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 TRENCHING STANDARDS, PART 1926 SUBPART P, OR AS AMENDED.

811 Know what's below. Call before you dig.

HensonFoley
Landscape Architecture | Civil Engineering
121 Gilead, Huntersville, NC 28078
p: 704.875.1615 | f: 704.875.0959 | www.hensonfoley.com
NC LANDSCAPE ARCHITECTURAL BOARD LICENSE # C-0249

NORTH ARROW
GRAPHIC SCALE 1"=30 FT.

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT SEAL 2018 JAY A. HENSON

NORTHCROSS HOTEL
PARCEL ID: 00930115
16221 NORTHCROSS DR HUNTERSVILLE NC 28078

REZONING PLAN

REVISIONS:

Z03 - SEE PLAN.DWG	
PROJECT NUMBER:	221088
DATE: 09/15/2022	DRAWN BY: TZ
SHEET Z03	OF 5

Z03 - SITE PLAN.DWG - PLOT: Tess - THU, 9-15-2022 4:15 PM

Town of Huntersville
NORTH CAROLINA

Traffic Impact Analysis (TIA)
Application for Determination of TIA Need

Article 14.2 of the Zoning Ordinance requires that a Traffic Impact Analysis (TIA) be performed for any residential subdivision, multifamily site plan, or non-residential development, or portion thereof, which is expected to create one hundred (150) or more peak hour vehicle trips or 1,500 or more daily trips.

In order to determine whether a TIA will be required for your proposed development, please fill out the form below and submit to the Planning Department. A "Determination of TIA Need" will be made within 10 working days.

Applicant: Hotel Ventures of Lake Norman, Inc.

Project Name: Northcross Hotel Rezoning

Project Address: 16221 Northcross Drive, Huntersville NC 28078

Project Description (including square footage for each proposed land use):
This project consists of the rezoning for this parcel to allow for a 4-story Hotel.
The hotel building footprint is approximately 20,225 sf with 110 rooms.

Applicant

Printed Name Hotel Ventures of Lake Norman, Inc. Phone 404-368-9227

☒ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title Vice President Email hpatel@hotelventuresinc.com

Contact Information

Town of Huntersville Engineering Department
(704) 766 - 2220

For Town Staff Use Only

Project File # _____

Date Submitted 9/29/22

Daily Trips Anticipated 769

Peak Hour Trips Anticipated AM 48 **PM** 54

TIA Required (Yes/No) No

Date of Determination: 10/3/22

Comments: Determination based on a 110 room Hotel.

STIP Project No. I-5715

Interchange Improvements on I-77 at N.C. 73 (Sam Furr Road)

February 5, 2018

Project Description and Purpose

The N.C. Department of Transportation proposes to reconfigure the I-77 and N.C. 73 (Sam Furr Road) interchange. The purpose of this project is to improve mobility and connectivity for local traffic accessing properties adjacent to this interchange. A secondary purpose is to reduce delay and congestion on N.C. 73 through the I-77/N.C. 73 interchange.

The new interchange design is called a "split diamond." As part of this design, the existing ramps will remain in approximately their same locations, and two new bridges will be added across I-77. The northern crossing will connect with the I-77 ramps with roundabouts on both sides. On the east end, the roundabout will also connect to Caldwell Creek Drive. Two alternatives for the eastern roundabout, a four and a five leg roundabout, are under consideration.

The southern crossing will connect Northcross Drive and U.S. 21 (Statesville Road), using a loop on the west side and a roundabout on the east side. Drivers using the I-77 northbound off-ramp will have the choice to access the new crossing or go directly to N.C. 73.

On N.C. 73 (Sam Furr Road), an additional eastbound through lane is proposed. With this additional lane, as well as needed turn lanes and potential multi-modal facilities, the bridge is proposed to be widened.

Pedestrian and bike accommodations are being considered as part of this project contingent on a cost-share agreement between NCDOT and the municipality.

For More Information, Please Contact

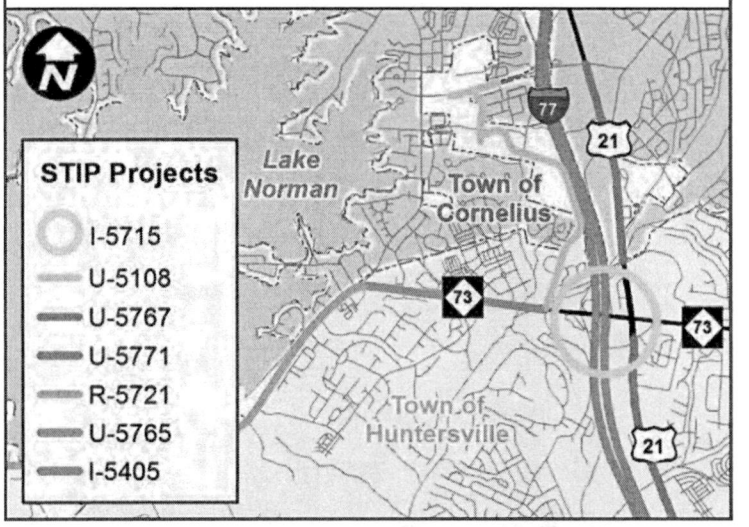
Maps online: www.ncdot.gov/projects/publicmeetings/

Teresa Gresham, P.E.
Kimley-Horn Project Manager
421 Fayetteville Street, Suite 600
Raleigh, NC 27601
Phone: (919) 677-2194
Email: teresa.gresham@kimley-horn.com

Beverly G. Robinson, CPM
NCDOT Project Management Unit
1548 Mail Service Center
Raleigh, NC 27699-1548
Phone: (919) 707-6041
Email: brobinson@ncdot.gov

Funded STIP Projects in the Vicinity

- **Extension of Northcross Drive on New Location**: **STIP Project U-5108**
  Extend Northcross Drive on new location from its end near N.C. 73 to Westmoreland Road. ROW acquisition is scheduled in September 2018 and construction in March 2020.
- **N.C. 73 Widening**:
  STIP Projects U-5765 and R-5721
  Widen N.C. 73 from Northcross Drive to N.C. 16. See project handout for ROW and construction dates.
- **U.S. 21 Widening**:
  STIP Projects U-5767 and U-5771
  Widen U.S. 21 from Northcross Center Court to Westmoreland Road and from Gilead Road to Holly Point Drive. ROW acquisition is scheduled in December 2019 and construction in December 2021.
- **I-77 Managed Lanes**:
  STIP Project I-5405
  Construction is underway to add managed lanes on I-77 from the Brookshire Freeway to Catawba Ave.

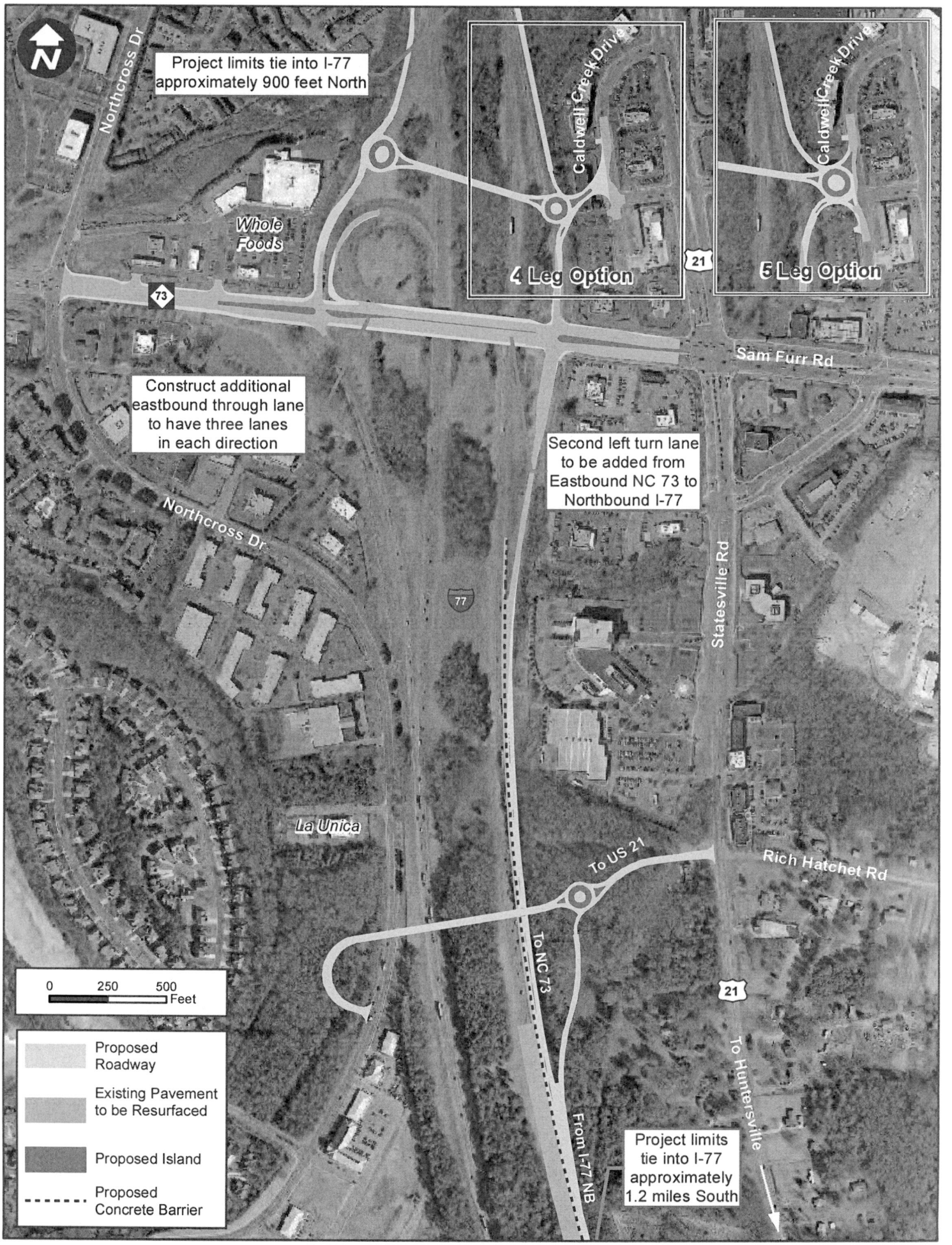


Next Steps

Right-of-way acquisition is scheduled to begin in Summer 2019 and construction in Summer 2020 at an estimated construction cost of $16 million.

Please submit any comments you have on the project today with the attached form, or via mail or email to Teresa Gresham by **March 16, 2018.**

Connecting people, products, and places safely and efficiently with customer focus, accountability and environmental sensitivity to enhance the economy and vitality of North Carolina.


N
Project limits tie into I-77 approximately 900 feet North
Northcross Dr
Whole Foods
73
Caldwell Creek Drive
4 Leg Option
21
Caldwell Creek Drive
5 Leg Option
Sam Furr Rd
Construct additional eastbound through lane to have three lanes in each direction
Second left turn lane to be added from Eastbound NC 73 to Northbound I-77
Northcross Dr
77
Statesville Rd
La Unica
To US 21
Rich Hatchet Rd
To NC 73
21
To Huntersville
From I-77 NB
Project limits tie into I-77 approximately 1.2 miles South
0 250 500 Feet
Proposed Roadway
Existing Pavement to be Resurfaced
Proposed Island
Proposed Concrete Barrier

COMMENT SHEET

I-5715 Interchange Improvements on I-77 at N.C. 73 (Sam Furr Road)
Public Meeting
February 5, 2018

Name: _____

Address: _____

Email (Optional): _____

Do you have any comments or questions on the proposed design?

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

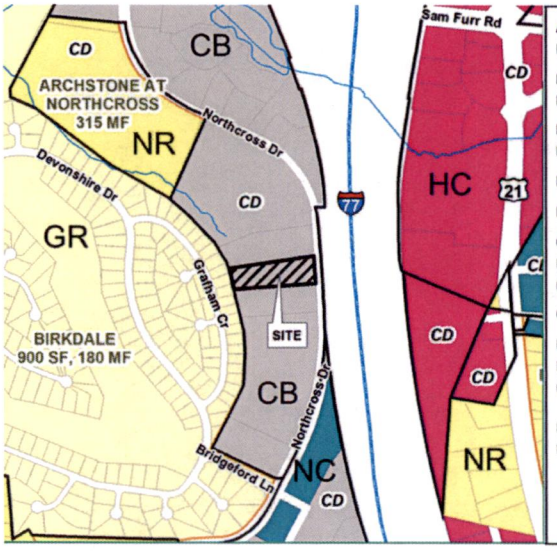
Comments may be mailed or emailed by March 16, 2018 to:

Beverly G. Robinson, CPM
NCDOT Project Management Unit
1548 Mail Service Center
Raleigh, NC 27699-1548
Phone: (919) 707-6041
Email: brobinson@ncdot.gov

I-5715 Interchange Improvements
on I-77 at N.C. 73 (Sam Furr Road)

Beverly G. Robinson, CPM
NCDOT Project Management Unit
1548 Mail Service Center
Raleigh, NC 27699-1548

Rezoning Request:



Applicant: Hotel Ventures of Lake Norman, Inc.

Property Owner: Manah Limited Partnership

Property Address: 16221 Northcross Drive

Project Size: (+/-) 2.66 acres

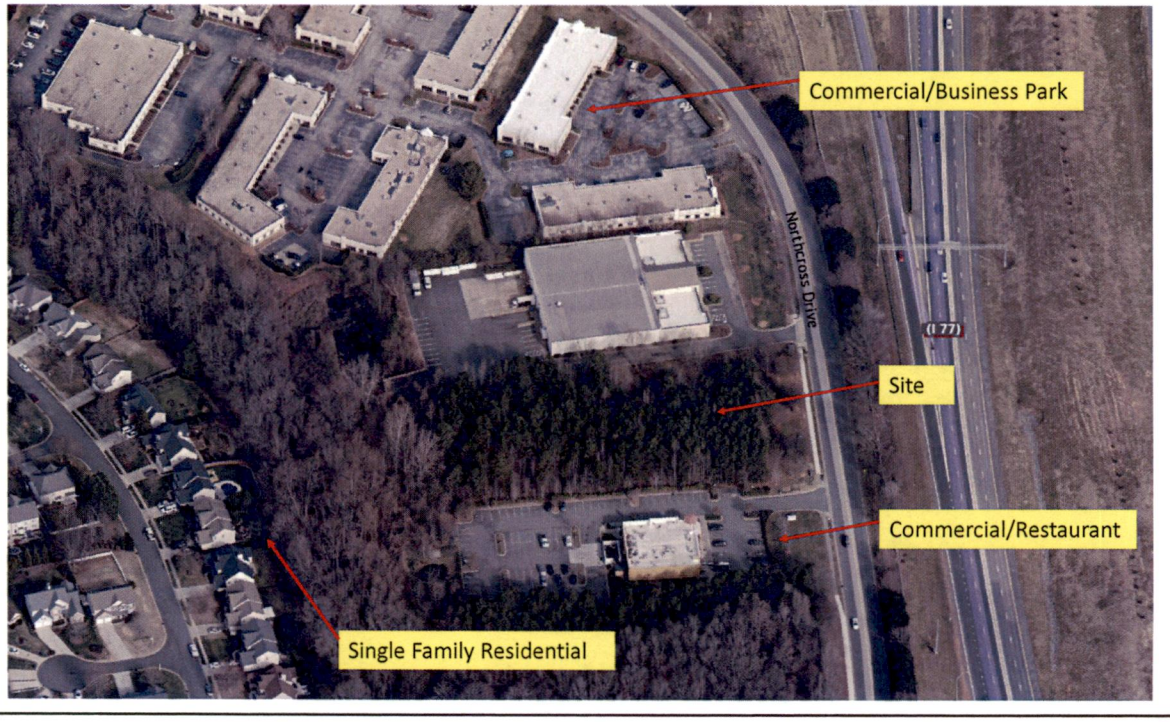
Parcel Numbers: 00930115

Current Zoning: Corporate Business Conditional District (CB-CD)

Current Land Use: Vacant

Proposed Zoning: Corporate Business Conditional District (CB-CD)

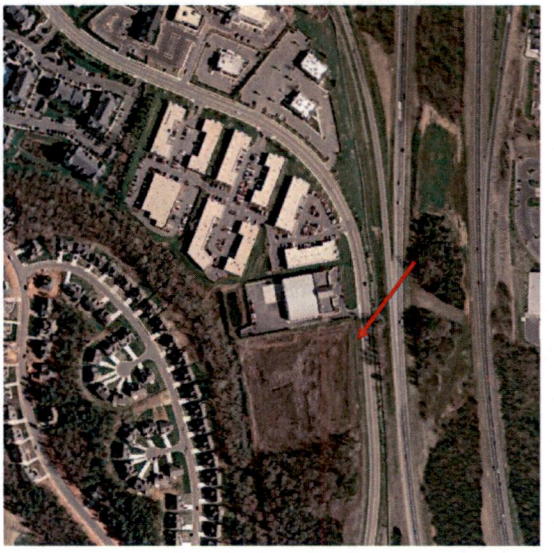
Proposed Land Use: Hotel 109 Rooms



Growth Pattern of Northcross Drive

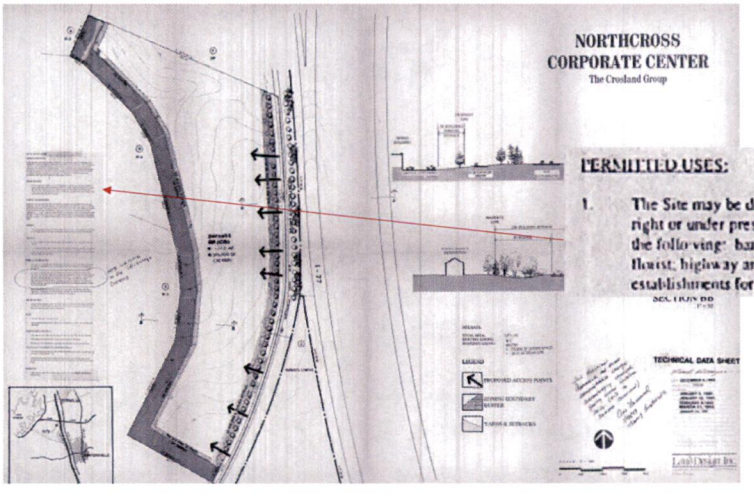
Circa 1997

Circa 2002



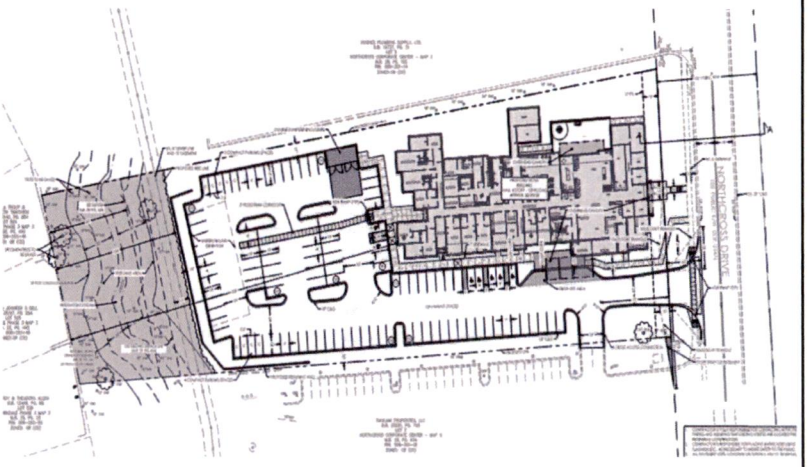
Current Zoning

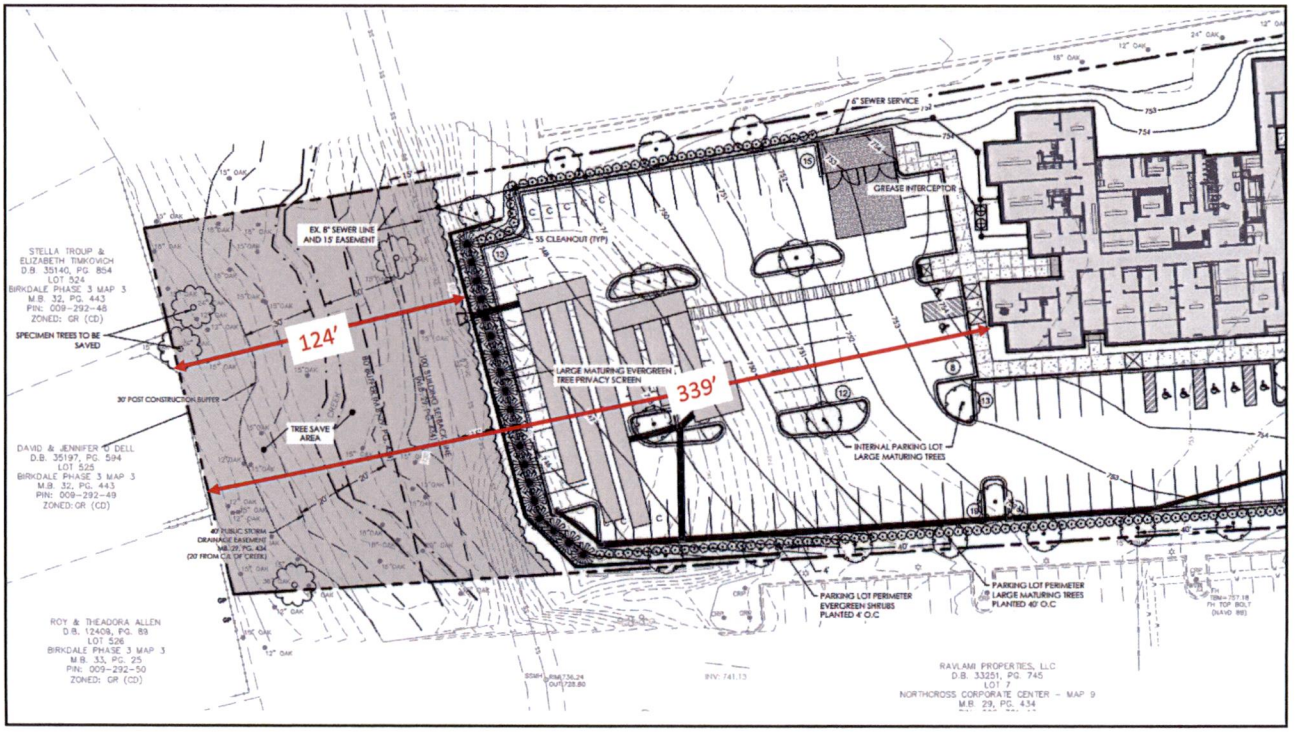
- Original Zoning-Business Park Conditional District (1994)-Converted to Corporate Business Conditional District
- Hotels excluded as permitted use under the conditional rezoning plan



Rezoning Request *One minor modification*

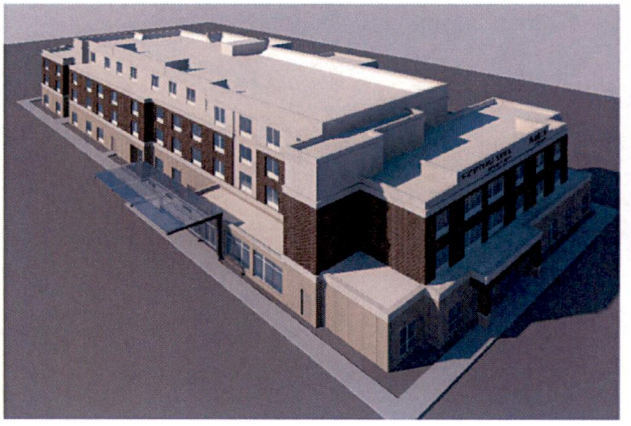
- Hotel- 109 Room
- 4 Story Building
- *47 Foot Height* (45 Permitted)
- Building separation from residential zoning line requirement 141 feet(x3 proposed height adjacent residential use) Proposed- 339 feet.
- Special Use Permit Required(Hotel lots within 250 feet of a residential zone)
- Meets 30% Specimen Tree Save(=40%)
- 80 Foot vegetated buffer required adjacent residential- 124 foot proposed
- Additional row of evergreen trees provided along back parking.
- Proposed connection to adjacent restaurant use.
- Meets Zoning Requirements outside of 2-foot modification.



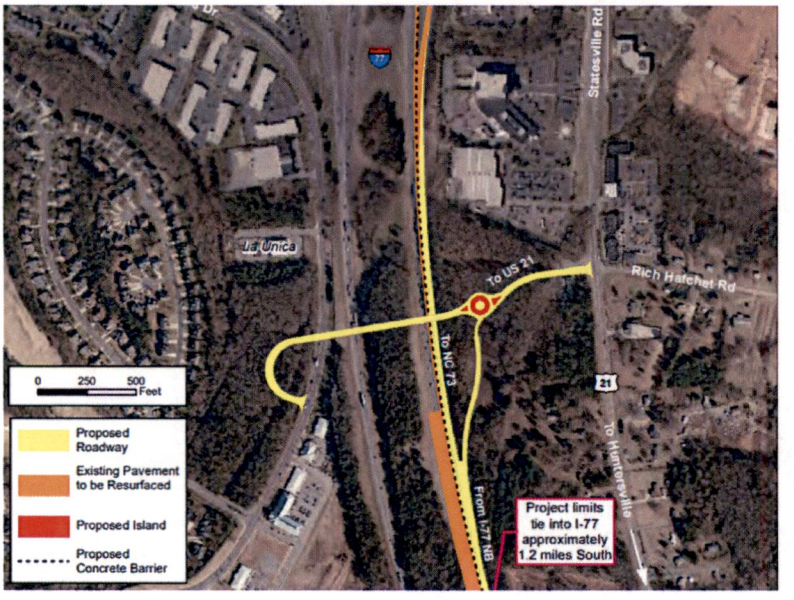


Elevations

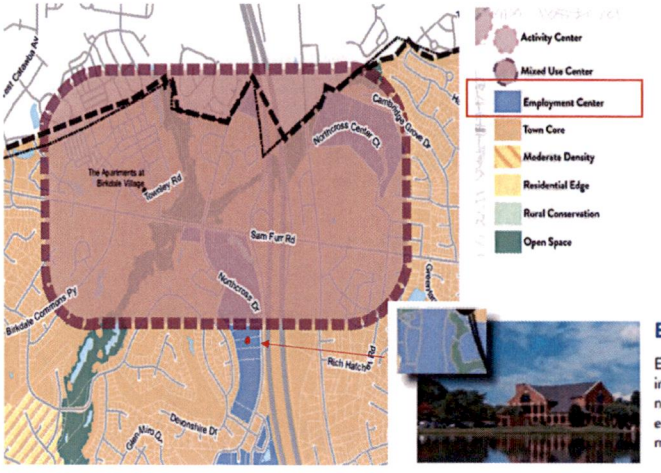
- Previous Elevations submitted did not meet massing requirements. There were also concerns about windows facing the single-family residences to the west. These comments were addressed by the applicant as seen below.



NCDOT STIP Project No. I-5715



2040 Huntersville Community Plan



Employment Center

Employment centers contain a mix of uses including office, industrial, and institutional. Modern employment campuses and cutting -edge employers are now incorporating some retail and residential to create a live, work, and play environment. These areas offer workspace where innovation can grow while meeting employee lifestyle needs.

Consistency Statement

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed rezoning petition R22-06, Northcross Hotel, staff recommends approval as submitted as the proposal is consistent with the Huntersville 2040 Community Plan policies LU 5.1, 6.2, 7.1, and EV 1.3. The Proposed development is consistent with the surrounding development's character by varying the massing of buildings to reduce perceived scale and volume and further, provides additional buffering than required by code with the adjacent single family residential zoning to the West. **It is reasonable and in the public interest to approve the Rezoning Plan because the rezoning is consistent with the envisioned use and development pattern set forth in the 2040 Community Plan.**	APPROVAL: APPROVAL: In considering the proposed rezoning application R22-06, Northcross Hotel, the Planning Board recommends approval based on the Plan being consistent with the Huntersville 2040 Community Policies, LU-5.1, LU-6.2, LU-7.1, EV-1.3. The proposed development is consistent with the surrounding developments character by varying the massing of buildings to reduce perceived scale and volume and further provides additional buffering than required by code with the adjacent single-family residential zoning to the west. **It is reasonable and in the public interest to approve the Rezoning Plan because the rezoning is consistent with the envisioned use and development pattern set forth in the 2040 Community Plan.**	APPROVAL: APPROVAL: In considering the proposed rezoning application R22-06, Northcross Hotel, the Town Board recommends approval based on the Plan being consistent with **(insert applicable plan reference)**. **It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)**
		DENIAL: DENIAL: In considering the proposed rezoning application R22-06, Northcross Hotel, the Town Board recommends denial based on the Plan being **(consistent OR inconsistent) with (insert applicable plan reference).** **It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)**

Ordinance Clarification

3.2.9 CORPORATE BUSINESS (CB)

Intent: The Corporate Business district is established to provide for large business or light industrial which, because of the scale of the buildings or the nature of the use, cannot be fully integrated into uses such as schools and religious institutions may be appropriate if they are sited properly and properties; nonetheless, buildings in the corporate business district that front a town street shall re street and scaled for compatibility with the surrounding environment are also permitted in the High TND Districts. Such workplaces should not be reclassified to the Corporate Business District. The co loading facilities such as warehouse/distribution operations.

(a) **Permitted Uses**.

Uses Permitted by Right.

- office
- distributive businesses
- inns
- laboratories and research facilities
- manufacturing and assembly, excluding heavy manufacturing
- government buildings
- warehouses, except mini-warehouse storage
- wholesale sales
- vocational and technical schools

Uses Permitted With Conditions.

- automotive country club, (9.57)
- day care center, (9.11)
- commercial communication tower, (9.9)
- essential services 1 and 2, (9.14)
- hotels and motels spaced 250' or more from residential or mixed use zones, (9.45)
- parks, (9.29)
- temporary mobile food sales, (9.37)
- transit-oriented parking lots as a principal use, (9.49)
- transit shelters, (9.39)

Uses Permitted with Special Use Permit.

- hotels and motels spaced less than 250' from residential or mixed us zones (9.45)
- schools (9.35)
- solar energy facility, minor residential, as follows: located on the façade elevation facin facing public street or common access (9.54)

9.45 Hotels And Motels

Hotels are permitted in the Highway Commercial and Corporate Business Districts subject to the requirements below; Motels are permitted in the Corporate Business District only, subject to the requirements below:

1. Any structure in which a hotel or motel is the principal or accessory use shall be separated by a distance of at least 250 feet from any residential or mixed-use zoning district, measured from the closest point of the lot occupied by the hotel or motel to the closest point of lots in residential and mixed-use zoning districts.
2. a. Any structure in which a hotel or motel is the principle or accessory use shall be separated by a distance no less than three (3) times the height of the proposed structure closest to the common lot line of the adjoining residential and mixed-use zone, but in no case less than 100 feet.
   b. That all other site design requirements stated in this code are met.Any structure in which a hotel or motel is the principal or accessory use is spaced less than established in 1 above shall require a special use permit subject to the following standards as well as all other standards applicable for special use permits:
   c. That vehicular access to the use will be provided only by way of a major or minor thoroughfare, or a Retail/Mixed-Use Local or Collector Street within a commercial or mixed-use project.
3. Any structure in which a hotel or motel is the principal or accessory use may exceed the permitted building height of the zoning district, not to exceed six (6) stories, subject to a Special Use Permit, and the requirements of Article 9.45.2.

Requires Special Use Permit

Town of Huntersville
NORTH CAROLINA

RESOLUTION OF THE TOWN OF HUNTERSVILLE TO DESIGNATE CAPITAL IMPROVEMENT PROGRAM (CIP) FUNDING AS MATCH FOR AN APPLICATION TO THE 2023 REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE) DISCRETIONARY GRANT PROGRAM

WHEREAS, the Town of Huntersville has identified and selected a project for which it is seeking federal funding through the 2023 RAISE Discretionary Grant Program; and

WHEREAS, the Town of Huntersville retained services from Alta Planning + Design, Inc., to prepare the RAISE Grant application; and

WHEREAS, the selected project includes a multi-use path along Church Street, from Dellwood Drive to Huntersville-Concord Road, a multi-use path along Holbrooks Road, and sidewalk along Dellwood Drive; and

WHEREAS, the cost for these projects is $7,890,000.00; and

WHEREAS, the Town of Huntersville has already committed $3,300,000 of its CIP to the Church Street extension project – from Holbrooks Road to Dellwood Drive, and $2,430,000 has not yet been spent; and

WHEREAS, the RAISE Grant requires a minimum 20% local match, and the $2,430,000 represents 24% of a combined project total cost of $10,320,000 for the completion of the Church Street extension project and the multi-use paths along Church Street and Holbrooks Road, and sidewalk on Dellwood Drive, as outlined in the attached Exhibit A; and

WHEREAS, the Town of Huntersville has prepared the commitment letter for the RAISE Grant application, formally documenting the local match, attached as Exhibit B.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Board of Commissioners affirms the Church Street, Holbrooks Road, and Dellwood Drive Multi-Use Paths and Sidewalks Project for submittal for RAISE Grant funding.
2. The amount and percentage for local dollars matching, per Exhibit A, is approved.
3. The Board hereby authorizes the Town Manager, acting on advice of counsel, to take any actions necessary to affect the provisions of this Resolution; and
4. This Resolution shall be effective as of the date its adoption.

Exhibit No. 11

Adopted this 20th day of February 2023.

ATTEST:

_____
Janet Pierson, Town Clerk

_____
Melinda Bales, Mayor

APPROVED AS TO FORM:

_____
Emily Sloop, Town Attorney

Exhibit A

RAISE Grant Project Cost Estimates		Cost Share	
Project	**Preliminary Cost Estimate (35% Contigency)**	RAISE	Local Match
A. Church St Sidepath - Dellwood Dr to Huntersville-Concord Rd	$ 2,530,000	$ 2,530,000	
B. Dellwood Dr Sidewalk - Central Ave to Vermillion	$ 1,580,000	$ 1,580,000	
C. Holbrooks Rd Sidepath - Church St to Waymer Park	$ 3,780,000	$ 3,780,000	
D. Church St Extension - Holbrooks Rd to Dellwood Dr*	$ 2,430,000		
Subtotals		$ 7,890,000	$ 2,430,000
Grand Total	**$ 10,320,000**	76%	24%

*cost estimate represents remaining CIP funds for the project

Exhibit B

Town of Huntersville
NORTH CAROLINA

Date: February 7, 2023

To: The Office of the Secretary of Transportation

From: Anthony Roberts
Town Manager – Town of Huntersville

SUBJECT: Local Match Commitment
2023 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program

In submitting this application package for the Church Street, Holbrooks Road, and Dellwood Drive project, the Town of Huntersville would like to formally document its commitment of $2,430,000.00 toward delivery of the proposed project which equates to 24% of the $10,320,000.00 total cost.

The Huntersville Town Board action took place on February 20, 2023 committing the $2,430,000.00 of local funds with a specific action item identifying this matching amount. It is anticipated that the source of local matching funds will be from the General Fund Balance.

As evident by our financial investment in securing the services of Alta Planning + Design, Inc. to prepare the grant application included in this submittal package, the Town of Huntersville considers the Church Street, Holbrooks Road, and Dellwood Drive projects a priority to improve and enhance both motorized and non-motorized travel in this area.

Thank you for the opportunity to submit this package for consideration and, should additional information be needed, please let us know.

Anthony Roberts
Town Manager

Pattie McGinnis
Finance Director

Planning
Post Office Box 664 · 105 Gilead Road, Suite 300 · Huntersville, NC 28070
phone 704.875.7000 · fax 704.992.5528 · www.huntersville.org

LGC-205 **CONTRACT TO AUDIT ACCOUNTS** Rev. 11/2022

The	Governing Board: Board of Commissioners
of	Primary Government Unit: Town of Huntersville, NC
and	Discretely Presented Component Unit (DPCU) (if applicable): N/A

Primary Government Unit, together with DPCU (if applicable), hereinafter referred to as Governmental Unit(s)

and	Auditor Name: Martin Starnes & Associates, CPAs, P.A.
	Auditor Address: 730 13th Avenue Drive SE, Hickory, NC 28602

Hereinafter referred to as Auditor

for	Fiscal Year Ending	Date Audit Will Be Submitted to LGC
	06/30/23	10/31/23

Must be within four months of FYE

hereby agree as follows:

1. The Auditor shall audit all statements and disclosures required by U.S. generally accepted auditing standards (GAAS) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit(s). The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion shall be rendered in relation to (as applicable) the governmental activities, the business- type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types). The basic financial statements shall include budgetary comparison information in a budgetary comparison statement, rather than as RSI, for the General Fund and any annually budgeted Special Revenue funds.

2. At a minimum, the Auditor shall conduct the audit and render the report in accordance with GAAS. The Auditor shall perform the audit in accordance with *Government Auditing Standards (GAGAS)* if the Governmental Unit expended $100,000 or more in combined Federal and State financial assistance during the reporting period. The auditor shall perform a Single Audit if required by Title 2 US Code of Federal Regulations Part 200 *Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards, Subpart F* (Uniform Guidance) or the State Single Audit Implementation Act. This audit and all associated audit documentation may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit requires a federal single audit in accordance with the Uniform Guidance (§200.501), it is recommended that the Auditor and Governmental Unit(s) jointly agree, in advance of the execution of this contract, which party is responsible for submission of the audit and the accompanying data collection form to the Federal Audit Clearinghouse as required under the Uniform Guidance (§200.512).

Effective for audits of fiscal years beginning after June 30, 2023, the LGC will allow auditors to consider whether a unit qualifies as a State low-risk auditee based upon federal criteria in the Uniform Guidance §200.520(a), and (b) through (e) as it applies to State awards. In addition to the federal criteria in the Uniform Guidance, audits must have been submitted timely to the LGC. If in the reporting year, or in either of the two previous years, the unit reported a Financial Performance Indicator of Concern that the audit was late, then

Exhibit No. 12

the report was not submitted timely for State low-risk auditee status. Please refer to "Discussion of Single Audits in North Carolina" on the LGC's website for more information.

If the audit and Auditor communication are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC State Board).

3. If an entity is determined to be a component of another government as defined by the group audit standards, the entity's auditor shall make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.

4. This contract contemplates an unmodified opinion being rendered. If during the process of conducting the audit, the Auditor determines that it will not be possible to render an unmodified opinion on the financial statements of the unit, the Auditor shall contact the LGC Staff to discuss the circumstances leading to that conclusion as soon as is practical and before the final report is issued. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.

5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2018 revision, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he/she has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of the most recent peer review report to the Governmental Unit(s) and the Secretary of the LGC prior to the execution of an audit contract. Subsequent submissions of the report are required only upon report expiration or upon auditor's receipt of an updated peer review report. If the audit firm received a peer review rating other than pass, the Auditor shall not contract with the Governmental Unit(s) without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.

If the audit engagement is not subject to *Government Auditing Standards* or if financial statements are not prepared in accordance with U.S. generally accepted accounting principles (GAAP) and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment to this contract or in an amendment.

6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to LGC Staff within four months of fiscal year end. If it becomes necessary to amend the audit fee or the date that the audit report will be submitted to the LGC, an amended contract along with a written explanation of the change shall be submitted to the Secretary of the LGC for approval.

7. It is agreed that GAAS include a review of the Governmental Unit's (Units') systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor shall make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his/her findings, together with his recommendations for improvement. That written report shall include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.

For GAAS or *Government Auditing Standards* audits, if an auditor issues an AU-C §260 report, commonly referred to as "Governance Letter," LGC staff does not require the report to be submitted unless the auditor cites significant findings or issues from the audit, as defined in AU-C §260.12 - .14. This would include issues such as difficulties encountered during the audit, significant or unusual transactions, uncorrected misstatements, matters that are difficult or contentious reviewed with those charged with governance, and other significant matters.

8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's records for audit, financial statement preparation, any finance-related investigations, or any other audit- related work in the State of North Carolina. Approval is also required for the Alternative Compliance Examination Engagement for auditing the Coronavirus State and Local Fiscal Recovery Funds expenditures as allowed by US Treasury. Approval is not required on audit contracts and invoices for system improvements and similar services of a non-auditing nature.

9. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit(s) until the invoice has been approved by the Secretary of the LGC. This also includes any progress billings [G.S. 159-34 and 115C-447]. All invoices for audit work shall be submitted in PDF format to the Secretary of the LGC for approval. the invoice marked 'approved' with approval date shall be returned to the Auditor to present to the Governmental Unit(s) for payment. This paragraph is not applicable to contracts for audits of hospitals.

10. In consideration of the satisfactory performance of the provisions of this contract, the Governmental Unit(s) shall pay to the Auditor, upon approval by the Secretary of the LGC if required, the fee, which includes any costs the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (federal and state grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. This does not include fees for any pre-issuance reviews that may be required by the NC Association of CPAs (NCACPA) Peer Review Committee or NC State Board of CPA Examiners (see Item 13).

11. If the Governmental Unit(s) has/have outstanding revenue bonds, the Auditor shall submit to LGC Staff, either in the notes to the audited financial statements or as a separate report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor shall submit to LGC Staff simultaneously with the Governmental Unit's (Units') audited financial statements any other bond compliance statements or additional reports required by the authorizing bond documents, unless otherwise specified in the bond documents.

12. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, but not be limited to, the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit(s) and all of its component units prepared in accordance with GAAP, (c) supplementary information requested by the Governmental Unit(s) or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board upon completion.

13. If the audit firm is required by the NC State Board, the NCACPA Peer Review Committee, or the Secretary of the LGC to have a pre-issuance review of its audit work, there shall be a statement in the engagement letter indicating the pre-issuance review requirement. There also shall be a statement that the Governmental Unit(s) shall not be billed for the pre-issuance review. The pre-issuance review shall be performed prior to the completed audit being submitted to LGC Staff. The pre-issuance review report shall accompany the audit report upon submission to LGC Staff.

14. The Auditor shall submit the report of audit in PDF format to LGC Staff. For audits of units other than hospitals, the audit report should be submitted when (or prior to) submitting the final invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the LGC by any interested parties. Any subsequent revisions to these reports shall be sent to the Secretary of the LGC. These audited financial statements, excluding the Auditors' opinion, may be used in the preparation of official statements for debt offerings by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and for other lawful purposes of the Governmental Unit(s) without requiring consent of the Auditor. If the LGC Staff determines that corrections need to be made to the Governmental Unit's (Units') financial statements and/or the compliance section, those corrections shall be provided within three business days of notification unless another deadline is agreed to by LGC Staff.

15. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the Secretary of the LGC, this contract may be modified or amended to include the increased time, compensation, or both as may be agreed upon by the Governing Board and the Auditor.

16. If an approved contract needs to be modified or amended for any reason, the change shall be made in writing and pre-audited if the change includes a change in audit fee (pre-audit requirement does not apply to hospitals). This amended contract shall be completed in full, including a written explanation of the change, signed and dated by all original parties to the contract. It shall then be submitted to the Secretary of the LGC for approval. No change to the audit contract shall be effective unless approved by the Secretary of the LGC, the Governing Board, and the Auditor.

17. A copy of the engagement letter, issued by the Auditor and signed by both the Auditor and the Governmental Unit(s), shall be attached to this contract, and except for fees, work, and terms not related to audit services, shall be incorporated by reference as if fully set forth herein as part of this contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract shall take precedence. Engagement letter terms that conflict with the contract are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 30 of this contract. Engagement letters containing indemnification clauses shall not be accepted by LGC Staff.

18. Special provisions should be limited. Please list any special provisions in an attachment.

19. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not to be issued and the DPCU is included in the primary government audit, the DPCU shall be named along with the primary government on this audit contract. DPCU Board approval date, signatures from the DPCU Board chairman and finance officer also shall be included on this contract.

20. The contract shall be executed, pre-audited (pre-audit requirement does not apply to hospitals), and physically signed by all parties including Governmental Unit(s) and the Auditor, then submitted in PDF format to the Secretary of the LGC.

21. The contract is not valid until it is approved by the Secretary of the LGC. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. The audit should not be started before the contract is approved.

22. Retention of Client Records: Auditors are subject to the NC State Board of CPA Examiners' Retention of Client Records Rule 21 NCAC 08N .0305 as it relates to the provision of audit and other attest services, as well as non-attest services. Clients and former clients should be familiar with the requirements of this rule prior to requesting the return of records.

23. This contract may be terminated at any time by mutual consent and agreement of the Governmental Unit(s) and the Auditor, provided that (a) the consent to terminate is in writing and signed by both parties, (b) the parties have agreed on the fee amount which shall be paid to the Auditor (if applicable), and (c) no termination shall be effective until approved in writing by the Secretary of the LGC.

24. The Governmental Unit's (Units') failure or forbearance to enforce, or waiver of, any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance.

25. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.

26. E-Verify. Auditor shall comply with the requirements of NCGS Chapter 64 Article 2. Further, if Auditor utilizes any subcontractor(s), Auditor shall require such subcontractor(s) to comply with the requirements of NCGS Chapter 64, Article 2.

27. **Applicable to audits with fiscal year ends of June 30, 2020 and later.** For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct and *Government Auditing Standards, 2018 Revision* (as applicable). Financial statement preparation assistance shall be deemed a "significant threat" requiring the Auditor to apply safeguards sufficient to reduce the threat to an acceptable level. If the Auditor cannot reduce the threats to an acceptable level, the Auditor cannot complete the audit. If the Auditor is able to reduce the threats to an acceptable level, the documentation of this determination, including the safeguards applied, must be included in the audit workpapers.

All non-attest service(s) being performed by the Auditor that are necessary to perform the audit must be identified and included in this contract. The Governmental Unit shall designate an individual with the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the services and accept responsibility for the results of the services performed. If the Auditor is able to identify an individual with the appropriate SKE, s/he must document and include in the audit workpapers how he/she reached that conclusion. If the Auditor determines that an individual with the appropriate SKE cannot be identified, the Auditor cannot perform both the non-attest service(s) and the audit. See "Fees for Audit Services" page of this contract to disclose the person identified as having the appropriate SKE for the Governmental Unit.

28. **Applicable to audits with fiscal year ends of June 30, 2021 and later.** The auditor shall present the audited financial statements including any compliance reports to the government unit's governing body or audit committee in an official meeting in open session as soon as the audited financial statements are available but not later than 45 days after the submission of the audit report to the Secretary. The auditor's presentation to the government unit's governing body or audit committee shall include:

a) the description of each finding, including all material weaknesses and significant deficiencies, as found by the auditor, and any other issues related to the internal controls or fiscal health of the government unit as disclosed in the management letter, the Single Audit or Yellow Book reports, or any other communications from the auditor regarding internal controls as required by current auditing standards set by the Accounting Standards Board or its successor;
b) the status of the prior year audit findings;
c) the values of Financial Performance Indicators based on information presented in the audited financial statements; and
d) notification to the governing body that the governing body shall develop a "Response to the Auditor's Findings, Recommendations, and Fiscal Matters," if required under 20 NCAC 03 .0508.

29. Information based on the audited financial statements shall be submitted to the Secretary for the purpose of identifying Financial Performance Indicators and Financial Performance Indicators of Concern. See 20 NCAC 03 .0502(c)(6).

30. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted (See Item 17 for clarification).

31. The process for submitting contracts, audit reports and invoices is subject to change. Auditors and units should use the submission process and instructions in effect at the time of submission. Refer to the N.C. Department of State Treasurer website at https://www.nctreasurer.com/state-and-local-government-finance-division/local-government-commission/submitting-your-audit

32. All communications regarding audit contract requests for modification or official approvals will be sent to the email addresses provided on the signature pages that follow.

33. Modifications to the language and terms contained in this contract form (LGC-205) are not allowed.

FEES FOR AUDIT SERVICES

1. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct (as applicable) and *Government Auditing Standards,2018 Revision*. Refer to Item 27 of this contract for specific requirements. The following information must be provided by the Auditor; contracts presented to the LGC without this information will be not be approved.

Financial statements were prepared by: ☑ Auditor ☐ Governmental Unit ☐ Third Party

If applicable; Individual at Governmental Unit designated to have the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the non-attest services and accept responsibility for the results of these services:

Name:	*Title and Unit / Company:*	*Email Address:*
Pattie McGinnis	Finance Director, Town of Huntersville	pmcginnis@huntersville.org

OR Not Applicable ☐ *(Identification of SKE Individual on the LGC-205 Contract is not applicable for GAAS-only audits or audits with FYEs prior to June 30, 2020.)*

2. Fees may not be included in this contract for work performed on Annual Financial Information Reports (AFIRs), Form 990s, or other services not associated with audit fees and costs. Such fees may be included in the engagement letter but may not be included in this contract or in any invoices requiring approval of the LGC. See Items 8 and 13 for details on other allowable and excluded fees.

3. The audit fee information included in the table below for both the Primary Government Fees and the DPCU Fees (if applicable) should be reported as a specific dollar amount of audit fees for the year under this contract. If any language other than an amount is included here, the contract will be returned to the audit form for correction.

4. Prior to the submission of the completed audited financial report and applicable compliance reports subject to this contract, or to an amendment to this contract (if required) the Auditor may submit interim invoices for approval for services rendered under this contract to the Secretary of the LGC, not to exceed 75% of the billings for the unit's last annual audit that was submitted to the Secretary of the LGC. All invoices for services rendered in an audit engagement as defined in 20 NCAC .0503 shall be submitted to the Commission for approval before any payment is made. Payment before approval is a violation of law. (This paragraph not applicable to contracts and invoices associated with audits of hospitals).

PRIMARY GOVERNMENT FEES

Primary Government Unit	Town of Huntersville, NC
Audit Fee	$ 38,725
Additional Fees Not Included In Audit Fee:	
Fee per Major Program	$ 3,500 (up to 2 major programs); $3,750 per major program in excess of 2
Writing Financial Statements	$ 9,000
All Other Non-Attest Services	$

DPCU FEES (if applicable)

Discretely Presented Component Unit	N/A
Audit Fee	$
Additional Fees Not Included in Audit Fee:	
Fee per Major Program	$
Writing Financial Statements	$
All Other Non-Attest Services	$

SIGNATURE PAGE

AUDIT FIRM

Audit Firm* Martin Starnes & Associates, CPAs, P.A.	
Authorized Firm Representative (typed or printed)* Amber Y. McGhinnis	Signature* Amber Y. McGhinnis
Date* 02/07/23	Email Address* amcghinnis@msa.cpa

GOVERNMENTAL UNIT

Governmental Unit* Town of Huntersville, NC	
Date Primary Government Unit Governing Board Approved Audit Contract* (G.S.159-34(a) or G.S.115C-447(a))	
Mayor/Chairperson (typed or printed)* Melinda Bales, Mayor	Signature*
Date	Email Address mbales@huntersville.org

Chair of Audit Committee (typed or printed, or "NA") N/A	Signature
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1).
Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Primary Governmental Unit Finance Officer* (typed or printed) Pattie McGinnis, Finance Director	Signature*
Date of Pre-Audit Certificate*	Email Address* pmcginnis@huntersville.org

SIGNATURE PAGE – DPCU
(complete only if applicable)

DISCRETELY PRESENTED COMPONENT UNIT

DPCU* N/A	
Date DPCU Governing Board Approved Audit Contract* (Ref: G.S. 159-34(a) or G.S. 115C-447(a))	
DPCU Chairperson (typed or printed)*	Signature*
Date*	Email Address*

Chair of Audit Committee (typed or printed, or "NA") N/A	Signature
Date	Email Address

DPCU – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1).
Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

DPCU Finance Officer (typed or printed)* N/A	Signature*
Date of Pre-Audit Certificate*	Email Address*

Remember to print this form, and obtain all required signatures prior to submission.

PRINT

Koonce, Wooten & Haywood, LLP
CERTIFIED PUBLIC ACCOUNTANTS

Report on the Firm's System of Quality Control

To the Shareholders of Martin Starnes & Associates, CPAs, P.A. and the
Peer Review Committee, Coastal Peer Review, Inc.

We have reviewed the system of quality control for the accounting and auditing practice of Martin Starnes & Associates, CPAs, P.A. (the firm) in effect for the year ended December 31, 2020. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including compliance audits under the Single Audit Act and an audit of an employee benefit plan.

As part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Martin Starnes & Associates, CPAs, P.A. in effect for the year ended December 31, 2020, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Martin Starnes & Associates, CPAs, P.A. has received a peer review rating of pass.

Koonce, Wooten & Haywood, LLP

Koonce, Wooten & Haywood, LLP

May 4, 2021

Raleigh
4060 Barrett Drive
Post Office Box 17806
Raleigh, North Carolina 27619

919 782 9265
919 783 8937 FAX

Durham
3500 Westgate Drive
Suite 203
Durham, North Carolina 27707

919 354 2584
919 489 8183 FAX

Pittsboro
579 West Street
Post Office Box 1399
Pittsboro, North Carolina 27312

919 542 6000
919 542 6764 FAX

Smithfield
212 East Church Street
Post Office Box 2348
Smithfield, North Carolina 27577

919 934 1121
919 934 1217 FAX

Town of Huntersville
NORTH CAROLINA

TOWN OF HUNTERSVILLE EXTERNAL CONTRACT ADDENDUM

1. **Applicable Laws and Courts.** This contract shall be governed in all respects by the laws of the State of North Carolina. All matters, whether sounding in contract or tort relating to the validity, construction, interpretation, and enforcement of the Contract, shall be governed in all respects by the laws of the State of North Carolina and venue shall be proper only in a court of competent jurisdiction located in Mecklenburg County, North Carolina. The Contractor represents and warrants that it shall comply with all applicable federal, state, and local laws, regulations, and orders, including, not limited to, licensure requirements.
2. **Jury Trial.** Nothing contained in this Contract shall constitute a waiver of the Town's right to a jury trial.
3. **Ethics in Public Contracting.** If applicable, by submitting their prices and acceptance of this Contract, all Contractors certify that their bids are made without collusion or fraud and that they have not offered or received any kickbacks or inducements from any other supplier, manufacturer, or subcontractor in connection with their offer, and that they have not conferred on any public employee having official responsibility for this procurement transaction any payment, loan, subscription, deposit of money, services or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value was exchanged.
4. **Indemnification.** To the greatest extent allowed by North Carolina law the Contractor shall indemnify and hold harmless the Town, its officers, agents, employees and assigns from and against all claims, losses, costs, damages, expenses, attorneys' fees ("Claims"). In the event that any portion of the Service performed under the Contract shall be defective in any respect whatsoever, the Firm shall indemnify and save harmless the Town, its officers, agents, employees, and assigns from all loss or the payment of all sums of money, but only to the extent allowed by law. Nothing contained in this Contract shall waive the Constitutional limitation on the Town indemnifying obligations of other parties.
5. **Confidentiality.** The Contractor acknowledges the Town is subject public records law and no term shall be inconsistent with N.C.G.S. §132 et al.
6. **Default.** The Town may terminate the Contract, in whole or in part, immediately and without prior notice upon breach of the Contract by the Contractor. In addition to any other remedies available to the Town in law or equity, the Town may procure upon such terms as the Town shall deem appropriate, Services substantially similar to those so terminated, in which case the Contractor shall be liable to the Town for any excess costs for such similar supplies or services and any expenses incurred in connection therewith.
7. **Termination for Convenience.** The Town shall have the right, without assigning any reason therefore, to terminate any work under the Contract, in whole or in part, at any time

at its complete discretion by providing 10 days' notice in writing from the Town to Contractor. If the Contract is terminated by the Town in accordance with this paragraph, the Contractor will be paid in an amount which bears the same ratio to the total compensation as does the Services actually delivered or performed to the total originally contemplated in the Contract. The Town will not be liable to the Contractor for any costs for materials acquired or contracted for if such costs were incurred prior to the date of this Contract.

8. **Anti-Discrimination and Equal Employment.** During the performance of the Contract, Contractor shall comply with all federal and state requirements concerning fair and equal employment and shall not discriminate against or deny the Contract's benefits or services to any person on the basis of race, religion, color, creed, national origin, age, sex (including sexual orientation, gender identity, and pregnancy), disability or handicapping condition, or genetic information.
9. **Verification of Work Authorization.** Contractor shall comply with, and require all contractors and subcontractors to comply with, the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes, "Verification of Work Authorization," sometimes known as E-verify, for all contractors and subcontractors.
10. **Iran Divestment List.** With the execution hereof, Contractor, certifies that they are not on the Iran Final Divestment List created by the N.C. State Treasurer pursuant to N.C.G.S. § 147-86.58, and will not contract with anyone on such List in performance of the work hereunder.
11. **Availability of Funds.** Any and all payments to the Contractor are dependent upon and subject to the availability of funds to the Town for the purpose set forth in this agreement.
12. **Severability.** If any provision of this Contract is found to be invalid or unlawful, then remainder of this Contract shall not be affected thereby, and each remaining provision shall be valid and enforced to the fullest extent permitted by law.
13. **Companies that Boycott Israel.** With the execution hereof, Contractor, certifies that they are not on the Companies that Boycott Israel List created by the N.C. State Treasurer pursuant to N.C.G.S. § 147-86.80, and will not contract with anyone on such List in performance of the work hereunder.
14. **Governmental Immunity.** Nothing contained in this Contract shall constitute a waiver of the Town's governmental immunity or of any limitation on liability or damages created by law.
15. **Priority of Terms.** The terms of this addendum shall supersede and take priority over any conflicting terms in the contract documents.