

Members

Chair: Jeff Sny
Vice-Chair: Frank Gammon
Greg Baber
Christopher Boyd
Scott Hensley
Jay Henson
Trina Loomis
Stephen Swanick
Jodi Wright



Town Staff

Jack Simoneau
Director
Planning Department

Tracy Barron
Executive Assistant
Planning Department

Jacob Glass
Staff Attorney

AGENDA

Planning Board Meeting

June 27, 2023 - 6:30 PM

TOWN HALL (101 Huntersville-Concord Road)

**Live Stream available via YouTube
@townofhuntersvillenc28078**

- 1. Call to Order/Roll Call**
- 2. Approval of Minutes**
 - 2.A. Consider approval of the May 23, 2023 regular meeting minutes.
- 3. Public Comments** - *Speakers are limited to 3 minutes. The Chairperson reserves the right to shorten the time limit for speakers when an unusually large number of persons have signed up to speak. Speakers may not give all or a portion of their time to other speakers*
- 4. Action Agenda**
 - 4.A. Petition #TA23-03, a request by the Huntersville Planning Department for a text amendment to amend Article 2 of the Subdivision Ordinance and Article 7.5 of the Zoning Ordinance to limit Minor Subdivision to five lots or less and to require a 10' buffer for Minor Subdivisions within the Rural and Transitional Residential zoning districts.

(Nathan Farber)
 - 4.B. Petition #TA23-04, a request by the Huntersville Planning Department to amend Article 9.54 Solar Energy Facilities to further clarify the text for simplicity.

(Nathan Farber)
 - 4.C. Consider recommendation on Petition #R23-05, Lagoon Bay Beach Club, a request by Bi-Part Development, LLC to rezone +/- 263.01-acres generally located north and south of NC 73, south of Mayes Road, east of Westmoreland Road, north of McCord Road and west of Black Farm Road from existing Rural and Transitional Residential to Traditional Neighborhood Development - Conditional District, Neighborhood Residential - Conditional District, and Highway Commercial - Conditional District for a mixed-use development consisting of approximately 1,183 residential units (250

single-family homes, 201 townhomes, 432 apartment units and 300 condominium units), 210,000 sq. ft. of retail, 200 hotel rooms, 36,000 sq. ft. of convention center space and a 41.16-acre commercial lagoon. (*David Peete*)

5. Other Business

5.A. Acknowledge outgoing board member, Stephen Swanick. ()

6. Adjourn

GENERAL MEETING INFORMATION

Planning Board:

The Planning Board functions as an advisory board to the Town Board on all requests for changes in the zoning laws, and ordinances of the Town of Huntersville subdivision requests pursuant to the Huntersville Subdivision Ordinance, and is empowered to make recommendations to the Town Board, or other governmental agencies consistent with the Planning Board's charged obligation to provide for proper planning for the future growth of the Town of Huntersville, and its environs. For more information visit www.huntersville.org.

Meeting Time, Place and Agenda:

All meetings of the Board are open to the public and the public is invited and encouraged to attend. The Board meets in the Town Hall at 6:30 p.m. on the fourth Tuesday of each month (unless otherwise posted). Agendas are published Wednesdays before the meeting on our website. The Board reserves the right to deviate from the agenda.

Special Accommodations:

Anyone needing special accommodations when attending this meeting and/or if this information is needed in an alternative format please contact Tracy Barron. She can be reached by phone or fax: 704-766-2215, email: tbarron@huntersville.org or at 105 Gilead Rd, 3rd Floor, Huntersville, NC 28078. We request at least 72-hours' notice prior to the meeting to make the appropriate arrangements.

Minutes of the Town of Huntersville Planning Board

The Town of Huntersville Planning Board met at 6:30 p.m. on Tuesday, May 23, 2023.

Call to Order/Roll Call

Chairman Sny called the meeting to order at 6:30 pm.

Present: J. Sny, F. Gammon, S. Swanick, C. Boyd, J. Wright, G. Baber, T. Loomis, S. Hensley & J. Henson

Absent: None

Approval of Minutes

Item 2A. Consider approval of the April 25, 2023, Regular Meeting Minutes

Motion: C. Boyd made a Motion to Approve the amended April 25, 2023, minutes. J. Wright seconded the motion.

Vote: The motion passed unanimously (9-0).

Public Comments

No comments

Action Agenda

J. Henson disclosed a conflict of interest on Item 4A as his company was involved in the planning and rezoning.

Motion: F. Gammon made a Motion to Recuse J. Henson from Item 4A. J. Sny seconded the motion.

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

Item 4A: Consider making a recommendation on Petition #R23-03 Ultimate Athlete, a request by Jeremy Martin to rezone +/- 1.290 acres located at 15901 Cramur Drive from Neighborhood Center and General Residential to Highway Commercial Conditional District for an indoor/outdoor recreation center.

J. James, Principal Planner entered his staff report into the record, a copy of which is attached hereto as Exhibit A and incorporated herein by reference. Staff reviewed the proposed rezoning to include outdoor recreation and the modification request for one buffer. Staff recommends approval as it is consistent with the Huntersville 2040 Community Plan.

S. Hensley asked staff if there were concerns regarding noise and light related to the outdoor recreation use and how that will continue to be controlled in the event the current owner sells the property to a new owner. Staff relayed that the noise and lighting ordinance would apply to the current and any future operators. There were no concerns expressed by the community at the community meeting regarding the potential noise or lighting. Currently there is no proposal for outdoor lighting. Any future requests for outdoor lighting would be required to submit a new proposal to gain approval.

F. Gammon asked if there were any plans for outdoor music or broadcast. Staff confirmed that there are no proposed outdoor workout areas other than a small patio. All uses would fall under the noise ordinance.

F. Gammon recommended that staff ask the applicant about their intentions with an outside sound system and that information be provided to the Town Board for their consideration.

G. Baber asked staff to explain why the applicant was requesting the buffer modification. Staff explained that there is an easement and modifying the buffer works to improve the easement access.

Motion: C. Boyd made a Motion to recommend Approval or R23-03 Ultimate Athlete based on the plan being consistent with the 2040 Community Plan policies LU6.1 and EV2.1 which encourages a mix of land use and activity centers and encourages local small businesses to locate in Huntersville. It is reasonable and in the public interest to approve the rezoning plan because it is consistent with the existing development patterns in the area, supports the goals set in the 2040 Community Plan for activity centers. Lastly the request modifications of the buffer yard are in keeping with the spirit of the ordinance and therefore supported. G. Baber seconded the motion.

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

Motion: S. Hensley made a Motion to Reinstate J. Henson. F. Gammon seconded the motion.

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

F. Gammon notified the Board that he met with the applicant previously to learn about the project prior to his trip out of the country knowing he would only have one day to prepare for today's meeting. He did not promise the applicant anything and wanted to make the Board aware. He does not feel that he has any conflict.

Item 4B: Consider making a recommendation on Petition #R22-07 Town 1 Mixed Use Center, a request by Treenail Development, Inc. to rezone +/- 69.41 acres located at the intersection of Mt. Holly-Huntersville Road and Hambright Road from Corporate Business and Corporate Business Conditional District to Transit Oriented Development Residential Conditional District, Transit Oriented Development Employment Conditional District, Highway Commercial Conditional District, and Special Purpose Conditional District, for a mixed used development.

J. James, Principal Planner entered his staff report into the record, a copy of which is attached hereto as Exhibit B and incorporated herein by reference. Staff notified the Board that the project size is now adjusted to 70.54 acres and reviewed the proposed uses. Staff reviewed the adjustments to the plan since the public hearing and the requested modifications. Staff recommends approval as it is consistent with the 2040 Community Plan and the intent of the four rezoning districts.

F. Gammon asked Staff what the applicant's position is on the comments on the modifications. Staff stated that the comments have been discussed and the applicant is working with them on these.

J. Henson asked Staff to review and explain item 6 of the modification requests. Staff identified that the applicant is requesting to construct a maximum 7-story parking deck to serve the areas rezoned to TOD-

R and TOD-E prior to completion of the associated 7-story maximum office building and all structures within those rezoned areas.

C. Boyd asked if the applicant has spoken to Mr. Cruz, the remaining hold out parcel because it seems that he will be adjacent to a 7-story office building and a 5-story mixed use building to the west. Staff confirmed the applicant has spoken with the landowner and will be better able to speak to this.

S. Hensley asked staff what the massing requirements would be for this project if modification 5 were not approved. Staff responded that there would be more breaks in the building architecture, finishes, windows, or outdoor space to achieve a perceived reduction of massing.

G. Baber asked staff if they had any concern about the applicant constructing the parking deck and not following through on the associated principle building if modification 7 is granted. Staff confirmed that the request is for some flexibility in phasing and while that could happen it would not be the applicants benefit.

F. Gammon reviewed the Zoning Ordinance, Article 3.2.14.(e)3 and requested that staff review the ambiguity of the ordinance to identify if the 10-minute walk term is in reference to the center or perimeter of the transit area as it relates to the design standards of what may be built within a quarter mile out. Staff stated that this requirement was likely not intended to be rigid it was likely intended to keep density near the transit area and then feather out.

J. Sny asked if the half mile catchment applies to all TOD zones because a half-mile from the Northcross location as a bird flies would take you to the Barnes and Noble in Birkdale and he wants to consider possible potential impacts that could occur as a result of this project. Staff stated this applies to TOD-R & TOD-E.

J. Sny asked for clarification to the Public Hearing TIA comments regarding the current level of service reducing after proposed improvements are made. Staff stated that for the Town is not necessarily against a reduction of service when density and foot traffic is being encouraged as the two factors compliment each other. The full TIA approval from NCDOT has not been completed to confirm the proposed final level of service but if it matches the scoping provided by the applicant the Town would be in support of that.

J. Sny asked if the proposed building, W2 that has half fronting the street and half fronting the path would be considered acceptable if the path was usable, similar to what has been previously approved in mixed-use developments. Staff confirmed that fronting on pedestrian paths, greenways, plazas is something that would be approved. In this instance the applicant did not want to increase impervious area in that S.W.I.M. buffer. They would like to enhance that corner without increasing built-upon area that is passive, they were seeking to do a more environmentally friendly wood chip path.

C. Boyd asked staff what the timeline is for developing the CATS Park and Ride. Staff confirmed that construction plans have not been submitted but it is our understanding that funds have been allocated for the project.

F. Gammon asked if the proposed affordable housing would alleviate the need for the massing modification request. Staff stated that the state statute for affordable housing applies to the building or lot where proposed, in this case building U1. Therefore, the applicant is not subject to the massing requirements for building U1. The modification request for massing is for building A1 and A2, where the state statutes would not apply, and the applicant is subject to the zoning requirement.

Susan Irvin, Irvin Law Group of 11726 Zion Avenue Cornelius NC introduced Kristin Mulkey of Bartlett, Hartley and Mulkey, Architects. Steve Blakely of Kimley-Horn, Traffic Engineer. Peyton Woody of Woodbine Design; Engineering and Planning. Ben Geisler of Treenail Development.

Ben Geisler, Treenail Development 20419 Shearer Road Davidson NC presented the applicants presentation of the development.

Kristin Mulkey, 2173 Hawkins Road Charlotte NC presented the architectural vision of the development.

B. Geisler responded to C. Boyd's questions regarding the property owned by Mr. Cruz. He has reached out to him and reviewed the proposed development with Mr. Cruz. He does not have any concerns that he has shared with the applicant regarding the proposed development. Mr. Cruz has informed the applicant he is happy where he is and not interested in selling. A few neighbors encouraged Mr. Cruz to reconsider but he has said that he is not interested. The applicant expressed that he would love to purchase the property now or in the future, but he simply never got an opportunity to make an offer and does not have a desire to pressure Mr. Cruz.

C. Boyd asked if there is any town liability with approving the proposed project and any potential negative financial effects to Mr. Cruz property. Staff replied no that is not the Town's concern.

The applicant responded to G. Baber's questions regarding any concerns about building the parking garage prior to the office building it serves and stated the significant cost associated with the parking deck must be offset by tenants and it does not serve the developers interests to delay leased space and prioritize the parking deck. Since the parking deck will service building T1 and the office buildings o if there is a tenant interested in one and not the other at the time of construction, the ability to build them out of order would assist with the overall phases of development but would in no way benefit the developer financially to leave it that way.

The applicant responded to G. Baber's questions regarding the percentage of the project dedicated to commercial/retail. The applicant stated it is approximately 15% of the total acreage but it is a fairly dense design.

T. Loomis asked the applicant to review the proposed drive-thru layout and commented that the schools located on Hambright must travel to exit 18, 23, or 25 to do Spirit nights so some type of restaurant that accommodates Spirit nights at this location would be more convenient for those schools.

S. Hensley asked if the residential units will be for sale or rent, if the applicant had any comments regarding the TIA findings to date. The applicant stated that it will be for rent with building T1 possibly for sale. The TIA is currently in its second review and they are generally on board with the results to

date. He expressed that he prefers door-to-door conversations with neighbors and that has been underway to discuss possible road changes that could occur.

S. Hensley asked if there be phasing to the development with commitment to the commercial development. The applicant responded that from an economic viability the applicant would seek to get rooftops to support any commercial development. Simultaneous tracking is the approach the developer wants to take, for example, the M1 mixed-use flats would have 80,000 square feet of commercial on the first floor with rooftops above it and the applicant stated they would require the developer to install that simultaneously. Realistically it will likely develop with the walk-up family units as the first component, the C9 and/or C10 building will likely be next, the urban flats would follow shortly after, probably while C4 and C7 restaurant units begin to happen, then C6 will become available. In that same window they would be looking at the pedestrian village, with the office likely the last component simply due to the activity that the likely tenant would be looking to already have in place.

S. Hensley asked if the phasing would install all the interior infrastructure from day one or would it be split out. The applicant stated it would be tied to the development pieces with public streets exiting to the main thoroughfares would be immediate. The short extension through the pedestrian village would follow for accessibility on the site. The architecture for the remaining roads has already begun and development of those would happen and will likely happen in no more than three sections.

C. Boyd asked if there were additional comments regarding the level of service findings in the TIA. Steve Blakely of Kimley Horn, 200 South Tryon Street, Suite 200 Charlotte NC commented that the current level of service is "C" in the a.m. and p.m. peak hours. The projects already approved by the Town with their proposed TIA improvements will result in those intersections having a level of service "D" and "E". Then the proposed Town 1 project in being considered after that, would not further decrease the level of service from the "D" and "E" but there is a number measurement of the impact that the development would have that generates TIA improvements such as the turn lane. The biggest outcome of these improvements is safety and there are no number measurements to that. This project would add a left turn lane from Hambright Road onto Mt. Holly-Huntersville which makes a difference to reduce stacking and erratic maneuvers. Additional proposed TIA improvements were reviewed.

F. Gammon asked the applicant about their seven proposed affordable housing units with some reserved for law enforcement and firefighters. The applicant confirmed that four of the units are being prioritized for foster families and foster kids and the developer will underwrite 50-80% AMI. Two units are being prioritized for Town of Huntersville law enforcement and firefighters. F. Gammon commended the developer for their inclusion of affordable housing and encouraged that they consider prioritizing teachers as well.

S. Swanick asked if the developer will be using a rent subsidy or how will they ensure that these remain affordable. The developer stated that the foundation would subsidize through an annual cash donation to the entity responsible for the rent. The developer would also work with agencies such as Children's Hope Alliance and the Town to vet the potential applicants.

Motion: S. Hensley made a Motion to recommend Approval of R22-07 Town 1 Mixed Use Center including requested modifications and subject to the following conditions. Modification request number

one: side yard parking. Allow side yard parking on lots 6, 7, 8, 13, 18, 19 which is subject to final staff review and approval. Additional screening shall be provided in accordance with sheet C5 of the rezoning plan. Modification request number two: I77 buffer disturbance. Allow up to a 20-foot buffer disturbance in the I77 buffer for grading including a portion along Hambright Road, provided an alternative buffer yard plan is submitted in accordance with section 7.5 of the ordinance. Modification request number three: buffer reduction along Mt.Holly-Huntersville Road. Allow buffer to be reduced to 60 feet subject to screening and buffering as shown in submitted plans. Modification request number four: cul-de-sac distance. The distance between the cul-de-sac located at public road A and the right-of-way of Mt. Holly Huntersville Road may be increased to 380 feet. Modification number five: massing requirements. Waive massing requirements for the building on lot 18. Modification number six: vertical parking structure. Vertical parking may serve the TOD-E and TOD-R portions of the project. Parking may be completed prior to the completion of all the improvements such parking is intended to serve. Modification number seven: building façade requirements for building W2. No building entrance shall be required to be constructed on and no sidewalk shall be required along the portion of building W2 that does not front on the cul-de-sac and driveway adjoining building W2 subject to staff approving detailed renderings of the building frontage. All remaining staff comments, conditions, and all TIA comments are addressed. The proposal is consistent with the Huntersville 2040 Community Plan, specifically policies LU 1.1, 2, 5.1, 6.1, 7.1, 8.1, 8.3, EV1.3, T1.2, T1.3. It is reasonable and in the public interest to rezone the approximately 70.54 acres identified on the submitted plans as it is consistent with the envisioned use and development pattern set forth in the 2040 Community Plan. The location of the proposed development can support the increased density through the proximity to two major thoroughfares, future CATS park and ride facility, and I77. The proposed rezoning plans meet the intent of the four districts requested, the applicable provisions on the zoning ordinance, and together as one development plan in a cohesive manner. F. Gammon seconded the motion.

F. Gammon requested an amendment to the motion to include that the Town Board request a review of Article 3.2.14.e.3, Design Provisions to determine if the wording of seven stories or 82-feet high, whichever is higher seems ambiguous and may need discussion. Staff confirmed that they are comfortable with how it is written but they would be happy to review it. F. Gammon stated that was acceptable and withdrew his amendment to the motion.

S. Hensley commented that the site has challenges to it with the Duke power lines and he thanks the group for finding a good solution. He said at the Community Meeting someone may have mentioned the Kingsley project in Fort Mill which he agrees is also a wonderful project and he would like to think we will get something similar here in a farmhouse theme. In his opinion it will be wonderful for the community even with the industrial element and how it is placed with the project.

F. Gammon commented that a half a million dollars in annual taxes, an additional 850 jobs, the affordable housing are all pluses for the Town. There will be buildings and a parking garage that will be seven stories tall and this is the correct place for that. I also support the Downtown Plans lower heights. It is all about location.

T. Loomis commented that she finds it refreshing to look at a proposed project supported by the community. She recommended incorporating a small market of some type in the project for the convenience of the residents, particularly any who may have to ride the bus.

J. Snyder commented that this is truly a mixed-use development that appears to be well thought out, designed, and cohesive which is refreshing.

Vote: The motion passed unanimously (9-0).

Other Business

No other business.

Adjourn

Motion: J. Wright made a Motion to Adjourn. C. Boyd seconded the motion.

Vote: The motion passed unanimously (9-0).

Approved this ____ day of _____ 2023.

Chairman or Vice Chairman

Board Secretary

**Town of Huntersville
Planning Board
June 27, 2023**

To: Town Board

From: Nathan Farber, Planner I

Date: June 27, 2023

Subject: #TA23-03

EXPLAIN REQUEST:

Petition #TA23-03, a request by the Huntersville Planning Department for a text amendment to amend Article 2 of the Subdivision Ordinance and Article 7.5 of the Zoning Ordinance to limit Minor Subdivision to five lots or less and to require a 10' buffer for Minor Subdivisions within the Rural and Transitional Residential zoning districts.

ACTION RECOMMENDED:

Make Recommendation

FINANCIAL IMPLICATIONS:

NA

ATTACHMENTS:

1. Staff Report
2. Attachment 1 Application
3. Attachment 2 Proposed Ordinance
4. Attachment 3 HOAB Minutes

TA23-03 – Minor Subdivisions

PART 1: DESCRIPTION

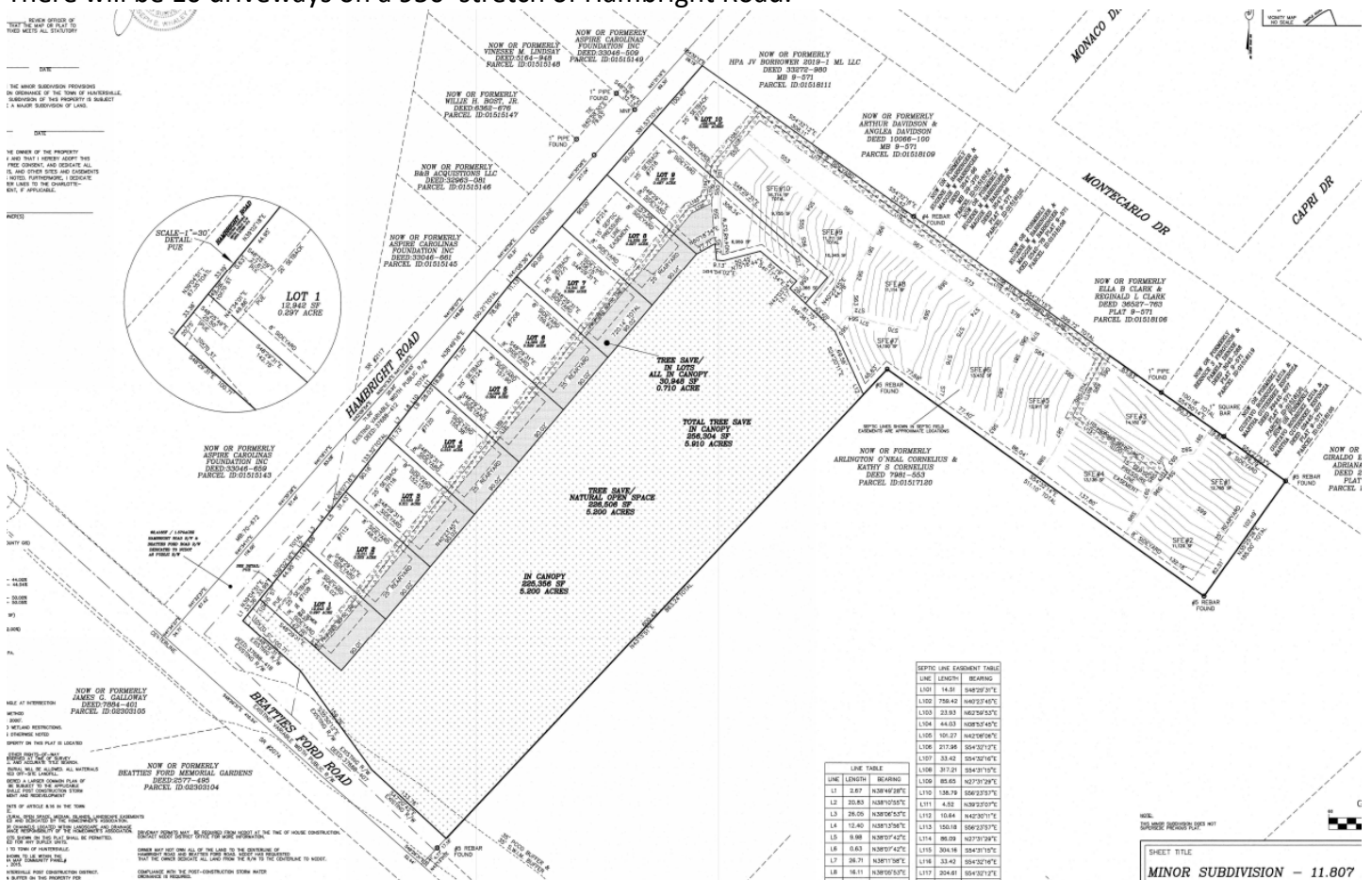
TA23-03 is a text amendment request by the Town of Huntersville Planning Department to amend Subdivision Ordinance Article 2 “Definitions: Subdivision, Minor” and Zoning Ordinance Article 7.5 “Buffer Yards”. Staff proposes limiting minor subdivisions to five lots or less and requiring minor residential subdivisions within the rural (R) and transitional residential (TR) zoning districts to provide a minimum ten-foot buffer.

PART 2: BACKGROUND

A Minor Subdivision is anything that does not qualify as a major subdivision. Importantly, a minor subdivision cannot involve the creation of any new public streets. Therefore, minor subdivisions involve the creation of new lots along existing streets. In the past, this has typically involved the creation of a few lots along a public street.

However, recently staff has seen larger tracts of land being subdivided under minor subdivision provisions resulting in multiple lots created along thoroughfares. The concern is that there will be multiple driveway cuts on thoroughfares with lot layouts based on minimizing development costs versus the creation of a quality subdivision.

Below is an example of an 11.8-acre tract at the northeast corner of Hambricht Road and Beatties Ford Road. There will be 10 driveways on a 950’ stretch of Hambricht Road.



Staff recommends a limit of 5 lots for a minor subdivision to provide higher quality development and to better align with recommendations from Huntersville 2040 Community Plan. Below is a review of minor subdivision lot limits from other Mecklenburg County towns.

Mecklenburg County municipalities with a limit on the number of lots allowed within a Minor subdivision	Number of Lots Allowed
Mint Hill	4 Lots
Cornelius	4 Lots
Mathews	9 Lots
Pineville	5 Lots
Davidson	10 Lots

Staff is also proposing that any new residential minor subdivision within the R and TR zoning district be required to provide a minimum ten-foot buffer. This buffer would require any existing trees and shrubs to remain, while not requiring new vegetation to be planted to not add any unnecessary burdens to the subdivision. This buffer would help ensure that neighbors are protected from losing any existing visual buffers and further preserve elements of rural character and sensitive environmental areas.

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN

- **LU 7.1:** Require all new development to adhere to the following design principles:
 - 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.

STAFF COMMENT: This policy supports the text amendment as minor subdivisions would now only allow a max of five driveway connections and require a buffer along property lines helping to reduce disturbances to the natural resources and protect the rural character of the property and street.
- **LU 9.2:** Within lower intensity areas including Moderate Density, Residential Edge, Rural Conservation, and Critical Watershed areas conservation design & farmhouse clusters are encouraged.
 - Scenic nature of roadways should be preserved
 - Development should be clustered away from key natural features.
 - Site design should minimize grading and maximize preservation of existing stands of mature, native trees.

STAFF COMMENT: This policy supports the text amendment as smaller subdivisions and increased vegetative buffers will allow for further preservation of existing trees and ensure less disruption to the scenic nature of roadways.
- **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.

STAFF COMMENT: This policy supports the text amendment as providing a 10’ buffer will help protect existing developments from the impacts of new developments and preserve existing vegetation.

- **EOS 1.1:** Support and enhance regulations pertaining to open space design and protection.
 - Continue to encourage the preservation of floodplains, wetlands, scenic views, wildlife habitat and prominent natural and historical features
 - Continue to encourage contiguous and interconnected open space in new developments
 - Enhance open space design criteria by prioritizing the following:
 - Water quality protection (land within 100-300 feet of streams, and uplands adjacent to floodplains or sensitive watersheds)
 - Mature forest, especially large tracts of contiguous, native forest cover
 - Future greenway corridors
 - Areas contiguous with surrounding existing or planned open space
 - Historic landscapes and notable structures

STAFF COMMENT: This policy supports the text amendment as smaller subdivisions and increased vegetative buffers help preserve natural land. A max of five lots helps to cut down on the amount of land along rural and scenic roads that will be disturbed for driveway access.

- **EOS 6.1:** Enforce existing standards and evaluate new design standards to preserve the character of scenic country roads.
 - McCauley Road, Black Farms Road, Beatties Farm Road, and Ramah Church Road have been identified as scenic resources and should have corridor-specific design controls that preserve scenic beauty.
 - Current regulations require a preserved buffer of trees in some areas and open space requirements encourage the protection of key features, such as views, fields and historical structures.
 - Additional controls might include viewshed protections, additional landscaping buffers or open space or screening requirements, use restrictions, density restrictions, or higher setbacks along the roadway.
 - Planned roadway improvements should be evaluated for adherence to previous planning efforts
 - For instance, the planned cross-section for Beatties Ford Road includes a 100ft buffer and multi-use trail

STAFF COMMENT: This policy supports the text amendment as smaller subdivisions and increased vegetative buffers help preserve natural land. A max of five lots helps to cut down on the amount of land along rural and scenic roads that will be disturbed for driveway access.

- **T 4.1:** Become a Vision Zero Community
 - Vision Zero is an international road safety initiative that aims to achieve a road system with zero fatalities or serious injuries.
- **T 4.3:** Emphasize access management strategies as part of public and private sector improvements to improve safety and operations.

STAFF COMMENT: This policy supports the text amendment as the possible reduction in the number of driveways will help reduce the number of conflicting interactions between road users.

PART 4: STAFF RECOMMENDATION

Staff recommends approval of the proposed text amendment TA23-03 based on consistency with policies LU 7.1, LU 9.1, LU 11.1, EOS 1.1, EOS 6.1, T 4.1, and T 4.3 of the Huntersville 2040 Community Plan.

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD

On April 6, 2023, The Huntersville Ordinances Advisory Board (HOAB) recommended approval with a vote of 7-1 with M. Jones opposed. (See Attachment 3)

PART 6: PUBLIC HEARING

The Public Hearing occurred on June 5, 2023.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board is scheduled for June 27, 2023.

PART 8: ATTACHMENTS

1. Text Amendment Application
2. Proposed Ordinance
3. HOAB Minutes

PART 9: STATEMENT OF CONSISTENCY – TA23-03

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA23-03, Planning Staff recommends approval based on consistency with policies LU 7.1, LU 9.1, LU 11.1, EOS 1.1, EOS 6.1, T 4.1, and T 4.3 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because it will result in higher quality development that is safer for the community.	APPROVAL: In considering the proposed amendment TA23-03, the Planning 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)	APPROVAL: In considering the proposed amendment TA23-03, 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: In considering the proposed amendment TA23-03, the Planning 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)	DENIAL: In considering the proposed amendment TA23-03, 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)



Text Amendment Application

Date of Application 2/27/2023

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): See Attached Article(s): See Attached Section(s): See Attached

See Attached

Current Ordinance

See Attached

Proposed Text

**Reason for Proposed
Change**

To cap the number of lots permitted in a minor subdivision and to provide a vegetative buffer to all minor subdivisions in R and TR zoning districts.

Attach additional pages if needed.

NOTE: If the proposed text amendment effects property located along Hwy 73; is 2000 feet from an adjoining municipality, and/or the Mountain Island and Lake Norman Watersheds, additional peer review is required.

Applicant

Printed Name Town of Huntersville Planning Department

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature Nathan Farber  Date 2/27/2023

Title Nathan Farber, Planner II Email nfarber@huntersville.org

Address of Applicant 105 Gilead Rd, Floor 3

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: _____

Staff Initials: _____

TA23-03: Minor Subdivision Changes

Currently, Minor Subdivisions can have any number of lots created as long as it complies with the rest of the requirements of the zoning ordinance. This allows a loophole to get around the Major subdivision ordinance and thus having to provide infrastructure such as sidewalks and street trees. This also creates situations where long stretches of road are disrupted by a high number of curb cuts for driveways which disrupts the often rural characteristics of our roads, while also posing safety issues to drivers.

The Town of Huntersville is one of the few remaining Towns in Mecklenburg County that currently does not have any limitations on the number of lots allowed within a minor subdivision. Planning staff are proposing to limit Minor Subdivisions to no more than 5 lots. This ensures that property owners still have the full ability to subdivide their lots without going through the Major Subdivision process while also placing a safeguard against larger subdivisions avoiding the Major Subdivision process.

Planning Staff is also proposing an amendment to Article 7.5 "Buffer Yards" that would require all minor subdivisions within the Rural and Transitional Residential zoning districts to provide a 10' vegetative buffer. This 10' buffer would only require the subdivision to keep any existing vegetation while not requiring new vegetation if none is currently existing. We believe doing this helps to protect next door neighbors from losing visual buffers while also not adding unnecessary burdens to the subdivision.

**AN ORDINANCE AMENDING ARTICLE 2 DEFINITIONS; SUBDIVISION, MINOR OF THE SUBDIVISION
ORDINANCE AND MINOR BUFFERS IN THE ZONING ORDINANCE**

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 2 “Definitions: Subdivision, Minor” of the Subdivision Ordinance be amended as follows:

Subdivision, Minor. A subdivision that is **not more than 5 lots**, not otherwise exempt from the provisions of this ordinance and that is not a “Major Subdivision” as that term is defined in this Ordinance.

For purposes of these regulations, Farmhouse Cluster developments are considered a minor subdivision, except as provided below. Farmhouse Cluster developments do not require a Sketch Plan, except as specifically set out hereinbelow. A Farmhouse Cluster Plan shall demonstrate compliance with requirements of the Zoning Ordinance and include the following: an “Existing Features (Site Analysis) Plan” as detailed in Section 6.300 (1)(1-14), (2), and (3) of this Ordinance; a Four-Step Process as detailed in Section 6.300 (3) of this Ordinance; and a Preliminary Plan as detailed in Section 6.400 of this Ordinance.

Section 2. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 7.5 “Buffer Yards” of the Zoning Ordinance be amended as follows:

Description	Condition where Buffer required	Width	Trees ¹	Shrubs ¹
I-77 Buffer	Any property abutting I-77 right-of-way	50 feet, greater if required by the district	5 trees per 1000 sq/ft of buffer area; 75% large maturing; 50% evergreen	8 shrubs per 1000 sq/ft 75% evergreen
CI, CB and SP	Any property zoned CI, CB, or SP ²	80 feet abutting street right-of-way and property lines ²	4 trees per 1000 sq/ft of buffer area; 75% large maturing; 50% evergreen; 25% small maturing	5 shrubs per 1000 sq/ft 75% evergreen
Non-residential uses not otherwise listed	Any developing non-residential use abutting a lesser intense use and/or district when not internal to a planned development ^{3, 5}	30 feet ⁶	4 trees per 1000 sq/ft of buffer area; 50% large maturing; 25% small maturing; 50% evergreen	7 shrubs per 1000 sq/ft 100% evergreen

TA 23-03: Minor Subdivisions and Misc.

Civic Uses • schools • religious institutions • gov'n't bldgs. • libraries	Any civic use abutting a property zoned residential or current use is residential ^{3, 5}	30 feet ⁶	4 trees per 1000 sq/ft of buffer area; 50% large maturing ; 25% small maturing; 50% evergreen	7 shrubs per 1000 sq/ft 100% evergreen
Residential	Any major residential subdivision abutting a property zoned residential or developed residential, not internal to a planned community ⁴	20 feet	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
<u>R/ TR</u>	<u>Any minor residential subdivision</u>	<u>10 feet</u>	<u>Any existing trees located within the required buffer</u>	<u>Any existing shrubs located within the required buffer</u>

Huntersville Ordinance Advisory Board: July 7, 2022

Public Hearing Date: August 1, 2022

Planning Board Meeting: August 23, 2022

Town Board Meeting: September 19, 2022

TA 23-03: Minor Subdivisions and Misc.

**AN ORDINANCE AMENDING ARTICLE 2 DEFINITIONS; SUBDIVISION, MINOR OF THE SUBDIVISION
ORDINANCE**

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 2 “Definitions: Subdivision, Minor” of the Subdivision Ordinance be amended as follows:

Subdivision, Minor. A subdivision that is **five (5) lots or less**, not otherwise exempt from the provisions of this ordinance and that is not a “Major Subdivision” as that term is defined in this Ordinance.

For purposes of these regulations, **notwithstanding the preceding definition of minor subdivisions** Farmhouse Cluster developments are considered a minor subdivision, except as provided below. Farmhouse Cluster developments do not require a Sketch Plan, except as specifically set out hereinbelow. A Farmhouse Cluster Plan shall demonstrate compliance with requirements of the Zoning Ordinance and include the following: an “Existing Features (Site Analysis) Plan” as detailed in Section 6.300 (1)(1-14), (2), and (3) of this Ordinance; a Four-Step Process as detailed in Section 6.300 (3) of this Ordinance; and a Preliminary Plan as detailed in Section 6.400 of this Ordinance.

Section 2. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 7.5 “Buffer Yards” of the Zoning Ordinance be amended as follows:

TA 23-03: Minor Subdivisions and Misc.

Description	Condition where Buffer required	Width	Trees ¹	Shrubs ¹
I-77 Buffer	Any property abutting I-77 right-of-way	50 feet, greater if required by the district	5 trees per 1000 sq/ft of buffer area; 75% large maturing; 50% evergreen	8 shrubs per 1000 sq/ft 75% evergreen
CI, CB and SP	Any property zoned CI, CB, or SP ²	80 feet abutting street right-of-way and property lines ²	4 trees per 1000 sq/ft of buffer area; 75% large maturing; 50% evergreen; 25% small maturing	5 shrubs per 1000 sq/ft 75% evergreen
Non-residential uses not otherwise listed	Any developing non-residential use abutting a lesser intense use and/or district when not internal to a planned development ^{3, 5}	30 feet ⁶	4 trees per 1000 sq/ft of buffer area; 50% large maturing; 25% small maturing; 50% evergreen	7 shrubs per 1000 sq/ft 100% evergreen
Civic Uses • schools • religious institutions • gov'n't bldgs. • libraries	Any civic use abutting a property zoned residential or current use is residential ^{3, 5}	30 feet ⁶	4 trees per 1000 sq/ft of buffer area; 50% large maturing ; 25% small maturing; 50% evergreen	7 shrubs per 1000 sq/ft 100% evergreen
Residential	Any major residential subdivision abutting a property zoned residential or developed residential, not internal to a planned community ⁴	20 feet	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
<u>R/ TR</u>	<u>Any minor residential subdivision</u>	<u>10 feet</u>	<u>Preserve any existing trees located within the required buffer</u>	<u>Preserve any existing shrubs located within the required buffer</u>

TA 23-03: Minor Subdivisions and Misc.

Section 3. This ordinance shall become effective upon adoption.

Huntersville Ordinance Advisory Board: April 6, 2023 (Approval)

Public Hearing Date: June 5, 2023

Planning Board Meeting: June 27, 2023

Town Board Meeting: July 17, 2023

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, April 6, 2023.

Item 4B: Consider recommendation on petition #TA23-03 Minor Subdivision Changes, a request by the Town of Huntersville Planning Department for a text amendment to Article 2 Definitions: "Subdivision, Minor" to cap the amount of lots allowed within a minor subdivision and to Article 7.5 "Buffer Yards" to require buffers for minor subdivisions located within the R and TR zoning districts.

N. Farber, Planner II presented the proposed amendment as included in the attached exhibits. The proposed amendment would limit minor subdivisions to a maximum of 5 lots in all zoning districts. The goal of this amendment is to reduce large scale minor subdivisions which can strip out the length of the roads and remove a large quantity of trees and extend curb cuts for driveways. Additionally, a 10-foot buffer would be proposed to provide a separation for minor subdivisions within the Rural (R) and Transitional Residential (TR) zoning districts to assist with the maintain the rural nature of these areas.

M. Jones discussed the current density and open space requirements of R and TR zoning districts and commented that he does not see the need to buffer residential from residential which can increase untaxed property and affect housing affordability. Staff responded that the open space requirement is up to 45% and often times minor subdivisions do not get anywhere near that. The buffer requirement would allow existing vegetation or trees to protect existing adjacent neighbors.

J. Palillo asked why the responsibility to buffer does not fall on the existing land owners to buffer themselves versus the developer to buffer when developing the land. Staff responded that in the example shown here land is not always developed at the same time or under the same ordinances. In this case buffers were not required when the existing land was developed.

Motion: K. Jones made a Motion to Approve TA23-03 Minor Subdivision changes a request by the Town Planning Department for a text amendment to Article 12 definitions, subdivision, minor to cap the amount of lots allowed within a minor subdivision and to Article 7.5 buffer yards to require buffers for minor subdivisions located within the R and TR zoning districts as written by staff. F. Gammon seconded the motion.

Vote: The motion passed (7-1) with M. Jones opposed.

**Town of Huntersville
Planning Board
June 27, 2023**

To: Town Board

From: Nathan Farber, Planner I

Date: June 27, 2023

Subject: #TA23-04

EXPLAIN REQUEST:

Petition #TA23-04, a request by the Huntersville Planning Department to amend Article 9.54 Solar Energy Facilities to further clarify the text for simplicity.

ACTION RECOMMENDED:

Make Recommendation

FINANCIAL IMPLICATIONS:

NA

ATTACHMENTS:

1. TA23-04 Staff Report PB
2. Attachment 1 Application
3. Attachment 2 Proposed Ordinance
4. Attachment 3 HOAB Minutes

TA23-04 – Solar Energy Facilities

PART 1: DESCRIPTION

TA23-04 is a text amendment request by the Town of Huntersville Planning Department to amend Zoning Ordinance Article 9.54.1(c)1 and 9.54.2 “Major Solar Energy Facilities”. Staff is proposing changes to Article 9.54.1(c)1 that would remove the reference to N.C.G.S § 160D-914(c)(3) to simplify the language as this state statute does not apply to non-residential property. Staff is also proposing changes to Article 9.54.2 “Major Solar Energy Facilities” to create a more precise and clearer ordinance.

PART 2: BACKGROUND

In May of last year, the Town Board approved changes to Solar Energy Facilities Article 9.54 removing Special Use Permit requirements for Minor Solar facilities bringing the ordinance into compliance with State Statute 160D. Planning staff is requesting minor adjustments mainly to the major solar energy facilities section. Currently, the ordinance splits Major facilities into residential and non-residential sections. Since major solar facilities cannot be located on existing residential property, that provision will be dropped. All the previously used general requirements still apply and the SUP process is still required.

The HOAB recommended to further clean up Article 9.54.1(c)1 to remove language that is not necessary to the section. N.C.G.S § 160D-914(c)(3) does not apply to non-residential property so for the sake of simplicity staff has agreed to remove it. The reference was originally provided to make residential and non-residential solar panel locations the same. The new proposed language does not change where a minor solar energy facility can go on a residential or non-residential property.

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN

EOS-9.1: Promote the use of energy efficient building design and neighborhood design.

Comment: The proposed text amendment serves to further clarify and simplify the ordinance language, therefore, making it easier to interpret and install solar panels throughout the Town.

PART 4: STAFF RECOMMENDATION

Staff recommends approval of the proposed text amendment TA23-04 based on consistency EOS 9.1 of the Huntersville 2040 Community Plan.

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD-

On April 6, 2023, The Huntersville Ordinances Advisory Board (HOAB) recommended approval with a vote of 8-0 with a recommendation to remove the reference to N.C.G.S § 160D-914(c)(3) within Article 9.54.1(c)1. (See Attachment 3)

PART 6: PUBLIC HEARING

The Public Hearing occurred on June 5, 2023.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board is scheduled for June 27, 2023.

PART 8: ATTACHMENTS

1. Text Amendment Application
2. Proposed Ordinance
3. HOAB Minutes

PART 9: STATEMENT OF CONSISTENCY – TA23-03

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA23-04, Planning Staff recommends approval based on consistency with EOS-9.1 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because it will provide further clarification to the language.	APPROVAL: In considering the proposed amendment TA23-04, the Planning 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>	APPROVAL: In considering the proposed amendment TA23-04, 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: In considering the proposed amendment TA23-04, the Planning Board recommends denial based on the amendment being <u>(consistent OR inconsistent) with (insert applicable plan reference).</u> It is not reasonable and in the public interest to amend the Zoning Ordinance because....<i>(Explain)</i>	DENIAL: In considering the proposed amendment TA23-04, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent) with (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 2/27/2023

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): See Attached Article(s): See Attached Section(s): See Attached

See Attached

Current Ordinance

See Attached

Proposed Text

**Reason for Proposed
Change**

Make revisions to the Major Solar Facility section in order to simplify the language.

Attach additional pages if needed.

NOTE: If the proposed text amendment effects property located along Hwy 73; is 2000 feet from an adjoining municipality, and/or the Mountain Island and Lake Norman Watersheds, additional peer review is required.

Applicant

Printed Name Town of Huntersville Planning Department

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature Nathan Farber  Date 2/27/2023

Title Nathan Farber, Planner II Email nfarber@huntersville.org

Address of Applicant 105 Gilead Rd, Floor 3

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: _____

Staff Initials: _____

TA 23-04: Solar Energy Facilities

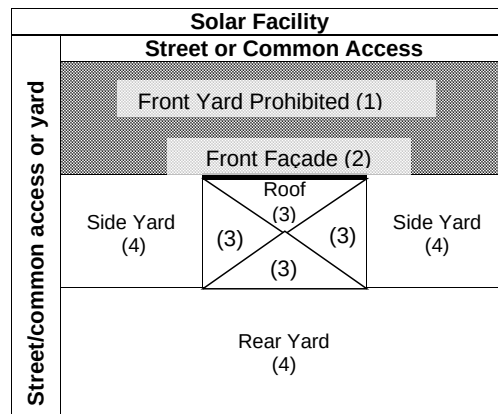
TA23-04: Solar Energy Facilities Fix

In May of last year, the Town Board approved changes to Solar Energy Facilities Article 9.54 which removed SUP requirements for Minor Solar facilities and brought the ordinance into compliance with 160D. Planning Staff is now back again in order to make minor adjustments to the Major Solar facilities section of the ordinance. Currently the ordinance splits Major facilities into residential and non-residential sections. What we overlooked was that this was repetitive and unnecessary as Major Solar facilities are already permitted in some residential zoning districts and by adding a residential section, we made it harder for stand alone solar facilities to exist. This text amendment merely removes the residential and non-residential sections and treats major solar energy facilities as standalone uses. All of the previously used general requirements still apply and the SUP process is still required.

AN ORDINANCE AMENDING ARTICLE 9.54 SOLAR ENERGY FACILITIES

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 9.54 Solar Energy Facilities of the Zoning Ordinance be amended as follows:

Any major or minor solar energy facility shall require approval from all applicable state and federal agencies as well as the affected energy provider.



.1 Minor Solar Energy Facilities (refer to illustration).

a. General Requirements for Minor Solar Energy Facilities.

- 1. All minor free-standing facilities must comply with accessory structure setbacks and spacing as set forth in Article 8.8.**
- 2. All minor free-standing facilities shall be a maximum of five (5) feet in height as measured from the grade at the base of the structure to the apex of the structure. This provision shall be waived for minor-free standing facilities on residential property if its application would prevent the reasonable use of a solar collector for the residential property.**

All minor rooftop solar energy facilities shall not be considered as rooftop equipment on any building type, and therefore, do not require screening and are not subject to any architectural standards that would prohibit reflective materials.

TA 23-04: Solar Energy Facilities

b. Residential Property.

1. Front yard placement is prohibited pursuant to N.C.G.S. § 160D-914(c)(3)) when the placement would cause the solar facility to be visible by a person on the ground.
2. Placement on the façade of a structure that faces areas open to common or public access is permitted as a by-right accessory use in all districts subject to the issuance of a zoning permit.
3. Placement on the roof is permitted as by-right accessory use in all districts subject to the issuance of a zoning permit.
4. Side and rear yard placement is permitted as by-right accessory use in all districts subject to the issuance of a zoning permit.

Commented [ES1]: Match statute. Leave in

c. Non-Residential Property.

1. Front yard placement is prohibited pursuant to N.C.G.S. § 160D-914(c)(3) when the placement would cause the solar facility to be visible by a person on the ground.
2. Placement of minor free-standing solar facilities on non-residential property in locations other than the front is permitted as a by-right accessory use in all districts subject to the issuance of a zoning permit.
3. Minor rooftop solar facilities on non-residential property are allowed on all roof slopes.

.2 Major Solar Energy Facilities (refer to illustration).

- a. General Requirements for Major Solar Energy Facilities Major solar energy shall require the issuance of a Special Use Permit in accordance with the requirements set forth in Article 11.4.10
 1. The minimum lot size requirement for major solar facilities is 10 acres.
 2. Setbacks for major solar energy facilities shall:
 - (1) meet the minimum required setbacks for the underlying zoning district for installations in the R and TR zoning districts.
 - (2) be a minimum of 20 feet from any property line in the SP zoning district.
 3. Free standing major solar facilities shall be a maximum of eight (8) feet in height as measured from the grade at the base of the structure to the apex of the structure. This

TA 23-04: Solar Energy Facilities

provision shall be waived for major-free standing facilities on residential property if its application would prevent the reasonable use of a solar collector for the residential property.

4. Town of Huntersville to be given copies of any lease agreement and plan for removal of facility/equipment.
5. Major Solar Energy Facilities shall be exempt from any parking requirements in the Huntersville Zoning Ordinance if there is no commercial or office building component.
6. An existing features plan as described in Article 6.300.1.14 of the Subdivision Ordinance must be submitted with the application for the above-described Special Use Permit. Placement of solar panels shall be based on preserving existing features to the extent practical.

b. Residential Property

Major solar energy facilities on residential property shall require the issuance of a Special Use Permit in accordance with the requirements set forth in Article 11.4.10.

1. An existing features plan as described in Article 6.300.1.14 of the Subdivision Ordinance must be submitted with the application for the above-described Special Use Permit. Placement of solar panels shall be based on preserving existing features to the extent practical. Front yard placement is prohibited pursuant to N.C.G.S. § 160D-914(c)(3) when the placement would cause the solar facility to be visible by a person on the ground.
2. Placement on the façade of a structure that faces areas open to common or public access is prohibited pursuant to N.C.G.S. § 160D-914(c)(1) when the placement would cause the solar facility to be visible by a person on the ground.
3. Front roof slope placement that slopes downward is prohibited pursuant to N.C.G.S. § 160D-914(c)(2) when the placement would cause the solar facility to be visible by a person on the ground.

Notwithstanding this subsection, a Special Use Permit shall be granted if the regulations have the effect of preventing the reasonable use of a major solar energy facility on a residential property, except as provided in N.C.G.S. § 160D-914.

c. Non-Residential Property

Major solar energy facilities on non-residential property shall require the issuance of a Special Use Permit in accordance with the requirements set forth in Article 11.4.10.

TA 23-04: Solar Energy Facilities

Huntersville Ordinance Advisory Board: July 7, 2022

Public Hearing Date: August 1, 2022

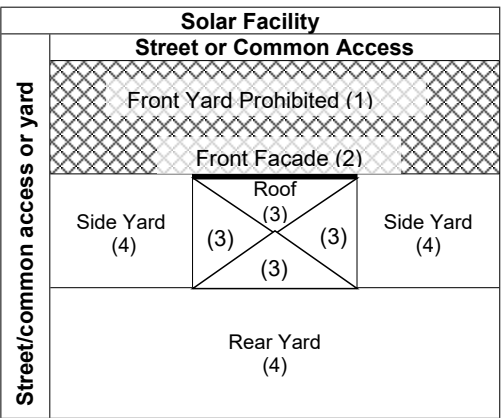
Planning Board Meeting: August 23, 2022

Town Board Meeting: September 19, 2022

AN ORDINANCE AMENDING ARTICLE 9.54 SOLAR ENERGY FACILITIES

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 9.54 Solar Energy Facilities of the Zoning Ordinance be amended as follows:

Any major or minor solar energy facility shall require approval from all applicable state and federal agencies as well as the affected energy provider.



.1 Minor Solar Energy Facilities (refer to illustration).

a. General Requirements for Minor Solar Energy Facilities.

1. All minor free-standing facilities must comply with accessory structure setbacks and spacing as set forth in Article 8.8.
2. All minor free-standing facilities shall be a maximum of five (5) feet in height as measured from the grade at the base of the structure to the apex of the structure. This provision shall be waived for minor-free standing facilities on residential property if its application would prevent the reasonable use of a solar collector for the residential property.

All minor rooftop solar energy facilities shall not be considered as rooftop equipment on any building type, and therefore, do not require screening and are not subject to any architectural standards that would prohibit reflective materials.

TA 23-04: Solar Energy Facilities

b. Residential Property.

1. Front yard placement is prohibited pursuant to N.C.G.S. § 160D-914(c)(3) when the placement would cause the solar facility to be visible by a person on the ground.
2. Placement on the façade of a structure that faces areas open to common or public access is permitted as a by-right accessory use in all districts subject to the issuance of a zoning permit.
3. Placement on the roof is permitted as by-right accessory use in all districts subject to the issuance of a zoning permit.
4. Side and rear yard placement is permitted as by-right accessory use in all districts subject to the issuance of a zoning permit.

Commented [ES1]: Match statute. Leave in

c. Non-Residential Property.

- ~~1. Front yard placement is prohibited pursuant to N.C.G.S. § 160D-914(c)(3) when the placement would cause the solar facility to be visible by a person on the ground.~~
1. Front yard placement, as depicted by area (1) in the above illustration, is prohibited when the placement would cause the solar facility to be visible by a person on the ground.
2. Placement of minor free-standing solar facilities on non-residential property in locations other than the front is permitted as a by-right accessory use in all districts subject to the issuance of a zoning permit.
3. Minor rooftop solar facilities on non-residential property are allowed on all roof ~~slopes~~ surfaces.

.2 Major Solar Energy Facilities ~~(refer to illustration)~~.

a. ~~General Requirements for Major Solar Energy Facilities~~ Major solar energy shall require the issuance of a Special Use Permit in accordance with the requirements set forth in Article 11.4.10

1. The minimum lot size requirement for major solar facilities is 10 acres.
2. Setbacks for major solar energy facilities shall:
 - (1) meet the minimum required setbacks for the underlying zoning district for installations in the R and TR zoning districts.

TA 23-04: Solar Energy Facilities

(2) be a minimum of 20 feet from any property line in the SP zoning district.

3. Free standing major solar facilities shall be a maximum of eight (8) feet in height as measured from the grade at the base of the structure to the apex of the structure. This provision shall be waived for major-free standing facilities on residential property if its application would prevent the reasonable use of a solar collector for the residential property.
4. Town of Huntersville to be given copies of any lease agreement and plan for removal of facility/equipment.
5. Major Solar Energy Facilities shall be exempt from any parking requirements in the Huntersville Zoning Ordinance if there is no commercial or office building component.
6. An existing features plan as described in Article 6.300.1.14 of the Subdivision Ordinance must be submitted with the application for the above-described Special Use Permit. Placement of solar panels shall be based on preserving existing features to the extent practical.

b. Residential Property

~~Major solar energy facilities on residential property shall require the issuance of a Special Use Permit in accordance with the requirements set forth in Article 11.4.10.~~

~~An existing features plan as described in Article 6.300.1.14 of the Subdivision Ordinance must be submitted with the application for the above-described Special Use Permit. Placement of solar panels shall be based on preserving existing features to the extent practical.~~

- ~~1. Front yard placement is prohibited pursuant to N.C.G.S. § 160D-914(c)(3) when the placement would cause the solar facility to be visible by a person on the ground.~~
- ~~2. Placement on the façade of a structure that faces areas open to common or public access is prohibited pursuant to N.C.G.S. § 160D-914(c)(1) when the placement would cause the solar facility to be visible by a person on the ground.~~
- ~~3. Front roof slope placement that slopes downward is prohibited pursuant to N.C.G.S. § 160D-914(c)(2) when the placement would cause the solar facility to be visible by a person on the ground.~~

~~Notwithstanding this subsection, a Special Use Permit shall be granted if the regulations have the effect of preventing the reasonable use of a major solar energy facility on a residential property, except as provided in N.C.G.S. § 160D-914.~~

c. Non-Residential Property.

TA 23-04: Solar Energy Facilities

~~Major solar energy facilities on non-residential property shall require the issuance of a Special Use Permit in accordance with the requirements set forth in Article 11.4.10.~~

~~An existing features plan as described in Article 6.300.1.14 of the Subdivision Ordinance must be submitted with the application for the above-described Special Use Permit. Placement of solar panels shall be based on preserving existing features to the extent practical.~~

Section 2. This ordinance shall become effective upon adoption.

Huntersville Ordinance Advisory Board: April 6, 2023

Public Hearing Date: June 5, 2023

Planning Board Meeting: June 27, 2023

Town Board Meeting: July 17, 2023

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, April 6, 2023.

Item 4C: Consider recommendation on petition #TA23-04, a request by the Huntersville Planning Department for text amendment to Article 9.54 Solar Energy Facilities to clean up the language.

N. Farber, Planner II presented the proposed amendment as included in the attached exhibits. Staff mentioned that the previous amendment TA22-06 brought the solar requirements in compliance with NC State Statute 160d changes. This amendment would address the definition of major and minor solar facilities.

F. Gammon asked if a developer built a green development and installed a major solar farm to provide that development with power, how would the ordinances apply? Staff responded if it is a separate facility on a separate parcel then it would be considered a major solar farm. If it was installed as an accessory use on each parcel, then it would not.

J. Palillo asked how parking lot shelters with solar panels on the roof are addressed. Staff stated that they would be considered an accessory use.

Motion: M. Jones made a motion to Approve TA23-04 with the following changes, part C. 1. delete reference to general statute in the section under non-residential property because that statute only applies to residential and in section C.3. replace the word slope with surfaces. J. Palillo seconded the motion.

E. Sloop responded that the general statute reference in part C.1. are appropriate because we want the same location limitations to apply as there is no limitation to how the non-residential can be regulated. F. Gammon commented that the goal is to make the regulation mirror the statute. E. Sloop recommended removal of the language, 'pursuant to.'

Amendment: F. Gammon proposed an amendment to the motion for staff to study and resolve the use of the general statute in part C.1. M. Jones and J. Palillo accepted the amendment.

Vote: The motion passed unanimously (8-0)

**Town of Huntersville
Town Board
June 27, 2023**

To: Town Board

From: David Peete, Principal Planner

Date: June 27, 2023

Subject:

EXPLAIN REQUEST:

Consider recommendation on Petition #R23-05, Lagoon Bay Beach Club, a request by Bi-Part Development, LLC to rezone +/- 263.01-acres generally located north and south of NC 73, south of Mayes Road, east of Westmoreland Road, north of McCord Road and west of Black Farm Road from existing Rural (R) and Transitional Residential (TR) to Traditional Neighborhood Development - Conditional District (TND-CD), Neighborhood Residential - Conditional District (NR-CD) and Highway Commercial - Conditional District (HC-CD) for a mixed-use development consisting of approximately 1,183 residential units (250 single-family homes, 201 townhomes, 432 apartment units & 300 condominium units), 210,000 square feet of retail, 200 hotel rooms, 36,000 square feet of convention center space and a 41.16-acre commercial lagoon. (Parcel #s 01106218, 01125102, 01125109, 01125103, 01125108, 01104101, 01105105, 01106217, 01106226, 01106219, 01125101, 01125104, 01124123, 01105104 & 01124102).

ACTION RECOMMENDED:

Consider recommendation on June 27, 2023 at 6:00 p.m.

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

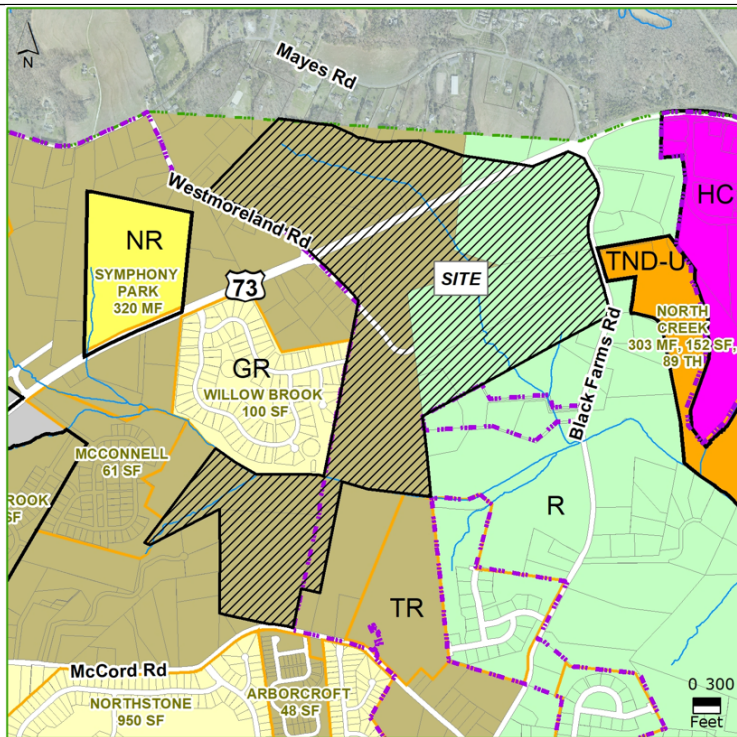
1. R23-05 Planning Board Staff Report (6-27-23) - Update Plan
2. Attachment A - Rezoning Application
3. Attachment B1 - 2023_06_20_1
Lagoon Bay_RZ_Submittal_#4_Sheets_RZ_1.0-3.14
4. Attachment B2 - 2023_06_20_2 Lagoon Bay_RZ_Submittal_#4_RZ_4.0_-
_RZ_7.0
5. Attachment B3 -2023_06_20_3 Lagoon Bay_RZ_Submittal_#4_RZ_8.0_- _LS-
2.5

6. Attachment B4 -2023_06_20_4 Lagoon Bay_RZ_Submittal_#4_A_1.0_- _A_1.9
7. Attachment C-1 - Community Meeting Report - 4-26-23
8. Attachment C-2 - Community Meeting Attendance Report
9. Attachment C-3 - Community Meeting sign-in sheets
10. Attachment D - CMS - Report - Lagoon Bay Beach Club
11. Attachment E - Charlotte Water Memo - Lagoon Bay Beach Club
12. Attachment F -2023_06_16 Staff Report Response Sheet (4)

Petition R23-05 Lagoona Bay Beach Club Mixed-Use Conditional District Rezoning

[Below is the staff analysis from the public hearings based on plans dated 3-3-23. However, a new plan was submitted with revisions dated 6-20-23. That plan is included in the Planning Board agenda packet. The reviewing agencies will complete their review of the 6-20-23 plan within 21 days, no later than July 12, 2023. A revised staff analysis will be prepared once that review is completed. Further, Attachment G is the applicant's response to staff comments on the plan dated 3-3-23, many of which are referred to in this staff analysis)

PART 1: PROJECT SUMMARY



Proposed Zoning: Highway Commercial — Conditional District (HC-CD), Traditional Neighborhood Development - Urban — Conditional District (TND-U — CD) & Neighborhood Residential — Conditional District (NR-CD).

Proposed Land Uses:

250 Single-Family Homes, 180 Townhomes, 432 Apartments, 300 Condos, 200-Room Hotel, 36,000 sq. ft. Convention Center, 210,000 sq. ft. of Commercial Uses and a 41-acre Lagoon amenity.

Applicant: Bi — Part Development, LLC

Property Owners: C. W. Westmoreland, T. M. Westmoreland, T M Family LP Westmoreland, K. L. Westmoreland, Robert & Cynthia Knox, William & Dawn Bradford (see Attachment A).

Project Address: 12734 Sam Furr Road

Project Size: (+/-) 263.01-acres

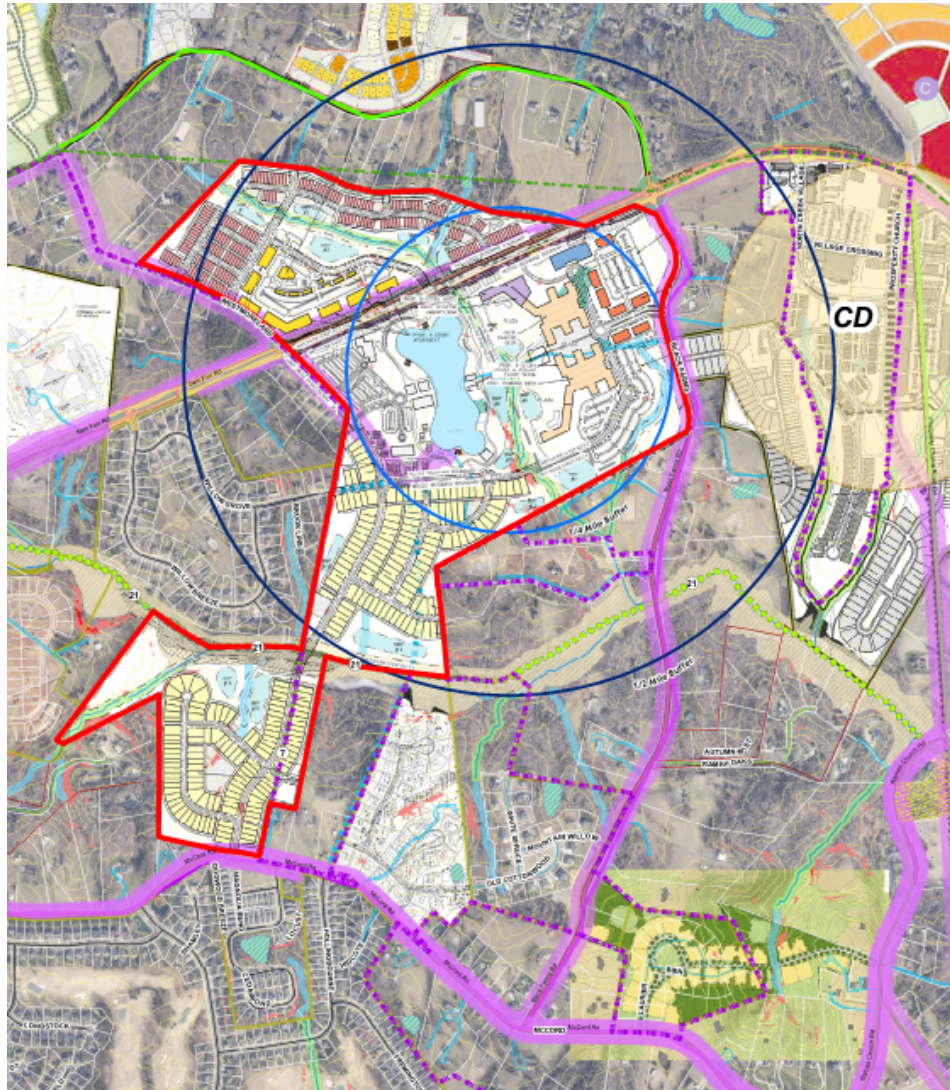
Parcel Numbers:

01106218, 01125102, 01125109, 01125103, 01125108, 01104101 01105105, 01106217, 01106226, 01106219, 01125101, 01125104, 01124123, 01105104 & 01124102.

Current Zoning: Rural (R) & Transitional Residential (TR).

Current Land Use: vacant, large-lot single-family residential & farm.

1. Purpose: Petition to rezone 263.01-acres generally located at 12734 Sam Furr Road – generally north and south of Sam Furr Road (NC 73), between Westmoreland Road to the west, Black Farm Road to the east, and McCord Road to the south. The proposed development is south of Mayes Road (but does not abut the road). The Rezoning Petition is from Rural (R) and Transitional Neighborhood (TR) Zoning District to Neighborhood Residential – Conditional District (NR-CD), Traditional Neighborhood Residential – Urban – Conditional District (TND-U-CD) and Highway Commercial – Conditional District (HC-CD) to create a mixed-use development consisting of: 250 Single-Family Homes; 180 Townhomes; 432 Apartments; 300 Condominium Units; 200-Room Hotel; 36,000 sq. ft. of Convention Center space; 210,000 sq. ft. of commercial (Highway Commercial permitted uses) and a 41-acre Lagoon amenity (see Attachment B).
2. Should the Conditional District Rezoning Plan be approved, a corresponding Subdivision Sketch Plan will be reviewed by staff for compliance.
3. Adjoining Zoning and Land Uses.
 - North: Town of Cornelius: *Rural Preservation & Town of Huntersville – Transitional Residential (TR) & Rural (R) – Large-lot, single-family homes.*
 - South: Rural (R), *Transitional Residential (TR) & General Residential (GR) – 2 single-family home subdivisions (Northstone & Arborcroft) & large-lot single-family homes.*
 - East: Rural (R) & *Transitional Residential (TR)– Large-lot, single-family homes, 2 subdivisions (Camden & North Creek Village) & vacant.*
 - West: General Residential (GR) & *Transitional Residential (TR) – 2 subdivisions (Willowbrook & McConnell), a farmhouse cluster (Stonegate Estates), large-lot, single-family homes, & vacant.*



4. One (1) neighborhood meeting was held on April 26, 2023, which had a significant attendance. A summary of the questions and concerns from that meeting are found in the report of the meeting (see Attachment C).
5. Notice of this CD-Rezoning request was provided via postcards sent to all property owners within 250 ft. of the project; a legal ad placed in the Charlotte Observer; and posting of public hearing signs adjacent the project in ten (10) locations.

PART 2: REZONING/SITE PLAN ISSUES

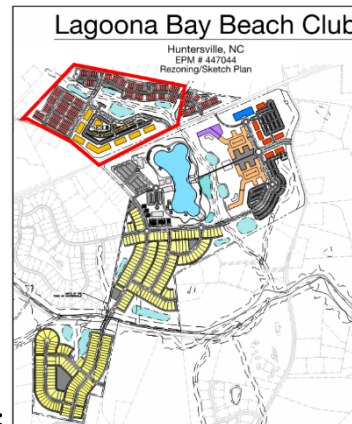
The proposed Lagoona Bay Beach Club Conditional District Rezoning Plan is summarized as follows:

- Proposed rezoning is from Rural (R) and Transitional Neighborhood (TR) Zoning District to Neighborhood Residential – Conditional District (NR-CD), Traditional Neighborhood Residential – Urban – Conditional District (TND-U-CD) and Highway Commercial – Conditional District (HC-CD)
- Proposed Uses: 250 Single-Family Homes, 180 Townhomes, 432 Apartments, 300 Condominiums, 200-Room Hotel, 36,000 sq. ft. Convention Center, 210,000 sq. ft. of Commercial (Retail) and a 41-acre Lagoon Amenity.
- The zoning district breakdown of the 263.01-acres is as follows:
 - TND-U Area (Site Plan A – Sheet RZ-3.1) – is 58.33-acres.**

- This area has 180 townhomes along the north border from NC 73 to Westmoreland Road. There are also 320 apartment units proposed along NC 73 and Westmoreland Road.
- **HC Area (Site Plans B & C – Sheet RZ-3.2 & 3.3) – 104.88-acres**
 - This area has the 41-acre lagoon amenity along NC 73 and Westmoreland Road. Fronting along NC 73 there is a proposed 6-story hotel and 36,000 sq. ft. convention center. Immediately south of those two uses are 300 condominium units. 140,000 sq. ft. of commercial/retail would be located under the condos. Lastly, along NC 73 and Black Farm Road would be 70,000 sq. ft. or commercial/retail with 112 apartments above.
- **NR Area (Site Plan D & E – Sheet RZ-3.4 & 3.5) – 100.57-acres**
 - This area has 250 single-family homes with alley-access on 40 and 50-foot wide lots. The single-family homes would be located immediately north and south of Ramah Creek and a future County greenway.
- Urban Open Space to be provided within ¼ mile of all residential units and includes greens, mini-parks and plazas. Some Urban Open Spaces do not meet the requirements of the Ordinance; therefore, site plan revisions are anticipated.
- The North Carolina Dept. of Transportation (NCDOT) will review the Transportation Impact Analysis (TIA), as all of the existing roads surrounding the proposed development are state-owned. The plan shows that additional right-of-way along NC 73 will be dedicated, as required. (see Part 3 of report for complete transportation improvement summary).
- Eight (8) street connections to existing public streets are proposed, including to NC 73, Westmoreland Road, Black Farm Road, McCord Road and Willow Grove Way. In addition, four (4) future street stubs to adjoining parcels are proposed.
- Several streets will have 10' side paths on one-side to create a pedestrian circulation network – including along the street that will connect to the County's future greenway along Ramah Creek.
- The entire floodplain along Ramah Creek is proposed to be dedicated to Mecklenburg County for future greenway development. One (1) trail is proposed in the area north of NC 73.
- In the TND-U area, minimum specimen tree preservation is 30% and 15% is proposed and the remainder must be mitigated, if the percentage is not increased. No tree canopy percentage is required to be saved and none is proposed.
- In the HC area, minimum specimen tree preservation is 30% and 26% is proposed and the remainder must be mitigated, if the percentage is not increased. No tree canopy percentage is required to be saved and none is proposed.
- In the NR area, minimum specimen tree preservation is 10% and 24% is proposed. Ten percent tree canopy is required to be saved and 10% is proposed.
- A shuttle service is proposed to transport residents throughout the entire project.
- 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.
- No phasing plan is proposed. All required transportation improvements and any other conditional improvements will be required prior to any plat approvals.
- The entire project is proposed to be annexed into the Town of Huntersville.
- No Ordinance modifications have been requested.

The Lagoon Bay Beach Club Conditional District Rezoning Plan **does not comply with the Zoning Ordinance** in the following ways:

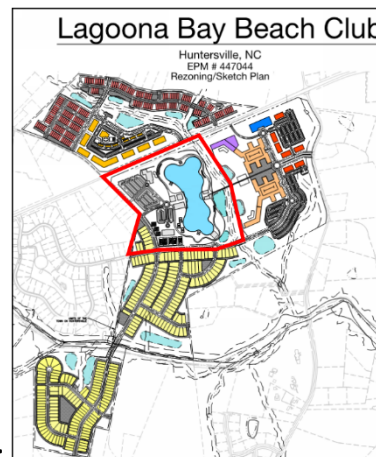
([Modification Request?]) indicates that an item has not been addressed and must either be shown as ordinance-compliant or a “modification request” must be made to the Town Board. This does not mean Town Staff recommends a modification – merely that specific alterations to Zoning Ordinance / Subdivision Ordinance regulations cannot go unaddressed.)



TND-U Area (Site Plan A – Sheet RZ-3.1):

- [ISSUE – ZONING COMPLIANCE] – Requirements of TND-U zoning district have not been demonstrated. All required items must be shown, listed or noted.
- [ISSUE – APPROPRIATE LAND USE TRANSITIONS] - External property buffers are 20 ft. wide and should be labeled as undisturbed. In addition, one location is listed as “possible buffer disturbance” – no explanation is provided as to why these are requested. [Modification request?]
- [ISSUE – TND DESIGN PROVISION] - Perimeter block length compliance has not been demonstrated. All blocks within TND-U must demonstrate a perimeter block length not to exceed 1,350 ft. [Modification request?]
- [ISSUE – BUILDING TYPE / APARTMENT BUILDING] – Maximum height for apartments is 3 stories. 4 stories are proposed. [Modification request?]
- [ISSUE – BUILDING TYPE] – Apartment clubhouse must front a public street or Urban Open Space (ZO Art. 8.1). Must be provided. [Modification request?]
- [ISSUE – BUILDING TYPE] – Small buildings in Apartment parking lot do not front anything. Revise layout. [Modification request?]
- [ISSUE – OFF-STREET PARKING (ZO Art. 6)] – Apartment parking lot does not comply with regulations. Parking “rooms” and pedestrian corridors need to be added. Revise site plan and add note that all parking lots will comply with ZO Art. 6. [Modification request?]
- [ISSUE – OFF-STREET PARKING (ZO Art. 6)] – Clubhouse parking lot is located between the building and the street, which is not permitted. Revise site layout. [Modification request?]
- [ISSUE – PEDESTRIAN CONNECTION] – Per ZO Art. 3, all sidewalks must be min. of 7 ft. wide. Revise site plan and add note. [Modification request?]
- [ISSUE – BUILDING TYPE] – Attached houses must have a build-to range of 10’-25’. Townhomes appear to have zero setback. Revise or request modification. [Modification request?]
- [ISSUE – PEDESTRIAN CONNECTION] – It has been stated that a 10 ft.-wide path along east side of Westmoreland would be provided, but this is not shown. This should be added.
- [ISSUE – PEDESTRIAN CONNECTION] – Apartments fronting NC 73 need to have pedestrian connections from buildings to frontage (public street or Urban Open Space). Add to plan. [Modification request?]
- [ISSUE – STREET DESIGN (ZO Art. 5.2)] – Blocks 10 & 11 (Road 6) exceed the block length limit of 500 ft. for TND-U. Road 6 should also incorporate traffic-calming measures (in addition to on-street parking on both sides of street). This block must either be re-designed or request a modification. [Modification request?]

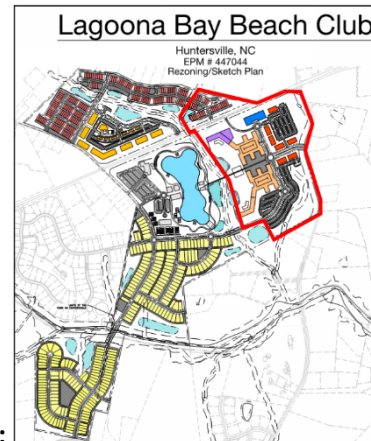
- [ISSUE – STREET DESIGN (ZO Art. 5.2)] – Cul-de-sac exceeds the length limit of 350 ft. for major subdivisions. This must either be re-designed or request a modification. [Modification request?]
- [ISSUE – URBAN OPEN SPACE (ZO Art. 7.11)] – All Urban Open Spaces must be designed at Sketch Plan. Two Greens (along Westmoreland Road) do not qualify as such. Revise Urban Open Space type. [Modification request?]
- [ISSUE – BUFFERS] – What will the frontage area along north side of NC 73 be once the construction easements for road widening are no longer needed. Provide cross-section for this area.
- [ISSUE – TREE SAVE] – Specimen tree save in the TND-U zone is 30% minimum and this plan proposes 15% tree save. This area is large enough to provide minimum specimen tree save. However, if the minimum is not required via modification request, mitigation provision must be listed. [Modification request?]
- [ISSUE – TREE SAVE] – **RECOMMEND** even though there is no minimum tree canopy percentage required to be saved in the TND-U district, this area is large enough to provide some canopy-save. The minimum external buffers alone will provide canopy save.
- [ISSUE – APPROPRIATE LAND USE TRANSITIONS] - **RECOMMEND** 40 ft. (min.) buffers along external borders to appropriately transition from abutting large-lot, single-family (to the west) with a density of 0.24 units/acre to proposed subdivision with apartments and townhomes with a density of 8.57 (35 times the existing density).
- [ISSUE – TRANSPORTATION] – **RECOMMEND** add stub to Northwest adjacent property as an extension of cul-de-sac.
- [ISSUE – TRANSPORTATION] – **RECOMMEND** providing on-street parking on both sides of street abutting townhomes.



HC Area (Site Plan B – Sheet RZ-3.2):

- [ISSUE – BUILDING TYPE] – All buildings must front either a public street or an Urban Open space (ZO Art. 8.1). The lagoon and its accessory buildings are amenities that are not Urban Open Space. An ordinance-compliant frontage for the principal use must be identified. [Modification request?]
- [ISSUE – APPROPRIATE LAND USE TRANSITIONS] A berm has been discussed along NC 73 and Westmoreland Road but does not appear on the plans. This would be an appropriate buffer, but the location, size and cross-section of the berm must be provided. No buffer or parking lot screening are shown along east side of Westmoreland Road. These are needed to screen the large parking lot serving the lagoon / clubhouse and sports fields. [Modification request?]
- [ISSUE – PEDESTRIAN CONNECTION] – The applicant stated that a 10 ft.-wide path along east side of Westmoreland would be provided, however, it is not shown. This should be added.
- [ISSUE – TREE SAVE] – Specimen tree save in the HC zone is 30% minimum and this plan proposes 26% tree save. This area is large enough to provide minimum specimen tree save. However, if the minimum is not required via modification request, mitigation provision must be listed. [Modification request?]

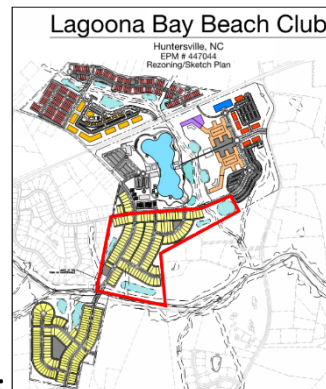
- [ISSUE – TREE SAVE] – **RECOMMEND** even though there is no minimum tree canopy percentage required to be saved in the Highway Commercial (HC) district, this area is large enough to provide some canopy-save. The minimum external buffers alone will provide canopy save.
- [ISSUE – APPROPRIATE LAND USE TRANSITIONS] – **RECOMMEND** buffer along Westmoreland Road and Road 9 where the Sports Fields are located. The Sports Fields will generate noise and lights and the adjoining residents, both within the development and those abutting, should have an appropriate level off screening.



HC & TND-U Area (Site Plan C – Sheet RZ-3.3):

- [ISSUE – APPROPRIATE LAND USE TRANSITIONS] - External property buffers are 20 ft. wide and should be labeled as undisturbed. **[Modification request?]**
- [ISSUE – BUILDING TYPE] – All buildings that front a public street (including NC 73) must provide pedestrian access to those streets via sidewalk. Indicate this is to be provided. **[Modification request?]**
- [ISSUE – BUILDING TYPE] – How will the 140,000 sq. ft. of retail be split? Compliance with Highway Commercial requirements must be demonstrated. **[Modification request?]**
- [ISSUE – BUILDING TYPE] – 100% attached residential units are only permitted in HC zone with special conditions – which have not been demonstrated. This must be provided. **[Modification request?]**
- [ISSUE – HISTORIC BUILDING] – This building does not have historic protection and may not merit saving (see Item #3 on page 18). What is intent for this building?
- [ISSUE – BUILDING TYPE] – Per ZO Art. 4, all buildings must be developed based on appropriate building type. Building Types must be identified for each structure.
- [ISSUE – OFF-STREET PARKING (ZO Art. 6)] – Multiple large parking lots do not comply with regulations. Parking “rooms” and pedestrian corridors need to be added. Revise site plan and add note that all parking lots will comply with ZO Art. 6. **[Modification request?]**
- [ISSUE – STREET DESIGN (ZO Art. 5.2)] – Road 9 exceeds the block length limit of 500 ft. for Urban Conditions. Road 9 should also incorporate traffic-calming measures (in addition to on-street parking on both sides of street). This block must either be re-designed or request a modification. **[Modification request?]**
- [ISSUE – STREET DESIGN (ZO Art. 5.2)] – The retail/apartment buildings and condo buildings have large setbacks from the public right-of-way. What type of streetscape is proposed for this area? Why are large setbacks shown? **[Modification request?]**
- [ISSUE – OFF-STREET PARKING] – The hotel and convention center do not show loading areas for deliveries and large vehicles. Will there be special parking in close proximity? How will event set-up be accommodated? **[Modification request?]**
- [ISSUE – URBAN OPEN SPACE (ZO Art. 7.11)] – All Urban Open Spaces must be designed at Sketch Plan. Two Plazas between the condos must be generally designed to illustrate Ordinance compliance and for possible merit of Ordinance modification. **[Modification request?]**

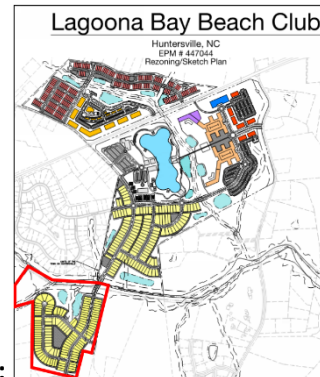
- [ISSUE – TREE SAVE] – Specimen tree save in the TND-U and HC zone is 30% minimum and this plan shows 15% and 26% (respectively) for tree save. This area is large enough to provide minimum specimen tree save. However, if the minimum is not required via modification request, mitigation provision must be listed. IT should be noted that NR tree save is well above the minimum. [Modification request?]
- [ISSUE – BUILDING TYPE (ZO Art. 4)] – A six-story hotels is proposed – this height is not permitted in Highway Commercial (HC). This will require a Special Use Permit.
- [ISSUE – TREE SAVE] – **RECOMMEND** even though there is no minimum tree canopy percentage required to be saved in the TND-U zone, this area is large enough to provide some canopy-save. The minimum external buffers alone will provide canopy save.
- [ISSUE – APPROPRIATE LAND USE TRANSITIONS] - **RECOMMEND** 40 ft. (min.) buffers along external borders to appropriately transition from abutting large-lot, single-family (to the west) with a density of 0.24 units/acre to proposed subdivision with apartments and townhomes with a density of 8.57 (35 times the existing density).



NR Area (Site Plan D – Sheet RZ-3.4):

- [ISSUE – APPROPRIATE LAND USE TRANSITIONS] - External property buffers are 20 ft. wide and should be labeled as undisturbed. In addition, one location is listed as “possible buffer disturbance” – no explanation is provided as to why these are requested. [Modification request?]
- [ISSUE – STREET DESIGN (ZO Art. 5.2)] – Portions of the Block for Westmoreland Road and Road 9 exceed the block length limit of 800 ft. for major subdivisions (when combined with the street portion on abutting plan sheets). These blocks must either be re-designed or request a modification. [Modification request?]
- [ISSUE – APPROPRIATE LAND USE TRANSITIONS] - **RECOMMEND** 40 ft. (min.) buffers along external borders to appropriately transition from Willowbrook subdivision (to the west) with a density of 1.59 units/acre to proposed subdivision with 50 ft. -wide single-family lots with a density of 2.53 and from large-lot, single-family (to the east) with a density of 0.12 units/acre to proposed subdivision with 50 ft. -wide single-family lots with a density of 2.53 (21 times the existing density).
- [ISSUE – CONNECTIVITY (ZO Art. 5.1.2)] – **RECOMMEND** shifting connection south to align with the Heath parcel, as there is greater future redevelopment potential based on parcel size and frontage along Black Farm Road.
- [ISSUE – DESIGN] - **RECOMMEND** – there are a large number of lots in the center of this area without a break as the lots run north-to-south. Adding a walkway would break up the block repetition, but also provide pedestrian access from east to west.
- [ISSUE – TRANSPORTATION] – **RECOMMEND** redesign of Westmoreland Road. Even with a traffic circle, Westmoreland Road is too direct a route between NC 73 and McCord Road. This road should be redesigned to create a less-direct route between the two thoroughfares.
- [ISSUE – TRANSPORTATION] – **RECOMMEND** redesign of stub to Willow Grove Way (Willowbrook). The traffic circle at Westmoreland Road will calm traffic, but the stub connection should be a very indirect route between the neighborhoods.

- [ISSUE – TRANSPORTATION] – **RECOMMEND** revision of on-street parking on both sides of Road 9. Aside from providing traffic-calming, is this parking meant to serve the neighborhood primarily, or will it be used by lagoon patrons? In other words, is parking for lagoon-related uses appropriate next to the single-family homes? Parking on one side may be more appropriate.
- [ISSUE – APPROPRIATE LAND USE TRANSITIONS] – **RECOMMEND** buffer along Westmoreland Road and Road 9 where the Sports Fields are located. The Sports Fields will generate noise and lights and the adjoining residents, both within the development and those abutting, should have an appropriate level of screening.



NR Area (Site Plan E – Sheet RZ-3.5):

- [ISSUE – APPROPRIATE LAND USE TRANSITIONS] - External property buffers are 20 ft. wide and should be labeled as undisturbed. In addition, several locations are listed as “possible buffer disturbance” – no explanation is provided as to why these are requested. [Modification request?]
- [ISSUE – STREET DESIGN (ZO Art. 5.2)] – The Block for Road 14 exceeds the block length limit of 800 ft. for major subdivisions. This block must either be re-designed or request a modification – either way, see next bullet item. [Modification request?]
- [ISSUE – STREET DESIGN (ZO Art. 5.2)] – The cross-section for McCord Road shows 4 ft. bike lanes, which NCDOT no longer allows. This should show a 10 ft. sidepath. [Modification request?]
- [ISSUE – URBAN OPEN SPACE (ZO Art. 7.11)] – Proposed Urban Open Space “Park” located behind a block of homes does not qualify as Urban Open Space. Site Plan to be re-designed to locate an Urban Open Space along a public street and sited such that every lot is within ¼ mile walk of such Urban Open Space. [Modification request?]
- [ISSUE – STREAM BUFFER PROTECTION (ZO Art. 3)] Several alley and lot areas near Ramah Creek encroach into restricted stream buffers – these must be revised.
- [ISSUE – STREET DESIGN] – **RECOMMEND** traffic-calming (mini-circle) at the intersection of Road 13 and Westmoreland Road.
- [ISSUE – APPROPRIATE LAND USE TRANSITIONS] - **RECOMMEND** 40 ft. (min.) buffers along external borders to appropriately transition from abutting large-lot, single-family (to the west) with a density of 0.34 units/acre to proposed subdivision with 40 ft. -wide single-family lots with a density of 2.5 (7.3 times the existing density).
- [ISSUE – CONNECTIVITY (ZO Art. 5.1.2)] – **RECOMMEND** a future street stub along the western edge, south of Ramah Creek.
- [ISSUE – DESIGN] - **RECOMMEND** – there are numerous lots along Road 14 without open space. A walkway to the rear alley, a mini park or street stub to the west are options to break-up block.
- [ISSUE – BUFFERS (ZO Art. 7.5)] – **RECOMMEND** – Buffer along frontage of McCord Road should be 80 ft. deep to match the widths of other developments along the thoroughfare (ex: Northbrook, Camden, Arborcroft & Belleterre).

- [ISSUE – APPROPRIATE LAND USE TRANSITIONS] – **RECOMMEND** Within same development, there are 50 ft.-wide single-family lots. The largest lots proposed should be placed along the external edge to address transitional lot sizes.

GENERAL COMMENTS:

- Traditional Neighborhood Development – Urban (TND-U) is requested for the residential area north of NC 73 (Site Plan A). TND Districts are provided “for the development of new neighborhoods... which are structured upon a fine network of interconnecting pedestrian-oriented streets and other public spaces. TNDs offer a mixture of housing types and prices, prominently sited civic or community building(s) and stores/offices/workplaces to provide a balanced mix of activities”. TND-U also requires the following:
 - Average perimeter of all blocks should not exceed 1,350 ft., with no block greater than 500 ft. without a dedicated alley or pathway providing through access.
 - Applicants need to demonstrate that average perimeter of all blocks does not exceed 1,350 ft. and that regular blocks are between 250 – 500 ft.

- The townhomes along the external boundaries are located only 20 feet (min.) from Rural (R) and Transitional Residential (TR) zoned properties with permitted densities of 0.9 or 1.5 units per acre (respectively). The densities proposed within the TND-U area in close proximity to low-density development are not appropriate as shown.

STAFF COMMENT: *The average perimeter blocks have not been demonstrated and some blocks exceed maximum block length. Mitigation of the incompatible densities would involve significant spacing or buffering from the adjoining land uses, combined with a development density that “steps-down” as it approaches the outer boundaries. These design elements could provide a means to introduce higher densities into this area. However, the densities proposed, in general, are not supported in this location. The uses in the TND-U area, represent a density of 8.57-units-per-acre located 20 feet from the adjoining Rural and Transitional Residential areas which permit 0.9 and 1.5 units per acre (respectively). Development transitions via “stepping-down” the level of development at the development edges to approximate the permitted densities around the project is the only way to introduce this use and zoning district.*

- The apartment layout along NC 73 need to create a pedestrian-oriented residential community.
STAFF COMMENT: The entire Lagoon Bay Beach Club is proposed to be a pedestrian-oriented, mixed-use development; however, the apartments and townhomes are isolated from the other uses by NC 73, with only a shuttle to provide connection. The large, linear parking lot separates the buildings without pedestrian connections or open spaces.

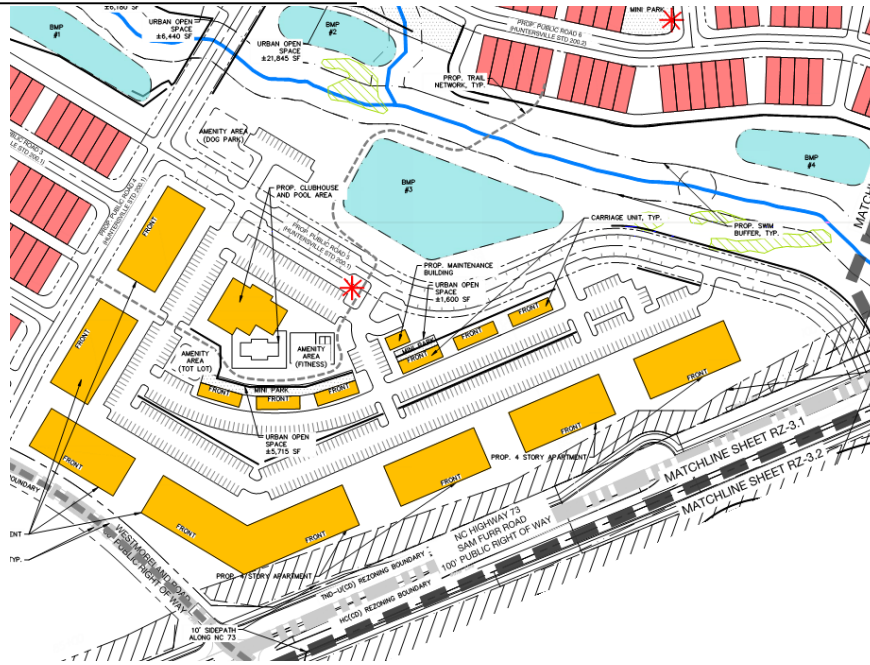
- Full elevations for the apartments and townhomes along the public street frontages in the TND-U zone must be provided. Elevations for the commercial/retail, hotel, convention center, condos and apartments in the HC zone should be provided.

STAFF COMMENT: *Per Article 3.2.11.d.3 Traditional Neighborhood Development – General Requirements, “A master plan in compliance with Traditional Neighborhood Development standards shall be provided with the conditional district plan...” The master plan shall include... building elevations, which may be required to evaluate the interior pedestrian environment and conditions at project edges”.*

- The apartment layout has several buildings that do not front a street or Urban Open Space.
STAFF COMMENT: *Most of the apartments are located along an Urban Open Space which, if designed well, could provide an appropriate complement to high-density residential use. Typically, a trade-off for added*

density is well-laid-out open space and compelling building design. Does this site plan provide the enhanced design to merit the addition of higher densities within close proximity to the Rural zoning district.

CURRENT APARTMENT LAYOUT:



- The specimen tree data should be overlaid on the site plan for proper evaluation for each sub-area. Required specimen tree save is 30% for both HC and TND-U zoning.

STAFF COMMENT: *Based on the tree survey provided, it appears there is opportunity to save the Ordinance-required minimum 30% of specimen trees on site. The existing land uses and developments surrounding this project have a high percentage of tree coverage. One of the primary reasons to permit a reduction in tree save is as a trade-off for well-designed, specific open spaces that created activated-spaces, instead of merely preserving a high-percentage of trees. Tree mitigation is a measure in the Ordinance to be utilized only when existing conditions do not permit minimum preservation of trees on site.*

- All parking lots, when located along a public street must be screened.

STAFF COMMENT: *Several parking areas are not adequately screened, per Ordinance.*

- Pedestrian circulation through the proposed parking lots does not meet Article 6 of the Zoning Ordinance.

STAFF COMMENT: *Article 6.D. states that "parking lots shall be designed to allow pedestrians to safely move from their vehicles to the building(s). On larger lots, corridors within the parking area should channel pedestrians from the car to the perimeter of the lot or to the building".*

- Floorplans for the apartments-over-commercial and condos must be provided to understand how these units will function and satisfy the requirements of the Ordinance.

STAFF COMMENT: *Floorplans are the most effective way to illustrate the ground-level units have entrances to the frontage. Floorplans will also show the percentage of non-residential provided on the ground-level to satisfy the requirements of Article 3 of the Zoning Ordinance regarding 100% attached units in the Highway Commercial zone.*

- All external buffers are to be undisturbed.

STAFF COMMENT: *All of the external buffers are labeled as “landscape buffers”, which does not preclude the clearing of these areas and re-planting after grading is done. That is not the intent of external development buffers, and they should remain undisturbed and only supplemented where the existing vegetation does not provide adequate buffering.*

- Provide heights in data chart for all use types. [Modification request?]

STAFF COMMENT: *In order to confirm that all structures are adhering to the requirements of the Ordinance, overall heights need to be provided from the public right-of-way grade. The hotel and possibly some apartments, are requesting heights that exceed the Ordinance. Will these requests be through modification or through the Special Use Permit process? This should be discussed with Staff.*

- **RECOMMENDATION:** The apartment area has limited Urban Open Space and common open spaces for the residents.

STAFF COMMENT: *As stated previously, higher-density developments can be justified by providing appropriate open spaces for the higher number of residents to utilize for various recreational and passive uses. Recommend increasing the amount of open space throughout.*

- **RECOMMENDATION:** Expanded pedestrian circulation options to all parts of the development should be provided.

STAFF COMMENT: *Safe and convenient walkways should be provided to move the high-density, multi-family residents to the lagoon area, and the entire Highway Commercial area south of NC 73. While a shuttle bus is proposed to transport residents throughout the development – that does not replace a well-designed, pedestrian network of sidepaths, sidewalks and trails. Connecting the area north of NC 73 with at-grade crossings of NC 73 (if possible), or other pedestrian crossing technique, would provide connection for the high-density area to the north to the uses to the south.*

- **RECOMMENDATION:** An 80 ft. buffer should be provided along McCord Road frontage.

STAFF COMMENT: *Similar to the buffer proposed along Black Farm Road) to continue the development character found at several other developments along McCord Road, including Northbrook, Camden, Arborcroft and Belleterre. This type of wide buffer area also respects the existing land uses along the corridor.*

- **RECOMMENDATION:** Add a street stub to the west (south of Ramah Creek).

STAFF COMMENT: *There are approximately 24- acres that have re-development potential to the west of the single-family homes closest to McCord Road. Connectivity with this development should be provided.*

The Conditional District Rezoning Plan does not comply with the **Subdivision Ordinance** in the following ways:

Following Items have not been provided:

- Notes Sheet – Numerous notes are required by Zoning Ordinance and Subdivision Ordinance.
- Phasing Plan – required for rezonings.
- Lot diagrams for each use.
- Building type for every structure.
- Numerous block lengths exceed regulations.
- Note on plan regarding provision of water and sewer service.
- Mail kiosk locations.

- Garbage collection locations in the commercial/retail, hotel, convention center, apartment and condo locations.
- Percentage of impervious coverage allowed and proposed.
- Lot counts, by use.
- All build-to ranges and setbacks.
- Add Sheet LS-2.0 to Landscape Plan set.
- Specimen tree and tree canopy mitigation explanation, if additional trees are not saved.
- Amount and percentage of overall open space.
- Assignment of all open spaces to one of four open space types.
- Note regarding residential lot trees.
- Confirm 10 ft. sidepath is to be provided on both sides of NC 73 and list all other streets that will have sidepaths.
- Design of lot sizes to transition with adjacent development.
- Design of buildings to respect the general spacing of existing structures.
- Compatible or Transitional orientation of adjacent principal structures.
- Requested modification list.

PART 3: TRANSPORTATION ISSUES

Traffic Impact Analysis (TIA)

A TIA for the Lagoona Bay Beach Club CD Rezoning will be reviewed by North Carolina Dept. of Transportation (NCDOT), as all of the impacted roads are state-maintained roads. A revised scoping package for this TIA was submitted to NCDOT on 5/10/23. As of 5/25/23, NCDOT approved the scope, however roadway improvements have not been identified by NCDOT or committed to by the developer.

Additional transportation issues:

- Adequate turnarounds should be provided at several public road stubs and dead-end alley conditions.
- Traffic-calming measures should be provided at several locations as specified by Town Staff.
- Most recent NC 73 plan set should be referenced into the development plan to show specific ROW and easement locations.
- Minimum requirements for roadway geometry (curve radii and road grades) are not being met on several proposed public streets.
- ROW widths for several public streets are inconsistent with corresponding typical sections.
- Alleys have not been designed to accommodate appropriate design vehicle(s), i.e., garbage truck.
- Disturbances of SWIM and Post Construction buffers shown on plans at alley locations.
- 100' stem length not provided between McCord Rd ROW and first alley.
- Some areas of the proposed storm drainage system do not meet engineering standards.
- Several typical street sections are inconsistent, inadequate or not provided.
-

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”.

NOTE: The following references to the 2040 Community Plan's policies that relate to the Lagoon Bay Beach Club Rezoning Plan are divided into two sections - policies that SUPPORT the Plan as presented and policies that DO NOT support the plan.

Policies from the 2040 Huntersville Community Plan that SUPPORT this project:

- **Policy LU-9: New residential development should follow appropriate housing design principles.**
 - **LU 9.1: In higher intensity areas including Mixed Use Centers, Activity Centers, the Town Core, and Moderate Density areas neighborhoods should adhere to the following design principles:**
 - All homes must front a public street or open space.
 - Front porches and recessed garages are encouraged.
 - On-street parking is required in new developments that have lot widths below 60'. Alley-loading is also encouraged in these cases.

STAFF COMMENT: If the Town approves the rezoning thereby amending the 2040 Land Use Plan Map for higher intensity development, the developer is proposing all rear loaded alley access garages for the single-family development.
- **Policy LU-10: Encourage a diversity of housing options.**
 - **LU 10.1: Align housing options with resident needs and promote attainable housing options.**
 - Accommodate a mix of housing by type, tenure and location to serve a growing and increasingly diverse population. Housing offerings should align with workforce opportunities, including management, professional positions and service positions.

STAFF COMMENT: The development contains a variety of housing options, including single-family homes, townhomes, condos and apartments.
- **Policy EV-1: Support a balanced economy through job growth in target industry sectors.**
 - **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.

STAFF COMMENT: The developer proposes a 200-room hotel, 36,000 sq. ft. convention center, 210,000 sq. ft. of retail, and a full-service 41-acre resort style recreational area to augment 1,162 proposed dwelling units. The hotel, convention center, retail and resort area will diversify the tax base. However, there is concern that being 3 miles from Interstate I-77 and not being located at the intersection of two major thoroughfares could make it difficult to achieve full build-out. By example, Huntersville East was initially approved in February 2009 with up to 181,827 sq. ft. of commercial floor area and they have/will build 82,460 sq. ft. of commercial floor area to date. Davidson East in Davidson was approved June 2007 with 404,680 sq. ft. of office & retail approved and to date, no non-residential floor area has been built.
- **Policy EV-2: Encourage existing economic assets and entrepreneurial business development.**
 - **EV 2.1: Promote and encourage local businesses, particularly small businesses.**
 - Foster a dynamic, diversified, and inclusive business climate that highlights why the Town of Huntersville can support private investment and locally expanding businesses.
- *STAFF COMMENT: The developer proposes to diversify the non-residential development options by including a 200-room hotel, 36,000 sq. ft. convention center, 210,000 sq. ft. of retail, and a full-service 41-acre resort style recreational area.*
-

- **Policy EOS-5: Protect water quality.**
 - EOS 5.3: Encourage Low Impact Development (LID).
 - Continue to promote usage of sand filters, bioretention, rain gardens, green roofs, pervious pavements, stormwater planters and other LID features.
 - Fine tune design of stormwater features and relationship to open space.
- STAFF COMMENT: *The development will comply with Low Impact water quality standards.*

- **Policy EOS-8: Improve access to parks.**
 - **EOS-8.2:** Work toward the goal of 100% of residents within a 10-minute walking distance of a park, formalized or curated natural area, publicly accessible passive open space area, or greenway access point.

STAFF COMMENT: *The development will dedicate the entire Ramah Creek floodplain to Mecklenburg County for preservation and for the future extension of the greenway network. Westmoreland Road is proposed to have a 10 ft. sidepath that will offer access to the future greenway. The development's 41-acre recreational amenities (with membership) will offer additional options to the area.*

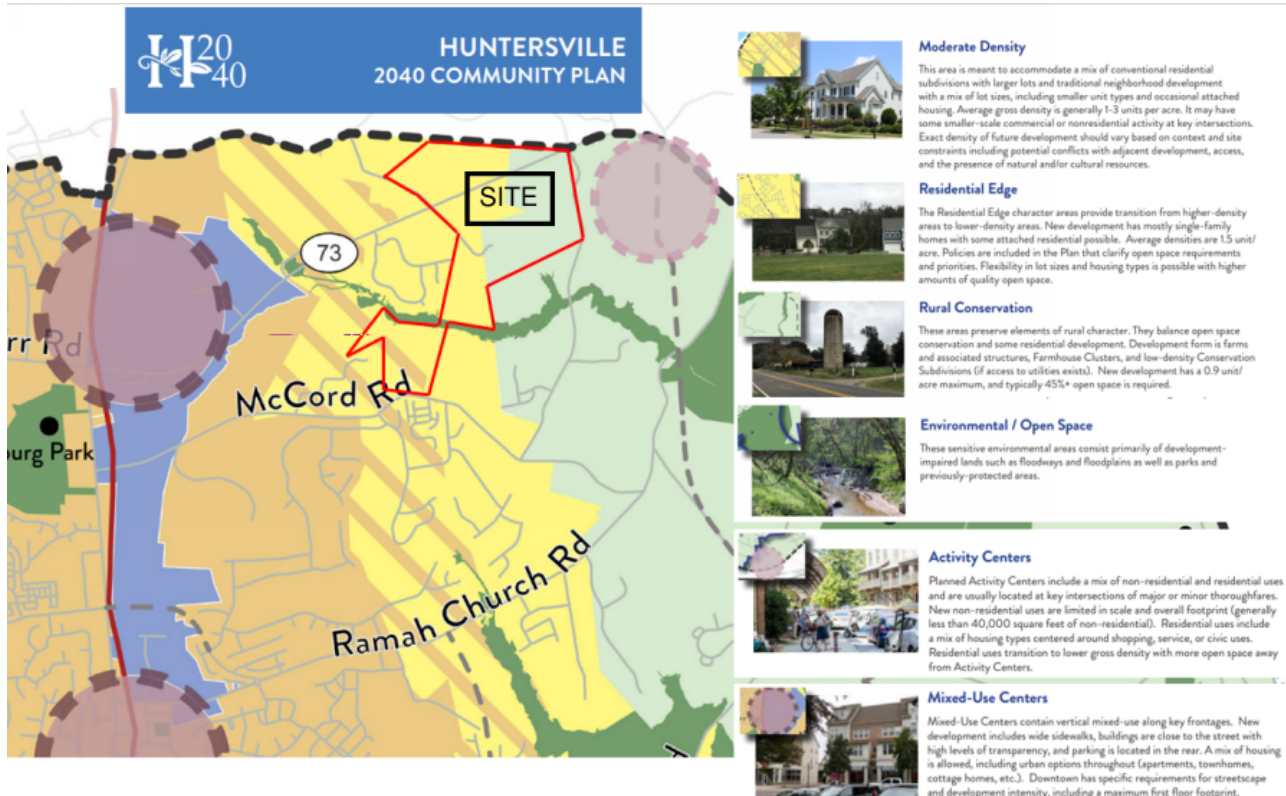
- **EOS-10: Improve bicycle and pedestrian facilities throughout Town.**
 - **Implement the Bicycle and Pedestrian Committee's 30 x 30 plan.**
 - Connect all parks, schools, neighborhoods and major shopping into the Greenway System by 2030 incrementally over the next 10 years.
 - Include greenways, sidewalks, multi-use paths, trails and dirtways.

STAFF COMMENT: *All public streets have sidewalks along both sides and generally provide pedestrian circulation throughout. 10 ft. wide sidepaths are proposed, however, it is not clear where they will be located.*

Policies from the 2040 Huntersville Community Plan that **DO NOT SUPPORT this project:**

- **Policy LU-1: Encourage a development pattern that follows the Future Land Use Map.**
 - **LU 1.1: Utilize the Future Land Use Map during development approval process to ensure compatibility with long-range plans.**

STAFF COMMENT: *This rezoning does not follow the Future Land Use Map by placing high-density development in the Moderate Density, Residential Edge and Rural Conservation area. If approved, the Future Land Use Map will be modified, and a decision needs to be made as to potential designations for the properties surrounding the Lagoona Bay Beach Club's 263-acres. The Future Land Use Map area is as follows:*



The Rural Conservation designation indicates areas to “preserve elements of rural character”. “New development has a 0.9 unit /acre and typically 45% open space.” The area of the rezoning plan that corresponds to the Rural Conservation area is proposed for Highway Commercial zoning with a mixed-use development with 112 apartments, 300 condominium units, 210,000 sq. ft. of commercial (retail), 200-room hotel and a 36,000 sq. ft. convention center and a 41-acre lagoon amenity. These proposed uses are not in alignment with the Rural Conservation designation.

The Residential Edge areas “provide transition from higher-density areas to lower density area. New development has mostly single-family homes with some attached residential possible. Average densities are 1.5 units/acre. Flexibility in lot sizes and housing types is possible with higher amounts of quality open space.” The area of the rezoning that corresponds to the Residential Edge area is proposed for Traditional Neighborhood Development (TND-U), Highway Commercial (HC) and Neighborhood Residential (NR) zoning with 180 Townhomes, 320 Apartments, (portion of) the 41-acre lagoon amenity and (portion of) the single-family homes.

- **Policy LU-2:** Encourage residential development that follows the pattern outlined in the future land use map.
 - **Policy LU-2.1:** Higher intensity residential uses will be focused generally within two miles of the I-77/NC-115 corridor and future activity centers in the eastern and western areas of the Huntersville zoning jurisdiction.

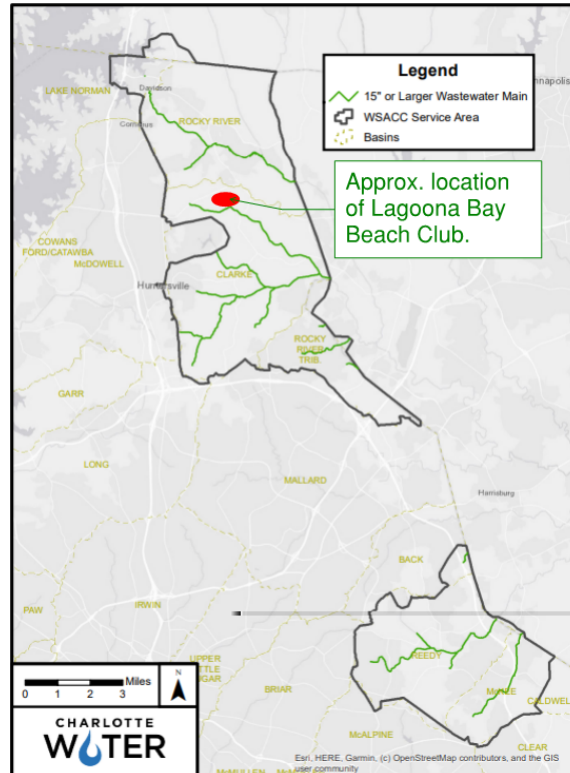
STAFF COMMENT: The Lagoona Bay Beach Club rezoning does not follow the Future Land Use Map by placing high density development in the Residential Edge and Rural Conservation area. If approved, the Future Land Use Map will be modified, and a decision needs to be made as to potential designations for the properties surrounding the project’s 263-acres.

- **Policy LU 3.1: Manage residential growth in the eastern and western parts of Huntersville's planning jurisdiction.**
 - **LU 3.1: Discourage rezonings to higher intensity residential districts in the Residential Edge and Rural Conservation future land use character areas.**
 - There is constant pressure to rezone to higher-density districts on the edges of town. Growth management was the #1 priority for survey response. There needs to be a concerted effort to uphold previous policy decisions to limit density and increase open space preservation in the more undeveloped areas outside of the Town Core.

STAFF COMMENT: The rezoning does not manage growth in the eastern part of Huntersville. Under current TR and R zoning, 340 single-family homes could be built. The rezoning would allow 1,162 residential units (single-family, townhomes, condos and apartments) a 200-room hotel, a conference center and up to 240,000 ft of commercial/retail. If the development is permitted not to match the permitted densities of the surrounding zoning districts, then appropriate transitions should be created by revising the location of uses, sizes and densities along external boundaries and increase buffers along the edges, as well.

- **Policy LU-5: Focus more intense development in locations that can support growth.**
 - LU 5.1: Allow more intense development only where transportation infrastructure and utilities already exist.

STAFF COMMENT: This area was designated for low-density development. While NC 73 is planned to widen to four-lanes starting in 2026, and Charlotte Water is in the process of increasing sewer capacity in this area (see below), this development will consume capacity intended for the region and will reduce capacity designated for higher intensity development (see Attachment E). Further, designating the 263-acres for higher intensity development will result in additional demand for higher intensity development on adjacent properties and surrounding land. Adopted long-range plans are the basis for infrastructure planning and were referenced by NCDOT (for NC 73), Charlotte Water & Sewer and Charlotte-Mecklenburg Schools. Lastly, until NCDOT provides input based on the TIA, a full analysis of transportation impacts cannot be provided at this time.



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

- LU 6.1: A mix of land uses is encouraged in Mixed Use Centers, Activity Centers, Employment Centers identified on the Future Land Use Map.
- LU 6.2: Commercial uses are encouraged in the Town Core and as specified in adopted Small Area Plans.
- LU 6.3: Small scale, neighborhood-serving commercial and office uses may be allowed in Town Core and Moderate Density areas specified on the Future Land Use map at key locations if designed in a context sensitive manner.

STAFF COMMENT: *The rezoning does not follow the Future Land Use Map by placing high density development in the Residential Edge and Rural Conservation areas, rather than in designated mixed-use centers.*

- **Policy LU-7: Require new development to follow design principles that reinforce the vision for the Town as expressed in this plan and other adopted plans.** The town has committed to traditional town planning and urban design principles that are meant to preserve the character of the town. This commitment is noted in adopted plans and the zoning ordinance and has been expressed in new development over the last 25 years.

- **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 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.
 - Accommodate a mix of uses and/or housing types.

STAFF COMMENT: *The applicant is requesting the Town designate this area for higher intensity development, although it is not clear what Future Land Use Classification will apply. Based on the intensity of development proposed, the Mixed-Use Center is closest to the rezoning plan. If the Town modifies the Future Land Use Map to allow higher intensity development, there are some sections of the development that follow the above design principles and some sections that do not that are highlighted in yellow. While a mix of housing types are proposed, they are clustered and should more-fully integrate within the Activity Center limits.*

- **Policy LU-9: New residential development should follow appropriate housing design principles.**
 - LU 9.2: Within lower intensity areas including Moderate Density, Residential Edge, Rural Conservation, and Critical Watershed areas conservation design & farmhouse clusters are encouraged.
 - Scenic nature of roadways should be preserved.
 - Development should be clustered away from key natural features.
 - Site design should minimize grading and maximize preservation of existing stands of mature, native trees.

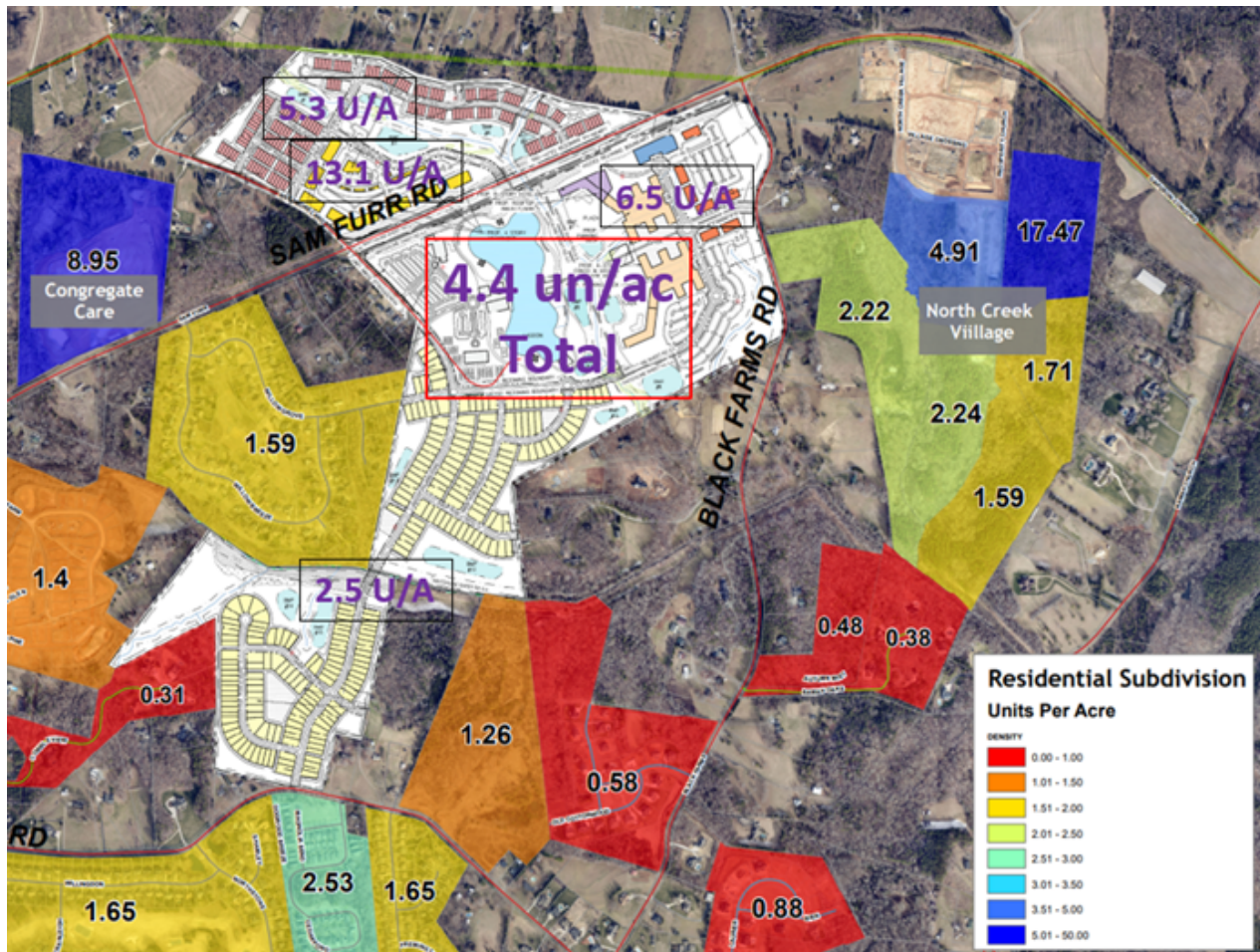
STAFF COMMENT: *If the Town does not modify the 2040 plan map, the proposed development will not meet Policy LU 9.2.*

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

STAFF COMMENT: *The 100-acre single-family development with 250 homes offers two lot widths of 40 ft. and 50 ft. This is very limited given the size/number of single-family homes and the low density of adjacent development.*

- **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.

STAFF COMMENT: *Existing residential development north of NC 73 consists of low density, large lot single-family dwellings. The proposal for 180 townhomes and seven 320-unit four-story apartments is not in keeping with protecting the existing housing stock. Further, existing residential development south of NC 73 is low density moderate to large lot single-family development ranging from .38 acre lots to 3 acre lots. The proposal is for lots starting at .12 acres and alleys serving those lots to be located within 20' of existing residential lots. In one area near McCord Road, there are three existing large lot homes adjoining 20 proposed single-family dwellings with alleys 20' from the existing residential property. The proposed development is not in keeping with protecting existing housing stock.*



Appropriate buffers along state roads and external boundaries provide transitions between new development patterns and existing land uses. A recent example is North Creek Village, located to the east and south of the NC 73 & Davidson-Concord Road intersection. This development is located within a designated Activity Center – which encouraged higher densities - near areas designated for more Rural and Transitional Residential-type development (low density). That project presented a land use arrangement that “stepped-down” the density and uses so that the proposed uses are more compatible with adjacent R and TR development. The project has 40 ft. and 50 ft. buffers and densities at the edges are only slightly higher than TR’s 1.5 units per acre. The area of the North Creek Village plan with apartments (and the highest density) has the widest buffer abutting Rural Zoning and was adequate for Town approval. Lastly, the “vegetated buffers” should be undisturbed buffers that only add vegetation where existing vegetation is not adequate, per the Zoning Ordinance.

- **Policy LU-12: Preserve historic structures and landscapes in Huntersville.**

- **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: A large percentage of this development does not blend well with the existing neighborhoods, in that the housing types, the scale and intensity are not in keeping with the existing land use patterns. One way to create transitions from one use type to another are appropriately sized buffers. The Town of Huntersville recently addressed the need for adequate buffers between developments by doubling the minimum required buffer for projects if the new development was (at least) double the density of the adjoining land use, in that condition, buffers would be increased from 20 ft. to 40 ft. (min.). In many instances around the Lagoon Bay

Beach Club development, the density discrepancies far exceed double the density, and yet only 20 ft. buffers are offered. The only exception to this is the 80 ft. buffer offered along Black Farm Road, which is appropriate and consistent with the 2040 Community Plan.

- **Policy EOS-1: Support the preservation and enhancement of the natural environment, along with its scenic and cultural assets.**
 - **EOS 1.1: Support and enhance regulations pertaining to open space design and protection.**
 - Continue to encourage the preservation of floodplains, wetlands, scenic views, wildlife habitat and prominent natural and historical features.
 - Continue to encourage contiguous and interconnected open space in new developments.
 - Enhance open space design criteria by prioritizing the following:
 - Water quality protection (land within 100-300 feet of streams, and uplands adjacent to floodplains or sensitive watersheds)
 - Mature forest, especially large tracts of contiguous, native forest cover
 - Future greenway corridors
 - Areas contiguous with surrounding existing or planned open space.
 - Historic landscapes and notable structures

STAFF COMMENT: Unless the 2040 Plan is modified by the Town, the proposed development will not protect the scenic views along NC 73 and will result in removal of more vegetation than if current zoning remained.

- **Policy EOS-2: Encourage conservation subdivision design in Residential Edge and Rural Conservation areas.**
 - **EOS 2.1: Continue to require and incentivize open space reservation in Moderate Density, Residential Edge, Rural Conservation, and Critical Watershed areas.**
 - Encourage new development to have at least 40% open space in new development in these areas.
 - The Residential Edge and Rural Conservation areas on the Future Land Use map are associated with the Transitional and Rural zoning districts. These zoning districts offer a sliding scale in allowable density depending on the amount of open space preserved.
 - **EOS 2.2: In the Transitional and Rural zoning districts, consider allowing additional flexibility in site design in exchange for more quality open space preservation, which promotes conservation of natural resources.**
 - Residential Edge: (TR Zoning area) Consider revising average & minimum lot size requirement and providing a mechanism for attached units (i.e., 10-20%)
 - Rural Conservation: (R Zoning), revisit average and minimum lot size requirements and consider up to 10% attached allowance (could be incentive-based on open space design)

STAFF COMMENT: Unless the 2040 Plan is modified by the Town, the proposed development will not protect the scenic views along NC 73 and will result in removal of more vegetation than if current zoning remained.

- **Policy EOS-3: Prioritize tree canopy preservation in the lower intensity areas (Residential Edge, Rural Conservation, and Critical Watershed areas).**
 - **EOS 3.1: Make mature, native forest an open space priority, especially near streams.**
 - Review and update tree preservation and open space requirements to prioritize natural open space and specifically stands of native, mature forest, especially those forests located proximal to streams.

STAFF COMMENT: Unless the 2040 Plan is modified by the Town, the proposed will result in removal of more vegetation than if current zoning remained.

- **Policy EOS-6: Preserve elements of rural character.**

- EOS 6.1: Enforce existing standards and evaluate new design standards to preserve the character of scenic country roads.
 - McCauley Road, Black Farms Road, Beatties Farm Road, and Ramah Church Road have been identified as scenic resources and should have corridor-specific design controls that preserve scenic beauty.
 - Additional controls might include view-shed protections, additional landscaping buffers or open space or screening requirements, use restrictions, density restrictions, or higher setbacks along the roadway.

STAFF COMMENT: To date, as development has occurred along Black Farm Road, the typical road cross-section has not been installed to preserve the rural character of the corridor. New developments along Black Farm Road have not been large-scale, and impacts have been minimized (see North Creek Villages' reduced density along Black Farm Road and a 100 ft. buffer along the road frontage). The Lagoona Bay Beach Club project is providing an 80 ft. buffer along Black Farm Road which will help preserve this corridor. NCDOT has not commented on the TIA, and a development of this scale and density may (and should) require dramatic road improvements. If the character of Black Farm Road is to be preserved, developments that require significant road improvements would not be appropriate.

- **Policy PS-9: Coordinate with Charlotte Water on water and sewer provision in the planning area.**

- **PS 9.1: Prioritize in infrastructure upgrades for future commercial, industrial and mixed-use development.**
 - Replace waterlines and upgrade sewer infrastructure as needed to serve future development in Downtown other Mixed-Use Centers and Employment Center areas identified on the Future Land Use Map.

STAFF COMMENT: The proposed development is not located in a future high density growth area identified to Charlotte Water via the Town's long-range plans.

- **Policy T-1: Link land-use with transportation using the mobility framework.**

- **T 1.2: Prioritize connecting Mixed-Use Centers to Activity Centers and other destinations throughout Town with transit.**
- T 1.3: Encourage transit-supportive development within Mixed-Use Centers and the Community Core areas to expand existing Express Bus Routes.

STAFF COMMENT: The proposed development is located well outside of where transit is provided in proximity of I-77 and NC 115.

-

- **Policy T-3: Improve connectivity throughout the study area.**

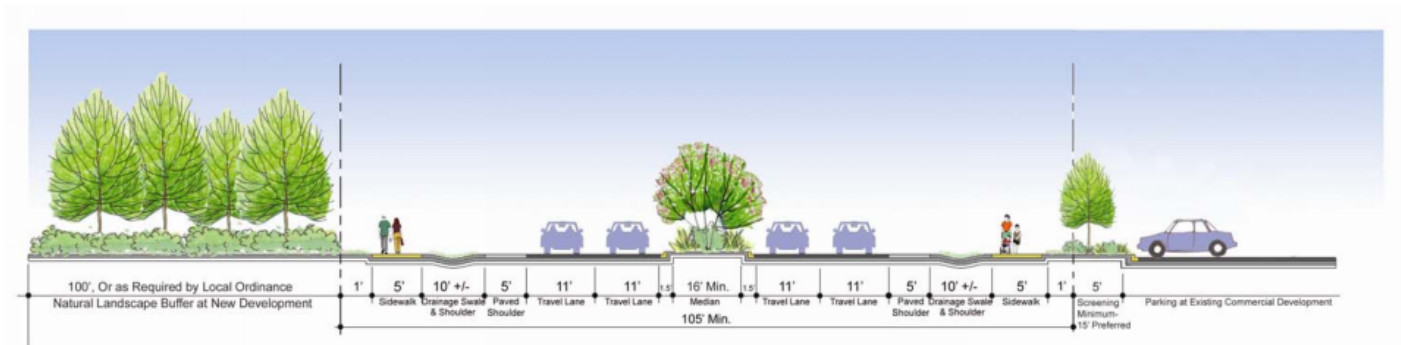
- T 3.1: Continue to require street connectivity among residential, commercial, employment, recreational and institutional uses.
- Context-sensitive street design should be applied.

STAFF COMMENT: The proposed development provides a connection between NC 73 and McCord Road and into the existing public street stub in the Willowbrook subdivision.

The NC 73 Transportation / Land Use Corridor Plan identifies the area around the Lagoona Bay Beach Club project as both a Rural and Transitional District with no new driveways on NC 73. The improvement to NC 73 was identified as a "4

Lane Rural Boulevard” that has since been superseded by the “Super Street / Reduced Conflict Intersection (RCI)” concept. No matter the name, the emphasis of the plan was to eliminate new driveways along the corridor and to provide significant buffers where development does not currently exist. All new development would be located behind the buffer as well.

Road Typologies – 4 Lane Rural Boulevard



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 Conditional District Rezoning for the Lagoon Bay Beach Club Mixed-Use Conditional District Rezoning is not supported by the 2040 Comprehensive Plan. The main issues of concern are the increased level of density and the location of the structures relative the abutting zoning and land uses and the lack of appropriate transitions to those Rural and Transitional Residential zones.*

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 required – see Part 3 of this report.
- Storm water plan approval and refuse disposal note, must be provided.
- Charlotte Water has provided a memo of capacity availability and necessary requirements to provide those services. This memo will serve as a Willingness-to-serve indication from Charlotte Water. However, it should be noted that “current projections of wastewater flow from this rezoning boundary, developing under existing Huntersville Rural (R) and Transitional Residential (TR) zoning range from 19,941 to 59,823 Gallons Per Day (GPD). The Lagoon Bay Beach Club represents a multi-fold increase ranging from 347,600 to 397,600 GPD – roughly 11% of the capacity for the Water and Sewer Authority of Cabarrus County (WSACC), that serves the Towns of Huntersville, Cornelius, Davidson, as well as certain areas of the City of Charlotte (see Attachment E).
- The Conditional District Rezoning site plan was reviewed by Charlotte-Mecklenburg School District (CMS). CMS indicates the schools that would serve the proposed development are currently over-crowded and would add approximately 272 students to the schools in this area. In addition, they state that approval of the project “may increase overcrowding and/or reliance upon mobile classrooms at the schools listed”. (see below & see Attachment D for the full CMS report).

This development may add 272 students to the schools in this area.

The following data is as of 20th Day of the 2022-23 school year.

<i>Schools Affected</i>	<i>Total Classroom Teachers</i>	<i>Building Classrooms/ Teacher Stations</i>	<i>20th Day, Enrollment (non-gc)</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>
J V WASHAM ELEMENTARY	46.50	39	810	679	119%	127	135%
FRANCES BAILEY MIDDLE	66.5	57	1326	1137	117%	67	122%
WILLIAM AMOS HOUGH HIGH	120.3	100	2518	2093	120%	78	124%

The total estimated capital cost of providing the additional school capacity for this new development is \$10,229,000; calculated as follows:

Elementary School: **127**x \$34,000 = \$4,318,000
Middle School: **67**x \$37,000 = \$2,479,000
High School: **78**x \$44,000 = \$3,432,000

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.

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

STAFF COMMENT: The Lunsford-Knox Farm is located at 15401 Black Farms Road and is identified by the Historic Landmarks Commission as an intact farm. However, according to the Commission's representative, protection is not being sought and would not be sought, unless the owners were seeking designation, and even then, the Commission would look critically at whether it merited protection status. *Planning staff has no indication that the request would adversely affect any other known archeological, environmental, or cultural resources.*

PART 5: STAFF RECOMMENDATION

Staff recommendation for the Lagoona Bay Beach Club Conditional District rezoning is **denial** based on the following issues:

- The Lagoona Bay Beach Club site plan is not consistent with the 2040 Community Plan or the NC 73 Corridor Plan;
- The overall density, and per zoning area densities, are not supported by the 2040 Community Plan;
- The overall plan does not comply with numerous regulations for the zoning districts requested;
- TIA requirements from NCDOT have not been received. All recommendations from TIA to be added;
- Charlotte Water indicates capacity is available, however, this project will utilize 11% of the remaining capacity until the year 2050.

- Provide tree survey overlaid on site plan to facilitate tree-save analysis;
- Tree save data does not indicate min. tree save in the TND-U and HC areas. No mitigation is offered.
- Plan Sheets listed as “Elevations” are illustrative plans – they do not have enough detail to be used in plans.
- All buffers should be “undisturbed”.
- Buffers shown are only 20 ft. wide. Depending on densities, 40 (+) ft., undisturbed buffers along external boundaries should be utilized.
- Landscape Plans do not show double row of street trees along NC 73 or McCord Road.
- Parking lots along Westmoreland Road do not have landscape screening (per ZO Art. 6).
- Parking lots along Road 9 do not have landscape screening (per ZO Art. 6).
- [See Parts 2 – 4 of this report for full summary of issues.](#) Significant issues include:
 - [TND-U – Sheet RZ-3.1:](#)
 - The layout of the Apartment block (Sheet RZ-3.1) should be re-visited to create a walkable, pedestrian-oriented residential area with adequate open space and access to all other uses.
 - Demonstrate that average block perimeters in the TND-U sections do not exceed 1,350 ft. (see page 3 of this report).
 - Reduce block lengths that exceed 500 ft. in length in the TND-U areas.
 - Provide elevations for townhomes and apartments.
 - Provide 30% specimen tree save in TND-U area.
 - Several buildings in Apts. area do not have frontage on street or Urban Open Space – must provide.
 - Cul-de-sac exceeds standard – revise or request modification.
 - Frontage along Westmoreland Road does not meet Ord. requirements.
 - RECOMMEND providing on-street parking on both sides of all townhome streets where units exist on both sides.
 - RECOMMEND 10 ft. sidepath along Westmoreland Road.
 - [HC – Sheet RZ-3.2:](#)
 - All buildings must front a street or Urban Open Space.
 - A berm or other screening should be provided along NC 73 and Westmoreland Road.
 - The parking in the corner of NC 73 & Westmoreland Road must be relocated or screened.
 - A 10 ft. sidepath has been discussed along Westmoreland Road, but is not shown.
 - Provide 30% specimen tree save in HC area.
 - Provide pedestrian connection under/across NC 73.
 - Sports fields should be adequately screened.
 - [HC / TND - U RZ-3.3:](#)
 - Six-story hotel requires a Special Use Permit.
 - Provide floorplans & elevations (as needed) to show Ord. compliance for commercial/retail, hotel, convention center, condos and apartments-over-retail.
 - Compliance with requirements of HC has not been demonstrated.
 - Building type is not provided for each structure.
 - Block length standards are not being met.
 - Provide 30% specimen tree save in HC area.
 - Urban Open Spaces are not generally designed.
 - Parking areas along public streets must be screened.

- NR – RZ-3.4:
 - External buffers should be increased.
 - Reduce block lengths that exceed 800 ft. in length in the Neighborhood Residential areas.
 - Shift street stub for Road 12 to align with Heath property.
- NR – RZ-3.5:
 - Reduce block lengths that exceed 800 ft. in length in the Neighborhood Residential areas.
 - Appropriate Urban Open Space should be provided within the Single-Family area north of McCord Road.
 - External buffers should be increased.
- All outstanding Transportation Comments must be addresses (see Part 3);
- All outstanding redline comments must be addressed.
- RECOMMENDATION: a pedestrian crossing technique for NC 73 should be provided from the TND-U area (townhomes & apartments) to the mixed-use HC area (condos, hotel, convention center);

PART 6: PUBLIC HEARING COMMENTS

Public Hearing scheduled for Monday, June 5, 2023.

PART 7: PLANNING BOARD RECOMMENDATION

Planning Board scheduled to review on June 27, 2023.

PART 8: ATTACHMENTS/ENCLOSURES

Attachments

- A – Rezoning Application.
- B – Lagoona Bay Beach Club CD Rezoning / Sketch Plan (4 parts).
- C - Community Meeting Report from April 26, 2023.
- D – CMS Report – Lagoona Bay Beach Club.
- E – Area Density Map.
- F – Charlotte Water Memo
- G – Staff Report Response Sheet From Applicant



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 March 3, 2023

Name of Project Huntersville Lagoon Phase # (if subdivision) _____

Project Address 12731 Sam Furr Rd. Huntersville, NC 28078, 12734 Sam Furr Rd. Huntersville, NC 28078
15401 Black Farms Rd. Huntersville, NC 28078, 13434 Westmoreland Rd. Huntersville, NC 28078
13420 Westmoreland Rd. Huntersville, NC 28078, 13021 McCord Rd. Huntersville, NC 28078

Parcel Identification Number(s) (PIN) 01106218, 01125102, 01125109, 01125103, 01125108, 01104101, 01105105,
01106217, 01106226, 01106219, 01125101, 01125104, 01124123, 01105104

Current Zoning District R, TR Proposed District (for rezoning only) TND-U (CD), HC (CD), NR (CD)
58.33 acres, 104.88 acres, 100.57 acres

Property Size (acres) +/- 263.01 Street Frontage (feet) +/- 10,670 linear feet

Current Land Use Agricultural-Commercial Production, Use Value Homesite, Single Family Residential-Acreage

Proposed Land Use(s) Office/Retail, Condos, Apartments, Townhomes, Single Family, Lagoon

Is the project within Huntersville's corporate limits?

Yes X No X 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.

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 Bi-Part Development, LLC Phone (704) 363-7902
☐ 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: Jake Palillo

Title Manager Email jpalillo@aol.com

Address of Applicant 18611 Starcreek Dr. Cornelius, NC 28031

7. Property Owner (if different than applicant)

*Printed Name RM Westmoreland Family LP 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 [Signature] Printed Name Keith L Westmoreland

Title _____ Email _____

Address of Property Owner 13434 Westmoreland Rd. Huntersville, NC 28078 Parcel 01106218

* 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

<u>Bi-Part Development, LLC</u>	<u>Jake Palillo</u>	<u>(704) 363-7902</u>	<u>jpalillo@aol.com</u>
Development Firm	Name of Contact	Phone	Email

<u>Urban Design Partners</u>	<u>Paul Pennell</u>	<u>(704) 334-3303</u>	<u>paul@urbandesignpartners.com</u>
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



General Application
Owner/Applicant Signature Addendum

Application Information

Date of Application March 3, 2023 Application Number _____

Name of Project Huntersville Lagoon Phase # (if subdivision) _____

Additional Owners/Applicants: (Signature indicates intent that this page be affixed to Application.)

* ^ Printed Name Thomas M Westmoreland Phone Number _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant/owner (circle one) 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 Keith Lee Westmoreland Parcel ID(s): 01125102

Title _____ Email _____

Address of Property Owner/Applicant 13434 Westmoreland Rd, Huntersville, NC 28078

* ^ Printed Name Calvin W Westmoreland
Keith Lee Westmoreland
Thomas M Westmoreland, Jr Phone Number _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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Signature Keith Lee Westmoreland Parcel ID(s): 01125109, 01125103

Title _____ Email _____

Address of Property Owner/Applicant 13434 Westmoreland Rd, Huntersville, NC 28078

* ^ Printed Name TM Family LP Westmoreland Phone Number _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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Signature Keith Lee Westmoreland Parcel ID(s): 01125108, 01104101, 01105105

Title _____ Email _____

Address of Property Owner/Applicant 13434 Westmoreland Rd, Huntersville, NC 28078

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^ 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.



General Application
Owner/Applicant Signature Addendum

Application Information

Date of Application March 3, 2023 Application Number _____

Name of Project Huntersville Lagoon Phase # (if subdivision) _____

Additional Owners/Applicants: (Signature indicates intent that this page be affixed to Application.)

Thomas M Westmoreland, Sr. Thomas M Westmoreland, Jr.
* ^ Printed Name Calvin W Westmoreland Phone Number _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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Signature Calvin W Westmoreland Parcel ID(s): 01106217

Title _____ Email _____

Address of Property Owner/Applicant 13434 Westmoreland Rd, Huntersville, NC 28078

Calvin W Westmoreland
* ^ Printed Name Mary Ellen A Phone Number _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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Signature Calvin W. Westmoreland Parcel ID(s): 01106226

Title _____ Email _____

Address of Property Owner/Applicant 12731 Sam Furr Rd, Huntersville, NC 28078

Robert J Knox, Jr.
* ^ Printed Name Cynthia L Knox Phone Number _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant/owner (circle one) 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 _____ Parcel ID(s): 01106219, 01125101

Title _____ Email _____

Address of Property Owner/Applicant 15401 B Lack Belt 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.

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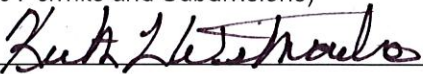
Name of Project Huntersville Lagoon Phase # (if subdivision) _____

Additional Owners/Applicants: (Signature indicates intent that this page be affixed to Application.)

* ^ Printed Name Keith L Westmoreland Phone Number _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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Signature  Parcel ID(s): 01125104

Title _____ Email _____

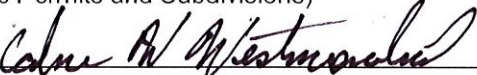
Address of Property Owner/Applicant 13420 Westmoreland Rd, Huntersville, NC 28078

Kieth L Westmoreland

* ^ Printed Name Calvin W Westmoreland Phone Number _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant/owner (circle one) 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  Parcel ID(s): 01124123

Title _____ Email _____

Address of Property Owner/Applicant 13434 Westmoreland Rd, Huntersville, NC 28078

Dawn Shoemaker Bradford

* ^ Printed Name William O Bradford Jr. Phone Number _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant/owner (circle one) 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 _____ Parcel ID(s): 01105104

Title _____ Email _____

Address of Property Owner/Applicant 15120 Huntersville-Concord 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.

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General Application
Owner/Applicant Signature Addendum

Application Information

Date of Application March 3, 2023 Application Number _____

Name of Project Huntersville Lagoon Phase # (if subdivision) _____

Additional Owners/Applicants: (Signature indicates intent that this page be affixed to Application.)

* ^ Printed Name Keith L Westmoreland Phone Number _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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Signature _____ Parcel ID(s): 01125104

Title _____ Email _____

Address of Property Owner/Applicant 13420 Westmoreland Rd, Huntersville, NC 28078

Keith L Westmoreland

* ^ Printed Name Calvin W Westmoreland Phone Number _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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Signature _____ Parcel ID(s): 01124123

Title _____ Email _____

Address of Property Owner/Applicant 13434 Westmoreland Rd, Huntersville, NC 28078

Dawn Shoemaker Bradford

* ^ Printed Name William O Bradford Jr. Phone Number _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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Signature *William O Bradford Jr.* Parcel ID(s): 01105104

Title _____ Email _____

Address of Property Owner/Applicant 15120 Huntersville-Concord Rd. Huntersville, NC 28078

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General Application
Owner/Applicant Signature Addendum

Application Information

Date of Application March 3, 2023 Application Number _____

Name of Project Huntersville Lagoon Phase # (if subdivision) _____

Additional Owners/Applicants: (Signature indicates intent that this page be affixed to Application.)

Thomas M Westmoreland, Sr. Thomas M Westmoreland, Jr.
* ^ Printed Name Calvin W Westmoreland Phone Number _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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Signature _____ Parcel ID(s): 01106217

Title _____ Email _____

Address of Property Owner/Applicant 13434 Westmoreland Rd, Huntersville, NC 28078

Calvin W Westmoreland
* ^ Printed Name Mary Ellen A Phone Number _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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Signature _____ Parcel ID(s): 01106226

Title _____ Email _____

Address of Property Owner/Applicant 12731 Sam Furr Rd, Huntersville, NC 28078

Robert J Knox, Jr.
* ^ Printed Name Cynthia L Knox Phone Number _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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Signature [Signature] Parcel ID(s): 01106219, 01125101, 01106201

Title Owners Email lkeggers@hotmail.com / cpknox52@gmail.com

Address of Property Owner/Applicant 15401 Black Bear Rd, Huntersville, NC 28078
Farms

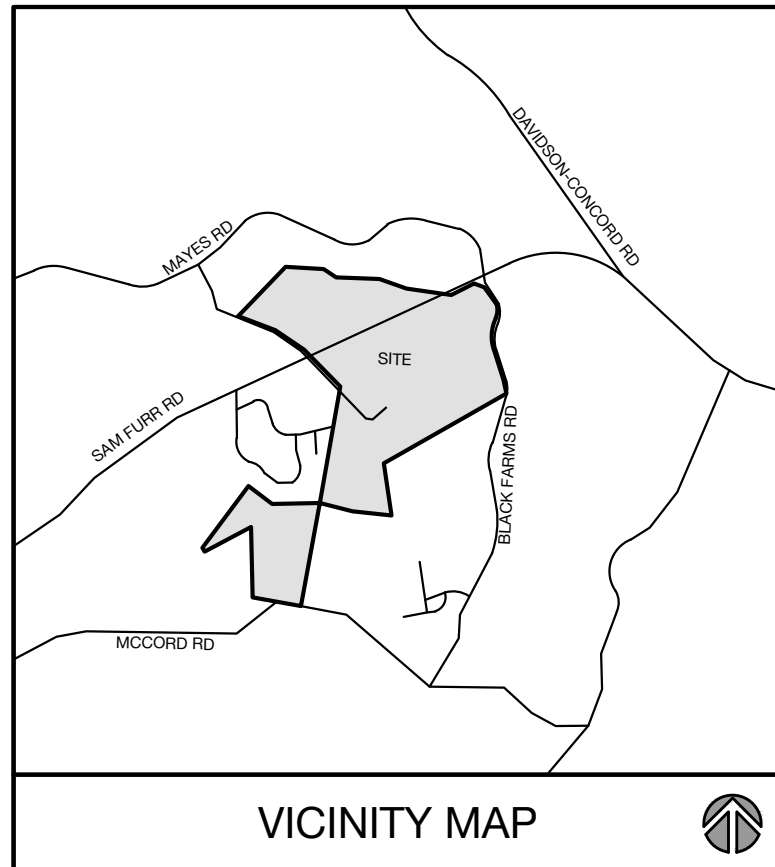
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The purpose of the rezoning request is to create a one of a kind, Crystal Lagoon in the Town of Huntersville. The project will be divided into three zoning districts. North of Sam Furr Road, TND-U(CD), will feature multi-family units and townhomes. The central attraction, the lagoon, will be located in the HC(CD) Zoning District. This will feature a hotel, mixed use buildings with condos and apartments, as well as numerous amenities. The southern portion of the project will be zoned NR(CD) and feature single family homes. The project will be interconnected with sidewalks and multi-use paths as well as a trolly system, which will bring guests to and from the Lagoon.

Lagoona Bay Beach Club

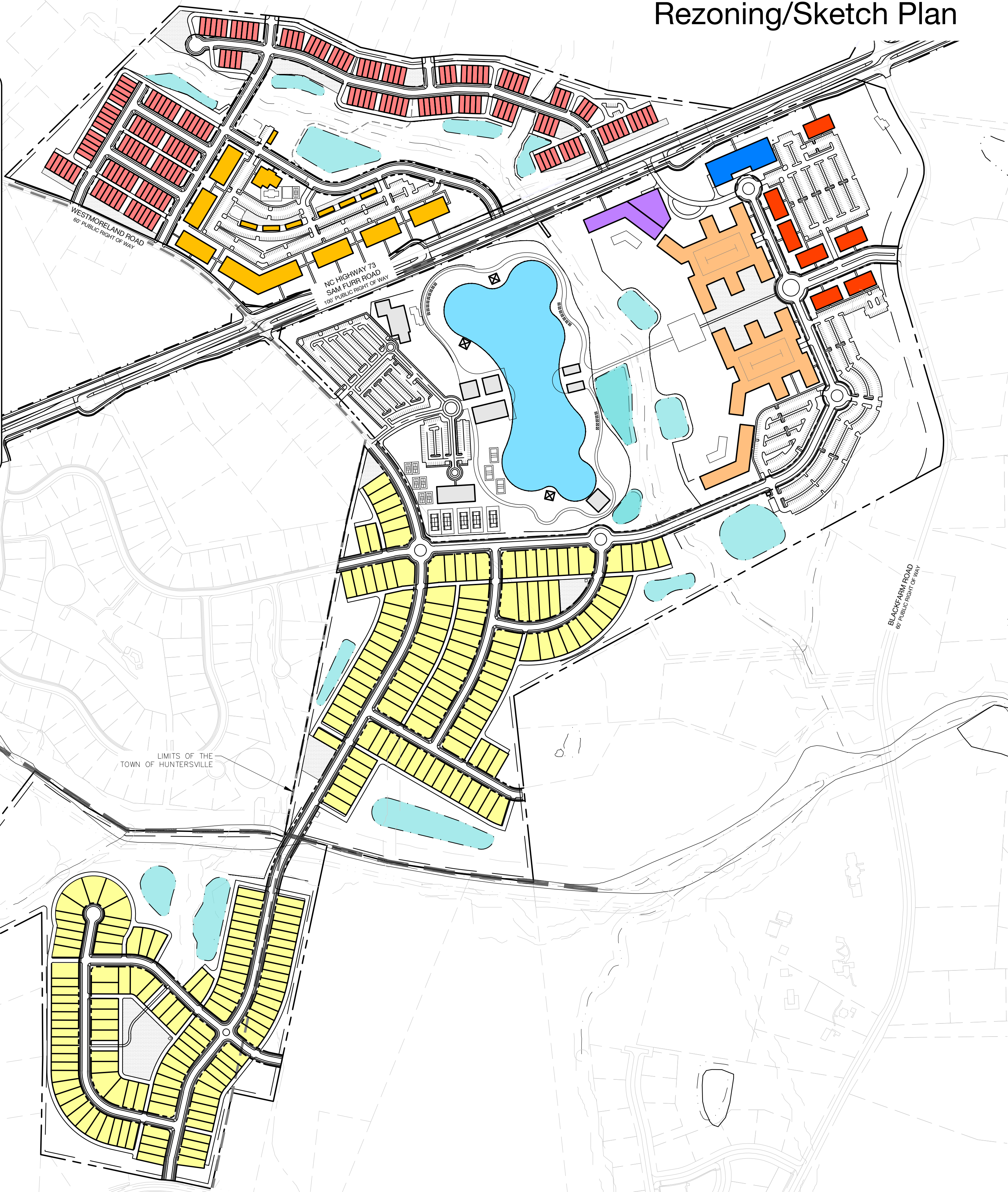
Huntersville, NC
EPM # 447044
Rezoning/Sketch Plan



VICINITY MAP

NOTES:

1. ALL RETAINING WALLS REQUIRING SPECIAL INSPECTIONS (>5' IN HEIGHT) SHALL MEET THE REQUIREMENTS OF THE MCSBC CHAPTER 17 - SPECIAL INSPECTIONS AS DETAILED PER THE MECKLENBURG COUNTY CODE ENFORCEMENT SPECIAL INSPECTIONS PROCESS. ADDITIONALLY, COPIES OF THE RETAINING WALL PLANS SHALL BE SUBMITTED TO THE HUNTERSVILLE ENGINEERING DEPARTMENT FOR REVIEW AND APPROVAL. THE TOWN OF HUNTERSVILLE SHALL BE COPIED ON ALL STATEMENTS OF SPECIAL INSPECTIONS, SPECIAL INSPECTIONS FINAL REPORTS, AND DESIGN PRINCIPAL IN RESPONSIBLE CHARGE (DPIRC) LETTERS.
2. THE TOWN OF HUNTERSVILLE REQUIRES THAT ALL STREETS PROPOSED TO BE TAKEN OVER BY THE TOWN FOR MAINTENANCE BE REVIEWED, INSPECTED, AND CERTIFIED BY A LICENSED PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF NORTH CAROLINA FOR ADEQUATE CONSTRUCTION. REVIEW OF STREET CONSTRUCTION BY THE CERTIFYING ENGINEER IS REQUIRED THROUGHOUT THE CONSTRUCTION PROCESS. REFER TO THE TOWN OF HUNTERSVILLE ENGINEERING STANDARDS AND PROCEDURES MANUAL FOR ADDITIONAL INFORMATION INCLUDING THE REQUIRED CERTIFICATION FORM.
3. ROADWAY IMPROVEMENTS TO BE DETERMINED PER TIA AND TOWN OF HUNTERSVILLE/NCOTD COMMENTS.
4. PROJECT SITE MAY BE ANNEXED INTO THE TOWN LIMITS OF HUNTERSVILLE, IF APPLICABLE.



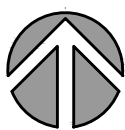
SHEET INDEX

Sheet Number	Sheet Title
RZ-1.0	Cover Sheet
RZ-2.0	Existing Conditions
RZ-2.1	Existing Slopes
RZ-3.0	Overall Site Plan
RZ-3.1	Site Plan A
RZ-3.2	Site Plan B
RZ-3.3	Site Plan C
RZ-3.4	Site Plan D
RZ-3.5	Site Plan E
RZ-3.6	Zoning Boundaries
RZ-3.7	Connectivity Plan
RZ-3.8	Multi-Use Path Map
RZ-3.9	Traffic Calming Exhibit
RZ-3.10	Open Space Site Plans
RZ-3.11	Image Board
RZ-3.12	Image Board
RZ-3.13	Berm Exhibit
RZ-3.14	Block Perimeter Length Exhibit
RZ-4.0	Grading Plan
RZ-4.1	Grading Concept A
RZ-4.2	Grading Concept B
RZ-4.3	Grading Concept C
RZ-4.4	Grading Concept D
RZ-4.5	Grading Concept E
RZ-5.0	Storm Drainage Plan
RZ-5.1	Drainage Area Plan - Pre-Developed
RZ-5.2	Drainage Area Plan - Post-Developed
RZ-5.3	Storm Drainage Plan Enlargement
RZ-5.4	Storm Drainage Plan Enlargement
RZ-5.5	Storm Drainage Plan Enlargement
RZ-5.6	Storm Drainage Plan Enlargement
RZ-5.7	Storm Drainage Plan Enlargement
RZ-6.0	Overall Utility Plan
RZ-6.1	Utility Plan A
RZ-6.2	Utility Plan B
RZ-6.3	Utility Plan C
RZ-6.4	Utility Plan D
RZ-6.5	Utility Plan E
RZ-7.0	Erosion Control Ph 1 Overall
RZ-8.0	Street Section Details
RZ-8.1	Street Section Details
RZ-8.2	Building and Lot Types

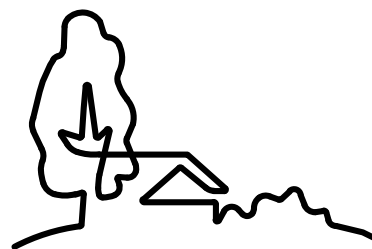
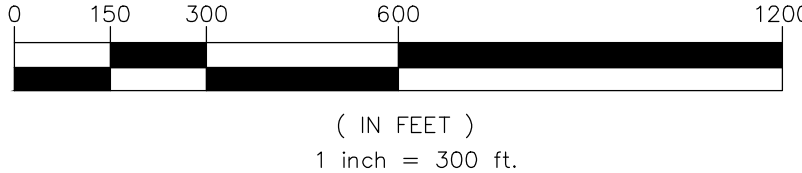
RZ-8.3	Building and Lot Types
RZ-8.4	Development Notes & Standards
RZ-8.5	Fence Images
C-9.0	Turning Movement - Alley Intersection
LS-1.0	Overall Landscape Plan
LS-1.1	Landscape Plan A
LS-1.2	Landscape Plan B
LS-1.3	Landscape Plan C
LS-1.4	Landscape Plan D
LS-1.5	Landscape Plan E
LS-2.0	Tree Survey
LS-2.1	Tree Survey A
LS-2.2	Tree Survey B
LS-2.3	Tree Survey C
LS-2.4	Tree Survey D
LS-2.5	Tree Survey E
A-1.0	Architectural Elevations
A-1.1	Architectural Elevations
A-1.2	Architectural Elevations
A-1.3	Architectural Elevations
A-1.4	Architectural Elevations
A-1.5	Architectural Elevations
A-1.6	Architectural Elevations
A-1.7	Architectural Floor Plans
A-1.8	Architectural Floor Plans
A-1.9	Architectural Floor Plans



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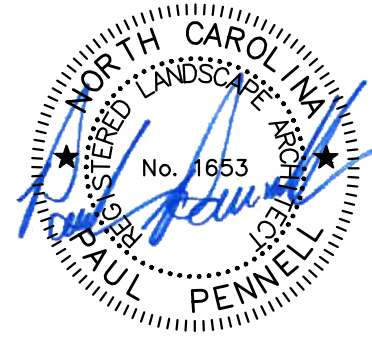


GRAPHIC SCALE



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Jake Paillo

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Lagoona Bay
Beach Club

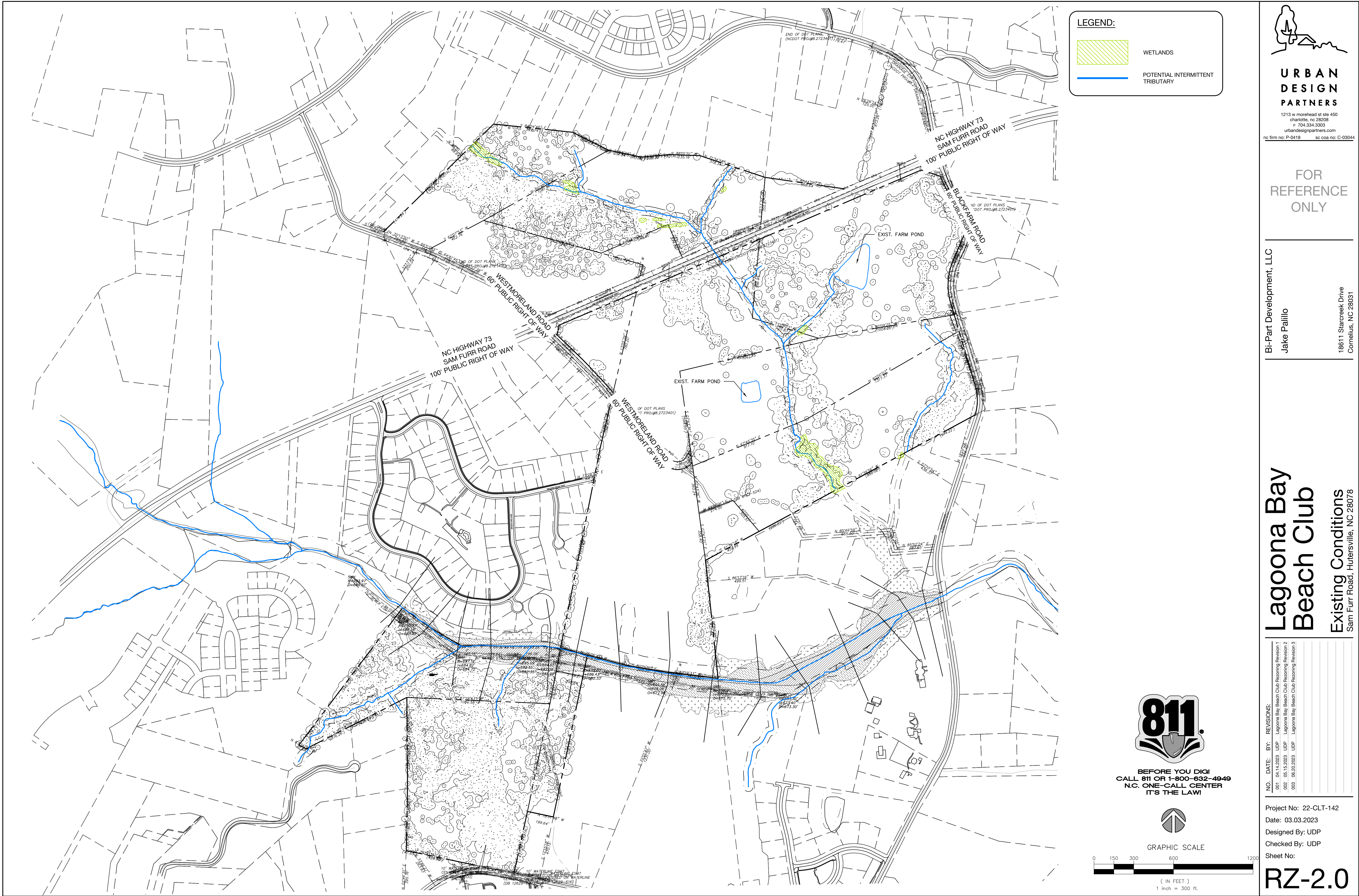
Cover Sheet

Sam Furr Road, Huntersville, NC 28078

NO.	DATE	BY	REVISIONS:
001	04.14.2023	UDP	Lagoona Bay Beach Club Rezoning Revision 1
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Project No: 22-CLT-142
Date: 03.03.2023
Designed By: UDP
Checked By: UDP
Sheet No:

RZ-1.0





FOR
REFERENCE
ONLY

Bi-Part Development, LLC
Jake Palillo
18611 Starcreek Drive
Cornelius, NC 28031

Lagoona Bay Beach Club

Existing Slopes

Sam Furr Road, Hutersville, NC 28078

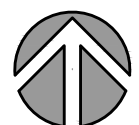
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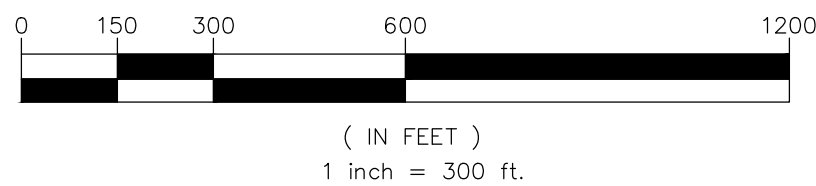
RZ-2.1

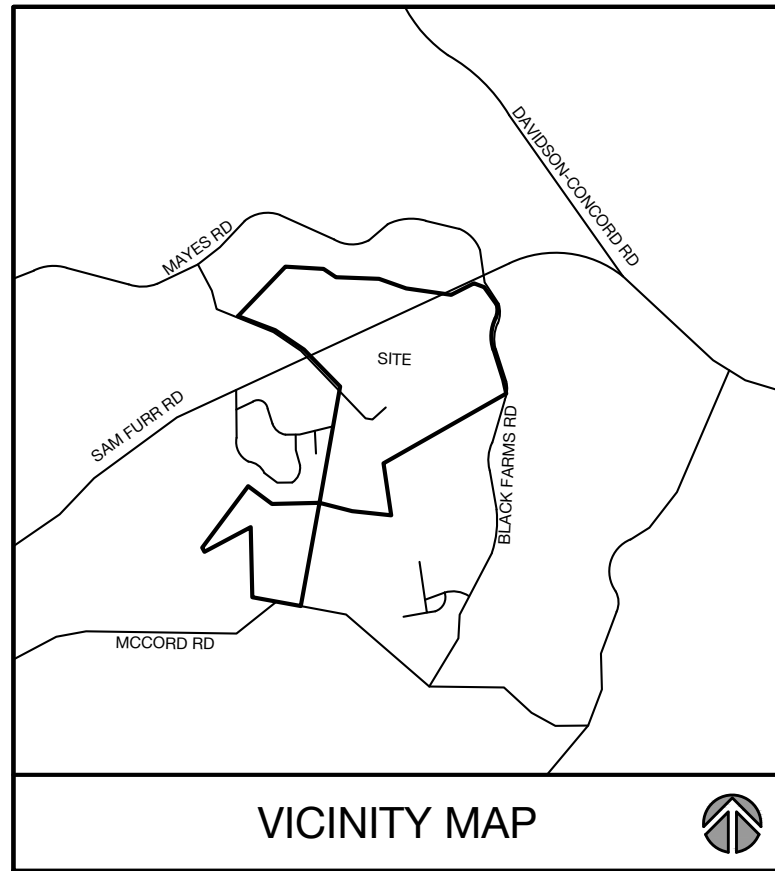


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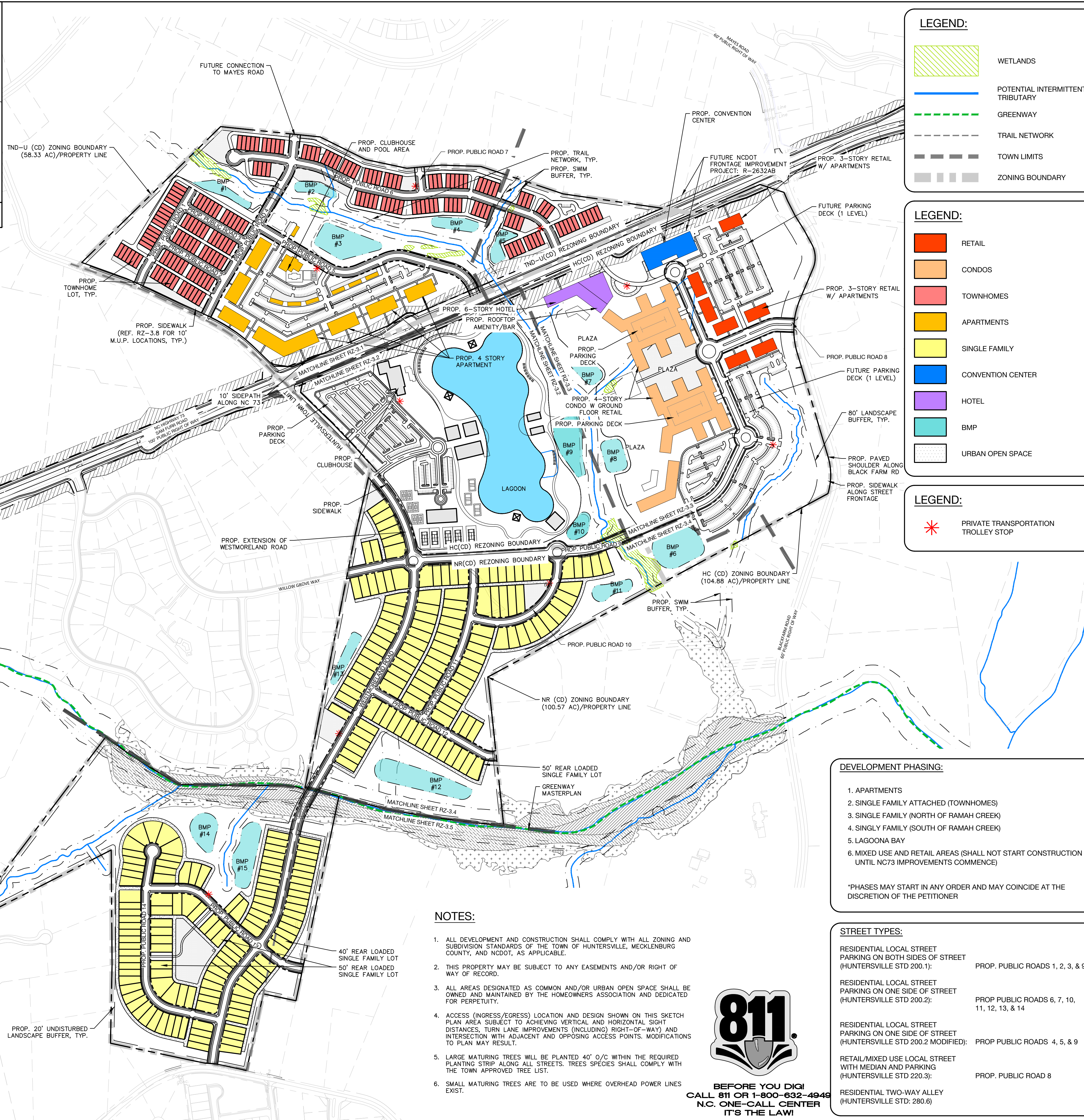


GRAPHIC SCALE





VICINITY MAP



NOTES:

- ALL DEVELOPMENT AND CONSTRUCTION SHALL COMPLY WITH ALL ZONING AND SUBDIVISION STANDARDS OF THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, AND NCDOT, AS APPLICABLE.
- THIS PROPERTY MAY BE SUBJECT TO ANY EASEMENTS AND/OR RIGHT OF WAY OF RECORD.
- ALL AREAS DESIGNATED AS COMMON AND/OR URBAN OPEN SPACE SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION AND DEDICATED FOR PERPETUITY.
- ACCESS (INGRESS/EGRESS) LOCATION AND DESIGN SHOWN ON THIS SKETCH PLAN AREA SUBJECT TO ACHIEVING VERTICAL AND HORIZONTAL SIGHT DISTANCES, TURN LANE IMPROVEMENTS (INCLUDING RIGHT-OF-WAY) AND INTERSECTION WITH ADJACENT AND OPPOSING ACCESS POINTS. MODIFICATIONS TO PLAN MAY RESULT.
- LARGE MATURING TREES WILL BE PLANTED 40' O/C WITHIN THE REQUIRED PLANTING STRIP ALONG ALL STREETS. TREES SPECIES SHALL COMPLY WITH THE TOWN APPROVED TREE LIST.
- SMALL MATURING TREES ARE TO BE USED WHERE OVERHEAD POWER LINES EXIST.



DEVELOPMENT PHASING:

- APARTMENTS
- SINGLE FAMILY ATTACHED (TOWNHOMES)
- SINGLE FAMILY (NORTH OF RAMAH CREEK)
- SINGLY FAMILY (SOUTH OF RAMAH CREEK)
- LAGOONA BAY
- MIXED USE AND RETAIL AREAS (SHALL NOT START CONSTRUCTION UNTIL NC73 IMPROVEMENTS COMMENCE)

*PHASES MAY START IN ANY ORDER AND MAY COINCIDE AT THE DISCRETION OF THE PETITIONER

STREET TYPES:

- RESIDENTIAL LOCAL STREET
PARKING ON BOTH SIDES OF STREET
(HUNTERSVILLE STD 200.1): PROP. PUBLIC ROADS 1, 2, 3, & 9
- RESIDENTIAL LOCAL STREET
PARKING ON ONE SIDE OF STREET
(HUNTERSVILLE STD 200.2): PROP PUBLIC ROADS 6, 7, 10, 11, 12, 13, & 14
- RESIDENTIAL LOCAL STREET
PARKING ON ONE SIDE OF STREET
(HUNTERSVILLE STD 200.2 MODIFIED): PROP PUBLIC ROADS 4, 5, & 9
- RETAIL/MIXED USE LOCAL STREET
WITH MEDIAN AND PARKING
(HUNTERSVILLE STD 220.3): PROP. PUBLIC ROAD 8
- RESIDENTIAL TWO-WAY ALLEY
(HUNTERSVILLE STD: 280.6)

LEGEND:

- WETLANDS
- POTENTIAL INTERMITTENT TRIBUTARY
- GREENWAY
- TRAIL NETWORK
- TOWN LIMITS
- ZONING BOUNDARY

LEGEND:

- RETAIL
- CONDOS
- TOWNHOMES
- APARTMENTS
- SINGLE FAMILY
- CONVENTION CENTER
- HOTEL
- BMP
- URBAN OPEN SPACE

LEGEND:

- PRIVATE TRANSPORTATION TROLLEY STOP

DEVELOPMENT SUMMARY

PARCEL ID #'S:	011-06-218, 011-25-102, 011-25-109, 011-25-103, 011-25-108, 011-04-101, 011-05-105, 011-06-217, 011-06-226, 011-06-219, 011-25-101, 011-25-104, 011-24-123, 011-05-104, & 011-24-102
SITE AREA:	±263.01 AC
TND-U(CD) USE:	±58.33 AC
HC(CD) USE:	±104.88 AC
NR(CD) USE:	±100.57 AC
EXISTING ZONING:	RURAL & TR
PROPOSED ZONING:	TND-U(CD), HC(CD), & NR(CD)
PROPOSED LAND USES:	
OFFICE/RETAIL CONDOS:	63.72 AC
APARTMENTS:	24.42 AC
TOWNHOMES:	33.91 AC
SINGLE FAMILY:	100.57 AC
LAGOON:	41.16 AC
TOTAL COMMERCIAL:	100,000 SF
OPEN SPACE:	
TND-U(CD):	
URBAN OPEN SPACE:	±2.67 AC
COMMON OPEN SPACE:	±13.53 AC
NATURAL OPEN SPACE:	±12.86 AC
TOTAL:	±29.06 AC
HC(CD):	
URBAN OPEN SPACE:	±1.98 AC
COMMON OPEN SPACE:	±47.99 AC
NATURAL OPEN SPACE:	±8.92 AC
TOTAL:	±58.89 AC
NR(CD):	
URBAN OPEN SPACE:	±2.46 AC
COMMON OPEN SPACE:	±29.34 AC
NATURAL OPEN SPACE:	±10.06 AC
TOTAL:	±41.86 AC
TOTAL OPEN SPACE:	±129.81 AC (49% OF TOTAL SITE AREA)
TREE SAVE REQUIRED:	
TND-U(CD):	0% OF SITE AREA 30% SPECIMEN TREES
HC(CD):	0% OF SITE AREA 30% SPECIMEN TREES
NR(CD):	10% OF SITE AREA 10% SPECIMEN TREES

TOWNHOMES

SITE AREA:	±33.91 AC
PROPOSED ZONING:	TND-U(CD)
PROPOSED UNITS:	180 UNITS
PARKING:	
REQUIRED:	270 SPACES (1.5 / UNIT)
PROPOSED:	730 SPACES

APARTMENTS

SITE AREA:	±24.42 AC
PROPOSED UNITS:	320 UNITS (4 STORY)
PROPOSED ZONING:	TND-U(CD)
PARKING:	
REQUIRED:	480 SPACES (1.5 / UNIT)
PROPOSED:	555 SPACES

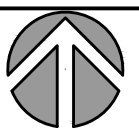
SINGLE FAMILY:

SITE AREA:	±100.57 AC
PROPOSED:	250 (50' & 40' WIDE LOTS)
PROPOSED ZONING:	NR(CD)
PARKING:	
REQUIRED:	375 SPACES (1.5 / UNIT)
PROPOSED:	500 SPACES

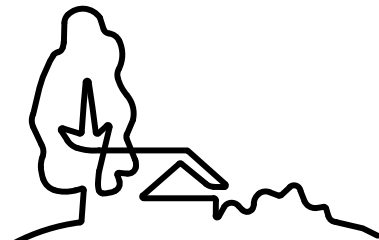
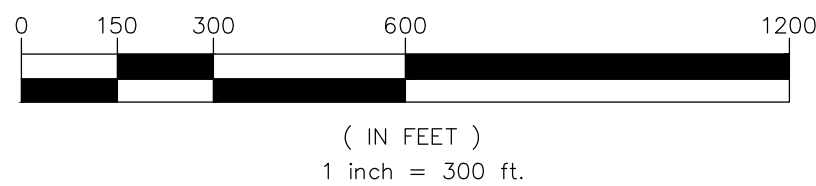
MIXED USE AREA:

SITE AREA:	±63.72 AC
PROPOSED ZONING:	HC(CD)
PROPOSED:	
RETAIL/RESIDENTIAL:	112 APARTMENT UNITS 70,000 SF RETAIL 300 CONDO UNITS 140,000 SF RETAIL 200 KEYS 36,000 SF
RETAIL/CONDO:	
HOTEL:	
CONVENTION CENTER:	
PARKING REQUIRED:	
RETAIL:	420 SPACES (1/500 SF)
RESIDENTIAL:	618 SPACES (1.5/UNIT)
HOTEL:	200 SPACES
CONVENTION CENTER:	72 SPACES (1/500 SF)
ANCILLARY:	50 SPACES
TOTAL REQUIRED:	1,360 SPACES
PARKING PROPOSED:	
SURFACE:	1,107 SURFACE SPACES*
CONDO PARKING DECK:	600 SPACES
TOTAL:	1,707 SPACES

*ADDITIONAL ON STREET PARKING TO BE PROVIDED. (SEE SHEET RZ-8.4 FOR DETAILED PARKING DATA AND ALLOCATION.)



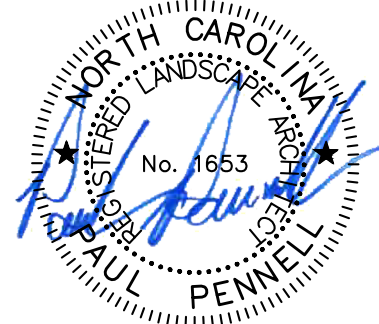
GRAPHIC SCALE



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06/20/2023

Bi-Part Development, LLC

Jake Paillo

18611 Starcreek Drive
Cornelius, NC 28031

Lagoona Bay Beach Club

Overall Site Plan
Sam Furr Road, Huntersville, NC 28078

NO.	DATE	BY:	REVISIONS:
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Project No: 22-CLT-142
Date: 03.03.2023
Designed By: UDP
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Sheet No:

RZ-3.0





LEGEND:

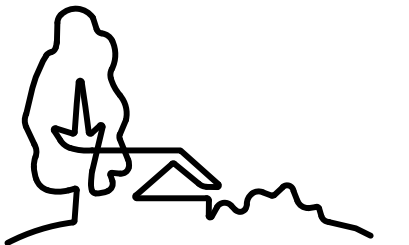
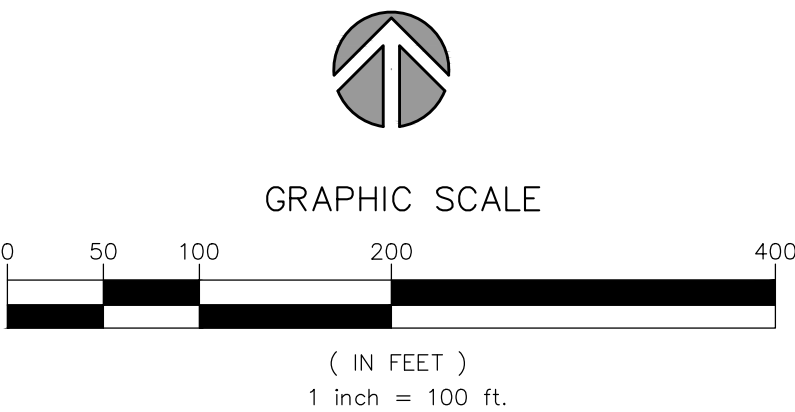
- WETLANDS
- POTENTIAL INTERMITTENT TRIBUTARY
- GREENWAY
- TOWN LIMITS
- ZONING BOUNDARY

LEGEND:

- SINGLE FAMILY
- BMP
- URBAN OPEN SPACE

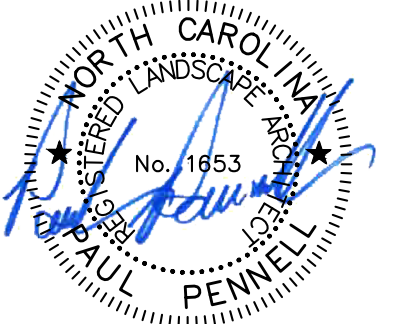
LEGEND:

- PRIVATE TRANSPORTATION TROLLEY STOP



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Jake Paililo

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Lagoona Bay
Beach Club

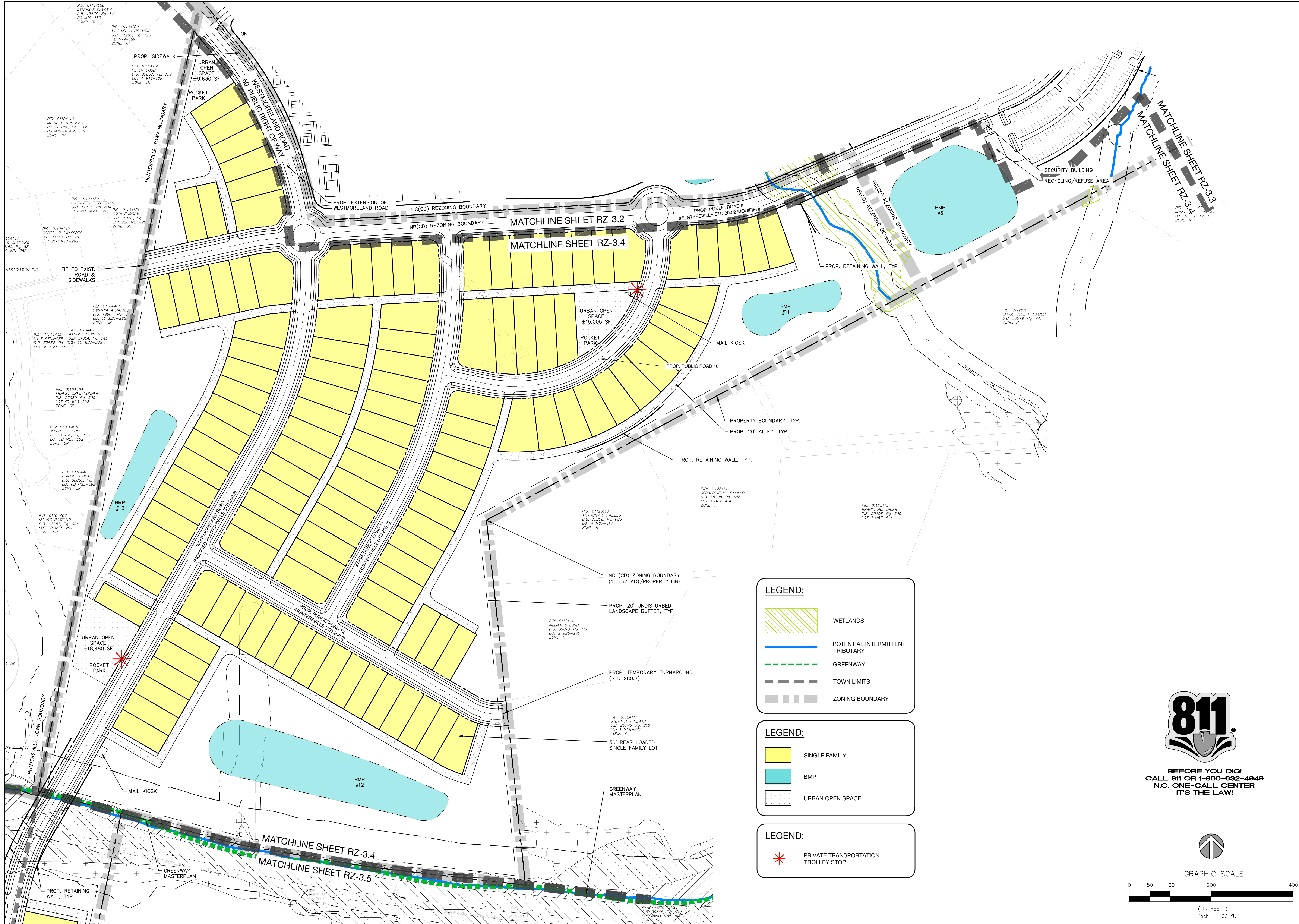
Site Plan B

Sam Furr Road, Huntersville, NC 28078

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Project No: 22-CLT-142
Date: 03.03.2023
Designed By: UDP
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RZ-3.2



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Jake Palillo

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Lagoona Bay Beach Club

Site Plan D

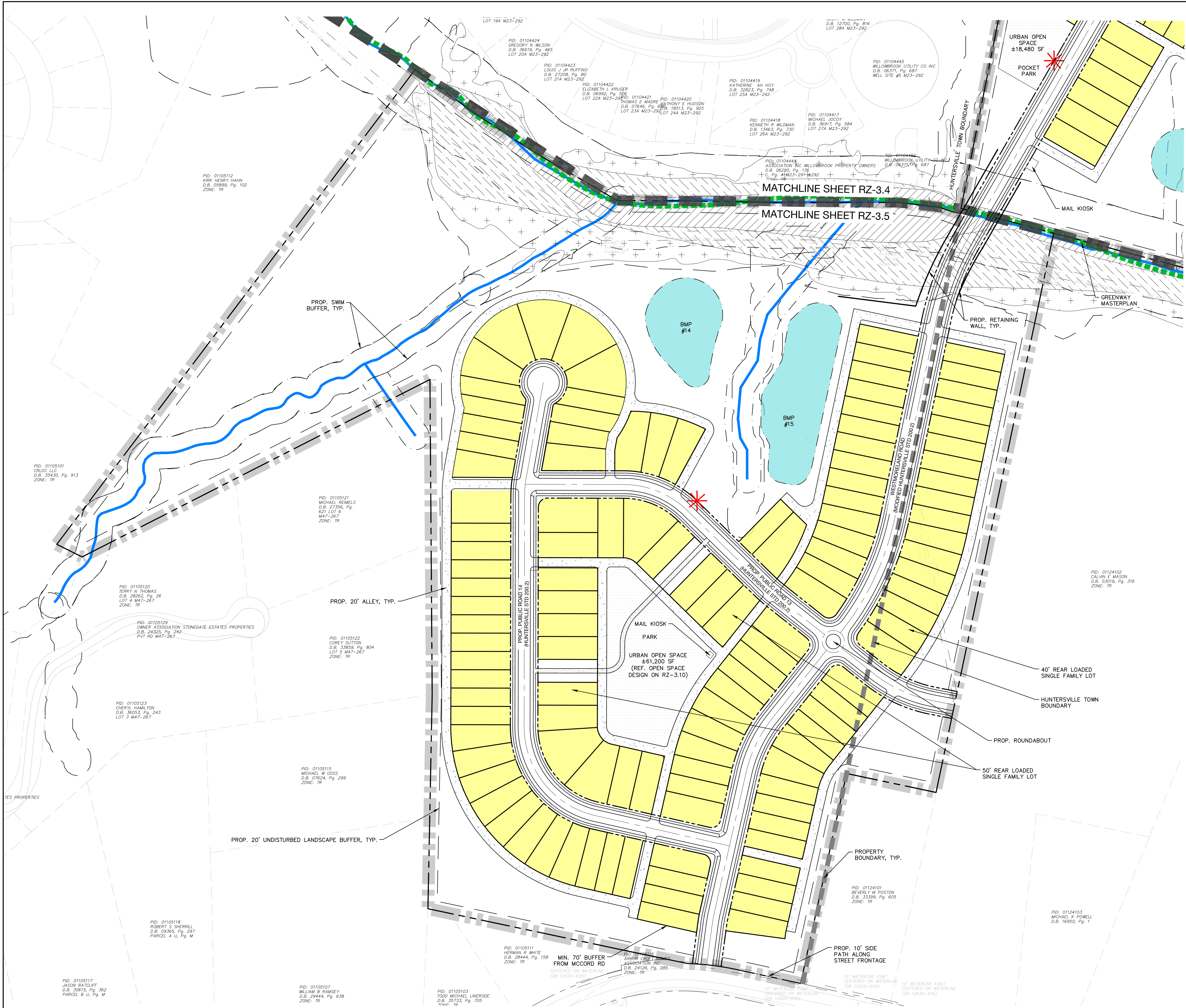
Sam Furr Road, Huntersville, NC 28078

NO. DATE: BY: REVISIONS:

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Project No: 22-CLT-142
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Sheet No:

RZ-3.4



LEGEND:

- WETLANDS
- POTENTIAL INTERMITTENT TRIBUTARY
- GREENWAY
- TOWN LIMITS
- ZONING BOUNDARY

LEGEND:

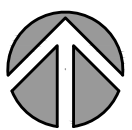
- SINGLE FAMILY
- BMP
- URBAN OPEN SPACE

LEGEND:

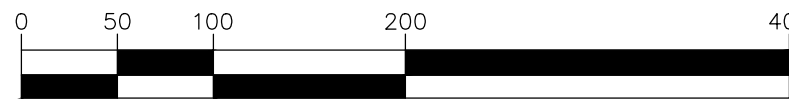
- PRIVATE TRANSPORTATION TROLLEY STOP



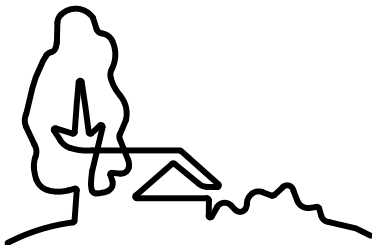
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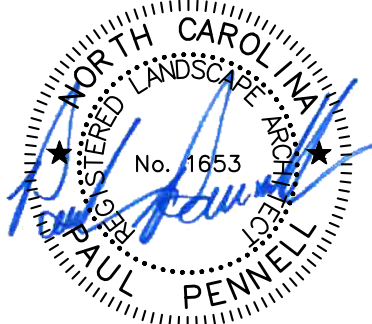


(IN FEET)
1 inch = 100 ft.



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Site Plan E

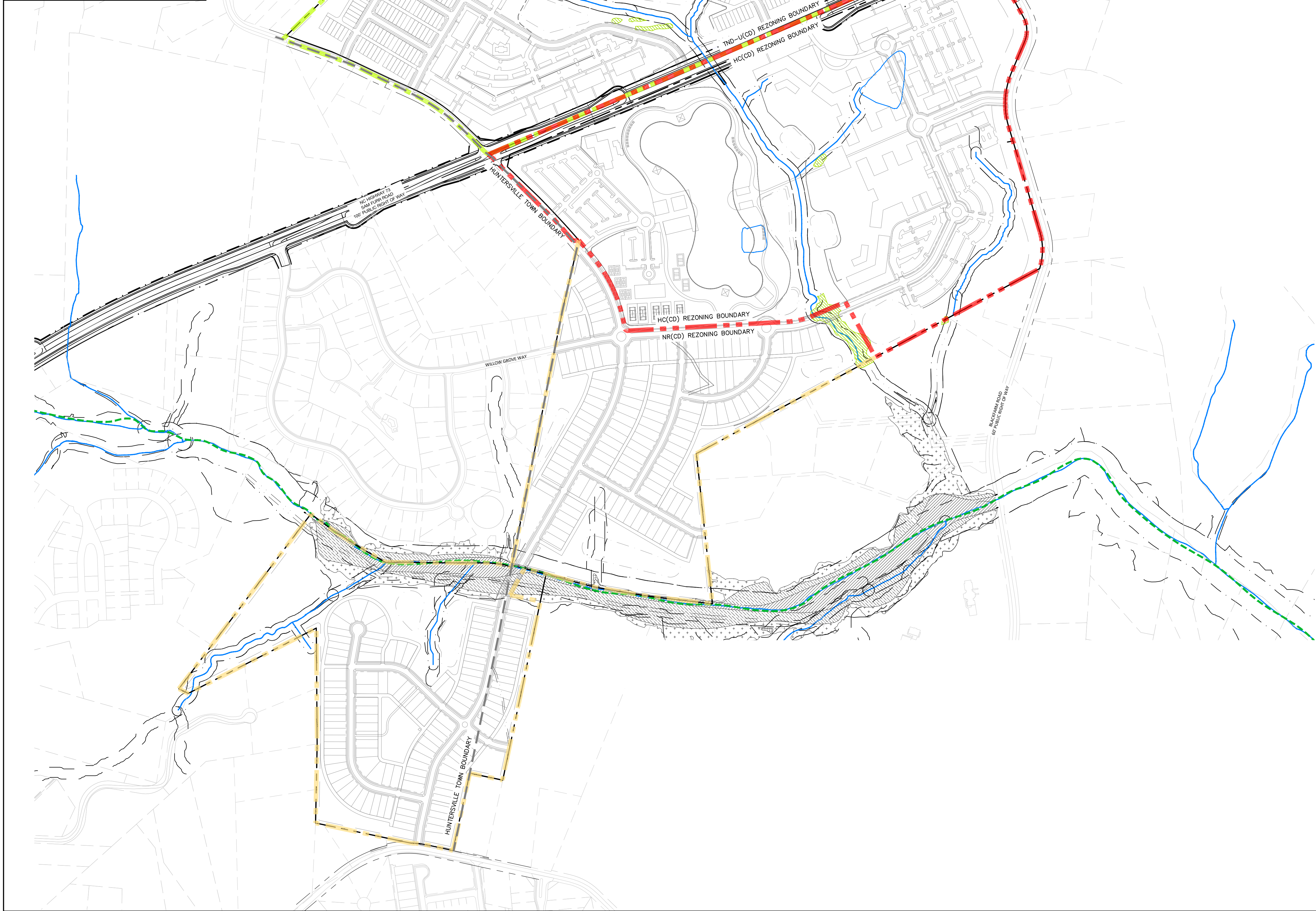
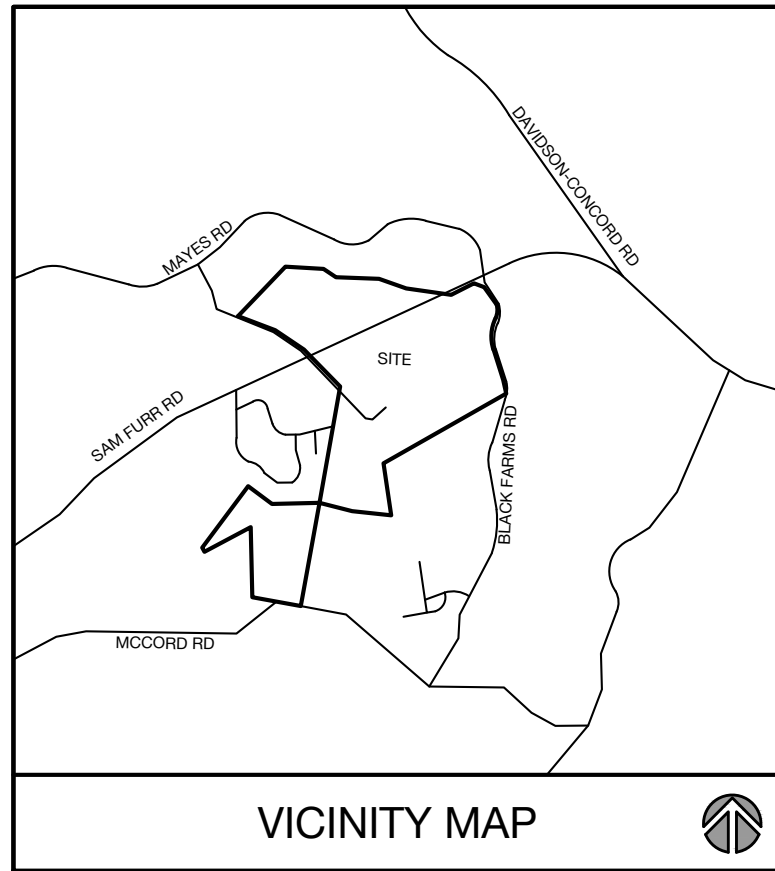
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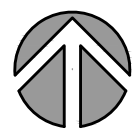


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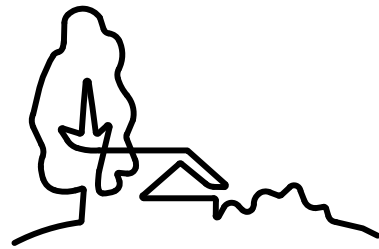
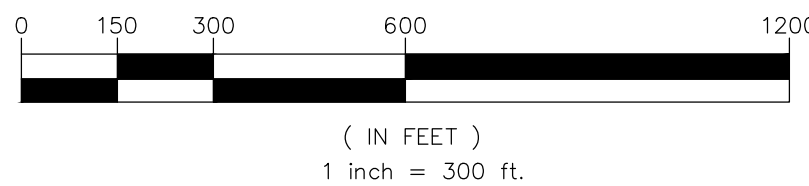
- TND-U (CD)
- HC (CD)
- NR (CD)



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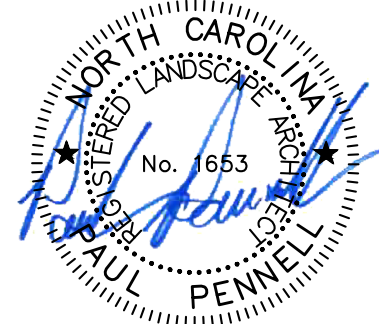


GRAPHIC SCALE



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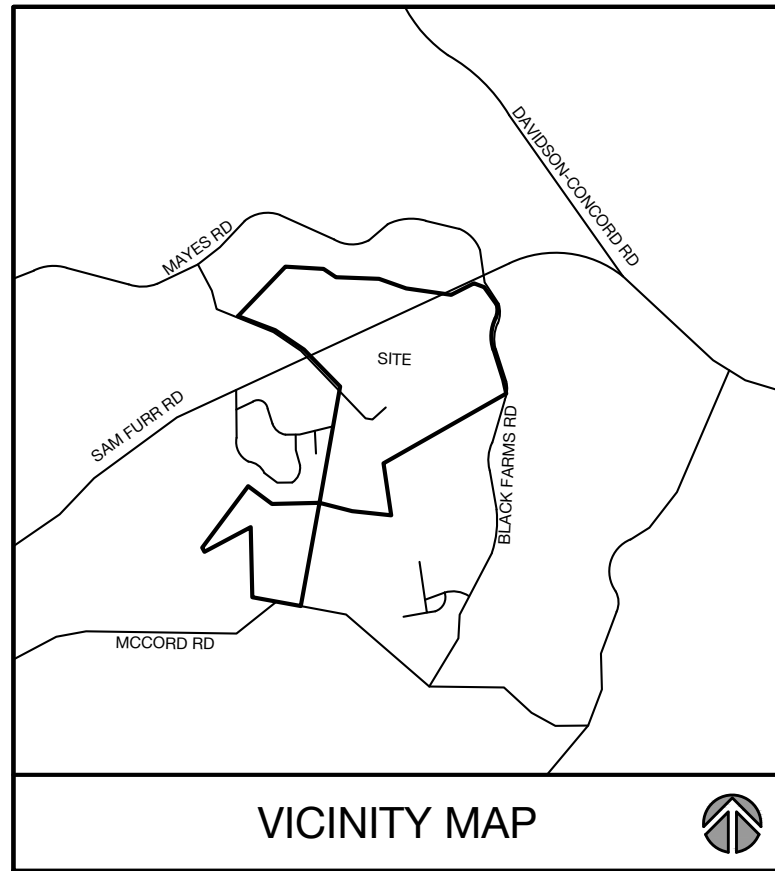
Rezoning Boundaries

Sam Furr Road, Huntersville, NC 28078

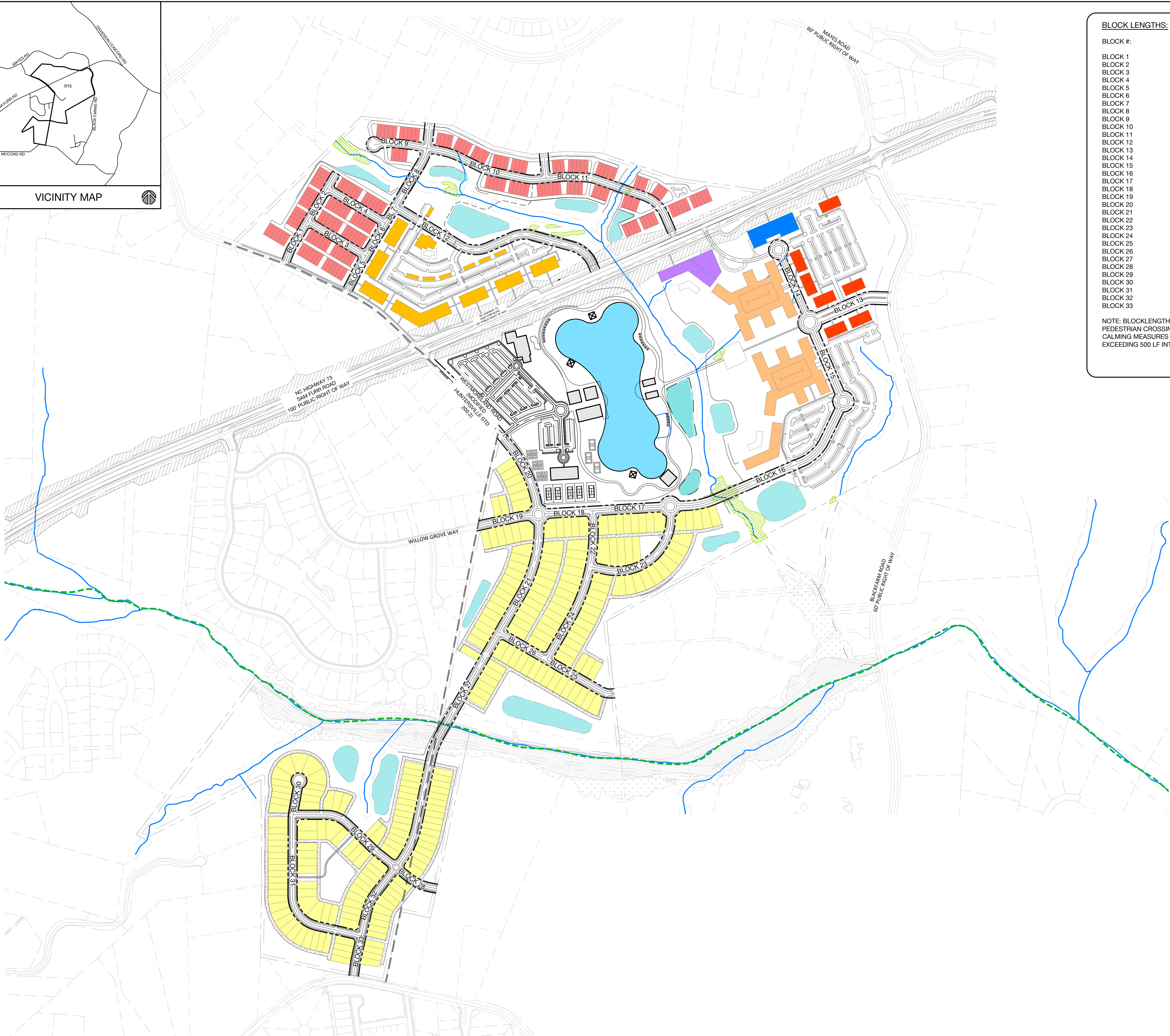
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Sheet No:

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VICINITY MAP



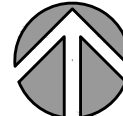
BLOCK LENGTHS:

BLOCK #:	LENGTH:
BLOCK 1	299 LF
BLOCK 2	249 LF
BLOCK 3	442 LF
BLOCK 4	442 LF
BLOCK 5	495 LF
BLOCK 6	249 LF
BLOCK 7	125 LF
BLOCK 8	436 LF
BLOCK 9	349 LF
BLOCK 10	810 LF
BLOCK 11	1,026 LF
BLOCK 12	1,484 LF
BLOCK 13	488 LF
BLOCK 14	423 LF
BLOCK 15	468 LF
BLOCK 16	1,324 LF
BLOCK 17	466 LF
BLOCK 18	314 LF
BLOCK 19	361 LF
BLOCK 20	517 LF
BLOCK 21	786 LF
BLOCK 22	365 LF
BLOCK 23	759 LF
BLOCK 24	673 LF
BLOCK 25	460 LF
BLOCK 26	359 LF
BLOCK 27	1,693 LF
BLOCK 28	304 LF
BLOCK 29	799 LF
BLOCK 30	225 LF
BLOCK 31	1,098 LF
BLOCK 32	511 LF
BLOCK 33	264 LF

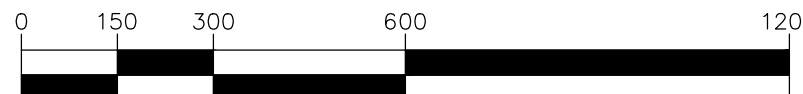
NOTE: BLOCKLENGTH MEASURED ALONG CENTERLINE. ENHANCED PEDESTRIAN CROSSINGS, SPEED TABLES, & OTHER TRAFFIC CALMING MEASURES WILL BE USED TO BREAK UP AREAS EXCEEDING 500 LF INTERNAL TO SITE.



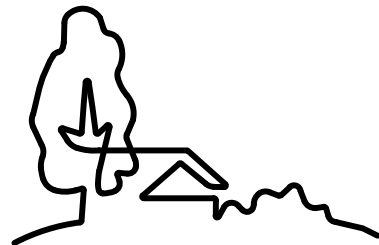
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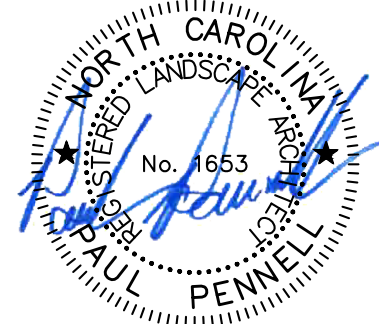


(IN FEET)
1 inch = 300 ft.



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Connectivity Plan
Sam Furr Road, Huntersville, NC 28078

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Project No: 22-CLT-142
Date: 03.03.2023
Designed By: UDP
Checked By: UDP

Sheet No:

RZ-3.7



LEGEND

10' MULTI-USE PATH
(±3.37 MILES)

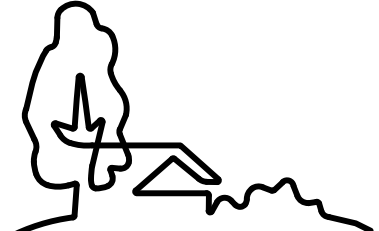
PEDESTRIAN CORRIDOR

- NOTES:
1. SIDEWALKS ADJACENT PUBLIC STREETS IN ALL SINGLE FAMILY RESIDENTIAL AREAS TO BE A 10' MULTI-USE PATH OR 5' WIDTH. SIDEWALKS IN ALL MIXED USE AND RETAIL AREAS TO BE 10' MULTI-USE PATH OR 7' WIDTH. REFERENCE PLAN FOR ALL 10' MULTI-USE PATH LOCATIONS.

2. FINAL LOCATION TO BE COORDINATED WITH NCDOT.

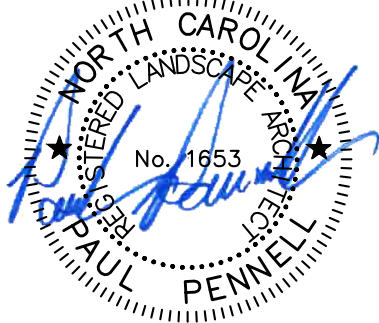
HIGHWAY 73 PEDESTRIAN CROSSING:

PETITIONERS SHALL MAKE EVERY EFFORT TO COORDINATE WITH NCDOT TO PROVIDE A PEDESTRIAN CROSSING LOCATED ACROSS NC 73. THIS POTENTIAL CROSSING MAY BE IN THE FORM OF AN INTERSECTION CROSSWALK OR OTHER APPROPRIATE CROSSING ABOVE OR BELOW GROUND IF DEEMED ACCEPTABLE BY NCDOT.



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charlotte, nc 28208
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nc firm no: P-0418 sc coa no: C-03044



06/20/2023

Bi-Part Development, LLC
Jake Palillo
18611 Starcreek Drive
Cornelius, NC 28031

Lagoona Bay
Beach Club
Multi-Use Path Map
Sam Furr Road, Hutersville, NC 28078

ILLUSTRATIVE STREET SECTION

PROP. CONDO BUILDING W/
GROUND FLOOR
RETAIL

4 STORIES

±26.0'

53.0' R/W

±30.0'

3 STORIES

PROP. RESIDENTIAL
LOCAL STREET

PROP. RETAIL W/
APARTMENTS

PROP. PATIO/SEATING AREA

PROP. 10' MULTI-USE PATH
ON ONE SIDE OF STREET

PROP. PLANTING STRIP

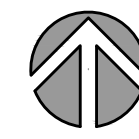
PROP. 7' SIDEWALK

PROP. PATIO/SEATING AREA

NOT TO SCALE



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GRAPHIC SCALE

0 150 300 600 1200

(IN FEET)
1 inch = 300 ft.

NO. DATE: BY: REVISIONS:

001 04.14.2023 UDP Lagoona Bay Beach Club Rezoning Revision 1

002 05.15.2023 UDP Lagoona Bay Beach Club Rezoning Revision 2

003 06.20.2023 UDP Lagoona Bay Beach Club Rezoning Revision 3

Project No: 22-CLT-142

Date: 03.03.2023

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LEGEND

ROUNDABOUT

RAISED INTERSECTION - PEDESTRIAN TABLE

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urbandesignpartners.com

nc firm no: P-0418 sc coa no: C-03044

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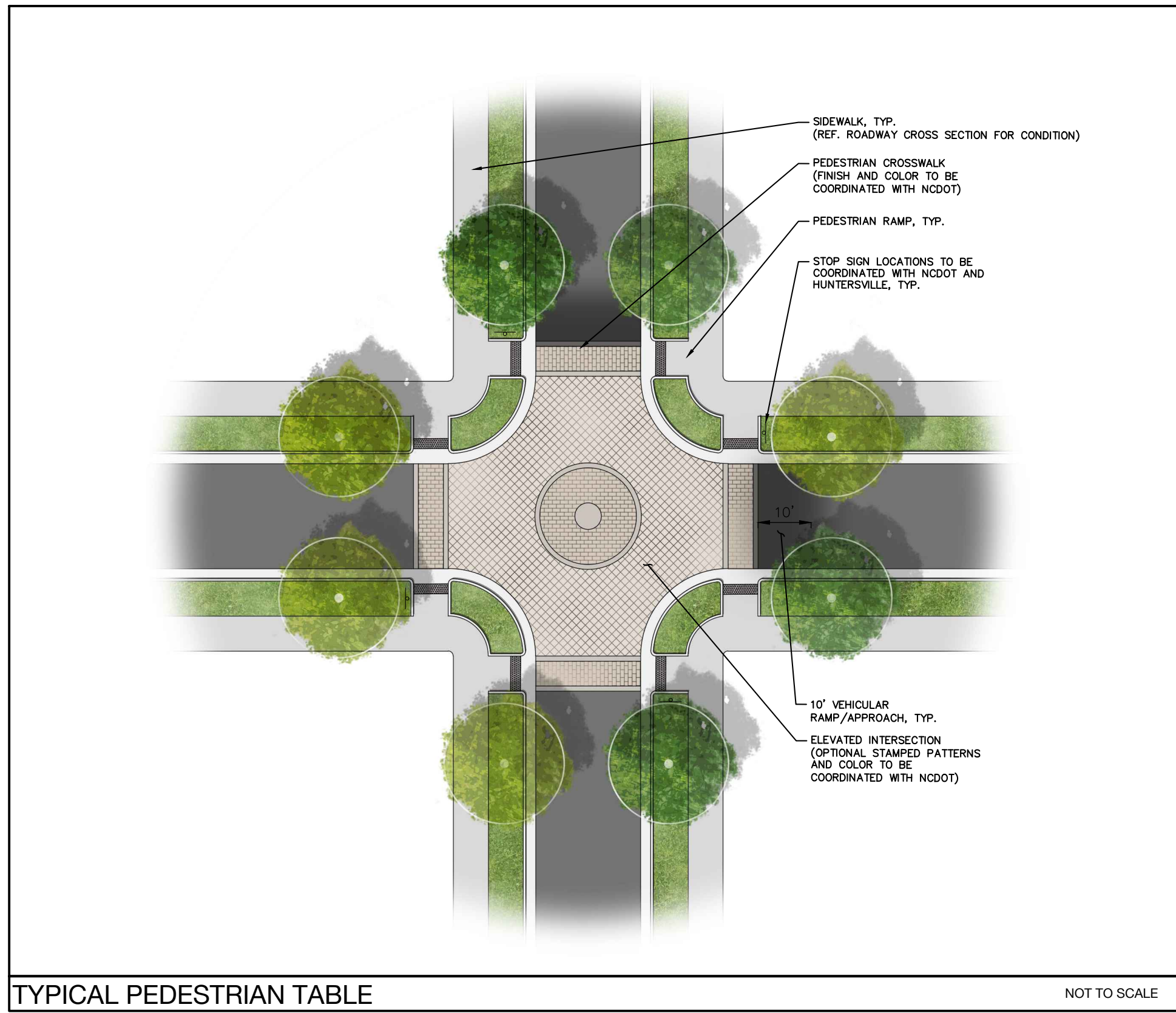
Bi-Part Development, LLC
Jake Palillo

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Lagoona Bay Beach Club

Traffic Calming Exhibit

Sam Furr Road, Huntersville, NC 28078



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GRAPHIC SCALE

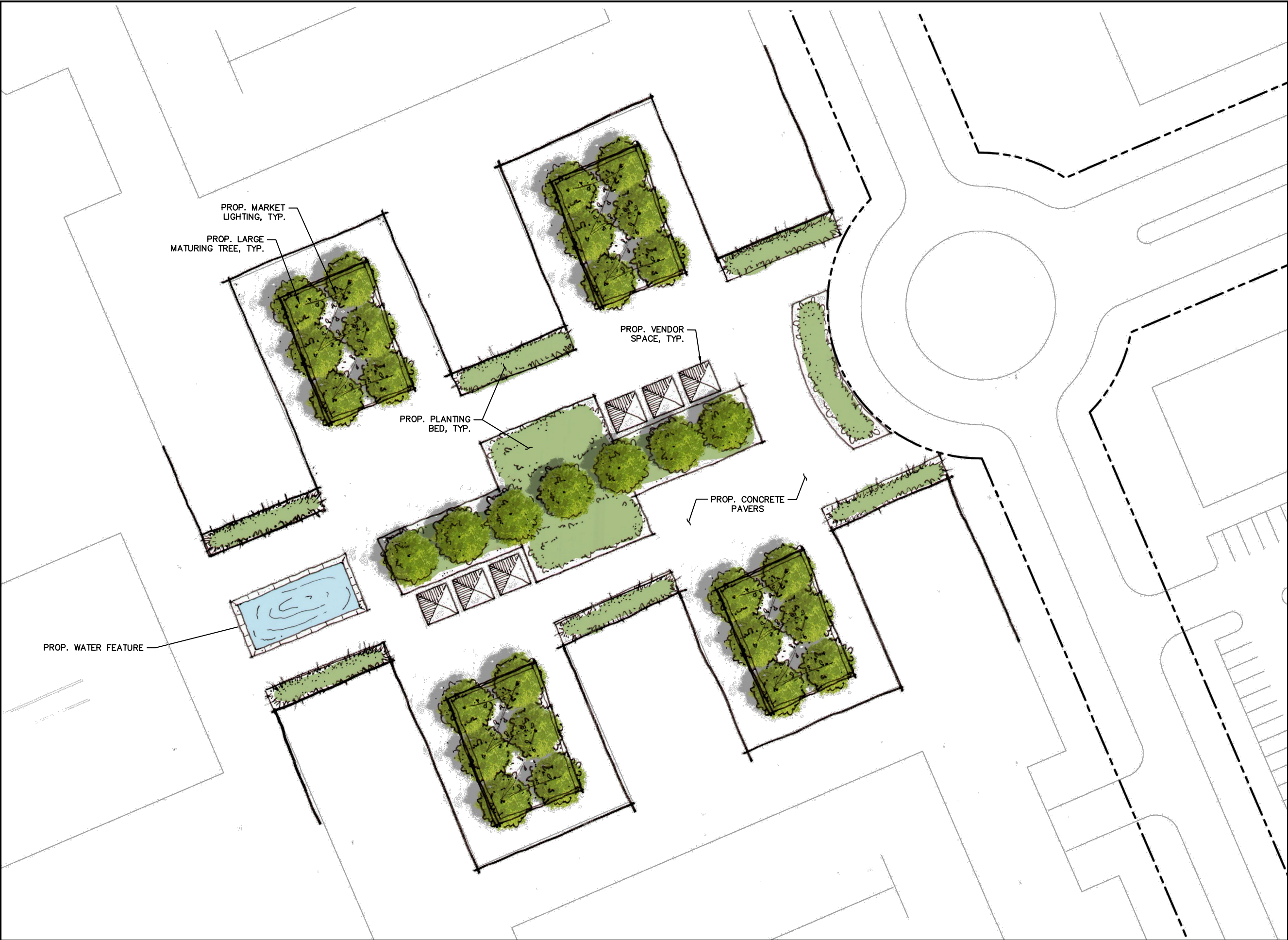
0 150 300 600 1200

(IN FEET)
1 inch = 300 ft.

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RZ-3.9



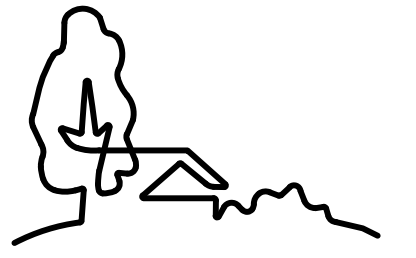
OPEN SPACE A - PLAZA 1" = 50'-0"



OPEN SPACE B - MINI PARK 1" = 30'-0"

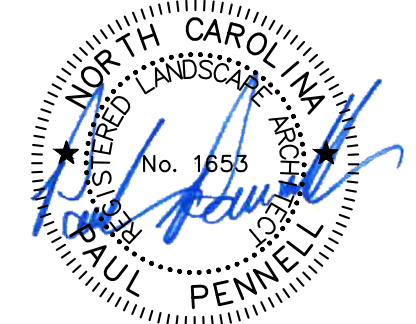


OPEN SPACE C - PARK 1" = 50'-0"



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nc firm no: P-0418 sc coa no: C-03044



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Jake Palillo
18611 Starcreek Drive
Cornelius, NC 28031

Lagoona Bay Beach Club

Open Space Site Plans

Sam Furr Road, Hutersville, NC 28078

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Sheet No:

RZ-3.10



GRILL STATIONS - PARKS



SHADE SAILS - PARKS & PLAZAS



DOG PARK - MINI PARKS



TRASH RECEPTACLE - ALL OPEN SPACES



TABLE & CHAIRS - PLAZAS



BENCHES - PARKS & PLAZAS



PICNIC TABLES - PARKS & PLAZAS



GREEN SCREENS - PLAZAS



HARDSCAPE PLANTING AREAS - PLAZAS



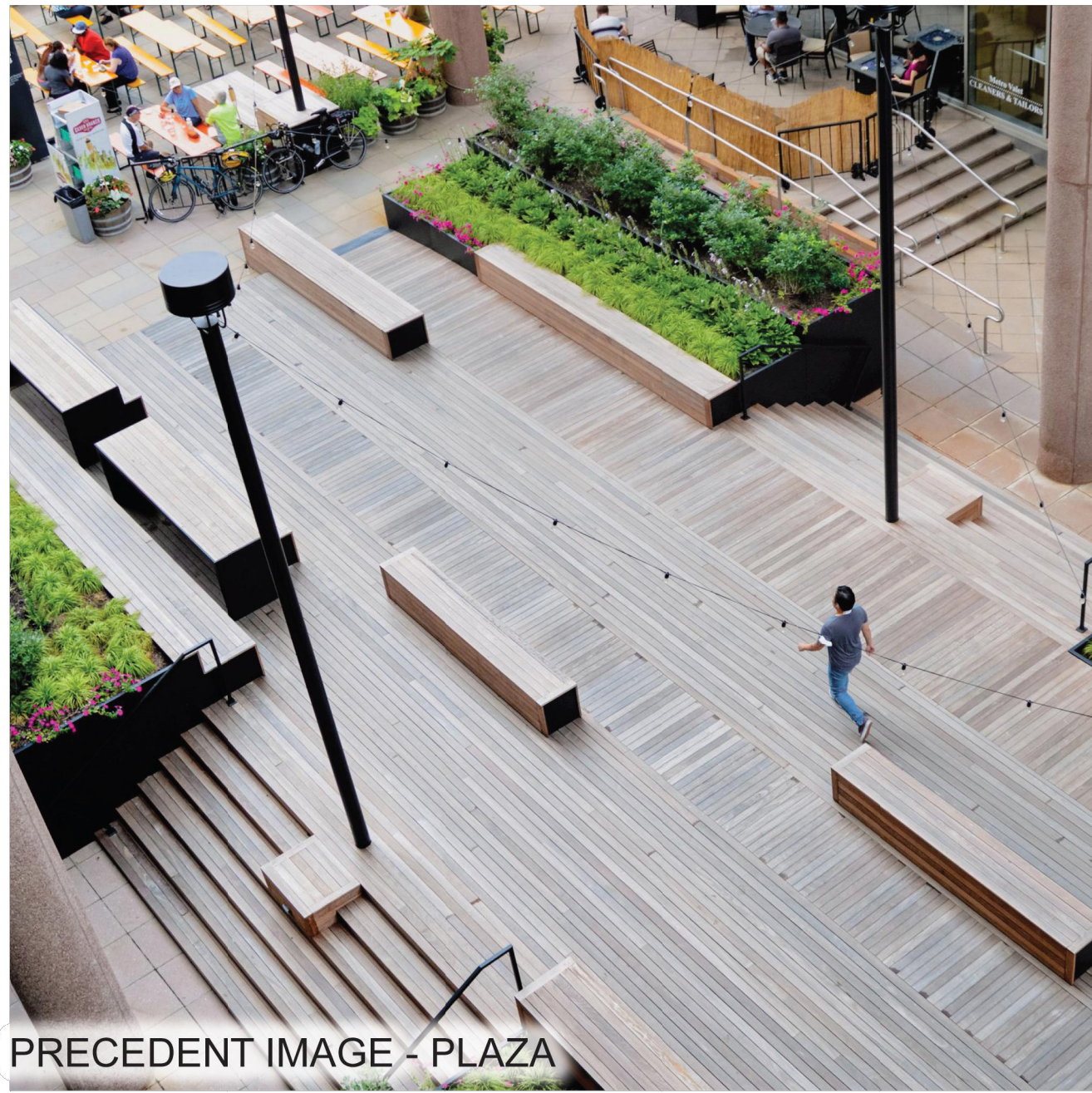
LOUNGE SEATING - PARKS & PLAZAS



CONCRETE PAVERS - PLAZAS



CONCRETE PAVERS - PLAZAS



PRECEDENT IMAGE - PLAZA



FARMERS MARKET - PLAZA



STREETSCAPE - PLAZA



SEATING AREAS - PLAZA



PRECEDENT IMAGE - PLAZA



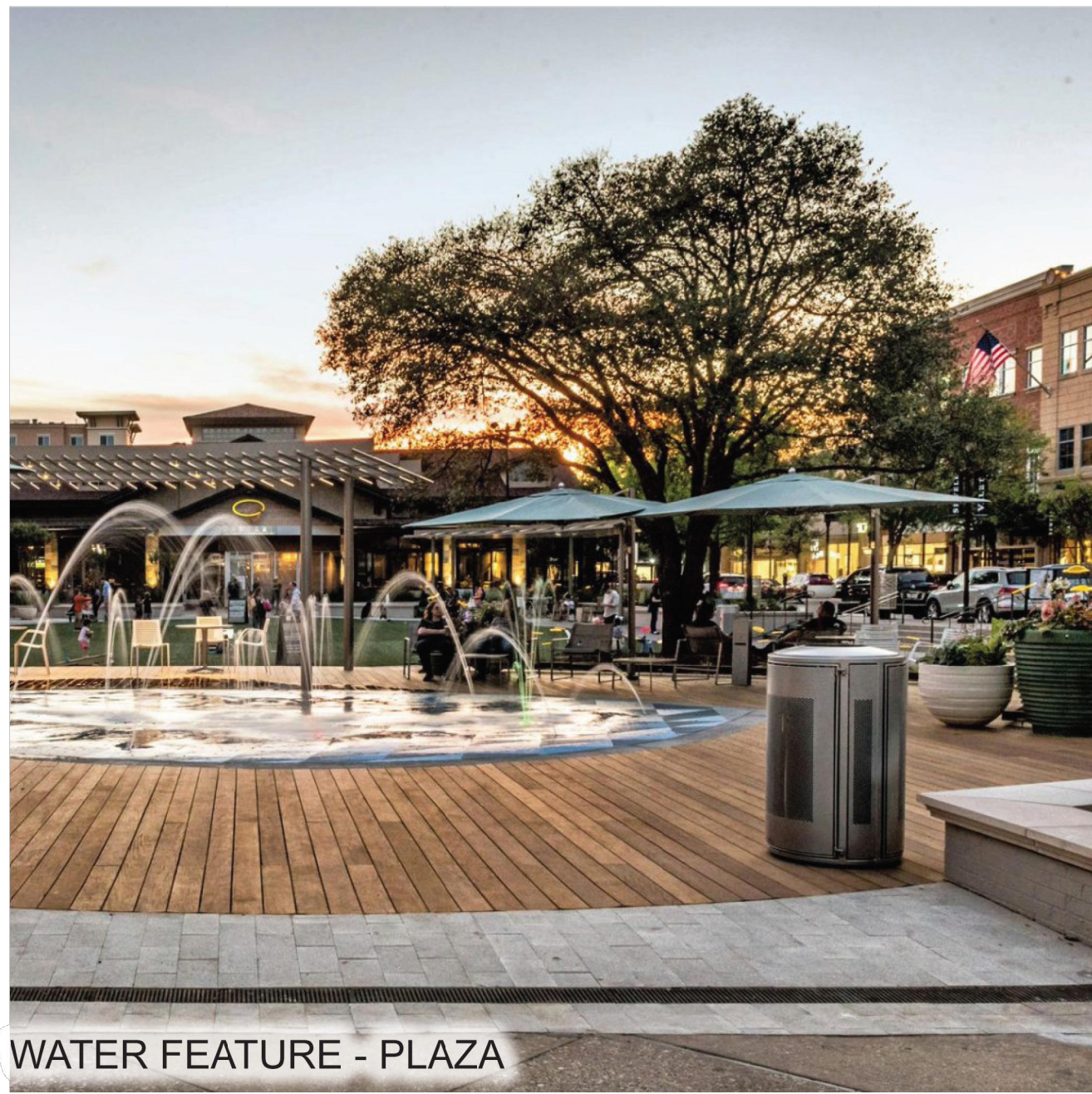
PLAY AREA - PARKS & MINI PARKS



LIGHTING - PLAZA



LANDSCAPE AREA - PLAZA



WATER FEATURE - PLAZA



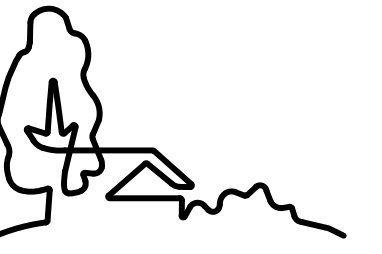
LIGHTING - PLAZA



GRAVEL PATH - PARK

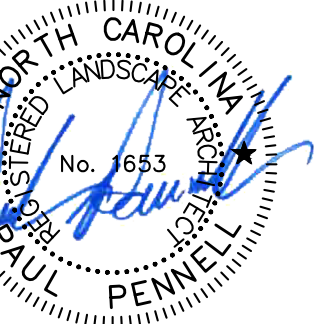


WATER FEATURE - PLAZA



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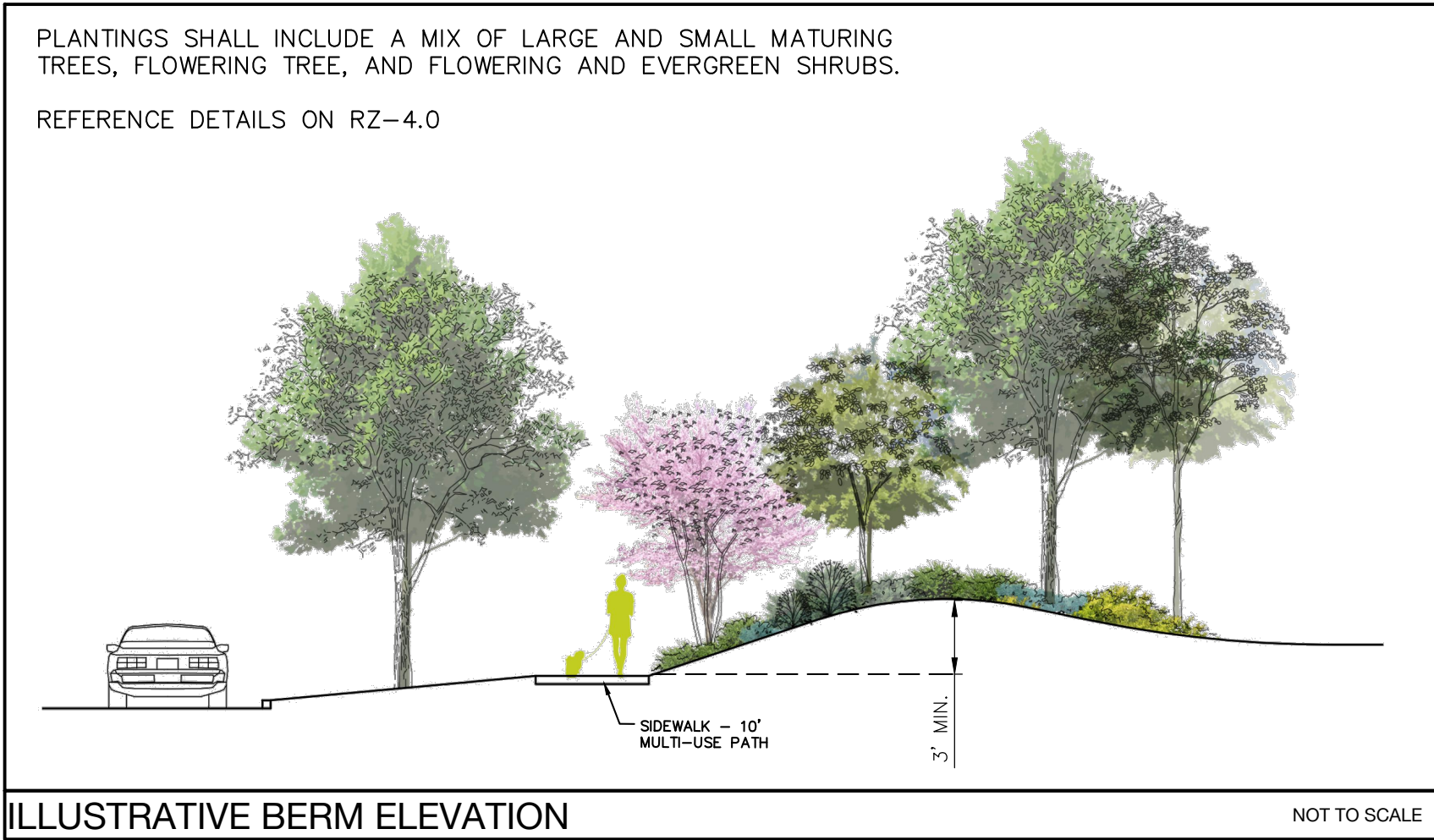
Lagoona Bay
Beach Club

Image Board
Sam Furr Road, Hutersville, NC 28078

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RZ-3.12



PLANTINGS SHALL INCLUDE A MIX OF LARGE AND SMALL MATURING TREES, FLORERING TREE, AND FLORERING AND EVERGREEN SHRUBS.

REFERENCE DETAILS ON RZ-4.0

The diagram illustrates a cross-section of a road and its adjacent landscape. On the left, a car is shown on the road. To the right of the road is a sidewalk, labeled "SIDEWALK ~ 10'". Further right is a multi-use path, labeled "MULTI-USE PATH". The path is bordered by a raised berm. The berm is populated with various plantings, including large trees, flowering trees (one with pink blossoms), and shrubs. A vertical dimension line on the right side of the berm indicates a minimum height of 3 feet, labeled "3' MIN.". The entire diagram is titled "ILLUSTRATIVE BERM ELEVATION" and includes a note "NOT TO SCALE".

ILLUSTRATIVE BERM ELEVATION

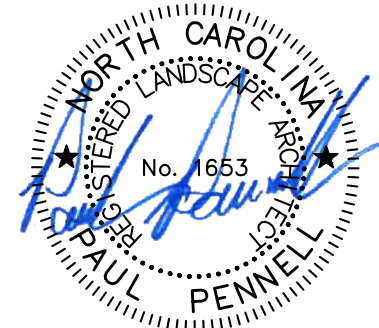
NOT TO SCALE

ILLUSTRATIVE BERM ELEVATION

LANDSCAPE BERM



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Lagoona Bay Beach Club

Berm Exhibit

Sam Furr Road, Hutersville, NC 28078

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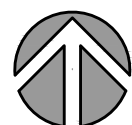
Sheet No:

D7

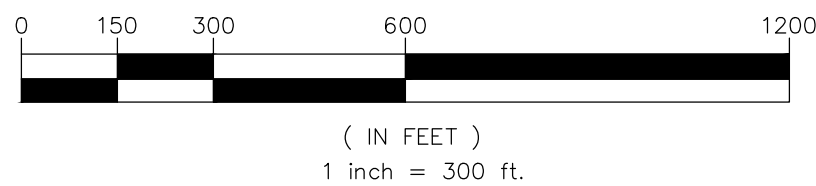
RZ-3.13



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GRAPHIC SCALE

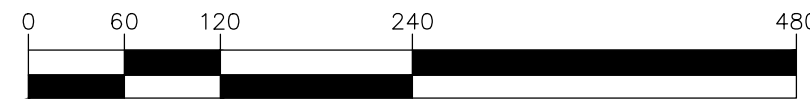




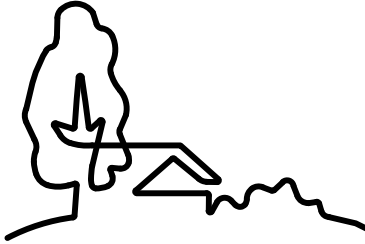
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GRAPHIC SCALE

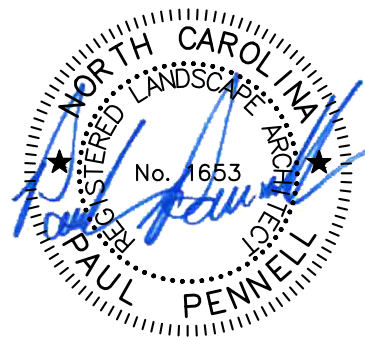


(IN FEET)
1 inch = 120 ft.



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Lagoon Bay Beach Club

Block Perimeter Lengths Exhibit

Sam Furr Road, Hutersville, NC 28078

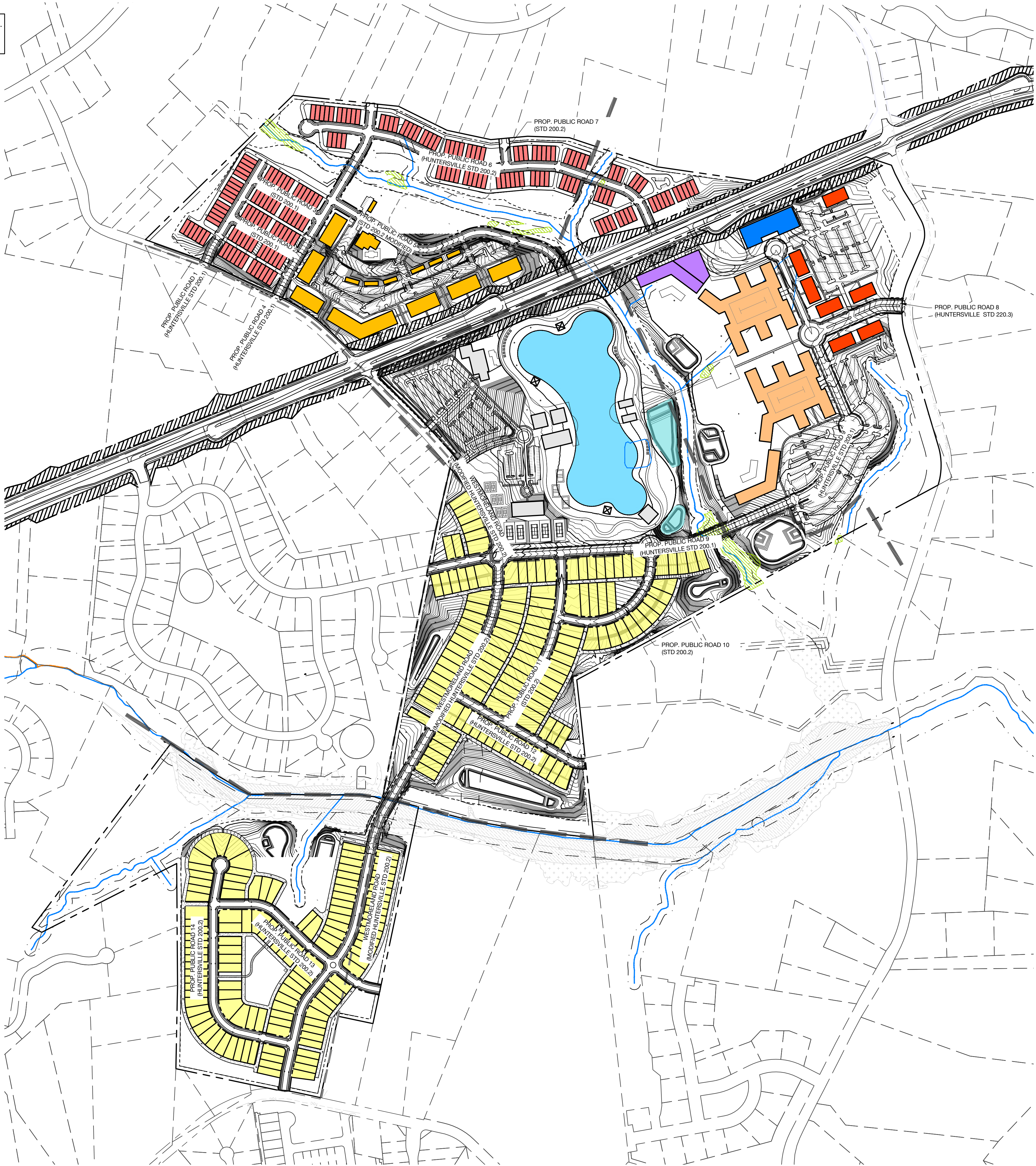
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Sheet No:

RZ-3.14

WETLAND STUDY HAS DENOTED NON-JURISDICTIONAL STREAMS. COUNTY PROCESS IS BEING FOLLOWED TO REFLECT ACTUAL ONSITE BUFFER CONDITIONS

ALL BUFFERS TO BE MEASURED FROM TOP OF BANK

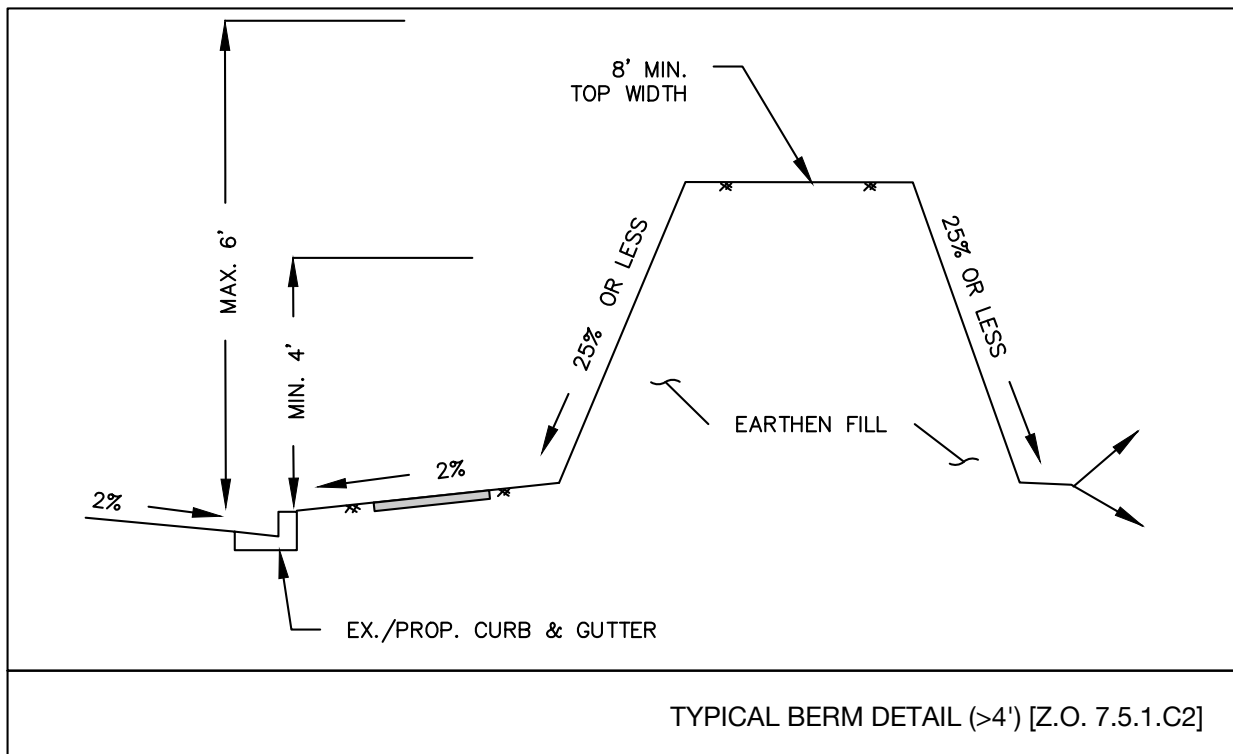
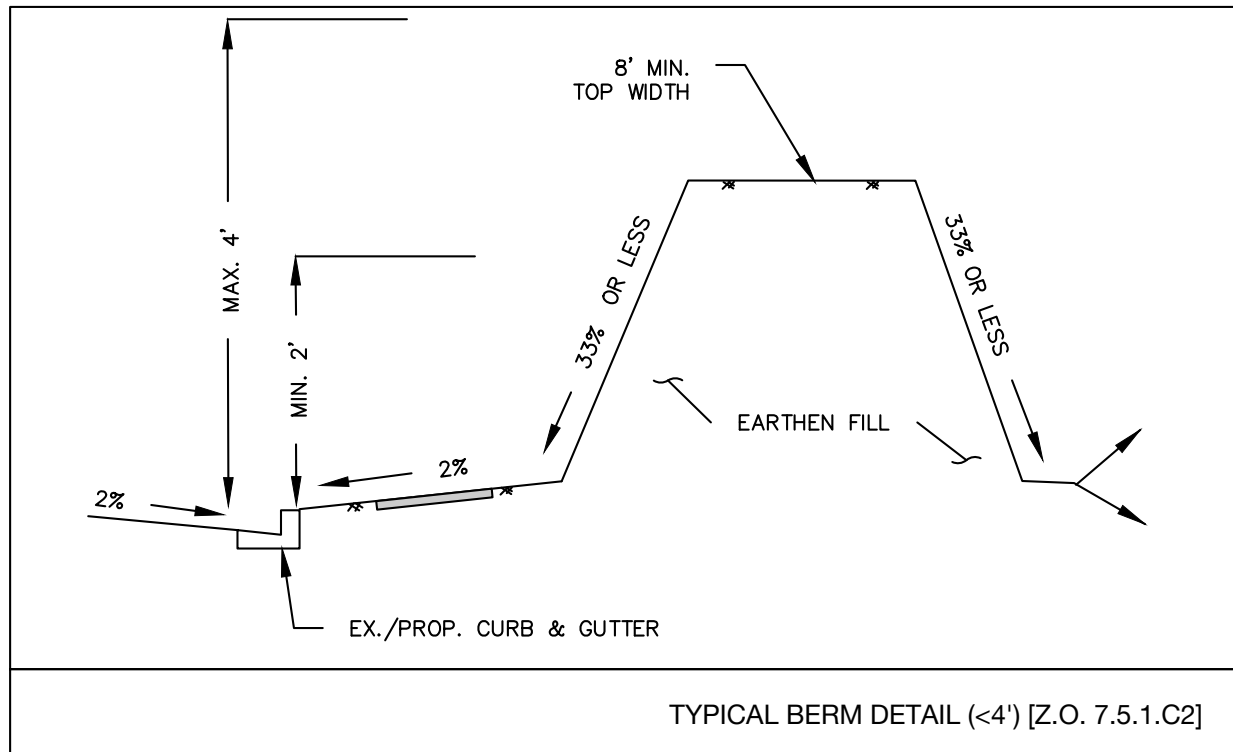


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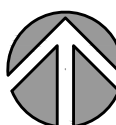
- WETLANDS
- POTENTIAL INTERMITTENT TRIBUTARY
- GREENWAY

LEGEND:

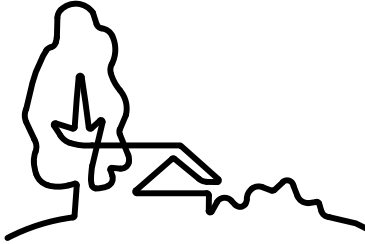
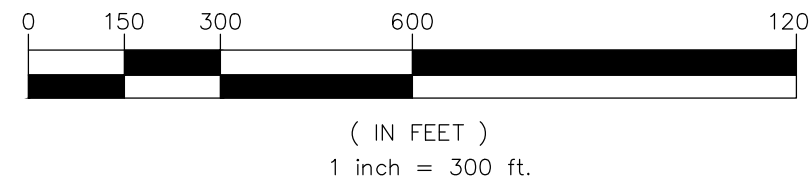
- RETAIL
- CONDOS
- TOWNHOMES
- APARTMENTS
- SINGLE FAMILY
- CONVENTION CENTER
- HOTEL
- BMP
- URBAN OPEN SPACE



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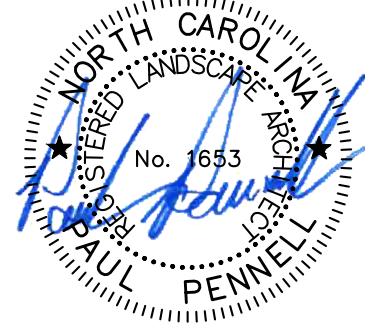


GRAPHIC SCALE



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Jake Paillo

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Cornelius, NC 28031

Lagoona Bay Beach Club

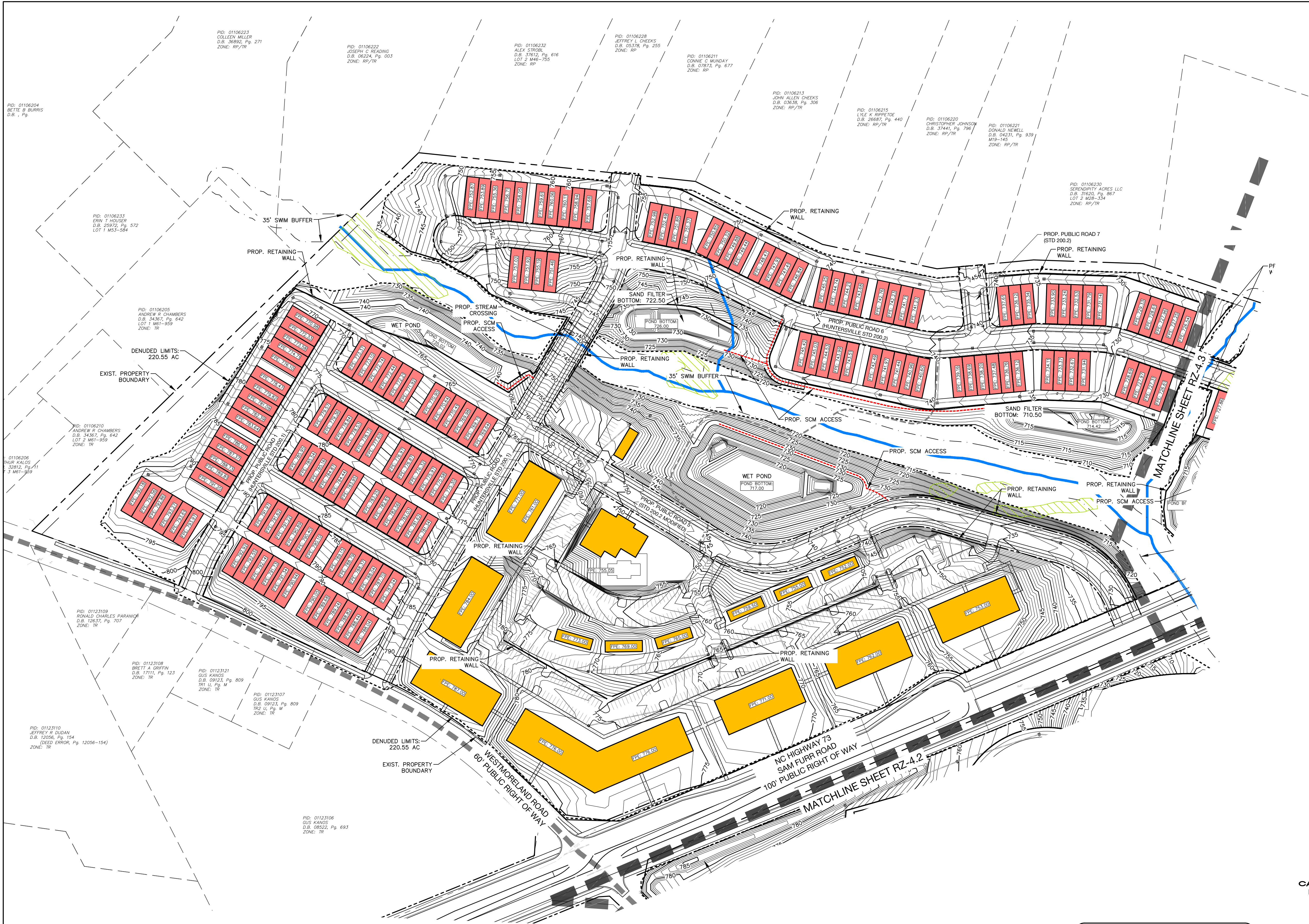
Grading Concept - Overall

Sam Furr Road, Huntersville, NC 28078

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Project No: 22-CLT-142
Date: 03.03.2023
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Sheet No:

RZ-4.0



LEGEND:

- WETLANDS
- POTENTIAL INTERMITTENT TRIBUTARY
- GREENWAY
- SCM ACCESS

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GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.

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Cornelius, NC 28031

Lagoona Bay Beach Club

Grading Concept A

Sam Furr Road, Huntersville, NC 28078

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Sheet No:

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LEGEND:

- WETLANDS
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- GREENWAY
- SCM ACCESS

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GRAPHIC SCALE

0 50 100 200 400
(IN FEET)
1 inch = 100 ft.

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Lagoona Bay Beach Club

Grading Concept B

Sam Furr Road, Huntersville, NC 28078

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Sheet No:

RZ-4.2



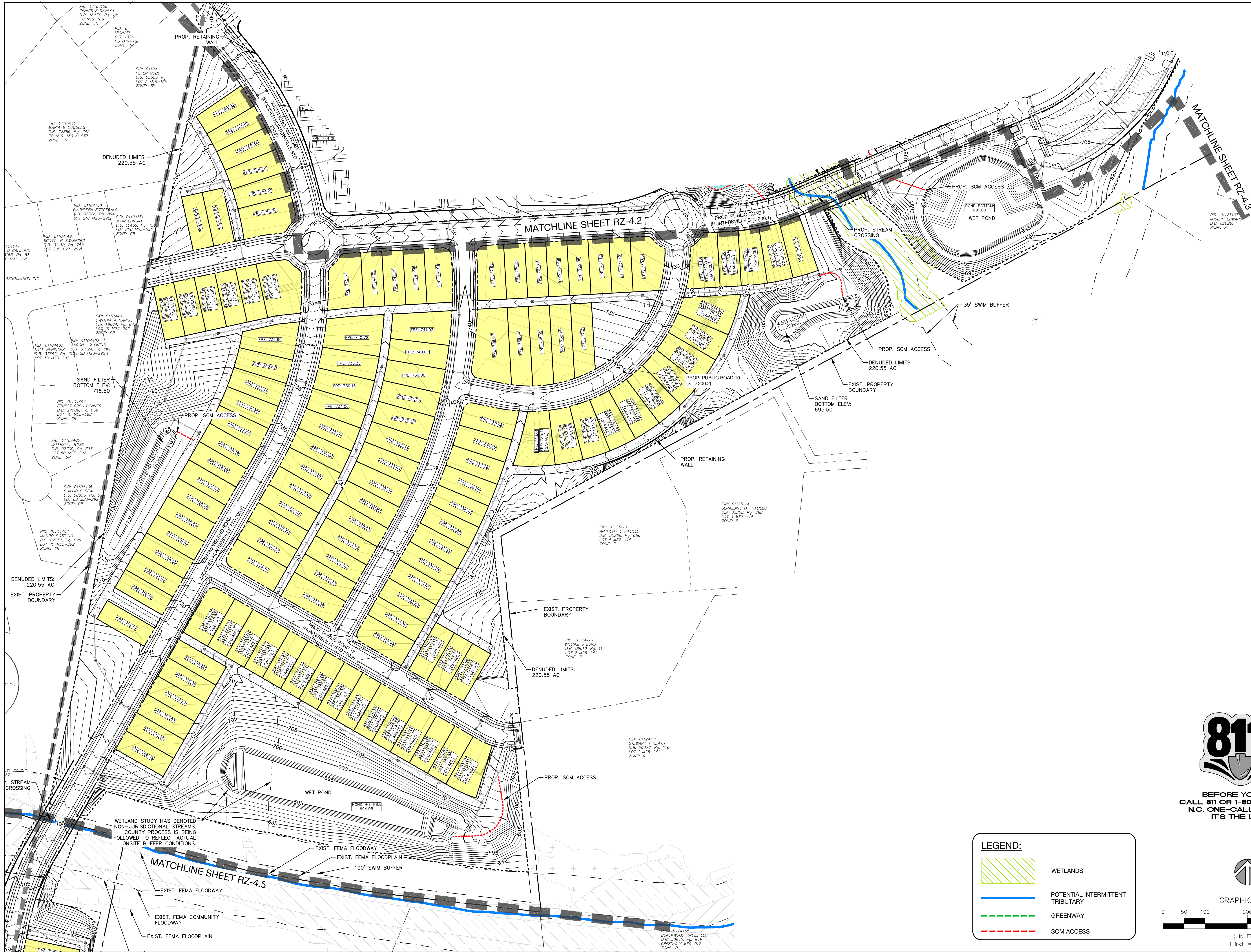
Lagoona Bay Beach Club

Grading Concept C

Sam Furr Road, Huntersville, NC 28078

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LEGEND:

	WETLANDS
	POTENTIAL INTERMITTENT TRIBUTARY
	GREENWAY
	SCM ACCESS

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GRAPHIC SCALE
0 50 100 200 400
(IN FEET)
1 inch = 100 ft.

URBAN DESIGN PARTNERS
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urbandesignpartners.com
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Cornelius, NC 28031

Lagoon Bay Beach Club

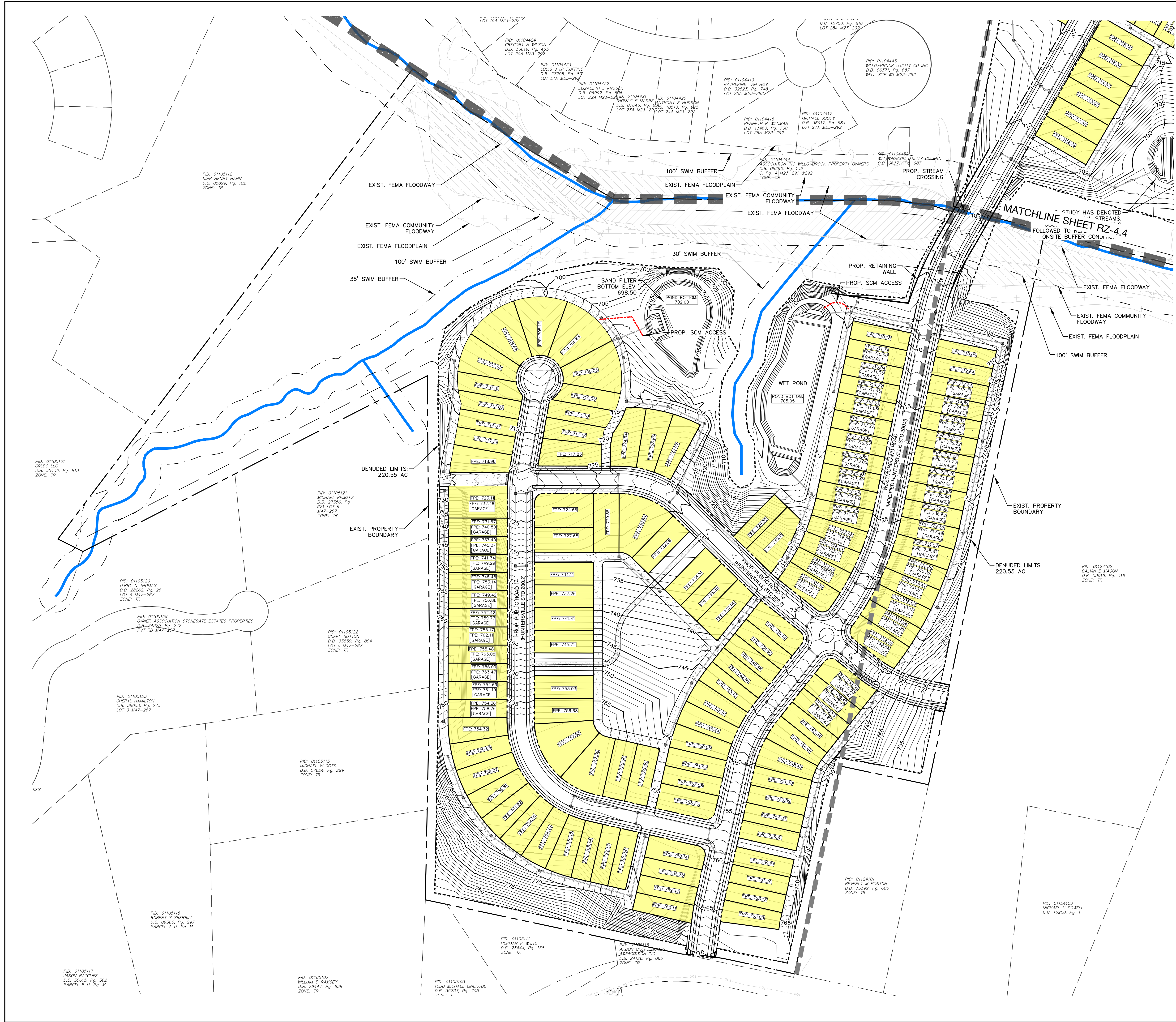
Grading Concept D

Sam Furr Road, Huntersville, NC 28078

NO.	DATE	BY:	REVISIONS:
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RZ-4.4

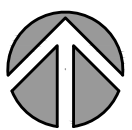


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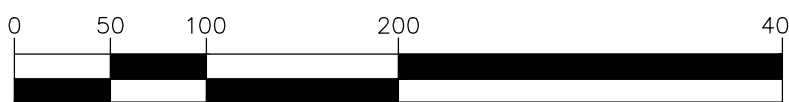
- WETLANDS
- POTENTIAL INTERMITTENT TRIBUTARY
- GREENWAY
- SCM ACCESS



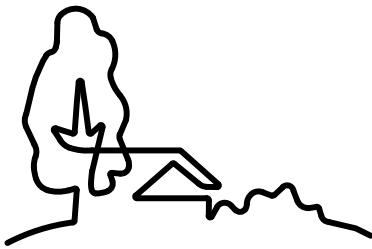
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GRAPHIC SCALE

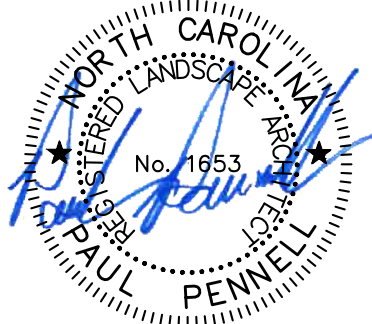


(IN FEET)
1 inch = 100 ft.



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urbandesigpartners.com
nc firm no: P-0418 sc coa no: C-03044



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Cornelius, NC 28031

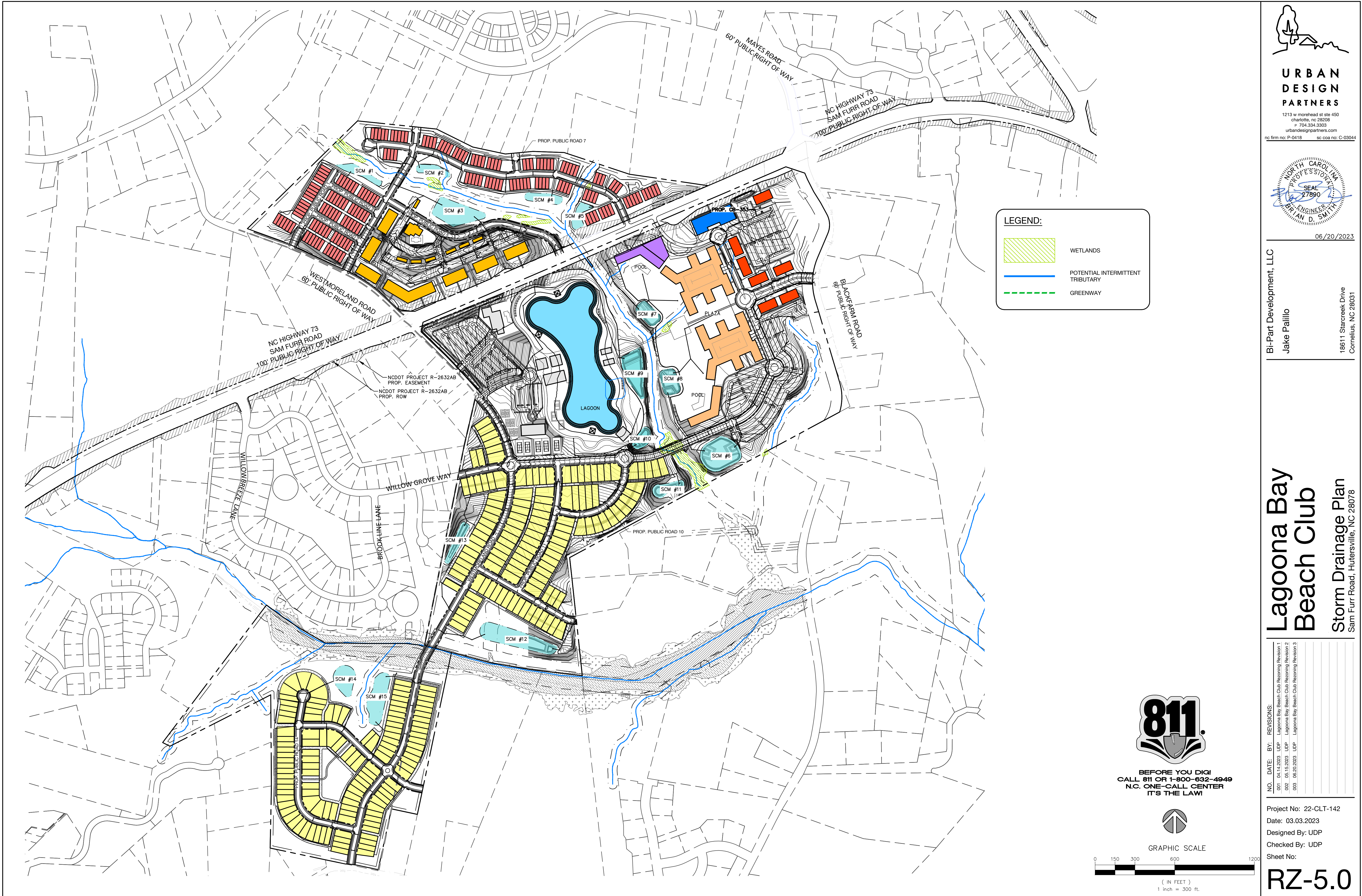
Lagoona Bay Beach Club

Grading Concept E
Sam Furr Road, Huntersville, NC 28078

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RZ-4.5



LEGEND:

- WETLANDS
- POTENTIAL INTERMITTENT TRIBUTARY
- GREENWAY

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GRAPHIC SCALE

0 150 300 600 1200

(IN FEET)
1 inch = 300 ft.

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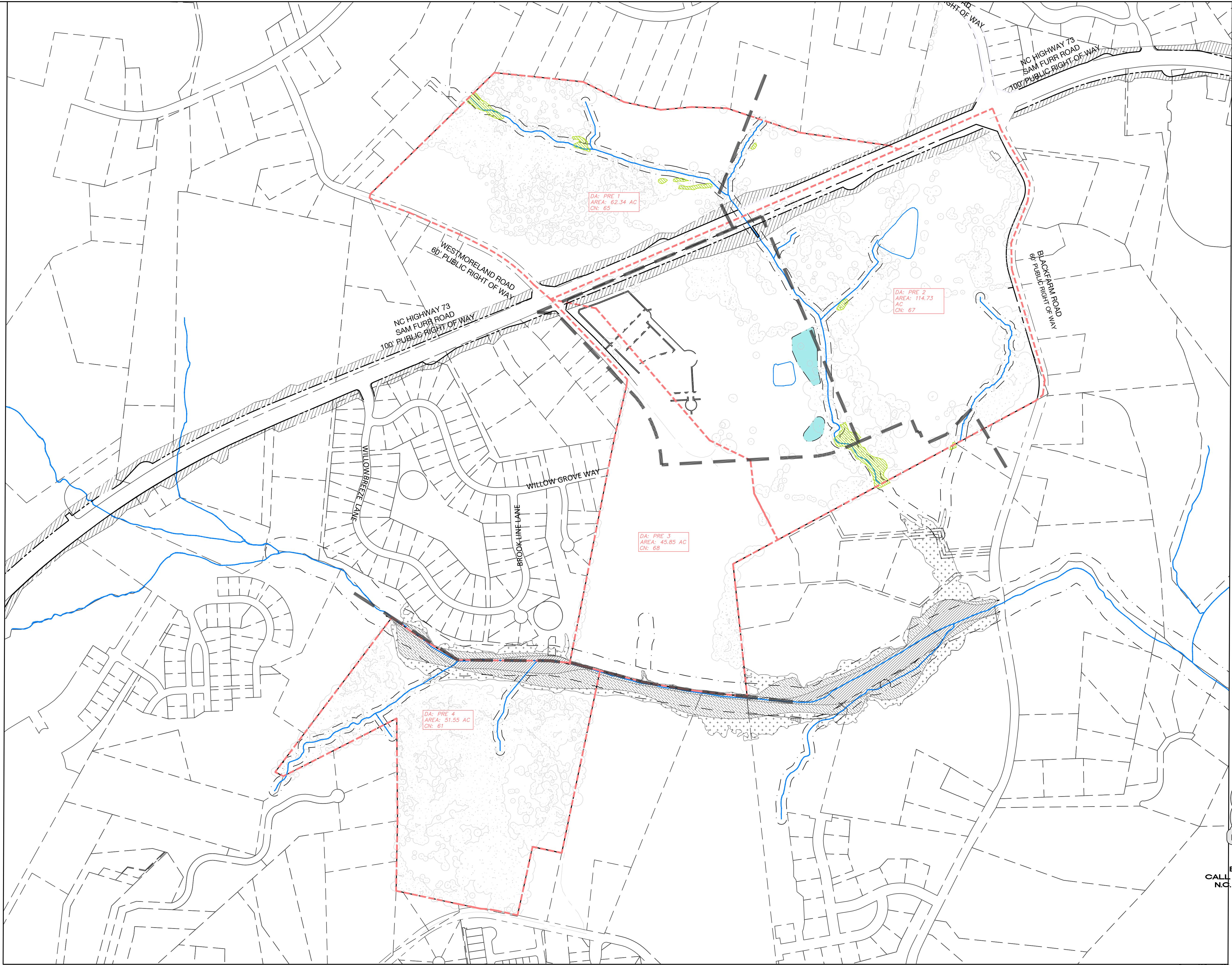
**Lagoona Bay
Beach Club**

Storm Drainage Plan
Sam Furr Road, Hutersville, NC 28078

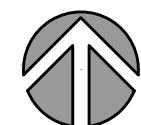
NO.	DATE	BY	REVISIONS
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Project No: 22-CLT-142
Date: 03.03.2023
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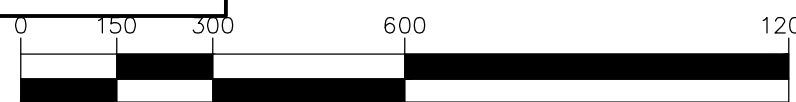
RZ-5.0



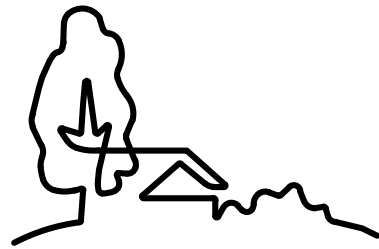
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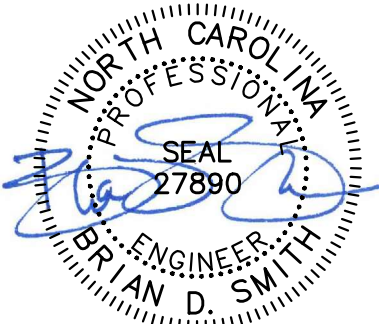


(IN FEET)
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Jake Palillo

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Cornelius, NC 28031

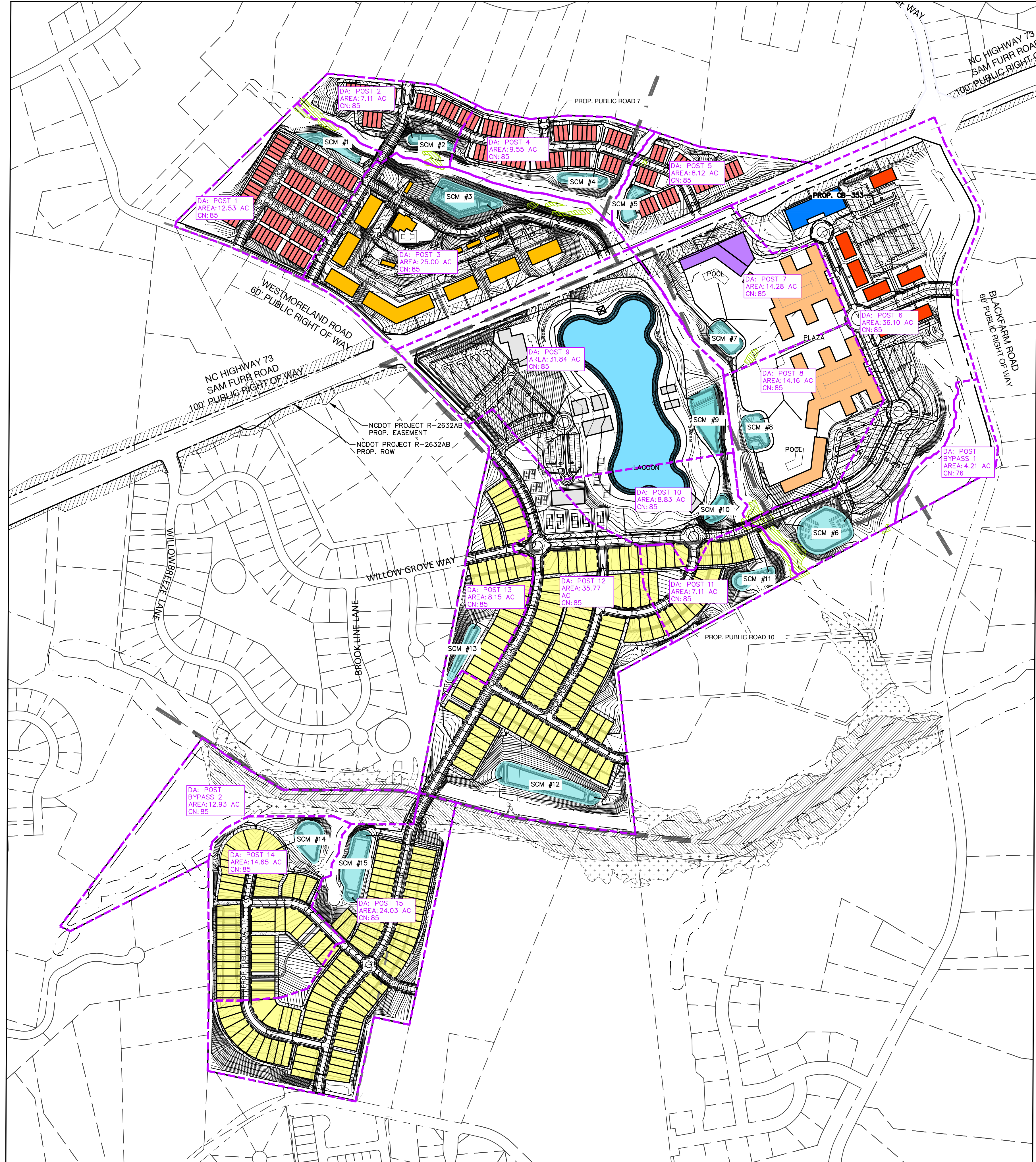
Lagoona Bay Beach Club

Drainage Area Plan - Pre-Developed
Sam Furr Road, Hutersville, NC 28078

NO.	DATE	BY:	REVISIONS:
001	04.14.2023	UDP	Lagoona Bay Beach Club Rezoning Revision 1
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RZ-5.1



	Post DA #	AREA (AC)	SCM TYPE	REQUIRED 25 YEAR VOLUME (CUBIC FT)	APPROX VOLUME PROVIDED (CUBIC FT)
Pre DA 1 (62.34 AC) CN: 65	1	12.53	WET POND	70,261	70,965
	2	7.11	SAND FILTER	39,869	41,395
	3	25	WET POND	140,186	205,000
	4	9.55	SAND FILTER	53,551	55,510
	5	8.12	SAND FILTER	45,533	53,895
Pre DA 2 (114.73 AC) CN: 67	6	36.1	WET POND	187,419	190,000
	7	14.28	WET POND	74,137	86,375
	8	14.16	WET POND	73,514	86,375
	9	31.84	WET POND	165,303	176,815
	10	8.83	SAND FILTER	45,842	49,980
	11	7.11	SAND FILTER	36,913	56,485
Pre DA 3 (45.85 AC) CN: 61	BYPASS 1	4.21	N/A	N/A	N/A
	12	35.77	WET POND	159,484	200,000
Pre DA 4 (51.55 AC) CN: 61	13	8.15	SAND FILTER	36,338	49,625
	14	14.65	SAND FILTER	82,657	65,000
	15	24.03	WET POND	135,580	173,570
	BYPASS 2	12.93	N/A	N/A	N/A

*CN of 85 assumed for post-developed conditions.
*Bypass areas are areas with no BUA/grading. Areas are bound by existing stream and property lines.

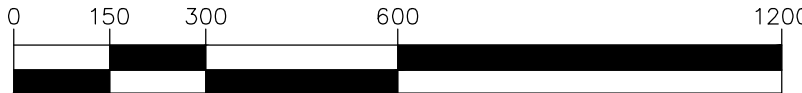
STORM WATER CONTROL MEASURES AND WATER QUALITY HAVE BEEN DESIGNED TO MEET THE 25-YEAR PRE-DEVELOPED PEAK FLOW RATE FOR DETENTION AT THE REQUEST OF THE TOWN OF HUNTERSVILLE.



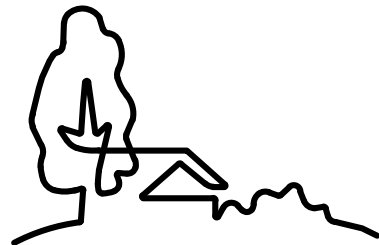
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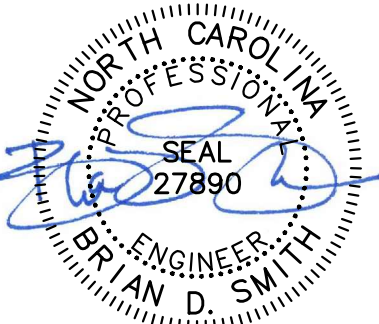


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Drainage Area Plan - Post-Developed
Sam Furr Road, Huntersville, NC 28078

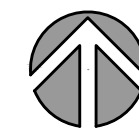
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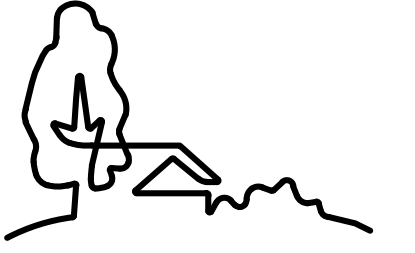
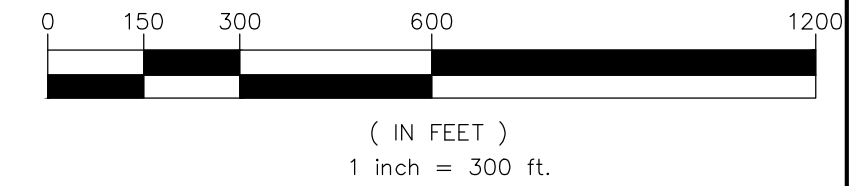
RZ-5.2



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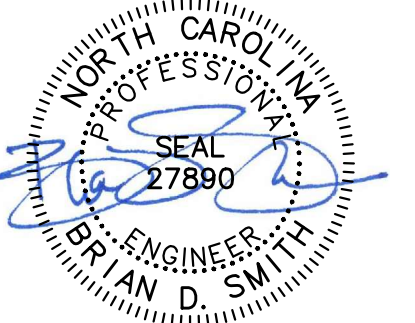


GRAPHIC SCALE



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Lagoona Bay Beach Club

Storm Drainage Plan Enlargement

Sam Furr Road, Huntersville, NC 28078

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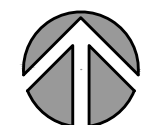
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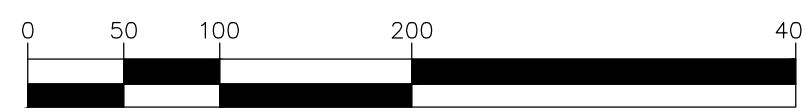
DISCARDED WATER FROM LAGOON WILL BE TREATED PRIOR TO RELEASE TO THE CREEK, OR IT WILL BE DIRECTED TO THE SANITARY SEWER SYSTEM.



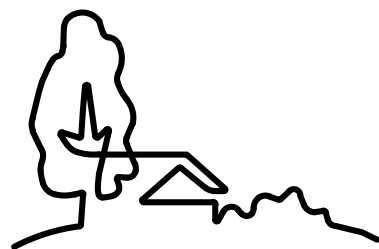
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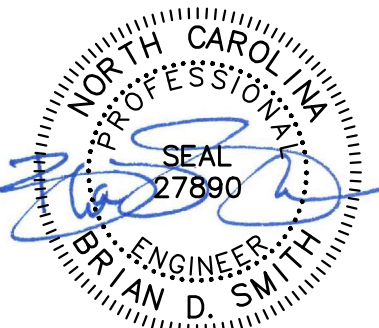


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Storm Drainage Plan Enlargement

Sam Furr Road, Huntersville, NC 28078

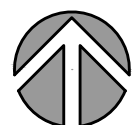
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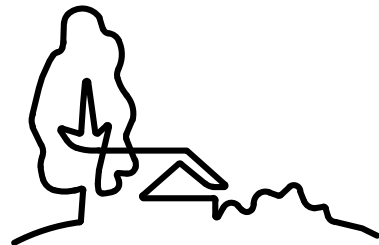
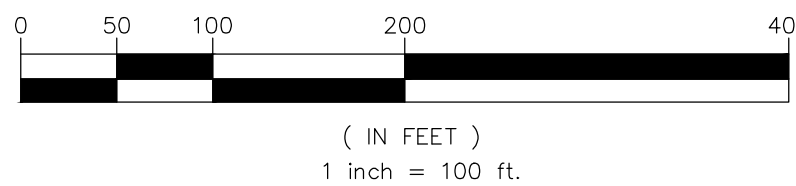
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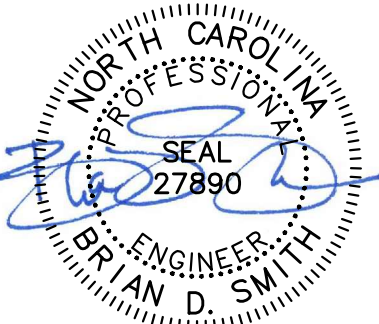


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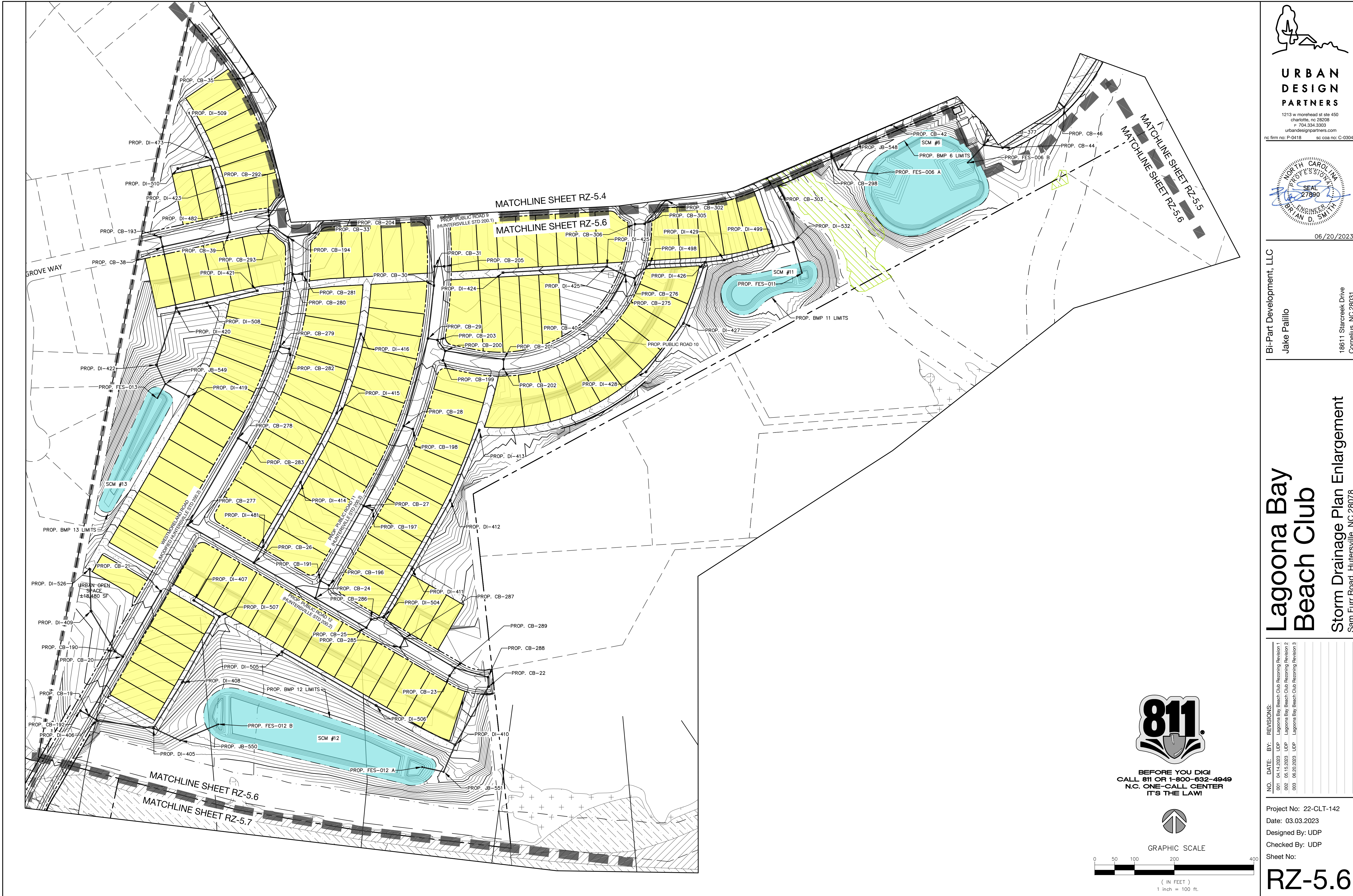
Storm Drainage Plan Enlargement

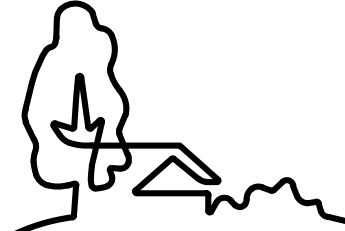
Sam Furr Road, Huntersville, NC 28078

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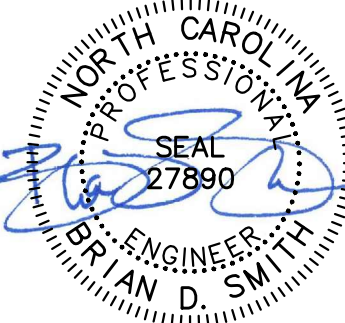
RZ-5.5





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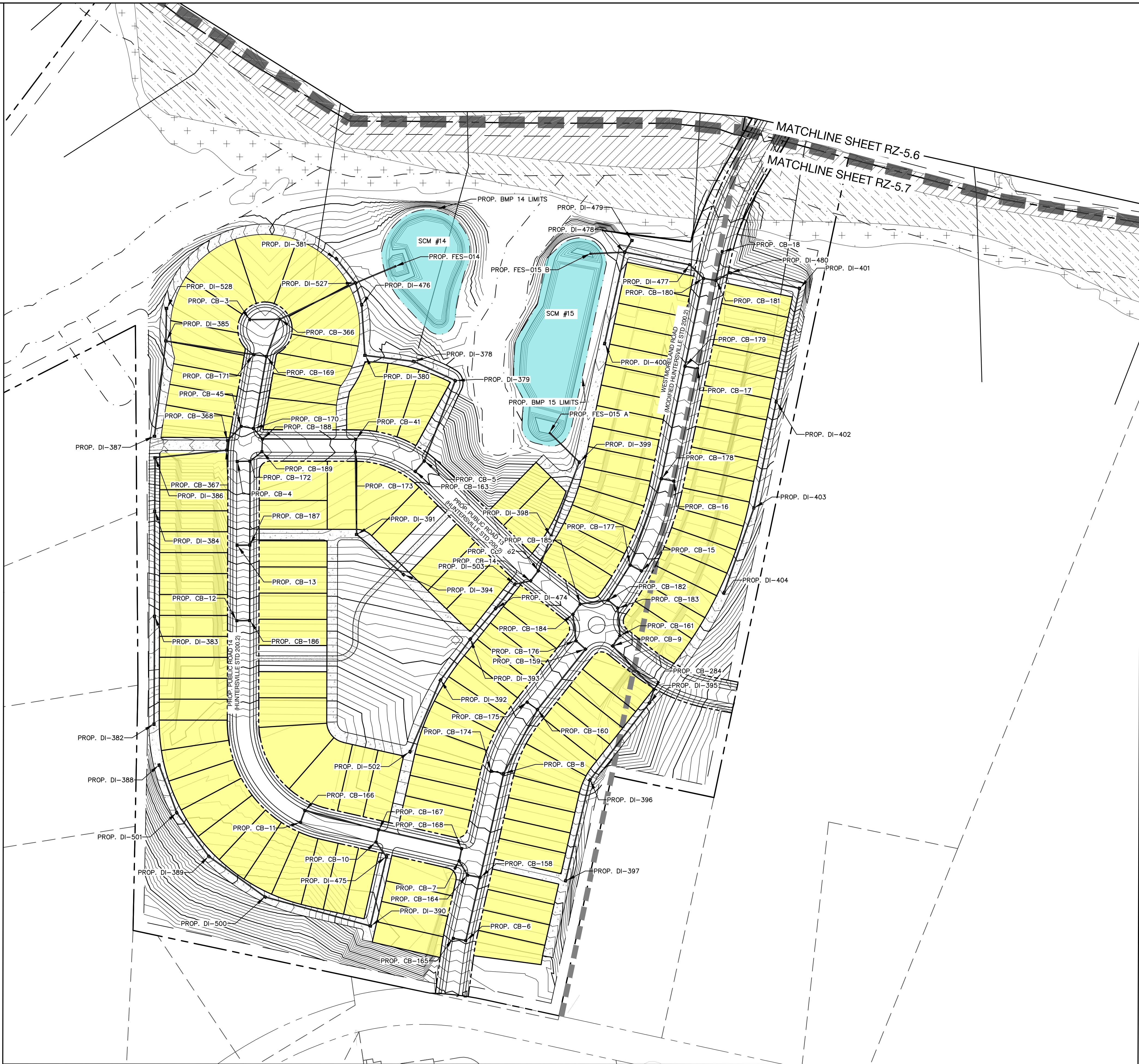
Lagoon Bay
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Storm Drainage Plan Enlargement
Sam Furr Road, Huntersville, NC 28078

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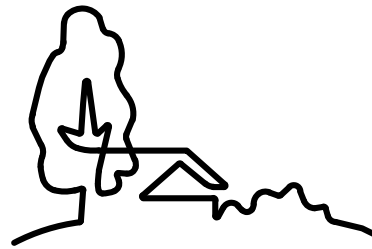
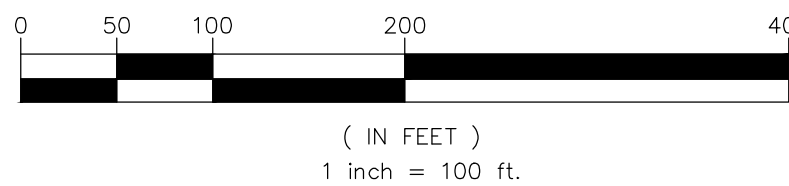
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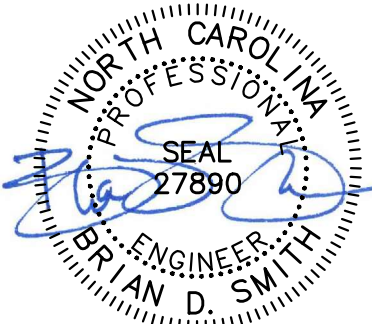


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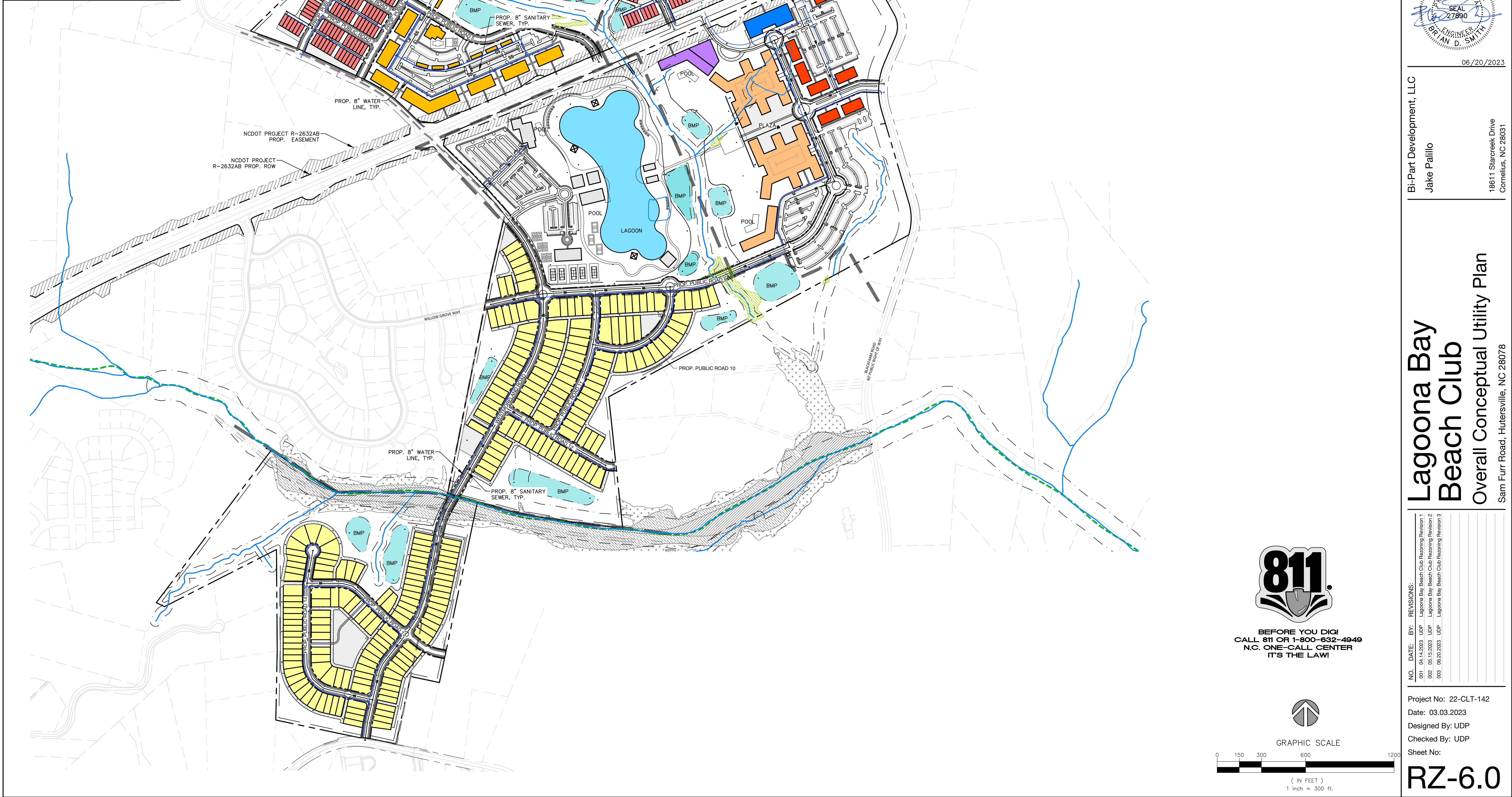
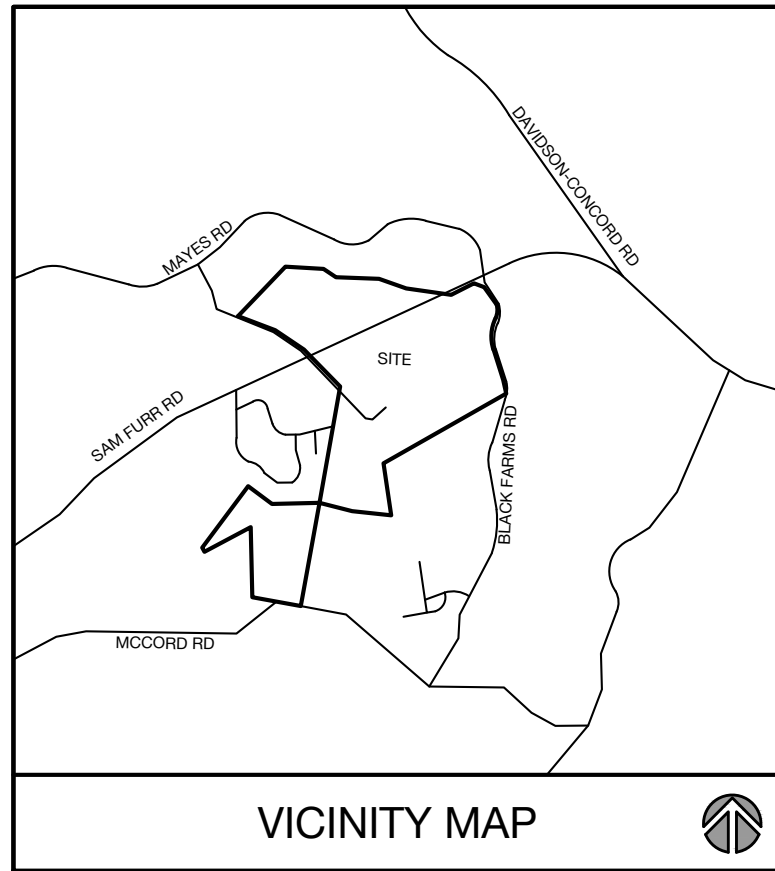
Storm Drainage Plan Enlargement

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Lagoona Bay Beach Club

Overall Conceptual Utility Plan

Sam Furr Road, Huntersville, NC 28078

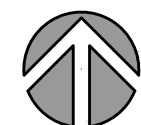
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Project No: 22-CLT-142
Date: 03.03.2023
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RZ-6.0



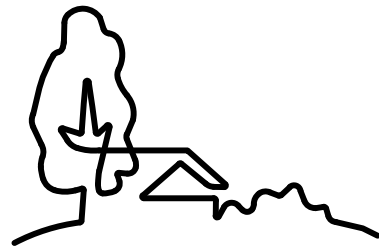
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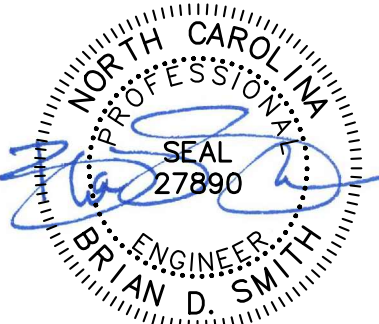


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Lagoona Bay Beach Club

Utility Concept Plan A
Sam Furr Road, Huntersville, NC 28078

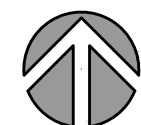
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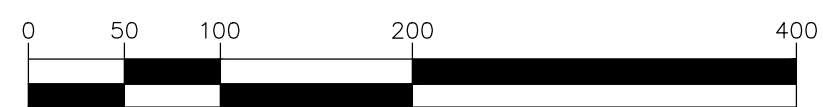
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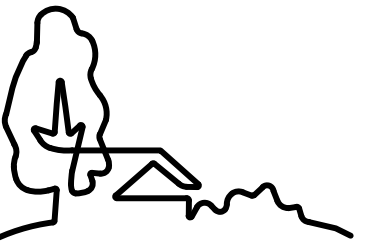
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Lagoona Bay Beach Club

Utility Concept Plan B
Sam Furr Road, Huntersville, NC 28078

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Project No: 22-CLT-142
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RZ-6.2



Lagoona Bay Beach Club

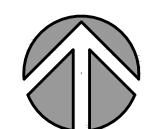
Utility Concept Plan C

Sam Furr Road, Huntersville, NC 28078

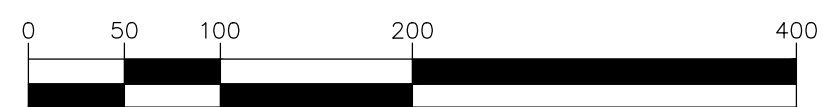
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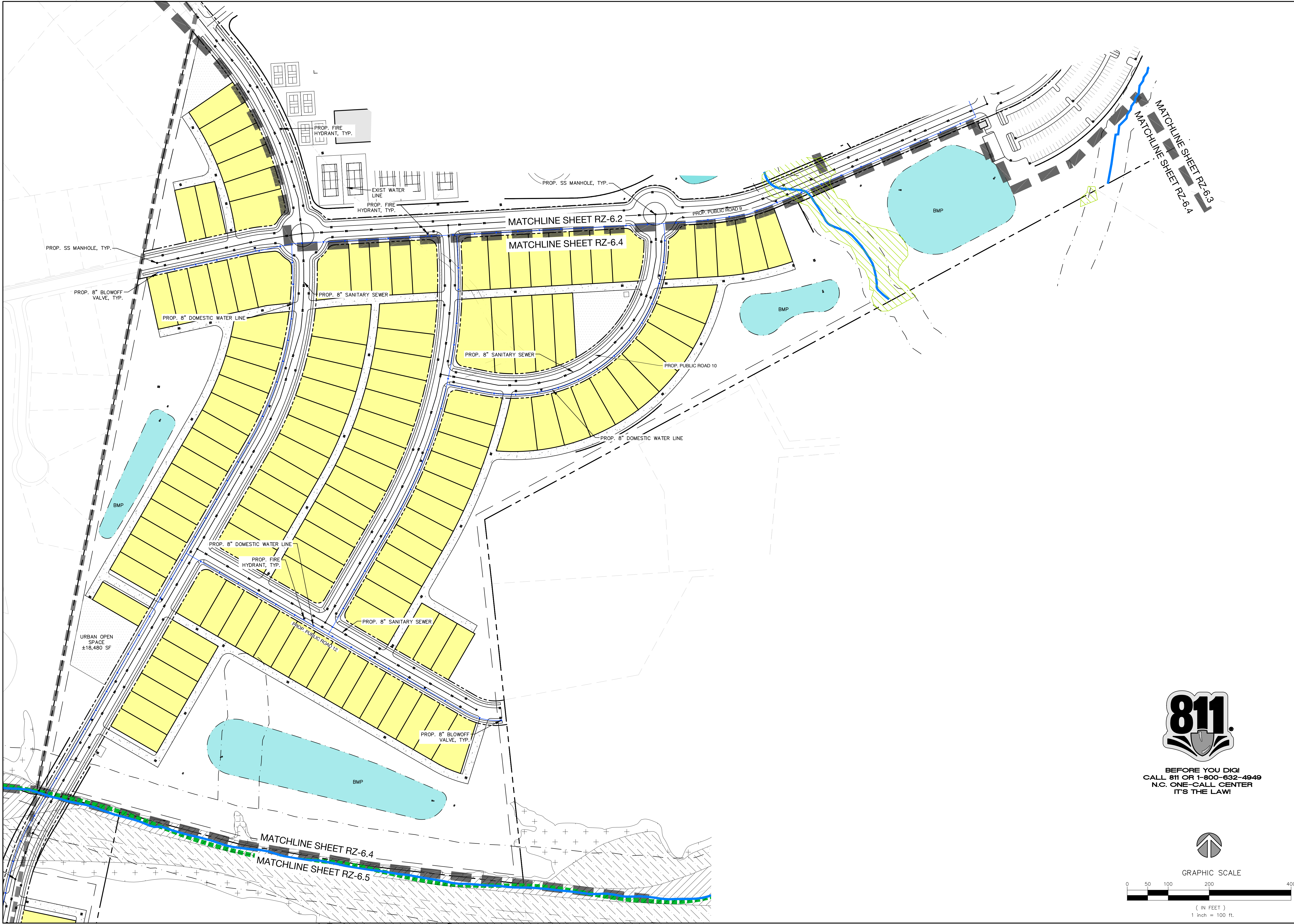
RZ-6.3



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Jake Palillo

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Lagoona Bay Beach Club

Utility Concept Plan D

Sam Furr Road, Huntersville, NC 28078

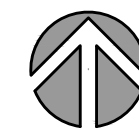
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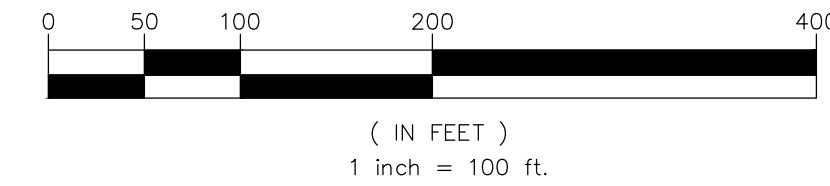
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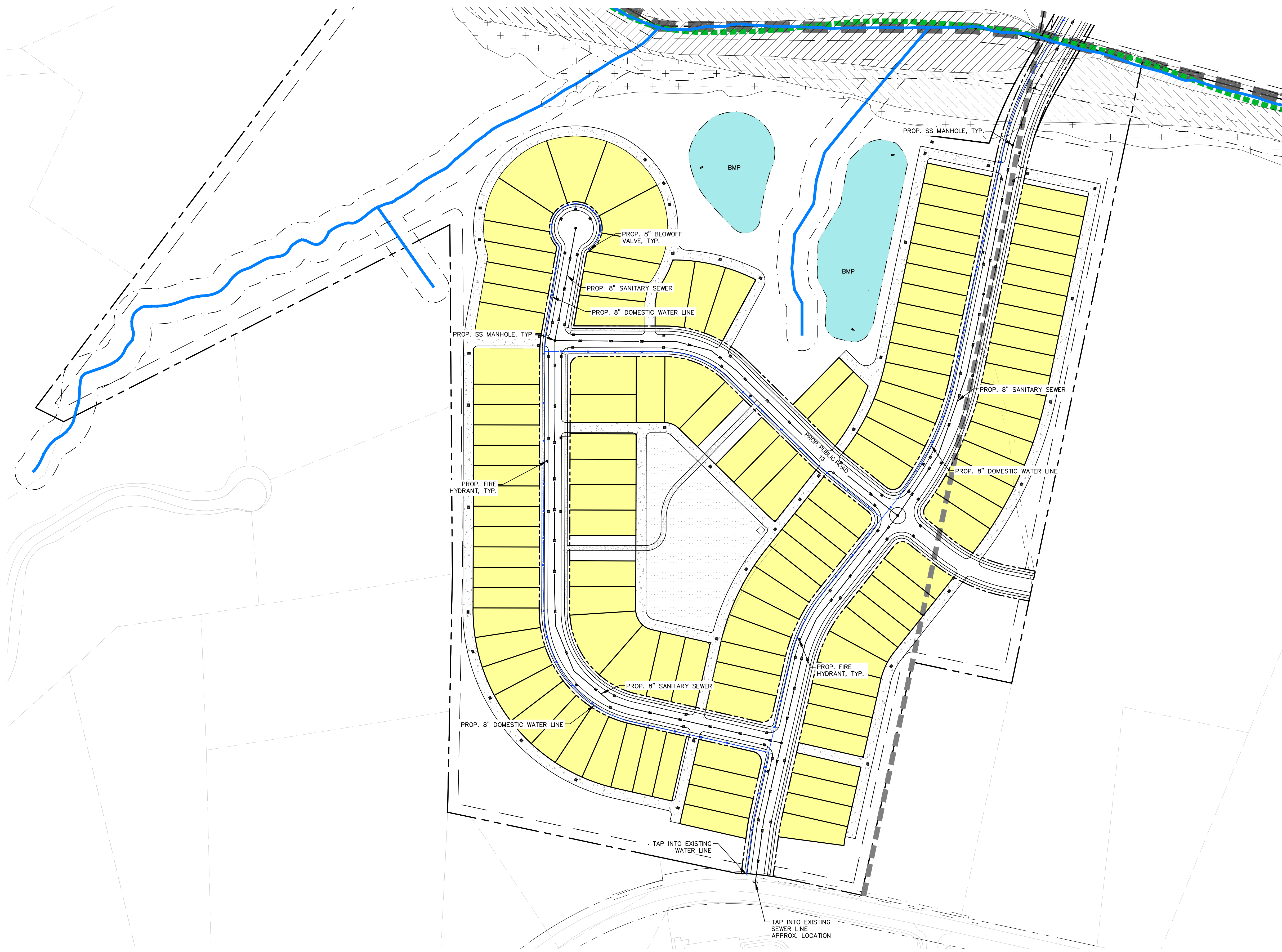


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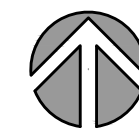


GRAPHIC SCALE

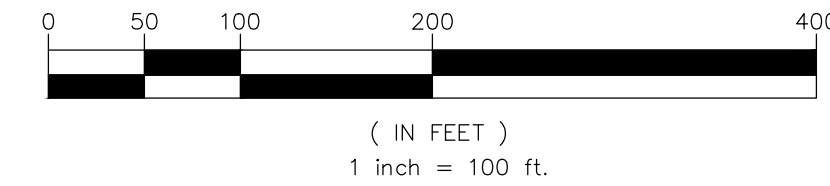


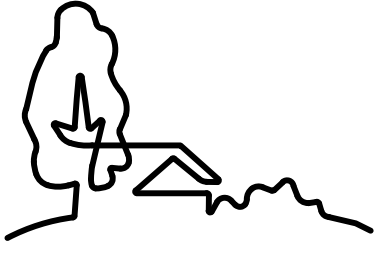


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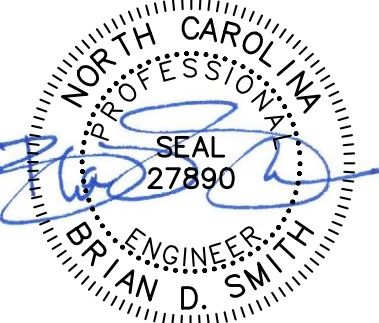
GRAPHIC SCALE





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PARTNERS**

1213 W. MOREHEAD ST. STE. 450
CHARLOTTE, NC 28208
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urbandesignpartners.com
nc firm no: P-0418 sc coa no: C-03044



06/20/2023

Bi-Part Development, LLC
Jake Palillo

18611 Starcreek Drive
Cornelius, NC 28031

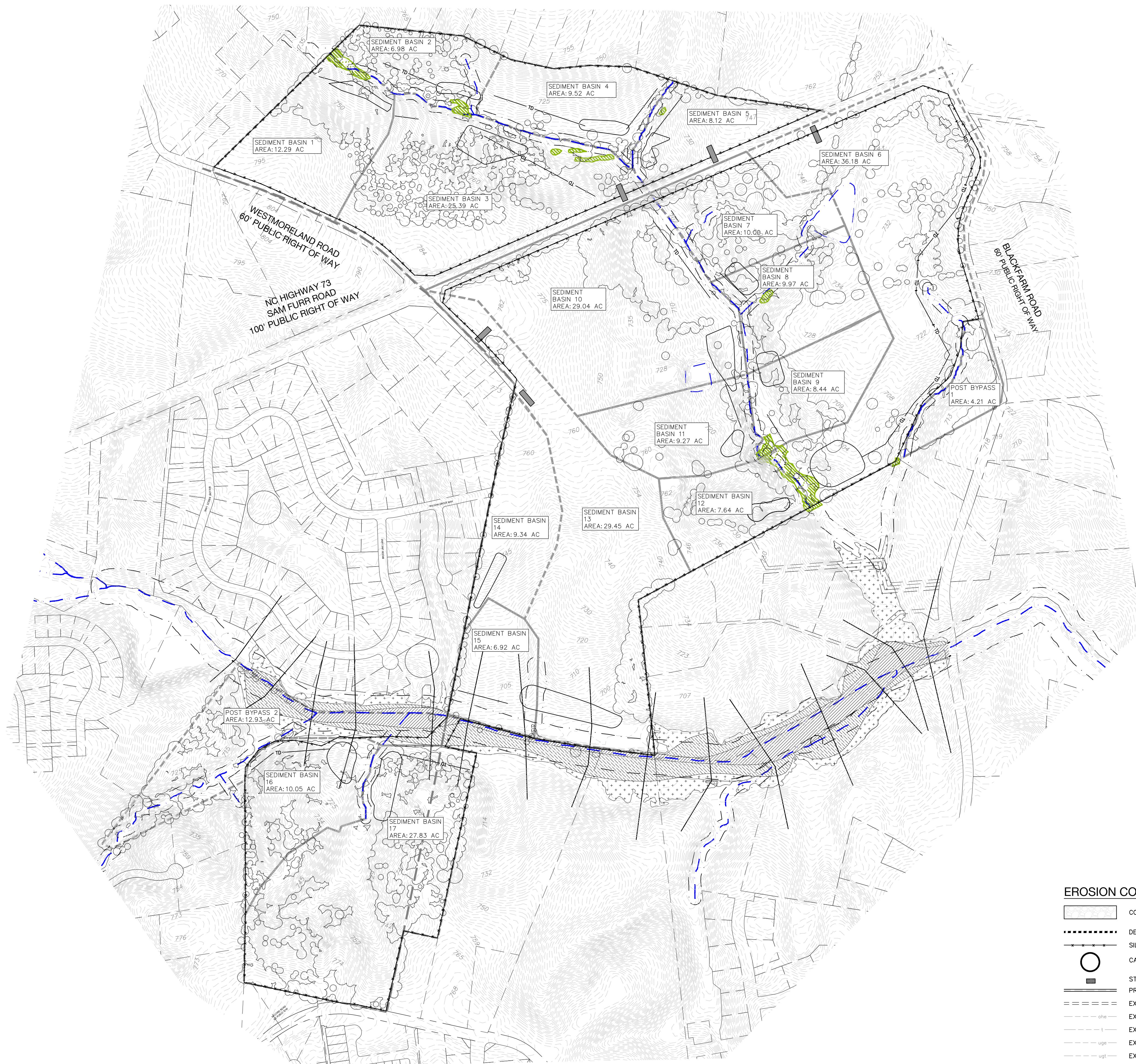
Lagoona Bay
Beach Club

Utility Concept Plan E
Sam Furr Road, Hutersville, NC 28078

NO.	DATE	BY	REVISIONS:
001	04.14.2023	UDP	Lagoona Bay Beach Club Rezoning Revision 1
002	05.15.2023	UDP	Lagoona Bay Beach Club Rezoning Revision 2
003	06.20.2023	UDP	Lagoona Bay Beach Club Rezoning Revision 3

Project No: 22-CLT-142
Date: 03.03.2023
Designed By: UDP
Checked By: UDP
Sheet No:

RZ-6.5

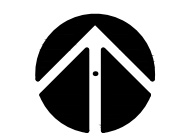


EROSION CONTROL LEGEND:

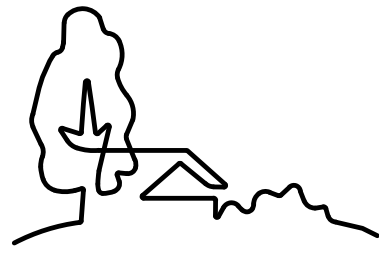
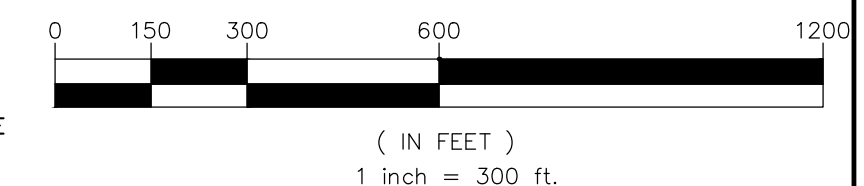
- CONSTRUCTION ENTRANCE
- DENUDED LIMIT
- SILT FENCE
- CATCH BASIN INLET PROTECTION
- STONE SILT FENCE OUTLET
- PROPOSED STORM DRAINAGE
- EXISTING STORM DRAINAGE
- EXISTING OVERHEAD ELECTRIC
- EXISTING TELEPHONE
- EXISTING UNDERGROUND ELECTRIC
- EXISTING UNDERGROUND TELEPHONE
- EXISTING WATER LINE
- EXISTING GAS LINE
- EXISTING UTILITY POLE



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GRAPHIC SCALE



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nc firm no: P-0418 sc coa no: C-03044

PRELIMINARY DRAWING
FOR REVIEW PURPOSES ONLY

06/20/2023

Bi-Part Development, LLC
Jake Palillo

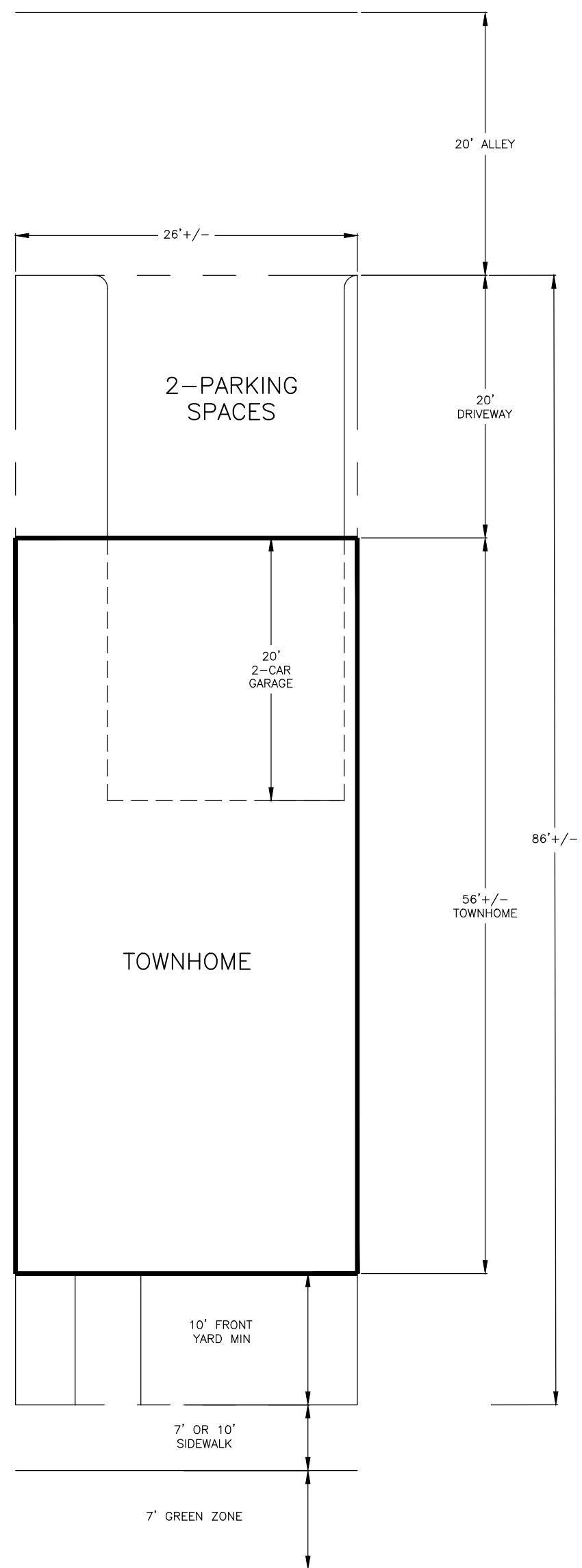
18611 Starcreek Drive
Cornelius, NC 28031

Lagoon Bay
Beach Club
Erosion Control Ph 1 Overall
Sam Furr Road, Hutersville, NC 28078

NO.	DATE	BY:	REVISIONS:
001	04.14.2023	UDP	Lagoon Bay Beach Club Rezoning Revision 1
002	05.15.2023	UDP	Lagoon Bay Beach Club Rezoning Revision 2
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Project No: 22-CLT-142
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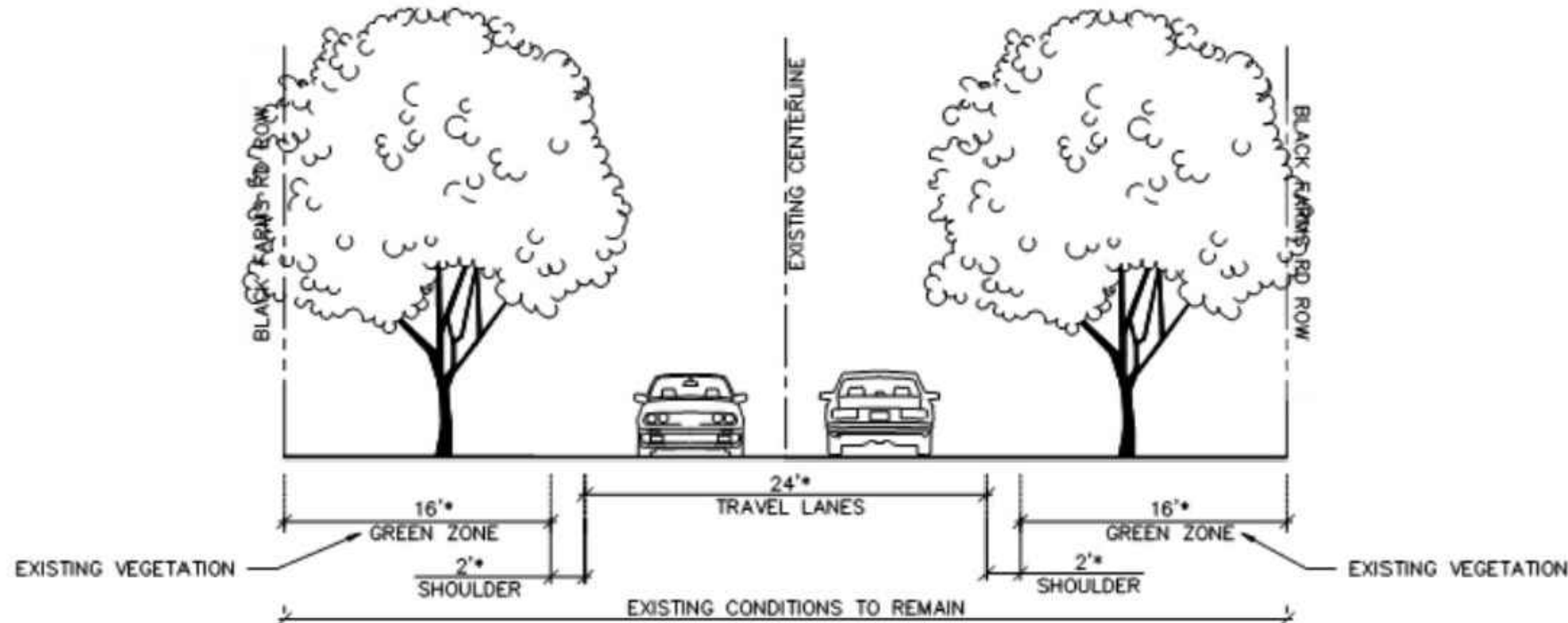
RZ-7.0



ROAD

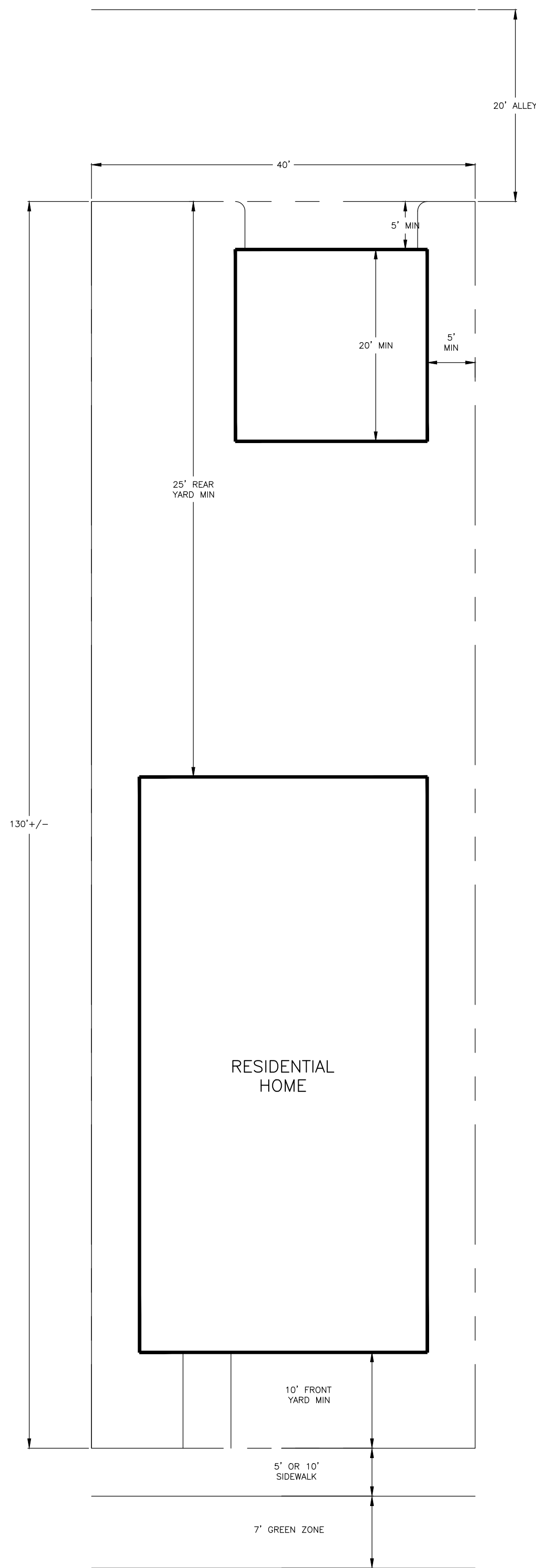
TOWNHOME TYPICAL

BLACK FARMS ROAD (60' PUBLIC ROW)



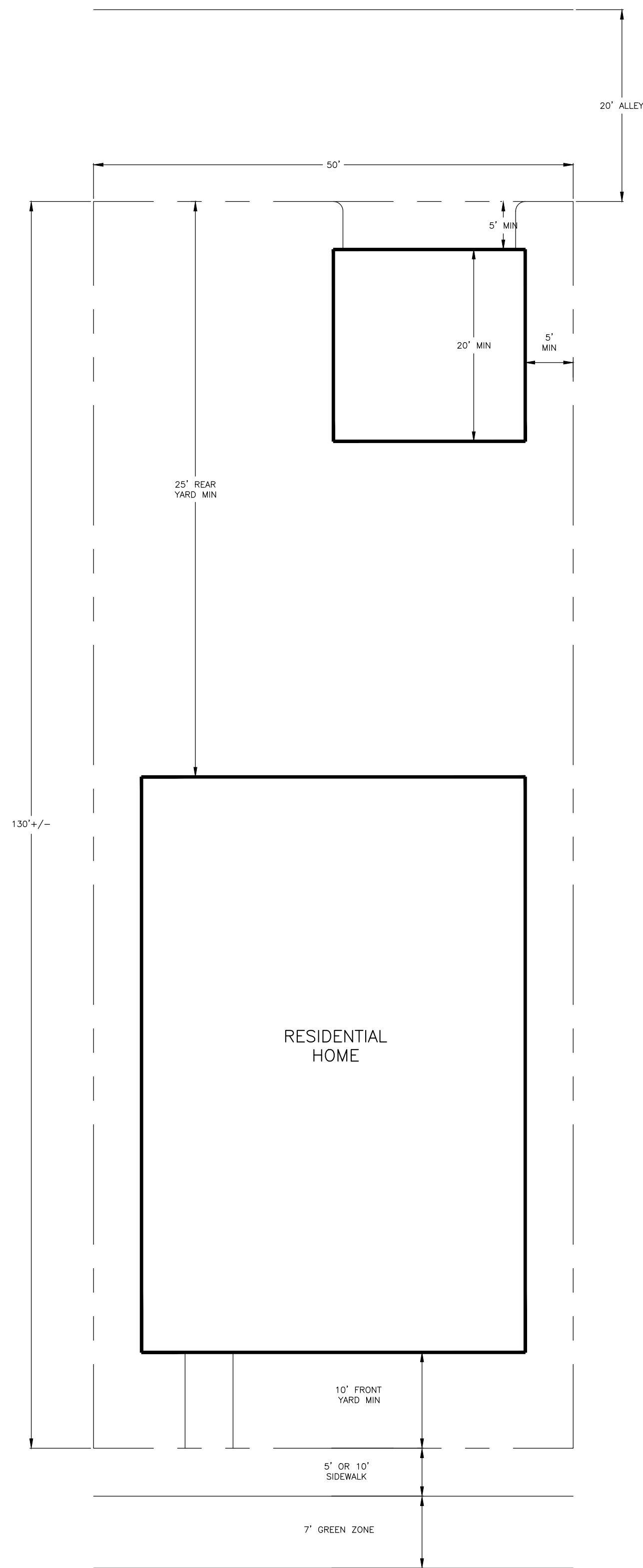
*EXISTING CONDITIONS ARE APPROXIMATE.

*EXISTING CHARACTER OF BLACK FARMS ROAD TO BE PRESERVED AND COORDINATED WITH NCDOT WHILE ALLOWING FOR NECESSARY ROAD IMPROVEMENTS.



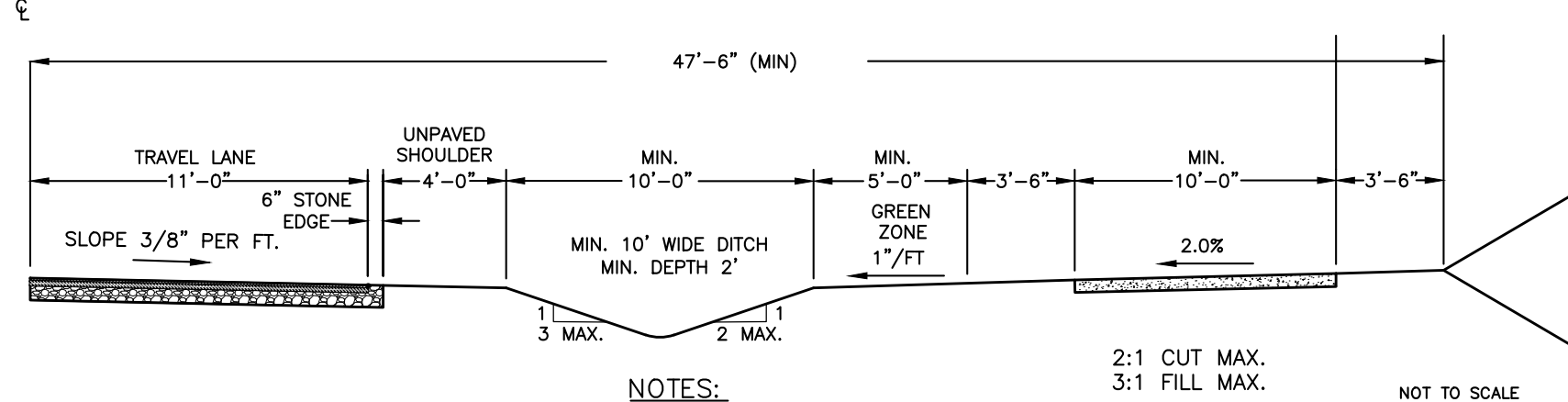
ROAD

40' RESIDENTIAL LOT



ROAD

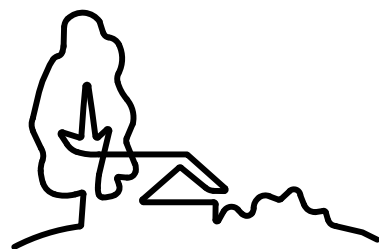
50' RESIDENTIAL LOT



NOTES:

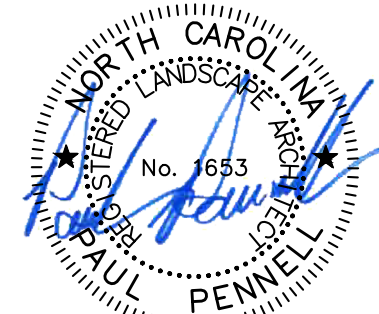
1. SIDEWALK LOCATED OUTSIDE OF STREET RIGHT-OF-WAY SHALL BE LOCATED IN A PERMANENT SIDEWALK EASEMENT EXTENDING 1 FOOT BEYOND BACK OF SIDEWALK
2. TREES TO BE PLACED IN GREEN ZONE 3.5 FEET FROM FACE OF SIDEWALK
3. PROPOSED SECTION APPLIES TO PROPERTY FRONTAGE ONLY. IF FRONTAGE IS ON ONE SIDE OF ROAD, ONLY ONE SIDE SHALL BE IMPROVED.
4. TREES SHALL BE PLANTED A MIN. OF 5' BEHIND DITCH AND 3.5' FROM SIDEWALK

MCCORD ROAD PROPOSED SECTION



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charlotte, nc 28208
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nc firm no: P-0418 sc coa no: C-03044



06/20/2023

Bi-Part Development, LLC

Jake Palillo

18611 Starcreek Drive
Cornelius, NC 28031

Lagoona Bay Beach Club

Street Section Details
Sam Furr Road, Hutersville, NC 28078

NO. DATE: BY: REVISIONS:

001 04.14.2023 UDP Lagoona Bay Beach Club Rezoning Revision 1
002 05.15.2023 UDP Lagoona Bay Beach Club Rezoning Revision 2
003 06.20.2023 UDP Lagoona Bay Beach Club Rezoning Revision 3

Project No: 22-CLT-142

Date: 03.03.2023

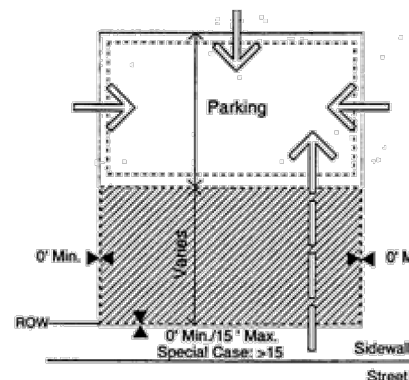
Designed By: UDP

Checked By: UDP

Sheet No:

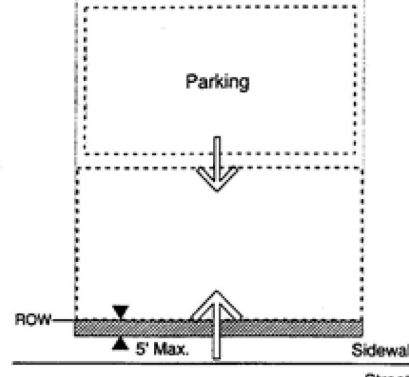
RZ-8.1

4.3 Lot Type / Shopfront Building



Building Placement/Parking/Vehicular Access.

- Buildings shall be placed on the lot within the zone represented by the hatched area. In most cases, the build to line will range from 0' to 15' behind street ROW. Special site conditions such as topography, pattern of lot widths, or setbacks of existing buildings permit a larger setback.
- Building facades shall be generally parallel to frontage property lines.
- Parking shall be located to the rear of the building; sideyard parking shall occupy no more than 25 percent of the primary frontage line and shall not be placed in an established sideyard abutting an intersecting street. Where dimensions of existing lots restrict parking behind buildings, the limitations on sideyard parking may be modified.
- Points of permitted access to the parking indicated by arrows.
- Hedges, garden walls, or fences may be built on property lines or as the continuation of building walls. A garden wall, fence, or hedge (min. 3' in height) shall be installed along any street frontage adjacent to parking areas.
- Parking areas on adjacent lots shall be connected wherever practicable.
- Trash containers shall be located in a rear parking area (see Parking Regulations).
- Mechanical and utility equipment at ground level shall be placed in the side or rear yard and shall be screened from view by opaque screening from grade level along any public street or adjacent property (Article 7.6.2). Buildings that front on more than one public street may have mechanical and utility equipment located within a street facing yard, provided it is visually screened using compatible building materials and design as the principal structure. This is applicable only where no other reasonable option exists as determined by the Administrator. Examples of features limiting the location of mechanical and utility equipment may include, but not limited to, the physical layout of existing building, the presence of easements, elevation changes, etc.



Encroachment/Pedestrian Access to Building.

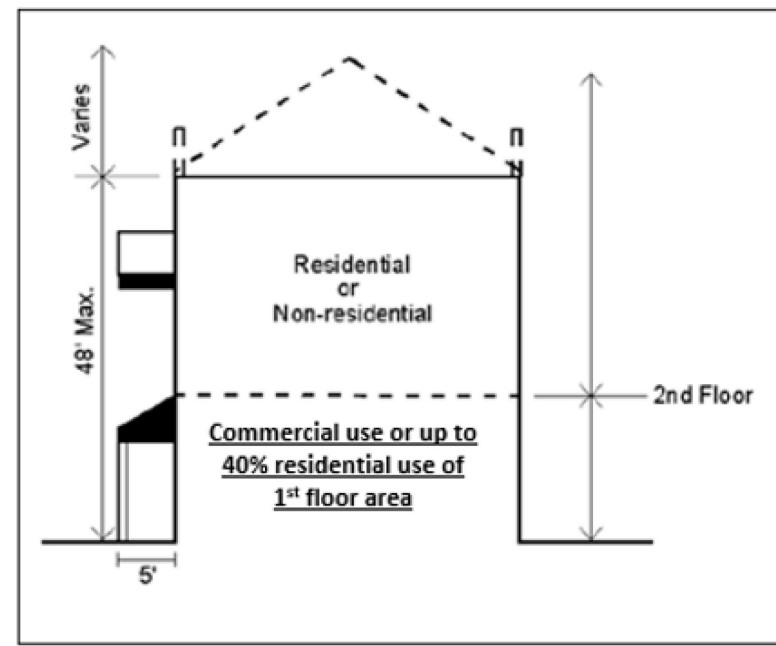
- Balconies, bay windows, arcades, porches at an upper level and their supports at ground level, together with awnings above head height are permitted within the sidewalk as shown by the hatched area. Encroaching arcades should cover entire sidewalk.
- Primary pedestrian access into the building shall be from the street frontage line (indicated by larger arrow). Secondary access may be from parking areas (indicated by smaller arrow).

Special Conditions.

- The intention of buildings in all locations must be to relate the principal facade to the sidewalk and public space of the street.
- Drive-through customer services, if permitted in the district, must be located at the rear of the building or on a side which does not abut a street.
- Setbacks at street corners will generally replicate frontage conditions. However, side setbacks on a minor street may be less than the front dimension.
- Within the limits described, front and side setbacks will vary depending upon site conditions. Setbacks should be used in a manner which encourages pedestrian activity. Squares or spatially defined plazas within building setback areas can act as focal points for pedestrians.

Description. The shopfront building is a small-scale structure which can accommodate a variety of uses. The structure is typically a maximum of 15,000 square feet. A group of shopfront buildings can be combined to form a mixed-use neighborhood center. Individual shopfront buildings can be used to provide some commercial service, such as a convenience food store, in close proximity to homes. Traditional commercial buildings in the old town provide good examples. Hotels, inns, and conference centers may be placed in shopfront or mixed-use buildings. Where possible, structures shall be designed to terminate vistas or serve as key focal points in the neighborhood.

4.4 Building Type/ Shopfront Building Permitted Height and Uses



- Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves or the highest level of a flat roof.
- The height of parapet walls may vary depending upon the need to screen mechanical equipment.
- Building height to the ridge may vary depending on the roof pitch.
- Permitted uses are indicated above, and are further controlled by district regulations.
- Where an existing residential building converts to a mixed-use building, at least 40% of the habitable floors area shall be residential.
- First floor commercial floor area shall include floor area used exclusively for commercial use and shall not include any floor area that contains or is shared with residential uses, such as storage, mechanical rooms, etc. Any floor area, devoted partially or wholly to serving residential uses, shall be considered residential floor area.

Architectural Standards.

Principles.

- To perpetuate the unique building character of the town and its environs, and to re-establish its local identity, development shall generally employ building types that are sympathetic to the historic architectural vocabulary of the area in their massing and external materials.
- Building elevations fronting or visible from public streets shall be clad with masonry, wood, vinyl siding, stucco, or similar material. Decorative metal panels such as Aluminum Composite Material (ACM) panels may be used as an accent or trim material and as cladding for building accent elements such as column wraps, entablature, canopies, and their supporting structure. Decorative metal panel accents, however, may not exceed 30% of any facade visible from the street.
- The front elevations facing the street, and the overall massing shall communicate emphasis on the human scale and the pedestrian environment.
- Each building should be designed to form part of a larger composition of the area in which it is situated. Adjacent buildings should thus be of similar scale, height, and configuration.
- Shopfront Building Architectural Standards Principles A-D shall not apply to the residential portion of development on parcels where multifamily structures are an allowable use and the development contains two or more affordable housing units for families or individuals with incomes below eighty percent (80%) of the area median income.
- Trailers (mobile units) may not be used as permanent shopfront buildings.

Configurations.

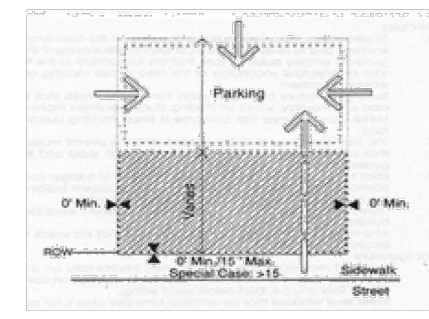
- Two wall materials may be combined horizontally on one facade. The "heavier" material should be below and can cover the first floor only (i.e. brick below wood siding).
- Street level windows should be untinted. Tinted glass with a minimum visual transmittance factor of 35 is permitted. Mirrored or reflective glass is not permitted in any location.
- Windows shall be of square or vertical proportion. Special windows may be circular or regular polygons.

Techniques.

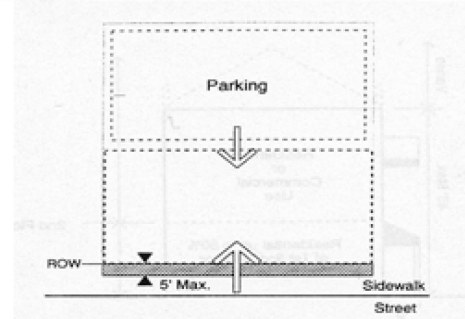
- Windows should be set to the inside of the building face wall.
- All rooftop equipment shall be enclosed in a building material that matches the structure or is visually compatible with the structure.

4.1 Lot Type / Urban Workplace

Building Placement/Parking/Vehicular Access.



- Buildings shall be placed on the lot within the zone represented by the hatched area. In most cases, the build to line will range from 0' to 15' behind street right-of-way (ROW). Special site conditions such as topography, pattern of lot widths, or setbacks of existing buildings permit a larger setback.
- Building facades shall be generally parallel to frontage property lines. The façade shall be determined by the massing of the building.
- Parking shall be located primarily to the rear of the building; sideyard parking shall occupy no more than 35% of the primary frontage line and shall not be placed in any sideyard abutting an intersecting street. Where dimensions of existing lots restrict parking behind buildings, the limitations on sideyard parking may be modified.
- Points of permitted access to the parking indicated by arrows.
- Hedges, garden walls, or fences may be built on property lines or as the continuation of building walls. A garden wall, fence, or hedge (min. 3' in height) shall be installed along any street frontage adjacent to parking areas.
- Parking areas on adjacent lots shall be connected wherever practicable.
- Trash containers shall be located in a rear parking area (see Parking Regulations) and shall be screened from the right-of-way.
- Mechanical and utility equipment at ground level shall be placed in the side or rear yard and shall be screened from view by opaque screening from grade level along any public street or adjacent property (Article 7.6.2). Buildings that front on more than one public street may have mechanical and utility equipment located within a street facing yard, provided it is visually screened using compatible building materials and design as the principal structure. This is applicable only where no other reasonable option exists as determined by the Administrator. Examples of features limiting the location of mechanical and utility equipment may include, but not limited to, the physical layout of existing building, the presence of easements, elevation changes, etc.
- Building facades at street frontage lines shall be pedestrian oriented and of pedestrian scale.



Encroachment/Pedestrian Access to Building.

- Balconies, bay windows, arcades, porches at an upper level and their supports at ground level, together with awnings above head height (min. 7'-6") are permitted within the sidewalk as shown by the hatched area. Encroaching arcades should cover entire sidewalk.
- Primary pedestrian access into the building shall be from the street frontage line (indicated by larger arrow). Secondary access may be from parking areas (indicated by smaller arrow).

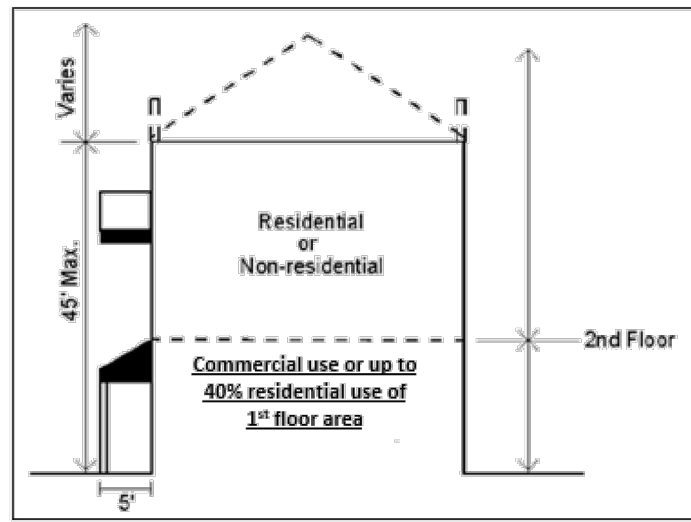
Special Conditions.

- Buildings in all locations should relate the principal façade to the sidewalk and public space of the street.
- Setback at street corners will generally replicate frontage conditions. Side setbacks on a minor street may be less than the front dimension.
- Within the limits described, front and side setbacks will vary depending upon site conditions. Setbacks should be used in a manner which encourages pedestrian activity. For example, squares or spatially defined plazas within building setback areas can act as focal points for pedestrians.

Description. The workplace building may be a large structure (15,000+ square feet) and may have a single use/tenant. Office, industrial, and commercial tenants are typical. Southern mill villages often provide examples of how these buildings can reasonably coexist with other businesses and homes. Locke Mill Plaza, in Concord, provides a good example with its placement at the end of prestigious Union Street. These buildings are critical to the town as employment centers and commercial service locations. The buildings will provide space for industry, large offices, as well as hotels, conference facilities, and large retail uses such as a full-service grocery store. Where possible, structures shall be designed to terminate vistas or serve as key focal points in the neighborhood.

4.2 Building Type / Urban Workplace

Permitted Height and Uses.



- Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves or the highest level of a flat roof.
- The height of parapet walls may vary depending upon the need to screen mechanical equipment.
- Building height to the ridge may vary depending on the roof pitch.
- Permitted uses are indicated above, and are further controlled by zoning district standards.
- First floor commercial floor area shall include floor area used exclusively for commercial use and shall not include any floor area that contains or is shared with residential uses, such as storage, mechanical rooms, etc. Any floor area, devoted partially or wholly to serving residential uses, shall be considered residential floor area.

Architectural Standards.

Principles.

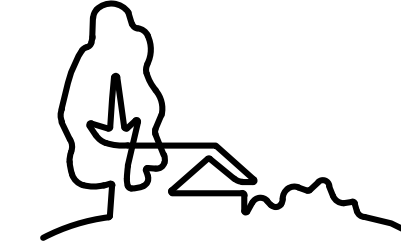
- To perpetuate the unique building character of the town and its environs, and to re-establish its local identity, development shall generally employ building types that are compatible to the historic architectural vocabulary of the area in their massing and external treatment.
- Building elevations fronting or visible from public streets shall be clad with masonry, wood, vinyl siding, stucco, or similar material. Metal paneling may not comprise a street fronting building face. Decorative metal panels, such as Aluminum Composite Material (ACM) panels, may be used as an accent or trim material and as cladding for building accent elements such as canopies and their supporting structure. However, decorative metal panel accents may not exceed 30% of any façade visible from the street.
- The front elevations facing the street, and the overall massing shall communicate an emphasis on the human scale and the pedestrian environment.
- Each building should be designed to form part of a larger composition of the area in which it is situated. Adjacent buildings should thus be of similar scale, height, and configuration.
- Urban Workplace Architectural Standards Principles A-D shall not apply to the residential portion of development on parcels where multifamily structures are an allowable use and the development contains two or more affordable housing units for families or individuals with incomes below eighty percent (80%) of the area median income.
- Trailers (mobile units) may not be used as permanent workplace buildings.

Configurations.

- Two wall materials may be combined horizontally on one facade. The "heavier" material should be below and can cover the first floor only (i.e. brick below wood siding).
- Street level windows shall be untinted. Tinted glass with a minimum visual transmittance factor of 35 is permitted. Mirrored or reflective glass is not permitted in any location.
- Windows shall be of square or vertical proportion. Special windows may be circular or regular polygons.

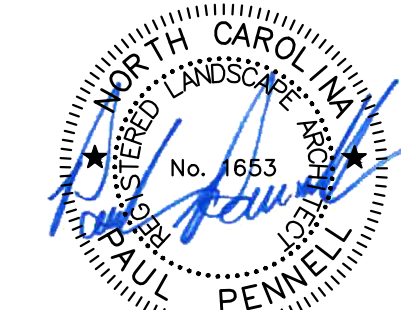
Techniques.

- Windows should be set to the inside of the building face wall.
- All rooftop equipment shall be enclosed in a building material that matches the structure or is visually compatible with the structure.



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06/20/2023

Bi-Part Development, LLC

Jake Palilio

18611 Starcreek Drive
Cornelius, NC 28031

Lagoona Bay
Beach Club

Building and Lot Types
Sam Furr Road, Hutersville, NC 28078

NO.	DATE	BY:	REVISIONS:
001	04.14.2023	UDP	Lagoona Bay Beach Club Rezoning Revision 1
002	05.15.2023	UDP	Lagoona Bay Beach Club Rezoning Revision 2
003	06.20.2023	UDP	Lagoona Bay Beach Club Rezoning Revision 3

Project No: 22-CLT-142

Date: 03.03.2023

Designed By: UDP

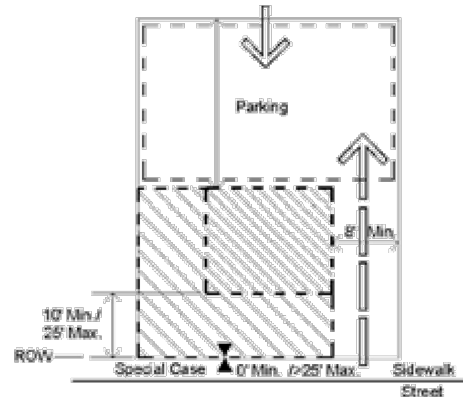
Checked By: UDP

Sheet No:

RZ-8.2

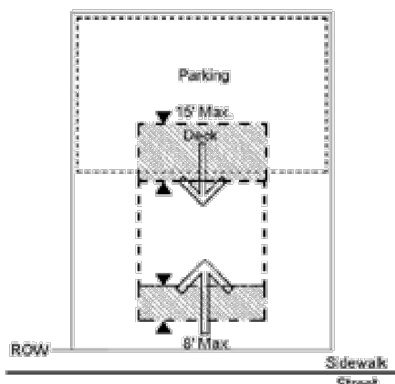
Lot Type / Apartment Building

4.7 Lot Type / Apartment Building



Building Placement/Parking/Vehicle Access.

- Buildings shall be placed on the lot within the zone represented within the hatched area.
- In most cases, the build to line will be 15' behind street ROW. Special site conditions such as topography, pattern of lot widths, or setbacks of existing buildings permit a larger setback. In urban conditions, apartments may be set up to the property line at the sidewalk, including corner conditions.
- Building facades shall be generally parallel to front property lines. All buildings shall front onto a public street. All ground floor residential units with exterior access shall front a public street, unless specifically exempted by one of the provisions of Section 8.1.
- Parking shall be located to the rear of the building.
- Points of permitted access to the parking indicated by arrows.
- Hedges, garden walls, or fences may be built on property lines or as the continuation of building walls. A garden wall, fence, or hedge (min. 3' in height) shall be installed along any street frontage adjacent to parking areas.
- Trash containers shall be located in the rear parking area (see Parking Regulations).
- Mechanical and utility equipment at ground level shall be placed in the side or rear yard and shall be screened from view by opaque screening from grade level along any public street or adjacent property (Article 7.6.2). Buildings that front on more than one public street may have mechanical and utility equipment located within a street facing yard, provided it is visually screened using compatible building materials and design as the principal structure. This is applicable only where no other reasonable option exists as determined by the Administrator. Examples of features limiting the location of mechanical and utility equipment may include, but not limited to, the physical layout of existing building, the presence of easements, elevation changes, etc.



Encroachment/Pedestrian Access.

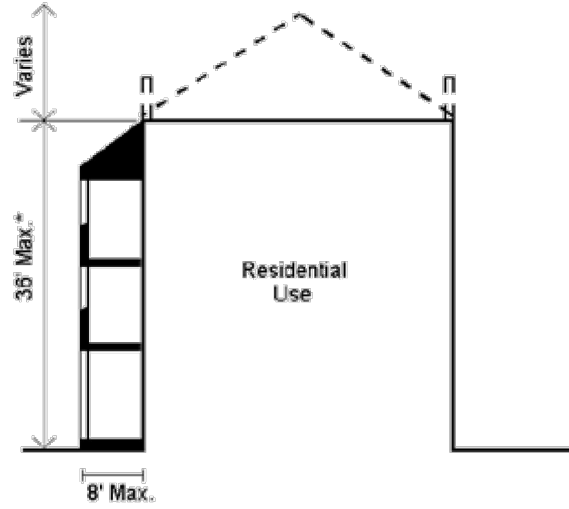
- For buildings set back from sidewalk, balconies, stoops, stairs, open porches, bay windows, and awnings are permitted to encroach into setback area up to 8'.
- Attached decks are permitted to encroach into the rear setback up to 15 feet.
- For buildings set up to the sidewalk, upper level balconies, bay windows and their supports at ground level may encroach a maximum of 5'0" over the sidewalk.
- Main pedestrian access to the building and to individual units is from the street (indicated by larger arrow), unless specifically exempted by one of the provisions of Section 8.1. Secondary access may be from parking areas (indicated by smaller arrow).

Description. The apartment building is a residential building accommodating several households. In traditional towns, this building type coexists with a variety of other building types. A successful contemporary design permits its integration with other residential types through the coordination of site and building design (see Architectural Regulations). Apartment complexes should be one or more separated buildings similar in their scale on the public street to large detached housing. Where possible, structures shall be designed to terminate vistas or serve as key focal points in the neighborhood.

Special Conditions:

- The intention of buildings in all locations must be to relate the principal facade to the sidewalk and public space of the street.
- Corners: Setback at street corners will generally replicate frontage conditions. However, side setbacks on a minor street may be less than the front dimension.
- Within the limits described, front and side setbacks will vary depending upon site conditions. Setbacks should be used in a manner which encourages pedestrian activity. Squares or spatially defined plazas within building setback areas can act as focal points for pedestrians.

4.8 Building Type / Apartment Building



Permitted Height and Uses.

- Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, or, if alternate frontage conditions from the constructed portion of a greenway along or within the project boundary, are provided, as permitted under Section 8.1.4, height may be measured from the highest finished grade of the side of the building opposite the greenway alternative frontage, up to the eaves. If building height is measured from the highest finished grade of the side of the building opposite the greenway alternative frontage, no more than one (1) additional story on the greenway side of the building may result from this arrangement.
- The height of parapet walls may vary depending upon the need to screen mechanical equipment.
- Building height to the ridge may vary depending on the roof pitch.
- Permitted uses are indicated above.

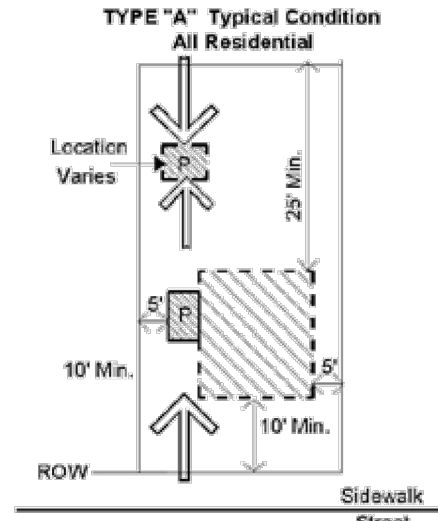
Architectural Standards.

Principles.

- To perpetuate the unique building character of the town and its environs, and to re-establish its local identity, development shall generally employ building types that are sympathetic to the historic architectural vocabulary of the area in their massing and external materials.
- The front elevations facing the street, and the overall massing shall communicate an emphasis on the human scale and the pedestrian environment.
- Each building should be designed to form part of a larger composition of the area in which it is situated. Adjacent buildings should thus be of similar scale, height, and configuration.
- Building silhouettes should be generally consistent. The scale and pitch of roof lines should thus be similar across groups of buildings.
- Apartment Building Architectural Standards Principles A-D shall not apply to the residential portion of development on parcels where multifamily structures are an allowable use and the development contains two or more affordable housing units for families or individuals with incomes below eighty percent (80%) of the area median income.

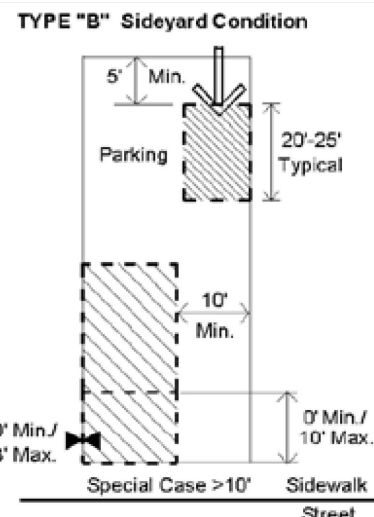
Lot Type / Detached House

4.9 Lot Types / Detached House



Building Placement/Parking/Vehicle Access.

- Buildings shall be placed on the lot within zone represented by the hatched area except in R & TR zone, where min. front setback is 20'. Along new streets, the build-to line shall be a minimum of 10' behind street ROW. Along existing streets, front build-to lines of new buildings shall be equal to the average setbacks of existing buildings on the same side of the street within 300'. Where the average setback of existing buildings within 300' exceeds 50' the setback of any new building may vary up to 20' from the setback of an adjacent building, existing or proposed, in order to negotiate a gradual transition to a different building setback. Only in the most exceptional circumstances having to do with extreme topography or very special design composition may these rules of residential building placement be varied.
- Garages may be detached (entered from front or rear), or attached to the main dwelling, with or without habitable rooms above. Front loaded garages, if provided, shall meet the standards of Section 8.16.
- A detached garage may be located only in the rear yard.
- Points of permitted front or rear access to parking indicated by arrows. On corner lots, sideyard access is also permitted.
- Main pedestrian access to the building is from the street. Secondary access may be from parking areas.
- For buildings set back from the sidewalk, balconies, stoops, stairs, open porches, bay windows, and, and awnings are permitted to encroach into the front setback area up to 8'.
- Sideyard setback is 12' in the R zone & 6' in the TR zone.



Building Placement/Parking/Vehicle Access.

- Generally, buildings shall be placed on the lot within zone represented by the hatched area. The build-to line will range from 0' to 10' behind street ROW. Special site conditions such as extreme topography may require a larger setback. Sideyard houses are not permitted on in-fill sites abutting existing all-yard houses.
- A detached garage may be located only in the rear yard. Attached garages are not permitted on sideyard houses.
- Points of permitted rear access to parking indicated by arrow.
- Main pedestrian access to the building is from the street. Secondary access may be from parking areas.
- For buildings set up to the sidewalk, balconies and upper level bay windows may encroach over the sidewalk up to 5'.
- For buildings set back from the sidewalk, balconies, stoops, stairs, open porches, bay windows, and, and awnings are permitted to encroach into the front setback area up to 8'.
- Commercial Use in a Detached House (NR district) shall comply with the following:
 - Parking shall be located in the side or rear yards only. If provided in the side yards, the parking area shall not exceed 25% of the frontage line and shall not be in the yards adjacent to a street.
 - Parking areas on adjacent mixed use lot shall be connected whenever practical.
 - Trash containers shall be located in the rear yard. If adjacent to existing single-family residential uses, trash containers shall be limited to residential rollout containers only (no dumpsters).
 - Mechanical equipment at ground level shall be placed on the parking lot side of the building away from buildings on adjacent sites and shall be screened from view by an opaque screen.
- Mechanical equipment shall not encroach into any required setback.

Description. The detached house may coexist with other, similarly scaled buildings along town streets. When other building types are integrated with the detached house, the scale of the detached house type and lot shall control. Civic buildings, however, may exceed the scale of the detached house. Where possible, structures shall be designed to terminate vistas or serve as key focal points in the neighborhood.

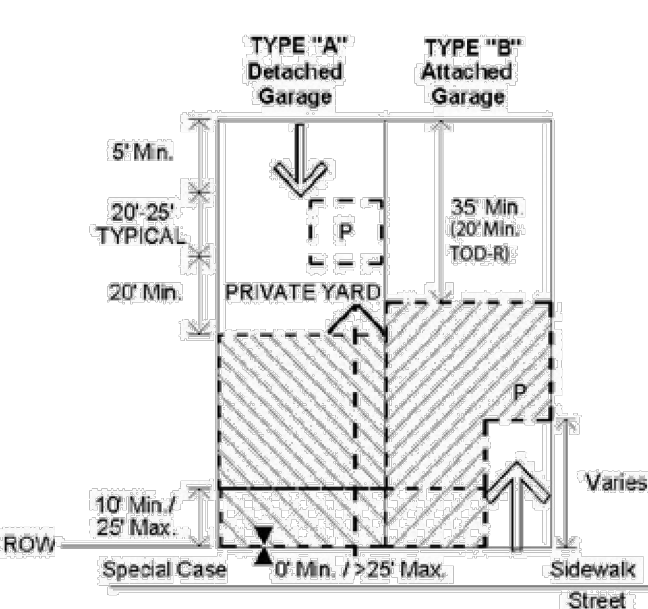
Special Conditions.

- The intention of buildings in all locations must be to relate the principal facade to the sidewalk and public space of the street.
- Setback at street corners will generally replicate frontage conditions. However, side setbacks on a minor street may be less than the front dimension.
- Within the limits described, these regulations apply to all houses built on public streets. For detached homes on large lots accessed by a private drive in Rural Neighborhoods, building placement and site planning will be dictated by landscape features and landscape preservation.

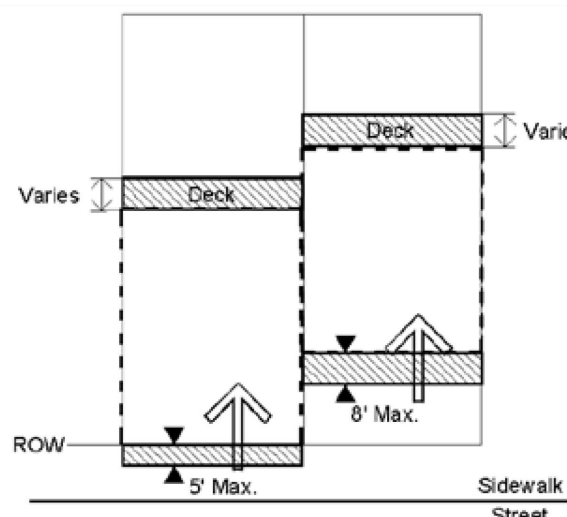
Lot Type / Attached House

4.11 Lot Type / Attached House

Building Placement/Parking/Vehicle Access



- Buildings shall be placed on the lot within zone represented by the hatched area.
- Along new streets, the build-to line will range from 10' to 25' behind street ROW. Special site conditions such as topography or lot widths permit a larger setback. Along existing streets, front build-to lines shall typically be equal to the average setbacks for buildings on the same side of the street within 300 feet. However, in more urban conditions, dwellings may be set up to the property line at the sidewalk.
- Building facades shall be generally parallel to front property lines. All buildings shall front onto a public street.
- Front loaded garages, if provided, shall meet the standards of Section 8.16.
- Points of permitted access to parking indicated by arrows.



Encroachment/Pedestrian Access.

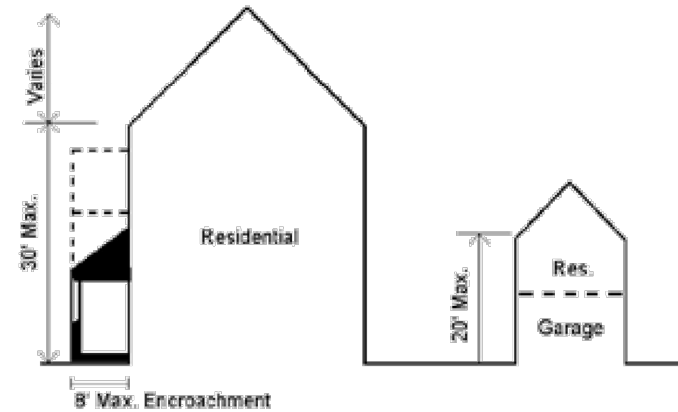
- For buildings set up to the sidewalk, balconies and upper level bay windows are permitted to encroach over the sidewalk area up to 5'.
- For buildings set back from sidewalk, balconies, stoops, stairs, open porches, bay windows, and awnings are permitted to encroach into the front setback area up to 8'.
- Main pedestrian access to the building is from the street (indicated by larger arrow). Secondary access may be from parking areas (indicated by smaller arrow).
- Decks must be constructed only in an established rear yard and are permitted to encroach into the rear setback up to 15'.
- Mechanical equipment shall not encroach into any required setback.

Description. The attached house is a rowhouse, a townhouse, or a duplex. Traditional southern homes in Savannah and Charleston provide the historic model. Dilworth Crescent in Charlotte provides a good contemporary example. Generally, building plans will have narrow frontages with the plan depth being greater than its width. Where possible, structures shall be designed to terminate vistas or serve as key focal points in the neighborhood.

Special Conditions.

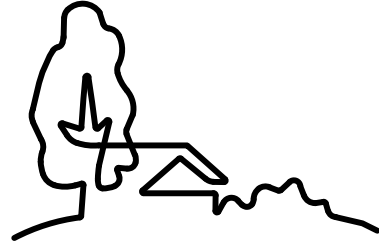
- The intention of buildings in all locations must be to relate the principal facade to the sidewalk and public space of the street.
- Setback at street corners will generally replicate frontage conditions. However, side setbacks on a minor street may be less than the front dimension.
- Front and side setbacks will vary depending upon site conditions. Setbacks should be used in a manner which encourages pedestrian activity.

4.12 Building Type / Attached House



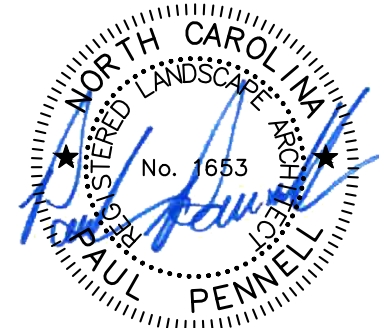
Permitted Height and Uses.

- Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves.
- Building height to ridge will vary depending upon the roof pitch.
- Permitted uses are indicated above.
- Maximum footprint for a building housing a detached accessory dwelling is 650 square feet.



URBAN
DESIGN
PARTNERS

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charlotte, nc 28208
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06/20/2023

Bi-Part Development, LLC

Jake Palillo

18611 Starcreek Drive
Cornelius, NC 28031

Lagoona Bay
Beach Club

Building and Lot Types
Sam Furr Road, Hutersville, NC 28078

NO.	DATE:	BY:	REVISIONS:
001	04.14.2023	UDP	Lagoona Bay Beach Club Rezoning Revision 1
002	05.15.2023	UDP	Lagoona Bay Beach Club Rezoning Revision 2
003	06.20.2023	UDP	Lagoona Bay Beach Club Rezoning Revision 3

Project No: 22-CLT-142

Date: 03.03.2023

Designed By: UDP

Checked By: UDP

Sheet No:

RZ-8.3

SITE DEVELOPMENT DATA:

PROJECT NAME:	LAGOONA BAY BEACH CLUB
PARCEL NUMBER:	011-06-218, 011-25-102, 011-25-109, 011-25-103, 011-25-108, 011-04-101, 011-05-105, 011-06-217, 011-06-226, 011-06-219, 011-25-101, 011-25-104, 011-24-123, 011-05-104, 011-24-102
ACREAGE:	+/- 263.01 AC
EXISTING USES:	AGRICULTURAL-COMMERCIAL PRODUCTION, SINGLE FAMILY RESIDENTIAL-ACREAGE, VACANT
PROPOSED USES:	OFFICE, RETAIL, CONDOS, APARTMENTS, TOWNHOMES, SINGLE FAMILY, OUTDOOR RECREATION, HOTEL, CONVENTION CENTER
BUILDING TYPE/HEIGHT:	
COMMERCIAL (SHOPFRONT):	UP TO 48' (EXCLUDES ROOF)
URBAN WORKPLACE:	UP TO 78' (EXCLUDES ROOF AND HOTEL)
APARTMENT:	UP TO 48' (EXCLUDES ROOF)
SINGLE FAMILY ATTACHED:	UP TO 30' (EXCLUDES ROOF)
SINGLE FAMILY DETACHED:	UP TO 30' (EXCLUDES ROOF)

EXISTING ZONING:	R, TR
PROPOSED ZONING:	TND-U (CD), HC (CD), NR (CD)

TND-U (CD) SUMMARY

TOWNHOMES:	180 LOTS; 180 UNITS
TOTAL PARKING REQUIRED:	270 SPACES (1.5/UNIT)
TOTAL PARKING PROVIDED:	730 SPACES
APARTMENTS:	320 UNITS
TOTAL PARKING REQUIRED:	480 SPACES (1.5/UNIT)
TOTAL PARKING PROVIDED:	555 SPACES

HC (CD) SUMMARY

COMMERCIAL SPACE:	210,000 SF
TOTAL PARKING REQUIRED:	420 SPACES (1/500 SF)
HOTEL:	200 KEYS
TOTAL PARKING REQUIRED:	250 SPACES (1/ROOM + 1/500 SF ANCILLARY USE)
CONVENTION CENTER:	36,000 SF
TOTAL PARKING REQUIRED:	72 SPACES (1/500 SF)
CONDOS:	300 UNITS
TOTAL PARKING REQUIRED:	450 SPACES (1.5 / UNIT)
PARKING PROVIDED:	300 DECK SPACES 150 SURFACE SPACES
APARTMENTS:	112 UNITS
TOTAL PARKING REQUIRED:	168 SPACES (1.5 / UNIT)
TOTAL PARKING PROVIDED:	112 DECK SPACES 56 SURFACE SPACES
HC (CD) PARKING REQUIRED:	1,360 SPACES
TOTAL PARKING PROVIDED:	1,707 SPACES
CONDO PARKING DECK:	600 SPACES
SURFACE PARKING:	1,107 SPACES

NR (CD) SUMMARY

SINGLE FAMILY DETACHED:	125 LOTS (40' X 130')
	125 LOTS (50' X 130')
PARKING REQUIRED:	375 SPACES (1.5 / UNIT)
PARKING PROVIDED:	500 SPACES

ADDITIONAL ON STREET PARKING NOT INCLUDED

BUILDING BUILD-TO-RANGE (BTR)/SETBACK SUMMARY:

SAM FURR ROAD	
PRIMARY BUILDING TYPE: APARTMENT BUILDING/SHOPFRONT BUILDING/URBAN WORKPLACE	
BUILD-TO-RANGE: 55' - 85'	
SIDE SETBACK: 0'	
REAR SETBACK: 0'	

PROPOSED INTERNAL PUBLIC STREET: 1, 2, 3, 6

PRIMARY BUILDING TYPE: ATTACHED HOUSE	
BUILD-TO-RANGE: 10' - 25'	
SIDE SETBACK: 0' MINIMUM	
REAR SETBACK: 5' - 35' MINIMUM	

PROPOSED INTERNAL PUBLIC STREET: 4, 5

PRIMARY BUILDING TYPE: APARTMENT BUILDING	
BUILD-TO-RANGE: 10' - 25'	
SIDE SETBACK: 0' MINIMUM	
REAR SETBACK: 0' MINIMUM	

PROPOSED INTERNAL PUBLIC STREET: 8, 9

PRIMARY BUILDING TYPE: SHOPFRONT BUILDING	
BUILD-TO-RANGE: 0' - 30'	
SIDE SETBACK: 0' MINIMUM	
REAR SETBACK: 0' MINIMUM	

PROPOSED INTERNAL PUBLIC STREET: 11, 12, 13, 14, WESTMORELAND ROAD EXTENSION

PRIMARY BUILDING TYPE: DETACHED HOUSE	
BUILD-TO-RANGE: 10' MINIMUM	
SIDE SETBACK: 5' MINIMUM	
REAR SETBACK: 25' MINIMUM	

REZONING NOTES:

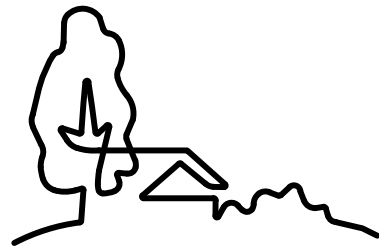
- REZONING PETITION. THESE REZONING NOTES COMPRISE THE DEVELOPMENT STANDARDS (DEVELOPMENT STANDARDS) ASSOCIATED WITH THE REZONING PETITION (THE REZONING PETITION) FILED BY BI-PART DEVELOPMENT, LLC (PETITIONER) AS REZONING PETITION RZ-8-05 & SKETCH PLAN (THE REZONING PLAN) FOR THAT APPROXIMATELY 263.01 ACRES OF LAND, IDENTIFIED ON THIS SITE PLAN AS THE LAGOONA BAY BEACH CLUB (THE PROJECT) IN CONNECTION WITH PART OF TAX PARCEL NUMBERS 011-06-218, 011-25-102, 011-25-109, 011-25-103, 011-25-108, 011-04-101, 011-05-105, 011-06-217, 011-06-226, 011-06-219, 011-25-101, 011-25-104, 011-24-123, 011-05-104, AND 011-24-102 (THE PROPERTY). THE PURPOSE OF THE REZONING PETITION IS TO CONVERT THE ZONING CLASSIFICATION OF THE PROPERTY FROM RURAL (R) AND TRANSITIONAL RESIDENTIAL (TR) TO TRADITIONAL NEIGHBORHOOD DEVELOPMENT, URBAN - CONDITIONAL DISTRICT (TND-U (CD), HIGHWAY COMMERCIAL - CONDITIONAL DISTRICT (HC (CD) AND NEIGHBORHOOD RESIDENTIAL - CONDITIONAL DISTRICT (NR (CD) IN ACCORDANCE WITH THE PROVISIONS OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE (THE ORDINANCE).
- DEVELOPMENT STANDARDS. DEVELOPMENT OF THE PROPERTY WILL BE GOVERNED BY THESE DEVELOPMENT STANDARDS, WHICH ARE PART OF THE REZONING PETITION; AND THE APPLICABLE PROVISIONS OF THE ORDINANCE IN PLACE ON THE DATE OF THE FILING OF THE REZONING PLAN, UNLESS THE REZONING PLAN ESTABLISHES A MORE STRINGENT STANDARD(S), OR UNLESS OTHERWISE NOTED ON THE REZONING PLAN OR IN THESE DEVELOPMENT CONDITIONS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE IN PLACE ON THE DATE OF THE FILING OF THE REZONING PLAN GOVERN DEVELOPMENT OF THE PROPERTY AS SHOWN ON THE REZONING PLAN.
- SCHEMATIC NATURE OF REZONING PLAN. THE LOTS AND PROPOSED IMPROVEMENTS SHOWN ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND EXACT LOCATIONS, ARCHITECTURE, SIZE, NUMBER OR QUANTITY AND CONFIGURATIONS OF LOTS AND BUILDINGS MAY BE MODIFIED DURING DESIGN, ENGINEERING, AND CONSTRUCTION PHASES OF THE DEVELOPMENT SO LONG AS SUCH MODIFICATION IS COMPATIBLE WITH THE APPROXIMATE LAYOUT AND LOCATION OF LOTS AND IMPROVEMENTS SHOWN ON THE REZONING PLAN. FOR EXAMPLE, THE AMENITY CENTER FOR THE MULTIFAMILY APARTMENTS MAY BE RELOCATED WITHIN THE PROJECT AND OTHER BUILDINGS MODIFIED AND RELOCATED TO ACCOMMODATE THE NEW AMENITY CENTER LOCATION. ATTACHED HOUSES MAY BE REDESIGNED AS TOWNHOMES OR SINGLE-FAMILY HOMES SO LONG AS THE TOTAL NUMBER OF RESIDENTIAL UNITS IN THE PROJECT IS NOT INCREASED BEYOND THE TOTAL NUMBER OF RESIDENTIAL UNITS LISTED ON THE REZONING PLAN. THE EXACT ALIGNMENT OF THE INTERNAL DRIVES AND INTERNAL PUBLIC STREETS HAVE NOT BEEN DETERMINED AND ARE SUBJECT TO FINAL DESIGN AND ENGINEERING PLANS, AND MINOR MODIFICATIONS OR ALTERATIONS OF THESE ALIGNMENTS MAY TAKE PLACE DURING DESIGN DEVELOPMENT AND CONSTRUCTION PHASES. MAJOR AMENDMENTS ARE DETERMINED BY STAFF FOR ALL CD REZONING PLANS. COMMERCIAL BUILDINGS MAY BE CONVERTED TO MIXED-USE BUILDINGS SO LONG AS THE TOTAL NUMBER OF RESIDENTIAL UNITS IN THE PROJECT IS NOT INCREASED BEYOND THE TOTAL NUMBER OF RESIDENTIAL UNITS LISTED ON THE REZONING PLAN.
- TRAFFIC IMPACT ANALYSIS. IF THE REZONING IS APPROVED, A TRAFFIC IMPACT ANALYSIS (TIA) SHALL BE CONDUCTED ACCORDING TO THE APPROVED SCOPING DOCUMENT. THE PETITIONER AGREES TO INSTALL ALL ROADWAY IMPROVEMENTS AS REQUIRED BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT). THE PETITIONER AGREES TO THE SUBMIT THE FINAL TIA TO THE TOWN FOR REVIEW. STAFF MAY RECOMMEND ADDITIONAL IMPROVEMENTS WITHIN ½ MILE OF THE PROJECT ALONG NC 73, WESTMORELAND ROAD, BLACK FARMS ROAD, AND MCCORD ROAD. THE REPORT AND STAFF RECOMMENDED IMPROVEMENTS WILL BE PRESENTED TO THE PLANNING BOARD AND ELECTED BOARD FOR APPROVAL. ALL APPROVED STAFF RECOMMENDED IMPROVEMENTS WILL BE INCORPORATED TO THE PLAN AND INSTALLED BY THE PETITIONER.
- PHASING. THE DEVELOPMENT OF THE PROPERTY AS GENERALLY DEPICTED ON THE REZONING PLAN MAY BE PHASED, AS DETERMINED DURING THE COURSE OF CONSTRUCTION. ANY PROPOSED PHASING MUST ALIGN WITH REQUIRED TIA IMPROVEMENTS, INFRASTRUCTURE, PARKING, TREE SAVE, OPEN SPACE, AND STORMWATER REQUIREMENTS FOR THAT PHASE; PROVIDED, HOWEVER, ANY MITIGATION REQUIRED BY NCDOT WILL BE COORDINATED WITH NCDOT AND EACH PHASE OR SEQUENCE OF IMPROVEMENTS IN THE PROJECT WILL MEET ALL ORDINANCE REQUIREMENTS.
- VESTED RIGHTS. THIS REZONING PLAN IS A SITE-SPECIFIC DEVELOPMENT PLAN AND APPROVAL THEREOF CONSTITUTES VESTED RIGHTS IN THE REZONING PLAN PURSUANT TO THE PROVISIONS OF THE ORDINANCE. NOTWITHSTANDING ANY OTHER PROVISIONS OF THESE DEVELOPMENT STANDARDS, IF, AT SOME POINT, MODIFICATIONS ARE MADE TO THE ORDINANCE BY THE TOWN BOARD, PETITIONER MAY VOLUNTARILY AGREE TO APPLY SUCH MODIFICATIONS TO THE REZONING PLAN IN A MANNER CONSISTENT WITH THE ORDINANCE AS IT CHANGES FROM TIME TO TIME, AND WITHOUT PURSUING A REZONING. SUCH MODIFICATIONS TO THE ORDINANCE SHALL NOT IMPACT THE PETITIONER'S VESTED RIGHTS. DUE TO THE SIZE OF THE PROJECT, APPROVAL OF THIS CONDITIONAL REZONING SHALL CONSTITUTE ESTABLISHMENT OF VESTED RIGHTS IN THE LANDOWNER (AND ITS SUCCESSORS OR ASSIGNS) FOR A PERIOD OF FIVE YEARS PURSUANT TO NORTH CAROLINA GENERAL STATUTE §160D-108.1.
- PERMITTED USES. THE PROPERTY MAY BE DEVELOPED FOR ANY USES, INCLUDING ACCESSORY USES, PERMITTED IN THE TND-U, HC, AND NR ZONING DISTRICTS, IN THE AREAS DESIGNATED FOR SUCH CONDITIONAL ZONING DISTRICTS ON THE REZONING PLAN, INCLUDING, BUT NOT LIMITED TO: MULTI-FAMILY RESIDENTIAL, ATTACHED RESIDENTIAL, COMMERCIAL USES, INDOOR/OUTDOOR RECREATION, HOTEL, CONVENTION CENTER, CONDOS, AND SINGLE FAMILY RESIDENTIAL, SUBJECT TO THE DEVELOPMENT STANDARDS ASSOCIATED WITH SUCH USES. ANY LABELING OR TABLES SHOWN ON THE REZONING PLAN MAY BE AN INDICATION OF THE CURRENT INTENTION ON THE PART OF THE PETITIONER BUT SHALL NOT RESTRICT THE PROPERTY IN A MANNER THAT CONFLICTS WITH THE PROVISIONS OF THESE DEVELOPMENT NOTES.
- ACCESS. THE NUMBER OF SITE ACCESS POINTS, DRIVEWAYS, AND FUTURE CONNECTIONS TO ROADS ARE SCHEMATIC IN NATURE. TO THE EXTENT PERMITTED BY APPLICABLE DRIVEWAY PERMIT REQUIREMENTS, FUTURE DRIVEWAYS, ACCESS POINTS, AND ROAD CONNECTIONS MAY CROSS THE SETBACK AND SHALL NOT REQUIRE A REZONING OF THE PROPERTY, BUT SHALL OTHERWISE COMPLY WITH APPLICABLE DRIVEWAY PERMIT REQUIREMENTS.
- SUBDIVISION. THE PROPERTY IS ONE DEVELOPMENT AND MAY BE SUBDIVIDED WITHOUT REZONING TO ALLOW SEPARATE OWNERS OF INDIVIDUAL PARCELS SO LONG AS SUCH SUBDIVISION FOLLOWS APPLICABLE LAW INCLUDING SUBDIVISION REGULATIONS, HOWEVER, RECOMBINATION, CONDOMINIUMIZATION, OR REDUCTION IN THE NUMBER OF PARCELS MAY OCCUR IN ACCORDANCE WITH THE REGULATIONS OF THE ORDINANCE. PURSUANT TO NOTE #4 OF THESE DEVELOPMENT STANDARDS, REQUIREMENTS THAT ARE NOT MET BY THE PROJECT AS A WHOLE, SUCH AS OPEN SPACE, TREE SAVE, AND IMPERVIOUS REQUIREMENTS, NEED NOT BE MET BY INDIVIDUAL PARCELS.
- STREET IMPROVEMENTS. PETITIONER SHALL BE REQUIRED TO INSTALL SIDEWALKS, GREENWAYS, STREET TREES, PLANTING STRIPS, OR OTHER STREET IMPROVEMENTS AS A CONDITION OF THE APPROVAL OF THIS REZONING PLAN AS SPECIFICALLY SHOWN ON THE REZONING PLAN AND AS REQUIRED BY TYPICAL STREET SECTIONS, THE ZONING ORDINANCE, SUBDIVISION ORDINANCE, TIA, AND/OR DRIVEWAY PERMIT REQUIREMENTS.
- LANDSCAPING AND BUFFERS. EXCEPT AS OTHERWISE PROVIDED ON THE REZONING PLAN, DEVELOPMENT OF THE PROPERTY SHALL COMPLY WITH THE LANDSCAPING AND BUFFER REQUIREMENTS OF THE ORDINANCE. BUFFER IMPACTS/MITIGATION SHALL BE PERMITTED THROUGH THE APPROPRIATE STATE OR FEDERAL AGENCY ACTING PURSUANT TO SECTIONS 401 OR 404 OF THE CLEAN WATER ACT.
- AMENDMENT. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE OWNER OR OWNERS OF THE PROPERTY IN ACCORDANCE WITH THE PROVISIONS OF THE ORDINANCE; PROVIDED, HOWEVER, IN THE EVENT ANY PORTION OF THE PROPERTY IS CONVEYED TO A THIRD PARTY, PETITIONER REQUEST AN AMENDMENT TO THE REZONING PLAN WITHOUT THE WRITTEN CONSENT OF ANY OTHER OWNER OF ALL OR ANY PORTION OF THE PROPERTY UNLESS SUCH AMENDMENT CONSTITUTES A CHANGE IN THE BUILDING OR USE OF THE PORTION OF THE PROPERTY OWNED BY SUCH OWNER. PROVIDED PETITIONER PROVIDES FOR SUCH AMENDMENT RIGHT IN THE RECORDED PRIVATE RESTRICTIVE COVENANTS THAT GOVERN THE PROJECT. ALL REQUIREMENTS IN CONNECTION WITH THE AMENDMENT WILL BE CALCULATED ON THE PROPERTY AS A WHOLE IN THE SAME MANNER SUCH REQUIREMENTS WERE CALCULATED AT THE TIME OF INITIAL APPROVAL. THIS NOTE SHALL BE SHOWN ON THE FINAL PLAT WHEN RECORDED.
- BMP DESIGN. THE DESIGNS FOR THE BMP'S SHOWN ON THE REZONING PLAN SHALL BE FINALIZED DURING THE CONSTRUCTION PHASE AND SHALL BE COMPLETED AS A PART OF THE INFRASTRUCTURE IMPROVEMENTS.
- BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS. IF THIS REZONING IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM 'PETITIONER' SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.
- ANNEXATION. PETITIONER INTENDS TO REQUEST THAT THE PROPERTY BE ANNEXED IN ACCORDANCE WITH TOWN REGULATIONS.
- FLOODPLAIN DEDICATION. IF THIS REZONING IS APPROVED, THE PETITIONER AGREES TO DEDICATE FLOODPLAIN ALONG RAMAH CREEK TO MECKLENBURG COUNTY FOR THE DEVELOPMENT OF A FUTURE GREENWAY.
- ELEVATIONS. THE ELEVATIONS ARE SUBMITTED AS EXAMPLES ONLY AND DO NOT REPRESENT ACTUAL ELEVATIONS FOR THIS PROJECT. STAFF MAY APPROVE ELEVATIONS SUBMITTED DURING CONSTRUCTION THAT ARE GENERALLY CONSISTENT WITH THE RENDERINGS INCLUDED WITH THE REZONING PLAN.
- APPROVAL. APPROVAL OF THIS SKETCH/CONCEPT PLAN DOES NOT IMPLY OR GUARANTEE APPROVAL OF THE FINAL CONSTRUCTION PLAN. THE CONSTRUCTION PLAN WILL BE REVIEWED FOR COMPLIANCE WITH TOWN, COUNTY, AND STATE REGULATIONS.
- AFFORDABLE HOUSING. PURSUANT TO AND IN COMPLIANCE WITH THE REQUIREMENTS OF NORTH CAROLINA GENERAL STATUTE §160D-703(B1) AND SECTION 3.2.11(D)(1) OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE, THE DEVELOPMENT SHALL CONTAIN UP TO TWENTY AFFORDABLE HOUSING UNITS THAT WILL BE AVAILABLE TO HOUSEHOLDS EARNING UP TO 80% OF THE AREA MEDIAN INCOME AS PUBLISHED BY HUD FOR THE CHARLOTTE-CONCORD-GASTONIA NC-SC METRO FMR AREA.
- LAGOONA BAY MEMBERSHIP. ACCES TO THE LAGOONA BAY BEACH CLUB WILL BE RESTRICTED TO MEMBERS AND HOUSEHOLD FAMILY MEMBERS ONLY. A LIMITED NUMBER OF GUEST PASSES WILL BE ISSUED TO MEMBERS ANNUALLY. REGISTERED HOTEL GUESTS WILL HAVE LIMITED ACCESS TO THE LAGOON IN A RESTRICTED, PRIVATE BEACH AREA ONLY.

REQUESTED MODIFICATIONS, PURSUANT TO SECTION 11.4.7(K) OF THE ZONING ORDINANCE, THE STANDARDS OF THE ORDINANCE ARE MODIFIED TO PERMIT THE FOLLOWING:

- MODIFICATION TO ZO 4.3, INCREASING SHOPFRONT BUILDINGS MAXIMUM BUILD-TO-LINE FROM 15' TO 30' TO ACCOMMODATE OUTDOOR DINING.
- MODIFICATION TO ZO 4.3, 4.7, INCREASING THE BUILD-TO-LINE TO 55' - 85' FOR BUILDINGS FRONTING NC 73 TO PROVIDE ADDITIONAL BUFFER AND ACCOUNT FOR ROAD IMPROVEMENT PROJECT R-2632AB.
- MODIFICATION TO ZO 4.8, INCREASING MAXIMUM HEIGHT TO 48' TO ALLOW FOR 4 STORY APARTMENTS.
- MODIFICATION TO ZO 4.11, REDUCING REAR SETBACK TO 20'.
- MODIFICATION TO ZO 5.2, ALLOWING BLOCKS 10, 11, 12 AND 16 TO EXCEED 500' DUE TO EXISTING ENVIRONMENTAL ISSUES.
- MODIFICATION TO ZO 5.2, ALLOWING BLOCKS 27, AND 31 TO EXCEED 800' MAXIMUM LENGTH DUE TO EXISTING ENVIRONMENTAL ISSUES.
- MODIFICATION TO ZO 6.1, ALLOWING PARKING LOTS TO BE PLACED IN FRONT OF PRIMARY BUILDING FAÇADES.
- MODIFICATION TO ZO 7.11, ALLOWING MAXIMUM PLAZA SIZE TO EXCEED 30,000 SQUARE FEET.
- MODIFICATION TO ZO 8.1 ALLOWING THE LAGOON AND ACCESSORY BUILDINGS TO NOT FRONT URBAN OPEN SPACE.
- MODIFICATION TO ZO 9.45.3, ALLOWING UP TO 78' TALL HOTEL, EXCLUDING ROOF SPACE, NOT TO EXCEED SIX (6) STORIES.
- IF FOUND NON-COMPLIANT, A MODIFICATION TO 3.2.11F(2), ALLOWING THE AVERAGE PERIMETER OF ALL BLOCKS TO EXCEED 1,350 LINEAR FEET IN THE TND-U ZONING DISTRICT.

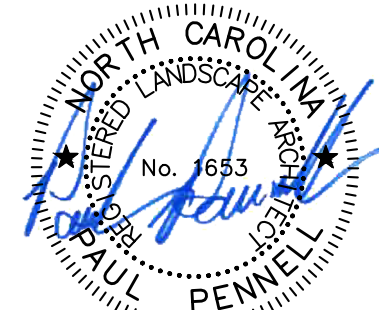
SKETCH PLAN NOTES

- ALL DEVELOPMENT AND CONSTRUCTION SHALL COMPLY WITH ALL ZONING AND SUBDIVISION STANDARDS OF THE TOWN OF HUNTERSVILLE, MECKLENBERG COUNTY, AND NCDOT, AS APPLICABLE.
- THIS PROPERTY MAY BE SUBJECT TO EASEMENTS AND/OR RIGHT-OF-WAY OF RECORD.
- ALL AREAS DESIGNATED AS COMMON OPEN SPACE OR URBAN OPEN SPACE SHALL BE OWNED AND MAINTAINED BY THE PROPERTY OWNERSHIP ASSOCIATION AND DEDICATED FOR PUBLIC/PRIVATE USE IN PERPETUITY.
- ACCESS (INGRESS/EGRESS) LOCATION AND DESIGN SHOWN ON THIS SKETCH PLAN ARE SUBJECT TO ACHIEVING VERTICAL AND HORIZONTAL SIGHT DISTANCES, TURN LANE IMPROVEMENTS (INCLUDING RIGHT-OF-WAY) AND INTERSECTION WITH ADJACENT AND OPPOSING ACCESS POINTS. MODIFICATION TO PLAN MAY RESULT.
- LARGE MATURING TREES WILL BE PLANTED 40' O/C WITHIN THE REQUIRED PLANTING STRIP ALONG ALL STREETS WITH THE EXCEPTION OF RURAL PARKWAYS WHERE EXISTING TREES CAN SATISFY THE STREET TREE REQUIREMENT. SMALL MATURING TREES ARE TO BE USED WHERE OVERHEAD POWER LINES EXIST.
- MAIL LOCATIONS TO BE REVIEWED AND APPROVED DURING CONSTRUCTION DOCUMENT PHASE. MAIL TO BE DELIVERED TO ONE (1) LOCATION WITHIN EACH BUILDING ENVELOPE THAT INCLUDES RESIDENTIAL USES. COMMERCIAL MAIL DELIVERY TO BE DETERMINED IN CONJUNCTION WITH POSTMASTER. THIS IS SUBJECT TOT CHANGE PENDING FINAL DESIGN AND APPROVALS.
- PROPOSED DEVELOPMENT WILL BE SERVED BY PRIVATE WASTE MANAGEMENT.
- THE TOWN OF HUNTERSVILLE BUILD TO LINE IS DEFINED AS, "A LINE EXTENDING THROUGH A LOT WHICH IS GENERALLY PARALLEL TO THE FRONT PROPERTY LINE AND MARKS THE LOCATION FROM WHICH THE PRINCIPLE VERTICAL PLANE OF THE FRONT BUILDING ELEVATION, EXCLUSIVE OF PORCHES, BAY WINDOWS, AND SIMILAR APPURTANCES, MUST BE ERCTED; INTENDED TO CREATE AN EVEN BUILDING FAÇADE LINE ON A STREET. THE BUILD-TO-LINE IS ESTABLISHED ON THE RECORD PLAT (FINAL PLAT).
- THE PROPOSED DEVELOPMENT WILL CONSIST OF A GRAVITY DRIVEN SANITARY SEWER SYSTEM. THE SANITARY SEWER WILL SERVE EACH PROPOSED BUILDING AND TIE TO THE PROPOSED PUBLIC SYSTEM WITHIN THE DEVELOPMENT. THE PUBLIC SYSTEM WITHIN THE DEVELOPMENT WILL TIE INTO THE PUBLIC SYSTEM ALREADY IN PLACE WHICH IS LOCATED WITHIN THE FLOODWAY ALONG RAMAH CREEK.
- THE PROPOSED DEVELOPMENT WILL CONSIST OF A PUBLIC WATER LINE WHICH WILL TIE INTO THE EXISTING PUBLIC WATERLINE LOCATED ON US HIGHWAY 73 (SAM FURR ROAD).
- ALL RETAINING WALLS REQUIRING SPECIAL INSPECTIONS (GREATER THAN 5' IN HEIGHT) SHALL MEET THE REQUIRMENTS OF THE MCSB CHAPTER 17 - SPECIAL INSPECTIONS AS DETAILED PER THE MECKLENBERG COUNTY CODE ENFORCEMENT SPECIAL INSPECTIONS PROCESS. ADDITIONALLY, COPIES OF THE RETAINING WALL PLANS SHALL BE SUBMITTED TO THE HUNTERSVILLE ENGINEERING DEPARTMENT FOR REVIEW AND APPROVAL. THE TOWN OF HUNTERSVILLE SHALL BE COPIED ON ALL STATEMENTS OF SPECIAL INSPECTIONS, SPECIAL INSPECTOINS FINAL REPORTS, AND DESIGN PRINCIPLE IN RESPONSIBLE CHARGE (DPRIC) LETTERS.
- THE TOWN OF HUNTERSVILLE REQUIRES THAT ALL STREETS PROPOSED BE TAKEN OVER BY THE TOWN FOR MAINTENANCE BE REVIEWED, INSPECTED, AND CERTIFIED BY A LICENSED PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF NORTH CAROLINA FOR ADEQUATE CONSTRUCTION. REVIEW OF STREET CONSTRUCTION BY THE CERTIFYING ENGINEER IS REQUIRED THROUGHOUT THE CONSTRUCTION PROCESS. REFER TO THE TOWN OF HUNTERSVILLE ENGINEERING STANDARDS AND PROCEDURES MANUAL FOR ADDITIONAL INFORMATION INCLUDING THE REQUIRED CERTIFICATION FORM.
- THIS PROJECT MAY BE BUILT IN MULTIPLE PHASES. FINAL PHASING SUBJECT TO CHANGE. SEE NOTE 5-PHASING WITHIN REZONING NOTES.
- A SKETCH PLAN IS BEING REVIEWED CONCURRENTLY WITH THE REZONING PLAN AND WILL COMPLY WITH THE APPROVED REZONING PLAN.
- TRASH CONTAINERS TO BE LOCATED IN REAR PARKING AREAS.
- BUILDING UTILITIES (MECHANICAL EQUIPMENT) TO BE LOCATED IN THE SIDE/REAR ONLY; NOT PERMITTED ON STREET SIDE GENERALLY.
- TRANSPORTATION MODELING COMPLETED BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION RELATED TO US HIGHWAY 73 (SAM FURR ROAD) MAY IMPACT THE SITE AND PLAN WILL BE REVISED ACCORDINGLY.



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Bi-Part Development, LLC

Jake Palilio

18611 Starcreek Drive
Cornellus, NC 28031

Lagoona Bay
Beach Club

Development Notes & Standards
Sam Furr Road, Huntersville, NC 28078

NO. DATE: BY: REVISIONS:

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Project No: 22-CLT-142

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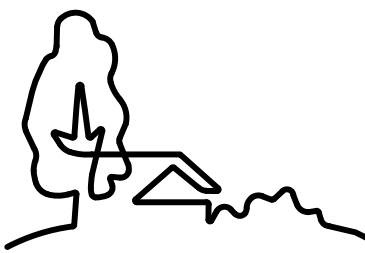
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Jake Palillo

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Lagoona Bay Beach Club

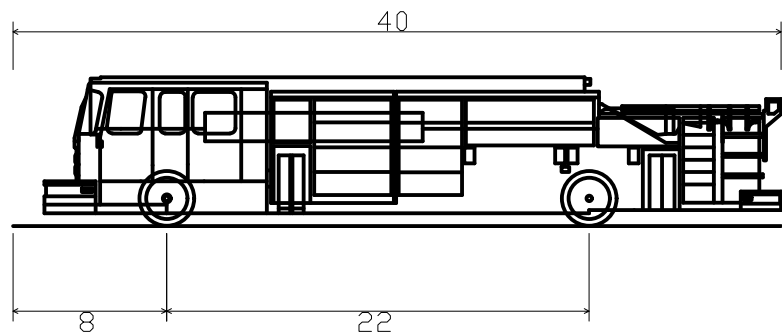
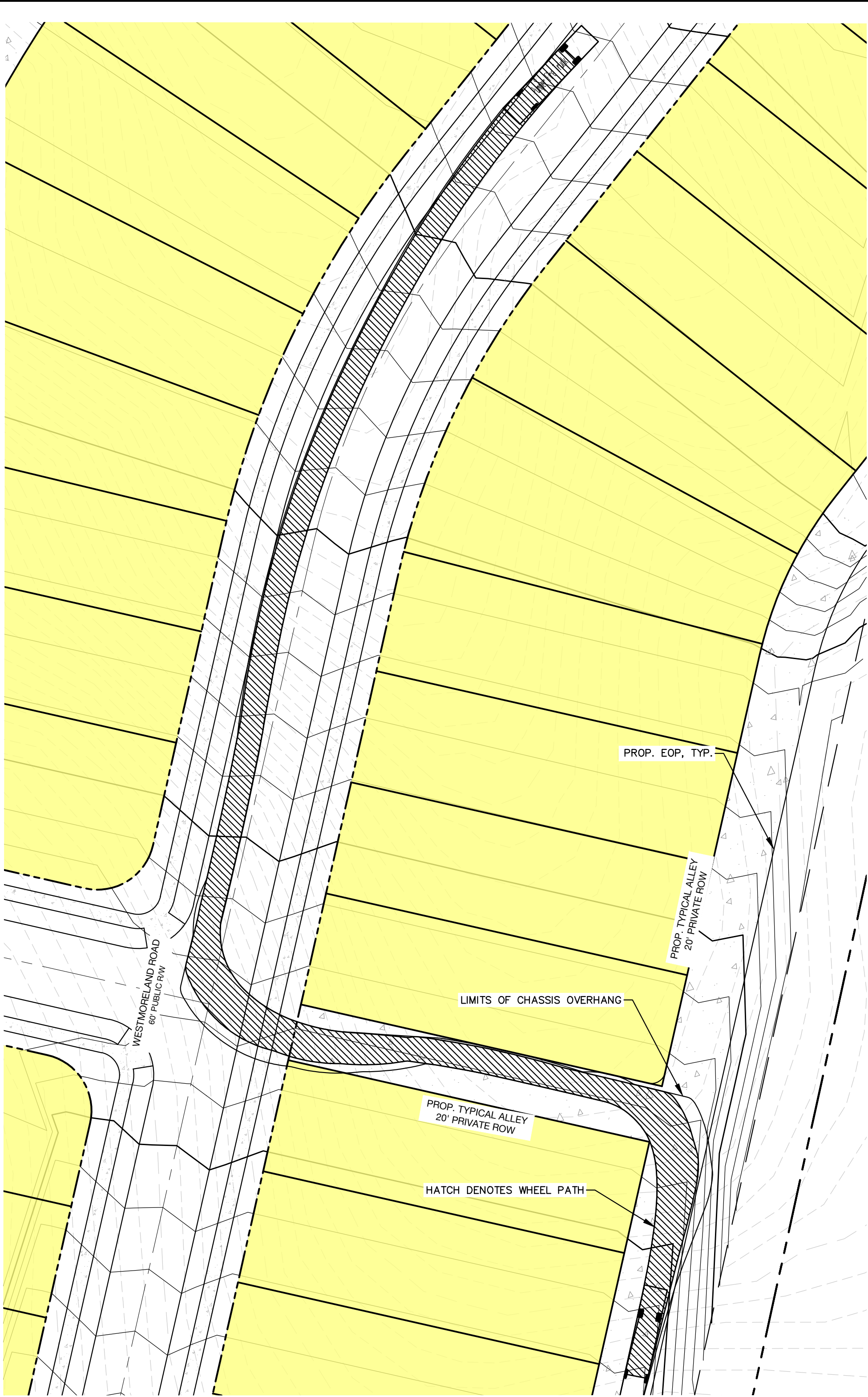
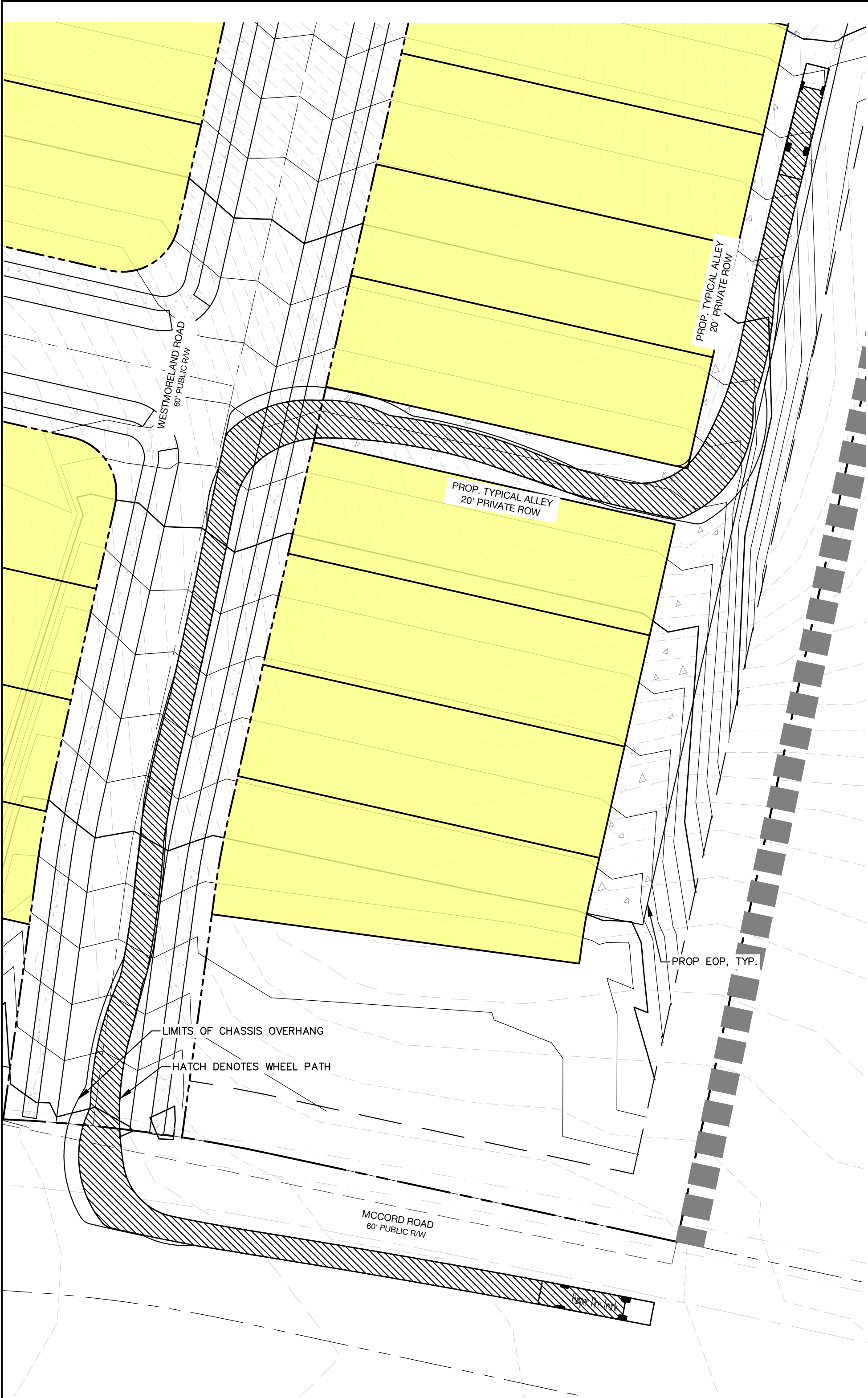
Fence Images

Sam Furr Road, Hutersville, NC 28078

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Pumper Fire Truck	
Overall Length	40.000ft
Overall Width	8.167ft
Overall Body Height	7.745ft
Min Body Ground Clearance	0.656ft
Track Width	8.167ft
Lock-to-lock time	5.00s
Max Wheel Angle	45.00°

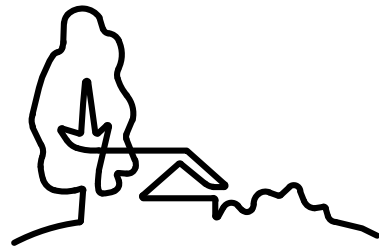
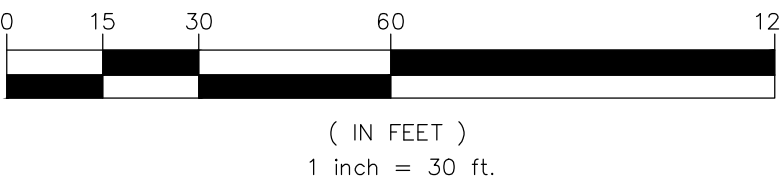
DESIGN VEHICLE: FIRE TRUCK



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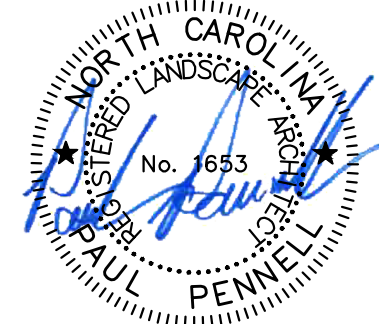


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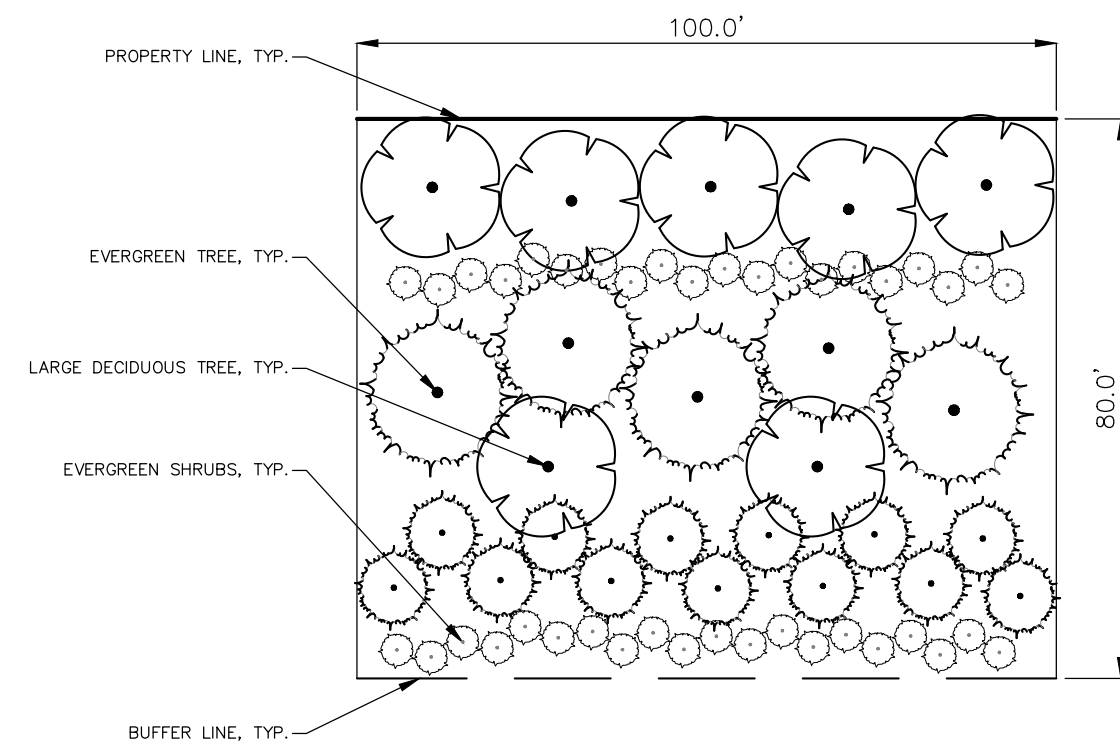
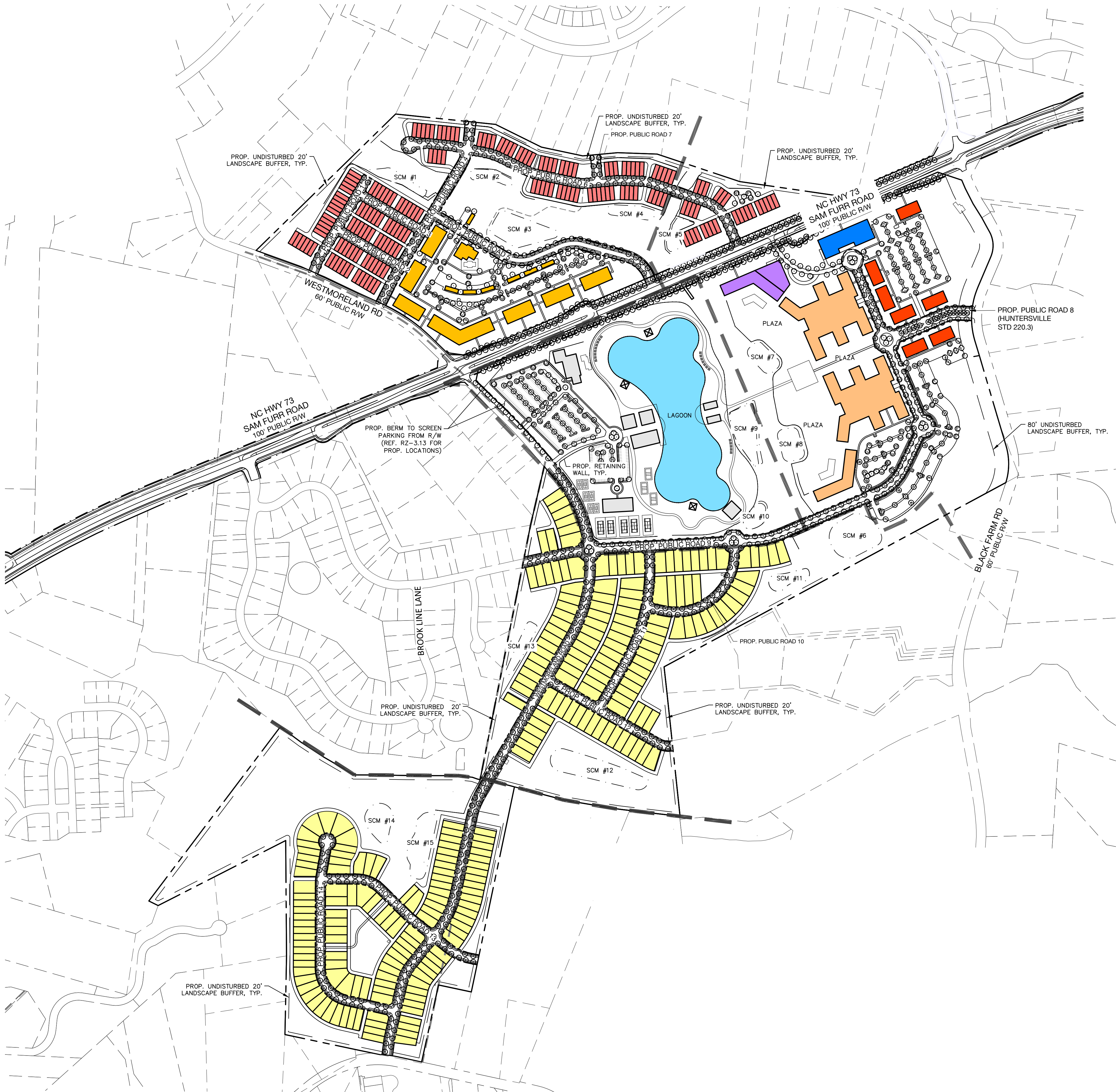
Lagoona Bay Beach Club

Turning Movement - Alley Intersection
Sam Furr Road, Hutersville, NC 28078

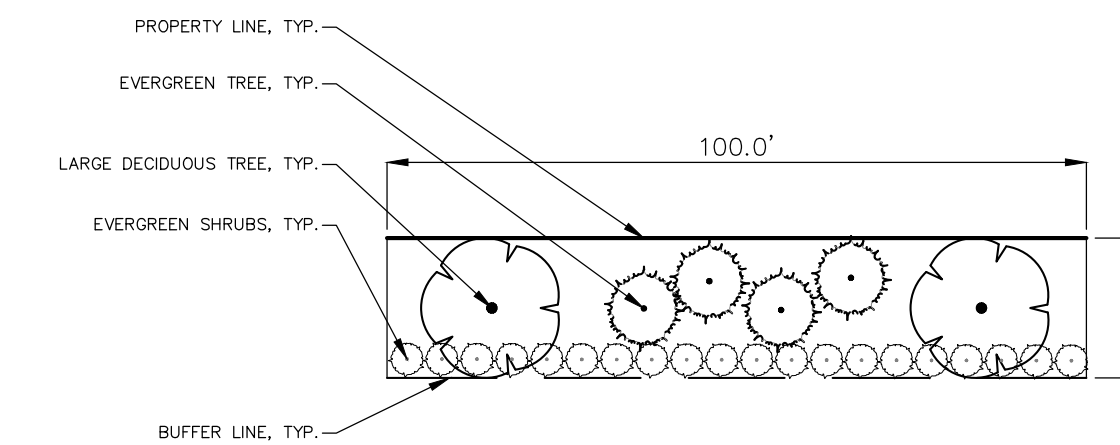
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TYPICAL 80' LANDSCAPE BUFFER (BLACK FARM ROAD):



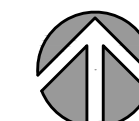
TYPICAL 20' LANDSCAPE BUFFER (ABUTTING RESIDENTIAL):

LANDSCAPE NOTES:

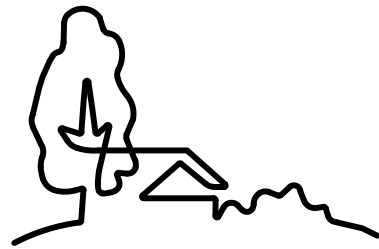
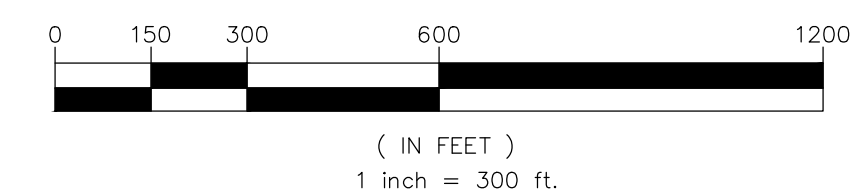
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2. STREET TREES SHALL BE PROVIDED PER ORDINANCE.
3. ALL PARKING SPACES SHALL BE LOCATED WITHIN 60' OF CANOPY TREE.
4. FOUNDATION PLANTINGS SHALL BE PROVIDED PER ORDINANCE.
5. PARKING LOT LANDSCAPING SHALL COMPLY WITH TOWN ORDINANCE.
6. ALL PARKING SPACES, DUMPSTERS, & RECYCLING CONTAINERS SHALL BE SCREENED PER TOWN ORDINANCE.
7. STREET TREE LOCATIONS ARE SUBJECT TO CHANGE DURING CONSTRUCTION PLAN PHASE TO MEET REQUIREMENTS OF THE TOWN'S ENGINEERING STANDARDS AND PROCEDURES MANUAL.
8. 20' UNDISTURBED LANDSCAPE BUFFERS TO BE SUPPLEMENTED WITH TYPICAL PLANTINGS PER URBAN FORESTER'S DIRECTION.



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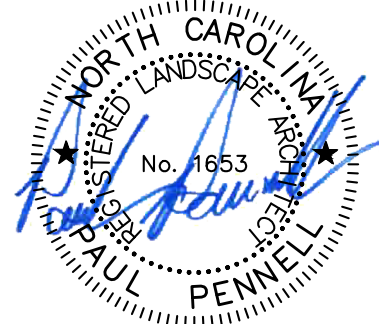


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Bi-Part Development, LLC

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Lagoona Bay
Beach Club
Overall Landscape Plan
Sam Furr Road, Huntersville, NC 28078

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Project No: 22-CLT-142
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LANDSCAPE NOTES:

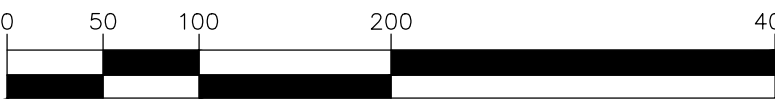
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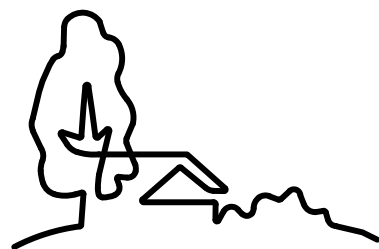
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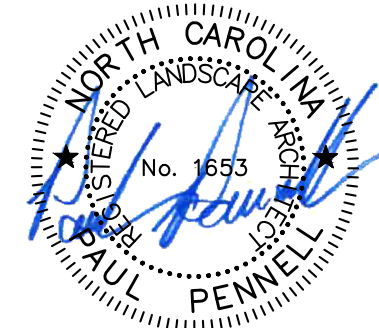


(IN FEET)
1 inch = 100 ft.



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Lagoon Bay Beach Club

Landscape Plan A
Sam Furr Road, Huntersville, NC 28078

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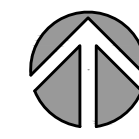
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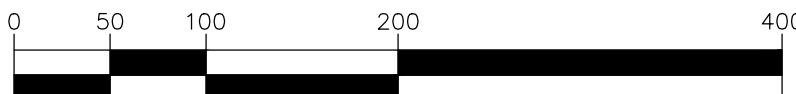
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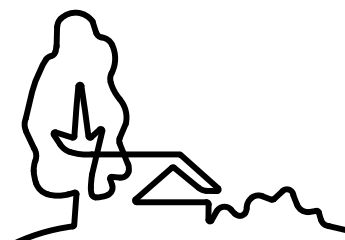
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(IN FEET)
1 inch = 100 ft.



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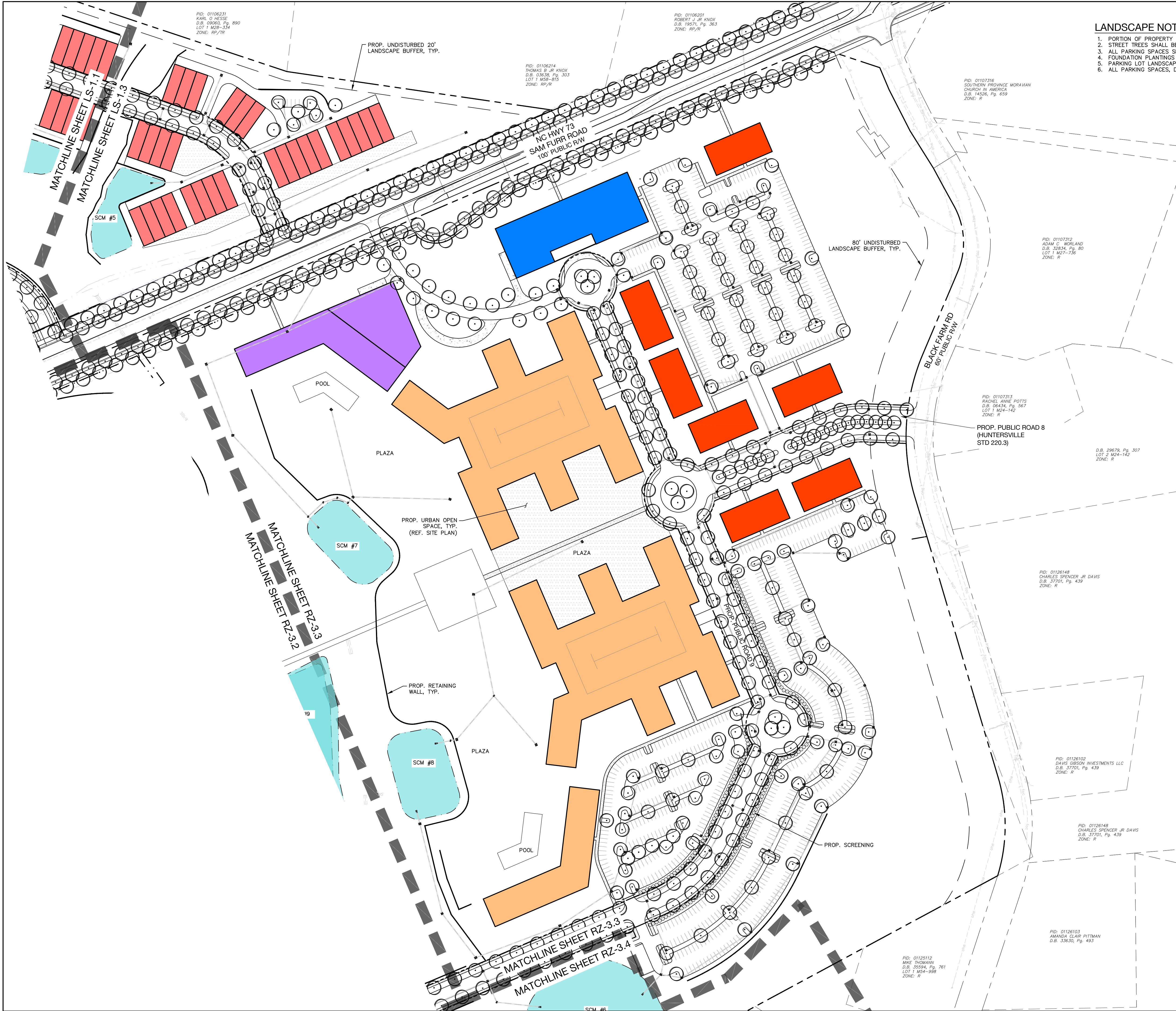
Landscape Plan B

Sam Furr Road, Hutersville, NC 28078

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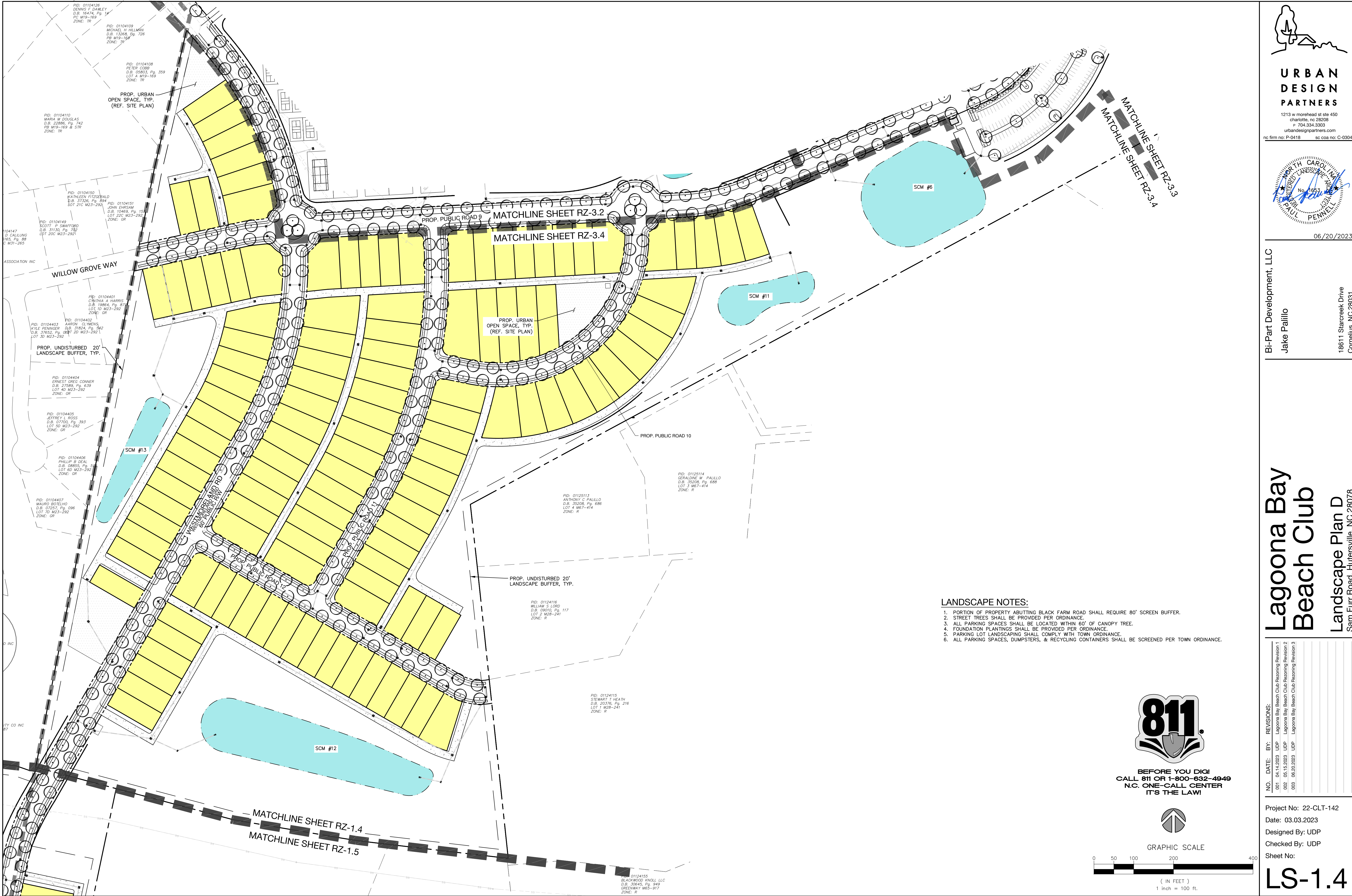
Landscape Plan C

Sam Furr Road, Huntersville, NC 28078

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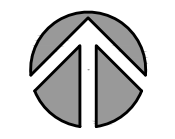
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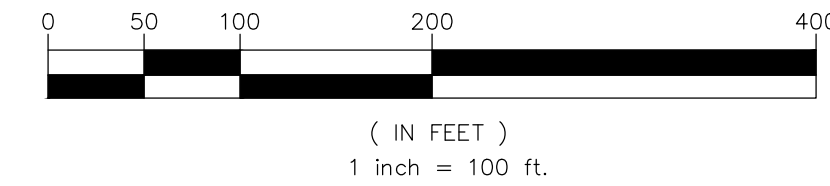
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PAUL PENNELL

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Jake Palillo
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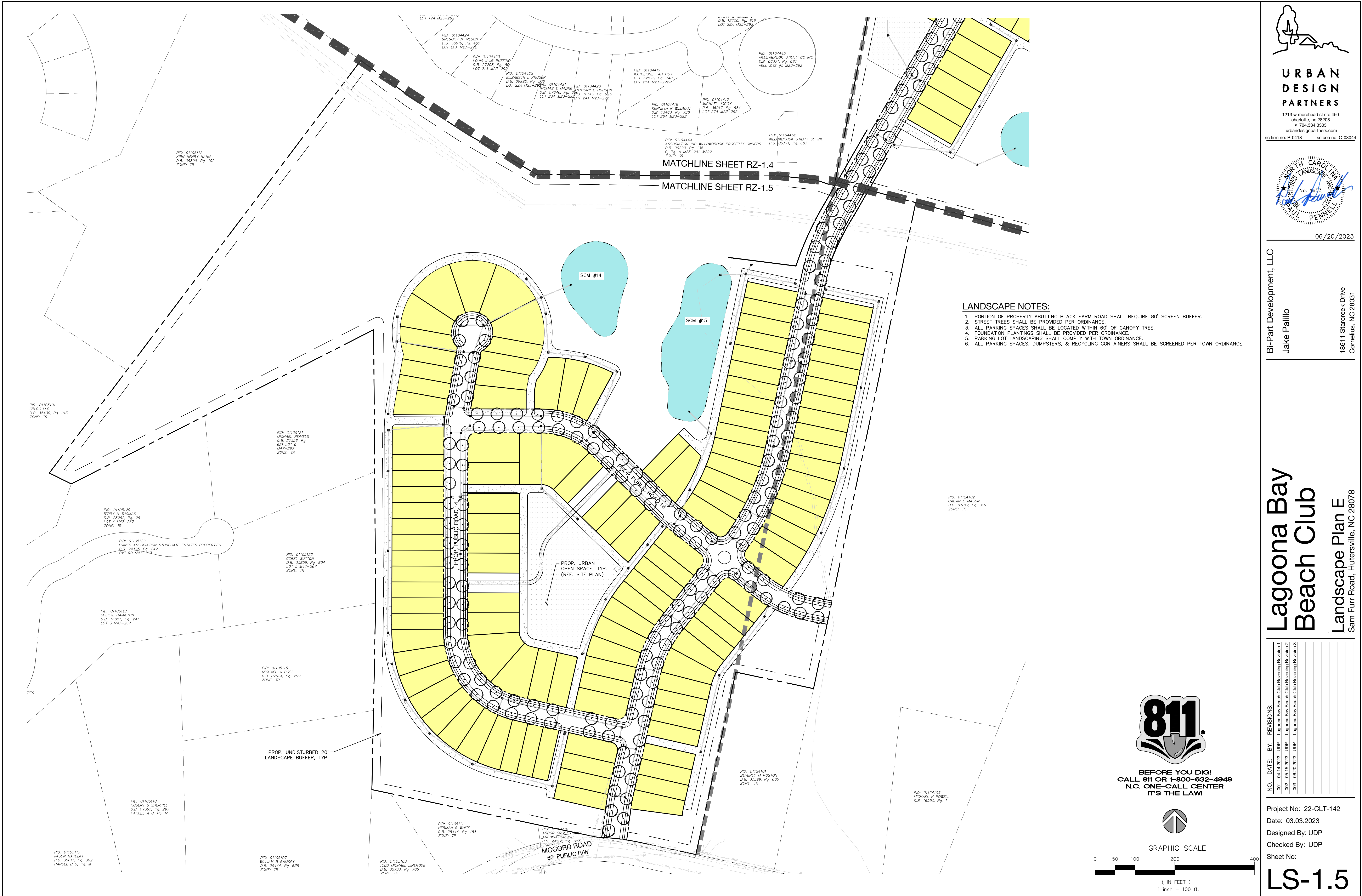
Landscape Plan D

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Jake Paillo
18611 Starcreek Drive
Cornelius, NC 28031

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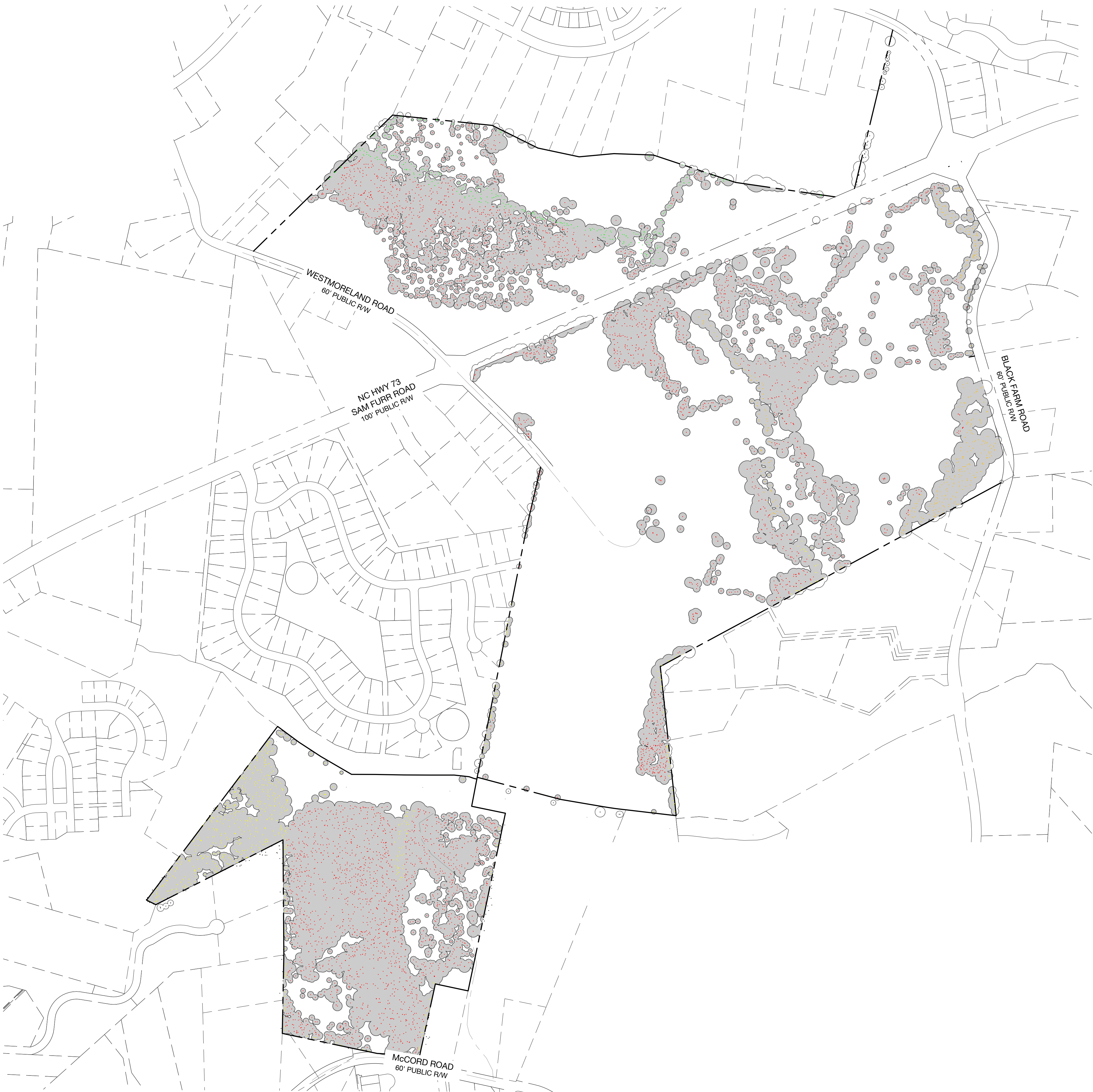
Landscape Plan E

Sam Furr Road, Huntersville, NC 28078

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Sheet No:

LS-1.5



LAGOONA BAY BEACH CLUB TREE PRESERVATION & CANOPY

HAS THIS SITE BEEN FORESTED OR CLEARED IN THE PAST 3 YEARS? (YES/NO)

HERITAGE TREES
NUMBER OF HERITAGE TREES ON-SITE: 0
NUMBER OF HERITAGE TREES SAVED: 0
PERCENTAGE OF HERITAGE TREES REQUIRED TO SAVE: 100%
PERCENTAGE OF HERITAGE TREES ACTUALLY SAVED: N/A

SPECIMEN TREES
NUMBER OF SPECIMEN TREES ON-SITE: 6,050
NUMBER OF SPECIMEN TREES SAVED: 1,348-TREES
NUMBER OF MITIGATION SPECIMEN TREES TO BE PLANTED: 275-TREES
SPECIMEN TREES ONSITE: 1,621-TREES (27%)

TREE CANOPY
PERCENTAGE OF SITE COVERED BY TREE CANOPY: 33% (88.53 AC)
PERCENTAGE OF TREE CANOPY SAVED: 12% OF SITE AREA (31.84 AC)

LEGEND:

- EXIST. TREE CANOPY
- NR-SPECIMEN TREES
- HC-SPECIMEN TREES
- TND-SPECIMEN TREES
- TREES TO BE REMOVED

NOTES:

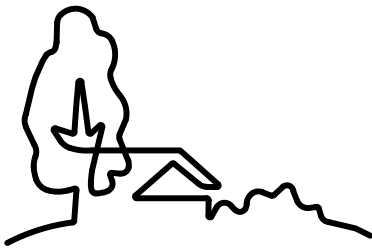
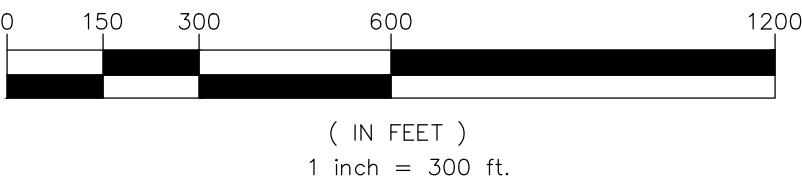
1. FOR SPECIMEN TREE MITIGATION, THE DEVELOPER SHALL MITIGATE THE REMOVAL OF SPECIMEN TREES. THIS MAY BE ACHIEVED BY PLANTING NEW TREES ON THE SITE WHOSE TOTAL CALIPER (DBH) EQUALS 100% OF THE TOTAL CALIPER OF TREES (DBH) TO BE REMOVED ABOVE THE ORDINANCE REQUIREMENT.
2. TREES TO BE PLANTED SHALL HAVE A MINIMUM CALIPER OF 2 INCHES, SHALL BE 8-10 FEET IN HEIGHT AT INSTALLATION, AND SHALL BE AT LEAST 75% LARGE MATURING HARDWOOD VARIETIES.



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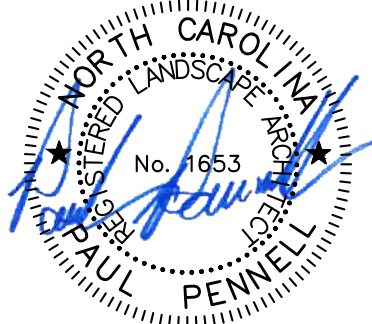


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Jake Paillo

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Cornelius, NC 28031

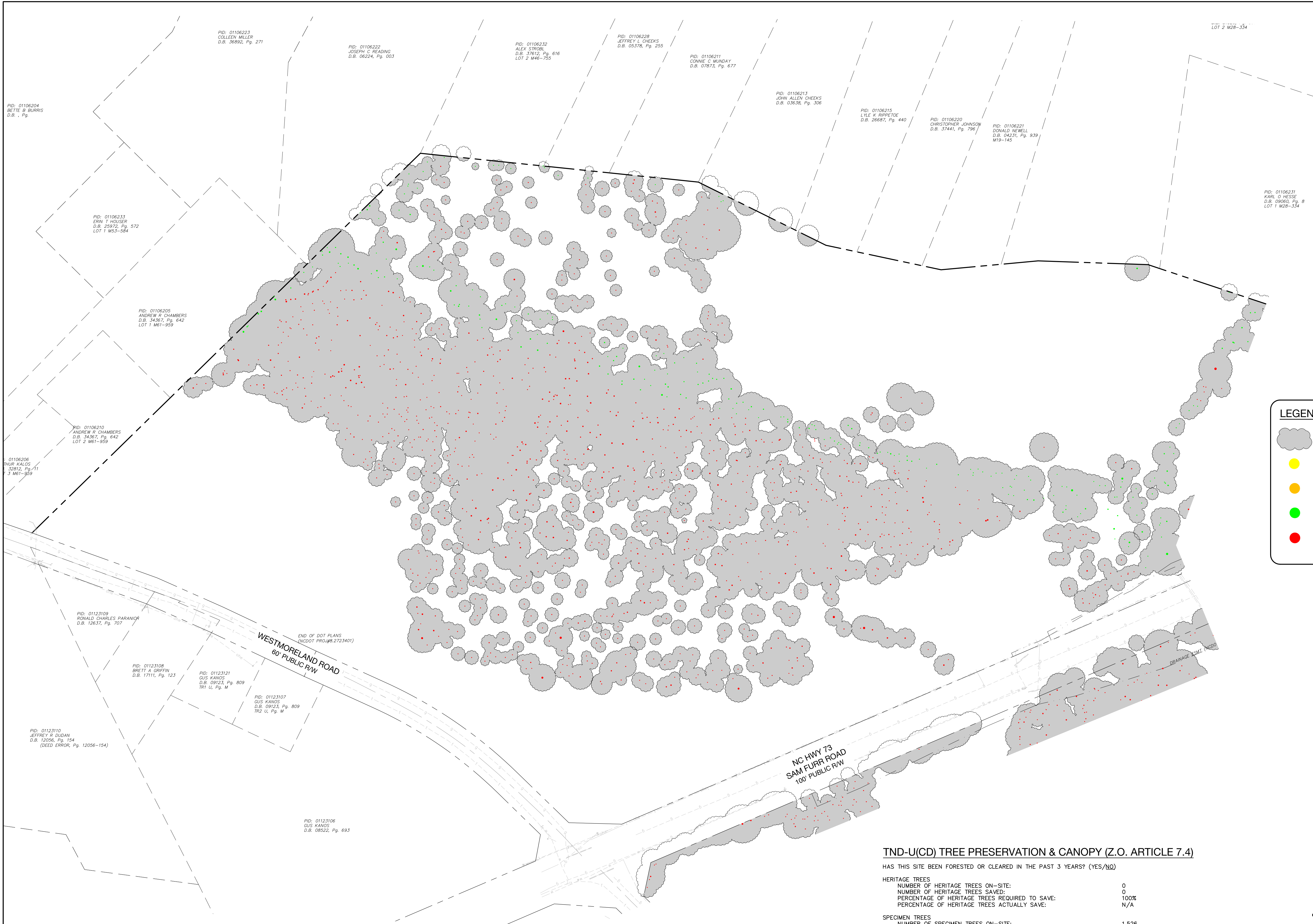
Lagoon Bay
Beach Club

Tree Survey
Sam Furr Road, Hutersville, NC 28078

NO.	DATE	BY:	REVISIONS:
001	04.14.2023	UDP	Lagoon Bay Beach Club Rezoning Revision 1
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Project No: 22-CLT-142
Date: 03.03.2023
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Checked By: UDP
Sheet No:

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NOTES:

1. FOR SPECIMEN TREE MITIGATION, THE DEVELOPER SHALL MITIGATE THE REMOVAL OF SPECIMEN TREES. THIS MAY BE ACHIEVED BY PLANTING NEW TREES ON THE SITE WHOSE TOTAL CALIPER (DBH) EQUALS 100% OF THE TOTAL CALIPER OF TREES (DBH) TO BE REMOVED ABOVE THE ORDINANCE REQUIREMENT.

2. TREES TO BE PLANTED SHALL HAVE A MINIMUM CALIPER OF 2 INCHES, SHALL BE 8-10 FEET IN HEIGHT AT INSTALLATION, AND SHALL BE AT LEAST 75% LARGE MATURING HARDWOOD VARIETIES.

TND-U(CD) TREE PRESERVATION & CANOPY (Z.O. ARTICLE 7.4)

HAS THIS SITE BEEN FORESTED OR CLEARED IN THE PAST 3 YEARS? (YES/NO)

HERITAGE TREES	
NUMBER OF HERITAGE TREES ON-SITE:	0
NUMBER OF HERITAGE TREES SAVED:	0
PERCENTAGE OF HERITAGE TREES REQUIRED TO SAVE:	100%
PERCENTAGE OF HERITAGE TREES ACTUALLY SAVED:	N/A

SPECIMEN TREES	
NUMBER OF SPECIMEN TREES ON-SITE:	1,526
PERCENTAGE OF SPECIMEN TREES REQUIRED TO SAVE:	30% OF SPECIMEN TREES (458)
NUMBER OF SPECIMEN TREES SAVED:	266-TREES
NUMBER OF MITIGATION SPECIMEN TREES TO BE PLANTED:	200-TREES
PERCENTAGE OF SPECIMEN TREES ONSITE:	31% OF SPECIMEN TREES

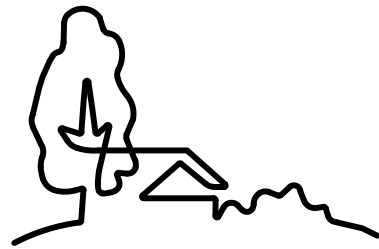
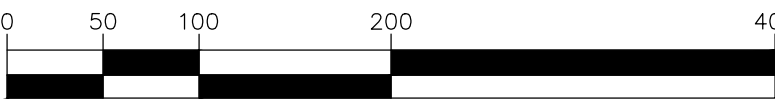
TREE CANOPY	
PERCENTAGE OF SITE COVERED BY TREE CANOPY:	37% (21.30 AC)
PERCENTAGE OF TREE CANOPY PRESERVATION REQUIRED BY DISTRICT:	0%
PERCENTAGE OF TREE CANOPY ACTUALLY SAVED:	22% OF SITE AREA (12.86 AC)



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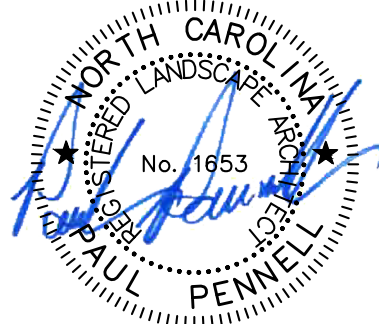


GRAPHIC SCALE



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**Lagoona Bay
Beach Club**

Tree Survey A
Sam Furr Road, Hutersville, NC 28078

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Project No: 22-CLT-142

Date: 03.03.2023

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HC(CD) TREE PRESERVATION & CANOPY (Z.O. ARTICLE 7.4)

HAS THIS SITE BEEN FORESTED OR CLEARED IN THE PAST 3 YEARS? (YES/NO)

HERITAGE TREES	
NUMBER OF HERITAGE TREES ON-SITE:	0
NUMBER OF HERITAGE TREES SAVED:	0
PERCENTAGE OF HERITAGE TREES REQUIRED TO SAVE:	100%
PERCENTAGE OF HERITAGE TREES ACTUALLY SAVED:	N/A
SPECIMEN TREES	
NUMBER OF SPECIMEN TREES ON-SITE:	1,620
PERCENTAGE OF SPECIMEN TREES REQUIRED TO SAVE:	30% OF SPECIMEN TREES (486 EA)
NUMBER OF SPECIMEN TREES SAVED:	412-TREES
NUMBER OF MITIGATION SPECIMEN TREES TO BE PLANTED:	75-TREES
PERCENTAGE OF SPECIMEN TREES ONSITE:	30% OF SPECIMEN TREES
TREE CANOPY	
PERCENTAGE OF SITE COVERED BY TREE CANOPY:	29% (30.67 AC)
PERCENTAGE OF TREE CANOPY PRESERVATION REQUIRED BY DISTRICT:	0%
PERCENTAGE OF TREE CANOPY ACTUALLY SAVED:	8% OF SITE AREA(8.92 AC)

LEGEND:

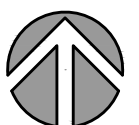
- EXIST. TREE CANOPY
- NR-SPECIMEN TREES
- HC-SPECIMEN TREES
- TND-SPECIMEN TREES
- TREES TO BE REMOVED

NOTES:

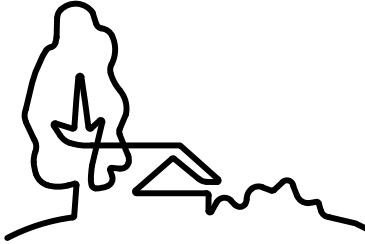
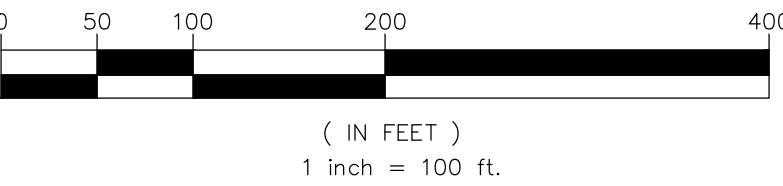
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- TREES TO BE PLANTED SHALL HAVE A MINIMUM CALIPER OF 2 INCHES, SHALL BE 8-10 FEET IN HEIGHT AT INSTALLATION, AND SHALL BE AT LEAST 75% LARGE MATURING HARDWOOD VARIETIES.



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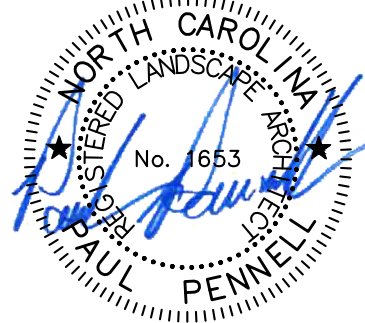


GRAPHIC SCALE



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Lagoona Bay
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Tree Survey B
Sam Furr Road, Hutersville, NC 28078

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HC(CD) TREE PRESERVATION & CANOPY (Z.O. ARTICLE 7.4)

HAS THIS SITE BEEN FORESTED OR CLEARED IN THE PAST 3 YEARS? (YES/NO)

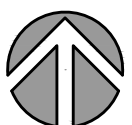
HERITAGE TREES		
NUMBER OF HERITAGE TREES ON-SITE:		0
NUMBER OF HERITAGE TREES SAVED:		0
PERCENTAGE OF HERITAGE TREES REQUIRED TO SAVE:		100%
PERCENTAGE OF HERITAGE TREES ACTUALLY SAVED:		N/A
SPECIMEN TREES		
NUMBER OF SPECIMEN TREES ON-SITE:		1,620
PERCENTAGE OF SPECIMEN TREES REQUIRED TO SAVE:		30% OF SPECIMEN TREES (486 EA)
NUMBER OF SPECIMEN TREES SAVED:		412-TREES
NUMBER OF MITIGATION SPECIMEN TREES TO BE PLANTED:		75-TREES
PERCENTAGE OF SPECIMEN TREES ONSITE:		30% OF SPECIMEN TREES
TREE CANOPY		
PERCENTAGE OF SITE COVERED BY TREE CANOPY:		29% (30.67 AC)
PERCENTAGE OF TREE CANOPY PRESERVATION REQUIRED BY DISTRICT:		0%
PERCENTAGE OF TREE CANOPY ACTUALLY SAVED:		8% OF SITE AREA(8.92 AC)

LEGEND:

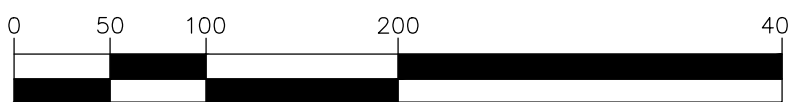
- EXIST. TREE CANOPY
- NR-SPECIMEN TREES
- HC-SPECIMEN TREES
- TND-SPECIMEN TREES
- TREES TO BE REMOVED



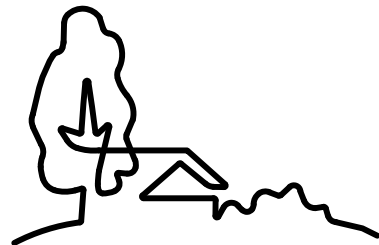
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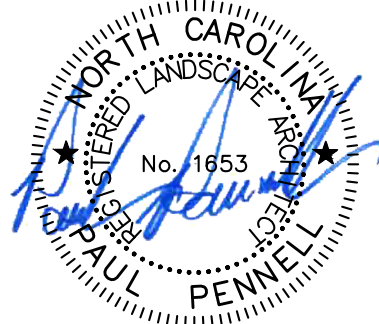
(IN FEET)
1 inch = 100 ft.



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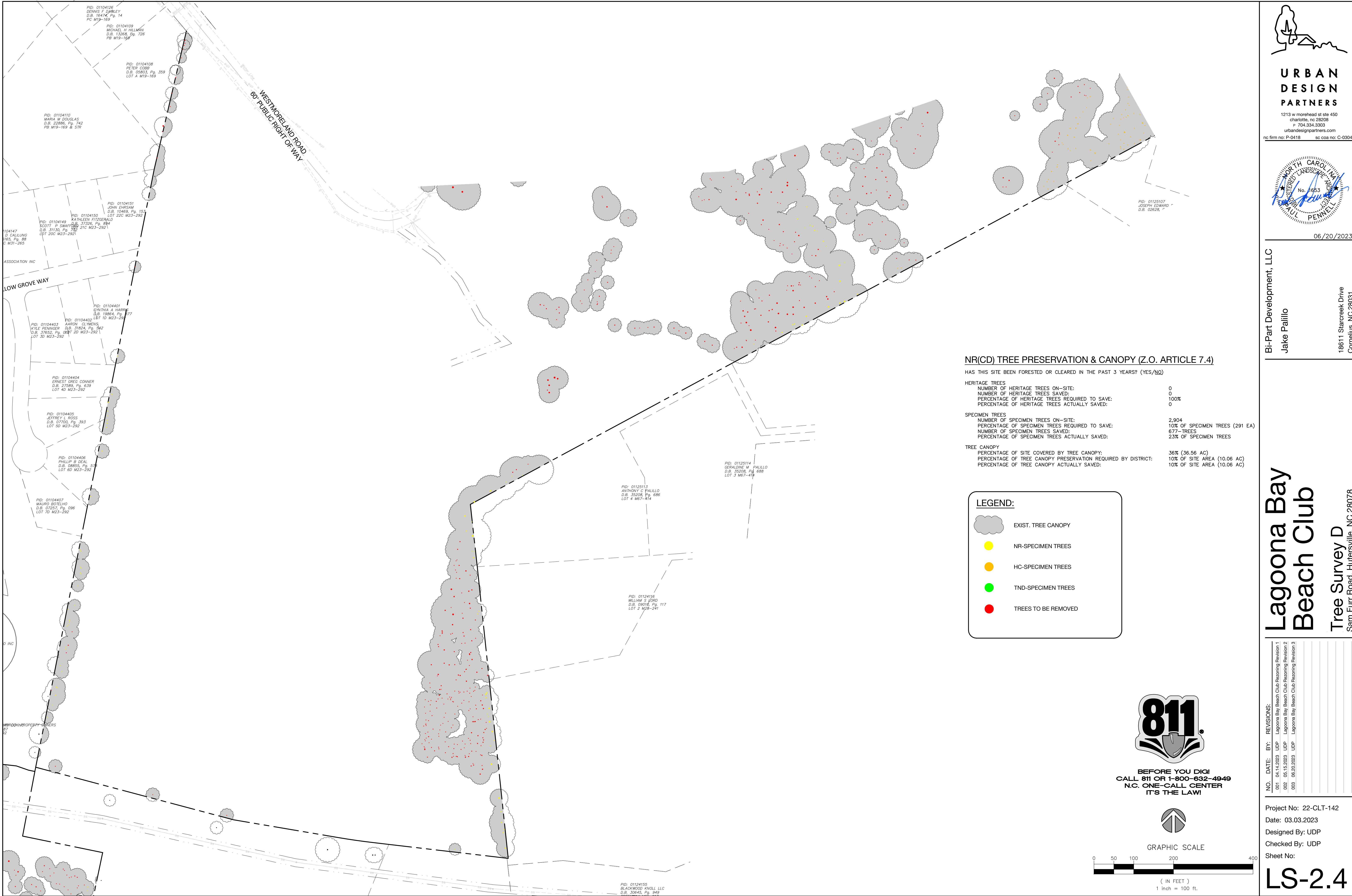
Lagoon Bay
Beach Club

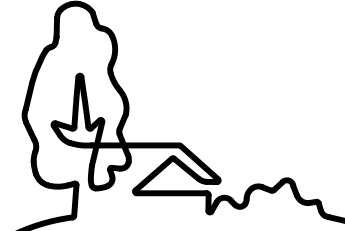
Tree Survey C
Sam Furr Road, Hutersville, NC 28078

NO.	DATE	BY:	REVISIONS:
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Lagoon Bay Beach Club

Tree Survey D

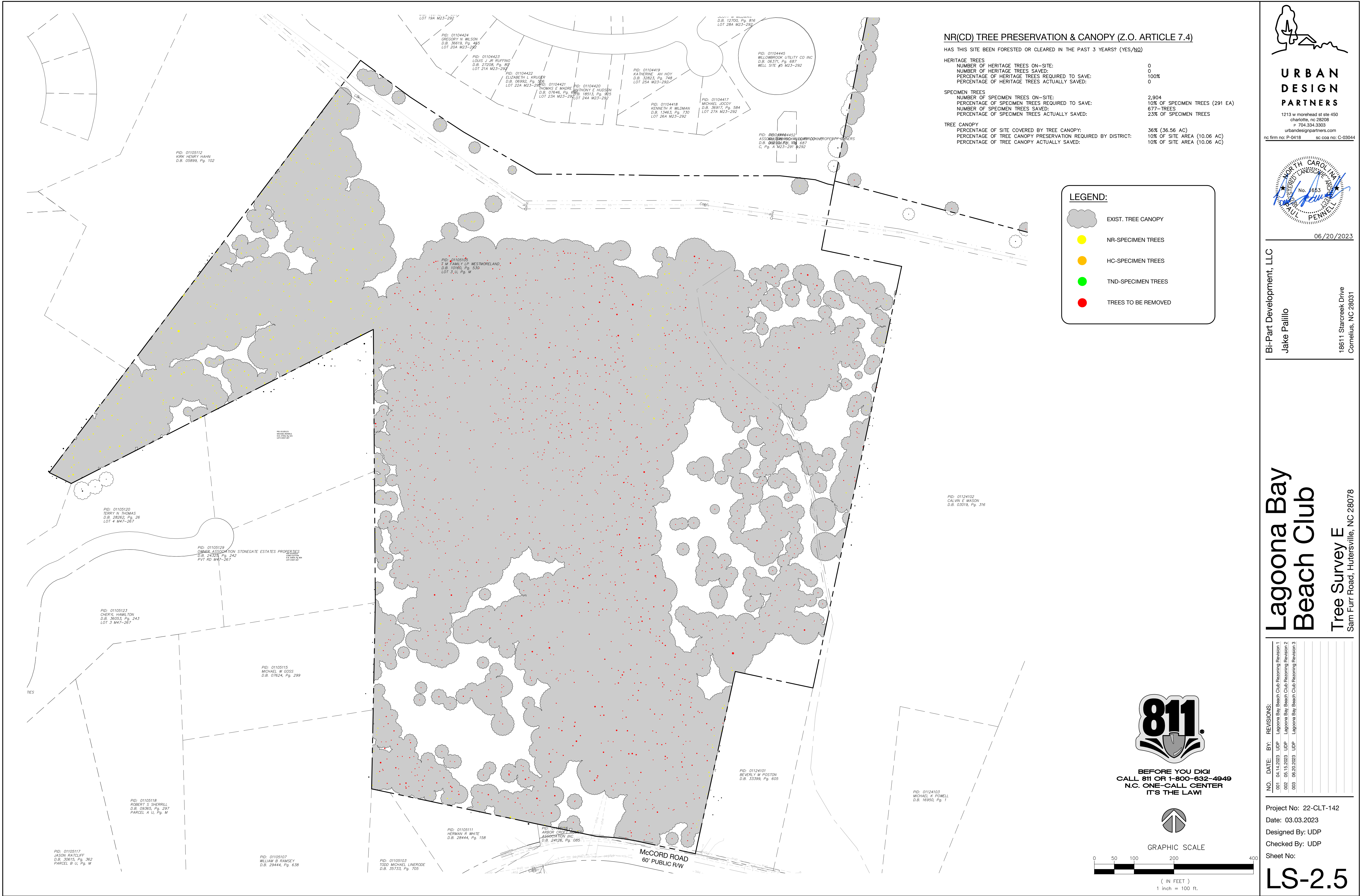
Sam Furr Road, Hutersville, NC 28078

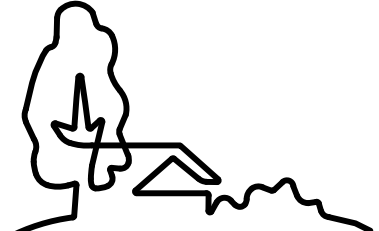
NO. DATE: BY: REVISIONS:

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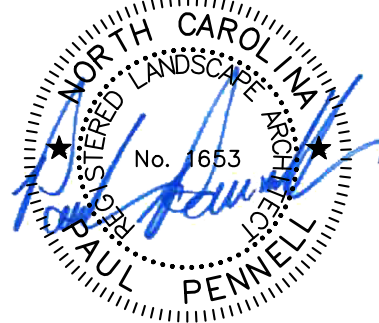
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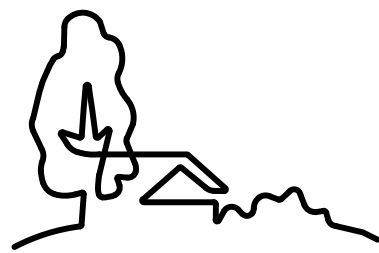
**Lagoon Bay
Beach Club**

Tree Survey E
Sam Furr Road, Hutersville, NC 28078

NO.	DATE	BY:	REVISIONS:
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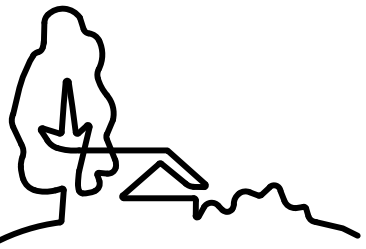
Architectural Elevations

Sam Furr Road, Huntersville, NC 28078

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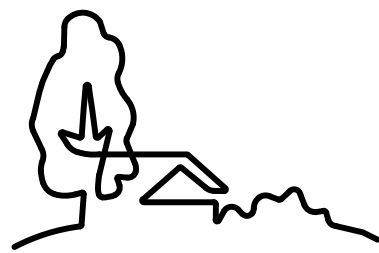
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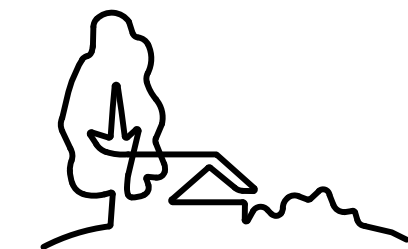
Architectural Elevations

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Architectural Elevations
Sam Furr Road, Huntersville, NC 28078

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Typical Front Elevation
Scale: 1/8" = 1'-0"

OLYMPUS VENTURES
MINNEAPOLIS, MN

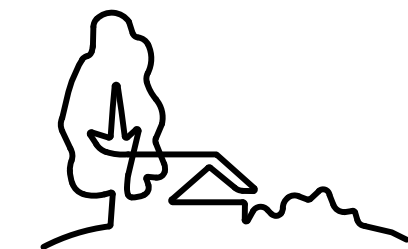
Apartment Character Elevations: 3-Story Concept

The Lagoon
Huntersville, NC



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Architectural Elevations

Sam Furr Road, Huntersville, NC 28078

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Typical Left Elevation
Scale: 1/8" = 1'-0"



Typical Right Elevation
Scale: 1/8" = 1'-0"



Typical Rear Elevation
Scale: 1/8" = 1'-0"

OLYMPUS VENTURES
MINNEAPOLIS, MN

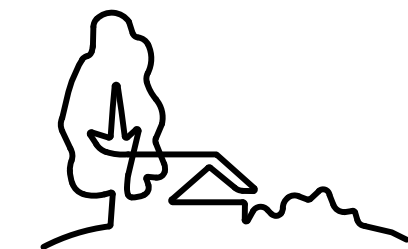
Apartment Character Elevations: 3-Story Concept

The Lagoon
Huntersville, NC



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Lagoona Bay
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Architectural Elevations
Sam Furr Road, Huntersville, NC 28078

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Typical Front Elevation
Scale: 1/8" = 1'-0"

OLYMPUS VENTURES
MINNEAPOLIS, MN

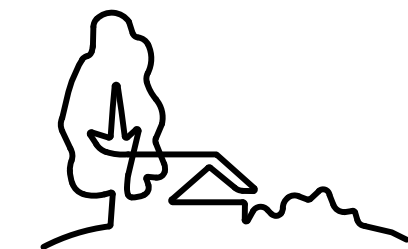
Apartment Character Elevations

The Lagoon
Huntersville, NC



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Lagoon Bay Beach Club

Architectural Elevations

Sam Furr Road, Huntersville, NC 28078

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Typical Left Elevation
Scale: 1/8" = 1'-0"



Typical Right Elevation
Scale: 1/8" = 1'-0"



Typical Rear Elevation
Scale: 1/8" = 1'-0"

OLYMPUS VENTURES
MINNEAPOLIS, MN

Apartment Character Elevations

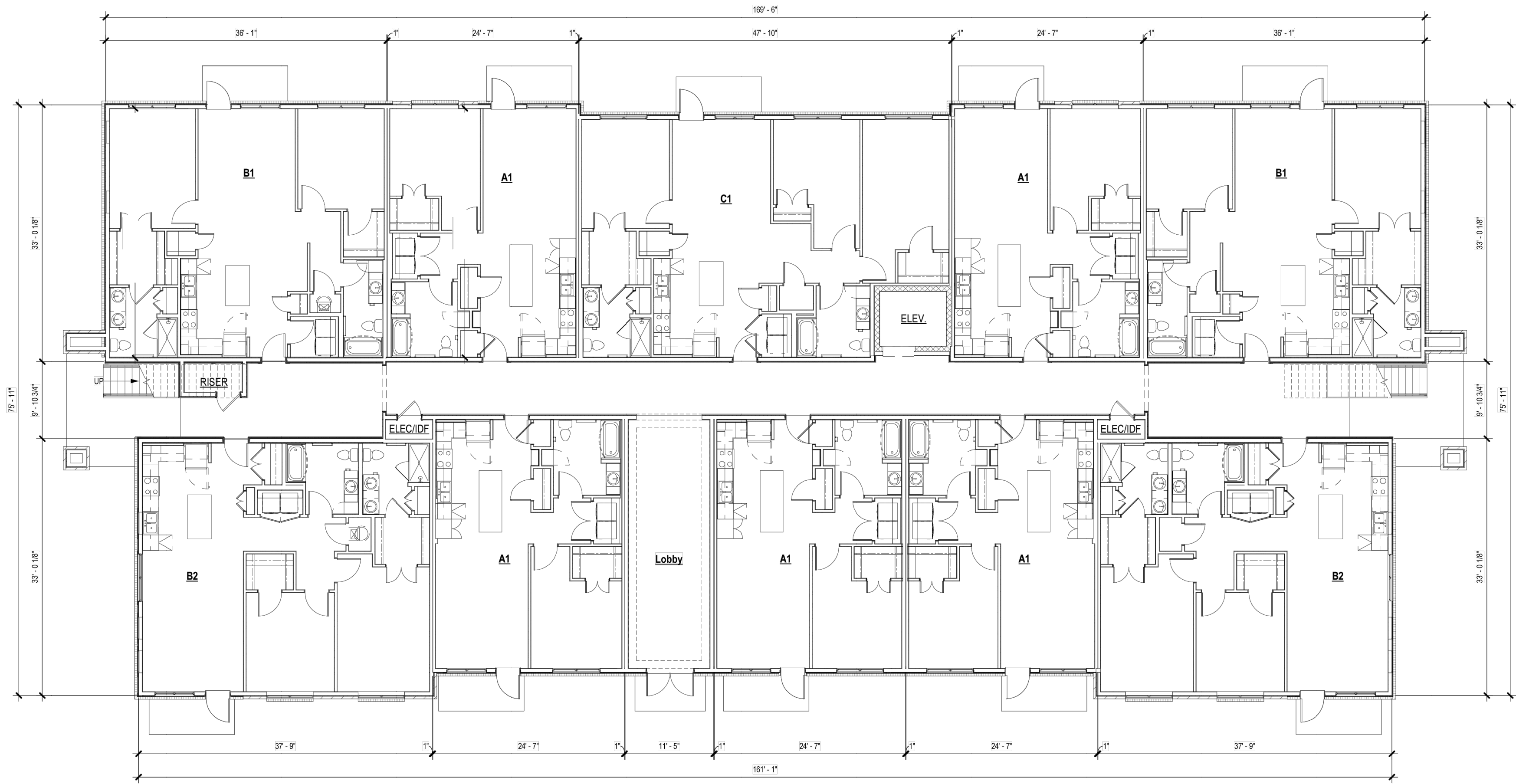
The Lagoon
Huntersville, NC



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1 LEVEL 1 ENLARGED PLAN



BUILDING PLAN NOTES

- SEE EDGE OF SLAB PLANS AND UNIT PLANS FOR ADDITIONAL DIMENSIONS AND OTHER INFORMATION.
- COORDINATE ALL WORK WITH ALL ARCHITECTURAL, STRUCTURAL, CIVIL, MECHANICAL, ELECTRICAL, PLUMBING, AND LANDSCAPE DRAWINGS AND SPECIFICATIONS.
- NOTIFY ARCHITECT IMMEDIATELY IN WRITING OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION. NO SINGLE SHEET REPRESENTS ALL THE INFORMATION REQUIRED TO BUILD ANY PORTION OF THE BUILDING FOR ANY TRADE. GC IS RESPONSIBLE FOR COORDINATING THE WORK OF ALL TRADES WITH THE FULL SET OF CONSTRUCTION DOCUMENTS.
- SEE AN SERIES SHEETS FOR ADDITIONAL GENERAL NOTES.
- SEE SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS.
- REFERENCE STRUCTURAL DRAWINGS FOR BEARING WALL LOCATIONS.
- REFERENCE ELEVATIONS FOR EXTERIOR CLADDING CONDITIONS.
- AT LOCATIONS WHERE 2X4 UNIT DEMISING WALL EXTENDS BEYOND ADJACENT UNIT TOWARDS THE BUILDING EXTERIOR, THE EXTERIOR FRAMING WILL BE REQUIRED TO TRANSITION TO 2X6 WALL FRAMING.
- ALIGN THE OUTSIDE FACE OF STUDS WITH EDGE OF SLAB BELOW.
- CONTINUE 2X6 STUD FRAMING AND ALL LAYERS OF INTERIOR GYPSUM BOARD TO CLOSEST INTERIOR PERPENDICULAR WALL, TYPICAL.
- MAINTAIN MINIMUM 7'-0" (81") HEADROOM CLEARANCE ABOVE FINISHED FLOOR AT ALL AMENITY AREAS AND HABITABLE SPACES AT RESIDENTIAL FLOORS. SEE PLANS FOR CEILING HEIGHTS.
- ALL WALKING SURFACES AT MEANS OF EGRESS ROUTES SHALL HAVE SLIP-RESISTANT FINISH.

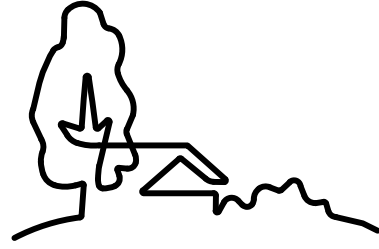
THE LAGOON
HUNTERSVILLE, NC



300 West Summit Avenue, Suite 210
Charlotte, North Carolina 28203
(704) 780-3308

JOB NO: MP230202
DRAWN: AG
CHECKED: ML
BUILDING A LEVEL 1
BUILDING PLAN

A1.02



URBAN
DESIGN
PARTNERS

1213 W. Morehead St. Ste. 450
Charlotte, NC 28208
P: 704.334.3303
urbandesignpartners.com
nc firm no: P-0418 sc coa no: C-03044

Bi-Part Development, LLC

Jake Palillo

18611 Starcreek Drive
Cornelius, NC 28031

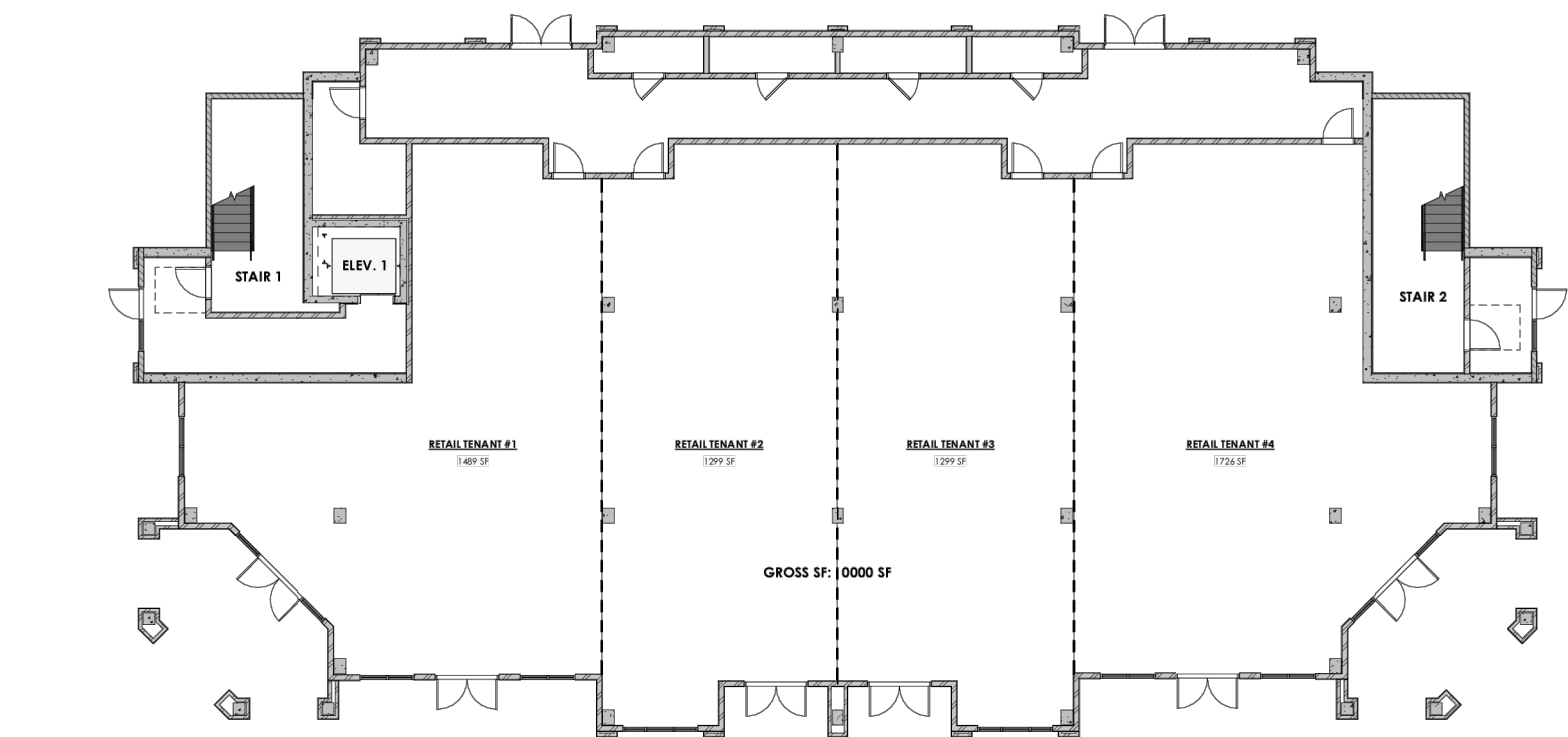
Lagoon Bay
Beach Club
Architectural Floor Plans
Sam Furr Road, Huntersville, NC 28078

NO.	DATE:	BY:	REVISIONS:
001	04.14.2023	UDP	Lagoon Bay Beach Club Rezoning Revision 1
002	05.15.2023	UDP	Lagoon Bay Beach Club Rezoning Revision 2
003	06.20.2023	UDP	Lagoon Bay Beach Club Rezoning Revision 3

Project No: 22-CLT-142
Date: 03.03.2023
Designed By: UDP
Checked By: UDP
Sheet No:

A-1.7

PALLILO
CRYSTAL LAGOON -
HUNTERSVILLE



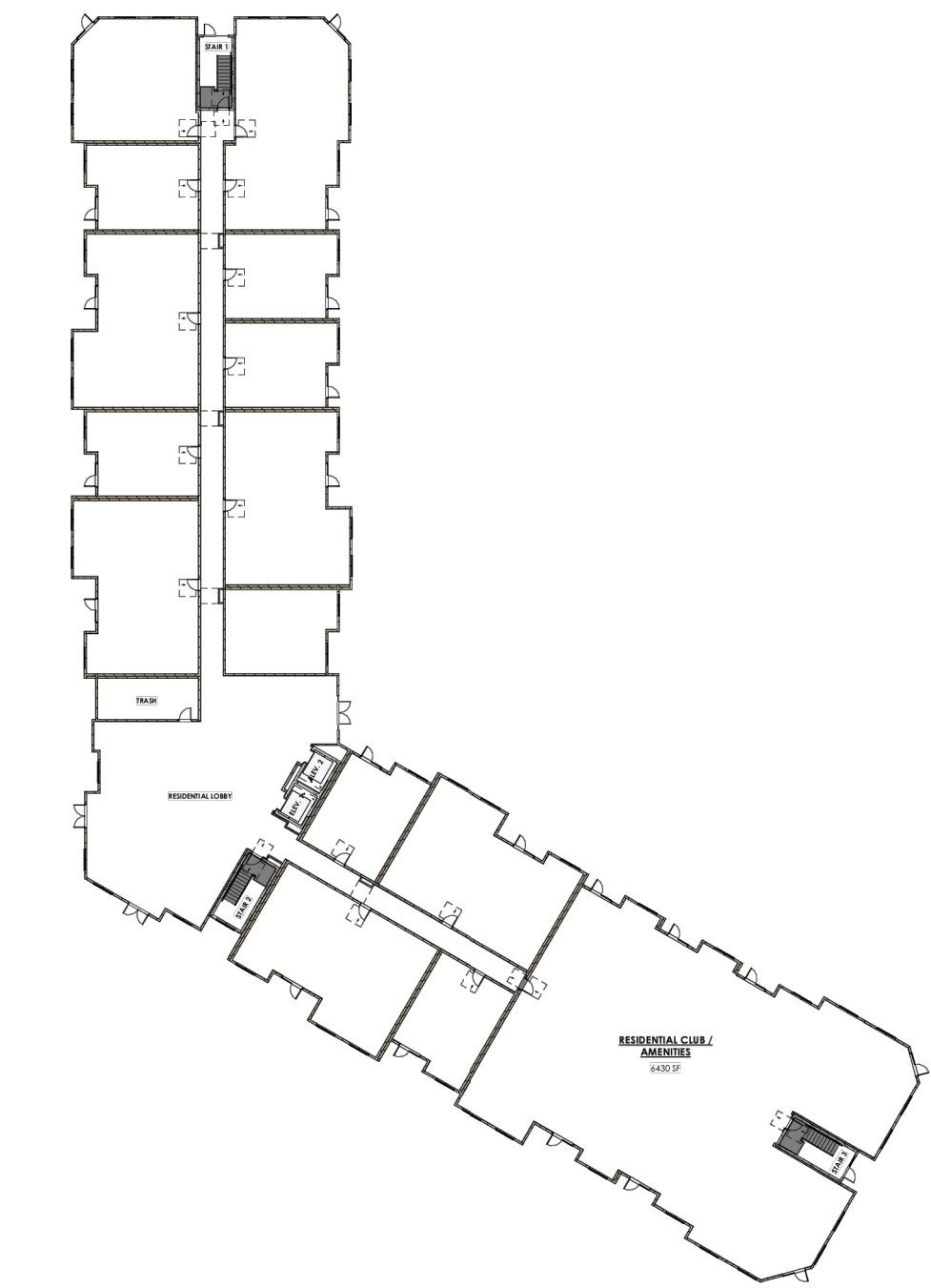
① TYPICAL RETAIL BLDG - 1ST FLOOR PLAN
1/8\"/>



TYPICAL RETAIL BLDG - 1ST FLOOR PLAN
PALLILO - CRYSTAL LAGOON
HUNTERSVILLE
13 JUNE 2023

PAGE 1

PALLILO
CRYSTAL LAGOON -
HUNTERSVILLE

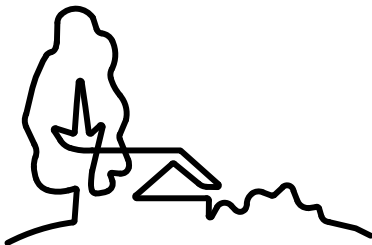


① CONDO BLDG - 1ST FLOOR PLAN
1\"/>



CONDO BLDG - 1ST FLOOR PLAN
PALLILO - CRYSTAL LAGOON
HUNTERSVILLE
13 JUNE 2023

PAGE 2



**URBAN
DESIGN
PARTNERS**

1213 w morehead st ste 450
charlotte, nc 28208
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urbandesignpartners.com
nc firm no: P-0418 sc coa no: C-03044

Bi-Part Development, LLC

Jake Palillo

18611 Starcreek Drive
Cornelius, NC 28031

**Lagoona Bay
Beach Club**
Architectural Floor Plans
Sam Furr Road, Huntersville, NC 28078

NO.	DATE	BY	REVISIONS:
001	04.14.2023	UDP	Lagoona Bay Beach Club Rezoning Revision 1
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003	06.20.2023	UDP	Lagoona Bay Beach Club Rezoning Revision 3

Project No: 22-CLT-142
Date: 03.03.2023
Designed By: UDP
Checked By: UDP
Sheet No:

A-1.8

① MIXED USE BLDG. B - 1ST FLOOR PLAN - 66,000 S.F.
1" = 20'-0"

COMMUNITY MEETING REPORT

Petitioner: Bi-Part Development, LLC

Meeting Date: April 26, 2023

Project: Lagoon Bay Beach Club, R23-05

Mtg. Location: 1994 University City Church Dr. Huntersville, NC 28078

Meeting Time: 6:30PM

Attendees: Jake Palillo – Bi-Part Development, LLC
Paul Pennell, Miller Snyder, Nolan Groce – Urban Design Partners
Chuck Travis, Alberto Cevallos – Housing Studio
Brian Richards, David Peete – Town of Huntersville

The Community Meeting was coordinated, scheduled, and offered to the public as provided by Town of Huntersville Zoning Ordinance guidelines. Adjacent residents attended the petition community meeting as noted on the Attendance Log.

Purpose: To present the Conditional Rezoning Petition R23-05 to any neighboring residents or homeowners who were in the rezoning mailer radius or who spoke to the Petitioner or Petitioner’s representatives and were invited.

This Community Meeting Report is being filed with the Town of Huntersville Planning Department pursuant to the provisions of the Town of Huntersville Zoning Ordinance.

Minutes: The following items were discussed in the presentation:

Jake Palillo began the presentation by welcoming those in attendance and explaining the reason for the community meeting. Jake then asked several questions, related to development, nearby projects, and the general location where attendees reside. He then described Lagoon Bay as a 10-acre crystal clear body of water, with technology created and patented by Crystal Lagoons. This is the first project of its kind in North Carolina. Jake then discussed Bi-Part development projects Bailey’s Glenn and Symphony Park. An overview of the rezoning plan was shown, providing context of the site location. Lagoon Bay was then described as a high-end lifestyle resort. The proposal includes a mixed-use area, primarily filled with restaurants, condos and apartments. 250 single family custom homes on the southern end of the project, with 200 townhomes and 320 apartments north of Sam Furr Road. There will also be a 6-story hotel and convention center central to the project. Jake transitioned to a discussion focused on roadways and traffic in the area. He described NC 73 as a major thoroughfare, noting the communities and interstates which it connects. He provided context for traffic based on previous developments in the area and discussed ongoing growth. NCDOT’s roadway improvement process was explained and key projects in the area were highlighted. The roadway project with most direct impact to Lagoon Bay was described as STIP R-2632 AB. The project will increase travel lanes along NC 73 from two, to four, utilizing a superstreet design. Right of way acquisition is underway with construction expected to begin in FY 2026.

Jake provided an overview of recent development projects in the area, including Publix, a project off Mayes Rd, Northbrook subdivision, McConnell subdivision and Camden. Jake then mentioned a project of similar scale in Kannapolis that is located on NC 73. The project consists of 229 acres, includes 900,000 square feet of retail, and 600 residential homes and apartments. These were used to elaborate growth in the area and along NC 73. Jake then displayed a report from Charlotte Mecklenburg Schools noting additional students from the development, explained how new schools are planned, and showed future school sites in the area. Jake then transitioned into statistical data from the census bureau per generational group. Following statistical data, he provided cost and detailed information about the housing options of Lagoona Bay and the Lagoona Village commercial space. He mentioned different events and businesses that are expected to take place. Parking was then described, noting ample spaces with the ability to build parking decks in the future. The hotel and need for a convention center were then described. Jake then described the membership component of Lagoona Bay, and detailed the amenities provided, including a trolley system to shuttle people to and from Lagoona Bay. Following the presentation, a question-and-answer session was held.

QUESTIONS/COMMENTS BY ATTENDEES:

1. Question related to wetlands on site.
 - A. Jake said that a wetland study has been conducted and any development must be permitted.
2. As a developer, how much are you contributing for roadway improvements?
 - A. Jake mentioned that symphony park roadway improvements cost 1.2 million dollars. The state will be widening NC 73 and improvements will be coordinated with NCDOT.
3. What are bonus allocations?
 - A. Jake explained that they are additional funds for road projects, incentivizing local contributions to a project.
4. When will the STIP project begin?
 - A. Jake responded, 2026.
5. NCDOT is widening the road because there is an existing issue?
 - A. Jake responded, NC 73 will be widened from NC 16 to Concord.
6. Is the school study just for Lagoona Bay or all developments in Huntersville?
 - A. Jake responded, just Lagoona Bay.
7. Do you have a statistic on how many cars the project will add to our roadway?
 - A. Jake responded, yes, we had to conduct a traffic study as part of this project. I will share the information with you if you reach out to me.
8. How much is the rent of apartments?
 - A. Jake responded, apartments will be on the higher end, average rental price is currently \$2.00 - \$2.50 per square foot.
9. Who is going to own the convention center?
 - A. Jake responded, I will.
10. Is Lagoona Bay a club?
 - A. Jake responded, this is a Country Club.
11. Do you have to live there to have a membership?
 - a. A. Jake responded, no anyone is eligible to purchase a membership.
12. How many memberships are available?
 - A. Jake responded, 1,500 memberships are available.
13. How many entrances are there?
 - A. Jake responded, there entrances off of Westmoreland, Black Farm, and McCord Roads. The main access to the Lagoon is off Westmoreland.
14. Why are you connecting to Willowbrook?
 - A. Jake responded, that's a Town requirement, I'll install a gate if allowed.
15. Is there a fireman here that can speak to response times to Willowbrook?
 - A. Jake responded, there's currently one way in and out, but there will be an additional entrance and exit as proposed.
16. What type of environmental studies, traffic studies, emergency response, and land will be left for animals, and tree canopy?
 - A. Jake responded, a wetland study has been completed and the traffic study is underway.
17. How will this project effect existing businesses?
 - A. Jake responded, jobs will be added to the community. This allows additional opportunity and facilities for events.
18. Where through Willowbrook are you putting a road?
 - A. Jake responded, we're connecting to the stub road, because it's a Town requirement. If the Town allows a guard rail or gate, it will be installed.
19. What will happen to the Lagoon if you cannot keep it occupied?
 - A. Jake responded, once the project starts, it will be fully financed.
20. How will you keep this upscale and prevent decline?

- A. Jake responded, we're building this to maintain an upscale facility, we will not build this and abandon it.
21. Can you prove this is sustainable and won't become a dump like Northlake Mall?
- A. Jake responded, the Lagoon is not open to the public and we will maintain the facility.
22. What will keep properties from becoming VRBO rentals?
- A. Jake responded, there will be HOA's in place and covenants to prevent that.
23. Will the Lagoon be fenced in?
- A. Jake responded, yes.
24. How will you keep people out of the Lagoon that don't have passes?
- A. Jake responded, the lagoon will be fenced in and maintained.
25. Are there day passes available?
- A. Jake responded, the hotel will be able to sell day passes for a private area by the hotel.
26. How will the area be secure from human trafficking?
- A. Jake responded, we need to support our police department. If you know of human trafficking, please report it to the police.
27. Why are you connecting to Willowbrook, won't it increase traffic?
- A. Jake responded, the Town requires the connection to a stub road. Most traffic will come to Westmoreland, but there's the ability for people to use the cut through connection.
28. Do you see me being at Lagoona Bay?
- A. Jake responded, I see everyone that wants to be part of this there.
29. Will teachers be able to use this?
- A. Jake responded, if you can convince the Town to raise taxes, I'll be happy to pay more taxes to pay police officers and teachers more money.
30. Do apartments and townhouses have access to the Lagoon?
- A. Jake responded, if a membership is purchased, yes. Memberships will be reserved for each lot, but they aren't required to be purchased. Memberships are transferable.
31. Why does a hotel make sense here?
- A. Jake responded, hotels found in lifestyle centers are some of the highest grossing and gave the example of Kingsley in Fort Mill, SC.
32. Can't we keep the zoning the same?
- A. Jake responded, not for this project. Even if I don't develop this project, greater density is required due to the cost of available acreage.
33. Are you providing places for low-income housing?
- A. Jake responded, no, low-income housing is not provided as part of this project.
34. Will you provide childcare centers?
- A. Jake responded, yes, a daycare center is proposed as part of Lagoona Bay.
35. Will childcare be discounted for your workers?
- A. Jake responded, costs have not been determined at this time.
36. Have you spoken to adjacent property owners at proposed road 7?
- A. The Town requires the stub for future connectivity. I own the adjacent property, but do not have plans for additional development.
37. Why do you have to have apartments and high density?
- A. Jake responded, there will continue to be apartments as long as they stay 94% occupied. Younger generations prefer renting and the freedom it provides.
38. What distance around the entire development will have environmental studies? My neighborhood has increased water runoff due to impervious surfaces.
- A. Paul responded, all proposed runoff will be collected and maintained on site. Stormwater collects in ponds, settles, and is slowly released into the creek system.
39. How can you improve my watershed?
- A. Jake recommended the individual call Mike MacIntyre with the Town of Huntersville for assistance.
40. Why are you putting apartments and townhomes on the north end and not million-dollar homes?

A. Jake responded, the area is better fit for density being along NC 73.

41. What is the noise level going to be from the Lagoon and how will lighting affect homes on Westmoreland Road?

A. Jake responded, the Town has lighting restrictions and requirements.

42. There was a general question about the trolley system.

a. Jake pointed out potential trolley stops throughout the development and mentioned proposed locations with stops in the community.

The formal meeting adjourned at 8:54 p.m. Members of the public and media remained and spoke with Jake informally.

Community Meeting Notices

Project Name	Lagoona Bay Beach Club			
Pursuant to Huntersville Subdivision Ordinance 6.320.3 a list of all persons and organizations contacted about the meeting shall be submitted to the Planning Department and incorporated into the application for this project.				
The following persons and organizations were sent notices of the community meeting (first and last name or business name only):				
First and Last Name	Parcel ID	Date Sent	Method Sent	Reason Sent
KATHERINE AH HOY and/or JACKO AH HOY	01104419	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
AMH 2015-1 BORROWER LP	1133627	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
ARBOR CROFT HOMES ASSOCIATION INC	01133629	4/13/2023	First Class USPS	Neighborhood association, property owner association, and homeowner association within 2000 feet of any portion of subdivision (SO 6.320.3(f))
MUSA ATEs and/or ZARINA ATEs	01133112	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
JOSEPH EDWARD BLACK and/or TRUST JOHN STEVENSON BLACK	01126104	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
BLACKWOOD KNOLL COMMUNITY ASSOCIATION INC C/O ASSOCIATION	01124154	4/13/2023	First Class USPS	Neighborhood association, property owner association, and homeowner association within 2000 feet of any portion of subdivision (SO 6.320.3(f))
BLACKWOOD KNOLL LLC	01124155	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
MAURO BOTELHO and/or KAZUKO ADACHI	01104407	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
DAWN SHOEMAKER BRADFORD and/or WILLIAM O JR BRADFORD	01105104	4/13/2023	First Class USPS	Property Owner (SO 6.320.3(a))
DANILO D CALLUNG and/or JANICE W CALLUNG	01104147	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
CAMDEN BOWMAN LLC	01124104	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
BRETT R CANOSA and/or ANNE CANOSA	01104413	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
ANDREW R CHAMBERS and/or MELISSA W CHAMBERS	01106210	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
JEFFREY L CHEEKS	01106228	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
JOHN ALLEN CHEEKS and/or CAROLYN CHEEKS	01106213	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
VICTORIA SUE CIOCH and/or DAVID CONSTANTINE CIOCH	01104427	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
BEVERLY T. CLAYTON and/or JUDITH H. CLAYTON	01107326	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
AARON CLYMENS and/or KIMBERLY CLYMENS	01104402	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
PETER COBB and/or PENNY K COBB	01105122	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
ERNEST GREG CONNER	01104404	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
CRDLC LLC	01105209	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
CHARLES SPENCER JR DAVIS and/or FAYE MCQUEEN DAVIS	01125111	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
CHARLES SPENCER JR DAVIS	01126148	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
DAVIS GIBSON INVESTMENTS LLC	01126102	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
DENNIS F DAWLEY and/or CAROL A DAWLEY	01104126	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
PHILLIP B DEAL and/or PAMELA H DEAL	01104406	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
DANIEL D DEWEY and/or VIRGINIA M DEWEY	01133113	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
DMJ VENTURES LLC	01107324	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
MARIA M DOUGLAS	01104110	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
JEFFREY R DUDAN and/or TRACI G DUDAN	01123110	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
STEVEN J EDELMAN and/or MELANIE LAWRENCE EDELMAN	01104415	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
JOHN EHRSAM and/or SUSAN A EHRSAM	01104151	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
KATHLEEN FITZGERALD	01104150	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
R SCOTT GIBSON and/or MARY K DAVIS GIBSON	01125110	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
MICHAEL W GOSS and/or AMANDA M GOSS	01105115	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
MARY ELISABETH GREEN	01104425	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
BRETT A GRIFFIN and/or MELANIE J GRIFFIN	01123108	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
PETER FREDERICK GUERTIN and/or DANA LYNN GUERTIN	01123129	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
KIRK HENRY HAHN and/or ROBYN HARRIS	01105112	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
CHERYL HAMILTON and/or ERNHARD KUHN	01105123	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
CYNTHIA A HARRIS	01104401	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
STEWART T HEATH and/or MICHELLE M HEATH	01124115	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
KARL O HESSE	01106231	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
MICHAEL H HILLMAN and/or SUSAN O HILLMAN	01104109	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
ANTHONY E HUDSON and/or THERESA A HUDSON	01104420	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
BRANDI HULLINGER and/or BROCK HULLINGER	01125115	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
MICHAEL JOCOY and/or PATRICIA JOCOY	01104417	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
CHRISTOPHER JOHNSON and/or CAROLINE MARIA PANNOZZO	01106220	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
ARTHUR KALOS and/or CHRISTINE KALOS	01106206	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
KAM PROPERTIES LLC	01104111	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
GUS KANOS and/or CHRISOULA P KANOS	01123106	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
ROBERT KELEMEN	01133626	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
ROBERT J JR KNOX and/or CYNTHIA L KNOX	5101, 0110	4/13/2023	First Class USPS	Property Owner (SO 6.320.3(a))
THOMAS B JR KNOX and/or FRANCES KNOX	01106214	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
ROBERT J JR KNOX and/or CYNTHIA L KNOX	01106219	4/13/2023	First Class USPS	Property Owner (SO 6.320.3(a))
ELIZABETH L KRUGER	01104422	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
SUSAN LAPASNICK and/or BRIDGET C MILLER	01104114	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
TODD MICHAEL LINERODE and/or DENISE LINERODE	01105103	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
WILLIAM S LORD and/or BRENDA LORD	01124116	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
GAUTAM MADIMAN and/or PRETI MADIMAN	01104429	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
THOMAS E MADRE and/or RUTH A MADRE	01104421	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
MAGNOLIA HUNTERSVILLE II LLC	01126113	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
SHERRY MARSHALL	01133628	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
DAVID A MASHBURN and/or RITA C MASHBURN	01122106	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
CALVIN E MASON and/or JOANN M MASON	01124102	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
BOBBY MITCHEL MASTEN and/or PATRICIA M MASTEN	01104414	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
MAYES HALL HOMEOWNERS ASSOCIATION INC	00716465	4/13/2023	First Class USPS	Neighborhood association, property owner association, and homeowner association within 2000 feet of any portion of subdivision (SO 6.320.3(f))
MAYES HALL HOMEOWNERS ASSOCIATION INC	00716468	4/13/2023	First Class USPS	Neighborhood association, property owner association, and homeowner association within 2000 feet of any portion of subdivision (SO 6.320.3(f))
DEBORAH A MCCORD	01133103	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
COLLEEN MILLER	01106223	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
SOUTHERN PROVINCE MORAVIAN CHURCH IN AMERICA	01107316	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
CONNIE C MUNDAY and/or RODNEY D MUNDAY	01106211	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
DONALD NEWELL and/or GAIL NEWELL	01106221	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
NORTHBROOK PROPERTY OWNERS ASSOCIATION	01122286	4/13/2023	First Class USPS	Neighborhood association, property owner association, and homeowner association within 2000 feet of any portion of subdivision (SO 6.320.3(f))
NORTHSTONE HOMEOWNERS ASSOC OF	01133105	4/13/2023	First Class USPS	Neighborhood association, property owner association, and homeowner association within 2000 feet of any portion of subdivision (SO 6.320.3(f))
MICHAEL JOSEPH ORLANDO	01104426	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
PAGE'S POND HOMEOWNERS ASSOCIATION INC	00731125	4/13/2023	First Class USPS	Neighborhood association, property owner association, and homeowner association within 2000 feet of any portion of subdivision (SO 6.320.3(f))
PAGES POND HOMEOWNERS ASSOC	00731104	4/13/2023	First Class USPS	Neighborhood association, property owner association, and homeowner association within 2000 feet of any portion of subdivision (SO 6.320.3(f))
ANTHONY C PALILLO and/or CAROL PALILLO	01125113	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
JACOB JOSEPH PALILLO and/or GERALDINE PALILLO	01125106	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
GERALDINE M PALILLO	01125114	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
RONALD CHARLES PARANICH and/or MILDRED LORRAINE PARANICH (H/W	01123109	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
KYLE PENINGER and/or KARA L PENINGER	01104403	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
AMANDA CLAIR PITTMAN and/or ROBERT LEE III PITTMAN	01126103	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
BEVERLY M POSTON	01124101	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
RACHEL ANNE POTTS	01107313	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
MICHAEL K POWELL and/or KIMBERLY M POWELL	01124103	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
PROGRESS RESIDENTIAL BORROWER 4 LLC	01104428	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
RM Westmoreland Family LP	01106218	4/13/2023	First Class USPS	Property Owner (SO 6.320.3(a))
INC RAMAH OAKS HOMEOWNERS ASSOC	01126132	4/13/2023	First Class USPS	Neighborhood association, property owner association, and homeowner association within 2000 feet of any portion of subdivision (SO 6.320.3(f))
WILLIAM B RAMSEY and/or LOUISE A ZULLO	01105107	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
JOSEPH C READING and/or MARTHA E READING	01106222	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
MICHAEL REIMELS and/or CATHERINE G REIMELS	01105121	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
LYLE K RIPPETOE and/or AIMEE L RIPPETOE	01106215	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
JEFFREY L ROSS and/or CATHY R ROSS	01104405	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
LOUIS J JR RUFFINO	01104423	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
ERIKA W SAADAOUI	01104112	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
SERENDIPITY ACRES LLC	01106230	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
OWNER ASSOCIATION STONEGATE ESTATES PROPERTIES	01105129	4/13/2023	First Class USPS	Neighborhood association, property owner association, and homeowner association within 2000 feet of any portion of subdivision (SO 6.320.3(f))
OWNERS ASSOCIATION INC STONEGATE ESTATES PROPERTIES	01105128	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
ALEX STROBL and/or ELIZABETH A STROBL	01106232	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
COREY SUTTON	01105122	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
SCOTT P SWAFFORD	01104149	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
MIKE THOMANN and/or REBECCA MARY DARBY	01125112	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
TERRY N THOMAS and/or JILL C THOMAS	01105120	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
CALVIN WYNNE WESTMORELAND, MARY ELLEN A	01105100	4/13/2023	First Class USPS	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))

Community Meeting Attendance Log

Project Name:	Lagoona Bay Beach Club
Location of Meeting:	1994 University City Church Drive, Huntersville, NC 28078
Date:	26-Apr-23
Time:	6:30 PM

Pursuant to Huntersville Subdivision Ordinance 6.520.3 a report including a roster of persons in attendance at the community meeting shall be submitted to the Planning Department and incorporated into the application for this project

For the record of attendance, please list your first and last name:

1	Scott Hamilton	26	Ken Wildman
2	Steven Edelman	27	Amanda Shuford
3	Lou Cevetello	28	Melissa Davis
4	Patsy Shirn	29	Patrick Sills
5	Venkata Srikanth	30	Martin Davis
6	Andrew Mashburn	31	Antoinette Wilson
7	Mike Alexander	32	Chris Hermans
8	Matt King	33	Rebecca White
9	Sherry Truesdale	34	Erica Baird
10	Ron Julian	35	Laura Cedrone
11	Teresa Julian	36	Bill Pugh
12	Leshia Cortese	37	Kelly Rude
13	John Cunningham	38	John O'Neil
14	Mark Waldeisen	39	Anna Maria O'Neil
15	Patti Waldeisen	40	Ashley Wiley
16	Colleen Manno	41	Lisa Tardo-Green
17	Kevin McCabe	42	Catherine Ivester-Cervo
18	Louise Zullo	43	John Ivester
19	Trish Kowalchyk	44	Janice Calilung
20	Rachel Cunningham	45	Brant Waldeck
21	Jack Cunningham	46	Greg Conner
22	Steve Kowalchyk	47	Lydia Conner
23	Sheryl Semmes	48	Ryan Conner
24	Carrie Davis	49	Linda Petry
25	Shanler Helderman	50	Rodney Mayhew

Community Meeting Attendance Log

Project Name:	Lagoona Bay Beach Club
Location of Meeting:	1994 University City Church Drive, Huntersville, NC 28078
Date:	26-Apr-23
Time:	6:30 PM

Pursuant to Huntersville Subdivision Ordinance 6.520.3 a report including a roster of persons in attendance at the community meeting shall be submitted to the Planning Department and incorporated into the application for this project

For the record of attendance, please list your first and last name:

51	Christina Beattie	76	John Novak
52	Jeff Shoemaker	77	Cheryl Novak
53	Renee Shoemaker	78	Deanna Wolfe
54	Holly Bernier	79	Maggie Khan
55	Andrew Chambers	80	Michelle Mills

56	Jacob Parra
57	Valerie Reynolds
58	John Sheets
59	Dasha Walker
60	Linda Farrell
61	Shaun Klann
62	Kazuko Adachi
63	Elizabeth Kruger
64	Ruth Madre
65	Cynthia Knox
66	Reese Golchin
67	Scott Swafford
68	Errol Genoio
69	Connie Munday
70	Diana Ruso
71	Luis Salinas
72	Nancy Barry
73	Bridgett Baxter
74	Doug Baxter
75	John Quinn

81	Claudia Ogrizek
82	Bridgett Miller
83	Susan Lapasnick
84	Lee Gendreau
85	Matt Carder
86	Willie Brownlee
87	Richard Stonehouse
88	Nancy Stonehouse
89	Brian Watkins
90	Judy Watkins
91	Stacy Davis
92	Luke Davis
93	Rohit Gupta
94	James Schettiozo
95	Tammy Merck
96	Jamie Osborn
97	Mark Osborn
98	Jason Westmoreland
99	Linda Deaver
100	Martha Jenkins

Community Meeting Attendance Log

Project Name:	Lagoona Bay Beach Club
Location of Meeting:	1994 University City Church Drive, Huntersville, NC 28078
Date:	26-Apr-23
Time:	6:30 PM

Pursuant to Huntersville Subdivision Ordinance 6.520.3 a report including a roster of persons in attendance at the community meeting shall be submitted to the Planning Department and incorporated into the application for this project

For the record of attendance, please list your first and last name:

101	Robert Bowman
102	Melanie Griffin
103	Warren Dragen
104	Becky Darby
105	Lily Tu-Boranian
106	Lynnette Krentz
107	Darrel Krentz
108	Chris Noessner
109	Rachel Kirk
110	John Weaver
111	Allison Smith
112	Michael Cortese
113	Margaret Kuhn
114	James Letts
115	Lyle Rippetoe
116	Frank Gammon
117	Todd Linerode
118	Jenna Inabinet

126	Lawrence Helfrich
127	Kevin Hansen
128	Karen Tomidy
129	Karen Wood
130	Karyn Jackson
131	James Jackson
132	Robyn Hahn
133	Kathryn D'andrea
134	Jay Knox
135	Jennifer Cunninham
136	Nick O'shaughnessy
137	Brad Cleary
138	Avery Market
139	Annie Moker
140	Molly Gerwe
141	Spencer Charlet
142	Stephen Moker
143	Amanda Barrett

119	Barb Weis
120	Richard Weis
121	Aimee Rippetoe
122	Brian Stump
123	Kate Wilson
124	John Tomidy
125	Dyan Coker

144	Ro Lawsin
145	Robert Knox
146	Kelsey Gritt
147	Jeanette Charlet
148	Serendipity Acres LLC
149	Matt Westmoreland
150	Barbara Meeks

Community Meeting Attendance Log

Project Name:	Lagoona Bay Beach Club
Location of Meeting:	1994 University City Church Drive, Huntersville, NC 28078
Date:	26-Apr-23
Time:	6:30 PM

Pursuant to Huntersville Subdivision Ordinance 6.520.3 a report including a roster of persons in attendance at the community meeting shall be submitted to the Planning Department and incorporated into the application for this project

For the record of attendance, please list your first and last name:

151	Jay Lewis
152	Shelly Lewis
153	JoLynn Williams
154	Taj Haynes
155	Danna Whitman
156	Terry Dew
157	Riley Pennell
158	Micaela Pennell
159	Kari Barrentine
160	Jason Earnhardt
161	James Anding
162	Erica Duke
163	Anne Clifford
164	Kristen Kosicki
165	Ben Linerode
166	Camille Linerode
167	Henry Furches
168	Alisia Bergsman
169	Kristen O'Malley
170	Tracie Hoagland
171	Tina Caldwell
172	Thomas McCullough
173	Patty Worrell
174	Penny Cobb
175	Roy Highberg

176	Scott Sittler
177	Stephanie Sittler
178	Jeff Ross
179	Jonelle Flynn
180	Brittany Wisebeck
181	Sandra Mueller
182	Alfred Corrieri
183	Joe Simmons
184	Austin Wrench
185	Suzie Chelcun
186	Lindsay Foess
187	Xiaoxi Lu
188	Rob O'Connor
189	Virginia Dewey
190	Carey Gordon
191	Allison Holter-Soerensen
192	Peder Holter-Soerensen
193	Bonnie Estrada
194	Kathy Feezor
195	Teri Cooper
196	Amanda Jorgensen
197	Joel Jorgensen
198	Mike Kayes
199	Jennifer Griffin
200	Brandon Schlesinger

Community Meeting Attendance Log

Project Name:	Lagoona Bay Beach Club
Location of Meeting:	1994 University City Church Drive, Huntersville, NC 28078
Date:	26-Apr-23

Time:	6:30 PM
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Pursuant to Huntersville Subdivision Ordinance 6.520.5 a report including a roster of persons in attendance at the community meeting shall be submitted to the Planning Department and incorporated into the application for this project

For the record of attendance, please list your first and last name:

201	MaryLynn Kayes	226	Bill Bradford
202	Diana Roggenbauer	227	Dawn Bradford
203	Hans Schmidt	228	Susan Ehram
204	David Puck	229	John Ehram
205	Kim Yingst	230	John Hoyt
206	Bill Yingst	231	Stacy Hensley
207	Dave Casavecchia	232	Anjali D
208	Mary Akins	233	Brenda Schooley
209	Cynthia Pinter	234	Carey Buffington
210	Gary Knox	235	Mildred Paranich
211	John McLellon	236	Terry Mayes
212	Kate Ah Hoy	237	Tracy Nelson
213	Jacko Ah Hoy	238	Claudia Thuring
214	Collin Huguley	239	Kandy Estep
215	Martha Readling	240	Ed Donaldson
216	Joe Readling	241	Karen Donaldson
217	Brenda Lord	242	Paul Aiken
218	Bill Lord	243	Teresa Bragg
219	Cindy Harris	244	David Peete
220	Patricia Torre	245	Dee Jones
221	Pam Deal	246	Roberto Lorusso
222	Brent Deal	247	Nancy Crane
223	Iuliia Ageeva	248	Nick Bisho
224	Brian Gladys	249	Elaine Kerns
225	Paul Finke	250	Amber Kovacs

Community Meeting Attendance Log

Project Name:	Lagoona Bay Beach Club
Location of Meeting:	1994 University City Church Drive, Huntersville, NC 28078
Date:	26-Apr-23
Time:	6:30 PM

Pursuant to Huntersville Subdivision Ordinance 6.520.5 a report including a roster of persons in attendance at the community meeting shall be submitted to the Planning Department and incorporated into the application for this project

For the record of attendance, please list your first and last name:

251	Gatewood Campbell	276	
252	Lee Hallman	277	
253	Amy Hallman	278	
254	Linda Sherrill	279	
255	Scott Munday	280	
256	Victoria Cevetello	281	
257	Elva Edmonds	282	
258	Louis Cevetello	283	
259	Christina Saladino	284	
260	Louis Schwartz	285	

261	Leslie Schwartz
262	Ashley Maylott
263	Miss Maylott
264	Heather Canipe
265	Paula McClean
266	Bob McClean
267	Joe Marusak
268	Lisa Woodson
269	Sue Harrington
270	Erin Houser
271	Merna Hesse
272	Ellen Brandt
273	Kayren Black
274	Lucy Wise
275	Srinivas Reddy

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Planning Services

4421 Stuart Andrew Blvd.

Charlotte, NC 28217

Phone: 980-343-6246

Email: planning@cms.k12.nc.us

Town of Huntersville: Lagoona Bay Beach Club Sam Furr Road, Huntersville, NC 28078

IMPACT OF THE PROPOSED DEVELOPMENT

Proposed Housing Units: 250 single family detached, 501 single family attached and 432 multi-family units

CMS Planning Area: North

Average Student Yield per Unit: 0.5118 (single family detached) = 128

0.1812 (single family attached) = 91

0.1225 (multi-family units) = 53

This development may add 272 students to the schools in this area.

The following data is as of 20th Day of the 2022-23 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>
J V WASHAM ELEMENTARY	46.50	39	810	679	119%	127	135%
FRANCES BAILEY MIDDLE	66.5	57	1326	1137	117%	67	122%
WILLIAM AMOS HOUGH HIGH	120.3	100	2518	2093	120%	78	124%

The total estimated capital cost of providing the additional school capacity for this new development is \$10,229,000; calculated as follows:

Elementary School: **127** x \$34,000 = \$4,318,000

Middle School: **67** x \$37,000 = \$2,479,000

High School: **78** x \$44,000 = \$3,432,000

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.

Town of Huntersville Rezoning Petition: R23-05 Lagoon Bay Beach Club; Sam Furr Road, Huntersville, NC 28078

Summary: Water and sanitary sewer infrastructure are accessible for this rezoning boundary. If Charlotte Water services are expected throughout the boundary, this development will need to donate pipeline infrastructure to Charlotte Water. There will need to be a design review and operational considerations for public water connectivity and active filling of the lagoon (e.g., when initially filling). There is no anticipated discharge from the lagoon into the public sanitary sewer collection system.

Table 1: Assumed sanitary sewer discharge (gallons per day, GPD) according to NC-DEQ estimates (15A NCAC 02T .0114).

Use Type	Unit of Measure	Total Flow
Residential	3180 bedrooms	206,700 GPD
Commercial w Convention Center	246,000 sq. ft	30,900 GPD
Resort Hotel	200 room	40,000 GPD
Resort/Clubhouse Facility	2000 members	70,000 – 120,000 GPD*
Total Proposed Sanitary Sewer Flow		347,600 – 397,600 GPD

* = more information is necessary to make final determination

Existing Collection System

The rezoning boundary drains into the Ramah Creek trunk sanitary sewer system that eventually discharges at the county border for treatment at the Rocky River Regional Wastewater Treatment Plant owned and operated by Water and Sewer Authority of Cabarrus County (WSACC) (See Figure 1). In 2022, Charlotte Water renewed an agreement with WSACC for an increase in treatment capacity from six MGD (million gallons per day) to nine MGD. This is a capacity increase for all of Charlotte Water's WSACC service area of three MGD. Charlotte Water's WSACC service area includes properties that are in the Towns of Huntersville, Cornelius, and Davidson as well as certain areas of the City of Charlotte.

For comparison, current projections of wastewater flow from this rezoning boundary developing under existing Huntersville Rural (R) and Transitional Residential (TR) zoning range from 19,941 to 59,823 GPD. The proposed development represents a multi-fold increase ranging from 347,600 to 397,600 GPD.

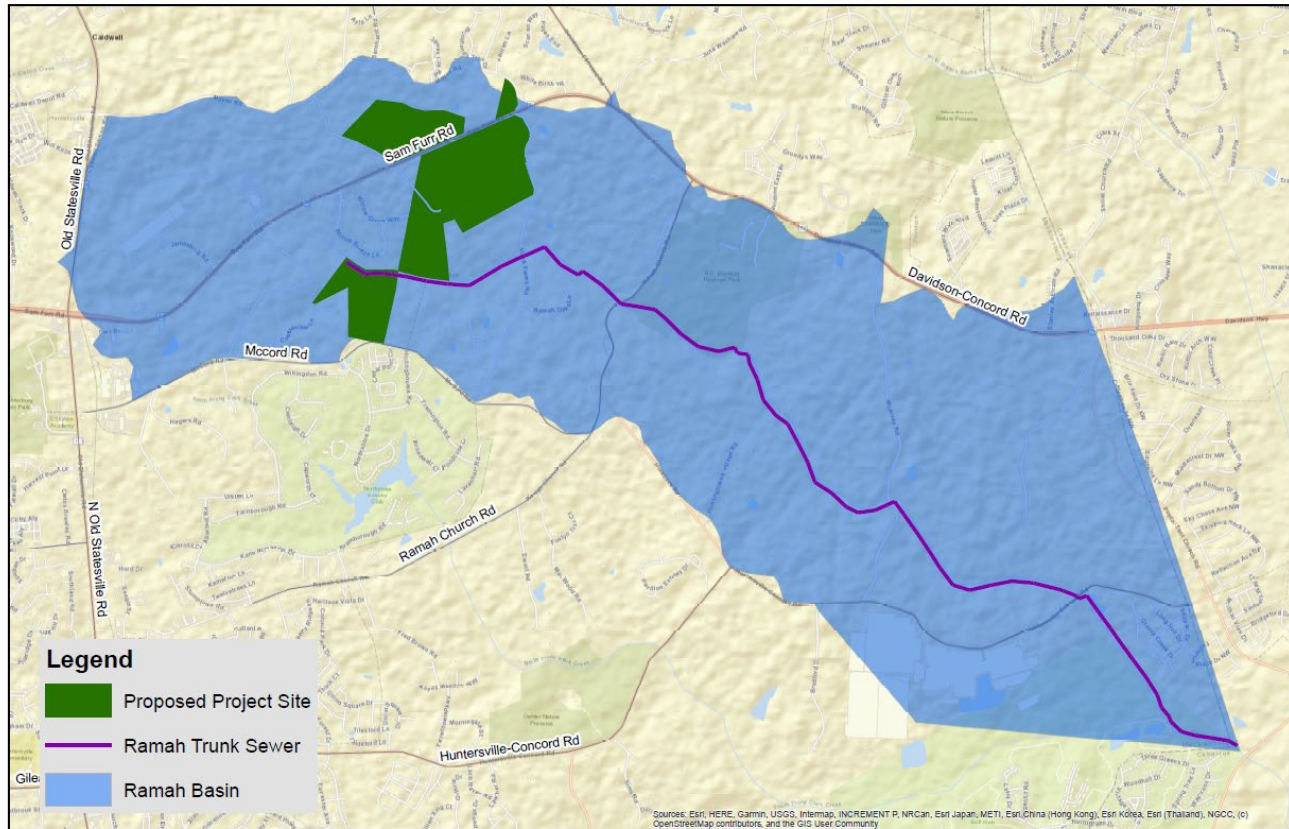


Figure 1: Service area of the Ramah Creek trunk sanitary sewer system.

Comment #	Outstanding Issues - Town Staff
1	[ISSUE – ZONING COMPLIANCE] – Requirements of TND-U zoning district have not been demonstrated. All required items must be shown, listed or noted.
2	[ISSUE – APPROPRIATE LAND USE TRANSITIONS] - External property buffers are 20 ft. wide and should be labeled as undisturbed. In addition, one location is listed as “possible buffer disturbance” – no explanation is provided as to why these are requested. [Modification request?]
3	[ISSUE – TND DESIGN PROVISION] - Perimeter block length compliance has not been demonstrated. All blocks within TND-U must demonstrate a perimeter block length not to exceed 1,350 ft. [Modification request?]
4	[ISSUE – BUILDING TYPE / APARTMENT BUILDING] – Maximum height for apartments is 3 stories. 4 stories are proposed. [Modification request?]
5	[ISSUE – BUILDING TYPE] – Apartment clubhouse must front a public street or Urban Open Space (ZO Art. 8.1). Must be provided. [Modification request?]
6	[ISSUE – BUILDING TYPE] – Small buildings in Apartment parking lot do not front anything. Revise layout. [Modification request?]
7	[ISSUE – OFF-STREET PARKING (ZO Art. 6)] – Apartment parking lot does not comply with regulations. Parking “rooms” and pedestrian corridors need to be added. Revise site plan and add note that all parking lots will comply with ZO Art. 6. [Modification request?]
8	[ISSUE – OFF-STREET PARKING (ZO Art. 6)] – Clubhouse parking lot is located between the building and the street, which is not permitted. Revise site layout. [Modification request?]
9	[ISSUE – PEDESTRIAN CONNECTION] – Per ZO Art. 3, all sidewalks must be min. of 7 ft. wide. Revise site plan and add note. [Modification request?]
10	[ISSUE – BUILDING TYPE] – Attached houses must have a build-to range of 10’-25’. Townhomes appear to have zero setback. Revise or request modification. [Modification request]
11	[ISSUE – PEDESTRIAN CONNECTION] – It has been stated that a 10 ft.-wide path along east side of Westmoreland would be provided, but this is not shown. This should be added.
12	[ISSUE – PEDESTRIAN CONNECTION] – Apartments fronting NC 73 need to have pedestrian connections from buildings to frontage (public street or Urban Open Space). Add to plan. [Modification request?]
13	[ISSUE – STREET DESIGN (ZO Art. 5.2)] – Blocks 10 & 11 (Road 6) exceed the block length limit of 500 ft. for TND-U. Road 6 should also incorporate traffic-calming measures (in addition to on-street parking on both sides of street). This block must either be re-designed or request a modification. [Modification request?]

14	[ISSUE – STREET DESIGN (ZO Art. 5.2)] – Cul-de-sac exceeds the length limit of 350 ft. for major subdivisions. This must either be re-designed or request a modification. [Modification request?]
15	[ISSUE – URBAN OPEN SPACE (ZO Art. 7.11)] – All Urban Open Spaces must be designed at Sketch Plan. Two Greens (along Westmoreland Road) do not qualify as such. Revise Urban Open Space type. [Modification request?]
16	[ISSUE – BUFFERS] – What will the frontage area along north side of NC 73 be once the construction easements for road widening are no longer needed. Provide cross-section for this area.
17	[ISSUE – TREE SAVE] – Specimen tree save in the TND-U zone is 30% minimum and this plan proposes 15% tree save. This area is large enough to provide minimum specimen tree save. However, if the minimum is not required via modification request, mitigation provision must be listed. [Modification request?]
18	[ISSUE – TREE SAVE] – RECOMMEND even though there is no minimum tree canopy percentage required to be saved in the TND-U district, this area is large enough to provide some canopy-save. The minimum external buffers alone will provide canopy save
19	[ISSUE – APPROPRIATE LAND USE TRANSITIONS] - RECOMMEND 40 ft. (min.) buffers along external borders to appropriately transition from abutting large-lot, single-family (to the west) with a density of 0.24 units/acre to proposed subdivision with apartments and townhomes with a density of 8.57 (35 times the existing density).
20	[ISSUE – TRANSPORTATION] – RECOMMEND add stub to Northwest adjacent property as an extension of cul-de-sac.
21	[ISSUE – TRANSPORTATION] – RECOMMEND providing on-street parking on both sides of street abutting townhomes
22	[ISSUE – BUILDING TYPE] – All buildings must front either a public street or an Urban Open space (ZO Art. 8.1). The lagoon and its accessory buildings are amenities that are not Urban Open Space. An ordinance compliant frontage for the principal use must be identified. [Modification request?]
23	[ISSUE – APPROPRIATE LAND USE TRANSITIONS] A berm has been discussed along NC 73 and Westmoreland Road but does not appear on the plans. This would be an appropriate buffer, but the location, size and cross-section of the berm must be provided. No buffer or parking lot screening are shown along east side of Westmoreland Road. These are needed to screen the large parking lot serving the lagoon / clubhouse and sports fields. [Modification request?]

24	[ISSUE – PEDESTRIAN CONNECTION] – The applicant stated that a 10 ft.-wide path along east side of Westmoreland would be provided, however, it is not shown. This should be added
25	[ISSUE – TREE SAVE] – Specimen tree save in the HC zone is 30% minimum and this plan proposes 26% tree save. This area is large enough to provide minimum specimen tree save. However, if the minimum is not required via modification request, mitigation provision must be listed. [Modification request?]
26	[ISSUE – TREE SAVE] – RECOMMEND even though there is no minimum tree canopy percentage required to be saved in the Highway Commercial (HC) district, this area is large enough to provide some canopy-save. The minimum external buffers alone will provide canopy save
27	[ISSUE – APPROPRIATE LAND USE TRANSITIONS] – RECOMMEND buffer along Westmoreland Road and Road 9 where the Sports Fields are located. The Sports Fields will generate noise and lights and the adjoining residents, both within the development and those abutting, should have an appropriate level off screening.
28	[ISSUE – APPROPRIATE LAND USE TRANSITIONS] - External property buffers are 20 ft. wide and should be labeled as undisturbed. [Modification request?]
29	[ISSUE – BUILDING TYPE] – All buildings that front a public street (including NC 73) must provide pedestrian access to those streets via sidewalk. Indicate this is to be provided. [Modification request?]
30	[ISSUE – BUILDING TYPE] – How will the 140,000 sq. ft. of retail be split? Compliance with Highway Commercial requirements must be demonstrated. [Modification request?]
31	[ISSUE – BUILDING TYPE] – 100% attached residential units are only permitted in HC zone with special conditions – which have not been demonstrated. This must be provided. [Modification request?]
32	[ISSUE – HISTORIC BUILDING] – This building does not have historic protection and may not merit saving (see Item #3 on page 18). What is intent for this building? - [ISSUE – BUILDING TYPE] – Per ZO Art. 4, all buildings must be developed based on appropriate building type. Building Types must be identified for each structure
33	[ISSUE – OFF-STREET PARKING (ZO Art. 6)] – Multiple large parking lots do not comply with regulations. Parking “rooms” and pedestrian corridors need to be added. Revise site plan and add note that all parking lots will comply with ZO Art. 6. [Modification request?]

34	[ISSUE – STREET DESIGN (ZO Art. 5.2)] – Road 9 exceeds the block length limit of 500 ft. for Urban Conditions. Road 9 should also incorporate traffic-calming measures (in addition to on-street parking on both sides of street). This block must either be re-designed or request a modification. [Modification request?]
35	[ISSUE – STREET DESIGN (ZO Art. 5.2)] – The retail/apartment buildings and condo buildings have large setbacks from the public right-of-way. What type of streetscape is proposed for this area? Why are large setbacks shown? [Modification request?]
36	[ISSUE – OFF-STREET PARKING] – The hotel and convention center do not show loading areas for deliveries and large vehicles. Will there be special parking in close proximity? How will event set-up be accommodated? [Modification request?]
37	[ISSUE – URBAN OPEN SPACE (ZO Art. 7.11)] – All Urban Open Spaces must be designed at Sketch Plan. Two Plazas between the condos must be generally designed to illustrate Ordinance compliance and for possible merit of Ordinance modification. [Modification request?]
38	[ISSUE – TREE SAVE] – Specimen tree save in the TND-U and HC zone is 30% minimum and this plan shows 15% and 26% (respectively) for tree save. This area is large enough to provide minimum specimen tree save. However, if the minimum is not required via modification request, mitigation provision must be listed. IT should be noted that NR tree save is well above the minimum. [Modification request?]
39	[ISSUE – BUILDING TYPE (ZO Art. 4)] – A six-story hotels is proposed – this height is not permitted in Highway Commercial (HC). This will require a Special Use Permit.
40	[ISSUE – TREE SAVE] – RECOMMEND even though there is no minimum tree canopy percentage required to be saved in the TND-U zone, this area is large enough to provide some canopy-save. The minimum external buffers alone will provide canopy save.
41	[ISSUE – APPROPRIATE LAND USE TRANSITIONS] - RECOMMEND 40 ft. (min.) buffers along external borders to appropriately transition from abutting large-lot, single-family (to the west) with a density of 0.24 units/acre to proposed subdivision with apartments and townhomes with a density of 8.57 (35 times the existing density).
42	[ISSUE – APPROPRIATE LAND USE TRANSITIONS] - External property buffers are 20 ft. wide and should be labeled as undisturbed. In addition, one location is listed as “possible buffer disturbance” – no explanation is provided as to why these are requested. [Modification request?]

43	[ISSUE – STREET DESIGN (ZO Art. 5.2)] – Portions of the Block for Westmoreland Road and Road 9 exceed the block length limit of 800 ft. for major subdivisions (when combined with the street portion on abutting plan sheets). These blocks must either be re-designed or request a modification. [Modification request?]
44	[ISSUE – APPROPRIATE LAND USE TRANSITIONS] - RECOMMEND 40 ft. (min.) buffers along external borders to appropriately transition from Willowbrook subdivision (to the west) with a density of 1.59 units/acre to proposed subdivision with 50 ft. - wide single-family lots with a density of 2.53 and from large-lot, single family (to the east) with a density of 0.12 units/acre to proposed subdivision with 50 ft. -wide single-family lots with a density of 2.53 (21 times the existing density).
45	[ISSUE – CONNECTIVITY (ZO Art. 5.1.2)] – RECOMMEND shifting connection south to align with the Heath parcel, as there is greater future redevelopment potential based on parcel size and frontage along Black Farm Road.
46	[ISSUE – DESIGN] - RECOMMEND – there are a large number of lots in the center of this area without a break as the lots run north-to-south. Adding a walkway would break up the block repetition, but also provide pedestrian access from east to west.
47	[ISSUE – TRANSPORTATION] – RECOMMEND redesign of Westmoreland Road. Even with a traffic circle, Westmoreland Road is too direct a route between NC 73 and McCord Road. This road should be redesigned to create a less-direct route between the two thoroughfares.
48	[ISSUE – TRANSPORTATION] – RECOMMEND redesign of stub to Willow Grove Way (Willowbrook). The traffic circle at Westmoreland Road will calm traffic, but the stub connection should be a very indirect route between the neighborhoods.
49	[ISSUE – TRANSPORTATION] – RECOMMEND revision of on-street parking on both sides of Road 9. Aside from providing traffic-calming, is this parking meant to serve the neighborhood primarily, or will it be used by lagoon patrons? In other words, is parking for lagoon-related uses appropriate next to the single-family homes? Parking on one side may be more appropriate.
50	[ISSUE – APPROPRIATE LAND USE TRANSITIONS] – RECOMMEND buffer along Westmoreland Road and Road 9 where the Sports Fields are located. The Sports Fields will generate noise and lights and the adjoining residents, both within the development and those abutting, should have an appropriate level off screening.

51	[ISSUE – APPROPRIATE LAND USE TRANSITIONS] - External property buffers are 20 ft. wide and should be labeled as undisturbed. In addition, several locations are listed as “possible buffer disturbance” – no explanation is provided as to why these are requested. [Modification request?]
52	[ISSUE – STREET DESIGN (ZO Art. 5.2)] – The Block for Road 14 exceeds the block length limit of 800 ft. for major subdivisions. This block must either be re-designed or request a modification – either way, see next bullet item. [Modification request?]
53	[ISSUE – STREET DESIGN (ZO Art. 5.2)] – The cross-section for McCord Road shows 4 ft. bike lanes, which NCDOT no longer allows. This should show a 10 ft. sidepath. [Modification request?]
54	[ISSUE – URBAN OPEN SPACE (ZO Art. 7.11)] – Proposed Urban Open Space “Park” located behind a block of homes does not qualify as Urban Open Space. Site Plan to be re-designed to locate an Urban Open Space along a public street and sited such that every lot is within ¼ mile walk of such Urban Open Space. [Modification request?]
55	[ISSUE – STREAM BUFFER PROTECTION (ZO Art. 3)] Several alley and lot areas near Ramah Creek encroach into restricted stream buffers – these must be revised.
56	ISSUE – STREET DESIGN] – RECOMMEND traffic-calming (mini-circle) at the intersection of Road 13 and Westmoreland Road.
57	[ISSUE – APPROPRIATE LAND USE TRANSITIONS] - RECOMMEND 40 ft. (min.) buffers along external borders to appropriately transition from abutting large-lot, single-family (to the west) with a density of 0.34 units/acre to proposed subdivision with 40 ft. - wide single-family lots with a density of 2.5 (7.3 times the existing density).
58	[ISSUE – CONNECTIVITY (ZO Art. 5.1.2)] – RECOMMEND a future street stub along the western edge, south of Ramah Creek.
59	[ISSUE – DESIGN] - RECOMMEND – there are numerous lots along Road 14 without open space. A walkway to the rear alley, a mini park or street stub to the west are options to break-up block.
60	[ISSUE – BUFFERS (ZO Art. 7.5)] – RECOMMEND – Buffer along frontage of McCord Road should be 80 ft. deep to match the widths of other developments along the thoroughfare (ex: Northbrook, Camden, Arborcroft & Belleterre).
61	[ISSUE – APPROPRIATE LAND USE TRANSITIONS] – RECOMMEND Within same development, there are 50 ft.- wide single-family lots. The largest lots proposed should be placed along the external edge to address transitional lot sizes.

Comment #	Staff Comments
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1	Traditional Neighborhood Development – Urban (TND-U) is requested for the residential area north of NC 73 (Site Plan A). TND Districts are provided “for the development of new neighborhoods... which are structured upon a fine network of interconnecting pedestrian-oriented streets and other public spaces. TNDs offer a mixture of housing types and prices, prominently sited civic or community building(s) and stores/offices/workplaces to provide a balanced mix of activities”. TND-U also requires the following: - o Average perimeter of all blocks should not exceed 1,350 ft., with no block greater than 500 ft. without a dedicated alley or pathway providing through access. ▪ Applicants need to demonstrate that average perimeter of all blocks does not exceed 1,350 ft. and that regular blocks are between 250 – 500 ft. • The townhomes along the external boundaries are located only 20 feet (min.) from Rural (R) and Transitional Residential (TR) zoned properties with permitted densities of 0.9 or 1.5 units per acre (respectively). The densities proposed within the TND-U area in close proximity to low-density development are not appropriate as shown.
	STAFF COMMENT: The average perimeter blocks have not been demonstrated and some blocks exceed maximum block length. Mitigation of the incompatible densities would involve significant spacing or buffering from the adjoining land uses, combined with a development density that “steps-down” as it approaches the outer boundaries. These design elements could provide a means to introduce higher densities into this area. However, the densities proposed, in general, are not supported in this location. The uses in the TND-U area, represent a density of 8.57-units-per-acre located 20 feet from the adjoining Rural and Transitional Residential areas which permit 0.9 and 1.5 units per acre (respectively). Development transitions via “stepping-down” the level of development at the development edges to approximate the permitted densities around the project is the only way to introduce this use and zoning district.
2	• The apartment layout along NC 73 need to create a pedestrian-oriented residential community.
	STAFF COMMENT: The entire Lagoon Bay Beach Club is proposed to be a pedestrian-oriented, mixed-use development; however, the apartments and townhomes are isolated from the other uses by NC 73, with only a shuttle to provide connection. The large, linear parking lot separates the buildings without pedestrian connections or open spaces.

3	• Full elevations for the apartments and townhomes along the public street frontages in the TND-U zone must be provided. Elevations for the commercial/retail, hotel, convention center, condos and apartments in the HC zone should be provided.
	STAFF COMMENT: Per Article 3.2.11.d.3 Traditional Neighborhood Development – General Requirements, “A master plan in compliance with Traditional Neighborhood Development standards shall be provided with the conditional district plan...” The master plan shall include... building elevations, which may be required to evaluate the interior pedestrian environment and conditions at project edges”.
4	• The apartment layout has several buildings that do not front a street or Urban Open Space.
	STAFF COMMENT: Most of the apartments are located along an Urban Open Space which, if designed well, could provide an appropriate complement to high-density residential use. Typically, a trade-off for added density is well-laid-out open space and compelling building design. Does this site plan provide the enhanced design to merit the addition of higher densities within close proximity to the Rural zoning district.
5	• The specimen tree data should be overlaid on the site plan for proper evaluation for each sub-area. Required specimen tree save is 30% for both HC and TND-U zoning.
	STAFF COMMENT: Based on the tree survey provided, it appears there is opportunity to save the Ordinance required minimum 30% of specimen trees on site. The existing land uses and developments surrounding this project have a high percentage of tree coverage. One of the primary reasons to permit a reduction in tree save is as a trade-off for well-designed, specific open spaces that created activated-spaces, instead of merely preserving a high-percentage of trees. Tree mitigation is a measure in the Ordinance to be utilized only when existing conditions do not permit minimum preservation of trees on site.
6	• All parking lots, when located along a public street must be screened.
	STAFF COMMENT: Several parking areas are not adequately screened, per Ordinance
7	• Pedestrian circulation through the proposed parking lots does not meet Article 6 of the Zoning Ordinance.
	STAFF COMMENT: Article 6.D. states that “parking lots shall be designed to allow pedestrians to safely move from their vehicles to the building(s). On larger lots, corridors within the parking area should channel pedestrians from the car to the perimeter of the lot or to the building”.

8	• Floor plan's for the apartments-over-commercial and condos must be provided to understand how these units will function and satisfy the requirements of the Ordinance.
	STAFF COMMENT: Floorplans are the most effective way to illustrate the ground-level units have entrances to the frontage. Floorplans will also show the percentage of non-residential provided on the ground-level to satisfy the requirements of Article 3 of the Zoning Ordinance regarding 100% attached units in the Highway Commercial zone.
9	• All external buffers are to be undisturbed.
	STAFF COMMENT: All of the external buffers are labeled as “landscape buffers”, which does not preclude the clearing of these areas and re-planting after grading is done. That is not the intent of external development buffers, and they should remain undisturbed and only supplemented where the existing vegetation does not provide adequate buffering
10	• Provide heights in data chart for all use types. [Modification request?]
	STAFF COMMENT: In order to confirm that all structures are adhering to the requirements of the Ordinance, overall heights need to be provided from the public right-of-way grade. The hotel and possibly some apartments, are requesting heights that exceed the Ordinance. Will these requests be through modification or through the Special Use Permit process? This should be discussed with Staff.
11	• RECOMMENDATION: The apartment area has limited Urban Open Space and common open spaces for the residents.
7	STAFF COMMENT: As stated previously, higher-density developments can be justified by providing appropriate open spaces for the higher number of residents to utilize for various recreational and passive uses. Recommend increasing the amount of open space throughout.
12	• RECOMMENDATION: Expanded pedestrian circulation options to all parts of the development should be provided.
	STAFF COMMENT: Safe and convenient walkways should be provided to move the high-density, multi-family residents to the lagoon area, and the entire Highway Commercial area south of NC 73. While a shuttle bus is proposed to transport residents throughout the development – that does not replace a well-designed, pedestrian network of sidepaths, sidewalks and trails. Connecting the area north of NC 73 with at-grade crossings of NC 73 (if possible), or other pedestrian crossing technique, would provide connection for the high density area to the north to the uses to the south
13	• RECOMMENDATION: An 80 ft. buffer should be provided along McCord Road frontage.

	STAFF COMMENT: Similar to the buffer proposed along Black Farm Road) to continue the development character found at several other developments along McCord Road, including Northbrook, Camden, Arborcroft and Belleterre. This type of wide buffer area also respects the existing land uses along the corridor.
14	• RECOMMENDATION: Add a street stub to the west (south of Ramah Creek).
	STAFF COMMENT: There are approximately 24- acres that have re-development potential to the west of the single-family homes closest to McCord Road. Connectivity with this development should be provided. The Conditional District Rezoning Plan does not comply with the Subdivision Ordinance in the following ways: Following Items have not been provided: - Notes Sheet – Numerous notes are required by Zoning Ordinance and Subdivision Ordinance. - Phasing Plan – required for rezonings. - Lot diagrams for each use. - Building type for every structure. - Numerous block lengths exceed regulations. - Note on plan regarding provision of water and sewer service. - Mail kiosk locations. - Garbage collection locations in the commercial/retail, hotel, convention center, apartment and condo locations. - Percentage of impervious coverage allowed and proposed. - Lot counts, by use. - All build-to ranges and setbacks.
	Additional Notes Required - Staff
1	Add Sheet LS-2.0 to Landscape Plan set.
2	Specimen tree and tree canopy mitigation explanation, if additional trees are not saved.
3	Amount and percentage of overall open space. - Assignment of all open spaces to one of four open space types.
4	Note regarding residential lot trees. - Confirm 10 ft. sidepath is to be provided on both sides of NC 73 and list all other streets that will have sidepaths.
5	Design of lot sizes to transition with adjacent development.
6	Design of buildings to respect the general spacing of existing structures.
7	Compatible or Transitional orientation of adjacent principal structures.
8	Requested modification list. PART 3: TRANSPORTATION ISSUES Traffic Impact Analysis (TIA) A TIA for the Lagoon Bay Beach Club CD Rezoning will be reviewed by North Carolina Dept. of Transportation (NCDOT), as all of the impacted roads are state-maintained roads. A revised scoping package for this TIA was submitted to NCDOT on 5/10/23. As of 5/25/23, NCDOT approved the scope, however roadway improvements have not been identified by NCDOT or committed to by the developer. Additional transportation issues:

9	Adequate turnarounds should be provided at several public road stubs and dead-end alley conditions.
10	Traffic-calming measures should be provided at several locations as specified by Town Staff.
11	Most recent NC 73 plan set should be referenced into the development plan to show specific ROW and easement locations.
12	Minimum requirements for roadway geometry (curve radii and road grades) are not being met on several proposed public streets.
13	ROW widths for several public streets are inconsistent with corresponding typical sections.
14	Alleys have not been designed to accommodate appropriate design vehicle(s), i.e., garbage truck.
15	Disturbances of SWIM and Post Construction buffers shown on plans at alley locations.
16	100' stem length not provided between McCord Rd ROW and first alley.
17	Some areas of the proposed storm drainage system do not meet engineering standards. • Several typical street sections are inconsistent, inadequate or not provided.

Petitioner Response	Rezoning Plan Page
TND-U Zoning District Requirements have been shown, listed, noted, or requested modification.	
Property buffers have been revised as 20' undisturbed buffers.	
Perimeter block length sheet provided in plan set confirming ordinance compliance.	
A modification request has been proposed, increasing the maximum height from 36' to 48'.	
Apartment clubhouse has been relocated to front a public street.	
Carriage units in apartment area have been revised to front urban open space.	
Parking rooms and pedestrian corridors have been added. A note has been added that ordinance requirements will be met.	
The clubhouse has been relocated between the public road and parking area.	
Sidewalks have been revised.	
Attached houses build-to-range- is noted as 10' - 25'. Lot lines are shown on the rezoning plan, not build-to-lines.	
The multi-use path is shown on typical street sections. An additional exhibit will be provided showing the location of 10' MUP throughout the site.	
Pedestrian connections to frontage have been added to each building.	
A modification has been requested, allowing blocks 10 and 11 to exceed 500' due to existing environmental issues. An exhibit noting traffic calming measures will be provided.	

The cul-de-sac has been redesigned to meet subdivision ordinance requirements.	
Urban open space design exhibit will be included.	
Double row planting will be installed per ordinance requirements. Pedestrian connections will be provided from apartment buildings to 10' MUP along NC 73.	
30% tree save requirement will be met with mitigation.	
Tree canopy percentages have been added to the plan.	
External buffers are shown as 20' undisturbed buffers per ordinance requirement.	
Two stubs are included to the northern project edge. Addition of stub would disturb urban open space.	
Parking will be provided on one side of the street. Each townhome will have 4 off-street parking spaces (two driveway, two garage).	
A modification has been requested for the Lagoon and its accessory buildings.	
A berm exhibit will be provided, showing buffers along NC73 and the east side of Westmoreland Rd.	

A multi-use path exhibit will be provided.	
30% tree save requirement will be met with mitigation.	
Tree canopy percentages have been added to the plan.	
An exhibit will be provided to show buffers and berm in this area.	
External buffers are shown as 20' undisturbed buffers per ordinance requirement.	
Pedestrian connections to frontage have been added to each building.	
Floor Plans of the retail areas will be provided to show compliance.	
A note has been added to reserve 1 parking deck space per residential unit and at least 20% of first floor area in each block will be devoted to commercial uses. This allows 100% attached housing in the zone.	
A note has been added that the building is to be removed.	
Parking rooms and pedestrian corridors have been added. A note has been added that ordinance requirements will be met.	

A modification has been requested, allowing block 16 to exceed 500' due to existing environmental issues. An exhibit noting traffic calming measures will be provided.	
A modification has been requested for a larger setback to allow for outdoor dining areas. A streetscape exhibit will be provided.	
Loading and drop off areas have been added to the plan.	
A modification has been requested allowing the plaza to exceed 30,000 square feet. An exhibit showing plaza design will be provided.	
30% tree save requirement will be met with mitigation.	
A modification has been requested to allow 78' building height and a maximum of 6 stories.	
Tree canopy percentages have been added to the plan.	
External buffers are shown as 20' undisturbed buffers per ordinance requirement.	
Property buffers have been revised as 20' undisturbed buffers.	

A modification has been requested to allow block 20 and 27 to exceed 800' due to existing environmental issues. A traffic calming exhibit will be provided.	
External buffers are shown as 20' undisturbed buffers per ordinance requirement.	
Stub road connection has been shifted south to align with Heath parcel.	
Proposed road 14 and three alley locations provide a block break from north to south.	
The roadway will not be redesigned, but traffic calming measures will be provided along Westmoreland Road. A mini traffic circle was added at the intersection with road 13.	
The stub will not be redesigned. Traffic circle provides calming.	
On-street parking will be provided on one side of the street. Ample parking is available for the lagoon, however, on-street spaces are public and cannot be restricted. The lagoon parking area exceeds requirement.	
A berm exhibit will be provided to show appropriate level of screening.	

Property buffers have been revised as 20' undisturbed buffers.	
A modification has been requested to allow block 31 to exceed the block length limit of 800 ft.	
The cross-section has been revised to show a 10' sidepath.	
Two lots have been removed to provide direct access from the public street to park.	
Alleys have shifted and do not encroach stream buffers.	
A mini-circle has been provided.	
External buffers are shown as 20' undisturbed buffers per ordinance requirement.	
A stub street will not be provided in this area, because it requires a stream crossing and the abutting area is developed.	
A lot has been removed along road 14 to provide access to urban open space.	
Minimum of a 70' buffer has been provided.	
Lot sizes are mixed within the NR district to create a more aesthetic and appealing subdivision.	
Petitioner Response	

Perimeter block length sheet provided in plan set confirming ordinance compliance. The townhome development steps down density from the apartments along NC 73 from 13.1 U/A to 5.3 U/A	
The Lagoon Bay development has sidewalks on both sides of the street, ranging from 5' - 7'. A 10' multi-use path is proposed from McCord Road, North of NC 73, through the TND-U zone. A multi-use path exhibit will be provided. The petitioner will make every effort to coordinate with NCDOT regarding a pedestrian crossing at NC 73. Parking rooms and pedestrian connections have been added to the apartment area.	

Elevations and ground floor layouts have been provided.	
Urban open space design exhibit are included.	
Tree save requirements will be met in each zoning.	
Parking areas along public streets will have berms and screening. Exhibit will be provided.	
Parking corridors have been provided in each parking lot.	

Floorplans have been provided.	
Labels have been revised as 20' undisturbed buffers.	
Heights are provided in development data chart. Modifications are being requested for the hotel and apartment buildings.	
The apartment area has been redesigned with additional urban open space and connectivity.	
The petitioner will make every effort to coordinate with NCDOT regarding a pedestrian crossing at NC 73.	

A minimum 70' buffer has been provided along McCord Road.	
There is an 8.4 acre parcel (#01105112) to the west of the single-family homes closest to McCord Road. A stub street would require a stream crossing and the parcel already has direct access to Pinoli Pine Cr. All notes will be added to the rezoning plan.	
Petitioner Response	
Additional landscaping exhibits will be provided.	
Specimen trees will be mitigated according to zoning ordinance requirements in areas where minimum tree save percentages are not met.	
Open space to be assigned.	
Exhibit will be provided.	
Residential buffers are provided as required by the ordinance.	
Buildings are designed to respect the general spacing of existing structures.	
Density steps town toward project property lines.	
Requested modification list will be provided. The petitioner will to agree all roadway improvements identified through the TIA by NCDOT.	

Turnarounds are provided as required.	
A traffic calming exhibit will be provided.	
Most recent plan in possession is referenced. Petitioner is coordinating with NCDOT.	
Minimum requirements for roadway geometry will be met.	
ROW widths have been verified and coordinated with typical roadway sections.	
Alleys will be designed to accommodate appropriate vehicles.	
Plan has been modified to eliminate buffer disturbance.	
Minimum 50' stem lengths measured from travel lane have been provided per comments received in cycle one and two.	
Storm drainage system will meet engineering standards. Typical sections align with rezoning plan.	