



AGENDA
Regular Planning Board Meeting
July 27, 2021 - 6:30 PM
Virtual Meeting

Virtual Meeting Information- *Members of the public may view or access the meeting on Facebook Live at <https://www.facebook.com/HuntersvilleNCTownGovernment>. If you would like to speak at the upcoming meeting during public comment, please send your name and email address to Tracy Barron tbarron@huntersville.org by 3:00 pm on the day of the meeting, to be added to the speaker's list. The Town will use your email address to send you an email invitation from Ring Central. This will allow you to call in and/or access the meeting to deliver your comments (the 3-minute time limit still applies). In addition, the Town will receive written comments below by email to Tracy Barron tbarron@huntersville.org until twenty-four (24) hours prior to the meeting.*

- 1. Call to Order/Roll Call**
- 2. Approval of Minutes**
 - 2.A. Consider approval of the June 22, 2021 regular meeting minutes
- 3. Public Comments** - *Speakers are limited to 3 minutes. The Chairperson reserves the right to shorten the time limit for speakers when an unusually large number of persons have signed up to speak. Speakers may not give all or a portion of their time to other speakers*
- 4. Action Agenda**
 - 4.A. TA 21-05 a text amendment request by Metrolina Greenhouses, Inc. to allow dormitories with a special use permit in the Rural and Transitional zoning districts subject to specific criteria.
 - 4.B. Consider Recommendation on Petition #R21-04, Spring Grove, a request by M/I Homes of Charlotte, LLC to rezone +/- 62.82-acres south of McCord Road and Hagers Road intersection to from General Residential and Neighborhood Residential - Conditional District to Neighborhood Residential - Conditional District for a 138-lot subdivision; (PINs 01101102, 01101110, 01101114, 01119129 & 01119132). *(David Peete)*
 - 4.C. Consider Recommendation on Petition #R21-03 Billings Property, a request by Skybrook West LLC to rezone +/- 21.04-acres north of Eastfield Road, just west of the Cabarrus County boundary, from Rural to Neighborhood Residential - Conditional

District for a 47-lot subdivision; (Meck. Co. PIN 02111116 & Cabarrus Co. PIN 46703589660000). (*David Peete*)

- 4.D. Consider Recommendation on Brown Subdivision, a request by Bowman Development Group, Inc. to subdivide 36.41-acres located south of Huntersville-Concord Road at 13831 Asbury Chapel Road into 54 single-family lots.

5. Other Business

- 5.A. Consider appointment of Chairman and Vice-Chairman
- 5.B. Discussion of Amendments to Rules of Procedure
- 5.C. Discussion on Planning Board training/refresher with Town Attorneys

6. Adjourn



Minutes
Regular Planning Board Meeting
June 22, 2021 - 6:30 PM
TOWN HALL (101 Huntersville-Concord Road)

Virtual Meeting Information- *Members of the public may view or access the meeting on Facebook Live at <https://www.facebook.com/HuntersvilleNCTownGovernment>. If you would like to speak at the upcoming meeting during public comment, please send your name and email address to Tracy Barron tbarron@huntersville.org by 3:00 pm on the day of the meeting, to be added to the speaker's list. The Town will use your email address to send you an email invitation from Ring Central. This will allow you to call in and/or access the meeting to deliver your comments (the 3-minute time limit still applies). In addition, the Town will receive written comments below by email to Tracy Barron tbarron@huntersville.org until twenty-four (24) hours prior to the meeting.*

1. Call to Order/Roll Call

Members Present: S. Swanick, J. Davis, C. Graffy, F. Gammon, C. Boyd, G. Baber, S. Hensley, J. Sny and D. Partee (arrived at 6:41 PM due to technical difficulties).

2. Approval of Minutes

2.A. Consider approval of the May 25, 2021 Regular Meeting Minutes

F. Gammon made a Motion to Approve the May 25, 2021 Minutes. J. Davis seconded the motion. The motion passed unanimously (8-0).

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

4. Action Agenda

5. Other Business

5.A. Planning Board Rules of Procedure

Jacob Glass, Staff Attorney reviewed the proposed amendments to the Planning Board Rules of Procedure. This includes a statement related to electronic meetings and notifications, adjusting the organizational meeting from June to July of each year, limiting agenda procedures to remove discussion of items not on the agenda at the completion of the agenda, updating the duty to vote per state statute 160D, including standards for granting a variance, and various grammatical and formatting updates.

The Board discussed the proposed changes and expressed concerns regarding limiting the agenda procedures to remove discussion of items not on the agenda as being too restrictive, the wording related to notifications of special meetings, and the need to establish how the organizational meeting will occur for the years that the chairperson and/or vice-chairpersons terms expire.

J. Glass stated that he would adjust the proposed language in the areas where concern was expressed and bring this back to the Board for further discussion.

6. Adjourn

S. Hensley made a Motion to Adjourn. C. Boyd seconded the motion. The motion passed unanimously (9-0).

**Town of Huntersville
Planning Board
July 27, 2021**

To: Town Board

From: Jack Simoneau, Director

Date: July 27, 2021

Subject:

EXPLAIN REQUEST:

Consider a decision on TA 21-05, a request by Metrolina Greenhouses, Inc. to allow dormitories with a special use permit in the Rural and Transitional zoning districts subject to specific criteria.

ACTION RECOMMENDED:

Make a recommendation on TA 21-05.

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. TA21-05 - Metrolina Greenhouses Staff Report
2. Draft Original Ordinance
3. Alternative Ordinance Language
4. Metrolina Greenhouses Amendment Application TA21-05
5. H2A Fact Sheet US Department of Labor
6. Example Drmitory - Bunkhouse

PART 1: DESCRIPTION

TA21-05 is a text amendment request made by Metrolina Greenhouses Inc. to allow dormitories in the Rural and Transitional Residential zoning districts with a special use permit subject to specific conditions.

PART 2: BACKGROUND

TA21-05 is a text amendment request made by Metrolina Greenhouses Inc. to allow dormitories for bona fide farms in the Rural and Transitional Residential zoning districts with a special use permit subject to specific conditions. The reason for the proposed amendment is to allow H2A housing on property owned by Metrolina Greenhouses, Inc. (see Attachment 3 for H2A Fact Sheet). An example of a dormitory floor plan can be found in Attachment 4.

In proposing the text amendment, Metrolina Greenhouses, Inc. elected to require dormitories obtain a special use permit subject to meeting specific standards listed below. Special Use Permits require a recommendation from the Huntersville Planning Board and a quasi-judicial hearing before the Huntersville Town Board.

9.62 Dormitory

Dormitories for a bona fide farm are permitted in the Rural and Transitional Zoning Districts subject to 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.**
- 2. The use does not conflict with long range plans.**
- 3. The use does not constitute a nuisance to adjoining properties with respect to noise, dust, fumes, odor, and traffic.**
- 4. Buildings, parking, trash facilities shall be setback at least 100' from any adjoining property line and 500' from any public street right-of-way.**
- 5. The use shall be visual screened year round from all adjoining properties and public streets.**
- 6. The driveway and parking area shall, at minimum, be ground asphalt**
- 7. The dormitory is located on a bona fide farm of at least 100 contiguous acres.**

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN**Policy LU-1: Encourage a development pattern that follows the Future Land Use Map.**

LU 1.1: Utilize the Future Land Use Map during development approval process to ensure compatibility with long-range plans.

STAFF COMMENT: The 2040 Future Land Use Map shows Metrolina Greenhouses, Inc. land to be in the Rural Conservation and Residential Edge. The Rural Conservation indicates "Development form is farms and associated structures. "The Residential Edge description does not mention farms but does mention "Flexibility in lot sizes and housing types is possible with higher amounts of quality open space".

Policy LU-10: Encourage a diversity of housing options.

LU 10.1: Align housing options with resident needs and promote attainable housing options.

- Accommodate a mix of housing by type, tenure, and location to serve a growing and increasingly diverse population. Housing offerings should align with workforce opportunities, including management, professional positions, and service positions.

STAFF COMMENT: Dormitories for bona fide farms is new hew workforce housing option not currently in Huntersville.

Policy EV-2: Encourage existing economic assets and entrepreneurial business development.

EV 2.1: Promote and encourage local businesses, particularly small businesses.

- Foster a dynamic, diversified, and inclusive business climate that highlights why the Town of Huntersville can support private investment and locally expanding businesses.

STAFF COMMENT: The applicants informed the Huntersville Ordinances Advisory Board H2A housing will help them remain economically competitive in the future.

PART 4: STAFF RECOMMENDATION

Staff supports adding dormitories for bona fide farms with a special use permit subject to the specific criteria proposed. The 2040 Plan specifically indicates the Rural Conservation area is appropriate for farms and associated uses. In addition, the intent of the Transitional Residential is to accommodate among other uses, farms.

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD

The Huntersville Ordinances Advisory Board (HOAB) unanimously recommended approval of the proposed text amendment on July 1, 2021.

PART 6: PUBLIC HEARING

Was held on July 19, 2021. The recording can be found at:

<https://www.facebook.com/HuntersvilleNCTownGovernment/videos/805046556866501/> (2hr. 30 min. mark). Commissioner Walsh recommended the ordinance clearly state people occupying the dormitories farm the land where the dormitories are located. Commissioner Munger suggested a 2 story limit for the dormitories be established.

PART 7: PLANNING BOARD RECOMMENDATION

To be held July 27, 2021 at 6:30 PM.

PART 8: ATTACHMENTS AND ENCLOSURES

1. Draft original ordinance
2. Draft ordinance with alternative language based on public hearing comments.
3. Text amendment application
4. H2A Fact Sheet, US Department of Labor
5. Example of dormitory/bunkhouse floor plan

AN ORDINANCE TO AMEND ARTICLE 3.2.1, 3.2.2, ARTICLE 9 AND ARTICLE 12 OF THE ZONING ORDINANCE TO ALLOW DORMITORIES FOR A BONA FIDE FARM WITH A SPECIAL USE PERMIT

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.1 Rural District of the **Zoning Ordinance** is hereby amended as follows:

Uses permitted with Special Use Permit

- **Dormitory for a bona fide farm (9.62)**

Section 2. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.2 Transitional Residential District of the **Zoning Ordinance** is hereby amended as follows:

Uses permitted with Special Use Permit

- **Dormitory for a bona fide farm (9.62)**

Section 3. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 9 Conditions for Certain Uses of the **Zoning Ordinance** is hereby amended by adding the following:

9.62 Dormitory

Dormitories for a bona fide farm are permitted in the Rural and Transitional Zoning Districts subject to 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.**
- 2. The use does not conflict with long range plans.**
- 3. The use does not constitute a nuisance to adjoining properties with respect to noise, dust, fumes, odor, and traffic.**
- 4. Buildings, parking, trash facilities shall be setback at least 100' from any adjoining property line and 500' from any public street right-of-way.**
- 5. The use shall be visual screened year round from all adjoining properties and public streets.**
- 6. The driveway and parking area shall, at minimum, be ground asphalt**
- 7. The dormitory is located on a bona fide farm of at least 100 contiguous acres.**

Section 4. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 12 Definitions and Rules of Construction of the **Zoning Ordinance** is hereby amended as follows:

Dormitory. A building containing bathroom facilities available for common use by the residents of the building, which is occupied or intended to be occupied as the dwelling for more than six persons who are not related by blood, marriage, or adoption but who are enrolled in, affiliated with, or employed by the same educational, religious, **bona fide farm** or health institution. "Dormitory" shall not include a boarding house, motel, hotel, group home, or health institution.

Section 5. That this ordinance shall become effective upon approval by the Huntersville Town Board

HUNTERSVILLE ORDINANCE ADVISORY BOARD: July 1, 2021

PUBLIC HEARING DATE: July 19, 2021

PLANNING BOARD MEETING: July 27, 2021

TOWN BOARD DECISION: August 16, 2021

AN ORDINANCE TO AMEND ARTICLE 3.2.1, 3.2.2, ARTICLE 9 AND ARTICLE 12 OF THE ZONING ORDINANCE TO ALLOW DORMITORIES FOR A BONA FIDE FARM WITH A SPECIAL USE PERMIT

Alternative provisions in red added based on feedback at the July 19, 2021 Public Hearing

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.1 Rural District of the **Zoning Ordinance** is hereby amended as follows:

Uses permitted with Special Use Permit

- **Dormitory for a bona fide farm (9.62)**

Section 2. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.2 Transitional Residential District of the **Zoning Ordinance** is hereby amended as follows:

Uses permitted with Special Use Permit

- **Dormitory for a bona fide farm (9.62)**

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- 3. The use does not constitute a nuisance to adjoining properties with respect to noise, dust, fumes, odor, and traffic.**
- 4. Buildings, parking, trash facilities shall be setback at least 100' from any adjoining property line and 500' from any public street right-of-way.**
- 5. The use shall be visual screened year round from all adjoining properties and public streets.**
- 6. The driveway and parking area shall, at minimum, be ground asphalt**
- 7. 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.**
- 8. The dormitory cannot exceed 2 stories in height.**

Section 4. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 12 Definitions and Rules of Construction of the **Zoning Ordinance** is hereby amended as follows:

Dormitory. A building containing bathroom facilities available for common use by the residents of the building, which is occupied or intended to be occupied as the dwelling for more than six persons who are not related by blood, marriage, or adoption but who are enrolled in, affiliated with, or employed by the same educational, religious, **bona fide farm** or health institution. "Dormitory" shall not include a boarding house, motel, hotel, group home, or health institution.

Section 5. That this ordinance shall become effective upon approval by the Huntersville Town Board

HUNTERSVILLE ORDINANCE ADVISORY BOARD: July 1, 2021

PUBLIC HEARING DATE: July 19, 2021

PLANNING BOARD MEETING: July 27, 2021

TOWN BOARD DECISION: August 16, 2021



Text Amendment Application

Date of Application 4/30/2021

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 below Article(s): _____ Section(s): _____

Dormitory: A building containing bathroom facilities available for common use by the residents of the building, which is occupied or intended to be occupied as the dwelling for more than six persons who are not related by blood, marriage, or adoption but who are enrolled in, affiliated with, or employed by the same educational, religious, or health institution. "Dormitory" shall not include a boarding house, motel, hotel, group home, or health institution.

Current Ordinance

Change Definition of dormitory to include "agriculture" (Article 12)

Proposed Text

Include dormitories as a special use in the TR Zone (3.2.2)

and R Zone (3.2.1) & establish Special Use Criteria (9.62)

To allow H2A housing in the TR Zone and R Zone

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 Metrolina Greenhouses, Inc.

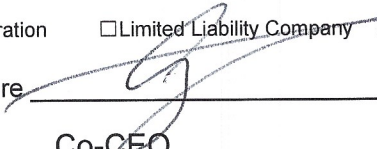
☒ Corporation

☐ Limited Liability Company

☐ Trust

☐ Partnership

☐ Other: _____

Signature 

Date 4/30/2021

Title Co-CEO

Email arvanwingerden@metrolinagreenhouses.com

Address of Applicant 16400 Huntersville Concord Road, 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: _____

Fact Sheet #26: Section H-2A of the Immigration and Nationality Act (INA)

This fact sheet provides general information concerning the application of the H-2A requirements to the agricultural industry for H-2A applications submitted on or after March 15, 2010.

Introduction

The Immigration and Nationality Act (INA) authorizes the lawful admission of temporary, nonimmigrant workers (H-2A workers) to perform agricultural labor or services of a temporary or seasonal nature. The Department of Labor's regulations governing the H-2A Program also apply to the employment of U.S. workers by an employer of H-2A workers in any work included in the ETA-approved job order or in any agricultural work performed by the H-2A workers during the period of the job order. Such U.S. workers are engaged in corresponding employment.

Overview of Employer Contractual Obligations

Recruitment of U.S. Workers: In order for the Department of Labor to certify that there are not sufficient U.S. workers qualified and available to perform the labor involved in the petition and that the employment of the foreign worker will not have an adverse effect on the wages and working conditions of similarly employed U.S. workers, employers must demonstrate the need for a specific number of H-2A workers. In addition to contacting certain former U.S. employees and coordinating recruitment activities through the appropriate State Workforce Agency, employers are required to engage in positive recruitment of U.S. workers. H-2A employers must provide employment to any qualified, eligible U.S. worker who applies for the job opportunity until 50 percent of the period of the work contract has elapsed. Employers must offer U.S. workers terms and working conditions which are not less favorable than those offered to H-2A workers.

Termination of Workers: Employers are prohibited from hiring H-2A workers if the employer laid off U.S. workers within 60 days of the date of need, unless the laid-off U.S. workers were offered and rejected the agricultural job opportunities for which the H-2A workers were sought. A layoff of U.S. workers in corresponding employment is permissible only if all H-2A workers are laid off first. Employers may only reject eligible U.S. workers for lawful, job-related reasons.

In order to negate a continuing liability for wages and benefits for a worker who is terminated or voluntarily abandons the position, employers are required to notify the Department of Labor (DOL), and in the case of an H-2A worker the Department of Homeland Security, no later than two working days after the termination or abandonment.

Rates of Pay: The employer must pay all covered workers at least the highest of the following applicable wage rates in effect at the time work is performed: the adverse effect wage rate (AEWR), the

applicable prevailing wage, the agreed-upon collective bargaining rate, or the Federal or State statutory minimum wage.

Wages may be calculated on the basis of hourly or “piece” rates of pay. The piece rate must be no less than the piece rate prevailing for the activity in the area of intended employment and on a pay period basis must average no less than the highest required hourly wage rate.

Written Disclosure: No later than the time at which an H-2A worker applies for a visa and no later than on the first (1st) day of work for workers in corresponding employment, the employer must provide each worker a copy of the work contract – in a language understood by the worker – which describes the terms and conditions of employment. In the absence of a separate written work contract, the employer must provide each worker with a copy of the job order that was submitted to and approved by DOL. The work contract must include:

- the beginning and ending dates of the contract period as well as the location(s) of work;
- any and all significant conditions of employment, including payment for transportation expenses incurred, housing and meals to be provided (and related charges), specific days workers are not required to work (i.e., Sabbath, Federal holidays);
- the hours per day and the days per week each worker will be expected to work;
- the crop(s) to be worked and/or each job to be performed;
- the applicable rate(s) for each crop/job;
- that any required tools, supplies, and equipment will be provided at no charge;
- that workers’ compensation insurance will be provided at no charge; and
- any deductions not otherwise required by law. All deductions must be reasonable. Any deduction not specified is not permissible.

Guarantees to All Workers: H-2A employers must guarantee to offer each covered worker employment for a total number of hours equal to at least 75% of the workdays in the contract period – called the “three-fourths guarantee.” For example, if a contract is for a 10-week period, during which a normal workweek is specified as 6 days a week, 8 hours per day, the worker would need to be guaranteed employment for at least 360 hours (e.g., 10 weeks x 48 hours/week = 480 hours x 75% = 360).

If during the total work contract period the employer does not offer sufficient workdays to the H-2A or corresponding workers to reach the total amount required to meet the three-fourths guarantee, the employer must pay such workers the amount they would have earned had they actually worked for the guaranteed number of workdays. Wages for the guaranteed 75% period will be calculated at no less than the rate stated in the work contract.

Housing: Employers must provide housing at no cost to H-2A workers and to workers in corresponding employment who are not reasonably able to return to their residence within the same day. If the employer elects to secure rental (public) accommodations for such workers, the employer is required to pay all housing-related charges directly to the housing’s management.

In addition, employers are required to either provide each covered worker with three meals per day, at no more than a DOL-specified cost, or to furnish free and convenient cooking and kitchen facilities where workers can prepare their own meals.

Employer-provided or secured housing must meet all applicable safety standards.

Transportation: Employers must provide daily transportation between the workers' living quarters and the employer's worksite at no cost to covered workers living in employer-provided housing. Employer-provided transportation must meet all applicable safety standards, be properly insured, and be operated by licensed drivers.

Inbound & Outbound Expenses: If not previously advanced or otherwise provided, the employer must reimburse workers for reasonable costs incurred for inbound transportation and subsistence costs once the worker completes 50% of the work contract period. Note: the FLSA applies independently of H-2A and prohibits covered employees from incurring costs that are primarily for the benefit of the employer if such costs take the employee's wages below the FLSA minimum wage. Upon completion of the work contract, the employer must either provide or pay for the covered worker's return transportation and daily subsistence.

Records Required: Employers must keep accurate records of the number of hours of work offered each day by the employer and the hours actually worked each day by the worker.

On or before each payday (which must be at least twice monthly), each worker must be given an hours and earnings statement showing hours offered, hours actually worked, hourly rate and/or piece rate of pay, and if piece rates are used, the units produced daily. The hours and earnings statement must also indicate total earnings for the pay period and all deductions from wages.

Additional Assurances and Obligations: Employers must comply with all applicable laws and regulations, including the prohibition against holding or confiscating workers' passports or other immigration documents. In addition, employers must not seek or receive payment of any kind from workers for anything related to obtaining the H-2A labor certification, including the employer's attorney or agent fees, the application fees, or the recruitment costs. Employers must also assure that there is no strike or lockout in the course of a labor dispute at the worksite for the H-2A certification which the employer is seeking. In addition, employers cannot discriminate against – or discharge without just cause – any person who has filed a complaint, consulted with an attorney or an employee of a legal assistance program, testified, or in any manner, exercised or asserted on behalf of himself/herself or others any right or protection afforded by sec. 218 of the INA or the H-2A regulations.

H-2A Labor Contractors

An H-2ALC is a person who meets the definition of an "employer" under the H-2A Program and does not otherwise qualify as a fixed-site employer or an agricultural association (or an employee of a fixed-site employer or agricultural association) and who is engaged in any one of the following activities in regards to any worker subject to the H-2A regulations: recruiting, soliciting, hiring, employing, furnishing, housing, or transporting.

While H-2A does not require labor contractors to register as such with the Department, any *person* who is subject to MSPA as a Farm Labor Contractor (FLC) must register with the Department and be issued an FLC Certificate of Registration prior to engaging in any farm labor contracting activity. In their H-2A applications, H-2ALCs required to be registered under MSPA are obligated to provide their respective MSPA FLC Certificate of Registration number and to identify the farm labor contracting activities they are authorized to perform.

In addition to meeting the same assurances and obligations as any other H-2A employer, H-2ALCs must fulfill the following requirements:

- list the name and location of each fixed-site agricultural business to which they expect to provide H-2A workers, the dates of each employment opportunity, and a description of the crops and activities the workers are expected to perform at each area of intended employment;
- submit a copy of each work contract agreement between the H-2ALC and the agricultural business to which they expect to provide workers;
- provide proof that all housing and transportation if provided or secured by the fixed-site employer complies with applicable safety and health standards; and
- obtain and submit the original surety bond with the H-2A Application.

Surety Bond: The surety bond must be written to cover liability incurred during the term of the work contract period listed on the H-2A Application and must remain in effect for a period of at least 2 years from the expiration date of the labor certification. H-2ALCs must obtain the surety bond in the following amounts:

- \$5,000 for a labor certification with fewer than 25 employees;
- \$10,000 for a labor certification with 25 to 49 employees;
- \$20,000 for a labor certification with 50 to 74 employees;
- \$50,000 for a labor certification with 75 to 99 employees; and
- \$75,000 for a labor certification with 100 or more employees.

The bond must be payable to the Administrator, Wage and Hour Division, U.S. Department of Labor, 200 Constitution Avenue, NW, Room S-3502, Washington, DC 20210.

Where to Obtain Additional Information

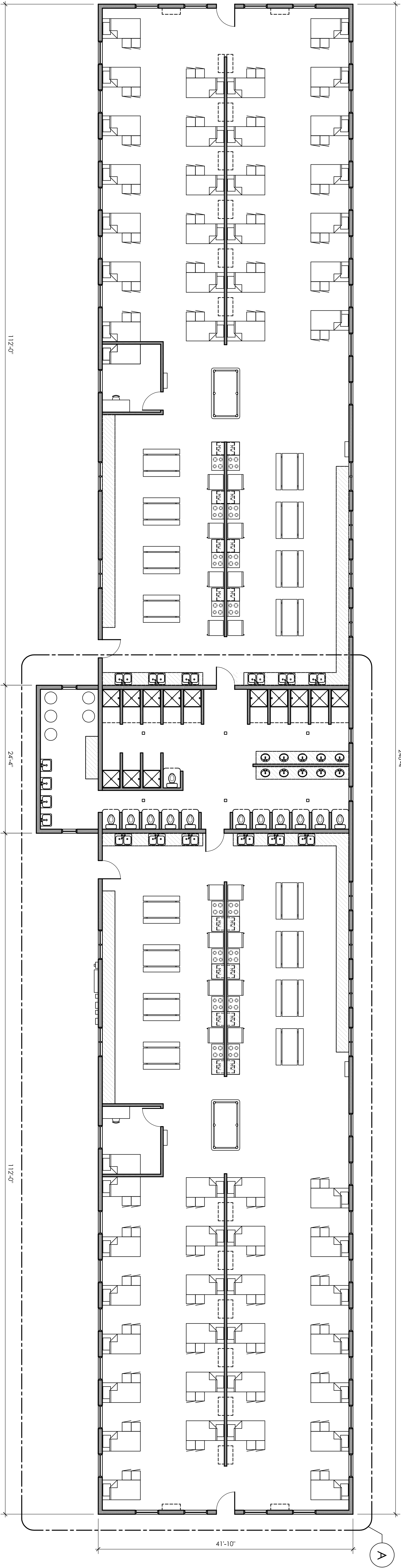
This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

For additional information, visit our Wage and Hour Division Website:

<http://www.wagehour.dol.gov> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4US-WAGE (1-866-487-9243).

U.S. Department of Labor
Frances Perkins Building
200 Constitution Avenue, NW
Washington, DC 20210

1-866-4-USWAGE
TTY: 1-866-487-9243
[Contact Us](#)



BUNKHOUSE
COMPOSITE FLOOR PLAN
SCALE: 1/8" = 1'-0"

**Town of Huntersville
Town Board
July 27, 2021**

To: Town Board

From: David Peete, Principal Planner

Date: July 27, 2021

Subject: Petition #R21-04 - Spring Grove

EXPLAIN REQUEST:

Conduct a Public Hearing on Petition #R21-04 Spring Grove, a request by M/I Homes of Charlotte, LLC to Rezone +/- 62.82-acres south of McCord Road and Hagers Road intersection from General Residential (GR) & Neighborhood Residential - Conditional District (NR-CD) to Neighborhood Residential - Conditional District (NR-CD) for a 138-lot subdivision; (PINs 01101102, 01101110, 01101114, 01119129 & 01119132).

ACTION RECOMMENDED:

Conduct Public Hearing.

FINANCIAL IMPLICATIONS:

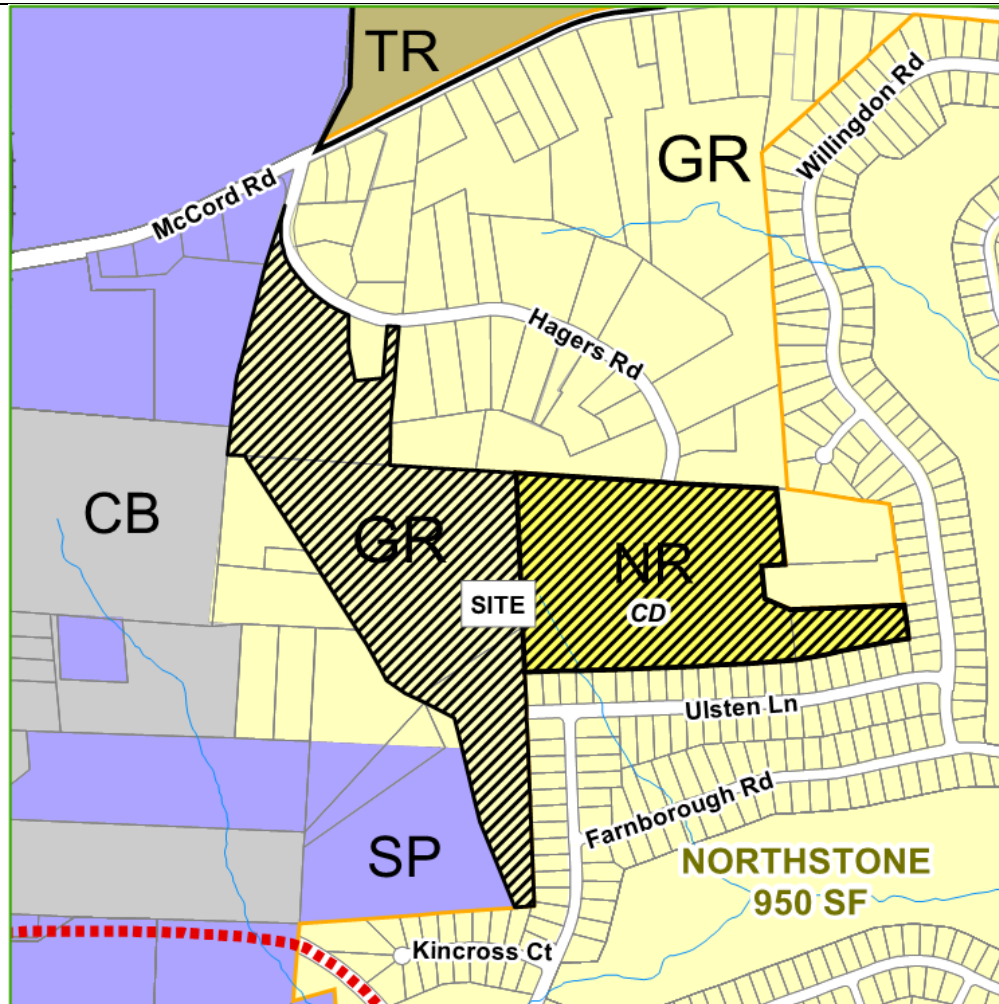
n/a

ATTACHMENTS:

1. R21-04 Planning Board Staff Report 7-27-21
2. Attachment A - Rezoning Application
3. Attachment B - Spring Grove CD Rezoning Plan
4. Attachment C - Spring Grove - Neighborhood Mtg Report
5. Attachment D - CMS Report - Spring Grove Subdivision
6. Attachment E - Citizen Comments

Petition R21-04 Spring Grove Conditional District Rezoning

PART 1: PROJECT SUMMARY



Applicant: MI Homes of Charlotte, LLC

Property Owners: Judy Ann Hager Collins, Robert Brice Lowrance, Mason A. Lowrance & Robert Brice Lowrance, & Fort Myers Real Estate Group, LLC, (see Attachment A).

Property Address: 10320 Hagers Road

Project Size: (+/-) 62.82-acres

Parcel Numbers:

01101102, 01101110, 01101114, 01119129 & 01119132

Current Zoning: General Residential (GR) & Neighborhood Residential – Conditional District (NR-CD).

Current Land Use: vacant.

Proposed Zoning: Neighborhood Residential — Conditional District (NR-CD).

Proposed Land Use:

130 Single-family lots (NR permitted uses).

Proposed Density: 2.17 units/ac.

1. Purpose: Petition to rezone 62.82-acres generally located at 10320 Hagers Road – south of McCord Road - from the General Residential (GR) and Neighborhood Residential – Conditional District (NR-CD) Zoning District to (a new) Neighborhood Residential – Conditional District (HC-CD) to create a 130-lot single-family subdivision (see Attachments B). If the CD Rezoning Plan is approved, a corresponding Subdivision Sketch Plan will be reviewed by staff for compliance.
2. Adjoining Zoning and Land Uses.
North: General Residential (GR) – Large-lot, single-family homes (along Hagers Rd.) & vacant.
South: General Residential (GR) & Special Purpose (SP) – Small-lot, single-family subdivision (Northstone), & Soil, mulch & gravel sales (Soil Supply).

East: *General Residential (GR) –Two (2) large-lot, single-family homes & – Small-lot, single-family subdivision (Northstone).*

West: *General Residential (GR), Special Purpose (SP) & Corporate Business (CB) – Storage, Soil, mulch & gravel sales (Soil Supply), Building supplies (84 Lumber) & vacant.*

3. One (1) neighborhood meeting was held on May 19, 2021. A report of the meeting is available in Attachment C.
4. Notice of this CD-Rezoning request was provided via postcards sent to all property owners within 250 ft. of the project; a legal ad placed in the Charlotte Observer; and posting of public hearing signs on the property in three (3) locations (McCord Rd. & Hagers Rd., end of Hagers Rd. & end of Ulsten Ln.).

PART 2: REZONING/SITE PLAN ISSUES

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

- Proposed Uses: 130 Single-Family Homes.
- There are four (4) Urban Open Spaces proposed: two (2) parks, one (1) dog park and one (1) community garden.
- New and additional right-of-way (more than likely) to be dedicated along McCord Road and Hagers Road, as required by NCDOT and Town. New public streets (and all required right-of-way) are proposed, as are a new connection on the eastern end of Hagers Road into the development and a connection to Ulsten Lane (in NorthStone). (see Part 3 for details).
- Minimum Tree Preservation in the NR Zoning District is 10% and the proposed development looks to save 10% of existing canopy (6.173 acres). Specimen tree save in the NR zoning district is also 10% and the proposed development looks to save 37 existing specimen trees (22.29%).
- If the Rezoning Plan is approved, Staff, at the construction document phase, will review the plans for compliance with the Water Quality Ordinance, Erosion Control Ordinance and Stream Buffer Requirements, as found in the Zoning Ordinance.
- The subdivision is to be developed as one (1) phase.

The Conditional District Rezoning Plan has several issues that must be addressed:

- Proposed Public residential street cross-sections in front of 52 ft. wide lots must provide on-street parking on (at least) one side of the road;
Comment: Either the cross-section for one-side, on-street parking is incorporated throughout the Plan or sufficient alternative parking areas must be provided.
- The Caughman lot (at the east end of the subdivision) must have minimum frontage on new public street/cul-de-sac.
- Note #4 on Sheet RZ-201 should add “subject to the definition of major subdivision”, as outlined in Article 2.100 of the Subdivision Ordinance.
- RECOMMENDATION: Due to the proximity of Soil Supply along the western boundary, a planted berm within the buffer along the future thoroughfare would help screen noise, odor and dust.

PART 3: TRANSPORTATION ISSUES

Traffic Impact Analysis (TIA)

A TIA Determination of Need was completed for the proposed CD Rezoning and based on the TIA determination for proposed uses and intensities, a TIA for the Town was required. After completion of the scoping process, a TIA was submitted on 6/18/21. After staff review, several items needed to be addressed in the TIA and a resubmittal is required. As of 7/8/21, a resubmittal of the TIA has not been received.

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”.

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

- The Future Land Use Map, located on page 53, identifies this area as “Town Core”, which is defined in the Plan as including “a variety of neighborhoods containing a mix of residential types, including single-family homes, townhomes and apartments. Their design focuses on traditional neighborhood planning principles, including short blocks, connected streets, streetscape standards, and other features to improve walkability. These areas are denser than the “Moderate Density” and “Residential Edge” character areas and may include non-residential development as specified in small area plans and at other sites that meet locational criteria.”
- **Policy LU-2:** Encourage residential development that follows the pattern outlined in the future land use map.
 - **Policy LU-2.1:** Higher intensity residential uses will be focused generally within two miles of the I-77/NC-115 corridor...”

Comment: The Spring Grove Subdivision would be located approximately 0.30-miles from NC-115 and its’ proposed density of 2.17-units per acre is adjacent to the Northstone subdivision (on the east & south), which has a similar density of 1.65-units per acre and a similar lot size and width. The density of NorthStone is greatly impacted by the golf course open space. To the north, the Hagers Road area, which developed under the Meck. County’s regulations has a much lower density of approximately 0.54-units per acre. Further north across McCord Road, the Northbrook Subdivision (zoned TR) has a density of 1.49 units/acre. Lastly, the previously approved “Hawk’s Landing” CD Rezoning (which still applies to half of this subdivision) was approved with a density of 1.95 units/acre.

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

Comment: This property is located less than a half-mile from NC 115 and nearly abuts McCord Road – to thoroughfares that offer access to several areas of the Town. The connection into NorthStone will offer secondary access and the dedication of right-of-way for a portion of the future thoroughfare, which will connect McCord Road to Ramah Church Road, will create new connection points. All utilities are currently located nearby of in the vicinity and can be connected to serve this development.

- **Policy LU-7: Require new development to follow design principles that reinforce the vision for the Town as expressed in this plan and other adopted plans.**
 - **LU 7.1: Require all new development to adhere to the following design principles:**
 - In Mixed-Use Centers, Activity Centers, Town Core and Moderate Density Areas, streets and sidewalks are meant to be attractive and inviting. New development in these areas shall follow these principles:
 - All buildings shall front a public street or (Urban) Open Space.
 - Streets should be connected, have short blocks and sidewalks on both sides of the street.

- Improve connectivity, particularly for pedestrians and vehicles.
- Parking lots, if required, should be predominately located behind buildings screened from view and larger lots should be broken by buildings and/or landscape features.
- Accommodate a mix of uses and/or housing types.

Comment: All proposed homes front on public streets. The public streets connect to other public streets and all blocks are under 800 feet in length. Connectivity is provided via three (3) connections to existing streets and three (3) additional stubs are provided to adjoining property.

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

Comment: All proposed homes front on public streets. Floorplans have not been provided, therefore it cannot be determined if porches or recessed garages are provided. The proposed residential street cross-section does not provide on-street parking on (at least) one side of the road, as required for lots under 60' in width.

-
- **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.**

Comment: The required minimum buffers along the external boundary of the subdivision is 20 feet. This development provides a minimum 40 feet adjacent to the NorthStone subdivision. In addition, the lots abutting NorthStone are the wider lots, to match the width of those in NorthStone. The minimum buffer along the larger-lot homes on Hagers Road is also 20 feet, but there is additional open space behind the minimum buffer, therefore, the buffers can be widened to provide more transition area.

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

Comment: At the connection to both Hagers Road and Ulsten lane, the new homes are not oriented to match the existing housing pattern; however, the development has added buffers to define the transition from the existing developments into the new subdivision.

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

Comment: The right-of-way dedication along the western side of the subdivision is for the future residential thoroughfare cross-section, which includes a 12 ft. wide multi-path on one side of the street to connect this area to greenway and multi-paths within the area.

- **Policy T-3: Improve connectivity throughout the study area.**
 - **T 3.1: Continue to enhance street connectivity by requiring connections among different uses.**

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

Comment: Direct connections are proposed to Hagers Road near McCord Road and to the end of Hagers Road, as well as to Ulsten Lane in NorthStone. There are three (3) additional street stubs for future connections – 2 along the western edge and one along the eastern edge.

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

- **Policy LU-10: Encourage a diversity of housing options.**
 - **LU 10.1: Align housing options with resident needs and promote attainable housing options.**
 - Accommodate a mix of housing by type, tenure and location to serve a growing and increasingly diverse population. Housing offerings should align with workforce opportunities, including management, professional positions and service positions.
 - **LU 10.2: Continue to encourage a mix of lot sizes in new developments.**

Comment: Only two (2) lot types are proposed and the homes located on them are assumed to be similar throughout. The proposed development does not provide a range of housing types.

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

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

STAFF COMMENT:

The proposed Conditional District Rezoning for the Spring Grove Conditional District Rezoning is supported by the 2040 Comprehensive Plan, as the property is designated “Town Core”. Proposed density is 2.17-units per acre, which is higher than nearby developments, however the 2040 Community Plan designates this area as “Town Core” which permits increased density, where appropriate, while ensuring that adequate land use and densities transitions are provided. The Neighborhood Residential zoning district does not have a density limit, however, through the conditional district rezoning process, a maximum density limit can be established.

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

STAFF COMMENT:

- A Transportation Impact Analysis was required – see Part 3 of this report.
- Storm water plan approval, water and sewer and refuse disposal and a Willingness-to-serve from Charlotte Water, must all be provided.
- The Conditional District Rezoning site plan was reviewed by Charlotte-Mecklenburg School District (CMS). CMS indicates the proposed Rezoning Plan would add approximately 69 students to the schools in this area and indicate approval of the project “may increase overcrowding and/or reliance upon mobile classrooms...” (see below & see Attachment D for the full CMS report). While the proposed rezoning is consistent with the 2040 Community Plan’s support for higher-density development in the area defined as “town core”, the challenge of over-crowded CMS schools still applies.

This development may add 69 students to the schools in this area.

The following data is as of 20th Day of the 2020-21 school year.

<i>Schools Affected</i>	<i>Total Classroom Teachers</i>	<i>Building Classrooms/ Teacher Stations</i>	<i>20th Day, Enrollment (non-gc)</i>	<i>Building Classroom/ Adjusted Capacity (Without Mobiles)</i>	<i>20th Day, Building Utilization (Without Mobiles)</i>	<i>Additional Students As a result of this development</i>	<i>Utilization As of result of this development (Without Mobiles)</i>
HUNTERSVILLE ELEMENTARY	47	37	734	578	127%	27	132%
BAILEY MIDDLE	76.6	57	1454	1081	134%	17	136%
WILLIAM A HOUGH HIGH	118.5	100	2485	2097	119%	25	120%

The total estimated capital cost of providing the additional school capacity for this new development is \$2,647,000; calculated as follows:

Elementary School: **27** x \$34,000 = \$918,000
Middle School: **17** x \$37,000 = \$629,000
High School: **25** x \$44,000 = \$1,100,000

RECOMMENDATION

Adequacy of existing school capacity is a significant problem. We are particularly concerned about a case where school utilization exceeds 100% since the proposed development may exacerbate the situation. Approval of this petition may increase overcrowding and/or reliance upon mobile classrooms at the schools listed above.

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

STAFF COMMENT:

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

PART 5: STAFF RECOMMENDATION

Staff can support approval of the Spring Grove CD-Rezoning with the following addressed:

- TIA must be re-submitted and requirements of the TIA added to plan;
- Proposed Public residential street cross-sections in front of 52 ft. wide lots must provide on-street parking on (at least) one side of the road;
- The Caughman lot must abut and have minimum frontage on public street/cul-de-sac;
- Note #4 on Sheet RZ-201 should add "subject to the definition of major subdivision", as outlined in Article 2.100 of the Subdivision Ordinance.
- All outstanding redline comments must be addressed.
- RECOMMEND: Due to the proximity of Soil Supply along the western boundary, a planted berm within the buffer along the future thoroughfare would help screen noise, odor and dust.

PART 6: PUBLIC HEARING COMMENTS

Public Hearing scheduled for Monday, July 19, 2021.

PART 7: PLANNING BOARD RECOMMENDATION

Planning Board scheduled to review on July 27, 2021.

PART 8: ATTACHMENTS/ENCLOSURES

Attachments

A – Rezoning Application.

B – Proposed CD Rezoning Plan.

C - Neighborhood Meeting Report from June 2, 2021.

D – CMS Report.

E - Citizen comments



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
- ☐ 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 February 26, 2021

Name of Project: MI Homes Spring Grove Development Phase # (if subdivision) _____

Project Address: 10320 Hagers Road, Huntersville, North Carolina

Parcel Identification Number(s) (PIN) 01101102, 01101110, 01101114, 01119129, 01119132

Current Zoning District: GR and NR(CD) Proposed District (for rezoning only) NR (CD)

Property Size (acres) 63.10 Acres Street Frontage (feet) See Attachment

Current Land Use Vacant

Proposed Land Use(s) Single Family Residential

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.

To accomodate development of approximately 138 single family homes, as more particulary described on the

Rezoning Plan.

4. Site Plan Submittals

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

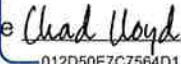
5. Outside Agency Information

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

6. Applicant

Printed Name MI Homes of Charlotte, LLC - Chad Lloyd, VP Phone 704-597-4581
☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership ☒ Other: Mobile - 828-450-5049

☒ 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: Chad Lloyd
 Title VP, Land Acquisition Email clloyd@MIHOMES.com

Address of Applicant 5350 77 Center Drive 100 Charlotte, NC 28217

7. Property Owner (if different than applicant)

*Printed Name See Attachment 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 See attachment Printed Name See attachment
 Title See attachment Email See attachment

Address of Property Owner See attachment

* 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

MI Homes of Charlotte, LLC	Chad Lloyd	Mobile - 828-450-5049	clloyd@MIHOMES.com
Development Firm	Name of Contact	Phone	Email
Timmons Group	Katie Bradley (Project Manager)	704-227-1567	katie.bradley@timmons.com
Design Firm	Name of Contact	Phone	Email

Contact Information

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

Exhibit A to Rezoning Application

Additional Project Data

Project Addresses, Parcel IDs and Current Zoning District

(remainder of page intentionally blank)

Tax Parcel # 01101102

Address: NA

Owner: Judy Ann Hager Collins

124 Red Cedar Drive

Myrtle Beach, SC 29588

Zoning: GR

The undersigned, as the owner of the parcel of land in Mecklenburg County, North Carolina that is designated as Parcel Identification Number 01101102 on the Mecklenburg County Tax Map and which is the subject of the attached Conditional Rezoning Process, hereby joins and gives permission to MI Homes of Charlotte, LLC to request and file this Application with the Town of Huntersville for the Parcel referenced above. I do hereby further agree, on behalf of my heirs, their heirs, successors and assigns, to any modifications to the Application, as determined by Applicant, during the Application review and approval process through the Town of Huntersville.

This the 23rd day of February 2021.

By:

Judy Ann Hager Collins
(Owner Signature)

~~Florida~~
~~North Carolina~~

County of Orange

Judy Ann Hager Collins appearing before the undersigned

Name of property owner (printed)

Notary and being duly sworn, says that:

1. I am the owner of the property described above
2. All statements above are true and correct

Property Owners Signature

Sworn to (or affirmed) and subscribed before me this the 23rd day of Feb, 2021.

(Official Seal)



JASMIN VARGAS
Commission # GG 930326
Expires November 7, 2023
Bonded thru Budget Notary Services

Jasmin Vargas
Official Signature of Notary

Tax Parcel # 01101114

Address: 10399 Hagers Rd, Huntersville, NC 28078

Owner: Robert Brice Lowrance

19018 Mountainview Drive

Cornelius, NC 28036

Zoning: GR

The undersigned, as the owner of the parcel of land in Mecklenburg County, North Carolina that is designated as Parcel Identification Number 01101114 on the Mecklenburg County Tax Map and which is the subject of the attached Conditional Rezoning Process, hereby joins and gives permission to MI Homes of Charlotte, LLC to request and file this Application with the Town of Huntersville for the Parcel referenced above. I do hereby further agree, on behalf of my heirs, their heirs, successors and assigns, to any modifications to the Application, as determined by Applicant, during the Application review and approval process through the Town of Huntersville.

This the __ day of February 2021.

By: Robert Brice Lowrance
(Owner Signature)

North Carolina

County of Mecklenburg

Robert Brice Lowrance

, appearing before the undersigned

Name of property owner (printed)

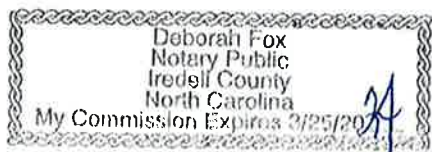
Notary and being duly sworn, says that:

1. I am the owner of the property described above
2. All statements above are true and correct

Property Owners Signature

Sworn to (or affirmed) and subscribed before me this the 23 day of February 2021.

(Official Seal)



Deborah Fox
Official Signature of Notary

Tax Parcel # 01101110

Address: 10320 Hagers Rd, Huntersville, NC 28078

Owner: Mason A. Lowrance, Jr. and Robert Brice Lowrance

19018 Mountainview Drive

Cornelius, NC 28036

Zoning: GR

The undersigned, as the owner of the parcel of land in Mecklenburg County, North Carolina that is designated as Parcel Identification Number 01101102 on the Mecklenburg County Tax Map and which is the subject of the attached Conditional Rezoning Process, hereby joins and gives permission to MI Homes of Charlotte, LLC to request and file this Application with the Town of Huntersville for the Parcel referenced above. I do hereby further agree, on behalf of my heirs, their heirs, successors and assigns, to any modifications to the Application, as determined by Applicant, during the Application review and approval process through the Town of Huntersville.

This the 23 day of February 2021.

By: Robert Brice Lowrance
(Owner Signature)

By: Mason A Lowrance Jr
(Owner Signature)

North Carolina

County of Mecklenburg

Robert Brice Lowrance and Mason A Lowrance Jr appearing before the undersigned

Name of property owner (printed)

Notary and being duly sworn, says that:

1. I am the owner of the property described above
2. All statements above are true and correct

Property Owners Signature

Sworn to (or affirmed) and subscribed before me this the 23 day of February 2021.

(Official Seal)



Deborah Fox
Official Signature of Notary

Tax Parcel # 01119129

Address 9800 Hagers Rd, Huntersville, NC 28078

Owner: Fort Myers Real Estate Group, LLC

5229 N Hiatus Rd

Sunrise, Florida 33351

Zoning: NR (CD)

The undersigned, as the owner of the parcel of land in Mecklenburg County, North Carolina that is designated as Parcel Identification Number 01119129 on the Mecklenburg County Tax Map and which is the subject of the attached Conditional Rezoning Process, hereby joins and gives permission to MI Homes of Charlotte, LLC to request and file this Application with the Town of Huntersville for the Parcel referenced above. I do hereby further agree, on behalf of my heirs, their heirs, successors and assigns, to any modifications to the Application, as determined by Applicant, during the Application review and approval process through the Town of Huntersville.

This the 23 day of February 2021.

By: _____
(Owner Signature)

Florida
~~North Carolina~~

County of _____

Jocelyn Boulanger, appearing before the undersigned
Name of property owner (printed)

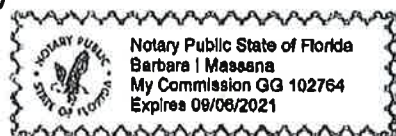
Notary and being duly sworn, says that:

1. I am the owner of the property described above
2. All statements above are true and correct

Property Owners Signature

Sworn to (or affirmed) and subscribed before me this the 23 day of Feb., 2021.

(Official Seal)



Official Signature of Notary

Tax Parcel # 01119132

Address: NA

Owner: Fort Myers Real Estate Group, LLC

5229 N Hiatus Rd

Sunrise, Florida 33351

Zoning: NR (CD)

The undersigned, as the owner of the parcel of land in Mecklenburg County, North Carolina that is designated as Parcel Identification Number 01119129 on the Mecklenburg County Tax Map and which is the subject of the attached Conditional Rezoning Process, hereby joins and gives permission to MI Homes of Charlotte, LLC to request and file this Application with the Town of Huntersville for the Parcel referenced above. I do hereby further agree, on behalf of my heirs, their heirs, successors and assigns, to any modifications to the Application, as determined by Applicant, during the Application review and approval process through the Town of Huntersville.

This the ___ day of February 2021.

By: _____
(Owner Signature)

Florida
~~North Carolina~~

County of Broward

JOCELYN BOULANGER, appearing before the undersigned

Name of property owner (printed)

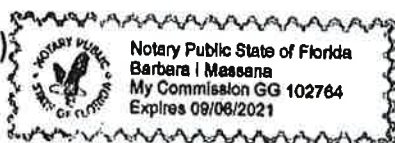
Notary and being duly sworn, says that:

1. I am the owner of the property described above
2. All statements above are true and correct

Property Owners Signature

Sworn to (or affirmed) and subscribed before me this the 23 day of Feb., 2021.

(Official Seal)



Official Signature of Notary

Official Signature of Notary

Rezoning Site Street Frontage (approximate)

739 'on Hagers Road

170' on McCord Road

SPRING GROVE

DISTRICT REZONING / SKETCH PLAN

10320 HAGERS ROAD
HUNTERVILLE, NORTH CAROLINA
EPM PROJECT NO. 419726

HUNTERSVILLE, NORTH CAROLINA

EPM PROJECT NO. 419726



VICINITY MAP

SCALE: 1" = 250'

Sheet Number	Sheet Title
C-000	COVER
C-100	EXISTING CONDITIONS
C-101	TREE SURVEY
C-102	ADJACENT PROPERTY OWNERS
C-103	ADJACENT PROPERTY OWNERS INFORMATION
C-104	EXISTING SLOPE ANALYSIS
C-200	REZONING PLAN
C-201	SITE NOTES AND DETAILS
C-202	SITE NOTES AND DETAILS
C-300	CONCEPTUAL GRADING AND DRAINAGE PLAN
C-400	CONCEPTUAL PLANTING PLAN
C-401	CONCEPTUAL PLANTING PLAN ENLARGEMENTS

MCCORD ROAD IMPROVEMENT

- RIGHT TURN LANE WITH 100 LF STORAGE
- LEFT TURN LANE WITH 150 LF STORAGE

** TO BE PROVIDED AS REQUIRED BY TIA.



PRELIMINARY FOR
REVIEW PURPOSES ONLY

THIS DRAWING PREPARED AT THE
CHARLOTTE OFFICE
610 E. Morehead Street, Suite 250 | Charlotte, NC 28202
TEL 704.602.8600 FAX 704.376.1076 www.linmons.com
North Carolina License No. C-1652
Project Contact Email Address: christ.todd@linmons.com

REVISION DESCRIPTION

DATE	REVISION DESCRIPTION
04/09/2021	REVISED PER TOWN COMMENTS
04/23/2021	REVISED PER TOWN COMMENTS
04/23/2021	04/23/2021
04/23/2021	04/23/2021
04/23/2021	04/23/2021



M/I HOMES
Welcome to Better

M/I HOMES OF CHARLOTTE

DATE
03/01/2021



YOUR VISION ACHIEVED THROUGH OURS.

DRAWN BY
A. DALE

DESIGNED BY
K. BRADLEY

CHECKED BY
C. TODD

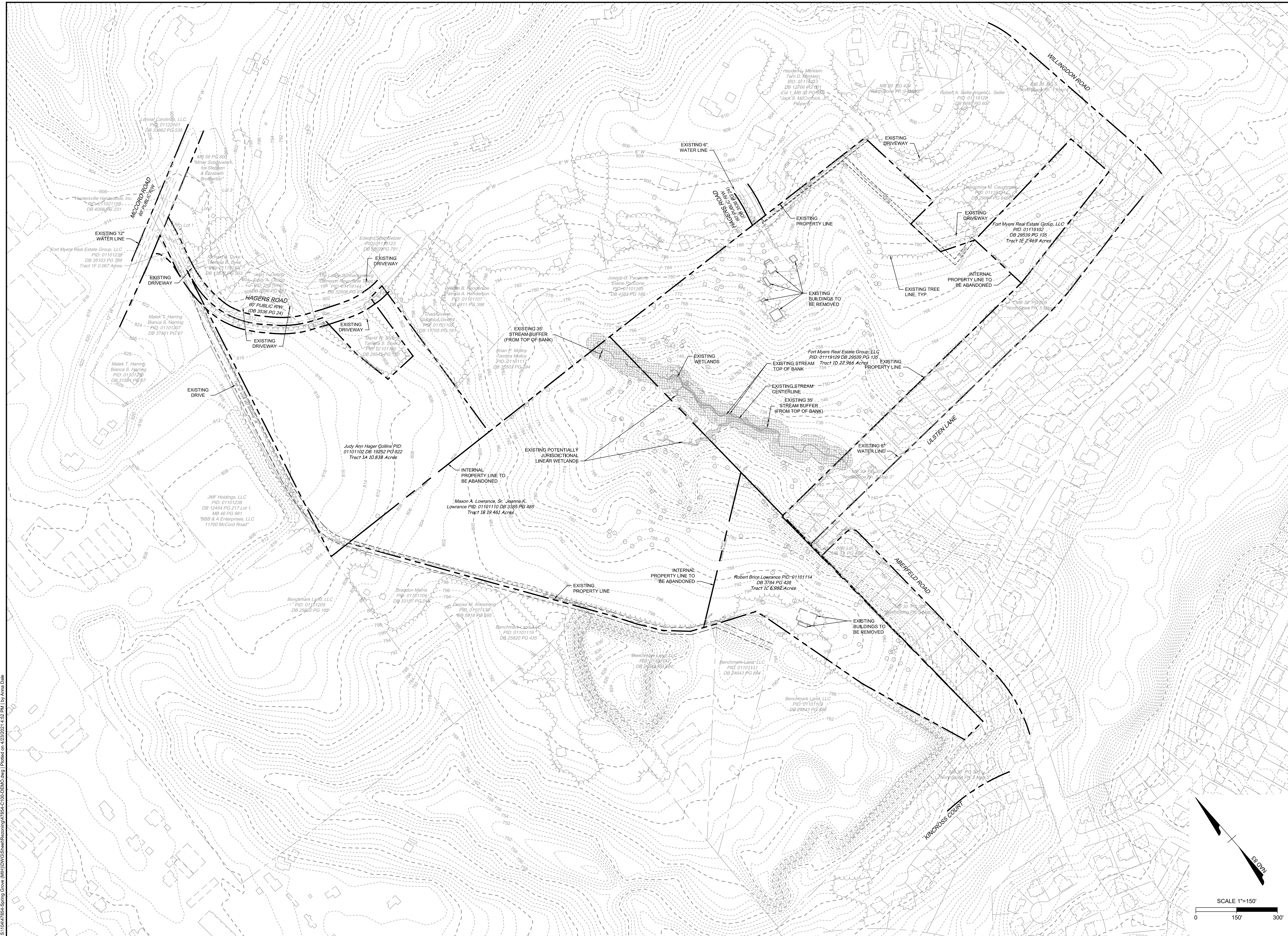
SCALE
AS SHOWN

ONS GROUP
NORTH CAROLINA LICENSE NO. C-1652
SPRING CROVE

JOB NO. 47854
SHEET NO. C-000

SPRING GROVE
HUNTERSVILLE, NORTH CAROLINA
COVER

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610 E. Morehead Street, Suite 250 | Charlotte,
TEL 704.602.8600 FAX 704.376.1076 www.timm
North Carolina License No. C-1652
Project Contact Email Address: chris.todd@timm

M/I HOMES
Welcome to Better

HOMES OF CHARLOTTE, LLC
77 CENTER DRIVE, SUITE 100
CHARLOTTE NC 28217

	DATE	REVISION DESCRIPTION
	04/09/2021	REVISED PER TOWN COMMENTS
	04/23/2021	REVISED PER TOWN COMMENTS
	XXXXXX	
	XXXXXX	
	XXXXXX	
	XXXXXX	

DATE
03/01/2021

DRAWN BY

A. DALE

K. BRADLEY

CHECKED BY

C. TODD
SCALE
AS SHOWN

[illegible]

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EXISTING TREE LIST			EXISTING TREE LIST		
TREE DBH (IN.)	TREE SPECIES	SAVED (YES/NO)	TREE DBH (IN.)	TREE SPECIES	SAVED (YES/NO)
24	CREPE MYRTLE	NO	24	POPLAR	NO
24	POST OAK	YES	24	POPLAR	NO
24	POPLAR	YES	24	OAK	NO
24	PINE	YES	24	RED OAK	YES
24	RED OAK	NO	24	RED OAK	NO
24	POPLAR	NO	24	RED OAK	NO
24	POPLAR	NO	24	DOUBLE POPLAR	NO
24	WHITE OAK	YES	24	RED OAK	NO
24	BEECH	YES	24	RED OAK	NO
24	WHITE OAK	YES	24	POPLAR	NO
24	CEDAR	NO	24	POPLAR	NO
24	CREPE MYRTLE	NO	24	DOUBLE POPLAR	NO
24	POST OAK	NO	24	RED OAK	NO
24	POST OAK	NO	24	POPLAR	NO
24	RED OAK	NO	24	WHITE OAK	NO
24	OAK (DEAD)	NO	24	RED OAK	NO
24	POPLAR	NO	24	POPLAR	NO
24	POPLAR	NO	25	RED OAK	NO
24	OAK	NO	25	DOUBLE POPLAR	NO
24	RED OAK	NO	25	POPLAR	NO
24	RED OAK	NO	25	POPLAR	NO
24	RED OAK	NO	25	RED OAK	NO
24	DOUBLE POPLAR	NO	25	POPLAR	NO
24	RED OAK	NO	25	POPLAR	NO
24	RED OAK	NO	26	POPLAR	NO
24	POPLAR	NO	26	OAK	NO
24	POPLAR	NO	26	PINE	NO
24	DOUBLE POPLAR	NO	26	POPLAR	NO
24	RED OAK	NO	26	POPLAR	NO
24	POPLAR	NO	26	POPLAR	NO
24	WHITE OAK	NO	26	RED OAK	YES
24	RED OAK	NO	27	POPLAR	NO
24	POPLAR	NO	27	POPLAR	NO
25	POPLAR	NO	28	POPLAR	NO
25	RED OAK	NO	28	POPLAR	NO
25	DOUBLE POPLAR	NO	28	POPLAR	NO
25	POPLAR	NO	28	POPLAR	NO
25	POPLAR	NO	28	WHITE OAK	YES
25	RED OAK	NO	28	POPLAR	NO
25	POPLAR	NO	28	POPLAR	NO
26	POST OAK	NO	28	POPLAR	YES
26	SYCAMORE	YES	28	RED OAK	NO
26	POPLAR	NO	28	POPLAR	NO
26	WHITE OAK	YES	28	POPLAR	NO
26	WHITE OAK	YES	28	POST OAK	NO
26	WHITE OAK	YES	28	RED OAK	NO
26	WHITE OAK	YES	28	RED OAK	NO
26	WHITE OAK	YES	28	WHITE OAK	NO
26	WALNUT	NO	29	POPLAR	NO
26	POPLAR	NO	30	WHITE OAK	YES
26	WHITE OAK	NO	30	POPLAR	NO
26	POST OAK	NO	30	BEECH	NO
26	DOUBLE POST OAK	NO	30	OAK	NO
26	RED OAK	NO	30	POPLAR	YES
26	POPLAR	NO	30	POPLAR	NO
26	OAK	NO	30	DOUBLE POPLAR	NO
26	PINE	NO	30	POPLAR	NO
26	POPLAR	NO	30	RED OAK	NO
26	POPLAR	NO	30	DOUBLE RED OAK	NO
26	POPLAR	NO	30	RED OAK	NO
26	RED OAK	YES	30	DOUBLE RED OAK	NO
27	POPLAR	NO	31	POPLAR	NO
27	POPLAR	NO	32	POPLAR	NO
28	RED OAK	YES	32	POPLAR	NO
28	DOUBLE OAK	YES	32	RED OAK	NO
28	RED OAK	NO	32	POPLAR	YES
28	OAK	NO	32	POPLAR	NO
28	SWEET GUM	NO	32	POPLAR	NO
28	PINE	NO	32	BEECH	NO
28	POPLAR	NO	32	POPLAR	NO
28	RED OAK	NO	32	POPLAR	YES
28	RED OAK	YES	32	POPLAR	YES
28	OAK	NO	32	DOUBLE POPLAR	NO
28	WALNUT	NO	34	POPLAR	NO
28	WHITE OAK	NO	34	RED OAK	NO
28	WHITE OAK	NO	36	POPLAR	NO
28	WHITE OAK	NO	40	ELM	YES
28	POPLAR	NO	40	DOUBLE WHITE OAK	YES
28	POPLAR	NO	40	POPLAR	YES
28	POPLAR	NO	41	RED OAK	NO
28	POPLAR	NO	44	WHITE OAK	NO

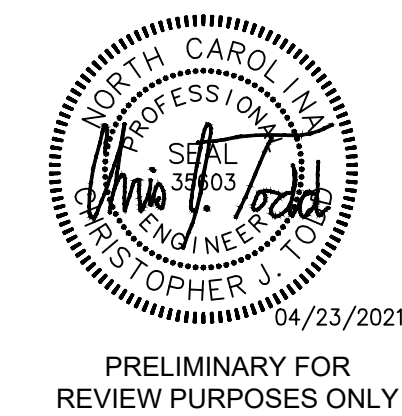
*TREE MAY BE SAVED DURING FINAL DESIGN. EXTENTS OF FINAL GRADING SHALL DETERMINE IF TREE CAN BE SAVED.

S:\10447854-Spring Grove (M\H\DWGS\Sheet\Footing\47854-C200-SITE.dwg) [Plotted on 4/23/2021 4:53 PM] by Anna Dale

ADJACENT PROPERTY OWNERS				
PARCEL	PARCEL NO.	OWNER	MAILING ADDRESS	ZONING
1	1119131	DELEAPHINE M CAUGHMAN	9804 HAGERS RD., HUNTERSVILLE, NC 28078	GR
2	1119128	ROBERT A SELLIE & ANGELA L SELLIE	9808 HAGERS RD., HUNTERSVILLE, NC 28078	GR
3	1117918	STEVEN HAEMMERLE & KIMBERLY HAEMMERLE	12302 BRAELOCH CT., HUNTERSVILLE, NC 28078	GR
4	1117919	RICHARD A MOBLEY & PAULA C MOBLEY	12301 BRAELOCH CT., HUNTERSVILLE, NC 28078	GR
5	1117920	CHAD KEENE & KATHLEEN KEENE	12305 BRAELOCH CT., HUNTERSVILLE, NC 28078	GR
6	1119113	HAYDEN L MERKLEIN & TERRI D MERKLEIN	9816 HAGERS RD., HUNTERSVILLE, NC 28078	GR
7	1119147	LIA R LUCERO SMITH & JOEL SMITH	9824 HAGERS RD., HUNTERSVILLE, NC 28078	GR
8	1101105	JOSEPH G PACCIONE & ELAINE PACCIONE	9825 HAGERS RD., HUNTERSVILLE, NC 28078	GR
9	1101109	HENRY KENNETH BURGESS & ANNIE LEE	9907 HAGERS RD., HUNTERSVILLE, NC 28078	GR
10	1101101	JEANNE L DAMBROGIO, SUSAN L LENENTINE, RAYMOND A LABRECQUE, & LYNNE L MAES	10001 HAGERS RD., HUNTERSVILLE, NC 28078	GR
11	1101106	GIBRAN MEZA & ILA MYER	10021 HAGERS RD., HUNTERSVILLE, NC 28078	GR
12	1101118	DAVID L MCNAUGHT & DEBORAH H MCNAUGHT	10039 HAGERS RD., HUNTERSVILLE, NC 28078	GR
13	1101115	CYNTHIA ELIZABETH KERNS	PO BOX 172, HUNTERSVILLE, NC 28078	GR
14	1101116	BRIAN P MOLLOY & TAMBRA MOLLEY	10101 HAGERS RD., HUNTERSVILLE, NC 28078	GR
15	1101107	WILLIAM B HENDERSON & PATRICIA A HENDERSON	10113 HAGERS RD., HUNTERSVILLE, NC 28078	GR
16	1101108	THAD GIVENS & GLADIOLUS GIVENS	10123 HAGERS RD., HUNTERSVILLE, NC 28078	GR
17	1101140	DAVID W STYER & TAMARA S STYER	10225 HAGERS RD., HUNTERSVILLE, NC 28078	GR
18	1119123	EDWARD SCOTT SETZER	10112 HAGERS RD., HUNTERSVILLE, NC 28078	GR
19	1119144	REVOCABLE TRUST THE LAURIE SCHNACKENBERG CAMERON	10016 HAGERS RD., HUNTERSVILLE, NC 28078	GR
20	1119122	KENNETH J CHELCUN & SUZANNE F CHELCUN	102010 MCCORD RD., HUNTERSVILLE, NC 28078	GR
21	1119107	JOHN T OUTING & EMILY A OUTING	10216 HAGERS RD., HUNTERSVILLE, NC 28078	GR
22	1119133	RICHARD A DYKE & THERESA B DYKE	10230 HAGERS RD., HUNTERSVILLE, NC 28078	GR
23	1119106	WILLIAM M HAIGLER & JERRI P HAIGLER	PO BOX 3533, HUNTERSVILLE, NC 28070	GR
24	1119150	WILLIAM M HAIGLER & JERRI P HAIGLER	PO BOX 3533, HUNTERSVILLE, NC 28070	GR
25	1101207	MALEK T HARRING & BIANCA S HARRING	11120 HERITAGE GREEN DR., CORNELIUS, NC 28031	SP
26	1101206	MALEK T HARRING & BIANCA S HARRING	11120 HERITAGE GREEN DR., CORNELIUS, NC 28031	SP
27	1101238	JMF HOLDINGS LLC	18746 GREYTON LN., DAVIDSON, NC 28036	SP
28	1101205	BENCHMARK LAND LLC	PO BOX 1248, HUNTERSVILLE NC 28270	CB
29	1101104	BRANDON MORRIS	10319 HAGERS RD., HUNTERSVILLE, NC 28078	GR
30	1101139	DENISE M ARMSTRONG	256 NE 65TH ST., OAK ISLAND, NC 28465	GR
31	1101141	BENCHMARK LAND LLC	PO BOX 1248, HUNTERSVILLE, NC 28270	GR
32	1101111	BENCHMARK LAND LLC	PO BOX 1248, HUNTERSVILLE, NC 28270	GR
33	1101103	BENCHMARK LAND LLC	PO BOX 1248, HUNTERSVILLE, NC 28270	GR
34	1120327	NELSON WILLIAM & FELICIA WILLIAM	11721 KINROSS CT., HUNTERSVILLE, NC 28078	GR
35	1120328	JESSE F III GREGG & MARLENE C GREGG	11725 KINROSS CT., HUNTERSVILLE, NC 28078	GR
36	1120329	PATRICK GREGORY YARBROUGH & KAY LYNN YARBROUGH	11729 KINROSS CT., HUNTERSVILLE, NC 28078	GR
37	1120315	BRADLEY D HAYMORE & TRUDY P HAYMORE	11726 KINROSS CT., HUNTERSVILLE, NC 28078	GR
38	1120314	GLENN LEBBY & TERESA A LEBBY	11730 KINROSS CT., HUNTERSVILLE, NC 28078	GR
39	1120313	TUCKER ZANE WHITTAKER & ASHLEIGH RHANNON WHITTAKER	11734 KINROSS CT., HUNTERSVILLE, NC 28078	GR
40	1120312	2018-4 IH BORROWER LP C/O INVITATION HOMES	1717 MAIN ST., STE 2000, DALLAS, TX 75201	GR
41	1120330	AGUS P LOEKMAN & EMANUELLA C LOEKMAN	11733 KINROSS CT., HUNTERSVILLE, NC 28078	GR
42	1120331	VICTOR T BLASUCCI & ALLYSON H BLASUCCI	15501 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
43	1120332	CLAES G STROEM & AASA STROEM	15507 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
44	1120333	RICHARD C SAMPSON & SANDI K SAMPSON	15513 ABERFELD RD., HUNTERSVILLE, NC 28078	GR

ADJACENT PROPERTY OWNERS				
PARCEL	PARCEL NO.	OWNER	MAILING ADDRESS	ZONING
45	1120334	JOSEPH MANUEL RODRIGUEZ & HELEN ANN RODRIGUEZ	15519 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
46	1120529	STEPHEN M PERRY & NANCY L PERRY	15506 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
47	1120528	TRAVIS TYNDALL & ERIN CALLAHAN	15512 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
48	1120527	NICHOLAS D ADAMS & JEAMARIE ADAMS	15518 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
49	1120526	WARREN T VIGUS & MANDY VIGUS	15524 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
50	1120525	ANGELA D COPEN & PHILIP L WHITE	15530 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
51	1120524	MORGAN BURWELL TEMPLE & MORGAN BURWELL TEMPLE	15536 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
52	1120335	CHRISTOPHER J CUSICK & TRACEY L CUSICK	15525 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
53	1120336	MATHEW D SCHERER	15531 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
54	1120337	CHESTER A WILLIS & DIATRICIA B WILLIS	15537 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
55	1120338	PAUL STEEN	15603 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
56	1120339	CYNTHIA DUKES	15609 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
57	1120667	DAVID A THOMPSON & PATRICIA A THOMPSON	15608 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
58	1120666	SWH 2017-1 BORROWER LP	8665 EAST HARTFORD DR., SUITE 200, SCOTSDALE, AZ 85255	GR
59	1120340	JAMES KENNETH JR TIGHE & CHRISTA S TIGHE	15615 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
60	1120341	2018-4 IH BORROWER LP	1717 MAIN ST., STE 2000, DALLAS, TX 75201	GR
61	1120665	PAULINE DIBIA & JOHN GRENAWAY	15620 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
62	1120664	KHARY ARTHUR MENDEZ	15626 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
63	1120342	LUIS D YEPEZ & YINETT GUADALUPE Y MORALES	15627 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
64	1120343	DWIGHT L STEWART & KIMBERLY E STEWART	15633 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
65	1120663	MATTHEW DAVID MITCHINER & JESSICA POWELL	15634 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
66	01120344	JAMES R JR GRAHAM & DIANE Z GRAHAM	15639 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
67	1120662	JEREMY DEGNAN & AMANDA JO DEGNAN	15640 ABERFELD RD., HUNTERSVILLE, NC 28078	GR
68	1120601	ADAM D FILIPPONI & LAUREN E FILIPPONI	11829 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
69	1120602	TRUST GALLAGHER FAMILY REVOCABLE	11833 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
70	1120603	GRAHAM H MAYFIELD & JANEEN P MAYFIELD	11901 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
71	1120604	WILLIAM BENZ & KIMBERLY BENZ	11905 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
72	1120605	MICHEAL R DUCEY & KATHERINE A DUCEY	11909 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
73	1120606	JOHN K BEZEK & WENDY B BEZEK	11913 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
74	1120607	RICHARD LUTTRELL & VIRGINIA LUTTRELL	11917 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
75	1120608	DONALD L MUNDY & SHARON G MUNDY	11921 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
76	1120609	AMH NC PROPERTIES LP	30601 AGOURA RD., STE 200, AGOURA HILLS, CA 91301	GR
77	1120610	ROGER NICOLAS LEONARD & DAWN LEONARD	11929 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
78	1120611	THOMAS FRANCIONE & STEPHANIE FRANCIONE	12003 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
79	1120612	STEPHEN E HALSTEAD & GRETCHEN D CAMERON	12007 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
80	1120613	RYAN S MERRITT & RITHMARIE MERRITT	12011 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
81	1120614	ANN T GREESON	12015 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
82	1120615	SUSAN A GONZALES & JOHNR GONZALES	12019 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
83	1120616	NATHAN KOLOVICH & AMY KOLOVICH	12023 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
84	1120617	JUANA M COLON	12027 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
85	1120618	COSTANTINO MARCUCCI & ALESSANDRA ADDATI	12111 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
86	1120619	MICHAEL A II BARNHART	12115 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
87	1120620	KENNETH S TULLER & ALLISON E TULLER	12119 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
88	1120621	BRIAN FREEMAN & BRIAN FREEMAN	12123 ULSTEN LN., HUNTERSVILLE, NC 28078	GR

ADJACENT PROPERTY OWNERS				
PARCEL	PARCEL NO.	OWNER	MAILING ADDRESS	ZONING
89	1120622	SHANNON E ARMSTRONG	12127 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
90	1120623	GUY J LEMKE & DEBRA LEMKE	12131 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
91	1120661	CHANG ZHOU & JACQUELINE ZHOU	11914 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
92	1120660	ANTHONY BELLOFATTO & ALISON BELLOFATTO	11918 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
93	1120659	PATRICK M CASEY & CHRISTINE J CASEY	11922 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
94	1120658	ANGELA BASSO & JOHN BASSO	11926 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
95	1120657	ROBERT MITCHELL ELLINGTON JR & STEPHANIE L ELLINGTON	11930 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
96	1120656	MATTHEW DAVID NUIJENS & MARIA L NUIJENS	12006 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
97	1120655	JEFFREY LEVINE & CHRISTINE LEVINE	12010 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
98	01120654	LAURA R BLABLO & ROBERT M LA SCALA	12014 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
99	1120653	DAVID E ROBERTS & MICHELLE R ROBERTS	12018 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
100	1120652	YOUSSEF FAKHREDDINE & PATRICIA FAKHREDDINE	6910 HART LN., APT 703, AUSTIN, TX 78731	GR
101	1120651	GREGORY C SCHULTZ & CARMEN G SCHULTZ	12026 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
102	01120650	RAQUEL DO AMARAL BOMBONATTI & JEFFREY A CARLINO	12030 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
103	1120649	JAMES D ORMISTON & FRANCES L ORMISTON	12110 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
104	1120648	AVI RAM & MONICA D RAM	12114 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
105	1120647	MEGAN E GLOVER	12118 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
106	1120646	BRIAN HOPPE & BOBBI HOPPE	12122 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
107	1120645	JEREMY SCOTT WEBER & JENNIFER ALLEN	12126 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
108	1120644	LANCE E MURPHY & AMY L MURPHY	12130 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
109	1120643	ROBERT A GOULDER & LORI P GOULDER	12136 ULSTEN LN., HUNTERSVILLE, NC 28078	GR
110	1117645	ZACHARY J NELLAS & KRISTINE G NELLAS	12000 WILLINGDON RD., HUNTERSVILLE, NC 28078	GR
111	1117644	TODD R STROUP	1529 WOOD AVE., ST. SIMONS ISLAND, GA 31522	GR
112	01117643	CHRISTYN STEVENS & DAVID MAUTONE	12008 WILLINGDON RD., HUNTERSVILLE, NC 28078	GR
113	1117642	ILBER GASHI & VIOLLCA GASHI	12012 WILLINGDON RD., HUNTERSVILLE, NC 28078	GR
114	1117641	BOBBIE G MYERS	12016 WILLINGDON RD., HUNTERSVILLE, NC 28078	GR
115	1117640	NICHOLAS G SEMPERT & KIMBERLY A SEMPERT	12020 WILLINGDON RD., HUNTERSVILLE, NC 28078	GR
116	1117639	JAMES POOLE & ERIN POOLE	12022 WILLINGDON RD., HUNTERSVILLE, NC 28078	GR
117	01117638	JAMES V O'NEILL & LINDA S O'NEILL	12026 WILLINGDON RD., HUNTERSVILLE, NC 28078	GR
118	1117901	DERON S SIMMONS	12005 WILLINGDON RD., HUNTERSVILLE, NC 28078	GR
119	1117902	ERIK KIKUT & VICTORIA R KIKUT	12009 WILLINGDON RD., HUNTERSVILLE, NC 28078	GR
120	1117903	THOMAS F CROW & MARY S CROW	12013 WILLINGDON RD., HUNTERSVILLE, NC 28078	GR
121	1117904	DAVID M BOONE & MIKA S BOONE	12017 WILLINGDON RD., HUNTERSVILLE, NC 28078	GR
122	01117905	JAMES W ALEXANDER & AMANDA J ALEXANDER	12021 WILLINGDON RD., HUNTERSVILLE, NC 28078	GR
123	01117906	JOHN WILLIAM DIXON & ROBIN NEELY DIXON	12025 WILLINGDON RD., HUNTERSVILLE, NC 28078	GR
124	1117907	JEFFREY MARCHANT & LUZ ANGELA QUIROZ BARONA	12029 WILLINGDON RD., HUNTERSVILLE, NC 28078	GR
125	1117908	JULIA NICKLES & ELLIOT NICKLES	12101 WILLINGDON RD., HUNTERSVILLE, NC 28078	GR
126	1101117	BRIAN P MOLLOY & TAMBRA MOLLEY	10101 HAGERS RD., HUNTERSVILLE, NC 28078	GR
127	1102115	HUNTERSVILLE HARDWOODS INC	PO BOX 666, HUNTERSVILLE, NC 28078	SP
128	1101201	DONALD R SHEW & VICKI L SHEW	PO BOX 1248, HUNTERSVILLE, NC 28078	GR
129	1119117	TED CLIFTON MULLIS & ROSE JOHNSTON	9900 HAGERS RD., HUNTERSVILLE, NC 28078	GR
130	1101119	BENCHMARK LAND LLC	PO BOX 1248, HUNTERSVILLE, NC 28270	GR
131	1119124	REVOCABLE TRUST THE LAURIE SCHNACKENBERG CAMERON	10016 HAGERS RD., HUNTERSVILLE, NC 28078	GR



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REVIEW PURPOSES ONLY

THIS DRAWING PREPARED AT THE
CHARLOTTE OFFICE
610 E. Morehead Street, Suite 250 | Charlotte, NC 28202
TEL 704.602.8600 FAX 704.376.1076 www.timmons.com
North Carolina License No. C-1652
Project Contact Email Address: chris.todd@timmons.com

M J HOMES
Welcome to Better
M/J HOMES OF CHARLOTTE, LLC
5350 77 CENTER DRIVE, SUITE 100
CHARLOTTE, NC 28217

REVISION DESCRIPTION

REVISED PER TOWN COMMENTS

REVISED PER TOWN COMMENTS

DATE

04/09/2021

04/23/2021

DATE

03/01/2021

DRAWN BY

A. DALE

DESIGNED BY

K. BRADLEY

CHECKED BY

C. TODD

SCALE

AS SHOWN

YOUR VISION ACHIEVED THROUGH OURS.

TIMMONS GROUP
NORTH CAROLINA LICENSE NO. C-1652

SPRING GROVE
HUNTERSVILLE, NORTH CAROLINA

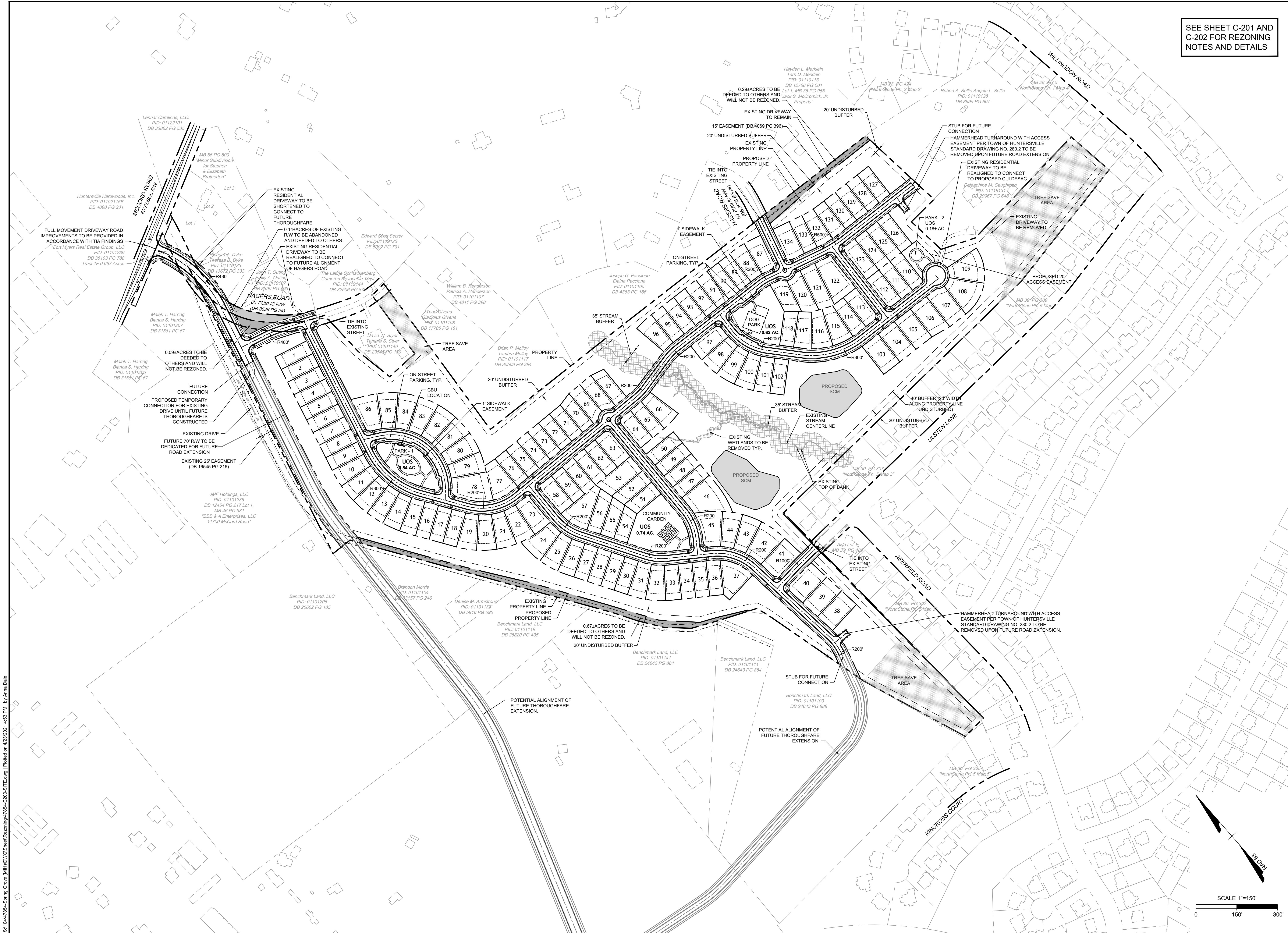
ADJACENT PROPERTY OWNERS INFORMATION

JOB NO.
47854

SHEET NO.
C-103

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S:\10447854-Spring Grove (MHI\DWGS\Sheet\Rezone\147854-C200-SITE.dwg) [Plotted on 4/23/2021 4:53 PM] by Anna Dale



SEE SHEET C-201 AND
C-202 FOR REZONING
NOTES AND DETAILS



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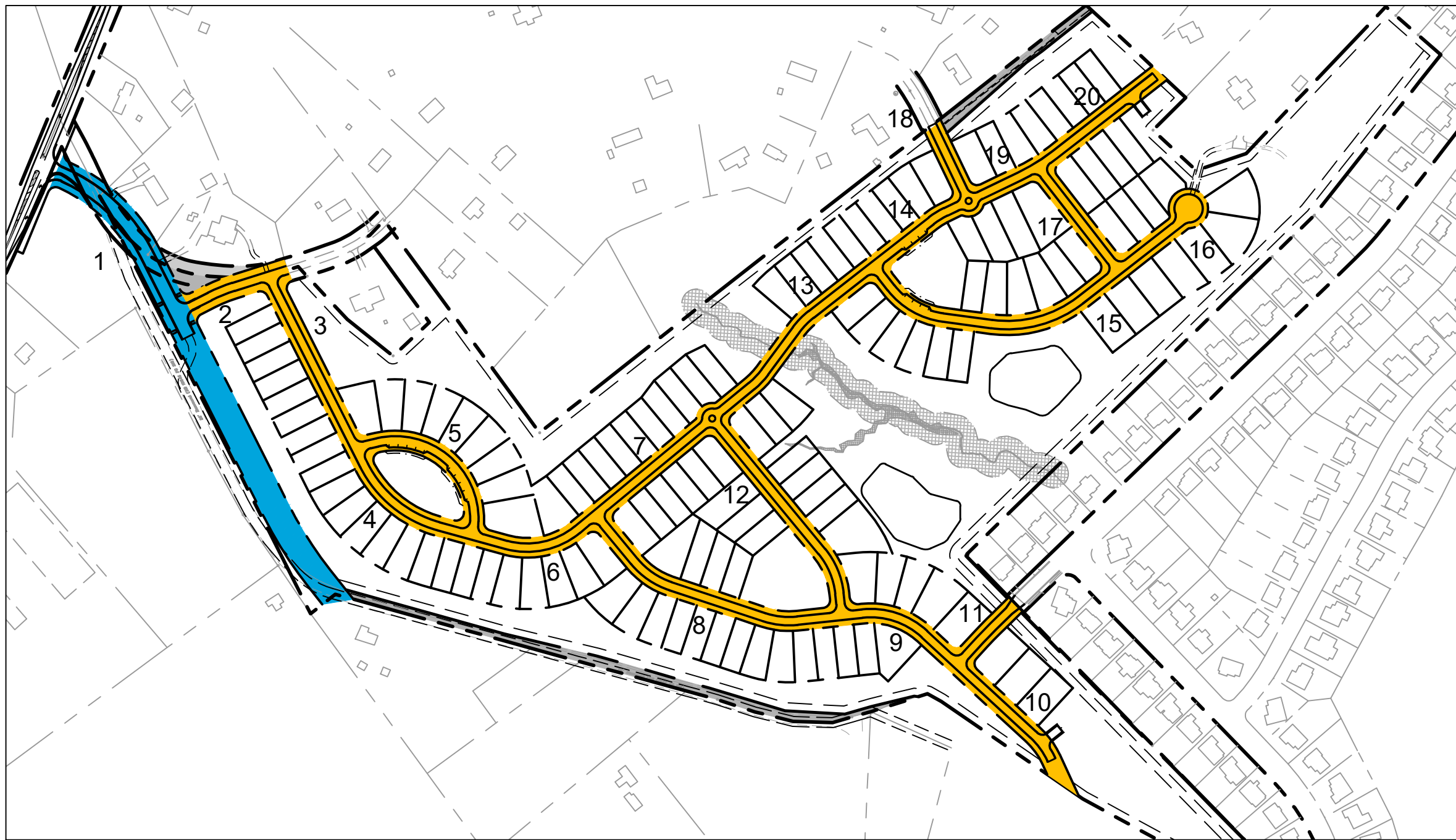
TIMMONS GROUP

SPRING GROVE
HUNTERSVILLE, NORTH CAROLINA
REZONING PLAN

YOUR VISION ACHIEVED THROUGH OURS.	
NORTH CAROLINA LICENSE NO. C-1652	
JOB NO.	47854
SHEET NO.	C-200

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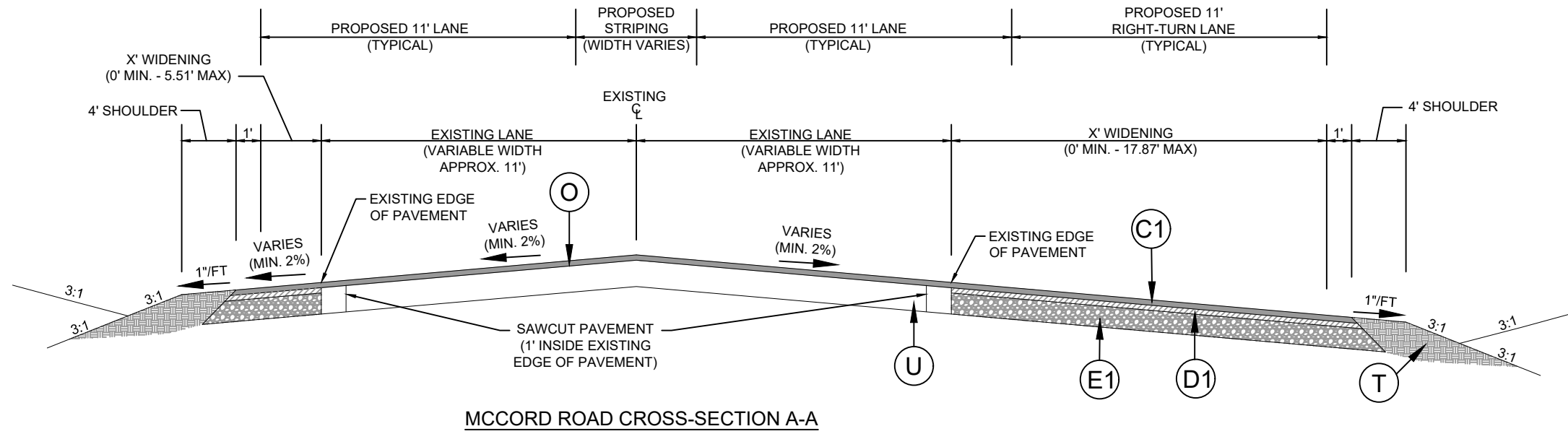
S:\10447854-Spring Grove (M\H\DWG\Sheet\Rezonimg\47854-C200-SITE.dwg) [Plotted on 4/23/2021 4:53 PM] by Anna Dale



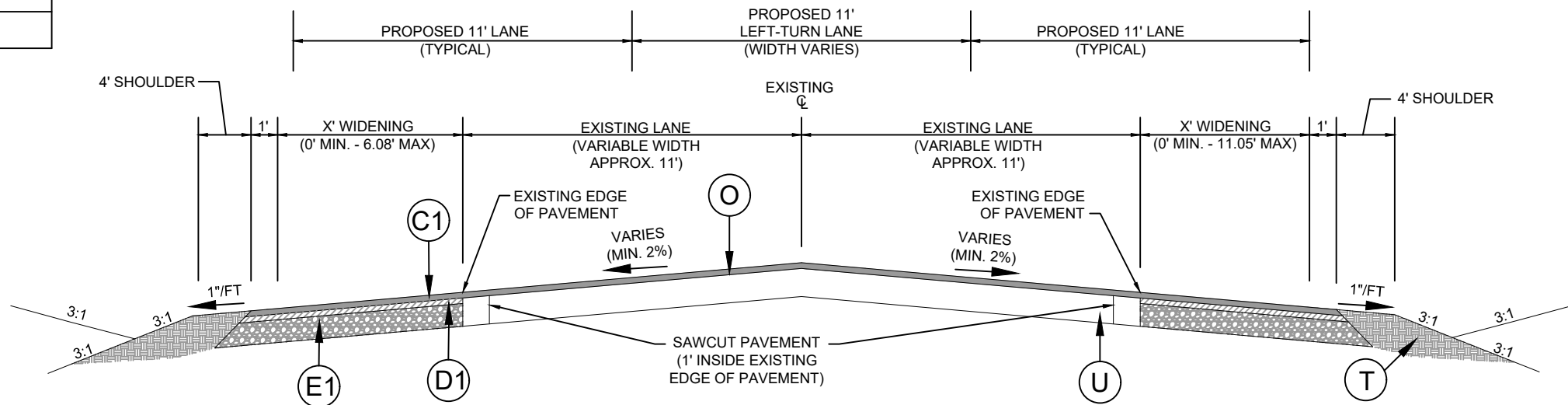
BLOCK LENGTH DIAGRAM
AND STREET TYPE MAP

BLOCK NUMBER	BLOCK LENGTH (FT)
1	594
2	301
3	480
4	594
5	459
6	336
7	382
8	714
9	336
10	351 (FUTURE CONNECTION)
11	228
12	610
13	556
14	292
15	711
16	236
17	333
18	213
19	195
20	375 (FUTURE CONNECTION)

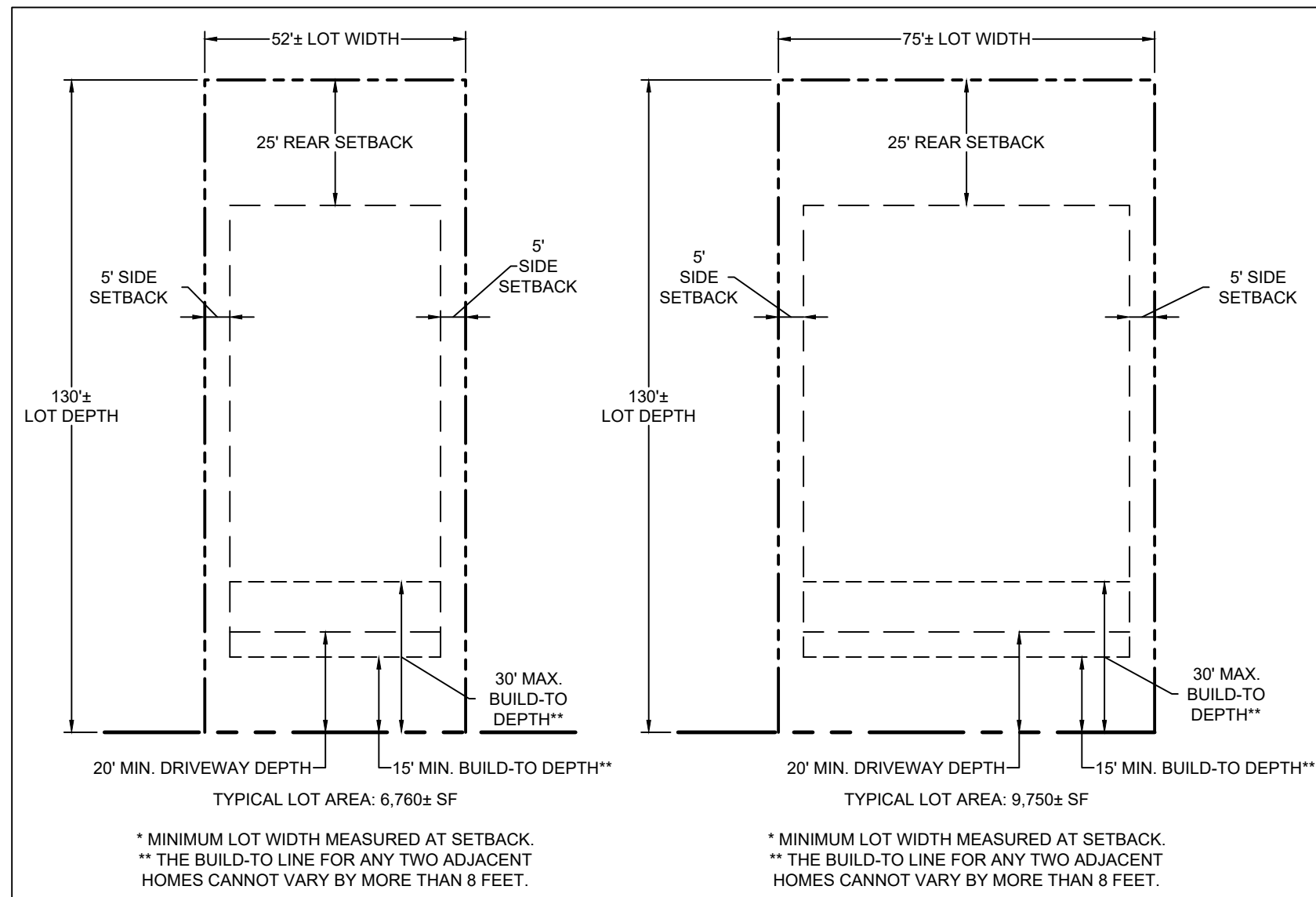
70' RESIDENTIAL THOROUGHFARE
51' LOCAL RESIDENTIAL



MCCORD ROAD CROSS-SECTION A-A



MCCORD ROAD CROSS-SECTION B-B



TYPICAL LOT DIAGRAMS
1" = 20'

GENERAL PROVISIONS

- THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING APPLICATION FOR PROJECT NO. 419726 BY M/HOMES OF CHARLOTTE, LLC (THE "PETITIONER") ON MARCH 1, 2021 (THE "FILING DATE") FOR AN APPROXIMATELY 62.82 ACRE SITE LOCATED NEAR THE INTERSECTION OF MCCORD ROAD AND HAGERS ROAD, IN HUNTERSVILLE, NORTH CAROLINA, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NOS. 01101102, 01101110, 01101114, 01119129, AND 01119132. THE CURRENT ZONING OF THE SITE IS GENERAL RESIDENTIAL (GR) AND NEIGHBORHOOD RESIDENTIAL (CD). THE PURPOSE OF THE REZONING PLAN IS TO CONVERT THE ZONING CLASSIFICATION OF THE ENTIRE SITE TO NR(CD).
- DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE IN PLACE ON THE FILING DATE (THE "ORDINANCE").
- UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH OTHER STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE NEIGHBORHOOD RESIDENTIAL ("NR") ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.
- THE LOTS AND PROPOSED IMPROVEMENTS, INCLUDING LOCATION OF STREETS, DRIVEWAYS, AND COMMON AREAS, SHOWN ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, MAY BE ALTERED, OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES SO LONG AS SUCH MODIFICATION IS COMPATIBLE WITH THE APPROXIMATE LAYOUT AND LOCATION OF LOTS AND IMPROVEMENTS SHOWN ON THE REZONING PLAN. THE EXACT ALIGNMENTS OF THE INTERNAL DRIVES AND INTERNAL PUBLIC STREETS HAVE NOT BEEN DETERMINED AND ARE SUBJECT TO FINAL DESIGN AND ENGINEERING PLANS, AND MINOR MODIFICATIONS OR ALTERATIONS OF THESE ALIGNMENTS MAY TAKE PLACE DURING DESIGN DEVELOPMENT AND CONSTRUCTION PHASES. THE DEVELOPMENT OF THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN MAY BE PHASED. ANY PROPOSED PHASING MUST ALIGN WITH REQUIRED INFRASTRUCTURE AND STORMWATER IMPROVEMENTS; PROVIDED, HOWEVER, EACH PHASE OR SEQUENCE OF IMPROVEMENTS IN THE SITE WILL MEET ALL ORDINANCE REQUIREMENTS, UTILITIES, INFRASTRUCTURE, AND GRADING SHALL BE DELIVERED TO EACH INDIVIDUAL PHASE AS EACH IS DEVELOPED.
- THE PARCELS OF LAND THAT COMPRISE THE SITE MAY BE RECOMBINED OR FURTHER SUBDIVIDED PROVIDED THAT ANY SUCH RECOMBINATION OR SUBDIVISION MEETS THE REQUIREMENTS OF THE ORDINANCE. IN ADDITION, A REDUCTION IN THE NUMBER OF PARCELS MAY OCCUR IN ACCORDANCE WITH THE REGULATIONS OF THE ORDINANCE.
- FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF THE ORDINANCE; PROVIDED, HOWEVER, IN THE EVENT ANY PORTION OF THE SITE IS CONVEYED TO A THIRD PARTY, PETITIONER MAY REQUEST AN AMENDMENT TO THE REZONING PLAN WITHOUT THE WRITTEN CONSENT OF ANY OTHER OWNER OF ALL OR ANY PORTION OF THE SITE UNLESS SUCH AMENDMENT CONSTITUTES A CHANGE IN THE BUILDING OR USE OF THE PORTION OF THE SITE OWNED BY SUCH OWNER. ALL REQUIREMENTS IN CONNECTION WITH THE AMENDMENT WILL BE CALCULATED ON THE SITE AS A WHOLE IN THE SAME MANNER SUCH REQUIREMENTS WERE CALCULATED AT THE TIME OF THE INITIAL APPROVAL.
- THE REZONING PLAN IS A SITE-SPECIFIC DEVELOPMENT PLAN, AND APPROVAL THEREOF CONSTITUTES VESTED RIGHTS IN THE REZONING PLAN, NOTWITHSTANDING ANY OTHER PROVISIONS OF THESE DEVELOPMENT STANDARDS. IF, AT SOME POINT, MODIFICATIONS ARE MADE TO THE TOWN'S ZONING ORDINANCE BY THE TOWN BOARD, PETITIONER MAY VOLUNTARILY AGREE TO APPLY SUCH MODIFICATIONS TO THE REZONING PLAN IN A MANNER CONSISTENT WITH THE ORDINANCE AS IT CHANGES FROM TIME TO TIME, AND WITHOUT PURSUING A REZONING. PROVIDED ORDINANCE MODIFICATIONS DO NOT CONSTITUTE A MAJOR AMENDMENT. SUCH MODIFICATIONS TO THE ORDINANCE SHALL IN NO WAY IMPACT THE PETITIONER'S VESTED RIGHTS.
- APPROVAL OF THE REZONING PLAN SHALL CONSTITUTE ESTABLISHMENT OF VESTED RIGHTS IN THE LANDOWNER (AND ITS SUCCESSORS AND ASSIGNS) FOR A PERIOD OF THREE YEARS PURSUANT TO N.C. GEN. STAT. §160A-385.1.

PERMITTED USES

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

TRANSPORTATION/ACCESS/STREET IMPROVEMENTS

- VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF EACH VEHICULAR ACCESS POINT ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE TOWN OF HUNTERSVILLE AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
- THE ALIGNMENTS OF THE INTERNAL DRIVES AND PARKING AREAS TO BE LOCATED ON THE SITE ARE SUBJECT TO ANY MINOR MODIFICATIONS OR ALTERATIONS REQUIRED DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PERMITTING PROCESSES.
- PETITIONER SHALL INSTALL SIDEWALKS, STREET TREES, PLANTING STRIPS, BICYCLE LANES, OR OTHER STREET IMPROVEMENTS AS SHOWN ON THE REZONING PLAN.

LANDSCAPING/BUFFERS

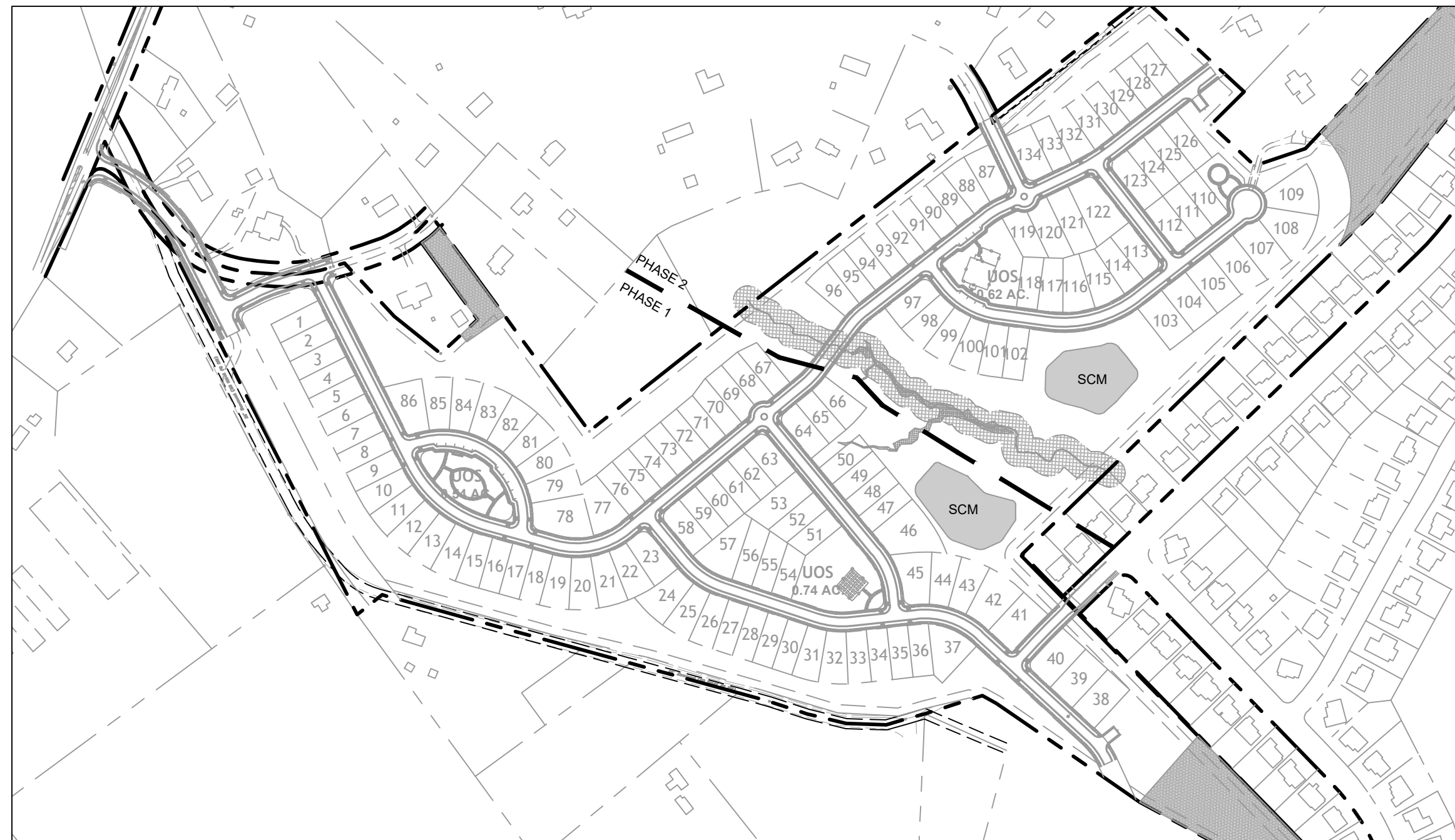
- DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE LANDSCAPING AND SCREENING REQUIREMENTS OF THE ORDINANCE.
- BUFFER YARDS ARE INTENDED TO BE NATURAL, UNDISTURBED WOODED AREAS AND, WHERE POSSIBLE, SHALL COUNT TOWARD THE PROVISION OF OPEN SPACE AND TREE SAVE FOR THE DEVELOPMENT WHERE THE BUFFER IS NOT PLANTED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

BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

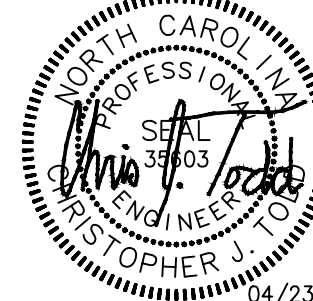
- IF THIS REZONING APPLICATION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
- THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

ZONING CODE SUMMARY:

PARCELS	01101102 01101110 01101114 01119129 01119132	10.81 ACRES 19.96 ACRES 7.01 ACRES 22.97 ACRES 2.47 ACRES	OWNER: JUDY ANN HAGER COLLINS OWNER: MASON & JEANNE LOWRANCE OWNER: ROBERT BRICE LOWRANCE OWNER: FORT MEYERS REAL ESTATE GROUP LLC OWNER: FORT MEYERS REAL ESTATE GROUP LLC
TOTAL:	62.82± ACRES		
TOTAL AREA TO BE DEEDED TO OTHERS:	1.05 ACRES		
TOTAL AREA TO BE REZONED:	61.77 ACRES		
EXISTING ZONING:	GR AND NR(CD)		
PROPOSED ZONING:	NR(CD)		
EXISTING LAND USE:	SINGLE FAMILY RESIDENTIAL		
PROPOSED LAND USE:	SINGLE FAMILY RESIDENTIAL		
BUILDING TYPE:	SINGLE FAMILY DETACHED		
PROPOSED DENSITY:	2.17 DUA		
TOTAL PROPOSED LOTS:	134 LOTS		
52' WIDTH, TYP.	124 LOTS		
75' WIDTH, TYP.	10 LOTS		
TYPICAL LOT SIZE:	52' X 130' (124 LOTS) 75' X 130' (10 LOTS)		
NOTE: LOT WIDTH MEASURED AT GARAGE SETBACK LINE			
FRONT BUILD-TO LINE	MINIMUM: 15' MAXIMUM: 30'		
MINIMUM:			
MAXIMUM:	NOTE: THE BUILD-TO LINE FOR ANY TWO ADJACENT HOMES CANNOT VARY BY MORE THAN 8 FEET.		
REQUIRED SETBACKS			
GARAGE:	20'		
SIDE:	5'		
CORNER:	10'		
REAR:	25'		
REQUIRED BUFFER: 20' UNDISTURBED BUFFER			
PROVIDED OPEN SPACE:	21.78± ACRES (35%)		
URBAN OPEN SPACE:	2.08± ACRES (3.4%)		
COMMON OPEN SPACE:	19.55± ACRES (31.65%)		
SOILS:	CeB2, CeD2, PaE		
WATERSHED:	CLARKE		
IMPERVIOUS AREA INSIDE LOTS: 673,515 SF (15.5 AC.)			
BUILDING / FUTURE IMPROVEMENTS*: 620,315 SF (14.2 AC.)			
DRIVEWAYS: 53,200 SF (1.2 AC.)			
*1.00% OF LOT AREA (BUT NOT LESS THAN 150 SF PER LOT) RESERVED FOR ADDITIONS OF FUTURE IMPERVIOUS AREA.			
IMPERVIOUS AREA INSIDE RIGHT-OF-WAY: 423,194 SF (9.72 AC.)			
TOTAL SITE IMPERVIOUS AREA: 1,096,709 SF (25.18 AC.)			
NOTE: BREAKDOWN OF IMPERVIOUS AREA TO BE ALLOCATED FOR EACH LOT TO BE PROVIDED WITH CALCULATIONS AND ON CONSTRUCTION PLAN SET.			



SITE PHASING MAP



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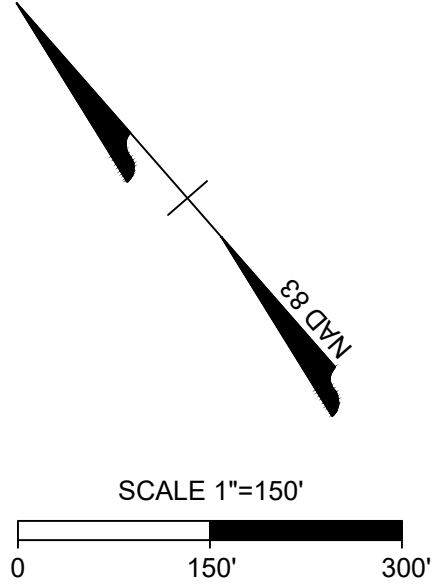
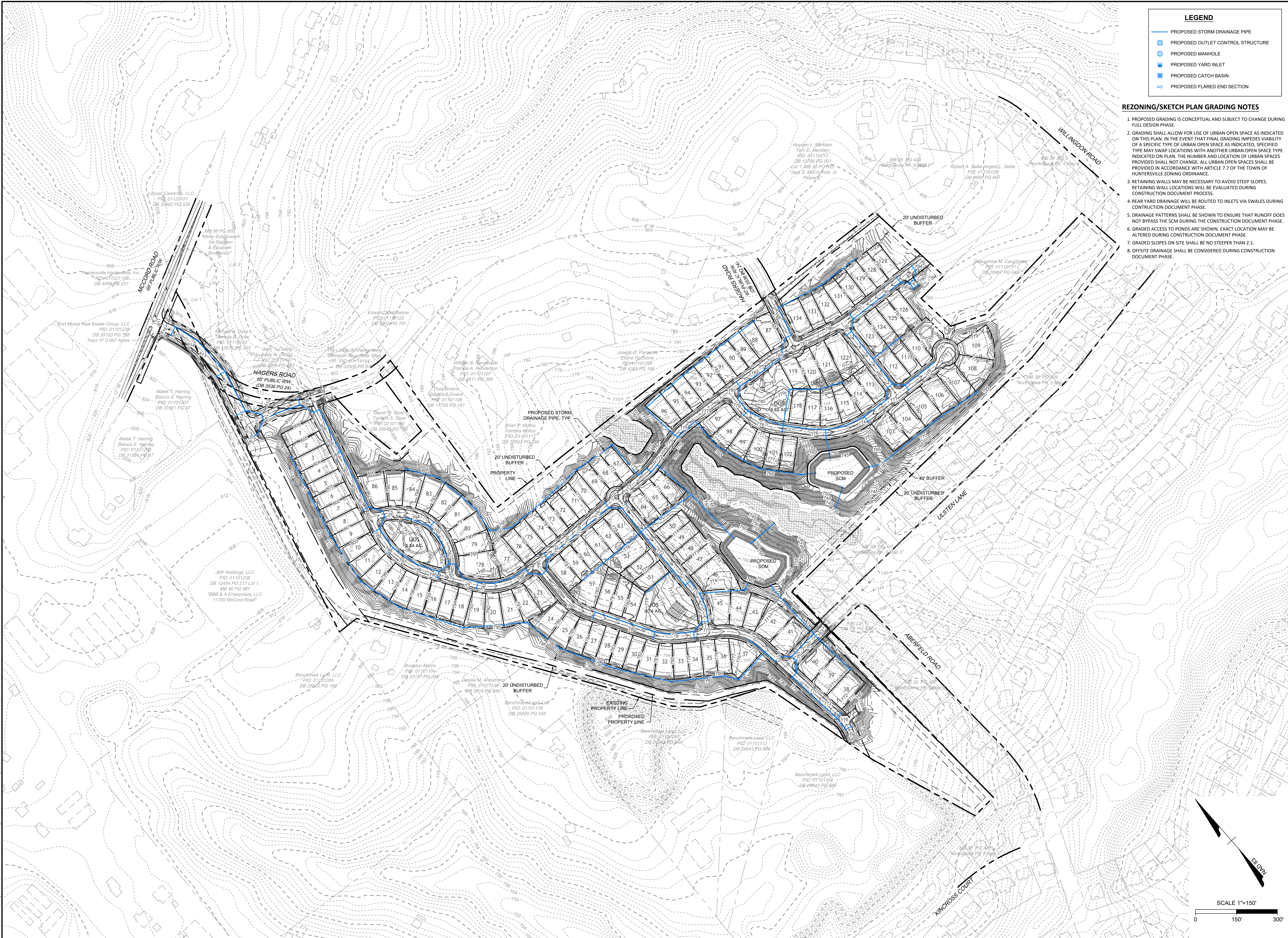
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TIMMONS GROUP
NORTH CAROLINA LICENSE NO. C-1652
SPRING GROVE
HUNTERSVILLE, NORTH CAROLINA
SITE NOTES AND DETAILS

JOB NO.
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SHEET NO.
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S:\104\47854-Spring Grove (MIH)\DWG\Sheet\Rezoning\47854-C200-SITE.dwg | Plotted on 4/23/2021 4:54 PM | by Anna Dale

S:\1047854-Spring Grove (MHI\DWG\Sheet\Re zoning\47854-C400-GRAD.dwg | Plotted on 4/23/2021 1:54 PM | by Anna Dale



LEGEND

PROPOSED STORM DRAINAGE PIPE

PROPOSED OUTLET CONTROL STRUCTURE

PROPOSED MANHOLE

PROPOSED YARD INLET

PROPOSED CATCH BASIN

PROPOSED FLARED END SECTION

- REZONING/SKETCH PLAN GRADING NOTES
1. PROPOSED GRADING IS CONCEPTUAL AND SUBJECT TO CHANGE DURING FULL DESIGN PHASE.

2. GRADING SHALL ALLOW FOR USE OF URBAN OPEN SPACE AS INDICATED ON THIS PLAN. IN THE EVENT THAT FINAL GRADING IMPEDES VIABILITY OF A SPECIFIC TYPE OF URBAN OPEN SPACE AS INDICATED, SPECIFIED TYPE MAY SWAP LOCATIONS WITH ANOTHER URBAN OPEN SPACE TYPE INDICATED ON PLAN. THE NUMBER AND LOCATION OF URBAN SPACES PROVIDED SHALL NOT CHANGE. ALL URBAN OPEN SPACES SHALL BE PROVIDED IN ACCORDANCE WITH ARTICLE 7.7 OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE.

3. RETAINING WALLS MAY BE NECESSARY TO AVOID STEEP SLOPES. RETAINING WALL LOCATIONS WILL BE EVALUATED DURING CONSTRUCTION DOCUMENT PROCESS.

4. REAR YARD DRAINAGE WILL BE ROUTED TO INLETS VIA SWALES DURING CONSTRUCTION DOCUMENT PHASE.

5. DRAINAGE PATTERNS SHALL BE SHOWN TO ENSURE THAT RUNOFF DOES NOT BYPASS THE SCM DURING THE CONSTRUCTION DOCUMENT PHASE.

6. GRADED ACCESS TO PONDS ARE SHOWN. EXACT LOCATION MAY BE ALTERED DURING CONSTRUCTION DOCUMENT PHASE.

7. GRADED SLOPES ON SITE SHALL BE NO STEEPER THAN 2:1.

8. OFFSITE DRAINAGE SHALL BE CONSIDERED DURING CONSTRUCTION DOCUMENT PHASE.

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TIMMONS GROUP

YOUR VISION ACHIEVED THROUGH OURS.

SPRING GROVE

HUNTERSVILLE, NORTH CAROLINA

CONCEPTUAL GRADING AND DRAINAGE PLAN

DATE

04/09/2021

REVISED PER TOWN COMMENTS

04/23/2021

DATE

03/01/2021

DRAWN BY

A. DALE

DESIGNED BY

K. BRADLEY

CHECKED BY

C. TODD

SCALE

AS SHOWN

JOB NO.

47854

SHEET NO.

C-300

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Spring Grove Subdivision – Neighborhood Meeting Summary

The neighborhood meeting for the Cook Farm Subdivision project was held virtually, through Zoom, on May 19th at 6:00 p.m. Chad Lloyd, Cody Simoneaux, Jeremy Horton, and Morgan Rushnell were in attendance representing M/I Homes. Chris Todd and Katie Bradley, with Timmons Group, were also in attendance. Nick Burns, the traffic engineer with Impact Designs, and Cindy Reid, with Irvin Law Group, attended as well. David Peete was present, representing the Town of Huntersville.

The meeting began at 6:00pm and the presentation did not start until 6:05 to allow time for participants to enter the virtual setting. Katie Bradley opened the meeting by greeting the attendees and discussed the format of the presentation and question/answer session. Katie then turned the meeting over to Chad Lloyd with M/I Homes to review who M/I homes is and their development region. Katie presented the site location, the 2040 Community Plan, the typical lots, and the current site plan. Nick Burns spoke about the proposed improvements to the intersection at McCord road and the traffic impacts of the development. Chad reviewed the proposed home elevations and provided contact information. Katie then reviewed the anticipated timeline for town action, closed the meeting, and opened the question/answer session. Chad Lloyd, Nick Burns, and David Peete joined Katie in answering questions.

Questions/Responses

Residents inquired about the project schedule and which area would be built first?

The development team indicated that construction for the proposed development is planned to begin in 2022. Phase 1 is expected to be completed in 2023 and phase 2 is expected to be complete in 2024. The first phase will include the area to the west of the existing stream.

A few residents expressed concern over the connections to the existing Hagers Road and Ulsten Lane. The residents are concerned that these connections will increase cut-through traffic. One resident asked if it would be possible to remove the connection to the end of the existing Hagers Road so it can remain a dead end.

The development team indicated that the road connections are required by the Town of Huntersville and cannot be removed. The future thoroughfare plan provides thoroughfare connections from McCord Road and Stumptown Road, creating opportunities for traffic to be redirected once that connection is made.

Residents asked if the TIA would include impacts to the existing portion of Hagers Road, Ulsten Road and Aberfeld Lane?

The development team indicated that the TIA analyzes the expected traffic from the proposed development and how it will affect existing streets in the area.

Multiple residents asked if there would be any improvements made to the existing Hagers Road?

The development team indicated that, at this time, there are not any proposed improvements to the existing Hagers Road. The proposed streets will tie into the existing pavement.

Residents asked if a traffic circle was being considered for the intersection of the future thoroughfare and McCord Road.

The development team indicated that a roundabout is not likely to be warranted at the intersection of the future thoroughfare and McCord Road by the TIA.

There is a development going in across McCord Road. Residents asked if the traffic that will be generated from that development taken into consideration when conducting the TIA for the Spring Grove Subdivision.

The development team indicated that there are multiple projects in the Huntersville area, including the development across the street, included in the traffic analysis.

One resident asked if any improvements would be made to the railroad crossing on McCord Road?

The development team indicated that there are no planned improvements to the railroad crossing on McCord Road at this time. However, this could change as our traffic engineer moves through the TIA. Additionally, the development across the street is already required to add a right turn lane on McCord Road heading NB onto NC 115.

Residents asked if speed bumps would be added to the existing Hagers Road or within the proposed development.

The development team indicated that speed bumps are not currently planned to be added to the existing Hagers Road or within the proposed development. Traffic-mini circles are currently shown in two locations within the proposed development.

Residents asked if the fact that many people are still working from home considered when collecting traffic counts for the TIA.

The development team indicated that the traffic counts were conducted while school was in session and are confident that this accurately reflects the traffic, even while people may still be working from home. The team pointed out that the reduction in traffic due to remote working is likely offset by the parents who are driving their children to school instead of allowing them to take the bus due to the pandemic. The Town of Huntersville also has a bevy of historical data that the recent counts will be compared to for accuracy.

Residents asked when the TIA would be completed and if it will be available on the Town of Huntersville website.

A draft of the TIA will be submitted to the town one month prior to the public hearing. It will be available on the town website for review.

Some residents expressed concern that taxpayer money would be used to fund the road improvements and wondered who would be responsible for paying for the road improvements?

The development team stated that the developer would be responsible for the cost of the road improvements.

Residents asked if the new road connecting to McCord Road still be named Hagers Road?

The development team indicated that the road connecting to McCord Road would likely not be named Hager's Road since it is part of a future thoroughfare extension shown in the comprehensive transportation plan. The existing Hagers road will be realigned to tee into the new proposed road.

Residents wondered why there were different buffer widths along different sides of the property and if there could be a larger buffer along the residents of Hagers Road.

The development team indicated that the Town of Huntersville required a minimum 20' buffer around the entire perimeter of the site. The development team indicated that the current site plan provides separation between the existing property line and the proposed lot lines in excess of the required 20' buffer.

Some residents asked about the DUA of the area around Hagers Road and how it related to the proposed development and surrounding area?

The development team indicated that the density of the area along the existing Hagers Road was between 0.5 and 0.75 dwelling units per acre (DUA). Many subdivisions developments in the area have a DUA between 1.5 DUA and 3.0 DUA. The proposed development is located in an area designated as Town Core in the Town of Huntersville 2040 Community Plan which calls for denser residential housing types, including single family homes, townhomes, and apartments. The proposed Spring Grove Subdivision only proposed single family homes and has a proposed density of 2.22.

Residents asked if there will there be parking on the side of the streets in the proposed development?

The development team indicated that there will be on street parking spaces along portions of the urban open space areas.

One resident asked if majority of the proposed lots be 52 feet wide or 75 feet wide?

The development team indicated that a majority of the lots will be 52 feet wide.

One resident asked if there would be any single-story floor plans?

The development team indicated that they are not planning to provide any single story floor plans at this time.

One resident asked if a future buyer could fit a pool in the backyard of the lots?

The development team indicated that this would depend on the grading within each lot so some lots may be able to accommodate a pool, while others will be more restricted.

Residents were curious about the proposed price point of these homes?

The development team indicated that prices will reflect market conditions at the time of sale and they anticipate that these homes will be prices in the mid to upper \$300 thousands to \$400 thousands.

One resident asked if a playground would be provided in any of the urban open spaces?

The development team indicated that they have not committed to building a playground at this time and will look into the feasibility of building a playground within on of the urban open space areas.

Some residents expressed concern over potential flooding due to this development, especially since the existing stream on site is conveyed through the Northstone development.

The development team indicated that the development is required to control runoff to meet predevelopment conditions for specific storm events as required by the Town ordinance. There are proposed dry detention ponds on site that will collect water during a storm event and release it slowly over a specific period in order to reduce the risk of flooding for downstream neighbors.

One Resident asked who would be responsible for maintaining the drainage ponds.

The development team indicated that ponds would be maintained by the developer and contractor during construction and the Spring Grove neighborhood HOA would be responsible for maintenance after construction is complete.

Residents were curious about what safety barriers would be put in place around proposed ponds to prevent drowning of children.

The development team indicated that the Town of Huntersville ordinance does not allow for wet ponds and that any water that builds up in the detention ponds is required to drain during a specified time period after a storm event. All on site stormwater facilities will be designed to meet requirements in the Town of Huntersville Ordinance.

Some residents questioned the purpose of the elevation change around the perimeter of the development. They wondered if it was needed to provide screening from neighboring properties and if it would be planted?

The development team explained that the reason for elevation change around the perimeter of the site is done to balance the earthwork. The site is graded in order to minimize the amount of dirt that needs to be moved on site, while still complying with regulations. There are minimum and maximum road slope requirements which limit the elevation change within the site. Any elevation change seen around the perimeter of the site is primarily a result of the internal grading of the site. In some cases, it also serves as a screening mechanism from adjacent properties and buffer vegetation may be planted around the perimeter of the site.

One resident asked if the current ordinance for NR requires a 1/2-mile walking distance to a town center.

The development team indicated that the requirement for a development to be located within ½ mile walking distance of a town center district only applies to particular uses within the NR zoning district. The proposed use (single family detached homes) is not required to be within ½ mile walking distance from a town center.

One resident inquired about how soil supply would access their driveway during construction.

The development team indicated that a phasing plan would be provided during the construction document phase and care would be taken to ensure that all property owners will have access to their properties throughout construction.

Town of Huntersville: Spring Grove Subdivision

IMPACT OF THE PROPOSED DEVELOPMENT

Proposed Housing Units: 134 single family detached dwellings under zoning NR (CD).

CMS Planning Area: North

Average Student Yield per Unit: 0.5118

This development may add 69 students to the schools in this area.

The following data is as of 20th Day of the 2020-21 school year.

<i>Schools Affected</i>	<i>Total Classroom Teachers</i>	<i>Building Classrooms/ Teacher Stations</i>	<i>20th Day, Enrollment (non-ec)</i>	<i>Building Classroom/ Adjusted Capacity (Without Mobiles)</i>	<i>20th Day, Building Utilization (Without Mobiles)</i>	<i>Additional Students As a result of this development</i>	<i>Utilization As of result of this development (Without Mobiles)</i>
HUNTERSVILLE ELEMENTARY	47	37	734	578	127%	27	132%
BAILEY MIDDLE	76.6	57	1454	1081	134%	17	136%
WILLIAM A HOUGH HIGH	118.5	100	2485	2097	119%	25	120%

The total estimated capital cost of providing the additional school capacity for this new development is \$2,647,000; calculated as follows:

Elementary School: **27**x \$34,000 = \$918,000

Middle School: **17**x \$37,000 = \$629,000

High School: **25**x \$44,000 = \$1,100,000

RECOMMENDATION

Adequacy of existing school capacity is a significant problem. We are particularly concerned about a case where school utilization exceeds 100% since the proposed development may exacerbate the situation. Approval of this petition may increase overcrowding and/or reliance upon mobile classrooms at the schools listed above.

We purchased our home from the original owners Harold and Carolyn McGuire, at the end of last year. They have built a legacy of 40+ years in this beautiful neighborhood, and we hope to build the same beautiful memories with our own family.

With that being said, the news of the proposed development was not surprising to us. Hagers Road is a beautiful preservation of Huntersville. We purchased this home because we wanted to live among the liveliness of Huntersville but be able to step out into the quiet calm of this beautiful neighborhood. We are reasonable people who understand that Huntersville is growing. Development happens. However, changing the zoning and street is incredibly unfair and disregarding to the current residents of Hagers Road. We purchased on this street because of it "being the road less traveled." We did not want to be in the bustle and traffic of newly developed areas. We did not choose a new housing development neighborhood for a reason.

Our concerns:

- Changing the zoning not to include a 60 feet tree buffer
- Making our street a thru street rather than a dead-end street

As we said, we are reasonable people. However, making the changes listed above disregards current residents for unknown future residents. We have no relation to Northstone, nor did we want to be a part of Northstone. If we wanted that, we could have easily purchased in that neighborhood. Creating a thru street, putting their neighborhood closer to ours, encroaches on Hagers Road and its preservation. Develop and grow Huntersville, but do not dismiss the residents already here and have made financial investments into a residential community. Just like we preserve other historical areas, let's be purposeful to preserve the history of Hagers Road.

Sincerely,

Brian and Tandra Molloy
10101 Hagers Road
Huntersville, NC 28078
tambrade@yahoo.com

Hi Chad,

We would like to go on record as officially requesting the buffer we discussed on our call on March 2nd between your Spring Grove Development and our property located at 10225 Hagers Road. In the preliminary design drawings submitted to the Town Planning Department on March 1st, it appears you assumed our property line was the tree line (see sheet 101) because you were initially unable to find the corner stake on the west side of our property. Since we have been maintaining approximately 20 feet of the Hager-Collins property to the tree line, your preliminary design assumed a 40 ft buffer from our actual property line. If you will provide that additional 20 ft undisturbed buffer into the trees, this will provide a much-needed screen between your development and our property, especially during construction. We believe this request will not negatively affect your final design and is very important to us as we are apparently the most impacted property on Hagers Road.

We feel this is a reasonable request and wanted to provide this information to you well in advance of the final design. We look forward to your positive response on this matter.

Sincerely,

Tami and Dave Styer

Ask A Planner

First Name	Kendra
Last Name	Brotze
Address	9928 Hagers Road
City	Huntersville
State	NC
Zip Code	28078
Phone Number	704-488-0039
Email Address	skbrotze@adelphia.net

Enter your Planning/Zoning question or comment below.	In regards to the proposed Spring Grove subdivision, I am concerned by the destruction of the tree canopy. Many of the existing trees that they have marked to be removed in their proposal are very very large, old heritage trees that are beautiful and very healthy. 18 inch crepe myrtles, several oaks (including two willow oaks: one 46 inches and the other 40 inches that the developer DID NOT LIST in the existing tree list but is marked for removal on the plans) Just seeing the information on paper does not do these trees justice. You need to see them to appreciate how old and beautiful they are not to mention they are homes to several large hawks and owls. I would hope the town would adhere to the ordinances and require the builder to design around the biggest of the heritage trees as opposed to allowing the current proposal of clearing all of them, leaving a few (not even the oldest/biggest) around the property border.
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**Town of Huntersville
Town Board
July 27, 2021**

To: Town Board

From: David Peete, Principal Planner

Date: July 27, 2021

Subject: Petition #R21-03 - Billings Property

EXPLAIN REQUEST:

Consider Recommendation on Petition #R21-03 Billings Property, a request by Skybrook West LLC to rezone +/- 21.04-acres north of Eastfield Road, just west of the Cabarrus County boundary, from Rural to Neighborhood Residential - Conditional District for a 47-lot subdivision; (Meck. Co. PIN 02111116 & Cabarrus Co. PIN 46703589660000). *(David Peete)*

ACTION RECOMMENDED:

Consider Recommendation

FINANCIAL IMPLICATIONS:

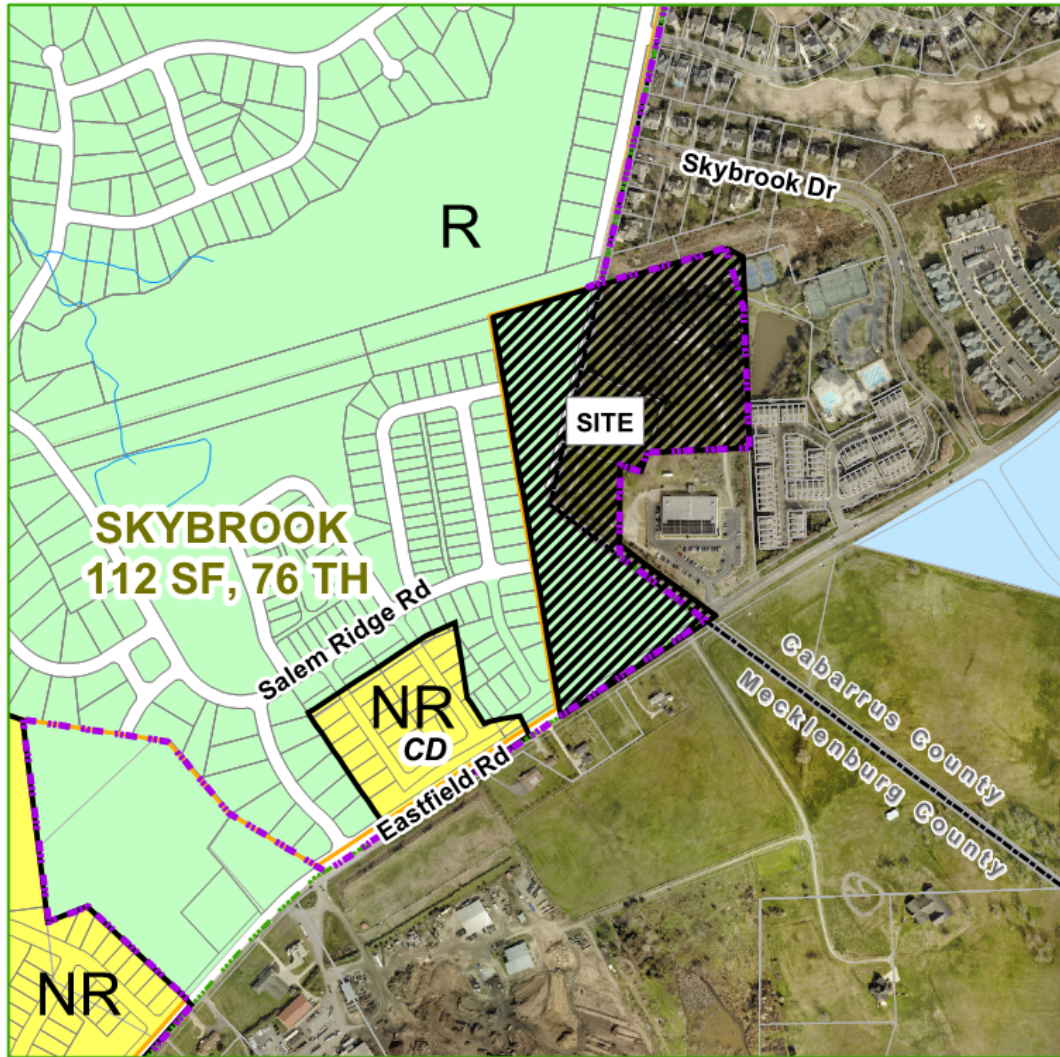
n/a

ATTACHMENTS:

1. R21-03 Planning Board Staff Report Update 7-27-21
2. Attachment A - Rezoning Application (Skybrook - Billings Property)
3. Attachment B - Proposed Rezoning Plan (Skybrook - Billings Property)
4. Attachment C - Neighborhood Meeting - 7-2-21 (Skybrook - Billings Property)
5. Attachment D - CMS Report - (Skybrook - Billings Property)

Petition R21-03
Skybrook – Billings Property Conditional District Rezoning

PART 1: PROJECT SUMMARY



Applicant: Skybrook West, LLC

Property Owner: Myra's Dream, LLC (see Attachment A).

Property Address: 17705 Davidson-Concord Road

Project Size: (+/-) 21.04-acres

Parcel Numbers:

Meck Co. 02111116 &
Cabarrus Co.
46703589660000

Current Zoning: Rural (R).

Current Land Use: vacant / one (1) cell tower.

Proposed Zoning:
Neighborhood Residential — Conditional District (NR-CD).

Proposed Land Use:
47 Single-family lots.

1. Purpose: Petition to rezone 21.04-acres generally located at 14647 Eastfield Road – at the Cabarrus County boundary - from the Rural (R) Zoning District to Neighborhood Residential – Conditional District (NR-CD) to create a 47-lot single-family subdivision (see Attachments B). If the CD Rezoning Plan is approved, a corresponding Subdivision Sketch Plan will be reviewed by staff for compliance.
2. Adjoining Zoning and Land Uses.
 - North: Town of Huntersville: Rural (R) & Cabarrus County: Medium Density Residential (MDR) – one single-family subdivision (Skybrook).
 - South: City of Charlotte: Residential (R-3) – Eastfield Road, single-family homes & vacant land.
 - East: Cabarrus County: Medium Density Residential (MDR) – Townhomes & aquatic center (NOMAD Aquatics & Fitness Center).
 - West: Town of Huntersville: Rural (R) – Single-family subdivision (Skybrook – Phase 10).

3. One (1) neighborhood meeting was held on July 1, 2021. A report of the meeting is available in Attachment C.
4. Notice of this CD-Rezoning request was provided via postcards sent to all property owners within 250 ft. of the project; a legal ad placed in the Charlotte Observer; and posting of public hearing signs on the property in four (4) locations (Eastfield Rd., Skyscape Dr., Salem Ridge Rd. & Sky Vista Dr.).

PART 2: REZONING/SITE PLAN ISSUES

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

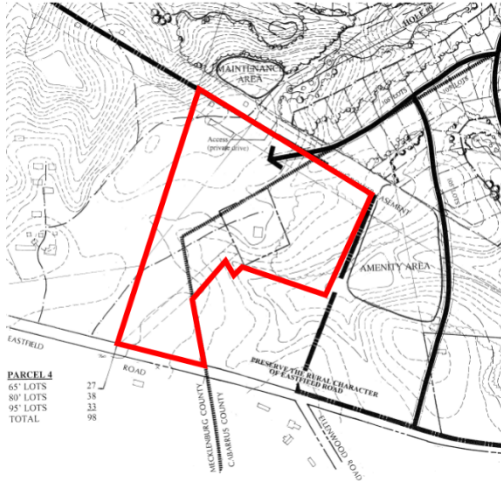
- Proposed Uses: 47 Single-Family Homes.
- Urban Open Space is provided via one (1) 4,000 +/- sf community garden.
- Additional right-of-way to be dedicated along Eastfield Road, as required by NCDOT and CDOT (City of Charlotte). New public streets (and all required right-of-way) are proposed: Skyscape Road, Salem Ridge Drive and Sky Vista Drive are to be extended to the east; and a new street will be added. (see Part 3 for details).
- Minimum Tree Preservation for Specimen Trees in the NR zoning district is 10%. The proposed CD Rezoning Plan indicates 10% of existing specimen trees are to be saved, however tree save data is not provided and the location of tree save is not clear. The vast majority of the site is cleared and does not have trees.
- If the Rezoning Plan is approved, Staff, at the construction document phase, will review the plans for compliance with the Water Quality Ordinance, Erosion Control Ordinance and Stream Buffer Requirements, as found in the Zoning Ordinance.
- The subdivision is to be developed as one (1) phase.

The Conditional District Rezoning Plan has several issues that must be addressed:

- The new north/south public street or the extension of Skyscape Drive must connect to Eastfield Road.
STAFF COMMENT: The connection is required by the Fire Marshal, as well as supported by the Town's connectivity policy. The updated rezoning plan submitted at the Public Hearing DOES have a street connection with Eastfield Road.
- Tree preservation data is not clear. The Existing Features Plan (Sheet L-103) does not show compliance for tree save or specimen tree-save.
STAFF COMMENT: A tree survey is required, as well as a tree save analysis.
- The Urban Open Space appears to be located over ¼ mile from several of the lots in the development.
STAFF COMMENT: All lots must be located within ¼ mile (using public streets) of an Urban Open Space, as defined in Article 7.7. Further, this subdivision abuts the Skybrook Swim & Racquet Club property and a trail from this development to the Skybrook amenity center is recommended.
- A connection of Road 1 to Linksland Drive should be considered. If a connection is not made, a paved turn-around for Linksland Drive is recommended.
STAFF COMMENT: A connection of Road 1 to Linksland Drive was initially recommended by staff which is consistent with the original layout for Skybrook that identified a future connection for Linksland Drive to the south (see below left). Connectivity is a key component of all development in Huntersville and is

critical to providing multiple access points for residents, services and public safety. Policy T-3 of the Huntersville 2040 Community Plan also supports connectivity between developments – especially, within the same development. However, given the proposed **new** plan with Road 1 connecting to Eastfield Road, a connection with Linksland Drive would promote through traffic in violation of 6.200.7 of the Subdivision Ordinance. As can be seen in the photos below right, Linksland Drive serves 7 homes and was ended without a proper turn-around in anticipation of a future connection. If a connection is not made, a code compliant paved turn-around is recommended.

[Wallace Property (Skybrook) Master Plan – 1998]



- Cell tower on site required to have 200 ft. minimum setback from new proposed lots.
STAFF COMMENT: Art. 9.9.10 requires a 200 ft. setback for towers. However, as this tower was constructed in Cabarrus County, and their setbacks are respected and certified engineering documentation that the tower is designed to collapse and does not require a fall-zone equivalent to its height, an Ordinance modification request may be appropriate.
- Lot 31 (Sheet L-101) cannot provide required building placement to the street.
STAFF COMMENT: This lot will need to be re-designed to create required relationship to the public street.
- **RECOMMENDATION:** A trail connection to the north should be provided to connect to either the informal trail within the power line easement or to Linksland Drive (or both).
- **RECOMMENDATION:** Sidewalk running through the berm along Eastfield Road should meander (similar to the existing section to the west) to provide visibility from both Eastfield Road and Skyscape Drive.

PART 3: TRANSPORTATION ISSUES

Traffic Impact Analysis (TIA)

A TIA Determination of Need was completed for the proposed Conditional District Rezoning and based on the land uses and intensities proposed, a TIA was NOT required.

PART 5: 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”.

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

- **Policy LU-11: Protect Exiting 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.**

Comment: The external buffers surrounding the Skybrook – Billings Property subdivision are the Ordinance-minimum 20 ft. in width to create transition from the adjoining Skybrook _ Phase 10, but as this development is seen as an extension of that existing subdivision, no additional buffers are necessary. Ideally, Skybrook – Phase 10 and the proposed Skybrook – Billings Property will appear to be one development.

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

Comment: Where Skybrook – Billings Property connects into Skybrook – Phase 10 at Skyscape Drive, Salem Ridge Road and Sky Vista Drive, the lot patterns are very similar. Rear lots abut rear lots, and transitions are made to accommodate street extensions.

- **Policy T-3: Improve connectivity throughout the study area.**
 - **T 3.1: Continue to enhance street connectivity by requiring connections among different uses.**
 - Continue to require street connectivity among residential, commercial, employment, recreational and institutional uses.
 - Street connectivity should be emphasized during the review of all development proposals for consistency with the proposed street map and the Zoning Ordinance.
 - Context-sensitive street design should be applied.

Comment: The three (3) existing stub streets located along the western border of the subdivision are all proposed to be extended. In addition, a full street connection must be made to Eastfield Road for primary access. And it is recommended that a connection to Linksland Drive to the north be considered.

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

- The Future Land Use Map, located on page 53, identifies this area as “Rural Conservation”, which is defined in the Plan as areas to “to preserve rural character. They balance open space conservation and some residential development. Development form is farms and associated structures, Farmhouse Clusters and low-density Conservation Subdivisions (if access to utilities exists). New development has a 0.9 unit/acre maximum and typically 45% open space is required.” While the 2040 Plan calls for Rural development, it should also be acknowledged that the adjacent Skybrook – Phase 10 was designed to expand into this property and continue its lot pattern. Skybrook – Phase 10 was developed under the Town’s former OPS Zoning District, which no longer exists, but was viewed as appropriate for this area and this would be a logical extension of the existing development.
- **Policy LU-3: Manage residential growth in the eastern and western parts of Huntersville’s planning jurisdiction.**
 - **Policy LU-3.1: Discourage rezonings to higher intensity residential districts in the Residential Edge and Rural Conservation future land use character areas.**

Comment: While the Skybrook – Billings Property Subdivision is located within the Rural Conservation area, it’s alignment with the existing Skybrook – Phase 10 and the support from the more detailed Eastfield Road Small Area Plan (see below) makes this development’s proposed density of 2.23-units/acre appropriate to consider in this location. The proposed density would be the highest in the immediate area, as the adjacent Skybrook – Phase 10 development has a density of 1.65 units/acre. Skybrook overall, has a density of 1.32 (which is greatly impacted by the golf course open space) and the recently approved Eastfield Farm subdivision has a density of 2.0 units/acre.
- **Policy LU-5: Focus more intense development in locations that can support growth.**
 - **LU 5.1: Allow more intense development only where transportation infrastructure and utilities already exist.**

Comment: All required utilities for subdivision development exist in this area and with proposed and recommended street connections providing adequate connectivity, higher-intensity development can be supported.
- **Policy LU-7: Require new development to follow design principles that reinforce the vision for the Town as expressed in this plan and other adopted plans.**
 - **LU 7.1: Require all new development to adhere to the following design principles:**

- In lower intensity areas (including MD, RE, RC & CW) preservation of rural character and natural resources are prioritized.

Comment: While the property is located in the Rural Conservation area, the context of the properties location between the adjacent Skybrook-Phase 10 subdivision and a medium-density townhome development and an aquatics center (both in Cabarrus County), this develop is seen as completing a development that started back in 2008. In addition, as there is no “rural character” to preserve, save for the cleared-land, the extension of the same subdivision pattern as Skybrook – Phase 10 is seen as appropriate. All proposed homes will front on public streets. All proposed streets connect to existing public streets and all blocks are under 800 feet in length. Connectivity is provided via three (3) connections to existing streets and one (1) fire-access-only connect is proposed. By converting the fire-access connection to a full street connection and stubbing to Linksland Drive to the north, the 2040 Community Plan’s new development design principles will be in place.

- **Policy LU-9: New residential development should follow appropriate housing design principles.**
 - **LU 9.2: Within lower intensity areas including Moderate Density, Residential Edge, Rural Conservation and Critical Watershed area 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.

Comment: This proposed subdivision is viewed as an extension of the adjoining Skybrook – Phase 10 and re-creates its development pattern. In addition, as the parcels in question are flat with virtually no existing trees, there are few (if any) natural features to preserve.

- **Policy LU-10: Encourage a diversity of housing options.**
 - **LU 10.1: Align housing options with resident needs and promote attainable housing options.**
 - Accommodate a mix of housing by type, tenure and location to serve a growing and increasingly diverse population. Housing offerings should align with workforce opportunities, including management, professional positions and service positions.

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

Comment: The majority of the lots in this development are between 60 – 70 ft. wide, which will generally provide similar housing types. Other than oddly-shaped lots designed to accommodate street variations, this subdivision does not proposed to provide a mix of housing types.

- **EOS-2: Encourage conservation subdivision design in Residential Edge and Rural Conservation areas.**
 - **EOS 2.1: Continue to require and incentivize open space reservation in Moderate Density, Residential Edge, Rural Conservation and Critical Watershed areas.**

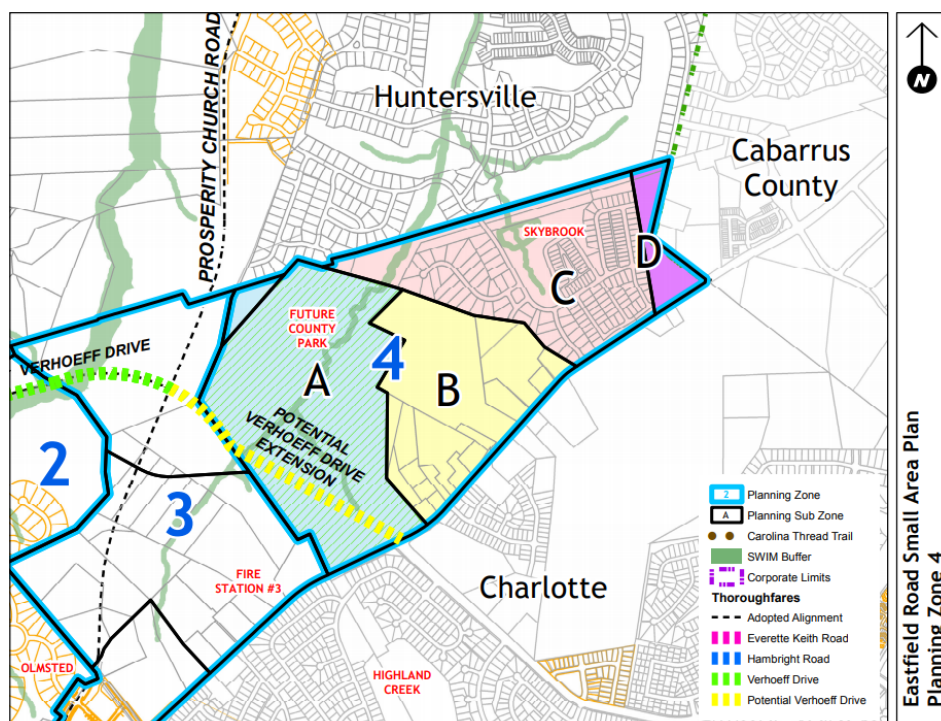
- Encourage new development to have at least 40% open space in new developments in these areas.
 - The Residential Edge and Rural Conservation areas on the Future Land Use map are associated with the Transitional and Rural zoning districts. These zoning districts offer a sliding scale in allowable density depending on the amount of open space preserved.

Comment: The existing conditions on the Billings Property are characterized as flat land, with very few trees. The proposed subdivision currently has 38% open space (located primarily around the cell tower).

STAFF COMMENT – The **Eastfield Road Small Area Plan** DOES SUPPORT this project through the following sections:

- The Future Land Use Map, located on page 25, identifies this property as “Low Density Residential & Civic”, which is a reflection of its location in the Rural portion of the Town’s jurisdiction. The Eastfield Small Area Plan further divides its study area into four (4) Planning Zones, of which, the Skybrook – Billings Property is located in Planning Zone 4 – Area D (see below). This area is described as “East of Skybrook to the County line, it is recommended that the existing Rural zoning designation be maintained. However, residential densities consistent with those of the adjoining Skybrook development, with appropriate transitions between proposed and existing development, may be appropriate for consideration.”

STAFF COMMENT: the proposed density of Skybrook – Billings Property (2.23 units/acre) is nearly identical to the adjacent Skybrook – Phase 10 (2.2 units/acre). Furthermore, no additional transitions are needed between the two developments, as they are essentially the same land type.



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 density and layout of the Skybrook – Billings Property subdivision is viewed as an extension of the adjacent Skybrook – Phase 10 development. The lots sizes and street extensions and treatment along Eastfield Road will give the impression that Skybrook – Phase 10 and Skybrook – Billings Property are all one unified development. The Skybrook – Billings Property development abuts a large utility easement along the north with no development within it. To the east, in Cabarrus County, is a commercial aquatics center and the Skybrook townhome development.

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

STAFF COMMENT:

- A Transportation Impact Analysis was required – see Part 3 of this report.
- Storm water plan approval, water and sewer and refuse disposal and a Willingness-to-serve from Charlotte Water, must all be provided.
- The Conditional District Rezoning site plan was reviewed by Charlotte-Mecklenburg School District (CMS). CMS indicates the proposed Rezoning Plan would add approximately 15 students to the schools in this area and indicate approval of the project “may increase overcrowding and/or reliance upon mobile classrooms at the schools listed above”. (see below & see Attachment D for the full CMS report).

CMS schools within Huntersville’s jurisdiction are at or over-capacity, and the while the 2040 Community Plan call for Rural development for this property, the proposal is consistent with the Eastfield Road Small Area Plan within respect to the appropriateness of development matching the density of the adjacent Skybrook development.

This development may add 15 students to the schools in this area.

The following data is as of 20th Day of the 2020-21 school year.

<i>Schools Affected</i>	<i>Total Classroom Teachers</i>	<i>Building Classrooms/ Teacher Stations</i>	<i>20th Day, Enrollment (non-ec)</i>	<i>Building Classroom/ Adjusted Capacity (Without Mobiles)</i>	<i>20th Day, Building Utilization (Without Mobiles)</i>	<i>Additional Students As a result of this development</i>	<i>Utilization As of result of this development (Without Mobiles)</i>
LEGETTE BLYTHE ELEMENTARY	53	50	871	822	106%	6	106%
JM ALEXANDER MIDDLE	48	54	938	1055	89%	4	89%
NORTH MECKLENBURG HIGH	116.5	108	2146	1989	108%	5	108%

The total estimated capital cost of providing the additional school capacity for this new development is \$424,000; calculated as follows:

Elementary School: 6x \$34,000 = \$204,000
High School: 5x \$44,000 = \$220,000

RECOMMENDATION

Adequacy of existing school capacity is a significant problem. We are particularly concerned about a case where school utilization exceeds 100% since the proposed development may exacerbate the situation. Approval of this petition may increase overcrowding and/or reliance upon mobile classrooms at the schools listed above.

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

STAFF COMMENT:

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

PART 6: STAFF RECOMMENDATION

Staff can support approval of the Skybrook – Billings Property CD-Rezoning with the following addressed:

- The new north/south public street or the extension of Skyscape Drive must connect to Eastfield Road;
- A connection to Linksland Drive, to the north, should be considered and if not connected, a code compliant paved turn-around for Linksland Drive is recommended;
- Tree preservation data is not clear. The Existing Features Plan (Sheet L-103) does not show compliance for tree save or specimen tree-save;
- The Urban Open Space appears to be located over ¼ mile from several lots in the development;
- Cell tower on site required to have 200 ft. minimum setback from new proposed lots;
- Lot 31 (Sheet L-101) cannot provide required building placement to the street;
- A Charlotte Water – Willingness to Serve letter must be provided;
- All outstanding redline comments must be addressed.

- **RECOMMENDATION:** A trail connection to the north should be provided to connect to either the informal trail within the power line easement or to Linksland Drive (or both).
- **RECOMMENDATION:** Sidewalk running through the berm along Eastfield Road should meander (similar to the existing section to the west) to provide visibility from both Eastfield Road and Skyscape Drive.

PART 7: PUBLIC HEARING COMMENTS

Public Hearing scheduled for Monday, July 19, 2021.

PART 8: PLANNING BOARD RECOMMENDATION

Planning Board scheduled to review on July 27, 2021.

PART 9: ATTACHMENTS/ENCLOSURES

Attachments

A – Rezoning Application.

B – Proposed CD Rezoning Plan.

C - Neighborhood Meeting Reports from July 1, 2021.

D – CMS Report.



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 April 20, 2021

Name of Project TBD (Billings Property) Phase # (if subdivision) _____

Project Address 14647 Eastfield Road, Huntersville, NC 28078

Parcel Identification Number(s) (PIN) 02111116 (Meck. Co.) 46703589660000 (Cabarrus Co.)

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

Property Size (acres) +/-10.19 (Meck Co.) +/-10.85 (Cabarrus Co.) Street Frontage (feet) +/-605 LF

Current Land Use Vacant (Meck. Co.) SF Home (Cabarrus Co.)

Proposed Land Use(s) Subdivision - Single Family Detached

Is the project within Huntersville's corporate limits?

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

3. Description of Request

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

Request to rezone +/-21 acres located at the Mecklenburg / Cabarrus County line on Eastfield Road from Rural (R) to NR (CD) to permit 47 single-family detached homes. Requesting that the +/-10.85 acres located within Cabarrus Co. be annexed into the Town of Huntersville due to the belief that the City of Concord would not annex the Cabarrus county portion of the development into the City of Concord due to other recent requests in addition to concerns about accessing the site and providing city services should an annexation be approved.

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 Skybrook West, LLC Phone 704 995-2507
☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other:

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

Signature [Signature] Printed Name: Scott Moore

Title Manager Email scott@bpropnc.com

Address of Applicant 630 Skybrook Dr. Huntersville, NC 28078

7. Property Owner (if different than applicant)

*Printed Name Myra's Dream, LLC Phone (704) 875-9495
☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other:

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

Signature [Signature] Printed Name STEVEN G. BILLINGS

Title Myra W. Billings Email myra.w.billings@gmail.com

Address of Property Owner 14647 Eastfield 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.

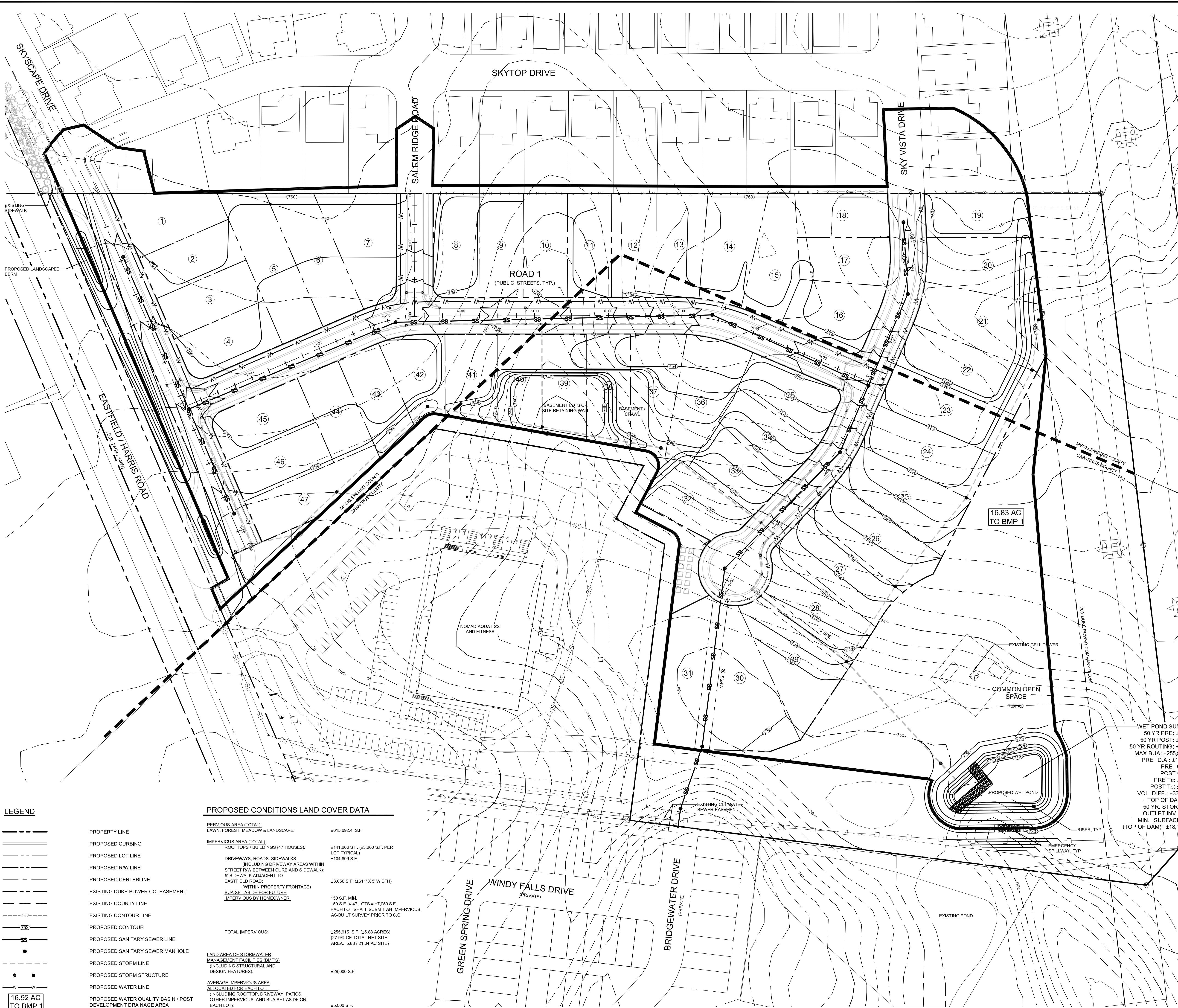
8. Development/Design Firm Contact Information

Skybrook West, LLC	Scott Moore	704.995.2507	scott#bpropnc.com
Development Firm	Name of Contact	Phone	Email
Skybrook West, LLC	Scott Moore	704.995.2507	scott#bpropnc.com
Landworks Design Group	Scott Wilson	704.841.1604 x 715	scott.wilson@landworkspa.com
Design Firm	Name of Contact	Phone	Email
Landworks Design Group	Scott Wilson	704.841.1604 x 715	scott.wilson@landworkspa.com

Contact Information

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

P:\2020 Jobs\20039 - Billings Property - Pace\CAD\Sketch Planning\20039 - billings.dwg
P:\2020 Jobs\20039 - Billings Property - Pace\CAD\Sketch Planning\20039 - billings.dwg



LEGEND

- PROPERTY LINE
- PROPOSED CURBING
- PROPOSED LOT LINE
- PROPOSED R/W LINE
- PROPOSED CENTERLINE
- EXISTING DUKE POWER CO. EASEMENT
- EXISTING COUNTY LINE
- EXISTING CONTOUR LINE
- PROPOSED CONTOUR
- PROPOSED SANITARY SEWER LINE
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED STORM LINE
- PROPOSED STORM STRUCTURE
- PROPOSED WATER LINE
- PROPOSED WATER QUALITY BASIN / POST DEVELOPMENT DRAINAGE AREA

PROPOSED CONDITIONS LAND COVER DATA

PERVIOUS AREA (TOTAL): LAWN, FOREST, MEADOW & LANDSCAPE:	±615,092.4 S.F.
IMPERVIOUS AREA (TOTAL): ROOFTOPS / BUILDINGS (47 HOUSES):	±141,000 S.F. (±3.00 S.F. PER LOT TYPICAL)
DRIVEWAYS, ROADS, SIDEWALKS (INCLUDING DRIVEWAY AREAS WITHIN STREET R/W BETWEEN CURB AND SIDEWALKS; 5' SIDEWALK ADJACENT TO EASTFIELD ROAD; (WITHIN PROPERTY FRONTAGE) BUA SET ASIDE FOR FUTURE IMPERVIOUS BY HOMEOWNER:	±104,809 S.F.
150 S.F. MIN. 150 S.F. X 47 LOTS = ±7,050 S.F. EACH LOT SHALL SUBMIT AN IMPERVIOUS AS-BUILT SURVEY PRIOR TO C.O.	±3,056 S.F. (±611' X 5' WIDTH)
TOTAL IMPERVIOUS:	±255,915 S.F. (±5.88 ACRES) (27.9% OF TOTAL NET SITE AREA: 5.88 / 21.04 AC SITE)
LAND AREA OF STORMWATER MANAGEMENT FACILITIES (BMP'S) (INCLUDING STRUCTURAL AND DESIGN FEATURES):	±29,000 S.F.
AVERAGE IMPERVIOUS AREA ALLOCATED FOR EACH LOT: (INCLUDING ROOFTOP, DRIVEWAY, PATIOS, OTHER IMPERVIOUS, AND BUA SET ASIDE ON EACH LOT):	±5,000 S.F.

CONCEPTUAL STAGE / STORAGE TABLE - FOREBAY					
ELEVATION	ELEVATION DIFFERENCE	SURFACE AREA (SF)	VOLUME (CF)	CUM. VOLUME (CF)	CUM. VOLUME (AC-FT)
719	1	400	449	0	0
720	2	499	1204	449	0.01
722	2	711	1652	1652	0.04
724	2	950	3308	3308	0.08
726	2	1221	5473	5473	0.13

CONCEPTUAL STAGE / STORAGE TABLE					
ELEVATION	ELEVATION DIFFERENCE	SURFACE AREA (SF)	VOLUME (CF)	CUM. VOLUME (CF)	CUM. VOLUME (AC-FT)
719	1	5782	6107	0	0
720	2	6437	14216	6107	0.14
722	2	7801	20323	20323	0.47
724	2	9282	37384	37384	0.86
726	2	10854	57500	57500	1.32
PP @ 726 (57,500 CF OR 1.32 AC-FT)					
728	2	15237	83467	83467	1.92
730	2	18169	116830	116830	2.68

NOTE: WET POND DESIGN AND LAYOUT MAY BE MODIFIED AT THE PRELIMINARY/ CONSTRUCTION PHASE OF PLAN DEVELOPMENT.

STORMWATER NOTES:

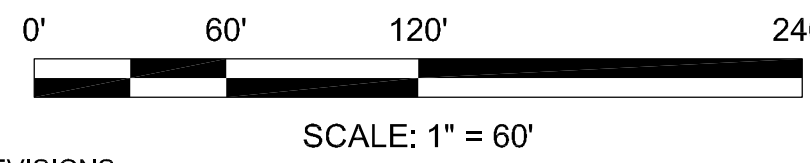
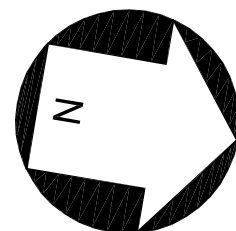
1. ALL WATER QUALITY AREAS SHALL BE ACCESSIBLE FROM PUBLIC STREETS THROUGH AN ACCESS EASEMENT OR OPEN SPACE, WITH MAXIMUM SLOPE OF 10% ADEQUATE ACCESS TO EACH BMP SHALL BE REVIEWED MORE CLOSELY IN STORM WATER MANAGEMENT PLAN REVIEW.

NOTES:

1. ALL DEVELOPMENT AND CONSTRUCTION SHALL COMPLY WITH ALL ZONING AND SUBDIVISION STANDARDS OF THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, AND NCDDOT, AS APPLICABLE.
2. THIS PROPERTY MAY BE SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAY OF RECORD.
3. ALL AREAS DESIGNATED AS COMMON AND/OR URBAN OPEN SPACE SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION AND DEDICATED FOR PERPETUITY.
4. ACCESS (IN REVERSE DIRECTION) LOCATION AND DESIGN SHOWN ON THIS SKETCH PLAN AREA SUBJECT TO ACHIEVING VERTICAL AND HORIZONTAL SIGHT DISTANCES, TURN IMPROVEMENTS (INCLUDING RIGHT-OF-WAY) AND INTERSECTION WITH ADJACENT AND OPPOSING ACCESS POINTS, MODIFICATIONS TO PLAN MAY RESULT.
5. LARGE MATURING TREES WILL BE PLANTED 40' O.C. WITHIN THE REQUIRED PLANTING STRIP ALONG ALL STREETS WITH THE EXCEPTION OF RURAL PARKWAYS WHERE EXISTING TREES CAN SATISFY THE STREET TREE REQUIREMENT. SMALL MATURING TREES ARE TO BE USED WHERE OVERHEAD POWER LINES EXIST.
6. PROVIDE NOTATIONS ON THE PROCESSES OF MAIL DELIVERY AND GARBAGE PICKUP.
7. NOTE ARTICLE 8.161.8.2 OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE ONLY IF THE SUBDIVISION IS RESIDENTIAL.
8. DIRECT ACCESS FROM LOTS TO A THOROUGHFARE IS PROHIBITED.
9. PLACE THE TOWN OF HUNTERSVILLE OF BUILD TO DEFINITION (ART 12.2.1) ON PLANS IF APPLICABLE. IF THE SUBDIVISION IS ZONES R OR TR, THERE ARE SETBACKS AND NOT BUILD-TO-LINES.
10. NOTE ANY ADEQUATE PUBLIC FACILITY MITIGATION AS OUTLINED IN THE DETERMINATION OF ADEQUACY.

WET POND SUMMARY
50 YR PRE: ±220 CFS
50 YR POST: ±48 CFS
50 YR ROUTING: ±36 CFS
MAX BUA: ±255,915 S.F.
PRE. D.A.: ±16.83 ac.
PRE. CN: ±60
POST CN: ±80
PRE TC: ±10 min.
POST TC: ±10 min.
VOL. DIFF: ±33,000 cfs
TOP OF DAM: ±730
50 YR. STORM: ±728
OUTLET INV.: ±720.5
MIN. SURFACE AREA (TOP OF DAM): ±18,169 S.F.

This Plan Is A Preliminary Design. NOT Released For Construction.



REVISIONS:

No.	Date	By	Description



Project Manager: SDW

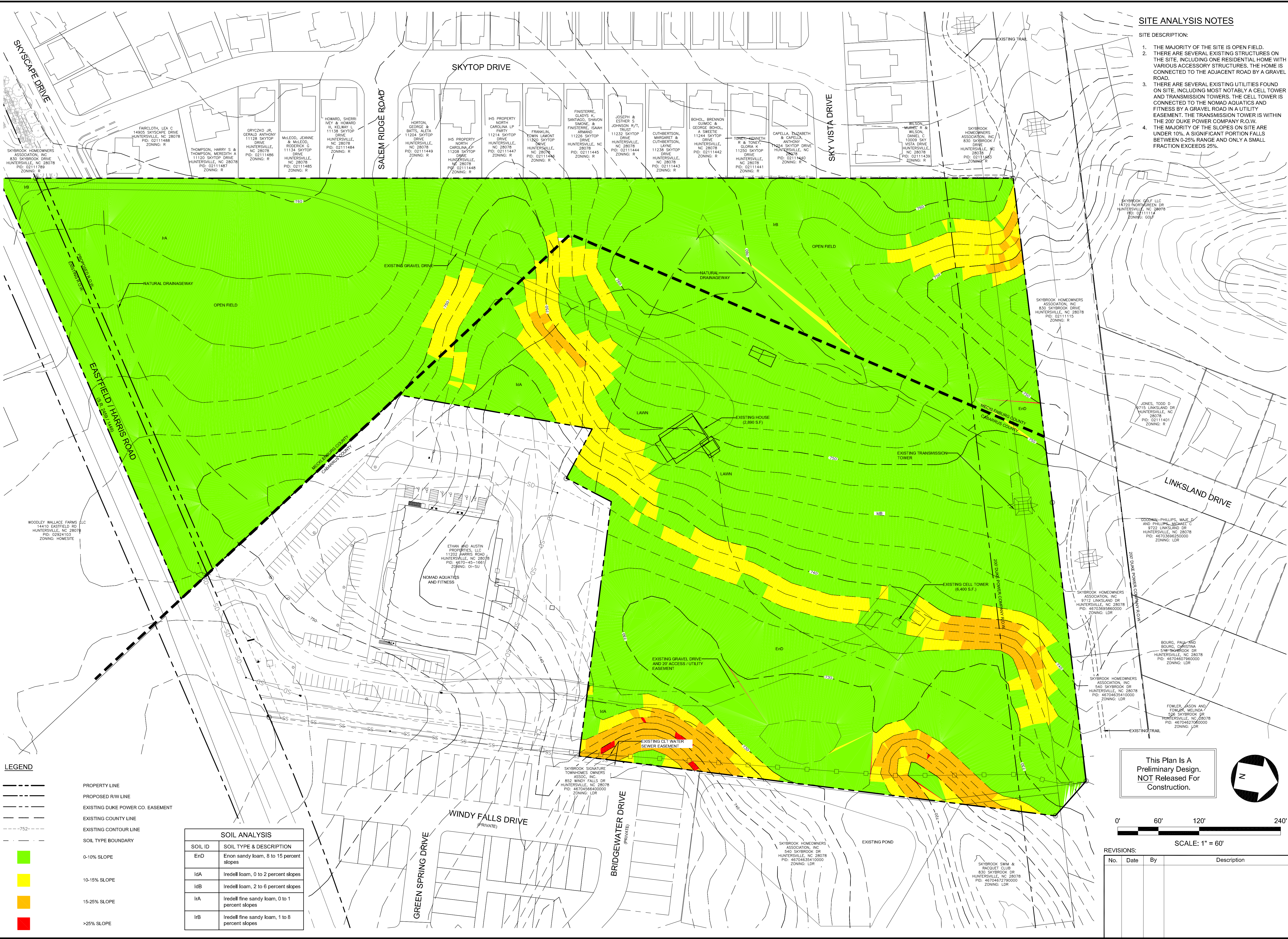
Drawn By: SDW

Checked By: MDL

Date: 04/26/2021

Project Number: 20039

Sheet Number:



SITE ANALYSIS NOTES

SITE DESCRIPTION:

1. THE MAJORITY OF THE SITE IS OPEN FIELD.
2. THERE ARE SEVERAL EXISTING STRUCTURES ON THE SITE, INCLUDING ONE RESIDENTIAL HOME WITH VARIOUS ACCESSORY STRUCTURES. THE HOME IS CONNECTED TO THE ADJACENT ROAD BY A GRAVEL ROAD.
3. THERE ARE SEVERAL EXISTING UTILITIES FOUND ON SITE, INCLUDING MOST NOTABLY A CELL TOWER AND TRANSMISSION TOWERS. THE CELL TOWER IS CONNECTED TO THE NOMAD AQUATICS AND FITNESS BY A GRAVEL ROAD IN A UTILITY EASEMENT. THE TRANSMISSION TOWER IS WITHIN THE 200' DUKE POWER COMPANY R.O.W.
4. THE MAJORITY OF THE SLOPES ON SITE ARE UNDER 10%. A SIGNIFICANT PORTION FALLS BETWEEN 0-25% RANGE AND ONLY A SMALL FRACTION EXCEEDS 25%.

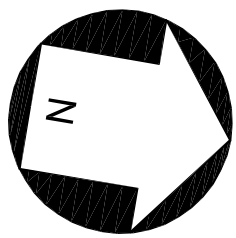
LEGEND

- PROPERTY LINE
- PROPOSED R/W LINE
- EXISTING DUKE POWER CO. EASEMENT
- EXISTING COUNTY LINE
- EXISTING CONTOUR LINE
- SOIL TYPE BOUNDARY

SOIL ANALYSIS	
SOIL ID	SOIL TYPE & DESCRIPTION
EnD	Enon sandy loam, 8 to 15 percent slopes
IdA	Iredell loam, 0 to 2 percent slopes
IdB	Iredell loam, 2 to 6 percent slopes
IrA	Iredell fine sandy loam, 0 to 1 percent slopes
IrB	Iredell fine sandy loam, 1 to 8 percent slopes

- 0-10% SLOPE
- 10-15% SLOPE
- 15-25% SLOPE
- >25% SLOPE

This Plan Is A Preliminary Design.
NOT Released For Construction.

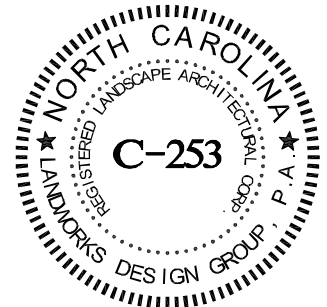


0' 60' 120' 240'
SCALE: 1" = 60'

REVISIONS:

No.	Date	By	Description

EXISTING FEATURES PLAN



Adrian D. Williams
CORPORATE CERTIFICATION - 2.021
NC PE: C-2530 SCLA: C-253
SC ENG: NO. 3599 SCLA: NO. 211

Project Manager: SDW

Drawn By: SDW

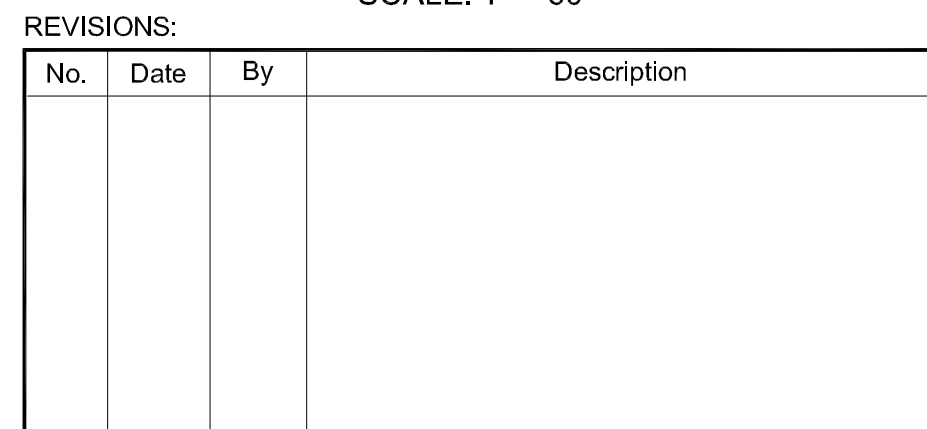
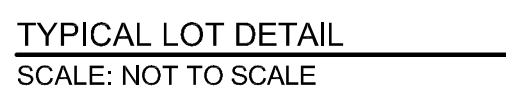
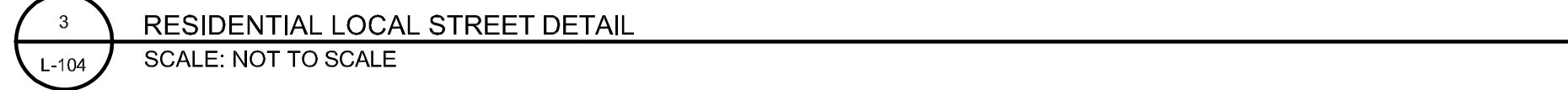
Checked By: MDL

Date: 04/26/2021

Project Number: 20039

Sheet Number:

L-103





July 2, 2021

To: Janet Pierson, Town of Huntersville
From: Scott Moore, Skybrook Project Manager
CC: David Peete, Town of Huntersville

RE: Community Meeting Minutes for Rezoning Case R#21-03 (Billings Property)

The R#21-03 community meeting was held at the Huntersville Town Hall on Wednesday, July 1, 2021 and was opened at 6:34 PM.

In attendance, representing the Petitioners:
Scott Moore, Skybrook Project Manager

In attendance, representing the Town of Huntersville:
David Peete, Principal Planner
Nick Walsh, Board of Commissioner

Representing the Adjacent Property Owners and/or Homeowners Associations:
Craig Sandhaus- Skybrook HOA President
30+ Skybrook Homeowners (Sign- In Sheet Attached)

Scott Moore provided an overall review of Skybrook's History and accounted for all the review processes of the Billing's property with the following highlights:

- The petitioner is the original developer of Skybrook and has worked with the Wallace family dating back to the late 1990's. The rezoning is taking place on the Billing's Property (daughter & son in law of Woodley Wallace).
- There has been a previous informal proposal brought to planning staff showing a combination of single family and townhomes with a total of 78 units. The current proposal is for 47 single family homes only and the proposal will match the same lots sizes (60's) that are provided in Skybrook Ph. 10.
- All twenty-one acres of the proposal was annexed into the Town of Huntersville in May 2021. Ten of those acres are in Mecklenburg County and eleven of those acres are in Cabarrus County. Scott gave an overview of working with Cabarrus County, City of Concord, and the Town of Huntersville. A unified decision was made by all of the municipalities to develop all the property within Huntersville and per their regulations.
- There will be interconnectivity with Skybrook Ph. 10 and site access off of Eastfield Road. The proposal will extend all three public street stubs from Skybrook Ph. 10 and the proposal will have a right-in, right-out access to Eastfield.
- The site plan shows a matching extension of the current Ph. 10 Eastfield Road berm and streetscape including a sidewalk extension of Skyscape drive to the NOMAD property. The proposal is showing a community garden and will be compliant with all the town's open space requirements.
- The developer annexation period within the Skybrook CC&Rs has expired meaning this property would not automatically be annexed or become part of the Skybrook HOA. If the site is approved, the developer and the Skybrook HOA have agreed to evaluate and determine if annexing this property is in the best interest of the community. If it is not annexed, then the property will have a separate HOA.
- No builder has been determined for the site, but the goal is to have the development aged targeted but not aged restricted.
- Scott concluded that the town staff is still reviewing the current proposal.

The adjacent owners in attendance provided the following questions and/or feedback:

- There are concerns over the current conditions of stacking at peak hours at Wallace Pond and making a left turn from the existing entrance.
 - During the course of the review, the 47 lots did not warrant a traffic impact analysis nor has staff indicated that an access would be required. Regardless, the petitioner has been speaking with the HOA and is voluntarily placing a right in right out on Eastfield Road. We feel this will alleviate some of the stacking problems at the entrance by providing an additional access for over 80 existing Phase 10 homes that currently utilize Wallace Pond Drive as their primary access.
- Question to staff: With all the new developments Epcon, Billings, Venture Park, will consideration be made for a traffic light at Wallace Pond?
 - Staff- Eastfield Road is within the Charlotte DOT and they are responsible for any additional improvements. We recommend that the HOA and members of the community request that CDOT review the situation and recommend any possible improvements. Staff will assist the homeowners in all ways possible with this endeavor. Staff have also evaluated that when these types of roads are widened to 4 lane divided highways (which matches the CDOT input on the Eastfield Road Small Area Plan) that all left hand turns are being eliminated to help traffic flow.
- Will the future Eastfield widening affect the Phase 10 berm?
 - It is difficult to determine at this point, but if it is affected and since there is additional room outside of the right of way, then the HOA can come back and rebuild areas to provide a buffer from Eastfield Road. Ideally when roads are widened the city will look at widening on both sides of the road within the right of way, which could assist with less impact to the existing berm.
- Concerns were voiced over this property potentially not being annexed and residents using HOA parks and playgrounds.
 - The developer and the HOA will evaluate all costs associated with this project and the developer will rely on direction from the HOA. The development of this property requires BMPs for water quality. The HOA president mentioned that the ongoing yearly maintenance of these facilities is at a significant cost to the HOA. While there is benefit of receiving additional HOA dues from these residents, the costs of maintenance may be completely utilized on the proposed site. The HOA president confirmed that they will work with the developer.
- Why was the Cabarrus County portion not developed in Cabarrus County?
 - We spoke with all the planning directors of all the municipalities during this review. Cabarrus County simply did not have the zoning to create a plan that would closely resemble the proposal and they recommended that we annex into Concord. Concord could satellite annex the property but that city council was willing to allow Huntersville to annex and develop under one set of rules and regulations. Huntersville agreed that would be the best and most effective option for developing the property. We agreed to develop all within the Town of Huntersville.
- There was a concern that internal Skybrook traffic could cut through (heading east) to the Billings entrance, if drivers see stacking on Wallace Pond. Can anything be done about this potential problem?
 - Any and all adjustments including traffic calming devices would have to take place on existing Huntersville streets (Salem Ridge Road). The HOA president offered to work with the town on addressing any issues should they arise, similar to what was provided on the Salem Ridge Road going into the community.

- Is the site reviewed for capacity issues with water/sewer and will there be adequate coverage with fire and police?
 - Yes, the site is reviewed during this process and Charlotte Water would provide water and sewer service. They will conduct their reviews and issue permits based on capacity. That portion is worked out and confirmed during construction plan review. Staff gave an overview of how the Fire Marshal reviews these proposals and how they determine access points for adequate service.
- Can we have a turn lane added to Wallace Pond?
 - Any improvements with Wallace Pond are off site and would have to be provided by Charlotte DOT. Staff will work with the HOA on making a request.
- Is speeding looked at and taken into consideration with this review?
 - The Skybrook HOA president said that there have been 4 traffic studies conducted on Skybrook streets. One of which initiated the placement of speed humps on Salem Ridge Road. The HOA has been working with the town to address safety concerns on the community streets and will continue to do so.
- Do the owners have a say in this review process?
 - Yes, staff explained that the neighborhood meeting is the first step of public input process and then explained how residents can participate at the upcoming public meetings and how they will be notified. Staff also explained that they can reach out to staff and voice concerns which will be made as part of the public record and for the Town Boards to consider.
- There are concerns about possible stacking at Skyscape with the new entrance.
 - The petitioner will work with CDOT and the Town on making sure that all roads and entrances meet the required regulations.
- A participant was thankful that this proposal did not include townhomes or apartments and then asked if this proposal is not approved, what could be built? Could commercial be provided?
 - Staff explained that the property is currently zoned Rural and could be developed with any of the uses allowed by this zoning district which could include a church or a school and each could carry their own set of traffic concerns/issues. Given the surrounding development, residential development of this parcel is could be the best option in terms of traffic impact. Commercial is not currently allowed in Rural, but if not approved, the owner could always propose a rezoning which could carry a similar process for development.
- Can we have Wallace Pond stripped internally as drivers are in the middle of the road trying to exit the community?
 - That would have to be handled outside of this request. Staff will put in a request to transportation to review and they will be in touch with the Skybrook HOA.
- Why are you not providing a left turn lane into Billings?
 - When we decided that townhomes would not be a part of the development and that single family was the best option for the community, we gave up density that would otherwise bring in more capital which is needed for additional improvements. We are also voluntarily building an entrance when one is not required through review. We feel that the improvements being made will not only address the proposal but will improve conditions at the existing entrance. We also feel we are making improvements above what is proportionate to our proposal.
- Can you build smaller ponds to address water quality and realize savings in that regard?
 - Unfortunately, we have to build these facilities in accordance with the town's regulations to properly address run-off and storm water.
- Does Skyscape end at the NOMAD facility?
 - Yes, that road is being stubbed to the property and will be available should redevelopment occur. The petitioner requested an access with NOMAD in order to upgrade of their drive to a public street, but the owner's declined any allowances or improvements.

- What is the difference in aged targeted versus age restricted?
 - Staff commented that age restricted is regulated by the state and that aged targeted is a preference. A real estate broker in attendance also gave feedback on the differences when it comes to homes and options when targeting this buyer.
- Can you provide what the square footages will be on the homes?
 - We cannot because we do not have a builder selected and we couldn't provide any restrictions at this stage. We can provide more once we have a builder selected.
- What is the timeline for development?
 - We have to obtain approvals through the rezoning process. The track right now is set for a final action by the Board of Commissioners in August. If this proposal is approved, then we have to obtain construction drawing plan approval, which can take several months. There is not a set date on when we will break ground, but we are targeting Spring/Summer of 2022 as a start date. All is dependent on review schedules and the market at that time.
- Are you planning on phasing the development?
 - We don't know at this point as development is all market driven. If the market remains as it is currently, there is a potential that we will develop and sell all 47 lots in one phase.
- Are you proposing to interfere with the 18' access next to our home (last house on Sky Vista adjacent to a stub street)?
 - No, we are not making any improvements on existing Skybrook property.
- There is a wire fence on the rear of all the Phase 10 lots, what will become of that?
 - We haven't reviewed that but it is likely we will remove that when we clear and grade the lots.
- Staff informed all the residents that the site will be posted for rezoning and letters will go out to adjacent property owners as well as to the HOA regarding upcoming meetings. All residents are invited to attend and participate in the meetings.

The meeting was adjourned at 7:47 PM.

All neighborhood meeting notifications, materials, and minutes along with all items described in Article 11.4.3 (d) were delivered to the Huntersville Town Clerk's office on July 2, 2021.



June 9, 2021

Re: Rezoning Case R#21-02 Billings Property Conditional District Rezoning Plan
21.509 Acres on Eastfield in Huntersville, NC. (Mecklenburg County Parcel ID# 021-111-16; Cabarrus County Parcel IDs# 46703589660000 & 46704602880000)

Dear Property Owner,

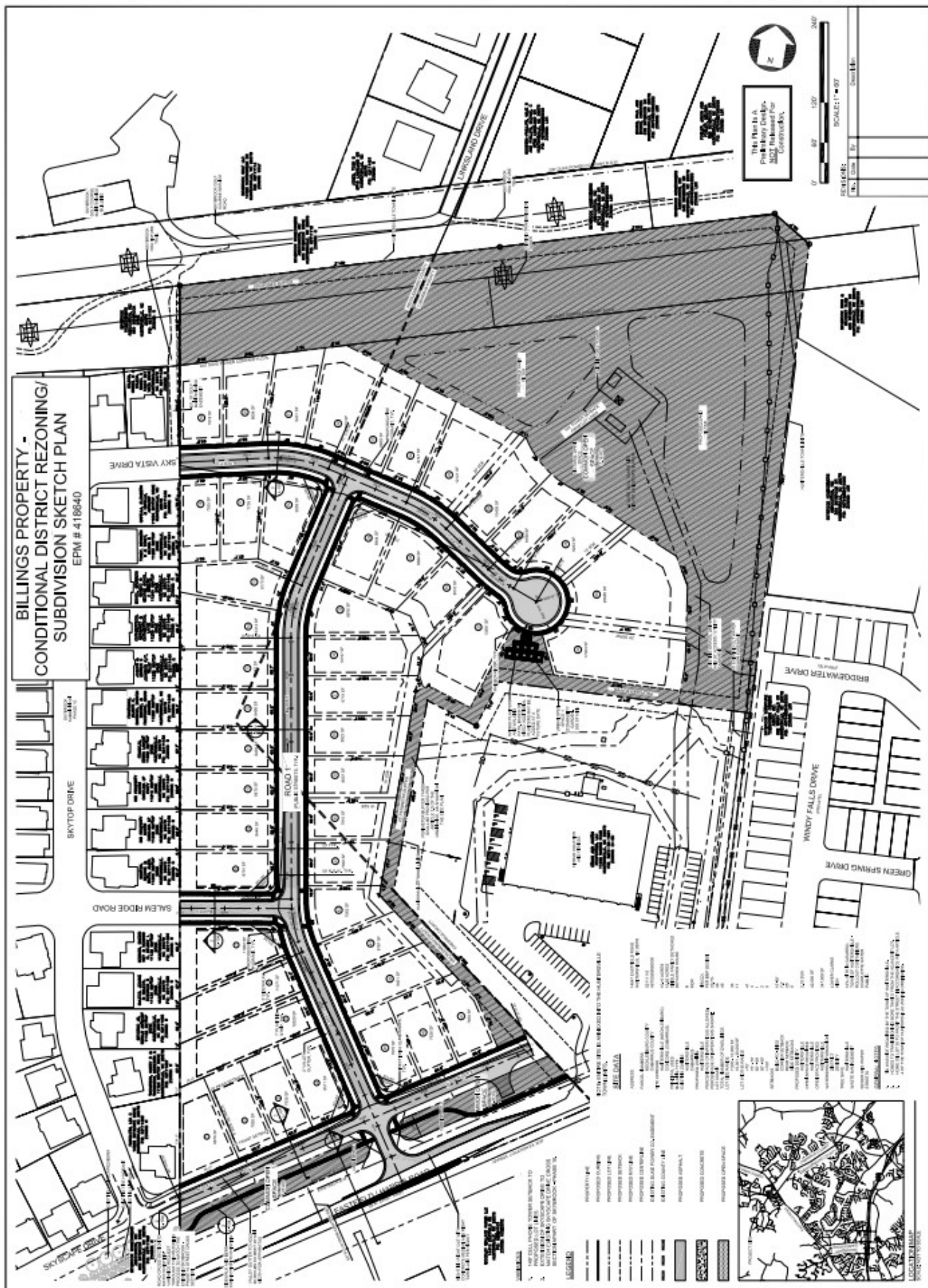
On behalf of the applicants, we would like to invite you to attend a Neighborhood Meeting scheduled for July 1, 2021 at 6:30 PM at the Huntersville Town Hall (101 Huntersville-Concord Road) in Huntersville, NC to review a proposed rezoning and subdivision sketch plan on the above-referenced properties. These plans are currently being reviewed by the Town of Huntersville Planning Staff to provide 47 single family lots and open space on 21.509 acres. Please note that we have attached a site plan of the proposal on the back of this letter for your review.

If you have any questions or need additional information, please call me at 704.995.2507 or email me at scott@bpropnc.com. We look forward to seeing you at the meeting.

Sincerely,

A handwritten signature in black ink, appearing to be "Scott Moore", with a stylized flourish at the end.

Scott Moore
Project Manager
Skybrook Subdivision



MEETING SIGN-IN SHEET

Project:	R21-03	Meeting Date:	7/1/21
Facilitator:	Scott Moore	Place/Room:	Town of Huntersville

Name	Address	Phone	E-Mail
Ron & Barbara Shipley	9822 Sky Vista Dr	704 274 9757	ronship@att.net
Mike & Cathy Miller	9900 Sky Vista	704-601-8727	Miller6206@aol.com
Roy Grogan	14033 Selwyn Rd	704-351-7619	groganroy@gmail.com
Carolyn & Mike SHEETS	9818 Sky Vista Dr	704-912-3192	Cmsheets2@aol.com
David & Patricia Hall	14820 Salem Ridge	804-301-6801	dhall424@aol.com
Mable Redin	11223 Skytop Dr.	(604) 330-9148	mable.redin@att.net
Bill & Ellen Cameron	11249 Highest Dr 9410 Wallace Pond Dr	704 728 6038 678-699-9943	ellenca17@aol.com 87miller
Chris Cox	Huntersville NC 28078		chriscox1936@yahoo.com
Dustin & Allison Grannis	14841 Skyscape Dr. Huntersville, NC 28078	513-334-9220	allison-grannis@gmail.com
Muriel Wilson	10009 Sky Vista Dr.	704-992-9211	Dannopcs@gmail
Dan Wilson	" "	" "	" "
Jane M'Leod	11134 Skytop Dr	914 450 1577	m'leodj@verizon.com
Margyellen Mac	9830 Sky Vista	407-592-9754	2007@yahoo
Wes & Craig Sandhaus	11255 Skytop Dr	914-320-3633	sandhausc@aol.com
Jane & Melanie L. Kline	11427 Skytop Dr	845-820-2576	—
Dawn Wiles	11235 Skytop Dr	704-614-2510	dwiles@carolina.rr.com
Robert & Kinaid Terra	9824 Sky Vista Dr	915-539-1407	robertterra.com
DAVID RODRIGUEZ	9933 Sky Vista Dr.	704.904.5128	drodriguez.nc@gmail.com
Dr & Mrs Robert J Allen	11060 Emeraldwood Dr	704-727-0065	rallen717@gmail.com

MEETING SIGN-IN SHEET

Project:	R21-03	Meeting Date:	7/1/21
Facilitator:	Scott Moore	Place/Room:	Town of Huntersville

[illegible]

R#21-03 Billings Property Neighborhood Meeting- Mailout List (Mailed USPS: 6/11/21)

Town of Huntersville Properties - 250' Buffer				
HATHCOCK, STEVEN B	10001 SKY VISTA DR	HUNTERSVILLE	NC	28078
TRUSTEE THE JOHNSON-WALKER,	10005 SKY VISTA DR	HUNTERSVILLE	NC	28078
WILSON, DANIEL C WILSON, MURIEL R	10009 SKY VISTA DR	HUNTERSVILLE	NC	28078
DHINGRA, HARDIP S DHINGRA, SURINDERPAL K	11113 SKYTOP DR	HUNTERSVILLE	NC	28078
SHREVE, BRIAN PAUL SHREVE, MEGAN LYNN	11119 SKYTOP DR	HUNTERSVILLE	NC	28078
THOMPSON, HARRY S THOMPSON, MEREDITH A	11120 SKYTOP DR	HUNTERSVILLE	NC	28078
DAVIDSON, STEVEN C DAVIDSON, ASHLEY M	11125 SKYTOP DR	HUNTERSVILLE	NC	28078
GRYCZKO JR, GERALD ANTHONY	11128 SKYTOP DR	HUNTERSVILLE	NC	28078
MCLEOD, RODERICK G MCLEOD, JEANNE	11134 SKYTOP DR	HUNTERSVILLE	NC	28078
HOWARD, SHERRI IVEY HOWARD III, KELWAY L	11138 SKYTOP DR	HUNTERSVILLE	NC	28078
CURRENCE, DAVID	11203 SKYTOP DR	HUNTERSVILLE	NC	28078
BATTS, ALETA HORTON, GEORGE	11204 SKYTOP DR	HUNTERSVILLE	NC	28078
BARNES, JOHN BARNES, NANCY	11207 SKYTOP DR	HUNTERSVILLE	NC	28078
STUKES, ALJOSEPH STUKES, MARY E	11211 SKYTOP DR	HUNTERSVILLE	NC	28078
MUSSER, RODNEY A	11215 SKYTOP DR	HUNTERSVILLE	NC	28078
WALKER, VERONICA	11219 SKYTOP DR	HUNTERSVILLE	NC	28078
FRANKLIN, EDWIN LAMONT	11220 SKYTOP DR	HUNTERSVILLE	NC	28078
REDIC, MABLE A	11223 SKYTOP DR	HUNTERSVILLE	NC	28078
FINISTERRE, GLADYS KIANA	11226 SKYTOP DR	HUNTERSVILLE	NC	28078
CUNNINGHAM, SHARKIYA L	11231 SKYTOP DR	HUNTERSVILLE	NC	28078
JOHNSON SR, JOSEPH R	11232 SKYTOP DR	HUNTERSVILLE	NC	28078
WILES, CHARITY DAWN	11235 SKYTOP DR	HUNTERSVILLE	NC	28078
CUTHBERTSON, LAYNE	11238 SKYTOP DR	HUNTERSVILLE	NC	28078
BENORE, KAREN A	11239 SKYTOP DR	HUNTERSVILLE	NC	28078
HERTZOG, ROBERT	11243 SKYTOP DR	HUNTERSVILLE	NC	28078
BOHOL, BRENNON GUIMOC	11244 SKYTOP DR	HUNTERSVILLE	NC	28078
LAPIERRE, JAMES	11247 SKYTOP DR	HUNTERSVILLE	NC	28078
TONEY, KENNETH R	11250 SKYTOP DR	HUNTERSVILLE	NC	28078
TAROLLI, HOLLY B	11251 SKYTOP DR	HUNTERSVILLE	NC	28078
CAPELLA, ANTHONY	11254 SKYTOP DR	HUNTERSVILLE	NC	28078
SANDHAUS, CRAIG	11255 SKYTOP DR	HUNTERSVILLE	NC	28078
MYRA'S DREAM LLC,	14324 EASTFIELD RD	HUNTERSVILLE	NC	28078
ANDERSON, JAMES A JR	14624 EASTFIELD RD	HUNTERSVILLE	NC	28078
EEG HOLDINGS LLC,	14700 EASTFIELD RD	HUNTERSVILLE	NC	28078
HENDERSON, BENJAMIN LEE JR	14814 SALEM RIDGE RD	HUNTERSVILLE	NC	28078
HALL, LOUIE DAVID	14820 SALEM RIDGE RD	HUNTERSVILLE	NC	28078
BARNHARD, JENNIFER S	14829 SKYSCAPE DR	HUNTERSVILLE	NC	28078
PATEL, SANDEEP	14833 SKYSCAPE DR	HUNTERSVILLE	NC	28078
MIDDLETON, ALEXANDER JR	14837 SKYSCAPE DR	HUNTERSVILLE	NC	28078
GRANNIS, LAURA	14841 SKYSCAPE DR	HUNTERSVILLE	NC	28078
WOODLEY WALLACE FARMS LLC,	14842 EASTFIELD RD	HUNTERSVILLE	NC	28078
FAIRCLOTH, LEA C	14905 SKYSCAPE DR	HUNTERSVILLE	NC	28078
HASSEY, ANNE	36 TOWNPATH DR	WILMINGTON	MA	01887
SKYBROOK GOLF LLC,	400 MARKET ST STE 115	CHAPEL HILL	NC	27516
IH5 PROPERTY NORTH CAROLINA LP PARTY	9335 HARRIS CORNERS PKY STE 100	CHARLOTTE	NC	28269
JONES, AUDREY K	9715 LINKSLAND DR	HUNTERSVILLE	NC	28078
KRISS, RICHARD J	9732 LINKSLAND RD	HUNTERSVILLE	NC	28078
SARGEANT, STEPHANIE C	9833 SKYBLUFF CIR	HUNTERSVILLE	NC	28078
ALFORD, MONTEZ	9941 SKY VISTA DR	HUNTERSVILLE	NC	28078

Cabarrus County Properties- 250' Buffer				
GOODWIN-PHILLIPS MAJE D	9722 LINKSLAND DR	HUNTERSVILLE	NC	28078
COVINGTON JEFFREY TODD	9730 LINKSLAND DRIVE	HUNTERSVILLE	NC	28078
AMH ROMAN TWO NC LLC	9738 LINKSLAND DR	HUNTERSVILLE	NC	28078
BOURG PAUL	518 SKYBROOK DR	HUNTERSVILLE	NC	28078
FOWLER JASON	526 SKYBROOK DR	HUNTERSVILLE	NC	28078
BARNETT STEPHEN P	534 SKYBROOK DR	HUNTERSVILLE	NC	28078
SKYBROOK SWIM & RACQUET CLUB	830 SKYBROOK DR	HUNTERSVILLE	NC	28078
FRAHM ANDREW DAVID	11214 BRIDGEWATER DR	HUNTERSVILLE	NC	28078
CARR MONALITA M	11210 BRIDGEWATER DR	HUNTERSVILLE	NC	28078
VECCHIO JONATHAN M	11206 BRIDGEWATER DR	HUNTERSVILLE	NC	28078
BROWN CECILIA L	11202 BRIDGEWATER DR	HUNTERSVILLE	NC	28078
HPA JV BORROWER 2019-1 ATH LLC	11198 BRIDGEWATER DR	HUNTERSVILLE	NC	28078
WHITESIDE MEGAN	11194 BRIDGEWATER DR	HUNTERSVILLE	NC	28078
SUBRAMANIAM SUDHAKAR	11190 BRIDGEWATER DR	HUNTERSVILLE	NC	28078
DARRENKAMP WILLIAM J JR	11186 BRIDGEWATER DR	HUNTERSVILLE	NC	28078
SALLEY JOHN L	838 WINDY FALLS DR	HUNTERSVILLE	NC	28078
KANKIPATI NITYANAND	842 WINDY FALLS DR	HUNTERSVILLE	NC	28078
GROGAN TERRENCE	846 WINDY FALLS DR	HUNTERSVILLE	NC	28078
RAWOOL DAYANAND VIJAY	850 WINDY FALLS DR	HUNTERSVILLE	NC	28078
PAGUNURAN GILBERT	854 WINDY FALLS DR	HUNTERSVILLE	NC	28078
BAKONG CHRYSTEL R	858 WINDY FALLS DR	HUNTERSVILLE	NC	28078
BSMNS LLC	862 WINDY FALLS DR	HUNTERSVILLE	NC	28078
PRINCE ADAM	866 WINDY FALLS DR	HUNTERSVILLE	NC	28078
WHITE KENNETH COREY	870 WINDY FALLS DR	HUNTERSVILLE	NC	28078
ALSOP MICHAEL	874 WINDY FALLS DR	HUNTERSVILLE	NC	28078
LONG DONALD STEPHEN	878 WINDY FALLS DR	HUNTERSVILLE	NC	28078
SHUCK MATTHEW WILLIAM	833 WINDY FALLS DR	HUNTERSVILLE	NC	28078
DAWSON SEAN	837 WINDY FALLS DR	HUNTERSVILLE	NC	28078
SHARMA ANKIT	841 WINDY FALLS DR	HUNTERSVILLE	NC	28078
KASU BATSIRAI NELIAH	845 WINDY FALLS DR	HUNTERSVILLE	NC	28078
JALIGAM SANDHYA RANI	849 WINDY FALLS DR	HUNTERSVILLE	NC	28078
WHITE KENNETH COREY	853 WINDY FALLS DR	HUNTERSVILLE	NC	28078
WYSOWSKI JANICE MARY	857 WINDY FALLS DR	HUNTERSVILLE	NC	28078
GETTINGER ZACHARY T	11200 GREEN SPRING DR	HUNTERSVILLE	NC	28078
LUCKETT JANICE T	11196 GREEN SPRING DR	HUNTERSVILLE	NC	28078
PRICE WILLIAM ANTHONY SR	11192 GREEN SPRING DR	HUNTERSVILLE	NC	28078
ALLEN NICOLE	11188 GREEN SPRING DR	HUNTERSVILLE	NC	28078
AURILIA CHRISTY T	11184 GREEN SPRING DR	HUNTERSVILLE	NC	28078
HOOSE ROBERT H	11180 GREEN SPRING DR	HUNTERSVILLE	NC	28078
GOLDEN MICHAEL J	840 SKYBROOK FALLS DR	HUNTERSVILLE	NC	28078
DELGROSSO CHRISTINE	844 SKYBROOK FALLS DR	HUNTERSVILLE	NC	28078
TALTON JOSEPH G	848 SKYBROOK FALLS DR	HUNTERSVILLE	NC	28078
BERRY RAINA MONET	852 SKYBROOK FALLS DR	HUNTERSVILLE	NC	28078
HOA Notifications- 250' Buffer				
EDISON SQUARE TOWNHOMES ASSOCIATION INC	P.O. Box 1329	CORNELIUS	NC	28031
SKYBROOK HOMEOWNERS ASSOCIATION INC,	PO BOX 481349	CHARLOTTE	NC	28269
PARKSIDE AT SKYBROOK NORTH HOA	1201 STALLINGS ROAD	MATTHEWS	NC	28104

**R#21-03 BILLINGS REZONING
NEIGHBORHOOD MEETING EMAIL LIST
EMAILED OUT: 6/11/21 5:35 PM**

Mayor John Aneralla
janeralla@huntersville.org

Commissioner Melinda Bales
mbales@huntersville.org

Commissioner Lance Munger
lmunger@huntersville.org

Commissioner Brian Hines
bhines@huntersville.org

Commissioner Stacy Phillips
sphillips@huntersville.org

Commissioner Nick Walsh
nwalsh@huntersville.org

Commissioner Dan Boone
dboone@huntersville.org

Jennifer Davis
jenniferdavis078@gmail.com

Catherine Graffy
cgraffy@outlook.com

Scott Hensley
hensleyscott1@gmail.com

Frank Gammon
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Jeff Sny
jeffrey.sny@gmail.com

Stephen Swanick
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Derek Partee
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Anthony Roberts
aroberts@huntersville.org

Brian Richards
brichards@huntersville.org

David Peete
dpeete@huntersville.org

Janet Pierson
jpierson@huntersville.org

Tracy Barron
tbarron@huntersville.org

Jackie Huffman
jhuffman@huntersville.org

Town of Huntersville: Billings Property

IMPACT OF THE PROPOSED DEVELOPMENT

Proposed Housing Units: 30 single family detached dwellings, worst case scenario, under zoning NR(CD).

CMS Planning Area: North

Average Student Yield per Unit: 0.5118

This development may add 15 students to the schools in this area.

The following data is as of 20th Day of the 2020-21 school year.

<i>Schools Affected</i>	<i>Total Classroom Teachers</i>	<i>Building Classrooms/ Teacher Stations</i>	<i>20th Day, Enrollment (non-ec)</i>	<i>Building Classroom/ Adjusted Capacity (Without Mobiles)</i>	<i>20th Day, Building Utilization (Without Mobiles)</i>	<i>Additional Students As a result of this development</i>	<i>Utilization As of result of this development (Without Mobiles)</i>
LEGETTE BLYTHE ELEMENTARY	53	50	871	822	106%	6	106%
JM ALEXANDER MIDDLE	48	54	938	1055	89%	4	89%
NORTH MECKLENBURG HIGH	116.5	108	2146	1989	108%	5	108%

The total estimated capital cost of providing the additional school capacity for this new development is \$424,000; calculated as follows:

Elementary School: 6x \$34,000 = \$204,000

High School: 5x \$44,000 = \$220,000

RECOMMENDATION

Adequacy of existing school capacity is a significant problem. We are particularly concerned about a case where school utilization exceeds 100% since the proposed development may exacerbate the situation. Approval of this petition may increase overcrowding and/or reliance upon mobile classrooms at the schools listed above.

**Town of Huntersville
Planning Board
July 27, 2021**

To: Town Board

From: David Peete, Principal Planner

Date: July 27, 2021

Subject:

EXPLAIN REQUEST:

Consider Recommendation on Brown Subdivision, a request by Bowman Development Group, Inc. to subdivide 36.41-acres located south of Huntersville-Concord Road at 13831 Asbury Chapel Road into 54 single-family lots.

ACTION RECOMMENDED:

Consider Recommendation to Town Board regarding Brown Subdivision, a request by Bowman Development Group, Inc. to subdivide 36.41-acres located south of Huntersville-Concord Road at 13831 Asbury Chapel Road into 54 single-family lots.

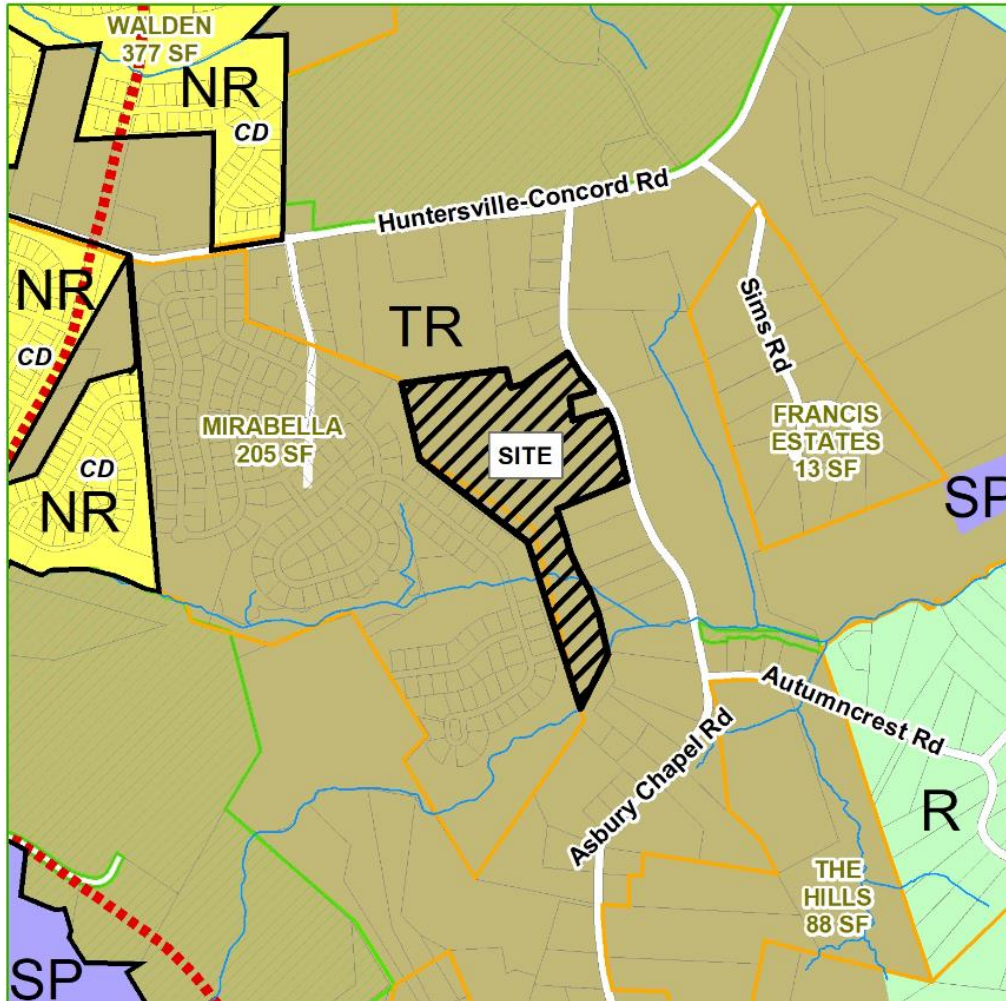
FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. Staff Report (PB) 07-27-21
2. Attachment A - Sketch Plan Application
3. Attachment B - Brown Subdivision Sketch Plan
4. Attachment C - Brown Subdivision Neighborhood Mtg Report

Brown Subdivision Sketch Plan

PART 1: PROJECT SUMMARY



Applicant: Bowman Development Group, Inc.

Property Owner(s): Jeffrey W. Brown, Ruth M. Brown & Joann Miller (see Attachment A).

Property Address: 13831 Asbury Chapel Road

Project Size: (+/-) 36.41-acres.

Parcel Number(s): 019-21-228 .

Current Zoning: Transitional Residential (TR).

Current Land Use: farmland & vacant.

Proposed Land Use: 54 single-family homes.

Proposed Density:

PART 2: SITE PLAN DESCRIPTION AND ISSUES

1. Purpose: To subdivide 36.41-acres of land located south of Huntersville-Concord Road along Asbury Chapel Road (shown as "site" above) into 54 single-family lots.
2. Adjoining Zoning and Land Uses:
 - North: Transitional Residential (TR) – Approx. 10 medium-to-large-lot single-family homes. [NOTE: Largest lot to north currently used by Colonial Pipeline to support clean-up efforts.]
 - South: Transitional Residential (TR) – (Portion of) Single-family subdivision (Mirabella), large-lot single-family homes & vacant.
 - East: Transitional Residential (TR) – Asbury Chapel Road, a large-lot, single-family home & farmland / vacant.
 - West: Transitional Residential (TR) – Single-family subdivision (Mirabella).
3. A neighborhood meeting was held on May 20, 2020 (see Attachment C). There were no residents in attendance.

4. The proposed subdivision has 54 single-family homes, with lots averaging 10,400 sq. ft. in size and 69 feet in width.
5. There are 18 specimen trees on the site. In the TR zoning district, 35 percent (7 trees) of the specimen trees are required to be saved and the developer proposes to save 9 specimen trees (50.0%). There are no known heritage trees on the site. Approximately forty-seven percent (47.51%) of the site is covered by tree canopy and the developer proposes to save 8.36-acres (48.35%) of the canopy (35% required in TR).
6. The subdivision will be developed in one (1) phase.
7. A water quality concept plan is being reviewed by the Town, but has not been approved as of the date of this report.
8. A “Willingness to Serve” letter was provided by Charlotte Water on April 5, 2021.
9. Required Urban Open Space is provided via a 0.61-acre Green in the middle of the development. Overall open space totals are 16.49-acres (45.28%). TR zoning requires 40% open space, minimum, to achieve maximum permitted density.
10. One (1) Ordinance Modification has been requested regarding maximum block length for the western-most street of the subdivision. The western-most street is approximately 940 feet in length and per Article 5.2, Major subdivision blocks are limited to 800 feet. In this instance, the abutting property along the western edge is an existing subdivision and there is no opportunity to provide a street stub to act as a block break. Staff finds this Ordinance modification request appropriate.

PART 3: TRANSPORTATION ISSUES/TRAFFIC IMPACT ANALYSIS (TIA)

A TIA determination was completed for the site. Based on the use and intensity, a TIA for the site was not required.

PART 4: PLANNING STAFF ANALYSIS

Section 6.200 of the Subdivision Ordinance outlines the “general requirements and policies to be used in the design, review, and approval” of subdivisions in the Town of Huntersville. The following staff findings are provided for the Board’s consideration of the Brown Subdivision Sketch Plan.

1. Consistency with adopted public plans and policies.

There are no Small Area Plan’s that apply to these parcels; however, the following sections of the 2040 Huntersville Community Plan apply to this request:

- The proposed Brown Subdivision lies completely within the “Residential Edge” Future Land Use Character Area of the 2040 Community Plan. The Residential Edge Character Area “provide transition from higher density areas to lower density areas. New development has mostly single-family homes with some attached residential possible. Average densities are 1.5 units/acre. Flexibility in lot sizes and housing types are possible with higher amounts of quality open space.”
- **Policy LU 2.2: Lower intensity residential uses are expected within the Residential Edge and Rural Conservation areas identified on the Future Land Use Map.**
Comment: The subdivision’s density is 1.48 units per acres, which is less than the Transitional Residential (TR) District limit of 1.5 units per acre.
- **Policy LU 5.2: Continue to require a Traffic Impact Analysis for developments that exceed a traffic generation threshold to promote development concurrent with transportation improvements town-wide.**
Comment: A TIA was not required by the Town (see Part 3 of this report). However, a left-turn lane northbound on Asbury Chapel has been required by NCDOT.
- **Policy LU 7.1: Require all new development to adhere to the design principles –** In lower intensity area, preservation of rural character and natural resources are prioritized.
Comment: The stream area, to the south and the majority of mature stands of trees are to be saved, as well as the trees along Asbury Chapel Road, which will serve as double-row of street trees.

- **Policy LU 9.2: Within lower intensity areas including Residential Edge, Rural Conservation and Critical Watershed Areas, conservation design & farmhouse clusters are encouraged.** Development should be clustered away from key natural features and site design should minimize grading and maximize preservation of existing stands of mature, native trees.
Comment: The majority of existing trees will be preserved, as they are located in the several corners of the property. The central portion of the development, where the homes will be located, was a farm and cleared of trees long ago.
- **Policy LU 10.2: Continue to encourage a mix of lot sizes in new developments.**
Comment: The proposed development provides three (3) lots widths, as required by the Zoning District. The lots are as follows: 62 ft. wide (48%), 72 ft. wide (31%) and 82 ft. wide (20%). While these types do not represent significant variation, there are a mix of lot sizes.
- **Policy LU 12.3: Blend new development with existing neighborhoods, structures and landscapes through the use of transitions in building types and placement of open space, buffers and other site features.** Comment: Where Brown subdivision ties into Roosevelt Grove Drive in Mirabella, the lots are similarly sized (slightly smaller) and abut rear-yard-to-rear-yard north of Roosevelt Grove Drive. South of the road, the Brown subdivision creates a new lot arrangement from that of Mirabella, but 20 feet landscape buffer will create an appropriate transition.
- **Policy EOS 2.1: Continue to require and incentivize open space reservation in Residential Edge, Rural Conservation and Critical Watershed areas.** Encourage new developments to have at least 40% open space in new developments in these areas.
Comment: This subdivision has 45.28% open space, as shown. In addition, instead of planting a double-row of street trees along Asbury Chapel Road, it is recommended that the preserved trees along the thoroughfare count as street trees.
- **Policy EOS 4.3: Plant more trees and continue to require street trees in new developments.**
Comment: Street trees are provided along all new streets. There will also be additional new plantings within the Urban Open Spaces.
- **Policy EOS 8.2: Work toward the goal of 100% of residents within a 10 minute walking distance of a park, formalized or curated natural areas, publicly-accessible passive open space area or greenway access point.**
Comment: A future public greenway is planned along the South Prong of Clark Creek, which lies in the southern portion of this subdivision. The applicant will reserve, via easement, the necessary corridor along the creek. In addition, it is recommended that a trail (improved or un-improved) is designated along the BMP south of Roosevelt Grove Drive to provide the Brown subdivision residents access to the future greenway. Staff can work with applicant to find a suitable location at Preliminary/Construction Plan stage, should this subdivision receive approval.
- **Policy EOS 8.3: Continue to require locational standards for open space in new developments.** Urban Open Space should be located within walking distance of homes in new subdivisions that are not located in rural areas. Open space should be located in undivided preserves where possible and should be accessible to the largest number of lots with the development.
Comment: All lots within the subdivision have appropriate access to the centrally located 0.61-acre Urban Open Space - Green.
- **Policy EOS 10.1: Implement the Greenway, Trail and Bike Committee's "30 x 30" Plan.** Connect all parks, schools, neighborhoods and major shopping into the Town's Greenway System (The Vine) by 2030 incrementally over the next 10 years. Include greenways, sidewalks, multi-use paths, trails and dirtways.
Comment: The proposed subdivision to provide an easement for the future greenway running along the South Prong of Clarke Creek in the southern portion of the development.
- **Policy PS 8.1: Continue to require new development to provide extensions (of public services) and infrastructure to serve new development, particularly in activity centers.**

Comment: Water and sewer is to be extended to this property, which will provide access to adjacent properties, as well.

- **Policy 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. Context-sensitive street design should be applied.

Comment: The subdivision provides one (1) connection to existing Roosevelt Grove Drive in the Mirabella subdivision and one (1) stub to adjacent parcels to the north.

- **Policy T 3.2: Improve multimodal connectivity by coordinating with other departments to implement the Huntersville Bicycle Master Plan, expanding the greenway network and supporting enhanced pedestrian connections.**

Comment: The proposed subdivision to provide an easement for the future greenway running along the South Prong of Clarke Creek in the southern portion of the development.

- **Policy T 5.3: Support NCDOT's Complete Streets Policy.** Complete streets policies require all streets to be planned and designed to consider the safety and accessibility of all users, no matter their age and ability. Complete streets prioritize sidewalks, bicycle facilities and safe crossings in accordance with the street's context and function.

Comment: All proposed streets utilize the Town's residential street cross-section and provide appropriate lane widths and sidewalks on both sides.

2. Conformity.

The proposed subdivision is immediately adjacent on the west side to one (1) small-lot, single-family subdivisions – Mirabella. The lot pattern closest to Mirabella (and north of Roosevelt Grove Drive) is similar to the adjoining lot pattern. Along the other borders, there are large-lot; single-family homes abutting the development.

3. Access between Adjoining Properties.

The subdivision provides one (1) new connection to Asbury Chapel Road on the east side and to the existing Roosevelt Grove Drive to the west. In addition, there is one (1) street stub to the north.

4. Relation to topography.

The majority of the 36.41-acres that make up Brown Subdivision are generally flat, as the property was a farm and the proposed street network and lot-layout generally respects the topography of the site.

5. Mature trees and natural vegetation.

The proposed project is required to save 35 percent of the tree canopy, 35 percent of the specimen trees and 100% of the heritage trees. All three of these requirements are being satisfied, as outlined in Part 2, Item 5.

6. Access to parks, schools, etc.

Not Applicable.

7. Discourage through traffic.

The extension of Roosevelt Grove Drive from Mirabella subdivision to Asbury Chapel Road is a straight connection and needs to have traffic calming measures installed. One raised, pedestrian street crossing has been proposed at the central Green. Staff continues to work with the applicant on the most appropriate traffic-calming technique. There are no other connections to adjoining public streets. The internal streets are appropriately sized for residential traffic and are designed to include short blocks, with the exception of the western-most street, which an Ordinance modification has been requested.

8. Relationship to railroad rights-of-way.

Not Applicable.

9. Half streets.

Not Applicable.

10. Parallel streets along thoroughfares.

Not Applicable.

11. Public School and Public Park Sites

The parcel associated with Brown Subdivision Sketch Plan have not been identified for a school or park site.

12. Public Facilities

The parcel associated with the Brown Subdivision Sketch Plan have not been identified for a public facility.

13. Proposed street names

The street names for Brown Subdivision Sketch Plan would be approved with Preliminary (Construction) Plan submission (if Sketch Plan were approved).

14. Easements.

Easements have been identified and the plans have been sent to the respective Engineering and Utility Departments.

15. Proposed water and sewerage system.

Water and sewer will need to be extended to the development. A “Willingness to Serve” letter from Charlotte Water, dated April 5, 2021 has been provided.

16. Restrictions on the subdivision of land subject to flooding.

There is one (1) stream (South Prong of Clarke Creek) that runs through the southern portion of the subdivision and there is no development proposed within the floodplains of this stream.

17. Reserved.

18. Open Space

Required Urban Open Space is provided via a 0.61-acre Green. Overall, open space totals are 16.49-acres (45.28%). TR zoning requires 40% open space, minimum, to achieve maximum permitted density.

19. Impact of Development on Public Facilities

There is no indication the proposed subdivision will adversely impact public facilities.

PART 5: STAFF RECOMMENDATION

COMPLETENESS OF APPLICATION

Town Staff has reviewed the proposed Subdivision Sketch Plan and finds the application complete.

COMPLIANCE WITH APPLICABLE REQUIREMENTS

Brown Subdivision Sketch Plan complies with all applicable requirements and is supported by the findings of fact outlined in Parts 2 – 4 of this report, with the following conditions:

There are several site plan issues that **MUST BE ADDRESSED**:

- A modification request for the western-most street block length not to exceed 950 feet is appropriate, as there is no opportunity to introduce a street-stub due to the abutting property being fully developed (Mirabella Subdivision);
- All required TIA/Town/NCDOT required improvements are provided;

- All outstanding Transportation comments are addressed;
- All outstanding redline comments are addressed.

There are several Subdivision Sketch Plan issues that staff makes **RECOMMENDATION** on:

- The street running east/west connecting Mirabella to Asbury Chapel Road should incorporate traffic calming.
- Provide a trail connection from Roosevelt Grove Drive to the future greenway easement.

APPROVAL

The Brown Subdivision Sketch Plan could comply with all applicable requirements once the conditions listed above are addressed. Staff Recommends Approval of the proposed Subdivision Sketch Plan based on satisfaction of the above listed items.

PART 6: PLANNING BOARD RECOMMENDATION

Planning Board will review on Tuesday, July 27, 2021.

PART 7: ATTACHMENTS AND ENCLOSURES

- A – Subdivision Sketch Plan Application
- B – Proposed Brown Subdivision Sketch Plan
- C – Neighborhood Meeting Report

PART 8: DECISION STATEMENTS

Please refer to Part 5 of this report for recommendation.

In considering whether to approve an application for a subdivision sketch plan, the Planning and Town Board must complete the following (a full version can be found in [Section 6.320.5](#) of the Subdivision Ordinance).

- Is the application complete (lacking any particular requirement)? *If no member of the Board moves that the application is incomplete, then this inaction is taken as an affirmative finding that the application is complete.*
- Does the application comply with all the applicable requirements? *A statement must be made that the application complies or does not comply that includes the support documentation of the particular motion.*
- Lastly, the Board must make a motion to approve or deny based on the previous statements.



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 3/29/21

Name of Project Brown Subdivision

Phase # (if subdivision) NA

Project Address 13831 Asbury Chapel Road

Parcel Identification Number(s) (PIN) 01921228

Current Zoning District TR

Proposed District (for rezoning only) NA

Property Size (acres) 36.41

Street Frontage (feet) 825

Current Land Use Farm Land

Proposed Land Use(s) Residential

Is the project within Huntersville's corporate limits?

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

3. Description of Request

Explain the nature of this request. If a separate sheet is necessary, please attach to this application.
Approval of a Sketch Plan for 54 single family lots.

4. Site Plan Submittals

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

5. Outside Agency Information

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

6. Applicant

Printed Name Bowman Development Group, Inc. Phone 704-875-9704
☒ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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

Signature [Signature] Printed Name: Robert Bowman
Title Manager Email Bowman31@gmail.com

Address of Applicant 13815 Cinnabar Place, Huntersville, NC 28078

7. Property Owner (if different than applicant)

*Printed Name Jeffrey Brown Phone 704-564-2091
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☒ Other: Property owner

☒ 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)

X Signature [Signature] Printed Name Jeffrey Brown
Title Owner Email JWBB14226@gmail.com

Address of Property Owner 14226 Huntersville-Concord Road Huntersville, NC 28078

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

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

8. Development/Design Firm Contact Information

Bowman Development Group, Inc.	Nate Bowman	704-875-9704	Bowman31@gmail.com
Development Firm	Name of Contact	Phone	Email
Yarbrough-Williams & Houle, Inc.	Vince Keene	704-556-1990	vincek@y-wh.com
Design Firm	Name of Contact	Phone	Email

Contact Information

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



General Application Owner/Applicant Signature Addendum

Application Information

Date of Application 03/29/2021 Application Number _____
Name of Project Brown Subdivision Phase # (if subdivision) N/A

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

* ^ Printed Name Ruth Marilyn Brown Phone Number 704-566-9709
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☒ Other:
☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant/owner (circle one) my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Commissioners except through sworn testimony at the public hearing. (Applicable for Special Use Permits and Subdivisions)

Signature Ruth Marilyn Brown dotloop verified
03/27/21 12:24 PM EDT
AYKD-6UID-101B-AZDK Parcel ID(s) 01921228

Title Owner Email Rmarbrown@aol.com

Address of Property Owner/Applicant 8119 Ottawa Lane, Charlotte, NC 28227-4009

* ^ Printed Name JoAnne Brown Miller Phone Number 980-522-9855
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☒ Other:
☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant/owner (circle one) my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Commissioners except through sworn testimony at the public hearing. (Applicable for Special Use Permits and Subdivisions)

Signature Joanne B. Miller dotloop verified
03/27/21 11:21 AM EDT
CZGHI3P6-ED2Z-JGWO Parcel ID(s) 01921228

Title Owner Email JMiller.ETJ@aol.com

Address of Property Owner/Applicant 919 Oak Street, Mooresville, NC 28115

* ^ Printed Name _____ Phone Number _____
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☒ Other:
☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant/owner (circle one) my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Commissioners except through sworn testimony at the public hearing. (Applicable for Special Use Permits and Subdivisions)

Signature _____ Parcel ID(s): _____

Title _____ Email _____

Address of Property Owner/Applicant _____

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

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

SHEET INDEX:

SHEET 1	COVER SHEET
SHEET 2	EXISTING FEATURES (SITE ANALYSIS PLAN)
SHEET 3	FOUR STEP PROCESS: STEP 1
SHEET 4	FOUR STEP PROCESS: STEP 2
SHEET 5	FOUR STEP PROCESS: STEP 3
SHEET 6	FOUR STEP PROCESS: STEP 4
SHEET 7	SKETCH PLAN
SHEET 8	GRADING/DRAINAGE/STORMWATER PLAN
SHEET 9	LANDSCAPE PLAN/ BLOCK LENGTH/DETAIL PLAN #1
SHEET 10	LANDSCAPE PLAN/ BLOCK LENGTH/DETAIL PLAN #2
SHEET 11	DETAIL SHEET
SHEET 12	ASBURY CHAPEL RD - ROADWAY IMPROVEMENT PLANS

NOTES:
ALL DEVELOPMENT AND CONSTRUCTION SHALL COMPLY WITH ALL ZONING AND SUBDIVISION STANDARDS OF THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, AND NCDOT, AS APPLICABLE.

THIS PROPERTY MAY BE SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAY OF RECORD.

ALL AREAS DESIGNATED AS COMMON AND/OR URBAN OPEN SPACE SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION AND DEDICATED FOR PERPETUITY.

ACCESS (INGRESS/EGRESS) LOCATION AND DESIGN SHOWN ON THIS SKETCH PLAN AREA SUBJECT TO ACHIEVING VERTICAL AND HORIZONTAL SIGHT DISTANCES, TURN LANE IMPROVEMENTS (INCLUDING RIGHT-OF-WAY) AND INTERSECTION WITH ADJACENT AND OPPOSING ACCESS POINTS. MODIFICATIONS TO PLAN MAY RESULT.

A TRANSPORTATION IMPROVEMENT ANALYSIS (TIA) WAS NOT REQUIRED, PER TOWN POLICY.

LARGE MATURING TREES WILL BE PLANTED 40' O/C WITHIN THE REQUIRED PLANTING STRIP ALONG ALL STREETS WITH THE EXCEPTION F RURAL PARKWAYS WHERE EXISTING TREES CAN SATISFY THE STREET TREE REQUIREMENT. SMALL MATURING TREES ARE TO BE USED WHERE OVERHEAD POWER LINES EXIST.

MAIL DELIVERY WILL BE ACCOMPLISHED THROUGH USPS CLUSTER MAILBOX UNITS. TRASH PICKUP WILL BE THROUGH ROLL OUT CANS TO THE STREET.

REFER TO ARTICLE 8.16.1 & 2 OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE FOR STANDARDS FOR RESIDENTIAL LOT WIDTHS, ALLEYS, GARAGES AND PARKING IN RESIDENTIAL DISTRICTS.

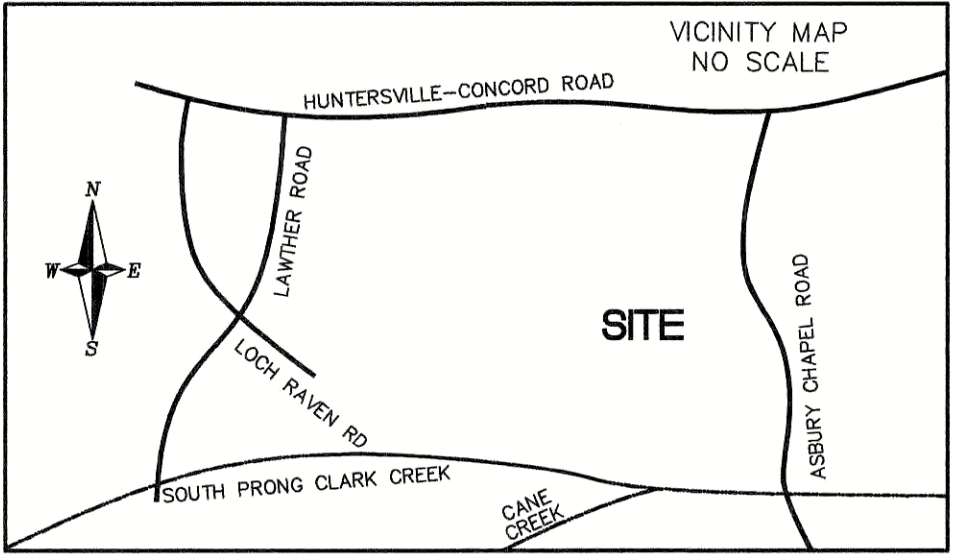
LOTS SUBJECT TO FLOODING SHOULD NOT BE ESTABLISHED IN SUBDIVISIONS EXCEPT AS PROVIDED IN SECTION 7.280.

ANY CONSTRUCTION OR USE WITHIN THE AREAS DELINEATED BY FLOODWAY FRINGE DISTRICT BOUNDARY LINE AND FLOODWAY DISTRICT ENCRoACHMENT LINE SUBJECT TO THE RESTRICTIONS IMPOSED BY FLOODWAY REGULATIONS.

SEWER AND WATER SERVICE WILL BE PROVIDED BY CHARLOTTE WATER.

FOR LOTS 60 FEET WIDE OR LESS, DRIVEWAYS SHALL BE NO MORE THAN 14 FEET WIDE AS MEASURED ALONG THE PUBLIC STREET RIGHT-OF-WAY FOR A DETACHED HOUSE AND TWO-UNITS ATTACHED HOUSE TYPE. FOR LOTS WIDER THAN 60 FEET, DRIVEWAYS SHALL BE NO MORE THAN 20 FEET WIDE AS MEASURED ALONG THE PUBLIC STREET RIGHT-OF-WAY FOR A DETACHED HOUSE AND TWO-UNIT ATTACHED HOUSE TYPES.

BROWN
SUBDIVISION
SKETCH PLAN
EPM #420845



PROJECT INFORMATION
PARCEL ID: 01921228
SITE AREA: 38.41 AC. (1,696,019.80 SF.)
PRINCIPLE USE: SINGLE FAMILY-RESIDENTIAL
BUILDING TYPE: DETACHED

ZONING: TR
% OF IMPERVIOUS ALLOWED: 70%
% OF IMPERVIOUS SHOWN: 23.26%
LOTS PROVIDED: 54
LOT WIDTH RANGE:
OF 62' WIDE LOTS: 26
OF 72' WIDE LOTS: 17
OF 82' WIDE LOTS: 11

AVERAGE LOT WIDTH: 69.22'
LOT SIZE RANGE:
8,285 - 9,877 S.F. LOTS: 23
10,019 - 12,942 S.F. LOTS: 31
15,001 - 20,000 S.F. LOTS: 0
> 20,000 S.F. LOTS: 0
MIN. LOT SIZE: 8,285 S.F. (LOT 13)
AVERAGE LOT SIZE: 10,401 SF

MAX. DENSITY ALLOWED: 1.5 UNITS PER ACRE (WITH 40% OPEN SPACE)
DWELLINGS PROVIDED: 54
DENSITY PROVIDED: 54/38.41 = 1.48 UNITS PER ACRE
TOTAL OPEN SPACE REQUIRED: 14.57 AC. (40%)
TOTAL OPEN SPACE PROVIDED: 16.49 AC. (45.28%)

TYPICAL LOT SETBACKS:
FRONT SETBACK 20'
REAR SETBACK 25'
SIDEYARD 6'
CORNER SIDEYARD 6'

HERITAGE TREES:
NUMBER OF HERITAGE TREES ON SITE: 0
NUMBER OF HERITAGE TREES SAVED: N/A
% OF HERITAGE TREES REQUIRED TO SAVE: 100%
% OF HERITAGE TREES ACTUALLY SAVED: N/A
SPECIMEN TREES:
NUMBER OF SPECIMEN TREES ON SITE: 18
NUMBER OF SPECIMEN TREES SAVED: 9
% OF SPECIMEN TREES REQUIRED TO SAVE: 35%
% OF SPECIMEN TREES ACTUALLY SAVED: 50.0%

TREE CANOPY:
% OF SITE COVERED BY TREE CANOPY: 47.51%
% OF TREE CANOPY PRESERVATION REQUIRED BY DISTRICT: 35%
% OF TREE CANOPY ACTUALLY SAVED: 8.36 AC (48.35%)

THIS SITE IS NOT LOCATED WITHIN A REGULATED WATERSHED DISTRICT.

THIS SITE IS LOCATED WITHIN THE CLARKE STREAM WATERSHED.

THIS SITE IS PARTIALLY LOCATED WITHIN A FEMA FLOOD ZONE PER FEMA PANEL # 371046600K and # 3710466100K

ON STREET PARKING: 2 ON STREET PARKING SPACES ARE SHOWN AT USPS CLUSTER MAILBOX UNIT.

*NOTES:
-NCDOT REQUIREMENTS: ASBURY CHAPEL ROAD WILL REQUIRE A LEFT TURN LANE AT THE SUBDIVISION ENTRANCE, WITH 75' OF STORAGE AND APPROPRIATE TAPERS.

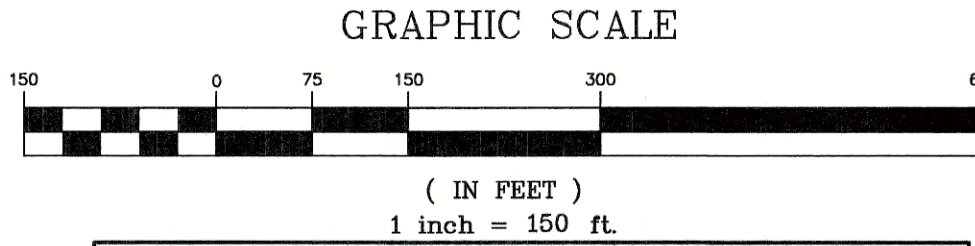
-FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS OF 80,000 POUNDS.

APPLICANT HAS AGREED TO VOLUNTARY ANNEXATION OF THIS PROJECT AND WILL SUBMIT AN ANNEXATION PETITION AT PRELIMINARY PLAN STAGE.

AFTER SUBDIVISION STREETS ARE CERTIFIED BY A LICENSED PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF NORTH CAROLINA FOR ADEQUATE CONSTRUCTION, APPLICANT WILL REQUEST THAT THE TOWN OF HUNTERSVILLE ASSUME ROAD MAINTENANCE RESPONSIBILITIES.

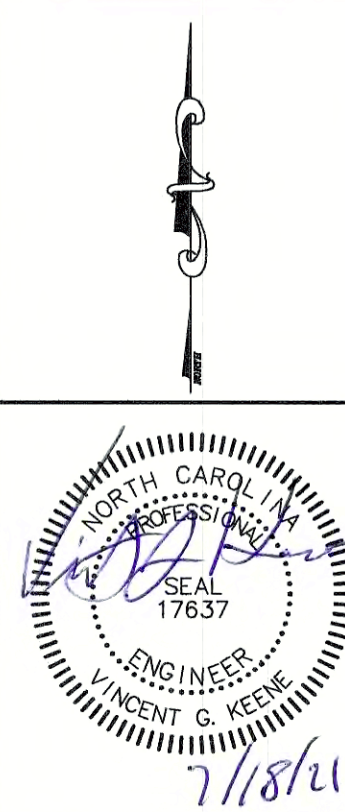
LEGEND KEY:

- 62' WIDE LOTS
- 72' WIDE LOTS
- 82' WIDE LOTS

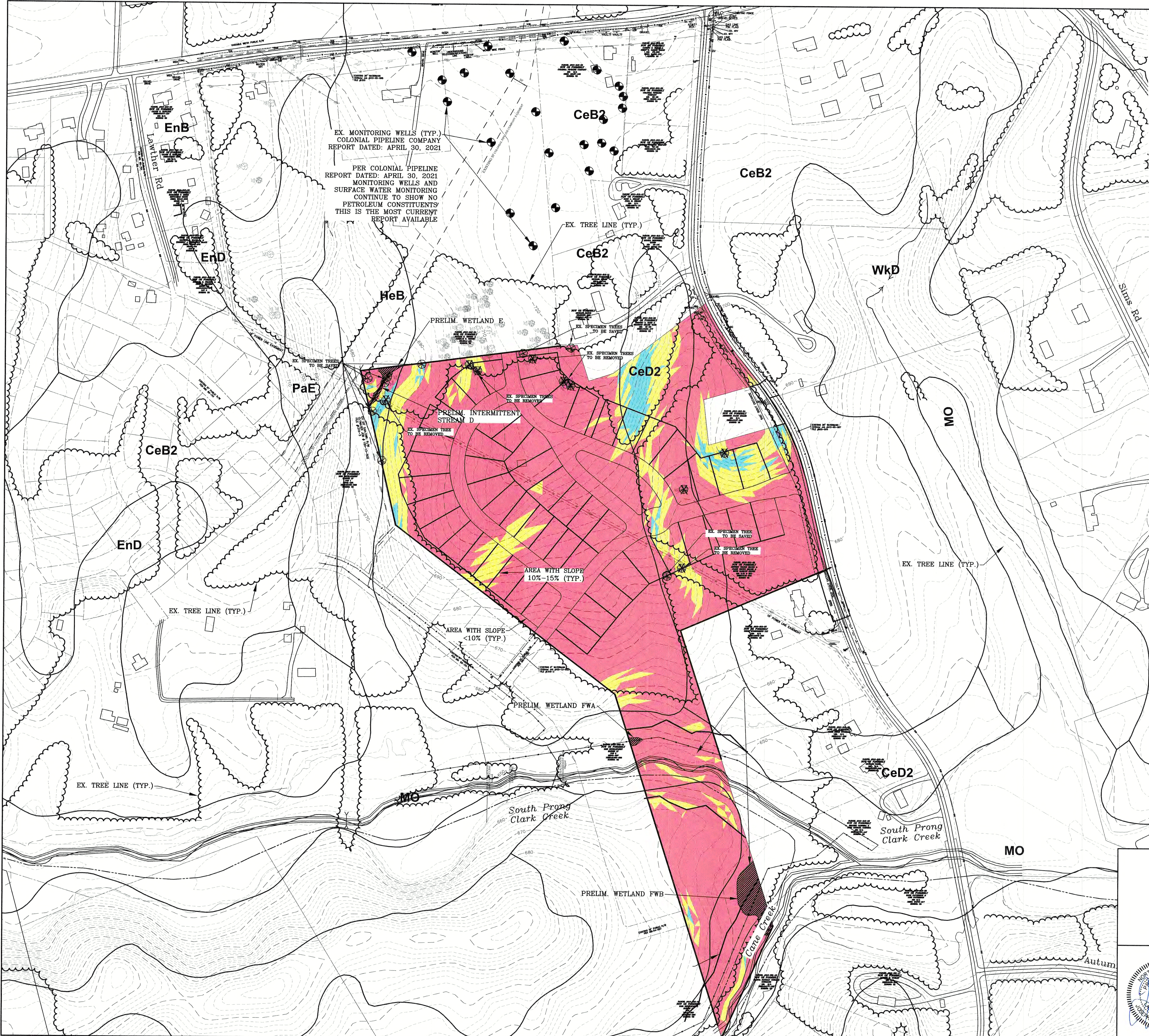


THIS PLAN IS A FINAL DESIGN-NOT
RELEASED FOR CONSTRUCTION
UNLESS INITIALED/DATED AS APPROVED:
APPROVED: INITIALS / DATE

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



NO.	DATE	REVISION	BY
4	07/14/21	REVISED PER HUNTERSVILLE COMMENTS	WMD
3	06/14/21	REVISED PER HUNTERSVILLE COMMENTS	WMD
2	05/04/21	REVISED PER HUNTERSVILLE COMMENTS	WMD
1	03/04/21	LOT SIZE RANGE REVISED PER HUNTERSVILLE COMMENTS	WMD
PROJECT NO.			
SHEET TITLE			
COVER SHEET			
PROJECT			
MILLER/BROWN SUBDIVISION			
TOWN OF HUNTERSVILLE, MECK. CO., N.C.			
FOR: BOWMAN DEVELOPMENT GROUP			
DRAWING NO.			
278-574			
SHEET 1 OF 12			



Slopes Table				
Number	Minimum Slope	Maximum Slope	Slope Area in Range	Color
1	0.00%	10.00%	28.40 AC.	
2	10.00%	15.00%	4.74 AC.	
3	15.00%	25.00%	0.94 AC.	
4	25.00%	200.00%	0.004 AC.	

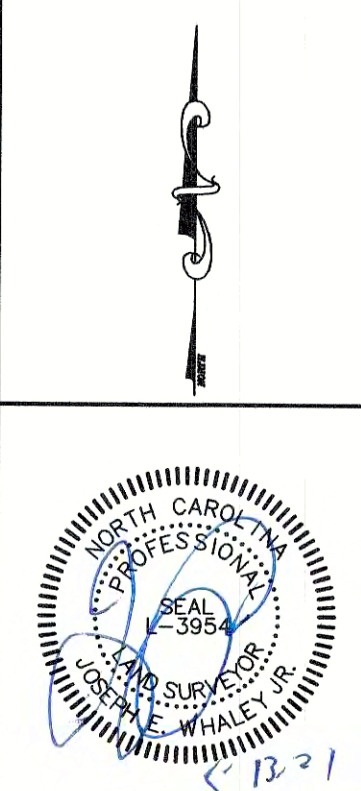
WETLANDS SUMMARY			
WETLAND	ACREAGE	INTERMITTENT STREAM	LENGTH LF.
E	0.06 Ac.	D	133.7

HERITAGE TREES:
NUMBER OF HERITAGE TREES ON SITE: 0
NUMBER OF HERITAGE TREES SAVED: N/A
% OF HERITAGE TREES REQUIRED TO SAVE: 100%
% OF HERITAGE TREES ACTUALLY SAVED: N/A
SPECIMEN TREES:
NUMBER OF SPECIMEN TREES ON SITE: 18
NUMBER OF SPECIMEN TREES SAVED: 9
% OF SPECIMEN TREES REQUIRED TO SAVE: 35%
% OF SPECIMEN TREES ACTUALLY SAVED: 50.0%
%
TREE CANOPY:
% OF SITE COVERED BY TREE CANOPY: 47.51%
% OF TREE CANOPY PRESERVATION REQUIRED BY DISTRICT: 35%
% OF TREE CANOPY ACTUALLY SAVED: 8.36 AC (48.35%)

EX. SPECIMEN TREES
TO BE REMOVED

EX. SPECIMEN TREES
TO BE SAVED

THIS PLAN IS A **FINAL DESIGN—NOT
RELEASED FOR CONSTRUCTION**
UNLESS INITIALED/DATED AS APPROVED:
APPROVED: WVK / 5/22/21
INITIALS DATE



2	05/04/21	REVISED PER HUNTERVILLE COMMENTS	WVK
1	03/04/21	ADDED WETLANDS SUMMARY PER HUNTERVILLE COMMENTS	WVK
NO.	DATE	REVISION	BY
SHEET TITLE			
EXISTING FEATURES (SITE ANALYSIS) PLAN			
PROJECT			
MILLER/BROWN SUBDIVISION			
TOWN OF HUNTERVILLE, MECK COUNTY, NC			
FOR: BOWMAN DEVELOPMENT GROUP			
DRAWN BY			
JLD			
CHECKED BY			
VCK			
DRAWING NO.			
278-575			
SHT 2 OF 12			

FOUR STEP PROCESS STEP 1:
DESIGNATING OPEN SPACE

EX. MONITORING WELLS (TYP.)
COLONIAL PIPELINE COMPANY
REPORT DATED: APRIL 30, 2021

PER COLONIAL PIPELINE
REPORT DATED: APRIL 30, 2021
MONITORING WELLS AND
SURFACE WATER MONITORING
CONTINUE TO SHOW NO
PETROLEUM CONSTITUENTS
THIS IS THE MOST CURRENT
REPORT AVAILABLE

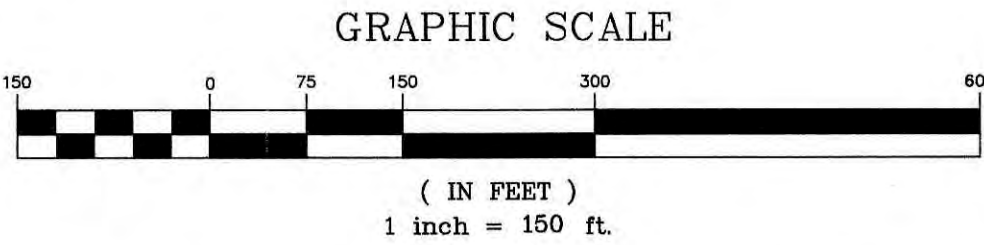
PROPOSED GREENWAY
PRELIMINARY LOCATION
TO BE RESERVED

South Prong
Clark Creek

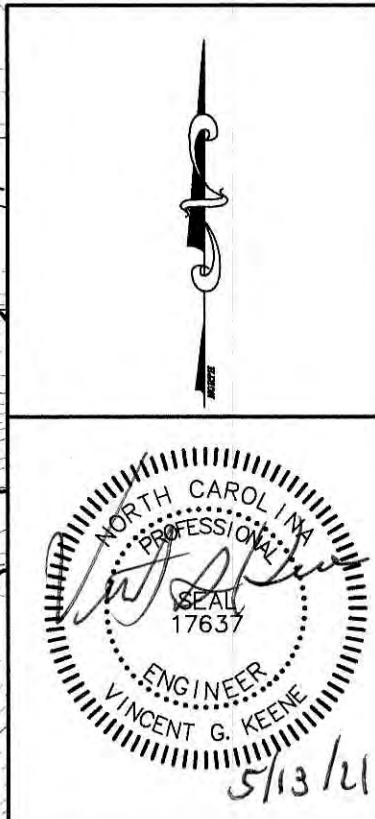
AREA OF 100' SWIM BUFFER
PER MECKLENBURG COUNTY GIS
BUFFER IS 100' OR ENTIRE
FLOODPLAIN WHICHEVER IS GREATER

South Prong
Clark Creek

AREA OF 100' SWIM BUFFER
PER MECKLENBURG COUNTY GIS
BUFFER IS 100' OR ENTIRE
FLOODPLAIN WHICHEVER IS GREATER

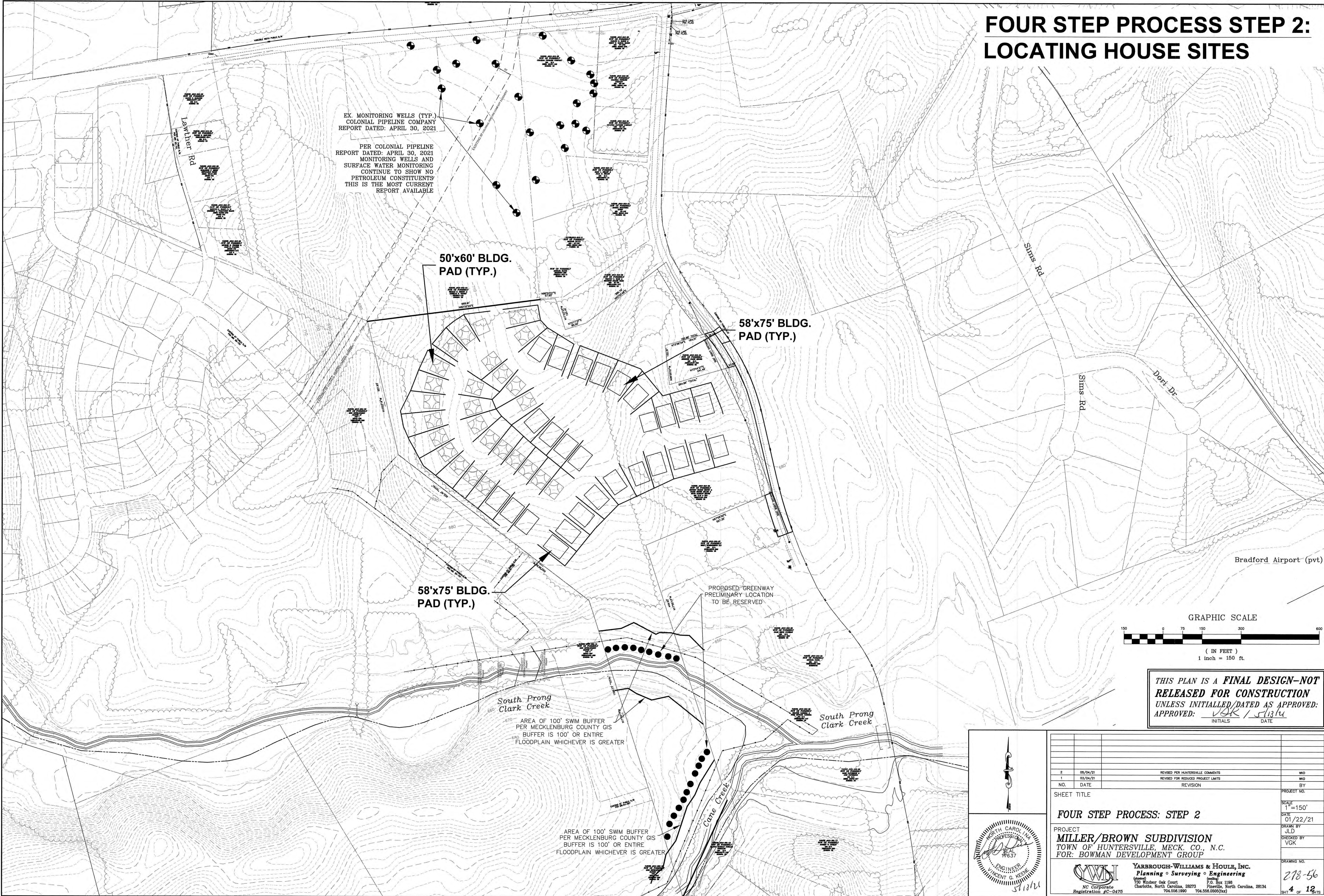


THIS PLAN IS A **FINAL DESIGN-NOT
RELEASED FOR CONSTRUCTION**
UNLESS INITIALLED/DATED AS APPROVED:
APPROVED: VS/KC 5/13/21
INITIALS DATE

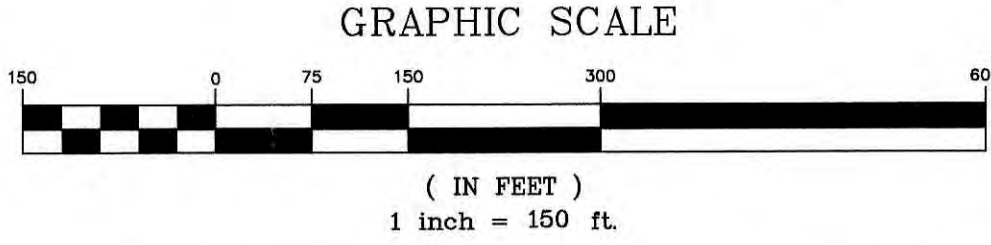
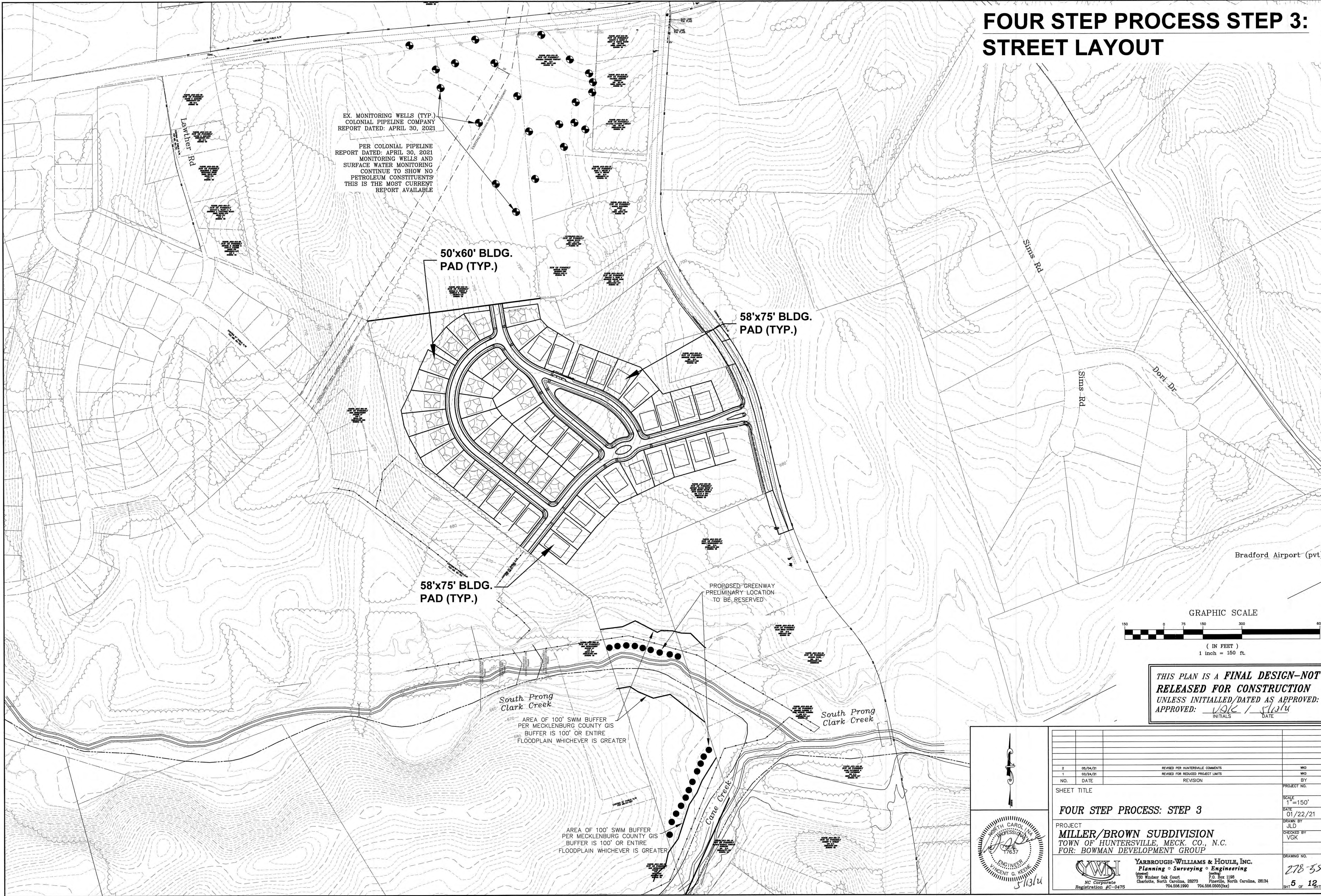


2	05/04/21	REVISED PER HUNTERSVILLE COMMENTS		WJD
1	03/24/21	REVISED FOR REDUCED PROJECT LIMITS		WJD
NO.	DATE	REVISION		BY
SHEET TITLE				PROJECT NO.
FOUR STEP PROCESS: STEP 1				SCALE 1"=150'
PROJECT MILLER/BROWN SUBDIVISION TOWN OF HUNTERSVILLE, MECK. CO., N.C. FOR: BOWMAN DEVELOPMENT GROUP				DATE 01/22/21
				DRAWN BY JLD
				CHECKED BY VGR
				DRAWING NO.
 YARBROUGH-WEISS & HOULE, INC. <i>Planning • Surveying • Engineering</i> (located) 730 Windsor Oak Court Charlotte, North Carolina, 28274 704.556.1990 NC Corporate Registration #C-0479				(located) P.O. Box 1198 Fluorilla, North Carolina, 28134 704.556.0505(fax)
				278-578 SHT 3 OF 12 SITS

FOUR STEP PROCESS STEP 2:
LOCATING HOUSE SITES



FOUR STEP PROCESS STEP 3:
STREET LAYOUT

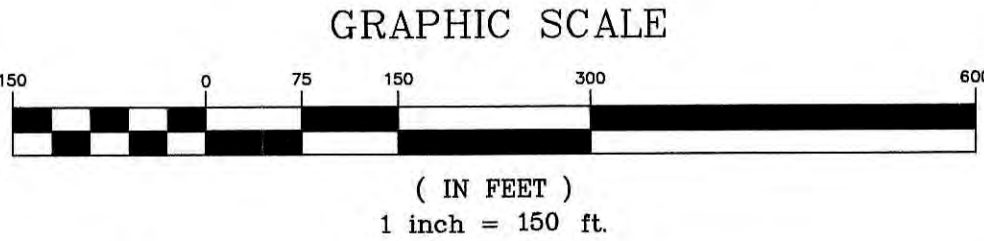
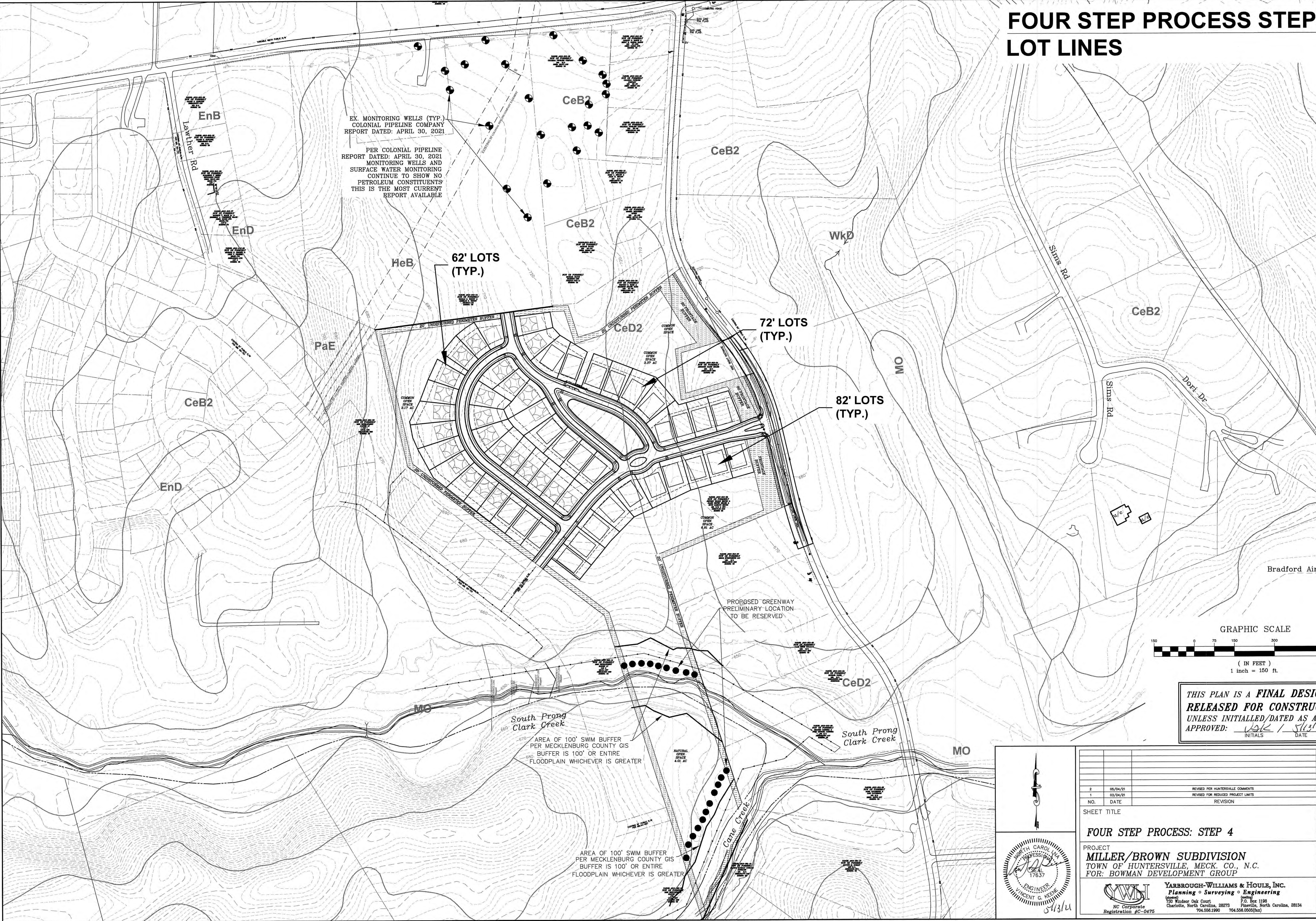


THIS PLAN IS A **FINAL DESIGN-NOT RELEASED FOR CONSTRUCTION** UNLESS INITIALED/DATED AS APPROVED:
APPROVED: VGK / 5/13/24
INITIALS DATE

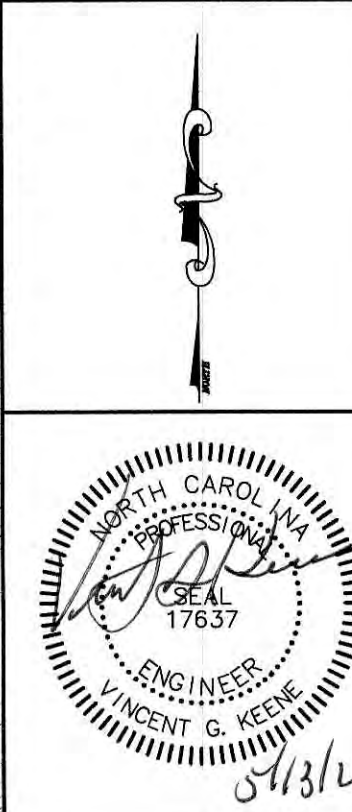


2	06/04/21	REVISED PER HUNTERVILLE COMMENTS	WHO
1	05/24/21	REVISED FOR REDUCED PROJECT LIMITS	WHO
NO.	DATE	REVISION	BY
SHEET TITLE			PROJECT NO.
FOUR STEP PROCESS: STEP 3			SCALE 1"=150'
PROJECT MILLER/BROWN SUBDIVISION TOWN OF HUNTERVILLE, MECK. CO., N.C. FOR: BOWMAN DEVELOPMENT GROUP			DATE 01/22/21
DRAWN BY JLD			CHECKED BY VGK
DRAWING NO. 278-35			SHT. OF 12
 YARBROUGH-WILLIAMS & HOULE, INC. Planning • Surveying • Engineering 790 Windsor Oak Court Charlotte, North Carolina, 28273 704.556.1990		P.O. Box 1188 Pineville, North Carolina, 28134 704.556.0505(fax)	

FOUR STEP PROCESS STEP 4:
LOT LINES



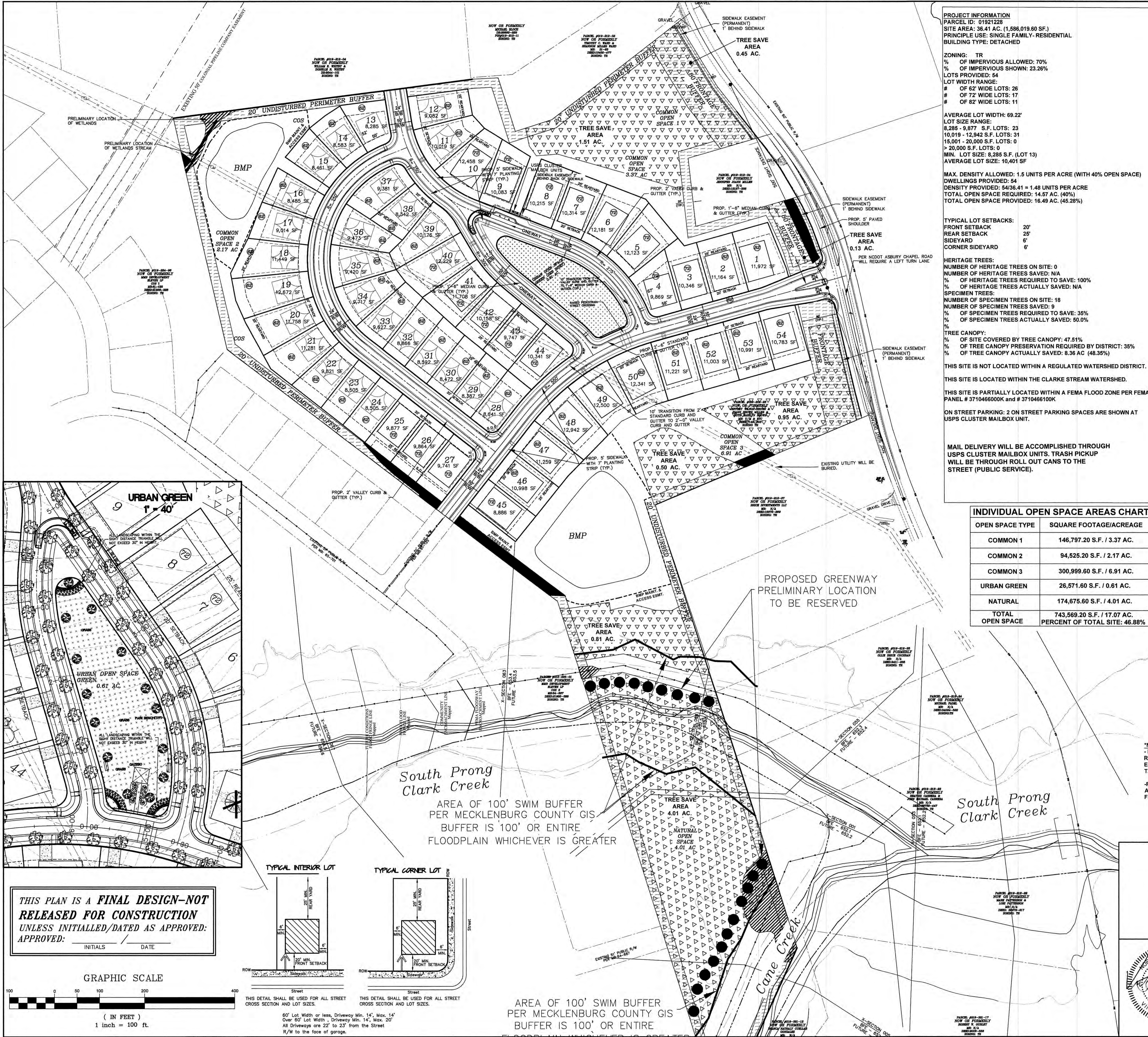
THIS PLAN IS A **FINAL DESIGN-NOT RELEASED FOR CONSTRUCTION** UNLESS INITIALLED/DATED AS APPROVED:
APPROVED: VGK / 5/13/21
INITIALS DATE



2	05/04/21	REVISED PER HUNTERSVILLE COMMENTS		WGO
1	03/24/21	REVISED FOR REDUCED PROJECT LIMITS		WGO
NO.	DATE	REVISION		BY
SHEET TITLE				
FOUR STEP PROCESS: STEP 4				
PROJECT				
MILLER/BROWN SUBDIVISION				
TOWN OF HUNTERSVILLE, MECK. CO., N.C.				
FOR: BOWMAN DEVELOPMENT GROUP				
DRAWN BY				
JLD				
CHECKED BY				
VGK				
DRAWING NO.				
278-54				
6 OF 12				



YARBROUGH-WILLIAMS & HOULE, INC.
Planning • Surveying • Engineering
(equal) 750 Windsor Oak Court, Charlotte, North Carolina, 28273
704.556.1990 704.556.0506(fax)



RESIDENTIAL LOCAL STREET
NO ON STREET PARKING
TYPICAL SECTION

NOTES:

- SIDEWALK SHALL BE PROVIDED ON BOTH SIDES OF THE STREET.
- SEE SECTION B, FOR ADDITIONAL DESIGN CRITERIA.
- 2'-0" VALLEY GUTTER MAY BE SUBSTITUTED FOR 2'-6" CURB AND GUTTER. THIS REDUCES THE MINIMUM RIGHT-OF-WAY BY ONE FOOT.

RESIDENTIAL LOCAL STREET
PARKING ON ONE SIDE OF STREET
TYPICAL SECTION

NOTES:

- SIDEWALK SHALL BE PROVIDED ON BOTH SIDES OF THE STREET.
- SEE SECTION B, FOR ADDITIONAL DESIGN CRITERIA.
- 2'-0" VALLEY GUTTER MAY BE SUBSTITUTED FOR 2'-6" CURB AND GUTTER ON THE SIDE OF THE STREET WITHOUT PARALLEL PARKING. THIS REDUCES THE MINIMUM RIGHT-OF-WAY BY SIX INCHES. 2'-0" VALLEY GUTTER MAY NOT BE SUBSTITUTED FOR 2'-6" CURB AND GUTTER ON THE SIDE OF THE STREET WITH PARALLEL PARKING.
- REFER TO STANDARD DRAWING 285.1 FOR PARALLEL PARKING LAYOUT.

MODIFICATION REQUEST

1. BLOCK LENGTH-IT IS NOT FEASIBLE TO MAKE A STUB CONNECTION TO THE PROPERTY LINE TO THE WEST FROM BLOCK C BETWEEN BLOCK C AND BLOCK F DUE TO THE EXISTING SUBDIVISION. THEREFORE, A BLOCK LENGTH MODIFICATION IS NECESSARY.

VICINITY MAP
NO SCALE

REVISIONS

NO.	DATE	REVISION	BY
5	07/14/21	REVISED PER HUNTERVILLE COMMENTS	WKO
4	06/14/21	REVISED PER HUNTERVILLE COMMENTS	WKO
3	05/04/21	REVISED PER HUNTERVILLE COMMENTS	WKO
2	03/24/21	REVISED FOR REDUCED PROJECT SIZE	WKO
1	03/04/21	ADDED BELOW UP OF URBAN GREEN AND VICINITY MAP PER HUNTERVILLE COMMENTS	WKO

SKETCH PLAN

PROJECT
MILLER/BROWN SUBDIVISION
 TOWN OF HUNTERVILLE, MECK. CO., N.C.
 FOR: BOWMAN DEVELOPMENT GROUP

YARBROUGH-WILLIAMS & HOULE, INC.
 Planning • Surveying • Engineering
 750 Windsor Oak Court
 Charlotte, North Carolina, 28273
 704.556.1990 704.556.0505(fax)

DRAWING NO.
 278-53
 7 OF 12 SHEETS

PER COLONIAL PIPELINE
REPORT DATED: APRIL 30, 2021
MONITORING WELLS AND
SURFACE WATER MONITORING
CONTINUE TO SHOW NO
PETROLEUM CONSTITUENTS
THIS IS THE MOST CURRENT
REPORT AVAILABLE

LEGEND:

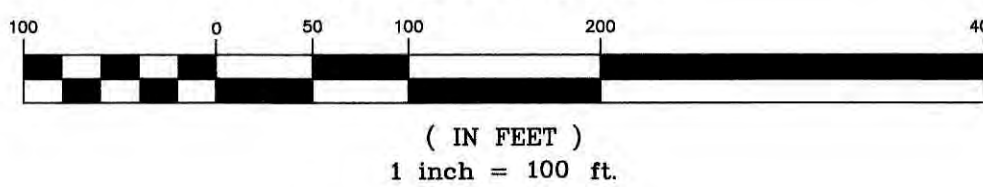
- DRAINAGE AREA
- BMP MAINTENANCE AND ACCESS EASEMENT
- TREE SAVE
- PERIMETER BUFFER
- WETLANDS
- STREAM
- PROP. SANITARY SEWER EASEMENT
- SPECIMEN TREE
- PROP. STORM
- EXISTING SEWER
- EXISTING WATER
- EXIST. 2' CONTOUR

*NOTES:
- ALL EXISTING TOPOGRAPHY AND PROPOSED CONTOURS ARE 2' CONTOURS EXCEPT AT BMP/SCM AREAS
- SWALES WILL BE GRADED ON THE BACKS OF LOTS AS NECESSARY TO DIRECT FLOW TO STORM DRAIN SYSTEM AND ULTIMATELY TO THE BMP'S. WHERE SWALES CANNOT BE GRADED, A ROOF LEADER SYSTEM WILL BE INSTALLED TO CARRY FLOW TO STORM SYSTEMS AND BMP'S.
- FINE GRADING WILL BE REVIEWED DURING CONSTRUCTION DOCUMENT REVIEW PHASE. REVISIONS TO THE GRADING PLANS AS SHOWN MAY BE NEEDED IN THAT PHASE. THERE IS A POSSIBILITY THAT ADDITIONAL RETAINING WALLS MAY BE NEEDED TO MEET ENGINEERING REQUIREMENTS.

- NCDOT REQUIREMENTS: ASBURY CHAPEL ROAD WILL REQUIRE A LEFT TURN LANE AT THE SUBDIVISION ENTRANCE, WITH 75' OF STORAGE AND APPROPRIATE TAPERS.

- FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS OF 80,000 POUNDS.

GRAPHIC SCALE



THIS PLAN IS A **FINAL DESIGN--NOT RELEASED FOR CONSTRUCTION** UNLESS INITIALED/DATED AS APPROVED:
APPROVED: _____ INITIALS _____ DATE _____

GRADING/DRAINAGE/STORMWATER PLAN

PROJECT
MILLER/BROWN SUBDIVISION
TOWN OF HUNTERSVILLE, MECK. CO., N.C.
FOR: BOWMAN DEVELOPMENT GROUP



YARBROUGH-WILLIAMS & HOULE, INC.
Planning & Surveying & Engineering
700 Windsor Oak Court, Suite 1100, P.O. Box 1188
Charlotte, North Carolina 28273, Huntersville, North Carolina 28134
704.556.1990 704.556.0506(fax)

NO.	DATE	REVISION	BY
4	07/14/21	REVISED PER HUNTERSVILLE COMMENTS	WKO
3	06/14/21	REVISED PER HUNTERSVILLE COMMENTS	WKO
2	05/04/21	REVISED PER HUNTERSVILLE COMMENTS	WKO
1	03/24/21	REVISED FOR REDUCED PROJECT LIMITS	WKO

SHEET TITLE

PROJECT NO.

SCALE: 1"=100'

DATE: 01/22/21

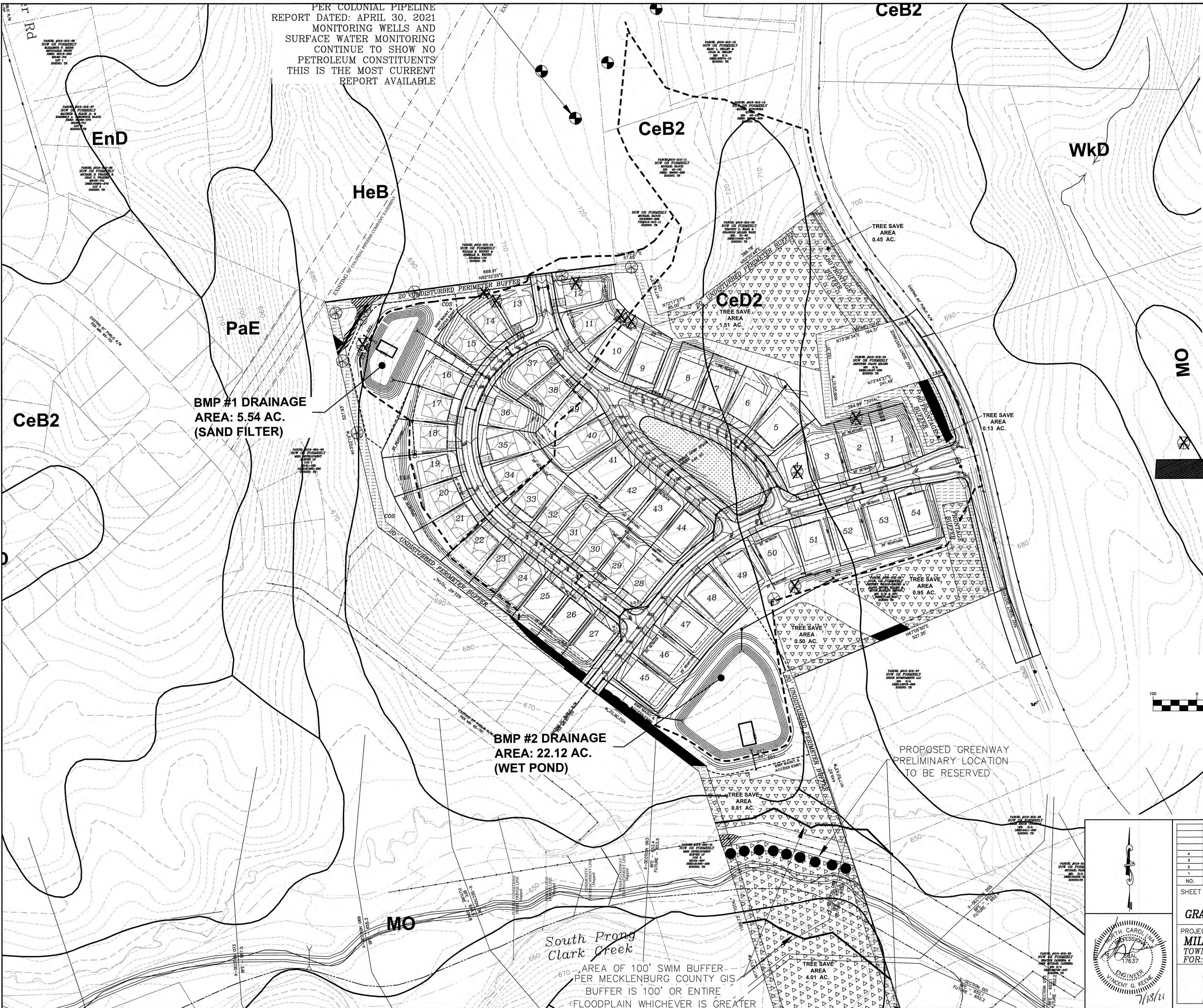
DRAWN BY: JLD

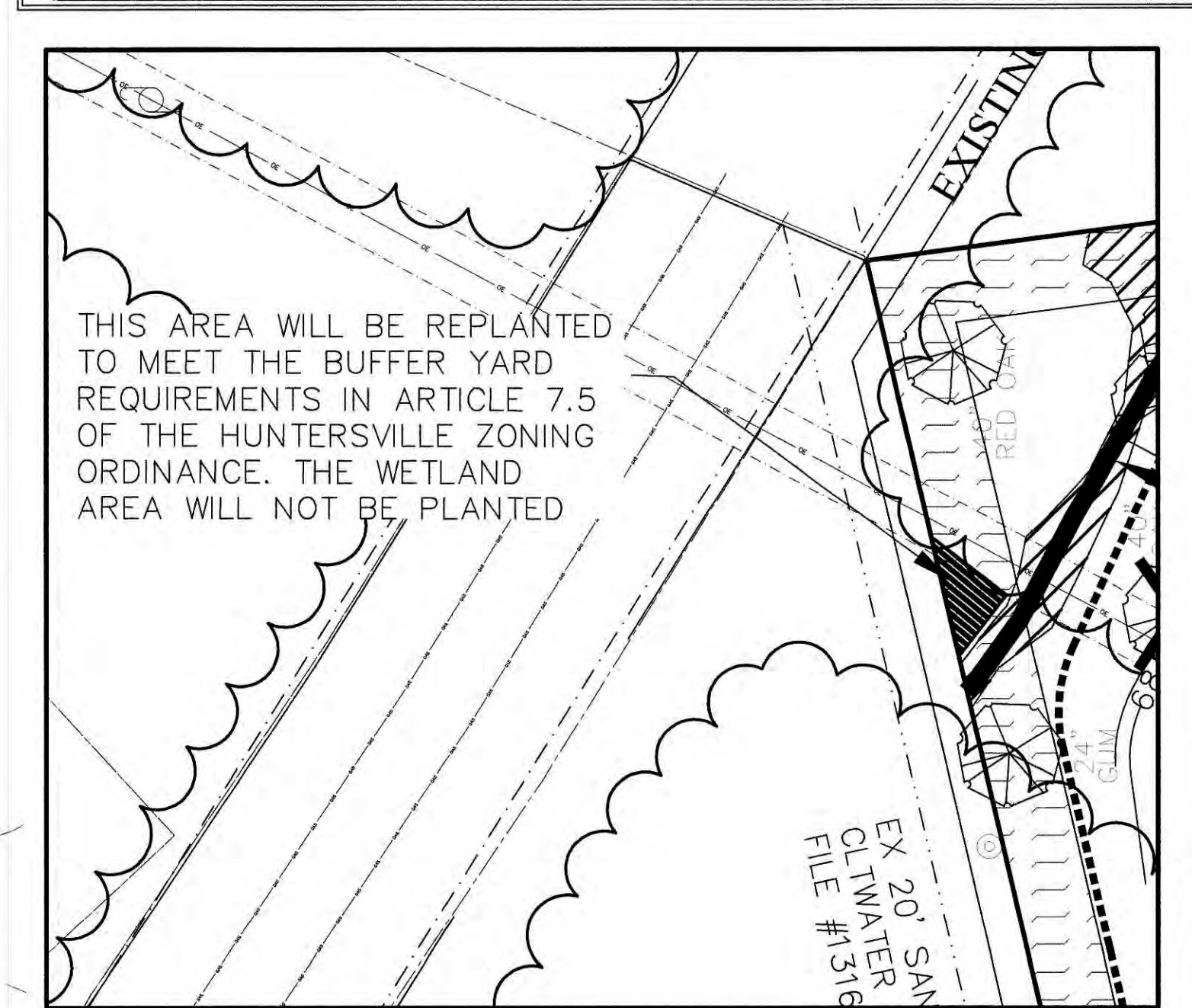
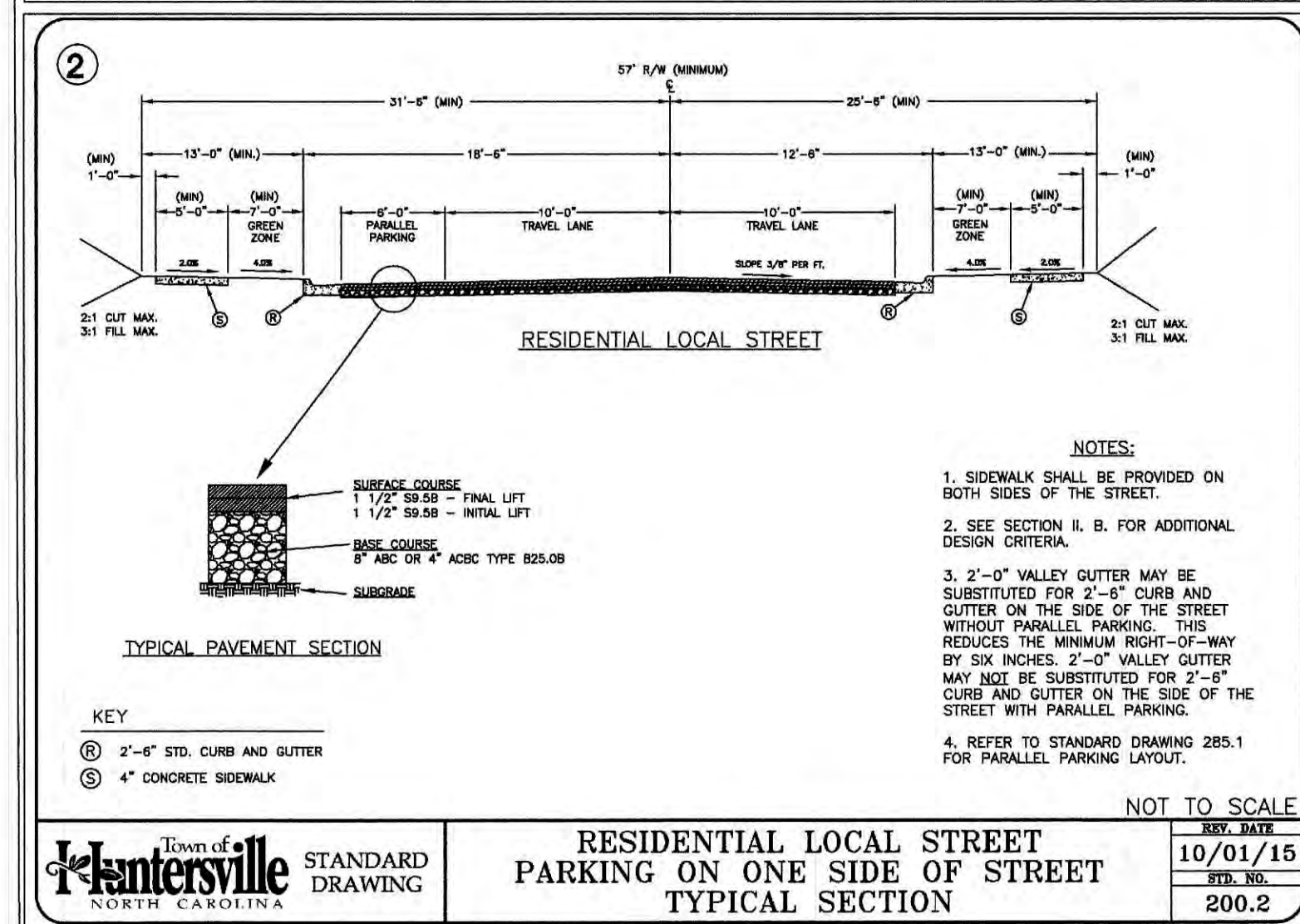
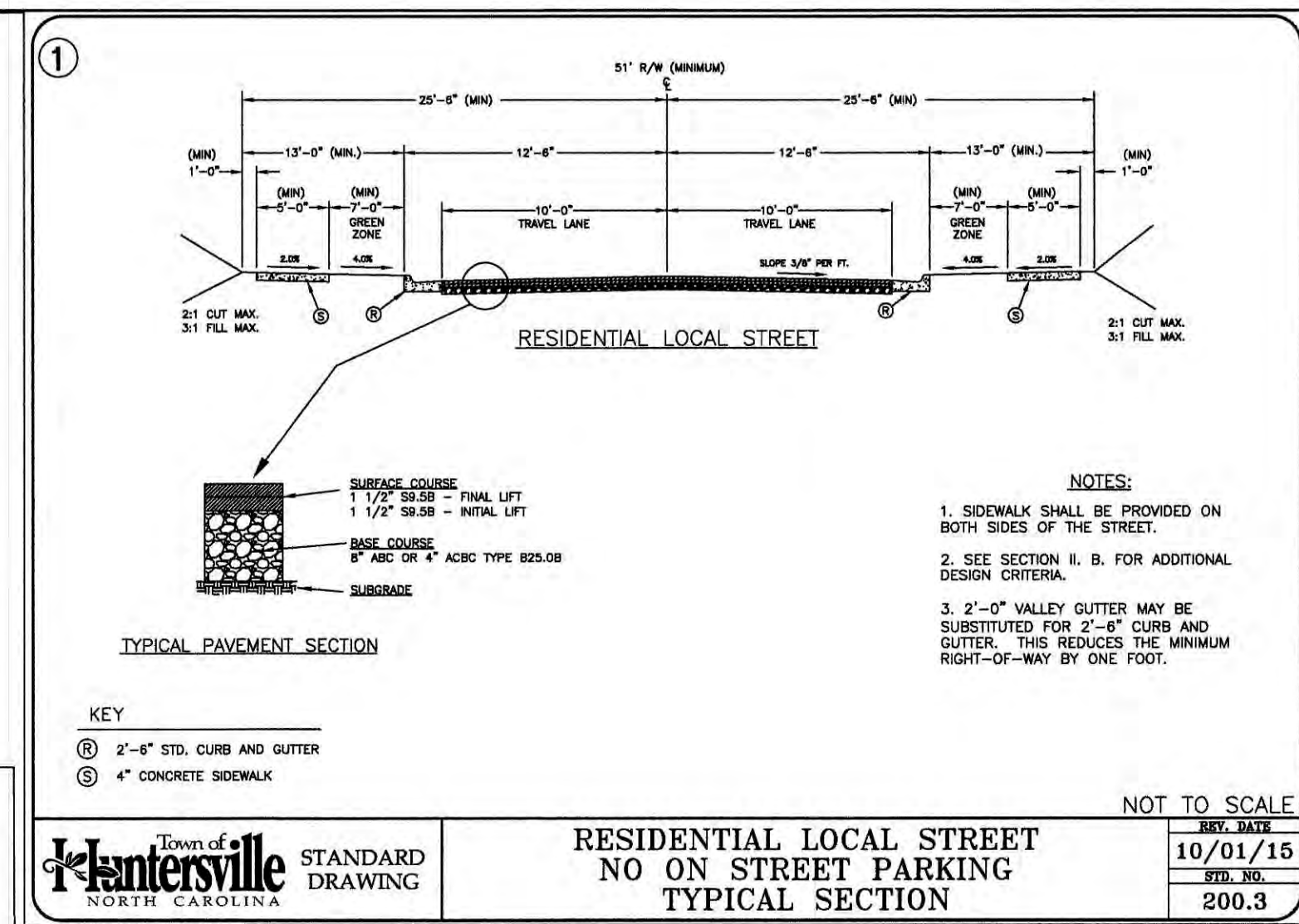
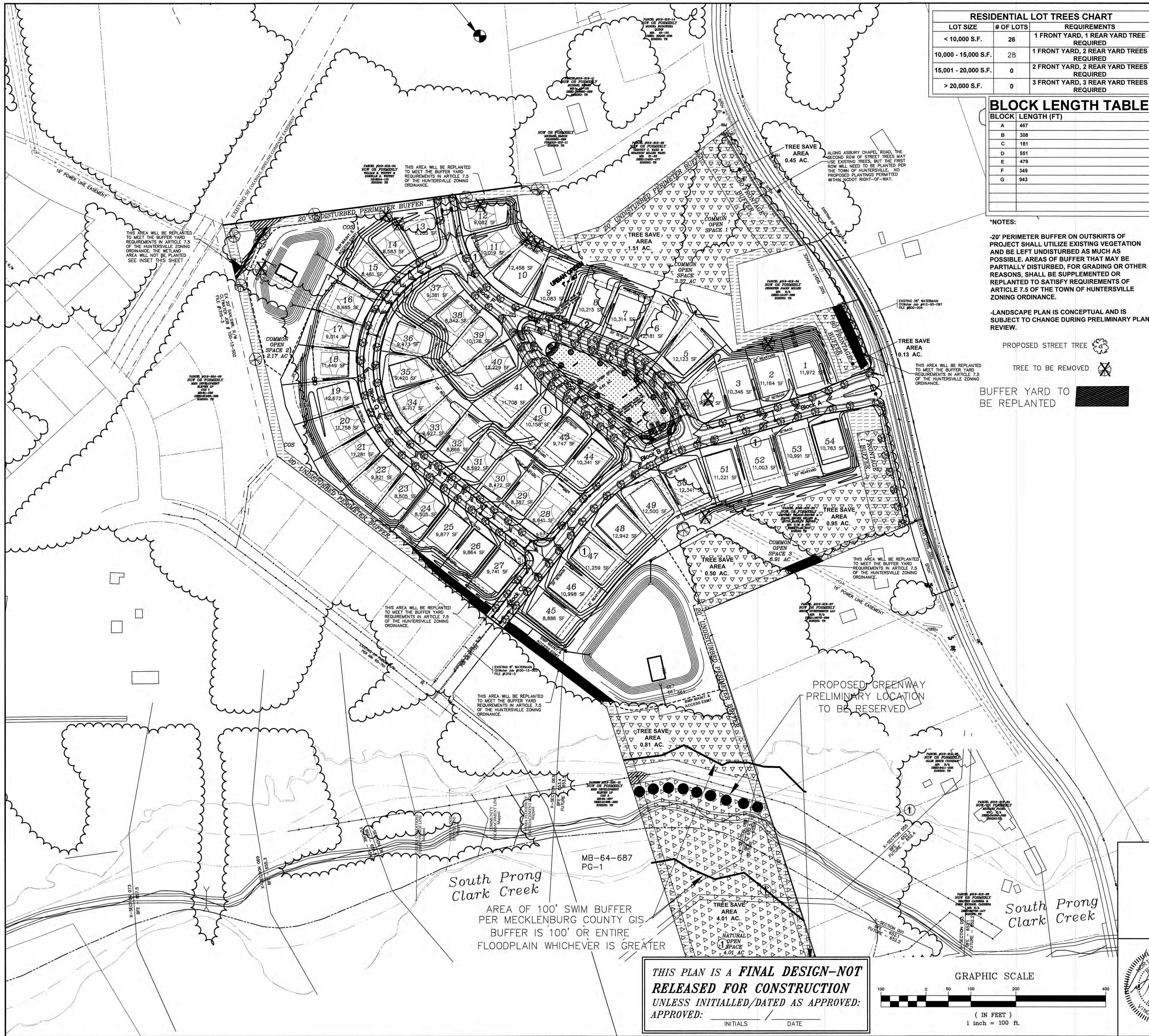
CHECKED BY: VOK

DRAWING NO.

278-52

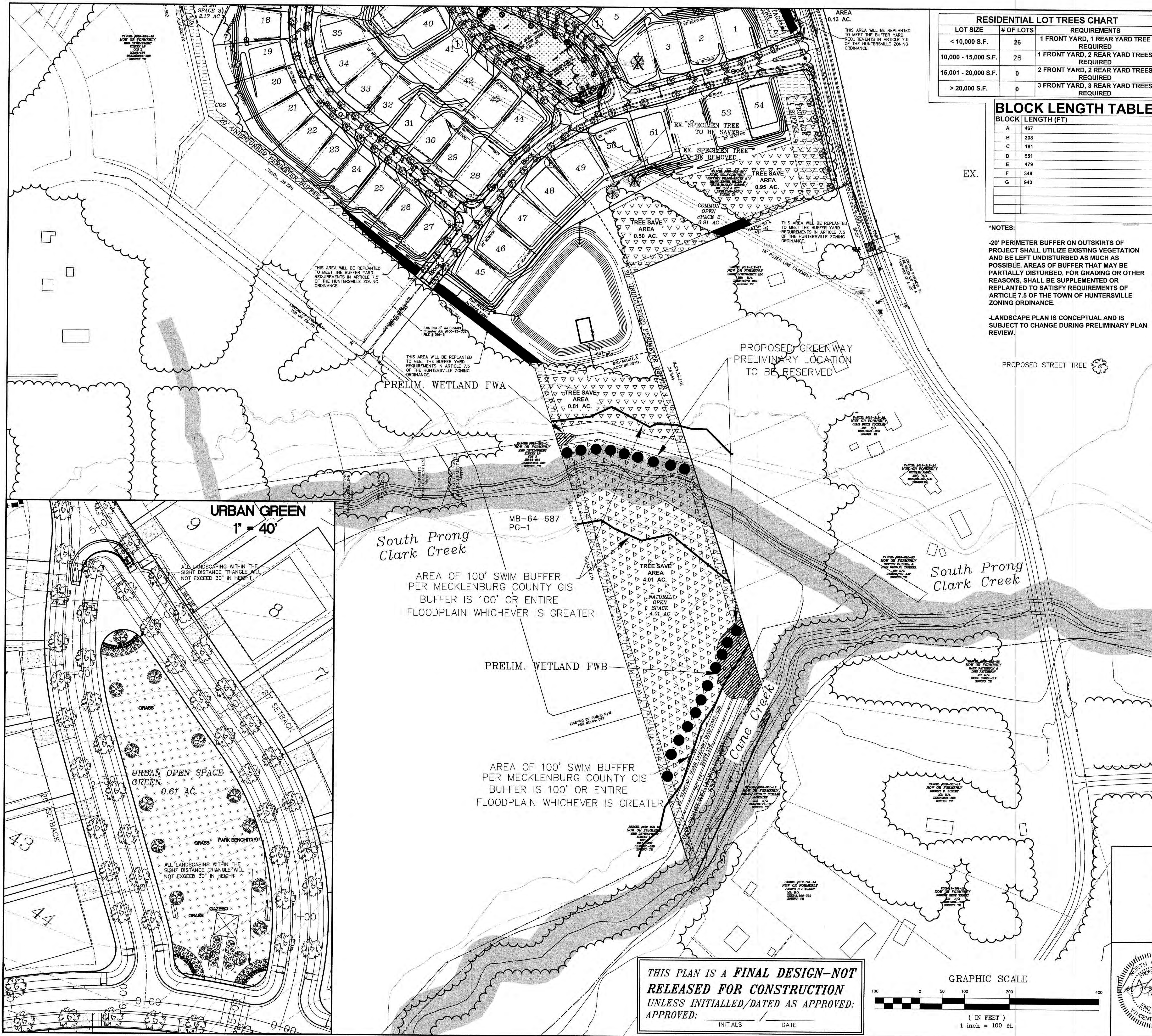
8 OF 12





4	7/14/21	REVISED PER HUNTERSVILLE COMMENTS	WMD
3	08/14/21	REVISED PER HUNTERSVILLE COMMENTS	WMD
2	05/04/21	REVISED PER HUNTERSVILLE COMMENTS	WMD
1	03/24/21	REVISED FOR REDUCED PROJECT LIMITS	WMD
NO.	DATE	REVISION	BY
SHEET TITLE			
LANDSCAPE PLAN AND BLOCK LENGTH/DETAIL PLAN #1			
PROJECT			
MILLER/BROWN SUBDIVISION			
TOWN OF HUNTERSVILLE, MECK. CO., N.C.			
FOR: BOWMAN DEVELOPMENT GROUP			
DRAWN BY			
JLD			
CHECKED BY			
VGK			
DRAWING NO.			
278-51			
SHEET 9 OF 12			

YARBROUGH-WILLIAMS & HOULE, INC.
Planning • Surveying • Engineering
150 Windsor Oak Court
Charlotte, North Carolina, 28275
704.558.1100 704.558.5005 (fax)



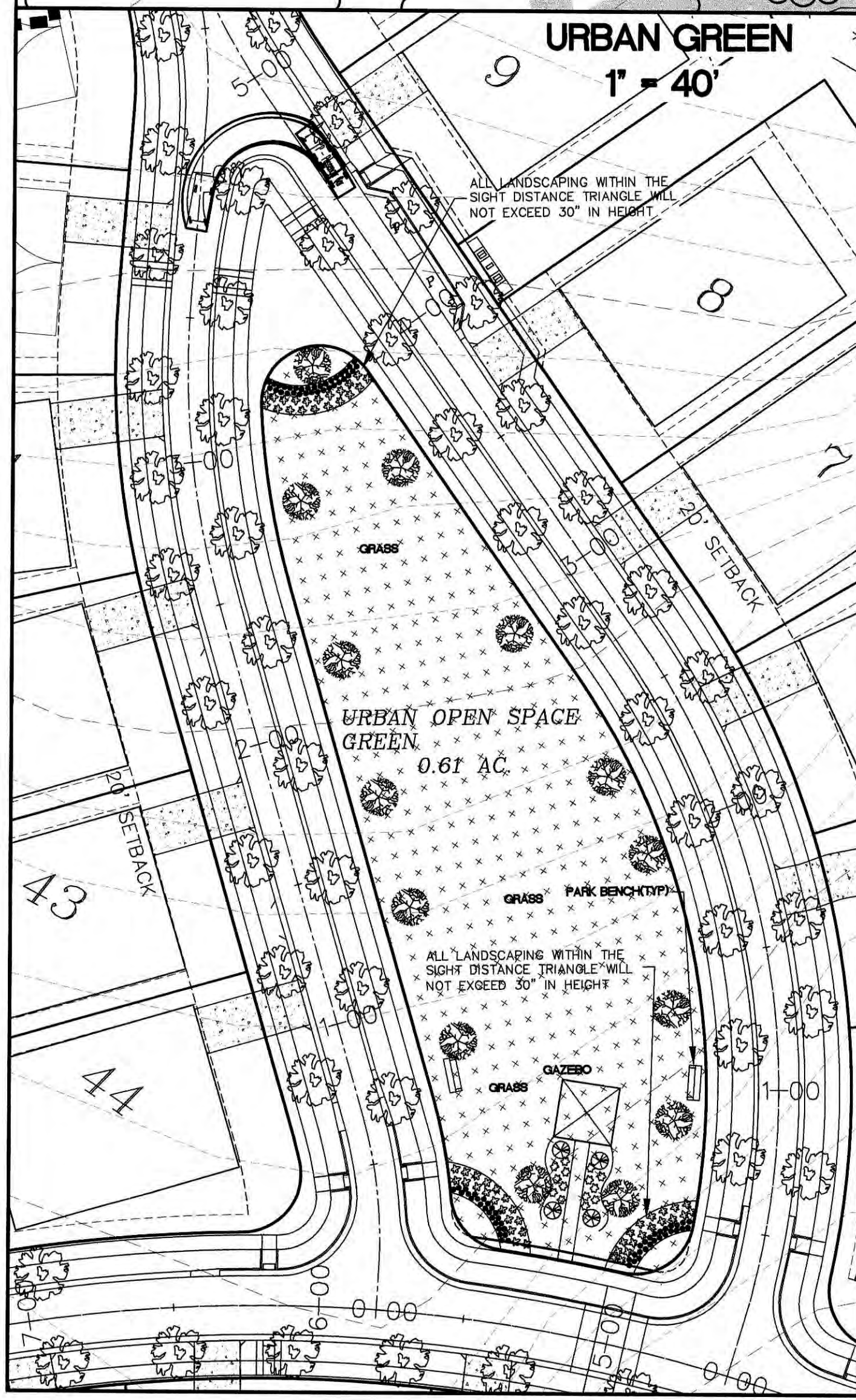
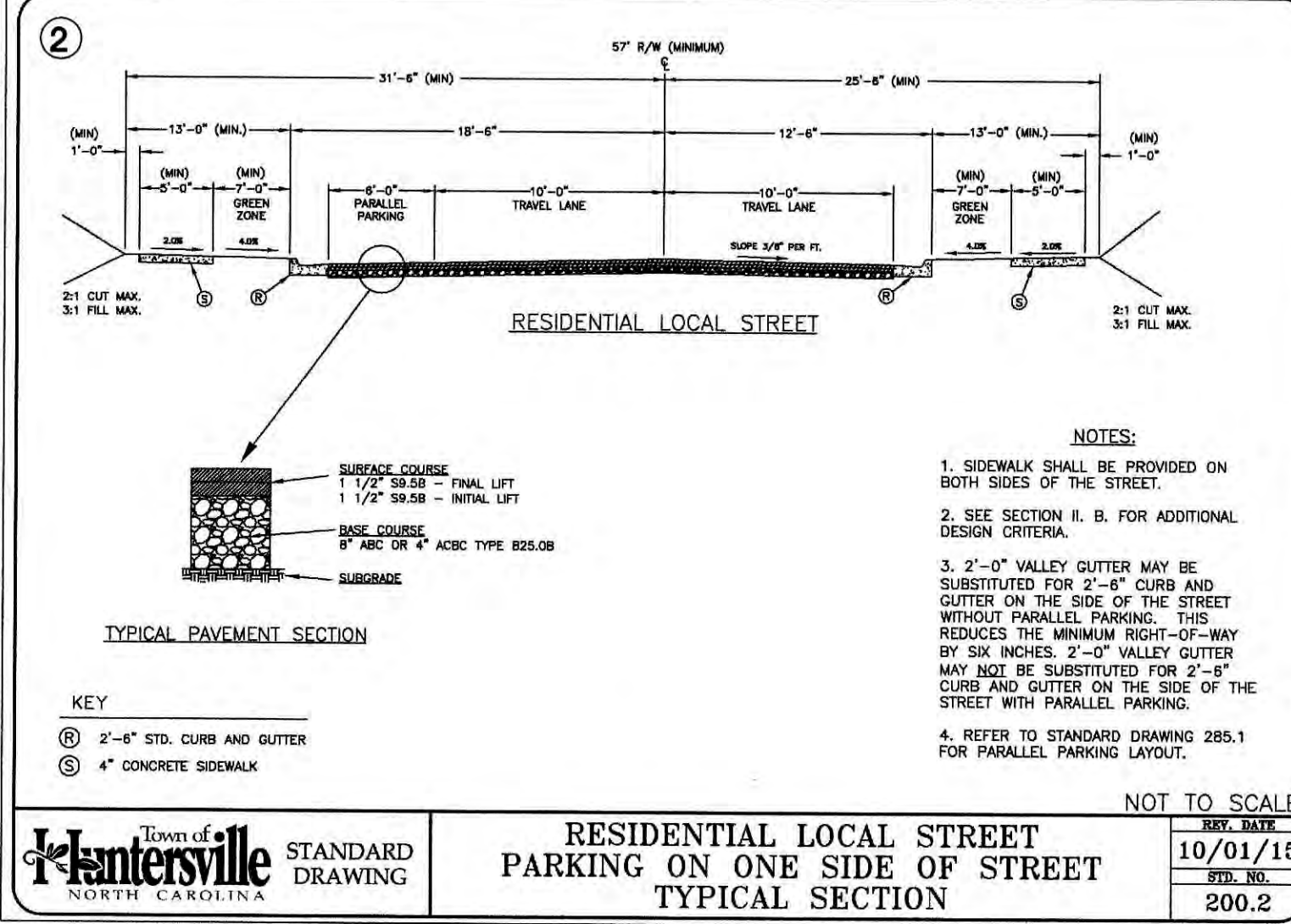
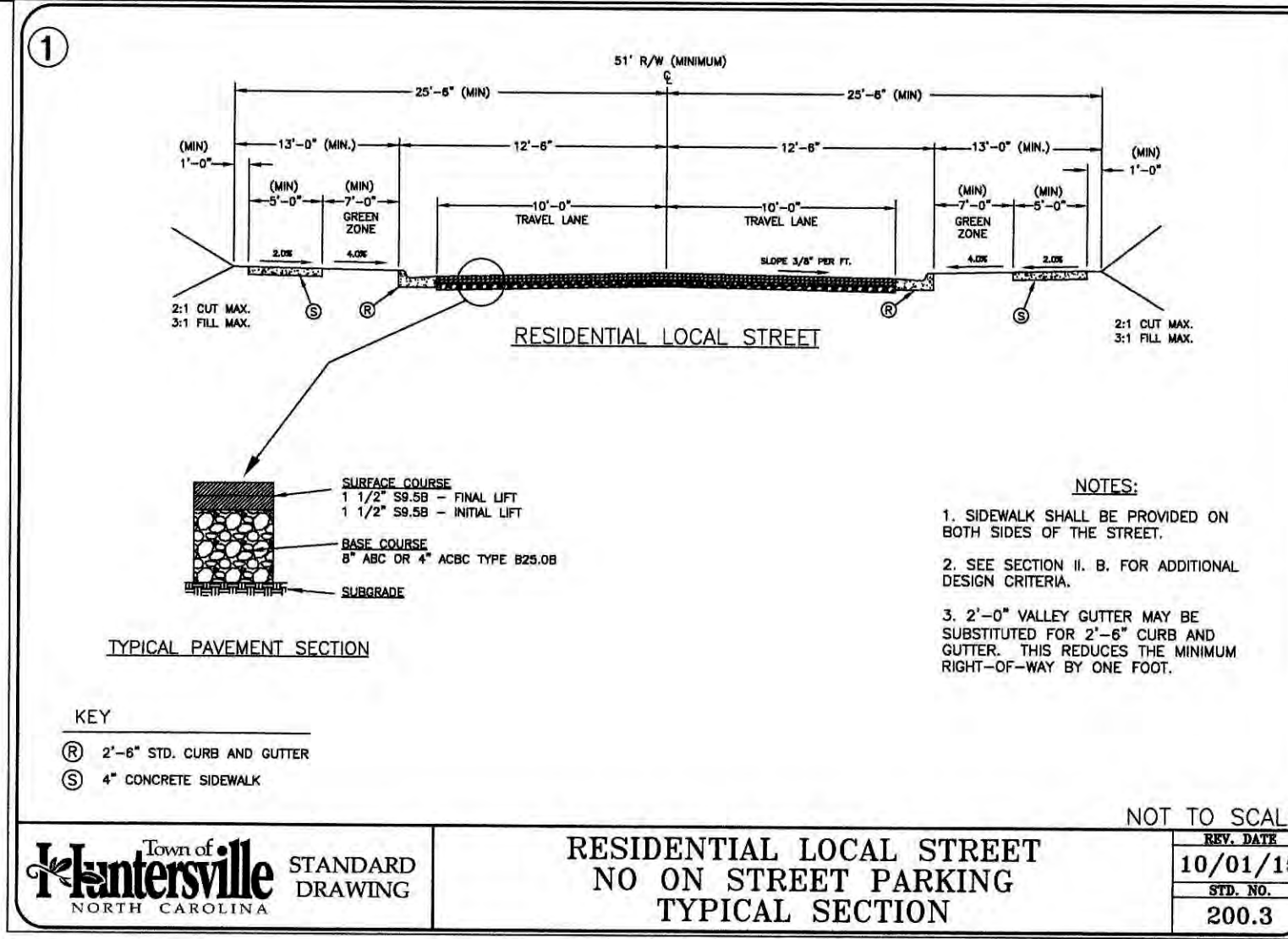
RESIDENTIAL LOT TREES CHART		
LOT SIZE	# OF LOTS	REQUIREMENTS
< 10,000 S.F.	26	1 FRONT YARD, 1 REAR YARD TREE REQUIRED
10,000 - 15,000 S.F.	28	1 FRONT YARD, 2 REAR YARD TREES REQUIRED
15,001 - 20,000 S.F.	0	2 FRONT YARD, 2 REAR YARD TREES REQUIRED
> 20,000 S.F.	0	3 FRONT YARD, 3 REAR YARD TREES REQUIRED

BLOCK LENGTH TABLE	
BLOCK	LENGTH (FT)
A	467
B	308
C	181
D	551
E	479
F	349
G	943

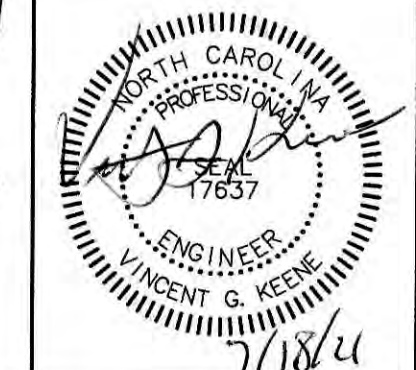
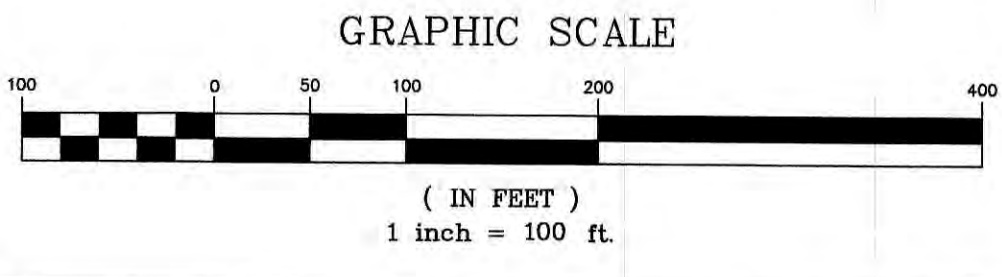
NOTES:

-20' PERIMETER BUFFER ON OUTSKIRTS OF PROJECT SHALL UTILIZE EXISTING VEGETATION AND BE LEFT UNDISTURBED AS MUCH AS POSSIBLE. AREAS OF BUFFER THAT MAY BE PARTIALLY DISTURBED, FOR GRADING OR OTHER REASONS, SHALL BE SUPPLEMENTED OR REPLANTED TO SATISFY REQUIREMENTS OF ARTICLE 7.5 OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE.

-LANDSCAPE PLAN IS CONCEPTUAL AND IS SUBJECT TO CHANGE DURING PRELIMINARY PLAN REVIEW.

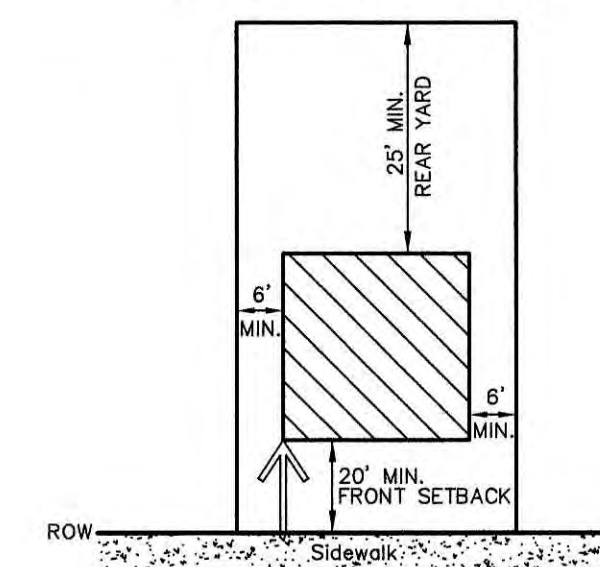


THIS PLAN IS A **FINAL DESIGN-NOT RELEASED FOR CONSTRUCTION** UNLESS INITIALLED/DATED AS APPROVED:
APPROVED: _____ INITIALS _____ DATE _____



REVISION		BY	DATE
1	PER HUNTERSVILLE COMMENTS	WNO	7/14/21
2	REVISED PER HUNTERSVILLE COMMENTS	WNO	08/14/21
3	REVISED PER HUNTERSVILLE COMMENTS	WNO	09/04/21
4	REVISED FOR REDUCED PROJECT LIMITS	WNO	03/24/21
SHEET TITLE		PROJECT NO.	SCALE
LANDSCAPE PLAN AND BLOCK LENGTH/DETAIL PLAN #2		BY	1"=100'
PROJECT		CHECKED BY	DATE
MILLER/BROWN SUBDIVISION		VCK	01/22/21
TOWN OF HUNTERSVILLE, MECK. CO., N.C.		DRAWING NO.	
FOR: BOWMAN DEVELOPMENT GROUP			
YARBROUGH WILLIAMS & HOULE, INC.			
Planning & Surveying & Engineering			
750 Windsor Oak Court, Charlotte, NC 28273			
P.O. Box 1180, Huntersville, NC 28194			
Registration #C-0476			

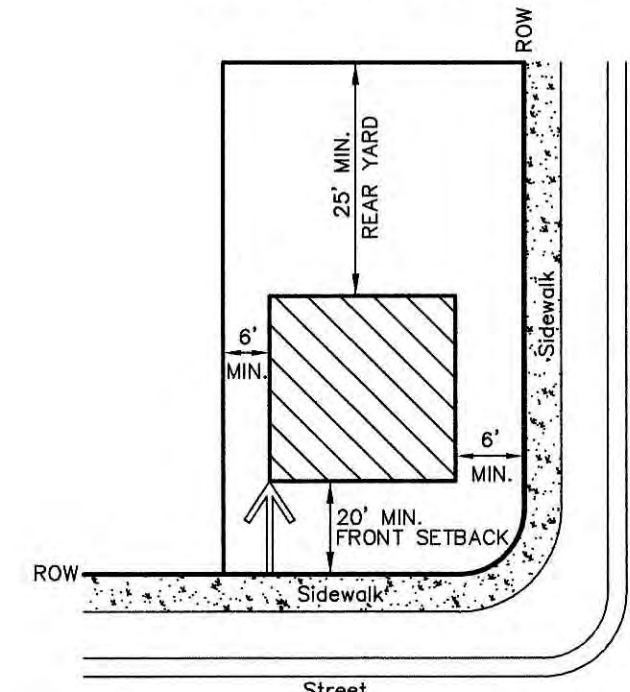
TYPICAL INTERIOR LOT



THIS DETAIL SHALL BE USED FOR ALL STREET CROSS SECTION AND LOT SIZES.

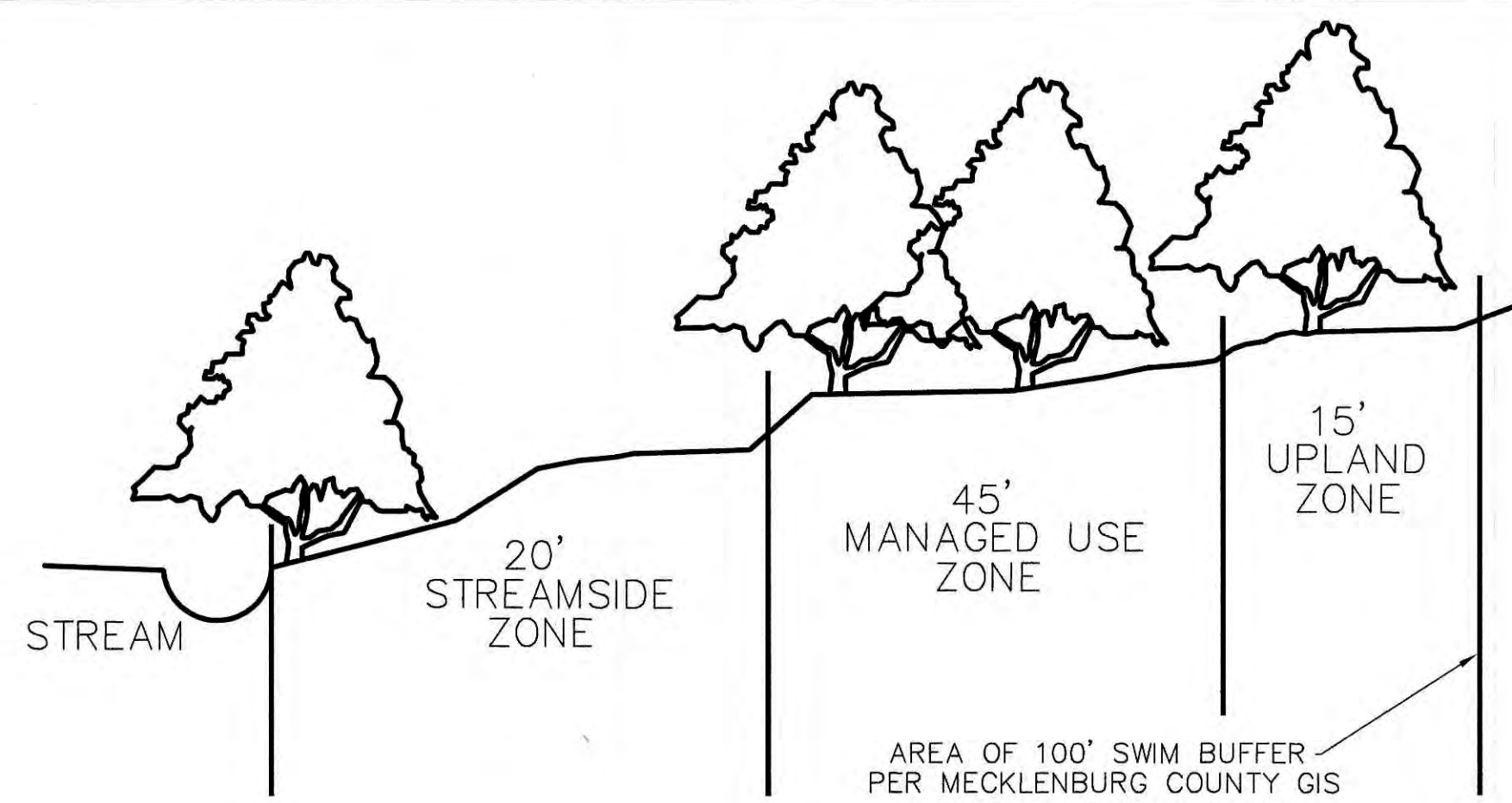
60' Lot Width or less, Driveway Min. 14', Max. 14' Over 60' Lot Width, Driveway Min. 14', Max. 20' All Driveways are 22' to 23' from the Street R/W to the house.

TYPICAL CORNER LOT



THIS DETAIL SHALL BE USED FOR ALL STREET CROSS SECTION AND LOT SIZES.

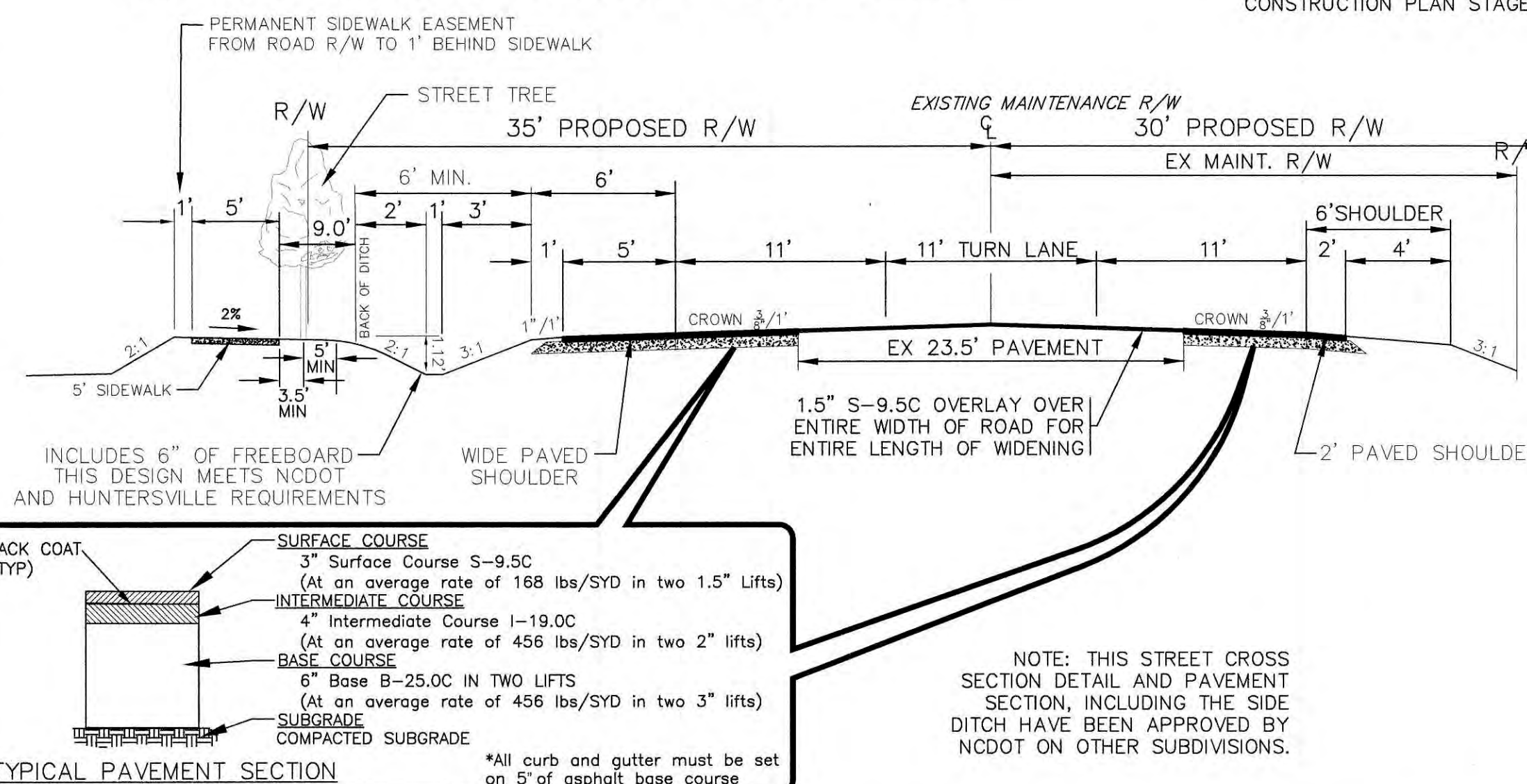
60' Lot Width or less, Driveway Min. 14', Max. 14' Over 60' Lot Width, Driveway Min. 14', Max. 20' All Driveways are 22' to 23' from the Street R/W to the house.



100' POST CONSTRUCTION BUFFER ZONE

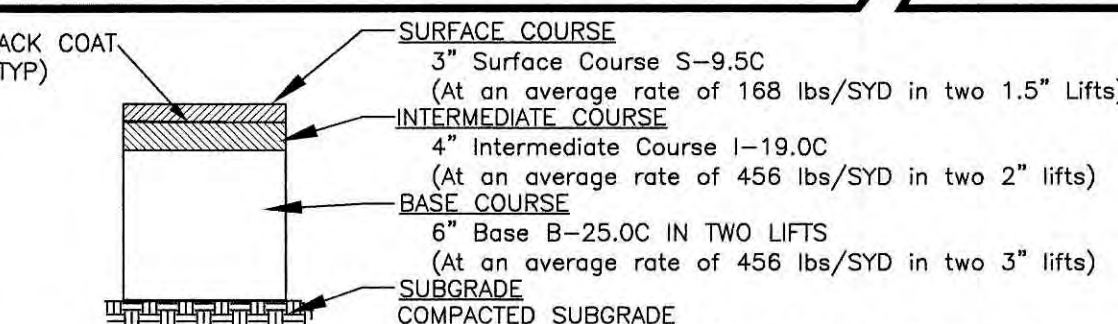
ASBURY CHAPEL ROAD SR #2442

THIS PLAN IS CONCEPTUAL AND SUBJECT TO CHANGE DURING CONSTRUCTION PLAN STAGE

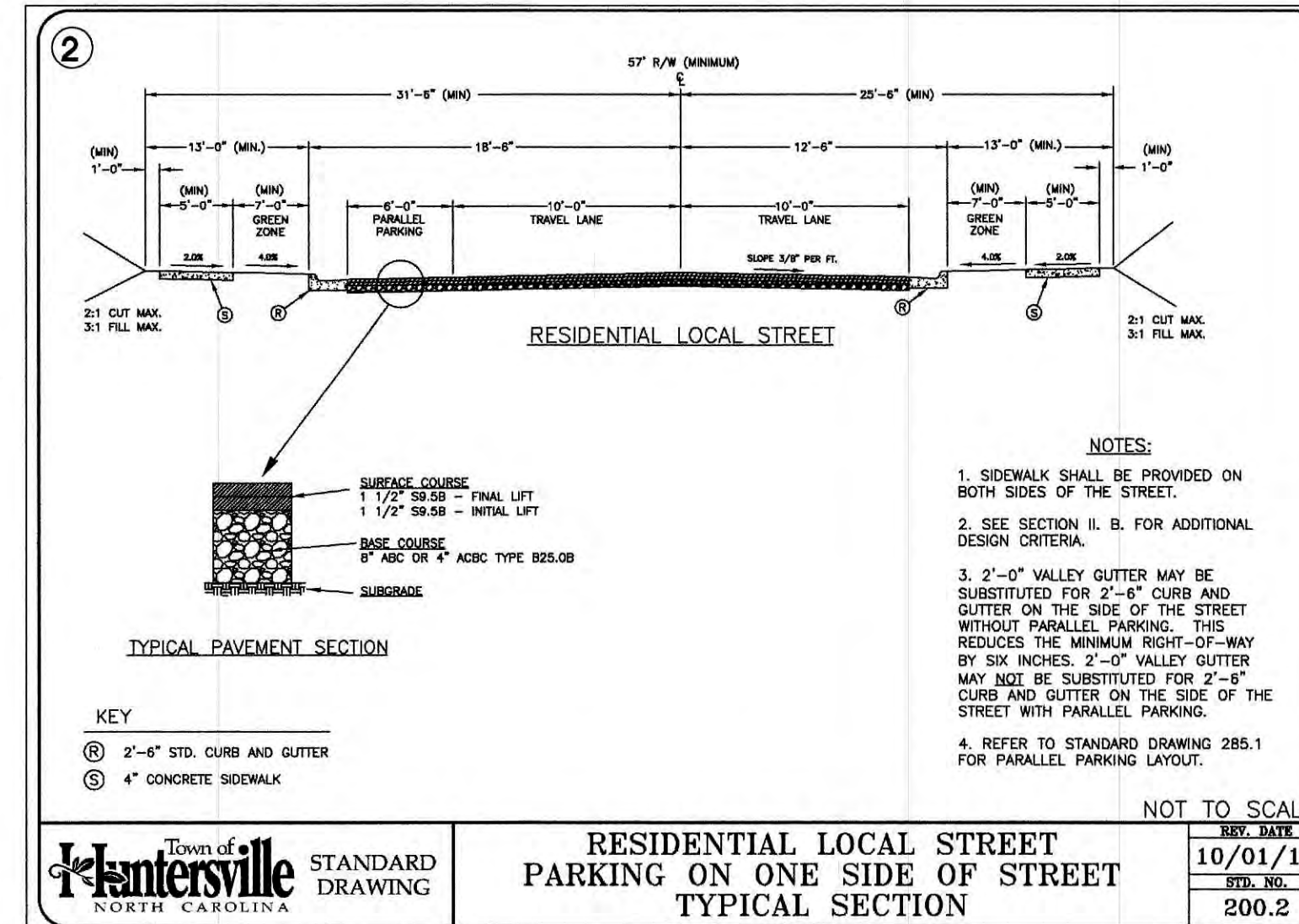


TYPICAL PAVEMENT SECTION

*All curb and gutter must be set on 5' of asphalt base course



NOTE: THIS STREET CROSS SECTION DETAIL AND PAVEMENT SECTION, INCLUDING THE SIDE DITCH HAVE BEEN APPROVED BY NCDOT ON OTHER SUBDIVISIONS.

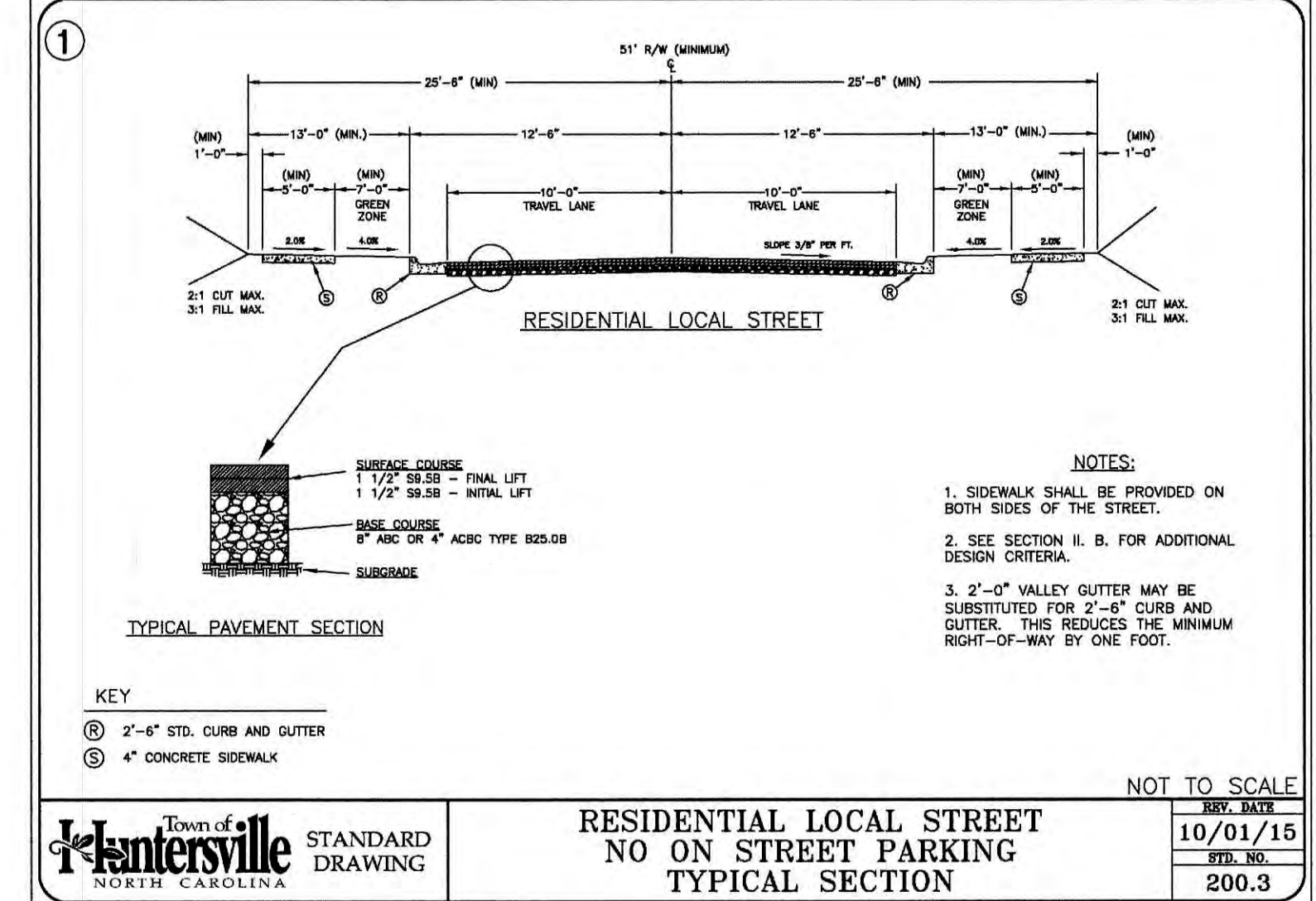


TYPICAL PAVEMENT SECTION

KEY
② 2'-6" STD. CURB AND GUTTER
④ 4" CONCRETE SIDEWALK

NOT TO SCALE
TOWN OF HUNTERSVILLE
STANDARD DRAWING
RESIDENTIAL LOCAL STREET
PARKING ON ONE SIDE OF STREET
TYPICAL SECTION
REV. DATE 10/01/16
REV. NO. 200.2

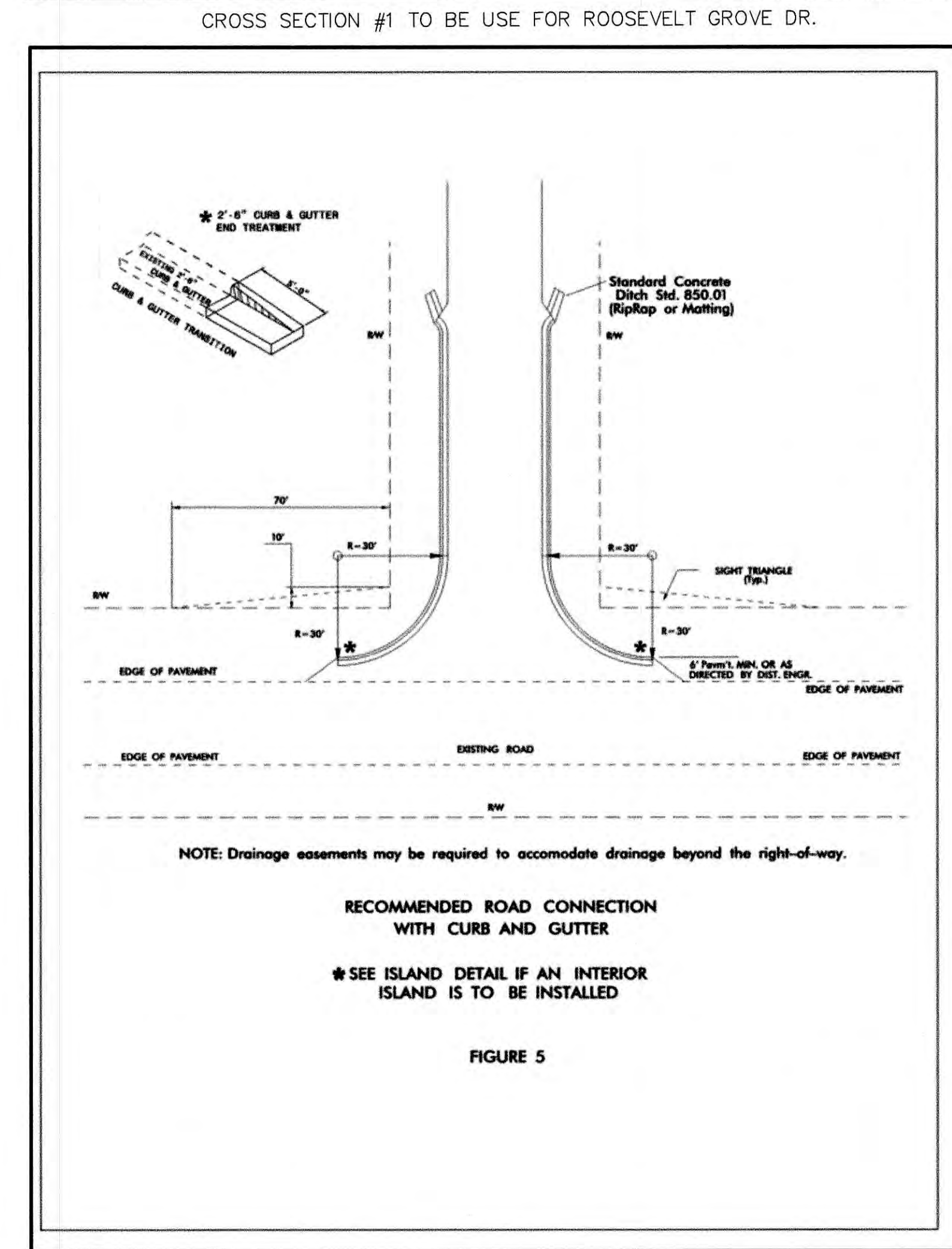
NOTES:
1. SIDEWALK SHALL BE PROVIDED ON BOTH SIDES OF THE STREET.
2. SEE SECTION II. B. FOR ADDITIONAL DESIGN CRITERIA.
3. 2'-0" VALLEY GUTTER MAY BE SUBSTITUTED FOR 2'-6" CURB AND GUTTER ON THE SIDE OF THE STREET WITHOUT PARALLEL PARKING. THIS REDUCES THE MINIMUM RIGHT-OF-WAY BY SIX INCHES. 2'-0" VALLEY GUTTER MAY NOT BE SUBSTITUTED FOR 2'-6" CURB AND GUTTER ON THE SIDE OF THE STREET WITH PARALLEL PARKING.
4. REFER TO STANDARD DRAWING 285.1 FOR PARALLEL PARKING LAYOUT.



KEY
② 2'-6" STD. CURB AND GUTTER
④ 4" CONCRETE SIDEWALK

NOT TO SCALE
TOWN OF HUNTERSVILLE
STANDARD DRAWING
RESIDENTIAL LOCAL STREET
NO ON STREET PARKING
TYPICAL SECTION
REV. DATE 10/01/16
REV. NO. 200.3

NOTES:
1. SIDEWALK SHALL BE PROVIDED ON BOTH SIDES OF THE STREET.
2. SEE SECTION II. B. FOR ADDITIONAL DESIGN CRITERIA.
3. 2'-0" VALLEY GUTTER MAY BE SUBSTITUTED FOR 2'-6" CURB AND GUTTER. THIS REDUCES THE MINIMUM RIGHT-OF-WAY BY ONE FOOT.

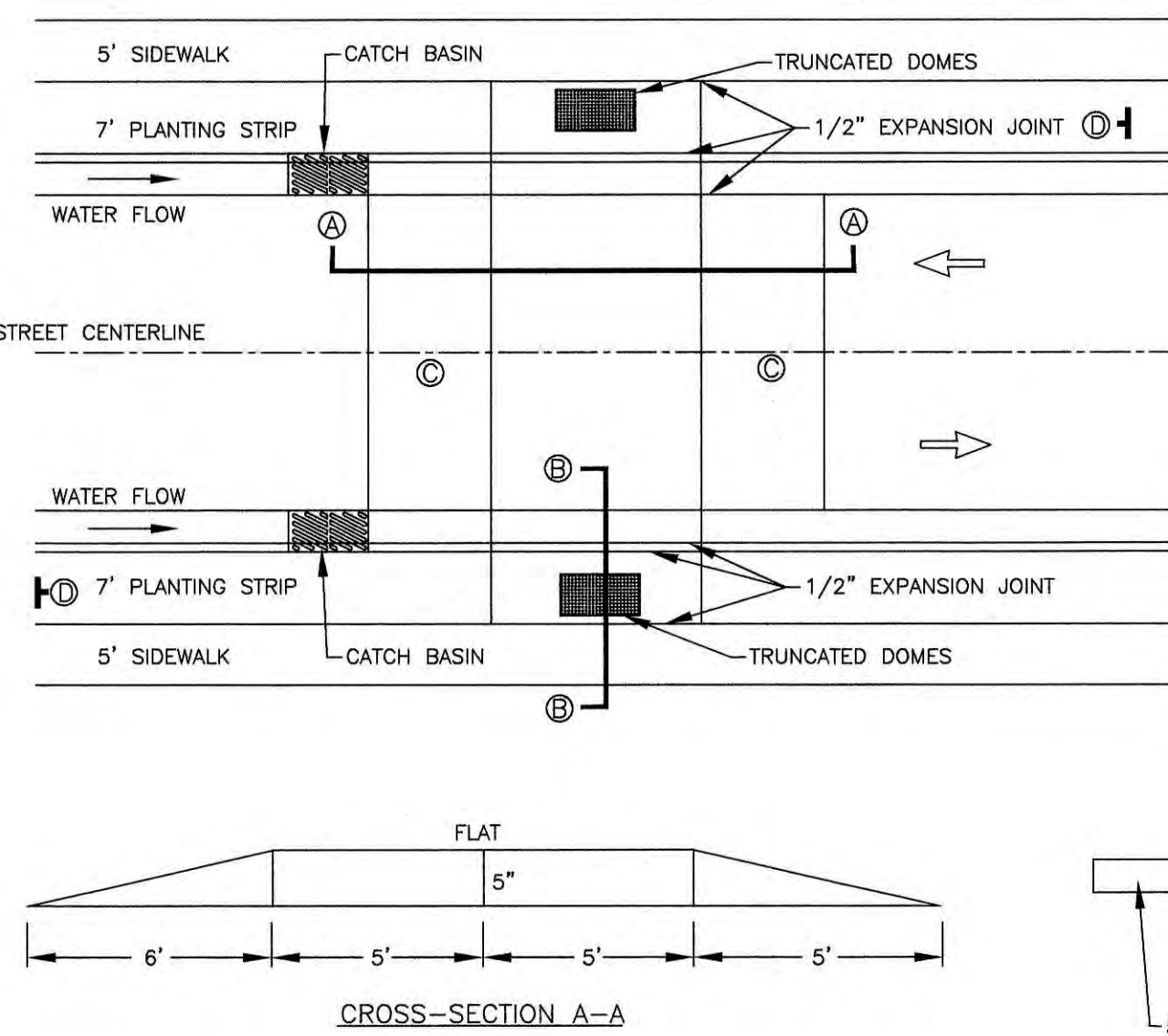


NOTE: Drainage easements may be required to accommodate drainage beyond the right-of-way.

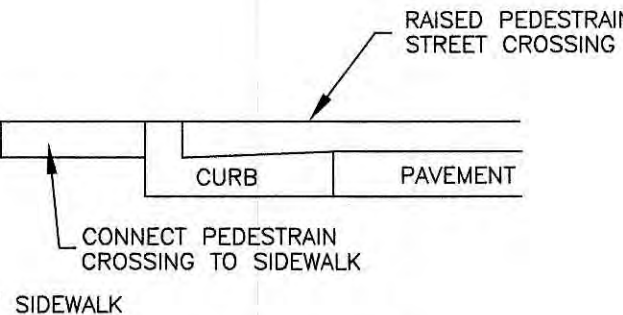
RECOMMENDED ROAD CONNECTION WITH CURB AND GUTTER
★SEE ISLAND DETAIL IF AN INTERIOR ISLAND IS TO BE INSTALLED

FIGURE 5

THIS PLAN IS A FINAL DESIGN-NOT RELEASED FOR CONSTRUCTION UNLESS INITIALLED/DATED AS APPROVED:
APPROVED: INITIALS / DATE

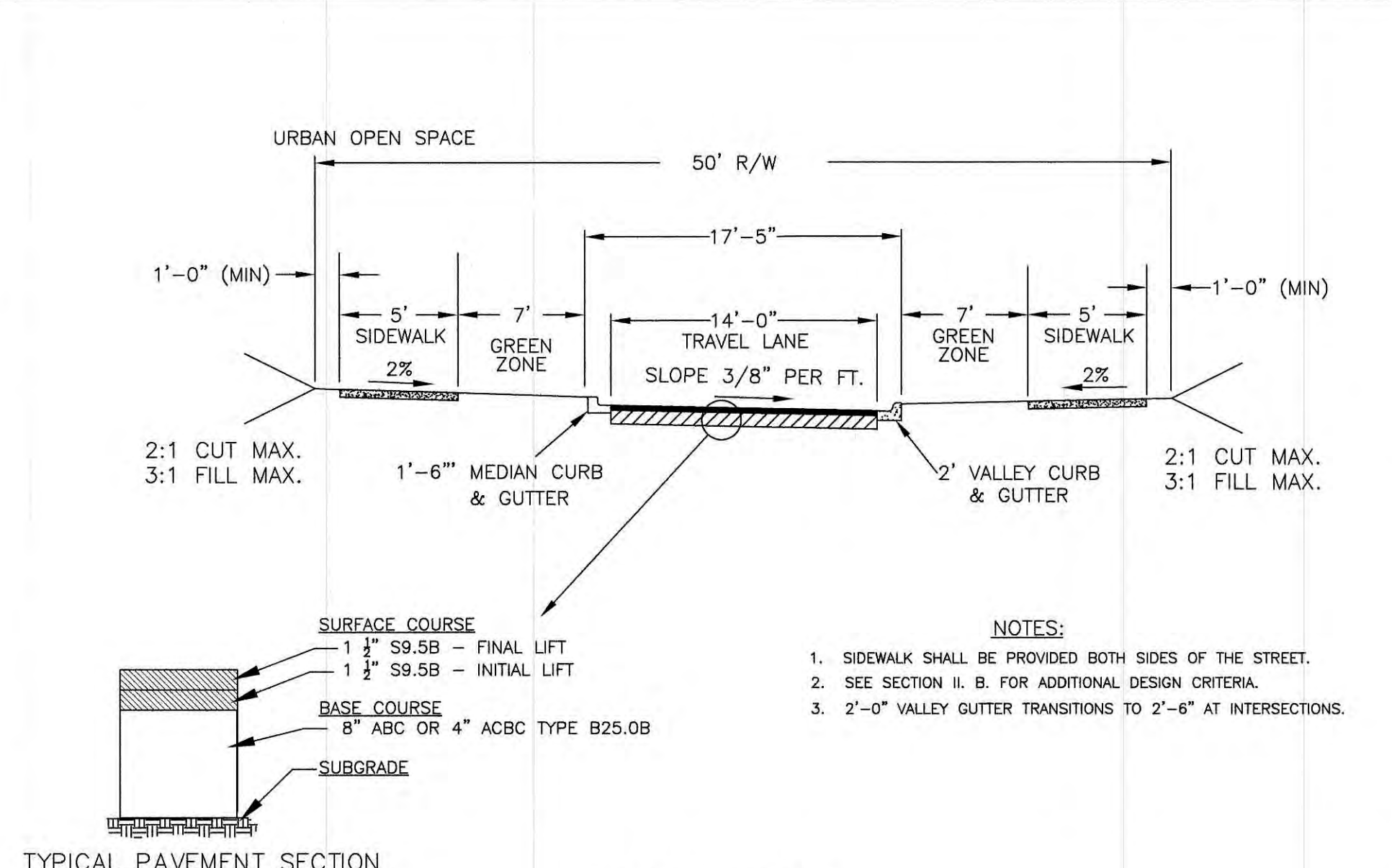


NOTES:
1. CROSSOVER TO BE TYPE 1-2 ASPHALTIC CONCRETE. PER NCDOT STD. SPECS (SECT. 610 & 645)
2. ASPHALT PLANT MIX SHALL BE COMPACTED TO A DENSITY OF AT LEAST 94%.
3. CROSSOVER TO BE TIED TO SIDEWALK.



RAISED PEDESTRAIN STREET CROSSING

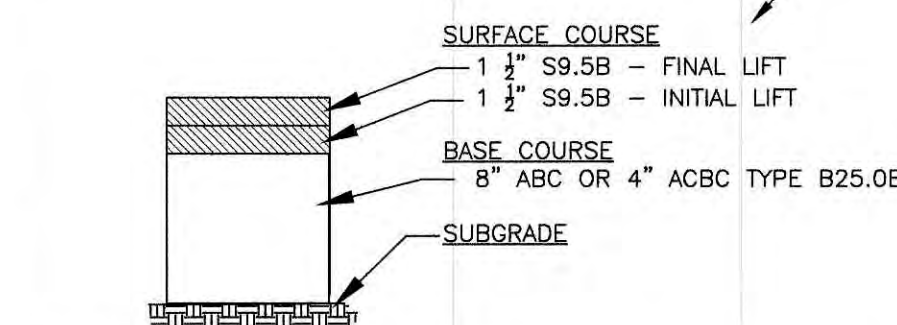
NOT TO SCALE



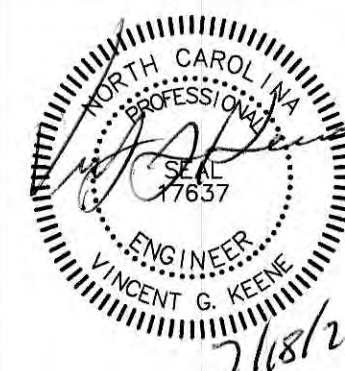
TYPICAL PAVEMENT SECTION

ONE WAY TYPICAL SECTION

NOT TO SCALE



NOTES:
1. SIDEWALK SHALL BE PROVIDED BOTH SIDES OF THE STREET.
2. SEE SECTION II. B. FOR ADDITIONAL DESIGN CRITERIA.
3. 2'-0" VALLEY GUTTER TRANSITIONS TO 2'-6" AT INTERSECTIONS.



NO.	DATE	REVISION	PROJECT NO.
4	07/14/21	PER HUNTERSVILLE COMMENTS	WKO
3	06/14/21	REVISED PER HUNTERSVILLE COMMENTS	WKO
2	05/04/21	REVISED PER HUNTERSVILLE COMMENTS	WKO
1	03/24/21	HUNTERSVILLE-CONCORD RD. DETAIL AND CUL-DE-SAC DETAIL REMOVED	WKO
SHEET TITLE			PROJECT NO.
DETAIL SHEET			SCALE NA
PROJECT			DATE 01/22/21
MILLER/BROWN SUBDIVISION			DRAWN BY WKO
TOWN OF HUNTERSVILLE, MECK. CO., N.C.			CHECKED BY VOK
FOR: BOWMAN DEVELOPMENT GROUP			DRAWING NO.
YARBROUGH-WILLIAMS & HOULE, INC.			278-49
Planning & Surveying & Engineering			11 OF 12
780 Windsor Oak Court, Charlotte, NC 28273			
704.556.1900			
704.556.0505 (fax)			

	TOTAL OVERLAY: 29,261 sf
	ADDITIONAL PAVEMENT: 12,
	MILL SECTION: 800 sf

APPROPRIATE (YELLOW/YELLOW OR CRYSTAL/RED)
RAISED REFLECTIVE PAVEMENT MARKERS SHALL BE
INSTALLED THROUGHOUT THE LEFT-TURN LANE
AND OVERLAY SECTIONS PER NCDOT STANDARD
1250.01 AND 1251.01.

ASBURY CHAPEL ROAD (SR #2442)
 SYMMETRICAL WIDENING - EXISTING 20' PVMT
 (ROADWAY IMPROVEMENTS - LEFT TURN LANE WITH 150'
 STORAGE-3-11' LANES. WIDENING - 6.5' EACH SIDE)
 A=WS (325' = 6.5'x50)
 A=325', 2/3 A= 217'

PARCEL #021-041-04
NOW OR FORMERLY
JEFFREY WILSON BROWN
JOANNE BROWN BROWN
RUTH MARILYN MILLER
DEED: 07161-071

EXISTING 36" WATERMAIN
CltWater Job #412-95-097
FILE #800-004

PARCEL #021-041-03
NOW OR FORMERLY
JEFFREY WILSON BROWN
JOANNE BROWN MILLER
RUTH MARILYN MILLER
DEED: 07161-071

ASBURY CHAPEL ROAD SR #2442
EXISTING NCDOT MAINTENANCE PUBLIC R/W

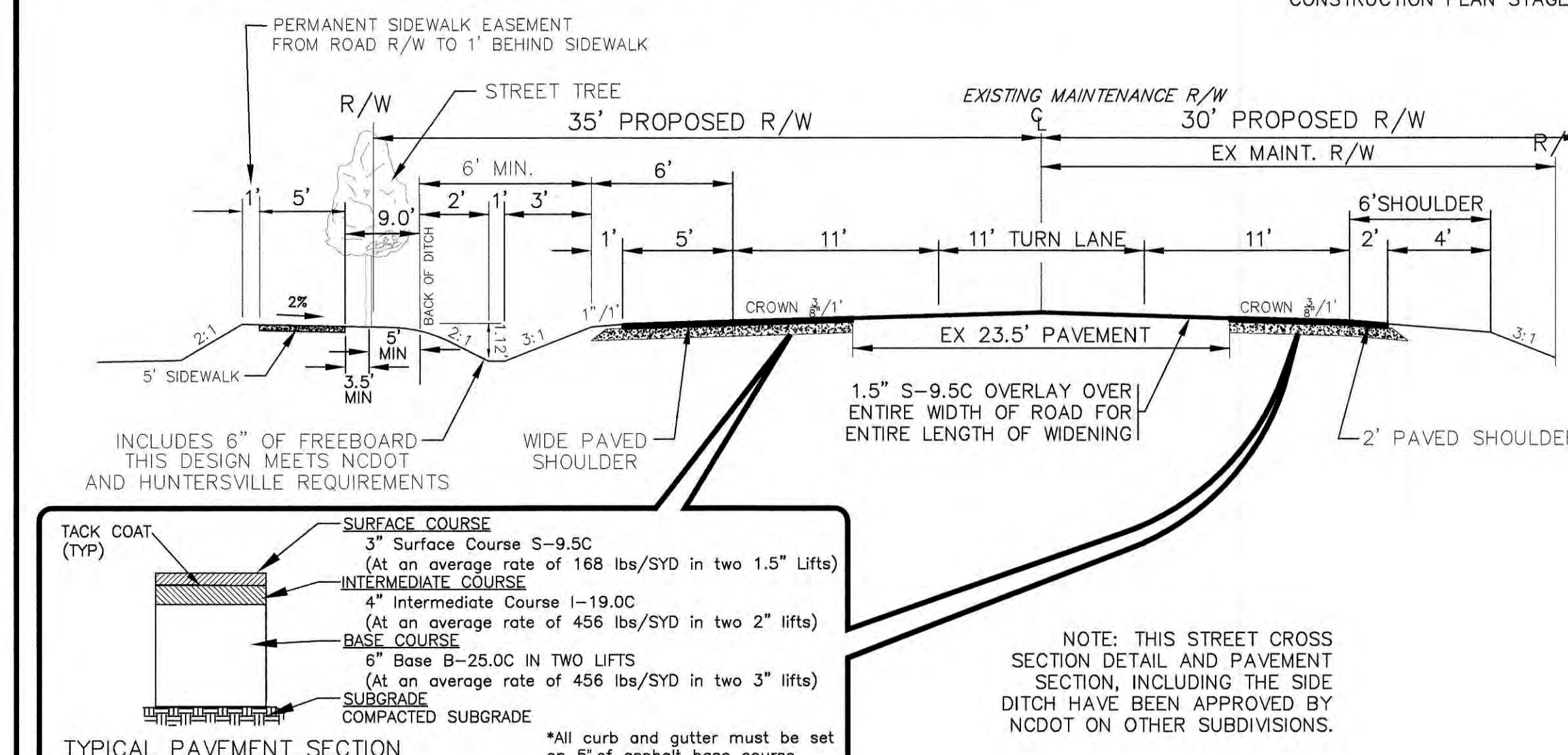
PARCEL #019-212-34
NOW OR FORMERLY
JENNIFER JOANN MILLER
MB: N/A
DEED:12127-386
ZONING: TR

PARCEL #019-212-27
NOW OR FORMERLY
BRICE INVESTMENTS LLC
MB: N/A
DEED:16872-269
ZONING: TR

PARCEL #019-212-28
 NOW OR FORMERLY
 WILLIAM B. COCHRAN &
 WINIFRED T. COCHRAN
 ME: N/A
 DEED: 7707-504
 ZONING TR

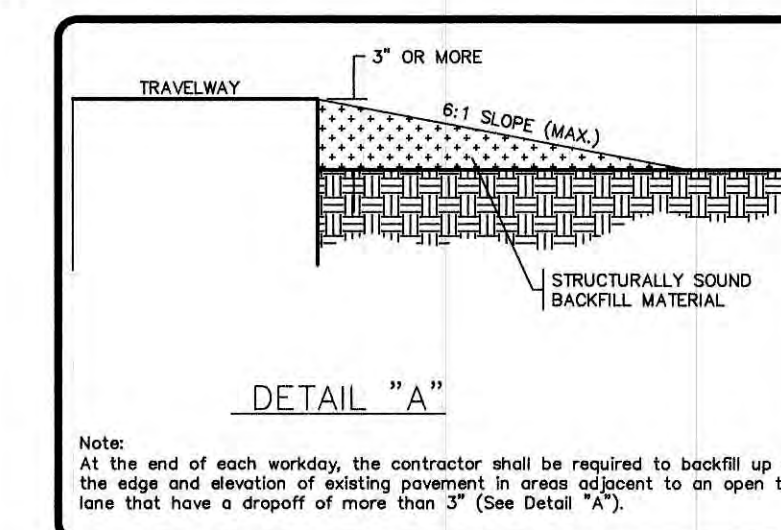
ASBURY CHAPEL ROAD SR #2442

THIS PLAN IS CONCEPTUAL AND
SUBJECT TO CHANGE DURING
CONSTRUCTION PLAN STAGE

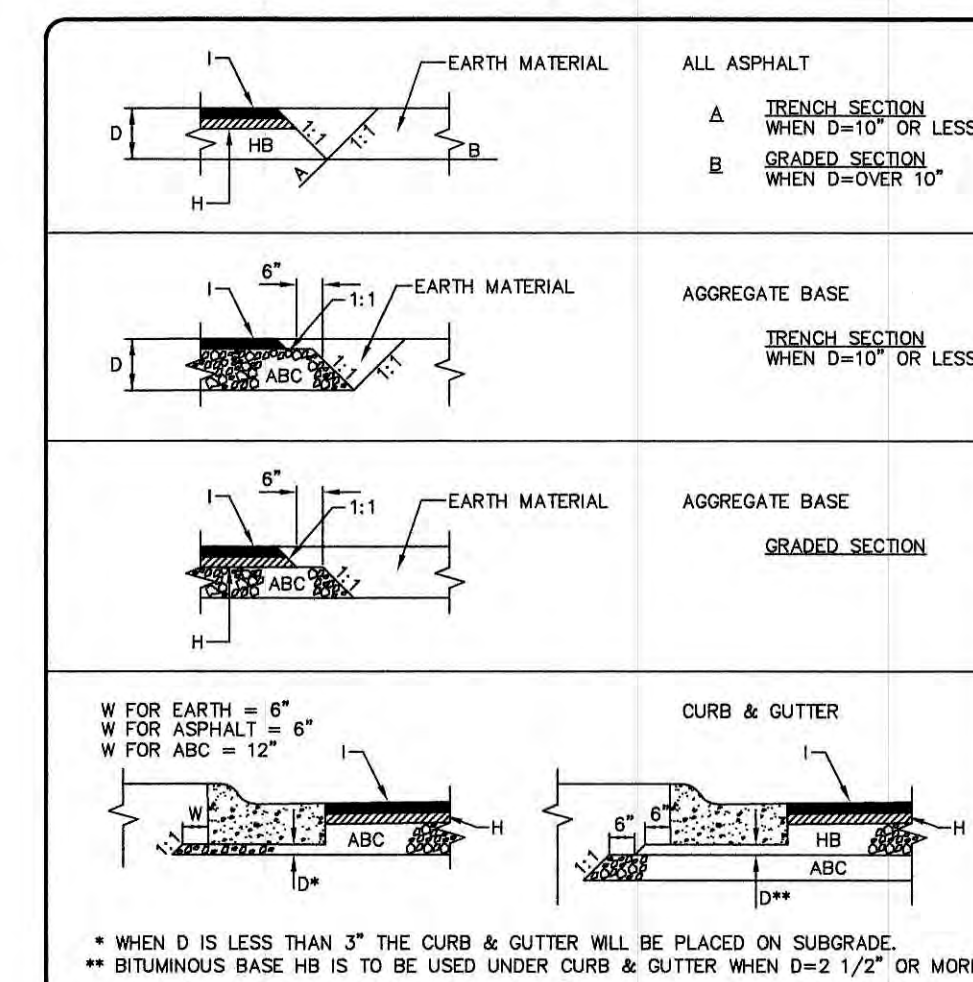


NOTE: THIS STREET CROSS
SECTION DETAIL AND PAVEMENT
SECTION, INCLUDING THE SIDE
DITCH HAVE BEEN APPROVED BY
NCDOT ON OTHER SUBDIVISIONS.

*All curb and gutter must be set on 5" of asphalt base course



Note:
At the end of each workday, the contractor shall be required to backfill up to the edge and elevation of existing pavement in areas adjacent to an open lane that have a dropoff of more than 3" (See Detail "A").



(IN FEET)
1 inch = 40 ft.

THIS PLAN IS A **FINAL DESIGN-NOT
RELEASED FOR CONSTRUCTION**
UNLESS INITIALLED/DATED AS APPROVED:
APPROVED: /

SHEET TITLE
ASBURY CHAPEL ROAD SR #2442
ROADWAY IMPROVEMENT

PROJECT
BROWN SUBDIVISION
TOWN OF HUNTERSVILLE, MECK. CO., N.C.
FOR: BOWMAN DEVELOPMENT GROUP



NC Corporate
Registration #C-0475

YARBROUGH-WILLIAMS & HOULE, INC.
Planning • Surveying • Engineering

(physical)	(mailing)
730 Windsor Oak Court	P.O. Box 1196
Charlotte, North Carolina, 28273	Pineville, North Carolina, 28134
704.556.1990	704.556.0505(fax)

PROJECT NO.	
SCALE 1" = 40'	
DATE 11/24/20	
DRAWN BY BTG	
CHECKED BY VGK	
DRAWING NO. 278-48	
SHT 12	OF 12
SHTS	

Brown Property Neighborhood Meeting - May 20th, 2021 6:00pm

David Peete Planning Department

Nick Walsh Town Commissioner

Pam Boileau Land Owner Representative

- We waited until 6:15 to begin the meeting
- Nate showed the plan and walked through what we are proposing
- David Peete added that we are still working on solution for traffic calming on the road that connects from existing Mirabella stub street our to Asbury Chapel Rd.
- There were no other questions or comments and the meeting ended at 6:20

**Town of Huntersville
Planning Board
July 27, 2021**

To: Town Board

From: Tracy Barron, Exec Asst

Date: July 27, 2021

Subject:

EXPLAIN REQUEST:

ACTION RECOMMENDED:

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

None

**Town of Huntersville
Planning Board
July 27, 2021**

To: Town Board

From: Tracy Barron, Exec Asst

Date: July 27, 2021

Subject:

EXPLAIN REQUEST:

ACTION RECOMMENDED:

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. Planning Board ROP JG EAS 6-23-21

Rules of Procedure

Huntersville Planning Board

Rules of Procedure

Huntersville Planning Board

1) Regular Meetings

At its organizational meeting, the Planning Board shall fix the time and place of its regular meetings. The regular meeting schedule may be changed by the Board at any time upon compliance with the notice provisions of the open meetings law.

2) Special Meetings

~~Upon compliance with the notice provisions of the open meetings law,~~ the Chairman, or, in the absence of the Chairman, the Vice Chairman, or four or more members of the Planning Board may call a special meeting. ~~The Board shall follow all of the North Carolina Open Meetings law, including, but not limited to, providing by causing a~~ written notice stating the business to be transacted and the time and place of such meeting, and signed by the person or persons calling the same, to be delivered ~~by mail, email,~~ in hand to each member or to be left at his usual dwelling or place of business at least ~~48~~24 hours before the time of such meeting. Only the business stated in the written notice may be transacted at the special meeting so called.

3) Electronic Meetings

When a State of Emergency has been declared in accordance with N.C.G.S. § 166A-19.20 that is applicable within the Town limits the Board of Commissioners and any Town board, committee, or commission may hold a regular, special, or emergency meeting as a remote, electronic meeting using technology such as Zoom, Ring Central, or another virtual or teleconferencing platform.

Any electronic meeting held under this rule must comply with the requirements of N.C.G.S § 166A-19.24. Under such conditions, an electronic meeting shall be treated as though it were a meeting at which all of the Board members who are simultaneously communicating are physical present.

A member of the public body participating by simultaneous communication under this section shall be counted as present for quorum purposes only during the period while simultaneous communication is maintained for that member.

Votes of each member made during a remote meeting under this section shall be counted as if the member were “physically present” only during the period while simultaneous communication is maintained for that member.

3)4) Organizational Meeting

Rules of Procedure

Huntersville Planning Board

At the regular meeting in July, ~~ne~~, upon receiving the report of the nominating committee (if any) of the Planning Board, the Board shall elect from its members a Chairman and Vice Chairman for a term of one year.

In the event of the absence or recusal (disqualification) of both the Chairperson and Vice Chairperson from a meeting of the Planning Board or a matter before its voting members in attendance, they may elect a temporary Chairperson for that meeting and proceed with the order of business.

4)5) Agenda: Procedures

i) The staff to the Planning Board, in consultation with the Chairman, shall prepare the agenda for the meeting. Each member of the Planning Board shall receive a copy of the agenda and it shall be available for public inspection when it is distributed to Board members.

ii) During its consideration of the agenda, Board members shall confine their discussion and comments to those items that appear on the agenda.

~~ii)iii)~~ During the other business section of the Agenda, the Board may not discuss any individual application for a zoning or subdivision request or a matter that would otherwise require notice based on the North Carolina General Statutes. Any other matter which is not on the agenda may be discussed upon the completion of the action agenda. However, —The the Board may not take formal action on any other business non-agenda item matter unless all Board members vote to add the matter to the agenda. A motion to suspend the rules shall not be in order if the purpose of the motion is to suspend the requirement of unanimity necessary to add a non-agenda matter to the agenda.

~~iii)iv)~~ The Chairman or any member of the Board may request the staff to place an item on a future agenda by making such a request at a Planning Board meeting. Unless a Board member objects, the requested item shall be included. -If a Board member has an objection, the item in question shall not be included on a future agenda unless a majority of the Board votes in favor of including the item.

~~iv)v)~~ The Planning Board may periodically hold policy agenda meetings and workshops to discuss issues of a policy nature and to determine the necessity for further action. Policy agenda meetings and workshops will be considered informal sessions of the Planning Board and no formal decisions shall be

Rules of Procedure

Huntersville Planning Board

made at these meetings. The staff to the Planning Board shall prepare an agenda for the meeting and the recorder shall provide minutes of the meeting.

~~5)~~6) Addressing the Planning Board

i) ~~i)~~ — Persons desiring to speak on a non-agenda matter that falls within the purview of the Board may be recognized by the Chairman to speak during the Public Comment ~~period~~section. Persons desiring to speak on an agenda matter may be recognized by the Chairman to speak when the item comes up on the agenda. Each speaker shall identify himself by name and address.

ii) ~~ii)~~

ii) — For each agenda item, proponents shall be heard first and shall be provided three (3) minutes each. Opponents shall be heard after the proponents for that particular agenda item, and shall be provided three (3) minutes each. The Chairman may limit time for each speaker proportionate to the number of persons who signed up to comment, if more than 30 minutes will be required for both proponents and opponents.

~~6)~~7) Office of the Chairman

The Chairman shall preside at all meetings of the Planning Board. In order to address the Board, a member must be recognized by the Chairman. ~~The~~ Chairman is entitled to vote on all matters and shall be considered a member for all purposes, including the determination of whether a quorum is present. ~~In~~ addition to participating as a member, the Chairman shall have the following duties:

- i) To rule motions in or out of order, including any motion patently offered for obstruction or dilatory purposes;
- ii) To determine whether a speaker has gone beyond reasonable standards of courtesy in his remarks and to entertain and rule on objections from other members on this ground;
- iii) To entertain and answer questions of parliamentary law or procedure;
- iv) To call a brief recess at any time;
- v) To adjourn in an emergency, and
- vi) To appoint, as needed, special committees from among the members.

Rules of Procedure

Huntersville Planning Board

7)8) Office of Vice Chairman

At the organizational meeting, the Planning Board shall elect from among its members a Vice Chairman. A Board member who serves as Vice Chairman shall be entitled to vote on all matters and shall be considered a member for all purposes, including the determination of whether a quorum is present. In the Chairman's absence, the Vice Chairman shall preside, and when presiding, shall have the right to vote upon all questions.

8)9) Quorum

A simple majority of appointed members shall constitute a quorum. A member, who leaves a meeting, whether excused or unexcused, shall be counted as present for purposes of determining whether a quorum is present.

9)10) Attendance

In order for the Board to carry its duties and responsibilities it is necessary for all members to attend the regular meetings. The Town Board may remove members who do not attend seventy-five percent (75%) of the Regular meetings in a twelve (12) consecutive month period, or who miss three (3) consecutive regular meetings.

10)11) Action by the Planning Board

The Planning Board shall proceed by motion, although limited discussion of a matter may be had prior to a motion being made. Any member may make a motion. All motions shall require a second in order to be considered by the Board.

11)12) One Motion at a Time

A member may make only one motion at a time.

12)13) Substantive Motion

A substantive motion is out of order while another substantive motion is pending.

13)14) Adoption by Majority Vote

A motion shall be adopted if it receives affirmative votes from a simple majority of members present.

14)15) Debate

The chairman shall state the motion and then open the floor to debate on it. The Chairman shall preside over the debate according to the following general principles:

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- i) The introducer (the member who makes the motion) is entitled to speak first, and
- ii) A member who has not spoken on the issue shall be recognized before someone who has already spoken.

15)16) Procedural Motions

In addition to substantive motions, the following procedural motions, and no others, shall be in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority vote for adoption.

- I. To adjourn.
- ii) The motion may be made only at the conclusion of action on a pending matter; it may not interrupt deliberation of a pending matter.
- iii) To take a recess.
- iv) To suspend the rules.
- v) The motion requires a vote equal to the number required for a quorum.
- vi) To divide a complex motion and consider it by paragraph.
- vii) To defer consideration.
- viii) A substantive motion whose consideration has been deferred expires one hundred (100) days thereafter unless a motion to revive consideration is adopted.
- ix) Call of the previous question.
- x) The motion is not in order until all members who have indicated a desire to be recognized have had an opportunity to speak once.
- xi) To postpone to a certain time or day.
- xii) To refer to a committee.
- xiii) Sixty (60) days after a motion has been referred to a committee, the introducer may compel consideration of the measure by the entire Board, whether or not the committee has reported to matter to the Planning Board.

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Huntersville Planning Board

- xiv) To amend.
- xv) An amendment to a motion must be pertinent to the subject matter of the motion, but it may achieve the opposite of the intent of the motion. The amending of a motion is effective only with the consent of the maker and seconder of the original motion. A motion may be amended, and that amendment may be amended, but no further amendments may be made.
- xvi) To revive consideration.
- xvii) The motion is in order any time within one hundred (100) days after the day of a vote to defer consideration. A substantive motion on which consideration has been deferred expires one hundred (100) days after the deferral unless a motion to revive consideration is adopted.
- xviii) To reconsider.
- xix) The motion must be made by a member who voted with the prevailing side, and only at the meeting during which the original vote was taken. The motion cannot interrupt deliberation on a pending matter but is in order at any time before actual adjournment.
- xx) To rescind or repeal.
- xxi) To ratify
- xxii) To prevent reconsideration for three (3) months.
- xxiii) The motion shall be in order immediately following the defeat of a substantive motion and at no other time. To be adopted, the motion requires a vote equal to the number required for a quorum; it is valid for three (3) months.
- xxiv) To substitute.
- xxv) A motion to substitute may seek the opposite result of the original motion, but it must be pertinent to the subject matter of the original motion. A substitute motion is voted on prior to taking a vote on the original motion. It shall not be necessary for the Board to vote a second time on the same subject matter if a motion to substitute is approved.

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16)17) Renewal of Motion

A motion that is defeated may be renewed at any later meeting unless a motion to prevent reconsideration has been adopted.

17)18) Withdrawal of Motion

A motion may be withdrawn by the introducer at any time before a vote. Permission of the members seconding the motion is not required.

18)19) Duty to Vote

Pursuant to §160D-109, members of appointed boards shall not vote on any advisory or legislative decision regarding the adoption of a development regulation where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. An appointed board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship. For purposes of these rules a "close familial relationship" means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

Every member must vote unless excused by the remaining members. A member who wishes to be excused from voting shall so inform the Chairman, who shall take a vote of the remaining members. No member shall be excused from voting except upon matters involving a conflict of interest as set forth in the preceding paragraph or, the consideration of his or her own ~~financial interest or~~ official conduct. In all other cases, a failure to vote by a member who is physically present at the meeting, or who has withdrawn without being excused by a majority vote of the remaining members present shall be recorded as an affirmative vote.

19)20) Adoption of Motions and Resolutions

The affirmative votes of a simple majority of members present shall be required for the passage of any motion.

20)21) Amendment

The Planning Board may amend the Rules of Procedures at any time provided that the amendment is presented at one meeting and action is taken at the next scheduled meeting.

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~~21)~~22) **Minutes**

Minutes of the Planning Board meetings shall be kept and shall be opened to the inspection of the public. The results of each vote shall be recorded in the Minutes.

~~23)~~ **Standards for Granting a Variance**

A variance may only be granted upon a showing that all four of the following provisions are met:

- 1) Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
- 2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.
- 3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance is not a self-created hardship.
- 4) The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.

No change in permitted uses may be authorized by variance. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance.

~~22)~~24) **Committees of the Planning Board**

The following rules shall be applicable to the meetings of any standing or ad hoc committee, which may be formed by the Planning Board from among its own members:

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- i) A quorum shall be required consisting of a majority of the members of the committee.
- ii) The chairman of the committee shall have a vote on all matters coming before the committee.
- iii) Minutes of committee meetings shall be kept and open to the inspection of the public. -The results of each vote shall be recorded in the minutes.

Adopted, as amended, this _____ day of _____ 2021.
~~Approved and adopted this 27th day of May, 2014.~~

Stephen Swanick~~Bruce Andersen~~, Chairman

ATTEST:

Tracy Barron~~Michelle V. Haines~~, Secretary

**Town of Huntersville
Planning Board
July 27, 2021**

To: Town Board

From: Tracy Barron, Exec Asst

Date: July 27, 2021

Subject:

EXPLAIN REQUEST:

ACTION RECOMMENDED:

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

None