

Mayor
Christy Clark

Mayor Pro Tem
Jennifer Hunt

Commissioners
Alisia Bergsman
Amanda Dumas
Edwin Quarles
LaToya Rivers
Nick Walsh



Town Manager
Antony Roberts

Deputy Town Manager
Jackie Huffman

Asistant Town Manager
Bobby Williams

Town Attorney
Emily Sloop

Town Clerk
Janet Pierson

AGENDA
Regular Town Board Meeting
August 6, 2024 - 6:00 PM
TOWN HALL (101 Huntersville-Concord Road)

Live stream available via YouTube [@townofhuntersvillenc28078](https://www.youtube.com/@townofhuntersvillenc28078)

1. Pre-meeting - 5:00 p.m.

1.A. Gilead Road Project (U-5807) Discussion. *(Stephen Trott and Heather Maloney)*

2. Call to Order

3. Invocation/Moment of Silence

4. Pledge of Allegiance

5. Announcements

6. Public Comments, Requests, or Presentations

6.A. Care Ring presentation. *(Tchernavia Montgomery, CEO)*

7. Agenda Changes/Adoption of Agenda

8. Consent Agenda

8.A. Approve surplus of Fire Department vehicles and associated equipment. *(Chief Jim Dotoli)*

8.B. Approve Tax Collector's Settlement for Fiscal Year 2024 (Tax Year 2023) and adopt Order of Collection for Fiscal Year 2025 (Tax Year 2024). *(Pattie McGinnis)*

8.C. Approve property tax refunds. *(Pattie McGinnis)*

8.D. Approve Electric Fund write-offs for FY 2021. *(David Lucore)*

- 8.E. Adopt Ordinance for 2024 Veterans Day Parade and Ceremony road closure. (*Tracy Houk*)
- 8.F. Adopt Ordinance for 2024 Holidays in Huntersville event road closure. (*Tracy Houk*)
- 8.G. Adopt Resolution to approve the awarding of a Service Firearm to a retiring law enforcement member. (*Chief Barry Graham*)

9. Public Hearings

- 9.A. Conduct public hearing on Petition #R24-04 Northbrook Storage, a request by Jake Palillo on behalf of Bi-Part Development LLC to rezone +/- 21.936 acres located on Sam Furr Road from Corporate Business to Special Purpose-Conditional District for a storage facility and other commercial uses. (*Jesse James*)
- 9.B. Conduct public hearing on Petition #R24-03 Long Creek Retail, a request by Saleh Moflehi of TA&S Enterprises of NC Inc. to rezone +/- 4.39 acres located at the intersection of Mt. Holly-Huntersville Road and Beatties Ford Road from Highway Commercial-Conditional District to Highway Commercial-Conditional District for an amendment to rezoning #R08-01 for a convenience store and retail/commercial use development. (*Jesse James*)
- 9.C. Conduct public hearing on Petition #TA24-06 "Farmhouse Cluster Changes," a text amendment request by the Town of Huntersville Planning Department to amend Article 3.2.1(e), 3.2.2(e), 3.2.1(d)3(c), 3.2.2(d)3(c), and 12.2.1 "Open Space" of the Huntersville Zoning Ordinance to make changes to Farmhouse Clusters and Open Space. (*Nathan Farber*)
- 9.D. Conduct public hearing on Petition #TA24-07 "Accessory Dwelling Units in General Residential," a text amendment request by the Town of Huntersville Planning Department to amend Article 3.2.3(c) of the Huntersville Zoning Ordinance to remove the family-only occupancy requirement from the General Residential zoning district regulations to achieve consistency with the rules governing ADU's in other residential zones. (*Patrick Patterson*)
- 9.E. Conduct public hearing on Petition #TA24-08 "Family Care Home," a text amendment request by the Town of Huntersville Planning Department to amend Article 12, Section 12.2.1 of the Huntersville Zoning Ordinance to update the language to specify where a Family Care Home's one-half mile radius distance is measured from. (*Patrick Patterson*)
- 9.F. Conduct public hearing on Petition #TA24-09 "Building Separation," a text amendment request by the Town of Huntersville Planning Department to amend Article 8.10 and Article 12.2.1 of the Huntersville Zoning Ordinance to closer align our rules regarding building separation to North Carolina Building Code Standards and North Carolina Residential Code Standards. (*Patrick Patterson*)

- 9.G. Conduct public hearing on Petition #TA24-12: Proposed text amendment to modify or remove uses requiring a Special Use Permit, affecting Articles 3 and 9 of the Huntersville Zoning Ordinance. *(Brad Priest)*

10. Other Business

- 10.A. Consider approving labor contract for electrical construction work for FY25. *(David Lucore)*
- 10.B. Consider appointing one (1) member to the Parks and Recreation Commission due to one vacancy. *(Michael Jaycocks)*
- 10.C. Consider approving the Town Attorney Employment Agreement. *(Mayor Christy Clark)*

11. Closing Comments

12. Adjourn

General Meeting Information

Town Board:

The Town of Huntersville Mayor and Board of Commissioners are elected for two-year terms. Huntersville operates under the council-manager form of government, which establishes the Town's policies that are carried out by the Town Manager and staff. For more information, visit www.huntersville.org.

Meeting Time, Place and Agenda:

All meetings of the Board are open to the public and the public is invited and encouraged to attend. The Board meets in the Town Hall at 6:00 p.m. on the first and third Tuesday of each month (unless otherwise posted). Agendas are published Thursdays before the meeting on our website. The Board reserves the right to deviate from the agenda.

Public Comment and Public Hearing Policy:

Persons desiring to address the Board during the public comment period or a public hearing shall sign up via the speaker sign-up sheet prior to the beginning of the meeting. Once the meeting has begun, a person may not sign up to speak. Persons who have signed up to speak shall be allowed to speak for up to three (3) minutes. The Mayor shall have the discretion to shorten the allotted speaking time depending on the number persons registered to speak and in consideration of the length of the agenda. ([Public Comment and Public Hearing Policy - Amended February 19, 2024](#))

Special Accommodations:

Please contact the Town Clerk, 72 hours prior to the meeting, for special accommodations to attend this meeting and/or if this information is needed in an alternative format. Janet Pierson can be reached at clerk@huntersville.org or 704-875-6541.



Request for Board Action

August 6, 2024

To: The Honorable Mayor and Board of Commissioners

From: Jim Dotoli, Fire Chief

Subject: Surplus of Fire Department Vehicles and Associated Equipment

EXPLAIN REQUEST:

The vehicles are valued from \$80,000 to \$130,000 each with equipment. The vehicles are no longer of value to the Huntersville Fire Department. Each vehicle is being replaced in August 2024 with a new unit following the HFD truck replacement schedule of replacing apparatus over 20 years of age. These vehicles will be sold on GovDeals.com via on-line auction.

ACTION RECOMMENDED:

Approve surplus.

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. Exhibit A - surplus items
2. Exhibit B - Notice of electronic auction for surplus
3. 20240710-SurplusMemo



RESOLUTION OF THE TOWN OF HUNTERSVILLE AUTHORIZING THE ELECTRONIC PUBLIC AUCTION OF SURPLUS PROPERTY

Resolution No. R-2024-26

WHEREAS, the Town of Huntersville owns two fire trucks (the "Vehicles") described further in the attached Exhibit "A"; and

WHEREAS, the Vehicles are surplus property which the Town desires to sell; and

WHEREAS, N.C.G.S. § 160A-270(b) permits the Town to sell personal property by electronic public auction; and

WHEREAS, the Town of Huntersville Board of Commissioners (the "Town Board") now desires to authorize the sale of the Vehicles by electronic public auction.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board hereby declares the Vehicles surplus property and authorizes the sale of the Vehicles pursuant to N.C.G.S. § 160A-270(b).
2. The Town Board authorizes the Town Manager or his designee to sell the Vehicle(s) described in Exhibit "A" by electronic auction on [GovDeals.com](https://govdeals.com) beginning August 20th, 2024 at 8:00 a.m. and ending on September 3rd, 2024 at 5:00 p.m.
3. Following the electronic auction, the Town Board authorizes the Town Manager, acting upon the advice of legal counsel, to take actions necessary to execute the sale of the Vehicle(s) without further Town Board action.
4. The notice attached hereto as Exhibit "B" shall be published a minimum of ten (10) days prior to the electronic auction in a newspaper of general circulation in the Town.
5. The Town reserves the right to withdraw the Vehicle(s) from sale at any time and the right to reject all bids.

Adopted this 6th day of August, 2024

ATTEST:

Janet Pierson, Town Clerk

Christy Clark, Mayor

APPROVED AS TO FORM:

Emily Sloop, Town Attorney

Exhibit A

Surplus Items

1) **2001 Pierce Engine**

Vin#: 4P1CT02A71A001854

Mileage: Approx. 64,594.4

Pump Hours: Approx. 4,157.5

2) **2002 Spartan Marion Engine**

Vin#: 4S7AU41992C043006

Mileage: Approx. 66,083

Pump Hours: Approx. 4,192.6

PUBLIC NOTICE
SALE OF TOWN SURPLUS PERSONAL PROPERTY BY ELECTRONIC
AUCTION (N.C.G.S. § 160A-270(b))

The Town of Huntersville Board of Commissioners passed a resolution on August 6th, 2024, authorizing the electronic auction of two fire trucks, described further below, beginning August 20th, 2024, at 8:00 a.m. and ending September 3rd, 2024, at 5:00 p.m. on [GovDeals.com](https://govdeals.com). A minimum will be set for each truck. The trucks can be previewed Monday through Friday from August 7th, 2024 through September 3rd, 2024 at the location(s) described below. The Town reserves the right to delete or “NO SALE” any item(s).

The terms of the final sale are that:

1. The payment must be by Certified or cashier’s check.
2. All items are to be removed within ten (10) business days from close of auction.
3. All other terms may be found on [GovDeals.com](https://govdeals.com).

Any questions regarding this sale, contact: CJ Auten, Battalion Chief, at 704-912-7402 or cauten@huntersville.org.

Surplus Items:

1) 2001 Pierce Engine

Vin#: 4P1CT02A71A001854

Mileage: Approx. 64,594.4

Pump Hours: Approx. 4,157.5

View at: 13423 Eastfield Road, Huntersville, NC 28078

2) 2002 Spartan Marion Engine

Vin#: 4S7AU41992C043006

Mileage: Approx. 66,083

Pump Hours: Approx. 4,192.6

View at: 15600 Beatties Ford Road, Huntersville, NC 28078



memorandum

date July 10, 2024

to Anthony Roberts, Town Manager
Town Board

from Jim Dotoli, Fire Chief

re Surplus Vehicles and Associated Equipment Declaration

The purpose of this memorandum is to deem the following vehicles, and associated vehicle equipment, as surplus. The vehicles are valued from \$80,000 to \$130,000 each with equipment. The vehicles are no longer of value to the Huntersville Fire Department. Each vehicle is being replaced in August 2024 with a new unit following the HFD truck replacement schedule of replacing apparatus over 20 years of age. These vehicles will be sold on GovDeals.com via on-line auction. The vehicle information is listed below:

2001 Pierce Engine

Vin#4P1CT02A71A001854

Mileage-65,580.7

Pump Hours-4,156.8

2002 Spartan Marion Engine

Vin#4S7AU41992C043006

Mileage-65,900.2

Pump Hours-4,177.7



Request for Board Action

August 6, 2024

To: The Honorable Mayor and Board of Commissioners

From: Pattie McGinnis, Finance Director

Subject: Tax Collector's Settlement And Order of Collection

EXPLAIN REQUEST:

Approve Tax Collector's Settlement for Fiscal Year 2024 (Tax Year 2023) and adopt Order of Collection for Fiscal Year 2025 (Tax Year 2024).

ACTION RECOMMENDED:

Approve Settlement and adopt Order of Collection.

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. Tax Collector's Settlement And Order of Collection



MECKLENBURG COUNTY

Office of the Tax Collector

July 17, 2024

Anthony Roberts, Huntersville Town Manager
PO Box 664
Huntersville, NC 28070

Re: Tax Collector's Settlement for Fiscal Year 2024 (Tax Year 2023)
Order of Collection for Tax Year 2024
Notice of Retirement
Interim Tax Collector Announcement

Dear Mr. Roberts:

Please find the enclosed FY 2024 Tax Collector's Settlement. We will work diligently to collect unpaid FY 2024 and other prior year taxes as we move forward with the FY 2025 (Tax Year 2024) billing cycle.

According to NCGS 105-373(3), the Tax Collector's Settlement must be entered into the official record of the governing board. Please have this document entered into the record to comply with statute.

I have also included the Order of Collection for Tax Year 2024. The order must also be approved by your board after the settlement is received into the record. Please return the signed copy of the Order of Collection to me once executed. A scanned copy can be sent to Shalon.Page@MeckNC.gov. A hard copy can be mailed to the following address:

Mecklenburg County Office of the Tax Collector
Attn.: Shalon Page
P.O. Box 31457
Charlotte NC 28231-1457

Your attention to both documents is greatly appreciated.

After nearly 30 years of service in tax collections, I have announced my retirement effective August 1, 2024. It has been an honor and pleasure to serve our community and the governing boards within the county during my tenure.

The Board of County Commissioners appointed Tax Operations Director Julissa Fernández as Interim Tax Collector to fill my unexpired term ending June 30, 2025. She will have the full statutory authority as Tax Collector upon my departure from the position.

Sincerely,



Neal L. Dixon
Tax Collector/Director

Enclosures

CC: Pattie McGinnis, Town of Huntersville Finance Director
Shalon Page, Executive Assistant



MECKLENBURG COUNTY

Office of the Tax Collector

To: Anthony Roberts, Huntersville Town Manager

From: Neal L. Dixon, Director/Tax Collector

Date: July 17, 2024

Subject: Tax Collector's Settlement for Fiscal Year 2024

Pursuant to the provisions of N.C.G.S. 105-373, this memorandum is the Tax Collector's report of settlement to the Huntersville Town Commission for Fiscal Year 2024 (tax year 2023).

The total FY 2024 Real Estate, Personal Property, and Registered Motor Vehicle Tax charged to the Tax Collector for collection was \$29,610,843.40.

<u>Net Levy</u>	<u>Collected</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
\$29,610,843.40	\$29,549,820.43	\$98,950.35	99.79%

At the end of FY 2024 there were 0 tax bills under formal appeal with the Board of Equalization and Review or the Property Tax Commission; consequently, the Tax Collector was not barred from pursuing collection of any tax bills related to appeals. In addition, the Tax Collector was barred by the U.S. Bankruptcy Court from pursuing 6 real estate, personal property, and registered motor vehicle tax bills totaling \$892.23. When this total is removed from the net levy calculation, the collection percentage increases to 99.80%.

Reference is hereby made to reports in the Office of the Tax Collector that list the persons owning real property and personal property whose taxes for the preceding fiscal year remain unpaid and the principal amount owed by each person. These reports are available for inspection and review upon request. The Tax Collector has made diligent efforts to collect the taxes due from the persons listed by utilizing the remedies available to him for collection.

PEOPLE • PRIDE • PROGRESS • PARTNERSHIPS

3205 Freedom Drive, Suite 3000 (28208) • P.O. Box 31457 • Charlotte, North Carolina 28231 • 980-314-4488

Tax Collector's Settlement for Fiscal Year 2024

Page 2

Prior Year Collections

During FY 2024, the Tax Collector pursued collection of delinquent prior year taxes.

Real Estate and Personal Property Tax:

<u>Tax Year</u>	<u>Net Levy</u>	<u>Collected in FY 2024</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
2013	\$16,511,879.14	\$763.46	\$13,163.98	99.92%
2014	\$18,739,187.59	\$5,113.88	\$8,503.08	99.95%
2015	\$19,367,877.57	\$4,607.86	\$10,375.70	99.95%
2016	\$19,885,828.07	\$4,291.52	\$11,159.77	99.94%
2017	\$20,472,548.08	\$3,921.02	\$23,177.88	99.89%
2018	\$21,389,427.06	\$5,173.44	\$14,592.61	99.93%
2019	\$22,975,824.38	\$6,667.87	\$22,059.80	99.90%
2020	\$23,786,269.03	\$12,623.12	\$25,862.23	99.89%
2021	\$25,235,676.66	\$13,644.13	\$35,564.78	99.86%
2022	\$26,731,370.38	\$43,935.53	\$55,141.12	99.79%

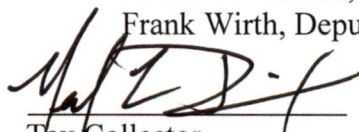
Registered Motor Vehicle Tax:

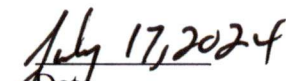
<u>Tax Year</u>	<u>Net Levy</u>	<u>Collected in FY 2024</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
2020	\$0.00	\$0.00	\$0.00	N/A
2021	\$0.00	\$0.00	\$0.00	N/A
2022	\$0.00	\$0.00	\$0.00	N/A

Please contact me at Neal.Dixon@MecklenburgCountyNC.gov or 980-314-4488 if you have any questions or comments regarding this settlement report.

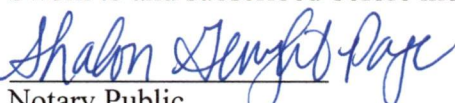
North Carolina General Statute 105-373(3) requires that this settlement be submitted to the governing board. The settlement shall be entered into the minutes of the governing body. Please ensure that this settlement is entered into the minutes of the governing body as required by statute.

cc: Jackie Huffman, Huntersville Deputy Town Manager
 Julissa Fernández, Deputy Tax Director
 Frank Wirth, Deputy Tax Director


 Tax Collector


 Date

Sworn to and subscribed before me this 17 day of July, 2024


 Notary Public

My commission expires: July 19, 2027
 Date



ORDER OF COLLECTION

STATE OF NORTH CAROLINA

TOWN OF HUNTERSVILLE

TO THE TAX COLLECTOR OF THE COUNTY OF MECKLENBURG COUNTY

GENERAL STATUTE 105-321(b)

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records, filed in the Office of the Tax Assessor and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the Town of Huntersville, and this order shall be a full and sufficient authority to direct, require and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

Witness my hand and official seal, this ____ day of _____, 2024.

Mayor, Town of Huntersville (SEAL)

Attest:

Clerk to the Board

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION APPOINTING JULISSA FERNANDEZ
AS INTERIM TAX COLLECTOR**

WHEREAS, pursuant to North Carolina General Statutes ("NCGS" 105-349) the governing body of each County shall appoint a tax collector to serve for a term to be determined by the appointing body and until his/her successor has been appointed and qualified; and

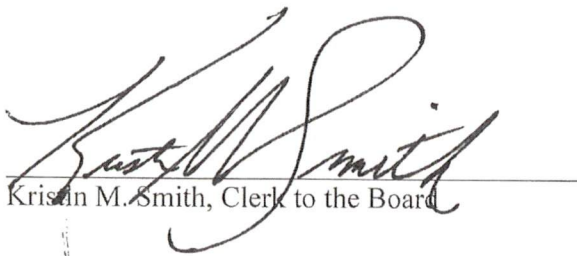
WHEREAS, Neal Dixon has served in the capacity of tax collector for 23 years for Mecklenburg County and has given notice of his retirement effective August 1, 2024, leaving an unexpired term which ends June 30, 2025; and

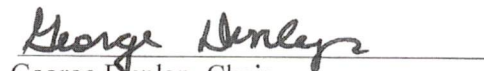
WHEREAS, the County Manager recommends Julissa Fernandez to be appointed as interim tax collector to serve the remaining term of Neal Dixon; and

WHEREAS, Julissa Fernandez has 8 years of experience working in the office of the tax collector and has the relevant knowledge and skills to assume the duties of tax collector.

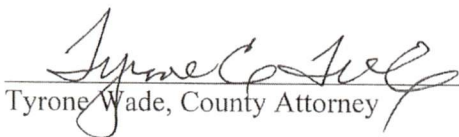
NOW, THEREFORE, BE IT RESOLVED that the Mecklenburg County Board of Commissioners does hereby adopt this Resolution appointing Julissa Fernandez as Interim Tax Collector for Mecklenburg County to the unexpired term of Neal Dixon, expiring June 30, 2025.

Adopted the 2nd day of July, 2024.


Kristin M. Smith, Clerk to the Board


George Dunlap, Chair
Mecklenburg County
Board of Commissioners

APPROVED AS TO FORM:


Tyrone Wade, County Attorney



Request for Board Action

August 6, 2024

To: The Honorable Mayor and Board of Commissioners

From: Pattie McGinnis, Finance Director

Subject: Property Tax Refunds

EXPLAIN REQUEST:

Attached are two Refund reports from Mecklenburg County. These reports contain two refunds totaling \$112.13 which include \$9.88 in interest. These refunds are the result of the Property Tax Commission.

ACTION RECOMMENDED:

Approve refunds.

FINANCIAL IMPLICATIONS:

Decrease in refund.

ATTACHMENTS:

1. 8-6-24 PTC Refunds 24 01 25 NEW with Interest
2. 8-6-24 Huntersville PTC Refunds 24 07 25

HUNTERSVILLE Refunds

Tax Year	Bill Number	Parcel #	Source Type	Adj. #	Adj. Reason	Date of Adj.	Recipient Name	Address	City	State	Zip Code	Payment Date for Interest Calculation	Total Interest to Pay if mailed on or before 8/5/2024 (\$)
2023	0008109961-2023-2023-0000-00	00906126	REI	619935	PTC Decision	1/19/2024	FAIL, PETER M AND FAIL, ANN MARIE	1334 OLD STORE RD	HUNTERSVILLE	NC	28078	1/6/2024	5.08
TOTAL													5.08

HUNTERSVILLE Refunds

Tax Year	Bill Number	Parcel #	Source Type	Adj. #	Adj. Reason	Date of Adj.	Recipient Name	Address	City	State	Zip Code	Payment Date for Interest Calculation	Refund Amount (\$)	Total Interest to Pay if mailed on or before 8/7/2024 (\$)
2023	0001403366-2023-2023-0000-00	00102323	REI	623636	PTC Decision	7/24/2024 2:17:23 PM	MEACHAM, DAVID H	16033 CRAMUR DR	HUNTERSVILLE	NC	28078	1/6/2024	102.25	4.80
TOTAL													102.25	4.80



Request for Board Action

August 6, 2024

To: The Honorable Mayor and Board of Commissioners

From: David Lucore, Electric System Manager

Subject: Electric fund write-offs for FY 2021

EXPLAIN REQUEST:

Town staff and ElectriCities have cooperatively worked at collecting final electric accounts to accurately reflect the amount customers owe the Town. As we did in FY23, Staff recommends that annually the Board approve the write-offs of amounts that have proven uncollectible for more than three years. While this will not stop our collection efforts (these amounts will remain with our collection agency, and we will continue to seek collection through debt set-off program for accounts over \$50), our financial statements will no longer report the amounts as likely collectible.

Staff is recommending the Board approve write-offs for FY2021 totaling \$21,409.49. In total, this represents 0.09% of the total 2021 Electric revenue and 165 customers.

ACTION RECOMMENDED:

Approve Electric Fund write-offs for FY 2021 totaling \$21,409.49.

FINANCIAL IMPLICATIONS:

Loss of revenue collected from final accounts.

ATTACHMENTS:

None



Request for Board Action

August 6, 2024

To: The Honorable Mayor and Board of Commissioners

From: Tracy Houk, Assistant Director of Parks and Recreation

Subject: Veterans Day Parade and Ceremony Road Closure

EXPLAIN REQUEST:

Approve Ordinance for the Veterans Day Parade and Ceremony road closure on Saturday, November 9, 2024.

ACTION RECOMMENDED:

Approve Road Closure for the Veterans Day Parade.

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. Veterans Day Road Closure Request 2024 - Maps



**AN ORDINANCE TO TEMPORARILY CLOSE CERTAIN STATE-MAINTAINED ROADS
FOR A SPECIAL EVENT ORGANIZED BY THE TOWN OF HUNTERSVILLE, NC**

Ordinance No. O-2024-10

WHEREAS, North Carolina General Statute 20-169 authorizes local authorities to regulate by ordinance the use of a highway within their jurisdiction by processions, assemblages or anything that may be construed as a procession or assemblage, and

WHEREAS, the Town of Huntersville will consult with the local NCDOT Division office to verify that a proposed event will not 1) interfere with other planned special events and 2) impact or be impacted by planned maintenance or other activities, and

WHEREAS, the Town of Huntersville will sponsor and hold its annual Veteran's Day celebration on November 9, 2024, and

WHEREAS, this event will require the temporary closing of 1) Old Statesville Rd (NC 115) between Mt. Holly-Huntersville Rd and Sherwood Dr. 2) Gilead Rd/Huntersville-Concord Rd between Sherwood Dr and Main St. 3) Maxwell Ave from Huntersville-Concord Rd to N. Old Statesville Rd (NC 115). 4) Main St between Bigham St and Greenway St. to vehicular traffic from 9 a.m. – 11:00 a.m. on November 9, 2024.

See maps attached as reference.

NOW THEREFORE, BE IT ORDAINED by the members of the Board of Commissioners of the Town of Huntersville, North Carolina:

1. The Board of Commissioners approves and authorizes to temporarily close the above-mentioned town and state-maintained roads for a special event per the attached map.
2. The Board hereby authorizes the Town Manager, acting on advice of counsel, to take any actions necessary to affect the provisions of this Resolution.
3. This Resolution shall be effective as of the date its adoption.

Adopted this 6th day of August, 2024

ATTEST:

Janet Pierson, Town Clerk

Christy Clark, Mayor

APPROVED AS TO FORM:

Emily Sloop, Town Attorney

Sherwood Rd to Gilead Rd

Barricades with Detour to Huntersville-Concord Rd via Sherwood Dr. (Right Arrow Detour)

Message Board at Stumptown Rd
Message 1: Road Closed Ahead
Message 2: Follow Detour

★ Parade Start
★ Parade End

Huntersville Concord Road

Main St
Once parade end turns in Legion, reopen Main St.

Road Closed Follow Detour

Gilead Rd

Barricades with Detour to Old Statesville Rd via Sherwood Dr. (Left Arrow Detour)

Barricades with Road closed (Right & Left Arrow Detour)

Greenway St
Once parade end turns on Greenway, reopen NC115.

Message Board at Holbrooks Rd
Message 1: Road Closed Ahead
Message 2: Follow Detour

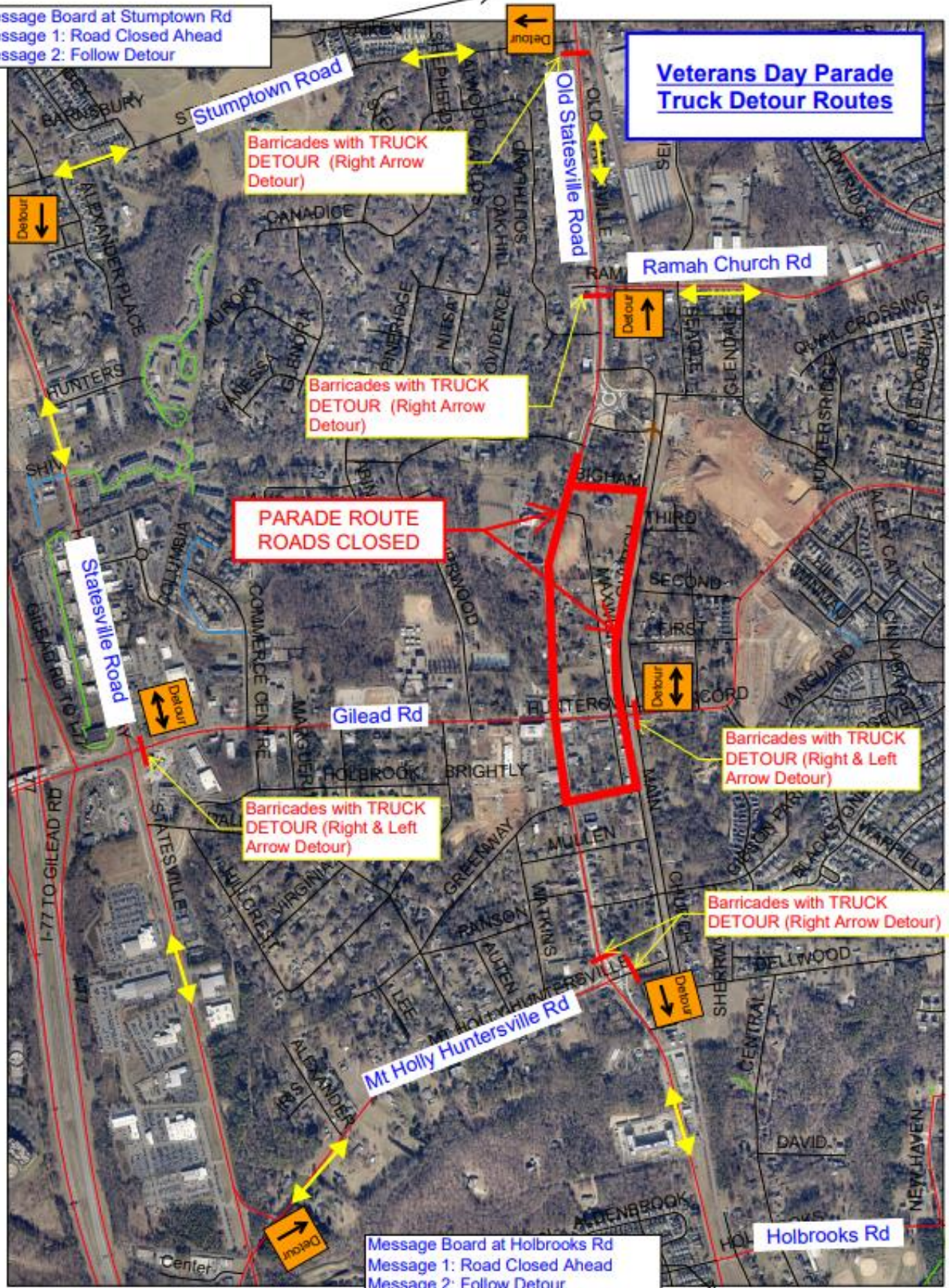
Mt Holly Huntersville Rd

Town of Huntersville

NORTH CAROLINA

Message Board at Stumptown Rd
 Message 1: Road Closed Ahead
 Message 2: Follow Detour

Veterans Day Parade Truck Detour Routes





Request for Board Action

August 6, 2024

To: The Honorable Mayor and Board of Commissioners

From: Tracy Houk, Assistant Director of Parks and Recreation

Subject: Holidays in Huntersville Event Road Closure

EXPLAIN REQUEST:

Approve Ordinance for the Holidays in Huntersville event road closure on Saturday, December 6 and 7, 2024.

ACTION RECOMMENDED:

Approve Road Closure for the Holidays in Huntersville event.

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. Holidays in Huntersville Road Closure Request 2024 - Map



**AN ORDINANCE TO TEMPORARILY CLOSE CERTAIN STATE-MAINTAINED ROADS
FOR A SPECIAL EVENT ORGANIZED BY THE TOWN OF HUNTERSVILLE, NC**

Ordinance No. O-2024-11

WHEREAS, North Carolina General Statute 20-169 authorizes local authorities to regulate by ordinance the use of a highway within their jurisdiction by processions, assemblages or anything that may be construed as a procession or assemblage, and

WHEREAS, the Town of Huntersville will consult with the local NCDOT Division office to verify that a proposed event will not 1) interfere with other planned special events and 2) impact or be impacted by planned maintenance or other activities, and

WHEREAS, the Town of Huntersville will sponsor and hold its annual Huntersville Tree Lighting on Friday, December 6, 2024 from 6:00 pm to 9:00 pm and Holidays in Huntersville event on Saturday, December 7, 2024 from 3:00 pm to 8:00 pm, and

WHEREAS, this event will require the temporary closing of 1) Maxwell Ave between Huntersville-Concord Rd and Old Statesville Rd (NC 115). (2) Main St between Huntersville-Concord Rd and Bigham St. (see Map Exhibit A) between the hours of 3:00 pm and 10:00 pm on Friday, December 6, 2024 and 11:00 am and 9:00 pm.

See the map attached as a reference.

NOW THEREFORE, BE IT ORDAINED by the members of the Board of Commissioners of the Town of Huntersville, North Carolina:

1. The Board of Commissioners approves and authorizes to temporarily close the above-mentioned state-maintained roads for a special event per the attached map.
2. The Board hereby authorizes the Town Manager, acting on advice of counsel, to take any actions necessary to affect the provisions of this Resolution;
3. This Resolution shall be effective as of the date of its adoption.

Adopted this 6th day of August, 2024

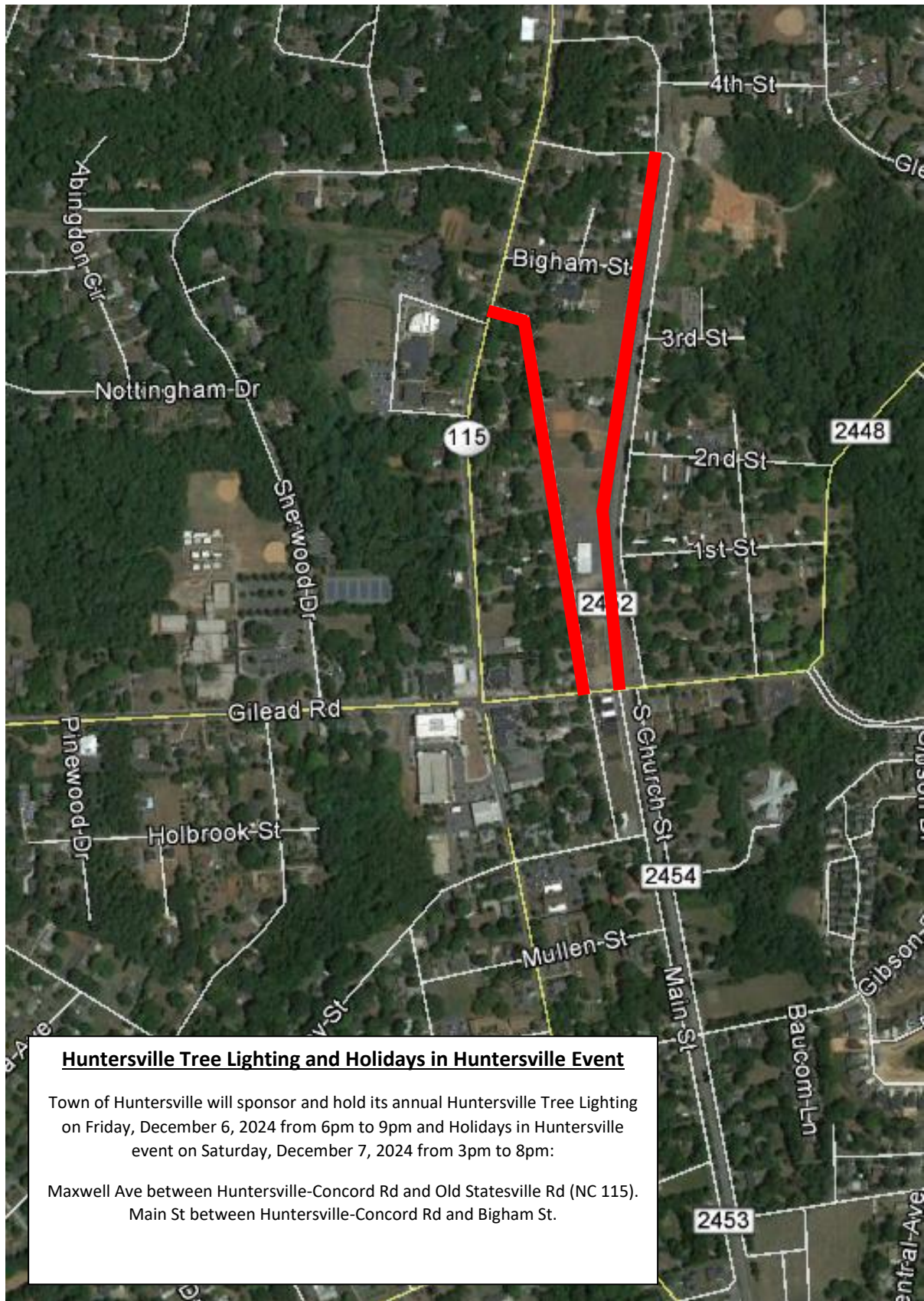
ATTEST:

Janet Pierson, Town Clerk

Christy Clark, Mayor

APPROVED AS TO FORM:

Emily Sloop, Town Attorney



Huntersville Tree Lighting and Holidays in Huntersville Event

Town of Huntersville will sponsor and hold its annual Huntersville Tree Lighting on Friday, December 6, 2024 from 6pm to 9pm and Holidays in Huntersville event on Saturday, December 7, 2024 from 3pm to 8pm:

Maxwell Ave between Huntersville-Concord Rd and Old Statesville Rd (NC 115).
Main St between Huntersville-Concord Rd and Bigham St.



Request for Board Action

August 6, 2024

To: The Honorable Mayor and Board of Commissioners

From: Barry Graham, Chief of Police

Subject: Resolution - Awarding of Service Firearm

EXPLAIN REQUEST:

Officer Tim Hager has made a request to be awarded his service firearm upon his retirement. NCGS 17F-20 outlines the process to award a service firearm to a retiring law enforcement member, which includes the adoption of a resolution by the governing body.

ACTION RECOMMENDED:

Adopt resolution.

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

None



RESOLUTION OF THE TOWN OF HUNTERSVILLE TO APPROVE THE AWARDING OF A SERVICE FIREARM TO A RETIRING LAW ENFORCEMENT MEMBER

Resolution No. R-2024-27

WHEREAS, in accordance with North Carolina General Statute §17F-20, the Governing Board of a law enforcement agency shall award a retiring law enforcement member his or her badge and may, in its discretion, award the member's service firearm; and

WHEREAS, Officer Tim Hager has made an official request to be awarded his service firearm upon his retirement; and

WHEREAS, the Town of Huntersville Board of Commissioners (the "Board of Commissioners") has determined that Officer Tim Hager is not ineligible to own, possess, or receive a firearm under the provisions of state or federal law; and

WHEREAS, the Board of Commissioners desires to honor Officer Hager for his service to the Town as a law enforcement member by awarding him his service firearm, a Glock Model 45, Serial Number CBKZ882, for the price of \$1.00.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Board of Commissioners has determined that Officer Hager is not ineligible to own, possess, or receive a firearm under the provisions of State or federal law.
2. Pursuant to G.S. §17F-20, the Board of Commissioners hereby awards Officer Hager his service firearm, a Glock Model 45, Serial Number CBKZ882, for the price of \$1.00.
3. The Town Manager and Town Attorney are hereby authorized to take necessary actions and to execute such documents as may be necessary to complete this Resolution.
4. This Resolution shall be effective as of the date of its adoption.

Adopted this 6th day of August, 2024

ATTEST:

Janet Pierson, Town Clerk

Christy Clark, Mayor

APPROVED AS TO FORM:

Emily Sloop, Town Attorney



Request for Board Action

August 6, 2024

To: The Honorable Mayor and Board of Commissioners

From: Jesse James, Principal Planner

Subject: Public Hearing on Petition #R24-04 Northbrook Storage

EXPLAIN REQUEST:

Conduct public hearing on Petition #R24-04 Northbrook Storage, a request by Jake Palillo on behalf of Bi-Part Development LLC to rezone +/- 21.936 acres located on Sam Furr Road (parcels 01122117, 01122116, 01122115, 01122114) from Corporate Business to Special Purpose-Conditional District for a storage facility and other commercial uses.

ACTION RECOMMENDED:

Conduct a public hearing

FINANCIAL IMPLICATIONS:

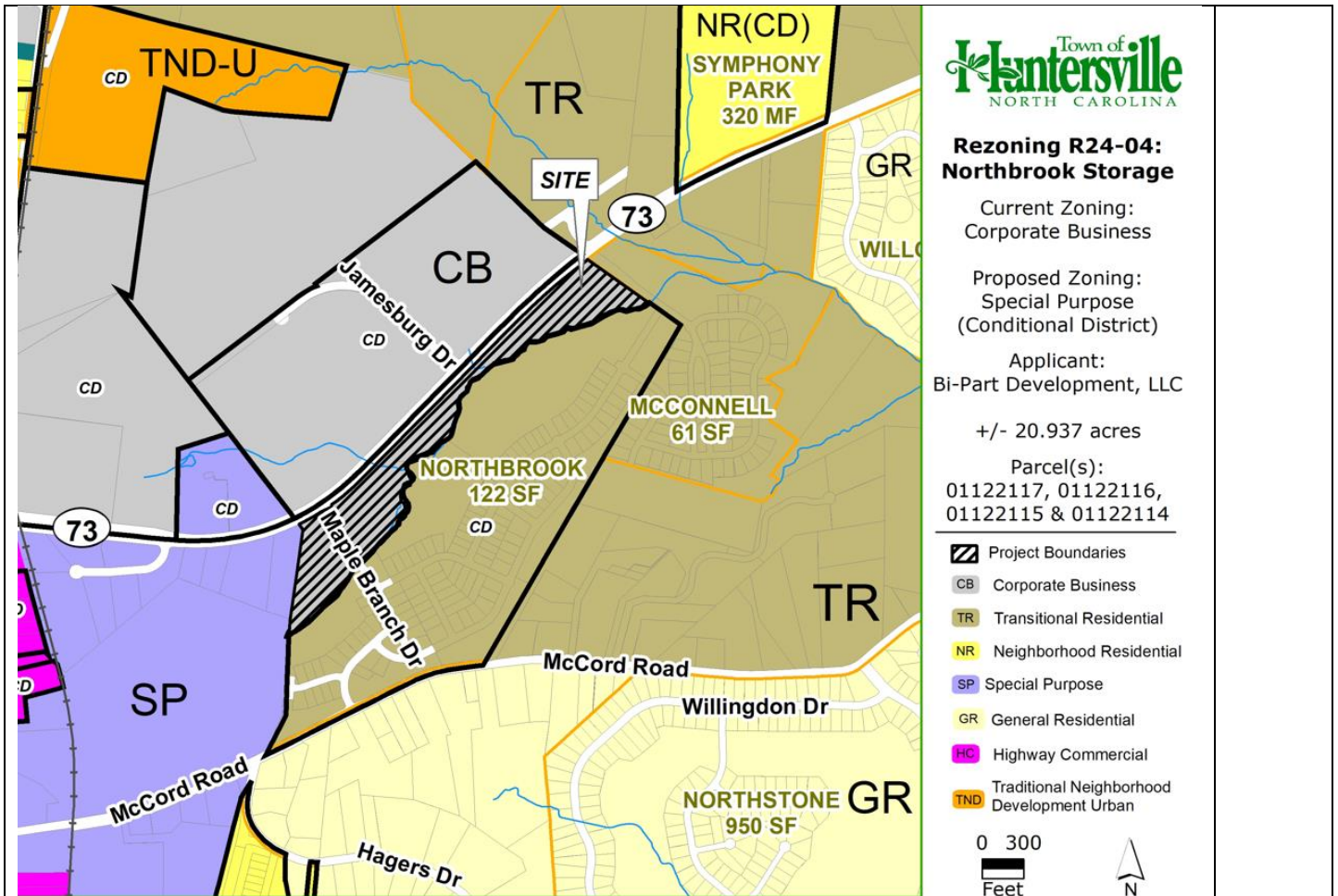
N/A

ATTACHMENTS:

1. R24-04 PH 8-6-24 Staff Report 1
2. ToH General Application - Rezoning revised 07.08.2024
3. Northbrook Storage Rezoning Plan Set
4. 23-037 A200 Building Elevation-Elevation Concept
5. 23-037 A200 Building Elevation-Rendering
6. Community Meeting Attendees
7. Community Meeting Report
8. R24-04 Staff Report_Engineering Attachment

Petition R24-04 Northbrook Storage

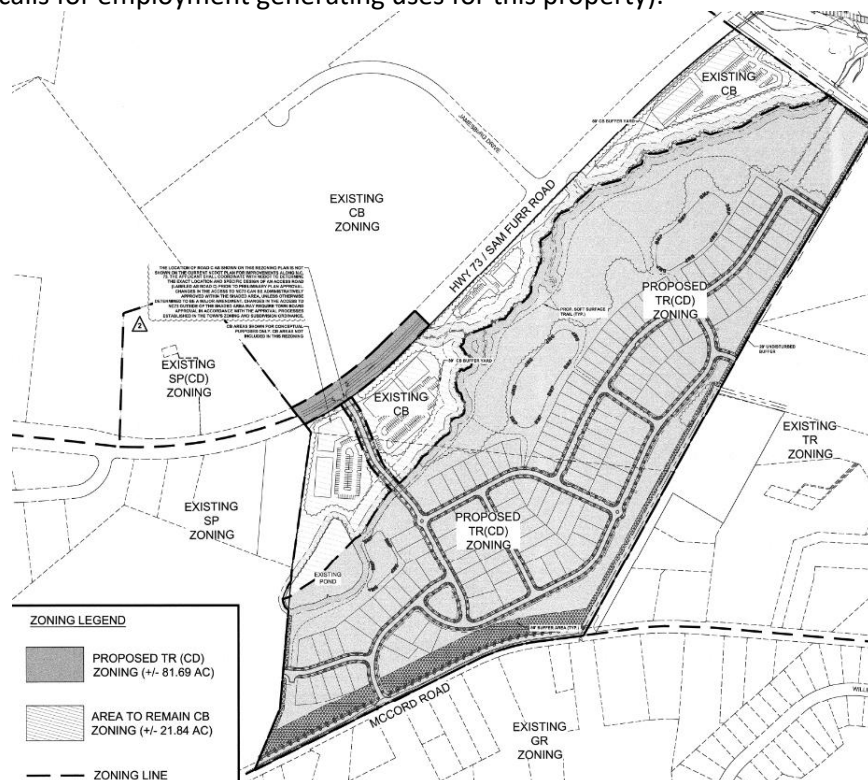
PART 1: PROJECT SUMMARY



1. Purpose: Rezone approximately 20.937-acres on Sam Furr Road (PINs 01122117, 01122116, 01122115, 01122114) from Corporate Business(CB) to Special Purpose-Conditional District (SP-CD) to allow for a storage unit development(Parcel C) and other SP uses permitted under the zoning designation with exception to; abattoirs, foundries, lumber mills and storage yards, heavy manufacturing, power generation plants, railroad freight yards, railroad repair shops and marshalling yards, and repair of heavy manufacturing operations. In

addition to those exclusions listed, the following uses “permitted with conditions” under the SP district will also be excluded, commercial communication towers, internet sweepstakes, junk yards, outdoor storage of construction equipment, petroleum storage facilities, and trucking terminals. (see handout of SP and CB Permitted Uses). To summarize, Parcel C has a conceptual planned design with architectural elevations (see attached), where Parcels A, B, and D have all been added to the plan as meeting ordinance standards, other than a modification request which is stated in the following sections.

2. The 2018 R18-15 Northbrook Subdivision/CD Rezoning approved the zoning map amendment from CB to a split between Transitional Residential-Conditional District (TR-CD) and kept the parcels along Sam Furr Road as CB (as seen below). The emphasis for this rezoning was to change a large portion of the property for residential zoning which left narrow commercial properties along Sam Furr Road, specifically Parcel C identified in this proposed rezoning with approximately 250-feet at its deepest point. When you add ROW acquisition for NCDOT road widening and 80-foot property line buffer standards for CB zoning adjacent to residential uses, the leftover property along Sam Furr Road is fairly narrow for employment sector uses (2016 Strategic Economic Development Plan calls for employment generating uses for this property).



3. Adjoining Zoning and Land Uses.

North: CB(CD)– Industrial warehousing

South: TR(CD)- Single Family Residential

East: TR- Single Family Residential

West: SP- Flex Space/Warehousing/Storage

4. A neighborhood meeting was held on Monday, June 24, 2024. Questions asked by residents and the responses from the applicants are summarized in the Neighborhood Meeting Report (see Attachment).
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 Sam Furr Road.

PART 2: REZONING/SITE PLAN



- The proposed Conditional District Rezoning Plan has modification proposals and site standard requests from staff that are presented in the body of this document. Significant elements include:
- Modification Request- The zoning ordinance requires an 80-foot vegetated buffer adjacent to lower intensity uses. In this case, the entire southern property line requires the 80-foot buffer against the adjacent single-family subdivision. The applicant requests reduce the 80-foot buffer in parcel "C" as depicted in the rezoning plan to a 35-foot buffer which is the identified environmental buffer on site. This 35-foot buffer is defined as a SWIM (Surface Water Improvement & Management) buffer.

Staff Comments- The original application request was for a reduction for all four parcels within the plan and has since been revised to include only parcel "C" for the proposed indoor storage development. Since the closest home in the subdivision adjacent to the proposed site is approximately 382-feet of property designated as tree save, staff finds this modification can be appropriate with more clarity as to what type of vegetation is existing within the 35-foot SWIM buffer to remain.

- **Modification Request-** The applicant requests a modification of the required 40' thoroughfare buffer per article 7.5.3. This requirement allows per ordinance a reduction from 80' to 40' along thoroughfares where only passenger vehicle parking is located between the building and the street, and or the architecture of the building does not meet the building type requirements of article 4. The applicant has chosen this 40' buffer option but cannot plant it (as it states in the modification request note on the plans) per ordinance standards due to an existing permanent NCDOT utility easement within this area. The request is to "work with Town Planning Staff and NCDOT to design and develop a pet friendly walking park. We will design our 40-foot buffer (set back) and work with NCDOT in some of their ROW to have a 40-foot-wide park with an 8-10-foot-wide walking path, beautiful green grassed area, park benches, picnic tables, dog obstacles, drinking fountains (pet and people) and completely fenced in with 48-inch-high decorative aluminum fence. Our property owner's association will maintain the park like area. This will enhance the streetscape and offer the residents of Huntersville an amazing pet friendly park".

Staff Comments- Staff cannot accurately analyze this request because a detail of how this would be achieved has not been submitted. We can note that this linear pet friendly/fenced in park scenario could potentially introduce several concerns. A) Will NCDOT allow a gated and fenced park in their ROW? We have not seen this type of request successfully performed anywhere else. B) how would the intent of the ordinance be met of buffering the parking lot and building with vegetation? Staff recommends an option that would negate the need for buffering that would bring the buildings to the 40-foot utility easement line with architecture that meets article 4 and move the parking to the rear of the buildings. In this scenario the applicant could figure out what appropriate items could be installed in the utility ROW/easement without the need for a vegetated buffer.

- **Permitted Uses-** In Part 1 of the report the excluded uses are laid out. It is worth noting what would be permitted on parcel's A, B, and D (lot C is proposed for an Indoor Storage Facility). See attachment for Use Tables in SP and CB districts.

Staff Comments- Staff requests a narrowed list of uses that could be developed on lots A, B, and D because several uses not included in the exclusions list provided, could raise concerns. For example, on parcels A, B, and D, mini storage would not be appropriate since lot C is proposing this use. Staff recommends that these parcels align with the original rezoning and the Strategic Economic Development Plan principle of having employment generating uses.

General Plan Information

- **Parking requirements=** For commercial, industrial, or office uses the requirement is 1 space per 500 square feet of floor space. Warehousing/Mini storage is required .25 spaces per 1000 square feet of floor space. The proposed plans are conceptual in nature so the parking layout and calculations are not set, however, the

applicant has not requested a modification to the parking requirements, therefore the construction plans will need to meet the ordinance minimum standards.

- Minimum Tree Preservation (specimen tree save) for Special Purpose district is 30%. Heritage trees are required to be saved at 100%.

Staff Comment- Staff has requested a tree save plan from a licensed surveyor. This is needed to accurately determine what specimen and heritage trees will be saved.

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

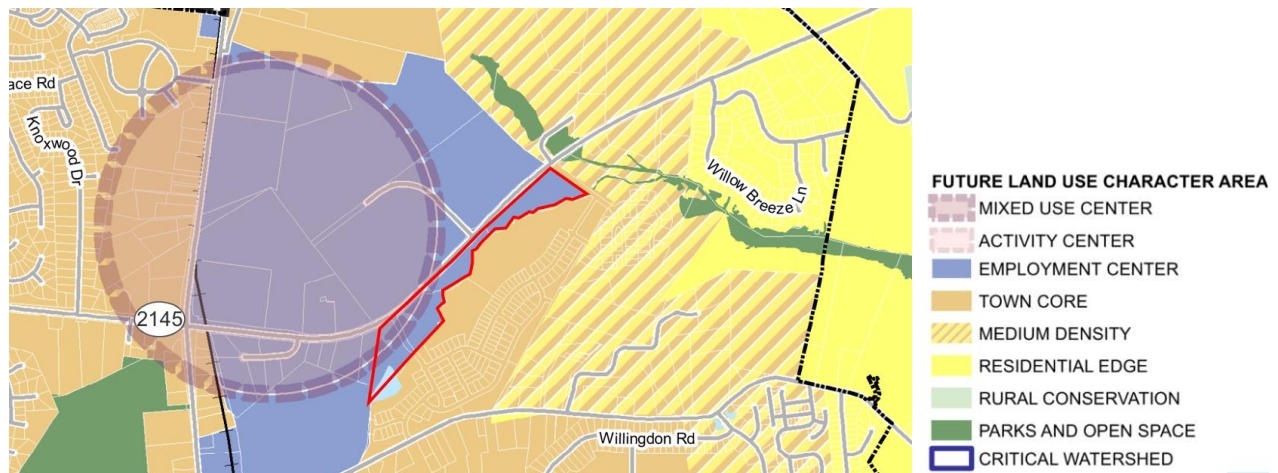
PART 3: TRANSPORTATION ISSUES

See attached analysis

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(Subject Parcels within “Employment Center”)



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

- LU-6-Support a mix of land uses in key locations.
-LU 6.1: A mix of land uses is encouraged in Mixed Use Centers, Activity Centers, Employment Centers identified on the Future Land Use Map.
Staff Comment: These parcels are all within an Employment Center land use character area and by approving SP zoning with use exclusions it opens the possibilities of a rich mix of land uses from flex space to retail and other commercial uses. Note: it is important to narrow the permitted land use list in parcels A, B, and D to ensure that employment generating uses are possible.
- LU 8.1: Continue to emphasize form and flexibility in development regulations for these areas. (employment centers)
The current zoning ordinance has basic form-based standards with flexibility built-in. Key elements include allowing multiple types of land uses, a mix of uses, minimal setbacks, and parking requirements.
Staff Comment: Parcel C, which is narrow and fronts Sam Furr Road, which has a 40' utility easement along the frontage for which buildings cannot be placed, is an example of a place where flexible design standards could and should be practiced. Allowing reduced buffers and introducing more allowed uses would be beneficial for this parcel.
- EV 1.2: Focus economic development in areas that support growth.
Preserve areas suitable for business and industrial development, along with a mixture of support uses, to ensure an adequate inventory of land for future growth and development, with increases to this inventory as required. These areas should have proximity to existing or future activity centers, have access to transportation options and utility service, and offer amenities for employees.
Staff Comment: These parcels are along Sam Furr Road, designated as a major thoroughfare, and this land has been set aside for an Employment Center, which is slated for economic development in the Community Plan. Rezoning to SP zoning still allows the uses permitted in CB zoning (current zoning designation) but allows more uses that could be supported along this thoroughfare like retail and other mixes of commercial uses. Staff would however, like to see a more condensed permitted use table proposal for this proposed CD district.

STAFF COMMENT- Staff finds the proposed use/project is **not consistent** with the following policies of the 2040 Huntersville Community Plan:

- Policy EOS-4: In more urban environments, encourage the preservation of heritage trees and tree canopy enhancement.
 - EOS 4.4: Inventory and manage urban forest canopy (i.e., downtown, in rights-of-way, etc.)
 - EOS 4.5: Establish, monitor, and maintain a healthy urban forest.
 - Staff Comment:** Staff has requested a tree survey to allow us to assess the tree canopy existing on site to better understand how key environmental situations along the Ramah Creek Swim buffer. Once the tree survey is submitted and reviewed, this non-consistency could very well be removed.
- LU 1.1: Utilize the Future Land Use Map during development approval process to ensure compatibility with long-range plans.
 - Staff Comment:** At least for Parcel C, proposed as a storage facility, this does not encourage an employment generating land use.
- Policy LU-11: Protect Existing Housing Stock.
 - LU 11.1: Protect and enhance the unique character of Huntersville's neighborhoods by using planning tools to safeguard from potentially negative impacts of development and redevelopment.
 - Staff Comment:** Staff believes that parcel A, B, and D could have a condensed permitted use table beyond what has already been excluded to establish safeguards for potential negative impacts of development to neighboring housing stock. An example of uses worth discussing more, that are not excluded, are outdoor amusement facilities, and mini storage facilities.

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

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

STAFF COMMENT:

The proposed rezoning can be consistent with the overall character of the existing development with implementation of revisions to the plan previously stated in this report. More emphasis should be placed on tree save and lot layouts of parcels A, B, and D as they pertain to street buffers.

- 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 amendment petition R24-04, Northbrook Storage, staff can recommend approval if the following staff recommendations are implemented into the plan:

- 1) More detail regarding tree save and layouts of parcels A, B, and D as they pertain to street buffers.
- 2) More detail on modification request number two as to how the linear park layout would work on the sites or modify the build to line and have the buildings address the street with architecture.
- 3) Clarify permitted uses that relate to commercial and employment generating uses.
- 4) Any TIA comments are resolved.
- 5) Address other minor staff comments.

Staff believes that by implementing these recommended revisions, the plan will be consistent with future land use implementation policies LU 6.1, 8.1, and EV 1.2. The latest plans do not give staff enough information to support the application as submitted.

PART 6: PUBLIC HEARING COMMENTS

A Public Hearing is scheduled for August 6, 2024.

PART 7: PLANNING BOARD RECOMMENDATION

Planning Board Meeting is scheduled for August 27, 2024.

PART 8: TOWN BOARD RECOMMENDATION

Town Board Meeting is scheduled for September 17, 2024.

PART 9: ATTACHMENTS

- A – Rezoning Application
- B – Proposed CD Rezoning Plan
- C – Transportation/Engineering Report
- D – Neighborhood Meeting Report
- E- Elevation Plans

PART 10: CONSISTENCY STATEMENT – R24-04 Northbrook Storage

Planning Department	Planning Board	Board of Commissioners
In considering the proposed rezoning amendment petition R24-04, Northbrook Storage, staff can recommend approval if the following staff recommendations are implemented into the plan: 1) More detail regarding tree save and layouts of parcels A, B, and D as they pertain to street buffers. 2) More detail on modification request number two as to how the linear park layout would work on the sites or modify the build to line and have the buildings address the street with architecture. 3) Clarify permitted uses that relate to commercial and employment generating uses. 4) Any TIA comments are resolved.	APPROVAL: <u>(insert applicable plan reference)</u>. <u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>	APPROVAL: <u>(insert applicable plan reference)</u>. <u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>

5) Address other minor staff comments. <u>It is reasonable and in the public interest to approve the rezoning IF the recommended revisions are made to the plan as it would then be consistent with future land use implementation policies LU 6.1, 8.1, and EV 1.2.</u>		
	DENIAL: <u>(consistent OR inconsistent) with (insert applicable plan reference).</u> <u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>	DENIAL: <u>(consistent OR inconsistent) with (insert applicable plan reference).</u> <u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>



General Application

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

1. Application Type

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

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

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

2. Project Data

Date of Application 07/08/2024

Name of Project Northbrook Storage Facility Phase # (if subdivision) _____

Project Address Sam Furr Rd, Huntersville NC 28078

Parcel Identification Number(s) (PIN) 01122117, 01122116, 01122115, 01122114

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

Property Size (acres) 21.936 acres Street Frontage (feet) 3,288 feet

Current Land Use Vacant

Proposed Land Use(s) Indoor storage facility

Is the project within Huntersville's corporate limits?
Yes X No _____ If no, does the applicant intend to voluntarily annex? _____

3. Description of Request

Provide a detailed summary. (i.e. RTAP identify what you are revising). Additional sheets may be added.
The purpose of this rezoning request is to rezone parcels: 01122117, 01122116, 01122115, and 01155114 from CB to SP(CD). The applicant is also requesting that the existing 80' buffer be reduced on Parcel 01122115 to the largest environmental buffer on site which is a 35' SWIM buffer. The applicant is also requesting to allow disturbance of the 40' thoroughfare buffer on Parcels 01122117, 01122116, and 01122114 due to site elevations and topography.

4. Site Plan Submittals

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

5. Outside Agency Information

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

6. Applicant

Printed Name Bi-Part Development LLC Phone 704-363-7902
☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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

Signature _____

Title Owner Email jpallilo@aol.com

Address of Applicant 18611 Starcreek Rd, Cornelius NC 28031

7. Property Owner (if different than applicant)

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

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

Signature _____

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.**

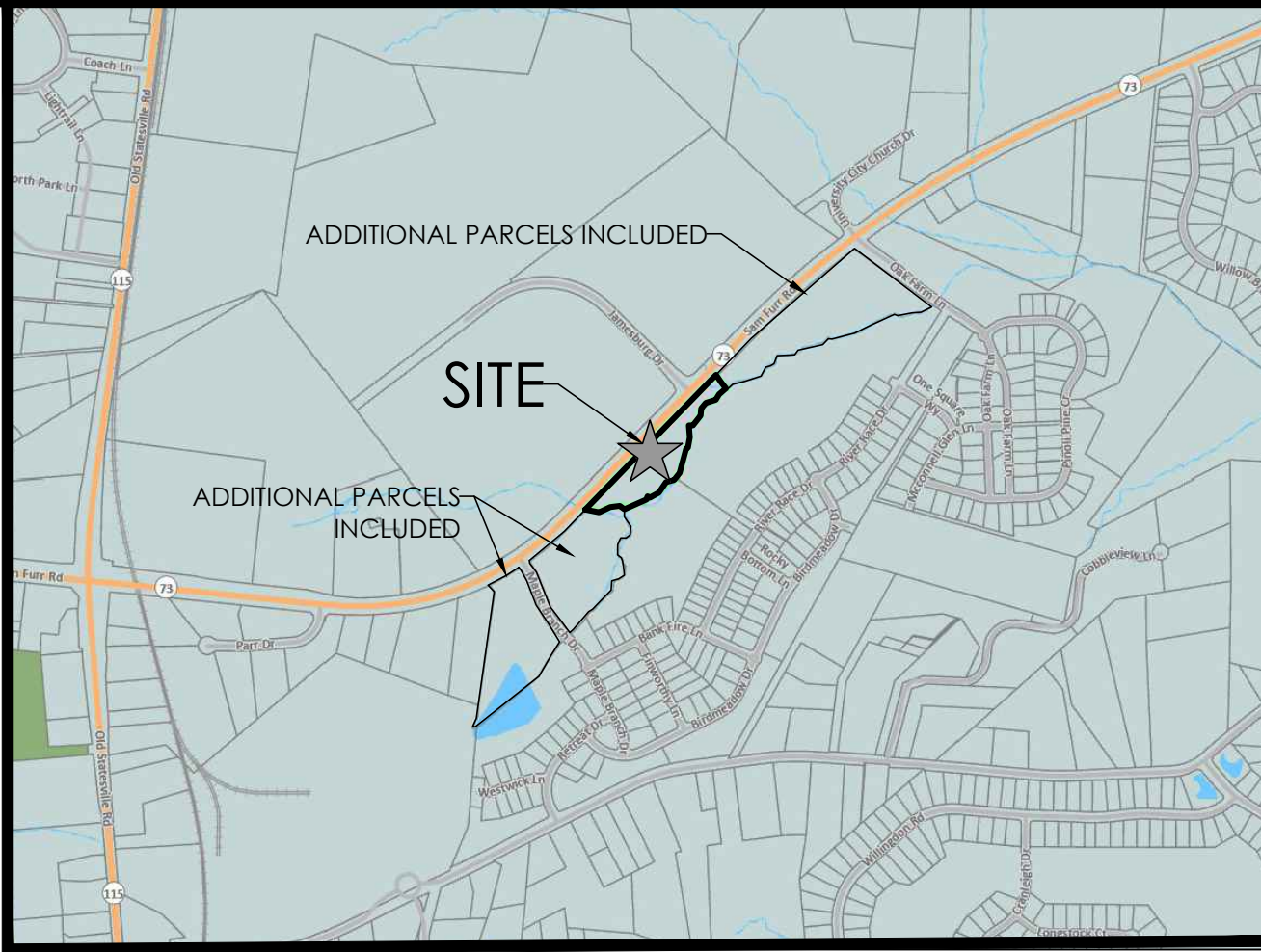
8. Development/Design Firm Contact Information

Development Firm	Name of Contact	Phone	Email
W&A Engineering	Tess Fallova	704-875-1615 ext. 310	tfallova@waengineering.com
Design Firm	Name of Contact	Phone	Email

Contact Information

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

Sheet List Table	
Sheet Number	Sheet Title
Z01	COVER
Z02	AREA - A SURVEY
Z02.1	AREA - B SURVEY
Z02.2	AREA - C SURVEY
Z02.3	AREA - D SURVEY
Z03	AREA - A TREE SURVEY
Z03.1	AREA - B TREE SURVEY
Z03.2	AREA - C TREE SURVEY
Z03.3	AREA - D TREE SURVEY
Z04	SLOPE ANALYSIS
Z05	BUFFER EXHIBIT
Z06	OVERALL REZONING PLAN
Z07	INDOOR STORAGE REZONING PLAN
Z07.1	INDOOR STORAGE TREE SAVE PLAN
Z08	INDOOR STORAGE PRELIM GRADING PLAN
Z09	INDOOR STORAGE UTILITY - LANDSCAPE PLAN



VICINITY MAP
SCALE: N.T.S.



**W&A
ENGINEERING**
CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE
LAND SURVEYING | TRAFFIC ENGINEERING
ECONOMIC DEVELOPMENT

121 GILEAD RD
HUNTERSVILLE, NC 28078
P: (704) 875-1615
WAENGINEERING.COM

ALL DRAWINGS SHALL REMAIN THE PROPERTY OF W&A ENGINEERING. THESE INSTRUMENTS OF SERVICE ARE TO BE USED SOLELY FOR THIS SPECIFIC PROJECT. W&A ENGINEERING SHALL RETAIN ALL LEGAL RIGHTS TO THE USE OF THE INSTRUMENTS OF SERVICE AND SHALL RETAIN FULL PROTECTION UNDER UNITED STATES COPYRIGHT LAW.

CONDITIONAL REZONING COMMERCIAL
SITE PLAN PACKAGE

NORTHBROOK STORAGE FACILITY
HUNTERSVILLE, MECKLENBURG COUNTY, NC

REZONING # R24-04

ACCELA #CSP-500021

OWNER/DEVELOPER:
BI-PART DEVELOPMENT, LLC.
18611 STARCREEK RD
CORNELIUS, NC 28031
PH: (704) 363-7902
CONTACT: JAKE PALILLO

NOTE: THE TIA IS COMPLETE AND UNDER REVIEW WITH NCDOT. WE WILL AGREE TO DO ALL ROAD IMPROVEMENTS REQUIRED BY NCDOT FOR THE PROJECTS

NOTE: ALL RETAINING WALLS REQUIRING SPECIAL INSPECTIONS (>5' IN HEIGHT) SHALL MEET THE REQUIREMENTS OF THE MCSBC CHAPTER 17 - SPECIAL INSPECTIONS AS DETAILED PER THE MECKLENBURG COUNTY CODE ENFORCEMENT SPECIAL INSPECTIONS PROCESS. ADDITIONALLY, COPIES OF THE RETAINING WALL PLANS SHALL BE SUBMITTED TO THE HUNTERSVILLE ENGINEERING DEPARTMENT FOR REVIEW AND APPROVAL. THE TOWN OF HUNTERSVILLE SHALL BE COPIED ON ALL STATEMENTS OF SPECIAL INSPECTIONS, SPECIAL INSPECTIONS FINAL REPORTS, AND DESIGN PRINCIPAL IN RESPONSIBLE CHARGE (DPIRC) LETTERS.

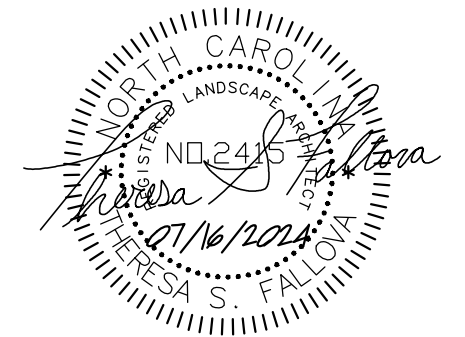
Know what's below.
Call before you dig.



REVISIONS	
DATE	COMMENT

INITIAL SUB. DATE: ####

ISSUANCE DATE: ####

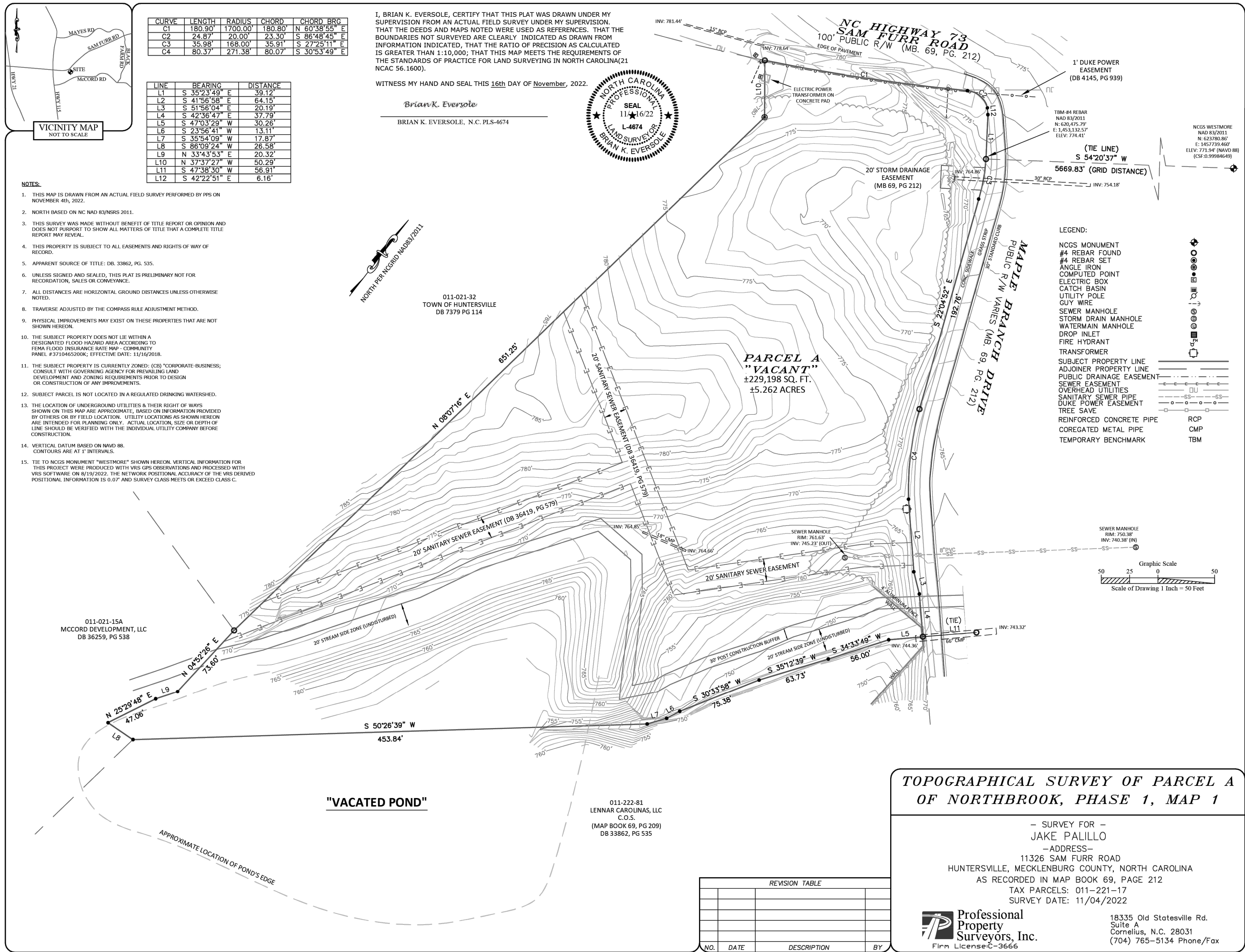


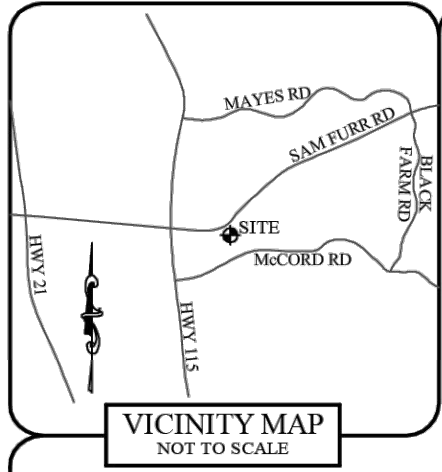
HFI PROJECT #: 223084

COVER

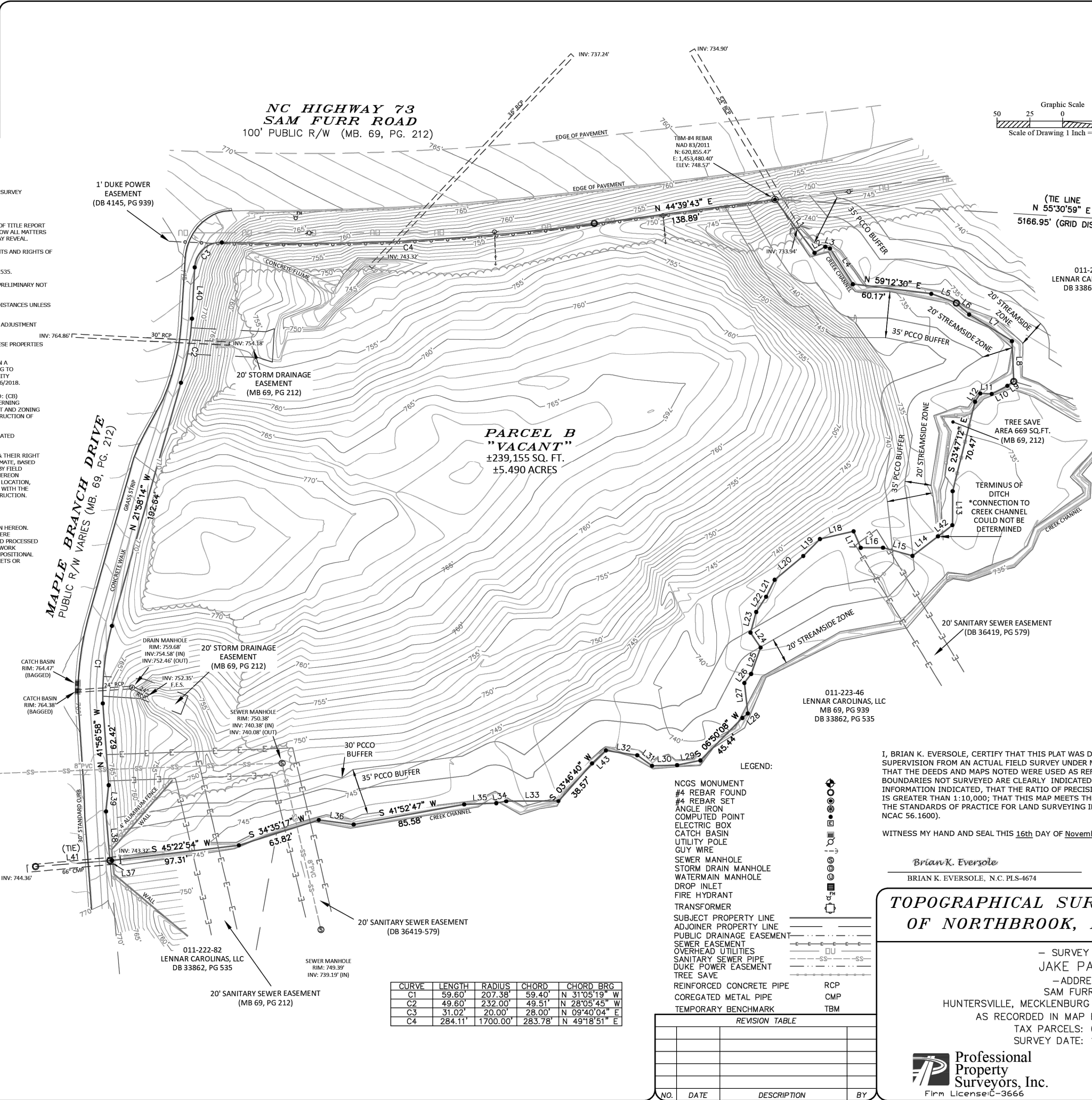
Z01

NC ENGINEERING BOARD LICENSE #: P-2743
NC LANDSCAPE ARCHITECTURAL BOARD LICENSE #: C-614
SC ENGINEERING BOARD LICENSE #: COA 7055
SC LANDSCAPE ARCHITECTURAL BOARD LICENSE #: LAF 477





- NOTES:**
1. THIS MAP IS DRAWN FROM AN ACTUAL FIELD SURVEY PERFORMED BY PPS ON NOVEMBER 4th, 2022.
 2. NORTH BASED ON NC NAD 83/NSRS 2011.
 3. THIS SURVEY WAS MADE WITHOUT BENEFIT OF TITLE REPORT OR OPINION AND DOES NOT PURPORT TO SHOW ALL MATTERS OF TITLE THAT A COMPLETE TITLE REPORT MAY REVEAL.
 4. THIS PROPERTY IS SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY OF RECORD.
 5. APPARENT SOURCE OF TITLE: DB 33862, PG. 535.
 6. UNLESS SIGNED AND SEALED, THIS PLAT IS PRELIMINARY NOT FOR RECORDATION, SALES OR CONVEYANCE.
 7. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
 8. TRAVERSE ADJUSTED BY THE COMPASS RULE ADJUSTMENT METHOD.
 9. PHYSICAL IMPROVEMENTS MAY EXIST ON THESE PROPERTIES THAT ARE NOT SHOWN HEREON.
 10. THE SUBJECT PROPERTY DOES NOT LIE WITHIN A DESIGNATED FLOOD HAZARD AREA ACCORDING TO FEMA FLOOD INSURANCE RATE MAP - COMMUNITY PANEL # 3710465200K; EFFECTIVE DATE: 11/16/2018.
 11. THE SUBJECT PROPERTY IS CURRENTLY ZONED: (C3) "CORPORATE BUSINESS; CONFORMS WITH GOVERNING AGENCY FOR PREVAILING LAND DEVELOPMENT AND ZONING REQUIREMENTS PRIOR TO DESIGN OR CONSTRUCTION OF ANY IMPROVEMENTS.
 12. SUBJECT PARCEL IS NOT LOCATED IN A REGULATED DRINKING WATERSHED.
 13. THE LOCATION OF UNDERGROUND UTILITIES & THEIR RIGHT OF WAYS SHOWN ON THIS MAP ARE APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANY BEFORE CONSTRUCTION.
 14. VERTICAL DATUM BASED ON NAVD 88. CONTOURS ARE AT 1' INTERVALS.
 15. TIE TO NCGS MONUMENT "WESTMORE" SHOWN HEREON. VERTICAL INFORMATION FOR THIS PROJECT WERE PRODUCED WITH VRS GPS OBSERVATIONS AND PROCESSED WITH VRS SOFTWARE ON 8/15/2022. THE NETWORK POSITIONAL ACCURACY OF THE VRS DERIVED POSITIONAL INFORMATION IS 0.07" AND SURVEY CLASS MEETS OR EXCEEDS CLASS C.



LINE	BEARING	DISTANCE
L1	S 74°21'51" E	50.56
L2	N 22°15'30" E	9.44
L3	N 72°48'59" E	3.77
L4	S 70°34'32" E	32.28
L5	S 72°21'29" W	20.39
L6	S 85°46'59" E	13.04
L7	N 83°58'23" E	38.97
L8	S 40°21'20" E	30.80
L9	S 17°50'24" W	5.84
L10	S 24°56'14" W	13.45
L11	S 54°16'01" W	8.69
L12	S 05°07'03" E	7.39
L13	S 37°18'08" E	25.91
L14	S 14°38'18" W	24.47
L15	S 67°44'37" W	23.30
L16	S 51°54'05" W	17.03
L17	N 61°13'03" W	13.64
L18	S 39°14'19" W	26.26
L19	S 06°47'46" W	18.06
L20	S 12°28'11" W	28.40
L21	S 11°01'55" E	14.40
L22	S 04°50'59" E	13.86
L23	S 22°13'04" E	16.33
L24	S 71°59'55" E	13.31
L25	S 18°36'11" E	21.35
L26	S 00°50'53" E	8.58
L27	S 44°19'22" E	23.33
L28	S 12°19'32" W	5.38
L29	S 40°50'09" W	18.14
L30	S 50°27'45" W	19.14
L31	S 87°53'02" W	13.82
L32	S 08°57'02" W	24.21
L33	S 51°58'26" W	39.77
L34	S 40°22'08" W	7.70
L35	S 49°59'40" W	24.46
L36	S 59°38'23" W	26.80
L37	S 47°38'28" W	1.57
L38	N 42°29'19" W	37.60
L39	N 32°02'08" W	20.33
L40	N 34°45'58" W	39.10
L41	N 47°38'30" E	56.91
L42	S 14°20'47" W	13.80
L43	S 08°55'15" W	14.46

I, BRIAN K. EVERSOLE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY UNDER MY SUPERVISION. THAT THE DEEDS AND MAPS NOTED WERE USED AS REFERENCES. THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION INDICATED, THAT THE RATIO OF PRECISION AS CALCULATED IS GREATER THAN 1:10,000; THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600).

WITNESS MY HAND AND SEAL THIS 16th DAY of November, 2022.

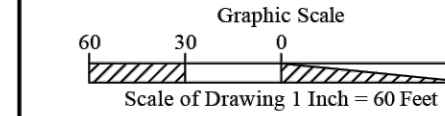
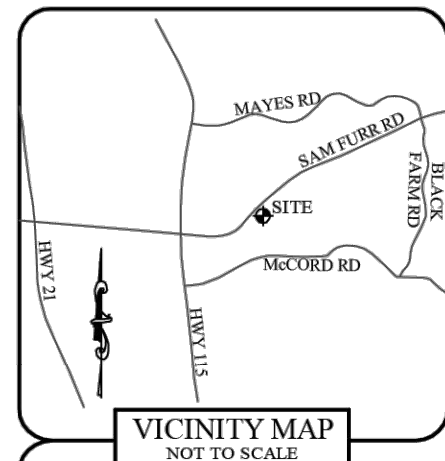
Brian K. Eversole
BRIAN K. EVERSOLE, N.C. PLS-4674

TOPOGRAPHICAL SURVEY OF PARCEL B OF NORTHBROOK, PHASE 1, MAP 1

— SURVEY FOR —
JAKE PAULLO
— ADDRESS —
SAM FURR ROAD
HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA
AS RECORDED IN MAP BOOK 69, PAGE 212
TAX PARCELS: 011-221-16
SURVEY DATE: 11/04/2022

Professional
Property
Surveyors, Inc.
Firm License C-3666
18335 Old Statesville Rd.
Suite A
Cornelius, N.C. 28031
(704) 765-5134 Phone/Fax



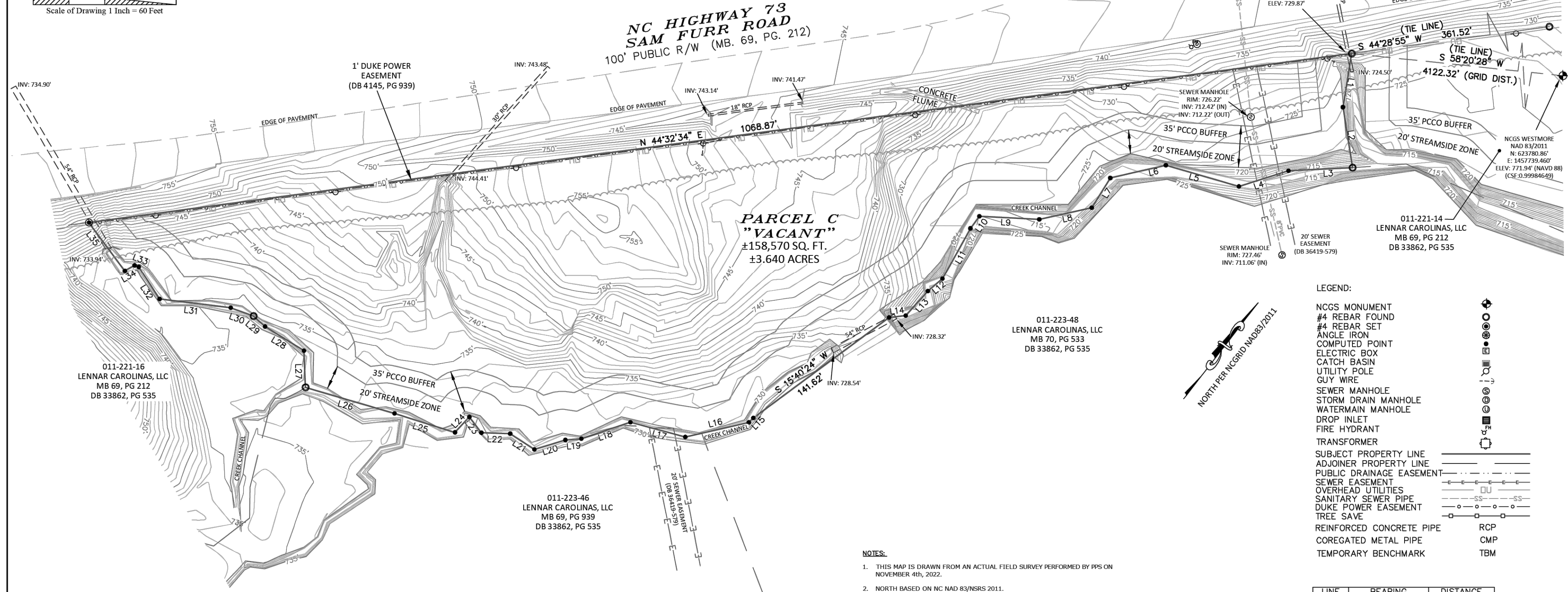


I, BRIAN K. EVERSOLE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY UNDER MY SUPERVISION. THAT THE DEEDS AND MAPS NOTED WERE USED AS REFERENCES. THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION INDICATED, THAT THE RATIO OF PRECISION AS CALCULATED IS GREATER THAN 1:10,000; THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA(21 NCAC 56.1600).

WITNESS MY HAND AND SEAL THIS 16th DAY OF November, 2022.

Brian K. Eversole

BRIAN K. EVERSOLE, N.C. PLS-4674



TOPOGRAPHICAL SURVEY OF PARCEL C
OF NORTHBROOK, PHASE 1, MAP 1

— SURVEY FOR —
JAKE PALILLO
—ADDRESS—
SAM FURR ROAD
HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA
AS RECORDED IN MAP BOOK 69, PAGE 212
TAX PARCELS: 011-221-15
SURVEY DATE: 11/04/2022



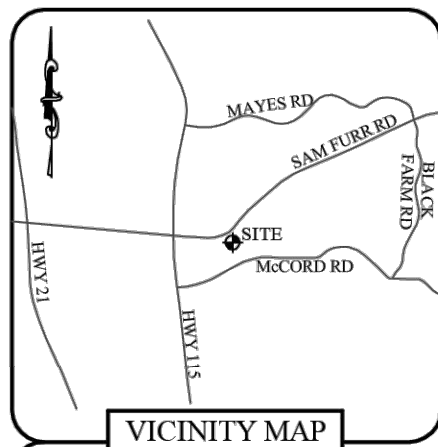
18335 Old Statesville Rd.
Suite A
Cornelius, N.C. 28031
(704) 765-5134 Phone/Fax

REVISION TABLE			
NO.	DATE	DESCRIPTION	BY

- NOTES:
- THIS MAP IS DRAWN FROM AN ACTUAL FIELD SURVEY PERFORMED BY PPS ON NOVEMBER 4th, 2022.
 - NORTH BASED ON NC NAD 83/USRS 2011.
 - THIS SURVEY WAS MADE WITHOUT BENEFIT OF TITLE REPORT OR OPINION AND DOES NOT PURPORT TO SHOW ALL MATTERS OF TITLE THAT A COMPLETE TITLE REPORT MAY REVEAL.
 - THIS PROPERTY IS SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY OF RECORD.
 - APPARENT SOURCE OF TITLE: DB, 33862, PG. 535.
 - UNLESS SIGNED AND SEALED, THIS PLAT IS PRELIMINARY NOT FOR RECORDATION, SALES OR CONVEYANCE.
 - ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
 - TRAVERSE ADJUSTED BY THE COMPASS RULE ADJUSTMENT METHOD.
 - PHYSICAL IMPROVEMENTS MAY EXIST ON THESE PROPERTIES THAT ARE NOT SHOWN HEREON.
 - THE SUBJECT PROPERTY DOES NOT LIE WITHIN A DESIGNATED FLOOD HAZARD AREA ACCORDING TO FEMA FLOOD INSURANCE RATE MAP - COMMUNITY PANEL #3710465200K; EFFECTIVE DATE: 11/16/2018.
 - THE SUBJECT PROPERTY IS CURRENTLY ZONED (CR) "CORPORATE-BUSINESS; CONSULT WITH GOVERNING AGENCY FOR PREVAILING LAND DEVELOPMENT AND ZONING REQUIREMENTS PRIOR TO DESIGN OR CONSTRUCTION OF ANY IMPROVEMENTS.
 - SUBJECT PARCEL IS NOT LOCATED IN A REGULATED DRINKING WATERSHED.
 - THE LOCATION OF UNDERGROUND UTILITIES & THEIR RIGHT OF WAYS SHOWN ON THIS MAP ARE APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANY BEFORE CONSTRUCTION.
 - VERTICAL DATUM BASED ON NAVD 88. CONTOURS ARE AT 1' INTERVALS.
 - TIE TO NCOS MONUMENT "WESTMORE" SHOWN HEREON. VERTICAL INFORMATION FOR THIS PROJECT WERE PRODUCED WITH VMS GPS OBSERVATIONS AND PROCESSED WITH VMS SOFTWARE ON 8/15/2022. THE NETWORK POSITIONAL ACCURACY OF THE VMS-DERIVED POSITIONAL INFORMATION IS 0.07" AND SURVEY CLASS MEETS OR EXCEEDS CLASS C.

- LEGEND:
- NCOS MONUMENT
 - #4 REBAR FOUND
 - #4 REBAR SET
 - ANGLE IRON
 - COMPUTED POINT
 - ELECTRIC BOX
 - CATCH BASIN
 - UTILITY POLE
 - GUY WIRE
 - SEWER MANHOLE
 - STORM DRAIN MANHOLE
 - WATERMAIN MANHOLE
 - DROP INLET
 - FIRE HYDRANT
 - TRANSFORMER
 - SUBJECT PROPERTY LINE
 - ADJOINER PROPERTY LINE
 - PUBLIC DRAINAGE EASEMENT
 - SEWER EASEMENT
 - OVERHEAD UTILITIES
 - SANITARY SEWER PIPE
 - DUKE POWER EASEMENT
 - TREE SAVE
 - REINFORCED CONCRETE PIPE
 - CORROGATED METAL PIPE
 - TEMPORARY BENCHMARK

LINE	BEARING	DISTANCE
L1	S 28°56'17" E	45.57'
L2	S 46°44'45" E	51.30'
L3	S 49°23'15" W	53.72'
L4	S 34°58'35" W	43.67'
L5	S 68°18'43" W	63.76'
L6	S 39°17'27" W	47.86'
L7	S 05°43'59" E	29.35'
L8	S 39°34'44" W	45.09'
L9	S 55°06'16" W	50.29'
L10	S 01°00'02" E	12.60'
L11	S 08°51'31" E	48.55'
L12	S 11°53'09" W	16.10'
L13	S 04°11'11" W	27.67'
L14	S 45°48'32" W	14.15'
L15	S 07°59'14" W	5.38'
L16	S 39°16'42" W	54.60'
L17	S 67°09'34" W	47.69'
L18	S 33°43'34" W	43.44'
L19	S 47°20'15" W	13.49'
L20	S 35°12'55" W	27.15'
L21	S 85°07'52" W	24.22'
L22	S 54°02'07" W	24.17'
L23	N 75°06'50" W	16.63'
L24	S 05°20'01" W	17.65'
L25	S 69°33'16" W	53.24'
L26	S 68°31'56" W	77.72'
L27	N 40°21'20" W	30.80'
L28	S 83°58'23" W	38.37'
L29	N 65°46'39" W	13.04'
L30	S 72°21'29" W	20.59'
L31	S 59°12'30" W	60.17'
L32	N 70°34'32" W	32.28'
L33	S 72°48'59" W	3.77'
L34	S 27°15'30" W	9.44'
L35	N 74°21'51" W	50.56'



CURVE	LENGTH	RADIUS	CHORD	CHORD BRG
C1	180.90	1700.00'	180.80	N 60°38'55" E
C2	74.87	20.00'	74.39	S 86°48'45" E
C3	35.98	168.00'	35.91	S 27°25'11" E
C4	80.37	271.38'	80.07	S 30°53'49" E

LINE	BEARING	DISTANCE
L1	S 35°23'49" E	39.12'
L2	S 41°56'58" E	64.15'
L3	S 51°56'04" E	20.19'
L4	S 42°36'47" E	37.79'
L5	S 47°03'29" W	30.26'
L6	S 23°56'41" W	13.11'
L7	S 35°54'09" W	17.87'
L8	S 86°09'24" W	26.58'
L9	N 33°43'53" E	20.32'
L10	N 37°37'27" W	50.29'
L11	S 47°38'30" W	56.91'
L12	S 42°22'51" E	6.16'

		10°-18"	19°-28"	29°-39"	40° PLUS
PINE	36	1	0	0	0
OAK	33	22	3	1	
MAPLE	4	5	1	0	
CEDAR	0	0	0	0	0
BEECH	2	0	0	0	0
ELM	0	0	0	0	0
POPLAR	14	2	0	0	
ASHE	0	0	0	0	0
BIRCH	0	0	0	0	0
HARDWOOD /UNKNOWN	89	18	2	2	
TOTAL	178	48	6	3	

NOTES:

- THIS MAP IS DRAWN FROM AN ACTUAL FIELD SURVEY PERFORMED BY PPS ON NOVEMBER 4th, 2022.
- NORTH BASED ON NC NAD 83/NSRS 2011.
- THIS SURVEY WAS MADE WITHOUT BENEFIT OF TITLE REPORT OR OPINION AND DOES NOT PURPORT TO SHOW ALL MATTERS OF TITLE THAT A COMPLETE TITLE REPORT MAY REVEAL.
- THIS PROPERTY IS SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY OF RECORD.
- APPARENT SOURCE OF TITLE: DB 33862, PG. 535.
- UNLESS SIGNED AND SEALED, THIS PLAT IS PRELIMINARY NOT FOR RECORDATION, SALES OR CONVEYANCE.
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
- TRAVERSE ADJUSTED BY THE COMPASS RULE ADJUSTMENT METHOD.
- PHYSICAL IMPROVEMENTS MAY EXIST ON THESE PROPERTIES THAT ARE NOT SHOWN HEREON.
- THE SUBJECT PROPERTY DOES NOT LIE WITHIN A DESIGNATED FLOOD HAZARDOUS AREA ACCORDING TO FEMA FLOOD INSURANCE RATE MAP - COMMUNITY PANEL 137194K0200K; EFFECTIVE DATE: 1/17/2018.
- THE SUBJECT PROPERTY IS CURRENTLY ZONED: (C3) "CORPORATE-BUSINESS"; CONSULT WITH GOVERNING AGENCY FOR PREVAILING LAND DEVELOPMENT AND ZONING REQUIREMENTS PRIOR TO DESIGN OR CONSTRUCTION OF ANY IMPROVEMENTS.
- SUBJECT PARCEL IS NOT LOCATED IN A REGULATED DRINKING WATERSHED.
- THE LOCATION OF UNDERGROUND UTILITIES & THEIR RIGHT OF WAYS SHOWN ON THIS MAP ARE APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANY BEFORE CONSTRUCTION.
- VERTICAL DATUM BASED ON NAVD 88. CONTOURS ARE AT 1' INTERVALS.
- TIE TO NCSS MONUMENT "WESTMORE" SHOWN HEREON. VERTICAL INFORMATION FOR THIS PROJECT WERE PRODUCED WITH VRS GPS OBSERVATIONS AND PROCESSED WITH VRS SOFTWARE ON 8/19/2022. THE NETWORK POSITIONAL ACCURACY OF THE VRS DERIVED POSITIONAL INFORMATION IS 0.07' AND SURVEY CLASS MEETS OR EXCEEDS CLASS C.

011-021-15
MCCORD DEVELOPMENT, LLC
DB 36259, PG 538

"VACATED POND"

011-222-81
LENNAR CAROLINAS, LLC
C.O.S.
(MAP BOOK 69, PG 209)
DB 33862, PG 535

Graphic Scale
Scale of Drawing 1 Inch = 50 Feet

REVISION TABLE			
NO.	DATE	DESCRIPTION	BY

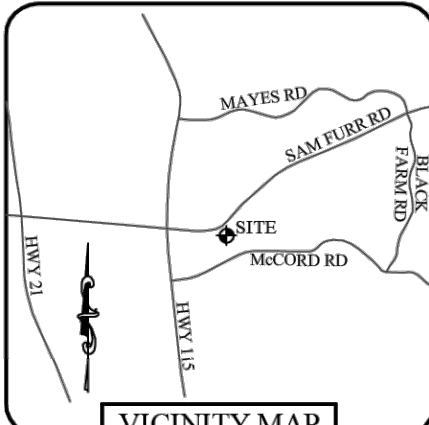
Brian K. Eversole
BRIAN K. EVERSOLE, N.C. PLS-4674

TREE SURVEY OF PARCEL A OF NORTHBROOK, PHASE 1, MAP 1

— SURVEY FOR —
JAKE PALILLO
— ADDRESS —
11326 SAM FURR ROAD
HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA
AS RECORDED IN MAP BOOK 69, PAGE 212
TAX PARCELS: 011-221-17
SURVEY DATE: 11/04/2022

Professional
Property
Surveyors, Inc.
Firm License C-3666

18335 Old Statesville Rd.
Suite A
Cornellus, N.C. 28031
(704) 765-5134 Phone/Fax

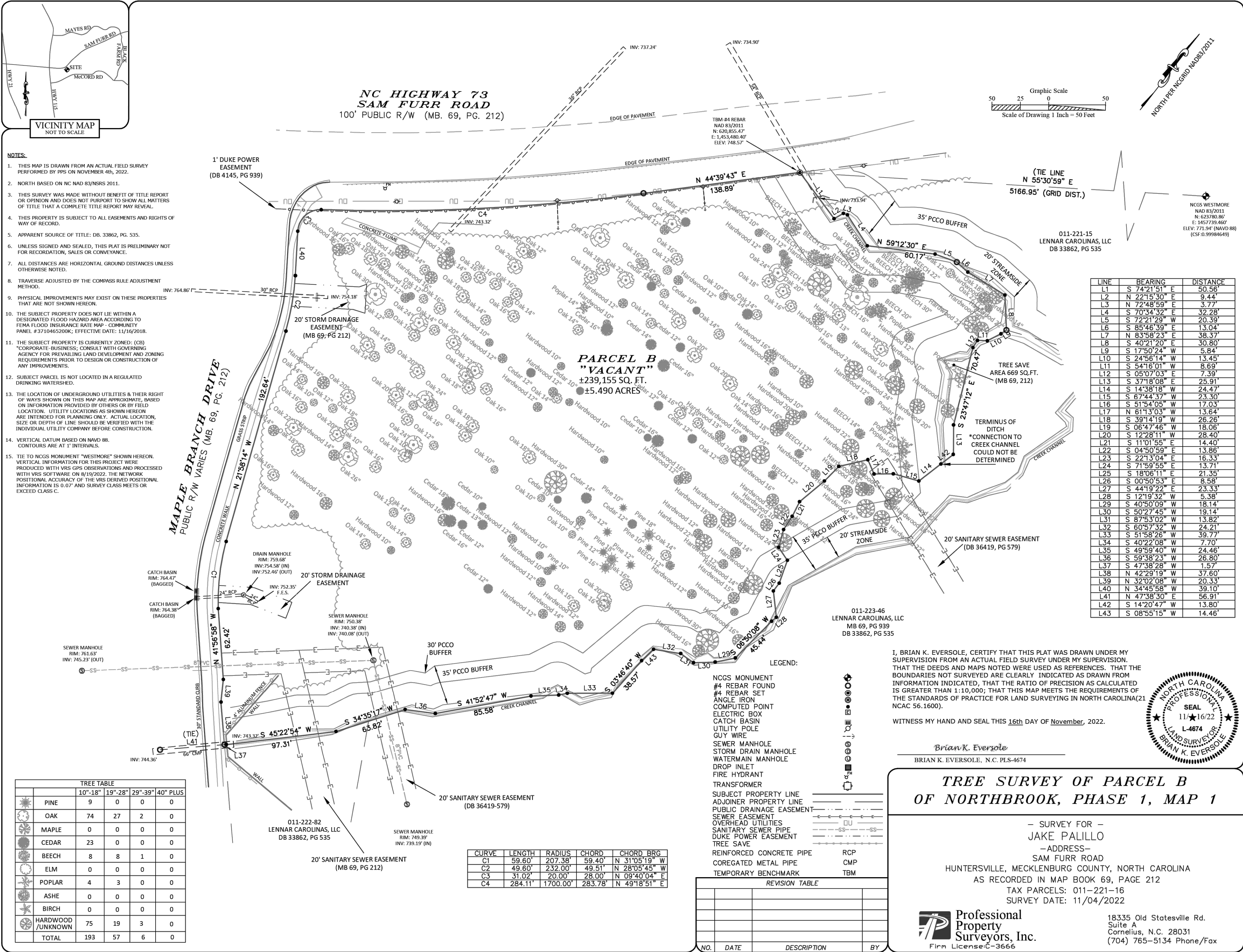


NOTES:

1. THIS MAP IS DRAWN FROM AN ACTUAL FIELD SURVEY PERFORMED BY PPS ON NOVEMBER 4th, 2022.
2. NORTH BASED ON NC NAD 83/NSRS 2011.
3. THIS SURVEY WAS MADE WITHOUT BENEFIT OF TITLE REPORT OR OPINION AND DOES NOT PURPORT TO SHOW ALL MATTERS OF TITLE THAT A COMPLETE TITLE REPORT MAY REVEAL.
4. THIS PROPERTY IS SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY OF RECORD.
5. APPARENT SOURCE OF TITLE: DB 33862, PG 535.
6. UNLESS SIGNED AND SEALED, THIS PLAT IS PRELIMINARY NOT FOR RECORDATION, SALES OR CONVEYANCE.
7. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
8. TRAVERSE ADJUSTED BY THE COMPASS RULE ADJUSTMENT METHOD.
9. PHYSICAL IMPROVEMENTS MAY EXIST ON THESE PROPERTIES THAT ARE NOT SHOWN HEREON.
10. THE SUBJECT PROPERTY DOES NOT LIE WITHIN A DESIGNATED FLOOD HAZARD AREA ACCORDING TO FEMA (FLOOD INSURANCE RATE MAP - COMMUNITY PANEL #3710465200K; EFFECTIVE DATE: 11/16/2018).
11. THE SUBJECT PROPERTY IS CURRENTLY ZONED: (C3) "CORPORATE BUSINESS, CONSENT WITH GOVERNING AGENCY FOR PREVAILING LAND DEVELOPMENT AND ZONING REQUIREMENTS PRIOR TO DESIGN OR CONSTRUCTION OF ANY IMPROVEMENTS.
12. SUBJECT PARCEL IS NOT LOCATED IN A REGULATED DRINKING WATERSHED.
13. THE LOCATION OF UNDERGROUND UTILITIES & THEIR RIGHT OF WAYS SHOWN ON THIS MAP ARE APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANY BEFORE CONSTRUCTION.
14. VERTICAL DATUM BASED ON NAVD 88. CONTOURS ARE AT 1' INTERVALS.
15. TIE TO NCOS MONUMENT "WESTMORE" SHOWN HEREON. VERTICAL INFORMATION FOR THIS PROJECT WERE PRODUCED WITH VRS GPS OBSERVATIONS AND PROCESSED WITH VRS SOFTWARE ON 8/19/2022. THE NETWORK POSITIONAL ACCURACY OF THE VRS DERIVED POSITIONAL INFORMATION IS 0.07 AND SURVEY CLASS MEETS OR EXCEEDS CLASS C.

TREE TABLE					
	10"-18"	19"-28"	29"-39"	40" PLUS	
PINE	9	0	0	0	
OAK	74	27	2	0	
MAPLE	0	0	0	0	
CEDAR	23	0	0	0	
BEECH	8	8	1	0	
ELM	0	0	0	0	
POPLAR	4	3	0	0	
ASHE	0	0	0	0	
BIRCH	0	0	0	0	
HARDWOOD/UNKNOWN	75	19	3	0	
TOTAL	193	57	6	0	

NC HIGHWAY 73
SAM FURR ROAD
100' PUBLIC R/W (MB. 69, PG. 212)



LINE	BEARING	DISTANCE
L1	S 74°21'51" E	50.58'
L2	N 72°18'50" E	9.44'
L3	N 72°48'59" E	3.77'
L4	S 70°34'32" E	32.28'
L5	S 72°21'29" W	20.39'
L6	S 84°48'59" E	13.04'
L7	N 83°58'23" E	38.37'
L8	S 40°21'20" E	30.80'
L9	S 1°50'24" W	5.84'
L10	S 24°56'14" W	13.45'
L11	S 54°16'01" W	8.69'
L12	S 05°07'03" E	7.39'
L13	S 37°18'08" E	25.91'
L14	S 14°38'18" W	24.47'
L15	S 67°44'37" W	23.30'
L16	S 51°54'09" W	17.03'
L17	N 61°13'03" W	13.64'
L18	S 39°14'19" W	26.26'
L19	S 06°47'46" W	18.06'
L20	S 12°28'11" W	28.40'
L21	S 11°01'55" E	14.40'
L22	S 04°50'59" E	13.86'
L23	S 22°13'04" E	16.33'
L24	S 71°58'50" E	15.71'
L25	S 18°06'11" E	21.35'
L26	S 00°50'53" E	8.58'
L27	S 44°19'22" E	23.33'
L28	S 12°19'32" W	5.38'
L29	S 40°50'09" W	18.14'
L30	S 30°27'45" W	19.14'
L31	S 87°51'02" W	13.82'
L32	S 60°57'32" W	24.21'
L33	S 51°58'26" W	39.77'
L34	S 40°22'08" W	7.70'
L35	S 49°59'40" W	24.46'
L36	S 59°38'23" W	26.80'
L37	S 47°58'28" W	1.57'
L38	N 42°29'19" W	37.60'
L39	N 32°02'08" W	20.33'
L40	N 34°45'58" W	39.10'
L41	N 47°38'50" E	56.91'
L42	S 14°20'47" W	13.80'
L43	S 08°55'15" W	14.46'

I, BRIAN K. EVERSOLE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY UNDER MY SUPERVISION. THAT THE DEEDS AND MAPS NOTED WERE USED AS REFERENCES. THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION INDICATED, THAT THE RATIO OF PRECISION AS CALCULATED IS GREATER THAN 1:10,000; THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600).

WITNESS MY HAND AND SEAL THIS 16th DAY OF November, 2022.

Brian K. Eversole
BRIAN K. EVERSOLE, N.C. PLS-4674

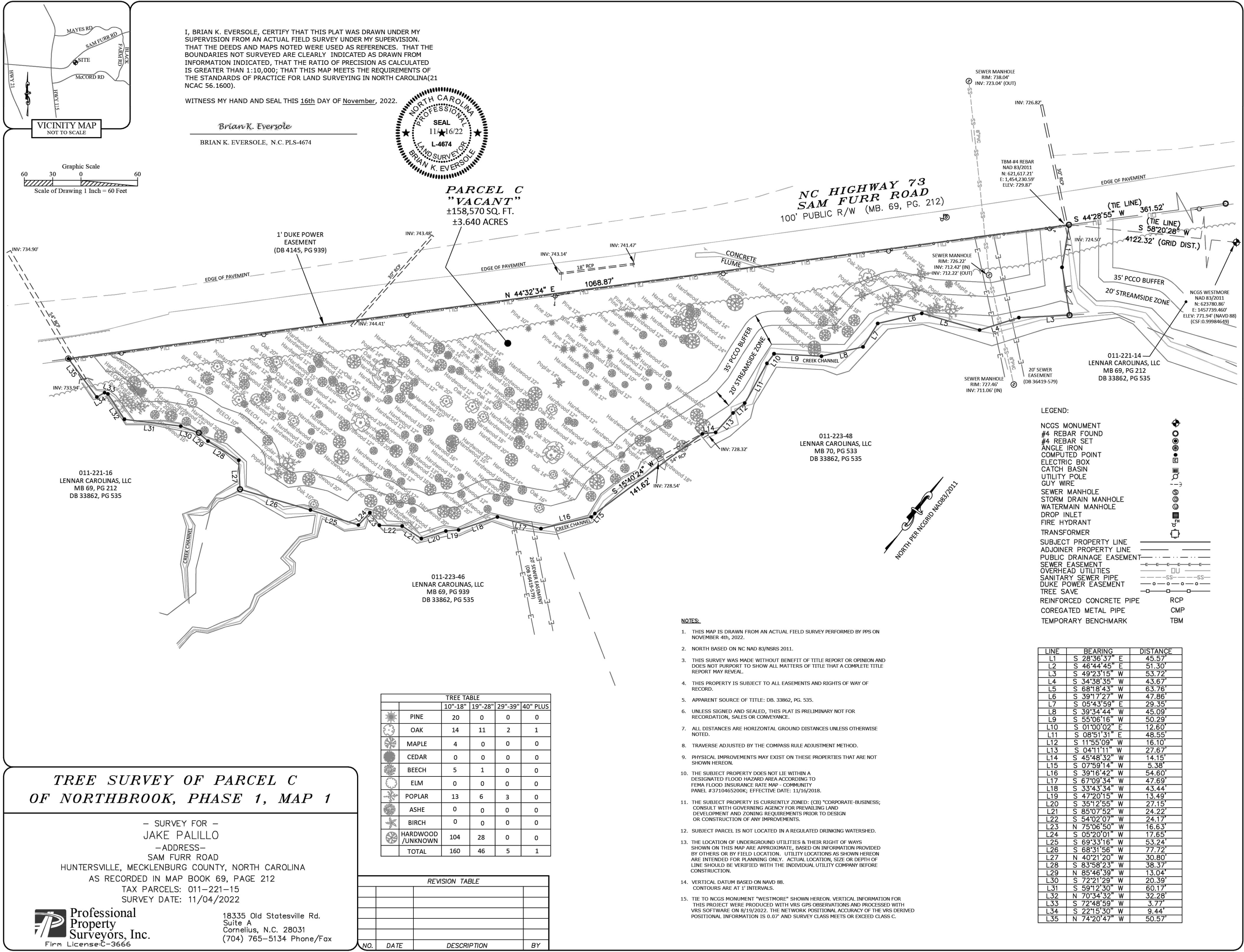
TREE SURVEY OF PARCEL B
OF NORTHBROOK, PHASE 1, MAP 1

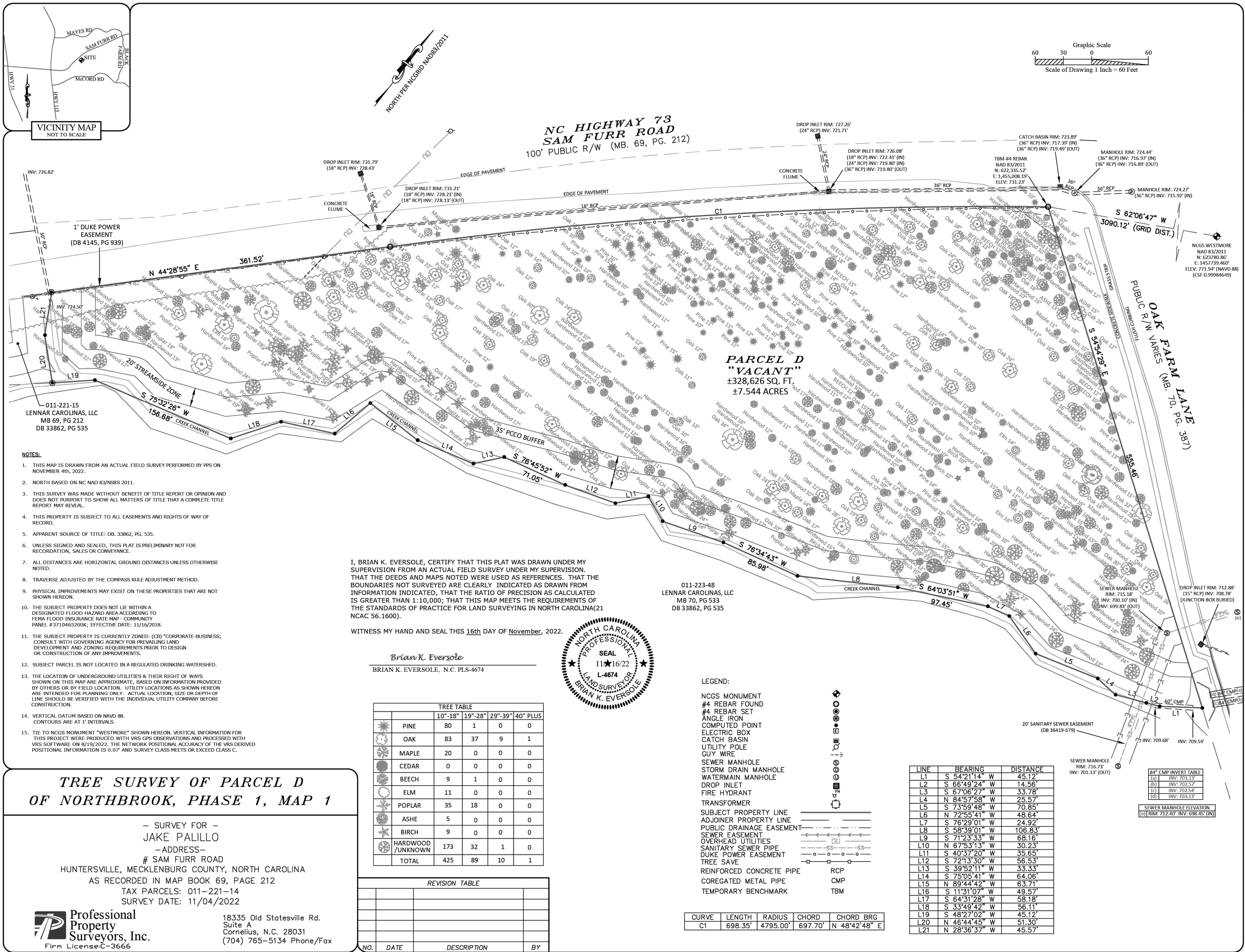
- SURVEY FOR -
JAKE PALILLO
- ADDRESS -
SAM FURR ROAD
HUNTERVILLE, MECKLENBURG COUNTY, NORTH CAROLINA
AS RECORDED IN MAP BOOK 69, PAGE 212
TAX PARCELS: 011-221-16
SURVEY DATE: 11/04/2022

Professional
Property
Surveyors, Inc.
Firm License C-3666

18335 Old Statesville Rd.
Suite A
Cornelius, N.C. 28031
(704) 765-5134 Phone/Fax

SEE ADDITIONAL DOCUMENT IN SUBMITTAL PACKAGE FOR FULL TREE IDENTIFICATION PER TARHEEL TREE SERVICE FOR ALL PARCEL "C" TREES





SLOPES TABLE				
#	MIN. SLOPE	MAX. SLOPE	COLOR	AREA
1	0%	10%	Green	770,216 SF
2	10%	15%	Yellow	215,158 SF
3	15%	25%	Orange	221,586 SF
4	25%	+ 25%	Red	190,456 SF

NOTES

1. SLOPE ANALYSIS IS BASED ON THE TOPOGRAPHIC SURVEY PROVIDED BY ALLEN GEOMATICS, P.C. SEE SHEET C02 FOR SURVEY.

2. SOIL TYPE AND HYDROLOGIC GROUP WILL BE PROVIDED DURING COMMERCIAL SITE PLAN REVIEW PER USDA WEB SOIL SURVEY.



**W&A
ENGINEERING**

CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE
LAND SURVEYING | TRAFFIC ENGINEERING
ECONOMIC DEVELOPMENT

121 GILEAD RD
HUNTERSVILLE, NC 28078
P: (704) 875-1615
WAENGINEERING.COM

ALL DRAWINGS SHALL REMAIN THE PROPERTY OF W&A ENGINEERING. THESE INSTRUMENTS OF SERVICE ARE TO BE USED ONLY FOR THIS SPECIFIC PROJECT. W&A ENGINEERING SHALL RETAIN ALL LEGAL RIGHTS TO THE USE OF THE INSTRUMENTS OF SERVICE AND SHALL RETAIN FULL PROTECTION UNDER UNITED STATES COPYRIGHT LAW.

NORTHBROOK STORAGE FACILITY

PARCEL: 01122115
11500 SAM FURR RD, HUNTERSVILLE, NC 28078

Know what's below.
Call before you dig.

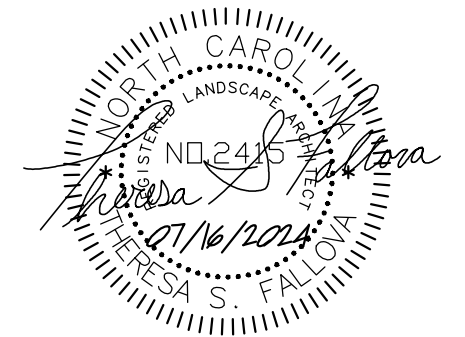


REVISIONS

DATE	COMMENT

INITIAL SUB. DATE: #####

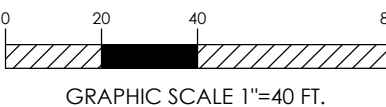
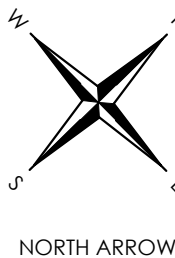
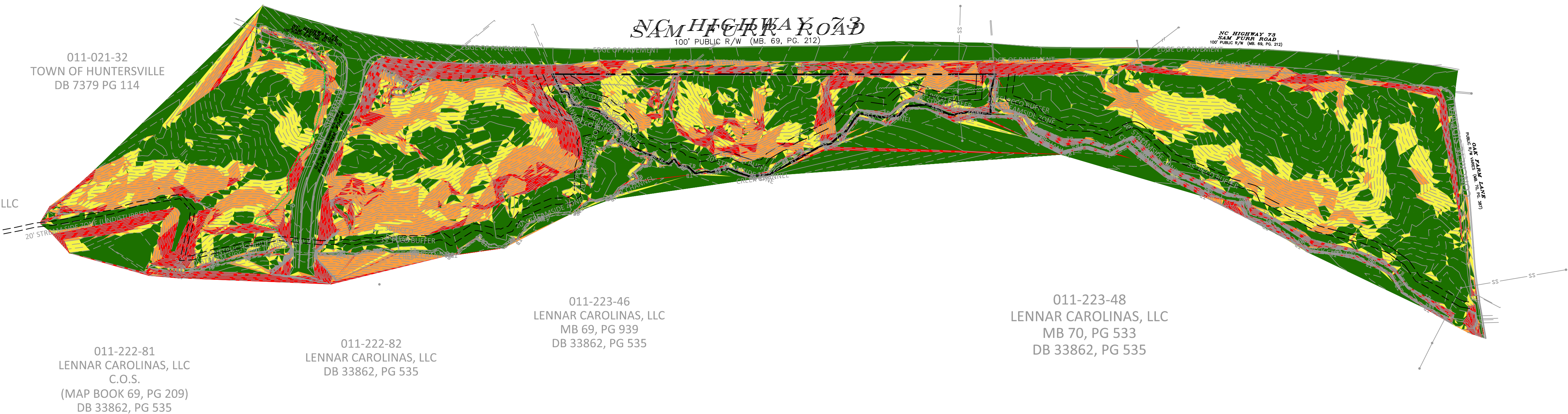
ISSUANCE DATE: #####



HFI PROJECT #: 223084

SLOPE ANALYSIS

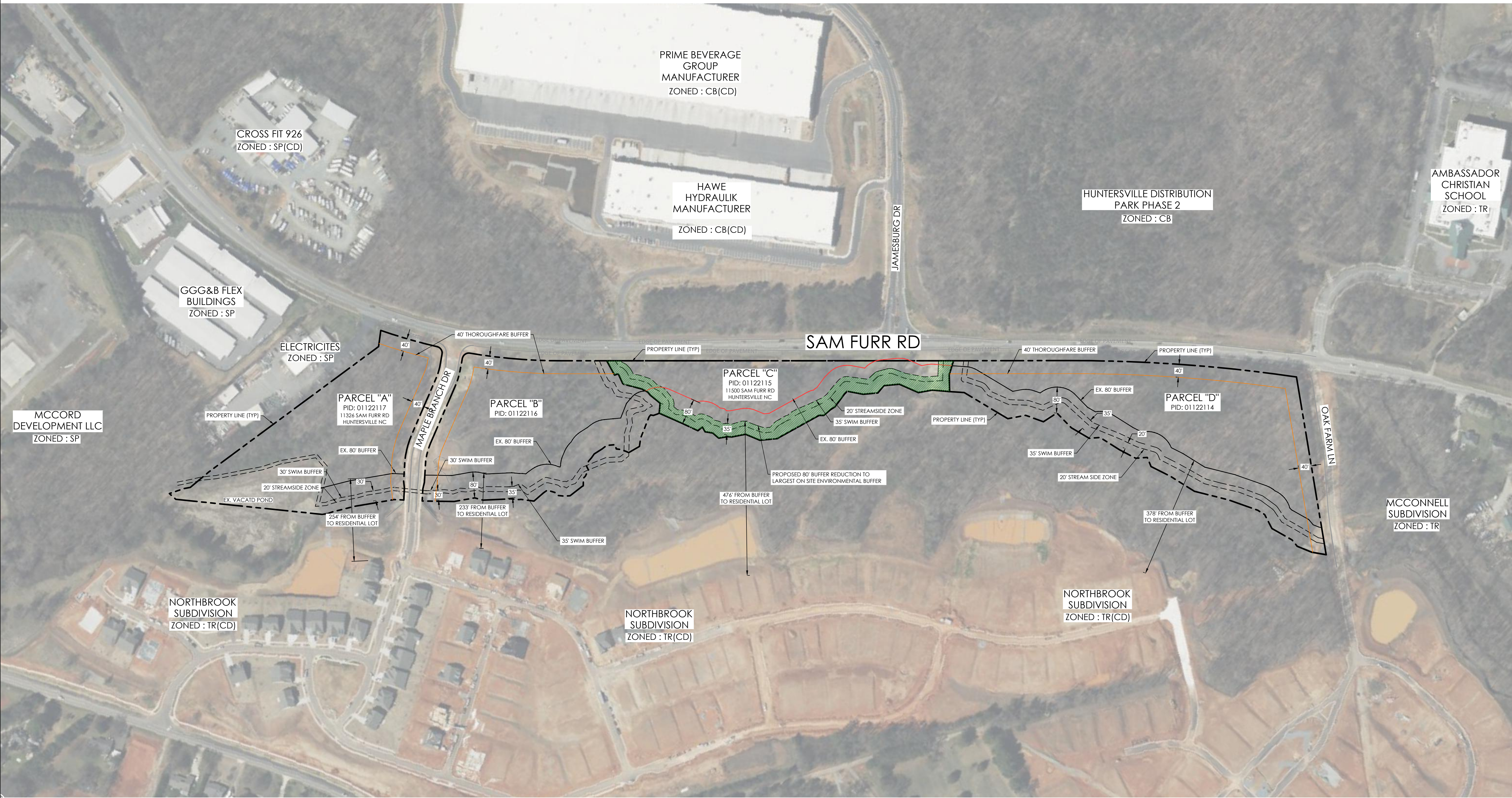
Z04



NC ENGINEERING BOARD LICENSE #: P-2743
NC LANDSCAPE ARCHITECTURAL BOARD LICENSE #: C-614
SC ENGINEERING BOARD LICENSE #: COA 7055
SC LANDSCAPE ARCHITECTURAL BOARD LICENSE #: LAF 477

LEGEND

- PROPERTY LINES
- EX. 80' BUFFER TO BE REDUCED
- EX. 80' BUFFER TO REMAIN
- EX. ENVIRONMENTAL BUFFER
- 40' THOROUGHFARE BUFFER
- PROP. BUFFER REDUCTION TO 35' SWIM BUFFER



NC ENGINEERING BOARD LICENSE #: P-2743
NC LANDSCAPE ARCHITECTURAL BOARD LICENSE #: C-614
SC ENGINEERING BOARD LICENSE #: COA 7055
SC LANDSCAPE ARCHITECTURAL BOARD LICENSE #: LAF 477

GRAPHIC SCALE 1"=150 FT.

NORTH ARROW



**W&A
ENGINEERING**

CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE
LAND SURVEYING | TRAFFIC ENGINEERING
ECONOMIC DEVELOPMENT

121 GILEAD RD
HUNTERVILLE, NC 28078
P: (704) 875-1615
WAENGINEERING.COM

ALL DRAWINGS SHALL REMAIN THE PROPERTY OF W&A ENGINEERING. THESE INSTRUMENTS OF SERVICE ARE TO BE USED ONLY FOR THIS SPECIFIC PROJECT. W&A ENGINEERING SHALL RETAIN ALL LEGAL RIGHTS TO THE USE OF THE INSTRUMENTS OF SERVICE AND SHALL RETAIN FULL PROTECTION UNDER UNITED STATES COPYRIGHT LAW.

NORTHBROOK STORAGE FACILITY

PARCEL: 01122115

11500 SAM FURR RD, HUNTERVILLE, NC 28078

Know what's below.
Call before you dig.

REVISIONS	
DATE	COMMENT

INITIAL SUB. DATE: ####

ISSUANCE DATE: ####



HFI PROJECT #: 223084

BUFFER EXHIBIT

Z05



GENERAL REZONING NOTES:

SCHEMATIC NATURE OF REZONING PLAN

- THE PROPOSED IMPROVEMENTS SHOWN ON THE REZONING PLAN ARE SCHEMATIC IN NATURE, MINOR MODIFICATIONS TO THE PLAN MAY OCCUR DURING DESIGN, ENGINEERING AND CONSTRUCTION PHASES OF THE DEVELOPMENT. THE REMOVAL OF TREES AND VEGETATION TO ACCOMPLISH THE IMPROVEMENTS IS GENERALLY CONTINGENTED AS SHOWN ON THIS REZONING PLAN.
- THIS IS A REZONING PLAN AND AS SUCH IS TO BE GRAPHICALLY REPRESENTATIVE OF WHAT IS PROPOSED, THE FINAL ENGINEERING PLAN WILL HAVE MINOR CHANGES, THE BUILDING LOCATION, SIZE, ORIENTATION, AND FEATURES MAY HAVE MINOR CHANGES BASED ON FINAL ENGINEER DESIGN, AS APPROVED BY STAFF

USE AND COMPATIBILITY

- THE SITES ARE LOCATED ALONG SAM FURR ROAD, THE PROPOSED SITE AND ADJACENT LAND USES CONSIST OF VACANT LAND, ACROSS SAM FURR ROAD IS AN EXISTING INDUSTRIAL PARK AND THE REAR PROPERTY LINE ABUTS THE OPEN SPACE FOR A SINGLE FAMILY SUBDIVISION.

PERMITTED USES

- THESE SITES MAY BE DEVOTED TO ANY USE (INCLUDING ANY ACCESSORY USE) WHICH IS PERMITTED BY RIGHT OR UNDER DESCRIBED (OR DESCRIBED IN A SP(SPECIAL PURPOSES) DISTRICT) UNDER THE HUNTERSVILLE ZONING ORDINANCE EXCEPT FOR THE FOLLOWING USES: ABATOIRS, FOUNDRIES, LUMBER MILLS AND STORAGE YARDS, HEAVY MANUFACTURING, POWER GENERATION PLANTS, RAILROAD FREIGHT YARDS, RAILROAD REPAIR SHOPS AND MARSHALLING YARDS, AND REPAIR OF PRODUCTS OF HEAVY MANUFACTURING OPERATIONS, IN ADDITION TO THE EXCLUSIONS LISTED ABOVE, THE FOLLOWING USES "PERMITTED WITH CONDITIONS" UNDER THE SP(SPECIAL PURPOSES) DISTRICT WILL ALSO BE EXCLUDED; COMMERCIAL, COMMUNICATION TOWERS, INTERNET SWEETSPAKES, JUNK YARDS, OUTDOOR STORAGE OF CONSTRUCTION EQUIPMENT, PETROLEUM STORAGE FACILITIES, AND TRUCKING TERMINALS.

MODIFICATION REQUESTS

1. APPLICANT REQUESTS TO REDUCE THE 80' ZONING BUFFER FROM THE REAR PROPERTY LINE PER MAJOR SUBDIVISION SKETCH PLAN AND REZONING PETITION 2018-15, ON THE SUBJECT PARCEL "C"; PID: 01122115. THE REQUEST IS TO REDUCE THIS 80' BUFFER TO THE GREATEST ENVIRONMENTAL BUFFER ON SITE, THIS WOULD BE A 35' SWIM BUFFER, THE 35' SWIM BUFFER IS MEASURED FROM THE CREEK TOP OF BANK.
2. THE APPLICANT REQUESTS A MODIFICATION OF THE 40' THOROUGHFARE BUFFER AS SHOWN ON THE PLANS TO ALLOW FOR DISTURBANCE OF THIS BUFFER DUE TO SITE TOPOGRAPHY CONSTRAINTS, DUE TO THE FUTURE NCDOT PERMANENT UTILITY EASEMENT, WE ARE UNABLE TO REPLANT PER THE TOWNS BUFFER STANDARDS. THE APPLICANT HAS APPROXIMATELY 1/2 MILE OF SAM FURR ROAD FRONTAGE, WE WOULD LIKE TO PROPOSE WORKING WITH OUR TOWN PLANNING STAFF AND NCDOT TO DESIGN AND DEVELOP A PET FRIENDLY WALKING PARK. WE WILL DESIGN OUR 40' BUFFER (SET BACK) AND WORK WITH NCDOT IN SOME OF THEIR RIGHT AWAY TO HAVE 40' FT WIDE PARK WITH AN 8 TO 10 FOOT WIDE WALKING PATH, BEAUTIFUL GREEN GRASSSED AREA, PARK BENCHES, PICNIC TABLES, DOG OBSTACLES, DRINKING FOUNTAINS (PET AND PEOPLE) AND COMPLETELY FENCED IN WITH 48 INCH HIGH DECORATIVE ALUMINUM FENCE. OUR PROPERTY OWNERS ASSOCIATION WILL MAINTAIN THE PARK LIKE AREA. THIS WILL ENHANCE THE STREETScape AND OFFER THE RESIDENTS OF HUNTSVILLE AN AMAZING PET FRIENDLY PARK.

ACCESS

- FOR PARCEL "C", THE PRIMARY VEHICULAR ACCESS IS THE SINGLE ACCESS DRIVEWAY LOCATED ON SAM FURR ROAD AT ADDRESS 11500 SAM FURR RD, HUNTSVILLE NC 28078.
- FOR PARCELS "A" AND "B", PRIMARY VEHICULAR ACCESS WILL BE OFF OF MAPLE BRANCH DR.
- FOR PARCEL "D", PRIMARY VEHICULAR ACCESS WILL BE OFF OAK FARM LN.

SIGNAGE

- ALL SIGNS SHALL COMPLY WITH THE TOWN OF HUNTSVILLE CODE. ALL SIGNS WILL BE PERMITTED SEPARATELY.

TRASH

- GARBAGE SERVICES WILL BE PROVIDED IN A DUMPSTER FACILITY ON SITE.

HVAC / UTILITY EQUIPMENT

- ALL BUILDING UTILITY EQUIPMENT SHALL BE BEHIND BUFFER SCREENING AND NOT VISIBLE FROM ADJACENT PROPERTIES.

WATER / SEWER / UTILITIES

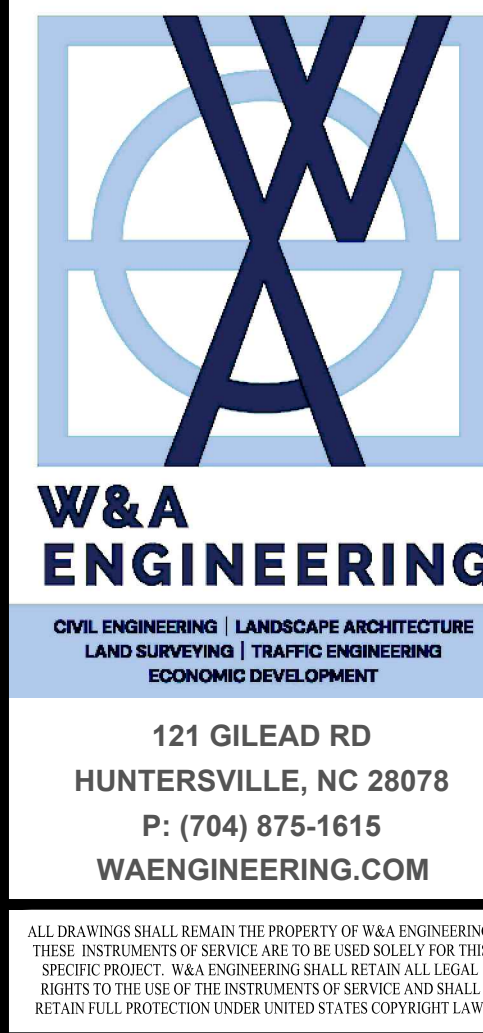
- PUBLIC SEWER AVAILABLE WITHIN THE PROPERTY
- PUBLIC WATER AVAILABLE ON PROJECT SIDE OF SAM FURR RD

LIGHTING

- THE LIGHTING FOR THIS PROJECT WILL MEET THE REQUIREMENTS OF 8.26.

ENVIRONMENTAL

- EROSION CONTROL PLANS WILL COMPLY WITH CURRENT ORDINANCES AND BE APPLIED FOR DURING THE COMMERCIAL SITE PLAN PROCESS.
- WATER QUALITY, POST CONSTRUCTION, AND STORM-WATER MANAGEMENT WILL .COMPLY WITH THE CURRENT ORDINANCES AND WILL BE APPLIED FOR DURING THE SITE PLAN PROCESS.

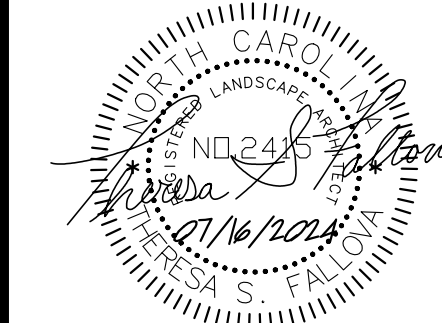


PARCEL: 01122115

11500 SAM FURR RD, HUNTERSVILLE, NC 28078

[illegible]

ISSUANCE DATE: ####



Z06

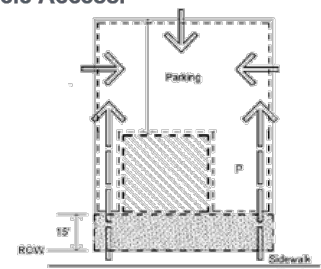


2/16/24, 4:30 AM

Print Review

4.5 Lot Type / Highway Commercial

Building Placement/Parking/Vehicle Access.

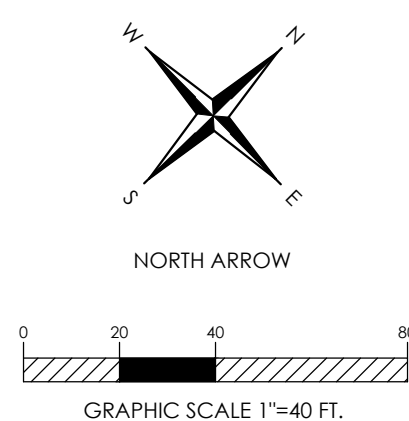
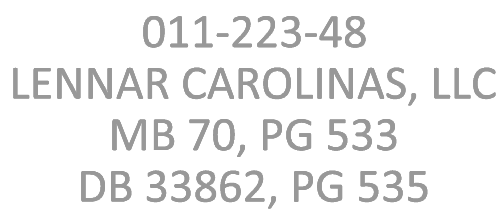


1. Buildings shall be placed on the lot within zone represented by the hatched area. In most cases, the build to line will be 15' behind street ROW. Special site conditions such as topography, pattern of lot widths, or setbacks of existing buildings permit a larger setback.
2. Setbacks may vary according to setting within limits indicated.
3. Building facades shall be generally parallel to frontage property lines.
4. Parking shall be located to the rear and/or side of the building. Except in the VS District, sideyard parking may occupy no more than 45% of the principal frontage line. In the VS District, sideyard parking may occupy 50% of the principal frontage line. Parking shall not be placed in any sideyard abutting an intersecting street. Where dimensions of existing lots restrict parking behind buildings, the limitations on sideyard parking may be modified.
5. Points of permitted access to the parking indicated by arrows.
6. Hedges, garden walls, or fences may be built on property lines or as the continuation of building walls. A garden wall, fence, or hedge (min. 3' in height) shall be installed along any street frontage adjacent to parking areas.
7. Parking areas on adjacent lots shall be connected wherever practicable.
8. Trash containers shall be located in a rear parking area (see Parking Regulations).
9. Mechanical and utility equipment at ground level shall be placed in the side or rear yard and shall be screened from view by opaque screening from grade level along any public street or adjacent property (Article 7.6.2). Buildings that front on more than one public street may have mechanical and utility equipment located within a street facing yard, provided it is visually screened using compatible building materials and design as the principal structure. This is applicable only where no other reasonable option exists as determined by the Administrator. Examples of features limiting the location of mechanical and utility equipment may include, but not limited to, the physical layout of existing building, the presence of easements, elevation changes, etc.

https://huntsville.municipalcodeonline.com/book/print/?type=zoning&name=4-5_Lot_Type_1_Highway_Commercial

PARKING CALCULATIONS	
TOTAL REQUIRED PARKING SPACES WAREHOUSE (0.25/1000 S.F.) $99,300/1000 = (99.3 \times 0.25) = 24.8$	25 PARKING SPACES
TOTAL REQUIRED ADA PARKING SPACES	1 ACCESSIBLE ADA SPACES (1 VAN)
TOTAL PROVIDED PARKING SPACES	25 PARKING SPACES
TOTAL PROVIDED ADA PARKING SPACES	1 ACCESSIBLE ADA SPACES (1 VAN)

IMPERVIOUS SUMMARY - SITE			
ITEM	SQUARE FOOT	ACRES	PERCENTAGE OF TOTAL SITE
TOTAL PARCEL AREA	158,570 SF	3.64 AC	N/A
TOTAL EXISTING IMPERVIOUS	0 SF	0.00 AC	0.00 %
TOTAL PROPOSED IMPERVIOUS	52,190 SF	1.20 AC	32.91 %
TOTAL PROPOSED PERVIOUS	106,380 SF	2.44 AC	67.09 %



NC ENGINEERING BOARD LICENSE #: P-2743
NC LANDSCAPE ARCHITECTURAL BOARD LICENSE #: C-614
SC ENGINEERING BOARD LICENSE #: COA 7055
SC LANDSCAPE ARCHITECTURAL BOARD LICENSE #: LAF 477



**W&A
ENGINEERING**

CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE
LAND SURVEYING | TRAFFIC ENGINEERING
ECONOMIC DEVELOPMENT

121 GILEAD RD

HUNTERSVILLE, NC 28078

P: (704) 875-1615

WAENGINEERING.COM

ALL DRAWINGS SHALL REMAIN THE PROPERTY OF W&A ENGINEERING. THESE INSTRUMENTS OF SERVICE ARE TO BE USED SOLELY FOR THIS SPECIFIC PROJECT. W&A ENGINEERING SHALL RETAIN ALL LEGAL RIGHTS TO THE USE OF THE INSTRUMENTS OF SERVICE AND SHALL RETAIN FULL PROTECTION UNDER UNITED STATES COPYRIGHT LAW.

NORTHBROOK STORAGE FACILITY

PARCEL: 01122115

111500 SAM FURR RD, HUNTERSVILLE, NC 28078

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

[illegible]

INITIAL SUB. DATE: #####

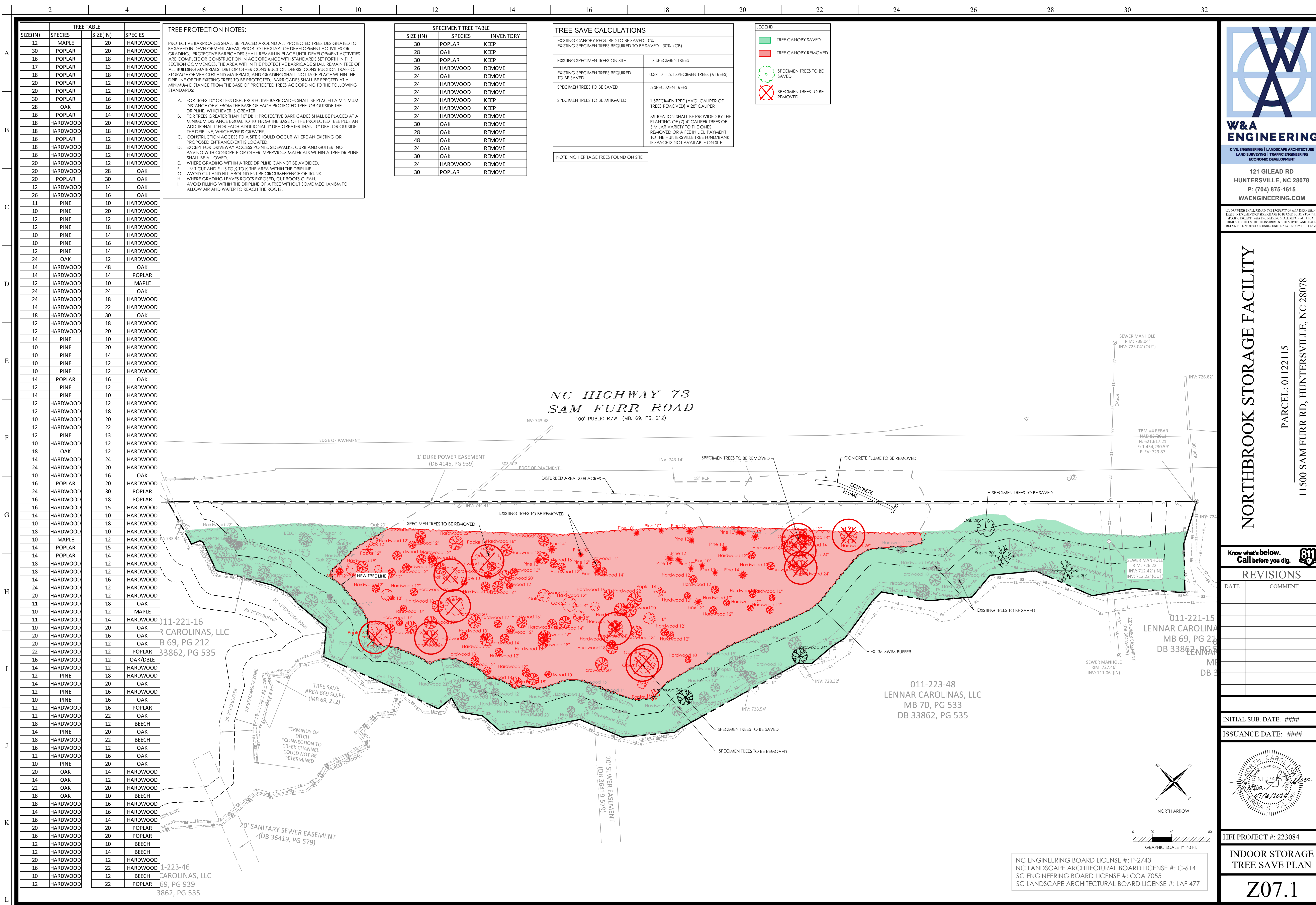
ISSUANCE DATE: ####



HFI PROJECT #: 223084

INDOOR STORAGE REZONING PLAN

Z07





**W&A
ENGINEERING**

CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE
LAND SURVEYING | TRAFFIC ENGINEERING
ECONOMIC DEVELOPMENT

121 GILEAD RD
HUNTERSVILLE, NC 28078
P: (704) 875-1615
WAENGINEERING.COM

ALL DRAWINGS SHALL REMAIN THE PROPERTY OF W&A ENGINEERING. THESE INSTRUMENTS OF SERVICE ARE TO BE USED ONLY FOR THIS SPECIFIC PROJECT. W&A ENGINEERING SHALL RETAIN ALL LEGAL RIGHTS TO THE USE OF THE INSTRUMENTS OF SERVICE AND SHALL RETAIN FULL PROTECTION UNDER UNITED STATES COPYRIGHT LAW.

NORTHBROOK STORAGE FACILITY

PARCEL: 01122115

11500 SAM FURR RD, HUNTERSVILLE, NC 28078

Know what's below.
Call before you dig.



REVISIONS	
DATE	COMMENT

INITIAL SUB. DATE: ####

ISSUANCE DATE: ####

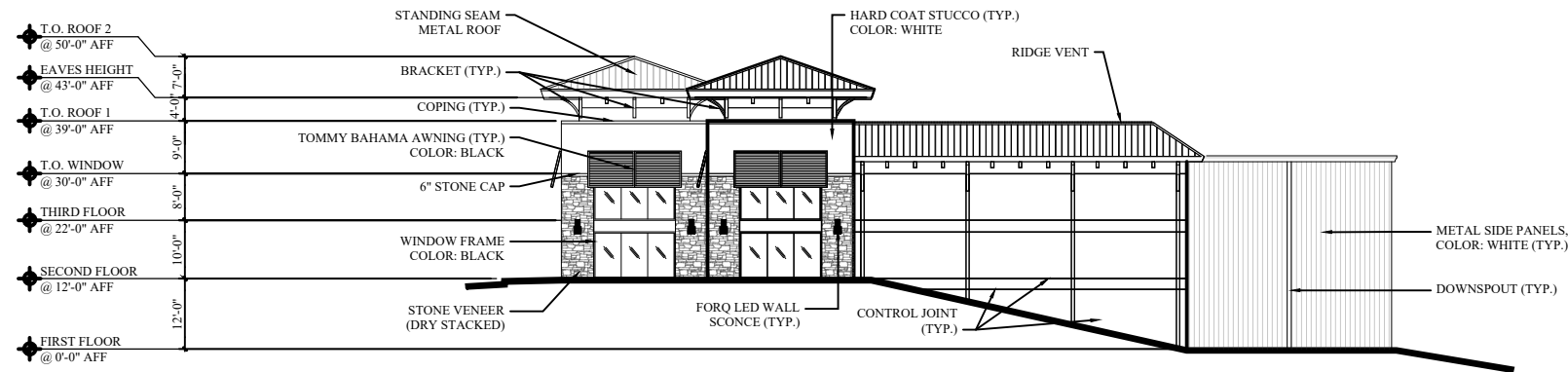


HFI PROJECT #: 223084

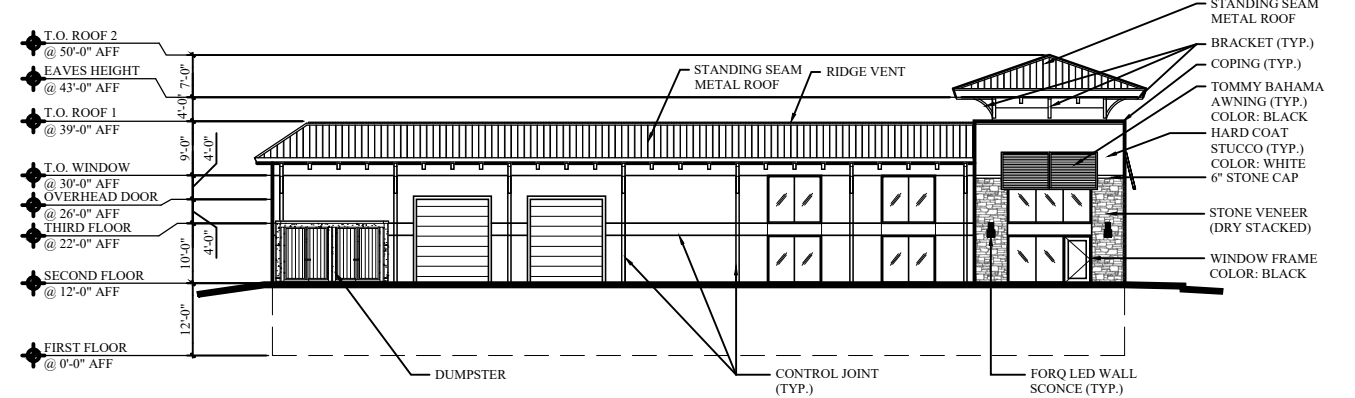
**INDOOR STORAGE
TREE SAVE PLAN**

Z07.1

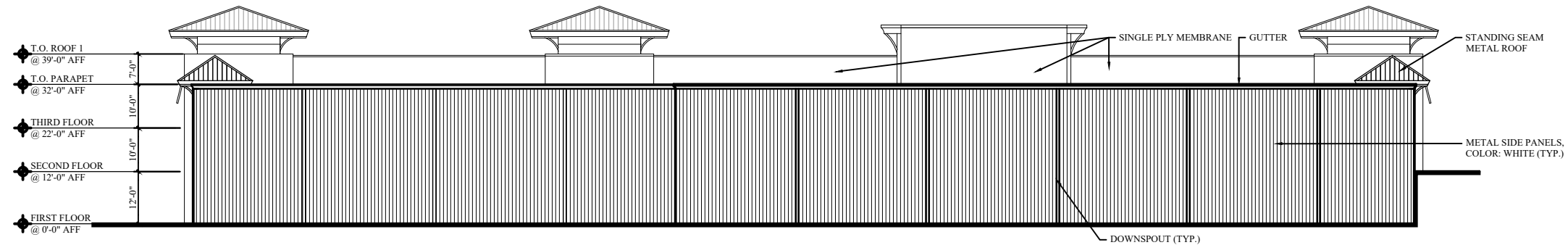
Z09



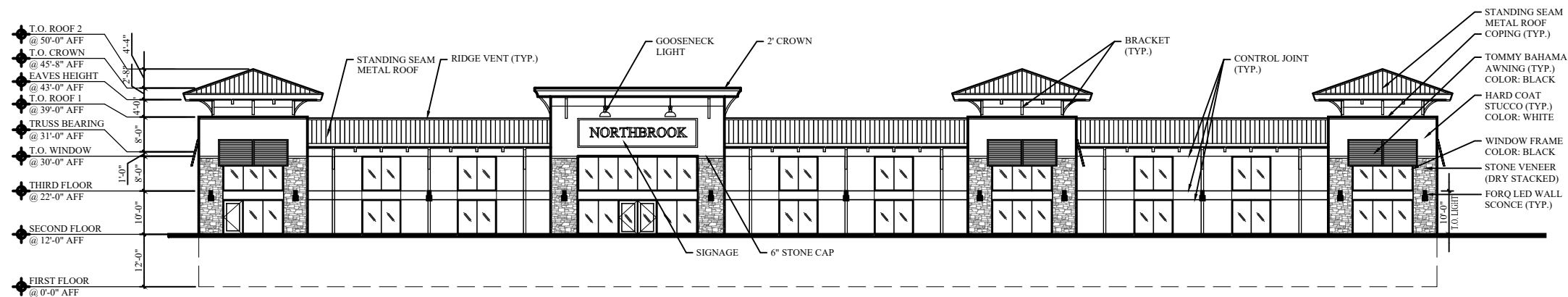
4 **SOUTH ELEVATION (RIGHT SIDE)**
1/32" = 1' - 0"



3 **NORTH ELEVATION (LEFT SIDE)**
1/32" = 1' - 0"



2 **EAST ELEVATION (REAR)**
1/32" = 1' - 0"



1 **WEST ELEVATION (FRONT)**
1/32" = 1' - 0"

NOTE:
ONLY UNTINTED OR TINTED GLASS
WITH A MIN. VISUAL TRANSMITTANCE
FACTOR OF 35 ARE ALLOWED

NORTHBROOK
INDOOR
STORAGE
BUILDING
HUNTERVILLE, NC
23 - 037



This is conceptual site plan only. Do not purchase site until reviewed by local planner & civil engineer. Your civil engineer must verify the zoning, setbacks, utility location and sizes, green space requirements parking requirements, landscape requirements and grading for ADA accessibility with the city/county/state prior to getting started with engineering.

04/30/24



NORTHBROOK INDOOR STORAGE BUILDING - HUNTERSVILLE, NC



Community Meeting Notices

Project Name	Northbrook Storage R24-04
--------------	---------------------------

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
MCCORD DEVELOPMENT LLC	01102115A & B	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
GGG&B LLC	01102125	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
THE TOWN OF HUNTERSVILLE	01102132	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
CRLDC LLC	01105262	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
DONCO PROPERTIES LLC	01121107	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
MDH FI HUNTERSVILLE JV LLC	01121108	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
MDH F2 HUNTERSVILLE JV LLC	01121110	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
BI PART DEVELOPMENT LLC	01122114	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
BI PART DEVELOPMENT LLC	01122115	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
BI PART DEVELOPMENT LLC	01122116	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
BI PART DEVELOPMENT LLC	01122117	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
RICHARD & BARBARA WEIS	01122206	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
DEBORA & DAVID ELLISON	01122207	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
SUONG NGUYEN	01122208	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
KIRAN GANGEGOWDA	01122217	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
JERATHEN & CORRINA TILLMAN	01122218	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
SOOYON CHEONG & SOKHUN MOON	01122219	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
NORTHBROOK POA	01122281	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
NORTHBROOK POA	01122282	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
GAJAPATHY KRISHNASAMY	01122301	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
LYNN NGUYEN	01122302	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
BALAPRATHIMA YELLAPRAGADA	01122303	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
ANAND GNANAMOORTHY	01122304	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
FERNANDO STROBEL	01122305	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
ELIZABETH & EDWARD MCCORMICK	01122306	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
DAVID & WILLIAM SOSA-OLIVER	01122307	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
NORTHBROOK POA	01122346	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
NORTHBROOK POA	01122348	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
NORTHBROOK POA	01122349	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
WORKMANSHIP LLC	01123131	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
WORKMANSHIP LLC	01123132	6/11/2024	USPS CERTIFIED	Within 250 ft of petitioned property (SO 6.320.3(b,c,d,e))
OAK FARM HOA	-	6/11/2024	USPS CERTIFIED	Neighborhood association, property woner association, and hom
WILLOWBROOK POA	-	6/11/2024	USPS CERTIFIED	Neighborhood association, property woner association, and hom

Community Meeting Attendance Log

Project Name:	NORTHBROOK STORAGE R24-04
Location of Meeting:	HUNTERSVILLE ARTS & CULTURAL CENTER
Date:	6/24/2024
Time:	6-7 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	DAN SHEPARD	26	TERESA JULIAN
2	JOAN SHEPARD	27	NICK WALSH
3	EDWARD MCCORMICK	28	SHRINIVAS HOSUR
4	ELIZABETH MCCORMICK	29	MICHAEL DOEBLER
5	KIRK HAHN	30	LACY YAMAVCHI
6	ROBYN HAHN	31	NICK GALLO
7	NATHANIEL RENNINGER	32	ROBYN GALLO
8	SUNANDAN SOORA	33	YOSHIKA RANKIN
9	ROSALYNN HANDLER	34	KUSHAGRA KAPOOR
10	BETHANNE NOLAN	35	DIVYA KAPOOR
11	BARBARA RUSSELL	36	DARON HENSON
12	TOM RUSSELL	37	AMANDA HENSON
13	JUDY BOYD	38	
14	CAROL POWER	39	
15	BILL POWER	40	
16	AISSA HAMIM	41	
17	ADARSHAKARANTHA RAO	42	
18	SENTHILKUMAR GNANASEKARN	43	
19	BRUCE KLEIN	44	
20	BARBARA KLEIN	45	
21	CHRISTINE DUPRIEST	46	
22	WILL DUPRIEST	47	
23	RICHARD WEIS	48	
24	JAY TILLMAN	49	
25	RON JULIAN	50	

Northbrook Storage Rezoning – R24-04
Neighborhood Meeting
06/24/2024

The meeting was called to order at 6:02 PM by Jake Palillo, Project Owner/Developer. Also in attendance were Tess Fallova, W&A Engineering and Jesse James, Town Planner. Approximately 44 people attended in-person. Mr. Palillo gave a presentation of the overall rezoning request and the indoor storage plans on Parcel C. He then opened up the floor to questions.

Most of the questions/concerns centered on the 80' buffer reduction and the need for building height increase. Several homeowners noted already have traffic problems as well and how these developments were going to be increasing traffic.

Below are a few questions that were asked and they were addressed:

-Stormwater concerns on Northbrook property, existing sediment basins overflowing.

Response: This sounds like an engineering problem for the original Northbrook plans. Our sites would not affect these prior issues. We are required to capture and detain our runoff on-site and it will leave the site equal to or below pre-development conditions.

-Special purpose district is labeled as undesirable, hazardous, or toxic uses.

Response: The applicant has agreed to exclude such uses as a part of this rezoning. This is shown on the most recent Town Submittal.

-Why do you have to reduce the 80' buffer?

Response: The applicant requests that the buffer be reduced to provide developable space. These properties are shallow to begin with and the 80' rear property buffer eats up a drastic amount of area.

-Why do you need to modify the height restrictions?

Response: The height restrictions are based off "building type" as described in the ordinance. The one chosen is max. 36', however we are able to chose another that would be max 45' if needed.

-There are already so many accidents and issues getting out of the subdivisions. Concern that this will only make it worse.

Response: The uses proposed are considered less intense than that of commercial/retail, so it will not increase traffic that drastically. The pre-existing traffic issues on Oak Farm Ln and Maple Branch Dr should be expressed to the Town but is not the responsibility of the applicant to address.

-Further concerns about traffic and accidents on Sam Furr

Response: Pre-existing traffic conditions are not the responsibility of the applicant. NCDOT

has road improvement plans in place that will more than likely address all these issues, this development will only be providing 1 entrance/exit onto Sam Furr.

-Residents want by-right uses + proposed exclusions sent via email

Response: These will be compiled and sent out to all attendees per request

-Why mini-storage? Why not offices or businesses they want (ie. Irish Pub)?

Response: The types of commercial/retail uses suggested are considered a higher intense use in relation to traffic which could trigger a previous comment about traffic concerns. The applicant would like to propose less intense traffic near residential and leave these types of suggested uses for commercial/retail centers and hubs like Northcross Business Park

-Is there really a need for more indoor storage?

Response: Yes, market studies have been done proving this.

-Concern that this is going to decrease the value of our homes. This was all trees when we bought, we want it to stay that way.

Response: There are no indications that this will devalue the price of any of the homes in the area. When the original Northbrook Subdivision was done, these four parcels were planned to be CB – Corporate Business and would allow for offices, distributive businesses, warehouses, manufacturing + assembly, etc. These parcels were never planned to always remain treed per the rezoning.

-Why can't we just rezone this property to what we want so it remains trees?

Response: You can't rezone property you don't own or have written authority from the owner to do so.

The meeting was adjourned at 7:12 pm .



**Town Engineering Rezoning Comment Summary
R24-04 Northbrook Storage Facility (CSP-500021)
PID 01122117, 01122116, 01122115, and 01122114
Huntersville, NC 28078**

General Project Information

This proposed rezoning consists of 4 parcels on the south side of NC-73, located approximately between Maple Branch Drive and Oak Farm Lane. This rezoning additionally includes a sketch plan for a proposed storage facility on PID 01122115, with one proposed driveway to NC 73.

Engineering Staff Comments

Traffic Impact Analysis (TIA):

- 1) A TIA is required as part of this proposed rezoning. The TIA was deferred to NCDOT and is currently in review. The TIA was submitted to NCDOT on 7/5/24. Attached are pages 5-7 of the draft TIA. The following improvements are recommended in the TIA as the responsibility of the developer in should the developer decide to build the development prior to the NCDOT project (pre-STIP scenario):
 - a. Construction of an extension of the exclusive westbound left-turn lane on NC73 at Maple Branch Drive to include 300 feet of storage.
 - b. Construction of a U-turn bulb on NC73 at Maple Branch Drive to accommodate development traffic U-turns.
 - c. Construction of improvements to restrict access at the mini storage driveway to NC73 as right-in/out only (median likely required)
 - d. Construction of a U-turn bulb on NC73 at Oak Farm Lane to accommodate development traffic U-turns.

Transportation and Stormwater:

- 1) Street tree locations subject to change during the construction plan phase to meet requirements of the Town's Engineering Standards and Procedures Manual and NCDOT Planting Guidelines.
- 2) ADA compliant ramps to be provided at the driveway of "Parcel C" on NC 73.
- 3) Stormwater pipe within existing or proposed right-of-way to be Reinforced Concrete Pipe (RCP) unless otherwise permitted by NCDOT.

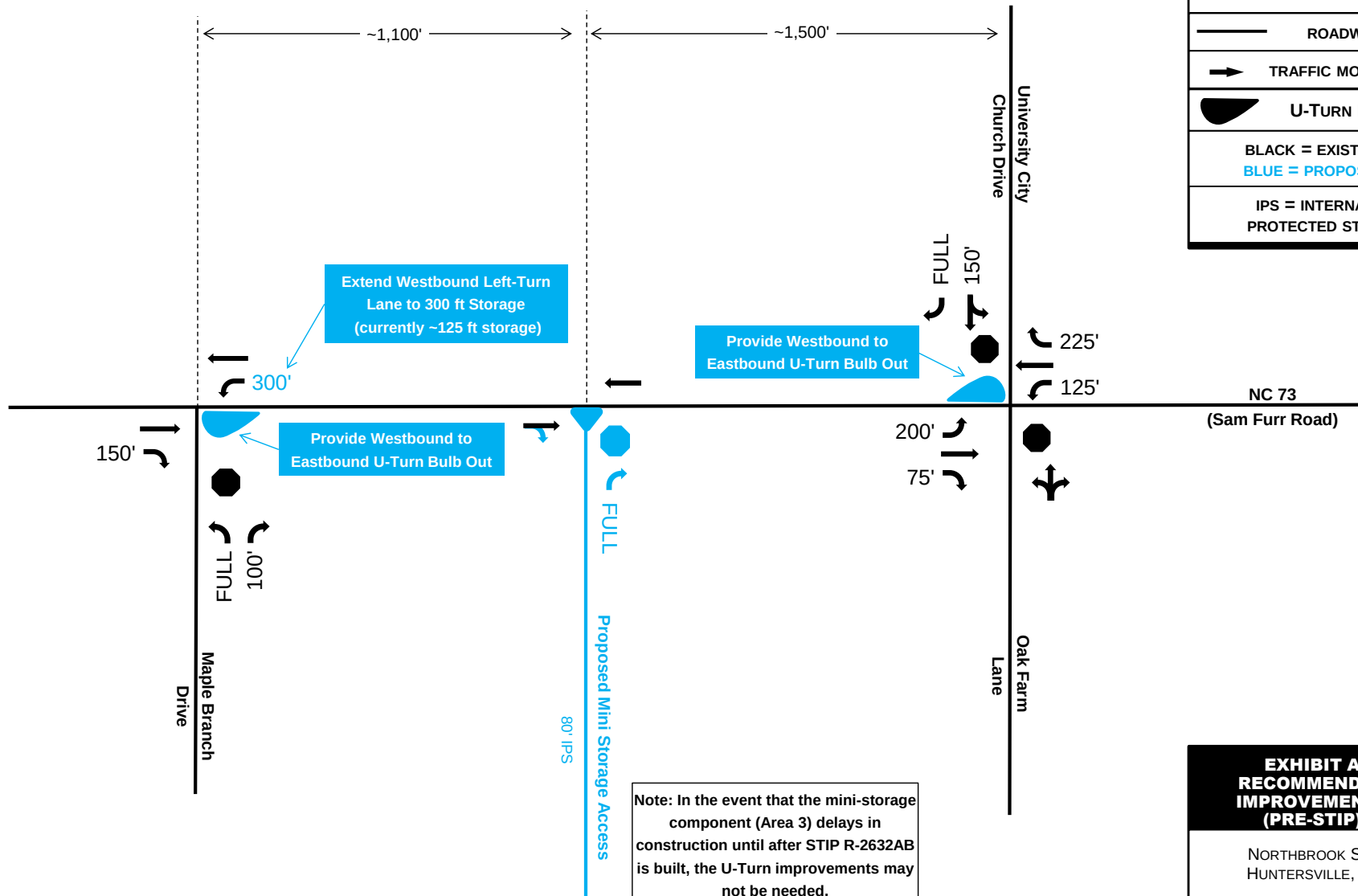
Table A – Recommended Improvements Summary

INTERSECTION	Pre-STIP Scenario	Post-STIP Scenario
Sam Furr Road at Maple Branch Drive ¹	- Extend westbound left turn lane to provide 300 feet of storage and appropriate deceleration and taper length. The left turn lane currently has approximately 125 feet of storage. - Provide u-turn bulb on southeast quadrant of intersection to serve westbound-to-eastbound u-turns. The anticipated design vehicle for this u-turn is a single-unit truck, based on expected mini-storage site traffic.	No improvements recommended. (STIP R-2632AB improvements adequate)
Sam Furr Road at Proposed Mini-Storage Access	- Configure access as right in / right out - Design access according to NCDOT standards	No improvements recommended. (STIP R-2632AB improvements adequate)
Sam Furr Road at Oak Farm Lane ¹	Provide u-turn bulb on northwest quadrant of intersection to serve eastbound-to-westbound u-turns. The anticipated design vehicle for this u-turn is a single-unit truck, based on expected mini-storage site traffic.	No improvements recommended. (STIP R-2632AB improvements adequate)
Sam Furr Road at WB-to-EB U-turn East of Maple Branch Drive		No improvements recommended. (STIP R-2632AB improvements adequate)
Sam Furr Road at EB-to-WB U-turn West of Oak Farm Lane		No improvements recommended. (STIP R-2632AB improvements adequate)
Sam Furr Road at WB-to-EB U-turn East of Oak Farm Lane		No improvements recommended. (STIP R-2632AB improvements adequate)

¹ U-turn bulbs are required to accommodate mini-storage turning movements. In the event that the mini-storage component (Area 3) delays in construction until after STIP R-2632AB is built, the u-turn improvements may not be needed.



LEGEND	
	SIGNAL
	STOP
	ROADWAY
	TRAFFIC MOVEMENT
	U-TURN BULB
BLACK = EXISTING BLUE = PROPOSED	
IPS = INTERNAL PROTECTED STEM	



*** NOT TO SCALE ***

This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of, or improper reliance on, this document by others without written authorization and adaptation by DAVENPORT, shall be without liability to DAVENPORT, and shall be a violation of the agreement between DAVENPORT and the client.

EXHIBIT A RECOMMENDED IMPROVEMENTS (PRE-STIP)

NORTHBROOK SITE
HUNTERSVILLE, NC

PROJECT NUMBER 240600





LEGEND	
	STOP
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING BLUE = PROPOSED GREEN = COMMITTED GREY = UNANALYZED	
	RIGHT-IN / RIGHT-OUT
IPS = INTERNAL PROTECTED STEM	

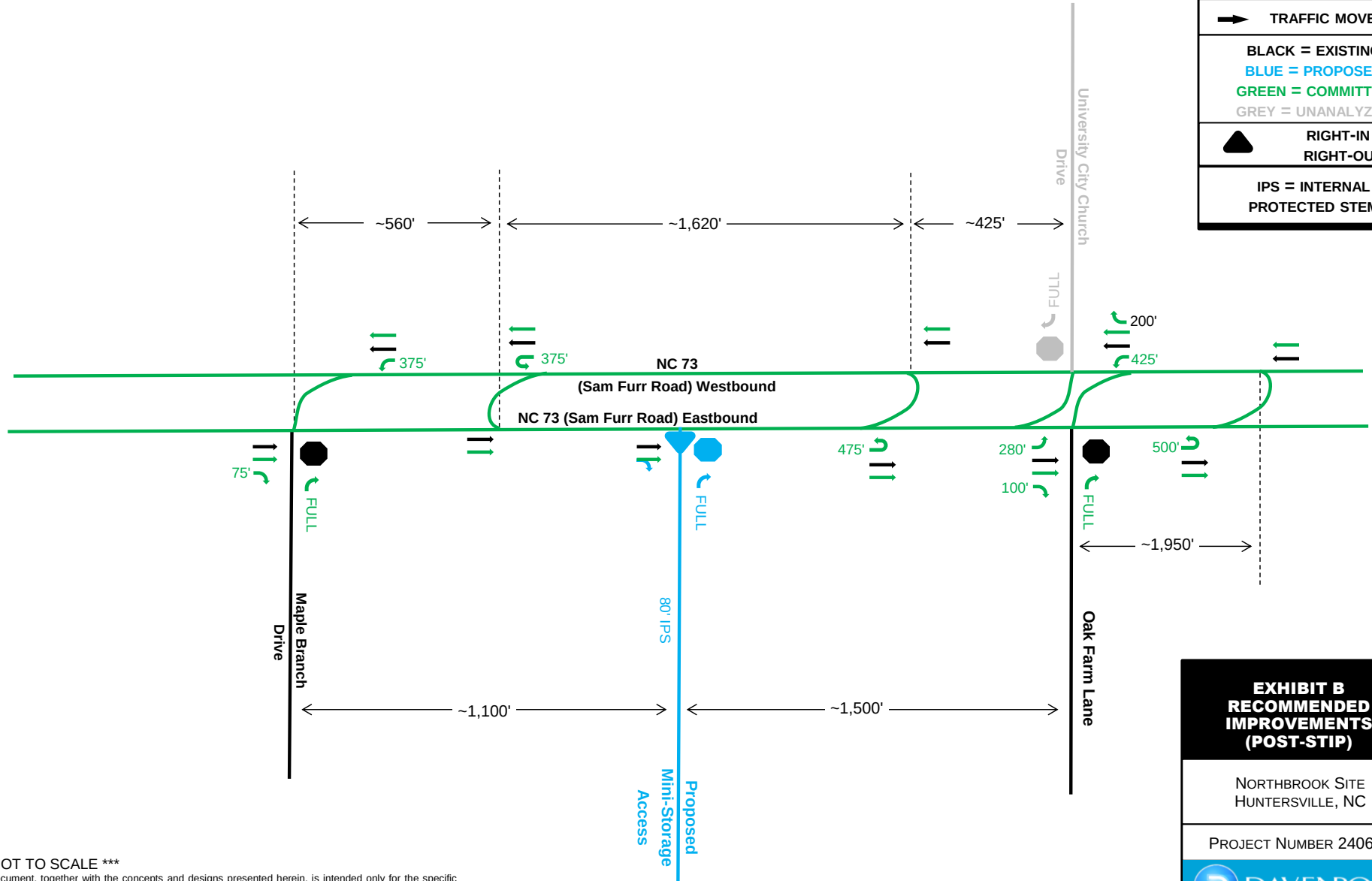


EXHIBIT B
RECOMMENDED
IMPROVEMENTS
(POST-STIP)

NORTHBROOK SITE
HUNTERSVILLE, NC

PROJECT NUMBER 240600

 **DAVENPORT**

*** NOT TO SCALE ***

This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of, or improper reliance on, this document by others without written authorization and adaptation by DAVENPORT, shall be without liability to DAVENPORT, and shall be a violation of the agreement between DAVENPORT and the client.



Request for Board Action

August 6, 2024

To: The Honorable Mayor and Board of Commissioners

From: Jesse James, Principal Planner

Subject: Public Hearing on Petition #R24-03 Long Creek Retail

EXPLAIN REQUEST:

Conduct a public hearing on Petition #R24-03 Long Creek Retail, a request by Saleh Moflehi of TA&S Enterprises of NC Inc. to rezone +/- 4.39 acres located at the intersection of Mt. Holly-Huntersville Road and Beatties Ford Road (Parcels 01526434 & 01526435) from Highway Commercial-Conditional District to Highway Commercial-Conditional District for an amendment to rezoning #R08-01 for a convenience store and retail/commercial use development.

ACTION RECOMMENDED:

Conduct public hearing

FINANCIAL IMPLICATIONS:

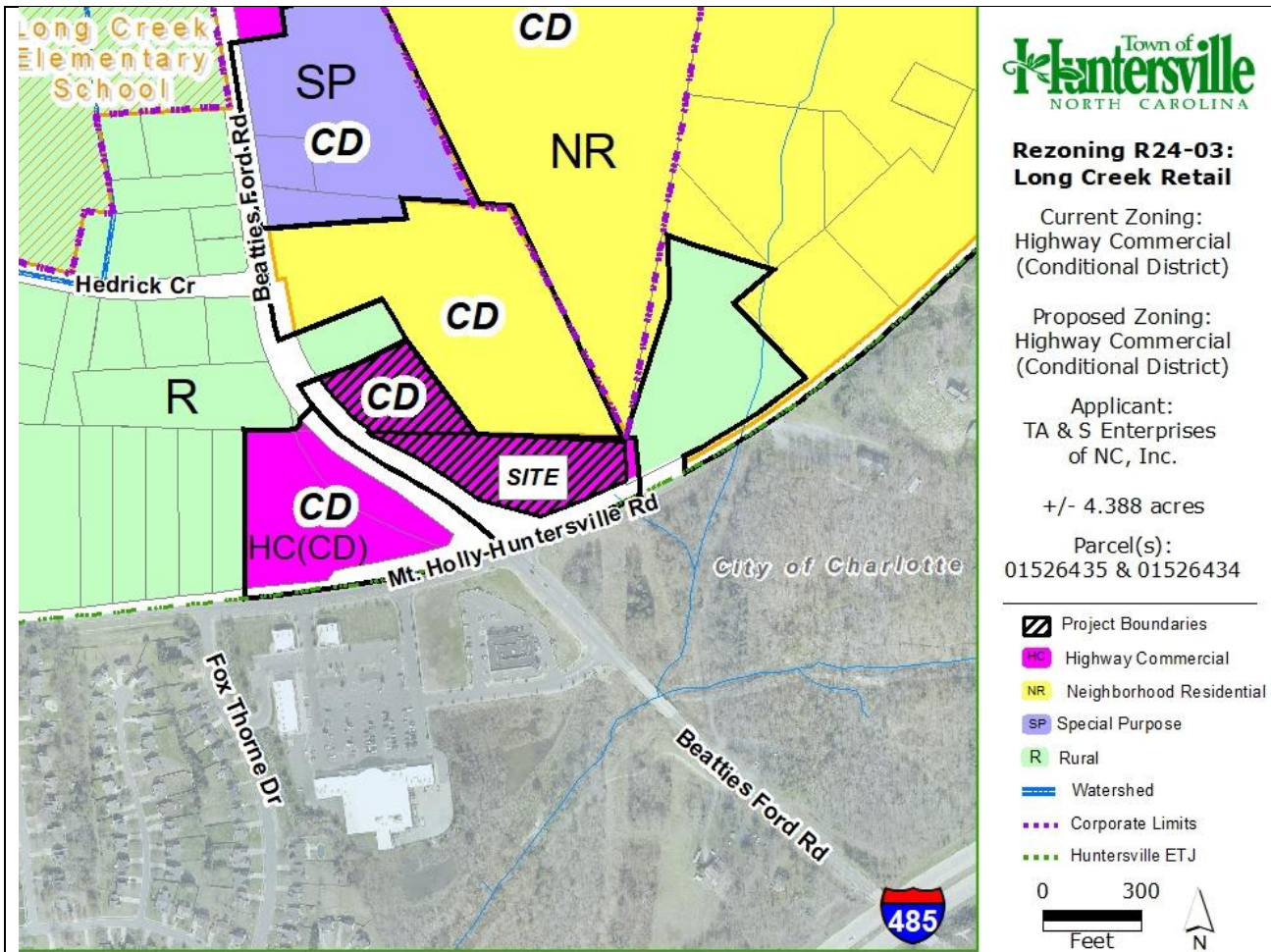
N/A

ATTACHMENTS:

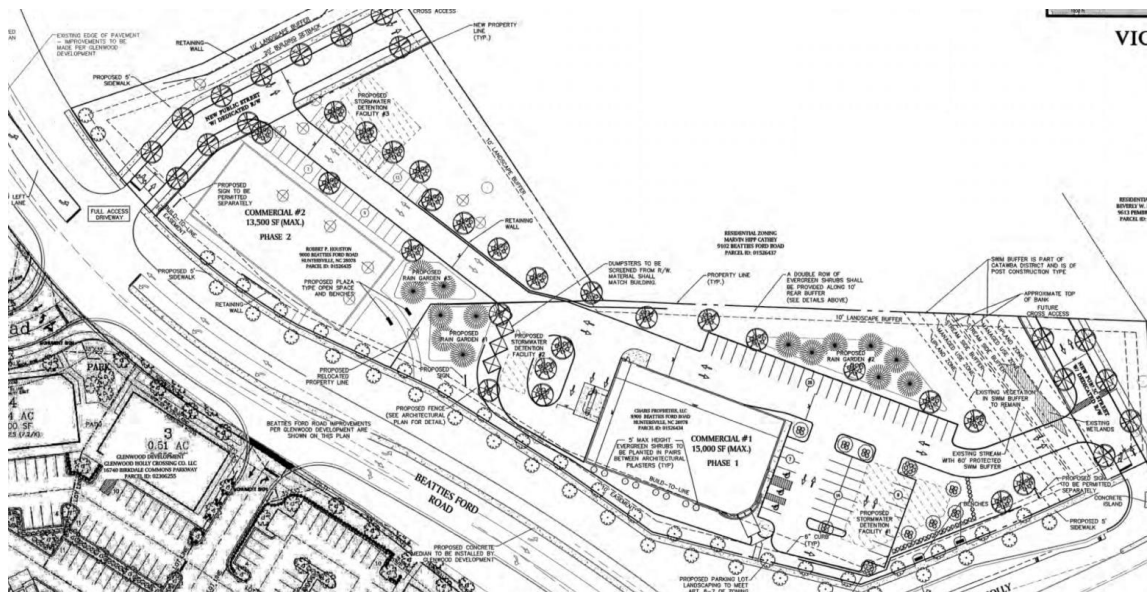
1. R24-03 PH 8-6-24 Staff Report 1
2. General Application - Houston
3. General Application - TAS
4. LongCreek-7-15-24
5. R24-03 Community Input Package FULL
6. R24-03 Long Creek Retail - Rezoning Engineering Comment Summary

Petition R24-03 Long Creek Retail

PART 1: PROJECT SUMMARY

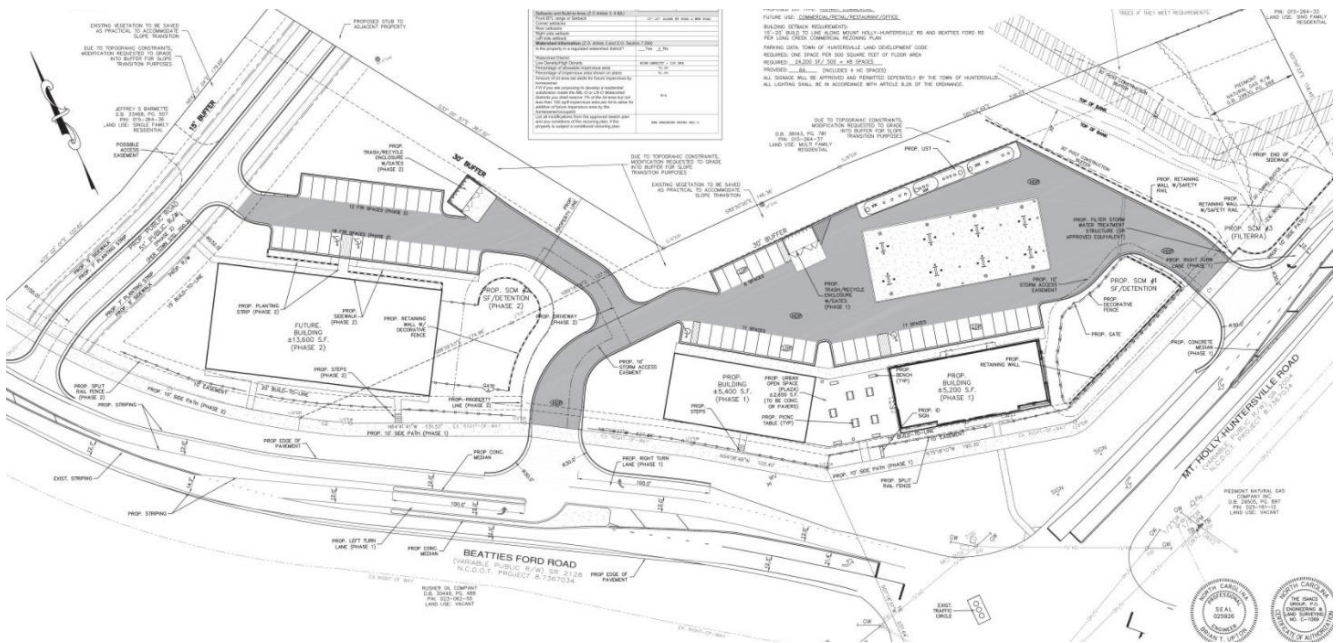


1. Purpose: Rezone approximately 4.39-acres at 8900 Beatties Ford Road (PIN 01526434) and 9000 Beatties Ford Road (PIN 01526435) from Highway Commercial-Conditional District (HC-CD) to Highway Commercial-Conditional District (HC-CD) to amend the current CD Rezoning R08-01 to allow for a convenience store with a gas canopy and other commercial buildings where a drug store retail site was previously approved.
2. The current R08-01 Long Creek Commercial rezoning was approved for a drug store with a drive-through and not to exceed 15,000 square feet in a highway commercial building type with a second building for commercial use not to exceed 13,500 square feet of building area. The proposed amendment revises this layout for a convenience store with a gas canopy, with a phase 1 additional building as retail, restaurant, office, or commercial use. There is also a proposed future building in phase 2 that would permit retail, restaurant, office, or commercial use. (see R08-01 below)

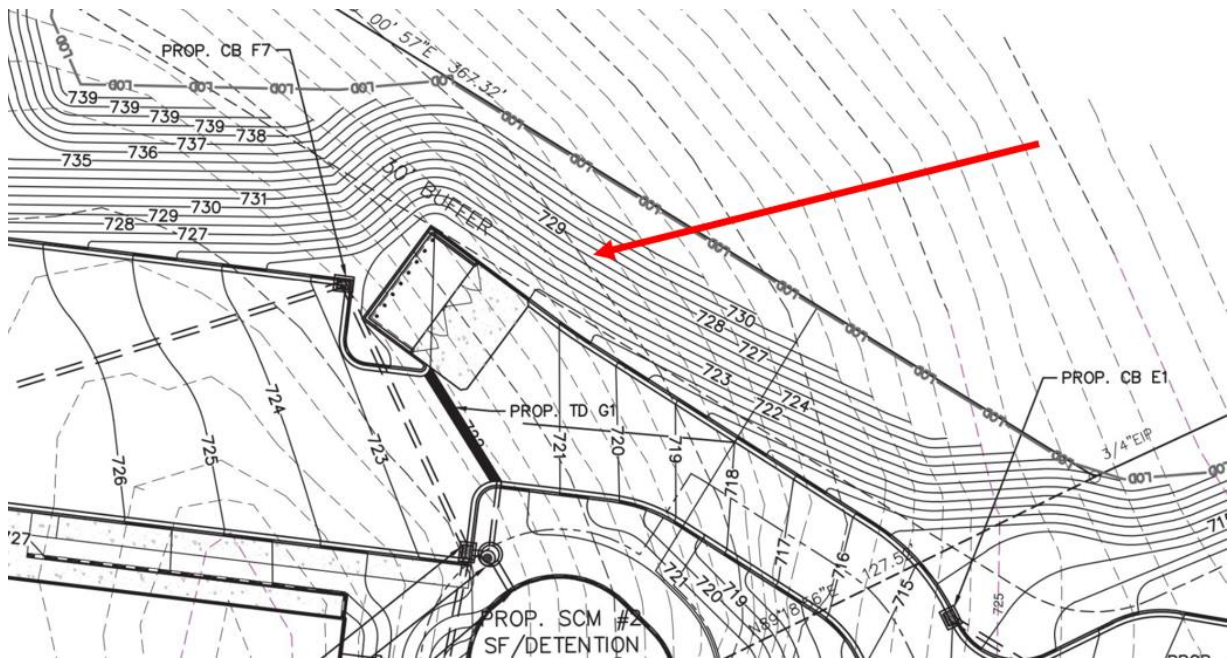


3. Adjoining Zoning and Land Uses.
 - North: Rural(R) Single Family Residential and NR-CD— Age Restricted Multi-Family Development (zoning only-not in for construction-Vacant)
 - South: City of Charlotte-Vacant and Commercial
 - East: Rural- Single Family Residential
 - West: HC-CD-Holly Crossing Approved Rezoning 2006 for retail/office- Vacant
4. A neighborhood meeting was held on Wednesday, May 29, 2024. Questions asked by residents and the responses from the applicants are summarized in the Neighborhood Meeting Report (see Attachment).
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 Mt-Holly Huntersville Rd and Beatties Ford Rd.

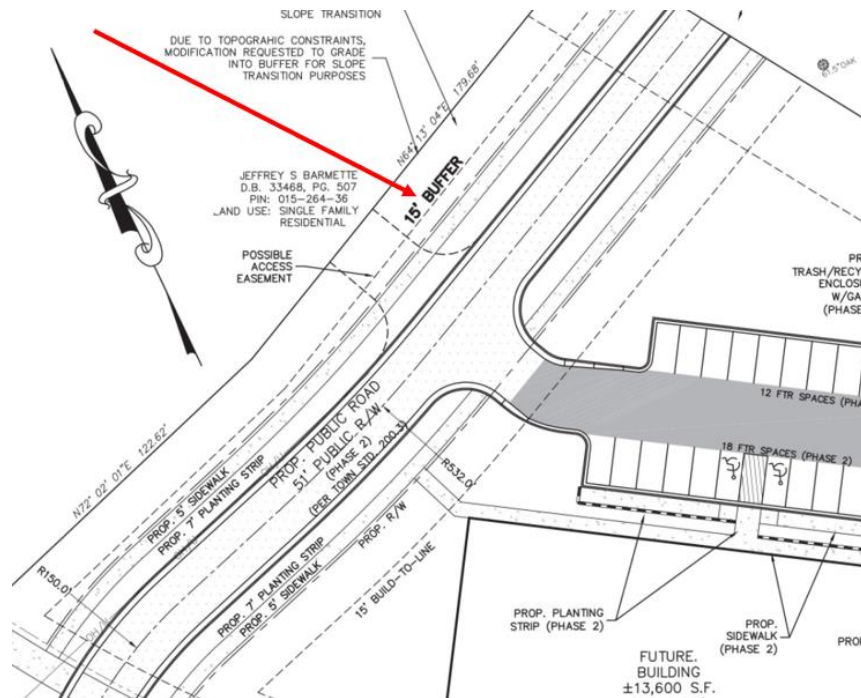
PART 2: REZONING/SITE PLAN



- The proposed Conditional District Rezoning Plan has modification proposals and site standard requests from staff that are presented in the body of this document. Generally, the layout and architecture of these buildings meet ordinance standards. Staff has several concerns with buffering, landscaping, and site details for clarification purposes. Significant elements include:
- **Modification Request**-The plan proposes a modified 30' buffer to the rear of the buildings. The zoning ordinance requires buffers to retain existing vegetation and supplement to ordinance specifications to create an opaque buffer. The applicant has requested the ability to grade into the buffer and replant for slope transition purposes.
Staff Comments- Staff has concerns with the ability of landscaping to be installed with the steep slopes proposed in the grading plan. There is a 10–15-foot difference in grade in several portions of the rear buffer in the 30-foot-wide buffer section. We would like to see details on how this section can be replanted to meet buffer specification standards. It is recommended that landscaping is installed at a maximum 3:1 slope for the health of the plants.



- **Needed Modification-** The proposal for the northwest buffer against the single-family residence is 15-feet. The ordinance requirement is 30-feet. There is also a steep slope proposed for the grade within this buffer.
Staff Comments- This requires a modification request. Staff would also like to see details on how this buffer would be installed, given the steep slope and narrow width.



- Revisions are needed in several places for additional screening of parking areas. There are places where retaining walls conflict with needed landscaping.
- The Urban Open Space- The ordinance requires UOS in Article 7B with Multi-Building Sites. The applicants have provided UOS between the convenience store and the second building in phase 1.
Staff Comment- The UOS provided lacks detail for staff to adequately determine that it meets the ordinance requirements.
- Building Architecture- The proposed architecture for the convenience store and the 2nd building in phase one meet the ordinance requirements.
- Building Architecture is not included for Phase 2 building.
Staff Comment- No elevations are included for phase 2. Staff requests for those to be provided, or at minimum a reference be made on the plans that this building will be of the same design as in phase 1.
- The proposal does not make mention of a phasing plan other than the label of “Phase 1” and “Phase 2” on the buildings.
Staff Comment- Staff recommends phasing details to be included in this plan. At minimum, staff recommends phase 1 include both phase 1 buildings, public street and driveway connection to phase 1, the full side-path build out, and all TIA requirements be installed prior to phase 1 certificate of occupancy.

General Plan Information

- Parking requirements= 1 space per 500 square feet of floor space. +/-24,200 proposed=48 parking spaces required. Provided 64.
- Minimum Tree Preservation (specimen tree save) for Highway Commercial is 30%. The Rezoning Plan saves no specimen trees.
Staff Comment- Staff has several review comments out regarding tree save including the definition of specimen trees and how that is used to determine the total count, and how the specimen trees will be mitigated for. For Specimen Tree Mitigation, the developer may mitigate the removal of specimen trees by planting new trees on the site whose total caliper (DBH) equals 100% of the total caliper of trees (DBH) to be removed above the ordinance requirement. If site conditions are not conducive for healthy tree planting on site, the developer may contribute to a Tree Fund/Bank. The applicants have not specified how the trees would be mitigated for.
- 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

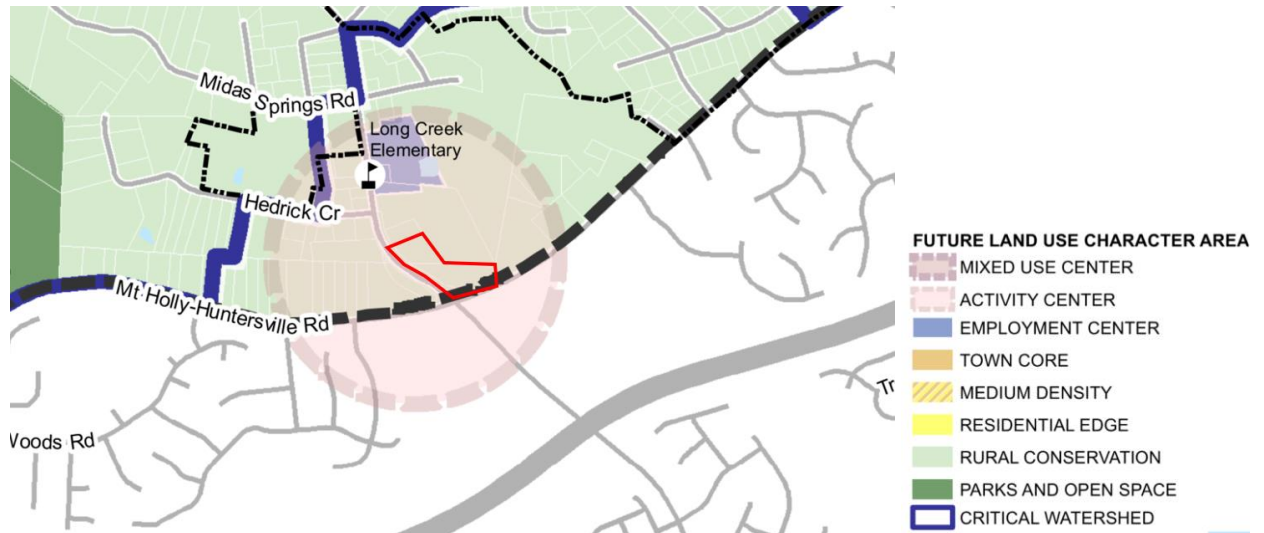
See attached analysis

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 (Subject Parcel within “Activity Center”)



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

- LU-6-Support a mix of land uses in key locations.
 - LU 6.1: A mix of land uses is encouraged in Mixed Use Centers, Activity Centers, Employment Centers identified on the Future Land Use Map.
 - LU 6.2: Commercial uses are encouraged in the Town Core and as specified in adopted Small Area Plans.
Staff Comment: The proposed commercial development is located within a designated Activity Center (see map above) identified as “Long Creek Village”. The Community Plan describes activity centers as “a mix of non-residential and residential uses and are usually located at key intersections of major or minor thoroughfares. New non-residential uses are limited in scale and overall footprint (generally less than 40,000 square feet of non-residential).” This plan adds the non-residential component of this description with less than 40,000 square feet of space.
 - The Beatties Ford/Mt Holly-Huntersville Small Area Plan calls for retail/commercial use in this quadrant of the planning area for these parcels.
- T-3: Improve connectivity throughout the study area.
 - T 3.1: Continue to enhance street connectivity by requiring connections among different uses.
 - Continue to require street connectivity among residential, commercial, employment, recreational and institutional uses.
 - Street connectivity should be emphasized during the review of all development proposals for consistency with the proposed street map and the Zoning Ordinance.
 - Context-sensitive street design should be applied.

Staff Comment: This rezoning adds a key future road connection to the property to the northeast with sidewalks and landscaping for pedestrian access. Per the information given on the proposed plan, it is worth noting that currently there is no phasing plan included for when this street is to be installed. Staff recommends this street to be built with phase 1.

STAFF COMMENT- Staff finds the proposed use/project is **not consistent** with the following policies of the 2040 Huntersville Community Plan:

- Policy EOS-3: Prioritize tree canopy preservation in the lower intensity areas (Residential Edge, Rural Conservation, and Critical Watershed areas).
Staff Comment: The applicant proposal has not incorporated any creativity design to save the minimum requirement of specimen trees identified. Staff recommends design that encourages the preservation of a portion of these trees on site. (See the tree save comments in the previous section.)
- LU8.2: Encourage the achievement of higher design standards.
Staff Comment: The activity center node in the Community Plan calls for a mix of residential and commercial uses. While this adds commercial square footage, it does not accommodate any residential potential. How do these commercial buildings promote a potential residential development in proximity that is walkable and is served by this proposal? Staff recommends a phasing plan that at minimum details that phase 1 will include building 2, all sidewalks, public street, and driveway connection to the public street.

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

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

STAFF COMMENT:

-The proposed rezoning can be consistent with the overall character of the existing development with implementation of revisions to the plan previously stated in this report. More emphasis should be placed on landscaping, buffering, open space design, and tree save.

-Is there an opportunity to incorporate adjacent properties/landowners to engage in conversations about grouping a larger development together for an encouraged “Activity Center” with a mix of residential and commercial uses that feed each other? This would be an ideal scenario that would fit both the Community Plan and the small area plan.

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

STAFF COMMENT:

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 amendment petition R24-03, Long Creek retail, staff may be able to support the proposed plan if the following staff recommendations are implemented:

- 1) More detail regarding buffers, landscaping, urban open space, tree save, elevation details of phase 2.
- 2) Phasing plan commitments.
- 3) Design that goes above and beyond the minimum ordinance requirements like incorporating this site design into a larger plan including other adjacent parcels with mixed use elements.
- 4) Any TIA comments are resolved.

Staff believes that by implementing these recommended revisions, the plan will be consistent with future land use implementation policies LU6.1, 6.2, and T3.1 but at this time there is not enough information and design to support the application.

PART 6: PUBLIC HEARING COMMENTS

A Public Hearing is scheduled for August 6, 2024.

PART 7: PLANNING BOARD RECOMMENDATION

Planning Board Meeting is scheduled for August 27, 2024.

PART 8: TOWN BOARD RECOMMENDATION

Town Board Meeting is scheduled for September 17, 2024.

PART 9: ATTACHMENTS

- A – Rezoning Application
- B – Proposed CD Rezoning Plan
- C – Transportation/Engineering Report
- D – Neighborhood Meeting Report
- E- Elevation Plans

PART 10: CONSISTENCY STATEMENT – R24-03 Long Creek Retail

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed rezoning amendment petition R24-03, Long Creek retail, staff may be able to support the proposed plan if the following staff recommendations are implemented: 1) More detail regarding buffers, landscaping, urban open space, tree save, elevation details of phase 2. 2) Phasing plan commitments. 3) Design that goes above and beyond the minimum ordinance requirements like incorporating this site design into a larger plan including other adjacent parcels with mixed use elements. 4) Any TIA Comments are resolved. <u>It is reasonable and in the public interest to approve this rezoning if the recommended revisions are made to the plan as it would then be consistent with future land use implementation policies LU6.1, 6.2, and T3.1 but at this time there is not enough information and design to support the application.</u>	APPROVAL: <u>(insert applicable plan reference).</u> <u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>	APPROVAL: <u>(insert applicable plan reference).</u> <u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>
	DENIAL: <u>(consistent OR inconsistent) with (insert applicable plan reference).</u> <u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>	DENIAL: <u>(consistent OR inconsistent) with (insert applicable plan reference).</u> <u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>



General Application

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

1. Application Type

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

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

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

2. Project Data

Date of Application August 1, 2023

Name of Project Long Creek Retail CD Revision Phase # (if subdivision) _____

Project Address 8900 & 9000 Beatties Ford Road

Parcel Identification Number(s) (PIN) 01526434 & 01526435

Current Zoning District HC Proposed District (for rezoning only) HC-CD (revising plan)
678 (Beatties Ford) &

Property Size (acres) 4.39 acres Street Frontage (feet) 422 (Mt Holly-Huntersville)

Current Land Use Vacant land and a single family house

Proposed Land Use(s) Retail/Office

Is the project within Huntersville's corporate limits?

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

3. Description of Request

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

This request is to change the approved 2008 conditional rezoning to allow
a 5,200 sf convenience store with fuel canopy, a 6000 sf retail/office
building and a 13,500 sf retail/office building.

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 TA & S Enterprises of NC INC Phone 704-232-3600
☒ 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: _____

Title _____ Email moflehi@quickne-z.com

Address of Applicant 14315 Hus McGinnis Road, Huntersville, NC 28078

7. Property Owner (if different than applicant)

*Printed Name Robert P. Houston, Jr. David Lewis Houston Phone (980) 721-3750
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☒ Other: Individuals

☐ 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 Robert P. Houston, Jr. Printed Name Robert P. Houston, Jr.

Title Co-Owner Email rdelhousten@gmail.com

Address of Property Owner 6548 Jinkins Rd. Huntersville NC 28078

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

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

8. Development/Design Firm Contact Information

TA & S Enterprises of NC INC	Jeff Moflehi	704-232-3600	moflehi@quickne-z.com
Development Firm	Name of Contact	Phone	Email
The Isaacs Group	Brian Upton	704-227-9406	bupton@isaacsgrp.com
Design Firm	Name of Contact	Phone	Email

Contact Information

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



General Application

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 August 1, 2023

Name of Project Long Creek Retail CD Revision Phase # (if subdivision) _____

Project Address 8900 & 9000 Beatties Ford Road

Parcel Identification Number(s) (PIN) 01526434 & 01526435

Current Zoning District HC Proposed District (for rezoning only) HC-CD (revising plan)
678 (Beatties Ford) &

Property Size (acres) 4.39 acres Street Frontage (feet) 422 (Mt Holly-Huntersville)

Current Land Use Vacant land and a single family house

Proposed Land Use(s) Retail/Office

Is the project within Huntersville's corporate limits?

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

3. Description of Request

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

This request is to change the approved 2008 conditional rezoning to allow
a 5,200 sf convenience store with fuel canopy, a 6000 sf retail/office
building and a 13,500 sf retail/office building.

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

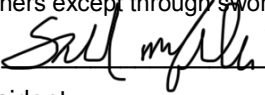
Other agencies may have applications and fees associated with the land development process. The *Review Process* list includes plan documents needed for most town and county reviewing agencies. For major subdivisions, commercial site plans, and rezoning petitions please enclose a copy of the Charlotte-Mecklenburg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

6. Applicant

Printed Name TA & S Enterprises of NC INC Phone 704-232-3600

☒ 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: _____

Title President Email moflehi@quickne-z.com

Saleh Moflehi

Address of Applicant 14315 Hus McGinnis Road, Huntersville, NC 28078

7. Property Owner (if different than applicant)

*Printed Name _____ Phone _____

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

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

Signature _____ Printed Name _____

Title _____ Email _____

Address of Property Owner _____

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

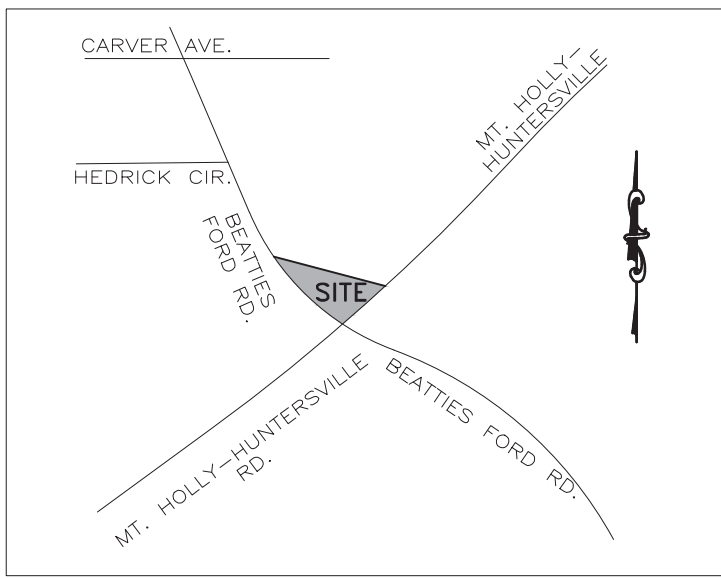
Every owner of each parcel included in this application, or the owner (s) duly authorized agent, must sign this application. If signed by an agent on behalf of the Owner, this application MUST be accompanied by a notarized Limited Power of Attorney signed by the property owner (s), specifically authorizing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

8. Development/Design Firm Contact Information

TA & S Enterprises of NC INC	Jeff Moflehi	704-232-3600	moflehi@quickne-z.com
Development Firm	Name of Contact	Phone	Email
The Isaacs Group	Brian Upton	704-227-9406	bupton@isaacsgrp.com
Design Firm	Name of Contact	Phone	Email

Contact Information

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



VICINITY MAP
NOT TO SCALE

NOTE:

THE TOWN OF HUNTERSVILLE REQUIRES THAT ALL STREETS PROPOSED TO BE TAKEN OVER BY THE TOWN FOR MAINTENANCE BE REVIEWED, INSPECTED, AND CERTIFIED BY A LICENSED PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF NORTH CAROLINA FOR ADEQUATE CONSTRUCTION. REVIEW OF STREET CONSTRUCTION BY THE CERTIFYING ENGINEER IS REQUIRED THROUGHOUT THE CONSTRUCTION PROCESS. REFER TO THE TOWN OF HUNTERSVILLE ENGINEERING STANDARDS AND PROCEDURES MANUAL FOR ADDITIONAL INFORMATION INCLUDING THE REQUIRED CERTIFICATION FORM.

JEFFREY S. BARMETTE
D.B. 33468, PG. 507
PIN: 015-264-36
LAND USE: SINGLE FAMILY
RESIDENTIAL

PROPOSED ROAD IMPROVEMENTS:

1. RIGHT TURN LANE FROM MT. HOLLY-HUNTERSVILLE ROAD
2. RIGHT TURN LANE FROM BEATTIES FORD ROAD
3. LEFT-OVER TURN LANE FROM BEATTIES FORD INTO SITE

LONG CREEK RETAIL

8900 BEATTIES FORD ROAD

REZONING/SKETCH PLAN (MULTI BUILDING SITE)

SHEET INDEX

- RZ0.0 - OVERALL PLAN
- RZ1.0 - REZONING PLAN
- RZ1.1 - ROAD IMPROVEMENT PLAN
- RZ1.2 - LANDSCAPE PLAN
- RZ2.0 - UTILITY PLAN
- RZ3.0 - GRADING & STORM WATER PLAN
- RZ3.1 - EXISTING HYDROLOGY PLAN
- RZ3.2 - POST DEVELOPED MAP & CALCULATIONS
- RZ3.3 - WATER QUALITY PLAN & CALCULATIONS
- RZ4.0 - EXISTING CONDITIONS PLAN
- RZ4.1 - SLOPE ANALYSIS PLAN
- A1.2 - CIRCLE K FLOOR PLAN
- A2.1 - CIRCLE K ELEVATIONS
- A-1 - RETAIL FLOOR PLAN
- A-2 - RETAIL ELEVATIONS

D.B. 38163, PG. 781
PIN: 015-264-37
LAND USE: MULTI FAMILY
RESIDENTIAL

D.B. 35654, PG. 343
PIN: 015-264-43
LAND USE: SING FAMILY
RESIDENTIAL

D.B. 1721, PG. 259
PIN: 015-264-33
LAND USE: SING FAMILY
RESIDENTIAL

PIEDMONT
NATURAL GAS
D.B. 29030, PG. 666

REZONING NOTES:

1. REZONING PETITION. THESE REZONING NOTES COMPRISE THE DEVELOPMENT STANDARDS (DEVELOPMENT STANDARDS) ASSOCIATED WITH THE REZONING PETITION (THE "REZONING PETITION") FILED BY TA & S ENTERPRISES ("PETITIONER"). APPROXIMATELY 4.39 ACRE TRACT OF LAND IDENTIFIED ON THIS SITE PLAN AS LONG CREEK RETAIL (THE "PROJECT"), IN CONNECTION WITH TAX PARCEL NUMBER 01526434 AND 01526435 (THE "PROPERTY"). THE PURPOSE OF THE REZONING PETITION IS TO AMEND THE SITE PLAN APPROVED UNDER REZONING PETITION R-08-01 PURSUANT TO THE PROVISIONS OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE (THE "ORDINANCE").

2. DEVELOPMENT STANDARDS. DEVELOPMENT OF THE PROPERTY WILL BE GOVERNED BY THESE DEVELOPMENT STANDARDS, WHICH ARE PART OF THE REZONING PETITION, AND THE APPLICABLE PROVISIONS OF THE ORDINANCE IN PLACE ON THE DATE OF SUBMITTAL OF THE REZONING PETITION. UNLESS THE REZONING PLAN ESTABLISHES A MORE STRINGENT STANDARD(S), OR UNLESS OTHERWISE NOTED ON THE REZONING PLAN OR IN THESE DEVELOPMENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE IN PLACE ON THE DATE OF SUBMITTAL OF THE REZONING PETITION FOR THE HIGHWAY COMMERCIAL (HC) ZONING GOVERN DEVELOPMENT OF THE PROPERTY AS SHOWN ON THE REZONING PLAN.

3. SCHEMATIC NATURE OF REZONING PLAN. THE PROPOSED IMPROVEMENTS SHOWN ON THE REZONING PLAN ARE SCHEMATIC IN NATURE. MINOR MODIFICATIONS TO THE PLAN MAY OCCUR DURING DESIGN, ENGINEERING AND CONSTRUCTION PHASES OF THE DEVELOPMENT. REMOVAL OF TREES AND VEGETATION, AS GENERALLY SHOWN ON THE REZONING PLAN, IS NECESSARY TO INSTALL THE IMPROVEMENTS.

4. VESTED RIGHTS. THIS REZONING PLAN IS A SITE-SPECIFIC DEVELOPMENT PLAN AND APPROVAL THEREOF CONSTITUTES VESTED RIGHTS IN THE REZONING PLAN PURSUANT TO THE PROVISIONS OF THE ORDINANCE. NOTWITHSTANDING ANY OTHER PROVISIONS OF THESE DEVELOPMENT STANDARDS, IF, AT SOME POINT, MODIFICATIONS ARE MADE TO THE ORDINANCE BY THE TOWN BOARD, PETITIONER MAY VOLUNTARILY AGREE TO APPLY SUCH MODIFICATIONS TO THE REZONING PLAN IN A MANNER CONSISTENT WITH THE ORDINANCE AS IT CHANGES FROM TIME TO TIME, AND WITHOUT PURSUING A REZONING. SUCH MODIFICATIONS TO THE ORDINANCE SHALL IN NO WAY IMPACT THE PETITIONER'S VESTED RIGHTS.

5. PERMITTED USES. THE PROPERTY MAY BE DEVELOPED FOR THE USES ALLOWED IN THE HC ZONING DISTRICT AND AS SHOWN ON THE REZONING PLAN, SUBJECT TO THE DEVELOPMENT STANDARDS ASSOCIATED WITH SUCH USES. ANY LABELING ON THE REZONING PLAN MAY BE AN INDICATION OF THE CURRENT INTENTION ON THE PART OF PETITIONER BUT SHALL NOT RESTRICT THE PROPERTY IN A MANNER THAT CONFLICTS WITH THE PROVISIONS OF THESE DEVELOPMENT NOTES.

6. ACCESS. THE NUMBER OF SITE ACCESS POINTS, DRIVEWAYS AND CONNECTIONS TO ROADS ARE SCHEMATIC IN NATURE. TO THE EXTENT PERMITTED BY APPLICABLE DRIVEWAY PERMIT REQUIREMENTS, FUTURE DRIVEWAYS, ACCESS POINTS AND ROAD CONNECTIONS MAY CROSS THE SETBACK AND SHALL NOT REQUIRE A REZONING OF THE PROPERTY, BUT SHALL OTHERWISE COMPLY WITH APPLICABLE DRIVEWAY PERMIT REQUIREMENTS.

7. SUBDIVISION. THE PROPERTY IS ONE DEVELOPMENT AND MAY BE SUBDIVIDED WITHOUT A REZONING TO ALLOW SEPARATE OWNERS OF INDIVIDUAL PARCELS SO LONG AS SUCH SUBDIVISION IS IN COMPLIANCE WITH APPLICABLE LAW INCLUDING SUBDIVISION REGULATIONS. HOWEVER, RECOMBINATION, CONDOMINIUMIZATION, OR REDUCTION IN THE NUMBER OF PARCELS MAY OCCUR IN ACCORDANCE WITH THE REGULATIONS OF THE ORDINANCE. REQUIREMENTS THAT ARE MET BY THE PROJECT AS A WHOLE, SUCH AS OPEN SPACE, TREE SAVE AND IMPERVIOUS REQUIREMENTS, NEED NOT BE MET BY INDIVIDUAL PARCELS.

8. AMENDMENT. IN THE EVENT ANY PORTION OF THE PROPERTY IS CONVEYED TO A THIRD PARTY, PETITIONER MAY REQUEST AN AMENDMENT TO THE REZONING PLAN WITHOUT THE WRITTEN CONSENT OF ANY OTHER OWNER OF ALL OR ANY PORTION OF THE PROPERTY UNLESS SUCH AMENDMENT CONSTITUTES A CHANGE IN THE BUILDING OR USE OF THE PORTION OF THE PROPERTY OWNED BY SUCH OWNER, PROVIDED PETITIONER PROVIDES FOR SUCH AMENDMENT RIGHT IN THE RECORDED PRIVATE RESTRICTIVE COVENANTS THAT GOVERN THE PROJECT. ALL REQUIREMENTS IN CONNECTION WITH THE AMENDMENT WILL BE CALCULATED ON THE PROPERTY AS A WHOLE IN THE SAME MANNER SUCH REQUIREMENTS WERE CALCULATED AT THE TIME OF THE INITIAL APPROVAL. THIS NOTE SHALL BE SHOWN ON THE FINAL PLAT WHEN RECORDED.

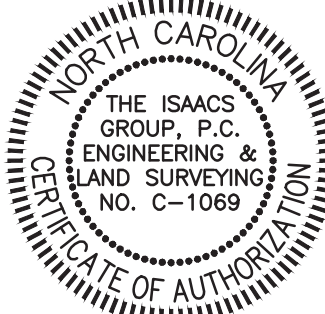
STORM WATER ELEMENTS. BUILT- UPON AREAS SHALL BE IN ACCORDANCE WITH THE ORDINANCE AS REQUIRED FOR THE HIGHWAY COMMERCIAL ZONING DISTRICT.

10. PROPOSED MODIFICATION REQUESTED TO ALLOW GRADING WITHIN THE 30' BUFFER FOR GRADE TRANSITIONING PURPOSES.

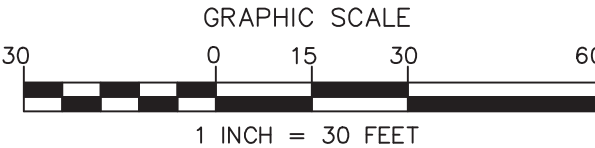
11. UOS FURNITURE TO BE FINALIZED AT TIME OF BUILD OUT.

BEATTIES FORD ROAD
(VARIABLE PUBLIC R/W) SR 2128
N.C.D.O.T. PROJECT 8.7367034

RUSHER OIL COMPANY
D.B. 30449, PG. 488
PIN: 023-062-55
LAND USE: VACANT



Digitally signed by
Brian T. Upton, P.E.
Date: 2024.07.16
11:17:16-04'00'

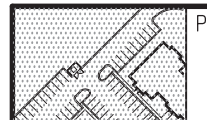


NO.	BY	DATE	REVISION
1	BTU	7/15/24	PER REVIEW COMMENTS

PURPOSE:

TO REZONE EXISTING PROPERTY TO HIGHWAY COMMERCIAL HC-CD IN ORDER TO ALLOW A CONVENIENCE STORE WITH FUEL CANOPY AS WELL AS A FUTURE RETAIL/RESTAURANT/OFFICE BUILDING

ZONING PETITION: R24-03
RECORD: CSP-500014



ISAACS GROUP
CIVIL ENGINEERING DESIGN AND SURVEYING

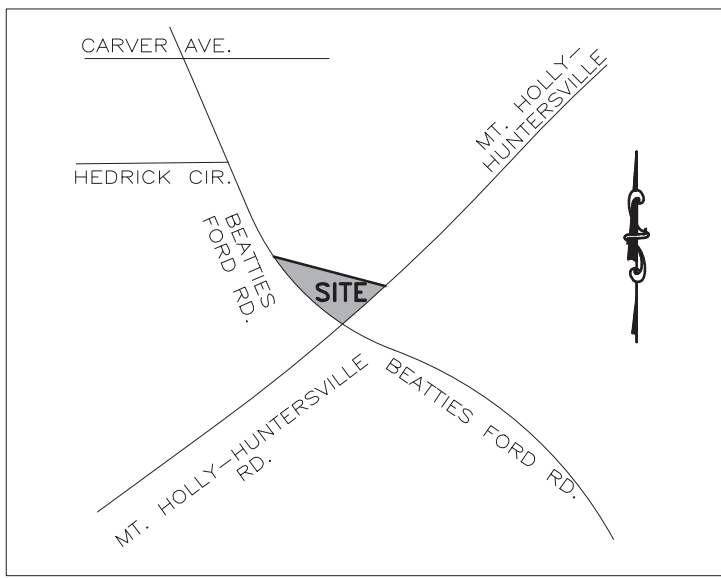
Project: **LONG CREEK RETAIL**
8900 BEATTIES FORD ROAD
HUNTERSVILLE, NC 28078, MECKLENBURG COUNTY

Title: **OVERALL PLAN**

File #: 18048-PB.DWG Date: 03/27/24 Project Egr: BTU
Design By: BTU
Drawn By: RKS
Scale: 1"=30'

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

RZ0.0



VICINITY MAP
NOT TO SCALE

Total Area (acres, square feet)	4.388 AC./191,141 SF
Proposed Disturbed Area (acres, square feet)	4.32 AC./214,749 SF
River Basin	CATAWBA
Stream Classification	C
Principal Use(s) (Z.O. Article 3)	COMMERCIAL RETAIL
Building Type (Z.O. Article 3, 4 and 8.10)	RETAIL & CONVENIENCE STORE
Zoning District (Z.O. Article 3)	HC-CD/R-08-01
Overlay District, if applicable (Article 3 Z.O.)	N/A
Percentage of Impervious Allowed (Article 3 Z.O.)	75.5%
Percentage of Impervious Shown	51.9%
Lot Count	3
Total number of dwellings (detached/ attached)	N/A
Mixed-use/ # of live/work units	N/A
Total area of residential	N/A
Total area of non-residential (square feet)	N/A
Lot size range	N/A
Number of lots within each range (Use more lines if needed)	
Lot widths range (Z.O. Article 3) (Use more lines if needed)	
Setbacks and Build-to-lines (Z.O. Article 3, 4 & 8.10)	15'-20' ALONG RP ROAD & MDR ROAD
From BTL, range or Setback	
Corner setbacks	
Rear setbacks	
Right side setback	
Left side setback	
Watershed Information (Z.O. Article 3 and S.O. Section 7.200)	
Is the property in a regulated watershed district?	Yes X No
Watershed District	
Low Density/High Density	HIGH DENSITY > 12% RWA
Percentage of allowable impervious area	70.0%
Percentage of impervious area shown on plans	51.9%
Amount of lot area set aside for future impervious by homeowner	N/A
FTH If you are proposing to develop a residential subdivision inside the MLO or LHO Watershed Districts you shall reserve 1% of the lot area but not less than 150 sqft impervious area per lot to allow for addition of future impervious area by the homeowner/occupant.	
List all modifications from the approved sketch plan and any conditions of the rezoning plan, if the property is subject a conditional rezoning plan.	SEE RECORDING NOTES 820.0

DEVELOPMENT DATA:

PROJECT NAME: LONG CREEK RETAIL

PLANS PREPARED BY: THE ISAACS GROUP, P.C.

ZONING: HC-CD R-08-01

JURISDICTION: TOWN OF HUNTERSVILLE

PARCEL ADDRESS: 8900 BEATTIES FORD RD

TAX PARCEL NUMBER: 01526434, 01526435

RIVER BASIN: CATAWBA WATERSHED: LONG

STREAM CLASSIFICATION: C (TRIBUTARY TO LONG CREEK)

TOTAL PARCEL SIZE: 191,141/4.388 SQ. FEET/ACRES

PRE-DEVELOPED IMPERVIOUS: 4,677/0.107 SQ. FEET/ACRES

POST-DEVELOPED IMPERVIOUS: 57,660/1.324 SQ. FEET/ACRES

BUILT UPON AREA: 51.9 %

EXISTING USE: VACANT AND SINGLE FAMILY HOUSE

PROPOSED USE: COMMERCIAL - CONV. STORE/RETAIL

PROPOSED BUILDING TYPE: HIGHWAY COMMERCIAL

PROPOSED LOT TYPE: HIGHWAY COMMERCIAL

FUTURE USE: COMMERCIAL/RETAIL/RESTAURANT/OFFICE

BUILDING SETBACK REQUIREMENTS:

15'-20' BUILD TO LINE ALONG MOUNT HOLLY-HUNTERSVILLE RD AND BEATTIES FORD RD

PER LONG CREEK COMMERCIAL REZONING PLAN

PARKING DATA: TOWN OF HUNTERSVILLE LAND DEVELOPMENT CODE

REQUIRED: ONE SPACE PER 500 SQUARE FEET OF FLOOR AREA

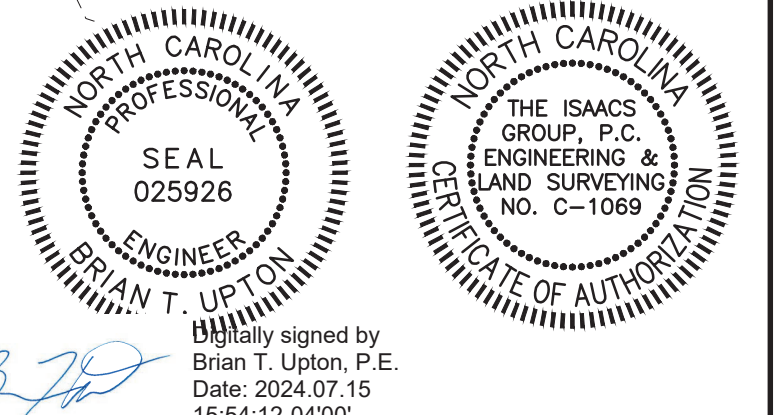
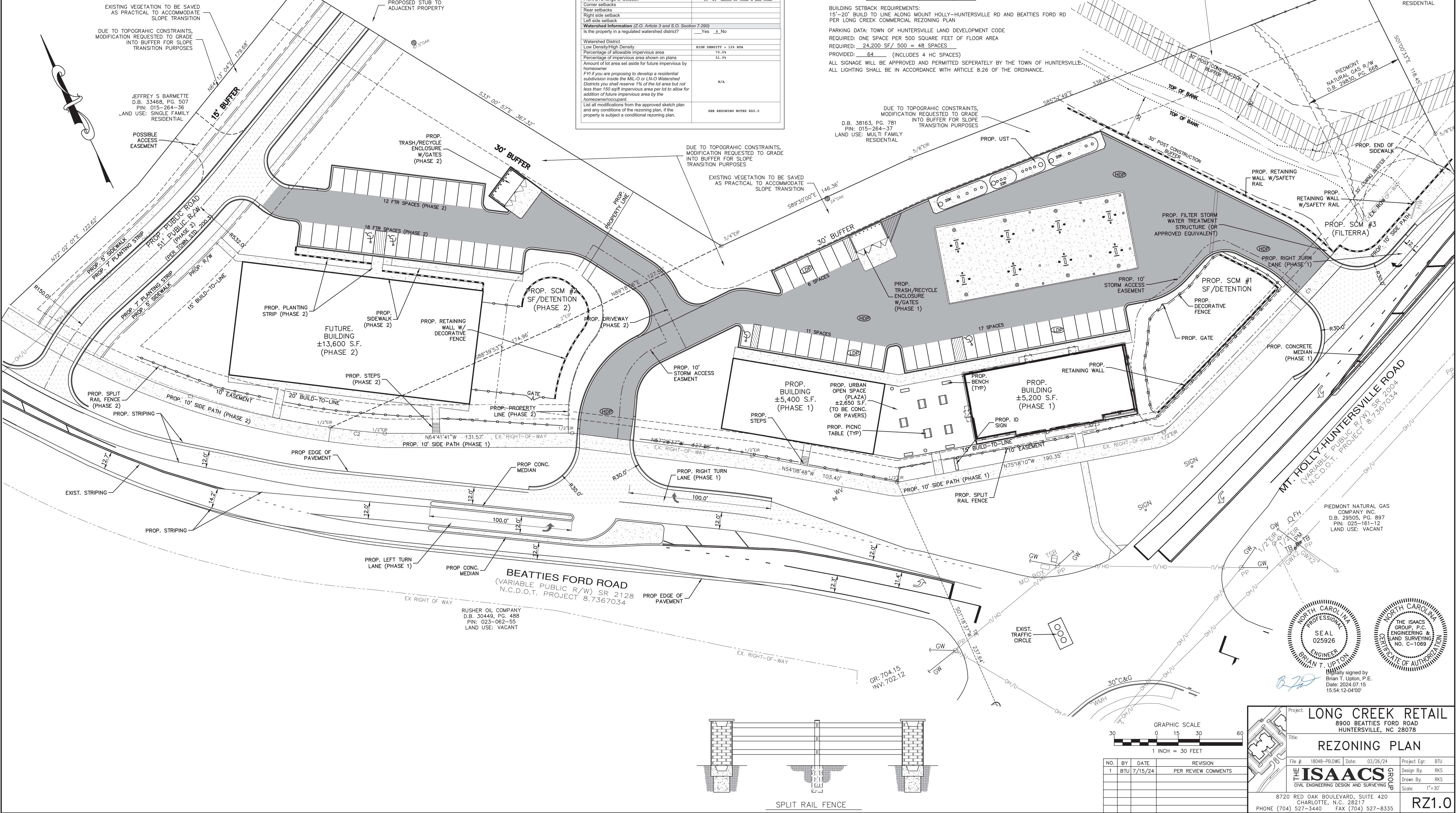
REQUIRED: 24,200 SF / 500 = 48 SPACES

PROVIDED: 64 (INCLUDES 4 HC SPACES)

ALL SIGNAGE WILL BE APPROVED AND PERMITTED SEPARATELY BY THE TOWN OF HUNTERSVILLE.

ALL LIGHTING SHALL BE IN ACCORDANCE WITH ARTICLE 8.26 OF THE ORDINANCE.

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	2804.79'	283.24'	S67°41'38"W	283.12'
C2	548.11'	38.23'	N58°20'31"W	38.22'



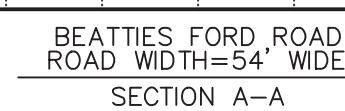
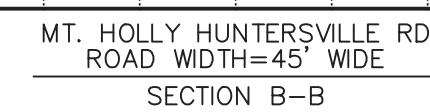
Project: LONG CREEK RETAIL
8900 BEATTIES FORD ROAD
HUNTERSVILLE, NC 28078

Title: REZONING PLAN

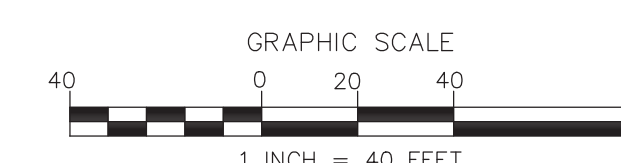
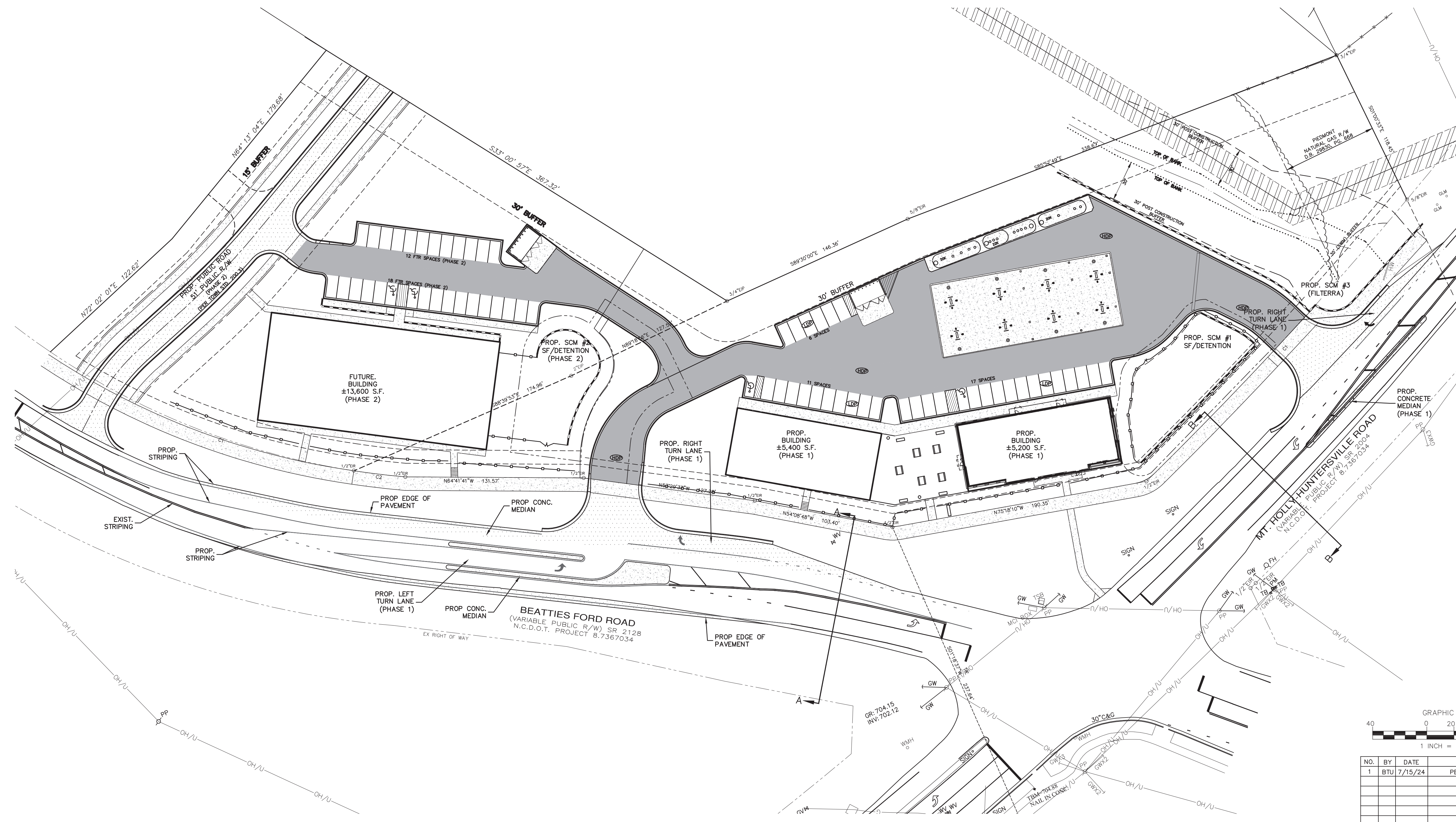
File #: 18048-PB.DWG Date: 03/26/24 Project Egr: BTU
Design By: RKS
Drawn By: RKS
Scale: 1"=30'

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

RZ1.0

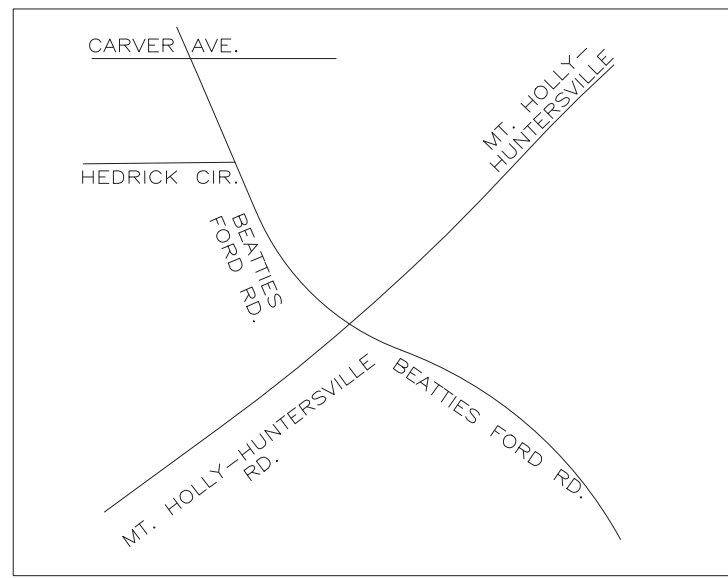


CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	2804.79'	283.24'	S67°41'38"W	283.12'
C2	548.11'	38.23'	N58°20'31"W	38.22'



NO.	BY	DATE	REVISION
1	BTU	7/15/24	PER REVIEW COMMENTS

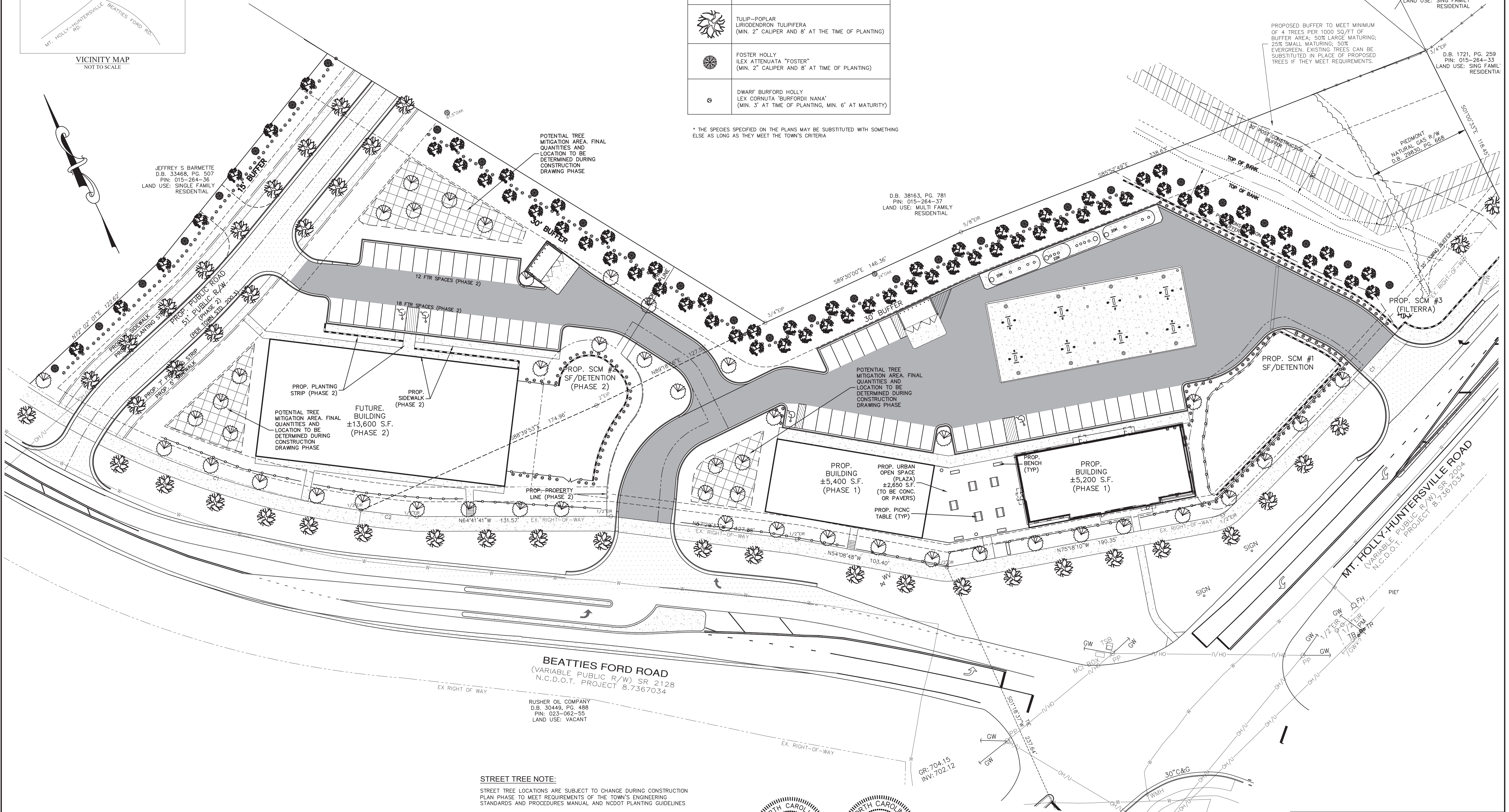




VICINITY MAP
NOT TO SCALE

LANDSCAPE LEGEND SPECIES	
	SOUTHERN RED OAK QUERCUS FALCATA (MIN. 2" CALIPER AND 8' AT THE TIME OF PLANTING)
	DEODAR CEDAR CEDRUS DEODARA (MIN. 2" CALIPER AND 8' AT THE TIME OF PLANTING)
	TULIP-POPLAR LIRIODENDRON TULIPIFERA (MIN. 2" CALIPER AND 8' AT THE TIME OF PLANTING)
	FOSTER HOLLY ILEX ATTENUATA "FOSTER" (MIN. 2" CALIPER AND 8' AT TIME OF PLANTING)
	DWARF BURFORD HOLLY ILEX CORNUTA 'BURFORDII NANA' (MIN. 3' AT TIME OF PLANTING, MIN. 6' AT MATURITY)

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

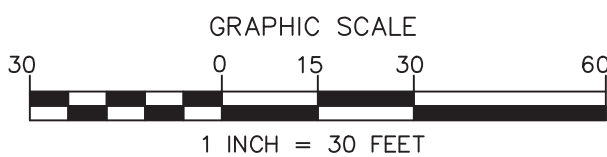
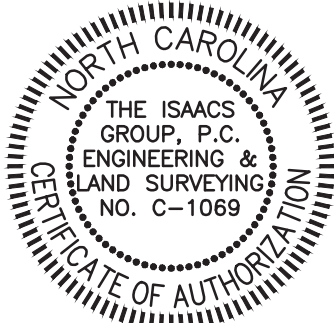


STREET TREE NOTE:
STREET TREE LOCATIONS ARE SUBJECT TO CHANGE DURING CONSTRUCTION PLAN PHASE TO MEET REQUIREMENTS OF THE TOWN'S ENGINEERING STANDARDS AND PROCEDURES MANUAL AND NCDOT PLANTING GUIDELINES

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	2804.79'	283.24'	S67°41'38"W	283.12'
C2	548.11'	38.23'	N58°20'31"W	38.22'



Digitally signed by
Brian T. Upton, P.E.
Date: 2024.07.16
11:17:48-04'00'



NO.	BY	DATE	REVISION
1	BTU	7/15/24	PER REVIEW COMMENTS

Project: **LONG CREEK RETAIL**
8900 BEATTIES FORD ROAD
HUNTERSVILLE, NC 28078

Title: **LANDSCAPE PLAN**

File #: 18048-PB.DWG Date: 03/27/24 Project Egr: BTU

Design By: RKS

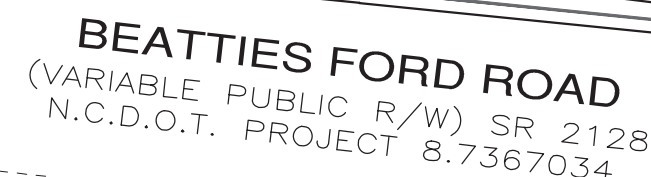
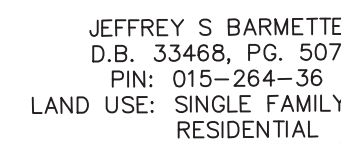
Drawn By: RKS

Scale: 1"=30'

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

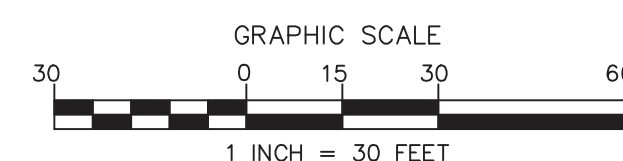
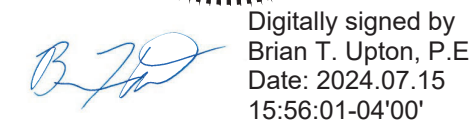
THE ISAACS GROUP
CIVIL ENGINEERING DESIGN AND SURVEYING

RZ1.2



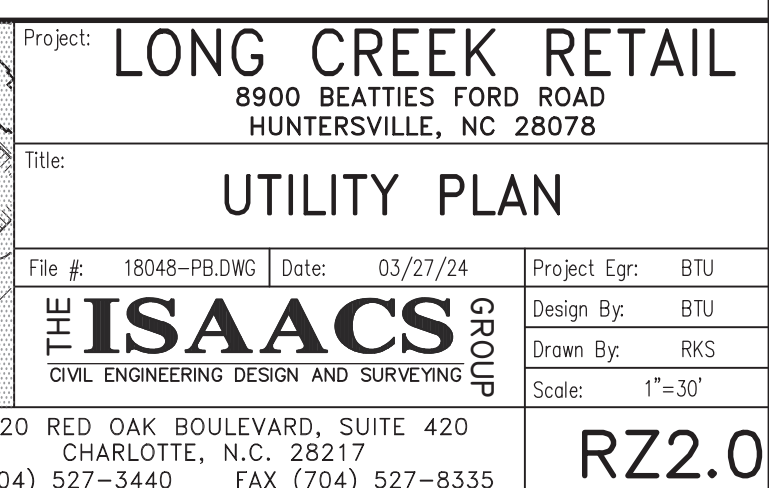
RUSHER OIL COMPANY
D.B. 30449, PG. 488
PIN: 023-062-55
* AND USE: VACANT

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	2804.79'	283.24'	S67°41'38"W	283.12'
C2	548.11'	38.23'	N58°20'31"W	38.22'

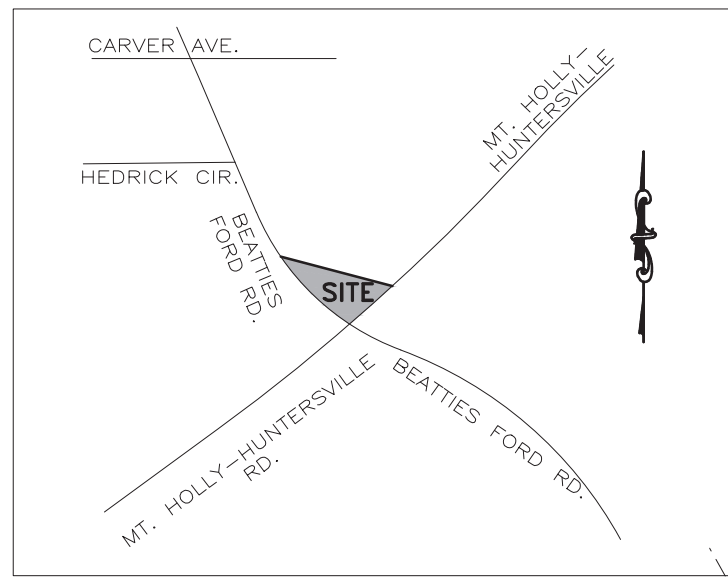


NO.	BY	DATE	REVISION
1	BTU	7/15/24	PER REVIEW COMMENTS

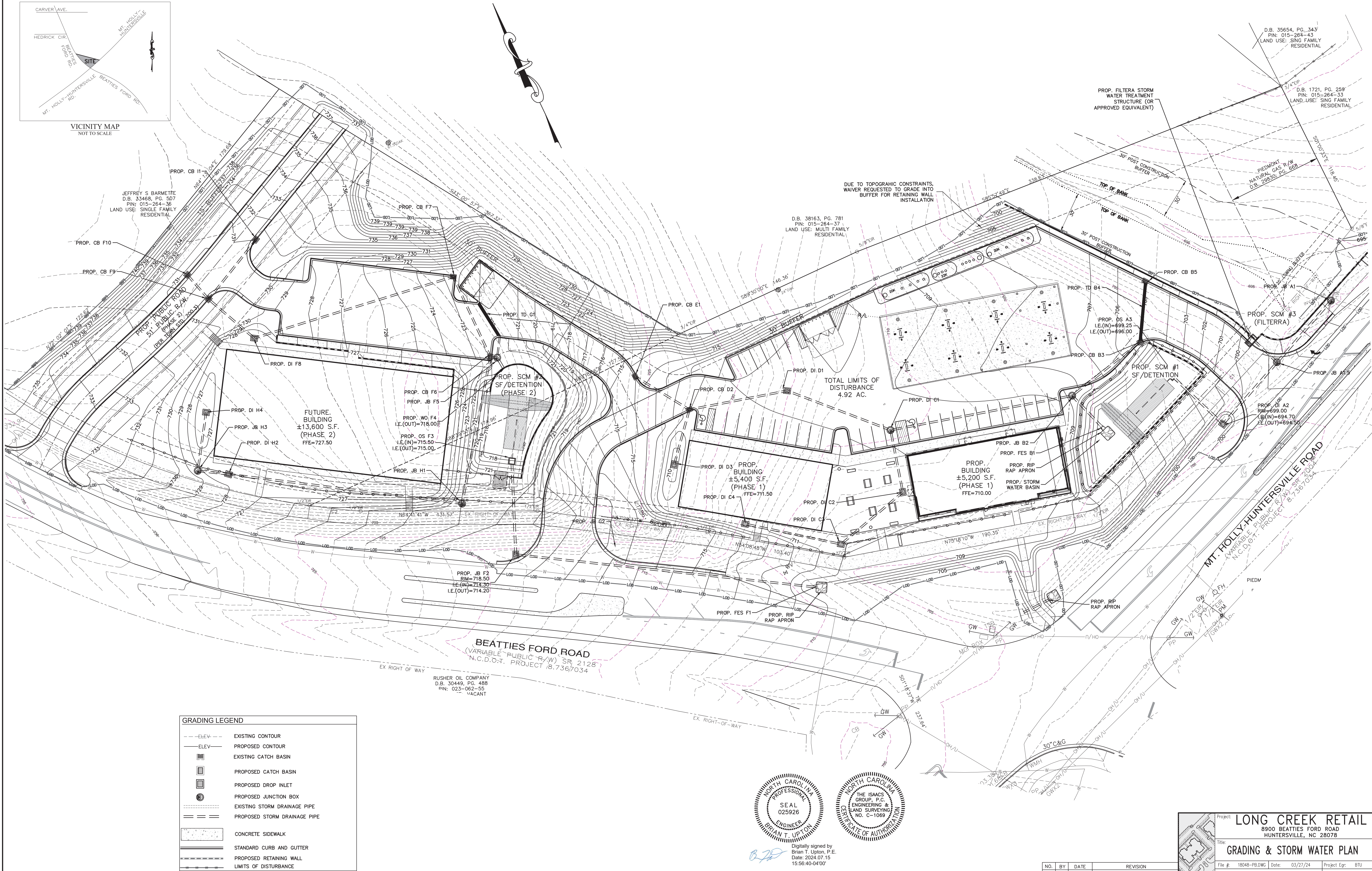
PRELIMINARY
FOR REVIEW PURPOSES ONLY



RZ2.0

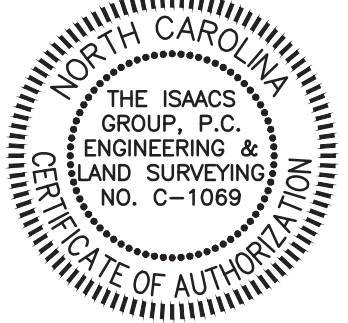


VICINITY MAP
NOT TO SCALE

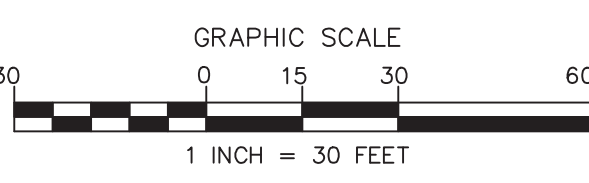


GRADING LEGEND	
	EXISTING CONTOUR
	PROPOSED CONTOUR
	EXISTING CATCH BASIN
	PROPOSED CATCH BASIN
	PROPOSED DROP INLET
	PROPOSED JUNCTION BOX
	EXISTING STORM DRAINAGE PIPE
	PROPOSED STORM DRAINAGE PIPE
	CONCRETE SIDEWALK
	STANDARD CURB AND GUTTER
	PROPOSED RETAINING WALL
	LIMITS OF DISTURBANCE

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	2804.79'	283.24'	S67°41'38"W	283.12'
C2	548.11'	38.23'	N58°20'31"W	38.22'



Digitally signed by
Brian T. Upton, P.E.
Date: 2024.07.15
15:56:40-04'00'



NO.	BY	DATE	REVISION
1	BTU	7/15/24	PER REVIEW COMMENTS

Project: **LONG CREEK RETAIL**
8900 BEATTIES FORD ROAD
HUNTERSVILLE, NC 28078

Title: **GRADING & STORM WATER PLAN**

File #: 18048-PB.DWG Date: 03/27/24 Project Egr: BTU

Design By: BTU

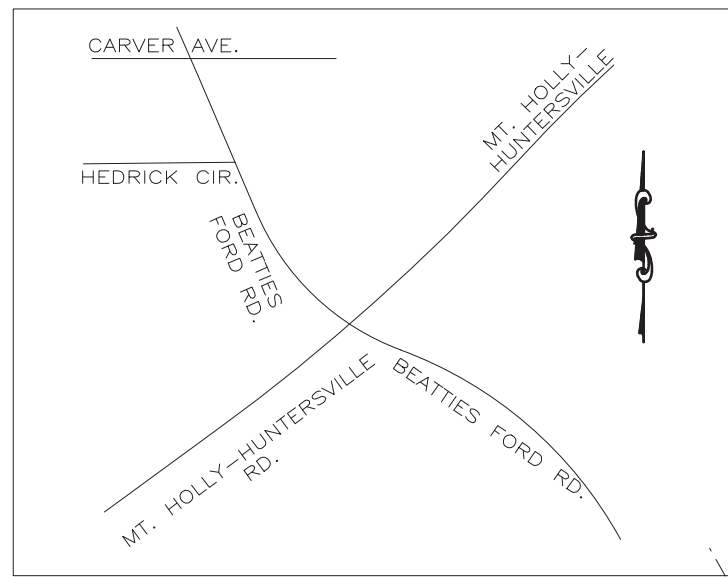
Drawn By: RKS

Scale: 1"=30'

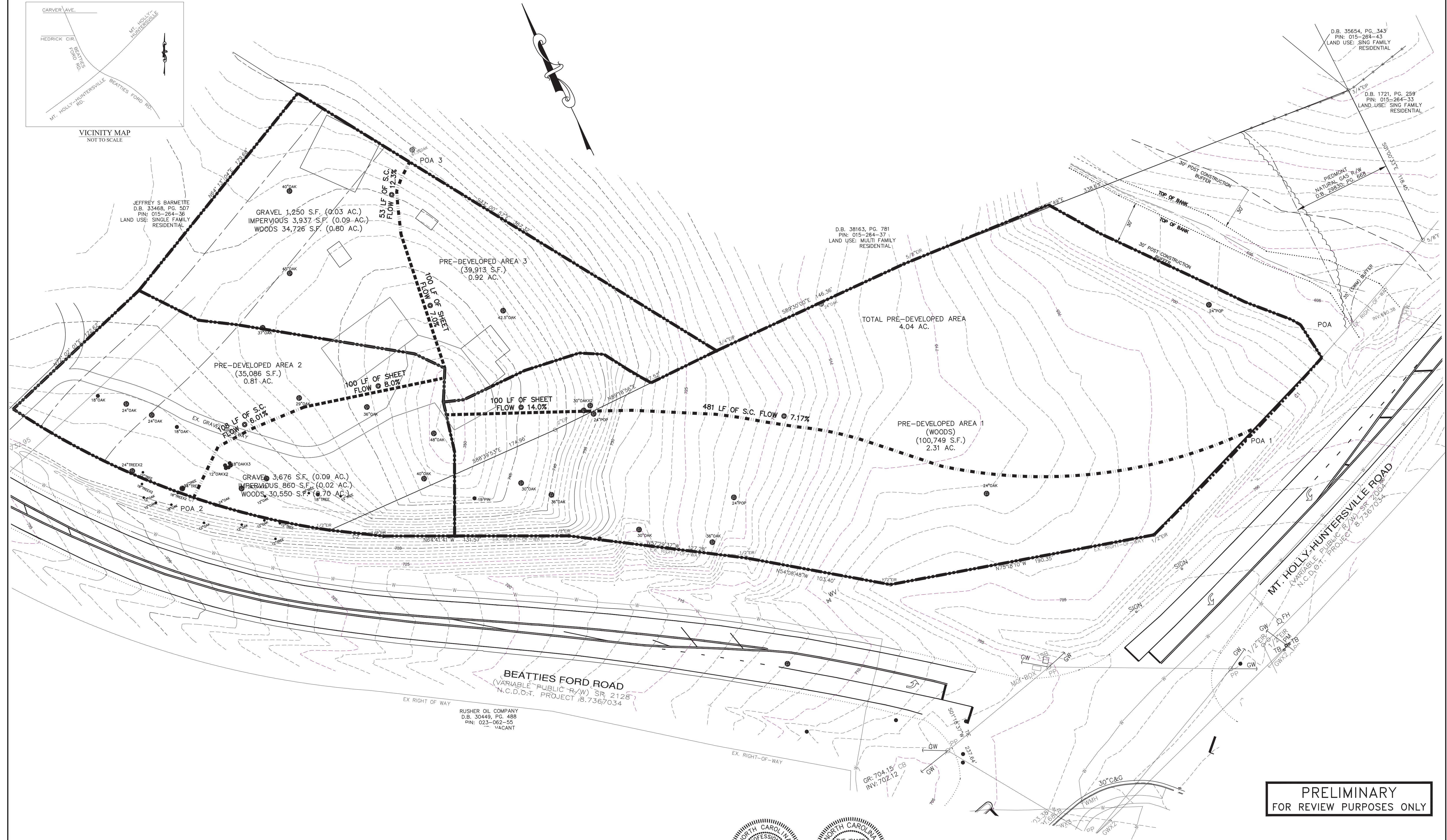
THE ISAACS GROUP
CIVIL ENGINEERING DESIGN AND SURVEYING

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

RZ3.0



VICINITY MAP
NOT TO SCALE

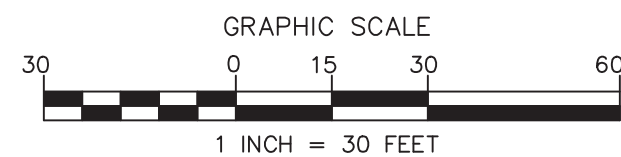
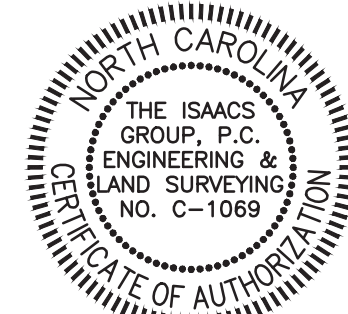


PRELIMINARY
FOR REVIEW PURPOSES ONLY

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	2804.79'	283.24'	S67°41'38"W	283.12'
C2	548.11'	38.23'	N58°20'31"W	38.22'



Digitally signed by
Brian T. Upton, P.E.
Date: 2024.07.15
15:57:12-04'00'



NO.	BY	DATE	REVISION
1	RKS	7/15/24	PER REVIEW COMMENTS

Project: **LONG CREEK RETAIL**
8900 BEATTIES FORD ROAD
HUNTERSVILLE, NC 28078

Title: **EXISTING HYDROLOGY PLAN**

File #: 18048-PB.DWG Date: 03/27/24 Project Egr: BTU

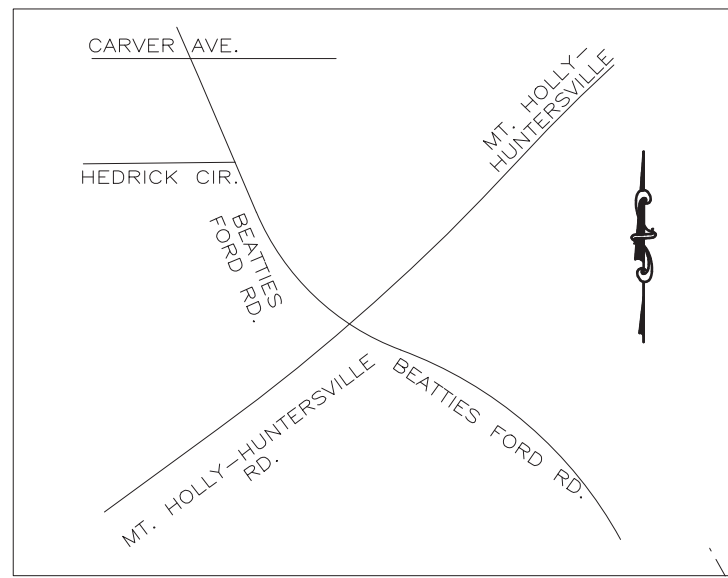
Design By: BTU

Drawn By: RKS

Scale: 1"=30'

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

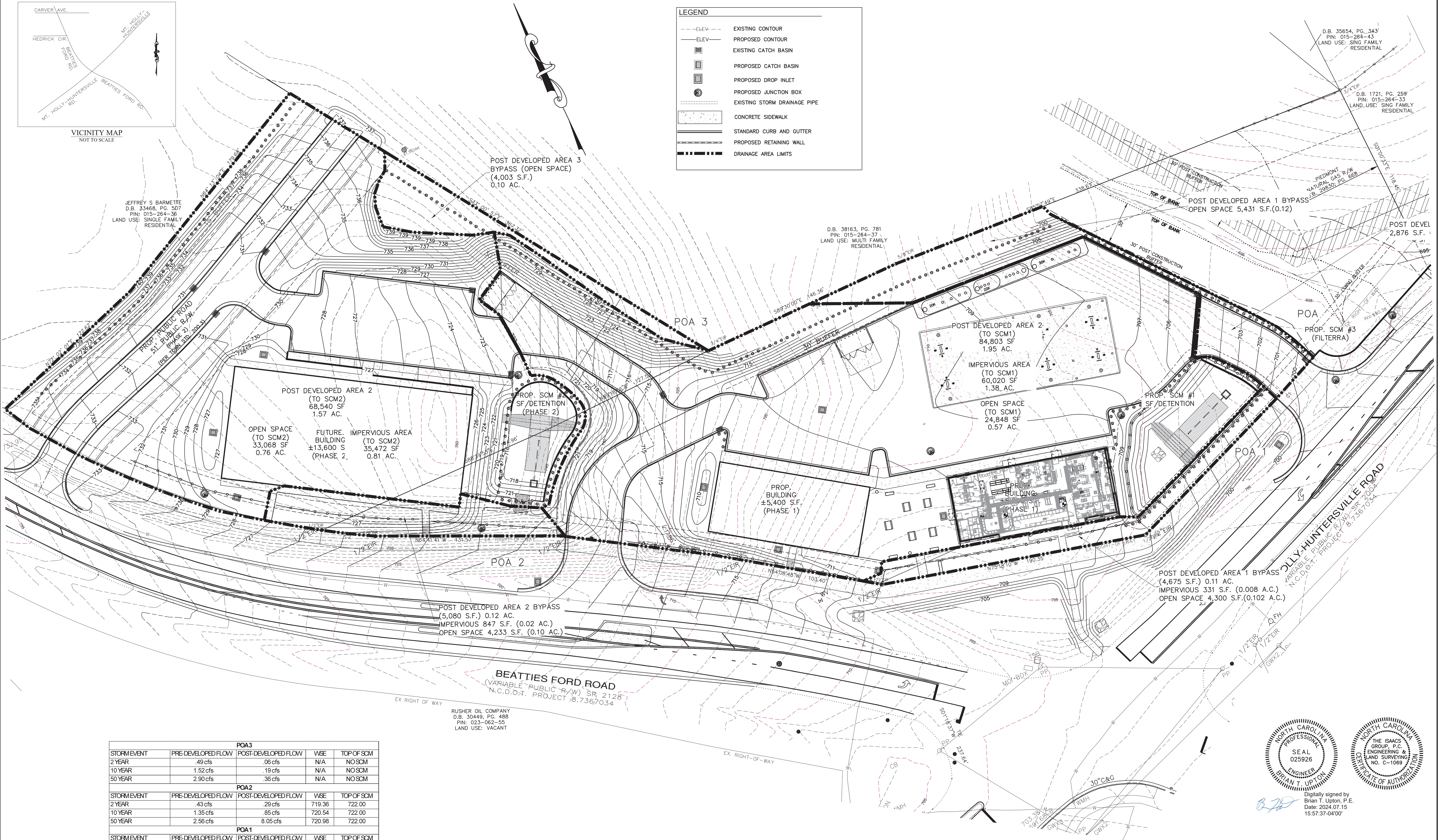
RZ3.1



VICINITY MAP
NOT TO SCALE

LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING CATCH BASIN
- PROPOSED CATCH BASIN
- PROPOSED DROP INLET
- PROPOSED JUNCTION BOX
- EXISTING STORM DRAINAGE PIPE
- CONCRETE SIDEWALK
- STANDARD CURB AND GUTTER
- PROPOSED RETAINING WALL
- DRAINAGE AREA LIMITS



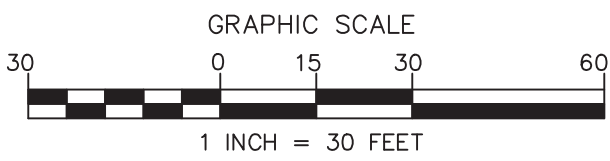
POA3				
STORM EVENT	PRE-DEVELOPED FLOW	POST-DEVELOPED FLOW	WSE	TOP OF SCM
2 YEAR	.49 cfs	.06 cfs	N/A	NO SCM
10 YEAR	1.52 cfs	.19 cfs	N/A	NO SCM
50 YEAR	2.90 cfs	.36 cfs	N/A	NO SCM

POA2				
STORM EVENT	PRE-DEVELOPED FLOW	POST-DEVELOPED FLOW	WSE	TOP OF SCM
2 YEAR	.43 cfs	.29 cfs	719.36	722.00
10 YEAR	1.35 cfs	.85 cfs	720.54	722.00
50 YEAR	2.56 cfs	8.05 cfs	720.98	722.00

POA1				
STORM EVENT	PRE-DEVELOPED FLOW	POST-DEVELOPED FLOW	WSE	TOP OF SCM
2 YEAR	.47 cfs	.49 cfs	704.33	706.00
10 YEAR	2.55 cfs	2.83 cfs	704.91	706.00
50 YEAR	5.65 cfs	19.30 cfs	705.03	706.00

POA (ACCUMULATIVE)				
STORM EVENT	PRE-DEVELOPED FLOW	POST-DEVELOPED FLOW	PREVS	POST CHECK
2 YEAR	1.39 cfs	.84 cfs	0.84 < 1.39	THEREFORE OK
10 YEAR	5.42 cfs	3.87 cfs	3.87 < 5.42	THEREFORE OK
50 YEAR	11.11 cfs	27.71 cfs		N/A

DETENTION SUMMARY CHART



NO.	BY	DATE	REVISION

LONG CREEK RETAIL
8900 BEATTIES FORD ROAD
HUNTERSVILLE, NC 28078

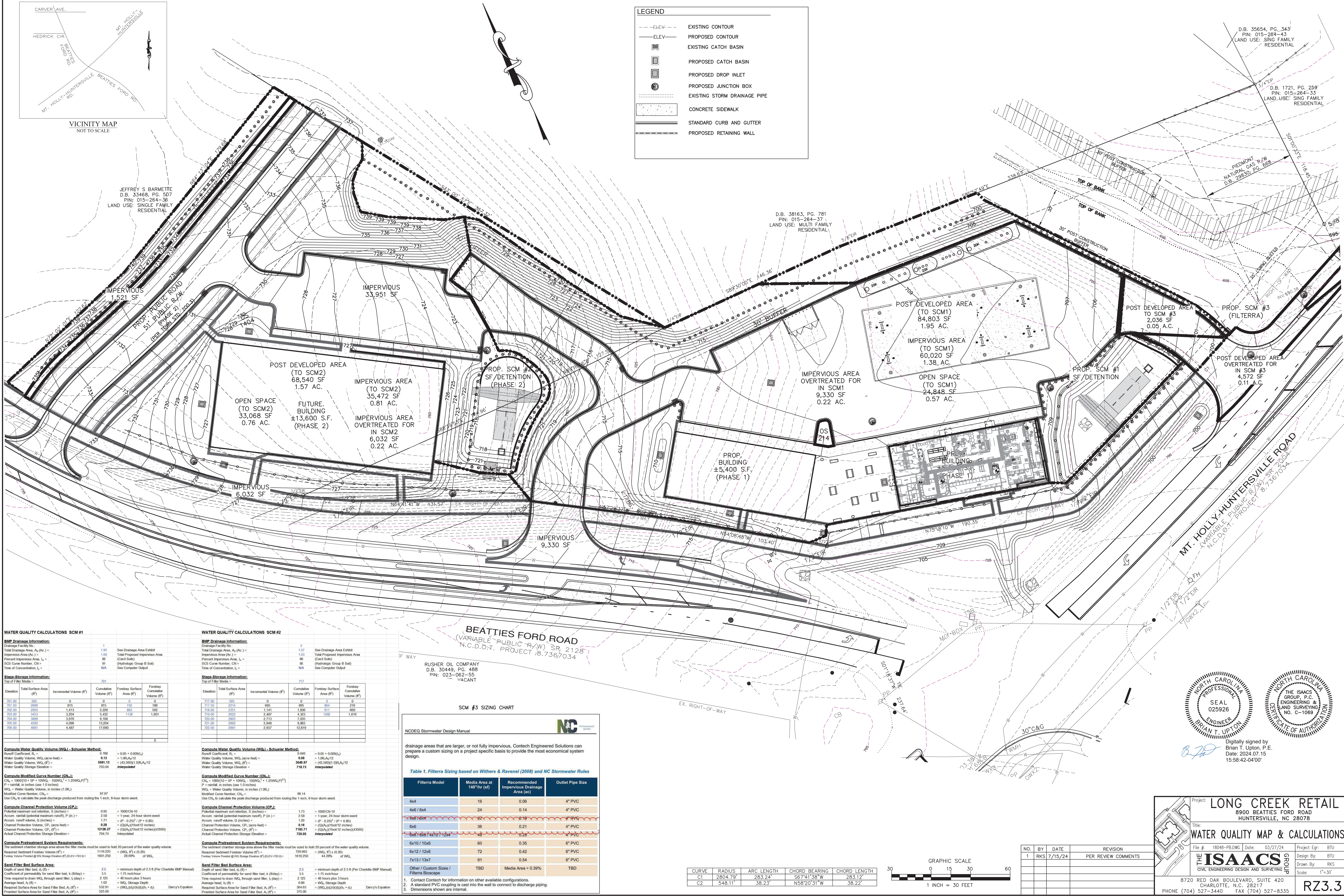
POST DEVELOPED MAP & CALCULATIONS

File #: 18048-PB.DWG Date: 07/15/24 Project Egr: BTU
Design By: BTU
Drawn By: RKS
Scale: 1"=30'

THE ISAACS GROUP
CIVIL ENGINEERING DESIGN AND SURVEYING

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

RZ3.2



WATER QUALITY CALCULATIONS SCM #1

BMP Drainage Information:				
Drainage Facility No.	1			
Total Drainage Area, A _T (Ac.) =	1.95	See Drainage Area Exhibit		
Impervious Area (Ac.) =	1.03	Total Proposed Impervious Area (Coastal Slope)		
Percent Impervious Area, I _p =	82	(Hydraulic Group B Soil)		
SCS Curve Number, C _N =	91	See Computer Output		
Time of Concentration, T _c =	N/A			
Stage-Storage Information:				
Top of Filter Media =	701			
Elevation	Total Surface Area (ft ²)	Incremental Volume (ft ³)	Forebay Surface Area (ft ²)	Forebay Cumulative Volume (ft ³)
701.00	385	0	0	0
701.50	399	85	742	85
702.00	2955	1,413	2,228	883
703.00	3,553	3,204	1,136	1,881
704.00	3,989	5,196		
705.00	4,052	4,086	13,204	
706.00	4,081	4,407	17,690	
				0

Compute Water Quality Volumes (WQV) - Schueler Method:
Runoff Coefficient, C_p = 0.78 = 0.05 + 0.009(I_p)
Water Quality Volume, WQV₁ (acre-feet) = 0.88
Water Quality Volume, WQV₂ (ft³) = 6881.33
Water Quality Storage Elevation = 703.04

Compute Modified Curve Number (CN₂):
CN₂ = 100(10.57 + 5.98 WQV₁ + 0.0019 WQV₂ + 1.29 WQV₂²) / (P + rainfall, in inches (use 1.0 inches))
WQV₁ = Water Quality Volume, in inches (1.0R)
Modified Curve Number, CN₂ = 97.97
Use CN₂ to calculate the peak discharge produced from routing the 1-inch, 6-hour storm event.

Compute Channel Protection Volume (CPV):
Potential maximum soil infiltration, S_i (inches) = 0.95 = 1000(CN₂ - 10)
Accum. rainfall (potential maximum runoff), P_r (in.) = 2.58 = 1-year, 24-hour storm event
Accum. rainfall volume, Q_r (inches) = 1.71 = (P_r - 0.25) / (P + 0.85)
Channel Protection Volume, CPV₁ (acre-feet) = 0.28 = (Q_r / 12) / (12 inches)
Channel Protection Volume, CPV₂ (ft³) = 1218.37
Actual Channel Protection Storage Elevation = 704.14

Compute Pretreatment System Requirements:
The sediment chamber storage area above the filter media must be sized to hold 20 percent of the water quality volume.
Required Sediment Forebay Volume (ft³) = 1116.225 = (WQV₂ / 3) x (0.20)
Forebay Volume Provided @ 702 Storage Elevation (ft³) (ELEV = 703.04) = 1601.250
28.69% of WQV₂

Sand Filter Bed Surface Area:
Depth of sand filter bed, d_s (ft) = 2.5 = minimum depth of 2.5 ft (Per Charlotte BMP Manual)
Coefficient of permeability for sand filter bed, k_s (ft/day) = 3.5 = 1.75 inch/hour
Time required to drain WQV₂ through sand filter, t_d (day) = 2.95 = 48 hours plus 3 hours
Average head, h_a (ft) = 1.02 = WQV₂ Storage Depth
Required Surface Area for Sand Filter Bed, A_s (ft²) = 522.91 = (WQV₂ / (k_s / 3600)) / h_a
Provided Surface Area for Sand Filter Bed, A_p (ft²) = 525.00

WATER QUALITY CALCULATIONS SCM #2

BMP Drainage Information:				
Drainage Facility No.	2			
Total Drainage Area, A _T (Ac.) =	1.57	See Drainage Area Exhibit		
Impervious Area (Ac.) =	1.03	Total Proposed Impervious Area (Coastal Slope)		
Percent Impervious Area, I _p =	66	(Hydraulic Group B Soil)		
SCS Curve Number, C _N =	92	See Computer Output		
Time of Concentration, T _c =	N/A			
Stage-Storage Information:				
Top of Filter Media =	717			
Elevation	Total Surface Area (ft ²)	Incremental Volume (ft ³)	Forebay Surface Area (ft ²)	Forebay Cumulative Volume (ft ³)
717.00	385	0	0	0
717.50	2214	695	695	695
718.00	2351	1,141	1,696	811
719.00	2925	2,407	4,293	1,000
720.00	2803	2,713	7,005	
721.00	2895	2,848	9,853	
722.00	2981	2,937	12,819	

Compute Water Quality Volumes (WQV) - Schueler Method:
Runoff Coefficient, C_p = 0.60 = 0.05 + 0.009(I_p)
Water Quality Volume, WQV₁ (acre-feet) = 0.88
Water Quality Volume, WQV₂ (ft³) = 3448.97
Water Quality Storage Elevation = 718.73

Compute Modified Curve Number (CN₂):
CN₂ = 100(10.57 + 5.98 WQV₁ + 0.0019 WQV₂ + 1.29 WQV₂²) / (P + rainfall, in inches (use 1.0 inches))
WQV₁ = Water Quality Volume, in inches (1.0R)
Modified Curve Number, CN₂ = 96.14
Use CN₂ to calculate the peak discharge produced from routing the 1-inch, 6-hour storm event.

Compute Channel Protection Volume (CPV):
Potential maximum soil infiltration, S_i (inches) = 1.73 = 1000(CN₂ - 10)
Accum. rainfall (potential maximum runoff), P_r (in.) = 2.58 = 1-year, 24-hour storm event
Accum. rainfall volume, Q_r (inches) = 1.26 = (P_r - 0.25) / (P + 0.85)
Channel Protection Volume, CPV₁ (acre-feet) = 0.16 = (Q_r / 12) / (12 inches)
Channel Protection Volume, CPV₂ (ft³) = 7183.71
Actual Channel Protection Storage Elevation = 720.08

Compute Pretreatment System Requirements:
The sediment chamber storage area above the filter media must be sized to hold 20 percent of the water quality volume.
Required Sediment Forebay Volume (ft³) = 729.993 = (WQV₂ / 3) x (0.20)
Forebay Volume Provided @ 702 Storage Elevation (ft³) (ELEV = 703.04) = 1616.250
44.29% of WQV₂

Sand Filter Bed Surface Area:
Depth of sand filter bed, d_s (ft) = 2.5 = minimum depth of 2.5 ft (Per Charlotte BMP Manual)
Coefficient of permeability for sand filter bed, k_s (ft/day) = 3.5 = 1.75 inch/hour
Time required to drain WQV₂ through sand filter, t_d (day) = 2.95 = 48 hours plus 3 hours
Average head, h_a (ft) = 0.86 = WQV₂ Storage Depth
Required Surface Area for Sand Filter Bed, A_s (ft²) = 354.63 = (WQV₂ / (k_s / 3600)) / h_a
Provided Surface Area for Sand Filter Bed, A_p (ft²) = 375.00

BEATTIES FORD ROAD
(VARIABLE PUBLIC R/W) SR 2128
N.C.D.O.T. PROJECT 18.7367034

RUSHER OIL COMPANY
D.B. 30449, PG. 483
PIN: 023-062-55
VACANT

SCM #3 SIZING CHART

Filterra Model	Media Area at 140" (sq ft)	Recommended Impervious Drainage Area (ac)	Outlet Pipe Size
4x4	16	0.06	4" PVC
4x6 / 6x4	24	0.14	4" PVC
4x8 / 8x4	32	0.19	4" PVC
6x6	36	0.21	4" PVC
6x6 / 6x6 / 4x12 / 12x4	48	0.28	4" PVC
6x10 / 10x6	60	0.35	6" PVC
6x12 / 12x6	72	0.42	6" PVC
7x13 / 13x7	91	0.54	6" PVC
Other / Custom Sizes / Filterra Bioscope	TBD	Media Area = 0.39%	TBD

Table 1. Filterra Sizing based on Withers & Ravenel (2008) and NC Stormwater Rules

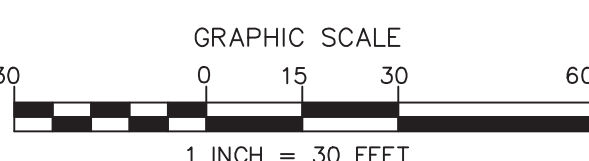
drainage areas that are larger, or not fully impervious, Contech Engineered Solutions can prepare a custom sizing on a project specific basis to provide the most economical system design.

NCDEQ Stormwater Design Manual

Compute Pretreatment System Requirements:
The sediment chamber storage area above the filter media must be sized to hold 20 percent of the water quality volume.
Required Sediment Forebay Volume (ft³) = 729.993 = (WQV₂ / 3) x (0.20)
Forebay Volume Provided @ 702 Storage Elevation (ft³) (ELEV = 703.04) = 1616.250
44.29% of WQV₂

Sand Filter Bed Surface Area:
Depth of sand filter bed, d_s (ft) = 2.5 = minimum depth of 2.5 ft (Per Charlotte BMP Manual)
Coefficient of permeability for sand filter bed, k_s (ft/day) = 3.5 = 1.75 inch/hour
Time required to drain WQV₂ through sand filter, t_d (day) = 2.95 = 48 hours plus 3 hours
Average head, h_a (ft) = 0.86 = WQV₂ Storage Depth
Required Surface Area for Sand Filter Bed, A_s (ft²) = 354.63 = (WQV₂ / (k_s / 3600)) / h_a
Provided Surface Area for Sand Filter Bed, A_p (ft²) = 375.00

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	2804.79'	283.24'	S67°41'38"W	283.12'
C2	548.11'	38.23'	N58°20'31"W	38.22'



NO.	BY	DATE	REVISION
1	RKS	7/15/24	PER REVIEW COMMENTS

Project: **LONG CREEK RETAIL**
8900 BEATTIES FORD ROAD
HUNTERSVILLE, NC 28078

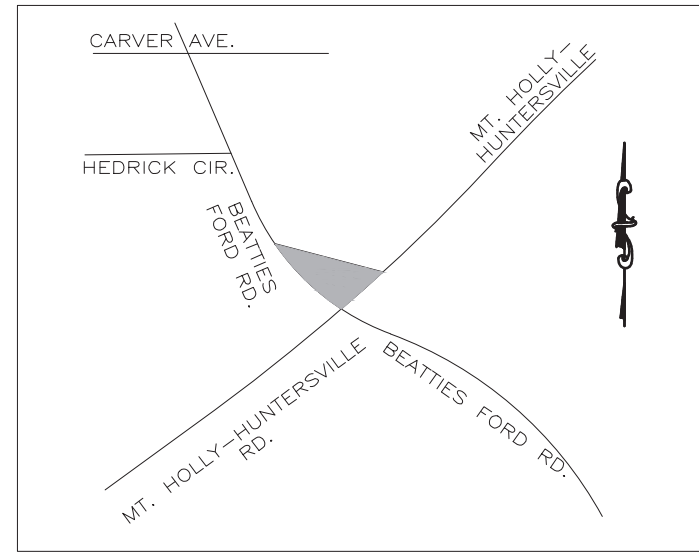
Title: **WATER QUALITY MAP & CALCULATIONS**

File #: 18048-PB.DWG Date: 03/27/24 Project Egr: BTU
Design By: BTU
Drawn By: RKS
Scale: 1"=30'

THE ISAACS GROUP
CIVIL ENGINEERING DESIGN AND SURVEYING

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

RZ3.3



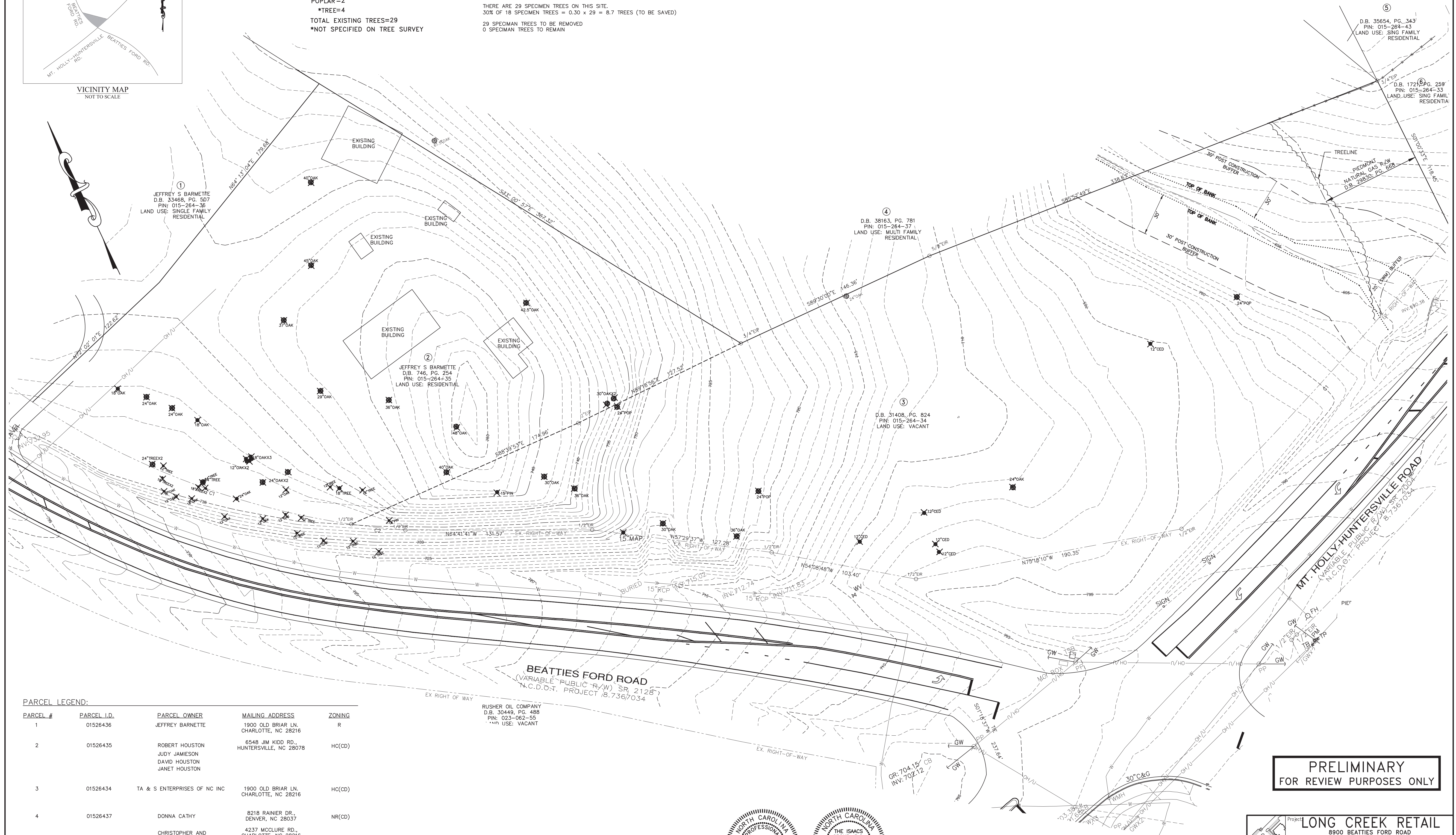
VICINITY MAP
NOT TO SCALE

SPECIMEN & HERITAGE TREE COUNTS:

OAK = 23
POPLAR = 2
*TREE = 4
TOTAL EXISTING TREES = 29
*NOT SPECIFIED ON TREE SURVEY

SPECIMEN TREE SAVE REQUIREMENT:

FOR HC ZONING, TREE SAVE = 30% OF SPECIMEN TREES
(CANOPY TREES > 24" OR UNDERSTORY TREES > 18")
THERE ARE 29 SPECIMEN TREES ON THIS SITE.
30% OF 18 SPECIMEN TREES = 0.30 x 29 = 8.7 TREES (TO BE SAVED)
29 SPECIMEN TREES TO BE REMOVED
0 SPECIMEN TREES TO REMAIN



PARCEL LEGEND:

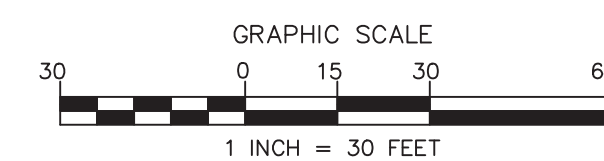
PARCEL #	PARCEL I.D.	PARCEL OWNER	MAILING ADDRESS	ZONING
1	01526436	JEFFREY BARNETTE	1900 OLD BRIAR LN. CHARLOTTE, NC 28216	R
2	01526435	ROBERT HOUSTON JUDY JAMIESON DAVID HOUSTON JANET HOUSTON	6548 JIM KIDD RD., HUNTERVILLE, NC 28078	HC(CD)
3	01526434	TA & S ENTERPRISES OF NC INC	1900 OLD BRIAR LN. CHARLOTTE, NC 28216	HC(CD)
4	01526437	DONNA CATHY CHRISTOPHER AND CANDACE KIDD ROGER AND SYLVIA CATHEY	8218 RAINIER DR., DENVER, NC 28037 4237 MCCLURE RD., CHARLOTTE, NC 28216 PO BOX 5096 N. MYRTLE BEACH, SC 29597	NR(CD)
5	01526443	CARVER BOWMAN LLC	13815 CINNABAR PL HUNTERVILLE, NC 28078	NR(CD)
6	01526433	CONRAD DEWEY PUCKETT JR	8411 MT. HOLLY-HUNTERVILLE RD HUNTERVILLE, NC 28078	R

BEATTIES FORD ROAD
(VARIABLE PUBLIC R/W) SR 2128
N.C.D.O.T. PROJECT 8.7367034

RUSHER OIL COMPANY
D.B. 30449, PG. 488
PIN: 023-062-55
LAND USE: VACANT



Digitally signed by
Brian T. Upton, P.E.
Date: 2024.07.15
15:59:33-04'00'



NO.	BY	DATE	REVISION
1	BTU	7/15/24	PER REVIEW COMMENTS

PRELIMINARY
FOR REVIEW PURPOSES ONLY

Project: **LONG CREEK RETAIL**
8900 BEATTIES FORD ROAD
HUNTERVILLE, NC 28078

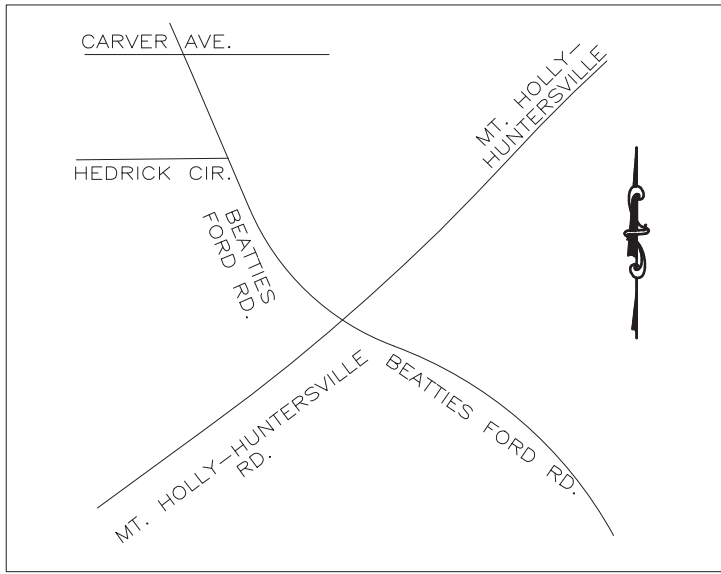
Title: **EXISTING CONDITIONS PLAN**

File #: 18048-PB.DWG Date: 03/27/24 Project Egr: BTU
Design By: BTU
Drawn By: RKS
Scale: 1"=30'

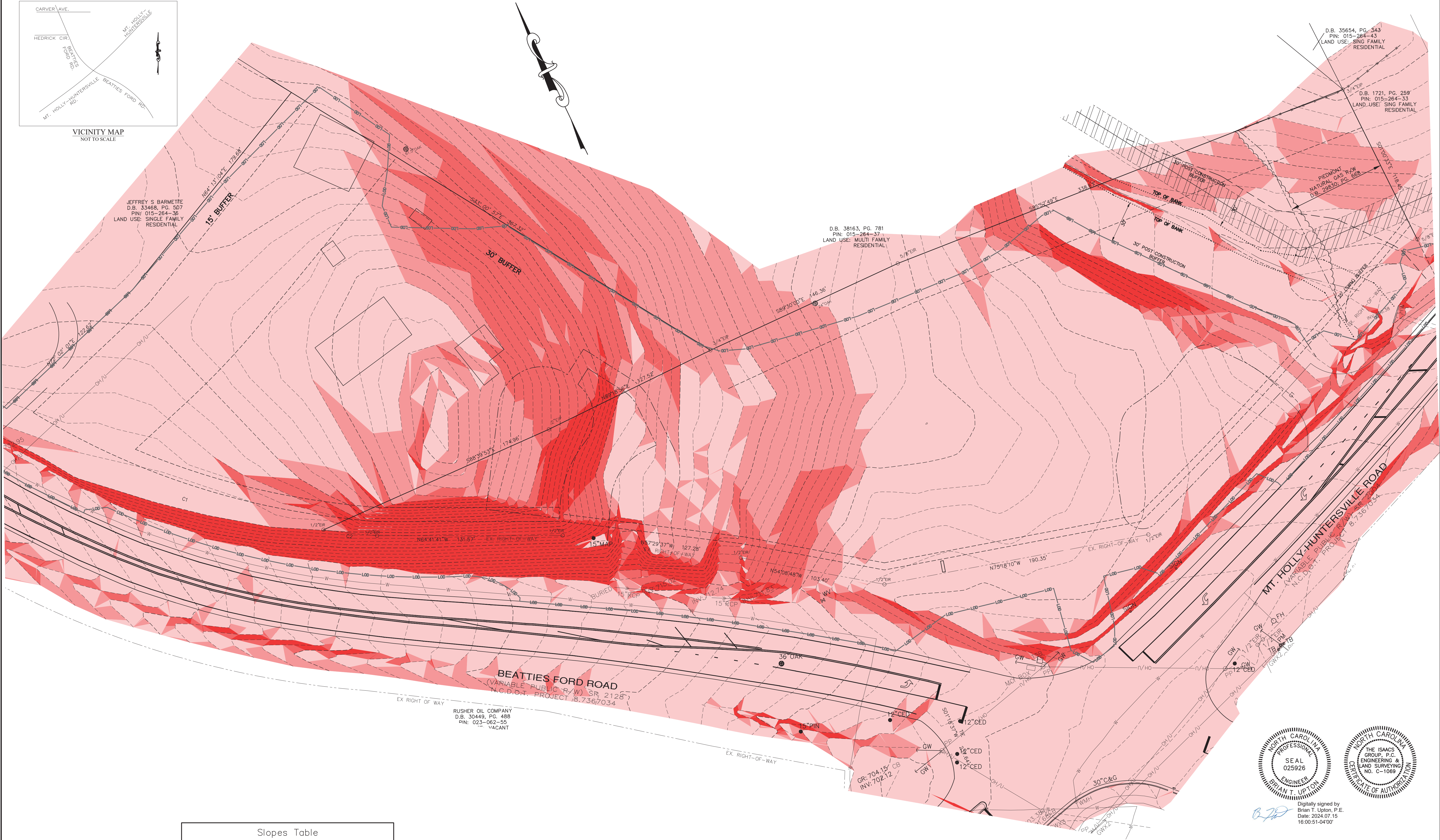
ISAACS GROUP
CIVIL ENGINEERING DESIGN AND SURVEYING

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

RZ4.0

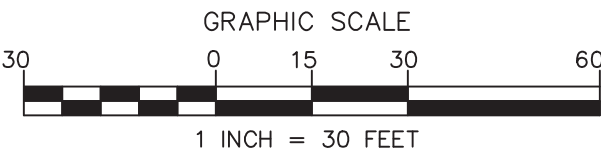


VICINITY MAP
NOT TO SCALE



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

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	2804.79'	283.24'	S67°41'38"W	283.12'
C2	548.11'	38.23'	N58°20'31"W	38.22'



NO.	BY	DATE	REVISION
1	BTU	7/15/24	PER REVIEW COMMENTS

Project: **LONG CREEK RETAIL**
8900 BEATTIES FORD ROAD
HUNTERSVILLE, NC 28078

Title: **SLOPE ANALYSIS PLAN**

File #: 18048-PB.DWG Date: 03/27/24 Project Egr: BTU

Design By: BTU

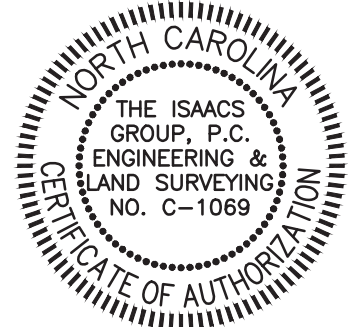
Drawn By: RKS

Scale: 1"=30'

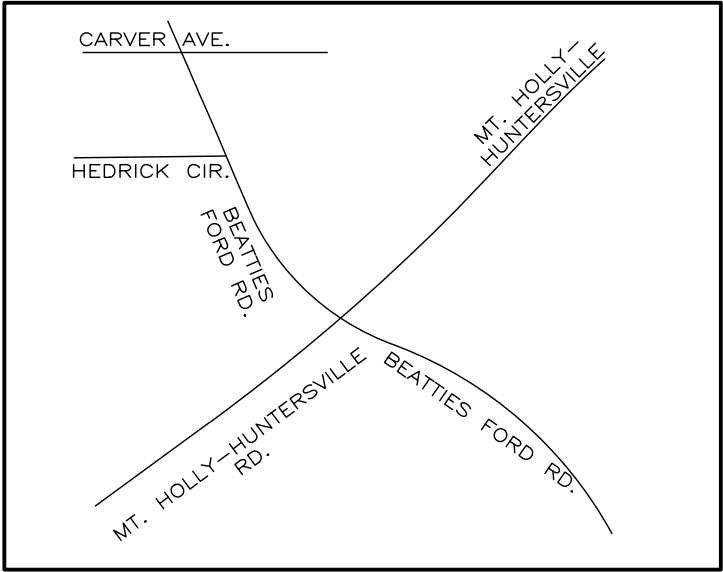
ISAACS GROUP
CIVIL ENGINEERING DESIGN AND SURVEYING

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

RZ4.1



Digitally signed by
Brian T. Upton, P.E.
Date: 2024.07.15
16:00:51-04'00'



VICINITY MAP
NOT TO SCALE

NOTES:

1. THIS PLAT IS NOT FOR RECORDATION AS PER G.S. 47-30 AS AMENDED.
2. ALL CORNERS MONUMENTED AS SHOWN.
3. NO RECOVERABLE NGS MONUMENT LOCATED WITHIN 2,000 FEET OF SUBJECT PROPERTY.
4. THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE, OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANY BEFORE CONSTRUCTION.
5. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
6. BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
7. BEATTIES FORD ROAD IS SHOWN AS A "MINOR THOROUGHFARE" OUTSIDE OF ROUTE 4 ON THE MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION THOROUGHFARE PLAN OF 2004 AND MAY BE SUBJECT TO A FUTURE RIGHT-OF-WAY OF 35' FROM CENTERLINE.
8. MT HOLLY HUNTERSVILLE ROAD IS SHOWN AS A "MAJOR THOROUGHFARE" OUTSIDE OF ROUTE 4 ON THE MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION THOROUGHFARE PLAN OF 2004 AND MAY BE SUBJECT TO A FUTURE RIGHT-OF-WAY OF 50' FROM CENTERLINE.
8. THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.

LEGEND:

- BFP - BACK FLOW PREVENTOR
C&G - CURB & GUTTER
CB - CATCH BASIN
CP - CALCULATED POINT
C/O - CLEAN OUT
D.B. - DEED BOOK
ECM - EXISTING CONCRETE MONUMENT
EIP - EXISTING IRON PIPE
EIR - EXISTING IRON ROD
EMM - EXISTING METAL MONUMENT
EN - EXISTING NAIL
EU - END UNKNOWN
FH - FIRE HYDRANT
FP - FLAG POLE
GM - GAS METER
GP - GATE POST
GV - GAS VALVE
GW - GUY WIRE
HVAC - HEATING, VENTILATION, AIR COND.
ICV - IRRIGATION CONTROL VALVE
LP - LIGHT POLE
- LP - LIGHT POLE
M.B. - MAP BOOK
N.G.S. - NATIONAL GEODETIC SURVEY
NIR - NEW IRON ROD
NN - NEW NAIL
O/HANG - OVERHANG
PB - POWER BOX
PIN - PARCEL IDENTIFICATION NUMBER
PM - POWER METER
PP - POWER POLE
PG - PAGE
PVC - PLASTIC PIPE
R/W - RIGHT-OF-WAY
RCP - REINFORCED CONCRETE PIPE
SDMH - STORM DRAIN MANHOLE
SSMH - SANITARY SEWER MANHOLE
TB - TELEPHONE BOX
TERR. - TERRACOTTA PIPE
TMH - TELEPHONE MANHOLE
WB - WATER BOX
WM - WATER METER
WV - WATER VALVE

LINE LEGEND:

- EASEMENT
FENCE
PROPERTY LINE
PROPERTY LINE (NOT SURVEYED)
RIGHT-OF-WAY
RIGHT-OF-WAY (NOT SURVEYED)
SETBACK
POWER LINE
SANITARY SEWER PIPE
STORM DRAIN PIPE
WATER LINE

TREE LEGEND:

- CED - CEDAR
PIN - PINE
POP - POPLAR

R.P. HOUSTON
D.B. 746, PG. 254

M.H. CATHEY &
M.L. CATHEY
D.B. 2061, PG. 008

C.D. PUCKETT, JR.
D.B. 1721, PG. 259

GRID COORDINATES
N. 586,747.596 FEET
E. 1,437,694.402 FEET

GRID COORDINATES
N. 586,722.250 FEET
E. 1,438,165.141 FEET

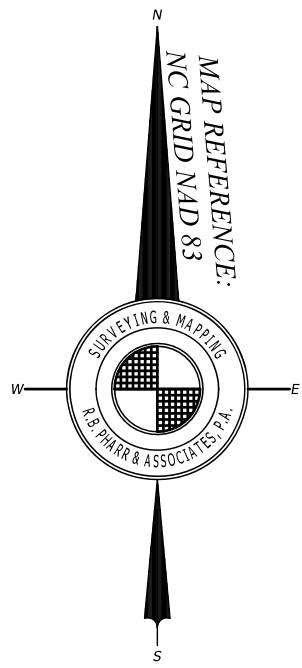
AREA: 119,271 SQ. FT.
OR
2.7381 ACRES
VACANT
#8900



Know what's below.
Call before you dig.

UTILITIES:

- POWER
DUKE POWER ENERGY
1-800-777-9898
- TELEPHONE
BELL SOUTH TELECOMMUNICATIONS
1-888-757-6500
- WATER & SEWER
CHAR.-MECK. UTILITY DEPT. (CMUD)
(704) 336-2564 WATER
(704) 357-6064 SEWER
- GAS
PIEDMONT NATURAL GAS CO.
1-800-752-7504
- CABLE TELEVISION
TIME WARNER CABLE
1-800-892-2253



MT. HOLLY-HUNTERSVILLE ROAD
(VARIABLE PUBLIC R/W) SR 2004
N.C.D.O.T. PROJECT 8.7367034

MT. HOLLY-HUNTERSVILLE ROAD
(VARIABLE PUBLIC R/W) SR 2004
N.C.D.O.T. PROJECT 8.7367034

ZONING:

ZONING RESTRICTIONS AS PER ZONING ORDINANCE:
SUBJECT PROPERTY ZONED: HC(CD)

- MINIMUM SETBACK: 25'
MINIMUM SIDE YARD: NONE
MINIMUM REAR YARD: 30'
MAXIMUM BUILDING HEIGHT: 3 STORIES

FOR FURTHER INFORMATION CONTACT THE
CHARLOTTE-MECKLENBURG ZONING
DEPARTMENT AT 704-336-3569.

119,271 SQ. FT. OR 2.7381 ACRES

SURVEY PREPARED FOR:

T A & S ENTERPRISES OF NC, INC.

8900 BEATTIES FORD ROAD
CITY OF CHARLOTTE, MECKLENBURG COUNTY, N.C.
DEED REFERENCE: 27719-853
TAX PARCEL NO: 015-264-34

R.B. PHARR & ASSOCIATES, P.A.
SURVEYING & MAPPING

420 HAWTHORNE LANE CHARLOTTE, NC. 28204 TEL. (704) 376-2186

CREW:

DRAWN:

REVISED:

SCALE:

DATE:

FILE NO. XX-4389

JR

BZM

KPM

1" = 50'

NOV. 14, 2016

JOB NO. 85952

PLOTTED: 4/27/2023

G:\95\O\95064\DWG\85952-95064.DWG

FLOOD CERTIFICATION

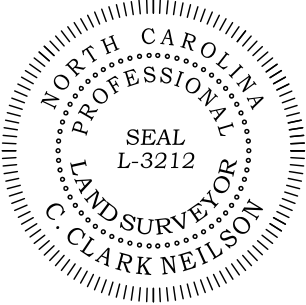
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED SEPTEMBER 2, 2015.

MAP NUMBER: 3710453800K; ZONE 'X'

THIS IS TO CERTIFY THAT ON THE 14th DAY OF NOVEMBER 2016 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE .1600 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

SIGNED

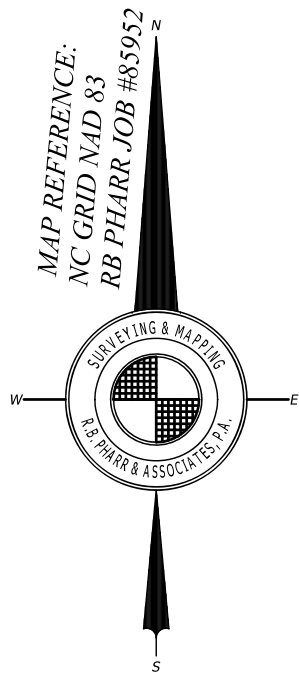
C. Clark Neilson



GRAPHIC SCALE



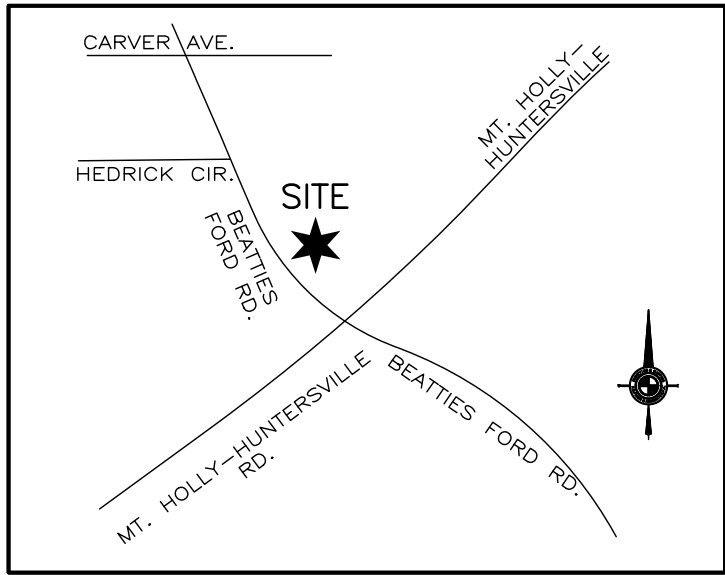
(IN FEET)
1 inch = 50 ft.



JEFFREY S. BARNETTE
D.B. 33468, PG. 507
PIN: 015-264-36

1/2"EIP
(IN CONCRETE)
S50°40'40"E
144.89'(TIE)

- LEGEND**
- D.B. - DEED BOOK
EIP - EXISTING IRON PIPE
EIR - EXISTING IRON ROD
EMM - EXISTING METAL MONUMENT
EN - EXISTING NAIL
M.B. - MAP BOOK
N.G.S. - NATIONAL GEODETIC SURVEY
NIR - NEW IRON ROD
PIN - PARCEL IDENTIFICATION NUMBER
PG. - PAGE
R/W - RIGHT-OF-WAY



VICINITY MAP
NOT TO SCALE

NOTES

- BROKEN LINES UNLESS THEY HAVE A METES AND BOUNDS DESCRIPTION, INDICATE PROPERTY LINES NOT SURVEYED.
- BEATTIES FORD ROAD IS SHOWN AS A "MINOR THOROUGHFARE" ON THE CHARLOTTE REGIONAL TRANSPORTATION PLANNING ORGANIZATION (CRTPO) COMPREHENSIVE TRANSPORTATION PLAN DATED JANUARY 18, 2017 (REVISED JANUARY 15, 2020).
- THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.
- THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
- PHYSICAL IMPROVEMENTS EXIST ON THIS PROPERTY THAT ARE NOT SHOWN HEREON.

ZONING DISCLAIMER

SUBJECT PROPERTY ZONED: HC(CD)

NO ZONING REPORT WAS PROVIDED AT TIME OF SURVEY. PURCHASER/DEVELOPER TO VERIFY ZONING REQUIREMENT PRIOR TO FURTHER DEVELOPMENT OF SITE.

FOR FURTHER INFORMATION CONTACT THE CHARLOTTE-MECKLENBURG ZONING DEPARTMENT AT 704-336-3569.

AREA= 78,862 SQ. FT. OR 1.8104 ACRES

BOUNDARY AND TREE SURVEY PREPARED FOR:

DOUG SUTHERLAND

9000 BEATTIES FORD ROAD
HUNTERSVILLE, MECKLENBURG, NC
DEED REFERENCE: 746, PG. 254
TAX PARCEL NO: 015-264-35

R.B. PHARR & ASSOCIATES, P.A.

SURVEYING & MAPPING
LICENSURE NO: C-1471
969 E. 7TH ST., #100 CHARLOTTE, N.C. 28204 TEL: (704) 376-2186

REVISIONS			SCALE: 1" = 30'			DATE: FEB 07, 2024			JOB NO. 95664		
CREW:	DRAWN:	REVISED:									
JMB	MMM										



SIGNED *C. Clark Neilson*

FLOOD CERTIFICATION

THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED SEPTEMBER 2, 2015.
MAP NUMBER: 3710453800K; ZONE X

THIS IS TO CERTIFY THAT ON THE 27TH DAY OF FEBRUARY 2024 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE .1600 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	548.11'	242.43'	N43°40'21"W	240.46'
C2(TIE)	548.11'	38.23'	S58°20'31"E	38.22'

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

UTILITY CONTACT INFORMATION

POWER:
DUKE ENERGY: 1-800-777-9898

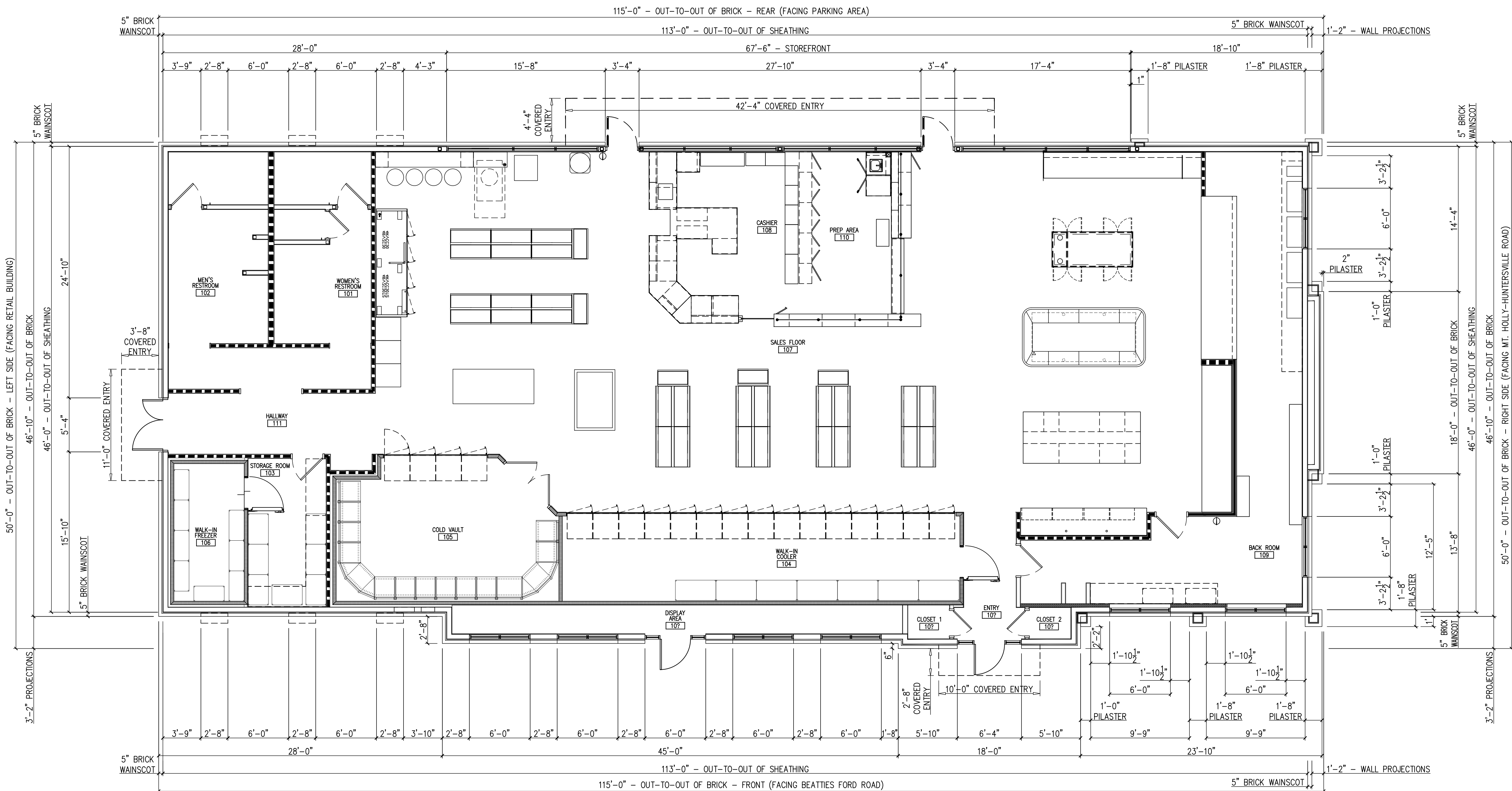
TELEPHONE:
AT&T: 1-888-757-6500

WATER & SEWER:
CHARLOTTE WATER: (704) 336-2564

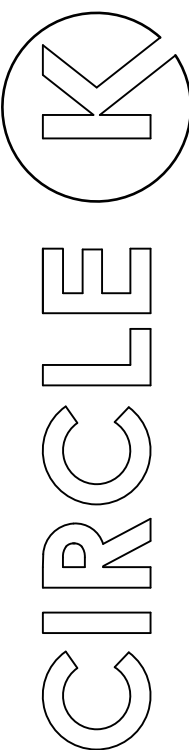
GAS:
PIEDMONT NATURAL GAS CO.: 1-800-752-7504

CABLE TELEVISION:
SPECTRUM: 1-800-892-2253

NC ONE CALL:
811 (CALL BEFORE YOU DIG)



NEW CONVENIENCE STORE FOR:



BEATTIES FORD ROAD &
HUNTERSVILLE, NORTH CAROLINA 28759

PRELIMINARY PLANS
NOT FOR CONSTRUCTION

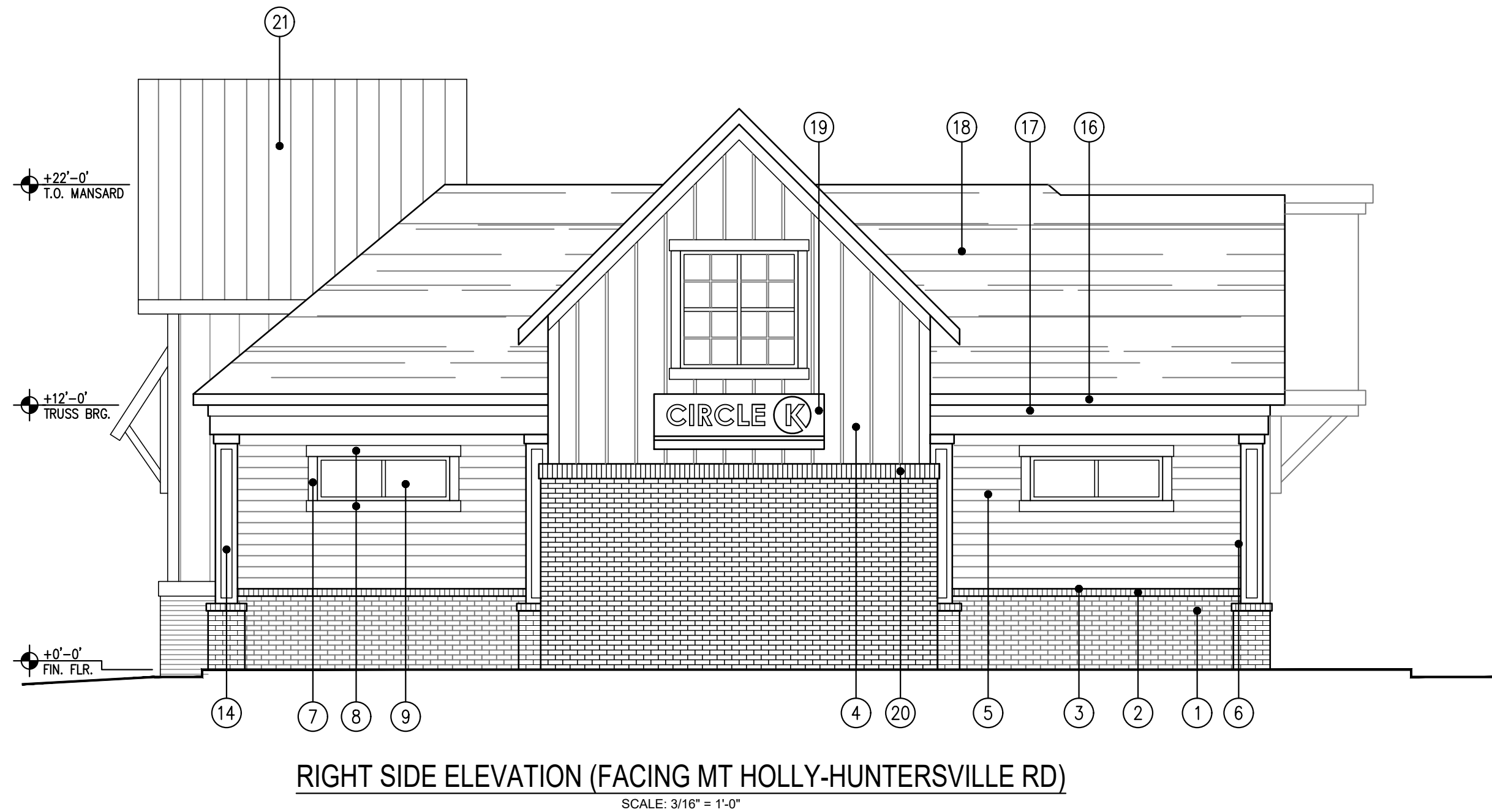
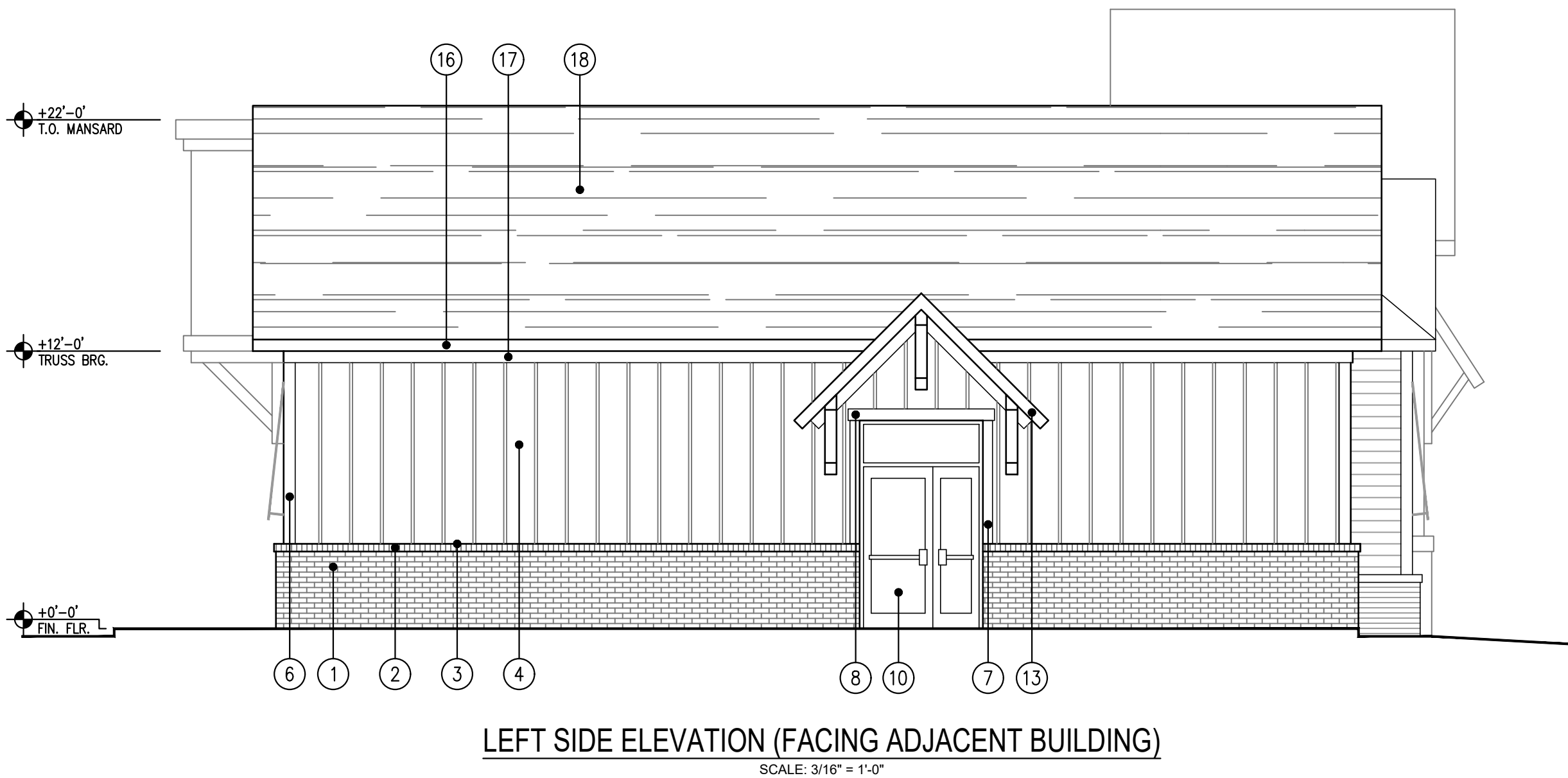
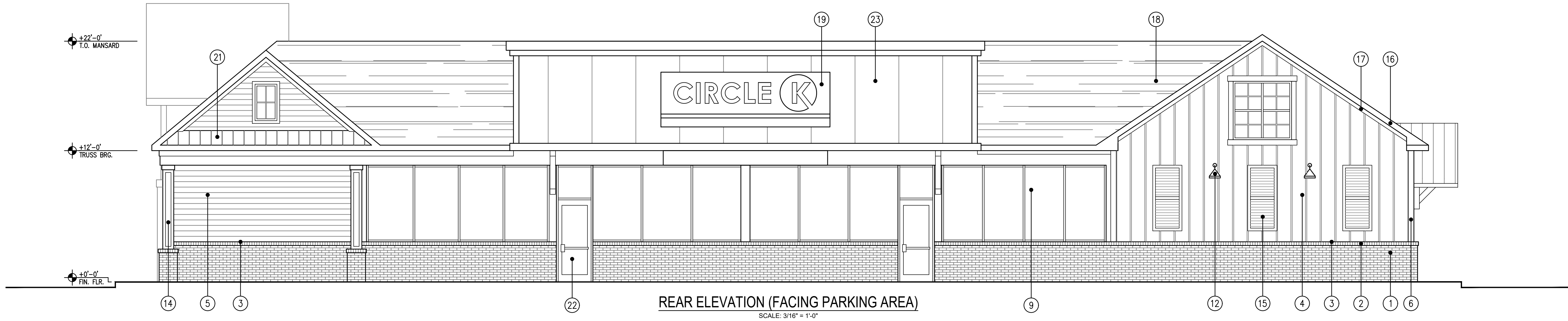
Revisions	7/16/2024
Scale	AS NOTED
Drawn By	CTC
Checked By	TRB
Date	2/28/2024
Job No	????24

FLOOR PLAN
& ROOM FINISH
SCHEDULE

A1.2

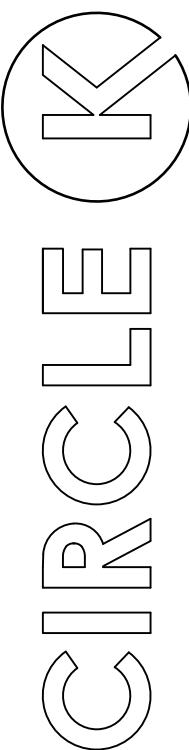
Ted Richard Brown, PLLC
Architectural Services
Post Office Box 2070, Mount Airy, North Carolina 28556
Telephone: (704) 330-1111

CHRIS HOPE/PROFESSIONAL ENGINEER/2617 ROLLING HILLS DRIVE/MONROE, NC 28110/(704) 882-1500



- NOTES**
1. ALL MATERIALS AND FINISHES TO BE INSTALLED PER THE MANUFACTURER'S WRITTEN INSTRUCTIONS.
 2. GENERAL CONTRACTOR TO VERIFY ALL EXTERIOR COLORS AND FINISHES WITH THE OWNER PRIOR TO CONSTRUCTION.
 3. REFER TO WOOD ROOF TRUSS SEALED DRAWINGS.
 4. REFER TO SHOP DRAWINGS BY CANOPY MANUFACTURER'S ENGINEER.
 5. REFER TO STRUCTURAL ENGINEERING DRAWINGS.
- EXTERIOR FINISH NOTES**
- 1 BRICK WAINSCOT - RUNNING BOND
 - 2 SLOPING BRICK ROWLOCK
 - 3 CONTINUOUS METAL FLASHING - UNDER W.R. BARRIER AT SIDING, ON TOP OF
 - 4 ~~BRICK~~ BOARD AND BATTEN SIDING WITH 1X2 BATTENS ON CEDAR TEXTURE PANELS
 - 5 PAINTED CEDAR TEXTURE HORIZONTAL LAP SIDING: 6"-8" EXPOSURE
 - 6 1" X 5.5" PAINTED CEDAR TEXTURE CORNER TRIM
 - 7 1" X 4.5" PAINTED CEDAR TEXTURE VERTICAL TRIM
 - 8 1" X 5.5" PAINTED CEDAR TEXTURE HORIZONTAL WINDOW TRIM
 - 9 STOREFRONT WINDOW - 1" CLEAR, INSULATED GLASS IN ANODIZED ALUMINUM
 - 10 ~~SPANS~~ STOREFRONT DOOR WITH CLEAR, INSULATED GLASS IN ANODIZED ALUMINUM
 - 11 ~~WALL~~ ENTRY DOOR WITH CLEAR, INSULATED GLASS IN ANODIZED ALUMINUM
 - 12 ~~WALL~~ MOUNT DECORATIVE LIGHT
 - 13 STANDING SEAM METAL AWNING SUPPORTED BY OVERSIZED PAINTED BRACKETS
 - 14 PAINTED CEDAR TEXTURE DECORATIVE PILASTER ON BRICK BASE
 - 15 DECORATIVE METAL SHUTTERS
 - 16 METAL FASGA TRIM
 - 17 1" X 4.5" PAINTED CEDAR TEXTURE FRIEZE BOARD
 - 18 ARCHITECTURAL STYLE FIBERGLASS ROOF SHINGLES ON WEATHER RESISTANT
 - 19 ~~BRICK~~ STANDARD CIRCLE K COLORS - ALL SIGNAGE TO MEET LOCAL ZONING
 - 20 ~~BRICK~~ WAINSCOT COURSE
 - 21 STANDING SEAM METAL ROOF ON WEATHER RESISTANT BARRIER
 - 22 3' X 7'-6" ENTRY DOOR WITH CLEAR, INSULATED GLASS IN ANODIZED ALUMINUM FRAME
 - 23 PAINTED CEDAR TEXTURE PANELS INSTALLED VERTICALLY, CAULK SEAMS

NEW CONVENIENCE STORE FOR:



BEATTIES FORD ROAD &
HUNTERSVILLE, NORTH CAROLINA 28759

PRELIMINARY PLANS
NOT FOR CONSTRUCTION

Revisions	
Scale	AS NOTED
Drawn By	CTC
Checked By	TRB
Date	2/28/2024
Job No	????24

**EXTERIOR
ELEVATIONS**

A2.1

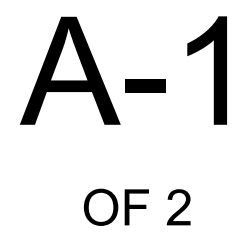
Ted Richard Brown, PLLC
CHIEF ARCHITECT
Post Office Box 2070, Mount Airy, North Carolina 28551
Telephone: (704) 334-1111

CHRIS HOPE/PROFESSIONAL ENGINEER/2617 ROLLING HILLS DRIVE/MONROE, NC 28110/(704) 882-1500

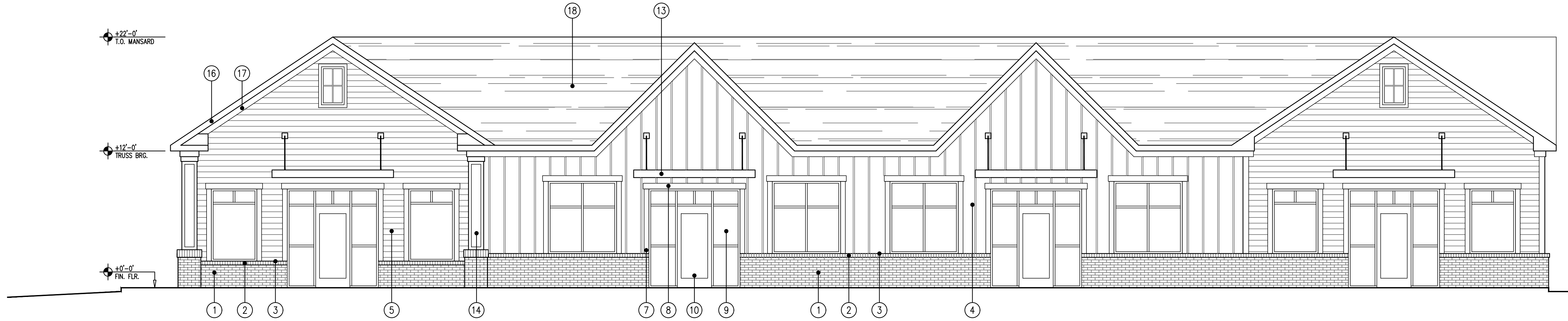


Revisions	
Scale	AS NOTED
Drawn By	CTC
Checked By	TRB
Date	2/28/2024
Job No	??24

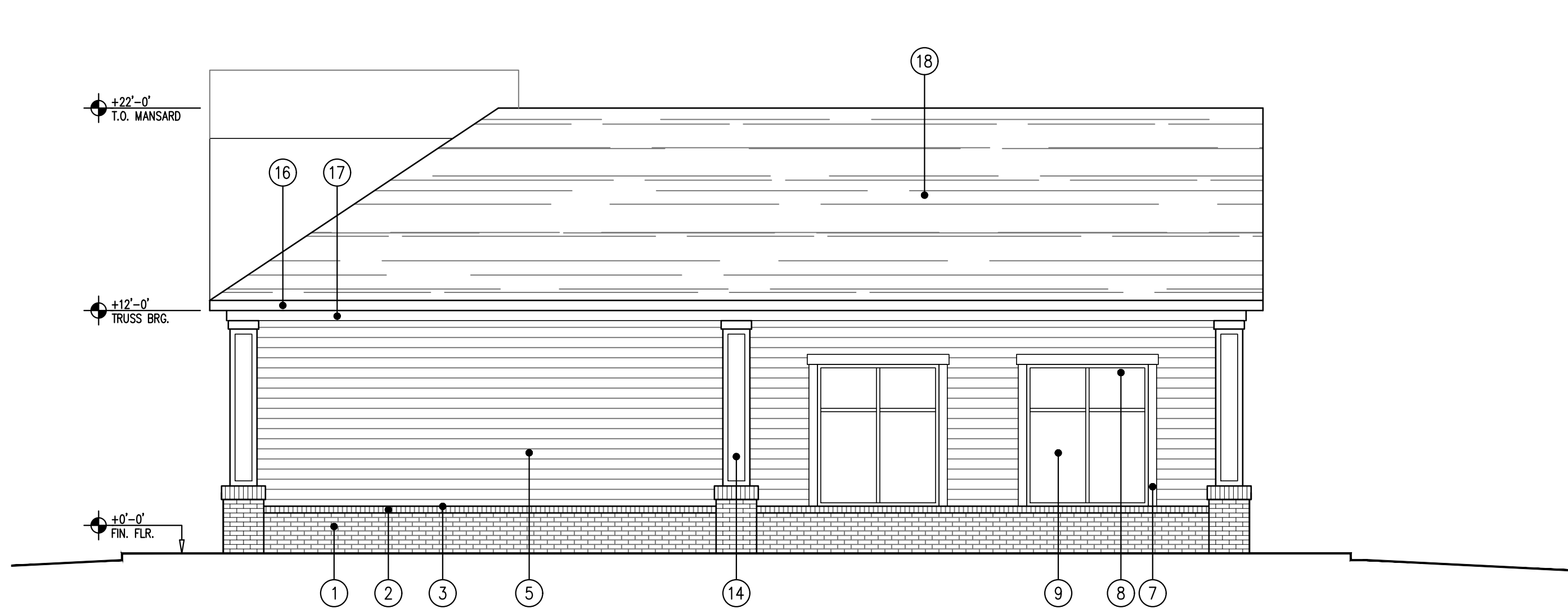
PRELIMINARY PLANS
NOT FOR CONSTRUCTION



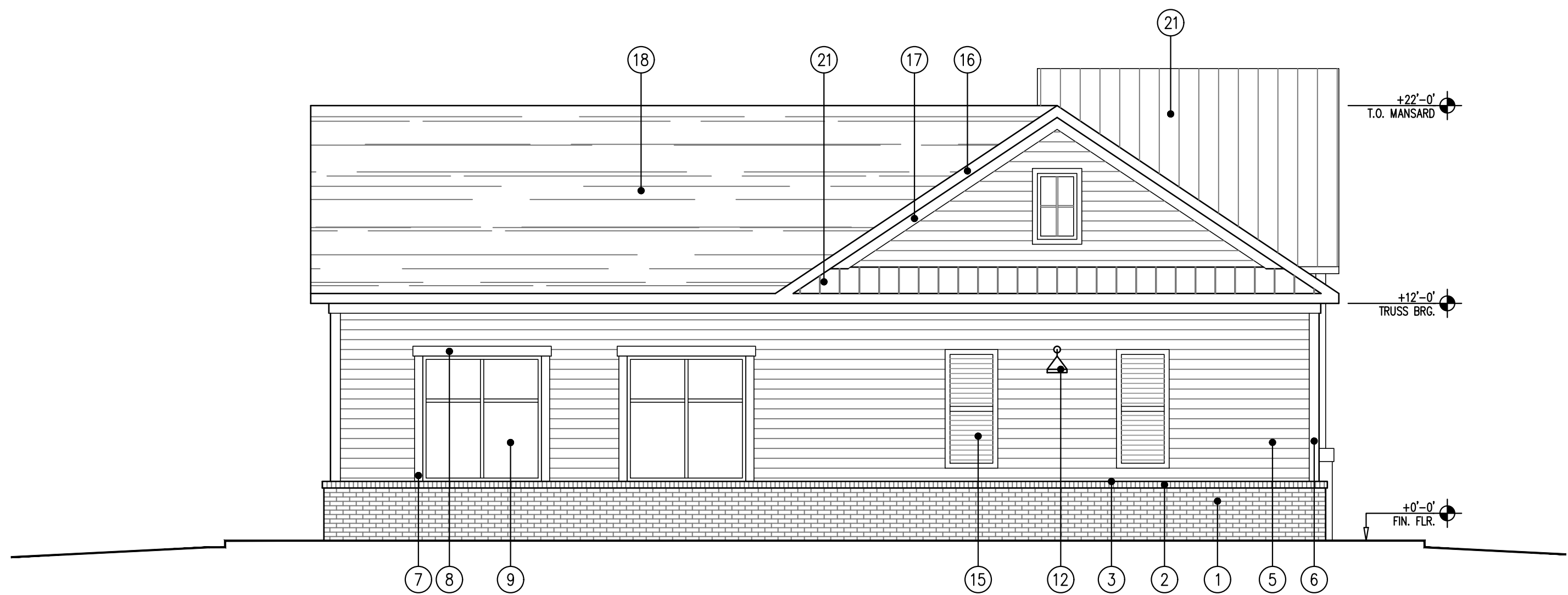
CHRIS HOPE/LICENSE #5044/PROFESSIONAL ENGINEER/2617 ROLLING HILLS DRIVE/MONROE, NC 28110/(704) 882-1500



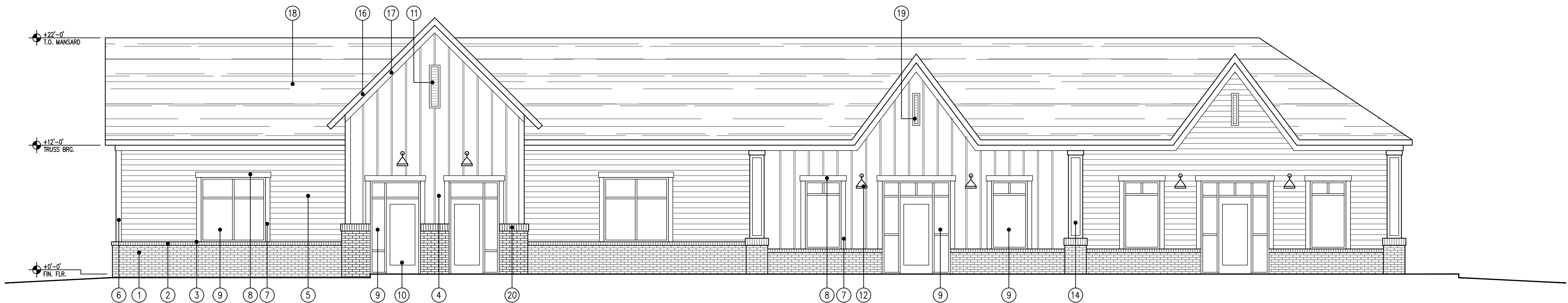
REAR ELEVATION (FACING PARKING AREA)
SCALE: 3/16" = 1'-0"



RIGHT SIDE ELEVATION (FACING CIRCLE K BUILDING)
SCALE: 3/16" = 1'-0"



LEFT SIDE ELEVATION
SCALE: 3/16" = 1'-0"



FRONT ELEVATION (FACING BEATTIES FORD ROAD)
SCALE: 3/16" = 1'-0"

- NOTES**
1. ALL MATERIALS AND FINISHES TO BE INSTALLED PER THE MANUFACTURER'S WRITTEN INSTRUCTIONS.
 2. GENERAL CONTRACTOR TO VERIFY ALL EXTERIOR COLORS AND FINISHES WITH THE OWNER PRIOR TO CONSTRUCTION.
 3. REFER TO WOOD ROOF TRUSS SEALED DRAWINGS.
 4. REFER TO SHOP DRAWINGS BY CANOPY MANUFACTURER'S ENGINEER.
 5. REFER TO STRUCTURAL ENGINEERING DRAWINGS.
- EXTERIOR FINISH NOTES**
- 1 BRICK WAINSCOT - RUNNING BOND
 - 2 SLOPING BRICK ROWLOCK
 - 3 CONTINUOUS METAL FLASHING - UNDER W.R. BARRIER AT SIDING, ON TOP OF ROWLOCK
 - 4 PAINTED BOARD AND BATTEN SIDING WITH 1X2 BATTENS ON CEDAR TEXTURE PANELS
 - 5 PAINTED CEDAR TEXTURE HORIZONTAL LAP SIDING: 6"-8" EXPOSURE
 - 6 1" X 5.5" PAINTED CEDAR TEXTURE CORNER TRIM
 - 7 1" X 4.5" PAINTED CEDAR TEXTURE VERTICAL WINDOW TRIM
 - 8 1" X 5.5" PAINTED CEDAR TEXTURE HORIZONTAL WINDOW TRIM
 - 9 STOREFRONT WINDOW - 1" CLEAR, INSULATED GLASS IN ANODIZED ALUMINUM FRAME
 - 10 3' X 7' STOREFRONT DOOR WITH CLEAR, INSULATED GLASS IN ANODIZED ALUMINUM FRAME
 - 11 12" X 48" DECORATIVE VERTICAL VENT
 - 12 WALL MOUNT DECORATIVE LIGHT
 - 13 METAL AWNING SUPPORTED BY DECORATIVE METAL RODS WITH UNDERMOUNT LIGHTING
 - 14 PAINTED CEDAR TEXTURE DECORATIVE PILASTER ON BRICK BASE
 - 15 DECORATIVE METAL SHUTTERS
 - 16 METAL FASCIA TRIM
 - 17 1" X 4.5" PAINTED CEDAR TEXTURE FRIEZE BOARD
 - 18 ARCHITECTURAL STYLE FIBERGLASS ROOF SHINGLES ON WEATHER RESISTANT BARRIER
 - 19 8" X 36" DECORATIVE VERTICAL VENT
 - 20 BRICK SOLDIER COURSE
 - 21 STANDING SEAM METAL ROOF ON WEATHER RESISTANT BARRIER

PROPOSED RETAIL LEASE BUILDING FOR:

LONG CREEK RETAIL

BEATTIES FORD ROAD
CHARLOTTE, NORTH CAROLINA

PRELIMINARY PLANS
NOT FOR CONSTRUCTION

Revisions 7/16/2024

Scale AS NOTED

Drawn By CTC

Checked By TRB

Date 2/28/2024

Job No ???24

A-2

OF 2

Ted Richard Brown, PLLC
Architectural Services
Post Office Box 2070, Matthews, North Carolina 28106
Telephone: (704) 330-1111

CUMMINGS
CONSTRUCTION CORPORATION

POST OFFICE BOX 672
MATTHEWS, NC 28106

(704) 846-9868
www.cummingscc.com

CHRIS HOPE/LICENSE #5044/PROFESSIONAL ENGINEER/2617 ROLLING HILLS DRIVE/MONROE, NC 28110/(704) 882-1500

Long Creek Retail Revision Community Meeting
Huntersville Arts and Cultural Center
May 29, 2024
6 pm

Developer Team in Attendance

Whitney Hodges, Bowman Development Group
Jeff Mofelhi, Owner
Brian Upton, Isaacs Group (Civil Engineering)
Patrick Monroe, Wells + Associates (Transportation Engineering)

Attendance from the Town

Jesse James, Town of Huntersville Planning Department

The meeting began at 6 pm.

Attendees raised the following questions at the neighborhood meeting. This summary synthesizes their concerns.

The consultant team explained the history of the rezoning and the proposed changes. The property was rezoned in 2008 to HC-CD, with the conditions being office and retail uses with a drug store. The road network remains unchanged, and there will be a slight increase in retail space and a change from a drug store to a gas station.

This site is an entrance into Huntersville, and as such, the architectural recommendations from the 2007 Beatties Ford Road Corridor Study need to be incorporated into the design of the gas station. Currently, the gas station and retail building next to it are phase 1 of the development. There are two owners in this application.

Questions:

Are there known tenants?

Currently, no. The intent is to have services that cater to the neighborhood's needs. The owner discussed the Circle K chain's design quality and gas pricing.

Can there be an Applebee's or something like it?

The tenant of the 13,500-square-foot building is unknown at this time. Because of the limited parking, a larger restaurant may not be possible.

Will there be a drive-through?

There are no proposed drive-throughs.

How many pumps will there be?

Eight pumps, which are two-sided

How will tanker deliveries be done?

The truck template has been used to ensure adequate movement. There is additional concern that the dumpster doors will stay open, making truck maneuverability difficult. Deliveries are also timed to be at night.

Will there be a median?

As shown (at the time of the meeting), the initial thought was that the movement could have access to turn left. The median would be installed with Phase 2.

Several concerns were raised about how people will get out of their property and potential crashes. At the time of the original approval, the only TIA requirement was from NCDOT. The Town has adopted local ordinances and has been doing its job to improve traffic conditions.

Once installed, the median would go passed the driveway.

Is it a 24-hour operation?

Yes.

What is the process?

The public process starts with a neighborhood meeting. We needed more time to finish the TIA so our public hearing schedule is:

Public Hearing: August 6 (TUESDAY)

Planning Commission: August 27

Final Action: September 17 (TUESDAY)

Concerns

- Growing roadway trash
- Beatties Ford Road and Mount Holly-Huntersville traffic
- School traffic
- It will be more traffic than a drugstore
- One property owner is trying to sell his property commercially. Until then, he uses it residentially and is concerned about lighting and construction while the property is used residentially. He would like a curb cut and some fencing. He also said that a commercial across the street would make it more likely that he could sell his property commercially.
- Light trespass was discussed, and staff stated the requirements.

Attachments:

Community Meeting Notice

Community Meeting Notification List

Sign-in Sheet

camapid	situsaddress1	nme_ownerfirstname
01526434	8900 BEATTIES FORD RD	
02306258	BEATTIES FORD RD	MARGIE P
01526433	8411 MT HOLLY-HUNTERSVILLE RD	CONRAD DEWEY JR
01526435	9000 BEATTIES FORD RD	ROBERT P JR
02306259	BEATTIES FORD RD	
02306218	MT HOLLY-HUNTERSVILLE RD	
02306255	BEATTIES FORD RD	
02306220	9007 BEATTIES FORD RD	JEFFREY S
02306219	9003 BEATTIES FORD RD	MARGIE P
02306256	BEATTIES FORD RD	
03327112	8220 MT HOLLY-HUNTERSVILLE RD	
02516112	8300 BEATTIES FORD RD	
01526436	9012 BEATTIES FORD RD	JEFFREY S
02516105	8400 MT HOLLY-HUNTERSVILLE RD	
01526437	9102 BEATTIES FORD RD	DONNA CATHEY
01526432	8529 MT HOLLY-HUNTERSVILLE RD	
01526443	9301 CARVER AV	

nme_ownerlastname	secownerfirst secownerlast
TA & S ENTERPRISES OF NC INC	
BARNETT	
PUCKETT	
HOUSTON	JUDY HOUSTON JAMIESON
RUSHER OIL CO	
RUSHER OIL CO	
RUSHER OIL CO	
BARNETTE	
BARNETTE	
RUSHER OIL CO	
KERLEY CAPITAL EXPRESSWAY LP	
PIEDMONT NATURAL GAS COMPANY INC	
BARNETTE	
CLEMENTI RIVERVIEW LLC	
SADLER	
CARVER BOWMAN LLC	
CARVER BOWMAN LLC	

txt_mailaddr1	txt_city	txt_state	txt_zipcode
7801 BRIDLE CT	CHARLOTTE	NC	28216
9003 BEATTIES FORD RD	HUNTERSVILL	NC	28078
8411 MT HOLLY HUNTERSVILLE RD	HUNTERSVILL	NC	28078
6548 JIM KIDD RD	HUNTERSVILL	NC	28078
PO BOX 1483	SALISBURY	NC	28145
PO BOX 1483	SALISBURY	NC	28145
PO BOX 1483	SALISBURY	NC	28145
1900 OLD BRIER LN	CHARLOTTE	NC	28216
9003 BEATTIES FORD RD	HUNTERSVILL	NC	28078
PO BOX 1483	SALISBURY	NC	28145
1CVS DRIVE	WOONSOCKET	RI	02895
PO BOX 33068	CHARLOTTE	NC	28233
1900 OLD BRIAR LN	CHARLOTTE	NC	28216
PO BOX 471904	CHARLOTTE	NC	28247
8218 RAINIER DR	DENVER	NC	28037
13815 CINNABAR PL	HUNTERSVILL	NC	28078
13815 CINNABAR PL	HUNTERSVILL	NC	28078

To: Property Owners Adjacent to Long Creek Retail
From: TA& S Enterprises of NC, LLC
Date: May 14, 2024
RE: **Notice of public input meeting for R24-03, a conditional rezoning revision of approximately +/- 4.39 acres located on Beatties Ford Road and Mount Holly-Huntersville Road in Huntersville, North Carolina.**

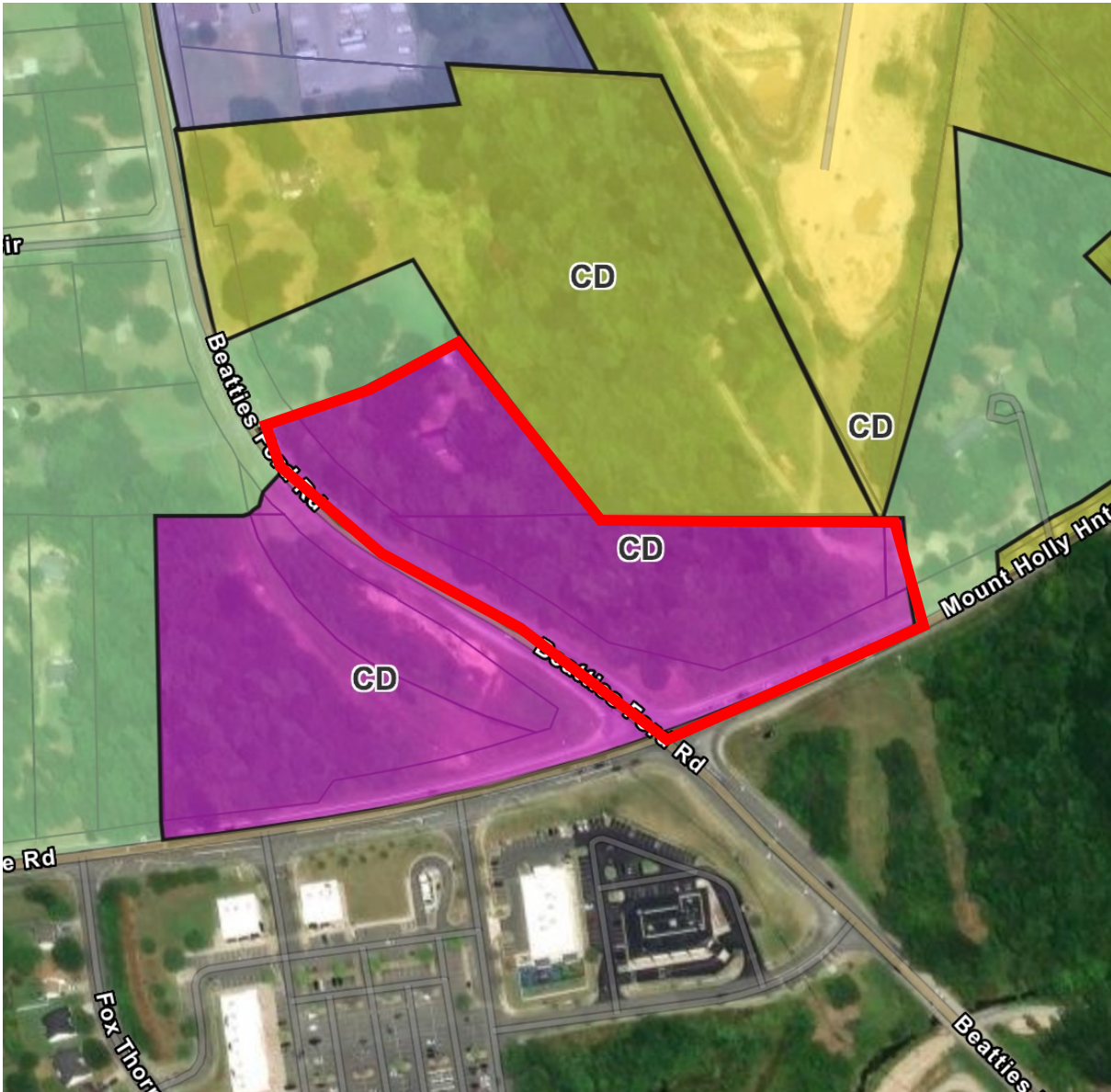
TA& S Enterprises of NC, LLC proposes to revise a conditional rezoning known as Long Creek Retail. The property is two parcels, approximately 4.39 acres, located on Beatties Ford Road and Mount Holly-Huntersville Road (PIN#s 015-26-434 and 015-26-435). The parcels are owned by TA& S Enterprises of NC, LLC and Robert Houston et al.

In 2008, the Town approved a rezoning to Highway Commercial Conditional District (HC-CD) to build a pharmacy with a drive-through and an additional commercial building (13,500 sq ft). The proposed revision would change the conditions of the original approval to allow a convenience store with a fuel canopy and one additional retail/office building (6,000 sq ft). No changes are proposed to the 13,500 square foot retail/office building approved in 2008.

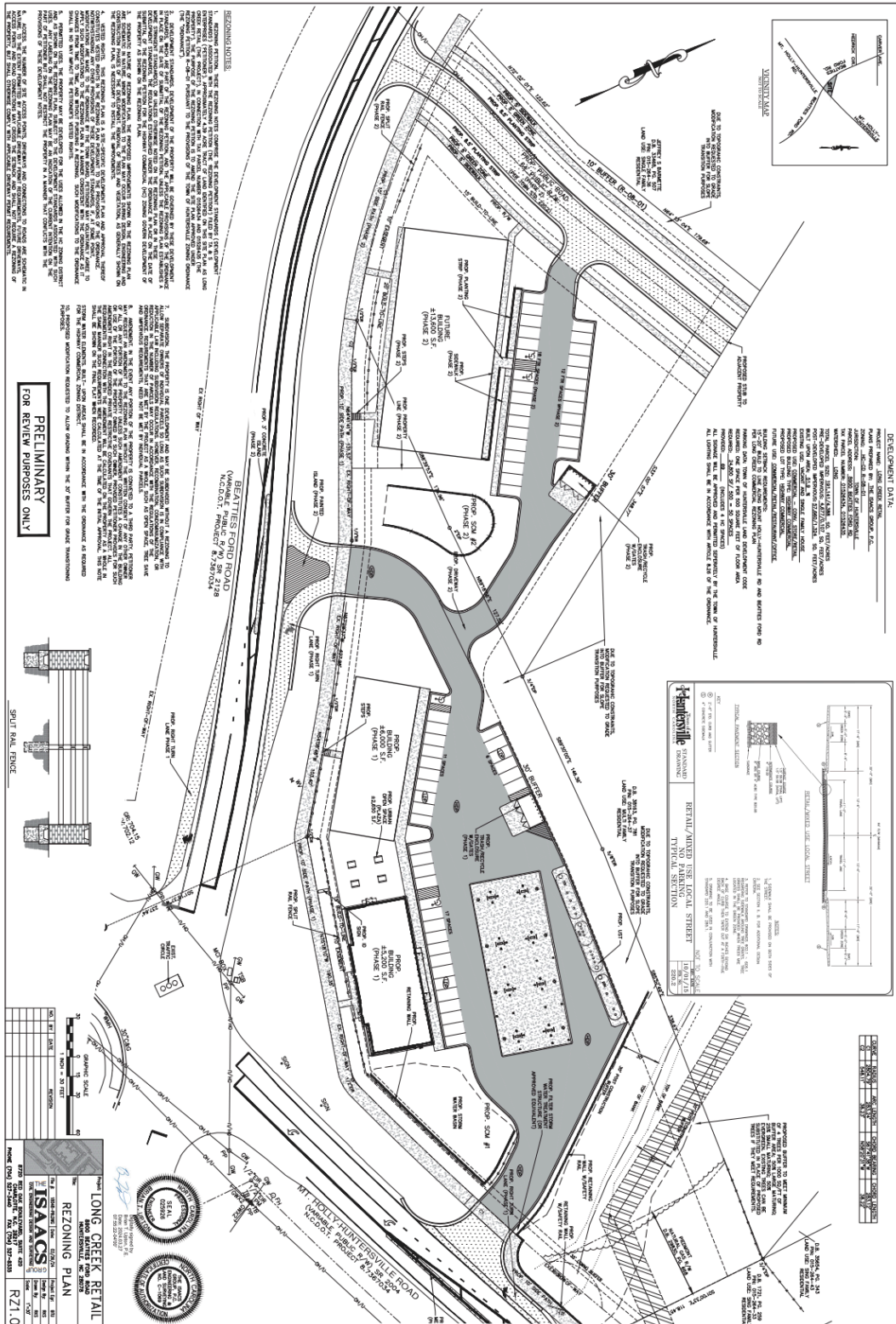
You are invited to attend a public input meeting on **Wednesday, May 29, 2024, at 6 p.m.** at the **Huntersville Arts and Cultural Center** (109 S. Old Statesville Road, Huntersville, NC 28078). A proposed plan is enclosed. For a full-size plan, please see the Town's website: <https://huntersville.maps.arcgis.com/apps/MapSeries/index.html?appid=7b57c1bbd667471cb5c5309cdfcb1852>.

If you have questions about the meeting, please contact Whitney Hodges at whitneyhodges@gmail.com or 704-929-8396. You may also contact the Town of Huntersville Planning Department at 704-875-7000 for additional information.

Location Map



Site Plan



Community Meeting Attendance Log

Project Name:	Long Creek Retail Revision R24-03
Location of Meeting:	Huntersville Arts and Cultural Center, 14614 S. Old Statesville Road
Date:	29-May-24
Time:	6:00 PM

Pursuant to Huntersville Zoning Ordinance 11.4.3.d. 7. 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	JAE SAILERS	26	
2	KICK BARNETTE	27	
3	MARIE BARNETTE	28	
4	ERIN PUCKETT	29	
5	Doug Sutherland (for Robert Houston)	30	
6		31	
7	Phyllis Smeaton	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	

Community Meeting Attendance Log

Project Name:	Long Creek Retail Revision R24-03
Location of Meeting:	Huntersville Arts and Cultural Center, 14614 S. Old Statesville Road
Date:	29-May-24
Time:	6:00 PM

Pursuant to Huntersville Zoning Ordinance 11.4.3.d. 7. 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. <u>Scott Bannette</u>	26 _____
2. _____	27 _____
3. _____	28 _____
4. _____	29 _____
5. _____	30 _____
6. _____	31 _____
7. _____	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 _____



Town Engineering Rezoning Comment Summary
R24-03 Long Creek Retail (Accela# CSP-500014)
8900 Beatties Ford Rd (PIDs 01526434, 01526435)
Huntersville, NC 28078

General Project Information

This proposed rezoning is located at the corner of Beatties Ford Rd and Mt Holly-Huntersville Rd and consists of a new mixed-use development to include a gas station, convenient store, and future commercial uses.

Engineering Staff Comments

Traffic Impact Analysis (TIA):

- 1) The Town has deferred the TIA to NCDOT and it is currently in review. The draft TIA was submitted to NCDOT on 6/21/24. Attached are Figures 28 and 29 from the draft TIA. The following improvements were recommended in the TIA as the responsibility of the developer (NCDOT has provided comments to the TIA preparer to address; the below list of improvements is subject to change):
 - a. Construction of a westbound right-turn lane on Mt Holly Huntersville Road at the site access (Site Access #1) for phase 1 of the development. Access to be right-in/out only.
 - b. Construction of a southbound left-turn lane on Beatties Ford Road at Site Access #2 with 100 feet of storage for phase 1 of the development. Access is to be constructed as a left-over (no left-out access).
 - c. Construction of a northbound right-turn lane on Beatties Ford Road at Site Access #2 with 100 feet of storage for phase 1 of the development.
 - d. Construction of a southbound left-turn lane on Beatties Ford Road at Site Access #3 with 75 feet of storage for phase 2 of the development. Site Access #2 to be converted to right-in/out with construction of site access #3.

Transportation and Stormwater:

- 1) Add a permanent sidewalk easement from the right-of-way to a minimum of 1 foot from the back of sidepath along both Beatties Ford Road and Mt Holly-Huntersville Road.
- 2) Provide a minimum 200-foot horizontal radii for the proposed public street.

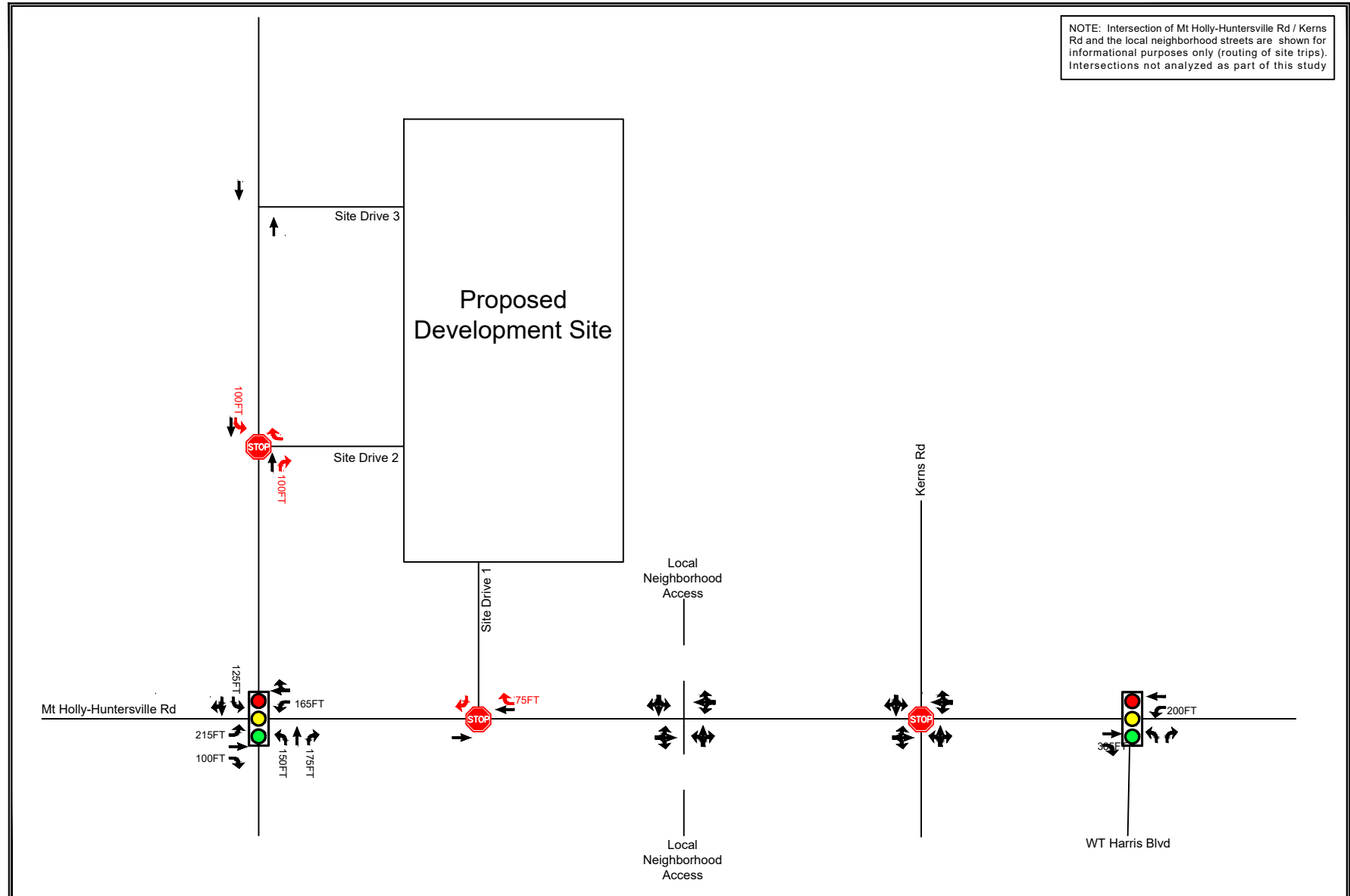


Figure 28
2026 Build Phase 1
Recommended Improvements

← EXISTING LANE CONFIGURATION
→ RECOMMENDED IMPROVEMENTS BY DEVELOPER



NORTH

Long Creek Retail
Town of Huntersville, NC



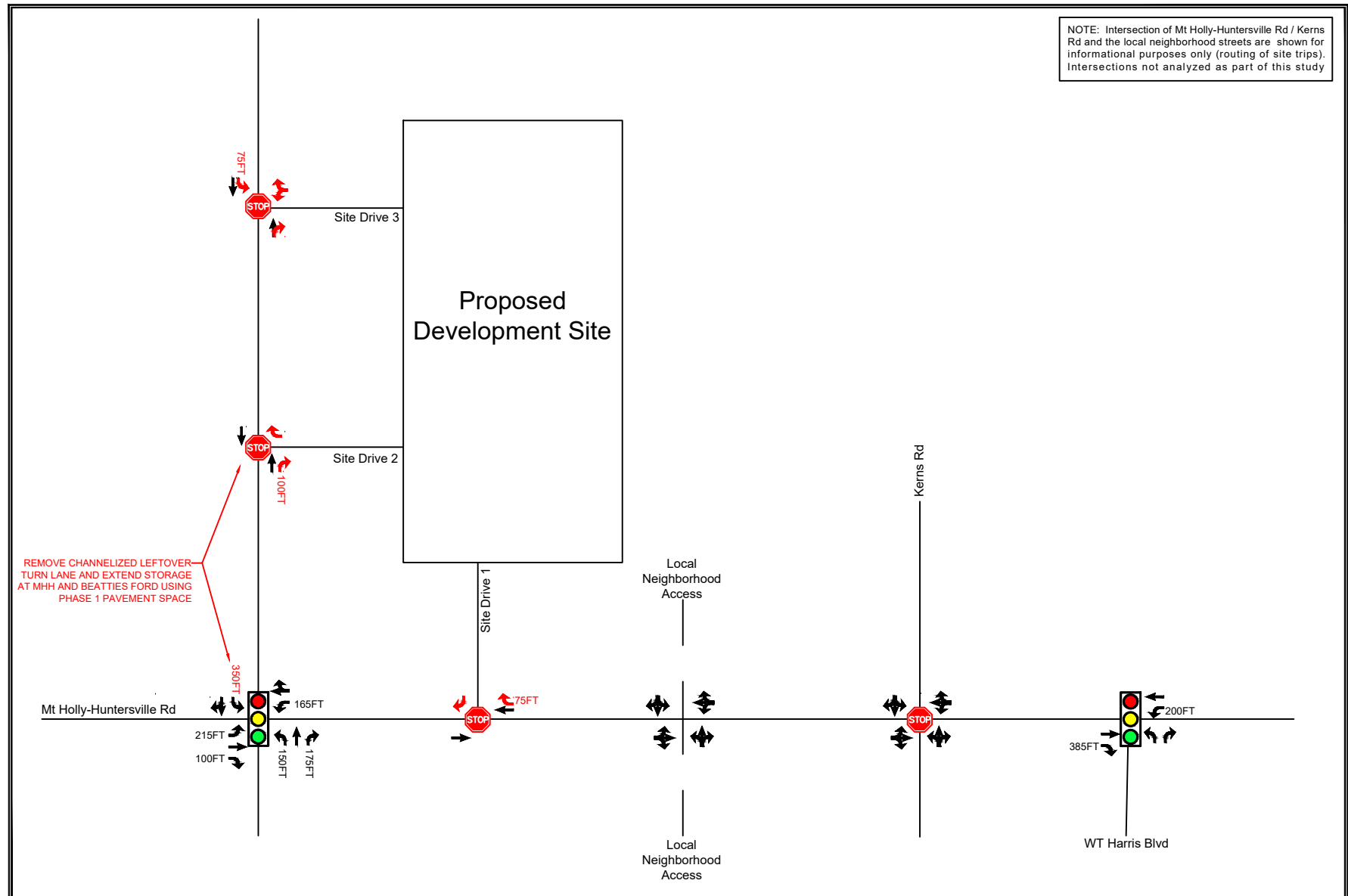


Figure 29

2030 Build Phase 2

Recommended Improvements

- ← EXISTING LANE CONFIGURATION
- RECOMMENDED IMPROVEMENTS BY DEVELOPER



NORTH

Long Creek Retail
Town of Huntersville, NC





Request for Board Action

August 6, 2024

To: The Honorable Mayor and Board of Commissioners

From: Nathan Farber, Senior Planner

Subject: Public Hearing on Petition #TA24-06 "Farmhouse Cluster Changes"

EXPLAIN REQUEST:

Conduct public hearing on #Petition TA24-06 "Farmhouse Cluster Changes", a text amendment request by the Town of Huntersville Planning Department to amend Article 3.2.1(e), 3.2.2(e), 3.2.1(d)3(c), 3.2.2d)3(c), and 12.2.1 "Open Space" of the Huntersville Zoning Ordinance to make changes to Farmhouse Clusters and Open Space.

ACTION RECOMMENDED:

Conduct Public Hearing

FINANCIAL IMPLICATIONS:

NA

ATTACHMENTS:

1. TA24-06 PH Staff Report
2. 1. Text Amendment Application
3. 2. Proposed Ordinance
4. 3. HOAB Minutes

TA24-06 – Farmhouse Cluster Changes

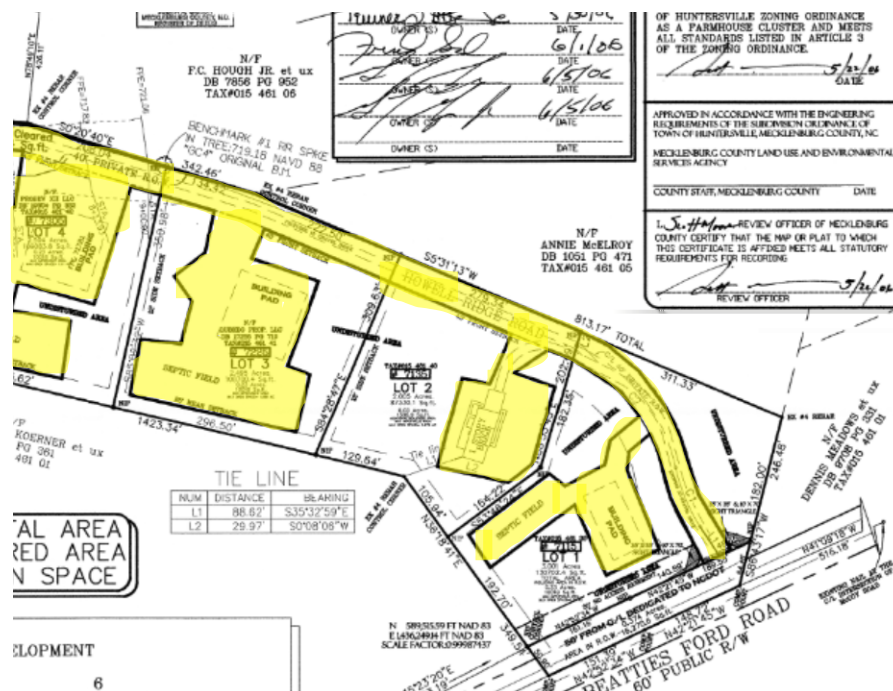
PART 1: DESCRIPTION

TA2-06 is a text amendment request by the Town of Huntersville Planning Department to make changes to the Farmhouse Cluster Subdivision requirements. These changes include requiring an 80ft buffer along the public road and removing the ability to place tree save and open space within private buildable lots.

PART 2: BACKGROUND

Farmhouse Clusters allow the ability to create subdivisions that sensitively integrate within the rural environment. In the Rural and Transition Residential zoning district Farmhouse Clusters allow you to add more density than a minor subdivision without having to go through the major subdivision process. The trade-off required is to provide quality open space and tree preservation while maintaining the rural character of the zoning districts and scenic country roads.

The type of open space used within a farmhouse cluster needs to correspond to the physical conditions of the lot at approval. This often results in the bulk of the open space being natural open space, which requires this space not to be disturbed. Today, Farmhouse Clusters allow the required open space and tree save to be located within the private buildable lots (See below photo. Everything outside of the yellow is open space within a private buildable lot). This often results in the disturbance of the required open space and tree save, because homeowners often assume that they can do anything within the bounds of their property. These disturbances result in increased pressure on enforcement and the loss of mature protected vegetation. Staff proposes to remove the ability to place open space and tree save in private lots to ensure that homeowners can do what they want within their property while protecting the rural character of the subdivision. This change is consistent with Major Subdivisions as they have always been required to keep tree save and open space out of private lots.



Farmhouse Clusters also require that “The project shall maintain a generally rural appearance from public road(s)”. This requirement was created to ensure that the town's scenic country roads are protected. In practice, this has translated to staff negotiating for at least a 60 ft vegetated buffer to meet this requirement. To clarify the Town's expectations and make communication easier between applicants and staff, staff is proposing to codify an 80 ft buffer. This proposal aligns with the already existing 80 ft buffer required for major subdivisions.

Staff is also proposing to allow greater flexibility in the design of the 80 ft buffer. If there is no existing wooded area along the street, any meadow or pasture can be used if it maintains a generally rural appearance and contains at least one softscape or hardscape element, and the homes are to be minimally screened from the street. This could include providing a split rail fence and trees along the front of the buffer. This gives applicants the ability to choose to not use the standard buffer plantings which often give a manicured appearance that does not align with the existing rural surroundings.

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN

LU 9.2: Within lower intensity areas including Moderate Density, Residential Edge, Rural Conservation, and Critical Watershed areas conservation design & farmhouse clusters are encouraged.

- Scenic nature of roadways should be preserved
- Development should be clustered away from key natural features.
- Site design should minimize grading and maximize preservation of existing stands of mature, native trees.

Staff Comment: The proposed text amendment proposes to further build upon already existing language to ensure the required buffer, open space, and tree save are of a higher quality and protected from disturbance.

EOS 6.1: Enforce existing standards and evaluate new design standards to preserve the character of scenic country roads.

- McCauley Road, Black Farms Road, Beatties Farm Road, and Ramah Church Road have been identified as scenic resources and should have corridor-specific design controls that preserve scenic beauty.
- Current regulations require a preserved buffer of trees in some areas and open space requirements encourage the protection of key features, such as views, fields, and historical structures.

Staff Comment: The proposed text amendment will allow flexibility in determining the best way to provide a buffer while ensuring the character of scenic country roads are preserved. The removal of open space and tree save from private buildable lots will allow higher quality preservation of existing trees and natural space while reducing the risk of disturbance in the future. This change will also make preservation consistent with other sections of the code.

EOS 3.1: Make mature, native forest an open space priority, especially near streams.

- Review and update tree preservation and open space requirements to prioritize natural open space and specifically stands of native, mature forest, especially those forests located proximal to streams

Staff Comment: The proposed text amendment prioritizes open space and tree save by requiring these items to be placed outside of private lots. This will ensure that a higher quality of natural space will be prioritized as it will remove the risk of future disturbance.

PART 4: STAFF RECOMMENDATION

Staff recommends approval of the proposed text amendment TA24-06 based on consistency with policies LU 9.2, EOS 3.1, and EOS 6.1 of the Huntersville 2040 Community Plan.

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD-

On May 2, 2024, The Huntersville Ordinances Advisory Board (HOAB) recommended approval (7-1). See attachment 3.

PART 6: PUBLIC HEARING

The Public Hearing is scheduled to take place on August 6, 2024.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board is scheduled to take place on August 27, 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 TA24-06, Planning Staff recommends approval based on consistency with policies LU 9.2, EOS 3.1, and EOS 6.1 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because it provides higher quality open space while ensuring the preservation of rural character which complies with the Huntersville 2040 Community Plan.	APPROVAL: In considering the proposed amendment TA24-06, the Planning Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)	APPROVAL: In considering the proposed amendment TA24-06, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)
DENIAL: N/A	DENIAL: In considering the proposed amendment TA24-06, the Planning Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>.	DENIAL: In considering the proposed amendment TA24-06, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>.

	It is not reasonable and in the public interest to amend the Zoning Ordinance because.... <i>(Explain)</i>	It is not reasonable and in the public interest to amend the Zoning Ordinance because.... <i>(Explain)</i>
--	---	---



Text Amendment Application

Date of Application 5/1/2024

Fee

See Current Town of Huntersville Fee Schedule for Text Amendment to the Zoning/Subdivision Ordinance

Type of Change

☐ New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other

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

Description of Change

Proposed text amendment will affect the following:

Ordinance(s): Zoning Article(s): 3.2.1, 3.22, 12.2.1 Section(s): Please see attached

Current Ordinance

Please see attached

Proposed Text

Please see attached

**Reason for Proposed
Change**

Please see attached

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 Nathan Farber Date 5/1/2024

Title Senior Planner Email nfarber@huntersville.org

Address of Applicant 105 Gilead Rd Floor 3, 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
Planning Department**
PO Box 664
Huntersville, NC 28070

Phone: 704-875-7000
Fax: 704-875-6546
Physical Address: 105 Gilead Road, Third Floor, Huntersville, NC 28078
Website: <https://www.huntersville.org/228/Planning-Department>

Date Received By Planning Department: _____

Staff Initials: _____

**AN ORDINANCE TO AMEND ARTICLE 3.2.1 and 3.2.2, Farmhouse Clusters
Changes**

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.1 and 3.2.2, section (e) Special Requirements: Farmhouse Cluster Developments of the Zoning Ordinance is hereby amended as follows:

Special Requirements: Farmhouse Cluster Developments. A **Farmhouse Cluster** permits the subdivision of land for up to six house lots accessed by way of a shared private drive when the following conditions have been met:

1. Minimum project size and frontage on public road: 10 acres with a minimum of 30 feet of frontage on a public road either by fee simple ownership or by exclusive easement.
2. There shall be no more than two farmhouse cluster developments permitted per tract.
3. Private drives shall be paved in accordance with the Town of Huntersville construction standards. The private street right-of-way or easement shall be of sufficient width to accommodate drainage/water quality treatment associated with the private drive. Further, the recorded easement shall have at least 30' of frontage on a public street. In the event two farmhouse clusters are established, the private drive serving those farmhouse clusters may be connected provided:
 - a) The subdivision plat and associated deeds shall clearly state such drive shall remain private and will not be taken over by a public entity in the future unless such street complies with the construction standards of that public entity.
 - b) Where feasible, there shall be two means of ingress and egress into the combined farmhouse cluster development. Only in the event the original tract does not have the adequate frontage on a public road to obtain two driveway permits would one private drive be allowed to serve the combined farmhouse cluster development;
4. An association of all property owners shall be established for maintenance of all commonly held spaces, if any. Where there are no commonly held spaces except for a shared driveway or private street, a legally binding shared driveway and/or private street use and maintenance agreement shall be filed at the Register of Deeds of Mecklenburg County. Furthermore, the shared driveway or private road shall be shown, along with all appropriate and necessary easements, on a recorded plat and a note shall be attached thereto stipulating the use and maintenance of the driveway and referencing the recorded agreement(s).
5. The location of building sites shall be determined through a site analysis which identifies features to be preserved as open space;

6. No minimum lot size or width is required, so long as the project meets all other standards of the district. Detached garages in farmhouse clusters shall be placed in the side or rear yard of home lots. Farmhouse clusters must include an opaque vegetative buffer from the public street for the placement of detached garages in the side yard of home lots.
7. At least 50% of the tract shall be designated as open space. Open space preservation shall be irrevocable. A metes and bounds description of the space to be preserved and limits on use shall be recorded on the subdivision plat and on individual deeds when open space lands are not held entirely in common. Open space lands may be part of a deeded lot so long as it reflects an irrevocable conservation or open space easement requiring such portions of individual lots to remain and be used as open space as provided in this section.
8. Permitted uses of open space lands to be preserved shall correspond generally to physical conditions at the time of subdivision approval. Restrictive covenants shall limit uses to the continuation of certain agricultural activities (pastureland, crop cultivation) or recreation uses that preserve the view from public streets of rural heritage features to be preserved. For example, fields or pasture land preserved as required open space may continue to support cultivation or grazing; however existing woodlands may not be clear-cut. In order to ensure septic tanks are located on the most suitable soils, septic fields may be located in the common open space provided a maintenance easement is established for access.
9. **Private building lots, or any portion thereof, shall not be used to satisfy tree save requirements or open space requirements.**
10. The project shall maintain a generally rural appearance from public road(s) **by providing an 80 foot opaque landscaped buffer of native vegetation along the property street frontage.**
11. Where a farmhouse cluster would eliminate a planned street connection or a street connection indicated on a plan adopted by the Town of Huntsville or the Charlotte-Mecklenburg Thoroughfare Plan, and no alternate alignment can reasonably provide the connection, the design of the farmhouse cluster shall provide for said connection by the dedication of right-of-way for streets less than 70 feet in width and by the reservation of right-of-way for streets 70 feet or wider.
12. A Farmhouse Cluster requires an approved **Farmhouse Cluster subdivision plan**, according to the requirements of the Huntersville Subdivision Ordinance including approval by the Planning Staff and shall meet all other requirements for review and approval, which may include preliminary plan approval prior to approval of a final plat.

Section 2. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.1(d)3(c) and 3.2.2(d)3(c) of the Zoning Ordinance is hereby amended as follows:

Open Space. Designated open space includes that parcel or parcels of land, which shall be set aside in perpetuity and shall have no buildings or permanent structures constructed within its perimeters except as provided for in this section. There are four types of open space in the Rural District – agriculture, common, natural, and recreation. Open space shall meet the provisions of this section and the provisions for open space established in Article 7, Part B.

- a. Areas containing buildings and other impervious surfaces in excess of 100 sq. ft., shall not be counted as open space. This shall include, but not be limited to, barns, storage buildings, parking lots, clubhouses and tennis courts,
- b. Open Space that is dedicated and accepted by the general public shall be maintained and managed by the Town of Huntersville or Mecklenburg County. The town and county have the right to accept or deny the dedication of open space to the public.
- c. In the ~~Farmhouse Cluster and in the~~ Conservation Subdivision, open space may also include portions of private building lots subject to a conservation or open space easement.
- d. Open space preservation shall be irrevocable. A metes and bounds description of the space to be preserved and limits on use shall be recorded on the subdivision plat, in homeowner covenants, and on individual deeds when open space lands are not held entirely in common. Alternative means of permanent open space preservation may include acceptance by a land conservation trust or a unit of government. Private management alternatives which ensure the open space preservation required by this section will also be permitted. Restrictive covenants shall limit uses to the continuation of certain agricultural activities (pastureland, crop cultivation) or recreation uses that preserve the view from public streets of rural heritage features to be preserved. Upon verification by the town that restriction of development has been established by a permanent and irrevocable instrument, a letter so nothing shall be simultaneously issued to the property owner(s) and to the Mecklenburg County Tax Administrator, Office of Real Estate Appraisal.

Section 3. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 12.2.1 “General Definitions” of the Zoning Ordinance is hereby amended as follows:

Open Space. Any area which is not divided into private or civic building lots, streets, rights-of-way, parking, or easements for purposes other than open space conservation, Unless specifically allowed by this ordinance in ~~the Farmhouse Cluster~~, Conservation Subdivisions, and Minor Subdivisions. Reference Article 7.11 Urban, Agricultural, Common, Natural and Recreational Open Space for specific qualitative criteria.

Section 3. This ordinance shall become effective upon adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: 4/4/2024

PUBLIC HEARING DATE: DATE

PLANNING BOARD MEETING: DATE

TOWN BOARD DECISION: DATE

AN ORDINANCE TO AMEND ARTICLE 3.2.1, 3.2.2 and 12.2.1, Farmhouse Clusters Changes

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.1 and 3.2.2, section (e) Special Requirements: Farmhouse Cluster Developments of the Zoning Ordinance is hereby amended as follows:

Special Requirements: Farmhouse Cluster Developments. A **Farmhouse Cluster** permits the subdivision of land for up to six house lots accessed by way of a shared private drive when the following conditions have been met:

1. Minimum project size and frontage on public road: 10 acres with a minimum of 30 feet of frontage on a public road either by fee simple ownership or by exclusive easement.
2. There shall be no more than two farmhouse cluster developments permitted per tract.
3. Private drives shall be paved in accordance with the Town of Huntersville construction standards. The private street right-of-way or easement shall be of sufficient width to accommodate drainage/water quality treatment associated with the private drive. Further, the recorded easement shall have at least 30' of frontage on a public street. In the event two farmhouse clusters are established, the private drive serving those farmhouse clusters may be connected provided:
 - a) The subdivision plat and associated deeds shall clearly state such drive shall remain private and will not be taken over by a public entity in the future unless such street complies with the construction standards of that public entity.
 - b) Where feasible, there shall be two means of ingress and egress into the combined farmhouse cluster development. Only in the event the original tract does not have the adequate frontage on a public road to obtain two driveway permits would one private drive be allowed to serve the combined farmhouse cluster development;
4. An association of all property owners shall be established for maintenance of all commonly held spaces, if any. Where there are no commonly held spaces except for a shared driveway or private street, a legally binding shared driveway and/or private street use and maintenance agreement shall be filed at the Register of Deeds of Mecklenburg County. Furthermore, the shared driveway or private road shall be shown, along with all appropriate and necessary easements, on a recorded plat and a note shall be attached thereto stipulating the use and maintenance of the driveway and referencing the recorded agreement(s).
5. The location of building sites shall be determined through a site analysis which identifies features to be preserved as open space;

6. No minimum lot size or width is required, so long as the project meets all other standards of the district. Detached garages in farmhouse clusters shall be placed in the side or rear yard of home lots. Farmhouse clusters must include an opaque vegetative buffer from the public street for the placement of detached garages in the side yard of home lots.
7. At least 50% of the tract shall be designated as open space. Open space preservation shall be irrevocable. A metes and bounds description of the space to be preserved and limits on use shall be recorded on the subdivision plat and on individual deeds when open space lands are not held entirely in common. Open space lands may be part of a deeded lot so long as it reflects an irrevocable conservation or open space easement requiring such portions of individual lots to remain and be used as open space as provided in this section.
8. Permitted uses of open space lands to be preserved shall correspond generally to physical conditions at the time of subdivision approval. Restrictive covenants shall limit uses to the continuation of certain agricultural activities (pastureland, crop cultivation) or recreation uses that preserve the view from public streets of rural heritage features to be preserved. For example, fields or pasture land preserved as required open space may continue to support cultivation or grazing; however existing woodlands may not be clear-cut. In order to ensure septic tanks are located on the most suitable soils, septic fields may be located in the common open space provided a maintenance easement is established for access.
9. **Private building lots, or any portion thereof, shall not be used to satisfy tree save requirements or open space requirements.**
10. The project shall maintain a generally rural appearance from public road(s) **by providing an 80 foot buffer along the property street frontage. The buffer shall consist of:**
 - a) **Vegetated plantings consisting of 4 trees per 1000 sf/ft of buffer area; 75% large maturing; 50% evergreen; 25% small maturing and 5 shrubs per 1000 sq/ft; 75% evergreen; or,**
 - b) **Softscape (ie. street trees, meadow, pastures) and hardscape elements (ie. Stone walls, split rail fencing). Residential structures must not be visible from the public road using an opaque screening (Article 7.6.2).**
11. Where a farmhouse cluster would eliminate a planned street connection or a street connection indicated on a plan adopted by the Town of Huntsville or the Charlotte-Mecklenburg Thoroughfare Plan, and no alternate alignment can reasonably provide the connection, the design of the farmhouse cluster shall provide for said connection by the dedication of right-of-way for streets less than 70 feet in width and by the reservation of right-of-way for streets 70 feet or wider.

12. A Farmhouse Cluster requires an approved **Farmhouse Cluster subdivision plan**, according to the requirements of the Huntersville Subdivision Ordinance including approval by the Planning Staff and shall meet all other requirements for review and approval, which may include preliminary plan approval prior to approval of a final plat.

Section 2. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.1(d)3(c) and 3.2.2(d)3(c) of the Zoning Ordinance is hereby amended as follows:

Open Space. Designated open space includes that parcel or parcels of land, which shall be set aside in perpetuity and shall have no buildings or permanent structures constructed within its perimeters except as provided for in this section. There are four types of open space in the Rural District – agriculture, common, natural, and recreation. Open space shall meet the provisions of this section and the provisions for open space established in Article 7, Part B.

- a. Areas containing buildings and other impervious surfaces in excess of 100 sq. ft., shall not be counted as open space. This shall include, but not be limited to, barns, storage buildings, parking lots, clubhouses and tennis courts,
- b. Open Space that is dedicated and accepted by the general public shall be maintained and managed by the Town of Huntersville or Mecklenburg County. The town and county have the right to accept or deny the dedication of open space to the public.
- c. In the ~~Farmhouse Cluster and in the~~ Conservation Subdivision, open space may also include portions of private building lots subject to a conservation or open space easement.
- d. Open space preservation shall be irrevocable. A metes and bounds description of the space to be preserved and limits on use shall be recorded on the subdivision plat, in homeowner covenants, and on individual deeds when open space lands are not held entirely in common. Alternative means of permanent open space preservation may include acceptance by a land conservation trust or a unit of government. Private management alternatives which ensure the open space preservation required by this section will also be permitted. Restrictive covenants shall limit uses to the continuation of certain agricultural activities (pastureland, crop cultivation) or recreation uses that preserve the view from public streets of rural heritage features to be preserved. Upon verification by the town that restriction of development has been established by a permanent and irrevocable instrument, a letter so nothing shall be simultaneously issued to the property owner(s) and to the Mecklenburg County Tax Administrator, Office of Real Estate Appraisal.

Section 3. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 12.2.1 “General Definitions” of the Zoning Ordinance is hereby amended as follows:

Open Space. Any area which is not divided into private or civic building lots, streets, rights-of-way, parking, or easements for purposes other than open space conservation, ~~Unless specifically allowed by this ordinance in the Farmhouse Cluster,~~ Conservation Subdivisions, and Minor Subdivisions. Reference Article 7.11 Urban, Agricultural, Common, Natural, and Recreational Open Space for specific qualitative criteria.

Section 3. This ordinance shall become effective upon adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: 4/4/2024

PUBLIC HEARING DATE: 7/16/2024

PLANNING BOARD MEETING: 7/23/2024

TOWN BOARD DECISION: 8/20/2024

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, May 2, 2024.

Call to Order/Roll Call

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

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

Voting Members Absent: M. Jones

Non-Voting Members Present: Commissioner Bergman, B. Richards, T. Barron, and E. Sloop.

Non-Voting Members Absent: None

Approval of Minutes

Item 2A. Consider approval of the March 7, 2024, Regular Meeting Minutes

Motion: S. Harrington made a Motion to Approve the March 7, 2024, regular meeting minutes as amended. H. Whittaker seconded the motion.

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

Public Comments

None

Action Agenda

4A. TA24-06: Proposed amendment to require farmhouse clusters to provide an 80-foot vegetative buffer and place open space and tree save outside of private buildable lots.

N. Farber, Planner II reviewed the proposed text amendment.

The Board confirmed the proposed buffer is only the buffer along the street frontage and not side or rear buffers, requirement would include landscaping the buffer with native plants, how the open space is currently enforced, and how this would adjust the flexibility of what the homeowner would be able to utilize the land that they purchase.

Motion: M. Pollard made a motion to recommend Approval of TA24-06. K. Jones seconded the motion.

S. Hensley commented that generally he is not in support of limiting personal property rights, but he can see the benefit of what is being proposed for the homeowner to be able to use their property and for the expectations of the trees that will remain.

Vote: The motion passed (7-1) with J. Palillo opposed.

4B. TA24-07: Proposed amendment to remove reference of family-only occupancy requirement for ADU's from the General Residential zoning district regulations to achieve consistency with the rules governing ADU's in other residential zoning districts.

P. Patterson, Planner I reviewed the proposed text amendment.

The Board confirmed the allowed uses for the ADU, if there were any limitations regarding short-term rental and ADU's, and approximately how much General Residential zoning still remains in town, and what caused the text amendment to be proposed.

Motion: M. Pollard made a motion to recommend Approval of TA24-07. J. Palillo seconded the motion.

Vote: The motion passed (7-1) with A. Hallman opposed.

4C. TA 24-08: Proposed amendment to update language to clarify where an existing Family Care Home's exclusive one-half mile radius limit is measured from.

P. Patterson, Planner I reviewed the proposed text amendment that is not a required update due to North Carolina General Statutes.

The Board reviewed the current methodology and proposed changes, why this regulation exists, and expressed concern about the existing distance requirements as this is an important solution for an aging population seeking affordable housing.

Motion: S. Harrington made a motion to recommend Approval of TA24-08. J. Palillo seconded the motion.

A. Hallman commented that it does appear that this Board is being asked to recommend a text amendment in full and not in part even though a portion of the text amendment is not being heard by the Board as it relates to statute changes.

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

4D. TA24-09: Proposed amendment to Article 8.10 "Building Separation" and Article 12, Section 12.2.1, to align with fire-separation distance as defined in the North Carolina State Building Code.

P. Patterson, Planner I reviewed the proposed text amendment.

The Board confirmed that the full and complete building code outlines the requirements and must be met through a building permit.

Motion: J. Palillo made a motion to recommend Approval of TA24-09. J. Klutz seconded the motion.

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

Other Business

J. Palillo announced his resignation from the Ordinance Advisory Board due to personal time conflicts effective immediately. He thanked everyone for the opportunity to be on the Board. The Board thanked him for his service and commented on the value of his first-hand experience to the discussions.

Adjourn

Motion: J. Palillo made a Motion to Adjourn. M. Pollard seconded the motion.

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

Approved this ____ day of _____ 2024.

Chair or Vice Chair

Board Secretary



Request for Board Action

August 6, 2024

To: The Honorable Mayor and Board of Commissioners

From: Patrick Patterson, Planner II

Subject: Public Hearing on Petition #TA24-07 "Accessory Dwelling Units in General Residential"

EXPLAIN REQUEST:

Conduct a public hearing on Petition #TA24-07 "Accessory Dwelling Units in General Residential", a text amendment request by the Town of Huntersville Planning Department to amend Article 3.2.3(c) of the Huntersville Zoning Ordinance to remove the family-only occupancy requirement from the General Residential zoning district regulations to achieve consistency with the rules governing ADU's in other residential zones.

ACTION RECOMMENDED:

Conduct a public hearing

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. TA24-07 Staff Report PH
2. Signed Application TA24-07 and Ordinance
3. May 2, 2024 Minutes

TA24-07 Accessory Dwelling Units (ADU's) in General Residential

PART 1: DESCRIPTION

TA24-07 is a text amendment request by the Town of Huntersville Planning Department to amend Article 3.2.3(c) of the Huntersville Zoning Ordinance to remove the family-only occupancy requirement from the General Residential (GR) zoning district regulations to achieve consistency with the rules governing ADUs in other residential zones.

PART 2: BACKGROUND

Accessory Dwelling Units (ADUs) are conditionally permitted in every residential district of the Town of Huntersville. Notably, in the General Residential (GR) zoning district, ADUs are currently restricted for use exclusively by family members (related person(s)). This “family only” restriction does not apply to other residential districts. Planning staff proposes eliminating this family-only occupancy requirement from the GR district regulations to achieve consistency with the rules governing ADUs in other residential zones.

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN

LU 10.1: Align housing options with resident needs and promote attainable housing options. Accommodate a mix of housing by type, tenure, and location to serve a growing and increasingly diverse population. Housing offerings should align with workforce opportunities, including management, professional positions, and service positions.

Comment: The proposed text amendment seeks to increase attainable housing options and accommodate a mix of housing types, satisfying one of the land use policies of the Huntersville 2040 Community Plan.

PART 4: STAFF RECOMMENDATION

Staff recommends approval of the proposed text amendment TA24-07 to achieve consistency with the rules governing ADUs in other residential zones.

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD RECOMMENDATION

On March 7, 2024, The Huntersville Ordinance Advisory Board recommended approval of TA24-07 with a vote of (7-1).

PART 6: PUBLIC HEARING

The Public Hearing is scheduled for August 6th, 2024.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board is scheduled for August 27th, 2024.

PART 8: ATTACHMENTS

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

PART 9: STATEMENT OF CONSISTENCY – TA24-07		
Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA24-07, Planning Staff recommends approval based on consistency with L.U. 10.1 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because it will make General Residential (GR) consistent with other residential districts and increase housing choices for residents of Huntersville.	APPROVAL: In considering the proposed amendment TA24-07, the Planning Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...<i>(Explain)</i>	APPROVAL: In considering the proposed amendment TA24-07, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...<i>(Explain)</i>
DENIAL: N/A	DENIAL: In considering the proposed amendment TA24-07, the Planning Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>. It is not reasonable and in the public interest to amend the Zoning Ordinance because.... <i>(Explain)</i>	DENIAL: In considering the proposed amendment TA24-07, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>. It is not reasonable and in the public interest to amend the Zoning Ordinance because.... <i>(Explain)</i>



Text Amendment Application

Date of Application 4/19/2024

Fee

See Current Town of Huntersville Fee Schedule for Text Amendment to the Zoning/Subdivision Ordinance

Type of Change

☐ New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other

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

Description of Change

Proposed text amendment will affect the following:

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

Current Ordinance

See Attached

Proposed Text

See Attached

Reason for Proposed
Change

To update the General Residential (GR) zoning district ADU restrictions to be
consistent with all other residential zoning districts

Applicant

Printed Name Town of Huntersville Planning Department Staff

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

Signature  Date 4/22/21

Title Planning Director Email brichard@huntersville.org

Address of Applicant _____

Property Owner (if different than applicant)

* Printed Name _____

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

Signature _____ Date _____

Title _____ Email _____

Address of Property Owner _____

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

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

Contact Information

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

Phone: 704-875-7000
Fax: 704-875-6546
Physical Address: 105 Gilead Road, Third Floor, Huntersville, NC 28078
Website: <https://www.huntersville.org/228/Planning-Department>

Date Received By Planning Department: _____

Staff Initials: _____

**AN ORDINANCE TO AMEND THE HUNTERSVILLE ZONING ORDINANCE TO
REMOVE RELATED PERSON(S) REQUIREMENTS FROM THE GENERAL
RESIDENTIAL ZONING DISTRICT**

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.3(c), Zoning Ordinance is hereby amended as follows:

(c) Permitted Accessory Uses.

- accessory dwellings ~~for use by related person(s)~~, (9.1)
- day care home (small), (9.11)
- home occupations, (9.19)
- marinas, (9.42)
- solar facility, minor non-residential (9.54)
- solar energy facility, minor residential (9.54)
- accessory uses permitted in all districts (8.11)

Section 2. This ordinance shall become effective upon adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: 5/2/24

PUBLIC HEARING DATE:

PLANNING BOARD MEETING:

TOWN BOARD DECISION:

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, May 2, 2024.

Call to Order/Roll Call

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

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

Voting Members Absent: M. Jones

Non-Voting Members Present: Commissioner Bergman, B. Richards, T. Barron, and E. Sloop.

Non-Voting Members Absent: None

Approval of Minutes

Item 2A. Consider approval of the March 7, 2024, Regular Meeting Minutes

Motion: S. Harrington made a Motion to Approve the March 7, 2024, regular meeting minutes as amended. H. Whittaker seconded the motion.

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

Public Comments

None

Action Agenda

4A. TA24-06: Proposed amendment to require farmhouse clusters to provide an 80-foot vegetative buffer and place open space and tree save outside of private buildable lots.

N. Farber, Planner II reviewed the proposed text amendment.

The Board confirmed the proposed buffer is only the buffer along the street frontage and not side or rear buffers, requirement would include landscaping the buffer with native plants, how the open space is currently enforced, and how this would adjust the flexibility of what the homeowner would be able to utilize the land that they purchase.

Motion: M. Pollard made a motion to recommend Approval of TA24-06. K. Jones seconded the motion.

S. Hensley commented that generally he is not in support of limiting personal property rights, but he can see the benefit of what is being proposed for the homeowner to be able to use their property and for the expectations of the trees that will remain.

Vote: The motion passed (7-1) with J. Palillo opposed.

4B. TA24-07: Proposed amendment to remove reference of family-only occupancy requirement for ADU's from the General Residential zoning district regulations to achieve consistency with the rules governing ADU's in other residential zoning districts.

P. Patterson, Planner I reviewed the proposed text amendment.

The Board confirmed the allowed uses for the ADU, if there were any limitations regarding short-term rental and ADU's, and approximately how much General Residential zoning still remains in town, and what caused the text amendment to be proposed.

Motion: M. Pollard made a motion to recommend Approval of TA24-07. J. Palillo seconded the motion.

Vote: The motion passed (7-1) with A. Hallman opposed.

4C. TA 24-08: Proposed amendment to update language to clarify where an existing Family Care Home's exclusive one-half mile radius limit is measured from.

P. Patterson, Planner I reviewed the proposed text amendment that is not a required update due to North Carolina General Statutes.

The Board reviewed the current methodology and proposed changes, why this regulation exists, and expressed concern about the existing distance requirements as this is an important solution for an aging population seeking affordable housing.

Motion: S. Harrington made a motion to recommend Approval of TA24-08. J. Palillo seconded the motion.

A. Hallman commented that it does appear that this Board is being asked to recommend a text amendment in full and not in part even though a portion of the text amendment is not being heard by the Board as it relates to statute changes.

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

4D. TA24-09: Proposed amendment to Article 8.10 "Building Separation" and Article 12, Section 12.2.1, to align with fire-separation distance as defined in the North Carolina State Building Code.

P. Patterson, Planner I reviewed the proposed text amendment.

The Board confirmed that the full and complete building code outlines the requirements and must be met through a building permit.

Motion: J. Palillo made a motion to recommend Approval of TA24-09. J. Klutz seconded the motion.

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

Other Business

J. Palillo announced his resignation from the Ordinance Advisory Board due to personal time conflicts effective immediately. He thanked everyone for the opportunity to be on the Board. The Board thanked him for his service and commented on the value of his first-hand experience to the discussions.

Adjourn

Motion: J. Palillo made a Motion to Adjourn. M. Pollard seconded the motion.

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

Approved this ____ day of _____ 2024.

Chair or Vice Chair

Board Secretary



Request for Board Action

August 6, 2024

To: The Honorable Mayor and Board of Commissioners

From: Patrick Patterson, Planner II

Subject: Public Hearing on Petition #TA24-08 "Family Care Home"

EXPLAIN REQUEST:

Conduct a public hearing on petition #TA24-08 "Family Care Home", a text amendment request by the Town of Huntersville Planning Department to amend Article 12, Section 12.2.1 of the Huntersville Zoning Ordinance to update the language to specify where a Family Care Home's one-half mile radius distance is measured from.

ACTION RECOMMENDED:

Conduct a public hearing

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. TA24-08 Staff Report PH
2. Signed Application TA24-08
3. TA24-08 Ordinance
4. May 2, 2024 Minutes
5. GS_160D-907 Family Care Homes

TA24-08 Family Care Homes

PART 1: DESCRIPTION

TA24-08 is a text amendment request by the Town of Huntersville Planning Department to amend Article 12 Section 12.2.1 of the Huntersville Zoning Ordinance to update the language to specify where a Family Care Home's one-half mile radius distance is measured from.

PART 2: BACKGROUND

Family Care Homes are allowed in all residential districts, with certain conditions attached to the use. One of the conditions is a separation requirement between Family Care Homes. The definition of Family Care Home defines the distance as one-half mile between Family Care Homes, but does not state where the distance is measured from. Staff is looking to clarify the language to specify where a Family Care Home's one-half mile radius distance is measured from.

Staff is also making changes to language found in the "Family Care Home" definition to closer match current state statutes.

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN

No relevant policies in the Huntersville 2040 Community Plan.

PART 4: STAFF RECOMMENDATION

Staff recommends approval of the proposed text amendment TA24-08 as it specifies where a Family Care Home's one-half mile radius distance is measured from.

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD RECOMMENDATION

On March 7, 2024, The Huntersville Ordinance Advisory Board recommended approval of TA24-08 with a vote of (8-0).

PART 6: PUBLIC HEARING

The Public Hearing is scheduled for August 6th, 2024.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board is scheduled for August 27, 2024.

PART 8: ATTACHMENTS

1. Text Amendment Application
2. Proposed Ordinance
3. HOAB Minutes
4. GS 160D-907 "Family Care Homes"

PART 9: STATEMENT OF CONSISTENCY – TA24-08		
Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA24-08, 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 will provide further clarification to the language.	APPROVAL: In considering the proposed amendment TA24-08, the Planning Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)	APPROVAL: In considering the proposed amendment TA24-08, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)
DENIAL: N/A	DENIAL: In considering the proposed amendment TA24-08, the Planning Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>. It is not reasonable and in the public interest to amend the Zoning Ordinance because.... (Explain)	DENIAL: In considering the proposed amendment TA24-08, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>. It is not reasonable and in the public interest to amend the Zoning Ordinance because.... (Explain)



Text Amendment Application

Date of Application 4/19/2024

Fee

See Current Town of Huntersville Fee Schedule for Text Amendment to the Zoning/Subdivision Ordinance

Type of Change

☐ New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other

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

Description of Change

Proposed text amendment will affect the following:

Ordinance(s): Zoning Ordinance Article(s): 12 Section(s): 12.2.1

Current Ordinance

See Attached

Proposed Text

See Attached

Reason for Proposed Change

Staff is looking to update the language to specify where a Family Care Home's on-half mile radius distance is measured from.

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  Date _____

Title Planning Director Email brichod@huntersville.org

Address of Applicant _____

Property Owner (if different than applicant)

* Printed Name _____

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

Signature _____ Date _____

Title _____ Email _____

Address of Property Owner _____

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

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

Contact Information

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

Phone: 704-875-7000
Fax: 704-875-6546
Physical Address: 105 Gilead Road, Third Floor, Huntersville, NC 28078
Website: <https://www.huntersville.org/228/Planning-Department>

Date Received By Planning Department: _____

Staff Initials: _____

**AN ORDINANCE TO AMEND THE HUNTERSVILLE ZONING ORDINANCE, 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 “Family Care Home” as follows:

A home with support and supervisory personnel that provides room and board, personal care, and habilitation services in a family environment for not more than six resident persons with disabilities. Persons with disabilities shall mean a person with a temporary or permanent physical, emotional, or mental disability, including, but not limited to, ~~mental retardation~~ an intellectual or other developmental disability, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances, and orthopedic impairments but not including ~~mentally ill~~ persons with a mental illness who are dangerous to others as defined in G.S. 122C-3(11)(b). Family care homes are permitted in any district which allows residential use, however, no new family care home is permitted within a one-half mile radius of an existing family care home, measured from the nearest property lines.

Section 2. This ordinance shall become effective upon adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: 5/2/24

PUBLIC HEARING DATE:

PLANNING BOARD MEETING:

TOWN BOARD DECISION:

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, May 2, 2024.

Call to Order/Roll Call

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

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

Voting Members Absent: M. Jones

Non-Voting Members Present: Commissioner Bergman, B. Richards, T. Barron, and E. Sloop.

Non-Voting Members Absent: None

Approval of Minutes

Item 2A. Consider approval of the March 7, 2024, Regular Meeting Minutes

Motion: S. Harrington made a Motion to Approve the March 7, 2024, regular meeting minutes as amended. H. Whittaker seconded the motion.

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

Public Comments

None

Action Agenda

4A. TA24-06: Proposed amendment to require farmhouse clusters to provide an 80-foot vegetative buffer and place open space and tree save outside of private buildable lots.

N. Farber, Planner II reviewed the proposed text amendment.

The Board confirmed the proposed buffer is only the buffer along the street frontage and not side or rear buffers, requirement would include landscaping the buffer with native plants, how the open space is currently enforced, and how this would adjust the flexibility of what the homeowner would be able to utilize the land that they purchase.

Motion: M. Pollard made a motion to recommend Approval of TA24-06. K. Jones seconded the motion.

S. Hensley commented that generally he is not in support of limiting personal property rights, but he can see the benefit of what is being proposed for the homeowner to be able to use their property and for the expectations of the trees that will remain.

Vote: The motion passed (7-1) with J. Palillo opposed.

4B. TA24-07: Proposed amendment to remove reference of family-only occupancy requirement for ADU's from the General Residential zoning district regulations to achieve consistency with the rules governing ADU's in other residential zoning districts.

P. Patterson, Planner I reviewed the proposed text amendment.

The Board confirmed the allowed uses for the ADU, if there were any limitations regarding short-term rental and ADU's, and approximately how much General Residential zoning still remains in town, and what caused the text amendment to be proposed.

Motion: M. Pollard made a motion to recommend Approval of TA24-07. J. Palillo seconded the motion.

Vote: The motion passed (7-1) with A. Hallman opposed.

4C. TA 24-08: Proposed amendment to update language to clarify where an existing Family Care Home's exclusive one-half mile radius limit is measured from.

P. Patterson, Planner I reviewed the proposed text amendment that is not a required update due to North Carolina General Statutes.

The Board reviewed the current methodology and proposed changes, why this regulation exists, and expressed concern about the existing distance requirements as this is an important solution for an aging population seeking affordable housing.

Motion: S. Harrington made a motion to recommend Approval of TA24-08. J. Palillo seconded the motion.

A. Hallman commented that it does appear that this Board is being asked to recommend a text amendment in full and not in part even though a portion of the text amendment is not being heard by the Board as it relates to statute changes.

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

4D. TA24-09: Proposed amendment to Article 8.10 "Building Separation" and Article 12, Section 12.2.1, to align with fire-separation distance as defined in the North Carolina State Building Code.

P. Patterson, Planner I reviewed the proposed text amendment.

The Board confirmed that the full and complete building code outlines the requirements and must be met through a building permit.

Motion: J. Palillo made a motion to recommend Approval of TA24-09. J. Klutz seconded the motion.

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

Other Business

J. Palillo announced his resignation from the Ordinance Advisory Board due to personal time conflicts effective immediately. He thanked everyone for the opportunity to be on the Board. The Board thanked him for his service and commented on the value of his first-hand experience to the discussions.

Adjourn

Motion: J. Palillo made a Motion to Adjourn. M. Pollard seconded the motion.

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

Approved this ____ day of _____ 2024.

Chair or Vice Chair

Board Secretary

§ 160D-907. Family care homes.

(a) The General Assembly finds it is the public policy of this State to provide persons with disabilities with the opportunity to live in a normal residential environment.

(b) As used in this section, the following definitions apply:

- (1) Family care home. – A home with support and supervisory personnel that provides room and board, personal care, and habilitation services in a family environment for not more than six resident persons with disabilities.
- (2) Person with disabilities. – A person with a temporary or permanent physical, emotional, or mental disability, including, but not limited to, an intellectual or other developmental disability, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances, and orthopedic impairments but not including persons with a mental illness who are dangerous to others as defined in G.S. 122C-3(11)b.

(c) A family care home is deemed a residential use of property for zoning purposes and is a permissible use in all residential districts. No local government shall require that a family care home, its owner, or operator obtain, because of the use, a special use permit or variance from any such zoning regulation; however, a local government may prohibit a family care home from being located within a one-half mile radius of an existing family care home.

(d) A family care home is deemed a residential use of property for the purposes of determining charges or assessments imposed by local governments or businesses for water, sewer, power, telephone service, cable television, garbage and trash collection, repairs or improvements to roads, streets, and sidewalks, and other services, utilities, and improvements. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d); 2021-88, s. 9(k).)



Request for Board Action

August 6, 2024

To: The Honorable Mayor and Board of Commissioners

From: Patrick Patterson, Planner II

Subject: Public Hearing on Petition #TA24-09 "Building Separation"

EXPLAIN REQUEST:

Conduct a public hearing on petition #TA24-09 "Building Separation", a text amendment request by the Town of Huntersville Planning Department to amend Article 8.10 and Article 12.2.1 of the Huntersville Zoning Ordinance to closer align our rules regarding building separation to North Carolina Building Code Standards and North Carolina Residential Code Standards.

ACTION RECOMMENDED:

Conduct a public hearing

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. TA24-09 Staff Report PH
2. Signed Application TA24-09
3. TA24-09 Ordinance
4. May 2, 2024 Minutes

TA24-09 Building Separation

PART 1: DESCRIPTION

TA24-09 is a text amendment request by the Town of Huntersville Planning Department to amend Article 8.10 and Article 12.2.1 of the Huntersville Zoning Ordinance to closer align Huntersville Zoning regulations regarding building separation to North Carolina Building Code Standards and North Carolina Residential Code Standards.

PART 2: BACKGROUND

Article 8.10 of the Huntersville Zoning Ordinance contains requirements regarding building separation for principal and accessory structures. Staff is seeking to change building separation standards stated in the Huntersville Zoning Ordinance to reflect the North Carolina State Building Codes or North Carolina Residential Codes for building separation. This will simplify the zoning ordinance by referring to building code requirements for building separation and ensures that Huntersville won't need to amend the ordinance whenever building code standards are updated.

Additionally, the text amendment adds the definition of "Fire Separation Distance" into the ordinance, and replace all instances of "Building Separation" with "Fire Separation Distance." This adjustment is necessary because the North Carolina State Building Code and North Carolina Residential Code do not explicitly define building separation and instead define it as "Fire Separation Distance".

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN

LU 10.1: Continue to encourage a mix of lot sizes in new developments.

Comment: The proposed text amendment seeks to increase attainable housing options and accommodate a mix of lot sizes, satisfying one of the land use policies of the Huntersville 2040 Community Plan.

PART 4: STAFF RECOMMENDATION

Staff recommends approval of the proposed text amendment TA24-09 as it simplifies our zoning ordinance by deferring to North Carolina State Building Code Standards

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD RECOMMENDATION

On March 7, 2024, The Huntersville Ordinance Advisory Board recommended approval of TA24-09 with a vote of (8-0).

PART 6: PUBLIC HEARING

The Public Hearing is scheduled for August 6th, 2024.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board is scheduled for August 27th, 2024.

PART 8: ATTACHMENTS

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

PART 9: STATEMENT OF CONSISTENCY – TA24-09

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA24-09, Planning Staff recommends approval based on consistency with L.U. 10.2 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because it encourages a mix of lot sizes in new developments and increases site design flexibility.	APPROVAL: In considering the proposed amendment TA24-09, the Planning Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...<i>(Explain)</i>	APPROVAL: In considering the proposed amendment TA24-09, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...<i>(Explain)</i>
DENIAL: N/A	DENIAL: In considering the proposed amendment TA24-09, the Planning Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>. It is not reasonable and in the public interest to amend the Zoning Ordinance because.... <i>(Explain)</i>	DENIAL: In considering the proposed amendment TA24-09, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>. It is not reasonable and in the public interest to amend the Zoning Ordinance because.... <i>(Explain)</i>



Text Amendment Application

Date of Application 4/19/2024

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): See Attached Section(s): See Attached

Current Ordinance

See Attached

Proposed Text

See Attached

**Reason for Proposed
Change**

Amend building separation distance to match building code standards

Attach additional pages if needed.

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

Applicant

Printed Name Town of Huntersville Planning Department Staff

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

Signature [Signature] Date 4/22/24

Title Planning Director Email b.nichols@huntersville.org

Address of Applicant _____

Property Owner (if different than applicant)

* Printed Name _____

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

Signature _____ Date _____

Title _____ Email _____

Address of Property Owner _____

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

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

Contact Information

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

Phone: 704-875-7000
Fax: 704-875-6546
Physical Address: 105 Gilead Road, Third Floor, Huntersville, NC 28078
Website: <https://www.huntersville.org/228/Planning-Department>

Date Received By Planning Department: _____

Staff Initials: _____

**AN ORDINANCE TO AMEND ARTICLE 8, SECTION 10 “BUILDING SEPARATION”
AND ARTICLE 12, SECTION 12.2.1**

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 8, Section 10 of the Zoning Ordinance is hereby amended as follows:

8.10 Building Separation-Fire-Separation Distance

All ~~detached~~ principal and accessory structures and buildings in all districts shall preserve a minimum ~~building separation~~ fire-separation distance of 10 feet compliant with North Carolina State Building Code requirements or NC Residential Code requirements, whichever may apply. ~~The requirement of the district to conform to an existing pattern of building spacing along a street may require a greater separation or the provision of specified side yards. All detached accessory structures in all districts shall maintain a minimum building separation of 4 feet, as measured from the overhang.~~

Section 2: 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 as follows:

Fire Separation Distance. The distance measured from the building face to one of the following:

1. To the closest interior lot line.
2. To the centerline of a street, an alley or public way.
3. To an imaginary line between two buildings on the lot.

The distance shall be measured at a right angle from the face of the wall.

Section 3: This ordinance shall become effective upon adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: 5/2/24

PUBLIC HEARING DATE:

PLANNING BOARD MEETING:

TOWN BOARD DECISION:

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, May 2, 2024.

Call to Order/Roll Call

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

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

Voting Members Absent: M. Jones

Non-Voting Members Present: Commissioner Bergman, B. Richards, T. Barron, and E. Sloop.

Non-Voting Members Absent: None

Approval of Minutes

Item 2A. Consider approval of the March 7, 2024, Regular Meeting Minutes

Motion: S. Harrington made a Motion to Approve the March 7, 2024, regular meeting minutes as amended. H. Whittaker seconded the motion.

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

Public Comments

None

Action Agenda

4A. TA24-06: Proposed amendment to require farmhouse clusters to provide an 80-foot vegetative buffer and place open space and tree save outside of private buildable lots.

N. Farber, Planner II reviewed the proposed text amendment.

The Board confirmed the proposed buffer is only the buffer along the street frontage and not side or rear buffers, requirement would include landscaping the buffer with native plants, how the open space is currently enforced, and how this would adjust the flexibility of what the homeowner would be able to utilize the land that they purchase.

Motion: M. Pollard made a motion to recommend Approval of TA24-06. K. Jones seconded the motion.

S. Hensley commented that generally he is not in support of limiting personal property rights, but he can see the benefit of what is being proposed for the homeowner to be able to use their property and for the expectations of the trees that will remain.

Vote: The motion passed (7-1) with J. Palillo opposed.

4B. TA24-07: Proposed amendment to remove reference of family-only occupancy requirement for ADU's from the General Residential zoning district regulations to achieve consistency with the rules governing ADU's in other residential zoning districts.

P. Patterson, Planner I reviewed the proposed text amendment.

The Board confirmed the allowed uses for the ADU, if there were any limitations regarding short-term rental and ADU's, and approximately how much General Residential zoning still remains in town, and what caused the text amendment to be proposed.

Motion: M. Pollard made a motion to recommend Approval of TA24-07. J. Palillo seconded the motion.

Vote: The motion passed (7-1) with A. Hallman opposed.

4C. TA 24-08: Proposed amendment to update language to clarify where an existing Family Care Home's exclusive one-half mile radius limit is measured from.

P. Patterson, Planner I reviewed the proposed text amendment that is not a required update due to North Carolina General Statutes.

The Board reviewed the current methodology and proposed changes, why this regulation exists, and expressed concern about the existing distance requirements as this is an important solution for an aging population seeking affordable housing.

Motion: S. Harrington made a motion to recommend Approval of TA24-08. J. Palillo seconded the motion.

A. Hallman commented that it does appear that this Board is being asked to recommend a text amendment in full and not in part even though a portion of the text amendment is not being heard by the Board as it relates to statute changes.

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

4D. TA24-09: Proposed amendment to Article 8.10 "Building Separation" and Article 12, Section 12.2.1, to align with fire-separation distance as defined in the North Carolina State Building Code.

P. Patterson, Planner I reviewed the proposed text amendment.

The Board confirmed that the full and complete building code outlines the requirements and must be met through a building permit.

Motion: J. Palillo made a motion to recommend Approval of TA24-09. J. Klutz seconded the motion.

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

Other Business

J. Palillo announced his resignation from the Ordinance Advisory Board due to personal time conflicts effective immediately. He thanked everyone for the opportunity to be on the Board. The Board thanked him for his service and commented on the value of his first-hand experience to the discussions.

Adjourn

Motion: J. Palillo made a Motion to Adjourn. M. Pollard seconded the motion.

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

Approved this ____ day of _____ 2024.

Chair or Vice Chair

Board Secretary



Request for Board Action

August 6, 2024

To: The Honorable Mayor and Board of Commissioners

From: Brad Priest, Assistant Planner Director

Subject: Public Hearing on Petition #TA24-12: Special Use Permit Uses - Process Amendment

EXPLAIN REQUEST:

Petition #TA24-12 is a request by the Huntersville Planning Department for a text amendment to modify uses requiring a Special Use Permit, affecting Articles 3 and 9 of the Huntersville Zoning Ordinance.

ACTION RECOMMENDED:

Conduct public hearing.

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. TA24-12 Staff Report PH - 8 6 24
2. TA24-12 SUP Ordinance
3. TA24-12 Application

TA24-12 Special Use Permit Uses – Process Amendment

PART 1: DESCRIPTION

TA24-12 is a request by the Huntersville Planning Department to amend several sections of the Huntersville Zoning Ordinance. The purpose of the amendment is to transfer selected uses from being permitted by Special Use Permit, to permitted by Conditional District Rezoning, with Conditions, and to delete some uses permitted by Special Use Permit.

PART 2: BACKGROUND

For a few years, the Town Board has expressed their desire for staff to look for ways to reduce the amount of quasi-judicial applications appearing before the Board. Quasi-judicial reviews and applications have specific legal mandates on how they are to be conducted. These legal requirements from the North Carolina General Statutes make it more difficult for both applicants and adjacent property owners to give and receive meaningful feedback to or from the Town Board outside of the quasi-judicial hearing. This limits the applicant's ability to get preliminary feedback on their application, and adjacent property owners from expressing their concerns to the Board. In addition, adjacent property owners may not be permitted to be involved in the quasi-judicial hearing if they do not meet the very specific standards of becoming a "Party" to the application.

Therefore, in August 2022, the Town Board approved a text amendment from staff changing the approval of major subdivisions from a quasi-judicial review to an administrative review approved by staff. This amendment expedited major subdivision reviews and removed the need for large subdivisions of land to go before the Town Board. Currently, many uses in the zoning ordinance are still only allowed with the issuance of a Special Use Permit (SUP), which are also quasi-judicial reviews. These uses are generally regarded as potentially having a greater than normal effect on adjacent properties, and thus require a higher standard of review by the Town Board.

Thus, continuing the effort to reduce quasi-judicial applications as much as possible, staff is proposing to change how some of these uses are processed. Many Special Use Permit uses that are likely to have an environmental impact, or larger than normal effect on adjacent properties are proposed to stay as Special Use Permit uses. Uses such as Halfway Houses, Wind Energy Facilities, Landfills, etc. would still be required to obtain a permit from the Town Board. However, uses with less of an impact, and which already have a substantial number of conditions attached to them in Article 9 of the ordinance would change. Uses such as Hotels, Dormitories, Banquet Facilities, Schools, and others are proposed to be modified.

Staff understands that some uses which may have a reduced effect on adjacent properties may still be appropriate for a Town Board review. Rather than reviewing these uses through a quasi-judicial process such as an SUP however, staff proposes these uses be reviewed through the legislative Conditional District Rezoning process. For instance, the condition for Hotels in the Highway Commercial (HC) district in Article 9 states that the hotel property must be 250 feet from a residentially zoned lot. If it's closer than that, the proposed amendment would make that use application a Conditional District Rezoning review. This would still be a Town Board review, but not quasi-judicial. Other uses such as Banquet Facilities in the Rural (R) district are proposed to be approved with conditions only (an administrative review by staff) due to the conditions associated with those uses being extensive. Such conditions would substantially protect adjacent property

owners, making Special Use Permit review redundant. Other uses such as Country Inn Developments staff proposes to delete as they've never been used or developed since the use was added into the ordinance.

In summary, the proposed amendment would reduce Special Use Permit reviews that may not be needed and modify other uses as Conditional District Rezoning that may merit additional Town Board review.

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN

TA-24-12 is consistent with the following Huntersville 2040 Community Plan policies.

- **LU-8: Emphasize form and flexibility in Mixed-Use Centers, Employment Centers, the Town Core, and Activity Centers.** *Staff Comment:* The proposed amendment would transfer some reviews from Special Use Permit to Conditional District Rezoning reviews. This change for certain uses increases ordinance flexibility because through the CD Rezoning process, the Town Board can modify ordinance standards for excellent design and projects with public benefit.

PART 4: STAFF RECOMMENDATION

Staff recommends approval of the proposed text amendment due to its consistency with policies LU-8 of the Huntersville 2040 Plan. TA24-12 would provide greater flexibility to specific uses through the conditional rezoning process while at the same time encouraging extraordinary design.

It is reasonable and in the public interest to approve the application because it will allow both the applicant and adjacent property owners greater ability to discuss the application with the Town Board as needed, while at the same time making sure appropriate review processes are in place for uses that may have a greater than normal effect on adjacent properties.

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD-

On July 11, 2024, the Huntersville Ordinance Advisory Board unanimously recommended to approve the application. (Minutes for this meeting are pending.)

PART 6: PUBLIC HEARING

The Public Hearing is scheduled for August 6, 2024.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board review is scheduled for August 27, 2024.

PART 8: ATTACHMENTS

1. Text Amendment Application
2. Proposed Ordinance

PART 9: STATEMENT OF CONSISTENCY – TA24-12		
Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA24-12, Planning Staff recommends approval based on consistency with policies LU-8 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to approve the application because it will allow both the applicant and adjacent property owners greater ability to discuss the application with the Town Board as needed, while at the same time making sure appropriate review processes are in place for uses that may have a greater than normal effect on adjacent properties	APPROVAL: In considering the proposed amendment TA24-12, the Planning Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...<i>(Explain)</i>	APPROVAL: In considering the proposed amendment TA24-12, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...<i>(Explain)</i>
DENIAL: N/A	DENIAL: In considering the proposed amendment TA24-12, the Planning Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>. It is not reasonable and in the public interest to amend the Zoning Ordinance because.... <i>(Explain)</i>	DENIAL: In considering the proposed amendment TA24-12, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>. It is not reasonable and in the public interest to amend the Zoning Ordinance because.... <i>(Explain)</i>

AN ORDINANCE TO AMEND ARTICLE 3 & ARTICLE 9 OF THE HUNTERSVILLE ZONING ORDINANCE

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that **Article 3, Section 3.2.1(a)** of the Huntersville Zoning Ordinance is hereby amended as follows:

Permitted Uses.

Uses permitted by right.

- bed and breakfast inn
- boarding or rooming houses for up to two roomers
- family care home
- single-family detached homes

Uses permitted with conditions.

- cemeteries, (9.7)
- religious institutions, (9.8)
- commercial communication towers, (9.9)
- duplexes up to 10% of dwelling units in development, (9.13)
- essential services 1 and 2, (9.14)
- government buildings up to 5,000 sq. ft. of gross floor area; fire stations are permitted in government buildings up to 15,000 sq. ft. of gross floor area
- neighborhood and outdoor recreation, (9.21)
- parks, (9.29)
- plant nurseries, (9.46)
- riding academies and/or commercial stables, (9.33)
- schools, (9.35)
- transit shelters, (9.39)
- banquet facility, (9.59)
- dormitory for a bona fide farm (9.62)

Uses permitted with Special Use Permit.

- agricultural industry, (9.3)
- ~~banquet facility, (9.59)~~
- ~~commercial communication towers (9.9)~~
- ~~commercial par 3 golf course and / or golf driving range (9.61)~~
- ~~dormitory for a bona fide farm (9.62)~~
- ~~off-site catering services performed in an agritourism facility (9.60)~~

- solar energy facility, major, (9.54)
- wind energy facility, major, (9.53)
- wind energy facility, minor, accessory (9.53)

Section 2. Be it ordained by the Board of Commissioners of the Town of Huntersville that **Article 3, Section 3.2.2(a)** of the Huntersville Zoning Ordinance is hereby amended as follows:

Permitted Uses.

Uses permitted by right.

- bed and breakfast inns
- boarding or rooming houses for up to two roomers
- family care home
- single family detached homes

Uses permitted with conditions.

- cemeteries, (9.7)
- religious institutions, (9.8)
- duplexes up to 20% of dwelling units in development, (9.13)
- essential services 1 and 2, (9.14)
- government buildings up to 5,000 sq. ft. of gross floor area; fire stations are permitted in government buildings up to 15,000 sq. ft. of gross floor area
- neighborhood and outdoor recreation, (9.21)
- parks, (9.29)
- plant nurseries, (9.46)
- riding academies and/or commercial stables, (9.33)
- schools, (9.35)
- transit shelters, (9.39)
- dormitory for a bona fide farm (9.62)

Uses permitted with Special Use Permit.

- agricultural industry, (9.3)
- ~~country inn development (9.52)~~
- ~~dormitory for a bona fide farm (9.62)~~
- solar energy facility, major, (9.54)
- wind energy facility, major, (9.53)
- wind energy facility, minor, accessory, (9.53)

Section 3. Be it ordained by the Board of Commissioners of the Town of Huntersville that **Article 3, Section 3.2.6(b)** of the Huntersville Zoning Ordinance is hereby amended as follows:

a. Permitted Uses.

Uses permitted by right.

- bed and breakfast inns
- boarding or rooming houses for up to six roomers
- civic, fraternal, cultural, community, or club facilities
- commercial uses
- congregate housing designed within the “civic” building type
- family care home
- government buildings
- hotels
- indoor amusement
- nightclubs, music clubs, bars, and similar entertainment facilities
- single family homes

Uses permitted with conditions.

- automobile and/or motorcycle sales, automobile service and repair, up to 2 acres in size, with a principal building of at least 8,000 sq. ft., all damaged vehicles and auto parts to be screened opaque (9.25)
- cemeteries, (9.7)
- religious institutions, (9.8)
- essential services 1 and 2, (9.14)
- neighborhood gasoline stations, excluding major service and repair of motor vehicles (9.22)
- parking lot as principal use (9.28)
- parks, (9.29)
- schools, (9.35)
- temporary mobile food sales (9.37)
- temporary outdoor sales of seasonal agricultural products and customary accessory products (example: farmers’ markets, Christmas tree/pumpkin sales), (9.37)
- transit-oriented parking lots as a principal use, (9.49)
- transit shelters, (9.39)
- multi-family homes (9.64)

Uses permitted with Special Use Permit.

- wind energy facility, minor, accessory, (9.53)

b. Permitted Building and Lot Types.

- apartment
- attached house
- civic
- detached house
- mixed use¹ up to 50,000 sq. ft. of first floor area; larger buildings may be permitted with ~~special use permit~~ conditional rezoning
- storefront up to 50,000 sq. ft. of first floor area; larger buildings may be permitted with ~~special use permit~~ conditional rezoning
- workplace up to 50,000 sq. ft. of first floor area; larger buildings may be permitted with ~~special use permit~~ conditional rezoning

c. Permitted Accessory Uses.

- accessory dwelling, (9.1)
- day care home (small), (9.11)
- drive through windows, excluding those associated with restaurants, (9.12)
- home occupation, (9.19)
- solar facility, minor non-residential (9.54)
- solar energy facility, minor residential (9.54)
- stalls or merchandise stands for outdoor sale of goods at street front (encroachment onto sidewalk may be permitted by agreement with town); outdoor storage expressly prohibited²
- accessory uses permitted in all districts, (8.11)

d. General Requirements. Along existing streets, new buildings shall respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.

1. buildings which adhere to the scale, massing, volume, spacing, and setback of existing buildings along fronting streets exhibit demonstrable compatibility.
2. buildings which exceed the scale and volume of existing buildings may demonstrate compatibility by varying the massing of buildings to reduce perceived scale and volume. The definition of massing in Article 12 illustrates the application of design techniques to reduce the visual perception of size and integrate larger buildings with pre-existing smaller buildings.
3. Subsection 3.2.6(d)(1)(a)-(b) shall not apply to development on parcels where multifamily structures are an allowable use and the development contains two or more affordable housing units for families or individuals with incomes below eighty percent (80%) of the area median income.

4. Nothing in this subsection shall be interpreted to conflict with the building design element provision as found in N.C.G.S. 160D-702(b) for structures subject to the North Carolina Residential Code.

On new streets, allowable building and lot types will establish the development pattern.

1. In major subdivisions and planned developments, the aggregate number of dwelling units contained in attached houses, apartment buildings, and mixed-use buildings shall not exceed 30 percent of the total number of dwelling units in a project.
2. (Reserved)
3. New construction favors retail on first floor, office and/or residential on upper floors.
4. Every building lot shall have frontage upon a public street or urban open space.
5. **Minimum Height.** Mixed Use, Storefront and Workplace Buildings. New construction shall be a minimum of two stories for buildings fronting on the following roads:
 - Gilead Road- From Sherwood Drive to Old Statesville Road (NC 115)
 - Huntersville-Concord Road- From Old Statesville Road (NC 115) to Main Street
 - Old Statesville Road (NC 115) - From 400 feet north of the intersection of Gilead Road/Huntersville-Concord Road to Greenway Drive
 - Main Street- From Huntersville-Concord Road to Greenway Drive
6. See Section 8.16, Standards for Residential Lot Widths, Alleys, Garages and Parking in Residential Districts.

¹ The mixed-use building duplicates the shopfront building type and has at least two occupiable stories; at least 50% of the habitable area of the building shall be in residential use, the remainder shall be in commercial use. However, when an existing residential building is redeveloped to a mixed-use, at least 40% of the habitable area shall be in residential use.

² Items for outdoor sales are returned to building at end of each business day; goods not brought in at close of business day are considered outdoor storage.

Section 4. Be it ordained by the Board of Commissioners of the Town of Huntersville that **Article 3, Section 3.2.7(a)** of the Huntersville Zoning Ordinance is hereby amended as follows:

(a) Permitted Uses.

Uses permitted by right.

- amusement facilities: all indoor uses
- armories for meetings and training of military organizations
- auction sales
- boarding or rooming houses for up to six roomers
- religious institutions
- civic, fraternal, cultural, community, or club facilities
- commercial uses
- contractor offices and accessory storage yards, excluding the storage of general construction equipment and vehicles
- family care home
- government buildings
- indoor and outdoor recreation
- nightclubs, music clubs, bars, and similar entertainment facilities
- pawnshops and second-hand shops
- single family homes
- vocational and technical schools
- wholesale sales with related office, storage and warehousing entirely within an enclosed building; truck terminals not permitted

Uses permitted with conditions.

- adult establishments, (9.2)
- amusement facilities, outdoor, limited to par 3 golf courses, golf driving ranges, and archery ranges, (9.5)
- car wash, (9.6)
- commercial marinas, (9.43)
- day care center, (9.11)
- essential services 1 and 2, (9.14)
- gasoline service stations, including service and repair of motor vehicles, (9.22)
- hotels spaced 250' or more from residential or mixed-use zones, (9.45)
- parks, (9.29)
- temporary outdoor sales of seasonal agricultural products (example: Christmas tree/pumpkin sales), (9.37)
- temporary mobile food sales, (9.37)
- transit-oriented parking lots as a principal use, (9.49)
- transit shelters, (9.39)

- vehicle and boat service, rental, cleaning, mechanical repair, and body repair, (9.25; 9.26)
- multi-family homes (9.64)

Uses permitted with special use permit.

- crematoriums, accessory, (9.56)
- halfway houses (9.55)
- ~~hotels spaced less than 250' from residential or mixed-use zones, (9.45)~~
- ~~hotels exceeding permitted building height, (9.45)~~
- wind energy facility minor, accessory, (9.53)

Section 5. Be it ordained by the Board of Commissioners of the Town of Huntersville that **Article 3, Section 3.2.9(a)** of the Huntersville Zoning Ordinance is hereby amended as follows:

(a) Permitted Uses.

Uses Permitted by Right.

- office
- distributive businesses
- inns
- laboratories and research facilities
- manufacturing and assembly, excluding heavy manufacturing
- government buildings
- warehouses, except mini-warehouse storage
- wholesale sales
- vocational and technical schools

Uses Permitted With Conditions.

- automotive country club, (9.57)
- day care center, (9.11)
- commercial communication tower, (9.9)
- essential services 1 and 2, (9.14)
- ~~hotels and motels spaced 250' or more from residential or mixed use zones, (9.45)~~
- parks, (9.29)
- schools (9.35)
- temporary mobile food sales, (9.37)
- transit-oriented parking lots as a principal use, (9.49)
- transit shelters, (9.39)

Uses Permitted with Special Use Permit.

- ~~hotels and motels spaced less than 250' from residential or mixed use zones (9.45)~~
- ~~schools (9.35)~~
- wind energy facility, minor (accessory) (9.53)

Section 6. Be it ordained by the Board of Commissioners of the Town of Huntersville that **Article 3, Section 3.2.13(a) and 3.2.13(c)** of the Huntersville Zoning Ordinance is hereby amended as follows:

(a) **Permitted Uses.**

Uses permitted by right.

- bed and breakfast inns
- boarding or rooming houses for up to six roomers
- civic, cultural, and neighborhood recreation facilities up to 15,000 sq. ft. of gross floor area, minimum FAR of .35
- conference centers, up to 15,000 sq. ft. of gross floor area, minimum FAR of .35
- dormitories
- family care home
- financial institutions up to 6,000sq. ft. of gross floor area
- government buildings up to 8,000sq. ft. of gross floor area, minimum FAR of .35
- indoor motions pictures, limited to one (1) screen
- inns
- multi-family homes
- offices, general, medical, professional, minimum FAR of .35
- personal, professional, and technical services up to 8,000 sq. ft. of gross area, minimum FAR of .35
- research and development services, minimum FAR of .35
- restaurants without drive-through windows, up to 8,000 sq. ft. of gross floor area, minimum FAR of .35
- retail establishments, up to 8,000 sq. ft. of gross area, minimum FAR of .35
- greenways
- single family homes
- squares, plazas, or other formal open spaces not exceeding 1/2 acre in area
- stalls or merchandise stands for outdoor sale of goods at street front (encroachment onto sidewalk may be permitted by agreement with town); outdoor storage expressly prohibited¹.
- taverns and bars, up to 6,000 sq. ft. of gross floor area, minimum FAR of .35
- transit stations
- workshops and studios for the design and manufacture of art, craft and artisan products, up to 8,000 sq. ft. of gross area, minimum FAR of .35

Uses permitted with a Special Use Permit.

- ~~any non-residential use permitted by right or with conditions where size of first floor area exceeds 15,000 sq. ft., (9.47)~~
- ~~any permitted non-residential use or collection of non-residential uses that exceeds the maximum permitted in the district by paragraph e) 5) of this section, (9.47)~~
- ~~parking lot or structure as principal use (9.47)~~
- ~~schools (9.35)~~
- wind energy facility, minor, accessory, (9.53)

Uses permitted with conditions.

- any non-residential use permitted by right or with conditions where size of first floor area exceeds 15,000 sq. ft., (9.47)
- any permitted non-residential use or collection of non-residential uses that exceeds the maximum permitted in the district by paragraph e) 5) of this section, (9.47)
- ~~banks, up to 6,000 sq. ft. of gross floor area~~
- ~~religious institutions up to 300 seats in the largest place of assembly, (9.8)~~
- ~~civic, cultural, and neighborhood recreation facilities up to 15,000 sq. ft. of gross floor area, minimum FAR of .35~~
- ~~conference centers, up to 15,000 sq. ft. of gross floor area, minimum FAR of .35~~
- ~~day care centers up to 8,000 sq. ft. of gross floor area (9.411)~~
- ~~essential services 1 and 2, (9.14)~~
- ~~government buildings up to 8,000 sq. ft. of gross floor area, minimum FAR of .35~~
- ~~indoor motion pictures, limited to one (1) screen~~
- ~~offices, general, medical, professional, minimum FAR of .35~~
- ~~personal, professional, and technical services up to 8,000 sq. ft. of gross area, minimum FAR of .35~~
- parking lot or structure as principal use (9.479)
- ~~research and development services, minimum FAR of .35~~
- ~~restaurants without drive-through windows, up to 8,000 sq. ft. of gross floor area, minimum FAR of .35~~
- ~~retail establishments, up to 8,000 sq. ft. of gross area, minimum FAR of .35~~
- schools (9.35)
- ~~squares, plazas, or other formal open spaces not exceeding 1/2 acre in area~~
- ~~stalls or merchandise stands for outdoor sale of goods at street front (encroachment onto sidewalk may be permitted by agreement with town); outdoor storage expressly prohibited¹.~~
- ~~taverns and bars, up to 6,000 sq. ft. of gross floor area, minimum FAR of .35~~

- transit shelters, (9.39)
- ~~workshops and studios for the design and manufacture of art, craft and artisan products, up to 8,000 sq. ft. of gross area, minimum FAR of .35~~

(c) Permitted Accessory Uses.

- accessory dwelling, (9.1)
- day care home (small), (9.11)
- home occupation, (9.19)
- parking lot as an accessory to any permitted principal use, on the same lot or on an abutting lot, according to the standards of Article 6
- solar facility, minor non-residential (9.54)
- solar energy facility, minor residential (9.54)
- accessory uses permitted in all districts, (8.11)

Section 7. Be it ordained by the Board of Commissioners of the Town of Huntersville that **Article 3, Section 3.2.14(a)** of the Huntersville Zoning Ordinance is hereby amended as follows:

(a) Permitted Uses.

Uses Permitted by Right.

- financial services
- commercial uses, other than those specifically permitted in this section
- conference centers, up to 15,000 sq. ft. of gross floor area
- greenways
- government offices
- inns
- light manufacturing, (9.48)
- multi-family homes in mixed use buildings
- offices
- professional, personal, and technical services
- squares, plazas, or other urban open spaces not exceeding 1/2 acre in area
- single family attached homes in mixed use buildings
- transit stations
- workshops and studios for the design and manufacture of art, craft, and artisan products, up to 8,000 sq. ft. of gross area

Uses Permitted with Conditions.

- ~~conference centers, up to 15,000 sq. ft. of gross floor area~~
- day care center, (9.11)
- essential services 1 and 2, (9.14)
- hospitals, (9.48)
- light manufacturing, (9.48)
- ~~multi-family homes in mixed use buildings~~
- ~~squares, plazas, or other urban open spaces not exceeding 1/2 acre in area~~
- ~~single family attached homes in mixed use buildings~~
- ~~workshops and studios for the design and manufacture of art, craft, and artisan products, up to 8,000 sq. ft. of gross area~~
- parking lot or parking structure as a principal use, (9.498)

Uses Permitted with a Special Use Permit.

- ~~light manufacturing, on not more than 5 acres, (9.48)~~
- ~~accessory warehousing exceeding 25% of the finished floor area of the principal use, (9.48)~~
- ~~hospitals, (9.48)~~
- wind energy facility, minor, accessory, (9.53)

(b) Permitted Building and Lot Types.

- civic building
- highway commercial (for conference facilities only), minimum FAR of .35
- mixed use¹
- shopfront
- workplace, minimum FAR of .35

(c) Permitted Accessory Uses.

- home occupations, (9.19)
- parking lot as an accessory to any permitted principal use, on the same lot or on an abutting lot according to the standards of Article 6
- retail, restaurant, bars and taverns, personal services, clinics and similar workplace support uses up to 20 percent of first floor area of any building, or of a multi-building project taken as a whole
- solar energy facility free-standing, minor, non-residential, (9.54)
- solar energy facility,, minor non-residential (9.54)
- solar energy facility, minor residential (9.54)
- ~~warehousing not to exceed 25% of the finished floor area of the principal use, (9.48)~~
- accessory uses permitted in all districts, (8.11)

Section 8. Be it ordained by the Board of Commissioners of the Town of Huntersville that **Article 9, Section 9.9** of the Huntersville Zoning Ordinance is hereby amended as follows:

9.9 Commercial Communication Tower

A Commercial Communication tower is subject to ~~shall meet~~ the following ~~standards~~ conditions:

1. To encourage future shared use of commercial communication towers, the tower owner must demonstrate that the tower will support a specified number of antennas and must file a letter of intent with the town to lease the space to other users in good faith. In turn, the owner may charge users a proportionate share of capital, financing, and operating costs, plus the cost of insulating equipment so that the transmissions do not interfere with one another. To encourage collocation of commercial communication antenna and facilities and to reduce the need for new commercial communication towers, co-location of such antennae and facilities shall be permitted on any commercial communication tower or tower for radio communication for business or governmental purposes of which the tower was in existence on July 20, 2009, regardless of when it was constructed, the underlying zoning district, or any condition of approval for the existing tower other than a condition which was imposed or accepted by the Board of Commissioners. To the extent practical as determined by the Planning Director, all standards of this Section 9.9 shall be applicable.
2. No new commercial communication tower may be established if there is a technically suitable space available on an existing communications tower within the geographic area that the proposed tower is to serve.
3. The entire facility must be aesthetically compatible with its environment. If not otherwise camouflaged, towers shall be of a coloration that will blend with the surroundings. Example: brown/green/gray.
4. Fencing must be provided to secure the communication equipment on site. If chain link or similar fencing material is used on the site, an opaque screen shall be provided on the exterior side of the fence.
5. All obsolete or unused facilities must be removed within 12 months of cessation of operations at the site.
6. Equipment, mobile or immobile, not used in direct support of the transmission or relay facility shall be stored or parked on the site unless repairs to the facility are being made.
7. Towers shall not be artificially lighted except to ensure human safety as required by the Federal Aviation Administration (FAA) regulations. To the extent possible, tower lighting shall be located and directed to avoid flashing or shining into the interior spaces of dwellings.

TA 24-12: SUP (Special Use Permit) Changes

8. An opaque screen expected to reach minimum 8' height at maturity shall be planted around the perimeter of the area occupied by the tower, security fencing, and auxiliary uses such as parking. In addition, existing onsite trees and other vegetation shall be preserved to the extent possible.
9. No more than one communication tower shall be constructed on a single tract of land.
10. If such a structure is located on a lot adjacent to a lot or lots located in a residential or mixed-use district, it must be located at least 200 feet from all property lines adjacent to the residential or mixed use district(s).
11. To be permitted as an incidental accessory use in any zoning district, a tower shall be camouflaged on, with, or in an existing or proposed conforming structure (e.g., inside religious institution steeple, on utility transmission line tower). A detailed site plan and structural elevations must be submitted to the Planning Department for approval. The affirmative decision of the Planning Department shall be based upon a determination that the proposed tower is so camouflaged as to be unnoticeable to the public; or if placed upon a utility transmission line tower, that the additional equipment would not further diminish the quality of the view from surrounding properties and public streets, nor would additional light(s) intrude upon the private interior or exterior living areas of existing dwellings.
12. Commercial Communication Towers, in addition to ~~satisfying meeting the conditions criteria set forth in 9.9.1-9.9.10, and 9.9.12-9.9.13~~ may be allowed in the Rural (R) district only if they ~~satisfy meet~~ the following ~~additional conditions criteria~~ and are subject to a Special Use Permit, according to the procedures of Section ~~11.4.10~~:
 - a. The height of the commercial communication tower may not exceed 199 feet above ground level;
 - b. The commercial communication tower may only be placed on properties in eight and a half (8.5) acres on a tract that existed as an eight and a half (8.5) acre tract or greater on February 6, 2012;
 - c. The commercial communication tower must be set back a distance of at least 500 feet from any public right-of-way and 200 feet from any property line;
 - d. The commercial communication tower may only be placed on a property where it will not require artificial illumination;
 - e. The commercial communication tower must provide technically-suitable space for at least four (4) users;

- f. The commercial communication tower must be set back a distance of at least the tower's fall zone, as certified by a North Carolina Professional Engineer, from any occupied structure.
 - g. All commercial communication towers in the Rural district shall be constructed using a monopole design.
 - h. A new communication tower cannot be placed within a one-mile radius of an existing tower.
13. Collocation on town-owned utility poles shall be in accordance with N.C.G.S. 160D-937.
14. Nothing in Article 9.9 shall be interpreted to conflict with the provisions of N.C.G.S. 160D-938.

Section 9. Be it ordained by the Board of Commissioners of the Town of Huntersville that **Article 9, Section 9.11** of the Huntersville Zoning Ordinance is hereby amended as follows:

9.11 Day Care Centers And Small Day Care Homes

1. Child Day Care Center.

- a. A center must meet a permitted building and lot type for the district in which it is to be located.
- b. Play space must be provided in accordance with the regulations of North Carolina Department of Human Resources.
- c. Outdoor play space must be enclosed on all sides by building, and/or permitted types of walls or fences; it may not include driveways, parking areas, or land otherwise unsuited for children's play space; play space may not be in the established front yard.
- d. Sufficient stacking lanes for drop-off and pick-up shall be provided onsite so that traffic circulation is not impeded on any public right-of-way.
- e. In the Transit-Oriented Development-Residential (TOD-R) District, day care centers have a limit of 8,000 sq. ft of gross floor area.

2. Adult Day Care Center.

- a. A center must meet a permitted building and lot type for the district in which it is to be located.

- b. There is no limit on the hours of operation of an Adult Day Care Center, but it shall not serve any client on a continuous 24-hour basis.
- c. Sufficient stacking lanes for drop-off and pick-up shall be provided onsite so that traffic circulation is not impeded on any public right-of-way.
- d. In the Transit-Oriented Development-Residential (TOD-R) District, day care centers have a limit of 8,000 sq. ft of gross floor area.

3. Child Day care home, small, accessory.

- a. The day care operation must be located within the residential dwelling unit occupied by the operator of the service. Preschool instruction and daytime care is limited to 6 children not related to the operator.
- b. A Child Day Care home shall meet the following standards:
 - i. Child Day Care Homes must be licensed by the North Carolina Department of Health and Human Services.
 - ii. Play space must be provided in accordance with the regulations of the North Carolina Department of Health and Human Services.
 - iii. Outdoor play space must be fenced or otherwise enclosed on all sides and may not include driveways, parking areas, or land otherwise unsuited for children's play space; Outdoor play space is prohibited in any established building setback from a street.
 - iv. Chain link and similar fencing materials shall be planted on exterior side with evergreen shrubs minimum 3 feet in height and 6 feet on center at installation or be obscured by a comparable screening treatment.
 - v. A day care home must be clearly incidental to the residential use of the dwelling and must not change the essential residential character of the dwelling; all building and lot standards for residential dwellings shall be maintained.
 - vi. There are no specific limitations on the hours of operation of a Day Care Home, but no outdoor play shall be permitted after sundown.

4. Adult Day Care Home, small.

- 1. An Adult Day Care home must be located within the residential dwelling unit occupied by the operator of the service. Care is limited to no more than 6 adults who do not reside in the dwelling.
- 2. An Adult Day Care home shall meet the following standards:

- i. A day care home must be clearly incidental to the residential use of the dwelling and must not change the essential residential character of the dwelling; all building and lot standards for residential dwellings shall be maintained.
- ii. There is no limit on the hours of operation of an Adult Day Care Center, but it shall not serve any client on a continuous 24-hour basis.

Section 10. Be it ordained by the Board of Commissioners of the Town of Huntersville that **Article 9, Section 9.35** of the Huntersville Zoning Ordinance is hereby amended as follows:

9.35 Schools

1. Schools shall conform principal buildings to the standards of Civic Buildings and lots, Article 4. Accessory and incidental buildings may be placed within a street fronting yard if they conform to a building and lot type permitted in the zoning district. Buildings which do not so conform shall be placed within established rear and side yards which do not abut a street.
2. Permanent parking lots associated with schools shall meet the standards of Article 6, Off-Street Parking. However, areas designated for temporary bus parking that also serves as a recreational area shall not be subject to interior parking lot landscaping requirements.
3. Notwithstanding 1. and 2., above, where the safe transport of students requires functional separation of parking and circulation areas (i.e. school bus, auto drop-off, etc.), the location of parking and circulation according to building and lot type may be modified, so long as streets abutting parking and circulation areas are, to the extent practicable, detailed as plazas. Sufficient stacking lanes for drop-off and pick-up shall be provided onsite so that traffic circulation is not impeded on any public right-of-way. Stacking on Town streets may be allowed if all of the following are met:
 - a. Site is zoned TND-R, TND-U or TND-Overlay;
 - b. Maximum enrollment shall not exceed 360 kindergarten to 8th grade students;
 - c. Two-way traffic maintained on Town streets along the entire pick up/drop-off zone;
 - d. Pick-up/drop-off zone shall have a minimum width of eight (8) feet exclusive of the two-way traffic lanes.

TA 24-12: SUP (Special Use Permit) Changes

- e. The school shall provide at a minimum a 11.5-foot-wide hardscaped area behind the back of curb. Street trees with grates are allowable, but bushes/shrubs in the area are not allowed.
 - f. A traffic impact analysis, including a mandatory circulation plan and queuing analysis must be approved by the Town of Huntersville Engineering & Public Works Department prior to plan approval. Should conditions in the field vary from the analysis, the Town Engineer has the ability to modify the circulation plan.
- 4. Dust-free, pervious surface areas are encouraged for overflow or event parking; such areas need not conform with Article 6 if they are maintained in a natural condition (for example, as a grassed field).
- 5. Service areas shall be separated by an opaque screen from the view from any street and from abutting properties as described in Section 7.6 of this ordinance.
- 6. Where chain link and similar fencing material are installed in an established yard abutting a street, such fencing shall be planted on the exterior side with evergreen shrubs minimum 3 feet in height (expected height at maturity minimum 6 feet), 6 feet on center at installation.
- 7. Outdoor lighting associated with active outdoor recreational facilities shall be designed as follows:
 - a. Facilities shall use fully shielded lighting fixtures except where luminaries are:
 - 1. Provided with internal and/or external glare control louvers and installed so as to minimize up-light and offsite light trespass; and
 - 2. Installed and maintained with aiming angles that permit no greater than five percent (5%) of the light emitted by each fixture to project above the horizontal.
 - b. Lighting plans shall limit light trespass to the maximum extent possible. A maximum of .5 foot-candles at any location on any non-residential property, and .1 foot-candles at any location on any residential property, as measurable from any orientation of the measuring device, shall be met.
 - c. Lighting shall be extinguished after 11:00 p.m. Illumination of the sports facility shall be permitted after this time only to conclude a scheduled event that was unable to conclude before this time due to unusual circumstances.
- 8. Elementary and Junior High Schools shall be located on streets sized to accommodate traffic volumes of background uses plus the additional traffic projected to be generated by the school(s).
- 9. Senior high schools shall be on a lot which abuts a minor or major thoroughfare; primary vehicular access shall be provided from the thoroughfare.
- 10. When permitting temporary classroom units, the entire site shall be reviewed for compliance with applicable codes (i.e. sidewalks, landscaping, turn-lanes).

Applicants are encouraged to bring the site into compliance where deficiencies are identified relative to the intensification of use proposed.

11. Sufficient stacking lanes for drop-off and pick-up shall be provided onsite so that traffic circulation is not impeded on any public right-of-way.
12. In a Corporate Business zoning district, schools shall only be allowed ~~with the issuance of a special use permit~~ subject to the following additional conditions:
 - a. Schools shall only be allowed on existing lots and in existing buildings, ~~as of December 20, 2010, no~~ The school buildings shall be no greater than 50,000 sq. ft. in size. Additions to buildings intended for school use will be limited to 10% of the existing floor area of the building.
 - b. Schools shall be limited to a temporary use in this district. The length of time allowed for the school to operate ~~shall will be determined by the Town Board during the special use permit process~~; not to exceed three (3) years from the occupancy of the temporary building. If the school does not occupy the building within one (1) year of ~~the special use permit approval~~, the approval permit will become null and void. A school may reapply for another Special Use Permit allowing an additional two (2) years in the CB district ~~with the approval of the Town Board~~. At no time shall an individual school be located in the CB district at the same location for more than a total of five (5) years.
 - c. The maximum number of students shall be 300.
 - d. In a CB zoning district, the school site shall be designed, located, and accessed such that primary passenger vehicles routes avoid those that will be primarily ~~heavily~~ used by truck/industrial traffic.

Section 11. Be it ordained by the Board of Commissioners of the Town of Huntersville that **Article 9, Section 9.45** of the Huntersville Zoning Ordinance is hereby amended as follows:

9.45 Hotels And Motels

Hotels are permitted in the Highway Commercial and Corporate Business Districts subject to the requirements below; Motels are permitted in the Corporate Business District only, subject to the requirements below:

1. Any structure in which a hotel or motel is the principal or accessory use shall be separated by a distance of at least 250 feet from any residential or mixed-use zoning district, measured from the closest point of the lot occupied by the hotel or motel to the closest point of lots in residential and mixed-use zoning districts.
- 2.

- a. Any structure in which a hotel or motel is the principle or accessory use shall be separated by a distance no less than three (3) times the height of the proposed structure closest to the common lot line of the adjoining residential and mixed-use zone, but in no case less than 100 feet.
 - b. That all other site design requirements stated in this code are met. Any structure in which a hotel or motel is the principal or accessory use is spaced less than established in 1 above shall require a conditional rezoning special use permit subject to the following standards as well as all other standards applicable for special use permits; and
 - c. ~~That V~~vehicular access to the use shall ~~will~~ be provided only by way of a major or minor thoroughfare, or a Retail/Mixed-Use Local or Collector Street within a commercial or mixed-use project.
3. Any structure in which a hotel or motel is the principal or accessory use may exceed the permitted building height of the zoning district, not to exceed six (6) stories, subject to a conditional rezoning Special Use Permit, and the requirements of Article 9.45.2.

Section 12. Be it ordained by the Board of Commissioners of the Town of Huntersville that **Article 9, Section 9.47** of the Huntersville Zoning Ordinance is hereby amended as follows:

9.47 Special Uses In TOD-R Districts

Uses permitted in the TOD-R district that exceed maximum first floor area or exceed the maximum limit for non-residential uses are permitted subject to the following conditions: approval of a Special Use Permit. The procedures of Section 11.4.10 shall be followed. ~~The Town Board shall issue a Special Use Permit for the subject use(s) and building(s) if, but not unless, the evidence presented at the Special Use Permit hearing establishes each of the following:~~

1. ~~That a~~Along any street providing primary pedestrian access to a transit station the following requirements apply:
 1. Street level building edge(s) shall line at least one-half of the approved block length; and
 2. The distance between pedestrian entries at street level shall not exceed 100 feet; and
 3. ~~A~~at least thirty percent (30%) of the area of the street level façade shall be composed of windows and doors; and
 4. The standards set forth in this subsection shall be ~~above are~~ met by either the principal building, or by the construction of liner buildings along street level.

2. ~~That t~~The proposed buildings and uses shall not substantially increase the demand for automobile access to the transit-oriented development by 50% or more.
3. ~~That t~~The proposed buildings and uses shall meet the Intent statement for the district.

Section 13. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 9, Section 9.48 of the Huntersville Zoning Ordinance is hereby amended as follows:

9.48 Special Uses In TOD-E Districts

Uses permitted in the TOD-E district that have the potential for reducing employment intensity are permitted subject to the following conditions: approval of a Special Use Permit. ~~The procedures of Section 11.4.10 shall be followed.~~

~~The Town Board shall issue a Special Use Permit for the subject use(s) and building(s) if, but not unless, the evidence presented at the Special Use Permit hearing establishes each of the following:~~

1. ~~That t~~The use is in the area between the ¼ mile and the ½ mile walk from the station site.
2. ~~That, f~~For buildings along any street in the district that provides primary pedestrian access to a transit station:
 - a. Street level building edge(s) shall line at least one-half of the approved block length; and
 - b. The distance between pedestrian entries at street level shall not exceed 100 feet; and
 - c. ~~a~~At least thirty percent (30%) of the area of the street level façade shall be composed of windows and doors; and
 - d. The standards above set forth in this subsection shall be ~~are~~ met by either the principal building, or by the construction of liner buildings along street level.
3. ~~That t~~The proposed buildings and uses shall not substantially increase the demand for truck and automobile access through the pedestrian-oriented street system of the TOD by 50% or more.
4. ~~That t~~The proposed buildings and uses meet the Intent statement for the district.
5. Light manufacturing limited to a maximum of 5 acres.
6. Accessory warehousing limited to 25% of the finished floor area of the principal use

Section 14. Be it ordained by the Board of Commissioners of the Town of Huntersville that **Article 9, Section 9.52** of the Huntersville Zoning Ordinance is hereby amended as follows:

9.52 Country Inn Development In The Transitional Residential Zoning District (Reserved)

~~Country Inn Developments are permitted in the Transitional Residential Zoning District subject to a Special Use Permit, according to the procedures of Section 11.4.10.~~

~~The Town Board shall issue a Special Use Permit for the subject facility in the TR District if, but not unless, the evidence presented at the Special Use Permit hearing establishes:~~

- ~~1.—That the use will be located on a lot of at least twenty (20) acres in size; and~~
- ~~2.—That the total dwelling rooms do not exceed twenty-four (24) rooms for rental and/or owner/staff occupancy in a maximum of ten buildings (two (2) main inns and up to eight (8) residential cottages); and~~
- ~~3.—That the owner/management shall reside onsite.~~
- ~~4.—That the use may utilize the Residential Local Street design standards of Article 5; and~~
- ~~5.—That the use may utilize a paved private drive. If a private drive is used it shall be constructed on a recorded easement not less than twenty (20) feet in width serving the Country Inn exclusively with the following restrictions:~~
 - ~~a.—The recorded easement shall have at least thirty (30) feet of frontage on a public street.~~
 - ~~b.—The private paved road must be at least eighteen (18) feet wide and constructed in accordance with the Land Development Standards Manual as it applies to Huntersville. Private drive right of way or easement shall be of such width to accommodate drainage/water quality treatment.~~
 - ~~c.—The plat and associated deeds shall clearly state such drive shall remain private and will not be taken over by a public entity in the future; and~~
- ~~6.—That special events shall be allowed for the public such as wedding receptions, rehearsal dinners, afternoon tea, parties, business meetings/retreats and similar events with the following restrictions:~~
 - ~~a.—That hours of operation, including set-up and break-down, for special events will be no earlier than 9:00 a.m. and no later than 11:00 p.m.~~
 - ~~b.—That special events must comply with the noise restrictions identified in the Town of Huntersville Noise Ordinance; and~~
- ~~7.—That there will be a separation of no less than:~~
 - ~~a.—Parking areas shall be located one-hundred (100) feet from arterial roads and thoroughfares, thirty-five (35) feet from internal public streets and driveways and one hundred (100) feet from adjacent properties except when their uses are adjacent to dedicated open spaces, either by deed or easement, in which case, the setback shall be thirty-five (35) feet. Parking areas will be visually buffered from the arterial roads and thoroughfares.~~

- ~~b—Special event areas shall be located one hundred (100) feet from any property boundary located in a residential district or developed for residential or mixed-use purposes except when their uses are adjacent to the dedicated open spaces either by deed or easement, in which case the setback shall be thirty-five (35) feet. A thirty (30) foot vegetated buffer along the property line is required for special event areas except when the adjacent property uses are dedicated open spaces either by deed or easement. Additional buffers may be required as part of d) of this section.~~
 - ~~c—All newly constructed accessory structures such as: Barns, Green Houses, Vertical Gardens, Agriculture or Farm related structures shall be located one hundred (100) feet from any property located in a residential district or developed for residential or mixed-use purposes except when their uses are adjacent to the dedicated open spaces either by deed or easement in which case the setback shall be thirty-five (35) feet.~~
 - ~~d—As each property is unique, the Town Board may modify the buffers for a Country Inn Development based on particular topographical issues and uses of the property. For instance, additional buffer requirements may be appropriate for special event areas and/or reduction in buffer area may be appropriate for farming or pasture areas within the Country Inn project.~~
- ~~8.—The Country Inn Development shall be rural in nature and considered a single lot development and shall not be required to provide connector roads to or through other residential developments.~~

Section 15. Be it ordained by the Board of Commissioners of the Town of Huntersville that **Article 9, Section 9.59** of the Huntersville Zoning Ordinance is hereby amended as follows:

9.59 Banquet Facility

Banquet Facilities are permitted in the Rural Zoning District subject to ~~a Special Use Permit, according to the procedures of Article 11.4.10:~~ the following conditions: Events shall be allowed at Banquet Facilities for the public such as weddings, catered receptions, rehearsal dinners, business meetings/retreats.

~~The Town Board shall issue a Special Use Permit for the subject facility in the Rural District if, but not unless, the evidence presented at the Special Use Permit Hearing establishes:~~

1. That the hours of operation, including set-up and break-down, for events will be no earlier than 8:00 am and no later than midnight (12:00 am).

TA 24-12: SUP (Special Use Permit) Changes

2. That events must comply with the noise restrictions identified in the Town of Huntersville Noise Ordinance ~~whether or not whether~~ the property is located within the Town's corporate limits or the Extraterritorial Zoning Jurisdiction (ETJ).; ~~and~~
- ~~3. That events must comply with the noise restrictions identified in the Town of Huntersville Noise Ordinance or Mecklenburg County Noise Ordinance, whichever is applicable; and~~
3. That the use will be located on a lot of at least 10 acres in size with a minimum of 30 feet of frontage on a public road either by fee simple ownership or by exclusive easement.
4. One residence (single-family detached house) may be located on the site.
5. New buildings shall maintain a rural character and be compatible with surrounding area.
6. Events may take place inside a building, tent, or outdoors. Catered activities and receptions may take place in tents or buildings.
7. Entrance drives, internal drives, parking and service areas may be gravel, crushed stone, or other suitable material approved by the Planning Director. These areas shall be well maintained and kept free of potholes, weeds, etc. The initial 50 feet of driveway from the public roadway connection shall be paved with concrete or asphalt.
8. That there will be a separation of no less than:
 - a. Parking areas shall be located one hundred (100) feet from arterial roads and thoroughfares, and fifty (50) feet from adjacent properties. Parking areas will be visually buffered from arterial roads, thoroughfares and adjoining properties.
 - b. Event areas shall be visually buffered and located sixty (60) feet from any property boundary located in a residential district or developed for residential or mixed-use purposes.
 - c. Any newly constructed accessory structure such as barns, gazebos and Agriculture or Farm related structures shall be located at a minimum of sixty (60) feet from any property boundary located in a residential district or developed for residential or mixed-use purposes.
 - d. As each property is unique, the Town Board may modify the buffers for a Banquet Facility based on particular topographical issues and uses of the property. For instance, additional buffer requirements may be appropriate

for event areas and/or reduction in buffer area may be appropriate for farming or pasture areas. ~~Such modifications requires a rezoning.~~

- ~~9. The facility Applicant shall have adequate off-street parking to accommodate the maximum number of attendees.~~
10. The method for providing potable water and a system of sanitary sewage collection and disposal for the maximum number of attendees shall be provided.
11. Mobile food/beverage vehicles are allowed on the premises with the following conditions:
- e. The mobile food/beverage vehicles must cater to the guests of invitation only events, for a time period limited to the event, and are not open to public use.
 - f. The mobile food/beverage vehicles must park in a designated spot, indicated on the special use plan. This area will be screened from public view and adjacent land owners, by an opaque screen.
 - g. No more than three mobile food/beverage vehicles allowed at one time.
 - h. No trucks will be stored overnight on the property.

Events shall be allowed at Banquet Facilities for the public such as weddings, catered receptions, rehearsal dinners, business meetings/retreats.

Section 16. Be it ordained by the Board of Commissioners of the Town of Huntersville that **Article 9, Section 9.60** of the Huntersville Zoning Ordinance is hereby amended as follows:

9.60 Off-Site Catering Services In An Agritourism Catering Facility (Reserved)

~~Off-site catering services in an Agritourism Catering Facility are permitted in the Rural Zoning District subject to a Special Use Permit according to the procedures of Article 11.4.10. Any Agritourism Catering Facility classified as a bona fide farm pursuant to G.S. 160D-903 shall be exempt from the Special Use Permit requirement.~~

- ~~1.—The facility shall be located on a lot of at least twenty (20) acres in size.~~
- ~~2.—A principal residence shall be located on site.~~
- ~~3.—There shall be no more than twelve (12) employees' present and performing activities for the off-site catering services at any time, excluding on-site resident family members of the facility owner employed in the catering operation. As used in this section 9.60, employees who are present and performing activities for both on-~~

~~site and off-site catering services shall count towards the twelve (12) employee limit. The permit shall specify the number of employees permitted at the facility at the same time.~~

- ~~4.—That facility shall have adequate off-street parking for the permitted number of employees and for the vehicles used for off-site catering services. In order to accommodate employees, off-site catering vehicles and visiting clients of the catering operation, there shall be a minimum of 1.5 spaces for each permitted employee and off-site catering service vehicle. As used in this section 9.60, vehicles used for both on-site and off-site catering services are included and subject to these regulations. Such parking shall have a visually opaque buffer at least thirty-five feet in width along the adjacent boundary or a structural screen such as a fence that is augmented with vegetation.~~
- ~~5.—There shall be no outside storage or evidence of personal property, materials and equipment used for off-site catering services visible from adjoining residences or streets. As used in this section 9.60, personal property, materials and equipment used for both on-site and off-site catering services are included and subject to these regulations.~~
- ~~6.—If any portion of the facility utilized by the off-site catering services is located within the on-site principal residence, such portion shall occupy no more than twenty-five percent (25%) of the total finished square footage of such principal residence. The total square footage of the facility used for off-site catering services may not exceed fifty (50%) of the total finished share footage of such principal residence. As used in this section 9.60, portions of the facility used for both on-site and off-site catering services are included and subject to these regulations.~~
- ~~7.—The lot containing the facility shall have (i) a minimum of thirty feet (30') of frontage on a public road, (ii) a thirty foot (30') wide exclusive easement to a public road or (iii) a shared exclusive easement, of a minimum of 40' in width, for use by no more than three adjoining properties at the time of the issuance of a permit.~~
- ~~8.—Entrance drives, internal drives, parking and service areas may be gravel, crushed stone, or other suitable material approved by the Planning Director. These areas shall be well-maintained and kept free of potholes, weeds, etc. The initial fifty feet (50') of driveway from the public roadway connection shall be paved with concrete or asphalt.~~

Section 17. Be it ordained by the Board of Commissioners of the Town of Huntersville that **Article 9, Section 9.61** of the Huntersville Zoning Ordinance is hereby amended as follows:

9.61-Par 3 And/Or Golf Driving Range (Reserved)

~~Par 3 and golf driving ranges are permitted in the Rural Zoning District subject to a Special Use Permit according to the procedures of Article 11.4.10.~~

~~The Town Board shall issue a Special Use Permit for the use in the Rural District if, but not unless the evidence presented at the Special Use Permit hearing establishes:~~

- ~~1.—Par 3 courses shall not be lit. Outdoor lighting associated with driving ranges in the Rural district shall be designed as follows:~~
 - ~~a.—Facility lighting may include floodlights but must be shielded and shall be oriented and directed in such a way as to not produce glare at any off-site location.~~
 - ~~b.—Maximum light fixture height shall be 40 feet.~~
 - ~~c.—Maximum lighting level is 15 foot-candles measured at grade.~~
 - ~~d.—If free standing lighting is proposed, photometric lighting plans shall be submitted at special use permit application. A maximum of .5 foot-candles at any location on any non-residential property and .1 foot-candles at any location on any residential property, as measurable from any orientation of the measuring device shall be met.~~
 - ~~e.—Lighting shall be extinguished at 11 pm.~~
 - ~~f.—Upon review of the photometric plan, the Town Board may modify the above lighting standards provided the spirit of the ordinance, reducing glare and off-site light trespass is maintained.~~
- ~~2.—Vehicular access to the use will be provided only by way of a Boulevard or Major Thoroughfare.~~
- ~~3.—A par 3 golf course or driving range must be located on a property at least 20 acres in size.~~
- ~~4.—No multi-level buildings or tee boxes are permitted.~~
- ~~5.—Hours of operation shall be no earlier than 6 am and no later than 11 p.m.~~
- ~~6.—Existing vegetation within 50 feet of the fronting thoroughfare and residential property lines shall remain undisturbed. If no vegetation exists along the property line, an opaque buffer shall be planted per Article 7.6 If there is no existing~~

~~vegetation along the street, the required second row of street trees will be planted using large maturing evergreen trees to maintain an intermittent screen.~~

~~a.—As each property is unique, the Town Board may modify the buffers for a golf facility based on particular topographical issues and uses of the property. For instance, additional buffer requirements may be appropriate for active commercial areas, while a reduction in buffer area may be appropriate for open natural areas.~~

~~7.—At no time shall golf balls be permitted to cross on to adjacent property or onto the public street. If course or tee orientation makes it possible for balls to leave the site through standard operating use, netting, buffers, screening or other barrier shall be installed to prohibit off site encroachment. If netting is required, it shall be located behind a vegetative buffer, screening if from any property line.~~

~~8.—Only accessory retail and commercial uses meant to serve patrons of the golf facility are permitted, such as snack shops and pro shops. No principle use restaurants or retail establishments meant to serve the general public are permitted.~~

Section 18. Be it ordained by the Board of Commissioners of the Town of Huntersville that **Article 9, Section 9.62** of the Huntersville Zoning Ordinance is hereby amended as follows:

9.62 Dormitory

Dormitories for a bona fide farm are permitted in the Rural and Transitional Zoning Districts subject to the following conditions: ~~a Special Use Permit according the procedures of Article 11.4.10. The Town Board shall issue a special use permit for the use in a Rural or Transitional Residential Zoning District if, but not unless, the evidence presented at the Special Use Permit hearing establishes:~~

~~1.—The use will not endanger health and safety, does not substantially reduce the value of nearby property.~~

1. The use shall ~~does~~ not conflict with long range plans.

TA 24-12: SUP (Special Use Permit) Changes

2. The use shall ~~does not violate constitute a any applicable nuisance to adjoining properties with respect to noise, dust, fumes, odor, and traffic. ordinances or other applicable laws.~~
3. Buildings, parking, and trash facilities shall be setback at least 100' from any adjoining property line and 500' from any public street right-of-way.
4. The use shall be visual screened year-round from all adjoining properties and public streets.
5. The driveway and parking area shall, at minimum, be ground asphalt
6. The dormitory is located on a bona fide farm ~~of at least 100 contiguous acres~~ and is on the land being farmed by the occupants on a full-time basis.
7. The dormitory cannot exceed two (2) stories in height; 15,000 sq. ft. per building; and five buildings total.
8. Building and housing will be constructed and maintained to meet H-2A program requirements or similar federal programs applicable at the time.

Dormitories located in the Town's ETJ and used for a bona fide farm purpose as defined in N.C.G.S. § 160D-903 are exempt from the conditions set forth above.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: July 11, 2024

PUBLIC HEARING DATE: August 6, 2024

PLANNING BOARD MEETING: August 27, 2024

TOWN BOARD DECISION: September 17, 2024



Text Amendment Application

Date of Application _____ 5/24/24 _____

Fee

See Current Town of Huntersville Fee Schedule for Text Amendment to the Zoning/Subdivision Ordinance

Type of Change

_____ New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other

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

Description of Change

Proposed text amendment will affect the following:

Ordinance(s): _____ See attached ordinance _____ Article(s): _____ Several articles
affected _____ Section(s): _____

See attached ordinance

Current Ordinance

Proposed Text

**Reason for Proposed
Change**

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 _____ Brad Priest _____

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

Signature _____ Date 5/24/24

Title _____ Assistant Planning Director _____

Email _____ bpriest@huntersville.org _____

Address of Applicant _____ 101 Huntersville Concord Road Huntersville, NC 28070 _____

Property Owner (if different than applicant)

* Printed Name _____

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

Signature _____ Date _____

Title _____ Email _____

Address of Property Owner _____

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

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

Contact Information

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

Phone: 704-875-7000
Fax: 704-875-6546
Physical Address: 105 Gilead Road, Third Floor, Huntersville, NC 28078
Website: <https://www.huntersville.org/228/Planning-Department>

Date Received By Planning Department: _____

Staff Initials: _____



Request for Board Action

August 6, 2024

To: The Honorable Mayor and Board of Commissioners

From: David Lucore, Electric System Manager

Subject: Electric Contract Labor FY25

EXPLAIN REQUEST:

Formal Bids were solicited for contract labor for the FY25 period for electrical construction. Three bids were received and River City Construction was the lowest responsive, responsible bidder. This work will consist of underground and directional boring services for the installation of electric infrastructure as stated in the bid specification.

ACTION RECOMMENDED:

Approve Award of Contract for Electric Construction for FY25 to River City Construction in the amount of \$2,380,961 and authorize Town Manager to execute contract documents.

FINANCIAL IMPLICATIONS:

\$2,380,961

ATTACHMENTS:

1. HVL FY25 BID SUMMARY UG & BORING SVCS 2024-06-26
2. River City Construction Final Construction Services Contract Signed

TOWN OF HUNTERSVILLE, NC

UNDERGROUND & DIRECTIONAL BORING SVCS

BID OPENING: JUNE 26, 2026 @ 2PM

LOCATION: 11316 SAM FURR RD, HUNTERSVILLE , NC

AGENT: DAVID LUCORE, ELECTRIC SYSTEMS MANAGER, ELECTRICITIES OF NC, INC.

BID SUMMARY

	COMPANY		
	Lamberts	Lee Electrical	River City Const.
Pipe Installation Cost	\$ 1,466,608.00	\$ 2,927,660.00	\$ 1,354,700.00
Gen. Construction Cost	\$ 280,487.00	\$ 655,340.00	\$ 309,036.00
Open Trench Cost	\$ 401,812.50	\$ 776,970.00	\$ 285,925.00
Boxes & Pads Cost	\$ 80,203.30	\$ 320,293.50	\$ 51,200.00
SL's & Sec. Lights Cost	\$ 69,687.50	\$ 200,748.50	\$ 52,500.00
TX's & Switchgears Cost	\$ 35,828.75	\$ 151,689.50	\$ 47,100.00
Terminations Cost	\$ 120,326.75	\$ 88,463.75	\$ 80,300.00
Wire & Cable Cost	\$ 471,950.00	\$ 460,350.00	\$ 200,200.00
Total Cost	\$ 2,926,903.80	\$ 5,581,515.25	\$ 2,380,961.00

I attest that these bids were received sealed and have been recorded accurately according to the bid submissions.



6/26/2024

David E. Lucore

Date



Electric Division
101 Huntersville-Concord Rd
Huntersville, NC 28078
(704) 766-2220

CONTRACT FOR CONSTRUCTION SERVICES

CONTRACTOR: River City Construction
3534 Cherry Run Road
Washington, NC 27889
Walter A. Manning, III
waltermanning@rivercityinc.net

PROJECT: FY25 Electric Construction
SITE Huntersville, NC
LOCATION(S):

This Contract for Construction and Repair, and all exhibits, (collectively this “Contract”) is entered into this 1st day of July, 2024, by and between the Town of Huntersville, a municipal corporation of the State of North Carolina, (the “Town”) and River City Construction, Inc. located at 3534 Cherry Run Road, Washington, NC 27889. (the “Contractor”).

WITNESSETH:

That for and in consideration of the mutual promises set forth in this Contract, the sufficiency of which is acknowledged by the parties hereto, the parties do mutually agree as follows:

1. Scope of Services. The Contractor agrees to perform for the Town the services according to the following construction design drawings, plans, and specifications, which is incorporated herein by reference as Exhibit C. The Contractor agrees to provide the labor, service, equipment, and materials, and other services included in Exhibit C, which shall constitute the “Work.” The Contractor warrants that the Contractor has visited the location of the project and is familiar with all field conditions bearing upon the Contractor’s performance of the Work; that the materials and equipment furnished under the Contract are of good quality and new (unless otherwise permitted); that the Work meets or exceeds the standards ordinarily observed in the industry; and that the Work conforms to the requirements of the Contract and to all applicable codes, ordinances, laws, or regulations. The Contractor further warrants and promises that the Work shall be free from defects and nonconformities in materials and workmanship for a period of one year from the later of the “Date of Completion” or such date as the Contractor actually completes all the Work. During such period, the Contractor will remedy at Contractor’s expense any nonconformities or defects in the Work within a reasonable time after receiving notice thereof from the Town.
2. Fees: Fees for the Work shall be specified in a fee schedule attached hereto as Exhibit D, (the “Contract Price”).
3. Change Orders. The Contractor agrees that the Town may order changes to the general scope of the Work, including additions, deletions, and similar revisions (“Change Orders”). The parties agree to adjust the Contract Price to reflect the effects of such changes. These changes shall be authorized only upon execution of a written Change Order. The amount of any increase or decrease in the Contract Price shall be by mutual acceptance of a total amount supported by sufficient data and

information to substantiate the change. If the Town and Contractor do not mutually agree on the amount of the change in the Contract Price, the Contractor will proceed with the Work described in the Change Order and the Town will pay the reasonable costs of any additional work as determined by the Town, including a reasonable amount for the Contractor's overhead and profit. Any decrease in Contract Price for a decrease in the Work will be the reasonable costs of the Work deleted as determined by the Town, including a reasonable amount for the decrease in the Contractor's overhead. The Contractor may submit claims for an increase in the Contract Price or an extension of the Date of Completion by means of a written Change Request. The Contractor agrees to submit the Change Request within a reasonable time after the event giving rise to the requested change and before the Contractor undertakes any additional work. Upon receipt of a Change Request, the Town, at its sole discretion, shall inform the Contractor whether to proceed with the additional work and shall approve any adjustment in the Contract Price or Date of Completion by issuing a Change Order as provided above. The timely submission of a written Change Request shall be a condition precedent to the issuance of a Change Order, and the Town will have no obligation to pay the Contractor for additional work performed by the Contractor without a Change Order approved in writing by the Town.

4. Historically Underutilized Businesses (HUB). It is the policy of the Town of to provide minorities and women equal opportunity for participating in all aspects of the Town's contracting and procurement programs, including but not limited to employment, construction development projects, materials/services contracts and/or lease agreements, consistent with the laws of the State of North Carolina.
5. Personal Protective Equipment (PPE). The Contractor and his/her employees will wear the proper equipment such as, but not limited to, high visibility clothing, safety glasses, hearing protection, etc. at all times when performing the Work at the Site Location(s). Failure to be in the appropriate PPE will result in removal from the project site.
6. Contract Insurance. Contractor shall be required to purchase and maintain, during its performance under this Contract, insurance coverage as shown on the Insurance Requirements as stated in Exhibit B, which is incorporated herein by reference. All insurance purchased shall have a specific endorsement, copy of which shall be provided to the Town, naming the Town as an additional insured and providing that such insurance will not be cancelled without providing thirty (30) days advance written notice to the Town.
7. Working Drawings and Specifications at the Job Site. The Contractor shall maintain, in readable condition at his job site one complete set of working drawings and specifications for his work including all shop drawings. Such drawings and specifications shall be available for use by the owner, designer, or his authorized representative. The Contractor shall also maintain at the job site, a day-to-day record of work-in-place that is at variance with the contract documents. Such variations shall be fully noted on Project drawings by the Contractor and submitted to the designer upon Project completion and no later than 30 days after acceptance of the Project.
8. Materials, Equipment, Employees. The Contractor shall, unless otherwise specified, supply and pay for all labor, transportation, materials, tools, apparatus, lights, power, fuel, heat, sanitary facilities, water, scaffolding and incidentals necessary for the completion of the work, and shall install, maintain and remove all equipment of the construction, other utensils or things, and be responsible for the safe, proper and lawful construction, maintenance and use of same, and shall construct in the best and most workmanlike manner, a complete job and everything incidental thereto, as shown on the plans, stated in the specifications, or reasonably implied therefrom, all in accordance with the contract documents.
9. Cleaning Up and Restoration of Site. The Contractor shall keep the sites and surrounding area reasonably free from rubbish at all times and shall remove debris from the site from time to time or

when directed to do so by the Owner. Before final inspection and acceptance of the Project, the Contractor shall thoroughly clean the sites, and completely prepare the Project and site for use by the Owner. At the end of construction, the Contractor shall oversee and implement the restoration of the construction site to its original state. Restoration includes but not limited to walks, drives, lawns, trees and shrubs, corridors, stairs, and other elements shall be repaired, cleaned, or otherwise restored to their original state.

10. Protection of Work, Property, the Public, and Safety. The Contractor shall be solely responsible for the entire site and the building or construction of the same and provide all the necessary protections, as required by the owner or designer, and by laws or ordinances governing such conditions. The Contractor shall be responsible for any damage to the owner's property or of that of others on the job, by them, their personnel, or their subcontractors, and shall make good such damages. The Contractor shall be responsible for and pay for any damages caused to the owner.
11. As-Built Marked-Up Construction Documents. Contractor shall provide one complete set of legible "as-built" marked-up construction drawings and specifications recording any and all changes made to the original design during the course of construction. In the event no changes occurred, submit construction drawings and specifications set with notation "No Changes." The Designer/Owner must receive "As-built" marked-up construction drawings and specifications before the final pay request can be processed.
12. Retainage. Retainage on periodic or final payments on public construction contracts in which the total project costs are \$100,000 or more are allowed pursuant to N.C.G.S. § 143-134.1.
13. Addendums: If applicable, Contractor acknowledges that it has received, executed, and shall abide by any addendums issued by the Town prior to this Contract.
14. Standard Terms and Conditions. The Standard Terms and Conditions, attached hereto as Exhibit A, shall be a part of this Contract. The Standard Terms and Conditions are hereby incorporated by reference, and all parties agree to be bound thereby.
15. Contract Term. Work will begin within ten (10) days of receipt of the Notice to Proceed from the Town. The Contractor and the Town recognize that time is of the essence for completion of the Work. Any Notice to Proceed shall also contain a date that the Contractor shall complete the Work by (the "Date of Completion"). The terms of this Contract shall apply to every Notice to Proceed issued by the Town.
16. Liquidated Damages. Contractor and Town recognize that time is of the essence and that Town will suffer financial and other losses if the Work is not completed by the Date of Completion, plus any extensions thereof allowed in accordance with the Contract. The parties also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by Town if the Work is not completed on time. Accordingly, instead of requiring any such proof, Town and Contractor agree that as liquidated damages for delay (but not as a penalty) Contractor shall pay Town \$500 for each day that expires after the end of the Date of Completion (as duly adjusted pursuant to the Contract) until the Work is complete.
17. Payment for Work In consideration of the above Work, the Town will pay the Contractor the sum as further described on Exhibit D.

In witness thereof, the contracting parties, by their authorized agents, affix their signatures and seals
at Huntersville, North Carolina, this 8th day of July, 2024.

River City Construction, Inc.

Town of Huntersville

Name:

Cynthia E. Haddock

Name of Contractor (type or print)

Town Manager

By:

Cynthia E. Haddock
(Signature)

Attest:

Town Clerk

Title: President

This instrument has been pre-audited in the
manner required by the Local Government
Budget and Fiscal Control Act

Attest:

Morgan Binner
(Secretary, if a corporation)

Finance Director

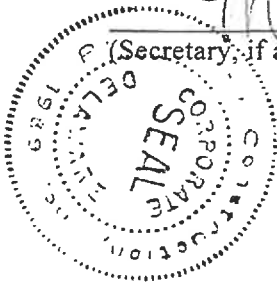


EXHIBIT A
STANDARD TERMS & CONDITIONS

1. **Acceptance.** Contractor's acknowledgment of the terms of this Contract constitutes an agreement to: (i) all terms and conditions set forth or referenced herein, (ii) on any attachments hereto, (iii) any applicable solicitation documentation related to this Contract (including without limitation any request for proposals or invitation for bids or Contractor's response thereto) that deal with the same subject matter as this Contract, and (iv) any other terms and conditions of a written agreement signed by Contractor and the Town that deals with the same subject matter as this Contract (collectively, the "Contract Documents"). The terms and provisions set forth in the Contract Documents shall constitute the entire agreement between Contractor and the Town with respect to the purchase by the Town of the: (i) goods ("Goods") and/or (ii) services provided or work performed ("Services") as described in the Contract Documents. The agreements set forth in the Contract Documents are sometimes referred to herein as the "Contract." In the event of any conflict between any terms and conditions of the Contract Documents, the terms and conditions most favorable to the Town shall control. No additional or supplemental provision or provisions in variance herewith that may appear in Contractor's quotation, acknowledgment, invoice, or in any other communication from Contractor to the Town shall be deemed accepted by or binding on the Town. The Town hereby expressly rejects all such provisions which supplement, modify, or otherwise vary from the terms of the Contract Documents, and such provisions are superseded by the terms and conditions stated in the Contract Documents, unless and until the Town's authorized representatives expressly assent, in writing, to such provisions. Stenographic and clerical errors and omissions by the Town are subject to correction.
2. **Entire Agreement.** These terms and conditions and any other specifications contained in any other documents referenced shall constitute and represent the complete and entire agreement between the Town and Contractor and supersede all previous communications, either written or verbal with respect to the subject matter of this Contract.
3. **Changes, Additions, Deletions.** No changes, additions, deletions, or substitutions of scope of work, specifications, terms and conditions, quantity, unit of issue, delivery date, delivery charges or price will be permitted without the prior written approval from the Town.
4. **Relationship of the Parties.** The Contractor is an independent contractor and not an employee of the Town. The conduct and control of the work will lie solely with the Contractor. The Contract shall not be construed as establishing a joint venture, partnership, or any principal-agent relationship for any purpose between the Contractor and the Town. Employees of the Contractor shall remain subject to the exclusive control and supervision of the Contractor, which is solely responsible for their compensation.
5. **Prices.** If Contractor's price or the regular market price of any of the Goods or Services covered hereunder is lower than the price stated in the Contract Documents on the date of shipment of such Goods or performance of such Services, Contractor agrees to give the Town the benefit of such lower price on any such Goods or Services. In no event shall Contractor's price be higher than the price last quoted or last charged to the Town unless otherwise agreed in writing. No charges for transportation, boxing, crating, etc. are allowable unless such charges are included in the Contract Documents.
6. **Taxes.** Any applicable taxes shall be invoiced as a separate item.
7. **Substitutions.** No substitutions or cancellations shall be permitted without prior written approval from the Town.
8. **Indemnification.** To the greatest extent allowed by North Carolina law, the Contractor shall indemnify and hold harmless the Town, its officers, agents, employees and assigns from and against all claims, losses, costs, damages, expenses, attorneys' fees ("Claims"). In the event that

any portion of the Work performed under the Contract shall be defective in any respect whatsoever, the Contractor shall indemnify and save harmless the Town, its officers, agents, employees, and assigns from all loss or the payment of all sums of money, but only to the extent allowed by law.

9. **Invoices and Payment Terms.** It is understood and agreed that orders will be shipped at the established Contract prices in effect on dates orders are placed. Invoicing that does not comply with this provision will subject the Contract to cancellation. Upon satisfactory delivery of the Goods or satisfactory completion of the Work, all invoices and statements shall reference the Contract number and be submitted to: Town of Huntersville, Accounts Payable, PO Box 664, Huntersville, North Carolina, 28070. Payment terms are Net 30 days after receipt of correct, undisputed invoice or acceptance of Goods or Services, whichever is later.

When the Contract is for construction services, the Contractor will submit monthly Requests for Payment for Work performed, for review. The Request for payment shall be based upon the Contractor's estimate of the percentage of the total Work completed during the period represented on the Request for Payment. The Contractor must certify that the Work represented in the Contractor's Request for Payment has been completed in accordance with the Contract Documents and certify that the Request for Payment is appropriate for payment before the Town shall be obligated to make such payment to the Contractor. If any Request for Payment is disputed by the Town, in whole or in part, the Town shall provide a written explanation for such dispute to Contractor within five days of receipt of the certified Request for Payment and shall pay all undisputed amounts therein.

10. **Anti-Discrimination and Equal Employment.** During the performance of the Contract, Contractor shall comply with all federal and state requirements concerning fair and equal employment and shall not discriminate against or deny the Contract's benefits to any person on the basis of race, religion, color, creed, national origin, age, sex (including sexual orientation, gender identity, and pregnancy), disability or handicapping condition, or genetic information.
11. **Insurance.** The Contractor shall provide the insurance coverages shown on Exhibit B, attached hereto and incorporated herein by reference. The Contractor shall provide the Town with a North Carolina Certificate of Insurance and such endorsements as may be required by the Contract Documents prior to the commencement of any work under the Contract and agrees to maintain such insurance until the completion of the Contract. Such certificates of insurance shall be considered part of the Contract.
12. **Ethics in Public Contracting.** By submitting their prices and acceptance of this Contract, all Contractors certify that their bids are made without collusion or fraud and that they have not offered or received any kickbacks or inducements from any other supplier, manufacturer, or subcontractor in connection with their offer, and that they have not conferred on any public employee having official responsibility for this procurement transaction any payment, loan, subscription, deposit of money, services or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value was exchanged.
13. **Applicable Laws and Courts.** All Town Contracts shall be governed in all respects by the laws of the State of North Carolina. All matters, whether sounding in contract or tort relating to the validity, construction, interpretation, and enforcement of the Contract, shall be governed in all respects by the laws of the State of North Carolina and venue shall be proper only in a court of competent jurisdiction located in Mecklenburg County, North Carolina. The Contractor represents and warrants that it shall comply with all applicable federal, state, and local laws, regulations, and orders, including, not limited to, licensure requirements.
14. **Codes and Permits.** When applicable, the Contractor shall obtain all required permits, give all required notices, and comply with all laws, ordinances, codes, rules, and regulations bearing on

the conduct of the work under this contract. If the Contractor observes that the drawings and specifications are at variance therewith, he shall promptly notify the designer in writing. All work under this contract shall conform to the current North Carolina Building Code and other state and national codes as are applicable. If the Contractor performs any work knowing it to be contrary to such laws, ordinances, codes, rules, and regulations, and without such notice to the Town, Contractor shall bear all cost arising therefrom.

15. **License Requirement.** If applicable, the Contractor must be a licensed General Contractor as required by North Carolina General Statutes Section 87-1 and must have a good ethical and professional standing with the North Carolina General Contractor's Licensing Board. The Contractor will be responsible for providing properly qualified, licensed (if required) personnel to complete the Work in accordance with the standard of care ordinarily used by members of the Contractor's profession practicing under similar circumstances and at the same time in Mecklenburg County.
16. **Strict Compliance.** The Town may at any time insist upon strict compliance with these terms and conditions notwithstanding any previous course of dealing or course of performance between the parties to the contrary.
17. **Assignment.** Contractor may not assign, pledge, or in any manner encumber Contractor's rights under this Contract or delegate the performance of any of its obligations hereunder, without Town's prior, express written consent.
18. **General Provisions.** The Town's remedies as set forth herein are not exclusive. Any delay or omission by the Town in exercising any right hereunder, or any waiver by the Town of any single breach or default hereunder, shall not be deemed to be a waiver of such right or of any other right, breach, or default.
19. **Warranties.** The Contractor warrants it shall adhere to all laws, codes, ordinances, and regulations of the United States, the State of North Carolina, the County of Mecklenburg, and the Town in the performance of the Work outlined in this Contract and any attached specifications. Contractor warrants that any finished Work completed hereunder shall also adhere to all laws, codes, ordinances, and regulations of the United States, the State of North Carolina, the County of Mecklenburg, and the Town. Contractor warrants that all Work delivered hereunder will be free from defects in materials and workmanship and will conform strictly to the specifications, drawings, or samples specified or furnished. This warranty shall survive any inspection, delivery, acceptance, or payment by the Town for the Work and shall run to the Town and any user of the Work. Contractor warrants that all Work will be performed in a professional and workman like manner in accordance with best industry practices. This express warranty is in addition to Contractor's implied warranties of merchantability and fitness for a particular purpose which shall not be disclaimed. In addition to any other rights available at law or in equity, the Town shall be entitled to consequential and incidental damages.
20. **Quality and Workmanship.** All Work shall be performed to the satisfaction of the Town. The Work shall not be considered complete nor applicable payments rendered until the Town is satisfied with the Work provided.
21. **Default.** The Town may terminate the Contract, in whole or in part, immediately and without prior notice upon breach of the Contract by the Contractor. In addition to any other remedies available to the Town in law or equity, the Town may procure upon such terms as the Town shall deem appropriate, Work substantially similar to those so terminated, in which case the Contractor shall be liable to the Town for any excess costs for such similar supplies or services and any expenses incurred in connection therewith.
22. **Termination for Convenience.** The Town shall have the right, without assigning any reason therefore, to terminate any Work under the Contract, in whole or in part, at any time at its

complete discretion by providing 10 days' notice in writing from the Town to Contractor. If the Contract is terminated by the Town in accordance with this paragraph, the Contractor will be paid in an amount which bears the same ratio to the total compensation as does the Work actually delivered or performed to the total originally contemplated in the Contract. The Town will not be liable to the Contractor for any costs for materials acquired or contracted for if such costs were incurred prior to the date of this Contract.

23. **Risk of Loss.** Risk of Loss for all supplies, materials, the Work performed, and the Project as it is being constructed, shall be on the Contractor until such time as substantial completion is achieved, and approved by the Town.
24. **No Third-Party Beneficiaries.** There shall be no intended nor incidental third-party beneficiaries of this Contract. Contractor shall include in all contracts, subcontracts, or other agreements relating to the Contract an acknowledgment by the contracting parties that the Contract creates no third-party beneficiaries.
25. **Exclusivity.** Nothing in this Contract shall require the Town to use the Contractor or prohibit the Town from soliciting third parties for the good or services provided in this Contract.
26. **Confidentiality.** The Contractor acknowledges the Town is subject public records law and no term shall be inconsistent with N.C.G.S. §132 et al.
27. **Valid Contract for Services.** In order for a Contract for Services of the Town to be valid, it must be executed by the Town Manager or his or her authorized designee and must be pre-audited in that manner required by the Local Government Budget and Fiscal Control Act, as the same may be amended.
28. **Verification of Work Authorization.** Contractor shall comply with, and require all contractors and subcontractors to comply with, the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes, "Verification of Work Authorization," sometimes known as E-verify, for all contractors and subcontractors.
29. **Iran Divestment List.** With the execution hereof, Contractor, certifies that they are not on the Iran Final Divestment List created by the N.C. State Treasurer pursuant to N.C.G.S. § 147-86.58, and will not contract with anyone on such List in performance of the work hereunder.
30. **Availability of Funds.** Any and all payments to the Contractor are dependent upon and subject to the availability of funds to the Town for the purpose set forth in this agreement.
31. **Severability.** If any provision of this Contract is found to be invalid or unlawful, then remainder of this Contract shall not be affected thereby, and each remaining provision shall be valid and enforced to the fullest extent permitted by law.
32. **Companies that Boycott Israel.** With the execution hereof, Contractor, certifies that they are not on the Companies that Boycott Israel List created by the N.C. State Treasurer pursuant to N.C.G.S. § 147-86.80, and will not contract with anyone on such List in performance of the work hereunder.
33. **Governmental Immunity.** Nothing contained in this Contract shall constitute a waiver of the Town's governmental immunity or of any limitation on liability or damages created by law.

EXHIBIT B
INSURANCE AND BOND REQUIREMENTS

1. The Work under this Contract shall not commence until the Contractor has obtained all required insurance and verifying certificates of insurance have been approved in writing by the Town. The Contractor shall furnish the Town with satisfactory proof of carriage of the insurance required before written approval is granted by the Town.
2. The insurance coverage shall be provided and maintained for the duration of the Contract.
3. Except for Worker's Compensation and Professional Liability policies, the Town shall be named as additional insured on all policies with coverage at least as broad as that provided to the named insureds.
4. The verifying certificates shall document that coverages afforded under the policies will not be cancelled, reduced in amount, or coverages eliminated until at least thirty (30) days after mailing written notice, by certified mail, return receipt requested, to the insured and the Town of such alteration or cancellation.
5. If endorsements are needed to comply with the notification or other requirements of this Agreement, copies of the endorsements shall be submitted with the certificates.
6. Any deductible, if applicable to loss covered by insurance provided, is to be borne by the Contractor.
7. The Contractor is required to provide and maintain the following minimum insurance coverage:

a. **Worker's Compensation and Employer's Liability.**

The Contractor shall provide and maintain, until final acceptance, Workers' Compensation insurance, as required by law, as well as employer's liability coverage with minimum limits of \$1,000,000.

b. **Commercial General Liability (CGL) Insurance.**

The Contractor shall provide and maintain, commercial general liability insurance, including coverage for premises operations, independent contractors, completed operations, products and contractual exposures, as shall protect such contractors from claims arising out of any bodily injury, including accidental death, as well as from claims for property damages which may arise from operations under this contract, whether such operations be by the Contractor or by

any subcontractor, or by anyone directly or indirectly employed by either of them and the minimum limits of such insurance shall be as follows:

Bodily Injury:	\$1,000,000 per occurrence/\$2,000,000 aggregate
Property Damage:	\$1,000,000 per occurrence/\$2,000,000 aggregate
Products/	
Completed Operations:	\$1,000,000 per occurrence/\$2,000,000 aggregate

Such coverage for completed operations must be maintained for at least two (2) years following final acceptance of the Work performed under the contract.

The commercial general liability insurance policy shall provide that such insurance is primary to and non-contributory with any liability insurance carried by the additional insureds and provide a severability of interests clause.

c. **Automobile Liability.**

The Contractor shall provide and maintain automobile liability coverage including coverage for owned, hired, and non-owned vehicles, with limits no less than \$1,000,000 per accident for bodily injury and property damage.

d. **Intentionally deleted.**

e. **Professional Liability.**

The Contractor shall provide and maintain professional liability coverage with limits no less than \$2,000,000.

f. **Pollution Liability.**

The Contractor shall provide and maintain pollution liability coverage with minimum limits of \$1,000,000 per occurrence/aggregate.

g. **Umbrella Coverage.**

The Contractor shall provide and maintain umbrella coverage with minimum limits of no less than \$1,000,000 per occurrence/aggregate.

h. **Other Insurance.**

The Contractor shall obtain such additional insurance as may be required by the Town or by the General Statutes of North Carolina including motor vehicle insurance, in amounts not less than the statutory limits.

8. If the Contractor maintains broader coverage and/or higher limits than the minimum limits shown above, the Town requires and shall be entitled to the broader coverage

and/or high limits maintained by the Contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the Town.

9. The policies shall provide that any failure to comply with reporting provisions of the policies shall not affect coverage provided to the Town or its officers, officials, employees, agents, or volunteers.
10. All liability and Workers' Compensation insurance policies shall provide that the insurance company waives all rights of recovery by way of subrogation against the Town and other insureds.
11. The insurance providers shall be North Carolina admitted insurers (licensed to do business in North Carolina) with a current A.M. Best's rating of no less than A-VIII. Notwithstanding the foregoing, if no North Carolina admitted insurance company provides the required insurance, it is acceptable to procure the required insurance from a United States domiciled carrier that meets the required Best's rating.
12. The Town reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other circumstances.
13. The limits of insurance described herein shall not limit the liability of the Contractor and Contractor's officers, employees, agents, representatives, and subcontractors. The Contractor's obligation to defend, indemnify, and hold the Town and its officers, officials, employees, agents and volunteers harmless under the provisions of this paragraph are not limited to or restricted by any requirement in the Contract for Contractor to procure and maintain a policy of insurance.
14. For construction projects only, the Contractor shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein, and Contractor shall ensure that Town is an additional insured on insurance required from subcontractors.
15. For construction projects only, the Contractor shall provide a payment bond and a performance bond in a sum equal to 100% of the contract price.



The energy behind public power



ELECTRICITIES OF NC, INC.
11316 SAM FURR ROAD
HUNTERSVILLE, NC 28078
ON BEHALF OF THE TOWN OF HUNTERSVILLE, NC

CONTRACT FOR

UNDERGROUND AND DIRECTIONAL BORING CREWS FOR WORK IN

THE TOWN OF HUNTERSVILLE, NORTH CAROLINA

FOR FISCAL YEAR 25

FROM JULY 1, 2024, TO JUNE 30, 2025

NOTICE AND INSTRUCTIONS TO BIDDERS

1. Sealed proposals for furnishing labor and equipment for constructing the improvements to the Electrical Distribution System of the Town of Huntersville, North Carolina, (hereinafter called the "Owner") will be received on or before 2:00 PM, June 26, 2024, at the ElectriCities office at 11316 Sam Furr Road, Huntersville, NC 28078, at which time they will be publicly opened and read. Any bids received after the time and date specified will not be considered.
2. (a) The project consists of the construction of 7.2/12.5 KV underground distribution facilities for the Owner at the direction of their Electric System Managing Agent (ElectriCities).

Envelopes containing bids shall be marked as follows:

River City Construction, Inc.

(Your Company Title)

3534 Cherry Run Road, Washington, North Carolina 27889

(Address)

VIA USPS:

To: ElectriCities of NC, Inc.
PO Box 2905
Huntersville, North Carolina 28070
Attention: David Lucore

Formal Bid - Do Not Open until Deadline
Underground Electric and Directional Boring Crews for the Town of Huntersville Bid
Opening 2:00 p.m., June 26, 2024
License No. 27348

VIA FEDEX, UPS OR OTHER COURIER SERVICE:

To: ElectriCities of NC, Inc.
11316 Sam Furr Road
Huntersville, North Carolina 28070
Attention: David Lucore

Formal Bid - Do Not Open until Deadline
Underground Electric and Directional Boring Crews for the Town of Huntersville Bid
Opening 2:00 p.m., June 26, 2024
License No. 27348

- (b) The successful bidder will, in general, furnish all the labor and equipment which may be necessary to affect the construction of the Owner budgeted expansion and improvement projects as directed by ElectriCities.
- (c) Although the schedule and availability of detailed plans is often subject to progress made by developers, the budget for fiscal Year 2025 includes underground electric construction on the following projects:

<u>Project</u>	<u>Description</u>
Bryton Alliance Apartments	360 multi-family homes
Bryton Ardmore East	300 Multi-family homes

Bryton Bulk Feeder	Extension of Backbone Circuit
Bryton Industrial Phase 3	2 Industrial buildings
Bryton Townhomes	25 Multi-family homes
Bryton Woodfield	354 multi-family homes
Bryton, The Views @ Bryton	318 Multi-family homes
Caldwell Crossing	200 Multi-family homes.
Gilead Road Line Burial	11 Overhead Spans
Holbrook Tie Line	Bulk Feeder extension
Hwy 21 Tie Feeder	Bulk Feeder Extension
Jamesburg Drive Phase 2	Industrial Park Expansion
Northcreek Village Phase 2	287 Multi-family homes
Maxwell Townhomes	35 Multi-family homes
McCord Road Line	Bulk Feeder extension
Reynolds Expansion	Increase Capacity
Southwire Expansion	Increase Capacity
Substation Exit Circuits	New Delivery # 4 Substation

- (d) Proposal quantities are based on current information available for these projects and are subject to change as each developer or builder progress toward construction ready plans. Actual payments shall be based on actual quantities installed, in-place, as measured and/or verified by ElectriCities.
- (e) ElectriCities intends to provide specific project plans approximately a month before construction begins, including updated unit quantities. Contractor will provide an estimate for each project based on contract unit prices which will need to be approved via work order prior to commencing construction.

The Owner intends to furnish materials required for each project. A standard percentage markup will also be established for use when it is mutually agreeable to be more convenient for Contractor to furnish materials at the direction of and approved by the Owner or ElectriCities. In any event, the materials furnished by the Contractor shall not exceed \$29,999.
- (f) In the event that project requires construction that is not covered by proposal units requested herein the Owner and Contractor will establish a mutually agreeable price to apply to such construction per change order.

3. The necessary forms and documents for bidders may be obtained from the Owner's Managing Agent, ElectriCities, at 11316 Sam Furr Road, Huntersville, NC 28078. Contact David Lucore at dlucore@electricities.org for copies of documents or with questions.
4. Proposals, together with all supporting instruments must be submitted on the forms furnished. The name and address of the Bidder, his license number, and the date of the opening of the bids must all appear on the envelope in which the proposal is submitted. The Proposal shall be marked "Proposal for Underground Electric and Directional Boring Crews for the Town of Huntersville, North Carolina."
5. Consideration will be given only to bids of the Contractors licensed under the "North Carolina Act to Regulate the Practice of General Contracting." Contractors and subcontractors, in order to perform public work in the State of North Carolina, are required to hold State of North Carolina Contractor's licenses of the class required to perform the specified work. Contractor's license number shall be inserted in the appropriate place on the Proposal form, before Proposal will be considered. Evidence of subcontractor's compliance with the above shall be submitted to ElectriCities before starting subcontract work on public work contracts.

6. The Owner reserves the right to waive minor defects and informalities that would not prejudice other bidders, and which speak to the responsiveness of the bid. Mathematical errors may be grounds for withdrawing a bid, if it meets grounds with withdrawal as set forth in
N.C.G.S. 143-129.1.
7. The Owner reserves the right to reject any and all proposals.
8. Each Bidder shall include, and shall be deemed to have included, in the price quoted in the Contractor's Proposal for each number of units, the amounts which it is estimated will be payable by the successful Bidder on account of taxes imposed by any taxing authority upon the sale, purchase or use of materials, supplies or equipment incorporated in the Project as part of such units. All taxes of the foregoing descriptions shall be payable by the Bidder to whom the Contract shall be awarded.
9. The successful Bidder will reimburse the Owner for all loss and breakage of materials installed or removed by the Bidder. Reimbursement shall be at current market prices for the salvageable materials removed. Current market prices shall be determined from the Owner's material invoices for replacing damaged materials. All scrap material shall remain the property of the Owner or be disposed of as directed by the Owner. The Owner will issue, and both the Bidder and Owner will sign, material receipts at the time removed materials are returned to the Owner in order for the Bidder to receive credit for same.
10. All blank spaces in the Proposal form must be filled in, as required. All price information shall be shown in figures where required. No changes shall be made in the phraseology of the forms.
11. Each Proposal must be accompanied by a certified check on a bank that is a member of the Federal Deposit Insurance Corporation payable to the order of the Owner, or a Bidder's Bond acceptable to the Owner and running in favor of the Owner, in an amount equal to five percent (5%) of the maximum bid price. If a proposal is not accepted or if a proposal is accepted and a contract is executed, the check or Bidder's Bond will be returned in each instance within a period of thirty (30) days to the Bidder furnishing the same; except that each Bidder agrees, provided its proposal is one of the three low proposals, that, by filing its proposal together with such check or Bidder's Bond in consideration of the Owner's receiving and considering such proposal, said proposal shall be firm and binding upon each such Bidder and such check shall be held by the Owner for a period not exceeding ninety (90) days from the date hereinabove set for the opening of the Proposals.
12. The successful Bidder will be required to enter into the Town's Contract for Construction Services contract, attached herein, with the Owner and to furnish Performance and Payment Bonds, in the forms attached hereto, for the full amount of the contract price, these bonds will guarantee the full performance of the contract.

TOWN OF HUNTERSVILLE, NORTH CAROLINA
(Owner)

ELECTRCITIES OF NC, INC.
(Agent)

Date: June 17, 2024



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/22/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION** IS **WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Cobbs, Allen & Hall, Inc. 115 Office Park Drive Birmingham AL 35223	CONTACT NAME: Susan Gore PHONE (A/C, No, Ext): 205-874-1305 E-MAIL ADDRESS: sgore@cobbsallen.com	FAX (A/C, No):
INSURED River City Construction, Inc. 3534 Cherry Run Road Washington NC 27889	INSURER(S) AFFORDING COVERAGE	NAIC #
License#: 79319 RIVECIT-04	INSURER A: Travelers P&C of America	25674
	INSURER B: Gotham Insurance Company	25569
	INSURER C: Admiral Insurance Company	24856
	INSURER D: Accredited Specialty Insurance Company	16835
	INSURER E: Starr Indemnity & Liability Company	38318
	INSURER F:	

COVERAGES**CERTIFICATE NUMBER:** 2071912798**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
E	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PRO-JECT ☐ LOC OTHER:			1000026099241	1/1/2024	1/1/2025	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000 \$
E	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY			1000673041241	1/1/2024	1/1/2025	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
E B	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$ 0			1000588762241 EX202300003693	1/1/2024 7/5/2023	1/1/2025 1/1/2025	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000 Excess Umbrella \$4,000,000
E	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	1000005685	1/1/2024	1/1/2025	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
A C D	Leased & Rented Equipment Pollution Liability Cyber			QT6307W149262TIL23 FEIECC2646004 2CIANC17S011245301	7/5/2023 7/5/2023 7/5/2023	7/5/2024 7/5/2024 7/5/2024	Limit 300,000 Limit 5,000,000 Limit 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

General Liability
- Automatic Status if required by written contract
- Blanket Waiver of Subrogation
- Primary and Non-Contributory if required by written contract
- Contractual Liability - Railroads
- 30 day Notice of Cancellation

Auto Liability
See Attached...

CERTIFICATE HOLDER**CANCELLATION**

Town of Huntersville
11316 Sam Furr Road
Huntersville NC 28078

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.



ADDITIONAL REMARKS SCHEDULE

Page 1 of 1

AGENCY Cobbs, Allen & Hall, Inc.		NAMED INSURED River City Construction, Inc. 3534 Cherry Run Road Washington NC 27889	
POLICY NUMBER		EFFECTIVE DATE:	
CARRIER	NAIC CODE		

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: 25 **FORM TITLE:** CERTIFICATE OF LIABILITY INSURANCE

- Auto Policy Deductible - Comprehensive/Collision 2,000
- Blanket Additional Insured
- Blanket Waiver of Subrogation
- Primary and Non-Contributory
- Lessor Additional Insured and Loss Payee

Umbrella Liability-

- Follow Form
- Waiver of Subrogation
- 30 day Notice of Cancellation per policy terms and conditions

Work Comp Policy-

- Blanket Waiver of Subrogation
- Longshore and Harbor WC Act Coverage
- 30 day notice of cancellation per policy terms and conditions

Pollution Liability

- Automatic Additional Insured
- Automatic Waiver of Subrogation
- Blanket Primary and Non-Contributory

Umbrella Policy Lead 5,000,000 Underlying- General Liability, Auto Liability and Employers Liability

Exhibit C
Bid Specifications

1. The successful bidder will furnish all labor and equipment which may be necessary to install materials and equipment for the Owner's' electric distribution system.
2. An estimated quantity of items budgeted for FY25, based on current information, is included. These are estimated quantities and are not guaranteed during the contract period. The schedule and availability of work in FY25 will vary based on many factors including weather, readiness of the project, availability of materials, etc.
3. Contractor will be paid for actual quantities of units installed, in place and as measured and/or verified by ElectriCities of NC, Inc. representatives.
4. ElectriCities will provide plans for each project to the contractor approximately one month before the estimated construction start date. Contractor will produce an estimated cost based on unit prices and the town will issue a PO to the contractor. ElectriCities will authorize the work to begin when the project is ready for construction.
5. The Owner will provide all materials for each project. A standard percentage markup will be established for use when the Contractor provides materials when it is mutually agreed to be more efficient and approved by Owner. The total sum of materials provided by the Contractor shall not exceed \$29,999 in cost.
6. The price(s) quoted for each unit item by each bidder shall contain, and shall be deemed to contain in the price, any amounts which are estimated to be payable by the Bidder for any and all taxes imposed by any taxing authority upon the sale, purchase or use of materials, supplies or equipment contained in each project. The bidder shall be solely responsible for the payment of any such taxes.
7. The Owner and Contractor shall mutually agree on an acceptable price for units required but not contained in the proposal by the issuance of a Change Order approved by ElectriCities representatives.
8. The Contractor awarded the contract shall reimburse the Owner the cost for all loss, breakage, or theft of materials once they have taken delivery of them from any warehouse or storage location operated by the Owner.
9. Contractor is responsible for the transportation of materials received from the Owner's warehouse or storage location to each project site.
10. All materials left over or scrapped as part of any project shall remain the property of the Owner and contractor shall transport such items as directed by Owner for reuse or disposal.
11. Each proposal shall be accompanied by a certified check on a bank that is a member of the Federal Deposit Insurance Corporation (FDIC) payable to the order of the Owner, or a Bidder's Bond acceptable by the Owner and running in favor of the Owner, in an amount equal to 5% of the maximum price of the bid.
12. The check or Bidder's Bond shall be returned to contractors whose bid was not accepted and or if the proposal is accepted and a contract is executed, the check or Bidder's Bond shall be returned within thirty (30) days to the bidder; except that each Bidder agrees that provided its proposal was one of the 3 lowest bids, each such proposal shall be firm and binding upon each bidder and each check shall be retained by the Owner for a period not exceeding ninety (90) days from the date of the public bid opening.

Exhibit D

CONTRACTOR'S PROPOSAL (Bidder or Contractor) TO: TOWN OF HUNTERSVILLE, NC (Owner)

LABOR AND EQUIPMENT PROPOSAL for FY25

SECTION 1.

- A. The projects to be worked under this contract will be in and around the Town of Huntersville, NC.
- B. Contractor, hereinafter called the "Bidder" or "Contractor", shall have familiarized himself/herself with all conditions likely to be encountered affecting the cost and schedule of work. The Contractor agrees and warrants that he/she has:
1. Inspected the construction units and proposes a fair and reasonable cost for each unit according to current market rates.
 2. Agreed to provide labor, equipment, transportation, and all other items necessary (other than bulk materials, which will be provided by the Owner) required to construct, repair and/or maintain the Town of Huntersville's electric distribution system in accordance with industry standard practices, federal and state regulations applicable to work of this type, town policies and procedures. Agrees and understands that plans, specifications, and construction standards will be provided by the Owner on a project-by-project basis.
- C. Bidder acknowledges that he/she has carefully examined the contract documents and understands the requirements contained therein and that the documents are appropriate and adequate for contracting with the Owner, and that Bidder has an adequately trained staff of employees who can perform the work on a project-by-project basis in a competent, professional, and workmanlike manner.
- D. Bidder further acknowledges that he/she has or has at their disposal the equipment, machinery, and facilities necessary to perform the work competently.
- E. Bidder declares that this proposal, in all aspects is fair and is provided in good faith without collusion or fraud and that only the person or persons named in this proposal have any interest in this proposal or in the contract to be entered into with the Owner.
- F. Bidder agrees to provide labor and equipment to install units at the prices listed below with one or more crews in complete accordance with the contract documents:

Electric Unit	UOM	Est. Qty	Unit Price	Total
I. DIRECTIONAL BORING UNITS				
a. Conduit Installation Units				
1. (1) 1" – 1 ½" HDPE	Linear Ft	5000	\$12.00	\$60,000.00
2. (1) 2" – 2 ½" HDPE	Linear Ft	7000	\$15.00	\$105,000.00
3. (2) 2" – 2 ½" HDPE	Linear Ft	400	\$20.00	\$8,000.00
4. (3) 2" – 2 ½" HDPE	Linear Ft	1250	\$25.00	\$31,250.00
5. (4) 2" – 2 ½" HDPE	Linear Ft	1250	\$30.00	\$37,500.00
6. (5) 2" – 2 ½" HDPE	Linear Ft	1250	\$35.00	\$43,750.00
7. (1) 2" – 2 ½" & (1) 1" – 1 ½" HDPE	Linear Ft	400	\$19.00	\$7,600.00
8. (1) 2" – 2 ½" & (2) 1" – 1 ½" HDPE	Linear Ft	400	\$23.00	\$9,200.00
9. (2) 2" – 2 ½" & (1) 1" – 1 ½" HDPE	Linear Ft	1250	\$24.00	\$30,000.00
10. (2) 2" – 2 ½" & (2) 1" – 1 ½" HDPE	Linear Ft	1250	\$26.00	\$32,500.00
11. (3) 2" – 2 ½" & (1) 1" – 1 ½" HDPE	Linear Ft	400	\$27.00	\$10,800.00
12. (4) 2" – 2 ½" & (1) 1" – 1 ½" HDPE	Linear Ft	1250	\$32.00	\$40,000.00
13. (5) 2" – 2 ½" & (1) 1" – 1 ½" HDPE	Linear Ft	400	\$36.00	\$14,400.00
14. (1) 3" HDPE	Linear Ft	2500	\$20.00	\$50,000.00
15. (2) 3" HDPE	Linear Ft	500	\$25.00	\$12,500.00
16. (3) 3" HDPE	Linear Ft	1500	\$30.00	\$45,000.00
17. (4) 3" HDPE	Linear Ft	7500	\$35.00	\$262,500.00

Electric Unit	UOM	Est. Qty	Unit Price	Total
18. (1) 3" & (1) 1" - 1 1/2" HDPE	Linear Ft	400	\$24.00	\$9,600.00
19. (1) 3" & (2) 1" - 1 1/2" HDPE	Linear Ft	400	\$27.00	\$10,800.00
20. (1) 3" & (1) 2" - 2 1/2" & (1) 1" - 1 1/2" HDPE	Linear Ft	400	\$30.00	\$12,000.00
21. (1) 3" & (2) 2" - 2 1/2" HDPE	Linear Ft	400	\$30.00	\$12,000.00
22. (1) 3" & (3) 2" - 2 1/2" HDPE	Linear Ft	1250	\$34.00	\$42,500.00
23. (1) 3" & (4) 2" - 2 1/2" HDPE	Linear Ft	400	\$40.00	\$16,000.00
24. (4) 3" & (1) 2" - 2 1/2" HDPE	Linear Ft	1250	\$40.00	\$50,000.00
25. (1) 4" HDPE	Linear Ft	2000	\$24.00	\$48,000.00
26. (2) 4" HDPE	Linear Ft	900	\$30.00	\$27,000.00
27. (3) 4" HDPE	Linear Ft	1000	\$40.00	\$40,000.00
28. (1) 4" & (1) 2" - 2 1/2" HDPE	Linear Ft	400	\$28.00	\$11,200.00
29. (1) 4" & (1) 2" - 2 1/2" & (1) 1" - 1 1/2" HDPE	Linear Ft	400	\$32.00	\$12,800.00
30. (1) 4" & (2) 2" - 2 1/2" HDPE	Linear Ft	400	\$32.00	\$12,800.00
31. (1) 6" HDPE	Linear Ft	5000	\$30.00	\$150,000.00
32. Rock Adder for Directional Bore	Linear Ft	2000	\$50.00	\$100,000.00

Conduit Installation Units Total \$ 1,354,700.00

b. General Construction Units

33. Asphalt, Cut & Remove 0" - 5" thick	Sq Ft.	2000	\$10.00	\$20,000.00
34. Asphalt, Cut & Remove 6" - 10" Thick	Sq. Ft.	500	\$20.00	\$10,000.00
35. Concrete, Cut & Remove 0" - 4" Thick	Sq. Ft.	2000	\$8.50	\$17,000.00
36. Concrete, Cut & Remove 5" - 8" Thick	Sq. Ft.	500	\$11.00	\$5,500.00
37. Concrete, Replace 3,000 psi 4" Thick	Sq. Ft.	2000	\$12.00	\$24,000.00
38. Locates, 12" Core Hole & Restore	Each	200	\$100.00	\$20,000.00
39. Dig, Barricade & Restore 4' x 4' x 3' Pit	Each	100	\$250.00	\$25,000.00
40. Locates, 24" Core Hole & Restore	Each	100	\$200.00	\$20,000.00
41. Locate, Existing Conduits by Excavating, Removal of landscaping, debris & foreign objects	Hour	100	\$416.34	\$41,634.00
42. Excavating and Relocating Existing Conduits Up to 6"	Hour	100	\$416.34	\$41,634.00
43. Excavation of existing conduit due to obstructions that would prevent the installation of cable. by normal means	Hour	100	\$416.34	\$41,634.00
44. Install pulling string by use of pneumatic tooling. in conduit up to 6"	Hour	100	\$416.34	\$41,634.00
45. Removal of Street Light	Each	20	\$50.00	\$1,000.00

General Construction Units Total \$ 309,036.00

c. Open Trench Units

46. Open Trench 18" W x 36" D	Linear Ft	30000	\$3.50	\$105,000.00
47. Open Trench 18" W x 48" D	Linear Ft	25000	\$4.25	\$106,250.00
48. Open Trench 24" W x 60" D	Linear Ft	5000	\$5.50	\$27,500.00
49. Rock Adder for Open Trench	Linear Ft	500	\$30.00	\$15,000.00
50. Add 1" - 1 1/2" Duct to Trench	Linear Ft	10000	\$0.70	\$7,000.00
51. Add 2" - 2 1/2" Duct to Trench	Linear Ft	25000	\$0.70	\$17,500.00
52. Add 3" Duct to Trench	Linear Ft	5000	\$0.80	\$4,000.00
53. Add 4" Duct to Trench	Linear Ft	1500	\$1.20	\$1,800.00
54. Add 6" Duct to Trench	Linear Ft	750	\$2.50	\$1,875.00

Open Trench Units Total \$ 285,925.00

Electric Unit	UOM	Est. Qty	Unit Price	Total
II. MATERIALS INSTALLATION UNITS				
a. Boxes & Pads Units				
55. Box, Splice, Streetlight, 10" x 15", w/Connectors	Each	200	\$50.00	\$10,000.00
56. Enclosure, Fiberglass, 15 kV	Each	50	\$250.00	\$12,500.00
57. Junction, 15 kV, 200A, 2-Point	Each	50	\$25.00	\$1,250.00
58. Junction, 15 kV, 200A, 3-Point	Each	50	\$25.00	\$1,250.00
59. Junction, 15 kV, 200A, 4-Point	Each	25	\$25.00	\$625.00
60. Junction, 15 kV, 600A, 3-Point	Each	25	\$25.00	\$625.00
61. Pad, Switchgear, 15 kV, PME-9, & ME-11	Each	15	\$250.00	\$3,750.00
62. Pad, Transformer, 1-Ph	Each	65	\$160.00	\$10,400.00
63. Pad, Transformer, 3-Ph	Each	25	\$400.00	\$10,000.00
64. Pedestal, Secondary, UG, 1-Ph	Each	10	\$80.00	\$800.00
Boxes & Pads Units Total			\$	51,200.00
b. Streetlights & Security Lights Units				
65. Fixture, Streetlight, Decorative	Each	100	\$60.00	\$6,000.00
66. Fixture, Street or Security, Standard, w/arm	Each	50	\$80.00	\$4,000.00
67. Pole, AL, Decorative, 10' – 16' for Streetlight	Each	100	\$125.00	\$12,500.00
68. Pole, AL or Fiberglass, Standard, 20' 30', for SL	Each	50	\$200.00	\$10,000.00
69. Foundation, Pole, Direct Bury, for Streetlight	Each	100	\$200.00	\$20,000.00
Streetlights & Security Lights Total			\$	52,500.00
c. Transformers & Switchgear Units				
d. 25 KVA – 100 KVA 1-Ph Install and Connect	Each	75	\$220.00	\$16,500.00
e. 167 KVA 1-Ph Install & Connect	Each	10	\$240.00	\$2,400.00
f. 75 KVA – 500 KVA 3-Ph Install & Connect	Each	10	\$550.00	\$5,500.00
g. 750 KVA & Larger 3-Ph Install & Connect	Each	5	\$1,500.00	\$7,500.00
h. Grounding Assembly, for Pad-Mtd. Enclosures	Each	120	\$60.00	\$7,200.00
i. PME-9 Switchgear Install & Connect	Each	10	\$400.00	\$4,000.00
j. PME-11 Switchgear Install & Connect	Each	10	\$400.00	\$4,000.00
Transformers & Switchgears Total			\$	47,100.00
d. Termination Units				
k. Adapter, 15 kV, 200A, Reducing	Each	100	\$20.00	\$2,000.00
l. Bracket, Insulated Standoff, 15 kV	Each	25	\$20.00	\$500.00
m. Bracket, Insulated Standoff, Feed-Thru, 15 kV	Each	25	\$20.00	\$500.00
n. Bushing Insert, 15 kV, Load break, 200A	Each	150	\$20.00	\$3,000.00
o. Bushing Insert, 15 kV, LB, 200A, Feed-Thru	Each	50	\$20.00	\$1,000.00
p. Cap, Insulated, Protective, 15 kV, 200A	Each	100	\$20.00	\$2,000.00
q. Cap, Insulated, Protective, 15 kV, 600A	Each	50	\$20.00	\$1,000.00
r. Elbow, 15 kV, 200A, Load break	Each	100	\$100.00	\$10,000.00
s. Elbow, 15 kV, 600 A Dead break, T-Body	Each	50	\$300.00	\$15,000.00
t. Elbow, Arrester, 15 kV	Each	35	\$30.00	\$1,050.00
u. Elbow, Fused, 15 kV	Each	25	\$150.00	\$3,750.00
v. Riser, House, 200A, Install & Connect	Each	200	\$50.00	\$10,000.00
w. Splice, 15 kV, 1/0 AL URD	Each	50	\$150.00	\$7,500.00
x. Splice, 15 kV, 750 MCM	Each	50	\$400.00	\$20,000.00
y. Wire, Secondary, Any Size	Each	1000	\$3.00	\$3,000.00
Terminations Total			\$	80,300.00

Electric Unit	UOM	Est. Qty	Unit Price	Total
e. Wire & Cable Units				
89. (1) 1/0 Primary, AL, 15 kV, JCN, URD	Linear Ft	50000	\$0.80	\$40,000.00
90. (3) 1/0 Primary, AL, 15 kV, JCN, URD	Linear Ft	5000	\$2.00	\$10,000.00
91. 2/0 TPX AL, 600V, UG	Linear Ft	3000	\$0.70	\$2,100.00
92. #2 STR, Copper, Bare	Linear Ft	10000	\$0.70	\$7,000.00
93. 350 TPX, AL, 600 V	Linear Ft	3000	\$0.70	\$2,100.00
94. 350 QPX, AL, 600V, UG	Linear Ft	25000	\$0.70	\$17,500.00
95. 4/0 TPX, AL, 600V, UG	Linear Ft	20000	\$0.70	\$14,000.00
96. 4/0 QPX, AL, 600V, UG	Linear Ft	35000	\$0.70	\$24,500.00
97. #6/3 Streetlight, AL, 600V, UG	Linear Ft	10000	\$0.50	\$5,000.00
98. (1) 750 MCM Primary, AL, 15 kV, JCN, URD	Linear Ft	10000	\$0.90	\$9,000.00
99. (3) 750 MCM Primary, AL, 15 kV, JCN, URD	Linear Ft	30000	\$2.30	\$69,000.00
Wire & Cable Install Total			\$	200,200.00

LABOR AND EQUIPMENT PROPOSAL

SUMMARY

<u>UNITS</u>	<u>SUBTOTAL COST</u>
<u>DIRECTIONAL BORING UNITS</u>	
a. Conduit Installation Units	\$ 1,354,700.00
b. General Construction Units	\$ 309,036.00
c. Open Trench Units	\$ 285,925.00
<u>MATERIALS INSTALLATION UNITS</u>	
a. Boxes & Pads Units	\$ 51,200.00
b. Streetlights & Security Lights Units	\$ 52,500.00
c. Transformers & Switchgear Installation Units	\$ 47,100.00
d. Terminations Units	\$ 80,300.00
e. Wire & Cable Units	\$ 200,200.00
<u>TOTAL COST</u>	<u>\$ 2,380,961.00</u>

SECTION 2.

- A. **Licensing** – Contractor, by submitting a bid, represents that he/she possesses a valid Contractor's License(s) Number(s): 27348, that authorizes him/her to perform the work specified in the proposal in the state of North Carolina. The Contractor further agrees to notify the Owner immediately of any change in the status of said License(s).
- B. **Equipment** – All vehicles and equipment used in the performance of this contract shall be in excellent condition and shall be properly maintained to ensure their safety and efficiency and shall present an acceptable image to the public. All vehicles shall be marked with the contractor's name in some fashion to be quickly identified.
- C. **Equipment Staging** – Owner has limited space available at their operations facility and cannot provide room for the staging of Bidder's vehicles and equipment. There may be other Owner sites that accommodate this, however, in the event that suitable space cannot be provided by the Owner, the Bidder agrees to find suitable staging area(s) for all vehicles and equipment at his/her own expense.
- D. **Employee Conduct** – Contractor agrees to provide a staff of professional employees who will:
1. Always conduct themselves in a professional manner.
 2. Always display the highest regard for safety.
 3. Always be courteous and professional in all dealings with the Owner's staff and the public.
 4. Always display the highest integrity and ethical decision-making skills.
 5. Wear uniforms or clothing that is good repair and condition and is marked with the company name to easily identify them as employees.
- E. **Materials** – If, during the performance of work under this contract, the contractor needs miscellaneous materials, such as but not limited to, lumber, grass seed, straw, fittings, etc. and it is identified as more efficient and possibly more cost effective for the Contractor to furnish those items, the contractor shall be allowed a standard percentage markup of 10% for the furnishing of those materials with the Owner's or Owner's Representative's approval. Invoices or receipts for all items purchased shall be submitted to Owner before payment will be made. In any case, the total of all miscellaneous items purchased by the contractor shall not exceed \$29,999 during the contract term.
- F. **Miscellaneous Materials** - The Contractor agrees that when it is necessary to construct units that are not contained in the proposal, the Owner and Contractor shall determine and agree on a fair market rate for each unit. The Contractor shall submit a Change Order to the Owner and the Owner must approve the Change Order before any such item(s) are authorized. Contractor shall use the Change Order form attached hereto as part of this proposal.
- G. **Estimated Units** - The Contractor, by submitting a bid, agrees and understands that the estimated units listed in the proposal are estimates only and the Owner may specify any number or combination of numbers of units as the Owner deems necessary.
- H. **Taxes** – The Contractor agrees to provide unit prices include provisions for the payment of all monies which will be payable by the Bidder or the Owner in connection with the construction of the project due to taxes levied by any taxing authority upon the sale, purchase or use of materials, supplies, or equipment to be incorporated in the project as part of such unit(s). The Bidder agrees to pay all such taxes and to furnish to the Owner and all appropriate taxing authorities all required documentation and reports pertaining thereto.

- I. **Temporary Work** – All temporary work, which the Bidder performs for his convenience in constructing the project shall be installed and removed at his own expense.

NAME OF BIDDER: River City Construction, Inc. LICENSE NUMBER(S): 27348

BY: [Signature] TITLE: President

ADDRESS OF BIDDER: 3534 Cherry Run Road, Washington, North Carolina 27889

The Proposal must be signed with the full name of the Bidder. In the case of a partnership, the Proposal must be signed in the firm name by each partner. In the case of a corporation, the Proposal must be signed in the corporate name by a duly authorized officer and the corporate seal affixed and attested by the Secretary of the Corporation. A typewritten copy of all such names and signatures shall be appended.

The Bidder must accompany his bid proposal with an Affidavit of Compliance with N.C. E-Verify Status.

Megan Bixner
corporate Secretary



STATE OF NORTH CAROLINA
TOWN OF HUNTERSVILLE
COUNTY OF MECKLENBURG

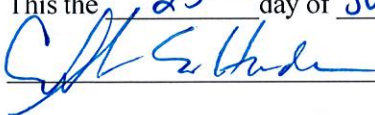
AFFIDAVIT OF COMPLIANCE WITH
N.C. E-VERIFY STATUTES

I, Cynthia E. Haddock (hereinafter the "Affiant"), duly authorized by and on behalf of
River City Construction, Inc. (hereinafter the "Employer") after being first duly sworn deposes and says as
follows:

1. I am the President (President, Manager, CEO, etc.) of the Employer and possess the full authority to speak for and on behalf of the Employer identified above.
2. Employer understands that "E-Verify" means the federal E-Verify program operated by the United States Dept. of Homeland Security and other federal agencies, or any successor or equivalent program used to verify the work authorization of newly hired employees pursuant to federal law.
3. Employer employs 25 or more employees in the State of North Carolina and is in compliance with the provisions of N.C. Gen. Stat. §64-26. Employer has verified the work authorization of its employees through E-Verify and shall retain the records of verification for a period of at least one year.
Employer employs fewer than 25 Employees and is therefore not subject to the provisions of N.C. Gen. Stat. §64-26.
4. All subcontractors engaged by or to be engaged by Employer have or will have likewise complied with the provisions of N.C. Gen. Stat. §64-26.
5. Employer shall keep the Town of Huntersville informed of any change in its status pursuant to Article 2 of Chapter 64 of the North Carolina General Statutes.

Further this affiant sayeth not.

This the 25th day of June, 2024



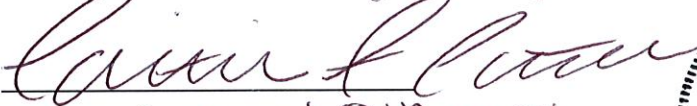
Signature of Authorized Officer or Agent

Cynthia E. Haddock, President

Printed Name and Title of Authorized Officer or Agent

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

Sworn to and subscribed before me, this the 25th day of June, 2024

Notary Public: 

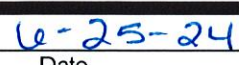
My Commission Expires: AUGUST 8th, 2026



IRAN DIVESTMENT ACT AND COMPANIES THAT BOYCOTT ISRAEL CERTIFICATION

As of the date listed below, the entity listed above is not on the list of restricted companies created by the State Treasurer pursuant to N.C.G.S. 147-86.58 or 147-86.81(a)(1).

The undersigned hereby certifies that he or she is authorized by the entity listed above to make the foregoing statement.

 
Signature Date

Cynthia E. Haddock President
Printed Name Title

Expiration Date

12/31/2024

License No.

27348

North Carolina

Licensing Board for General Contractors

This is to Certify That:

River City Construction, Inc.

Washington, NC

is duly registered and entitled to practice

General Contracting

Limitation: Unlimited

Classification: Public Utilities

until

December 31, 2024

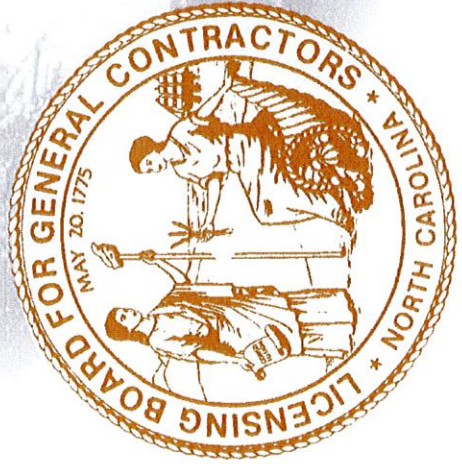
when this Certificate expires.

Witness our hands and seal of the Board.

Dated, Raleigh, N.C.

01/01/2024

This certificate may not be altered.



Robert H. H. H.
Chairman

C. Frank Wiener
Secretary-Treasurer



JOIN FORCES. SUCCEED TOGETHER.

hereby grants

National Women's Business Enterprise Certification

to

River City Construction, Inc.

who has successfully met WBENC's standards as a Women's Business Enterprise (WBE).

This certification affirms the business is woman-owned, operated and controlled and is valid through the date herein.

Certification Granted: December 15, 2021
Expiration Date: December 31, 2024
WBENC National Certification Number: WBE2103274

WBENC National WBE Certification was processed and validated by Greater Women's Business Council, a WBENC Regional Partner Organization.

Authorized by Roz Lewis, President & CEO
Women's Business Center



NAICS: 237130
UNSPSC: 72141117, 72141122





JOIN FORCES. SUCCEED TOGETHER.

**HEREBY GRANTS
WOMAN OWNED SMALL BUSINESS (WOSB) CERTIFICATION TO**

River City Construction, Inc.

The identified small business is an eligible WOSB for the WOSB Program, as set forth in 13 C.F.R. part 127 and has been certified as such by an SBA approved Third Party Certifier pursuant to the Third Party Agreement, dated June 30, 2011, and available at www.sba.gov/wosb.

The WOSB Certification expires on the date herein unless there is a change to the SBA's regulation that makes the WOSB ineligible or there is a change in the WOSB that makes the WOSB ineligible. If either occurs, this WOSB Certification is immediately invalid. The WOSB must not misrepresent its certification status to any other party, including any local or State government or contracting official or the Federal government or any of its contracting officials.

Majority Female Owner: Cynthia Haddock
NAICS: 237130 UNSPSC: 72141117, 72141122
Certification Number: WOSB212163
Renewal Date: December 31, 2024
WOSB Regulation Expiration Date: 12/31/2024



Roz Lewis, Women's Business Center President
& CEO

Pamela Prince-Easton, WBENC President & CEO

Lakesha White, Vice President, Certification

FORM OF BID BOND

KNOW ALL MEN BY THESE PRESENTS THAT _____

River City Construction Inc. as
principal, and Hudson Insurance Company, as surety, who is
duly licensed to act as surety in North Carolina, are held and firmly bound unto
Town of Huntersville as obligee,
in the penal sum of Five Percent of Amount Bid 5% DOLLARS, lawful money of
the United States of America, for the payment of which, well and truly to be made, we bind
ourselves, our heirs, executors, administrators, successors and assigns, jointly and
severally, firmly by these presents.

Signed, sealed and dated this 26th day of June, 2024

WHEREAS, the said principal is herewith submitting proposal for

7.2/12.5 kV Underground Distribution Facilities
and the principal desires to file this bid bond in lieu of making the cash deposit as required
by G.S. 143-129.

NOW, THEREFORE, THE CONDITION OF THE ABOVE OBLIGATION is such, that
if the principal shall be awarded the contract for which the bid is submitted and shall
execute the contract and give bond for the faithful performance thereof within ten days after
the award of same to the principal, then this obligation shall be null and void; but if the
principal fails to so execute such contract and give performance bond as required by G.S.
143-129, the surety shall, upon demand, forthwith pay to the obligee the amount set forth in
the first paragraph hereof. Provided further, that the bid may be withdrawn as provided by
G.S. 143-129.1

River City Construction Inc. (SEAL)

By: Cynthia E. Haddock (SEAL)

Cynthia E. Haddock, President (SEAL)

Hudson Insurance Company (SEAL)

By: Ronda W. Bush (SEAL)

Ronda W. Bush, Attorney-in-Fact





Bond Number: Bid Bond

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That HUDSON INSURANCE COMPANY, a corporation of the State of Delaware, with offices at 100 William Street, New York, New York, 10038, has made, constituted and appointed, and by these presents, does make, constitute and appoint

Ronda W. Bush
of the State of NC

its true and lawful Attorney(s)-in-Fact, at New York, New York, each of them alone to have full power to act without the other or others, to make, execute and deliver on its behalf, as Surety, bonds and undertakings given for any and all purposes, also to execute and deliver on its behalf as aforesaid renewals, extensions, agreements, waivers, consents or stipulations relating to such bonds or undertakings provided, however, that no single bond or undertaking shall obligate said Company for any portion of the penal sum thereof in excess of the sum of **Twenty Five Million Dollars (\$25,000,000.00)**.

Such bonds and undertakings when duly executed by said Attorney(s)-in-Fact, shall be binding upon said Company as fully and to the same extent as if signed by the President of said Company under its corporate seal attested by its Secretary.

In Witness Whereof, HUDSON INSURANCE COMPANY has caused these presents to be of its Senior Vice President thereunto duly authorized, on this 2nd day of June, 2022 at New York, New York.



Attest... Dina Daskalakis
Dina Daskalakis No. 01MU6067553
Corporate Secretary

HUDSON INSURANCE COMPANY

By... Michael P. Cifone
Michael P. Cifone
Senior Vice President

STATE OF NEW YORK
COUNTY OF NEW YORK. SS.

On the 2nd day of June, 2022 before me personally came Michael P. Cifone to me known, who being by me duly sworn did depose and say that he is a Senior Vice President of HUDSON INSURANCE COMPANY, the corporation described herein and which executed the above instrument, that he knows the seal of said Corporation, that the seal affixed to said instrument is such corporate seal, that it was so affixed by order of the Board of Directors of said Corporation, and that he signed his name thereto by like order.

(Notarial Seal)



... Ann M. Murphy
ANN M. MURPHY
Notary Public, State of New York
No. 01MU6067553
Qualified in Nassau County
Commission Expires December 10, 2025

CERTIFICATION

STATE OF NEW YORK
COUNTY OF NEW YORK. SS.

The undersigned **Dina Daskalakis** hereby certifies:

That the original resolution, of which the following is a true and correct copy, was duly adopted by unanimous written consent of the Board of Directors of Hudson Insurance Company dated July 27th, 2007, and has not since been revoked, amended or modified:

"RESOLVED, that the President, the Executive Vice Presidents, the Senior Vice Presidents and the Vice Presidents shall have the authority and discretion, to appoint such agent or agents, or attorney or attorneys-in-fact, for the purpose of carrying on this Company's surety business, and to empower such agent or agents, or attorney or attorneys-in-fact, to execute and deliver, under this Company's seal or otherwise, bonds obligations, and recognizances, whether made by this Company as surety thereon or otherwise, indemnity contracts, contracts and certificates, and any and all other contracts and undertakings made in the course of this Company's surety business, and renewals, extensions, agreements, waivers, consents or stipulations regarding undertakings so made; and

FURTHER RESOLVED, that the signature of any such Officer of the Company and the Company's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seal when so used whether heretofore or hereafter, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed."

THAT the above and foregoing is a full, true and correct copy of Power of Attorney issued by said Company, and of the whole of the original and that the said Power of Attorney is still in full force and effect and has not been revoked, and furthermore that the Resolution of the Board of Directors, set forth in the said Power of Attorney is now in force.

Witness the hand of the undersigned and the seal of said Corporation this 26th day of June, 2024.



By... Dina Daskalakis
Dina Daskalakis, Corporate Secretary

CONTRACTOR'S PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS, THAT, we _____

River City Construction Inc. _____

3534 Cherry Run Road, Washington, NC 27889 _____

Hereinafter called the "Principal" and _____ Hudson Insurance Company _____

100 William Street, 5th Floor, New York, NY 10038 _____

a corporation incorporated under the laws of the State of _____ Delaware _____

hereinafter called the "Surety", are held and firmly bound unto the _____ Town of Huntersville _____

hereinafter called the "Owner", in the full and just sum of _____

Two Million Three Hundred Fifteen Thousand Eight Hundred Thirty Six Dollars and 00/100 _____

_____ Dollars (\$ 2,315,836.00)

lawful money of the United States of America, to be paid to the said Owner, its successors, or its assigns, for which payment well and truly to be made and done we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents. Sealed with our seals and dated this 25th day of July, A. D., 20 24.

WHEREAS, the above bonded "Principal" has entered into a contract with the said Owner, bearing the date 1st day of July, 20 24.

A copy of which said contract is incorporated herein by reference and is made a part hereof as if fully copied herein:

For the full and complete execution of work in connection with _____

FY25 Electric Construction - Huntersville, NC _____

NOW THEREFORE, the conditions of this obligation are such that if the above bonded "Principal", as Contractor, shall in all respects comply with the terms of the contract and conditions of said contract, and his, their, and its obligation thereunder, including the specifications and plans therein referred to and made a part thereof, and such alterations as may be made in said specifications and plans as therein provided for, and shall well and truly, and in a manner satisfactory to the Owner, complete the work contracted for within the time stipulated in the contract, and shall save harmless the Owner from any expense incurred through the failure of said Contractor to complete the work as specified, and from any damage growing out of the carelessness of said Contractor, or his, their or its servant, and also shall save and keep harmless the said Owner against and from all losses to it from any cause whatever, including patent, trademark and copyright infringements in the manner of constructing said Project, then this obligation shall be void; otherwise to be and remain in full force and virtue.

Provided, however, that no suit, action or proceeding by reason of any default whatever shall be brought on this Bond after twenty-four (24) months from the day on which the final payment under the Contract falls due.

And provided further the said surety, for value received, hereby stipulates and agrees that no change, extension of time, alterations or addition to the terms of Contract or to the work to be performed thereunder of the specifications accompanying the same shall in any such way affect its obligations on this Bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract or to the work or to the specifications.

The obligation shall remain in full force and effect until the performance of all covenants, terms and conditions herein stipulated, and after such performance it shall become null and void.

IN TESTIMONY WHEREOF witness the hands and seals of the parties hereto on this 25th day of July, 2024.

Executed in three (3) counterparts.

_____(SEAL)

(Contractor)

By _____

(Witness as to Contractor)

Hudson Insurance Company (SEAL)
(Surety Company)

By

Heather Segrist
Heather Segrist, Attorney-in-Fact



Emily Wicker
(Witness as to Surety)
Emily Wicker

Countersigned:

Chelsea Craney
(Licensed Resident Agent)
Chelsea Craney

CONTRACTOR'S PAYMENT BOND

KNOW ALL MEN BY THESE PRESENTS, THAT WE _____

River City Construction Inc.

3534 Cherry Run Road, Washington, NC 27889

hereinafter called the "Principal" and _____ Hudson Insurance Company _____

100 William Street, 5th Floor, New York, NY 10038

a corporation incorporated under the laws of the State of _____ Delaware _____

hereinafter called the "Surety", are held and firmly bound unto the _____

Town of Huntersville

hereinafter called the "Owner", in the full and just sum of _____

Two Million Three Hundred Fifteen Thousand Eight Hundred Thirty Six Dollars and 00/100

_____ Dollars (\$ 2,315,836.00)

lawful money of the United States of America, to be paid to the said Owner, its successors, or its assigns for which payment well and truly to be made and done we bind ourselves, our heirs, executors, administrators, and successors jointly and severally, firmly by these presents. Sealed with our seals and dated this 25th day of

July _____, A. D., 2024.

WHEREAS, the above bonded "Principal" has entered into a contract with the said Owner, bearing the date

1st day of July, 2024.

A copy of which said contract is incorporated herein by reference and is made a part hereof as if fully copied herein:

for the full and complete payment for all labor and materials used in the execution of the work in connection

with FY25 Electric Construction - Huntersville, NC

NOW THEREFORE, if the above bonded "Principal" as Contractor, shall promptly make payment to all persons supplying labor and material in the prosecution of the work provided for in said contract, and any and all duly authorized modifications of said contract that may hereafter be made, then this obligation shall be void; otherwise, to remain in full force and virtue.

Provided, however, that no suit, action or proceeding by reason of any default whatever shall be brought on this

Bond after twenty-four (24) months from the day on which the final payment under the Contract falls due.

And provided further the said Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or additions to the terms of the Contract or to the work to be performed thereunder or to the specifications accompanying the same shall in any way affect its obligations on this Bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract or to the work or to the specifications.

This obligation shall remain in full force and effect until the performance of all covenants, terms, and conditions herein stipulated, and after such performance it shall become null and void.

IN TESTIMONY WHEREOF witness the hands and seals of the parties hereto on this 25th day of July, 20 24.

Executed in three (3) counterparts.

River City Construction Inc. (SEAL)
(Contractor)

By _____

(Witness as to Contractor)

Hudson Insurance Company (SEAL)
(Surety Company)

By Heather Segrist
Heather Segrist, Attorney-in-Fact



Emily Wicker
(Witness as to Surety)
Emily Wicker

Countersigned:

Chelsea Craney
(Licensed Resident Agent)
Chelsea Craney



HUDSON
INSURANCE GROUP®

Bond Number: ASA-25-A293-0045

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That HUDSON INSURANCE COMPANY, a corporation of the State of Delaware, with offices at 100 William Street, New York, New York, 10038, has made, constituted and appointed, and by these presents, does make, constitute and appoint

Heather Segrist
of the State of NC

its true and lawful Attorney(s)-in-Fact, at New York, New York, each of them alone to have full power to act without the other or others, to make, execute and deliver on its behalf, as Surety, bonds and undertakings given for any and all purposes, also to execute and deliver on its behalf as aforesaid renewals, extensions, agreements, waivers, consents or stipulations relating to such bonds or undertakings provided, however, that no single bond or undertaking shall obligate said Company for any portion of the penal sum thereof in excess of the sum of **Twenty Five Million Dollars (25,000,000.00)**.

Such bonds and undertakings when duly executed by said Attorney(s)-in-Fact, shall be binding upon said Company as fully and to the same extent as if signed by the President of said Company under its corporate seal attested by its Secretary.

In Witness Whereof, HUDSON INSURANCE COMPANY has caused these presents to be of its Senior Vice President thereunto duly authorized, on this 2nd day of June, 2022 at New York, New York.



Attest... Dina Daskalakis
Dina Daskalakis No. 01MU6067553
Corporate Secretary

HUDSON INSURANCE COMPANY

By... Michael P. Cifone
Michael P. Cifone
Senior Vice President

STATE OF NEW YORK
COUNTY OF NEW YORK SS.

On the 2nd day of June, 2022 before me personally came Michael P. Cifone to me known, who being by me duly sworn did depose and say that he is a Senior Vice President of HUDSON INSURANCE COMPANY, the corporation described herein and which executed the above instrument, that he knows the seal of said Corporation, that the seal affixed to said instrument is such corporate seal, that it was so affixed by order of the Board of Directors of said Corporation, and that he signed his name thereto by like order.

(Notarial Seal)



Ann M. Murphy
ANN M. MURPHY
Notary Public, State of New York
No. 01MU6067553
Qualified in Nassau County
Commission Expires December 10, 2025

CERTIFICATION

STATE OF NEW YORK
COUNTY OF NEW YORK SS.

The undersigned **Dina Daskalakis** hereby certifies:

That the original resolution, of which the following is a true and correct copy, was duly adopted by unanimous written consent of the Board of Directors of Hudson Insurance Company dated July 27th, 2007, and has not since been revoked, amended or modified:

"RESOLVED, that the President, the Executive Vice Presidents, the Senior Vice Presidents and the Vice Presidents shall have the authority and discretion, to appoint such agent or agents, or attorney or attorneys-in-fact, for the purpose of carrying on this Company's surety business, and to empower such agent or agents, or attorney or attorneys-in-fact, to execute and deliver, under this Company's seal or otherwise, bonds obligations, and recognizances, whether made by this Company as surety thereon or otherwise, indemnity contracts, contracts and certificates, and any and all other contracts and undertakings made in the course of this Company's surety business, and renewals, extensions, agreements, waivers, consents or stipulations regarding undertakings so made; and

FURTHER RESOLVED, that the signature of any such Officer of the Company and the Company's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seal when so used whether heretofore or hereafter, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed."

THAT the above and foregoing is a full, true and correct copy of Power of Attorney issued by said Company, and of the whole of the original and that the said Power of Attorney is still in full force and effect and has not been revoked, and furthermore that the Resolution of the Board of Directors, set forth in the said Power of Attorney is now in force.

Witness the hand of the undersigned and the seal of said Corporation this 25th day of July, 2024.



By... Dina Daskalakis
Dina Daskalakis, Corporate Secretary



Request for Board Action

August 6, 2024

To: The Honorable Mayor and Board of Commissioners

From: Michael Jaycocks, Director of Parks and Recreation

Subject: Parks and Recreation Commission Appointment

EXPLAIN REQUEST:

Consider appointing one (1) member to the Parks and Recreation Commission, due to one vacancy from 6 applicants.

1. Partial three-year term, expiring 12/31/2024 (vacancy from Tiege Chiesa resignation)

ACTION RECOMMENDED:

Appoint 1 member

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. Parks and Recreation Commission Overview - 20240718
2. Parks and Recreation Commission Applicant and Current Member Map 7-23-24
3. Parks and Recreation Commission Applicant Packet - 20240719

Parks and Recreation Commission

9 Members Total
 8 Current
 0 Expiring
 1 Vacant
1 APPOINTMENT(S) NEEDED

CURRENT MEMBERS (8)

Name	Position/Title	Notes	Term Exp & Years		Regular Term Start		
					Partial	Term 1	Term 2
Lewis, Kathy	Chair		12/31/2025	2		1/6/2020	1/3/2023
Curran, Kent			12/31/2024	3		1/3/2022	
Cypress-McNairy, S. Magic		replaced Brown	12/31/2025	3	3/18/2024		
Freeman, Frank		replaced Harrington	12/31/2026	3	4/3/2023	12/18/2023	
Harris, Janelle		replaced Baumgardener	12/31/2026	3	1/3/2023	12/18/2023	
Johnson, Telisa		replaced Bergsman	12/31/2025	3	12/18/2023		
Munro, Andrew "Ash"			12/31/2026	3		12/7/2020	12/18/2023
Nair, Arun		replaced Hutto	12/31/2024	3	3/4/2024		

VACANCIES SINCE LAST APPOINTMENT

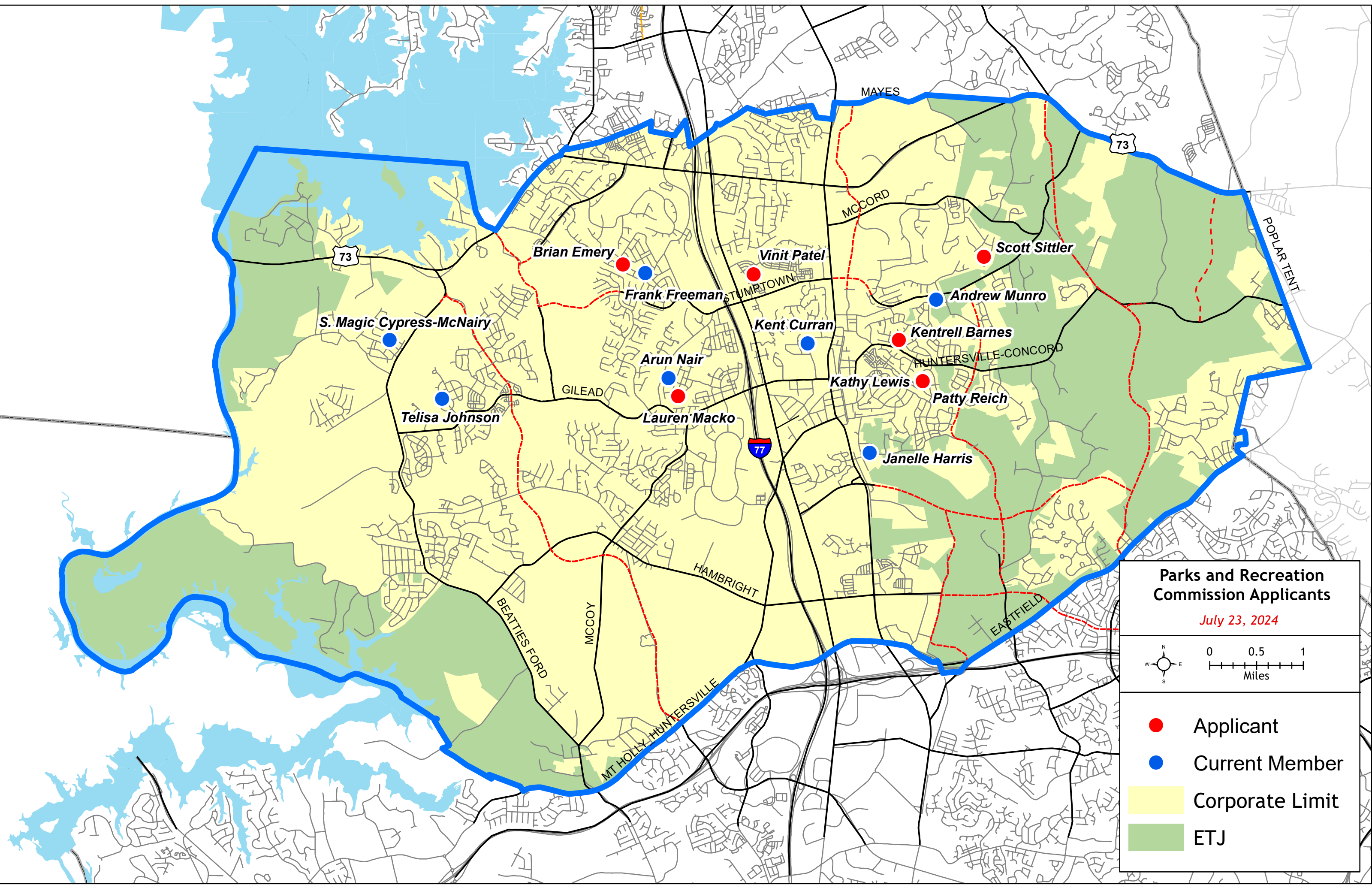
VACANCIES SINCE LAST APPOINTMENT				Alternate Term Start			Regular Term Start				
Name	Notes	Early Term	Original Term Exp & Years		Partial	Term 1	Term 2	Partial	Term 1	Term 2	Term 3
Chiesa, Tige	resigned	7/17/2024	12/31/2024	3					1/3/2022		

APPLICANTS (6)

Name	ETJ?	Current Board Assignment?	App Date	Still Interested (if application is over 3 months old)?	
Barnes, Kentrell	☐	No	11/29/2023	3/11/2024	
Emery, Brian	☐	No	2/13/2024	3/5/2024	
Macko, Lauren	☐	No	11/19/2022	3/8/2024	
Patel, Vinit	☐	No	11/17/2022	3/9/2024	
Reich, Patty	☐	No	11/9/2023	3/5/2024	
Sittler, Scott	☐	6/30/2025 - Board of Adjustment	11/15/2023	3/8/2024	would resign from Board of Adjustment

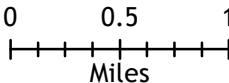
* Term expires within 3 months

Thursday, July 18, 2024



**Parks and Recreation
Commission Applicants**

July 23, 2024



Applicant



Current Member



Corporate Limit



ETJ

Print

Advisory Boards & Commissions Application - Submission #16241

Date Submitted: 11/29/2023

By submitting this application you agree to the following:

1. You have read the Bylaws or Rules of Procedure for the Advisory Board/Commission you are submitting your application for.
2. Your application will remain active for a two (2) year period, unless withdrawn by the applicant.

Which Advisory Board/Commission are you applying for?*

Parks and Recreation Commission ▼

Please note: You might see different questions based on your selection

Please read the specific Advisory Board/Commission Bylaws or Rules of Procedure:

[Advisory Boards & Commissions](#)

First Name*

Kentrell

Last Name*

Barnes

Street Address (must be in Huntersville)*

12705 Cumberland Crest Dr

Is this address in the ETJ?*



No



Yes

Email Address*

barnes.kentrell@ymail.com

Phone Number*

7046158207

Occupation

Videography

Place of Employment

BGEA

Approx. Hours You Could Dedicate to this Board/Commission (per month):*

15-30

List Any Town or County Boards, Committees, Commissions You Are Presently Serving On (include term expirations):

None

Business and Civic Experience Related to this Advisory Board or Commission

Areas of Expertise, Interests and Skills

Filmmaking, marketing, advertising, coaching.

Education

Please describe any areas of community service, in which you have participated, in Huntersville or elsewhere.

Turkey giveaway in Baltimore. World Hunger in Huntersville. Mission trips to other countries.

Electronic Signature Agreement

By adding your name to the "Electronic Signature" box below, you agree and acknowledge that:

1. Your application will not be signed in the sense of a traditional paper document,
2. By signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and
3. You may still be required to provide a traditional signature at a later date.

Electronic Signature*

Kentrell Barnes

Signature Date*

11/29/2023

Print

Advisory Boards & Commissions Application - Submission #16868

Date Submitted: 2/23/2024

By submitting this application you agree to the following:

1. You have read the Bylaws or Rules of Procedure for the Advisory Board/Commission you are submitting your application for.
2. Your application will remain active for a two (2) year period, unless withdrawn by the applicant.

Which Advisory Board/Commission are you applying for?*

Parks and Recreation Commission ▼

Please note: You might see different questions based on your selection

Please read the specific Advisory Board/Commission Bylaws or Rules of Procedure:

[Advisory Boards & Commissions](#)

First Name*

Bryan

Last Name*

Emery

Street Address (must be in Huntersville)*

14215 Harvington Dr, Huntersville, NC 28078

Is this address in the ETJ?*



No



Yes

Email Address*

emeryb@me.com

Phone Number*

7042499749

Occupation

Platform Manager

Place of Employment

Bank Of America

Approx. hours you could dedicate to this Board/Commission (per month)*

5

List any Town or County Boards, Committees, Commissions you are presently serving n (include term expirations)

Business and Civic Experience related to this Advisory Board or Commission

Areas of Expertise, Interests and Skills

I've been a runner all my life and used to bike to work most days when I lived in Minnesota and had bike trail access into downtown. I've run 13 marathons and spend a ton of time on the greenways. I also have two young boys (4&7) who we take to parks in the area several times a week. I'm a certified project manager and have run several tech projects professionally and several construction renovations personally. Ive also coached the marathon at the university location Run For Your Life store.

Education

University of Iowa Finance BBA, PMP certified project manager, and USA Triathlon certified level 1 coach.

Please describe any areas of community service, in which you have participated, in Huntersville or elsewhere

Habit for humanity, marathon coach (run for your life volunteer coach), and race support volunteer

Since the Board of Adjustment is a quasi-judicial body and must act essentially as a court, it is bound by strict rules of procedure and must use specific findings of fact in order to reach a ruling. As such, Board members must base their ruling on the facts alone, and not on emotion. As a potential Board member, can you ensure that your decisions are formed objectively?



Yes



No

Briefly describe your vision for Huntersville in the next 10 to 15 years. What factors during that time will shape the growth of our community?

What obstacles do you see to achieving this vision?

With rapid development occurring in Huntersville and the surrounding area, the character and growth patterns of our community are changing rapidly. Please discuss briefly any problems that you perceive, anything that you would like to change, and/or anything you find particularly appropriate to Huntersville.

Electronic Signature Agreement

By adding your name to the "Electronic Signature" box below, you agree and acknowledge that:

1. Your application will not be signed in the sense of a traditional paper document,
2. By signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and
3. You may still be required to provide a traditional signature at a later date.

Electronic Signature*

Bryan J Emery

Signature Date*

2/23/2024

Print

Parks and Recreation Commission Application - Submission #12897

Date Submitted: 11/19/2022

First Name

Lauren

Last Name

Macko

Address

14224 Lyon Hill Ln

City

Huntersville

State

NC

Zip Code

28078

Phone Number

13307301928

Email Address

lyoswald@gmail.com

Present Occupation

Clinical nurse specialist

Place of Employment

Atrium Health

Approximate hours per month for serving on Advisory Board

4

Name of Any Town or County Boards/Committees/Commissions You Are Presently Serving On

None

Please list Name of Board/Commission and Expiration Date of Term

Education

Highest degree is masters in nursing

Business &/or Civic Experience

Areas of Expertise and Interests/Skills

Interests and expertise include development/implementation of projects that improve the health and we'll being of targeted patient population.

Electronic Signature Agreement

By checking the "I agree" box below, you agree and acknowledge that 1) your application will not be signed in the sense of a traditional paper document, 2) by signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and 3) you may still be required to provide a traditional signature at a later date.



I agree.

Electronic Signature

Lauren Y Macko

Print

Parks and Recreation Commission Application - Submission #12879

Date Submitted: 11/17/2022

First Name

Vinit

Last Name

Patel

Address

9631 Denbolme Street

City

Huntersville

State

NC

Zip Code

28078

Phone Number

8642769487

Email Address

2769487@gmail.com

Present Occupation

Data Management Analyst

Place of Employment

Wells Fargo

Approximate hours per month for serving on Advisory Board

8

Name of Any Town or County Boards/Committees/Commissions You Are Presently Serving On

Please list Name of Board/Commission and Expiration Date of Term

Education

BS Finance and Risk Mgmt from USC

Business &/or Civic Experience

Charlotte Gamecock Club Board member ALS Association of North Carolina Chapter Ambassador

Areas of Expertise and Interests/Skills

Interested in building parks and rec as an attraction Well versed in construction and building science

Electronic Signature Agreement

By checking the "I agree" box below, you agree and acknowledge that 1) your application will not be signed in the sense of a traditional paper document, 2) by signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and 3) you may still be required to provide a traditional signature at a later date.



I agree.

Electronic Signature

Vinit Patel

Print

Advisory Boards & Commissions Application - Submission #16100

Date Submitted: 11/9/2023

By submitting this application you agree to the following:

1. You have read the Bylaws or Rules of Procedure for the Advisory Board/Commission you are submitting your application for.
2. Your application will remain active for a two (2) year period, unless withdrawn by the applicant.

Which Advisory Board/Commission are you applying for?*

Parks and Recreation Commission ▼

Please note: You might see different questions based on your selection

Please read the specific Advisory Board/Commission Bylaws or Rules of Procedure:

[Advisory Boards & Commissions](#)

First Name*

Patty

Last Name*

Reich

Street Address (must be in Huntersville)*

12925 Blakemore Avenue

Is this address in the ETJ?*



No



Yes

Email Address*

pattyreich@gmail.com

Phone Number*

7033070212

Occupation

Faculty/Staff

Place of Employment

University of Maryland (work remotely from NC)

Approx. Hours You Could Dedicate to this Board/Commission (per month):*

5-10

List Any Town or County Boards, Committees, Commissions You Are Presently Serving On (include term expirations):

N/A

Business and Civic Experience Related to this Advisory Board or Commission

Huntersville 101 graduate. Work with local, state, regional, federal departments of transportation in my job, writing grant proposals, project management, etc.

Areas of Expertise, Interests and Skills

Area of interest: anywhere outdoors. Enjoy running, hiking, taking grandchildren to the playgrounds, etc. Member HFFA for 9 years.

Education

B.S. Business Administration - University of South Florida

Please describe any areas of community service, in which you have participated, in Huntersville or elsewhere.

Volunteered with schools, churches over the years (not recently tho!)

Electronic Signature Agreement

By adding your name to the "Electronic Signature" box below, you agree and acknowledge that:

1. Your application will not be signed in the sense of a traditional paper document,
2. By signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and
3. You may still be required to provide a traditional signature at a later date.

Electronic Signature*

Patty Reich

Signature Date*

11/9/2023

Print

Advisory Boards & Commissions Application - Submission #16159

Date Submitted: 11/15/2023

By submitting this application you agree to the following:

1. You have read the Bylaws or Rules of Procedure for the Advisory Board/Commission you are submitting your application for.
2. Your application will remain active for a two (2) year period, unless withdrawn by the applicant.

Which Advisory Board/Commission are you applying for?*

Parks and Recreation Commission ▼

Please note: You might see different questions based on your selection

Please read the specific Advisory Board/Commission Bylaws or Rules of Procedure:

[Advisory Boards & Commissions](#)

First Name*

Scott

Last Name*

Sittler

Street Address (must be in Huntersville)*

15829 Lavenham Road

Is this address in the ETJ?*



No



Yes

Email Address*

scottsittler@gmail.com

Phone Number*

704-907-6876

Occupation

Marketing

Place of Employment

Carry-On Trailer

Approx. Hours You Could Dedicate to this Board/Commission (per month):*

10

List Any Town or County Boards, Committees, Commissions You Are Presently Serving On (include term expirations):

None

Business and Civic Experience Related to this Advisory Board or Commission

My 30+ years of professional business experience includes a variety of management roles but importantly has been focused on marketing, in which public parks and spaces has been a highlight. Specifically while working at Husqvarna and managing a professional arborist staff I became aware and in-awe of trees and natural surroundings. In my private time I'm a frequent visitor to Huntersville and Meck County parks as a member of the Charlotte Disc Golf Club.

Areas of Expertise, Interests and Skills

I'm highly detail oriented, organized, and communicate well. My ability to work with others and see varied points of view would also benefit the board.

Education

Bachelor's Degree in Marketing, Mini MBA Marketing

Please describe any areas of community service, in which you have participated, in Huntersville or elsewhere.

Nothing "official" or intentionally noticed or publicized but have donated time and skills to my church, food banks, and free medical clinics.

Electronic Signature Agreement

By adding your name to the "Electronic Signature" box below, you agree and acknowledge that:

1. Your application will not be signed in the sense of a traditional paper document,
2. By signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and
3. You may still be required to provide a traditional signature at a later date.

Electronic Signature*

Scott Sittler

Signature Date*

11/15/2023



Request for Board Action

August 6, 2024

To: The Honorable Mayor and Board of Commissioners

From: Christy Clark, Mayor

Subject: Town Attorney Employment Agreement

EXPLAIN REQUEST:

Consider approving an employment agreement for the Town Attorney.

ACTION RECOMMENDED:

Approve agreement.

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. Employment Agreement 8.6.2024

Town of Huntersville Town Attorney Employment Agreement

This Agreement, made and entered into July 1st, 2024, by and between the Town of Huntersville, North Carolina, a municipal corporation, (hereinafter called "Employer") and Emily A. Sloop (hereinafter called "Employee"), collectively the "Parties", both of whom agree as follows:

Section 1: Term

The initial term of this Agreement shall be from July 1st, 2024 (the "Commencement Date") to 11:59 PM on June 30th, 2027. Thereafter, this Agreement shall automatically renew for one-year terms beginning on July 1st, 2027 unless written notice of termination of the Agreement is provided at least 60 days prior to the expiration of the current term (each renewed term together with the initial term constitutes the "term" of the agreement).

Section 2: Duties, Role, and Authority

Employer agrees to employ Employee as Town Attorney (exempt position) to perform the functions and duties specified in the Town Attorney position description, Huntersville Town Charter, the North Carolina General Statutes, and other applicable laws and regulations. In addition, the Employee agrees to perform such other duties and responsibilities, not inconsistent with the above, as requested by the Town of Huntersville Board of Commissioners ("Town Board", alternatively referred to as "governing board") from time to time.

Section 3: Compensation

- A. During the term of this Agreement, Employer agrees to pay Employee her current annual base salary of \$204,766.50 payable in biweekly installments at the same time as all other employees of the Employer are paid.
- B. Employer agrees to consider Employee's eligibility for annual pay increases in the form of a salary increase and/or bonus based upon the results of the performance evaluation conducted under the provisions of Section 12 of this Agreement.
- C. Employee shall be entitled to annual market adjustments (also known as Cost of Living Adjustments or "COLAs") to her base salary as provided to all other employees.
- D. Employer also agrees to increase Employee's base salary as recommended in adopted classification and compensation studies. In the event the Town Attorney position is not included in classification and compensation studies, Employer agrees to increase Employee's base salary in consideration of market comparison for equivalent positions.

Section 4: Health, Disability, and Life Insurance Benefits

- A. The Employer agrees to provide and to pay the premiums for health, dental, basic life, and long-term disability for the Employee and her dependents equal to that which is provided to all other employees of Employer.
- B. The Employer agrees to provide Employee retiree benefits as provided to all other employees.

Section 5: Vacation and Sick Leave

The Employee shall earn vacation and sick leave hours on a monthly basis at the rate provided to all other employees.

Whether Employee voluntarily resigns or is terminated by Employer, Employee shall be compensated for all earned vacation hours, not to exceed 240 hours. In order to receive compensation for earned vacation hours upon voluntary resignation, Employee shall provide notice as required by Section 11 of this Agreement. The notice requirement shall not apply to any resignation made pursuant to Section 9 of this Agreement.

Section 6: Remote Work

The Employer agrees that Employee is entitled to work remotely two (2) days per week and that Employee, as the Director of the Legal Department, may allow the Town Staff Attorney to work remotely up to two (2) days per week as per Employer's Personnel Policy.

Section 7: Retirement

The Employer agrees that Employee is enrolled in the North Carolina Local Governmental Retirement System and to make all the appropriate Employer contributions on the Employee's behalf as required for Employee's participation. In addition, Employer agrees to make a contribution of five percent (5%) of Employee's annual salary to a 401(k) Plan. If a higher 401(k) Plan contribution percentage is provided to all other employees, Employee shall be entitled to the higher contribution percentage provided to all other employees.

Section 8: General Business Expenses

- A. Employer agrees to budget for and to pay for professional dues, memberships, and subscriptions of the Employee for continuation and full participation in associations and organizations necessary and desirable for the Employee's continued professional participation, growth, and advancement, and for the good of the Employer.
- B. Employer agrees to budget for and to pay for travel and subsistence expenses of Employee for professional and official travel, meetings, and occasions to adequately continue the professional development of Employee and to pursue necessary official functions for Employer, including but not limited to, annual conferences and such other national, regional, state, and local governmental groups and committees in which Employee serves as a member.
- C. Employer also agrees to budget for and to pay for travel and subsistence expenses of Employee for short courses, institutes, and seminars that are necessary for the Employee's professional development and for the good of the Employer.
- D. The Employer shall provide Employee with technology including, but not limited to, a paid cell phone, laptop, and iPad in order for the Employee to perform the job and to maintain communication.

Section 9: Suspension and Termination by Action of Employer

Pursuant to Chapter 160A of the North Carolina General Statutes, Employer and Employee acknowledge and agree that Employee is appointed by the Town Board and serves at the pleasure of the Town Board.

Suspension

If, at the request of the majority of the governing body, Employee is placed on suspension for the purposes of an investigation, Employee shall be entitled to full compensation and benefits for the duration of such suspension.

Termination

For the purpose of this Agreement, termination by action of the Employer shall occur when:

- A. A majority of the governing body votes to suspend Employee except for purposes of an investigation or for just cause as defined in Section 10 of this Agreement;
- B. A majority of the governing body votes to terminate the Employee at a duly authorized public meeting;
- C. The governing body, or Employer as representative of the governing body, provides notice of termination of this Agreement;
- D. The term of this Agreement expires;
- E. Mutual written agreement of the governing body, or Employer as representative of the governing body, and Employee to discontinue Employee's services;
- F. In the event Employer reduces Employee's base salary compensation or any other material financial benefit of Employee in an amount greater than the average across-the-board percentage reduction applied to substantially all employees (unless Town Attorney consents to such reduction), such action shall constitute a breach of this Agreement and will be regarded as a termination;
- G. If the Employee resigns following a suggestion that she resign or a request for resignation by the governing body, or Employer as representative of the governing body, whether formal or informal, such resignation shall be regarded as termination; or
- H. If Employer breaches this Agreement and the breach is not cured within 30 days, such breach shall be regarded as termination at Employee's option. Written notice of a breach of contract shall be provided in accordance with the provisions of Section 18.

In the event of Employee's termination under this Section 9, Employer and Employee agree not to make disparaging comments or statements concerning either party, publicly or in private. Employer shall comply with applicable laws with respect to any request for information or documentation contained in the Employee's personnel records.

In order to promote the smooth transition of legal representation of the Employer and to maintain the confidence of the public in their elected officials, Employer and Employee may agree to an additional separation agreement in the event of a termination. The separation agreement may include additional terms not outlined in this agreement.

Section 10: Severance

Severance shall be paid to the Employee in accordance with this Section 10 if Employee is terminated as defined in Section 9 of this Agreement. In the event that Employee is terminated for just cause, as defined below, or otherwise voluntarily resigns, Employer shall have no obligation to pay severance in accordance with this Section 10.

Beginning on the effective date of termination, the Employer shall provide a minimum severance payment equal to nine (9) months of Employee's annual salary as of the effective date of termination. This severance shall be paid in a lump sum.

As used throughout this Agreement, "just cause" is defined and limited to the following reasons:

- A. Employee's conviction by a court of competent jurisdiction of the commission of a felony or the violation of any statute relating to the conduct of public employees;
- B. A determination by the Employer, in good faith, that Employee has engaged in flagrant neglect of Employee's duties as Town Attorney; or
- C. The substantiated commission in the course of Employee's employment with the Employer of an act of fraud, embezzlement, theft, or misappropriation of funds (whether or not resulting in criminal prosecution or conviction).

Prior to any termination under subparagraph B., the Employer shall give Employee written notice which describes such neglect, and if during a period of thirty (30) business days following such notice, Employee cures or corrects the same to the reasonable satisfaction of the governing board, then this Agreement shall remain in full force and effect. However, notwithstanding the above, if the Employer has given written notice to Employee on a previous occasion of the same or a substantially similar neglect, or if the Employer determines in good faith that the then current neglect is not reasonably curable, then termination under subparagraph B. shall be effective immediately and Employee shall have no right to cure such neglect.

Section 11: Resignation

Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of Employee to resign at any time from the position of Town Attorney. In the event that the Employee voluntarily resigns, except for resignations made pursuant to Section 9, the Employee shall provide a minimum of 30 days' notice, unless the parties agree otherwise.

Section 12: Performance Evaluation

Employer shall review and evaluate the performance of the Employee at least once annually based on agreed upon annual goals developed jointly by Employer and Employee. The process, at a minimum, shall include the opportunity for both parties to: (1) prepare a written evaluation, (2) meet and discuss the evaluation, and (3) present a written summary of the evaluation results. The final written evaluation should be completed and delivered to the Employee within 30 days of the evaluation meeting, which shall occur by the second regular Town Board meeting in August, or date otherwise mutually agreed to by the Parties. At the initiation of this Agreement, the Employer will provide the Employee with the review criteria for the evaluation. The evaluation of the Employee shall at all times be conducted in closed session of the Board and shall be confidential to the maximum and full extent permitted by law. Nothing herein

shall prohibit the Employer or the Employee from sharing the content of the evaluation with their respective legal counsel.

Section 15: Indemnification

In addition to that required under federal, state, or local Law, Employer shall defend, save harmless and indemnify Employee against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Employee's duties as Town Attorney or resulting from the exercise of judgment or discretion in connection with the performance of duties or responsibilities.

Employee recognizes that Employer or its insurer shall have the right to compromise in any claim or suit.

Section 16: Professional Liability Coverage

Employee shall bear the full cost of any Professional Liability coverage, including Public Entity Management Liability coverage.

Section 17: Other Terms and Conditions of Employment

Except as otherwise provided in this Agreement, the Employee shall be entitled, at a minimum, to the highest level of benefits that are enjoyed by all other employees of the Town as provided in the Town Charter, Personnel Policies, regulations, by practice, or by other applicable laws.

Employer shall not reduce the salary, compensation or other financial benefits of Employee, except to the degree of an across-the-board reduction for all other employees. Conversely, any across-the-board increases for all employees in salary, compensation, or other financial benefits shall also apply to Employee.

Section 18: Notices

Notice pursuant to this Agreement shall be given by depositing in the custody of the United States Postal Service, postage prepaid, addressed as follows:

(1) EMPLOYER NOTICE: The Honorable Mayor, Town of Huntersville, PO Box 664, Huntersville, NC 28070

(2) EMPLOYEE NOTICE: Ms. Emily Sloop PO Box 664, Huntersville, NC 28070

Alternatively, notice required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as the date of delivery of such written notice.

Section 19: General Provisions

A. Entire Agreement. The text herein shall constitute the entire Agreement between the Parties.

B. Binding Effect. This Agreement shall be binding on the Employer and the Employee as well as their heirs, assigns, executors, personal representatives, and successors in interest.

C. Effective Date. This Agreement shall become effective upon approval by the Town Board.

D. Severability. The invalidity or partial invalidity of any portion of this Agreement will not affect the validity of any other provision. In the event that any provision of this Agreement is held to be invalid, the remaining provisions shall be deemed to be in full force and effect as if they have been executed by both parties subsequent to the expungement or judicial modification of the invalid provision.

IN WITNESS WHEREOF the Parties have executed this Agreement as of the day and year first above written.

EMPLOYEE

Emily Sloop

EMPLOYER:

TOWN OF HUNTERSVILLE, NORTH CAROLINA

By: _____ Date: _____

Mayor: Christy Clark

ATTEST: _____ Date: _____

Town Clerk: Janet Pierson

APPROVED AS TO FORM:

By: _____ Date: _____

Town Attorney, Emily Sloop

PREAUDITED:

This instrument has been pre-audited in the manner required by the Local Governmental Budget and Fiscal Control Act.

By: _____ Date: _____

Finance Director: Pattie McGinnis