

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**March 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 5:15 p.m. on March 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.

DeLane Huneycutt presented FY2023 Market Study Review and Recommendations. *Refer to PowerPoint attached hereto as Exhibit No. 1.*

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 March 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

Mayor Bales awarded a Police Commendation to Officer Juan Garay who demonstrated a high degree of professional excellence during incident related to a female suffering a mental health crisis.

Mayor Bales awarded the Police Life-Saving Award to Officer Mark Aguayo and Officer Carrington McClary for administering Narcan to possible opioid overdose patient.

Frank Gammon, 8912 Deerland Court, said I'm here to talk about Colonial Pipeline. Everybody else can talk about Birkdale tonight. I've had my say. After attending the pipeline public hearing last Thursday, I have a recommendation for them.....Colonial, that is. They can take that treatment plant and add a water treatment plant to it, purification portion. They can bottle it, they can label it Colonial Pipeline Reserve, and they can give it to their families and their children and their employees instead of dumping it in our creeks.

Merlin Villar, 17130 Bridgeton Lane, said I want to thank you for your careful consideration of the comments from constituents over the last six months about the issues in Birkdale Village. I'll be brief because I know you've heard what we are going to outline to you in the past. We hate to repeat ourselves, but we just want to emphasize how we feel about this. I would simply like to say that I know that NAP has also heard all of the same input from residents and guests, yet NAP has mostly ignored the complaints about parking, traffic, safety and unfinished projects. Nothing has actually improved. As both a resident and a frequent guest in the Village, I'd like to state that I am opposed to Petition R22-01 as submitted, but I am not against development. I support responsible rezoning that respects the character of the village and the town while providing a pleasant traffic and parking experience for customers so that businesses succeed and Birkdale Village can continue to be a prime destination for the Lake Norman community.

Nick O'Shaughnessy, 8217 Parkton Gate Drive, said thank you for the last six months of your diligence, your patience. You'll be glad to know I don't have the model with me tonight. The courtesy that you've awarded us all, we appreciate that. You may have concluded over the last six months that I do not support the Rezoning Petition 22-01. I am, however, in favor of responsibly scaled, complementarily designed, development that also addresses the current traffic and parking issues that the village has right now. It is an iconic village with an ambience that is unique, slightly changed in the past few months, but it is an experience that Birkdale is renowned for regionally, nationally. We would hope that your decision tonight would help that be maintained, and I thank you for your consideration and courtesy and patience listening to my ramblings.

Izzy Zarsadias, 17303 Inglewood Lane, said thank you for the time and effort you've put not only in this but in what you do behind closed doors, countless hours. I know it's a thankless job, so thank you. I have seen Birkdale Village develop from a cow pasture and a picture on a piece of wood into this amazing asset we have. It's known for its character, its accessibility, it's walkability. Developers, city planners come to visit Birkdale Village to try to capture what we have, this asset in Birkdale Village, so they can develop that and capture it in their own town. You're going to be asked to vote on some plans put before you. They are big, they are bold, and they promise big things for the village and for Huntersville. While I believe their intent is sincere, I think it fails to honor what your predecessors have so carefully planned and cultivated in Birkdale Village. We have big in Concord Mills. We have better in Northlake Mall. What North American Properties is trying to do is it reminds me of when I was a high school student, my favorite meal was chicken nuggets and Coke. It was mid-80s, Coca-Cola wanted to be bigger, they wanted to be better, they wanted to generate more revenue than Pepsi, so they introduced New Coke. It failed. In three months, it failed, and within three months they discovered people didn't want bigger. They didn't want better. They wanted the original recipe, they wanted the

nostalgia. They want what we have in Birkdale Village. They want that accessibility, they want the character, they want the walkability, they want what brought us all here today to live in this area. When you look about, look at Dick's for instance. They had two stores. They wanted to close one. They didn't close the small one, they closed the bigger one. Regal Cinemas has properties and theaters all over the nation. They're keeping this one because it just performs. When you're asked to vote upon this project....I am not anti North American Properties. I am for maintaining the character of Birkdale Village so that it's not for me, it's for my kids, your kids, their grandkids, so that they can see how we live, they can enjoy how we live, they can enjoy the nostalgia and that's what creates revenue. That's what maintains our property values and that's what I ask that you consider when you vote. Look at your predecessors, look what they've cultivated and vote for the future of the village for our kids so they can prosper here in Huntersville and in the region.

Suzanne Villar, 17130 Bridgeton Lane, said I want to thank you for listening carefully as residents and guests have outlined the many issues encountered within NAP's Birkdale Village. As you consider your vote tonight, I'd ask you to imagine this scenario. If you needed a home renovation and hired a contractor that did shoddy work, walked off the job before it was completed, left your yard unsafe, destroyed your entranceway, and did no work for months, would you give that contractor more and bigger projects to work on around your house? I know I would not. As a resident and as a daily guest in the village, I'd like to state that I am opposed to North American Properties Petition R22-01 as it was submitted, but I'm not against development. I don't think many of us are. I support responsible rezoning that respects the character of the Village and the town while providing a pleasant traffic, parking and visitor experience for customers. I want village businesses to succeed so that Birkdale Village can continue to be a prime destination in the Lake Norman community. Thank you for hearing us tonight and thank you for all you do for the community.

David Schurr, 17142 Pennington Drive, said there are approximately 500 homes in Birkdale Village and all were purchased under the current zoning. A vote in favor of rezoning would invalidate the criteria used by existing homeowners when they made their purchase. This could raise concerns in future home buyers to look elsewhere if they are nervous about zoning that could change on their purchase as well. Does the Town Board favor an out-of-state company whose only presence in Huntersville, let alone North Carolina, is via assets on its balance sheet? It's disconcerting that NAP's balance sheet would be given a higher priority than the valid concerns of residents, constituents and taxpayers. Has North American Properties even proven themselves to be a trusted community partner? Are you in favor of rezoning so much that you are willing to counter the recommendations of the Planning staff and Planning Board? Have all safety infrastructure and financial aspects of the project been vetted and addressed? Have you heard about the meandering route firetrucks had to take recently to respond to a call at the Cheesecake Factory work site? I want to pull this out one more time. We talked about this before. The current heights of the buildings, middle pencil being what is proposed, this pencil doesn't belong in our village. I am opposed to Petition R22-01 as submitted, but I am not against development. I support responsible rezoning that respects the character of the village and the town and provides a good traffic and parking experience for customers of the village so that businesses can succeed and Birkdale Village can continue to be a prime destination for the Lake Norman community.

Kim DiBenedictis, 8814 Camberly Road, said I'm an OG of the village. I've loved all of my years up until now and now I'm a little concerned. I do thank you and I want to say thank you so much because I know this has been a very long six months or so of all of your time listening to all of us and our concerns and I know it's a lot of work on your end, so just thank you so much all of you. I am definitely opposed to the bill that we're voting on. I'm not opposed to development as long as it's responsible and respectful. I just want to mention that if this was to be passed, there's no going back because once the buildings are

built skyscraper height, I mean that's what it feels like, it's going to be New York City. I don't know so I'm a little bit exaggerating, but it's what it feels like. Once it's built it's like that forever and our sweet village will be no more. It'll be just over and done with. Please take note that both Cornelius and Davidson have listened to their citizens and protected their towns and turned down over development. I just really hope and pray that you will do the same for Huntersville and keep the crown jewel, Birkdale Village. Some things are meant to remain classic, and I think that's it.

Errol Genoio, 8537 Camberly Road, said I remain positive about Birkdale Village. Thank you for reading all my emails and listening to my concerns. I oppose Petition R22-01 as submitted, but I am not against development. I support responsible rezoning that respects the character of the village and the town and provides a good traffic and parking experience for customers of the village so that businesses succeed and Birkdale Village can continue to be a prime destination for the Lake Norman community.

Lesley Williams, The Cape, said I live in the Cape Residency in Huntersville. I've lived there for over 18 years, approximately 10 minutes from Birkdale. Again, like everybody else, I appreciate the work everybody has put into these discussions. It's a huge decision and the message it will send is immense. Unfortunately, all too often retail malls and strip centers become stale because the all important constant foot traffic is not there. The town is then just left with a developer who will take any tenant just to fill a space and get rent without concern for the needs and hopes of consumers. We've all witnessed it. Thanks to the investments to date by North American Properties, what has transpired at Birkdale is wonderful. It's still a work in progress. It's not a residential property. This is a huge development. I know just from doing improvements in my own home, the delays that have been caused by raw materials, by processes, and the weather that they have to experience. They can't work 24/7. They're doing a great job and I really want to keep this momentum going to maintain the success of Birkdale for now and for our children. My concern at Birkdale is predominantly parking, or lack thereof, especially weekends and holidays. Myself and many other friends and family have almost given up on going to Birkdale in these times. I certainly don't want to have to go down I-77 to SouthPark for the stores we finally have on our doorstep, thanks to North American Properties. As we know, there is no such thing as a free lunch. In order to build the much needed parking, there has to be a mechanism to recover the costs. The win-win for everybody is the class A office space desperately lacking in Huntersville and Cornelius, and office tenants to absorb the cost of the parking deck for the benefit of the retail consumers. Traffic doesn't belong on the main retail area. It's unsafe and unpleasant. Parking your vehicle and walking around the stores is fun. We just need more parking and the parking deck is an ideal option. Birkdale is an existing real estate. What's less desirable to me is the continuation of urban sprawl and high density housing on greenfields and farmland.....the 241 apartments planned for the other side of Highway 73, the 725 townhomes and condos and apartments planned for a 70 acre greenfield site, Town 1 off Hambright Road. We all appreciate traffic as a problem, but when you have a lake the size of Lake Norman with no crossings west to east other than Highway 73 and the amount of greenfield development in the area, you've got a problem. I have heard many of the Planning and Town Board members are in favor of the Class A office vacant parking deck, but the process is problem. Whose process? I believe the legal department.....

Mayor Bales said thank you Ms. Williams, your time is up.

Ms. Williams said as I have already told you, you can vote on the process that's in front of you.

Dawn Snow, 8132 Evanston Falls Road, said first of all, I want to thank all of you for your patience in hearing us over the last six months. It's been a long six months. By now you are very familiar with all our concerns and the reasons I have opposed this rezoning, so I'm not going to rehash all those again.

An NAP representative previously made a statement about people being fearful of change. I am not against change or development and I am not a NIMBY. I am opposed to the current proposal as submitted because it's not the right change for all the reasons that you've been hearing over the last many months. The fear of change is also overcome with trust. There are too many loose ends in phase one with workmanship issues, unfinished and vacant buildings, a broken fountain, and unaddressed traffic and parking problems, which have been made worse by the decisions of NAP, such as the removal of the street parking and the closing of the Lindholm roundabout. Let's truly finish Phase One before any work is ever begun on a second phase of redevelopment. Again, I am opposed to the R22-01 proposal as submitted, but I am not against development. I just want responsible rezoning and development that respects the character, the scale, and the aesthetics of the village and provides a good traffic and parking experience for customers so that the village can remain successful and thrive as the Lake Norman gem that it has been for the last 20 years.

Martin Williams, The Cape, said thank you for the opportunity to speak tonight. I live at the Cape, Huntersville, which is approximately 10 minutes from Birkdale. I also have a daughter in Georgia, and we go and visit her very often. We go to a place called Avalon, which is owned by NAP. It's what my daughter used to call Birkdale on steroids. But if you know it and if you've been there, it's a very impressive development. It's very prosperous. It's very busy. And we used to visit that before we knew the NAP was going to invest in Birkdale. But when we found out that was the case, we were really, really excited and frankly, having seen what NAP has done so far and what they intend to do, I'm very confident that this is going to be a real shot in the arm that Birkdale is going to need. And frankly, when we would visit Birkdale in the past, we'd be very disappointed and frustrated at how quiet, how empty the restaurants and the stores were, and we really believe that this investment is necessary and it's going to do a great thing for the prosperity of Huntersville. Couple of specific points, the Class A office space and much needed parking deck is part of this overall investment plan. I don't think you can have one without the other. And I think anybody that would visit NAP's development in Avalon would be very impressed by what they've done there. I'm very confident that what they plan to do here is going to be right and it's going to be done properly. A couple of specific issues that have been raised as objections. One is traffic. I believe the widening of Sam Furr 73 was proposed a long time before Birkdale redevelopment was proposed. And that was in the expectation of significant increase in traffic, Concord, Denver, along the 73 corridor. Consequently, I believe that any increase in traffic in Birkdale due to this development is going to be a drop in the bucket and negligible in the big scheme of things and already accommodated and planned for within that Highway 73 widening. I think I'd just like to say in conclusion that the Class A office space is really needed in Huntersville for employment and for increased prosperity. The developers would not be submitting it in their proposals if that was not the case. It's a bonus for Birkdale that the additional parking will come with this office development. I urge you to please vote yes for this much needed development and this forward-looking development for the area.

Peter Romaniello, 15821 Trenton Place Road, said I'm not going to bore you with rehashing everything we've all presented for the last seven months, but I just wanted to take a minute and thank all of you up here for all your time and all your effort. This is a super hard decision that you have to make and in some respects, it's your legacy. You're going to look back at this and you're either going to be happy with your decision or you're not going to be happy with your decision. And your decision affects almost 70,000 people. Regardless of how the decision goes, I hope that all of you will make a concerted effort to put people ahead of profit and respect the wishes of the incredibly strong majority of people who have fought hard to keep the integrity of their crown jewel of Huntersville, which is Birkdale Village. I am opposed to Petition R22-01 as submitted. I'm not against development. We've shown that by presenting alternate design ideas. The reality is that there's more than one way to skin a cat. You don't

have to do 110' foot tall building to get an office building. I support responsible rezoning that respects the character of the village and the town and so that businesses can succeed and Birkdale Village can continue to be a prime destination for the Lake Norman community.

Chanda Pope, 16846 Bridgeton Lane, said I want to thank you again Mayor and Commissioners. We just want good change, and however we get there, we're looking at you to make sure that it's done properly and right. NAP, I'm not against NAP, but what I would like is actually some clarity. I think everyone would like some clarity. We have unfinished buildings that have been sitting for a while, not just a month, not just two months. It's not because of weather, and maybe it is. Maybe it's because, like you said, permits. But what I have found is that on February 20, 2023, Good Wurst finally just issued four permits. The permit states, not finalized. There are also holds from LUESA Agency on Parcel 00537156. Hold reason, work done without an agency permit. I don't need to disclose and define that. I'm sure you guys can figure out what that means. Also, I did find failed inspections that are all public knowledge on code enforcement. This is all public knowledge. That's just on one parcel. I also heard they cannot even get one of the buildings even insured. Do you see a pattern here? If they can't pull a right permit to start building or how the permit process works, how do we know that they're equipped or educated to hire the correct contractors, subcontractors to get the work done and safe? Right now, when I walk out there, I feel like I should probably have maybe a hard helmet on walking around because those are not safe. I'm not against change. I'm for good change. There's a huge difference. So once again, I'm not for the rezoning and the proposed R22-01, but once again, I thank you for your time, all your time, and the police and everyone here tonight because you guys are faces of our future, of our children. I've been in Avalon. Was that already a mixed-use space or did they develop that from ground up? I know what Avalon is. I don't want to be Atlanta, Georgia. And that's just my opinion.

Pat McLean, 8103 Parkton Gate Drive, said I felt that there were comments made at the last Town Board meeting praising half the community were meant to divide us. We all live, work, and play here. We take care of each other. There are I'll bring your packages in. We watch each other's dogs. We really love our community. We all think it needs to be built up, a little renovation, but we just love our community and whatever you do, whatever how you vote, you affect all of us and it could change our whole community.

Catherine Wright, 8203 Strandhill Road, said thank you so much for listening to us all these months and it's a big decision. We just really are grateful for all your work on it. I wanted to just touch base on a couple of things that came to mind. First of all, I'm not against progress. I was really excited when NAP started to consider taking over and I thought things are going to really be freshened up a little bit. I have to admit, it's gotten a little bit cluttered looking to me now, and things are unfinished, so I'm a little concerned about that. But more importantly, I'm not really opposed to change. But I am really concerned about this rezoning R22-01. And I hope that we can vote against that. I know they'll come back again and will talk about new things later. But I think for right now, my biggest concern is, I'm starting to hear more and more sirens at night. Sirens during the day. We're growing really rapidly. The thing that concerns me is the fact that we had a firetruck that had a hard time accessing part of Birkdale the other day. It's interesting to me and the gentleman gave me a fresh thought, it is kind of like Birkdale on steroids. Is that a positive thing? I'm not thinking that's very positive. That just makes me a little freaked out because we're starting to struggle already with the concerns of safety and that's going to be a problem going forward with the traffic patterns we have and that will change. I think we need to really push NCDOT. I hope we can get them to do more than what they're doing because we are an evacuation route. And I know we laugh about that. Oh, there'll never be an incident where we have to worry. But when you're having a child maybe up here in Birkdale and you're working in Charlotte, and you hear that there's some kind of a disaster that happens or there's a huge problem like another giant

gas leak and you're worried about your family, what are you going to think about that [inaudible] that's up here in the village area and you can't get out. And that's what I'm worried about the most. We need to slow down on some of this development until we get NCDOT to do their part better for us and make a way so that we're not trapped in our neighborhoods.

Kim Zarsadas, 17303 Englewood Lane, said I want to thank all of you for your attention to our voices over the last six or seven months. Once again, I do oppose the 110' high building in Birkdale Village, but I do support responsible development by North American Properties. As a real estate professional, it is part of my job to promote what is best for my community. There are many concerns throughout the Lake Norman area about the uncertainty brought on by unfinished buildings, unattractive and temporary architecture, empty retail spaces, traffic, and parking in the village. The aesthetics and ambiance of Birkdale Village are important to our patrons and guests, as well as its residents. Contrary to previous comment, it is not an anomaly that Birkdale Village home prices rose significantly from 2019 to 2022. This happened across the country and in particular, the Charlotte, Huntersville, and Lake Norman area. North American Properties did not make this happen for Birkdale Village. In fact, since the inception of Birkdale Village, homes here have historically outperformed area homes. I am opposing Petition R22-01 as it is submitted, but am not against development by North American Properties. I support responsible rezoning that respects the original character of the village and town and promotes a good traffic and parking experience for village guests so that businesses can succeed and Birkdale Village can continue to be a prime destination for the Lake Norman community and its visitors.

Pierce Pope said I'm a minor, so I can't really provide my address. I am against the rezoning of R22-01, and this is mainly because already Birkdale is dangerous. I was there yesterday walking around in the big area in the middle that had fences around it. Any kid could easily get in there and get extremely hurt. This is nervous for me because as a frequent visitor of the village, I'm worried for these new developments when it seems that these past developments that are not being developed correctly and not being finished. I have noticed that there have been less police in these past few months than there have been usually. And again, it's scary because I feel like the village should be a safe place. Another thing is, most of the customers there are kids around my age, teenagers. They don't have the cash to be shopping at these big stores that'll be popping up after this new rezoning. I know I don't have the cash to be shopping at a Gucci or Louis Vuitton. I like shopping with my friends at these cute little boutique stores that are just fun to shop in. They're small and it's easier to spend money at than say, Louis Vuitton. Another thing is the grid system. All these new buildings and developments will put a strain on our electrical grid, and that is frankly, quite nerve-racking as for I may be here when I'm older and my children, this will be crazy because if it's developing now, it'll develop even more in the future. So, if there's not proper things set in place to help increase the grid, if NAP is not helping develop the grid, as these developments in Birkdale Village are increasing, then we might have frequent blackouts and it's frankly quite nerve-racking. Anyway, thank you Mayor and Commissioners for listening and being here.

Sheila Wilson, 8148 Evanston Falls, said I echo what others have said. We've all been up here before and have stated our case. I just wanted to reiterate, Birkdale Village is an incredibly special place to all of us. I moved to the state of North Carolina having never set foot in the state on the strength of the village alone about three years ago. It is absolutely my forever home. I frequently joke that I will be buried in my crawl space. That's a different zoning issue. The passion around the development from both sides is indicative of how much we deeply care about our village. I just wanted to state tonight that I am in favor of the planned development. I've enjoyed all of the updates NAP has made. I look forward to seeing what will come next. The strength of my property investment is contingent upon the success of the village, and I believe that they're moving in the right direction. Thank you for your careful consideration.

Brian Rice, 17232 Bridgeton Lane, said thank you for listening to us over the last six months. I know personally, I've learned so much about the process, the protocol, and the people involved in this Birkdale Village rezoning proposal. And again, I ask that you say no to this proposal as written. So I don't belabor the points made over the last six months, I'm only going to update three items. Number one, update on the petition. As of Monday night, we have 1,805 signatures. These are voters, these are customers, and these are concerned community members that want Birkdale Village to thrive. Number two, please believe that we know the success of Birkdale Village relies on its convenience for the broader community and not just the adjacent neighborhood. Improve the traffic, you'll improve the experience. Improve the parking, you'll improve the experience, and compel developers to finish what they start. Number three, in 18 years of living next to Birkdale Village, I've many times heard about the beauty of the green space, the relevant businesses, and the quaint character and aesthetic that makes it so successful. Of course, I've also heard concerns around parking and lately around traffic. I hope that by saying no to this proposal as it is, it sends a message that listening to customers and residents is the best way to do business in Huntersville. To sum up, I ask that you say no to this proposal as written. We support responsible rezoning that respects the character of the village and the town while providing a good traffic and parking experience so that businesses succeed and Birkdale Village remains a prime destination for the Lake Norman community.

Kerry Edelstein, 8810 Camberly Road (Casey Childers deferred their time), said I did want to talk about something that's come up over and over again. This is this characterization that those of us who are in opposition to this particular rezoning proposal are afraid of development, afraid of growth, opposed to change. I actually really want to thank you and credit you because I think all of you have really heard that that's not true. And I really appreciate that you've listened to us and realized that that's not true. I'm not sure everybody else in the room understands that that's not true. And so I want to talk a little bit about what change requires, because that's where my opposition is coming from. I have actually made a career out of embracing change. In fact, the reason I missed the March 6 meeting is that I was literally at a conference called Agents for Change. That's how important it is to my business. And the tagline from my own company is Reimagine, Reconsider, Rethink, Reinvent. They're all change related words. I'm a big believer in change and innovation, but I also know that even when you're passionate about change and committed to it, and everybody's on the same page, it's hard. Change is really hard. And it requires a lot of thought and a lot of discipline to do well. And there's this concept... I think anybody who's worked in engineering or tech will know this is maybe agile. But in other worlds, it might be called a beta test or a pilot test. But there's this concept in change, in business change of start with something small. Start with some sort of pilot test and design, and then execute that design and then learn and then iterate. Design, execute, learn, iterate. Do that over and over again. And that's a path to really giving yourself a chance to build knowledge and build to success so that you don't start too big and fail and never get that second chance. And one of the things I actually recognize about all of this is that we have a pilot test happening right now in Birkdale Village. We have that first stage of reimagining Birkdale taking place today. We have our pilot test. And I think that's fantastic. I think that's a huge opportunity. And one of the things I believe in a pilot test is that you have to finish it, so my concern with this rezoning is that we're skipping design, execute, and learn, and we're going straight to iterate. We're going straight to that big splashy final thing that maybe we want to accomplish, maybe not. But right now, as many of my neighbors have noted, we're not done with design. We're not done with execution, and we certainly haven't learned all of the lessons. That's why we're seeing unpermitted buildings still remaining unfinished on the green. If you actually walk by, I'm actually not one to generally complain about parking in Birkdale because I walk to Birkdale most of the time, but you'll actually see cracks in the foundation of those unfinished buildings right now. You'll see cracks in some of the new things that have been built already. You'll see lots of unfinished and vacant different shops

right now as everything moves around. And that's not necessarily bad, but it is unfinished. And to me, the number one priority of a pilot is getting it done. And so I think we need this space to be done before we can move into a stage of iterating. You guys have asked me time and time again what do I want to see. I want to see the pilot get done. I want to see us finish that. I want to see a design and learning from what we've executed now so that we can sit down together and have a thoughtful and meaningful and responsible conversation of what does reinvention look like? Do we even need rezoning? What would be the ideal thing to have there? But we've skipped all these steps and we've gone right to the end. And so that's why I'm asking you tonight to deny this petition for rezoning, not because I don't believe in development, but because I think there is a way better, more responsible and more effective way to get it done.

Mike Lant, 5142 Enniskillen Court, Suwanee, GA (Rachel Leonard deferred her time), said I just want to go over a couple of things and reiterate several things we've stated before here at the podium. But first of all, before I do that, I just want to thank.....it's really difficult for people who are for something to come out and speak their minds and send emails. And I just want to thank everybody of all the supporters. I don't know a lot of you, but I want to thank everyone of you for coming out. We really appreciate the support. One of the things we do is, it's our business to renovate and go into older projects and make them a little bit better. Nuveen Real Estate, who's here in Charlotte, owned Birkdale Village. And knowing our reputation, they brought us in. We partnered with them because they said Birkdale's got the sales per square foot, which is the barometer on how healthy tenants are, was continuing to sink and getting lower and lower. There were a lot of vacant stores, so they asked us to come in and say can you come up with a plan. We came up with that plan and we completed the plan. There's been a lot of talk about unfinished business. Again, I'll mention it one more time. The fountain was operable before Christmas. And it was ready to go. We put the Christmas tree on it. That's where the Christmas tree is going to go every year. Unfortunately, when the Christmas tree got taken down and then when the ice rink was being removed, several pieces, several of the planks, the pavers, and some of the components of some of the [inaudible] were broken when the ice rink folks dismantled the ice rink. So, we're waiting on parts. Parts are supposed to be here any week. We should have that fountain operating by the end of the month. In regards to the two, what we call jewel box, the small retail buildings, the last time I spoke, we did not have a permit for that Good Wurst building. They do have it now. And now they're negotiating with a contractor, and they should be starting any week on that building. The second building, the one with the rooftop, it's a little more complicated, but I'll be happy to spend a couple seconds and talk about that. The reason we build these small retail buildings the way we do when they look unfinished is because we want the retailers to brand. We want them to express their brand by their storefront design. Many times, they want to move the storefront in a little bit because they want more covered patio. There's a lot of things that change when we design these buildings, so we let the tenants do that. The tenant's architect was talking to the county and they had some preliminary plans about the roof deck and how the plans are coming together. And the county said well, we're not sure, you might have to sprinkle the roof, the second level. And they recommended we do a test. So, we hired a consultant, did a fire suppression test and it came back, we don't need the fire sprinkler. We gave that report back to the county. The county said finish your plans and then we'll review your occupant load, and then we'll make a decision. At that time, the tenant said we're not going to spend any more money until we have a firm determination by the county. After a few weeks of negotiation with the tenant, we agreed. We told them, whatever the county's final determination is, we'll pay the price. We'll pay whatever additional cost there is in order to do that. So now the tenant is in the process of completing their building plans. That's where we are with those two buildings. So, it's not unfinished. We've completed every other building out there that we started.

Kathleen Rose, 630 Davidson Gateway Drive, Davidson (Ann Kabaklian 8712 Lindholm Drive deferred her time), said I am here on behalf of the applicant, North American Properties, to address as an expert witness information regarding land use, real estate, economic development, and real estate markets. I've previously provided my credentials, so I won't bore you with all that. I also previously provided two technical memorandums to the Board regarding issues around these points. I only want to make really four points. One is about the fiscal health of the community as it stands.....land use, real estate market, and economic development. Let's talk about fiscal impacts and fiscal health of the community, tax balance, and economic health. Your annual comprehensive financial report of June of this year noted that 73 percent of your assessed value is residential and 27 percent is commercial. And it states that while a majority, 73 percent of the Town's assessed value is residential in nature, the Town continues to work at diversifying the tax base with commercial growth. So, the revaluation that everyone's just recently received demonstrates just the need for that continued focus on balance in terms of the real estate tax base. And in that regard you have, per your 2045 Land Use Plan, we'll move to land use, is really only six areas for this more intense commercial mixed-use development to occur at Exit 23 at Rosedale, The Park, and areas around the hospital, of course downtown Huntersville where we are now, and Exit 25, which is Birkdale and Northcross. Much of the development that has occurred in the last couple of years to help balance that tax base has been in the industrial development sector. So, the goal here is to really look at how do we create other high paying jobs and opportunities for improved customer traffic and the health of Birkdale through office development. And so, with that, we move into just the real estate market and we provided some market assessment and the need for new office product in Huntersville, as was noted by the Lake Norman Economic Development Corporation. In fact, part of that is for newer, larger footprints and a signature building, as we've only really seen in Huntersville one new building built since 2015 in the office sector, and that was the medical office building on Highway 21. And so, to point that out, in the office market, in fact just yesterday, Colliers International came out with a report on fiscal impacts and valuation for the financial markets, and they noted that there's a clear bifurcation in newer built, highly amenitized, functional office product versus everything else. That's where we are with office product for the Town of Huntersville and the Lake Norman region in general, as it is really a high demand for that. With that, the best practices of office product needs to meet the needs of workers and companies post pandemic. That's improved lighting, ventilation, outdoor space, all the amenities that Birkdale offers, including shorter commutes, healthy design, onsite amenities. And in fact, as a result the Congress of New Urbanism, which is a nonprofit, international group whose focus and mission is on walkable urbanism, is visiting Birkdale in May to highlight the importance of the future of this development. Not only its past, but its future potential in terms of the development that's being proposed. With that, we would hope that you would consider approving the plan to not only sustain, but to continue to be a model for development for these types of products into the future.

Susan Irvin, 19726 Zion Avenue, Cornelius (Robert Irvin deferred his time), said I also want to thank the Board and everyone here, and really especially the people who have come out in support of this, which is so rare. The one thing I noticed is over the last 12 days there has been a very positive momentum about this project from all over Huntersville. We had people call our office. I think as of this morning, 17 people from all over Huntersville and the region had emailed the Town Board to voice support for this project. The thing that occurred to me as I thought back through everything.....we've had at least 22 meetings. We started out with one process then we were told that we should talk with the commissioners about the design. We could not do that, according to the Legal Department, with the processes that we had. The Legal Department felt that we could drop one process and have this decision made as a part of a conditional zoning. We did that because it was important to collaborate with the Town leaders. We went back to the design and came up with a better design for the office building. I think back through those 22 meetings and one thing I realized is that what you've been asked

to do by the group that's opposing this has changed. We started out with the apartments and the hotel. Those were completely removed from the plan. There has always been a concern about compatibility. And really what that means is, if the office building were four stories high, would a parking garage be built. And the answer is no. There's been a lot of reference to responsible development. Responsible development is building a parking garage that is free to the public and that is available to everyone in Huntersville. It doesn't matter who you are, it doesn't matter where you live. You can come to Birkdale and you can park in a free parking garage. In order to do that, you've got to have a signature office building that's very expensive that pays for that parking garage. That's a \$90 million project. Now, this is something that the developers of Birkdale sat down and did after numerous meetings – community meetings, meetings with town leaders, and they said what do we need to do for our entire community. And the answer was parking. Number one, parking. What they decided to do was make Birkdale available to everyone in Huntersville. It is going to change. If the parking garage is approved with the Class A office, the Class A office workers will come in in the morning when the residents leave. It's opposite traffic, so it certainly doesn't hurt the existing situation. The project would have workers there during the day to help the local businesses and then they would go home in the afternoon and visitors and residents would come back, park free in the parking garage and be able to use Birkdale. So, it opens up Birkdale to a much broader group of people than an exclusive group, many of whom don't need the parking garage because they can walk to Birkdale. So, it does change Birkdale. It makes Birkdale a vibrant, mixed-use development that is a regional gem. And so, the real question tonight before the Board is not just what's best for Birkdale, it's what is best for the entire community. What is best for all of Huntersville. That's the question. And the answer to that is Class A office, as Ms. Rose explained, that helps individual taxpayers, it provides local businesses, it populates them during the weekdays and helps their overall ability to thrive, and there's so little of it in Huntersville. So, building a Class A office building which is not a four-story suburban office building, and by doing that, building a parking deck that is available to everyone... is it inclusive when people can't come park at Birkdale. That's the thing that we heard when people read the article in the Charlotte Observer on the 8th. I think that's the reason we've gotten the comments that we've gotten over the last 12 days, and the emails to the Town Board and the people talking to me saying Birkdale is cool now. I would love to go. I wish there were a parking garage. So, these things seem to be positive things for Birkdale and the Town, a free, public parking garage. The other thing is that that parking garage frees up 150 spaces for the 50,000 sq. ft. of office tenants that are there now. Those office tenants can actually park in the parking garage and the people who are using it won't be taking up space.

Mayor Bales called for a 10-minute recess.

The Town Board reconvened.

AGENDA CHANGES/ADOPTION OF AGENDA

Commissioner Phillips made a motion to adopt the agenda.

Commissioner Munger seconded motion.

Motion carried unanimously.

CONSENT AGENDA

Budget Amendment – Parks & Recreation Insurance. Commissioner Phillips made a motion to approve budget amendment appropriating \$2,971.78 from Insurance – Parks & Recreation to Maintenance –

Bldg & Grounds for water damage sustained due to burst pipes at the Barry Park storage building. Commissioner Kovacs seconded motion. Motion carried unanimously.

Budget Amendment – Downtown Revitalization. Commissioner Phillips made a motion to approve budget amendment appropriating \$8,500 to Downtown Revitalization revenue for SculpTOUR art piece. Commissioner Kovacs seconded motion. Motion carried unanimously.

Accept Streets – Bryton Parcel 3 – Bryton Crossing. Commissioner Phillips made a motion to accept streets in Bryton Parcel 3 – Bryton Crossing for Town Maintenance. Commissioner Kovacs seconded motion. Motion carried unanimously.

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

Accept Streets – Bryton. Commissioner Phillips made a motion to accept streets in Bryton Single-family Subdivision for Town Maintenance. Commissioner Kovacs seconded motion. Motion carried unanimously.

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

Accept Streets – Arrington Phase 3, Maps 1, 2 and 3. Commissioner Phillips made a motion to accept streets in Arrington Phase 3, Maps 1, 2 and 3 for Town Maintenance. Commissioner Kovacs seconded motion. Motion carried unanimously.

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

Accept Streets – The Park Huntersville – Torrence For Development. Commissioner Phillips made a motion to accept streets in The Park Huntersville – Torrence Ford Development for Town Maintenance. Commissioner Kovacs seconded motion. Motion carried unanimously.

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

Peace Pole Artwork. Commissioner Phillips made a motion to approve the artwork submitted by Phoenix Montessori Academy for the Peace Pole public art project. Commissioner Kovacs seconded motion. Motion carried unanimously.

Artwork attached hereto as Exhibit No. 2.

Resolution – Call for Public Hearing on Petition #ANNEX23-01. Commissioner Phillips made a motion to call a public hearing for Monday, April 3, 2023, at 6:00 p.m. at Huntersville Town Hall on Petition #ANNEX23-01, a request by Camden Bowman, LLC to annex 33.535 acres of Parcel #011-241-04 into the Town of Huntersville. Commissioner Kovacs seconded motion. Motion carried unanimously.

Resolution attached hereto as Exhibit No. 3.

Resolution – Call for Public Hearing on Petition #ANNEX23-02. Commissioner Phillips made a motion to call a public hearing for Monday, April 3, 2023, at 6:00 p.m. at Huntersville Town Hall on Petition #ANNEX23-02, a request by Bobby MacNaughton, Richard Carpentieri, Emily Bice, Logan Ruffin, Abril Jimenez, and Chirag B. Patel to annex 62.593 acres of Parcels 021-031-04, 021-031-32, 021-031-07, 021-031-38, 021-033-89 thru 021-033-91, 021-033-01 thru 021-033-18, 021-033-52 thru 021-033-88 into the Town of Huntersville. Commissioner Kovacs seconded motion. Motion carried unanimously.

Resolution attached hereto as Exhibit No. 4.

PUBLIC HEARINGS

None

OTHER BUSINESS

Amend Livestock Ordinance. Proposed amendments were made at the request of the Town Board clarifying the location for livestock shelters.

Emily Sloop, Town Attorney, confirmed if an HOA does not allow livestock, that supersedes this change.

Commissioner Boone suggested including as a part of the motion language that roosters are not allowed.

Commissioner Phillips made a motion to approve adopting the ordinance to amend Article 94.46 of the Huntersville Code of Ordinances entitled “Livestock.”

Commissioner Munger seconded motion.

Commissioner Boone asked about including roosters are not allowed in the motion.

Commissioner Phillips explained she will not include that because a rooster is needed to protect the flock and the Town already has a noise ordinance that addresses the sounds of animals.

Mayor Bales called for the vote to adopt Ordinance to amend Article 94.46 of the Huntersville Code of Ordinances entitled Livestock.

Motion carried unanimously.

Ordinance attached hereto as Exhibit No. 5.

Petition #R22-05. Petition #R22-05 Oak Grove Hill – Addition, is 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 briefly reviewed request. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 6.*

The Planning Board voted unanimously to recommend approval at their last meeting.

Commissioner Munger said there's a connection that happens to Mt. Holly-Huntersville Road. At what point during the development process does that happen? And if it happens when I think it does, which is towards the end, can it be brought more forward to happen nearer to Phase 1?

Nate Bowman, 205 South Church Street, said if the plan is approved by the Board, usually it takes an engineer two to three months to prepare fully engineered drawings and submit them to the Town. At that point for the Town to review the plans, it's anywhere from eight months to over a year. It's been what we've been dealing with. And actually, Charlotte Water has been more of a problem than land development approval with the Town. The current builder, DR Horton, plans to build the houses.....take all the lots as soon as they're ready. There's no slow take down schedule and they build spec houses. We don't have a builder for the second phase because we don't have an approved plan. But once we do, my guess is three months to get the plans approved, let's say eight months to ten months for the final approval so we can move dirt, and then after that takes about a year. So, there will be no hold up. The lots that DR Horton is... the 104 lots they have now will be ready for that. And again, from a marketing standpoint, the front door is really Mt Holly-Huntersville Road, so we need to get that open as soon as possible so the traffic flows the way we want it to.

Commissioner Kidwell asked what is the plan for the five points intersection.

Stephen Trott, Director of Engineering, said the Beatties Ford, McCoy, Overhill intersection, we're currently working on the plans. The plans are to straighten out Beatties Ford Road a little bit and have McCoy come into it and align more with the road on the west side. And then Overhill would be closed off right at that intersection.

Commissioner Kidwell said have we done any forecasting of the traffic that would come out of the Phase 1 here, or where it would come out.

Mr. Trott said there was a traffic study scoping that was done as part of the development. Most of the traffic was projected to come out at Carver or out onto Mt Holly-Huntersville.

Commissioner Partee made a motion in considering the proposed conditional district rezoning application R22-05, Oak Grove Hill Addition, the Town Board recommends approval as it is consistent with Policies LU-2, LU-2.1, LU-3.1, LU-7.1, LU-10.2, LU-10.4, LU-12.3, EOS-1.1, EOS-4.1, EOS-10, and T-2.3 of the 2040 Community Plan. The Town Board also makes the following recommendations: (1) approval of the block length modification for Block 16, Carver Avenue, for 958 linear feet, and Block 19, Cherry Bark Oak Lane, for 994 linear feet; (2) a 10' wide multi-use path should be provided along Mt Holly-Huntersville Road as called for in the Huntersville Bike Master Plan; (3) add a note of willingness to annex Phase 3 into the Town; (4) rezoning notes from the Sheet SP-8 of the original plan must be added to the plan set; (5) all notes and data will need to be coordinated with Petition R23-04, which would remove the 6.89 acres from the original rezoning to permit this addition; (6) ensure maintenance of access easements so that BMPs do not encroach into the swim buffers; (7) all outstanding red line comments from the staff are addressed. It is reasonable and in the public interest to approve the conditional district rezoning plan because it is consistent with the objectives of both the Beatties Ford Road and Mt Holly-Huntersville Road Small Area Plan, and the Beatties Ford Road Corridor Plan. It is also consistent with the plans for the surrounding area and meets the applicable provisions of the Zoning Ordinance.

Commissioner Phillips seconded motion.

Commissioner Boone said I have a clarification on the motion. Right after EOS-10, you said T2.2. Is that correct?

Commissioner Partee said T-3.2.

Commissioner Boone said that's correct, then.

Commissioner Munger said I recall this coming to us in January 2020. It was probably one of my first significant votes that I remember being a part of, and one of the things I did at that time was actually drive down into that area and take a look at it. And unfortunately, across the street is Charlotte. In theory, you're not supposed to look at Charlotte because it's not Huntersville, but if you take everything into context, some of the houses, some of the structures that are in existence, this felt very much out of character with its surrounding neighborhood. And that's why I voted no in 2020. I still think it's out of character with that surrounding area, so I will vote no on this.

Commissioner Kovacs said I wasn't a part of the original vote, but when looking at this project I have to agree with Commissioner Munger. I do think it's out of place with the high density. I understand adding this piece because it has so much green space, lowers the density, but I'm more comfortable with 105 units that exist than adding in another 51, so I'm not for this project either.

Mayor Bales called for the vote to approve Petition #R22-05.

Motion was tied 3 to 3 (Commissioners Boone, Partee and Phillips in favor; Commissioners Kidwell, Kovacs and Munger opposed).

Mayor Bales said I will say that the lack of communication from this Board to me, if I'm going to have to cast a tie vote, it would've been beneficial to have had some conversations ahead of time. With that said, Mr. Peete, clarify this for me. This sits in one of our Activity Nodes, correct.

Mr. Peete said there is a portion of it that is.

Mayor Bales said I was on the Board when this was originally approved, and if memory serves, I did support this. It sat in that node with all the development that's happening around it. I guess this evening I will support the addition. I know that that was one of the things that Mr. Bowman originally had looked at and had hoped this parcel would've been brought in. It was not originally, so I will be supporting that this evening, and that motion is approved.

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

David Peete, Principal Planner, entered the Staff Report into the record and briefly reviewed the request. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 7.*

In order for the previous motion to work, you'll need to pull that 6 acres out of the original, so that it will follow suit with what you just reconfigured. The long-range plans, the 2040 Plan, all are still supportive of the original vote that you referenced from several years ago, and this does not change that by making it smaller.

Commissioner Partee made a motion in considering the proposed Conditional District Rezoning Application R23-04, Oak Grove Hill Revision, the Town Board recommends approval to remove 6.89 acres from Oak Grove Hill Conditional District Rezoning, NR-CD. This recommendation for approval is conditional upon final approval of the R22-05 Oak Grove Hill Addition. The approval of R22-05 would facilitate the removal of the 6.89 acres and would not impact the original Oak Grove Hill's consistency with adopted policies as outlined in R18-10A. It is reasonable and in the public interest to approve the conditional district rezoning plan revision because it is consistent with the plans referred in R18-10A, and the applicable provisions of the Zoning Ordinance can be adequately addressed.

Commissioner Boone seconded motion.

Mayor Bales called for the vote to approve Petition #R23-04.

Motion carried unanimously.

Petition #R22-01 – DDRTC Birkdale Village. Petition #R22-01 is a request by DDRTC Birkdale Village, LLC to rezone +/- 8.82 acres located at the intersection of Townley Drive and Lindholm Drive (Parcels 00537157 and 00537197) from Highway Commercial Conditional District to Highway Commercial Conditional District for 150,000 sq. ft. office and 25,000 sq. ft. commercial.

Brian Richards, Assistant Planning Director, entered the Staff Report into the record and reviewed the request. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 8.*

We're here to present Petition R22-01, Birkdale Village. On February 6, the Board handed the project back down to the Planning Board. That meeting took place on February 28.

Just for a quick recap, here we are at Birkdale. What we currently have up for the rezoning is a 150,000 sq. ft. office space and the replacement of the existing 25,000 sq. ft. of commercial, which is Barnes and Noble. You can see there the concept plans currently. Previously, we had the three buildings on the bottom right. Those were removed and we're just sticking with the office building and retail, I'm sorry, commercial with the associated parking deck in the rear.

They are requesting a modification for the building height. Staff does not support that as we feel it is not in keeping with the spirit of the ordinance. You can see here a profile of the building shows up to 110' in height. Here's some pictures of Birkdale as it sits today. These are potential elevations, including the original that showed the sizing and scaling of the building, the building elevated in height. Below on the larger picture there on the left is a potential representation of what could be built.

Here are some other perspectives of what that future building could look like. The Community Plan has a number of items that do support the project. Staff does feel it is a good project, but due to the change in course, as this moved through the public process, we're going to take a position of not supporting the project. And here are some items of the community plan that do not support the project.

The Planning Board recommendation. Actually, the Planning Board motion was for approval. Unfortunately, that did not pass. The motion failed with a two to five vote. Planning staff does not find that this is reasonable and in the public interest to amend the Zoning Ordinance because the building modification requested under section 11.47 of 110' substantially exceeds the maximum for the urban workplace and shop front building height, and is not in keeping with the spirit of the ordinance regulations.

Commissioner Kovacs said I have questions for the applicant. During the meetings with residents with the original plan.....I'm trying to think of how to word it because it's based off of the comments I heard. Were the things that were taken out what was important to be taken out to the residents or was this just a culmination of after speaking to everybody?

Mr. Lant said the removal of the multi-family and the hotel?

Commissioner Kovacs said yes.

Mr. Lant said that was basically in communication with everybody.

Commissioner Kovacs said is this current height the absolute lowest height you would be able to go for the office building.

Mr. Lant said one of the important things about the Class A is the type of tenant it's going to bring. We feel like the village deserves high quality type tenants, who are willing to pay a little bit more in rent because it's got to support a parking deck. Therefore, you've got to have some density, got to have some height, and you've got to have a really good building, and a building that a high profile tenant is going to be proud to be in. And that's the key is that they want the name on the building. When their customers come, they want to be proud that they're in this building and not a low-rise office like we currently have.

Ms. Irvin said do you want to answer the.....so the question was, would they consider a height modification lower than what was requested. And I think what you're saying is you can't do a four story, and I'd already explained that it doesn't pay for a parking garage. The question is, is there something that you could do that would pay for a parking garage? The cost of the parking garage is in the initial structure, doesn't matter how tall it is, so at some point, you've got to hit that initial amount.

Mr. Lant said right. If there was a request to take a floor off, I think we can consider that and think through that. Yes.

Commissioner Kovacs said I just wanted to ask for clarification because the parking deck is one of the things that has been the biggest thing that's confusing me. Sometime in the past six months, I can't remember, you guys had stated that the parking deck needs to be rebuilt no matter what. Correct?

Mr. Lant said the existing parking decks, all four existing parking decks, need some repair because they've not been maintained at all, so there is some repair to be done at all of the decks.

Commissioner Kovacs said it's just repair, the whole thing's not to be replaced.

Mr. Lant said what we were saying is that it wouldn't make, on that particular deck it wouldn't make any sense to repair it and then tear it down to build a new one. It made sense, then if the office building came and we had to build a new deck, we would demolish that existing deck and build a new one.

Commissioner Kovacs said that was my question. I thought you had to demolish it and then rebuild it anyway.

Mr. Lant said no ma'am.

Commissioner Boone made a motion in considering the proposed Rezoning Petition R22-01, Birkdale Village, the Town Board recommends denial based on the amendment being inconsistent with the Huntersville 2040 Community Plan Policies, Land Use 5.1, Land Use 11.1, Land Use 11.2, and LU-12.3. It is not reasonable in the public interest to amend the Zoning Ordinance because the building height modification requested under section 11.4.7(k) to increase the building height to 110' exceeds the maximum for Urban Workplace, which is 45' and shopfront buildings, and does not maintain the spirit of the regulations. Previous height modifications granted under section 11.4.7(k) were for several feet were added to one story and some involve unusual topo to demonstrate the modifications maintained in the spirit of the regulation. The project does not involve any unusual topo setbacks.

Commissioner Kidwell seconded motion.

Commissioner Munger said I wasn't going to speak tonight, but I've always been in the habit of trying to explain why I vote the way I do. And what I wanted to do was walk you through what my process is, so that maybe you can understand where I'm coming from. For me... and I'm sorry, my notes are all over the place because I was trying to write this haphazardly. For me, when something comes to the Board, the first thing I do is find a path to yes, and ask for it. That's what we should do. That's what I feel like we should do. My process might be different from other people's up here, but I always feel like you have to, whatever comes forth, you have to try and figure out, what are the merits to it, what parts don't you like, what parts do you like and if there are parts you don't like, ask for specific modifications to those parts so that you can get to a reasonable path of yes. And for me, initially, and it's changed over time, but initially, one of the three things I heard were, traffic flow, parking, building height. And I

would argue that those are still the core values that we're talking about here. So, when the hotel was pulled, when the apartments were pulled and the parking garage remained, in my opinion that addressed parking. A very core issue that everyone said we need more parking, we need more parking. And in my opinion, the developers said okay, here's parking. The next one gets a little bit more complicated, traffic flow. One of the specific things I've asked from the developer, and I believe that they would agree to it, is to contribute \$2 million to the extension of Townley to Northcross. Also, to extend the right-turn lane coming out of Lindholm onto Sam Furr. These are very key things for traffic flow. Is the \$2 million enough to pay for the entire extension? Absolutely not. I believe Brian would probably tell you it's probably going to cost somewhere between \$10 million to \$15 million to do that. So, \$2 million doesn't answer everything, but \$2 million is not nothing. It's something. They went to that point and addressed that. The third issue, unfortunately for me, wasn't something that bothered me. Building height, to me, when someone sees a building from a distance and they say what's that, they come. They come in, they bring dollars with them, they spend their money locally, they do really interesting things. And from my perspective, Class A office space, a building that size is a place where I'm probably going to work. And the jobs that a building like that bring, are significant paying jobs. And so I have to look at it and say that would be a significant boost to the bottom line of our town, increase our tax base, increase sales tax. I acknowledge that I may be alone on the building height, that's why you have six people up here. They have different opinions, and we're all allowed to have different opinions. I do want to say, and I should have said this at the beginning, I absolutely appreciate all of you showing up, all of you caring, and I appreciate you all expressing your opinions, even if they're not in agreement with mine. This is involvement. This is beautiful. You absolutely should be involved in other things. One of the things we went to earlier this week, and Mr. Gammon spoke about it, is Colonial Pipeline.....spilled over a million gallons. Imagine if all of you came out here and were like hey, they're going to release some of the remnants of this into our streams. These are things that matter as well. So, don't lose that fire. Please continue with things like that. The biggest problem for me with traffic flow is we're held hostage by NCDOT. I'm not a fool. I drive down I-77, I see that exit coming and Sam Furr trying to go to Birkdale Village. It's a disaster. It's an absolute mess. And everything that happens on Sam Furr, you're just like, I'm constantly stuck in traffic. My problem is, we as a town cannot be held hostage by NCDOT. Their inability to provide us the correct infrastructure and adequate infrastructure to be able to get traffic flow and get residents like you in and out of Birkdale Village, man, I'd love to go to NCGA and just say what in the heck are you thinking.....how can you not expand that road. I'm frustrated. I don't go on that road because I don't live down there. I can only imagine how frustrating it is for you to be on that road. It's insanity. And any member of NCGA, if you're listening, fix the road. People here want to be able to get in and out of places. It drives me insane. So, I feel your passion there. That's probably an odd ending, but that kind of hits all the points. I wanted it to happen, it probably won't, but I wanted you to at least understand the thought process I had to get to this point.

Commissioner Kidwell said I want to thank all sides for coming out over the past six months. I especially want to point out that we had a young man, Pierce, today come up here and speak. And for someone from our teenage population to come up here and talk about how they feel, and specifically advocate for something, that takes a lot of courage. That is not easy. I know as an adult, when I first started getting up in front of people and speaking, it was not easy. And we all get up there and sometimes we stumble and we get a little sweaty. I still do it up here. So young man, if you're still out here, I think you are, nice job. I just want to tell you that. I want to thank the Board up here for looking at every possibility, looking at different ways, and talking to each other on that. And that's all I'm going to say on it.

Commissioner Partee said in working and speaking with the residents of the Birkdale community and the Greens, I've been doing a lot of research because this is a tough decision. The Charlotte Business

Journal printed a story on January 15, and the headline was Huntersville Leads Opendoor Ranking of Hottest Charlotte Area Zip Codes. Landing number one is 28078 in Huntersville, which is about 15 miles north of Uptown Charlotte. Features range of family friendly amenities and activities. That was Birkdale and that is Birkdale. And as I said before, that was the hook that grabbed my wife and I. And now that I live in Latta Springs, and as I drive to Town Hall, there are at least six plus active construction sites that are either within the process of clearing, excavating, or building within a two-mile radius. Statesville Road/Alexandria Road, Hambright/Mt. Holly-Huntersville Road, Hambright/Beatties Road, which is the Aspire High School, Mt. Holly-Huntersville between Hambright and Reese Boulevard. There's a construction site there. Now we've got Birkdale Commons and Sam Furr, right across the street. Huntersville's transformation is a major hub of business and bedroom communities, which has exploded. Hopefully this growth generates a tax base that can ease the pain of our upcoming assessments to all our homeowners. Now, Birkdale Village is a beacon of attraction for all individuals living in Huntersville and the surrounding towns. After shining for approximately 21 years, upgrades are necessary. Upgrades are necessary to replace the damage [inaudible] structures that are there now, that's a given even though we upgrade our homes. But reading all the emails from all those that are for and against North American Properties, I made it a point to spend a lot more time in Birkdale. My wife and I, we always patronize the restaurants, eeZ Fusion, Red Rocks, Smokes, Bonefish Grill. But now, over the past several months, I spent a lot of time in the Starbucks in Barnes and Noble. Most of you know that I sit in there and I do my work there. I bring my little workstation. Well, one day, I was sitting in Barnes and Noble, and I spotted a young lady that I recall came up here and spoke before us in October. I watched her sitting over there in the high back chairs, reading a book, tranquil, peaceful. And when I got up to leave, I didn't say anything to her, I didn't acknowledge her. It just dawned on me that I should go back and recall her statement to us at the Board meeting. I pulled the young lady's comment to us. Her name was Audra Collins. She lives at 8904 Sutherland Drive. She said I am here to talk about the development and what would be Barnes and Noble and Sporting Goods. I am mentally ill and during my depression, Barnes and Noble was my home away from home. When I needed to leave from my house, that's where I would go. I would take an Uber, I would have my parents drive me there. Barnes and Noble got me into reading, and reading was my escape from school when I was bullied. It got me into writing. I just don't know what I would do without it, honestly. It definitely made a change in my life. I've lived here for 23 years out of my 25 and I can't even remember when it was built. That's how long it has been. I don't know what I would do without it, I hope you vote against it. Now, mind you, in my 20, 30 years as an investigator, I have a hard edge. I've been in a room with murderers, rapists to get confessions and admissions. This young lady's comment, for her, the courage like Commissioner Kidwell said, the courage of our youth to come up and speak before us, to articulate their concern is profound. Audra's comment projected an innocence that hit me to my core, but also close to my family, when a child is on the spectrum. For Audra to stand up there in front of the room of strangers and expose her struggles, takes a lot of courage and strength, and that penetrated me personally. So therefore, that's why listening to Audra, I hear you. Sometimes the loudest voice in the room could be in the most silent voice. And that's why I'm voting to deny North American Properties.

Commissioner Kovacs said I wanted to point out what Commissioner Munger said. There were the three big things, and I've said it to everybody that I've talked to.....parking, traffic and the height. All three of those were very important to me. Knowing that we could potentially get money towards a road is.....I thank you and applaud North American Properties if that's what you were willing to do. I do see the need for parking and knowing that if this doesn't pass, the parking garage will not get extended is really unfortunate, but I also do hope that because North American Properties has stated how important the customers are and their experiences, there might be a way to find other ways to improve the parking. But the height is just something that I just couldn't swallow. While this has been a six-month journey, I appreciate all sides and all of your input and staying engaged.

Commissioner Boone said I've been listening to my other commissioners here and I just want to echo what they said. Thank you for getting engaged in this. A lot of work's been done to see if we could get this passed. It was a conditional rezoning. We could put conditions on this, but speaking amongst ourselves, we really couldn't agree to the height, the traffic. I think the bridge over to Rubbermaid would probably be the key to the traffic situation in this. And then the parking deck is almost a no-brainer for this thing to be successful. I'd just like to say thank you to my fellow commissioners and the audience for being engaged in this, and thank you for your input.

Commissioner Phillips said I wasn't going to talk, I wasn't going to actually vote. This has been the worst experience being a commissioner. When your family has veiled threats made against their business, when people say that if you vote a certain way, they're going to accost you in public, and you have two nieces that you like to take out, it puts the fear of God in you because I never want to do anything in my life that hurts the people that I love. However, as the only person up here that's involved with small business, the Lake Norman Chamber of Commerce has spoken out in favor of this project. We've had small businesses in Birkdale speak out in favor of it, and I in good faith cannot support other small businesses having the same access that I have to customers, because I believe in supporting our economy, diversifying our tax base. And unfortunately, what we're going to see is, if you haven't already looked already, the reveals from the county are going to wreck people. They're going to be the reason people move. Because while people say my home increased, yes your value did increase, but so did your tax bill and so did everything else in your life. I think this whole ordeal has just been a shame. I appreciate the people that have spoken out, but I feel like we're not seeing the forest through the trees right now. And my concern is a year from now when this Board has complaints about parking and other things going on, how are they going to address it when they've just killed the solution? I'm the only native sitting up here, too, so I've seen progress, I've fought progress, but sometimes you've got to take the good with the bad and look towards the future. And I'm very sorry to those small businesses that did reach out and advocate and I hope that they can survive going forward in the future because they're businesses that I patronize myself. So, just felt like I'd put that out there because I was going to abstain, but my parents have told me they'll take the hits with me because they don't want me to feel like I can't do my job because I'm so protective of them.

Mayor Bales called for the vote to deny Petition #R22-01.

Motion to deny carried by 4 to 2 vote (Commissioners Boone, Kidwell, Kovacs and Partee in favor of denial; Commissioners Mungers and Phillips opposed).

Mayor Bales called for a 5-minute recess.

The Board reconvened.

Petition #TA22-16. Petition #TA22-16 Multi-family Use One Building One Lot is 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 briefly reviewed the request. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 9.*

In the Neighborhood Residential, Neighborhood Center, Town Center, and Highway Commercial 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 four 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.

The Planning Board and the Huntersville Ordinances Advisory Board recommended approval.

Mayor Bales recognized Planning Board members present: Frank Gammon and Jeff Sny.

Commissioner Boone made a motion in considering the proposed Amendment #TA22-16, the Board recommends approval based on amendment being consistent with policies LU-7.2, LU-9 and LU-11.1 of the Huntersville 2040 Community Plan. It is reasonable in the public interest to amend the Zoning Ordinance because the amendment will help to protect the privacy of the existing residential development from one building, one lot multi-family infill development.

Commissioner Partee seconded motion.

Mayor Bales called for the vote to approve Petition #TA22-16.

Motion carried 5 to 1, with Commissioner Phillips opposed.

Petition #TA22-17. Petition #TA22-17 is a request by the Huntersville Planning Department to amend Section 7.5.3 of the Huntersville Zoning Ordinance increasing the buffer for major residential subdivisions from 20' to 40' when the proposed subdivision is two times greater than the existing residential subdivision.

Jack Simoneau, Planning Director, entered the Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 10.*

This amendment is a result of us modifying subdivisions from a quasi-judicial process to an administrative process. The provision that allowed us to increase setbacks used to be a requirement and now it has been modified to a guideline. To address that, we are recommending that the buffers be increased whenever there is a development that is twice the density of adjoining residential development, so it goes from a 20' setback to a 40' setback. We have changed the wording.

The amendment language as approved by the Huntersville Ordinances Advisory Board and presented at the public hearing is as follows:

20' minimum in Town Center zone when adjoining the Town Center zone and where density is less than two times greater than existing development. In all other cases, 40' minimum is required.

The Planning Board and Staff recommends Option 2, which says: 40' minimum where density is two times greater than the existing development except in Town Center zone when adjoining Town Center zone. In all other cases 20' minimum is required.

Commissioner Kovacs said Town Center to Town Center development it's 20', but anything in TC that abuts Neighborhood Residential or any other kind of zoning is automatically 40', correct?

Mr. Simoneau said if it's double the density, that's exactly right, and that's a specific request from the Ordinances Advisory Board. We initially said if you're in the Town Center zone, it's a 20' setback regardless. And the Ordinances Advisory Board felt like there's a lot of Neighborhood Residential and lower density around the Town Center and we needed to protect that, so that's why the language is as it is proposed.

Commissioner Kovacs said that can be disturbed or undisturbed, it just has to be a buffer.

Mr. Simoneau said it is intended to be undisturbed. If it does get disturbed, it has to be replanted and we have the planting requirements so that you can get a complete visual buffer.

Commissioner Kovacs said if it's on a vacant lot, what's the buffer going to be.....if it's abutting a vacant lot.

Mr. Simoneau said it would be 20' if it's a vacant lot. If it's a residential lot and it's twice the density, then it will be 40'.

Commissioner Kovacs said just hypothetical, if I'm building Plan A and it's against a vacant lot, I only have to do a 20' buffer but then someone coming in to build something else might end up having to do the 40' buffer because they are kind of the last one to come in.

Mr. Simoneau said it's always that way. So, whatever that land use is adjoining you, then that's what's going to apply. If you're adjoining vacant land, you have the 20', but if you adjoin property that is half the density of what you've got, then you're going to have to have a 40'.

Commissioner Munger said the harmony requirements in 160D, do they have any affect on this.....are they able to bypass any of this buffer.

Mr. Simoneau said no, this is a buffer requirement, so this isn't architecturally changing anything.

Commissioner Boone made a motion to approve Petition #TA22-17, Staff's Option 2, based on the amendment being consistent with Policy LU-11 and DT-2 of the 2040 Huntersville Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because it helps protect the unique character of the existing housing stock.

Commissioner Munger seconded motion.

Mayor Bales called for the vote to approve Petition #TA22-17.

Motion carried 5 to 1, with Commissioner Phillips opposed.

Resolution – Acquire Property for Gibson Park Phase 2 Project. Stephen Trott, Director of Engineering, pointed out the remaining parcel to be acquired for the Gibson Park Phase 2 Project. *Refer to PowerPoint attached hereto as Exhibit No. 11.* It's a relatively small area that needs to be acquired. It's 74 sq. ft. of drainage and utility easement and 489 sq. ft. of temporary construction easement that needs to be acquired. In trying to contact the property owners, we understand that one of the property owners is deceased. We're trying to get the documentation on that, but the other one we've tried to reach out to the family for about six months. Our acquisition consultant has gone out there in person, sent regular mail, text messages to one family member that has responded, not the owner, but one of the family members did respond. We've called and emailed with them over the past six months. Our latest correspondence that we sent out was via certified mail to I believe the property owner's current address, the one listed in GIS, the actual parcel address, which we believe are being rented to some tenants that aren't part of the owners. I'm just asking if we can move forward if we're unable to contact those owners since it already has been six months of time.

Commissioner Munger said if memory serves, we actually approved this without the use of eminent domain some time ago and you went through this entire process of six plus months trying to track down the owner, relatives, anyone who would respond, and so we are literally at the moment of last resort.

Mr. Trott said as I said, we have not heard from either of the property owners. We believe one is deceased. A family member of the property owners has reached out, but we haven't heard from that family member in over a month. We are going to keep trying. They could all of a sudden call tomorrow. That would be great and we would work with them to settle, but at this point we're just asking for this option if we're unable to do that.

Commissioner Munger made a motion to approve a Resolution of the Town of Huntersville Board of Commissioners to acquire property, including the use of eminent domain, for the construction of Gibson Park Drive Phase 2.

Commissioner Boone seconded motion.

Commissioner Kidwell said I drove out there this afternoon. No one was there. I reached out to a couple of people in the area. I was told another family may know them. They live up the street, but no one was there as well. You guys know how I feel about eminent domain, so I can't support it, but I would say if you can get there and talk to somebody, possibly at 202 Gibson Park, who knows the family, that might be helpful.

Commissioner Partee said who are now paying the taxes on the property and are they delinquent or not delinquent.

Mr. Trott said not that I'm aware of, but could get that information from Polaris.

Mr. Partee said if it was delinquent is there any way we can grab it off the rolls.

Emily Sloop, Town Attorney, said we'd have to go through the foreclosure process with the county. They would essentially put it up for foreclosure if there were back taxes and we could bid on it.

Mayor Bales called for the vote to adopt Resolution to acquire property, including use of eminent domain, for Gibson Park Phase 2 project.

Motion was tied (Commissioners Boone, Munger, Partee in favor; Commissioners Kidwell, Kovacs, Phillips opposed).

Mayor Bales said contact the folks at 202 Gibson Park and also check on the foreclosure stuff. I would like for us to exhaust all other options and then if we are not successful, we move forward, so I will support this motion.

Resolution attached hereto as Exhibit No. 12.

MAYOR AND COMMISSIONER REPORTS

Commissioner Phillips

- Congratulated Town Clerk on winning Sunshine Award.

Commissioner Boone

- Congratulated Town Clerk on winning Sunshine Award.

Commissioner Kovacs

- Provided update from the Lake Norman Chamber of Commerce.

Commissioner Kidwell

- Provided update from the Charlotte Regional Transportation Planning Organization.
- Rural Hill is having birthday party for their two Scottish Highland cows on Saturday.

Commissioner Partee

- Congratulated Town Clerk on winning Sunshine Award.
- Suggested consideration be given to moving Mayor and Commissioner Reports to the beginning of the agenda.
- Advocate for gun safety. Huntersville Police Department has free gun safety locks.
- Consider supporting local non-profits.

Commissioner Munger

- Consider supporting local non-profits.

Mayor Bales

- Next Metropolitan Transit Commission meeting is Wednesday.
- Provided update on Mayor's Fitness Challenge.
- Congratulated Sam James for receiving the Robert T. Cashion Businessperson of the Year Award from the Lake Norman Chamber of Commerce.
- Attended the Charlotte Regional Business Alliance Legislator Reception last Wednesday in Raleigh.
- Will be attending Connect Beyond this Friday.

There being no further business, the meeting was adjourned.


Janet Pierson, Town Clerk

Approved this the 17th day of April 2023.



FY2023 MARKET STUDY REVIEW AND RECOMMENDATIONS

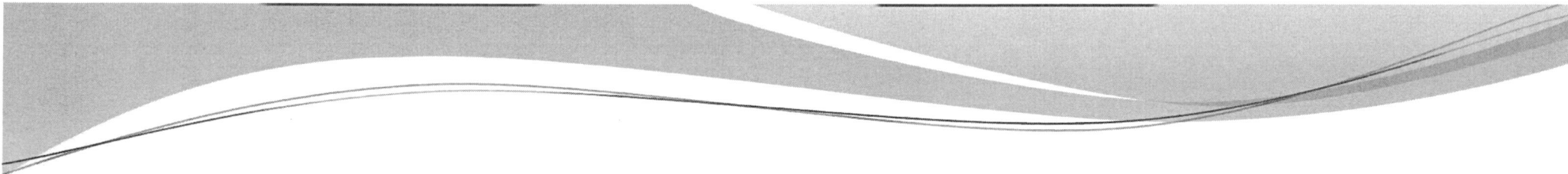
March 20, 2023

Exhibit No. 1



Presentation Outline

- Compensation Principles
 - Compensation Best Practices
 - Compensation Administration
 - Market Study Update
 - Market Study Recommendations
-
-



Compensation Principles

Compensation systems should:

- Be externally competitive – Pay employees in proportion to the market price for their job.
 - Benchmark jobs every 2-3 years and “age” data other years
- Be internally equitable – Pay employees in proportion to the relative value of their job and relative to other employees.
- Mechanisms to move through the pay range
 - Hiring above minimum based on qualifications
 - Completion of Probation
 - Performance based increases



Compensation Principles

Compensation systems generally:

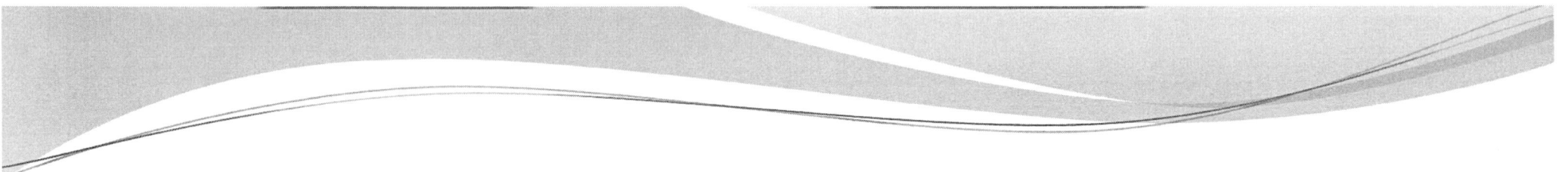
- Use base pay as the primary type of pay to maintain market competitiveness. (Excludes premiums and overtime)
- Determine market competitiveness for a specific job by surveying pay data in the applicable recruitment area for jobs of a similar nature.
 - Locally
 - Regionally
 - Nationally



Compensation Best Practices

Majority of public and private sector employers:

- Traditional / Open Ranges with minimum, midpoint, and maximum
- Target “market” at 50th Percentile or median of salaries or pay range midpoints
- Set pay ranges with 50% spread between minimum and maximum for pay grades below Director and Executive.
 - Minimum is 80% of Midpoint
 - Maximum is 120% of Midpoint
- Director and Executive pay grade ranges spread at 60%
 - Minimum is 77% of Midpoint
 - Maximum is 123% of Midpoint



Compensation Administration

Town of Huntersville Personnel Policy Article III – Compensation Plan
(last amended September 5, 2022)

SECTION 2. ADMINISTRATION AND MAINTENANCE

The Town Manager shall be responsible for:

- The administration and maintenance of the Compensation Plan in order to provide equitable compensation for all positions in consideration of the following:
 - differences in duties and responsibilities,
 - the rates of pay for comparable positions in private and public employment in the area,
 - changes in the cost of living,
 - the financial conditions of the Town and such other factors as may be deemed necessary by the Town Manager.
- Making recommendations to the Board for such changes in salary grades and ranges including market adjustments, or other reasons as may be warranted to maintain an appropriate and competitive Compensation Plan.



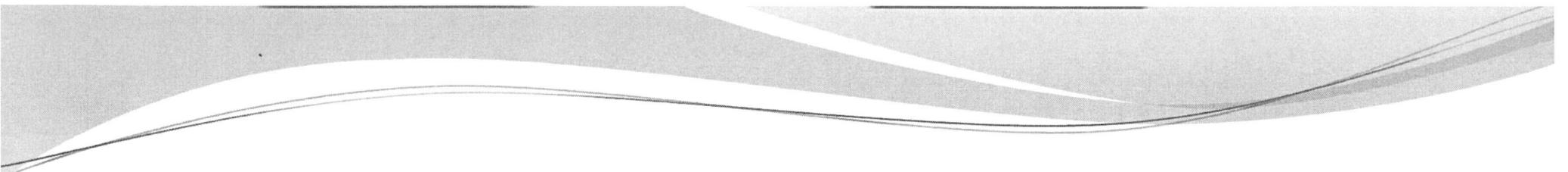
Compensation Administration

Town of Huntersville Personnel Policy Article III – Compensation Plan
(last amended September 5, 2022)

SECTION 3. SALARY ADMINISTRATION

The Town Manager shall be responsible for:

- Pay grades and salary ranges are intended to furnish administrative flexibility in recognizing individual performance among employees holding positions in the same grade by rewarding employees for meritorious service, exceptional qualifications, including education and experience, and required knowledge, skills and abilities and specialized certifications.
- While the minimum rate established for the pay grade is the normal hiring rate, applicants with qualifications exceeding the stated minimum qualifications for the position, may be hired at any salary up to the midpoint of the salary range, upon the recommendation of the Department Director and Human Resources and with the approval of the Town Manager...



Compensation Administration

Town of Huntersville Personnel Policy Article III – Compensation Plan
(last amended September 5, 2022)

SECTION 3. SALARY ADMINISTRATION

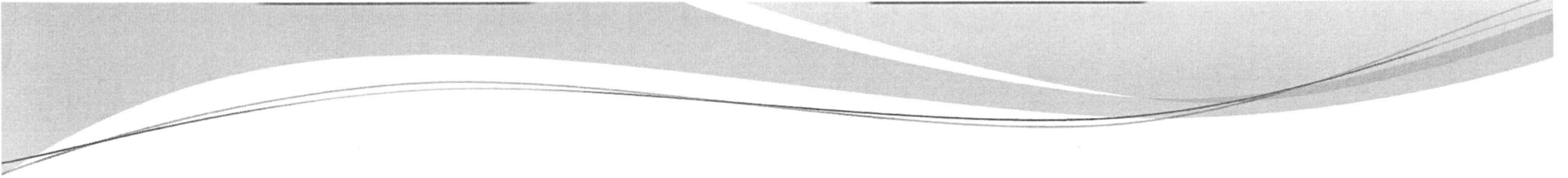
The Town Manager shall be responsible for:

- ... Hiring above the midpoint of the salary range will require special written justification by the Department Director including positions that are hard to fill, applicants with exceptional credentials including a salary history of being paid above the market and other special circumstances and be approved by the Town Manager. When recommending salaries above the minimum hiring rate, Department Directors should also consider internal equity with existing employees in the same job classification with similar credentials as the applicant.



Market Study Overview

- FY2022 – Engineering, Planning, and Public Works
- FY2023 – Parks and Recreation and Administration
 - Benchmarked using 35 classifications to evaluate 41 positions
 - Surveyed 20 municipalities
- FY2024 – Police and Fire



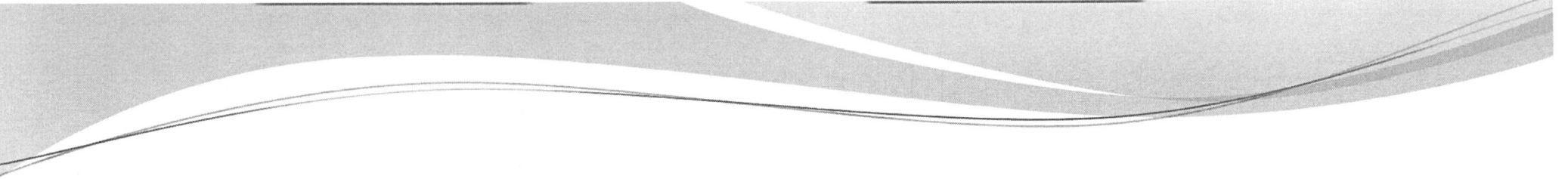
Market Study Recommendations

- Adjust grades for positions shown as below market
- Reduce range spread for all non-sworn grades
- Include private market data, as available for comparable positions
- Consider equity adjustments for internal candidates in hard to fill roles



Market Study Recommendations

- 5 positions identified as below market with a recommended grade change
 - Recreation Assistant (4), Building Repair Technician (1), Help Desk Specialist (2), Assistant Finance Director (1), Public Information Officer (1)
- Current range spread identified as too broad with recommendation to decrease
 - 60% spread to 50%, 70% spread to 60%, 90% spread to 60%
 - Evaluate police/fire range spreads in FY24



Questions?



Public Art Commission Peace Pole Project
Additional - School Artwork Submissions

PAC members reviewed and approved March 13, 2023

Exhibit No. 2

Phoenix Montessori School – Middle School



Phoenix Montessori School – High School



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

(Camden Property)

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

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

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

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

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

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

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

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

Mayor

Town of Huntersville, North Carolina

ATTEST:

Town Clerk

Exhibit No. 3

Exhibit A: Camden Property Metes & Bounds.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(The Hills Property)

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

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

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

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

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

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

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

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

Mayor

Town of Huntersville, North Carolina

ATTEST:

Town Clerk

Exhibit No. 4

Exhibit A: The Hills Property Metes & Bounds.

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

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

Non- Contiguous Annexation Area – 62.593 Acres

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

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

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

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

Said Non-Contiguous Annexation Area containing 62.593 acres

AN ORDINANCE TO AMEND THE TOWN OF HUNTERSVILLE
CODE OF ORDINANCES

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

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

Section 2. Effective Date.

This ordinance shall become effective upon the date of adoption.

Exhibit No. 5

Ordinance No. _____

94.46 Livestock

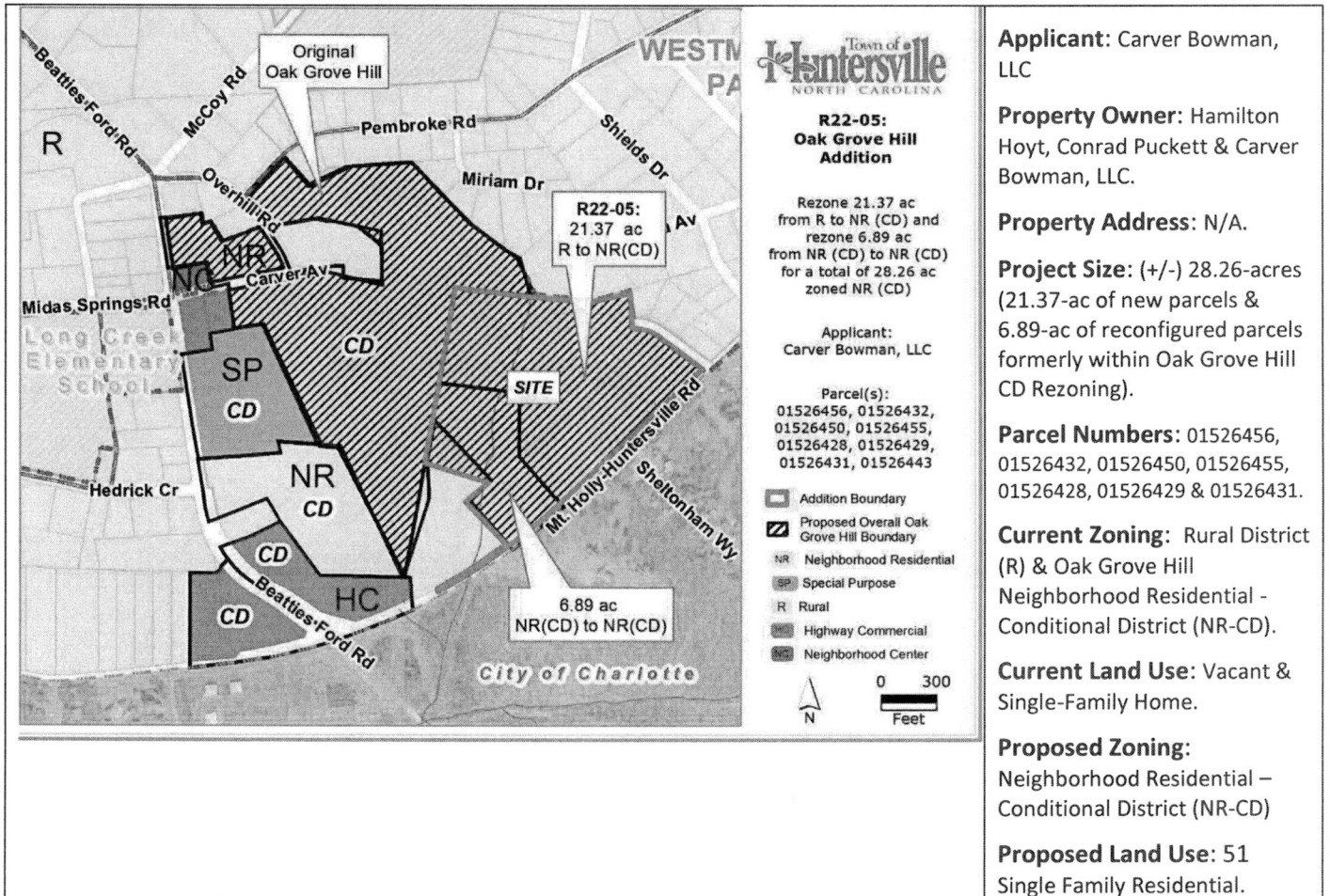
- A. No person, firm or corporation shall keep, possess or maintain, within the corporate limits of the town, any livestock, including horse, mule, pony, cow, cattle, hog, swine (except potbellied pigs considered to be domestic pets), sheep, goat or any rabbits or fowl, (with the exception of pet birds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

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

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

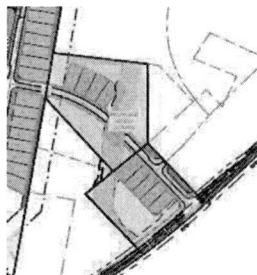
Petition R22-05 Oak Grove Hill - ADDITION Conditional District Rezoning.

PART 1: PROJECT SUMMARY

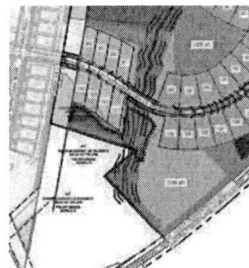


Application Summary:

- 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



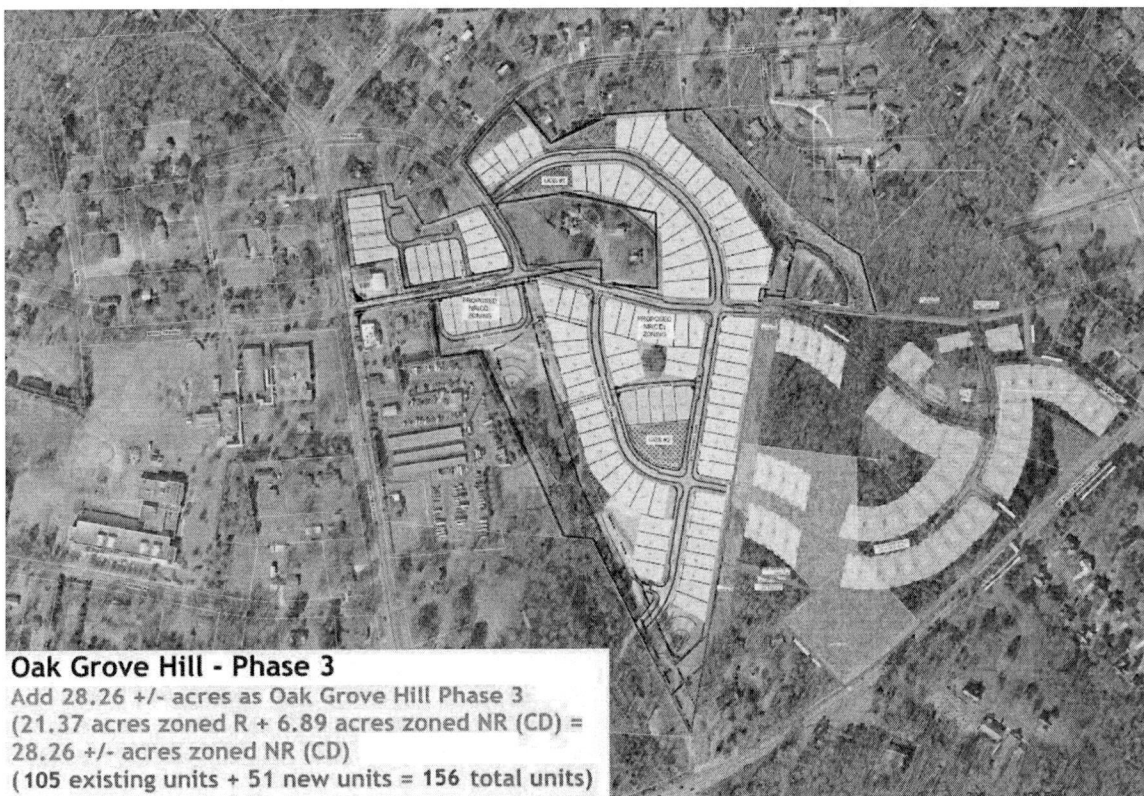
Proposed Layout

Exhibit No. 6

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

PART 2: REZONING/SITE PLAN HIGHLIGHTS

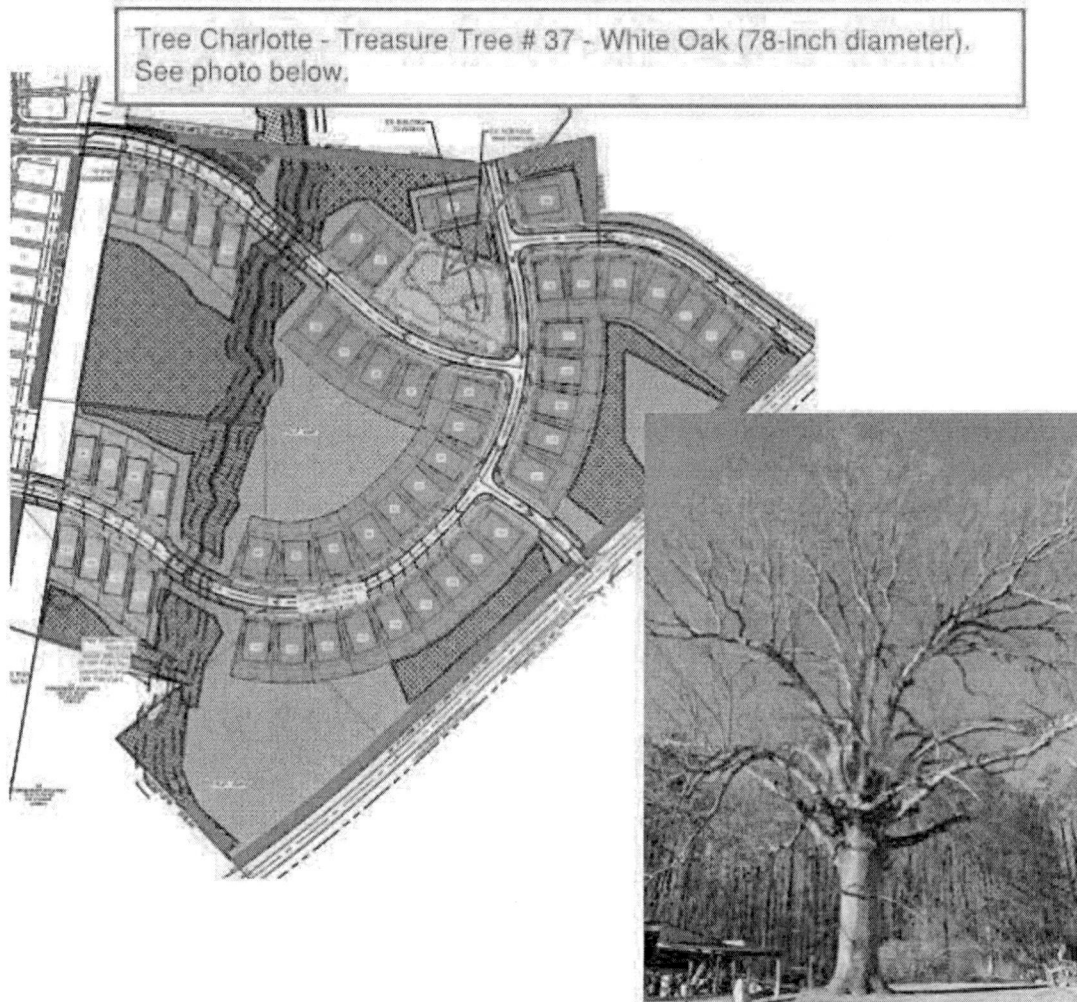
The existing Oak Grove Hill Conditional District Rezoning was approved by the Town of Huntersville on January 26, 2020. The applicant, Carver Bowman, LLC, has acquired additional adjacent acreage and has petitioned to add 28.26-acres and 51 single-family homes to create a new "Phase 3". If approved,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



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

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

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



The applicant is requesting the following modification to Ordinance Requirements:

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

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



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

Engineering Comments:

- NCDOT and CDOT recommendations should be incorporated.

Planning Comments:

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

PART 3: TRANSPORTATION HIGHLIGHTS

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

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

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

NCDOT:

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

CDOT:

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

PART 4: REZONING CRITERIA

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

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

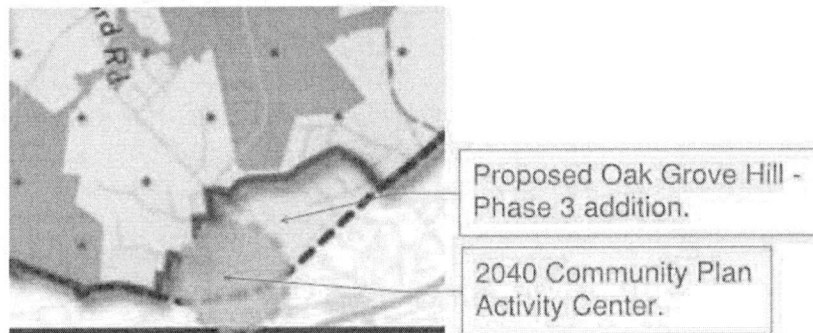
- **Policy LU-2: Encourage residential development that follows the pattern outlined in the future land use map.**
 - **LU 2.1: Higher intensity residential uses will be focused generally within two miles of I-77 / NC-115 corridor and the future Activity Centers in the eastern and western areas of Huntersville’s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

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

Rural Conservation

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

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



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

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

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

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

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

Huntersville 2040 Community Plan – Staff finds the proposed Conditional District Rezoning petition is **not consistent** with the following 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.

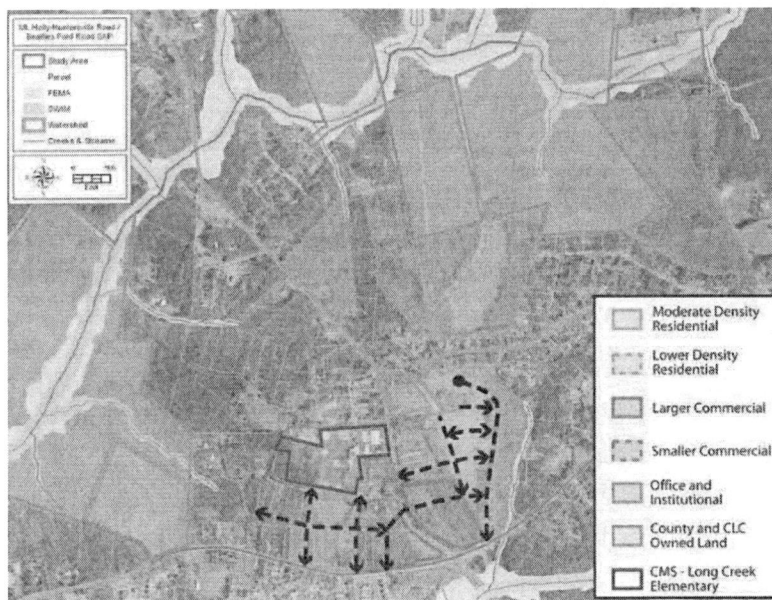
STAFF COMMENT: Per the Huntersville Bike Plan, a Side path (purple line) is called for along Mt. Holly-Huntersville Road, see map below. To address the Bike Plan, a Side path will need to be added to the Mt. Holly-Huntersville Road cross-section.



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.

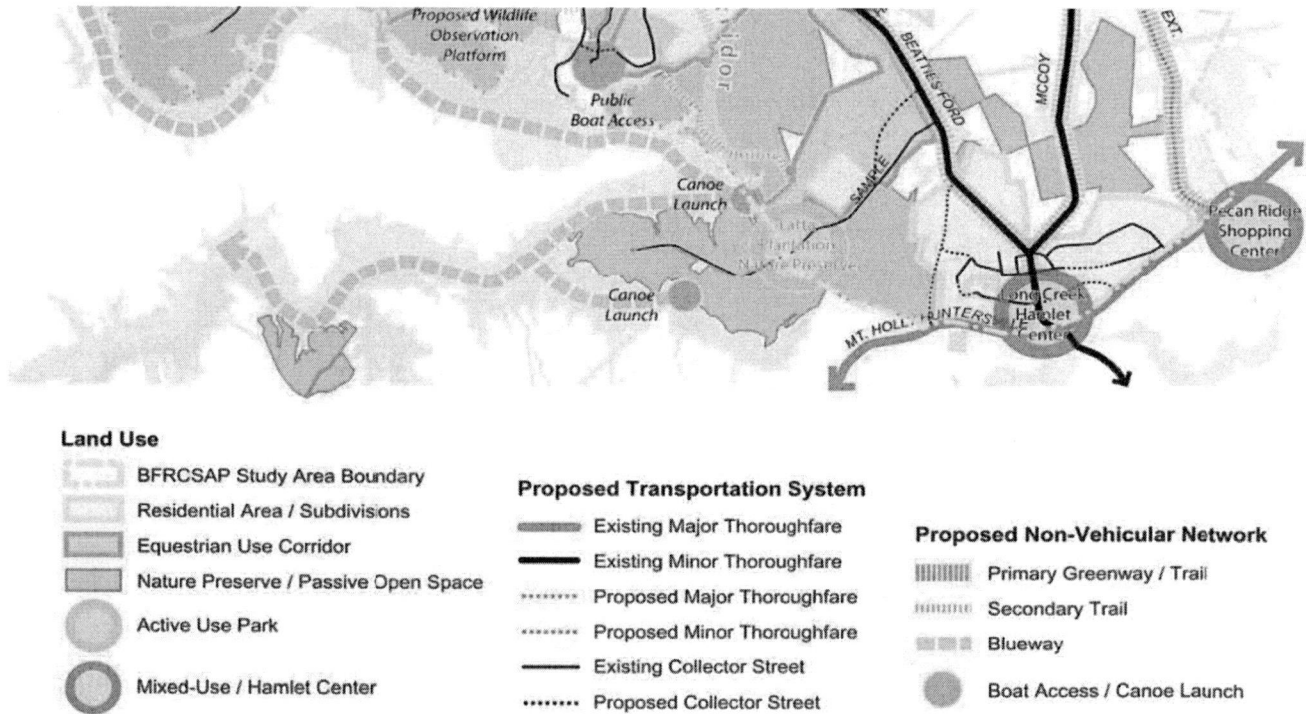
The Small Area Plan calls attention to the extension of existing street network, while avoiding the promotion of high-speed cut-through traffic in existing and proposed residential neighborhoods. The design of the proposed street network within the proposed new Phase of Oak Grove Hill Conditional District 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-Mt. Holly-Huntersville Road Small Area Plan and the Beatties Ford Road Corridor Plan. These plans support moderate density within an Activity Center and the proposed 2.42-units per acre falls under that category.

Staff also recommends:

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

PART 7: PLANNING BOARD RECOMMENDATION

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

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

PART 8: ATTACHMENTS/ENCLOSURES

Attachments

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

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

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



General Application

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

1. Application Type

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

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

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

2. Project Data

Date of Application September 9, 2022

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

Project Address 9301 Carver Avenue, Huntersville, NC 28078

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

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

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

Current Land Use Single Family Residential

Proposed Land Use(s) Single Family Residential

Is the project within Huntersville's corporate limits?

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

3. Description of Request

Explain the nature of this request. If a separate sheet is necessary, please attach to this application.
This is a conditional rezoning to the Oak Grove Hill property.

Approximately 22.66 ac additional and 45 additional lots.

4. Site Plan Submittals

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

5. Outside Agency Information

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

6. Applicant

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

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

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

Address of Applicant 13815 Cinnabar Place, Huntersville, NC 28078

7. Property Owner (if different than applicant)

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

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

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

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

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

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

8. Development/Design Firm Contact Information

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

Contact Information

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

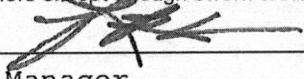
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Signature  Printed Name: Robert Bowman

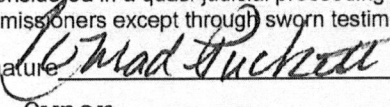
Title Manager Email bowman31@gmail.com

Address of Applicant 13815 Cinnabar Place, Huntersville, NC 28078

7. Property Owner (if different than applicant)

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

☒ 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.

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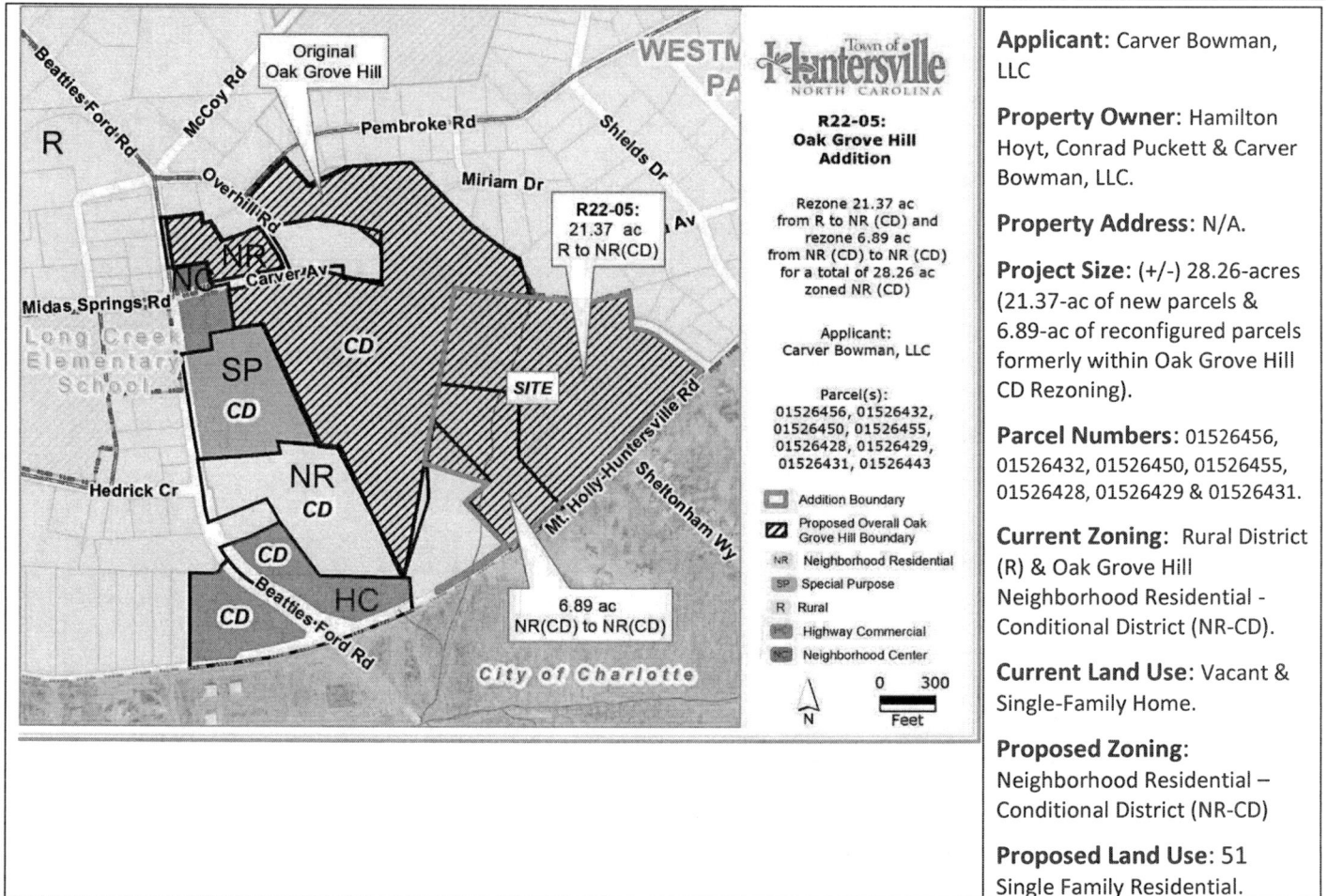
Carver Bowman, LLC	Robert Bowman	704-875-9704	bowman31@gmail.com
Development Firm	Name of Contact	Phone	Email
R Joe Harris	Daniel Gates	80-802-1799	dgates@rjoeharris.com
Design Firm	Name of Contact	Phone	Email

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

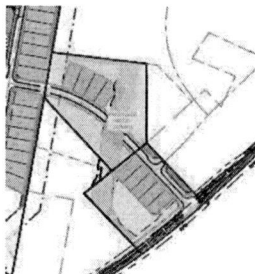
Petition R22-05 Oak Grove Hill - ADDITION Conditional District Rezoning.

PART 1: PROJECT SUMMARY

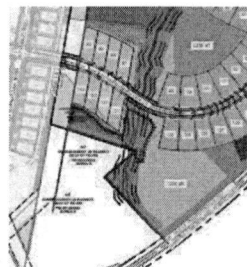


Application Summary:

- 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



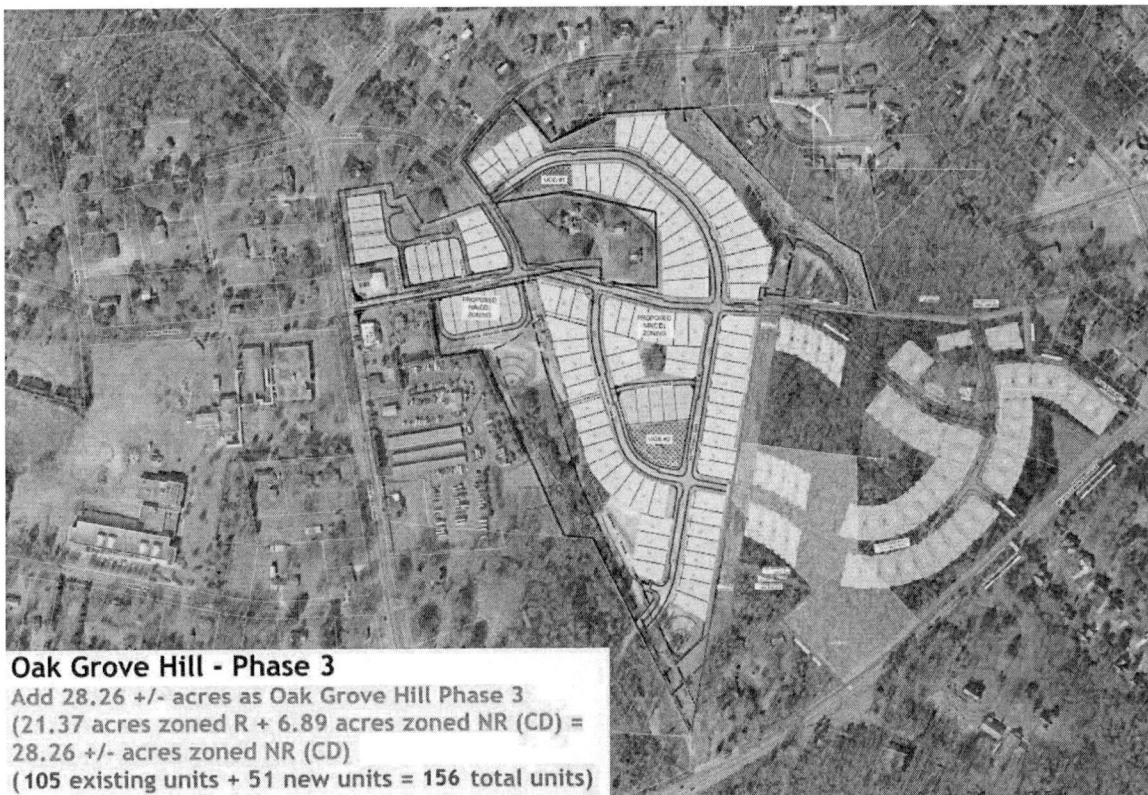
Proposed Layout

Exhibit No. 6

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

PART 2: REZONING/SITE PLAN HIGHLIGHTS

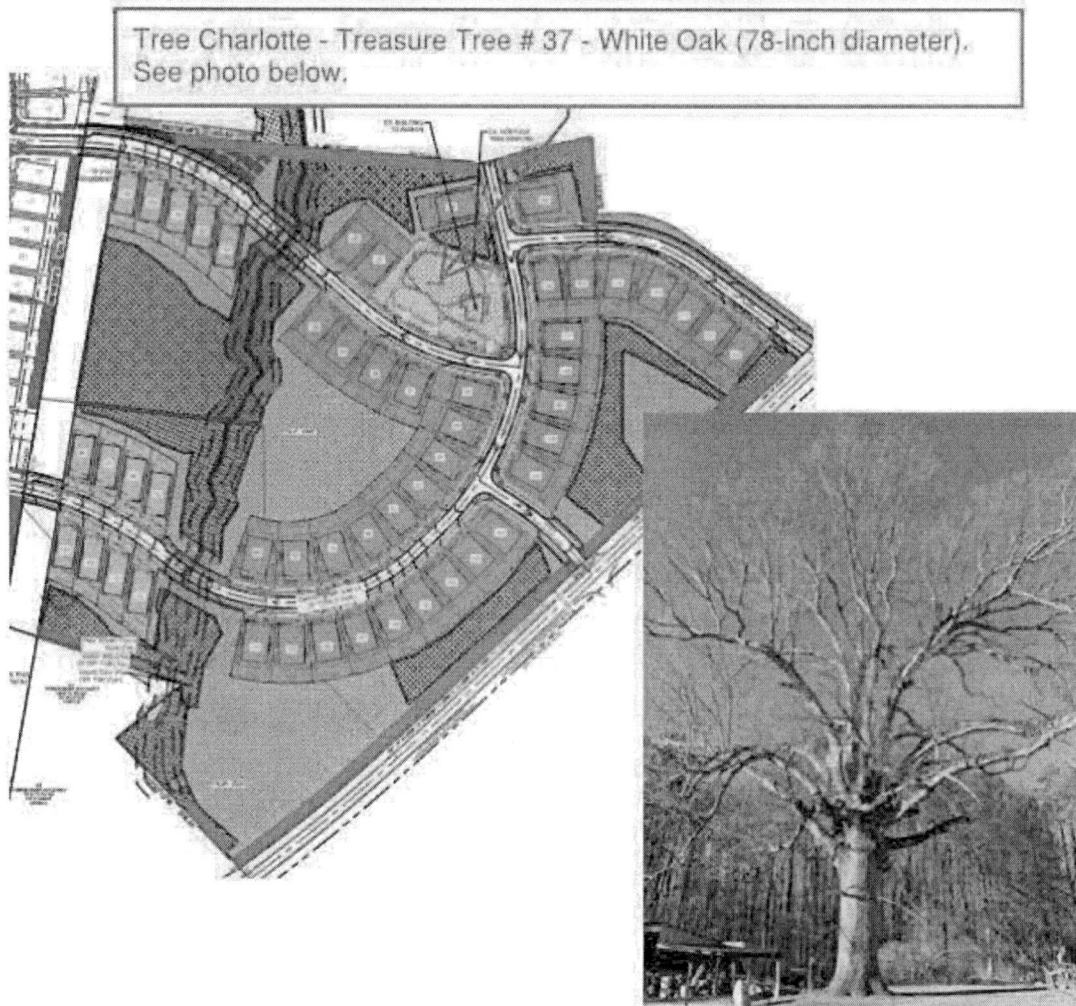
The existing Oak Grove Hill Conditional District Rezoning was approved by the Town of Huntersville on January 26, 2020. The applicant, Carver Bowman, LLC, has acquired additional adjacent acreage and has petitioned to add 28.26-acres and 51 single-family homes to create a new "Phase 3". If approved,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



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

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

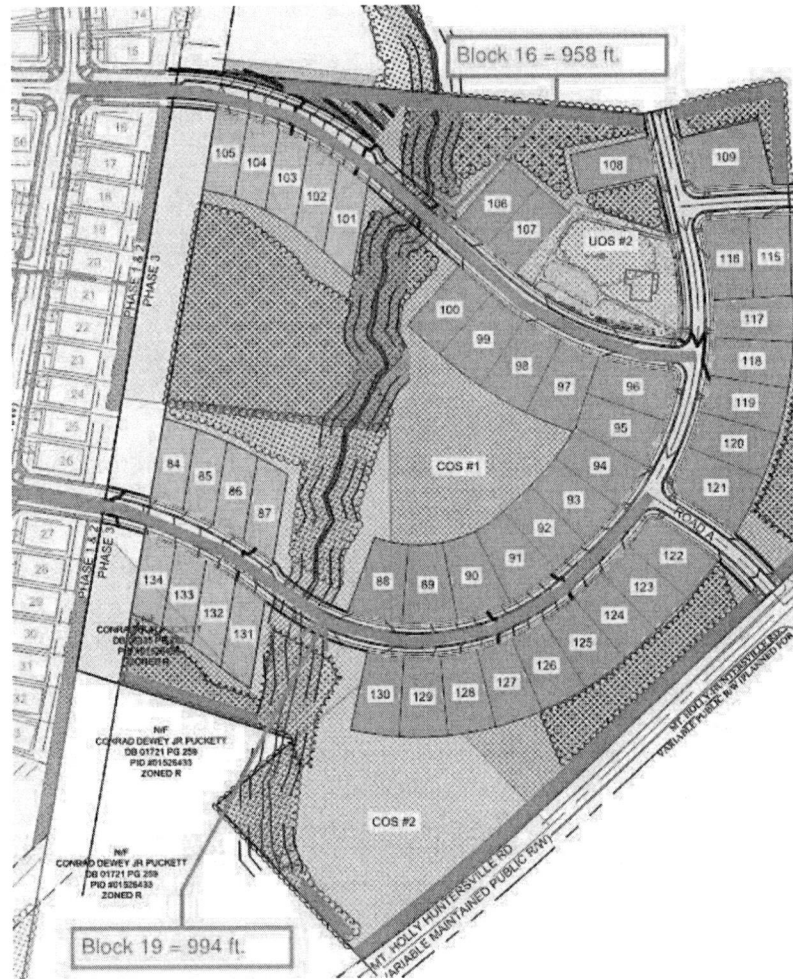
- Minimum Tree Preservation in the NR Zoning District is 10% and the proposed addition looks to save 21.9% of existing canopy (6.20-acres). Specimen tree save in the NR zoning district is also 10% and the proposed development looks to save 19 existing specimen trees (22%).
- If the Rezoning Plan is approved,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



The applicant is requesting the following modification to Ordinance Requirements:

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

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



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

Engineering Comments:

- NCDOT and CDOT recommendations should be incorporated.

Planning Comments:

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

PART 3: TRANSPORTATION HIGHLIGHTS

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

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

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

NCDOT:

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

CDOT:

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

PART 4: REZONING CRITERIA

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

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

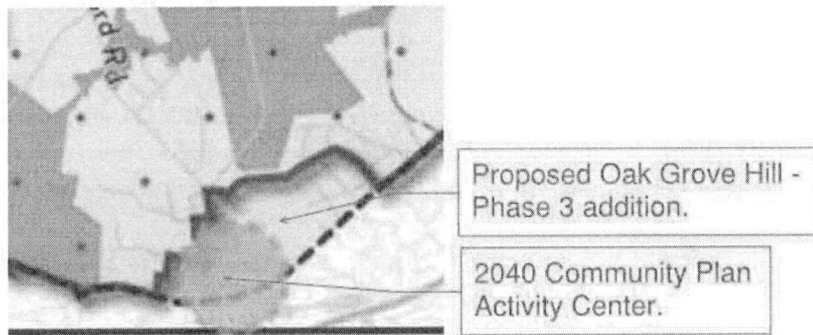
- **Policy LU-2: Encourage residential development that follows the pattern outlined in the future land use map.**
 - **LU 2.1: Higher intensity residential uses will be focused generally within two miles of I-77 / NC-115 corridor and the future Activity Centers in the eastern and western areas of Huntersville's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

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

Rural Conservation

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

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



- **Policy LU-3: Manage residential growth in the eastern and western parts of Huntersville's planning jurisdiction.**
 - **Policy LU3.1: Discourage rezonings to higher intensity residential districts in the Residential Edge and Rural Conservation future land use character areas.**
- STAFF COMMENT: Generally, it would not be consistent to rezone this area for a density above 0.9 dwelling units per acre, but as the exiting portion of the proposed addition lies within an Activity Center and the remainder is immediately adjacent to this Activity Center, combined with lower density than the existing development, it is consistent with the supported intensification located near the intersection of these two thoroughfares to view this Phase addition as a transition from slightly higher density within the Activity Center to a density closer to the surrounding Rural zoning designation.
- **Policy LU-7.1: Require all new development to adhere to the following design principles:**
 - **In Activity Centers, streets and sidewalks are meant to be attractive and inviting. New development in these areas shall follow these principles:**
 - All buildings shall front a public street or open space.
 - Streets should be connected, have short blocks and sidewalks on both sides of streets.
 - Improve connectivity, particularly for pedestrians and vehicles.
 - Accommodate a mix of housing types.
 - **In lower intensity area (Rural Conservation) preservation of rural character and natural resources are prioritized.**
 - In these areas, structures can be set back further from the road and should blend into the landscape and the scenic nature of roadways should be preserved.
- STAFF COMMENT: In the proposed Phase 3 of Oak Grove Hill, all homes will front on a public street. With the exception of the two blocks requesting a modification, all streets have Ordinance-compliant block lengths, connect to both Phases 1 & 2 of Oak Grove Hill, as well as connect in two locations to Mt. Holly-Huntersville Road. There are sidewalks on both sides of all streets. While the type of housing proposed is not mixed, the lot sizes are varied, which may provide a range of housing prices. The proposed homes within Phase 3 (along Mt. Holly-Huntersville Road) are set back 80 feet (or more) from the thoroughfare and are located behind a buffer of existing trees.
- **Policy LU-10.2: Continue to encourage a mix of lot sizes in new developments.**
- STAFF COMMENT: As previously stated, there are two types of lot sizes in this addition and there will be four types of lot sizes for all phases of the development.

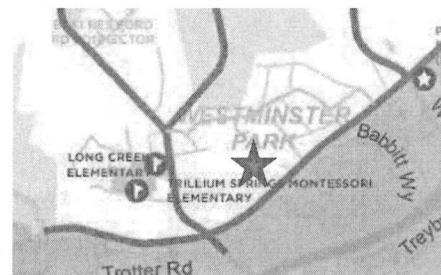
- **Policy LU-10.4: Consider allowing additional flexibility in site design in exchange for more quality open space preservation to allow for conservation of natural resources in the Traditional and Rural zoning districts.**
STAFF COMMENT: The proposed Phase 3 has set aside a 36,038-sq. ft. "Park" to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

Huntersville 2040 Community Plan – Staff finds the proposed Conditional District Rezoning petition is **not consistent** with the following 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.

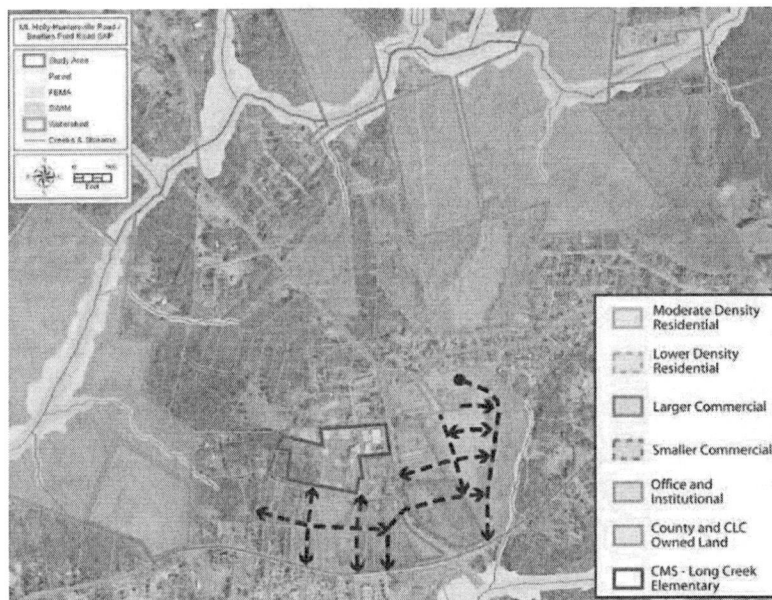
STAFF COMMENT: Per the Huntersville Bike Plan, a Side path (purple line) is called for along Mt. Holly-Huntersville Road, see map below. To address the Bike Plan, a Side path will need to be added to the Mt. Holly-Huntersville Road cross-section.



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.

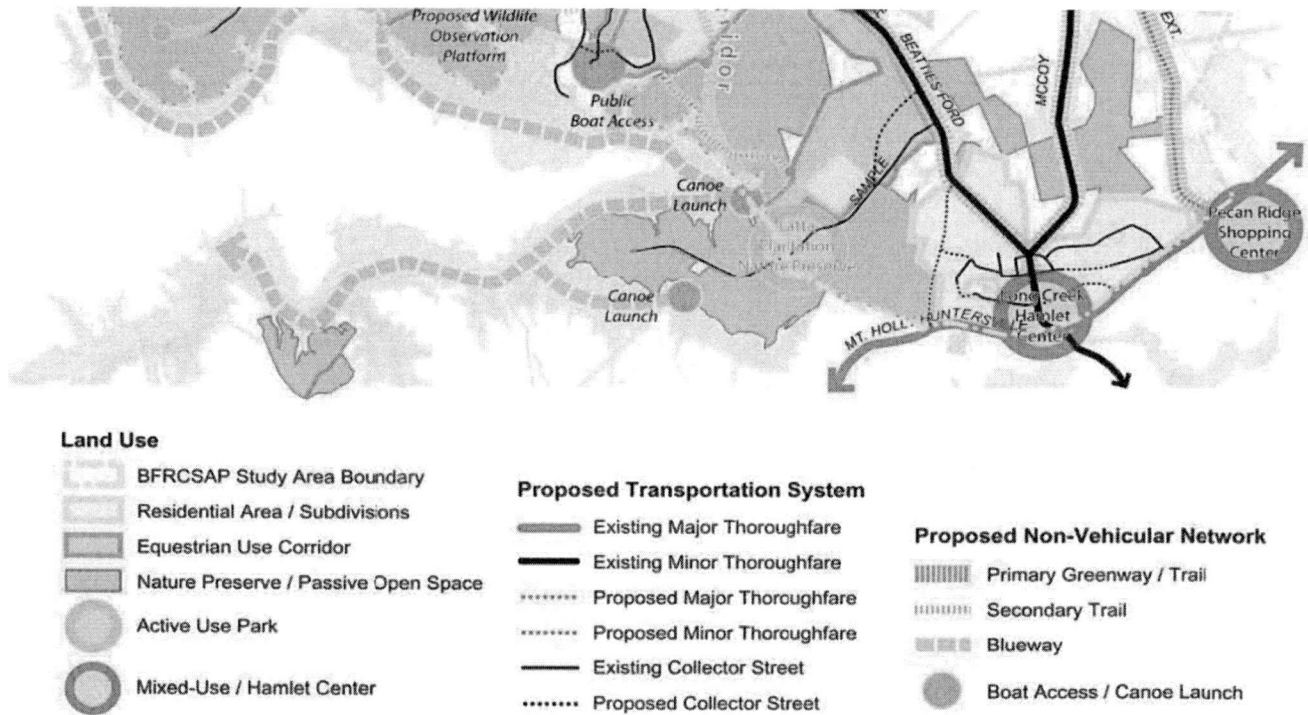
The Small Area Plan calls attention to the extension of existing street network, while avoiding the promotion of high-speed cut-through traffic in existing and proposed residential neighborhoods. The design of the proposed street network within the proposed new Phase of Oak Grove Hill Conditional District 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-Mt. Holly-Huntersville Road Small Area Plan and the Beatties Ford Road Corridor Plan. These plans support moderate density within an Activity Center and the proposed 2.42-units per acre falls under that category.

Staff also recommends:

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

PART 7: PLANNING BOARD RECOMMENDATION

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

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

PART 8: ATTACHMENTS/ENCLOSURES

Attachments

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

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

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



General Application

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

1. Application Type

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

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

SUBDIVISION CATEGORIES: Per the
Huntersville Subdivision Ordinance

- ☐ Sketch Plan
- ☐ Preliminary Plan
- ☐ Final Plat (Includes Minor Subdivision)
- ☐ Exempt Subdivision
- ☐ Final Plat Revision
- ☐ Farmhouse Cluster

2. Project Data

Date of Application September 9, 2022

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

Project Address 9301 Carver Avenue, Huntersville, NC 28078

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

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

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

Current Land Use Single Family Residential

Proposed Land Use(s) Single Family Residential

Is the project within Huntersville's corporate limits?

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

3. Description of Request

Explain the nature of this request. If a separate sheet is necessary, please attach to this application.
This is a conditional rezoning to the Oak Grove Hill property.

Approximately 22.66 ac additional and 45 additional lots.

4. Site Plan Submittals

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

5. Outside Agency Information

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

6. Applicant

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

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

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

Address of Applicant 13815 Cinnabar Place, Huntersville, NC 28078

7. Property Owner (if different than applicant)

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

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

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

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

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

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

8. Development/Design Firm Contact Information

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

Contact Information

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

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Contact Information

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

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

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

TOWN OF HUNTERSVILLE
MECKLENBURG COUNTY, NORTH CAROLINA

PREPARED FOR :

Carver Bowman, LLC

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

OAK GROVE HILL - PHASES 1 & 2 PRELIMINARY CONSTRUCTION
PLANS (2021) EPM # 408951 / CASE # R15-10A
APPROVED 01/26/2021

March 8, 2023



VICINITY MAP - N.T.S.

PREPARED BY:



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

1400 Prosperity Blvd., Suite 200, Cary, NC 27513 Phone: (919) 863-1700

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

Sheet List Table

Sheet Number	Sheet Title
COVER	COVER
SP-1	OVERALL SITE/REZONING PLAN: ALL PHASES
SP-2	OVERALL SITE PLAN: PHASE 3
SP-3 - SP-5	SITE PLAN: PHASE 1&2
SP-6 - SP-8	SITE PLAN: DETAILS
SP-6	FOUR STEP PROCESS: PHASE 3
EX-1	OVERALL EXISTING CONDITIONS: ALL PHASES
EX-2	OVERALL EXISTING CONDITIONS: PHASE 1&2
EX-3 - EX-5	EXISTING CONDITIONS: PHASE 3
EX-6	EXISTING CONDITIONS: PHASE 3
GP-1	OVERALL GRADING PLAN: ALL PHASES
GP-2	OVERALL GRADING PLAN: PHASE 1&2
GP-3 - GP-5	GRADING PLAN: PHASE 3
GP-6	OVERALL GRADING PLAN: PHASE 3
LP-1	OVERALL LANDSCAPE PLAN: ALL PHASES
LP-2	OVERALL LANDSCAPE PLAN: PHASE 1&2
LP-3 - LP-5	LANDSCAPE PLAN: PHASE 3
LP-6	URBAN OPEN SPACE DESIGN: PHASE 1&2
LP-7	OVERALL LANDSCAPE PLAN: PHASE 3
LP-8	URBAN OPEN SPACE DESIGN: PHASE 3
UT-1	OVERALL UTILITY PLAN: PHASE 3

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

NO DUKE ENERGY TRANSMISSION ROW SHOWN
WITHIN PROJECT LIMITS. IF IMPACTS ARE TO DUKE
ENERGY DISTRIBUTION FACILITIES, PLEASE
CONTACT 800.777.8868 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 FOR ALL
TOWN, COUNTY AND STATE REGULATIONS IN
EFFECT AT TIME OF SUBMITTAL.

DATE	ISSUED FOR	REV
05/10/2021	First Submitted to Town of Huntersville	1
11/03/2022	Initial Submitted to Town of Huntersville	1
11/09/2022	Second Submitted to Town of Huntersville	2
03/08/2023	Third Submitted to Town of Huntersville	3



Engineer:

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by the Owner, Owner's Agent or Contractor to the Authority
having jurisdiction.

Corporate Seal	Engineer's Seal

Project Manager	Drawn
D. Gates	T. Abston
Design/Check/Prepare	Checked
P. Murphy	D. Gates
Print/Plot Date	
March 8, 2023	
Author/Drawn	Author/Date
Client	

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

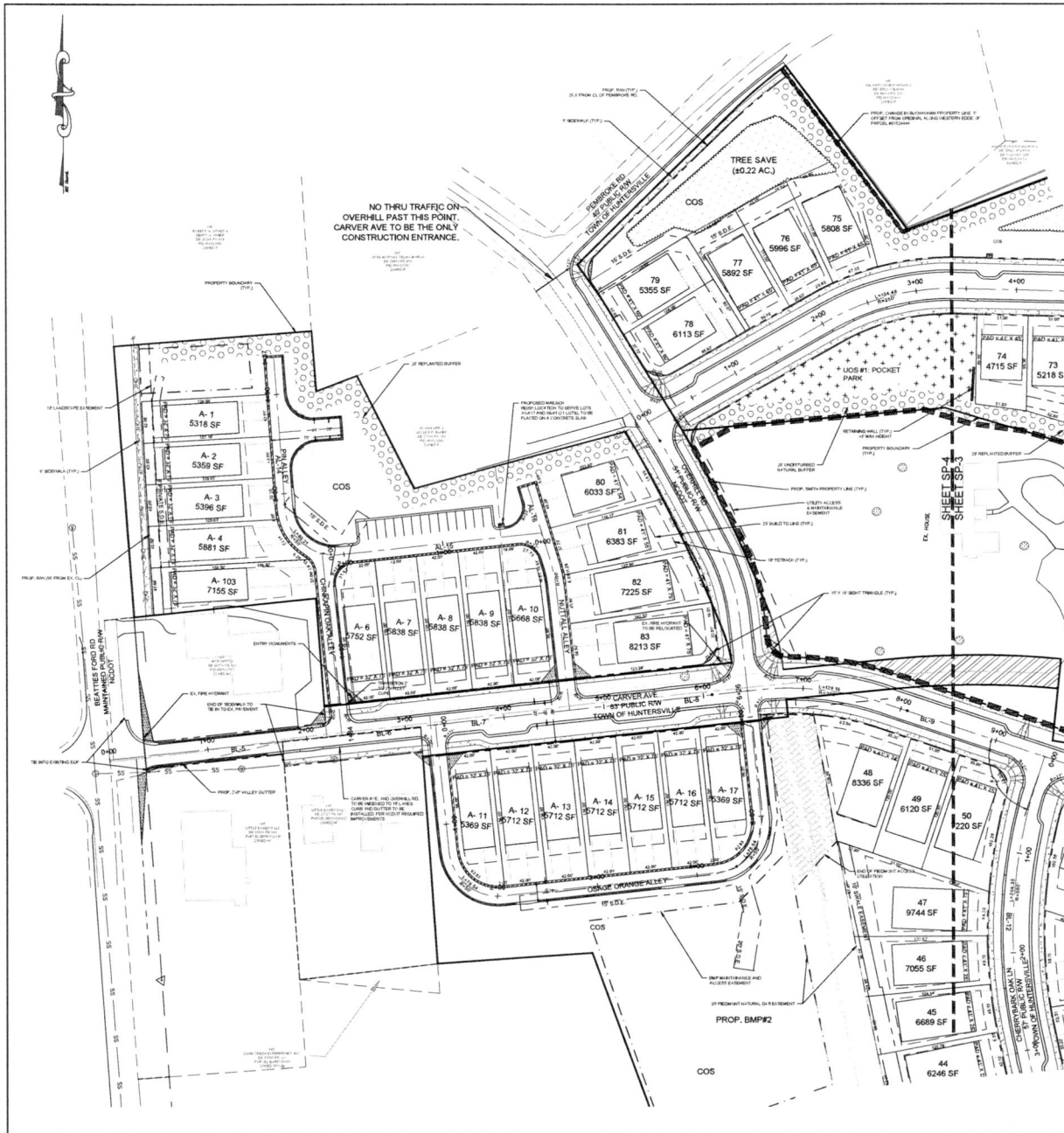
Project:

Oak Grove Hill
Rezoning/Sketch Plan:
Phase 3

Drawing Title:

Cover Sheet Petition
R22-05

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



LEGEND

- 35' SWM BUFFER
- 20' UNDISTURBED BUFFER
- 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY
- 20' REPLANTED BUFFER
- TREE SAVE AREA
- URBAN OPEN SPACE (UOS)
- 20' BUFFERS WITH REQUESTED MODIFICATION
- BMP ACCESS EASEMENT ENCOACHING ON FREDMONT NATURAL GAS LINE
- PROPOSED SMITH PROPERTY LINE
- PROPOSED BUCHANAN PROPERTY LINE



VICINITY MAP - N.T.S.

CURB LEGEND

- 2" STANDARD CURB & GUTTER
- 2" STANDARD CURB & GUTTER
- 2" RIBBON CURB
- 2" VALLEY GUTTER

Parcel Line and Curve Table			
Line #	Distance	Bearing	Notes
C1	233.93	S 89.53° E	1499.85
C2	35.93	S 11.20° E	119.90
C3	71.27	S 84° E	123.86
C4	157.63	S 12.40° E	945.95
L1	157.63	S 10° 15' 42.41" W	
L2	81.91	S 10° 15' 42.41" W	
L3	126.95	S 82° 17' 24.19" W	
L4	44.12	S 82° 17' 24.19" W	
L5	45.56	S 87° 15' 25.81" W	
L6	280.13	S 80° 05' 30.59" W	
L7	273.61	N 6° 12' 53.71" E	
L8	166.36	N 37° 43' 03.71" E	
L9	188.25	N 67° 07' 35.40" E	
L10	186.97	N 57° 07' 35.40" E	
L11	223.79	N 37° 07' 35.40" E	
L12	268.61	N 17° 15' 13.79" W	
L13	345.21	N 10° 15' 24.29" W	
L14	263.11	S 89° 21' 33.30" W	
L15	115.91	S 55° 38' 11.51" W	
L16	45.38	S 82° 47' 29.24" W	

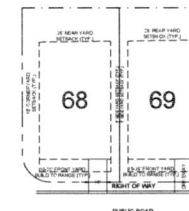
Parcel Line and Curve Table			
Line #/Curve #	Length	Bearing/Curve	Notes
L1	218.19	N60° 20' 21.22"E	
L18	209.21	S44° 28' 28.17"E	
L19	215.52	N62° 02' 28.84"E	
L21	216.00	N62° 02' 28.37"E	
L21	45.58	N60° 07' 32.24"E	
L22	45.00	S45° 59' 36.39"E	
L22	199.43	S44° 28' 28.17"E	
L23	215.48	S44° 28' 28.17"E	
L23	215.48	S62° 01' 15.53"E	
L26	34.34	S62° 01' 15.53"E	
L27	225.00	S10° 58' 38.46"E	
L27	415.83	N62° 02' 28.84"E	
L28	424.12	S44° 28' 28.17"E	
L28	256.18	N62° 01' 34.94"E	
L29	225.00	S44° 28' 28.17"E	
L32	256.36	S60° 02' 21.71"E	
L33	431.11	S10° 58' 38.46"E	
L34	254.01	N62° 01' 34.94"E	
L35	157.42	N10° 58' 38.46"E	
L36	725.53	N42° 45' 32.70"E	

Parcel Line and Curve Table			
Line #	Length	Bearing	Notes
L87	11.28	N 74° 27' 23.76"N	
L89	228.14	N 89° 48' 11.70"E	
L89	287.53	N 67° 12' 25.00"E	
L90	13.34	S 10° 51' 18.20"E	
L91	159.85	N 67° 47' 38.70"E	
L92	52.62	S 11° 58' 15.00"E	
L93	228.84	S 89° 48' 11.70"E	
L94	142.41	N 10° 51' 25.00"E	
L95	318.58	S 9° 27' 43.20"E	
L96	459.72	S 62° 17' 45.00"E	
L97	229.10	N 67° 30' 45.00"E	
L98	363.89	S 67° 23' 45.00"E	
L99	154.90	N 67° 36' 45.00"E	
L90	264.61	N 62° 22' 25.00"E	

Urban Open Space Table		
U.O.S.#	Area	Type

Urban Open Space Table

U.O.S. #	Area	Type
1	12,633 SF	Multi-Purpose Path
2	30,477 SF	Green



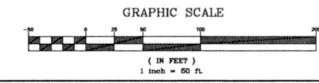
LOT SETBACKS: FRONT LOAD

- Lot set back from front shall have setbacks no more than 14' side or measured along the public street ROW.
- Setbacks shall collect a minimum of 20' from back of public ROW.



LOT SETBACKS: ALLEY ACCESS

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



DATE	ISSUED FOR	REV
4/1/2021	Pre-Submittal Meeting	1
5/1/2021	Initial EPM Submittal	2
8/9/2021	Second EPM Submittal	3
10/13/2021	Third EPM Submittal	4
12/18/2021	Fourth EPM Submittal	5



Engineer:



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

www.rjeharris.com

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Project Manager: D. Gates
Department Manager: P. Murphy

March 8, 2023
As-built: Gates

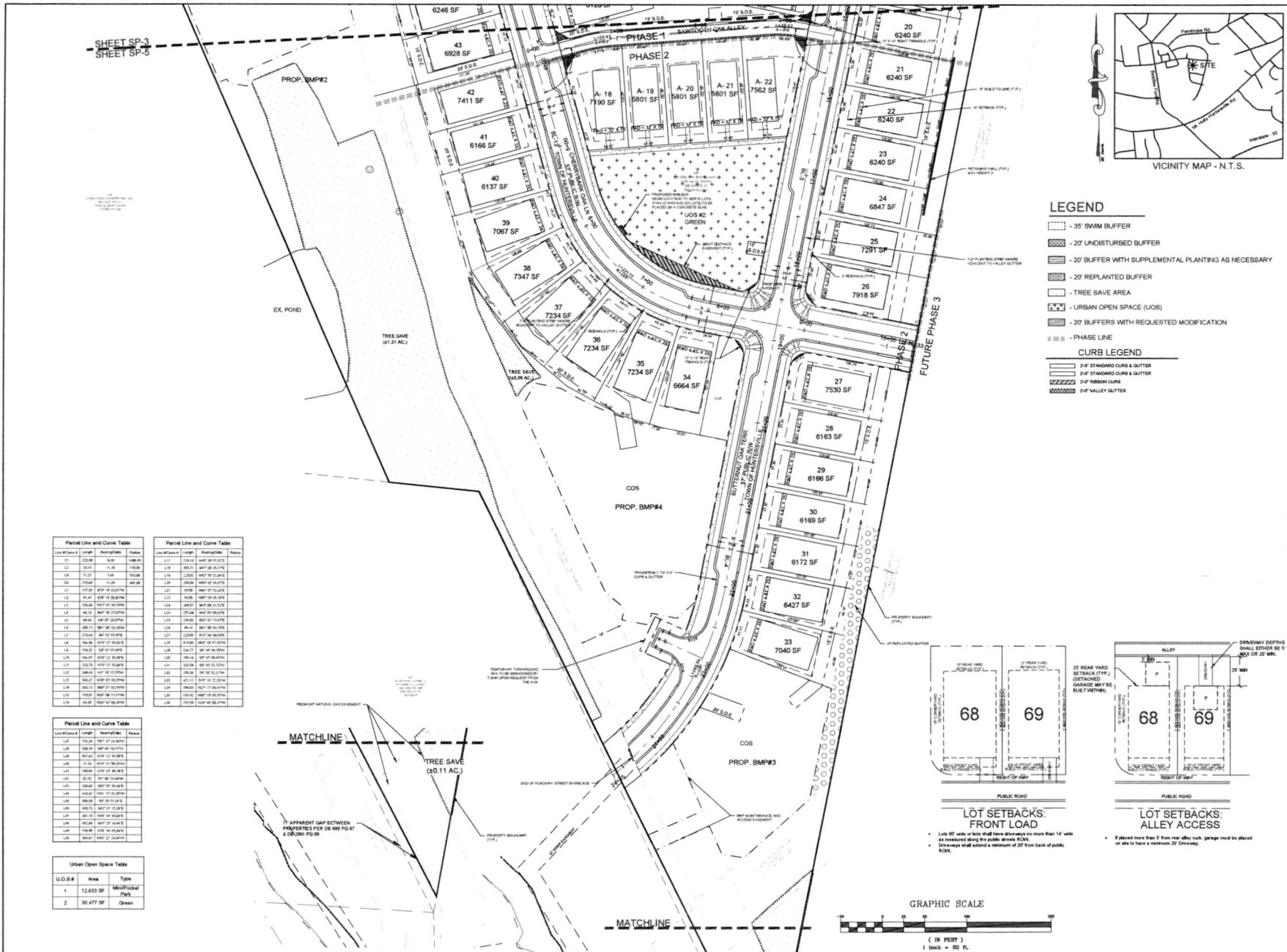
BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

Project:
Oak Grove Hill-Phases 1 & 2

Drawing Title:
Site Plan 2: Phase 1 & 2

Project No.: 2630
Drawing No.: 2630-Planning & Site Plan

SP-3



- LEGEND**
- 35' SWIM BUFFER
 - 20' UNDISTURBED BUFFER
 - 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY
 - 20' REPLANTED BUFFER
 - TREE SAVE AREA
 - URBAN OPEN SPACE (UOS)
 - 20' BUFFERS WITH REQUESTED MODIFICATION
 - PHASE LINE
- CURB LEGEND**
- 2" STANDARD CURB & GUTTER
 - 2" STANDARD CURB & GUTTER
 - 2" RIBBON CURB
 - 2" VALLEY GUTTER

Parcel Line and Curve Table			
Line #	Length	Bearing	Area
C1	225.00	N 00° 00' 00" E	100.00
C2	30.00	N 00° 00' 00" E	10.00
C3	15.00	N 00° 00' 00" E	5.00
C4	15.00	N 00° 00' 00" E	5.00
C5	15.00	N 00° 00' 00" E	5.00
C6	15.00	N 00° 00' 00" E	5.00
C7	15.00	N 00° 00' 00" E	5.00
C8	15.00	N 00° 00' 00" E	5.00
C9	15.00	N 00° 00' 00" E	5.00
C10	15.00	N 00° 00' 00" E	5.00
C11	15.00	N 00° 00' 00" E	5.00
C12	15.00	N 00° 00' 00" E	5.00
C13	15.00	N 00° 00' 00" E	5.00
C14	15.00	N 00° 00' 00" E	5.00
C15	15.00	N 00° 00' 00" E	5.00
C16	15.00	N 00° 00' 00" E	5.00
C17	15.00	N 00° 00' 00" E	5.00
C18	15.00	N 00° 00' 00" E	5.00
C19	15.00	N 00° 00' 00" E	5.00
C20	15.00	N 00° 00' 00" E	5.00
C21	15.00	N 00° 00' 00" E	5.00
C22	15.00	N 00° 00' 00" E	5.00
C23	15.00	N 00° 00' 00" E	5.00
C24	15.00	N 00° 00' 00" E	5.00
C25	15.00	N 00° 00' 00" E	5.00
C26	15.00	N 00° 00' 00" E	5.00
C27	15.00	N 00° 00' 00" E	5.00
C28	15.00	N 00° 00' 00" E	5.00
C29	15.00	N 00° 00' 00" E	5.00
C30	15.00	N 00° 00' 00" E	5.00
C31	15.00	N 00° 00' 00" E	5.00
C32	15.00	N 00° 00' 00" E	5.00
C33	15.00	N 00° 00' 00" E	5.00
C34	15.00	N 00° 00' 00" E	5.00
C35	15.00	N 00° 00' 00" E	5.00
C36	15.00	N 00° 00' 00" E	5.00
C37	15.00	N 00° 00' 00" E	5.00
C38	15.00	N 00° 00' 00" E	5.00
C39	15.00	N 00° 00' 00" E	5.00
C40	15.00	N 00° 00' 00" E	5.00
C41	15.00	N 00° 00' 00" E	5.00
C42	15.00	N 00° 00' 00" E	5.00
C43	15.00	N 00° 00' 00" E	5.00
C44	15.00	N 00° 00' 00" E	5.00
C45	15.00	N 00° 00' 00" E	5.00
C46	15.00	N 00° 00' 00" E	5.00
C47	15.00	N 00° 00' 00" E	5.00
C48	15.00	N 00° 00' 00" E	5.00
C49	15.00	N 00° 00' 00" E	5.00
C50	15.00	N 00° 00' 00" E	5.00

Parcel Line and Curve Table			
Line #	Length	Bearing	Area
C1	15.00	N 00° 00' 00" E	5.00
C2	15.00	N 00° 00' 00" E	5.00
C3	15.00	N 00° 00' 00" E	5.00
C4	15.00	N 00° 00' 00" E	5.00
C5	15.00	N 00° 00' 00" E	5.00
C6	15.00	N 00° 00' 00" E	5.00
C7	15.00	N 00° 00' 00" E	5.00
C8	15.00	N 00° 00' 00" E	5.00
C9	15.00	N 00° 00' 00" E	5.00
C10	15.00	N 00° 00' 00" E	5.00
C11	15.00	N 00° 00' 00" E	5.00
C12	15.00	N 00° 00' 00" E	5.00
C13	15.00	N 00° 00' 00" E	5.00
C14	15.00	N 00° 00' 00" E	5.00
C15	15.00	N 00° 00' 00" E	5.00
C16	15.00	N 00° 00' 00" E	5.00
C17	15.00	N 00° 00' 00" E	5.00
C18	15.00	N 00° 00' 00" E	5.00
C19	15.00	N 00° 00' 00" E	5.00
C20	15.00	N 00° 00' 00" E	5.00
C21	15.00	N 00° 00' 00" E	5.00
C22	15.00	N 00° 00' 00" E	5.00
C23	15.00	N 00° 00' 00" E	5.00
C24	15.00	N 00° 00' 00" E	5.00
C25	15.00	N 00° 00' 00" E	5.00
C26	15.00	N 00° 00' 00" E	5.00
C27	15.00	N 00° 00' 00" E	5.00
C28	15.00	N 00° 00' 00" E	5.00
C29	15.00	N 00° 00' 00" E	5.00
C30	15.00	N 00° 00' 00" E	5.00
C31	15.00	N 00° 00' 00" E	5.00
C32	15.00	N 00° 00' 00" E	5.00
C33	15.00	N 00° 00' 00" E	5.00
C34	15.00	N 00° 00' 00" E	5.00
C35	15.00	N 00° 00' 00" E	5.00
C36	15.00	N 00° 00' 00" E	5.00
C37	15.00	N 00° 00' 00" E	5.00
C38	15.00	N 00° 00' 00" E	5.00
C39	15.00	N 00° 00' 00" E	5.00
C40	15.00	N 00° 00' 00" E	5.00
C41	15.00	N 00° 00' 00" E	5.00
C42	15.00	N 00° 00' 00" E	5.00
C43	15.00	N 00° 00' 00" E	5.00
C44	15.00	N 00° 00' 00" E	5.00
C45	15.00	N 00° 00' 00" E	5.00
C46	15.00	N 00° 00' 00" E	5.00
C47	15.00	N 00° 00' 00" E	5.00
C48	15.00	N 00° 00' 00" E	5.00
C49	15.00	N 00° 00' 00" E	5.00
C50	15.00	N 00° 00' 00" E	5.00

Urban Open Space Table			
U.O.S.#	Area	Type	
1	12.633 SF	Mini-Pocket Park	
2	30.477 SF	Green	

DATE	ISSUED FOR	REV
4/1/20	Pre-Submittal Meeting	0
4/1/20	Initial EPM Submittal	1
4/1/20	Revised EPM Submittal	2
10/1/20	Third EPM Submittal	3
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Corporate Seal



Engineer's Seal



Project Manager	Drawn
D. Gates	T. Alston
Design Manager	Checked
P. Murphy	D. Gates
Printed Date	
March 8, 2023	
As-built Date	

Client:

Bowman Development Group
13615 CRINBAR PLACE
HUNTERVILLE, NC 28078
P: (704) 875-9704

Project:

Oak Grove Hill-Phases 1&2

Drawing Title:

Site Plan 3: Phase 1 & 2

Project No.

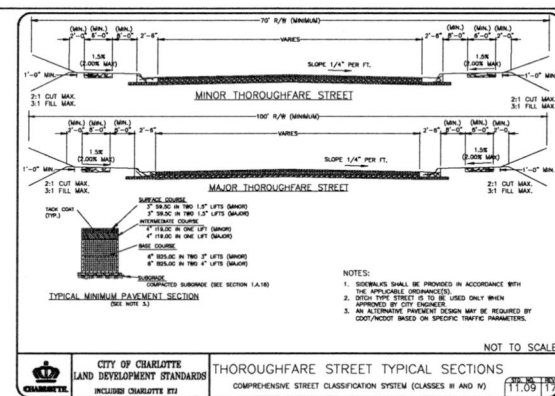
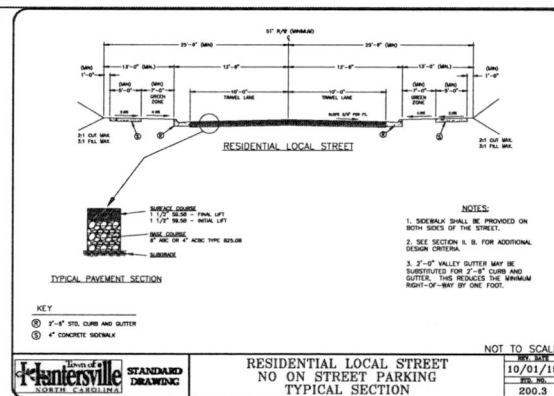
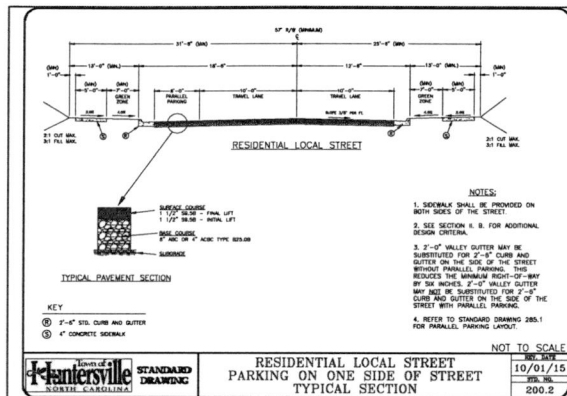
2830

DWG File Name

2830-Resuming 5 Site Plan

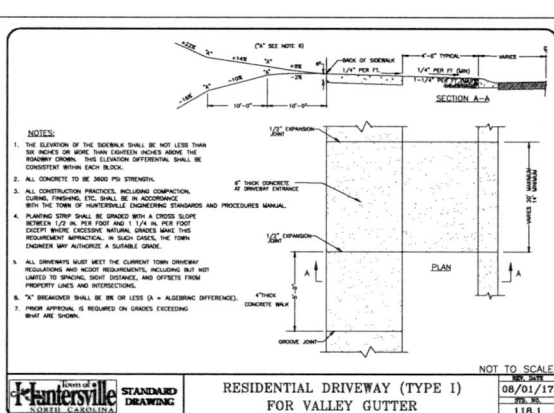
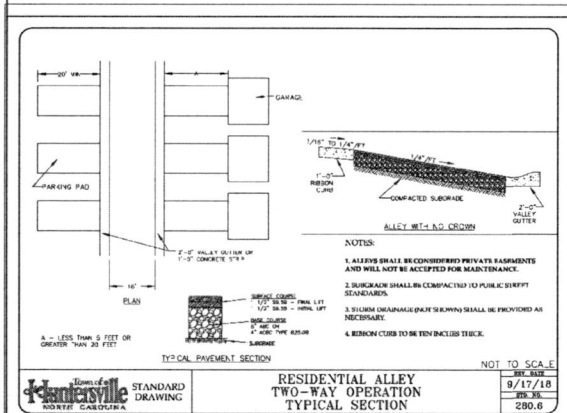
Drawing No.

SP-4

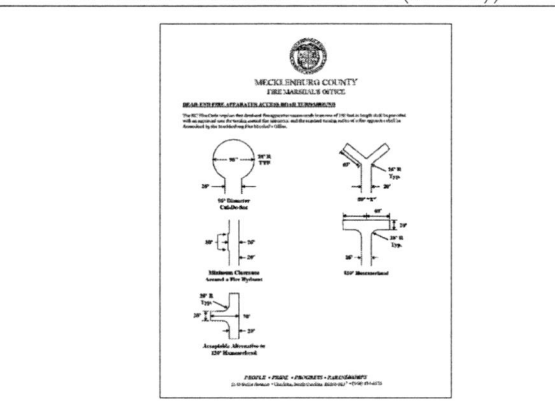


DATE	ISSUED FOR	REV
4/19/00	Pre-Submittal Meeting	0
5/1/00	Initial EPM Submittal	1
9/5/00	Second EPM Submittal	2
10/19/00	Third EPM Submittal	3
12/19/00	Fourth EPM Submittal	4

STANDARD DRAWING THOROUGHFARE STREET TYPICAL SECTIONS
REV. DATE: 11/09/14
REV. NO.: 11.09.14



CDOT THOROUGHFARE TYP. SECTION (FOR MT. HOLLY-HUNTERSVILLE RD (MAJOR))

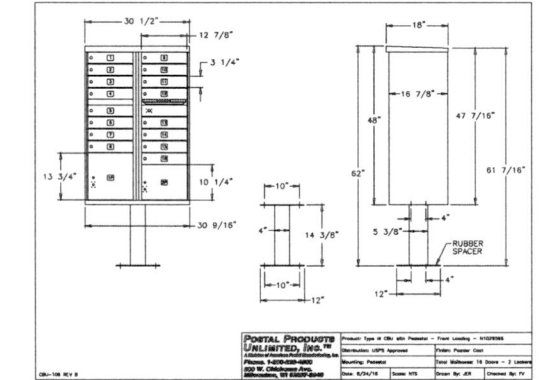
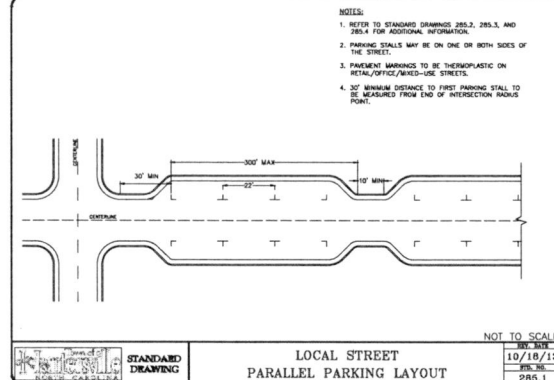
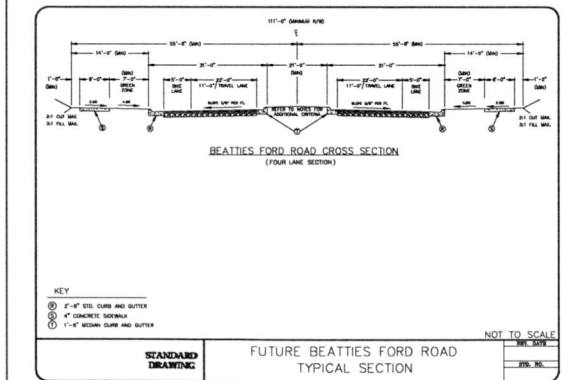


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STANDARD DRAWING CDOT THOROUGHFARE TYP. SECTION (FOR MT. HOLLY-HUNTERSVILLE RD (MAJOR))
REV. DATE: 08/01/17
REV. NO.: 118.1



Project Manager: D. Gates
Supervisor: T. Alston
Design Manager: P. Murphy
Project Date: March 8, 2023
Project Name: BOWMAN DEVELOPMENT GROUP
13815 CRANBURY PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

Project: Oak Grove Hill-Phases 1&2

Drawing Title: Details

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

STANDARD DRAWING FUTURE BEATTIES FORD ROAD TYPICAL SECTION
REV. DATE: 10/16/13
REV. NO.: 285.1

SITE INFORMATION

TAX PARCEL ID # 8152443, 5152854, 8152855, 5152445, 5152442

EXISTING ZONING: Rural (R)

PROPOSED ZONING: HENH-HIGHWOOD RESIDENTIAL (HN-CO)

ZONING CONDITIONAL NOTES

GENERAL NOTES:

1. BOUNDARY SURVEY PROVIDED BY R.J.H. & ASSOCIATES, CHARLOTTE, NC, DATED: 8.11.2018.
2. ADJACENT PARCEL & INFORMATION PROVIDED BY 2018 MECKLENBURG COUNTY FIELD DATA.
3. PORTIONS OF ADJACENT PROPERTY (PD #0152346) WITHIN NEW RIGHT OF WAY OF CARVER AVENUE SHALL BE ACQUIRED BY THE DEVELOPER, INCLUDED IN THE ANNEXATION PETITION, AND TURNED OVER TO THE TOWN FOR MAINTENANCE. IF EVENTS DO NOT ALLOW CARVER AVENUE TO BE TAKEN OVER BY THE TOWN, PLANS MUST BE REVISED TO REMAIN ON STREET PARKING AND MEET NC DOT LANE WIDTH STANDARDS.
4. ENTIRE SITE WILL BE ANNEXED INTO THE TOWN OF HUNTERSVILLE UPON PLAN APPROVAL. ADDITIONALLY, PARCEL #0152346 WILL BE INCLUDED IN THE ANNEXATION PETITION TO PREVENT THE CREATION OF AN UNANNEXED ISLAND.

BUFFER

1. BUFFER AREAS ESTABLISHED IN THESE DEVELOPMENT STANDARDS SHALL CONFORM TO THE STANDARDS ESTABLISHED IN THE ORDINANCE NOTWITHSTANDING THE FOLLOWING. THE BUFFER REQUIREMENT FOR THE NR DISTRICT MAY BE MODIFIED AS SHOWN ON THE REZONING PLAN.
2. BUFFER AREAS SHALL REMAIN UNDEVELOPED, EXCEPT TO THE EXTENT NECESSARY TO ACCOMMODATE ACCESS POINTS, DRAINAGE PILES OR CHANNELS, UTILITY LINES AND FACILITIES, PEDESTRIAN PATHWAYS AND BICYCLE PATHWAYS, AS PROVIDED IN THE HUNTERSVILLE ZONING ORDINANCE 7.5.8. UTILITY INSTALLATIONS MAY ONLY CROSS BUFFER AREAS AT THE INTERIOR ANGLES MEASURED AT PROPERTY LINE WHICH ARE NOT LESS THAN 15 DEGREES.
3. NO BUILDING, PARKING SPACES, MANUEVERING AREAS MAY BE LOCATED WITHIN BUFFER AREAS, HOWEVER, WATER QUALITY IMPACT DEVELOPMENT (WQID) FACILITIES, SUCH AS RAIN GARDENS, MAY BE WITHIN THE BUFFERS. (AS PER HUNTERSVILLE ZONING ORDINANCE ARTICLE 13.3.3 SECTION g). STORM WATER DETENTION FACILITIES SHALL REMAIN OUT OF BUFFER AREAS.
4. IN ALL BUFFER AREAS WHERE EXISTING TREES AND NATURAL VEGETATION HAVE BEEN CLEARED TO ACCOMMODATE PEDESTRIAN SIDEWALKS OR PATHWAYS OR THE INSTALLATION OF UTILITY LINES OR FACILITIES, THE CLEARED, UNIMPROVED AREAS SHALL BE LANDSCAPED WITH TREES AND SHRUBS IN ACCORDANCE WITH ARTICLE 7.1 OF THE HUNTERSVILLE ZONING ORDINANCE (PER ARTICLE 7.3.8).

SETBACKS, SIDE YARDS AND REAR YARDS

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

SCREENING AND LANDSCAPING AREAS

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

PAVING/PARKING FACILITIES

1. LOT STREET AND ON STREET PARKING WILL MEET THE MINIMUM STANDARDS ESTABLISHED UNDER THE ORDINANCE.

LIGHTING

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

OPEN SPACE

1. IN COMMON OPEN SPACE AREAS LOCATED OUTSIDE OF THE UNDEVELOPED BUFFERS THE PETTICOKE RESERVES THE RIGHT FOR IMPROVEMENTS TO INCLUDE SIDEWALKS, PLAYGROUND (NOT LOT), PEDESTRIAN LIGHTING, BENCHES, TABLES AND CHAIRS, FOUNTAINS, ADDITIONAL HARDSCAPE MATERIALS, TRASH RECYCLING AND ANY OTHER SITE AMENITY ALLOWED BY THE ORDINANCE.

ARCHITECTURAL CONTROLS AND RESTRICTIVE COVENANTS

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

FIRE PROTECTION

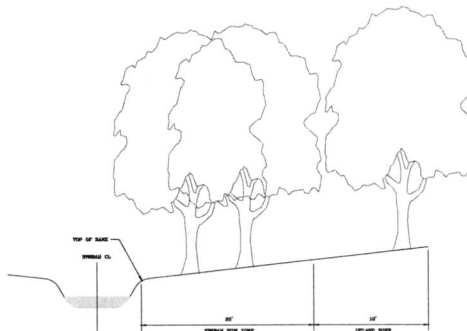
FIRE HYDRANTS WILL BE PROVIDED WITHIN THE LANDSCAPE SETBACK AREAS AS REQUIRED BY THE FIRE MARSHALL. HYDRANT LOCATION MUST BE APPROVED BY THE FIRE MARSHALL.

SIDEWALKS AND INTERNAL STREETS

1. PETTICOKE SHALL MEET THE ORDINANCE FOR SIDEWALKS AND STREET TREES. HOWEVER, IF THE PETTICOKE ELEGTS TO INSTALL AN ALTERNATE SIDEWALK THAT SIDEWALK WOULD BE A MINIMUM 10 FOOT WIDE WALK. THE SIDEWALK MAY MEANDER IN ORDER TO PERMIT THE PETTICOKE TO EXERCISE GOOD FAITH EFFORTS TO SAVE EXISTING 8 INCH OR LARGER CALIPER TREES WITHIN THE APPLICABLE BUILDING SETBACK ALONG THE EXISTING ROADS THAT ARE BEING BROUGHT TO HUNTERSVILLE STANDARDS. (PER ARTICLE 8.140 OF HUNTERSVILLE SUBDIVISION ORDINANCE)
2. EXCEPT WHERE NECESSARY TO ACCOMMODATE SIGNIFICANT DESIGN AND ARCHITECTURAL ELEMENTS LOCATED ON THE SITE, INTERNAL STREETS SHALL BE DESIGNED TO HAVE STREET TREES AND SUBJECT TO THE PROVISIONS OF NOTE 1 OF THE SECTION; SIDEWALKS A MINIMUM OF 5 FEET IN WIDTH PROVIDED THAT ANY DEVIATION FROM THE MINIMUM 5 FEET SIDEWALK WIDTH SHALL RELATE TO PEDESTRIAN WALK AREAS OF AN APPROPRIATE WIDTH INCLUDED AS PART OF THE ABOVE DESCRIBED SIGNIFICANT DESIGN FEATURES.

BEATTIES FORD ROAD SECTION AND FRONTAGE

1. DEVELOPER TO PROVIDE CROSS SECTIONAL DETAIL OF THE FUTURE BEATTIES FORD ROAD EXTENSION BUT IS NOT RESPONSIBLE FOR THE CONSTRUCTION OR IMPROVEMENTS OF THIS SECTION BEYOND THE INSTALLATION OF THE SIDEWALK THAT IS TO FRONT THE SINGLE-FAMILY LOTS. THE DEVELOPER TO PROVIDE DOUBLE ROW STREET TREES, BUT IS NOT RESPONSIBLE FOR THE CHARGE OR REMOVAL, AND REPLACEMENT OF TREES DURING THE IMPROVEMENTS OF BEATTIES FORD ROAD. DEVELOPER TO ACCOMMODATE FOR THE EXPANDED CROSS SECTION WITH BUILDING PLACEMENT AND ROW DEVIATION ELEVATIONS FOR THIS SECTION OF IMPROVEMENTS BY THE DEVELOPER. STREET TREES AND SIDEWALK WILL BE BASED ON CURRENT CENTERLINE ELEVATIONS AND PROJECTED OUTWARD.
2. LOTS FRONTING BEATTIES FORD ROAD SHALL BE REAR ENTRY, WITH ALL PARKING PROVIDED BY ALLEY ACCESS. THESE LOTS SHALL BE ADDRESSED TO THE ALLEY. NO ON STREET PARKING IS ALLOWED ON NC DOT ROADS.



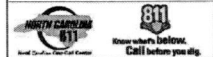
35' SWIM BUFFER DETAIL:

HOMES FRONTING BEATTIES FORD RD.



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

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



Engineer:



R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning
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100 Research Blvd., Suite 100, Charlotte, NC 28203
P: 704.366.1414 F: 704.366.1415

www.rjeharris.com

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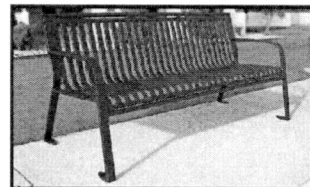
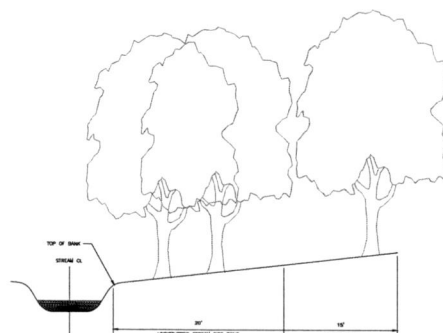
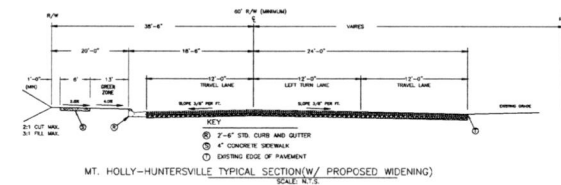
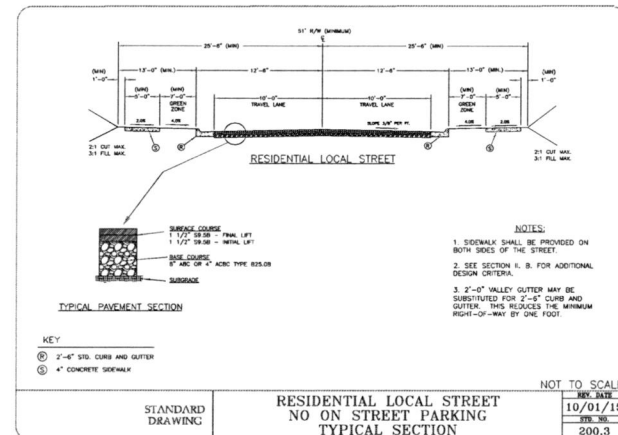
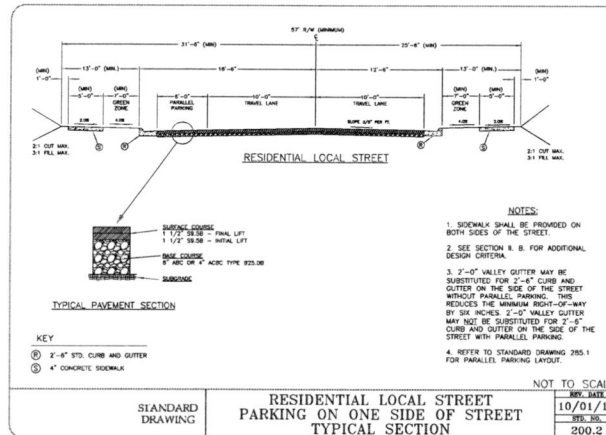
Project Manager: D. Gates	Owner: T. Abston
Department Manager: P. Murphy	Client: D. Gates
Project No: March 8, 2023	As-built Date: -
As-built Date: -	Client: -

BOWMAN DEVELOPMENT GROUP
13615 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P. (704) 875-9704

Project:
Oak Grove Hill-Phases 1&2

Drawing Title:
Rezoning Notes

Project No: 2650	Drawing No: SP-7
2023 File Name: 2650-Resubmitting & Site Plan	



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-Submitted to Town of Huntersville	0
11/29/2022	Initial Submitted to Town of Huntersville	1

Engineer:

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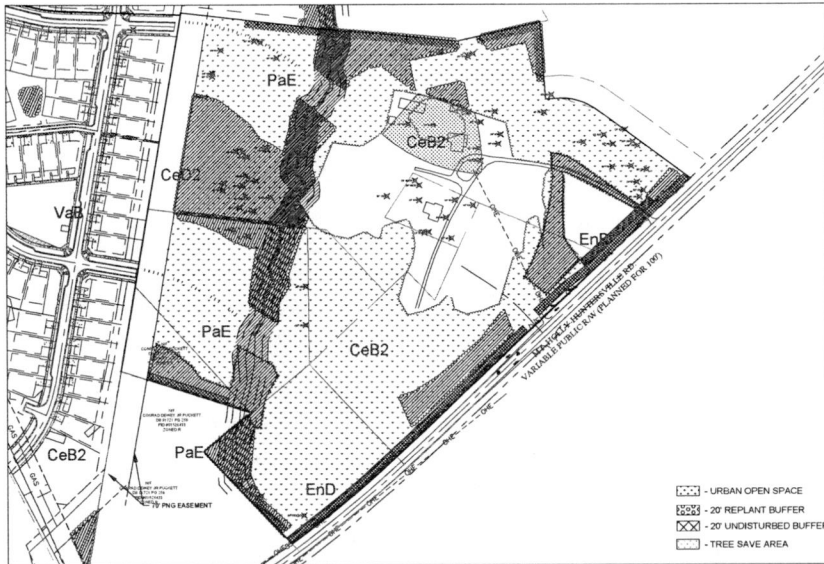
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Corporate Seal

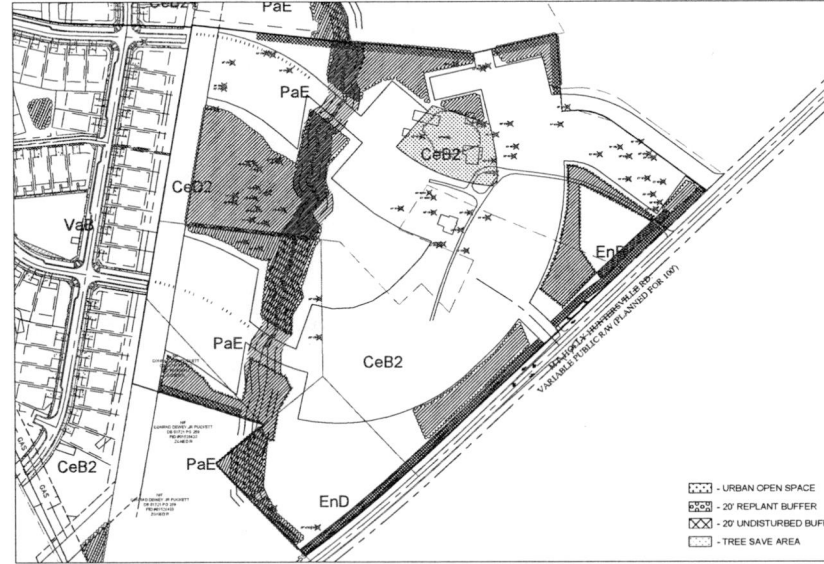
Engineer's Seal

Project Manager: D. Gates	Drawn: T. Alston
Department Manager: P. Murphy	Checked: D. Gates
Print/Plot Date: March 8, 2023	
As-built Date: -	As-built Date: -
Client: Carver Bowman, LLC 13815 CRANBAR PLACE HUNTERSVILLE, NC 28078 P: (704) 875-9704	
Project: Oak Grove Hill Rezoning/Sketch Plan: Phase 3	
Drawing Title: Details: Phase 3	
Product No. 5259	Drawing No. SP-8
DWG File Name: 5259_SitePhase 3	



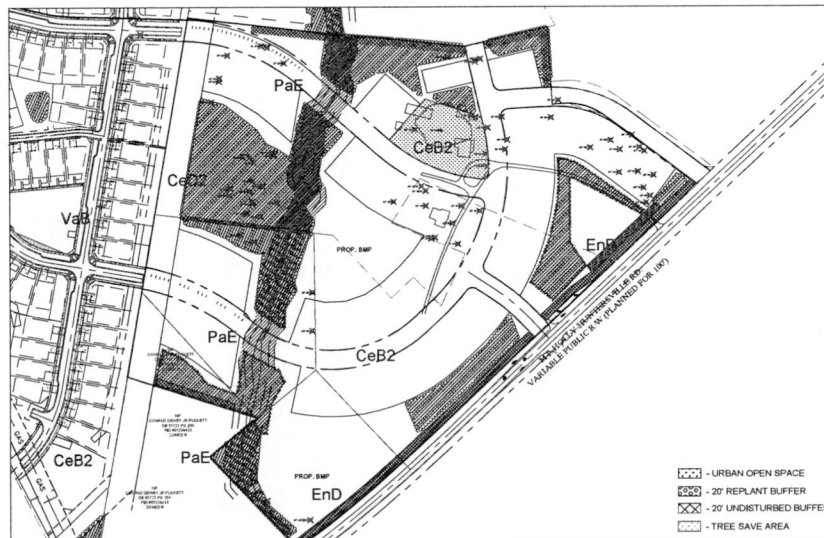
STEP 1: IDENTIFY OPEN SPACE

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.



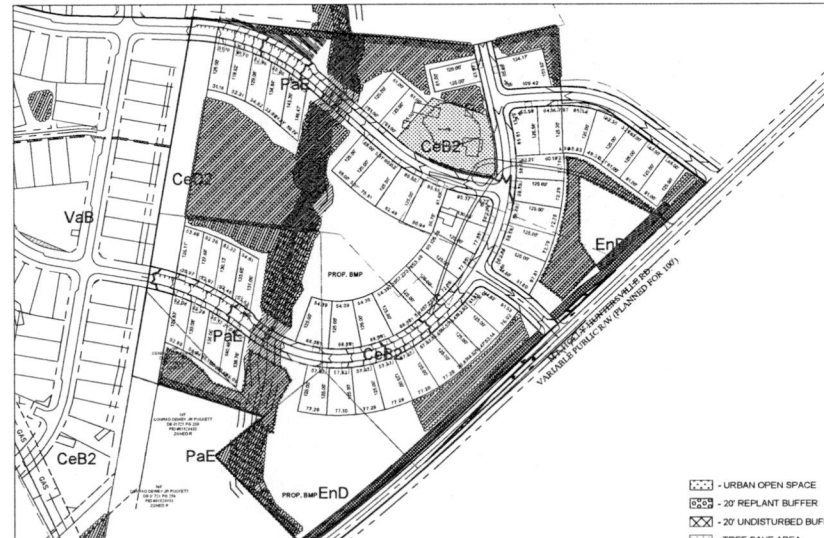
STEP 2: LOCATION OF HOUSE SITES

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/HUNTERVILLE 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 Submitted to Town of Huntersville	0
11/23/2022	Initial Submitted to Town of Huntersville	1
10/20/2023	Second Submitted to Town of Huntersville	2
3/6/2023	Third Submitted to Town of Huntersville	3



Engineer:

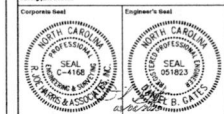


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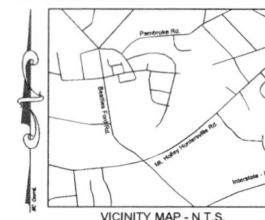
Project Manager	D. Gates	Drawn	T. Abston
Department Manager	P. Murphy	Checked	D. Gates
Project/Plan Date	March 8, 2023		
As-built Issues		As-built Date	
Client			

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.	Drawing No.
2209	
Client File Name:	
4/28/24_Four Step Process	



- LEGEND**
- 5-WLM BUFFER
 - 30' POST CONSTRUCTION BUFFER
 - EX. TREE LINE
 - SOIL LINE
 - EX. TREE AREA
 - TREE SAVE AREA
 - 25%-100% SLOPE
 - SPECIMEN TREE TO REMAIN
 - SPECIMEN TREE TO BE REMOVED

EXISTING DATA:

FEMA Panel: 371051800K
 Watershed: Long Watershed
 Soil Types: CeB2 - Cold sandy clay loam, 2 to 8 percent slopes 55.6%
 CeB2 - Cold sandy clay loam 8 to 15 percent slopes 8.5%
 EnB - Enon sandy loam, 2 to 8 percent slopes 1.7%
 EnD - Enon sandy loam, 8 to 15 percent slopes 4.9%
 PaE - Pottersville sandy loam, 15 to 25 percent slopes 24.5%
 VaB - Vance sandy loam, 2 to 8 percent slopes 0.7%

Impervious Area Table Phase 1 & 2		Impervious Area Table Phase 3		Impervious Area Table All Phases	
% Impervious Area	Max. Allowable	% Impervious Area	Max. Allowable	% Impervious Area	Max. Allowable
13.72 AC. (35.00%)	38.00 AC. (100%)	8.13 AC. (28.16%)	28.87 AC. (100%)	21.85 AC. (32.65%)	66.82 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.

CONSTRAINING FEATURES: PHASE 1 & 2			PHASE 3		ALL PHASES	
ZONING	NR-CD	NR-CD	NR-CD	NR-CD	NR-CD	NR-CD
ACREAGE	38.05 ACRES	28.87 ACRES	66.92 ACRES			
SWIM BUFFER	2.41 ACRES	2.26 ACRES	4.71 ACRES			
SLOPE ANALYSIS (% OF SITE AREA)						
0% - 10%	29.3 ACRES (77.00%)	18.8 ACRES (65.30%)	47.3 ACRES (70.80%)			
10% - 15%	4.34 ACRES (11.41%)	5.38 ACRES (18.64%)	9.72 ACRES (14.52%)			
15% - 20%	2.16 ACRES (5.66%)	4.58 ACRES (15.90%)	7.20 ACRES (10.90%)			
20% - 100%	1.79 ACRES (4.64%)	0.29 ACRES (1.00%)	1.88 ACRES (2.82%)			

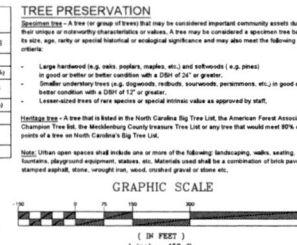
Soil Hydrologic Groups (% of site area)			Phase 1 & 2		Phase 3		All Phases	
ZONING	NR-CD	NR-CD	NR-CD	NR-CD	NR-CD	NR-CD	NR-CD	NR-CD
ACREAGE	38.05 ACRES	28.87 ACRES	66.92 ACRES					
Group A	0	0	0	0	0	0	0	0
Group B	20.22 ACRES (53.10%)	24.84 ACRES (86.04%)	44.86 ACRES (67.1%)					
Group C	17.84 ACRES (47.0%)	4.07 ACRES (14.10%)	22.94 ACRES (34.3%)					
Group D	0	0	0	0	0	0	0	0
Group B/D	0	0	0	0	0	0	0	0

OAK GROVE HILL TREE PRESERVATION			
	PHASE 1&2	PHASE 3	ALL PHASES
SITE ACREAGE	38.05 AC	28.87 AC	66.92 AC
% COVERED BY TREE CANOPY	28.26 AC (74.3%)	22.87 AC (79.2%)	48.31 AC (72.2%)
% OF TREE CANOPY PRESERVATION REQUIRED	3.81 AC (10%)	2.88 AC (10%)	6.69 AC (10%)
% OF TREE CANOPY PROVIDED	3.88 AC (10.2%)	3.28 AC (11.4%)	6.88 AC (10.3%)
NO. OF SPECIMEN TREES ON-SITE*	8	81	89
NO. OF SPECIMEN TREES TO BE SAVED (MIN. REQ. 10%)	3 (3.8%)	19 (22.7%)	22 (24.7%)
NO. OF HERITAGE TREES ON SITE	0	1	1

TREE CANOPY MITIGATION
 Large existing trees required for tree canopy mitigation (e.g., oaks, elms, etc.)

TREE LEGEND

Ts - Tree	GA - Gum
EL - Elm	MA - Maple
BE - Beech	PE - Pecan
P - Pine	WA - Walnut
PO - Poplar	HE - Hickory
OA - Oak	



DATE	ISSUED FOR	REV
8/15/2023	File Submitted to Town of Huntersville	0
11/20/2022	Initial Submitted to Town of Huntersville	1
10/20/2022	Second Submitted to Town of Huntersville	2
9/20/2022	Third Submitted to Town of Huntersville	3

Engineer:

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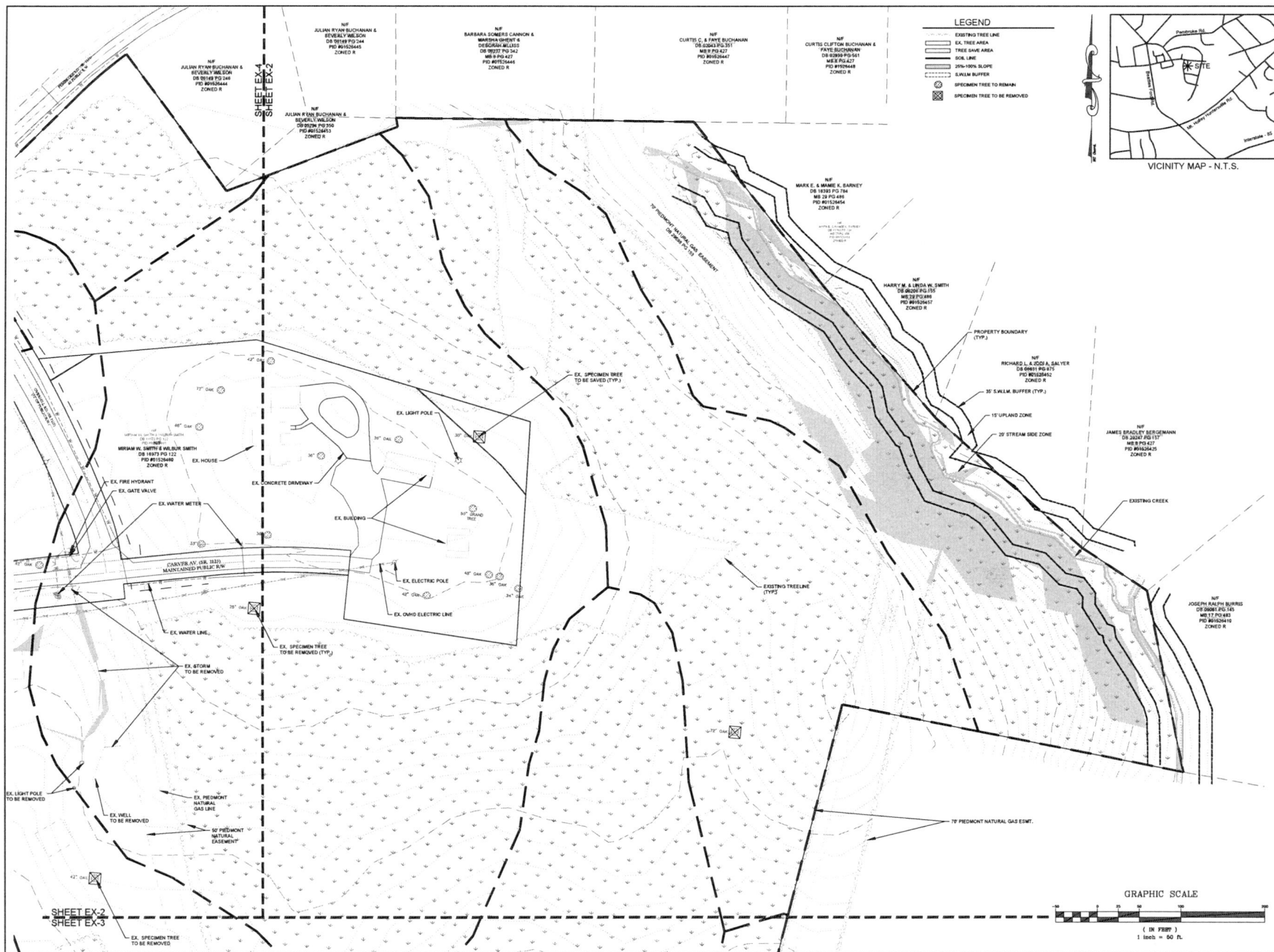
Corporate Seal: [Blank]
 Engineer's Seal: [Blank]

Project Manager: D. Gates
 Design Manager: P. Murphy
 Printed Date: March 8, 2023
 Length: 1000
 Width: 1000
 Client: Carver Bowman, LLC
 13815 CINNABAR PLACE
 HUNTERSVILLE, NC 28078
 P: (704) 875-6704

Project: Oak Grove Hill
 Rezoning/Sketch Plan:
 Phase 3
 Drawing Title: Overall Existing Conditions

Project No.: 0259
 Drawing No.: 0259
 Date: 02/28/2023
 File Name: 13815_Cinnabar_Place_Phase 3.dwg

EX-1



DATE	ISSUED FOR	REV




Know what's below. Call before you dig.

Engineer:



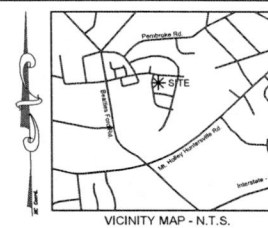
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Project Manager:	Drawn:
D. Gatas	T. Abston
Responsible Manager:	Checked:
P. Murphy	P. Murphy
Printed Date:	Revised Date:
March 8, 2023	
Client:	
BOWMAN DEVELOPMENT GROUP 13815 CRANBAR PLACE HUNTERSVILLE, NC 28078 P: (704) 875-9704	
Project:	
OAK GROVE HILL	
Drawing Title:	
Existing Conditions: Phase 1 & 2	
Project No.:	Drawing No.:
2030	EX-3
DWG File Name:	
2030-Existing Conditions	



VICINITY MAP - N.T.S.

DATE	ISSUED FOR	R
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Engineer:



R. Joe Harris & Associates, Inc.

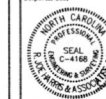
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117 East Center Drive, Suite 110, Port Jervis, N.Y. 13850 P. 914/331-4138

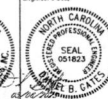
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Corporate 9



	Engineer's 9
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Project Manager	Drawn
D. Gates	T. Alston

Department Manager	Checked
P. Murphy	P. Murphy

Printed Date: 11/11/2009

March 8, 2023

1

Client	
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13815 CINNABAR PLACE
HUNTERVILLE, NC 28078
P: (704) 875-9704

Project:
OAK GROVE HILL

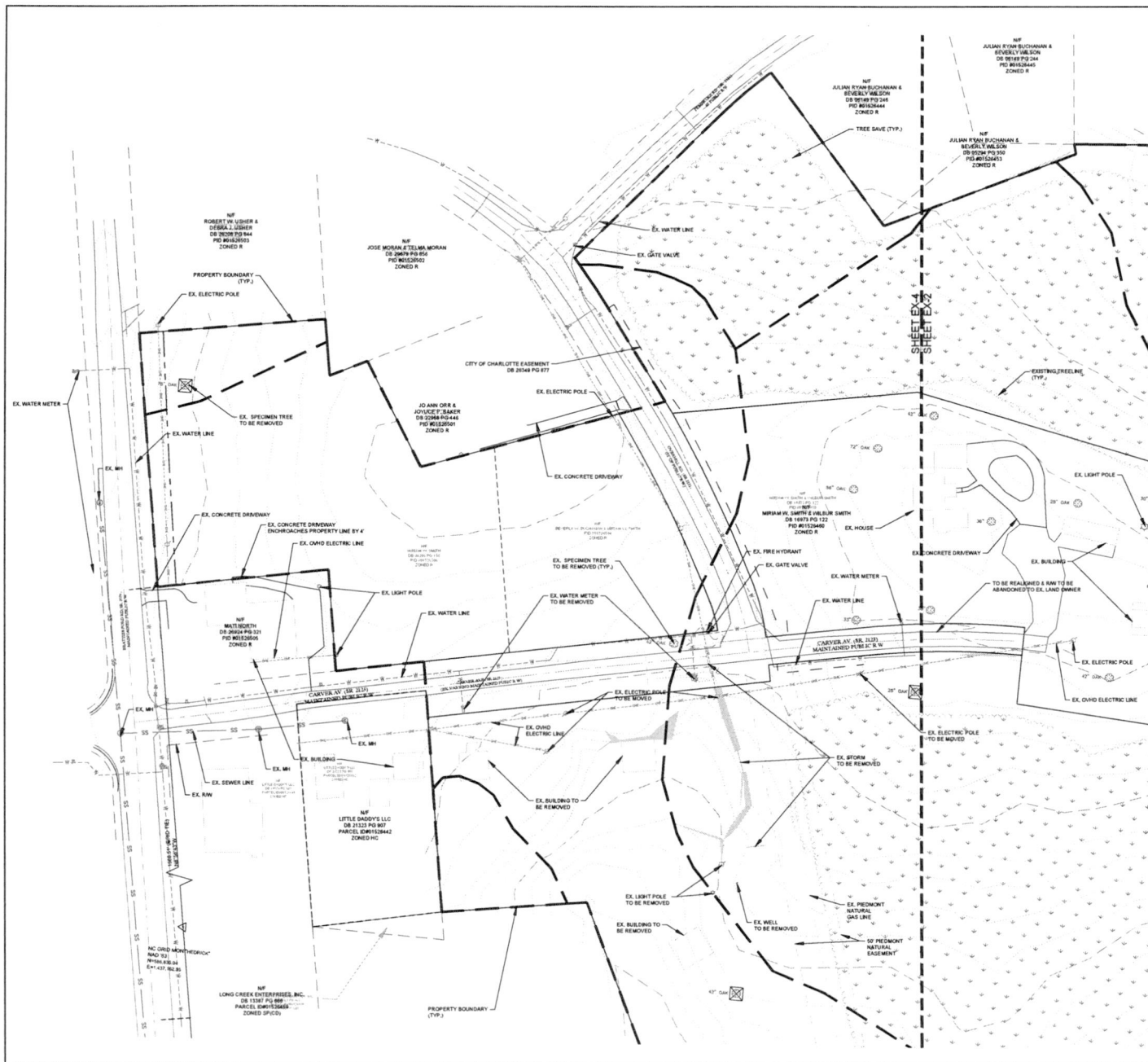
Drawing Title:
**Existing Conditions:
Phase 1 & 2**

Project No.	Drawing No.
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Project No.	Drawn by No.
2839	

2000	
DWG File Name:	

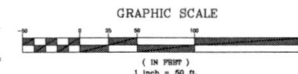
EX-4



VICINITY MAP - N.T.S.

LEGEND

- EXISTING TREE LINE
- EX. TREE AREA
- TREE SAVE AREA
- SOIL LINE
- 25%-100% SLOPE
- SLALIM BUFFER
- SPECIMEN TREE TO REMAIN
- SPECIMEN TREE TO BE REMOVED



DATE	ISSUED FOR	REV
Engineer: R. Joe Harris & Associates, Inc. Engineering • Land Surveying • Planning Management www.rjoe Harris.com This drawing shall not be used for construction purposes until the seal and signature of the responsible registered engineer on the drawing, and proper permit forms and related fees are transmitted by the Owner. Owner's Agent or Contractor to the Authority having jurisdiction.		
Corporate Seal		
Engineer's Seal		
Project Manager: D. Gates Drawn: T. Alston Checked: P. Murphy Printed Date: March 8, 2023 Amount: 0.00 Client: BOWMAN DEVELOPMENT GROUP 13815 CINNABAR PLACE HUNTERSVILLE, NC 28078 P: (704) 875-9704		
Project: OAK GROVE HILL		
Drawing Title: Existing Conditions: Phase 1 & 2		
Project No. 2839 DWG File Name: 2839-Existing Condition	Drawing No. EX-5	

TREE PRESERVATION

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

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

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

Site - Urban open spaces shall include one or more of the following: landscaping, walkways, 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 (C2)
ACREAGE	28.26x ACRES
COVERED BY TREE CANOPY	75.1%
TREE CANOPY PRESERVATION REQUIRED: 10%	62.80 ACRES
TREE CANOPY PRESERVATION PROVIDED: 21.9%	48.20 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	DB	- Oak
EL	- Elm	MA	- Maple
BE	- Beech	PE	- Pear
P	- Pine	WB	- White
PO	- Poplar	HO	- Hickory
OR	- Oak		

TREE CANOPY MITIGATION

Large matching trees required for tree canopy mitigation = 40%.

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

CONSTRAINING FEATURES

ZONING	A
ACREAGE	28.87x ACRES
SWW BUFFER	2.38x ACRES
TREE COVERAGE	20.84x ACRES
SLOPE ANALYSIS (% OF SITE AREA)	
0% - 10%	19.43 ACRES (67.34%)
10% - 15%	5.50 ACRES (19.04%)
15% - 25%	4.05 ACRES (14.03%)
25% - 100%	8.30 ACRES (28.59%)

Soil Hydrologic Group (% of site area)	
ZONING	B
ACREAGE	28.87x ACRES
Group A	24.8x ACRES (85.90%)
Group B	4.07x ACRES (14.10%)
Group C	0x ACRES (0%)
Group D	0x ACRES (0%)

EXISTING DATA

FEMA Panel: 271645300K

Waterway: Long Watershed

Soil Types	
CeB2 - Cecil sandy clay loam, 2 to 8 percent slopes	55.0%
CeD2 - Cecil sandy clay loam, 8 to 15 percent slopes	9.7%
EnB - Enon sandy loam, 2 to 8 percent slopes	7.7%
EnD - Enon sandy loam, 8 to 15 percent slopes	4.2%
PaE - Parake sandy loam, 15 to 25 percent slopes	24.5%
VaB - Vance sandy loam, 2 to 8 percent slopes	0.7%

Slopes Table

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

Impervious Area Table	
% Impervious	Max.
20.0%	28.000%
6.13 Ac. (26.10%)	28.67 Ac. (100%)

NOTE: 1% or less impervious area per lot is not to be used for addition of future impervious area for the future development.



VICINITY MAP - N.T.S.

LEGEND

- S.V.M. Buffer
- 30' Post Construction Buffer

DATE	ISSUED FOR	REV
8/15/2022	File Submitted to Town of Huntersville	0
11/23/2022	Initial Submitted to Town of Huntersville	1
10/26/2023	Second Submitted to Town of Huntersville	2
3/6/2023	Third Submitted to Town of Huntersville	3



Engineer:



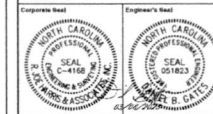
R. Joe Harris & Associates, Inc.

Engineering • Land Surveying • Planning Management

188 Westwood Blvd., Suite 200, Cary, NC 27513

www.rjoharris.com

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



Project Manager	D. Gates
Department Manager	T. Alston
Project Engineer	P. Murphy
Project Date	March 8, 2023
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

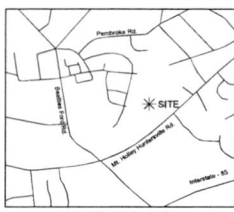
Drawing Title:
Existing Conditions:
Phase 3

Project No.	D259
DWG File Name	D259_Existing Conditions
Drawing No.	EX-6



LEGEND

- 35' SWIM BUFFER
- 20' UNDISTURBED BUFFER
- 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY
- 20' REPLANTED BUFFER
- TREE SAVE AREA
- URBAN OPEN SPACE (UCS)



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, SEDIMENTATION, AND STABILIZATION MEASURES SHALL BE INSTALLED PRIOR TO THE INITIATION OF ANY UNDERGROUND UTILITIES OR SITE GRADING ACTIVITIES. SEE THE APPLICABLE PLAN SHEETS FOR THE REQUIRED EROSION CONTROL, SEDIMENTATION, AND STABILIZATION MEASURES.
2. DURING CONSTRUCTION AND UNTIL TURF IS ESTABLISHED, ALL EROSION DEVICES SHALL BE MONITORED AND MAINTAINED PER THE SPECIFIED MAINTENANCE SCHEDULE. EROSION CONTROL PLAN SHEETS ALL COMPLETED WORK AREAS THAT HAVE BEEN BROUGHT TO GRADE SHALL BE SEEDING AND MULCHED.
3. CONTRACTOR SHALL VERIFY ALL FIELD CONCEPTS 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 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 OFF-SITE OR ON-SITE AS APPROVED BY OWNER.
8. ON-SITE BURNAL 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 BURNAL PITS SHALL NOT BE ALLOWED FOR THIS PROJECT.
9. ALL FILL SHALL BE COMPACTED TO 95% STANDARD PROCTOR (ASTM D1557) MAXIMUM DRY DENSITY FOR SPECIFIED MATERIAL. "LIGHTWEIGHT" OR HIGHLY PLASTIC SOILS SHALL NOT BE USED AS FILL UNDER ROADWAYS, BUILDINGS AND OTHER STRUCTURAL, UNLESS LIGHTWEIGHT OR PLASTIC SOILS AS SPECIFIED BY THE GEO-TECHNICAL ENGINEER. 100% STANDARD PROCTOR OF MAXIMUM DRY DENSITY SHALL BE ATTAINED FOR DRIVEWAYS, PARKING LOTS AND BUILDINGS (SUPER 17" OR SUBGRADE).
10. AREAS CUT TO GRADE (RESIDUAL SOILS) SHALL BE PROOF ROLLED (MIN. 10,000 LBS) OR TESTED BY OTHER MEANS TO ENSURE THAT MATERIAL IS SUITABLE FOR STRUCTURAL LOADINGS. PLASTIC SOILS SHALL BE UNDERCUT AND DISPOSED OF OFF-SITE OR ALLOCATION 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 D1557) SUBGRADE OPTIMUM MOISTURE CONTENT FOR UPPER 12" AS MEASURED FROM FINISHED GRADE (TOLERANCE SHALL BE ± 2%).
12. SLOPES SHALL BE GRADED NO STEEPER THAN 3:1 UNLESS SPECIFICALLY NOTED ON THE PLANS. FOR ALL SLOPES GREATER THAN 3:1, EROSION CONTROL MATTING WILL BE REQUIRED. ALL 3:1 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 8:1 (IN VERTICAL FEET) MAY REQUIRE THE USE OF SYNTHETIC OR VEGETATIVE MATTING IN ADDITION TO NORMAL SEEDING.
14. CONSTRUCTION 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 (SUPER 12").
 - B. ASPHALT BASE COURSE SHALL BE COMPACTED TO 100% STANDARD PROCTOR MAXIMUM DRY 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 (ON DRY LBS/IN²).
 - E. HOT MIX ASPHALT TEMPERATURE AT TIME OF LAY DOWN SHALL BE WITHIN 30°F OF THE PLANT MIX TEMPERATURE (MIN. TEMPERATURE SHALL BE NO LESS THAN 250-270 DEGREES).
 - F. VARIATIONS OF THE MINIMUM REQUIREMENTS 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 NC DOT AND/OR TOWN OF HUNTERSVILLE STANDARDS SPECIFICATIONS.
16. STORM DRAINAGE SYSTEMS (UPPER OR OPEN CHANNELS) 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. MAINTENANCE REQUIREMENTS, PRIVATE DRAINAGE EASEMENTS SHALL BE APPLIED AND ANY OBSTRUCTION OR ENCROACHMENT INTO AND EASEMENT IS PROHIBITED. HOMEOWNER OR BUILDER IS SOLELY AT RISK FOR THE REMOVAL AND/OR DAMAGE OF HARDSCAPES, LANDSCAPES, STRUCTURES OR OTHER IMPROVEMENTS PLACED WITHIN THE EASEMENTS SHOULD MAINTENANCE NEED TO BE PERFORMED.
17. FOR PIPE SYSTEMS NOT DESIGNED FOR GROUND THAT RECEIVES RUNOFF IN CASE FLOOD PROTECTION ANALYSIS IS REQUIRED.

DATE	ISSUED FOR	REV
8/15/2022	Pre Submitted to Town of Huntersville	0
11/02/2022	Initial Submitted to Town of Huntersville	1
1/20/2023	Second Submitted to Town of Huntersville	2
3/08/2023	Third Submitted to Town of Huntersville	3



Engineer:



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

100 Mountain Ridge, Suite 100, Huntersville, NC 28078
P: 704.875.9704

www.rjoharris.com

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



Project Manager	Drawn
D. Gates	T. Alston
Department Manager	Checked
P. Murphy	D. Gates
Project Date	
March 8, 2023	
As-built Date	
-	-

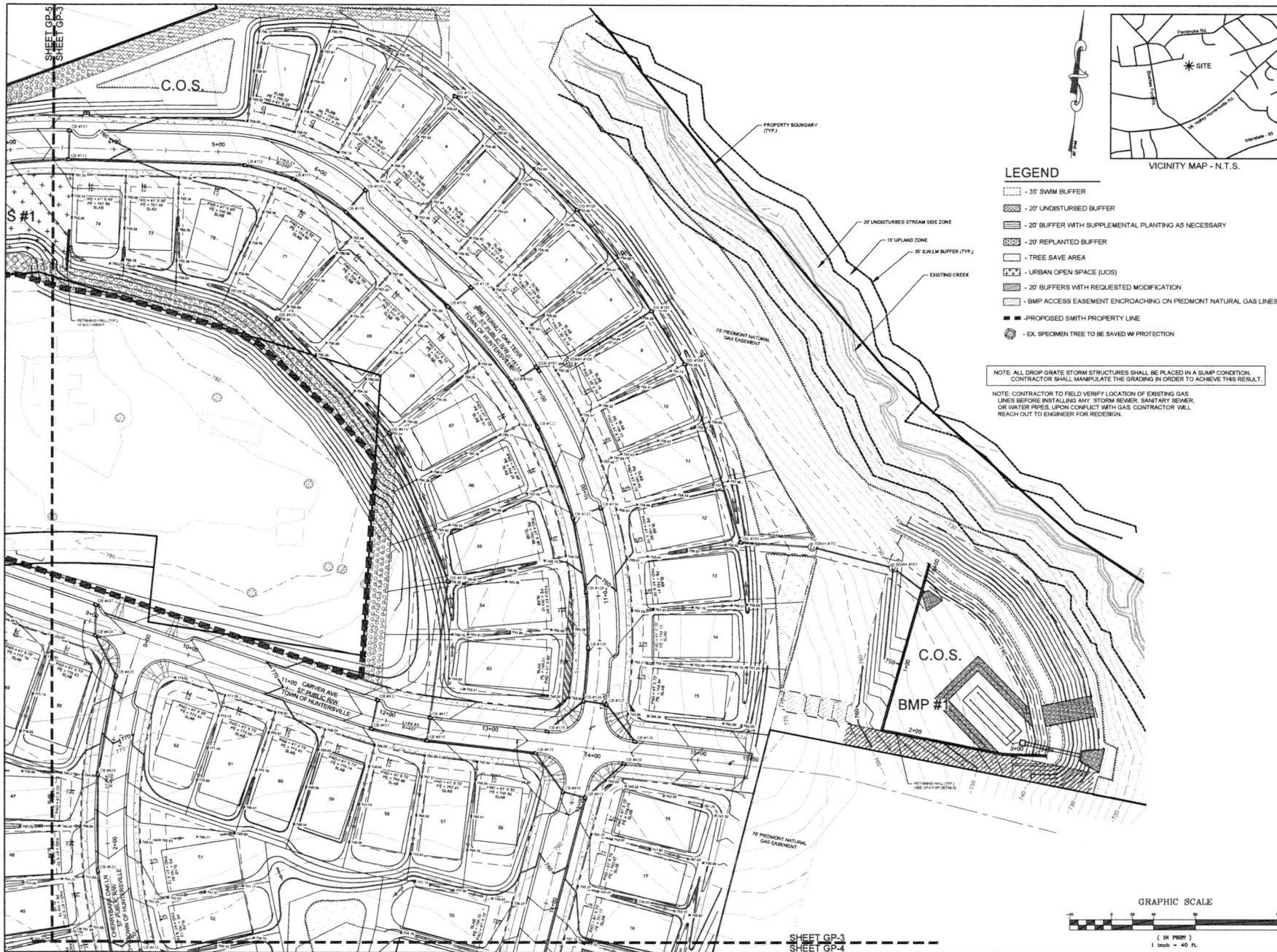
Client:

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

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

Drawing Title:
Overall Grading Plan

Project No.	Drawing No.
0259	GP-1
Owner File Name	
0259_Grading	

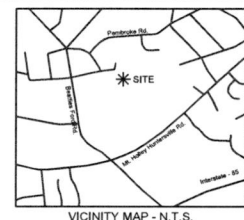


LEGEND

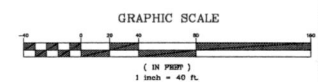
- 35' SWIM BUFFER
- 20' UNDISTURBED BUFFER
- 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY
- 20' REPLANTED BUFFER
- TREE SAVE AREA
- URBAN OPEN SPACE (UOS)
- 20' BUFFERS WITH REQUESTED MODIFICATION
- BMP ACCESS EASEMENT ENCROACHING ON PIEDMONT NATURAL GAS LINES
- PROPOSED SMITH PROPERTY LINE
- EX. SPECIMEN TREE TO BE SAVED W/ PROTECTION

NOTE: ALL DROP GRATE STORM STRUCTURES SHALL BE PLACED IN A SUMP CONDITION. CONTRACTOR SHALL MANIPULATE THE GRADING IN ORDER TO ACHIEVE THIS RESULT.

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



VICINITY MAP - N.T.S.



DATE	ISSUED FOR	REV
4/1/2020	Pre-Submittal Meeting	0
5/1/2020	Initial EPM Submittal	1
9/5/2020	Second EPM Submittal	2
10/1/2020	Third EPM Submittal	3
12/15/2020	Fourth EPM Submittal	4




Engineer:



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Engineering • Land Surveying • Planning
Management

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(919) 875-9704

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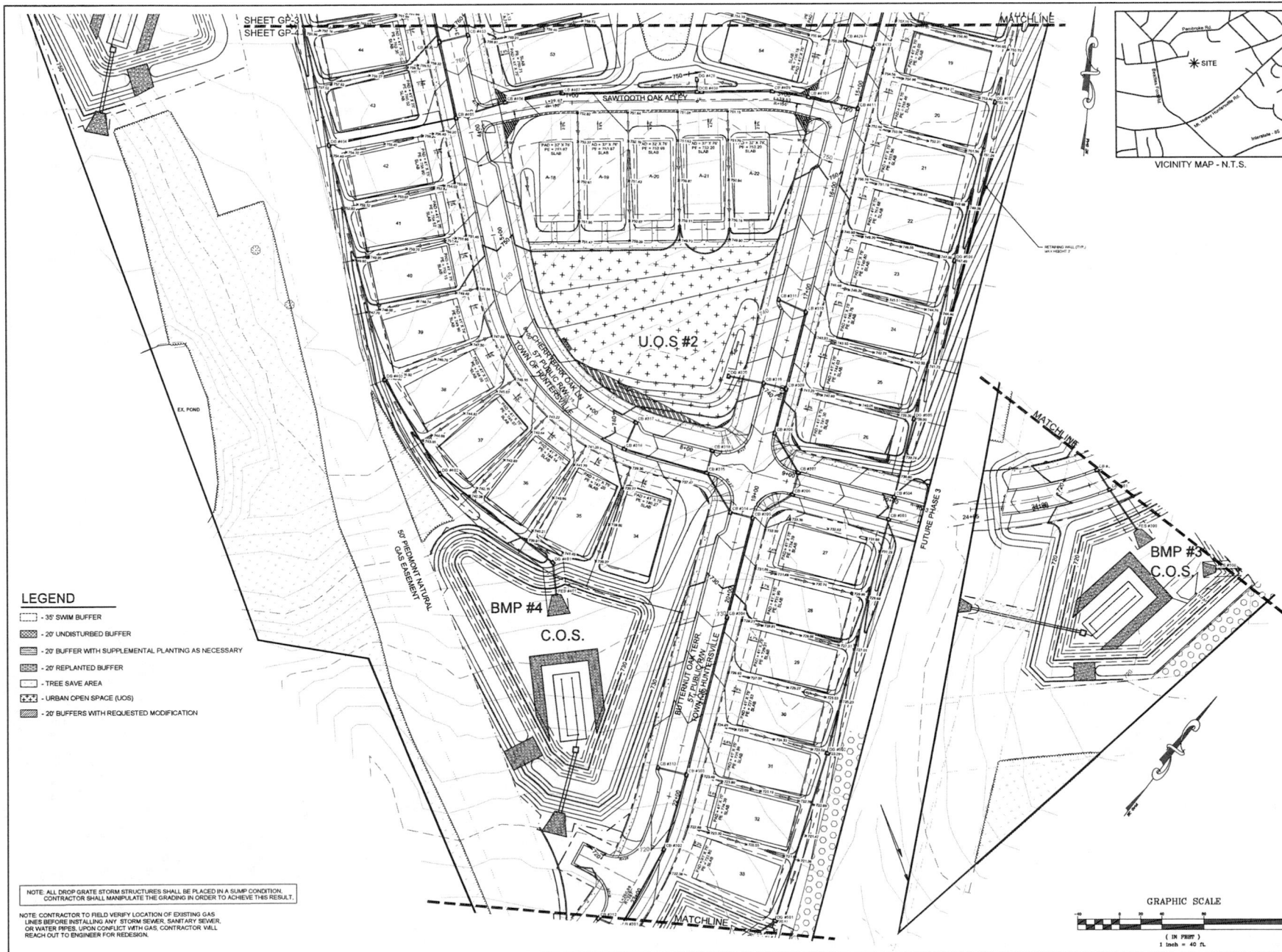
Contractor's Seal



Engineer's Seal



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



DATE	ISSUED FOR	REV
4/1/2021	Pre-Submittal Meeting	0
5/1/2021	Initial EPM Submittal	1
8/9/2021	Second EPM Submittal	2
10/1/2021	Third EPM Submittal	3
12/1/2021	Fourth EPM Submittal	4



Engineer:

RJH

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Engineer's Seal

NORTH CAROLINA
 PROFESSIONAL SEAL
 R. JOE HARRIS
 ENGINEERING ASSOCIATES

Engineer's Seal

NORTH CAROLINA
 PROFESSIONAL SEAL
 D. GATES
 ENGINEERING ASSOCIATES

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

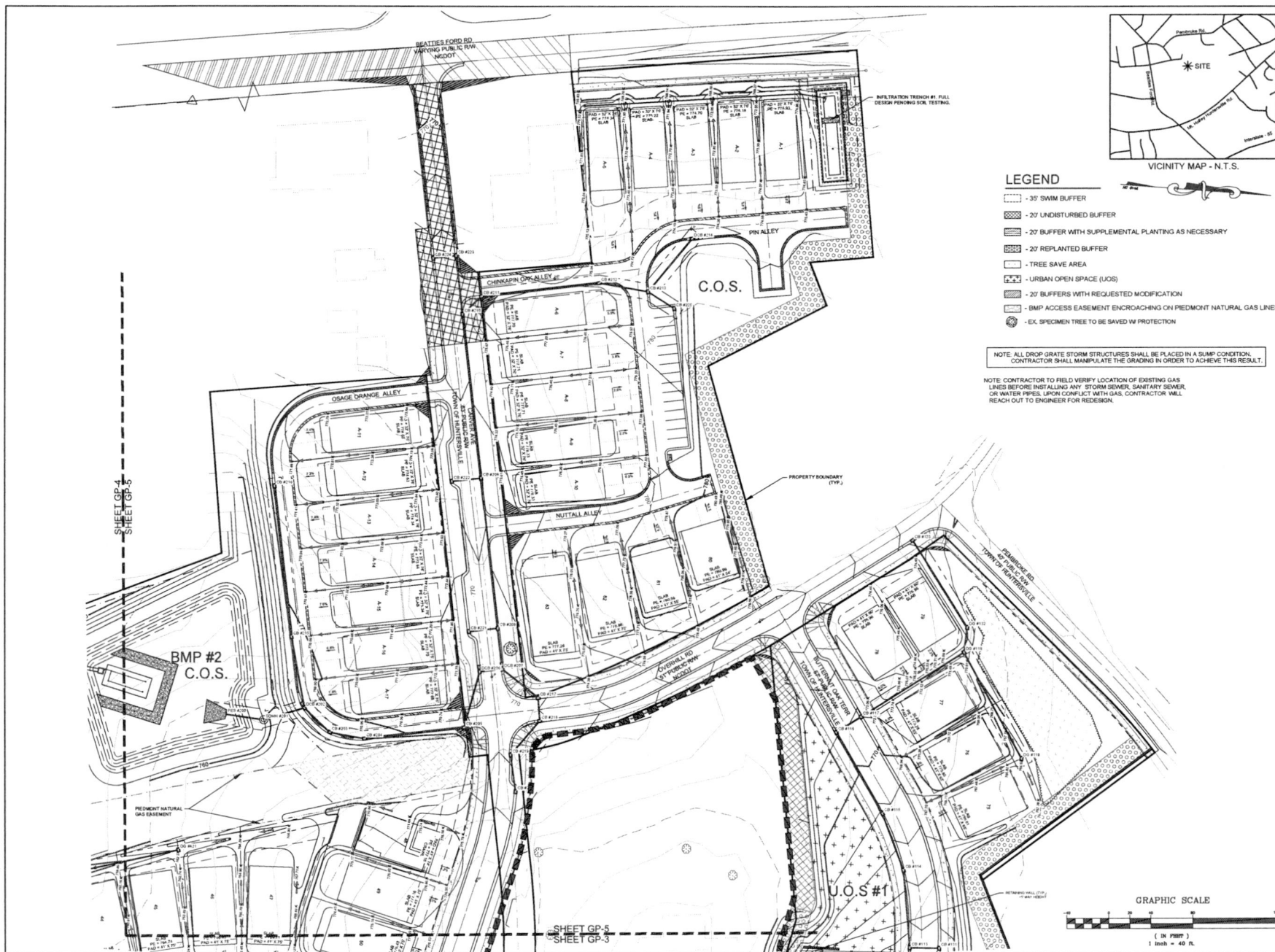
March 8, 2023
 AutoCAD Drawn
 AutoCAD Draw

BOWMAN DEVELOPMENT GROUP
 13615 CINNABAR PLACE
 HUNTERSVILLE, NC 28078
 P. (704) 875-9704

Project:
Oak Grove Hill-Phases 1&2

Drawing Title:
**Grading Plan 2:
 Phase 1 & 2**

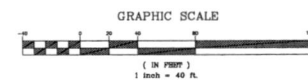
Project No.	Drawing No.
2023	GP-4
Client File Name:	2023-Grading Plan



- LEGEND**
- 35' SWM BUFFER
 - 20' UNDISTURBED BUFFER
 - 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY
 - 20' REPLANTED BUFFER
 - TREE SAVE AREA
 - URBAN OPEN SPACE (U.O.S.)
 - 20' BUFFERS WITH REQUESTED MODIFICATION
 - BMP ACCESS EASEMENT ENCRDACHING ON PEDIMONT NATURAL GAS LINES
 - EX. SPECIMEN TREE TO BE SAVED W/ PROTECTION

NOTE: ALL DROP GRATE STORM STRUCTURES SHALL BE PLACED IN A SUMP CONDITION. CONTRACTOR SHALL MANIPULATE THE GRADING IN ORDER TO ACHIEVE THIS RESULT.

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



DATE	ISSUED FOR	REV
07/20	Pre-Submittal Drawing	0
07/20	Initial EPM Submittal	1
08/01	Second EPM Submittal	2
10/13/20	Third EPM Submittal	3
12/18/20	Fourth EPM Submittal	4

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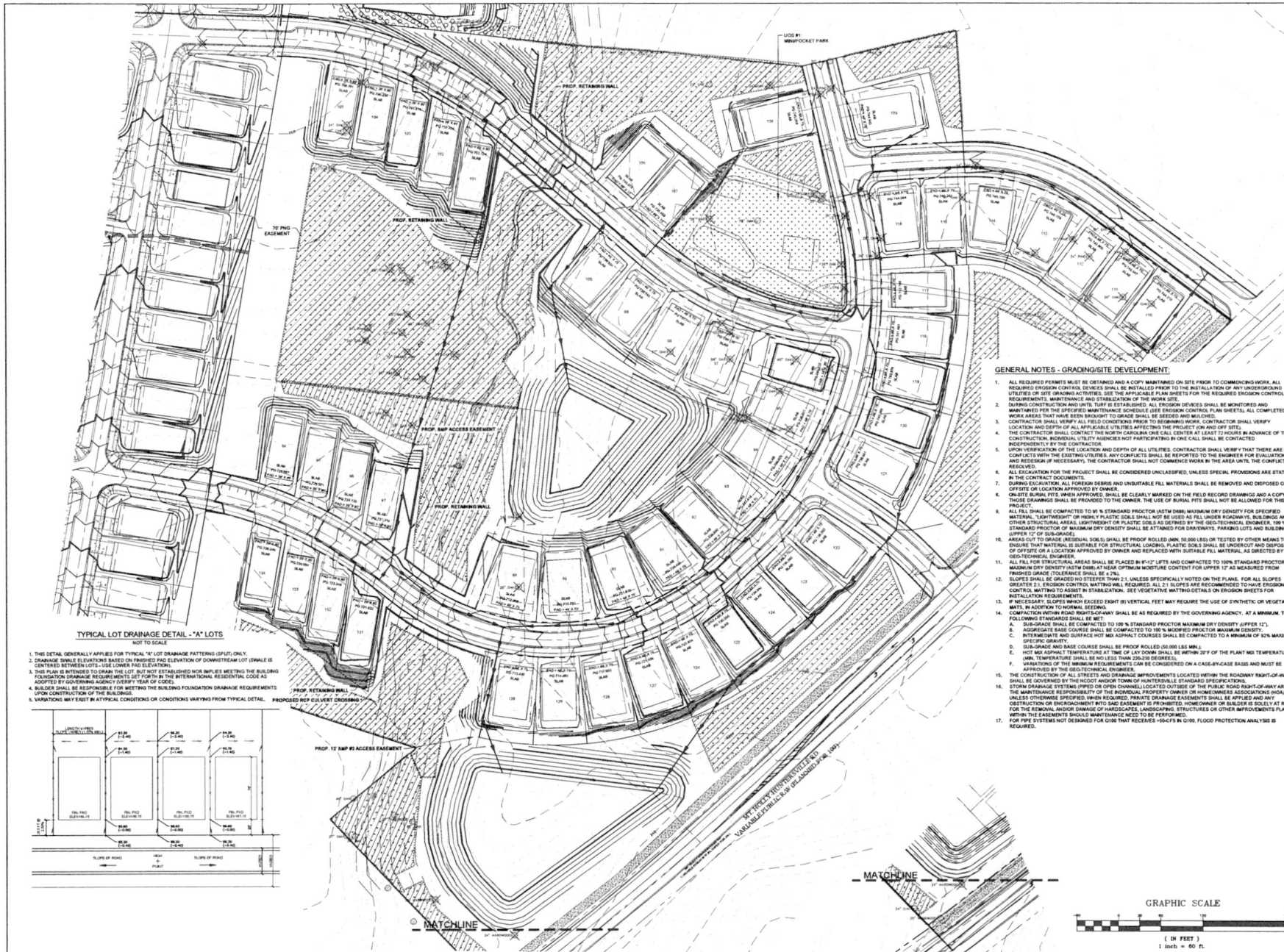
www.rjoharris.com

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Corporate Seal

Engineer's Seal

Project Manager	Drawn
D. Gates	T. Alston
Development Manager	Checked
P. Murphy	D. Gates
Project Date	
March 8, 2023	
As-built Date	
Client	
BOWMAN DEVELOPMENT GROUP 13615 CIRRIBAR PLACE HUNTERSVILLE, NC 28078 P: (704) 875-9704	
Project:	
Oak Grove Hill-Phases 1&2	
Drawing Title:	
Grading Plan 3: Phase 1 & 2	
Project No.	Drawing No.
2830	GP-5
2023-Grading Plan	



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 UNDESIGNED 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 MAINTENANCE, ALL EROSION DEVICES SHALL BE MAINTAINED AND MAINTAINED PER THE SPECIFIED MAINTENANCE SCHEDULE (SEE EROSION CONTROL PLAN SHEETS). ALL COMPLETED WORK AREAS THAT HAVE BEEN EXPOSED TO GRADE SHALL BE SEEDS 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). THE CONTRACTOR SHALL CONTACT THE NORTH CAROLINA ONE CALL CENTER AT LEAST 12 HOURS IN ADVANCE OF THE CONSTRUCTION. INDIVIDUAL UTILITY AGENCIES NOT PARTICIPATING IN ONE CALL SHALL BE CONTACTED INDEPENDENTLY BY THE CONTRACTOR.
4. 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 RESOLUTION IF NECESSARY. THE CONTRACTOR SHALL NOT COMMENCE WORK IN THE AREA UNTIL THE CONFLICT IS RESOLVED.
5. ALL EXCAVATION FOR THE PROJECT SHALL BE CONSIDERED UNCLASSIFIED, UNLESS SPECIAL PROVISIONS ARE STATED IN THE CONTRACT DOCUMENTS.
6. DURING EXCAVATION, ALL FOREIGN DEBRIS AND UNDESIRABLE FILL MATERIALS SHALL BE REMOVED AND DEPOSED OF OFFSITE OR LOCATION APPROVED BY OWNER.
7. ON-SITE BURIAL PITS, WHEN APPROVED, SHALL BE CLEARLY MARKED ON THE FIELD RECORD DRAWINGS AND A COPY OF THESE DRAWINGS SHALL BE PROVIDED TO THE OWNER. THE USE OF BURIAL PITS SHALL NOT BE ALLOWED FOR THIS PROJECT.
8. ALL FILL SHALL BE COMPACTED TO 95% STANDARD PROCTOR (ASTM D998) MAXIMUM DRY DENSITY FOR SPECIFIED MATERIAL. "TEMPERATURE" OF HIGHLY PLASTIC SOILS SHALL NOT BE USED AS FILL UNDER FOUNDATION, BUILDING AND OTHER STRUCTURAL AREAS. LIGHTWEIGHT OR PLASTIC SOILS AS DERIVED BY THE GEO-TECHNICAL ENGINEER, 100% STANDARD PROCTOR OR MAXIMUM DRY DENSITY SHALL BE ATTAINED FOR DRIVEWAYS, PARKING LOTS AND BUILDINGS OTHER THAN FOUNDATIONS.
9. 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 DEPOSED OF OFFSITE OR A LOCATION APPROVED BY OWNER AND REPLACED WITH SUITABLE FILL MATERIAL AS DIRECTED BY THE GEO-TECHNICAL ENGINEER.
10. ALL FILL FOR STRUCTURAL AREAS SHALL BE PLACED IN 6" LIFTS AND COMPACTED TO 100% STANDARD PROCTOR MAXIMUM DRY DENSITY. WATER SHALL BE NEAR OPTIMUM MOISTURE CONTENT FOR UPPER 12" AS MEASURED FROM FINISHED GRADE (TOLERANCE SHALL BE ± 2%).
11. SLOPES SHALL BE GRADED NO STEEPER THAN 2:1 UNLESS SPECIFICALLY NOTED ON THE PLANS. FOR ALL SLOPES GREATER THAN 2:1, EROSION CONTROL MATTING SHALL BE 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.
12. IF NECESSARY, SLOPES WHEN EXCEED 80% IN VERTICAL FEET MAY REQUIRE THE USE OF SYNTHETIC OR VEGETATIVE MATS. IN ADDITION TO NORMAL SEEDING.
13. THE CONSTRUCTION OF ALL STREETS AND DRAINAGE IMPROVEMENTS LOCATED WITHIN THE ROADWAY RIGHT-OF-WAY SHALL BE LOCATED BY THE RIGHT-OF-WAY AND/OR TOWN OF HUNTERSVILLE STANDARD SPECIFICATIONS.
14. STORM DRAINAGE SYSTEMS (PIPES OR OPEN CHANNELS) 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 DISTURBANCE OR ENCROACHMENT INTO SAID EASEMENT IS PROHIBITED. HOMEOWNER OR BUILDING IS SOLELY AT RISK FOR THE REMOVAL AND/OR DAMAGE OF LANDSCAPES, LANDSCAPING STRUCTURES OR OTHER IMPROVEMENTS PLACED WITHIN THE EASEMENTS SHOULD MAINTENANCE NEEDS TO BE PERFORMED.
15. FOR PIPE SYSTEMS NOT DESIGNED FOR DISE THAT RECEIVES "HSCF" IN DISE, FLOOD PROTECTION ANALYSIS IS REQUIRED.

DATE	ISSUED FOR	REV
8/15/2022	Pre-Submitted to Town of Huntersville	0
11/03/2022	Initial Submitted to Town of Huntersville	1
1/26/2023	Second Submitted to Town of Huntersville	2
5/26/2023	Third Submitted to Town of Huntersville	3




Know where you're digging. Call before you dig.

Engineer:



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

1800 Mountain Blvd., Suite 200 • Charlotte, NC 28211
Tel: 704.366.1111 • Fax: 704.366.1112 • Email: info@rjha.com

www.rjoharris.com

This drawing shall not be used for construction purposes until the seal and signature of the responsible engineer 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.

Contractor Seal



Engineer's Seal



Project Manager	Drawn
D. Gates	J. Vavrina
Department Manager	Checked
P. Murphy	D. Gates

Finalized Date: March 8, 2023

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:

Grading Plan: Phase 3

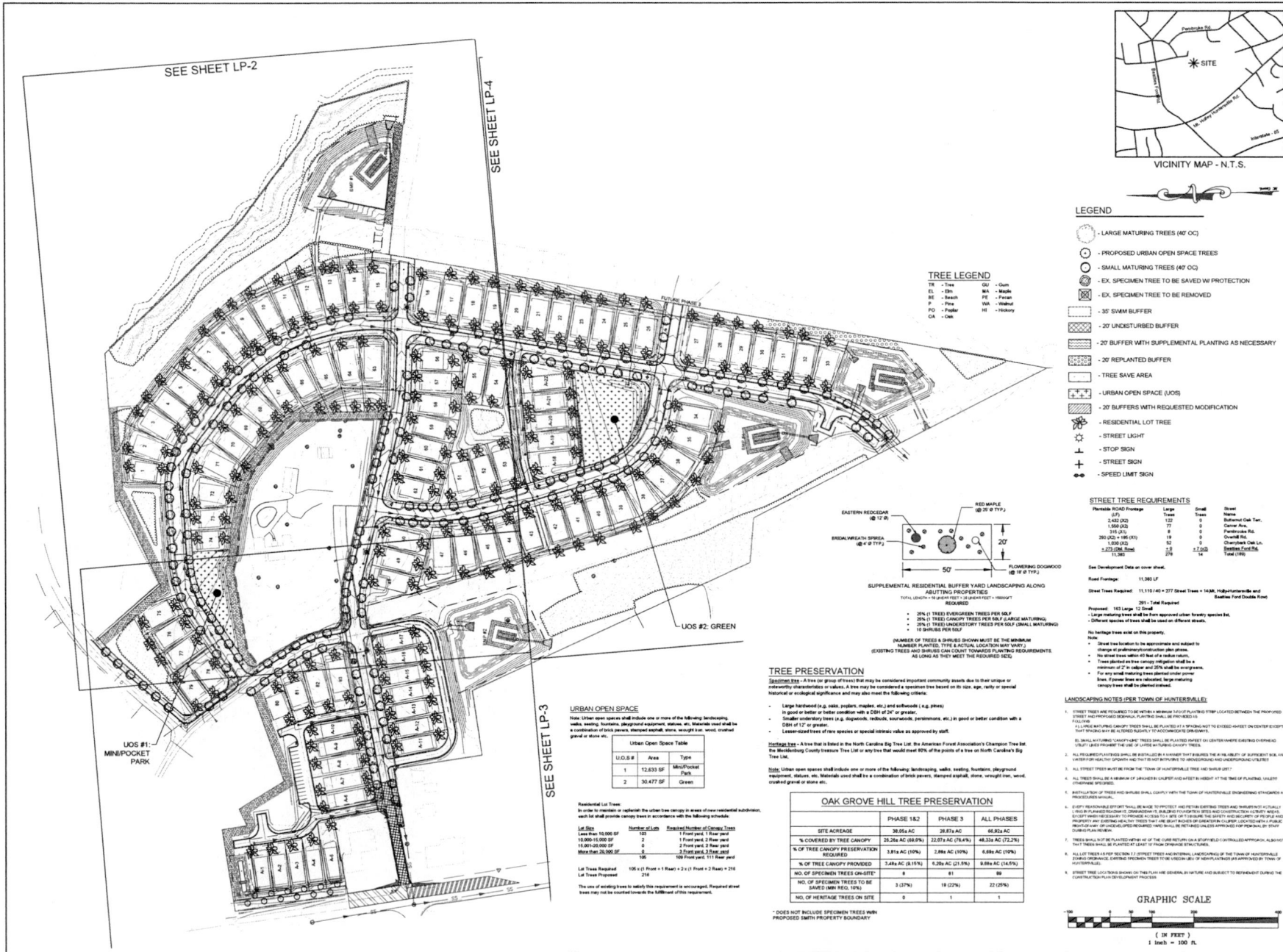
Project No.	Drawing No.
0229	GP-6
0290 File Name:	
0290 Grading	



DATE	ISSUED FOR	REV
8/15/2022	Pre Submitted to Town of Huntersville	0
11/23/2022	Initial Submitted to Town of Huntersville	1
1/25/2023	Second Submitted to Town of Huntersville	2
3/08/2023	Third Submitted to Town of Huntersville	3

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This drawing shall not be used for construction purposes until the seal and signature of the responsible registered engineer appears on the drawing, and proper permit forms and related fees are transmitted by the Owner. Owner's Agent or Contractor to the Authority having jurisdiction.	Project Manager D. Gates
Drawn T. Alston	Checked D. Gates
Date March 8, 2023	Date March 8, 2023
Project Oak Grove Hill Rezoning/Sketch Plan: Phase 3	Drawing Title Overall Landscape
Project No. 0209	Drawing No. LP-1



DATE	ISSUED FOR	REV
4/1/2020	Pre-Submittal Meeting	0
5/1/2020	Initial EPM Submittal	1
8/5/2020	Second EPM Submittal	2
10/1/2020	Third EPM Submittal	3
12/1/2020	Fourth EPM Submittal	4

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Engineer:

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

188 Pleasant Hill, Suite 100, Raleigh, NC 27604

www.rjoharris.com

This drawing shall not be used for construction purposes until the seal and signature of the responsible registered engineer 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.

Engineer's Seal

Engineer's Seal

Project Manager: **D. Gates**

Department Manager: **T. Abston**

Project Engineer: **P. Murphy**

Design Engineer: **D. Gates**

March 8, 2023

As-built Draw: **-**

As-built Date: **-**

Project:

Oak Grove Hill-Phases 1 & 2

Drawing Title:

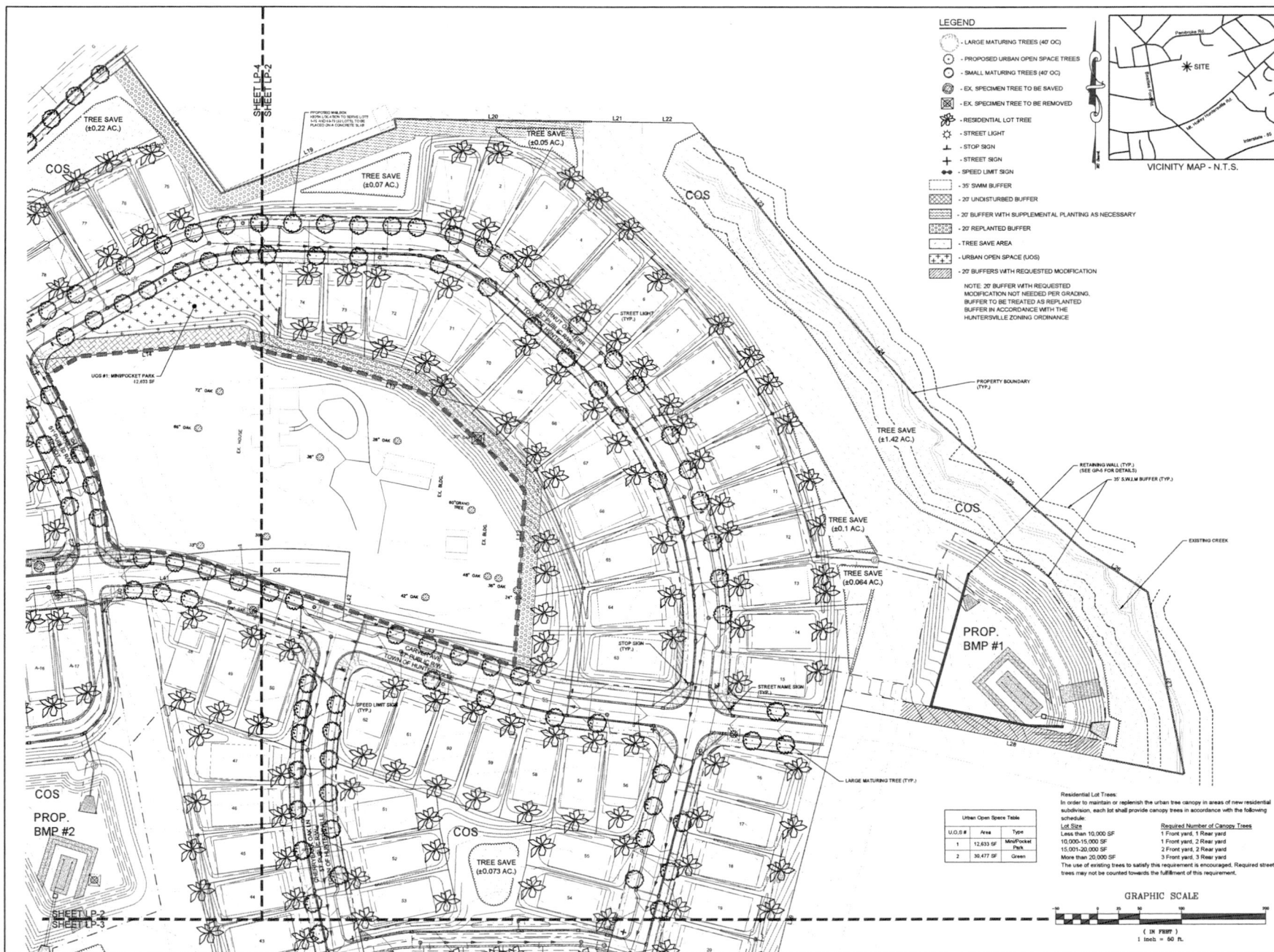
Landscape Plan 1: Phase 1 & 2

Project No.: **2830**

Drawing No.: **2830 Landscape Plan**

1/2" = 100'

LP-2



DATE	ISSUED FOR	REV
4/1/20	Pre-Submittal Meeting	1
5/1/20	Initial EPM Submittal	2
6/1/20	Second EPM Submittal	3
10/1/20	Third EPM Submittal	4
12/1/20	Fourth EPM Submittal	5

811
Dig Safe. Dig Smart.

811
Dig Safe. Dig Smart.

Engineer:

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Management

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

Project Manager: D. Gates
 Reviewer: T. Alston
 Designer: P. Murphy
 Date: March 8, 2023
 Author: D. Gates
 Checker: T. Alston

Client:

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

Project:

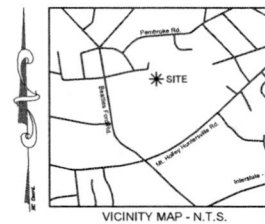
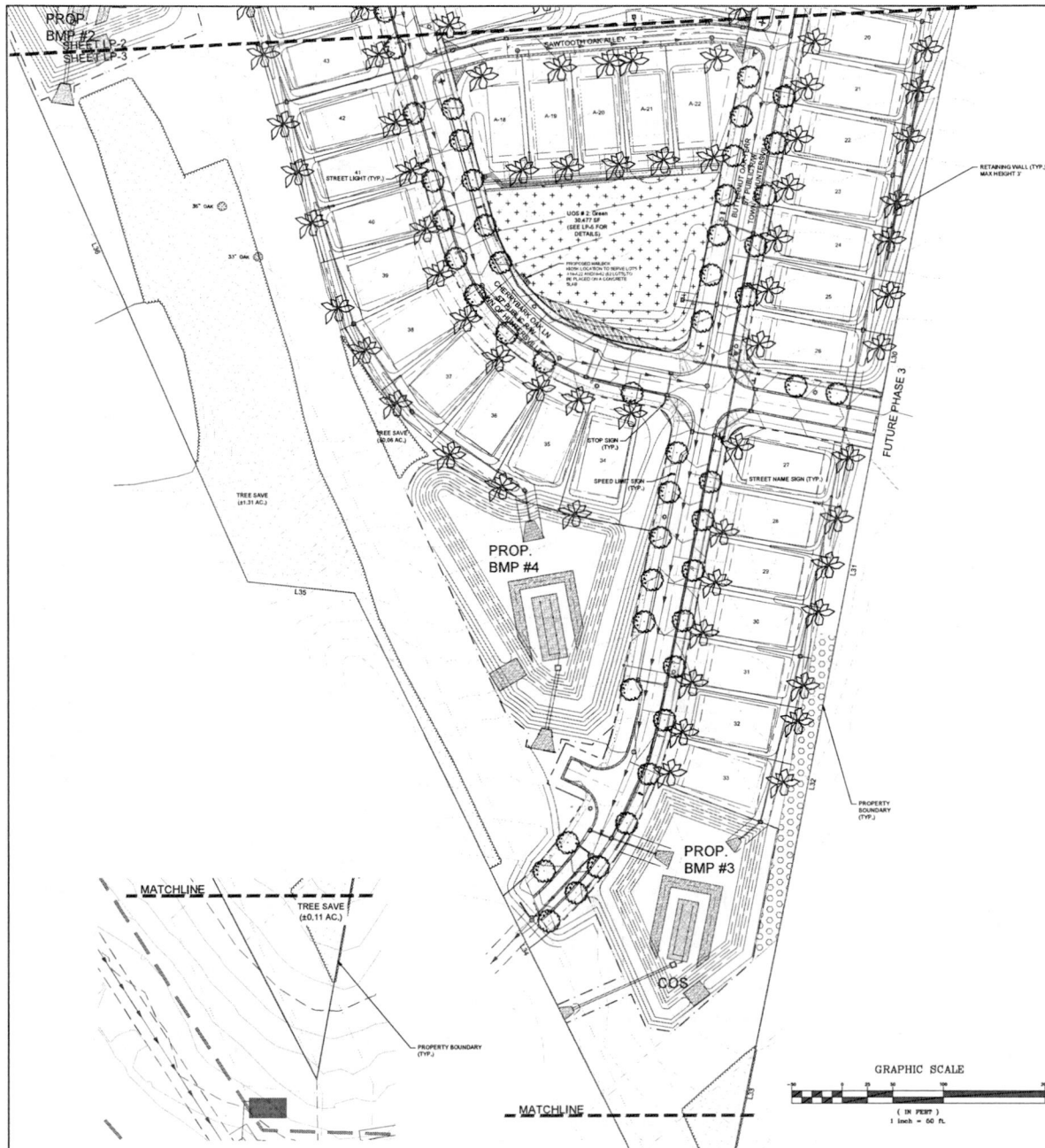
Oak Grove Hill-Phases 1&2

Drawing Title:

**Landscape Plan 2:
Phase 1 & 2**

Project No.: 2030
DWG File Name: 2030-Landscape plan

Drawing No.: LP-3



VICINITY MAP - N.T.S.

LEGEND

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

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

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

Lot Size	Required Number of Canopy Trees
Less than 10,000 SF	1 Front yard; 1 Rear yard
10,000-15,000 SF	1 Front yard; 2 Rear yard
15,001-20,000 SF	2 Front yard; 2 Rear yard
More than 20,000 SF	3 Front yard; 3 Rear yard

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

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



Engineer:

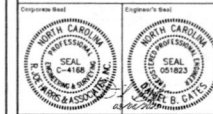


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100 Westwood Blvd., Suite 200, Cary, NC 27513

www.rjoharris.com

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



Project Manager	Drawn
D. Gates	T. Abston
Department Manager	Checked
P. Murphy	D. Gates
Permittee Date	

March 8, 2023

Architect/Owner	Architect/Owner

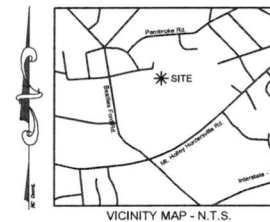
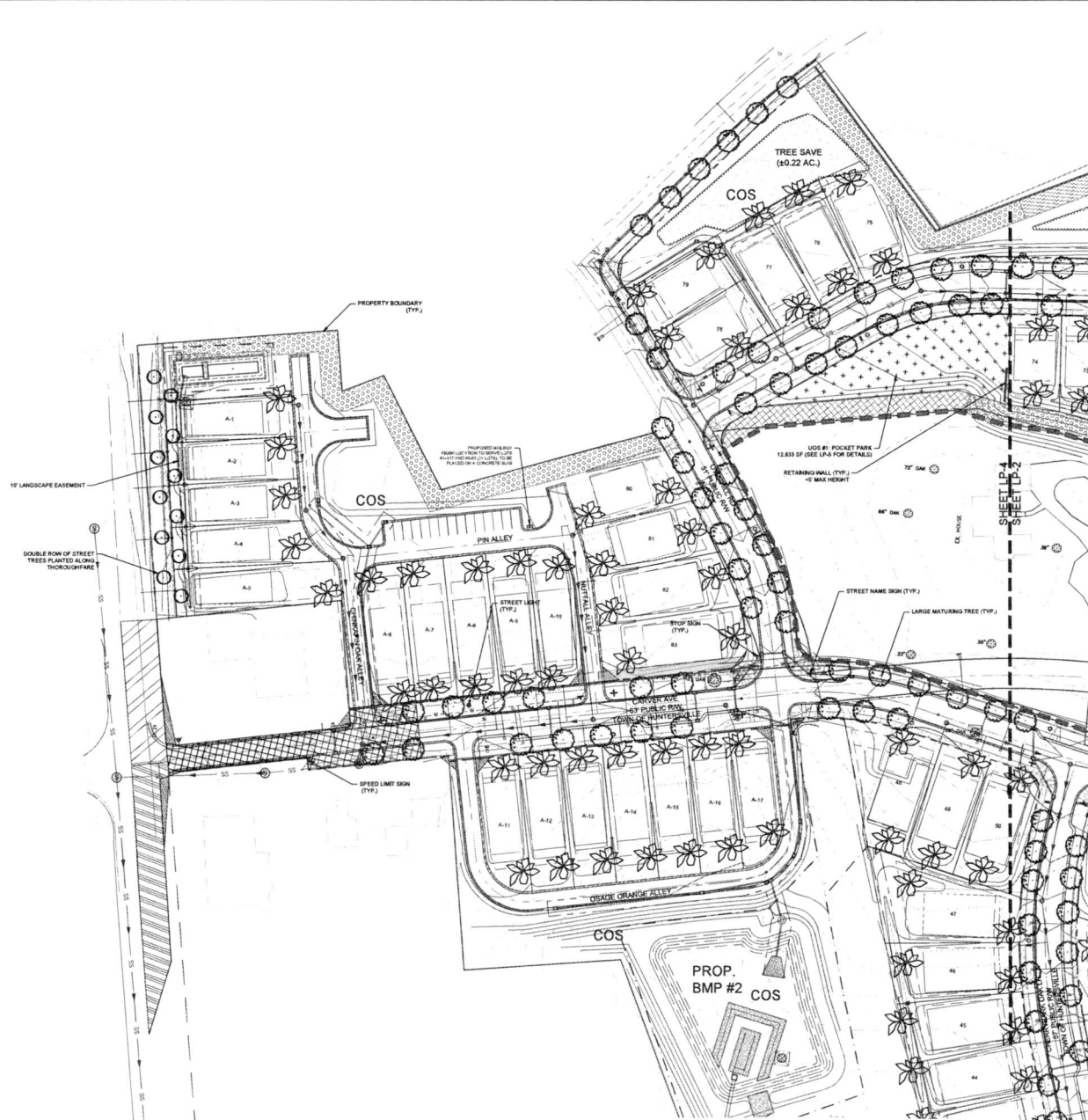
BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

Project:
Oak Grove Hill-Phases 1&2

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

Project No.	Drawing No.
2020	
2020 File Name:	
2020 Landscape plan	

LP-4



VICINITY MAP - N.T.S.

LEGEND

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

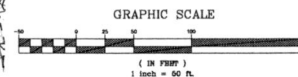
Residential Lot Trees:

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

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

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

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



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



Engineer:



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Project Manager: **D. Gates** Drawn: **T. Alston**
Reviewed Manager: **P. Murphy** Checked: **D. Gates**

Print/Plot Date: **March 8, 2023**
Seventh Draw: **A** As-built Date: **-**

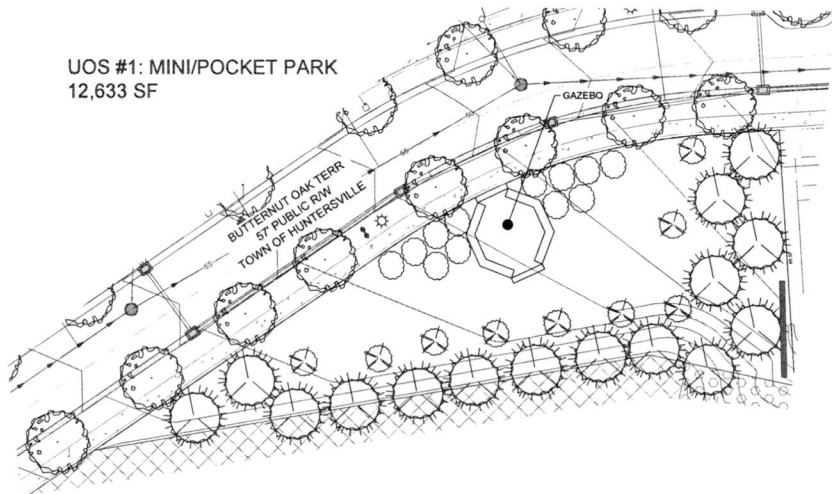
Client:
BOWMAN DEVELOPMENT GROUP
13815 CRANBARR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

Project:
Oak Grove Hill-Phases 1&2

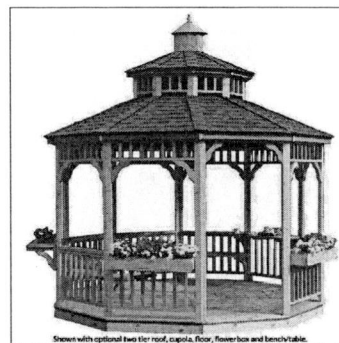
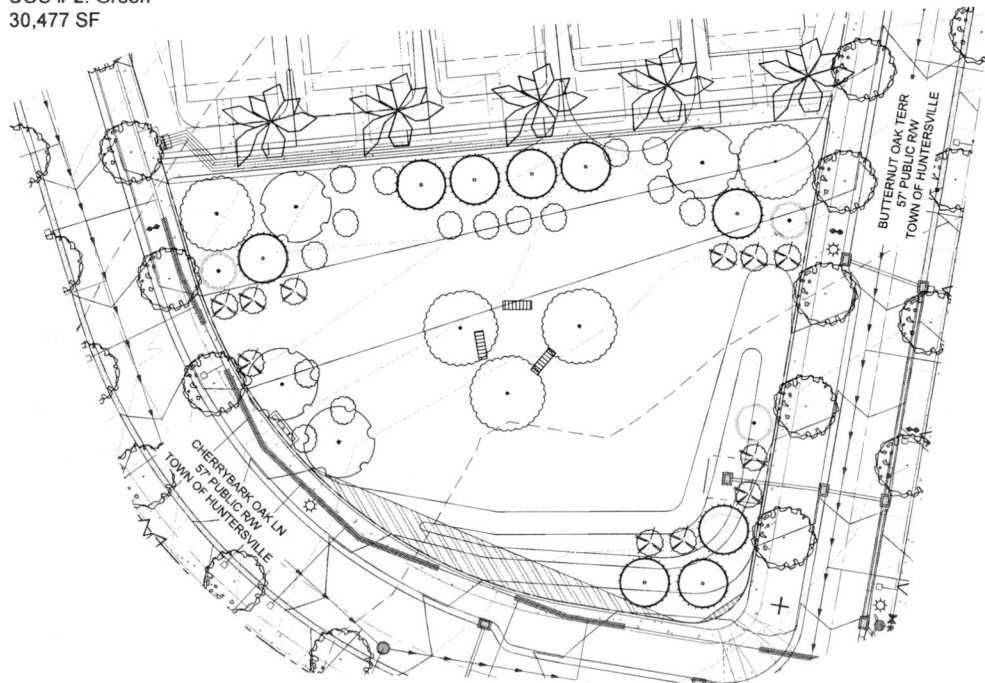
Drawing Title:
Landscape Plan 4:
Phase 1 & 2

Project No.: **2839** Drawing No.: **LP-5**
DWG File Name:
2839-Landscape.dwg

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

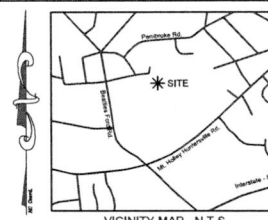


UOS # 2: Green
30,477 SF



GAZEBO FOR MINI/POCKET PARK

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

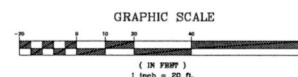


VICINITY MAP - N.T.S.

LEGEND

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

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



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



Engineer:

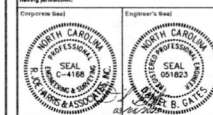


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Project Manager	Drawn
D. Gates	T. Abston
Department Manager	Checked
P. Murphy	D. Gates

Project Date: March 8, 2023

As-built Date: -

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

Project:
Oak Grove Hill-Phases 1&2

Drawing Title:
Urban Open Space Design:
Phase 1 & 2

Project No.	Drawing No.
2630	
2020 File Name:	
2630 Landscaping plan	

TREE LEGEND

TR - Tree
EL - Elm
SE - Sycamore
P - Pine
PO - Poplar
OA - Oak

GA - Gum
MA - Maple
FR - Fraxinus
WA - Walnut
HY - Hickory
CK - Cuck

Open Space Table					
Urban Open Space			Common Open Space		
U.O.S.#	Area	Type	C.O.S.#	Area	Type
1	36,038 SF	Manicured Park	1	583,223 SF	COS
			2	57,168 SF	Buffers
Total	36,038 SF		Total	640,391 SF	
	0.83 Acres			14.83 Acres	

TREE PRESERVATION

ZONING:	NR (UD)
ACREAGE:	28.875 ACRES
COVERED BY TREE CANOPY:	76.6%
TREE CANOPY PRESERVATION REQUIRED: 10%	42.87 ACRES
TREE CANOPY PRESERVATION PROVIDED: 21.3%	48.28 ACRES
NO. OF SPECIMEN TREES ON-SITE:	81
NO. OF SPECIMEN TREES SAVED (Min. Reg. 10%)	18 (Provided 22.2%)
NO. OF HERITAGE TREES ON-SITE:	1
NO. OF HERITAGE TREES SAVED (Min. Reg. 100%)	1 (Provided 100%)

TREE PRESERVATION

Section 8.02 - A tree (or group of trees) that may be considered important community assets due to their unique or noteworthy characteristics or values. A tree may be considered a specimen tree based on its size, age, rarity or special historical or ecological significance and may also meet the following criteria:

- Large hardwood (e.g., oaks, poplars, maples, etc.) and softwoods (e.g., pines) in good or better condition with a DBH of 24" or greater.
- Smaller canopy trees (e.g., dogwoods, redbuds, sycamores, persimmons, etc.) in good or better condition with a DBH of 12" or greater.
- Landed trees of low 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 Meritwood County Heritage Tree List or any tree that would meet 65% 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.

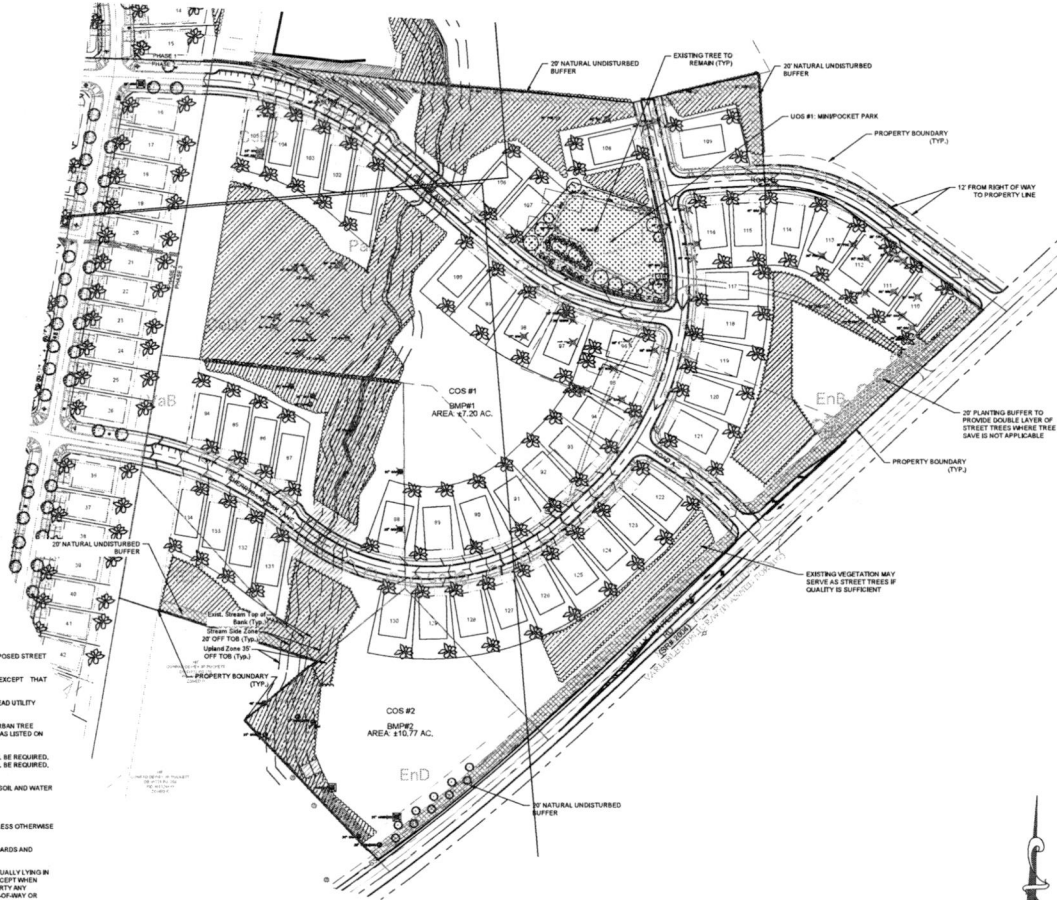
Note: Yard Trees will be planted so as not conflict with street trees.



VICINITY MAP - N.T.S.

LEGEND

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

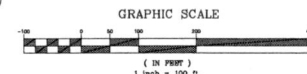


LOT TREES		
SQ.FT. :	LOT NUMBER :	LOT TREES REQUIRED :
LESS THAN 10,000 :	84-106, 110-120, 122-134 :	1 FRONT & 1 REAR
10,000 - 15,000 :	106, 121 :	1 FRONT & 2 REAR

APPROVED LOT TREES: RED MAPLE, SUGAR MAPLE, COMMON HACKBERRY, WHITE ASH, SCARLET OAK, SOUTHERN RED OAK, OVERCUP OAK, BELL OAK, NORTHERN RED OAK, EASTERN RED OAK, SHAWARD OAK, LAZEBARN ELM, JAPANESE ZELKOVA (SEE TOWN OF HUNTERSVILLE TREE LIST FOR COMPLETE APPROVED LIST)

LANDSCAPING NOTES (PER TOWN OF HUNTERSVILLE):

- STREET TREES ARE REQUIRED TO BE WITHIN A MINIMUM 4' 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 PLANK" TREES SHALL BE PLANTED 30 FEET ON CENTER WHERE EXISTING OVERHEAD UTILITY LINES PROHIBIT THE USE OF LARGE MATURING CANOPY TREES.
- NEW TREES SHALL BE REQUIRED WITHIN EACH RESIDENTIAL LOT. IN ORDER TO MAINTAIN OR REPLISH THE URBAN TREE CANOPY IN AREAS OF NEW RESIDENTIAL SUBDIVISION, EACH LOT SHALL PROVIDE AN APPROVED CANOPY TREE AS LISTED ON THE TOWN OF HUNTERSVILLE TREE AND SHRUB LIST. (SEE LOT SIZE CHART THIS PAGE)
FOR LOTS LESS THAN 10,000 SQ. FT., 1 FRONT YARD AND 1 REAR YARD CANOPY TREE SHALL BE REQUIRED.
FOR LOTS BETWEEN 10,000 SQ. FT. AND 15,000 SQ. FT., 1 FRONT YARD AND 2 REAR YARD CANOPY TREES SHALL BE REQUIRED.
FOR LOTS BETWEEN 15,000 SQ. FT. AND 20,000 SQ. FT., 2 FRONT YARD AND 2 REAR YARD CANOPY TREES SHALL BE REQUIRED.
FOR LOTS MORE THAN 20,000 SQ. FT., 3 FRONT YARD AND 3 REAR YARD CANOPY TREES SHALL BE REQUIRED.
- ALL REQUIRED PLANTINGS SHALL BE INSTALLED IN A MANNER THAT INSURES THE AVAILABILITY OF SUFFICIENT SOIL AND WATER FOR HEALTHY GROWTH AND THAT IS NOT INTRUSIVE TO ABOVEGROUND AND UNDERGROUND UTILITIES.
- ALL STREET TREES MUST BE FROM THE "TOWN OF HUNTERSVILLE TREE AND SHRUB LIST."
- ALL TREES SHALL BE A MINIMUM OF 3 INCHES IN CALIPER AND 4 FEET IN HEIGHT AT THE TIME OF PLANTING, UNLESS OTHERWISE SPECIFIED.
- INSTALLATION OF TREES AND SHRUBS SHALL COMPLY WITH THE TOWN OF HUNTERSVILLE ENGINEERING STANDARDS AND PROCEDURES MANUAL.
- EVERY REASONABLE EFFORT SHALL BE MADE TO PROTECT AND RETAIN EXISTING TREES AND SHRUBS NOT ACTUALLY LYING IN PLANNED ROADWAYS, DRAINAGEWAYS, BUILDING FOUNDATION SITES AND CONSTRUCTION ACTIVITY AREAS, EXCEPT WHEN NECESSARY TO PROVIDE ACCESS TO A SITE OR TO INSURE THE SAFETY AND SECURITY OF PEOPLE AND PROPERTY AND EXISTING HEALTHY TREES THAT ARE EIGHT INCHES OR GREATER IN CALIPER, LOCATED WITHIN A PUBLIC RIGHT-OF-WAY OR UNDEVELOPED REQUIRED YARD SHALL BE RETAINED UNLESS APPROVED FOR REMOVAL BY STAFF DURING PLAN REVIEW.
- TREES SHOULD NOT BE PLANTED WITHIN 4' OF THE CURB RETURN, WITHIN 1' FROM DRAINAGE STRUCTURES, WITHIN 4' OF RADIAL RETURN AT AN INTERSECTION, AT OR IN A STORM DRAINAGE EASEMENT, ON TOP OF STORM DRAIN LINE, WITHIN SIGHT DISTANCE.
- ALL LOT TREES AS PER SECTION 7.7 (STREET TREES AND INTERNAL LANDSCAPING) OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE, EXISTING SPECIMEN TREES TO BE USED IN LIEU OF NEW PLANTINGS (AS APPROVED BY TOWN OF HUNTERSVILLE).
- AS THE REMAINDER OF THE THOROUGHFARE IS BUILT, DOUBLE ROW OF TREES AND SIDEWALKS WILL BE REQUIRED.



DATE	ISSUED FOR	REV
8/15/2022	Pre Submittal to Town of Huntersville	0
11/20/2022	Initial Submittal to Town of Huntersville	1
1/20/2023	Second Submittal to Town of Huntersville	2
3/28/2023	Third Submittal to Town of Huntersville	3

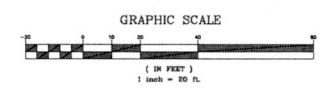
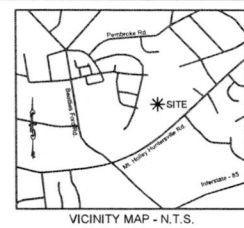



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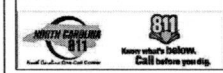
Corporate Seal	Engineer's Seal
	

Project Manager	Drawn
D. Gates	T. Alston
Document Manager	Checked
P. Murphy	D. Gates
Print/Plot Date	
March 8, 2023	
Revised Dates	Issued Date
	03/08/2023
Client	
Carver Bowman, LLC 13815 CORKHARBOR 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-7
DWG File Name:	
5259_Landscape Plan	



- 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

DATE	ISSUED FOR	REV
01/02/22	Pre Submitted to Town of Huntersville	0
11/02/22	Initial Submitted to Town of Huntersville	1
12/02/22	Second Submitted to Town of Huntersville	2
3/08/2023	Third Submitted to Town of Huntersville	3



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

1400 Research Blvd., Suite 200, Cary, NC 27513

www.rjoharris.com

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



Project Manager D. Gates	Drawn T. Abston
Client/Owner Manager P. Murphy	Checked D. Gates
Printed Date March 8, 2023	As noted

Client
Carver Bowman, LLC
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-8704

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

Drawing Title:
UOS-Design: Phase 3

Project No. 5299	Drawing No. LP-8
DWG File Name: 5299_Landscapes.dwg	

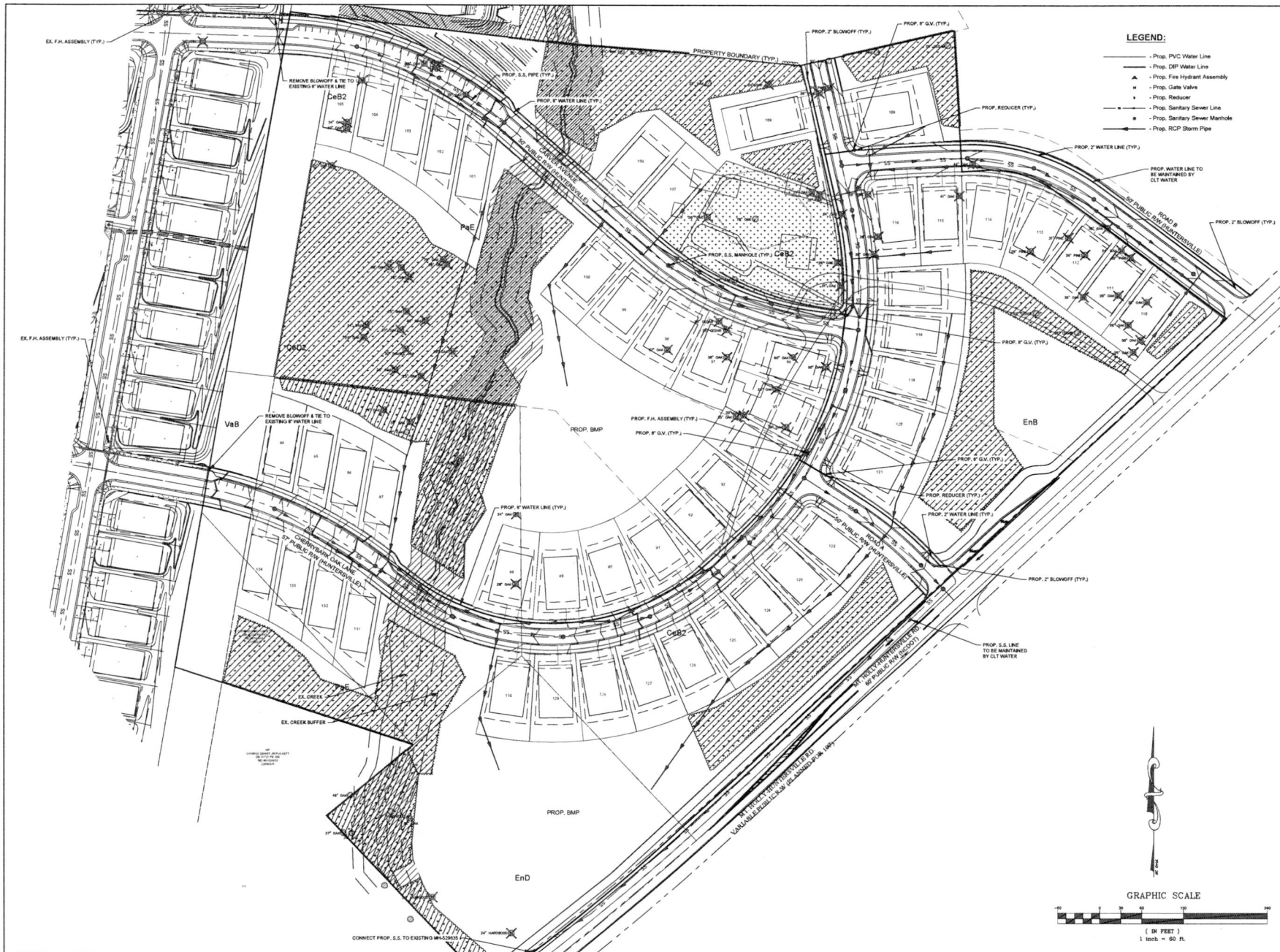


SEATING BENCH
PROVISION OF SEATING BENCH UNDER/NEAR
ARBOR/PERGOLA AND MAY CONSIST OF THE FOLLOWING
MATERIALS:

- 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	12,833 SF	MiniPocket Park	1	563,223 SF	COO
2	30,477 SF	Green	2	57,168 SF	Buffers
3	36,038 SF	MiniPocket Park			
Total	79,348 SF		Total	650,389 SF	
	1.82 Acres			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



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

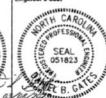
DATE	ISSUED FOR	REV
8/15/2022	File Submitted to Town of Huntersville	0
11/02/2022	Initial Submitted to Town of Huntersville	1
1/09/2023	Second Submitted to Town of Huntersville	2
3/08/2023	Third Submitted to Town of Huntersville	3



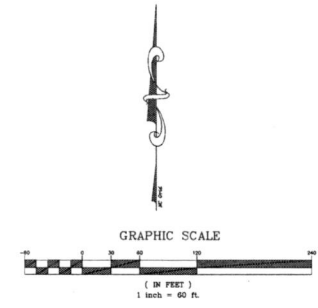
Engineer:

R. Joe Harris & Associates, Inc.
 Engineering • Land Surveying • Planning Management
 138 Research Blvd., Suite 200, #17, Huntersville, NC 28078
 www.rjoharris.com

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

Corporate Seal:  Seal: C-4168, R. JOE HARRIS, ENGINEER & ASSOCIATES, INC.
 Engineer's Seal:  Seal: 251823, T. ALSTON, ENGINEER & ASSOCIATES, INC.

Project Manager D. Gates	Drawn T. Alston
Department Manager P. Murphy	Checked D. Gates
Project/Plot Date March 8, 2023	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. 5259	Drawing No. UT-1
DWG File Name: UT09_Utilities	



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

Introductions

Bowman Development: Nate Bowman, Whitney Hodges

RJ Harris Engineering: Daniel Gates

Town of Huntersville: David Peete, Lauren Speight

Description of project

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

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

Questions:

Rhynes S:

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

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

Unidentified person:

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

Weir:

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

Rhynes, S:

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

Barney:

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

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

Wier:

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

Wallace:

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

Are the powerlines underground? Yes

Rhynes ,G:

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

Weir:

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

Rahlfino (sp?):

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

Brooks, Jane:

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

McElroy:

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

Brooks, Jason:

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

Dickerson:

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

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

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

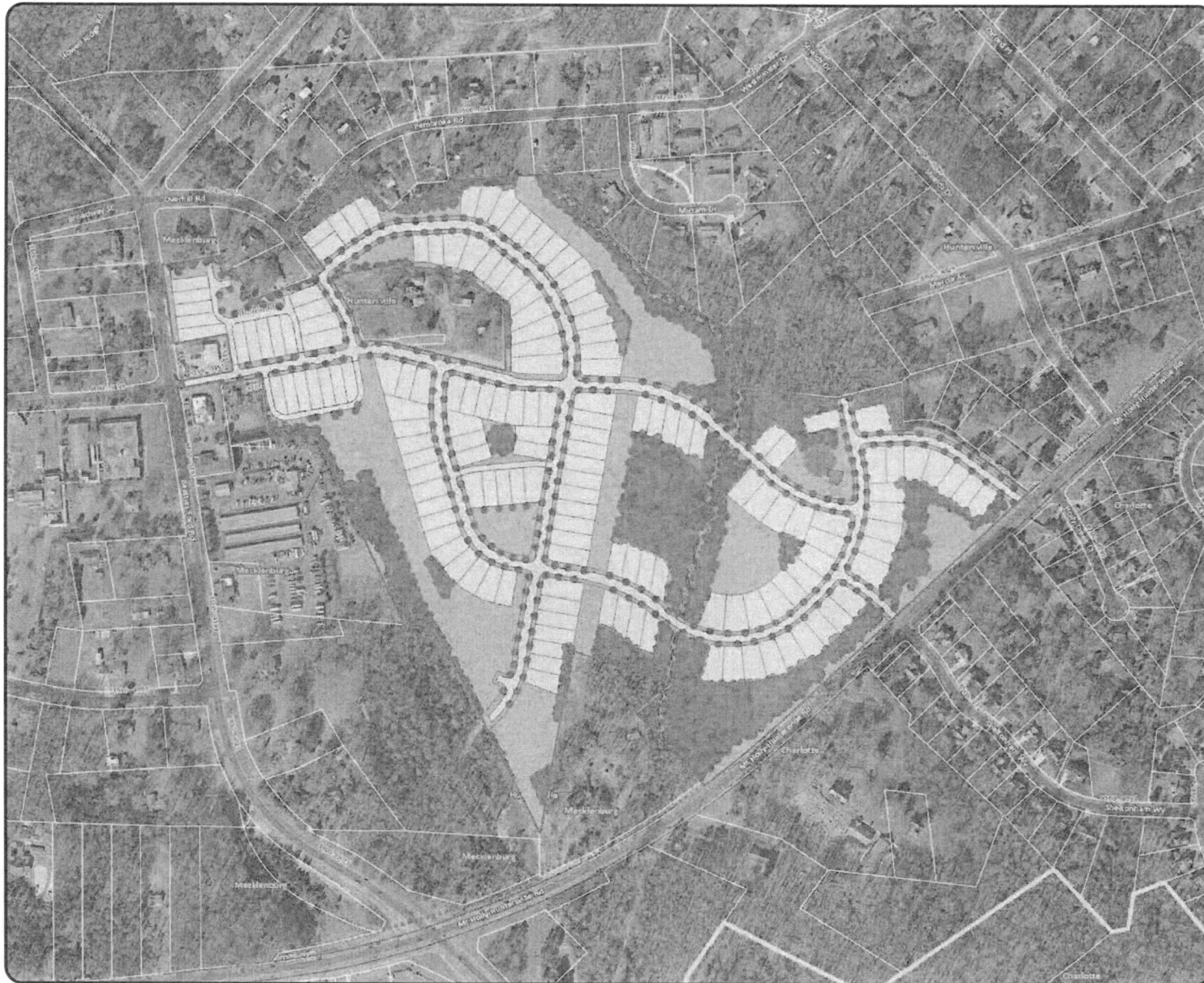
Wallace:

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

Next Steps to the Public Process

Mr. Pete explained next steps for the rezoning process.

The meeting ended at 6:45 pm.



OAK GROVE HILL

HUNTERSVILLE, NC

NEW OVERALL PLAN

+/- 66.45 ACRES

156 LOTS

2.35 UNITS PER ACRE

OPEN SPACE 32.15 ACRES (48%)

SIGN IN SHEET

[illegible]

BOWMAN DEVELOPMENT GROUP

R 22-05 OAK GROVE HILL NEIGHBORHOOD MEETING MINUTES

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

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

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



Planning Services

4421 Stuart Andrew Blvd.

Charlotte, NC 28217

Phone: 980-343-6246

Email: planning@cms.k12.nc.us

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

IMPACT OF THE PROPOSED DEVELOPMENT

Proposed Housing Units: 51 single family detached

CMS Planning Area: North

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

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

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

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

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

Middle School: 7x \$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*)

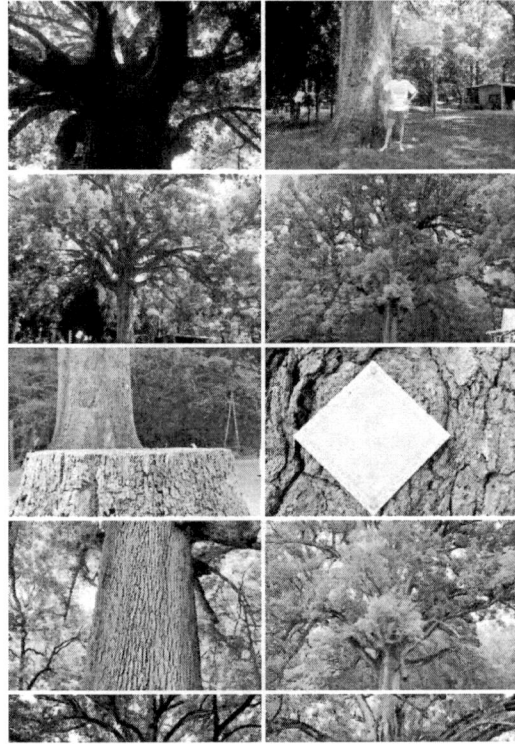
This White Oak stands by an original farmhouse built over 220 years ago. The tree was planted before the construction of the house and stands in a row of other extremely large White Oaks. These Oaks likely lined a pasture and provided a large amount of shade for those operations. The property has been 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





OAK GROVE HILL

HUNTERSVILLE, NC

ADDITIONAL PROPERTIES

ADDITIONAL +/- 21.27 ACRES

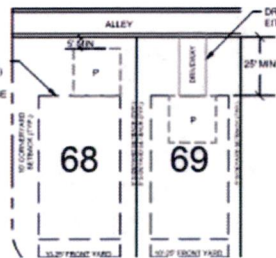
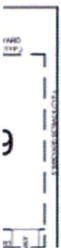
ADDITIONAL 42 LOTS

1.97 UNITS PER ACRE

OPEN SPACE 14.19 ACRES (67%)

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.

able
Max.
1 Ac. (100%)
includes area
for addition



OA - Oak

- 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))

R22-05 OAK GROVE HILL - ADDITION

NOTE: REQUIRED ROAD IMPROVEMENTS
The TIA for this site was scope improvements to adjacent road Rd. as follows:

- A left and right turn lane to storage and appropriate to
- Widening of Carver avenue
- Curb island at south-east
- Alley fed lots on Beatles respective streets. Homes
- Lots fronting Overhill Rd v may be waived if Hunters

CDOT
Sketch Plan was submitted to CDOT specified additional imp

- Recommends a three (3) include an 11' right-turn in a stub street.
- Recommends a 12' Multi-CDOT specified improv

NOTE: APPROVAL FOR ENCL PRIOR TO APPROVAL

SITE TOPOGRAPHY & LOCAL TOPOGRAPHY PROVIDED FI

THIS SITE IS NOT LOCATED PANEL 3710453800-K OF THE 09-02-2015.

PROVISIONARY SURVEY PROVIDED

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.

PLANNING BOARD RECOMMENDATION – R22-05 OAK GROVE HILL – ADDITION.

APPROVAL: In considering the proposed Conditional District Rezoning application [R22-05 Oak Grove Hill - Addition](#), the **Planning Board recommends approval by 8-0 vote:**

- It is consistent with policies LU-2, LU-2.1, LU2.2, LU3.1, LU7.1, LU10.2, LU10.4, LU12.3, EOS1.1, EOS4.1, EOS 10 and T3.2 of the 2040 Community Plan.
- It is consistent with the objectives of Beatties Ford Rd. and Mt. Holly- Huntersville Rd. Small Area Plan and the Beatties Ford Rd. Corridor Plan.
- Also makes the following recommendations:
 1. Approval of the block length modification for Block 16, Carver Ave. for 958 linear ft. and Block 19, Cherry Bark Oak Ln. for 994 linear ft.
 2. A 10-foot-wide multi-use path should be provided along Mt. Holly-Huntersville Rd. as called for in the Huntersville Bike Master Plan.
 3. Add a note of willingness to annex Phase three into the Town.
 4. Rezoning notes from sheet SP-8 of the original plan must be added to plan set.
 5. If this rezoning is approved, all notes and data will need to be coordinated with Petition R23-04 which would remove the 6.89 acres from the original rezoning to permit this addition.
 6. Ensure maintenance and access easements for the BMPs do not encroach into swim buffers.
 7. All outstanding redline comments from staff are addressed.

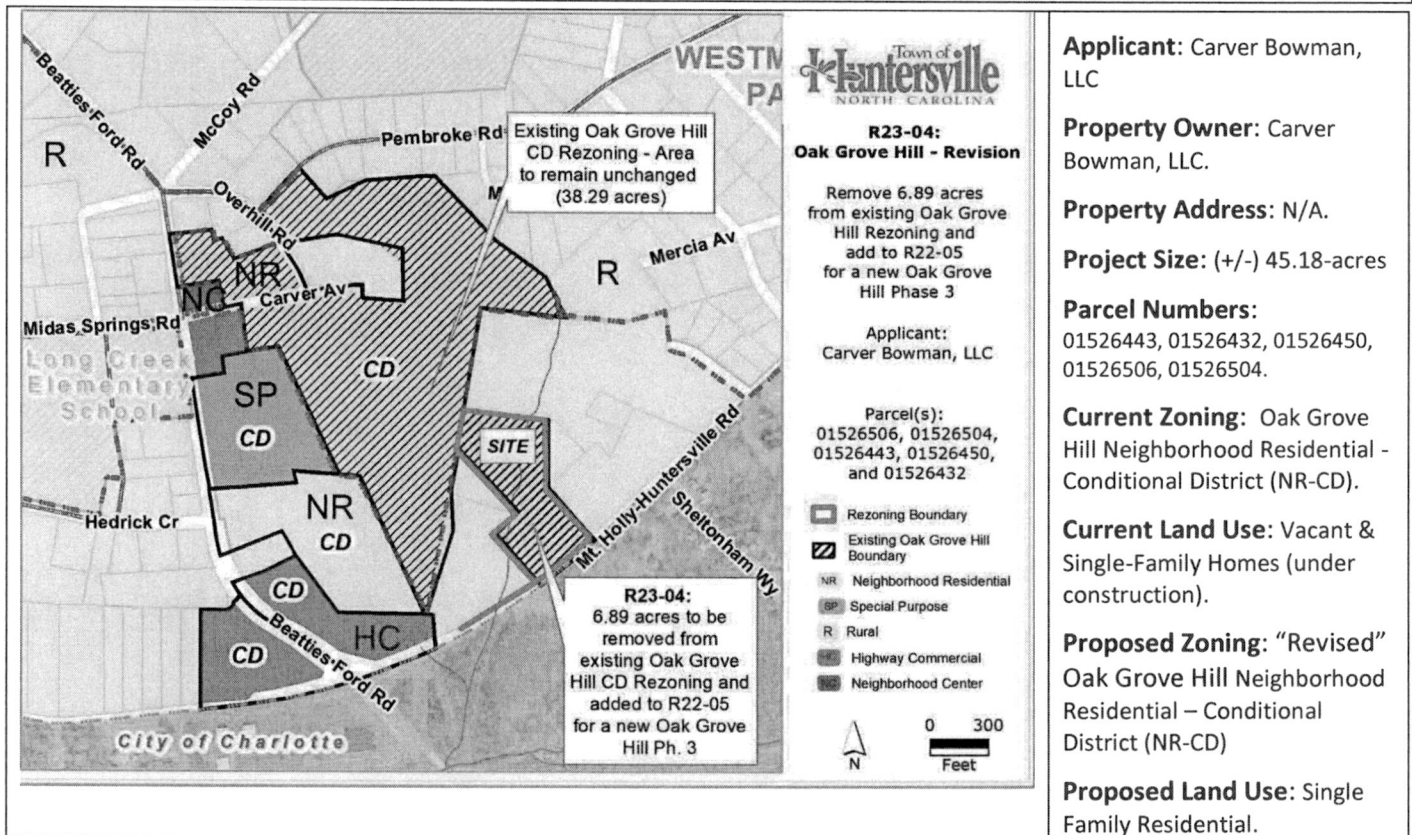
It is reasonable and in the public interest to approve the conditional district rezoning plan because it is consistent with the plans for the surrounding area and meets the applicable provisions of the zoning ordinance.

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

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

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

PART 1: PROJECT SUMMARY



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. 7

PART 2: REZONING/SITE PLAN HIGHLIGHTS

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



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

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

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

Planning Comments:

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

PART 3: TRANSPORTATION HIGHLIGHTS

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

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

NCDOT:

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

CDOT:

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

PART 4: REZONING CRITERIA

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

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

Huntersville 2040 Community Plan – Staff finds the proposed Conditional District Rezoning petition consistent with the following 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.**

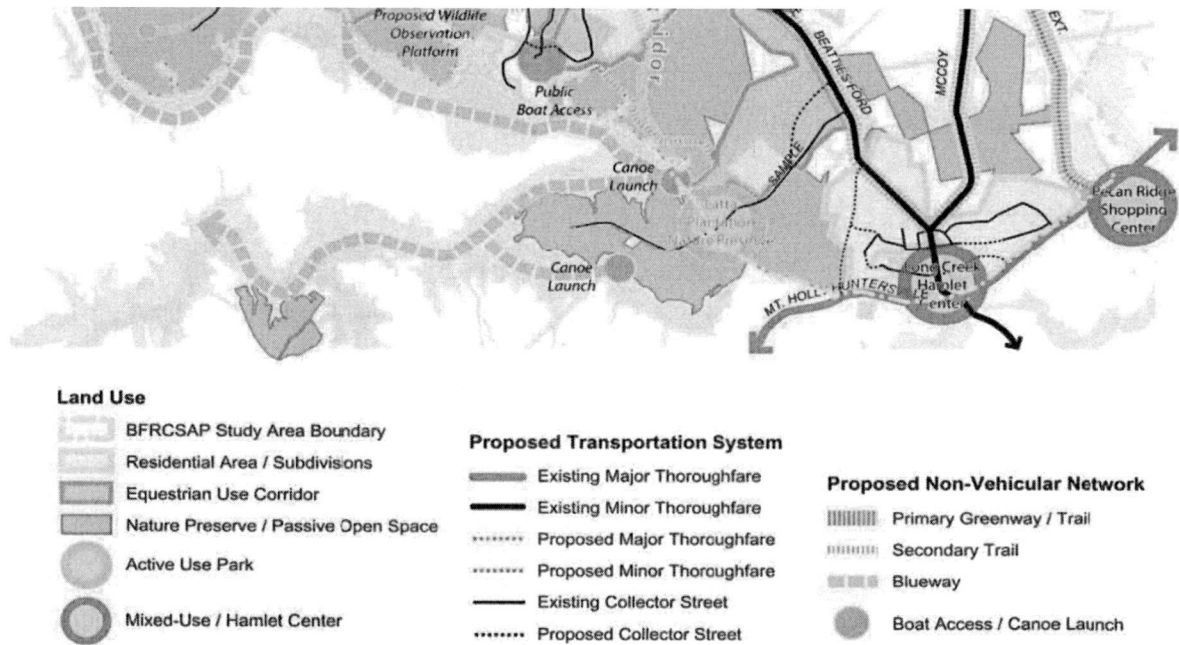
STAFF COMMENT: The removal of 6.89-acres from this CD Rezoning to a new addition (Phase 3) does not change the consistency with the 2040 Community Plan if R22-05 is approved prior to this request.

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

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

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

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



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

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

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

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

PART 8: ATTACHMENTS/ENCLOSURES

Attachments

- A – Rezoning Application
- B – Proposed Rezoning Plan
- C – Community Meeting Summaries

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

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



General Application

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

1. Application Type

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

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

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

2. Project Data

Date of Application September 9, 2022

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

Project Address 9301 Carver Avenue, Huntersville, NC 28078

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

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

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

Current Land Use Single Family Residential

Proposed Land Use(s) Single Family Residential

Is the project within Huntersville's corporate limits?

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

3. Description of Request

Explain the nature of this request. If a separate sheet is necessary, please attach to this application.
This is a conditional rezoning to the Oak Grove Hill property.

Approximately 22.66 ac additional and 45 additional lots.

4. Site Plan Submittals

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

5. Outside Agency Information

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

6. Applicant

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

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

Signature [Signature] Printed Name: Robert Bowman

Title Manager Email bowman31@gmail.com

Address of Applicant 13815 Cinnabar Place, Huntersville, NC 28078

7. Property Owner (if different than applicant)

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

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

Signature [Signature] Printed Name Hamilton Hoyt, Conrad Puckett

Title Owner Email bowman31@gmail.com

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

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

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

8. Development/Design Firm Contact Information

Carver Bowman, LLC	Robert Bowman	704-875-9704	bowman31@gmail.com
Development Firm	Name of Contact	Phone	Email
R Joe Harris	Daniel Gates	80-802-1799	dgates@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 (PETITION R23-04)

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

TOWN OF HUNTERSVILLE
MECKLENBURG COUNTY, NORTH CAROLINA

PREPARED FOR :

Carver Bowman, LLC

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

OAK GROVE HILL - PHASES 1 & 2 PRELIMINARY CONSTRUCTION
PLANS (2021) EPM # 400991 / CASE # R18-10A
APPROVED 5/10/2021

March 8, 2023



PREPARED BY:



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

1800 Sherrill Road, Suite 200, Cary, NC 27513 Phone: (919) 861-1799

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

Sheet List Table

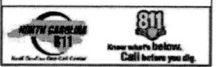
Sheet Number	Sheet Title
COVER	COVER
SP-1	OVERALL SITE & REZONING PLAN
SP-2	OVERALL SITE PLAN
SP-3 - SP-6	SITE PLANS
SP-7 - SP-8	SITE PLAN DETAILS
EX-1	OVERALL EXISTING CONDITIONS
EX-2 - EX-4	EXISTING CONDITIONS
GP-1	OVERALL GRADING PLAN
GP-2 - GP-4	GRADING PLANS
BMP-1	PRE DEV. DRAINAGE AREAS
BMP-2	POST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

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

NO DUKE ENERGY TRANSMISSION ROW SHOWN
WITHIN PROJECT LIMITS. IF IMPACTS ARE TO DUKE
ENERGY DISTRIBUTION FACILITIES PLEASE
CONTACT 800.777.8888 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
8/10/2022	For Submitted to Town of Huntersville	0
11/03/2022	Initial Submitted to Town of Huntersville	1
1/09/2023	Second Submitted to Town of Huntersville	2
3/08/2023	Third Submitted to Town of Huntersville	3

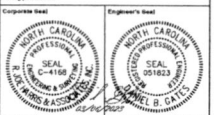


Engineer:

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

www.rjoharris.com

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



Project Manager	Drews
D. Gates	T. Abston
Department Manager	Chairman
P. Murphy	D. Gates

Project/Plan Date
March 8, 2023

As-built Drawn
-

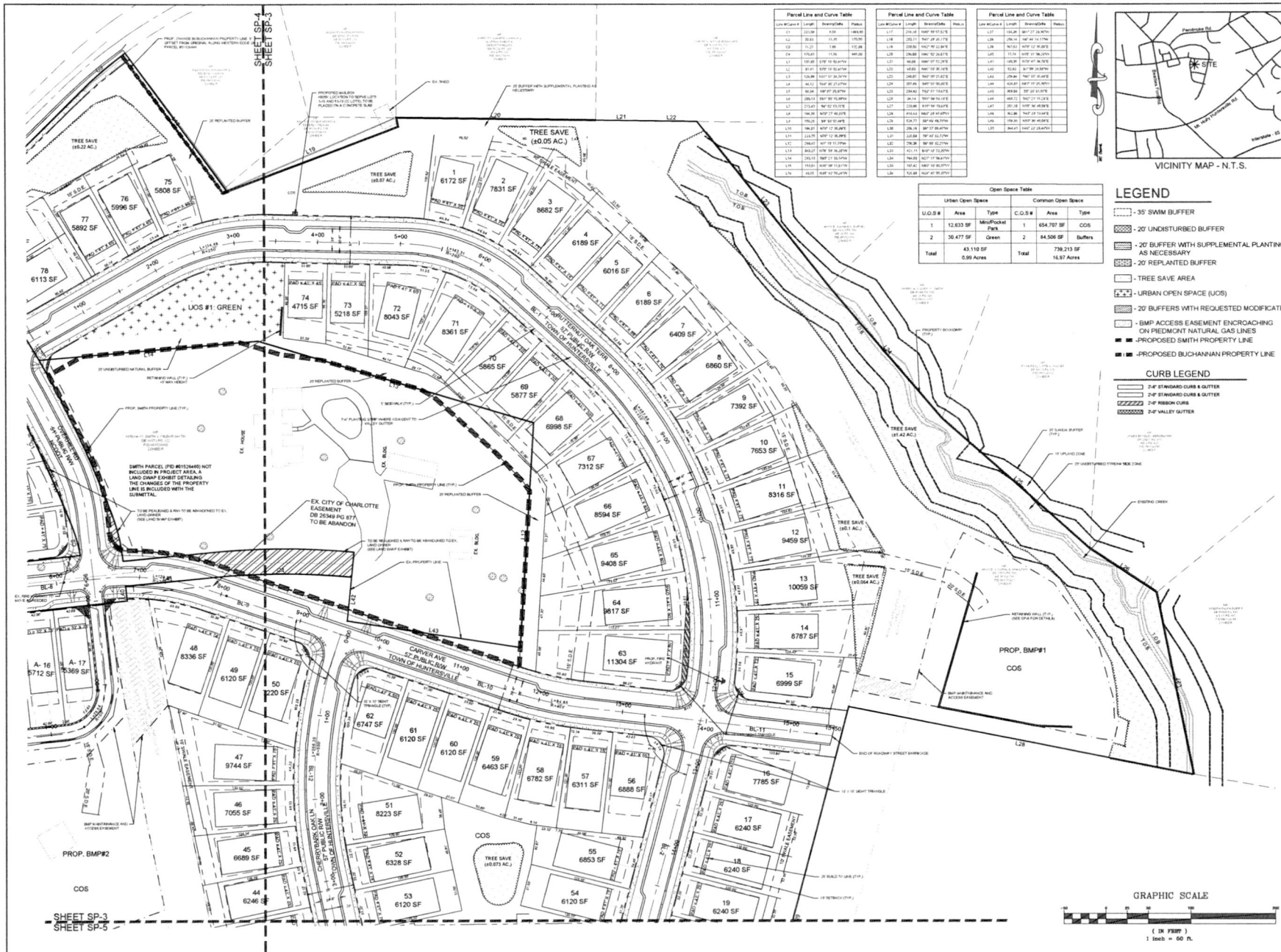
Client

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

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

Drawing Title:
Cover Sheet Petition
R23-04

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



Parcel Line and Curve Table				Parcel Line and Curve Table				Parcel Line and Curve Table			
Line	Length	Bearing	Area	Line	Length	Bearing	Area	Line	Length	Bearing	Area
L1	12.00	N 0° 0' 0" E	1.00	L1	12.00	N 0° 0' 0" E	1.00	L1	12.00	N 0° 0' 0" E	1.00
L2	12.00	N 0° 0' 0" E	1.00	L2	12.00	N 0° 0' 0" E	1.00	L2	12.00	N 0° 0' 0" E	1.00
L3	12.00	N 0° 0' 0" E	1.00	L3	12.00	N 0° 0' 0" E	1.00	L3	12.00	N 0° 0' 0" E	1.00
L4	12.00	N 0° 0' 0" E	1.00	L4	12.00	N 0° 0' 0" E	1.00	L4	12.00	N 0° 0' 0" E	1.00
L5	12.00	N 0° 0' 0" E	1.00	L5	12.00	N 0° 0' 0" E	1.00	L5	12.00	N 0° 0' 0" E	1.00
L6	12.00	N 0° 0' 0" E	1.00	L6	12.00	N 0° 0' 0" E	1.00	L6	12.00	N 0° 0' 0" E	1.00
L7	12.00	N 0° 0' 0" E	1.00	L7	12.00	N 0° 0' 0" E	1.00	L7	12.00	N 0° 0' 0" E	1.00
L8	12.00	N 0° 0' 0" E	1.00	L8	12.00	N 0° 0' 0" E	1.00	L8	12.00	N 0° 0' 0" E	1.00
L9	12.00	N 0° 0' 0" E	1.00	L9	12.00	N 0° 0' 0" E	1.00	L9	12.00	N 0° 0' 0" E	1.00
L10	12.00	N 0° 0' 0" E	1.00	L10	12.00	N 0° 0' 0" E	1.00	L10	12.00	N 0° 0' 0" E	1.00
L11	12.00	N 0° 0' 0" E	1.00	L11	12.00	N 0° 0' 0" E	1.00	L11	12.00	N 0° 0' 0" E	1.00
L12	12.00	N 0° 0' 0" E	1.00	L12	12.00	N 0° 0' 0" E	1.00	L12	12.00	N 0° 0' 0" E	1.00
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L20	12.00	N 0° 0' 0" E	1.00	L20	12.00	N 0° 0' 0" E	1.00	L20	12.00	N 0° 0' 0" E	1.00

Open Space Table			
Urban Open Space		Common Open Space	
U.O.S. #	Area	C.O.S. #	Area
1	12,633 SF	1	654,707 SF
2	30,477 SF	2	84,506 SF
			Buffers
Total	43,110 SF	Total	739,213 SF
	0.99 Acres		16.87 Acres

- LEGEND**
- 35' SWM BUFFER
 - 20' UNDISTURBED BUFFER
 - 20' BUFFER WITH SUPPLEMENTAL PLANTING AS NECESSARY
 - 20' REPLANTED BUFFER
 - TREE SAVE AREA
 - URBAN OPEN SPACE (UOS)
 - 20' BUFFERS WITH REQUESTED MODIFICATION
 - BMP ACCESS EASEMENT ENCRDACHING ON PREDOMINANT NATURAL GAS LINES
 - PROPOSED SMITH PROPERTY LINE
 - PROPOSED BUCHANAN PROPERTY LINE
- CURB LEGEND**
- 2" STANDARD CURB & GUTTER
 - 2" STANDARD CURB & GUTTER
 - 2" RIBBED CURB
 - 2" VALLEY GUTTER

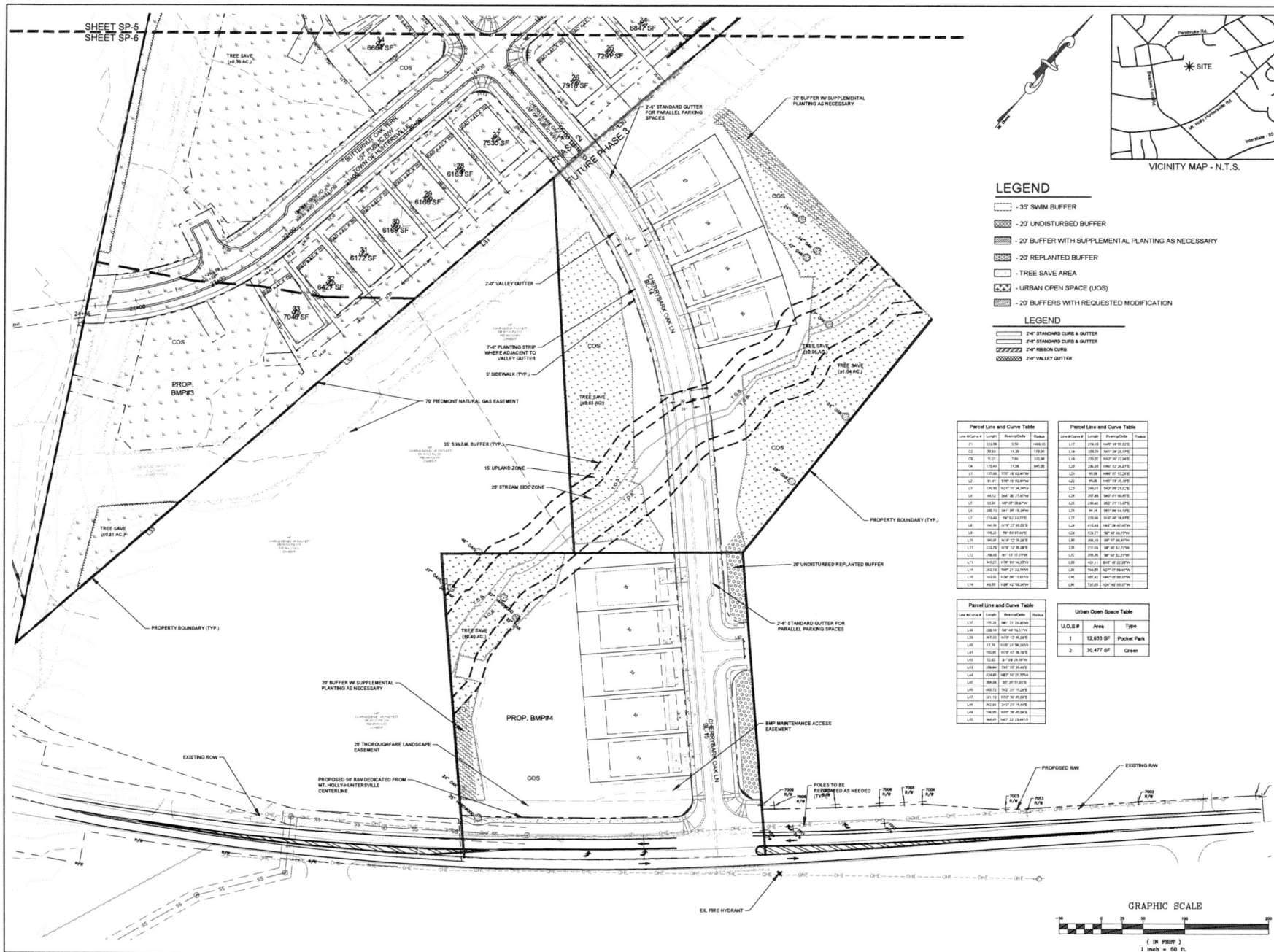
DATE	ISSUED FOR	REV
4/1/20	Pre-Submittal Meeting	0
5/1/20	Initial EPM Submittal	1
8/5/20	Second EPM Submittal	2
10/1/20	Third EPM Submittal	3
10/18/20	Fourth EPM Submittal	4

R. Joe Harris & Associates, Inc.
 Engineering • Land Surveying • Planning Management
 400 Weaver Blvd., Suite 200, Cary, NC 27513
 www.rjeharris.com

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

Engineer	Engineer Seal

Project Manager	Drawn
D. Gates	T. Alston
Department Manager	Checked
P. Murphy	D. Gates
Issue Date	Issue Date
March 8, 2023	
Client	Client
BOWMAN DEVELOPMENT GROUP	
13815 CINNABAR PLACE	
HUNTERSVILLE, NC 28078	
P: (704) 675-9704	
Project	Project
Oak Grove Hill-Phases 1&2	
Drawing Title	Drawing Title
Site Plan 1: Phase 1 & 2	
Project No.	Drawing No.
2539	SP-3
Client File Name	Client File Name
2539_0000_Site Plan	



LEGEND

- 35' SWM 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

LEGEND

- 24" STANDARD CURB & GUTTER
- 24" STANDARD CURB & GUTTER
- 24" REASON CURB
- 24" VALLEY GUTTER

Line Number	Length	Area	Notes
L1	12.833	0.14	24" STANDARD CURB & GUTTER
L2	12.833	0.14	24" STANDARD CURB & GUTTER
L3	12.833	0.14	24" STANDARD CURB & GUTTER
L4	12.833	0.14	24" STANDARD CURB & GUTTER
L5	12.833	0.14	24" STANDARD CURB & GUTTER
L6	12.833	0.14	24" STANDARD CURB & GUTTER
L7	12.833	0.14	24" STANDARD CURB & GUTTER
L8	12.833	0.14	24" STANDARD CURB & GUTTER
L9	12.833	0.14	24" STANDARD CURB & GUTTER
L10	12.833	0.14	24" STANDARD CURB & GUTTER

Line Number	Length	Area	Notes
L11	12.833	0.14	24" STANDARD CURB & GUTTER
L12	12.833	0.14	24" STANDARD CURB & GUTTER
L13	12.833	0.14	24" STANDARD CURB & GUTTER
L14	12.833	0.14	24" STANDARD CURB & GUTTER
L15	12.833	0.14	24" STANDARD CURB & GUTTER
L16	12.833	0.14	24" STANDARD CURB & GUTTER
L17	12.833	0.14	24" STANDARD CURB & GUTTER
L18	12.833	0.14	24" STANDARD CURB & GUTTER
L19	12.833	0.14	24" STANDARD CURB & GUTTER
L20	12.833	0.14	24" STANDARD CURB & GUTTER

Line Number	Length	Area	Notes
L21	12.833	0.14	24" STANDARD CURB & GUTTER
L22	12.833	0.14	24" STANDARD CURB & GUTTER
L23	12.833	0.14	24" STANDARD CURB & GUTTER
L24	12.833	0.14	24" STANDARD CURB & GUTTER
L25	12.833	0.14	24" STANDARD CURB & GUTTER
L26	12.833	0.14	24" STANDARD CURB & GUTTER
L27	12.833	0.14	24" STANDARD CURB & GUTTER
L28	12.833	0.14	24" STANDARD CURB & GUTTER
L29	12.833	0.14	24" STANDARD CURB & GUTTER
L30	12.833	0.14	24" STANDARD CURB & GUTTER

U.O.S.#	Area	Type
1	12.833 SF	Pocket Park
2	30.477 SF	Green

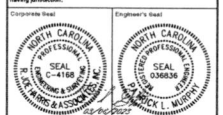
DATE	ISSUED FOR	REV
4/13/20	Pre-Submittal Meeting	0
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8/5/20	Second EPM Submittal	2
10/15/20	Third EPM Submittal	3
1/17/21	Fourth EPM Submittal	4



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Management

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



Project Manager: D. Gates
Drawn: T. Alston
Reviewed: P. Murphy
Checked: D. Gates

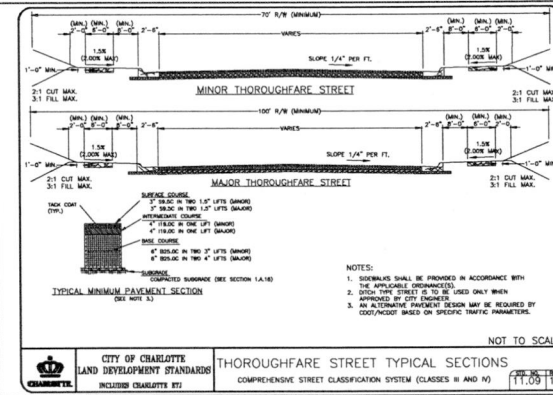
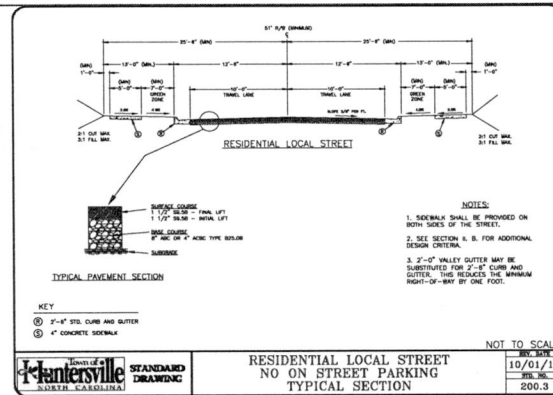
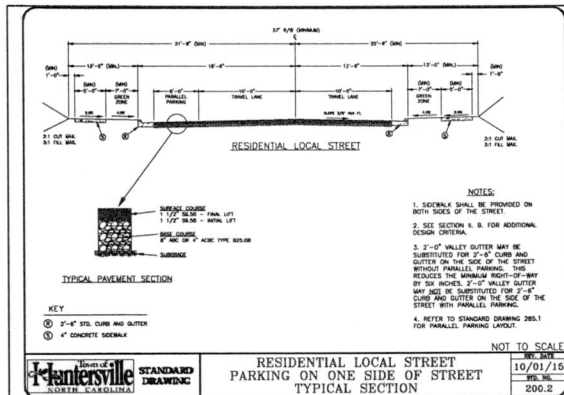
Project Date: March 8, 2023
As-built Date:
Client:
Bowman Development Group

13815 CRAWBAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

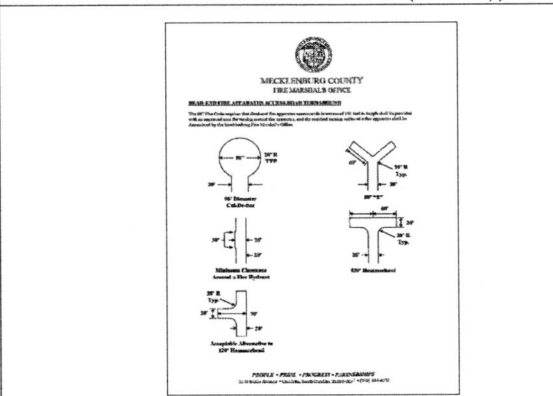
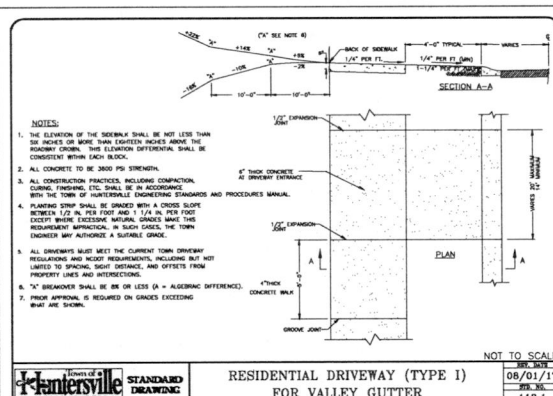
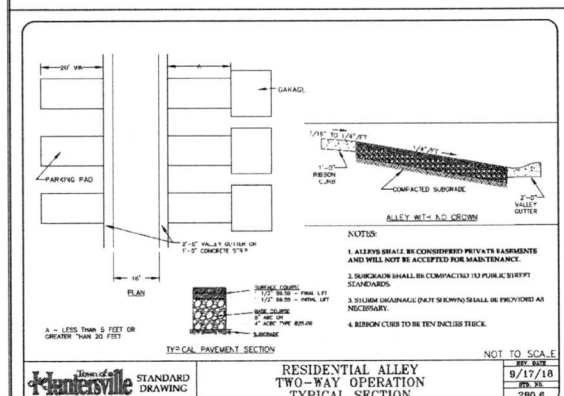
Project: OAK GROVE HILL

Drawing Title: SITE PLAN 4

Project No.: 2839
Drawing No.: SP-6
DWG File Name: 2839-Resurfacing & Site Plan



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



Engineer:

RJH

R. Joe Harris & Associates, Inc.

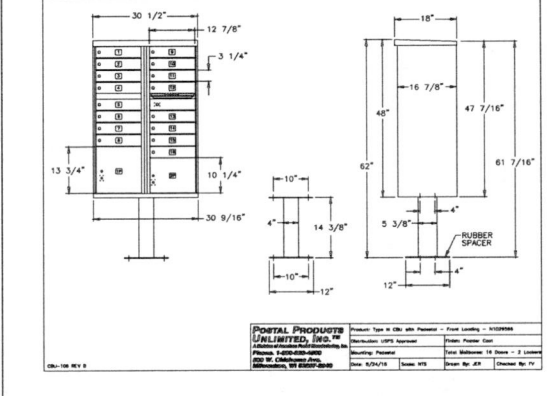
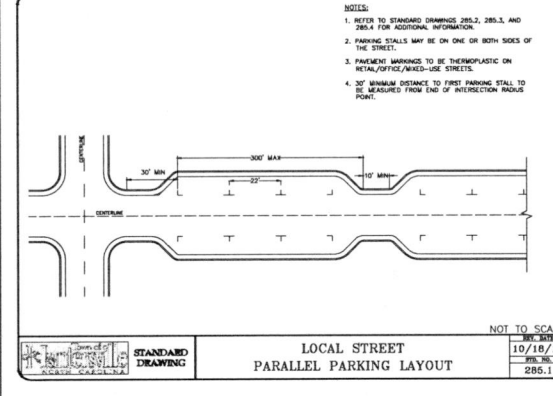
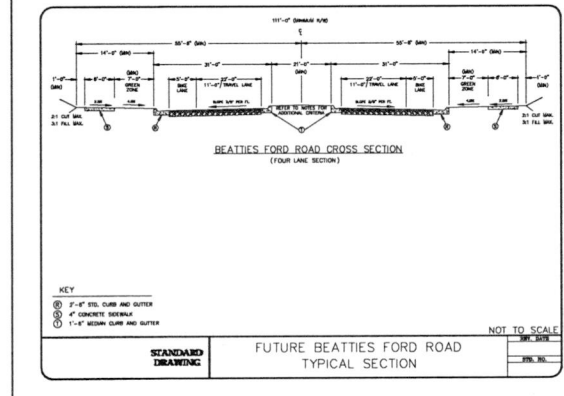
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Corporate Seal: NORTH CAROLINA SEAL OF PROFESSIONAL ENGINEERING, R. JOE HARRIS, No. 41418

Engineer's Seal: NORTH CAROLINA SEAL OF PROFESSIONAL ENGINEERING, DANIEL B. GATES, No. 41418



Project Manager: D. Gates

Drawn: T. Alston

Department Manager: P. Murphy

Checked: D. Gates

Project Date: March 8, 2023

As-built Date: -

Client: BOWMAN DEVELOPMENT GROUP

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

Project: Oak Grove Hill-Phases 1&2

Drawing Title: Details

Project No: 2839

Drawing No: SP-7

SITE INFORMATION

TAX PARCEL ID# 01234567, 01234568, 01234569, 01234570

EXISTING ZONING: Rural (R)

PROPOSED ZONING: NEIGHBORHOOD RESIDENTIAL (NR-CO)

ZONING CONDITIONAL NOTES

GENERAL NOTES:

- BOUNDARY SURVEY PROVIDED BY R.H. & ASSOCIATES, CHARLOTTE, NC, DATED: 6.15.2016.
- ADJACENT PARCEL & INFORMATION, PROVIDED BY 2016 MECKLENBURG COUNTY FIELD DATA.
- PORTIONS OF ADJACENT PROPERTY (PD #01234569) WITHIN NEW RIGHT OF WAY OF CARVER AVENUE SHALL BE ACQUIRED BY THE DEVELOPER, INCLUDED IN THE ANNEXATION PETITION, AND TURNED OVER TO THE TOWN FOR MAINTENANCE. IF EVENTS DO NOT ALLOW CARVER AVENUE TO BE TAKEN OVER BY THE TOWN, PLANS MUST BE REVISED TO REMOVE ON STREET PARKING AND MEET NC DOT LANE WIDTH STANDARDS.

- ENTIRE SITE WILL BE ANNEXED INTO THE TOWN OF HUNTERSVILLE UPON PLAN APPROVAL. ADDITIONALLY, PARCEL #01234569 WILL BE INCLUDED IN THE ANNEXATION PETITION TO PREVENT THE CREATION OF AN UNANNEXED ISLAND.

BUFFERS

- BUFFER AREAS ESTABLISHED IN THESE DEVELOPMENT STANDARDS SHALL CONFORM TO THE STANDARDS ESTABLISHED IN THE ORDINANCE NOTWITHSTANDING THE FOLLOWING. THE BUFFER REQUIREMENT FOR THE NR ZONING MAY BE MODIFIED AS SHOWN ON THE REZONING PLAN.
- BUFFER AREAS SHALL REMAIN UNDISTURBED, EXCEPT TO THE EXTENT NECESSARY TO ACCOMMODATE ACCESS POINTS, DRAINAGE PIPES OR CHANNELS, UTILITY LINES AND FACILITIES, PEDESTRIAN PATHWAYS AND BICYCLE PATHWAYS (AS PROVIDED IN THE HUNTERSVILLE ZONING ORDINANCE 7.5.6). UTILITY INSTALLATIONS MAY ONLY CROSS BUFFER AREAS AT THE INTERIOR ANGLES MEASURED AT PROPERTY LINE WHEN ARE NOT LESS THAN 15 DEGREES.
- NO BUILDING, PARKING SPACES, MANEUVERING AREAS MAY BE LOCATED WITHIN BUFFER AREAS. HOWEVER, WATER QUALITY/LOW IMPACT DEVELOPMENT (LID) FACILITIES, SUCH AS RAINFORESTS, MAY BE WITHIN THE BUFFERS (AS PER HUNTERSVILLE ZONING ORDINANCE ARTICLE 3.3.3.8 SECTION 6). STORM WATER DETENTION FACILITIES SHALL REMAIN OUT OF BUFFER AREAS.
- ALL BUFFER AREAS WHERE EXISTING TREES AND NATURAL VEGETATION HAVE BEEN CLEARED TO ACCOMMODATE PEDESTRIAN SIDEWALKS OR PATHWAYS OR THE INSTALLATION OF UTILITY LINES OR FACILITIES, THE CLEARED, UNIMPROVED AREAS WILL BE LANDSCAPED WITH TREES AND SHRUBS IN ACCORDANCE WITH ARTICLE 7 OF THE HUNTERSVILLE ZONING ORDINANCE (PER ARTICLE 7.3.4).

SETBACKS, SIDE YARDS AND REAR YARDS

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

SCREENING AND LANDSCAPING AREAS

- LANDSCAPE AREAS WILL BE PLANTED ON THE SITE TO MEET OR EXCEED THE REQUIREMENTS OF THE ORDINANCE.
- SCREENING SHALL CONFORM WITH THE STANDARDS AND TREATMENTS SPECIFIED IN THE ORDINANCE. REQUIRED LANDSCAPING OR TREES AND SHRUBS LOCATED WITHIN THE BUFFER SHALL CONFORM TO THE ORDINANCE.
- LIMITED AMOUNT OF CLEARING SHALL BE ALLOWED WITHIN THE BUFFER/SETBACK AREAS TO PROMOTE THE GROWTH OF EXISTING VEGETATION AND/OR ENHANCE THE AESTHETIC APPEAL OF THE SITE. THE FOLLOWING WOULD BE ALLOWED IN A BUFFER/SETBACK AREA:
 - A. HAND PRUNING ONLY. NO HEAVY EQUIPMENT OR VEHICLES ALLOWED IN THE BUFFER (E.G. BULLDOZERS).
 - B. PLANT MATERIAL, WHICH MAY BE REMOVED, SHALL BE CUT FLUSH WITH THE GROUND. NO DISTURBANCE OF THE SOIL WILL BE ALLOWED.
 - C. AND LIMB REMOVAL WITH THE EXCEPTION OF DEAD OR DISEASED LIMBS.
 - D. PETITIONER MAY REMOVE WEEDS AND VINES.
 - E. PETITIONER MAY REMOVE TREES THAT MEASURE LESS THAN 7" CALIPER AT THE BASE THAT ARE CLEARLY WITHIN THE GRIP LINE OF A TREE THAT IS 7" OR GREATER. GRIP LINE IS DEFINED AS AN IMAGINARY LINE ON THE GROUND THAT WOULD FORM THE PERIMETER OF THE TREE'S CANOPY.
 - F. PETITIONER MAY REMOVE DEAD TREES AND MATERIAL. DEAD TREES MAY BE REMOVED AT THE DISCRETION OF AN URBAN FORESTER.
 - G. MULCH MAY BE APPLIED TO THE WOODLAND BUFFER. KEEP MULCH 3-4" AWAY FROM THE BARK OF TREES.
- ALL BUFFERS AND SETBACKS SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION AS TREE PRESERVATION AREAS THAT MAY BE SUPPLEMENTED TO ENHANCE THE APPEARANCE OF THE PROJECT. UNLESS, BUFFERS AND SETBACKS TO BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION MAY BE MODIFIED AS ALLOWED IN THE ORDINANCE.

PARKING/PARKING FACILITIES

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

LIGHTING

- PETITIONER AGREES TO INSTALL PEDESTRIAN SCALE LIGHTING ALONG INTERNAL STREETS. THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE, INCLUDING ITS BASE, SHALL NOT EXCEED 10 FEET.
- ALL DIRECT LIGHTING WITHIN THE SITE SHALL BE FULLY SHIELDED AND DESIGNED SUCH THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY EXISTING PROPERTY LINE. CONSIDERATION WILL BE GIVEN TO THE IMPACT OF LIGHTING BOTH WITHIN AND OUTSIDE OF THE PERIMETER OF THE SITE. ITEMS FOR CONSIDERATION WILL INCLUDE INTENSITY, CUTOFF ANGLES, COLOR, ENERGY EFFICIENCY AND SHIELDING OF SOURCES OF LIGHT.

OPEN SPACE

- IN COMMON OPEN SPACE AREAS LOCATED OUTSIDE OF THE UNDISTURBED BUFFERS THE PETITIONER RESERVES THE RIGHT FOR IMPROVEMENTS TO INCLUDE SIDEWALKS, PLAYGROUND (NOT LOT), PEDESTRIAN LIGHTING, BENCHES, TABLES AND CHAIRS, FOUNTAINS, ADDITIONAL LANDSCAPING MATERIALS, TRAIL RECEPTACLES AND ANY OTHER SITE AMENITY ALLOWED BY THE ORDINANCE.

ARCHITECTURAL CONTROLS AND RESTRICTIVE COVENANTS

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

FIRE PROTECTION

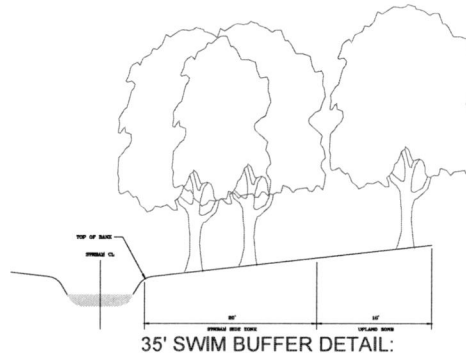
FIRE HYDRANTS WILL BE PROVIDED WITHIN THE LANDSCAPE SETBACK AREAS AS REQUIRED BY THE FIRE MARSHALL. HYDRANT LOCATIONS MUST BE APPROVED BY THE FIRE MARSHALL.

INTERNAL AND INTERNAL STREETS

- PETITIONER SHALL MEET THE ORDINANCE FOR SIDEWALKS AND STREET TREES. HOWEVER, IF THE PETITIONER ELECTS TO INSTALL AN ALTERNATE SIDEWALK THAT SIDEWALK WOULD BE A MINIMUM 5 FOOT WIDE WALK. THE SIDEWALK MAY MEASURE IN ORDER TO PERMIT THE PETITIONER TO EXERCISE GOOD FAITH EFFORTS TO SAVE EXISTING 1 INCH OR LARGER CALIPER TREES WITHIN THE APPLICABLE BUILDING SETBACK ALONG THE EXISTING ROADS THAT ARE BEING BROUGHT TO HUNTERSVILLE STANDARDS (PER ARTICLE 8.14 OF HUNTERSVILLE SUBDIVISION ORDINANCE).
- EXCEPT WHERE NECESSARY TO ACCOMMODATE SIGNIFICANT DESIGN AND ARCHITECTURAL ELEMENTS LOCATED ON THE SITE, INTERNAL STREETS SHALL BE DESIGNED TO HAVE STREET TREES AND (SUBJECT TO THE PROVISIONS OF NOTE 1 OF THIS SECTION) SIDEWALK A MINIMUM OF 5 FEET IN WIDTH PROVIDED THAT ANY DEVIATION FROM THE MINIMUM 5 FEET SIDEWALK WIDTH SHALL RELATE TO PEDESTRIAN WALK WEDGE OF AN APPROPRIATE WIDTH INCLUDED AS PART OF THE ABOVE DESCRIBED SIGNIFICANT DESIGN FEATURES.

BEATTIES FORD ROAD SECTION AND FRONTAGE

- DEVELOPER TO PROVIDE CROSS SECTIONAL DETAIL OF THE FUTURE BEATTIES FORD ROAD EXTENSION BUT IS NOT RESPONSIBLE FOR THE CONSTRUCTION OR IMPROVEMENTS OF THIS SECTION BEYOND THE INSTALLATION OF THE SIDEWALK THAT IS TO FRONT THE SINGLE-FAMILY UNITS. THE DEVELOPER TO PROVIDE DOUBLE ROW STREET TREES, BUT IS NOT RESPONSIBLE FOR THE CHANGE OR REMOVAL AND REPLACEMENT OF TREES DURING THE IMPROVEMENTS OF BEATTIES FORD ROAD. DEVELOPER TO ACCOMMODATE FOR THE EXPANDED CROSS SECTION WITH BUILDING PLACEMENT AND ROAD DEDICATION ELEVATIONS FOR THIS SECTION OF IMPROVEMENTS BY THE DEVELOPER. (STREET TREES AND SIDEWALKS WILL BE BASED ON CURRENT CENTERLINE ELEVATIONS AND PROJECTED OUTWARD).
- LOTS FRONTING BEATTIES FORD ROAD SHALL BE REAR ENTRY, WITH ALL PARKING PROVIDED BY ALLEY ACCESS. THESE LOTS SHALL BE ADDRESSED TO THE ALLEY, NO ON STREET PARKING IS ALLOWED ON NC DOT ROADS.



HOMES FRONTING BEATTIES FORD RD.



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

DATE	ISSUED FOR	REV
4/1/20	Pre-Submittal Meeting	0
5/1/20	Initial EPM Submittal	1
9/5/20	Second EPM Submittal	2
10/1/20	Third EPM Submittal	3
12/18/20	Fourth EPM Submittal	4



Engineer:



R. Joe Harris & Associates, Inc.
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1000 Prosperity Way, Suite 300, Cary, NC 27513

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Project Manager: D. Gates	Owner: T. Alston
Responsible Manager: P. Murphy	Client: D. Gates
Print/Plot Date: January 20, 2023	As-built Date: *
Notes:	

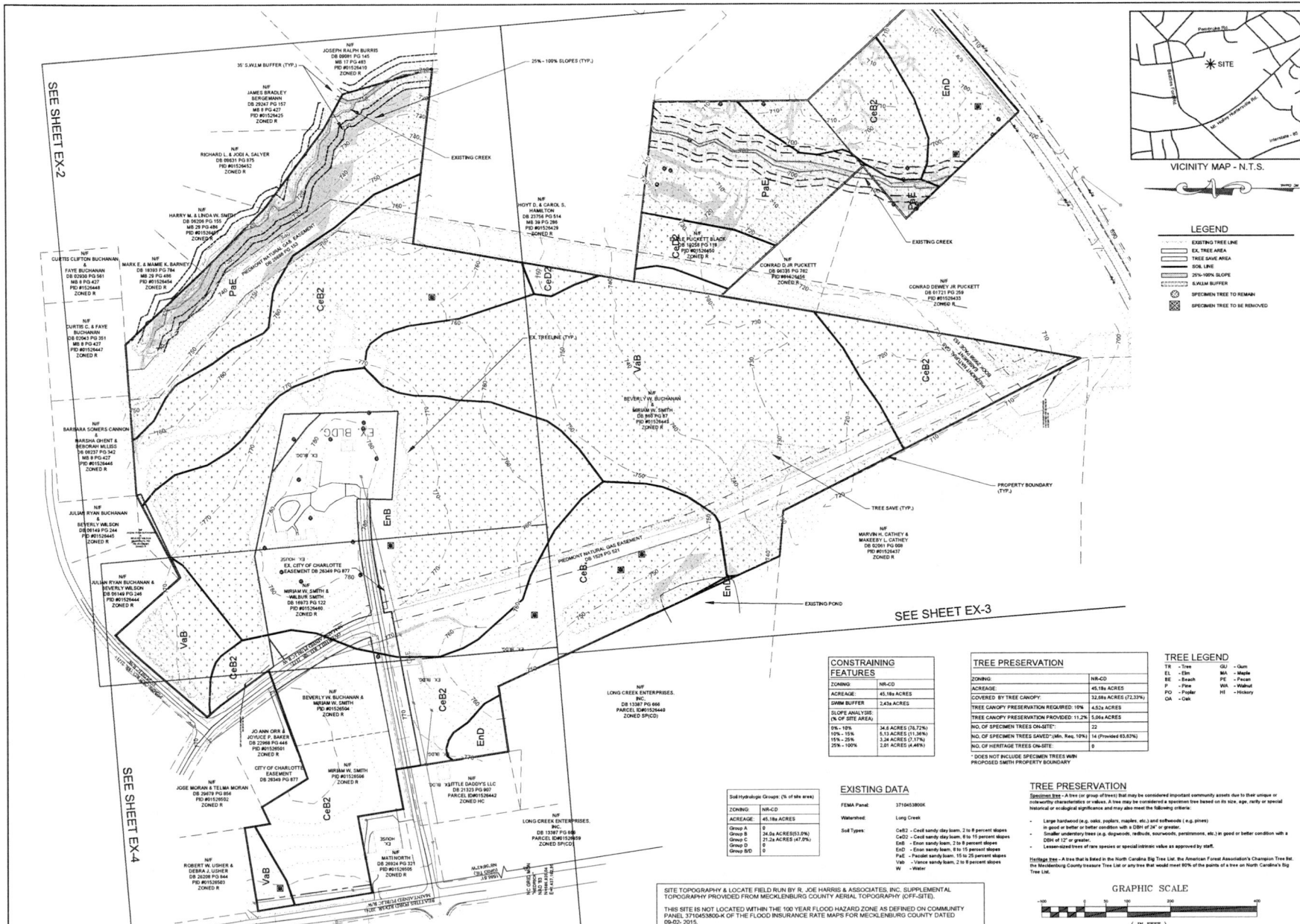
BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

Project:
Oak Grove Hill-Phases 1&2

Drawing Title:
Rezoning Notes

Project No. 2839 DWG File Name:	Drawing No. SP-8
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2020 Rezoning 0.01a Plan



DATE	ISSUED FOR	REV
08/14/19	Pre-Submittal Meeting	1
08/27/19	Initial Submittal to Huntersville EPM	2
1/06/20	Second Submittal to Huntersville EPM	3
1/29/20	Third Submittal to Huntersville EPM	4
3/2/20	Fourth Submittal to Huntersville EPM	5



Engineer

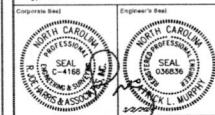
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P: 704.875.9704

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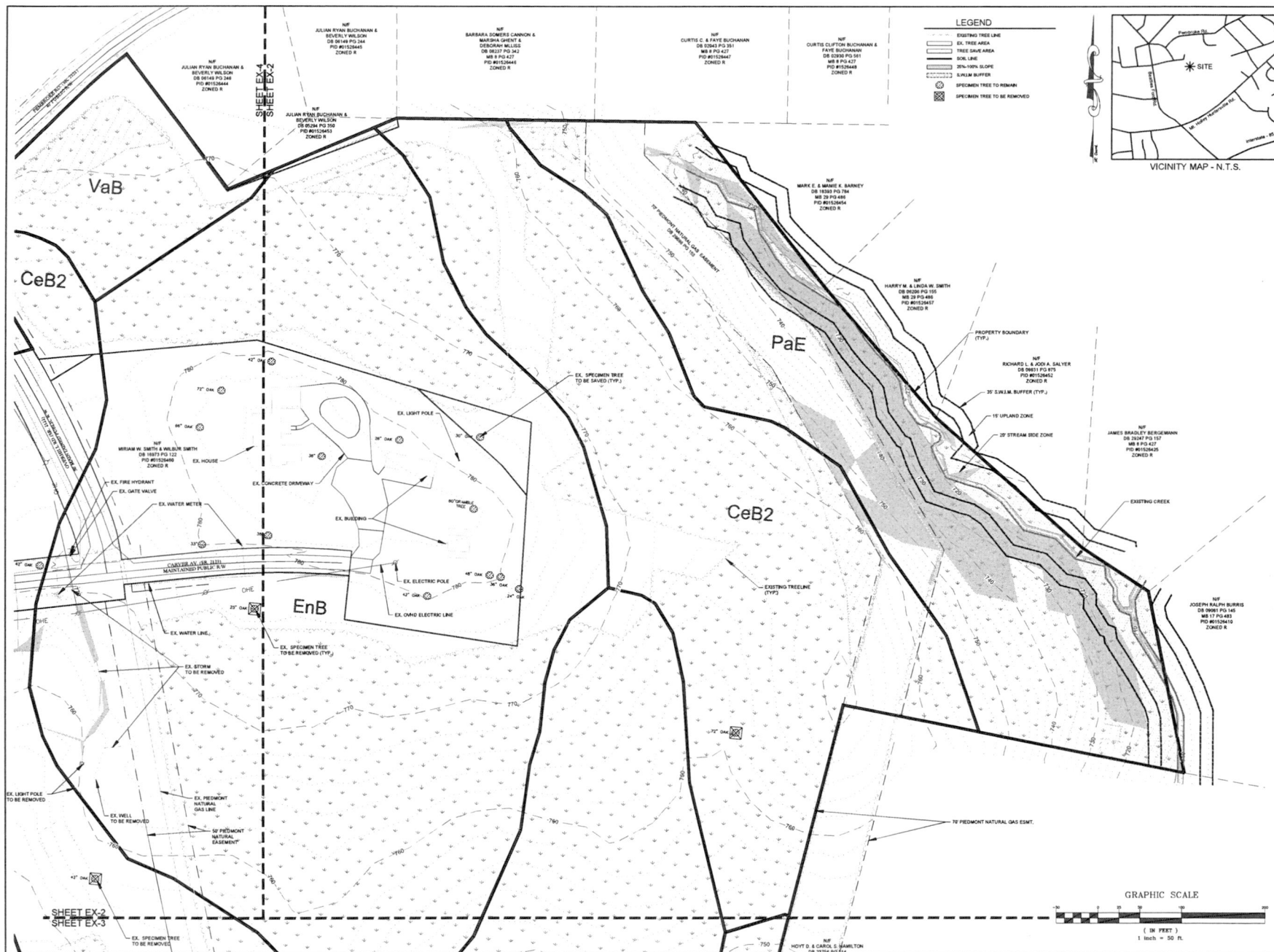
Project Manager: D. Gates
Department Manager: P. Murphy
March 2, 2020
As-built Date: +

BOWMAN DEVELOPMENT GROUP
13815 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: 704.875.9704

Project: **OAK GROVE HILL**

Drawing Title: **Existing Conditions Overall**

Project No.: 2839
Drawing No.: EX-1



DATE	ISSUED FOR	REV
08/14/19	Pre-Submittal meeting	1
08/15/19	Initial Submittal to Huntersville EPM	1
11/06/19	Second Submittal to Huntersville EPM	2
1/23/20	Third Submittal to Huntersville EPM	3
3/20/20	Fourth Submittal to Huntersville EPM	4



Engineer:



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Project Manager: **D. Gates**
Drawn: **C. Brown**
Checkman/Designer: **P. Murphy**
Checkman: **P. Murphy**

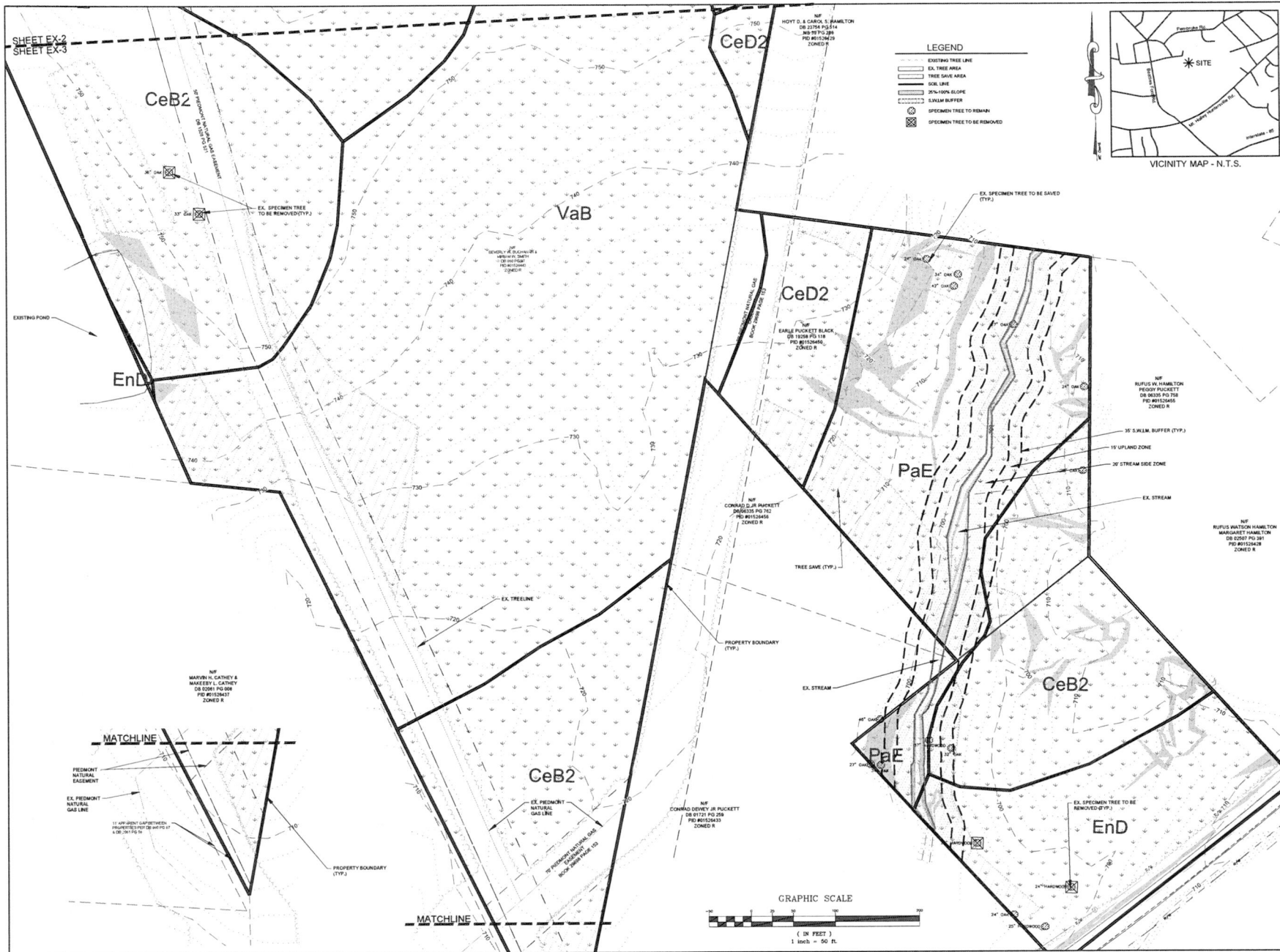
Project/Plot Date: **March 2, 2020**
As-built Date: **-**

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

Project: **OAK GROVE HILL**

Drawing Title: **Existing Conditions**

Project No.: **2830**
Drawing No.: **EX-2**
DWG File Name: **2830-Existing Conditions**



DATE	ISSUED FOR	REV
08/14/18	Pre-Submitted Meeting	1
08/03/19	Initial Submitted to Huntersville EPM	2
11/04/19	Second Submitted to Huntersville EPM	3
11/29/19	Third Submitted to Huntersville EPM	2
3/2/20	Fourth Submitted to Huntersville EPM	4




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Engineer:

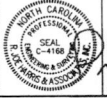


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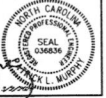
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Contractor Seal



Engineer's Seal



Project Manager	Checker
D. Gates	C. Brown
Department Manager	Checker
P. Murphy	P. Murphy

Project Date: March 2, 2020

As-built Date: -

Client:

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

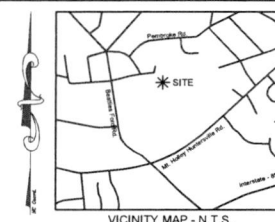
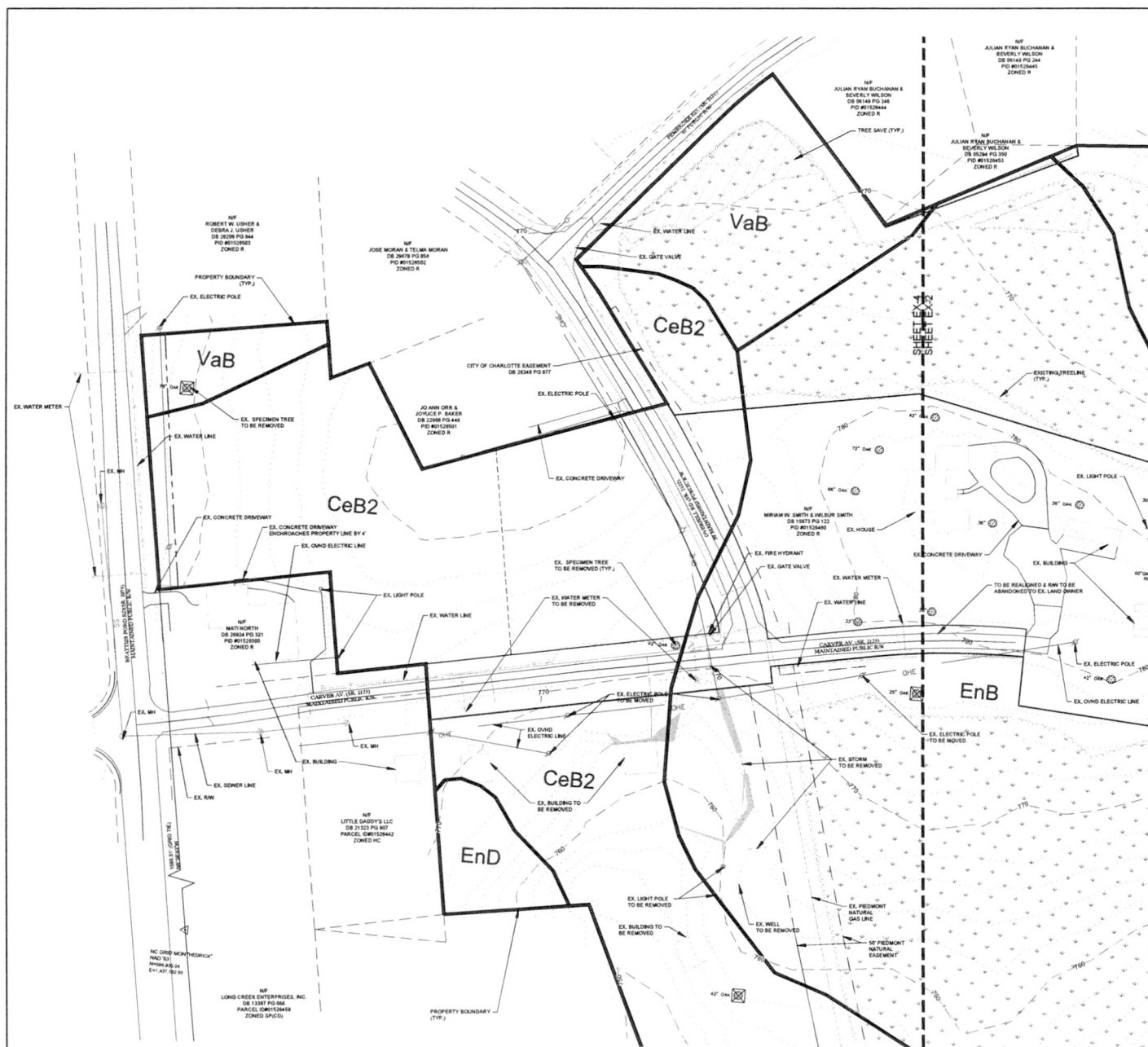
Project:

OAK GROVE HILL

Drawing Title:

Existing Conditions

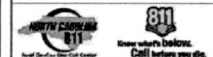
Project No.	Drawing No.
2839	EX-3
Drawn By:	Checked By:
2020 Existing Condition	



LEGEND

	EXISTING TREE LINE
	EX. TREE AREA
	TREE SAVE AREA
	SOIL LINE
	25%-100% SLOPE
	5'X1M BUFFER
	SPECIMEN TREE TO REMAIN
	SPECIMEN TREE TO BE REMOVED

DATE	ISSUED FOR	REV
08/14/19	Pre-Submittal Meeting	0
08/05/19	Initial Submittal to Huntersville EPM	1
11/04/19	Second Submittal to Huntersville EPM	2
1/23/20	Third Submittal to Huntersville EPM	3
3/2/20	Fourth Submittal to Huntersville EPM	4



Engineer:

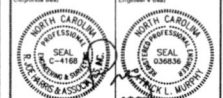


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Corporate Goal	Engineer's Goal
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Project Manager D. Gates	Drawn C. Brown
Department Manager P. Murphy	Checked P. Murphy

Print/Plot Date	
March 2, 2020	
As-built Drawn	As-built Date

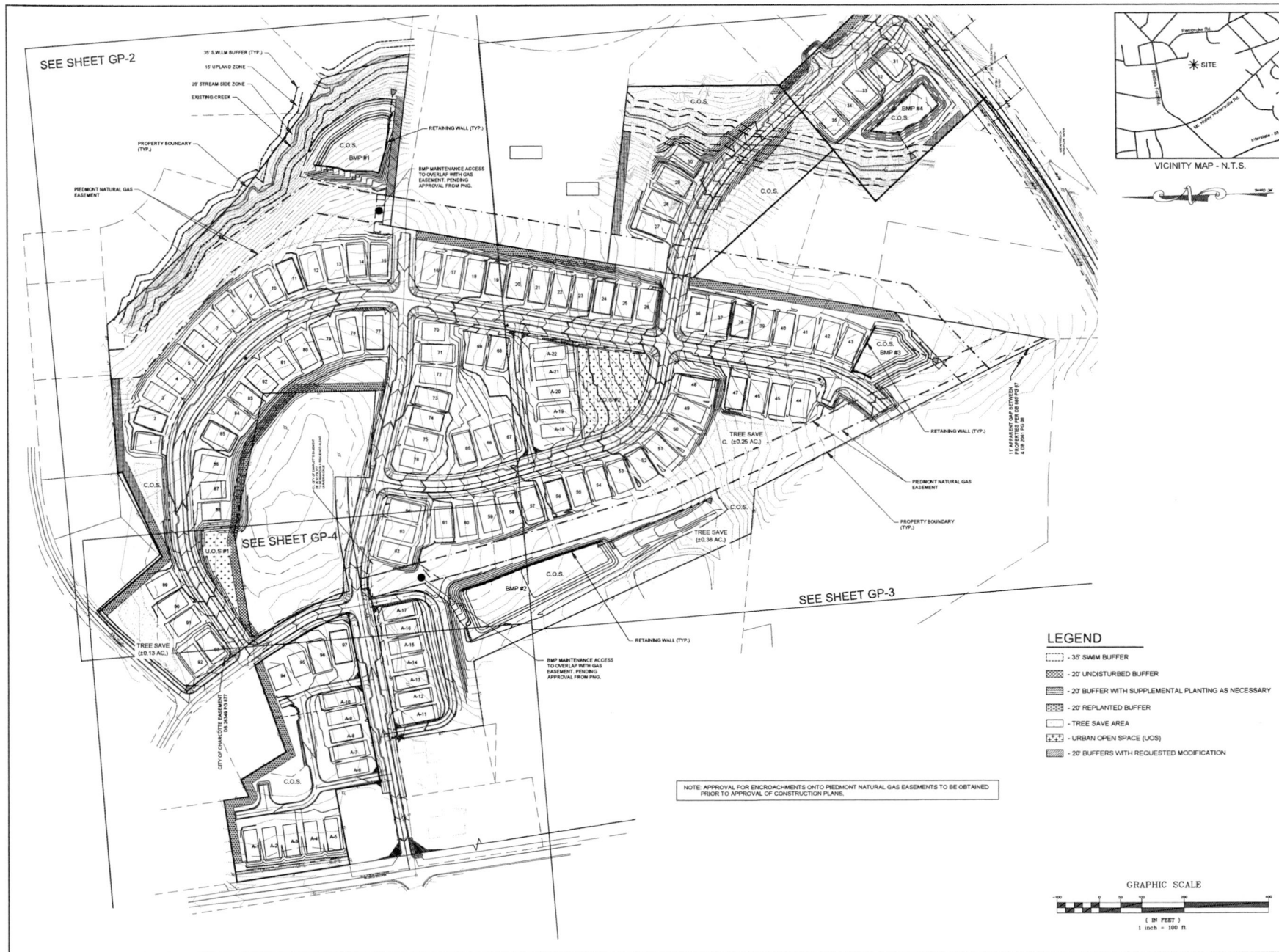
BOWMAN DEVELOPMENT GROUP
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HUNTERVILLE, NC 28078
P: (704) 875-9704

Project:
OAK GROVE HILL

Drawing Title:

Existing Conditions

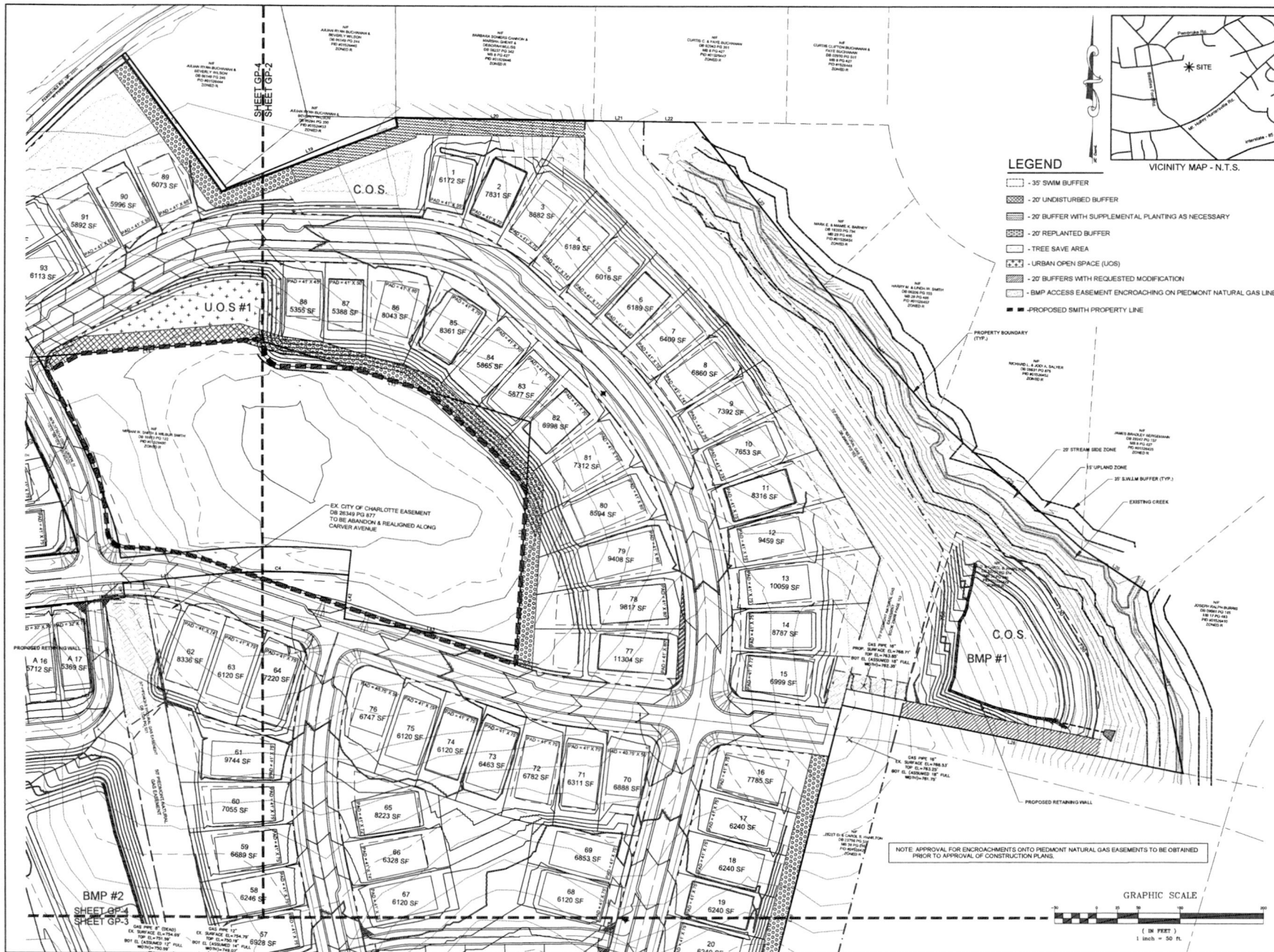
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DWG File Name: 2839-Existing Condition	EX-4



DATE	ISSUED FOR	REV
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08/05/19	Initial Submittal to Huntersville EPM	1
11/04/19	Second Submittal to Huntersville EPM	2
12/02/19	Third Submittal to Huntersville EPM	3
02/05	Fourth Submittal to Huntersville EPM	4

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Engineer R. Joe Harris & Associates, Inc. Engineering • Land Surveying • Planning Management 1100 Independence Road, Suite 200, Huntersville, NC 28078 www.rjeharris.com This drawing shall not be used for construction purposes until the seal and signature of the responsible registered engineer appears on the drawing, and proper permit forms and related fees are transmitted to the Owner, Owner's Agent or Contractor to the Authority having jurisdiction. Corporate Seal Engineer in Field 	Project Manager: D. Gates Design/Construct Manager: P. Murphy Prepared Date: March 2, 2020 As-built Date: - Client: Bowman Development Group 13815 CINNABAR PLACE HUNTERSVILLE, NC 28078 P: (704) 875-9704 Project: OAK GROVE HILL Drawing Title: Overall Grading Plan Project No.: 2020 Drawing No.: GP-1
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DATE	ISSUED FOR	REV
08/14/19	Pre-Submittal Meeting	1
08/20/19	Initial Submittal to Huntersville EPM	1
11/06/19	Second Submittal to Huntersville EPM	2
11/20/19	Third Submittal to Huntersville EPM	3
12/01/19	Fourth Submittal to Huntersville EPM	4



Engineer:

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Corporate Seal

Engineer's Seal

Project Manager: D. Gates
Owner's Agent: P. Murphy

Professional Date: March 2, 2020

Project: OAK GROVE HILL

Project Manager: D. Gates
Owner's Agent: P. Murphy

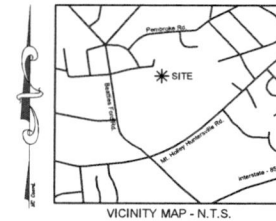
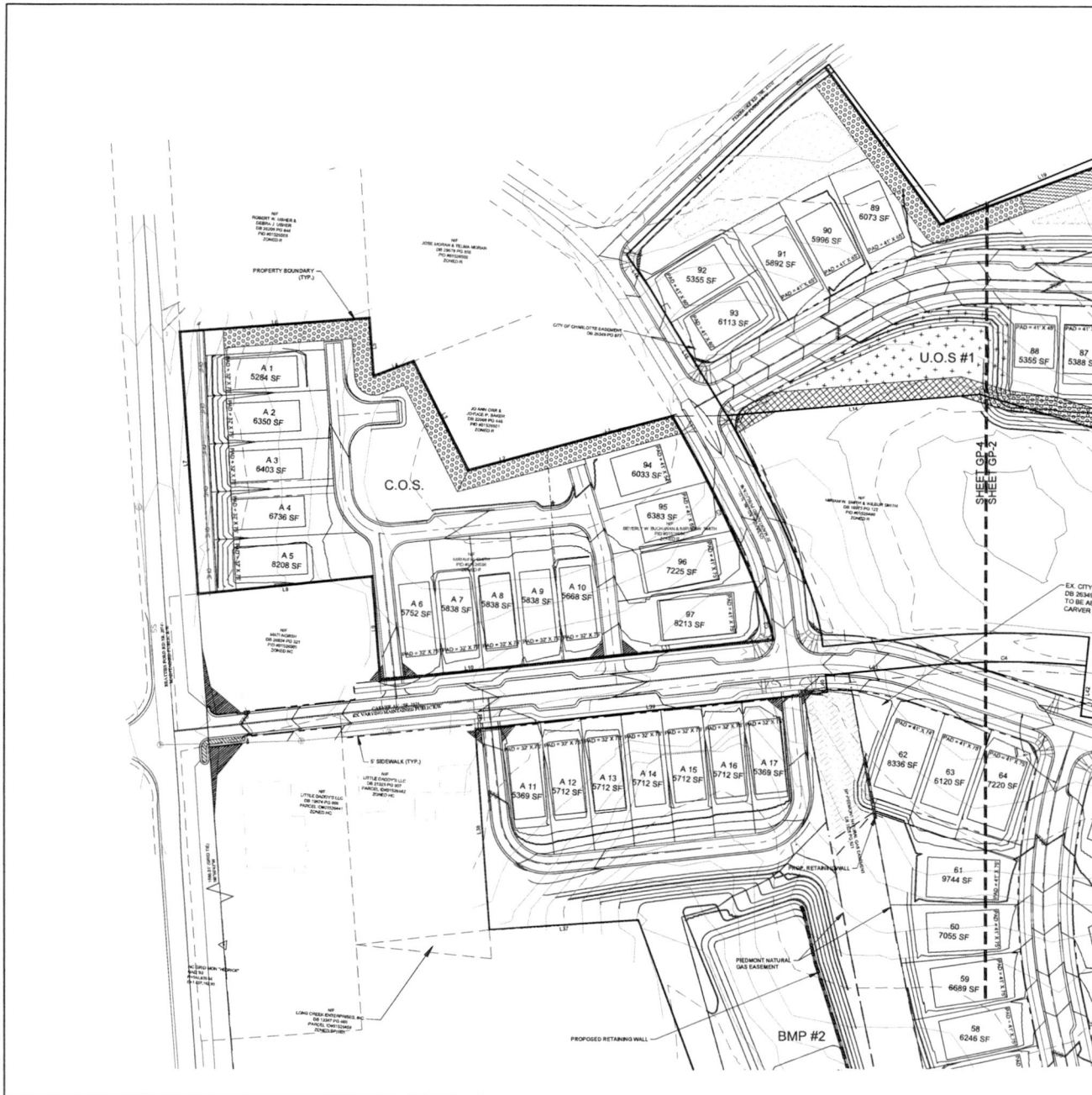
Professional Date: March 2, 2020

Project: OAK GROVE HILL

Project: OAK GROVE HILL

Drawing Title: Grading Plan 1

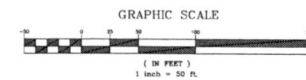
Project No.: 2830
Drawing No.: GP-2



LEGEND

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

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



DATE	ISSUED FOR	REV
08/14/19	Pre-Submittal Meeting	1
08/27/19	Initial Submittal to Huntersville EPM	1
11/05/19	Second Submittal to Huntersville EPM	2
11/05/19	Third Submittal to Huntersville EPM	3
3/20/20	Fourth Submittal to Huntersville EPM	4



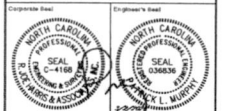
Engineer:



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

www.rjeharris.com

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



Project Manager: D. Gates
Drawn: C. Brown
Reviewed: P. Murphy
Checked: P. Murphy

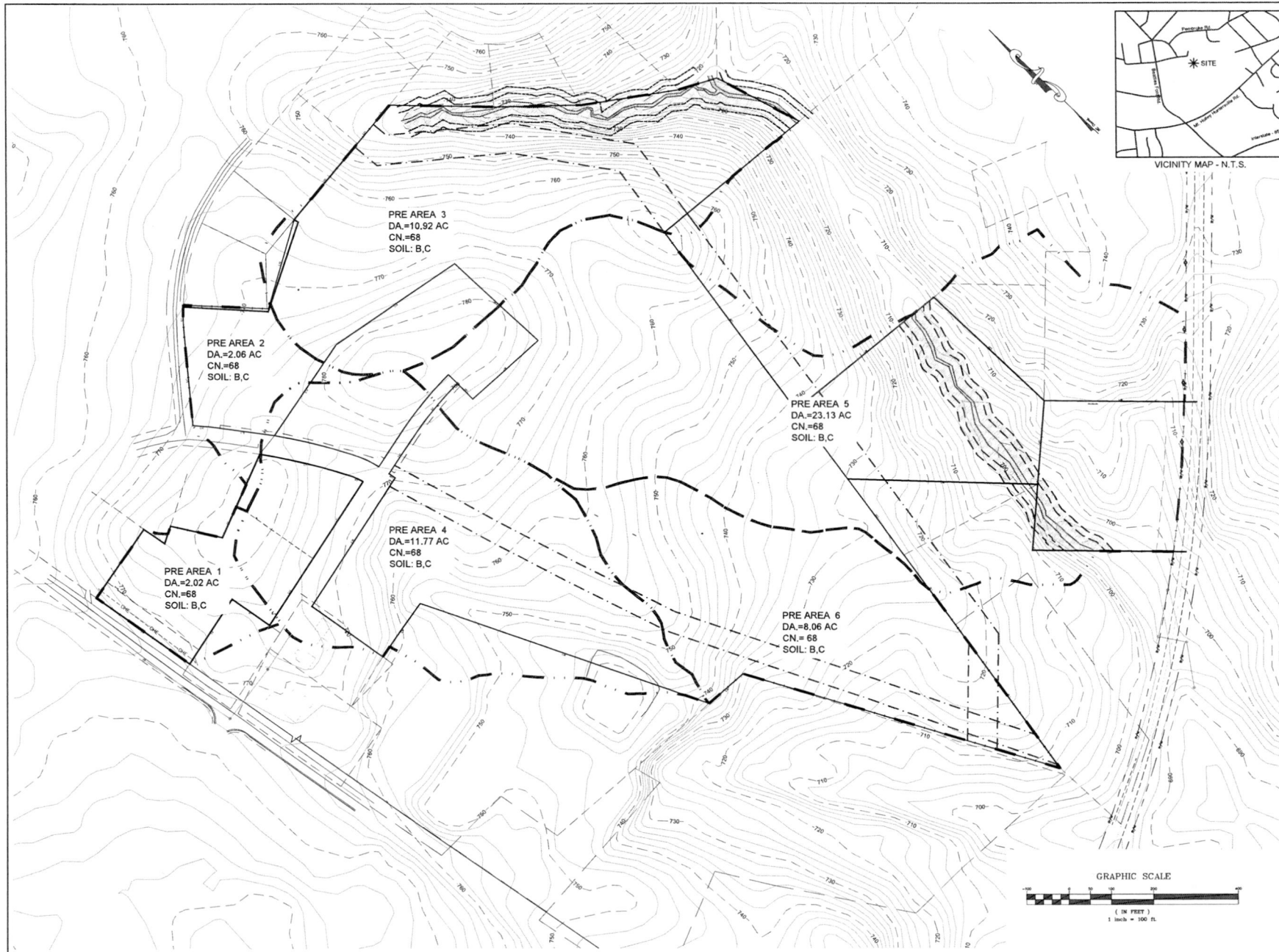
Project Date: March 2, 2020
As-built Date: -

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

Project: OAK GROVE HILL

Drawing Title: Grading Plan 3

Project No.: 2839
Drawing No.: GP-4



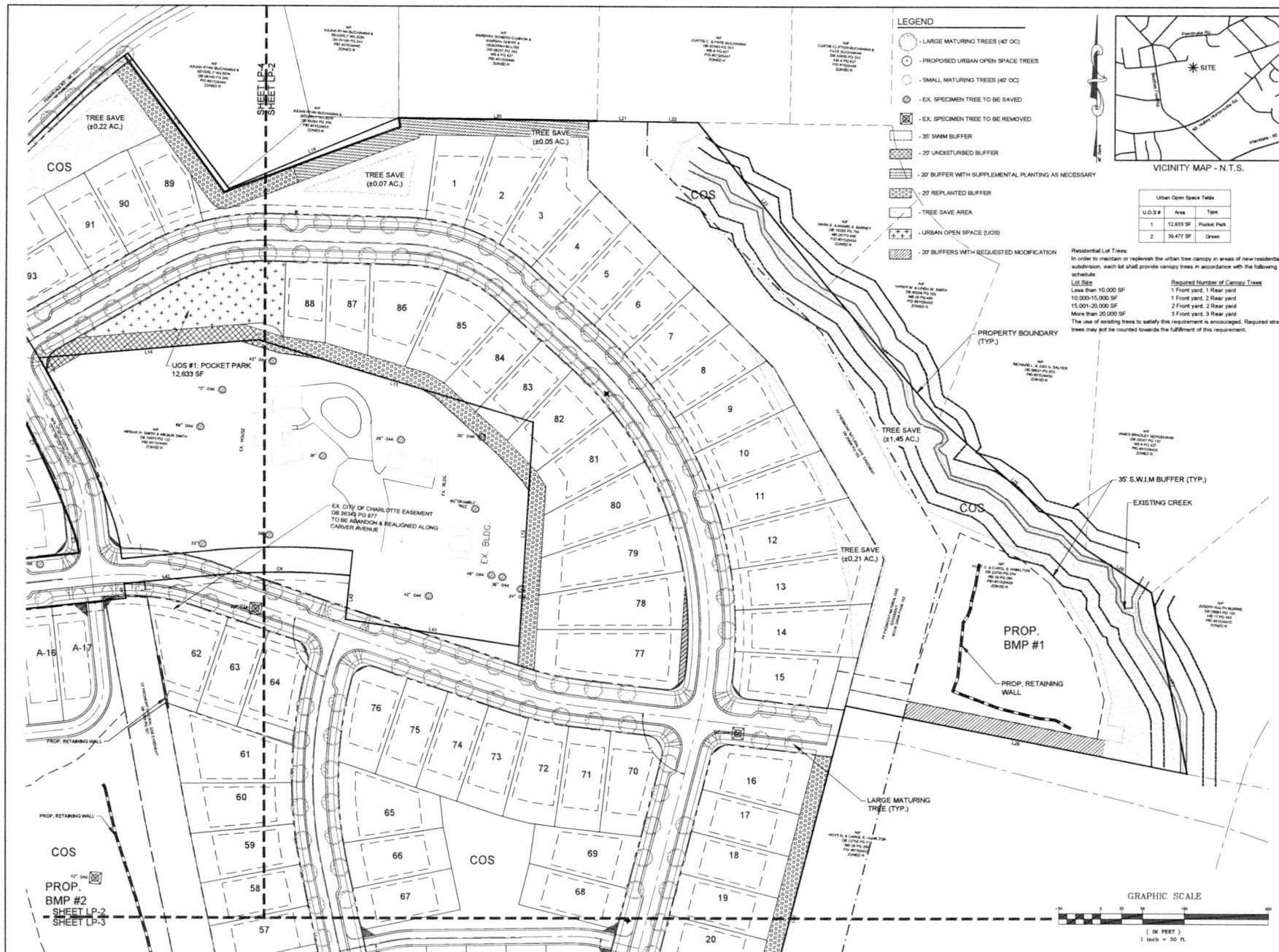
DATE	ISSUED FOR	REV
08/14/18	Pre-Submittal Meeting	1
08/25/18	Initial Submittal to Huntersville EPM	2
11/04/18	Second Submittal to Huntersville EPM	3
11/20/18	Third Submittal to Huntersville EPM	4
3/2/20	Fourth Submittal to Huntersville EPM	5

Engineer	Engineer's Seal

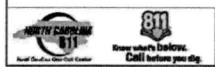
R. Joe Harris & Associates, Inc.	
Engineering • Land Surveying • Planning Management	
www.rjoe-harris.com	

This drawing shall not be used for construction purposes until the seal and signature of the responsible registered engineer 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.	
Company Seal	Engineer's Seal

Project Manager: D. Gates	Owner: C. Brown
Department Manager: P. Murphy	Checked: P. Murphy
Project Date: March 2, 2020	As-built Date: -
Client: BOWMAN DEVELOPMENT GROUP 13815 CINNABAR PLACE HUNTERSVILLE, NC 28078 P: (704) 875-9704	
Project: OAK GROVE HILL	
Drawing Title: PRE DEV. DRAINAGE AREAS	
Project No. 2839	Drawing No. BMP-1
CADD File Name: 2839BMP.dwg	



DATE	ISSUED FOR	REV
08/14/18	Pre-Submittal Meeting	0
08/29/18	Final Submittal to Huntersville EPM	1
11/06/18	Second Submittal to Huntersville EPM	2
12/20/18	Third Submittal to Huntersville EPM	3
3/2/20	Fourth Submittal to Huntersville EPM	4



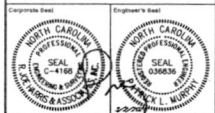
Engineer:



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

www.rjoharris.com

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



Project Manager	Owner
D. Gates	C. Brown
Project Manager	Owner
P. Murphy	P. Murphy
Project Date	As-built Date
March 2, 2020	
As-built Date	

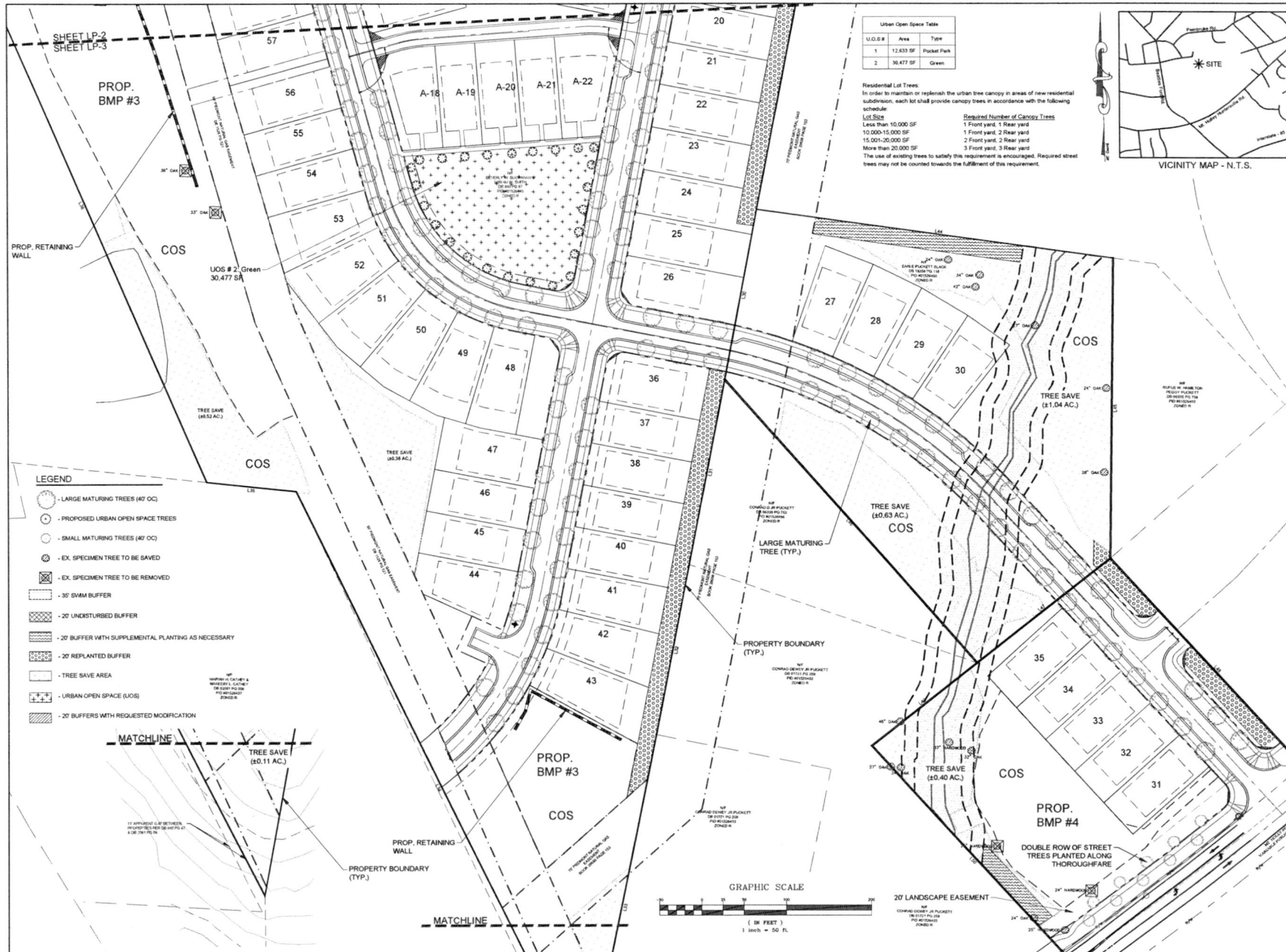
BOWMAN DEVELOPMENT GROUP
13615 CINNABAR PLACE
HUNTERSVILLE, NC 28078
P: (704) 875-9704

Project:
OAK GROVE HILL

Drawing Title:
LANDSCAPE PLAN

Project No.	Drawing No.
2830	
CADD File Name	
2830-Landscape plan	

LP-2



DATE	ISSUED FOR	REV
08/14/18	Pre-Submittal Meeting	0
08/05/18	Initial Submittal to Huntersville EPM	1
11/04/18	Second Submittal to Huntersville EPM	2
1/23/20	Third Submittal to Huntersville EPM	3
3/2/20	Fourth Submittal to Huntersville EPM	4

North Carolina 811
Call before you dig.

RJH
R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning Management
www.rjeharris.com

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

Professional Engineer Seal
NORTH CAROLINA
SEAL
P. MURPHY
REGISTERED PROFESSIONAL ENGINEER
EXPIRATION DATE: 3-2-2025

Professional Engineer Seal
NORTH CAROLINA
SEAL
C. BROWN
REGISTERED PROFESSIONAL ENGINEER
EXPIRATION DATE: 3-2-2025

Project Manager: D. Gates
Department Manager: P. Murphy
Project Date: March 2, 2020
As-built Date:

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

Project: OAK GROVE HILL

Drawing Title: LANDSCAPE PLAN

Project No.: 2638
Client File Name: 2638 Landscape plan

Drawing No.: LP-3

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.



OAK GROVE HILL

HUNTERSVILLE, NC

APPROVED REZONING PLAN
1-6-2020

+/- 45.18 ACRES

114 LOTS

2.52 UNITS PER ACRE

OPEN SPACE 17.96 ACRES (40%)



OAK GROVE HILL

HUNTERSVILLE, NC

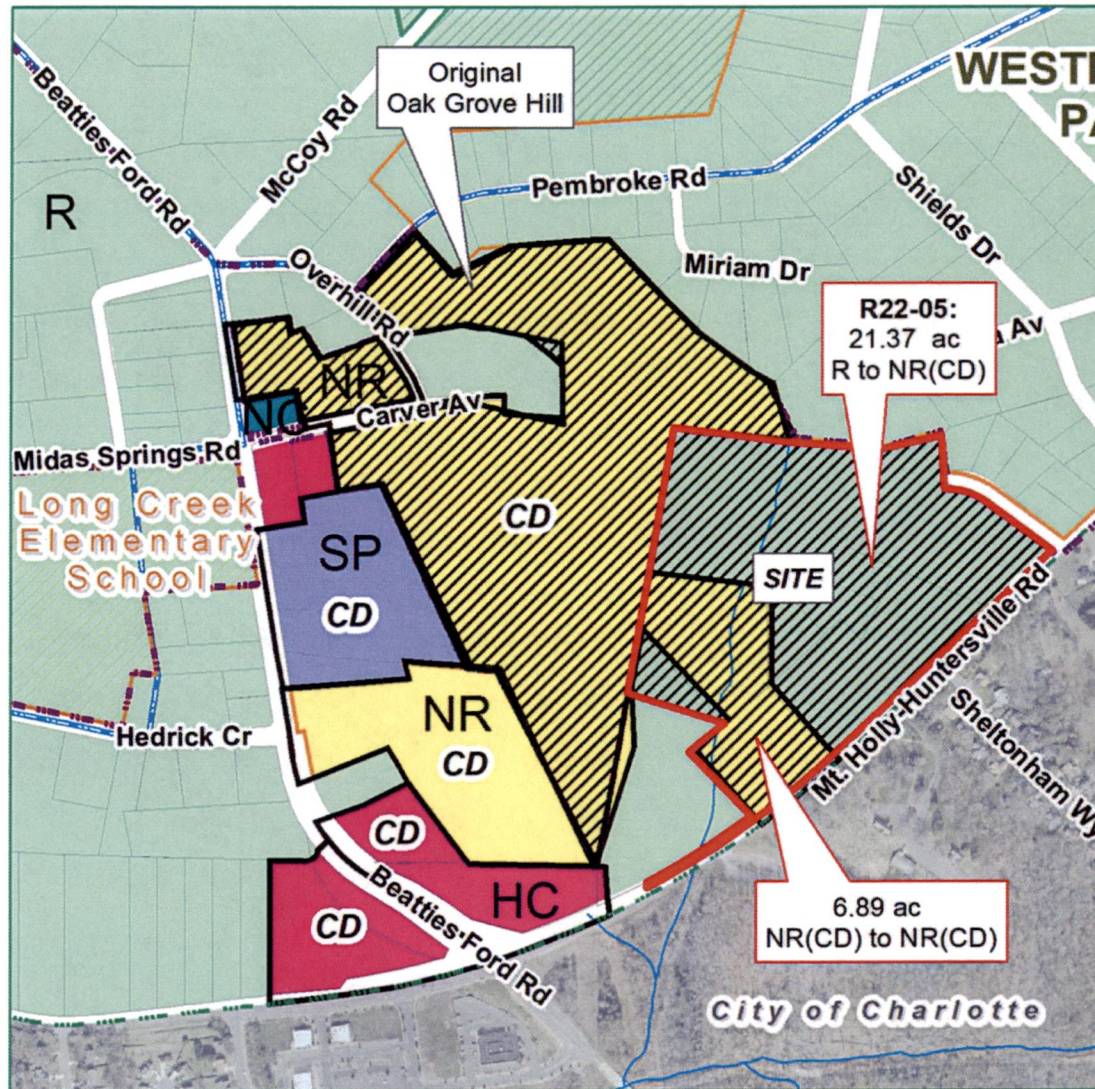
NEW OVERALL PLAN

+/- 66.45 ACRES

156 LOTS

2.35 UNITS PER ACRE

OPEN SPACE 32.15 ACRES (48%)



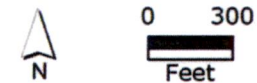
R22-05: Oak Grove Hill Addition

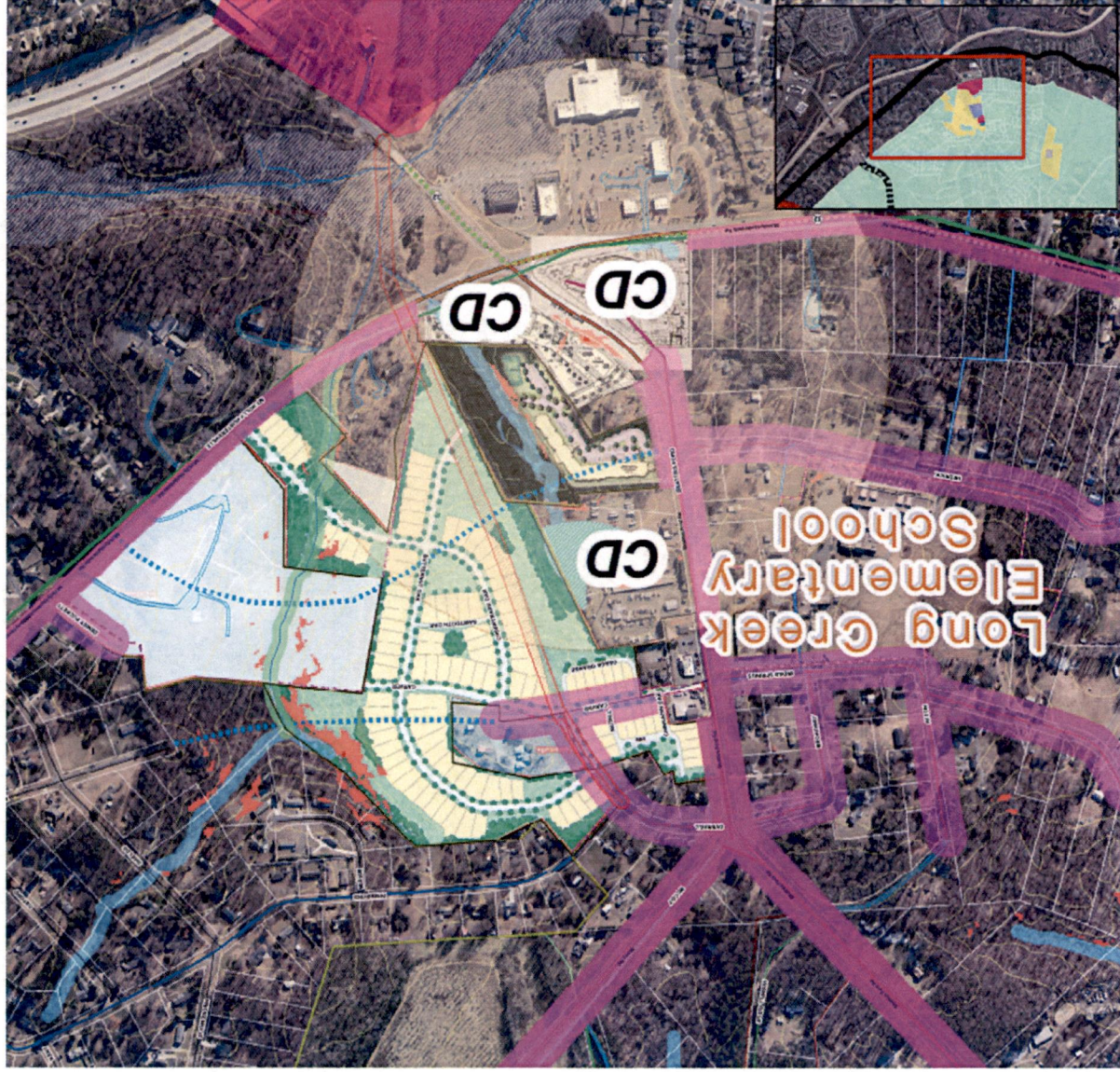
Rezone 21.37 ac
from R to NR (CD) and
rezone 6.89 ac
from NR (CD) to NR (CD)
for a total of 28.26 ac
zoned NR (CD)

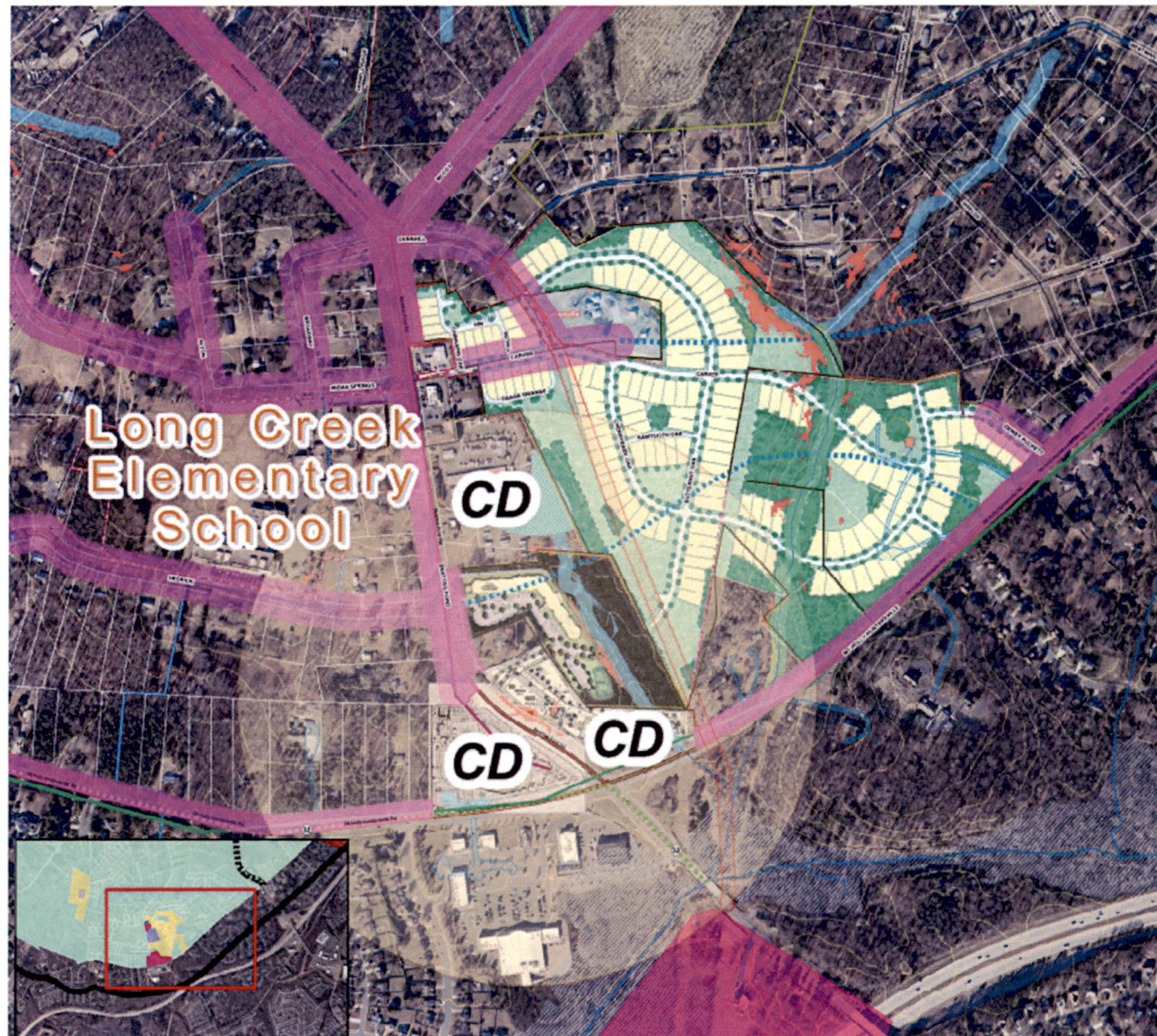
Applicant:
Carver Bowman, LLC

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







[illegible]

Lot Size Range:	
6,000 SQ. FT. - 9,000 SQ. FT.	89'
9,000 SQ. FT. - 13,500 SQ. FT.	45' Lots
	2 Lots

Town of Huntersville 2040 Community Plan

Future Land Use Map



Consistent with Policies:

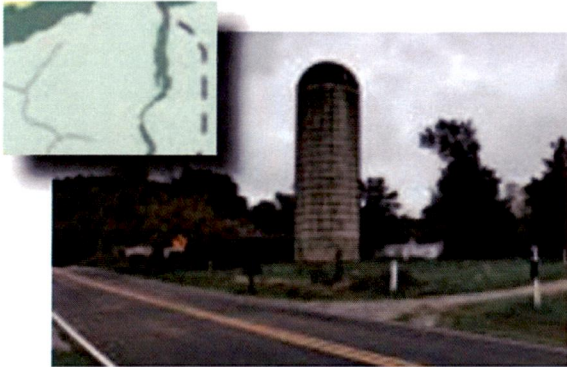
LU-2, LU-3.1, LU-7.1, LU-10.2, LU-10.4,
LU-12.3, EOS-1.1 & EOS-4.1.

Not Consistent with Policies:

EOS-10 & T-3.2.

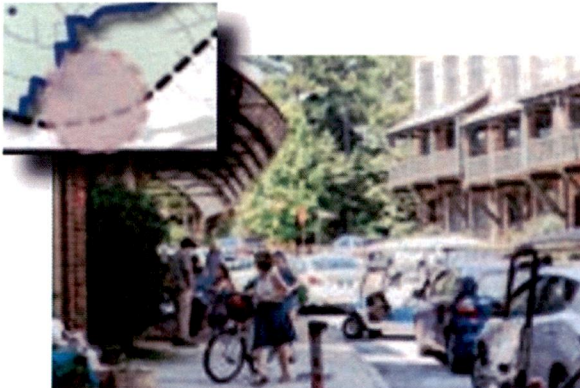
-  Activity Center
-  Mixed Use Center
-  Employment Center
-  Town Core
-  Moderate Density
-  Residential Edge
-  Rural Conservation
-  Open Space
-  Critical Watershed

HUNTERSVILLE 2040 PLAN – FUTURE LAND USE CHARACTER AREAS



Rural Conservation

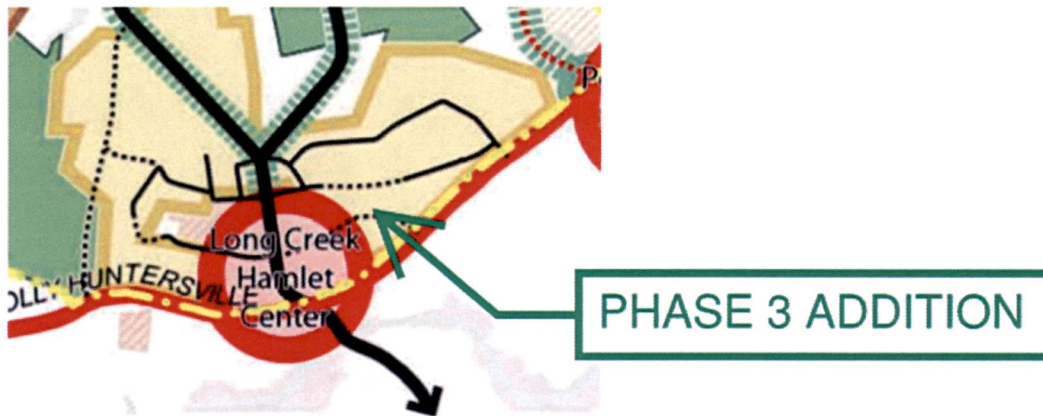
These areas preserve elements of rural character. They balance open space conservation and some residential development. Development form is farms and associated structures, Farmhouse Clusters, and low-density Conservation Subdivisions (if access to utilities exists). New development has a 0.9 unit/acre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

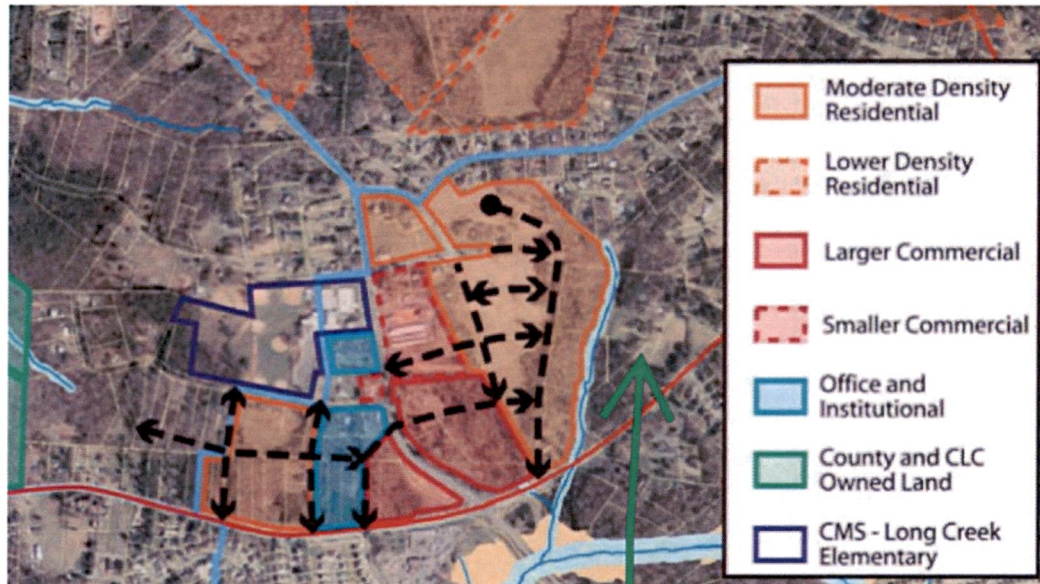
Proposed Transportation System

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

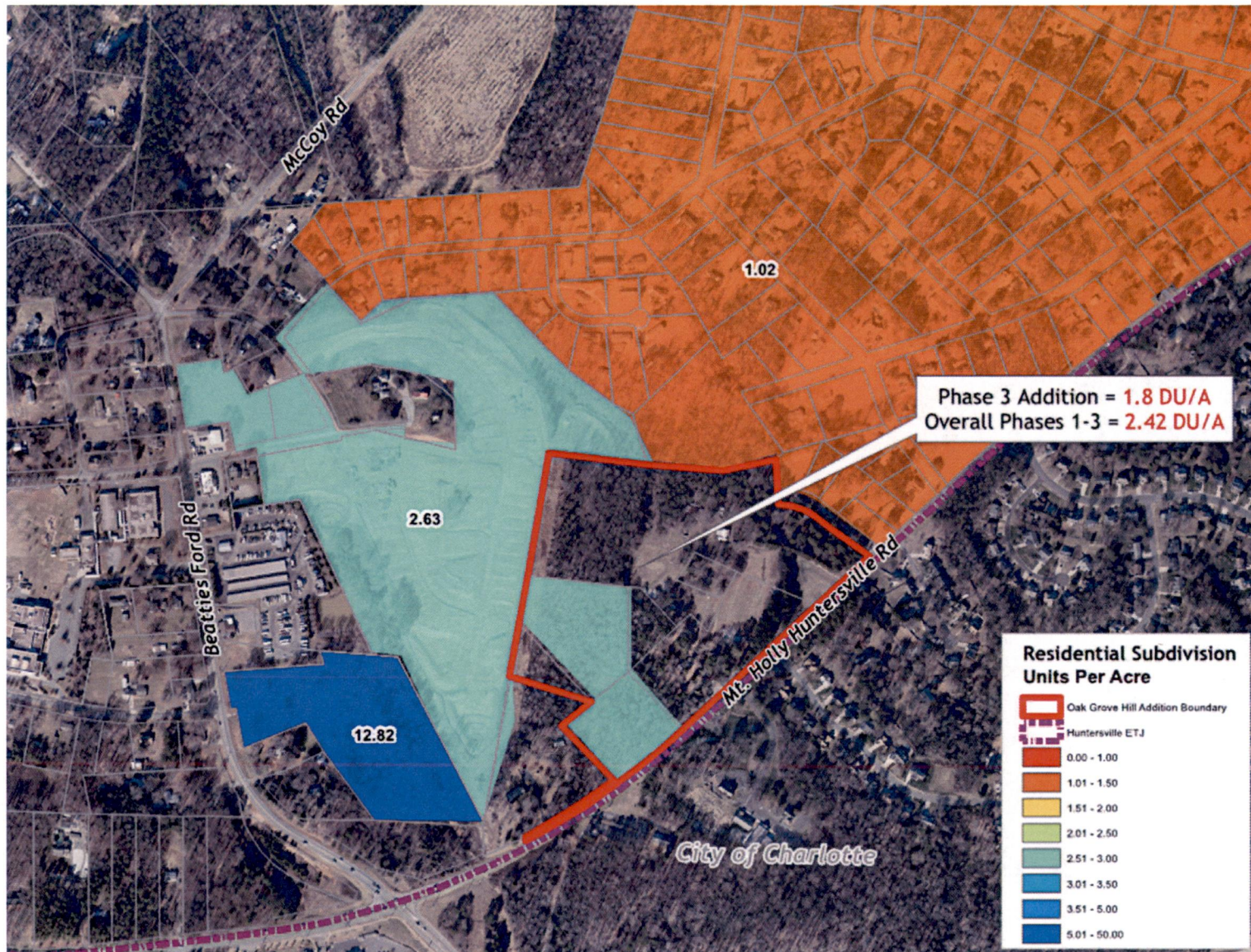
Proposed Non-Vehicular Network

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

Beatties Ford Road & Mt. Holly-Huntersville Road Small Area Plan Future Land Use Map



PHASE 3 ADDITION



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:

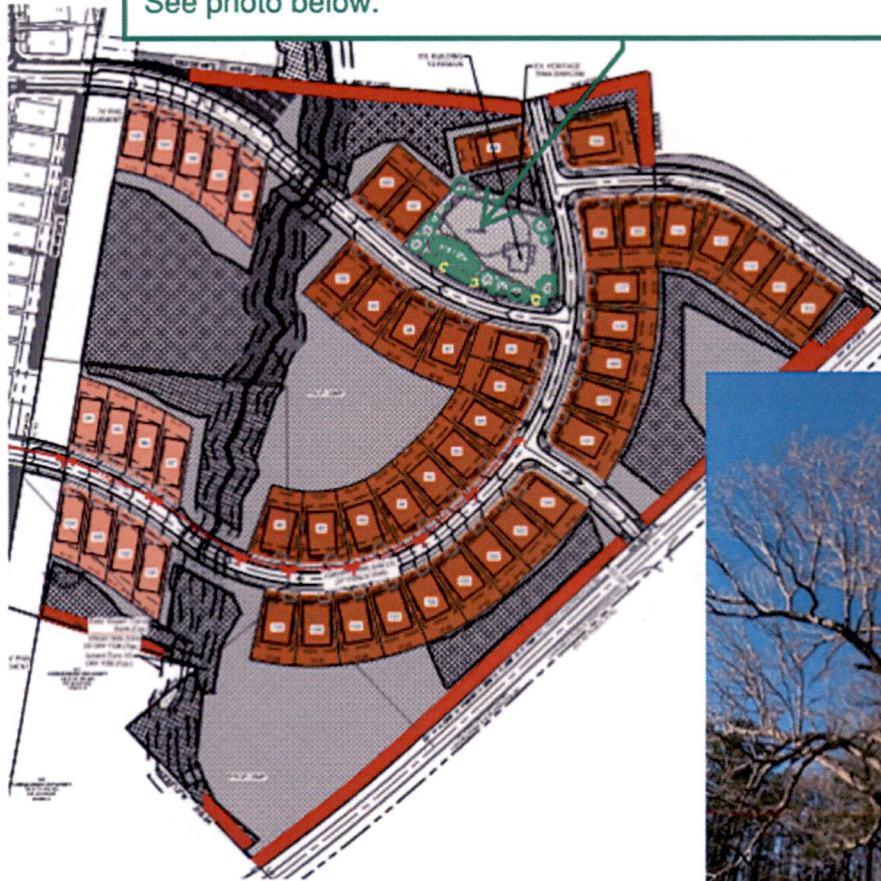
NCDOT:

- 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:

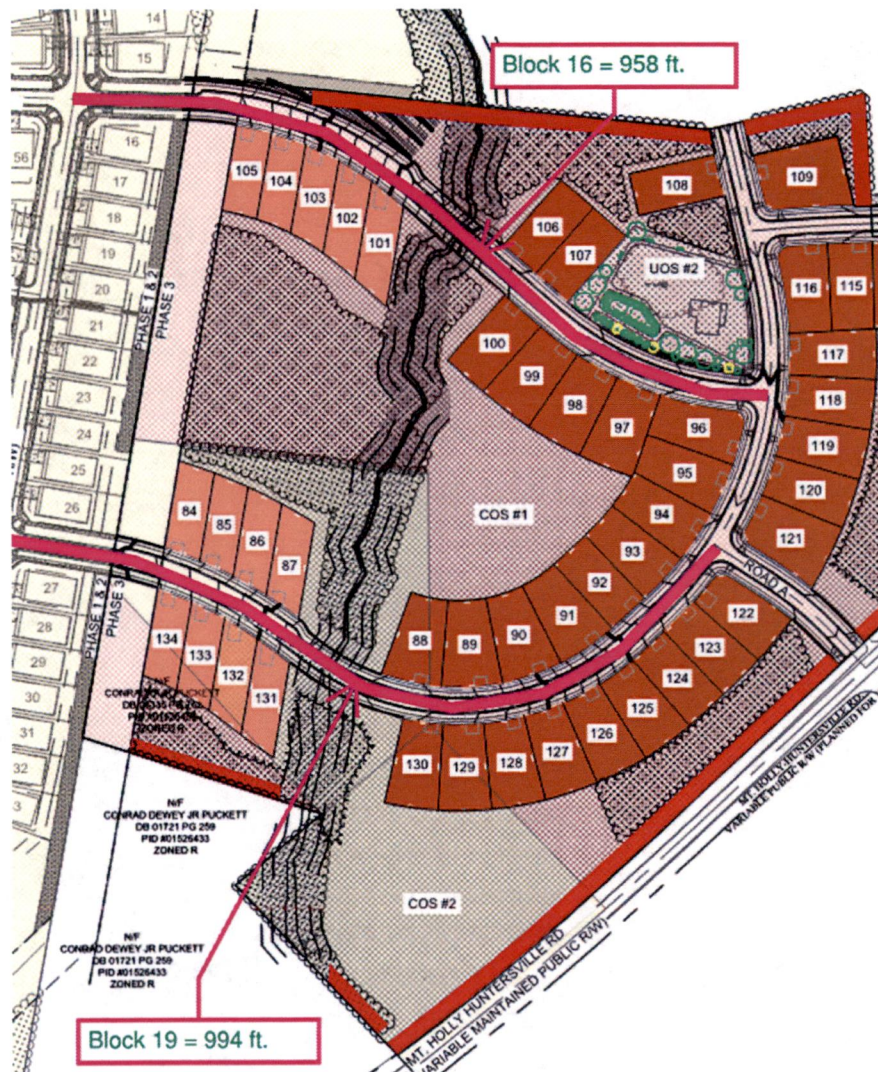
- Recommends a three (3) approach-lane section at Mt. Holly-Huntersville Road and Road C. This would include an 11' right-turn lane, 11' left turn lane and a 13' receiving lane. This section to be carried to the first stub street.
- Recommends a 12' Multi-Use Path or buffered bike lane along frontage.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

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





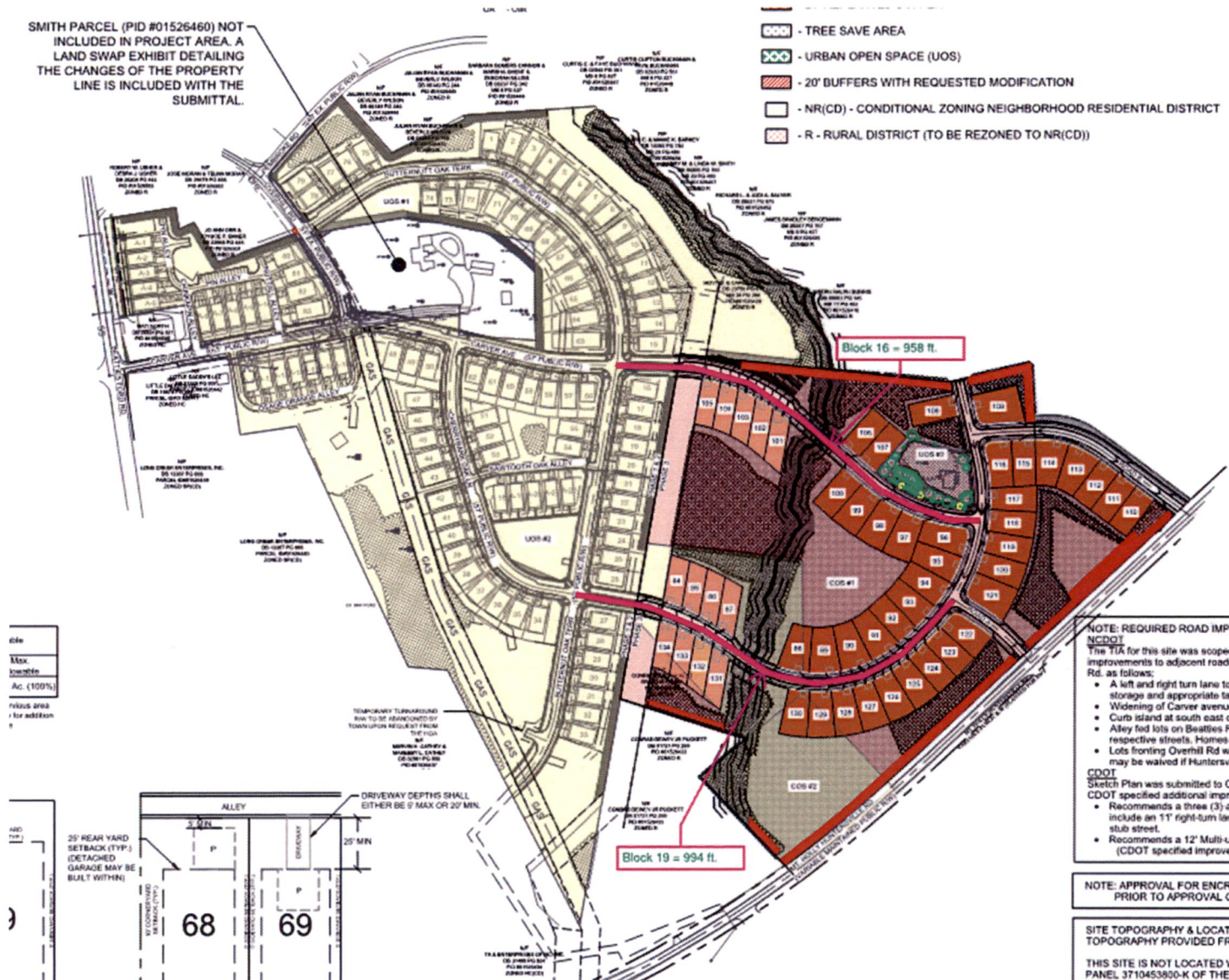
Charlotte Treasure Tree
#37 – White Oak



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.



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

IMPACT OF THE PROPOSED DEVELOPMENT

Proposed Housing Units: 51 single family detached

CMS Planning Area: North

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

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

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

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

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

Middle School: 7 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 - ADDITION

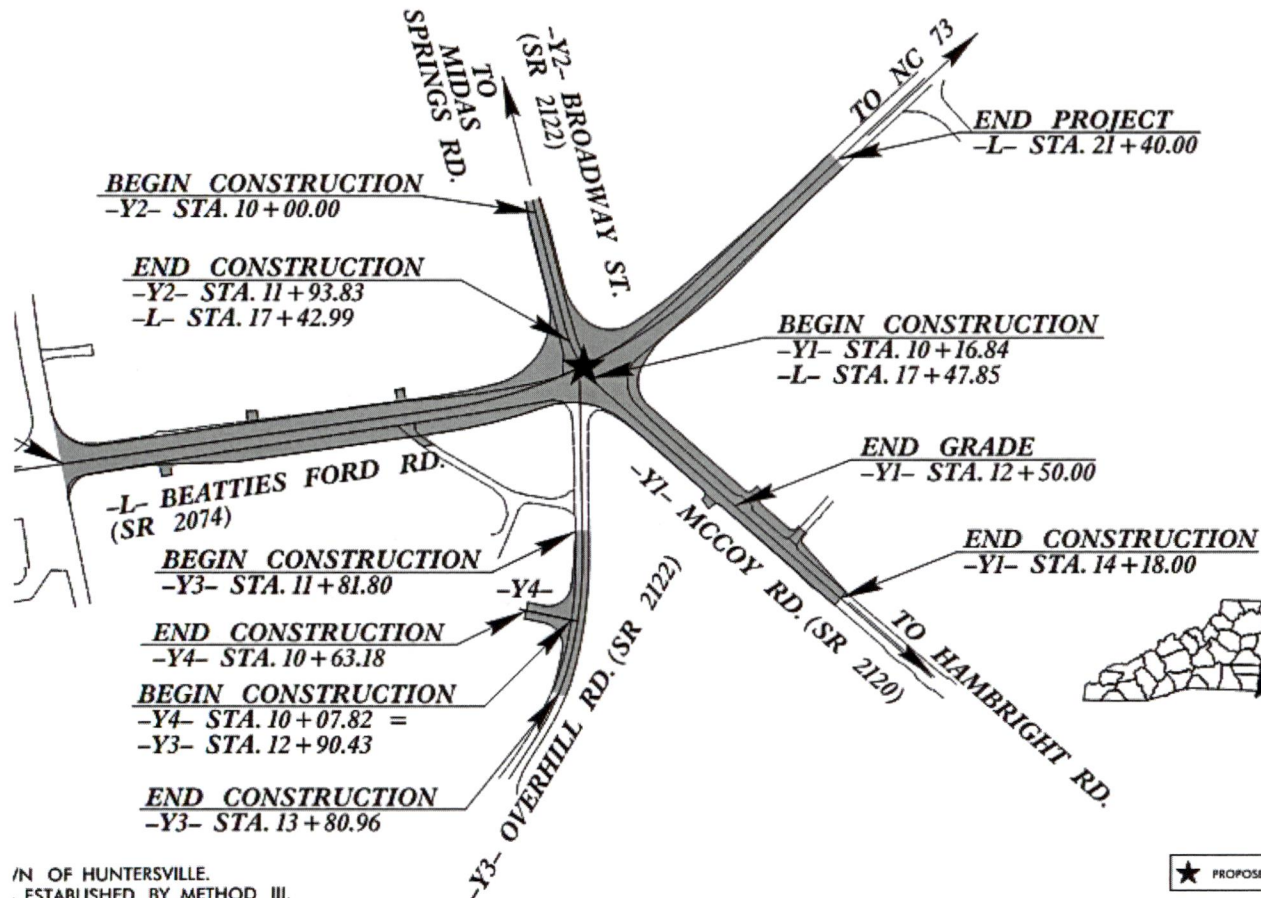
NEXT STEPS:

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

ANY QUESTIONS?

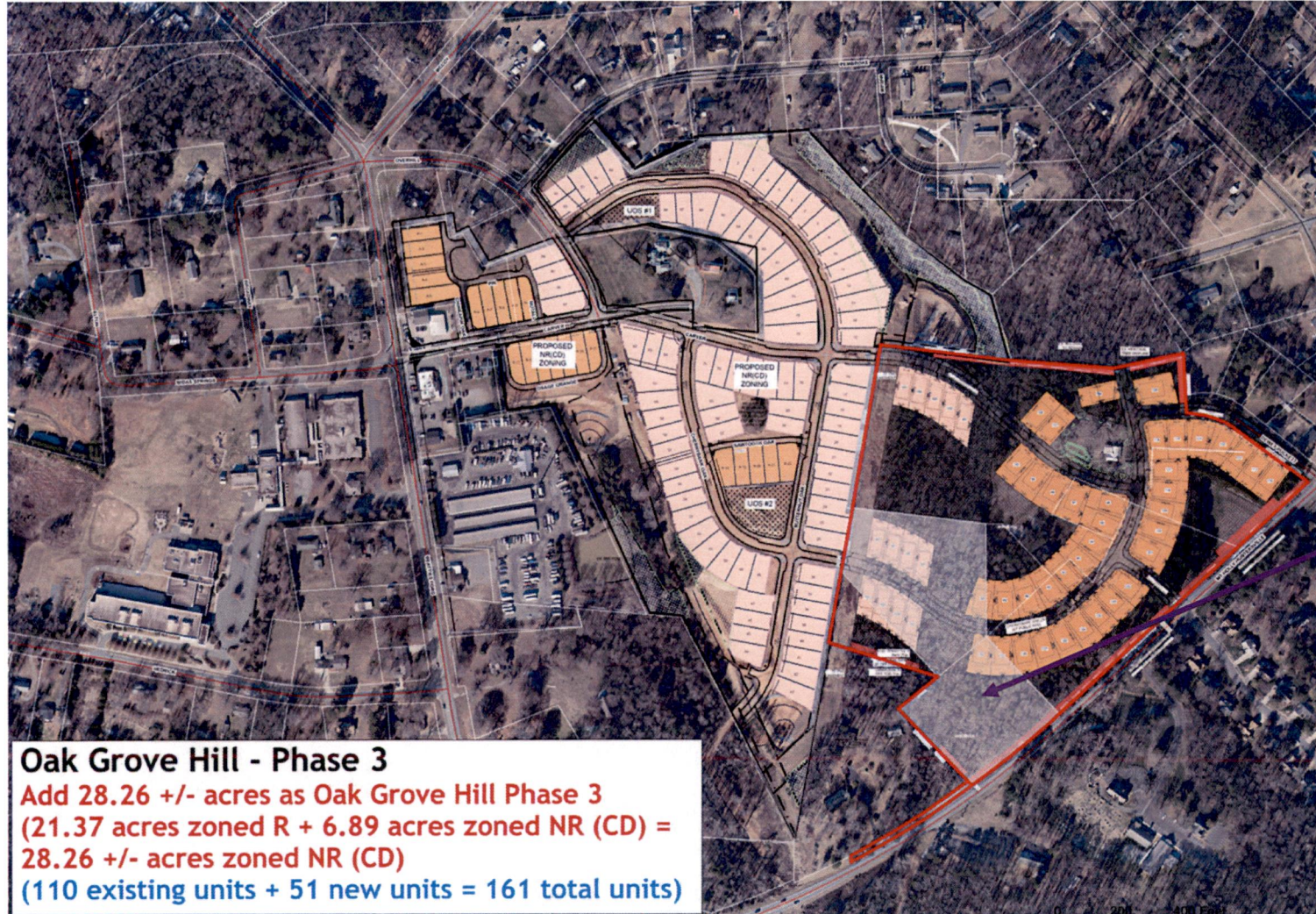
**LOCATION: INTERSECTION IMPROVEMENTS AT BEATTIES FORD RD
(SR 2074), MCCOY RD (SR 2120), BROADWAY ST (SR 2122),
AND OVERHILL RD (SR 2122)**

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



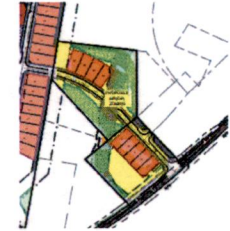
1/4" = 1' OF HUNTERSVILLE.
 ESTABLISHED BY METHOD III.

PRELIMINARY PLANS
 DO NOT USE FOR CONSTRUCTION
INCOMPLETE PLANS
 DO NOT USE FOR R/W ACQUISITION
 DOCUMENT NOT CONSIDERED FINAL
 UNLESS ALL SIGNATURES COMPLETED

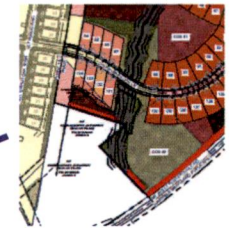


Oak Grove Hill - Phase 3

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)



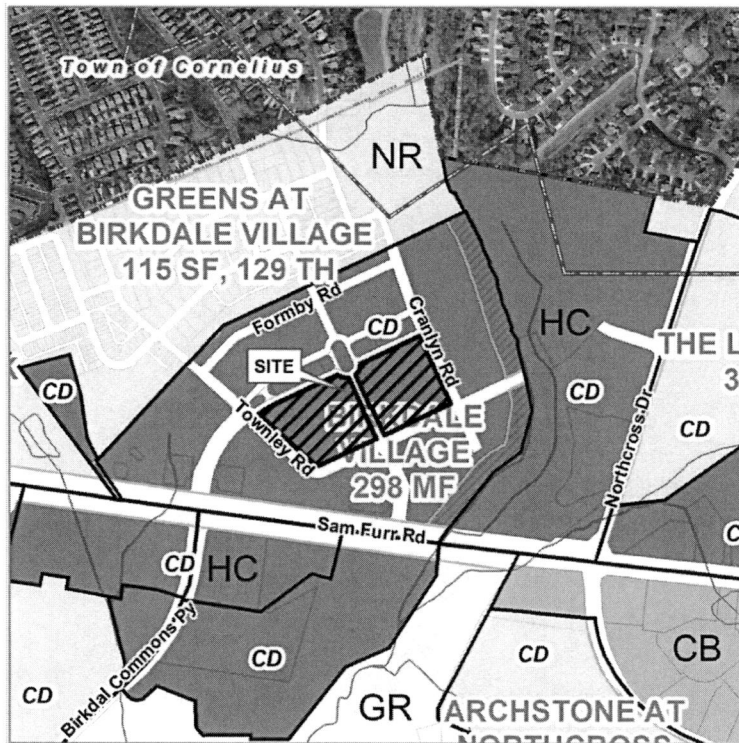
ORIGINAL LAYOUT



PROPOSED LAYOUT

Petition R22-01 Birkdale Village

PART 1: PROJECT SUMMARY



Applicant: DDRTC Birkdale Village, LLC

Property Owner: DDRTC Birkdale Village, LLC

Property Address: 8725 Townley Dr

Project Size: (+/-) 8.82 acres

Parcel Numbers: 00537157 & 00537197

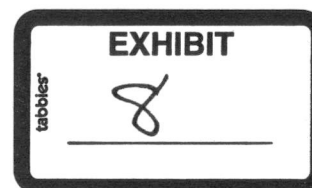
Current Zoning: Highway Commercial Conditional District (HC-CD)

Current Land Use: Multifamily, Commercial, Office.

Proposed Zoning: Highway Commercial Conditional District (HC-CD)

Proposed Land Use: 150,000 sf Office and 25,000 sf Commercial.

- Application was referred to the Planning Board due to substantial changes to the original rezoning plans (Town Board decision 2-6-23).
- Per Article 11.4.4 (c) If the Town Board deems the amendments to the Rezoning plan as a substantial change the Board shall defer action for 30 days (March 20, 2023, meeting) to allow interested parties to comment on the amended petition.
Staff Comment – The removal of the previously proposed Hotel, Multi-Family building, and associated parking deck would constitute a substantial change.
- Purpose: Rezone 8.82 acres at the intersection of Townley Dr and Lindholm Dr. from Highway Commercial Conditional District (HC-CD) to Highway Commercial Conditional District (HC-CD) for up to 150,000 sf Office and 25,000 sf Commercial.
- Adjoining Zoning and Land Uses.
 - North: Neighborhood Residential – Greens at Birkdale Village Subdivision.
 - South: Highway Commercial – Birkdale & Birkdale Landing Developments
 - East: Highway Commercial – North Pointe Office Park.
 - West: Neighborhood Residential – Greens at Birkdale Village Subdivision.
- A neighborhood meeting was held on September 22, 2022, and the questions asked by residents and the responses from the applicants are summarized in the Neighborhood Meeting Report (see Attachment C).
- Birkdale Village was originally rezoned in 1996 (R96-07) and has had two revisions (R97-23 & R01-03). A Major Sketch Plan revision was approved in 2021 and construction is wrapping up now.
- Notice for this rezoning petition was sent via a postcard to adjoining property owners; a legal ad placed in the Charlotte Observer; and posting of rezoning signs on the property along Sam Furr Rd and inside of Birkdale Village.

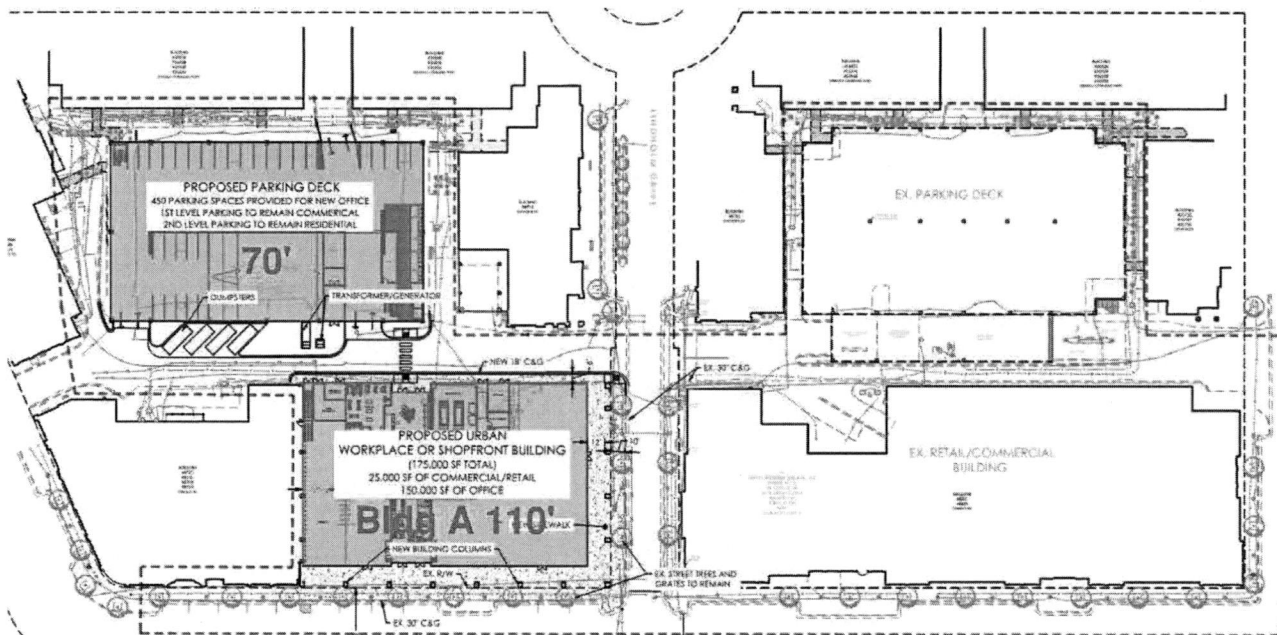


PART 2: REZONING/SITE PLAN

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

- Replacement of one existing building with a multistory mixed-use building. Building A (150,000 sf Office, 25,000 sf Commercial). See site plan image below.
- Replacement of one existing parking deck (70') with an additional 450 spaces. There will be an overall increase of 450 parking spaces (2,312 total for Birkdale Village – 1,684 are required to meet Article 5).
- The new building and parking deck exceed current height limit allowed by the Zoning Ordinance (Article 4 - Urban Workplace 48' / Shopfront 36'). The applicants are requesting modification of the current height amendment as provided in Section 11.4.7(k).

"In approving a conditional zoning district, the Town Board may modify standards established in the Zoning or Subdivision ordinance provided the spirit of the regulations are maintained."



- Urban Open Space is being provided by the existing McDowell Creek Greenway (4.62 acres) and a Promenade (0.16 acres). There are 2.2 acres of Common Open Space. All are existing and there are no changes proposed.
- There will be no impacts to the existing tree canopy or specimen tree count as part of this rezoning.
- There are no identified Heritage Trees on site.
- Formal Building elevations for the proposed structure have not been submitted. Architectural references have been provided (Attachment E & F).
- The applicant has requested a 5-year vesting period for the Rezoning Plan. The Zoning Ordinance currently offers a 2-year vesting period (Article 2.2.3).
- Planning, Transportation, and Storm Water Engineering staff have minor rezoning plan comments outstanding that need to be addressed prior to final plan approval.
- One (1) Ordinance Modification is Proposed:
 - Article 4.2 Urban Workplace – Has a maximum building height of 45'. The applicant is requesting to increase the maximum height to 110'
 - Article 4.4 Shopfront Building – Has a maximum building height of 48'. The applicant is requesting to increase the maximum height to 110'
 - Office building (110') and one accessory parking deck (70').

Staff Comment - The request would allow for a significant increase in building height over what is currently permitted by the Zoning Ordinance. This is not in keeping with the Spirit of the Ordinance, staff DOES NOT SUPPORT this modification request.

PART 3: TRANSPORTATION ISSUES

Traffic Impact Analysis (TIA)

Both the Town and NCDOT required a TIA. The Town deferred the TIA to NCDOT. The TIA did not recommend any additional improvements. Please note NCDOT project U-5765 is programmed for construction to begin in 2026 with Right-of Way acquisition to beginning in 2023.

PART 4: REZONING CRITERIA

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

2040 Huntersville Community Plan



STAFF COMMENT – The 2040 Huntersville Community Plan DOES SUPPORT this project through the following sections:

- **Policy LU 2.1:** Higher intensity residential uses will be focused generally within 2 miles of the I77/NC115 corridor and future activity centers in the eastern and western areas of Huntersville zoning jurisdiction.
- **Policy LU 6.1:** A mix of land uses is encouraged in Mixed-Use Centers, Activity Centers, Employment Centers identified on the Future Land Use Map.
- **Policy LU 6.2:** Commercial uses are encouraged in the Town Core and as specified in adopted Small Area Plans.
- **Policy LU 7.1:** Require all new development to adhere to the following design principles: In Mixed Use Centers, Activity Centers, Town Core, and Moderate Density Areas, Streets and sidewalk are meant to be attractive and inviting. New development in these areas shall follow these principles:
 - In Mixed-Use Centers, Activity Centers, Town Core, and Moderate Density Areas, streets and sidewalks are meant to be attractive and inviting. New development in these areas shall follow these principles:
 - All buildings shall front a public street or open space.
 - Streets should be connected, have short blocks and sidewalks on both sides of streets.
 - Improve connectivity, particularly for pedestrians and vehicles.
 - Parking lots, if required, should be predominately located behind buildings screened from view and larger lots should be broken by buildings and or landscape features.
 - In lower intensity areas (including MD, RE, RC, CW) preservation of rural character and natural resources are prioritized.

- In these areas, structures can be set back further from the road and should blend into the landscape and the scenic nature of roadways should be preserved.
- **Policy LU 8.1:** Continue to emphasize form and flexibility in development regulations for these areas.
 - The current zoning ordinance has basic form based standards with flexibility built-in. Key elements include allowing multiple types of land uses, a mix of uses, minimal setbacks, and parking requirements.
- **Policy LU 8.2:** Evaluate and strengthen incentives to encourage the achievement of higher design standards. Consider incentives that allow applicants to demonstrate excellence in design and exceptional public benefit for projects in key areas.
 - Offer flexibility using performance standards, guided by the design principles.
 - Specify intended outcomes and how site or building-specific design solutions can better achieve desired outcomes.
 - Evaluate incentives periodically to determine their value given shifting market and neighborhood conditions.
 - Incentives that could include:
 - Modification of height limit.
 - Increase in percent of allowable attached residential.
 - Reduced parking requirements.
 - Reduced buffer yard requirements
- **Policy EV 1.2:** Focus economic development in areas that support growth
 - Preserve areas suitable for business and industrial development, along with a mixture of support uses, to ensure an adequate inventory of land for future growth and development, with increases to this inventory as required. These areas should have proximity to existing or future activity centers, have access to transportation options and utility service, and offer amenities for employees.

STAFF COMMENT – The 2040 Huntersville Community Plan DOES NOT SUPPORT this project through the following sections:

- **Policy LU 5.1:** Allow for more intense development only where transportation infrastructure and utilities already exist. Staff Comment – NCDOT widening project will not begin until 2026. The widening project completion will most likely occur after the construction of the new buildings at Birkdale.
- **Policy LU-11: Protect Existing Housing Stock.**
 - **LU 11.1:** Protect and enhance the unique character of Huntersville’s neighborhoods by using planning tools to safeguard from potentially negative impacts of development and redevelopment.
 - Promote quality design and neighborhood improvements including increasing access to parks and recreation and mobility options.
 - Encourage coordination with neighborhoods to address infrastructure needs such as sidewalks and drainage.
 - **LU 11.2:** Along existing streets, encourage new buildings to respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.
- **Policy LU 12.3:** Blend new development with existing neighborhoods, structures and landscapes through the use of transitions in building types and placement of open space, buffers, and other site features.

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

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

STAFF COMMENT:

The proposed rezoning for the Birkdale Village is consistent with envisioned uses and development pattern set forth in the 2040 Community Plan. Attachments E & F provide a hypothetical building elevation and surrounding context.

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

STAFF COMMENT:

- A Transportation Impact Analysis was not required – see Part 3 of this report.
- Charlotte Water currently provides service to the site.
- CMS Student Generation Report: No longer applicable as there are no new residential units.

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

STAFF COMMENT:

Planning staff has no indication that the request will adversely affect known archeological, environmental, or cultural resources. Staff and applicant are awaiting a final determination from the Historic Landmarks Commission. Currently the site is not encumbered by any historic easements or deed restrictions.

PART 5: STAFF RECOMMENDATION

While there are multiple Huntersville 2040 Plan policies the proposed rezoning plan is consistent with, in considering the proposed rezoning petition R22-01, Birkdale Village, staff recommends denial based on the amendment being inconsistent with Huntersville 2040 Community Plan policies LU 5.1, LU 11.1, LU 11.2, and LU 12.3.

It is not reasonable and in the public interest to amend the Zoning Ordinance because the building height modification requested under Section 11.4.7(k) of 110', substantially exceed the maximums for Urban Workplace (45') and Shopfront (48') buildings and is not "in the spirit of the regulations". Previous height modifications requested under Section 11.4.7(k) have been several feet to one story and some involved unusual topography to demonstrate the modifications were in the "spirit of the regulations".

PART 6: PUBLIC HEARING COMMENTS

A Public Hearing was held on October 3, 2022.

PART 7: PLANNING BOARD RECOMMENDATION

A Planning Board hearing was held on February 28, 2023.

Motion: F. Gammon made a Motion to recommend approval of R22-01 Birkdale Village. The Planning Board has considered and found the rezoning is consistent with Huntersville Zoning Ordinance article 11.4.7 d and 11.4.7 e. Further the petitioner is consistent with the Huntersville 2040 Community Plan and supported by policies LU 2.1, LU 6.1, LU 7.1, LU 8.1, LU 8.2, and EV 1.2. The Planning Board also recommends approval of the requested modification to the Zoning Ordinance to allow increased building heights for the proposed multi-use building to a maximum height of 110 feet and an accessory parking deck to a maximum height of 70 feet. This recommendation for approval is based upon the Huntersville 2040 Community Plan policy 8.1. This policy allows consideration for incentives to allow applicants to demonstrate excellence in design and exceptional public benefit for projects in key areas. Incentives that include modification of height limits. Birkdale Village is certainly a Huntersville key area. The Planning Board further recommends approval of the applicants request for Zoning Ordinance modification to increase the vesting period from 2 to 5 years. The recommendation for approval is contingent upon all outstanding staff redline comments being addressed. It is reasonable and in public interest to amend the zoning ordinance because the rezoning is consistent with the envisioned uses and development pattern set forth in the 2040 Community Plan. G. Baber seconded the motion.

Vote: The motion failed (2-5) with C. Boyd, T. Loomis, G. Baber, J. Sny & J. Wright opposed.

PART 8: TOWN BOARD CONSIDERATION

Town Board consideration is scheduled for March 20, 2023

PART 9: ATTACHMENTS/ENCLOSURES

Attachments

- A – Rezoning Application
- B – R22-01 Rezoning Plan V7
- C – Neighborhood Meeting Report (September 22, 2022)
- E – Birkdale Narrative
- F – Architectural Images

PART 10: CONSISTENCY STATEMENT – R22-01 Birkdale Village

Planning Department	Planning Board	Board of Commissioners
	Motion: F. Gammon made a Motion to recommend approval of R22-01 Birkdale Village. The Planning Board has considered and found the rezoning is consistent with Huntersville Zoning Ordinance article 11.4.7 d and 11.4.7 e. Further the petitioner is consistent with the Huntersville 2040 Community Plan and supported by policies LU 2.1, LU 6.1, LU 7.1, LU 8.1, LU 8.2, and EV 1.2. The Planning Board also recommends approval of the requested modification to the Zoning Ordinance to allow increased building heights for the proposed multi-use building to a maximum height of 110 feet and an accessory parking deck to a maximum height of 70 feet. This recommendation for approval is based upon the Huntersville 2040 Community Plan policy 8.1. This policy allows consideration for incentives to allow applicants to demonstrate excellence in design and exceptional public benefit for projects in key areas. Incentives that include modification of height limits. Birkdale Village is certainly a Huntersville key area. The Planning Board further recommends approval of the applicants request for Zoning Ordinance modification to increase the vesting period from 2 to 5 years. The recommendation for approval is contingent upon all outstanding staff redline comments being addressed. It is reasonable and in public interest to amend the zoning ordinance because the rezoning is consistent with the envisioned uses and development pattern set forth in the 2040 Community Plan. G. Baber seconded the motion. Vote: The motion failed (2-5) with C. Boyd, T. Loomis, G. Baber, J. Sny & J. Wright opposed.	APPROVAL: In considering the proposed rezoning application R22-01, Birkdale Village, the Town Board recommends approval based on the Plan being consistent with <u>(insert applicable plan reference)</u>. <u>It is reasonable and in the public interest to approve the Rezoning Plan because...</u> (Explain)
DENIAL: While there are multiple Huntersville 2040 Plan policies the proposed rezoning plan is consistent with, in considering the proposed rezoning petition R22-01, Birkdale Village, staff recommends denial based on the amendment being inconsistent with Huntersville 2040 Community Plan policies LU 5.1, LU 11.1, LU 11.2, and LU 12.3. It is not reasonable and in the public interest to amend the Zoning Ordinance because the building height modification requested under Section 11.4.7(k) of 110', substantially exceed the maximums for Urban Workplace (45') and Shopfront (48') buildings and is not "in the spirit of the regulations". Previous height modifications requested under Section 11.4.7(k) have been several feet to one story and some involved unusual topography to demonstrate the modifications were in the "spirit of the regulations".		DENIAL: In considering the proposed rezoning application R22-01, Birkdale Village, the Town Board recommends denial based on the Plan being <u>(consistent OR inconsistent) with (insert applicable plan reference)</u>. <u>It is not reasonable and in the public interest to approve the Rezoning Plan because...</u> (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 03/30/2022

Name of Project Birkdale Village Rezoning Phase # (if subdivision) _____

Project Address 8725 Townley Rd, Huntersville NC 28078

Parcel Identification Number(s) (PIN) 00537157 & 00537197

Current Zoning District HC-(CD) Proposed District (for rezoning only) HC-(CD)

Property Size (acres) 8.82 acres (2 parcels) Street Frontage (feet) 1,651 feet + 1,544 feet

Current Land Use Commercial

Proposed Land Use(s) Office, Hotel, Multi-Family, Commercial

Is the project within Huntersville's corporate limits?

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

3. Description of Request

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

The request is to amend the existing rezoning plans for Birkdale Village so that the owner can develop a 7-story office/commercial building, 12-story hotel, and a mixed use commercial/ residential building with 350 multifamily units. 2 new 6-story parking decks will also be added to accommodate the new development, in replacement of the existing ones.

4. Site Plan Submittals

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

5. Outside Agency Information

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

6. Applicant

Printed Name DDRTC Birkdale Village, LLC Phone 404-946-0939
☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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

Signature  Printed Name: Mike Lant

Title Senior VP Development Email Mike.Lant@NAProperties.com

Address of Applicant 1175 Peachtree Street, Suite 1650, Atlanta Georgia 30361

7. Property Owner (if different than applicant)

*Printed Name _____ Phone _____
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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

Signature _____ Printed Name _____

Title _____ Email _____

Address of Property Owner _____

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

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

8. Development/Design Firm Contact Information

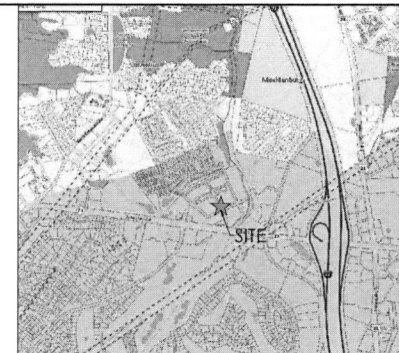
North American Properties	Nick Lombardo	404-946-0939	nick.lombardo@naproperties.com
Development Firm	Name of Contact	Phone	Email
HensonFoley	Jay Henson	704-875-1615	jay@hensonfoley.com
Design Firm	Name of Contact	Phone	Email

Contact Information

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

Sheet Number	Sheet Title
Z01	COVER
Z02	SURVEY-EXISTING FEATURES
Z02A	SURVEY-EXISTING FEATURES
Z03	REZONING PLAN
Z04	PRELIM GRADING PLAN
Z05	PRELIM LANDSCAPE PLAN

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Z05	PRELIM LANDSCAPE PLAN



VICINITY MAP
SCALE: N.T.S.



REZONING PLAN PACKAGE
PROPOSED
BIRKDALE VILLAGE OFFICE / HOTEL
HUNTERSVILLE, MECKLENBURG COUNTY, NC

EPM#439459
R22-01

OWNER/DEVELOPER:
DDRTC BIRKDALE VILLAGE, LLC
C/O NORTH AMERICAN PROPERTIES
8712 LINDHOLM DR SUITE 206
HUNTERSVILLE, NC 28078
PH: (404) 946-0939

BIRKDALE VILLAGE REZONING

PIN #00537157, 00537197

COVER

REVISIONS:

2022/08/29 - REOPENING COMMENT
2022/09/19 - REOPENING COMMENT
2022/11/05 - REOPENING COMMENT
2022/01/03 - REOPENING COMMENT
2022/01/25 - REOPENING COMMENT

[illegible]

201 - COVER DWG.

PROJECT NUMBER	27000
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DATE: 06/21/2022 DRAWN BY: T

701 5

SHEET 201 OF 3

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 CURBS, CONCRETE OR ASPHALT ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE DEPARTMENT OF TRANSPORTATION.

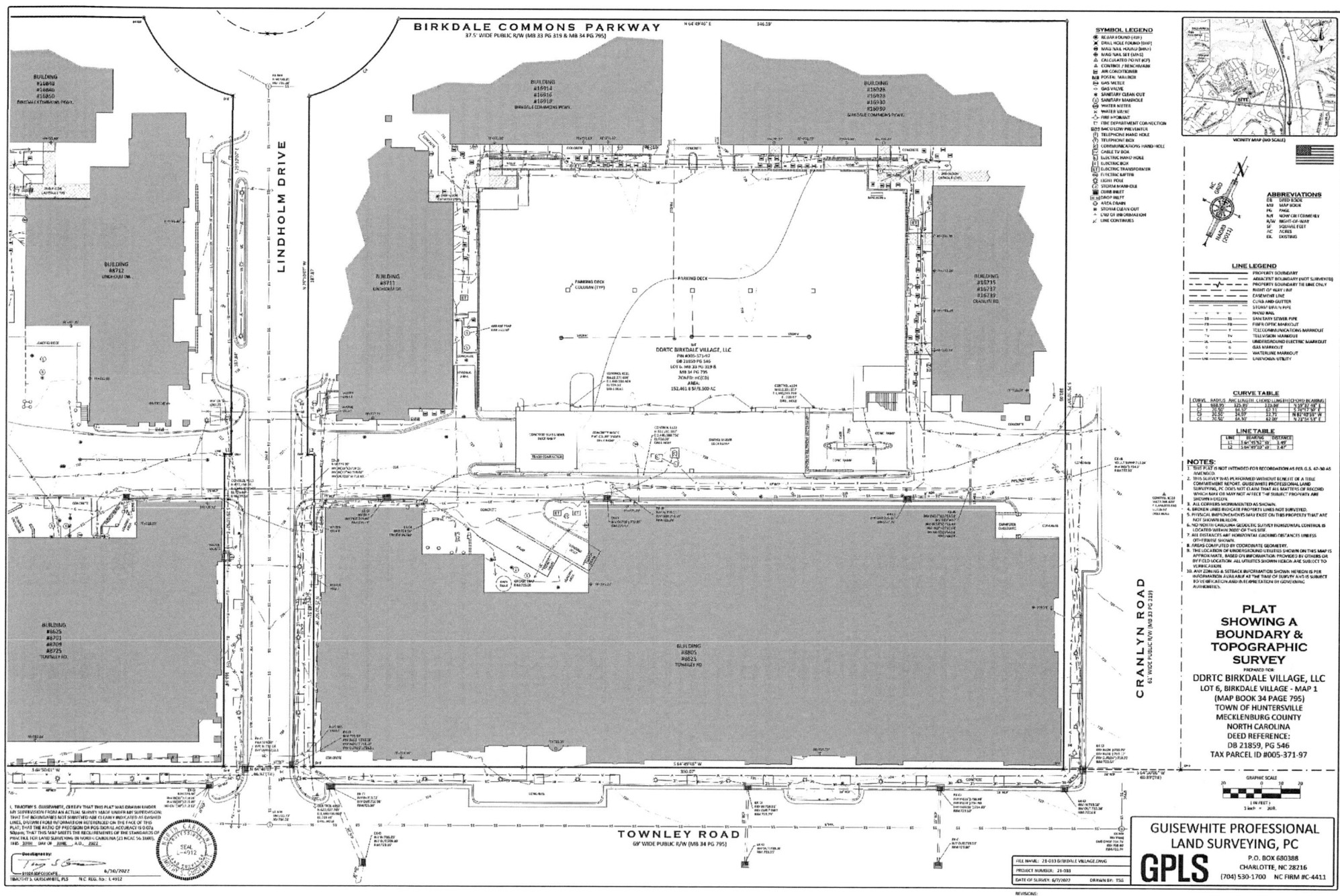
4. SHOWING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART P, OR AS AMENDED.



Know what's below.
Call before you dig.

701 5

201 of 3

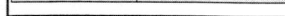


FILE NAME: 21-033 BIRDALE VILLAGE.DWG
PROJECT NUMBER: 21-033
DATE OF SURVEY: 6/7/2022

GUISEWHITE PROFESSIONAL
LAND SURVEYING, PC

GPLS

P.O. BOX 680388
CHARLOTTE, NC 28216
(704) 530-1700 NC FIRM #C-4411



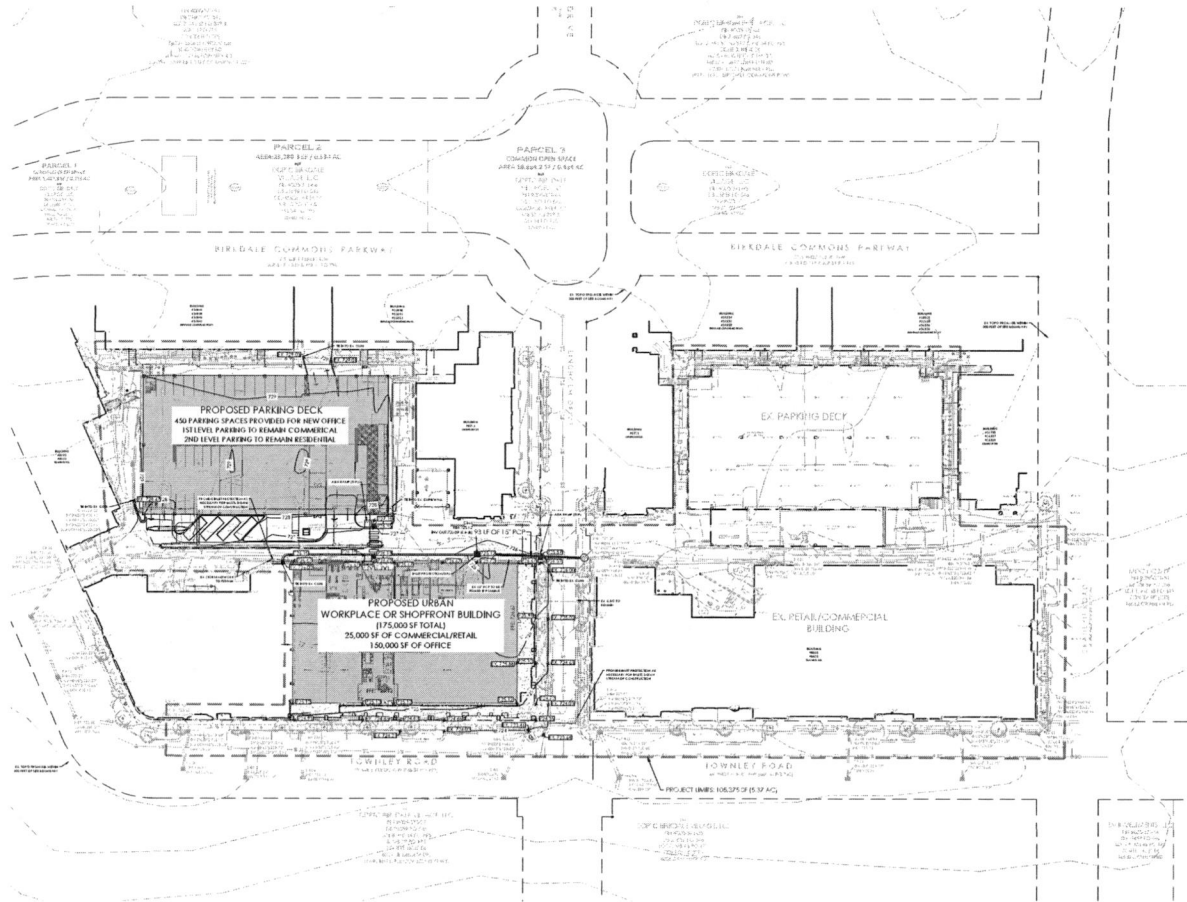
SHEET _____ OF _____

- [illegible]

NOTE: ALL SPOT ELEVATIONS ARE TO FACE OF CURB
UNLESS OTHERWISE NOTED

- [illegible]

- [illegible]



1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE AGENCIES 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 CURBS, 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.



BIRKDALE VILLAGE REZONING

PIN #00537157, 00537197

FIN #00337137, 00337197
LINDHOLM DR AND TOWNLEY RD, HUNTERSVILLE NC 28078

PRELIM GRADING PLAN

REVISIONS:

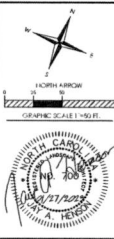
2022/08/25 - RESOLUÇÃO COMMERCE
2022/09/19 - RESOLUÇÃO COMMERCE
2022/11/02 - RESOLUÇÃO COMMERCE
2023/01/03 - RESOLUÇÃO COMMERCE
2023/04/27 - RESOLUÇÃO COMMERCE

34 - PHELPA GRADING DWG
PROJECT NUMBER: 22200

Z04 5

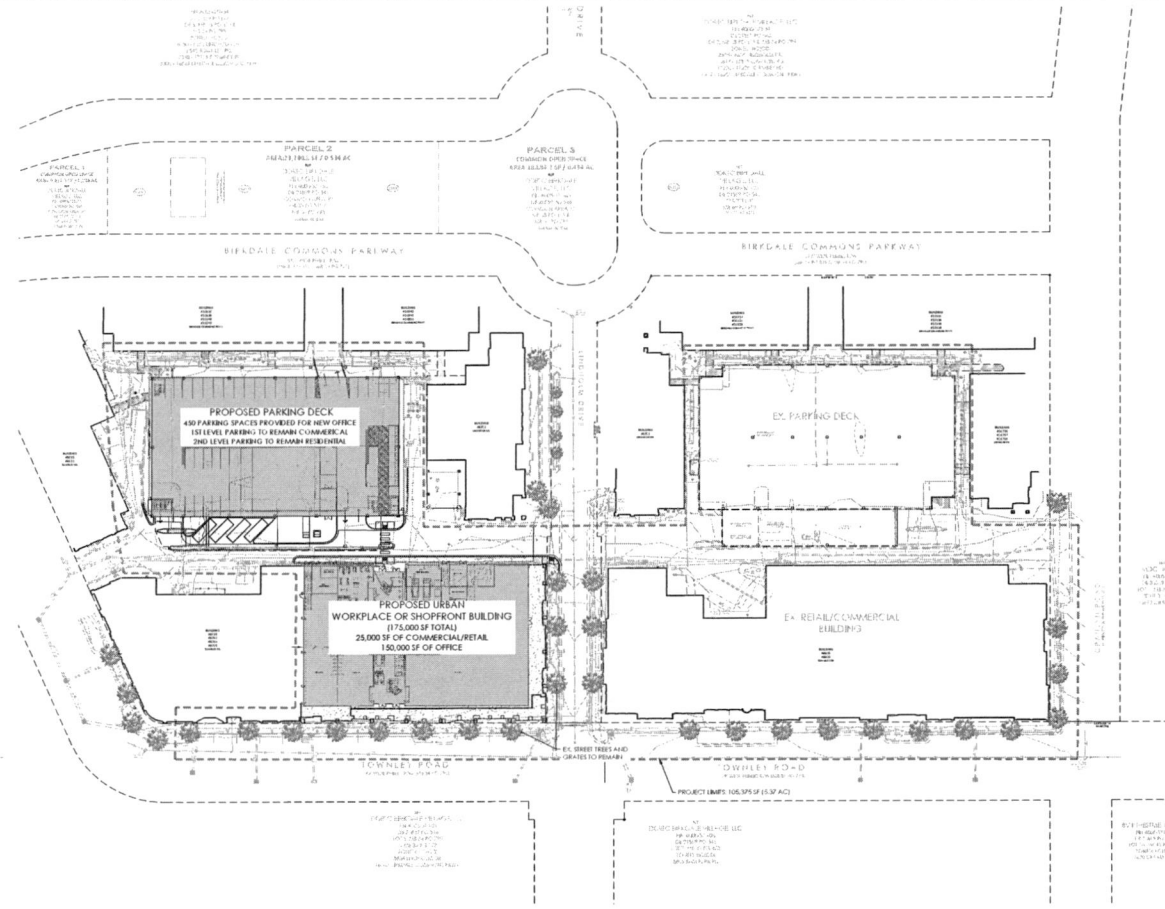


Landscape Architecture | Civil Engineering
121 Gilard, Huntersville, NC 28078
p: 704.875.1615 | f: 704.875.0959 | www.hensonsfoley.com



LEGEND

EXISTING STREET TREES TO REMAIN WITHIN PROJECT LIMITS



HensonFoley
Landscape Architecture | Civil Engineering
P: 704.875.1415 | F: 704.875.0259 | www.hensonfoley.com

North Arrow

Graphic Scale 1" = 100'

Professional Seal
Professional Engineer
State of North Carolina
No. 123456
Date: 12/11/2023

BIRKDALE VILLAGE REZONING
PIN #005371.57, 005371.97
LINDHOLM DR AND TOWNLEY RD, HUNTERSVILLE NC 28078

PRELIM LANDSCAPE PLAN

REVISIONS:

NO.	DATE	DESCRIPTION
1	2023/08/23	REVISIONS COMPLETED
2	2023/09/19	REVISIONS COMPLETED
3	2023/11/09	REVISIONS COMPLETED
4	2023/11/09	REVISIONS COMPLETED
5	2023/11/27	REVISIONS COMPLETED

1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTS AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGGING, ETC. AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
3. ALL PAYMENTS FOR CONCRETE OR ASPHALT ARE TO BE REPLACED ACCORDING TO THE SPECIFICATIONS OF THE DEPARTMENT OF TRANSPORTATION.
4. SIGNING WILL BE ACCORDING TO OTHER BEHINDING STANDARDS PART 1200 SUPPLEMENT P. OR AS APPROVED.

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

205 5

Birkdale Village Rezoning

Neighborhood Meeting Report

Date: September 22, 2022

Time: 6:00pm-7:45pm

Location: Dellwood Community Center, 508 Dellwood Drive, Huntersville, North Carolina 28078

Applicants and the neighborhood attendees discussed the following comments and questions:

General Comments

- There are traffic and congestion issues in Birkdale Village and the surrounding residences
 - Sam Furr/Highway 73 traffic
 - Lindholm Drive traffic
 - Formby Rd. traffic
 - Delivery truck traffic
 - Landscaper traffic
 - Cut through traffic in the Greens, specifically Pennington Dr.
 - Potential connection to Northcross Dr. with Townley Rd. extension
 - Traffic can be overwhelming sometimes and make it hard to leave the neighborhood
- Music volume on the speakers in Birkdale is too high, also change music selection
- Light pollution from the new buildings
- Current security of the property needs to be upgraded
- The design of the new buildings should be in keeping with the aesthetic and character of Birkdale Village
- The office building is very nice, and could be better if there were some design elements that fit with the original design
- Parking issues
 - Developer could remove some parking on Formby Rd. to make it more inviting to residents and visitors
- Neighbors would like to see the TIA and traffic count data
- Neighbors would like to see the future roadway improvement plans for the Sam Furr/Highway 73 corridor
- I love this project and the plans look great, I am just worried about traffic and congestion
- Birkdale is a little village, and the new buildings might change that
- Birkdale's original design was as a *Neotraditional* aesthetic with European-like streets

Questions

***Answers in bold**

1. Where will deliveries be made to the new buildings?
 - **There are alleyways to the rear of the new buildings where deliveries will be made.**
2. Can you design the office building and other structures to conform to the theme and design of the current Birkdale Village?
 - **The developer will explore options to better fit the aesthetic. Final design will be reviewed by Staff.**

3. Did the TIA consider the development of the Birkdale Golf Club across Highway 73?
 - **Yes, the Birkdale Golf Club is an approved plan and was included in the TIA calculations.**
4. Did the TIA consider the construction on Birkdale Commons Parkway during their traffic count?
 - **The TIA process includes traffic counts from a number of intersections and these intersections were designated by NCDOT.**
5. Can the developer remove parallel parking on certain streets (specifically Formby and other narrow roads) to allow for a more inviting pedestrian experience?
 - **This is public parking on a public street that the developer does not control.**
6. Is there a project on the books for the Townley Rd. extension to Northcross Dr.?
 - **This extension to Northcross Dr. has been contemplated for about 17 years. There is no official/definitive date on when this will occur.**
7. Can the developer give money to the Town to expedite the construction of the bridge connection to Northcross Drive?
 - **Developer will explore solutions with the Town, NCDOT, and landowners.**
8. With the scheduled improvements to Sam Furr/Highway 73, how much more capacity will the roads have? Can we see the documents related to NCDOT's plans?
 - **Significantly more capacity, turning Hwy 73 into a superstreet and other traffic alleviating measures will reduce the current stress on traffic in the area. Primarily traffic will be routed to Northcross Dr. to avoid gridlock at the I-77 Interchange.**
 - **NCDOT's plans are available on their website and are included in the Neighborhood Meeting presentation.**
9. What is the current parking ratio for Birkdale (parking spots per dwelling unit)?
 - **Current parking ratio is about 4.5, and after construction of the additional buildings the ratio will remain at about 4.5. However, on weekday evenings and weekends when the office tenants are not there, the ratio will increase due to the additional supply of 400 spots to the general public.**
10. What can the developer do to limit cut through traffic on Townley and Pennington?
 - **These are public roads, but the developer can explore options with the Town and NCDOT.**
11. Will parking in the new parking decks be free?
 - **Yes.**
12. Can the developer add no parking signs in areas where there are congestion issues?
 - **If it is a public street then most likely not, but developer can look into solutions.**
13. How will the NCDOT improvement projects line up with the new development?
 - **NCDOT improvements to Sam Furr/73 are scheduled for 2025-2026. The office building is at least 5 years out and the multi-family component/hotel would be completed after that. The NCDOT improvements and the construction of the new buildings coincide with each other based on the current schedule.**
14. If NCDOT plans get delayed will the Birkdale improvements be delayed?
 - **No, but the right of way acquisition process and easement acquisition process are currently underway for the Sam Furr/73 improvements.**
15. Can the developer tie construction of this project to the NCDOT improvements?

- **This agreement cannot be made as it would eliminate the opportunity for the developer to market the buildings to prospective tenants.**
- 16. When will all the NCDOT improvements to Sam Furr/Highway 73 be complete?
 - **The improvements are scheduled for 2025-2026, right of way and easement acquisition are currently underway.**
- 17. What if there is another pandemic? Will this development continue?
 - **Difficult to predict.**
- 18. Are there plans to expand Northcross Dr. and Westmoreland Rd.?
 - **Yes, Northcross Drive will extend and connect to Westmoreland Rd., there are also traffic alleviation plans that will direct more traffic to Northcross Dr. and away from the I-77 Interchange.**
- 19. What is the timeline for the construction of the office, hotel, and multi-family?
 - **The office and hotel are planned first, and that construction is at least 5 years out, financing will take at least 1-2 years from now to complete so the timeline is not set in stone. The multi-family component would begin after that.**
- 20. While NCDOT is constructing improvements to Northcross Dr. (including the roundabout) can they also construct the connection bridge to Townley Rd. at the same time?
 - **Can explore options with NCDOT and the Town.**
- 21. Regal just went bankrupt, will this impact the Regal at Birkdale?
 - **This will not impact the movie theater at Birkdale.**
- 22. Will the office building look like a 12-story building?
 - **The office building's first floor is retail (height of 20 ft.), second floor conference center (height of 20 ft.), and 5 floors of class-A office space above (height of 15 ft. each).**
- 23. Did North American Properties build the office building in Avalon?
 - **Yes.**
- 24. How many rooms are in the hotel?
 - **125 rooms.**
- 25. What brand of hotel? Will it be a 4 or 5 star/higher quality hotel?
 - **Will be a boutique hotel, 4 stars, similar to a Moxy or AC by Marriot or a Tempo by Hilton.**
- 26. What about the hotel across the street?
 - **This hotel is lower quality and is currently on hold.**
- 27. What will this do for air quality? Will this create smog?
 - **Developer is following all environmental requirements/regulations.**
- 28. Will there be apartments in the new buildings?
 - **Yes, there are plans for 350 1 & 2-bedroom apartments.**
- 29. What are the prices for the new apartments? What about the old apartments
 - **Current prices for 1-bedroom is about \$1600/month but will be closer to \$2000/month when completed, 2-bedroom apartments are closer to \$2500/month and could be higher once completed.**
 - **The older apartments are being renovated in line with the quality of the new apartments.**
- 30. Has the developer thought about doing condos instead of apartments?

- **There is not a demand for condos in this area and it doesn't make financial sense.**
31. What does class-A office mean?
- **Everything is higher quality, the materials used, interior furnishings and amenities are of a higher/highest standard.**
32. Why is there so much glass on the office building?
- **Office tenants require the large windows, especially in a class-A office.**
33. What about the remote/work from home movement, will this make the office building obsolete? Is there a market for this type of office?
- **There is a demand for this type of office in Huntersville. Currently Huntersville has no class-A office space available. With the proximity to Lake Norman this is a great location for this type of office.**
34. Can the developer put the office building across the street near the Birkdale Golf Club?
- **The developer does not own this land.**
35. Is Red Rocks being demolished? Is there a building going on top of Red Rocks?
- **Red Rocks is staying, they are upgrading and adding more outdoor seating. There is nothing going on top of Red Rocks.**
36. Where will the conference center be located?
- **Located on the second floor of the office building.**
37. What is going on top of Total Wine?
- **Nothing is going on top of Total Wine.**
38. Is the office building in the picture longer than the current Barnes & Noble building?
- **No, the perspective of the picture made it seem that way.**
39. How will the developer limit light pollution at night?
- **All the buildings are smart buildings and lights will turn off at night.**
40. How will the developer ensure that the greenery on the building will last and not die?
- **This is included in the developer's rezoning plans and is part of the rezoning requirement.**
41. Where are the parking decks located?
- **They will stay at their current location but will be upgraded to increase the number of parking spots.**
42. How is this hotel allowed to build up to 12 stories when the hotel across the street could only do 6?
- **These are two very different development, Birkdale is able to ask for this increase in height due to its density and size.**
43. There is another hotel across from Kenton Place, how will this impact the new Birkdale hotel?
- **This is a different type of hotel that will attract a different type of clientele.**
44. How tall will the buildings be?
- **The 7-story office building and the hotel will be around the same height (145'), the multi-family urban workplace building will be 75', and the parking garages will be 67'.**
45. Is the multi-family building as tall as the hotel?
- **No, hotel is 145' and multi-family is 75'.**
46. Is there currently a height limit in Birkdale?
- **Yes Birkdale has a current limit of 48'.**
47. Is Birkdale zoned as an urban center?

- **Yes.**
- 48. Will there be new designated delivery zones for delivery trucks?
 - **Delivery trucks will use the current alleyways behind the new office building and the hotel/multi-family.**
- 49. Will there be any electric vehicle charging stations?
 - **Yes, there will be infrastructure to support electric charging stations based on demand.**
- 50. Will there be dedicated electric/normal bike lanes?
 - **There will not be dedicated bike lanes, but the new traffic pattern around Birkdale should calm the traffic enough for bikers and drivers to share the road safely.**
- 51. Can the developer do something to ensure that the firepit area is safe?
 - **The firepit is designed to code and has a remote on-off switch. Only on-site personnel will be able to start the fireplace. Security routinely monitors the area.**
- 52. Will the rooftop beer garden be safe? Will drunk people fall over the sides or down the steps?
 - **Yes, this beer garden will meet all the necessary standards.**
- 53. Will there be any escalators or elevators?
 - **Where necessary, elevators will be placed in buildings. There are no plans for any escalators to reach the rooftop bar.**
- 54. Will there be a new wine bar?
 - **Yes, Foxcroft Wine.**
- 55. How many more apartments will be constructed?
 - **350.**
- 56. Is the Cheesecake Factory a new tenant?
 - **Cannot say, there is no signed contract.**
- 57. Has North American Properties done anything like this before?
 - **Yes, this is what North American Properties does. They did this in Alpharetta, Georgia with Avalon and have done similar projects in Atlanta and in Kentucky among others.**
- 58. Is there a phase 2 to this project?
 - **This was just on the PowerPoint for labeling purposes, the "first phase" is the \$20 million refurbishment of the current Birkdale Village and the "second phase" would be the construction of the office building, hotel, and multi-family.**
- 59. When can the neighbors get a good look at the design and configuration of the hotel and multi-family component?
 - **The neighbors will be kept in the loop regarding design plans as the development approval process continues.**
- 60. Are the plans done for this project?
 - **These are concepts plans, the fully rendered architectural drawings would be completed after approval of the rezoning due to costs.**
- 61. Once the detailed plans are done do they go back to the Town Board for review or is that something that Planning Staff handles?
 - **Staff handles the review of the construction documents and finalized plans to ensure that they meet all Town and other requirements.**
- 62. Will the building follow any of the green initiatives?
 - **Yes, the building will incorporate green building initiatives.**

63. Is this a finalized design for the hotel and apartments?
- **No, these are just example images to show the quality and potential design of the buildings.**
64. Do you know what the parking garages will look like?
- **Portions that can be seen from the public ROW will blend in with the aesthetic of the adjacent building. There are guidelines that the developer must follow to ensure this.**
65. What is the developer asking for in the zoning amendment?
- **Developer is asking to change the height of the buildings to allow for these new uses.**
66. How much more height is the developer requesting for the parking decks?
- **The developer is adding 4 levels to the parking decks, totaling 6 levels each.**
67. What are the logistics for the staging areas related to the construction of these new buildings?
- **Office construction would begin first, Barnes & Noble will be demolished and the parking area directly in front will be used as staging area for that construction. Similarly with the hotel and multi-family, once demolition happens the adjacent parking areas will be used as staging areas.**
68. What buildings will be torn down?
- **Barnes & Noble is leaving, they no longer have stores of this size (24,000 square feet), this will be demolished for the office building. The building that houses Girl's Supply and the Dick's building will be demolished for the hotel and multi-family. The parking garages will be demolished and rebuilt to modern standards.**
69. Are Girl's Supply and Dick's leaving?
- **Yes, they will be leaving at some point in the future.**
70. Could we get a Trader Joe's or grocer into the development?
- **Developer would love to get Trader Joe's or another grocer in the development. They are exploring options.**
71. What is going where the Gap is?
- **A new tenant.**
72. What is the ratio of dining options to retail options?
- **Developer wants to have about 40-50% dining options.**
73. What is the cost of valet parking? Where are the cars parked for valet?
- **Valet parking is \$15, and the cars are parked in the bottom floor of one of the parking decks.**
74. What is the price tag for all these new buildings?
- **\$240 million.**

NEIGHBORHOOD MEETING

SIGN IN SHEET

September 22, 2022, 6:00pm to 7:00pm

Birkdale Village Rezoning

Location: Dellwood Community Center, 508 Dellwood Drive, Huntersville, North Carolina 28078

Name	Address	Phone Number	Email Address
Kathleen Archer			
Nathan Furber			
Jon Bossiano			
Fetsje Goettsch			
Leslie Brown			
BREAN HARRISON			
Chris Boggiano			
Joni Fu Takuma			
Helen Mason			
Kitty Miese			

SIGN IN SHEET

Birkdale Village Rezoning

Location: Dellwood Community Center, 508 Dellwood Drive, Huntersville, North Carolina 28078

Name	Address	Phone Number	Email Address
Gay C. Rudisill			
Linda Barnes			
Sydney Zarsadiaz			
Randy Moose			
Kim Zarsadiaz			

NEIGHBORHOOD MEETING

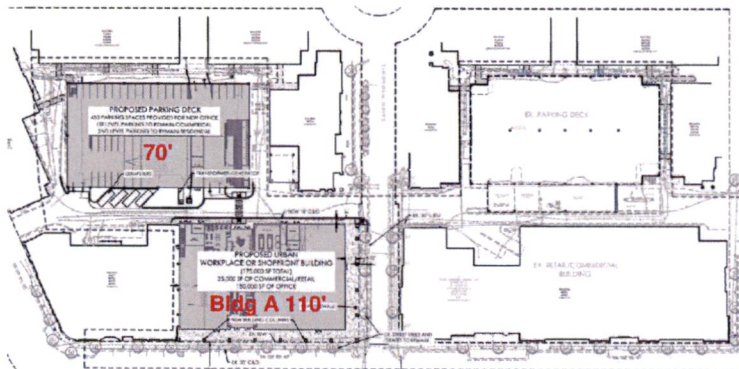
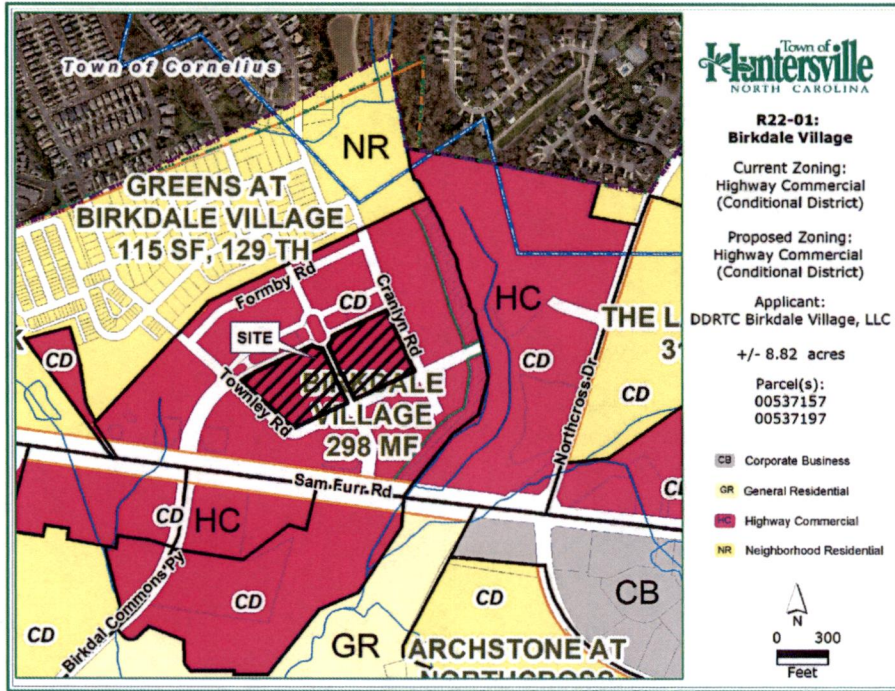
SIGN IN SHEET

September 22, 2022, 6:00pm to 7:00pm

Birkdale Village Rezoning

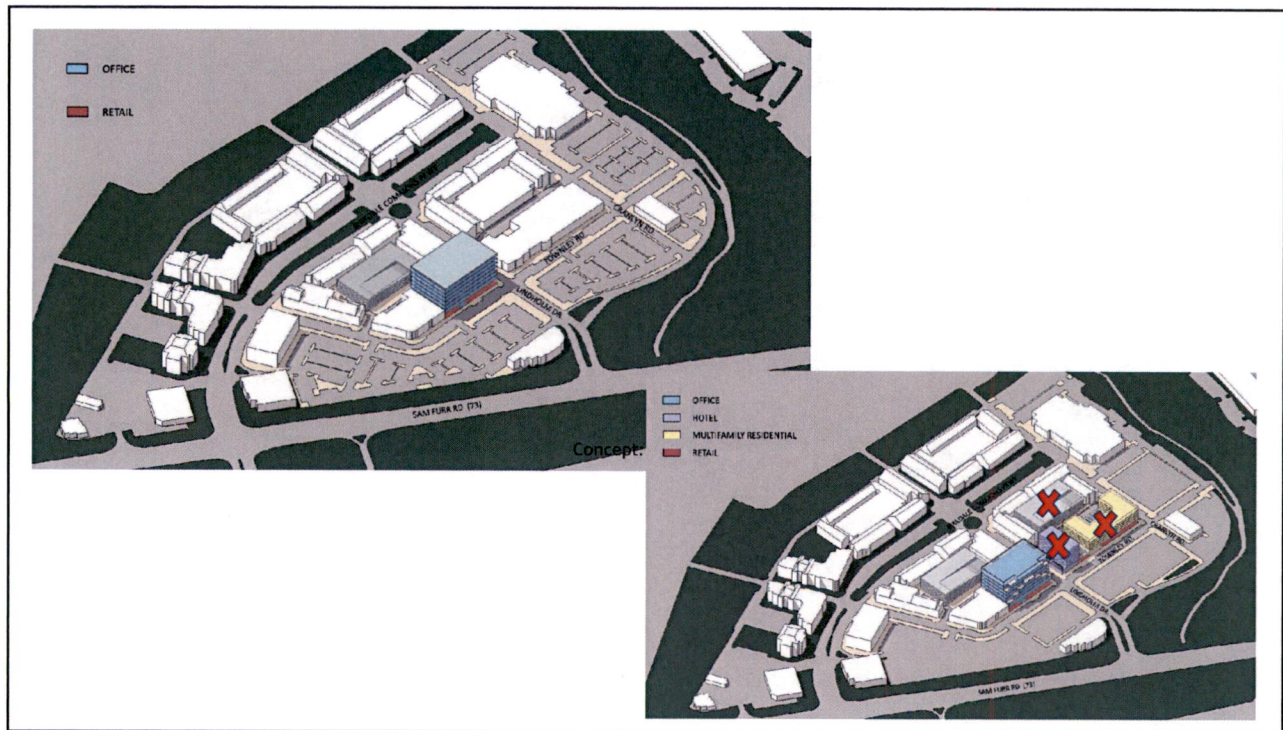
Location: Dellwood Community Center, 508 Dellwood Drive, Huntersville, North Carolina 28078

Name	Address	Phone Number	Email Address
Jill Brown			
Thomas Wright			
TERRI GAAR			
David Reed			
Pierre Clark			
Nick O'Shaughnessy			
Mark Keener			
Daryl + Karen Pappas			
MAGGIE PARK			
Sharon Boyd			
Dawn Snow			



PROPOSAL SUMMARY:

SIZE:	8.82 acres
Current Zoning:	Highway Commercial Conditional District (HC-CD)
Proposed Zoning:	Highway Commercial Conditional District (HC-CD)
Current Use:	Commercial & Office
Proposed Use:	150,000 sf Office 25,000 sf Commercial
Building Type:	Urban Workplace



Modification Request – Building Height

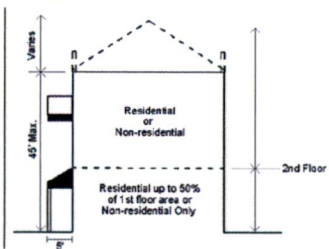
Article 4.2 Urban Workplace – Has a maximum building height of 45'. The applicant is requesting to increase the maximum height to 110'

Article 4.4 Shopfront Building – Has a maximum building height of 48'. The applicant is requesting to increase the maximum height to 110'

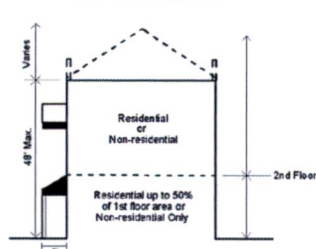
Office building (110') and one accessory parking deck (70').

STAFF COMMENT – The request would allow for a significant increase in building height over what is currently permitted by the Zoning Ordinance. This is not in keeping with the Spirit of the Ordinance, staff DOES NOT SUPPORT this modification request.

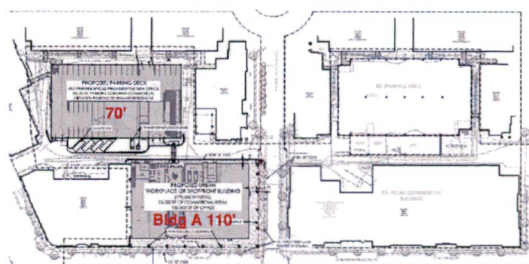
Article 4.2 Urban Workplace

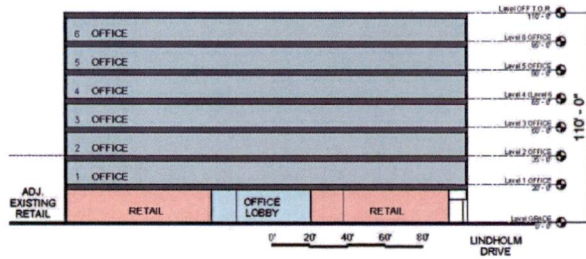


Article 4.4 Shopfront

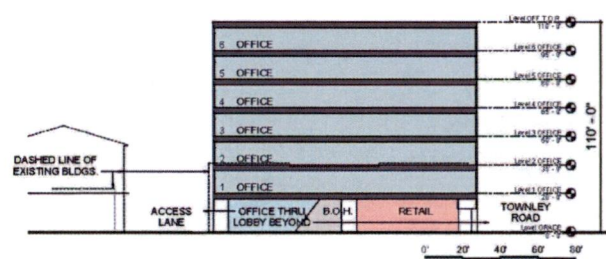


Proposed Heights

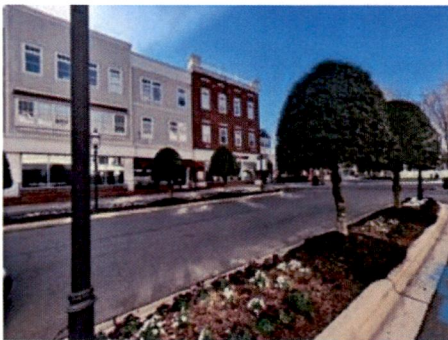
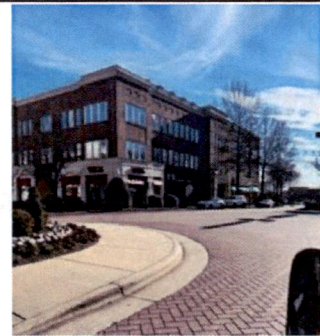
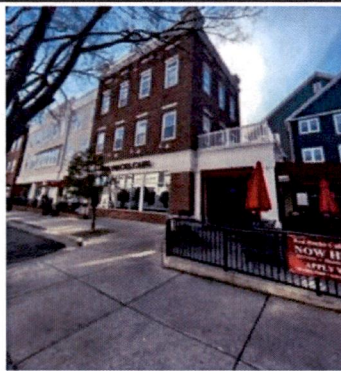
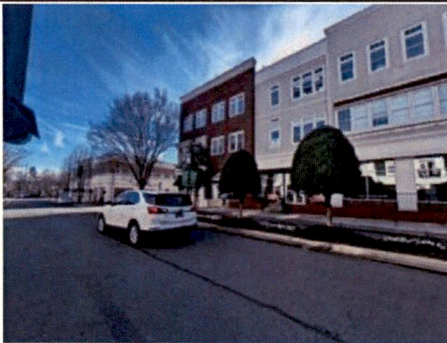


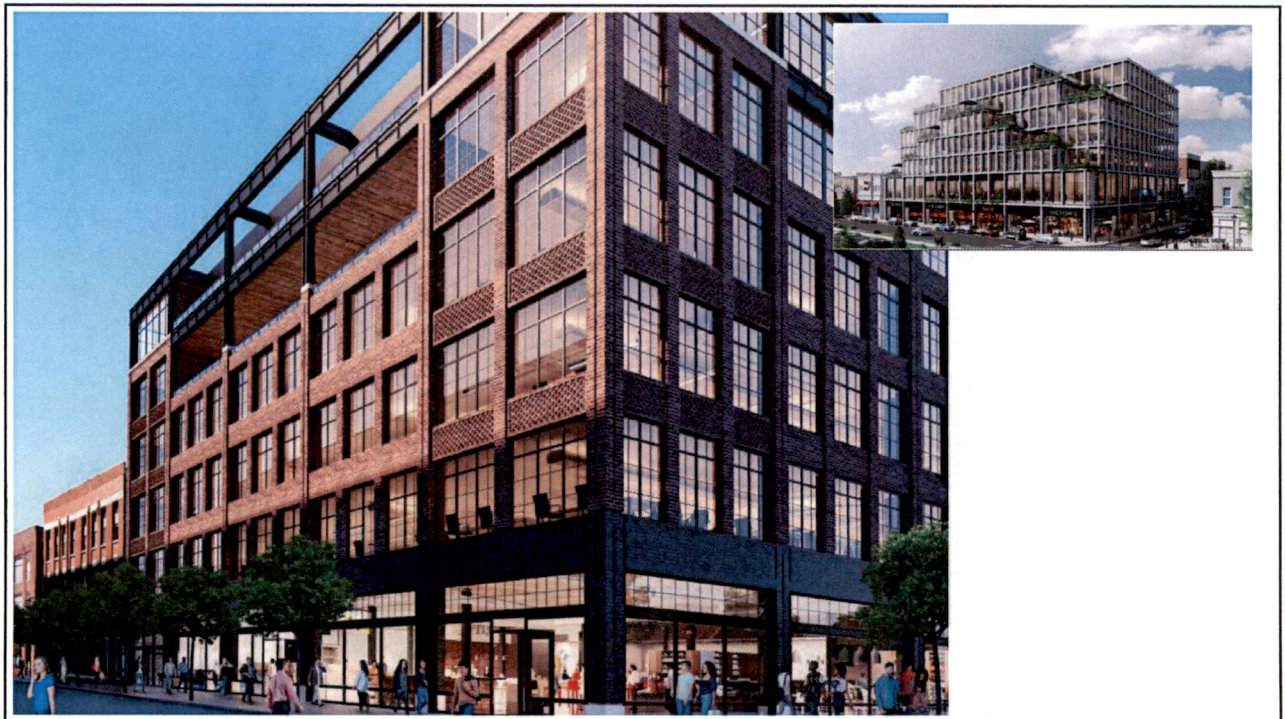


① BLDG. HEIGHT SECTION - OFFICE BLDG.
P-20-2



② BLDG. CROSS SECTION - OFFICE BLDG.
P-20-2







R22-01 Birkdale Village 2040 Community Plan References:

Supported by 2040 Community Plan:

- Policy LU 2.1: Higher intensity residential uses will be focused generally within 2 miles of the I77/NC115 corridor and future activity centers in the eastern and western areas of Huntersville zoning jurisdiction.
- Policy LU 6.1: A mix of land uses is encouraged in Mixed-Use Centers, Activity Centers, Employment Centers identified on the Future Land Use Map.
- Policy LU 6.2: Commercial uses are encouraged in the Town Core and as specified in adopted Small Area Plans.
- Policy LU 7.1: Require all new development to adhere to the following design principles: In Mixed Use Centers, Activity Centers, Town Core, and Moderate Density Areas, Streets and sidewalk are meant to be attractive and inviting. New development in these areas shall follow these principles:
 - In Mixed-Use Centers, Activity Centers, Town Core, and Moderate Density Areas, streets and sidewalks are meant to be attractive and inviting. New development in these areas shall follow these principles:
 - All buildings shall front a public street or open space.
 - Streets should be connected, have short blocks and sidewalks on both sides of streets.
 - Improve connectivity, particularly for pedestrians and vehicles.
 - Parking lots, if required, should be predominately located behind buildings screened from view and larger lots should be broken by buildings and or landscape features.
 - In lower intensity areas (including MD, RE, RC, CW) preservation of rural character and natural resources are prioritized.
 - In these areas, structures can be set back further from the road and should blend into the landscape and the scenic nature of roadways should be preserved.
- Policy LU 8.1: Continue to emphasize form and flexibility in development regulations for these areas.
 - The current zoning ordinance has basic form based standards with flexibility built-in. Key elements include allowing multiple types of land uses, a mix of uses, minimal setbacks, and parking requirements.
- Policy LU 8.2: Evaluate and strengthen incentives to encourage the achievement of higher design standards. Consider incentives that allow applicants to demonstrate excellence in design and exceptional public benefit for projects in key areas.
 - Offer flexibility using performance standards, guided by the design principles.
 - Specify intended outcomes and how site or building-specific design solutions can better achieve desired outcomes.
 - Evaluate incentives periodically to determine their value given shifting market and neighborhood conditions.
 - Incentives that could include:
 - Modification of height limit.
 - Increase in percent of allowable attached residential.
 - Reduced parking requirements.
 - Reduced buffer yard requirements
- Policy EV 1.2: Focus economic development in areas that support growth
 - Preserve areas suitable for business and industrial development, along with a mixture of support uses, to ensure an adequate inventory of land for future growth and development, with increases to this inventory as required. These areas should have proximity to existing or future activity centers, have access to transportation options and utility service, and offer amenities for employees.

R22-01 Birkdale Village 2040 Community Plan References:

Not Supported by 2040 Community Plan:

- **Policy LU 5.1:** Allow for more intense development only where transportation infrastructure and utilities already exist. Staff Comment – NCDOT widening project will not begin until 2026. The widening project completion will most likely occur after the construction of the new buildings at Birkdale.
- **Policy LU-11: Protect Existing Housing Stock.**
 - **LU 11.1:** Protect and enhance the unique character of Huntersville’s neighborhoods by using planning tools to safeguard from potentially negative impacts of development and redevelopment.
 - Promote quality design and neighborhood improvements including increasing access to parks and recreation and mobility options.
 - Encourage coordination with neighborhoods to address infrastructure needs such as sidewalks and drainage.
 - **LU 11.2:** Along existing streets, encourage new buildings to respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.
- **Policy LU 12.3:** Blend new development with existing neighborhoods, structures and landscapes through the use of transitions in building types and placement of open space, buffers, and other site features.

R22-01 Birkdale Village Staff Recommendation

STAFF RECOMMENDATION:

While there are multiple Huntersville 2040 Plan policies the proposed rezoning plan is consistent with, in considering the proposed rezoning petition R22-01, Birkdale Village, staff recommends denial based on the amendment being inconsistent with Huntersville 2040 Community Plan policies LU 5.1, LU 11.1, LU 11.2, and LU 12.3.

It is not reasonable and in the public interest to amend the Zoning Ordinance because the building height modification requested under Section 11.4.7(k) of 110', substantially exceed the maximums for Urban Workplace (45') and Shopfront (48') buildings and is not "in the spirit of the regulations". Previous height modifications requested under Section 11.4.7(k) have been several feet to one story and some involved unusual topography to demonstrate the modifications were in the "spirit of the regulations".

R22-01 Birkdale Village Planning Board Recommendation

Motion: F. Gammon made a Motion to recommend approval of R22-01 Birkdale Village. The Planning Board has considered and found the rezoning is consistent with Huntersville Zoning Ordinance article 11.4.7 d and 11.4.7 e. Further the petitioner is consistent with the Huntersville 2040 Community Plan and supported by policies LU 2.1, LU 6.1, LU 7.1, LU 8.1, LU 8.2, and EV 1.2. The Planning Board also recommends approval of the requested modification to the Zoning Ordinance to allow increased building heights for the proposed multi-use building to a maximum height of 110 feet and an accessory parking deck to a maximum height of 70 feet. This recommendation for approval is based upon the Huntersville 2040 Community Plan policy 8.1. This policy allows consideration for incentives to allow applicants to demonstrate excellence in design and exceptional public benefit for projects in key areas. Incentives that include modification of height limits. Birkdale Village is certainly a Huntersville key area. The Planning Board further recommends approval of the applicants request for Zoning Ordinance modification to increase the vesting period from 2 to 5 years. The recommendation for approval is contingent upon all outstanding staff redline comments being addressed. It is reasonable and in public interest to amend the zoning ordinance because the rezoning is consistent with the envisioned uses and development pattern set forth in the 2040 Community Plan. G. Baber seconded the motion.

Vote: The motion failed (2-5) with C. Boyd, T. Loomis, G. Baber, J. Sny & J. Wright opposed.

Planning Department	Planning Board	Board of Commissioners
	Motion: F. Gammon made a Motion to recommend approval of R22-01 Birkdale Village. The Planning Board has considered and found the rezoning is consistent with Huntersville Zoning Ordinance article 11.4.7 d and 11.4.7 e. Further the petitioner is consistent with the Huntersville 2040 Community Plan and supported by policies LU 2.1, LU 6.1, LU 7.1, LU 8.1, LU 8.2, and EV 1.2. The Planning Board also recommends approval of the requested modification to the Zoning Ordinance to allow increased building heights for the proposed multi-use building to a maximum height of 110 feet and an accessory parking deck to a maximum height of 70 feet. This recommendation for approval is based upon the Huntersville 2040 Community Plan policy 8.1. This policy allows consideration for incentives to allow applicants to demonstrate excellence in design and exceptional public benefit for projects in key areas. Incentives that include modification of height limits. Birkdale Village is certainly a Huntersville key area. The Planning Board further recommends approval of the applicants request for Zoning Ordinance modification to increase the vesting period from 2 to 5 years. The recommendation for approval is contingent upon all outstanding staff redline comments being addressed. It is reasonable and in public interest to amend the zoning ordinance because the rezoning is consistent with the envisioned uses and development pattern set forth in the 2040 Community Plan. G. Baber seconded the motion. Vote: The motion failed (2-5) with C. Boyd, T. Loomis, G. Baber, J. Sny & J. Wright opposed.	APPROVAL: In considering the proposed rezoning application R22-01, Birkdale Village, the Town Board recommends approval based on the Plan being consistent with (insert applicable plan references). <u>It is reasonable and in the public interest to approve the Rezoning Plan because...</u> (Explain)
DENIAL: While there are multiple Huntersville 2040 Plan policies the proposed rezoning plan is consistent with, in considering the proposed rezoning petition R22-01, Birkdale Village, staff recommends denial based on the amendment being inconsistent with Huntersville 2040 Community Plan policies LU 8.1, LU 11.1, LU 11.2, and LU 11.3. It is not reasonable and in the public interest to amend the Zoning Ordinance because the building height modification requested under Section 11.4.7(h) of 110', substantially exceed the maximums for Urban Workplace (45') and Shopfront (48') buildings and is not "in the spirit of the regulations". Previous height modifications requested under Section 11.4.7(h) have been several feet to one story and some involved unusual topography to demonstrate the modifications were in the "spirit of the regulations".		DENIAL: In considering the proposed rezoning application R22-01, Birkdale Village, the Town Board recommends denial based on the Plan being (consistent OR inconsistent) with (insert applicable plan references). <u>It is not reasonable and in the public interest to approve the Rezoning Plan because...</u> (Explain)

11.4 Amendment Process

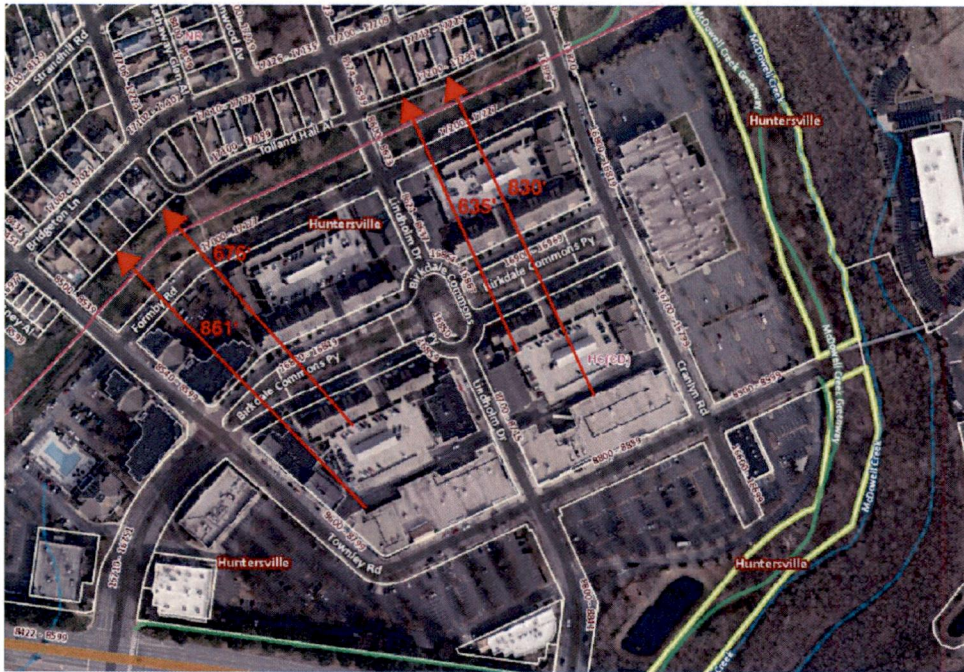
4. Withdrawal or Amendment of Petition.

C. If the Town Board deems any requested amendment to be a substantial change to the petition prior to a final decision, which does not result in an intensification of the petition, it shall defer action on the petition for 30 days to allow interested parties the opportunity to comment on the amendment to the petition.

Board Determination: February 6, 2023

Planning Board recommendation: February 28, 2023

Potential decision date: March 20, 2023

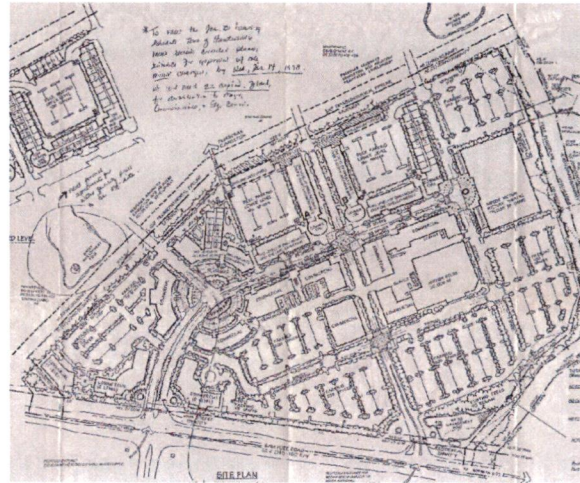


Birkdale Rezoning History

R97-23



R01-03



Design Guidelines

Section I. ARCHITECTURAL CHARACTER

(a) The elevations of buildings within the commercial and residential components shall be designed to reflect a "town center".

(b) Building elevations will include changes in building height, orientation, roof lines and other facade articulation. These changes will provide a strong sense of pedestrian scale and orientation creating an urban character which, in concert with sidewalk and street development, will foster the "town center" theme.

(c) All building elevations which front on a primary street shall provide at least one (1) entry of a pedestrian scale on each such elevation, provided, the anchor tenant occupying up to 85,000 square feet of floor area shall be required to provide points of entry of a pedestrian scale on two of its four building elevations. Where a building elevation abuts a secondary street parking area and/or pedestrian way and is designed or functions as a rear elevation, the building face will incorporate architectural details and screening intended to avoid a blank or monotonous appearance (e.g., windows, gables/dormers, awnings, exterior materials or textures, color, cornice treatment, landscaping, walls, etc.)

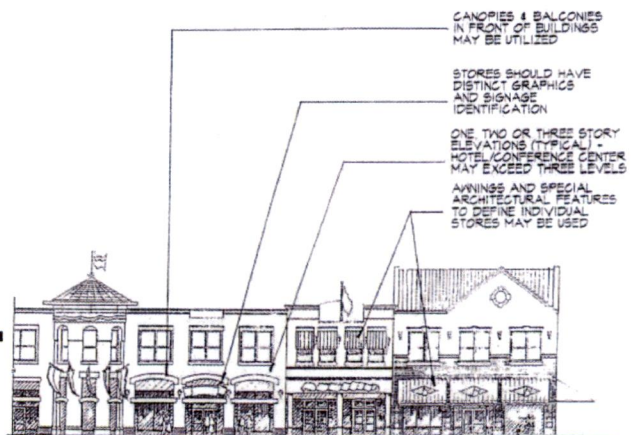
unrevised:2311846_TMS.DOC

3

(d) Building entries will be defined by the use of varied forms and/or other architectural details. Primary elevations (i.e., elevations along a primary street or the principal point of entry into a building) will also be articulated through the use of color, patterning and other architectural designing.

(e) Parking decks will relate to the building elevations in scale and character utilizing similar materials and facade articulation. The street edge of the parking decks will be screened with landscape according to the Ordinance.

(f) Examples of proposed building elevations, facade articulation and architectural details are depicted in the Exhibits attached. The individual elevations and details shown in the Exhibits may be varied or re-combined to provide alternative elevations or facade articulation.



TYPICAL ELEVATION

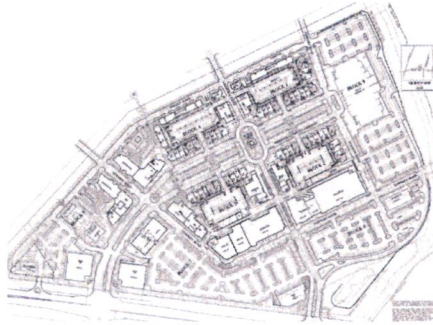
ARCHITECTURAL GUIDELINES 1.1
CONCEPT ELEVATIONS
14 JAN 2006

Birkdale Sketch Plan History

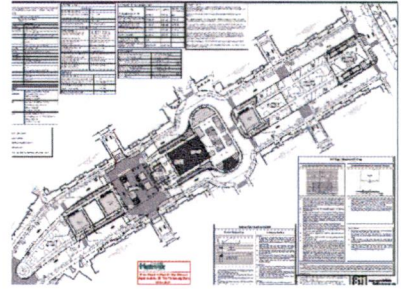
1999



2001

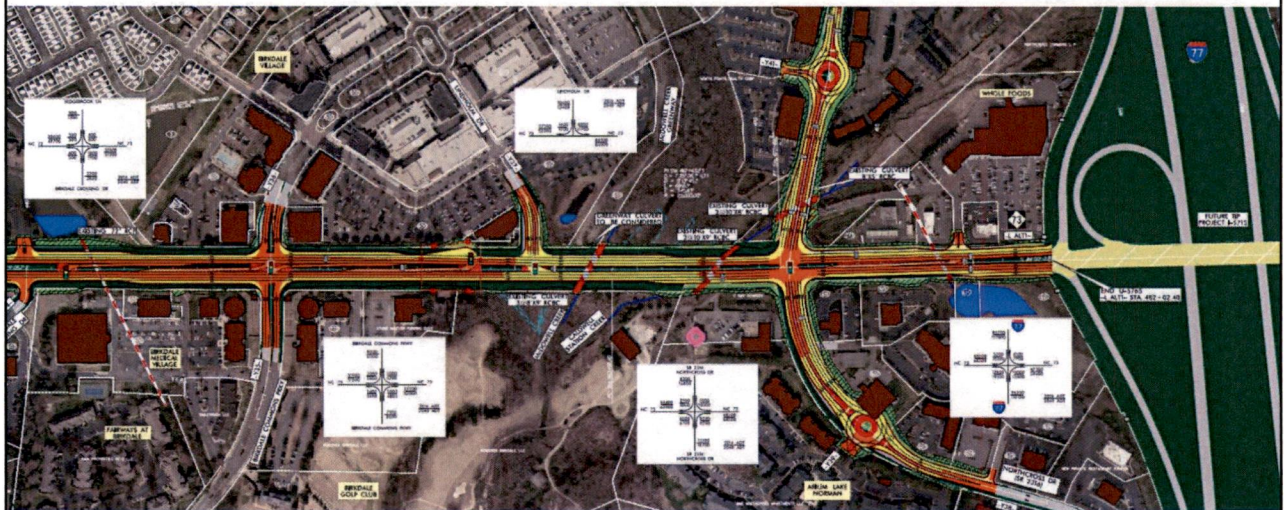


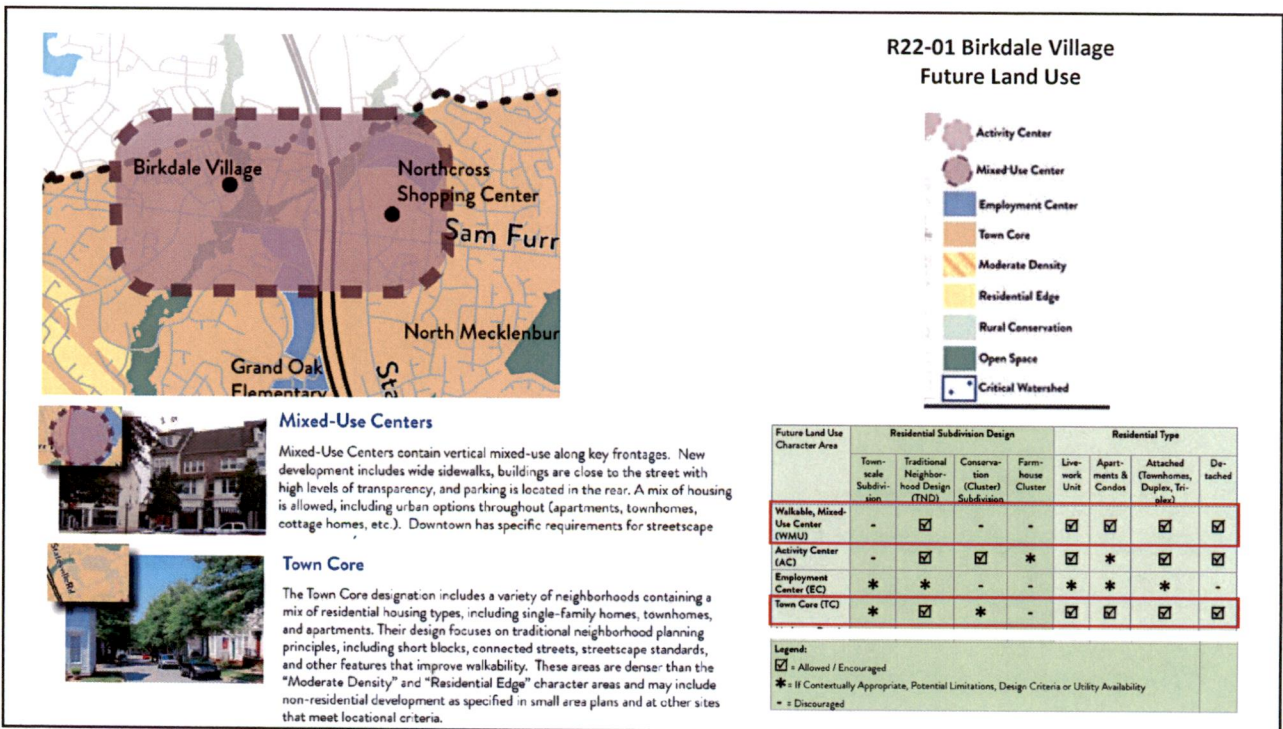
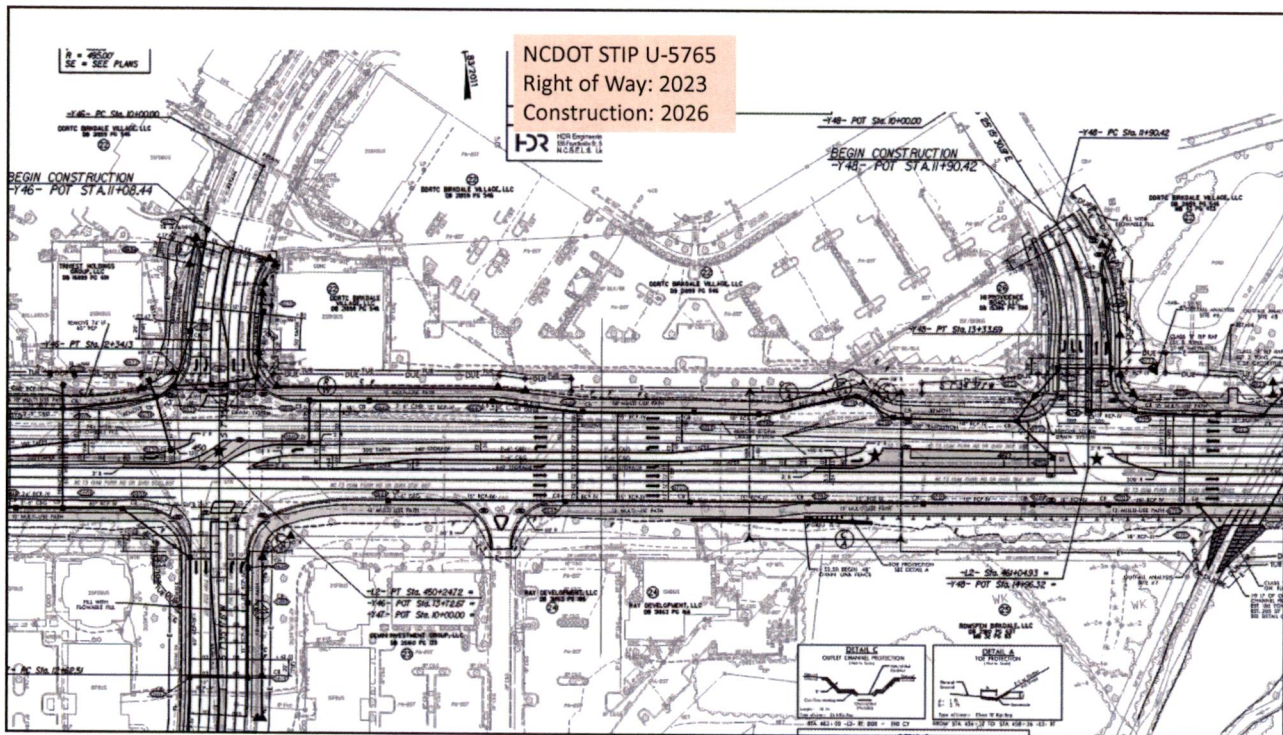
2021



NCDOT Highway 73 Improvements

NCDOT STIP U-5765
Right of Way: 2023
Construction: 2026





TA22-16 – Multi-Family Use in One Building on One Lot

PART 1: DESCRIPTION

TA22-16 is a request by the Huntersville Planning Department for a text amendment to the Zoning Ordinance to amend Article 3.2 General Districts and Article 9 Conditions for Certain Uses to establish buffer standards for a multi-family home use in one building, on one lot.

PART 2: BACKGROUND

In the Neighborhood Residential (NR), Neighborhood Center (NC), Town Center (TC), and Highway Commercial (HC) Zoning Districts, one apartment building on one lot is permitted by-right. There is concern that buffers from adjoining lower density development (detached house, duplex house, attached house) do not currently increase based on apartment size (i.e., 4-unit apartment building has same buffer when adjoining single-family homes as a 250-unit apartment).

To address this issue, the proposed amendment is to move multi-family home use from a use permitted by right to a use permitted with conditions in the NR, NC, TC, and HC Zoning Districts. The condition for a multi-family home use would be that the width of the required landscape buffer increases as the density of the proposed apartment building increases.

- The width of the landscape buffer starts at 5'. The 5' would apply if: a) the apartment has 4 dwelling units or less; b) boundaries are internal to a major subdivision containing the apartment; or c) the apartment adjoins property zoned TC, TOD R or TOD E regardless of number of units, density, or adjoining land use.
- The buffer width can increase to 10', 20', 30', or 40' based on the proposed density of development and if the development adjoins a detached house, duplex, or attached house.

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN

TA22-16 is consistent with Land Use Policies LU 7.2, LU-9, and LU 11.1 of the 2040 Community Plan.

Policy LU 7.2: Consider updates to the Huntersville Design Guidebook and/or Zoning Ordinance as needed to improve the commercial and multi-family design. Consider amending the Town's Zoning Ordinance to:

- Address issues including setbacks, architectural requirements, streetscape standards, and landscaping requirements

Staff Comment: Amendment will update Zoning Ordinance to address issues of noise and privacy by requiring increased buffers when existing residential development is adjacent to an infill multi-family use in one building on one lot.

Policy LU-9: New residential development should follow appropriate housing design principles.

Staff Comment: Amendment to create appropriate buffer standards for one building, one lot multi-family infill that is adjacent to less dense residential.

Policy LU 11.1: Protect and enhance the unique character of Huntersville's neighborhoods by using planning tools to safeguard from potentially negative impacts of development and redevelopment.

Staff Comment: To help protect against noise and the privacy of existing residential developments, the amendment will require increased landscape buffers when a one building, one lot multi-family infill development is adjacent to less dense residential. The buffers will naturally decrease density (as there will be less usable land), provide a greater barrier for noise, and help to protect the privacy of adjacent residential development.

PART 4: STAFF RECOMMENDATION

Staff recommends approval of the proposed text amendment.

Exhibit No. 9

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD

The Huntersville Ordinances Advisory Board (HOAB) recommended approval (6-1) of the proposed text amendment on January 5, 2023.

PART 6: PUBLIC HEARING

The public hearing was held February 20, 2023, with no public comment received.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board recommended approval (8-0) of the proposed amendment at the February 28, 2023 meeting.

PART 8: TOWN BOARD RECOMMENDATION

March 20, 2023

PART 9: ATTACHMENTS

1. Text Amendment Application
2. Ordinance for Adoption
3. Examples of Existing 1 Apartment Building on 1 Lot
4. January 5 HOAB Minutes

PART 10: STATEMENT OF CONSISTENCY – TA22-16

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA22-16, Planning Staff recommends approval based on consistency with policies LU 7.2, LU-9, and LU 11.1 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because the amendment will help to protect the privacy of existing residential development from one building, one lot multi-family infill development.	APPROVAL: The Planning Board recommend approval of petition TA22-16 based on the amendment being consistent with policies LU 7.2, LU-9, and LU 11.1 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because the amendment will help to protect the privacy of existing residential development from one building, one lot multi-family infill development.	APPROVAL: In considering the proposed amendment TA22-16, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...<i>(Explain)</i>
DENIAL: N/A	DENIAL: N/A	DENIAL: In considering the proposed amendment TA22-16, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>. It is not reasonable and in the public interest to amend the Zoning Ordinance because.... <i>(Explain)</i>



Text Amendment Application

Date of Application November 10, 2022

Fee

See Current Town of Huntersville Fee Schedule for Text Amendment to the Zoning/Subdivision Ordinance

Type of Change

☐ New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other

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

Description of Change

Proposed text amendment will affect the following:

Ordinance(s): Zoning Article(s): 3 and 9 Section(s): See attached

See attached

Current Ordinance

See attached

Proposed Text

Reason for Proposed
Change

To address concern for large multi-family buildings on one lot with
minimal standards.

Attach additional pages if needed.

NOTE: If the proposed text amendment effects property located along Hwy 73; is 2000 feet from an adjoining municipality, and/or the Mountain Island and Lake Norman Watersheds, additional peer review is required.

Applicant

Printed Name Jack Simoneau

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: Huntersville Planning

Signature _____ Date 11/10/22

Title Planning Director Email jsimoneau@huntersville.org

Address of Applicant PO Box 664, Huntersville NC

Property Owner (if different than applicant)

* Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____ Date _____

Title _____ Email _____

Address of Property Owner _____

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

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

Contact Information

Town of Huntersville	Phone:	704-875-7000
Planning Department	Fax:	704-875-6546
PO Box 664	Physical Address:	105 Gilead Road, Third Floor, Huntersville, NC 28078
Huntersville, NC 28070	Website:	https://www.huntersville.org/228/Planning-Department

Date Received By Planning Department: July 1, 2022

Staff Initials: JS

**AN ORDINANCE TO AMEND ARTICLE 3 & 9 OF THE ZONING ORDINANCE TO
ESTABLISH BUFFER STANDARDS FOR A MULTI-FAMILY HOME USE IN ONE
BUILDING, ON ONE LOT**

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.4 of the Zoning Ordinance is hereby amended as follows:

3.2.4 NEIGHBORHOOD RESIDENTIAL DISTRICT (NR)

Intent: The Neighborhood Residential District provides for residential **infill** development around the Town Core, Activity Centers and Mixed-Use Centers and their logical extensions identified in adopted long range plans. Streets in the Neighborhood Residential District must be interconnected, according to Article 5, Streets, and Urban Open Space provided according to Article 7. A range of housing types is encouraged. Low-intensity business activity is permitted in mixed-use and commercial buildings at residential scale, according to locational criteria. The intensity to which permitted uses may be built is regulated by the building type which corresponds to the use.

a) Permitted Uses

Uses permitted by right

- bed and breakfast inns
- boarding or rooming houses for up to four roomers
- congregate housing designed within the “civic” building type
- family care home
- ~~multi family homes~~
- single family homes

Uses permitted with conditions

- cemeteries, (9.7)
- religious institutions, (9.8)
- commercial use in a mixed-use building¹, located on an arterial or at the intersection of a local street and a larger capacity street
- commercial use, in a detached house building type, located within ¼ mile of a Town Center district and fronting a major or minor thoroughfare (Includes properties in which any portion falls within the ¼ mile boundary) (9.51)
- essential services 1 and 2, (9.14)
- government buildings up to 5000 sq. ft. of gross floor area
- neighborhood and outdoor recreation, (9.21)
- parks, (9.29)
- retirement communities (9.50)
- schools, (9.35)
- transit-oriented parking lots as a principal use, (9.49)
- transit shelters, (9.39)
- **multi-family homes (9.64)**

Section 2. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.5 of the Zoning Ordinance is hereby amended as follows:

3.2.5 NEIGHBORHOOD CENTER DISTRICT (NC)

Intent: The Neighborhood Center District is provided for the location of shops, services, small workplaces, civic and residential buildings central to a neighborhood or grouping of neighborhoods and within walking distance of dwellings. A neighborhood center shall be developed on an interconnected pattern of streets and is limited to approximately ¼ mile in radius. Uses in the neighborhood center will have a primary market area of 1 mile and buildings compatible with surrounding residences. If a neighborhood center is the focus of a planned transit stop, it should be designed to serve the neighborhood's residential base plus transit riders.

a) Permitted Uses

Uses permitted by right

- bed and breakfast inns
- boarding or rooming houses for up to six roomers
- civic, fraternal, cultural, community, or club facilities
- commercial uses
- congregate housing designed within the "civic" building type
- family care home
- indoor amusement
- indoor recreation
- ~~multi-family homes~~
- single family homes

Uses permitted with conditions

- cemeteries, (9.7)
- religious institutions, (9.8)
- commercial marinas, (9.43)
- day care center, (9.11)
- essential services 1 and 2, (9.14)
- government buildings up to 6,000 sq. ft. of first floor area neighborhood
- gasoline stations, excluding major service and repair of motor vehicles (9.22)
- parking lot as principal use (9.28)
- parks, (9.29)
- schools, (9.35)
- temporary mobile food sales (9.37)
- temporary outdoor sales of seasonal agricultural products and customary accessory products (example: farmers' markets, Christmas tree/pumpkin sales), (9.37)
- transit-oriented parking lots as a principal use, (9.49)
- transit shelters, (9.39)
- multi-family homes (9.64)

Section 3. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.6 of the Zoning Ordinance is hereby amended as follows:

3.2.6 TOWN CENTER DISTRICT (TC)

Intent: The Town Center District provides for revitalization, reuse, and infill development in Huntersville's traditional town center. A broad array of uses is expected in a pattern which integrates shops, restaurants, services, work places, civic, educational, and religious facilities, and higher density housing in a compact, pedestrian-oriented environment. The Town Center anchors the surrounding residential neighborhoods while also serving the broader community. The district is coded to accommodate the higher overall intensity of development required to support a rail transit station. It is to be expected that the Town Center District will be expanded over time through the zoning change process to an approximate ½ mile radius to meet growth in demand for downtown facilities and services.

a) Permitted Uses

Uses permitted by right

- bed and breakfast inns
- boarding or rooming houses for up to six roomers
- civic, fraternal, cultural, community, or club facilities
- commercial uses
- congregate housing designed within the "civic" building type
- family care home
- government buildings
- hotels
- indoor amusement
- ~~multi family homes~~
- nightclubs, music clubs, bars, and similar entertainment facilities
- single family homes

Uses permitted with conditions

- automobile and/or motorcycle sales, automobile service and repair, up to 2 acres in size, with a principal building of at least 8,000 sq. ft., all damaged vehicles and auto parts to be screened opaque (9.25)
- cemeteries, (9.7)
- religious institutions, (9.8)
- essential services 1 and 2, (9.14)
- neighborhood gasoline stations, excluding major service and repair of motor vehicles (9.22)
- parking lot as principal use (9.28)
- parks, (9.29)
- schools, (9.35)
- temporary mobile food sales (9.37)

- temporary outdoor sales of seasonal agricultural products and customary accessory products (example: farmers' markets, Christmas tree/pumpkin sales), (9.37)
- transit-oriented parking lots as a principal use, (9.49)
- transit shelters, (9.39)
- multi-family homes (9.64)

Section 4. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.7 of the Zoning Ordinance is hereby amended as follows:

3.2.7 HIGHWAY COMMERCIAL DISTRICT (HC)

Intent: The Highway Commercial District is established to provide primarily for auto-dependent uses in areas not amenable to easy pedestrian access and a comfortable pedestrian environment. It is expected that the Highway Commercial District will serve not only the Huntersville Community, but interstate travelers as well. Because of the scale and access requirements of uses in this category, they often cannot be compatibly integrated within the Town Center or Neighborhood Center Districts. Development at district boundaries must provide a compatible transition to uses outside the district; property boundaries adjacent to freeways or expressways will require a 50-foot foliated buffer yard; and frontages on major or minor arterials will require formal street tree planting.

a) Permitted Uses

Uses permitted by right

- amusement facilities: all indoor uses
- armories for meetings and training of military organizations
- auction sales
- boarding or rooming houses for up to six roomers
- religious institutions
- civic, fraternal, cultural, community, or club facilities
- commercial uses
- contractor offices and accessory storage yards, excluding the storage of general construction equipment and vehicles
- family care home
- government buildings
- indoor and outdoor recreation
- ~~multi-family homes~~
- nightclubs, music clubs, bars, and similar entertainment facilities
- pawnshops and second-hand shops
- single family homes
- vocational and technical schools
- wholesale sales with related office, storage and warehousing entirely within an enclosed building; truck terminals not permitted

Uses permitted with conditions

- adult establishments, (9.2)
- amusement facilities, outdoor, limited to par 3 golf courses, golf driving ranges, and archery ranges, (9.5)
- car wash, (9.6)
- commercial marinas, (9.43)
- day care center, (9.11)
- essential services 1 and 2, (9.14)
- gasoline service stations, including service and repair of motor vehicles, (9.22)
- hotels spaced 250' or more from residential or mixed-use zones, (9.45)
- parks, (9.29)
- temporary outdoor sales of seasonal agricultural products (example: Christmas tree/pumpkin sales), (9.37)
- temporary mobile food sales, (9.37)
- transit-oriented parking lots as a principal use, (9.49)
- transit shelters, (9.39)
- vehicle and boat service, rental, cleaning, mechanical repair, and body repair, (9.25; 9.26)
- multi-family homes (9.64)

Section 5. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 9 of the Zoning Ordinance is hereby amended as follows:

Article 9.64 – Multi-Family Homes
--

Multi-family homes in the NR, NC, TC and HC zones shall be subject to the following provisions:

.1 One multi-family home on one lot shall be subject to the following:

- a) **Minimum buffer widths for adjoining property lines excluding street rights-of-way shall be as follows:**
 1. **Five feet (5') minimum buffer width in any of the following circumstances: a) the apartment house has four (4) dwelling units or less; b) boundaries are internal to a major subdivision containing the apartment house; or c) the apartment house adjoins property zoned TC, TOD R or TOD E regardless of number of units, density, or adjoining land use.**
 2. **Ten feet (10') minimum buffer width in either of the following circumstances: a) density is less than 10 units an acre regardless of the adjoining use; or b) the apartment house is 10 units an acre or more and adjoins anything other than a detached house, duplex house, or attached house.**
 3. **Twenty feet (20') minimum buffer width when density is between 10 to 15 units an acre and is adjoining a detached house, duplex house, or attached house.**
 4. **Thirty feet (30') minimum buffer width when density is between 15+ to 20 units an acre and is adjoining a detached house, duplex house, or attached house.**

5. Forty feet (40') minimum buffer width when density exceeds 20 units an acre and is adjoining a detached house, duplex house, or attached house.
 - b) There shall be three (3) trees per 1000 square feet of buffer area with a minimum of 50% large maturing, minimum of 25% small maturing, and a minimum of 75% evergreen. Further, there shall be ten (10) shrubs per 1000 square feet of buffer area and 100% shall be evergreen.
- .2 Two or more multi-family homes on one lot constitutes a major subdivision and shall comply with all applicable requirements, including the Multi-Building Sites approval process found in Section 6.800 of the Subdivision Ordinance.

Section 6. This ordinance shall become effective upon the date of adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: January 5, 2023

PUBLIC HEARING DATE: February 20, 2023

PLANNING BOARD MEETING: February 28, 2023

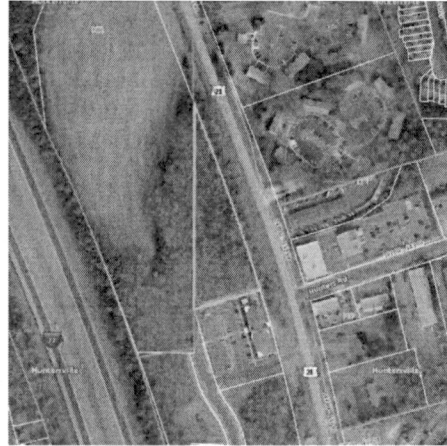
TOWN BOARD DECISION: March 20, 2023

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

1. Mosaic Senior Living (approved)
9102 Beatties Ford Road
130 units, 9.85 acres (13 units/acre)



2. Norman Lofts (approved)
14801 Statesville Rd.
45 units, 2 acres (22 units/acre)



3. Stumptown Apartments (under construction)
14801 Stumptown Rd
18 units, 1.07 acres (16 units/acre)



4. 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, 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:

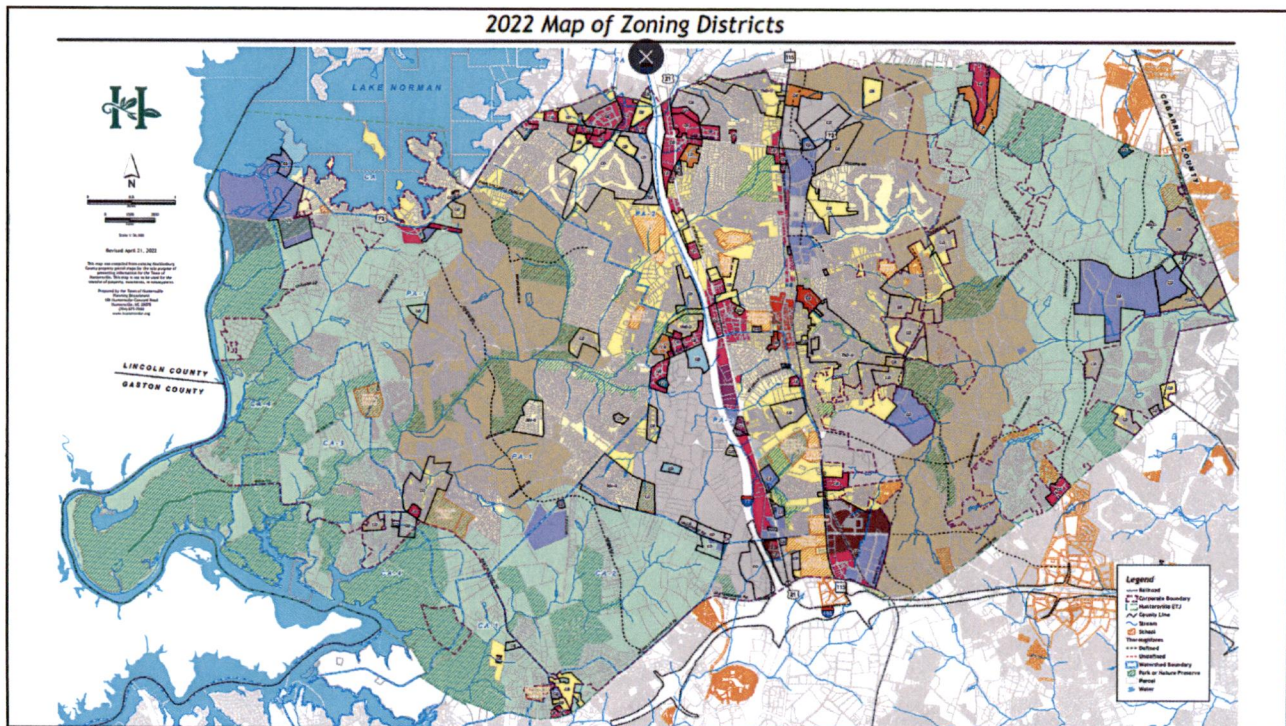
- .1 One multi-family home on one lot shall be subject to the following:
 - a) Minimum buffer widths for adjoining property lines excluding street rights-of-way shall be as follows:
 1. Five feet (5') minimum buffer width in any of the following circumstances: a) the apartment has four (4) dwelling units 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.

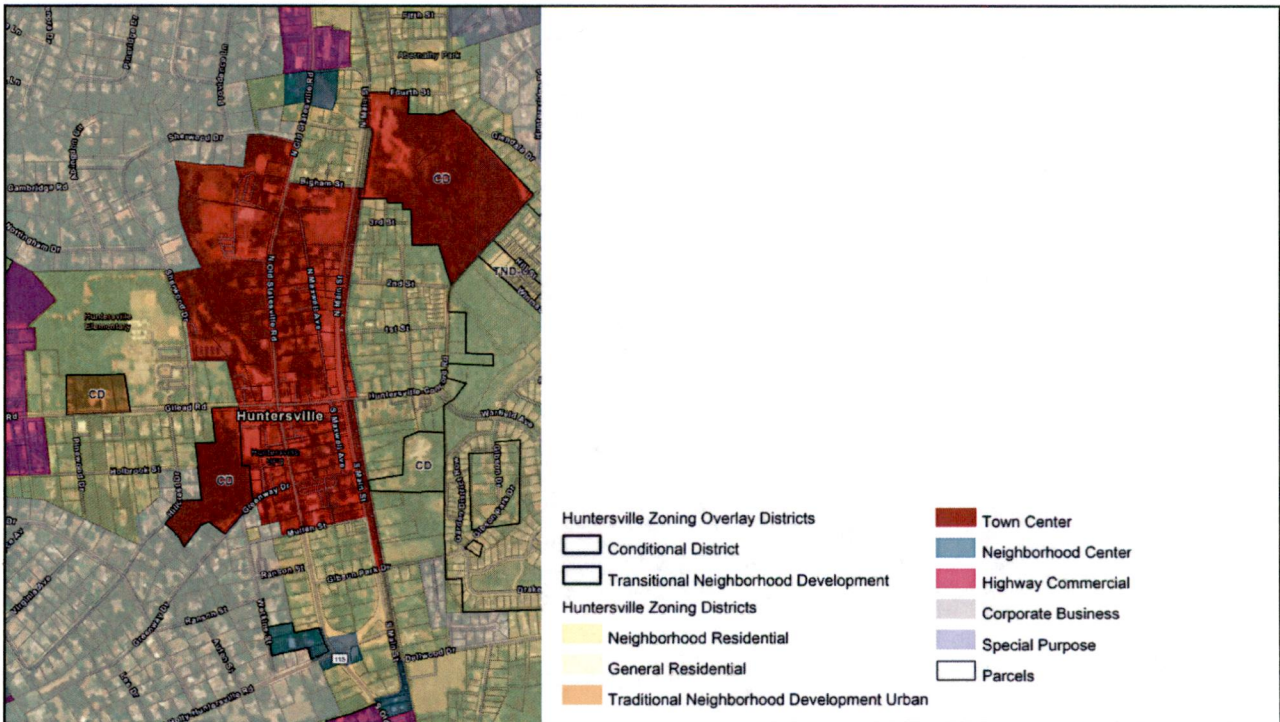
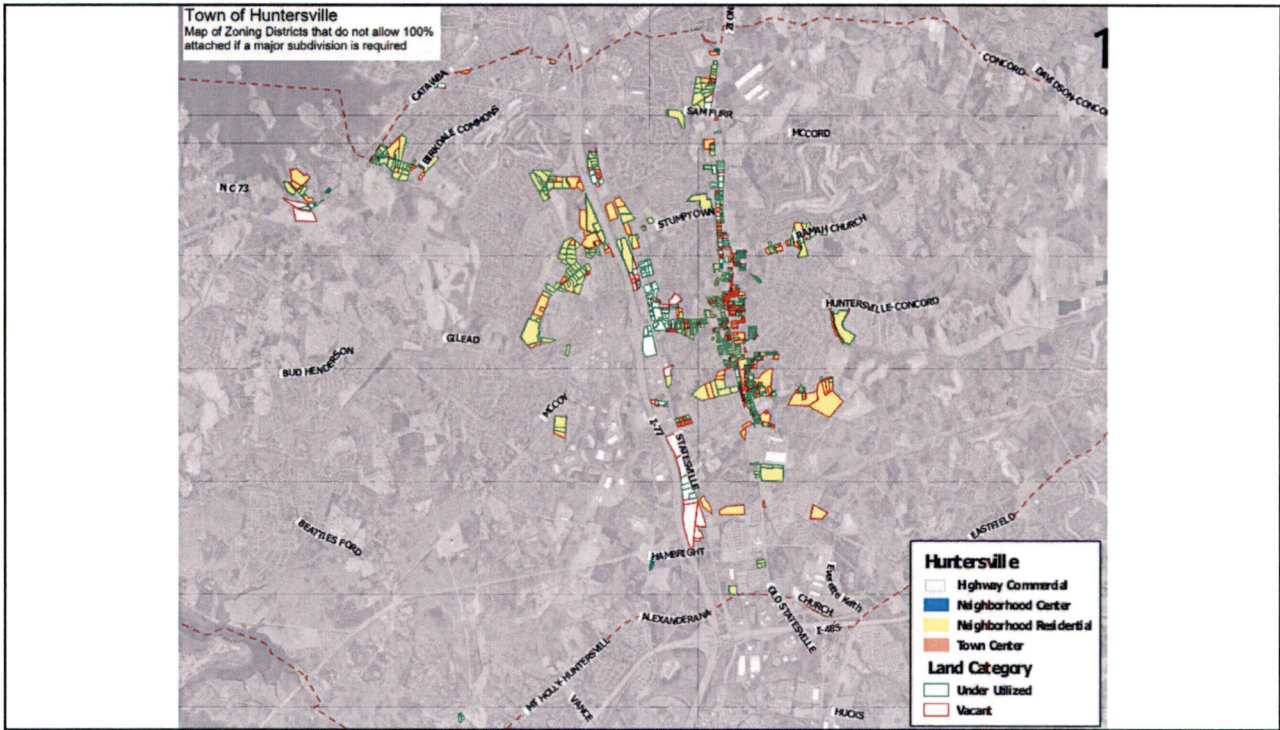
Statement of Consistency

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA22-16, Planning Staff recommends approval based on consistency with policies LU 7.2, LU-9, and LU 11.1 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because the amendment will help to protect the privacy of existing residential development from one building, one lot multi-family infill development.	APPROVAL: The Planning Board recommend approval of petition TA22-16 based on the amendment being consistent with policies LU 7.2, LU-9, and LU 11.1 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because the amendment will help to protect the privacy of existing residential development from one building, one lot multi-family infill development. (8-0)	APPROVAL: In considering the proposed amendment TA22-16, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...<i>(Explain)</i>
DENIAL: N/A	DENIAL: N/A	DENIAL: In considering the proposed amendment TA22-16, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>. It is not reasonable and in the public interest to amend the Zoning Ordinance because.... <i>(Explain)</i>

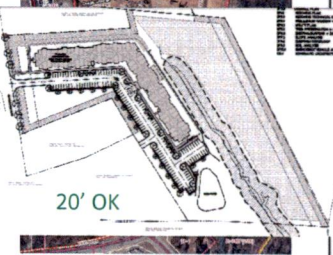
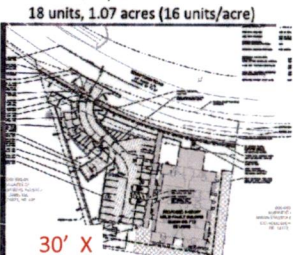
TA22-16

- 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.
- The public hearing was held February 20, 2023, with no public comment received
- Planning Board: 02/28/23 Recommended Approval (8-0)
- Town Board decision: 03/20/23

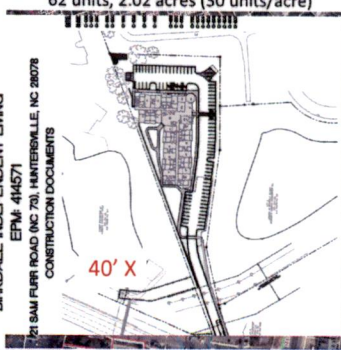
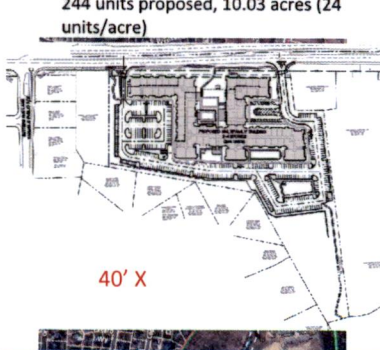




Approved Multi-Family Use in 1 Apartment Building on 1 Lot

1. Mosaic Senior Living (approved) 9102 Beatties Ford Road 130 units, 9.85 acres (13 units/acre)  20' OK	2. Norman Lofts (approved) 14801 Statesville Rd. 45 units 2 acres (22 units/acre)  5' OK Adjoins TC	3. Stumptown Apartments (under construction) 14801 Stumptown Rd 18 units, 1.07 acres (16 units/acre)  30' X
4. Bellamoor Senior Living (built) 16515 Old Statesville Rd 116 units, 5.03 acres (23 units/acre)  20' OK	5. 14719 N Old Statesville Apartments (built) 8 units, .31 acres (25 units/acre)  5' OK Adjoins TC	6. Caldwell Station Senior Apartments (approved) 11130 Will Knox Road 134 units, 6.4 acres (20 units/acre)  30' OK

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)  20' OK	8. Sam Furr Senior (under construction) 8521 Sam Furr Rd. 62 units, 2.02 acres (30 units/acre)  40' X	9. Sam Furr Apartments (not approved yet) 10400 Sam Furr 244 units proposed, 10.03 acres (24 units/acre)  40' X
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TA 22-17 – Increase Buffer for Major Residential Subdivisions

PART 1: DESCRIPTION

TA 22-17 is a request by the Huntersville Planning Department to amend Section 7.5.3 of the Huntersville Zoning Ordinance increasing the buffer for proposed major residential subdivisions from 20' to 40' when the proposed subdivision is two times greater than the existing residential subdivision.

PART 2: BACKGROUND

Major subdivisions are now approved administratively versus through a quasi-judicial process (TA 22-05; 8-1-2022). When that occurred, it removed the Town's ability to increase the minimum 20' buffer requirement when a proposed major subdivision is deemed incompatible with an existing adjoining development. This amendment would require new major subdivisions with twice the density of the adjacent existing development to provide a minimum buffer of 40 feet except in the Town Center zone when adjoining other Town Center zoned property.

EXAMPLES

Whitaker Pointe (aka Cook Farm) – No increased buffer because lots are the same size and type as existing Gilead Ridge.



Hamlet at Huntersville – Increase of 20' buffer to 40' because the Hamlet is more than 2 times as dense as the existing Plum Creek neighborhood.



The amendment language as approved by the HOAB and presented at the public hearing is as follows:

20 feet minimum in Town Center zone when adjoining the Town Center zone and where density is less than two times greater than existing development. In all other cases 40 feet minimum is required.

That wording inadvertently increases the setback for major residential subdivisions when adjoining vacant property from 20 feet to 40 feet. To correct that oversight, the following wording is recommended by staff:

40 feet minimum when density is two times greater than the existing development except in Town Center zone when adjoining the Town Center zone. In all other cases 20 feet minimum is required.

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN

The proposed text amendment **could be supported** by the following policies in the Huntersville 2040 Community Plan:

Policy LU-11: Protect Existing Housing Stock

LU 11.1: Protect and enhance the unique character of Huntersville’s neighborhoods by using planning tools to safeguard from potentially negative impacts of development and redevelopment.

LU 11.2: Along existing streets, encourage new buildings to respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.

STAFF COMMENTS: The additional setback for denser major subdivisions would protect existing housing stock of less dense development.

Policy DT-2: Step down in intensity and density near established residential neighborhoods. (DT is a Downtown Recommendation)

- Housing types that provide good transitions include townhomes, duplexes, triplexes, and other small-scale products.
- Design features such as setbacks, step backs, tree preservation, and open space placement can help provide transitions.

STAFF COMMENT: Additional setback required if proposed major residential subdivision adjoins an existing neighborhood not zoned Town Center.

PART 4: STAFF RECOMMENDATION

Staff recommends approval (see Part 9)

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD

The Huntersville Ordinances Advisory Board (HOAB) recommended approval (9-0) on December 1, 2022.

PART 6: PUBLIC HEARING

Held on February 6, 2023. No one spoke about the amendment at that meeting.

PART 7: PLANNING BOARD RECOMMENDATION

February 28, 2023

PART 8: ATTACHMENT

Attachment 1: Application

Attachment 2: Ordinance as approved by the HOAB and presented at the Public Hearing

Attachment 3: **Option 2** Ordinance as recommended by staff and Planning Board to not increase the buffer when adjoining vacant land

Attachment 4: Huntersville Ordinance Advisory Board December 1, 2022, minutes

PART 9: STATEMENT OF CONSISTENCY – TA22-17

<i>Planning Department</i>	<i>Planning Board</i>	<i>Board of Commissioners</i>
APPROVAL: In considering the proposed amendment TA22-17, Planning staff recommends approval of Option 2 based on the amendment being consistent with Policy LU-11 and DT-2 of the 2040 Huntersville Community Plan. <i>It is reasonable and in the public interest to amend the Zoning Ordinance because it helps protect the unique character of the existing housing stock.</i>	APPROVAL: Approve TA22-17, Staff Option 2, based on the amendment being consistent with policy LU-11 and DT-2 of the 2040 Huntersville Community Plan. <i>It is reasonable and in the public interest to amend the zoning ordinance because it helps protect the unique character of the existing housing stock. C. Boyd seconded the motion. (8-0)</i>	APPROVAL: In considering the proposed amendment TA22-17, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> <i>It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)</i>
DENIAL: N/A	DENIAL: N/A	DENIAL: In considering the proposed amendment TA22-17, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>. <i>It is not reasonable and in the public interest to amend the Zoning Ordinance because.... (Explain)</i>



Text Amendment Application

Date of Application November 1, 2022

Fee

See Current Town of Huntersville Fee Schedule for Text Amendment to the Zoning/Subdivision Ordinance

Type of Change

☐ New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other
☒ Revision/Modification to text of Zoning Ordinance / Subdivision Ordinance / Other

Description of Change

Proposed text amendment will affect the following:

Ordinance(s): Zoning Article(s): 7 Section(s): 7.5.3 Table

20 feet

Current Ordinance

Proposed Text

20 feet minimum in Town Center zone when adjoining the Town Center zone and where density is less than two times greater than existing development. In all other cases 40 feet minimum is required.

Reason for Proposed Change

When the Town changed residential subdivisions from a quasi-judicial process to an administrative process, there was no longer flexibility to require larger buffers from adjoining lower density development. This amendment addresses that issue by increasing the buffer when the proposed development is two times or more greater in density than the adjoining development.

Attach additional pages if needed.

NOTE: If the proposed text amendment effects property located along Hwy 73; is 2000 feet from an adjoining municipality, and/or the Mountain Island and Lake Norman Watersheds, additional peer review is required.

Applicant

Printed Name Jack Simoneau

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☒ Other: _____

Signature  Date 11-1-22

Title Huntersville Planning Director Email jsimoneau@huntersville.org

Address of Applicant PO Box 664, Huntersville NC 28070

Property Owner (if different than applicant)

* Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____ Date _____

Title _____ Email _____

Address of Property Owner _____

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

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

Contact Information

**Town of Huntersville
Planning Department**
PO Box 664
Huntersville, NC 28070

Phone: 704-875-7000
Fax: 704-875-6546
Physical Address: 105 Gilead Road, Third Floor, Huntersville, NC 28078
Website: <https://www.huntersville.org/228/Planning-Department>

Date Received By Planning Department: Nov. 1, 2022

Staff Initials: JS

**AN ORDINANCE TO AMEND ARTICLE 7, LANDSCAPING AND OPEN SPACE INCREASING
BUFFER YARDS FOR HIGHER DENSITY MAJOR RESIDENTIAL SUBDIVISIONS**

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 7, Section 7.5.3 of the Zoning Ordinance is hereby amended by modifying the Table for Major Residential subdivisions as follows:

Residential	Any major residential subdivision abutting a property zoned residential or developed residential, not internal to a planned community ⁴	20 feet <u>minimum in Town Center zone when adjoining the Town Center zone and where density is less than two times greater than existing development. In all other cases 40 feet minimum is required.</u>	3 trees per 1000 sq/ft of buffer area; 25% large maturing; 25% small maturing; 25% evergreen	10 shrubs per 1000 sq/ft 100% evergreen
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Section 2. This ordinance shall become effective upon adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: November 3, December 1, 2022 (Approval 8-0-1)

PUBLIC HEARING DATE: February 6, 2023

PLANNING BOARD MEETING: February 28, 2023

TOWN BOARD DECISION: March 20, 2023

Option 2 as recommended by staff to not increase the buffer when adjoining vacant property

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Residential	Any major residential subdivision abutting a property zoned residential or developed residential, not internal to a planned community ⁴	<u>40 feet minimum when density is two times greater than the existing development except in Town Center zone when adjoining the Town Center zone. In all other cases 20 feet minimum is required.</u>	3 trees per 1000 sq/ft of buffer area; 25% large maturing; 25% small maturing; 25% evergreen	10 shrubs per 1000 sq/ft 100% evergreen
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PLANNING BOARD MEETING: February 28, 2023 (Approval 8-0)

TOWN BOARD DECISION: March 20, 2023

HUNTERSVILLE ORDINANCE ADVISORY BOARD MINUTES TA 22-17 BUFFER AMENDMENT

December 1, 2022

Item 4B: Consider an amendment to Section 7.3.3 of the Zoning Ordinance to increase the buffer yard width when a proposed development is denser than adjoining existing development.

J. Simoneau, Planning Director explained that with the adjustments to land development that is now approved administratively versus through quasi-judicial occurred it removed the Town's ability to increase a setback requirement as they have done in the past. This amendment would require new development with twice the density of the adjacent existing development to increase the buffer to a minimum of 40 feet in all zoning except Town Center. Staff presented examples of how this has been applied to previously approved development. Staff presented three options based on the November 2022 discussion of this item by the Ordinance Advisory Board.

A. Hallman asked Staff to confirm that the buffer can be reduced if granted through conditional rezoning. Staff confirmed that is correct.

K. Jones commented on the conditional rezoning not effectively communicating the buffer reductions that are requested at neighborhood meetings. Staff confirmed that the legal requirement is to inform the adjacent properties.

H. Whittaker expressed support for Option 3 as presented.

M. Jones commented that in his opinion he does not see a consistent procedure when a parcel is adjacent to multiple parcels with varying densities and asked if there should be a formula with a weighted average applied to determine the buffer size. Staff responded that staff is comfortable with the clarity and process with what is presented but if the Ordinance Advisory Board wishes to make a recommendation, that will be presented with this amendment request as it moves forward.

M. Jones commented on the inefficiency of process and the non-tax performing land used for buffers and open space that must be subsidized by the structures on the land and increase housing costs. He continued to express the importance of considering the long-term impact created when deciding on land development requirements such as street trees and maintenance of sidewalks.

H. Whittaker asked Staff to clarify how lots adjacent to Town Center would be affected if redeveloped as well as homes sitting on large lots.

K. Jones asked Staff to clarify which density would be considered if there was in-fill development in a neighborhood such as her neighborhood. Staff responded that if multiple parcels were acquired, the parcels were adjacent to Town Center, and a development was proposed that was twice the density, the applicant could apply for rezoning and would be required to have the 40-foot buffer adjacent to existing development. If they could not meet the 40-foot buffer requirement, then they could apply for a conditional rezoning which would then allow them to request the Town Board grant them a reduced buffer.

E. Sloop advised that grammatically there should be commas added to Option 3 if selected to state, "20 feet minimum in Town Center zone, adjoining Town Center zone, and where density is less than two times greater than existing development. In all other cases 40 feet minimum is required."

T. Finlay asked if the three options reflect iterations or if staff has one specific option that it is recommending. Staff responded that option two was the original wording and found to be too wordy, option one is what staff recommended and option three is the iteration following last months discussion with this Board and staff would also find that option to be acceptable.

M. Jones commented that he would accept a motion, or he would be willing to propose a motion despite not being a fan of residential buffers since they are non-tax revenue generating. His proposed motion would include a weighted average for buffers.

Motion: A. Hallman made a Motion to recommend Approval amending Ordinance 7.3.3 with Option 3 as presented by staff with the commas recommended by Legal Department. F. Gammon seconded the motion.

Substitute Motion: M. Jones made a Substitute Motion to recommend Approval amending Ordinance 7.3.3 with Option 3 with the addition of the calculation of the density of the existing development is completed on a weighted average basis with the commas recommended by Legal Department. F. Gammon seconded the motion for discussion.

Staff responded that they are comfortable with the current method of determining buffers based on adjacent density.

F. Gammon commented that Staff has expressed their comfort with the process, and it is a process they do often so he will not support the substitute motion.

Substitute Motion Vote: The motion failed (1-8) with B. Skelly, K. Jones, A. Hallman, T. Taylor, T. Finlay, H. Whittaker, and F. Gammon opposed.

B. Skelly asked for clarification on the Legal department grammatical recommendations. Staff explained that it is really two options being presented in the proposed Option 3 and demonstrated it would read, "20 feet minimum in Town Center zone adjoining Town Center zone, and where density is less than two times greater than existing development. In all other cases 40 feet minimum is required."

For clarity, B. Skelly recommended an amendment to the motion for the text to state, "20 feet minimum in Town Center zone when adjoining Town Center zone, and where density is less than two times greater than existing development. In all other cases 40 feet minimum is required." Staff accepted that recommendation. A. Hallman and F. Gammon accepted the amendment.

Vote: The motion passed (8-0-1) with M. Jones abstaining.

Subdivision Ordinance

Section 6.200 - General Guidelines and Requirements

The following statements provide general guidelines and requirements to be used in the design, of any subdivision under the jurisdiction of this ordinance. Questions of interpretation of any of these provisions should be discussed with the Planning Director or Designated Administrative Agent at the earliest possible time in the development of a subdivision proposal. (See [Section 4.000](#) for appeal process).

6.200-A GENERAL GUIDELINES

1. Conformity.

All proposed subdivisions should be planned so as to facilitate the most advantageous development of the entire neighboring area. In areas with established and/or approved development, new subdivisions should be planned to protect and enhance the stability, environment, health, and character of neighboring areas. The geometry of streets and intersections and the location of street connections should be assessed to minimize the detrimental effects of high volume, high speed neighborhood through traffic. This assessment will consider the location of large-scale traffic generating uses as well as the adopted thoroughfare plan and other adopted plans. Proposed subdivisions should not endanger the public health and safety of the community, further, orientation of principal structures should avoid backing up to public streets because of lack of privacy and inappropriate relationship to the public realm. Use of single-loaded streets where development is only on one side of the street or providing large expanses of open space where principal structures are visually buffered from the road may be appropriate in circumstances where such structures should not front on the existing public street.

Changing "Conformity" from a [Requirement](#) to a [General Guideline](#) does not allow the town to modify the minimum 20'-wide buffer between developments on a case-by-case basis.

Buffer Yards (Proposed Amendment Bold Underlined)

Description	Condition where Buffer required	Width	Trees ¹	Shrubs ¹
Residential	Any major residential subdivision abutting a property zoned residential or developed residential, not internal to a planned community ⁴	20 feet minimum in Town Center zone when adjoining the Town Center zone and where density is less than two times greater than existing development. In all other cases 40 feet minimum is required.	3 trees per 1000 sq/ft of buffer area; 25% large maturing; 25% small maturing; 25% evergreen	10 shrubs per 1000 sq/ft 100% evergreen

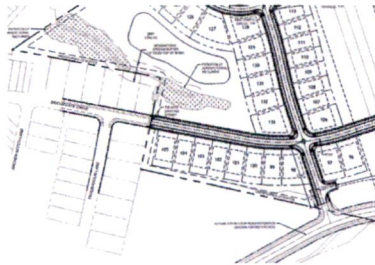
Option 2 as recommended by staff & Planning Board to not increase the buffer when adjoining vacant property

Description	Condition where Buffer required	Width	Trees ¹	Shrubs ¹
Residential	Any major residential subdivision abutting a property zoned residential or developed residential, not internal to a planned community ⁴	40 feet minimum when density is two times greater than the existing development except in Town Center zone when adjoining the Town Center zone. In all other cases 20 feet minimum is required.	3 trees per 1000 sq/ft of buffer area; 25% large maturing; 25% small maturing; 25% evergreen	10 shrubs per 1000 sq/ft 100% evergreen

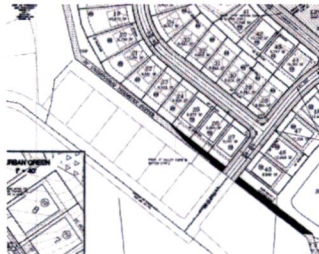
Statement of Consistency

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA22-17, Planning staff recommends approval of Option 2 based on the amendment being consistent with Policy LU-11 and DT-2 of the 2040 Huntersville Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because it helps protect the unique character of the existing housing stock.	APPROVAL: Approve TA22-17, Staff Option 2, based on the amendment being consistent with policy LU-11 and DT-2 of the 2040 Huntersville Community Plan. It is reasonable and in the public interest to amend the zoning ordinance because it helps protect the unique character of the existing housing stock. C. Boyd seconded the motion. (8-0)	APPROVAL: In considering the proposed amendment TA22-17, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> 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 TA22-17, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>. It is not reasonable and in the public interest to amend the Zoning Ordinance because.... (Explain)

Whitaker Pointe (aka Cook Farm) – No increased buffer because lots are the same size and type as existing Gilead Ridge.



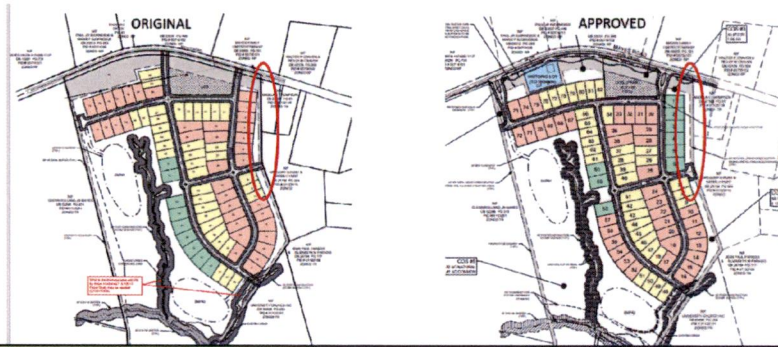
Brownleigh (Asbury Chapel Rd) – No increased buffer because lots are the same size and type as existing Mirabella.



Hamlet at Huntersville – Increase of 20' buffer to 40' because the Hamlet is more than 2 times as dense as the existing Plum Creek neighborhood.



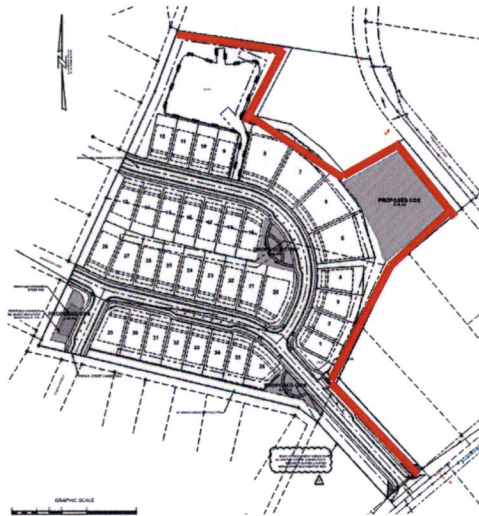
Mayes Road – Increase of 20' minimum buffer to 40' because the Mayes Road is more than 2 times as dense as the existing residentially developed property in this area.



Ranson Road – Buffer & Lot Size



Ranson Road – Buffer & Lot Size



Parcel Property Acquisition



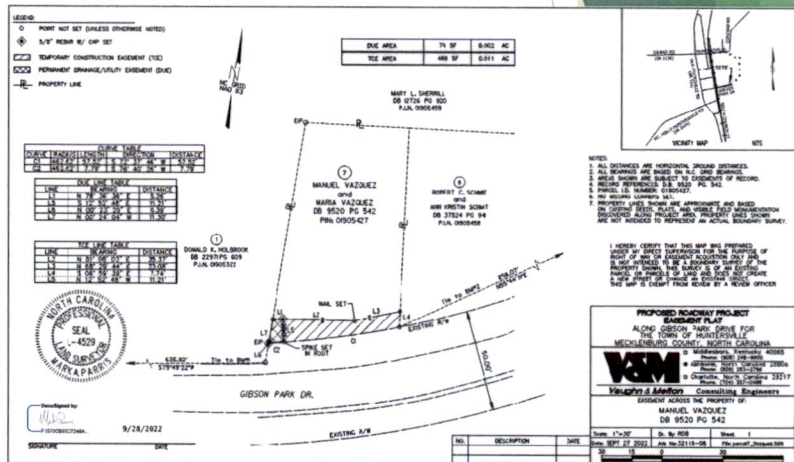
Exhibit No. 11

Parcel Property Acquisition

An aerial photograph of a residential neighborhood in Huntersville, North Carolina. The map shows several streets: Gibson Park Dr, Baucorn Ln, 5 Church St, and Drake Hill Dr. Eight specific parcels are identified with numbered labels and their respective Parcel IDs:

- Parcel 1: Parcel ID 01905322
- Parcel 2: Parcel ID 01906140
- Parcel 3: Parcel ID 01906103
- Parcel 4: Parcel ID 01906138
- Parcel 5: Parcel ID 01906134
- Parcel 6: Parcel ID 01906126
- Parcel 7: Parcel ID 01905427 (highlighted with a red circle)
- Parcel 8: Parcel ID 01905458

The area is labeled "Huntersville" in red text. A red dashed line runs along the left side of the map, and a red solid line runs along the bottom left corner.





**RESOLUTION OF THE TOWN OF HUNTERSVILLE BOARD OF COMMISSIONERS TO ACQUIRE
PROPERTY NECESSARY FOR THE CONSTRUCTION OF GIBSON PARK DRIVE PHASE 2**

WHEREAS, the Town of Huntersville (the "Town") has determined that the acquisition of property is necessary for the construction of Gibson Park Drive Phase 2 (the "Project"); and

WHEREAS, the statutory powers of the Town include the power to acquire real property (N.C.G.S. §160A-11 and §160A-240.1), including the power of eminent domain (N.C.G.S. Chapter 40); and

WHEREAS, the Town has certified that a portion of the parcel(s) ("the Property"), listed on Exhibits A and more particularly described on Exhibit B, is needed for the Project; and

WHEREAS, on January 18, 2022, the Town Board authorized the acquisition of the Property at a price not to exceed the Property's appraised value and permitted Administrative Adjustments; and

WHEREAS, the Town could not acquire the property by negotiations at the authorized price.

***NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF HUNTERSVILLE BOARD OF
COMMISSIONERS (the "Town Board") AS FOLLOWS:***

1. The Town Board approves and authorizes the acquisition of the necessary Property as listed on Exhibit A, and more particularly described on Exhibit B, by instituting and pursuing acquisition by the process of Eminent Domain according to the procedures contained in Chapter 40A, including but not limited to, giving notice of intent to the property owner, executing and filing a complaint and declaration of taking, and depositing the amount estimated to be just compensation with the Clerk of Superior Court of Mecklenburg County; and
2. The Town Board hereby authorizes the Town Manager, acting on advice of counsel, to take any actions necessary to carry out the provisions of this Resolution; and
3. This Resolution shall be effective as of the date its adoption.

Adopted this 20th day of March, 2023.

Exhibit No. 12

ATTEST:

TOWN OF HUNTERSVILLE

Town Clerk

Town Mayor

APPROVED AS TO FORM:

Town Attorney

EXHIBIT A - PARCEL INDEX

PARCEL #	PARCEL ID #	PROPERTY OWNER NAME
7	019-054-27	Manuel Vazquez, Maria Vazquez

Exhibit B

LEGEND:

- POINT NOT SET (UNLESS OTHERWISE NOTED)
- ◆ 5/8" REBAR W/ CAP SET
- ▨ TEMPORARY CONSTRUCTION EASEMENT (TCE)
- ▩ PERMANENT DRAINAGE/UTILITY EASEMENT (DUE)
- P— PROPERTY LINE



DUE AREA	74 SF	0.002 AC
TCE AREA	489 SF	0.011 AC

MARY L. SHERRILL
DB 12726 PG 920
P.I.N. 01905459

CURVE TABLE				
CURVE	RADIUS	LENGTH	DIRECTION	DISTANCE
C1	462.62'	57.52'	S 72° 37' 46" W	57.52'
C2	462.62'	7.79'	S 76° 40' 26" W	7.79'

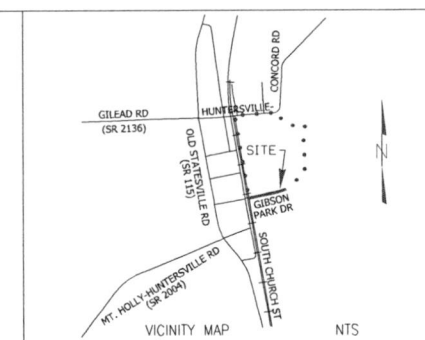
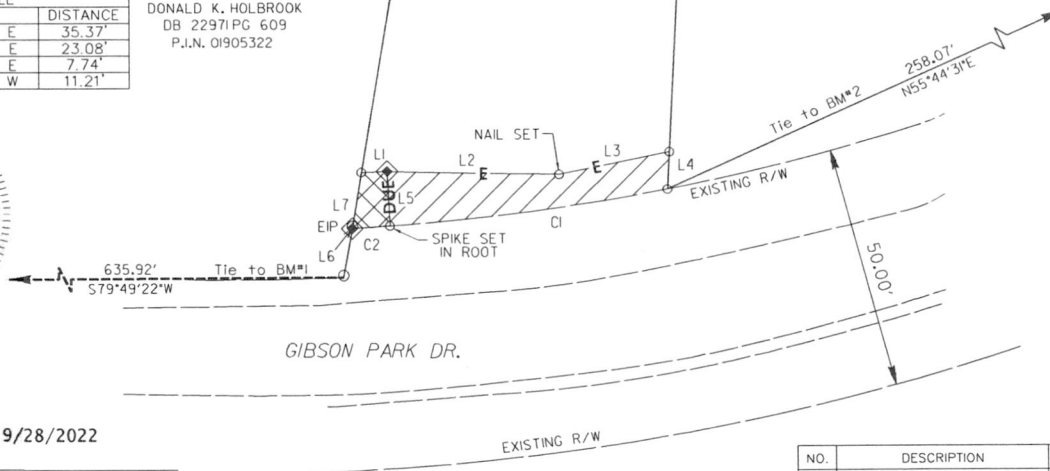
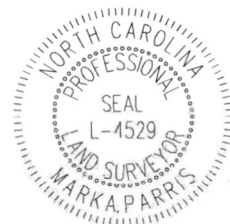
DUE LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 78° 36' 36" E	5.26'
L5	S 12° 52' 48" E	11.21'
L6	N 00° 23' 29" E	0.39'
L7	N 00° 24' 04" W	11.30'

TCE LINE TABLE		
LINE	BEARING	DISTANCE
L2	N 81° 08' 03" E	35.37'
L3	N 68° 29' 44" E	23.08'
L4	S 06° 59' 39" E	7.74'
L5	N 12° 52' 48" W	11.21'

①
DONALD K. HOLBROOK
DB 22971 PG 609
P.I.N. 01905322

⑦
MANUEL VAZQUEZ
and
MARIA VAZQUEZ
DB 9520 PG 542
PIN: 01905427

⑧
ROBERT C. SCHMIT
and
ANN KRISTIN SCHMIT
DB 37524 PG 941
P.I.N. 01905458



NOTES:

1. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
2. ALL BEARINGS ARE BASED ON N.C. GRID BEARINGS.
3. AREAS SHOWN ARE SUBJECT TO EASEMENTS OF RECORD.
4. RECORD REFERENCES: D.B. 9520 PG. 542.
5. PARCEL I.D. NUMBER: 01905427.
6. NO MISSING CORNERS SET.
7. PROPERTY LINES SHOWN ARE APPROXIMATE AND BASED ON EXISTING DEEDS, PLATS, AND VISIBLE FIELD MONUMENTATION DISCOVERED ALONG PROJECT AREA. PROPERTY LINES SHOWN ARE NOT INTENDED TO REPRESENT AN ACTUAL BOUNDARY SURVEY.

I HEREBY CERTIFY THAT THIS MAP WAS PREPARED UNDER MY DIRECT SUPERVISION FOR THE PURPOSE OF RIGHT OF WAY OR EASEMENT ACQUISITION ONLY AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN. THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET. THIS MAP IS EXEMPT FROM REVIEW BY A REVIEW OFFICER.

PROPOSED ROADWAY PROJECT
EASEMENT PLAT
ALONG GIBSON PARK DRIVE FOR
THE TOWN OF HUNTERSVILLE
MECKLENBURG COUNTY, NORTH CAROLINA



- Middlesboro, Kentucky 40965
Phone: (606) 248-6600
- Asheville, North Carolina 28806
Phone: (828) 253-2796
- Charlotte, North Carolina 28217
Phone: (704) 357-0488

Vaughn & Melton Consulting Engineers

EASEMENT ACROSS THE PROPERTY OF:

MANUEL VAZQUEZ
DB 9520 PG 542

Scale: 1"=30'	Dr. By: RDB	Sheet: 1
Date: SEPT 27 2022	Job No: 32110-08	File: parcel7_Vazquez.DGN
30	15	0
30		

DocuSigned by:
F1570CB85C7248A...

9/28/2022

SIGNATURE

DATE

NO.	DESCRIPTION	DATE