Members

Greg Baber
Christopher Boyd
Frank Gammon
Lee Hallman
Scott Hensley
Jay Henson
Trina Loomis
Jeff Sny
Jodi Wright

AGENDA
Planning Board Meeting
January 23, 2024 - 6:30 PM

TOWN HALL (101 Huntersville-Concord Road)

Live Stream available via YouTube
@townofhuntersvillenc28078

Town Staff

Brian Richards
Director
Planning Department

Tracy Barron
Executive Assistant
Planning Department

Jacob Chambers
Staff Attorney

1. Call to Order/Roll Call

2. Approval of Minutes

2.A. Consider approval of the September 26, 2023 regular meeting minutes.

3. Public Comments - *Speakers are limited to 3 minutes. The Chairperson reserves the right to shorten the time limit for speakers when an unusually large number of persons have signed up to speak. Speakers may not give all or a portion of their time to other speakers*

4. Action Agenda

4.A. Consider a recommendation in #TA23-07, a request by the Huntersville Planning Department for a text amendment to Article 12, Section 12.2.1 "Interconnected" to clean up definition. *(Patrick Patterson)*

4.B. Consider a recommendation on #TA23-06, a request by the Huntersville Planning Department to amend the Zoning Ordinance to comply with House Bill 488. *(Nathan Farber)*

4.C. Consider a recommendation on Petition #R23-10, Commercial Communication Tower, a request by Berkley Group III, LLC to rezone +/-6.00 acres located at 15105 Holbrooks Road from Transitional Residential and Neighborhood Residential District to Special Purpose - Conditional District. *(Nathan Farber)*

4.D. Consider a recommedation on Petition #R23-11, Morningstar Storage, a request by Morningstar Properties to rezone +/- 3.934 acres located at 16230 and 16204 Old Statesville Road from Special Purpose and Highway Commercial to Special Purpose - Conditional District for an indoor storage facility. *(Jesse James)*

5. Other Business

5.A. Consider approval of the 2024 Planning Board Meeting Schedule *()*

6. Adjourn

GENERAL MEETING INFORMATION

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

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

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

Minutes of the Town of Huntersville Planning Board

The Town of Huntersville Planning Board met at 6:30 p.m. on Tuesday, September 26, 2023.

Call to Order/Roll Call
Chairman Sny called the meeting to order at 6:30 pm.
Present: J. Sny, F. Gammon, C. Boyd, G. Baber, L. Hallman, J. Wright, J. Henson & S. Hensley
Absent: T. Loomis

Approval of Minutes
Item 2A. Consider approval of the August 22, 2023, Regular Meeting Minutes
Motion: J. Wright made a Motion to Approve the amended August 22, 2023, minutes. G. Baber seconded the motion.

Vote: The motion passed unanimously (7-0-1) with S. Hensley abstaining.

Board Disclosures
J. Henson disclosed his firm developed the plans and engineering for the next applicant, so he has a conflict.

Motion: F. Gammon made a Motion to Recuse J. Henson from Item 4A. J. Sny seconded the motion.
Vote: The Motion was approved unanimously (7-0).

Action Items
Item 4A: Consider making a recommendation on Petition #R23-08, Dearness Gardens, a request by Ken Forster, to rezone six parcels totaling +/- 10.07 acres generally located at 13501 Old Statesville Road from existing Highway Commercial- Conditional District and Neighborhood Residential to Highway Commercial-Conditional District and Neighborhood Residential for boundary and site amendments.
J. James, Principal Planner entered his staff report into the record, a copy of which is attached hereto as Exhibit A and incorporated herein by reference. Staff reviewed the proposed rezoning, identified the modification requests, and shared that staff supports this rezoning request with all four modification requests.

F. Gammon asked how much more square footage is being requested in modification 4. Staff responded that the principal structure is currently 2,000 square feet and there is a requested 3,500 square feet of accessory structure for storage and possibly retail.

J. Sny asked staff if they have considered any need for a limitation to the accessory structure square footage or if that is already being addressed. Staff responded that the site has 7-8 small existing buildings. This particular site being rural in nature with gravel drive would lend itself to the additional 3,500 square feet not taking away from the intent of ordinance.

S. Hensley asked staff for the rationale behind downzoning the other two parcels discussed, if there have been any notes added relative to the proposed height of the structures, and if staff had identified if

there is an issue with trespassing on the adjoining parcel that needs to be addressed. Staff responded that the two parcels were never used or developed for Dearness Gardens. The parcels are surrounded by residential development in general so it would be more accommodating to future development to rezone those parcels to Neighborhood Residential (NR). Staff also confirmed that a note has been added to the site plan to indicate the new structure will be one-story and not exceed the allowed height of 36 feet. Staff confirmed that the area of concern to the adjacent parcel is now within the area labeled 'easement one' on the plans and there will be a 10' evergreen buffer there which is a solution that staff and the applicant both feel comfortable with.

F. Gammon commented that on the northern boundary there is a 20' pre-existing buffer per the previous rezoning and the applicant is requesting not to have to widen the buffer to 30'. Staff confirmed that is correct.

J. Sny asked how the current 20' buffer is complete when you can see the gravel overlaying part of that in the aerial view. Staff confirmed that will have to be fixed and there will need to be additional evergreen plantings so that is a complete buffer.

L. Hallman asked staff to outline the what the current conditions are on the parcel based on the current zoning of Highway Commercial (Conditional District). Staff outlined that conditions would apply to a developed site plan which the parcel does not currently have.

F. Gammon asked what is legally required in a motion related to the requested downzoning. Staff confirmed that the Planning Board can include in their recommendation if they support the applicants request or not and the Town Board will then make the final determination to downzone the parcel or not.

J. Sny asked the applicant what the purpose of the two small ponds serve on the property, and if the applicant has any issue with completing the 20' buffer that was discussed. The applicant, K. Forester, 4601 Granite Hill Drive Davidson responded that they have always been there and simply serve the dogs, fish, etc. and he does not see any issue with completing the current buffer.

Motion: S. Hensley made a Motion to recommend Approval of petition R23-08, Dearness Gardens. The amendment is consistent with the Huntersville 2040 Community Plan, specifically policies LU-6.3, EV-2.1, EV-2.2, EV-2.3. The proposed plan is consistent with the current land use and character of the surrounding properties. The Planning Board recommended approval is subject to the following conditions, modification request 1) for the northern boundary to reduced to 20' versus the required 30'; 2) allow for an off-site buffer on the south side as noted on the plan; 3) allow existing and proposed commercial driveway and parking areas to remain in gravel form; 4) allow more accessory square footage than principal square footage currently allows; 5) all other minor staff comments and redlines are addressed. It is reasonable and in the public interest to approve the rezoning plan because the rezoning is consistent with envisioned use and the development pattern set forth in the 2040 Community Plan. This rezoning allows the Town of Huntersville to support an existing small business that was first established on the current site in 1995 and further supports policy EV-2.1, "promote and encourage local businesses, particularly small businesses." G. Baber seconded the motion.

Vote: The motion passed unanimously (7-0) with J. Henson recused.

Motion: C. Boyd made a motion to reinstate J. Henson. F. Gammon seconded the motion.

Vote: The motion passed unanimously (7-0) with J. Henson recused.

Item 4B: Consider a recommendation on petition #R23-09, Golden Cow, a request by H2H Holdings, LLC to rezone approximately .06 acres at 14516 S. Old Statesville Road from Town Center to Town Center-Conditional District for a one-story retail building.

J. Simoneau reviewed the Downtown Master Plan that was unanimously adopted, the recommendation of the plan as it relates to development, parking, and being pedestrian friendly.

J. James, Principal Planner entered his staff report into the record, a copy of which is attached hereto as Exhibit B and incorporated herein by reference. Staff reviewed the proposed rezoning, identified the modification requests, the currently required driving and parking and shared how that affects the development currently in addition to the proposed Downtown development based on the Downtown Master Plan. Staff supports this rezoning request.

G. Baber asked staff to clarify the second story requirements. Staff reviewed the requirements and modification request of the applicant not to have a second story.

F. Gammon asked about the lights and landscape near the adjacent properties and commented on the buffer size on the south side to potentially move the dumpster further away. Staff reviewed what is proposed and stated that staff is confident this will provide a suitable solution to shield the adjacent property from direct lights.

L. Hallman asked staff to show the slide that depicts where the two-story requirement starts and ends for Downtown. Staff responded and provided the block analysis that shows how this building blends with the existing structure heights.

G. Baber asked if the applicants have reached out to existing tenants to determine if they are willing to connect and do a shared drive. The applicants, A. Hannah (Owner) 1222 Carey Court Charlotte and J. Maxwell (Landscape Architect) 512 Katonah Avenue Charlotte commented that they have tried unsuccessfully to contact the adjacent owner to discuss. They would not be opposed to connect and have followed the Planning department direction for future development opportunities. The applicant then clarified that they are not proposing a façade.

F. Gammon asked how employees and parking have been factored. The applicant responded that they have a maximum of three employees with one additional tenant in the building. Currently there is zero parking for all of their locations in Charlotte so their staff is accustomed to parking further away so that any parking near the building can be utilized by customers. There was continued discussion related to the dumpster location as it relates to how it may affect traffic and nearby residents.

J. Sny asked what the rationale is for not adding a condo or loft to the second-story. The applicant stated that the full second-story costs and space consideration for this lot make the project financially non-

feasible. The square footage required for stairs, potentially an elevator, additional parking, changes to ingress and egress are all factors that must be adjusted and were considered in this decision.

C. Boyd asked if the parking requirements were removed if the fully functional second-story could be an option. The applicant responded that at this time the one-story is the better option.

The applicant shared the history and background of Golden Cow and how their family business got started along with the 1% that is donated annually to local charities.

Motion: L. Hallman made a Motion to recommend Approval of petition R23-09, Golden Cow with the condition that all minor staff comments remaining addressed. The amendment is consistent with the Huntersville 2040 Community Plan Policy DT-2, DT-6, DT-6.1, LU-8.1, LU-8.2 and with the 2022 Downtown Plan Organizing Principles of Mobility, Gathering and Soul. While this plan does not propose an occupiable second story it does offer creative design indicative of a traditional downtown site and an active and welcoming frontage for gathering, a store front height of a 2-story building at 25'. Conditions for approval are 1) modification to allow a one-story proposal; 2) locate the dumpster adjacent to the southern property lines we recommend they find the best practical location for this dumpster; 3) 5' parking driveway buffer screening with evergreen shrubs and no trees. It is reasonable and in the public interest to approve the rezoning plan because the site is small and not being developed with the adjacent properties. It will bring several small businesses to Downtown, this building blends with the surrounding development, and also enhances the visual interest and walkability of Downtown. J. Sny seconded the motion.

The Board reviewed their reasons for support and the concerns they had prior to this meeting that have now been answered and resolved.

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

Item 4C: Consider making a recommendation 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.

J. Henson disclosed that he has a business located within the Town Center zoning district and is familiar with the text amendment, he does not have any conflict, but he wanted to make the Board aware.

B. Richards, Assistant Planning Director entered his staff report into the record, a copy of which is attached hereto as Exhibit C and incorporated herein by reference. Staff reviewed the proposed text amendment.

Motion: G. Baber made a Motion to recommend Approval of petition TA23-05, to amend Article 9.51 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. F. Gammon seconded the motion.

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

Adjourn
Motion: J. Wright made a Motion to Adjourn. L. Hallman seconded the motion.
Vote: The motion passed unanimously (8-0).

Approved this ____ day of _____ 2023.

_____

Chairman or Vice Chairman

_____

Board Secretary

Town of Huntersville
Planning Board
January 23, 2024

To: Town Board

From: Patrick Patterson, Planner I

Date: January 23, 2024

Subject: TA23-07

EXPLAIN REQUEST:
Consider a recommendation in #TA23-07, a request by the Huntersville Planning Department for a text amendment to Article 12, Section 12.2.1 "Interconnected" to clean up definition.

ACTION RECOMMENDED:
To make recommendation

FINANCIAL IMPLICATIONS:
N/A

ATTACHMENTS:
1. TA23-07 Staff Report PB
2. TA23-07 2018 Removed Images
3. October 5 2023 Minutes HOAB
4. Text Amendment Application Signed 12.2.1
5. Proposed Ordinance TA23-07

TA23-07 – Definition Clean-Up

PART 1: DESCRIPTION

TA23-07 is a text amendment request by the Town of Huntersville Planning Department to amend Zoning Ordinance Article 12.2.1 "Definitions, Interconnected". Staff is proposing changes to the definition of "Interconnected" in Article 12.2.1 as the definition contains information that is no longer relevant.

PART 2: BACKGROUND

In 2018 several images of streets in our Zoning Ordinance were removed because of the adoption of the Engineering Standards and Procedures Manual.

In the definition section of our zoning ordinance, the definition of "Interconnected" states; "Refers to streets which provide through access to other streets; interconnected street systems may be either rectilinear or curvilinear. See illustrations, Article 5, Streets".

The images referenced in the definition were removed, making the reference irrelevant. This proposed ordinance change is looking to remove the irrelevant text (See illustrations, Article 5, Streets) that refer to those removed images.

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN

N/A

PART 4: STAFF RECOMMENDATION

Staff recommends approval of the proposed text amendment TA23-07 to provide clarification of the contents of the Zoning Ordinance.

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD-

On October 5th, 2023, The Huntersville Ordinances Advisory Board (HOAB) recommended approval with a vote of 6-0 with a recommendation to remove the reference to

PART 6: PUBLIC HEARING

The Public Hearing occured on January 2nd, 2024.

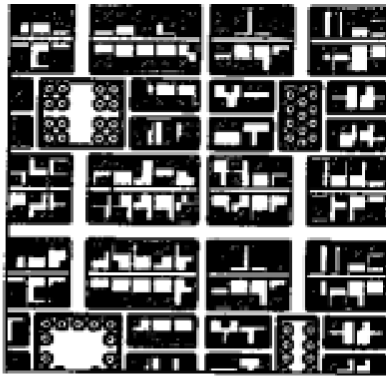
PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board is scheduled for January 23, 2024

PART 8: ATTACHMENTS

1. Text Amendment Application
2. Proposed Ordinance
3. Removed Images from 2018

PART 9: STATEMENT OF CONSISTENCY – TA23-07		
Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA23-07, Planning Staff recommends approval to provide clarification. 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 TA23-07, the Town Board recommends approval based on the amendment being consistent with **(insert applicable plan reference)** It is reasonable and in the public interest to amend the Zoning Ordinance because…*(Explain)*	**APPROVAL:** In considering the proposed amendment TA23-07, the Town Board recommends approval based on the amendment being consistent with **(insert applicable plan reference)** It is reasonable and in the public interest to amend the Zoning Ordinance because…*(Explain)*
DENIAL: N/A	**DENIAL:** In considering the proposed amendment TA23-07, the Town Board recommends denial based on the amendment being **(consistent OR inconsistent)** with **(insert applicable plan reference).** It is not reasonable and in the public interest to amend the Zoning Ordinance because…. *(Explain)*	**DENIAL:** In considering the proposed amendment TA23-07, the Town Board recommends denial based on the amendment being **(consistent OR inconsistent)** with **(insert applicable plan reference).** It is not reasonable and in the public interest to amend the Zoning Ordinance because…. *(Explain)*

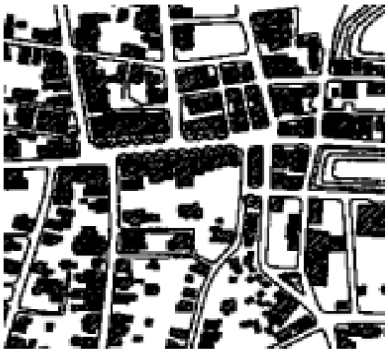


Orthogonal Grid

Savannah, GA.

Advantages
- Excellent directional orientation.
- Clear spatial definition
- Lot variety controlability
- Street hierarchy with end blocks for through traffic
- Even dispersal of traffic through grid
- Alleys for efficient double loading of service and for utilities location

Disadvantages
- Monotonous unless periodically interrupted
- Does not accommodate environmental interruptions
- Unresponsive to steep or special terrain

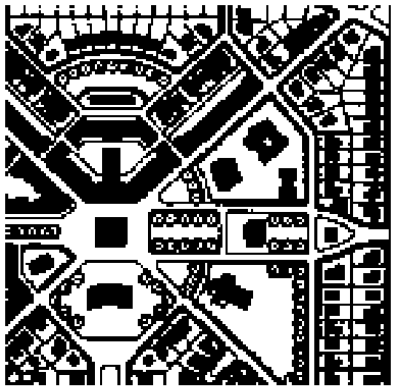


Organic Network

Nantucket

Advantages
- Street hierarchy with main routes for through traffic
- Even dispersal of local traffic throughout network
- Responsive to terrain
- Responsive to environmental conditions
- Small scale suited to pedestrians

Disadvantages
- Variety of blocks and lots that do not conform to any overall plan

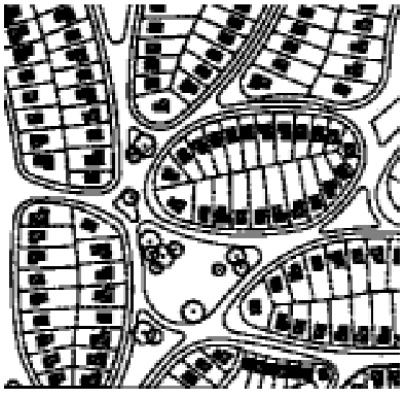


Diagonal Network

Mariemont, OH.

Advantages
- Street hierarchy with diagonals for through traffic.
- Diagonals can respond to terrain
- Creates focal points at intersections
- Clear spatial definition

Disadvantages
- Some awkward block shapes at intersections of diagonals and regular grid



Curvilinear Network

Riverside, IL.

Advantages
- Avoids monotony by deflecting views
- Highly responsive to terrain
- Even dispersal of traffic through the network

Disadvantages
- Little directional orientation
- Uncontrollable variety of lots
- No natural hierarchy of street
- Lack of spatial definition

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, October 5, 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, S. Harrington, M. Pollard, and F. Gammon
Voting Members Absent: J. Palillo, J. Kluttz, H. Whittaker

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

Approval of Minutes
Item 2A. Consider approval of the July 6, 2023, Regular Meeting Minutes
Motion: S. Harrington made a Motion to Approve the July 6, 2023, regular meeting minutes. K. Jones seconded the motion.

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

Public Comments
None

Chairwoman Hallman commented to the Board regarding the importance of having their opinion for or against an item noted for the record so that the Planning Board and Town Board can benefit from understanding what caused someone to vote as the did.

Action Agenda
4A. Consider a recommendation on petition #TA23-06, a request by the Huntersville Planning Department for a text amendment to Article 3, Section 3.2.1(d)(4)(a), 3.2.2(d)(4)(a), 3.2.4(d)(1)(e), 3.2.5(d)(1)(d), 3.2.6(d)(4), 3.2.7(d)(1)(d), 3.2.11(d)(1)(d), 3.2.13(d)(2)(c), 3.3.1(d)(1), Article 8.14, and Article 11.1.3 to bring the text into compliance with HB 488.
N. Farber, Planner II reviewed the proposed text amendment.

M. Jones stated that to his understanding the ordinance appears to state that we can impose the most restrictive standards which appears to be more stringent than the statute 160D-804(j). Staff responded that the intention is not to be in conflict. E. Sloop responded that the majority of the design standards are not addressed in the ordinance they are in manuals that are

maintained by engineering staff. This caveat is there if needed and the manuals will be updated if needed.

M. Pollard asked what the manuals are and if they are legally enforceable. Staff responded the that engineering manuals are adopted policy and outline all of the specific engineering guidelines that must be followed in developing a project.

S. Harrington asked staff to confirm if in Article 3 the $40,000 should be underlined. Staff confirmed that is correct.

M. Jones commented that the $40,000 has adjusted numerous times between $5,000 and $40,000 and asked going forward what the policy is to stay on top of legislative changes so that the Town updates are more timely and we are not missing changes like this in the future. Staff responded that the Legal department advises the Planning department of changes. Now with the Town having two attorneys and their proactive assistance in this area we will continue to bring forth changes as they occur.

F. Gammon asked staff to confirm against NCGS 160D if a building permit is needed to replace a hot water heater. M. Jones read from NCGS 160D and confirmed that a building permit for residential is not needed. M. Jones then requested that staff revisit this text amendment to ensure that it is accurate.

Motion: M. Jones made a Motion to Table TA23-06 in coordination with the bill and ensure that the text amendment complies fully with the NC legislature bill that has been passed. K. Jones seconded the motion.

F. Gammon commented that he does not want to defer the amendment but agrees that staff should review it and move it forward to the Planning Board with any necessary corrections.

Commissioner Kovacs commented that she is in support of the comments made and if this Board does not feel comfortable tabling the item that the Town Board would likely table if the answers are not available when presented to them.

S. Harrington asked if it is possible to reword the motion to approve everything except the water heater statement so the balance of the items could move forward. M. Jones responded that he is welcome to make a substitute motion as he would like staff to look at the driveway design standards in addition to the hot water heater item.

Vote: The motion passed (4-2) with A. Hallman and F. Gammon opposed.

4B. Consider a recommendation in #TA23-07, a request by the Huntersville Planning Department for a text amendment to Article 12, Section 12.2.1 "Interconnected" to clean up definition.
P. Patterson, Planner I reviewed the proposed text amendment.

Motion: M. Pollard made a Motion to recommend Approval of TA23-07. M. Jones seconded the motion.

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

Other Business
5A. Discuss possible changes to the Zoning Ordinance related to Breezeways and Accessory Structures.
N. Farber, Planner II reviewed the item for discussion and stated that staff would like to bring this forward as a future text amendment. Staff reviewed what the Zoning Ordinance currently allows detached accessory structures square footage not exceeding the primary structure first floor heated area square footage. Accessory dwelling units (ADU) may not exceed 650 square feet or 50% of the first-floor area of principle dwelling, whichever is greater. Either structure must be placed in the rear yard. ADU's may also be combined with a detached garage so you could have a first floor 1,500 square foot detached garage with a 500 square foot ADU on the second story.

Staff then reviewed the definition of breezeway and staff's interpretation in the past to allow a fully enclosed breezeway to be attached to a detached structure rendering it an attached structure which removes the limitations of the square footage. Staff indicated that current requests appear to be using this method to subvert the ordinance. Staff provided examples of requests which appear to be to allow structures to be placed in the front or side yard, or an excessively long breezeway.

Staff stated that there are approximately 40 municipalities in North Carolina with language included in their zoning ordinances addressing this issue. Examples were provided to reflect that connection by breezeway shall not deem the structures one building. Other examples provided reflect maximums of building sizes and maximums of height and length of breezeways.

Staff recommends that we consider amending the definition of building and/or breezeway within the Zoning Ordinance and potentially limiting the length of a breezeway to 15 feet.

F. Gammon asked why the breezeway should be limited to 15 feet when it could be utilized in the right place for the right reason and require more than 15 feet. Staff responded the recommendation would be to eliminate the abuse of the breezeway possibly by creating a length. F. Gammon responded that a specific measurement may only be appropriate to specific zoning.

F. Gammon then asked if staff knows what the purpose of the large structures are that people are building. Staff responded that businesses are not allowed so they are for storage.

M. Pollard asked staff to research and provide quantities on how many applicants a 15-foot breezeway would have affected and how frequently staff is seeing these requests. Staff responded that it should be noted that applicants are not initially requesting breezeways when they are requesting to add an accessory structure or accessory dwelling unit, applicants are simply seeing this as a way to gain approval on the size of structure or location of the structure that they want to build. Staff stated there is no method to provide quantifiable data on these requests its simply something staff knows we frequently deal with.

M. Jones commented that if a breezeway, which creates more impervious area, is necessary for someone to build a structure then it seems like something is wrong with our zoning ordinance. Staff responded that if the Board desires to look at allowing a larger accessory structure or accessory dwelling unit in certain zoning districts then that could be taken separately. The current issue staff is facing is how to be fair and not subjective in determining at what point a breezeway length should not be allowed when an applicant is proposing 70-feet. M. Jones commented that he can imagine scenarios where someone buys a large lot with an older home and does not understand that they own this land and cannot do what they want. Also, if several people are subverting the rules, then it also leads one to look at the rules and determine if they are still practical to current needs.

F. Gammon asked if staff considered special use permits for larger structures. Staff stated they had not but they would take that under advisement. Commissioner Kovacs commented she would be in support of special use permits as an option.

Staff responded that defining what a breezeway is or permits would assist staff with providing a consistent interpretation regardless of the proposed building size or location.

F. Gammon commented that he would like to see some flexibility based on lot size and zoning district or permitted uses versus a one size fits all ordinance.

M. Jones commented that a multiple of large lot size with a cut off for smaller lots could create a greater amount of flexibility.

M. Pollard agreed with F. Gammon's comments that purpose would be a good area to focus on so that the rules could more effectively address the uses. Staff responded that accessory structures are not permitted to be businesses so they can only be used for some type of storage. A. Hallman agreed with M. Pollard's comment that this would be valuable to be sure that one is for storage, garage, or barn versus a mother-in-law suite.

S. Harrington revisited that this may be two separate issues, one to define breezeways to not treat the structures as one building and a second to address what use, and size is permitted for an accessory structure.

Commissioner Kovacs asked what the rationale was for using 50% of the first-floor heated area was to determine the footprint for the accessory dwelling unit. She then provided the scenario

that a 2-story home on 5 acres with 1,000 square foot first floor would be allowed to build the maximum of 650 square feet ADU versus a 2,000 square foot ranch home on 1-acre that would be allowed to build 1,000 square feet ADU. The factor of the lot size and that the homes are equal in square footage is not considered. She recommended staff review that in their consideration of ADU's.

E. Sloop commented that she may be able to clear up some information raised on Item TA23-06 that would allow the Board not to have to meet the following month. She then reviewed Section 3 of the proposed changes and highlighted that the wording states "when one is required, and generally required" which allows staff not to place the wordy exclusions that are applicable to this and instead know that the County will not require a building permit where one is not required. The specific language from NCGS 160D-110(a)(2) is specific to residential one and two dwellings and does not need to be detailed within the zoning ordinance.

M. Jones commented that subsection 7 of the proposed ordinance implies a building permit would be necessary. E. Sloop responded that if you read the beginning it puts the context that it is generally require and when one is required, therefore legally it is not viewed as a conflict.

A. Hallman asked if the average homeowner would be confused by this. E. Sloop stated that generally the zoning ordinance here is reviewed by contractors completing new construction, so she does not see this as being misunderstood by a homeowner. Additionally, the County is the only issuing authority for building permits and they are not going to require a building permit for something when it is not legally required. The County's website and documentation provides much more detail available for the homeowner as they are the issuing authority.

E. Sloop commented that if anyone on the Board would like to reconsider to recommend approval on these simple statutory housekeeping items then the Board will not have to reconvene in November for the one item.

F. Gammon commented that he is not opposed to moving it forward, but he would like staff to still review the wording to see if it could be improved and clarified.

M. Jones commented the request was also in place for staff to review NCGS 160D-804(j). E. Sloop responded that the Ordinance does not address the design standards, they are all within the Engineering Manual because they are very technical, and the goal is to not make the Ordinances more convoluted. If the Engineering Manual needs to be updated it will.

Motion: F. Gammon made a Motion to Reconsider the previous motion on TA23-06. S. Harrington seconded the motion.

M. Jones commented that he believes that there are technical problems with what staff has presented and he believes staff should re-review of the legislation to make the Ordinance compliant with the relevant legislation.

Vote: The motion passed (5-1) with M. Jones opposed.

Motion: F. Gammon made Motion to recommend Approval of TA23-06 with the caveat that Planning and Legal department review HB488 and items pertaining to 160D-804(j) and ensure that the wording as written in the current ordinance applies and in concurrence with the state statute. S. Harrington seconded the motion.

M. Pollard requested that a timeline for when the item will be presented to the HOAB be included. E. Sloop clarified that approval would move the item forward and that staff can make the research available to the Board but the item itself would not return for consideration to the Board.

Vote: the motion passed (4-2-1) with M. Jones opposed and M. Pollard abstaining.

Adjourn
Motion: F. Gammon made a Motion to Adjourn. K. Jones seconded the motion.
Vote: The motion passed unanimously (6-0).

Approved this ____ day of _____ 2023.

_____
Chair or Vice Chair

_____
Board Secretary

Text Amendment
Application

Date of Application 9/22/2023

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

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

Description of Change

Proposed text amendment will affect the following:

Ordinance(s): Zoning Ordinance Article(s): 12 Section(s): 2.1

Current Ordinance	Interconnected. Refers to streets which provide through access to other-streets; interconnected street systems may be either rectilinear or curvilinear. See illustrations, Article 5, Streets
Proposed Text	Interconnected. Refers to streets which provide through access to other-streets; interconnected street systems may be either rectilinear or curvilinear.
Reason for Proposed Change	The portion “See Illustrations, Article 5, Streets” is no longer applicable as Illustrations of streets was removed in 2019.

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 Staff

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

Signature Jack Simoneau Date 9/22/2023

Title Planning Director Email jsimoneau@huntersville.org

Address of Applicant 105 Gilead Rd, Huntersville, NC 28078

Property Owner (if different than applicant)

* Printed Name_____

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

Signature _____Date_____

Title_____ Email_____

Address of Property Owner _____

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

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

Contact Information

Town of Huntersville	Phone:	704-875-7000
Planning Department	Fax:	704-875-6546
PO Box 664	Physical Address:	105 Gilead Road, Third Floor, Huntersville, NC 28078
Huntersville, NC 28070	Website:	https://www.huntersville.org/228/Planning-Department

Date Received By Planning Department: _____

Staff Initials: _____

AN ORDINANCE TO AMEND ARTICLE 12, Section 12.2.1

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 12, Section 12.2.1 of the Zoning Ordinance is hereby amended by modifying Article 12, Section 12.2.1 “Interconnected” as follows:

Refers to streets which provide through access to other streets; interconnected street systems may be either rectilinear or curvilinear. ~~See illustrations, Article 5, Streets.~~

Section 2. This ordinance shall become effective upon adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: 10/05/2023
PUBLIC HEARING DATE: TBD
PLANNING BOARD MEETING: TBD
TOWN BOARD DECISION: TBD

Town of Huntersville
Planning Board
January 23, 2024

To: Town Board

From: Nathan Farber, Planner II

Date: January 23, 2024

Subject: #TA23-06

EXPLAIN REQUEST:
Consider a recommendation on #TA23-06, a request by the Huntersville Planning Department to amend the Zoning Ordinance to comply with House Bill 488.

ACTION RECOMMENDED:
Make Recommendation

FINANCIAL IMPLICATIONS:
NA

ATTACHMENTS:
1. TA23-06 PB Staff Report
2. Application
3. Proposed Ordinance
4. HOAB Minutes

TA23-06 – State Statute Changes

PART 1: DESCRIPTION

TA23-06 is a text amendment request by the Town of Huntersville Planning Department to comply with House Bill 488 regarding changes to the North Carolina Residential Code, alternative pavement design standards within developments, and update the increased threshold for requiring a GC license for construction work to $40,000.

PART 2: BACKGROUND

The Town attorneys drafted the proposed language in conjunction with Staff for the text amendment to the Town Zoning Ordinance. The proposed language is in response to the passing of House Bill 488 which amends:

1. 160D-702(b) by including three-family and four-family dwellings in the NC Residential Code. Previously only one-family and two-family dwellings were included in the NC Residential Code. Since three and four-family dwellings are no longer coded as commercial structures the town will no longer be able to subject these uses to architectural requirements as state statutes do not allow municipalities to regulate the architecture of residential-coded structures. Staff has proposed removing any references to "One and Two Family Dwellings" in order to comply with the changes.

   The above changes will require the below Zoning Ordinance Articles to be amended:
   - 3.2.1(d)(4)(a) Rural District
   - 3.2.2(d)(4)(a) Transitional Residential District
   - 3.2.4(d)(1)(e) Neighborhood Residential District
   - 3.2.5(d)(1)(d) Neighborhood Center District
   - 3.2.6(d)(4) Town Center District
   - 3.2.7(d)(1)(d) Highway Commercial District
   - 3.2.11(d)(1)(d) Traditional Neighborhood Development District
   - 3.2.13(d)(2)(c) Transit-Oriented Development-Residential District
   - 3.3.1(d)(1) Manufactured Home Overlay District

2. 160D-804(j) to provide alternative pavement design standards within developments. To ensure that the Zoning Ordinance aligns with this update Staff proposes to add the language "Notwithstanding the foregoing, nothing in this subsection shall be interpreted to conflict with N.C.G.S. § 160D-804(j)" to Article 8.14. These changes will not affect the way driveway permits are issued by the Town.

3. 143-138(b5) and 143-138(b21)/160D-1110(c) in order to update the increased threshold for requiring a GC license for construction work to $40,000. The update will change the threshold in the Zoning Ordinance from $5,000 to $40,000 to align with the statutes. These changes do not affect the town's process for permitting as the town does not issue permits, Mecklenburg County does. The language is required by state statutes and serves as a reference for anyone looking to get a permit through the county. These changes will occur to Article 11.1.3, Building Permit.

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN

- TA23-06 is consistent with all other policies of the Huntersville 2040 Community Plan as the amendment is necessary to comply with State Legislature.

PART 4: STAFF RECOMMENDATION

Staff recommends approval of the proposed text amendment TA23-06 in order to comply with House Bill 488.

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD-

On October 5, 2023, The Huntersville Ordinances Advisory Board (HOAB) recommended approval with a vote of (4-2-1) with a recommendation to review HB 488 and items pertaining to 160D-804(j) and ensure that the wording as written in the current ordinance applies and is in concurrence with the state statute. (See Attachment 3)

PART 6: PUBLIC HEARING

The Public Hearing took place on January 2, 2024.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board is scheduled for January 23, 2024.

PART 8: ATTACHMENTS

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

PART 9: STATEMENT OF CONSISTENCY – TA23-06

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA23-06, Planning Staff recommends approval based on consistency with all policies of the Huntersville 2040 Community Plan and compliance with State Statutes It is reasonable and in the public interest to amend the Zoning Ordinance because it complies with the Huntersville 2040 Community Plan and State Statutes.	**APPROVAL:** In considering the proposed amendment TA23-06, the Planning Board recommends approval based on the amendment being consistent with **(insert applicable plan reference)** It is reasonable and in the public interest to amend the Zoning Ordinance because…*(Explain)*	**APPROVAL:** In considering the proposed amendment TA23-06, the Town Board recommends approval based on the amendment being consistent with **(insert applicable plan reference)** It is reasonable and in the public interest to amend the Zoning Ordinance because…*(Explain)*
DENIAL: N/A	**DENIAL:** In considering the proposed amendment TA23-06, the Planning Board recommends denial based on the amendment being **(consistent OR inconsistent)**	**DENIAL:** In considering the proposed amendment TA23-06, the Town Board recommends denial based on the amendment being **(consistent OR inconsistent)**

	with **(insert applicable plan reference).** It is not reasonable and in the public interest to amend the Zoning Ordinance because…. *(Explain)*	with **(insert applicable plan reference).** It is not reasonable and in the public interest to amend the Zoning Ordinance because…. *(Explain)*

Text Amendment
Application

Date of Application 09/22/2023

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

X 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

Current Ordinance

See Attached

Proposed Text

See Attached

Reason for Proposed Change

To comply with State Statutes (HB 488)

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 Staff

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

Signature Jack Simoneau Date 09/22/2023

Title Planning Director Email jsimoneau@huntersville.org

Address of Applicant 105 Gilead, 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

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Huntersville, NC 28070	Website:	https://www.huntersville.org/228/Planning-Department

Date Received By Planning Department: _____

Staff Initials: _____

AN ORDINANCE TO AMEND ARTICLE 3, ARTICLE 8, AND ARTICLE 11

Section 1. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville that Article 3, Section 3.2.1(d)(4)(a) Rural District, 3.2.2(d)(4)(a) Transitional Residential District, 3.2.4(d)(1)(e) Neighborhood Residential District, 3.2.5(d)(1)(d) Neighborhood Center District, 3.2.6(d)(4) Town Center District, 3.2.7(d)(1)(d) Highway Commercial District, 3.2.11(d)(1)(d) Traditional Neighborhood Development District, 3.2.13(d)(2)(c) Transit-Oriented Development-Residential District, and 3.3.1(d)(1) Manufactured Home Overlay District of the Zoning Ordinance is hereby amended by modifying as follows:

- Nothing in this subsection shall be interpreted to conflict with the building design element provisions as found in N.C.G.S. 160D-702(b) for structures subject to the North Carolina Residential Code ~~for One- and Two-Family Dwellings~~.

Section 2. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Article 8.14, General Standards for Driveway Permitting, is hereby amended as follows:

8.14 General Standards For Driveway Permitting

1. No driveway or other point of access to a public street shall be constructed, relocated, or altered unless a driveway permit is obtained from the Town of Huntersville or the State of North Carolina, whichever jurisdiction applies. The applicant shall comply with the most restrictive standards. **Notwithstanding the foregoing, nothing in this subsection shall be interpreted to conflict with N.C.G.S. § 160D-804(j).**

Section 3. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Article 11.1.3, Building Permit, is hereby amended as follows:

1. **Building Permit**. No development shall occur except pursuant to a building permit, when one is required. A building permit is generally required for the activities below. Other building activities may also require a permit.
    1. The addition, repair, or replacement of load bearing structures.
    2. The installation, extension, or general repair of any plumbing system or an addition or change in the design of plumbing.
    3. The addition, replacement, or change in the design of heating, air conditioning, or electrical wiring, devices, appliances, or equipment.
    4. The addition (excluding replacement) of roofing.

5. The use of materials not permitted by the North Carolina State Building Code. ~~Commercial work of any value.~~
6. Work on single-family ~~residential~~ residence, ~~or~~ farm buildings, or commercial buildings exceeding $~~5,000~~ 40,000.
7. The following work, even if not in excess of $~~5,000~~ 40,000:

   • construction of deck, fireplace, pier, or storage building;
   • installation or replacement of insulation, wood stove, or hot water heater;
   • moving a building;
   • demolition of a building.

Section 4. This ordinance shall become effective upon adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: 10/5/2023
PUBLIC HEARING DATE: 1/2/2024
PLANNING BOARD MEETING: 1/23/2024
TOWN BOARD DECISION: 2/19/2024

AN ORDINANCE TO AMEND ARTICLE 3, ARTICLE 8, AND ARTICLE 11

Section 1. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville that Article 3, Section 3.2.1(d)(4)(a) Rural District, 3.2.2(d)(4)(a) Transitional Residential District, 3.2.4(d)(1)(e) Neighborhood Residential District, 3.2.5(d)(1)(d) Neighborhood Center District, 3.2.6(d)(4) Town Center District, 3.2.7(d)(1)(d) Highway Commercial District, 3.2.11(d)(1)(d) Traditional Neighborhood Development District, 3.2.13(d)(2)(c) Transit-Oriented Development-Residential District, and 3.3.1(d)(1) Manufactured Home Overlay District of the Zoning Ordinance is hereby amended by modifying as follows:

- Nothing in this subsection shall be interpreted to conflict with the building design element provisions as found in N.C.G.S. 160D-702(b) for structures subject to the North Carolina Residential Code ~~for One- and Two-Family Dwellings~~.

Section 2. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Article 8.14, General Standards for Driveway Permitting, is hereby amended as follows:

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1. No driveway or other point of access to a public street shall be constructed, relocated, or altered unless a driveway permit is obtained from the Town of Huntersville or the State of North Carolina, whichever jurisdiction applies. The applicant shall comply with the most restrictive standards. **Notwithstanding the foregoing, nothing in this subsection shall be interpreted to conflict with N.C.G.S. § 160D-804(j).**

Section 3. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Article 11.1.3, Building Permit, is hereby amended as follows:

1. **Building Permit**. No development shall occur except pursuant to a building permit, when one is required. A building permit is generally required for the activities below. Other building activities may also require a permit.

    a) The addition, repair, or replacement of load bearing structures.

    b) The installation, extension, or general repair of any plumbing system or an addition or change in the design of plumbing.

    c) The addition, replacement, or change in the design of heating, air conditioning, or electrical wiring, devices, appliances, or equipment.

    d) The addition (excluding replacement) of roofing.

e) The use of materials not permitted by the North Carolina State Building Code. ~~Commercial work of any value.~~

f) Work on single-family ~~residential~~ residence, ~~or~~ farm buildings, or commercial buildings exceeding $~~5,000~~ 40,000.

g) The following work, even if not in excess of $~~5,000~~ 40,000:

- construction of deck, fireplace, pier, or storage building;
- installation or replacement of insulation, wood stove, or hot water heater;
- moving a building;
- demolition of a building.

Section 4. This ordinance shall become effective upon adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: 10/5/2023
PUBLIC HEARING DATE: 1/2/2024
PLANNING BOARD MEETING: 1/23/2024
TOWN BOARD DECISION: 2/19/2024

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, October 5, 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, S. Harrington, M. Pollard, and F. Gammon
Voting Members Absent: J. Palillo, J. Kluttz, H. Whittaker

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

Approval of Minutes
Item 2A. Consider approval of the July 6, 2023, Regular Meeting Minutes
Motion: S. Harrington made a Motion to Approve the July 6, 2023, regular meeting minutes. K. Jones seconded the motion.

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

Public Comments
None

Chairwoman Hallman commented to the Board regarding the importance of having their opinion for or against an item noted for the record so that the Planning Board and Town Board can benefit from understanding what caused someone to vote as the did.

Action Agenda
4A. Consider a recommendation on petition #TA23-06, a request by the Huntersville Planning Department for a text amendment to Article 3, Section 3.2.1(d)(4)(a), 3.2.2(d)(4)(a), 3.2.4(d)(1)(e), 3.2.5(d)(1)(d), 3.2.6(d)(4), 3.2.7(d)(1)(d), 3.2.11(d)(1)(d), 3.2.13(d)(2)(c), 3.3.1(d)(1), Article 8.14, and Article 11.1.3 to bring the text into compliance with HB 488.
N. Farber, Planner II reviewed the proposed text amendment.

M. Jones stated that to his understanding the ordinance appears to state that we can impose the most restrictive standards which appears to be more stringent than the statute 160D-804(j). Staff responded that the intention is not to be in conflict. E. Sloop responded that the majority of the design standards are not addressed in the ordinance they are in manuals that are

maintained by engineering staff. This caveat is there if needed and the manuals will be updated if needed.

M. Pollard asked what the manuals are and if they are legally enforceable. Staff responded the that engineering manuals are adopted policy and outline all of the specific engineering guidelines that must be followed in developing a project.

S. Harrington asked staff to confirm if in Article 3 the $40,000 should be underlined. Staff confirmed that is correct.

M. Jones commented that the $40,000 has adjusted numerous times between $5,000 and $40,000 and asked going forward what the policy is to stay on top of legislative changes so that the Town updates are more timely and we are not missing changes like this in the future. Staff responded that the Legal department advises the Planning department of changes. Now with the Town having two attorneys and their proactive assistance in this area we will continue to bring forth changes as they occur.

F. Gammon asked staff to confirm against NCGS 160D if a building permit is needed to replace a hot water heater. M. Jones read from NCGS 160D and confirmed that a building permit for residential is not needed. M. Jones then requested that staff revisit this text amendment to ensure that it is accurate.

Motion: M. Jones made a Motion to Table TA23-06 in coordination with the bill and ensure that the text amendment complies fully with the NC legislature bill that has been passed. K. Jones seconded the motion.

F. Gammon commented that he does not want to defer the amendment but agrees that staff should review it and move it forward to the Planning Board with any necessary corrections.

Commissioner Kovacs commented that she is in support of the comments made and if this Board does not feel comfortable tabling the item that the Town Board would likely table if the answers are not available when presented to them.

S. Harrington asked if it is possible to reword the motion to approve everything except the water heater statement so the balance of the items could move forward. M. Jones responded that he is welcome to make a substitute motion as he would like staff to look at the driveway design standards in addition to the hot water heater item.

Vote: The motion passed (4-2) with A. Hallman and F. Gammon opposed.

4B. Consider a recommendation in #TA23-07, a request by the Huntersville Planning Department for a text amendment to Article 12, Section 12.2.1 "Interconnected" to clean up definition.
P. Patterson, Planner I reviewed the proposed text amendment.

Motion: M. Pollard made a Motion to recommend Approval of TA23-07. M. Jones seconded the motion.

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

Other Business
5A. Discuss possible changes to the Zoning Ordinance related to Breezeways and Accessory Structures.
N. Farber, Planner II reviewed the item for discussion and stated that staff would like to bring this forward as a future text amendment. Staff reviewed what the Zoning Ordinance currently allows detached accessory structures square footage not exceeding the primary structure first floor heated area square footage. Accessory dwelling units (ADU) may not exceed 650 square feet or 50% of the first-floor area of principle dwelling, whichever is greater. Either structure must be placed in the rear yard. ADU's may also be combined with a detached garage so you could have a first floor 1,500 square foot detached garage with a 500 square foot ADU on the second story.

Staff then reviewed the definition of breezeway and staff's interpretation in the past to allow a fully enclosed breezeway to be attached to a detached structure rendering it an attached structure which removes the limitations of the square footage. Staff indicated that current requests appear to be using this method to subvert the ordinance. Staff provided examples of requests which appear to be to allow structures to be placed in the front or side yard, or an excessively long breezeway.

Staff stated that there are approximately 40 municipalities in North Carolina with language included in their zoning ordinances addressing this issue. Examples were provided to reflect that connection by breezeway shall not deem the structures one building. Other examples provided reflect maximums of building sizes and maximums of height and length of breezeways.

Staff recommends that we consider amending the definition of building and/or breezeway within the Zoning Ordinance and potentially limiting the length of a breezeway to 15 feet.

F. Gammon asked why the breezeway should be limited to 15 feet when it could be utilized in the right place for the right reason and require more than 15 feet. Staff responded the recommendation would be to eliminate the abuse of the breezeway possibly by creating a length. F. Gammon responded that a specific measurement may only be appropriate to specific zoning.

F. Gammon then asked if staff knows what the purpose of the large structures are that people are building. Staff responded that businesses are not allowed so they are for storage.

M. Pollard asked staff to research and provide quantities on how many applicants a 15-foot breezeway would have affected and how frequently staff is seeing these requests. Staff responded that it should be noted that applicants are not initially requesting breezeways when they are requesting to add an accessory structure or accessory dwelling unit, applicants are simply seeing this as a way to gain approval on the size of structure or location of the structure that they want to build. Staff stated there is no method to provide quantifiable data on these requests its simply something staff knows we frequently deal with.

M. Jones commented that if a breezeway, which creates more impervious area, is necessary for someone to build a structure then it seems like something is wrong with our zoning ordinance. Staff responded that if the Board desires to look at allowing a larger accessory structure or accessory dwelling unit in certain zoning districts then that could be taken separately. The current issue staff is facing is how to be fair and not subjective in determining at what point a breezeway length should not be allowed when an applicant is proposing 70-feet. M. Jones commented that he can imagine scenarios where someone buys a large lot with an older home and does not understand that they own this land and cannot do what they want. Also, if several people are subverting the rules, then it also leads one to look at the rules and determine if they are still practical to current needs.

F. Gammon asked if staff considered special use permits for larger structures. Staff stated they had not but they would take that under advisement. Commissioner Kovacs commented she would be in support of special use permits as an option.

Staff responded that defining what a breezeway is or permits would assist staff with providing a consistent interpretation regardless of the proposed building size or location.

F. Gammon commented that he would like to see some flexibility based on lot size and zoning district or permitted uses versus a one size fits all ordinance.

M. Jones commented that a multiple of large lot size with a cut off for smaller lots could create a greater amount of flexibility.

M. Pollard agreed with F. Gammon's comments that purpose would be a good area to focus on so that the rules could more effectively address the uses. Staff responded that accessory structures are not permitted to be businesses so they can only be used for some type of storage. A. Hallman agreed with M. Pollard's comment that this would be valuable to be sure that one is for storage, garage, or barn versus a mother-in-law suite.

S. Harrington revisited that this may be two separate issues, one to define breezeways to not treat the structures as one building and a second to address what use, and size is permitted for an accessory structure.

Commissioner Kovacs asked what the rationale was for using 50% of the first-floor heated area was to determine the footprint for the accessory dwelling unit. She then provided the scenario

that a 2-story home on 5 acres with 1,000 square foot first floor would be allowed to build the maximum of 650 square feet ADU versus a 2,000 square foot ranch home on 1-acre that would be allowed to build 1,000 square feet ADU. The factor of the lot size and that the homes are equal in square footage is not considered. She recommended staff review that in their consideration of ADU's.

E. Sloop commented that she may be able to clear up some information raised on Item TA23-06 that would allow the Board not to have to meet the following month. She then reviewed Section 3 of the proposed changes and highlighted that the wording states "when one is required, and generally required" which allows staff not to place the wordy exclusions that are applicable to this and instead know that the County will not require a building permit where one is not required. The specific language from NCGS 160D-110(a)(2) is specific to residential one and two dwellings and does not need to be detailed within the zoning ordinance.

M. Jones commented that subsection 7 of the proposed ordinance implies a building permit would be necessary. E. Sloop responded that if you read the beginning it puts the context that it is generally require and when one is required, therefore legally it is not viewed as a conflict.

A. Hallman asked if the average homeowner would be confused by this. E. Sloop stated that generally the zoning ordinance here is reviewed by contractors completing new construction, so she does not see this as being misunderstood by a homeowner. Additionally, the County is the only issuing authority for building permits and they are not going to require a building permit for something when it is not legally required. The County's website and documentation provides much more detail available for the homeowner as they are the issuing authority.

E. Sloop commented that if anyone on the Board would like to reconsider to recommend approval on these simple statutory housekeeping items then the Board will not have to reconvene in November for the one item.

F. Gammon commented that he is not opposed to moving it forward, but he would like staff to still review the wording to see if it could be improved and clarified.

M. Jones commented the request was also in place for staff to review NCGS 160D-804(j). E. Sloop responded that the Ordinance does not address the design standards, they are all within the Engineering Manual because they are very technical, and the goal is to not make the Ordinances more convoluted. If the Engineering Manual needs to be updated it will.

Motion: F. Gammon made a Motion to Reconsider the previous motion on TA23-06. S. Harrington seconded the motion.

M. Jones commented that he believes that there are technical problems with what staff has presented and he believes staff should re-review of the legislation to make the Ordinance compliant with the relevant legislation.

Vote: The motion passed (5-1) with M. Jones opposed.

Motion: F. Gammon made Motion to recommend Approval of TA23-06 with the caveat that Planning and Legal department review HB488 and items pertaining to 160D-804(j) and ensure that the wording as written in the current ordinance applies and in concurrence with the state statute. S. Harrington seconded the motion.

M. Pollard requested that a timeline for when the item will be presented to the HOAB be included. E. Sloop clarified that approval would move the item forward and that staff can make the research available to the Board but the item itself would not return for consideration to the Board.

Vote: the motion passed (4-2-1) with M. Jones opposed and M. Pollard abstaining.

Adjourn
Motion: F. Gammon made a Motion to Adjourn. K. Jones seconded the motion.
Vote: The motion passed unanimously (6-0).

Approved this ____ day of _____ 2023.

_____
Chair or Vice Chair

_____
Board Secretary

Town of Huntersville
Planning Board
January 23, 2024

To: Town Board

From: Nathan Farber, Planner II

Date: January 23, 2024

Subject: #R23-10

EXPLAIN REQUEST:
Consider a recommendation on Petition #R23-10, Commercial Communication Tower, a request by Berkley Group III, LLC to rezone +/-6.00 acres located at 15105 Holbrooks Road from Transitional Residential and Neighborhood Residential District to Special Purpose - Conditional District.

ACTION RECOMMENDED:
Consider Recommendation

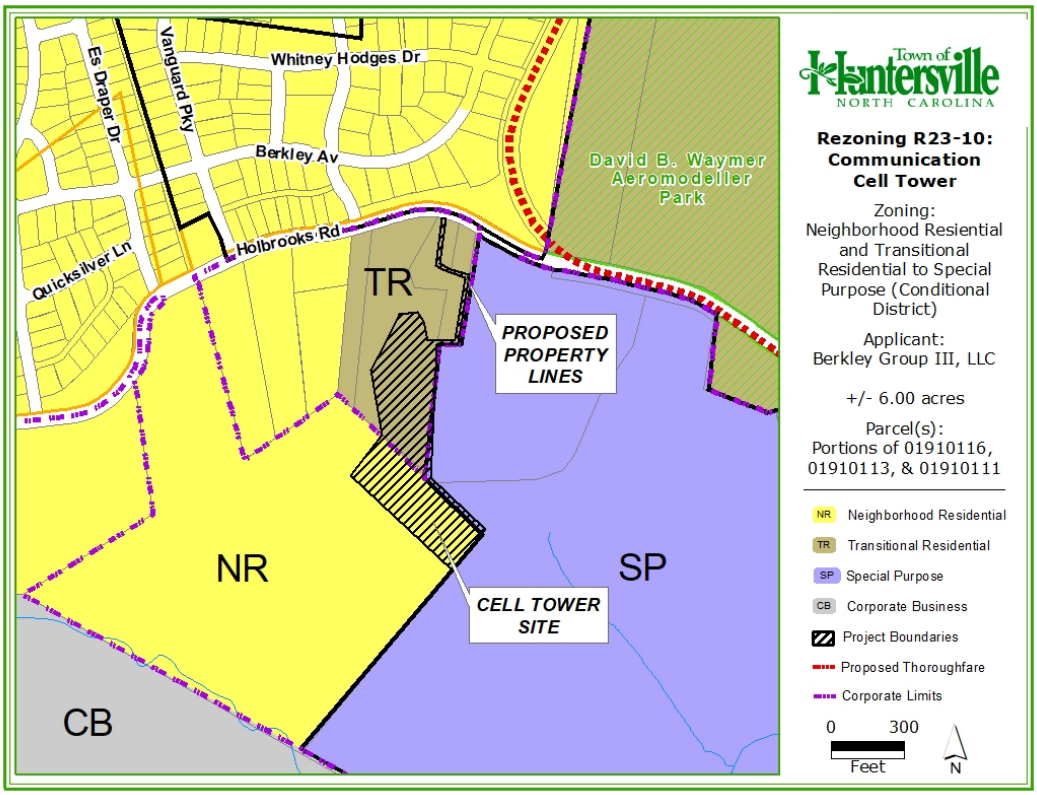
FINANCIAL IMPLICATIONS:
NA

ATTACHMENTS:
1. R23-10 PH PB Staff Report
2. A - Application
3. B - Rezoning Plan
4. C - Neighborhood Meeting Report
5. D - APO Notification
6. E - Continuance Letter

Petition R23-10

Commercial Communications Tower

PART 1: PROJECT SUMMARY



Applicant: Berkley Group III, LLC

Property Owner: Greenway Recycling at North Meck, LLC

Property Address: 15105 Holbrooks Road

Project Size: (+/-) 6.00 acres

Parcel Numbers: 01910116, 01910113, 01910111

Current Zoning: Neighborhood Residential (NR), Transitional Residential (TR)

Current Land Use: Single Family.

Proposed Zoning: Special Purpose Conditional District (SP-CD)

Proposed Land Use: Commercial Communications Tower

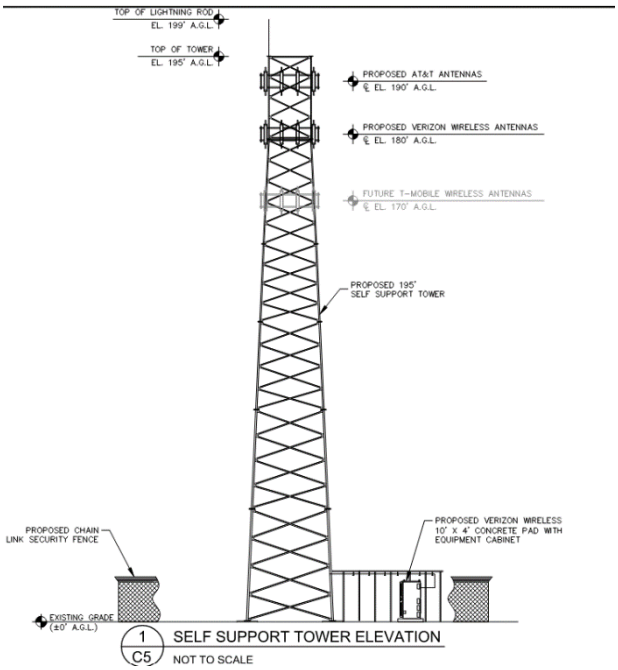
1. Purpose: Rezone +/- 6.00 acres south of Holbrooks Rd. from Neighborhood Residential and Transitional Residential to Special Purpose Conditional District (HC-CD) for a Commercial Communications Tower.

2. Adjoining Zoning and Land Uses.
   North: Neighborhood Residential Conditional District –Single Family (Vermillion Subdivision).
   South: Neighborhood Residential and Special Purpose Conditional District – Residential (Vacant) and Landfill (Greenway Waste)
   East: Special Purpose Conditional District - Landfill (Greenway Waste)
   West: Neighborhood Residential and Transitional Residential – Residential

3. A neighborhood meeting was held on October 30, 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 sign on the property along Holbrooks Rd.

PART 2: REZONING/SITE PLAN

The applicant has made <u>no modification requests</u>. The Conditional Rezoning Plan can be summarized as follows:



- The applicant plans to subdivide a 6-acre lot from parcel numbers # 01910116, 01910113, and 01910111 pending rezoning approval.
- The new 6-acre lot will narrow to a 15' wide area that will connect north to Holbrooks Road in order to have road frontage and allow the subdivision to occur.
- The site will be accessed via a 15' easement that will run east through the Greenway Waste landfill connecting to Holbrooks Rd.
- The applicant has noted as a condition of approval the permitted uses will be limited to a Commercial Communication Tower and all related accessory uses.
- The tower will be 195' tall, with a lightning pole bringing the total height to 199'.
- The applicants have stated that lighting will not be on the tower as the Federal Aviation Administration (FAA) will not require any.
- Article 9.9.3 requires that the entire facility must be aesthetically compatible with its environment. The tower will be painted grey in order to blend in with its surroundings.
- The communication tower will be located more than 200' from the residential lot line located to the west as required by Article 9.9.10.
- The applicant will not be providing any parking. No parking would be required as no building structure will be located on the property.
- The entire facility will be surrounded by an 8' chain link fence as required by Article 9.9.4. An opaque screen is required to be provided on the outside of any chain link fence. The applicant has provided this screening with a row of Leyland Cyprus.
- Minimum Tree Preservation (Specimen Trees) for the Special Purpose District is 30% Specimen Trees. The applicant has identified 125 specimen trees on the site. The applicants have shown that 40 of the 125 specimen trees will be saved, which is two over the required 38 specimen trees.
- The "Existing Disturbed Area" on the existing features plan will not require mitigation as the applicants will be able to conform with tree save requirements.

The Conditional Rezoning Plan has the following unresolved issues:

- Planning, Transportation, and Storm Water Engineering staff have outstanding site plan comments that need to be addressed before final plan approval.

PART 3: TRANSPORTATION ISSUES

<u>Traffic Impact Analysis (TIA)</u>

A Town TIA for the proposed project was not required.

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 proposed communication tower is located within the open space and moderate-density future land use areas. While these character areas do not directly support intensive commercial development, Staff views the proposed tower as an essential infrastructure project. The project will only disturb 0.4 acres while preserving the remaining woodlands and open space on the property. The 2040 Huntersville Community Plan DOES SUPPORT this project through the following section:

- **Policy PS-1:** Work with partners to provide and maintain public facilities required to offer residents and property owners with quality municipal services, consistent with progressive government practices and sound fiscal policy.
  STAFF COMMENT: The proposed commercial communications tower aims to offer crucial services to the surrounding communities and businesses. Improved cellular service will not just enhance communication for residents but also fill a missing communications coverage area for emergency services (See coverage maps below or Attachment C). Although it's not a municipal service, it's a vital infrastructure service that a private company is providing.
- **Policy LU-1:** Encourage a development pattern that follows the Future Land Use Map.
  STAFF COMMENT – The proposed land use does not conflict with the surrounding development pattern as the addition of a communication tower will provide a benefit to existing and future residences and businesses.

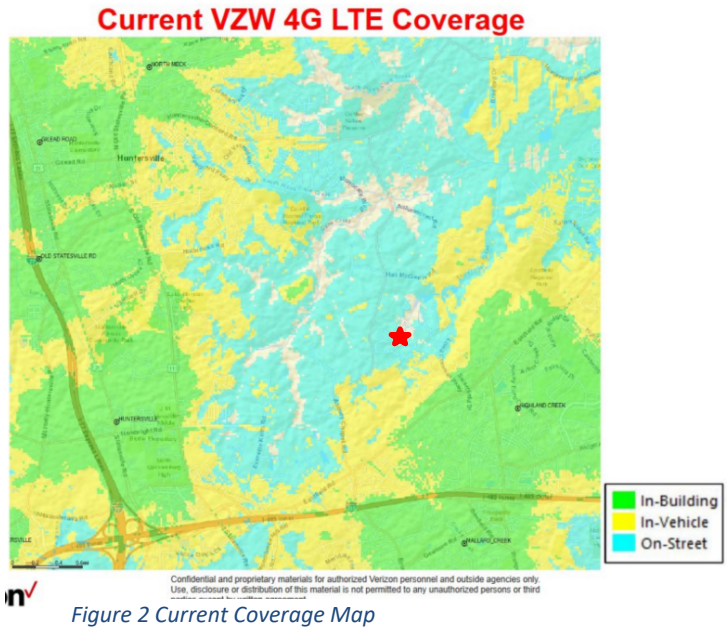


Figure 2 Current Coverage Map

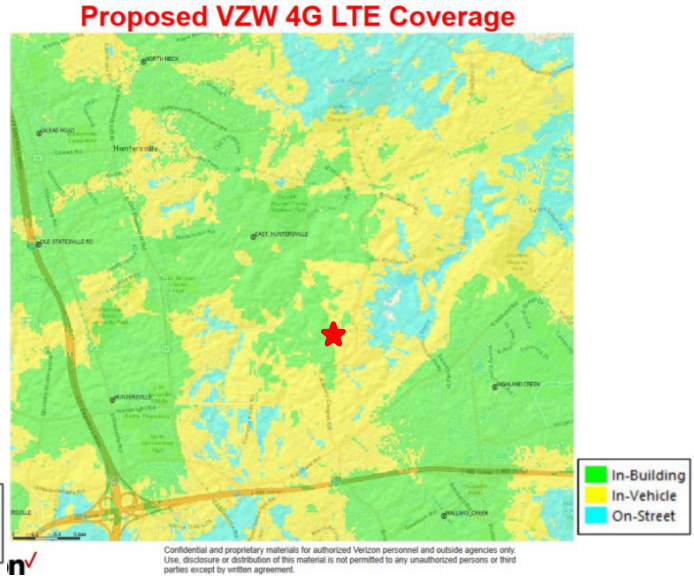


Figure 1 Coverage Map Once Tower is Complete

<u>Holbrooks Road Study: ULI Technical Assistance Program (2017)</u>

The Holbrooks Road Study was conducted to study the potential land uses and economic viability of the defined area. The area is divided by the road into a northern area that is primarily residential and a southern area is primarily corporate business and industrial. One of the recommendations is to "Place commercial product near the property line near the landfill site, creating a natural buffer for the residential".
STAFF COMMENT – The proposed communication tower location fits in with the area study as it would directly border the landfill while also complying with the required 200' separation from the adjacent residential property. This would create a natural buffer between the existing landfill and neighboring residential properties.

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: Planning staff believes the development location on the border of an existing industrial landfill and buffered from nearby residential properties is consistent with the character of the existing development in the area. The use provides an essential service that will benefit all of the surrounding uses in the area.

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

STAFF COMMENT:
There is no indication this project will have a negative impact on public facilities and or services.

3. **Whether the proposed reclassification will adversely affect a known archeological, environmental, historical or cultural resource."**
STAFF COMMENT:
Planning staff has no indication that the request will adversely affect known archeological, environmental, historical, or cultural resources.

PART 5: STAFF RECOMMENDATION

In considering the proposed rezoning petition R23-10, Commercial Communications Tower, Staff recommend approval based on the Plan being consistent with the Huntersville 2040 Community Plan policies PS-1, LU-1, and with the Holbrooks Road Corridor plan.

PART 6: PUBLIC HEARING COMMENTS

On January 2, 2024, the Town Board approved the applicant's requested continuance until January 16, 2024, to address outstanding comments. (Attachment E)

PART 7: PLANNING BOARD RECOMMENDATION

Planning Board is scheduled for January 23, 2024.

PART 8: TOWN BOARD CONSIDERATION

Town Board consideration is scheduled for February 19, 2024.

PART 9: ATTACHMENTS/ENCLOSURES

Attachments
A – Rezoning Application
B – R23-10 Rezoning Plan
C – Neighborhood Meeting Report (October 30, 2023)
D – APO Notification
E – Continuance Letter

PART 10: CONSISTENCY STATEMENT – R23-10 Commercial Communication Tower

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed rezoning petition R23-10, Commercial Communications Tower, Staff recommends approval based on the Plan being consistent with the Huntersville 2040 Community Plan policies PS-1, LU-1, and with the Holbrooks Road Corridor plan.	APPROVAL: In considering the proposed rezoning application R23-10, Commercial Communication Tower, the Planning Board recommends approval based on the Plan being consistent with **(insert applicable plan reference)**.	APPROVAL: In considering the proposed rezoning application R23-10, Commercial Communication Tower, the Town Board recommends approval based on the Plan being consistent with **(insert applicable plan reference)**.

It is reasonable and in the public interest to approve the Rezoning Plan because it is consistent with the envisioned uses and development pattern set forth in the 2040 Community Plan, Holbrook Road Corridor plan, and in keeping with the spirit of the Ordinance and therefore can be supported.	**It is reasonable and in the public interest to approve the Rezoning Plan because… (Explain)**	**It is reasonable and in the public interest to approve the Rezoning Plan because… (Explain)**
DENIAL:	DENIAL: In considering the proposed rezoning application R23-10, Commercial Communication Tower, the Planning Board recommends denial based on the Plan being **(consistent OR inconsistent) with (insert applicable plan reference).** **It is not reasonable and in the public interest to approve the Rezoning Plan because… (Explain)**	DENIAL: In considering the proposed rezoning application R23-10, Commercial Communication Tower, the Town Board recommends denial based on the Plan being **(consistent OR inconsistent) with (insert applicable plan reference).** **It is not reasonable and in the public interest to approve the Rezoning Plan because… (Explain)**

Town of Huntersville
NORTH CAROLINA

General Application

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

1. Application Type

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

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

SUBDIVISION CATEGORIES: Per the Huntersville Subdivision Ordinance

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

2. Project Data

Date of Application June 29, 2023

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

Project Address Holbrooks Road, Huntersville, NC

Parcel Identification Number(s) (PIN) p/o 019-10-116, p/o 019-10-113,

Current Zoning District NR Proposed District (for rezoning only) SP (CD)

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

Current Land Use Vacant & Industrial

Proposed Land Use(s) Communications Cell Tower

Is the project within Huntersville's corporate limits?
Yes p/o No p/o 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.

See attached 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 BERKLEY GROUP III, LLC Phone _____

☐ 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: BONNIE D. NEWELL

Title MANAGING PARTNER Email b_newell@bellsouth.net

Address of Applicant 19701 BETHEL CHURCH RD; SUITE 103-213 CORNELIUS NC 28031

7. Property Owner (if different than applicant)

*Printed Name See Consent filed with Town of Huntersville 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
BERKLEY GROUP III, LLC	BONNIE NEWELL	704 907-7104	b_newell@bellsouth.net
Design Firm	Name of Contact	Phone	Email
KIMLEY HORN	KEITH MARKLAND	919.417.4937	keith.markland@kimley-horn.com

Contact Information

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

JOINDER OF AND CONSENT TO APPLICATION

This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this 31st day of August, 2023, by Greenway Recycling at North Meck, LLC a North Carolina limited liability company ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Huntersville Center project filed, or to be filed, by Berkley Group III, LLC, a North Carolina limited liability company ("Applicant") in connection with the property identified as part of Parcel Number 019-10-111 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:

GREENWAY RECYCLING AT NORTH MECK LLC,
a North Carolina limited liability company

By:
Printed Name: John Brown
Title: Chief Operating Officer
Address: 19109 W. Catawba Ave., Suite 110
Cornelius, NC 28031

Date: 8/31/23

JOINDER OF AND CONSENT TO APPLICATION

This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this 31st day of August, 2023, by Greenway Recycling at North Meck, LLC a North Carolina limited liability company ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Huntersville Center project filed, or to be filed, by Berkley Group III, LLC, a North Carolina limited liability company ("Applicant") in connection with the property identified as part of Parcel Number 019-10-113 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:

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By:
Printed Name: John Brown
Title: Chief Operating Officer
Address: 19109 W. Catawba Ave., Suite 110
Cornelius, NC 28031

Date: 8/31/23

JOINDER OF AND CONSENT TO APPLICATION

This JOINDER OF AND CONSENT TO APPLICATION (the "Joinder") is executed this 31st day of August, 2023, by Greenway Waste Solutions, LLC a North Carolina limited liability company ("Owner") in connection with that one certain General Application for a Conditional Rezoning ("Application"), for the Huntersville Center project filed, or to be filed, by Berkley Group III, LLC, a North Carolina limited liability company ("Applicant") in connection with the property identified as part of Parcel Number 019-10-116 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:

GREENWAY RECYCLING AT NORTH MECK LLC,
a North Carolina limited liability company

By:
Printed Name: John Brown
Title: Chief Operating Officer
Address: 19109 W. Catawba Ave., Suite 110
Cornelius, NC 28031

Date: 8/31/23

BERKLEY GROUP III LLC

19701 BETHEL CHURCH ROAD, SUITE 103-213
CORNELIUS, NC 28031

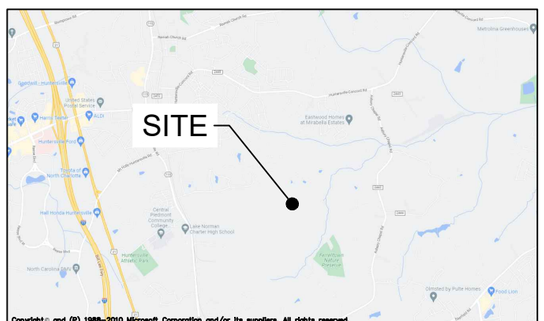
HUNTERSVILLE CENTER

SITE DATA TABLE		
TOTAL ACREAGE:	6.00 AC	
TOTAL SQUARE FEET:	261,264 SQ. FT.	
PRINCIPAL USE(S) (Z.O ARTICLE 3)	COMMERCIAL COMMUNICATIONS TOWER	
BUILDING TYPE (Z.O ARTICLE 3, 4, 8, AND 10)	N/A	
ZONING DISTRICT:	SP(CD)	
OVERLAY DISTRICT, IF APPLICABLE (ARTICLE 3 Z.O)	N/A	
PERCENTAGE OF IMPERVIOUS SHOWN	SOUTH ACCESS W/ COMPOUND: EXISTING – 0 SQ. FT. (0.0%) PROPOSED – 6,700 SQ. FT. (2.6%) TOTAL – 6,700 SQ. FT. (2.6%)	NORTH ACCESS W/ COMPOUND: EXISTING – 0 SQ. FT. (0.0%) PROPOSED – 23,860 SQ. FT. (9.1%) TOTAL – 23,860 SQ. FT. (9.1%)
LOT COUNT:	N/A	
TOTAL NUMBER OF DWELLINGS (DETACHED/ATTACHED)	N/A	
MIXED-USE# OF LIVE/WORK UNITS	N/A	
LOT SIZE RANGE	N/A	
LOT WIDTHS RANGE (Z.O ARTICLE 3)	N/A	
SETBACKS AND BUILD-TO-LINES (Z.O ARTICLE 3, 4, AND 8)	N/A	

SITE ADDRESS (E-911 TBD)

15105 HOLBROOKS ROAD
HUNTERSVILLE, NC 28078
MECKLENBURG COUNTY
LATITUDE: 35° 23' 58.60" N
LONGITUDE: 80° 49' 14.00" W
TAX/PIN #: 019-10-116, p/o 019-10-113, & p/o 019-10-111
ZONING: NR,TR

WATERSHED INFORMATION (Z.O ARTICLE 3 AND S.O SECTION 7.920)		
IS THE PROPERTY IN A REGULATED WATERSHED DISTRICT?	NO	
WATERSHED DISTRICT:	N/A	
LOW DENSITY/HIGH DENSITY	N/A	
PERCENTAGE OF ALLOWABLE IMPERVIOUS AREA	12%	
PERCENTAGE OF IMPERVIOUS AREA SHOWN ON PLANS	SOUTH ACCESS W/ COMPOUND: EXISTING – 0 SQ. FT. (0.0%) PROPOSED – 6,700 SQ. FT. (2.6%) TOTAL – 6,700 SQ. FT. (2.6%)	NORTH ACCESS W/ COMPOUND: EXISTING – 0 SQ. FT. (0.0%) PROPOSED – 23,860 SQ. FT. (9.1%) TOTAL – 23,860 SQ. FT. (9.1%)
AMOUNT OF LOT AREA SET ASIDE FOR FUTURE IMPERVIOUS BY HOMEOWNER	N/A	



VICINITY MAP

NORTH

FROM CORNELIUS OFFICE: GET ON I-77 S FROM W CATAWBA AVE 1.0 MI; FOLLOW I-77 S TO GILEAD RD IN HUNTERSVILLE. TAKE EXIT 23 FROM I-77 S 5.2 MI; DRIVE TO HOLBROOKS RD W 3.0 MI.

DRIVING DIRECTIONS

JURISDICTION:
TOWN OF HUNTERSVILLE

STATE:
NORTH CAROLINA

TOWER TYPE:
SELF SUPPORT

TOWER HEIGHT:
195'

NUMBER OF CARRIERS:
0 EXISTING, 3 PROPOSED

USE:
PROPOSED TELECOMMUNICATIONS TOWER AND UNMANNED EQUIPMENT

FLOOD INFO
SITE IS LOCATED WITHIN FEMA FLOOD MAP AREA 3710465000K DATED 11/16/2018 WITHIN FLOOD ZONE X.

PROJECT SUMMARY

DEVELOPER
BERKLEY GROUP III, LLC
19701 BETHEL CHURCH ROAD, SUITE 103-213
CORNELIUS, NC 28031
PHONE: (704) 907-7104
ATTN: BONNIE NEWELL

POWER COMPANY
ENERGY UNITED
PHONE: (704) 892-0278
ATTN.: CUSTOMER SERVICE

PROPERTY OWNER
GREENWAY WASTE SOLUTIONS, LLC
19109 W CATAWBA AVE STE 200
CORNELIUS, NC 28033
PHONE: (704) 741-7867
ATTN.: CUSTOMER SERVICE

CONSULTANT
KIMLEY-HORN AND ASSOCIATES, INC.
11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GEORGIA 30009
PHONE: (770) 545-6105
ATTN.: DAVID FRANKLIN

CONTACTS

SHEET NO.	SHEET TITLE
T1	COVER SHEET
T2	HUNTERSVILLE TELECOMMUNICATIONS TOWER REZONING NOTES
--	TREE SURVEY AND FUTURE ACCESS ROAD (BY OTHERS)
C0	EXISTING CONDITIONS
C1.1	OVERALL SITE PLAN
C1.2	OVERALL SITE PLAN
C2	SITE PLAN
C2.1	CONCEPT GRADING PLAN
C2.2	CONCEPT UTILTY PLAN
C3	FENCE, GATE, AND COMPOUND DETAILS
C4	SITE SIGNAGE DETAILS
C5	ANTENNA AND TOWER ELEVATION DETAILS
L1	LANDSCAPING PLAN & NOTES

SHEET INDEX

HUNTERSVILLE TOWN PLANNING
105 GILEAD RD.
HUNTERSVILLE, NC 28078
PHONE: (704) 875-7000
ATTN.: CUSTOMER SERVICE

PERMIT INFORMATION

BERKLEY GROUP III LLC

PROJECT INFORMATION:

SITE NAME:
HUNTERSVILLE CENTER

15105 HOLBROOKS ROAD
HUNTERSVILLE, NC 28078
MECKLENBURG COUNTY

PLANS PREPARED BY:

Kimley»Horn
11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GA 30009
PHONE: 770-619-4280
WWW.KIMLEY-HORN.COM
NC License F-0102

REV:	DATE:	ISSUED FOR:	BY:
8	12/27/23	ZONING	DMF
7	11/09/23	ZONING	DMF
6	08/29/23	ZONING	DMF
5	08/01/23	ZONING	DMF
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2	03/02/23	ZONING	DMF
1	12/27/22	ZONING	DMF
0	07/26/22	ZONING	DMF

LICENSER:

NORTH CAROLINA PROFESSIONAL SEAL 042027 ENGINEER DAVID FRANKLIN
12/27/23

KHA PROJECT NUMBER:
019869008

DRAWN BY: WJW
CHECKED BY: KRM

SHEET TITLE:
COVER SHEET

SHEET NUMBER:
T1

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Huntersville Telecommunications Tower Rezoning Notes

1. Rezoning Petition. These rezoning notes comprise the development standards ("Development Standards") associated with the Special Purpose Conditional District Rezoning Application (the "Rezoning Petition") filed by the Berkley Group III, LLC ("Petitioner") as conditional rezoning petition #R23-10 for a 6.00 acre tract of land identified on this site plan (the "Rezoning Plan") as the Huntersville Center Telecommunications Tower (the "Project") and other site plan information submitted to the Town of Huntersville on September 1, 2023 (the "Filing Date"), in connection with tax parcel number 01910116, 0191013 and 0191011 the "Property"). The purpose of the rezoning petition is to create a Special Purpose Conditional Zoning District for a Commercial Communication Tower use and other uses allowed in the SP(CD) zoning district. The SP-CD is applicable to the tract of land identified on the Site Plan ("Site") as SP(CD).
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 Filing Date. 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 Filing Date govern development of the property as shown on the Rezoning Plan.
3. Schematic Nature of Rezoning Plan. The exact location and configuration of the Commercial Communication Tower and associated equipment may be modified during design, engineering and construction phases of the development so long as the minimum ordinance standards are met, and the Commercial Communication Tower and associated equipment are located within the Site.
4. Ordinance Modifications and 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 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 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. As shown on the Site Plan, the Property may be developed for a Commercial Communication Tower use, and any accessory uses to the Commercial Communication Tower use, subject to the development standards associated with such use. Residential use is not permitted in the 200' buffer shown on the Rezoning Plan. 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 Standards. In the event there is a conflict or inconsistency between these rezoning notes and the Rezoning Plan or application, these rezoning notes shall control.
6. Access. The proposed 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. Access to the Property shall be as provided in the Rezoning Plan.
7. Buffers Yards/Landscaping. As more particularly depicted on the Rezoning Plan, the site shall include a 200' buffer around the perimeter of the Tower. All Buffer Yards shall meet the requirements of Section 7.5 of the Ordinance. Grading is allowed in the buffers and any areas of the perimeter buffer and landscaped area that are disturbed shall be replanted according to standards outlined in the Ordinance. Grading and excavation are permitted for stream restoration in the buffers and in the existing landfill that is within the SP (CD).
8. Fencing. As more specifically depicted on the Rezoning Plan, the site will be fenced as required by the Ordinance.
9. Signage. Signage will comply with the requirements of the Ordinance.
10. Lightning. Lightning will comply with the requirements of the Ordinance.
11. Setback. The Communication Tower will be set back a minimum of 200' from all adjacent residential or mixed-use property lines.
12. Annexation. Petitioner has agreed to submit a sufficient voluntary annexation petition prior to any final plat approvals.

BERKLEY GROUP III LLC

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12/27/23

KHA PROJECT NUMBER:
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DRAWN BY:	CHECKED BY:
WJW	KRM

SHEET TITLE:
HUNTERSVILLE TELECOMMUNICATIONS TOWER REZONING NOTES

SHEET NUMBER:
T2

k:\rai_wireless\berkley group\CAD\ZD\Rev6_08_24_23\ECar-GB.dwg ---- 12/27/23 3:29 PM by: Robert.Giesen

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SPECIMEN TREE DATA		
TREE NUMBER	DESCRIPTION	ELEVATION
8	19" WHITE OAK	735.93
10	23" WHITE OAK	733.02
11	22.5" WHITE OAK	733.90
13	23" WHITE OAK	741.76
14	27" ASH	721.03
15	21" ASH	719.56
17	21" POST OAK	723.15
18	19" WHITE OAK	723.52
19	21" RED OAK	725.17
21	27" WHITE OAK	724.99
24	24" SWEETGUM	728.55
25	21" RED OAK	730.83
27	22" WHITE OAK	732.25
29	22" HICKORY	737.29
31	24" ASH	733.59
32	19" WHITE OAK	726.50
33	19"-15" DOUBLE RED OAK	725.94
34	22" WHITE OAK	720.52
35	24" WHITE OAK	740.35
36	20" WHITE OAK	732.11
37	23" BEECH	706.79
38	28" WHITE OAK	731.14
39	23" WHITE OAK	734.90
40	18" ASH	717.42
41	20" WHITE OAK	723.01
42	24" WHITE OAK	732.08
43	20" WHITE OAK	742.60
44	20" WHITE OAK	725.61
45	22" SWEET GUM	725.10
46	28" RED OAK	718.45
47	29" BEECH	717.22
48	18" BEECH	715.95
49	27" BEECH	710.67
51	24" DOUBLE WHITE OAK	738.66
53	17" RED OAK	741.57
54	23" WHITE OAK	739.24
55	19" WHITE OAK	737.86
56	18.5" WHITE OAK	733.20
57	25" RED OAK	731.76
58	21" SWEET GUM	740.72
59	23" WHITE OAK	732.77
60	18.5" WHITE OAK	729.33
61	21.5" RED OAK	725.13
62	20" WHITE ASH	724.45
63	17" ELM	726.65
64	24" SWEET GUM	722.67
65	32" MAPLE	719.14
66	18" SWEET GUM	722.41
67	36" WHITE OAK	721.49
68	44" TRIPLE SWEET GUM	726.19
70	21" MAPLE	726.45
72	18" WINGED ELM	733.09
73	23" SWEET GUM	735.41
74	30" CEDAR	733.38
75	32" DOUBLE SWEET GUM	732.07
76	42" RED OAK	723.27
77	42" BEECH	720.62
78	20" BLACK CHERRY	728.92
79	21" ELM	723.96
80	26" DOUBLE ELM	723.30
81	20" BEECH	717.35
82	22" SWEET GUM	715.01
84	11" CEDAR	-----
85	12" SWEET GUM	-----
86	16" SWEET GUM	-----
87	14" DOUBLE SWEET GUM	-----
88	18" WHITE OAK	-----
89	12" WHITE OAK	-----
90	12" RED OAK	-----
91	14" HICKORY	-----
98	11" HICKORY	-----
99	11" RED OAK	-----
100	18" RED OAK	740.92
101	37" BEECH	705.43
102	20" SWEET GUM	713.18
103	23" RED OAK	728.19
104	19" POST OAK	719.35
105	19" WHITE OAK	734.20
106	20" BEECH	706.22
107	19" WHITE OAK	736.93

SPECIMEN TREE DATA		
TREE NUMBER	DESCRIPTION	ELEVATION
108	12" WHITE OAK	746.27
109	15" CHEST NUT	748.68
110	13" RED OAK	746.31
111	15" WHITE ASH	740.65
112	12" CEDAR	742.47
113	12" OAK	738.78
114	15" WHITE OAK	735.23
115	15" RED OAK	737.50
116	16" WHITE OAK	727.95
117	12" POPLAR	727.58
118	17" WHITE OAK	730.77
120	16" RED OAK	743.24
124	12" RED OAK	755.55
125	13" POPLAR	747.41
126	13" POPLAR	746.49
127	12" RED OAK	743.36
128	15" RED OAK	752.83
129	13" RED OAK	752.32
130	12" WHITE OAK	752.72
133	13" BEECH	752.30
134	14" RED OAK	744.70
135	16" WHITE OAK	739.09
136	15" RED OAK	747.42
137	16" BEECH	753.03
138	12" RED OAK	747.42
139	12" WHITE OAK	754.03
140	13" SWEET GUM	752.92
141	14" WHITE OAK	749.24
142	14" RED OAK	732.58
143	15" BEECH	732.97
144	13" WHITE OAK	732.98
145	12" RED OAK	740.67
146	13" SWEET GUM	741.52
147	17" SWEET GUM	741.78
148	14" SWEET GUM	739.27
149	12" SWEET GUM	752.92
150	12" SWEET GUM	735.01
151	14" WHITE OAK	758.98
152	14" WHITE OAK	758.20
153	13" RED OAK	756.66
154	14" RED OAK	750.87
155	14" RED OAK	755.64
156	13" RED OAK	752.51
157	16" SWEET GUM	754.22
158	14" RED OAK	757.92

SURVEYOR NOTES

1. ALL DIMENSIONS SHOWN ARE IN US SURVEY FEET AND DECIMALS THEREOF AND ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED. BEARINGS ARE BASED ON GRID NORTH.
2. THIS SURVEY IS BASED ON DEED BOOK 26440 PAGE 914 AS RECORDED AT THE MECKLENBURG COUNTY REGISTER OF DEEDS.
3. THIS SURVEY IS SUBJECT TO, WITHOUT THE BENEFIT OF A TITLE EXAMINATION BY AN ATTORNEY, THE PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED RIGHTS-OF-WAY, EASEMENTS, RESTRICTIVE COVENANTS OR CONDITIONS NOT OBSERVED, OR SHOWN HEREON.
4. SITE AREA: 4.77 ACRES (207,800 SQUARE FEET) MORE OR LESS.
5. BASIS OF BEARINGS: DEED BOOK: 26440, PAGE: 914 – DATED: 04/27/2011.
6. ALL CORNERS "FOUND" OR "SET" ARE FLUSH WITH THE GROUND, UNLESS OTHERWISE NOTED. POINTS NOT LABELED "FOUND" OR "SET" ARE COMPUTED POINTS.
7. THE LOCATIONS OF ALL UNDERGROUND UTILITIES, PUBLIC OR PRIVATE ARE BASED ON THE LOCATION OF VISIBLE ABOVE GROUND APPURTENANCES ONLY. OTHER UTILITIES WHICH WERE NOT OBSERVED AND NOT SHOWN HEREON MAY EXIST. IT IS THE OWNERS/TENANTS RESPONSIBILITY TO ENSURE THAT ALL UTILITIES ON THE PROPERTY HAVE BEEN PROPERLY LOCATED PRIOR TO CONSTRUCTION. PATTERSON SURVEYING, P.A. CANNOT ASSUME RESPONSIBILITY FOR MISIDENTIFICATION OR OMISSION OF UNDERGROUND UTILITIES.
8. THIS SURVEY IS AN INFILL SURVEY OF A SINGLE EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
9. THIS PROPERTY LIES IN FLOOD ZONE "X" AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL 3710465000K, WITH AN EFFECTIVE DATE OF 11/16/2018.

GRAPHIC SCALE

50 0 25 50

(IN FEET)
1 inch = 50 feet

I, JOEL H. PATTERSON III, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK SEE ABOVE, PAGE VOL. ___, PAGE ___); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK ___, PAGE ___; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. THIS SURVEY IS OF ANOTHER CATEGORY, THE PROPOSED USE OF THIS SURVEY IS FOR INFORMATIONAL PURPOSES. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 28 DAY OF Dec ember, 2023.

JOEL H. PATTERSON III, PLS
LICENSE NUMBER: L-3717

NORTH CAROLINA PROFESSIONAL SEAL L-3717 LAND SURVEYOR JOEL H. PATTERSON III

DEED BOOK: 26440
PAGE: 914
DATED: 04/27/2011

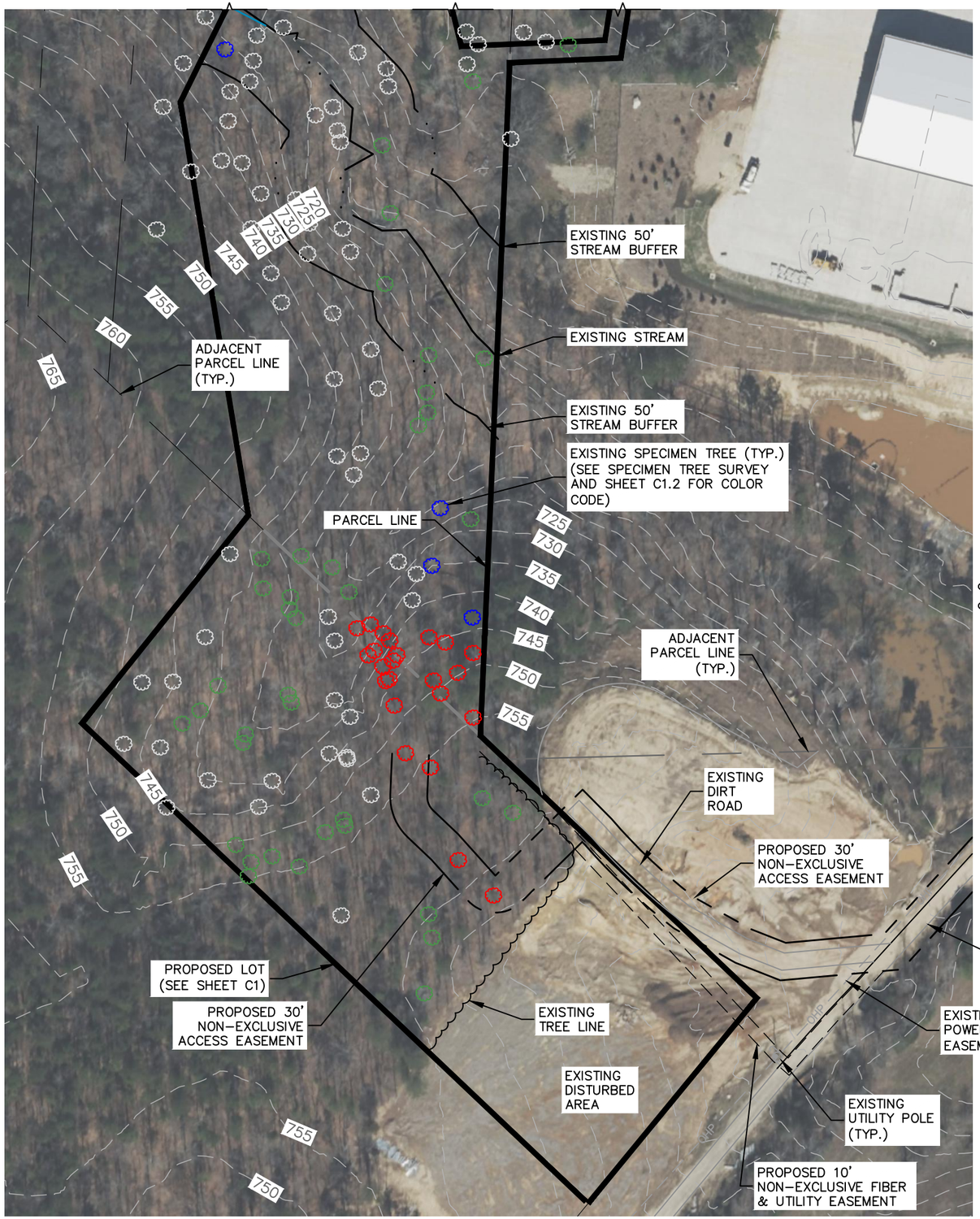
TREE SURVEY OF A PORTION OF
GREENWAY WASTE SOLUTIONS AT NORTH MECK, LLC

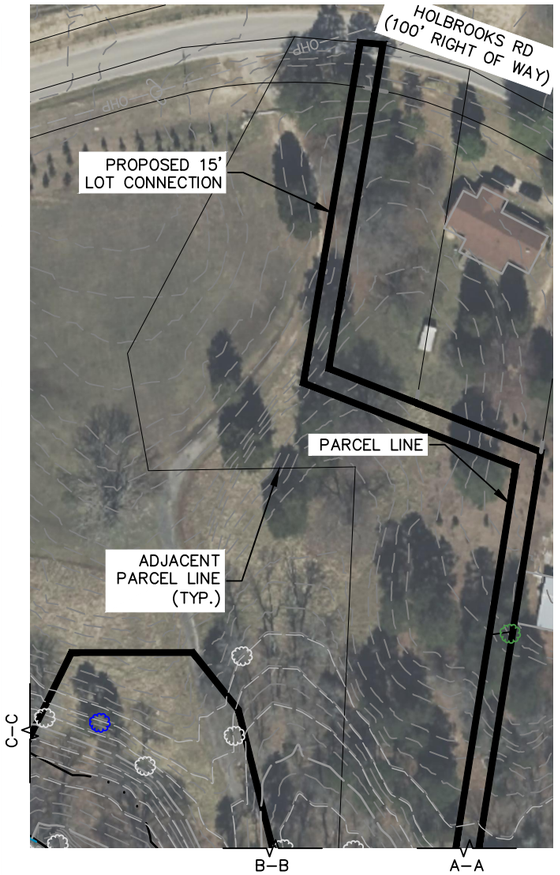
LEMLEY TOWNSHIP, MECKLENBURG COUNTY, NC

Prepared For:
GREENWAY WASTE SOLUTIONS AT NORTH MECK, LLC
19109 W. CATAWBA AVENUE, SUITE 200
CORNELIUS, NC 28031

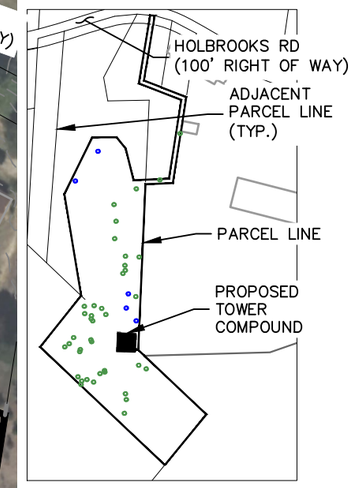
PATTERSON LAND SURVEYING, P.A.
NC LICENSE #: C-3390
P.O. BOX 5010, MOORESVILLE, NC 28117
PHONE: 704-663-0110 EMAIL: pattersonlandsurveying@gmail.com

Drawn By: BMB	Checked By: JHP	Scale 1"= 50'	Project No. 23007
Date: December 22, 2023			Sheet No. 1 of 1
File: 23007_TreeSurvey.dwg			





VICINITY MAP



NOTE:

1. THE CURRENT SITE DOES NOT CONTAIN THE FOLLOWING:
   - WETLANDS
   - OPEN FIELDS/MEADOWS, SCENIC VIEWS
   - SIGNIFICANT WILDLIFE HABITAT
   - PRIME AGRICULTURAL FARMLAND
   - HISTORIC, ARCHEOLOGICAL, OR CULTURAL FEATURES
   - AQUIFERS OR RECHARGE AREAS
   - CEMETERIES
   - TRAILS
   - TACKS
   - ROADS
2. THE EXISTING LAYOUT IS BASED OFF SURVEY PROVIDED BY PATTERSON LAND SURVEYING, P.A. DATED 08/01/23
3. KIMLEY–HORN HAS NOT CONDUCTED A SITE VISIT

1 / C0 EXISTING CONDITIONS

SCALE: 1" = 100'

NORTH

BERKLEY GROUP III LLC

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LICENSER:

NORTH CAROLINA PROFESSIONAL SEAL 042027 ENGINEER DAVID FRANKLIN

12/27/23

KHA PROJECT NUMBER: 019869008

DRAWN BY:	CHECKED BY:
WJW	KRM

SHEET TITLE: EXISTING CONDITIONS

SHEET NUMBER: C0

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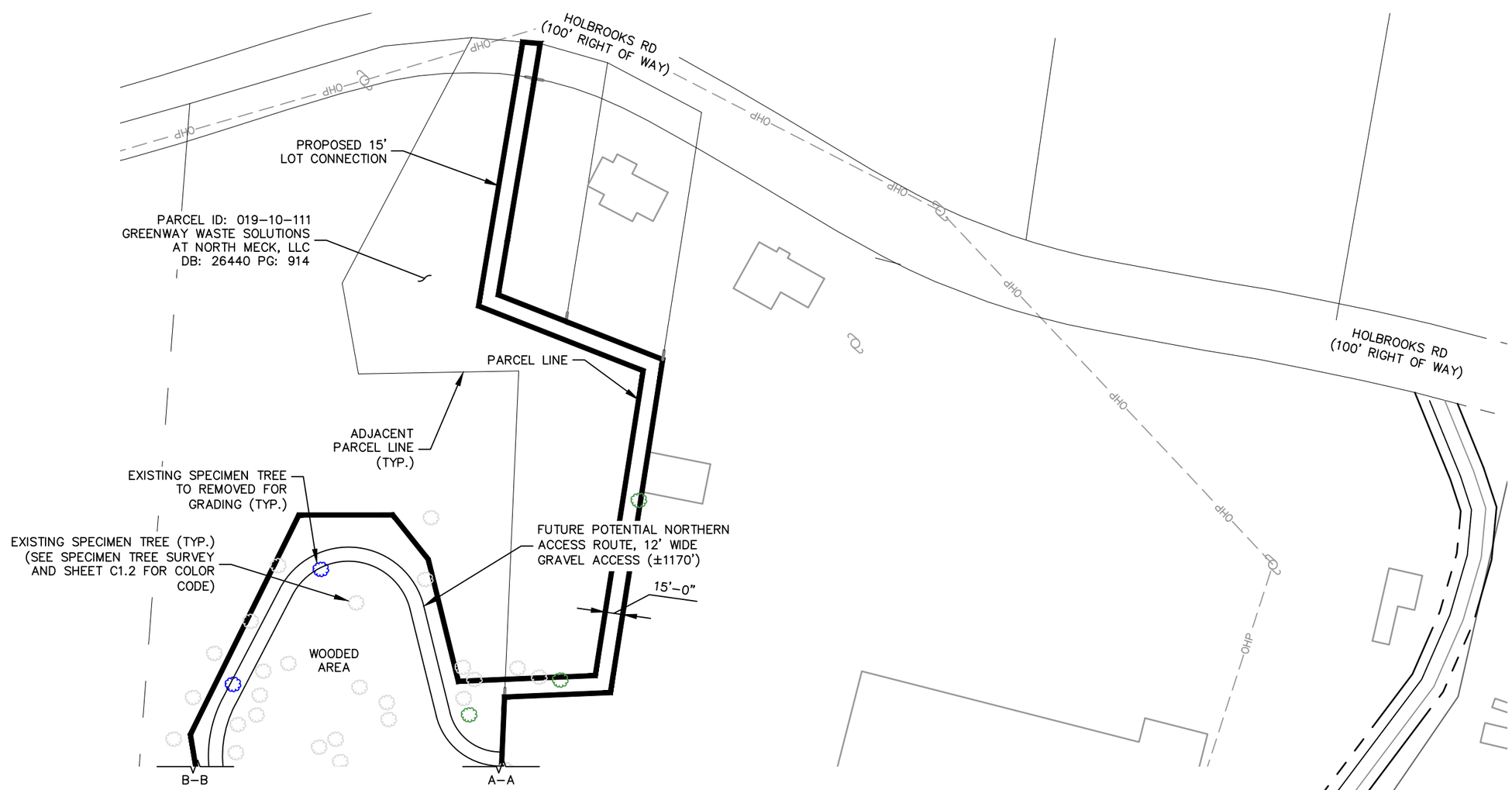

LEGEND

- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- EXISTING ADJACENT PROPERTY LINE
- EXISTING PROPERTY LINE TO BE RELOCATED

SURVEY NOTE:

1. PROPOSED COMPOUND LAYOUT BASED ON SURVEY PROVIDED BY PATTERSON LAND SURVEYING, P.A. DATED 08/01/23.
2. KIMLEY-HORN HAS NOT CONDUCTED A SITE VISIT.

1 / C1.1 PROPOSED PROPERTY LINES (LOT)

SCALE: 1" = 100'

BERKLEY GROUP III LLC

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DRAWN BY:	CHECKED BY:
WJW	KRM

SHEET TITLE:

OVERALL SITE PLAN

SHEET NUMBER:

C1.1

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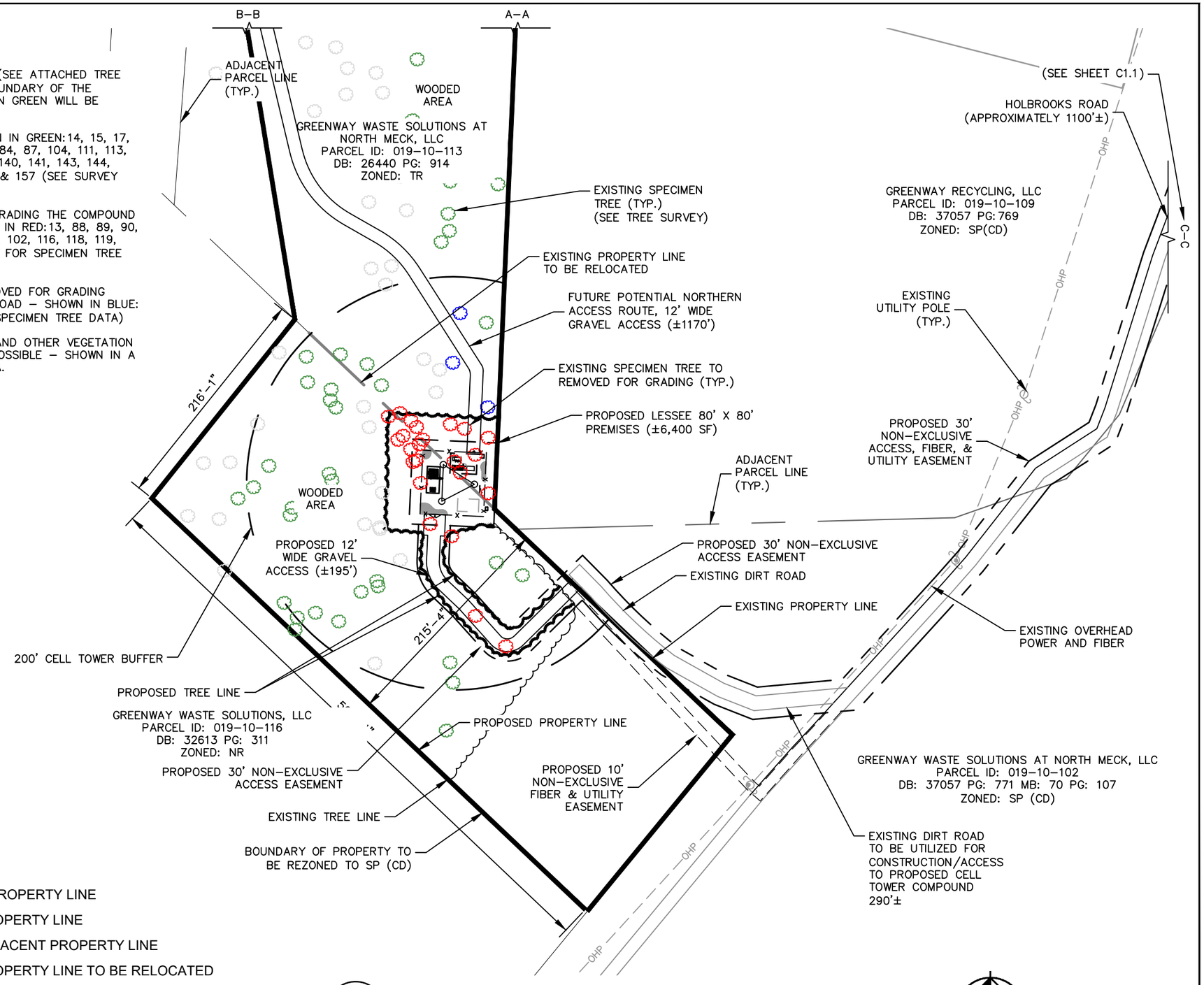
NOTE:

1. 125 SPECIMEN TREES WHERE SURVEYED (SEE ATTACHED TREE SURVEY), 5 TREES ARE OUTSIDE THE BOUNDARY OF THE REZONING. 40 SPECIMEN TREES SHOWN IN GREEN WILL BE SAVED.
2. SPECIMEN TREES TO BE SAVED – SHOWN IN GREEN: 14, 15, 17, 18, 19, 21, 24, 25, 33, 37, 49, 68, 81, 84, 87, 104, 111, 113, 114, 115, 129, 130, 133, 137, 138, 139, 140, 141, 143, 144, 145, 146, 149, 150, 151, 152, 155, 156, & 157 (SEE SURVEY FOR SPECIMEN TREE DATA)
3. SPECIMEN TREES TO BE REMOVED FOR GRADING THE COMPOUND AND SOUTHERN ACCESS ROAD – SHOWN IN RED: 13, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 101, 102, 116, 118, 119, 120, 124, 136, 153, & 154 (SEE SURVEY FOR SPECIMEN TREE DATA)
4. POTENTIAL SPECIMEN TREES TO BE REMOVED FOR GRADING FUTURE POTENTIAL NORTHERN ACCESS ROAD – SHOWN IN BLUE: 6, 11, 34, 61, & 74 (SEE SURVEY FOR SPECIMEN TREE DATA)
5. ALL REMAINING EXISTING ONSITE TREES AND OTHER VEGETATION SHALL BE PRESERVED TO THE EXTENT POSSIBLE – SHOWN IN A LIGHT GREY OR NOTED AS WOODED AREA.



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- EXISTING ADJACENT PROPERTY LINE
- EXISTING PROPERTY LINE TO BE RELOCATED

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1 / C1.2 PROPOSED PROPERTY LINES (LOT)

SCALE: 1" = 100'

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3	07/05/23	ZONING	DMF
2	03/02/23	ZONING	DMF
1	12/27/22	ZONING	DMF
0	07/26/22	ZONING	DMF

LICENSER:

NORTH CAROLINA PROFESSIONAL SEAL 042027 ENGINEER DAVID FRANKLIN 12/27/23

KHA PROJECT NUMBER: 019869008

DRAWN BY:	CHECKED BY:
WJW	KRM

SHEET TITLE:

OVERALL SITE PLAN

SHEET NUMBER:

C1.2

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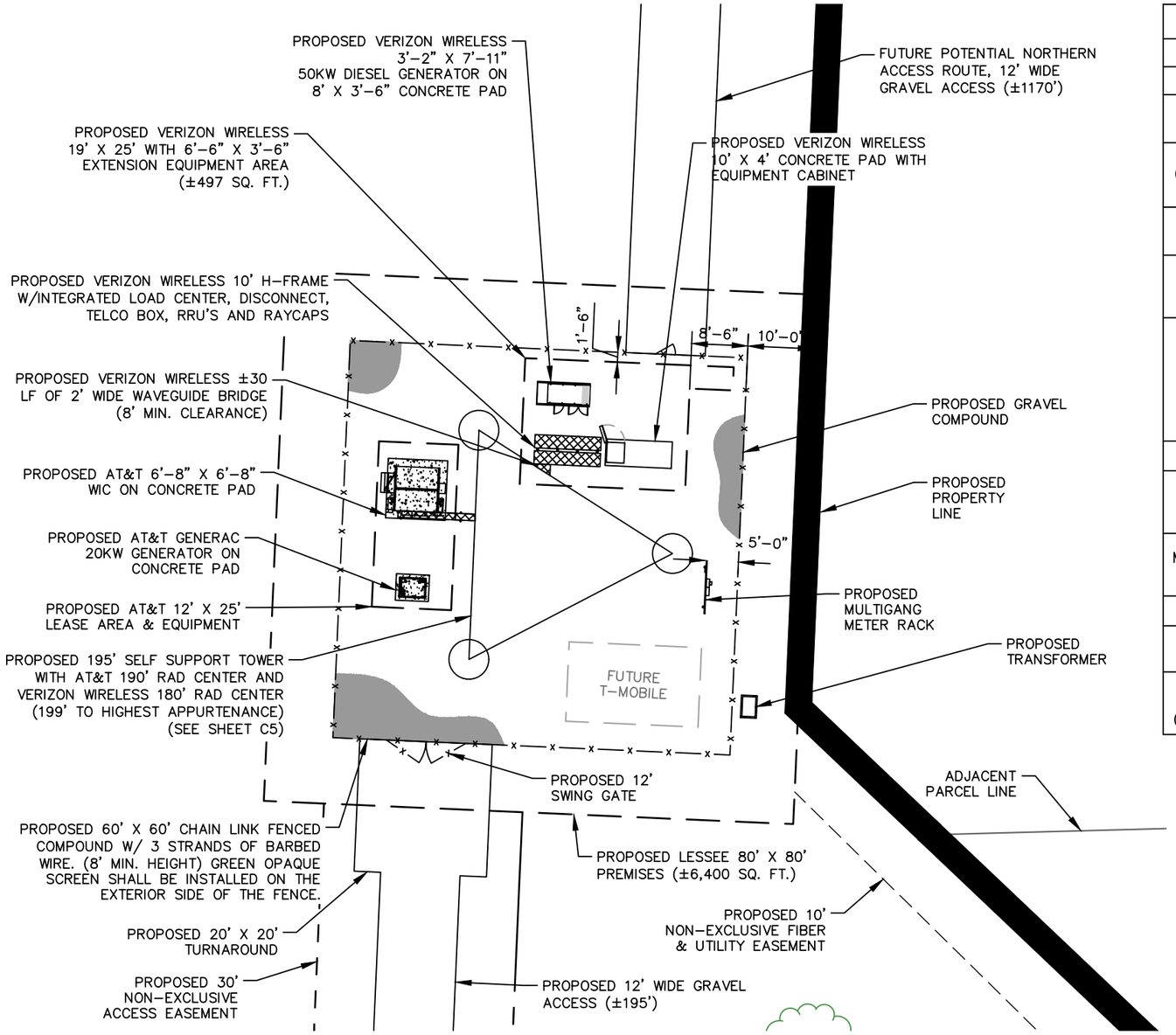

1 / C2 SITE PLAN

SCALE: 1" = 20'

SITE DATA TABLE		
TOTAL ACREAGE:	6.00 AC	
TOTAL SQUARE FEET:	261,264 SQ. FT.	
PRINCIPAL USE(S) (Z.O ARTICLE 3)	COMMERCIAL COMMUNICATIONS TOWER	
BUILDING TYPE (Z.O ARTICLE 3, 4, 8, AND 10)	N/A	
ZONING DISTRICT:	SP(CD)	
OVERLAY DISTRICT, IF APPLICABLE (ARTICLE 3 Z.O)	N/A	
PERCENTAGE OF IMPERVIOUS SHOWN	EXISTING – 0 SQ. FT. (0.0%) PROPOSED – 6,700 SQ. FT. (2.6%) TOTAL – 6,700 SQ. FT. (2.6%)	NORTH ACCESS W/ COMPOUND: EXISTING – 0 SQ. FT. (0.0%) PROPOSED – 23,860 SQ. FT. (9.1%) TOTAL – 23,860 SQ. FT. (9.1%)
LOT COUNT:	N/A	
TOTAL NUMBER OF DWELLINGS (DETACHED/ATTACHED)	N/A	
MIXED-USE# OF LIVE/WORK UNITS	N/A	
LOT SIZE RANGE	N/A	
LOT WIDTHS RANGE (Z.O ARTICLE 3)	N/A	
SETBACKS AND BUILD-TO-LINES (Z.O ARTICLE 3, 4, AND 8)	N/A	

NORTH

0 10 20 40

GRAPHIC SCALE: 1" = 20'

BERKLEY GROUP III LLC

PROJECT INFORMATION:

SITE NAME:
HUNTERSVILLE CENTER

15105 HOLBROOKS ROAD
HUNTERSVILLE, NC 28078
MECKLENBURG COUNTY

PLANS PREPARED BY:

Kimley»Horn

11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GA 30009
PHONE: 770-619-4280
WWW.KIMLEY-HORN.COM
NC License F-0102

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LICENSER:

NORTH CAROLINA PROFESSIONAL SEAL 042027 ENGINEER DAVID FRANKLIN

12/27/23

KHA PROJECT NUMBER:
019869008

DRAWN BY: WJW
CHECKED BY: KRM

SHEET TITLE:
SITE PLAN

SHEET NUMBER:
C2

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NOTE:
CURRENT DESIGN ANTICIPATES APPROXIMATELY 17,520± SQ. FT. (0.40 ACRES) OF CLEARING AND GRADING FOR THE PROPOSED PROJECT. IF ADDITIONAL CLEARING IS REQUIRED BEYOND WHAT IS SHOWN IN THE PLANS THE CONTRACTOR SHALL NOTIFY THE ENGINEER AND/OR PROJECT MANAGER. IF DURING THE BID WALK OR CONSTRUCTION IT IS DETERMINED THAT MORE THAN (1) ACRE OF LAND IS TO BE DISTURBED FOR CONSTRUCTION AN EROSION AND SEDIMENTATION CONTROL PLAN MUST BE FILED 30 DAYS PRIOR TO CONSTRUCTION.

LEGEND

EXISTING CONTOURS

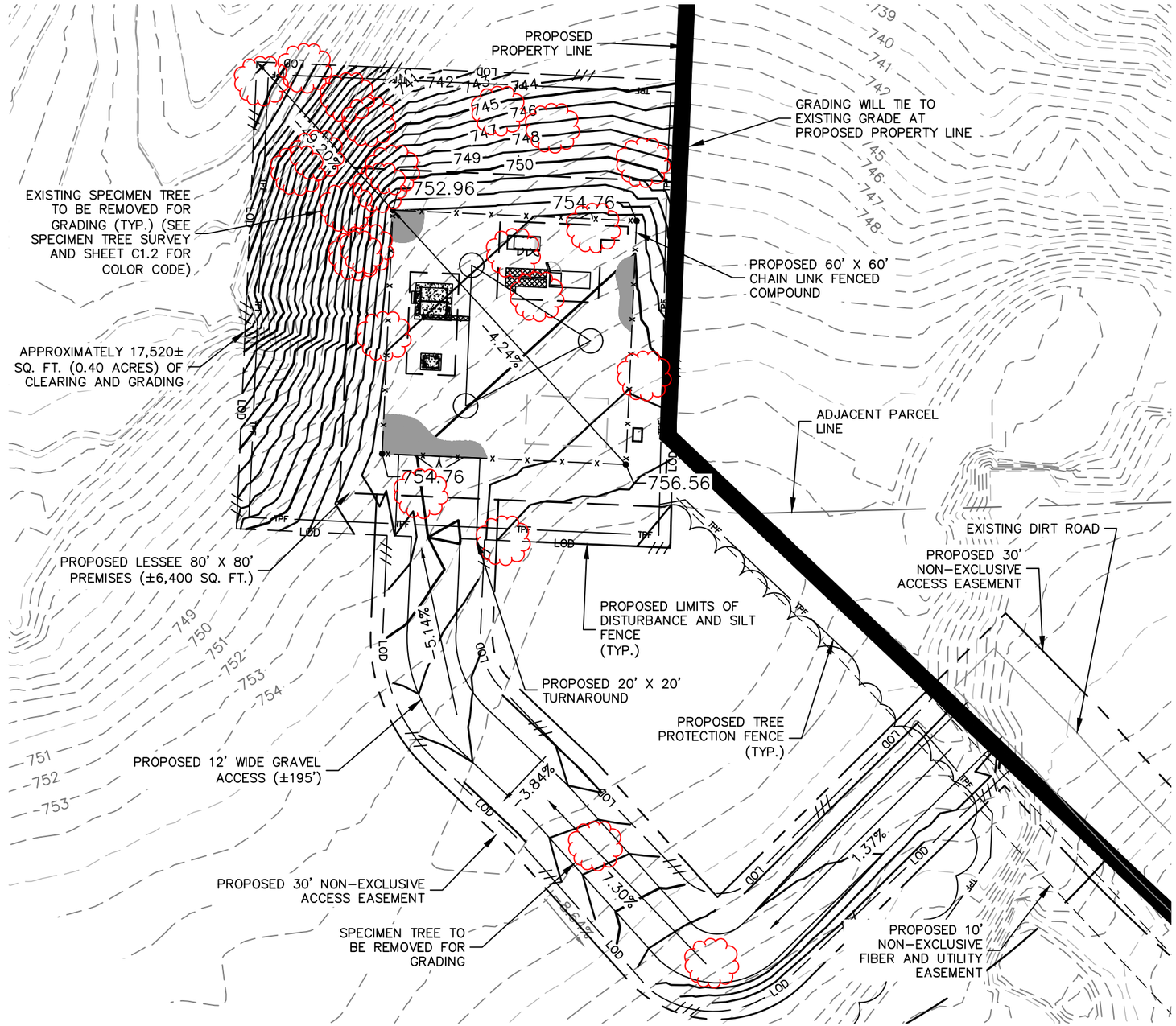
PROPOSED CONTOURS

LOD/SILT FENCE — LOD —

TPF — TPF — TPF —

EXISTING SPOT ELEVATION x XXX

PROPOSED SPOT ELEVATION ● XXX



NOTE:
FUTURE POTENTIAL NORTHERN ACCESS ROAD NOT SHOWN FOR CLAIRITY.

1 / C2.1 GRADING PLAN
SCALE: 1" = 30'

NORTH

0 15 30 60
GRAPHIC SCALE: 1" = 30'

BERKLEY GROUP III LLC

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NORTH CAROLINA PROFESSIONAL SEAL 042027 ENGINEER DAVID FRANKLIN
12/27/23

KHA PROJECT NUMBER:
019869008

DRAWN BY: WJW
CHECKED BY: KRM

SHEET TITLE:
CONCEPT GRADING PLAN

SHEET NUMBER:
C2.1

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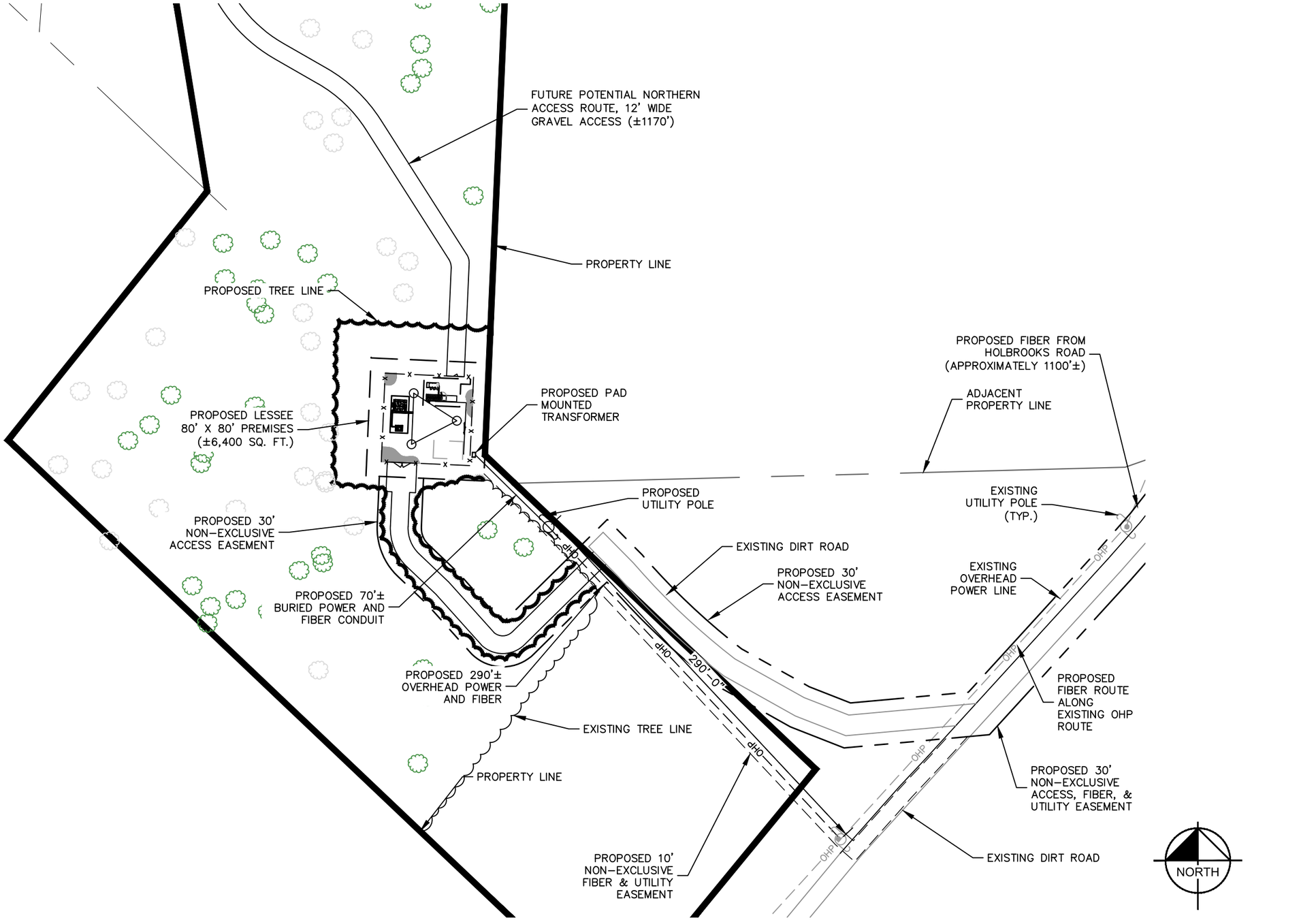

1 / C2.2 UTILITY PLAN

SCALE: 1" = 70'

BERKLEY GROUP III LLC

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12/27/23

KHA PROJECT NUMBER:
019869008

DRAWN BY: WJW
CHECKED BY: KRM

SHEET TITLE:
CONCEPT UTILTY PLAN

SHEET NUMBER:
C2.2

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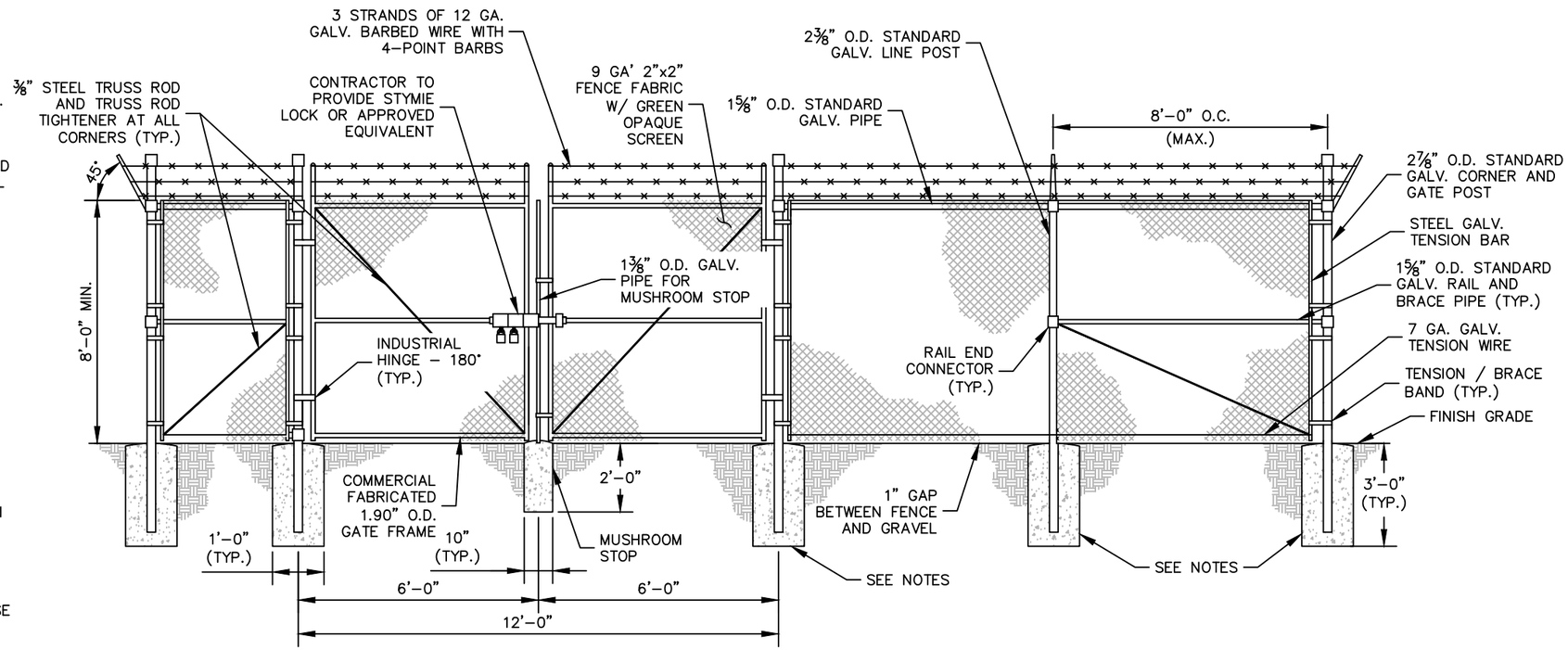
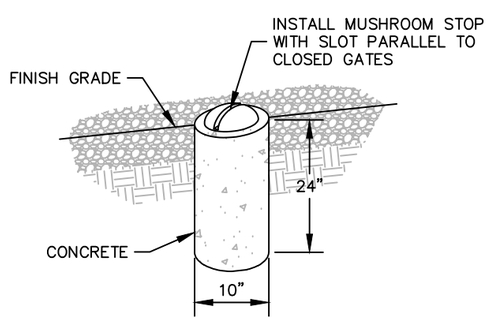
FENCE NOTES:

1. USE 3,000–PSI CONCRETE, FULLY CONSOLIDATED AROUND THE POST.
2. WHERE THE POST IS SET IN ROCK OR CONCRETE, CORE A HOLE 12" DEEP AND 1" LARGER IN DIAMETER THAN THE POST. SET THE POST AND GROUT IN PLACE USING NON–SHRINK GROUT.
3. ALL POSTS MUST BE PLUMB AND ALIGNED WITH ONE ANOTHER IN BOTH HORIZONTAL AND VERTICAL PLANES.
4. CORNERS AND GATEPOSTS FOR CHAIN LINK FENCES SHALL EXTEND ABOVE THE TOP STRAND OF BARBED WIRE TO PROVIDE TENSIONING FOR THE BARBED WIRE.
5. PROVIDE MIDRAILS AND BRACING AT ALL CORNER POSTS WHERE THE FENCE CHANGES DIRECTION BY MORE THAN 30 DEGREES.
6. THE GRADE OF THE SITE AND INSTALLATION OF THE FENCE SHALL PROVIDE FOR NO MORE THAN A 1" GAP BETWEEN THE BOTTOM OF THE FENCE MATERIAL AND FINISH GRADE.
7. CONTRACTOR SHALL PROVIDE HOLD OPEN DEVICES FOR ALL GATES AT THE SPECIFIED OPEN POSITIONS, DRIVEN PIPE TYPE RECEIVERS ARE NOT AUTHORIZED.
8. CONTRACTOR SHALL ALSO PROVIDE A MUSHROOM TYPE RECEIVER AT THE CLOSE POSITION.



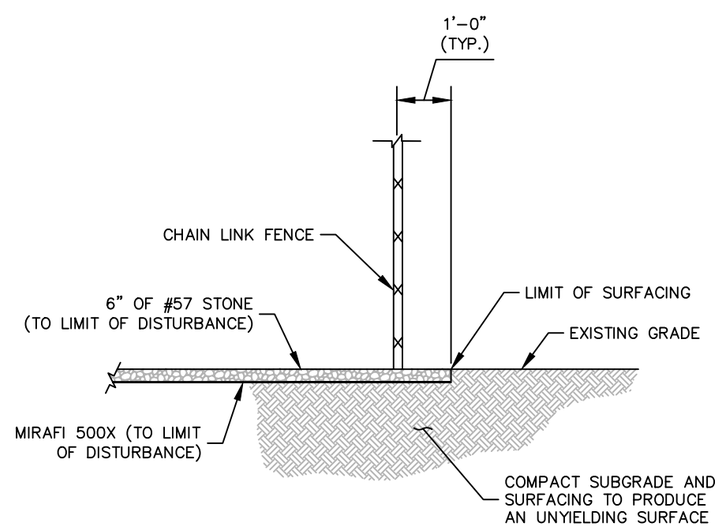
1 / C3 CHAIN LINK FENCE AND GATE ELEVATION

NOT TO SCALE



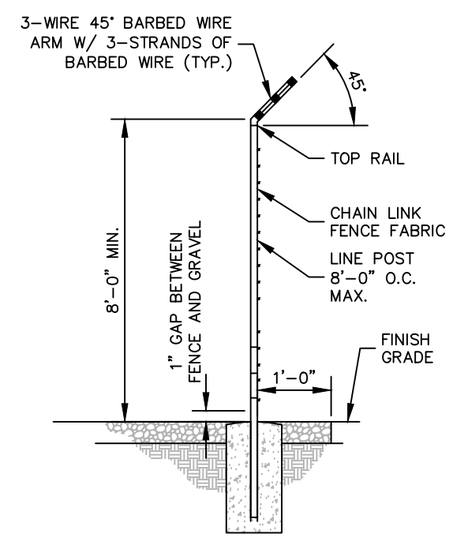
2 / C3 MUSHROOM STOP

NOT TO SCALE



3 / C3 SITE COMPOUND SURFACE DETAIL

NOT TO SCALE



4 / C3 SECTION AT FENCE

NOT TO SCALE

BERKLEY GROUP III LLC

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15105 HOLBROOKS ROAD
HUNTERSVILLE, NC 28078
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NORTH CAROLINA PROFESSIONAL SEAL 042027 ENGINEER DAVID FRANKLIN 12/27/23

KHA PROJECT NUMBER:
019869008

DRAWN BY: WJW
CHECKED BY: KRM

SHEET TITLE:
FENCE, GATE, AND COMPOUND DETAILS

SHEET NUMBER:
C3

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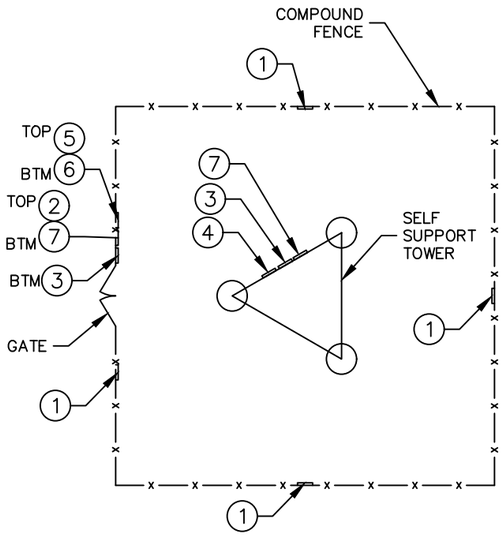


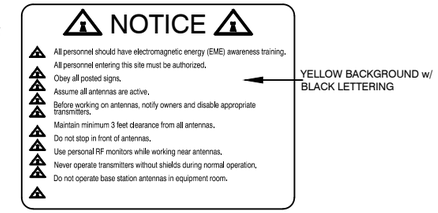
NOTE: SEE TYPICAL SIGNS AND SPECIFICATIONS DETAIL ON THIS SHEET FOR SIGN DESIGNATIONS.

1 / C4 SIGN PLACEMENT PLAN VIEW

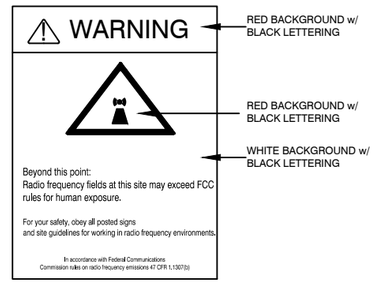
NOT TO SCALE

① NO-TRESPASSING SIGN
18" HIGH X 24" WIDE
(OPERATIONS PROVIDED)

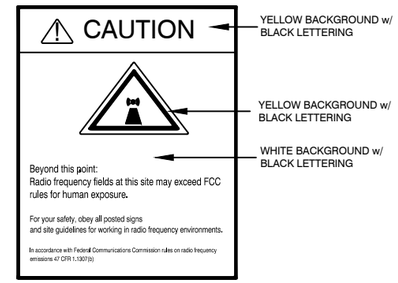
② SITE ID SIGN
18" HIGH X 24" WIDE
(OPERATIONS PROVIDED)



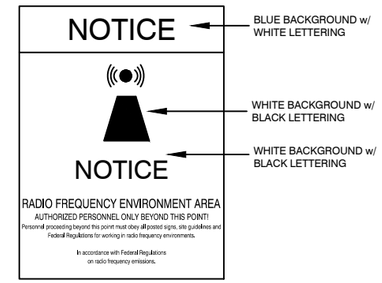
③ NOTICE-RFE SIGN
12" HIGH X 18" WIDE
(OPERATIONS PROVIDED)



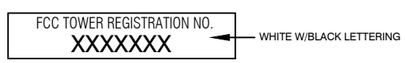
④ WARNING-RF SIGN (RED)
12" WIDE X 18" HIGH



⑤ CAUTION-RF SIGN (YELLOW)
12" WIDE X 18" HIGH



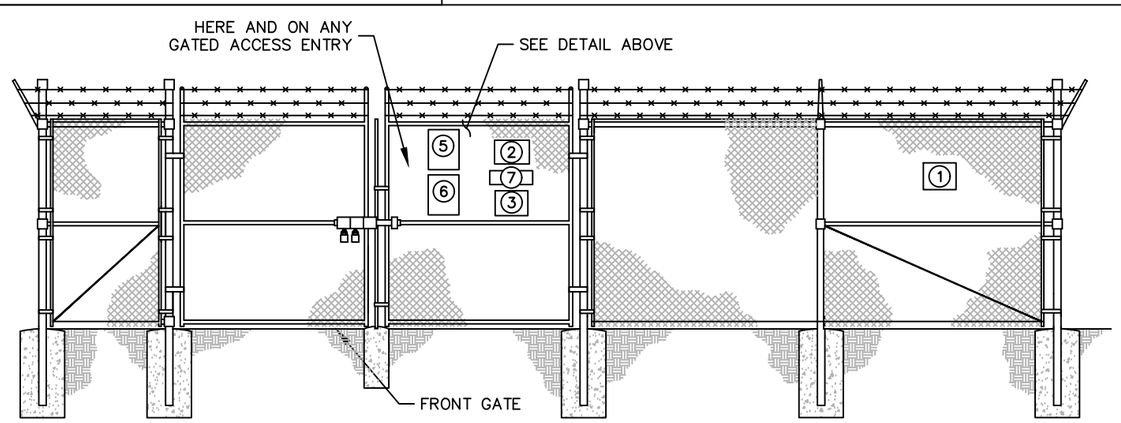
⑥ NOTICE-RF SIGN (BLUE)
12" WIDE X 18" HIGH



⑦ FCC REGISTRATION SIGN
20 WIDE X 4" HIGH

2 / C4 TYPICAL SIGNS AND SPECIFICATIONS

NOT TO SCALE



3 / C4 SIGN PLACEMENT FRONT GATE VIEW

NOT TO SCALE

SIGNAGE NOTES:
1. SIGNS SHALL BE FABRICATED FROM CORROSION RESISTANT PRESSED METAL, AND PAINTED WITH LONG LASTING UV RESISTANT COATINGS.
2. SIGNS (EXCEPT WHERE NOTED OTHERWISE) SHALL BE MOUNTED TO THE TOWER, GATE, AND FENCE USING A MINIMUM OF 9 GAUGE ALUMINUM WIRE, HOG RINGS (AS UTILIZED IN FENCE INSTALLATIONS) OR BRACKETS WHERE NECESSARY. BRACKETS SHALL BE OF SIMILAR METAL AS THE STRUCTURE TO AVOID GALVANIC CORROSION.

BERKLEY GROUP III LLC

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CHECKED BY: KRM

SHEET TITLE:
SITE SIGNAGE DETAILS

SHEET NUMBER:
C4

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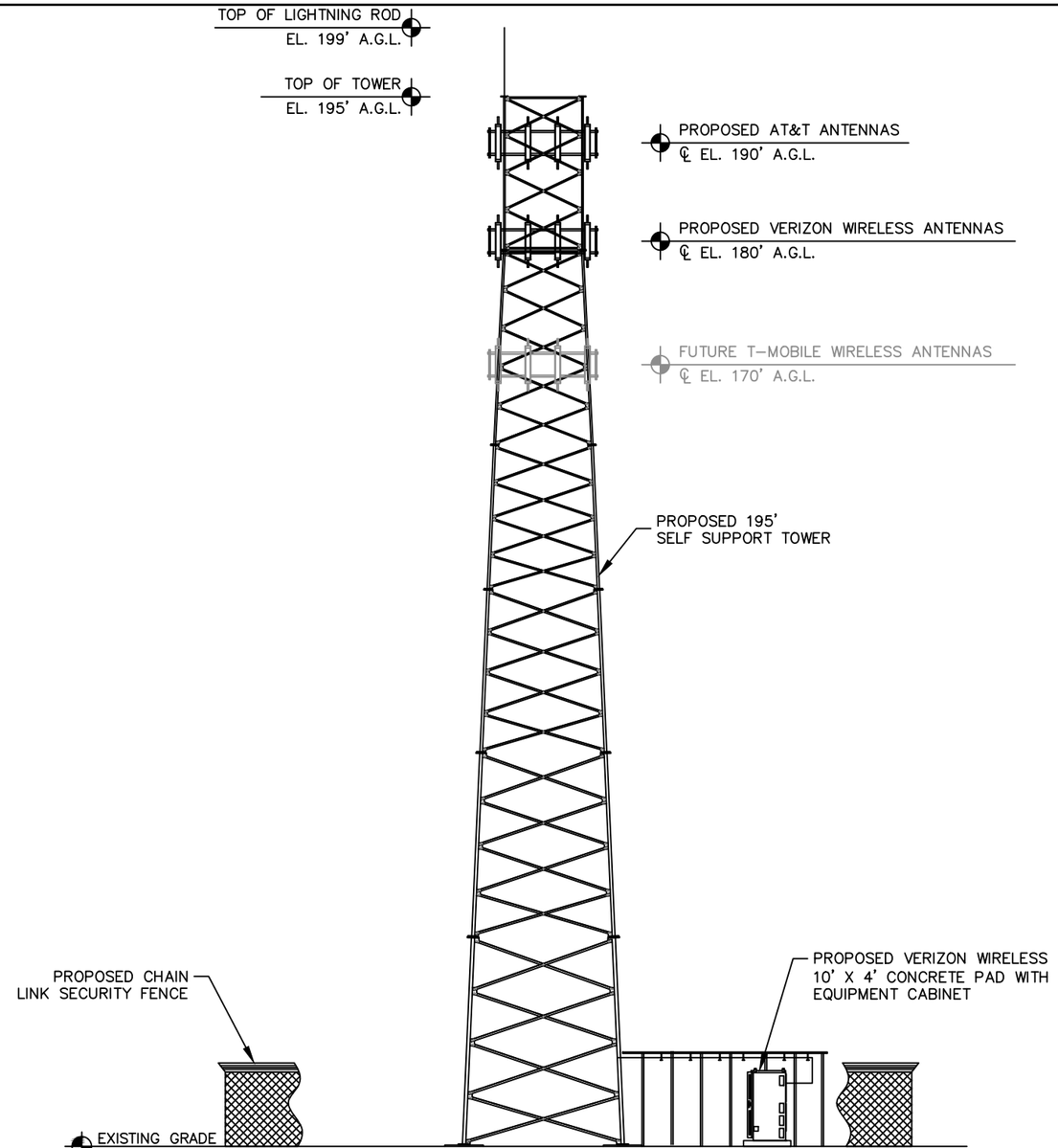

1 / C5 SELF SUPPORT TOWER ELEVATION

NOT TO SCALE

NOTES:

1. ALL PROPOSED ATTACHMENTS TO TOWER BASED ON TOWER DESIGN DRAWINGS BY OTHERS.
2. THE TOWER ELEVATION SHOWN IS FOR REFERENCE ONLY. TOWER DOES NOT REQUIRE LIGHTING.
3. COAX/FIBER CABLE LENGTHS ARE APPROXIMATE. CONTRACTOR TO VERIFY CORRECT LENGTH IN FIELD AT TIME OF CONSTRUCTION.
4. PROPOSED TOWER WILL BE GALVANIZED STEEL-GRAY IN COLOR.
5. AT&T GROUND EQUIPMENT NOT SHOWN FOR CLARITY.

BERKLEY GROUP III LLC

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KHA PROJECT NUMBER:
019869008

DRAWN BY: WJW
CHECKED BY: KRM

SHEET TITLE:
ANTENNA AND TOWER ELEVATION DETAILS

SHEET NUMBER:
C5

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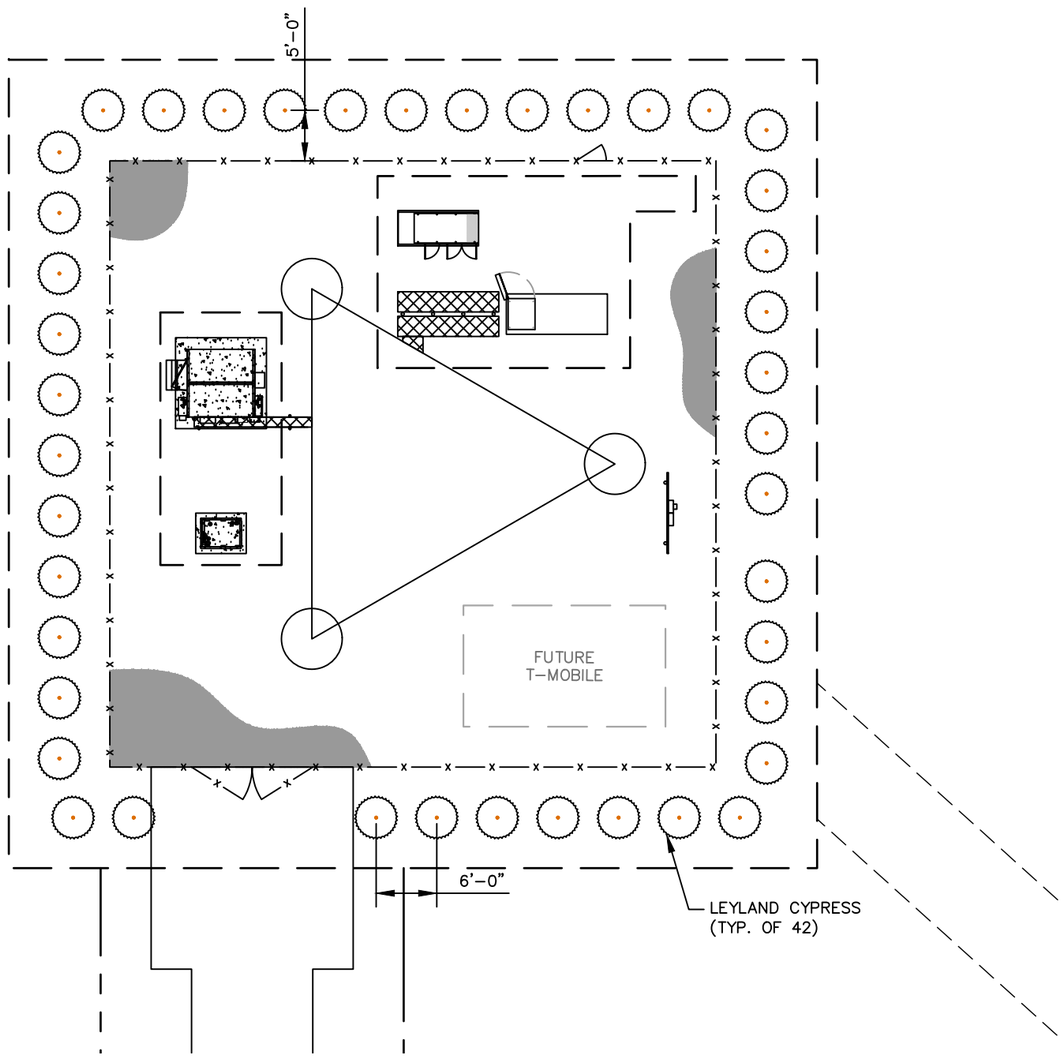


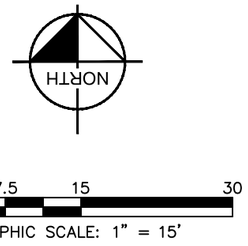
1
L1

LANDSCAPING PLAN

SCALE: 1" = 15'

GENERAL LANDSCAPE NOTES:

1. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION OF HIS WORK WITH THAT OF ALL OTHER CONTRACTORS. THIS PLAN DOES NOT GUARANTEE THE EXISTENCE OR NON-EXISTENCE OF ANY UTILITIES. PRIOR TO COMMENCEMENT OF ANY WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THE LOCATIONS OF ALL ABOVE GROUND AND UNDERGROUND UTILITIES.
2. THE QUALITY AND SIZE OF ALL PLANT MATERIAL SHALL CONFORM TO THE MOST CURRENT STANDARDS AS SET FORTH IN ANSI Z60.180 - AMERICAN STANDARD FOR NURSERY STOCK.
3. ALL DISTURBED AREAS NOT COVERED BY HARDSCAPE OR PLANT MATERIALS SHALL BE COVERED WITH SEED AND STRAW.
4. PLANT SUBSTITUTION MAY BE PERMITTED ONLY AFTER PROOF THAT SPECIFIED PLANTS ARE UNAVAILABLE AND THE REQUEST HAS BEEN SUBMITTED TO THE OWNER OR LANDSCAPE ARCHITECT. THE CONTRACTOR SHALL PROVIDE THE NEAREST EQUIVALENT OBTAINABLE SIZE AND VARIETY OF THE PLANT HAVING THE SAME ESSENTIAL CHARACTERISTICS AS THE PLANT SPECIFIED
5. MINOR PLANT LOCATION ADJUSTMENTS MAY BE MADE IN THE FIELD TO ENSURE ACCESS TO UTILITY JUNCTION BOXES, FREE SITE LIGHTING OF FUTURE TREE CANOPY INTERFERENCE AND ALLOW UNINHIBITED PEDESTRIAN / VEHICULAR CIRCULATION ON ALL PAVEMENTS OR FOUNDATIONS.
6. ALL SHRUB MASSES OF TWO OR MORE SHALL BE EDGED INTO A PLANTING BED AND MULCHED PER DETAIL. ALL INDIVIDUAL TREES AND SHRUBS SHALL HAVE A MULCH SAUCER EQUAL IN DIAMETER TO THE PLANTING PIT DIAMETER AND SHALL BE MULCHED AS SHOWN ON THE DETAILS. UNLESS OTHERWISE INDICATED, ALL BED EDGES SHALL BE A DEEP CUT CLEAN SPADE EDGE.
7. THE CONTRACTOR SHALL VERIFY THAT EACH TREE OR SHRUB PIT WILL DRAIN BEFORE INSTALLING PLANT MATERIAL. HE SHALL FILL THE HOLE WITH SIX INCHES (6") OF WATER THAT SHOULD PERCOLATE OUT WITHIN TWENTY-FOUR HOURS. SHOULD ANY AREA NOT DRAIN PROPERLY, A PERFORATED DRAIN LINE SHALL BE INSTALLED, OR THE PLANTS RELOCATED.
8. THE CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY IF HE ENCOUNTERS ANY UNSUITABLE SURFACE OR SUBSURFACE DRAINAGE CONDITIONS, SOIL DEPTH, LATENT SOILS, HARD PAN, UTILITY LINES, OR OTHER CONDITIONS THAT WILL JEOPARDIZE THE HEALTH AND VIGOR OF THE PLANTS. SHOULD THE CONTRACTOR NOT NOTIFY THE OWNER OF A PROBLEM AREA, HE WARRANTS THAT THE AREAS ARE SUITABLE FOR PROPER GROWTH AND DEVELOPMENT OF ALL PLANTS INSTALLED.
9. THE CONTRACTOR SHOULD VERIFY LANDSCAPING/TREE PLANTING LOCATIONS WITH THE PUBLIC UTILITIES DEPARTMENT TO AVOID CONFLICTS WITH WATER, SEWER, AND GAS LINES.
10. PLANTS SHALL BE SO TRAINED IN DEVELOPMENT AND APPEARANCE AS TO BE UNQUESTIONABLE SUPERIOR IN FORM, COMPACTNESS AND SYMMETRY. THEY SHALL BE SOUND, HEALTHY, VIGOROUS, WELL BRANCHED AND DENSELY FOLIATED WHEN IN LEAF, AND FREE OF DISEASE AND INSECT ADULT EGGS, PUPAE OR LARVAE. THEY SHALL HAVE HEALTHY, WELL-DEVELOPED ROOT SYSTEMS AND SHALL BE FREE FROM PHYSICAL DAMAGE OR OTHER CONDITIONS THAT WOULD PREVENT THRIVING GROWTH.
11. THERE SHALL BE NO CIRCLING OR GIRDLING ROOTS. CIRCLING ROOTS SHOULD BE CUT IN AT LEAST ONE PLACE.
12. THERE SHOULD BE ONE DOMINANT LEADER TO THE TOP OF THE TREE WITH THE LARGEST BRANCHES SPACED AT LEAST 6 INCHES APART. THERE CAN BE TWO LEADERS IN THE TOP 10% OF THE TREE IF IT IS OTHERWISE OF GOOD QUALITY.
13. THE TREE CANOPY SHOULD BE SYMMETRICAL AND FREE OF LARGE VOIDS. CLEAR TRUNK SHOULD BE NO MORE THAN 40% OF TREE HEIGHT UNLESS OTHERWISE SPECIFIED IN THE PLANTING SPECIFICATIONS. CLEAR TRUNK SHALL BE OF SUFFICIENT HEIGHT TO CLEAR SURROUNDING USES THAT MAY BE IMPACTED BY THE FUTURE GROWTH OF THE TREE.
14. OPEN TRUNK AND BRANCH WOUNDS SHALL BE LESS THAN 10% OF THE CIRCUMFERENCE AT THE WOUND AND NO MORE THAN 2 INCHES TALL. PROPERLY MADE PRUNING CUTS ARE NOT CONSIDERED OPEN TRUNK WOUNDS. THERE SHOULD BE NO CONKS OR BLEEDING, AND THERE SHOULD BE NO SIGNS OF INSECTS OR DISEASE ON MORE THAN 5% OF THE TREE.
15. IF ANY OF THE ABOVE CONDITIONS ARE NOT MET, TREES MAY BE REJECTED.
16. TREE PROTECTION DEVICES MUST BE INSTALLED AND INSPECTED PRIOR TO ANY CLEARING, GRUBBING, OR GRADING OF THE SITE BY THE LOCAL ARBORIST.



BERKLEY GROUP III LLC

PROJECT INFORMATION:

SITE NAME:
HUNTERSVILLE CENTER

15105 HOLBROOKS ROAD
HUNTERSVILLE, NC 28078
MECKLENBURG COUNTY

PLANS PREPARED BY:

Kimley»Horn

11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GA 30009
PHONE: 770-619-4280
WWW.KIMLEY-HORN.COM
NC License F-0102

REV:	DATE:	ISSUED FOR:	BY:
8	12/27/23	ZONING	DMF
7	11/09/23	ZONING	DMF
6	08/29/23	ZONING	DMF
5	08/01/23	ZONING	DMF
4	07/27/23	ZONING	DMF
3	07/05/23	ZONING	DMF
2	03/02/23	ZONING	DMF
1	12/27/22	ZONING	DMF
0	07/26/22	ZONING	DMF

LICENSER:

NORTH CAROLINA PROFESSIONAL SEAL 042027 ENGINEER DAVID FRANKLIN
12/27/23

KHA PROJECT NUMBER:
019869008

DRAWN BY:	CHECKED BY:
WJW	KRM

SHEET TITLE:
LANDSCAPING PLAN & NOTES

SHEET NUMBER:
L1

k:\ral_wireless\berkley group\CAD\ZD\Rev6_08_24_23\EQar-GB.dwg ---- 12/27/23 3:32 PM by: Robert.Giesen

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Huntersville Center Telecommunications Tower

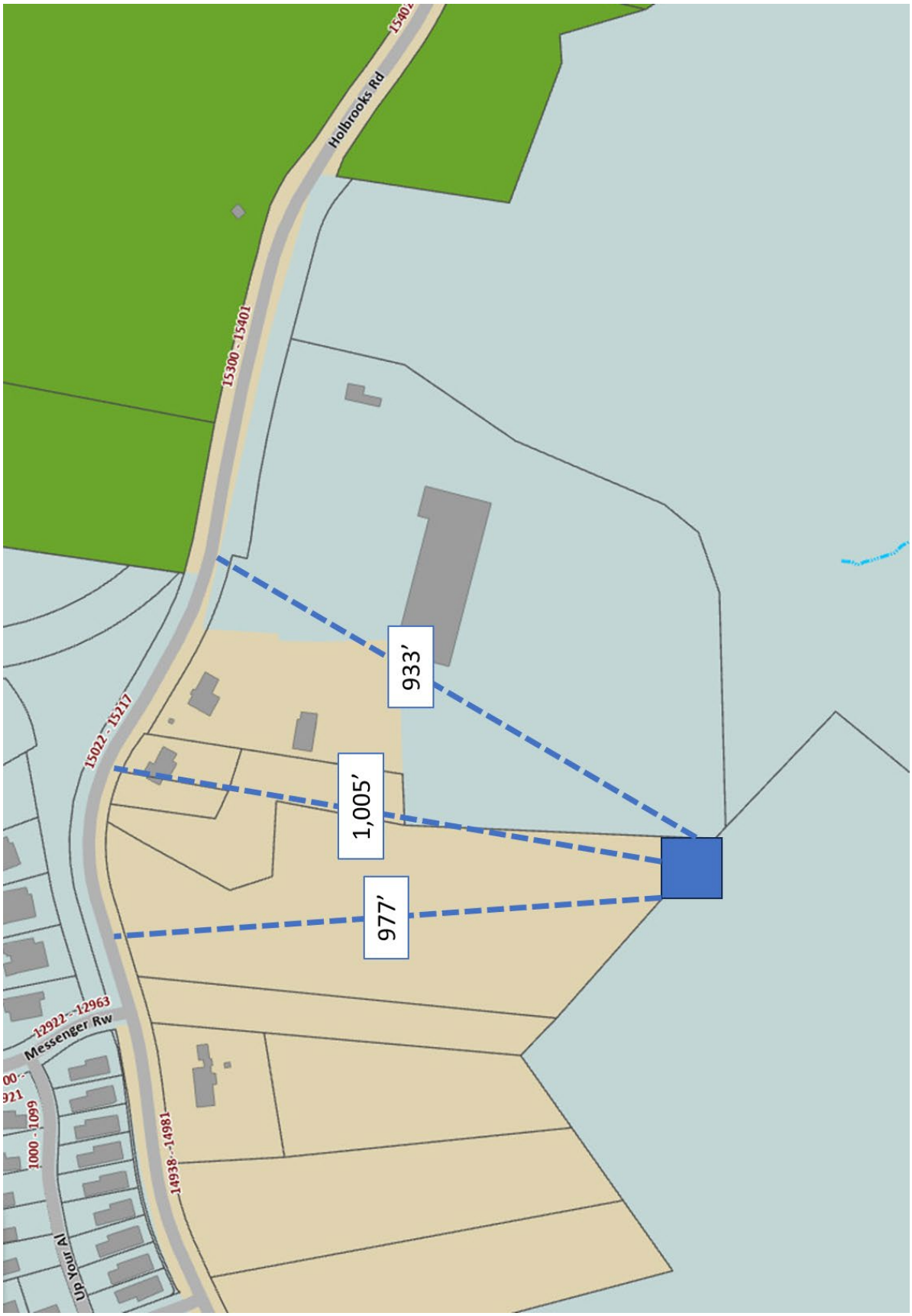
Community Meeting Report

Location: Huntersville Arts and Cultural Center
Date: October 30, 2023
Time: 6:00pm – 7:00pm

Applicant and the community attendees discussed the following comments and questions (answers to questions in bold):

- What is the specific rezoning language for the project? **The rezoning language allows for communications towers and the associated accessory uses. The land is being rezoned from Neighborhood Residential (NR) to Special Purpose-Conditional District (SP-CD) to allow for the construction of the cell tower. The language is as follows:**
    - *As shown on the Site Plan, the Property may be developed for a Commercial Communication Tower use, and any accessory uses to the Commercial Communication Tower use, subject to the development standards associated with such use. Residential use is not permitted in the 200' buffer shown on the Rezoning Plan. 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 Standards. In the event there is a conflict or inconsistency between these rezoning notes and the Rezoning Plan or application, these rezoning notes shall control.*
- Will there be any flashing lights or other light fixtures on the structure? **No, the tower is under the 200' requirement for flashing lights required by the FAA. In the preliminary studies, no lighting was indicated.**
- Are there any towers nearby that look like this proposed tower? **There is an original communications tower near the Food Lion on Gilead Rd. and HWY 21.**
- How stable is the tower? **Technology has advanced to allow for shorter, stronger towers with more capabilities. This tower will last 70 + years structurally.**
- What if someone else wants to build a tower near this one? **New towers cannot be placed within a one-mile radius of an existing tower. Any new tower would be at least one mile away.**
- Is there a need for this tower in the area? **Yes, particularly to improve the coverage for emergency calls. The coverage map from the Community Meeting presentation (attached) shows the sparse coverage in the area. 68% of 911 calls come through cell towers from cell phones.**
- Why is the property such a weird shape? **The odd shape is due to the requirements of the Huntersville Zoning Ordinance that communication towers meet criteria for siting and setbacks.**
- What is the timeline for construction? **After zoning approvals, the building permit will happen which takes some time. After that, the materials are delivered the construction process should only take 2 months. Engineered drawings go through the approval process which can take 3-6 months.**
- How intense is the construction process? **This is a very non-invasive construction process.**

- After installation will there be any traffic or construction? **The initial construction will bring the most traffic and that is a total of 3-5 days of heavy construction, but overall, it will be a short 2-month process. Once functioning, the carriers will visit the site every couple of months for routine maintenance and upkeep in an SUV type of vehicle.**
- What is the structural integrity of the tower? **The tower is incredibly well engineered and built to withstand extreme conditions. It meets and exceeds all local, state, and federal laws.**
- How big will the access road be, and will it go all the way up to Holbrooks Road? **The access road to Holbrooks Road is so the lot fronts a public street. The property will use an already existing access road through the adjacent site.**
- Will the access road to Holbrooks be paved? (Neighbors indicated they do not want it paved) **The developer intends to disturb as little of the area as possible. The road will not be paved unless required by the Town or if access through the adjacent property is eliminated.**
- Will there be a gate at the entrance to keep people from trespassing? (Neighbors indicated they did not want a gate at Holbrooks Road) **There is a company gate at Holbrooks Road now, and there will be a fence that surrounds the 60' by 60' area where the tower is located to comply with regulations. The fence is a minimum of 8 feet tall.**
- What is the distance to Holbrooks Road from the 60' by 60' pad? (Applicant did not have exact number during Community Meeting) **Holbrooks Road is approximately 1000' from Holbrooks Road (see attached site plan).**
- How many trees will be cleared? **The applicant will save as many trees as possible (see the attached tree survey).**
- Were all the required notices sent out? And were the notices sent by certified mail? **The notices were sent to the following neighbors and the list was confirmed by the Town of Huntersville. The notices were sent out to all the required recipients. (See attached mailing list and certified mail receipts)**
- Will there be any change to the location of the 60' by 60' fenced in area? **No, this is the designated location for the tower based on analysis to find the most beneficial location for cell service.**
- Is there an electrical danger associated with the tower? **This tower is designed to work at a lower power level to enhance safety. This in turn requires more cell towers to cover all the gaps (see attached coverage map). This tower meets and exceeds all local, state, and federal requirements and ANSI standards.**
- What are the next steps in the rezoning process?
    - **Public Hearing will be held on January 2, 2024 – requested delay until January 16**
    - **Planning Board January 23, 2024**
    - **Town Board Final Vote February 19, 2024**
- Where can I find information from the site plan/rezoning documents? **Yes, the Town of Huntersville has the submitted plans available on their website.**
    - L1 (huntersville.org)
- Can I email the Applicant with any questions or requests for additional information? **Yes, see the below email/contact information.**
    - Bonnie Newell – b_newell@bellsouth.net
    - Robert Irvin – robert@irvinlawgroup.com
- What is the distance from the tower's fenced area to Holbrooks Road? **See below map.**


Holbrooks Rd
15300 - 15401
15022 - 15217
933'
1,005'
977'
12922 - 12963
Messenger Rw
1000 - 1099
14938 - 14981
Up Your Al

Community Meeting Attendance Log

Project Name:	Huntersville Center Telecommunications Tower R2 23-10
Location of Meeting:	Huntersville Arts & Cultural Center
Date:	10/30/23
Time:	6:00 pm

Pursuant to Huntersville Subdivision Ordinance 6.320.3 a report including a roster of persons in attendance at the community meeting shall be submitted to the Planning Department and incorporated into the application for this project.

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

1 [illegible] Smith norisimith@yahoo.com
2 Nathan Farber
3 Laura Macek
4 Bob Macek
5 Haley Henderson
6 Hunter Hurt
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Huntersville Center Telecommunications Tower

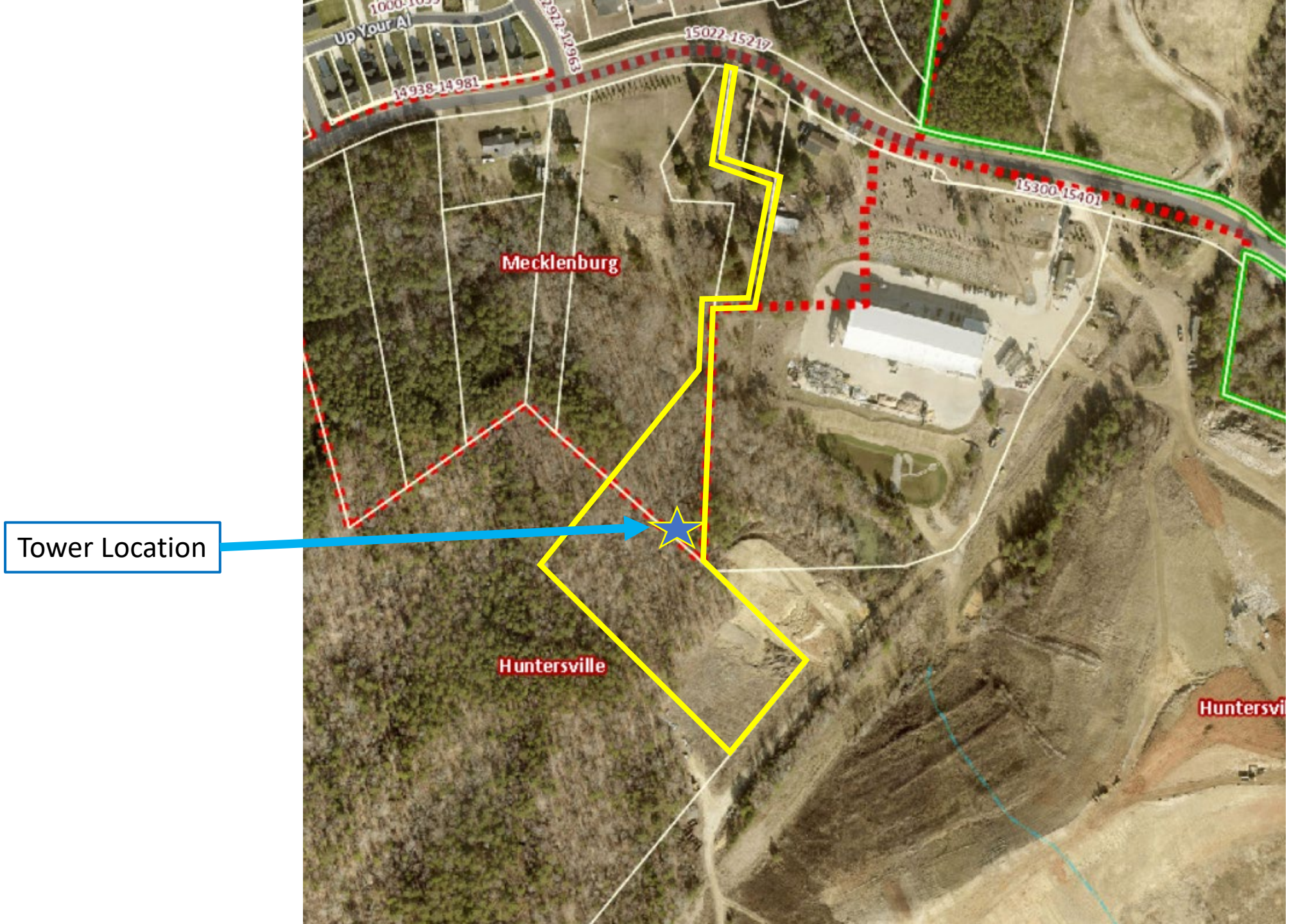
Community Meeting

Rezoning Petition: #23-10
Applicant: The Berkley Group III, LLC
Parcel Numbers: 01910116, 01910113, & 01910111

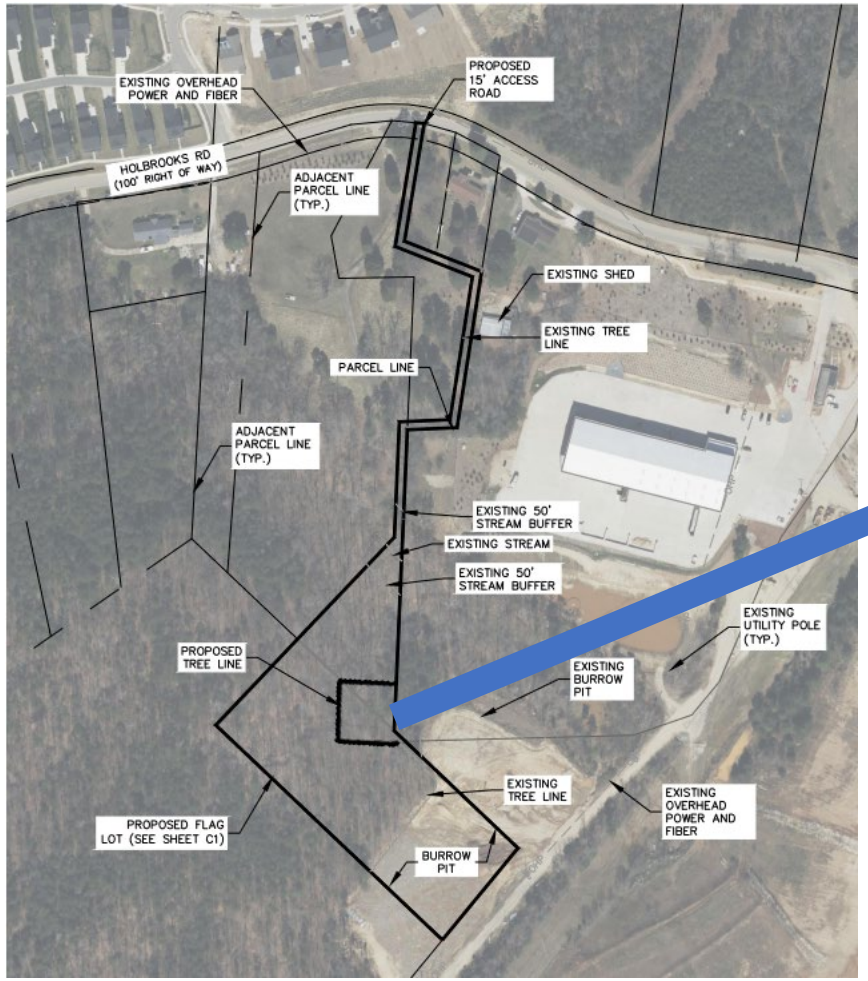
BERKLEY GROUP III LLC

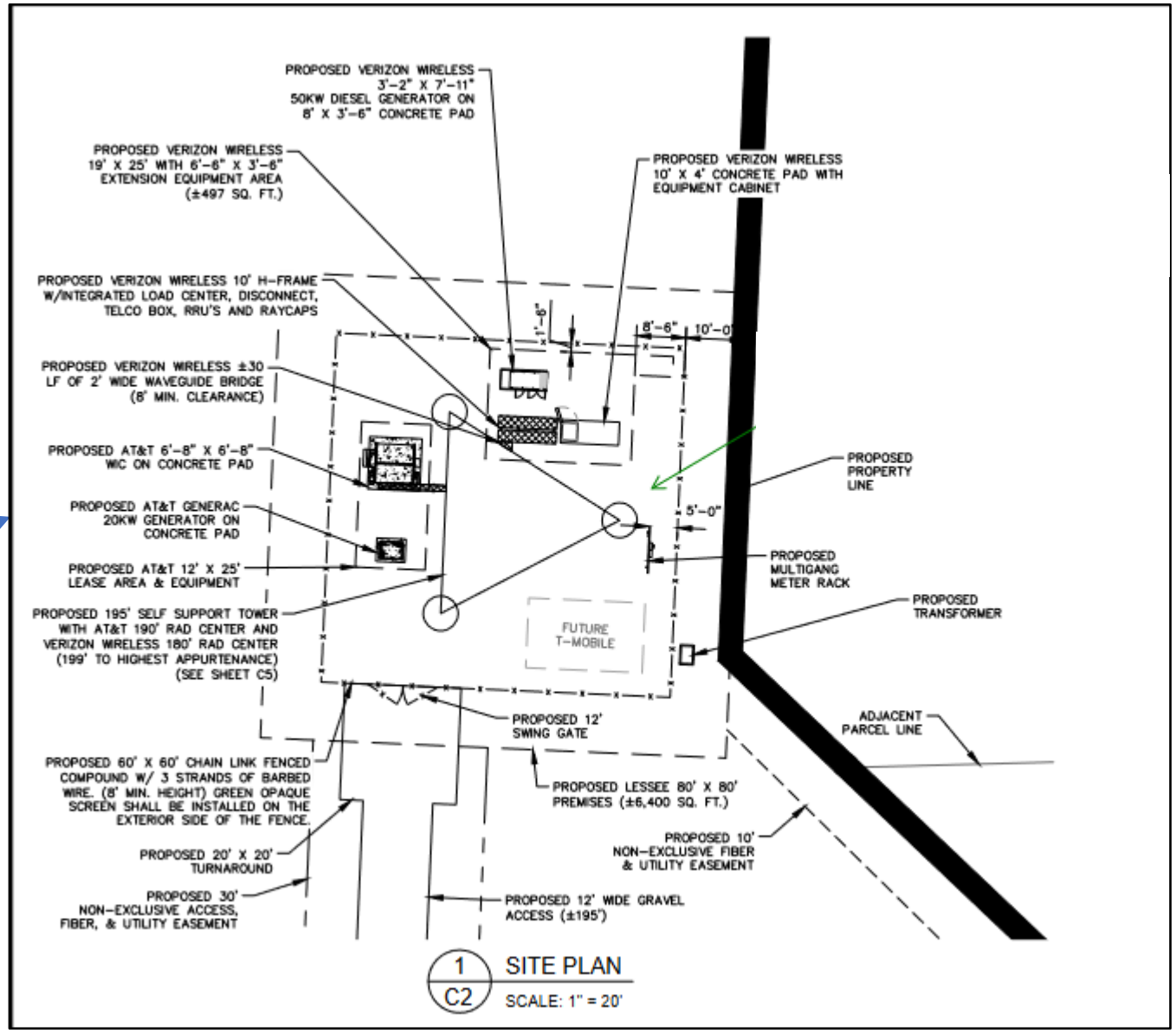
Site Location

15105 Holbrooks Road
Huntersville, NC 28078


Tower Location
Up Your A
14938-14981
15022-15219
15300-15401
Mecklenburg
Huntersville
Huntersvi

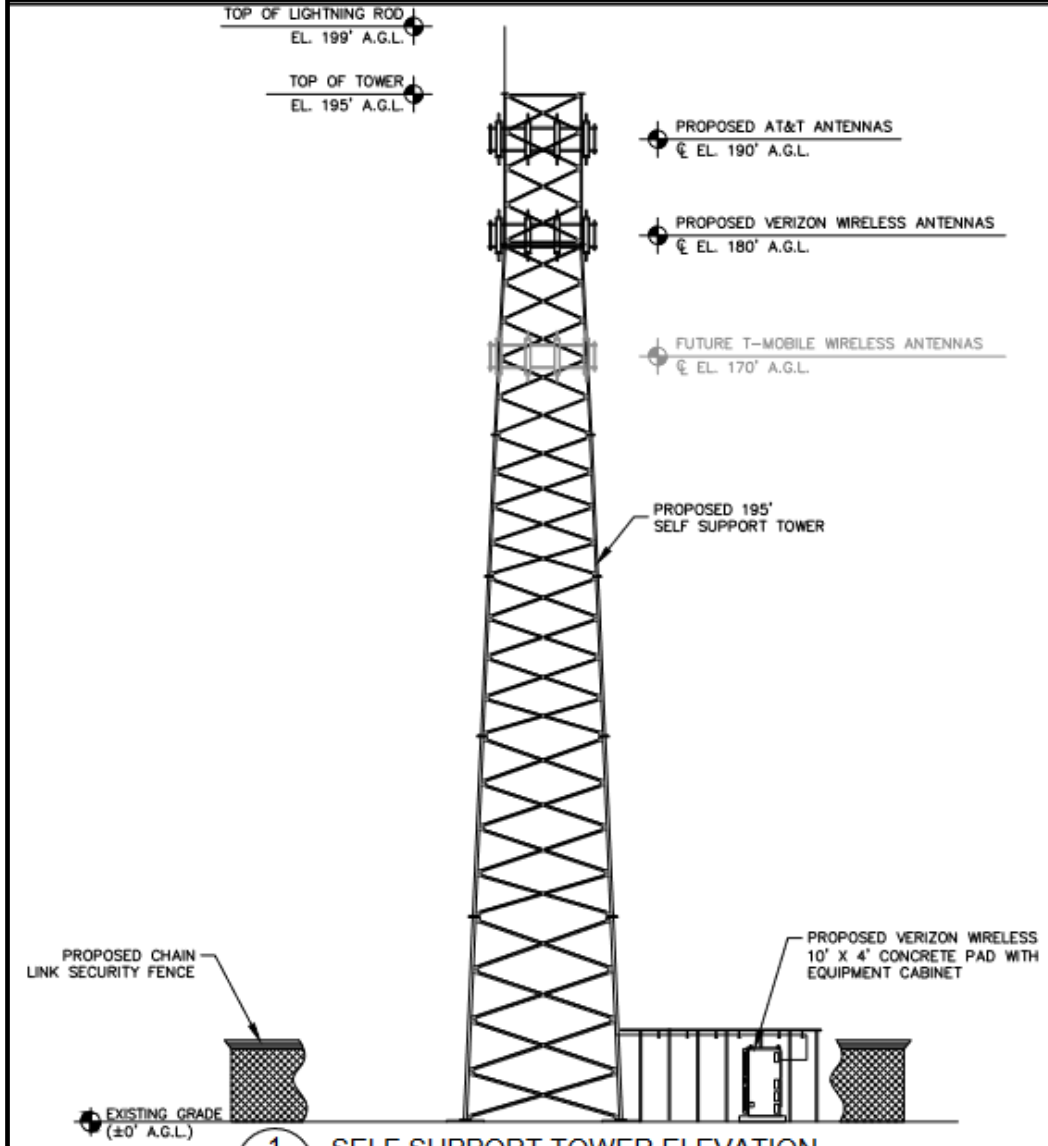
Communication Tower





Holbrooks Road (2446)

Elevations

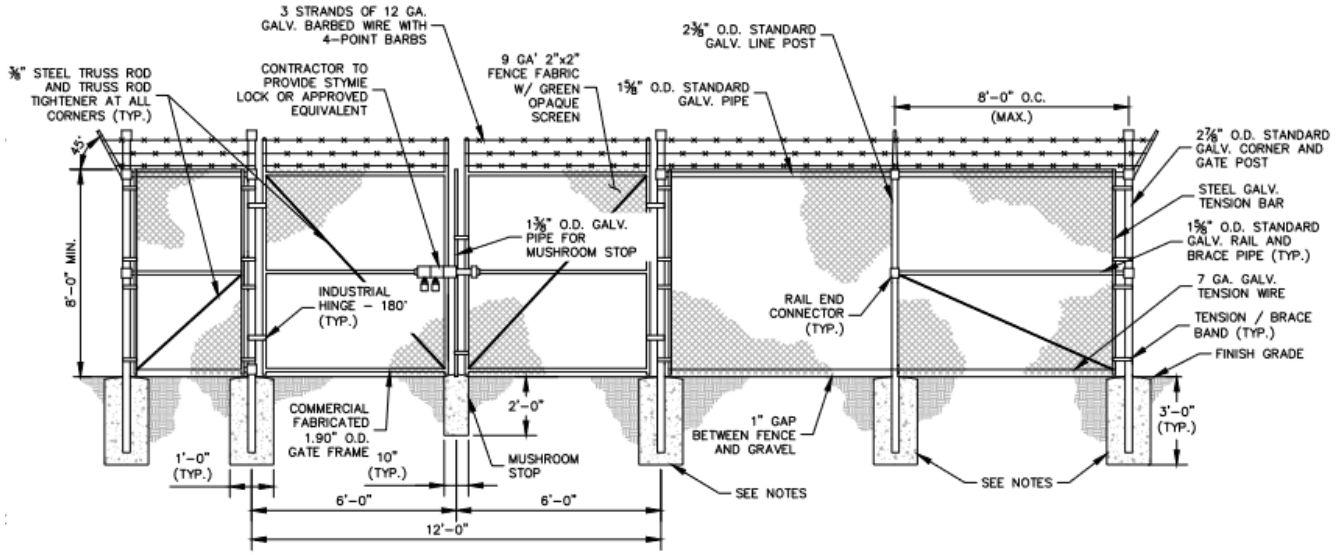


1 / C5 SELF SUPPORT TOWER ELEVATION

NOT TO SCALE

NOTES:

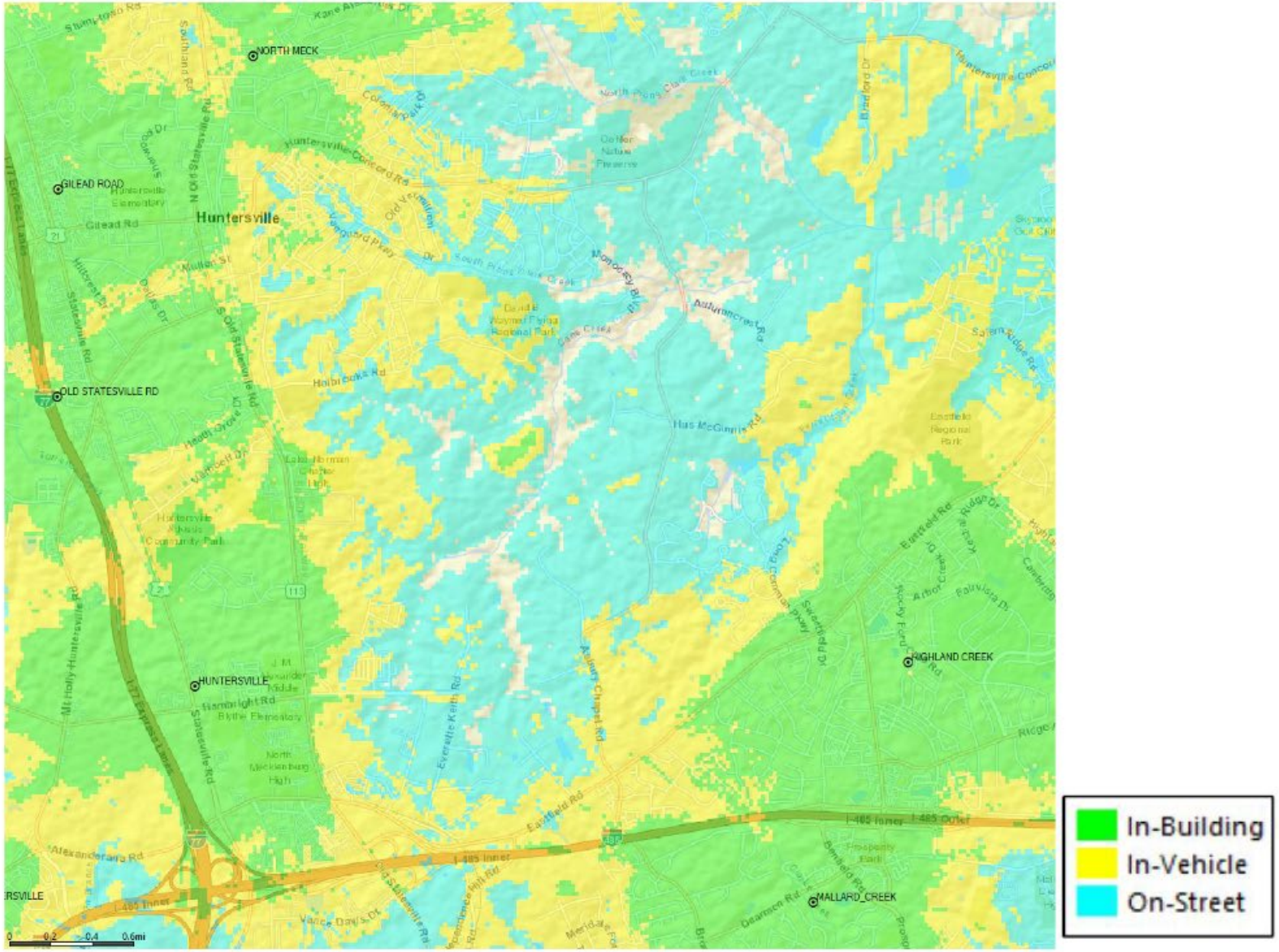
1. ALL PROPOSED ATTACHMENTS TO TOWER BASED ON TOWER DESIGN DRAWINGS BY OTHERS.
2. THE TOWER ELEVATION SHOWN IS FOR REFERENCE ONLY. TOWER DOES NOT REQUIRE LIGHTING.
3. COAX/FIBER CABLE LENGTHS ARE APPROXIMATE. CONTRACTOR TO VERIFY CORRECT LENGTH IN FIELD AT TIME OF CONSTRUCTION.
4. PROPOSED TOWER WILL BE GALVANIZED STEEL-GRAY IN COLOR.
5. AT&T GROUND EQUIPMENT NOT SHOWN FOR CLARITY.



1 / C3 CHAIN LINK FENCE AND GATE ELEVATION

NOT TO SCALE

Current VZW 4G LTE Coverage



In-Building
In-Vehicle
On-Street

verizon

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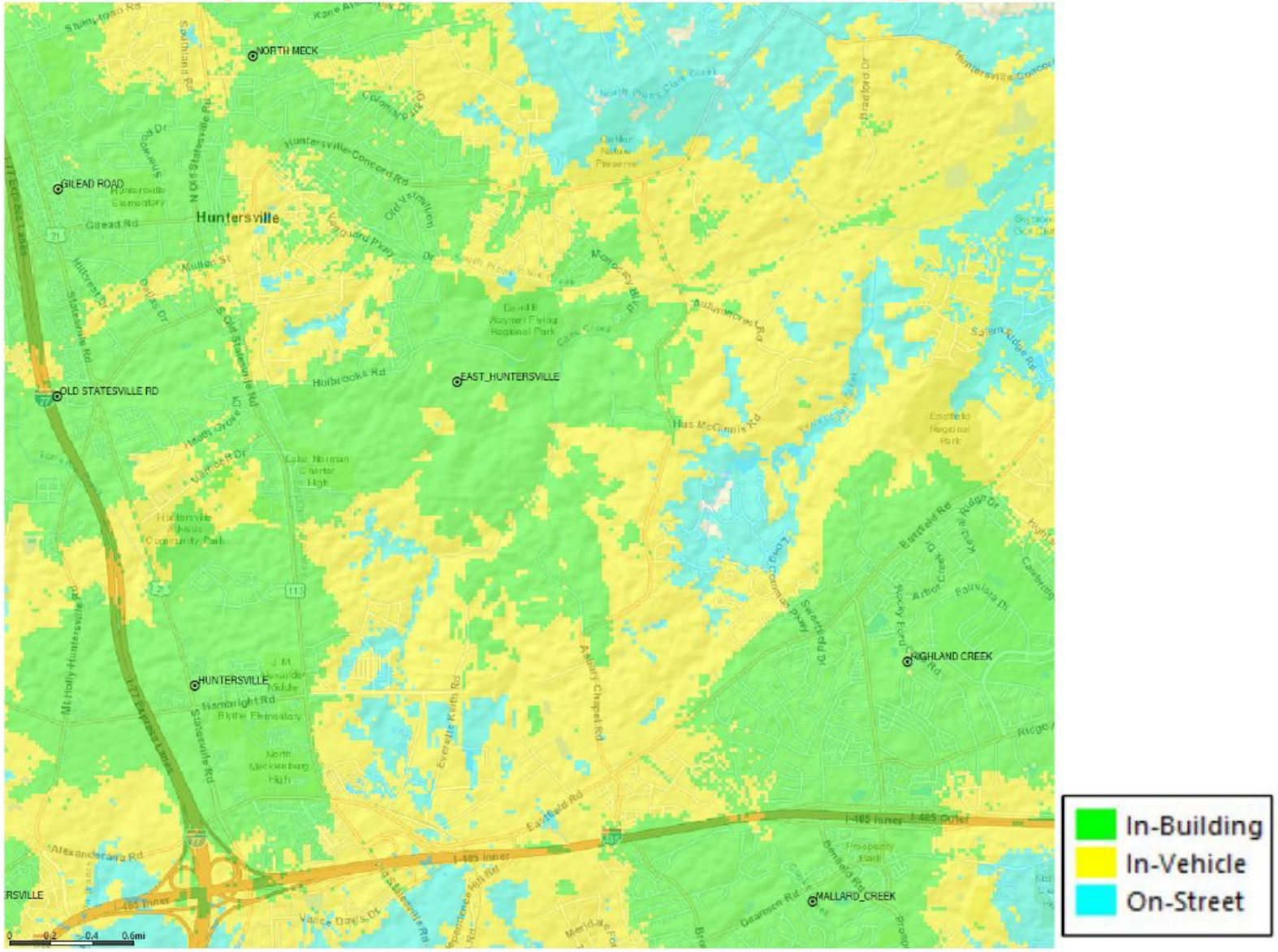
Proposed VZW 4G LTE Coverage



In-Building
In-Vehicle
On-Street

verizon

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October 19, 2023

SUBJECT: Notice of community meeting for information related to a Conditional Rezoning of a portion of the property located at 15105 Holbrooks Road, Huntersville, NC, shown on the map below and having Parcel ID Numbers of part of 01910116, 01910113 and 01910109. The Applicant for the subject property is Berkley Group III, LLC.

To Whom It May Concern:

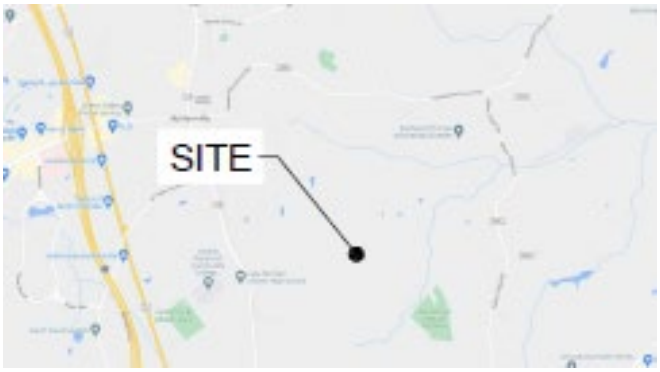
Recipients of this letter meet the notification requirements of the Town of Huntersville as being adjacent landowners with at least a portion of their properties located within 250 ft. of the subject property, and neighborhood organizations registered with the Town of Huntersville within 2,000 ft. of any portion of the rezoning site. The purpose of the community meeting is to provide an opportunity for the Applicant to describe the proposed project and to answer any questions you may have. The Applicant is requesting approval from the Town for a Conditional Rezoning from the current zoning of NR to the proposed zoning of SP(CD) to install a commercial communication tower (cell tower) on the property.

MEETING DETAILS:
6:00 P.M. to 7:00 P.M.
Monday, October 30, 2023
Huntersville Arts and Cultural Center
109 S. Old Statesville Road
Huntersville, NC 28078

You are welcome to attend the above-mentioned community meeting. There will be an additional opportunity to ask questions about the proposed development.

Sincerely,

The Berkley Group III, LLC



PARCEL_ID	OWNER_NAME	MAILING_ADDRESS	CITY	STATE	ZIP_CODE	PROPERTY_ADDRESS
01930104	JOHNSTON, ARNOLD W	12300 OLD STATESVILLE RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	CHURCH ST UNIINC
01910109	GREENWAY RECYCLING AT NORTH MECK LLC,	19109 W CATAWBA AV STE 110 CORNELIUS NC 28031	CORNELIUS	NC	28031	15120 HOLBROOKS RD UNIINC
01910102	GREENWAY WASTE SOLUTIONS AT NORTH MECK LLC,	19109 W CATAWBA AVE STE 110 CORNELIUS NC 28031	CORNELIUS	NC	28031	15300 HOLBROOKS RD HUNTERSVILLE
01910116	GREENWAY WASTE SOLUTIONS LLC,	19109 W CATAWBA AVE SUITE 200 CORNELIUS NC 28033	CORNELIUS	NC	28033	HOLBROOKS RD HUNTERSVILLE
01910105	C&D MANAGEMENT COMPANY LLC,	19109 W CATAWBA AVE SUITE 110 CORNELIUS NC 28031	CORNELIUS	NC	28031	HOLBROOKS RD UNIINC
01927470	BALLEW, SCOTT | BALLEW, ANN	12723 ES DRAPER DR HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	12723 ES DRAPER DR HUNTERSVILLE
01927614	RUBAINE, MERLE | RUBAINE, KEITH | RUBAINE, KEITH | RUBAINE, MERLE	13412 QUICKSILVER LN HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	13412 QUICKSILVER LN HUNTERSVILLE
01927468	MOSCA, JOSEPH CHARLES	12715 ES DRAPER DR HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	12715 ES DRAPER DR HUNTERSVILLE
01927621	GUINCHO, CARL DENNIS SR | ANDERSON, LIM L	14779 HOLBROOKS RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	14779 HOLBROOKS RD HUNTERSVILLE
01927620	MURPHY, DANIEL JOSEPH | MURPHY, JESICA CONWAY	14785 HOLBROOKS RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	14785 HOLBROOKS RD HUNTERSVILLE
01927623	ZOOK, STEVEN M | ZOOK, LANA R	14767 HOLBROOKS RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	14767 HOLBROOKS RD HUNTERSVILLE
01927469	MONNIN, JENNIFER M | SOMMERS, TODD ALLEN	12719 ES DRAPER DR HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	12719 ES DRAPER DR HUNTERSVILLE
01927617	SPAIDE, SHERRY	14803 HOLBROOKS RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	14803 HOLBROOKS RD HUNTERSVILLE
01927616	RODRIGUEZ, FRANK LOUIS JR | RODRIGUEZ, KELLY D	12718 ES DRAPER DR HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	12718 ES DRAPER DR HUNTERSVILLE
01927615	ANKENY, GERALD HOWARD | ANKENY, GERALD HOWARD | ANKENY, ANNE-LIESSE HILLARY | ANKENY, ANNE-LIESSE HILLARY	13416 QUICKSILVER LN HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	13416 QUICKSILVER LN HUNTERSVILLE
01937269	STANFIELD-GRIFFIN, ERICA N | GRIFFIN, MARK C	14941 HOLBROOKS RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	14941 HOLBROOKS RD HUNTERSVILLE
01927622	MIXAYCHAREUN, PARAMY | MIXAYCHAREUN, JENNIFER MARIE	14773 HOLBROOKS RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	14773 HOLBROOKS RD HUNTERSVILLE
01927467	STIER, FRANK	12711 ES DRAPER DR HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	12711 ES DRAPER DR HUNTERSVILLE
01937201	BHOWMIK, KAUSHIK DUTTA | PAUL, KABITA	11314 VANGUARD PKWY HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	11314 VANGUARD PY HUNTERSVILLE
01927618	KARUPPANNAN, RADHA | PARKUNAN, VENKATESAN	14797 HOLBROOKS RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	14797 HOLBROOKS RD HUNTERSVILLE
01927619	LEE, AMANDA LAUREN | DAVENPORT, WADE TREVOR	14791 HOLBROOKS RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	14791 HOLBROOKS RD HUNTERSVILLE
01910113	GREENWAY WASTE SOLUTIONS AT NORTH MECK LLC,	19109 W CATAWBA AVE STE 110 CORNELIUS NC 28031	CORNELIUS	NC	28031	15100 HOLBROOKS RD UNIINC
01920312	HURT, HUNTER	14931 HOLBROOKS RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	14931 HOLBROOKS RD HUNTERSVILLE
01910101	GREENWAY WASTE SOLUTIONS AT NORTH MECK LLC,	19109 W CATAWBA AVE STE 110 CORNELIUS NC 28031	CORNELIUS	NC	28031	HOLBROOKS RD UNIINC

01910119	GREENWAY WASTE SOLUTIONS AT NORTH MECK LLC,	19109 W CATAWBA AVE STE 110 CORNELIUS NC 28031	CORNELIUS	NC	28031	HOLBROOKS RD UNIINC
01910107	GREENWAY WASTE SOLUTIONS AT NORTH MECK LLC,	19109 W CATAWBA AVE STE 110 CORNELIUS NC 28031	CORNELIUS	NC	28031	HOLBROOKS RD UNIINC
01910114	GREENWAY WASTE SOLUTIONS LLC,	19109 W CATAWBA AVE SUITE 110 CORNELIUS NC 28031	CORNELIUS	NC	28031	HOLBROOKS RD UNIINC
01927628	SOUTHSIDE NEIGHBORHOOD LLC,	13815 CINNABAR PL HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	HOLBROOKS RD HUNTERSVILLE
01937285	SOUTHSIDE NEIGHBORHOOD LLC,	13815 CINNABAR PLACE CHARLOTTE NC 28078	CHARLOTTE	NC	28078	HOLBROOKS RD HUNTERSVILLE
01927473	SOUTHSIDE NEIGHBORHOOD LLC,	13815 CINNABAR PL HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	HOLBROOKS RD HUNTERSVILLE
01927627	SOUTHSIDE NEIGHBORHOOD LLC, |SOUTHSIDE NEIGHBORHOOD LLC,	13815 CINNABAR PL HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	14802 ALLEY GORY HUNTERSVILLE
01937235	SMITH FAMILY REVOCABLE LIVING, TRUST|SMITH, SYLVIA M	13718 BERKLEY AVE HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	13718 BERKLEY AV HUNTERSVILLE
01937236	HARRELL, JANELLE BEA|HARRELL, CHAD	13712 BERKLEY AVE HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	13712 BERKLEY AV HUNTERSVILLE
01937234	MARAGNI, MARK|MOYLAN, KATHRYN	13722 BERKLEY AVE HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	13722 BERKLEY AV HUNTERSVILLE
01937237	RAMOS, NICOLE K	13708 BERKELEY AVE HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	13708 BERKLEY AV HUNTERSVILLE
01937276	JACKSON, RONALD K|JACKSON, ANGELA	14969 HOLBROOKS RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	14969 HOLBROOKS RD HUNTERSVILLE
01937275	BOYD, JIMMIE LEE JR|BOYD, CHARLISA DUNNING	14965 HOLBROOKS RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	14965 HOLBROOKS RD HUNTERSVILLE
01937238	RYAN, PHYLLIS S	13704 BERKLEY AVE HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	13704 BERKLEY AV HUNTERSVILLE
01937277	DORCH, ANDREA|DOSCH, KYLE	14973 HOLBROOKS RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	14973 HOLBROOKS RD HUNTERSVILLE
01910115	GREENWAY WASTE SOLUTIONS LLC,	19109 W CATAWBA AVE SUITE 110 CORNELIUS NC 28031	CORNELIUS	NC	28031	15018 HOLBROOKS RD UNIINC
01910111	GREENWAY WASTE SOLUTIONS AT NORTH MECK LLC,	19109 W CATAWBA AVE STE 110 CORNELIUS NC 28031	CORNELIUS	NC	28031	15105 HOLBROOKS RD UNIINC
01910110	GREENWAY WASTE SOLUTIONS AT NORTH MECK LLC,	19109 W CATAWBA AVE STE 110 CORNELIUS NC 28031	CORNELIUS	NC	28031	15118 HOLBROOKS RD UNIINC
01910118	GREENWAY WASTE SOLUTIONS AT NORTH MECK LLC,	19109 W CATAWBA AVE STE 110 CORNELIUS NC 28031	CORNELIUS	NC	28031	HOLBROOKS RD UNIINC
01937281	SOUTHSIDE NEIGHBORHOOD LLC,	13815 CINNABAR PL HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	BERKLEY AV HUNTERSVILLE
01937280	SOUTHSIDE NEIGHBORHOOD LLC,	13815 CINNABAR PL HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	MESSENGER RW HUNTERSVILLE
01937284	SOUTHSIDE NEIGHBORHOOD LLC,	13815 CINNABAR PLACE CHARLOTTE NC 28078	CHARLOTTE	NC	28078	UP YOUR AL HUNTERSVILLE
01937285	SOUTHSIDE NEIGHBORHOOD LLC,	13815 CINNABAR PLACE CHARLOTTE NC 28078	CHARLOTTE	NC	28078	HOLBROOKS RD HUNTERSVILLE
	VERMILLION HOA	13952 OLD VERMILLION DRIVE HUNTERSVILLE, NC 28078				
	ASBURY PARK HOMEOWNER'S ASSOCIATION	P.O. BOX 491 HUNTERSVILLE, NC 28070				

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Street and Apt. No., or PO Box No.: 13412 Quicksilver Ln
City, State, ZIP+4®: Huntersville NC 28078

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0017 8677 30

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- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Postmark Here

Sent To: Greenway Waste Solutions LLC
Street and Apt. No., or PO Box No.: 19109 W Catawba Ave. Ste. 200
City, State, ZIP+4®: Cornelius, NC 28031

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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Sent To: C+D Management Company LLC
Street and Apt. No., or PO Box No.: 19109 W. Catawba Ave Ste. 110
City, State, ZIP+4®: Cornelius, NC 28031

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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Sent To Greenway Waste Solutions at North Meck LLC
Street and Apt. No., or PO Box No. 19109 W. Catawba Ave. Ste. 110
City, State, ZIP+4® Cornelius, NC 28031

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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Postage
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Total Postage and Fees
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Street and Apt. No., or PO Box No. 19109 W. Catawba Ave. Ste. 110
City, State, ZIP+4® Cornelius, NC 28031

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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Postage
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Total Postage and Fees
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Postmark Here

Sent To Arnold W. Johnston
Street and Apt. No., or PO Box No. 12300 old Statesville Rd.
City, State, ZIP+4® Huntersville, NC 28078

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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DAVIDSON
99 JACKSON ST
DAVIDSON, NC 28036-9721
(800)275-8777

10/19/2023 09:57 AM

Product	Qty	Unit Price	Price
First-Class Mail® Letter	1		$0.66
Cornelius, NC 28031			
Weight: 0 lb 0.30 oz			
Estimated Delivery Date Sat 10/21/2023			
Certified Mail®			$4.35
Tracking #: 9589 0710 5270 0017 8677 47			
Total			$5.01
First-Class Mail® Letter	1		$0.66
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First-Class Mail® 1 $0.66
Letter
Huntersville, NC 28078
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Total $5.01

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Huntersville, NC 28078
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Estimated Delivery Date
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Letter
Huntersville, NC 28078
Weight: 0 lb 0.30 oz
Estimated Delivery Date
Sat 10/21/2023
Certified Mail® $4.35

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Huntersville, NC 28078
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Tracking #:
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Huntersville, NC 28078
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9589 0710 5270 0017 8677 61
Total $5.01

Grand Total: $165.33

Debit Card Remit $165.33
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Account #: XXXXXXXXXXXX2254
Approval #: 18606E
Transaction #: 976
Receipt #: 040014
Debit Card Purchase: $165.33
AID: A0000000042203 Chip
AL: US Debit
PIN: Verified

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit www.usps.com USPS Tracking or call 1-800-222-1811.

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Clerk: 15

Town of Huntersville
NORTH CAROLINA
PO Box 664
Huntersville NC 28070

PUBLIC HEARING

Date: January 2, 2024
Time: 6:00 pm
Location: **In Person:** Huntersville Town Hall; 101 Huntersville-Concord Rd
Live Stream: YouTube User ID: @townofhuntersvillenc28078
Applicant: Berkley Group III, LLC
Case #: R23-10 Commercial Communication Tower

Livestream

Public Meeting Dates

Meeting Type	Purpose	Date & Time
Community Meeting	Informational	October 30, 2023
Public Hearing	**Public Meeting**	**January 2, 2024 @ 6:00pm**
Planning Board *	Recommendation	January 23, 2024 @ 6:30pm
Town Board *	Approval/Denial	February 19, 2024 @ 6:00pm

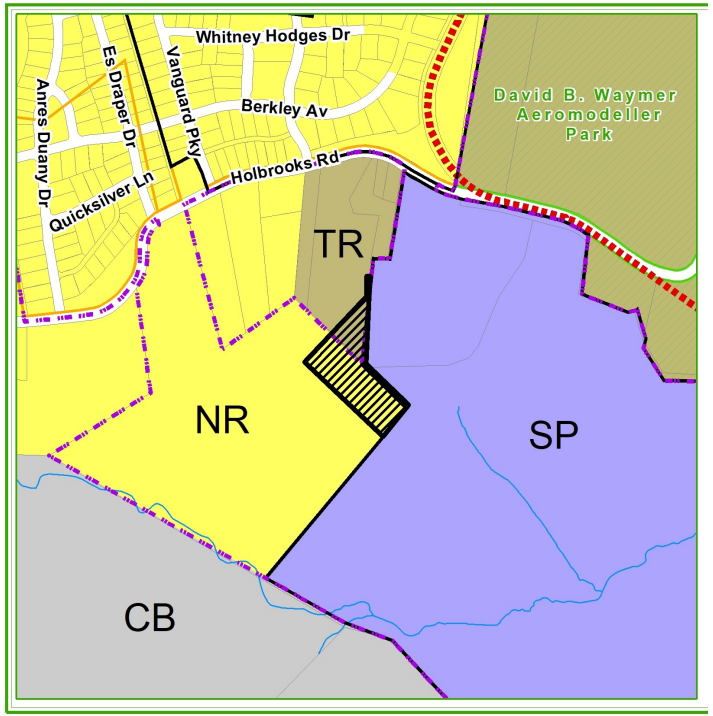
* Tentative—check www.huntersville.org for latest dates

OFFICIAL TOWN OF HUNTERSVILLE PUBLIC HEARING NOTICE

PUBLIC HEARING NOTICE DATE: January 2, 2024 | R23-10 Commercial Communication Tower

NOTICE OF PUBLIC HEARING FOR REZONING REQUEST

Town of Huntersville NORTH CAROLINA



Zoning Legend:
NR= Neighborhood Residential
TR = Transitional Residential
Site = Location requesting rezoning
CB=Corporate Business
SP = Special Purpose

An application has been submitted to rezone the 'Site' located south of Holbrooks Road (Parcel #01910116, 01910113, & 01910111)

CURRENT ZONING is (NR) Neighborhood Residential & (TR) Transitional Residential
PROPOSED ZONING is (SP CD) Special Purpose Conditional District

The purpose of the rezoning is to allow the development of a Commercial Communications Tower.

A public hearing will be held in person at Town Hall located at 101 Huntersville-Concord Drive, Huntersville, NC 28078. The public is invited to attend and comment during the public hearing for this request. The meeting will be livestreamed for those who would like to listen only on YouTube at UserID: @townofhuntersvillenc28078

Livestream

Project Page:

FOR ADDITIONAL INFORMATION
CONTACT Nathan Farber, Planner II
Phone: 704-766-2237
Email: nfarber@huntersville.org
Online: www.huntersville.org - search: **R23-10**

OFFICIAL TOWN OF HUNTERSVILLE PUBLIC HEARING NOTICE

IRVIN
LAW
GROUP

office: 19726 ZION AVENUE, CORNELIUS, NC 28031
mailing: P.O. BOX 2376, DAVIDSON, NC 28036
p: 704.896.0820 f: 704.896.0875

December 12, 2023

The Honorable Mayor and
Board of Commissioners of the Town of Huntersville
Mr. Anthony Roberts, Town Manager
Mr. Brian Richards, Planning Director
Town of Huntersville
P.O. Box 664
101 Huntersville-Concord Road
Huntersville, NC 28070

RE: #R23-010; Commercial Communication Tower

Dear Mayor, Commissioners. Anthony and Brian:

The purpose of this letter is to respectfully request a continuance of the public hearing for the above referenced matter, currently scheduled for January 2, 2024. Applicant requests that the public hearing be placed on the January 16, 2024 Town Board agenda, with Planning Board to follow on January 23, 2024. The purpose of this request is to allow Applicant the opportunity to work with staff to address additional comments.

We appreciate your consideration of this request.

Very truly yours,

Robert Irvin
for the Firm

cc: Brad Priest, Assistant Planning Director
Nathan Farber, Planner II
Bonnie Newell, Berkley Group III, LLC

Town of Huntersville
Town Board
January 23, 2024

To: Town Board

From: Jesse James, Senior Planner

Date: January 23, 2024

Subject: R23-11 Morningstar Storage

EXPLAIN REQUEST:
Consider a recommedation

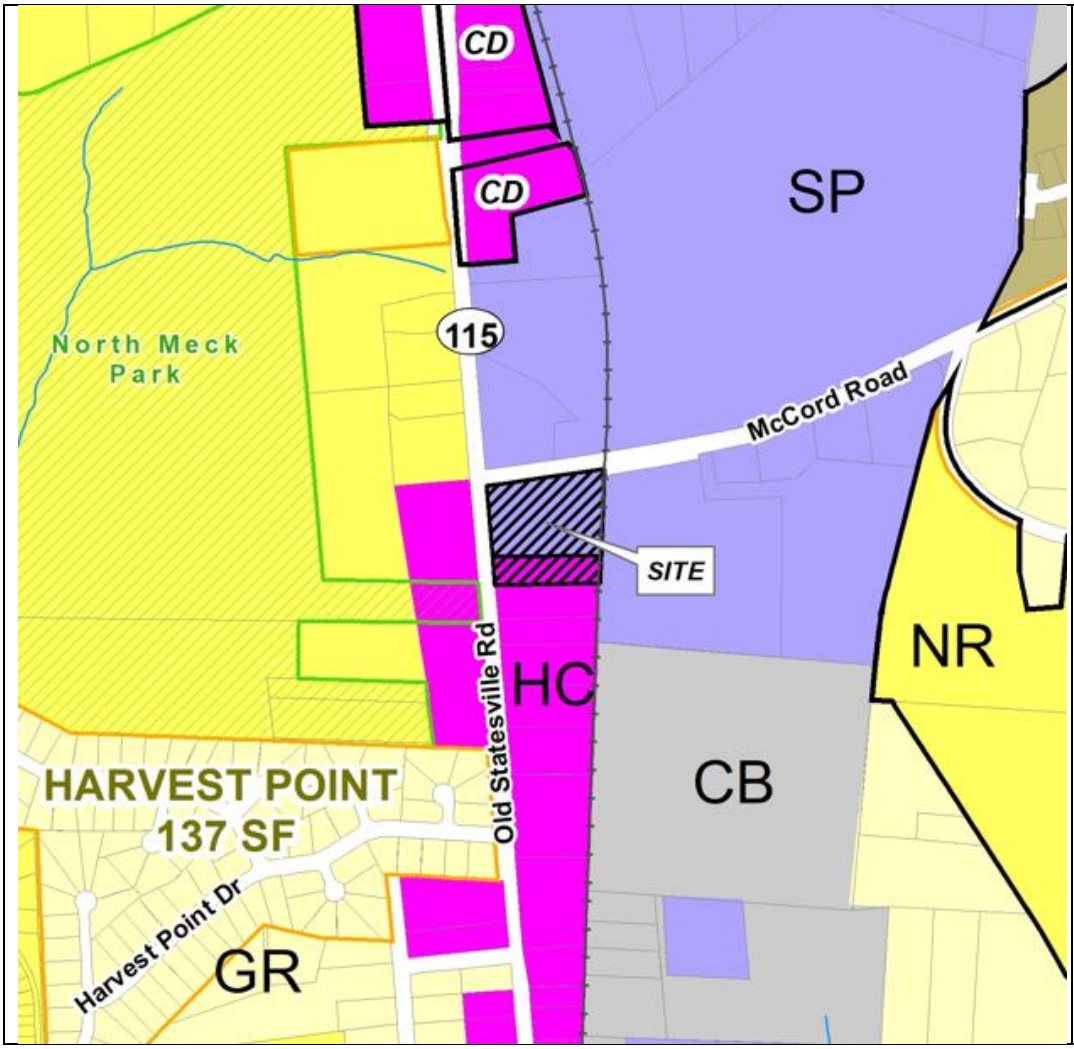
ACTION RECOMMENDED:
make a recommendation

FINANCIAL IMPLICATIONS:
N/A

ATTACHMENTS:
1. R23-11 PB 1 23 24 Final Report
2. Updated Morningstar Huntersville General App Revised_11.27
3. Morningstar Huntersville Rezoning Civil Plans
4. 2023.10.17 - Morningstar Huntersville - Elevations + Renderings
5. Huntersville Neighborhood Meeting Report - Morningstar Properties(16670610.1)_12.12.23
6. Transportation_Stormwater analysis

Petition R23-11
Morningstar Storage

PART 1: PROJECT SUMMARY



Applicant: Morningstar Properties

Property Owner: James Steven Dove

Property Address: 16230 & 16204 Old Statesville Rd.

Project Size: (+/-) 3.934 Acres

Parcel Numbers: 01101208, 01101209

Current Zoning: Special Purpose & Highway Commercial

Current Land Use: Retail & Single Family Residential

Proposed Zoning: Special Purpose-Conditional District

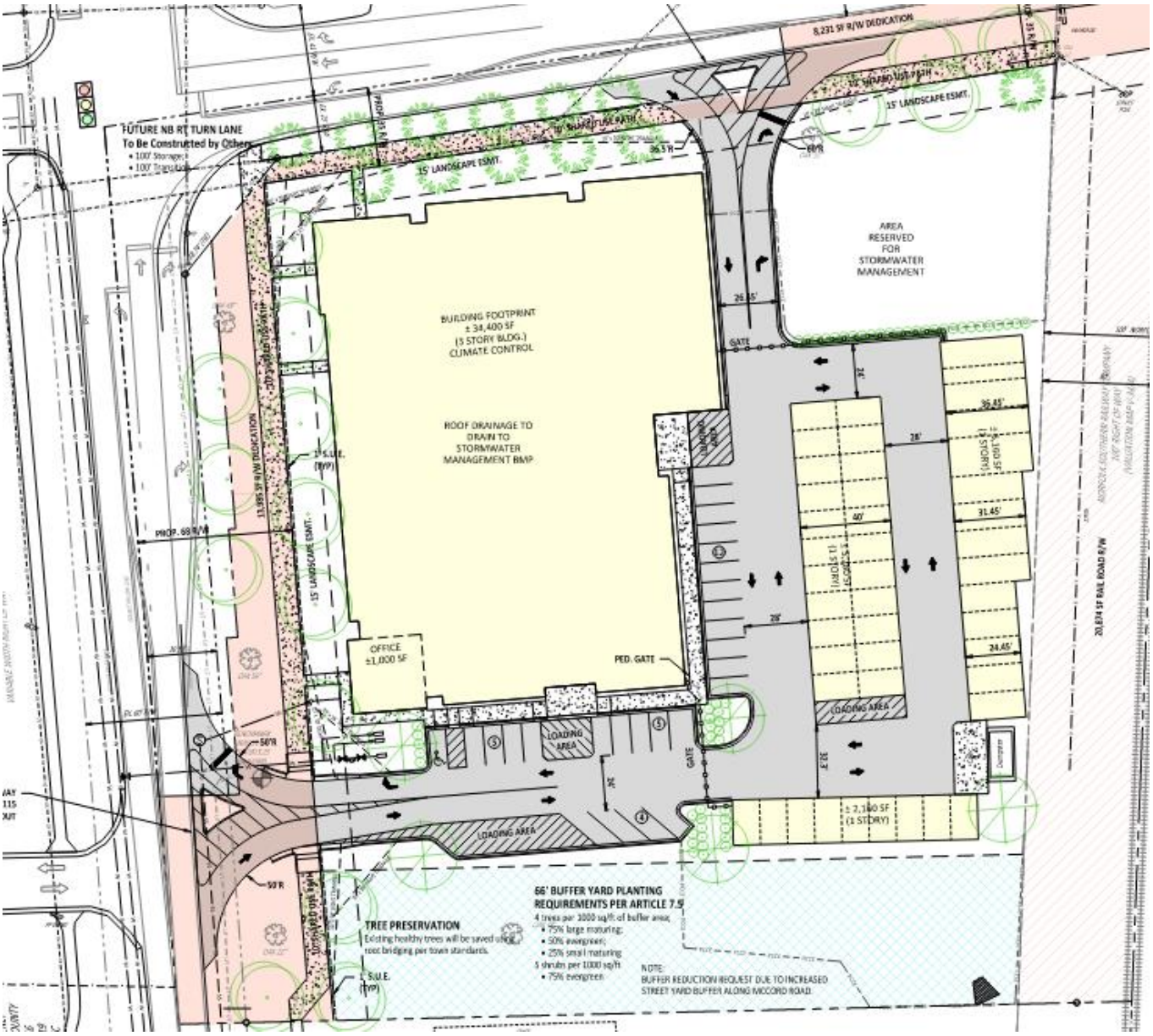
Proposed Land Use: Indoor Storage

1. Purpose: Rezone 3.934-acres at above stated addresses at the corner of McCord and Statesville Road from Special Purpose and Highway Commercial Zoning to Special Purpose-Conditional District to accommodate for a proposed 3-story indoor storage facility.
2. Indoor Storage is a land use permitted by right in SP zoning, however, according to Article 7.5 of the Zoning ordinance, any property developed and zoned SP requires an 80-foot buffer yard when adjacent to any other district besides CI, CB, and SP. Morningstar properties has determined that for their product/development to be feasible, the acquisition of 16204 Old Statesville Road (HC) is needed to account for the buffer requirement adjacent to a Highway Commercial zoned property to the south, thus requiring a rezoning of both parcels to a conditional district. By doing so, the concept site plan is included showing the proposal within a new SP-CD zoning district.
3. Adjoining Zoning and Land Uses.

North: McCord Road- Special Purpose- Outdoor Storage
South: Highway Commercial- Commercial-Service
East: Norfolk Southern Rail Right-of-Way- Special Purpose- Warehousing
West: Old Statesville Road- Highway Commercial- Religious Institution

4. A neighborhood meeting was held on Thursday, November 16, 2023, and the questions asked by residents and the responses from the applicants are summarized in the Neighborhood Meeting Report (see Attachment D).
5. Notice for this rezoning petition was sent via letter to adjoining property owners; a legal ad placed in the Charlotte Observer; and posting of rezoning signs on the property along McCord and Old Statesville Rd.

PART 2: REZONING/SITE PLAN



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

- Proposed 3 story, 36 feet in height, 103,200 square foot indoor storage building in the urban workplace building type form. Article 4 allows up to 36 feet in height for this building type (Highway Commercial).
- Article 7.5 Buffer Yards, requires an 80' buffer abutting street right-of-way- and property lines. There is allowance for full relief of this buffer abutting street rights-of-way where the building proposed addresses the public street with architecture and design consistent with the building type requirements of article 4. The applicant has proposed a building where the overall massing communicates an emphasis on the human scale and pedestrian environment by modulating building walls and rooflines to break up the massing of the building while also proposing windows and doors at the pedestrian facades of the public facing walls. This can be seen below.

  (Facing Hwy 115)

  (Corner of McCord and Hwy 115)

- **Modification Request #1**- The required 80-foot buffer to the adjacent southern property line has been requested for a modification to a reduced buffer width to 66-feet. The applicant has indicated that the reason for this proposed reduction is due to site constraints on the developable area to accommodate feasible building areas that allow for a sustainable commercial use. The proposal is to offset this reduction by matching the required plantings for an 80-foot buffer to meet the intent of the buffer for a complete opaque screening to the adjacent property to the south.
  Staff Comment- Staff can consider recommending this modification if the applicants can prove that by reducing the buffer, the matching plantings can be sustained in the 66' wide buffer area. Staff recommends providing a 1000 square foot buffer section on the landscape that shows that the mature growth of the plantings can be achieved with the reduced buffer proposal.
- The plan does include the required 10-foot side path along Old Statesville Rd and McCord Rd frontages with a staggered double row of street trees (seen in the site plan above).
- Required parking= .25 spaces per 1,000(103,200 SF proposed) = 26 spaces. 26 provided.
- Minimum Tree Preservation (specimen tree save) for a Special Purpose District is 30%. The site includes 10 existing specimen trees in which 4 will be saved at 40%, exceeding the requirement.
- There are no identified Heritage Trees on site.
- Planning, Transportation, and Storm Water Engineering staff have minor site plan comments outstanding that need to be addressed prior to final plan approval.

PART 3: TRANSPORTATION ISSUES

See attachment E

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 finds the proposed use/project is *consistent* with the following policies of the *2040 Huntersville Community Plan*:

- **LU 5.1: Allow more intense development only where transportation infrastructure and utilities already exist.**
  Staff Comment: This is an infill location in the general Town Core area that can support a more intense growth pattern.
- **T 5.1: Design street improvements with considerations for the surrounding context and various users.**
  Staff Comment: The Town requires new and redeveloping projects to provide a 10-foot side path along all major and minor thoroughfares. This project includes this requirement (see site plan above), adding to the future multi-modal network in Town. This network will assist in facilitating multimodal transportation initiatives.

Staff finds the proposed use *not consistent* with the following policies of the *2040 Huntersville Community Plan*:

- **LU-1: Encourage a development pattern that follows the Future Land Use Map.**
  Staff Comment: As seen in the land use map above from the 2040 Huntersville Community Plan, the project is split between the Employment Center and Town Core areas. An indoor storage facility does not typically have a large employment base. Employment centers contain a mix of uses including office, industrial, and institutional. This development would not match this encouraged development pattern.
- **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: Mentioned previously, this rezoning is split between Town Core and Employment Center future land use character areas. This development at 3 stories and 103,200 square feet should not be considered a small scale or neighborhood-serving commercial use. (add something on the small portion that is HC)

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 use for Morningstar Storage is consistent with the overall character of the surrounding area. The surrounding land uses are either commercial services/storage/ or warehousing consistent with special purpose zoning permitted land uses. However, zoning along Highway 115 south of the subject parcels are predominately Highway Commercial, consistent with the previous land use of the subject parcel as service or retail (automotive repair).

2. **The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, transit service, parks and recreational facilities, police and fire protection, hospitals and medical services, schools, storm water drainage systems, water supplies, and wastewater and refuse disposal.**
   STAFF COMMENT:
   There is no indication this project will have a negative impact on public facilities and or services.

3. **Whether the proposed reclassification will adversely affect a known archeological, environmental, historical, or cultural resource."**
   STAFF COMMENT:
   Planning staff has no indication that the request will adversely affect known archeological, environmental, historical, or cultural resources.

PART 5: STAFF RECOMMENDATION

In considering the proposed rezoning petition R23-11, Morningstar Storage, staff finds the proposal as generally compliant with the Town of Huntersville *site design and architectural standards* within the zoning ordinance and tied into land use polices LU 5.1 and T 5.1, but not consistent with the envisioned *uses* set forth in the 2040 Huntersville Community Plan sections LU-1 and 6.3. The current zoning designation of parcel 01101208 is Special Purpose, which comprises roughly 3 of the 4 acres in the proposal and does permit, by right, the proposed use. Thus, rezoning the approximate 4-acre site to Special Purpose-Conditional District for reason of gaining the needed land to allow the site to come into conformity with the zoning ordinance buffer requirements is appropriate with the following conditions.

Conditions for Approval:

1) Modification request for a reduced property line buffer from 80-feet to 66-feet:
   Staff can recommend this request if the applicant can prove that by reducing the buffer, the matching plantings can be sustained in the 66' wide buffer area. Staff recommends providing a 1000 square foot buffer section on the landscape that shows that the mature growth of the plantings can be achieved with the reduced buffer proposal.
2) Minor staff site review comments are addressed.

PART 6: PUBLIC HEARING COMMENTS

A Public Hearing was held on January 2, 2024. The details of that meeting can be found using this link to the Youtube recording of the hearing. https://www.youtube.com/watch?v=HVtoLKZBbqs&t=4885s. This case starts at about the 44-minute mark.

PART 7: PLANNING BOARD RECOMMENDATION

Planning Board Meeting is scheduled for January 23, 2024.

PART 8: TOWN BOARD RECOMMENDATION

Town Board Meeting is scheduled for February 19, 2024.

PART 9: ATTACHMENTS

A – Rezoning Application
B – Proposed CD Rezoning Plan
C- Proposed Building Elevations
D – Neighborhood Meeting Report
E- Transportation Analysis

PART 10: CONSISTENCY STATEMENT – R23-11 Morningstar Storage

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed rezoning petition R23-11, Morningstar Storage, staff finds the proposal as generally compliant with the Town of Huntersville *site design and architectural standards* within the zoning ordinance and tied into land use polices LU 5.1 and T 5.1, but not consistent with the envisioned *uses* set forth in the 2040 Huntersville Community Plan sections LU-1 and 6.3. The current zoning designation of parcel 01101208 is Special Purpose, which comprises roughly 3 of the 4 acres in the proposal and does permit, by right, the proposed use. Thus, rezoning the approximate 4-acre site to Special Purpose-Conditional District for reason of gaining the needed land to allow the site to come into conformity with the zoning ordinance buffer requirements is appropriate with the following conditions. Conditions for Approval: 1) Modification request for a reduced property line buffer from 80-feet to 66-feet: Staff can recommend this request if the applicant can prove that by reducing the buffer, the matching plantings can be sustained in the 66' wide buffer area. Staff recommends providing a 1000 square foot buffer section on the	APPROVAL: In considering the proposed rezoning application R23-11, Morningstar Storage, the Planning Board recommends approval based on the Plan being consistent with **(insert applicable plan reference)**. **It is reasonable and in the public interest to approve the Rezoning Plan because… (Explain)**	APPROVAL:

landscape that shows that the mature growth of the plantings can be achieved with the reduced buffer proposal. 2) Minor staff site review comments are addressed. **It is reasonable and in the public interest to approve the Rezoning Plan because the rezoning is consistent with land uses in the general vicinity and meets the site and architectural standards for Huntersville.**		
	DENIAL: In considering the proposed rezoning application R23-11, Morningstar Storage, the Planning Board recommends denial based on the Plan being **(consistent OR inconsistent) with (insert applicable plan reference).** **It is not reasonable and in the public interest to approve the Rezoning Plan because… (Explain)**	DENIAL:

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: 9/1/2023

Name of Project: Morningstar Storage Phase # (if subdivision): N/A

Project Address: 16220 & 16204 Old Statesville Road Huntersville, NC 28078

Parcel Identification Number(s) (PIN): 01101208 & 01101209

Current Zoning District: 01101208 is SP, 01101209 is HC Proposed District (for rezoning only): Both parcels to SP-CD

Property Size (acres): 4.365 acres total, 3.906 acres net of R/W Street Frontage (feet): 397.26' total

(296.41for parcel 01101208, 100.85' for parcel 01101209)

Current Land Use: Parcel 01101208 is a tire shop, parcel 01101209 is a single family home

Proposed Land Use(s): Mini-warehouse storage

Is the project within Huntersville's corporate limits?

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

3. Description of Request

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

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 Morningstar Properties Phone 704-635-5415

☐ 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 DocuSigned by: Marshall Macon CFBCDA980461428... Printed Name: Marshall Macon

Title Senior Vice President, Development Email mmacon@mstarproperties.com

Address of Applicant 725 Park Center Drive, Matthews, NC 28105

7. Property Owner (if different than applicant)

*Printed Name: James Steven Dove Phone: Co owner

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☒ Other: 704-488-5085

*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 DocuSigned by: James D. Dove A106ACD88DA8485... Printed Name James Steven Dove

Title Co owner Email doveman56@gmail.com

Address of Property Owner 16220 Old Statesville Rd

* 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

Morningstar Properties Development Firm	Marshall Macon Name of Contact	704-635-5415 Phone	mmacon@mstarproperties.com Email
American Engineering Design Firm	Barry Fay Name of Contact	704-375-2438 Phone	bfay@american-ea.com Email

Contact Information

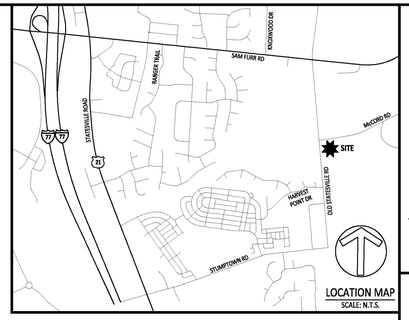
Town of Huntersville	Phone:	704-875-7000
Planning Department	Fax:	704-992-5528
PO Box 664	Physical Address:	105 Gilead Road, Third Floor
Huntersville, NC 28070	Website:	https://www.huntersville.org/228/Planning-Department

MORNINGSTAR STORAGE
HUNTERSVILLE

REZONING: R23-11
16220 Old Statesville Road
PIN# 01101208 / 01101209
Zoning: SP, HC

INDEX OF DRAWINGS

DRAWING TITLE	DRAWING NO.
COVER SHEET	C1.0
EXISTING CONDITIONS & DEMOLITION PLAN	C2.0
SITE PLAN	C3.0
TYPICAL CROSS SECTIONS & TRUCK TURNING PLAN	C3.1
GRADING PLAN	C4.0
STORMWATER & WATER QUALITY PLAN	C5.0
UTILITY PLAN	C6.0
LANDSCAPE PLAN	C7.0



AMERICAN Engineering
American Engineering Associates - Southeast, P.A.
8008 Corporate Center Drive, Suite 110
Charlotte, NC 28226
704-375-2438

NORTH CAROLINA AMERICAN ENGINEERING ASSOCIATES SOUTHEAST C-3881 CERTIFICATE OF AUTHORIZATION

NORTH CAROLINA PROFESSIONAL SEAL 33046 12-7-23 ENGINEER BARRY M. FAY

GENERAL SITE NOTES

1. THE CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL UNDERGROUND UTILITIES. THE LOCATION OF ALL EXISTING UTILITIES ARE NOT NECESSARILY SHOWN ON THE PLANS AND WHERE SHOWN ARE ONLY APPROXIMATE. THE CONTRACTOR SHALL ON HIS INITIATIVE AND AT NO EXTRA COSTS HAVE LOCATED ALL UNDERGROUND LINES AND STRUCTURES AS NECESSARY. NO CLAIMS FOR DAMAGES OR EXTRA COMPENSATION SHALL ACCRUE TO THE CONTRACTOR FROM THE PRESENCE OF SUCH PIPE, OTHER OBSTRUCTIONS OR FROM ANY DELAY DUE TO REMOVAL OR REARRANGEMENT OF THE SAME. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UNDERGROUND STRUCTURES. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING ALL NON-SUBSCRIBING UTILITIES. CALL AT LEAST 48 HOURS PRIOR TO ANY DIGGING.
2. THE LOCATIONS OF ALL UTILITIES SHOWN ON THESE PLANS ARE BASED ON THE AVAILABLE INFORMATION. THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF UTILITIES WITH THE UTILITY OWNERS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
3. PRIOR TO STARTING CONSTRUCTION, THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE TO VERIFY THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION OF ANY ITEM SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED ALL PLANS AND ANY OTHER DOCUMENTATION FROM ALL OF THE PERMITTING AND ANY OTHER REGULATORY AUTHORITIES. FAILURE OF THE CONTRACTOR TO FOLLOW THIS PROCEDURE SHALL CAUSE THE CONTRACTOR TO ASSUME FULL RESPONSIBILITY FOR ANY SUBSEQUENT MODIFICATION OF THE WORK MANDATED BY ANY REGULATORY AUTHORITY. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH PERMITS ISSUED AND APPLICABLE STATE, COUNTY, AND LOCAL CODES.
4. THE GENERAL CONTRACTOR SHALL CONTACT ALL OWNERS OF EASEMENTS, RIGHT-OF-WAYS AND UTILITIES, PUBLIC OR PRIVATE, BEFORE WORKING IN THESE AREAS.
5. CONTRACTOR SHALL MAINTAIN THE SITE IN A MANNER SUCH THAT WORKMEN AND THE PUBLIC WILL BE PROTECTED FROM INJURY, AND ADJOINING PROPERTY PROTECTED FROM DAMAGE.
6. CONTRACTOR IS RESPONSIBLE FOR DAMAGE TO ANY EXISTING ITEM AND/OR MATERIAL INSIDE OR OUTSIDE CONTRACT DUE TO CONSTRUCTION OPERATIONS.
7. ALL SITE DIMENSIONS ARE TO THE FACE OF THE CURB, UNLESS OTHERWISE NOTED.
8. THE GENERAL CONTRACTOR SHALL KEEP THE AREA OUTSIDE THE "CONSTRUCTION LIMITS" BROOM CLEAN AT ALL TIMES AND REMOVE ALL TRASH AND DEBRIS FROM THE SITE UPON COMPLETION OF THE PROJECT AND AT LEAST ONCE A WEEK DURING CONSTRUCTION.
9. BEFORE COMMENCEMENT OF WORK, THE CONTRACTOR SHALL REVIEW ALL PLANS AND SPECIFICATIONS AND THE JOB SITE. THE CONTRACTOR SHALL NOTIFY THE OWNER AND THE ENGINEER WHO PREPARED THE PLANS OF ANY DISCREPANCIES THAT MAY REQUIRE MODIFICATIONS TO THESE PLANS OR OF ANY FIELD CONFLICTS.
10. ALL PERMITS RELATIVE TO THE PROJECT MUST BE OBTAINED PRIOR TO CONSTRUCTION. ALL CONSTRUCTION MUST BE IN ACCORDANCE WITH PERMITS ISSUED AND APPLICABLE STATE, COUNTY AND LOCAL CODES.
11. ALL WORK IN RIGHT OF WAY SHALL BE PERFORMED IN ACCORDANCE WITH "THE CURRENT EDITION OF THE STATE DEPARTMENT OF TRANSPORTATION CONSTRUCTION AND MATERIALS SPECIFICATIONS."
12. CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY, AND HOLD THE OWNER AND DESIGN PROFESSIONAL HARMLESS OF ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, ACCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR DESIGN PROFESSIONAL.
13. SUBJECT PROPERTY IS NOT LOCATED WITHIN THE SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN ZONE "X" AS DEFINED BY NFIP F.I.R.M MAP NUMBER 3710465100K, WITH DATE OF IDENTIFICATION OF NOVEMBER 11, 2018.
14. ALL SITE CONCRETE IS TO BE TREATED WITH WATER REPELLANT CONCRETE SEALER TO PROTECT THE SURFACES FROM SPALLING AND DAMAGE FROM CHEMICAL ATTACK OR CHLORIDE SALTS. SEALER SHOULD BE SILANE /SILOXANE WATER REPELLANT. RECOMMENDATIONS INCLUDE PROSOCO-SALTGUARD OR V-SEAL 102 WINTERGUARD.
15. FINAL RECORDED PLAT WILL BE REQUIRED FOR ALL EASEMENTS PRIOR TO CERTIFICATE OF OCCUPANCY ISSUANCE.
16. ALL MECHANICAL EQUIPMENT MUST BE FULLY SCREENED FROM AT GRADE VIEW BY USE OF PARAPET WALLS. SEE ARCHITECTURAL PLANS FOR DETAIL ROOF LAYOUT AND SECTION

LANDSCAPING NOTES

1. THE CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL UNDERGROUND UTILITIES. THE LOCATION OF ALL EXISTING UTILITIES ARE NOT NECESSARILY SHOWN ON THE PLANS AND WHERE SHOWN ARE ONLY APPROXIMATE. THE CONTRACTOR SHALL ON HIS INITIATIVE AND AT NO EXTRA COSTS HAVE LOCATED ALL UNDERGROUND LINES AND STRUCTURES AS NECESSARY. NO CLAIMS FOR OBSTRUCTIONS OR FROM ANY DELAY DUE TO REMOVAL OR REARRANGEMENT OF THE SAME. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UNDERGROUND STRUCTURES. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING ALL NON-SUBSCRIBING UTILITIES. THE CONTRACTOR(S) SHALL CONTACT NORTH CAROLINA ONE CALL AT 1-800-632-4949 FOR ASSISTANCE IN LOCATING EXISTING UTILITIES. CALL AT LEAST 48 HOURS PRIOR TO ANY DIGGING.
2. ENTIRE SITE SHALL BE SODDED UNLESS SPECIFIED ON PLAN OR REQUESTED BY REGIONAL CONSTRUCTION MANAGER USE LOCALLY ADAPTED SOD.
3. THE GENERAL CONTRACTOR SHALL LEAVE THIS SITE AT 6"FROM FINISHED GRADE. THE LANDSCAPE CONTRACTOR SHALL REVISE GRADES AT A MINIMUM TO ENSURE SMOOTH TRANSITIONS BETWEEN PLANTING BEDS AND LAWN AREAS.
4. PLANT GUARANTEE: ALL PLANTS SHALL BE GUARANTEED TO LIVE FOR TWELVE MONTHS. THE GUARANTEE SHALL COMMENCE UPON FINAL ACCEPTANCE OF THE PROJECT. IF ANY PLANTS ARE DEAD OR IN AN UNHEALTHY CONDITION BEFORE FINAL ACCEPTANCE, THE LANDSCAPE CONTRACTOR SHALL REPLACE DEAD OR DYING PLANT MATERIAL AT HIS EXPENSE. THIS REPLACEMENT SHALL NOT BE CONSIDERED A GUARANTEED REPLACEMENT.
5. ALL PLANTING SHALL BE PLACED WITHIN A MULCHED PLANTING BED. ALL STRAPPING AND THE TOP 2/3 OF WIRE BASKETS MUST BE CUT AWAY AND REMOVED FROM ROOT BALLS PRIOR TO BACKFILLING PLANTING PIT. REMOVE TOP 1/3 OF BURLAP FROM ROOT BALL.
6. ALL LANDSCAPE WORK SHALL BE IN ACCORDANCE WITH CURRENT TOWN STANDARD DETAILS AND SPECIFICATIONS.
7. ALL AREAS NOT MULCHED SHALL BE SEEDED OR SODDED IN ACCORDANCE WITH THE AREA SPECIFIED ON PLANS WITH GRASS SPECIES RECOMMENDED FOR REGION AS PRESCRIBED IN THE SEEDING SCHEDULE.
8. SITE LIGHTING SHALL NOT BE PLACED IN CONFLICT WITH PLANTED TREES.
9. TREE PROTECTION FENCING TO BE PROVIDED AROUND TREE PRESERVATION AREAS IN ACCORDANCE WITH TOWN STANDARDS
10. COORDINATE ALL WORK WITH SITE LAYOUT AND SITE GRADING, DRAINAGE AND UTILITIES PLAN
11. MULCH ALL AREAS, THAT ARE NOT SEEDED OR SODDED, WITH SHREDDED HARDWOOD MULCH OR APPROVED EQUAL AS SPECIFIED TO ADEPT OF 3"-4"
12. THE SELECTION AND INSTALLATION OF PLANTS AND PLANTING METHODS SHALL CONFORM WITH THE STANDARDS OF THE AMERICAN ASSOCIATION OF NURSERYMEN OR THE CITY STANDARD DETAILS AND SPECIFICATIONS, WHICHEVER IS STRICTER.
13. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES. DRAWINGS SHALL RULE OVER PLANT LISTS.
14. SUBSTITUTIONS SHALL BE SUBMITTED TO ENGINEER FOR APPROVAL, PRIOR TO INSTALLATION, SUBSTITUTIONS MAY REQUIRE ADDITIONAL APPROVAL BY THE GOVERNING JURISDICTION.
15. ALL LANDSCAPING SOIL AND FILL SHALL BE FREE FROM WEED, REFUSE, AND DEBRIS AT ALL TIMES
16. TREES AND LARGE SHRUBS SHALL BE ADEQUATELY SUPPORTED, AS NECESSARY, USING ARBORTIE FOR GUYS ON TREES. SUCH SUPPORTS SHALL BE DESIGNED SO AS TO PROTECT TREES AND SHRUBS FROM INJURY. TREES AND SHRUBS SHALL BE FASTENED TO THE SUPPORT WITH AN ACCEPTABLE COMMERCIAL TREE TIE OF PLASTIC OR HOSE COVERED WIRE.
17. ALL LANDSCAPE AREAS SHALL BE ROUGH GRADED TO 6" BELOW TOP OF ALL WALKS AND CURBS. FINISH GRADING, LANDSCAPING AND SPRINKLER SYSTEMS ARE BY THE OWNER/OPERATOR.
18. SHRUBS WILL BE PRUNED IN A WAY THAT WILL ENABLE THEM TO REACH 6 FEET IN HEIGHT.

LIGHTING NOTES

1. TO PREVENT GLARE ON OFF-SITE LOCATIONS, ALL OUTDOOR LIGHTING FIXTURES SHALL BE FULL CUT-OFF. WHERE NECESSARY TO PREVENT LIGHT TRESPASS OR GLARE, ACCESSORIES SUCH AS HOODS AND SHIELDS SHALL BE USED ON FIXTURES. NO SOURCE OF GLARE SHALL BE VISIBLE FROM ANY ADJACENT PROPERTY OR STREET.
2. LIGHT TRESPASS SHALL BE PREVENTED BY EMPLOYING LIGHTING SHIELDS, HOODS, WALLS OR FENCES, WHICH CONTROL LIGHT PROTECTION. IN NO CASE SHALL THE SPILLOVER LIGHT LEVEL FROM SITE SIGHTING ONTO ADJACENT PROPERTY OR A PUBLIC ROAD EXCEED 0.1 FOOT-CANDLE MEASURED AT GROUND LEVEL 10 INTO THE ADJACENT PROPERTY OR STREET FROM ANY ORIENTATION OF THE MEASURING DEVICE
3. SECURITY LIGHTING (FLOODLIGHTS, WHERE PERMITTED, WALL PACKS, AND ETC.) SHALL BE SHIELDED AND DIRECTED AT A DOWNWARD ANGLE NO HIGHER THAN 45 DEGREES ABOVE STRAIGHT DOWN (HALF WAY BETWEEN STRAIGHT DOWN AND STRAIGHT TO THE SIDE) MEASURED PERPENDICULAR FROM THE POLE OR MOUNTING WALL.
4. UNLESS OTHERWISE SPECIFIED BY THIS ORDINANCE, UNIFORMITY RATIOS SHALL NOT EXCEED 4:1. UNIFORMITY SHALL BE BASED ON AVERAGE ILLUMINANCE. UNIFORMITY RATIOS SHALL ONLY BE MEASURED FOR DEVELOPED AREAS OF THE SITE FOR PARCELS GREATER THAN ONE ACRE.
5. PARKING LOT LIGHTING SHALL NOT EXCEED AN INITIAL MAXIMUM OUTPUT OF TEN FOOT - CANDLES AS MEASURED AT GROUND LEVEL FROM ANY ORIENTATION OF THE MEASURING DEVICE
6. AN AS BUILT/INSTALLED LIGHTING CERTIFICATION SEALED BY A REGISTERED ENGINEER STATING THAT ALL SITE LIGHTING IS INSTALLED ACCORDING TO AN APPROVED SITE PLAN SHALL BE REQUIRED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ALL NON-RESIDENTIAL PROJECTS
7. DECORATIVE LIGHTING SHALL BE FOCUSED TOWARD THE GROUND, BE DESIGNED AND INSTALLED TO PREVENT LIGHT TRESPASS AND UNNECESSARY GLARE, AND ONLY BE USED TO HIGHLIGHT SIGNIFICANT ARCHITECTURAL OR NATURAL FEATURES
8. OUTDOOR LIGHTING NOT NECESSARY FOR SECURITY PURPOSED SHALL BE TURNED OFF DURING NON-OPERATING HOURS.
9. DROP LENSES AND SIMILAR LIGHTING FIXTURES ARE PROHIBITED
10. FLOODLIGHTS ARE NOT PERMITTED FOR ILLUMINATION IN NON-RESIDENTIAL DISTRICTS UNLESS EXPRESSLY PERMITTED BY THIS ORDINANCE. IN ALL APPLICATIONS, LIGHTING SHALL BE DIRECTED DOWNWARD. FLOODLIGHTS IN RESIDENTIAL DISTRICTS SHALL NOT SHINE DIRECTLY ONTO AN ADJACENT PROPERTY OR PUBLIC RIGHTS -OF-WAY.
11. CANOPIES AND AWNINGS USED FOR BUILDING ACCENTS SHALL NOT BE INTERNALLY ILLUMINATED
12. FLASHING, COLORED OR OBTRUSIVE LIGHTING IS PROHIBITED
13. THE USE OF LASER SOURCE LIGHT OR ANY SIMILAR HIGH INTENSITY LIGHT FOR OUTDOOR ADVERTISING OR ENTERTAINMENT IS PROHIBITED
14. THE OPERATION OF SEARCHLIGHTS FOR ADVERTISING PURPOSES IS PROHIBITED
15. BLACK LIGHTS AND NEON LIGHTS (INCLUDING ARGON AND SIMILAR RARE GAS FIXTURES), EXCEPT FOR SIGNAGE, ARE PROHIBITED.

NOTE: SITE LIGHTING WILL BE PERMITTED SEPARATELY AND IN COMPLIANCE WITH ARTICLE 8.26

UTILITY NOTES

1. THE CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL UNDERGROUND UTILITIES. THE LOCATION OF ALL EXISTING UTILITIES ARE NOT NECESSARILY SHOWN ON THE PLANS AND WHERE SHOWN ARE ONLY APPROXIMATE. THE CONTRACTOR SHALL ON HIS INITIATIVE AND AT NO EXTRA COSTS HAVE LOCATED ALL UNDERGROUND LINES AND STRUCTURES AS NECESSARY. NO CLAIMS FOR DAMAGES OR EXTRA COMPENSATION SHALL ACCRUE TO THE CONTRACTOR FROM THE PRESENCE OF SUCH PIPE, OTHER OBSTRUCTIONS OR FROM ANY DELAY DUE TO REMOVAL OR REARRANGEMENT OF THE SAME. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UNDERGROUND STRUCTURES. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING ALL NON-SUBSCRIBING UTILITIES. THE CONTRACTOR(S) SHALL CONTACT "NORTH CAROLINA ONE CALL" AT 1-800-632-4949 FOR ASSISTANCE IN LOCATING EXISTING UTILITIES. CALL AT LEAST 48 HOURS PRIOR TO ANY DIGGING.
2. UTILITY INFORMATION SHOWN HEREON WAS OBTAINED FROM THE BEST AVAILABLE SOURCE AND MAY OR MAY NOT BE EITHER ACCURATE OR COMPLETE. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR VERIFYING EXACT LOCATIONS OF EXISTING UTILITIES AND IS RESPONSIBLE FOR ANY DAMAGE TO ANY UTILITIES, EITHER PUBLIC OR PRIVATE, SHOWN HEREON OR NOT SHOWN HEREON. ANY REPAIRS SHALL BE DONE TO HTE SATISFACTION OF THE APPROPRIATE UTILITY COMPANY.
3. THE GENERAL CONTRACTOR SHALL CONFIRM ALL NEW UTILITY TAP LOCATIONS WITH THE UTILITY OWNERS.
4. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO VERIFY THE ACTUAL LOCATION AND AVAILABILITY OF ALL EXISTING AND PROPOSED UTILITIES IN THE FIELD PRIOR TO GROUND BREAKING.
5. MINIMUM COVER FOR CONDUITS SHALL BE 36 INCHES UNLESS OTHERWISE SHOWN OR NOTED ON THESE PLANS.
6. ALL MANHOLES, VALVES AND MONUMENT FRAMES SHALL BE SET TO FINISH GRADE AFTER PAVING.
7. THE CONTRACTOR SHALL COMPLY WITH THE RULES AND REGULATIONS OF THE STATE CONSTRUCTION SAFETY ORDERS. TRENCHES SHALL BE SHORED IN ACCORDANCE TO OSHA
8. OCCUPATIONAL HEALTH AND SAFETY ADMINISTRATION (OSHA) STANDARDS FOR EXCAVATIONS; FINAL RULE 29CFR PART 1926, SUBPART "P" APPLIES TO ALL EXCAVATIONS EXCEEDING 5 FEET IN DEPTH. EXCAVATION EXCEEDING TWENTY (20) FEET IN DEPTH REQUIRES THE DESIGN OF A TRENCH SAFETY SYSTEM BY A REGISTERED PROFESSIONAL ENGINEER.
9. EQUIPMENT AND PRODUCTS OTHER THAN THOSE SPECIFIED MAY BE USED PROVIDED PRIOR APPROVAL HAS BEEN OBTAINED FROM THE OWNER IN WRITING PRIOR TO ORDERING OR INSTALLATION. THE CONSTRUCTION SHALL WAVE ANY CLAIM FOR ADDITIONAL COST RELATED TO THE SUBSTITUTION OF ALTERNATE EQUIPMENT.
10. CONTRACTOR SHALL MAINTAIN AN "AS-BUILT" SET OF DRAWINGS TO RECORD THE EXACT LOCATION OF ALL PIPING PRIOR TO CONCEALMENT. DRAWINGS SHALL BE GIVEN TO THE OWNER UPON COMPLETION OF THE PROJECT WITH A COPY OF THE TRANSMITTAL LETTER TO THE ENGINEER.
11. ALL UTILITY CONSTRUCTION SHALL BE IN ACCORDANCE WITH CHARLOTTE WATER STANDARDS.
12. SITE UTILITY CONTRACTOR TO PROVIDE WATER, SANITARY SEWER, AND ROOF DRAIN LEADERS TO WITHIN 5 FEET OF THE BUILDING. CONTRACTOR SHALL COORDINATE SITE PLAN CONNECTIONS WITH THE ARCHITECTURAL BUILDING PLANS.
13. RELATION OF WATER MAINS TO SEWERS:
    - A. LATERAL SEPARATION OF SEWER AND WATER MAINS: WATER MAINS SHALL BE LAID AT LEAST 10 FEET LATERALLY FROM EXISTING OR PROPOSED SEWERS UNLESS LOCAL CONDITIONS OR BARRIERS PREVENT A 10 FOOT LATERAL SEPARATION, IN WHICH CASE
    1. THE WATER MAIN IS LAID IN A SEPARATE TRENCH, WITH THE ELEVATION OF THE BOTTOM OF THE WATER MAIN AT LEAST 18 INCHES ABOVE THE TOP OF THE SEWER, OR
    2. THE WATER MAIN IS LAID IN THE SAME TRENCH AS THE SEWER LINE WITH THE WATER MAIN LOCATED AT ONE SIDE ON BENCH OF UNDISTURBED EARTH, AND ABOVE THE TOP OF THE SEWER
    - B. CROSSING A WATER MAIN OVER A SEWER MAIN: WHENEVER IT IS NECESSARY FOR A WATER MAIN TO CROSS OVER A SEWER, THE WATER MAIN SHALL BE LAID AT SUCH AN ELEVATION THAT THE BOTTOM OF THE WATER MAIN IS AT LEAST 18 INCH ABOVE THE TOP OF THE SEWER MAIN, UNLESS LOCAL CONDITIONS OR BARRIERS PREVENT AN 18 INCH VERTICAL SEPARATION - IN WHICH CASE BOTH THE WATER MAIN AND SEWER MAIN SHALL BE CONSTRUCTED OF FERROUS MATERIALS AND WITH JOINTS THAT ARE EQUIVALENT TO WATER MAIN STANDARDS FOR A DISTANCE OF 10 FEET ON EACH SIDE OF THE POINT OF CROSSING.
    - C. CROSSING A WATER MAIN UNDER A SEWER MAIN: WHENEVER IT IS NECESSARY FOR A WATER MAIN TO CROSS UNDER A SEWER MAIN, BOTH THE WATER MAIN AND SEWER MAIN SHALL BE CONSTRUCTED OF FERROUS MATERIALS AND WITH JOINTS THAT ARE EQUIVALENT TO WATER MAIN STANDARDS FOR A DISTANCE OF 10 FEET ON EACH SIDE OF THE POINT OF CROSSING.
    - D. CROSSING A SEWER LINE OVER OR UNDER A STORM DRAIN: WHENEVER IT IS NECESSARY FOR A SEWER LINE TO CROSS A STORM DRAIN PIPE, THE SEWER LINES SHALL BE LAID AT SUCH AN ELEVATION THAT THE OUTSIDE OF THE SEWER LINE NEAREST TO THE OUTSIDE OF THE STORM DRAIN PIPE SHALL MAINTAIN A 12 INCH CLEAR SEPARATION DISTANCES, OR ENCASED IN EITHER CONCRETE OR DUCTILE IRON PIPE FOR AT LEAST 5 FEET ON EITHER SIDE OF CROSSING.
14. UNDERGROUND CONDUITS TO SIGNS, LOT LIGHTS, ETC., SHALL BE PLACED IN GRASS OR LANDSCAPE AREAS WHENEVER POSSIBLE. THE LOCATION OF THE CONDUIT AS SHOWN ON THESE PLANS SHALL BE CONSIDERED TO BE SCHEMATIC WITH ACTUAL LOCATION TO BE VERIFIED BY THE GENERAL CONTRACTOR, PVC SCH 40 SLEEVES SHALL BE INSTALLED FOR ALL CONDUIT CROSSING UNDER PAVED AREAS.
15. THE CONTRACTOR SHALL COORDINATE WITH ALL UTILITY COMPANIES TO DETERMINE EXACT POINT OF SERVICE CONNECTION AT EXISTING UTILITY. REFER TO THE BUILDING ELECTRICAL AND PLUMBING DRAWINGS FOR UTILITY SERVICE ENTRANCE LOCATIONS, SIZES AND CIRCUITING.

CONTACTS:

MECKLENBURG COUNTY STORM WATER SERVICES
2145 SUTTLE AVENUE
CHARLOTTE, NC 28208
TEL: (980) 314-3232

CIVIL ENGINEER
BARRY M. FAY, P.E.
AMERICAN ENGINEERING ASSOCIATES - SOUTHEAST, PA
8008 CORPORATE CENTER DR
SUITE 110
CHARLOTTE, NC 28226
TEL: 704-375-2438
bfay@american-ea.com

TOWN OF HUNTERSVILLE PLANNING DEPT.
105 GILEAD ROAD
HUNTERSVILLE, NC 28078
TEL: (704) 875-6541

PROPERTY OWNER:
JAMES STEVEN DOVE
13332 MT HOLLY RD
HUNTERSVILLE, NC 28078

DEVELOPER:
MORNINGSTAR PROPERTIES, LLC
MARSHALL B. MACON, DIRECTOR OF DEVELOPMENT
725 PARK CENTER DRIVE
MATTHEWS, NC 28105
704-635-5415
MMACON@MSTARPROPERTIES.COM

SITE STATISTICS:

PROPERTY DESCRIPTION:	16220 OLD STATESVILLE ROAD
PIN #:	01101208, 01101209
TOTAL PROPERTY AREA:	3.922 ACRES
RAIL ROAD R/W AREA:	0.481 ACRES (LESS McCORD RD R/W DEDICATION)
McCORD RD R/W DEDICATION:	0.189 ACRES
OLD STATESVILLE RD R/W DEDICATION:	0.321 ACRES
NET PROPERTY AREA:	2.931 ACRES (LESS RAIL ROAD R/W AND PUBLIC R/W DEDICATION)
CURRENT ZONING:	SP, HC
PROPOSED ZONING:	SP-CD
EXISTING USE:	COMMERCIAL / RESIDENTIAL
PROPOSED USE:	SELF-STORAGE
BUILDING FOOTPRINT:	34,400 ± SF CLIMATE CONTROL 13,200 ± SF STANDARD
BUILDING HEIGHT:	36 FT (MAX.)
ESTIMATED GROSS FLOOR AREA:	103,200 ± SF
REQUIRED PARKING:	26 SPACES (0.25 SPACE / 1,000 SF)
PROVIDED PARKING:	26 SPACES
IMPERVIOUS AREA:	1.760 AC (60% OF NET PROPERTY AREA)

DRAWING COMPONENTS

- PROPERTY LINE INFORMATION FROM SURVEY PREPARED BY CAROLINA SURVEYORS, INC.
- ZONING FROM TOWN OF HUNTERSVILLE

NOTE: DRIVEWAYS, CURB AND GUTTER, PLANTING STRIP AND SIDEWALK REQUIRED ALONG FRONTAGE OF OLD STATESVILLE ROAD AND McCORD ROAD ARE SUBJECT TO NCDOT APPROVAL.

CONCEPTUAL PLAN
NOT FOR CONSTRUCTION

MORNINGSTAR HUNTERSVILLE
OLD STATESVILLE RD
TOWN OF HUNTERSVILLE,
MECKLENBURG COUNTY, NC

NO.	DATE	REVISION:

North Carolina 811 www.811.org
*** 3 Days Before Digging ***
North Carolina 811
811 or 1-800-632-4949
Remote Ticket Entry
http://nc811.org/remoteticketentry.htm

STIPULATION FOR REUSE

THIS DRAWING WAS PREPARED FOR USE ON THE SPECIFIC SITE, NAMED HEREON, CONTEMPORANEOUSLY WITH ITS ISSUE DATE AS LISTED, HEREON, AND IT IS NOT SUITABLE FOR USE ON A DIFFERENT PROJECT SITE OR AT A LATER TIME. USE OF THIS DRAWING FOR REFERENCE OR EXAMPLE ON ANOTHER PROJECT REQUIRES THE SERVICES OF PROPERLY LICENSED ARCHITECTS AND ENGINEERS. REPRODUCTION OF THIS DRAWING FOR REUSE ON ANOTHER PROJECT IS NOT AUTHORIZED AND MAY BE CONTRARY TO THE LAW.

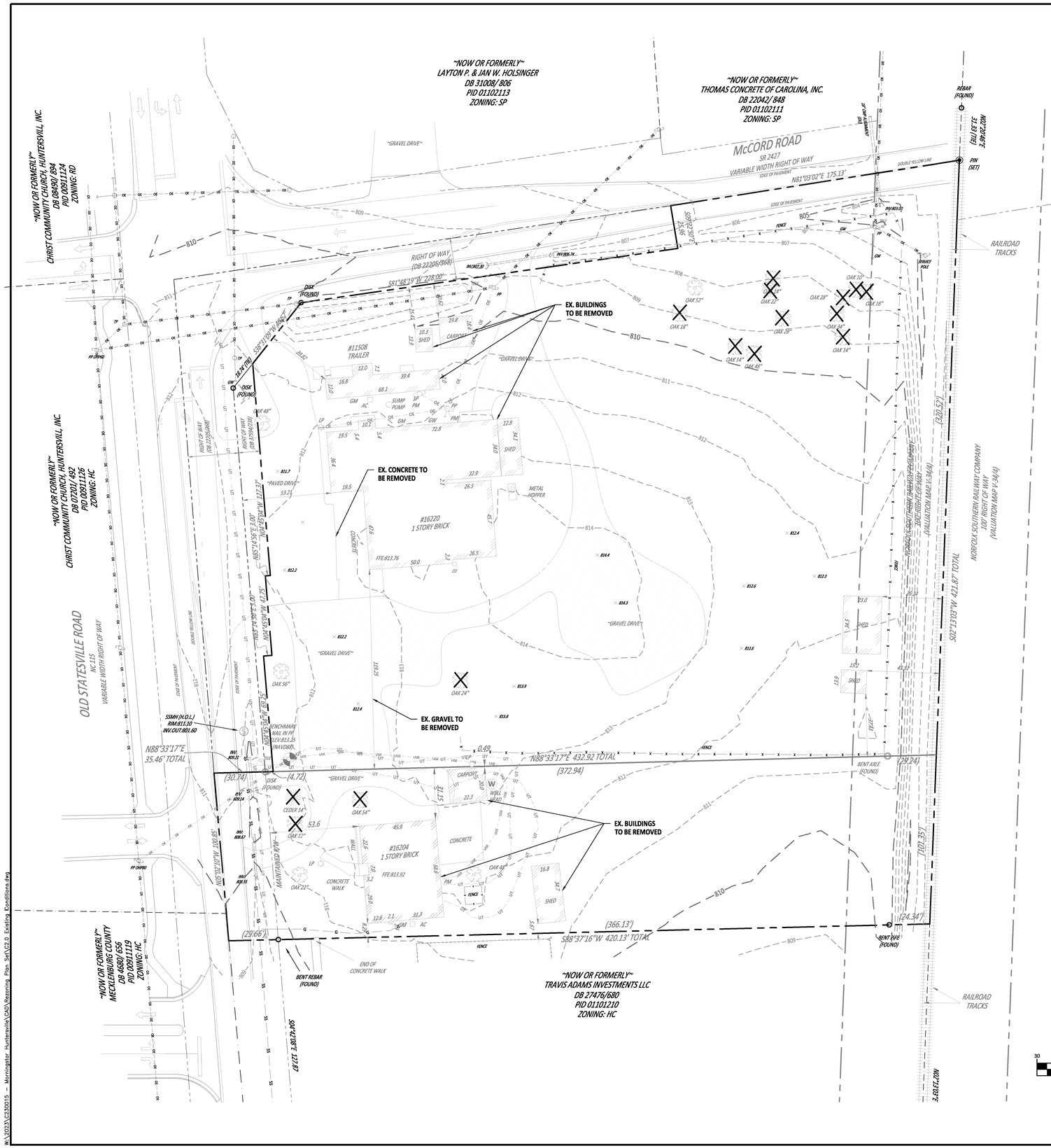
JOB NUMBER:	C230015
DESIGN BY:	BHE
DATE:	11/30/2023

SHEET TITLE:

COVER SHEET

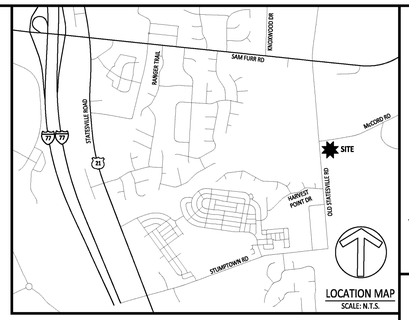
SHEET NO.: **C1.0**

W:\2023\C230015 - Morningstar Huntersville\CAD\Rezoning Plan Set\C1.0 Cover Sheet.dwg



LEGEND

- SITE BOUNDARY
- RIGHT OF WAY LINE
- UNDERGROUND ELECTRIC
- GAS LINE
- SANITARY PIPE AND MANHOLE
- STORM PIPE AND STORM STRUCTURE
- FIRE HYDRANT
- TREE



EXISTING CONDITION NOTES

1. THIS MAP IS NOT INTENDED TO BE A BOUNDARY SURVEY.
2. PROPERTY IS SUBJECT TO ANY AND ALL APPLICABLE DEED RESTRICTIONS, EASEMENTS, RIGHTS-OF-WAY, UTILITIES AND COVENANTS WHICH MAY BE OF RECORD.
3. BOUNDARY INFORMATION TAKEN FROM MAP ENTITLED "ALTA/NSPS LAND TITLE SURVEY SHOWING PROPERTY ALONG OLD STATESVILLE ROAD" SAID MAP PREPARED BY CAROLINA SURVEYORS, INC. AND DATED APRIL, 10 2023.
4. VERTICAL DATUM IS NAD 83 (2011).
5. THIS PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP (FIRM) NO. 3710465100K, WITH A DATE OF IDENTIFICATION OF 11/16/2018.
6. CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL EXISTING UTILITIES PRIOR TO BEGINNING WORK, BOTH PUBLIC AND PRIVATE. CONTRACTOR IS FULLY RESPONSIBLE FOR PROTECTION AND SUPPORT OF ALL EXISTING UTILITIES DURING CONSTRUCTION AND SHALL REPAIR ANY DAMAGE AS A RESULT OF THIS CONTRACT.
7. CONTRACTOR SHALL GIVE NOTICE TO THE ENGINEER OF ANY CONFLICTS OR REQUIRED RELOCATIONS NOT SHOWN HERON.
8. CONTRACTOR TO PROTECT ADJACENT CURBS, TREES, BUILDINGS, UTILITIES AND OTHER ITEMS TO REMAIN FROM DAMAGE. CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIR AND/OR PAYMENT OF ANY DAMAGED ITEM THAT ARE TO REMAIN.
9. NO SOIL DISTURBANCE OR COMPACTION, CONSTRUCTION MATERIALS, TRENCHING OR OTHER LAND DISTURBING ACTIVITIES IN TREE PROTECTION AREAS.

EX. TREE	DBH (IN)	HERITAGE (Y/N)	SPECIMEN (Y/N)	REMOVED (Y/N)	SPECIMEN TREES REMOVED (IN)	SPECIMEN TREES PRESERVED (IN)
OAK	16	N	N	Y	--	--
OAK	10	N	N	Y	--	--
OAK	28	N	Y	Y	28	--
OAK	34	N	Y	Y	34	--
OAK	14	N	N	Y	--	--
OAK	14	N	N	Y	--	--
OAK	22	N	N	Y	--	--
OAK	28	N	Y	Y	28	--
OAK	48	N	Y	Y	48	--
OAK	14	N	N	Y	--	--
OAK	18	N	N	Y	--	--
OAK	52	N	Y	N	--	52
OAK	48	N	Y	N	--	48
OAK	56	N	Y	N	--	56
OAK	24	N	Y	Y	24	--
CEDAR	14	N	N	Y	--	--
OAK	12	N	N	Y	--	--
OAK	54	N	Y	Y	54	--
OAK	22	N	N	N	--	--
OAK	48	N	Y	N	--	48
				TOTAL INCHES =	216	204
				TOTAL TREES =	6	4

	No.	INCHES
TOTAL EXISTING TREES	20	--
TOTAL HERITAGE TREES	0	--
TOTAL HERITAGE TREES REMOVED	0	--
TOTAL SPECIMEN TREES	10	420 in
MIN. REQ'D SPECIMENT TREE PRESERVATION	30%	--
MIN. REQ'D SPECIMENT TREE PRESERVATION	3	--
TOTAL SPECIMEN TREES REMOVED	6	216 in
TOTAL SPECIMEN TREES PRESERVED	4	204 in

AMERICAN Engineering
American Engineering Associates - Southeast, P.A.
8008 Corporate Center Drive, Suite 110
Charlotte, NC 28226
704-375-2438

NORTH CAROLINA AMERICAN ENGINEERING ASSOCIATES SOUTHEAST C-3881 CERTIFICATE OF AUTHORIZATION

NORTH CAROLINA PROFESSIONAL SEAL 33046 12-7-23 ENGINEER BARRY M. FAY

NO.	DATE	REVISION:

North Carolina 811 www.ncs811.com
*** 3 Days Before Digging ***
North Carolina 811
811 or 1-800-632-4949
Remote Ticket Entry
http://nc811.org/remoteticketentry.htm

STIPULATION FOR REUSE

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CONCEPTUAL PLAN
NOT FOR CONSTRUCTION

MORNINGSTAR HUNTERSVILLE

OLD STATESVILLE RD
TOWN OF HUNTERSVILLE,
MECKLENBURG COUNTY, NC

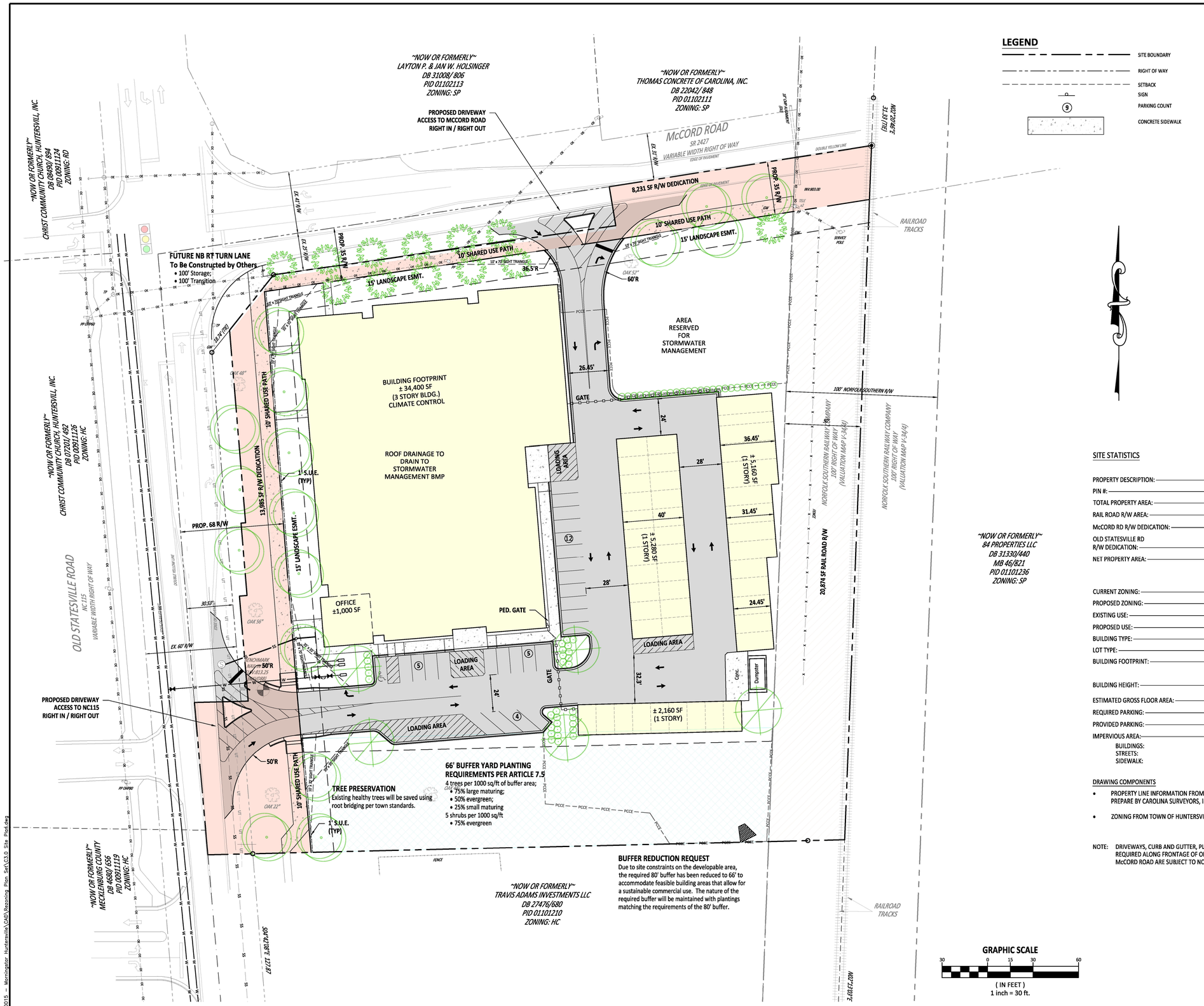
JOB NUMBER:	C230015
DESIGN BY:	BHE
DATE:	11/30/2023

SHEET TITLE:

EXISTING CONDITIONS & DEMOLITION PLAN

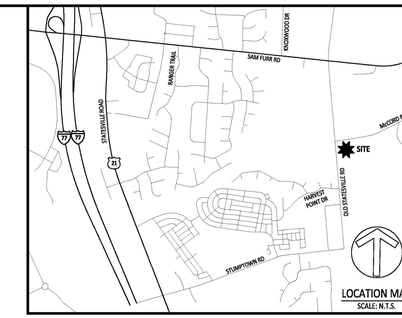
SHEET NO.: **C2.0**

W:\2023\C230015 - Morningstar Huntersville\CAD\Rezoning Plan Set\C2.0 Existing Conditions.dwg



LEGEND

- SITE BOUNDARY
- RIGHT OF WAY
- SETBACK
- SIGN
- PARKING COUNT
- CONCRETE SIDEWALK



SITE STATISTICS

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McCORD RD R/W DEDICATION:	0.189 ACRES
OLD STATESVILLE RD R/W DEDICATION:	0.321 ACRES
NET PROPERTY AREA:	2.931 ACRES (LESS RAIL ROAD R/W AND PUBLIC R/W DEDICATION)
CURRENT ZONING:	SP, HC
PROPOSED ZONING:	SP-CD
EXISTING USE:	COMMERCIAL / RESIDENTIAL
PROPOSED USE:	SELF-STORAGE
BUILDING TYPE:	HIGHWAY COMMERCIAL
LOT TYPE:	HIGHWAY COMMERCIAL
BUILDING FOOTPRINT:	34,400 ± SF CLIMATE CONTROL 13,200 ± SF STANDARD
BUILDING HEIGHT:	36 FT (MAX.)
ESTIMATED GROSS FLOOR AREA:	103,200 ± SF
REQUIRED PARKING:	26 SPACES (0.25 SPACE / 1,000 SF)
PROVIDED PARKING:	26 SPACES
IMPERVIOUS AREA:	1.806 AC (62% OF NET PROPERTY AREA)
BUILDINGS:	1.08 ACRES
STREETS:	0.66 ACRES
SIDEWALK:	0.06 ACRES

DRAWING COMPONENTS

- PROPERTY LINE INFORMATION FROM SURVEY PREPARE BY CAROLINA SURVEYORS, INC.
- ZONING FROM TOWN OF HUNTERSVILLE

NOTE: DRIVEWAYS, CURB AND GUTTER, PLANTING STRIP AND SIDEWALK REQUIRED ALONG FRONTAGE OF OLD STATESVILLE ROAD AND McCORD ROAD ARE SUBJECT TO NCDOT APPROVAL.

CONCEPTUAL PLAN
NOT FOR CONSTRUCTION

AMERICAN Engineering
American Engineering Associates - Southeast, P.A.
8008 Corporate Center Drive, Suite 110
Charlotte, NC 28226
704-375-2438

NORTH CAROLINA
AMERICAN ENGINEERING ASSOCIATES SOUTHEAST
C-3881
CERTIFICATE OF AUTHORIZATION

NORTH CAROLINA PROFESSIONAL SEAL 33046 ENGINEER BARRY M. FAY
12-7-23

NO.	DATE	REVISION:

North Carolina 811 www.nc811.org
*** 3 Days Before Digging ***
North Carolina 811
811 or 1-800-632-4949
Remote Ticket Entry
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MORNINGSTAR HUNTERSVILLE

OLD STATESVILLE RD
TOWN OF HUNTERSVILLE,
MECKLENBURG COUNTY, NC

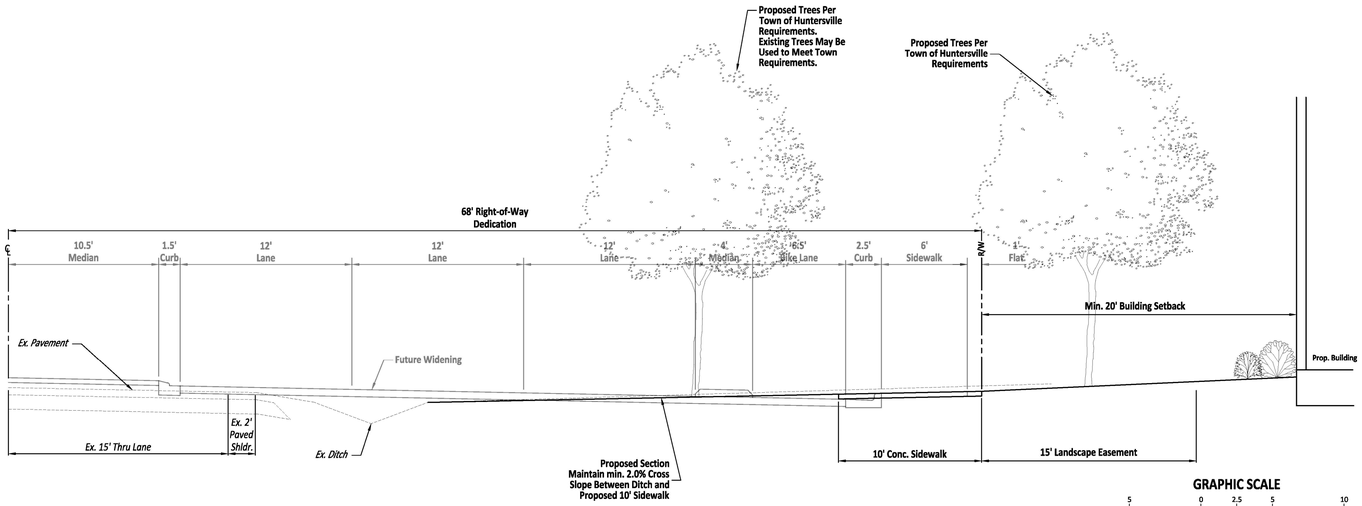
JOB NUMBER:	C230015
DESIGN BY:	BHE
DATE:	11/30/2023

SHEET TITLE:

SITE PLAN

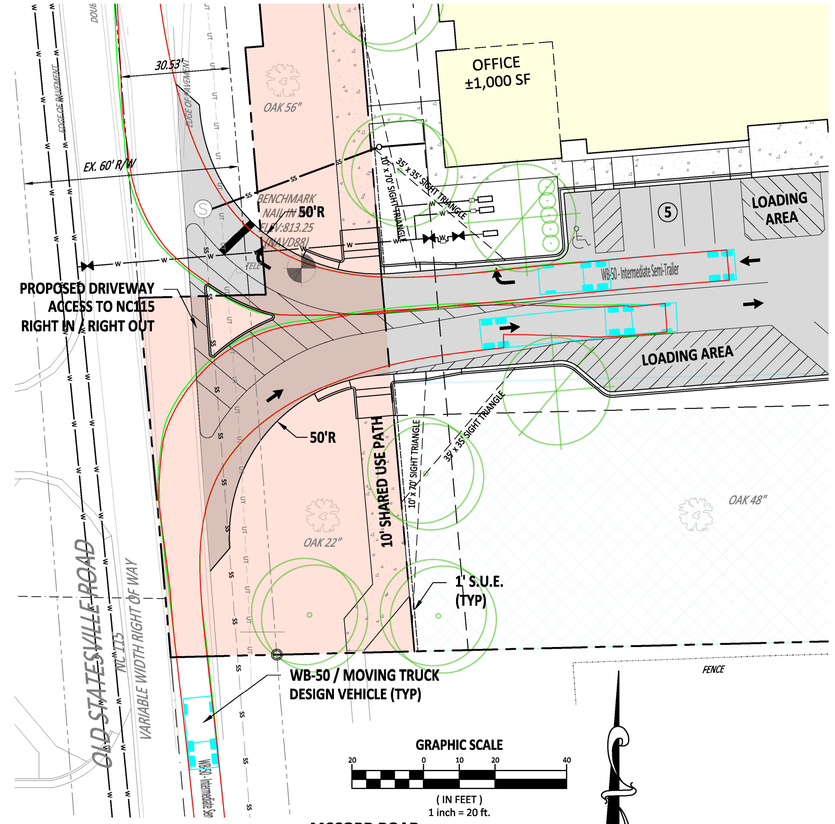
SHEET NO.: **C3.0**

W:\2023\C230015 – Morningstar Huntersville\CAD\Rezoning Plan Set\C3.0 Site Plan.dwg



Old Statesville Road - NC115
Typical Section
N.T.S.

GRAPHIC SCALE
5 0 2.5 5 10
(IN FEET)
1 inch = 5 ft.

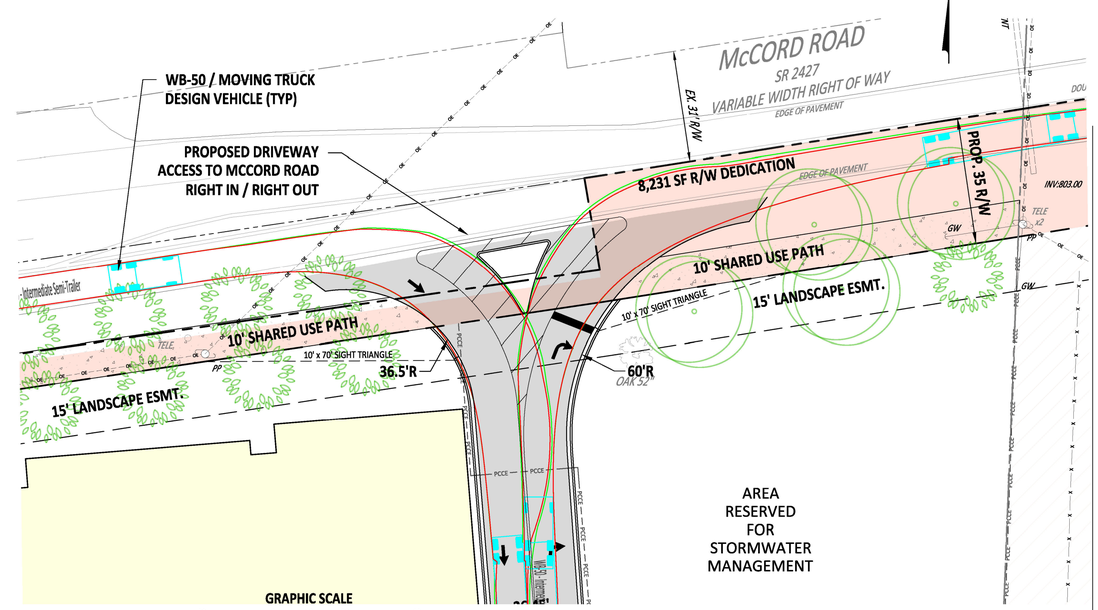


GRAPHIC SCALE
20 0 10 20 40
(IN FEET)
1 inch = 20 ft.

MCCORD ROAD
TRUCK TURNING DESIGN (WB-50/ MOVING TRUCK)

McCord Road - SR 2427
Typical Section
N.T.S.

GRAPHIC SCALE
5 0 2.5 5 10
(IN FEET)
1 inch = 5 ft.



GRAPHIC SCALE
20 0 10 20 40
(IN FEET)
1 inch = 20 ft.

CONCEPTUAL PLAN
NOT FOR CONSTRUCTION

AMERICAN Engineering
American Engineering Associates - Southeast, P.A.
8008 Corporate Center Drive, Suite 110
Charlotte, NC 28226
704-375-2438

NORTH CAROLINA AMERICAN ENGINEERING ASSOCIATES SOUTHEAST C-3881 CERTIFICATE OF AUTHORIZATION

NORTH CAROLINA PROFESSIONAL SEAL 33046 11-30-23 ENGINEER BARRY M. FAY

NO.	DATE	REVISION:

North Carolina 811
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North Carolina 811
811 or 1-800-632-4949
Remote Ticket Entry
http://nc811.org/remoteticketentry.htm

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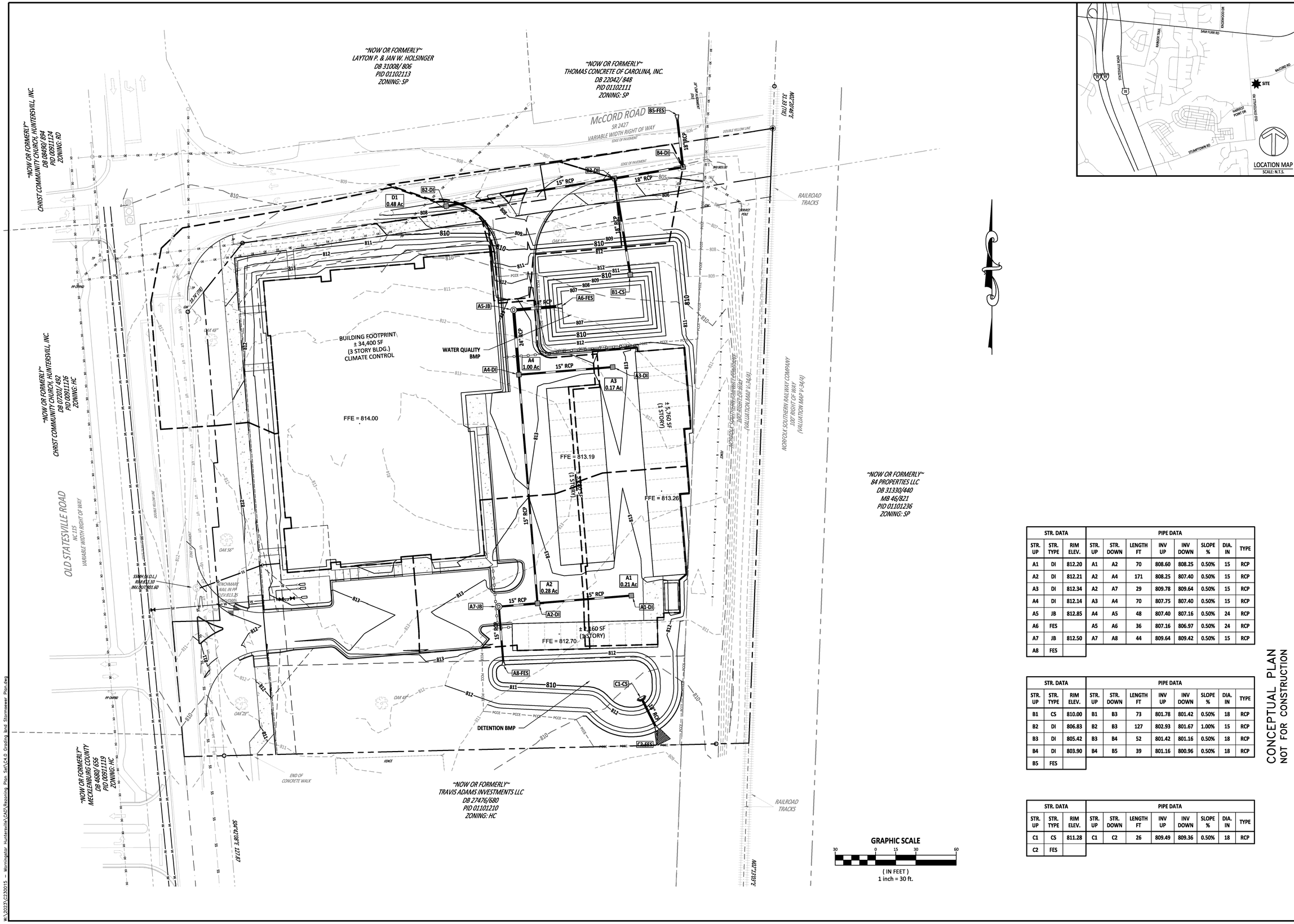
MORNINGSTAR HUNTERSVILLE
OLD STATESVILLE RD
TOWN OF HUNTERSVILLE,
MECKLENBURG COUNTY, NC

JOB NUMBER:	C230015
DESIGN BY:	BHE
DATE:	11/30/2023

SHEET TITLE:
TYPICAL CROSS SECTIONS & TRUCK TURNING PLAN

SHEET NO.: **C3.1**

W:\2023\C230015 - Morningstar Huntersville\CAD\Rezoning Plan Set\C3.1 Cross Sections.dwg



GRAPHIC SCALE

30 0 15 30 60

(IN FEET)
1 inch = 30 ft.

STR. DATA			PIPE DATA							
STR. UP	STR. TYPE	RIM ELEV.	STR. UP	STR. DOWN	LENGTH FT	INV UP	INV DOWN	SLOPE %	DIA. IN	TYPE
A1	DI	812.20	A1	A2	70	808.60	808.25	0.50%	15	RCP
A2	DI	812.21	A2	A4	171	808.25	807.40	0.50%	15	RCP
A3	DI	812.34	A2	A7	29	809.78	809.64	0.50%	15	RCP
A4	DI	812.14	A3	A4	70	807.75	807.40	0.50%	15	RCP
A5	JB	812.85	A4	A5	48	807.40	807.16	0.50%	24	RCP
A6	FES		A5	A6	36	807.16	806.97	0.50%	24	RCP
A7	JB	812.50	A7	A8	44	809.64	809.42	0.50%	15	RCP
A8	FES									

STR. DATA			PIPE DATA							
STR. UP	STR. TYPE	RIM ELEV.	STR. UP	STR. DOWN	LENGTH FT	INV UP	INV DOWN	SLOPE %	DIA. IN	TYPE
B1	CS	810.00	B1	B3	73	801.78	801.42	0.50%	18	RCP
B2	DI	806.83	B2	B3	127	802.93	801.67	1.00%	15	RCP
B3	DI	805.42	B3	B4	52	801.42	801.16	0.50%	18	RCP
B4	DI	803.90	B4	B5	39	801.16	800.96	0.50%	18	RCP
B5	FES									

STR. DATA			PIPE DATA							
STR. UP	STR. TYPE	RIM ELEV.	STR. UP	STR. DOWN	LENGTH FT	INV UP	INV DOWN	SLOPE %	DIA. IN	TYPE
C1	CS	811.28	C1	C2	26	809.49	809.36	0.50%	18	RCP
C2	FES									

CONCEPTUAL PLAN
NOT FOR CONSTRUCTION

AMERICAN Engineering
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8008 Corporate Center Drive, Suite 110
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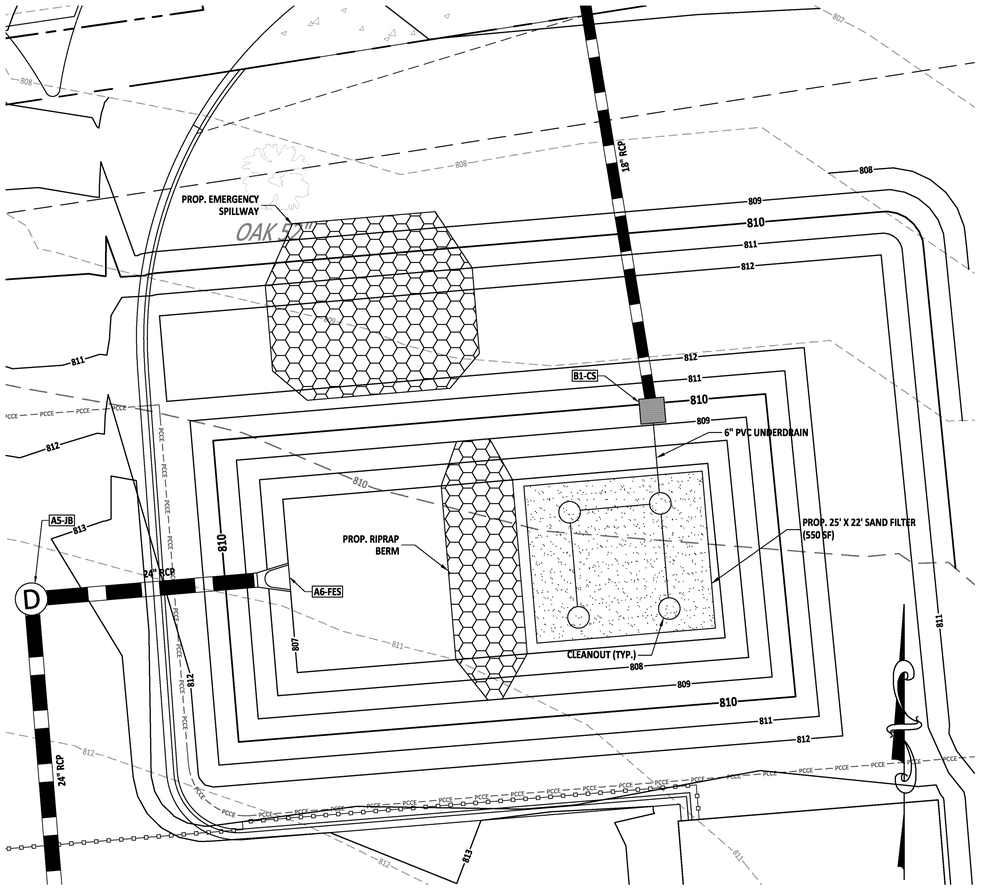
OLD STATESVILLE RD
TOWN OF HUNTERSVILLE,
MECKLENBURG COUNTY, NC

JOB NUMBER: C230015
DESIGN BY: BHE
DATE: 11/30/2023
SHEET TITLE:

GRADING PLAN

SHEET NO.: **C4.0**

W:\2023\C230015 - Morningstar Huntersville\CAD\Rezoning Plan Set\C4.0 Grading and Stormsewer Plan.dwg

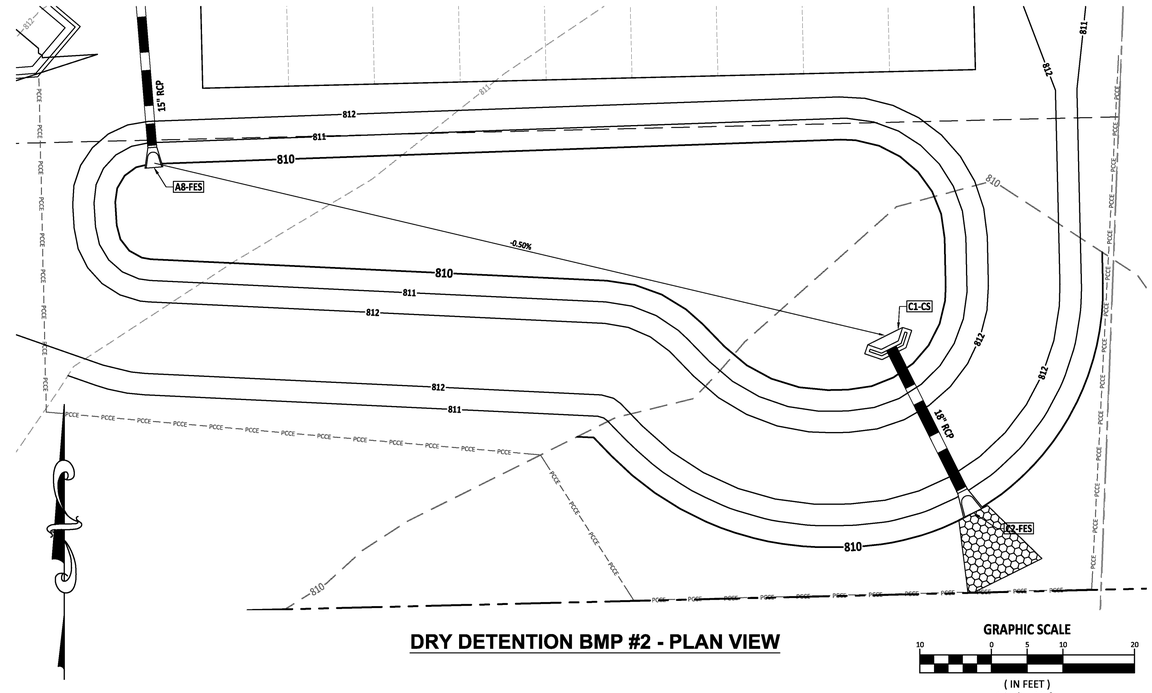


WATER QUALITY BMP #1 - PLAN VIEW

GRAPHIC SCALE

10 0 5 10 20

(IN FEET)
1 inch = 10 ft.

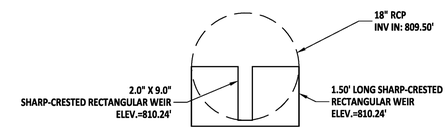


DRY DETENTION BMP #2 - PLAN VIEW

GRAPHIC SCALE

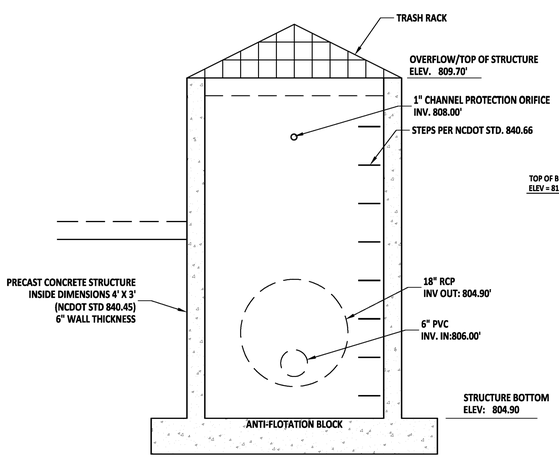
10 0 5 10 20

(IN FEET)
1 inch = 10 ft.



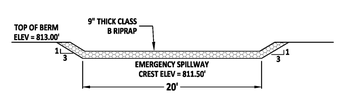
OUTLET CULVERT W/ BAFFLE - BMP #2

NOT TO SCALE



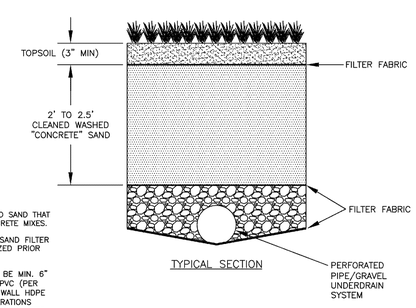
FRONT VIEW
OUTLET STRUCTURE BMP #1

NOT TO SCALE



EMERGENCY SPILLWAY DETAIL - BMP #1

NOT TO SCALE.



TYPICAL SECTION

NOTES:

1. "CONCRETE" SAND REFERS TO SAND THAT IS COMMONLY USED IN CONCRETE MIXES.
2. ALL DRAINAGE AREAS TO A SAND FILTER FACILITY ARE TO BE STABILIZED PRIOR TO INSTALLATION OF SAND.
3. UNDERDRAIN PIPES SHOULD BE MIN. 6" PERFORATED SCHEDULE 40 PVC (PER AASHTO M278) OR DOUBLE WALL HDPE (PER AASHTO M252). PERFORATIONS SHOULD BE ⅜" SPACED 3" ON CENTER ALONG 4 LONGITUDINAL ROWS SPACED 90° APART.

MECKLENBURG COUNTY LAND DEVELOPMENT STANDARDS

SURFACE SAND FILTER SECTION

STD. NO. 21.25 | REV.

CONCEPTUAL PLAN
NOT FOR CONSTRUCTION

AMERICAN Engineering
American Engineering Associates - Southeast, P.A.
8008 Corporate Center Drive, Suite 110
Charlotte, NC 28226
704-375-2438

NORTH CAROLINA AMERICAN ENGINEERING ASSOCIATES SOUTHEAST C-3881 CERTIFICATE OF AUTHORIZATION

NORTH CAROLINA PROFESSIONAL SEAL 33046 11-30-23 ENGINEER BARRY M. FAY

NO.	DATE	REVISION:

North Carolina 811 www.ncs811.org

*** 3 Days Before Digging ***
North Carolina 811
811 or 1-800-632-4949
Remote Ticket Entry
http://nc811.org/remoteticketentry.htm

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MORNINGSTAR HUNTERSVILLE

OLD STATESVILLE RD
TOWN OF HUNTERSVILLE,
MECKLENBURG COUNTY, NC

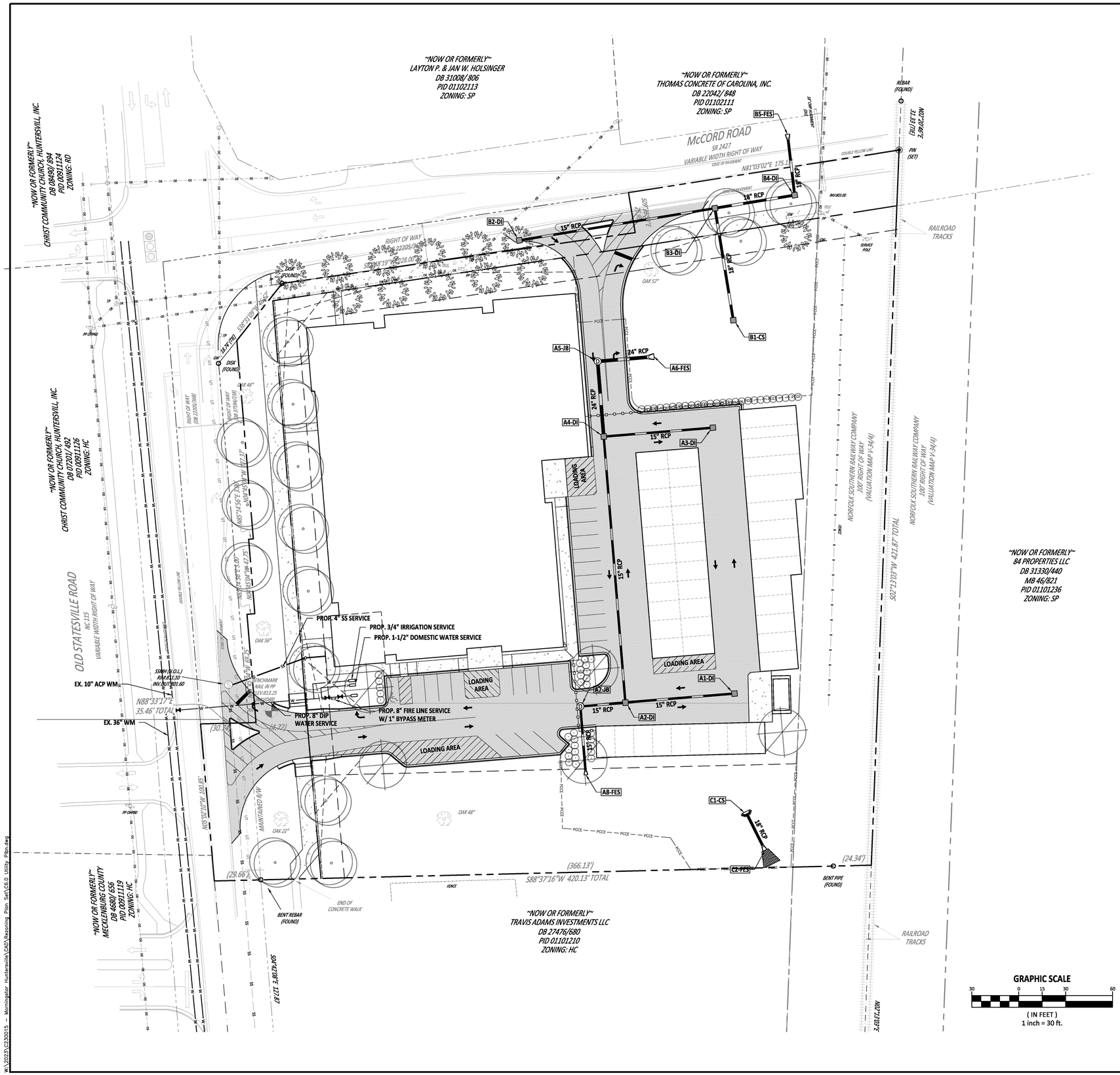
JOB NUMBER: C230015
DESIGN BY: BHE
DATE: 11/30/2023

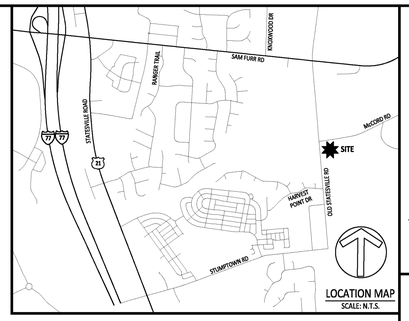
SHEET TITLE:

STORMWATER & WATER QUALITY PLAN

SHEET NO.: **C5.0**

W:\2023\C230015 - Morningstar Huntersville\CAD\Rezoning Plan Set\C5.0 Stormwater Plan.dwg





CHARLOTTE WATER GENERAL NOTES

1) NO PUBLIC WATER OR PUBLIC SANITARY SEWER MAIN CONSTRUCTION MAY TAKE PLACE ON THIS PROJECT UNTIL THE UTILITY CONTRACTOR HAS REQUESTED, SCHEDULED, AND ATTENDED A PRECONSTRUCTION CONFERENCE WITH THE CHARLOTTE WATER CONSTRUCTION INSPECTOR ASSIGNED TO THE PROJECT. ANY WORK PERFORMED PRIOR TO THE PRE-CONSTRUCTION CONFERENCE SHALL NOT BE ACCEPTED BY CHARLOTTE WATER AND SHALL BE REMOVED AND REPLACED WITH NEW MATERIALS.
2) APPROVAL FOR BACKFLOW PREVENTION REQUIREMENTS IS NOT PART OF THIS REVIEW. 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 AT http://charlottenc.gov/Water/Pages/BackflowConstructionGuidelines.aspx. PLEASE CONTACT MARK BULLINS AT 704-432-5800 FOR MORE INFORMATION.
3) ANY REVISION TO THE SERVICE CONFIGURATIONS AND/OR METER LOCATIONS WILL REQUIRE A RESUBMITTAL TO BACKFLOW FOR REVIEW.
4) CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH CHARLOTTE WATER STANDARDS AND SPECIFICATIONS PER WEBSITE AT WWW.CHARLOTTEWATER.ORG.
5) ALL CONTRACTORS WORKING ON CHARLOTTE WATER PROJECTS ARE REQUIRED TO OWN A COPY OF THE DESIGN MANUAL AND SHALL KEEP A COPY ON THE JOB SITE AT ALL TIMES.
6) CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING ALL APPROPRIATE PARTIES AND ASSURING THAT UTILITIES ARE LOCATED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. CALL NC811 AT 1-800-632-4949 OR 811 FOR UTILITY LOCATING SERVICES 72 HOURS PRIOR TO COMMENCEMENT OF ANY WORK. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION. 7) IF THE PROPOSED WATER AND/OR SANITARY SEWER MAIN IS INSTALLED WITHIN 12" IN ANY DIRECTION (VERTICALLY OR HORIZONTALLY) FROM NATURAL GAS MAINS, THE CONTRACTOR SHALL INFORM THE UTILITY OWNER.
8) SANITARY SEWER LATERAL LOCATIONS ARE SUBJECT TO RELOCATION DUE TO FIELD CONDITIONS, AS DETERMINED BY THE CHARLOTTE WATER INSPECTOR.
9) SANITARY SEWER LATERALS ARE TO BE INSTALLED AT A DEPTH NO GREATER THAN FIVE (5) FEET WHERE PRACTICAL AT THE PROPERTY LINE UNLESS INDICATED ON THE PLANS TO BE INSTALLED AT "MINIMUM SLOPE".
10) MINIMUM COVER OF 36" FOR WATER MAINS.
11) DUCTILE IRON PIPE REQUIRED FOR BOTH WATER & SANITARY SEWER LINES IF THE FOLLOWING CLEARANCES ARE NOT MET: • WATER LINE CROSSING UNDER SEWER LINE (FOR ANY CLEARANCE). • 18" VERTICAL FOR WATER LINE INSTALLED ABOVE SEWER LINE. • 10' HORIZONTAL SEPARATION FOR WATER LINE PARALLEL TO SEWER LINE (OR 18" VERTICAL SEPARATION IN SEPARATE DITCHES). • FOR WATER LINES 12" CLEARANCE WITH STORM DRAINS, GAS MAINS, TELEPHONE DUCTS, AND UNDERGROUND CABLES.
12) RECORDED PLATS ARE REQUIRED FOR ACTIVATION OF WATER MAINS, EASEMENTS ARE NOT ACCEPTABLE.
13) ALL WATER MAINS AND SERVICES SHALL BE INSTALLED WITH SOLID COPPER 12-GAUGE TRACER WIRE, 30 MILS BLUE HDPE INSULATION. CONDUCTIVITY TEST REQUIRED DURING FINAL INSPECTION. CONTRACTOR SHALL PROVIDE ALL TEST EQUIPMENT.

CONCEPTUAL PLAN
NOT FOR CONSTRUCTION

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MORNINGSTAR HUNTERSVILLE

OLD STATESVILLE RD
TOWN OF HUNTERSVILLE,
MECKLENBURG COUNTY, NC

JOB NUMBER:	C230015
DESIGN BY:	BHE
DATE:	11/30/2023

SHEET TITLE:

UTILITY PLAN

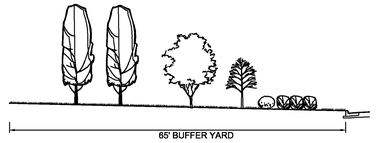
SHEET NO.: **C6.0**

W:\2023\C230015 - Morningstar Huntersville\CAD\Rezoning Plan Set\C6.0 Utility Plan.dwg

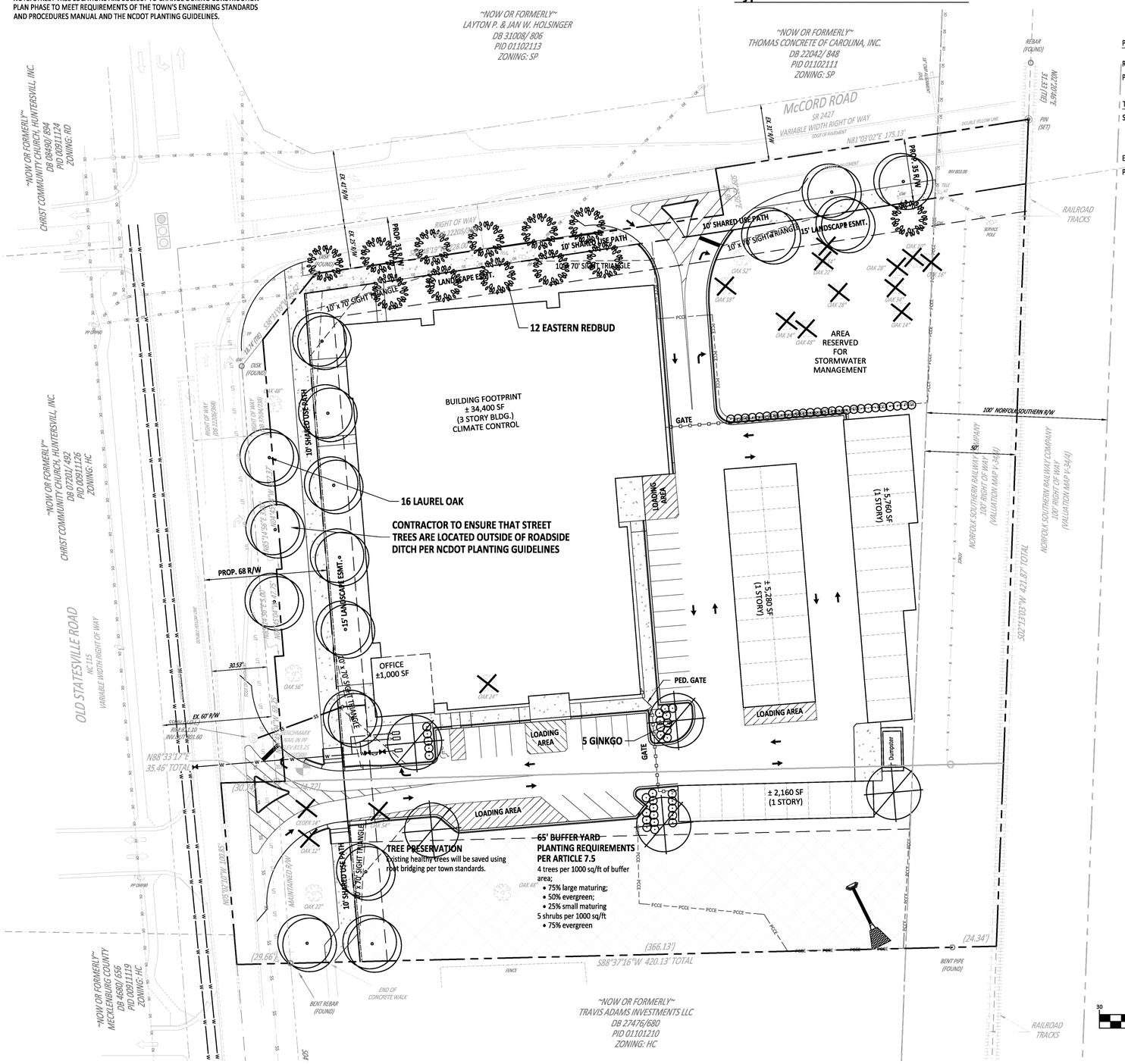
PLANT SCHEDULE

KEY	QUAN.	BOTANICAL NAME	COMMON NAME	SIZE	CONT.	COMMENTS
		TREES				
	12	Cercis canadensis	Eastern Redbud	2" caliper	B & B	Minimum height 8'-10' at time of planting
	5	Ginkgo biloba	Ginkgo	2" caliper	B & B	Minimum height 8'-10' at time of planting
	16	Quercus laurifolia	Laurel Oak	2" caliper	B & B	Minimum height 8'-10' at time of planting

NOTE: STREET TREE LOCATIONS ARE SUBJECT TO CHANGE DURING CONSTRUCTION PLAN PHASE TO MEET REQUIREMENTS OF THE TOWN'S ENGINEERING STANDARDS AND PROCEDURES MANUAL AND THE NCDOT PLANTING GUIDELINES.



Typical 65' Buffer Yard Cross Section



REQUIRED CALCULATIONS

STREET TREE REQUIREMENTS:

REQUIRED: LARGE MATURING CANOPY TREES PLANTED 40 FEET ON CENTER, SMALL MATURING "CANOPY –LIKE" TREES PLANTED 30 FEET ON CENTER WHEN CONFLICTS WITH OVERHEAD UTILITY LINES

PROVIDED: LARGE MATURING CANOPY TREES PLANTED 40 FEET ON CENTER, SMALL MATURING "CANOPY –LIKE" TREES PLANTED 30 FEET ON CENTER WHEN CONFLICTS WITH OVERHEAD UTILITY LINES

ADDITIONAL REQUIREMENTS:

REQUIRED: AN ADDITIONAL ROW OF STREET TREES LOCATED BEHIND THE PROPOSED SIDEWALK IN A 10-FOOT LANDSCAPE EASEMENT

PROVIDED: AN ADDITIONAL ROW OF STREET TREES LOCATED BEHIND THE PROPOSED SIDEWALK IN A 20-FOOT LANDSCAPE EASEMENT

PARKING LOT INTERIOR LANDSCAPING REQUIREMENTS:

REQUIRED: LARGE MATURING CANOPY TREES PLANTED 40 FEET ON CENTER

PROVIDED: LARGE MATURING CANOPY TREES PLANTED 40 FEET ON CENTER

TREE SAVE CALCULATIONS:

SP ZONING: 0% OF EXISTING CANOPY REQUIRED TO BE PRESERVED

100% OF HERITAGE TREES TO BE PRESERVED

30% OF SPECIMEN TREES TO BE PRESERVED

EXISTING SPECIMEN TREES = 10

PRESERVED SPECIMEN TREES = 4 (40%)

EX. TREE	DBH (IN)	HERITAGE (Y/N)	SPECIMEN (Y/N)	REMOVED (Y/N)	SPECIMEN TREES REMOVED (IN)	SPECIMEN TREES PRESERVED (IN)
OAK	16	N	N	Y	--	--
OAK	10	N	N	Y	--	--
OAK	28	N	Y	Y	28	--
OAK	34	N	Y	Y	34	--
OAK	14	N	N	Y	--	--
OAK	14	N	N	Y	--	--
OAK	22	N	N	Y	--	--
OAK	28	N	Y	Y	28	--
OAK	48	N	Y	Y	48	--
OAK	14	N	N	Y	--	--
OAK	18	N	N	Y	--	--
OAK	52	N	Y	N	--	52
OAK	48	N	Y	N	--	48
OAK	56	N	Y	N	--	56
OAK	24	N	Y	Y	24	--
CEDAR	14	N	N	Y	--	--
OAK	12	N	N	Y	--	--
OAK	54	N	Y	Y	54	--
OAK	22	N	N	N	--	--
OAK	48	N	Y	N	--	48
				TOTAL INCHES =	216	204
				TOTAL TREES =	6	4

	No.	INCHES
TOTAL EXISTING TREES	20	--
TOTAL HERITAGE TREES	0	--
TOTAL HERITAGE TREES REMOVED	0	--
TOTAL SPECIMEN TREES	10	420 in
MIN. REQ'D SPECIMENT TREE PRESERVATION	30%	--
MIN. REQ'D SPECIMENT TREE PRESERVATION	3	--
TOTAL SPECIMEN TREES REMOVED	6	216 in
TOTAL SPECIMEN TREES PRESERVED	4	204 in

PLANT NOTES

PLANT INSTALLATION & MAINTENANCE NOTES:

1. ALL LANDSCAPING SHALL BE OF NURSERY STOCK QUALITY AND SHALL BE INSTALLED IN A SOUND, WORKMANLIKE MANNER AND ACCORDING TO ACCEPTED GOOD PLANTING PROCEDURES.
2. ALL LANDSCAPING SHALL BE ADAPTABLE TO CLIMATIC CONDITIONS OF THE AREA.
3. LARGE TREES SHOULD NOT BE PLANTED WITHIN EASEMENTS AND A MINIMUM OF 6' FROM UTILITY LINES, UNLESS OTHERWISE SPECIFIED BY REVIEWING AGENCY. SHRUBS MAY BE PLANTED IN EASEMENTS, BUT A MINIMUM OF 3' FROM UTILITY LINES, UNLESS OTHERWISE SPECIFIED BY REVIEWING AGENCY.
4. ALL LANDSCAPING SHALL BE MAINTAINED IN GOOD CONDITION.
5. ALL LANDSCAPING SHALL AT ALL TIMES PRESENT A HEALTHY, NEAT, CLEAN, ORDERLY, DISEASE-FREE AND PEST-FREE APPEARANCE.
6. ALL LANDSCAPING SOIL AND FILL SHALL BE FREE FROM WEEDS, REFUSE, AND DEBRIS AT ALL TIMES.
7. EXCESS SOIL SHALL BE DISPOSED OF IN A LEGAL MANNER.
8. ANY DEAD PLANT MATERIAL OR MATERIAL THAT FAILS TO SHOW HEALTHY GROWTH MUST BE REMOVED WITHIN 30 DAYS.
9. REPLACEMENT OF REMOVED PLANT MATERIAL MUST TAKE PLACE WITHIN 90 DAYS OF REMOVAL OR NOTIFICATION BY THE CITY, WHICHEVER OCCURS FIRST.
10. ANY REPLACEMENT PLANT MATERIAL MUST MEET THE SIZE AND OTHER CHARACTERISTICS OF NEWLY PLANTED MATERIAL.
11. IF USING STAKES AND GUYS SUCH SUPPORTS SHALL BE DESIGNED SO AS TO PROTECT TREES AND SHRUBS FROM INJURY. TREES AND SHRUBS SHALL BE FASTENED TO THE SUPPORT WITH AN ACCEPTABLE COMMERCIAL TREE TIE OF PLASTIC OR HOSE-COVERED WIRE. AFTER THE WARRANTY PERIOD HAS ENDED, STAKES AND GUYS SHALL BE REMOVED.
12. CONTRACTOR IS RESPONSIBLE TO CONTACT MISS UTILITIES (811) 48 HOURS PRIOR TO COMMENCEMENT OF WORK. CONTACT LANDSCAPE ARCHITECT IF FIELD CONFLICTS/DISCREPANCIES ARISE.
13. CONTRACTOR RESPONSIBLE TO VERIFY PLANT COUNTS. PLANTING PLAN SHALL GOVERN IN THE CASE OF A CONFLICT.
14. ALL PLANTS SHALL MEET OR EXCEED STANDARDS AS DETERMINED BY THE AMERICAN STANDARD OF NURSERY STOCK.
15. CONTRACTOR SHALL WARRANTY ALL PLANTS FOR A PERIOD OF ONE YEAR FROM DATE OF FINAL ACCEPTANCE.
16. WHEN POSSIBLE, PLANTING SHALL BE INSTALLED BETWEEN SEPTEMBER 1 - JUNE 30TH AND IN FAVORABLE WEATHER CONDITIONS. WHEN PLANTING MUST BE PERFORMED OUTSIDE OF SPECIFIED DATES, PLANTS MUST BE WATERED ON A REGULAR BASIS TO ENSURE VIABILITY.
17. PLANT VARIETIES, SIZES AND LAYOUT SHALL CONFORM ACCURATELY TO THE LANDSCAPE PLAN. CONTACT LANDSCAPE ARCHITECT FOR FIELD CONFLICTS.
18. DISTURBED AREAS SHALL BE SEEDED ACCORDING TO THE NOTES FOUND ON THIS PAGE.
19. PLANT SUBSTITUTIONS SHALL BE BROUGHT TO THE ATTENTION OF AND APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
20. MULCH USED ON-SITE SHALL BE OF A NON-DYED, NATURAL HARDWOOD VARIETY TO BE INSTALLED AT A MAXIMUM DEPTH OF 3", MINIMUM DEPTH OF 2".

TOPSOIL / PLANTING MIX MINIMUM REQUIREMENTS:

1. TOPSOIL/PLANTING MIX SHOULD BE NATURAL, FERTILE, AGRICULTURAL SOIL CAPABLE OF SUSTAINING VIGOROUS PLANT GROWTH. IT SHOULD BE UNIFORM COMPOSITION THROUGHOUT, WITH ADMIXTURE OF SUBSOIL. IT SHOULD BE FREE OF STONES, LUMPS, LIVE PLANTS AND THEIR ROOTS, STICKS AND OTHER EXTRANEOUS MATTER. TOPSOIL SHOULD NOT BE USED WHILE IN A FROZEN OR MUDDY CONDITION.
2. TOPSOIL/PLANTING MIX SHALL HAVE AN ACIDITY RANGE OF PH 5.5-7.0 AND THE FOLLOWING COMPOSITION:

CLAY (RED CLAY, WELL PULVERIZED)	MINIMUM 10%; MAXIMUM 35%
COMPOST*/ORGANIC	MINIMUM 5%; MAXIMUM 10%
SILT	MINIMUM 30%; MAXIMUM 50%
COARSE SAND (FREE OF ROCKS, 0.5 TO 1.0 MM F)	MINIMUM 30%; MAXIMUM 45%

3. ORGANIC MATERIAL SUCH AS SAWDUST OR LEAF MOLD THAT HAS COMPLETED THE DECOMPOSITION PROCESS
4. RECOMMENDATIONS:
5. ALL PLANTING AREAS SHOULD BE TESTED FOR PROPER DRAINAGE. DRAINAGE SHOULD BE CORRECTED AS NECESSARY TO INSURE PROPER TREE GROWTH AND SURVIVAL. THE FOLLOWING LEVEL OF NUTRIENT ELEMENTS IS RECOMMENDED FOR PROPER GROWTH:

CALCIUM	55 - 80%
MAGNESIUM	10 - 30%
POTASSIUM	5 - 8%

SEEDING SCHEDULE FOR LAWNS & SLOPES (MAXIMUM 3:1):

DATE	TYPE	PLANTING RATE
AUG 15 - NOV 1	TALL FESCUE	300 LBS/ACRE
NOV 1 - MAR 1	TALL FESCUE AND ABRUZZI RYE	300 LBS/ACRE OR ANNUAL RYE
MAR 1 - APR 15	TALL FESCUE OR HARD FESCUE	300 LBS/ACRE
MAR 1 - JUL 15	HULLED COMMON BERMUDA GRASS OR HYBRID BERMUDA GRASS OR CENTIPEDE GRASS OR ZOYSIA GRASS OR ST. AUGUSTINE GRASS	200 LBS/ACRE
APR 15 - JUN 30	WEEPING LOVE GRASS OR BAHIA GRASS	25 LBS/ACRE
JUL 1 - AUG 15	TALL FESCUE AND *** BROWNTOP MILLET *** OR SORGHUM-SUDAN HYBRIDS	120 LBS/ACRE 35 LBS/ACRE 30 LBS/ACRE

GRAPHIC SCALE

30 0 15 30 60

(IN FEET)
1 inch = 30 ft.

CONCEPTUAL PLAN
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NORTH CAROLINA AMERICAN ENGINEERING ASSOCIATES SOUTHEAST C-3881 CERTIFICATE OF AUTHORIZATION

NORTH CAROLINA PROFESSIONAL SEAL 33046 12-7-23 ENGINEER BARRY M. FAY

NO.	DATE	REVISION:

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

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OLD STATESVILLE RD
TOWN OF HUNTERSVILLE,
MECKLENBURG COUNTY, NC

JOB NUMBER:	C230015
DESIGN BY:	BHE
DATE:	11/30/2023

SHEET TITLE:

LANDSCAPE PLAN

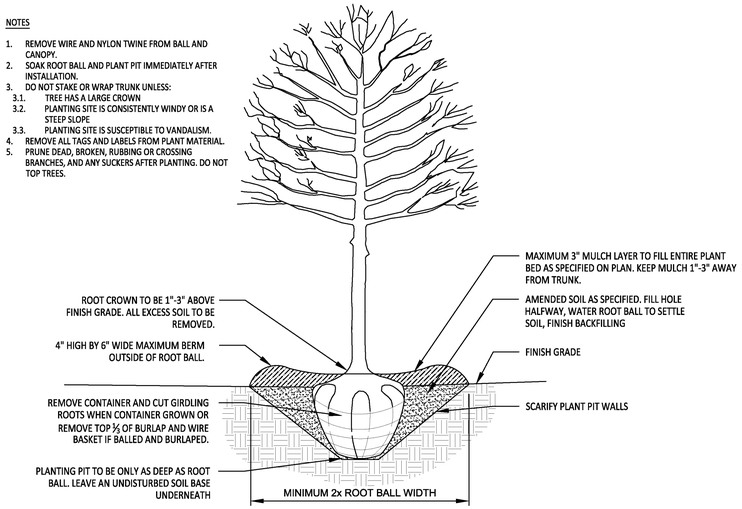
SHEET NO.: **C7.0**

W:\2023\C230015 - Morningstar Huntersville\CAD\Rezoning Plan Set\C7.0 Landscape Plan.dwg

PLANT DETAILS

NOTES

1. REMOVE WIRE AND NYLON TWINE FROM BALL AND CANOPY.
2. SOAK ROOT BALL AND PLANT PIT IMMEDIATELY AFTER INSTALLATION.
3. DO NOT STAKE OR WRAP TRUNK UNLESS:
   - 3.1. TREE HAS A LARGE CROWN
   - 3.2. PLANTING SITE IS CONSISTENTLY WINDY OR IS A STEEP SLOPE
   - 3.3. PLANTING SITE IS SUSCEPTIBLE TO VANDALISM.
4. REMOVE ALL TAGS AND LABELS FROM PLANT MATERIAL.
5. PRUNE DEAD, BROKEN, RUBBING OR CROSSING BRANCHES, AND ANY SUCKERS AFTER PLANTING. DO NOT TOP TREES.



ALL TREES SHALL MEET AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2004)

FOR EXAMPLE:	CALIPER	HEIGHT (RANGE)	MAX. HEIGHT	MIN. ROOT BALL DIA.	MIN. ROOT BALL DEPTH
	2"	12'-14'	16'	24"	16"
	3"	14'-16'	18'	32"	21"

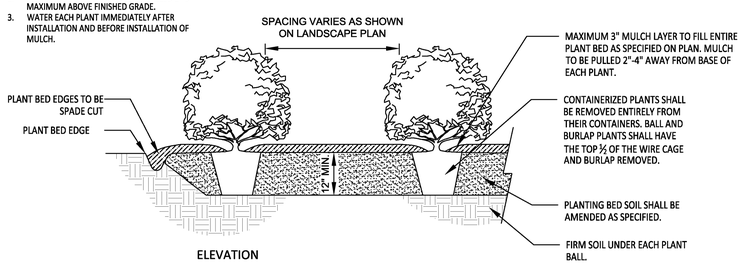
TYPICAL TREE PLANTING

(FOR SINGLE AND MULTI-STEM TREES)

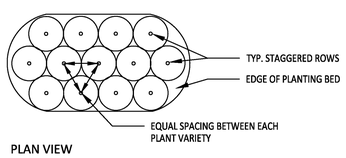
NOT TO SCALE

NOTES:

1. SCARIFY ROOT MASS OF CONTAINERIZED PLANTS.
2. PLANT ROOT BALL SHOULD BE INSTALLED 1"-3" MAXIMUM ABOVE FINISHED GRADE.
3. WATER EACH PLANT IMMEDIATELY AFTER INSTALLATION AND BEFORE INSTALLATION OF MULCH.



ELEVATION



PLAN VIEW

TYPICAL SHRUB PLANTING

NOT TO SCALE

PLANT SCHEDULE

KEY	QUAN.	BOTANICAL NAME	COMMON NAME	SIZE	CONT.	COMMENTS
		TREES				
	12	Cercis canadensis	Eastern Redbud	2" caliper	B & B	Minimum height 8'-10' at time of planting
	5	Ginkgo biloba	Ginkgo	2" caliper	B & B	Minimum height 8'-10' at time of planting
	16	Quercus laurifolia	Laurel Oak	2" caliper	B & B	Minimum height 8'-10' at time of planting

REQUIRED CALCULATIONS

STREET TREE REQUIREMENTS:

REQUIRED: LARGE MATURING CANOPY TREES PLANTED 40 FEET ON CENTER, SMALL MATURING "CANOPY –LIKE" TREES PLANTED 30 FEET ON CENTER WHEN CONFLICTS WITH OVERHEAD UTILITY LINES

PROVIDED: LARGE MATURING CANOPY TREES PLANTED 40 FEET ON CENTER, SMALL MATURING "CANOPY –LIKE" TREES PLANTED 30 FEET ON CENTER WHEN CONFLICTS WITH OVERHEAD UTILITY LINES

ADDITIONAL REQUIREMENTS:

REQUIRED: AN ADDITIONAL ROW OF STREET TREES LOCATED BEHIND THE PROPOSED SIDEWALK IN A 10-FOOT LANDSCAPE EASEMENT

PROVIDED: AN ADDITIONAL ROW OF STREET TREES LOCATED BEHIND THE PROPOSED SIDEWALK IN A 10-FOOT LANDSCAPE EASEMENT

PARKING LOT INTERIOR LANDSCAPING REQUIREMENTS:

REQUIRED: LARGE MATURING CANOPY TREES PLANTED 40 FEET ON CENTER

PROVIDED: LARGE MATURING CANOPY TREES PLANTED 40 FEET ON CENTER

PLANT NOTES

PLANT INSTALLATION & MAINTENANCE NOTES:

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8. ANY DEAD PLANT MATERIAL OR MATERIAL THAT FAILS TO SHOW HEALTHY GROWTH MUST BE REMOVED WITHIN 30 DAYS.
9. REPLACEMENT OF REMOVED PLANT MATERIAL MUST TAKE PLACE WITHIN 90 DAYS OF REMOVAL OR NOTIFICATION BY THE CITY, WHICHEVER OCCURS FIRST.
10. ANY REPLACEMENT PLANT MATERIAL MUST MEET THE SIZE AND OTHER CHARACTERISTICS OF NEWLY PLANTED MATERIAL.
11. IF USING STAKES AND GUYS SUCH SUPPORTS SHALL BE DESIGNED SO AS TO PROTECT TREES AND SHRUBS FROM INJURY. TREES AND SHRUBS SHALL BE FASTENED TO THE SUPPORT WITH AN ACCEPTABLE COMMERCIAL TREE TIE OF PLASTIC OR HOSE-COVERED WIRE. AFTER THE WARRANTY PERIOD HAS ENDED, STAKES AND GUYS SHALL BE REMOVED.
12. CONTRACTOR IS RESPONSIBLE TO CONTACT MISS UTILITIES (811) 48 HOURS PRIOR TO COMMENCEMENT OF WORK. CONTACT LANDSCAPE ARCHITECT IF FIELD CONFLICTS/DISCREPANCIES ARISE.
13. CONTRACTOR RESPONSIBLE TO VERIFY PLANT COUNTS. PLANTING PLAN SHALL GOVERN IN THE CASE OF A CONFLICT.
14. ALL PLANTS SHALL MEET OR EXCEED STANDARDS AS DETERMINED BY THE AMERICAN STANDARD OF NURSERY STOCK.
15. CONTRACTOR SHALL WARRANTY ALL PLANTS FOR A PERIOD OF ONE YEAR FROM DATE OF FINAL ACCEPTANCE.
16. WHEN POSSIBLE, PLANTING SHALL BE INSTALLED BETWEEN SEPTEMBER 1 - JUNE 30TH AND IN FAVORABLE WEATHER CONDITIONS. WHEN PLANTING MUST BE PERFORMED OUTSIDE OF SPECIFIED DATES, PLANTS MUST BE WATERED ON A REGULAR BASIS TO ENSURE VIABILITY.
17. PLANT VARIETIES, SIZES AND LAYOUT SHALL CONFORM ACCURATELY TO THE LANDSCAPE PLAN. CONTACT LANDSCAPE ARCHITECT FOR FIELD CONFLICTS.
18. DISTURBED AREAS SHALL BE SEEDED ACCORDING TO THE NOTES FOUND ON THIS PAGE.
19. PLANT SUBSTITUTIONS SHALL BE BROUGHT TO THE ATTENTION OF AND APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
20. MULCH USED ON-SITE SHALL BE OF A NON-DYED, NATURAL HARDWOOD VARIETY TO BE INSTALLED AT A MAXIMUM DEPTH OF 3", MINIMUM DEPTH OF 2".

TOPSOIL / PLANTING MIX MINIMUM REQUIREMENTS:

1. TOPSOIL/PLANTING MIX SHOULD BE NATURAL, FERTILE, AGRICULTURAL SOIL CAPABLE OF SUSTAINING VIGOROUS PLANT GROWTH. IT SHOULD BE UNIFORM COMPOSITION THROUGHOUT, WITH ADMIXTURE OF SUBSOIL. IT SHOULD BE FREE OF STONES, LUMPS, LIVE PLANTS AND THEIR ROOTS, STICKS AND OTHER EXTRANEOUS MATTER. TOPSOIL SHOULD NOT BE USED WHILE IN A FROZEN OR MUDDY CONDITION.
2. TOPSOIL/PLANTING MIX SHALL HAVE AN ACIDITY RANGE OF PH 5.5-7.0 AND THE FOLLOWING COMPOSITION:

CLAY (RED CLAY, WELL PULVERIZED)	MINIMUM 10%; MAXIMUM 35%
COMPOST*/ORGANIC	MINIMUM 5%; MAXIMUM 10%
SILT	MINIMUM 30%; MAXIMUM 50%
COARSE SAND (FREE OF ROCKS, 0.5 TO 1.0 MM F)	MINIMUM 30%; MAXIMUM 45%

3. ORGANIC MATERIAL SUCH AS SAWDUST OR LEAF MOLD THAT HAS COMPLETED THE DECOMPOSITION PROCESS
4. RECOMMENDATIONS:
5. ALL PLANTING AREAS SHOULD BE TESTED FOR PROPER DRAINAGE. DRAINAGE SHOULD BE CORRECTED AS NECESSARY TO INSURE PROPER TREE GROWTH AND SURVIVAL. THE FOLLOWING LEVEL OF NUTRIENT ELEMENTS IS RECOMMENDED FOR PROPER GROWTH:

CALCIUM	55 - 80%
MAGNESIUM	10 - 30%
POTASSIUM	5 - 8%

SEEDING SCHEDULE FOR LAWNS & SLOPES (MAXIMUM 3:1):

DATE	TYPE	PLANTING RATE
AUG 15 - NOV 1	TALL FESCUE	300 LBS/ACRE
NOV 1 - MAR 1	TALL FESCUE AND ABRUZZI RYE	300 LBS/ACRE OR ANNUAL RYE
MAR 1 - APR 15	TALL FESCUE OR HARD FESCUE	300 LBS/ACRE
MAR 1 - JUL 15	HULLED COMMON BERMUDA GRASS OR HYBRID BERMUDA GRASS OR CENTIPEDE GRASS OR ZOYSIA GRASS OR ST. AUGUSTINE GRASS	200 LBS/ACRE
APR 15 - JUN 30	WEEPING LOVE GRASS OR BAHIA GRASS	25 LBS/ACRE
JUL 1 - AUG 15	TALL FESCUE AND *** BROWNTOP MILLET *** OR SORGHUM-SUDAN HYBRIDS	120 LBS/ACRE 35 LBS/ACRE 30 LBS/ACRE

AMERICAN Engineering
American Engineering Associates - Southeast, P.A.
8008 Corporate Center Drive, Suite 110
Charlotte, NC 28226
704-375-2438

NORTH CAROLINA AMERICAN ENGINEERING ASSOCIATES SOUTHEAST C-3881 CERTIFICATE OF AUTHORIZATION

NORTH CAROLINA PROFESSIONAL SEAL 33046 11-30-23 ENGINEER BARRY M. FAY

NO.	DATE	REVISION:

North Carolina 811 www.nc811.org
*** 3 Days Before Digging ***
North Carolina 811
811 or 1-800-632-4949
Remote Ticket Entry
http://nc811.org/remoteticketentry.htm

STIPULATION FOR REUSE

THIS DRAWING WAS PREPARED FOR USE ON THE SPECIFIC SITE, NAMED HEREON, CONTEMPORANEOUSLY WITH ITS ISSUE DATE AS LISTED, HEREON, AND IT IS NOT SUITABLE FOR USE ON A DIFFERENT PROJECT SITE OR AT A LATER TIME. USE OF THIS DRAWING FOR REFERENCE OR EXAMPLE ON ANOTHER PROJECT REQUIRES THE SERVICES OF PROPERLY LICENSED ARCHITECTS AND ENGINEERS. REPRODUCTION OF THIS DRAWING FOR REUSE ON ANOTHER PROJECT IS NOT AUTHORIZED AND MAY BE CONTRARY TO THE LAW.

CONCEPTUAL PLAN
NOT FOR CONSTRUCTION

MORNINGSTAR HUNTERSVILLE

OLD STATESVILLE RD
TOWN OF HUNTERSVILLE,
MECKLENBURG COUNTY, NC

JOB NUMBER: C230015
DESIGN BY: BHE
DATE: 11/30/2023

SHEET TITLE:

LANDSCAPE NOTES

SHEET NO.: **C7.1**

W:\2021\C230015 - Morningstar Huntersville\CAD\Rezoning Plan Set\C7.0 Landscape Plan.dwg

MORNINGSTAR STORAGE - HUNTERSVILLE

HUNTERSVILLE, NORTH CAROLINA

EXTERIOR RENDERING

16 OCTOBER 2023

oda.us.com | ODA ARCHITECTURE

MORNINGSTAR STORAGE - HUNTERSVILLE

HUNTERSVILLE, NORTH CAROLINA

EXTERIOR RENDERING

16 OCTOBER 2023

oda.us.com | ODA ARCHITECTURE

MORNINGSTAR STORAGE - HUNTERSVILLE

HUNTERSVILLE, NORTH CAROLINA

EXTERIOR RENDERING

16 OCTOBER 2023

oda.us.com | ODA ARCHITECTURE

MORNINGSTAR STORAGE - HUNTERSVILLE

HUNTERSVILLE, NORTH CAROLINA

NORTH ELEVATION

16 OCTOBER 2023

oda.us.com | ODA ARCHITECTURE

MORNINGSTAR STORAGE - HUNTERSVILLE

HUNTERSVILLE, NORTH CAROLINA

WEST ELEVATION

16 OCTOBER 2023

oda.us.com | ODA ARCHITECTURE

MORNINGSTAR STORAGE - HUNTERSVILLE

HUNTERSVILLE, NORTH CAROLINA

SOUTH ELEVATION

16 OCTOBER 2023

oda.us.com | ODA ARCHITECTURE

MORNINGSTAR STORAGE - HUNTERSVILLE

HUNTERSVILLE, NORTH CAROLINA

EAST ELEVATION

16 OCTOBER 2023

oda.us.com | ODA ARCHITECTURE

NEIGHBORHOOD MEETING REPORT
Applicant: Morningstar Properties, LLC
Rezoning Application No. R23-11

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

PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:

A representative of the Applicant mailed a written notice of the date, time and location of the Neighborhood Meeting to the individuals and organizations set out on **Exhibit A-1** attached hereto by depositing such notice in the U.S. mail on November 1, 2023. A copy of the written notice is attached hereto as **Exhibit A-2**.

DATE, TIME AND LOCATION OF MEETING:

The Neighborhood Meeting was held on Thursday, November 16, 2023 at 6:30 PM at the Dellwood Center located at 508 Dellwood Drive in Huntersville, NC.

PERSONS IN ATTENDANCE AT MEETING:

The Neighborhood Meeting was attended by those individuals identified on **Exhibit B** attached hereto. The Applicant's representatives at the Neighborhood Meeting were Marshall Macon and Kathryn Hennigan of the Applicant and John Carmichael of Robinson Bradshaw & Hinson, P.A.

SUMMARY OF ISSUES DISCUSSED:

John Carmichael welcomed the attendees to the Neighborhood Meeting and introduced himself and the Applicant's representatives. John Carmichael stated that this is the official Neighborhood Meeting relating to Rezoning Application No. R23-11. Morningstar Properties, LLC is the Applicant.

John Carmichael stated that the site subject to this Rezoning Application contains approximately 0.936 acres and is located on the east side of Old Statesville Road, just south of the intersection of Old Statesville Road and McCord Road.

John Carmichael stated that the Applicant is requesting that the site be rezoned from the HC zoning district to the Special Purpose-CD zoning district to accommodate a self-storage facility that would be located on the site and the adjacent parcel of land to the north of the site.

John Carmichael provided the current schedule of events relating to this rezoning request. He stated that the joint public hearing before the Town Board and the Planning Board will be held on Tuesday, January 2, 2024 at 6:00 PM at Town Hall located at 101 Huntersville-Concord Road. The Planning Board Meeting will be held on Tuesday, January 23, 2024 at 6:30 PM at Town Hall and the Town Board will make a decision on this rezoning request at its meeting on Monday, February 19, 2024 at 6:00 PM at Town Hall.

Marshall Macon then addressed the meeting. He stated that the Applicant's headquarters is located in Matthews, NC and the Applicant has owned and operated self-storage facilities since 1981. The Applicant is a long term owner of its facilities, so the Applicant develops and owns quality facilities that will last.

Marshall Macon shared and discussed an aerial photograph of the site and the surrounding parcels. Marshall Macon stated that the self-storage facility would be located on the site and the adjacent parcel to the north of the site. The adjacent parcel to the north of the site is zoned Special Purpose and a self-storage facility is allowed on the northern parcel under the current zoning of the northern parcel. The site is zoned HC, and a self-storage facility is not allowed in the HC zoning district. As a result, the Applicant is requesting that the site be rezoned to the Special Purpose-CD zoning district. The required buffer for the self-storage facility would be located on the site.

Marshall Macon shared and discussed the site plan. He stated that the climate controlled self-storage building would contain three stories and have a maximum height of 35 feet. He stated that there would be some drive-up self-storage units to the rear of the climate controlled self-storage building. Marshall Macon stated that they have been working with the Planning Staff on the site plan.

Marshall Macon stated that the Applicant would dedicate right of way to accommodate the future widening of Old Statesville Road by NCDOT, and a landscape buffer would be located along the self-storage facility's frontage on Old Statesville Road. A 10 foot wide sidewalk would also be located along the self-storage facility's frontage on Old Statesville Road. A small deceleration lane would be installed at the vehicular access point into the self-storage facility, and the vehicular access point would be restricted to right-in, right-out vehicular movements.

Marshall Macon stated that the site would be used for a 66 foot wide landscape buffer. Some of the existing trees on the site would remain.

An attendee stated that he hopes that they widen Old Statesville Road soon because he has difficulty getting out of his property onto Old Statesville Road.

In response to questions and concerns regarding traffic, Marshall Macon shared and discussed an exhibit regarding the vehicular trip generation for the self-storage facility. He stated that per the ITE trip generation table, the proposed self-storage facility would generate only 24 vehicular trips per 24 hour period. However, according to the Applicant's experience, this facility would generate approximately 15 vehicular trips per 24 hour period.

Marshall Macon shared the architectural renderings of the proposed climate controlled self-storage building. He stated that this facility would be a Class A facility with a lot of glazing, and brick would be located on the ground floor of the climate controlled self-storage building. Marshall Macon stated that the Applicant has built 25 to 30 of these facilities.

In response to a question, Marshall Macon stated that there would be approximately 670-700 units in the climate controlled self-storage building, and there would be two elevators serving this building. In response to a question, Marshall Macon stated that there would be two loading spaces for the climate controlled self-storage building.

In response to a question, Marshall Macon stated that the average unit size in the climate controlled self-storage building would be a little over 100 square feet. Marshall Macon stated that a facility such as this typically has a few box trucks per day come to the facility.

In response to a question, Marshall Macon stated that the rear area of the self-storage facility would be gated.

An attendee stated that his biggest concern is traffic. Marshall Macon reiterated the vehicular trip generation numbers for this facility.

In response to a question, Marshall Macon stated that the scale of the building has been a discussion point with the Planning Staff, and he reiterated that the climate controlled self-storage building would be a maximum of 35 feet in height.

In response to a question from an attendee, a representative of the Huntersville Planning Department stated that facilities such as the proposed facility can be built in other areas of Huntersville depending upon the zoning of the property. He also stated that this rezoning request is for the buffer for the proposed self-storage facility.

In response to a question, Marshall Macon stated that the Applicant would install a $75,000 dollar security system on the site that includes cameras.

There were no other questions or comments.

Marshall Macon thanked the attendees for attending the meeting, and the meeting was adjourned.

Copies of the materials shared at the meeting are attached hereto as **Exhibit C**.

CHANGES MADE TO THE APPLICATION AS A RESULT OF THE NEIGHBORHOOD MEETING AS OF THE DATE HEREOF:

No changes have been made to the rezoning plan or to the Application as of the date of this Neighborhood Meeting Report solely as a result of the Neighborhood Meeting.

Respectfully submitted, this 20th day of November, 2023.

Kathryn Hennigan

Kathryn Hennigan, Morningstar Properties, LLC

Exhibit A-1: Community Meeting Notice Mailing List

Community Meeting Notices

Project Name	Morningstar Storage Huntersville

Pursuant to Huntersville Subdivision Ordinance 6.320.3 a list of all persons and organizations contacted about the meeting shall be submitted to the Planning Department and incorporated into the application for this project.

The following persons and organizations were sent notices of the community meeting (first and last name or business name only):

First and Last Name	Parcel ID	Date Sent	Method Sent	Reason Sent
84 PROPERTIES LLC	01101236	11/1/2023	US Mail	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
BENJAMIN ENTERPRISES LLC	01101212	11/1/2023	US Mail	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
MECKLENBURG COUNTY	00911119	11/1/2023	US Mail	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
DOVE	01101209	11/1/2023	US Mail	Property Owner (SO 6.320.3(a))
CHRIST COMMUNITY CHURCH	00911124	11/1/2023	US Mail	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
TRAVIS ADAMS INVESTMENTS LLC	01101210	11/1/2023	US Mail	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
BENCHMARK LAND LLC	00911101	11/1/2023	US Mail	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
BENCHMARK LAND LLC	01101205	11/1/2023	US Mail	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
ELLE PROPERTIES LLC	01101211	11/1/2023	US Mail	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
CHRIST COMMUNITY	00911126	11/1/2023	US Mail	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
DOVE	01101208	11/1/2023	US Mail	Property Owner (SO 6.320.3(a))
MCCORD DEVELOPMENT LLC	01102115A	11/1/2023	US Mail	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
MCCORD DEVELOPMENT LLC	01102115B	11/1/2023	US Mail	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
THOMAS CONCRETE OF CAROLINA INC	01102111	11/1/2023	US Mail	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
HOLSINGER	01102113	11/1/2023	US Mail	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
MONTEITH PARK		11/1/2023	US Mail	Neigborhood association, property woner assocation, and home
BELLAMOOR AT THE PARK		11/1/2023	US Mail	Neigborhood association, property woner assocation, and home
NORTHBROOK PROPERTY OWNERS	ASSOCIATION	11/1/2023	US Mail	Neigborhood association, property woner assocation, and home
MELINDA BALES		11/1/2023	US Mail	
STACY PHILLIPS		11/1/2023	US Mail	
DAN BOONE		11/1/2023	US Mail	
ROB KIDWELL		11/1/2023	US Mail	
AMBER KOVACS		11/1/2023	US Mail	
LANCE MUNGER		11/1/2023	US Mail	
DEREK PARTEE		11/1/2023	US Mail	
JEFF SNY		11/1/2023	US Mail	
FRANK GAMMON		11/1/2023	US Mail	
GREG BABER		11/1/2023	US Mail	
CHRISTOPHER BOYD		11/1/2023	US Mail	
LEE HALLMAN		11/1/2023	US Mail	
SCOTT HENSLEY		11/1/2023	US Mail	
JAY HENSON		11/1/2023	US Mail	
TRINA LOOMIS		11/1/2023	US Mail	
JODI WRIGHT		11/1/2023	US Mail	
JANET PIERSON		11/1/2023	US Mail	
ANTHONY ROBERTS		11/1/2023	US Mail	
BOBBY WILLIAMS		11/1/2023	US Mail	
JESSE JAMES		11/1/2023	US Mail	

Exhibit A-2: Neighborhood Meeting Notice

NOTICE TO INTERESTED PARTIES
OF A NEIGHBORHOOD MEETING RELATING TO REZONING APPLICATION NO. R23-11

Subject: **Neighborhood Meeting** -- Rezoning Application No. R23-11 filed by Morningstar Properties, LLC requesting the rezoning of an approximately 0.936 acre site located at 16204 Old Statesville Road on the east side of Old Statesville Road, just south of the intersection of Old Statesville Road and McCord Road, (Tax Parcel No. 011-012-09) to accommodate the development of a self-storage facility on the site and the adjacent parcel of land to the north of the site.

Date and Time of Meeting: Thursday, November 16, 2023 at 6:30 PM

Location of Meeting: Dellwood Center
508 Dellwood Drive
Huntersville, NC 28078

Applicant: Morningstar Properties, LLC

Property Owners: James Steven Dove, Timothy John Dove and Kelley Elaine Dove and Nathan Preston Dove

Morningstar Properties, LLC (the "Applicant") has filed a Rezoning Application with the Town of Huntersville requesting the rezoning of an approximately 0.936 acre site located at 16204 Old Statesville Road on the east side of Old Statesville Road, just south of the intersection of Old Statesville Road and McCord Road, (Tax Parcel No. 011-012-09) from the HC (Highway Commercial) zoning district to the SP –CD (Special Purpose) conditional zoning district. The purpose of this rezoning request is to accommodate the development of a self-storage facility on the site and the adjacent parcel of land to the north of the site. The Applicant will hold a Neighborhood Meeting prior to the Public Hearing on the Rezoning Application for the purpose of discussing this rezoning request and the proposed development with adjacent and nearby property owners and organizations.

Accordingly, on behalf of the Applicant, we give you notice that representatives of the Applicant will hold a Neighborhood Meeting on Thursday, November 16, 2023 at 6:30 PM at the Dellwood Center located at 508 Dellwood Drive in Huntersville. Representatives of the Applicant look forward to sharing the Applicant's proposed development with you and to answering any questions you may have with respect to this matter.

In the meantime, should you have any questions or comments, please call or email Kathryn Hennigan at (704) 576-3563 or khennigan@mstarproperties.com.

Morningstar Properties, LLC

cc: Jesse James, The Town of Huntersville Planning Department (via email)

Date Mailed: November 1, 2023

Exhibit B: Meeting Attendees

Community Meeting Attendance Log

Project Name:	Morningstar Storage Huntersville
Location of Meeting:	Dellwood Center
Date:	11/16/2023
Time:	6:30PM

Pursuant to Huntersville Subdivision Ordinance 6.320.3 a report including a roster of persons in attendance at the community meeting shall be submitted to the Planning Department and incorporated into the application for this project.

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

1	Joey Portnova	26	
2	Tim Dove	27	
3	Steve Dove	28	
4	Travis Adams	29	
5	John Jones	30	
6	Jesse James	31	
7	Tatiana Levi	32	
8		33	
9		34	
10		35	
11		36	
12		37	
13		38	
14		39	
15		40	
16		41	
17		42	
18		43	
19		44	
20		45	
21		46	
22		47	
23		48	
24		49	
25		50	

Exhibit C: Meeting Visuals

morningstar STORAGE

HUNTERSVILLE - ELEVATIONS

16670610v1 22294.00014

morningstar STORAGE

HUNTERSVILLE - RENDERING

16670610v1 22294.00014

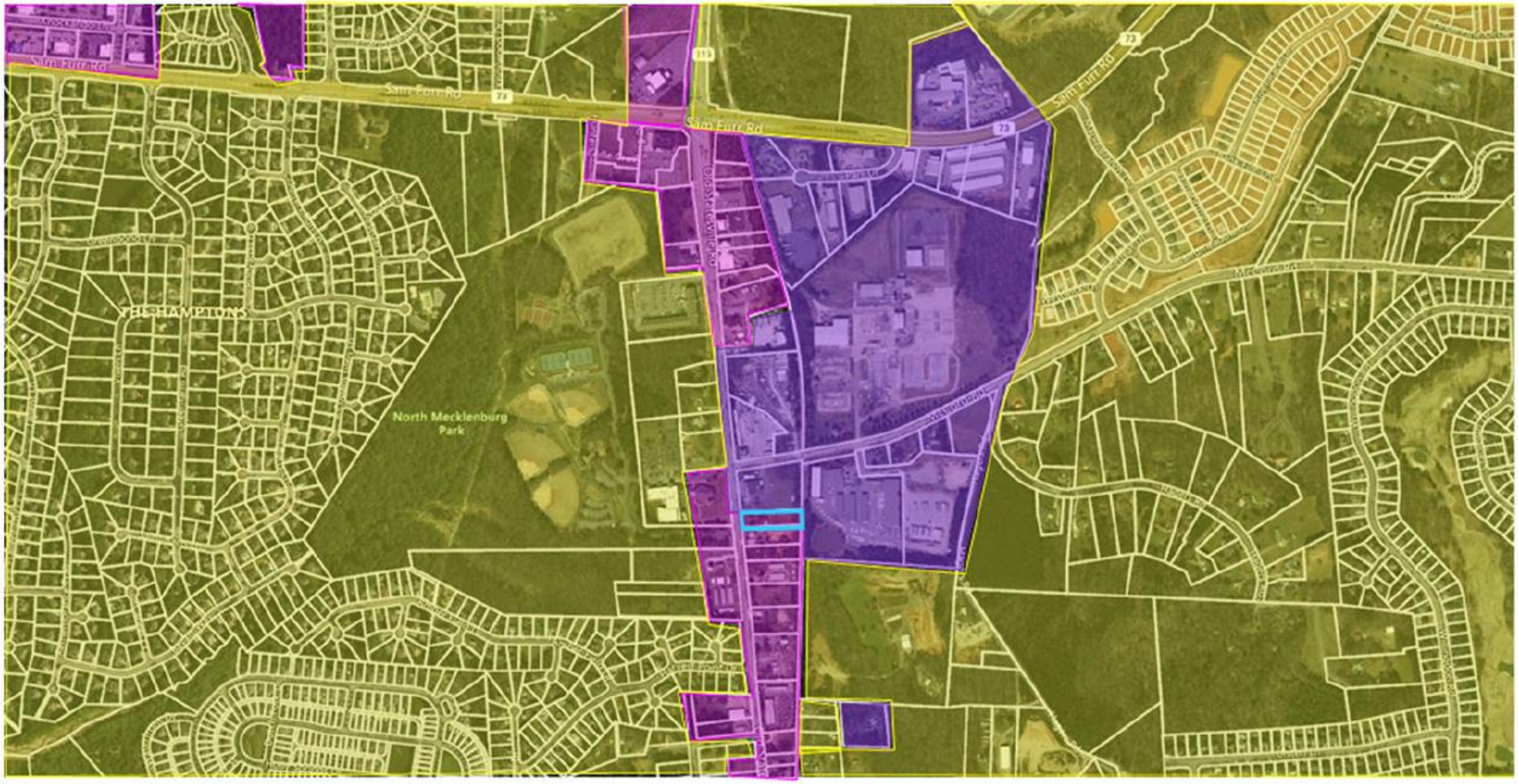
morningstar STORAGE

HUNTERSVILLE - RENDERING

morningstar® STORAGE

HUNTERSVILLE - SITE PLAN

16670610v1 22294.00014

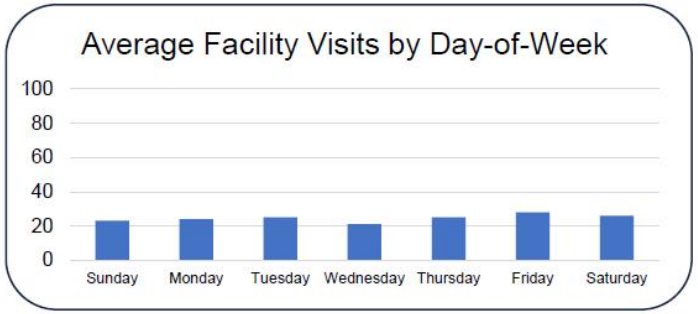


Residential | Highway Commercial | Special Purpose | Subject Site

morningstar STORAGE

HUNTERSVILLE - ZONING LAND USE

16670610v1 22294.00014



Average Total Facility Visits Per 24 Hours **24**

morningstar® STORAGE

Morningstar Storage – Huntersville

Town Engineering Rezoning Comment Summary
R23-11 Morningstar Storage (EPM# 453340)
16230 Old Statesville Rd (PID 1101208)
Huntersville, NC 28078

General Project Information

The proposed rezoning is located at the corner of Old Statesville Rd (NC-115) and McCord Rd (SR-2427) and consists of a new storage facility. A driveway on NC115 and a driveway on McCord Road are currently proposed.

Engineering Staff Comments

Traffic Impact Analysis (TIA):

1) A TIA Determination (attached) was completed for the proposed development. Based on the proposed use and intensity, a TIA for the Town is not required as the trips anticipated are below the Town threshold.

Transportation and Stormwater:

1) Based on the concept plan developed by the Town in the fall of 2021 for the upcoming NC115 widening project between McCord Road and NC73, the proposed building does appear to be outside of the roadway widening anticipated.
2) Street tree locations are subject to change during the construction plan phase to meet requirements of the Town's Engineering Standards and Procedures Manual and NCDOT Planting Guidelines. Several proposed street tree locations shown on the plan set do not meet the requirements.
3) ADA compliant ramps are needed at the driveway on McCord Rd.
4) A permanent sidewalk easement is needed from ROW to minimum 1' from back of sidewalk along McCord Rd.
5) Post development flows for the southeastern drainage area of the site are not meeting pre-development requirements based on the conceptual calculations provided. Additional stormwater measures may be necessary to meet requirements.

Town of Huntersville
NORTH CAROLINA

Traffic Impact Analysis (TIA)
Application for Determination of TIA Need

Article 14.2 of the Zoning Ordinance requires that a Traffic Impact Analysis (TIA) be performed for any residential subdivision, multifamily site plan, or non-residential development, or portion thereof, which is expected to create one hundred (150) or more peak hour vehicle trips or 1,500 or more daily trips.

In order to determine whether a TIA will be required for your proposed development, please fill out the form below and submit to the Planning Department. A "Determination of TIA Need" will be made within 10 working days.

Applicant: MSC Old Statesville, LLC

Project Name: Morningstar - Storage

Project Address: 16220 Old Statesville Road Huntersville, NC (Parcel ID 01101208)

Project Description (including square footage for each proposed land use):

Construction of approximately 100,000SF within a 33,000SF Building footprint on approximately 3 acres at the intersection of Old Statesville and McCord Roads

Applicant

Printed Name Kathryn Hennigan Phone 704-576-3563

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

Signature Kathryn Hennigan

Title Development Associate Email khennigan@mstarproperties.com

Contact Information

Town of Huntersville Engineering Department
(704) 766 - 2220

For Town Staff Use Only

Project File # _____

Date Submitted 4/14/23

Daily Trips Anticipated 145

Peak Hour Trips Anticipated AM 9 **PM** 15

TIA Required (Yes/No) No

Date of Determination: 4/18/23

Comments: Determination based on 100,000 square feet of mini warehouse self storage.

MEMO

To:	Planning Board
From:	Planning Department
Date:	January 3, 2024
Re:	2024 Planning Board Meeting Schedule

Please review the proposed Planning Board meeting schedule which lists the fourth Tuesday's of the month for the 2024 calendar year. For the months of November and December two dates are given because of the holiday season. **Please state in your motion which of these dates** the Board prefers so staff can update the Submission Schedule.

- **January 23**
- **February 27**
- **March 26**
- **April 23**
- **May 28**
- **June 25**
- **July 23**
- **August 27**
- **September 24**
- **October 22**
- **November 26 (3rd Tuesday: November 19)**
- **December 24 (3rd Tuesday: December 17)**

PLANNING BOARD

PROPOSED 2024 SCHEDULE

Reoccurring Meeting Schedule:

Day:	Every Fourth Tuesday of the Month unless otherwise specified
Time:	6:30 p.m.
Location:	Town Hall 101 Huntersville Concord Road Huntersville NC 28078

All meetings are open to the public. Live-stream view-only access is published on each agenda. All times, date, and location are subject to change for which public notice will be provided in accordance with Open Meeting Laws. Please check our website for updates: www.huntersville.org or call 704-875-7000.

- **January 23**
- **February 27**
- **March 26**
- **April 23**
- **May 28**
- **June 25**
- **July 23**
- **August 27**
- **September 24**
- **October 22**
- **November 26 (3rd Tuesday: November 19)**
- **December 24 (3rd Tuesday: December 17)**