

Mayor
Melinda Bales

Mayor Pro Tem
Stacy Phillips

Commissioners
Dan Boone
Rob Kidwell
Amber Kovacs
Lance Munger
Derek Partee



Town Manager
Anthony Roberts

Deputy Town Manager
Jackie Huffman

Assistant Town Manager
Bobby Williams

Town Attorney
Emily Sloop

Town Clerk
Janet Pierson

AGENDA

Regular Town Board Meeting September 18, 2023 - 6:00 PM TOWN HALL (101 Huntersville-Concord Road)

**Live Stream available via YouTube
@townofhuntersvillenc28078**

- 1. Pre-meeting - None**
- 2. Call to Order**
- 3. Invocation/ Moment of Silence**
- 4. Pledge of Allegiance**
- 5. Staff Questions**
- 6. Public Comments, Requests, or Presentations**
 - 6.A. Central Piedmont Community College 60th Anniversary Proclamation. *(Mayor Melinda Bales)*
 - 6.B. Recognize Little League State Champions. *(Commissioner Dan Boone)*
- 7. Agenda Changes/Adoption of Agenda**
- 8. Consent Agenda**
- 9. Public Hearings**
 - 9.A. Conduct public hearing on Petition #TA23-05, a request by the Town of Huntersville Planning Department to amend Article 9.51 of the Zoning Ordinance to further clarify non-residential outdoor activities allowed within the Neighborhood Residential zoning district within ¼ mile of the Town Center zoning district. *(Brian Richards)*
- 10. Other Business**

- 10.A. Consider decision on Petition #R23-06, Beatties Ford Family Entertainment, a request by Jonathan Eury and Katie Carpenter to rezone +/-2.513 acres generally located at the intersection of Beatties Ford Road and Broadway Street from Rural to Highway Commercial - Conditional District for outdoor recreation and rentable meeting/office spaces. (*Nathan Farber*)
- 10.B. Consider decision on Petition #R23-01, Foundry - Everette Keith Road, a request by Foundry Commercial, LLC to rezone +/- 59.66-acres generally located east of Everette Keith Road and south of Hambight Road from existing Transitional Residential to Corporate Business - Conditional District for approximately 750,000 sq. ft. of light industrial space. (*David Peete*)
- 10.C. Consider decision on Petition #R23-07, EPCON – Beatties Ford Road, a request by EPCON Communities Carolinas, LLC to rezone six parcels totaling 78.7-acres generally located at 15201 Beatties Ford Road (South of NC 73 and east of Gilead Road & Beatties Ford Road intersection) from existing Rural to Transitional Residential - Conditional District zoning district for a 118-lot, single-family home subdivision. (*David Peete*)

11. Mayor and Commissioner Reports/Closing Comments

12. Adjourn

GENERAL MEETING INFORMATION

Town Board:

The Town of Huntersville Mayor and Board of Commissioners are elected for two-year terms. Huntersville operates under the council-manager form of government, which establishes the Town's policies that are carried out by the Town Manager and staff. 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 6:00 p.m. on the first and third Monday of each month (unless otherwise posted). Agendas are published Thursdays before the meeting on our website. The Board reserves the right to deviate from the agenda.

Public Comment and Public Hearing Policy:

Persons desiring to address the Board during the public comment period or a public hearing shall sign up via the speaker sign-up sheet prior to the beginning of the meeting. Once the meeting has begun, a person may not sign up to speak. Persons who have signed up to speak shall be allowed to speak for up to three (3) minutes. The Mayor shall have the discretion to shorten the allotted speaking time depending on the number persons registered to speak and in consideration of the length of the agenda. (Public Comment and Public Hearing Policy - Adopted April 19th 2021)

Special Accommodations:

Anyone needing special accommodations when attending this meeting and/or if this information is needed in an alternative format please contact the Town Clerk. The Clerk can be reached by phone or fax: 704-875-6541, email: clerk@huntersville.org or at 101 Huntersville-Concord Rd, Huntersville, NC 28078. We request at least 72-hours' notice prior to the meeting to make the appropriate arrangements.

**Town of Huntersville
Town Board
September 18, 2023**

To: Town Board

From: Melinda Bales, Mayor

Date: September 18, 2023

Subject: Central Piedmont Community College 60th Anniversary Proclamation

EXPLAIN REQUEST:

Present Proclamation to Reginald Pincham, Executive Director of Campus Affairs for the Merancas Campus of Central Piedmont Community College

ACTION RECOMMENDED:

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. CPCC - 60 Years



A Proclamation for Central Piedmont Community College

WHEREAS, Central Piedmont Community College was founded on September 18, 1963 and is now celebrating its 60th anniversary; and

WHEREAS, Central Piedmont Community College is vital to the function of higher education and life in our region, providing an outstanding opportunity for the education of our citizens and through the civic involvement of their students, faculty and staff; and

WHEREAS, Central Piedmont Community College has an enrollment of 43,600 students this year in basic skills courses, continuing education and for-credit programs, making it one of the largest colleges in the Carolinas; and

WHEREAS, Central Piedmont Community College is our community's first stop for postsecondary education and workforce training across its six campuses in Mecklenburg County; and

WHEREAS, Central Piedmont Community College has provided 60 years of service, connecting the past, present and future for this community; and

WHEREAS, The Merancas Campus, in Huntersville, has been supporting our town since it opened in 1990.

NOW, THEREFORE, I, Melinda Bales, Mayor of Huntersville, do hereby proclaim September 18, 2023 **"CENTRAL PIEDMONT COMMUNITY COLLEGE DAY"** in Huntersville, North Carolina.

IN WITNESS WHEREOF, I do hereby set my hand and cause the Seal of the Town to be affixed, this the 18th of September, 2023.

Melinda Bales, Mayor

**Town of Huntersville
Town Board
September 18, 2023**

To: Town Board

From: Brian Richards, Assistant Planning Director

Date: September 18, 2023

Subject: Public Hearing - Petition #TA23-05

EXPLAIN REQUEST:

Conduct public hearing on Petition #TA23-05, a request by the Town of Huntersville Planning Department to amend Article 9.51 of the Zoning Ordinance to further clarify non-residential outdoor activities allowed within the Neighborhood Residential zoning district within ¼ mile of the Town Center zoning district.

ACTION RECOMMENDED:

Conduct Public Hearing

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. TA23-05 Staff Report PH
2. A - TA23-05 Application
3. B - TA23-05 Commercial Use in NR
4. C - TA23-05 HOAB July 6 2023 Minutes

TA23-05 – Commercial Use in NR Zoning

PART 1: DESCRIPTION

TA23-05 is a text amendment request by the Town of Huntersville Planning Department to amend Zoning Ordinance Article 9.51 “Commercial Use in a detached House Building Type”. Staff is proposing changes to Article 9.51 to clarify non-residential outdoor activities allowed within the Neighborhood Residential (NR) zoning district within ¼ mile of the Town Center (TC) zoning district.

PART 2: BACKGROUND

In 2006 TA05-11 was approved by the Town Board which allowed for a commercial use in a detached style house in the NR zoning district. Prior to the TA05-11 approval a Downtown Planning Charrette was held (September 27- October 1, 2004). The purpose of the Charrette was to establish a clear framework for the revitalization of downtown Huntersville. One of the recommendations that was made included allowing commercial uses in detached style house.

Planning staff is requesting this minor adjustment to clarify uses allowed on the front porch of the detached style house.

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN

EV 2.2: Leverage Downtown as a unique destination.

Comment: The proposed text amendment serves to further clarify the ordinance language, therefore, making it easier to interpret uses allowed on the front porch of a detached style house.

PART 4: STAFF RECOMMENDATION

Staff recommends approval of the proposed text amendment TA23-05 based on consistency EV 2.2 of the Huntersville 2040 Community Plan.

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD-

On July 6, 2023, The Huntersville Ordinances Advisory Board (HOAB) recommended approval with a vote of 8-0 with a recommendation to approve as written. (See Attachment 3)

PART 6: PUBLIC HEARING

The Public Hearing is scheduled for September 18, 2023.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board is scheduled for September 28, 2023.

PART 8: ATTACHMENTS

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

PART 9: STATEMENT OF CONSISTENCY – TA23-05		
Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA23-05, Planning Staff recommends approval based on consistency with EV 2.2 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 TA23-045 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 TA23-05, 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 TA23-05, 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 TA23-05, 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 7/03/2023

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 Neighbored Residential section in order to clarify the
intent of 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   Date 7/03/2023

Title Assistant Planning Dir. Email brichards@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: _____

TA23-05: Commercial Use in NR ZONING

The purpose of this text amendment is to further clarify non-residential outdoor activities allowed within the Neighborhood Residential (NR) zoning district within ¼ mile of the Town Center (TC) zoning district.

AN ORDINANCE AMENDING ARTICLE 9.51 COMMERCIAL USE IN A DETACHED HOUSE BUILDING TYPE

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 9.51 Commercial Use in a Detached House Building Type of the Zoning Ordinance be amended as follows:

- .1 All outdoor display of goods shall be located immediately adjacent to the storefront on the front porch during the hours of operation only; display goods shall not block building access. No other outdoor activity, including outdoor seating, display is permitted.

Huntersville Ordinance Advisory Board: July 6, 2023

Public Hearing Date: September 18, 2023

Planning Board Meeting: September 28, 2023

Town Board Meeting: October 16, 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, July 6, 2023.

Call to Order/Roll Call

Chairwoman Hallman called the meeting to order at 3:30 pm.

Voting Members Present: A. Hallman, K. Jones, M. Jones, H. Whittaker, J. Kluttz, S. Harrington, M. Pollard, and F. Gammon

Voting Members Absent: J. Palillo

Non-Voting Members Present: Commissioner Munger, J. Simoneau, T. Barron, E. Sloop, and J. Glass

Non-Voting Members Absent: None

Approval of Minutes

Item 2A. Consider approval of the April 6, 2023, Regular Meeting Minutes

Motion: S. Harrington made a Motion to Approve the April 6, 2023, regular meeting minutes. K. Jones seconded the motion.

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

Public Comments

Elaine Kerns, 301 Hillcrest Drive

Action Agenda

4A. Consider a recommendation on petition #TA23-05, a request by the Huntersville Planning Department for a text amendment to Article 9, Section 9.51.1 clarifying allowed commercial uses in a detached house in the NR zoning district

B. Richards, Assistant Planning Director reviewed the proposed text amendment to further clarify non-residential uses or outdoor activities allowed within the Neighborhood Residential (NR) zoning district within ¼ mile of Town Center (TC) zoning. Staff reviewed what the ordinances currently allow and limitations, a map view of which properties would be eligible for this based on current zoning, existing commercial within this zoning district and how it has been implemented, the previous public workshop process that was conducted and what was ultimately adopted.

F. Gammon asked staff to confirm that the pink hatched areas on the map are the eligible parcels. Staff confirmed that is correct as of today, it is possible for property within the Town Center designated area to rezone to Town Center which could potentially increase the properties eligible for this NR zoning use.

H. Whittaker asked about safety concerns related to parking lots at the rear of the buildings adjacent to residential properties. Staff confirmed that there is a buffer requirement between the uses and these businesses in residential settings are low intensity uses.

Commissioner Munger asked what the difference is in the zoning where Neighborhood Café and Harvey's are located that both have a residential type feel and allow outdoor seating. Staff confirmed that Harvey's was approved as part of a TND overlay rezoning and Neighborhood Café is zoned Town Center so it is not affected by these proposed amendments. Staff further confirmed that the language in the amendment further clarifies the existing standard that was intended in 2006 and that matches what is existing.

M. Jones commented that it appears the intent is limited commercial use so the proposed language may be more clear to say what those limited uses are. Staff confirmed that it may be too narrow to come up with a long specific list of uses, this in staff's opinion is cleaner.

F. Gammon commented that he agrees we do not want to limit the use further. It may be a good location to serve as a kiosk or incubator type set up for small start-up businesses.

M. Pollard asked if there is a definition of low-intensity commercial use. Staff stated there is not a definition but if you read the context in the Huntersville 2040 Plan in addition to the limiting factors that are present such as the hours of business allowed and the lighting allowed, it works to define that business use without requiring a specific list.

F. Gammon asked staff if the proposed, 'no other outdoor seating' would include a bench, typically seen for those waiting for someone shopping, would be included in this. Staff confirmed a bench would be allowed and would be required to be located on the porch.

A. Hallman asked for further clarification regarding the potential growth to the properties this could affect as parcels are rezoned to Town Center. Staff indicated that would increase the area of eligible properties but you could potentially run into other zoning areas that would act as natural deterrents to rezoning.

M. Jones asked staff if they have considered an overlay to indicate a specific versus dynamic area eligible for Town Center (TC) zoning and thus also create a specific versus dynamic area eligible for the Neighborhood Residential (NR) use being discussed. Staff confirmed that a Downtown business district was considered as part of the Downtown Plan. If a formation of a Downtown Business Association then that type of overlay would be reconsidered. This would also be the time that business hours, sign requirements, things of that nature would be considered.

K. Jones asked staff to confirm that the increase to the area this would apply to would only occur if a property rezoned to Town Center and it would then be measured as a ¼ mile from that property. Staff confirmed that is correct.

S. Harrington asked how the term, 'all outdoor display of goods can be shown on the front porch,' applies to a property without a front porch. Staff confirmed that business would not be allowed to display outside without building a front porch. Staff is comfortable with this because the goal was to keep the residential feel, possibly of existing structures, leading in to Downtown to create a nice transition between Commercial buildings and residential neighborhoods. Limiting display of goods to the front porch was a simple way to encourage this.

J. Kluttz asked if a large deck on the back of the property could be used. Staff stated that would not be allowed because it must be a front porch.

Commissioner Munger asked what type of signs are allowed and what are the limitations as it relates to these properties. Staff confirmed that originally a post and beam sign of 12 square feet was permitted, that was recently updated to 16 square feet which is located in Article 10 of the Zoning Ordinance.

Motion: S. Harrington made a Motion to Approve TA23-05 as written. H. Whittaker seconded the motion.

F. Gammon requested that the Planning Staff consider wording to allow an outdoor waiting bench so there is no confusion between business owners and so the proposed language does not appear to restrict all outdoor seating, just limit it to the porch. Staff confirmed they could review and revise that.

S. Harrington commented that this is why he asked why limit the wording to a front porch versus a specific size or area. Staff commented that the idea is to have the business build a front porch if they want the permitted use. This allows for a flexible set of standards while achieving a look and feel to the Downtown area.

Vote: The motion passed (6-2) with M. Jones and M. Pollard opposed.

Other Business

No other business.

Adjourn

Motion: J. Kluttz made a Motion to Adjourn. H. Whittaker seconded the motion.

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

Approved this ____ day of _____ 2023.

Chair or Vice Chair

Board Secretary

**Town of Huntersville
Town Board
September 18, 2023**

To: Town Board

From: Nathan Farber, Planner II

Date: September 18, 2023

Subject: Petition #R23-06 - Beatties Ford Family Entertainment

EXPLAIN REQUEST:

Consider decision on Petition #R23-06, Beatties Ford Family Entertainment, a request by Jonathan Eury and Katie Carpenter to rezone +/-2.513 acres generally located at the intersection of Beatties Ford Road and Broadway Street from Rural to Highway Commercial - Conditional District for outdoor recreation and rentable meeting/office spaces.

ACTION RECOMMENDED:

Consider Decision

FINANCIAL IMPLICATIONS:

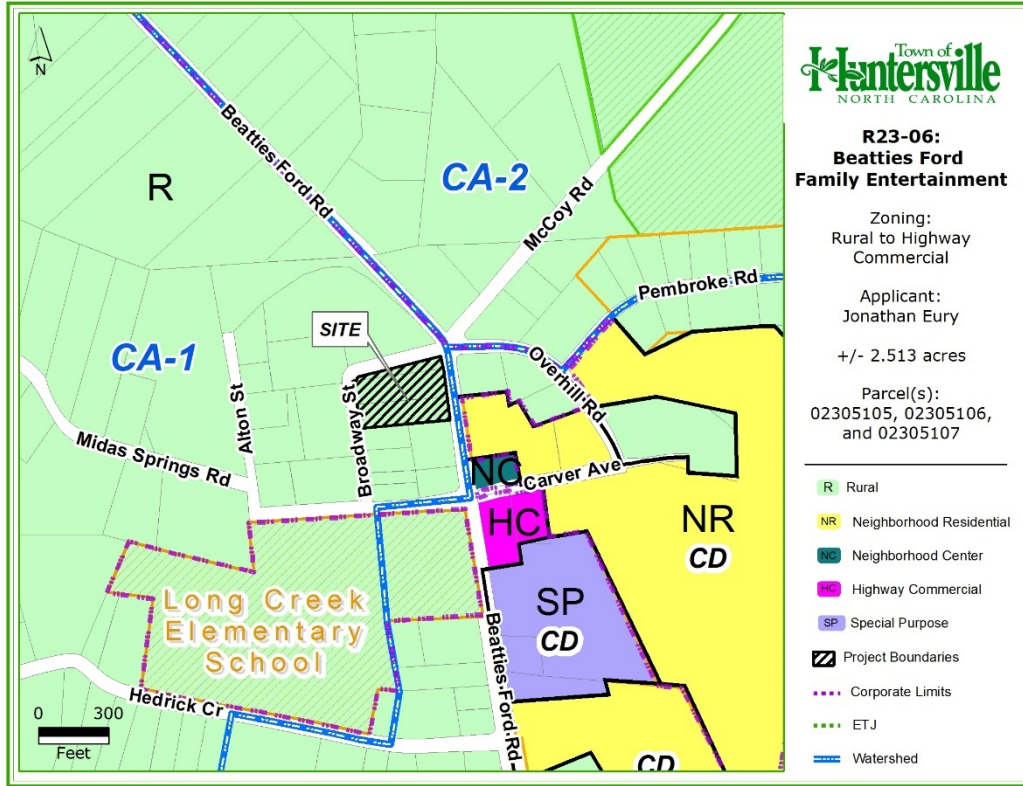
NA

ATTACHMENTS:

1. R23-06 TB Staff Report
2. Attachment A - Rezoning Application
3. Attachment B - R23-06 Rezoning Plan
4. Attachment C - Neighborhood Meeting Report (June 24, 2023)
5. Attachment D - APO Notification
6. Attachment E - Citizen Email

Petition R23-06 Beatties Ford Family Entertainment

PART 1: PROJECT SUMMARY



Applicant: Jonathan Eury,
Katie Carpenter

Property Owner: Jonathan
Eury, Katie Carpenter

Property Address: 9349, 9339,
9331 Beatties Ford Rd

Project Size: (+/-) 2.513 acres

Parcel Numbers: 02305105,
02305106, 02305107

Current Zoning: Rural (R)

Current Land Use: Single
Family.

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

Proposed Land Use:
Commercial & Outdoor
Recreation

1. Purpose: Rezone +/- 2.513 acres west of Beatties Ford Rd. from Rural to Highway Commercial Conditional District (HC-CD) for indoor and outdoor recreation and commercial uses.
2. Adjoining Zoning and Land Uses.
 - North: Rural – Currently Vacant and Single Family (Vacant).
 - South: Rural - Single Family.
 - East: Rural and Neighborhood Residential Conditional District – Single Family (Oak Grove Hill Subdivision Under Construction).
 - West: Rural – Long Creek Elementary & Single Family.
3. A neighborhood meeting was held on June 24, 2023, and the questions asked by residents and the responses from the applicants are summarized in the Neighborhood Meeting Report (see Attachment C).
4. Notice for this rezoning petition was sent via a postcard to adjoining property owners; a legal ad placed in the Charlotte Observer; and posting of rezoning signs on the property along Beatties Ford Rd.

PART 2: REZONING/SITE PLAN

The proposed Beatties Ford Family Entertainment Conditional District Rezoning Plan is summarized as follows:

- Transforming the existing single-family home into a rentable meeting/ office space.

- Open lawn area for Outdoor Recreation, Farmer's Market, and Movies.
- 30' Buffer along the south of the property will use existing and new vegetation to create a barrier between neighboring residential properties. A modification request has been made regarding this buffer (See below).
- Approximately 270' LF of side path will be installed along Beatties Ford Rd.
- Minimum Tree Preservation (Specimen Trees) for the Highway Commercial District is 30% Specimen Trees. The applicant is proposing to save 85% of existing specimen Trees.
- There are no identified Heritage Trees on site.
- Minimum Parking requirements for Commercial/Industrial/Office uses require 1 space per 500 S.F. The applicant is proposing to provide 16 spaces. The 3,663 S.F. existing structure would require the site to provide 8 spaces. A modification request is being made for parking surface materials (See Below).
- No changes to the elevations of existing structures have been indicated. An open-air covered area is proposed to the south of the home.
- The applicant has stated that the three parcels will be recombined.
- The applicant has noted as a condition of approval that 7000 S.F. of impervious will be transferred from parcel #02305213. The Impervious Transfer is completed administratively. The rezoning area is located within the Mountain Island Lake Critical Area-1 Watershed (6%).
- Planning and Transportation staff have minor outstanding site plan comments that need to be addressed before final plan approval.
- **The applicant intends to voluntarily annex their lot into the Town of Huntersville.**
- Three (3) Ordinance Modifications are proposed:

1. Article 6.1 (G): All commercial driveway and parking areas shall be paved with asphalt, concrete, or brick pavers except for areas used for overflow, special events, peak parking, and Riding Academies and Commercial Stables. Any non-paved surface used for overflow, special events, and peak parking that cannot be maintained with healthy, living turf grass or similar ground cover shall be paved with asphalt, concrete, pervious pavement, or brick pavers.

APPLICANT PROPOSAL – The applicant is requesting to pave the driveway through the parking area but use mulch for the individual parking stalls.

STAFF COMMENT - The use of a material not listed for use with a commercial parking area for required parking is not consistent with the intent of the Zoning Ordinance, staff DOES NOT SUPPORT this modification request.

2. Article 5.1.3: Be bordered by sidewalks on both sides, with the exception of ditch-type local streets, alleys, and the undeveloped edge of parkways (see Article 7.11). Sidewalks on one side of the road may be permitted in the Rural zone as an incentive to protect water quality.

APPLICANT PROPOSAL – The applicant is requesting to not have to install sidewalks along Broadway Street.

STAFF COMMENT – Staff DOES NOT SUPPORT this modification request as it is the intent of the Zoning Ordinance to provide pedestrian access and safety along all public streets. The Beatties Ford Rd Corridor Small Area Plan specifically calls for “creating a network of community-friendly streets that provides for the safe, effective, and efficient movement of all modes of travel including walking, cycling, riding, and driving”. The small area plan would not support the modification request to not provide a sidewalk along Broadway St.

3. Article 7.5.3: Buffer Yards; Function - A buffer yard shall function as an opaque or semi-opaque barrier between the viewer and the use or structure to be buffered.

APPLICANT PROPOSAL – The applicant is requesting to allow an existing storage shed to encroach into the required 30 ft buffer on the south side of the property.

STAFF COMMENT –The existing vegetation and additional vegetation required by the buffer would mitigate the visual impact of the existing structure from the neighboring property. This is in keeping with the Spirit of the Ordinance, staff DOES SUPPORT this modification request.

PART 3: TRANSPORTATION ISSUES

Traffic Impact Analysis (TIA)

A Town TIA for the proposed project was not required.

Intersection Improvement Project

The purpose of the Beatties Ford at McCoy Intersection project is to improve safety and traffic movements by removing one of the five legs of the intersection (Overhill Rd) and installing a traffic signal. Utility coordination with Charlotte Water and Duke Energy is currently underway, and Right-of-Way plans are being finalized.

PART 4: REZONING CRITERIA

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

2040 Huntersville Community Plan



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

- **Policy LU 6.1:** A mix of land uses is encouraged in Mixed-Use Centers, Activity Centers, Employment Centers identified on the Future Land Use Map.
STAFF COMMENT: LU 6.1 does not support the request as this rezoning is not located within a Mixed-Use, Activity, or Employment Center. The site is currently surrounded by residential properties.
- **Policy LU 6.2:** Commercial uses are encouraged in the Town Core and as specified in adopted Small Area Plans.
Staff Comment: LU 6.2 does not support the request as the rezoning request is located within the Rural Conservation and Critical Watershed Future Land Use areas.
- **Policy 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: LU 6.3 does not support the rezoning as small scale commercial and office uses are specified on the Future Land Use map to be allowed within the Town Core and Moderate Density areas, not in the current Rural Conservation area that the rezoning is located in.

- **EOS 10.2:** Prioritize neighborhood improvements recommended in small area plans.
 - Working with community members to revisit/confirm street and sidewalk improvement recommendations from small area plans, including those in the East Huntersville / Pottstown.

Staff Comment: EOS 10.2 does not support the rezoning as the Beatties Ford Rd Corridor Small Area Plan specifically calls for “creating a network of community-friendly streets that provides for the safe, effective, and efficient movement of all modes of travel including walking, cycling, riding, and driving”. The small area plan would not support the modification request to not provide a sidewalk along Broadway St.

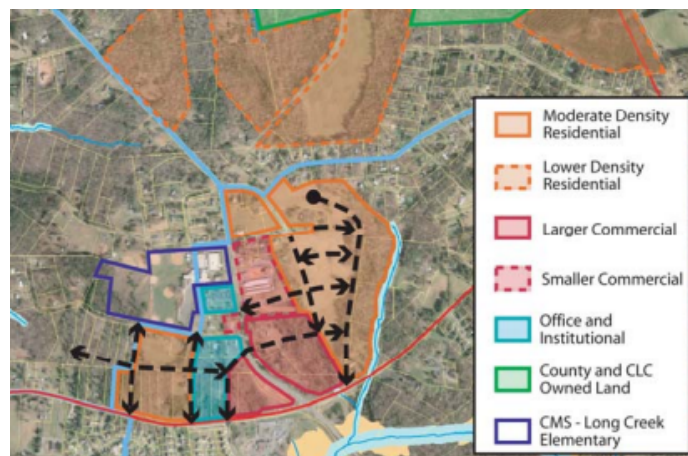
Beatties Ford Rd Corridor Small Area Plan (2007)



Preserve the existing rural character: The study area will continue to develop as a low density, predominantly residential district, as established by the Town's overall planning framework. Future commercial development within the study area should be focused at NC 73 and at Mount Holly - Huntersville Road, with an additional center at the intersection of Hambright Road with BFR. In conjunction

The Beatties Ford Rd Corridor Small Area Plan created a vision for future land use for which the area should remain and develop as a low-density residential district. The plan calls out the Beatties Ford Rd and Hambright Intersection as the appropriate area for future commercial development. The rezoning site falls within the study area that should remain low-density and primarily residential.

Beatties Ford Rd./Mt. Holly-Huntersville Rd Small Area Plan (2005)



The Beatties Ford Rd./Mt. Holly-Huntersville Rd Small Area Plan created a vision for the future commercial and residential growth for the intersection at Beatties Ford Rd and Mt. Holly Huntersville Rd. The plan calls for higher intensity commercial development to be focused closer to Hambright Rd and then decrease intensity the farther your travel north on Beatties Ford Rd. The rezoning site does not fall into the plans commercial or residential zones for development.

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 property is surrounded by residential properties such that the higher intensity proposed uses would not be consistent with existing development in the immediate vicinity of the subject property. The proposed rezoning for the Beatties Ford Family Entertainment is not consistent with envisioned uses and development patterns set forth in the 2040 Community Plan and Beatties Ford Rd Corridor Small Area Plan.

- 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, stormwater drainage systems, water supplies, and wastewater and refuse disposal.**

STAFF COMMENT:

- A Transportation Impact Analysis was not required – see Part 3 of this report.
- The property is currently served by a septic system.
- The property is currently being served by Charlotte Water.

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

STAFF COMMENT:

Planning staff has no indication that the request will adversely affect known archeological, environmental, or cultural resources. Currently, the site is not encumbered by any historic easements or deed restrictions. The rezoning site is located within the Mountain Island Lake Critical Area-1 Watershed. The applicant has noted as a condition of approval that 7000 S.F. of impervious will be transferred from parcel #02305213. The Impervious Transfer is completed administratively.

PART 5: STAFF RECOMMENDATION

In considering the proposed rezoning petition R23-06, Beatties Ford Family Entertainment, Staff does not recommend approval for the following reasons:

- The Rezoning is not consistent with the Huntersville 2040 Community Plan, specifically, Policies LU 6.1, LU 6.2, LU 6.3, and EOS 10.2.
- The Rezoning is not consistent with the Beatties Ford Rd Corridor Small Area Plan and the Beatties Ford Rd / Mt. Holly-Huntersville Rd Small Area Plan.
- The Rezoning is not consistent with the existing development patterns in the vicinity.
- The proposed use is an increase in intensity in an area set aside for low-intensity residential development and would set a precedent to develop Rural Zoned land within a Critical Area Watershed as Commercial.
- Requested modifications of #1 (Parking Surface Material) and #2 (No Broadway St Sidewalks) are not in keeping with the spirit of the Ordinance and therefore not supported.

PART 6: PUBLIC HEARING COMMENTS

A Public Hearing was heard on August 7, 2023. Seven residents spoke in favor of the rezoning. Three residents of the adjacent neighboring properties voiced concerns over increased traffic, noise, and not being harmonious with the surrounding neighborhood. Since the Public Hearing Staff has received two emails voicing further concern with the rezoning. Staff has also received a petition with 32 signatures from the surrounding long creek neighborhood voicing similar concerns. (See Attachment E)

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board met on August 22, 2023, with a unanimous 8-0 vote in favor the of the proposed rezoning. F. Gammon made an amended motion to recommend approval of petition R23-06, Beatties Ford Family Entertainment, the Planning Board recommends approval of the amendment. The amendment is consistent with the Huntersville 2040 Community Plan Policy LU-1: Encourage a development pattern that follows the Future Land Use Map in that the development is located within the Long Creek Village Activity Center, and provides a low-density commercial and recreational component for said Activity Center. This recommendation is consistent with, and supported by, Huntersville 2040 Plan Policies: LU 6, LU6.1, LU 7.1, LU 8.1, EV 2, EV 2.1, The amendment is further supported by the Beatties Ford Road Corridor Small Area Plan which identified a Lone Creek Hamlet, or Urban Village Mixed Use Center generally located between McCoy Road and Mt Holly-Huntersville Roads. Defined in the plan as a hamlet development pattern that fosters residential, institutional, or recreational activities adjacent to Long Creek Elementary School, and retail/commercial in the vicinity of the intersection of Beatties Ford and Mt Holly-Huntersville Roads. The amendment is also supported by the Beatties Ford Road and Mt Holly-Huntersville Small Area Plan for the same reasons previously stated. The Planning Board further recommends that the following modifications be approved: 1) Allow an existing storage shed to encroach into the required 30 foot buffer in the south side of the property. 2) All redline comments are addressed. The Planning Board does not recommend approval of the following modifications: 1) That mulch for the individual parking stalls. 2) The request not to install sidewalks along Broadway Street. The sidewalk is an infrastructure improvement required by the Zoning Ordinance. However, the Planning Board is concerned that the construction of the sidewalk by the applicant along Broadway Street on the north side of the property, and the 10 foot multi-use path along Beatties Ford Road is not a reasonable requirement. The Town is planning to make future improvements to the intersection of Broadway Street, McCoy and Beatties Ford Roads and will remove and replace the sidewalk during construction. If the Town Board approves this project the Planning Board requests that a reasonable solution be found to prevent a waste of time and money by the applicant. It is reasonable and in the public interest to approve the Rezoning because it is consistent with the Huntersville 2040 Community Plan Future Land Use Activity Center Character Area, The Beatties Ford Road Corridor Small Area Plan, and The Beatties Ford Road and Mt Holly Huntersville Road Small Area Plan. In addition, the rezoning is supported by the 2040 Community Plan Economic Development Goal of balancing the tax base and encouraging entrepreneurship. J. Henson seconded the motion. The motion passed unanimously (8-0).

PART 8: TOWN BOARD CONSIDERATION

Town Board consideration is scheduled for September 18, 2023.

PART 9: ATTACHMENTS/ENCLOSURES

Attachments

- A – Rezoning Application
- B – R23-06 Rezoning Plan
- C – Neighborhood Meeting Report (June 24, 2023)
- D – APO Notification
- E – Citizen Email

PART 10: CONSISTENCY STATEMENT – R23-06 Beatties Ford Family Entertainment

Planning Department	Planning Board	Board of Commissioners
APPROVAL: NA	APPROVAL: F. Gammon made an amended motion to recommend approval of petition R23-06, Beatties Ford Family Entertainment, the Planning Board recommends approval of the amendment. The amendment is consistent with the Huntersville 2040 Community Plan Policy LU-1: Encourage a development pattern that follows the Future Land Use Map in that the development is located within the Long Creek Village Activity Center and provides a low-density commercial and recreational component for said Activity Center. This recommendation is consistent with, and supported by, Huntersville 2040 Plan Policies: LU 6, LU6.1, LU 7.1, LU 8.1, EV 2, EV 2.1, The amendment is further supported by the Beatties Ford Road Corridor Small Area Plan which identified a Lone Creek Hamlet, or Urban Village Mixed Use Center generally located between McCoy Road and Mt Holly-Huntersville Roads. Defined in the plan as a hamlet development pattern that fosters residential, institutional, or recreational activities adjacent to Long Creek Elementary School, and retail/commercial in the vicinity of the intersection of Beatties Ford and Mt Holly-Huntersville Roads. The amendment is also supported by the Beatties Ford Road and Mt Holly-Huntersville Small Area Plan for the same reasons previously stated. The Planning Board further recommends that the following modifications be approved: 1) Allow an existing storage shed to encroach into the required 30 foot buffer in the south side of the property. 2) All redline comments are addressed. The Planning Board does not recommend approval of the following modifications: 1) That mulch for the individual parking stalls. 2) The request not to install sidewalks along Broadway Street. The sidewalk is an infrastructure improvement required by the Zoning Ordinance. However, the Planning Board is concerned that the construction of the sidewalk by the applicant along	APPROVAL: In considering the proposed rezoning application R23-06, Beatties Ford Family Entertainment, the Town Board recommends approval based on the Plan being consistent with <u>(insert applicable plan reference)</u>. <u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>

	Broadway Street on the north side of the property, and the 10 foot multi-use path along Beatties Ford Road is not a reasonable requirement. The Town is planning to make future improvements to the intersection of Broadway Street, McCoy and Beatties Ford Roads and will remove and replace the sidewalk during construction. If the Town Board approves this project the Planning Board requests that a reasonable solution be found to prevent a waste of time and money by the applicant. It is reasonable and in the public interest to approve the Rezoning because it is consistent with the Huntersville 2040 Community Plan Future Land Use Activity Center Character Area, The Beatties Ford Road Corridor Small Area Plan, and The Beatties Ford Road and Mt Holly Huntersville Road Small Area Plan. In addition, the rezoning is supported by the 2040 Community Plan Economic Development Goal of balancing the tax base and encouraging entrepreneurship. J. Henson seconded the motion. The motion passed unanimously (8-0).	
DENIAL: In considering the proposed rezoning application R23-06, Beatties Ford Family Entertainment, the Planning Department recommends denial based on the Plan being inconsistent with the Huntersville 2040 Community Plan policies LU 6.1, LU 6.2, LU 6.3, EOS 10.2 and with the Beatties Ford Rd. Corridor Small Area Plan and Beatties Ford Rd / Mt. Holly-Huntersville Rd Small Area Plan. It is reasonable and in the public interest to not approve the Rezoning Plan because it is not consistent with the envisioned uses and development pattern set forth in the 2040 Community Plan, Beatties Ford Rd Corridor Small Area Plan, and Beatties Ford / Mt. Holly-Huntersville Rd Small Area Plan. Modifications #1,		DENIAL: In considering the proposed rezoning application R23-06, Beatties Ford Family Entertainment, the Town Board recommends denial based on the Plan being <u>(consistent OR inconsistent) with (insert applicable plan reference).</u> <u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>

#2, and #3 are not in keeping with the spirit of the Ordinance and therefore cannot be supported.		
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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 4/28/2023

Name of Project Long Creek Family Entertainment Phase # (if subdivision) _____

Project Address 9339 Beatties Ford Rd Huntersville, NC 28078

Parcel Identification Number(s) (PIN) 02305105, 02305106, 02305107

Current Zoning District R Proposed District (for rezoning only) Highway Commercial

Property Size (acres) .891, 1.004, .618 = 2.513 acres Street Frontage (feet) 860 Feet

Current Land Use Residential

Proposed Land Use(s) Highway Commercial

Is the project within Huntersville's corporate limits?
Yes _____ 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.

Rezone to allow for a local, small business, owner operated family focused coffee/soda shop with outdoor seating and recreation (cornhole, kubb, lawn games).

We will use the existing home to keep and maintain the aesthetics of the neighborhood and keep the rural feel.

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 Jonathan Eury

Phone 704-674-4223

☐ 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: Jonathan Eury

Title Property owner Email euryjon@gmail.com

Address of Applicant 9339 Beatties Ford Rd Huntersville NC 28078

7. Property Owner (if different than applicant)

*Printed Name _____

Phone _____

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

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

Signature _____ Printed Name _____

Title _____ Email _____

Address of Property Owner _____

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

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

8. Development/Design Firm Contact Information

The Isaacs Group	Brian Upton	704-527-3440	bupton@issacsgrp.com
Development Firm	Name of Contact	Phone	Email

Design Firm	Name of Contact	Phone	Email
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Contact Information

Town of Huntersville
Planning Department
PO Box 664
Huntersville, NC 28070

Phone: 704-875-7000
Fax: 704-992-5528
Physical Address: 105 Gilead Road, Third Floor
Website: <https://www.huntersville.org/228/Planning-Department>



General Application
Owner/Applicant Signature Addendum

Application Information

Date of Application 4/28/2023

Application Number SPM# 448546

Name of Project Long Creek Family Entertainment Phase # (if subdivision) _____

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

* ^ Printed Name Katherine Carpenter Phone Number 585 749 5712
☐ 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 [Signature] Parcel ID(s): 02305105, 02305106, 02305107

Title owner Email KCarpenter00@gmail.com

Address of Property Owner/Applicant 9335 Beathes Ford Rd

* ^ Printed Name _____ 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): _____

Title _____ Email _____

Address of Property Owner/Applicant _____

* ^ Printed Name _____ 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): _____

Title _____ Email _____

Address of Property Owner/Applicant _____

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

LONG CREEK FAMILY ENTERTAINMENT

9339 BEATTIES FORD RD., HUNTERSVILLE, NC

EPM #448946

023-052-13
KATHERINE CARPENTER
DB 3706, PG 757
ZONING: R

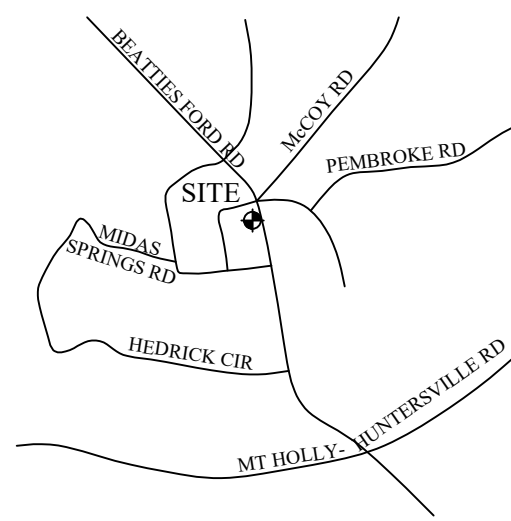
S.R. #2122
BROADWAY STREET
60' PUBLIC R/W (DB 4552, PG. 386)

023-052-40
BRETT A. GRANBERRY
RICHARD J. WNUK
DB 35691, PG 142
ZONING: R

023-052-60
MARY BURKHEARDT BRETT
SCOTT BRETT
DB 8530, PG 211
ZONING: R

023-051-08
F.C. HOUGH JR.
MARGARET S. HOUGH
DB 3700, PG 985
ZONING: R

023-051-09
CINDY Y. HOUGH
DB 21636, PG 133
ZONING: R



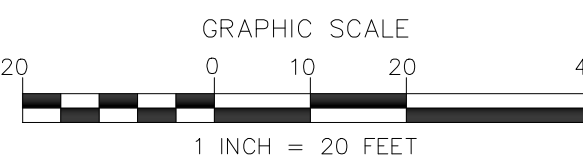
VICINITY MAP: NOT TO SCALE

PURPOSE:

TO REZONE EXISTING PROPERTY TO HIGHWAY COMMERCIAL
HC-CD IN ORDER TO ALLOW OUTDOOR ENTERTAINMENT
AREAS

GENERAL NOTES:

- THIS MAP IS NOT A CERTIFIED SURVEY, BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY PROFESSIONAL PROPERTY SURVEYORS, INC. THE PHYSICAL AND TOPOGRAPHIC DATA PROVIDED IN THESE DRAWINGS HAS BEEN COMPILED BY THE ISAACS GROUP AND THE ENGINEER OF RECORD (ENGINEER) IN SUPPORT OF THIS PROJECT AND CANNOT BE RELIED UPON BY OTHERS. "THE ISAACS GROUP" AND "THE ENGINEER OF RECORD" SHALL DEFINE THE TERM OF "ENGINEER" USED IN THE SUBSEQUENT NOTES.
- THE EXISTING UTILITIES SHOWN ARE FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THIS PLAN AND THE UTILITIES SHOWN ON THIS PLAN MAY NOT BE IN THE EXACT LOCATIONS AS SHOWN. THE ISAACS GROUP, P.C. ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN OR ANY OMISSIONS IN SHOWING EXISTING UTILITIES THAT MAY BE WITHIN THE PROJECT AREA. THE CONTRACTOR IS 100% RESPONSIBLE FOR UTILIZING A PRIVATE LOCATOR AND APPROPRIATE UTILITY COMPANIES TO LOCATE THE SIZE, LOCATION, INVERTS, DEPTHS AND EXISTENCE OF ALL EXISTING UTILITIES (ELECTRICAL, MECHANICAL, WATER, TELEPHONE, FIBER OPTIC, GAS, ETC.) TO HIS/HER SATISFACTION PRIOR TO COMMENCEMENT OF CONSTRUCTION AND EXCAVATION ACTIVITIES. CONFLICTS BETWEEN EXISTING UTILITIES AND PROPOSED EXCAVATION SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY.
- PROVIDE MINIMUM OF 48 HOUR NOTICE TO OWNER OR REPRESENTATIVE PRIOR TO INTERRUPTION OF ANY EXISTING UTILITY, IF BEING UTILIZED.
- THE CONTRACTOR IS RESPONSIBLE FOR REPAIR AND/OR REPLACEMENT OF ANY UTILITIES DAMAGED DURING CONSTRUCTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR LOCATION & PROTECTION OF EXISTING ABOVE AND BELOW GROUND UTILITIES AND STRUCTURES. ANY AND ALL MAINS OR INDIVIDUAL SERVICES PRESENTLY IN SERVICE WHICH ARE DAMAGED DURING CONSTRUCTION SHALL BE REPAIRED IMMEDIATELY AT NO ADDITIONAL EXPENSE TO THE OWNER OR THE ISAACS GROUP, P.C. ANY AND ALL MAINS OR INDIVIDUAL SERVICES PRESENTLY NOT IN SERVICE AND WHICH ARE TO BE REPLACED DURING THE COURSE OF CONSTRUCTION MAY BE REMOVED AND LEGALLY DISPOSED OF IF DAMAGED DURING CONSTRUCTION.
- THE CONTRACTOR SHALL USE EXTREME CARE WHEN WORKING NEAR ALL UNDERGROUND AND OVERHEAD UTILITIES.
- HANDICAP SIGNAGE TO BE INSTALLED IN ACCORDANCE WITH A.D.A. STANDARDS AT H/C PARKING SPACES SHOWN.
- ALL DIMENSIONS ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
- THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT ALL NECESSARY PERMITS AND APPROVALS HAVE BEEN OBTAINED PRIOR TO CONSTRUCTION. THESE PERMITS AND APPROVALS MAY INCLUDE BUT ARE NOT LIMITED TO GRADING, DEMOLITION, ZONING, BUILDING, DRIVEWAY, DETENTION, SUBDIVISION, SPECIAL USE, SEWER AND WATER.



NO.	BY	DATE	REVISION
1	CBH	3/16/23	REVISED PER TOWN COMMENTS
2	CBH	4/6/23	REVISED PER TOWN COMMENTS
3	BTU	4/24/23	REVISED PER TOWN COMMENTS
4	CBH	6/9/23	REVISED PER TOWN COMMENTS
5	CBH	8/1/23	REVISED PER TOWN COMMENTS

Project: LONG CREEK FAMILY ENTERTAINMENT	
9339 BEATTIES FORD RD., HUNTERSVILLE, NC	
Title: COVER SHEET	
File #20033-9K.DWG	Date: 6/20/22
Project Egr: BTU	Design By: BTU
Drawn By: CBH	Scale: 1"=20'
8720 RED OAK BOULEVARD, SUITE 420 CHARLOTTE, N.C. 28217 PHONE (704) 527-3440 FAX (704) 527-8335	
RZ0.0	

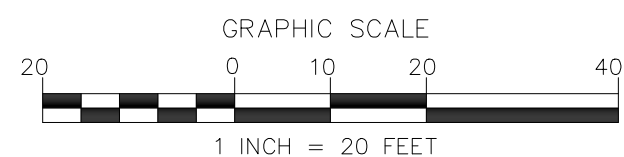


- Oak - O =3
- Dogwood - DW =12
- Maple - M =17
- Japanese Maple - JM =3
- Ginkgo - G =5
- Holly - H =2
- Cedar - C =2
- California Redwood - CR =1
- Bald Cypress - BC =1
- Cottonwood - CW =1
- Spruce - S =1
- Redbud - R =5
- Black Locust - BL =1
- River Birch - RB =1
- Fig tree - F =1
- TOTAL EXISTING TREES =59

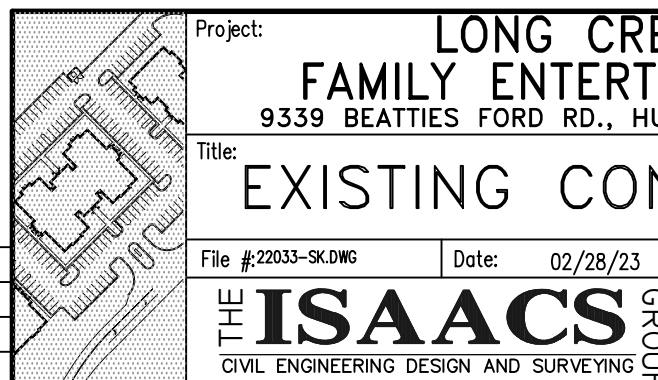
SPECIMEN TREE SAVE REQUIREMENT:
FOR HC ZONING, TREE SAVE = 30% OF SPECIMEN TREES
(TREES 24" OR GREATER)

THERE ARE 7 SPECIMEN TREES ON THIS SITE.
30% OF 7 SPECIMEN TREES = 0.30 x 7 = 2.1 TREES (TO BE SAVED)

1 SPECIMEN TREES TO BE REMOVED
6 SPECIMEN TREES TO REMAIN



NO.	BY	DATE	REVISION
1	CBH	3/16/23	REVISED PER TOWN COMMENTS
2	CBH	4/6/23	REVISED PER TOWN COMMENTS
3	BTU	4/24/23	REVISED PER TOWN COMMENTS
4	CBH	6/9/23	REVISED PER TOWN COMMENTS
5	CBH	8/1/23	REVISED PER TOWN COMMENTS



ISAACS GROUP
CIVIL ENGINEERING DESIGN AND SURVEYING

Project: LONG CREEK FAMILY ENTERTAINMENT
9339 BEATTIES FORD RD., HUNTERSVILLE, NC

Title: EXISTING CONDITIONS

File #22033-9K.DWG Date: 02/28/23 Project Egr: BTU

Design By: BTU
Drawn By: CBH
Scale: 1"=20'

8720 RED OAK BOULEVARD, SUITE 420
CHARLOTTE, N.C. 28217
PHONE (704) 527-3440 FAX (704) 527-8335

RZ0.1

DEVELOPMENT DATA

PROJECT NAME: LONG CREEK FAMILY ENTERTAINMENT
ADDRESS: 9339 BEATTIES FORD RD.
PLANS PREPARED BY: THE ISAACS GROUP, PC PHONE #: 704-227-9406
ZONING: R TAX PARCEL #: 00925409, 00925410, 02305213
PROPOSED ZONING: HC-CD

JURISDICTION: TOWN OF HUNTERSVILLE
PROPOSED USE: RENTABLE MEETING/OFFICE SPACES FOR COMMUNITY/CLUBS
SUBJECT PROPERTY AREA: 94,830/2.177 SQ. FEET/ACRES
PROPERTY AREA FOR IMPERVIOUS TRANSFER= 180,438/4.143
TOTAL PROPERTY AREA= 275,268/6.32
GROSS FLOOR AREA: 3,663 SF (PER GIS)
EXISTING IMPERVIOUS AREA: 7,103 SQ. FT
EXISTING IMPERVIOUS AREA TO BE REMOVED: 910 SQ. FT
PROPOSED IMPERVIOUS AREA TO BE ADDED: 4,512 SQ. FT/ACRES
TOTAL POST CONSTRUCTION IMPERVIOUS AREA: 10,705 SQ. FT/ACRES
TOTAL POST CONSTRUCTION IMPERVIOUS % 4% IMPERVIOUS
MAX POST CONSTRUCTION IMPERVIOUS % 6% IMPERVIOUS
WATERSHED: MOUNTAIN ISLAND LAKE WATERSHED CA-1

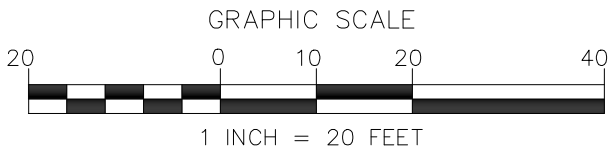
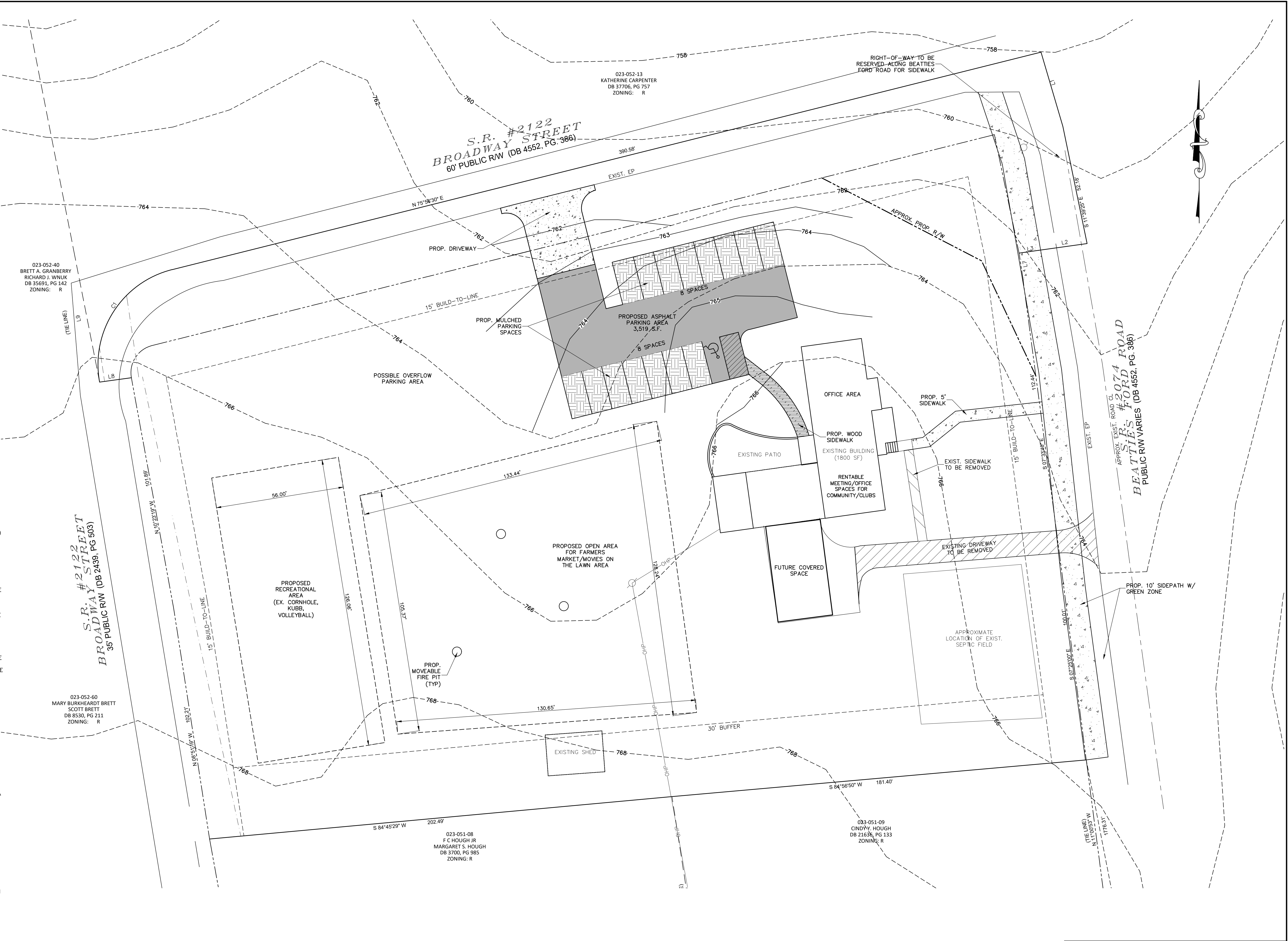
BUILDING SETBACK REQUIREMENTS:
BEATTIES FORD RD: 25' SETBACK BROADWAY STREET: (REAR) 25' SETBACK
BROADWAY STREET: (SIDE) 12.5' SETBACK SIDE: 10' SETBACK
SIDE BUFFER REQUIREMENTS 30' UNDISTURBED

REQUIRED PARKING:
REQUIRED PARKING (COMMERCIAL/INDUSTRIAL/OFFICE) = 1 SPACE PER 500 S.F.
EXISTING BUILDING= 3,663 S.F.

PARKING REQUIRED: 3663/500=7.3 SPACES
PARKING PROVIDED= 16 SPACES (INCLUDES 2 H.C. SPACES)
BICYCLE PARKING REQUIRED= 2 SPACES
BICYCLE PARKING PROVIDED= 2 SPACES

REZONING NOTES:

1. REZONING PETITION. THESE REZONING NOTES COMPRISE THE DEVELOPMENT STANDARDS ('DEVELOPMENT STANDARDS') ASSOCIATED WITH THE REZONING PETITION (THE 'REZONING PETITION') FILED BY JON EURY (PETITIONER) APPROXIMATELY 2.5 ACRE TRACT OF LAND IDENTIFIED ON THIS SITE PLAN AS LONG CREEK FAMILY OUTDOOR HANGOUT (THE 'PROJECT'), IN CONNECTION WITH TAX PARCEL NUMBER 02305105, 02305106, 02305107 (THE 'PROPERTY'). THE PURPOSE OF THE REZONING PETITION IS TO CONVERT THE ZONING CLASSIFICATION OF THE PROPERTY FROM RESIDENTIAL (R) TO HIGHWAY COMMERCIAL (CD) PURSUANT TO THE PROVISIONS OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE (THE 'ORDINANCE').
2. 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 SUBMITTAL OF THE REZONING PETITION. UNLESS THE REZONING PLAN ESTABLISHES A MORE STRINGENT STANDARD(S), OR UNLESS OTHERWISE NOTED ON THE REZONING PLAN OR IN THESE DEVELOPMENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE IN PLACE ON THE DATE OF SUBMITTAL OF THE REZONING PETITION FOR THE HIGHWAY COMMERCIAL (HC) ZONING GOVERN DEVELOPMENT OF THE PROPERTY AS SHOWN ON THE REZONING PLAN.
3. SCHEMATIC NATURE OF REZONING PLAN. THE PROPOSED IMPROVEMENTS SHOWN ON THE REZONING PLAN ARE SCHEMATIC IN NATURE. MINOR MODIFICATIONS TO THE PLAN MAY OCCUR DURING DESIGN, ENGINEERING AND CONSTRUCTION PHASES OF THE DEVELOPMENT. REMOVAL OF TREES AND VEGETATION, AS GENERALLY SHOWN ON THE REZONING PLAN, IS NECESSARY TO INSTALL THE IMPROVEMENTS.
4. 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 IN NO WAY IMPACT THE PETITIONER'S VESTED RIGHTS.
5. PERMITTED USES. THE PROPERTY MAY BE DEVELOPED FOR THE FOLLOWING USES (INCLUDING ACCESSORY USES): RENTABLE MEETING/OFFICE SPACES FOR COMMUNITY/CLUBS, AND AS SHOWN ON THE REZONING PLAN, SUBJECT TO THE DEVELOPMENT STANDARDS ASSOCIATED WITH SUCH USES. ANY LABELING ON THE REZONING PLAN MAY BE AN INDICATION OF THE CURRENT INTENTION ON THE PART OF PETITIONER BUT SHALL NOT RESTRICT THE PROPERTY IN A MANNER THAT CONFLICTS WITH THE PROVISIONS OF THESE DEVELOPMENT NOTES.
6. ACCESS. THE NUMBER OF SITE ACCESS POINTS, DRIVEWAYS AND CONNECTIONS TO ROADS ARE SCHEMATIC IN NATURE. TO THE EXTENT PERMITTED BY APPLICABLE DRIVEWAY PERMIT REQUIREMENTS, FUTURE DRIVEWAYS, ACCESS POINTS AND ROAD CONNECTIONS MAY CROSS THE SETBACK AND SHALL NOT REQUIRE A REZONING OF THE PROPERTY, BUT SHALL OTHERWISE COMPLY WITH APPLICABLE DRIVEWAY PERMIT REQUIREMENTS.
7. SUBDIVISION. THE PROPERTY IS ONE DEVELOPMENT AND MAY BE SUBDIVIDED WITHOUT A REZONING TO ALLOW SEPARATE OWNERS OF INDIVIDUAL PARCELS SO LONG AS SUCH SUBDIVISION IS IN COMPLIANCE WITH APPLICABLE LAW INCLUDING SUBDIVISION REGULATIONS. HOWEVER, RECOMBINIZATION, CONDOMINIZATION, OR REDUCTION IN THE NUMBER OF PARCELS MAY OCCUR IN ACCORDANCE WITH THE REGULATIONS OF THE ORDINANCE. REQUIREMENTS THAT ARE MET BY THE PROJECT AS A WHOLE, SUCH AS OPEN SPACE, TREE SAVE AND IMPERVIOUS REQUIREMENTS, NEED NOT BE MET BY INDIVIDUAL PARCELS.
8. AMENDMENT. IN THE EVENT ANY PORTION OF THE PROPERTY IS CONVEYED TO A THIRD PARTY, PETITIONER MAY 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 PRIVATE RECORDED 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 THE INITIAL APPROVAL. THIS NOTE SHALL BE SHOWN ON THE FINAL PLAT WHEN RECORDED.
9. STORM WATER ELEMENTS. BUILT- UPON AREAS SHALL BE IN ACCORDANCE WITH THE ORDINANCE AS REQUIRED FOR THE HIGHWAY COMMERCIAL ZONING DISTRICT. A 7,000 S.F. IMPERVIOUS AREA TRANSFER IS REQUIRED FOR THIS LOT. TRANSFER LOT (PARCEL ID: 02305213) HAS BEEN SECURED AND IT'S APPROVAL IS DEPENDENT ON THE OUTCOME OF THIS REZONING
10. PROPOSED MODIFICATION REQUESTED TO NOT PROVIDE SIDEWALK ALONG BROADWAY STREET.
11. PROPOSED MODIFICATION REQUESTED TO ALLOW EXISTING SHED TO BE LOCATED IN THE BUFFER ALONG THE SOUTHERN PROPERTY LINE.
12. IF LIGHTS ARE INSTALLED FOR THE PROPOSED RECREATIONAL AREA THEY MUST BE IN COMPLIANCE W/CHAPTER 9.21.5 A-C OF THE TOWN OF HUNTERSVILLE UDO.

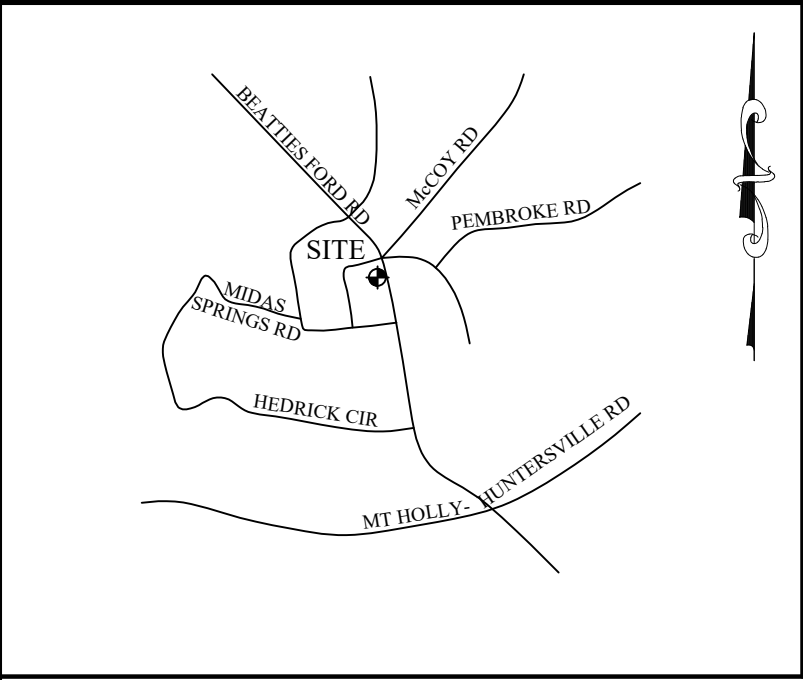


NO.	BY	DATE	REVISION
1	CBH	3/16/23	REVISED PER TOWN COMMENTS
2	CBH	4/6/23	REVISED PER TOWN COMMENTS
3	BTU	4/24/23	REVISED PER TOWN COMMENTS
4	CBH	6/9/23	REVISED PER TOWN COMMENTS
5	CBH	8/1/23	REVISED PER TOWN COMMENTS



Project: LONG CREEK FAMILY ENTERTAINMENT
9339 BEATTIES FORD RD., HUNTERSVILLE, NC
Title: REZONING SITE PLAN
File #22033-9K.DWG Date: 02/28/23 Project Egr: BTU
Design By: BTU
Drawn By: CBH
Scale: 1"=20'
8720 RED OAK BOULEVARD, SUITE 420
CHARLOTTE, N.C. 28217
PHONE (704) 527-3440 FAX (704) 527-8335

RZ1.0



VICINITY MAP: NOT TO SCALE

GENERAL PLANTING NOTES:

1. THIS PLAN FOR PLANTING LOCATIONS ONLY. IF FOUND CONDITIONS VARY FROM THIS, CONTRACTOR TO CONTACT OWNER'S REPRESENTATIVE FOR RESOLUTION. FAILURE TO DO SO WILL RESULT IN CONTRACTOR'S LIABILITY TO REPLACE PLANT MATERIALS.
2. CONTRACTOR TO COORDINATE WITH OWNER'S REPRESENTATIVE FOR EXISTING PLANT MATERIAL TO BE REMOVED AND/OR RELOCATED.
3. CONTRACTOR WILL BE RESPONSIBLE FOR LOCATING AND PROTECTING ALL UNDERGROUND AND ABOVE GROUND UTILITIES. CONTRACTOR SHALL BE LIABLE FOR DAMAGE TO ANY AND ALL PUBLIC OR PRIVATE UTILITIES. CONTRACTOR WILL BE HELD RESPONSIBLE FOR THE COST OF REPAIR TO ALL DAMAGED UTILITIES.
4. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL PLANT MAINTENANCE, INCLUDING SHRUBS AND GRASSCOVER, AND SHALL MAINTAIN AREA IN A WEED AND DEBRIS FREE CONDITION, THROUGHOUT GUARANTEE PERIOD.
5. WHERE TREES ARE PLANTED IN ROWS, THEY SHALL BE UNIFORM IN SIZE AND SHAPE.
6. SIZES SPECIFIED IN THE PLANT LIST ARE MINIMUM SIZES TO WHICH THE PLANTS ARE TO BE JUDGED. FAILURE TO MEET MINIMUM SIZE ON ANY PLANT WILL RESULT IN REJECTION OF THAT PLANT.
7. PLANTING SIZE DETERMINATION:
SHADE TREES: HEIGHT SHALL BE MEASURED FROM THE CROWN OF THE ROOT BALL TO THE TOP OF MATURE GROWTH. SPREAD SHALL BE MEASURED TO THE END OF BRANCHING EQUALLY AROUND THE CROWN FROM THE CENTER OF THE TRUNK. MEASUREMENTS ARE NOT TO INCLUDE ANY TERMINAL GROWTH. SINGLE TRUNK TREES SHALL BE FREE OF "V" CROTCHES THAT COULD BE POINTS OF WEAK LIMB STRUCTURE OR DISEASE INFESTATION.
SHRUBS: HEIGHT SHALL BE MEASURED FROM THE CROWN OF THE ROOT BALL TO THE AVERAGE HEIGHT OF THE TOP OF THE PLANT. SPREAD SHALL BE MEASURED TO THE END OF BRANCHING EQUALLY AROUND THE SHRUB MASS. MEASUREMENTS ARE NOT TO INCLUDE ANY TERMINAL GROWTH.
8. ALL PLANTS SHALL BE FRESHLY DUG, SOUND, HEALTHY, VIGOROUS, WELL BRANCHED, FREE OF DISEASE, INSECT EGGS, AND LARVAE, AND SHALL HAVE ADEQUATE ROOT SYSTEMS.
9. ALL CONTAINER GROWN MATERIAL SHALL BE HEALTHY, VIGOROUS, WELL-ROOTED PLANTS AND ESTABLISHED IN THE CONTAINER IN WHICH THEY ARE SOLD. THE PLANTS SHALL HAVE TOPS WHICH ARE GOOD QUALITY AND ARE IN A HEALTHY GROWING CONDITION. ALL ROOT BOUND PLANTS SHALL BE REJECTED.
10. GROUPS OF SHRUBS SHALL BE PLACED IN A CONTINUOUS MULCH BED WITH SMOOTH CONTINUOUS LINES. ALL MULCHED BED EDGES SHALL BE CURVILINEAR IN SHAPE FOLLOWING THE CONTOUR OF THE PLANT MASS. TREES LOCATED WITHIN FOUR FEET OF SHRUB BEDS SHALL SHARE SAME MULCH BED.
11. CONTRACTOR TO SLIGHTLY ADJUST PLANT LOCATIONS IN THE FIELD AS NECESSARY TO BE CLEAR OF DRAINAGE SWALES AND UTILITIES. FINISHED PLANTING BEDS SHALL BE GRADED SO AS TO NOT IMPEDE DRAINAGE AWAY FROM BUILDINGS. IF SIGNIFICANT RELOCATIONS ARE REQUIRED, CONTRACTOR SHALL CONTACT OWNER'S REPRESENTATIVE FOR RESOLUTION. FAILURE TO MAKE SUCH RELOCATIONS KNOWN TO THE OWNER'S REPRESENTATIVE WILL RESULT IN CONTRACTOR'S LIABILITY OF PLANT MATERIALS.
12. ALL PLANT MATERIAL SHALL BE SPACED AND LOCATED PER PLAN. IF CONFLICTS ARISE BETWEEN ACTUAL SIZE OF AREA AND PLANS, CONTRACTOR SHALL CONTACT OWNER'S REPRESENTATIVE FOR RESOLUTION. FAILURE TO MAKE SUCH CONFLICTS KNOWN TO THE OWNER'S REPRESENTATIVE WILL RESULT IN CONTRACTOR'S LIABILITY TO RELOCATE MATERIALS.
13. ALL SUBSTITUTIONS OF PLANT MATERIAL ARE TO BE REQUESTED IN WRITING TO THE OWNER'S REPRESENTATIVE AND APPROVED IN WRITING BY THE OWNER PRIOR TO INSTALLATION. FAILURE TO OBTAIN SUBSTITUTION APPROVAL IN WRITING MAY RESULT IN LIABILITY TO THE CONTRACTOR.
14. ALL CONTRACTORS SHALL BE REQUIRED TO COMPLETELY REMOVE ALL TRASH, DEBRIS AND EXCESS MATERIALS FROM THE WORK AREA AND THE PROPERTY (ESPECIALLY AT ALL CURB, GUTTERS AND SIDEWALKS) DAILY DURING INSTALLATION.
15. CONTRACTOR SHALL GUARANTEE ALL LANDSCAPE IMPROVEMENTS, INCLUDING SEEDING. CONTRACTOR MUST CONTACT THE OWNER AT LEAST 10 WORKING DAYS IN ADVANCE TO SCHEDULE ACCEPTANCE INSPECTION(S). CONTRACTOR MUST REPLACE ALL DEAD OR UNACCEPTABLE PLANTS DURING THE FOLLOWING RECOMMENDED PLANTING SEASON.
16. ADJUST TREE PLANTING LOCATIONS TO AVOID UNDERGROUND UTILITIES WHERE POSSIBLE. CONTACT OWNER'S REPRESENTATIVE FOR A COORDINATED SOLUTION FOR ANY UTILITY CONFLICTS. CONTRACTOR SHALL BE LIABLE FOR DAMAGE TO ANY AND ALL PUBLIC OR PRIVATE UTILITIES.
17. REFER TO PLANTING DETAILS FOR ADDITIONAL PLANTING INFORMATION.
18. ALL PLANTINGS SHALL COMPLY WITH CURRENT LOCAL ORDINANCES AND GUIDELINES.
19. LANDSCAPE AREAS TO BE IRRIGATED WITH AUTOMATIC IRRIGATION SYSTEM.

LANDSCAPE LEGEND

SYMBOL	SPECIES	QUANTITY
	SOUTHERN MAGNOLIA (BUFFER TREE) MAGNOLIA GRANDIFLORA (MIN. 2" CALIPER AND 8' AT TIME OF PLANTING) LARGE MATURING EVERGREEN	11
	TULIP-POPLAR LIRIODENDRON TULIPIFERA (MIN. 2" CALIPER AND 8' AT TIME OF PLANTING) LARGE MATURING DECIDUOUS	17
	FOSTER HOLLY (BUFFER TREE) ILEX ATTENUATA "FOSTER" (MIN. 2" CALIPER AND 8' AT TIME OF PLANTING) SMALL MATURING EVERGREEN	8
	ARBORVITAE THUJA ORIENTALIS (MIN. 2" CALIPER AND 8' AT TIME OF PLANTING) SMALL MATURING EVERGREEN	5
	MENTOR BARBERRY BERBERIS MENTORENSIS (MIN. 3" AT TIME OF PLANTING, MIN. 6' AT MATURITY)	107
	EXISTING TREE TO REMAIN	54

* THE SPECIES SPECIFIED ON THE PLANS MAY BE SUBSTITUTED WITH SOMETHING ELSE AS LONG AS THEY MEET THE TOWN'S CRITERIA

GENERAL PLANTING NOTES:

1. TURF AREAS WILL BE SEEDED OR SODDED WITH REBEL II FESCUE WITH EXCEPTION OF SOD WITHIN THE FLOOR OF STORMWATER MANAGEMENT AND WATER QUALITY BASINS AND FILTERS. SOD WILL BE REQUIRED NEXT TO BUILDING STRUCTURES, DRIVEWAYS ENTRANCES AND AREAS DISTURBED IN THE FRONT SETBACK AS NOTED ON PLAN. LANDSCAPE CONTRACTOR TO SEED ALL OTHER DISTURBED AREAS.
2. PINE NEEDLE MULCH IS THE GENERALLY ACCEPTED MULCH. FOR THE INITIAL PLANTING, IT IS ALSO ACCEPTABLE TO UTILIZE DOUBLE HAMMERED BARK MULCH FOR GOOD SOIL AND BED, THOUGH, WILL REQUIRE THE PROPERTY TO BE CONVERTED TO PINE NEEDLES.

PLANTING NOTES:

1. ALL PERIMETER SCREENING SHRUBS MUST BE NO LESS THAN 36" IN HEIGHT AT PLANTING
2. ALL PARKING LOT SHRUBS MUST BE NO LESS THAN 24" IN HEIGHT AT PLANTING

BUFFER PLANTING -- REQUIRED 30' BUFFER
- 4 TREES / 1000 SF BUFFER
- 50% LARGE MATURING TREE, 50% SMALL MATURING TREE, 25% EVERGREEN
- 7 SHRUBS / 1000 SF, 100% EVERGREEN
- 15 EXISTING AND 19 PROPOSED TREES PROVIDED

STREET TREE--BEATTIES FORD RD.
REQUIRED: 1 TREE PER 40 LF (213/40=5 TREES REQUIRED)
STREET TREES PROVIDED: 3 EXIST.+ 2 PROP. TREES

STREET TREE--BROADWAY ST.
REQUIRED: 1 TREE PER 40 LF (391/40=10 TREES REQUIRED)
STREET TREES PROVIDED: 2 EXIST.+ 8 PROP. TREES

STREET TREE--BROADWAY ST.
REQUIRED: 1 TREE PER 40 LF (204/40=5 TREES REQUIRED)
STREET TREES PROVIDED: 2 EXIST.+ 3 PROP. TREES

023-052-13
KATHERINE CARPENTER
DB 37706, PG 757
ZONING: R

S.R. #2122
BROADWAY STREET
60' PUBLIC R/W (DB 4552, PG. 386)

S.R. #2122
BROADWAY STREET
35' PUBLIC R/W (DB 2439, PG 503)

023-052-40
BRETT A GRANBERY
RICHARD J WNUK
DB 35691, PG 142
ZONING: R

023-052-60
MARY BURKHEARDT BRETT
SCOTT BRETT
DB 8530, PG 211
ZONING: R

023-051-08
F.C HOUGH JR
MARGARET'S HOUGH
DB 3700, PG 985
ZONING: R

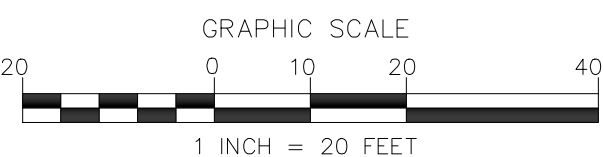
023-051-09
CINDY Y. HOUGH
DB 21636, PG 133
ZONING: R

1.1 PLANTING SOIL MIX:

1. A FINAL CERTIFICATE OF OCCUPANCY MAY BE ISSUED PRIOR TO THE INSTALLATION OF TREES AND SHRUBS, EXCLUDING YARD TREES, DURING THE NON-PLANTING SEASON IF A CASH BOND, SURETY BOND OR LETTER OF CREDIT IS ISSUED FOR 100% OF THE COST OF MATERIALS AND INSTALLATION. PLANTING SHALL BE COMPLETED DURING THE NEXT PLANTING SEASON.
 2. THE PLANTING SEASON SHALL RUN FROM OCTOBER 15 TO MARCH 15, EXCEPT FOR EXTREME WEATHER CONDITIONS AS DETERMINED BY STAFF. A FINAL CERTIFICATE OF OCCUPANCY SHALL NOT BE GIVEN DURING THE PLANTING SEASON UNLESS ALL OF THE LANDSCAPING IS COMPLETELY INSTALLED ACCORDING TO THIS ARTICLE.
- MAINTENANCE SURETY REQUIRED
1. DEVELOPERS SHALL ENTER INTO A MAINTENANCE SURETY AGREEMENT WITH MEDELBURG COUNTY GUARANTEEING THE VIABILITY OF STREET TREES AND TREES AND SHRUBS PLANTED IN BUFFER YARDS FOR A PERIOD OF 1 YEAR FOLLOWING PLANTING. THE AMOUNT OF THE SURETY SHALL BE EQUAL TO 50% OF THE VALUE OF THE NEW TREES OR LANDSCAPE MATERIAL AND THEIR INSTALLATION. THE MAINTENANCE SURETY SHALL

1.1 PLANTING SOIL MIX:

- A. MIX TOPSOIL WITH THE FOLLOWING SOIL AMENDMENTS IN THE FOLLOWING QUANTITIES:
1. WEIGHT OF LIME PER 1000 SQ. FT.
 2. QUANTITY OF LOOSE COMPOST TOPSOIL, BY VOLUME: 1:4
 3. RATIO OF LOOSE WOOD DERIVATIVES TO TOPSOIL BY VOLUME:
 4. WEIGHT OF FERTILIZER PER 1000 SQ. FT.
 5. WEIGHT OF COMMERCIAL FERTILIZER PER 1000 SQ. FT.
 6. WEIGHT OF SLOW-RELEASE FERTILIZER PER 1000 SQ. FT.
- SOIL TEST PROVIDED BY CONTRACTOR REQUIRED FOR TOPSOIL MIX.



NO.	BY	DATE	REVISION
1.	CBH	3/16/23	REVISED PER TOWN COMMENTS
2.	CBH	4/6/23	REVISED PER TOWN COMMENTS
3.	CBH	6/9/23	REVISED PER TOWN COMMENTS
4.	CBH	8/1/23	REVISED PER TOWN COMMENTS

TREE PLANTING NOTES:

1. ALL TREES SHALL BE PLANTED PER TOWN OF HUNTERSVILLE STANDARDS AND DETAILS.
2. ALL STRAPPING AND TOP 2/3 OF WIRE BASKET MUST BE CUT AWAY AND REMOVED FROM THE ROOT BALL PRIOR TO BACKFILLING PLANTING PIT.
3. LARGE MATURING TREES MAY NOT BE PLANTED WHERE OVERHEAD DISTRIBUTION OR TRANSMISSION LINES EXIST. IF TREES CONFLICT WITH POWER LINES OR SIGNS, CALL THE URBAN FORESTER TO RESOLVE BEFORE PLANTING.
4. ADJUST TREE PLANTING LOCATIONS TO AVOID UNDERGROUND UTILITIES.
5. NEW TREES SHALL BE A MINIMUM 2" CALIPER FOR STREET TREE REQUIREMENTS.
6. SEE TREE PRESERVATION NOTES ON GRADING AND EROSION CONTROL SHEETS.
7. ALL TREES ARE TO BE NURSERY GROWN, BALL AND BURLAP (BAB) PREFERRED. MINIMUM TREE SIZE IS 2" CALIPER MEASURED 6" ABOVE ROOT BALL, 8" MINIMUM HEIGHT.
8. STAKING IS OPTIONAL. RUBBER HOSE AND ROPE OR WIRE FOR STAKING IS NOT RECOMMENDED. NO WIRE OR ROPE IS TO BE IN DIRECT CONTACT WITH TRUNK. REMOVE ALL TRUNK WRAP, TREE STRAPS, AND STAKING WIRE OR ROPE AFTER ONE GROWING SEASON.
9. CUT WIRES ARE NOT PERMITTED IN THE STREET RIGHT-OF-WAY.
10. ALL TREES AND SHRUBS SHALL MEET THE NORMAL REQUIREMENTS FOR THE AMERICAN STANDARD FOR NURSERY STOCK, LATEST EDITION, PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN (AAS).
11. NEW AND EXISTING TREES ARE PERMITTED WITHIN SITE TRIANGLE, BUT MUST BE LINED UP TO 8' HEIGHT CLEARANCE PER ADA REQUIREMENTS.
12. SIMILAR CRITERIA FOR TREE PLACEMENT AND PRUNING UP SHOULD BE CONSIDERED AT DRIVEWAY/STREET INTERSECTIONS.
13. CONTRACTOR TO MAINTAIN CLEAR VIEW BETWEEN 30" AND 72" ABOVE STREET. AREA MUST BE TREE OF LIMBS AND FOLIAGE FOR SAFE CROSS VISIBILITY.

TREE PROTECTION NOTES:

- PROTECTIVE BARRICADES SHALL BE PLACED AROUND ALL PROTECTED TREES DESIGNATED TO BE SAID (AN DEVELOPMENT AREA, PRIOR TO THE START OF DEVELOPMENT ACTIVITIES OR GRADING. PROTECTIVE BARRICADES SHALL REMAIN IN PLACE UNTIL DEVELOPMENT ACTIVITIES ARE COMPLETE OR CONSTRUCTION IN ACCORDANCE WITH STANDARDS SET FORTH IN THIS SECTION COMMENCES. THE AREA WITHIN THE PROTECTIVE BARRICADE SHALL REMAIN FREE OF ALL BUILDING MATERIALS, DIRT OR OTHER CONSTRUCTION DEBRIS. CONSTRUCTION TRAFFIC, STORAGE OF VEHICLES AND MATERIALS, AND GRADING SHALL NOT TAKE PLACE WITHIN THE DRIPLINE OF THE EXISTING TREES TO BE PROTECTED. BARRICADES SHALL BE ERECTED AT A MINIMUM DISTANCE FROM THE BASE OF PROTECTED TREES ACCORDING TO THE FOLLOWING STANDARDS:
- A. FOR TREES 10" OR LESS DBH: PROTECTIVE BARRICADES SHALL BE PLACED A MINIMUM DISTANCE OF 5' FROM THE BASE OF EACH PROTECTED TREE, OR OUTSIDE THE DRIPLINE, WHICHEVER IS GREATER.
 - B. FOR TREES GREATER THAN 10" DBH: PROTECTIVE BARRICADES SHALL BE PLACED AT A MINIMUM DISTANCE EQUAL TO 10' FROM THE BASE OF THE PROTECTED TREE PLUS AN ADDITIONAL 1' FOR EACH ADDITIONAL 1" DBH GREATER THAN 10" DBH, OR OUTSIDE THE DRIPLINE, WHICHEVER IS GREATER.
 - C. CONSTRUCTION ACCESS TO A SITE SHOULD OCCUR WHERE AN EXISTING OR PROPOSED ENTRANCE EXIST IS LOCATED.
 - D. EXCEPT FOR DRIVEWAY ACCESS POINTS, SIDEWALKS, CURB AND GUTTER, NO PAVING WITH CONCRETE OR OTHER IMPERMEABLE MATERIALS WITHIN A TREE DRIPLINE SHALL BE ALLOWED.
 - E. WHERE GRADING WITHIN A TREE DRIPLINE CANNOT BE AVOIDED.
 - F. LIMIT CUT AND FILLS TO 1/4 TO 1/2 THE AREA WITHIN THE DRIPLINE.
 - G. AVOID WHERE GRADING LEAVES ROOTS EXPOSED, CUT ROOTS CLEAN.
 - H. WHERE GRADING LEAVES ROOTS EXPOSED, CUT ROOTS CLEAN.
 - I. AVOID FILLING WITHIN THE DRIPLINE OF A TREE WITHOUT SOME MECHANISM TO ALLOW AIR AND WATER TO REACH THE ROOTS.

APPROX. EXIST. ROAD CL.
BEATTIES FORD RD
PUBLIC R/W VARIES (DB 4552, PG. 386)

PROP. 10' SIDEWALK W/ GREEN ZONE

Long Creek Family Entertainment
Neighbor Meeting held on June 24th, 2023
Location: 9339 Beatties Ford Rd

Attendees:

Concerns:

- Is noise going to be an issue and what parameters are being set in place?
 - We discussed that Mecklenburg County and Huntersville do not have set quiet hours. However, we will be respectful of noise levels and they will be monitored by us as owners. If ever we are too loud, we encourage the neighbors to come over, call or report.
- Will this business increase traffic levels?
 - There will be an increase in some traffic coming to the business and those coming to the business will typically stay for 1 or more hours keeping the number of vehicle “turns” low. The intersection improvement that is already in place by the NCDOT for Beatties Ford Rd/McCoy will help with traffic patterns.
- Will crime rates increase?
 - We do not believe that this business will attract additional crime to the area.
- Will patrons conduct themselves inappropriately?
 - As business owners, we have a moral and professional obligation to ensure the safety, wellbeing and appearance of our patrons and facility. We will address any issues should they arise.
- Will this rezoning decrease the property values of the neighbors directly around this property?

- We have not found any studies showing that rezoning devalues other neighbor properties and the neighbor could not provide us with any of their own research. For some locations, their properties will increase in value.

Positive Feedback:

- One neighbor expressed that this type of atmosphere (full family friendly) is needed more in the area and he is looking forward to being able to play volleyball and bring his family.
- Having a gathering space like this for families and clubs will be a great addition to the area especially with the new developments having little to no yard spaces.
- One neighbor stated that as a couple with kids, this will be a great place to spend time and let the kids enjoy the outside and meet new people.
- One neighbor suggested we reach out to the school in the future to partner with different classrooms/teachers for field trips to see the garden club and learn about growing plants.

Changes Suggested:

- Could a fence be installed along the back of the property to increase a neighbor buffer?
 - Yes, we will look into options to see if this is feasible and the plans show/call for screening trees along the property borders.
- Will there be natural materials used for seating outside?
 - We will look into options and think it's a great idea and fits the feel we're going for.
- The plan shows 16 parking spaces - will that be enough?
 - We believe it'll be enough for daily use and we do have allocated space for overflow parking on the property. With this suggestion, we will be contacting neighboring commercial facilities to inquire about using their parking lots on occasion.

35

Name _____

Van Dine

Will Eury

Jake WALK

Nancy Eury

Zachary Jones

Canada 1 COMEN JACOS

Shelley Bononi

Hamersville

Many in debt & poor

Brian Richards

Tan of Antares

Amber Kovacs

Town of Huntersville

Best Loves

207 Greenway

Stephen Arnold

Amersbach

Visc H₂O

Address

CINDY HOBBS

Jim Hustler

Mark Nelson

Cheryl Nelson

Alisia Bergsmen

Don Collins

ADP Boone

Curt $\frac{1}{2}$ Pam Phillips

Paul Cox

Henry Wells

Scott David

Alysa Shepard

Josh Shepard

Cory Neal

~~[REDACTED]~~



PO Box 664
Huntersville NC 28070

PUBLIC HEARING

Date: August 7, 2023
Time: 6:00 pm
Location: **In Person:** Huntersville Town Hall 101 Huntersville-Concord Rd.
Livestream Listen Only: <https://www.youtube.com/@townofhuntersvillenc28078/>
Applicant: Jonathan Eury
Case #: R23-06

Public Meeting Dates

Meeting Type	Purpose	Date & Time
Community Meeting	Informational	June 24, 2023
Public Hearing	Public Meeting	August 7, 2023 @ 6 pm
Planning Board *	Recommendation	August 22, 2023 @ 6:30 pm
Town Board *	Approval/Denial	September 18, 2023 @ 6 pm

* Tentative—check www.huntersville.org for latest dates

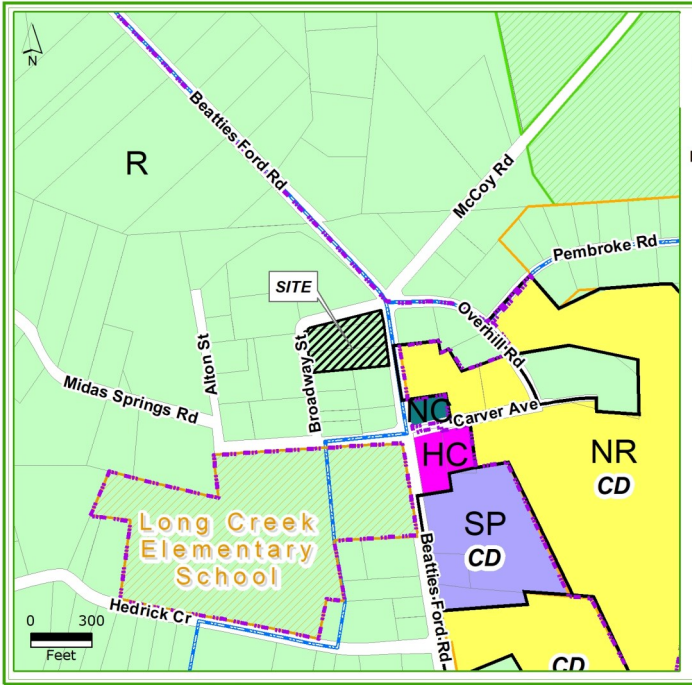
PUBLIC HEARING NOTICE DATE: August 7, 2023 | **R23-06** Beatties Ford Family Entertainment

NOTICE OF PUBLIC HEARING FOR REZONING REQUEST

A Rezoning Petition has been submitted to rezone 2.513 acres from Rural (R) to Highway Commercial (HC) with Conditions (CD) to allow indoor and outdoor recreation with commercial uses. The “Site” (see inset map) is located south of Hambright Road, east of Everette Keith Road (Parcels # : 02305105, 02305106, 02305107).

A public hearing will be held in person at Town Hall located at 101 Huntersville-Concord Drive, Huntersville, NC 28078, and livestreamed to listen only at <https://www.youtube.com/@townofhuntersvillenc28078/streams>. The public is invited to attend in person if you wish to comment during the public hearing for this request. Please check the meeting agenda for all final meeting arrangements which may be adjusted to address public safety concerns as necessary at the time of the meeting.

YouTube Livestream:



Zoning Legend:
R = Rural
HC = Highway Commercial
NR = Neighborhood Residential

Site = Parcels requesting rezoning
NC—Neighborhood Center
SP = Special Purpose
[CD = Conditional District]

Project Page:


FOR ADDITIONAL INFORMATION:
CONTACT Nathan Farber AICP, Planner II
Phone: 704-766-2237
Email: nfarber@huntersville.org
Online: www.huntersville.org - search: **R23-06**

Petition: R23-06 Beatties Ford Family Entertainment

Penny Brett <brett_p@bellsouth.net>

Tue 8/29/2023 12:55 PM

To:Nathan Farber <nfarber@huntersville.org>;Melinda Bales <mbales@huntersville.org>;Stacy Phillips <sphillips@huntersville.org>;Dan Boone <dboone@huntersville.org>;Rob Kidwell <rkidwell@huntersville.org>;Amber Kovacs <akovacs@huntersville.org>;Lance Munger <lmunger@huntersville.org>;Derek Partee <dpartee@huntersville.org>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This is Scott and Mary Brett. Our address is 9331 Broadway Street and are located behind 9339 Beatties Ford Road.

We have concerns about rezoning this property from Residential to Commercial. We hope you will follow the Planning Staff professional recommendations to turn down this rezoning project for the reasons as indicated on the Planning Staff Analysis document as dated 8/22/23.

- The rezoning is not consistent with the Huntersville 20/40 Community Plan specifically policies LU6.1,LU6.2, LU6.3.
- The rezoning is not consistent with the Beatties Road corridor small area plan and the Beatties Ford Road/Mt. Holly Huntersville Road small area plan.
- The rezoning is not consistent with the existing development patterns in the vicinity.
- The proposed use is an increase in intensity in an area set aside for low intensity residential development and would set a precedent to develop rural zoned land within a critical area watershed as commercial.

If you choose not to follow the professional recommendation of the Huntersville Planning Staff, you will set a new precedent on these policies to rezone critical watershed properties to commercial. This would also set a new precedent for any other petitioners to rezone in Huntersville and these policies should not apply or discriminate against other petitioners.

Please make the right decision by following the professional guidance of the Huntersville Planning Staff and the policies of Huntersville to deny this project!

We watched the planning board meeting dated 8/22/23. We have a concern that one of the planning board members stated he worked with Jon Eury and knows him. He then stated later in the meeting that he would be speaking as a citizen at the next Town Board Meeting on 9/18/23. Is this not a conflict of interest?

Please take all of this into consideration to deny this entire project in understanding that this is an old residential community of the Long Creek for 100 years! This outdoor bar/sports/music complex will drastically change the character of this community and quality of life that we have enjoyed for 30 years.

No one has spoken to any of the us or the neighbors in the Long Creek Community about any way to mitigate the visual impact of 60 to 80 people and the noise of the bar/sports/music complex. Example: Larger buffer zone and privacy fence to reduce the noise and visual impact for the quality of life for all residents.

Scott and Mary Brett
9331 Broadway Street
Huntersville, NC

Rezone Request R23-06 | Community Petition

Jake Wnuk <jakewnuk@gmail.com>

Tue 8/29/2023 1:07 PM

To:Nathan Farber <nfarber@huntersville.org>

 1 attachments (3 MB)

Alton-Midas-Hedrick-Broadway Petition.pdf;

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

The community wanted to reach out with the following peition against the rezoning request R23-06. The community went door to door and asked each community member within less than a mile radius of the rezoning regarding their thoughts and wishes for the project.

We found that the overwhelming majority were directly against this rezoning and did not want to see it pushed forward. These signatures are directly from the real community of the area and directly reflect our wishes, thoughts, and the actions we feel should be taken to presereve our community.

The thirty-two signatures are directly from residents of the surrounding streets of Alton Street, Broadway Street, Midas Springs Road, and Hedrick Circle. All of these families will be directly impacted by this request.

Thank you for your time.

These signatures on this petition are from our neighbors and the Long Creek Community. Please see the attached map from where these signatures came from. These signatures represent our neighbors and the Long Creek Community. They expect the Board of Commissioners and Mayor to follow Huntersville's policies and the guidance of the professional Planning Staff.

Recommendation of the Huntersville Planning Staff for Petition R23-06:

- The rezoning is not consistent with the Huntersville 20/40 Community Plan specifically policies LU6.1, LU6.2, LU6.3.
- The rezoning is not consistent with the Beatties Road corridor small area plan and the Beatties Ford Road/Mt. Holly Huntersville Road small area plan.
- The rezoning is not consistent with the existing development patterns in the vicinity.
- The proposed use is an increase in intensity in an area set aside for low intensity residential development and would set a precedent to develop rural zoned land within a critical area watershed as commercial.

We, the undersigned, demand that the City Council of Huntersville reject the proposed rezoning project for Request R23-06 in the proposition of rezoning 2.5 Rural acres to Highway Commercial.

This project would allow for the construction of a high-density mixed-use development that would negatively affect our neighborhood and environment. The proximity of the proposed rezoning is in direct contact with existing residential structures and will cause a wave of negative impact throughout the surrounding area.

The rezoning project would increase traffic congestion, noise pollution, crime rates, threaten our health, safety, quality of life, and property values. The conditional rezoning will fail to protect the best interest of residences as once the property is turned it will be an unavoidable consequence that the property will always remain a commercial property causing direct distress to the local area.

We believe that there are better ways to use the parcels that would benefit our community and preserve our natural resources. By remaining a residential property, it is ensured by the community to always be a family friendly area and prevent disruption to residences through the commercial usage of the property such as excessive outdoor noise, unruly patrons, and outdoor lighting.

The proposed usage of the property, hours of operation, and business model do not make sense in our area and directly conflicts with several core values of the current residences. We believe that the terms "family friendly" and "liquor bar" by nature conflict with each other and do not represent the surrounding residential environment.

Several members of the community who will likely be affected by this development were unaware until recently informed by their neighbors. We strongly believe the proposal is not within the best interest of the community and have grave concerns about the future of our community if this action is not prevented.

Additionally, the location of the proposition is in a critical watershed with a large amount of wildlife relying on the area. We feel this proposal will directly affect the conservation of the area and have directly negative environmental impacts for all residents.

We urge the City Council to listen to our voices and respect our wishes and agree with city planners who are also in agreement that this is **not** a part of the cities 2040 plan. We ask them to vote **NO** on the rezoning project for Request R23-06.

Please sign our petition and help us save our neighborhood and environment.

Sylvia Ward
I live at the corner of Broadway + Midas Springs Rd

Paul Klein

Alan Richardson

C.R. Whitley

Jane Whitley

Joe Sailer

Mary Brett

Scott Brett

Shelley Hunt

Kevin Hunt

Jeff Jacob

Chris Manner

Andrea Gorman
& David Crowell

Cody Gorman

Zipf Jake Wnuk

Sandy Lusk Brett White

John Bailey

Madison Bailey

James + Jeanine Thomas/pt.

Tom + Melanie Lynette

Li Wi

Kim

Posameal Leo Brett

Linda Thomas

Ken Mullis

Cindy Crowell

Beatties Ford Rd

Rezoning Site
(9339 Beatties Rd)

* Broadway St

* Alton Street

* All petition signatures live on all
4 streets.

Long Creek
Elementary
School

* Midas Springs Rd

* Midas Springs Rd

* Hedrick Circle

**Town of Huntersville
Town Board
September 18, 2023**

To: Town Board

From: David Peete, Principal Planner - Long Range

Date: September 18, 2023

Subject: Petition #23-01, Foundry - Everette Keith Road

EXPLAIN REQUEST:

Consider decision on Petition #R23-01, Foundry - Everette Keith Road, a request by Foundry Commercial, LLC to rezone +/- 59.66-acres generally located east of Everette Keith Road and south of Hambight Road from existing Transitional Residential (TR) to Corporate Business - Conditional District (CB-CD) for approximately 750,000 square feet of light industrial space.

ACTION RECOMMENDED:

Consider Decision

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

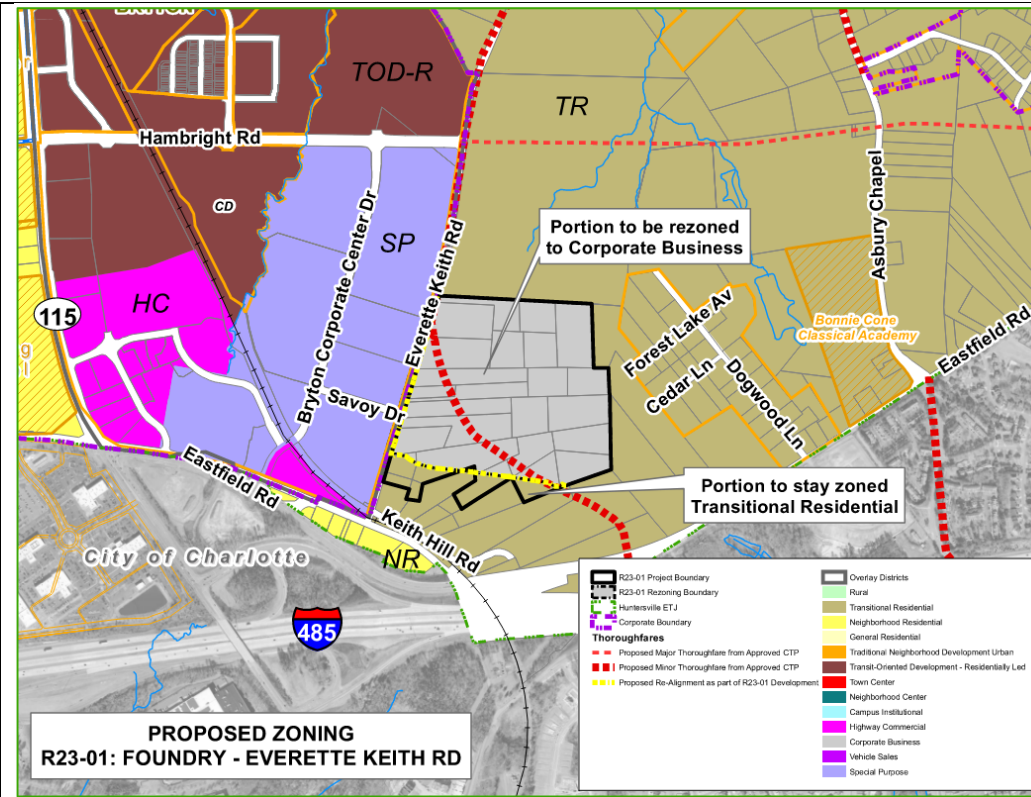
1. R23-01 2nd - Final Action Staff Report 9-18-23
2. Attachment A - General Application
3. Attachment B - Foundry - Everette Keith Road CD Rezoning Plan (3rd Submittal - 08.10.2023)
4. Attachment C - Community Meeting Report (5-24-23)

Petition R23-01

Foundry – Everette Keith Road Conditional District

(Updates in red)

PART 1: PROJECT SUMMARY



Applicant: Foundry Commercial, LLC.

Property Owner: Various (see Attachment A).

Property Address: 11226 Everette Keith Road

Project Size: (+/-) 63.91-acres
(ONLY 59.66 -acres to be rezoned)

Parcel Number(s):

01915102, 01915103, 01915104, 01915107, 01915121, 01915122, 01915123, 01915124, 01915125, 01915126, 01915127, 01915131, 01915132, 01915134, 01915136, 01915137, 01915138, 01915142, 01915143, 01915144, 01915145, 01915146, portion of 01915105, 01915133 & 01915117.

Current Zoning: Transitional Residential (TR).

Current Land Use: Large-lot, Single-Family Homes & vacant.

Proposed Zoning: Corporate Business —Conditional District (CB-CD).

Proposed Land Use:
750,000 sq. ft. (max.) of manufacturing, warehouse & office.

TR – Transitional Residential
SP – Special Purpose
HC – Highway Commercial
NR – Neighborhood Residential
TOD-R – Transit-Oriented Development - Residential

1. Purpose: Of the 64-acres within the project boundary, only 59.66-acres are proposed to be rezoned from Transitional Residential (TR) to Corporate Business - Conditional District (CB-CD), the remaining acreage is to stay Transitional Residential (TR) (see map above). The proposed rezoning is to build 750,000 square feet of light manufacturing, warehouse and office space in 2 – 3 buildings located east of Everette Keith Road and south of Hambright Road. If the proposed rezoning is approved, a Subdivision Sketch Plan will be reviewed by staff for compliance. [NOTE: This petition was submitted in December of 2022 and was on track for an April public hearing, however, CRTPO review was required for the proposed thoroughfare re-alignment, therefore the timeline was extended. The original alignment is shown in red on the above map. The proposed alignment is shown in yellow.]
2. Adjoining Zoning and Land Uses.

North: Transitional Residential (TR) – vacant.

South: Transitional Residential (TR) – large-lot, single-family homes & vacant.

East: Transitional Residential (TR) – electrical substation, large-lot, single-family homes and vacant.

West: Special Purpose (SP) – Light manufacturing (Bryton).

3. One Community Meeting was held on Wednesday, May 24, 2023, at the Huntersville Recreation Center on Verhoeff Drive. A Summary of the meeting is included in Attachment C.
4. Notice for this rezoning petition was given via postcards sent to adjoining property owners; a legal ad placed in the Charlotte Observer; and posting of rezoning signs on the property in two (2) locations.

PART 2: REZONING/SITE PLAN ISSUES

This proposed Foundry – Everette Keith Conditional District Rezoning is generally compliant with the Zoning Ordinance and Subdivision Regulations, with significant elements as follows:

- Principal use to be 750,000 square feet of light manufacturing/warehouse/office space.
- The re-alignment and construction of (a portion) of Everette Keith Road (per TIA and NCDOT requirements).
- The proposed buildings and associated parking will be located behind a 40 - 80 ft. wide landscaped buffer parallel to Everette Keith Road.
- The addition of three (3) Urban Open Spaces (3 plazas) on site. In addition, a nature trail will be provided located between the two buildings.
- ~~The landscape buffer along Everette Keith Road nearest the cul-de-sac is not consistent across the frontage of the property and must be revised (see yellow line below).~~ Item has been satisfied – full buffer to be provided.

The applicant requests the following ~~nine (9)~~ three (3) modifications to Ordinance requirements (see CD Rezoning Plan Sheet RZ 4.0). Per highlights below, six out of the nine modifications are not needed.

- a) “Change from Article 7.5.3., which requires an 80-foot-wide buffer, to allow a 40-foot buffer along the northern and eastern boundaries of the property, as shown on the plan. An alternative buffer yard plan that includes a planted landscaped berm shall be provided for the northern and eastern buffers.”
STAFF COMMENT: The request to reduce the buffer along the eastern boundary can be supported, as the 40 feet, in conjunction with the adjacent property owned by Duke Energy will create a substantial transition area. The request to reduce the buffer along the northern boundary can also be supported with the new provision that where there is not a minimum of 80 ft. a berm with a 6 ft. fence and landscaping will be provided along the northern border. A note has also been added (to Sheet RZ4.0) indicating that if a non-residential use is located to the north, the parking lots / driveways will connect.
- b) “Change from Article 7.5.8., which requires all buffer yards to remain undisturbed with certain exceptions. Grading shall be allowed in the buffer yards as shown on the Rezoning Plan.”
STAFF COMMENT: Staff can support this modification, as the site is generally clear of trees. Particularly along Everette Keith Road, there is not adequate buffer vegetation. This area is best served by installing new vegetation. There are some areas of trees scattered around the site that will be reviewed for opportunities to save during the Preliminary / Construction Plan phase, but the remainder may be re-planted.
- c) ~~“Modification that permits Applicant to decrease or increase the number of buildings to three buildings so long as (i) the building or buildings meet the applicable requirements of the Ordinance, (ii) the amount of impervious coverage and the extent of encroachments into property setbacks and buffers, although not in the specific location shown on the Rezoning Plan, are consistent with the amount of impervious coverage and the encroachment area shown on the Rezoning Plan, and (iii) the square footage does not exceed the footage in the TIA.”~~
STAFF COMMENT: No modification needed. This can be a condition on the rezoning plan.

- d) ~~“Change that allows Planning Staff to approve a multi-building subdivision sketch and site plan in accordance with sub-paragraph c, hereof.”~~
STAFF COMMENT: Staff has authority to approve subdivisions, **this modification is not needed.**
- e) ~~“Everette Keith Road shall be generally realigned as shown on the Rezoning Plan. Minor changes to the realignment and minor block length variations from the Ordinance may be approved administratively pursuant the TIA and Town and NCDOT approval.”~~
STAFF COMMENT: **This modification is not needed.** The Charlotte Regional Transportation Planning Organization (CRTPO) has policies governing revisions to the thoroughfare plan. This rezoning plan proposes to “enter and exit” the impacted properties, as currently shown on the adopted thoroughfare plan. The only change is the route the thoroughfare takes through the new development from entry to exit points. If the Town rezones the development and adopts this alignment as part of the rezoning plan, CRTPO will update their thoroughfare plans accordingly.
- f) ~~“No stub street connections are required along the boundaries of the property, except as shown on the Rezoning Plan, due to incompatible uses of adjacent property.”~~
STAFF COMMENT: **This modification is not needed.** Staff and the applicant are continuing to discuss connectivity options.
- g) ~~“To the extent required, block length waivers are permitted as shown in the block chart and on the Rezoning Plan.”~~
STAFF COMMENT: **Staff can support this modification, as the adjacent street intersections have previously been established.** The measurement used for Everette Keith Road’s block length does not appear to be correct – Staff and the Applicant continue to work on this item.
- h) ~~“The portion of Everette Keith Road beyond the southwest boundary line of the property is not required to be completed as a part of the project.”~~
STAFF COMMENT: **This modification is not needed.** The referenced portion of Everette Keith Road is not within the project or rezoning boundaries and is not needed to provide access.
- i) ~~“Final recorded easements for utility connections over adjacent property may be recorded at any time prior to construction plan approval.”~~
STAFF COMMENT: **This modification is not needed.** Easements may be recorded at any time – subject to easement plat requirements.

PART 3: TRANSPORTATION ISSUES

A TIA for the development was submitted on June 7, 2023, with initial comments to the applicant provided on June 29 and follow up on August 31. The TIA is acceptable as submitted. The below improvements are identified/recommended in the TIA but are not required to meet the thresholds in Article 14 of the Town Zoning Ordinance.

- Eastfield Road at Bryton Corporate Center Drive
 - Construct a second southbound left-turn lane on Bryton Corporate Center Drive with 300 feet of storage. The southbound, Bryton Corporate Center Drive approach would then have a dedicated right-turn lane and dual left-turn lanes with 300 feet of storage.
 - Construct an eastbound left-turn lane extension on Eastfield Road where storage would be extended to 575 feet.
- Everette Keith Road at Site Access 1, 2, 3, and 4
 - Site Accesses 1, 2, 3, and 4 to each have an internal protected stem of 100 feet.

A TIA for the development was submitted on June 7, 2023, with comments to the applicant provided on June 29, 2023. The TIA is acceptable as submitted. The following improvements are recommended in the TIA as the responsibility of the developer (also see diagram below):

- ~~Eastfield Road at Bryton Corporate Center Drive~~
 - ~~—Construct a second southbound left turn lane on Bryton Corporate Center Drive with 300 feet of storage. The southbound, Bryton Corporate Center Drive approach would then have a dedicated right turn lane and dual left turn lanes with 300 feet of storage.~~
 - ~~—Construct an eastbound left turn lane extension on Eastfield Road where storage would be extended to 575 feet.~~
- ~~Everette Keith Road at Site Access 1, 2, 3, and 4~~
 - ~~—Site Accesses 1, 2, 3, and 4 to each have an internal protected stem of 100 feet.~~

The TIA assumes that the following road improvements will be constructed by other private development when this development is constructed. The timing of those improvements is not guaranteed, as they are not publicly funded projects. It is recommended that these improvements then become the responsibility of this development if they are not completed before construction of this development.

~~The following assumed improvements are not listed on the Rezoning / Sketch Plan. The TIA assumes that the following road improvements will be constructed by other private development when this development is constructed. The timing of those improvements is not guaranteed (as they are not publicly funded projects) and then may become the responsibility of this development if they are not completed before construction of this development.~~

~~These need to be added back:~~

~~The assumed improvements include:~~

~~Statesville Road (US21) at Hambright Road~~

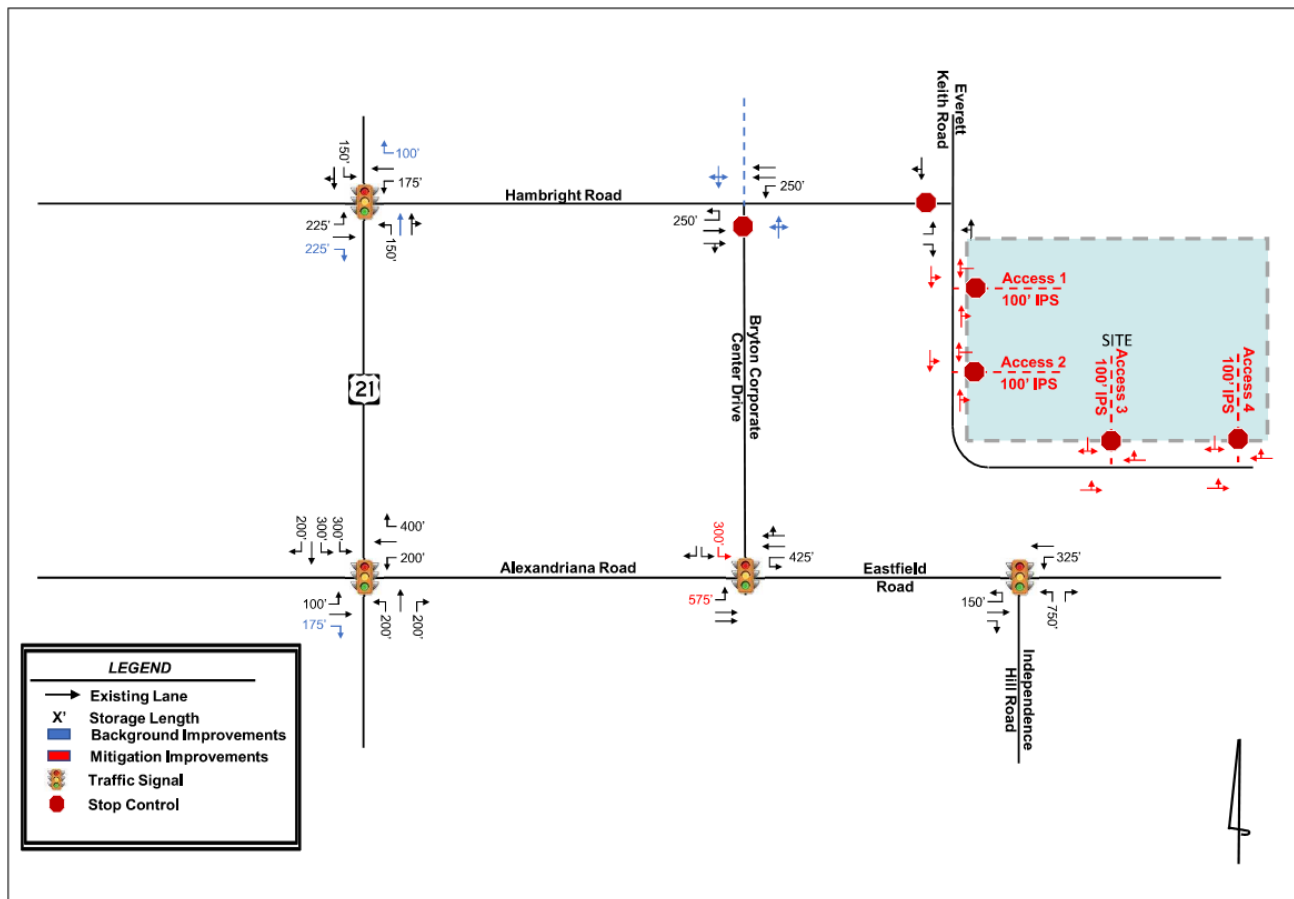
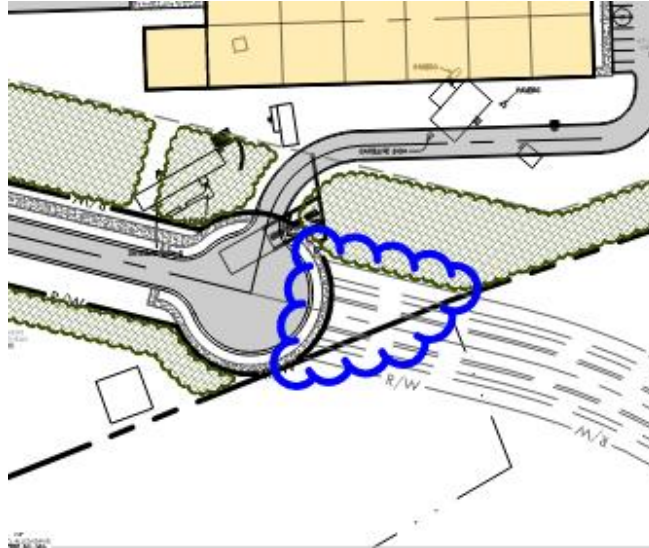
~~—Construct a second northbound through lane on Statesville Road with adequate receiving lane.~~

~~—Construct a westbound right turn lane on Hambright Road with 100 feet of storage.~~

~~—Construct an eastbound right turn lane on Hambright Road with 225 feet of storage.~~

Additional transportation comments:

- Roundabout to be designed to accommodate WB-67 design vehicle.
- 100 ft. internal protected stem lengths not provided at 2 of the 3 site driveways (site layout will need to be altered to provide required stem length).
- Future alignment shown on Sheet RZ3.1 does not properly align with existing intersection and Independence Hill Rd. This future alignment must be shown with appropriate radius and alignment per NCDOT design standards to ensure the connection to the proposed Everette Keith Rd realignment (to be built by developer) is feasible.
- Extend the ROW of Everette Keith Road past the cul-de-sac, to the edge of property (see below).



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”.

The 2040 Huntersville Community Plan **could support** this project through the following sections:

- **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.
- LU 5.2: Continue to require a Traffic Impact Analysis for developments that exceed a traffic generation threshold to promote development concurrent with transportation improvements town wide.

STAFF COMMENT: A traffic impact analysis (TIA) was required, and it is summarized in Part 3 of this report. This development is located in close proximity to both Interstate 77 and Interstate 485. Those major corridors, as well as the other major thoroughfares nearby provide varied access to the site. It should be noted that Everette Keith Road will not connect to Eastfield Road, which would provide greater access and distribution of trips to and from the site.

- **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 defined Employment Centers some flexibility in the form-based design principles is allowed, including:
 - Expanded options for frontages including buildings fronting the street or buffered from major or minor thoroughfares.
 - Exceptions to building frontage requirements and public street requirements may be allowable for internal streets in an industrial park or near interstates.

STAFF COMMENT: If the Town Board determines to extend the employment center, the proposed site plan will meet all building frontage requirements.

- **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 for employees.

STAFF COMMENT: This site, located to the east of Bryton, is located adjacent to a mix of uses (light manufacturing, retail, restaurants and various residential) and provides walkable access to these uses. The transportation network was previously mentioned and there are recreational amenities nearby, as well. It should be noted that the Town currently has a commercial and industrial tax base that makes up approximately 22% of total property taxes. The 2040 Community Plan indicates that “the Town is actively recruiting businesses to broaden and diversify the tax base” (2040 Community Plan, page 71).

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

- T 3.1: Continue to enhance street connectivity by requiring connections among different uses.
 - Continue to require street connectivity among residential, commercial, employment, recreational and institutional uses.
 - Street connectivity should be emphasized during the review of all development proposals for consistency with the proposed street map and the Zoning Ordinance.
 - Context-sensitive street design should be applied

STAFF COMMENT: The extension of Everette Keith Road will provide enhanced transportation access and provide a multi-modal, 10 ft. side path to provide bicycle and pedestrian access, as well. The project does not provide public street stubs to the north and east. There is a proposed public access easement to connect Forest

Lake Avenue to the new section of Everett Keith Road, however, access easements have not been used for this type of connectivity before. This is not recommended. Staff and the Applicant continue to discuss this item.

- **Policy T-5: Facilitate multimodal transportation.**

- T 5.1: Design street improvements with considerations for the surrounding context and various users.

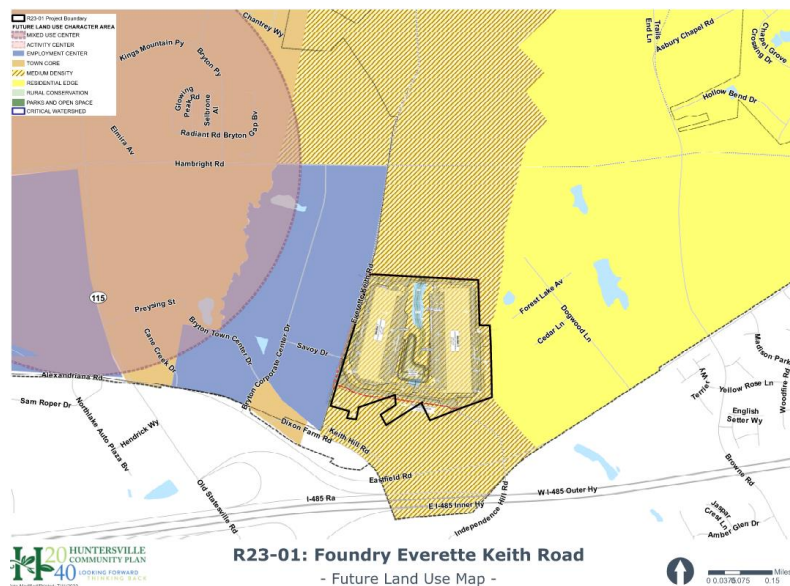
STAFF COMMENT: No new streets within the development are proposed except for the extension of Everett Keith Road – which will have a 10 ft. wide side path on the east side to provide pedestrian and bicycle accommodation.

The 2040 Huntersville Community Plan **does not support** this project through the following sections:

- **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: The Town of Huntersville 2040 Community Plan (see Future Land Use Map, below) calls for this area to be “moderate density”, which is meant to accommodate a mix of conventional residential subdivisions with larger lots and traditional neighborhood development with a mix of lots sizes...”. Therefore, this request is not consistent with the 2040 Community Plan. However, across Everett Keith Road to the west is an Employment Center area (zoned Special Purpose (SP)) that is part of the Bryton Mixed-Use Center. If the Town viewed expansion of the Employment Center as appropriate in this location (i.e. to the Duke Energy properties, as a limiter), the Corporate Business zone could be consistent. It should be noted that while the overall square footage will more than likely be utilized by numerous users, the mix of uses will be limited to light industrial, warehouse and office, which is not the mix encouraged by the 2040 Community Plan. This area was also addressed in the Eastfield Road Small Area Plan (SAP), which is discussed later in this section.



Employment Center

Employment centers contain a mix of uses including office, industrial, and institutional. Modern employment campuses and cutting-edge employers are now incorporating some retail and residential to create a live, work, and play environment. These areas offer workspace where innovation can grow while meeting employee lifestyle needs.



Moderate Density

This area is meant to accommodate a mix of conventional residential subdivisions with larger lots and traditional neighborhood development with a mix of lot sizes, including smaller unit types and occasional attached housing. Average gross density is generally 1-3 units per acre. It may have some smaller-scale commercial or nonresidential activity at key intersections. Exact density of future development should vary based on context and site constraints including potential conflicts with adjacent development, access, and the presence of natural and/or cultural resources.

- **Policy LU-11: Protect Existing Housing Stock.**

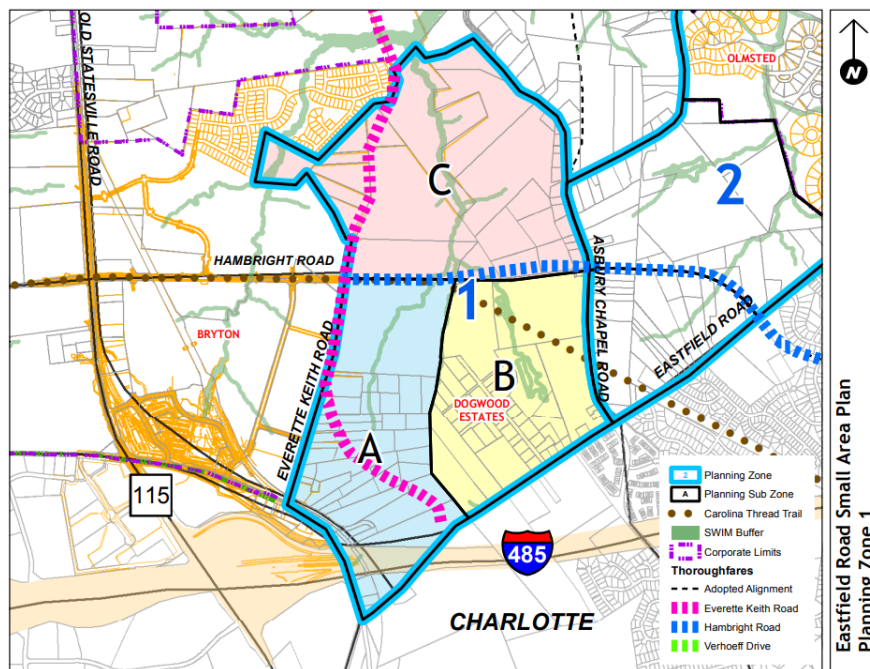
- LU 11.2: Along existing streets, encourage new buildings to respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.

STAFF COMMENT: The proposed buildings are out of scale with the homes south of Everett Keith Road. The project does propose establishing a visual buffer along the north side of Everett Keith Road. Approval of this rezoning may encourage changes in land use south of Everett Keith Road.

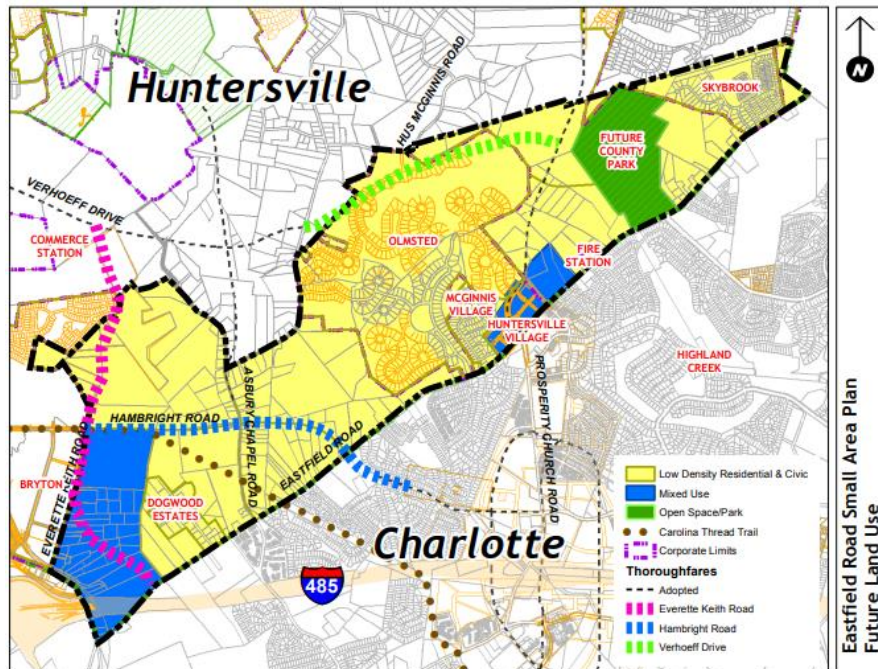
The Eastfield Road Small Area Plan (SAP) (adopted 2014) addresses this request as follows:

The proposed Foundry – Everett Keith Road development is located in “Planning Zone 1 - A” of the plan (shown in light blue, below) which states that east of Everett Keith Road and south of the proposed Hambright Road alignment, office, light industry and multi-family, with limited commercial/retail to support the primary office and light industrial uses, are recommended”.

STAFF COMMENT: The Small Area Plan supports a mix of uses on this property, with the most intense uses located along the thoroughfare. The Small Area Plan indicates the need to provide “appropriate transitions between the existing Dogwood Estates neighborhood and more intensive proposed office/industrial uses to the west”.



The Eastfield Road Small Area Plan Future Land Use Map (shown below) indicates the area of the Foundry – Everett Keith Road development is designated as “mixed-use” (see dark blue area).



Recommendations of the Eastfield Road Small Area Plan for Everett Keith Road:

- Everett Keith Road is an existing state maintained two-lane road which is proposed to be realigned and extended from Eastfield Road (at intersection with Independence Hill Road) to Verhoeff Drive (see dotted-pink line on above map). While the CTP designates Everett Keith Road as a minor thoroughfare, public funding of improvements to this road (i.e. extension and realignment) are not currently programmed and therefore, improvements are only likely to be made as a result of private funding in conjunction with future development. The proposed new alignment for Everett Keith Road is intended to provide an additional north/south access route east of NC 115. However, the ultimate location of this road may be modified to accommodate and maximize development potential in the area that it will serve.

STAFF COMMENT: The proposed re-alignment of Everett Keith Road is permitted within the Small Area Plan. It is further suggested that the linkage between existing Everett Keith Road and Eastfield Road will need to be provided by private investment. The transportation improvement package is being discussed by the applicant and Town Staff.

- Protect right-of-way for approved thoroughfare alignment, through the subdivision/rezoning process.
- For future subdivision development adjoining proposed thoroughfare alignment, require reservation/dedication/construction of thoroughfare as required to serve proposed development (page 37).

STAFF COMMENT: All required right-of-way for the expanded Everett Keith Road thoroughfare will be provided.

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 Foundry – Everette Keith Road - Conditional District Rezoning could be supported by the 2040 Community Plan if it is determined that the expansion of “Employment Center” development east of Everette Keith Road is an appropriate use. Support is clearer with the Eastfield Road Small Area Plan, as the proposed use is identified as a possible future use (see page 8 of this report). While the mass and scale of the buildings do not represent preferred transitions from an Employment Center to the adjoining “moderate density/residential edge” land uses that are called for, Staff can recommend approval of the plan if appropriate buffers are provided to the north and east, and the mass of Building 2 is broken-up by utilizing the “three building option”. Appropriate transitions are key to approval of development at this level of intensity. The Small Area Plan recommends to “maintain the approved development pattern within” the project. Therefore, the key question is whether the expansion of the Mixed-Use Center boundaries, to this degree, is supported by the Huntersville 2040 Community Plan and the Eastfield Road Small Area Plan.

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 for this rezoning – see Part 3 of this report.
- A Willingness-to-serve letter from Charlotte Water was issued by Charlotte Water on 12-6-21, however, this letter is not current and must be updated.
- A Conceptual Storm Water Drainage Plan (PCO-1) is under review and must be approved by staff.
- The CD Rezoning Plan was not sent to Charlotte-Mecklenburg School (CMS) for consideration, as no residential units are proposed within this development.

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

STAFF COMMENT:

Planning staff has no indication that the request will adversely affect known archeological, environmental, historical or cultural resources.

PART 5: STAFF RECOMMENDATION

The Foundry – Everette Keith Road Conditional District Rezoning Plan from TR to CB-CD could be supported by staff for the reasons outlined in Part 5 of this report, and with the following conditions:

- Staff CAN SUPPORT ~~a portion of~~ modification “a” – (reduce buffers), as written in 3rd submittal of Rezoning / Sketch Plan. ~~Reduction of buffer along east side is ok. The buffer along the north should not be reduced nor should the 80’ buffer along the extension of Everette Keith Road.~~
- Staff CAN SUPPORT modification “b” as requested (allow disturbed buffers).
- Modification “c” is not needed. ~~as requested (number of buildings). As long as the rezoning plan and TIA-supported square footage is not exceeded and all other Ordinance requirements are met, there is no issue with this request.~~
- Modification “d” is not needed.
- Modification “e” is not needed.
- Modification “f” is not needed. ~~(street stubs) is still being discussed by Town Staff and the Applicant.~~
- Staff CAN SUPPORT Modification “g” (block length) as presented. ~~is still being discussed by Town Staff and the Applicant.~~
- Modification “h” is not needed.
- Modification “i” is not needed.
- ~~Clarification required for how remnant parcels are being handled south of the proposed thoroughfare (outside of the proposed rezoning).~~ Item has been satisfied.

- ~~The 80-ft. buffer along Everett Keith Road near the cul-de-sac is not complete and must be extended the full frontage of the development. Item has been satisfied.~~
- Extend the ROW of Everett Keith Road past the cul-de-sac, to the edge of property (see Part 3).
- All required improvements from the NCDOT TIA should be provided. However, no improvements are required, per Art. 14.
- ~~Clarify if the nature trail shown in the stream buffer will be constructed to accommodate the stream or be relocated outside the buffer. Item has been satisfied.~~
- ~~Provide 10 ft side paths along Everett Keith Road along their frontage. Item has been satisfied.~~
- ~~Notes on Sheet RZ4.0 to be discussed with Staff. Item has been satisfied.~~
- ~~Tree save and tree mitigation to be discussed with Staff. Item has been satisfied.~~
- Provide a current Willingness to Serve letter from Charlotte Water;
- All outstanding redline comments must be addressed.
- ~~RECOMMEND – urban open spaces (plazas) should be better distributed throughout the development. Item has been satisfied.~~
- RECOMMEND – the extension (full construction) of Everett Keith Road to connect with Eastfield Road.
- RECOMMEND – the entire project to be annexed into Town limits.

RECOMMENDATION RECAP:

1. Staff CAN SUPPORT modification “a” – (reduce buffers), as written in 3rd submittal of Rezoning / Sketch Plan.
2. Staff CAN SUPPORT modification “b” as requested (allow disturbed buffers).
3. Staff CAN SUPPORT modification “g” (block length) as presented.
4. Extend the ROW of Everett Keith Road past the cul-de-sac, to the edge of property (see Part 3).
5. All required improvements from the NCDOT TIA should be provided. However, no improvements are required, per Art. 14.
6. Provide a current Willingness to Serve letter from Charlotte Water;
7. All outstanding redline comments must be addressed.
8. RECOMMEND – the extension (full construction) of Everett Keith Road to connect with Eastfield Road.
9. RECOMMEND – the entire project to be annexed into Town limits.

PART 6: PUBLIC HEARING COMMENTS

Public Hearing scheduled for Monday, July 17, 2023.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board, on July 25, 2023, voted to recommend approval by unanimous (5-0) vote with the following conditions: (The Planning Board) finds the request inconsistent with the Huntersville 2040 Community Plan Policy LU-1, and would encourage a development pattern that follows the future land use map, as stated in Part 4 of the Staff Report. Therefore, the Planning Board recommends the Huntersville 2040 Community Land Use Map be amended as follows, the property proposed for conditional rezoning be included as an extension of the Employment Center located along its western border. This amendment is supported by the Eastfield Road Small Area Plan and that the proposed Foundry - Everett Keith Road development is in “Planning Zone 1A” of the plan. The small area plan states this area of Everett Keith Road and south of the proposed Hambright Road alignment to be developed as office, light industry, and multi-family with limited commercial/retail to support the primary office and light industrial uses are recommended. If the Town Board amends the 2040 Community Plan, then the Planning Board recommends approval of the rezoning because it is consistent with the following Policies of the 2040 Community Plan, LU-5, LU-7, EV-1, T-3, T-5. The rezoning is also supported by the Eastfield Road Small Area Plan, specifically the recommended future land uses for Planning Zone 1. Recommendation for approval is based on all the conditions for approval outlined in the Staff Report being addressed to the satisfaction of staff, except for two items; 1) the applicant work with staff to enhance the northern buffer berm to (that which) is acceptable with staff, and 2) not to include the requirement of the extension of Everett Keith Road. With those conditions, it is reasonable and in the public interest to extend the Employment Center designation and rezone the 59.66 acres from Transitional Residential to Corporate Business – Conditional District because it would then be consistent

with the 2040 Community Plan. It is essential to the Town of Huntersville to have a balanced and diverse tax base that also includes development projects that provide for employment opportunities that provide for employment opportunities for citizens within or close to the Town limits. The request is also consistent with the Eastfield Road Small Area Plan and the applicable provisions of the zoning ordinance. G. Baber seconded the motion.

PART 8: SCHEDULED FINAL TOWN BOARD ACTION
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Final Action scheduled for August 21, 2023.

PART 9: ATTACHMENTS/ENCLOSURES

Attachments

- A – General Application (Rezoning).
- B – Foundry – Everette Keith Road CD Rezoning Plan (3rd submittal).
- C - Community Meeting Report from May 24, 2023.

PART 10: CONSISTENCY STATEMENT - R 23-01 Foundry – Everette Keith Road Conditional District Rezoning.

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed rezoning application R23-01; Foundry – Everette Keith Road Conditional District Rezoning, if Town Board extends the Employment Center designation to this property, Town Staff COULD RECOMMEND APPROVAL of the rezoning as it is consistent with Implementation Goals LU-5, LU-7, EV-1, T-3 & T-5 of the 2040 Community Plan, as well as the Recommended future land uses for Planning Zone 1 of the Eastfield Road SAP. Recommendation of approval is also based on <u>all conditions outlined in Part 5 being addressed, as indicated.</u> <u>With those conditions, it is reasonable and in the public interest to extend the Employment Center designation and rezone these 59.66-acres from Transitional Residential (TR) to Corporate Business – Conditional District (CB-CD) BECAUSE it would then be consistent with the 2040 Community Plan. The request is already consistent with the Eastfield Road SAP (as outlined above) and the applicable provisions of the Zoning Ordinance can be adequately addressed, with staff’s recommendations in Part 5 of this report.</u>	APPROVAL: <u>The Planning Board, on July 25, 2023, voted to recommend approval by unanimous (5-0) vote with the following conditions:</u> (The Planning Board) finds the request inconsistent with the Huntersville 2040 Community Plan Policy LU-1, and would encourage a development pattern that follows the future land use map, as stated in Part 4 of the Staff Report. Therefore, the Planning Board recommends the Huntersville 2040 Community Land Use Map be amended as follows, the property proposed for conditional rezoning be included as an extension of the Employment Center located along its western border. This amendment is supported by the Eastfield Road Small Area Plan and that the proposed Foundry - Everette Keith Road development is in “Planning Zone 1A” of the plan. The small area plan states this area of Everette Keith Road and south of the proposed Hambright Road alignment to be developed as office, light industry, and multi-family with limited commercial/retail to support the primary office and light industrial uses are recommended. If the Town Board amends the 2040 Community Plan, then the Planning Board recommends approval of the rezoning because it is consistent with the following Policies of the 2040 Community Plan, LU-5, LU-7, EV-1, T-3, T-5. The rezoning is also supported by the Eastfield Road Small Area Plan, specifically the recommended future land uses for Planning Zone 1. Recommendation for approval is based on all the conditions for approval outlined in the Staff Report being addressed to the satisfaction of staff, except for two items; 1) the applicant work with staff to enhance the northern buffer berm to (that which) is acceptable with staff, and 2) not to include the requirement of the extension of Everette Keith Road. With those conditions, it is reasonable and in the public interest to extend the Employment Center designation and rezone the 59.66 acres from Transitional Residential to Corporate Business – Conditional District because it would then be consistent with the 2040 Community Plan. It is essential to the Town of Huntersville to have a balanced and diverse tax base that also includes development projects that provide for employment opportunities that provide for employment opportunities for citizens within or close to the Town limits. The request is also consistent with the Eastfield Road Small Area Plan and the applicable provisions of the zoning ordinance. G. Baber seconded the motion.	APPROVAL: In considering the proposed rezoning application R23-01; Foundry – Everette Keith Road CD Rezoning, the Town Board recommends approval based on the Plan being consistent with <u>(insert applicable plan reference).</u> <u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u> DENIAL: In considering the proposed rezoning application R23-01; Foundry – Everette Keith Road CD Rezoning, the Town Board recommends denial based on the Plan being <u>(consistent OR inconsistent) with (insert applicable plan reference).</u> <u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>



General Application

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

1. Application Type

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

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

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

2. Project Data

Date of Application 12/27/22

Name of Project Eastfield Industrial Phase # (if subdivision) _____

Project Address Everette Keith Road, Huntersville

Parcel Identification Number(s) (PIN) See Attached

Current Zoning District TR Proposed District (for rezoning only) CB (CD)

Property Size (acres) 59.66 acres Street Frontage (feet) see Rezoning Plan

Current Land Use Residential

Proposed Land Use(s) Corporate Business, including those uses shown on the Rezoning Plan

Is the project within Huntersville's corporate limits?

Yes _____ 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.

Applicant proposes to develop an industrial project in accordance with the attached Rezoning Plan.

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>.

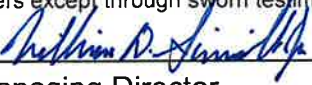
5. Outside Agency Information

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 Foundry Commercial, LLC Phone 704-523-0272
☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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

Signature  Printed Name: Bill Simerville
Title Managing Director Email bill.simerville@foundrycommercial.com

Address of Applicant 2151 Hawkins St. Suite 1000, Charlotte, NC 28203

7. Property Owner (if different than applicant)

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

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

Signature _____ Printed Name _____
Title _____ Email _____

Address of Property Owner _____

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

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

8. Development/Design Firm Contact Information

Development Firm	Name of Contact	Phone	Email
<u>Oak Engineering</u>	<u>Greg Welsh</u>	<u>704-989-4046</u>	<u>gregatoak@gmail.com</u>
Design Firm	Name of Contact	Phone	Email

Contact Information

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

EASTFIELD INDUSTRIAL JOINDER AND CONSENT LIST

- Nelson Britt Jenkins: 019-151-45
- Laura S. Keistler: 019-151-24
- Richard S. Keith & Angela T. Keith: 019-151-03
- Gypsy F. Keith: 019-151-33 (Portion of. See preliminary plat attached)
- Timothy Neal Keith & Diane J. Keith: 019-151-25
- Edmond Barnette Keith: 019-151-27 & 019-151-42
- Ronald Everette Keith, Jr.: 019-151-36 & 019-151-34 (Portion of. See preliminary plat attached)
- NTC Holdings LLC: 019-151-26
- Barry Gene Shaw & Dana Archer Shaw: 019-151-02
- Nelson H. Jenkins & Patricia Keith-Jenkins: 019-151-37, 019-151-43 & 019-151-21
- Kevin Max Jenkins & Michelle B. Jenkins: 019-151-38
- Furman B. Keith: 019-151-32
- Earl Bryan Jenkins and Sandra Dee Jenkins: 019-151-07
- Cornelison Trust (dated 1/24/2003): 019-151-04
- Joshua Scott Shoun & Bethany Anne Shoun: 019-151-46
- Alan Mark Matthews and Lena M. Matthews: 019-151-31
- Robert Cordell Perry & Jody Perry: 019-151-23
- James Michael Smith & Sandi Hager Smith: 019-151-44
- Furman B. Keith & Barbara A. Keith: 019-151-22
- Earl Max Jenkins: 019-151-17 (Portion of. See preliminary plat attached)

JOINDER OF AND CONSENT TO APPLICATION

This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this 12 day of March, 2022, by Shirley P. Cornelison, as Trustee of the CORNELISON TRUST DATED JANUARY 24, 2003 ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Everett Keith Road Industrial Development filed, or to be filed, by Foundry Commercial Acquisitions, LLC ("Applicant") in connection with the property identified as Parcel Number 019-151-04 in the Town of Huntersville, Mecklenburg County, North Carolina.

WHEREAS, the undersigned, as an Owner, desire to join in and consent to the rezoning and provisions of the Application and to ratify the execution thereof by Applicant.

NOW, THEREFORE, for and in consideration of good and valuable consideration as set forth herein, the undersigned agree as follows:

1. **Joinder.** The Owner does, on behalf of themselves and their successors and assigns, hereby join in and consent to the Application.
2. **Ratification.** The Owner does hereby further, on behalf of themselves, their heirs, successors and assigns, ratify and confirm all prior actions of Applicant in connection with the Application.
3. **Modification.** Owner does hereby further agree, on behalf of itself, and its successors and assigns, to any modifications to the Application, as determined by the Applicant, during the review and approval process through the Town of Huntersville.
4. **Governing Law.** This Joinder is entered into under the laws of the State of North Carolina, and those laws shall govern the construction and enforcement hereof.
5. **Authority.** The person or persons executing this Joinder on behalf of the Owner are duly authorized to execute this Joinder, and no consent of any other person to execution of this Joinder is required.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

OWNER:



Printed Name: Shirley P. Cornelison, Trustee
Address: 2564 Trotters Trail, Cocoa, FL 32926

Date: 11-30-22

JOINDER OF AND CONSENT TO APPLICATION

This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this 21 day of Nov., 2022, by Earl Max Jenkins ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Everette Keith Road Industrial Development filed, or to be filed, by Foundry Commercial Acquisitions, LLC ("Applicant") in connection with the property identified as Parcel Number 019-151-17 in the Town of Huntersville, Mecklenburg County, North Carolina.

WHEREAS, the undersigned, as an Owner, desire to join in and consent to the rezoning and provisions of the Application and to ratify the execution thereof by Applicant.

NOW, THEREFORE, for and in consideration of good and valuable consideration as set forth herein, the undersigned agree as follows:

- **Joinder.** The Owner does, on behalf of themselves and their successors and assigns hereby join in and consent to the Application.
- **Ratification.** The Owner does hereby further, on behalf of themselves, their heirs, successors and assigns, ratify and confirm all prior actions of Applicant in connection with the Application.
- **Modification.** The Owner does hereby further agree, on behalf of itself, and its successors and assigns, to any modifications to the Application, as determined by the Applicant, during the review and approval process through the Town of Huntersville.
- **Governing Law.** This Joinder is entered into under the laws of the State of North Carolina, and those laws shall govern the construction and enforcement hereof.
- **Authority.** The person or persons executing this Joinder on behalf of the Owner are duly authorized to execute this Joinder, and no consent of any other person to execution of this Joinder is required.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

OWNER:



Printed Name: Earl Max Jenkins

Address: 12825 Keith Hill Road, Huntersville, NC 28078

Date: 11-21-2022

JOINDER OF AND CONSENT TO APPLICATION

This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this 12th day of July, 2022, by JOSHUA SCOTT SHOUN and BETHANY ANNE SHOUN, husband and wife ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Everette Keith Road Industrial Development filed, or to be filed, by Foundry Commercial Acquisitions, LLC ("Applicant") in connection with the property identified as Parcel Number 019-151-46 in the Town of Huntersville, Mecklenburg County, North Carolina.

WHEREAS, the undersigned, as an Owner, desire to join in and consent to the rezoning and provisions of the Application and to ratify the execution thereof by Applicant.

NOW, THEREFORE, for and in consideration of good and valuable consideration as set forth herein, the undersigned agree as follows:

1. **Joinder.** The Owner does, on behalf of themselves and their successors and assigns, hereby join in and consent to the Application.
2. **Ratification.** The Owner does hereby further, on behalf of themselves, their heirs, successors and assigns, ratify and confirm all prior actions of Applicant in connection with the Application.
3. **Modification.** Owner does hereby further agree, on behalf of itself, and its successors and assigns, to any modifications to the Application, as determined by the Applicant, during the review and approval process through the Town of Huntersville.
4. **Governing Law.** This Joinder is entered into under the laws of the State of North Carolina, and those laws shall govern the construction and enforcement hereof.
5. **Authority.** The person or persons executing this Joinder on behalf of the Owner are duly authorized to execute this Joinder, and no consent of any other person to execution of this Joinder is required.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

OWNER:

Joshua Scott Shoun

Printed Name: JOSHUA SCOTT SHOUN

Address: 11124 Everette Keith Road, Huntersville, NC 28078

Date: 7/12/2022

Bethany A Shoun

Printed Name: BETHANY ANNE SHOUN

Address: 11124 Everette Keith Road, Huntersville, NC 28078

Date: 7/12/2022

JOINDER OF AND CONSENT TO APPLICATION

23rd This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this day of September, 2022, by ALAN MARK MATTHEWS and LENA M. MATTHEWS, husband and wife ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Everette Keith Road Industrial Development filed, or to be filed, by Foundry Commercial Acquisitions, LLC ("Applicant") in connection with the property identified as Parcel Number 019-151-31 in the Town of Huntersville, Mecklenburg County, North Carolina.

WHEREAS, the undersigned, as an Owner, desire to join in and consent to the rezoning and provisions of the Application and to ratify the execution thereof by Applicant.

NOW, THEREFORE, for and in consideration of good and valuable consideration as set forth herein, the undersigned agree as follows:

1. **Joinder.** The Owner does, on behalf of themselves and their successors and assigns, hereby join in and consent to the Application.
2. **Ratification.** The Owner does hereby further, on behalf of themselves, their heirs, successors and assigns, ratify and confirm all prior actions of Applicant in connection with the Application.
3. **Modification.** Owner does hereby further agree, on behalf of itself, and its successors and assigns, to any modifications to the Application, as determined by the Applicant, during the review and approval process through the Town of Huntersville.
4. **Governing Law.** This Joinder is entered into under the laws of the State of North Carolina, and those laws shall govern the construction and enforcement hereof.
5. **Authority.** The person or persons executing this Joinder on behalf of the Owner are duly authorized to execute this Joinder, and no consent of any other person to execution of this Joinder is required.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

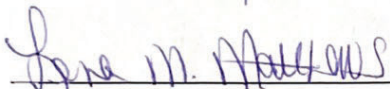
OWNER:



Printed Name: ALAN MARK MATTHEWS

Address: 12921 Keith Hill Road, Huntersville, NC 28078

Date: 9/23/22



Printed Name: LENA M. MATTHEWS

Address: 12921 Keith Hill Road, Huntersville, NC 28078

Date: 9/23/22

JOINDER OF AND CONSENT TO APPLICATION

23rd This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this day of September 2022, by GYPSY F. KEITH, an unmarried widow ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Everette Keith Road Industrial Development filed, or to be filed, by Foundry Commercial Acquisitions, LLC ("Applicant") in connection with the property identified as Parcel Number 019-151-33 in the Town of Huntersville, Mecklenburg County, North Carolina.

WHEREAS, the undersigned, as an Owner, desire to join in and consent to the rezoning and provisions of the Application and to ratify the execution thereof by Applicant.

NOW, THEREFORE, for and in consideration of good and valuable consideration as set forth herein, the undersigned agree as follows:

1. **Joinder.** The Owner does, on behalf of themselves and their successors and assigns, hereby join in and consent to the Application.
2. **Ratification.** The Owner does hereby further, on behalf of themselves, their heirs, successors and assigns, ratify and confirm all prior actions of Applicant in connection with the Application.
3. **Modification.** The Owner does hereby further agree, on behalf of itself, and its successors and assigns, to any modifications to the Application, as determined by the Applicant, during the review and approval process through the Town of Huntersville.
4. **Governing Law.** This Joinder is entered into under the laws of the State of North Carolina, and those laws shall govern the construction and enforcement hereof.
5. **Authority.** The person or persons executing this Joinder on behalf of the Owner are duly authorized to execute this Joinder, and no consent of any other person to execution of this Joinder is required.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

OWNER:

Gypsy Keith

Printed Name: GYPSY F. KEITH

Address: 10926 Everett Keith Road, Huntersville, NC 28078

Date: 9/23/2022

JOINDER OF AND CONSENT TO APPLICATION

20th This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this day of July, 2022, by KEVIN MAX JENKINS and MICHELLE B. JENKINS, husband and wife ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Everette Keith Road Industrial Development filed, or to be filed, by Foundry Commercial Acquisitions, LLC ("Applicant") in connection with the property identified as Parcel Number 019-151-38 in the Town of Huntersville, Mecklenburg County, North Carolina.

WHEREAS, the undersigned, as an Owner, desire to join in and consent to the rezoning and provisions of the Application and to ratify the execution thereof by Applicant.

NOW, THEREFORE, for and in consideration of good and valuable consideration as set forth herein, the undersigned agree as follows:

1. Joinder. The Owner does, on behalf of themselves and their successors and assigns, hereby join in and consent to the Application.
2. Ratification. The Owner does hereby further, on behalf of themselves, their heirs, successors and assigns, ratify and confirm all prior actions of Applicant in connection with the Application.
3. Modification. Owner does hereby further agree, on behalf of itself, and its successors and assigns, to any modifications to the Application, as determined by the Applicant, during the review and approval process through the Town of Huntersville.
4. Governing Law. This Joinder is entered into under the laws of the State of North Carolina, and those laws shall govern the construction and enforcement hereof.
5. Authority. The person or persons executing this Joinder on behalf of the Owner are duly authorized to execute this Joinder, and no consent of any other person to execution of this Joinder is required.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

OWNER:

Kevin Max Jenkins
KEVIN MAX JENKINS
Address: 12933 Keith Hill Road, Huntersville, North Carolina 28078
Date: 7/20/2022

Michelle B. Jenkins
MICHELLE B. JENKINS
Address: 12933 Keith Hill Road, Huntersville, North Carolina 28078
Date: 7/20/2022

JOINDER OF AND CONSENT TO APPLICATION

20th This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this day of *July*, 2022, by EARL BRYAN JENKINS and SANDRA DEE JENKINS, husband and wife ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Everett Keith Road Industrial Development filed, or to be filed, by Foundry Commercial Acquisitions, LLC ("Applicant") in connection with the property identified as Parcel Number 014-151-07 in the Town of Huntersville, Mecklenburg County, North Carolina.

WHEREAS, the undersigned, as an Owner, desire to join in and consent to the rezoning and provisions of the Application and to ratify the execution thereof by Applicant.

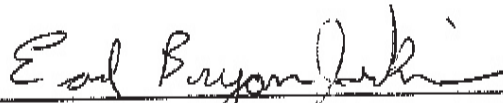
NOW, THEREFORE, for and in consideration of good and valuable consideration as set forth herein, the undersigned agree as follows:

1. **Joinder.** The Owner does, on behalf of themselves and their successors and assigns, hereby join in and consent to the Application.
2. **Ratification.** The Owner does hereby further, on behalf of themselves, their heirs, successors and assigns, ratify and confirm all prior actions of Applicant in connection with the Application.
3. **Modification.** Owner does hereby further agree, on behalf of itself, and its successors and assigns, to any modifications to the Application, as determined by the Applicant, during the review and approval process through the Town of Huntersville.
4. **Governing Law** This Joinder is entered into under the laws of the State of North Carolina, and those laws shall govern the construction and enforcement hereof.
5. **Authority.** The person or persons executing this Joinder on behalf of the Owner are duly authorized to execute this Joinder, and no consent of any other person to execution of this Joinder is required.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

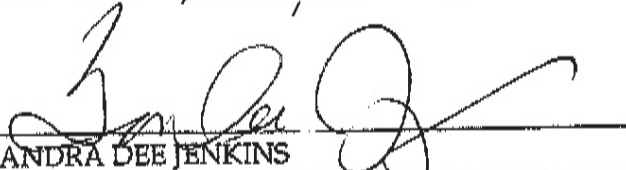
OWNER:



EARL BRYAN JENKINS

Address: 12929 Keith Hill Road, Huntersville, North Carolina 28078

Date: 7/20/22



SANDRA DEE JENKINS

Address: 12929 Keith Hill Road, Huntersville, North Carolina 28078

Date: 7/20/22

JOINDER OF AND CONSENT TO APPLICATION

This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this 24 day of Sept, 2022, by FURMAN B. KEITH ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Everette Keith Road Industrial Development filed, or to be filed, by Foundry Commercial Acquisitions, LLC ("Applicant") in connection with the property identified as Parcel Number 019-151-32 in the Town of Huntersville, Mecklenburg County, North Carolina.

WHEREAS, the undersigned, as an Owner, desire to join in and consent to the rezoning and provisions of the Application and to ratify the execution thereof by Applicant.

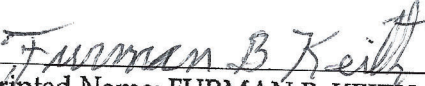
NOW, THEREFORE, for and in consideration of good and valuable consideration as set forth herein, the undersigned agree as follows:

1. **Joinder.** The Owner does, on behalf of themselves and their successors and assigns, hereby join in and consent to the Application.
2. **Ratification.** The Owner does hereby further, on behalf of themselves, their heirs, successors and assigns, ratify and confirm all prior actions of Applicant in connection with the Application.
3. **Modification.** Owner does hereby further agree, on behalf of itself, and its successors and assigns, to any modifications to the Application, as determined by the Applicant, during the review and approval process through the Town of Huntersville.
4. **Governing Law.** This Joinder is entered into under the laws of the State of North Carolina, and those laws shall govern the construction and enforcement hereof.
5. **Authority.** The person or persons executing this Joinder on behalf of the Owner are duly authorized to execute this Joinder, and no consent of any other person to execution of this Joinder is required.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

OWNER:


Printed Name: FURMAN B. KEITH
Address: 11226 Everette Keith Rd., Huntersville, North Carolina 28078
Date: 9-24-22

JOINDER OF AND CONSENT TO APPLICATION

This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this 24 day of SEPT, 2022, by FURMAN B. KEITH and BARBARA A. KEITH, husband and wife ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Everette Keith Road Industrial Development filed, or to be filed, by Foundry Commercial Acquisitions, LLC ("Applicant") in connection with the property identified as Parcel Number 019-151-22 in the Town of Huntersville, Mecklenburg County, North Carolina.

WHEREAS, the undersigned, as an Owner, desire to join in and consent to the rezoning and provisions of the Application and to ratify the execution thereof by Applicant.

NOW, THEREFORE, for and in consideration of good and valuable consideration as set forth herein, the undersigned agree as follows:

1. **Joinder.** The Owner does, on behalf of themselves and their successors and assigns, hereby join in and consent to the Application.
2. **Ratification.** The Owner does hereby further, on behalf of themselves, their heirs, successors and assigns, ratify and confirm all prior actions of Applicant in connection with the Application.
3. **Modification.** Owner does hereby further agree, on behalf of itself, and its successors and assigns, to any modifications to the Application, as determined by the Applicant, during the review and approval process through the Town of Huntersville.
4. **Governing Law.** This Joinder is entered into under the laws of the State of North Carolina, and those laws shall govern the construction and enforcement hereof.
5. **Authority.** The person or persons executing this Joinder on behalf of the Owner are duly authorized to execute this Joinder, and no consent of any other person to execution of this Joinder is required.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

OWNER:

Furman B Keith
Printed Name: FURMAN B. KEITH

Address: 11226 Everette Keith Rd., Huntersville, North Carolina 28078

Date: 9-24-12

Barbara A. Keith
Printed Name: BARBARA A. KEITH

Address: 11226 Everette Keith Rd., Huntersville, North Carolina 28078

Date: September 24, 2022

JOINDER OF AND CONSENT TO APPLICATION

This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this 24 day of Sept, 2022, by NELSON BRITT JENKINS ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Everette Keith Road Industrial Development filed, or to be filed, by Foundry Commercial Acquisitions, LLC ("Applicant") in connection with the property identified as Parcel Number 019-151-45 in the Town of Huntersville, Mecklenburg County, North Carolina.

WHEREAS, the undersigned, as an Owner, desire to join in and consent to the rezoning and provisions of the Application and to ratify the execution thereof by Applicant.

NOW, THEREFORE, for and in consideration of good and valuable consideration as set forth herein, the undersigned agree as follows:

1. **Joinder.** The Owner does, on behalf of themselves and their successors and assigns, hereby join in and consent to the Application.
2. **Ratification.** The Owner does hereby further, on behalf of themselves, their heirs, successors and assigns, ratify and confirm all prior actions of Applicant in connection with the Application.
3. **Modification.** The Owner does hereby further agree, on behalf of itself, and its successors and assigns, to any modifications to the Application, as determined by the Applicant, during the review and approval process through the Town of Huntersville.
4. **Governing Law.** This Joinder is entered into under the laws of the State of North Carolina, and those laws shall govern the construction and enforcement hereof.
5. **Authority.** The person or persons executing this Joinder on behalf of the Owner are duly authorized to execute this Joinder, and no consent of any other person to execution of this Joinder is required.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

OWNER:

A handwritten signature in cursive script, appearing to read "Nelson Britt Jenkins", is written over a horizontal line.

Printed Name: NELSON BRITT JENKINS

Address: 202 Butch Branch Road, Union Grove, NC 28689

Date: 9/24/22

JOINDER OF AND CONSENT TO APPLICATION

This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this 24th day of ~~September~~ 2022, by BARRY GENE SHAW and DANA ARCHER SHAW, husband and wife ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Everette Keith Road Industrial Development filed, or to be filed, by Foundry Commercial Acquisitions, LLC ("Applicant") in connection with the property identified as Parcel Number 019-151-02 in the Town of Huntersville, Mecklenburg County, North Carolina.

WHEREAS, the undersigned, as an Owner, desire to join in and consent to the rezoning and provisions of the Application and to ratify the execution thereof by Applicant.

NOW, THEREFORE, for and in consideration of good and valuable consideration as set forth herein, the undersigned agree as follows:

1. **Joinder.** The Owner does, on behalf of themselves and their successors and assigns, hereby join in and consent to the Application.
2. **Ratification.** The Owner does hereby further, on behalf of themselves, their heirs, successors and assigns, ratify and confirm all prior actions of Applicant in connection with the Application.
3. **Modification.** Owner does hereby further agree, on behalf of itself, and its successors and assigns, to any modifications to the Application, as determined by the Applicant, during the review and approval process through the Town of Huntersville.
4. **Governing Law.** This Joinder is entered into under the laws of the State of North Carolina, and those laws shall govern the construction and enforcement hereof.
5. **Authority.** The person or persons executing this Joinder on behalf of the Owner are duly authorized to execute this Joinder, and no consent of any other person to execution of this Joinder is required.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

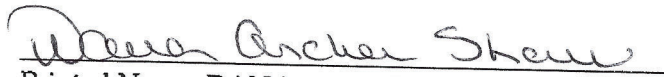
OWNER:



Printed Name: BARRY GENE SHAW

Address: 13225 Mount Holly-Huntersville Road, Huntersville, North Carolina 28078

Date: 9/24/22



Printed Name: DANA ARCHER SHAW

Address: 13225 Mount Holly-Huntersville Road, Huntersville, North Carolina 28078

Date: 9/24/22

JOINDER OF AND CONSENT TO APPLICATION

This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this 24 day of SEPT., 2022, by RICHARD S. KEITH and ANGELA T. KEITH, husband and wife ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Everette Keith Road Industrial Development filed, or to be filed, by Foundry Commercial Acquisitions, LLC ("Applicant") in connection with the property identified as Parcel Number 019-151-03 in the Town of Huntersville, Mecklenburg County, North Carolina.

WHEREAS, the undersigned, as an Owner, desire to join in and consent to the rezoning and provisions of the Application and to ratify the execution thereof by Applicant.

NOW, THEREFORE, for and in consideration of good and valuable consideration as set forth herein, the undersigned agree as follows:

1. **Joinder.** The Owner does, on behalf of themselves and their successors and assigns, hereby join in and consent to the Application.
2. **Ratification.** The Owner does hereby further, on behalf of themselves, their heirs, successors and assigns, ratify and confirm all prior actions of Applicant in connection with the Application.
3. **Modification.** Owner does hereby further agree, on behalf of itself, and its successors and assigns, to any modifications to the Application, as determined by the Applicant, during the review and approval process through the Town of Huntersville.
4. **Governing Law.** This Joinder is entered into under the laws of the State of North Carolina, and those laws shall govern the construction and enforcement hereof.
5. **Authority.** The person or persons executing this Joinder on behalf of the Owner are duly authorized to execute this Joinder, and no consent of any other person to execution of this Joinder is required.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

OWNER:

Richard S. Keith - Angela S. Keith POA

Printed Name: RICHARD S. KEITH

Address: 5970 Tall Tree Lane, Harrisburg, NC 28075

Date: 9-24-22

Angela S. Keith

Printed Name: ANGELA T. KEITH

Address: 5970 Tall Tree Lane, Harrisburg, NC 28075

Date: 9-24-22

JOINDER OF AND CONSENT TO APPLICATION

This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this 24 day of Sept, 2022, by NELSON H. JENKINS and PATRICIA KEITH-JENKINS, husband and wife ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Everette Keith Road Industrial Development filed, or to be filed, by Foundry Commercial Acquisitions, LLC ("Applicant") in connection with the properties identified as Parcel Numbers 019-151-37, 019-151-43, and 019-151-21 in the Town of Huntersville, Mecklenburg County, North Carolina.

WHEREAS, the undersigned, as an Owner, desire to join in and consent to the rezoning and provisions of the Application and to ratify the execution thereof by Applicant.

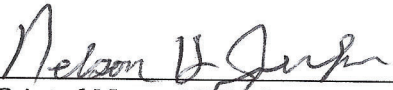
NOW, THEREFORE, for and in consideration of good and valuable consideration as set forth herein, the undersigned agree as follows:

1. **Joinder.** The Owner does, on behalf of themselves and their successors and assigns, hereby join in and consent to the Application.
2. **Ratification.** The Owner does hereby further, on behalf of themselves, their heirs, successors and assigns, ratify and confirm all prior actions of Applicant in connection with the Application.
3. **Modification.** The Owner does hereby further agree, on behalf of itself, and its successors and assigns, to any modifications to the Application, as determined by the Applicant, during the review and approval process through the Town of Huntersville.
4. **Governing Law.** This Joinder is entered into under the laws of the State of North Carolina, and those laws shall govern the construction and enforcement hereof.
5. **Authority.** The person or persons executing this Joinder on behalf of the Owner are duly authorized to execute this Joinder, and no consent of any other person to execution of this Joinder is required.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

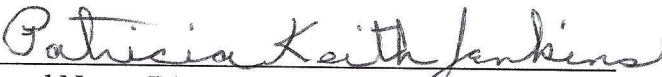
OWNER:



Printed Name: NELSON H. JENKINS

Address: 202 Butch Branch Road, Union Grove, NC 28689

Date: 9-24-2022



Printed Name: PATRICIA KEITH-JENKINS

202 Butch Branch Road, Union Grove, NC 28689

Date: Sept. 24, 2022

JOINDER OF AND CONSENT TO APPLICATION

This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this 29 day of June, 2022, by TIMOTHY NEAL KEITH and DIANE J. KEITH, husband and wife ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Everette Keith Road Industrial Development filed, or to be filed, by Foundry Commercial Acquisitions, LLC ("Applicant") in connection with the property identified as Parcel Number 019-151-25 in the Town of Huntersville, Mecklenburg County, North Carolina.

WHEREAS, the undersigned, as an Owner, desire to join in and consent to the rezoning and provisions of the Application and to ratify the execution thereof by Applicant.

NOW, THEREFORE, for and in consideration of good and valuable consideration as set forth herein, the undersigned agree as follows:

1. **Joinder.** The Owner does, on behalf of themselves and their successors and assigns, hereby join in and consent to the Application.
2. **Ratification.** The Owner does hereby further, on behalf of themselves, their heirs, successors and assigns, ratify and confirm all prior actions of Applicant in connection with the Application.
3. **Modification.** The Owner does hereby further agree, on behalf of itself, and its successors and assigns, to any modifications to the Application, as determined by the Applicant, during the review and approval process through the Town of Huntersville.
4. **Governing Law.** This Joinder is entered into under the laws of the State of North Carolina, and those laws shall govern the construction and enforcement hereof.
5. **Authority.** The person or persons executing this Joinder on behalf of the Owner are duly authorized to execute this Joinder, and no consent of any other person to execution of this Joinder is required.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

OWNER:



Printed Name: TIMOTHY NEAL KEITH

Address: 11046 Everett Keith Road, Huntersville, NC 28078

Date: 6/29/22



Printed Name: DIANE J. KEITH

Address: 11046 Everett Keith Road, Huntersville, NC 28078

Date: Diane J Keith 6/29/22

JOINDER OF AND CONSENT TO APPLICATION

This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this 5 day of July, 2022, by LAURA S. KEISTLER ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Everette Keith Road Industrial Development filed, or to be filed, by Foundry Commercial Acquisitions, LLC ("Applicant") in connection with the property identified as Parcel Number 019-151-24 in the Town of Huntersville, Mecklenburg County, North Carolina.

WHEREAS, the undersigned, as an Owner, desire to join in and consent to the rezoning and provisions of the Application and to ratify the execution thereof by Applicant.

NOW, THEREFORE, for and in consideration of good and valuable consideration as set forth herein, the undersigned agree as follows:

1. **Joinder.** The Owner does, on behalf of themselves and their successors and assigns, hereby join in and consent to the Application.
2. **Ratification.** The Owner does hereby further, on behalf of themselves, their heirs, successors and assigns, ratify and confirm all prior actions of Applicant in connection with the Application.
3. **Modification.** The Owner does hereby further agree, on behalf of itself, and its successors and assigns, to any modifications to the Application, as determined by the Applicant, during the review and approval process through the Town of Huntersville.
4. **Governing Law.** This Joinder is entered into under the laws of the State of North Carolina, and those laws shall govern the construction and enforcement hereof.
5. **Authority.** The person or persons executing this Joinder on behalf of the Owner are duly authorized to execute this Joinder, and no consent of any other person to execution of this Joinder is required.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

OWNER:

Laura S. Keistler

Printed Name: LAURA S. KEISTLER

Address: 11040 Everett Keith Road, Huntersville, NC 28078

Date: 07-05-22

JOINDER OF AND CONSENT TO APPLICATION

This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this 7 day of July, 2022, by NTC HOLDINGS LLC, a Virginia limited liability company ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Everette Keith Road Industrial Development filed, or to be filed, by Foundry Commercial Acquisitions, LLC ("Applicant") in connection with the property identified as Parcel Number 019-151-26 in the Town of Huntersville, Mecklenburg County, North Carolina.

WHEREAS, the undersigned, as an Owner, desire to join in and consent to the rezoning and provisions of the Application and to ratify the execution thereof by Applicant.

NOW, THEREFORE, for and in consideration of good and valuable consideration as set forth herein, the undersigned agree as follows:

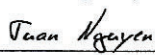
1. **Joinder.** The Owner does, on behalf of themselves and their successors and assigns, hereby join in and consent to the Application.
2. **Ratification.** The Owner does hereby further, on behalf of themselves, their heirs, successors and assigns, ratify and confirm all prior actions of Applicant in connection with the Application.
3. **Modification.** The Owner does hereby further agree, on behalf of itself, and its successors and assigns, to any modifications to the Application, as determined by the Applicant, during the review and approval process through the Town of Huntersville.
4. **Governing Law.** This Joinder is entered into under the laws of the State of North Carolina, and those laws shall govern the construction and enforcement hereof.
5. **Authority.** The person or persons executing this Joinder on behalf of the Owner are duly authorized to execute this Joinder, and no consent of any other person to execution of this Joinder is required.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

OWNER:

NTC HOLDINGS LLC, a Virginia limited liability company

DocuSigned by:

By: E4EA95DF5D88422Tuan Nguyen
Title: Manager/Member NTC Holdings LLC
Address: 1307 Charidge Lane, Charlotte, NC 28262
Date: 7/7/2022

JOINDER OF AND CONSENT TO APPLICATION

This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this 11 day of July 2022, by ROBERT CORDELL PERRY and JODY PERRY, husband and wife ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Everette Keith Road Industrial Development filed, or to be filed, by Foundry Commercial Acquisitions, LLC ("Applicant") in connection with the property identified as Parcel Number 019-151-23 in the Town of Huntersville, Mecklenburg County, North Carolina.

WHEREAS, the undersigned, as an Owner, desire to join in and consent to the rezoning and provisions of the Application and to ratify the execution thereof by Applicant.

NOW, THEREFORE, for and in consideration of good and valuable consideration as set forth herein, the undersigned agree as follows:

1. **Joinder.** The Owner does, on behalf of themselves and their successors and assigns, hereby join in and consent to the Application.
2. **Ratification.** The Owner does hereby further, on behalf of themselves, their heirs, successors and assigns, ratify and confirm all prior actions of Applicant in connection with the Application.
3. **Modification.** Owner does hereby further agree, on behalf of itself, and its successors and assigns, to any modifications to the Application, as determined by the Applicant, during the review and approval process through the Town of Huntersville.
4. **Governing Law.** This Joinder is entered into under the laws of the State of North Carolina, and those laws shall govern the construction and enforcement hereof.
5. **Authority.** The person or persons executing this Joinder on behalf of the Owner are duly authorized to execute this Joinder, and no consent of any other person to execution of this Joinder is required.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

OWNER:

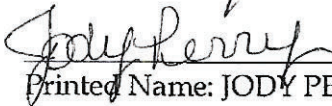


Printed Name: ROBERT CORDELL PERRY

Address: 11050 Everette Keith Road, Huntersville, NC 28078

Date:

7/11/22



Printed Name: JODY PERRY

Address: 11050 Everette Keith Road, Huntersville, NC 28078

Date:

7/11/22

JOINDER OF AND CONSENT TO APPLICATION

29 This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this day of **SEPT**, 2022, by RONALD EVERETTE KEITH, JR. ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Everette Keith Road Industrial Development filed, or to be filed, by Foundry Commercial Acquisitions, LLC ("Applicant") in connection with the properties identified as Parcel Numbers 019-151-36 and 019-151-34 in the Town of Huntersville, Mecklenburg County, North Carolina.

WHEREAS, the undersigned, as an Owner, desire to join in and consent to the rezoning and provisions of the Application and to ratify the execution thereof by Applicant.

NOW, THEREFORE, for and in consideration of good and valuable consideration as set forth herein, the undersigned agree as follows:

1. **Joinder.** The Owner does, on behalf of themselves and their successors and assigns, hereby join in and consent to the Application.
2. **Ratification.** The Owner does hereby further, on behalf of themselves, their heirs, successors and assigns, ratify and confirm all prior actions of Applicant in connection with the Application.
3. **Modification.** The Owner does hereby further agree, on behalf of itself, and its successors and assigns, to any modifications to the Application, as determined by the Applicant, during the review and approval process through the Town of Huntersville.
4. **Governing Law.** This Joinder is entered into under the laws of the State of North Carolina, and those laws shall govern the construction and enforcement hereof.
5. **Authority.** The person or persons executing this Joinder on behalf of the Owner are duly authorized to execute this Joinder, and no consent of any other person to execution of this Joinder is required.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

OWNER:

A handwritten signature in black ink, appearing to read "Ronald Keith Jr.", written over a horizontal line.

Printed Name: RONALD EVERETTE KEITH, JR.
Address: 108 Condor Court, Woodstock, GA 30188

Date: 9 29 22

JOINDER OF AND CONSENT TO APPLICATION

This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this 12 day of July, 2022, by JAMES MICHAEL SMITH and SANDI HAGER SMITH, husband and wife ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Everette Keith Road Industrial Development filed, or to be filed, by Foundry Commercial Acquisitions, LLC ("Applicant") in connection with the property identified as Parcel Number 019-151-44 in the Town of Huntersville, Mecklenburg County, North Carolina.

WHEREAS, the undersigned, as an Owner, desire to join in and consent to the rezoning and provisions of the Application and to ratify the execution thereof by Applicant.

NOW, THEREFORE, for and in consideration of good and valuable consideration as set forth herein, the undersigned agree as follows:

1. **Joinder.** The Owner does, on behalf of themselves and their successors and assigns, hereby join in and consent to the Application.
2. **Ratification.** The Owner does hereby further, on behalf of themselves, their heirs, successors and assigns, ratify and confirm all prior actions of Applicant in connection with the Application.
3. **Modification.** Owner does hereby further agree, on behalf of itself, and its successors and assigns, to any modifications to the Application, as determined by the Applicant, during the review and approval process through the Town of Huntersville.
4. **Governing Law.** This Joinder is entered into under the laws of the State of North Carolina, and those laws shall govern the construction and enforcement hereof.
5. **Authority.** The person or persons executing this Joinder on behalf of the Owner are duly authorized to execute this Joinder, and no consent of any other person to execution of this Joinder is required.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

OWNER:

James M. Smith

Printed Name: JAMES MICHAEL SMITH

Address: 11100 Everette Keith Road, Huntersville, NC 28078

Date: 7-12-2022

Sandi Smith

Printed Name: SANDI HAGER SMITH

Address: 11100 Everette Keith Road, Huntersville, NC 28078

Date: 7-12-2022

JOINDER OF AND CONSENT TO APPLICATION

This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this 25 day of Sept., 2022, by EDMOND BARNETTE KEITH ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Everette Keith Road Industrial Development filed, or to be filed, by Foundry Commercial Acquisitions, LLC ("Applicant") in connection with the properties identified as Parcel Numbers 019-151-27 and 019-151-42 in the Town of Huntersville, Mecklenburg County, North Carolina.

WHEREAS, the undersigned, as an Owner, desire to join in and consent to the rezoning and provisions of the Application and to ratify the execution thereof by Applicant.

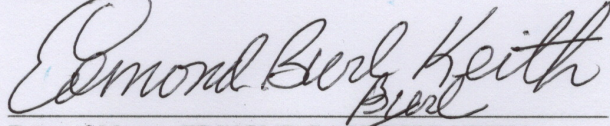
NOW, THEREFORE, for and in consideration of good and valuable consideration as set forth herein, the undersigned agree as follows:

1. **Joinder.** The Owner does, on behalf of themselves and their successors and assigns, hereby join in and consent to the Application.
2. **Ratification.** The Owner does hereby further, on behalf of themselves, their heirs, successors and assigns, ratify and confirm all prior actions of Applicant in connection with the Application.
3. **Modification.** The Owner does hereby further agree, on behalf of itself, and its successors and assigns, to any modifications to the Application, as determined by the Applicant, during the review and approval process through the Town of Huntersville.
4. **Governing Law.** This Joinder is entered into under the laws of the State of North Carolina, and those laws shall govern the construction and enforcement hereof.
5. **Authority.** The person or persons executing this Joinder on behalf of the Owner are duly authorized to execute this Joinder, and no consent of any other person to execution of this Joinder is required.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

OWNER:

A handwritten signature in cursive script, reading "Edmond B. Keith". The signature is written in dark ink and is positioned above a horizontal line.

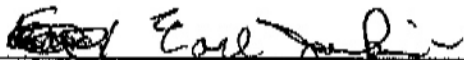
Printed Name: EDMOND BARNETTE KEITH

Address: 41A W. Saddleback Mesa, Santa Fe, NM 87508

Date: 25 Sept 2012

IN WITNESS WHEREOF, the undersigned Owner has executed this Joinder of and Consent to Application on the date set forth below.

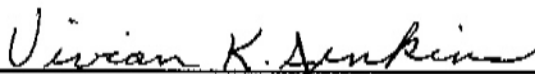
OWNER:



Printed Name: Earl Jenkins

Address: 12825 Keith Hill Road, Huntersville, NC 28078

Date: 1-20-23



Printed Name: Vivian K Jenkins

Address: 12825 Keith Hill Road, Huntersville, NC 28078

Date: 1-20-23

LEGEND

- ▲

CALCULATED POINT
- AXF ■

AXLE FOUND
- RBF ●

IRON REBAR FOUND
- PROPERTY LINE
- - -

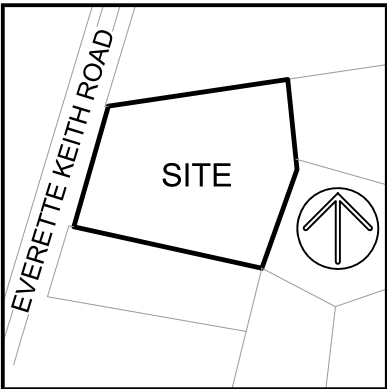
ADJOINING PROPERTY LINE

NOTES

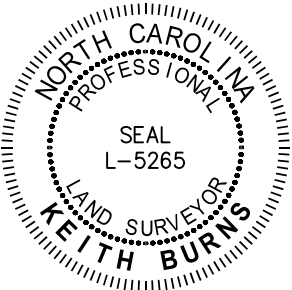
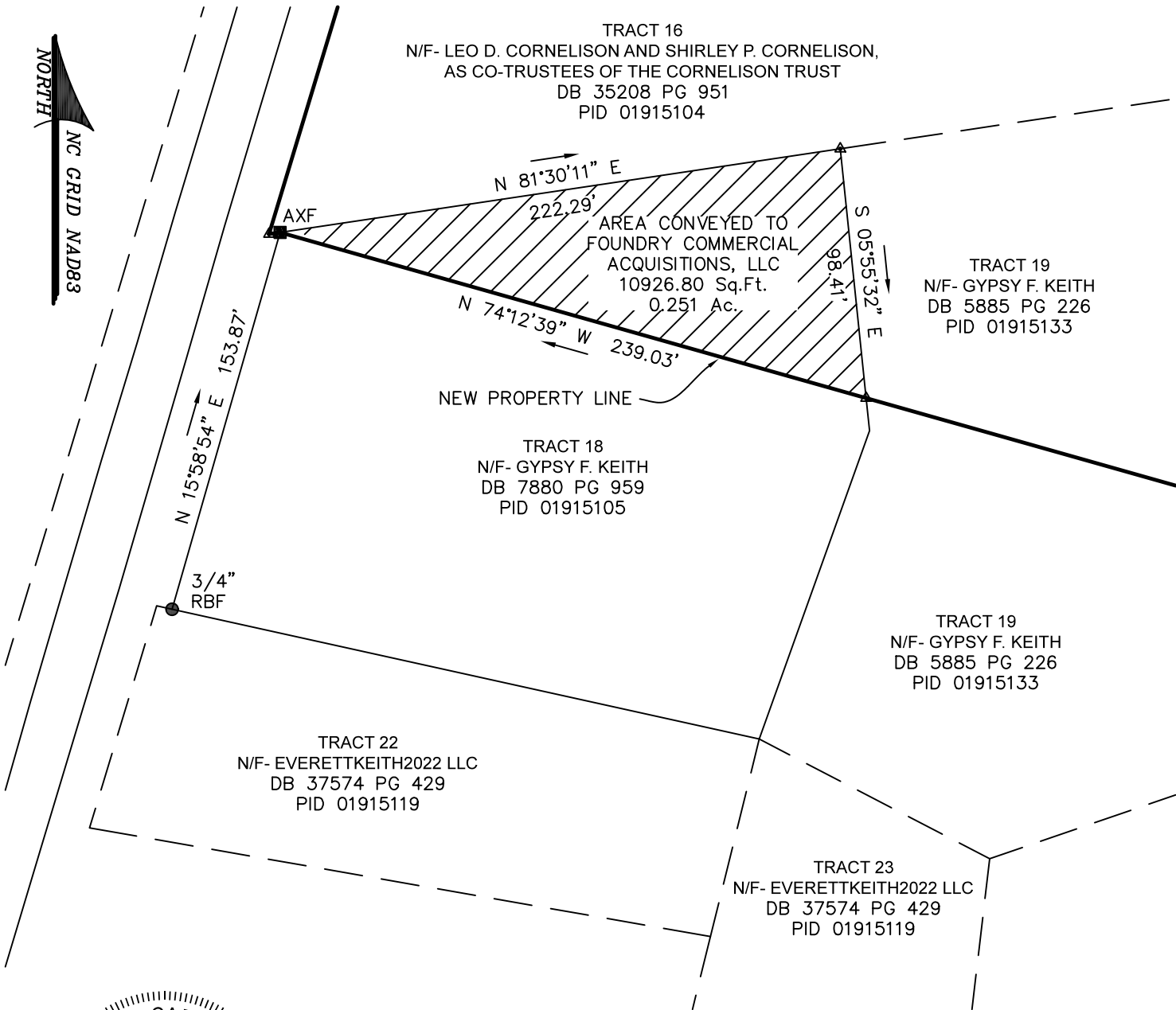
1. COORDINATES ARE BASED ON NC GRID NAD 83(2011).
2. PROPERTY IS SUBJECT TO ALL RECORDED OR UNRECORDED EASEMENTS, RIGHTS OF WAY AND ENCUMBRANCES THAT MAY AFFECT THIS PROPERTY.

REFERENCES

1. DB 5885 PG 226
2. DB 7880 PG 959



VICINITY MAP NOT TO SCALE



GRAPHIC SCALE

A LAND SWAP EXHIBIT PREPARED FOR:
**FOUNDRY COMMERCIAL
ACQUISITIONS, LLC**

PID: 01915105

MALLARD CREEK TOWNSHIP
MECKLENBURG COUNTY, NORTH CAROLINA

FIELD WORK:

FIELD CHECK:

DRAWN BY:

DATE:

SCALE:

PROJECT No.:

FILE:

JHR

RKB

RM

01-18-2023

1"=60'

CLT-22131

CLT-22131 LAND SWAP.DWG

**ATLAS
SURVEYING, INC.**

ATLAS SURVEYING CLT, P.C. No. C-4370
13331 YORK CENTER DRIVE, SUITE E
CHARLOTTE, NC 28273
PHONE: (980) 949-8475
WEBSITE: WWW.ATLASSURVEYING.COM

THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS. (G.S.47-30(N))

FOR REVIEW ONLY

KEITH BURNS P.L.S. No. L-5265

LEGEND

- 

CALCULATED POINT
- 

IPF IRON PIPE FOUND
- 

RBF IRON REBAR FOUND
- 

PROPERTY LINE
- 

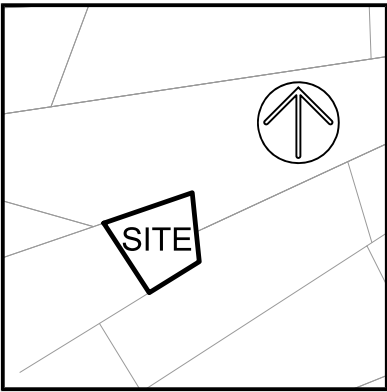
ADJOINING PROPERTY LINE

NOTES

1. COORDINATES ARE BASED ON NC GRID NAD 83(2011).
2. PROPERTY IS SUBJECT TO ALL RECORDED OR UNRECORDED EASEMENTS, RIGHTS OF WAY AND ENCUMBRANCES THAT MAY AFFECT THIS PROPERTY.

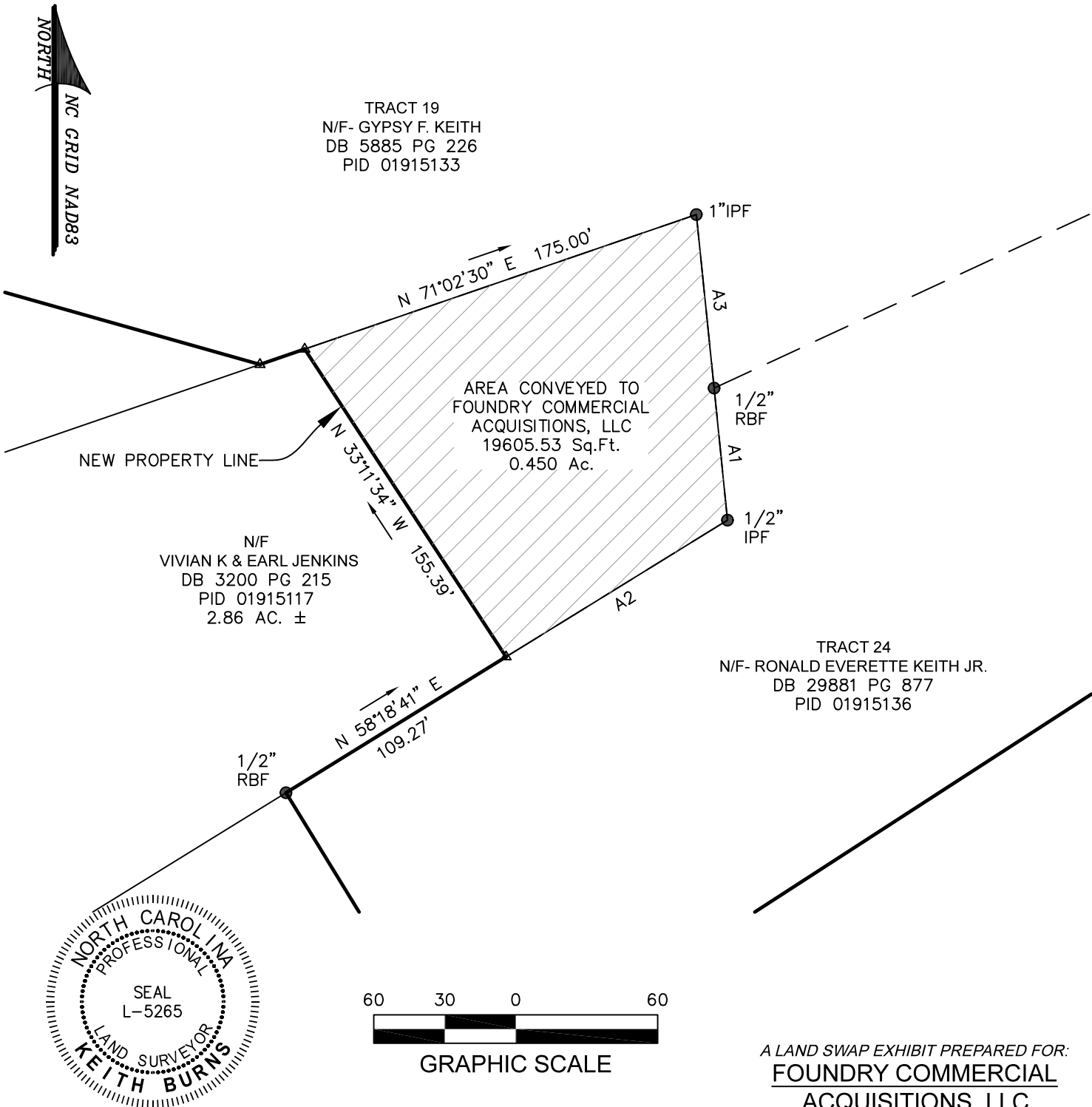
REFERENCES

1. DB 5885 PG 226
2. DB 3200 PG 215
3. DB 29881 PG 877



VICINITY MAP NOT TO SCALE

LINE TABLE		
LABEL	BEARING	DISTANCE
A1	S 05°46'15" E	56.07'
A2	S 58°18'41" W	110.00'
A3	S 05°51'41" E	73.71'



ATLAS

SURVEYING, INC.

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13331 YORK CENTER DRIVE, SUITE E
CHARLOTTE, NC 28273
PHONE: (980) 949-8475
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FOR COMPLIANCE WITH RECORDING
REQUIREMENTS FOR PLATS. (G.S.47-30(N))

FOR REVIEW ONLY

KEITH BURNS P.L.S. No. L-5265

A LAND SWAP EXHIBIT PREPARED FOR:
FOUNDRY COMMERCIAL
ACQUISITIONS, LLC

PID: 01915117

MALLARD CREEK TOWNSHIP
MECKLENBURG COUNTY, NORTH CAROLINA

FIELD WORK: JHR
FIELD CHECK: RKB
DRAWN BY: RM
DATE: 01-18-2023
SCALE: 1"=150'
PROJECT No.: CLT-22131
FILE: CLT-22131 LAND SWAP.DWG

LEGEND

- 

CALCULATED POINT
- 

IPF IRON PIPE FOUND
- 

RBF IRON REBAR FOUND
- 

PROPERTY LINE
- 

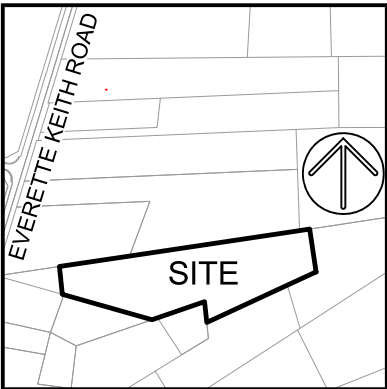
ADJOINING PROPERTY LINE

NOTES

1. COORDINATES ARE BASED ON NC GRID NAD 83(2011).
2. PROPERTY IS SUBJECT TO ALL RECORDED OR UNRECORDED EASEMENTS, RIGHTS OF WAY AND ENCUMBRANCES THAT MAY AFFECT THIS PROPERTY.

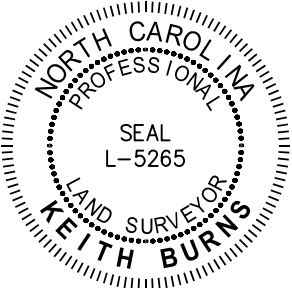
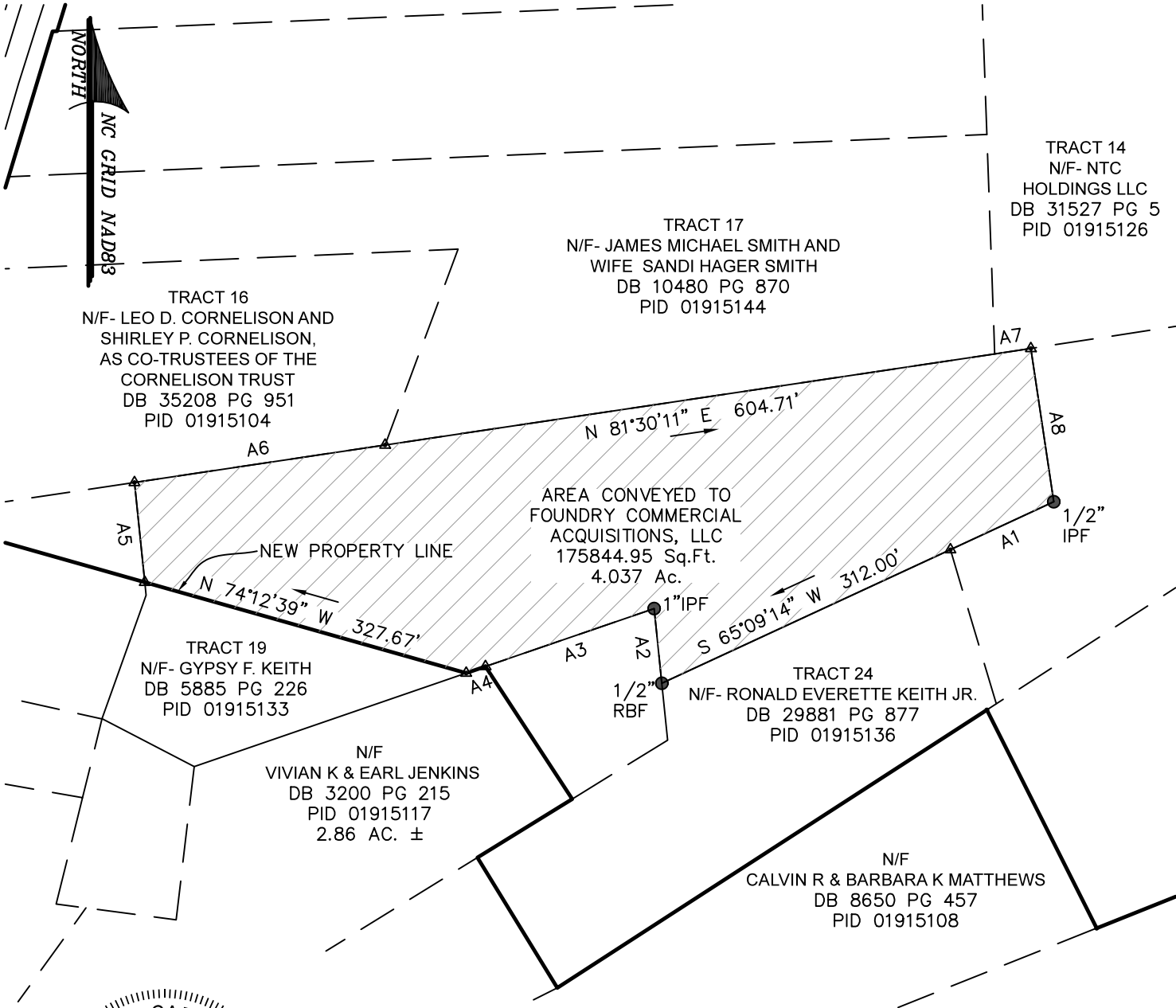
REFERENCES

1. DB 5885 PG 226
2. DB 35208 PG 951
3. DB 10480 PG 870
4. DB 29881 PG 877
5. DB 31527 PG 5



VICINITY MAP NOT TO SCALE

LINE TABLE		
LABEL	BEARING	DISTANCE
A1	S 65°08'11" W	111.78'
A2	N 05°51'41" W	73.71'
A3	S 71°02'30" W	175.00'
A4	S 71°02'30" W	20.00'
A5	N 05°55'32" W	98.41'
A6	N 81°30'11" E	248.65'
A7	N 81°19'54" E	35.91'
A8	S 08°29'45" E	152.08'



GRAPHIC SCALE

A LAND SWAP EXHIBIT PREPARED FOR:
**FOUNDRY COMMERCIAL
ACQUISITIONS, LLC**

PID: 01915133

MALLARD CREEK TOWNSHIP
MECKLENBURG COUNTY, NORTH CAROLINA

FIELD WORK: JHR
FIELD CHECK: RKB
DRAWN BY: RM
DATE: 01-18-2023
SCALE: 1"=150'
PROJECT No.: CLT-22131
FILE: CLT-22131 LAND SWAP.DWG

**ATLAS
SURVEYING, INC.**

ATLAS SURVEYING CLT, P.C. No. C-4370
13331 YORK CENTER DRIVE, SUITE E
CHARLOTTE, NC 28273
PHONE: (980) 949-8475
WEBSITE: WWW.ATLASSURVEYING.COM

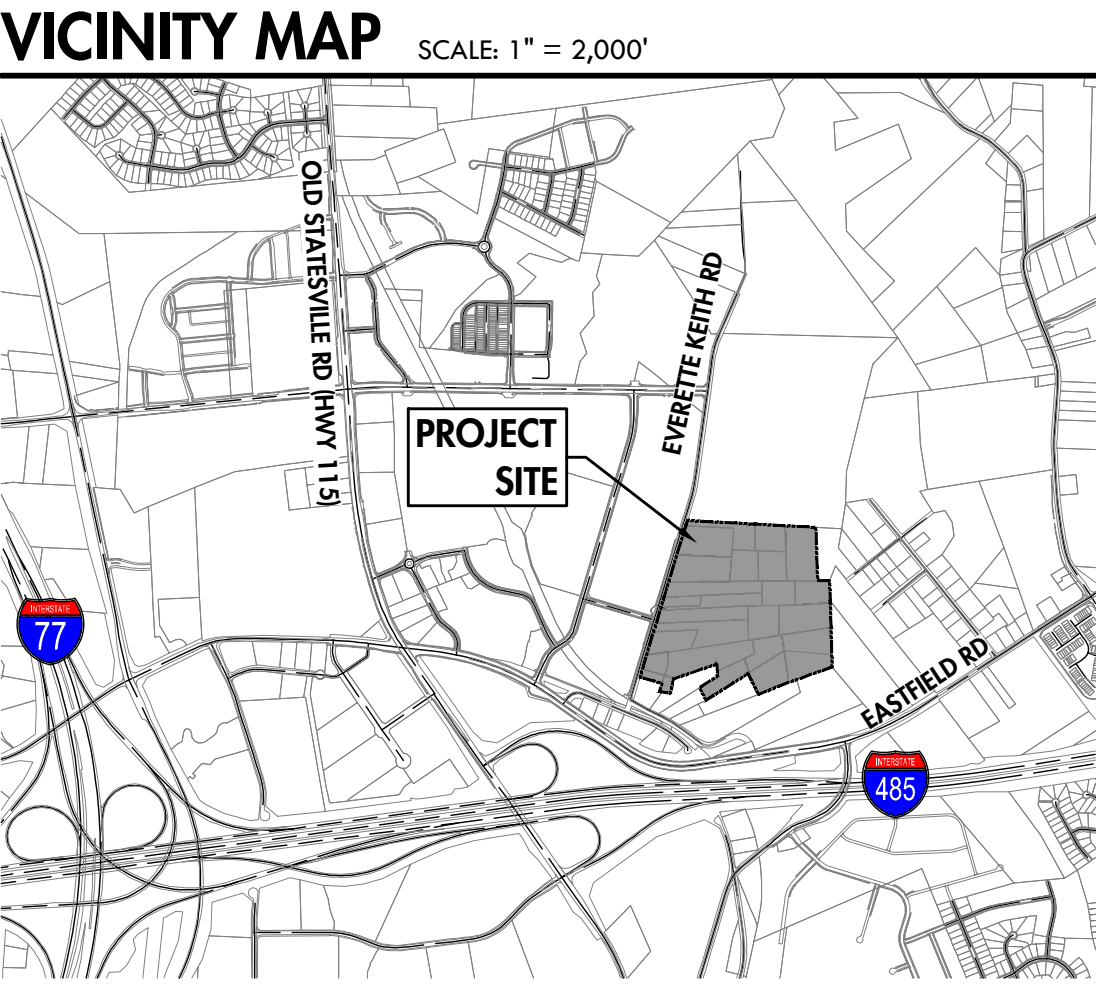
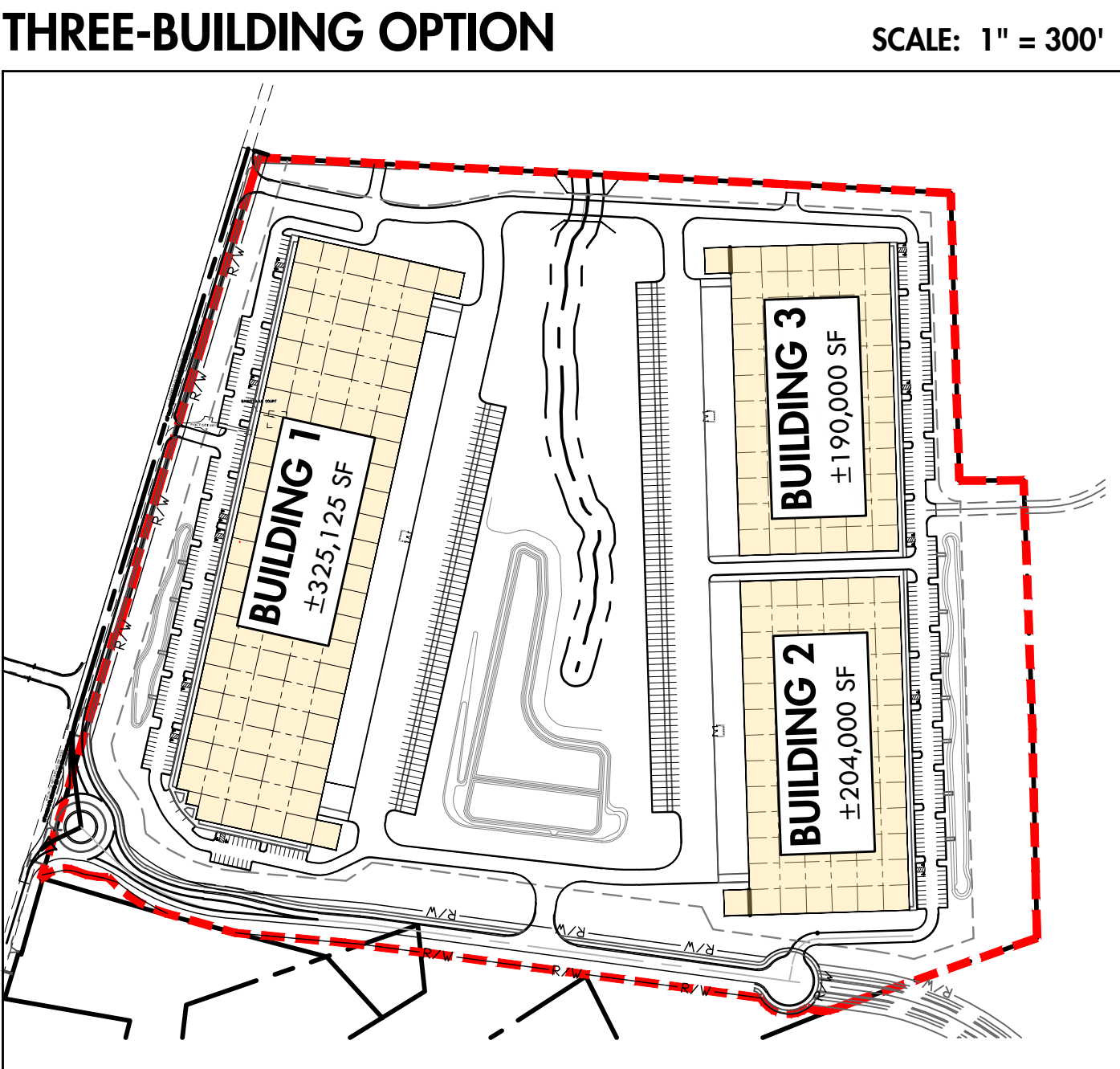
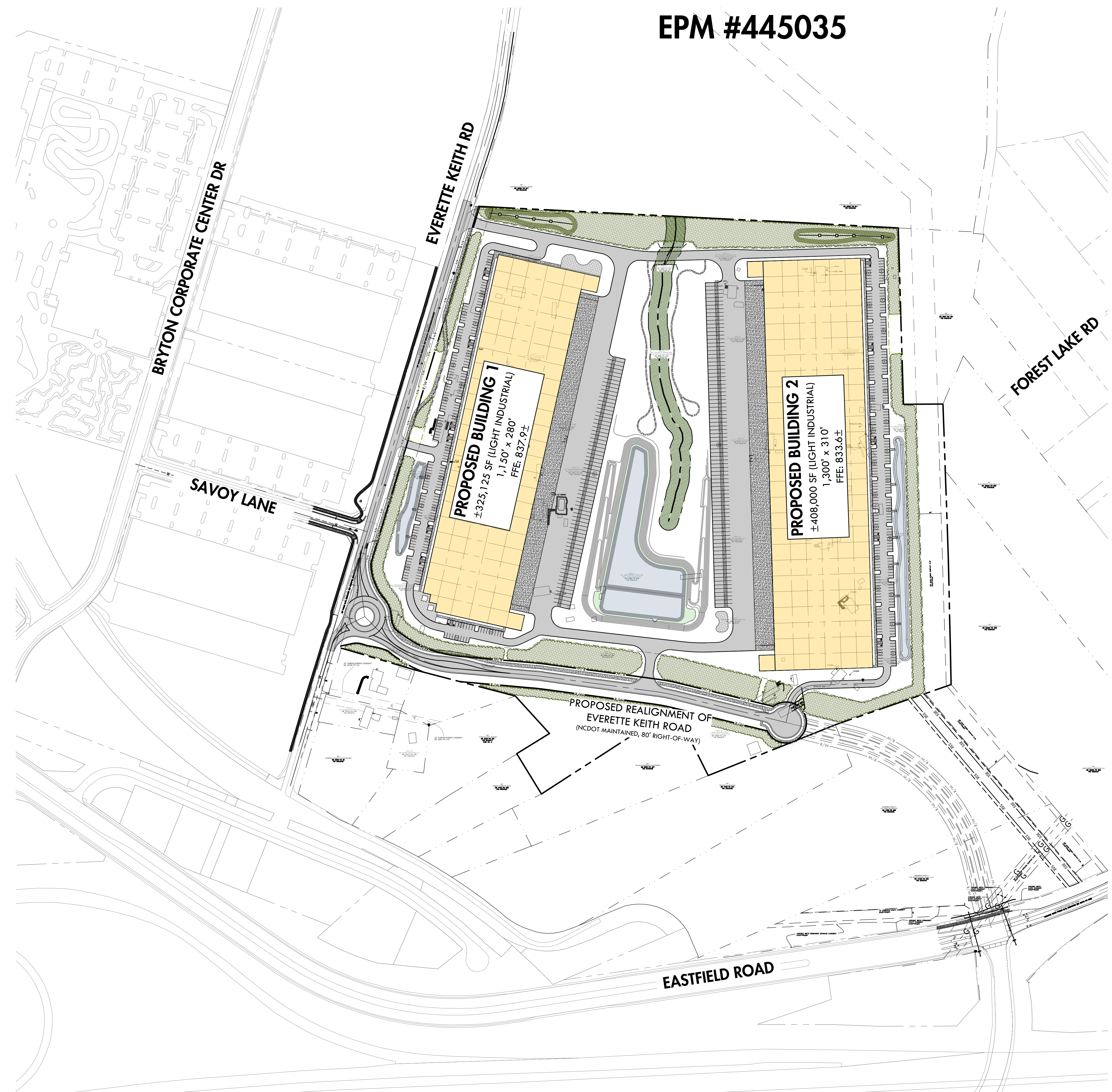
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REGULATIONS AND HAS NOT BEEN REVIEWED
FOR COMPLIANCE WITH RECORDING
REQUIREMENTS FOR PLATS. (G.S.47-30(N))

FOR REVIEW ONLY

KEITH BURNS P.L.S. No. L-5265

EASTFIELD INDUSTRIAL
CONDITIONAL DISTRICT REZONING / SKETCH PLAN

11226 EVERETTE KEITH ROAD
HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA
FOUNDRY COMMERCIAL
EPM #445035



PROJECT SUMMARY

PROJECT NAME: EASTFIELD INDUSTRIAL (FINAL NAME OF PARK TO BE DETERMINED)
DEVELOPER: FOUNDRY COMMERCIAL
2151 HAWKINS STREET, SUITE 1000
CHARLOTTE, NC 28203

PLANS PREPARED BY: OAK ENGINEERING, PLLC
TAX PARCEL NUMBERS: 019-151-02, 03, 04, 07, 21, 22, 23, 24, 25, 26, 27, 31, 32, 34, 36, 37, 38, 42, 43, 44, 45, 46, P/O 019-151-05, P/O 019-151-33, AND P/O 019-151-17

JURISDICTION: TOWN OF HUNTERSVILLE ETJ
EXISTING ZONING: TRANSITIONAL RESIDENTIAL (TR)
PROPOSED ZONING: CORPORATE BUSINESS - CONDITIONAL DISTRICT (CB-CD)
WATER SUPPLY WATERSHED: N/A
RECEIVING WATERS: TRIBUTARY TO CANE CREEK
RIVER BASIN: CLARKE WATERSHED
DENSITY: HIGH
FEMA INFORMATION: MAP NO. 3710455900K
MAP DATE: 09/02/2015
FLOOD ZONE: OUT
PROJECT SIZE: ±59.66 ACRES
PRINCIPAL USE: LIGHT MANUFACTURING / WAREHOUSING / OFFICE
BUILDING SIZE: 750,000 SF (MAX)
BUILDING TYPE: URBAN WORKPLACE (MULTI-BUILDING SITE)
BUILDING SETBACKS:
FRONT: 40' MIN (40' TO 150' BUILD-TO-RANGE)
SIDE YARD: 40'
REAR YARD (EAST): 80' (EAST)
REAR YARD (NORTH): 80' (WIDTH MAY BE REDUCED WITH ENHANCEMENTS AS SHOWN ON SITE PLAN)

NUMBER OF LOTS: 1
CONSTRUCTION DATES: 04/01/2024 - 06/30/2025
EXISTING BUA: ±141,100 SF
EXISTING BUA TO REMAIN: 0 SF
PROPOSED NEW BUA: ±1,420,000 SF
PROPOSED % BUA: 54.6%
% IMPERVIOUS ALLOWED: 70%
TOTAL POST-PROJECT BUA: ±1,420,000 SF
PARKING REQUIRED: 1 SPACE / 4,000 SF OF WAREHOUSE PLUS
1 SPACE / 500 SF OF OFFICE

PARKING REQUIRED | PROVIDED:
BUILDING 1: 139 REQUIRED (10% OFFICE) | ±224 SPACES PROVIDED
BUILDING 2: 174 REQUIRED (10% OFFICE) | ±238 SPACES PROVIDED
(EXCESS PARKING IS AVAILABLE FOR AMENITY AREAS)

DRAWING INDEX

SHEET	SHEET TITLE	ORIGINAL DATE	LATEST ISSUE	LATEST REV.
RZ1.0	COVER SHEET	12/30/22	06/01/23	1
RZ2.0	EXISTING FEATURES PLAN	12/30/22	06/01/23	1
RZ2.1	EXISTING TREE SURVEY	06/01/23	06/01/23	1
RZ3.0	REZONING / SKETCH PLAN	12/30/22	06/01/23	1
RZ3.1	EVERETTE KEITH - ROADWAY TYPICAL SECTIONS	06/01/23	06/01/23	1
RZ4.0	REZONING / SKETCH PLAN DEVELOPMENT STANDARDS	12/30/22	06/01/23	1
SP1.0	UTILITY CONCEPT PLAN	12/30/22	06/01/23	1
SP2.0	GRADING & DRAINAGE CONCEPT PLAN	12/30/22	06/01/23	1
SP3.0	LANDSCAPING CONCEPT PLAN	12/30/22	06/01/23	1

PROJECT CONTACTS

PROPERTY OWNER	DEVELOPER	ENGINEER
FOUNDRY COMMERCIAL 121 W TRADE ST., STE 2500 CHARLOTTE, NC 28202 704-523-0272	FOUNDRY COMMERCIAL 121 W TRADE ST., STE 2500 CHARLOTTE, NC 28202 704-523-0272	GREG WELSH, PE OAK ENGINEERING, PLLC 4929 MONROE ROAD CHARLOTTE, NC 28205 704-985-4046 greg@oak-engineering.com

CONTRACTOR	SURVEYOR	ARCHITECT
TBD	KEITH BURNS, PLS ATLAS SURVEYING, INC 13331 YORK CENTER DR SUITE E CHARLOTTE, NC 28273 980.949.8475	NICKY NANJI, AIA MERRIMAN SCHMITT ARCHITECTS 605 LEXINGTON AVE, STE 300 CHARLOTTE, NC 28203 704.870.3101

MUNICIPALITY CONTACTS

PLANNING/ZONING	ENGINEERING (TOWN)	EROSION CONTROL INSPECTOR
DAVID PEELE TOWN OF HUNTERSVILLE 105 GLEAD RD, 3RD FLOOR HUNTERSVILLE, NC 28078 704-875-7000 dpeele@huntersville.org	MIKE MACINTYRE TOWN OF HUNTERSVILLE 101 HUNTERSVILLE-CONCORD RD HUNTERSVILLE, NC 28070 704-766-2220 mmacintyre@huntersville.org	ANNIE LOFTIN TOWN OF HUNTERSVILLE 101 HUNTERSVILLE-CONCORD RD HUNTERSVILLE, NC 28070 704-379-1090 aloftin@huntersville.org

NC DOT	LAND DEVELOPMENT INSPECTOR	ZONING INSPECTOR
MAH K HASSAN DIVISION 10, DISTRICT 2 7605 DISTRICT DRIVE CHARLOTTE, NC 28213 980-523-0000 hamalik@ncdot.gov	CECIL TALBOT TOWN OF HUNTERSVILLE 101 HUNTERSVILLE-CONCORD RD HUNTERSVILLE, NC 28070 704-579-1163 ctalbot@huntersville.org	AUDARIUS BLACKWOOD TOWN OF HUNTERSVILLE 101 HUNTERSVILLE-CONCORD RD HUNTERSVILLE, NC 28070 704-301-9969 ablockwood@huntersville.org

COMMITTED ROADWAY IMPROVEMENTS:

EASTFIELD ROAD AT BRYTON CORPORATE CENTER DRIVE:

- CONSTRUCT A SECOND SOUTHBOUND LEFT-TURN LANE ON BRYTON CORPORATE CENTER DRIVE WITH 300 FEET OF STORAGE. THE SOUTHBOUND, BRYTON CORPORATE CENTER DRIVE APPROACH WOULD THEN HAVE A DEDICATED RIGHT-TURN LANE AND DUAL LEFT-TURN LANES WITH 300 FEET OF STORAGE.
- CONSTRUCT AN EASTBOUND LEFT-TURN LANE EXTENSION ON EASTFIELD ROAD WHERE STORAGE WOULD BE EXTENDED TO 575 FEET.

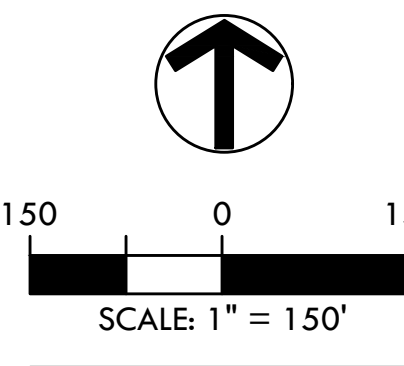
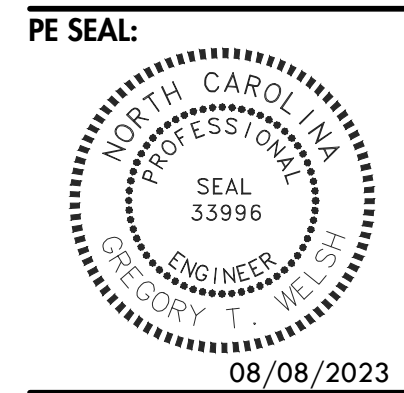
EVERETTE KEITH ROAD AT SITE ACCESS 1, 2, 3, AND 4

- SITE ACCESSES 1, 2, 3, AND 4 TO EACH HAVE AN INTERNAL PROTECTED STEM OF 100 FEET.

TRANSPORTATION IMPACT ANALYSIS (Z.O. ARTICLE 14):

KIMLEY HORN ASSOCIATES ENGINEERING FIRM THOMAS SHIRLEY, EIT CONTACT (980) 296-0814 PHONE THOMAS.SHIRLEY@KIMLEY-HORN.COM EMAIL

- ☒ TIA SUBMITTED. DATE: JUNE 1, 2023
- ☒ MITIGATION REQUIREMENTS ACCEPTED BY TOWN OF HUNTERSVILLE ENGINEERING DEPARTMENT ON 6/29/2023
- ☒ MITIGATION SHOWN ON SITE PLANS
- ☐ APPLICANT SIGNED MITIGATION AGREEMENT
- ☐ MITIGATION NOTE PROVIDED.



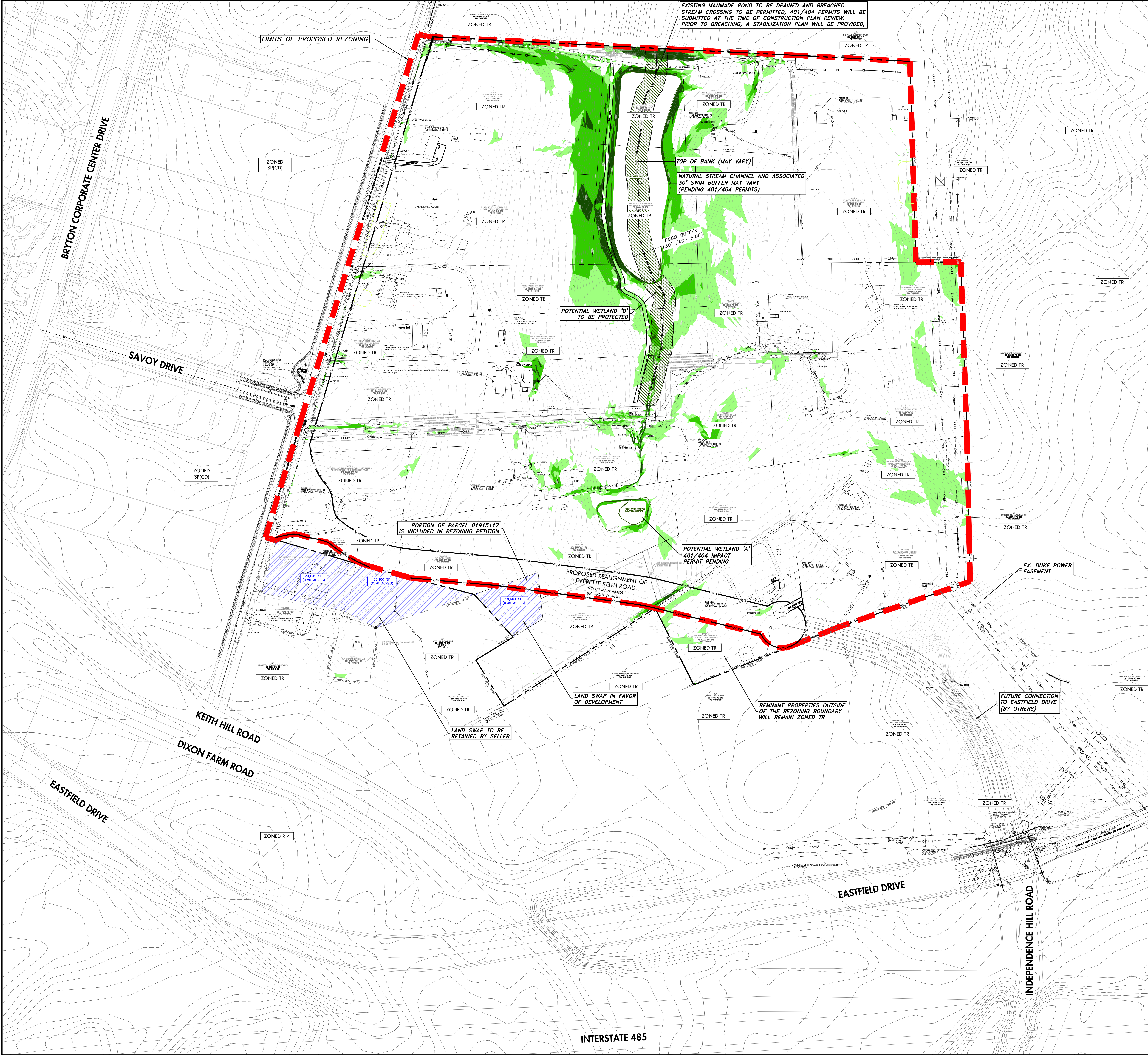
EASTFIELD INDUSTRIAL
EVERETTE KEITH ROAD
HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA
FOUNDRY COMMERCIAL
COVER SHEET

EPM #445035

REVISIONS:
1. 06/01/23 - PER STAFF COMMENTS
2. 08/08/23 - PER STAFF COMMENTS

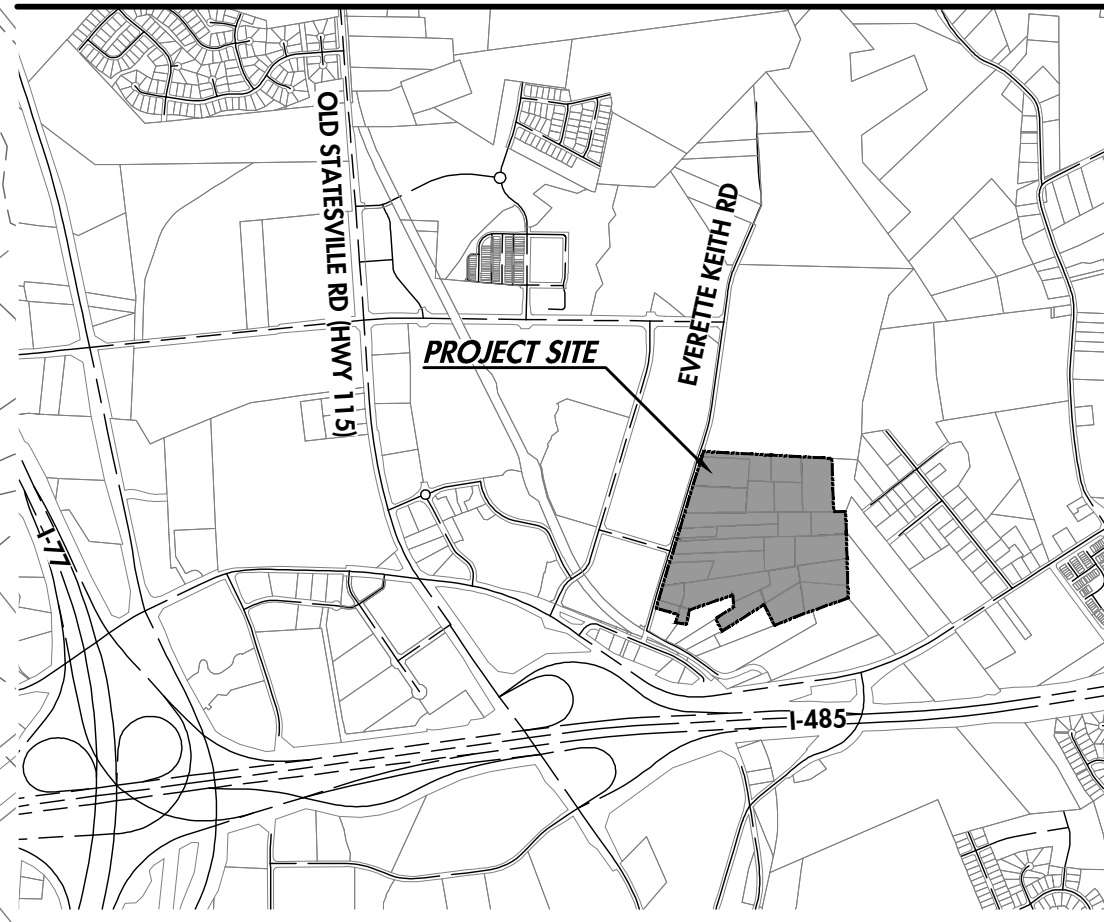
ENGINEER: GTW
DRAWN BY: ERT
CHECKED BY: LJB
PROJECT #: 022.021

SHEET
RZ1.0
SHEET 1 OF 9



VICINITY MAP

SCALE: 1" = 2,000'



PROJECT SUMMARY

PROJECT NAME: EASTFIELD INDUSTRIAL (FINAL NAME OF PARK TO BE DETERMINED)
DEVELOPER: FOUNDRY COMMERCIAL
2151 HAWKINS STREET, SUITE 1000
CHARLOTTE, NC 28203
OAK ENGINEERING, PLLC
4929 MONROE ROAD - CHARLOTTE, NC 28205
NORTH CAROLINA LICENSE #171742
oak-engineering.com

PLANS PREPARED BY: OAK ENGINEERING, PLLC
TAX PARCEL NUMBERS: 019-151-02, 03, 04, 07, 21, 22, 23, 24, 25, 26, 27, 31, 32, 34, 36, 37, 38, 42, 43, 44, 45, 46, P/O 019-151-05, P/O 019-151-33, AND P/O 019-151-17

JURISDICTION: TOWN OF HUNTERSVILLE ET
EXISTING ZONING: TRANSITIONAL RESIDENTIAL (TR)
PROPOSED ZONING: CORPORATE BUSINESS - CONDITIONAL DISTRICT (CB-CD)
WATER SUPPLY WATERSHED: N/A
RECEIVING WATERS: TRIBUTARY TO CANE CREEK
RIVER BASIN: CLARKE WATERSHED
DENSITY: HIGH
FEMA INFORMATION: MAP NO. 3710455900K
MAP DATE: 09/02/2015
FLOOD ZONE: OUT

PROJECT SIZE: ±59.66 ACRES
PRINCIPAL USE: LIGHT MANUFACTURING / WAREHOUSING / OFFICE
BUILDING SIZE: 750,000 SF (MAX)
BUILDING TYPE: URBAN WORKPLACE (MULTI-BUILDING SITE)
BUILDING SETBACKS:
FRONT: 40' MIN (40' TO 150' BUILD-TO-RANGE)
SIDE YARD: 40'
REAR YARD (EAST): 40' (EAST)
REAR YARD (NORTH): 80' (WIDTH MAY BE REDUCED WITH ENHANCEMENTS AS SHOWN ON SITE PLAN)
NUMBER OF LOTS: 1
CONSTRUCTION DATES: 04/01/2024 - 06/30/2025
EXISTING BUA: ±141,100 SF
PROPOSED NEW BUA: ±1,420,000 SF
PROPOSED % BUA: 54.6%
% IMPERVIOUS ALLOWED: 70%
TOTAL POST-PROJECT BUA: ±1,420,000 SF
PARKING REQUIRED: 1 SPACE / 4,000 SF OF WAREHOUSE PLUS
1 SPACE / 500 SF OF OFFICE

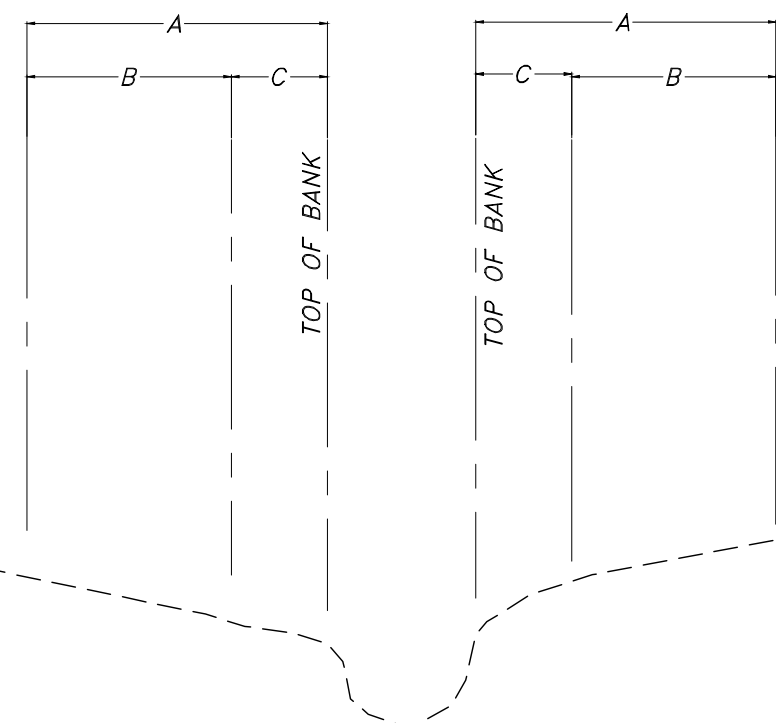
PARKING REQUIRED | PROVIDED:
BUILDING 1: 139 REQUIRED (10% OFFICE) | ±224 SPACES PROVIDED
BUILDING 2: 174 REQUIRED (10% OFFICE) | ±238 SPACES PROVIDED
(EXCESS PARKING IS AVAILABLE FOR AMENITY AREAS)

SLOPE TABLE

Number	Minimum Slope	Maximum Slope	Color
1	0.00%	10.00%	
2	10.00%	15.00%	
3	15.00%	25.00%	
4	25.00%	100.00%	

CONSTRAINING FEATURES

FEATURE	AREA
WETLANDS	0.27 ACRES
STREAM BUFFERS	1.37 ACRES



STREAM BUFFER SECTION
NTS

- A 30' UPLAND ZONE STREAM BUFFER
B 20' VEGETATED BUFFER. DISTURBANCE WITHIN THIS AREA MUST BE REVEGETATED.
C 10' BANK STABILIZATION BUFFER. ANY DISTURBANCE WITHIN THIS AREA SHALL REQUIRE STREAM BANK STABILIZATION USING BIOENGINEERING TECHNIQUES AS SPECIFIED IN THE DESIGN MANUAL

EASTFIELD INDUSTRIAL

EVERETTE KEITH ROAD
HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA
FOUNDRY COMMERCIAL

EXISTING FEATURES PLAN

EPW #445033

- REVISIONS:
1. 06/01/23 - PER STAFF COMMENTS
2. 08/08/23 - PER STAFF COMMENTS

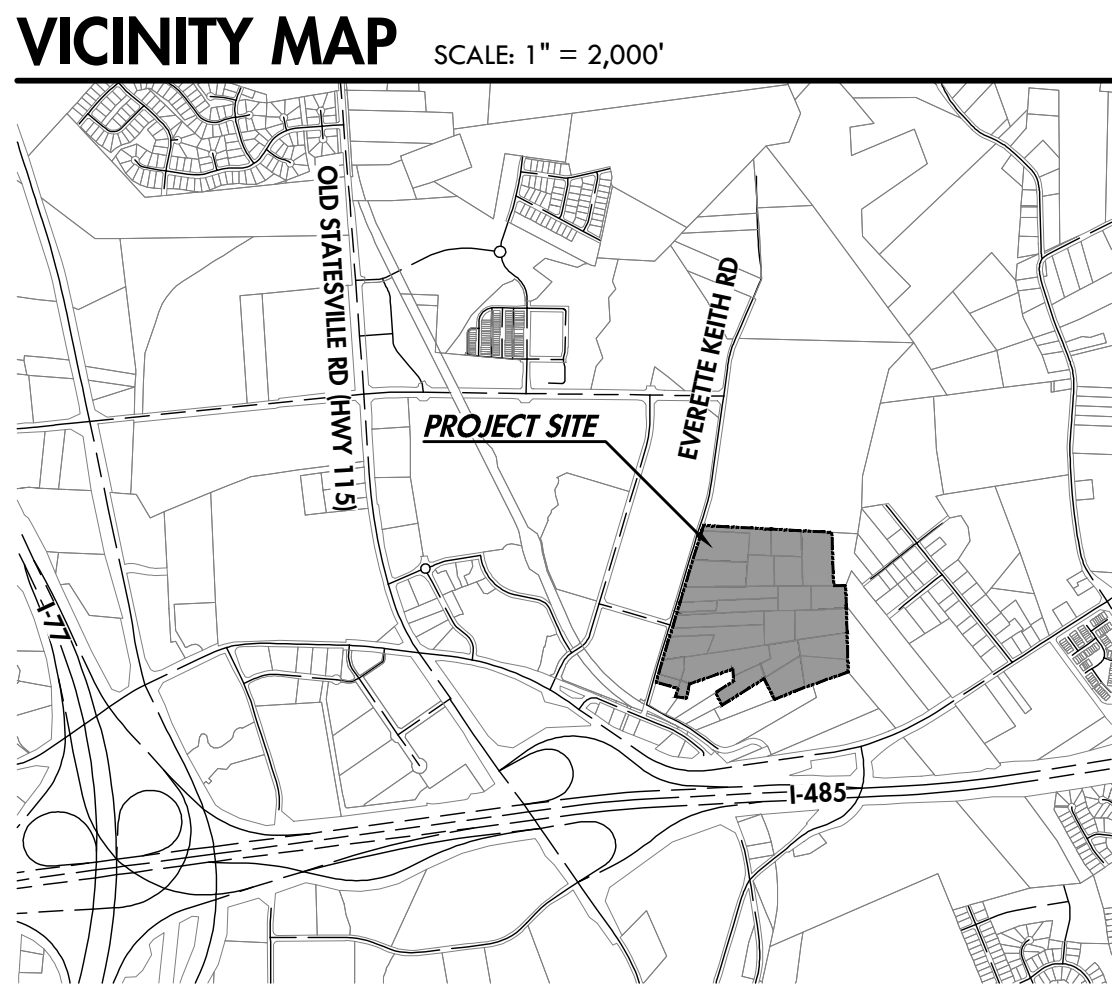
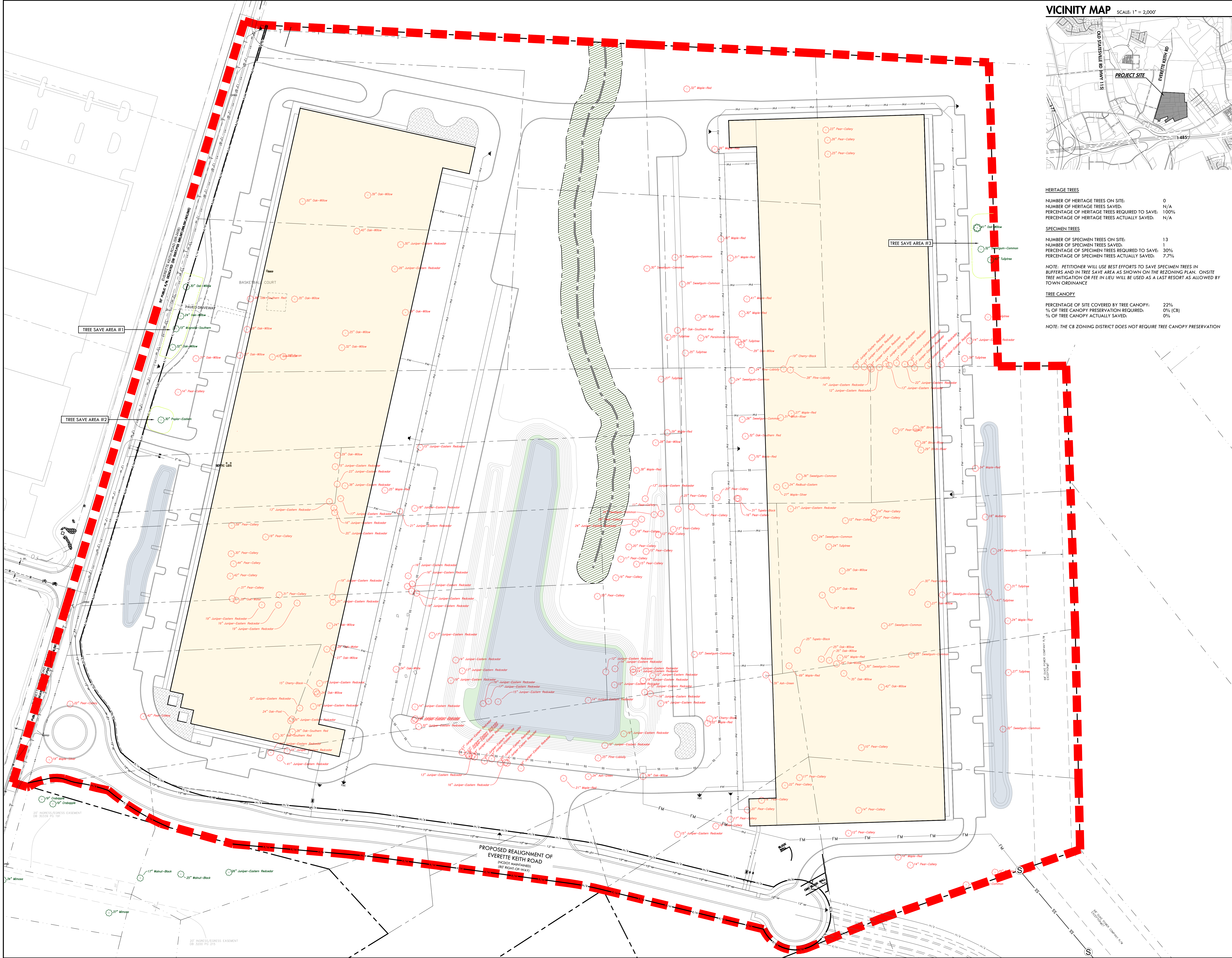
ENGINEER: GTW
DRAWN BY: ERT
CHECKED BY: LJB
PROJECT #: 022.021

SHEET
R22.0
SHEET 2 OF 9

OAK ENGINEERING
4929 MONROE ROAD - CHARLOTTE, NC 28205
NORTH CAROLINA LICENSE #171742
oak-engineering.com

PE SEAL:
NORTH CAROLINA
PROFESSIONAL
SEAL
33596
08/08/2023

100 0 100
SCALE: 1" = 100'



HERITAGE TREES

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

SPECIMEN TREES

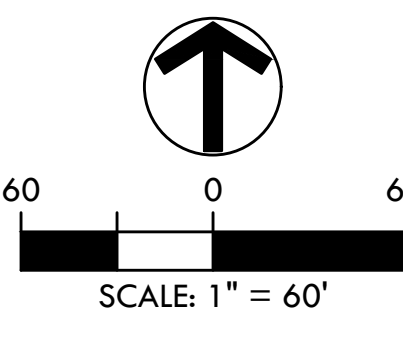
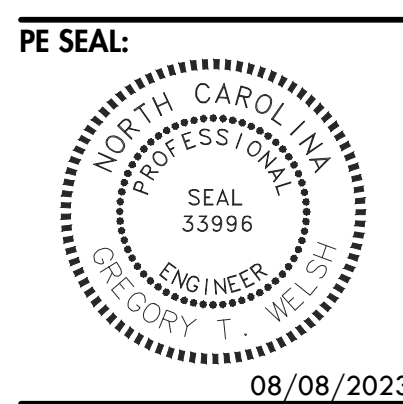
NUMBER OF SPECIMEN TREES ON SITE:	13
NUMBER OF SPECIMEN TREES SAVED:	1
PERCENTAGE OF SPECIMEN TREES REQUIRED TO SAVE:	30%
PERCENTAGE OF SPECIMEN TREES ACTUALLY SAVED:	7.7%

NOTE: PETITIONER WILL USE BEST EFFORTS TO SAVE SPECIMEN TREES IN BUFFERS AND IN TREE SAVE AREA AS SHOWN ON THE REZONING PLAN. ONSITE TREE MITIGATION OR FEE IN LIEU WILL BE USED AS A LAST RESORT AS ALLOWED BY TOWN ORDINANCE

TREE CANOPY

PERCENTAGE OF SITE COVERED BY TREE CANOPY:	22%
% OF TREE CANOPY PRESERVATION REQUIRED:	0% (CB)
% OF TREE CANOPY ACTUALLY SAVED:	0%

NOTE: THE CB ZONING DISTRICT DOES NOT REQUIRE TREE CANOPY PRESERVATION



EASTFIELD INDUSTRIAL
EVERETTE KEITH ROAD
HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA
FOUNDRY COMMERCIAL

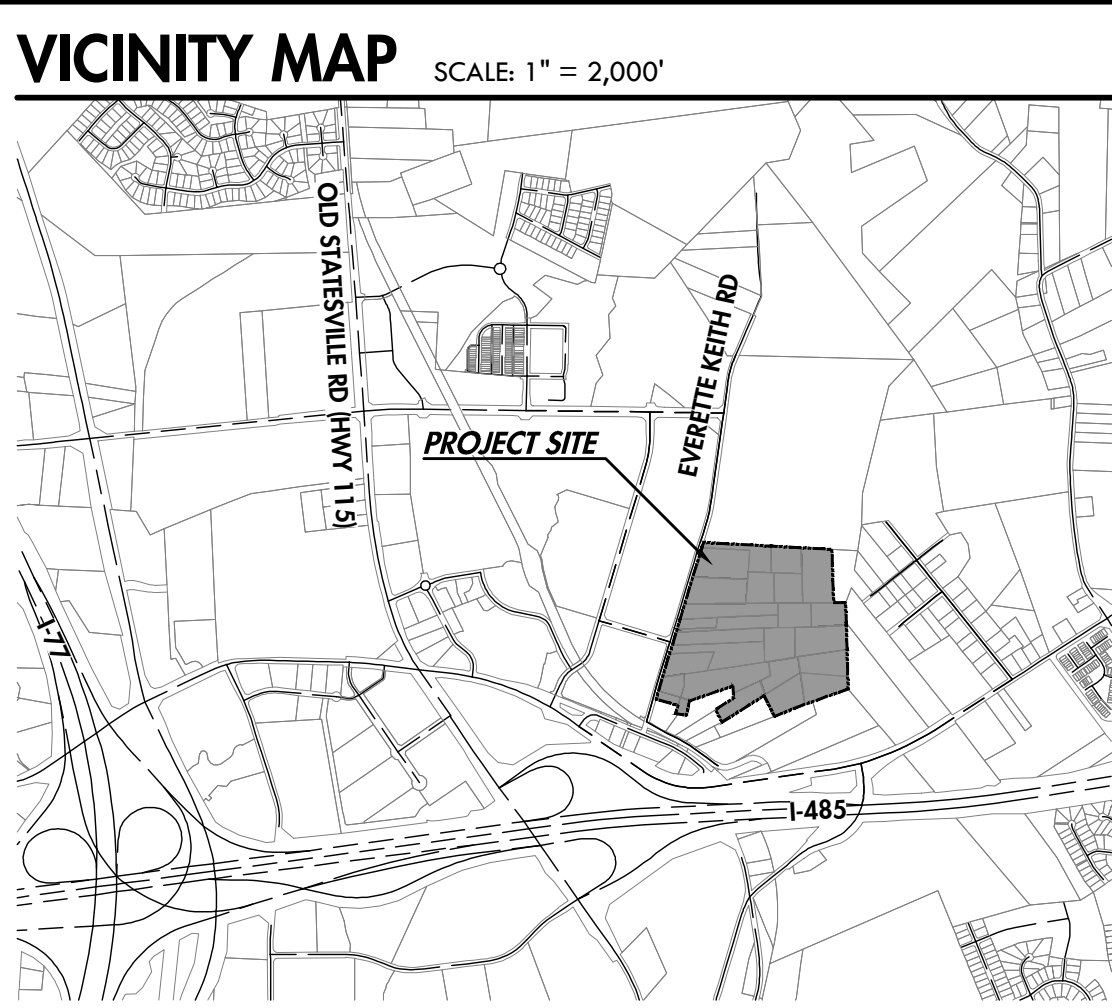
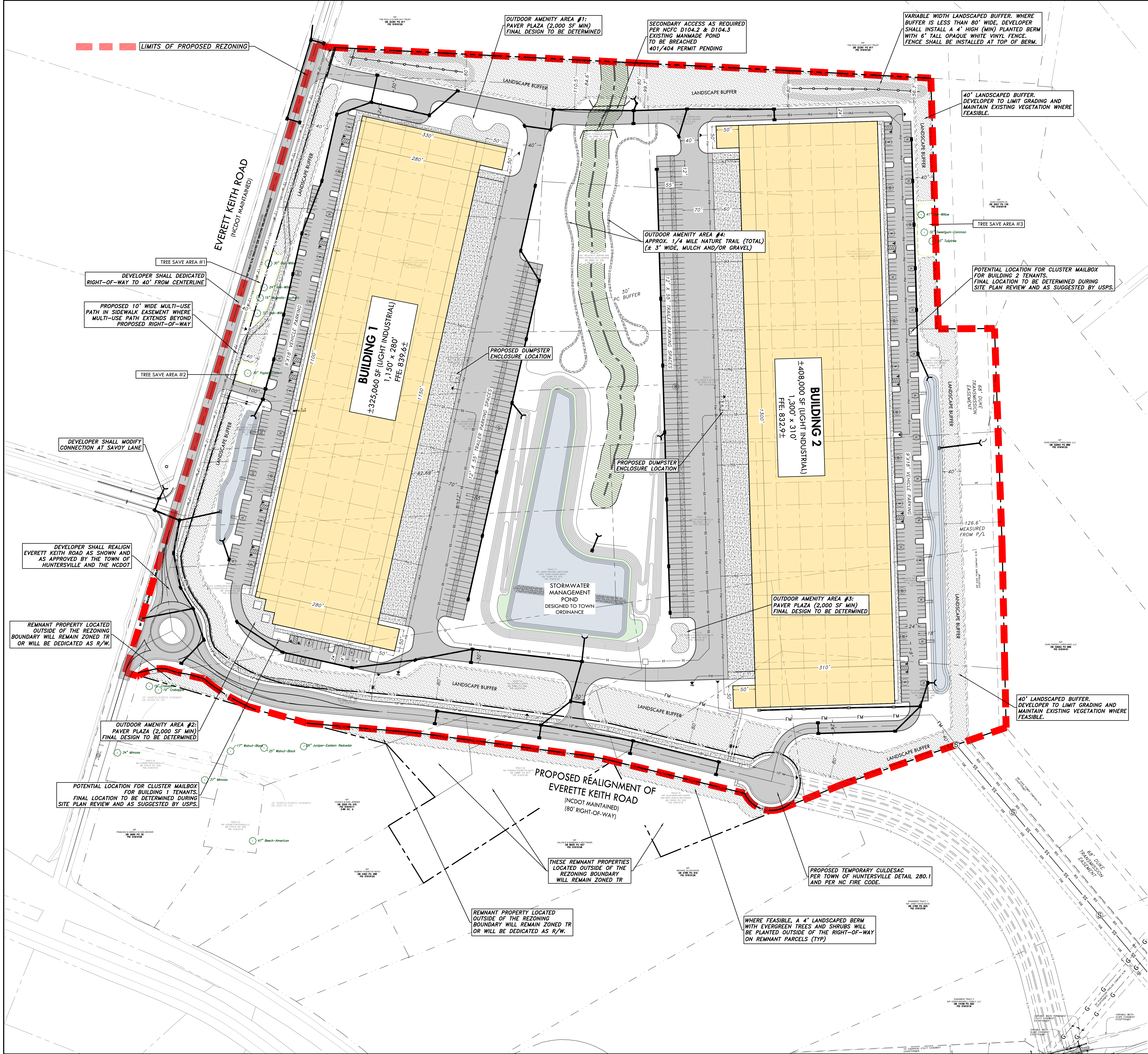
EXISTING TREE SURVEY

EPW #445035

- REVISIONS:**
- 06/01/23 - PER STAFF COMMENTS
 - 08/08/23 - PER STAFF COMMENTS

ENGINEER: GTW
DRAWN BY: ERT
CHECKED BY: LIB
PROJECT #: 022.021

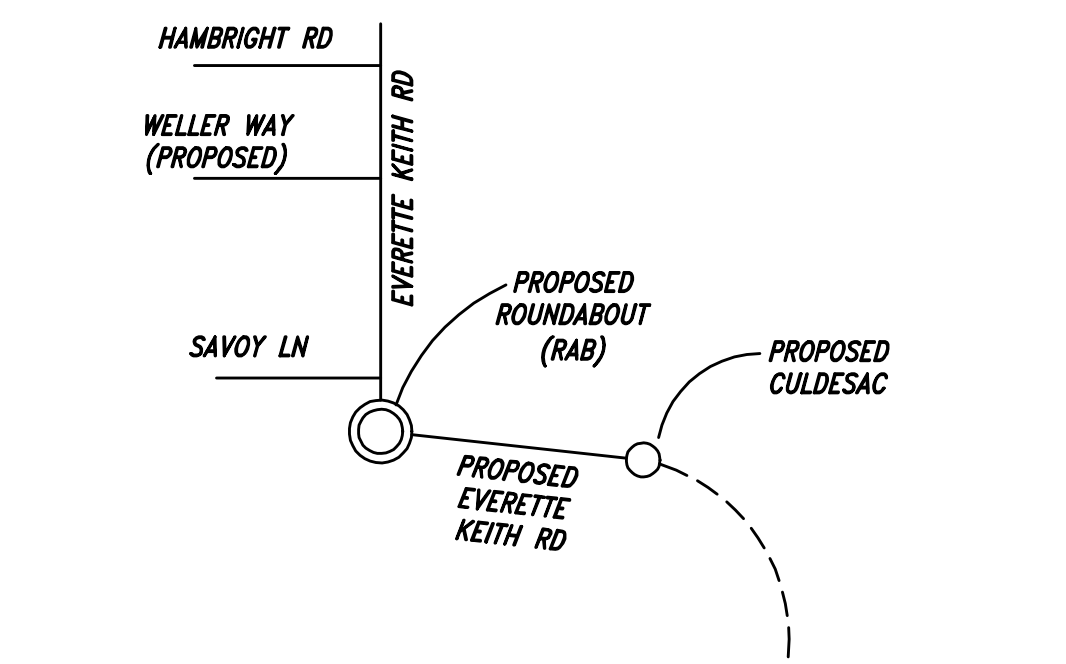
SHEET
R22.1
SHEET 3 OF 9



PROJECT SUMMARY

PROJECT NAME: EASTFIELD INDUSTRIAL (FINAL NAME OF PARK TO BE DETERMINED)
DEVELOPER: FOUNDRY COMMERCIAL, 2151 HAWKINS STREET, SUITE 1000, CHARLOTTE, NC 28203
PLANS PREPARED BY: OAK ENGINEERING, PLLC
TAX PARCEL NUMBERS: 019-151-02, 03, 04, 07, 21, 22, 23, 24, 25, 26, 27, 31, 32, 34, 36, 37, 38, 42, 43, 44, 45, 46, P/O 019-151-05, P/O 019-151-33, AND P/O 019-151-17
JURISDICTION: TOWN OF HUNTERSVILLE ET/J
EXISTING ZONING: TRANSITIONAL RESIDENTIAL (TR)
PROPOSED ZONING: CORPORATE BUSINESS - CONDITIONAL DISTRICT (CB-CD)
WATER SUPPLY WATERSHED: N/A
RECEIVING WATERS: TRIBUTARY TO CANE CREEK
RIVER BASIN: CLARKE WATERSHED
DENSITY: HIGH
FEMA INFORMATION: MAP NO. 3710455900K, MAP DATE: 09/02/2015, FLOOD ZONE: OUT
PROJECT SIZE: ±59.66 ACRES
PRINCIPAL USE: LIGHT MANUFACTURING / WAREHOUSING / OFFICE
BUILDING SIZE: 750,000 SF (MAX)
BUILDING TYPE: URBAN WORKPLACE (MULTI-BUILDING SITE)
BUILDING SETBACKS: FRONT: 40' MIN (40' TO 150' BUILD-TO-RANGE), SIDE YARD: 40', REAR YARD (EAST): 40' (EAST), REAR YARD (NORTH): 80' (WIDTH MAY BE REDUCED WITH ENHANCEMENTS AS SHOWN ON SITE PLAN)
NUMBER OF LOTS: 1
CONSTRUCTION DATES: 04/01/2024 - 06/30/2025
EXISTING BUA: ±141,100 SF
EXISTING BUA TO REMAIN: 0 SF
PROPOSED NEW BUA: ±1,420,000 SF
PROPOSED % BUA: 54.6%
% IMPERVIOUS ALLOWED: 70%
TOTAL POST-PROJECT BUA: ±1,420,000 SF
PARKING REQUIRED: 1 SPACE / 4,000 SF OF WAREHOUSE PLUS, 1 SPACE / 500 SF OF OFFICE
PARKING REQUIRED | PROVIDED: BUILDING 1: 139 REQUIRED (10% OFFICE) | ±224 SPACES PROVIDED, BUILDING 2: 174 REQUIRED (10% OFFICE) | ±238 SPACES PROVIDED (EXCESS PARKING IS AVAILABLE FOR AMENITY AREAS)

BLOCK LENGTH CHART		
START / END	MAX LENGTH	PROPOSED LENGTH
WELLER / SAVOY	1,500 FEET	1,860 FEET
SAVOY / RAB	1,500 FEET	274 FEET
RAB / CULDESAC	1,500 FEET	1,439 FEET



URBAN OPEN SPACE		
TYPE	SIZE	PARKING PROVIDE
PAVER PLAZA #1	2,000 SF (MIN)	0
PAVER PLAZA #2	2,000 SF (MIN)	0
PAVER PLAZA #3	2,000 SF (MIN)	0
NATURE TRAIL	1/4 MILE ±	0

OAK
ENGINEERING
4929 MCNICKE ROAD - CHARLOTTE, NC 28205
NORTH CAROLINA LICENSE #17742
oak-engineering.com

PE SEAL:
NORTH CAROLINA
PROFESSIONAL
ENGINEER
SEAL
33996
08/08/2023

80
0
80
SCALE: 1" = 80'

EASTFIELD INDUSTRIAL
EVERETTE KEITH ROAD
HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA
FOUNDRY COMMERCIAL

REZONING / SKETCH PLAN

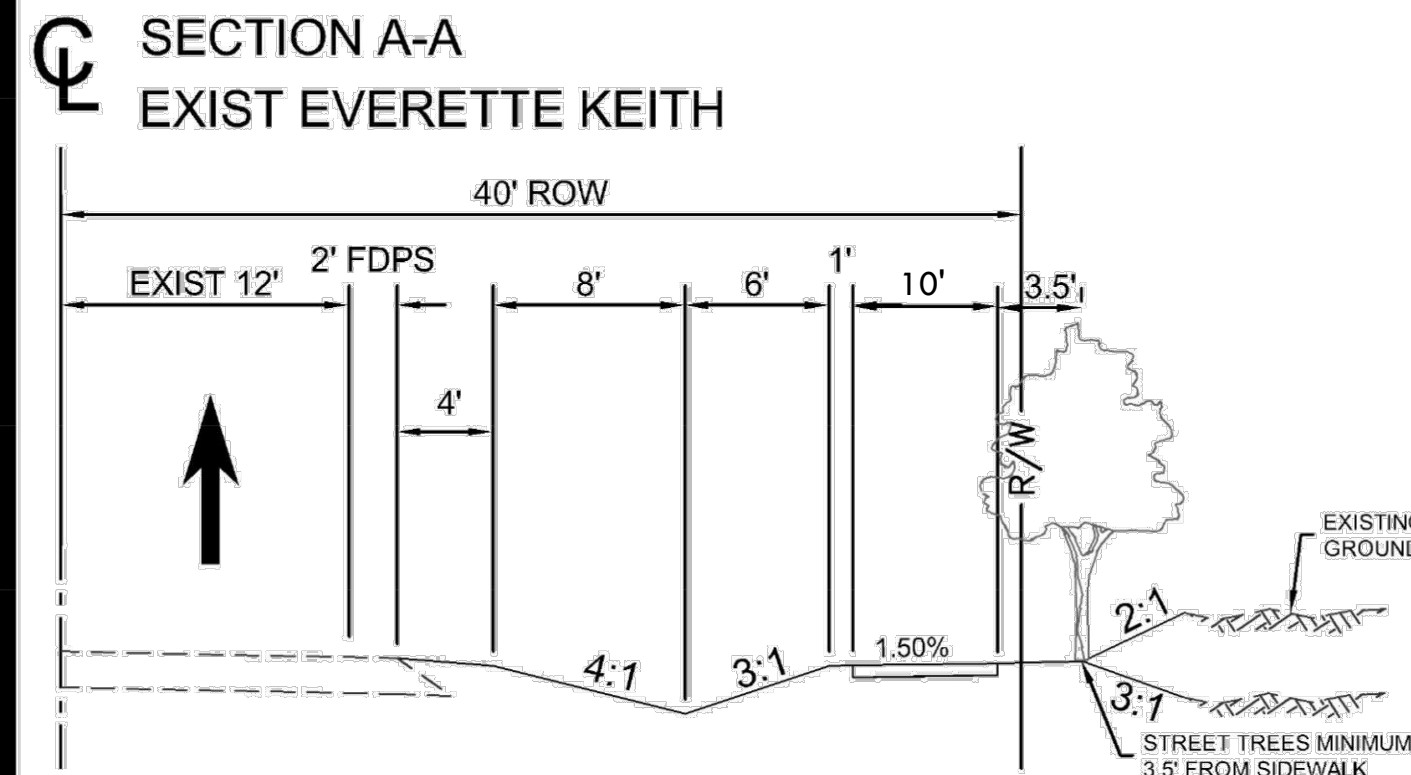
EPWA #445035

REVISIONS:
1. 06/01/23 - PER STAFF COMMENTS
2. 08/08/23 - PER STAFF COMMENTS

ENGINEER: GTW
DRAWN BY: ERT
CHECKED BY: LJB
PROJECT #: 022.021

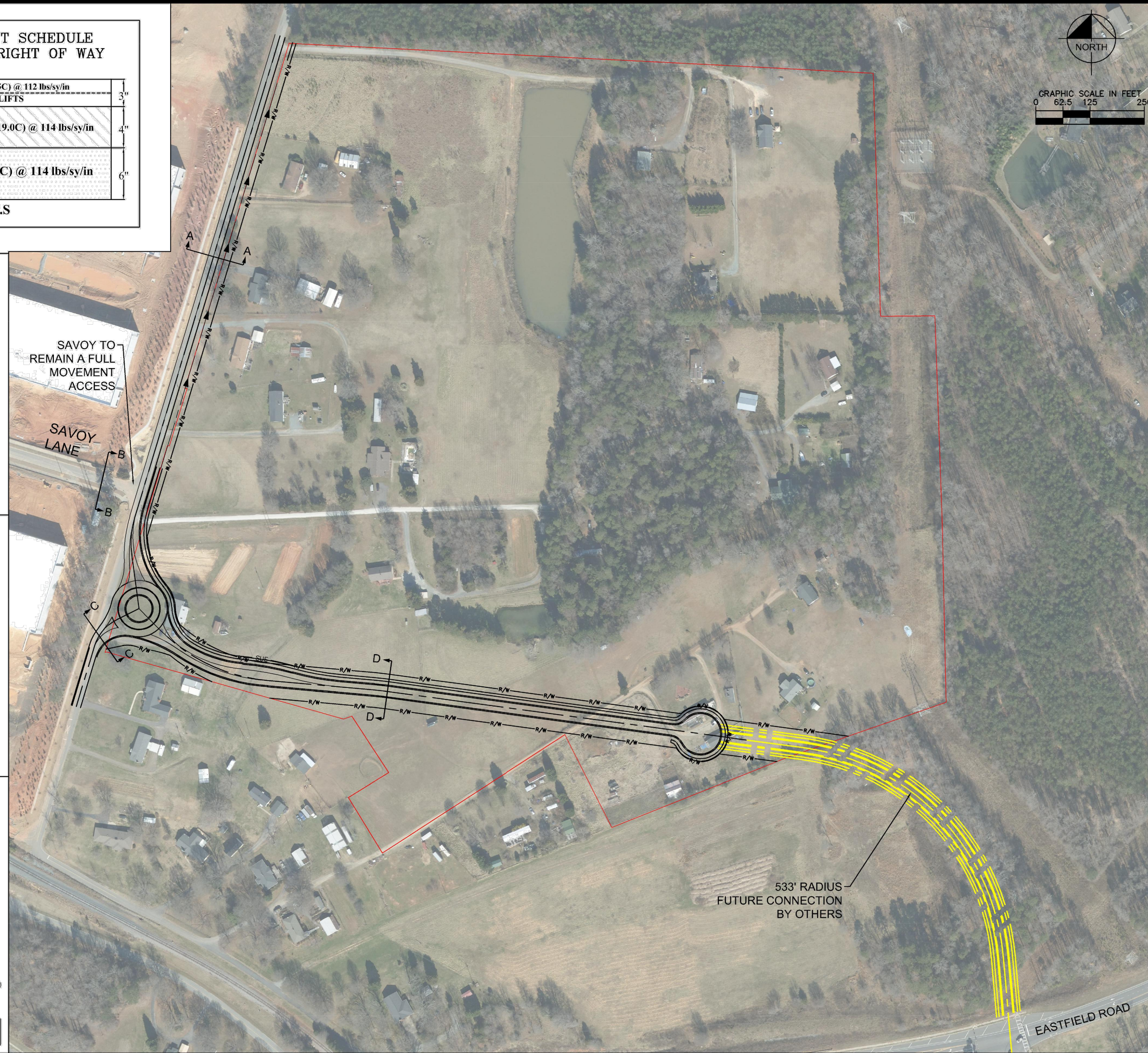
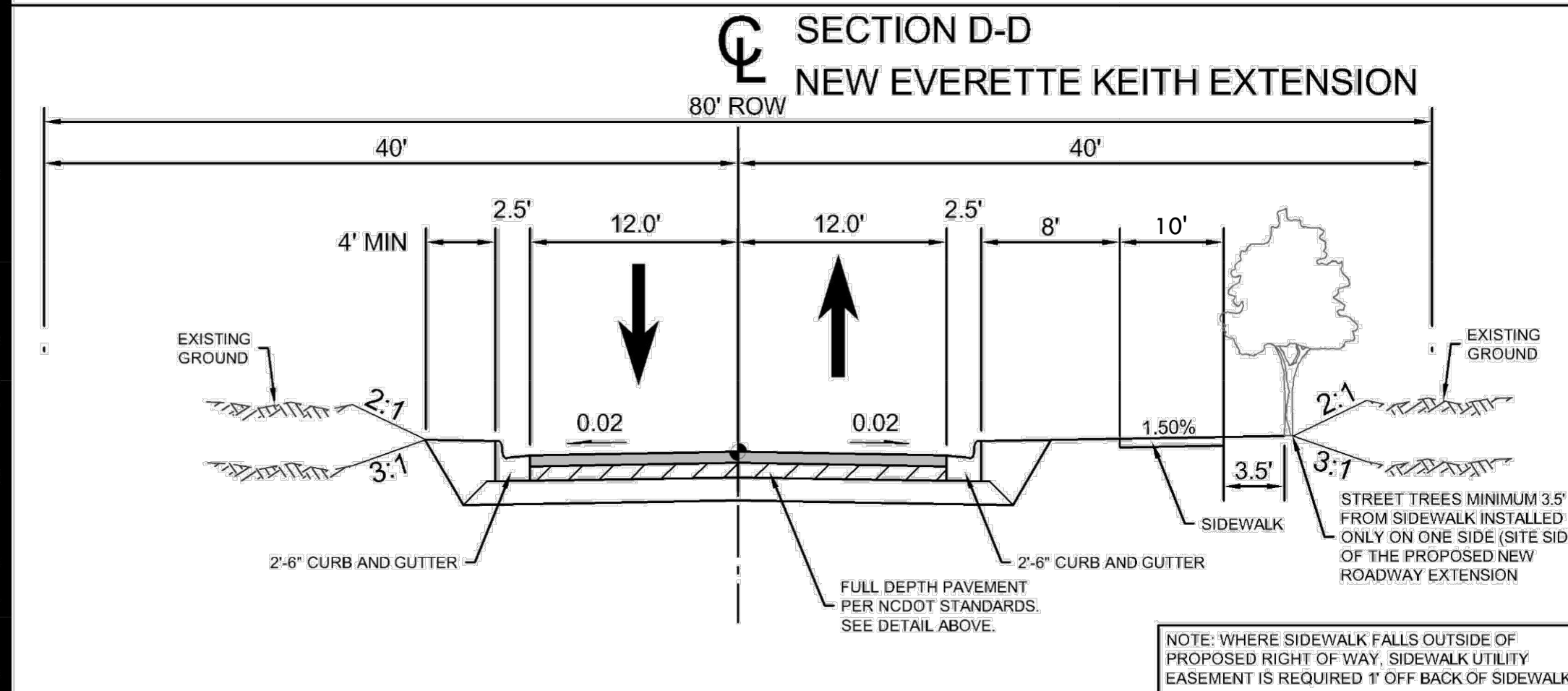
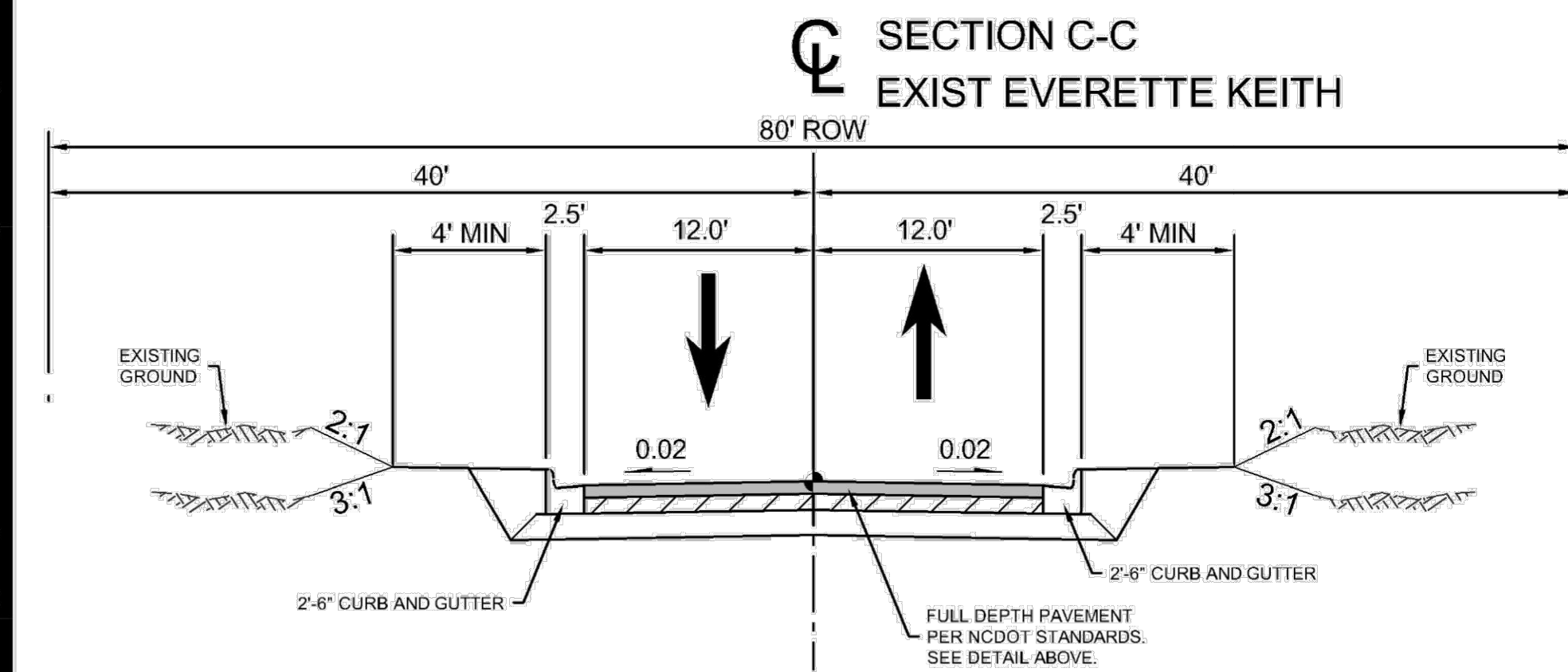
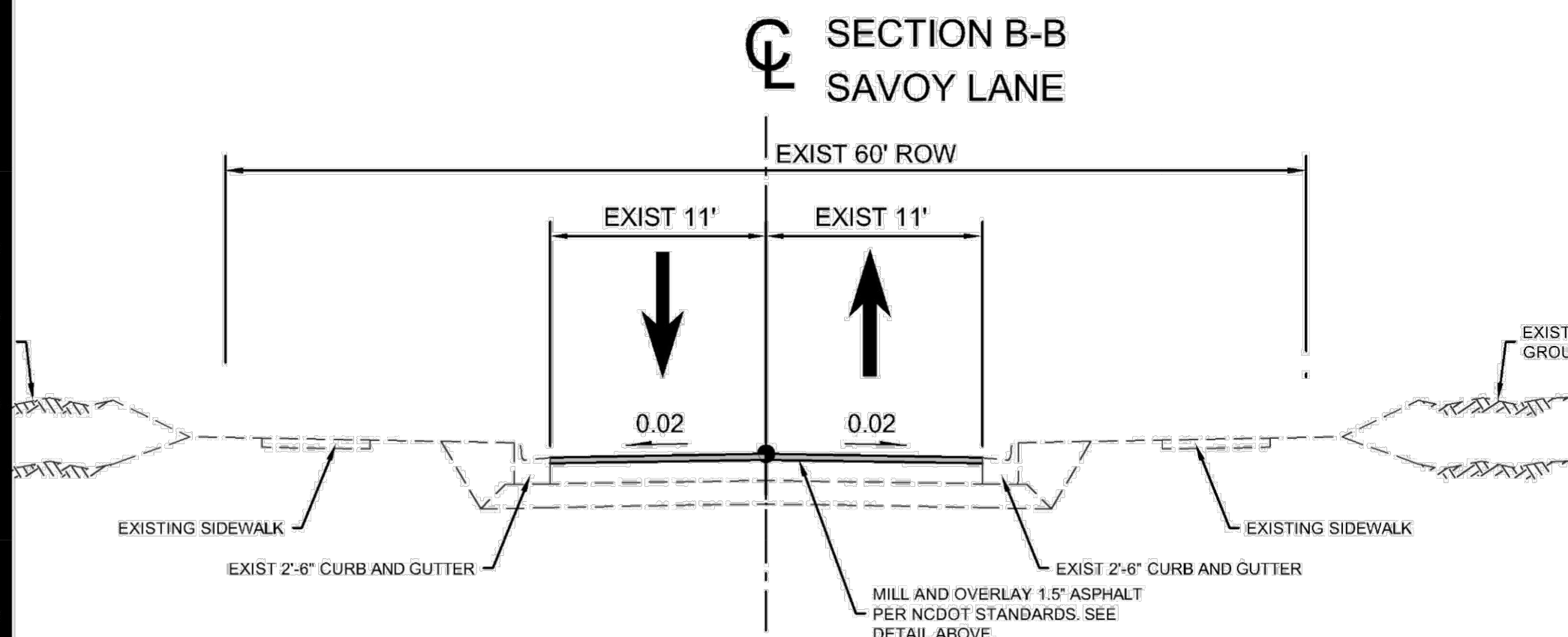
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SHEET 4 OF 9

Drawing name: C:\Users\JoeyRacer\Desktop\Projects at Home\Everett Keith - Eastfield\CAD\Exhibit.dwg RAB May 30, 2023 12:54pm by: JoeyRacer



**TYP. PAVEMENT SCHEDULE
WITHIN NCDOT RIGHT OF WAY**

Surface Course (S9.5C) @ 112 lbs/sy/in 2-1.5" LIFTS	3"
Intermediate Course (I19.0C) @ 114 lbs/sy/in	4"
Base Course (B25.0C) @ 114 lbs/sy/in	6"
N.T.S	



EVERETTE KEITH - ROADWAY TYPICAL SECTIONS

DATE: 5-30-2023

SHEET 1 of 1

Kimley»Horn

NC LICENSE #F-0102
200 SOUTH TRYON STREET, SUITE 200
CHARLOTTE, NORTH CAROLINA 28202
PHONE 704-333-5131

COMMITTED ROADWAY IMPROVEMENTS:

EASTFIELD ROAD AT BRYTON CORPORATE CENTER DRIVE:

- CONSTRUCT A SECOND SOUTHBOUND LEFT-TURN LANE ON BRYTON CORPORATE CENTER DRIVE WITH 300 FEET OF STORAGE. THE SOUTHBOUND, BRYTON CORPORATE CENTER DRIVE APPROACH WOULD THEN HAVE A DEDICATED RIGHT-TURN LANE AND DUAL LEFT-TURN LANES WITH 300 FEET OF STORAGE.
- CONSTRUCT AN EASTBOUND LEFT-TURN LANE EXTENSION ON EASTFIELD ROAD WHERE STORAGE WOULD BE EXTENDED TO 575 FEET.

EVERETTE KEITH ROAD AT SITE ACCESS 1, 2, 3, AND 4

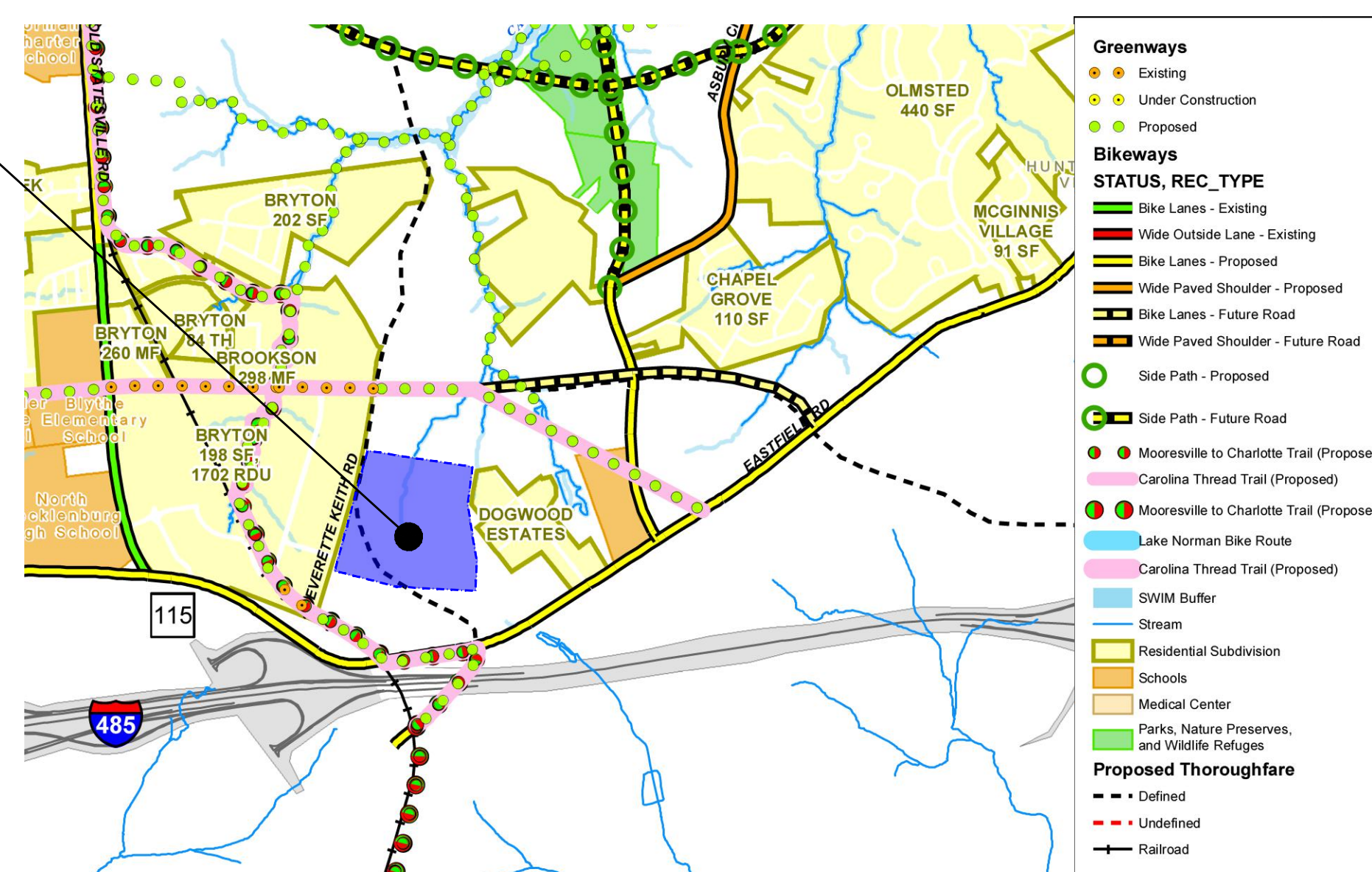
- SITE ACCESSES 1, 2, 3, AND 4 TO EACH HAVE AN INTERNAL PROTECTED STEM OF 100 FEET.

TRANSPORTATION IMPACT ANALYSIS (Z.O. ARTICLE 14):

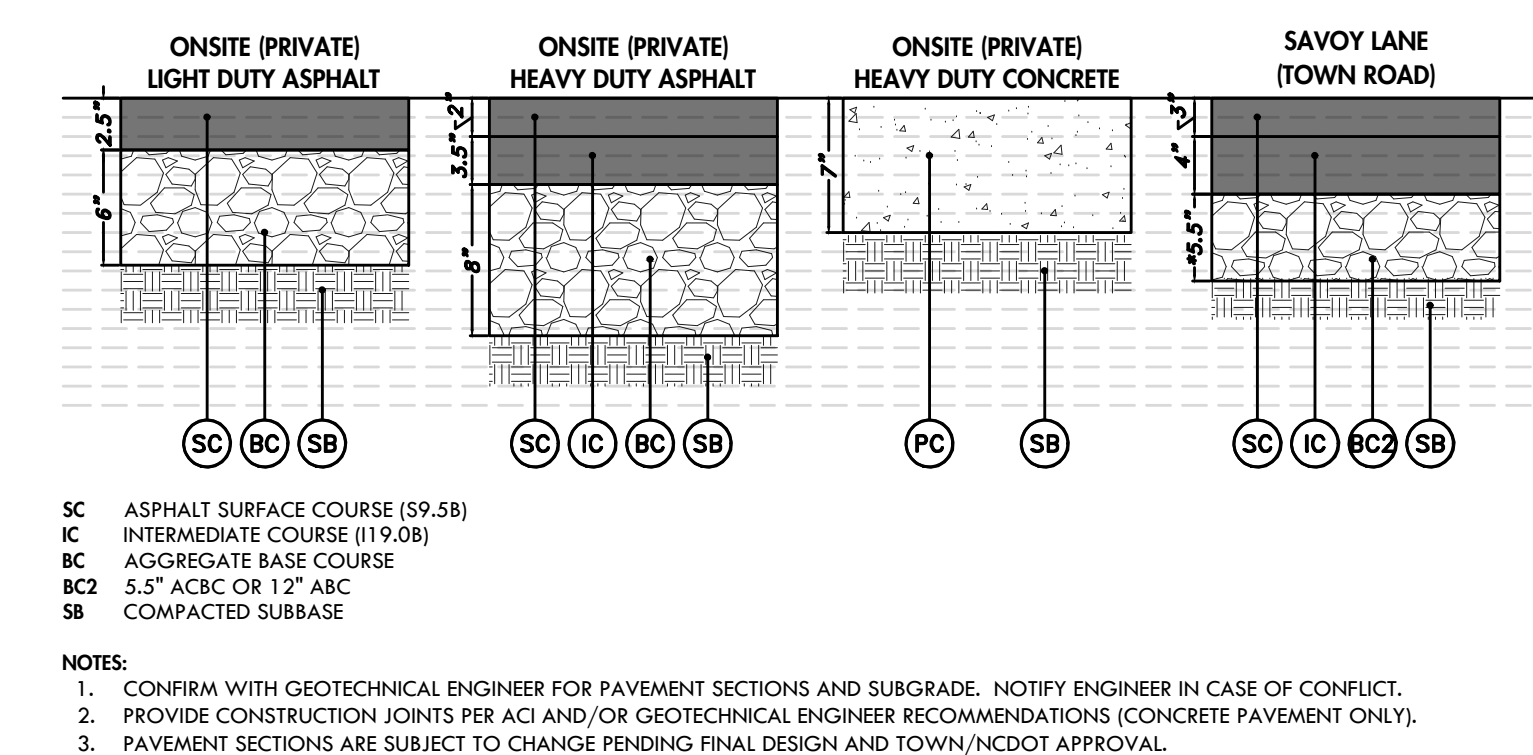
KIMLEY HORN ASSOCIATES THOMAS SHIRLEY, EIT (980) 296-0814 THOMAS.SHIRLEY@KIMLEY-HORN.COM
ENGINEERING FIRM CONTACT PHONE EMAIL

- ☒ TIA SUBMITTED. DATE: JUNE 1, 2023
- ☒ MITIGATION REQUIREMENTS ACCEPTED BY TOWN OF HUNTERVILLE ENGINEERING DEPARTMENT ON 6/29/2023
- ☒ MITIGATION SHOWN ON SITE PLANS
- ☐ APPLICANT SIGNED MITIGATION AGREEMENT
- ☐ MITIGATION NOTE PROVIDED.

PROJECT LOCATION.
THERE ARE NO PROPOSED GREENWAY, BIKEWAY, OR PEDESTRIAN PLANS WITHIN OR ADJACENT TO THE PROJECT BOUNDARY.



PAVEMENT SECTIONS



EPW #445035

REVISIONS:
1. 06/01/23 - PER STAFF COMMENTS
2. 08/06/23 - PER STAFF COMMENTS

ENGINEER: GTW
DRAWN BY: ERT
CHECKED BY: LB
PROJECT #: 022.021

SHEET
RZ3.1

SHEET 5 OF 9

EASTFIELD INDUSTRIAL

EVERETTE KEITH ROAD
HUNTERVILLE, MECKLENBURG COUNTY, NORTH CAROLINA
FOUNDRY COMMERCIAL

EVERETTE KEITH - ROADWAY TYPICAL SECTIONS

PE SEAL:
NORTH CAROLINA
PROFESSIONAL
SEAL
33596
GREGORY T. WELSH
08/08/2023

OAK
ENGINEERING
4929 MCNICE ROAD - CHARLOTTE, NC 28205
NORTH CAROLINA REG. #17142
oak-engineering.com

REZONING NOTES
EASTFIELD INDUSTRIAL

1. Rezoning Petition. These rezoning notes comprise the development standards ("Development Standards") associated with the rezoning petition (the "Rezoning Petition") filed by Foundry Commercial ("Petitioner") on December 1, 2022 (the "Filing Date") as Rezoning Petition R23-01& Sketch Plan (the "Rezoning Plan") for that approximately 59.66 acre tract of land, identified on this Site Plan as Eastfield Industrial (the "Project") in connection with part of tax parcel numbers 019-151-02, 03, 04, 07, 21, 22, 23, 24, 25, 26, 27, 31, 32, 34, 36, 37, 38, 42, 43, 44, 45, 46, p/o 019-151-05, p/o 019-151-33, and p/o 019-151-17 (the "Property"). The purpose of the Rezoning Petition is to convert the zoning classification of the Property from Transitional Residential (TR) to Corporate Business-Conditional District (CB-CD) classification in accordance with the provisions of the Town of Huntersville Zoning Ordinance (the "Ordinance").
2. 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 alternate standard(s) as noted on the Rezoning Plan or in these Development Standards, 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.
3. Schematic Nature of Rezoning Plan. The lots and proposed improvements and architectural renderings shown on and included with the Rezoning Plan are schematic in nature and exact locations, architectural details, style and materials, size, number or quantity and configurations of lots and buildings may be modified, with Planning Staff approval, during design, engineering and construction phases of the development so long as such modification does not exceed the square footage in the TIA, meets the applicable requirements of the Zoning Ordinance and the Modifications. The exact alignments of the driveway locations and curb cuts 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.
4. 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 and prior to completion of the development, 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 Rezoning Plan and the Ordinance as it changes from time to time, and without pursuing a rezoning. Such modifications to the Ordinance shall in no way impact the Petitioner's vested rights. 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 N.C. Gen. Stat. §160D-108.1.
5. Permitted Uses. The Property may be developed for any uses (including accessory uses) permitted in the Corporate Business Zoning District; provided, however, inns, hotels and motels, wind energy facilities, schools, home occupation, single-family and multi-family uses shall be prohibited, and all permitted uses shall be subject to the development standards associated with such uses. Any labelling 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. Retail, restaurant, personal services, branch banks, conference facilities, clinics, indoor recreation and similar "workplace support uses", as referenced in 3.2.9(c) of the Ordinance, up to 10% of gross floor area within the development or 70,000 SF, whichever is less, are permitted.
6. Subdivision. The Property is one development and may be subdivided without a rezoning to allow separate owners of individual parcels so long as such subdivision is consistent with the general design of the Rezoning Plan, in compliance with applicable law, including subdivision

1

regulations and consistent with the Ordinance except as shown on the approved Rezoning Plan. However, recombination, condominiumization, or reduction in the number of parcels may occur in accordance with the regulations of the Ordinance without amendment to the Rezoning Plan. Requirements that are met by the Project as a whole, such as open space, tree save and impervious requirements, need not be met by individual parcels.

7. Street Improvements. Petitioner shall be required to install sidewalks, street trees, planting strips, bicycle lanes 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 the Zoning Ordinance, Subdivision Ordinance, applicable Huntersville/NCDOT TIA, or driveway permit requirements. Second row street trees may be placed behind the sidewalk in a landscape easement if required by Petitioner.
8. Grading. As more particularly described in the Rezoning Plan and the Modifications, grading in the buffer shall be allowed in accordance with the modifications set forth herein.
9. Amendment. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then 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 may 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 the initial approval. This note shall be shown on the final plat when recorded.
10. BMP Design. The designs for the BMPs shown on the Rezoning Plan shall be finalized during the construction phase and shall be completed as a part of the infrastructure improvements.
11. Lightning. Lighting will be in compliance with Article 8.26 of the Ordinance.
12. Parking Lots. Except as shown on the Rezoning Plan and as described in the Modifications, parking lots will be in compliance with Article 6 of the Ordinance.
13. Garbage collection areas and Fire Apparatus. Garbage collection (dumpsters) areas shown are conceptual and will comply with the Ordinance's screening requirements. The final location will be determined during construction documentation. Fire apparatus locations will be as generally depicted on the Rezoning Plan and final location will be determined during construction documentation.
14. Mail. Group/cluster boxes will be located in a central location and coordinated with USPS. Final locations and sizes will be determined during construction documentation.
15. Water and Sewer. Water and Sewer will be provided to the site by Charlotte Water.
16. Sketch Plan. At the election of the Applicant, any modifications to the Sketch Plan, including multi-building site plans, may be reviewed administratively by Planning Staff as permitted by the Ordinance as long as the sketch plan/ multi-building site is consistent with the Rezoning Plan.
17. Multiple Buildings. The two buildings shown on the rezoning plan may be administratively increased to three buildings ,so long as (i) the buildings meet the applicable requirements of the Ordinance, (ii) the amount of impervious coverage and the extent of encroachments into property setbacks and buffers, although not in the specific location shown on the Rezoning Plan, are consistent with the amount of impervious coverage and the encroachment area shown on the Rezoning Plan, and (iii) the square footage does not exceed the square footage in the TIA.
18. TIA. The TIA was completed and approved by the Town and NCDOT. The Petitioner

2

agrees to the following improvements as recommended in the TIA:

- Eastfield Road at Bryton Corporate Center Drive
-Construct a second southbound left-turn lane on Bryton Corporate Center Drive with 300 feet of storage.
-Construct an eastbound left-turn lane extension on Eastfield Road where storage would be extended to 575 feet.
Everette Keith Road at Site Access 1, 2, 3, and 4
-Site Accesses 1, 2, 3, and 4 to each have an internal protected stem of 100 feet.
19. Street stub and buffer to north. If the abutting property to the north ("North Parcel") is developed with a non-residential use, Petitioner agrees to provide an easement through the northern buffer to allow the developer of the North Parcel to connect to the existing driveway (s) on the Property. Funding for future connections and restoration of the impacted buffer on the Property will be funded by the developer of the North Parcel. In the event the North Parcel is rezoned to a district allowing a buffer less than 80', Petitioner will be allowed to administratively reduce the northern buffer of the Property to the then applicable required buffer depth.
20. Remnant parcels south of Evertte Keith (not included in the rezoning). Where adequate distance is available on the remnant parcels from the southern right-of-way of realigned Everette Keith, and with permission of the parcel owner, Petitioner will install a 4' planted and landscaped berm as more specifically shown on the Rezoning Plan.
21. Tree Save. Petitioner will use best efforts to save heritage or mature trees in buffers. If preserving existing trees / vegetation provides the most dense buffer, petitioner will not disturb the buffer unless required for grading. Where disturbed, the Petitioner will provide a combination of berms, landscaping or fencing as shown on the Rezoning Plan. A tree preservation plan shall be incorporated as part of the landscaping, grading and erosion control plans.
22. Binding Effect of the Rezoning Documents and Definitions. If this Rezoning Application 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 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 Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
23. Requested Changes to Standards. Pursuant to Section 11.4.7(k) of the Ordinance, the standards of the Ordinance are modified to permit the following (the "Changes"):

- a. Change from Article 7.5.3, which requires an 80-foot-wide buffer, to allow approval of the buffer along the northern property line as shown on the Rezoning Plan, provided, where the buffer is reduced below 80' an alternative buffer yard plan that includes a minimum 4' raised planted landscaped berm with a 6' privacy fence shall be provided where buffer reductions occur. The buffer reduction along the eastern boundaries of the Property as shown on the Rezoning Plan is acceptable except that, where possible, the Petitioner will preserve existing vegetation along the eastern border when such preservation creates a denser buffer than a planted landscaped berm.
- b. Change from Article 7.5.8, which requires all buffer yards to remain undisturbed with certain exceptions. Grading shall be allowed in the buffer yards to allow berming and planting as shown on the Rezoning Plan.
- c. To the extent required, block length waivers are permitted as shown in the block chart and on the Rezoning Plan. The block length between Savoy and Weller Way exceeds 1,500' and is approved as shown on the rezoning plan.

3

COMMITTED ROADWAY IMPROVEMENTS:

EASTFIELD ROAD AT BRYTON CORPORATE CENTER DRIVE:

- CONSTRUCT A SECOND SOUTHBOUND LEFT-TURN LANE ON BRYTON CORPORATE CENTER DRIVE WITH 300 FEET OF STORAGE. THE SOUTHBOUND, BRYTON CORPORATE CENTER DRIVE APPROACH WOULD THEN HAVE A DEDICATED RIGHT-TURN LANE AND DUAL LEFT-TURN LANES WITH 300 FEET OF STORAGE.
- CONSTRUCT AN EASTBOUND LEFT-TURN LANE EXTENSION ON EASTFIELD ROAD WHERE STORAGE WOULD BE EXTENDED TO 575 FEET.

EVERETTE KEITH ROAD AT SITE ACCESS 1, 2, 3, AND 4

- SITE ACCESSES 1, 2, 3, AND 4 TO EACH HAVE AN INTERNAL PROTECTED STEM OF 100 FEET.

TRANSPORTATION IMPACT ANALYSIS (Z.O. ARTICLE 14):

KIMLEY HORN ASSOCIATES ENGINEERING FIRM	THOMAS SHIRLEY, EIT CONTACT	(980) 296-0814 PHONE	THOMAS.SHIRLEY@KIMLEY-HORN.COM EMAIL
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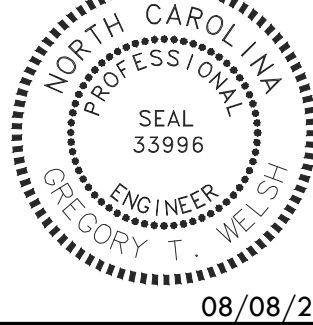
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- ☒ MITIGATION SHOWN ON SITE PLANS
- ☐ APPLICANT SIGNED MITIGATION AGREEMENT
- ☐ MITIGATION NOTE PROVIDED.

TOWN OF HUNTERSVILLE REQUIRED NOTES:

1. ALL DEVELOPMENT AND CONSTRUCTION SHALL COMPLY WITH ALL ZONING AND SUBDIVISION STANDARDS OF THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, AND NCDOT, AS APPLICABLE.
2. THE PROPERTY MAY BE SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAY OF RECORD.
3. ALL AREAS DESIGNATED AS COMMON AND/OR URBAN OPEN SPACE SHALL BE OWNED AND MAINTAINED BY THE DEVELOPER OR THEIR ASSIGNEE AND SHALL BE DEDICATED FOR PERPETUITY.
4. ACCESS (INGRESS/EGRESS) LOCATION AND DESIGN SHOWN ON THE SKETCH PLAN AREA SUBJECT TO ACHIEVING VERTICAL AND HORIZONTAL SIGHT DISTANCES, TURN LANE IMPROVEMENTS (INCLUDING RIGHT-OF-WAY) AND INTERSECTION WITH ADJACENT AND OPPOSING ACCESS POINTS. MODIFICATIONS TO PLAN MAY RESULT.
5. LARGE MATURING TREES WILL BE PLANTED 40' ON CENTER WITHIN THE REQUIRED PLANTING STRIP ALONG ALL STREETS. TREE SPECIES SHALL COMPLY WITH TOW APPROVED TREE LIST.
6. SMALL MATURING TREES ARE TO BE USED WHERE OVERHEAD POWER LINES EXIST.
7. MAIL KIOSKS, INTERNAL TO THE DEVELOPMENT, WILL BE PROVIDED FOR EACH BUILDING. DELIVERY METHOD AND FINAL KIOSK LOCATION WILL BE COORDINATED WITH THE LOCAL USPS. THE KIOSK WILL BE LOCATED AS TO NOT IMPEDED PUBLIC TRAFFIC OR INTERNAL CIRCULATION.
8. COMMON GARBAGE RECEPTACLES (DUMPSTERS) WILL BE PROVIDED FOR EACH BUILDING. DEPENDING ON TENANT DEMAND, MULTIPLE DUMPSTER LOCATIONS MAY BE WARRANTED. ALL DUMPSTERS WILL BE SHIELDED FROM VIEW IN OPAQUE DUMPSTER ENCLOSURES.
9. DIRECT ACCESS FROM LOTS TO A THOROUGHFARE IS PROHIBITED. PROPOSED ACCESS POINTS ARE DEPICTED ON THE REZONING SITE PLAN.
10. THE SUBJECT PROPERTY IS LOCATED ENTIRELY OUTSIDE OF ALL FEMA FLOOD PLAINS AND FLOODWAYS.
11. THERE ARE NO PROPOSED BUILD-TO-LINES OR BUILD-TO-RANGES PROPOSED FOR THIS SITE.
12. A TRAFFIC IMPACT ANALYSIS HAS BEEN SUBMITTED AND APPROVED BY THE TOWN OF HUNTERSVILLE AND THE NCDOT.



PE SEAL:



EASTFIELD INDUSTRIAL

EVERETTE KEITH ROAD
HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA
FOUNDRY COMMERCIAL

EPW #445033

REVISIONS:
1. 06/01/23 - PER STAFF COMMENTS
2. 08/08/23 - PER STAFF COMMENTS

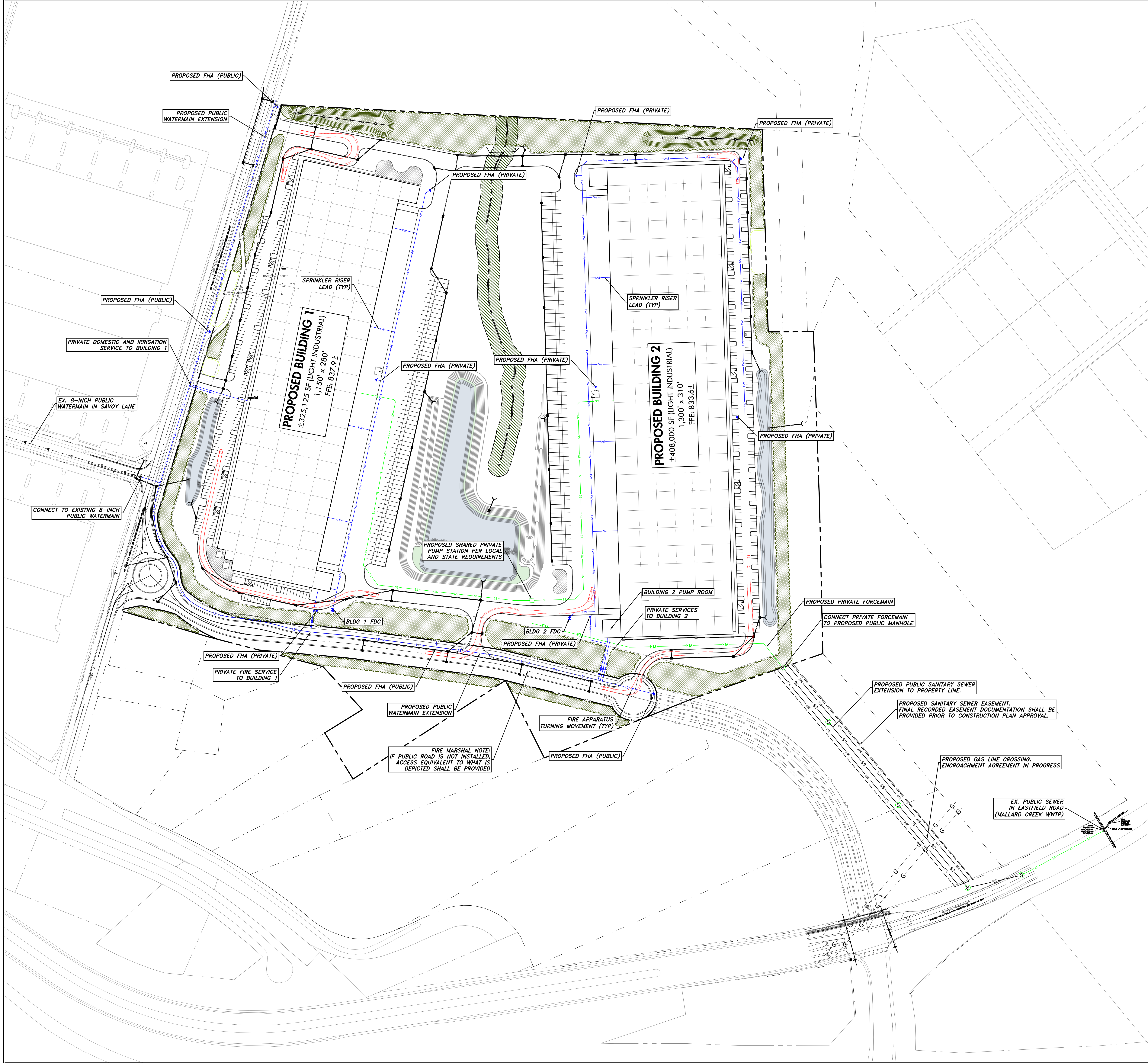
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DRAWN BY: ERT
CHECKED BY: LB
PROJECT #: 022.021

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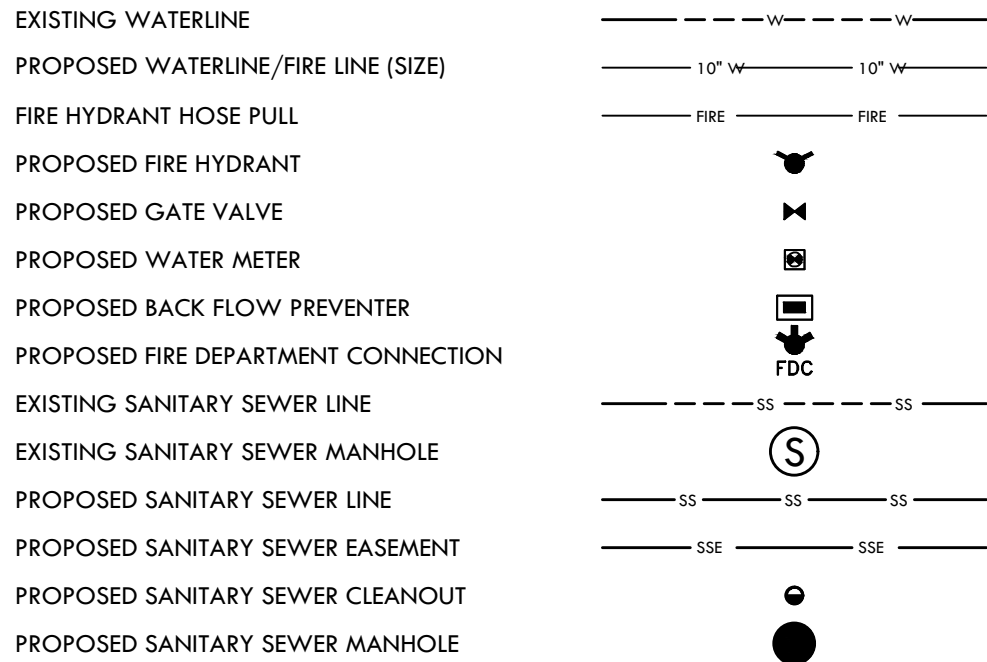
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SHEET 4 OF 9

REZONING / SKETCH PLAN DEVELOPMENT STANDARDS



UTILITY LEGEND



UTILITY NOTES

1. PROJECT WATER AND SEWER SERVICE WILL BE SUPPLIED BY CITY WATER.

FIRE ACCESS NOTES

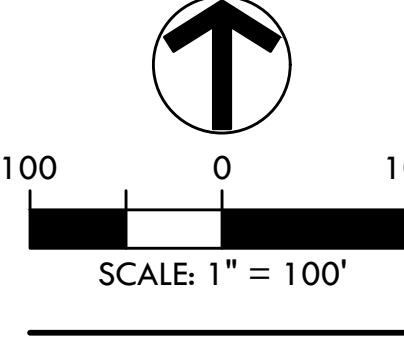
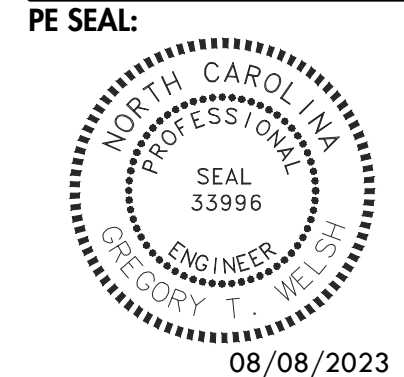
1. THE MOST REMOTE POINT OF THE BUILDING SHALL BE WITHIN 400' OF A FIRE HYDRANT AS A TRUCK TRAVELS (400' WHEN NO SPRINKLER SYSTEM IS PRESENT). ALL POINTS OF THE BUILDING SHALL BE WITHIN 200' OF A FIRE TRUCK ACCESSIBLE ROUTE.
2. FIRE HYDRANT SHALL BE WITHIN 200' OF FDC AS THE APPARATUS TRAVELS (100' WHEN FDC SERVES STANDPIPES).
3. FIRE ACCESS ROAD AND PARKING LOT SHALL BE ABLE TO WITHSTAND 85,000-LBS OF TRUCK TRAVEL.
4. ALL FIRE ACCESS ROADS REQUIRE A MINIMUM 20' UNOBSTRUCTED CLEAR WIDTH.
5. RADIUS OF CURVES IN THE FIRE ACCESS ROAD SHALL BE 30' MINIMUM (INSIDE) AND 42' MINIMUM (OUTSIDE).

BACKFLOW NOTES

1. NO PERMANENT PROTECTION MAY BE INSTALLED ON THE RP ASSEMBLY. IT IS RECOMMENDED THAT HEAT BE PROVIDED FOR ALL ABOVE-GROUND DOMESTIC AND COMBINATION SERVICE RP ENCLOSURES TO PREVENT FREEZE DAMAGE. IRRIGATION RP'S CAN BE WINTERIZED BY DRAINING ALL WATER FROM THEM. ENCLOSURES FOR ABOVE-GROUND RP INSTALLATIONS ON FIRE LINES ARE REQUIRED BY THE FIRE DEPT. TO BE HEATED (MAINTAIN A MIN. OF 40°F).
2. NO PLASTIC PIPING MATERIAL IS ALLOWED WITHIN 5' OF THE RP ENDS.
3. ALL REDUCED PRESSURE PRINCIPLES BACKFLOW PREVENTION ASSEMBLIES SHALL BE INSTALLED ABOVE-GROUND WITHIN INSULATED ENCLOSURE PER CITY WATER REQUIREMENTS. ENCLOSURE TO INCLUDE DRAIN PARTS FOR DISCHARGE WATER PER CITY WATER REQUIREMENTS.
4. THERE SHALL BE NO TAPS, PIPING BRANCHES, UNAPPROVED BYPASS PIPING, HYDRANTS, FIRE DEPT. CONNECTION POINTS, OR OTHER WATER-USE APPURTENANCES CONNECTED TO THE SUPPLY LINE BETWEEN ANY WATER METER AND ITS CITY-WATER REQUIRED BACKFLOW PREVENTER.
5. EACH CITY-WATER REQUIRED BPA IS TO BE TESTED BY A CITY-WATER APPROVED CERTIFIED TESTER PRIOR TO PLACING THE WATER SYSTEM IN SERVICE.
6. ALL ABOVE-GROUND BACKFLOW PREVENTERS ARE SUBJECT TO 20' MINIMUM BUILDING SETBACKS FROM THE REESE BLVD W/ RIGHT-OF-WAY.

CHARLOTTE WATER NOTES

1. CUSTOMER IS RESPONSIBLE FOR STAKING SITE AS NECESSARY TO DETERMINE SERVICE LOCATIONS AND ELEVATIONS PRIOR TO CHARLOTTE WATER CONTRACTOR MOBILIZING TO INITIAL SERVICES.
2. ON-SITE CONTRACTOR IS RESPONSIBLE FOR RELOCATING ANY APPLICABLE CONFLICTING UTILITIES NECESSARY TO COMPLETE SERVICE INSTALLATIONS. ADDITIONAL FEES MAY APPLY & CONSTRUCTION TIMELINES EXTENDED IF CONFLICTING UTILITIES ARE NOT SHOWN ON THE PLANS.
3. PAYMENT FOR A QUOTED SERVICE CONNECTION SHALL BE CONSIDERED ACKNOWLEDGEMENT AND APPROVAL OF CHARLOTTE WATER COMMENTS BY THE APPLICANT. PAYMENT DOES NOT INCLUDE ANY ADDITIONAL APPLICABLE FEES REQUIRED DUE TO UNFORESEEN CIRCUMSTANCES THAT ARE NOT DEPICTED ON THE APPLICANT PROVIDED SITE PLAN.
4. BACKFLOW PREVENTION REVIEW ENTAILS PLAN SUBMITTAL VIA MECKLENBURG COUNTY'S CODE ENFORCEMENT PERMITTING PROCESS AT THE TIME OF APPLICATION FOR BUILDING PERMITS. BACKFLOW PROGRAM REQUIREMENTS ARE AVAILABLE ONLINE. PLEASE CONTACT MARK ROUSE AT 704.432.5800 FOR MORE INFORMATION. ANY REVISION TO THE SERVICE CONFIGURATIONS AND/OR METER LOCATIONS WILL REQUIRE A RESUBMITTAL TO BACKFLOW FOR REVIEW.



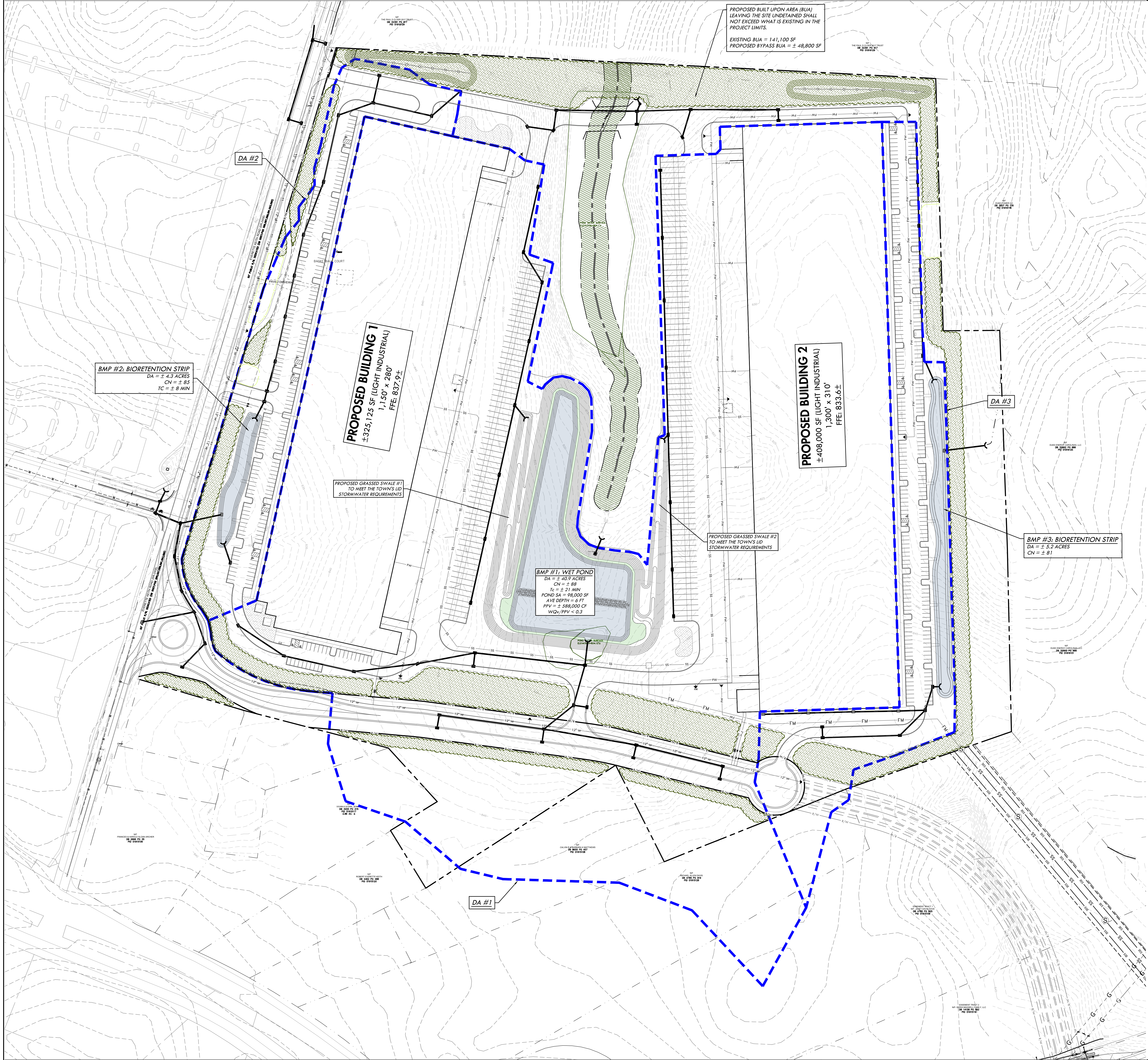
EASTFIELD INDUSTRIAL
EVERETTE KETH ROAD
HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA
FOUNDRY COMMERCIAL
UTILITY CONCEPT PLAN

EPW #445035

- REVISIONS:
1. 06/01/23 - PER STAFF COMMENTS
 2. 08/08/23 - PER STAFF COMMENTS

ENGINEER: GTW
DRAWN BY: ERT
CHECKED BY: LJB
PROJECT #: 022.021

SHEET
SP1.0
SHEET 7 OF 9



GRADING LEGEND

EXISTING CONTOUR	100
PROPOSED CONTOUR	100
PROPOSED LIMITS OF CONSTRUCTION	LOC LOC
PROPOSED STORM DRAINAGE EASEMENT	SDE SDE
PROPOSED STORM DRAINAGE PIPE	12" W 18" W 24" W
EXISTING JURISDICTIONAL WETLAND	WET WET
PROPOSED SPOT ELEVATION (GUTTER LINE ELEV)	100.00
PROPOSED JUNCTION BOX	
PROPOSED CATCH BASIN	
PROPOSED DROP INLET	
PROPOSED FLARED END SECTION	
PROPOSED OUTLET STRUCTURE	
PROPOSED HEADWALL	
PROPOSED RIPRAP APRON	

STORM DRAINAGE NOTES

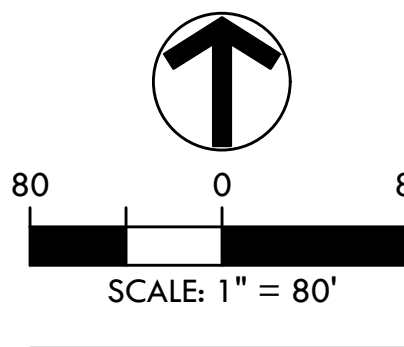
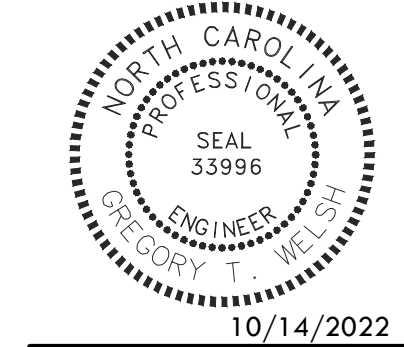
- THE PURPOSE OF THE STORM DRAINAGE EASEMENT (SDE) IS TO PROVIDE STORMWATER CONVEYANCE. BUILDINGS ARE NOT PERMITTED IN THE EASEMENT AREA, ANY OTHER OBJECTS WHICH IMPEDE STORMWATER FLOW OR SYSTEM MAINTENANCE ARE ALSO PROHIBITED.
- "AS-BUILT" DRAWINGS AND PLANS OF THE STORM DRAINAGE SYSTEM, INCLUDING DESIGNED DITCHES, MUST BE SUBMITTED PRIOR TO SUBDIVISION FINAL INSPECTION TO THE TOWN ENGINEERING DEPARTMENT IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE.
- AS-BUILTS FOR ALL APPLICABLE DETENTION STRUCTURES AND BMP MEASURES ARE REQUIRED. AS-BUILTS ARE TO INCLUDE LATITUDE AND LONGITUDE FOR CENTER OF MEASURE, AND INLETS AND OUTLETS OF ALL STRUCTURES. ELEVATIONS ARE REQUIRED FOR ALL MEASURES AS WELL AS DIMENSIONS OF ALL MEASURES.
- PRIOR TO INSTALLATION, PE SEALED SHOP DRAWINGS FOR UNDERGROUND DETENTION SYSTEMS AND OUTLET RESTRICTION DEVICES MUST BE FURNISHED TO THE TOWN FOR APPROVAL.
- THE PROPOSED STORMWATER MANAGEMENT SYSTEM SHALL MEET THE 25-YEAR DETENTION.

HUNTERSVILLE GRADING & EC NOTES

- INSPECTIONS SHALL BE CONDUCTED AS PRESCRIBED BY THE MAINTENANCE COVENANT. ADDITIONAL INSPECTIONS MAY BE CONDUCTED BY THE TOWN OF HUNTERSVILLE ON ANY REASONABLE BASIS, INCLUDING BUT NOT LIMITED TO: ROUTINE INSPECTIONS; RANDOM INSPECTIONS; INSPECTIONS BASED UPON COMPLAINTS OR OTHER NOTICE OF POSSIBLE VIOLATIONS; INSPECTIONS OF DRAINAGE BASINS OR AREAS IDENTIFIED AS HIGHER THAN TYPICAL SOURCES OF SEDIMENT OR OTHER CONTAMINANTS OR POLLUTANTS; INSPECTIONS OF BUSINESSES OR INDUSTRIES OF A TYPE ASSOCIATED WITH HIGHER THAN USUAL DISCHARGES OF CONTAMINANTS OR POLLUTANTS OR WITH DISCHARGES OF A TYPE WHICH ARE MORE LIKELY THAN THE TYPICAL DISCHARGE TO CAUSE VIOLATIONS OF STATE OR FEDERAL WATER QUALITY STANDARDS OR THE NPDES STORM WATER PERMIT; AND JOINT INSPECTIONS WITH OTHER AGENCIES INSPECTING UNDER ENVIRONMENTAL AND SAFETY LAWS. INSPECTIONS MAY INCLUDE, BUT ARE NOT LIMITED TO: REVIEWING MAINTENANCE AND REPAIR RECORDS; SAMPLING DISCHARGES, SURFACE WATER, GROUNDWATER, AND MATERIAL OR WATER IN BMPs; EVALUATING THE CONDITION OF BMPs AND STORM WATER MANAGEMENT PRACTICES.
- RIGHT-OF-ENTRY FOR INSPECTION. WHEN ANY NEW BMP IS INSTALLED ON PRIVATE PROPERTY, THE PROPERTY OWNER SHALL GRANT TO THE TOWN OF HUNTERSVILLE THE RIGHT TO ENTER THE PROPERTY AT REASONABLE TIMES AND IN A REASONABLE MANNER FOR THE PURPOSE OF INSPECTION. THIS INCLUDES THE RIGHT TO ENTER A PROPERTY WHEN THE TOWN OF HUNTERSVILLE HAS A REASONABLE BASIS TO BELIEVE THAT A VIOLATION OF THIS REGULATION IS OCCURRING OR HAS OCCURRED, AND TO ENTER WHEN NECESSARY FOR ABATEMENT OF A PUBLIC NUISANCE OR CORRECTION OF A VIOLATION OF THIS REGULATION.



PE SEAL:



EASTFIELD INDUSTRIAL

EVERETTE KEITH ROAD
HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA
FOUNDRY COMMERCIAL

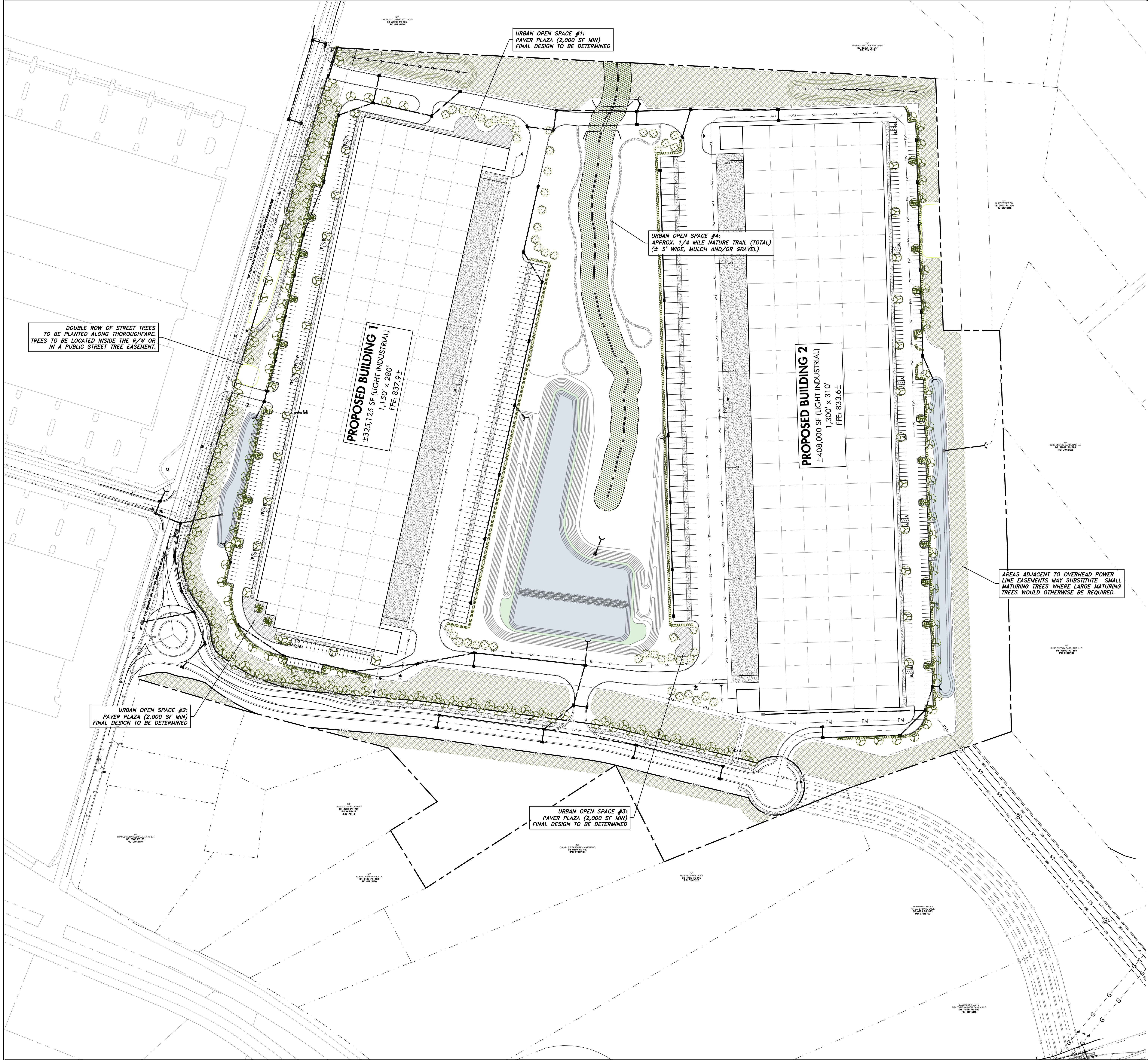
GRADING & DRAINAGE CONCEPT PLAN

EPW #445033

- REVISIONS:
- 06/01/23 - PER STAFF COMMENTS
 - 08/08/23 - PER STAFF COMMENTS

ENGINEER: GTW
DRAWN BY: ERT
CHECKED BY: LIB
PROJECT #: 022.021

SHEET
SP2.0
SHEET 8 OF 9



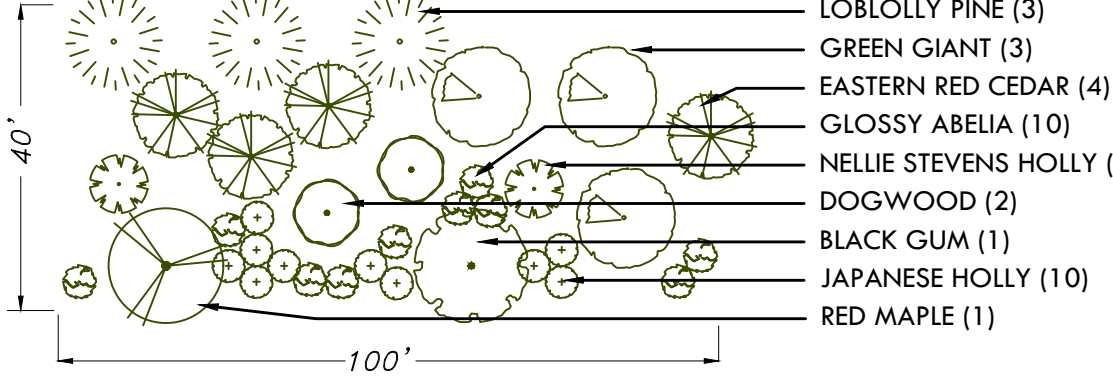
LANDSCAPING CALCULATIONS

BUFFER LANDSCAPING REQUIRED:
EVERETTE KEITH RD STREET BUFFER (2,725' OF FRONTAGE x 40' WIDE)
TREES REQUIRED = (109,000 SF / 1,000 SF x 4 TREES) = 436 TREES
SHRUBS REQUIRED = (109,000 SF / 1,000 SF x 5 SHRUBS) = 545 SHRUBS
TREES: 75% LARGE MATURING, 50% EVERGREEN, 25% SMALL MATURING
(SHRUBS: 75% EVERGREEN)

PARKING LANDSCAPING REQUIRED:
• LARGE MATURING TREES REQUIRED IN INTERIOR OF PARKING (MAX. 35 SPACES APART)
• LARGE MATURING TREES REQUIRED ALONG PERIMETER AT MAXIMUM 40' O.C.
• CONTINUOUS SCREEN OF EVERGREEN SHRUBS AT MAXIMUM 4' O.C.
• SEMI-OPAQUE SCREEN REQUIRED AT TRUCK COURT WITH MAX. 10' SEPARATION OF MATURE TREE CANOPY AND MAX. 4' CLEAR SPACE BETWEEN SHRUBS

BUFFER DETAIL SCALE: 1" = 30'

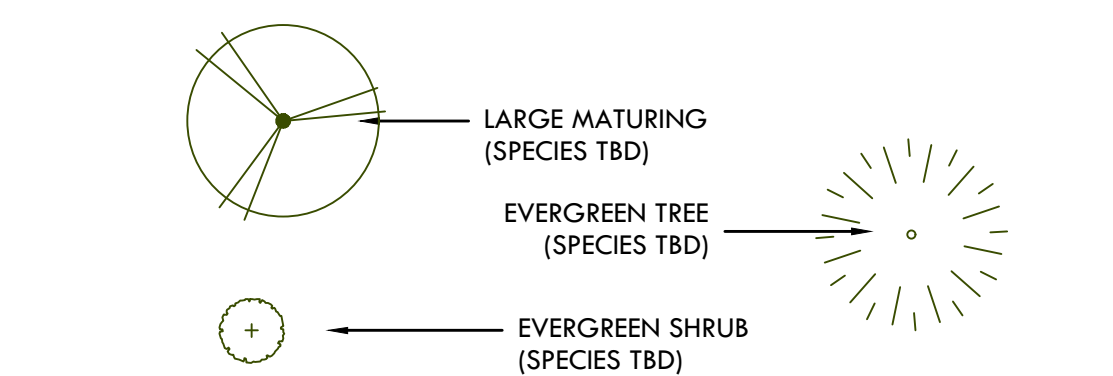
- 40' STREET BUFFER
- DETAIL SHOWS APPROXIMATE LOCATION OF VEGETATION REQUIRED PER 100' SECTION:
 - 16 TREES (INCLUDING 8+ EVERGREEN AND 12+ LARGE MATURING) REQUIRED
 - 20 SHRUBS REQUIRED (INCLUDING 15+ EVERGREEN)
- EXISTING VEGETATION LOCATED WITHIN THE BUFFER MAY BE SUBSTITUTED SO LONG AS BUFFER REQUIREMENTS ARE MET. COORDINATE WITH ZONING INSPECTOR.



TREE REPLANT AREAS
DENOTES AREAS WHERE COMPLETE CLEARING AND GRADING WILL BE REQUIRED. AREAS SHALL BE STABILIZED AND PLANTED PER THE APPROVED PLANS AND AS SPECIFIED BY THE TOWN OF HUNTERVILLE LANDSCAPING ORDINANCE.

URBAN OPEN SPACE		
TYPE	SIZE	PARKING PROVIDE
PAVER PLAZA	2,000 SF (MIN)	0
NATURE TRAIL	1/4 MILE ±	0

LANDSCAPING KEY

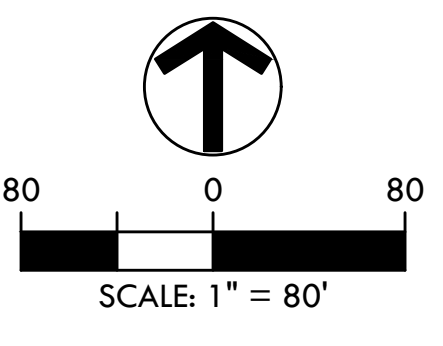
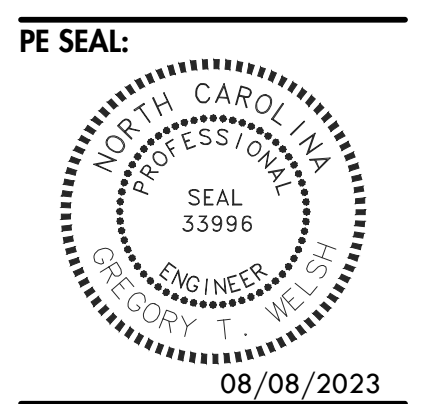


LANDSCAPE NOTES

- EXISTING VEGETATION LOCATED ON SITE MAY BE SUBSTITUTED SO LONG AS URBAN FORESTRY REQUIREMENTS ARE MET. COORDINATE ON SITE WITH URBAN FORESTER.
- PLANT SPECIES MAY BE SUBSTITUTED DEPENDING ON TIME OF PLANTING, AVAILABILITY, ETC. UPON APPROVAL OF URBAN FORESTER AND AS LONG AS PLANT SELECTION, TYPE, SPACING MEETING TOWN OF HUNTERVILLE'S LANDSCAPING ORDINANCE.
- STREET TREE LOCATIONS ARE SUBJECT TO CHANGE DURING CONSTRUCTION PLAN PHASE TO SATISFY THE TOWN'S ENGINEERING STANDARDS AND PROCEDURES MANUAL.

HUNTERVILLE LANDSCAPE NOTES

- INSTALLATION GUARANTEE REQUIRED
 - A FINAL CERTIFICATE OF OCCUPANCY MAY BE ISSUED PRIOR TO THE INSTALLATION OF TREES AND SHRUBS, EXCLUDING YARD TREES, DURING THE NON-PLANTING SEASON IF A CASH BOND, SURETY BOND OR LETTER OF CREDIT IS ISSUED FOR 120% OF THE COST OF MATERIALS AND INSTALLATION. PLANTING SHALL BE COMPLETED DURING THE NEXT PLANTING SEASON.
 - THE PLANTING SEASON SHALL RUN FROM OCTOBER 15 TO MARCH 15, EXCEPT FOR EXTREME WEATHER CONDITIONS AS DETERMINED BY STAFF. A FINAL CERTIFICATE OF OCCUPANCY SHALL NOT BE GIVEN DURING THE PLANTING SEASON UNLESS ALL OF THE LANDSCAPING IS COMPLETELY INSTALLED ACCORDING TO THIS ARTICLE.
- MAINTENANCE SURETY REQUIRED
 - DEVELOPERS SHALL ENTER INTO A MAINTENANCE SURETY AGREEMENT WITH MECKLENBURG COUNTY GUARANTEEING THE VIABILITY OF STREET TREES AND TREES AND SHRUBS PLANTED IN BUFFER YARDS FOR A PERIOD OF 1 YEAR FOLLOWING PLANTING. THE AMOUNT OF THE SURETY SHALL BE EQUAL TO 50% OF THE VALUE OF THE NEW TREES OR LANDSCAPE MATERIAL AND THEIR INSTALLATION. THE MAINTENANCE SURETY SHALL BE PROVIDED WHEN ALL OF THE REQUIRED TREES AND SHRUBS HAVE BEEN PLANTED.



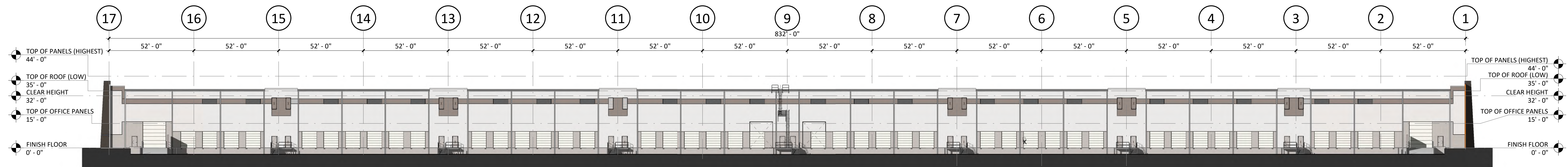
EASTFIELD INDUSTRIAL

EVERETTE KEITH ROAD
HUNTERVILLE, MECKLENBURG COUNTY, NORTH CAROLINA
FOUNDRY COMMERCIAL

LANDSCAPING CONCEPT PLAN

EPW #445035

- REVISIONS:**
- 06/01/23 - PER STAFF COMMENTS
 - 08/08/23 - PER STAFF COMMENTS

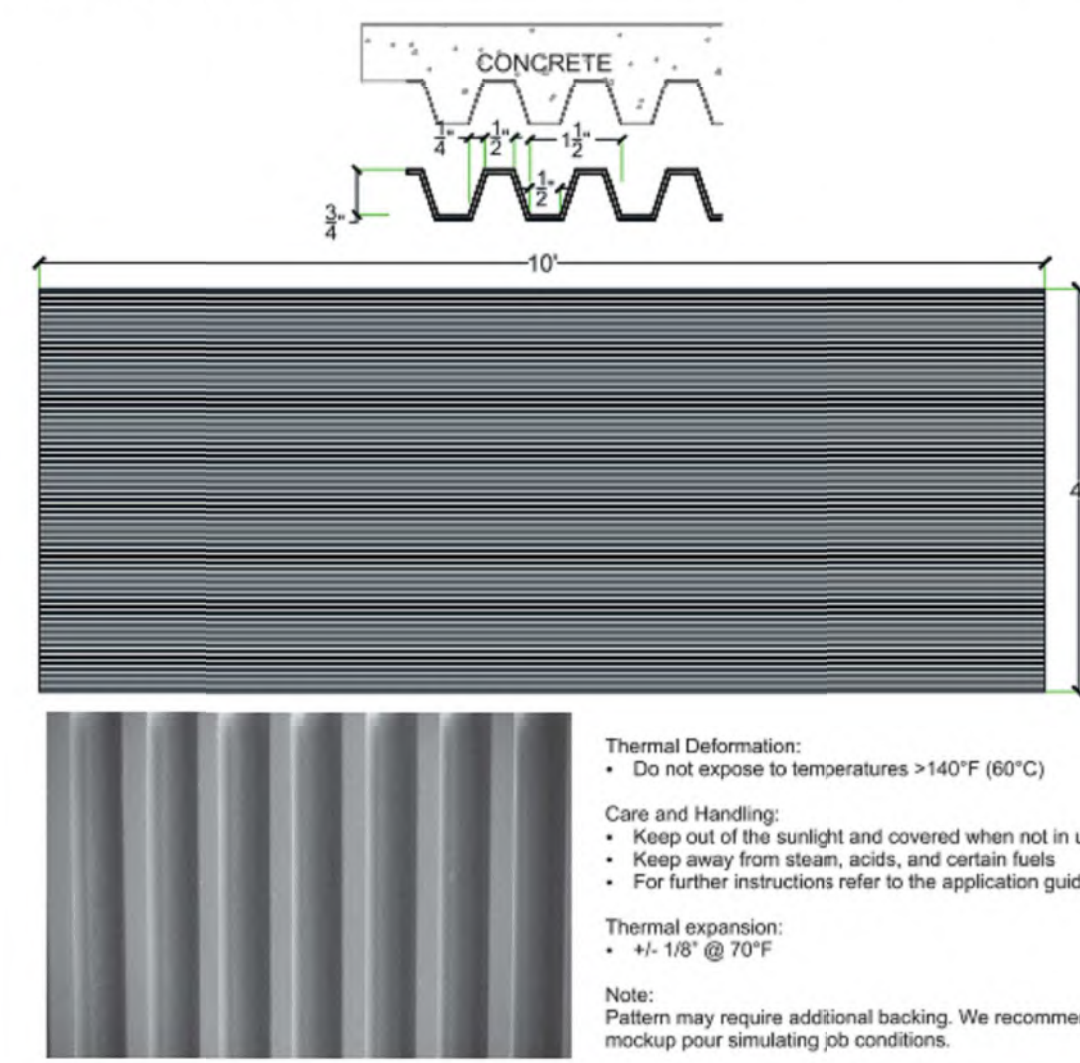


1 COLOR ELEVATION - TRUCK COURT - PLAN NORTH
1" = 30'-0"

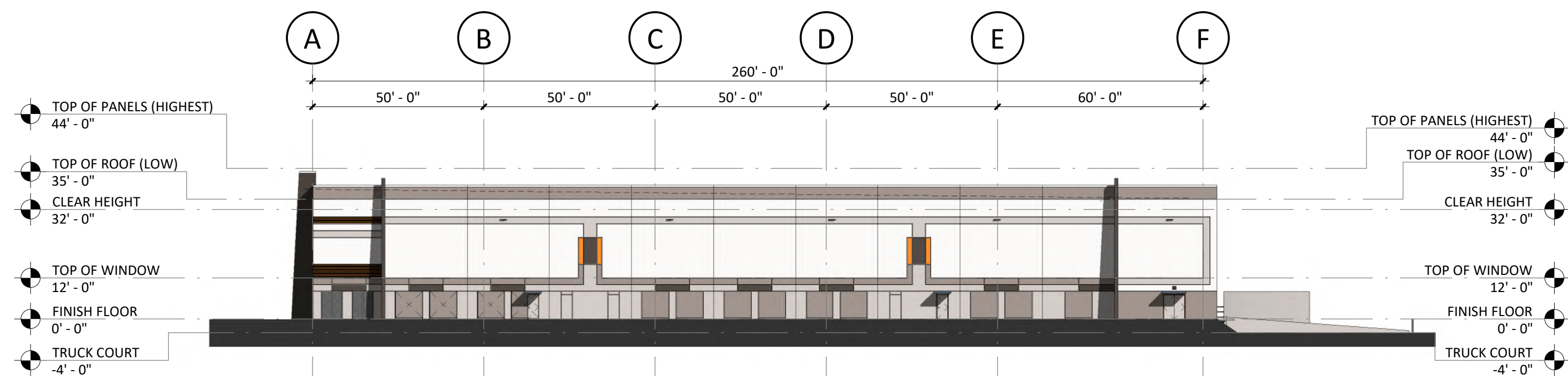
FORMLINER USED ON CORNERS TO ESTABLISH HEIRARCHY OF FEATURES

Pattern# 4004
3/4" Deep Rib 1 1/2"oc (1/2" Peak, 1/2" Valley) **customrock**
FORMLINER

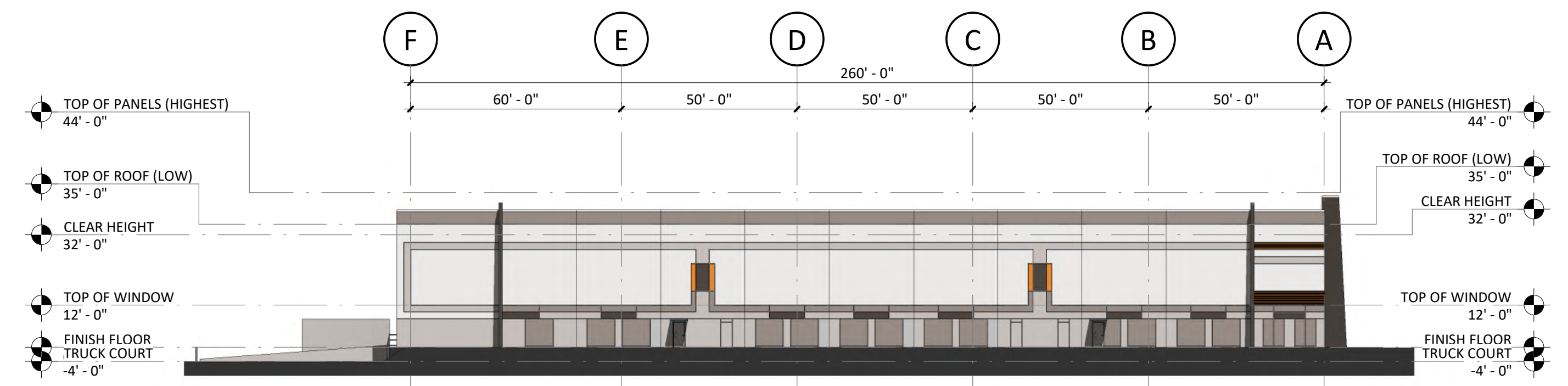
General Information:
Thermofomed ABS and Styrene plastic formliners are an inexpensive alternative for providing architectural concrete. The Styrene single use liner is the least expensive liner option. The ABS plastic formliner properties allows for an up to ten reuse factor depending on the design and handling.



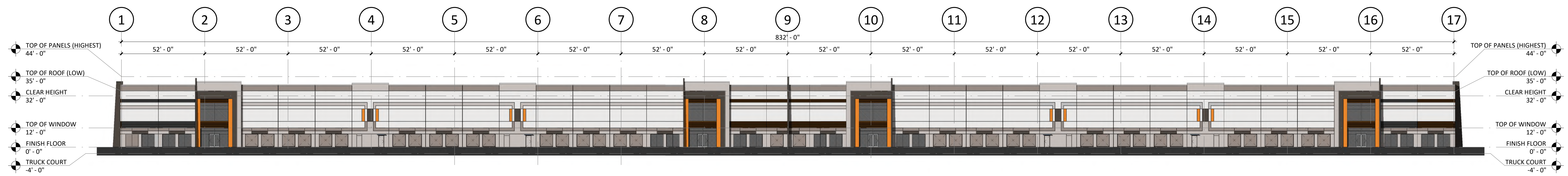
Custom Rock Formliner • 2020 West 7th Street • St. Paul, MN 55116 • (800) 637-2447
www.customrock.com



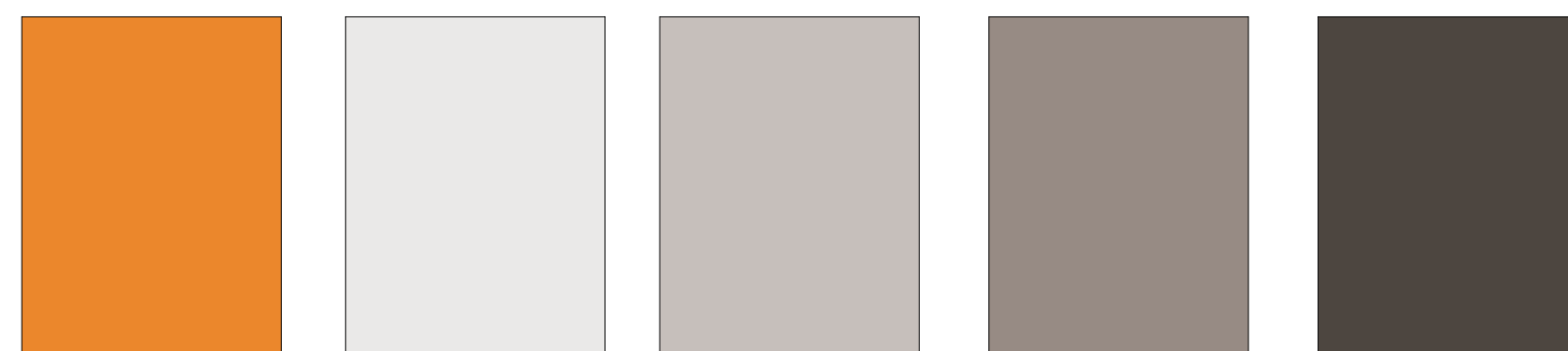
2 COLOR ELEVATION - PLAN EAST
1" = 30'-0"



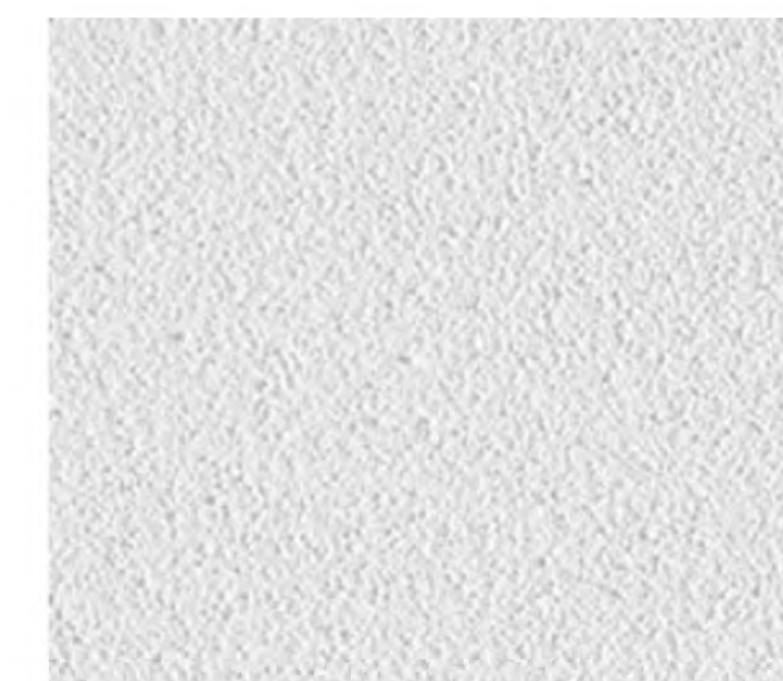
3 COLOR ELEVATION - PLAN WEST
1" = 30'-0"



4 COLOR ELEVATION - PLAN SOUTH
1" = 30'-0"



BESIDES 1 ACCENT COLOR, THE 4 OTHER COLORS ARE CLOSE MONOCHROMES
OF EACH OTHER TO CREATE SUBTLE ELEVATIONAL INTEREST IN THE PATTERNS



MEDIUM TEXTURE PAINT ON CONCRETE WALL PANELS

REPRESENTATIVE BUILDING ELEVATIONS
SHELL BUILDING ONLY

SEALS

REVISIONS		
MARK	DATE	DESCRIPTION

NOTE:
MINIMUM 32 FT. CLEAR HEIGHT UNDER
STRUCTURE, TYPICAL.
PROJECT NUMBER: C21144
PERMIT TRACKING: ...
DRAWING STATUS:
NOT FOR CONSTRUCTION
ISSUED FOR BIDDING
ISSUED FOR CONSTRUCTION

SHEET TITLE:
COLOR ELEVATIONS,
PAINT COLORS, & WALL
FORMLINER
SHEET NUMBER:
TRC 2
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Community Meeting Report
R23-01 Foundry-Everette Keith Road

Date: May 24, 2023

Time: 6:30 PM to 7:30 PM

Location: Huntersville Recreation Center

1136 Verhoeff Drive, Huntersville, NC, 28078

Attendees: 13-14 neighbors, development team, David Peete and Frank Gammon. Neighbor sign-up sheets are attached.

Applicant and the neighborhood attendees discussed the following comments and questions:

Comments:

- Property owners of the property that is the subject of the rezoning discussed the uses of the property with the Applicant.
- Property owners and Applicant discussed how the proposed use and rezoning is consistent with Eastfield Road Small Area Plan ("Small Area Plan").
- Attendees discussed the history of the property and recommended names for the industrial park. Among the names recommended were Everette Keith and Christenbury.
- General enthusiasm for the project because it aligns with the Small Area Plan and the property owners have tried to develop the property for a very long time.
- Applicant explained the timeline for approval and provided the attendees with meeting dates Applicant reminded attendees that the dates can change and to check the town planning website.

Questions

1. What happens to the property north of this project if the project is approved? *The Small Area Plan and 2040 Comprehensive Plan are guides for development. The Applicant explained that the area the attendee asked about is Area C in the Small Area Plan (north of Hambright Road) which is recommend in the SAP to remain residential (TR).*
2. Will property to the south be zoned commercial along with this rezoning? *The Applicant explained that the property would not be rezoned without an owner's consent.*
3. What does the project timeline look like? *The project is currently on track for a July 17 public hearing and August rezoning vote and permitting and construction document approvals will take at least 12 months.*
4. How much time will the property owners be given to move after the rezoning is approved? *The property owners will be given 180 days from closing to relocate.*
5. Questions were asked about the existing pond and the function of the storm drainage systems. *The Applicant provided a detailed explanation of the pond drainage, storm water system, and pump location.*
6. What can go wrong with the rezoning approval? All 15 families are excited to see the property developed. *The Applicant reminded the attendees that rezoning is a political process.*

**Town of Huntersville
Town Board
September 18, 2023**

To: Town Board

From: David Peete, Principal Planner - Long Range

Date: September 18, 2023

Subject: Petition #R23-07 - EPCON - Beatties Ford Road

EXPLAIN REQUEST:

Consider Decision

ACTION RECOMMENDED:

Consider Final Action

FINANCIAL IMPLICATIONS:

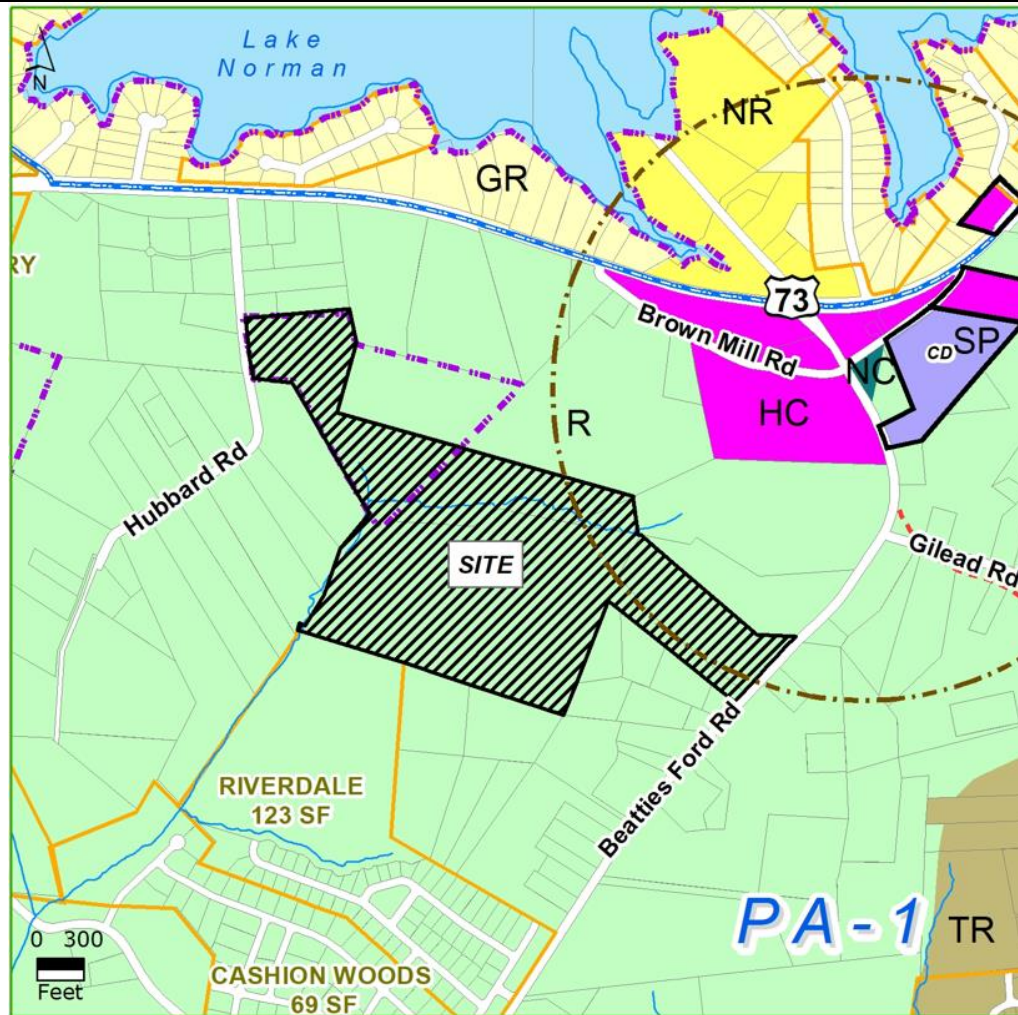
N/A

ATTACHMENTS:

1. R23-07 Final Action Staff Report Update 9-18-23
2. Attachment A-1 - General Application (EPCON)
3. Attachment A-2 - General Application (Signature Addendum Browning)
4. Attachment B - EPCON - Beatties Ford Road (Courtyards at Walters Farm)
Rezoning & Sketch Plan 09-18-23
5. Attachment C - EPCON - Beatties Ford Rd Community Mtg summary 7.24.23

Petition R23-07
EPCON – Beatties Ford Road Conditional District
(now titled “EPCON – Courtyards at Walters Farm”)

PART 1: PROJECT SUMMARY



R – Rural	NR – Neighborhood Residential
TR – Transitional Residential	GR – General Residential
SP – Special Purpose	HC – Highway Commercial

Applicant: EPCON Communities Carolinas, LLC.

Property Owner: Paul & Ruth Walters Family, LLC & Fred T. & Sandra R. Browning (see Attachment A).

Property Address: 15131 Beatties Ford Road.

Project Size: (+/-) 78.7-acres

Parcel Number(s):

01313125, 01313126, 01313142, 01313143, 01313144, 01313116.

Current Zoning: Rural (R).

Current Land Use: Large-lot, Single-Family Homes & vacant.

Proposed Zoning: Transitional Residential – Conditional District (TR - CD).

Proposed Land Use:

118 age-restricted (55+), single-family homes.

1. Purpose: To rezone 78.7-acres located west of Beatties Ford Road (near the intersection of Beatties Ford Road and Gilead Road) from Rural (R) to Transitional Residential – Conditional District (TR-CD), (see map above). The proposed rezoning is for a 118 age-restricted, single-family home subdivision. If the proposed rezoning is approved, a Subdivision Sketch Plan will be reviewed by staff for compliance.

2. Adjoining Zoning and Land Uses.

North: Rural (R) – a church (Gilead Church) & vacant.

South: Rural (R) – large-lot, single-family homes & one (1) new single-family home subdivision, currently under construction (Riverdale – Phase 2).

East: Rural (R) – Beatties Ford Rd. & large-lot, single-family homes.

West: Rural (R) – Large-lot, single-family residential.

3. One Community Meeting was held on Monday, July 24, 2023, at the Huntersville Arts & Cultural Center on Old Statesville Road. A Summary of the meeting is included in Attachment C.
4. Notice for this rezoning petition was given via postcards sent to adjoining property owners within 250 ft. of the project limits; a legal ad placed in the Charlotte Observer; and posting of rezoning signs on the property in two (2) locations.

PART 2: REZONING/SITE PLAN ISSUES

This proposed EPCON – Beatties Ford Road Conditional District Rezoning / Sketch Plan is generally compliant with the Zoning Ordinance and Subdivision Regulations, with significant elements as follows:

- Proposed principal use is a 118 age-restricted, single-family home subdivision.
- Three (3) Urban Open Spaces (Mini parks) are to be provided on site.
- Forty percent (40%) open space is the minimum required in the Transitional Residential district and 31.59-acres (40.1%) is proposed.
- Thirty-five percent (35%) tree save is the minimum required in the Transitional Residential district and 21.0-acres (35.9%) is proposed. Minimum required specimen tree save is 35% and 52.9% is proposed to be saved.
- Access is provided by one (1) main entry from Beatties Ford Road and a connection to Riverdale – Phase 2 (under construction). In addition, two (2) stubs are provided for future connections as adjacent properties redevelop.
- If approved, the portion of the subdivision along the north that is not within the Town limits would be offered for voluntary annexation.

ISSUES: The applicant requests the following five (5) modifications to Ordinance requirements (see CD Rezoning Plan Sheet RZ-201.

- a) “Remove landscaped median requirement at the entrance of the subdivision.”
STAFF COMMENT: **Staff can support this modification request.** Per Article 3.2.2.d.2.i, “...a landscaped median at least 20 ft. in width shall be required at all entrances into the subdivision”. A landscaped median along Beatties Ford Road would not be in keeping with the rural esthetic of the corridor.
- b) “Increase the driveway width to 18 ft. for lots less than 60 ft. wide.”
STAFF COMMENT: **Staff does not support this modification request.** Per Article 8.16.3, “...lots 60 feet wide or less, driveways shall be no more than 14 feet wide as measured along the public street right-of-way for a detached house”. Developments throughout Town with lots under 60 feet in width function well with the 14 ft. limit. 2) With a proposed build-to range of 20 – 45 feet in depth for this development, there is sufficient room to maneuver vehicles.
- c) “Increase the maximum length of a cul-de-sac by +/- 470 ft. due to constraints imposed by existing easements.”
STAFF COMMENT: **Staff can support this modification request.** The total length of the cul-de-sac is 768 feet, which includes a gas line easement crossing. By deleting the 105 ft. easement width, the remaining cul-de-sac is 663 feet in length. Cul-de-sacs are limited to 350 feet in length.
- d) ~~“Allow disturbance in the first 20 ft. of the undisturbed buffer were noted on the plan. This disturbed area will be replanted according to the Zoning Ordinance and as shown on the site plan.”~~
STAFF COMMENT: **Staff does not support this modification request.** Per Article 7.5 of the Zoning Ordinance, ~~“Any major residential subdivision abutting a property zoned residential or developed residential, not internal to a planned community” is required to have a buffer “40 feet minimum when density is two times greater than the existing development. This buffer standard was adopted in March of this year and is intended to protect existing development. The 2040 Community Plan recommends encouraging open space and tree preservation and preserving 40 feet of undisturbed buffer along the subdivision edge will further that goal.~~ **9-18-23 UPDATE - Modification request has been removed by applicant.**

- e) “Allow a wet pond, rather than traditional water quality measures, to be used for the density of the site.”
STAFF COMMENT: Staff can support this modification request. Article 8.17.13 of the Zoning Ordinance (Low Impact Development (LID) Approach) states that “the use of LID BMP’s is required by this Ordinance unless mitigation practices are approved and implemented”. The Town can work with the applicant to utilize acceptable alternative techniques to meet the intent of the Water Quality Ordinance and provide desired outcome for the development.

OTHER SITE PLAN ISSUES:

1. ~~Per Article 5.5 — Elements of Street Design — part d.3. requires that “an on-street parking lane on at least one side of the street is required on streets serving ... detached houses with lots 60 ft. or less in width”. Per the diagram on Sheet RZ-201, the majority of lots do not front the required 57 ft. width street cross-section. In addition, Town streets are 51 ft. without on-street parking or 57 ft. with on-street parking. 50 ft. and 55.5 ft. are shown on plans, respectively, and must be revised.~~ 9-18-23 UPDATE – On-street parking is now provided where lots are 60 ft. wide or less.
2. A berm is proposed within the 100 ft. buffer along Beatties Ford Road, to be installed subject to the requirements of Article 7.4.2.g. This includes approval by the Planning Board.

PART 3: TRANSPORTATION ISSUES

A TIA Determination of Need form for the development was submitted on April 13, 2023, and on April 19, 2023, it was determined the Town would not require a TIA. However, NCDOT did require a TIA and the following improvements are to be installed:

- 150 ft. left turn at proposed development entrance.
- 100 ft. right turn at proposed development entrance.

In addition, the Town finds the entry road width at Beatties Ford Road unacceptable and needs to be limited to 26 ft. maximum.

All outstanding redline comments must also be addressed.

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”.

The current Zoning Map (shown above) indicates the area of this request is in the Rural zoning district, with a portion of the entry area also located within an Activity Center.

The 2040 Huntersville Community Plan could support this project through the following sections:

- **Policy LU-2: Encourage residential development that follows the pattern outlined in the future land use map.**
 - LU 2.2: Lower intensity residential uses are expected within the Residential Edge and Rural Conservation areas identified on the Future Land Use Map.

STAFF COMMENT: While both the Rural Conservation and Residential Edge areas would both be considered low intensity; the future land use map extended the Residential Edge designation to the outer limits of the Activity Center boundary. Per the 2040 Community Plan, “Planned Activity Centers include a mix of non-residential uses and are usually located at key intersections of major or minor thoroughfares. “Residential uses include a mix of housing types centered around shopping, service or civic uses. Residential uses transition to lower gross density with more open space away from Activity Centers. This boundary is not specific, but rather indicates the extent

of a ¼ mile walkable distance. This proposed development does not connect to the current uses within the Activity Center. Once outside of the Activity Center, the Future Land Use Map indicates Rural Conservation should be preserved.

- **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.

STAFF COMMENT: The portion of this subdivision, if developed under Rural zoning, would provide low-density housing at the outer edge of an Activity Center. At this time, there is no connection between the proposed subdivision and the rest of the Activity Center.

- **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: The 100 ft. buffer along Beatties Ford Road will serve to protect the road's historic character and hide the differing house-pattern behind a landscaped berm. The homes are located somewhat close to stream buffers but are not close enough to impact them. And while there are several stands of significant trees located along the entry area, the development is meeting the minimum TR standard for tree preservation. It should be noted that the R zone has a higher standard of tree preservation.

- **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.
- LU 10.2: Continue to encourage a mix of lot sizes in new developments.
- LU 10.4: Consider allowing additional flexibility in site design in exchange for more quality open space preservation to allow for conservation of natural resources in the Transitional and Rural zoning districts.

STAFF COMMENT: The proposed subdivision consists of age-restricted, single-family homes, which contributes to the mix of housing within town. There are also three (3) different lots sizes, consisting of 55 ft., 68 ft. and 78 ft. wide lots, however, only 7 of the 118 lots are 78 ft. wide.

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

- LU 12.2: Utilize notable projects list from the Architectural Survey, State Historic Preservation Office (SHPO) data, and other resources during design and development review.
- LU 12.3: Blend new development with existing neighborhoods, structures and landscapes through the use of transitions in building types and placement of open space, buffers, and other site features.

STAFF COMMENT: The Gilead Church, located near the entrance along Beatties Ford Road, has been identified as historically significant and the (min.) 40 ft. buffer along the shared border with this church and its cemetery will play a critical role in protecting this community asset.

- **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.

STAFF COMMENT: The subdivision proposes the minimum amount of open space (40.1%) and tree preservation.

- **Policy EOS-3: Prioritize tree canopy preservation in the lower intensity areas (Residential Edge, Rural Conservation, and Critical Watershed areas).**

STAFF COMMENT: This subdivision proposes to save 52.9% of existing specimen trees and 35% of existing canopy. The current Rural zoning district requires 50% specimen tree save and 50% existing tree canopy, which goes further to prioritize tree canopy preservation.

- **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.
 - For instance, the planned cross-section for Beatties Ford Road includes a 100ft buffer and multi-use trail

STAFF COMMENT: The subdivision has a 100-ft. wide buffer along the frontage of Beatties Ford Road to preserve the rural character of the corridor. A landscaped berm will be planted within this buffer, as there is very little existing vegetation in that area.

- **Policy EOS-10: Improve bicycle and pedestrian facilities throughout Town.**

- EOS 10.1: Implement the Bicycle and Pedestrian Committee's 30-by-30 plan.
 - Connect all parks, schools, neighborhoods, 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: The goals of the 30 x 30 Bike and Pedestrian Plan are furthered by the provision of a 10 ft. wide sidepath along the frontage of Beatties Ford Road. There are no public greenway linkages through this area.

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

STAFF COMMENT: Access is provided by one (1) main entry from Beatties Ford Road and a connection to Riverdale – Phase 2 (under construction). In addition, two (2) stubs are provided for future connections as adjacent properties redevelop.

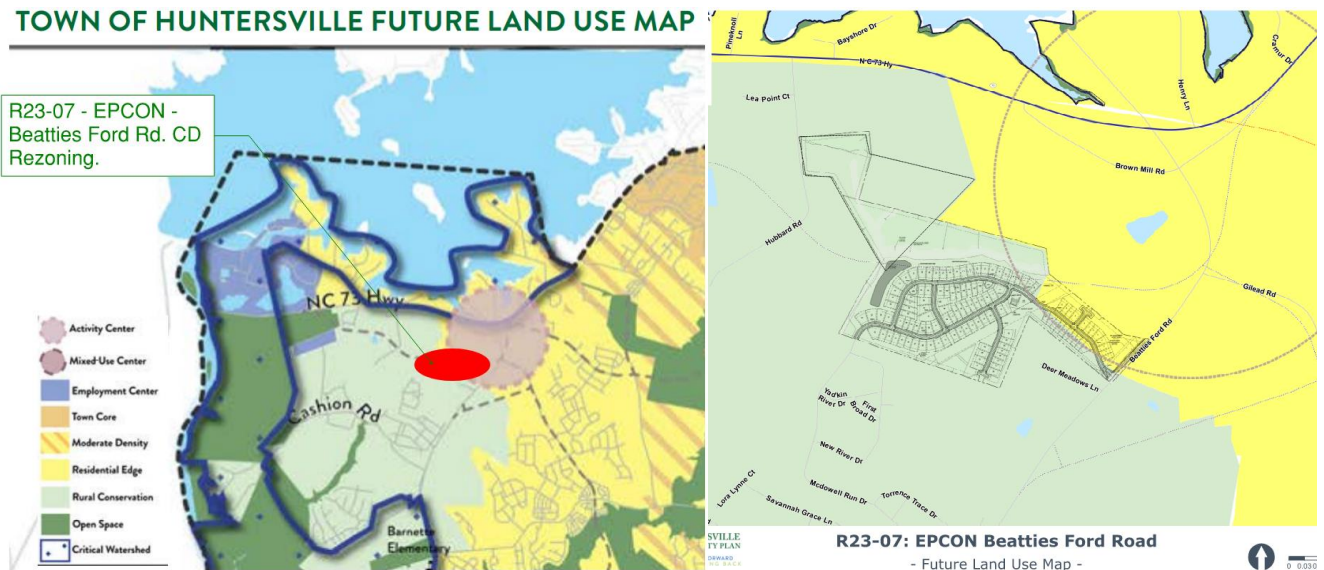
The 2040 Huntersville Community Plan **does not support** this project through the following sections:

- **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: The parcels requested to be rezoned are shown below. The majority of the subdivision is zoned Rural (R) and is located in the 2040 Community Plan's Rural Conservation designation. The request is to rezone the property to Transitional Residential (TR), which is not adjacent, nor located anywhere on the west side of Beatties Ford Road. Within the Future Land Use Map, the Residential Edge designation – which would accommodate the TR zoning district – is adjacent to the properties. The majority of the Residential Edge area overlaid onto the parcels that make up the Activity Center shown on the Future Land Use Map (see circle area,

below). The Residential Edge designation was not carried over to the parcels west of Beatties Ford Road, to limit the level of development within this very rural area.



- **Policy LU-3: 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 responses. 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: Again, once the TR zoning district is introduced on the west side of Beatties Ford, with the available acreage that is vacant or under-developed, there will be more pressure to rezone additional properties.

- **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 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: The current Rural zoning district requires a minimum open space reservation of 45%. This subdivision proposes 40% open space, including the Urban Open Space areas, which is the minimum for the TR zone, but is not in keeping with the Rural Conservation goal of preservation of rural character and natural resources.

- **Policy LU-11: Protect Existing Housing Stock.**

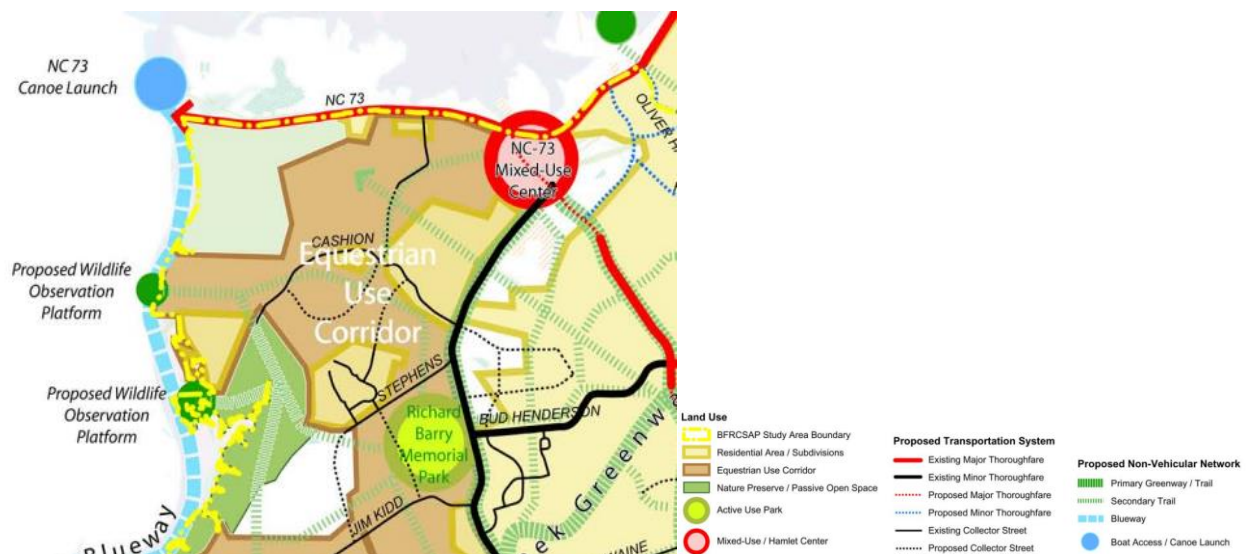
- LU 11.2: Along existing streets, encourage new buildings to respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.

STAFF COMMENT: While the proposed lot pattern and lot size are not in keeping with the majority of the existing housing, the lot pattern is similar to the Riverdale – Phase 2 development. Without the appropriate buffers along the exterior project boundaries, this development would not respect the existing development pattern.

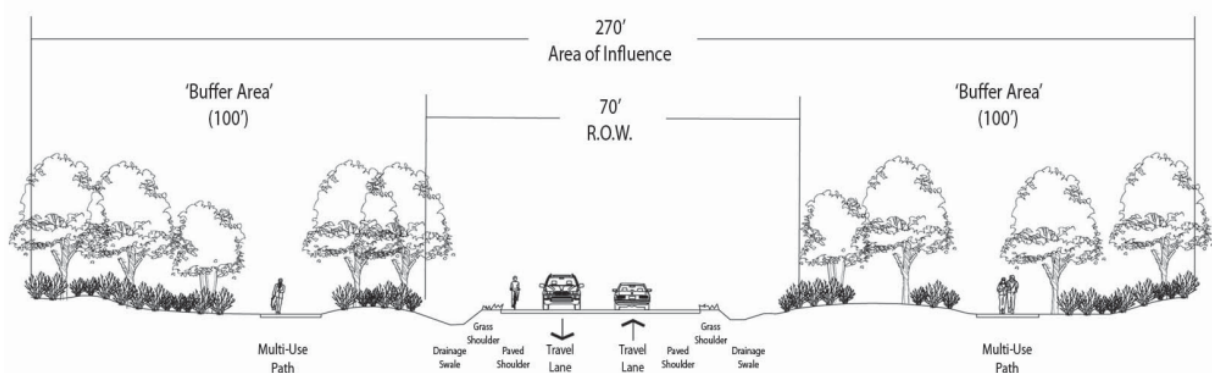
The Beatties Ford Road Corridor Small Area Plan (SAP) (adopted 2007) addresses this request as follows:

The proposed EPCON – Beatties Ford Road development is located in the “Residential Area / Subdivisions” (shown in beige, below) area.

STAFF COMMENT: Section 7.2 – Land Use and Zoning, of the Small Area Plan, recommends to “continue the low-density development pattern within the study area”.



The future cross-section for Beatties Ford Road is shown below and the proposed road improvements in the CD Rezoning / Sketch Plan are consistent with what is shown.



Beatties Ford Road Preferred Cross Section

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 EPCON – Beatties Ford Road - Conditional District Rezoning is not supported by the 2040 Community Plan, which calls for the majority of the property to be Rural Conservation, which the existing Rural zoning district most-directly lines-up with. This support is due to development being limited to 0.9-units per acre with a maximum of 45% open space preservation. Rezoning to TR would increase the density in this area to 1.5 units per acre, while reducing minimum required open space to 40%. Tree-save percentage is also reduced in TR, which is not supported by the 2040 Community Plan. Of primary concern is the introduction of TR zoning west of Beatties Ford Road where none exists. The closet TR zoning is located to the east of Beatties Ford Road. Once a pattern of increased-density development is established, a precedent for similar development along the corridor will follow, as there is a significant amount of vacant or under-developed property in the general area. 2040 Community Plan Implementation Policy LU-3.1 states “there is constant pressure to rezone to higher density districts on edges of town. Growth management was the #1 priority for survey responses. 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”.

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 (TIA) was not required by the Town for this rezoning, however NCDOT did require transportation improvements – see Part 3 of this report.
- A Willingness-to-serve letter from Charlotte Water was issued by Charlotte Water on 5-5-23.
- A Conceptual Storm Water Drainage Plan (PCO-1) is under review and must be approved by staff.
- The CD Rezoning Plan was sent to Charlotte-Mecklenburg School (CMS) for consideration (see Attachment D).

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

STAFF COMMENT:

Planning staff has no indication that the request will adversely affect known archeological, environmental, historical or cultural resources.

PART 5: STAFF RECOMMENDATION

The EPCON – Beatties Ford Road Conditional District Rezoning Plan from Rural (R) to Transitional Residential – Conditional District (TR-CD) is **not supported** by staff for the reasons outlined in Part 4 of this report. If the Town Board were to rezone the property, as proposed, the following conditions should apply to the Rezoning / Sketch Plan:

- Staff can support modification “1” – (entry median removal).
- Staff **does not** support modification “2” (increased driveway width).
- Staff can support modification “3” (cul-de-sac length).
- Staff can support modification “4” (wet pond), subject to:
 - The stipulations for allowing Wet Ponds in lieu of standard LID measures are as follows:
 - If Bedrock is encountered at BMP location*
 - If infiltration rate is too low to accommodate sand filter.*
 - Wet pond must have a Water Quality volume/Permanent Pool volume = 0.3 (*These items shall be determined by Geotech study.)

- On-street parking must be provided on (at least) one side for all lots under 60 feet in width. 9-18-23 UPDATE – All streets that abut lots 60 feet wide (or less) will have 57 ft. wide street cross-sections – to accommodate on-street parking on one side.
- Staff **does not** support modification to allow buffer disturbance. 9-18-23 UPDATE – this request has been removed.
- All outstanding redline comments must be addressed.
- RECOMMEND – Add a walking trail throughout the subdivision. 9-18-23 UPDATE – trail has been added through a portion of the development (see Sheet RZ-200).

PART 6: PUBLIC HEARING COMMENTS

Public Hearing was held on Monday, August 7, 2023.

PART 7: PLANNING BOARD RECOMMENDATION

APPROVAL: Planning Board recommended approval of Petition R23-07, EPCON – Courtyards at Walters Farm, by 6-2 vote. The Planning Board stated the “amendment is consistent with the Huntersville 2040 Community Plan Policy LU-1: Encourage a development pattern that follows the Future Land Use Map in that the development is located both within and adjacent to the Beatties Ford Road/NC-73 Mixed Use Activity Center, and provides a key residential component of support for said Activity Center. This recommendation is consistent with, and supported by, Huntersville 2040 Plan Policies: LU 2, LU 2.1, LU 2.2, LU 6, LU 6.1, LU 9, LU 9.1, LU 9.2, LU 10, LU 10.1, LU 10.2, LU 10.4, LU 12, LU 12.2, LU 12.3, EOS-2, EOS 2.1, EOS 2.2, EOS-3, EOS 6, EOS-6, EOS 6-1, EOS-10, EOS 10-1, T-3.

The amendment is further supported by the Beatties Ford Road Corridor Small Area Plan which identified a NC-73 Mixed Use Center at the intersection of Beatties Ford Road, Gilead Road, and NC-73. In addition, the plan stated that if the Latta Village Node (i.e the 2040 Plan Hopewell Village Activity Center #6) was not developed then the potential for commercial/retail would only

increase at Beatties Ford Road/HY-73 Mixed Use/Activity Center. The Planning Board further recommends that the following modifications be approved: 1) Remove the requirement for a landscaped median at the Beatties Ford Road entrance. 2) Increase the maximum allowed length of the Road 10 cul-de-sac from 350 feet to 768 feet. 3) Allow a wet pond in-lieu of traditional water quality measures. This approval is contingent upon the applicant working with the town staff to identify and apply acceptable techniques to meet the intent of the Water Quality Ordinance.

The Planning Board does not recommend approval of the following modifications: 1) To increase driveway width from 16 feet to 18 feet. 2) To allow disturbance of the first 20 feet of the required 40 foot buffer at any location on site.

In addition, the recommendation for approval is contingent upon the following: 1) The applicant providing on-street parking on at least one side of all lots under 60 feet in width. 2) The Conceptual Storm Water Drainage Plan (PCO-1) is approved by staff. 3) That this community will be a 55 and over age restricted community. 4) All redline comments are addressed.

It is reasonable and in the public interest to approve the Rezoning because it is consistent with the Huntersville 2040 Community Plan Future Land Use Activity Center Character Area. A thriving and successful Activity Center requires adjacent mixed-use residential for success. This development will bring rooftops which will bring additional commercial/retail. Which in turn provides the Town of Huntersville with an additional tax generating commercial/retail location which is currently lacking on the west side of Huntersville. Do not see this Activity Center as it exists today - Visualize what it could become in the future.

PART 8: SCHEDULED FINAL TOWN BOARD ACTION

Final Action scheduled for September 18, 2023.

PART 9: ATTACHMENTS/ENCLOSURES

Attachments

- A – General Application (Rezoning).
- B – EPCON – Beatties Ford Road CD Rezoning Plan.
- C - Community Meeting Report from July 24, 2023 – to be provided prior to public hearing.
- D – CMS Report – to be provided prior to public hearing.

PART 10: CONSISTENCY STATEMENT - R 23-07 EPCON – Beatties Ford Road Conditional District Rezoning.

Planning Department	Planning Board	Board of Commissioners
	APPROVAL: Planning Board recommend Approval of petition R23-07, EPCON – Courtyards at Walters Farm by 6-2 vote. The amendment is consistent with the Huntersville 2040 Community Plan Policy LU-1: Encourage a development pattern that follows the Future Land Use Map in that the development is located both within and adjacent to the Beatties Ford Road/NC-73 Mixed Use Activity Center, and provides a key residential component of support for said Activity Center. This recommendation is consistent with, and supported by, Huntersville 2040 Plan Policies: LU 2, LU 2.1, LU 2.2, LU 6, LU 6.1, LU 9, LU 9.1, LU 9.2, LU 10, LU 10.1, LU 10.2, LU 10.4, LU 12, LU 12.2, LU 12.3, EOS-2, EOS 2.1, EOS 2.2, EOS-3, EOS 6, EOS-6, EOS 6-1, EOS-10, EOS 10-1, T-3. The amendment is further supported by the Beatties Ford Road Corridor Small Area Plan which identified a NC-73 Mixed Use Center at the intersection of Beatties Ford Road, Gilead Road, and NC-73. In addition, the plan stated that if the Latta Village Node (i.e the 2040 Plan Hopewell Village Activity Center #6) was not developed then the potential for commercial/retail would only increase at Beatties Ford Road/HY-73 Mixed Use/Activity Center. The Planning Board further recommends that the following modifications be approved: 1) Remove the requirement for a landscaped median at the Beatties Ford Road entrance. 2) Increase the maximum allowed length of the Road 10 cul-de-sac from 350 feet to 768 feet. 3) Allow a wet pond in-lieu of traditional water quality measures. This approval is contingent upon the applicant working with the town staff to identify and apply acceptable techniques to meet the intent of the Water Quality Ordinance. The Planning Board does not recommend approval of the following modifications: 1) To increase driveway width from 16 feet to 18 feet. 2) To allow disturbance of the first 20 feet of the required 40 foot buffer at any location on site. In addition, the recommendation for approval is contingent upon: 1) The applicant providing on-street parking on at least one side of all lots under 60 feet in width. 2) The Conceptual Storm Water Drainage Plan (PCO-1) is approved by staff. 3) That this community will be a 55 and over age restricted community. 4) All redline comments are addressed. It is reasonable and in the public interest to approve the Rezoning because it is consistent with the Huntersville 2040 Community Plan Future Land Use Activity Center Character Area. A thriving and successful Activity Center requires adjacent mixed-use residential for success. This development will bring rooftops which will bring additional commercial/retail. Which in turn provides the Town of Huntersville with an additional tax generating commercial/retail location which is currently lacking on the west side of Huntersville. Do not see this Activity Center as it exists today - Visualize what it could become in the future.	APPROVAL: In considering the proposed rezoning application R23-07; EPCON – Beatties Ford Road CD Rezoning, the Town Board recommends approval based on the Plan being consistent with <u>(insert applicable plan reference)</u>. <u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>

DENIAL: In considering the proposed rezoning application R23-07; EPCON – Beatties Ford Road Conditional District Rezoning, Town Staff DOES NOT RECOMMEND APPROVAL of the rezoning as it is not consistent with Implementation Goals LU-1, LU-3, LU-7, & LU-11 of the 2040 Community Plan. <u>It is not reasonable, nor in the public interest to rezone these 78.7-acres from Rural (R) to Transitional Residential (TR) to Corporate Business – Conditional District (CB-CD) BECAUSE it would be inconsistent with the 2040 Community Plan.</u>		DENIAL: In considering the proposed rezoning application R23-07; EPCON – Beatties Ford Road CD Rezoning, the Town Board recommends denial based on the Plan being <u>(consistent OR inconsistent) with (insert applicable plan reference).</u> <u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>
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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 04-25-2023

Name of Project Beatties Ford Road Residential Phase # (if subdivision) _____

Project Address 15201 Beatties Ford Road, Huntersville, NC 28078

Parcel Identification Number(s) (PIN) 01313125, 01313126, 01313142,
01313143, 01313144 & 01313116

Current Zoning District R Proposed District (for rezoning only) TR

Property Size (acres) 78.7 AC Street Frontage (feet) 574 ft

Current Land Use Vacant / Single Family Residential

Proposed Land Use(s) Single Family Detached Residential

Is the project within Huntersville's corporate limits?

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

3. Description of Request

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

Proposed Conditional District Rezoning from R to TR

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 Epcon Communities Carolinas, LLC Phone 704-607-0152
☐ 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 Andy Gibbon Printed Name: Andy Gibbon

Title Land Development Director Email agibbon@epconcommunities.com

Address of Applicant 11020 David Taylor Drive, Suite 105, Charlotte, NC 28262

7. Property Owner (if different than applicant)

*Printed Name Paul & Ruth Walters Family LLC 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 Paul Walters Printed Name PAUL S. WALTERS

Title Mgr. Email Jim@LWENGINEERS.COM

Address of Property Owner 102 Sherwood Drive, Huntersville, NC 28078

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

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

8. Development/Design Firm Contact Information

Bowman Development Group	Whitney Hodges	704-929-8396	whitneyhodges@gmail.com
Development Firm	Name of Contact	Phone	Email
Timmons Group	Andrew Allison	704-227-1564	andrew.allison@timmons.com
Design Firm	Name of Contact	Phone	Email

Contact Information

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



General Application
Owner/Applicant Signature Addendum

Application Information

Date of Application 04-25-2023 Application Number _____

Name of Project Beatties Ford Road Residential Phase # (if subdivision) _____

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

* ^ Printed Name Fred T & Sandra R Browning Phone Number 704-408-3673
☐ 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 Fred T. Browning Parcel ID(s): 01313125

Title Owner Email Browningf@roadrunner.com

Address of Property Owner/Applicant 15201 Beatties Ford Rd, Huntersville, NC 28078

* ^ Printed Name Fred T & Sandra R Browning 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): 01313125

Title _____ Email _____

Address of Property Owner/Applicant 15201 Beatties Ford Rd, Huntersville, NC 28078

* ^ Printed Name _____ 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): _____

Title _____ Email _____

Address of Property Owner/Applicant _____

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

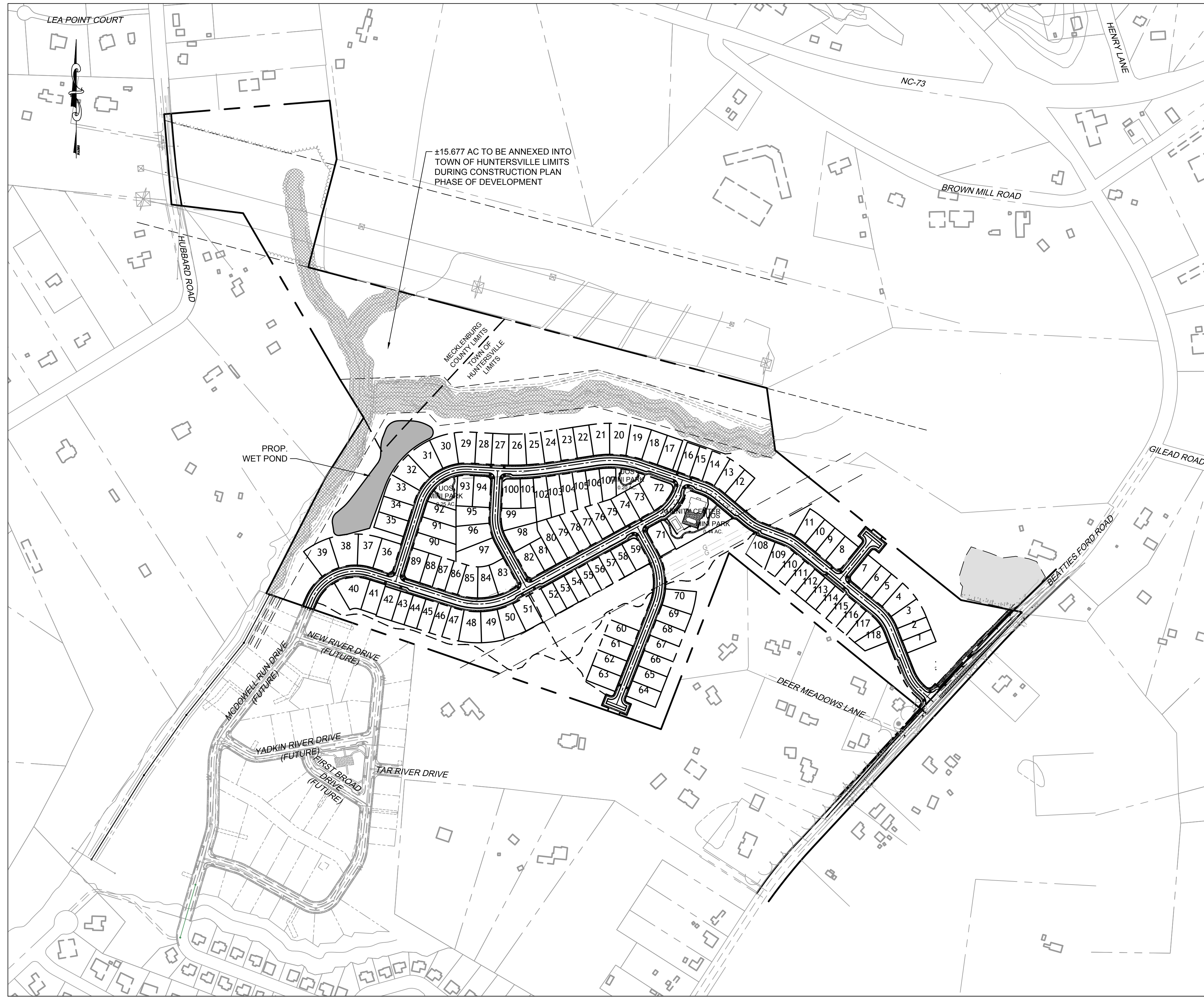
^ If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION.

EPCON - COURTYARDS AT WALTERS FARM

CONDITIONAL DISTRICT REZONING / SKETCH PLAN

15131 BEATTIES FORD RD
HUNTERSVILLE, NORTH CAROLINA

EPM PROJECT NO. 449924
REZONING NO. R23-07



VICINITY MAP
SCALE: 1" = 250'

Sheet List Table	
Sheet Number	Sheet Title
RZ-000	COVER
RZ-100	EXISTING CONDITIONS
RZ-101	EXISTING SLOPE ANALYSIS
RZ-102	TREE SURVEY
RZ-103	ADJACENT PROPERTY OWNERS
RZ-104	ADJACENT PROPERTY OWNERS INFORMATION & TREE LIST
RZ-105	FOUR STEP DESIGN PROCESS
RZ-200	REZONING PLAN
RZ-201	SITE NOTES AND DETAILS
RZ-202	SITE NOTES AND DETAILS
RZ-300	CONCEPTUAL GRADING & DRAINAGE PLAN
RZ-400	CONCEPTUAL PLANTING PLAN
RZ-500	CONCEPTUAL URBAN OPEN SPACE PLAN

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

PROPERTY OWNER INFORMATION

PARCEL ID: 01313125
FRED & SANDRA BROWNING
15201 BEATTIES FORD ROAD, HUNTERSVILLE, NC 28078

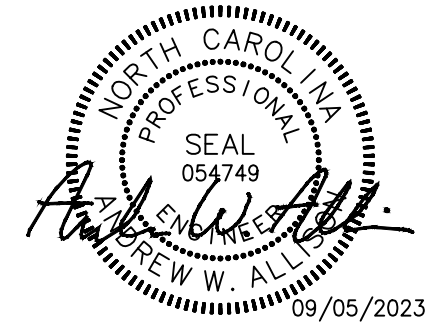
PARCEL ID'S: 01313116, 01313126, 01313142, 01313143 & 01313144
PAUL & RUTH WALTERS FAMILY LLC
102 SHERWOOD DRIVE, HUNTERSVILLE, NC 28078

REQUIRED NCDOT ROAD IMPROVEMENTS FOR BEATTIES FORD ROAD

150' LEFT TURN LANE AT PROPOSED DEVELOPMENT ENTRANCE
100' RIGHT TURN LANE AT PROPOSED DEVELOPMENT ENTRANCE

FIRE CODE REQUIREMENTS

PER FIRE CODE REQUIREMENTS, UNTIL 'McDOWELL RUN DRIVE' IS OPEN AS A PUBLIC STREET, THIS SUBDIVISION WILL BE LIMITED TO 100 LOTS.



PRELIMINARY
FOR REVIEW
PURPOSES ONLY

THIS DRAWING PREPARED AT THE
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610 E. Morehead Street, Suite 250 | Charlotte, NC 28202
TEL 704.602.8600 FAX 704.376.1076 www.timmons.com
North Carolina License No. C-1652

EPCON[®]
COMMUNITIES
EPCON COMMUNITIES
11020 DAVID TAYLOR DR, SUITE 05
CHARLOTTE, NC 28262

REVISION DESCRIPTION
REVISED PER TOWN COMMENTS
REVISED PER TOWN COMMENTS

DATE
07/21/2023
09/05/2023
DRAWN BY
A. CLARK
DESIGNED BY
A. ALLSION
CHECKED BY
A. ALLSION
SCALE
AS SHOWN

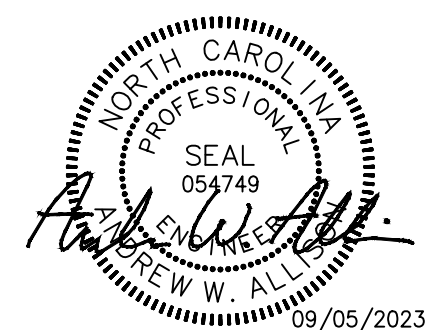
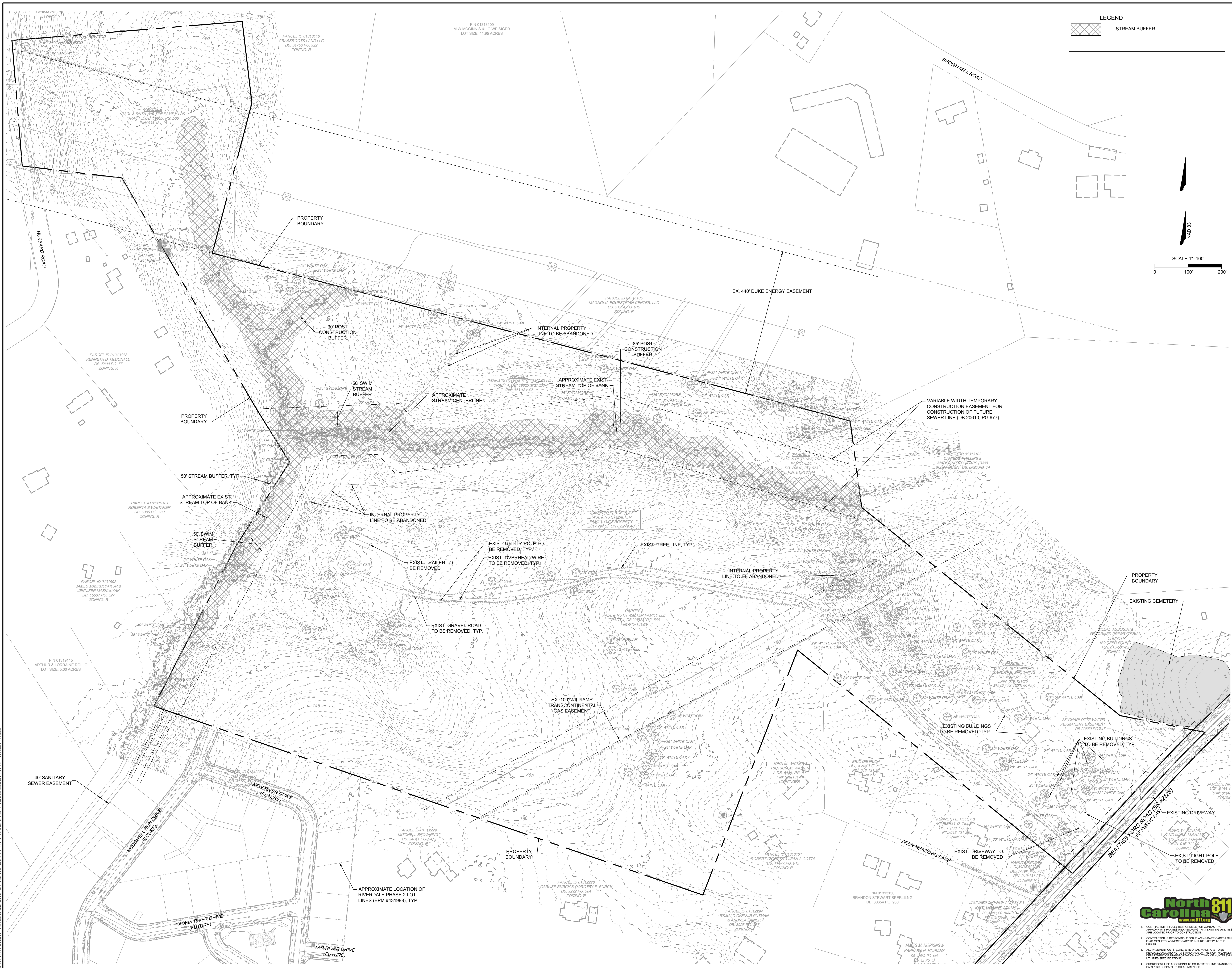
TIMMONS GROUP
YOUR VISION ACHIEVED THROUGH OURS.

EPCON - COURTYARDS AT WALTERS FARM
HUNTERSVILLE, NORTH CAROLINA
COVER

JOB NO.
57770
SHEET NO.
RZ-000



- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAG MEN ETC. AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
- ALL PAYMENTS DUE TO CONTRACTOR OR SUBS SHALL BE MADE IN ACCORDANCE WITH THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND TOWN OF HUNTERSVILLE UTILITIES SPECIFICATIONS.
- SHOWING WILL BE ACCORDING TO DRAIN TRENCHING STANDARDS PART 108 SUBPART F, OR AS AMENDED.



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TEL 704.602.8600 FAX 704.376.1076 www.timmons.com
North Carolina License No. C-1652

DATE	REVISION DESCRIPTION
07/27/2023	REVISED PER TOWN COMMENTS
09/05/2023	REVISED PER TOWN COMMENTS



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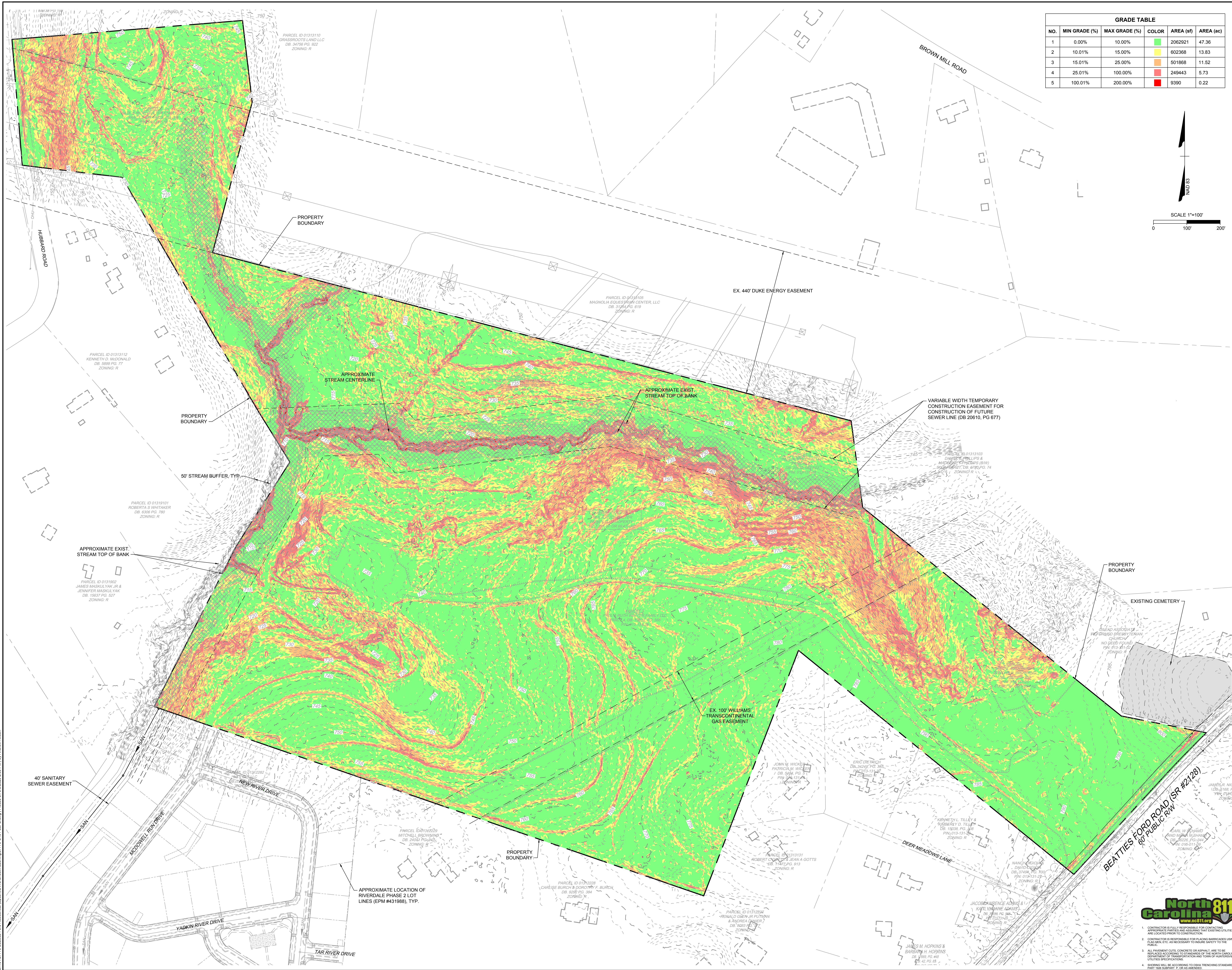
EPCON - COURTYARDS AT WALTERS FARM

EXISTING CONDITIONS

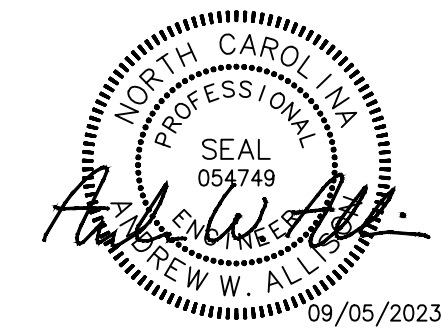
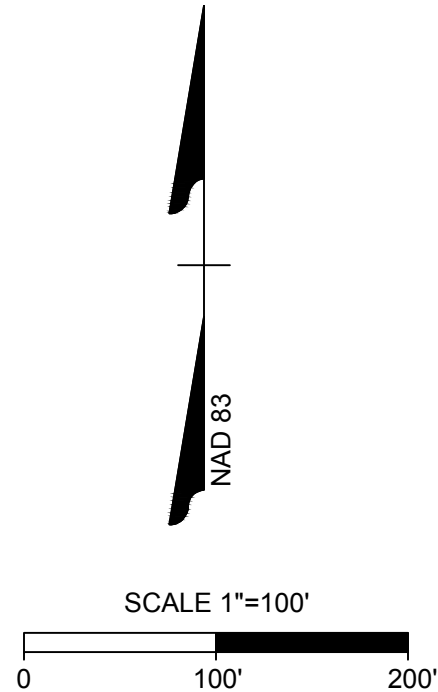
JOB NO.
57770

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GRADE TABLE					
NO.	MIN GRADE (%)	MAX GRADE (%)	COLOR	AREA (sf)	AREA (ac)
1	0.00%	10.00%	Green	2062921	47.36
2	10.01%	15.00%	Yellow	602368	13.83
3	15.01%	25.00%	Orange	501868	11.52
4	25.01%	100.00%	Red	249443	5.73
5	100.01%	200.00%	Dark Red	9390	0.22



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11020 DAVID TAYLOR DR, SUITE 05
CHARLOTTE, NC 28262

REVISION DESCRIPTION

DATE
07/21/2023
09/05/2023

DATE
07/21/2023

DRAWN BY
A. CLARK

DESIGNED BY
A. ALLISON

CHECKED BY
A. ALLISON

SCALE
1" = 100'

YOUR VISION ACHIEVED THROUGH OURS.

TIMMONS GROUP

EPCON - COURTYARDS AT WALTERS FARM
HUNTERSVILLE, NORTH CAROLINA

EXISTING SLOPE ANALYSIS

JOB NO.
57770

SHEET NO.
RZ-101

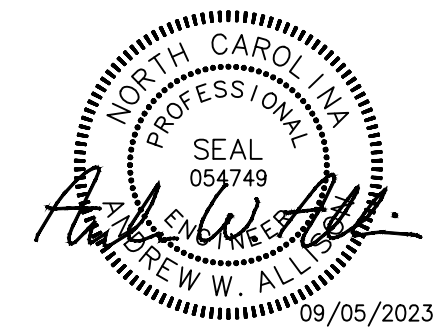


- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTRACTING APPROPRIATE PARTIES AND OBTAINING ALL NECESSARY PERMITS AND LOCATING PRIOR TO CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAG MEN ETC. AS NECESSARY TO MAINTAIN SAFETY TO THE PUBLIC.
- ALL INFORMATION ON THIS DRAWING IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT TO BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSES WITHOUT THE EXPRESS WRITTEN CONSENT OF TIMMONS GROUP.
- SHOWN WILL BE ACCORDING TO DATA TRENCHING STANDARDS PART 108 SUBPART F, OR AS AMENDED.

S:\0457776-Boulder Ford Residential\Epcon\DWG\Sheet\Resizing\57776-C102-A210.dwg | Printed on 8/25/2023 2:00 PM | by Andrew Allson



1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTRACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAG MEN ETC. AS NECESSARY TO MAINTAIN SAFETY TO THE PUBLIC.
3. ALL PLACEMENTS SHALL CONFORM TO OR BE MORE STRINGENT THAN THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND TOWN OF HUNTERVILLE UTILITIES SPECIFICATIONS.
4. SHORING SHALL BE ACCORDING TO OWNER TRENCHING STANDARDS PART 108 SUBPART F, OR AS AMENDED.



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EPCON COMMUNITIES
11020 DAVID TAYLOR DR, SUITE 105
CHARLOTTE, NC 28262

REVISION DESCRIPTION

DATE

07/21/2023

DRAWN BY

A. CLARK

DESIGNED BY

A. ALLSION

CHECKED BY

A. ALLSION

SCALE

1" = 150'

TIMMONS GROUP YOUR VISION ACHIEVED THROUGH OURS.

EPCON - COURTYARDS AT WALTERS FARM

HUNTERVILLE, NORTH CAROLINA

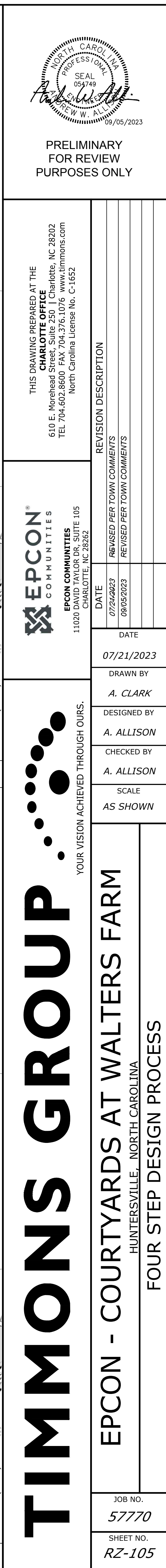
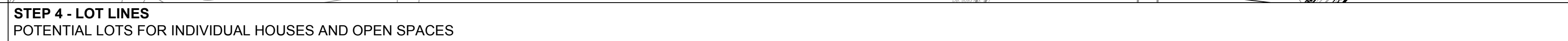
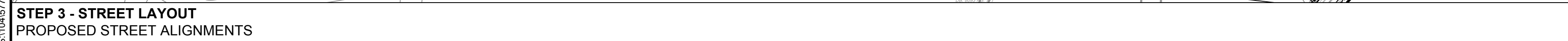
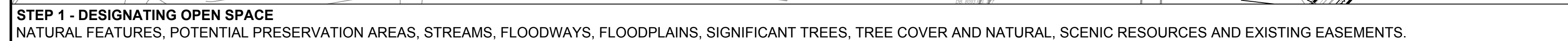
ADJACENT PROPERTY OWNERS

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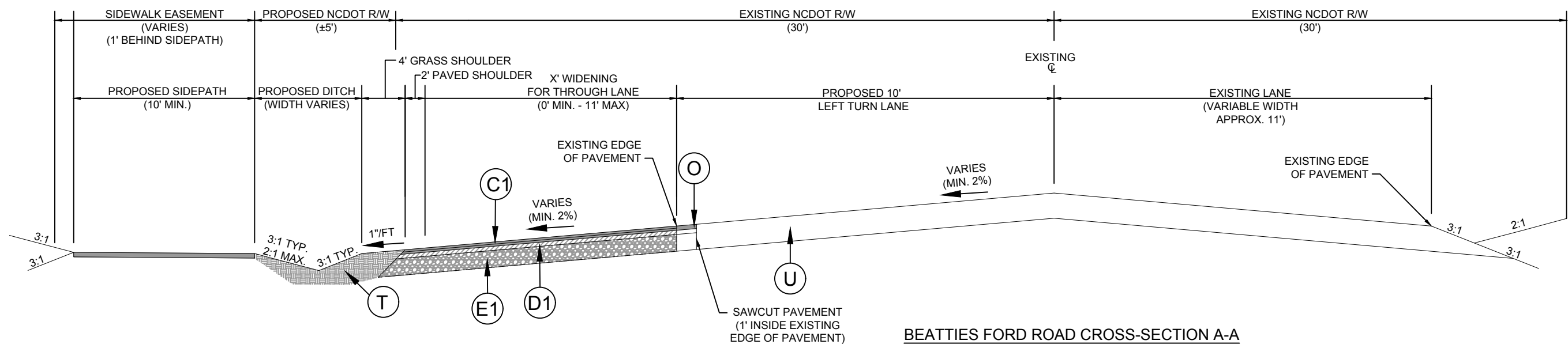
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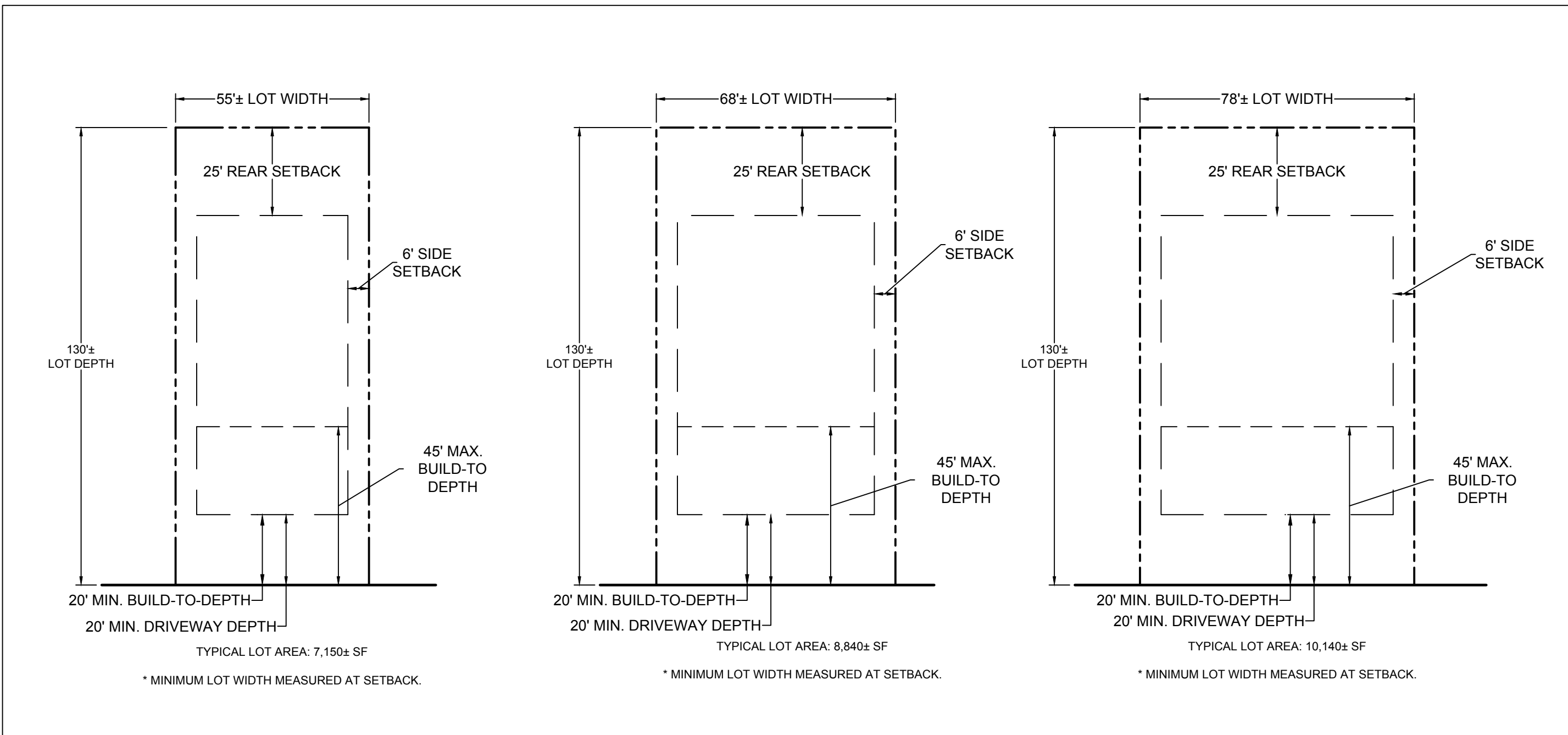


BLOCK LENGTH DIAGRAM
AND STREET TYPE MAP
N.T.S

BEATTIES FORD ROAD PAVEMENT SCHEDULE	
C1	ASPHALT SURFACE COURSE (1.5' OF 59.5C, 2 LIFTS, RATE 112 LBS/SY/INCH)
D1	ASPHALT INTERMEDIATE COURSE (2.5' OF 119.0C, RATE 114 LBS/SY/INCH)
E1	ASPHALT BASE COURSE (8" OF 825.0C, 2 LIFTS, FIRST P' EXTENDING 6' BEHIND CURB, SECOND LIFT 3" RATE 114 LBS/SY/INCH)
O	ASPHALT OVERLAY (1.5" 59.5C, RATE 112 LBS/SY/INCH)
T	EARTH MATERIAL
U	EXISTING PAVEMENT



BEATTIES FORD ROAD CROSS-SECTION A-A



TYPICAL LOT DIAGRAMS
1" = 30'

GENERAL PROVISIONS

- THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING APPLICATION FOR EPM PROJECT NO. "R23-07" (449924) FILED BY EPCON COMMUNITIES (THE "PETITIONER") ON MAY 26, 2023 (THE "FILING DATE") FOR AN APPROXIMATELY 78.70 ACRE SITE LOCATED OFF OF BEATTIES FORD ROAD, IN HUNTERSVILLE, NORTH CAROLINA, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPOSED OF TAX PARCEL NOS. 01313125, 01313126, 01313142, 01313143, 01313144, AND 01313116. THE CURRENT ZONING OF THE SITE IS RURAL DISTRICT (R) LOCATED IN HUNTERSVILLE AND MECKLENBURG COUNTY. THE PURPOSE OF THE REZONING PLAN AND ANNEXATION IS TO CONVERT THE ZONING CLASSIFICATION OF THE ENTIRE SITE TO TRANSITIONAL RESIDENTIAL CONDITIONAL DISTRICT (TR-CD) WITHIN THE TOWN OF HUNTERSVILLE.
- DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE AND SUBDIVISION ORDINANCE IN PLACE ON THE FILING DATE (THE "ORDINANCE").
- UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH OTHER STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE TRANSITIONAL RESIDENTIAL DISTRICT (TR) ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.
- THE LOTS AND PROPOSED IMPROVEMENTS, INCLUDING LOCATION OF STREETS, LOTS, DRIVEWAYS, AND COMMON AREAS, TREE SAVE, SHOWN ON THE SKETCH/REZONING PLAN ARE SCHEMATIC IN NATURE AND MAY BE ALTERED, OR MODIFIED DURING CONSTRUCTION DOCUMENT PHASE 50 LONG AS SUCH MODIFICATION IS COMPATIBLE WITH THE LAYOUT AND LOCATION OF LOTS AND IMPROVEMENTS SHOWN ON THE SKETCH/REZONING PLAN. MODIFICATIONS TO THE SITE PLAN MUST BE APPROVED BY THE TOWN OF HUNTERSVILLE PLANNING AND ENGINEERING STAFF.
- THE DEVELOPMENT OF THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN MAY BE PHASED. ANY PROPOSED PHASING MUST ALIGN WITH REQUIRED INFRASTRUCTURE AND STORMWATER IMPROVEMENTS. PROVIDED, HOWEVER, EACH PHASE OR SEQUENCE OF IMPROVEMENTS IN THE SITE WILL MEET ALL ORDINANCE REQUIREMENTS, UTILITIES, INFRASTRUCTURE, AND GRADING SHALL BE DELIVERED TO EACH INDIVIDUAL PHASE AS EACH IS DEVELOPED.
- IN DEVELOPING THE PROPERTY, THE LAND MAY NEED TO BE RECOMBINED AND SUBDIVIDED FOR CONVEYANCE OR FINANCING PURPOSES. ANY SUCH RECOMBINATION OR SUBDIVISION WILL MEET THE REQUIREMENTS OF THE ORDINANCE. IN THE COURSE OF DEVELOPMENT, A REDUCTION OF LOTS MAY OCCUR IN ACCORDANCE WITH THE REGULATIONS OF THE ORDINANCE.
- FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF THE ORDINANCE. PROVIDED, HOWEVER, IN THE EVENT ANY PORTION OF THE SITE IS CONVEYED TO A THIRD PARTY, PETITIONER MAY REQUEST AN AMENDMENT TO THE REZONING PLAN WITHOUT THE WRITTEN CONSENT OF ANY OTHER OWNER OF ALL OR ANY PORTION OF THE SITE UNLESS SUCH AMENDMENT CONSTITUTES A CHANGE IN THE BUILDING OR USE OF THE PORTION OF THE SITE OWNED BY SUCH OWNER. ALL REQUIREMENTS IN CONNECTION WITH THE AMENDMENT WILL BE CALCULATED ON THE SITE AS A WHOLE IN THE SAME MANNER SUCH REQUIREMENTS WERE CALCULATED AT THE TIME OF THE INITIAL APPROVAL.
- THE REZONING PLAN IS A SITE-SPECIFIC DEVELOPMENT PLAN, AND APPROVAL THEREOF CONSTITUTES VESTED RIGHTS IN THE REZONING PLAN NOTWITHSTANDING ANY OTHER PROVISIONS OF THESE DEVELOPMENT STANDARDS. IF, AT SOME POINT, MODIFICATIONS ARE MADE TO THE TOWN'S ZONING 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. PROVIDED ORDINANCE MODIFICATIONS DO NOT CONSTITUTE A MAJOR AMENDMENT. SUCH MODIFICATIONS TO THE ORDINANCE SHALL IN NO WAY IMPACT THE PETITIONER'S VESTED RIGHTS.
- APPROVAL OF THE REZONING PLAN SHALL CONSTITUTE ESTABLISHMENT OF VESTED RIGHTS IN THE LANDOWNER (AND ITS SUCCESSORS AND ASSIGNS) FOR A PERIOD OF THREE YEARS PURSUANT TO N.C. GEN. STAT. §160A-385.1.

PERMITTED USES

- THE SITE MAY BE DEVELOPED FOR ANY USES THAT ARE PERMITTED BY RIGHT OR PERMITTED WITH CONDITIONS, UNDER THE ORDINANCE, INCLUDING ACCESSORY USES, IN THE TRANSITIONAL RESIDENTIAL DISTRICT, SUBJECT TO THE DEVELOPMENT STANDARDS ASSOCIATED WITH SUCH USE. ANY LABELING ON THE REZONING PLAN MAY BE AN INDICATION OF THE CURRENT INTENTION ON THE PART OF PETITIONER BUT SHALL NOT RESTRICT THE SITE IN A MANNER THAT CONFLICTS WITH THESE DEVELOPMENT NOTES.

TRANSPORTATION/ACCESS/STREET IMPROVEMENTS

- VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF EACH VEHICULAR ACCESS POINT ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE TOWN OF HUNTERSVILLE AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
- THE ALIGNMENTS OF THE INTERNAL DRIVES AND PARKING AREAS TO BE LOCATED ON THE SITE ARE SUBJECT TO ANY MINOR MODIFICATIONS OR ALTERATIONS REQUIRED DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PERMITTING PROCESSES.
- PETITIONER SHALL INSTALL SIDEWALKS, STREET TREES, PLANTING STRIPS, OR OTHER STREET IMPROVEMENTS AS SHOWN ON THE REZONING PLAN.
- PER THE TRAFFIC IMPACT ANALYSIS (TIA) APPLICATION FOR DETERMINATION OF TIA NEED REVIEWED BY THE TOWN AND ISSUED ON 4/19/2023, A TIA IS NOT REQUIRED FOR THIS DEVELOPMENT. THE FOLLOWING IMPROVEMENTS ARE REQUIRED TO BEATTIES FORD ROAD BY NCDOT:
 - 150' LEFT TURN LANE
 - 100' RIGHT TURN LANE

- ALL NCDOT ROAD IMPROVEMENTS SHALL BE COMPLETED PRIOR TO APPROVAL OF THE FIRST BUILDING PERMIT.

LANDSCAPING/BUFFERS

- DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE LANDSCAPING AND SCREENING REQUIREMENTS OF THE ORDINANCE.
- AN UNDISTURBED BUFFER YARD IS INTENDED TO BE A NATURAL, WOODED AREA AND SHALL COUNT TOWARD THE PROVISION OF OPEN SPACE AND TREE SAVE FOR THE DEVELOPMENT WHERE THE BUFFER CONTAINS EXISTING VEGETATION. IS A MINIMUM OF 20 FT WIDE, AND IS NOT PART OF INDIVIDUAL LOTS. ONLY PORTIONS OF UNDISTURBED BUFFER YARD WITH EXISTING TREE COVER SHALL BE COUNTED AS TREE SAVE.
- AREAS OF THE PERIMETER BUFFER AND LANDSCAPE AREA THAT ARE DISTURBED SHALL BE REPLANTED ACCORDING TO STANDARDS OUTLINED IN CHAPTER 7 OF THE ORDINANCE. EXISTING VEGETATION MAY BE INCLUDED TO SATISFY BUFFER REQUIREMENTS.
- PETITIONER SHALL SHOW WALKING PATHS WITHIN OPEN SPACE AND URBAN OPEN SPACE AS SCHEMATICALLY SHOWN ON THE REZONING PLAN. THE ACTUAL LOCATION AND DETAILS OF SUCH PATHS AND URBAN OPEN SPACE TO BE DETERMINED DURING THE CONSTRUCTION DOCUMENT PHASE.
- THE 20' UNDISTURBED PERIMETER BUFFER WITHOUT EXISTING VEGETATION MAY BE DISTURBED IN ORDER TO PLANT NEW VEGETATION.

- RESIDENTIAL LOT TREES WILL BE PROVIDED AS FOLLOWS:
 - LOTS LESS THAN 10,000 SF: 1 FRONT YARD, 1 REAR YARD TREE REQUIRED
 - LOTS 10,000 SF - 15,000 SF: 1 FRONT YARD, 2 REAR YARD TREES REQUIRED

LANDSCAPING BERMS

- ALL PROPOSED LANDSCAPE BERMS ALONG BEATTIES FORD ROAD WILL REQUIRE ADDITIONAL REVIEW AND APPROVAL PRIOR TO SITE PLAN APPROVAL.

UTILITY PROVISIONS

- NEW WATER MAINS WILL BE PLACED UNDER SIDEWALK PER CHARLOTTE WATER STANDARDS.
- NEW SANITARY SEWER MAINS WILL BE PLACED PER CHARLOTTE WATER STANDARDS.

TRAIL PROVISIONS

- THE FINAL LOCATION OF ALL TRAILS MAY VARY WITH TOPOGRAPHY AND PERMIT APPROVALS. FINAL TRAIL MATERIALS TO BE DETERMINED DURING THE CONSTRUCTION DOCUMENT PHASE.

BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- IF THIS REZONING APPLICATION 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 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 PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

ZONING CODE SUMMARY

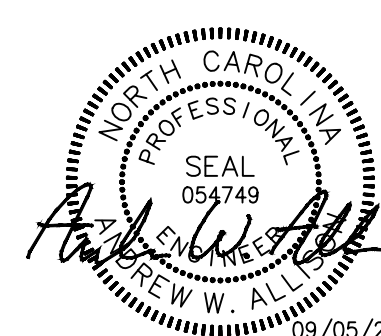
PARCEL NUMBERS	01313125 9.6 ACRES 01313126 43.86 ACRES 01313142 8.43 ACRES 01313143 0.977 ACRES 01313144 1.215 ACRES 01313116 14.63 ACRES	OWNER: FRED T & SANDRA R BROWNING OWNER: PAUL & RUTH WALTERS FAMILY LLC OWNER: PAUL & RUTH WALTERS FAMILY LLC OWNER: PAUL & RUTH WALTERS FAMILY LLC OWNER: PAUL & RUTH WALTERS FAMILY LLC OWNER: PAUL & RUTH WALTERS FAMILY LLC
TOTAL PARCEL AREA	78.74 AC	
EXISTING ZONING	R	
PROPOSED ZONING	TR-CD	
EXISTING LAND USE:	SINGLE FAMILY RESIDENTIAL	
PROPOSED LAND USE:	SINGLE FAMILY RESIDENTIAL - 55+ AGE RESTRICTED	
BUILDING TYPE:	SINGLE FAMILY DETACHED	
TOTAL PROPOSED LOTS	118 LOTS 55' WIDTH 66' WIDTH 76' WIDTH	56 LOTS (47.5%) 55 LOTS (46.6%) 7 LOTS (5.9%)
MAXIMUM DENSITY:	1.5 DUA (WITH 40% OPEN SPACE)	
PROVIDING DENSITY:	118 LOTS / 78.7 AC = 1.5 DUA	
AMENITY SIZE:	±3,360 SF AMENITY BUILDING WITH POOL	
TYPICAL LOT SIZE:	55' X 130' (±7,150 SF) 66' X 130' (±8,580 SF) 76' X 130' (±10,140 SF)	
AVERAGE LOT SIZE:	62.64' X 130' (±8,144 SF)	
REQUIRED SETBACKS	SIDE SETBACK FRONT SETBACK REAR SETBACK CORNER SETBACK	6' SEE BUILD-TO-LINE 25' 10'
BUILD-TO-LINE	20' MIN. TO 45' MAX. FROM RIGHT-OF-WAY	
REQUIRED BUFFER	20'/40' UNDISTURBED BUFFER	
OPEN SPACE REQUIRED	31.48+ ACRES (40%)	
OPEN SPACE PROVIDED	31.61+ ACRES (40.17%)	
URBAN OPEN SPACE	0.89+ ACRES (2.82%)	
COMMON OPEN SPACE	9.72+ ACRES (30.77%)	
NATURAL OPEN SPACE:	21.00+ ACRES (66.48%)	
TREE SAVE REQUIRED:	20.47+ ACRES (35% OF 58.49+ AC EXISTING CANOPY)	
TREE SAVE PROVIDED:	21.00+ ACRES (35.9%)	
SOILS:	CeB2, CeD2, EoD, MO, P&E	
WATERSHED:	MTN, ISLAND LAKE HIGH DENSITY	
PERCENTAGE OF IMPERVIOUS ALLOWED:	70% WITH BMP (±55.09 ACRES)	
IMPERVIOUS AREA:	IMPERVIOUS AREA INSIDE LOTS: BUILDING / FUTURE IMPROVEMENTS*: 14.11 ACRES DRIVEWAYS: 1.65 ACRES *1.00% OF LOT AREA (BUT NOT LESS THAN 150 SF PER LOT) RESERVED FOR ADDITIONS OF FUTURE IMPERVIOUS AREA IMPERVIOUS AREA INSIDE RIGHT-OF-WAY: 5.38 ACRES TOTAL SITE IMPERVIOUS AREA: 21.14 ACRES (26.86% BUA) NOTE: BREAKDOWN OF IMPERVIOUS AREA TO BE ALLOCATED FOR EACH LOT TO BE PROVIDED WITH CALCULATIONS AND ON CONSTRUCTION PLAN SET. FINAL IMPERVIOUS AREAS TO BE DETERMINED DURING CONSTRUCTION DOCUMENT PHASE.	

GENERAL NOTES

- ALL DEVELOPMENT AND CONSTRUCTION SHALL COMPLY WITH ALL ZONING AND SUBDIVISION STANDARDS OF THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, AND NCDOT, AS APPLICABLE.
- THIS PROPERTY MAY BE SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAY OF RECORD.
- ALL AREAS DESIGNATED AS COMMON AND/OR URBAN OPEN SPACE SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION AND DEDICATED FOR PERPETUITY.
- ACCESS (INGRESS/EGRESS) LOCATION AND DESIGN SHOWN ON THIS SKETCH PLAN AREA SUBJECT TO ACHIEVING VERTICAL AND HORIZONTAL SIGHT DISTANCES. TURN LANE IMPROVEMENTS (INCLUDING RIGHT-OF-WAY AND INTERSECTION WITH ADJACENT AND OPPOSING ACCESS POINTS. MODIFICATIONS TO PLAN MAY RESULT.
- LARGE MATURING TREES WILL BE PLANTED 40' O/C WITHIN THE REQUIRED PLANTING STRIP ALONG ALL STREETS WITH THE EXCEPTION OF RURAL PARKWAYS WHERE EXISTING TREES CAN SATISFY THE STREET TREE REQUIREMENT. SMALL MATURING TREES ARE TO BE USED WHERE OVERHEAD POWER LINES EXIST.
- CLUSTER BOX UNITS (CBUs) WILL BE PROVIDED FOR MAIL DELIVERY. LOCATION SHOWN ON PLANS IS APPROXIMATE AND SUBJECT TO CHANGE PENDING USPS APPROVAL.
- THE PROPOSED DEVELOPMENT WILL BE SERVED BY PUBLIC WASTE MANAGEMENT FOR TRASH COLLECTION.
- ARTICLE 8.16.1 & 2 OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE SHALL APPLY.
- ARTICLE 8.16.3 & 5 OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE SHALL APPLY.
- DIRECT ACCESS FROM LOTS TO A THOROUGHFARE IS PROHIBITED.
- THE TOWN OF HUNTERSVILLE DEFINES THE BUILD-TO-LINE 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 APPURTENANCES, MUST BE ERRECTED, INTENDED TO CREATE AN EVEN BUILDING FACADE LINE ON A STREET. THE BUILD-TO-LINE IS ESTABLISHED ON THE RECORD PLAT (FINAL PLAT).

MODIFICATION REQUESTS

- REMOVE LANDSCAPED MEDIAN REQUIREMENT AT THE ENTRANCE OF THE SUBDIVISION.
- INCREASE THE DRIVEWAY WIDTH TO 18' FOR LOTS LESS THAN 60' WIDE.
- INCREASE THE MAXIMUM LENGTH OF A CUL-DE-SAC BY 1470' DUE TO CONSTRAINTS IMPOSED BY EXISTING EASEMENTS.
- ALLOW A WET POND RATHER THAN TRADITIONAL WATER QUALITY MEASURES FOR THE DENSITY OF THE SITE.



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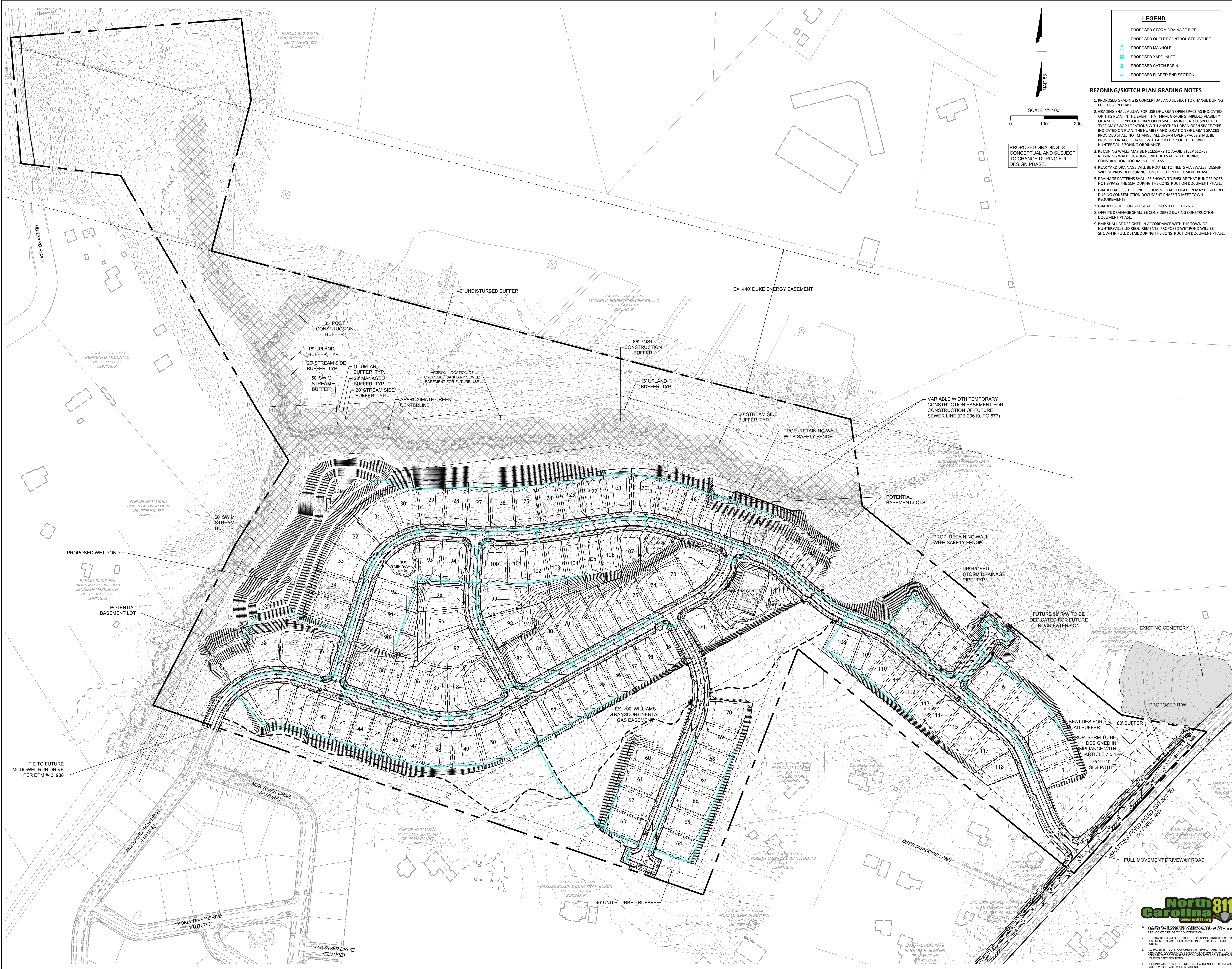
EPCON - COURTYARDS AT WALTERS FARM
HUNTERSVILLE, NORTH CAROLINA
SITE NOTES AND DETAILS

JOB NO.
57770
SHEET NO.
RZ-201



- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE AGENCIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING TRAFFIC CONES, ETC. AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
- ALL PERMITS ARE TO BE OBTAINED PRIOR TO CONSTRUCTION. PERMITS ARE TO BE ISSUED AND ADHERED TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND TOWN OF HUNTERSVILLE UTILITIES SPECIFICATIONS.
- SHOULDER WILL BE ACCORDING TO DRIVE REMOVING STANDARDS PART 108 SUBURBAN P. OR AS AMENDED.

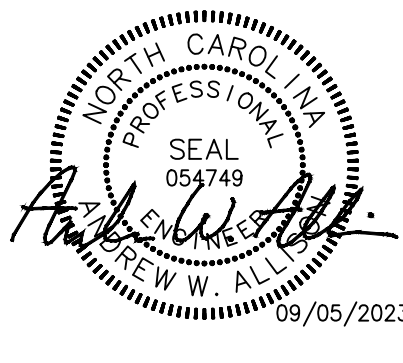
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LEGEND	
	PROPOSED STORM DRAINAGE PIPE
	PROPOSED OUTLET CONTROL STRUCTURE
	PROPOSED MANHOLE
	PROPOSED YARD INLET
	PROPOSED CATCH BASIN
	PROPOSED FLARED END SECTION

REZONING/SKETCH PLAN GRADING NOTES

1. PROPOSED GRADING IS CONCEPTUAL AND SUBJECT TO CHANGE DURING FULL DESIGN PHASE.
2. GRADING SHALL ALLOW FOR USE OF URBAN OPEN SPACE AS INDICATED ON THIS PLAN. IN THE EVENT THAT FINAL GRADING IMPEDES VIABILITY OF A SPECIFIC TYPE OF URBAN OPEN SPACE AS INDICATED, SPECIFIED TYPE MAY SWAP LOCATIONS WITH ANOTHER URBAN OPEN SPACE TYPE INDICATED ON PLAN. THE NUMBER AND LOCATION OF URBAN SPACES PROVIDED SHALL NOT CHANGE. ALL URBAN OPEN SPACES SHALL BE PROVIDED IN ACCORDANCE WITH ARTICLE 7.7 OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE.
3. RETAINING WALLS MAY BE NECESSARY TO AVOID STEEP SLOPES. DESIGN WILL BE PROVIDED DURING CONSTRUCTION DOCUMENT PHASE.
4. REAR YARD DRAINAGE WILL BE ROUTED TO INLETS VIA SWALES. DESIGN WILL BE PROVIDED DURING CONSTRUCTION DOCUMENT PHASE.
5. DRAINAGE PATTERNS SHALL BE SHOWN TO ENSURE THAT RUNOFF DOES NOT BYPASS THE SCM DURING THE CONSTRUCTION DOCUMENT PHASE.
6. GRADED ACCESS TO POND IS SHOWN. EXACT LOCATION MAY BE ALTERED DURING CONSTRUCTION DOCUMENT PHASE TO MEET TOWN REQUIREMENTS.
7. GRADED SLOPES ON SITE SHALL BE NO STEEPER THAN 2:1.
8. OFFSITE DRAINAGE SHALL BE CONSIDERED DURING CONSTRUCTION DOCUMENT PHASE.
9. BMP SHALL BE DESIGNED IN ACCORDANCE WITH THE TOWN OF HUNTERSVILLE LID REQUIREMENTS. PROPOSED WET POND WILL BE SHOWN IN FULL DETAIL DURING THE CONSTRUCTION DOCUMENT PHASE.



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EPCON COMMUNITIES	
11020 DAVID TAYLOR DR, SUITE 105	
CHARLOTTE, NC 28262	
REVISION DESCRIPTION	
DATE	REVISED PER TOWN COMMENTS
07/21/2023	09/05/2023

DATE	
07/21/2023	
DRAWN BY	
A. CLARK	
DESIGNED BY	
A. ALLISON	
CHECKED BY	
A. ALLISON	
SCALE	
1" = 100'	

JOB NO.	
57770	
SHEET NO.	
RZ-300	

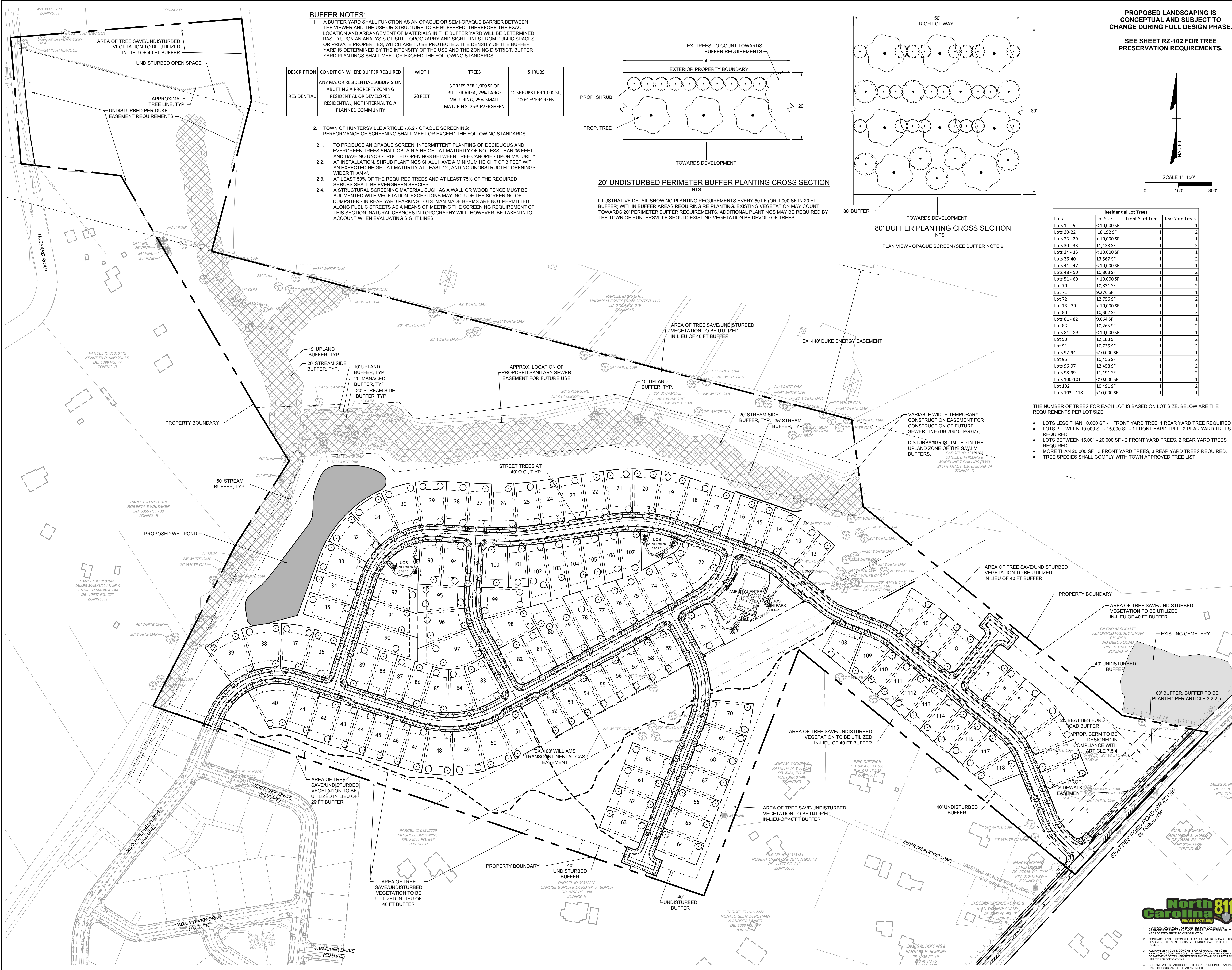
TIMMONS GROUP YOUR VISION ACHIEVED THROUGH OURS.

EPCON - COURTYARDS AT WALTERS FARM
HUNTERSVILLE, NORTH CAROLINA
CONCEPTUAL GRADING & DRAINAGE PLAN



1. CONTRACTOR IS FULLY RESPONSIBLE FOR OBTAINING NECESSARY PERMITS AND UTILITIES LOCATIONS PRIOR TO CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING TRAFFIC BARRICADES, CONE TRAFFIC CONTROLS, AND/OR OTHER MEANS AS NECESSARY TO MAINTAIN SAFETY TO THE PUBLIC.
3. ALL PERMITS AND UTILITIES LOCATIONS ARE TO BE MAINTAINED AND ADHERED TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND TOWN OF HUNTERSVILLE UTILITIES SPECIFICATIONS.
4. SHOWN WILL BE ACCORDING TO DATA FROM TOWN RECORDS, PART 108 SURVEY, F, OR AS AMENDED.

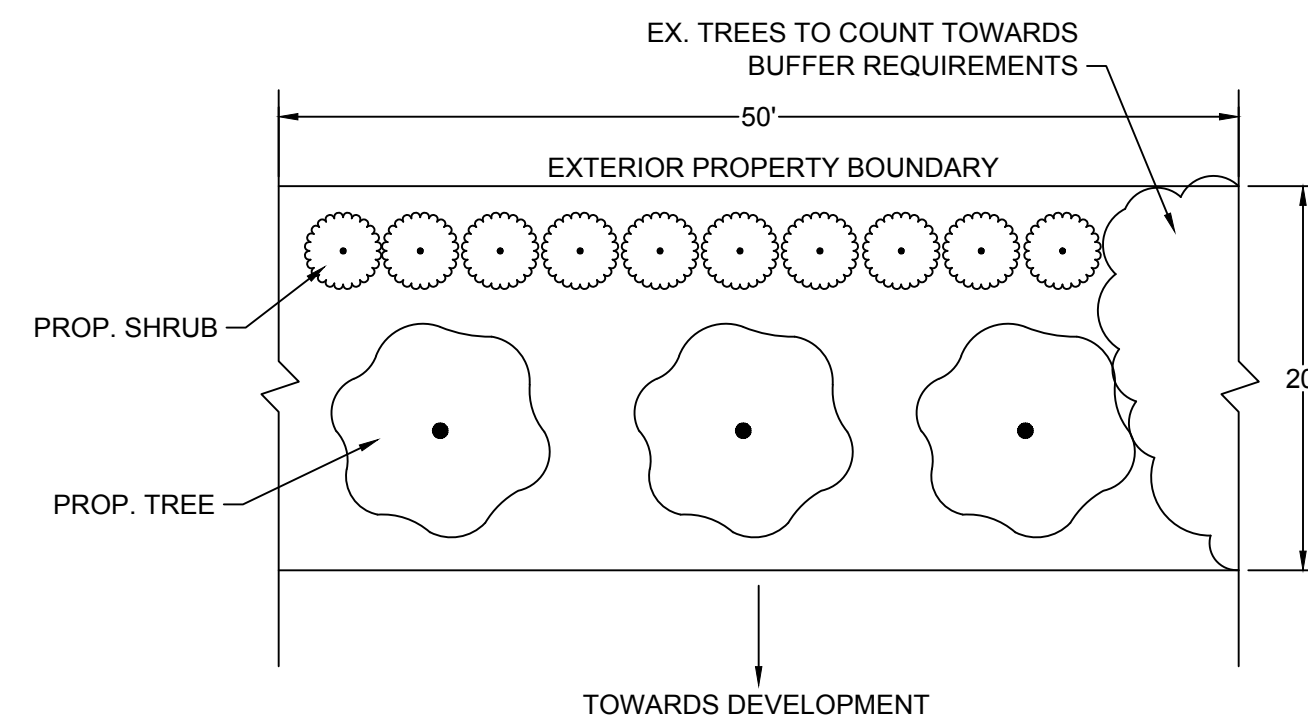
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BUFFER NOTES:

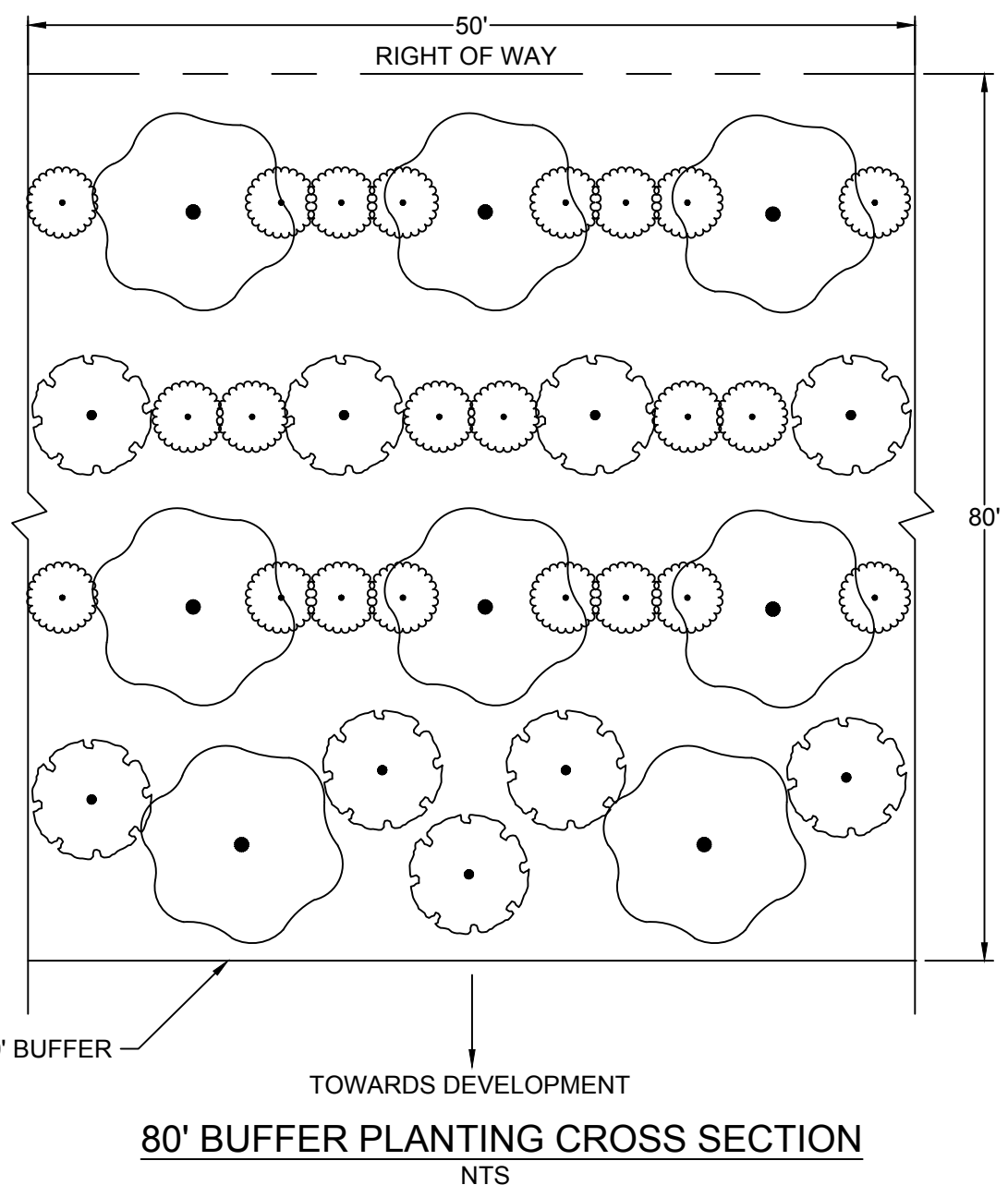
1. A BUFFER YARD SHALL FUNCTION AS AN OPAQUE OR SEMI-OPAQUE BARRIER BETWEEN THE VIEWER AND THE USE OR STRUCTURE TO BE BUFFERED. THEREFORE THE EXACT LOCATION AND ARRANGEMENT OF MATERIALS IN THE BUFFER YARD WILL BE DETERMINED BASED UPON AN ANALYSIS OF SITE TOPOGRAPHY AND SIGHT LINES FROM PUBLIC SPACES OR PRIVATE PROPERTIES, WHICH ARE TO BE PROTECTED. THE DENSITY OF THE BUFFER YARD IS DETERMINED BY THE INTENSITY OF THE USE AND THE ZONING DISTRICT. BUFFER YARD PLANTINGS SHALL MEET OR EXCEED THE FOLLOWING STANDARDS:

DESCRIPTION	CONDITION WHERE BUFFER REQUIRED	WIDTH	TREES	SHRUBS
RESIDENTIAL	ANY MAJOR RESIDENTIAL SUBDIVISION ABUTTING A PROPERTY ZONING RESIDENTIAL OR DEVELOPED RESIDENTIAL, NOT INTERNAL TO A PLANNED COMMUNITY	20 FEET	3 TREES PER 1,000 SF OF BUFFER AREA, 25% LARGE MATURING, 25% SMALL MATURING, 50% EVERGREEN	10 SHRUBS PER 1,000 SF, 100% EVERGREEN
2. TOWN OF HUNTERSVILLE ARTICLE 7.6.2 - OPAQUE SCREENING: PERFORMANCE OF SCREENING SHALL MEET OR EXCEED THE FOLLOWING STANDARDS:
 - 2.1. TO PRODUCE AN OPAQUE SCREEN, INTERMITTENT PLANTING OF DECIDUOUS AND EVERGREEN TREES SHALL OBTAIN A HEIGHT AT MATURITY OF NO LESS THAN 35 FEET AND HAVE NO UNOBSTRUCTED OPENINGS BETWEEN TREE CANOPIES UPON MATURITY.
 - 2.2. AT INSTALLATION, SHRUB PLANTINGS SHALL HAVE A MINIMUM HEIGHT OF 3 FEET WITH AN EXPECTED HEIGHT AT MATURITY AT LEAST 12', AND NO UNOBSTRUCTED OPENINGS WIDER THAN 4'.
 - 2.3. AT LEAST 50% OF THE REQUIRED TREES AND AT LEAST 75% OF THE REQUIRED SHRUBS SHALL BE EVERGREEN SPECIES.
 - 2.4. A STRUCTURAL SCREENING MATERIAL SUCH AS A WALL OR WOOD FENCE MUST BE AUGMENTED WITH VEGETATION. EXCEPTIONS MAY INCLUDE THE SCREENING OF DUMPSTERS IN REAR YARD PARKING LOTS. MAN-MADE BERMS ARE NOT PERMITTED ALONG PUBLIC STREETS AS A MEANS OF MEETING THE SCREENING REQUIREMENT OF THIS SECTION. NATURAL CHANGES IN TOPOGRAPHY WILL, HOWEVER, BE TAKEN INTO ACCOUNT WHEN EVALUATING SIGHT LINES.



20' UNDISTURBED PERIMETER BUFFER PLANTING CROSS SECTION
NTS

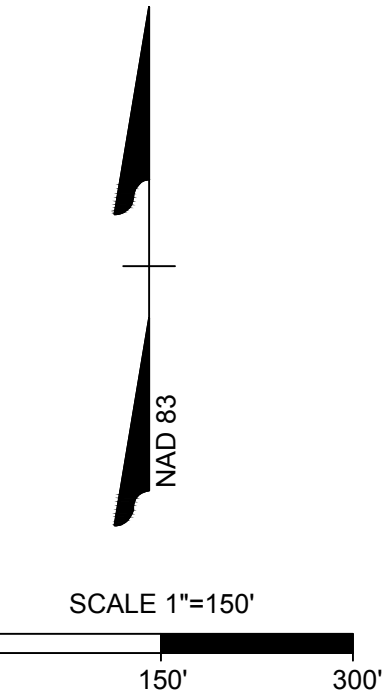
ILLUSTRATIVE DETAIL SHOWING PLANTING REQUIREMENTS EVERY 50 LF (OR 1,000 SF IN 20 FT BUFFER) WITHIN BUFFER AREAS REQUIRING RE-PLANTING. EXISTING VEGETATION MAY COUNT TOWARDS 20' PERIMETER BUFFER REQUIREMENTS. ADDITIONAL PLANTINGS MAY BE REQUIRED BY THE TOWN OF HUNTERSVILLE SHOULD EXISTING VEGETATION BE DEVOID OF TREES



80' BUFFER PLANTING CROSS SECTION
NTS

PROPOSED LANDSCAPING IS CONCEPTUAL AND SUBJECT TO CHANGE DURING FULL DESIGN PHASE.

SEE SHEET RZ-102 FOR TREE PRESERVATION REQUIREMENTS.



Residential Lot Trees				
Lot #	Lot Size	Front Yard Trees	Rear Yard Trees	
Lots 1 - 19	< 10,000 SF	1	1	
Lots 20-22	10,192 SF	1	2	
Lots 23 - 29	< 10,000 SF	1	1	
Lots 30 - 33	11,438 SF	1	2	
Lots 34 - 35	< 10,000 SF	1	1	
Lots 36-40	13,567 SF	1	2	
Lots 41 - 47	< 10,000 SF	1	1	
Lots 48 - 50	10,803 SF	1	1	
Lots 51 - 69	< 10,000 SF	1	1	
Lot 70	10,831 SF	1	2	
Lot 71	9,276 SF	1	1	
Lot 72	12,756 SF	1	2	
Lots 73 - 79	< 10,000 SF	1	1	
Lot 80	10,302 SF	1	2	
Lots 81 - 82	9,664 SF	1	1	
Lot 83	10,265 SF	1	1	
Lots 84 - 89	< 10,000 SF	1	1	
Lot 90	12,183 SF	1	2	
Lot 91	10,735 SF	1	2	
Lots 92-94	< 10,000 SF	1	1	
Lot 95	10,456 SF	1	2	
Lots 96-97	12,458 SF	1	2	
Lots 98-99	11,191 SF	1	2	
Lots 100-101	< 10,000 SF	1	1	
Lot 102	10,491 SF	1	2	
Lots 103 - 118	< 10,000 SF	1	1	

THE NUMBER OF TREES FOR EACH LOT IS BASED ON LOT SIZE. BELOW ARE THE REQUIREMENTS PER LOT SIZE:

- LOTS LESS THAN 10,000 SF - 1 FRONT YARD TREE, 1 REAR YARD TREE REQUIRED
- LOTS BETWEEN 10,000 SF - 15,000 SF - 1 FRONT YARD TREE, 2 REAR YARD TREES REQUIRED
- LOTS BETWEEN 15,001 - 20,000 SF - 2 FRONT YARD TREES, 2 REAR YARD TREES REQUIRED
- MORE THAN 20,000 SF - 3 FRONT YARD TREES, 3 REAR YARD TREES REQUIRED.
- TREE SPECIES SHALL COMPLY WITH TOWN APPROVED TREE LIST



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DRAWN BY
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SCALE
1" = 100'

YOUR VISION ACHIEVED THROUGH OURS.

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EPCON - COURTYARDS AT WALTERS FARM

HUNTERSVILLE, NORTH CAROLINA

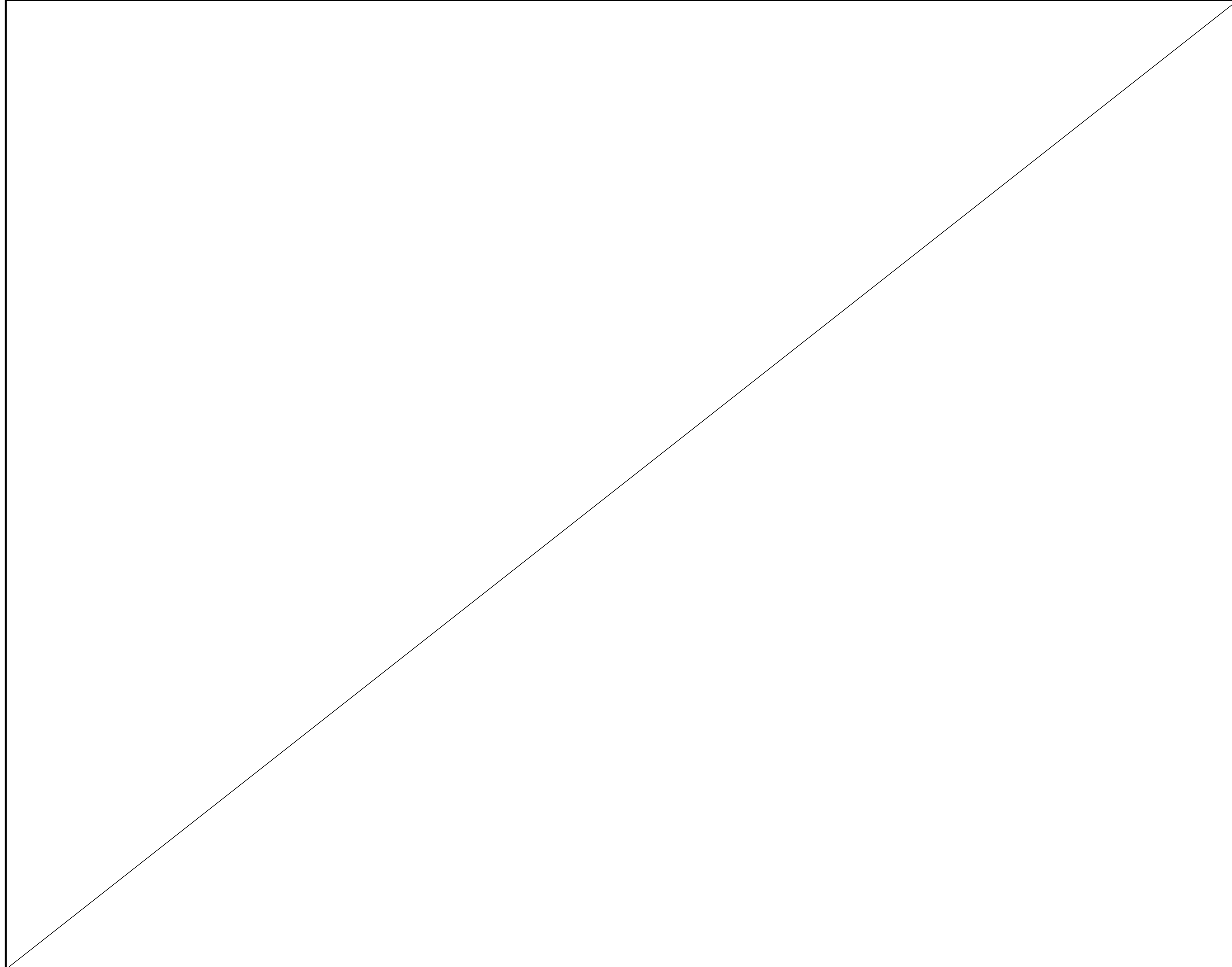
CONCEPTUAL PLANTING PLAN

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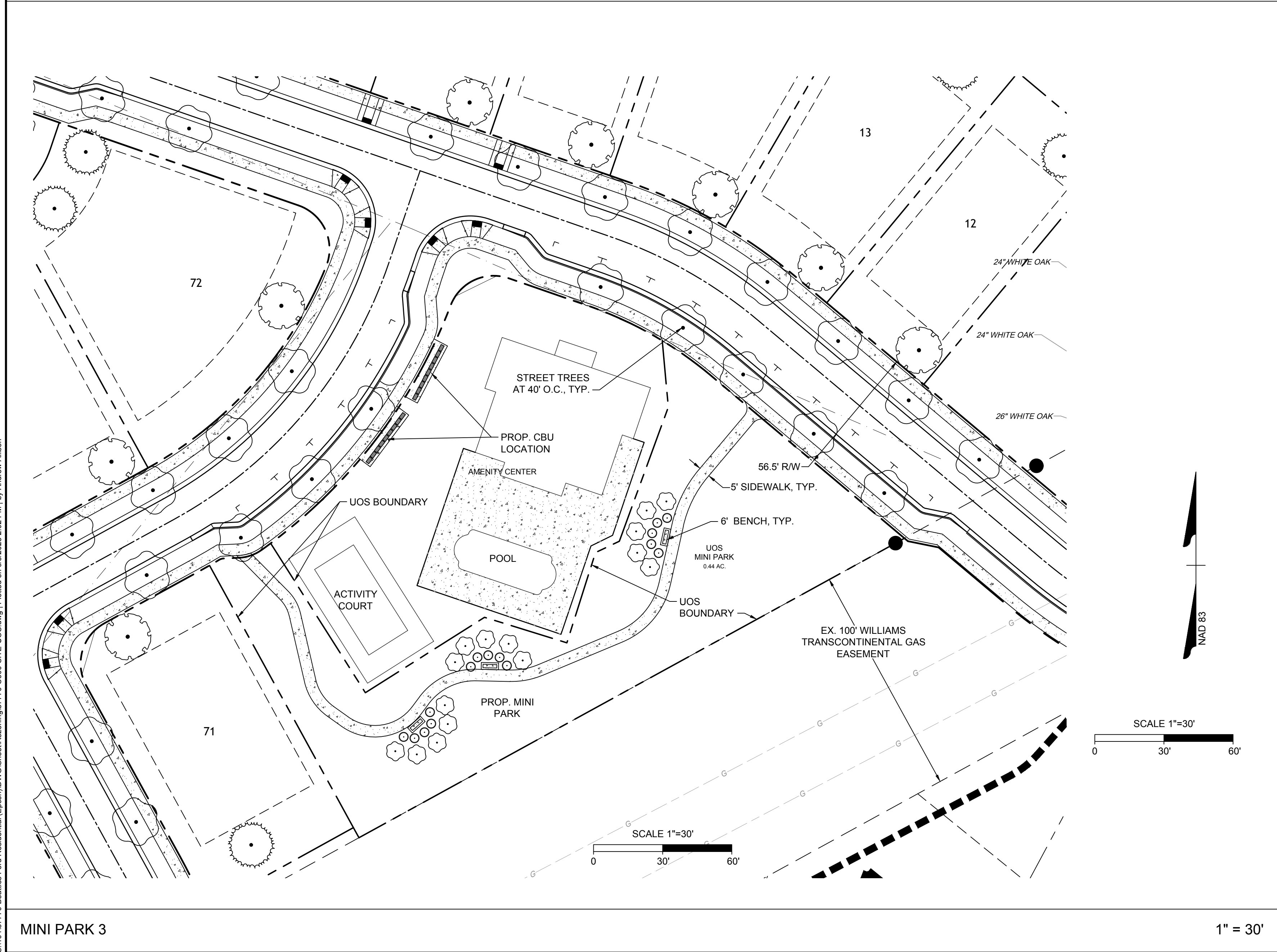
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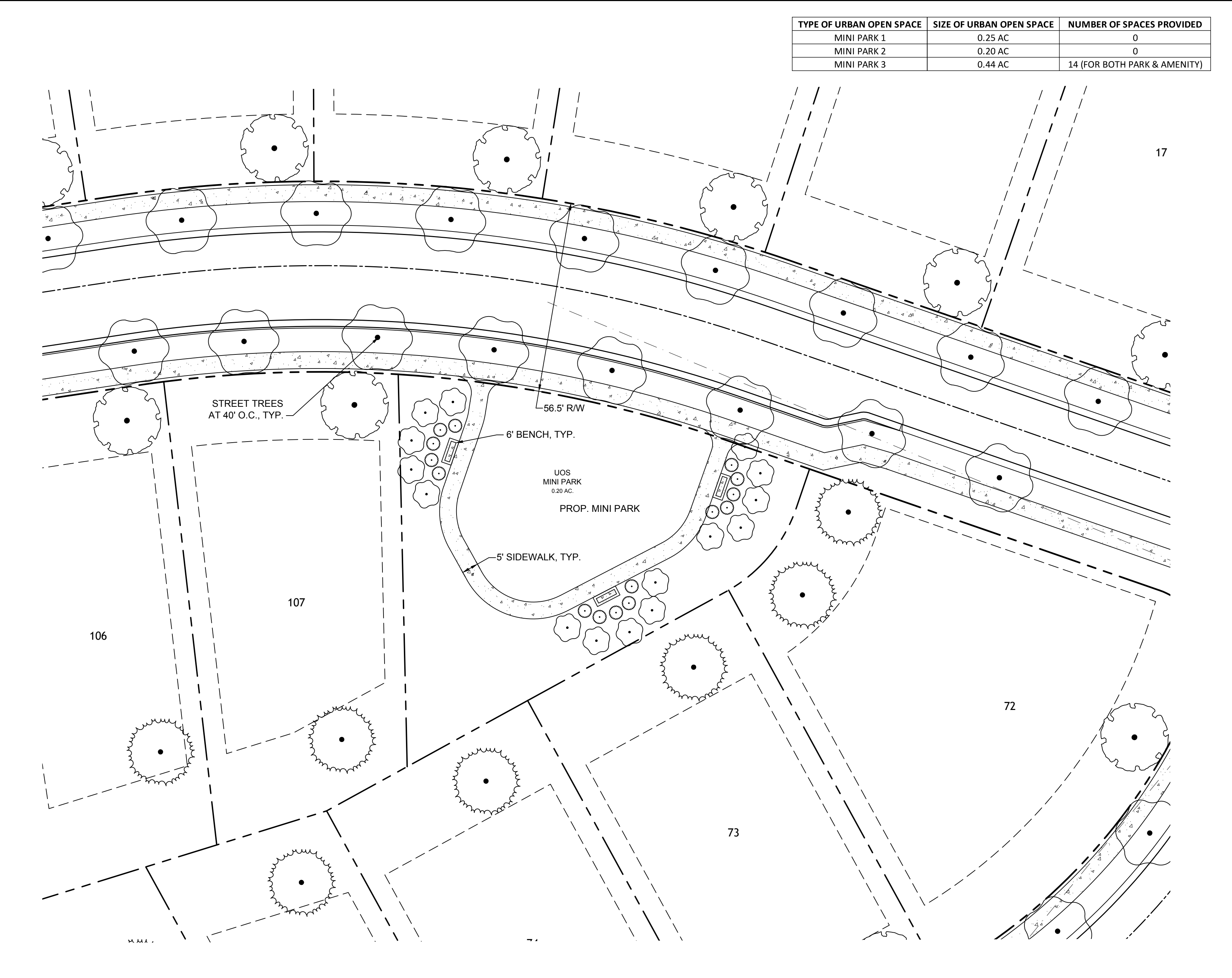
1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTRACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAG MEN ETC. AS NECESSARY TO MAINTAIN SAFETY TO THE PUBLIC.
3. ALL PLANTING AND/OR CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND THE TOWN OF HUNTERSVILLE UTILITIES SPECIFICATIONS.
4. SHORING WILL BE ACCORDING TO DATA FROM EXISTING STAKEOUTS PART 108 SUBPART F, OR AS AMENDED.



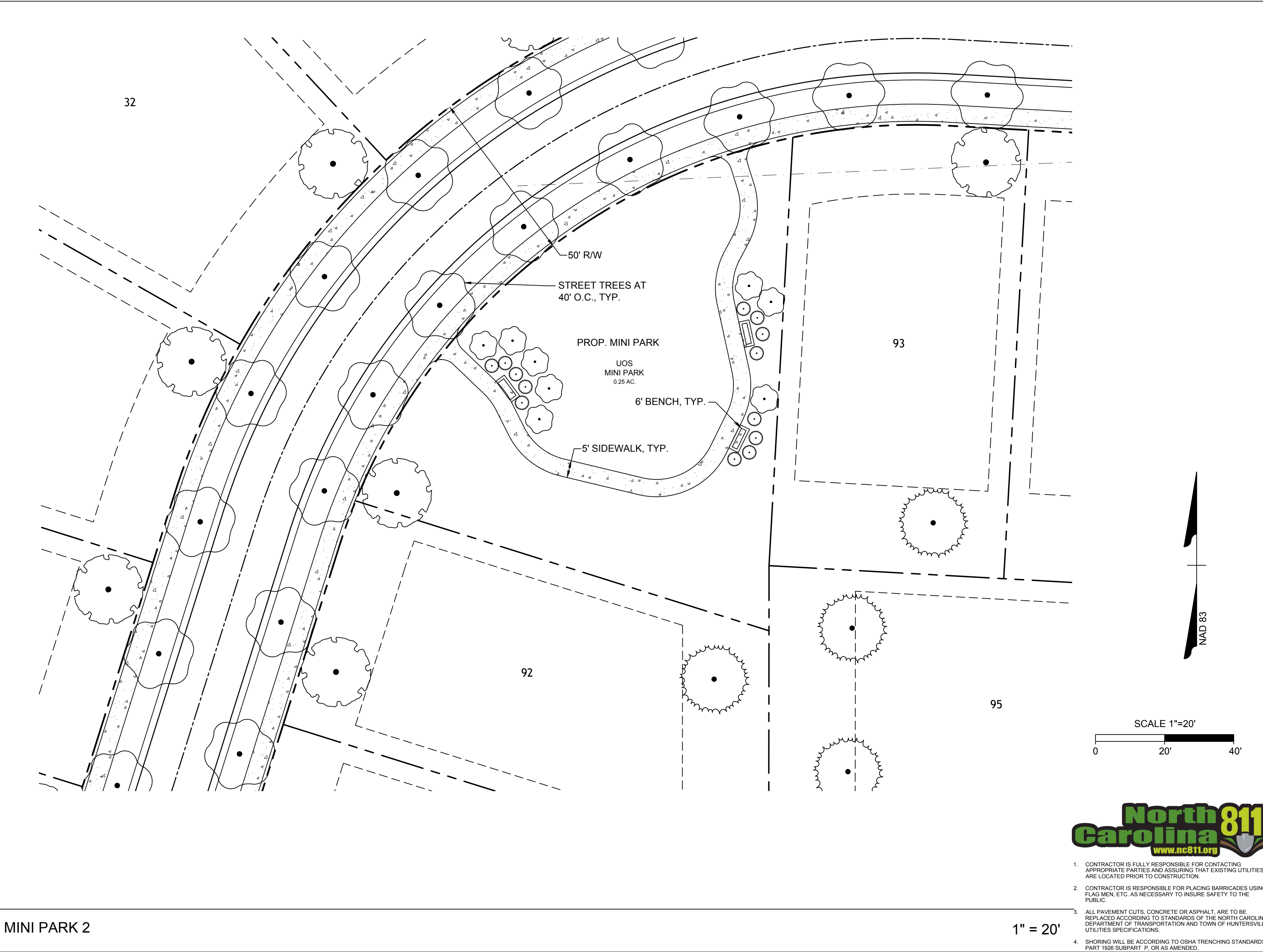
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MINI PARK 3

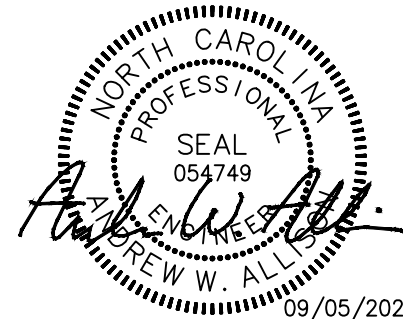


MINI PARK 1



MINI PARK 2

TYPE OF URBAN OPEN SPACE	SIZE OF URBAN OPEN SPACE	NUMBER OF SPACES PROVIDED
MINI PARK 1	0.25 AC.	0
MINI PARK 2	0.20 AC.	0
MINI PARK 3	0.44 AC.	14 (FOR BOTH PARK & AMENITY)



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REVISION DESCRIPTION

REVISED PER TOWN COMMENTS

DATE

07/21/2023

DRAWN BY

A. CLARK

DESIGNED BY

A. ALLISON

CHECKED BY

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SCALE

AS SHOWN

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YOUR VISION ACHIEVED THROUGH OURS.

EPCON - COURTYARDS AT WALTERS FARM
HUNTERSVILLE, NORTH CAROLINA

CONCEPTUAL URBAN OPEN SPACE PLAN

JOB NO.

57770

SHEET NO.

RZ-500



- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAG MEN ETC. AS NECESSARY TO MAINTAIN SAFETY TO THE PUBLIC.
- ALL PAYMENT CULS, CONCRETE OR ASPHALT ARE TO BE INSTALLED ACCORDING TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND TOWN OF HUNTERSVILLE UTILITIES SPECIFICATIONS.
- SHOWING WILL BE ACCORDING TO OWN TRENCHING STANDARDS PART 108 SUBPART F, OR AS AMENDED.

Beatties Ford Road Subdivision – Neighborhood Meeting Summary

- Location Huntersville Arts and Cultural Center
- Scheduled for 6pm. David Peete requested to hold off meeting start to account for traffic (began 6:03pm)

Beginning of Meeting:

- Whitney started it off – introduced the EPCON team, engineering team
- John Shamp – brief overview on what EPCON does
 - 55+ communities – age restricted
 - Emphasized private courtyards – every project has ‘courtyards’ in the name
 - Emphasized open space behind the lots (no decks, trampolines, swings, etc.)
 - All manicured lawns, sprinkler systems, etc.
 - Front/rear of homes maintained by HOA
 - All open space
 - Referenced “courtyards at Huntersville” as an example – up the road from Beatties project
 - Went into the benefits
 - Generate 50% less traffic than traditional neighborhoods
 - Higher tax revenues – average price over 600,000
 - Lower services costs
 - Low school impacts
 - Less than 3% of homes have school age children
 - High quality architecture and landscaping – no vinyl
 - Local economy – residents have resources to support local businesses
- Whitney – describing project
 - 118 units, main road off Beatties
 - Left and right turn lane with appropriate storage
 - Providing stubs for potential future development
 - Also tying into Riverdale
 - Urban Open Space – (3) mini parks
 - Other open space to be left undisturbed
 - Tree buffers around most of the development

Questions/Responses

Unidentified Resident - Are you providing access to greenway?

Not currently

Mary Nicholson – Will the entrance on Beatties Ford Road be the main entrance?

Yes, that will be the main entrance.

Christine Summers – Will there be opportunity or be ability to access the neighborhood via the road connecting to the Riverdale subdivision to the south?

Yes, residents will be able to access development through Riverdale

Joe Sailors – What are the open areas along the tree line to the north? Is there going to be a walkway along creek and lake? Since these are all ‘old people’ – they like to walk.

No, not proposing walkway along creek currently.
Pond is not existing – but will be landscaped.

Joe Sailors - Is TR zoning okay with town?

David Peete – Beatties road doesn’t support TR but as a subdivision it meets the requirements.

Whitney – we are looking to feather-in some density; mix up the densities along Beatties Ford Road

Unidentified Resident – can you define a wetpond?

Pond to treat stormwater. We will be requesting a modification to the ordinance to propose a wetpond here.

Unidentified Resident – is access to pond restricted? Will there be a fence?

There will be an easement, no fence. Pond will be landscaped to provide a more “natural feel”.

Dan Boone –

When will the HOA take over?

At 75% occupancy, it will be turned over to HOA

Will property owners to the left be able to use the pond?

No, pond will not be engineered in a way that would allow others to use it

Are you looking for any relief on Buffers?

Yes, we are looking for relief on the 40' buffer along the southern portion of the property. We will hold 20' along Riverdale and will replant as required per the ordinance. Asking for modification to grade within 20' of the 40' buffer. 20' closest to the property line will not be touched.

Will car lights shine in the windows across from entrance?

No, there are no homes directly across from entrance.

Unidentified Resident – plans online show no buffer along right hand side.

Buffer will be held where required by the ordinance and replanted per the ordinance if disturbed for grading activities.

Unidentified Resident – is there a drawing of what the entrance looks like? How far down will these go? Can you tell me exactly where the turn lanes will be? Is there a stoplight?

Nothing will go past the church property. Entire frontage will have turn lanes. Whole frontage of pasture will have turn lane – will stop at property corner. No stop light at this intersection.

Unidentified Resident – lets say everything goes perfectly – what is estimated project start date? When does demo/grading start?

May of 2024. We will start earlier if possible, but need to follow Town process to get all permits.

Unidentified Resident - Will this be split into phases? Will you build roads first, in sections, certain homes?

We will do as much grading as possible to get the cut/fill ratio balanced all in one go. Pave enough to get a certain number of homes started. Then see how many homes we can accomplish. Start with around 30 homes.

Follow up question - how long do you hope it takes to get the first homes to sell?

May 2025, 17ish months

Unidentified Resident - Initially do you plan to do work Monday-Friday? When you start construction, is it a 7-day deal? Trying to get my head around the vehicles that will be in front of the farm.

7 days. We want that availability to account for weather.

Unidentified Resident - Who is responsible for maintaining Beatties Ford Road in regards to construction vehicles coming/going to development? Dirt/debris? Huge detriment on roads from construction equipment along Beatties. Sometimes cannot get out of driveway.

Anything that comes out of site, we are responsible for. Any damage done to road falls to DOT enforcement. Part of preliminary plan process is to work with DOT to make sure we follow their requirements.

Unidentified Resident - what are the benefits to the neighboring homes?

If not us, then who?

Eric Deitrich–

That 20' buffer line along, there is currently a power line running through site. What is this for and what will happen to the power line?

There is a mobile home in the back of the property. Power line is on our site of the buffer, so it will be removed.

Is power line within buffer?

Line will be abandoned. Will hold at least 40' from power line. Trees between power lines and property line will remain if possible. Whitney also mentioned 100' panting buffer at the front of the development

David Peete – Wanted to elaborate on lights/noise. Requirements do not go away during construction. Police make the call. M-S 7 to 8, Sunday - noon to 8. We do not usually see any major issues.

Unidentified Resident – are the houses all single story?

They are not all single story. Some have bonus room option.

Unidentified Resident – Will there be a privacy fence along rear of lots?

No, there will not be a solid privacy fence behind every home. Will install privacy fence as needed. Folks want both options – completely private and to enjoy the open space behind their home.

Frank Gammon -

Have you gotten the TIA done?

We do not meet the threshold – not required.

When in the process will lanes be installed? Beatties is busy at rush hour. Will help with traffic for both normal and construction traffic. Go out there at peak traffic hours and see for yourself.

Whitney asked David Peete if there will be a traffic light going in. Design is started.

Traffic at Gilead – 99% of traffic takes right turn

David Peete – DOT owns Beatties so they have deciding factor. Don't have firm date in mind on when traffic light is in. Looking at other parallel roads as well – we'd like to replicate Beatties Ford. Work is unknown and unfunded.

Whitney – last questions?

-no further questions

Meeting adjourned @ 6:45pm