

**Mayor**  
Christy Clark

**Mayor Pro Tem**  
Jennifer Hunt

**Commissioners**  
Alisia Bergsman  
Amanda Dumas  
Edwin Quarles  
LaToya Rivers  
Nick Walsh



**Town Manager**  
Anthony Roberts

**Deputy Town Manager**  
Jackie Huffman

**Assistant Town Manager**  
Bobby Williams

**Town Attorney**  
Emily Sloop

**Town Clerk**  
Janet Pierson

## **AGENDA**

### **Regular Town Board Meeting September 2, 2025 - 6:00 PM TOWN HALL (101 Huntersville-Concord Road)**

Meeting available via YouTube [@townofhuntersvillenc28078](https://www.youtube.com/watch?v=@townofhuntersvillenc28078)

- 1. Pre-meeting - None**
- 2. Call to Order**
- 3. Moment of Silence**
- 4. Pledge of Allegiance**
- 5. Announcements and Presentations**
  - 5.A. Oath of Office to Police Chief Brian Vaughan. *(Mayor Clark)*
  - 5.B. A Proclamation for Patriot Day. *(Mayor Clark)*
  - 5.C. A Proclamation for Suicide Prevention Week. *(Mayor Clark)*
- 6. Public Comments**
- 7. Agenda Changes/Adoption of Agenda**
- 8. Consent Agenda**
  - 8.A. Approve the minutes of the August 5, 2025 Regular Town Board Meeting. *(Janet Pierson)*
  - 8.B. Approve the minutes of the August 19, 2025 Regular Town Board Meeting. *(Janet Pierson)*
  - 8.C. Adopt Resolution approving Interlocal Cooperation Agreement for Fire Protection Services. *(Jackie Huffman)*

- 8.D. Approve recommendation to award a 3% merit increase for the Town Attorney based on performance evaluation. (*Lara Cagle*)
- 8.E. Adopt Resolution authorizing execution of Opioid Settlement with Secondary Opioid Manufacturers. (*Emily Sloop*)
- 8.F. Approve change order 01 to the engineering services contract for the Gilead Road West project. (*Stephen Trott*)
- 8.G. Declare Intent to Abandon a portion of Thread Ln (formerly North Main St) and call a public hearing for October 7, 2025 at 6:00 p.m. at Huntersville Town Hall, 101 Huntersville-Concord Road, Huntersville, NC 28078. (*Lora Mastrofrancesco*)
- 8.H. Accept streets in the 23XI Race Shop Subdivision for Town Maintenance. (*Kevin Fox*)
- 8.I. Accept streets in Farrington Subdivision Phase 3 for Town Maintenance. (*Kevin Fox*)
- 8.J. Accept streets in Phase 8 - Map 1 of the Walden Subdivision for Town Maintenance. (*Kevin Fox*)
- 8.K. Accept street in Bryton Corporate Center Phase 2 for Town Maintenance. (*Kevin Fox*)
- 8.L. Call a public hearing for September 16, 2025, at 6:00 p.m. at Huntersville Town Hall, Huntersville, NC 28078, to receive public input for the Traffic Calming request on Maple Branch Drive. (*Lora Mastrofrancesco*)

## **9. Public Hearings**

- 9.A. Conduct public hearing on Petition #R25-08 Second Street Village, a request by Jay Henson and Brian Hines to rezone +/- 4.799 acres at 204 N. Church St from Neighborhood Residential to Neighborhood Residential with a Conditional District for Townhomes and an Apartment. (*Nathan Farber*)
- 9.B. Conduct public hearing on Petition #R2-07 Home2Hilton, a request by PM Patel to rezone +/- 4.69 acres at 13830 Statesville Road from Corporate Business and General Residential to Highway Commercial with Conditions. (*Nathan Farber*)
- 9.C. Conduct public hearing on Petition #R25-11 Long Creek Retail, a request by TA and S Enterprises of NC Inc to rezone 4.396 acres from Highway Commercial-Conditional District to Highway Commercial-Conditional District and Rural. (*Jesse James*)
- 9.D. Conduct public hearing on Petition #R25-09, a request by Greenway Waste Solutions at North Meck to rezone +/- 220.9 acres near 15300 Holbrooks Road from Special Purpose Conditional District (SP-CD) Neighborhood Residential (NR), Transditional



Residential (TR), and Corporate Business (CB), to Special Purpose Conditional District SP-CD). The purpose of the rezoning is to expand the North Meck Landfill. *(Brad Priest)*

## **10. Other Business**

10.A. Consider approving update to the Police Salary Ranges. *(Police Chief Brian Vaughan)*

## **11. Closing Comments**

## **12. Adjourn**

### **General Meeting Information**

#### **Town Board:**

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

#### **Meeting Time, Place and Agenda:**

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

#### **Public Comment and Public Hearing Policy:**

Persons desiring to address the Board during the public comment period or a public hearing shall sign up via the speaker sign-up sheet no later than five (5) minutes prior to the designated meeting start time. Once the meeting has begun, a person may not sign up to speak. Persons who have signed up to speak shall be allowed to speak for up to three (3) minutes. The Mayor shall have the discretion to shorten the allotted speaking time depending on the number persons registered to speak and in consideration of the length of the agenda. *(Public Comment and Public Hearing Policy - Amended February 19, 2024)*

#### **Special Accommodations:**

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



## A PROCLAMATION FOR PATRIOT DAY

**WHEREAS**, this 11<sup>th</sup> of September marks 24 years since the unconscionable attacks of September 11, 2001 claimed nearly 3,000 lives and irrevocably changed our world; and

**WHEREAS**, every year since, we have observed this somber anniversary as Patriot Day to remember those we lost and honor the courageous first responders and men and women from all walks of life who took action to protect their fellow Americans; and

**WHEREAS**, as we reflect on these past years, we also commemorate the service members who answered our nation's call in the aftermath of the attacks. We will never forget their sacrifices to protect our cherished freedoms and way of life; and

**WHEREAS**, on this day of remembrance, let us pay tribute to the American heroes we've lost and recommit to the values of equality, opportunity and freedom our nation stands for.

**NOW, THEREFORE**, I, Christy Clark, Mayor of Huntersville, do hereby proclaim September 11 as "**PATRIOT DAY**" in Huntersville, North Carolina.

**IN WITNESS WHEREOF**, I do hereby set my hand and cause the Seal of the Town to be affixed, this the 2<sup>nd</sup> day of September, 2025.

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Christy Clark, Mayor



## **A PROCLAMATION FOR SUICIDE PREVENTION WEEK**

**WHEREAS**, with September being recognized as “Suicide Awareness Month,” the National Suicide Prevention & Action Month Proclamation was created to raise the visibility of mental health and proactive suicide prevention resources in our community; and

**WHEREAS**, according to the American Foundation for Suicide Prevention (A.F.S.P.), more than 49,000 people die by suicide annually in the United States; and

**WHEREAS**, according to Hope for the Day (H.F.T.D.), with an average of 132 suicides completed daily and each one directly impacting 100 additional people, including friends, service members, family, social media connections, and neighbors, we can safely assume everyone has been impacted by suicide; and

**WHEREAS**, the Town of Huntersville publicly places its full support behind those who work in the field of mental health, education, and law enforcement; and

**WHEREAS**, We encourage all residents to take time to understand mental health through education and recognize that we need to take care of our mental health while we take care of each other.

**NOW, THEREFORE**, I, Christy Clark, Mayor of Huntersville, do hereby proclaim September 7 through 13 as “**SUICIDE PREVENTION WEEK**” in Huntersville, North Carolina.

**IN WITNESS WHEREOF**, I do hereby set my hand and cause the Seal of the Town to be affixed, this the 2<sup>nd</sup> day of September, 2025.

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Christy Clark, Mayor

**TOWN OF HUNTERSVILLE  
TOWN BOARD MEETING  
MINUTES**

**August 5, 2025  
6:00 p.m. – Huntersville Town Hall  
101 Huntersville-Concord Road**

**PRE-MEETING**

None

**REGULAR MEETING  
TOWN OF HUNTERSVILLE  
BOARD OF COMMISSIONERS**

The Regular Meeting of the Huntersville Board of Commissioners was held at the Huntersville Town Hall, 101 Huntersville-Concord Road, at 6:00 p.m. on August 5, 2025

GOVERNING BODY MEMBERS PRESENT: Mayor Christy Clark; Commissioners Alisia Bergsman, Jennifer Hunt, Edwin Quarles, LaToya Rivers and Nick Walsh. Commissioner Amanda Dumas was not present.

Mayor Clark called for a moment of silence.

Mayor Clark led the Pledge of Allegiance.

**ANNOUNCEMENTS**

Announced upcoming HPD events.

**PUBLIC COMMENTS**

Christina Danis provided update on program relaunch of the HUD Housing Preservation Grant. *Refer to PowerPoint attached hereto as Exhibit No. 1.*

Mayor Clark recognized Police Chief Barry Graham on his retirement.

Gatewood Campbell, (Jamie Wideman deferred her time), said I'm reading this on behalf of Stacy Walker who is at work right now. Good afternoon. I have struggled to decide whether to write about this. I personally did not know Jeff or his wife, but I do personally work closely with essential workers and as much as they give to others can sometimes be forgotten. However, what really hurts me is that there was a survey and the people of Huntersville spoke, but our voices again have been silenced. The impression this town is allowing to happen is not flattering and makes me wonder why even ask us. I beg you to think about this. Vote on what it would mean to the Hager family, especially their children who will never get to witness the impact their father had on this community. Please give them this gift. Give them somewhere that they can go and smile. Let others know that our town cares about our

volunteers and our local heroes. Also, Stacy texted me and asked me to ask you to please not support the 1 percent sales tax.

Now, for me, I'm also here tonight to speak to you about the Parks and Rec Commission's recommendation for the new Fire Station No. 4 Park. I, along with many Huntersville residents, are against the motion. I remind this board that you routinely vote against the Planning Board, the Planning staff and Zoning Ordinances, among other things. You have made decisions that go against common practices in this town and you have not been afraid to set new precedents. You asked us what we wanted and the results were overwhelmingly in favor of honoring Jeff Hager. Jeff is the only Huntersville firefighter to die in the line of duty. That's the difference in Jeff and the others mentioned to me by the only two commissioners who responded to me.

In the last few months, a road was named for Luke Combs – Combs Lane. This board is not afraid to name things for people. This is your opportunity to show us you listen to those that you work for. Vote no to the motion on the floor and yes to a motion to name the new Fire Station No. 4 Park and honor the memory of Mr. Jeff Hager.

Dan Boone said the naming of the new park in Huntersville after firefighter Jeff Hager isn't about tradition or sentiment. It's about sacrifice. Jeff was our only in line duty death. He gave his life and service to the town and that matters deeply. This isn't just a symbolic, it's a reflection of what we value as a community. This is a serious decision with a lasting meaning, not for just today but for the future of Huntersville. We have a brand new fire department, we have a new generation of firefighters and they are watching closely. How we choose to remember the one who gave everything will shape a sense of purpose and pride in this town. There are many deserving individuals and we can honor them in many ways, but failing to name the park after Jeff Hager would send the wrong message. Please, honor the one who has paid the ultimate price.

Brandi Jones said I'm here tonight on behalf of Angels and Sparrows. I'm the new Executive Director and I just wanted to take a brief moment to thank you for your continued support and provide an update on the impact that your partnership is having in the community. We just completed Year 3 of our Pathway Program. Our Pathway Program is a 2Generation education program focused on academic, workforce development and wrap around services for families in our community that are looking to have a more stable future. This year alone we were able to provide 6,700 hours of adult education. We provided 4,400 hours of tutoring for youth and teens and over 1,100 hours of mentoring for participants in our community. We had 100 percent of our seniors that were in high school graduate and they're enrolling in college. Ninety-seven percent of youth and teens in our program improved their math scores and 94 percent improved in the area of reading. What's even more impactful than just these academic outcomes is that we had 54 percent of the adult participants in our program report that they have seen improvements in their household income as a direct result of being involved in our program.

This is just an example of what your support and our partnership can look like. Also, when the kids are out of school, our work also does not stop there. This summer we are doing our continued summer bag lunch program. As we know there's a lot of kids in our community who are unable to get to CMS feeding sites because of transportation challenges, so at Angels and Sparrows we have stepped in to fill that gap and continue to do so. For the months of June and July we have provided 8,800 summer bag lunches to youth and teens in our local community who would otherwise go hungry. I just again want to take an opportunity to thank you so much for your support and thank you for partnering with us to build a healthier Huntersville. We look forward to continuing to partner with you in the future.

### **AGENDA CHANGES**

Commissioner Walsh made a motion to remove Items 10.G and 10.I from the agenda.

Commissioner Hunt seconded the motion.

Motion carried unanimously.

Commissioner Quarles made a motion to adopt the modified agenda. Commissioner Rivers seconded the motion. Motion carried unanimously.

### **CONSENT AGENDA**

**Approval of Minutes.** Commissioner Hunt made a motion to approve the minutes of the July 15, 2025 Regular Town Board Meeting. Commissioner Rivers seconded the motion. Motion carried unanimously.

**Tax Collector's Settlement and Order of Collection.** Commissioner Hunt made a motion to approve Tax Collector's Settlement for Fiscal Year 2025 and adopt Order of Collection for Fiscal Year 2026. Commissioner Rivers seconded the motion. Motion carried unanimously.

*Tax Collector's Settlement and Order of Collection attached hereto as Exhibit No. 2.*

**Property Tax Refunds.** Commissioner Hunt made a motion to approve property tax refunds from Mecklenburg County. Commissioner Rivers seconded the motion. Motion carried unanimously.

*Property Tax Refund Report attached hereto as Exhibit No. 3.*

**Ordinance – 2025 Veterans Day Celebration Road Closures.** Commissioner Hunt made a motion to adopt Ordinance approving the 2025 Veterans Day Celebration road closures for the planned event at Veterans Park. Commissioner Rivers seconded the motion. Motion carried unanimously.

*Ordinance attached hereto as Exhibit No. 4.*

**Ordinance – 2025 Town Tree Lighting and Holidays in Huntersville Road Closures.** Commissioner Hunt made a motion to adopt Ordinance approving the 2025 Town Tree Lighting and Holidays in Huntersville road closures for the planned event at Veterans Park. Commissioner Rivers seconded the motion. Motion carried unanimously.

*Ordinance attached hereto as Exhibit No. 5.*

**Resolution – Multi-Jurisdictional Hazard Mitigation Plan.** Commissioner Hunt made a motion to adopt Resolution to adopt Mecklenburg County Multi-Jurisdictional Hazard Mitigation Plan. Commissioner Rivers seconded the motion. Motion carried unanimously.

*Resolution attached hereto as Exhibit No. 6.*

**Resolution – Award Service Firearm.** Commissioner Hunt made a motion to adopt Resolution to approve the awarding of a service firearm to a retiring law enforcement member. Commissioner Rivers seconded the motion. Motion carried unanimously.

*Resolution attached hereto as Exhibit No. 7.*

**Call for Public Hearing – Petition #R25-11 Long Creek Retail.** Commissioner Hunt made a motion to call a public hearing for September 2, 2025, at 6:00 p.m. at Huntersville Town Hall on Petition #R25-11 Long Creek Retail, a request by TA and S Enterprises of NC Inc. to rezone 4.396 acres from Highway Commercial - Conditional District to Highway Commercial - Conditional District and Rural. Commissioner Rivers seconded the motion. Motion carried unanimously.

**Call for Public Hearing – Petition #R25-09 Greenway Waste Solutions.** Commissioner Hunt made a motion to call a public hearing on Petition #R25-09, a request by Greenway Waste Solutions at North Meck to rezone +/- 220.9 acres near 15300 Holbrooks Road from Special Purpose – Conditional District to Special Purpose – Conditional District. The purpose of the rezoning is to expand the North Meck Landfill. Commissioner Rivers seconded the motion. Motion carried unanimously.

#### **PUBLIC HEARINGS**

**Petition #R25-07 Home2Hilton.** Mayor Clark called to order public hearing on Petition #R25-07 Home2Hilton, a request by PM Patel to rezone +/- 4.69 acres at 13830 Statesville Road from Corporate Business and General Residential to Highway Commercial with conditions.

The applicants have requested this public hearing be deferred until September 2.

Commissioner Quarles made a motion to defer public hearing for Petition #R25-07 Home2Hilton, a request by PM Patel to September 2, 2025, at 6:00 p.m. at Town Hall.

Commissioner Hunt seconded the motion.

Motion carried unanimously.

**Petition #TA25-09 Burkert.** Mayor Clark called to order public hearing on Petition #TA25-09, a request by Burkert USA Corporation to amend Article 954 of the Huntersville Zoning Ordinance.

Nathan Farber, Planner II, entered the Staff Report into the record and reviewed request. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 8.*

Commissioner Walsh said I get it above where the parking areas or pedestrian areas.....when you say the front and it's screened, are they Leylands, are they fences. Fourteen feet is pretty high.

Mr. Farber said just to be specific, for the 14' tall structures above parking lots the only requirement is that it's behind an 80' buffer, so there's no additional screen required. In the case of Burkert they have an existing 80' vegetated buffer. That's kind of the premise behind an existing 80' buffer.

Commissioner Walsh said folks wouldn't see it coming down the road.

Mr. Farber said essentially, yes. As well we do have our current commercial buffer requirements and our current parking screen requirements that would still be required, so there would be additional screening.

Commissioner Hunt said do you think a buffer of even 40', do you think that would be too small.

Mr. Farber said the 80' came from using what Burkert currently has. I think we would probably be in support of a smaller buffer if that's something that you guys are interested in.

Commissioner Hunt said while we're amending our ordinances, do we feel like there are any other changes that we could make to be more solar friendly or do we feel like our ordinances are already pretty solar friendly.

Mr. Farber said I would feel like our solar ordinances are already fairly friendly. Back in 2022 we made changes and basically made all minor solar facilities by right.

Commissioner Bergsman said I just wanted to make sure that I fully understand what it's saying when we are talking about visibility. In this situation I think they already have their buffer with all of that, but in other situations, are we talking about visibility if the plant that will eventually grow or if there's the expectation that from Day One of when the solar is installed there should be a buffer that blocks the visibility.

Mr. Farber said the way the language reads, I would assume that we would look at it from Day One when it's planted it's not visible, but I'm sure that we could work with them.

Commissioner Bergsman said I was thinking about this more and if we get more of these. I love that they're coming to us with the solar project. I just want to make sure that if we have more coming down the line that there's definitely clarity on that.

Mr. Farber said I would add that since this is only for non-residential sites, the majority of commercial sites would already have a vegetated buffer, so any additional screens would just be if for whatever reason that was necessary.

Mayor Clark called for public comments.

Christine Wolak said I think that this first amendment, I don't know anything about the second one. It seems a little weird to plant solar in your front yard. Solar installations like in that picture are all over California. Nobody has any problem with them. They provide shade in the summertime and protection from rain. Even if we get some snow that would be nice to not have to walk through those big open parking lots. I think it should be a no brainer, in fact it should be encouraged for any new development that includes a surface parking lot or even an existing parking lot and also on roofs.

There being no further comments or questions, Mayor Clark closed the public hearing.

#### **OTHER BUSINESS**

**Name Fire Station No. 4 Park.** Michael Jaycocks, Parks and Recreation Director, reviewed request to name Fire Station No. 4 Park. *Refer to PowerPoint attached hereto as Exhibit No. 9.*



Commissioner Rivers said if you could just kind of give more specific information in regards to your survey. Was it open ended where people just kind of gave name suggestions or was there specific names on the survey.

Mr. Jaycocks said the most recent one was 2022 when we did Rosedale Nature Park, we did the exact same process. We did a survey. Survey Monkey is a little different than this one, but this software program it was open ended and you could put as many names as you wanted. We didn't really push anybody to say choose from these and list the names. It was pretty much just wide open.

Commissioner Hunt said do we know how many survey participants there were and do we know how many of them were unique participants.

Mr. Jaycocks said we know there's 345, but we're not 100 percent sure those were unique individuals because you can respond more than once, so it was really hard to see actually how many individuals separately that were part of the survey.

Commissioner Hunt said the Parks and Rec Commission also talked about other ways to honor individuals, correct. They mentioned pavers or other similar things.

Mr. Jaycocks said brick pavers, the benches with plaques on it, we do trees with the bricks engraved kind of like we have at Veterans Park.

Commissioner Bergsman said with the recommendation for the park naming, was there also any clear direction of which way the commission thought we should go in terms of recognition within the park.

Mr. Jaycocks said we talked about doing something similar like we have at Veterans Park. We didn't get into the weeds of what is allowed on a brick or who can purchase a brick. We didn't get that far into it. There's a lot of space in the park so from the standpoint of having a brick memorial kind of like we have at Veterans Park it doesn't need a lot of room, so there's plenty of room as part of the park plan to implement something like we have at Veterans Park.

Commissioner Bergsman said the memorial bench and the tree, that's typically been for purchase, correct.

Mayor Clark said I'm the Parks and Rec board liaison. There was an extensive conversation about the name over two different meetings and so they put a lot of thought and care and heart into this discussion. We did at the end once they voted on the name they had chosen, we also have like a Part B would be to come back and figure out what would be the way to honor people. It might be a bench with plaque, it might be a wall, it might be something like that, but I think that intends for other discussion. I know they meant that to have further ideas on what to do, so it wasn't the end of the conversation by any means.

Commissioner Quarles said I heard someone say line of duty and you said Covid. Not being insensitive, was it Covid or line of duty.

Mr. Jaycocks said line of duty is my understanding.

Commissioner Hunt said what's the process for naming roads.

Anthony Roberts, Town Manager, said when a new subdivision comes in, they'll put a whole list of names together and they'll submit those. There's a process to go through. Basically, it has to be run through the county for 911 service, so you don't want Anthony Roberts Road to show up five times in Huntersville because if I'm dispatching a fire call or emergency call, if there's five different Anthony Roberts streets, that's probably going to be confusing. Ultimately, they go through a process to sort of vet those out and sometimes they have to go through a lot of different names because you can imagine streets all over the county. They try to avoid having repeat streets even in like Cornelius and Davidson and Huntersville, etc. From a new subdivision, that's typically how it's done. Let's say we rename a street in town. A lot of times staff may come up with that name. I don't know that we specifically have a policy. There may be names that we have to come up with that we will submit to the county to have them to approve.

Stephen Trott, Director of Engineering, said the town does have a street renaming policy. That goes through a public process and ultimately board approval. It does also have to go through the county to make sure it's a unique name and not only a unique name, but a unique sounding name. You don't want street names that are maybe spelled a little bit different but are pronounced the same. We've had some issues with that in the past.

Commissioner Hunt said I'd also be curious to hear what Chief Dotoli thinks since he's here.

Fire Chief Jim Dotoli said when the idea came about the park next to the fire station, I was a little skeptical at first, but at the same time I think it was a great idea because we're not putting houses or anything like that. There's some heavy hitter names up there.....Mayor Swain, Jeff Reid and Irvin. He brought me on when I was a firefighter. I had to go to his body shop to get the application. There's nothing negative I could say about any of them. But there's also people that have served in our Fire Department and the Police Department that are not included in there. How do you say they're not worthy of putting their name on it. I knew Jeff for 25 years. We worked together at Fire Station No. 18 in Charlotte and the unfortunate part, he died in the line of duty under my leadership and buried him. There's a lot of people up there that are named today and there's going to be more that pass. I'm looking at Chief Graham and I know he's probably got police officers that have passed that are no longer with us. Their names aren't there either. Instead of putting someone's name on it, maybe when the park is built you want to do benches and bricks. The Hager family gets a bench and other people like that. Why don't we just call it like a First Responder Park. This way it covers police, fire, MEDIC, people that move here from other states and maybe you were a first responder and you want to put your brick on there, so your family or maybe your grandkids, you tell them the story of why you have a brick. That's just my idea. You don't have to take it. I think there's a lot of great names up there, but I think for me I can't say nothing bad about any of those people and to pick one would be very tough, even with Jeff being 25 years of knowing each other. I've known the Reid family, I've known the Irvin family and one of the grandsons still is in the Fire Department. I'm more for the First Responder Park and then making some memorials inside the park.

Mayor Clark said am I correct in remembering this park is going to be kind of first responder themed, like the play structure and everything.

Mr. Jaycocks said we talked a little bit about the splash pad, maybe either some logos from the Fire Department that's on the splash pad material. The idea would be some type of fire or first responder implements within the park.

Mayor Clark said that name would actually kind of go better with what we might end up with like the theme of the park.

Mr. Jaycocks said it seems fitting.

Commissioner Bergsman said I like the name First Responders Park, I think that's a great idea. If that is something we move forward with, do you think it would be possible to have the Parks and Rec Commission come back to the board in a month or so with some clear ideas of what the memorialization or what the recognition within the park is going to look like.

Mr. Jaycocks said we only have one meeting between now and then. I'd give us two meetings.

Commissioner Bergsman said my main feedback on that is that if there's a way that we can look to honor and recognize individuals without requiring a purchase criteria, I think that would be a good thing.

Mayor Clark said you reminded me of we had been kind of kicking around ideas of ways to honor people and one of them we came up with was to paint Firefighter Hager's name on the side of one of the trucks and I think that would be a fantastic way to remember him and other future firefighters that die in the line of duty, so I think we're on board with that. I think we can get behind that.

Fire Chief Dotoli said something like this....there's parks obviously attached to other fire stations. I think Charlotte has one, but it's nothing to do with the first responders. I think this is the first, I'm definitely going to say in Mecklenburg County, I think it might be the first in the state that's dedicated for the first responders if you decide to go that route.

Commissioner Walsh made a motion to name the new Fire Station No. 4 Park "First Responders Park."

Commissioner Quarles seconded the motion.

Commissioner Walsh said I want to first acknowledge the hard work of our Parks and Recreation Commission in coming up with a name for our new park. I think the Chief's suggestion of First Responders Park incorporates the spirit of what they wanted to name this new park. I know there were some in the community that wanted to name this park after an individual. First Responder Park will honor all the first responders who serve the Town of Huntersville in the same way that Veterans Park honors all the veterans who serve our country.

Commissioner Quarles said I want to thank Michael Jacocks' staff and each member of the Parks and Recreation committee. You are committed to what you do and Huntersville has the best parks and recreation facilities and activities because of you and your service. This board has proven to be for our first responders. It is this board who got Huntersville its first full-time fire department. It's this board who has invested into our police officers. It is this board who has successfully negotiated with developers to get our first responders affordable housing. To the Parks and Recreation team and Chief Dotoli, your recommendation to this board to name the park First Responders Memorial Park is a valid ask of this board. This board had nothing to do with your recommendations prior to getting on the agenda. To our first responders, past, present and future, you are our heroes and naming the park First Responders Memorial Park will be an honor to you. Thank you for being our hero and thank you for your service and your bravery.

To our Parks and Recreation's manager, staff and committee members, you did nothing wrong. You thought you were doing the right thing by seeking community engagement. I support you and your decisions and I will stand proudly with each of you. I look forward to voting in favor of your name recommendation and I look forward to visiting First Responders Memorial Park in the near future.

Commissioner Bergsman said I see a lot of members of the Parks and Rec Commission in the audience tonight. I'm not going to ask you to identify yourselves or anything, but I just want to say thank you for all of your hard work both on this and everything that you've done. Many of you have been on the committee for years and I know you put a lot of thought and hard work into everything that comes up on your agenda, so thank you.

Commissioner Rivers said first, I would like to say that I appreciate the entire Parks and Recreation Commission and your hard work and dedication to ensuring that you all made sure that you all were inclusive and that you wanted to hear the voices of the residents. I appreciate your hard work, your dedication in ensuring that. I know that we have heard from several residents who have expressed strong thoughts and opinions about the naming of the new park. Please let me say that we have read all of the emails and have asked pertinent questions that have raised concerns when it comes to our naming selection process. Please understand that to those residents, your concerns did not go unnoticed. I believe that we may need to review our policy and make things a little bit more clear and concise when it comes to wording for the naming of the parks. However, I do love the idea of honoring all of our firemen, Huntersville town heroes and I support the name of the new Huntersville Park as the First Responders Park. This will ensure that everyone will be honored.

Commissioner Hunt said I understand the concerns and sentiment that some people raised about this process and like Commissioner Rivers pointed out, I think there is room for improvement on our surveys, especially in terms of the naming policy and just making sure that we tighten that up so there's no confusion about that. That said, the Parks and Rec Department and the commission did so much work for this that we really all appreciate all your time and deliberation into this and I think naming the park First Responders Park, I couldn't have said it better than Chief Dotoli did, I think it's a really beautiful way to honor all of the first responders in Huntersville, both Police and Fire, so I definitely support that name as well.

Mayor Clark called for the vote.

Motion carried unanimously.

**Notice of Termination – ElectriCities Operation Agreement.** Jackie Huffman, Deputy Town Manager, reviewed request to approve Notice of Termination of Operation Agreement with ElectriCities.

#### History

- The Town of Huntersville has had its own electric distribution system since appx 1916
- The Town owns lines and serves 9,500~ customers
- Specific defined territory
- Since 1970s the Town has been a member of NCMPA1 a municipal electric power agency, nothing regarding this proposal will change membership
- Since mid-1990s the Town has contracted with ElectriCities to manage our electric system
- The Town owns the system, sets the rates, and maintains responsibility for the system

#### Current ElectriCities Operations

- Under the current contract for the last 25+ years, ElectriCities has managed the combined systems for Huntersville and Cornelius
- The current location ElectriCities uses to manage both systems is located at 11316 Sam Furr Rd in a building owned by the Town of Huntersville
- This contract provides that the Town reimburse ElectriCities their incurred costs to manage the electric distribution system
- All costs uniquely identifiable to Huntersville our electric fund pays; same for Cornelius
- Any costs not uniquely identifiable to one municipality are split among both according to electric meter counts (currently H 70/ C 30)
- Vehicles are currently owned by either Cornelius or Huntersville

#### Growth

- When the 1990s decision was made to have one manager operate the combined systems, meter count was appx H 1,289/C 1,249; sum 2,538 meters
- Today, that meter split is closer to H 9,467 /C4,059 sum 13,526
- In FY 2025 C added 53 accounts; H added 609; in July, H added 175, C added 11
- Huntersville's projected growth areas are within the Huntersville electric service territory
- Of the 19 NCMPA1 municipalities, Huntersville's FY 25 revenue is greater than 13 cities; 11 of those manage their own system
- ElectriCities manages no other billing and collecting system

#### Opportunity

- Managing our own system allows us more local decision making control
- Concentrates our resources in our service territory
- Local employees provides prospect neighbors local service
- Provides direct contact to other departments (Planning, Finance, Communications) regarding electric operations

#### Transition Plan

- Current contract requires 10 month notice to ElectriCities and Cornelius
- Work with ElectriCities corporate staff to offer Huntersville positions to ElectriCities staff and communicate benefit comparison
- Transition contemplates no employees lose jobs; the employees who have supported our system for years are our first resource to provide smooth transition to our customers (need to determine number of employees to support Huntersville system)
- Anticipate no change to employee rates of pay – hire as Town employees at their current rate at time of conversion

#### Committed Partners

- No change of ownership of the Huntersville Electric Distribution System
- No change to Town's membership in ElectriCities
- Propose no changes to our mutual aid relationships in the event we or other municipalities experience an outage
- Continue to rely on ElectriCities for safety and training course offerings continuing to pay for those resources as current in an arms length transaction
- All ElectriCities corporate services (economic development, grant programs, customer rebate programs and growth projections) will continue
- Huntersville electric customers are still Huntersville electric customers

Commissioner Walsh made a motion to approve the Notice of Termination for the Operation Agreement with ElectriCities of North Carolina, Inc.

Commissioner Rivers seconded the motion.

Commissioner Walsh said I just want to say I absolutely support this tonight. I've been in Huntersville 33 years and 33 years ago we were a much smaller town. In my time on the board, we brought Legal in house, we brought IT in house, I was here when we brought LUESA in house and of course this board essentially brought the Fire Department in house, so I think this is just the next logical step for the town.

Mayor Clark called for the vote.

Motion carried unanimously.

*Notice of Termination attached hereto as Exhibit No. 10.*

**Resolution – Acquire Property for Gilead Road West Project.** Stephen Trott, Director of Engineering, explained request. The request is to adopt a Resolution to acquire property from the Wynfield neighborhood. They're representation has asked that the town use eminent domain for that.

Mayor Clark said Wynfield has an HOA and the HOA board does not have the authority to sell the property to the town, so in lieu of asking their....I don't know how many homes are in there.

Mr. Trott said it's around 300 and I believe we'd have to get 2/3 of the owners and so if you have one person that owns it, then that would be all the owners. If you have five people that have an interest in a property, then that would be five people to get one property. It would be a large undertaking to try to get that many people to agree.

Mayor Clark said if you've ever tried to change the bylaws in a neighborhood with HOA, you know it's next to impossible. Their HOA board and their management company have asked for this and this will include the area in front of the entrance to Wynfield on Gilead Road.

Mr. Trott said it's four different parcels all that are included with that HOA. It's along Gilead and then also up Wynfield Creek Parkway.

Commissioner Bergsman made a motion to adopt the Resolution to acquire property necessary for the Gilead Road West Project for the following parcels: 009-203-01, 009-201-28, 009-201-33 and 009-203-02.

Commissioner Walsh seconded the motion.

Motion carried unanimously.

*Resolution attached hereto as Exhibit No. 11.*

**Budget Amendment – Ada Jenkins.** Commissioner Quarles requested to be recused.

Commissioner Hunt made a motion to recuse Commissioner Quarles.

Commissioner Walsh seconded the motion.

Motion carried unanimously.

Commissioner Bergsman made a motion to approve budget amendment for Ada Jenkins Center in the amount of \$35,000 for the purposes stated in their non-profit funding application.

Commissioner Hunt seconded the motion.

Motion carried unanimously.

Commissioner Walsh made a motion to bring back Commissioner Quarles.

Commissioner Hunt seconded the motion.

Motion carried unanimously.

**Budget Amendment – Angels and Sparrows Food Security Program.** Commissioner Bergsman made a motion to approve budget amendment for Angels and Sparrows Food Security Program in the amount of \$25,000 for the purposes stated in their non-profit funding application.

Commissioner Rivers seconded the motion.

Motion carried unanimously.

**Budget Amendment – Angels and Sparrows Pathway Program.** Commissioner Rivers made a motion to approve budget amendment for Angels and Sparrows Pathway Program in the amount of \$40,000 for the following purposes: Angels and Sparrows Pathway Program bridges the gap by implementing a 2Generation framework with the goal of increasing household income and improving long-term economic outcomes.

Commissioner Hunt seconded the motion.

Motion carried unanimously.

**Budget Amendment – Bags of Hope.** Commissioner Quarles made a motion to approve budget amendment for Bags of Hope in the amount of \$15,000 for the purpose stated in their non-profit funding application.

Commissioner Walsh seconded the motion.

Motion carried unanimously.

**Budget Amendment – Carolina Raptor Center.** Commissioner Hunt made a motion to approve budget amendment for the Carolina Raptor Center in the amount of \$10,000 for the purposes stated in their non-profit funding application.

Commissioner Rivers seconded the motion.

Motion carried unanimously.

**Budget Amendment – Caterpillar Ministries.** Commissioner Hunt made a motion to approve budget amendment for Caterpillar Ministries in the amount of \$30,000 for the purposes stated in their non-profit funding application.

Commissioner Bergsman seconded the motion.

Motion carried unanimously.

**Budget Amendment – Hope House.** Commissioner Walsh made a motion to approve a budget amendment for Hope House in the amount of \$20,000 for the purposes stated in their non-profit funding application.

Commissioner Hunt seconded the motion.

Motion carried unanimously.

**Budget Amendment – Hugh Torance House and Store.** Commissioner Bergsman requested to be recused.

Commissioner Hunt made a motion to recuse Commissioner Bergsman.

Commissioner Walsh seconded the motion.

Motion carried unanimously.

Commissioner Rivers made a motion to approve budget amendment for the Hugh Torance House in the amount of \$15,000 for the purpose stated in their non-profit funding application.

Commissioner Quarles seconded the motion.

Motion carried unanimously.

Commissioner Walsh made a motion to return Commissioner Bergsman.

Commissioner Hunt seconded the motion.

Motion carried unanimously.

**Budget Amendment – North Carolina Youth Orchestra.** Commissioner Quarles requested to be recused.

Commissioner Walsh made a motion to recuse Commissioner Quarles.

Commissioner Hunt seconded the motion.

Motion carried unanimously.



Commissioner Rivers made a motion to approve budget amendment of \$10,000 to the North Carolina Youth Orchestra for the purposes stated in their non-profit funding application.

Commissioner Bergsman seconded the motion.

Motion carried unanimously.

Commissioner Rivers made a motion to bring back Commissioner Quarles.

Commissioner Hunt seconded the motion.

Motion carried unanimously.

**Budget Amendment – Pottstown Heritage Group.** Commissioner Rivers requested to be recused.

Commissioner Hunt made a motion to recuse Commissioner Rivers.

Commissioner Walsh seconded the motion.

Motion carried unanimously.

Commissioner Quarles made a motion to approve budget amendment for the Pottstown Heritage Group in the amount of \$15,000 for the purpose stated in their non-profit funding application with the exception of tree removal and trimming as proposed by their Rooted in Safety initiative.

Commissioner Hunt seconded the motion.

Motion carried unanimously.

Commissioner Quarles made a motion to bring back Commissioner Rivers.

Commissioner Walsh seconded the motion.

Motion carried unanimously.

#### **CLOSED SESSION**

Commissioner Walsh made a motion to go into closed session pursuant to NCGS 143-318.11(a)(6) to consider the qualifications, competence and performance of an employee.

Commission Hunt seconded the motion.

Motion carried unanimously.

The Board returned from closed session.

#### **CLOSING COMMENTS**

Commissioner Rivers noted school will be starting back.

Commissioner Quarles clarified that a hero was lost when Jeff Hager died in September 2021 in the line of duty.

There being no further business, Commissioner Hunt made a motion to adjourn. Commissioner Rivers seconded the motion. Motion carried unanimously.

Approved this the \_\_\_\_ day of \_\_\_\_\_, 2025.

DRAFT



## **Request for Board Action**

September 2, 2025

**To:** The Honorable Mayor and Board of Commissioners

**From:** Janet Pierson, Town Clerk

**Subject:** Approval of Minutes - August 19

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### **EXPLAIN REQUEST:**

Consider approving the minutes of the August 19, 2025 Regular Town Board Meeting

### **ACTION RECOMMENDED:**

Approve minutes.

### **FINANCIAL IMPLICATIONS:**

N/A

### **ATTACHMENTS:**

1. Draft Minutes

**TOWN OF HUNTERSVILLE  
TOWN BOARD MEETING  
MINUTES**

**August 19, 2025  
6:00 p.m. – Huntersville Town Hall  
101 Huntersville-Concord Road**

**PRE-MEETING**

None

**REGULAR MEETING  
TOWN OF HUNTERSVILLE  
BOARD OF COMMISSIONERS**

The Regular Meeting of the Huntersville Board of Commissioners was held at the Huntersville Town Hall, 101 Huntersville-Concord Road, at 6:00 p.m. on August 19, 2025

GOVERNING BODY MEMBERS PRESENT: Commissioners Alisia Bergsman, Amanda Dumas, Jennifer Hunt, Edwin Quarles, and Nick Walsh. Mayor Christy Clark and Commissioner LaToya Rivers were not present.

Mayor Pro-tem Hunt called for a moment of silence in honor of Mayor Clark and her family.

Mayor Pro-tem Hunt led the Pledge of Allegiance.

**ANNOUNCEMENTS**

Planning Board has two alternate member openings.

Rosenwald School #2 Celebration is on September 20.

**PUBLIC COMMENTS**

**Women's Equality Day Proclamation.** Mayor Pro-tem Hunt proclaimed August 26, 2025, as Women's Equality Day.

**A PROCLAMATION FOR NATIONAL WOMEN'S EQUALITY DAY**

**WHEREAS**, on August 26, 1920, after decades of hard-fought advocacy, women won the right to vote, and our Nation moved one step closer to living out our sacred ideal that all people are created equal. On Women's Equality Day, we honor the movement for universal suffrage that led to the 19th Amendment, celebrate the progress of women over the years, and renew our commitment to advancing gender equity and protecting women's rights; and

**WHEREAS**, with the ratification of the 19th Amendment, millions of women across the country were finally able to make their voices heard in our elections. Yet many women of color who helped lead the universal suffrage movement were effectively denied those rights until the Voting Rights Act passed 45 years later. Women are less likely to have time to vote in-person with increased caregiving demands and a disproportionate share of low-wage, inflexible work. The right to vote and to have that vote counted is essential to the future of our

democracy; and

**WHEREAS**, women and girls have fought for justice and freedom throughout our history. All Americans should have the opportunity to fully participate in society - no one's rights should be denied because of their gender; and

**WHEREAS**, on Women's Equality Day, we celebrate the trailblazers who fought to deliver a better future for America's daughters. We recognize the work that remains to ensure that everyone can fully participate and make fundamental choices. We strive to uphold our Nation's promise of equality for all people.

**NOW, THEREFORE**, I, Jennifer Hunt, Mayor Pro-tem of Huntersville, do hereby proclaim August 26 as "**WOMEN'S EQUALITY DAY**" in Huntersville, North Carolina.

**IN WITNESS WHEREOF**, I do hereby set my hand and cause the Seal of the Town to be affixed, this the 19<sup>th</sup> day of August, 2025.

**Recognition of Huntersville 101 Graduates.** Ethan Smith, Communications Manager, recognized Huntersville 101 graduates.

Mayor Pro-tem Hunt called for public comments.

Ahmid Kargbo said I come to you today as a very concerned citizen to speak about the state of Huntersville zoning. As a graduate of Barnette Elementary, Bradley Middle and Hopewell High schools, I've seen this town grow exponentially in the last decade and a half. As I've lived here I felt the growing pains of poor urban planning alongside the community. The growth feels overwhelming and unsensible but when you understand our town's car-centric land use, it makes perfect sense. By acreage, Huntersville is the size of Paris, but how are we struggling to fit a measly 70,000 people. My commissioners and county understand the myth of suburbia and the need for government subsidies for it to survive. They understand the dire need of property taxes for our schools, hospitals, roads, and a variety of other services which suburbia famously is lackluster at generating. But, they are scared of the community. To Commissioner Rivers and Quarles does it not bother you to see people get evicted from Pottstown and having to lose your generational wealth because single-family neighborhoods encroach nearby on what was cheap land and raise our property taxes multiple times over while they give that same single-family neighborhood a tax break. Commissioner Hunt was a teacher at Hopewell High and Lake Norman Charter. How many of those graduates do you know can afford to live in the town they went to high school in. Mayor Clark is also a teacher. Are you comfortable using a system of zoning that robs future resources from them and puts housing ownership and affordability out of reach forever. Is a thought of housing affordability and sustainable development scarier than being voted out. It begs a question of what you're in politics for if not to improve living of Huntersville. It makes me question your resolve and character, but it would not surprise me from the Democratic party. Single-family zoning must die. It was born from discrimination and must be expunged immediately. I'm here because I believe in my town and I want to see it become extraordinary. I want trains and public transit to take us places like Belmont, Charlotte, Iron Station, Statesville and Taylorsville at 110 mph and love for revolutionary mass transit options to solve our traffic problems, but we can never do that if we keep subsidizing suburbia and robbing our children of cheap, well-maintained shelter in the future. My town wants to be stuck as a 1950's financially insolvent suburban town that relies on local, state and the federal government to bail it out. We can be much greater than that. To my commissioners and mayor, I implore you to do the right thing and change Huntersville zoning to mixed-use by right.

### **AGENDA CHANGES**

Commissioner Walsh made a motion to remove 8.A from the Consent Agenda.

Commissioner Dumas seconded the motion.

Motion carried unanimously.

Commissioner Dumas made a motion to approve the agenda, as amended.

Commissioner Bergsman seconded the motion.

Motion carried unanimously.

### **CONSENT AGENDA**

**Property Acquisition On-call Contracts.** The Town's Engineering Department issued a Request for Qualifications for on-call property acquisition services on February 10, 2025. Statements of Qualifications were due March 13, 2025. The Engineering Department wishes to engage with the Top 3 scoring firms.

Commissioner Quarles made a motion to approve the 2025 Property Acquisition On-call Contracts. Commissioner Walsh seconded the motion. Motion carried unanimously.

*Contracts attached hereto as Exhibit No. 1.*

**Resolution – Opioid Settlement.** This Resolution authorizes the Town Manager to execute, on behalf of the Town of Huntersville the necessary documents to enter into opioid settlement agreements with the Secondary Opioid Manufacturer Defendants, to execute the SAAF-3, and to approve the bankruptcy plan and settlement agreements relating to Purdue and the Sackler family, and to provide such documents to Rubris, the Implementation Administrator, subject to a pre-audit certificate thereon by the Town Chief Financial Officer, if applicable, and approval as to form and legality by the Town Attorney.

Commissioner Quarles made a motion to adopt Resolution authorizing execution of opioid settlements with secondary opioid manufacturers, Purdue Pharma LP, and the Sackler Family, and approving the third supplemental agreement for additional funds between the State of North Carolina and local governments on proceeds relating to the settlement of opioid litigation.

Commissioner Walsh seconded the motion. Motion carried unanimously.

*Resolution attached hereto as Exhibit No. 2.*

**Town Manager Merit Increase.** Commissioner Quarles made a motion to approve previous action of the Town Board taken in Closed Session allowed under the North Carolina Open Meetings Law to award a 3 percent merit increase retroactively effective July 21, 2025 for the Town Manager based on performance evaluation. Commissioner Walsh seconded the motion. Motion carried unanimously.

**Rhinehart Fire Services Contract for SCBA Equipment.** This request is to approve a \$798,771.65 contract for replacement of first responder self-contained breathing apparatus equipment as included in the FY26 budget. Per NC General Statutes, the Town Board must formally bid equipment exceeding \$90,000. This equipment is being purchased through formal bidding by the NC Sheriff's Association First Responders Supplies and Equipment Purchasing Program. The Town Manager's contract approval authority requires contracts exceeding \$300,000 be awarded by the Town Board.

Commissioner Quarles made a motion to approve Rhinehart Fire Services Contract for SCBA equipment. Commissioner Walsh seconded the motion. Motion carried unanimously.

*Contract attached hereto as Exhibit No. 3.*

**Call for Public Hearing – Petition #R25-08.** Commissioner Quarles made a motion to call a public hearing for September 2, 2025, at 6:00 p.m. at Huntersville Town Hall, Huntersville, NC 28078 on Petition #R25-08, a request by Jay Henson to rezone +/- 4.799 acres at 204 N. Church St. from Neighborhood Residential to Neighborhood Residential with a Conditional District for Townhomes and an Apartment. Commissioner Walsh seconded the motion. Motion carried unanimously.

### **PUBLIC HEARINGS**

None

### **OTHER BUSINESS**

**Petition #R25-06.** Petition #R25-06 is a request by Robert and Heather Dubiel to rezone +/- 11.265 acres located at 12300 McCord Road (Parcel ID 01119109) from General Residential to Transitional Residential District.

Lauren Speight, Senior Planner, entered the Staff Report into the record and gave a recap of the project. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 4.*

The Planning Board recommended approval 7 to 1. Staff finds the proposed petition consistent with the 2040 Plan and the rezoning requirements of Article 11.

Commissioner Quarles made a motion to approve Petition R25-06. The petition is consistent with Policies LU-1.1 and LU-2.1 and the Character Area recommendations of the 2040 Huntersville Community Plan. It is reasonable and in the public interest to approve the petition because the petition is consistent with the envisioned uses and development patterns set forth in the 2040 Community Plan.

Commissioner Dumas seconded the motion.

Motion carried unanimously.

**Petition #TA25-01.** Petition #TA25-01 is a request by the Huntersville Planning Department to amend Articles 3, 4, 5, 8, 9, and 12 of the Huntersville Zoning Ordinance. The purpose of the amendment is to revise terms, definitions, and criteria for residential uses and structures.

Lauren Speight, Senior Planner, entered the Staff Report into the record and gave a recap of the text amendment. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 5.*

The Planning Board recommended approval unanimously.

Commissioner Bergsman made a motion to approve Petition TA25-01, a request by the Huntersville Planning Department to amend Articles 3, 4, 5, 8, 9 and 12 of the Huntersville Zoning Ordinance. The amendment is consistent with Policies LU-2, LU-3, LU-5.3, LU-7.1, LU-10.1 and LU-10.3 of the

Huntersville 2040 Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because it clarifies the overlap of residential use, structure definitions, provides specific and objective parameters for new building type categories and encourages an appropriate mixture of housing types.

Commissioner Quarles seconded the motion.

Motion carried unanimously.

**Petition #TA25-06.** Petition #TA25-06 is a request by the Huntersville Planning Department to amend Articles 9.64, 3.2.1, 3.2.2, and 7.5 of the Huntersville Zoning Ordinance. The purpose of the amendment is to add specific planting requirements for the 80' buffer required by the Rural and Transitional Residential Zoning District and corresponding references in the R and TR Zoning Districts and relocate buffer requirements from Article 9.64 to Article 7.5.

Lauren Speight, Senior Planner, entered the Staff Report into the record and gave a recap of the text amendment. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 6.*

The Planning Board recommended approval unanimously.

Commissioner Dumas made a motion to approve Petition TA25-06, a request by the Huntersville Planning Department to amend Articles 3.2.1, 3.2.2, 7.5 and 9.64 of the Huntersville Zoning Ordinance. It is consistent with Policies LU-9.1, LU-11.1, LU-12.3 and EOS-6.1 of the 2040 Community Plan.

Commissioner Walsh seconded the motion.

Motion carried unanimously.

**Petition #TA25-08.** Petition #TA25-08 is a request by the Huntersville Planning Department to amend Articles 3, 7, 8, 9, 10, 11, and 12 of the Huntersville Zoning Ordinance and Sections 2, 6, 7, 8, and 9 of the Huntersville Subdivision Ordinance. The purpose of the amendment is to revise requirements for permanent stormwater control measures, community meetings, existing features plans, berm standards, urban open space, farmhouse clusters, open space for minor subdivisions, and to provide consistency with SB 166.

Lauren Speight, Senior Planner, entered the Staff Report into the record and gave a recap of the text amendment. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 7.*

The Planning Board recommended approval unanimously for this item.

Commissioner Walsh made a motion to approve Text Amendment TA25-08. Considering the proposed amendment TA25-08, the Town Board approves based on consistencies with Policies EOS-1.1, EOS-3, EOS-4 and EOS-5 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to approve the application because it provides consistency with SB166, reduces scheduling conflicts for the board members to attend community meetings, reduces duplicative berm reviews with quantitative design standards, better aligns the use of urban open space with the intent, distinguishes farmhouse clusters as a unique plan type, allows open space in the home lots in minor subdivision and supports the protection of sensitive areas by requiring the proposed limits of disturbance to be shown on an existing features plan sheet.



Commissioner Dumas seconded the motion.

Motion carried unanimously.

**Public Transportation Authority MOU.** Anthony Roberts, Town Manager, said everyone is aware that obviously NC Legislature passed what we call the P.A.V.E. Act and as part of that P.A.V.E. Act you'll see a bunch of whereases on this MOU.

What we have before you tonight is an MOU that basically sets out the authority to move a MPTA forward, which is the Mecklenburg Public Transportation Authority. There's an MTC, Metropolitan Transit Commission, out there. This basically would take that group and that group would go away and a new group would be formed with 27 members. The MOU before you tonight is just one of those steps as we move forward. Mecklenburg County will put a referendum on the ballot for the sales tax in November and this is just part of that process as you continue to move that forward. You're not voting on sales tax tonight. It has nothing to do with that. That's up to the public to make that decision. This is just one of those steps along the way that is part of the P.A.V.E. Act that is required to continue to move this forward.

There are a bunch of whereases and I'm sure you have some questions on it. All of this is online. We have set up an educational page online that I would suggest that the public go look at. Other towns have set up the educational page. There may be some slight differences that the various towns have uploaded on their website, so I would say go look at that and learn more about the P.A.V.E. Act, learn more about process, learn more about the sales tax and you make that decision. This is only about the MOU.

Commissioner Bergsman said it's the fourth one down where it says the payback requires that certain actions be taken by the MPTA by January 1, do you kind of have like a high level review, like what certain actions that's referring to.

Mr. Roberts said I could read it word for word, but I won't do that. It is up online so if you want to get into the weeds of the P.A.V.E. Act, it is on our website. Section 6.2 refers to as we were talking about CATS that owns all these assets. To be able to transfer these assets to this new entity, they are required per the legislation to actually go in and study and do a report on how would you transfer those assets if there's bonds out there, how do you deal with that.

There are six items and that's basically what it says. Authority shall study and do a report before January 1, 2026; legal and financial considerations with respect to the transfer or use of assets from the City of Charlotte or the Charlotte Area Transportation (CATS) to the authority; legal and financial considerations with respect to indebtedness issued by the City of Charlotte with respect to CATS, so assets, debt as they continue to move this forward, and they be transferred, how are they transferred, what are you dealing with, how do you handle that. That all has to be done per the P.A.V.E. Act. I can read you the other four or five, but there six items. The sixth item is any other issues determined to be relevant by the authority.

Commissioner Bergsman said in Section 2, I know there's a part in there that trying to have two of the appointees be members of the community that rely or use on a frequent basis, you know our commuters who already use public transit, but it seems like there's some waivers in there because they also have to be demonstrated you know like the demonstrated experience. I think there's a section where if effort is made no one and they can't find anyone, no one applies, then that kind of is

eliminated. Do we have any information on what efforts will be made to have those two appointments filled by folks that are active users of public transit now.

Mr. Roberts said I'm going to give you a broad answer. Each entity, municipality on here, agency that's involved that has members, some have one, some have twelve, some have six, whatever. Each one of those governing bodies will put together an application process. The legislature spells out sort of requirements, do you have transportation background, you cannot be an elected official, things like that. There are certain requirements in the legislation that have to be met. There is some wiggle room that as you mentioned without me reading through the details of that, if you don't meet those requirements, there are some options. I think one of the questions for let's say Huntersville was could we if we meet the requirements of.....could we add on something a little more than what's required for the statute. That's something Emily and I would have to research, could we add a little extra, for lack of a better term that says you can have a background in transportation, but we would prefer you to also ride the bus. I'm being simplistic. That's something we need to research, but they are specific requirements that have to be met for the statutes. If we get outside of that, I need to probably do a little more research.

Mayor Pro-tem Hunt said I wanted to ask because in the past there's been some discussion about like would these governing bodies if we would get fair representation up here in the north. Could you talk about that a little bit.

Mr. Roberts said you probably say good gracious 27 members. How did it get to 27. You have to remember all this came about, you're dealing with all of the city managers sitting in a room, you're dealing with attorneys involved working with Raleigh legislation because Raleigh has to one, the legislation has to give you the authority for Mecklenburg County to be able to move something forward. You have to get all these different entities – Mecklenburg County, Charlotte, the towns, to sort of agree on the structure.

MTC as you probably already know, CATS owns all the assets. The way that works and how you structure this at the end of the day I will say was very complicated. The goal here at the end of the day when everyone finished up in the room was to say how can we make Mecklenburg and Charlotte, because they are the bigger entities balance, and then the other towns get a vote because Charlotte controlled all the assets. CATS purchased the Red Line. All the CATS employees are Charlotte employees, so we had to come up with some balance. Does Huntersville have obviously the most votes here or do we have a huge say so in this. No, we get to appoint a member but what this was supposed to do is ultimately have an authority instead of elected officials running the overall regional authority or running the transit system and not elected officials. The MTC is made of elected officials. The goal here was to get everybody's buy in was to not let elected officials run it and put people on here that have training or background on the authority to run it. Is that fair. I guess it depends on who you ask.

There were a lot of gives and takes to get to this point. I can promise you nobody is sitting in that room at the end of the day and there were a whole lot of heated discussions and debates on trying to set this up. I'm surprised we got there, just based on I don't know how many meetings and how many hours were spent on this. A lot of credit goes to I will say in reality Charlotte and the Mecklenburg County manager had to bend the most. The other managers, obviously we all worked on that together with a lobbyist and the legislature. This is the best it's going to get. This was complicated to even get to this point and obviously this means nothing if the referendum doesn't pass this is all moot.

Commissioner Walsh made a motion to approve the Public Transportation Authority MOU on creation and appointments to the Mecklenburg Public Transportation Authority.

Commissioner Quarles seconded the motion.

Commissioner Bergsman said I really appreciate the effort to move this memorandum forward and I know especially Anthony, him and Emily have spent a lot of work on this. I also understand that many of the restrictions and limitations were set through the P.A.V.E. Act and out of much of our control. Is it better than what currently exists. Probably. I'm not going to support this tonight. Huntersville is a fast growing community and the second largest municipality in Mecklenburg County. We're the 16<sup>th</sup> largest in the state, yet under the structure of representation is identical to towns many times smaller with just one seat on a 27 member board. Additionally, only two seats are reserved for active transit riders, the very people the system is meant to serve and even those can be waived if certain conditions aren't met. The structure still gives disproportionate weight to Charlotte and major business groups while sidelining both our community and the voices of everyday riders.

Mayor Pro-tem called for the vote.

Motion carried 4 to 1, with Commissioner Bergsman opposed.

**Town Board Rules of Procedure.** This request is to consider approving amendment to the Town of Huntersville Board of Commissioners Rules of Procedure, Rule 6 Order of Business, to amend the order of the agenda.

Anthony Roberts, Town Manager, said what you see before you is ultimately, just like your agenda is laid out now, certain ways on here, there's modifications that the board is requesting to move some things around and change some wording. There's nothing of any significance. It's basically just moving things around. Still in this document mentions we're having our meetings on Monday. I think we need to make that change and make sure that's Tuesday.

Commissioner Bergsman made a motion to approve the amendment to the Town of Huntersville Board of Commissioners Rules of Procedure, Rule 6 and to amend Rule 1A to reflect meetings are held on the first and third Tuesday of the month.

Commissioner Quarles seconded the motion.

Motion carried unanimously.

*Amended Rules of Procedure attached hereto as Exhibit No. 8.*

### **CLOSED SESSION**

Commissioner Dumas made a motion to move into closed session pursuant to NCGS 143-318.11(a)(6) to consider the qualifications, competence and performance of an employee.

Commissioner Bergsman seconded the motion.

Motion carried unanimously.

The Board returned from closed session.

**CLOSING COMMENTS**

Commissioner Quarles sent prayers to Mayor Clark on the loss of her father. Former commissioner Derek Partee rang the bell today for cancer.

Commissioner Bergsman reminded everyone that the Visit Lake Norman 11<sup>th</sup> Annual Capture Lake Norman Photo contest continues through the end of August.

There being no further business, Commissioner Bergsman made a motion to adjourn. Commissioner Dumas seconded the motion. Motion carried unanimously.

Approved this the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

DRAFT



## **Request for Board Action**

September 2, 2025

**To:** The Honorable Mayor and Board of Commissioners

**From:** Jackie Huffman, Deputy Town Manager

**Subject:** Interlocal Cooperation Agreement for Fire Protection Services

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### **EXPLAIN REQUEST:**

Approve interlocal agreement with Mecklenburg County for Fire Protection Services

### **ACTION RECOMMENDED:**

Approve Resolution

### **FINANCIAL IMPLICATIONS:**

None

### **ATTACHMENTS:**

1. 2025 - 2026 Town of Huntersville Fire Service - Revised



**RESOLUTION OF THE TOWN OF HUNTERSVILLE TO APPROVE INTERLOCAL COOPERATION  
AGREEMENT FOR FIRE PROTECTION SERVICES**

**Resolution No. R-2025-20**

**WHEREAS**, North Carolina General Statute §160A-461 authorizes units of local government to enter into agreements with each other in order to execute an undertaking by one unit of local government on behalf of another unit of local government; and

**WHEREAS**, the Town of Huntersville ("Town") and Mecklenburg County ("County") have previously entered into interlocal agreements for the provision of fire protection services to unincorporated areas within the Town's sphere of influence; and

**WHEREAS**, the Town of Huntersville and Mecklenburg County wish to renew the Interlocal Agreement according to the terms set forth therein.

**NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Town of Huntersville Board of Commissioners hereby approves the Interlocal Agreement, attached hereto as Exhibit "A" and incorporated herein by reference.
2. The Mayor of the Board of Commissioners, the Town Manager, and the Clerk to the Board are hereby authorized to sign all necessary documents on behalf of the Town in order to effectuate this transaction.
3. This Resolution shall be reflected in the minutes of the Town of Huntersville Board of Commissioners.
4. This resolution shall become effective upon adoption.

Adopted this 2<sup>nd</sup> day of September, 2025

ATTEST:

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Janet Pierson, Town Clerk

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Christy Clark, Mayor

APPROVED AS TO FORM:

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Emily Sloop, Town Attorney



State of North Carolina

County of Mecklenburg

## FIRE PROTECTION SERVICES AGREEMENT

THIS AGREEMENT made and entered into as of the 1<sup>st</sup> day of July 2025 by and between **Mecklenburg County**, a political subdivision of the State of North Carolina, hereinafter referred to as the "County", and the **Town of Huntersville**, a North Carolina municipal corporation, hereinafter referred to as the "Town".

|                   |                                      |
|-------------------|--------------------------------------|
| Identification:   | Town of Huntersville                 |
| Address:          | PO Box 664<br>Huntersville, NC 28070 |
| Telephone:        | 704-875-6541                         |
| Contact Person:   | Anthony Roberts                      |
| Term of Contract: | 7/1/25 - 6/30/26                     |

### RECITALS:

- A. WHEREAS, North Carolina General Statute §153A-233 provides that a county may maintain a fire department and provide financial assistance to incorporated volunteer fire departments (VFD) and may contract for fire-fighting or prevention services with counties, cities, or other units of local government, and may for these purposes appropriate funds not otherwise limited as to use by law; and
- B. WHEREAS, the Mecklenburg Board of County Commissioners has established fire protection service districts that cover the entire unincorporated area of Mecklenburg County and has levied a property tax for every fire protection service district for the purpose of funding fire protection services in the unincorporated area of Mecklenburg County; and
- C. WHEREAS, the Town agrees to contract with the County to provide fire protection services in the area that is within the portion of unincorporated Mecklenburg County which is in the sphere of influence of the Town as shown on the map attached hereto as Attachment A (such area referred to herein as the "District") by exercising the power granted to the County by N.C.G.S. 153A-233 to maintain a fire department and/or to provide financial assistance to incorporated volunteer fire departments in the unincorporated area of Mecklenburg County; and
- D. WHEREAS, the County and Town desire to enter into this Agreement for the Town to furnish fire protection and emergency services for and within the District using either a municipal fire department, or by contracting with one or more incorporated volunteer fire departments that meet the criteria set forth in this Agreement.

### AGREEMENT

NOW THEREFORE, in consideration of the mutual promises contained herein and other good and valuable considerations, the receipt of which is hereby acknowledged, the parties hereto contract and agree as follows:

#### SECTION 1. USE AND AMOUNT OF SERVICE TAX LEVIED

The Mecklenburg Board of County Commissioners has agreed to levy and collect a tax each year on all taxable property within District. The amount of such fire protection service district tax levy shall be determined by the Board of

County Commissioners from year to year and maintained by the County in a special fund as provided by law and more specifically set out in Section 2 hereunder. Out of this fund, the County shall, to the extent of the taxes collected hereunder, provide funds for fire protection services for the District by appropriating funds for fire protection services to the Town. For each fiscal year, the funds provided to the Town from the fire protection service district tax fund shall be based on the request submitted by the Town to the County and as approved by and deemed necessary by the Board of County Commissioners for furnishing fire protection services within the District. The Town will recommend a tax rate for the District based on their annual budget assessment as it relates to the projected tax rate for fire protection services within the Town.

Fire protection services district tax funds levied and collected by the County and paid to the Town by the County shall be used solely for fire department operations, fire protection and emergency services in the District and other areas of response as dispatched and to meet the standards established by this Agreement.

## **SECTION 2. ACCOUNT MAINTAINED FOR RECEIPTS FROM SERVICE TAX**

A separate account will be maintained by the County for the receipts from the property tax levied for the District. Any fire protection service tax district revenues collected annually in excess of the approved total appropriations shall be maintained in the separate account established by the County and held for appropriation in future fiscal years to fund fire protection services in the tax district from which collected. The Mecklenburg County Fire Commission shall make recommendations to the Board of County Commissioners for distribution of these revenues.

The County will pay the approved total appropriations, up to the amount of taxes collected, to the Town in equal monthly payments on the last day of each month.

## **SECTION 3. PAYMENT PROVISIONS**

1. Amount payable each month: \$218,359.17  
Annual payment for Fire Protection Service: \$2,620,310.04
2. Submit monthly invoices via electronic format to the email address:  
[LUESA.invoices@mecklenburgcountync.gov](mailto:LUESA.invoices@mecklenburgcountync.gov). Each invoice shall provide a certification of the hours during which qualified staff were available for response to calls for service. For every hour in which staffing levels per Section 11.D. of this agreement were not met, the invoice will be reduced by \$20.00 per hour per staff member.
3. Electronic invoices must be submitted in accordance with the following privacy and security requirements:
  - a. The Service Provider shall adopt and apply data security standards and procedures that comply with all applicable federal, state, and local laws, regulations, and rules.
  - b. Electronic exchange of confidential information, including any email which will include invoices, billing information, employee or administrative data, or any information regarding the delivery of services, must be sent and received via encrypted methods.
4. Payment will be made via electronic funds transfer.
5. Town will submit an invoice by the fifth (5<sup>th</sup>) of each month. The total amount paid under the terms of this Agreement shall not exceed the maximum amount payable in #1 above.
6. The first invoice will be due no later than August 15, 2025, for services rendered from July 1st through July 31<sup>st</sup> of the current year and will be paid providing the contract has been fully executed.



7. Upon receipt, the invoice will be validated and verified for accuracy and submitted to Finance for payment. Incorrect invoices will be clarified with Town with corrections/changes made on a revised invoice.
8. The date of the revised invoice will be considered as the original date of the invoice.
9. County will authorize approved amounts to be paid to Town.
10. Failure to send requests to the appropriate person may result in payment being delayed beyond thirty (30) calendar days.
11. For services rendered from June 1<sup>st</sup> through June 30<sup>th</sup> of the previous year, the invoice will be due no later than July 5<sup>th</sup> of the current year. Late billings must be submitted for payment no later than sixty (60) calendar days from the date of service. If billing is over (60) calendar days, the County may deny payment.

#### **SECTION 4. SERVICES FURNISHED BY TOWN**

The Town will furnish fire protection and other emergency services twenty four (24) hours per day, seven (7) days per week, 365 days per year as determined and approved by the Town's governing body and as contracted for by the County within the District and shall provide the necessary equipment, personnel and those things necessary for furnishing such protection in the District, or shall contract with one or more incorporated volunteer fire departments to provide such services. The services shall be in accordance with minimum standards set forth in this Agreement and all future amendments adopted in accordance with Section 16 of this Agreement. The Town shall furnish said fire protection in the District without charge (other than the service district tax funds) to all persons and property located in the District in an efficient and workmanlike manner. This provision shall not prohibit the Town from entering into contracts with the Federal, State or local governments, or utility companies for the provision of fire protection services exceeding the scope of this Agreement for a fee. This provision shall not prohibit the Town from billing for certain services, including but not limited to hazardous materials mitigation responses nor shall this provision prohibit the Town or volunteer fire departments from additional fundraising, memberships dues or similar funding.

#### **SECTION 5. BOOKS AND RECORDS**

The Town shall maintain a written accounting system which provides adequate documentation of all of its receipts and disbursements including, but not limited to, those related to the expenditure of funds subject to this Agreement and an inventory of all equipment purchased with County tax funding (it being acknowledged and agreed that the Town is not required to maintain separate accounting for fire and emergency related services provided within the Town corporate limits and outside the Town corporate limits). The County may inspect the financial books and records of the Town at reasonable times during regular business hours of the Town during the Term of this Agreement for up to three (3) years after the end of the Term of the Agreement. The Town agrees that it will supply such financial books, records, and information or verification as may be reasonably requested by the County.

#### **SECTION 6. AUDIT**

The Town shall provide to the County an audit and accompanying management letter prepared in accordance with generally accepted accounting principles and generally accepted auditing standards.

In the event that the audit or management letter reveals any reportable and/or material issue(s) related to Town fire operations, including those provided in the District, with regard to compliance with generally accepted accounting principles, the Town shall provide a written statement to the County that contains an explanation of each such issue and an action plan (with implementation timetable) for resolving each such issue, and shall provide periodic reports to the County on progress made in resolution of each issue.

## **SECTION 7. DECISION MAKING PROCESS OPEN TO PUBLIC**

The Town acknowledges that it is a public body subject to the provisions of N.C.G.S. Chapter 143, Article 33C and agrees to comply with all provisions of said statute in conducting any decision-making process required by the terms of this Agreement.

## **SECTION 8. NOTICE OF FAILURE TO MAINTAIN DELIVERY OF SERVICES**

In the event that the Town's governing body determines that the Town is unable to reliably deliver the services described herein, for reasons including, but not limited to, resignation or withdrawal of volunteers, part-time or full-time members, or other reasons for loss of ability to deliver services, the Town shall immediately so notify the County.

## **SECTION 9. TOWN'S USE OF FUNDS**

The Town shall use the funds subject to this Agreement in accordance with the annual Town Budget. This budget may be amended by the Town within the approved total appropriations made available by this Agreement. All service tax funds provided by the County to the Town must be used for furnishing fire protection and emergency services within said District. For each year of the term of this Contract and as part of each parties' annual budget process, the Town Manager and County Fire Marshal shall agree in writing to a mutually agreeable method to demonstrate compliance with this Section.

## **SECTION 10. INSURANCE AND INDEMNIFICATION**

The Town and its contracted VFD shall obtain and keep in force during the term of this Agreement the following minimum insurance coverage. All required insurance shall be procured from insurance companies licensed to do business in North Carolina and Workers' Compensation. Coverage shall be maintained continuously during the term of this agreement. The Town shall be responsible for purchasing or assuring the provision of such insurance coverage for both regular employees and volunteers.

- A. **Worker's Compensation:** Coverage A – Statutory – State of North Carolina. Coverage B – Employers Liability - \$100,000 each claim.
- B. **Comprehensive General Liability, Including Medical Malpractice and Errors and Omissions:** Coverage with minimum limits of \$1,000,000.00 per occurrence combined single limit for bodily injury liability and property damage liability.

**The County shall be named as an additional insured under the commercial general liability insurance for operations or services rendered under this contract. The county shall be designated as Certificate Holder on the Certificate of Insurance.**

- C. **Business Auto Policy:** Coverage with minimum limits of \$1,000,000.00 per occurrence combined single limit for bodily injury liability and property damage liability. This shall include owned vehicles, hired and non-owned vehicles and employee non-ownership.
- D. **Management Liability/Directors and Officers Liability:** Coverage with minimum limits of \$1,000,000.00 per claim and \$2,000,000.00 aggregate.
- E. **Umbrella Liability:** Coverage with limits of \$2,000,000.00. Coverage shall excess the underlying auto liability, employer's liability, general liability including Medical Malpractice and Errors and Omissions liability. There shall not be any "drop down deductibles" in areas where underlying coverage is not required but the Umbrella Policy provides coverage.
- F. **Fidelity Bonds:** A blanket fidelity bond shall be purchased in the amount of not less than \$100,000.00.

To the extent permitted by law, the Town shall indemnify and save harmless the County, its officers, agents, and employees from and against all loss, cost, damages, expense and liability caused by accidents or other occurrence resulting in bodily injury, including death, sickness and disease to any person arising directly or indirectly from the negligence of the Town in performance of its obligations under this Agreement. The provisions of this Section shall survive the termination of this Agreement.

#### **SECTION 11. STANDARDS OF PERFORMANCE.**

- A. The Town shall furnish fire protection and emergency services in a professional, efficient and workmanlike manner, in particular so as to meet the requirements of and comply with rules and regulations of the North Carolina Office of the State Fire Marshal, the North Carolina General Statutes, and other pertinent federal, State and County laws, regulations and standard.
- B. The Town shall annually furnish documentation to the County certifying and/or verifying that the Town fire department or volunteer fire department servicing the District is in compliance with the minimal ISO performance standards, as well as the rules and regulations, as set forth by the North Carolina Department of Insurance, the North Carolina Office of State Fire Marshal, and the North Carolina General Statutes.
- C. Fire Department shall provide County an accounting of all equipment purchased with tax dollars during a fiscal year by the last day of each fiscal year.
- D. Fire Department shall maintain 4 qualified personnel available for response 24 hours per day, 7 days per week, 365 days per year.

#### **SECTION 12. RELATIONSHIP OF PARTIES**

The County and the Town agree that the Town shall operate and act as an independent contractor of the County, and the County is in no way responsible for the administration and supervision of the officers, employees, subcontractors, and agents of the Town, which persons it is agreed are not the officers, employees, subcontractors, and agents of the County.

#### **SECTION 13. TERM OF AGREEMENT**

This agreement shall become effective as of July 1, 2025, and shall automatically renew from fiscal year to fiscal year unless terminated by either party in accordance with Section 15 of this Agreement or replaced with a new contract in the future.

#### **SECTION 14. NON-ASSIGNABILITY**

This Agreement may not be transferred, assigned, or subcontracted by the Town without the prior written consent of the County.

#### **SECTION 15. TERMINATION**

This Agreement may be terminated in the following manner:

- (a) By either party for breach that has not been cured within thirty (30) days after written notice of the breach;
- (b) At any time by mutual consent; and
- (c) By either party without cause upon advance written notice to the other party, served upon the other party by certified mail at least ninety (90) days prior to the date of termination. Failure of the Town and the County to agree on the level of funding (or the Town Budget) for fire protection and emergency services

shall require at least ninety (90) days' notice to terminate if the County provides at least the same level of funding as provided during the previous fiscal year.

## SECTION 16. AMENDMENTS

Any amendment to this Agreement shall be made in writing and signed by both parties in order to be effective.

## SECTION 17. NOTICES

Any notice, consent or other communication required or contemplated by this Agreement shall be in writing, and shall be delivered in person, by U.S. mail, by overnight courier, by electronic mail or by telefax as follows:

To the County: See **CONTRACT SUMMARY B2a.**

To Town: See **CONTACT SUMMARY B1a.**

Notice shall be effective upon the date of receipt by the intended recipient; provided that any notice, which is sent by telefax or electronic mail, shall also be simultaneously sent by mail deposited with the U.S. Postal Service or by overnight courier. Each party may change its address for notification purposes by giving the other party written notice of the new address and the date upon which it shall become effective as noted below:

A. Area to be served in Mecklenburg County is as identified on the attached Map (see Attachment A).

B. Agreement Identification:

1. Town

- a. Name of Agreement Administrator: Anthony Roberts
- b. Telephone Number: 704-875-6541
- c. E-mail: [aroberts@huntersville.org](mailto:aroberts@huntersville.org)
- d. Fax:
- e. Name of Program Contact: Same as above
- f. Telephone Number:
- g. E-mail: Fax:
- h. Name, Location, and Mailing Address: PO Box 664, Huntersville, NC 28070  
Same as above.
- i. Status: ☒ MUNICIPALITY
- j. Federal Tax Identification Number: 56-6001252

2. County

- a. Name of Agreement Analyst: Brian Lowman
- b. Telephone Number: 980-314-2418
- c. E-mail: [Brian.Lowman@MecklenburgCountyNC.gov](mailto:Brian.Lowman@MecklenburgCountyNC.gov)
- d. Fax:
- e. Name of Accountant: Renae Epling
- f. Telephone Number: 704-292-0813
- g. E-mail: [Renae.Epling@MecklenburgCountyNC.gov](mailto:Renae.Epling@MecklenburgCountyNC.gov)
- h. Fax:
- i. Address of Department: 2145 Suttle Avenue Charlotte, NC 28208

## SECTION 18. MISCELLANEOUS MATTERS

A. Pursuant to NCGS §143-133.3 and NCGS § 64-26(a), any “employer” that transacts business in North Carolina and employs 25 or more employees in this State entering into a contract with Mecklenburg County is required to verify the work eligibility status of all newly hired employees through the E-Verify program.

B. **IRAN DIVESTMENT ACT PROHIBITION.** Each party of this agreement represents to the other party that as of the date of this Contract or purchase order, that they are not currently listed on the Final Divestment List created and maintained by the North Carolina State Treasurer pursuant to G.S.143-6A-4. Further, pursuant to G.S. 143C-6A-5(b), Town further agrees to notify the County Procurement Department if at any time during the term of this agreement, it is added to the "List." The Divestment List may be found on the State Treasurer's website at [www.nctreasurer.com/iran](http://www.nctreasurer.com/iran).

C. **E-VERIFY, FMLA, ADA, OSHA.** Both parties agree to make themselves aware of and comply with, and cause their subcontractors to comply with all federal, state, and local laws, regulations and ordinances relating to the performance of this Agreement or to the Services delivered hereunder, including without limitation, E-Verify (Article 2 of Chapter 64 of the North Carolina General Statutes), Workers’ Compensation, the Fair Labor Standards Act (FLSA) the Americans with Disabilities Act (ADA), the Family and Medical Leave Act (FMLA) and Occupational Safety And Health Administration (OSHA). The Town further agrees to obtain all verifications, permits and licenses applicable to the performance of this Agreement. If any violation of this section has occurred or does occur, the violating party will indemnify and hold harmless the non-violating party from all losses, damages, costs, expenses (including reasonable attorneys’ fees), obligations, duties, fines, penalties, interest charges and other liabilities (including settlement amounts) incurred on account of such violation.

D. **COMPANIES THAT BOYCOTT ISRAEL LIST.** With the execution hereof, the parties to this agreement certify to each other that they are not one of the companies that Boycott Israel List created by N.C State Treasurers pursuant to N.C.G.S § 147-86.80 and will not contract with anyone on such list in performance of the work hereunder.

E. **Contractor Certifications Required by North Carolina Law.** The person who signs this document should read the text of the statutes listed below and consult with counsel and other knowledgeable persons before signing.

- The text of Article 2 of Chapter 64 of the North Carolina General Statutes can be found online at: [http://www.ncga.state.nc.us/EnactedLegislation/Statutes/PDF/ByArticle/Chapter\\_64/Article\\_2.pdf](http://www.ncga.state.nc.us/EnactedLegislation/Statutes/PDF/ByArticle/Chapter_64/Article_2.pdf)
- The text of G.S. 105-164.8(b) can be found online at: [http://www.ncga.state.nc.us/EnactedLegislation/Statutes/PDF/BySection/Chapter\\_105/GS\\_105-164.8.pdf](http://www.ncga.state.nc.us/EnactedLegislation/Statutes/PDF/BySection/Chapter_105/GS_105-164.8.pdf)
- The text of G.S. 143-48.5 (S.L. 2013-418, s. 2.(d)) can be found online at: <http://www.ncga.state.nc.us/Sessions/2013/Bills/House/PDF/H786v6.pdf>
- The text of G.S. 143-59.1 can be found online at: [http://www.ncga.state.nc.us/EnactedLegislation/Statutes/PDF/BySection/Chapter\\_143/GS\\_143-59.1.pdf](http://www.ncga.state.nc.us/EnactedLegislation/Statutes/PDF/BySection/Chapter_143/GS_143-59.1.pdf)
- The text of G.S. 143-59.2 can be found online at: [http://www.ncga.state.nc.us/EnactedLegislation/Statutes/PDF/BySection/Chapter\\_143/GS\\_143-59.2.pdf](http://www.ncga.state.nc.us/EnactedLegislation/Statutes/PDF/BySection/Chapter_143/GS_143-59.2.pdf)
- The text of G.S. 147-33.95(g) (S.L. 2013-418, s. 2.(e)) can be found online at: <http://www.ncga.state.nc.us/Sessions/2013/Bills/House/PDF/H786v6.pdf>

## Certifications

1. **Pursuant to G.S. 143-48.5 and G.S. 147-33.95(g)**, the undersigned hereby certifies that the Contractor named below, and the Contractor's subcontractors, complies with the requirements of Article 2 of Chapter 64 of the NC General Statutes, including the requirement for each employer with more than 25 employees in North Carolina to verify the work authorization of its employees through the federal E-Verify system." E-Verify System Link: [www.uscis.gov](http://www.uscis.gov)
2. **Pursuant to G.S. 143-59.1(b)**, the undersigned hereby certifies that the Contractor named below is not an "ineligible Contractor" as set forth in G.S. 143-59.1(a) because:
  - a. Neither the Contractor nor any of its affiliates has refused to collect the use tax levied under Article 5 of Chapter 105 of the General Statutes on its sales delivered to North Carolina when the sales met one or more of the conditions of G.S. 105-164.8(b); **and**
  - b. [check **one** of the following boxes]
    - ☐ Neither the Contractor nor any of its affiliates has incorporated or reincorporated in a "tax haven country" as set forth in G.S. 143-59.1(c)(2) after December 31, 2001; **or**
    - ☐ The Contractor or one of its affiliates **has** incorporated or reincorporated in a "tax haven country" as set forth in G.S. 143-59.1(c)(2) after December 31, 2001 **but** the United States is not the principal market for the public trading of the stock of the corporation incorporated in the tax haven country.
3. **Pursuant to G.S. 143-59.2(b)**, the undersigned hereby certifies that none of the Contractor's officers, directors, or owners (if the Contractor is an unincorporated business entity) has been convicted of any violation of Chapter 78A of the General Statutes or the Securities Act of 1933 or the Securities Exchange Act of 1934 within 10 years immediately prior to the date of the bid solicitation.
4. The undersigned hereby certifies further that:
  - a. He or she is a duly authorized representative of the Contractor named below;
  - b. He or she is authorized to make, and does hereby make, the foregoing certifications on behalf of the Contractor; and
  - c. He or she understands that any person who knowingly submits a false certification in response to the requirements of G.S. 143-59.1 and -59.2 shall be guilty of a Class I felony.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in their names by their duly authorized officers as of the day and year first above written.

**TOWN OF HUNTERSVILLE**

BY: \_\_\_\_\_  
Mayor or Town Manager

Attest:

BY: \_\_\_\_\_  
Town Clerk

Approved as to Form

\_\_\_\_\_  
Town Attorney



## **Request for Board Action**

September 2, 2025

**To:** The Honorable Mayor and Board of Commissioners

**From:** Christy Clark, Mayor

**Subject:** Award Merit Increase for Town Attorney

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### **EXPLAIN REQUEST:**

Approve previous action taken in Closed Session allowed under the North Carolina Open Meetings law to award 3% merit increase retroactively effective 7/21/2025.

### **ACTION RECOMMENDED:**

Approval

### **FINANCIAL IMPLICATIONS:**

### **ATTACHMENTS:**

None





## Request for Board Action

September 2, 2025

**To:** The Honorable Mayor and Board of Commissioners

**From:** Emily Sloop, Town Attorney

**Subject:** Opioid Settlement Resolution

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### **EXPLAIN REQUEST:**

Settlements have been reached in litigation against Alvogen, Inc., Amneal Pharmaceuticals LLC, Apotex Corp., Hikma Pharmaceuticals USA Inc. f/k/a West-Ward Pharmaceuticals Corp., Indivior Inc., Sun Pharmaceutical Industries, Inc., Viatrix Inc., and Zydus Pharmaceuticals (USA) Inc., as well as their subsidiaries, affiliates, officers, and directors (collectively “the Secondary Opioid Manufacturer Defendants”) named in the Secondary Opioid Manufacturer Settlements.

The purpose of this Third Supplemental Agreement for Additional Funds (“SAAF3”) is to direct Secondary Opioid Manufacturer Funds from the Secondary Opioid Manufacturer Settlements to the state of North Carolina and local governments in a manner consistent with the 2021 Memorandum of Agreement (“MOA”) Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation (finalized in 2022), the 2023 Supplemental Agreement for Additional Funds From Additional Settlements of Opioid Litigation (“SAAF”), and the 2024 Second Supplemental Agreement for Additional Funds From Additional Settlement of Opioid Litigation (“SAAF-2”).

This SAAF-3 is a supplement to the North Carolina Memorandum of Agreement (“MOA”) on the allocation, use, and reporting of funds from the prior Wave One, Wave Two, and Kroger opioid settlements.

### **ACTION RECOMMENDED:**

Approve

### **FINANCIAL IMPLICATIONS:**

### **ATTACHMENTS:**

1. NCACC-Resolution-SAAF3-Purdue-Sackler
2. Action\_Required\_Secondary\_Manufacturers\_Nati

**RESOLUTION BY THE TOWN OF HUNTERSVILLE AUTHORIZING EXECUTION OF OPIOID SETTLEMENTS WITH SECONDARY OPIOID MANUFACTURERS, PURDUE PHARMA LP, AND THE SACKLER FAMILY, AND APPROVING THE THIRD SUPPLEMENTAL AGREEMENT FOR ADDITIONAL FUNDS BETWEEN THE STATE OF NORTH CAROLINA AND LOCAL GOVERNMENTS ON PROCEEDS RELATING TO THE SETTLEMENT OF OPIOID LITIGATION**

**WHEREAS** more than 41,500 North Carolinians lost their lives to a drug overdose from 2000-2023.

**WHEREAS** the Centers for Disease Control and Prevention has estimated the total economic burden of prescription opioid misuse alone in the United States to be \$78.5 billion a year, including the costs of healthcare, lost productivity, addiction treatment, and criminal justice involvement;

**WHEREAS** certain counties and municipalities in North Carolina joined with thousands of local governments across the country to file lawsuits against opioid companies, manufacturers, pharmaceutical distributors, and chain drug stores to hold those companies accountable for their misconduct;

**WHEREAS** settlements (collectively “the Secondary Opioid Manufacturer Settlements”) have been reached in litigation against Alvogen, Inc., Amneal Pharmaceuticals LLC, Apotex Corp., Hikma Pharmaceuticals USA Inc. f/k/a West-Ward Pharmaceuticals Corp., Indivior Inc., Sun Pharmaceutical Industries, Inc., Viatris Inc., and Zydus Pharmaceuticals (USA) Inc., as well as their subsidiaries, affiliates, officers, and directors (collectively “the Secondary Opioid Manufacturer Defendants”) named in the Secondary Opioid Manufacturer Settlements;

**WHEREAS** representatives of local North Carolina governments, the North Carolina Association of County Commissioners, and the North Carolina Department of Justice have negotiated and prepared a Third Supplemental Agreement for Additional Funds ("SAAF-3") to provide for the equitable distribution of the proceeds of the Secondary Opioid Manufacturer Settlements;

**WHEREAS** settlements have been reached, under Purdue Pharma L.P.’s bankruptcy plan, whereby Purdue Pharma L.P. (“Purdue”) and members of the Sackler family will pay approximately \$7.4 billion to settle opioid claims across the nation, which settlements would be subject in North Carolina to the equitable distribution of the proceeds as set forth in the Memorandum of Agreement (“MOA”) which has already been approved by this Board;

**WHEREAS** by joining the Secondary Opioid Manufacturer Settlements, approving the SAAF-3, and approving the bankruptcy plan and settlements relating to Purdue and the Sackler family, the state and local governments maximize North Carolina’s share of opioid settlement funds to ensure the needed resources reach communities, as quickly, effectively, and directly as possible;

**WHEREAS** it is advantageous to all North Carolinians for local governments, including the Town of Huntersville and its residents, to sign onto the Secondary Opioid Manufacturer Settlements, SAAF-3, and approving the bankruptcy plan and settlements relating to Purdue and the Sackler family, in order to demonstrate solidarity in response to the opioid overdose crisis, and to maximize the share of opioid settlement funds received both in the State and Town of Huntersville to help abate the harm; and

**WHEREAS** both the MOA and SAAF-3 directs substantial resources over multiple years to local governments on the front lines of the opioid overdose epidemic while ensuring that these resources are used in an effective way to address the crisis;

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Huntersville Board of Commissioners hereby authorizes the Town Manager to execute, on behalf of the Town, the necessary documents to enter into opioid settlement agreements, as set forth herein, with the Secondary Opioid Manufacturer Defendants, to execute the SAAF-3, and to approve the bankruptcy plan and settlement agreements relating to Purdue and the Sackler family, and to provide such documents to Rubris, the Implementation Administrator.

Adopted this 2<sup>nd</sup> day of September, 2025.

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Christy Clark, Mayor

ATTEST:

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Janet Pierson, Clerk

New National Opioids Settlement: Secondary Manufacturers  
Opioids Implementation Administrator  
[opioidsparticipation@rubris.com](mailto:opioidsparticipation@rubris.com)

Huntersville town, NC  
Reference Number: CL-1767061

***TO NORTH CAROLINA COUNTIES AND MUNICIPALITIES:***

**THIS PACKAGE CONTAINS DOCUMENTATION TO PARTICIPATE IN THE NEW NATIONAL OPIOIDS SECONDARY MANUFACTURERS SETTLEMENTS. YOU MUST TAKE ACTION IN ORDER TO PARTICIPATE.**

***Deadline: October 8, 2025***

A new proposed national opioids settlement ("*Secondary Manufacturers Settlements*") has been reached with eight opioids manufacturers: Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, and Zydus ("*Settling Defendants*"). This *Combined Participation Package* is a follow-up communication to the *Notice of National Opioids Settlement* recently received electronically by your subdivision.

You are receiving this *Combined Participation Package* because North Carolina is participating in the Secondary Manufacturers Settlements.

This electronic envelope contains:

- A *Combined Participation Form* for the *Secondary Manufacturers Settlements* that your subdivision is eligible to join, including a release of any claims.
- The North Carolina Third Supplemental Agreement for Additional Funds from Additional Settlements of Opioid Litigation ("*SAAF-3*").

**The *Combined Participation Form* must be executed, without alteration, and submitted on or before October 8, 2025, in order for your subdivision to be considered for initial participation calculations and payment eligibility under the *Secondary Manufacturers Settlement*.**

The SAAF-3 is a supplement to the North Carolina Memorandum of Agreement ("*MOA*") on the allocation, use, and reporting of funds from the prior Wave One, Wave Two, and Kroger opioid settlements.

Based upon *Combined Participation Forms* received on or before October 8, 2025, the subdivision participation rate will be used to determine whether participation is sufficient for each settlement to move forward and whether a state earns its maximum potential payment under each settlement. If a settlement moves forward, your release will become effective. If a settlement does not move forward, that release will not become effective.

Any subdivision that does not participate cannot directly share in the settlement funds, even if the subdivision's state is settling and other participating subdivisions are sharing in settlement funds. Any subdivision that does not participate may also reduce the amount of money for programs to remediate the opioid crisis in its state. Please note, a subdivision will not necessarily directly receive settlement funds by participating; decisions on how settlement funds will be allocated within a state are subject to the North Carolina SAAF-3 and MOA.

You are encouraged to discuss the terms and benefits of the *Secondary Manufacturers Settlements* with your counsel, the North Carolina Attorney General's Office, the North Carolina Association of County Commissioners, and the North Carolina League of Municipalities.

Information and documents regarding the *Secondary Manufacturers Settlements* can be found on the national settlement website at <https://nationalopioidsettlement.com/>. This website will be supplemented as additional documents are created.

Information about how this settlement is being implemented in North Carolina and how funds will be allocated within the state can be found at <https://www.ncopioidsettlement.org>. This website also includes draft resolution templates for your governing body to authorize joining these settlements and the North Carolina SAAF.

This *Participation Packet* is different than the participation packet you recently received from Rubris concerning a settlement with Purdue Pharma, L.P, and the Sackler Family. The *Secondary Manufacturers Settlements* discussed in this *Participation Packet* are different than the settlement with Purdue and the Sacklers, and you may participate in the *Secondary Manufacturers Settlements* regardless of whether you join the Purdue and Sackler settlement.

### **How to return signed forms:**

There are three methods for returning the executed *Combined Participation Form* and any supporting documentation to the Implementation Administrator:

- (1) *Electronic Signature via DocuSign*: Executing the *Combined Participation Form* electronically through DocuSign will return the signed form to the Implementation Administrator and associate your form with your subdivision's records. Electronic signature is the most efficient method for returning the *Combined Participation Form*, allowing for more timely participation and the potential to meet higher settlement payment thresholds, and is therefore strongly encouraged.
- (2) *Manual Signature returned via DocuSign*: DocuSign allows forms to be downloaded, signed manually, then uploaded to DocuSign and returned automatically to the Implementation Administrator. Please be sure to complete all fields. As with electronic signature, returning a manually signed *Combined*

*Participation Form* via DocuSign will associate your signed forms with your subdivision's records.

(3) *Manual Signature returned via electronic mail*: If your subdivision is unable to return an executed *Combined Participation Form* using DocuSign, the signed *Combined Participation Form* may be returned via electronic mail to [opioidsparticipation@rubris.com](mailto:opioidsparticipation@rubris.com). Please include the name, state, and reference ID of your subdivision in the body of the email and use the subject line Combined Settlement Participation Form – [Subdivision Name, Subdivision State] – [Reference ID].

Detailed instructions on how to sign and return the *Combined Participation Form*, including changing the authorized signer, can be found at <https://nationalopioidsettlement.com/additional-settlements/>. You may also contact [opioidsparticipation@rubris.com](mailto:opioidsparticipation@rubris.com).

**The sign-on period for subdivisions ends on October 8, 2025.**

If you have any questions about executing the *Combined Participation Form*, please contact your counsel, the Implementation Administrator at [opioidsparticipation@rubris.com](mailto:opioidsparticipation@rubris.com), or the North Carolina Attorney General's Office at [opioidsettlement@ncdoj.gov](mailto:opioidsettlement@ncdoj.gov).

Thank you,

Secondary Manufacturers Settlements Implementation Administrator

*The Implementation Administrator is retained to provide the settlement notice required by the Secondary Manufacturers Settlements and to manage the collection of the Combined Participation Form.*

**EXHIBIT K****Secondary Manufacturers' Combined Subdivision Participation and Release Form**  
**("Combined Participation Form")**

|                                        |           |
|----------------------------------------|-----------|
| Governmental Entity: Huntersville town | State: NC |
| Authorized Official:                   |           |
| Address 1:                             |           |
| Address 2:                             |           |
| City, State, Zip:                      |           |
| Phone:                                 |           |
| Email:                                 |           |

The governmental entity identified above ("*Governmental Entity*"), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to each of the settlements which are listed in paragraph 1 below (each a "Secondary Manufacturer's Settlement" and collectively, "the Secondary Manufacturers' Settlements"), and acting through the undersigned authorized official, hereby elects to participate in each of the Secondary Manufacturers' Settlements, release all Released Claims against all Released Entities in each of the Secondary Manufacturers' Settlements, and agrees as follows.

1. The Participating Entity hereby elects to participate in each of the following Secondary Manufacturers' Settlements as a Participating Entity:
  - a. Settlement Agreement for Alvogen, Inc. dated April 4, 2025.
  - b. Settlement Agreement for Apotex Corp. dated April 4, 2025.
  - c. Settlement Agreement for Amneal Pharmaceuticals LLC dated April 4, 2025.
  - d. Settlement Agreement for Hikma Pharmaceuticals USA Inc. dated April 4, 2025.
  - e. Settlement Agreement for Indivior Inc. dated April 4, 2025.
  - f. Settlement Agreement for Viatris Inc. ("Mylan") dated April 4, 2025.
  - g. Settlement Agreement for Sun Pharmaceutical Industries, Inc. dated April 4, 2025.
  - h. Settlement Agreement for Zydus Pharmaceuticals (USA) Inc. dated April 4, 2025.
2. The Governmental Entity is aware of and has reviewed each of the Secondary Manufacturers' Settlements, understands that all capitalized terms not defined in this Combined Participation Form have the meanings defined in each of the Secondary Manufacturers' Settlements, and agrees that by executing this Combined Participation Form, the Governmental Entity elects to participate in each of the Secondary Manufacturers' Settlements and become a Participating Subdivision as provided in each of the Secondary Manufacturers' Settlements.
3. The Governmental Entity shall promptly, and in any event no later than 14 days after the Reference Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed against any Released Entity in each of the Secondary Manufacturers' Settlements. With respect to any Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity



authorizes the Plaintiffs' Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal with Prejudice for each of the manufacturers listed in paragraph 1 above substantially in the form found at <https://nationalopioidsettlement.com/additional-settlements/>.

4. The Governmental Entity agrees to the terms of each of the Secondary Manufacturers' Settlements pertaining to Participating Subdivisions as defined therein.
5. By agreeing to the terms of each of the Secondary Manufacturers' Settlements and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
6. The Governmental Entity agrees to use any monies it receives through each of the Secondary Manufacturers' Settlements solely for the purposes provided therein.
7. The Governmental Entity submits to the jurisdiction of the court and agrees to follow the process for resolving any disputes related to each Secondary Manufacturer's Settlement as described in each of the Secondary Manufacturers' Settlements.<sup>1</sup>
8. The Governmental Entity has the right to enforce each of the Secondary Manufacturers' Settlements as provided therein.
9. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in each of the Secondary Manufacturers' Settlements, including without limitation all provisions related to release of any claims,<sup>2</sup> and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in his or her official capacity whether elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in each of the Secondary Manufacturers' Settlements in any forum whatsoever. The releases provided for in each of the Secondary Manufacturers' Settlements are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities in each of the Secondary Manufacturers' Settlements the broadest possible bar against any liability relating in any way to Released

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<sup>1</sup> See Settlement Agreement for Alvogen, Inc. Section VII.F.2; Settlement Agreement for Apotex Corp. Section VII.F.2; Settlement Agreement for Amneal Pharmaceuticals LLC Section VII.F.2; Settlement Agreement for Hikma Pharmaceuticals USA Inc. Section VII.F.2; Settlement Agreement for Indivior Section VI.F.2; Settlement Agreement for Mylan Section VI.F.2; Settlement Agreement for Sun Pharmaceutical Industries, Inc. Section VII.F.2; Settlement Agreement for Zydus Pharmaceuticals (USA) Inc. Section VII.F.2.

<sup>2</sup> See Settlement Agreement for Alvogen, Inc. Section XI; Settlement Agreement for Amneal Pharmaceuticals LLC Section X; Settlement Agreement for Apotex Corp. Section XI; Settlement Agreement for Hikma Pharmaceuticals USA Inc. Section XI; Settlement Agreement for Indivior Section X; Settlement Agreement for Mylan Section X; Settlement Agreement for Sun Pharmaceutical Industries, Inc. Section XI; Settlement Agreement for Zydus Pharmaceuticals (USA) Inc. Section XI.





Claims and extend to the full extent of the power of the Governmental Entity to release claims. Each of the Secondary Manufacturers' Settlements shall be a complete bar to any Released Claim against that manufacturer's Released Entities.

10. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in each of the Secondary Manufacturers' Settlements.
11. In connection with the releases provided for in each of the Secondary Manufacturers' Settlements, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

**General Release; extent.** A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims in each of the Secondary Manufacturers' Settlements, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in each of the Secondary Manufacturers' Settlements.

12. The Governmental Entity understands and acknowledges that each of the Secondary Manufacturers' Settlements is an independent agreement with its own terms and conditions. Nothing herein is intended to modify in any way the terms of any of the Secondary Manufacturers' Settlements, to which Governmental Entity hereby agrees, aside from the exceptions in paragraph 13 below. To the extent this Combined Participation Form is interpreted differently from any of the Secondary Manufacturers' Settlements in any respect, the individual Secondary Manufacturer's Settlement controls.
13. For the avoidance of doubt, in the event that some but not all of the Secondary Manufacturers' Settlements proceed past their respective Reference Dates, all releases and other commitments or obligations shall become void **only as to** those Secondary Manufacturers' Settlements that fail to proceed past their Reference Dates. All releases and other commitments or obligations (including those contained in this Combined Participation Form) shall remain in full effect as to each Secondary Manufacturer's Settlement that proceeds past its Reference Date, and this Combined Participation Form need not be modified, returned, or destroyed as long as any Secondary Manufacturer's Settlement proceeds past its Reference Date.



I have all necessary power and authorization to execute this Combined Participation Form on behalf of the Governmental Entity.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



## Third Supplemental Agreement for Additional Funds From Additional Settlements of Opioid Litigation (“SAAF-3”)

### **I. PURPOSE**

The purpose of this Third Supplemental Agreement for Additional Funds (“SAAF-3”) is to direct Secondary Opioid Manufacturer Funds from the Secondary Opioid Manufacturer Settlements to the state of North Carolina and local governments in a manner consistent with the 2021 Memorandum of Agreement (“MOA”) Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation (finalized in 2022), the 2023 Supplemental Agreement for Additional Funds From Additional Settlements of Opioid Litigation (“SAAF”), and the 2024 Second Supplemental Agreement for Additional Funds From Additional Settlement of Opioid Litigation (“SAAF-2”). These prior agreements govern the distribution of Opioid Settlement Funds to the State and its Local Governments.

This SAAF-3 does not change the scope or meaning of the MOA, SAAF, or SAAF-2 with respect to Opioid Settlement Funds governed by the MOA, the Additional Funds governed by the SAAF, or the Kroger Funds governed by the SAAF-2. Instead, this SAAF-3 applies the terms of the MOA – with certain clarifications noted below – to the Secondary Opioid Manufacturer Funds from the Secondary Opioid Manufacturer Settlements described below.

### **II. SCOPE**

- A. Scope of the MOA. Under the terms of the MOA, the MOA governs Opioid Settlement Funds from:
1. The National Settlement Agreement with the drug distributors Cardinal, McKesson, and AmerisourceBergen and the drug maker Johnson & Johnson and its subsidiary Janssen Pharmaceuticals; and
  2. The Bankruptcy Resolution with Mallinckrodt; the Bankruptcy Resolution with Endo; any Bankruptcy Resolution with Purdue; and any other Bankruptcy Resolution as the term “Bankruptcy Resolution” is defined in the MOA.
- B. Scope of the SAAF. The SAAF governs Additional Funds from the Additional Settlements with Additional Settling Defendants Walmart, Inc., Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Allergan Limited, CVS Health Corporation, CVS Pharmacy, Inc., and Walgreen Co., as well as their subsidiaries, affiliates, officers, and directors named in the Additional Settlements.



- C. Scope of the SAAF-2. The SAAF-2 governs Kroger Funds from the Kroger Settlement with the Kroger Co., as well as its subsidiaries, affiliates, officers, and directors named in the Kroger Settlement.
- D. Scope of the SAAF-3. This SAAF-3 governs Secondary Opioid Manufacturer Funds from the Secondary Opioid Manufacturer Settlements with Secondary Opioid Manufacturer Defendants Alvogen, Inc., Amneal Pharmaceuticals LLC, Apotex Corp., Hikma Pharmaceuticals USA Inc. f/k/a West-Ward Pharmaceuticals Corp., Indivior Inc., Sun Pharmaceutical Industries, Inc., Viatris Inc., and Zydus Pharmaceuticals (USA) Inc., as well as their subsidiaries, affiliates, officers, and directors named in the Secondary Opioid Manufacturer Settlements.

### **III. APPLICATION OF THE MOA TO THE SECONDARY OPIOID MANUFACTURER SETTLEMENTS AND FUNDS**

The MOA, which is incorporated herein by reference, governs the Secondary Opioid Manufacturer Settlements and Secondary Opioid Manufacturer Funds in every respect, except as set forth hereinbelow. In the event of any conflict between the MOA and this SAAF-3, with respect to the Secondary Opioid Manufacturer Settlements and Secondary Opioid Manufacturer Funds, the provisions of this SAAF-3 shall take precedence.

#### **A. Definitions.**

1. The definitions used in the MOA, the SAAF, and the SAAF-2 are incorporated by reference into this SAAF-3, except as such definitions are modified herein.
2. “Local Counsel” means legal counsel and law firms who have a principal office in North Carolina and represented one or more North Carolina counties and municipalities in litigation against one or more Additional Settling Defendant, Kroger, or Secondary Opioid Manufacturer Defendants concerning opioids.
3. “National Counsel” means legal counsel and law firms who have a principal office outside of North Carolina and represented various North Carolina counties and municipalities in litigation concerning opioids against one or more Settling Defendant, Additional Settling Defendant, Kroger, or Secondary Opioid Manufacturer Defendants.
4. “Required Local Governments” means all North Carolina counties and municipalities that have filed litigation against any of the Settling Defendants, Additional Settling Defendants, Kroger, or Secondary Opioid Manufacturer Defendants.



5. “Secondary Opioid Manufacturer Defendants” means the defendants listed in section II.D of this SAAF-3.
6. “Secondary Opioid Manufacturer Funds” means all funds allocated by the Secondary Opioid Manufacturer Settlements to the State or Local Governments for purposes of opioid remediation activities, as well as any repayment of those funds and any interest or investment earnings that may accrue as those funds are temporarily held before being expended on opioid remediation strategies. Not included are funds made available in Secondary Opioid Manufacturer Settlements for the payment of the Parties’ litigation expenses or the reimbursement of the United States Government.
7. “Secondary Opioid Manufacturer Settlements” means a national opioid settlement agreement with the Parties and one or more of the Secondary Opioid Manufacturer Defendants concerning alleged misconduct in manufacture, marketing, promotion, or distribution of an opioid product.

## **B. Allocation of Additional Funds**

1. Method of distribution. Pursuant to any Secondary Opioid Manufacturer Settlements, Secondary Opioid Manufacturer Funds shall be distributed directly to the State, Local Governments, and Local Counsel for such uses as set forth in the MOA and this SAAF-3, provided Secondary Opioid Manufacturer Funds shall not be considered funds of the State, any Local Governments, or any Local Counsel unless and until such time as each distribution is made.
2. Overall allocation of funds. Secondary Opioid Manufacturer Funds shall be allocated as follows with respect to each payment from the Secondary Opioid Manufacturer Defendants: (i) 15% directly to the State (“State Secondary Opioid Manufacturer Abatement Fund”), (ii) 84.62% to abatement funds established by Local Governments (“Local Secondary Opioid Manufacturer Abatement Funds”), and (iii) 0.38% to a Local Counsel Fee Fund described in section IV of this SAAF-3.
3. The allocation of Local Secondary Opioid Manufacturer Abatement Funds between Local Governments shall be as described in MOA section B.3. However, to the extent required by the terms of a Secondary Opioid Manufacturer Settlement, the proportions set forth in MOA Exhibit G shall be adjusted: (i) to provide no payment from a Secondary Opioid Manufacturer Settlement to any listed county or municipality that does not participate in the Secondary Opioid Manufacturer Settlement; and (ii) to provide a reduced payment from a Secondary Opioid Manufacturer Settlement to any listed county or municipality that signs onto the Secondary Opioid Manufacturer



Settlement after the deadline specified by the Secondary Opioid Manufacturer Settlement.

4. Municipal allocations of Local Secondary Opioid Manufacturer Abatement Funds shall be as described in MOA section B.4. Consistent with the manner in which MOA section B.4.b has been interpreted by the parties to the MOA with respect to Opioid Settlement Funds, a municipality that directs Local Secondary Opioid Manufacturer Abatement Funds to the county or counties in which it is located pursuant to MOA section B.4 shall be relieved of any reporting or other obligations under the MOA with respect to the redirected funds.
5. The use of Secondary Opioid Manufacturer Funds for opioid remediation activities shall be as described in MOA section B.5.
6. All Parties acknowledge and agree the Secondary Opioid Manufacturer Settlements will require a Local Government to release all its claims against the Secondary Opioid Manufacturer Defendants to receive Secondary Opioid Manufacturer Funds. All Parties further acknowledge and agree based on the terms of the Secondary Opioid Manufacturer Settlements, a Local Government may receive funds through this SAAF-3 only after complying with all requirements set forth in the Secondary Opioid Manufacturer Settlements to release its claims.

### **C. Payment of Litigating and Non-Litigating Parties**

No party engaged in litigating the MDL Matter shall receive a smaller payment than a similarly situated non-litigating Party, other than as based on the Allocation Proportions in MOA Exhibit G.

### **D. Special Revenue Fund**

Every Local Government receiving Secondary Opioid Manufacturer Funds shall either (1) deposit the Secondary Opioid Manufacturer Funds in the special revenue fund that the Local Government created for Opioid Settlement Funds pursuant to MOA section D.1 and/or Additional Funds pursuant to SAAF section III.D and/or Kroger Funds pursuant to SAAF-2 section III.D or (2) create a separate special revenue fund as described in MOA section D.1 that is designated for the receipt and expenditure of the Secondary Opioid Manufacturer Funds. In either case, every Local Government receiving Secondary Opioid Manufacturer Funds shall abide by MOA section D and other relevant provisions of the MOA with respect to the Secondary Opioid Manufacturer Funds in the special revenue fund.



## **E. Opioid Remediation Activities**

1. Local Governments shall expend Secondary Opioid Manufacturer Funds according to the requirements for Opioid Settlement Funds stated in MOA section E.
2. The coordination group established by MOA section E.7 and described in MOA Exhibit D shall have the same responsibilities with respect to remediation activities funded by Secondary Opioid Manufacturer Funds and related requirements and procedures that it has with respect to the Opioid Settlement Funds covered by the MOA.

## **F. Auditing, Compliance, Reporting, and Accountability**

1. The Auditing, Compliance, Reporting, and Accountability provisions stated in MOA section F shall apply to Secondary Opioid Manufacturer Funds in the way they apply to Opioid Settlement Funds.
2. The coordination group established by MOA section E.7 and described in MOA Exhibit D shall have the same responsibilities with respect to auditing, compliance, reporting, and accountability provisions relating to Secondary Opioid Manufacturer Funds that it has with respect to the Opioid Settlement Funds covered by the MOA.

## **G. Effectiveness**

1. When this SAAF-3 takes effect. This SAAF-3 shall become effective at the time a sufficient number of Local Governments have joined the SAAF-3 to qualify the SAAF-3 as a State-Subdivision Agreement under the Secondary Opioid Manufacturer Settlements. If this SAAF-3 does not thereby qualify as a State-Subdivision Agreement, this SAAF-3 will have no effect.
2. Amendments to the SAAF-3.
  - a. Amendments to conform to final national documents. The Attorney General, with the consent of a majority vote from a group of Local Government attorneys appointed by the Association of County Commissioners, may initiate a process to amend this SAAF-3 to make any changes required by the final provisions of the Secondary Manufacturer Opioid Settlements. The Attorney General's Office will provide written notice of the necessary amendments to all the previously joining parties. Any previously joining party will have a two-week opportunity to withdraw from the SAAF-3. The amendments will be effective to any party that does not withdraw.



- b. Coordination group. The coordination group may make the changes to the SAAF-3 described and authorized in MOA Exhibit D.
  - c. No amendments to allocation between Local Governments. Notwithstanding any other provision of this SAAF-3, the allocation proportions set forth in MOA Exhibit G may not be amended.
  - d. General amendment power. After execution, the coordination group may propose other amendments to the SAAF-3, subject to the limitation in section III.G.2.c of this SAAF-3. Such amendments will take effect only if approved in writing by the Attorney General and at least two-thirds of the Local Governments who are Parties to this SAAF-3. In the vote, each Local Government Party will have a number of votes measured by the allocation proportions set forth in MOA Exhibit G.
3. Acknowledgement. The Parties acknowledge this SAAF-3 is an effective and fair way to address the needs arising from the public health crisis due to the misconduct committed by the Pharmaceutical Supply Chain Participants.
4. When this SAAF-3 is no longer in effect. This SAAF-3 is effective until one year after the last date on which any (a) Opioid Settlement Funds are being spent by Local Governments pursuant to the National Settlement Agreement and any Bankruptcy Resolution, or (b) Additional Funds are being spent by Local Governments pursuant to the Additional Settlements, or (c) Kroger Funds are being spent by Local Governments pursuant to the Kroger Settlement, or (d) Secondary Opioid Manufacturer Funds are being spent by Local Governments pursuant to the Secondary Opioid Manufacturer Settlements.
5. Application of SAAF-3 to settlements. This SAAF-3 applies to the Secondary Opioid Manufacturer Settlement.
6. Applicable law and venue. Unless required otherwise by the Secondary Opioid Manufacturer Settlements, this SAAF-3 shall be interpreted using North Carolina law and any action related to the provisions of this SAAF-3 must be adjudicated by the Superior Court of Wake County. If any provision of this SAAF-3 is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision which can be given effect without the invalid provision.





7. Scope of this SAAF-3. The Parties acknowledge this SAAF-3 does not excuse any requirements placed upon them by the terms of the Secondary Opioid Manufacturer Settlements, except to the extent those terms allow for a State-Subdivision Agreement to do so.
8. No third party beneficiaries. No person or entity is intended to be a third party beneficiary of this SAAF-3.
9. No effect on authority of parties. Nothing in this SAAF-3 shall be construed to affect or constrain the authority of the Parties under law.
10. Signing and execution of this SAAF-3. This SAAF-3 may be signed and executed simultaneously in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement. A signature transmitted by facsimile, electronic image, or DocuSign shall be deemed an original signature for purposes of executing this SAAF-3. Each person signing this SAAF-3 represents he or she is fully authorized to enter into the terms and conditions of, and to execute, this SAAF-3, and all necessary approvals and conditions precedent to execution have been satisfied.

#### **IV. LOCAL COUNSEL FEE FUND**

Local Counsel have reviewed the Secondary Opioid Manufacturer Settlements, find them to be equitable, and recommend their clients execute these Secondary Opioid Manufacturer Settlements and this SAAF-3. If (1) all Local Counsel sign this SAAF-3 whereby they consent to the terms of this SAAF-3 and agree to be legally bound by this SAAF-3, including but not limited to Section IV of this SAAF-3, and (2) all Required Local Governments agree on or before [insert TBD settlement participation deadline date, expected to be approximately October 1], 2025 to execute the Secondary Opioid Manufacturer Settlements, and dismiss litigation against the Secondary Opioid Manufacturer Defendants (if applicable), as required by the Secondary Opioid Manufacturer Settlements, then each Local Counsel shall be entitled to receive a portion of the Local Counsel Fee Fund for the Secondary Opioid Manufacturer Settlements, in such proportions as set forth below. If one or more Required Local Governments does not execute the Secondary Opioid Manufacturer Settlements, and dismiss litigation (if applicable), as required by the Secondary Opioid Manufacturer Settlements, then the 0.38% share of Secondary Opioid Manufacturer Funds set forth in Section III.B.2 of this SAAF-3 for the Local Counsel Fee Fund shall be included in the Local Secondary Opioid Manufacturer Abatement Funds, such that 85% of the Secondary Opioid Manufacturer Funds will be allocated to Local Secondary Opioid Manufacturer Abatement Funds, and 0% will be allocated to the Local Counsel Fee Fund.

Local Counsel release all North Carolina counties and municipalities from any claim regarding the obligation to pay legal fees or costs relating to their



representation of North Carolina counties and municipalities regarding opioid claims and litigation against the Secondary Opioid Manufacturer Defendants. Local Counsel retain their rights to recover legal fees from any national legal fee fund established by a national settlement and to collect any fees due from National Counsel. If one or more National Counsel fails to release its North Carolina client counties and/or municipalities from any contractual obligation to pay legal fees or costs relating to their representation of North Carolina counties and municipalities regarding opioid claims and litigation against the Secondary Opioid Manufacturer Defendants, as required for National Counsel and Local Counsel to receive a portion of the national fee funds created by the Secondary Opioid Manufacturer Settlements, then the 0.38% share of Secondary Opioid Manufacturer Funds set forth in Section III.B.2 of this SAAF-3 for the Local Counsel Fee Fund shall be included in the Local Secondary Opioid Manufacturer Abatement Funds, such that 85% of the Secondary Opioid Manufacturer Funds will be allocated to Local Secondary Opioid Manufacturer Abatement Funds, and 0% will be allocated to the Local Counsel Fee Fund.

The proportion of the Local Counsel Fee Fund to be received by each Local Counsel will be the same as for the Local Counsel Fee Fund created by the SAAF and the SAAF-2. Each Local Counsel's release of claims against all North Carolina counties and municipalities as provided above shall remain in full force and effect regardless of the proportion of the Local Counsel Fee Fund that any Local Counsel receives.

**IN WITNESS WHEREOF**, the parties, through their duly authorized officers, have executed this Third Supplemental Agreement for Additional Funds under seal as of the date hereof.

Huntersville town, NC  
Reference Number: CL-1767061

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_





## Request for Board Action

September 2, 2025

**To:** The Honorable Mayor and Board of Commissioners

**From:** Stephen Trott, Director of Engineering

**Subject:** Change Order to Gilead Road West engineering services contract.

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### **EXPLAIN REQUEST:**

The revised scope of the Gilead Road West engineering services contract will require an additional \$368,298.50. This is to modify roadway, drainage, and signal design.

### **ACTION RECOMMENDED:**

Approve change order.

### **FINANCIAL IMPLICATIONS:**

Bond Funds.

### **ATTACHMENTS:**

1. Change Order 01 - Gilead Rd West

# CHANGE ORDER

Gilead Rd West

Project Name

Gilead Rd between Wynfield Creek Pkwy and  
McCoy Rd

Project Address

Elizabeth Scott, STV Inc.

Project Manager Name / Firm Name

Change Order 01

Change Order Number

9/2/2025

Change Order Date

## DESCRIPTION OF CHANGES:

(check here ☐ and attach additional pages if more space is needed.)

See Attachment A, attached hereto and incorporated herein by reference, for description of change order totaling \$368,298.50

**PRICE.** These changes (select one):

- ☒ raise ☐ lower the price of the contract to \$  
☐ do not affect the price of the contract.

**PROJECT DURATION.** These changes (select one):

- ☒ extend ☐ shorten the duration of the project by 60 days.  
☐ do not affect the duration of the project.

**COMPLETION.** The new approximate date of completion is: 4/23/2026

**PAYMENT SCHEDULE.** These changes will adjust the payment schedule as follows:

|  |
|--|
|  |
|--|

Owner Signature

Anthony Roberts

Printed Name

Date

Contractor Signature

Claire Brinkley

Printed Name

Date

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act

Finance Director

## **Attachment A**

### **Change Order Details**

## **SCOPE OF SERVICES**

*for*

### **GILEAD ROAD WIDENING SUPPLEMENTAL**

*Located in*

**HUNTERSVILLE, NC**

August 21, 2025

#### **PROJECT DESCRIPTION**

The Town of Huntersville desires to widen Gilead Road from just west of the intersection of Wynfield Creek Parkway to the existing widened section east of McCoy Road and McCoy Road from the Gilead Road intersection to Kinsey Avenue. The project will include widening 0.75 miles of the existing two lane section to a four lane median divided curb and gutter section with turn lanes and sidewalk and will include a culvert extension at Torrence Creek. The original contract was signed 7-16-19, and this scope of services covers additional services to remove the bike lanes along Gilead Road, from west of Wynfield Creek Parkway to east of McCoy Road, and the southern leg of McCoy Road.

#### **A. GILEAD DESIGN REVISION SUMMARY**

- (1) STV will update the roadway plans – title, typicals, plan sheets, and cross sections to incorporate the removal of the bike lanes and the revisions to the multi/shared use paths along Gilead Road and the southern leg of McCoy Road. See exhibit A.
- (2) STV will update the drainage and erosion control design.
- (3) STV will update the temporary and final traffic control plans.
- (4) STV will update the pavement marking and signing plans.
- (5) STV will update the signal design/cable routing.

#### **B. PROJECT MANAGEMENT**

- (1) Coordination with various disciplines and sub-consultants to drive project revision to completion
- (2) QA/QC Documentation

#### **C. ROADWAY DESIGN**

- (1) We will prepare the revised Final roadway design plans in accordance with NCDOT standard practices, as of the date of NTP, and the plans will conform to NCDOT 2024 Standard Specifications, the NCDOT 2024 Standard Drawings, and the NCDOT Roadway Design Manual.
- (2) Revisions will include the following:
  - a. Removal of 5' bike lanes along Gilead Road (approximately 4300') and the -Y- Line of McCoy Road (approximately 800')
  - b. Relocate the curb & gutter to the new edge of travel
  - c. Widen sidewalks to 11'-12' multi-use path, planting strips will remain the same.

d. Turning movements

1. Accommodate a school bus and SU-30 for the northern leg of McCoy Road
2. Accommodate a passenger vehicle (inside left) and WB-62FL (outside left) for the southern leg of McCoy Road

(3) STV will provide quantity take-offs to be compiled in a revised Engineer's estimate

*Assumptions/Exclusions:*

*Removal of bike lanes and revisions to the multi/shared use paths will span the entirety of the project limits along Gilead Road, from west of Wynfield Creek Parkway to east of McCoy Road, and the southern leg of McCoy Road.*

*No right-of-way will change for this design revision.*

*No alignments or profiles will be changed.*

**D. DESIGN – HYDRAULICS & EROSION CONTROL**

(1) This supplemental scope of services will include the revision of the current drainage design to take into account the following revisions:

- a. Removal of the 5' bike lanes along Gilead Road and the -Y- Line of McCoy Road
- b. Revision of the typical section along Gilead Road and the -Y- Line of McCoy Road including the relocation of the curb & gutter
- c. Widening of the sidewalks to 11'-12' multi-use path, the planting stripes should remain the same.

(1) STV will perform the following in this supplemental scope of services in accordance with NCDOT standard practices, as of the date of NTP, and the plans will conform to the guidelines outlined in the original scope.

- a. Hydrology Updates – STV will update the drainage areas and associated hydrology calculations to be consistent with the roadway revisions outlined above.
- b. Hydraulic Updates – STV will update Geopak to reflect the new hydrology delineations for the entirety of Gilead Road and the -Y- Line of McCoy Road. This will include re-aligning the proposed closed system to be in compliance with the revised roadway typical, updating the drainage summary sheet, and updating the inlet and structure calculation sheets. STV will analyze the proposed closed system and update any necessary structures or pipes sizes as necessary due to the revisions of the roadway typical.
- c. Plan Sheet Updates and Submittal Package – STV will update the entire plan set for Gilead and plan sheets 11 and 14 of the McCoy Road plan set to reflect the drainage updates. This will include updating the text callouts and drainage labels to reflect the above revisions. STV will prepare a submittal package including the revised plan sheets and calculations for Gilead and McCoy to be submitted to NCDOT and the Town of Huntersville for review.
- d. Quality Control – STV will perform all quality assurance and quality control procedures to ensure the revisions are in compliance with NCDOT standards. STV will also address NCDOT and/or Town review comments assuming up to two review cycles.

- e. Coordination – STV will coordinate internally with other disciplines to ensure that all drainage updates are reflected on the roadway plan sheets. STV will also coordinate with NCDOT and/or the Town of Huntersville for any potential conflicts that result of the typical revision.
- (2) Erosion Control – STV will update the erosion control package for both Gilead Road and McCoy Road to reflect the updates highlighted above in accordance with NCDOT standard practices, as of the date of NTP, and the plans will conform to the guidelines outlined in the original scope. The Clearing & Grubbing Phase and Final Phase will be updated within the plan sheets. In addition, all quantities and supplemental documents associated with the erosion control submittal package will be updated. STV will also address NCDOT and/or Town review comments assuming up to two review cycles.

## **E. ENVIRONMENTAL**

### *Assumptions/Exclusions:*

*No environmental documents will change due to the removal of the bike lanes.*

## **F. SIGNAL DESIGN**

- (1) This supplemental scope of services includes the revision of temporary and final signal designs along Gilead Road based on design changes and updated TMP plans including the removal of the bike lanes and revisions to the multi/shared use paths along Gilead Road. STV will include updated temporary and final signal designs at the following intersections:
  - a. SR 2136 (Gilead Road) at Wynfield Creek Parkway (SIN: 10-1751)
  - b. SR 2136 (Gilead Road) at Ranson Road (SIN: 10-2084)
  - c. SR 2136 (Gilead Road) at SR 2138 (McCoy Road) (SIN: 10-1752)
- (2) STV will coordinate the signal designs and review with NCDOT and obtain approvals. Signal plans, signed and sealed by a North Carolina Registered Professional Engineer, will be submitted with quantities and Special Provisions.

## **TASK 1 – TEMPORARY SIGNALS – DESIGNS**

### **Subtask 1.1 – Signal Design**

- (1) STV will update the Wynfield Creek Parkway intersection to revise five (5) temporary traffic signal plans. The following revisions will be necessary based on the updated designs:
  - a. Updates to basemapping within the signal plan geometrics for each of the TMP construction phases will be necessary for all five temporary plans
  - b. Location of pedestrian signalization will be modified as necessary with the revised TMP.
  - c. With the adjustment of the curb line, clearance diagrams and calculations will be revised for pedestrian timings as well as yellow/red clearance times for all five temporary plans
  - d. It is assumed that temporary poles will remain in their existing location. STV will review previously placed wood pole locations to verify the updated designs do not conflict with temporary pole locations.
- (2) STV will update the Ranson Road intersection to revise six (6) temporary traffic signal plans based on the updated TMP plans for Construction phases. The following revisions will be necessary based on the updated designs:
  - a. Updates to basemapping within the signal plan geometrics for each of the TMP construction phases will be necessary for all six temporary plans
  - b. Location of pedestrian signalization will be modified as necessary with the revised TMP.
  - c. With the adjustment of the curb line, clearance diagrams and calculations will be revised for pedestrian timings as well as yellow/red clearance times for all six temporary plans



- d. It is assumed that temporary poles will remain in their existing location. STV will review previously placed wood pole locations to verify the updated designs do not conflict with temporary pole locations.
- (3) STV will update the SR 2138 (McCoy Road) intersection to revise five (5) temporary traffic signal plans based on the updated TMP plans for Construction phases. The following revisions will be necessary based on the updated designs:
  - a. Updates to basemapping within the signal plan geometrics for each of the TMP construction phases will be necessary for all five temporary plans
  - b. Location of pedestrian signalization will be modified as necessary with the revised TMP.
  - c. With the adjustment of the curb line, clearance diagrams and calculations will be revised for pedestrian timings as well as yellow/red clearance times for all five temporary plans
  - d. It is assumed that temporary poles will remain in their existing location. STV will review previously placed wood pole locations to verify the updated designs do not conflict with temporary pole locations.
- (4) The temporary traffic signal plans for the above intersections will include equipment placement, general and intersection specific notes, phasing diagrams, color sequence chart, signal timings, signal face identification, and stop bar locations.
- (5) The temporary traffic signal plans will be designed in compliance with the current NCDOT Traffic Management and Signal Systems Unit Design Manual, the National Electric Safety Code, the 2023 Manual on Uniform Traffic Control Devices, the 2024 NCDOT Specifications and Standard Drawings and any NCDOT supplemental specifications. The latest edition of each design manual or guide will be used if these are not the most current.

*Assumptions/Exclusions:*

*Removal of bike lanes and revisions to the multi/shared use paths will span the entirety of the project limits along Gilead Road, from west of Wynfield Creek Parkway to east of McCoy Road, and the southern leg of McCoy Road.*

## **TASK 2 – FINAL SIGNALS – DESIGNS**

### **Subtask 2.1 – Signal Design**

- (1) STV will update the Wynfield Creek Parkway intersection to revise the final traffic signal plan based on the updated design due to the removal of the bike lanes and revisions to the multi/shared use paths along Gilead Road. The following revisions will be necessary based on the updated designs:
  - a. Updates to basemapping within the signal plan geometrics for will be necessary for the final signal design.
  - b. Location of pedestrian signalization will be modified as necessary with the revised roadway design.
  - c. With the adjustment of the curb line, clearance diagrams and calculations will be revised for pedestrian timings as well as yellow/red clearance times for the final signal design
  - d. It is assumed that mast arm poles will remain in their existing location. STV will review previously placed mast arm pole locations to verify the updated roadway designs do not conflict with pole locations. The mast arm loading diagrams will be updated to reflect the revised positioning to the back of the proposed curb and adjust signal head positioning as needed.
- (2) STV will update the Ranson Road intersection to revise the final traffic signal plan based on the updated design due to the removal of the bike lanes and revisions to the multi/shared use paths along Gilead Road. The following revisions will be necessary based on the updated designs:

- a. Updates to basemapping within the signal plan geometrics for will be necessary for the final signal design.
  - b. Location of pedestrian signalization will be modified as necessary with the revised roadway design.
  - c. With the adjustment of the curb line, clearance diagrams and calculations will be revised for pedestrian timings as well as yellow/red clearance times for the final signal design
  - d. It is assumed that mast arm poles will remain in their existing location. STV will review previously placed mast arm pole locations to verify the updated roadway designs do not conflict with pole locations. The mast arm loading diagrams will be updated to reflect the revised positioning to the back of the proposed curb and adjust signal head positioning as needed.
- (3) STV will update the SR 2138 (McCoy Road) intersection to revise the final traffic signal plan based on the updated design due to the removal of the bike lanes and revisions to the multi/shared use paths along Gilead Road. The following revisions will be necessary based on the updated designs:
- a. Updates to basemapping within the signal plan geometrics for will be necessary for the final signal design.
  - b. Location of pedestrian signalization will be modified as necessary with the revised roadway design.
  - c. With the adjustment of the curb line, clearance diagrams and calculations will be revised for pedestrian timings as well as yellow/red clearance times for the final signal design
  - d. It is assumed that mast arm poles will remain in their existing location. STV will review previously placed mast arm pole locations to verify the updated roadway designs do not conflict with pole locations. The mast arm loading diagrams will be updated to reflect the revised positioning to the back of the proposed curb and adjust signal head positioning as needed.
- (4) The final traffic signal plans for the above intersections will include equipment placement, general and intersection specific notes, phasing diagrams, color sequence chart, signal timings, signal face identification, and stop bar locations.
- (5) The final traffic signal plans will be designed in compliance with the current NCDOT Traffic Management and Signal Systems Unit Design Manual, the National Electric Safety Code, the 2023 Manual on Uniform Traffic Control Devices, the 2024 NCDOT Specifications and Standard Drawings and any NCDOT supplemental specifications. The latest edition of each design manual or guide will be used if these are not the most current.

*Assumptions/Exclusions:*

*Removal of bike lanes and revisions to the multi/shared use paths will span the entirety of the project limits along Gilead Road, from west of Wynfield Creek Parkway to east of McCoy Road, and the southern leg of McCoy Road.*

**SIGNAL COMMUNICATIONS**

**TASK 3 – FIBER OPTIC CABLE ROUTING PLANS**

- (1) STV will update the communications cable routing and splice detail plans along the project based on the updated design due to the removal of the bike lanes and revisions to the multi/shared use paths along Gilead Road. Updates to basemapping within the cable routing plans will be necessary for the final signal design. Conduit and handholes associated with the fiber routing will be reviewed based on the revised curb line and revised as necessary.
- (2) STV will facilitate an NCDOT review of the design change.

*Assumptions/Exclusions:*

*Removal of bike lanes and revisions to the multi/shared use paths will span the entirety of the project limits along Gilead Road, from west of Wynfield Creek Parkway to east of McCoy Road, and the southern leg of McCoy Road.*

**G. PAVEMENT MARKING/SIGNING**

- (1) STV will revise pavement marking plans for approximately 1 mile of roadway based on the latest 2024 NCDOT standards.
- (2) STV will provide quantity take-offs to be compiled in a revised Engineer's Estimate.

**H. STRUCTURE DESIGN**

*Assumptions/Exclusions:*

*No structures will change due to the removal of the bike lanes.*

**I. TRANSPORTATION MANAGEMENT PLAN**

- (1) The Consultant will revise the Transportation Management Plan (TMP) for roadway construction in conformance with the guidelines specified in the original scope.
- (2) The revised final TMP will include a phasing sequence which will include the work to be done in each phase, the traffic control details of each phase, and any special details such as time limitations, hour of day limitations, or intermediate completion times. Temporary pavement markings will be included. The final TMP will be submitted to NCDOT prior to construction for a final review.

**J. UTILITY COORDINATION**

*Assumptions/Exclusions:*

*No overhead utilities will change due to the removal of the bike lanes.*

**K. NCDOT APPROVALS AND COORDINATION**

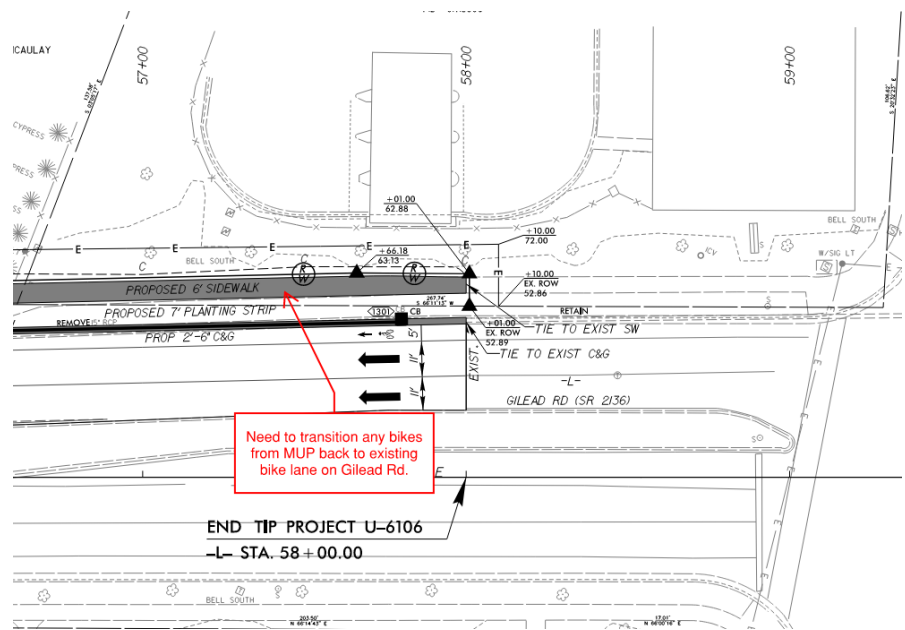
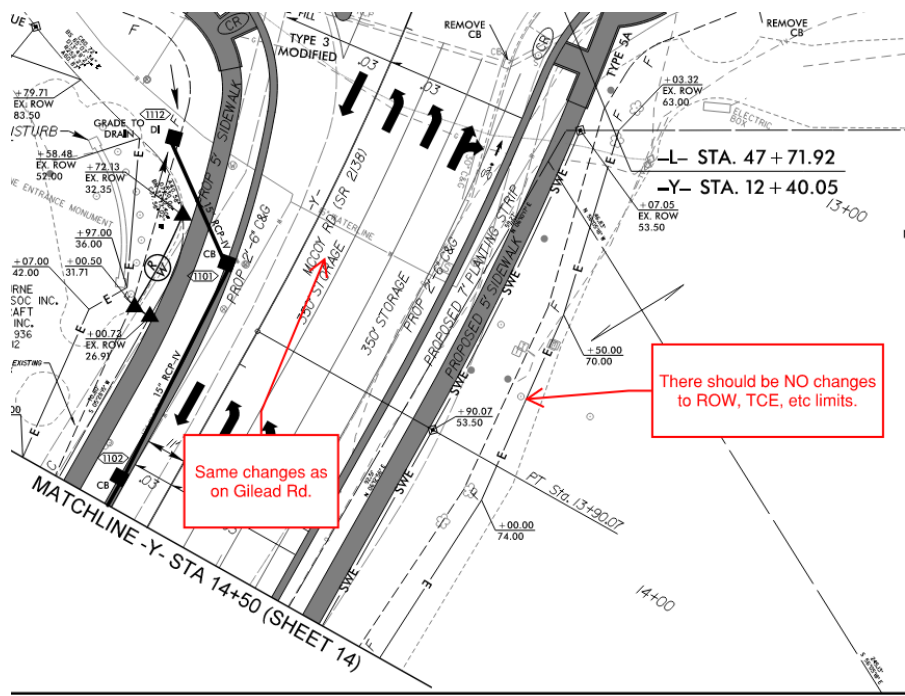
- (1) The Consultant shall submit revised design plans to NCDOT for approval.

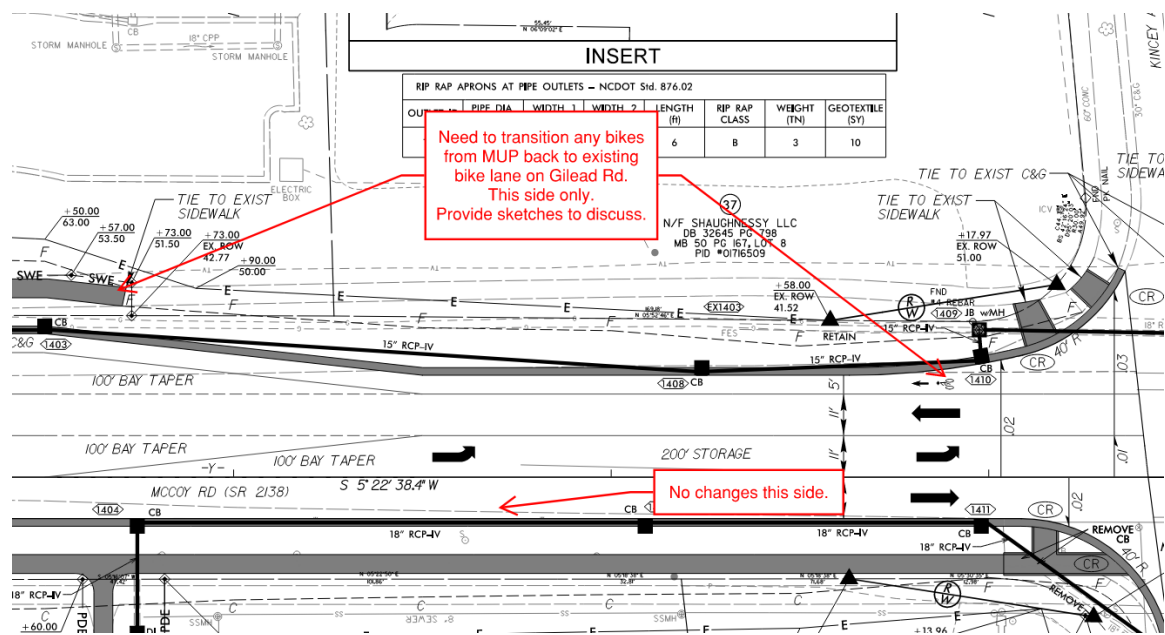
**L. TECHNICAL SPECIFICATIONS, QUANTITIES, COST ESTIMATE**

- (1) Design will conform to the following:
  - a. Town of Huntersville's Standards
  - b. NCDOT 2024 Standard Specifications
  - c. NCDOT 2024 Roadway Standard Drawings
  - d. NCDOT Roadway Design Manual
  - e. 2018 AASHTO's A Policy of Geometric Design of Highways and Streets (Green Book)
  - f. 2023 Manual on Uniform Traffic Control Devices (MUTCD)
  - g. NCDOT's "Guidelines for Drainage Studies and Hydraulic Design"











ESTIMATE OF PROFESSIONAL SERVICES  
SUMMARY PAGE

STV Proposal or Job Number: 4020245 Client Job Number: NA  
Project Description/Location: U-6106 (Gilead Road Widening)  
Client: Town of Huntersville Client Project Manager: Lora Mastrofrancesco

| Item                                 | Budgeted Effort | Other Dir. Costs | Subconsult. | Grand Total   |
|--------------------------------------|-----------------|------------------|-------------|---------------|
| Project Management                   | \$ 17,070.00    | \$ -             | \$ -        | \$ 17,070.00  |
| Roadway Design                       | \$ 98,420.00    | \$ -             | \$ -        | \$ 98,420.00  |
| Hydraulics Design & Erosion Control  | \$ 120,260.00   | \$ -             | \$ -        | \$ 120,260.00 |
| Signal Design/Signal Comm Revisions  | \$ 69,558.50    | \$ -             | \$ -        | \$ 69,558.50  |
| Pavement Marking/Signing             | \$ 18,160.00    | \$ -             | \$ -        | \$ 18,160.00  |
| Transportation Management Plan (TMP) | \$ 44,830.00    | \$ -             | \$ -        | \$ 44,830.00  |
|                                      |                 |                  |             | \$ 368,298.50 |

STV ENGINEERS, INC.

DocuSigned by:  
By:   
DB960186CF614B4  
Name: Claire Brinkley, PE AICP  
Title: Vice President

Town of Huntersville

Anthony Roberts-Town Manager Date

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

Pattie McGinnis-Director of Finance Date





## Request for Board Action

September 2, 2025

**To:** The Honorable Mayor and Board of Commissioners

**From:** Lora Mastrofrancesco, Transportation Engineer/Project Manager

**Subject:** Declare Intent to Abandon Portion of Thread Ln (formerly North Main St) and Call a Public Hearing

---

### **EXPLAIN REQUEST:**

Declare intent to abandon a portion of Thread Ln (formerly North Main St) and call a public hearing.

### **ACTION RECOMMENDED:**

Resolve the Intent to Abandon a portion Thread Ln (formerly North Main St) and to Call a Public Hearing.

### **FINANCIAL IMPLICATIONS:**

N/A

### **ATTACHMENTS:**

1. Abandonment Location
2. Signed Petition - Thread Ln and 115
3. Thread Lane Right-of-Way Abandonment Final-081825



**Resolution Declaring Intent to Abandon and Close a Portion of  
Thread Ln, (formerly named North Main St).**

**WHEREAS**, the Town of Huntersville (the "Town") has filed a petition to close a portion of Thread Ln, in the Town of Huntersville, as further described in Exhibit A – Legal Descriptions; and

**WHEREAS**, N.C.G.S. §160A-299 allows for municipality to permanently close any street or public alley; and

**WHEREAS**, N.C.G.S. §160A-299 requires that the Board of Commissioners for the Town of Huntersville (the "Board") first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said statute further requires that the resolution shall be published once a week for four successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or public alley; and

**WHEREAS**, the Board desires to, pursuant to N.C.G.S. §160A-299, declare its intent to close a portion of Thread Ln, as further described in Exhibit A.

***NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF HUNTERSVILLE BOARD OF COMMISSIONERS (the "Town Board") AS FOLLOWS:***

1. The Town Board resolves that it intends to close a portion of Thread Ln, as further described in Exhibit A.
2. The Town Board hereby calls a public hearing on the question of closing a portion of Thread Ln to be held at 6:00pm on Tuesday, the 7th day of October, 2025, at Town Hall, 101 Huntersville-Concord Rd, Huntersville, NC, 28078, or location as otherwise designated by the Board.
3. The Clerk of the Board is hereby directed to publish a copy of this Resolution once a week for four successive weeks prior to the public hearing.
4. This Resolution shall be effective as of the date its adoption.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2025.

ATTEST:

TOWN OF HUNTERSVILLE

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Town Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Town Attorney

## EXHIBIT A – LEGAL DESCRIPTIONS

### **RIGHT-OF-WAY ABANDONMENT DESCRIPTION:**

BEING A PORTION OF THREAD LANE (FORMERLY N. MAIN STREET) HAVING A VARIABLE PUBLIC DEDICATED RIGHT-OF-WAY AS RECORDED IN DEED BOOK 33461, PAGE 869 AND AS SHOWN ON PLANS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, PROJECT NO. U-5908, ALL RECORDED IN THE MECKLENBURG COUNTY REGISTER OF DEEDS; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT A FOUND NCDOT DISC LOCATED ON THE EASTERLY VARIABLE PUBLIC RIGHT-OF-WAY OF NC HIGHWAY 115-N. OLD STATESVILLE ROAD; HAVING N.C. NAD 83(2011) GRID COORDINATES OF N=612,381.57 AND E=1,451,334.77'; THENCE LEAVING SAID NCDOT RIGHT-OF-WAY DISC AND ALONG WITH THE EASTERLY VARIABLE PUBLIC RIGHT-OF-WAY OF NC HIGHWAY 115-N. OLD STATESVILLE ROAD  
N 10°17'06" W A DISTANCE OF 44.06' TO A SET #4 REBAR; SAID #4 REBAR BEING **THE POINT OF BEGINNING**; THENCE ALONG WITH THE THREAD LANE (FORMERLY N. MAIN STREET) RIGHT-OF-WAY ABANDONMENT THE FOLLOWING FOUR (4) CALLS:

1. S 85°52'04" W A DISTANCE OF 25.69' TO A SET #4 REBAR;
2. N 19°17'59" W A DISTANCE OF 14.70' TO A SET #4 REBAR;
3. WITH THE ARC OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 63.62', AN ARC DISTANCE 17.62' AND A CHORD BEARING AND DISTANCE OF N 05°16'37" W 17.56' TO A SET #4 REBAR;
4. N 02°39'21" E A DISTANCE OF 19.66' TO A NCDOT RIGHT-OF-WAY DISC;

SAID NCDOT RIGHT-OF-WAY DISC BEING LOCATED ON THE EASTERLY VARIABLE PUBLIC RIGHT-OF-WAY OF NC HIGHWAY 115-N. OLD STATESVILLE ROAD AND THE TOWN OF HUNTERSVILLE, (DB 33461, PG 869), ALL RECORDED IN THE AFORESAID REGISTRY; THENCE ALONG WITH THE EASTERLY VARIABLE PUBLIC RIGHT-OF-WAY OF NC HIGHWAY 115-N. OLD STATESVILLE ROAD AND THE TOWN OF HUNTERSVILLE, S 72°57'36" E A DISTANCE OF 32.16' TO A SET MAG NAIL; SAID SET MAG NAIL BEING LOCATED ON THE COMMON LINE OF THE EASTERLY VARIABLE PUBLIC RIGHT-OF-WAY OF NC HIGHWAY 115-N. OLD STATESVILLE ROAD, THE TOWN OF HUNTERSVILLE AND THE NORTHERLY VARIABLE PUBLIC RIGHT-OF-WAY LINE OF THREAD LANE (FORMERLY N. MAIN STREET); THENCE ALONG WITH THE COMMON LINE OF THE NORTHERLY VARIABLE PUBLIC RIGHT-OF-WAY LINE OF THREAD LANE (FORMERLY N. MAIN STREET) AND THE TOWN OF HUNTERSVILLE, S 85°19'02" E A DISTANCE OF 22.13' TO A SET MAG NAIL; THENCE LEAVING THE COMMON LINE OF THE NORTHERLY VARIABLE PUBLIC RIGHT-OF-WAY LINE OF THREAD LANE (FORMERLY N. MAIN STREET) AND THE TOWN OF HUNTERSVILLE, S 03°05'46" W A DISTANCE OF 36.55' TO A SET #4 REBAR, SAID #4 REBAR BEING LOCATED ON THE SOUTHERLY VARIABLE PUBLIC RIGHT-OF-WAY LINE OF THREAD LANE (FORMERLY N. MAIN STREET) AND THE TOWN OF HUNTERSVILLE (DB 30204, PG 517), ALL RECORDED IN THE AFORESAID REGISTRY; THENCE ALONG WITH THE COMMON LINE OF THE SOUTHERLY VARIABLE PUBLIC RIGHT-OF-WAY LINE OF THREAD LANE (FORMERLY N. MAIN STREET) AND THE TOWN OF HUNTERSVILLE, S 85°52'04" W A DISTANCE OF 19.69' TO A SET #4 REBAR; SAID #4 REBAR BEING **THE POINT AND PLACE OF BEGINNING**, HAVING AN AREA OF 2,178 SQUARE FEET, OR 0.050 ACRES, MORE OR LESS AND AS SHOWN ON A SURVEY BY PROFESSIONAL PROPERTY SURVEYORS DATED AUGUST 14, 2025.



Approx area to be abandoned.





**STATE OF NORTH CAROLINA**

**COUNTY OF MECKLENBURG PETITION**

**TO THE MEMBERS OF THE BOARD OF COMMISSIONERS OF  
HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA**

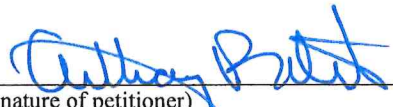
Town of Huntersville (name of petitioner) respectfully files this Petition and requests that (a portion or all of), (name of street or location of alley) Thread Lane (formerly North Main St) lying (general description of location) approx 700LF south of the intersection of Ramah Church Road and NC115, to its former terminus at Thread Ln. as shown on the map attached hereto and made a part hereof marked "Exhibit A", be closed and abandoned in accordance with the provisions of Chapter 160A, Section 299, subsection (a) of the General Statutes of North Carolina.

In support of this Petition, your petitioner respectfully alleges that:

1. (give reason for requested closing) Thread Ln no longer intersects to NC 115 (Old Statesville Rd)
2. The closing of a portion of Thread Ln Street is not contrary to the public interest.
3. No individual, partnership or corporation owning property in the vicinity of Thread Ln Street or in the subdivision in which it is located will be deprived of reasonable means of ingress and egress to his or its property by virtue of the closing.
4. The street (or portion thereof) which petitioner requests be closed and abandoned is more particularly described by interested bounds in "Exhibit B", attached hereto and made a part hereof.
5. The street (or portion thereof), requested to be closed and abandoned has not been previously accepted by the North Carolina Department of Transportation for maintenance.

Wherefore, the petitioner respectfully requests the Board of Commissioners of the Town of Huntersville consider this Petition and set the time for public hearing upon this matter as required by law.

Respectfully submitted the 20 day of Aug, 2025

  
(signature of petitioner)

Anthony Roberts for the Town of Huntersville  
(Print Name)

Address: 101 Huntersville-Concord Rd,  
Huntersville, NC 28070

Telephone Number: 704-766-2201

## RIGHT-OF-WAY ABANDONMENT AGREEMENT OF UNDERSTANDING

The following property owners have parcels that adjoin the public right-of-way

The Town of Huntersville. They hereby indicate, by signature, that they agree with the proposal to abandon that right-of-way. They further understand that once abandoned, a portion of that right-of-way becomes their property. The owners will then be responsible for maintenance and any additional property taxes that may result from the increase in the size of their original parcel.

I understand the statement above and agree with the proposed abandonment.

| Name/Address of Property Owner | Signature | Parcel Number |
|--------------------------------|-----------|---------------|
|--------------------------------|-----------|---------------|

|                             |                                                                                    |                   |
|-----------------------------|------------------------------------------------------------------------------------|-------------------|
| <u>Town of Huntersville</u> |  | <u>019-013-03</u> |
|-----------------------------|------------------------------------------------------------------------------------|-------------------|

|                             |                                                                                    |                   |
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| <u>Town of Huntersville</u> |  | <u>019-012-01</u> |
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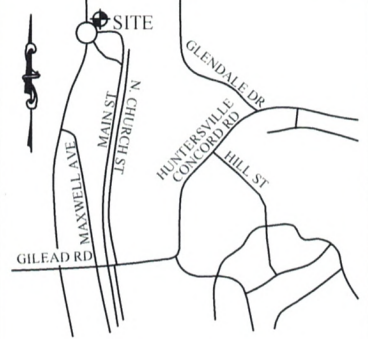


## EXHIBIT A

THE PURPOSE OF THIS PLAT IS TO  
ABANDON THE PUBLIC RIGHT OF WAY  
AND TO RECOMBINE TO  
PID#019-013-03, INTO TRACT 1.

SCALE: 1" = 40'

40 20 0 40

VICINITY MAP  
NOT TO SCALE

019-013-02  
N/F JACALYN NICOLE VANDIVER  
15020 N. OLD STATESVILLE RD.  
HUNTERSVILLE, N.C. 28078  
DB 9777, PG 100

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | N 86°40'59" E | 49.77'   |
| L2   | N 89°55'50" E | 4.00'    |
| L3   | S 04°41'39" W | 12.04'   |
| L4   | S 03°06'37" W | 80.24'   |
| L5   | N 85°19'02" W | 22.13'   |
| L6   | N 72°57'36" W | 32.16'   |
| L7   | N 03°58'04" E | 27.28'   |
| L8   | S 85°52'04" W | 19.69'   |
| L9   | S 85°52'04" W | 25.69'   |
| L10  | N 19°17'59" W | 14.70'   |
| L11  | N 02°39'21" E | 19.66'   |
| L12  | N 10°17'06" W | 12.70'   |

019-013-03  
TOWN OF HUNTERSVILLE  
15006 N. OLD STATESVILLE RD.  
HUNTERSVILLE, N.C. 28078  
DB 33461, PG 869

TRACT 1  
TOTAL AREA  
4,610± SQ. FT.  
0.106± ACRES

TOTAL AREA  
IN ROAD R/W TO BE  
ABANDONED  
2,178± SQ. FT.  
0.050± ACRES

## NOTE:

ABANDONED RIGHT-OF-WAY AREA TO BE  
ADDED TO TRACT 1

## LEGEND

- ⊙ #5 REBAR FOUND
- ✕ ANGLE IRON FOUND
- ▲ NCDOT DISC FOUND
- #4 REBAR SET
- ⊗ MAG NAIL SET

POC POINT OF COMMENCEMENT

POB POINT OF BEGINNING

R/W RIGHT OF WAY

- SUBJECT PARCEL
- - - - - STREET RIGHT OF WAY
- - - - - ADJACENT PARCEL
- - - - - TIE LINE

POC  
NAD 83 (2011)  
N=612,381.57ft.  
E=1,451,334.77ft.  
(GRID COORD.)

019-012-01  
N/F TOWN OF HUNTERSVILLE  
N. OLD STATESVILLE RD.  
HUNTERSVILLE, N.C. 28078  
DB 30204, PG 517

| CURVE | LENGTH | RADIUS   | CHORD  | CHORD BRG     |
|-------|--------|----------|--------|---------------|
| C1    | 78.15' | 4736.50' | 78.15' | N 03°16'27" E |
| C2    | 17.62' | 63.62'   | 17.56' | N 05°16'37" W |

## NOTES

- AREA BY COORDINATE COMPUTATION.
- ALL DISTANCES ARE HORIZONTAL GROUND, IN US SURVEY FEET, UNLESS STATED OTHERWISE.
- SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS-OF-WAY, STREETS AND ASSESSMENTS, AS THE SAME MAY APPEAR OF RECORD IN THE REGISTER OF DEEDS OFFICE, CLERK OF COURT, TOWN OR COUNTY TAX OFFICES, OR WHICH MAY HAVE BEEN ACQUIRED BY PRESCRIPTIVE USE.
- THIS SURVEY IS INTENDED FOR THE PURPOSES OF LEASING AGREEMENT ONLY AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE LANDS SHOWN HEREON.
- NC GRID COORDINATES AS SHOWN HEREON ARE BASED UPON GPS OBSERVATIONS UTILIZING NCGS NETWORK RTK SYSTEM AND ARE REFERENCED TO THE NAD 83(NSRS 2011) DATUM.
- THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.
- THIS SURVEY WAS MADE WITHOUT BENEFIT OF TITLE REPORT OR OPINION AND DOES NOT PURPORT TO SHOW ALL MATTERS OF TITLE THAT A COMPLETE TITLE REPORT MAY REVEAL.

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

WITNESS MY HAND AND SEAL THIS 18<sup>th</sup> DAY OF AUGUST, 2025.

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

THREAD LANE (FORMERLY N. MAIN ST.) RIGHT-OF-WAY ABANDONMENT PLAT

ACROSS THE LANDS OF (OWNER):  
THE TOWN OF HUNTERSVILLE

PARCEL ID: 019-013-03  
AS RECORDED IN DEED BOOK 33461, PAGE 869  
THE TOWN OF HUNTERSVILLE  
MECKLENBURG COUNTY, NORTH CAROLINA  
SURVEY DATE: 5-12-2025; PLAT DATE 08-13-25  
SCALE 1" = 40' SHEET 1 OF 1

Professional  
Property  
Surveyors, Inc.  
18335 Old Statesville Road  
Ste. A, Cornelius, N.C. 28031  
704-765-5134 Phone/Fax  
Firm License: C-3666

|                    |             |
|--------------------|-------------|
| DRAWN BY: BKE      | REVISIONS   |
| DATE: 08/13/25     |             |
| JOB NO. 061422-01X |             |
| SCALE: 1"=40'      | PAGE 1 OF 1 |







## Request for Board Action

September 2, 2025

**To:** The Honorable Mayor and Board of Commissioners

**From:** Kevin Fox, Director of Public Works

**Subject:** Streets Acceptance in the 23XI Race Shop Subdivision

---

### EXPLAIN REQUEST:

It is recommended that the Town of Huntersville accept the streets listed below for maintenance, which are located in the 23XI Race Shop Subdivision.

| Street Name    | From             | To         | Approx.<br>Length |
|----------------|------------------|------------|-------------------|
| Airspeed Drive | Statesville Road | Cul-de-sac | 975-ft            |

### ACTION RECOMMENDED:

Accept streets for Town Maintenance

### FINANCIAL IMPLICATIONS:

Powell Bill

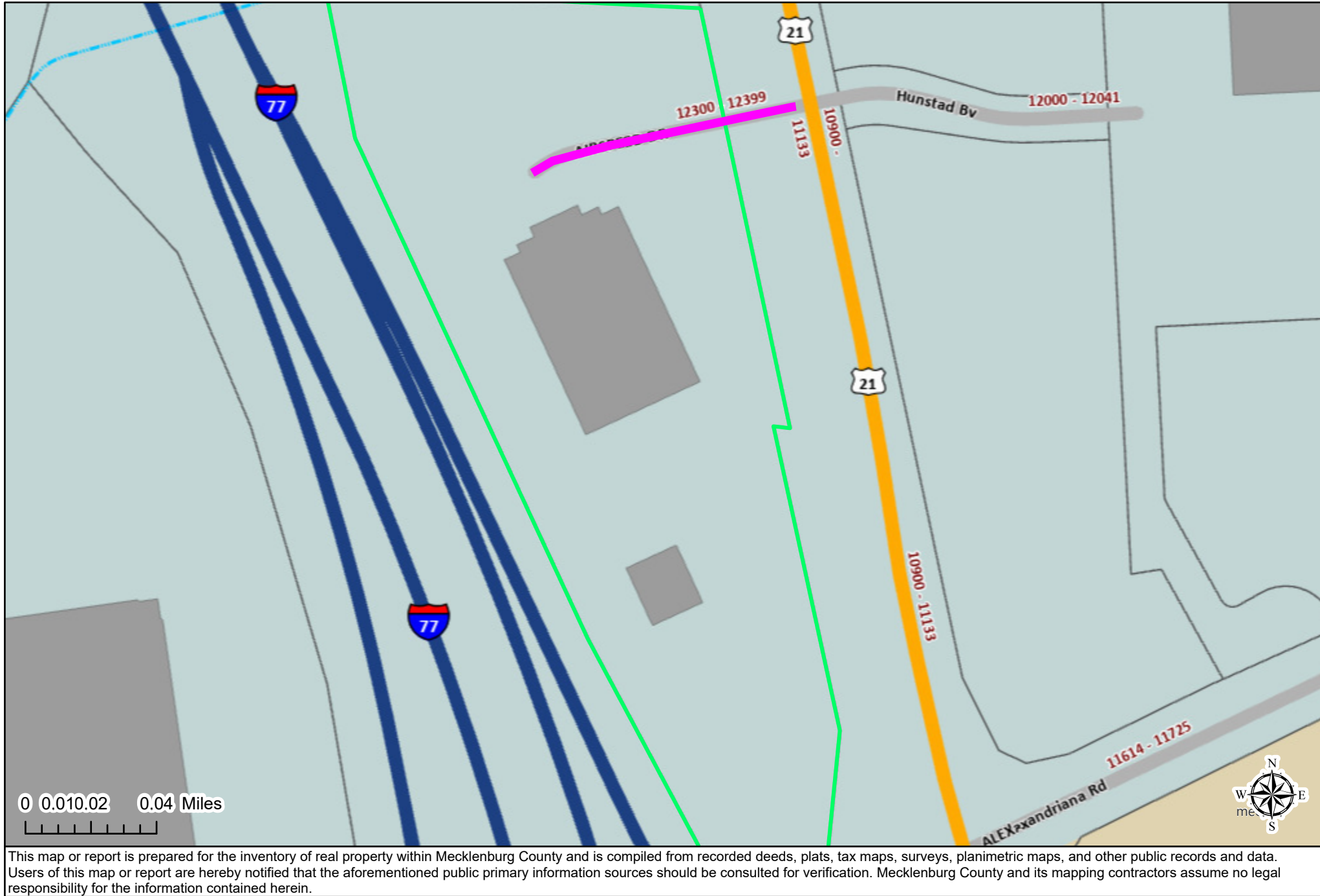
### ATTACHMENTS:

1. 23XI - Map
2. 23XI - Aerial

# Polaris Map – Mecklenburg County, North Carolina

23XI

Date Printed: 5/20/2025 3:31 PM





# Polaris Map – Mecklenburg County, North Carolina

23XI

Date Printed: 5/20/2025 3:32 PM



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## Request for Board Action

September 2, 2025

**To:** The Honorable Mayor and Board of Commissioners

**From:** Kevin Fox, Director of Public Works

**Subject:** Streets Acceptance in Farrington Subdivision Phase 3

---

### EXPLAIN REQUEST:

It is recommended that the Town of Huntersville accept the streets listed below for maintenance, which are located in Phase 3 of the Farrington Subdivision.

| Street Name          | From                                 | To                                 | Approx. Length |
|----------------------|--------------------------------------|------------------------------------|----------------|
| Glenroe Drive        | Approx 180' S of Dunloe Wood Drive   | End of road loop                   | 1575           |
| Adair Crossing Drive | Glenroe Drive                        | Approx 185' S of Dunloe Wood Drive | 500            |
| Dunloe Wood Drive    | Approx 75' S of Tullamore Glen Drive | Approx. 170' S of Glenroe Drive    | 785            |

### ACTION RECOMMENDED:

Accept streets for Town Maintenance

### FINANCIAL IMPLICATIONS:

Powell Bill

### ATTACHMENTS:

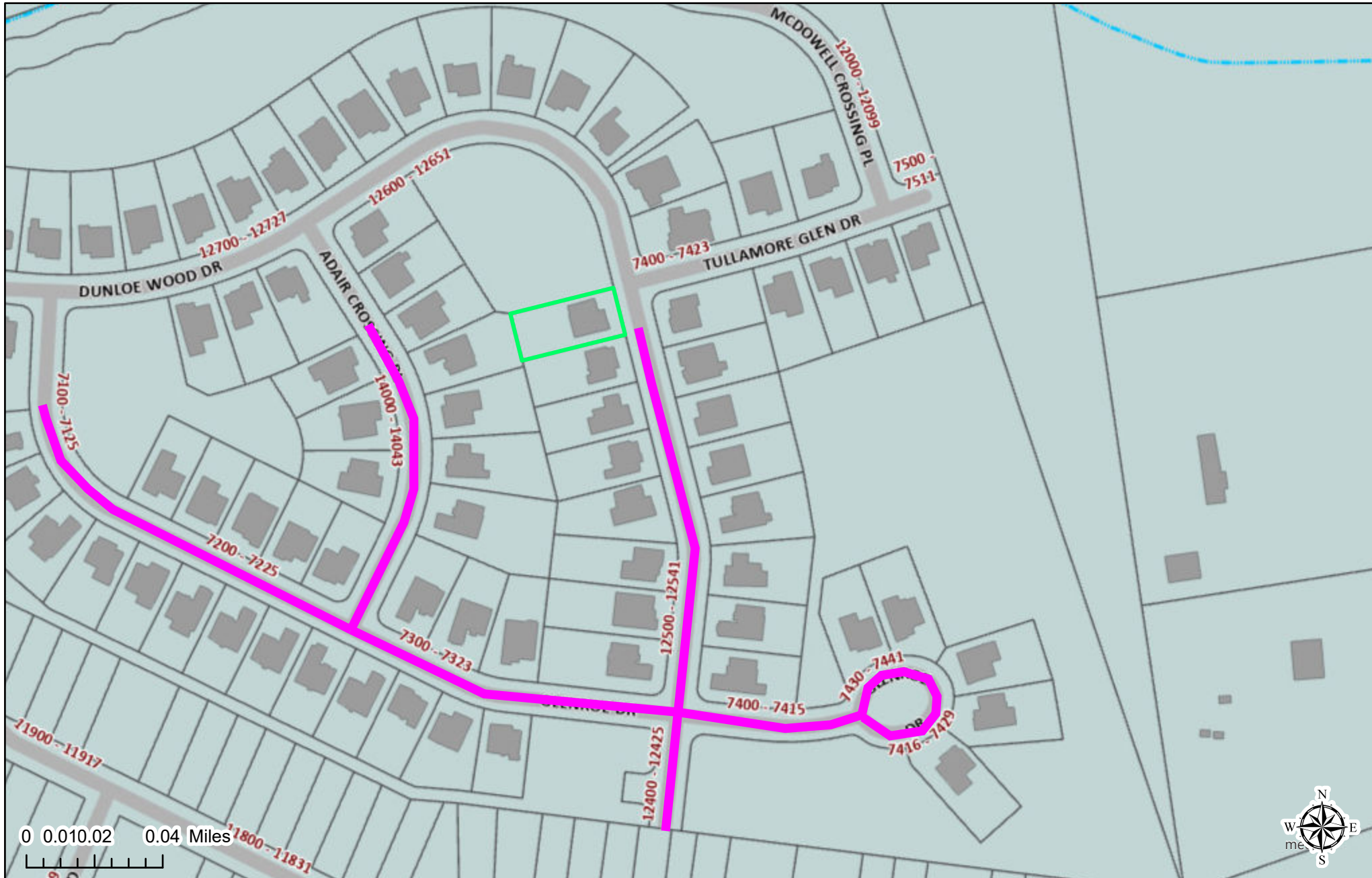
1. Farrington Phase 3 - Map
2. Farrington Phase 3 - Aerial



# Polaris Map – Mecklenburg County, North Carolina

## Farrington Phase 3

Date Printed: 7/16/2025 10:36 AM



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# Polaris Map – Mecklenburg County, North Carolina

## Farrington Phase 3

Date Printed: 7/16/2025 10:38 AM



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## Request for Board Action

September 2, 2025

**To:** The Honorable Mayor and Board of Commissioners

**From:** Kevin Fox, Director of Public Works

**Subject:** Streets Acceptance in Phase 8 - Map 1 of the Walden Subdivision

---

### EXPLAIN REQUEST:

It is recommended that the Town of Huntersville accept the streets listed below for maintenance, which are located in Phase 8 – Map 1 of the Walden Subdivision.

| Street Name         | From                               | To                                      | Approx. Length |
|---------------------|------------------------------------|-----------------------------------------|----------------|
| Saddle Branch Drive | Casabella Drive                    | Chopin Ridge Road                       | 390            |
| Chopin Ridge Road   | Approx. 150-ft N of Ravenall Drive | Approx. 85-ft N of Saddle Branch Drive  | 560            |
| Casabella Drive     | Approx. 210-ft N of Ravenall Dive  | Approx. 135-ft N of Saddle Branch Drive | 455            |

### ACTION RECOMMENDED:

Accept streets for Town Maintenance

### FINANCIAL IMPLICATIONS:

Powell Bill

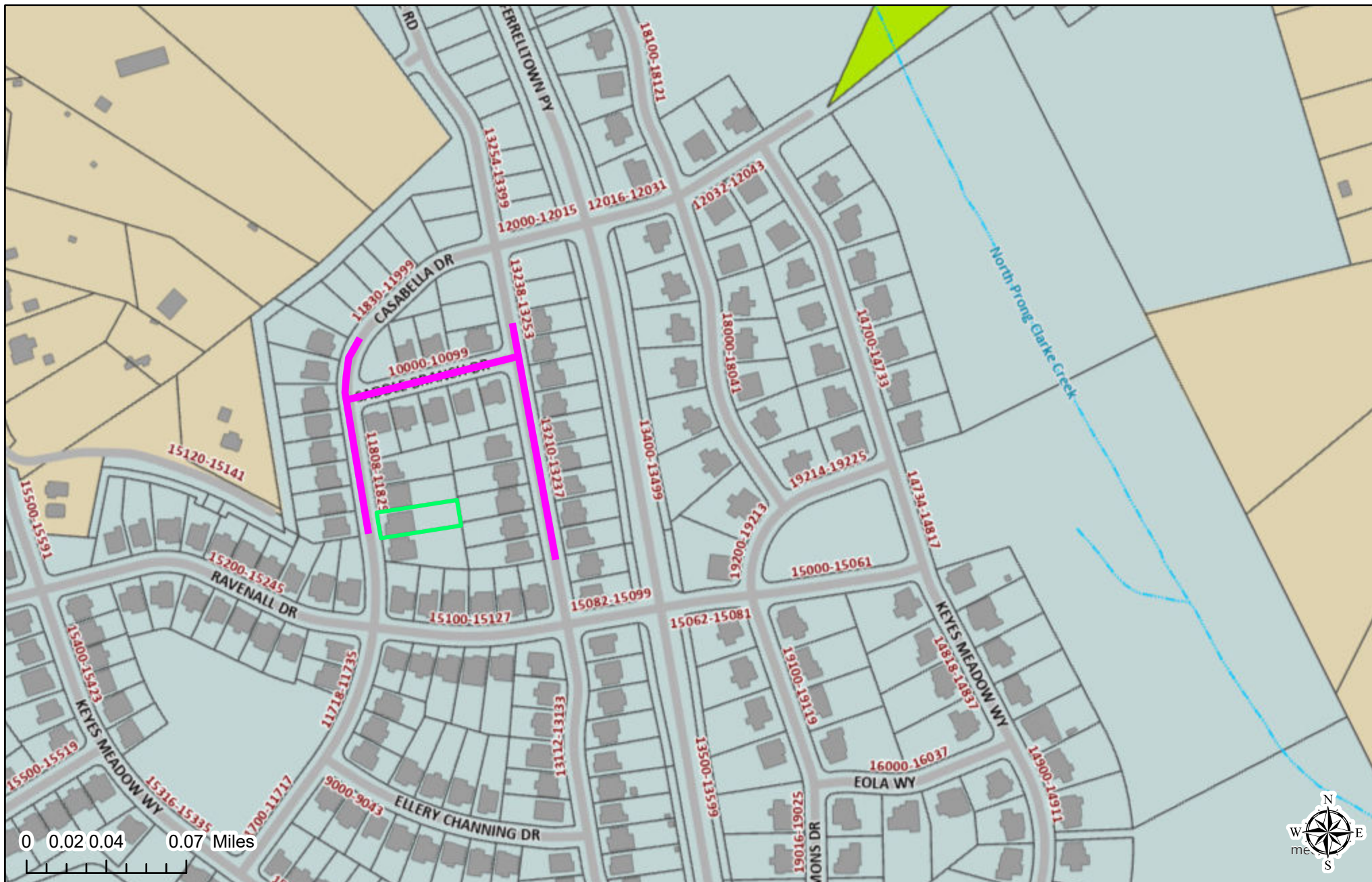
### ATTACHMENTS:

1. Walden Phase 8 Map 1 - Map
2. Walden Phase 8 Map 1 - Aerial

# Polaris Map – Mecklenburg County, North Carolina

## Walden Phase 8 Map 1

Date Printed: 7/28/2025 11:12 AM



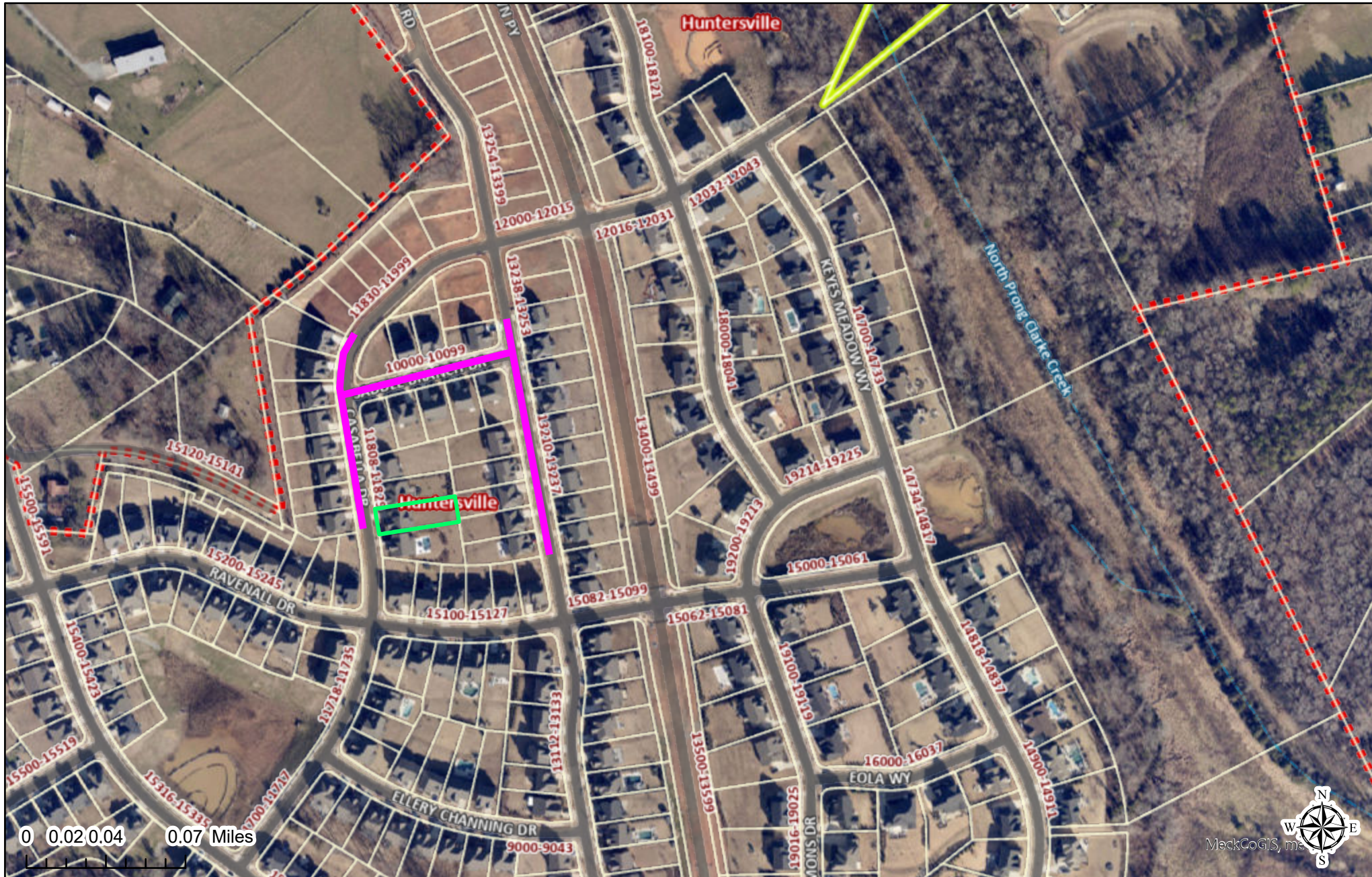
This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.



# Polaris Map – Mecklenburg County, North Carolina

## Walden Phase 8 Map 1

Date Printed: 7/28/2025 11:12 AM



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## Request for Board Action

September 2, 2025

**To:** The Honorable Mayor and Board of Commissioners

**From:** Kevin Fox, Director of Public Works

**Subject:** Street Acceptance in Bryton Corporate Center Phase 2

---

### EXPLAIN REQUEST:

It is recommended that the Town of Huntersville accept the street listed below for maintenance, which is located in Phase 2 of the Bryton Corporate Center subdivision.

| Street Name | From                          | To                  | Approx. Length |
|-------------|-------------------------------|---------------------|----------------|
| Weller Way  | Bryton Corporate Center Drive | Everette Kieth Road | 720            |

### ACTION RECOMMENDED:

Accept Street for Town Maintenance

### FINANCIAL IMPLICATIONS:

Powell Bill

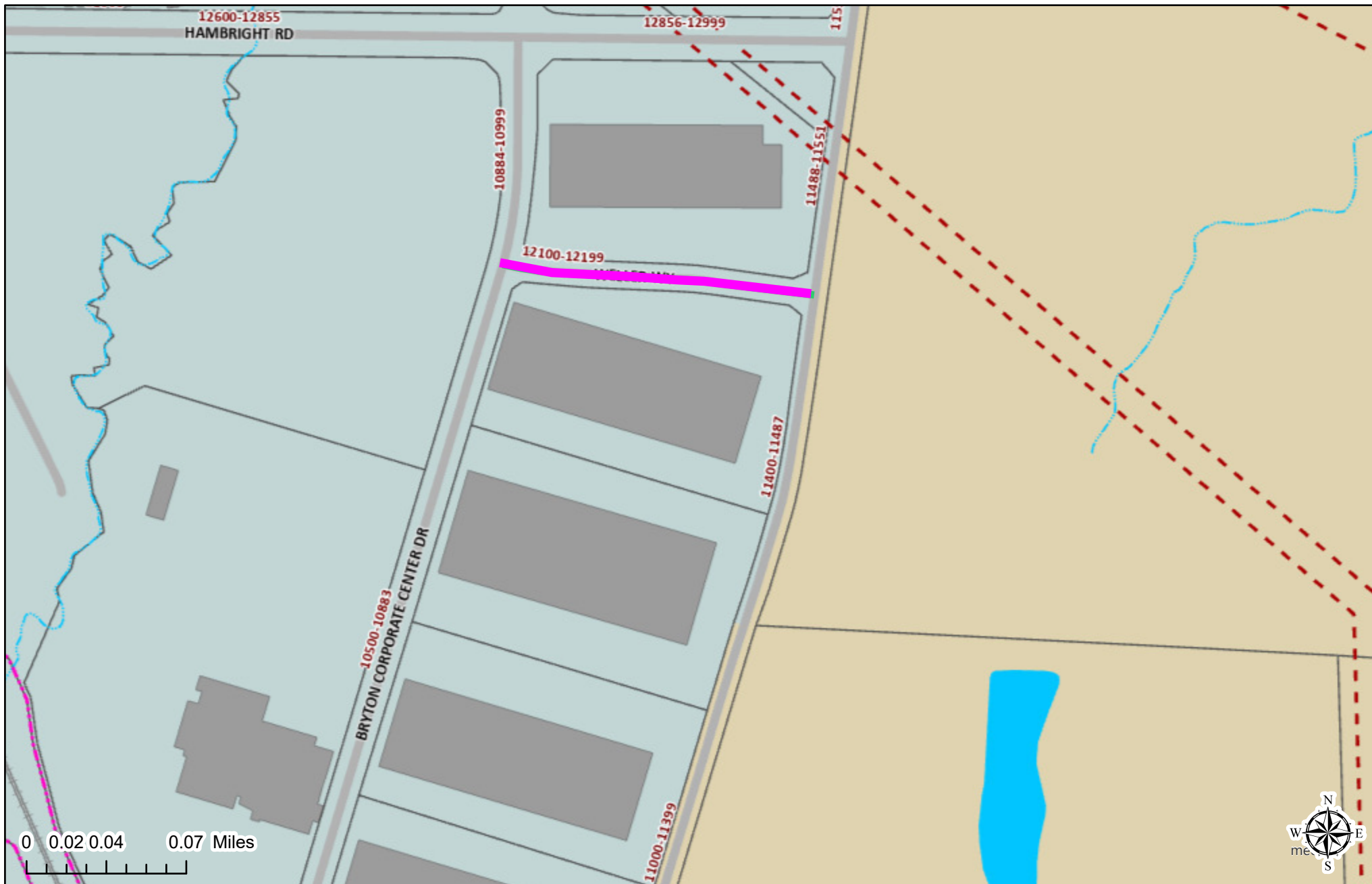
### ATTACHMENTS:

1. Bryton Corp Center Ph2 (Bldg. D,E,F) Weller Way - Map
2. Bryton Corp Center Ph2 (Bldg. D,E,F) Weller Way - Aerial

# Polaris Map – Mecklenburg County, North Carolina

## Bryton Corp Center Ph2 (Bldg. D, E, F)

Date Printed: 8/22/2025 3:57 PM



This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.



# Polaris Map – Mecklenburg County, North Carolina

## Bryton Corp Center Ph2 (Bldg. D, E, F)

Date Printed: 8/22/2025 3:58 PM



This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.



## **Request for Board Action**

September 2, 2025

**To:** The Honorable Mayor and Board of Commissioners

**From:** Lora Mastrofrancesco, Transportation Engineer/Project Manager

**Subject:** Call a Public Hearing for Traffic Calming on Maple Branch Dr

---

### **EXPLAIN REQUEST:**

Approve Call for Public Hearing

### **ACTION RECOMMENDED:**

Approve Call for a Public Hearing for Maple Branch Dr Traffic Calming

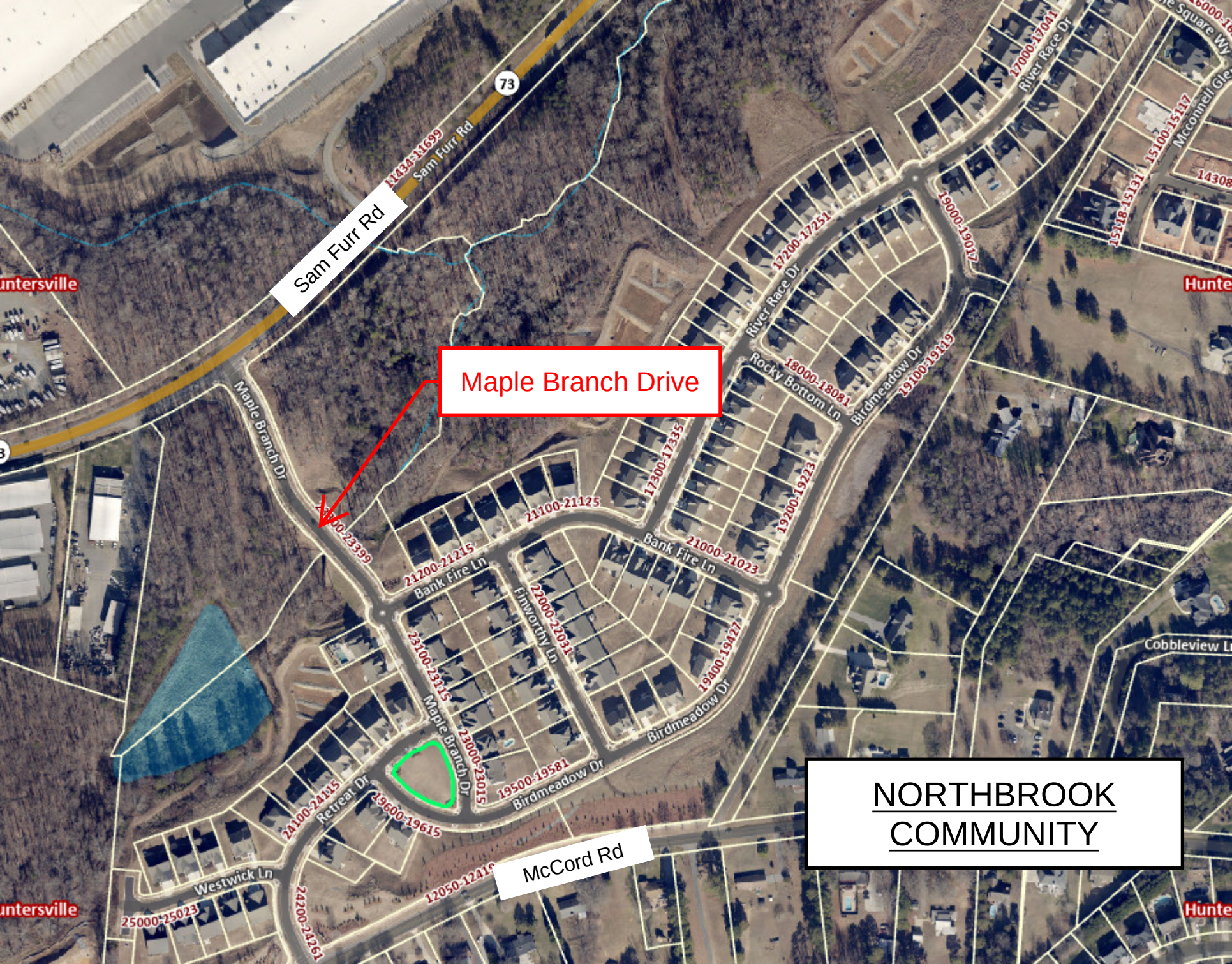
### **FINANCIAL IMPLICATIONS:**

N/A

### **ATTACHMENTS:**

1. Northbrook Sub - Maple Branch Dr map





Sam Furr Rd

Maple Branch Drive

NORTHBROOK  
COMMUNITY

McCord Rd





## Request for Board Action

September 2, 2025

**To:** The Honorable Mayor and Board of Commissioners

**From:** Nathan Farber, Senior Planner

**Subject:** Public Hearing on Petition #R25-08 Second Street Village

---

### **EXPLAIN REQUEST:**

Petition #R25-08 is a request by Jay Henson to rezone +/- 4.799 acres located at 204 N Church St (Parcel IDs 01903302, 01903310, 01903306, 01903315, 01902136, 01902137, 01902138, 01902126, 01902133, 01902128, 01902129, 01902135, 01902134, 01902125, 01902124) from Neighborhood Residential to Neighborhood Residential with a Conditional District. The purpose of the rezoning is to develop a residential apartment, and a single family attached (townhome) development.

### **ACTION RECOMMENDED:**

Conduct public hearing.

### **FINANCIAL IMPLICATIONS:**

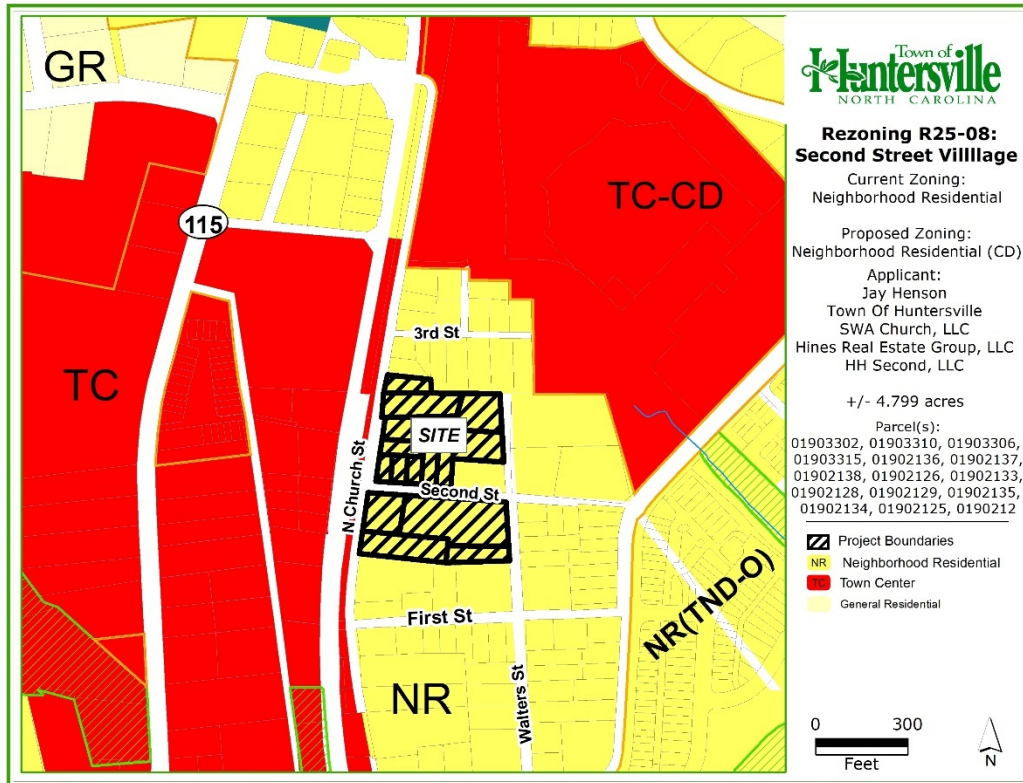
N/A

### **ATTACHMENTS:**

1. R25-08 Second Street Village - PH - 9-02-25
2. 1. Rezoning Application
3. 2. R25-07 Rezoning Plan
4. 3. Neighborhood Meeting Report
5. 4. Engineering Report
6. 5. TIA Determination
7. 6. 2nd Street Purchase Agreement

## Petition R25-08 Second Street Village Conditional Rezoning

### PART 1: PROJECT SUMMARY



**Applicant:** Jay Henson and  
Brian Hines

**Property Owner:** Town of  
Huntersville, HH Second LLC,  
SWA Church LLC, Hines Real  
Estate Group LLC,

**Property Address:** 204 N  
Church St

**Project Size:** (+/-) 4.799 acres

**Parcel Numbers:** 01903302,  
01903310, 01903306,  
01903315, 01902136,  
01902137, 01902138,  
01902126, 01902133,  
01902128, 01902129,  
01902135, 01902134,  
01902125, 01902124

**Current Zoning:**  
Neighborhood Residential (NR)

**Current Land Use:** Single  
Family Residential and Vacant

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

**Proposed Land Use:**  
Residential Apartment and  
Single Family Attached  
(townhome)

1. Purpose: Petition #R25-08 is a request by Jay Henson to rezone +/- 4.799 acres located at 204 N Church St (Parcel IDs 01903302, 01903310, 01903306, 01903315, 01902136, 01902137, 01902138, 01902126, 01902133, 01902128, 01902129, 01902135, 01902134, 01902125, 01902124) from Neighborhood Residential to Neighborhood Residential with a Conditional District. The purpose of the rezoning is to develop a residential apartment, and a single family attached (townhome) development.
2. Adjoining Zoning and Land Uses.
  - North: Neighborhood Residential. Existing Single Family Residential. Vacant Land
  - South: Neighborhood Residential and Neighborhood Residential Conditional District. Existing Single Family Residential. First and Church Townhome development.
  - East: Neighborhood Residential. Existing Single Family Residential. Church.



West: Town Center. North Church Street and Rail Line.

3. A neighborhood meeting was held on Thursday, July 31st, 2025. The invitation list, invitation, attendance list, and summary of the meeting are included in the agenda packet for review. Several adjacent property owners attended the meeting to discuss the potential project and ask questions of the applicant.
4. Planning staff certifies that notice for this rezoning petition was sent via a postcard to adjoining property owners; a legal ad was placed in the Charlotte Observer; and posting of a rezoning sign along Church St and Second St in front of the properties.

## Rezoning Plan:



## PART 2: REZONING/SITE PLAN

### Site Plan Description:

Staff have reviewed two sets of plans and returned one set of comments to the applicant prior to the agenda deadline for the public hearing. The items listed below are site plan descriptions and issues that currently need to be addressed.

- The applicant is proposing to develop a residential development that consists of both a 15-unit Co-op apartment and 61 townhomes, which will be made up of two story and three story units.

- The density of the development will be 76 units on 4.799 acres = 15.8 units per acre.
- Access: The site will have multiple access points to N. Church St, Second Street, Walters St, and a connection point to the recently approved 1<sup>st</sup> and Church St Townhome project. The applicant is proposing to use permeable pavers for the Woonerf, Alleys, and Parking. Additionally, the townhome units and the apartment will have pedestrian access to the street or urban open space.
- Frontage: The Townhomes and Apartment building along North Church St will front along a required 12' side path (Future Seam Trail) and the planting strip will be concrete with landscaped tree wells. This frontage will match the recently approved 1<sup>st</sup> and Church St Townhome project frontage. The Townhomes and Apartment Building along Second street will front on a 5' sidewalk and 7' planting strip. The remaining Townhomes will front on several different Urban Open Spaces which will be discussed below.
- Parking: The development is required to provide 1.5 parking spaces per unit since all units are assumed to have more than one bedroom. The total parking spaces required for the project is 115 spaces, while the development is providing 128 spaces. See the chart below, as provided on the site plan, detailing the breakdown of spaces between the apartment and townhomes. The spaces are provided through a combination of surface parking lots, Townhomes with one and two car attached and detached garages, and on-street parking. Please see the modification request for the detached garages below.

|                                                                               |                                                |
|-------------------------------------------------------------------------------|------------------------------------------------|
| PARKING (ANTICIPATED PARKING-SEE USES UNDER GENERAL NOTES FOR ALLOWABLE USES) |                                                |
| APARTMENT BUILDING: 15 UNITS                                                  |                                                |
| 1.5 SPACES PER UNIT = 23 SPACES REQUIRED   25 SPACES PROVIDED (2 ADA SPACES)  |                                                |
| TOWNHOMES: 61 TOTAL UNITS                                                     |                                                |
| 61 UNITS AT 1.5/UNIT= 92 SPACES REQUIRED   103 SPACES PROVIDED                |                                                |
| 39 UNITS HAVE 2 CAR GARAGE (78 SPACES)                                        |                                                |
| 22 UNITS HAVE 1 CAR GARAGE (22 SPACES)                                        |                                                |
| 3 ON-STREET PARKING SPACES                                                    |                                                |
| TOTAL REQUIRED FOR PROJECT                                                    | 115 SPACES   TOTAL PARKING PROVIDED 128 SPACES |

- Tree Save: The Ordinance requires NR zoned districts to provide 10% tree canopy and specimen save. The applicant exceeds the specimen save requirement with 3 specimen trees or 12% of the existing specimen trees. The applicant is proposing to save 25% of the tree canopy by counting the 3 specimen trees saved towards their total. The ordinance allows 150% of the canopy of each specimen tree to count towards the required tree save area. Three large specimen trees are being removed for ROW improvements being made and were not counted in the tree save calculations.

#### Rezoning Site Plan Issues:

- Build-To Line and Setbacks: The ordinance requires a build-to line of 10'-25' ft and allows a build-to line up to 0' in urban conditions. The Townhome units build-to lines will vary depending on location. Each townhome unit will feature a "front yard" that is surrounded by a wall or fence. The rear setbacks of the townhome units vary from in size to a minimum of 7'. Please see the modification request below regarding the rear setbacks.
  - Staff Comment: Staff need the exact build-to-lines and rear setbacks proposed for both the apartment and townhomes. Additionally, the individual lot lines for each unit need to be shown on the site plan.
- Affordable Housing: The applicant purchased 1.68 acres made up of three parcels (PIDs 01903310, 01903306, and 01903315) from the Town of Huntersville. As part of the purchase agreement the Applicant must improve a portion of these parcels for non-profit to provide 15 affordable housing units for persons earning no more than 120% of the local area median income.
  - The applicant would be required to provide 24 parking spaces, a graded pad of at least 7,000 square feet, and install all required stormwater and drainage facilities as part of this overall development.
  - The applicant would have seven years to donate this improved land to a non-profit or the land would revert back to the Town of Huntersville ownership.

- Staff Comment: Staff Recommends a note be added to the site plan stating the projects intent for Affordable Housing at the site of the proposed Apartment building. Currently the apartment is labeled as a Co-Op building.
- Architectural Elevations: The applicant has provided elevations for the proposed Townhomes and the Apartment.
  - The applicant has stated that the site plan and elevations are conceptual in nature and states minor modifications may occur after the rezoning is approved. Staff recommend using the following language when applicants ask for flexibility: "The proposed improvements shown on the rezoning plan are schematic in nature. The exact locations and architecture of the units and buildings may be modified, as approved by Planning staff, during the design, engineering, and construction phases of the development so long as such modifications are within the boundaries of the conditional district rezoning and compatible and in harmony with the general layout of the rezoning plan." This language ensures that general consistency with the rezoning plan is provided.
- Urban open space is required by Article 7 Part B of the Zoning Ordinance within a ¼ mile of the units. Due to the size of the overall project only one urban open space is required. The applicant is proposing six (6) separate urban open spaces. Townhomes that do not front on a public street are permitted by Article 8.1.4 to front on a urban open space, which is part of the reason the applicant has included so many urban open spaces. The applicant is proposing to include a Park, two Pedestrian Passageway, two Woonerfs, and a Green.
  - Green: The applicant is proposing a Green to the North of the property which will include an open grass area that is enclosed by wide walking paths, gathering spaces with benches and vegetation, a Woonerf and Alley, and Townhomes.
  - Pedestrian Gathering Space: The applicant is proposing two Pedestrian Gathering Spaces, each located directly in front of a row of townhomes so they can meet frontage requirements. The space will include a narrow walking path surrounded by benches and landscape materials.
  - Park: The applicant is proposing a park at the corner of Second St and Walters St that will act as a green. The park will be surrounded by pedestrian walkways, benches and shrubs and trees. The applicant is planning on saving some of the existing trees on site and incorporating them into the border of the park. The site plan states that the applicant will develop, install sidewalks and benches, and then donate the land within the sidewalk to the town as a town park.
    - Staff Comment: Staff need further details and communication between the applicant and the Town Parks and Recreation department to verify that this is feasible.
  - Woonerf: The applicant is proposing two separate Woonerfs, made up of brick pavers, that will provide through access from Walters St to N. Church St. A woonerf is an access way where the primary use is by pedestrian and bicycles with the secondary use being vehicles.
    - Staff Comment: Staff recommends adding elements like landscaping, lighting and/or street furniture to better differentiate the Woonerf from the connected brick paver alleys brick. The purpose of this request is so pedestrian users feel invited and comfortable with using these spaces. Currently the Woonerf to the North ends at a private alley and it would need to continue all the way to N. Church St, so a full connection is created across the development. Additionally, the applicant should place the Woonerfs within an easement that allows public access. Without public access the Woonerf essentially acts as an Alley.
- Building Height: The height of the apartment building needs to be provided. See below for the modification request regarding the proposed townhome heights below.
- Permeable Pavers/ Stormwater: The applicant is proposing to use a permeable paver system for their stormwater requirements. Please see the attached Engineering Staff Report for further information regarding the outstanding issue related to the proposed permeable paver system.
  - Staff Comment: Staff cannot support the project until all stormwater issues are resolved.

- **Modifications:**

1. **Yard Tree's:** Article 7.7.3(a) requires a set number of front and rear yard trees to be provided depending on lot sizes. The applicant is requesting to only provide the required yard trees where practical.
  - **Staff Comment:** Staff is in support of this modification request as the current yard tree requirements were designed for suburban settings not for limited build-to line setbacks of attached housing in an urban setting. The small front setback would require trees to be too close to the home and the sidewalk which would be too close for healthy plantings. While there will be no front yard trees there will be street trees and trees associated with the urban open spaces the townhomes will be fronting. Additionally, the applicant has shown that rear yard trees will be provided when enough room is allowed.
2. **Attached Housing Percentage:** Article 3.2.4(d)3 of the Zoning Ordinance states that in major subdivisions the aggregate number of dwelling units contained in attached houses and apartments shall not exceed 30 percent. The applicant is requesting to have 100 percent of the units attached.
  - **Staff Comment:** Staff is in support of this modification request as this complies with the 2040 Land Use Plan Downtown Policies and with the downtown development guidelines of the Downtown Master Plan. The Downtown Master Plan calls for this corner to be made up of multifamily housing (apartment and attached house) that is between 2 and 3 stories tall. The proposed attached housing type provides a massing and scale that is a good transition (2040 Community Plan Policy DT-2) between the existing single-family homes and the future goals of the Downtown Master plan. This location is also directly next to recently approved townhome development and a future rail stop which makes higher density more appropriate.
3. **Buffer Reduction:** Article 7.5.3 of the Zoning Ordinance requires a buffer of 40' when the density of the subdivision will be two times greater than the surrounding development. The applicant is requesting to remove the required 40' buffer on the north and south side of the development.
  - **Staff Comment:** Staff is in support of this modification request as the project fits the higher density characteristics of the 2040 Plans Town Center Land Use Area (see policies in support of the project below) and the Downtown Master Plan.
    1. The Downtown Master plans conceptual vision provides goals and a potential layout for a higher density residential area. The zoning ordinance required 40' buffer would directly limit the realization of the downtown plan and potentially prohibit a more connected neighborhood in the future.
    2. Adjacent development is also located in the higher density vision areas of the 2040 Plan and the Downtown Master Plan. The relief from the 40' buffer would meet the characteristics of our future plan's goals.
    3. While a buffer would not be provided at the northern property line the topography and proposed urban open space will "buffer" or separate most of the proposed townhomes by ~15' at least and ~45' at the most. The townhomes along the southern property line will be separated by a woonerf and associated landscaping.
4. **Rear Setbacks:** Article 4.11 Lot Type / Attached House of the Huntersville Zoning Ordinance states that Attached Garage house types must have a 35' Minimum rear setback. The applicant is requesting to use a 14' rear setback from the rear alley and parking. The applicant is also proposing several detached garage townhome units which would require a reduction in the required 20' spacing for detached garage units.
  - **Staff Comment:** Staff is in support of this modification request as it is consistent with detached garage minimum setbacks and reduces the need for excess impervious. Instead of an elongated driveway for parking, the subdivision will have attached garages and

additional parking spaces provided along the alleys. Staff would ask that the applicant clearly show each lot's proposed setback, as it appears some setbacks would be less than or greater than the requested 14'. This modification request needs to be revised to clearly show what setback or range of setbacks is needed. This request would not affect staff's support, as all the requested setbacks would still be less than 35'.

5. Attached House Building Height: Article 4.12 Building Type / Attached House of the Huntersville Zoning Ordinance states that attached building types cannot be taller than 30'. The building height is measured from the finished grade relative to the street frontage, up to the eaves. The applicant is requesting to allow a max height of 33'.
  - **Staff Comment:** Staff is in support of this modification request as it is consistent with the Downtown Master Plan. The Downtown Master Plan calls for the block below second street to be made up of multifamily housing (apartment and attached house) and the block above second street to be made up of multifamily housing (attached house and single family). Within both blocks the Downtown plan calls for building height ranges of 2-3 stories, which is consistent with the requested 33'. The apartment building type calls for a max height of 36'. The site plan shows that a mix of 2-3 story townhomes will be used, with the majority of the 3 story units being situated south of Second Street.
6. On-Street Parking (Modification must be added to site plan): Article 5.5(d)3 of the Zoning Ordinance requires on-street on one side of the street when using the attached housing type. The applicant is proposing to not provide on street parking for any street frontage for the apartment or Townhomes. Three on-street parking spaces are being provided in front of the park along Second Street but these do not count towards this requirement.
  - **Staff Comment:** Staff is in support of this modification request as the applicant will exceed the required parking requirements on site by 13 spaces.

### PART 3: TRANSPORTATION ISSUES

#### Traffic Impact Analysis (TIA)

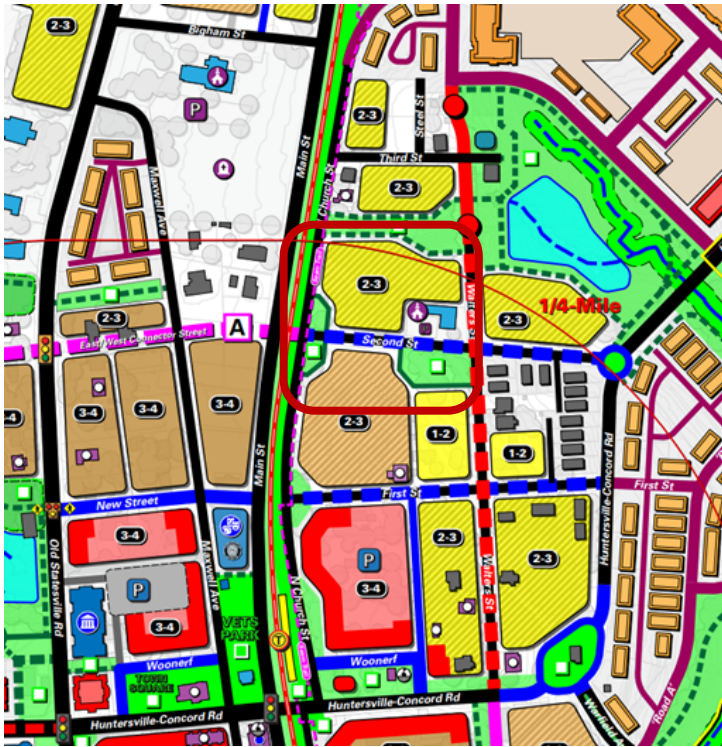
- A Town TIA for the proposed project is not required as it did not generate the trip thresholds needed for an analysis. Please find the TIA Determination and an Engineering memo from Engineering attached in the agenda packet.

### 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".

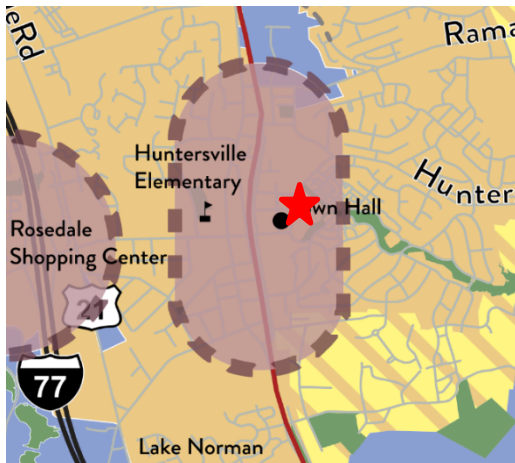


## Downtown Master Plan:



| BLOCK TYPES                                                                        |                                                                      |                                                                                                         |                                                                                                   |
|------------------------------------------------------------------------------------|----------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| <span style="background-color: #f8d7da;"> </span> MIXED-USE - A:                   | COMMERCIAL                                                           | <span style="background-color: #d1ecf1;"> </span> CIVIC - A:                                            | GOVERNMENT                                                                                        |
| Building Types:                                                                    | URBAN WORKPLACE<br>SHOPFRONT BUILDING<br>APARTMENT<br>MIXED-USE (NR) | Building Types:                                                                                         | CIVIC                                                                                             |
| <span style="background-color: #fff3cd;"> </span> MIXED-USE - B:                   | RESIDENTIAL                                                          | <span style="background-color: #d1ecf1;"> </span> CIVIC - B:                                            | CHURCH                                                                                            |
| Building Types:                                                                    | SHOPFRONT BUILDING<br>APARTMENT<br>ATTACHED HOUSE<br>MIXED-USE (NR)  | Building Types:                                                                                         | CIVIC                                                                                             |
| <span style="background-color: #fff3cd;"> </span> RESIDENTIAL - A:                 | MULTI-FAMILY                                                         | <span style="background-color: #d1ecf1;"> </span> CIVIC - C:                                            | SCHOOL                                                                                            |
| Building Types:                                                                    | APARTMENT                                                            | Building Types:                                                                                         | CIVIC                                                                                             |
| <span style="background-color: #fff3cd;"> </span> RESIDENTIAL - B:                 | MULTI-FAMILY                                                         | <span style="background-color: #fff3cd;"> </span> RESIDENTIAL - D:                                      | MULTI-FAMILY + SINGLE FAMILY                                                                      |
| Building Types:                                                                    | APARTMENT<br>ATTACHED HOUSE                                          | Building Types:                                                                                         | ATTACHED HOUSE<br>DETACHED HOUSE                                                                  |
| <span style="background-color: #fff3cd;"> </span> RESIDENTIAL - C:                 | MULTI-FAMILY                                                         | <span style="background-color: #fff3cd;"> </span> RESIDENTIAL - E:                                      | SINGLE FAMILY                                                                                     |
| Building Types:                                                                    | ATTACHED HOUSE                                                       | Building Types:                                                                                         | DETACHED HOUSE                                                                                    |
|                                                                                    |                                                                      | <span style="background-color: #fff3cd;"> </span> RESIDENTIAL - F:                                      | SINGLE FAMILY INFILL + ADU                                                                        |
|                                                                                    |                                                                      | Building Types:                                                                                         | DETACHED HOUSE<br>ADU                                                                             |
| BLOCK FEATURES                                                                     |                                                                      |                                                                                                         |                                                                                                   |
| <span style="border: 1px solid black;">XX</span> PROPOSED BUILDING HEIGHTS (RANGE) |                                                                      | <span style="border-bottom: 2px solid red;"> </span> PROPOSED ACTIVE FRONTS                             |                                                                                                   |
| <span style="background-color: #d6d8db;"> </span> EXISTING STRUCTURES              |                                                                      | <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">P</span> SURFACE LOT           | <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">P</span> STRUCTURED DECK |
|                                                                                    |                                                                      | <span style="background-color: #d6d8db;"> </span> OFF-STREET PARKING: MIXED-USE/SHARED (PUBLIC/PRIVATE) |                                                                                                   |

## 2040 Huntersville Community Plan – “Town Center and Mixed-Use Center”



### Mixed-Use Centers

Mixed-Use Centers contain vertical mixed-use along key frontages. New development includes wide sidewalks, buildings are close to the street with high levels of transparency, and parking is located in the rear. A mix of housing is allowed, including urban options throughout (apartments, townhomes, cottage homes, etc.). Downtown has specific requirements for streetscape and development intensity, including a maximum first floor footprint.

### Town Core

The Town Core designation includes a variety of neighborhoods containing a mix of residential housing 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 that 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.

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

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



- **STAFF COMMENT:** The property proposed is in the Town Center and Mixed-Use Center Character Areas of the Huntersville 2040 plan as shown above. The proposed residential apartment and townhomes introduces a new housing type within the surrounding properties which fits in with Town Centers call for mixed housing types and higher density.
- **Policy LU 2.1:** Higher intensity residential uses will be focused generally within two miles of the I-77/ NC-115 corridor and future activity centers in the eastern and western areas of Huntersville's zoning jurisdiction.
  - **STAFF COMMENT:** The proposed development is a higher intensity residential use that will be within the two mile I-77/NC-115 corridor and within the higher density Town Center Character Area.
- **Policy LU 5.1:** Allow more intense development only where transportation infrastructure and utilities already exist.
  - **STAFF COMMENT:** While the Red Line does not currently exist, the future Downtown Red Line Station is planned to be in close proximity to the rezoning site.
- **Policy LU 5.3:** Encourage infill development opportunities to increase housing options with proximity to nearby services, shopping, employment opportunities, and transit stations.
  - **STAFF COMMENT:** The development would increase housing density within the ¼ mile radius of Huntersville's downtown and the downtowns services, shopping, current bus line, and future Red Line access.
- **Policy LU 7.1:** In Town Core, streets and sidewalks are meant to be attractive and inviting.
  - **STAFF COMMENT:** The current plan will provide new pedestrian connectivity within the downtown. Church Street will include a 12' side path that will eventually be part of the Seam Trail while Second Street will provide a 6' sidewalk. In addition to Townhomes fronting the streets the Church Street cross section will see the inclusion of a concrete hardscape amenity zone with vegetated street tree wells to serve as a buffer between pedestrians and vehicles. This will provide a more attractive streetscape that is above and beyond the minimum standards. Additionally, the applicant is proposing two woonerfs to provide additional east – west multipurpose connections to the neighborhood.
- **Policy LU 8.2:** Evaluate and strengthen incentives to encourage the achievement of higher design standards.
  - **STAFF COMMENT:** This policy does support the project as the project is going above and beyond the ordinance and providing high quality design elements such as:
    - More than the required urban open spaces.
    - Urban open spaces that provide increased amenitized pedestrian areas for both the residents and the community at large.
    - A public side path and hardscaped area along Church St that meets the urban goals of the Downtown Master plan and provide increased space for pedestrian utilization.
    - New pedestrian connections within the ¼ downtown radius.
- **Policy LU 9.1:** Residential design principles
  - **STAFF COMMENT:** This policy recommends residential to front a public street or open space. These principles emphasize the architecture of the home, encourage outdoor interaction in the front of the home, and decrease the visual focus on plain garage doors. The project proposes to have an apartment and townhomes that front on a public street and amenitized urban open spaces with an emphasis on the pedestrian streetscape by placing the garages in the rear with alley or woonerf access.
- **Policy DT 1.2:** Encourage a mix of uses in Downtown Tier 1 Areas.
  - **STAFF COMMENT:** The proposed building type, apartment and attached residential, provides a mix of housing types to the currently mostly single-family area of the Tier 1 downtown area. Additionally, the inclusion of townhome is consistent with the approved townhome development to the south, both of which will be connected. This type of housing follows the Downtown Master Plan by providing a higher density housing type which is vital for supporting the active areas within the Downtown Master Plan.
- **Policy DT 2:** Step down in intensity and density near established residential neighborhoods.

- STAFF COMMENT: The proposed housing type, apartment and townhomes, is a supported housing type for providing a good transition between new development and existing lower intensity housing types. The development positions the apartment next to the proposed townhomes and the existing townhome development to the south so a natural step down in intensity is positioned away from existing single-family homes.
- **Policy DT 3.1**: Consider participation in public-private partnerships to facilitate the redevelopment of key properties.
  - STAFF COMMENT: The proposed development has an agreement with the Town of Huntersville to ready a portion of the project for affordable housing. The agreement would potentially provide 15 affordable units on what was town owned property.
- **Policy DT 6**: Create connected, safe, and engaging streetscapes that serve multiple uses.
  - STAFF COMMENT: The applicant is required to provide the 12' Seam Trail sidepath along Church St. Next to this path, the applicant is providing an upgraded hardscaped planting strip that will benefit the neighborhood aesthetically while also providing additional space for pedestrians. Additionally, the applicant is providing two woonerfs that are designed for pedestrians, bikers, and cars to use.
- **DT 6.2**: Pursue street connections and upgrades in Downtown to facilitate Town goals.
  - STAFF COMMENT: The applicant is providing two woonerfs, the first of their kind in Huntersville, in order to provide two new east-west connections between Church St and Walters St. These multi-use streets are designed for inviting and slow streets that are comfortable for pedestrians, bikers, and vehicular use.

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

- **Policy EOS-5**: Protect water quality.
  - STAFF COMMENT: The project currently does not meet the requirements of Article 8.17. These issues will need to be resolved with planning and engineering staff. Please see the attached engineering staff report for further information.

**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:

Staff recommend that the reclassification to Neighborhood Residential Conditional District (NR-CD) would be consistent with the overall character of adjacent development for the following reasons:

- The development is more than 2 times as dense as the adjacent development to the North and East. However, the attached residential housing type would serve as a smaller scale increase in massing and scale and would not overwhelm existing adjacent properties compared to other high density building types. The more intense apartment building is located more centrally within the project area in order to provide a gentler step down in density.
- While the applicant is requesting a modification to remove the buffer the project layout will provide some separation from existing adjacent properties with urban open spaces. The lack of buffers is consistent with the Downtown Master plans call for denser more urban neighborhoods.
- The Vermillion Village development to the north is a high-density mixed-use development, at about 11.5 units/acre.
- The Vermillion Front development to the east is a townhome development, at about 7 units/acre.

- The 1<sup>st</sup> and Church St Townhome development is 12.2 units/acre.

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

STAFF COMMENT:

- A Transportation Impact Analysis (TIA) is not required for this development.
- Staff has no other indication that the proposed use will adversely affect the adequacy of public facilities.

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

STAFF COMMENT:

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

#### **PART 5: STAFF RECOMMENDATION**

The application to intensify the properties is consistent with the character area recommendations of the Huntersville 2040 Plan and the Downtown Master Plan. Additionally, the applicant provides urban opens spaces that go above and beyond the minimum requirements of the zoning ordinance, while also working with the Town to enable future affordable housing. Despite the above, Staff cannot currently recommend approval of the rezoning until all water quality issues are addressed.

Staff recommend approval of all the following modifications to the Zoning Ordinance:

- Rear setback reductions for the Townhome units.
- The removal of the required buffer.
- The requested increase in Height for the Townhome units.
- The removal of on-street parking along Church and 1<sup>st</sup> Street.
- Not planting the required yard trees.
- Allowing 100% attached single family homes in a major subdivision.

While staff could recommend approval of the project if all water quality issues are addressed, staff would like to add the following recommendations:

- The Woonerfs are further amenitized, placed within a public access easement, and extended to Church St to meet the full intent of the ordinances.
- All remaining staff comments, issues and minor site plan notes are addressed.

#### **PART 6: PUBLIC HEARING COMMENTS**

A Public Hearing is scheduled for September 2, 2025.

#### **PART 7: PLANNING BOARD RECOMMENDATION**

Planning Board is scheduled for September 23<sup>rd</sup>, 2025.

#### **PART 8: TOWN BOARD CONSIDERATION**

Town Board consideration is scheduled for October 21<sup>st</sup>, 2025.

#### **PART 9: ATTACHMENTS/ENCLOSURES**

Attachments

1. Rezoning Application
2. R25-07 Rezoning Plan
3. Neighborhood Meeting Report
4. Engineering Report
5. TIA Determination
6. 2<sup>nd</sup> Street Purchase Agreement

**PART 10: CONSISTENCY STATEMENT – R25-08 Second Street Village**

| Planning Department                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Planning Board                                                                                                                                                                                                                                                                                                                                           | Board of Commissioners                                                                                                                                                                                                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>APPROVAL: In considering the proposed rezoning application R25-08, Second Street Village, staff does not recommend approval due to outstanding water quality issues. While the rezoning is consistent with Policies LU 1.1, 2.1, 5.1, 5.3, 7.1, 8.2, 9.1, DT 1.2, 2, 3.1, 6.2, the rezoning is not consistent with Policy EOS-5 of the 2040 Huntersville Community Plan.</p> <p>It is not reasonable and not in the public interest to amend the Zoning Ordinance until all water quality issues are resolved.</p> | <p>APPROVAL: In considering the proposed rezoning application R25-08, Second Street Village, the Planning Board recommends approval based on the Plan being consistent with <u>(insert applicable plan reference)</u>.</p> <p><u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p>                   | <p>APPROVAL: In considering the proposed rezoning application R25-08, Second Street Village, the Town Board recommends approval based on the Plan being consistent with <u>(insert applicable plan reference)</u>.</p> <p><u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p>                   |
| <p>DENIAL: N/A</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p>DENIAL: In considering the proposed rezoning application R25-08, Second Street Village, the Planning Board recommends denial based on the Plan being <u>(consistent OR inconsistent) with (insert applicable plan reference)</u>.</p> <p><u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p> | <p>DENIAL: In considering the proposed rezoning application R25-08, Second Street Village, the Town Board recommends denial based on the Plan being <u>(consistent OR inconsistent) with (insert applicable plan reference)</u>.</p> <p><u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p> |



# 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 May 7, 2024

Name of Project Second Street Village Phase # (if subdivision) \_\_\_\_\_

Project Address 204 N Church Street and vicinity

Parcel Identification Number(s) (PIN) 01903302, 01903310, 01903306, 01903315, 01902136, 01902137, 01902138, 01902126, 01902133, 01902128, 01902129, 01902135, 01902134, 01902125, 01902124

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

Property Size (acres) 4.799 Street Frontage (feet) 1514' +/-

Current Land Use Vacant/Residential

Proposed Land Use(s) Residential Apartment and SF Attached

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

## 3. Description of Request

Provide a detailed summary. (i.e. RTAP identify what you are revising). Additional sheets may be added.

Rezoned the property to allow for SF attached housing. The proposed development will donate a parcel and parking spaces to a non profit for affordable housing in an apartment building of approximately 15 units. The remainder of the property will be SF residential (attached)

## 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 Jay Henson

Phone 704-577-4561

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☒ Other: Soon to be LLC

☐ 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 Jay A Henson

Title \_\_\_\_\_ Email jhenson@waengineering.com

Address of Applicant 121 Gilead Road Huntersville, NC

## 7. Property Owner (if different than applicant)

\*Printed Name Town of Huntersville

Phone 704-875-7000

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

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

Signature \_\_\_\_\_

Title \_\_\_\_\_ Email \_\_\_\_\_

Address of Property Owner 105 Gilead Road

\* 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

|                 |            |              |                           |
|-----------------|------------|--------------|---------------------------|
| W&A Engineering | Jay Henson | 704-577-4561 | jhenson@waengineering.com |
|-----------------|------------|--------------|---------------------------|

|                  |                 |       |       |
|------------------|-----------------|-------|-------|
| Development Firm | Name of Contact | Phone | Email |
|------------------|-----------------|-------|-------|

|             |                 |       |       |
|-------------|-----------------|-------|-------|
| Design Firm | Name of Contact | Phone | Email |
|-------------|-----------------|-------|-------|

## Contact Information

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





# General Application Owner/Applicant Signature Addendum

## Application Information

Date of Application 5/7/2025 EPM Number \_\_\_\_\_  
Name of Project Second Street Village Phase # (if subdivision) \_\_\_\_\_  
Parcel Identification Number(s) (PIN) 01902125 & 01902124

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

\* ^ Printed Name of Signer SWA Church, LLC Phone Number 704-507-4877  
☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: \_\_\_\_\_  
☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant/owner (circle one) my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Commissioners except through sworn testimony at the public hearing. (Applicable for Special Use Permits and Subdivisions)  
Signature [Signature]  
Title Member Manager Email Brian@HinesRE.com  
Address of Property Owner/Applicant 121 Gilead Road

\* ^ Printed Name of Signer \_\_\_\_\_ 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 \_\_\_\_\_  
Title \_\_\_\_\_ Email \_\_\_\_\_  
Address of Property Owner/Applicant \_\_\_\_\_

\* ^ Printed Name of Signer \_\_\_\_\_ 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 \_\_\_\_\_  
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.



# General Application Owner/Applicant Signature Addendum

## Application Information

Date of Application 5/7/2025 EPM Number \_\_\_\_\_  
Name of Project Second Street Village Phase # (if subdivision) \_\_\_\_\_  
Parcel Identification Number(s) (PIN) 01903310, 01903306, 01903315

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

\* ^ Printed Name of Signer Anthony Roberts Phone Number 704-875-7000  
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☒ Other: MUNICIPALITY  
☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant/owner (circle one) my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Commissioners except through sworn testimony at the public hearing. (Applicable for Special Use Permits and Subdivisions)  
Signature [Signature]  
Title town manager Email AROBERTS@HUNTERSVILLE.ORG  
Address of Property Owner/Applicant 105 Gilead Road

\* ^ Printed Name of Signer \_\_\_\_\_ 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 \_\_\_\_\_  
Title \_\_\_\_\_ Email \_\_\_\_\_  
Address of Property Owner/Applicant \_\_\_\_\_

\* ^ Printed Name of Signer \_\_\_\_\_ Phone Number \_\_\_\_\_  
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Title \_\_\_\_\_ Email \_\_\_\_\_  
Address of Property Owner/Applicant \_\_\_\_\_

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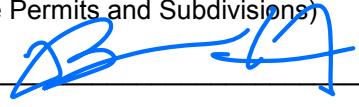


# General Application Owner/Applicant Signature Addendum

## Application Information

Date of Application 5/7/2025 EPM Number \_\_\_\_\_  
Name of Project Second Street Village Phase # (if subdivision) \_\_\_\_\_  
Parcel Identification Number(s) (PIN) 01902126 & 01902133

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

\* ^ Printed Name of Signer Hines Real Estate Group, LLC Phone Number 704-507-4877  
☐ 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   
Title Manager Email Brian@HinesRE.com  
Address of Property Owner/Applicant 121 Gilead Road

\* ^ Printed Name of Signer \_\_\_\_\_ 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 \_\_\_\_\_  
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Address of Property Owner/Applicant \_\_\_\_\_

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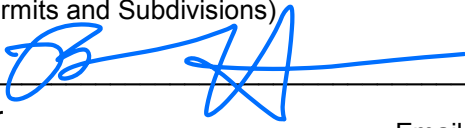


# General Application Owner/Applicant Signature Addendum

## Application Information

Date of Application 5/7/2025 EPM Number \_\_\_\_\_  
Name of Project Second Street Village Phase # (if subdivision) \_\_\_\_\_  
Parcel Identification Number(s) (PIN) 01902136, 01902137, 01902138, 01902135, 01902134, 01902128, 01902129

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

\* ^ Printed Name of Signer HH Second, LLC Phone Number 704-507-4877  
☐ 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   
Title Manager Email Brian@HinesRE.com  
Address of Property Owner/Applicant 121 Gilead Road

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REZONING PLANS

SECOND STREET VILLAGE

HUNTERSVILLE, NC

DEVELOPER:

HH

121 GILEAD ROAD

PH: (704) 704-875-1615

LIST OF MODIFICATIONS

ARTICLE 7.7 INTERNAL TREES

DUE TO THE URBAN INFILL NATURE OF THE PROJECT, IT IS NOT PRACTICAL TO INCLUDE A CANOPY TREE IN THE FRONT YARD AND REAR YARD OF EACH TOWNHOME LOT. THE FONT YARDS ALONG CHURCH STREET, SECOND STREET AND WALTERS STREET WILL HAVE THE REQUIRED STREET TREES HOWEVER THE BUILD TO LINE LIMITS THE SPACE FOR ADDITIONAL TREES.

THE FRONT YARDS OF THE COTTAGE TOWNHOMES HAVE LIMITED SPACE FOR TREES. TREES WILL BE PROVIDED TO THE EXTENT PRACTICAL

ARTICLE 4 ATTACHED HOUSE SETBACKS

RELIEF FROM THE REQUIRED REAR SETBACK OF 35" IS REQUESTED. THE PETITIONER REQUEST MINIMUM REAR SETBACK OF 14'. THIS REQUEST WILL ALLOW THE INTERIOR OPEN SPACE TO BE MAXIMIZED.

ARTICLE 4 ATTACHED HOUSE BUILDING HEIGHT

RELIEF FROM THE 30' BUILDING HEIGHT IS REQUESTED IN ORDER TO BREAK UP THE STREET FACADES THE INTEGRATION OF VERTICAL RELIEF AND VARYING ARCHITECTURAL

ARTICLE 3.2.4 d3 30% ATTACHED

RELIEF FROM THE 30% MAXIMUM FOR ATTACHED HOUSING. THIS PROJECT REQUEST IS TO ALLOW 100% ATTACHED HOUSING

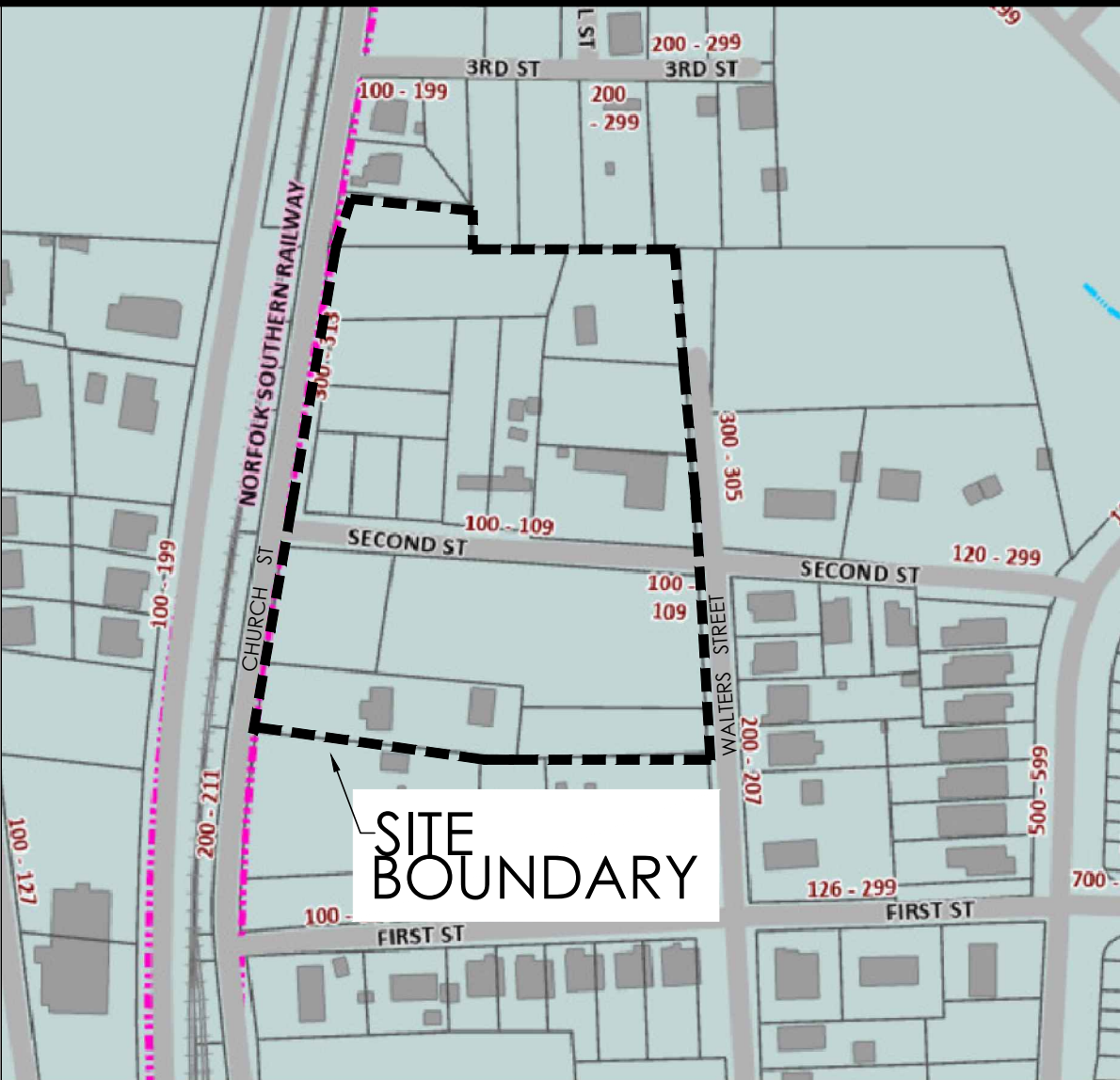
ARTICLE ON STREET PARKING

RELIEF IS REQUESTED DUE TO CONFLICT WITH TOWN ENGINEERING GUIDELINES OF 30' FROM RADIUS RETURN ON DRIVEWAYS TO THE PARKING SPACE. ON STREET PARKING IS SHOWN WHERE PERMISSIBLE PER THE TOWN ENGINEERING REQUIREMENTS.

SECTION 4.5 PERMEABLE PAVEMENT 1:1 RATIO

RELIEF FROM THE CITY OF CHARLOTTE'S REQUIREMENT OF INCLUDING SCREENED ROOFTOP RUNOFF IN THE 1:1 RATIO OF PAVER AREA TO NON-PAVER IMPERVIOUS AREA. DEQ STANDARDS STATE THAT SCREENED ROOFTOP RUNOFF DOES NOT NEED TO BE COUNTED IN THE 1:1 RATIO AS THIS AREA BYPASSES THE PAVER SURFACES AND DISCHARGES DIRECTLY INTO THE PAVER BASE. THE PAVER BASE AND ALL INFILTRATION CALCULATIONS TAKE INTO ACCOUNT THIS AREA. SCREENING IS PROVIDED TO PROTECT THE STONE.

DUE TO THE ADJACENT DEVELOPMENTS AND THE RECOMMENDED INTENSIFICATION OF DENSITY IN THE DOWNTOWN/FUTURE RAIL AREA THE APPLICANT IS REQUESTING RELIEF FROM ANY BUFFERS ADJACENT TO THE DEVELOPMENT.



VICINITY MAP

SCALE: N.T.S.



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SECOND STREET  
VILLAGE  
4.799 AC  
308 N CHURCH STREET  
HUNTERSVILLE, NC

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INITIAL SUB. DATE: 06/01/2025

ISSUANCE DATE: TBD



HFI PROJECT #: 25-00008

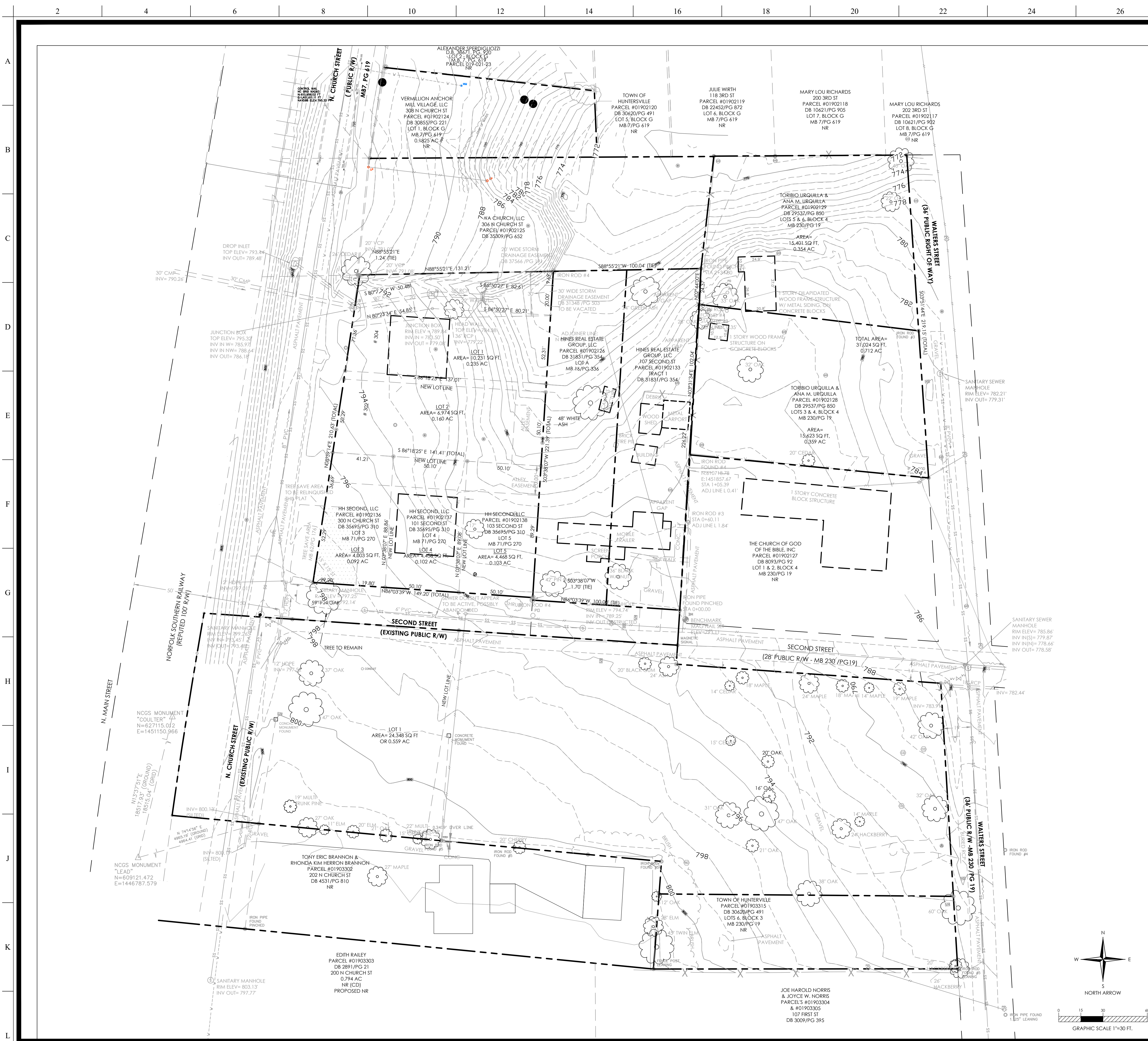
COVER

RZ00

| Sheet List Table |                                     |
|------------------|-------------------------------------|
| Sheet Number     | Sheet Title                         |
| R200             | COVER                               |
| R201             | SURVEY                              |
| R202             | SLOPE ANALYSIS                      |
| R203             | DEMO + TREE SAVE                    |
| R204             | SITE PLAN                           |
| R205             | STREET CROSS SECTIONS               |
| R206             | PRELIMINARY GRADING & DRAINAGE PLAN |
| R207             | PRELIMINARY UTILITY PLAN            |
| R208             | LANDSCAPE PLAN                      |

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





IF ANY CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED, EITHER ON THE CONSTRUCTION DOCUMENTS OR THE FIELD CONDITIONS, THE CONTRACTOR MUST NOTIFY W&A ENGINEERING IMMEDIATELY, AND SHALL NOT COMMENCE OPERATION UNTIL THE CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE RESOLVED.

THIS SURVEY WAS PROVIDED BY OTHERS  
AND IS INCLUDED AS REFERENCE ONLY

SURVEY BY: DUNBAR GEOMATICS



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SECOND STREET  
VILLAGE  
4.799 AC  
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HUNTERSVILLE, NC

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## REVISIONS

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INITIAL SUB. DATE: 06/01/2023

ISSUANCE DATE: TBD



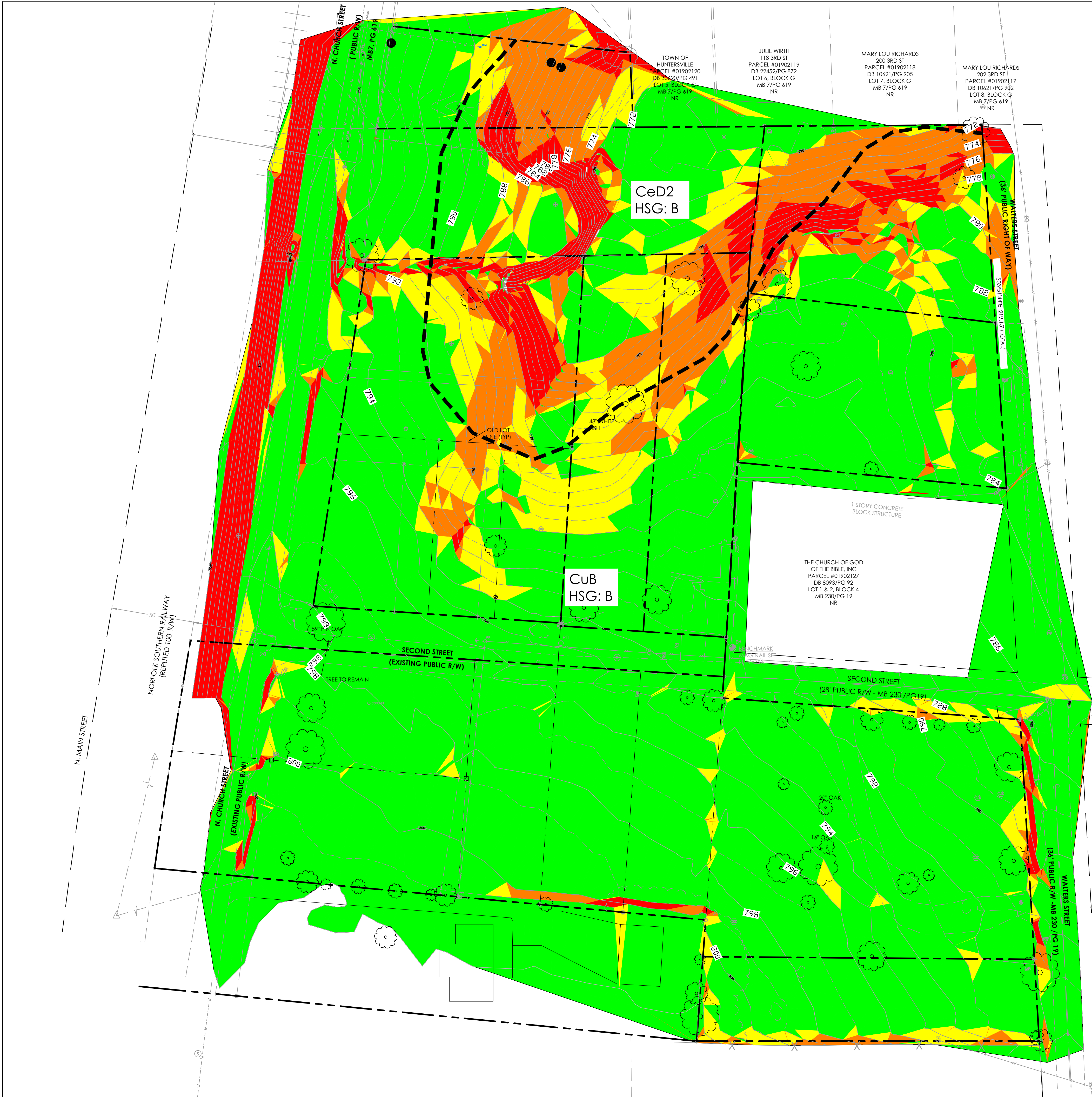
HFI PROJECT #: 25-0000

## SURVEY

RZ01

NC ENGINEERING BOARD LICENSE #: P-2743  
NC LANDSCAPE ARCHITECTURAL BOARD LICENSE #: C-614  
SC ENGINEERING BOARD LICENSE #: COA 7055  
SC LANDSCAPE ARCHITECTURAL BOARD LICENSE #: LAF 472





| Slopes Table |               |               |        |
|--------------|---------------|---------------|--------|
| Number       | Minimum Slope | Maximum Slope | Color  |
| 1            | 0.00%         | 10.00%        | Green  |
| 2            | 10.00%        | 15.00%        | Yellow |
| 3            | 15.00%        | 25.00%        | Orange |
| 4            | 25.00%        | 100.00%       | Red    |

- NOTES**
1. SLOPE ANALYSIS IS BASED ON THE TOPOGRAPHIC SURVEY PROVIDED BY DUNBAR GEOMATICS GROUP, PLLC. SEE SHEET RZ01 - SURVEY FOR SURVEY.
  2. SOIL TYPE AND HYDROLOGIC GROUP IS PROVIDED FROM USDA WEB SOIL SURVEY.



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# SECOND STREET VILLAGE 4.799 AC 308 N CHURCH STREET HUNTERSVILLE, NC

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INITIAL SUB. DATE: 06/01/2025

ISSUANCE DATE: TBD

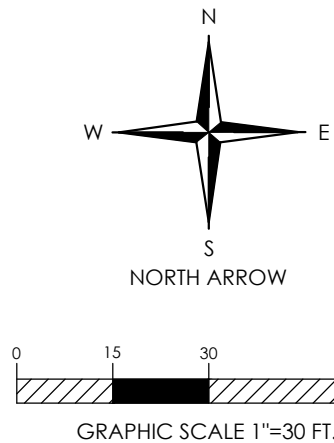


HFI PROJECT #: 25-00008

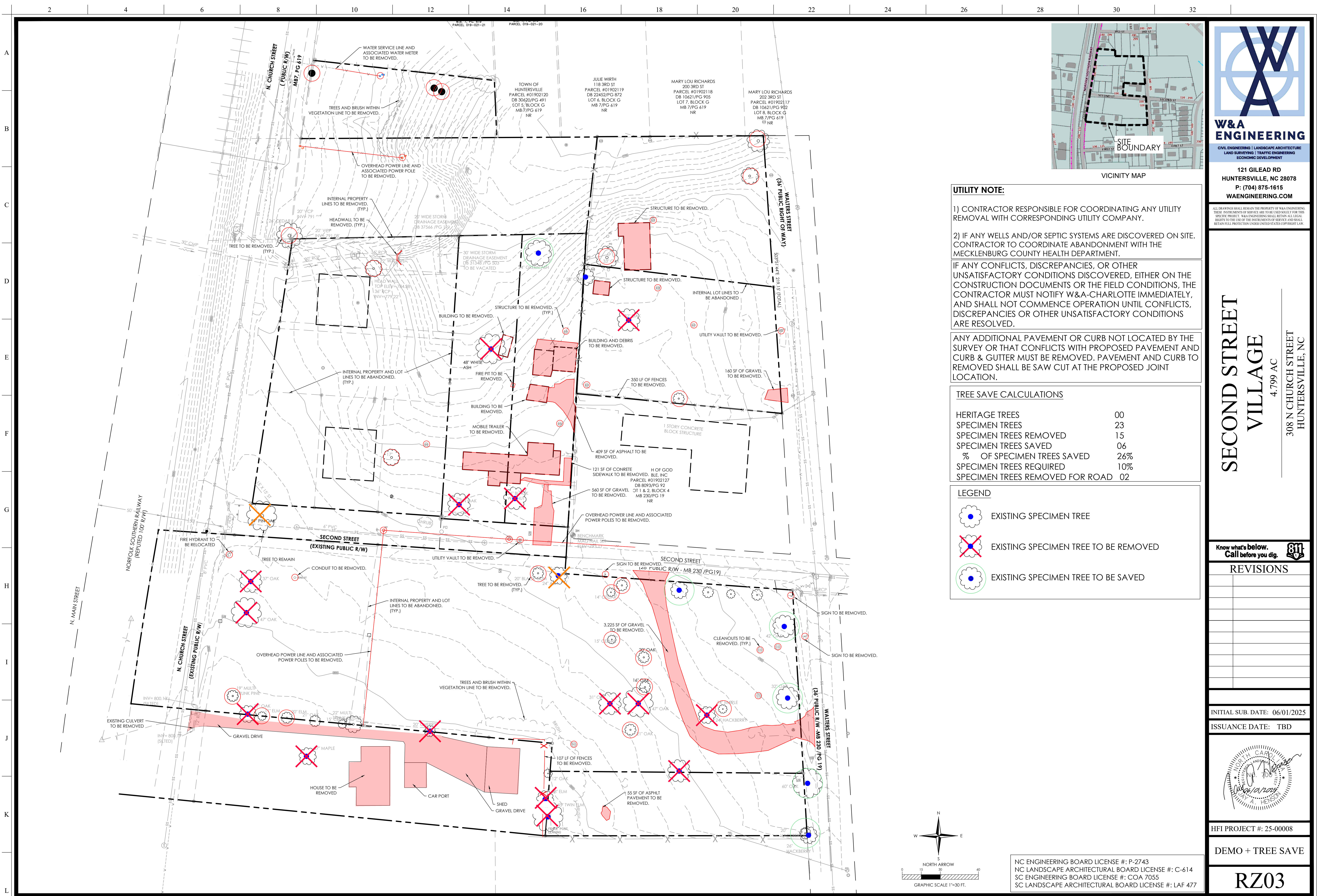
SLOPE ANALYSIS

**RZ02**

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







UTILITY NOTE:

- 1) CONTRACTOR RESPONSIBLE FOR COORDINATING ANY UTILITY REMOVAL WITH CORRESPONDING UTILITY COMPANY.
- 2) IF ANY WELLS AND/OR SEPTIC SYSTEMS ARE DISCOVERED ON SITE, CONTRACTOR TO COORDINATE ABANDONMENT WITH THE MECKLENBURG COUNTY HEALTH DEPARTMENT.

IF ANY CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS DISCOVERED, EITHER ON THE CONSTRUCTION DOCUMENTS OR THE FIELD CONDITIONS, THE CONTRACTOR MUST NOTIFY W&A-CHARLOTTE IMMEDIATELY, AND SHALL NOT COMMENCE OPERATION UNTIL CONFLICTS, DISCREPANCIES OR OTHER UNSATISFACTORY CONDITIONS ARE RESOLVED.

ANY ADDITIONAL PAVEMENT OR CURB NOT LOCATED BY THE SURVEY OR THAT CONFLICTS WITH PROPOSED PAVEMENT AND CURB & GUTTER MUST BE REMOVED. PAVEMENT AND CURB TO REMOVED SHALL BE SAW CUT AT THE PROPOSED JOINT LOCATION.

TREE SAVE CALCULATIONS

|                                 |     |
|---------------------------------|-----|
| HERITAGE TREES                  | 00  |
| SPECIMEN TREES                  | 23  |
| SPECIMEN TREES REMOVED          | 15  |
| SPECIMEN TREES SAVED            | 06  |
| % OF SPECIMEN TREES SAVED       | 26% |
| SPECIMEN TREES REQUIRED         | 10% |
| SPECIMEN TREES REMOVED FOR ROAD | 02  |

LEGEND

- EXISTING SPECIMEN TREE
- EXISTING SPECIMEN TREE TO BE REMOVED
- EXISTING SPECIMEN TREE TO BE SAVED

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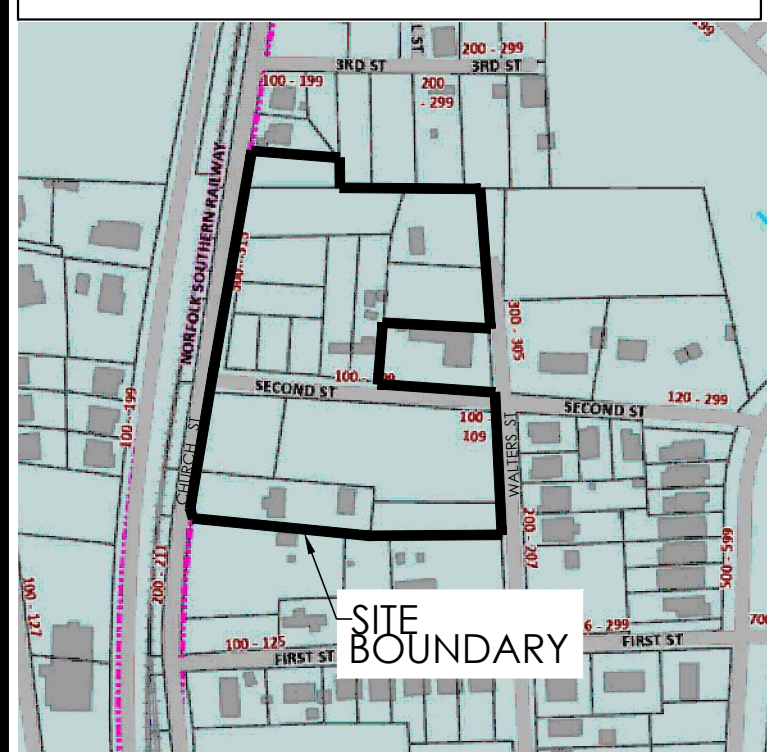


HFI PROJECT #: 25-00008

DEMO + TREE SAVE

**RZ03**





| EXISTING BUA        |                |         |
|---------------------|----------------|---------|
|                     | SQUARE<br>FOOT | ACRES   |
| TOTAL EXISTING      | 15,288 SF      | 0.35 AC |
| TOTAL TO BE REMOVED | 11,522 SF      | 0.26 AC |
| TOTAL TO REMAIN     | 3,766 SF       | 0.09 AC |

# GENERAL NOTES

• SCHEMATIC NATURE OF REZONING PLAN

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

USE AND COMPATIBILITY

- THE SITE IS LOCATED ALONG THE NORTH AND SOUTH SIDES OF SECOND STREET WITHIN CLOSE PROXIMITY TO THE TOWN CENTER AND FUTURE RAIL STOP AREA. THE ADJACENT LAND USES CONSIST OF SINGLE FAMILY RESIDENTIAL, CHURCH, AND A MIXED USE CENTER UNDER CONSTRUCTION. THE INTENT IS TO CREATE HIGHER DENSITY RESIDENTIAL NEAR THESE AREAS DEFINED IN THE 2040 PLAN. A PORTION OF THE PROPERTY WILL BE RESERVED FOR THE TOWN OF HUNTERSVILLE FUTURE PARK.

PERMITTED USES

- RESIDENTIAL-SINGLE FAMILY ATTACHED AND AN APARTMENT BUILDING

MODIFICATION REQUESTS

- SEE C-1 COVER SHEET FOR MODIFICATION REQUESTS.

ACCESS

- THE PRIMARY VEHICULAR ACCESS VIA CHURCH STREET, WALTERS STREET AND SECOND STREET.

SIGNAGE

- ALL SIGNS SHALL COMPLY WITH THE TOWN OF HUNTERSVILLE CODE.

TRASH

- GARBAGE SERVICES WILL BE PROVIDED BY THE TOWN OF HUNTERSVILLE VIA ROLLOUT OR WITH A PRIVATE PICKUP SYSTEM

HVAC / UTILITY EQUIPMENT:

- HVAC UNITS FOR TOWNHOMES WILL BE ADJACENT TO THE GARAGES
- HVAC FOR APARTMENT WILL BE ON THE ROOF
- HVAC UNITS WILL COMPLY WITH 7.6 OF THE ORDINANCE

WATER / SEWER / UTILITIES:

WATER AND SEWER AVAILABLE WITHIN THE PUBLIC STREETS

LIGHTING:

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

ENVIRONMENTAL:

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

BUFFERS/LANDSCAPING:

- BUFFER YARDS SHALL BE PLANTED IN ACCORDANCE WITH ARTICLE 7.5 OF THE ZONING ORDINANCE OR AS REQUESTED IN MODIFICATIONS.

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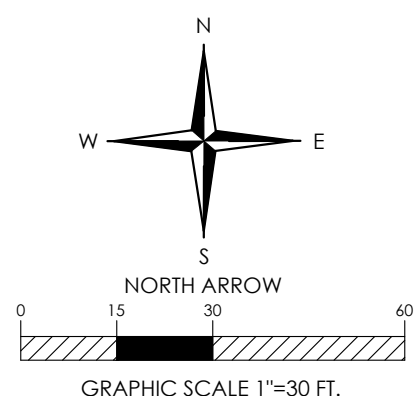
ISSUANCE DATE: TBD



HEI PROJECT #: 25-00008

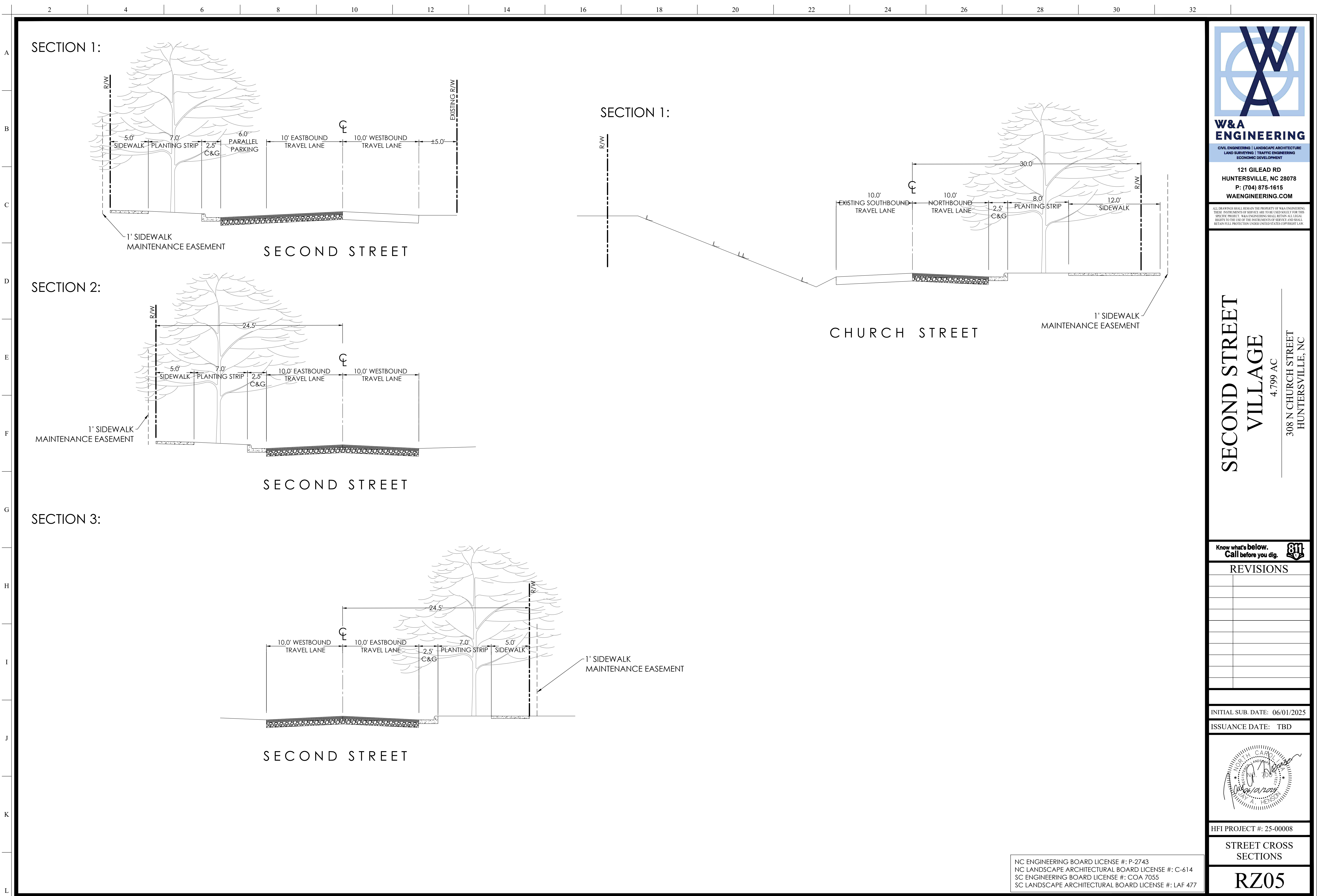
## SITE PLAN

RZ04



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





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HUNTERSVILLE, NC

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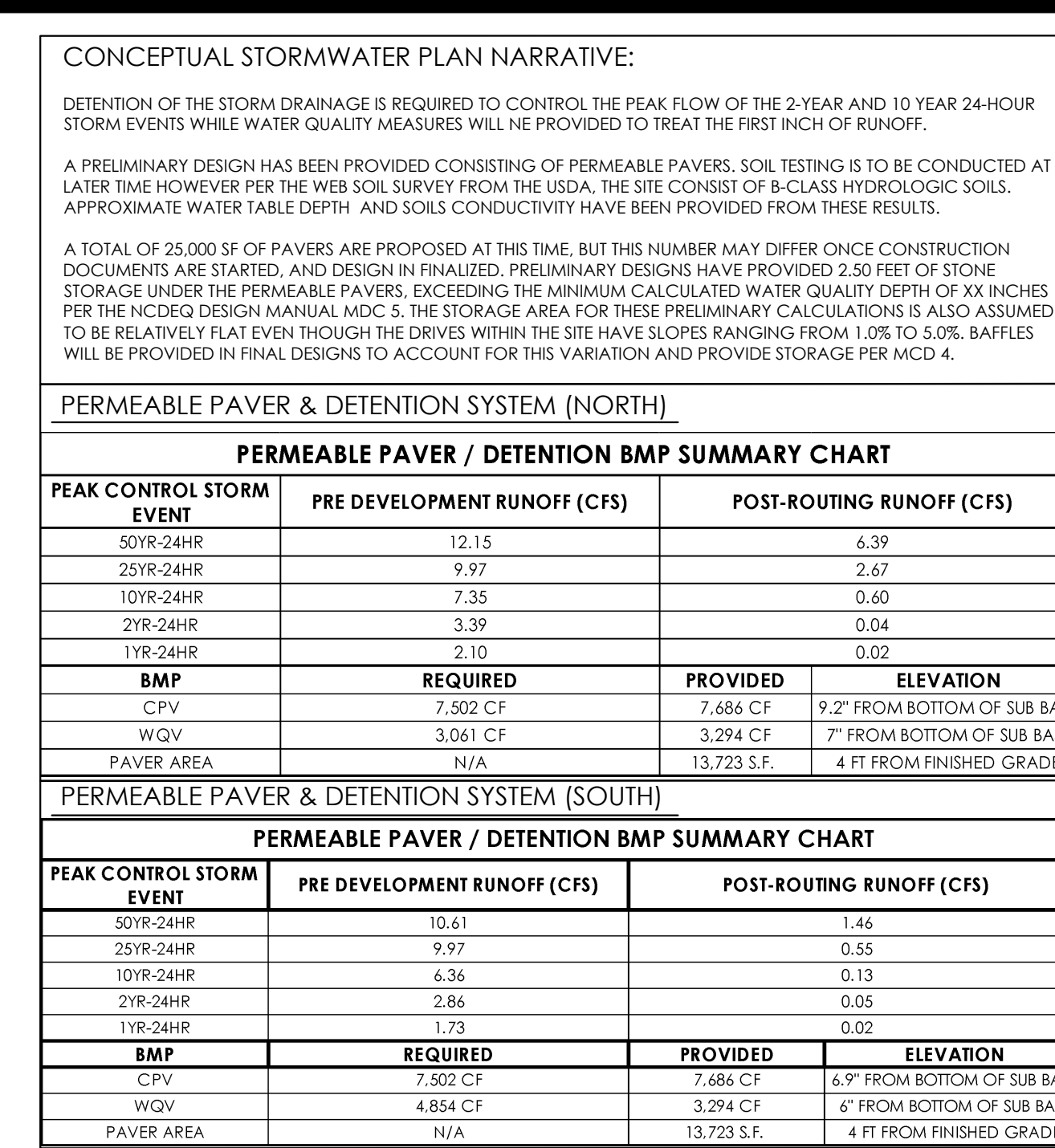
HFI PROJECT #: 25-00008

STREET CROSS  
SECTIONS

RZ05

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





CONCEPTUAL GRADING PLAN  
THIS GRADING PLAN IS CONCEPTUAL IN NATURE TO  
DETERMINE OVERALL CONCEPT AND  
CUT/FILL. ADJUSTMENTS WILL BE MADE ONCE THE SITE PLAN  
HAS BEEN FINALIZED. BUILDING SWALES, FES  
OUTLETS, PADS ETC WILL CONTAIN DETAIL ON SUBSEQUENT  
SUBMITTALS AFTER THE SITE PLAN IS FINALIZED.



**W&A  
ENGINEERING**

**ECONOMIC DEVELOPMENT**

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

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

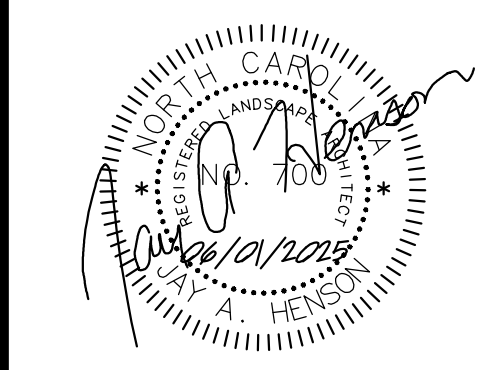
SECOND STREET  
VILLAGE  
4.799 AC  
308 N CHURCH STREET  
HUNTERSVILLE NC

Know what's below.  
Call before you dig.

## REVISIONS

INITIAL SUB. DATE: 06/01/202.

ISSUANCE DATE: TBD



HFI PROJECT #: 25-00008

NC ENGINEERING BOARD LICENSE #: P-2743  
NC LANDSCAPE ARCHITECTURAL BOARD LICENSE #: C-614  
SC ENGINEERING BOARD LICENSE #: COA 7055  
SC LANDSCAPE ARCHITECTURAL BOARD LICENSE #: LAF 47

RZ06





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LAND SURVEYING | TRAFFIC ENGINEERING  
ECONOMIC DEVELOPMENT

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# SECOND STREET VILLAGE

4.799 AC  
308 N CHURCH STREET  
HUNTERSVILLE, NC

Know what's below.  
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REVISIONS

INITIAL SUB. DATE: 06/01/2025

ISSUANCE DATE: TBD

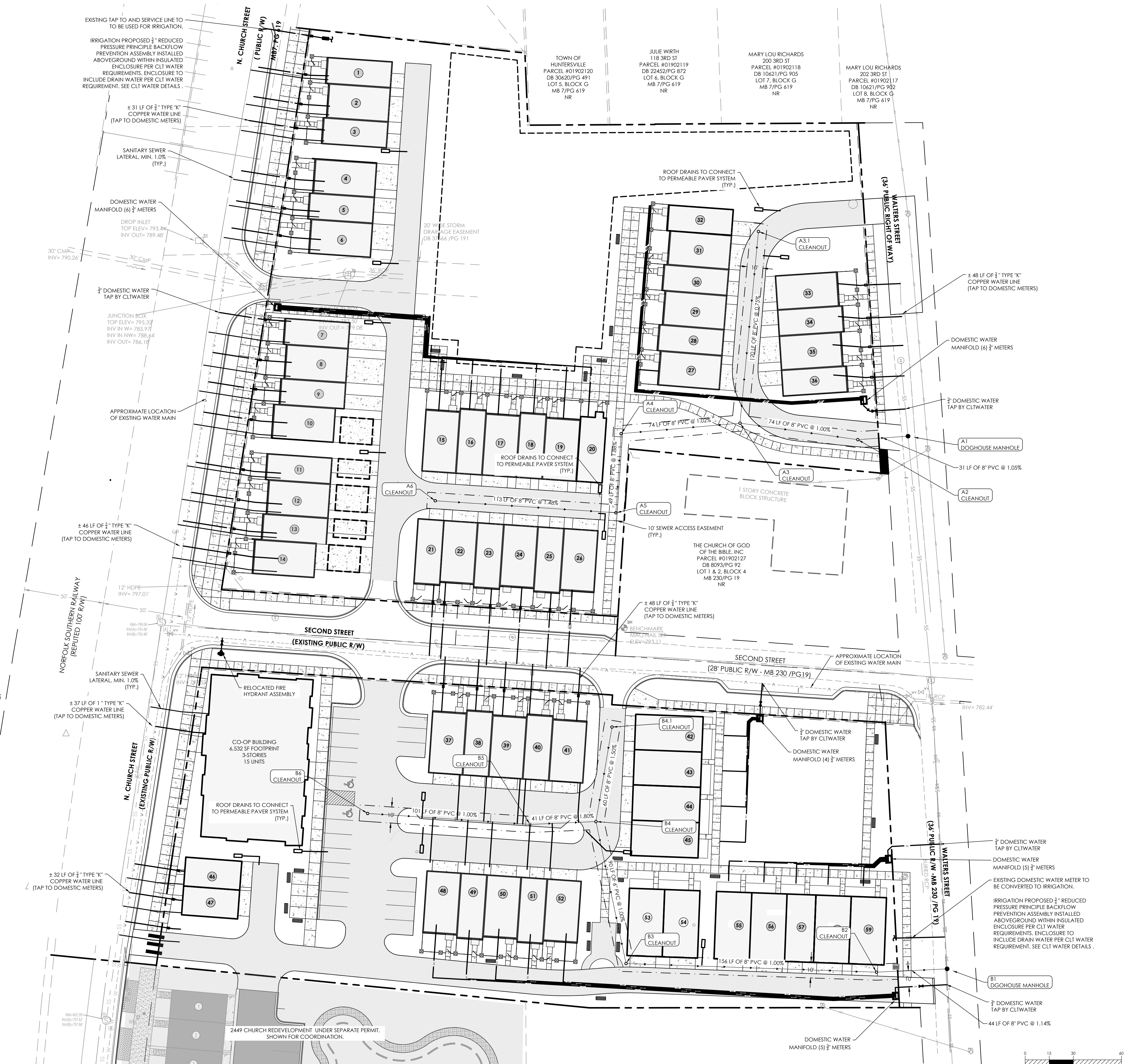


HFI PROJECT #: 25-00008

PRELIMINARY  
UTILITY PLAN

RZ07

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



EXISTING TAP TO AND SERVICE LINE TO  
TO BE USED FOR IRRIGATION.  
IRRIGATION PROPOSED 3/4" REDUCED  
PRESSURE PRINCIPLE BACKFLOW  
PREVENTION ASSEMBLY INSTALLED  
ABOVEGROUND WITHIN INSULATED  
ENCLOSURE PER CLT WATER  
REQUIREMENTS. ENCLOSURE TO  
INCLUDE DRAIN WATER PER CLT WATER  
REQUIREMENT. SEE CLT WATER DETAILS.

± 31 LF OF 3/4" TYPE "K"  
COPPER WATER LINE  
(TAP TO DOMESTIC METERS)

SANITARY SEWER  
LATERAL MIN. 1.0%  
(TYP.)

DOMESTIC WATER  
MANIFOLD (4) 3/4" METERS

DROP INLET  
TOP ELEV= 793.84  
INV OUT= 789.48

3/4" DOMESTIC WATER  
TAP BY CLT WATER

JUNCTION BOX  
TOP ELEV= 795.32  
INV IN W= 785.97  
INV IN NW= 788.44  
INV OUT= 786.14

APPROXIMATE LOCATION  
OF EXISTING WATER MAIN

± 46 LF OF 3/4" TYPE "K"  
COPPER WATER LINE  
(TAP TO DOMESTIC METERS)

NORFOLK SOUTHERN RAILWAY  
(REPORTED 100' R/W)

SANITARY SEWER  
LATERAL MIN. 1.0%  
(TYP.)

± 37 LF OF 1" TYPE "K"  
COPPER WATER LINE  
(TAP TO DOMESTIC METERS)

N. CHURCH STREET  
(EXISTING PUBLIC R/W)

± 32 LF OF 3/4" TYPE "K"  
COPPER WATER LINE  
(TAP TO DOMESTIC METERS)

2449 CHURCH REDEVELOPMENT UNDER SEPARATE PERMIT.  
SHOWN FOR COORDINATION.

TOWN OF  
HUNTERSVILLE  
PARCEL #01902120  
DB 30620/PG 491  
LOT 5, BLOCK G  
MB 7/PG 619  
NR

JULIE WIRTH  
118 3RD ST  
PARCEL #01902119  
DB 22452/PG 872  
LOT 6, BLOCK G  
MB 7/PG 619  
NR

MARY LOU RICHARDS  
200 3RD ST  
PARCEL #01902118  
DB 10621/PG 905  
LOT 7, BLOCK G  
MB 7/PG 619  
NR

MARY LOU RICHARDS  
202 3RD ST  
PARCEL #01902117  
DB 10621/PG 902  
LOT 8, BLOCK G  
MB 7/PG 619  
NR

ROOF DRAINS TO CONNECT  
TO PERMEABLE PAVEMENT SYSTEM  
(TYP.)

20' WIDE STORM  
DRAINAGE EASEMENT  
DB 37866 /PG 191

113 LF OF 8" PVC @ 1.78%

74 LF OF 8" PVC @ 1.00%

74 LF OF 8" PVC @ 1.00%

10' SEWER ACCESS EASEMENT  
(TYP.)

THE CHURCH OF GOD  
OF THE BIBLE, INC  
PARCEL #01902127  
DB 8093/PG 92  
LOT 1 & 2, BLOCK 4  
MB 230/PG 19  
NR

± 48 LF OF 3/4" TYPE "K"  
COPPER WATER LINE  
(TAP TO DOMESTIC METERS)

BENCHMARK  
MAG. NAIL SET  
ELEV= 782.11

SECOND STREET  
(28' PUBLIC R/W - MB 230 /PG 19)

APPROXIMATE LOCATION  
OF EXISTING WATER MAIN

± 48 LF OF 3/4" TYPE "K"  
COPPER WATER LINE  
(TAP TO DOMESTIC METERS)

DOMESTIC WATER  
TAP BY CLT WATER

DOMESTIC WATER  
MANIFOLD (4) 3/4" METERS

± 37 LF OF 1" TYPE "K"  
COPPER WATER LINE  
(TAP TO DOMESTIC METERS)

DOMESTIC WATER  
TAP BY CLT WATER

DOMESTIC WATER  
MANIFOLD (5) 3/4" METERS

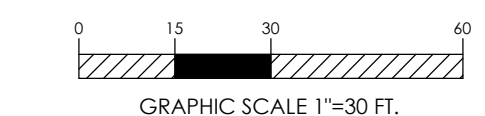
EXISTING DOMESTIC WATER METER TO  
BE CONVERTED TO IRRIGATION.

IRRIGATION PROPOSED 3/4" REDUCED  
PRESSURE PRINCIPLE BACKFLOW  
PREVENTION ASSEMBLY INSTALLED  
ABOVEGROUND WITHIN INSULATED  
ENCLOSURE PER CLT WATER  
REQUIREMENTS. ENCLOSURE TO  
INCLUDE DRAIN WATER PER CLT WATER  
REQUIREMENT. SEE CLT WATER DETAILS.

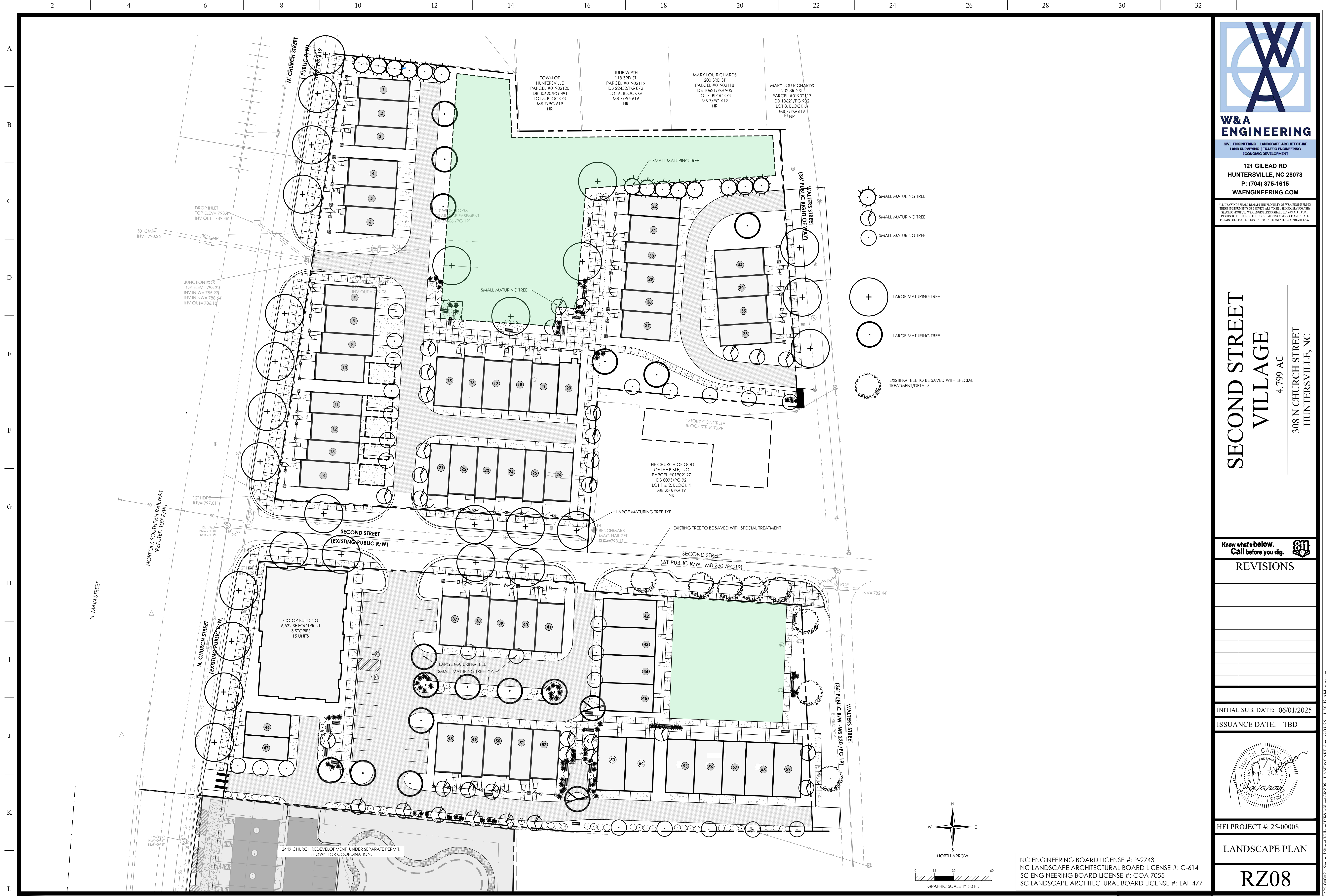
± 44 LF OF 8" PVC @ 1.14%

DOMESTIC WATER  
TAP BY CLT WATER

DOMESTIC WATER  
MANIFOLD (5) 3/4" METERS







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SECOND STREET  
VILLAGE  
4.799 AC

---

308 N CHURCH STREET  
HUNTERSVILLE, NC

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## REVISIONS

[illegible]

INITIAL SUB. DATE: 06/01/2025

ISSUANCE DATE: TBD



HFI PROJECT #: 25-00008

LANDSCAPE PLAN

RZ08



Second Street Village  
Neighborhood Meeting  
07/31/2025

The meeting was called to order at 6:05 PM by Jay Henson, Project Owner/Developer. Also in attendance were Tess Fallova, with W&A Engineering, and Nathan Farber, Town Planner along with Brian Richards, Town Planning Director. 10 people attended in-person. Mr. Henson gave a presentation of the overall rezoning request, project context and proposed colored site plan. He then opened up the floor to questions. Most of the questions and concerns centered on the traffic impacts construction would have on the local residents. Several homeowners noted there are already traffic problems with the Vermillion Village construction and the shutting down of local streets. There were also some concerns of stormwater runoff to adjacent properties and the removal of larger trees.

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

-I see the outfall of the existing bypass pipe and the new outfall for the detention is aiming towards the property to the north. How is this going to be mitigated so flooding and erosion is not an issue for the homeowner?

***Response: The existing bypass currently discharges into that ravine, so we are following the existing flow pattern. The proposed stormwater detention is required to discharge at less than or equal to the current flow. We are also required to keep our velocity lower than 5 fps. A drop MH at the outfall will help alleviate the velocity of this flow. A flat riprap apron will also help to dissipate flow.***

-What are you going to do about the large specimen trees on site. Are you saving any of them?

***Response: We have adjusted some grading to save as many healthy specimen trees as possible. Brian Richards at the Town spoke up that, several of the trees they are referring to are not healthy and will need to be removed regardless due to the improvements the Town is requiring on Church Street and the Town improvements to Walters Street.***

-Is Second Street going to be closed down during construction? Currently the construction from Vermillion Village is causing Metrolina Semi Trucks to take these roads.

***Response: Even though we are required to do road widening, second street would not be closed for construction. Construction Traffic will most likely be concentrated to Church Street.***

-What are you doing about the grade change from the property to the south. How far away are the most southern townhomes from my property line?

***Response: We are lower than the property to the South so there is no worry about our site runoff getting to your property. The Townhome units are roughly 28' from the property line.***

-Is there anyway to save the 40" Oak along Walters Street.

***Response: Unfortunately, this tree is very close to the existing road and the Walters Street improvements by the Town will be removing this tree.***

-Property Owner were concerned about tree canopy lost by removing all of these large trees.

**Response: The Town has strict tree planting standards so even though we will be removing some larger trees, the overall gain in tree canopy will be greater. It will just take 10-20 years to see real change. Brian Richards chimed in and stated that if you look at the overall tree canopy from Meck County Time machine 30-40 years ago, it has actually increased due to the Town's standards for tree planting. A lot of these specimen trees are not healthy or are close to the end of their life cycles so replanting new healthy trees will in return create a much larger tree canopy.**

-Meeting Attendees liked that the proposed open space/pockets parks would be open to the public.

-Meeting Attendees liked that the southern parcel is incorporating attainable housing and would be donated back to a non-profit organization.

The meeting was adjourned at 7:28 pm .



**Town Engineering Rezoning Comment Summary**  
**R25-08 Second Street Village Rezoning**  
**204 N Church Street**  
**Huntersville, NC 28070**

**General Project Information**

This proposed rezoning is located on the east side of N Church Street and encompasses a number of parcels in between First & Second Street. This rezoning plans for one (1) apartment building totaling fifteen (15) units, and sixty-one (61) attached townhome units. Driveway connections are proposed onto N. Church St., Second St., and the future Walters St. extension.

**Engineering Staff Comments**

Traffic Impact Analysis (TIA):

- 1) A TIA was not required as part of this proposed rezoning due to not meeting trip generation thresholds.

Site Plan Comments:

- 1) The applicant has selected permeable pavement as the site's permanent stormwater control measure (SCM). **However, the site does not satisfy the design requirements for permeable pavement outlined in the Charlotte-Mecklenburg SCM Design Manual.** For permeable pavement to be an acceptable method of stormwater control, the site must comply with a ratio of built-upon area (BUA) to permeable pavement area of **1:1**. The current site plan proposes a BUA to permeable pavement ratio of **1.87:1**.
- 2) Upon revision of the SCM, updated routing calculations (WQV & 50-year) will need to be provided to demonstrate adequate preliminary sizing.





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

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

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

Applicant: Jay Henson  
Project Name: Second Street Village  
Project Address: Second Street between Church and Walters, and Church Street North of Second Street  
Project Description (including square footage for each proposed land use):  
The project consists of 1 apartment building of approximately 20,000 sf which will house 15 2 BR units. In addition 58 Townhomes 2-3 bedrooms each

### Applicant

Printed Name Jay Henson/Brian Hines Phone 704-577-4561  
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☒ Other: Soon to be LLC  
Signature Jay A Henson  
Title \_\_\_\_\_ Email jhenson@waengineering.com

### Contact Information

Town of Huntersville Engineering Department  
(704) 766 - 2220

#### For Town Staff Use Only

Project File # \_\_\_\_\_  
Date Submitted 5/6/25  
Daily Trips Anticipated 562  
Peak Hour Trips Anticipated AM 52 PM 58  
TIA Required (Yes/No) No  
Date of Determination: 5/8/25  
Comments: Determination based on 15 low rise apartment units and 58 single-family attached housing units.

## AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY

**THIS AGREEMENT**, including any and all addenda attached hereto ("Agreement"), is by and between Brian Hines and Jay Henson ("Buyer"), and the **Town of Huntersville, North Carolina**, a North Carolina municipality ("Seller"). A fifty percent (50%) ownership interest shall be conveyed to each Buyer.

FOR AND IN CONSIDERATION OF THE MUTUAL PROMISES SET FORTH HEREIN AND OTHER GOOD AND VALUABLE CONSIDERATION, THE RECEIPT AND SUFFICIENCY OF WHICH ARE HEREBY ACKNOWLEDGED, THE PARTIES HERETO AGREE AS FOLLOWS:

**Section 1. Terms and Definitions:** The terms listed below shall have the respective meaning given them as set forth adjacent to each term.

(a) **"Property": Approximately 1.68 acres**, consisting of all of the following tax parcels: PIDs **01903310, 01903306, and 01903315**; as generally shown on **Exhibit A**, attached hereto and incorporated herewith by reference, together with all buildings and improvements thereon and all fixtures and appurtenances thereto.

\$340,000.00 (b) **"Purchase Price"** shall mean the sum of **Three Hundred Forty Thousand Dollars**,  
*payable on the following terms:*

\$17,000.00 (i) **"Earnest Money"** shall mean **Seventeen Thousand Dollars**

Upon this Agreement becoming a contract in accordance with Section 14, the Earnest Money shall be promptly deposited in escrow with **The Huntersville Town Clerk** (Janet Pierson- "Escrow Agent"), to be applied as part payment of the Purchase Price of the Property at Closing, or disbursed as agreed upon under the provisions of Section 10 herein.

☐ **ANY EARNEST MONEY DEPOSITED BY BUYER IN A TRUST ACCOUNT MAY BE PLACED IN AN INTEREST BEARING TRUST ACCOUNT, AND: (check only ONE box)**

☐ **ANY INTEREST EARNED THEREON SHALL BE APPLIED AS PART PAYMENT OF THE PURCHASE PRICE OF THE PROPERTY AT CLOSING, OR DISBURSED AS AGREED UPON UNDER THE PROVISIONS OF SECTION 10 HEREIN. (Buyer's Taxpayer Identification Number is: )**

☐ **ANY INTEREST EARNED THEREON SHALL BELONG TO THE ACCOUNT HOLDER IN CONSIDERATION OF THE EXPENSES INCURRED BY MAINTAINING SUCH ACCOUNT AND RECORDS ASSOCIATED THEREWITH.**

\$ N/A (ii) **Proceeds of a new loan** in the amount of \_\_\_\_\_ Dollars for a term of \_\_\_\_\_ years, with an amortization period not to exceed \_\_\_\_\_ years, at an interest rate not to exceed \_\_\_\_\_% per annum with mortgage loan discount points not to exceed \_\_\_\_\_% of the loan amount, or such other terms as may be set forth on **Exhibit B**. Buyer shall pay all costs associated with any such loan.

\$N/A (iii) **Delivery of a promissory note** secured by a deed of trust, said promissory note in the amount of \_\_\_\_\_ Dollars being payable over a term of \_\_\_\_\_ years, with an amortization period of \_\_\_\_\_ years, payable in monthly installments of principal, together with accrued interest on the outstanding principal balance at the rate of \_\_\_\_\_ percent ( \_\_\_\_\_ %) per annum in the amount of \$ \_\_\_\_\_, with the first principal payment beginning on the first day of the month next succeeding the date of Closing, or such other terms as may be set forth on **Exhibit B**. At any time, the promissory note may be prepaid in whole or in part without penalty and without further interest on the amounts prepaid from the date of such prepayment. **(NOTE: In the event of Buyer's subsequent default upon a promissory note**

and deed of trust given hereunder, Seller's remedies may be limited to foreclosure of the Property. If the deed of trust given hereunder is subordinated to senior financing, the material terms of such financing must be set forth on Exhibit B. If such senior financing is subsequently foreclosed, the Seller may have no remedy to recover under the note.)

\$N/A (iv) **Assumption** of that unpaid obligation of Seller secured by a deed of trust on the Property, such obligation having an outstanding principal balance of \$\_\_\_\_\_ and evidenced by a note bearing interest at the rate of \_\_\_\_\_ percent (\_\_\_\_\_% ) per annum, and a current payment amount of \$\_\_\_\_\_.

\$323,000.00 (v) **Cash, balance of Purchase Price**, at Closing in the amount of **Three Hundred Twenty-three Thousand Dollars**.

(c) **"Closing"** shall mean the date of completion of the process detailed in Section 11 of this Agreement. Closing shall occur on or before **30 days after the end of Examination Period as defined herein**.

(d) **"Contract Date"** means the date this Agreement has been fully executed by both Buyer and Seller and after approval by the Huntersville Board of Commissioners.

(e) **"Examination Period"** shall mean the period beginning on the first day after the Contract Date and extending through 5:00pm (based upon time at the locale of the Property) on the date that is **90 days after the Contract Date. TIME IS OF THE ESSENCE AS TO THE EXAMINATION PERIOD.**

(g) **"Broker(s)"** shall mean:  
None (N/A) ("Listing Agency"),  
\_\_\_\_ ("Listing Agent" – License # \_\_\_\_\_)

Acting as: ☐ Seller's Agent; ☐ Dual Agent

And ("Selling Agency"),

N/A ("Selling Agent" - License # \_\_\_\_\_)

Acting as: ☐ Buyer's Agent; ☐ Seller's (Sub)Agent; ☐ Dual Agent

(h) **"Seller's Notice Address"** shall be as follows:

Anthony Roberts, Town Manager Town of Huntersville  
P.O. Box 664  
Huntersville, NC 28078

e-mail address: \_\_\_\_\_ fax number: \_\_\_\_\_

except as same may be changed pursuant to Section 12.

(i) **"Buyer's Notice Address"** shall be as follows:

Brian Hines  
121 Gilead Road  
Huntersville, NC 28078

e-mail address: Brian@HinesRE.com fax number: \_\_\_\_\_

except as same may be changed pursuant to Section 12.

[X] (j) If this block is marked, additional terms of this Agreement are set forth on **Exhibit B** attached hereto and incorporated herein by reference. (**Note: Under North Carolina law, real estate agents are not permitted to draft conditions or contingencies to this Agreement.**)

- ☐ (k) If this block is marked, additional terms of this Agreement are set forth on the Additional Provisions Addendum (Form 581-T) attached hereto and incorporated herein by reference.

**Section 2. Sale of Property and Payment of Purchase Price:** Seller agrees to sell and Buyer agrees to buy the Property for the Purchase Price.

**Section 3. Proration of Expenses and Payment of Costs:** Seller and Buyer agree that all property taxes (on a calendar year basis), leases, rents, mortgage payments and utilities or any other assumed liabilities as detailed on attached **Exhibit B**, if any, shall be prorated as of the date of Closing. Seller shall pay for preparation of a deed and all other documents necessary to perform Seller's obligations under this Agreement, excise tax (revenue stamps), any deferred or rollback taxes, and other conveyance fees or taxes required by law, and the following: [none].

Buyer shall pay recording costs, costs of any title search, title insurance, survey, the cost of any inspections or investigations undertaken by Buyer under this Agreement and the following: [none].

Each party shall pay its own attorney's fees.

**Section 4. Deliveries:** Seller agrees to use best efforts to deliver to Buyer as soon as reasonably possible after the Contract Date copies of all material information relevant to the Property in the possession of Seller, including but not limited to: title insurance policies (and copies of any documents referenced therein), surveys, soil test reports, environmental surveys or reports, site plans, civil drawings, building plans, maintenance records and copies of all presently effective warranties or service contracts related to the Property. Seller authorizes (1) any attorney presently or previously representing Seller to release and disclose any title insurance policy in such attorney's file to Buyer and both Buyer's and Seller's agents and attorneys; and (2) the Property's title insurer or its agent to release and disclose all materials in the Property's title insurer's (or title insurer's agent's) file to Buyer and both Buyer's and Seller's agents and attorneys. If Buyer does not consummate the Closing for any reason other than Seller default, then Buyer shall return to Seller all materials delivered by Seller to Buyer pursuant to this Section 4 (or Section 7, if applicable), if any, and shall, upon Seller's request, provide to Seller copies of (subject to the ownership and copyright interests of the preparer thereof) any and all studies, reports, surveys and other information relating directly to the Property prepared by or at the request of Buyer, its employees and agents, and shall deliver to Seller, upon the release of the Earnest Money, copies of all of the foregoing without any warranty or representation by Buyer as to the contents, accuracy or correctness thereof.

**Section 5. Evidence of Title:** Seller agrees to convey fee simple insurable title to the Property without exception for mechanics' liens, free and clear of all liens, encumbrances and defects of title other than: (a) zoning ordinances affecting the Property, (b) Leases (as defined in Section 7, if applicable) and (c) specific instruments on the public record at the Contract Date agreed to by Buyer (not objected to by Buyer prior to the end of the Examination Period), which specific instruments shall be enumerated in the deed referenced in Section 11 (items 5(a), 5(b) and 5(c) being collectively "Permitted Exceptions"); provided that Seller shall be required to satisfy, at or prior to Closing, any encumbrances that may be satisfied by the payment of a fixed sum of money, such as deeds of trust, mortgages or statutory liens. Seller shall not enter into or record any instrument that affects the Property (or any personal property listed on **Exhibit A**) after the Contract Date without the prior written consent of Buyer, which consent shall not be unreasonably withheld, conditioned or delayed.

**Section 6. Conditions:** This Agreement and the rights and obligations of the parties under this Agreement are hereby made expressly conditioned upon fulfillment (or waiver by Buyer, whether explicit or implied) of the following conditions:

(a) **New Loan:** [intentionally deleted]

(b) **Qualification for Assumption:** [intentionally deleted]

(c) **Title Examination:** After the Contract Date, Buyer shall, at Buyer's expense, cause a title examination to be made of the Property before the end of the Examination Period. In the event that such title examination shall show that Seller's title is not fee simple insurable, subject only to Permitted Exceptions, then Buyer shall promptly notify Seller in writing of all such title defects and exceptions, in no case later than the end of the Examination Period, and Seller shall have thirty (30) days to cure said noticed defects. If Seller does not cure the defects or objections within thirty (30) days of notice thereof, then Buyer may terminate this Agreement and receive a return of Earnest Money (notwithstanding that the Examination Period may have expired). If Buyer is to purchase title insurance, the insuring company must be licensed to do business in the state in which the Property is located. Title to the Property must be insurable at regular rates, subject only to standard exceptions and Permitted Exceptions.

(d) **Same Condition:** If the Property is not in substantially the same condition at Closing as of the date of the offer, reasonable wear and tear excepted, then the Buyer may (i) terminate this Agreement and receive a return of the Earnest Money or (ii) proceed to Closing whereupon Buyer shall be entitled to receive, in addition to the Property, any of the Seller's insurance proceeds payable on account of the damage or destruction applicable to the Property.

(e) **Inspections:** Buyer, its agents or representatives, at Buyer's expense and at reasonable times during normal business hours, shall have the right to enter upon the Property for the purpose of inspecting, examining, conducting timber cruises, and surveying the Property; provided, however, that Buyer shall not conduct any invasive testing of any nature without the prior express written approval



of Seller as to each specific invasive test intended to be conducted by Buyer. Buyer shall conduct all such on-site inspections, examinations, testing, timber cruises and surveying of the Property in a good and workmanlike manner, at Buyer's expense, shall repair any damage to the Property caused by Buyer's entry and on-site inspections and shall conduct same in a manner that does not unreasonably interfere with Seller's or any tenant's use and enjoyment of the Property. In that respect, Buyer shall make reasonable efforts to undertake on-site inspections outside of the hours Seller's or any tenant's business is open to the public. Buyer shall provide Seller or any tenant (as applicable) reasonable advance notice of and Buyer shall cause its agents or representatives and third party service providers (e.g. inspectors, surveyors, etc.) to give reasonable advance notice of any entry onto the Property. Buyer shall be obligated to observe and comply with any terms of any tenant lease which conditions access to such tenant's space at the Property. Upon Seller's request, Buyer shall provide to Seller evidence of general liability insurance. Buyer shall also have a right to review and inspect all contracts or other agreements affecting or related directly to the Property and shall be entitled to review such books and records of Seller that relate directly to the operation and maintenance of the Property, provided, however, that Buyer shall not disclose any information regarding this Property (or any tenant therein) unless required by law and the same shall be regarded as confidential, to any person, except to its attorneys, accountants, lenders and other professional advisors, in which case Buyer shall obtain their agreement to maintain such confidentiality. Buyer assumes all responsibility for the acts of itself, its agents or representatives in exercising its rights under this Section 6(e) and agrees to indemnify and hold Seller harmless from any damages resulting therefrom. This indemnification obligation of Buyer shall survive the Closing or earlier termination of this Agreement. Except as provided in Section 6(c) above, Buyer shall have from the Contract Date through the end of the Examination Period to perform the above inspections, examinations and testing. **IF BUYER CHOOSES NOT TO PURCHASE THE PROPERTY, FOR ANY REASON OR NO REASON, AND PROVIDES WRITTEN NOTICE TO SELLER THEREOF PRIOR TO THE EXPIRATION OF THE EXAMINATION PERIOD, THEN THIS AGREEMENT SHALL TERMINATE, AND BUYER SHALL RECEIVE A RETURN OF THE EARNEST MONEY.**

**Section 7. Leases (Check one of the following, as applicable):**

☒ [X] If this box is checked, Seller affirmatively represents and warrants that there are no Leases (as hereinafter defined) affecting the Property.

☐ If this box is checked, Seller discloses that there are one or more leases affecting the Property ("Leases") and the following provisions are hereby made a part of this Agreement.

(a) A list of all Leases shall be set forth on **Exhibit C**. Seller represents and warrants that as of the Contract Date, there are no other Leases, oral or written, recorded or not, nor any subleases affecting the Property, except as set forth on **Exhibit C**;

(b) Seller shall deliver copies of any Leases to Buyer pursuant to Section 4 as if the Leases were listed therein;

(c) Seller represents and warrants that as of the Contract Date there are no current defaults (or any existing situation which, with the passage of time, or the giving of notice, or both, or at the election of either landlord or tenant could constitute a default) either by Seller, as landlord, or by any tenant under any Lease ("Lease Default"). In the event there is any Lease Default as of the Contract Date, Seller agrees to provide Buyer with a detailed description of the situation in accordance with Section 4. Seller agrees not to commit a Lease Default as Landlord after the Contract Date, and agrees further to notify Buyer immediately in the event a Lease Default arises or is claimed, asserted or threatened to be asserted by either Seller or a tenant under the Lease.

(d) In addition to the conditions provided in Section 6 of this Agreement, this Agreement and the rights and obligations of the parties under this Agreement are hereby made expressly conditioned upon the assignment of Seller's interest in any Lease to Buyer in form and content acceptable to Buyer (with tenant's written consent and acknowledgement, if required under the Lease). Seller agrees to deliver an assignment of any Lease at or before Closing, with any security deposits held by Seller under any Leases to be transferred or credited to Buyer at or before Closing. The assignment shall provide: (i) that Seller shall defend, indemnify and hold Buyer harmless from claims, losses, damages and liabilities (including, without limitation, court costs and attorneys' fees) asserted against or incurred by Buyer which are caused by or the result of any default by Seller under any Lease prior to the date of Closing, and (ii) that Buyer shall defend, indemnify and hold Seller harmless from claims, losses, damages and liabilities (including, without limitation, court costs and attorneys' fees) asserted against or incurred by Seller which are caused by or the result of any default by Buyer under any Lease after the date of Closing.

(e) Seller also agrees to execute and deliver (and work diligently to obtain any tenant signatures necessary for same) any estoppel certificates and subordination, nondisturbance and attornment agreements in such form as Buyer may reasonably request.

**Section 8. Environmental:** Seller represents and warrants that it has no actual knowledge of the presence or disposal, except as in accordance with applicable law, within the buildings or on the Property of hazardous or toxic waste or substances, which are defined as those substances, materials, and wastes, including, but not limited to, those substances, materials and wastes listed in the United States Department of Transportation Hazardous Materials Table (49 CFR Part 172.101) or by the Environmental Protection Agency as hazardous substances (40 CFR Part 302.4) and amendments thereto, or such substances, materials and wastes, which are or become regulated under any applicable local, state or federal law, including, without limitation, any material, waste or substance which is (i) petroleum, (ii) asbestos, (iii) polychlorinated biphenyls, (iv) designated as a Hazardous Substance pursuant to Section 311 of the Clean Water Act of 1977 (33 U.S.C. §1321) or listed pursuant to Section 307 of the Clean Water Act of 1977 (33 U.S.C. §1317), (v) defined as a hazardous waste pursuant to Section 1004 of the Resource Conservation and Recovery Act of 1976 (42 U.S.C. §6903) or (vi) defined as a hazardous substance pursuant to Section 101 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. §9601). Seller has no actual knowledge of any contamination of the Property from such substances as may have been disposed of or stored on neighboring tracts.

**Section 9. Risk of Loss/Damage/Repair:** Until Closing, the risk of loss or damage to the Property, except as otherwise provided herein, shall be borne by Seller. Except as to maintaining the Property in its same condition, Seller shall have no responsibility for the repair of the Property, including any improvements, unless the parties hereto agree in writing.

**Section 10. Earnest Money Disbursement:** In the event that any condition hereto is not satisfied, then the Earnest Money shall be refunded to Buyer. In the event that Seller accepts a third-party offer to purchase the Property, resulting from the "Negotiated Offer, Advertisement and Upset Bid" Process contemplated by N.C.G.S. 160A-269, then the Earnest Money shall be immediately refunded to Buyer. In the event of breach of this Agreement by Seller, the Earnest Money shall be refunded to Buyer upon Buyer's request, but such return shall not affect any other remedies available to Buyer for such breach. In the event of breach of this Agreement by Buyer, the Earnest Money Deposit shall be paid to Seller as liquidated damages and as Seller's sole and exclusive remedy for such breach, but without limiting Seller's rights under Section 6(e) or Section 22 of this Agreement. It is acknowledged by the parties that payment of the Earnest Money to Seller in the event of a breach of this Agreement by Buyer is compensatory and not punitive, such amount being a reasonable estimation of the actual loss that Seller would incur as a result of such breach. The payment of the Earnest Money to Seller shall not constitute a penalty or forfeiture but actual compensation for Seller's anticipated loss, both parties acknowledging the difficulty determining Seller's actual damages for such breach.

NOTE: In the event of a dispute between Seller and Buyer over the disposition of the Earnest Money held in escrow, a licensed real estate broker is required by state law (and Escrow Agent, if not a broker, hereby agrees) to retain the Earnest Money in the Escrow Agent's trust or escrow account until Escrow Agent has obtained a written release from the parties consenting to its disposition or until disbursement is ordered by a court of competent jurisdiction. Alternatively, if a broker or an attorney licensed to practice law in North Carolina is holding the Earnest Money, the broker or attorney may deposit the disputed monies with the appropriate clerk of court in accordance with the provisions of N.C.G.S. §93A- 12.

Seller and Buyer hereby agree and acknowledge that the Escrow Agent assumes no liability in connection with the holding of the Earnest Money pursuant hereto except for negligence or willful misconduct of Escrow Agent. Escrow Agent shall not be responsible for the validity, correctness or genuineness of any document or notice referred to under this Agreement. Seller and Buyer hereby agree to indemnify, protect, save and hold harmless Escrow Agent and its successors, assigns and agents pursuant to this Agreement, from any and all liabilities, obligations, losses, damages, claims, actions, suits, costs or expenses (including attorney fees) of whatsoever kind or nature imposed on, incurred by or asserted against Escrow Agent which in any way relate to or arise out of the execution and delivery of this Agreement and any action taken hereunder; provided, however, that Seller and Buyer shall have no such obligation to indemnify, save and hold harmless Escrow Agent for any liability incurred by, imposed upon or established against it as a result of Escrow Agent's negligence or willful misconduct.

**Section 11. Closing:** At or before Closing, Seller shall deliver to Buyer a special warranty deed unless and other documents customarily executed or delivered by a seller in similar transactions, including without limitation, a bill of sale for any personal property listed on Exhibit A, an owner's affidavit, lien waiver forms (and such other lien related documentation as shall permit the Property to be conveyed free and clear of any claim for mechanics' liens) and a non-foreign status affidavit (pursuant to the Foreign Investment in Real Property Tax Act), and Buyer shall cause to be delivered the funds necessary to pay to Seller the Purchase Price. The Closing shall be conducted by Buyer's attorney or handled in such other manner as the parties hereto may mutually agree in writing. Possession shall be delivered at Closing, unless otherwise agreed herein. The Purchase Price and other funds to be disbursed pursuant to this Agreement shall not be disbursed until the Buyer's attorney's (or other designated settlement agent's) receipt of authorization to disburse all necessary funds.

**Section 12. Notices:** Unless otherwise provided herein, all notices and other communications which may be or are required to be given or made by any party to the other in connection herewith shall be in writing (which shall include electronic mail) and shall be deemed to have been properly given and received (i) on the date delivered in person or (ii) the date deposited in the United States mail, registered or certified, return receipt requested, to the addresses set out in Section 1(g) as to Seller and in Section 1(h) as to Buyer, or at such other addresses as specified by written notice delivered in accordance herewith, (iii) upon the sender's receipt of evidence of complete and successful transmission of electronic mail or facsimile to the electronic mail address or facsimile number, if any, provided in Section 1(g) as to Seller and in Section 1(h) as to Buyer or (iv) on the date deposited with a recognized overnight delivery service, addressed to

the addresses set out in Section 1(g) as to Seller and in Section 1(h) as to Buyer, or at such other addresses as specified by written notice delivered in accordance herewith. If a notice is sent by more than one method, it will be deemed received upon the earlier of the dates of receipt pursuant to this Section.

**Section 13. Counterparts; Entire Agreement:** This Agreement may be executed in one or more counterparts, which taken together, shall constitute one and the same original document. Copies of original signature pages of this Agreement may be exchanged via facsimile or e-mail, and any such copies shall constitute originals. This Agreement constitutes the sole and entire agreement among the parties hereto and no modification of this Agreement shall be binding unless in writing and signed by all parties hereto. The invalidity of one or more provisions of this Agreement shall not affect the validity of any other provisions hereof and this Agreement shall be construed and enforced as if such invalid provisions were not included.

**Section 14. Enforceability:** This Agreement shall become a contract when signed by both Buyer and Seller and such signing is communicated to both parties; it being expressly agreed that the notice described in Section 12 is not required for effective communication for the purposes of this Section 14. The parties acknowledge and agree that: (i) the initials lines at the bottom of each page of this Agreement are merely evidence of their having reviewed the terms of each page, and (ii) the complete execution of such initials lines shall not be a condition of the effectiveness of this Agreement. This Agreement shall be binding upon and inure to the benefit of the parties, their heirs, successors and assigns and their personal representatives.

### **Section 15. Adverse Information and Compliance with Laws**

(a)**Seller Knowledge/Assessments:** Seller has no actual knowledge of (i) condemnation(s) affecting or contemplated with respect to the Property; (ii) actions, suits or proceedings pending or threatened against the Property; (iii) changes contemplated in any applicable laws, ordinances or restrictions affecting the Property; or (iv) governmental special assessments, either pending or confirmed, for sidewalk, paving, water, sewer, or other improvements on or adjoining the Property, and no pending or confirmed owners' association special assessments, except as follows (Insert "None" or the identification of any matters relating to (i) through (iv) above, if any): NONE

**Note:** For purposes of this Agreement: (i) a "special assessment" is defined as a charge against the Property by a governmental authority in addition to ad valorem taxes and recurring governmental service fees levied with such taxes, or by an owners' association in addition to any regular assessment (dues), either of which may be a lien against the Property; a special assessment may be either pending or confirmed; (ii) a "confirmed" special assessment is defined as an assessment that has been approved by a governmental agency or an owners' association for the purpose(s) stated, whether, at the time of Closing, it is payable in a lump sum or future installments; (iii) a "pending" special assessment is defined as an assessment that is under formal consideration by a governmental agency or an owners' association but which has not been approved prior to Closing. Seller shall pay, in full at Closing, all confirmed governmental or association special assessments, provided that the amount thereof can be reasonably determined or estimated. The payment of such determined or estimated amount shall be the final payment between Buyer and Seller as to any confirmed special assessments. If the amount of any special assessment cannot be reasonably determined or estimated, the special assessment shall be deemed a pending special assessment. Buyer shall take title subject to all pending special assessments disclosed by Seller herein, if any.

(b)**Compliance:** To Seller's actual knowledge, (i) Seller has complied with all applicable laws, ordinances, regulations, statutes, rules and restrictions pertaining to or affecting the Property; (ii) performance of the Agreement will not result in the breach of, constitute any default under or result in the imposition of any lien or encumbrance upon the Property under any agreement or other instrument to which Seller is a party or by which Seller or the Property is bound; and (iii) there are no legal actions, suits or other legal or administrative proceedings pending or threatened against the Property, and Seller is not aware of any facts which might result in any such action, suit or other proceeding.

(c)**Owners' Association:** If the Property is subject to regulation by an owners' association, Seller shall deliver the following information to Buyer pursuant to Section 4 as if the same were listed therein (or Seller shall state that Seller does not have same in their possession or that such item is not applicable): (i) the name of the owners' association; (ii) the amount of regular assessments (dues); (iii) the name, address and telephone number of the president of the owners' association or of the association manager or management company; (iv) the owners' association website address; (v) the Seller's statement of account; (vi) the master insurance policy showing the coverage provided and the deductible amount; (vii) copies of any Declaration and/or Restrictive Covenants; (viii) the Rules and Regulations, (ix) the Articles of Incorporation and Bylaws of the owners' association; (x) the current financial statement and budget of the owners' association; (xi) the parking restrictions and information; and (xii) the architectural guidelines. Seller authorizes and directs any owners' association, any management company of the owners' association, any insurance company and any attorney who has previously represented the Seller to release to Buyer, Buyer's agents, representative, closing attorney or lender true and accurate copies of the foregoing items affecting the Property, including any amendments thereto.

**Section 16. Survival of Representations and Warranties:** All representations, warranties, covenants and agreements made by the parties hereto shall survive the Closing and delivery of the deed. Seller shall, at or within six (6) months after the Closing, and without further consideration, execute, acknowledge and deliver to Buyer such other documents and instruments, and take such other action as Buyer may reasonably request or as may be necessary to more effectively transfer to Buyer the Property.

**Section 17. Applicable Law:** This Agreement shall be construed under the laws of the state in which the Property is located. This form has only been approved for use in North Carolina.

**Section 18. Assignment:** This Agreement is freely assignable unless otherwise expressly provided on Exhibit B.

**Section 19. Tax-Deferred Exchange:** In the event Buyer or Seller desires to effect a tax-deferred exchange in connection with the conveyance of the Property, Buyer and Seller agree to cooperate in effecting such exchange; provided, however, that the exchanging party shall be responsible for all additional costs associated with such exchange, and provided further, that a non-exchanging party shall not assume any additional liability with respect to such tax-deferred exchange. Seller and Buyer shall execute such additional documents, at no cost to the non-exchanging party, as shall be required to give effect to this provision.

**Section 20. Memorandum of Contract:** Upon request by either party, the parties hereto shall execute a memorandum of contract in recordable form setting forth such provisions hereof (other than the Purchase Price and other sums due) as either party may wish to incorporate. Such memorandum of contract shall contain a statement that it automatically terminates and the Property is released from any effect thereby as of a specific date to be stated in the memorandum (which specific date shall be no later than the date of Closing). The cost of recording such memorandum of contract shall be borne by the party requesting execution of same.

**Section 21. Authority:** Each signatory to this Agreement represents and warrants that he or she has full authority to sign this Agreement and such instruments as may be necessary to effectuate any transaction contemplated by this Agreement on behalf of the party for whom he or she signs and that his or her signature binds such party.

**Section 22. Brokers:** Except as expressly provided herein, Buyer and Seller agree to indemnify and hold each other harmless from any and all claims of brokers, consultants or real estate agents by, through or under the indemnifying party for fees or commissions arising out of the sale of the Property to Buyer. Buyer and Seller represent and warrant to each other that: (i) except as to the Brokers designated under Section 1(f) of this Agreement, they have not employed nor engaged any brokers, consultants or real estate agents to be involved in this transaction and (ii) that the compensation of the Brokers is established by and shall be governed by separate agreements entered into as amongst the Brokers, the Buyer and/or the Seller.

**Section 23. Attorneys Fees:** If legal proceedings are instituted to enforce any provision of this Agreement, the prevailing party in the proceeding shall be entitled to recover from the non-prevailing party reasonable attorneys fees and court costs incurred in connection with the proceeding.

☐ **EIFS/SYNTHETIC STUCCO:** If the adjacent box is checked, Seller discloses that the Property has been clad previously (either in whole or in part) with an “exterior insulating and finishing system” commonly known as “EIFS” or “synthetic stucco”. Seller makes no representations or warranties regarding such system and Buyer is advised to make its own independent determinations with respect to conditions related to or occasioned by the existence of such materials at the Property.

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Buyer: Brian Hines

Seller: **Town of Huntersville** [SEAL]

By: \_\_\_\_\_

By: \_\_\_\_\_  
Town Manager

Buyer: Jay Henson

By: \_\_\_\_\_



### WIRE FRAUD WARNING

**To Buyers:** Before sending any wire, you should call the closing agent's office to verify the instructions. If you receive wiring instructions for a different bank, branch location, account name or account number, they should be presumed fraudulent. Do not send any funds and contact the closing agent's office immediately.

**To Sellers:** If your proceeds will be wired, it is recommended that you provide wiring instructions at closing in writing in the presence of the closing agent. If you are unable to attend closing, you may be required to send an original notarized directive to the closing agent's office containing the wiring instructions. This directive may be sent with the deed, lien waiver and tax forms if those documents are being prepared for you by the closing agent. At a minimum, you should call the closing agent's office to provide the wire instructions. The wire instructions should be verified over the telephone via a call to you initiated by the closing agent's office to ensure that they are not from a fraudulent source.

Whether you are a buyer or a seller, you should call the closing agent's office at a number that is independently obtained. To ensure that your contact is legitimate, you should not rely on a phone number in an email from the closing agent's office, your real estate agent or anyone else.

**The undersigned hereby acknowledges receipt of the Earnest Money set forth herein and agrees to hold said Earnest Money in accordance with the terms hereof.**

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(Name of Escrow Agent)

Date: \_\_\_\_\_ By: \_\_\_\_\_

Escrow Agent's contact/notice information is as follows:

---

e-mail address: fax number:

except as same may be changed pursuant to Section 12.

## **Exhibit A**

### **General Description of Property**

#### **Tract 1**

BEING all of Lot No. 1 of the Lands of Town of Huntersville DB 30620/PG 491 and DB 30620/PG 488 shown on a plat thereof prepared by Dunbar Geomatics, recorded Plat Book 74 at Page 993, Mecklenburg County Registry, which said plat is made a part hereof and is referred to for a description of said lands as further described below.

A PORTION OF THE LANDS OF TOWN OF HUNTERSVILLE, AS DESCRIBED IN DEED BOOK 30620, PAGE 491, AS RECORDED IN THE PUBLIC REGISTRY OF MECKLENBURG COUNTY, NORTH CAROLINA, SAID LANDS LYING IN THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NCGS MONUMENT "LEAD", HAVING NC GRID COORDINATES OF N 609121.472 US FEET AND E 1446787.579 US FEET, NAD 83 / 2011, AVERAGE COMBINED GRID FACTOR 0.999843940;

THENCE N 74°14'56" E A GROUND DISTANCE OF 4965.19 FEET TO A FOUND # 5 REBAR ON THE SOUTHERLY LINE OF SAID TOWN OF HUNTERSVILLE LANDS, DEED BOOK 30620, PAGE 491, COMMON LINE WITH THE LANDS OF TONY ERIC BRANNON & RHONDA KIM HERRON BRANNON, AS DESCRIBED IN DEED BOOK 4531, PAGE 810 OF SAID PUBLIC REGISTRY, SAID REBAR ALSO BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN BEING DESCRIBED;

THENCE N 84°38'01" W ALONG SAID COMMON LINE A DISTANCE OF 59.06 FEET TO A POINT IN THE CENTERLINE OF THE NORFOLK AND SOUTHERN RAILWAY, A REPUTED 100' WIDE RIGHT OF WAY, COMMON CORNER WITH SAID BRANNON LANDS;

THENCE ALONG THE CENTERLINE OF SAID RAILROAD WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 3713.94 FEET, AN ARC LENGTH OF 111.12 FEET AND BEING SUBTENDED BY A CHORD BEARING N 08°46'24" E 111.12 FEET TO A POINT;

THENCE CONTINUE ALONG SAID CENTERLINE N 09°46'36" E A DISTANCE OF 27.54 FEET TO A POINT IN THE CENTERLINE OF SECOND STREET, AN EXISTING PUBLIC RIGHT OF WAY;

THENCE S 86°08'03" E ALONG THE CENTERLINE OF SAID SECOND STREET, PASSING THROUGH A SET MAG NAIL AT DISTANCE OF 60.00 FEET FOR A TOTAL DISTANCE OF 173.12 FEET TO A SET MAG NAIL;

THENCE LEAVING SAID CENTERLINE S 09°01'29" W ON A NEW LINE A DISTANCE OF 143.20 FEET TO A SET # 5 REBAR ON THE SOUTHERLY LINE OF SAID TOWN OF HUNTERSVILLE LANDS, DEED BOOK 30620, PAGE 491, COMMON LINE WITH THE LANDS OF SAID BRANNON;

THENCE N 84°38'01" W ALONG THE COMMON LINE OF SAID TOWN OF HUNTERSVILLE LANDS, DEED BOOK 30620, PAGE 491 AND SAID BRANNON LANDS, A DISTANCE OF 113.59 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED CONTAINING 24,348 SQUARE FEET OR 0.559 ACRES OF LAND;

ALL AS SHOWN ON A RECOMBINATION PLAT OF THE LANDS OF THE TOWN OF HUNTERSVILLE, DB 30620 /PG 491 AND DB 30620 /PG 488, HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA, PREPARED BY DUNBAR GEOMATICS GROUP, PLLC, DATED 01/02/2025.

## **Tract 2**

BEING all of Lot No. 2 of the Lands of Town of Huntersville DB 30620/PG 491 and DB 30620/PG 488 shown on a plat thereof prepared by Dunbar Geomatics, recorded Plat Book 74 at Page 993, Mecklenburg County Registry, which said plat is made a part hereof and is referred to for a description of said lands as further described below.

A PORTION OF THE LANDS OF TOWN OF HUNTERSVILLE, AS DESCRIBED IN DEED BOOK 30620, PAGE 491, AND DEED BOOK 30620, PAGE 488, ALL AS RECORDED IN THE PUBLIC REGISTRY OF MECKLENBURG COUNTY, NORTH CAROLINA, SAID LANDS LYING IN THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NCGS MONUMENT "LEAD", HAVING NC GRID COORDINATES OF N 609121.472 US FEET AND E 1446787.579 US FEET, NAD 83 / 2011, AVERAGE COMBINED GRID FACTOR 0.999843940;

THENCE N 74°14'56" E A GROUND DISTANCE OF 4965.19 FEET TO A FOUND # 5 REBAR ON THE SOUTHERLY LINE OF SAID TOWN OF HUNTERSVILLE LANDS, DEED BOOK 30620, PAGE 491, COMMON LINE WITH THE LANDS OF TONY ERIC BRANNON & RHONDA KIM HERRON BRANNON, AS DESCRIBED IN DEED BOOK 4531, PAGE 810 OF SAID PUBLIC REGISTRY;

THENCE S 84°38'01" E ALONG SAID COMMON LINE A DISTANCE OF 113.59 FEET TO SET # 5 REBAR, SAID REBAR BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN BEING DESCRIBED;

THENCE N 09°01'29" E ON A NEW LINE A DISTANCE OF 143.20 FEET TO A SET MAG NAIL IN THE CENTERLINE OF SECOND STREET, AN EXISTING PUBLIC RIGHT OF WAY;

THENCE S 86°08'03" E ALONG THE CENTERLINE OF SAID SECOND STREET, A DISTANCE OF 148.50 FEET TO A POINT;

THENCE LEAVING SAID CENTERLINE S 04°15'37" W A DISTANCE OF 12.89 FEET TO A SET # 5 REBAR ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID SECOND STREET (FORMERLY EAST 6TH STREET), A 28' WIDE PUBLIC RIGHT OF WAY AS SHOWN ON THE PLAT OF H. J. WALKER PROPERTY AS RECORDED IN MAP BOOK 230, PAGE 19 OF SAID PUBLIC REGISTRY, ALSO BEING THE NORTHWESTERLY CORNER OF LOT 9, BLOCK 3 OF SAID WALKER PLAT;

THENCE S 85°52'32" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE, AND THE NORTHERLY LINE OF SAID LOT 9 A DISTANCE OF 179.74 FEET TO A SET # 5 REBAR AT THE INTERSECTION OF SAID SOUTHERLY RIGHT OF WAY LINE AND THE WESTERLY RIGHT OF WAY LINE OF WALTERS STREET (FORMERLY WALKER STREET), A 36 FOOT WIDE RIGHT OF WAY AS SHOWN ON SAID WALKER PLAT, SAID INTERSECTION BEING THE NORTHEASTERLY CORNER OF SAID LOT 9;

THENCE S 03°23'53" E ALONG SAID WESTERLY RIGHT OF WAY LINE AND THE EASTERLY LINE OF LOTS 7, 8 AND 9, BLOCK 3 OF SAID WALKER PLAT A DISTANCE OF 144.55 FEET TO A SET # 5 REBAR AT THE SOUTHEASTERLY CORNER OF SAID LOT 7, COMMON CORNER WITH THE LANDS OF THE TOWN OF HUNTERSVILLE, AS RECORDED IN DEED BOOK 30620, PAGE 491 OF SAID PUBLIC REGISTRY;

THENCE N 89°31'48" W ALONG THE SOUTHERLY LINE OF SAID LOT 7, COMMON LINE WITH SAID TOWN OF HUNTERSVILLE, A DISTANCE OF 199.44 FEET TO A SET # 5 REBAR AT THE SOUTHWESTERLY CORNER OF SAID LOT 7, COMMON CORNER WITH SAID TOWN OF HUNTERSVILLE AND SAID BRANNON LANDS;

THENCE N 04°15'37" E ALONG THE WESTERLY LINE OF SAID LOT 7, COMMON LINE WITH SAID BRANNON LANDS, A DISTANCE OF 22.09 FEET TO A FOUND # 5 REBAR, COMMON CORNER WITH SAID TOWN OF HUNTERSVILLE LANDS, DEED BOOK 30620, PAGE 491 AND SAID BRANNON LANDS;

THENCE N 84°38'01" W ALONG THE COMMON LINE OF SAID TOWN OF HUNTERSVILLE LANDS, DEED BOOK 30620, PAGE 491 AND SAID BRANNON LANDS, PASSING THROUGH FOUND # 5 REBARS AT DISTANCES OF 50.05 FEET, 100.10 FEET, 149.99 FEET, FOR A TOTAL DISTANCE OF 160.42 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

CONTAINING 50,766 SQUARE FEET OR 1.165 ACRES OF LAND;

ALL AS SHOWN ON A RECOMBINATION PLAT OF THE LANDS OF THE TOWN OF HUNTERSVILLE, DB 30620 /PG 491 AND DB 30620 /PG 488, HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA, PREPARED BY DUNBAR GEOMATICS GROUP, PLLC, DATED 01/02/2025.

### **Tract 3**

Tax Parcel ID: 01903315

BEING ALL of Lot 6, Block 3 of the H.J. Walker property, as same is shown on map thereof recorded in Map Book 230, Page 19, Mecklenburg County Public Registry.



## **Exhibit B**

### **Additional Terms**

The following additional terms are made a part of the above-referenced Agreement for Purchase and Sale of Real Property ("Agreement") by specific reference thereto and, to the extent this Exhibit differs from the Agreement, this Exhibit shall control.

Any assignment of this Agreement must be approved in writing by the Seller, such approval not to be unreasonably withheld.

This conveyance is made upon the express limitation, restriction, and condition that the Buyer shall improve and convey one parcel or portion thereof (an "Improved Attainable Housing Parcel") from the Property conveyed pursuant to this Agreement to a non-profit entity for the purpose of constructing and providing for lease at least fifteen (15) attainable housing apartment units for persons earning no more than 120% of the local area median income as published by HUD for the Charlotte-Concord-Gastonia NC-SC HUD Metro FMR Area.

For purposes of this Agreement, an Improved Attainable Housing Parcel shall be defined as a site with 24 associated parking spaces constructed on or off-site and consisting of a graded building pad of at least 7,000 square feet that is suitable for construction thereon of a three (3) story apartment building in compliance with the Town of Huntersville Zoning Ordinance. All required stormwater and drainage facilities for the apartment building to be constructed on the Improved Attainable Housing Parcel shall be installed by the Buyer, on or off-site, prior to the conveyance of the parcel to a non-profit entity.

If an Improved Attainable Housing Parcel is not donated to a non-profit entity and is not so utilized by the non-profit for the above-stated purpose of providing for lease at least 15 attainable housing apartment units within a period of seven (7) years from the date of the conveyance by Seller to Buyer of the Property, title to the area as described on Exhibit C attached hereto and incorporated herein shall automatically revert to the Seller in fee simple.

The conveyance of the Improved Attainable Housing Parcel by Buyer to the non-profit entity shall contain deed restrictions limiting the use of the Improved Attainable Housing Parcel to the purposes set forth herein in perpetuity. Seller reserves the right to approve the deed restrictions included in Buyer's conveyance of the Improved Attainable Housing Parcel to the non-profit entity, with written approval not to be unreasonably withheld.

The limitations, restrictions, and conditions set forth above shall be included as a deed restriction in the documents conveying the Property to Buyer.

## Exhibit C

### Description of Reversionary Interest

BEING all of Lot No. 1 of the Lands of Town of Huntersville DB 30620/PG 491 and DB 30620/PG 488 shown on a plat thereof prepared by Dunbar Geomatics, recorded Plat Book 74 at Page 993, Mecklenburg County Registry, which said plat is made a part hereof and is referred to for a description of said lands as further described below.

A PORTION OF THE LANDS OF TOWN OF HUNTERSVILLE, AS DESCRIBED IN DEED BOOK 30620, PAGE 491, AS RECORDED IN THE PUBLIC REGISTRY OF MECKLENBURG COUNTY, NORTH CAROLINA, SAID LANDS LYING IN THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NCGS MONUMENT "LEAD", HAVING NC GRID COORDINATES OF N 609121.472 US FEET AND E 1446787.579 US FEET, NAD 83 / 2011, AVERAGE COMBINED GRID FACTOR 0.999843940;

THENCE N 74°14'56" E A GROUND DISTANCE OF 4965.19 FEET TO A FOUND # 5 REBAR ON THE SOUTHERLY LINE OF SAID TOWN OF HUNTERSVILLE LANDS, DEED BOOK 30620, PAGE 491, COMMON LINE WITH THE LANDS OF TONY ERIC BRANNON & RHONDA KIM HERRON BRANNON, AS DESCRIBED IN DEED BOOK 4531, PAGE 810 OF SAID PUBLIC REGISTRY, SAID REBAR ALSO BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN BEING DESCRIBED;

THENCE N 84°38'01" W ALONG SAID COMMON LINE A DISTANCE OF 59.06 FEET TO A POINT IN THE CENTERLINE OF THE NORFOLK AND SOUTHERN RAILWAY, A REPUTED 100' WIDE RIGHT OF WAY, COMMON CORNER WITH SAID BRANNON LANDS;

THENCE ALONG THE CENTERLINE OF SAID RAILROAD WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 3713.94 FEET, AN ARC LENGTH OF 111.12 FEET AND BEING SUBTENDED BY A CHORD BEARING N 08°46'24" E 111.12 FEET TO A POINT;

THENCE CONTINUE ALONG SAID CENTERLINE N 09°46'36" E A DISTANCE OF 27.54 FEET TO A POINT IN THE CENTERLINE OF SECOND STREET, AN EXISTING PUBLIC RIGHT OF WAY;

THENCE S 86°08'03" E ALONG THE CENTERLINE OF SAID SECOND STREET, PASSING THROUGH A SET MAG NAIL AT DISTANCE OF 60.00 FEET FOR A TOTAL DISTANCE OF 173.12 FEET TO A SET MAG NAIL;

THENCE LEAVING SAID CENTERLINE S 09°01'29" W ON A NEW LINE A DISTANCE OF 143.20 FEET TO A SET # 5 REBAR ON THE SOUTHERLY LINE OF SAID TOWN OF HUNTERSVILLE LANDS, DEED BOOK 30620, PAGE 491, COMMON LINE WITH THE LANDS OF SAID BRANNON;

THENCE N 84°38'01" W ALONG THE COMMON LINE OF SAID TOWN OF HUNTERSVILLE LANDS, DEED BOOK 30620, PAGE 491 AND SAID BRANNON LANDS, A DISTANCE OF 113.59 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED CONTAINING 24,348 SQUARE FEET OR 0.559 ACRES OF LAND;

ALL AS SHOWN ON A RECOMBINATION PLAT OF THE LANDS OF THE TOWN OF  
HUNTERSVILLE, DB 30620 /PG 491 AND DB 30620 /PG 488, HUNTERSVILLE,  
MECKLENBURG COUNTY, NORTH CAROLINA, PREPARED BY DUNBAR GEOMATICS  
GROUP, PLLC, DATED 01/02/2025.



## Request for Board Action

September 2, 2025

**To:** The Honorable Mayor and Board of Commissioners

**From:** Nathan Farber, Senior Planner

**Subject:** Public Hearing on Petition #R25-07 Home2Hilton

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### **EXPLAIN REQUEST:**

Petition #R25-07 is a request by PM Patel to rezone +/- 2.68 acres located at 13830 Statesville Rd (Parcel IDs 01709417, 01709412, 01709411, 01709423, 01709422) from General Residential and Corporate Business to Highway Commercial Conditional District. The purpose of the rezoning is to develop a hotel development.

### **ACTION RECOMMENDED:**

Conduct public hearing.

### **FINANCIAL IMPLICATIONS:**

N/A

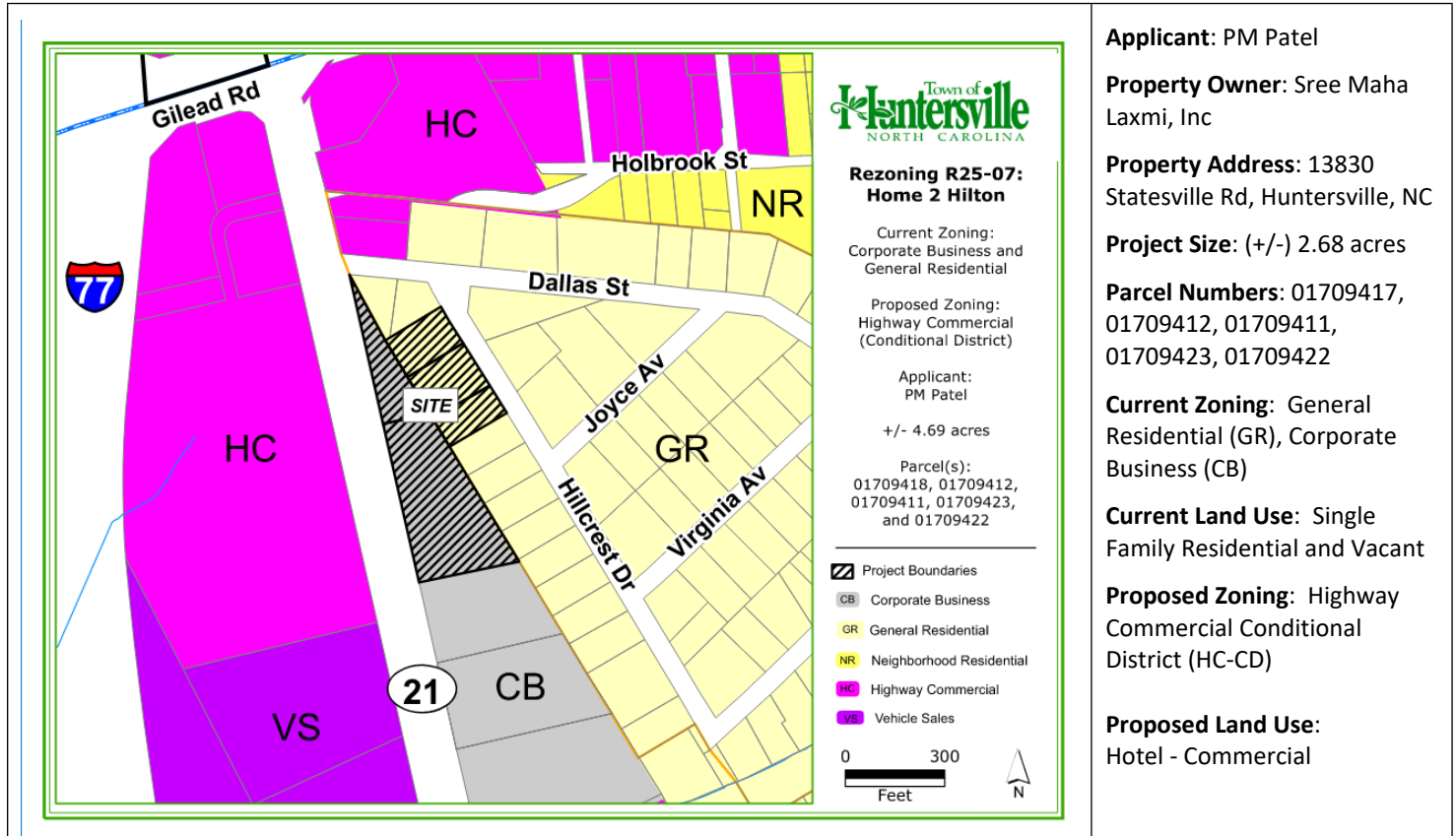
### **ATTACHMENTS:**

1. R25-07 Home2Hilton - PH - 8-05-25
2. 1. Application
3. 2. R25-07 Rezoning Plan
4. 3. Neighborhood Meeting Report
5. 4. Engineering Report
6. 5. TIA Determination
7. 6. Tree Report
8. 7. Additional Hotel Elevation Photograph



## Petition R25-07 Home2Hilton Hotel Conditional Rezoning

### PART 1: PROJECT SUMMARY



1. Purpose: Petition #R25-07 is a request by PM Patel to rezone +/- 2.68 acres located at 13830 Statesville Rd (Parcel IDs 01709417, 01709412, 01709411, 01709423, 01709422) from General Residential and Corporate Business to Highway Commercial Conditional District. The purpose of the rezoning is to develop a hotel development.
2. Adjoining Zoning and Land Uses.  
North: Corporate Business and General Residential. Vacant land and single Family Residential.  
South: Corporate Business. Existing Hotel and General Residential. Single Family Residential.  
East: General Residential. Existing Single Family Residential.  
West: Highway Commercial. Car Dealership. Highway 73.
3. A neighborhood meeting was held on Thursday, June 26th, 2025. The invitation list, invitation, attendance list, and summary of the meeting are included in the agenda packet for review. Several adjacent property owners attended the meeting to discuss the potential project and ask questions of the applicant.
4. Planning staff certifies that notice for this rezoning petition was sent via a postcard to adjoining property owners; a legal ad was placed in the Charlotte Observer; and posting of a rezoning sign along Dallas St and Statesville Rd in front of the property.

## PART 2: REZONING/SITE PLAN

### Site Plan Description:

Staff have reviewed two sets of plans and returned one set of comments to the applicant prior to the agenda deadline for the public hearing. The items listed below are site plan descriptions and issues that currently need to be addressed.

- The applicant is proposing to develop a 5 story/ 70' tall 117-room hotel. The applicant has identified that the branding will be a Home2Hilton by Hilton or of similar quality. Please see below regarding modifications related to the height and location of the hotel.
- The applicant has stated that all the permitted uses of the Highway Commercial zoning district are permitted except wind energy, schools, home occupation, single-family and multi-family uses.
- **Parking:** The development is required to provide 1 parking space per room plus 1 space per 500 sf of ancillary space. The hotel is shown to have 117 rooms plus 1000 sf of ancillary space, which equals a required 119 spaces. The applicant is proposing to provide 119 spaces including 5 van accessible spaces.
- The access to the hotel parking lot will be off of Dallas St and an additional access point will be via the existing Best Western hotel to the east. The Hotel itself will have a pedestrian entrance connection to the existing sidewalk network along Statesville Rd/ US-21.

## Rezoning Plan:



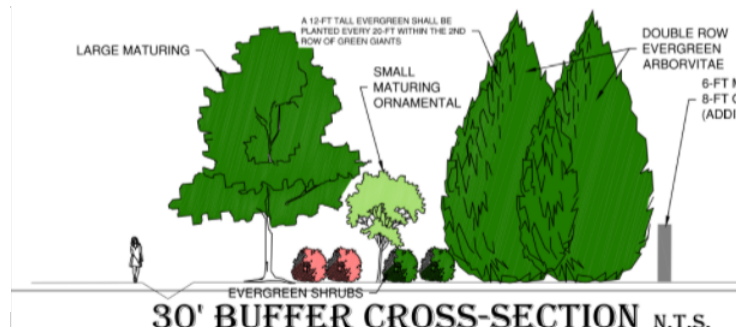
Rezoning Issues:

- Elevations: The applicant has not provided architectural elevations for the hotel and has instead provided a rendering and photograph of an existing Home2Hilton. An additional photograph has been provided as an attachment by the applicant, though it is not clear if this is the preferred elevation concept. They have stated that the elevations and perspectives provided are conceptual in nature and are showing the general theme of the proposed architecture.
  - Staff recommend using the following language when applicants ask for flexibility: "The proposed improvements shown on the rezoning plan are schematic in nature. The exact locations and architecture of the units and buildings may be modified, as approved by Planning staff, during the design, engineering, and construction phases of the development so long as such modifications are within the boundaries of the conditional district rezoning and compatible and in harmony with the general layout of the rezoning plan." This language ensures that general consistency with the rezoning plan is provided.
  - Staff recommend providing full elevations of the proposed hotel. Currently, the design of the hotel shown on the site plan is not commensurate with the amount of forgiveness that the applicant is requesting from the ordinance.
- Urban open space is not required. The applicants are proposing to provide a 4,000 sf "Green". The green is shown to have a network of sidewalk paths, benches, firepit, and a gazebo. This green will be placed at the northwest corner of the property.
  - The applicant will need to confirm with NCDOT that all of the proposed elements of the "green" can be placed within the NCDOT drainage easement.
- Buffer: The development is required to provide a 30' buffer along the eastern and southern property lines that are adjacent to residential properties. A buffer adjacent to the existing Hotel is not required. The applicant is providing the full required 30' buffer in width. The existing features plan show that the eastern buffer is sparsely vegetated with exiting trees, while the southern buffer is fully vegetated. Please see below regarding a modification request regarding this buffer.
  - A retaining wall is proposed along portions of the eastern buffer. The grading appears to show that portions of the parking lot will be raised above the buffer. At its max height the retaining wall appears to be about 20' above the grade of the buffer. As you move to the southeastern corner of the site the retaining wall ends, and the parking is graded below the buffer.
  - The applicant is proposing to provide a 6-foot-tall masonry wall along the eastern edge of the parking lot and buffer. Staff do have questions regarding where this fence will be located in relation to the proposed retaining wall. In addition, the applicant has shown an 8-foot-tall opaque fence that will be provided along the edge of the southern buffer and plans to include this fence along the rear property line of the existing Best Western Hotel next door.
- Buffer Landscaping: The applicant is proposing to exceed the required buffer planting standards in areas that are not currently vegetated or in areas that will be graded. Additionally, the applicant is proposing to provide a mature 12' tall evergreen every 20' to provide immediate screening coverage.
  - Staff ask that the landscaping sheet show the existing vegetation and specimen trees that will be located within the 30' buffer. Currently the landscaping plan shows that the entire buffer will be replanted.

**REQUIRED PLANTINGS:**  
30' BUFFER = 4-TREES PER 1000-SF OF BUFFER, 50% LARGE MATURING, 25% SMALL MATURING, 50% EVERGREEN  
7-SHRUBS PER 1000-SF 100% EVERGREEN

URING

**PROVIDED PLANTINGS:**  
30' BUFFER = 7-TREES PER 1000-SF OF BUFFER, 50% LARGE MATURING, 25% SMALL MATURING, 75% EVERGREEN  
10-SHRUBS PER 1000-SF 100% EVERGREEN



- **Tree Save:** The Highway Commercial Zoning district has a 30% Specimen Tree Save requirement. The applicant has stated that 37% (7 specimen trees) of the 19 specimen trees will be saved. The site plan has also indicated that the “petitioner will use best efforts to save trees in the buffer”. Several specimen trees within the 30’ buffer are shown to be removed as part of a modification request to the buffer. Further information will need to be provided to determine if all “saved” specimen trees will be able to remain due to the proposed grading limits and retaining wall locations.
  - The applicant has provided a tree report that shows that some of the “saved” specimen trees are in poor health. Staff will need to work with the applicant to properly identify which trees are in poor health and determine if they can be saved. Without mature vegetation/trees in the buffer, any buffer provided would be limited in effect for many years due to the size of the proposed building.
- **Street Tree’s:** The zoning ordinance requires a double row of street trees along throughfares. The hotel site is currently showing only one row of street trees. Staff is working with the applicant to resolve this issue as the NCDOT widening project has limited the available space for a double row of larger maturing trees.
- **Modifications:**
  - a. **Hotel Separation:** Article 9.45.1 of the Huntersville Zoning Ordinance states that a hotel must be separated by at least 250 ft from any adjacent residential districts. This is measured from the closest point of the lot occupied by the hotel to the closest point of lots in residential zones. The applicants are requesting to allow the hotel to be only 100.4’ from the nearest residential district, which is ~150’ less than the 250’ requirement.
    - **Staff Comment:** Staff **does not support** this modification request due to the combined impact of the proposed building height and the limited separation between the hotel and nearby residential properties. The buffer along the eastern property line, particularly near the northeastern corner, is inadequate because proposed grading would place the parking lot and hotel as much as 20 feet above long portions of the buffer. This would increase the perceived height of the hotel from the neighborhood.
  - b. **Hotel Separation based on Height:** Article 9.45.2(a) of the zoning ordinance requires that a hotel be separated by a distance no less than (3) times the height of the proposed structure closest to the common lot line of the adjoining residential zone, but in no case less than 100ft. The proposed hotel is 70’ tall, which would require a 210’ separation. The applicant is requesting to allow the hotel to be only 100.4’ from the nearest residential zone.
    - **Staff Comment:** Staff **does not support** this modification request due to the combined impact of the proposed building height and the limited separation between the hotel and nearby residential properties. The buffer along the eastern property line, particularly near the northeastern corner, is inadequate because proposed grading would place the parking lot and hotel as much as 20 feet above long portions of the buffer. This would increase the perceived height of the hotel from the neighborhood.

**While the applicant proposes plantings that exceed ordinance requirements, the height of the retaining wall diminishes their effectiveness. In addition, several existing mature specimen trees appear to be in poor condition and cannot be relied upon for long-term screening. Given these conditions, the proposed design does not provide sufficient screening to justify reducing the required 250-foot separation to 100-foot.**

**While the applicant proposes plantings that exceed ordinance requirements, the height of the retaining wall diminishes their effectiveness. In addition, several existing mature specimen trees appear to be in poor condition and cannot be relied upon for long-term screening. Given these conditions, the proposed design does not provide sufficient screening to justify reducing the required 250-foot separation to 100-foot.**



- c. Hotel Height: Article 9.45.3 of the Zoning Ordinance states that hotels may exceed the permitted height of the district only if it is subject to a conditional rezoning, all the requirements of Article 9.45.2 are met, and it does not exceed 6 stories. The Highway Commercial district building type has a height limit of 36'. The applicant is requesting a building height of 70' made up of 5 stories.
  - o **Staff Comment: Staff is not in support of this modification request as the applicant is not meeting the minimum requirements of Article 9.45.3 to exceed the maximum height of the district. The applicant is asking for a modification for each of the two separation requirements while also asking for a modification to the buffer. While the design of the buffer does exceed the minimum requirements of the ordinance the proposed grading issues negate the increased planting and does not do enough to overcome the height and separation requests for the hotel.**
- d. Buffer Grading: Article 7.5.6 of the Zoning Ordinance requires that no grading, clearing, or land disturbing activities can occur within the required buffer yard if it is vegetated. Areas that are completely devoid of vegetation would allow grading with slopes no greater than 3:1. The applicant is proposing to partially grade into areas that contain vegetation according to the current existing features plan. The applicant has stated the site plan currently shows the approximate areas that will be graded, and the exact location will be determined during construction plans. The applicant is planning to replant the graded buffer yard according to the requirements of Article 7.5.3.
  - o **Staff Comment: Staff may be able to support this modification request because the applicant is providing plantings that significantly exceed the buffer screening requirements of Article 7.5.3. In addition to increasing the total number of plantings, the applicant has committed to installing mature evergreens, 12 feet in height, spaced every 20 feet. This will create immediate screening that would otherwise take years to establish.**

**Staff's support is contingent on revising the modification language to ensure that any future deviation from the approved buffer grading is minimized and reviewed in consultation with Planning Staff. Any graded areas within the buffer must be replanted to meet the enhanced planting count shown on the approved landscaping plan.**
- e. Hotel Structure Location: Article 4.5 Lot Type / Highway Commercial: Building Placement (3) states that building facades shall be generally parallel to frontage property lines. This would require that a building on a corner lot should front on two frontages. The applicant is requesting that the hotel structure be built offset from the Dallas St frontage while it will front along the Statesville Rd frontage.
  - o **Staff Comment: Staff may be able to support this modification request because the applicant is proposing to provide a fully amenitized urban open space at the corner of Dallas St. and US-21. An urban open space is not a requirement but is being built in lieu of compliance as the NCDOT storm drainage easement prevents the hotel from being placed on the corner. The space is labeled a "green" and provides seating area around a firepit and a pergola. It is "fenced off" by shrubs to enclose the space and separate it from the adjacent highway. Staff would recommend providing a knee wall similar in material to the hotel to further separate the space from the highway and provide additional safety to users of the urban open space. The support of this modification depends on NCDOT permitting the construction of the proposed "green" within the NCDOT drainage easement.**

### **PART 3: TRANSPORTATION ISSUES**

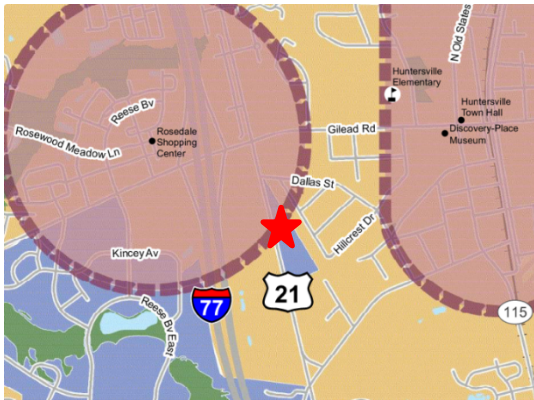
#### **Traffic Impact Analysis (TIA)**

- A Town TIA for the proposed project is not required as it did not generate the trip thresholds needed for an analysis. Please find the TIA Determination and an Engineering memo from Engineering attached in the agenda packet.

## PART 4: REZONING CRITERIA

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

### 2040 Huntersville Community Plan – “Town Center and Mixed-Use Center”



#### Mixed-Use Centers

Mixed-Use Centers contain vertical mixed-use along key frontages. New development includes wide sidewalks, buildings are close to the street with high levels of transparency, and parking is located in the rear. A mix of housing is allowed, including urban options throughout (apartments, townhomes, cottage homes, etc.). Downtown has specific requirements for streetscape and development intensity, including a maximum first floor footprint.

#### Town Core

The Town Core designation includes a variety of neighborhoods containing a mix of residential housing 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 that 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.

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

- **Policy LU 6.2:** Commercial uses are encouraged in the Town Core and as Specified in adopted Small Area Plans.
  - **STAFF COMMENT:** This proposed Hotel is a use that is located partially within and surrounded by the Town core land use character area. The majority of the proposed use is located within the Employment Center character area which would also support the proposed development.
- **Policy LU 5.1:** Allow more intense development only where transportation infrastructure and utilities already exist.
  - **STAFF COMMENT:** This policy supports the development as the Hotel would be located along the major thoroughfare HWY-21.
- **Policy LU 2.1:** Higher intensity residential uses will be focused generally within two miles of the I-77/ NC-115 corridor and future activity centers in the eastern and western areas of Huntersville’s zoning jurisdiction.
  - **STAFF COMMENT:** This policy supports the development as it is located within two miles of the I-77/ NC-115 corridor. Additionally, the development is located along US HWY-21.

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

- **Policy 8.2:** Evaluate and strengthen incentives to encourage the achievement of higher design standards.
  - **STAFF COMMENT:** This policy does not support the project as the project is currently lacking full elevations and the overall design does not meet the level of excellence required to overcome the forgiveness that the applicant is requesting from the ordinance.
- **Policy 11.1:** Protect and enhance the unique character of Huntersville’s neighborhoods by using planning tools to safeguard from potentially negative impacts of development and redevelopment.
  - **STAFF COMMENT:** This policy does not support the project because the height and proximity of the proposed hotel are incompatible with the spacing, mass, and scale of existing buildings to the rear. Without specific architectural elevations, it is difficult to determine whether the hotel will integrate respectfully with the surrounding neighborhood, particularly given its prominent location as the neighborhood’s entrance. In

addition, the proposed buffer does not adequately mitigate the hotel's height, especially where the retaining wall would elevate portions of the site above the buffer nearest to the adjacent neighborhood.

**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:**

Staff recommend that the reclassification to the Highway Commercial Conditional District (HW-CD) would not be consistent with the overall character of adjacent development for the following reasons:

- The proposed Hotel use is consistent with the location but is closer than permitted. The proposed buffers separate the uses and provide consistency between uses, but the function of the buffers are in question.
- The development is more than 50% closer to nearby residential properties than allowed by the conditions of Article 9.54 while not providing enough site design that is commensurate with the amount of forgiveness from the ordinance that the applicant is requesting. In normal circumstances the increase in buffer quality is being significantly offset by the proposed grading of the property.
- The lack of set architectural elevations makes it difficult to determine if the hotel will integrate respectfully with the surrounding community. Additionally, the use of notes that allow significant changes to the architecture post approval create concern in regard to ensuring a quality design in the future.

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

**STAFF COMMENT:**

- A Transportation Impact Analysis (TIA) is not required for this development.
- Staff have no other indication that the proposed use will adversely affect the adequacy of public facilities.

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

**STAFF COMMENT:**

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

**PART 5: STAFF RECOMMENDATION**

While the applications use is consistent with the character area recommendations of the Huntersville 2040 Plan, Staff doesn't recommend approval of the rezoning as the overall site plan design is not commensurate with the amount of modifications from the ordinance that the applicant is proposing. The expectation from the ordinance is that the taller the structure is, the further from residential property it should be and the better the buffer should be. The applicant has proposed the opposite; a taller building that is closer and a buffer that is compromised by grading issues.

While staff do not recommend approval of the project, the following items are things the applicant can do for staff to support the project:

- Lower the height of the building.
- Provide a wider buffer.
- Lower or adjust retaining wall so it does not compromise the buffer.
- Provide elevations that get away from the franchise design and are designed to be in harmony with the surrounding area.

#### PART 6: PUBLIC HEARING COMMENTS

A Public Hearing was originally scheduled for August 5, 2025. The applicant deferred the project to September 2, 2025.

#### PART 7: PLANNING BOARD RECOMMENDATION

Planning Board is scheduled for September 23<sup>rd</sup>, 2025.

#### PART 8: TOWN BOARD CONSIDERATION

Town Board consideration is scheduled for October 21<sup>st</sup>, 2025.

#### PART 9: ATTACHMENTS/ENCLOSURES

##### Attachments

1. Rezoning Application
2. R25-07 Rezoning Plan
3. Neighborhood Meeting Report
4. Engineering Report
5. TIA Determination
6. Tree Report
7. Additional Hotel Elevation Photograph

#### PART 10: CONSISTENCY STATEMENT – R25-07 Home2Hilton

| Planning Department                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Planning Board                                                                                                                                                                                                                                                                                                                             | Board of Commissioners                                                                                                                                                                                                                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>APPROVAL: In considering the proposed rezoning application R25-07, Home2Hilton, staff does not recommend approval as it is not consistent with Policies LU 11.1 of the 2040 Huntersville Community Plan.</p> <p>It is not reasonable and not in the public interest to amend the Zoning Ordinance because the proposed site plan is not commensurate with the requested modifications even if the proposed use is consistent with the development pattern set forth in the 2040 Community Plan. Modifications A (Hotel Separation), B (Hotel Separation based on height), C (Hotel Height are not in keeping with the Spirit of the Ordinance and therefore not supported.</p> | <p>APPROVAL: In considering the proposed rezoning application R25-07, Home2Hilton, the Planning Board recommends approval based on the Plan being consistent with <b><u>(insert applicable plan reference)</u></b>.</p> <p><b><u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></b></p> | <p>APPROVAL: In considering the proposed rezoning application R25-07, Home2Hilton, the Town Board recommends approval based on the Plan being consistent with <b><u>(insert applicable plan reference)</u></b>.</p> <p><b><u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></b></p> |
| <p>DENIAL: N/A</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>DENIAL: In considering the proposed rezoning application R25-07, Home2Hilton, the Planning Board recommends denial based on the Plan being <b><u>(consistent OR</u></b></p>                                                                                                                                                             | <p>DENIAL: In considering the proposed rezoning application R25-07, Home2Hilton, the Town Board recommends denial based on the Plan being <b><u>(consistent OR</u></b></p>                                                                                                                                                             |



|  |                                                                                                                                                                                             |                                                                                                                                                                                             |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <b><u>inconsistent) with (insert applicable plan reference).</u></b><br><br><b><u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></b> | <b><u>inconsistent) with (insert applicable plan reference).</u></b><br><br><b><u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></b> |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



# General Application

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

## 1. Application Type

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

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

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

## 2. Project Data

Date of Application 4/29/25

Name of Project Home 2 Hilton Phase # (if subdivision) \_\_\_\_\_

Project Address 13830 Statesville Rd., Huntersville, NC 28078

Parcel Identification Number(s) (PIN) 01709418, 01709412, 01709411, 01709423, 01709422

Current Zoning District GR & CB Proposed District (for rezoning only) HC(CD)

Property Size (acres) 4.69 Street Frontage (feet) 973

Current Land Use Hotel, Residential, Vacant

Proposed Land Use(s) Hotel

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

## 3. Description of Request

Provide a detailed summary. (i.e. RTAP identify what you are revising). Additional sheets may be added.

Rezone the property to HC for a proposed new Hotel and associated parking

## 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 PM Patel Phone 704-502-2444

☐ 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 PM Patel

Title Owner Email pmphotels@gmail.com

Address of Applicant 507 Hillcrest Rd, Huntersville, NC 28078

## 7. Property Owner (if different than applicant)

\*Printed Name SREE MAHA LAXMI, Inc Phone 704-502-2444

☒ 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 PM Patel

Title President Email pmphotels@gmail.com

Address of Property Owner 507 Hillcrest 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

|                     |              |              |                           |
|---------------------|--------------|--------------|---------------------------|
| Woodbine Design, PC | Peyton Woody | 704-315-8367 | pwoody@woodbinedesign.com |
|---------------------|--------------|--------------|---------------------------|

|                  |                 |       |       |
|------------------|-----------------|-------|-------|
| Development Firm | Name of Contact | Phone | Email |
|------------------|-----------------|-------|-------|

|             |                 |       |       |
|-------------|-----------------|-------|-------|
| Design Firm | Name of Contact | Phone | Email |
|-------------|-----------------|-------|-------|

## Contact Information

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

Conditional District Rezoning/Sketch Plan  
Approval Application

Proposed

HOME 2 HILTON

13830 Statesville Rd.,  
Huntersville, Mecklenburg Co., NC 28078

Applicant / Developer:  
SREE MAHA LAXMI INC  
13830 Statesville Rd.  
Huntersville, NC

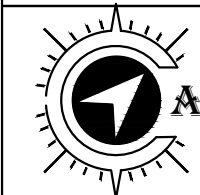
September 9, 2024

Plans Prepared By:

CONDITIONAL REZONING # R25-07  
ACCELA # CSP-500077

| SHEET LEGEND |                                    |
|--------------|------------------------------------|
| C1           | COVER SHEET                        |
| C2           | EXISTING CONDITIONS & TREES SURVEY |
| C3           | SITE PLAN / REZONING PLAN          |
| C4           | SLOPE ANALYSIS                     |
| C5           | GRADING PLAN                       |
| C6           | LANDSCAPE PLAN                     |

Survey By:



AROLINA GEOMATICS, PLLC

LAND SURVEYING & MAPPING

469 HOSPITAL DR., STE D

GASTONIA, NC 28054

P: (980) 929-3382

CKING@CAROLINAGEOMATICS.COM

NC #P-1965

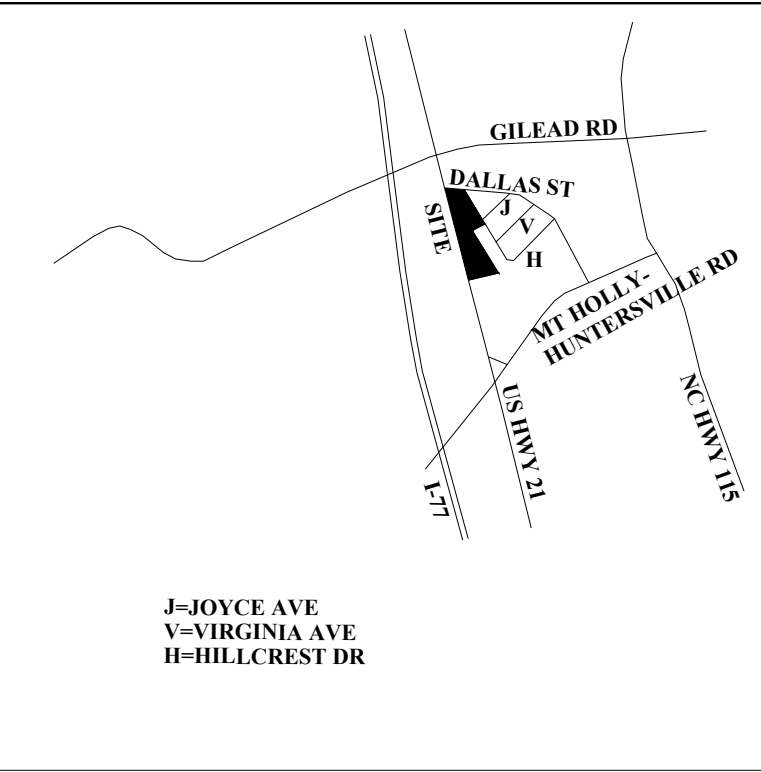
WWW.CAROLINAGEOMATICS.COM



Woodbine Design, P.C.

Land planning & civil engineering

blending nature & man



VICINITY MAP  
NO SCALE

FIRE MARSHAL

FIRE MARSHAL'S OFFICE  
ALL ITEMS ON THE CHECKLIST BELOW MUST BE MET FOR LAND DEVELOPMENT APPROVAL

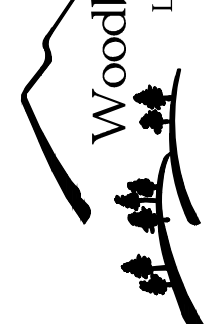
The Mecklenburg County Fire Marshal's Office reviews land development drawings that are submitted thru the land development review process for the incorporated towns and their extra territorial jurisdiction (ETJ) areas. All land development drawings are reviewed for the following code requirements in the sketch and construction submittals:

- Road Width – Minimum 20 feet or per North Carolina Department of Transportation (NCDOT).
- Fire Apparatus Turning Radius – 30 feet inner, 42 feet outer.
  - Templates SB-30 (Engines) and B-40 (Ladder Trucks) are used and all drawings shall be scaled no smaller than 1/60.
- Water Utilities – Water lines and/or fire hydrant locations.
  - Fire hydrants required within 400 feet of any new structure. Exception: R3 and U occupancies or when the structure has an approved sprinkler system distant requirement shall be 600 feet.
  - Fire Department Connection (FDC) required within 200' for NFPA13/13R sprinkler systems and 100' for standpipes systems.
- Dead-End Roads – Maximum length of any dead-end road shall be 150 feet without an approved fire apparatus turn around
- Road Surfaces – All roads/commercial driveways for fire apparatus access shall be capable to support the imposed load of an 80,000-pounds.
- Secondary Access – Development of one-or two- family dwellings where the number of dwelling units exceed 100 and commercial structures 62,000sqft (no sprinklers) and 124,000sqft (with sprinklers) shall be provided with separate and approved remote fire apparatus access road.

NCDOT

REQUIRED NCDOT & TOWN ROAD IMPROVEMENTS

- NO TIA OR IMPROVEMENTS REQUIRED



Woodbine Design, P.C.

Land planning & civil engineering

www.woodbinedesign.com

980.722.2669

20816 N. Main Street, Suite 204

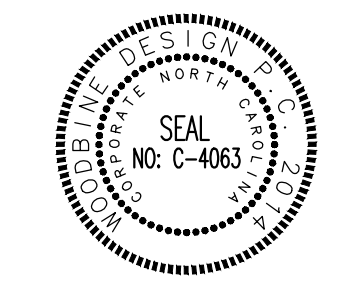
Huntersville, NC 28031

Riley D. Burgess, Jr. PE

2025-08-05-16-21-32-04'00"



SEAL



NORTH ARROW

Project

Location

Sheet Title

HOME 2 HILTON

13830 STATESVILLE RD.,  
HUNTERSVILLE, NC 28078

COVER SHEET

DEVELOPER/OWNER

SREE MAHA LAXMI, INC

13803 STATESVILLE RD.

HUNTERSVILLE, NC 28078

Designed By

Drawn By

Date

Revisions

WOODBINE

PW

7/30/24

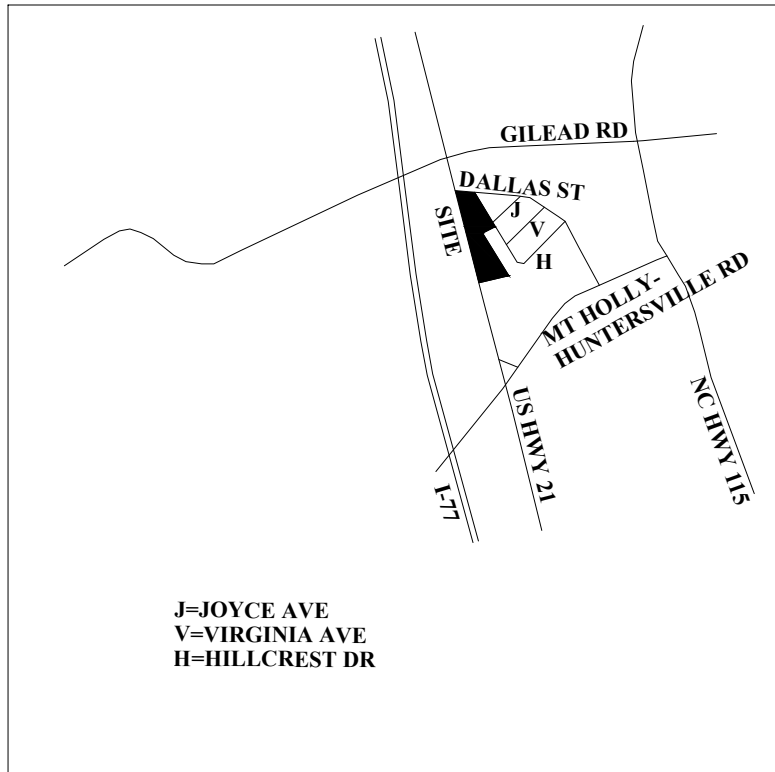
Sheet: C1 of 6

Project Number: 24010

IF ANY CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED, EITHER ON THE CONSTRUCTION DOCUMENTS OR THE FIELD CONDITIONS, THE CONTRACTOR MUST NOTIFY THE ENGINEER IMMEDIATELY, AND SHALL NOT COMMENCE OPERATION UNTIL THE CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE RESOLVED.

PLOTTED: 8/5/2025  
P:\24010-HOME2 HILTON\CAD\01B-HILTON-CD.DWG





VICINITY MAP  
NO SCALE

## SOILS MAP LEGEND

Map Unit Legend

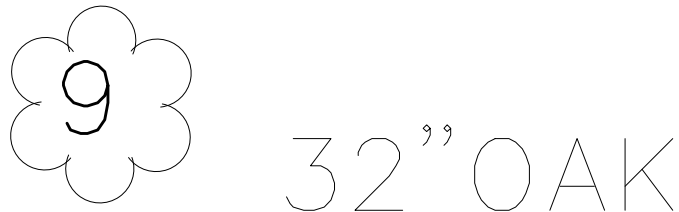
| Map Unit Symbol             | Map Unit Name                                                  | Acres in AOI | Percent of AOI |
|-----------------------------|----------------------------------------------------------------|--------------|----------------|
| CeEt                        | CeEt sandy clay loam, 2 to 8 percent slopes, moderately eroded | 0.9          | 37.3%          |
| CuB                         | CuB Urban unit complex, 2 to 8 percent slopes                  | 0.1          | 4.3%           |
| MdD                         | MdD fine sandy loam, 8 to 15 percent slopes                    | 1.4          | 58.4%          |
| Totals for Area of Interest |                                                                | 2.4          | 100.0%         |

## SPECIMEN TREES

| #  | Size (in.) | Type   | Notes  |
|----|------------|--------|--------|
| 1  | 24"        | Ash    | Remove |
| 2  | 32"        | Oak    | Remove |
| 3  | 24"        | Elm    | Remove |
| 4  | 24"        | Ash    | Remove |
| 5  | 26"        | Poplar | Save   |
| 6  | 28"        | Oak    | Save   |
| 7  | 32"        | Oak    | Save   |
| 8  | 26"        | Oak    | Save   |
| 9  | 32"        | Oak    | Save   |
| 10 | 25"        | Oak    | Save   |
| 11 | 32"        | Poplar | Save   |
| 12 | 31"        | Poplar | Remove |
| 13 | 30"        | Poplar | Remove |
| 14 | 36"        | Poplar | Remove |
| 15 | 33"        | Oak    | Remove |
| 16 | 24"        | Poplar | Remove |
| 17 | 22"        | Poplar | Remove |
| 18 | 32"        | Oak    | Remove |
| 19 | 25"        | Poplar | Remove |

Specimen % Saved = 37%

## SPECIMEN TREE LEGEND



## SOILS MAP



## SYMBOL LEGEND:

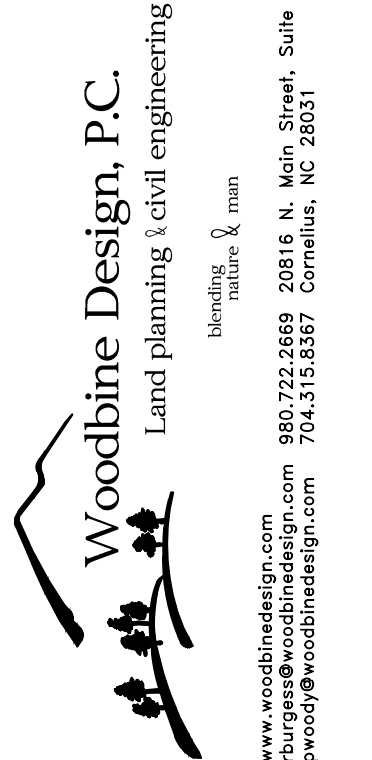
- TELEPHONE PEDESTAL
- GAS VALVE
- GAS METER
- WATER METER
- FIBER OPTIC MARKER
- SANITARY SEWER MANHOLE
- CURB INLET
- SIGN
- FIRE HYDRANT
- FLAG POLE
- LIGHT POLE
- DECIDUOUS TREE
- CONIFEROUS TREE
- BOLLARD
- WATER VALVE
- MAILBOX
- DROP INLET
- STORM MANHOLE
- UTILITY POLE
- GUY ANCHOR
- SEWER CLEANOUT
- ELECTRIC METER
- POWER BOX
- HVAC

## ABBREVIATIONS:

- RF REBAR FOUND
- RS REBAR SET
- R/W RIGHT-OF-WAY
- SF SQUARE FEET
- MB MAP BOOK
- DB DEED BOOK
- PG PAGE
- FS FRONT SETBACK
- RY REAR YARD
- SY SIDE YARD
- BFP BACK FLOW PREVENTER
- MNF MAG NAIL FOUND
- C&G CURB AND GUTTER
- PDE PERMANENT DRAINAGE EASEMENT

## LINE LEGEND:

- BOUNDARY LINE
- ADJOINER LINE
- RIGHT OF WAY
- EASEMENT LINE
- FENCE LINE
- WOOD LINE
- SETBACK LINE
- SANITARY SEWER LINE
- MINOR CONTOUR
- MAJOR CONTOUR
- TOP OF BANK LINE
- CLEARING LIMITS
- TREE PROTECTION FENCE



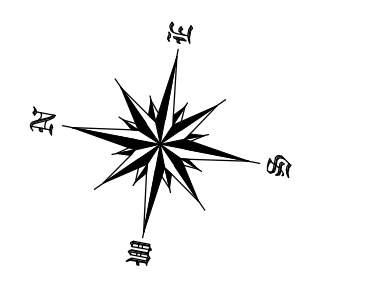
Riley D. Burgess, Jr. PE  
2025.08.05.16.21.33-04'00"



SEAL



SEAL



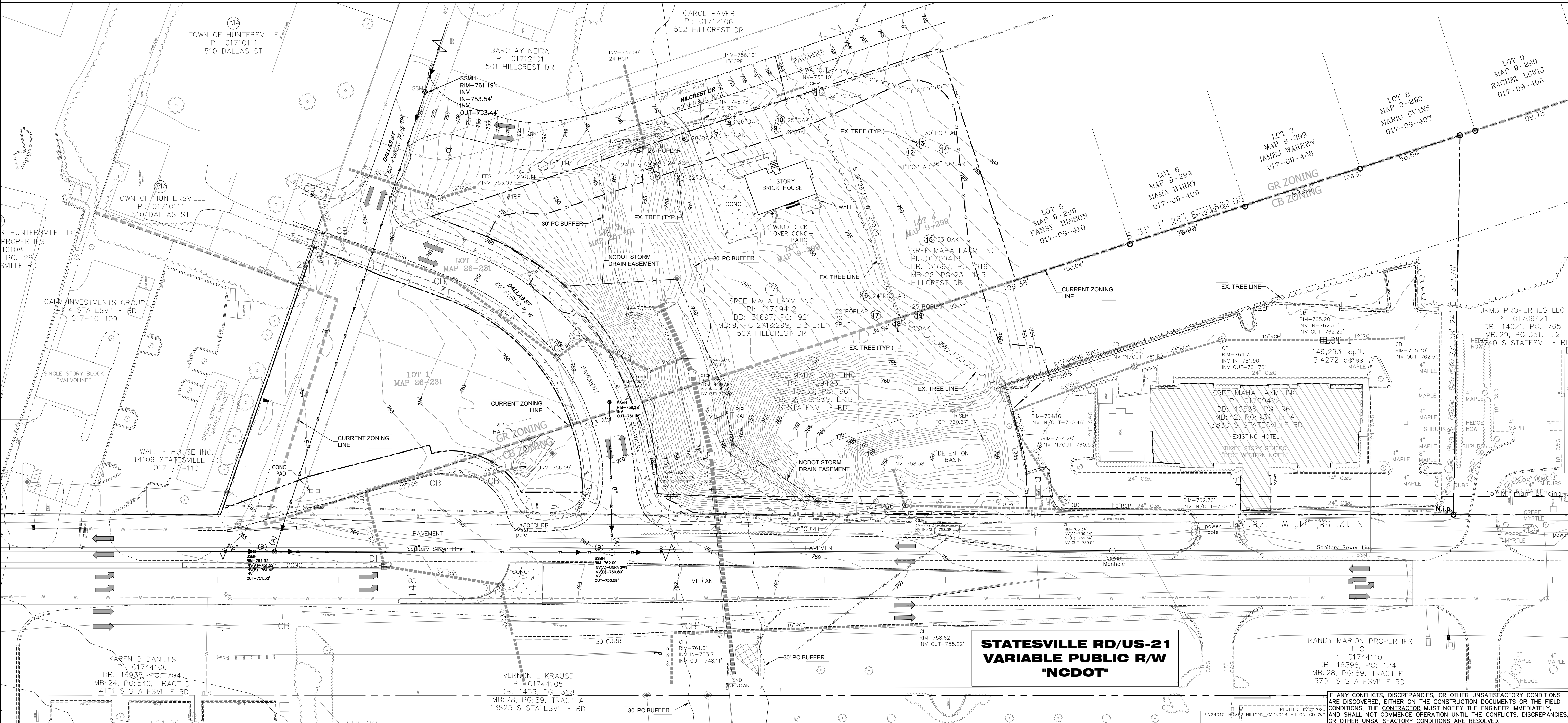
Graphic Scale 1" = 40 ft.

Project: HOME 2 HILTON  
Location: 13830 STATESVILLE RD., HUNTERSVILLE, NC 28078  
Sheet Title: EXISTING CONDITIONS & TREE SURVEY

DEVELOPER/OWNER  
SREE MAHA LAXMI, INC  
13803 STATESVILLE RD.  
HUNTERSVILLE, NC 28078

Designed By: WOODBINE  
Drawn By: PW  
Date: 7/30/24  
Revisions:

Sheet: C2 of 6  
Project Number: 24010



STATESVILLE RD/US-21  
VARIABLE PUBLIC R/W  
"NCDOT"

IF ANY CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED, EITHER ON THE CONSTRUCTION DOCUMENTS OR THE FIELD CONDITIONS, THE CONTRACTOR MUST NOTIFY THE ENGINEER IMMEDIATELY, AND SHALL NOT COMMENCE OPERATION UNTIL THE CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE RESOLVED.



| Site Data Table                                   |                                     |
|---------------------------------------------------|-------------------------------------|
| Total Area (acres, square feet)                   | 2.68-ACRE=116,740.8-SF              |
| Proposed Disturbed Area (acres, square feet)      | 2.37-ACRE                           |
| River Basin                                       | McDOWELL                            |
| Stream Classification                             | none                                |
| Principal Uses(s) (Z.O. Article 3)                | COMMERCIAL - HOTEL                  |
| Building Type (Z.O. Article 3, 4 and 8.10)        | HIGHWAY COMMERCIAL                  |
| Zoning District (Z.O. Article 3)                  | HC(CD)                              |
| Overlay District, if applicable (Article 3 Z.O.)  | MOUNTAIN ISLAND LAKE WATERSHED PA-2 |
| Percentage of Impervious Allowed (Article 3 Z.O.) | 70%                                 |
| Percentage of Impervious Shown                    | 63%                                 |
| Lot Count                                         | 1 LOTS                              |
| Total number of dwellings (detached/ attached)    | 0                                   |
| Mixed-use#/ of live/work units                    | 0                                   |
| Total area of non-residential (square feet)       | 0                                   |
| Lot size range                                    | 2.68 AC                             |
| Number of lots within each range                  | N/A                                 |
| Lot widths range (Z.O. Article 3)                 | N/A                                 |
| Number of lots within each width                  | N/A                                 |

#### Setbacks and Build-to-lines (Z.O. Article 3, 4 & 8.)

|                            |         |
|----------------------------|---------|
| Front BTL range or Setback | 0-15 FT |
| Corner setbacks            | 0-15 FT |
| Rear setbacks              | 30 FT   |
| Right side setback         | 5 FT    |
| Left side setback          | 5 FT    |

#### Watershed Information (Z.O. Article 3 and S.O. Section 7.290)

|                                                    |                                                                     |
|----------------------------------------------------|---------------------------------------------------------------------|
| Is the property in a regulated watershed district? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Watershed District                                 | MOUNTAIN ISLAND LAKE PA-2                                           |
| Low Density/High Density                           | HIGH DENSITY                                                        |
| Percentage of allowable impervious area            | 70%                                                                 |

|                                                             |                                                                                                                                                                                                                                                            |
|-------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Percentage of impervious area shown on plans                | SITE #1<br>EX. IMPERVIOUS: PAVEMENT/CONCRETE= 34,358-SF BLDG.=12,182-SF TOTAL=46,540-SF<br>PROP. IMPERVIOUS: PAVEMENT/CONCRETE= 58,612-SF BLDG.=13,838-SF TOTAL=72,450-SF<br>% IMPERVIOUS: SITE=4.69-ACRE=204,296.4-SF 72,450/(204,296.4+46,540)x100 = 46% |
| Amount of lot area set aside for future impervious by owner | 0 - zero                                                                                                                                                                                                                                                   |

REZONING NOTES  
HOME 2 HILTON

- Rezoning Petition.** These rezoning notes comprise the development standards ("Development Standards") associated with the rezoning petition (the "Rezoning Petition") filed by Sree Maha Laxmi, Inc. ("Petitioner") on May 1, 2025 (the "Filing Date") as Rezoning Petition R25-07 & Sketch Plan (the "Rezoning Plan") for that approximately 5.535 acre tract of land, identified on this Site Plan as Home 2 Hilton (the "Project") in connection with part of the parcel numbers 017-094-18, 017-094-19, 017-094-20, 017-094-21, 017-094-22, and 017-094-23 (the "Property"). The purpose of the Rezoning Petition is to convert the zoning classification of the Property from General Residential (GR) and Corporate Business (CB) to Highway Commercial/Conditional District (HC-CD) classification in accordance with the provisions of the Town of Huntersville Zoning Ordinance (the "Ordinance").
- Development Standards.** Development of the Property will be governed by these Development Standards, which are part of the Rezoning Petition, and the applicable provisions of the Ordinance in place on the date of the filing of the Rezoning Plan. Unless the Rezoning Plan establishes alternate standards(s) as noted on the Rezoning Plan or in these Development Standards, the regulations established under the Ordinance in place on the date of the filing of the Rezoning Plan govern development of the Property as shown on the Rezoning Plan.
- Schematic Nature of Rezoning Plan.** The lots and proposed improvements and architectural renderings shown on and included with the Rezoning Plan are schematic in nature and exact locations, architectural details, style and materials, size, number or quantity and configurations of lots and buildings may be modified, with Planning Staff approval, during design, engineering and construction phases of the development so long as such modification does not exceed the square footage in the TIA, meets the applicable requirements of the Zoning Ordinance and the Modifications. The exact alignments of the driveway locations and curb cuts have not been determined and are subject to final design and engineering plans, and minor modifications or alterations of these alignments may take place during design development and construction phases.
- Vested Rights.** The Rezoning Plan is a site-specific development plan and approval thereof constitutes vested rights in the Rezoning Plan for a period of five years pursuant to the provisions of the Ordinance and 160D of the North Carolina General Statutes.
- Permitted Uses.** The Property may be developed for any uses (including accessory uses) permitted in the Highway Commercial Zoning District, including hotels as shown on the Rezoning Plan; provided, however, wind energy facilities, schools, home occupation, single-family and multi-family uses shall be prohibited, and all permitted uses shall be subject to the development standards associated with such uses. Any labeling on the Rezoning Plan may be an indication of the current intention on the part of the Petitioner but shall not restrict the Property in a manner that conflicts with the provisions of these Development Notes. The hotel flagbrand shall be a Home2 Suites by Hilton or hotel similar in quality to a Home2 Suites by Hilton.
- Subdivision.** The Property is one development and may be subdivided without a rezoning to allow separate owners of individual parcels so long as such subdivision is consistent with the general design of the Rezoning Plan, in compliance with applicable law, including subdivision regulations and consistent with the Ordinance except as shown on the approved Rezoning Plan. However, recombination, condominiumization, or reduction in the number of parcels may occur in accordance with the regulations of the Ordinance without amendment to the Rezoning Plan. Requirements that are met by the Project as a whole, such as open space, tree save and impervious requirements, need not be met by individual parcels.
- Street Improvements.** Petitioner shall be required to install sidewalks, street trees, planting strips, bicycle lanes or other street improvements as a condition of the approval of the Rezoning Plan as specifically shown on the Rezoning Plan and as required by the Zoning Ordinance, Subdivision Ordinance, applicable Huntersville/NCDDOT TIA, or driveway permit requirements. Second row street trees may be planted behind the sidewalk in a landscape easement if required by Petitioner.
- Grading.** As more particularly described in the Rezoning Plan and the Modifications, grading in the buffer shall be allowed in accordance with the modifications set forth herein.
- Amendment.** Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Property in accordance with the provisions of the Ordinance; provided, however, in the event any portion of the Property is conveyed to a third party, Petitioner may request an amendment to the Rezoning Plan, in accordance with N.C.G.S. 160D-70(b) without the written consent of any other owner of all or any portion of the Property unless such amendment constitutes a change in the building or use of the Property or the Property owner provides for such amendment right in the recorded private restrictive covenants that govern the Project. All requirements in connection with the amendment will be calculated on the Property as a whole in the same manner such requirements were calculated at the time of the initial approval. This note shall be shown on the final plan when recorded.
- BMP Design.** The designs for the BMPs shown on the Rezoning Plan shall be finalized during the construction phase and shall be completed as a part of the infrastructure improvements. Prior to rezoning approval the Petitioner shall conform with Mecklenburg County that the PA-2 buffer is satisfied as it relates to the NCDDOT improvements along US-21.
- Lighting.** Lighting will be in compliance with Article 8.26 of the Ordinance.
- Parking Lots.** Except as shown on the Rezoning Plan and as described in the Modifications, parking lots will be in compliance with Article 6 of the Ordinance.
- Garbage collection areas and Fire Apparatus.** Garbage collection (dumpsters) areas shown are conceptual and will comply with the Ordinance's screening requirements. The final location will be determined during construction documentation. Fire apparatus locations will be as generally depicted on the Rezoning Plan and final location will be determined during construction documentation.
- Water and Sewer.** Water and Sewer will be provided to the site by Charlotte Water.
- Tree Save.** Petitioner will use best efforts to save trees in buffers. If preserving existing trees / vegetation provides the densest buffer, landscaping will not disturb the buffer unless required for grading. Where disturbed, the Petitioner will provide a combination of berms, landscaping or fencing as shown on the Rezoning Plan. A tree preservation plan shall be incorporated as part of the landscaping, grading and erosion control plans.
- 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.
- Modifications.**
  - Design elements that exceed the requirements of the Ordinance have been included in this Rezoning Plan to achieve exceptional design. Town Board approval of the Rezoning Plan constitutes approval of unique design elements shown on the Rezoning Plan that are minor changes from the Ordinance, including, but not limited to:
    - Section 9.45.1: Hotel may be separated by less than 250 feet from the adjacent residential zoning district.
    - Section 9.45.2(a): Hotel may be separated from residential property by less than 3 times the building height but not less than 100 feet.
    - Section 9.45.3: Hotel may exceed the permitted building height of the zoning district.
  - Section 4 Lot Type Highway Commercial: Hotel location shall be permitted to be setback from the corner to the extent required to address NCDDOT improvements, stream buffer requirements and mitigation.
  - Buffer: Grading in the buffer shall be shown on the Rezoning Plan, exact limits of grading within the buffer shall be determined during the Preliminary Plan process. The Petitioner maintains the option to enhance the buffer with additional plantings and landscaping along the residential property lines and enhancements shall meet the requirements of the Ordinance.Elevations and Perspectives: Conceptual elevations and perspectives showing the general theme of the architecture within the Project have been submitted with the Rezoning Plan. The architectural design within the Project shall be in keeping with the general theme.
  - As per the neighborhood meeting on 7/25/25, the building shall be oriented along Statesville Rd. in accordance with this proposed plan, providing as much separation from Hillcrest Dr. as possible.
  - Developer shall provide a 6-ft masonry wall along the rear of the property as shown.

## TREE SAVE DATA

ZONING: HC(CD)  
HERITAGE TREES  
NUMBER OF HERITAGE TREES ON-SITE: 0  
NUMBER OF HERITAGE TREES SAVED: 0  
PERCENTAGE OF HERITAGE TREES REQUIRED TO SAVE: 100%  
PERCENTAGE OF HERITAGE TREES ACTUALLY SAVED: 0  
SPECIMEN TREES  
NUMBER OF SPECIMEN TREES ON-SITE: 19  
NUMBER OF SPECIMEN TREES SAVED: 7  
PERCENTAGE OF SPECIMEN TREES REQUIRED TO SAVE: 30%  
PERCENTAGE OF SPECIMEN TREES ACTUALLY SAVED: 37%  
TREE CANOPY  
PERCENTAGE OF SITE COVERED BY TREE CANOPY: 47%  
PERCENTAGE OF TREE CANOPY PRESERVATION REQUIRED BY DISTRICT: 0%  
PERCENTAGE OF TREE CANOPY ACTUALLY SAVED: 20%

\*2 WHERE CIRCUMSTANCES PREVENT LOCATING THE REQUIRED TREE PLANTINGS OR PRESERVATION STANDARDS ON SITE, THE DEVELOPER MAY MITIGATE PROTECTED TREE CANOPY REMOVAL BY PLANTING NEW TREES ON THE SITE WHOSE CANOPY EQUALS THAT OF THE CANOPY TO BE REMOVED (NEW TREE CANOPY CREDITS ARE DESCRIBED ABOVE). IF SITE CONDITIONS ARE NOT CONDUCTIVE FOR HEALTHY TREE REPLACEMENT PLANTING ON SITE, THE DEVELOPER MAY CONTRIBUTE TO A TREE FUND/BANK SET UP BY THE TOWN FOR THE PLANTING AND MAINTENANCE OF SUCH TREES ELSEWHERE IN THE COMMUNITY. A COMBINATION OF PLANTING AND CONTRIBUTION IN LIEU OF PLANTING IS ACCEPTABLE. THE AMOUNT OF CONTRIBUTION IS BASED ON THE TOTAL COST OF THE REQUIRED MITIGATION TREES PLUS THAT OF THEIR INSTALLATION. PLANNING STAFF WILL BE RESPONSIBLE FOR REVIEWING AND APPROVING ALL TREE MITIGATION PLANS CONSISTENT WITH THE MITIGATION STANDARDS OF THIS SECTION.

## PARKING DATA

SITE #1: 6 STORY MOTEL BUILDING  
PARKING CALCULATIONS  
1 SPACE PER ROOM PLUS 1 SPACE PER 500 SF OF ANCILLARY USE  
117 ROOMS PLUS 1000 SF/500=117 PLUS 2 SPACES= TOTAL 119 SPACES REQUIRED  
119 SPACES INCLUDING 5 VAN ACCESSIBLE SPACES PROVIDED

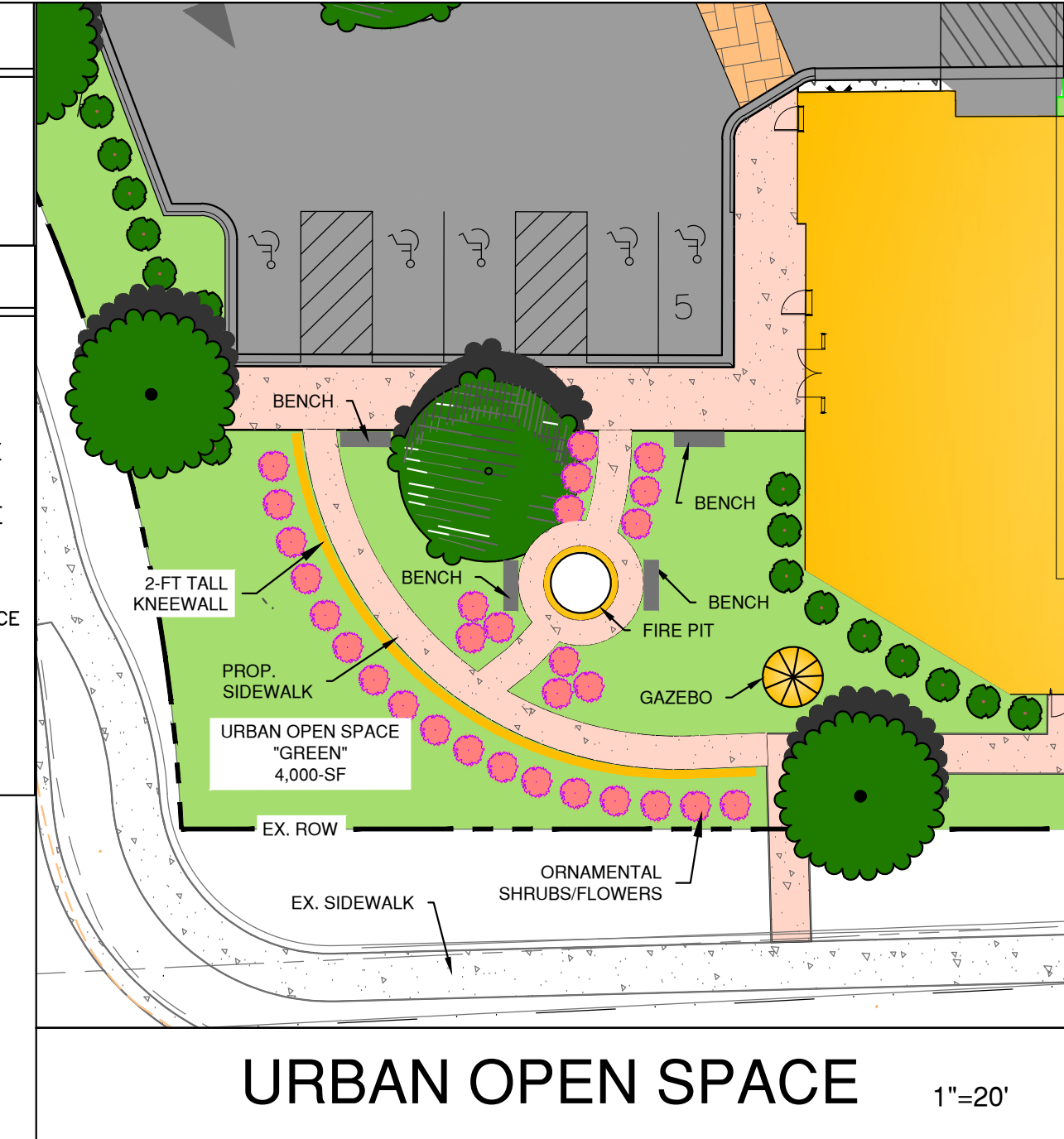
## IMPERVIOUS AREA DATA

WATERSHED: MOUNTAIN ISLAND LAKE PA-2  
MAX. ALLOWABLE IMPERVIOUS: 70%

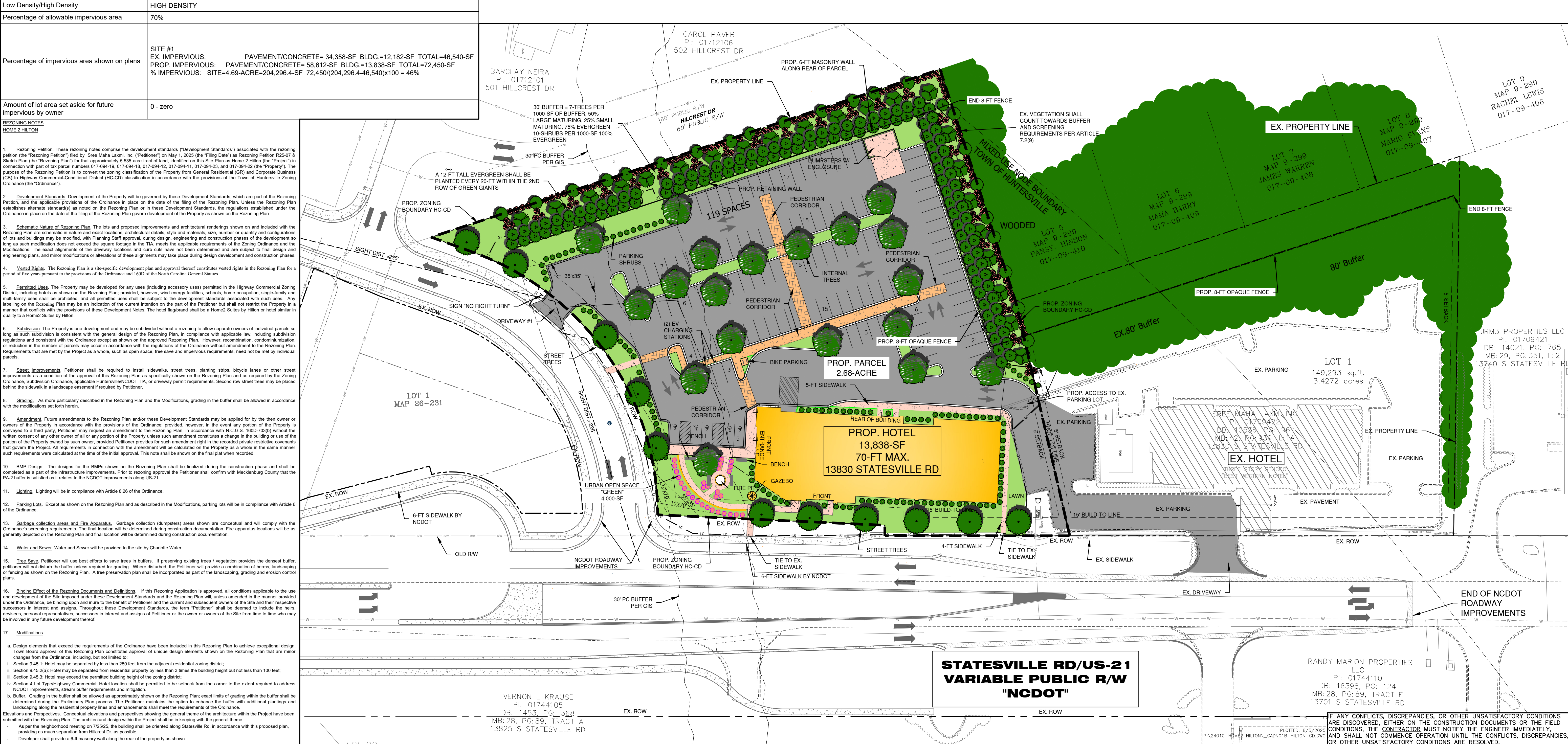
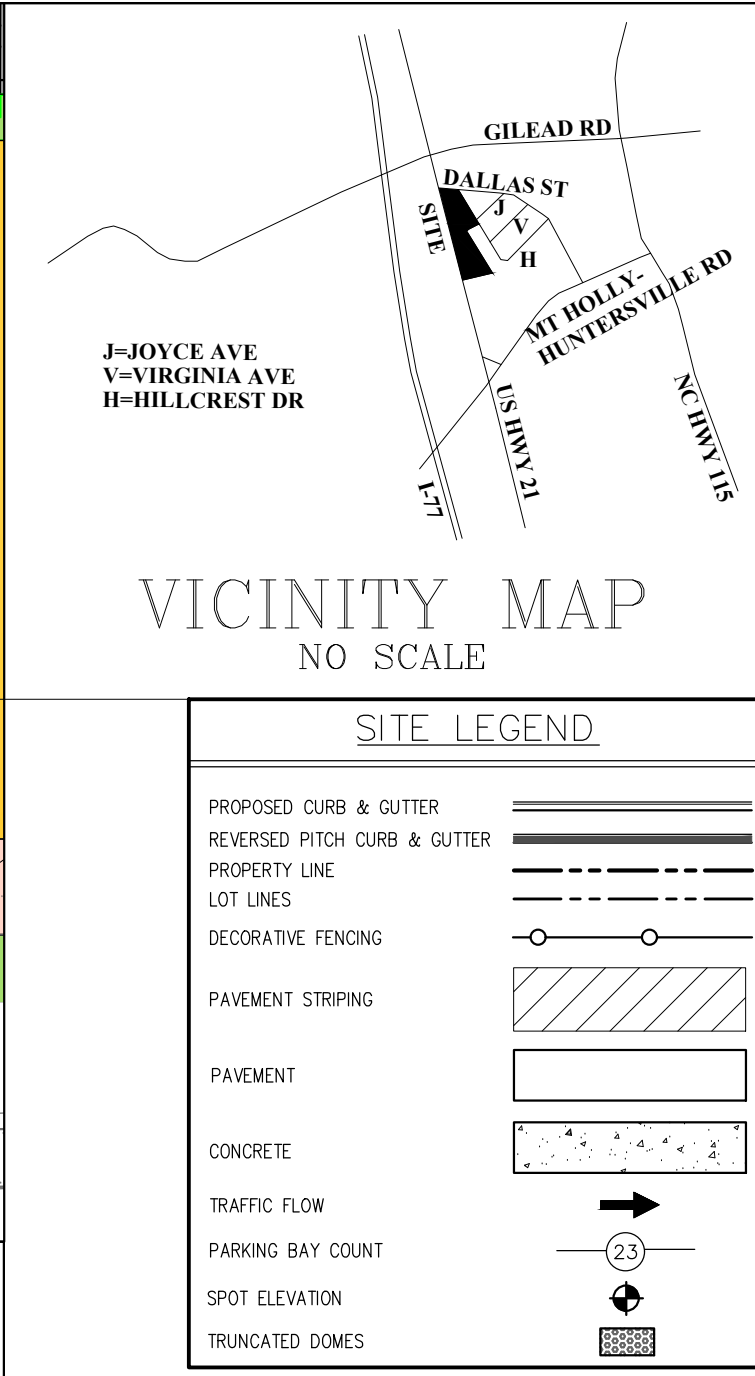
(EXISTING HOTEL)  
EX. IMPERVIOUS: PAVEMENT/CONCRETE= 34,358-SF BLDG.=12,182-SF TOTAL=46,540-SF

(NEW HOTEL)  
PROP. IMPERVIOUS: PAVEMENT/CONCRETE= 59,213-SF BLDG.=14,050-SF TOTAL=73,263-SF  
% IMPERVIOUS: SITE=2.68-ACRE=116,740.8-SF 73,263/(116,740.8+100) = 63%

NOTES:  
1) THIS SITE SHALL UTILIZE THE HIGH DENSITY OPTION, BMP'S SHALL BE PROVIDED IN COMPLIANCE WITH THE PCO AND HUNTERSVILLE LOW IMPACT DEVELOPMENT REQUIREMENTS BY USING SAND FILTERS, UNDERGROUND DETENTION AND OTHER APPROVED S.C.M.'S.  
2) THIS PROJECT DOES NOT LIE WITHIN A REGULATED FLOODWAY  
3) SWIM & PCO BUFFER IMPACTS MUST BE PERMITTED VIA ARMY CORPS OF ENGINEERS & MECKLENBURG COUNTY STORM WATER  
4) IMPERVIOUS IS SHOWN ILLUSTRATIVELY, FINAL NUMBER MAY VARY DURING THE DESIGN & PERMITTING PHASE FOR EACH SITE.



NOTE: 2-FT TALL KNEEWALL IS CONTINGENT UPON NCDDOT APPROVAL FOR ITEMS WITHIN THE NCDDOT STORM DRAIN EASEMENT



Woodbine Design, P.C.  
Land Planning & Civil Engineering  
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980.722.2668  
20816 N. Main Street, Suite 204  
704.315.5387  
Cornelius, NC 28031

Riley D. Burgess, Jr. PE  
2025.08.05.16.21.33-04'00"

SEAL  
NO. C-4063

SEAL  
NO. C-4063

NORTH ARROW

Graphic Scale 1" = 40 ft.

Project: HOME 2 HILTON  
Location: 13830 STATESVILLE RD., HUNTERSVILLE, NC 28078  
Sheet Title: REZONING SITE PLAN

DEVELOPER/OWNER  
SREE MAHA LAXMI, INC  
13803 STATESVILLE RD.  
HUNTERSVILLE, NC 28078

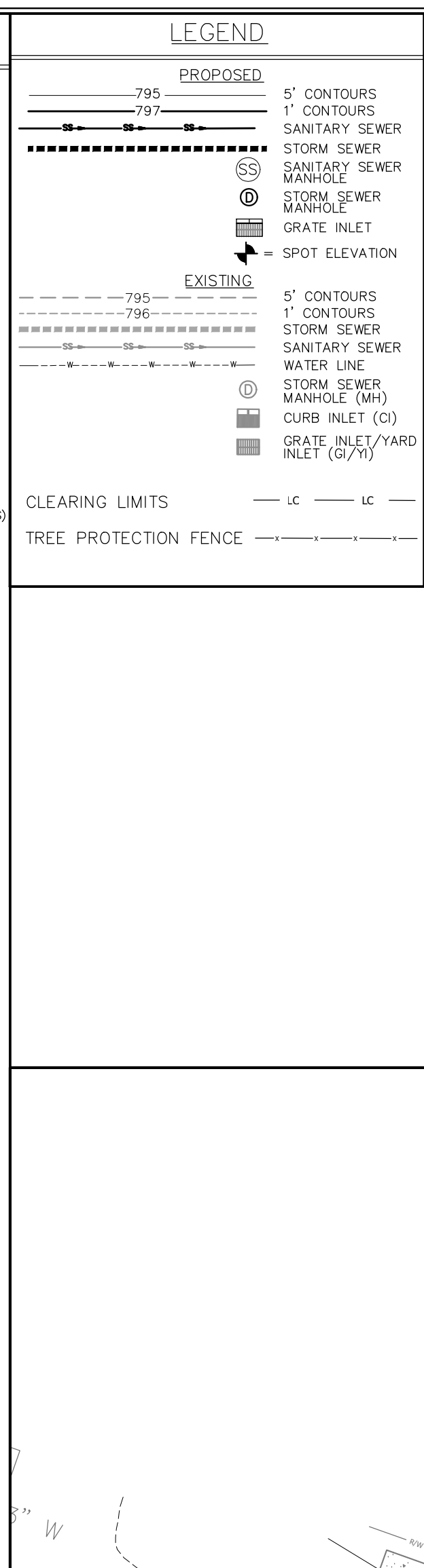
Designed By: WOODBINE  
Drawn By: PW  
Date: 7/30/24  
Revisions:

Sheet: C3 of 6  
Project Number: 24010





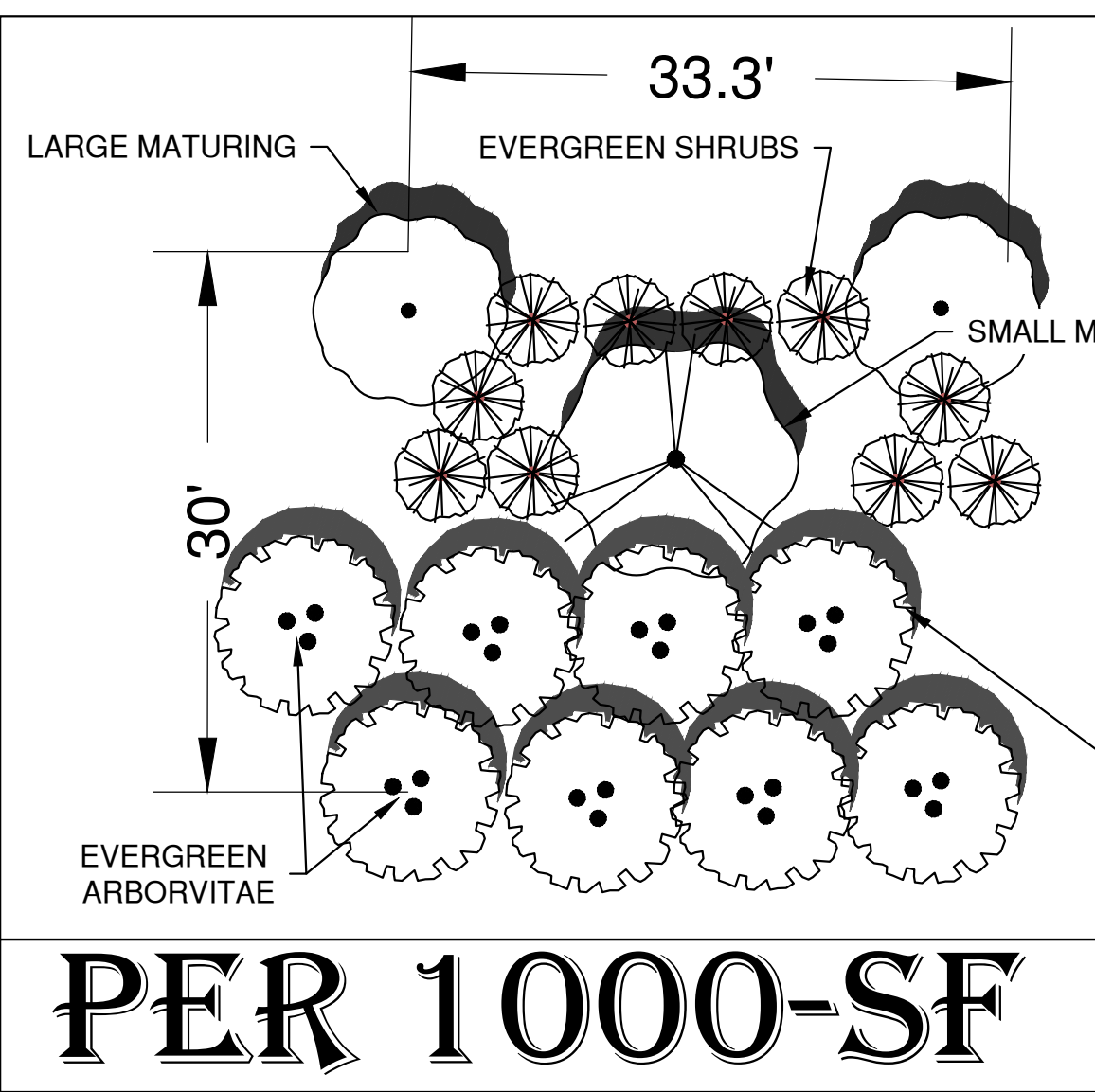
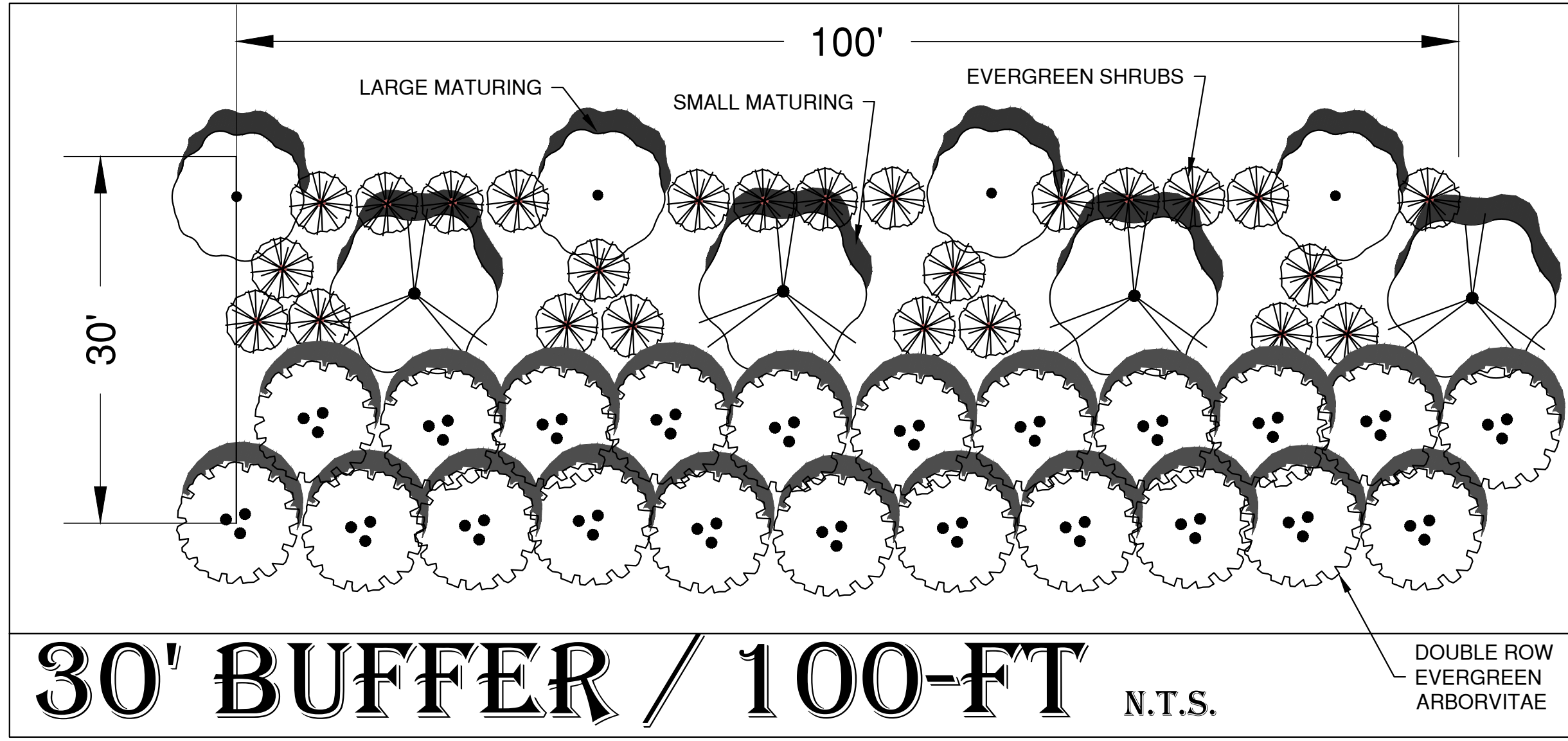




| IMPERVIOUS AREA DATA                                                                                                                                                                                                                  |                                                                   |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|--|--|
| WATERSHED: MOUNTAIN ISLAND LAKE PA-2                                                                                                                                                                                                  |                                                                   |  |  |
| MAX. ALLOWABLE IMPERVIOUS:                                                                                                                                                                                                            | 70%                                                               |  |  |
| (EXISTING HOTEL)                                                                                                                                                                                                                      |                                                                   |  |  |
| EX. IMPERVIOUS:                                                                                                                                                                                                                       | PAVEMENT/CONCRETE = 34,358-SF BLDG. = 12,182-SF TOTAL = 46,540-SF |  |  |
| (NEW HOTEL)                                                                                                                                                                                                                           |                                                                   |  |  |
| PROP. IMPERVIOUS:                                                                                                                                                                                                                     | PAVEMENT/CONCRETE = 59,213-SF BLDG. = 14,050-SF TOTAL = 73,263-SF |  |  |
| % IMPERVIOUS:                                                                                                                                                                                                                         | SITE = 2.68-ACRE = 116,740.8-SF 73,263 / 116740.8x100 = 63%       |  |  |
| NOTES:                                                                                                                                                                                                                                |                                                                   |  |  |
| 1) THIS SITE SHALL UTILIZE THE HIGH DENSITY OPTION, BMP'S SHALL BE PROVIDED IN COMPLIANCE WITH THE PCO AND HUNTERSVILLE LOW IMPACT DEVELOPMENT REQUIREMENTS BY USING SAND FILTERS, UNDERGROUND DETENTION AND OTHER APPROVED S.C.M.'S. |                                                                   |  |  |
| 2) THIS PROJECT DOES NOT LIE WITHIN A REGULATED FLOODWAY                                                                                                                                                                              |                                                                   |  |  |
| 3) SWM & PCO BUFFER IMPACTS MUST BE PERMITTED VIA ARMY CORPS OF ENGINEERS & MECKLENBURG COUNTY STORM WATER                                                                                                                            |                                                                   |  |  |
| 4) IMPERVIOUS IS SHOWN ILLUSTRATIVELY, FINAL NUMBER MAY VARY DURING THE DESIGN & PERMITTING PHASE FOR EACH SITE.                                                                                                                      |                                                                   |  |  |

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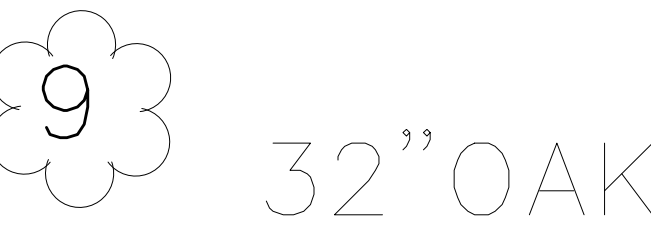


REQUIRED PLANTINGS:  
30' BUFFER = 4-TREES PER 1000-SF OF BUFFER, 50% LARGE MATURING, 25% SMALL MATURING, 50% EVERGREEN  
7-SHRUBS PER 1000-SF 100% EVERGREEN

PROVIDED PLANTINGS:  
30' BUFFER = 7-TREES PER 1000-SF OF BUFFER, 50% LARGE MATURING, 25% SMALL MATURING, 75% EVERGREEN  
10-SHRUBS PER 1000-SF 100% EVERGREEN

A 12-FT TALL EVERGREEN SHALL BE PLANTED EVERY 20-FT WITHIN THE 2ND ROW OF GREEN GIANTS

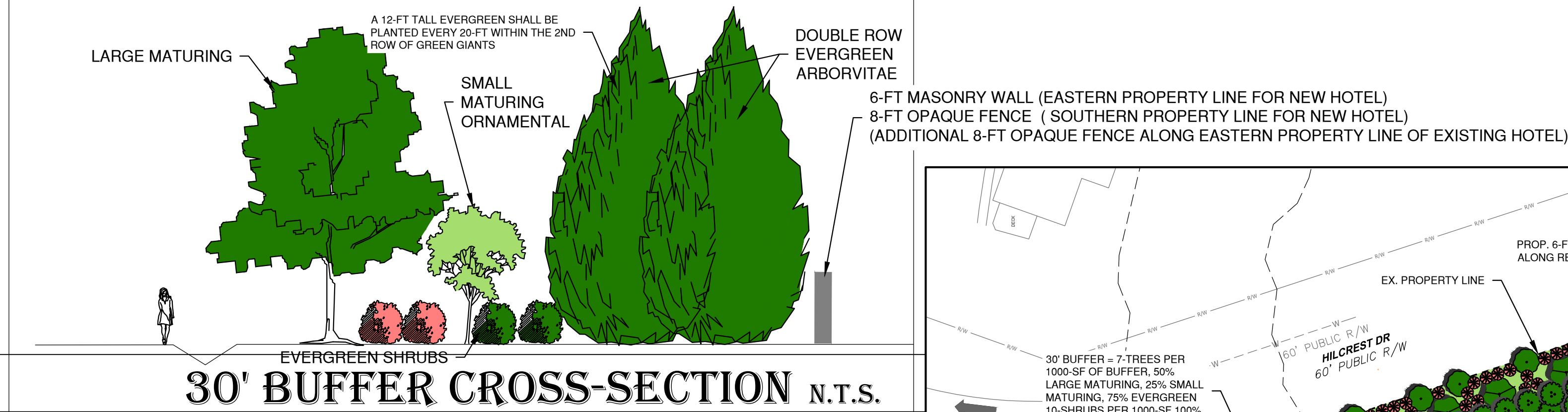
SPECIMEN TREE LEGEND



SPECIMEN TREE TABLE

| #  | Size (in.) | Type   | Notes  |
|----|------------|--------|--------|
| 1  | 24"        | Ash    | Remove |
| 2  | 32"        | Oak    | Remove |
| 3  | 24"        | Blm    | Save   |
| 4  | 24"        | Ash    | Save   |
| 5  | 26"        | Poplar | Save   |
| 6  | 28"        | Oak    | Save   |
| 7  | 32"        | Oak    | Save   |
| 8  | 26"        | Oak    | Save   |
| 9  | 32"        | Oak    | Save   |
| 10 | 25"        | Oak    | Save   |
| 11 | 32"        | Poplar | Save   |
| 12 | 31"        | Poplar | Remove |
| 13 | 30"        | Poplar | Remove |
| 14 | 36"        | Poplar | Remove |
| 15 | 33"        | Oak    | Remove |
| 16 | 24"        | Poplar | Remove |
| 17 | 22"        | Poplar | Remove |
| 18 | 32"        | Oak    | Remove |
| 19 | 25"        | Poplar | Remove |

Specimen % Saved = 47%



Woodbine Design, P.C.  
Land planning & civil engineering  
www.woodbinedesign.com  
980.722.2662  
rburgess@woodbinedesign.com  
peccody@woodbinedesign.com

Riley D. Burgess, Jr., PE  
2025.08.05.16.21.33-04'00"

SEAL  
NO. C-4063

NORTH ARROW

Graphic Scale 1" = 40 ft.

Project: HOME 2 HILTON  
Location: 13830 STATESVILLE RD., HUNTERSVILLE, NC 28078  
Sheet Title: LANDSCAPE PLAN

DEVELOPER/OWNER  
SREE MAHA LAXMI, INC  
13803 STATESVILLE RD.  
HUNTERSVILLE, NC 28078

Designed By: WOODBINE  
Drawn By: PW  
Date: 7/30/24  
Revisions:

Sheet: C6 of 6  
Project Number: 24010



## **Home2 Hilton Rezoning (R25-07)**

### **Community Meeting Report**

Date: June 26, 2025

Time: 6:00pm – 7:00pm

Location: Huntersville United Methodist Church – Fellowship Hall, 14005 Stumptown Road, Huntersville 28078

Roster of Persons in Attendance: **See attached sign-in sheets**

Agenda:

1. Applicant presentation & rezoning description
2. Neighborhood attendees' question & answer session

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

#### **General Discussion**

- The Applicant shared the PowerPoint presentation attached to this Community Meeting Report.
- General discussion around NCDOT plans for HWY 21 (synchronized street design) and improvements to the Gilead/I-77 interchange.
- Overview of Huntersville 2040 Land Use Plan policies and how this project aligns with the goals of the plan.

#### **Questions**

##### **\*Answers in bold**

- Will the hotel have access from US-21? **Yes, the hotel will have a right in right out entrance and exit onto US-21. NCDOT improvements to US-21 will block left hand turns out of the property. Furthermore, guests will be able to access the hotel from the Best Western property as the parking lots will be connected.**
- Where is the project as it pertains to the rezoning schedule? **This is the first public meeting in the rezoning process. We have had preliminary meetings with Planning Staff and submitted a formal application. The next step in the process is a Public Hearing, then Planning Board, then a Town Board final vote. The schedule was included in the PowerPoint and shared with attendees (Public Hearing date subsequently delayed 1 month to allow for additional plan changes based on neighborhood feedback).**
- What is the current zoning of the property? **The property is currently zoned Corporate Business, and the Applicant is asking to rezone to Highway Commercial.**
- What impact will the project have on the creek and drainage in the area? **As part of the NCDOT improvements to US-21, part of the creek was piped underneath the property. Applicant is working with the County to make sure that no additional buffer is required along the piped section. The drainage on the property will be maintained to meet the Ordinance requirements.**

- Will there be any wildlife protection? **The site plan will leave portions of the buffers undisturbed to protect as much of the wildlife as possible. NCDOT work along US-21 has already disturbed some of the area. An arborist study will be conducted as well to ensure that as many trees as possible are saved.**
- Will neighborhood traffic increase with people from the hotel? **There is an additional exit onto the new Dallas Street extension, but the Applicant will install a “No Left Turn” sign to limit traffic into the neighborhood.**
- What is the average demographic of guests at the Home2 Hilton? **The average guests will be professionals working in the area and people attending local events, with an average price of around \$200/night.**
- What is the plan for the current Best Western? **The plan is to upgrade the Best Western to a Hilton hotel once the Home2 Hilton is approved. The planned upgrade will keep the Best Western at the same size but will upgrade the finishes and amenities while accommodating a higher paying guest demographic.**
- Is there a plan for the property created by the new Dallas extension that connects to Holbrook? **There are no plans for the property.**
- What is the construction timeline? **Construction would not start for at least a year after zoning approval. Zoning approval would occur in October so October 2026 is a good estimate for when construction would begin.**
- Will construction traffic enter from the neighborhood or US-21? **Construction traffic will enter the property from US-21 and will not be allowed to use the neighborhood streets.**
- Will construction traffic impact the Best Western business? **There will most likely be a temporary driveway permit issued by NCDOT for an entrance from US-21 onto the property. There will be minimal impact on the business.**
- There is already a lot of construction noise from the US-21 improvements, I-77 work, and Gilead interchange improvements, how will this project limit noise pollution? **The buffers will be enhanced to limit noise pollution along with the undisturbed trees. The building itself will likely reduce the noise from the adjacent thoroughfares to the neighborhood at the rear.**
- How will parking lot lighting impact the neighborhood? **The installed lights will be “full cutoff” lights that point straight down and minimize light pollution to the surrounding area. The lighting will meet or exceed any Ordinance requirements.**
- What about car break-ins or crime? **The site will include security measures and surveillance to deter any potential crime and ensure the safety of guests and neighbors in the surrounding area.**
- What types of projects are currently allowed in the Corporate Business district? **Corporate Business allows for offices, warehouses, inns, manufacturing, and government buildings along with others. Overall the Corporate Business district is targeted at buildings and businesses that cannot be fully integrated into the fabric of the community and are primarily workplace.**
- Could there be a wall installed between the neighborhood and the Home2 Hilton? **Yes, the plan includes a retaining wall that will be enhanced with landscaping to block out the view and noise of the hotel to the neighbors living behind the property.**

- There are children in the neighborhood, how will this project impact their safety? **As discussed earlier the project will limit traffic into the neighborhood to make sure pedestrians can enjoy a safe environment. There will also be a wall and a fence that separates the hotel from the adjacent neighborhood.**
- Will this impact property values? **There is no evidence that this will impact property values.**
- Can there be an agreed upon buffer and noise buffer? **Yes, the Applicant will include new landscaping and buffer to enhance the divide between hotel and neighborhood.**
- Is this a monthly or weekly rent long-term stay hotel? **No, the rate is a nightly rate that ranges between \$190-\$250 a night.**
- What is the construction cost of the Home2 Hilton? **Around \$35 million, or \$300k per room.**
- What is the upgrade cost for the Best Western? **The upgrade is less because it isn't a ground up construction, it is just an upgrade. The cost will be about \$50k per room.**



COMMUNITY MEETING  
SIGN IN SHEET  
June 26, 2025, 6:00pm to 7:00pm  
R25-07 Home2 Hilton  
Location: Huntersville United Methodist Church  
14005 Stumptown Road, Huntersville, NC 28078

ATTENDEE NAME

Deborah Lawing

d-lawing@bellsouth.net

Carol Paver

carolpaver@gmail.com

Michael Wade

mwade@billwadesales.com

Tejin Patel

John Galbraith

June 12, 2025

**SUBJECT:** Notice of community meeting for information related to a Conditional Rezoning of the property located at 13830 Statesville Road, Huntersville, NC, shown on the map below and having Parcel ID Numbers of 01709418, 01709412, 01709411, 01709423 and 01709422. The Owner/Applicant for the subject property is Sree Maha Laxmi, Inc., a North Carolina corporation.

To Whom It May Concern:

Recipients of this letter meet the notification requirements of the Town of Huntersville as being adjacent landowners with at least a portion of their properties located within 250 ft. of the subject property, and neighborhood organizations registered with the Town of Huntersville within 2,000 ft. of any portion of the rezoning site. The purpose of the community meeting is to provide an opportunity for the Owner/Applicant to describe the proposed project and to answer any questions you may have. The Owner/Applicant is requesting approval from the Town for a Conditional Rezoning from the current zoning of GR & CB to the proposed zoning of HC(CD) to allow for a new hotel and associated parking.

**MEETING DETAILS:**

6:00 P.M. to 7:00 P.M.

Thursday, June 26, 2025

Huntersville United Methodist Church

Fellowship Hall

14005 Stumptown Road

Huntersville, NC 28078

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

Sincerely,

Sree Maha Laxmi, Inc.





Community Meeting  
R25-07

Home2 Hilton 13830 Statesville Road, Huntersville, NC



# Site Location





# Vicinity Map





# Street View



# Applicant Introduction and Business

- **Applicant History**

- 30-year resident and business owner in Huntersville
- Raised family in Huntersville
- Original Best Western hotel opened in late 1990s and updated over the years
- Purchased land in 2004 and 2006 with the intent of expanding and upgrading to the Hilton brand

- **Overall Goals**

- Build a new Home2 by Hilton hotel on the land acquired in 2004 and 2006
- New hotel will allow original Best Western to upgrade to the Hilton brand
- Provide high-quality accommodations to residents and businesses in Huntersville



30' BUFFER - 4 TREES PER  
1000-SF OF BUFFER, 50%  
LARGE MATURING, 25% SMALL  
MATURING, 50% EVERGREEN  
7-SHRUBS PER 1000-SF 100%  
EVERGREEN

EX. PROPERTY LINE

LOT 9  
MAP 9-299  
RACHEL LEWIS  
017-09-406

LOT 8  
MAP 9-299  
MARIO EVANS  
017-09-407

LOT 7  
MAP 9-299  
JAMES WARREN  
017-09-408

LOT 6  
MAP 9-299  
MAMA BARRY  
017-09-409

GR ZONING  
CB ZONING

LOT 5  
MAP 9-299  
PANSY, HINSON  
017-09-410

EX. ZONING

80' Buffer

JRM3 PROPERTIES  
PI: 0170942  
DB: 14021, PG:  
MB: 29, PG: 351,  
13740 S STATESVILLE

LOT 1  
149,293 sq.ft.  
3.4272 acres

SREE MAHA LAXMI INC  
PI: 01709422  
DB: 10536, PG: 961  
MB: 42, PG: 939, L: 1A  
13830 S STATESVILLE RD

**EX. HOTEL**  
THREE STORY STUCCO  
"BEST WESTERN HOTEL"

SITE #1 4.69-ACRES  
PROP. HOTEL  
13,838-SF  
5-STORY  
117-ROOMS

**STATESVILLE RD/US-21  
VARIABLE PUBLIC R/W  
"NCDOT"**

END OF NCDOT  
ROADWAY  
IMPROVEMENTS

# Home 2 Suites by Hilton

- Sustainable design and construction materials
- High quality amenities
- 117 Room hotel
- 5 stories at street level Extended and short-term stays
- Minimal traffic impact – No TIA required
- Significant enhanced buffer between hotel and neighborhood





# Extended Stay Suite Layouts

## Suites to suit you

Whether you're with us for two days or two weeks, our suites ensure comfort and value however long you stay.



**Studio suite**



**One-bedroom suite**



# Sustainable Upper Midscale Accommodations

- Green initiatives & Energy Efficiency
  - LED lighting
  - Energy Star appliances
  - Energy efficient roofing materials
  - Lightstay system tracks and optimizes energy usage
  - Sustainable construction materials
  - Recycling partnerships with Clean the World
  - Electric vehicle charging stations



At Home2 Suites we always offer the same great amenities with every stay.



## Saline pools

Chlorine and chemical free means good for you and for the environment.



## Spin2 Cycle

Log some miles on the treadmill while you wait for your laundry at our combined fitness and laundry center.



## Our great outdoors

With grills, patio areas, and firepits, warm up or chill out in our relaxing outdoor spaces.



## Home2 MKT

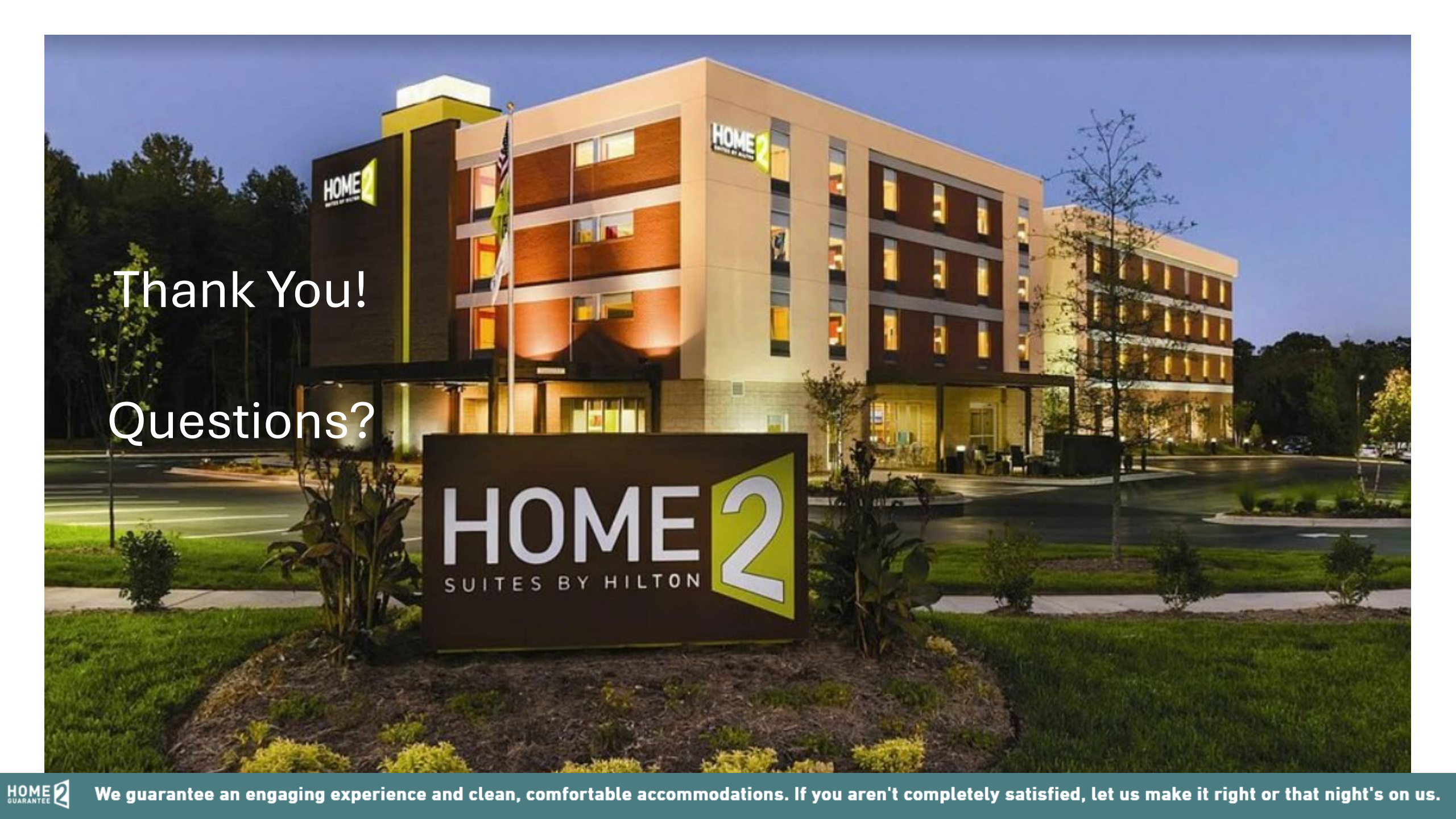
Forgot your toothbrush or just need a snack? Home2 MKT has you covered.



## Rezoning Process Schedule

- Community Meeting – **June 26**
- Public Hearing – **August 5**
- Planning Board Meeting – **August 26**
- Town Board Final Vote – **September 16**





Thank You!

Questions?



# Appendix

# Economic Development

- Increased property taxes
- Supports local residents and businesses
- Extended stay opportunities:
  - Government workers
  - Business travelers
  - Tourists
  - Families
- Promotes local businesses and Town of Huntersville events
- Located within walking distance of Downtown Huntersville
- No impact on schools



Elevation courtesy of Jensen Design Architects.









## **Town Engineering Rezoning Comment Summary**

### **R25-07 Home 2 Hilton (CSP-500077)**

**13830 Statesville Rd. (PID 01709422, 01709423, 01709419, 01709418, 01709412, 01709411)  
Huntersville, NC 28078**

#### **General Project Information**

This proposed rezoning is located at the Southeast corner of the intersection of Statesville Road and Dallas Street and consists of a hotel and associated parking.

#### **Engineering Staff Comments**

Traffic Impact Analysis (TIA):

- 1) A TIA was not required as part of this proposed rezoning due to not meeting trip generation thresholds.

Transportation and Stormwater:

- 1) Documentation to be provided by the Applicant from Mecklenburg County allowing the removal of an existing Post Construction Buffer on the property.
- 2) Other miscellaneous comments provided by staff to be addressed.





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

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

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

Applicant: Sree Maha Laxmi, Inc.

Project Name: Home2Hilton

Project Address: 13830 Statesville Rd, Huntersville NC 28078

Project Description (including square footage for each proposed land use):  
New Developement for a 13,838-sf Hotel with 117-Rooms

### Applicant

Printed Name Sree Maha Laxmi, Inc. Phone 704-728-5355

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

Signature PM Patel

Title Owner Email pmphotels@gmail.com

### Contact Information

Town of Huntersville Engineering Department  
(704) 766 - 2220

#### For Town Staff Use Only

Project File # \_\_\_\_\_

Date Submitted \_\_\_\_\_

Daily Trips Anticipated \_\_\_\_\_

Peak Hour Trips Anticipated AM \_\_\_\_\_ PM \_\_\_\_\_

TIA Required (Yes/No) \_\_\_\_\_

Date of Determination: \_\_\_\_\_

Comments:



# Tree Inventory Assessment Report

*19 Trees of Various Species at 507 Hillcrest Drive*

**Prepared For:**

**PM Patel**  
507 Hillcrest Drive  
Huntersville, NC 28078

**Prepared By:**

**Casey Diffley**  
ISA Certified Arborist #SO-10676A  
ISA Qualified Tree Risk Assessor  
Plant Health Care Assistant Manager  
Heartwood Tree Care

July 30th, 2025

## Contents

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| <b>Introduction.....</b>                                     | <b>3</b>  |
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## Executive Summary

Out of need to verify and assess trees identified on a survey plan, PM Patel contacted Heartwood Tree Care in order to perform a site visit and write a report outlining the information collected on that site visit. The assessment included identifying the trees, their size, condition, and species. Locations of the trees identified on the site visit corresponded to the locations described on the attached survey plan. Tree numbers for the purpose of identification and description will correspond to the survey plan as described and mapped in order to provide clarity. The survey mentioned can be found in the Site Photos section.

## Introduction

### Background and History

PM Patel contacted Kevin Hartke with Heartwood Tree Care for the purpose of identifying, verifying and assessing trees located on the site at 507 Hillcrest Drive. Kevin created a proposal for the report, which was accepted on July 25th, 2025. I then performed a site visit on July 30th, 2025, to assess the site and gather the information necessary to complete the report.

### Scope of Work

During my visit we agreed to provide the following services:

- Determine species, size, and condition of 19 trees of various species identified on the survey map and located on the 507 Hillcrest Drive Site.
- Provide a written report summarizing the information collected during the site visit.

### Limits of Assignment

This investigation was limited to ground level observations of the subject trees and the surrounding site at the time of inspection. This assessment is based solely upon an arborist site inspection, client reporting, and images obtained by me on site. Any information regarding the history of the site and the subject trees was assumed to be true. If any information is found to be false, the conclusions in this report may be invalidated.

### Purpose of the Report

The purpose of this report is to identify, verify, and assess the various trees located on the Hillside Drive site location, and to provide that information in summary form to fulfill the needs of the client.

This report was conducted on behalf of PM Patel. Upon submission of this report, it will become the property of PM Patel to be used at their discretion. This report is not an appraisal, nor a tree risk assessment, nor does it provide any estimates for the cost of remedies. My expertise in this matter is limited to arboriculture, and this report is not intended to be legal advice. There is no warranty or guarantee, expressed or implied, that problems or deficiencies in the subject tree may not arise in the future.

### Effective Date

The onsite inspection for the report was conducted on July 30th, 2025. The effective date of this report is July 30th., 2025.

## Observations

### Site Location and Condition

The site is located at 507 Hillcrest Drive. The site currently is a mixture, with part being a residential home lot with a variety of mature trees, landscaping, and turf located in the center north of the parcel. The remaining area of the site is an adolescent aged, unmanaged forested area that runs adjacent to Hillcrest Drive, North and South of the home, and along the drainage easement. The topography of the site is fairly flat, with the North side of the site depressed into a slope down into the drainage easement and creek located nearby. This site is in an established area of Huntersville, that is being developed, causing a mix of older adolescents to mature trees, as well as a significant amount of ornamental landscape plants where the larger canopy in the area has been removed. The soil condition is typical of an urban environment for our region, and can be described as having a heavy clay composition with compaction typical for a residential lot in the area.

### Tree Identification and Description

1. 24" Diameter at Breast Height White Ash - *Fraxinus pennsylvanica*
  - a. Condition - Poor - EAB and dieback
2. 32" Diameter at Breast Height White Oak - *Quercus alba*
  - a. Condition - Fair
3. 24" Diameter at Breast Height American Elm - *Ulmus americana*
  - a. Condition - Poor - Dieback and poor structure
4. 25" Diameter at Breast Height White Ash - *Fraxinus pennsylvanica*
  - a. Condition - Poor - EAB and dieback
5. 26" Diameter at Breast Height Tulip Poplar - *Liriodendron tulipifera*
  - a. Condition - Fair
6. 28" Diameter at Breast Height White Oak - *Quercus alba*
  - a. Condition - Fair
7. 32" Diameter at Breast Height White Oak - *Quercus alba*
  - a. Condition - Fair
8. 26" Diameter at Breast Height White Oak - *Quercus alba*
  - a. Condition - Poor - Decay at base and declining canopy
9. 32" Diameter at Breast Height White Oak - *Quercus alba*
  - a. Condition - Fair
10. 25" Diameter at Breast Height White Oak - *Quercus alba*
  - a. Condition - Fair
11. 34" Diameter at Breast Height Large Codominant Tulip Poplar (measurement taken as an average of the stems) - *Liriodendron tulipifera*
  - a. Condition - Good

12. 31" Diameter at Breast Height Tulip Poplar - *Liriodendron tulipifera*
  - a. Condition - Poor - Poor Structure, decay, declining canopy
13. 30" Diameter at Breast Height Tulip Poplar - *Liriodendron tulipifera*
  - a. Condition - Fair
14. 36" Diameter at Breast Height Tulip Poplar - *Liriodendron tulipifera*
  - a. Condition - Poor - Poor structure, decay, declining canopy
15. 33" Diameter at Breast Height Southern Red Oak - *Quercus rubra*
  - a. Condition - Poor - Canopy declining/dieback
16. 24" Diameter at Breast Height Tulip Poplar - *Liriodendron tulipifera*
  - a. Condition - Poor - Poor structure, decay, declining canopy
17. 27" Diameter at Breast Height Codominant Tulip Poplar (measurement taken as average of stems) - *Liriodendron tulipifera*
  - a. Condition - Poor - Poor structure, decay, declining canopy
18. 32" Diameter at Breast Height White Oak - *Quercus alba*
  - a. Condition - Fair
19. 25" Diameter at Breast Height Tulip Poplar - *Liriodendron tulipifera*
  - a. Condition - Poor - Poor structure, decay, declining canopy

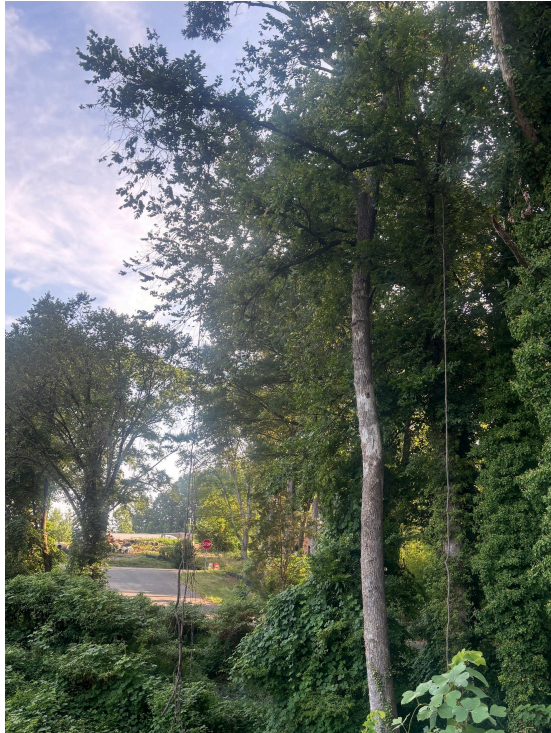


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- Matheny, Nelda, and Clark, James R., A Photographic Guide to the Evaluation of Urban Trees in Urban Areas (2nd ed). International Society of Arboriculture. 1993.
- Sydnor, David T., The Response of Ohio's Native and Naturalized Trees to Construction Activity; Urban Forestry, The School of Natural Resources, Ohio State University, Columbus, Ohio. 2003.
- Charlotte Tree Manual  
<https://docs.google.com/document/d/1wqlsKhe5CUOk65YrYtljGA7o4sX1MuvjNo2uTMk6gs/edit?tab=t.0>



## Appendix A – Site Photos



TREES 1-4





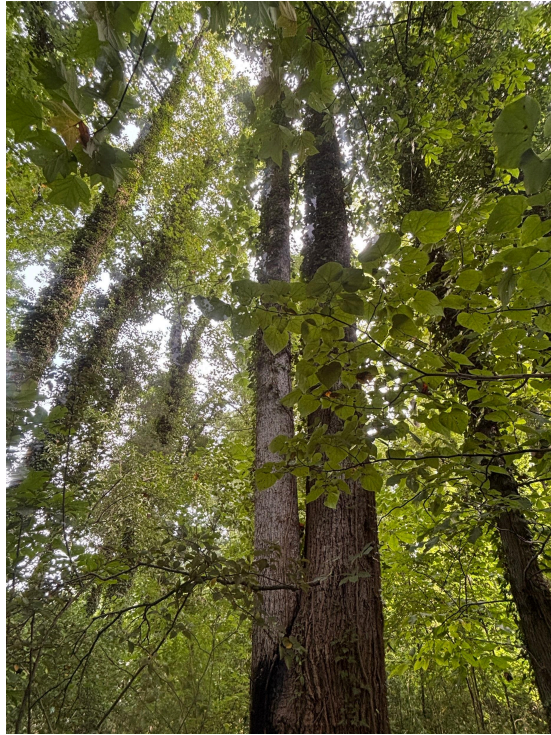
TREES 5-8





TREES 9-12





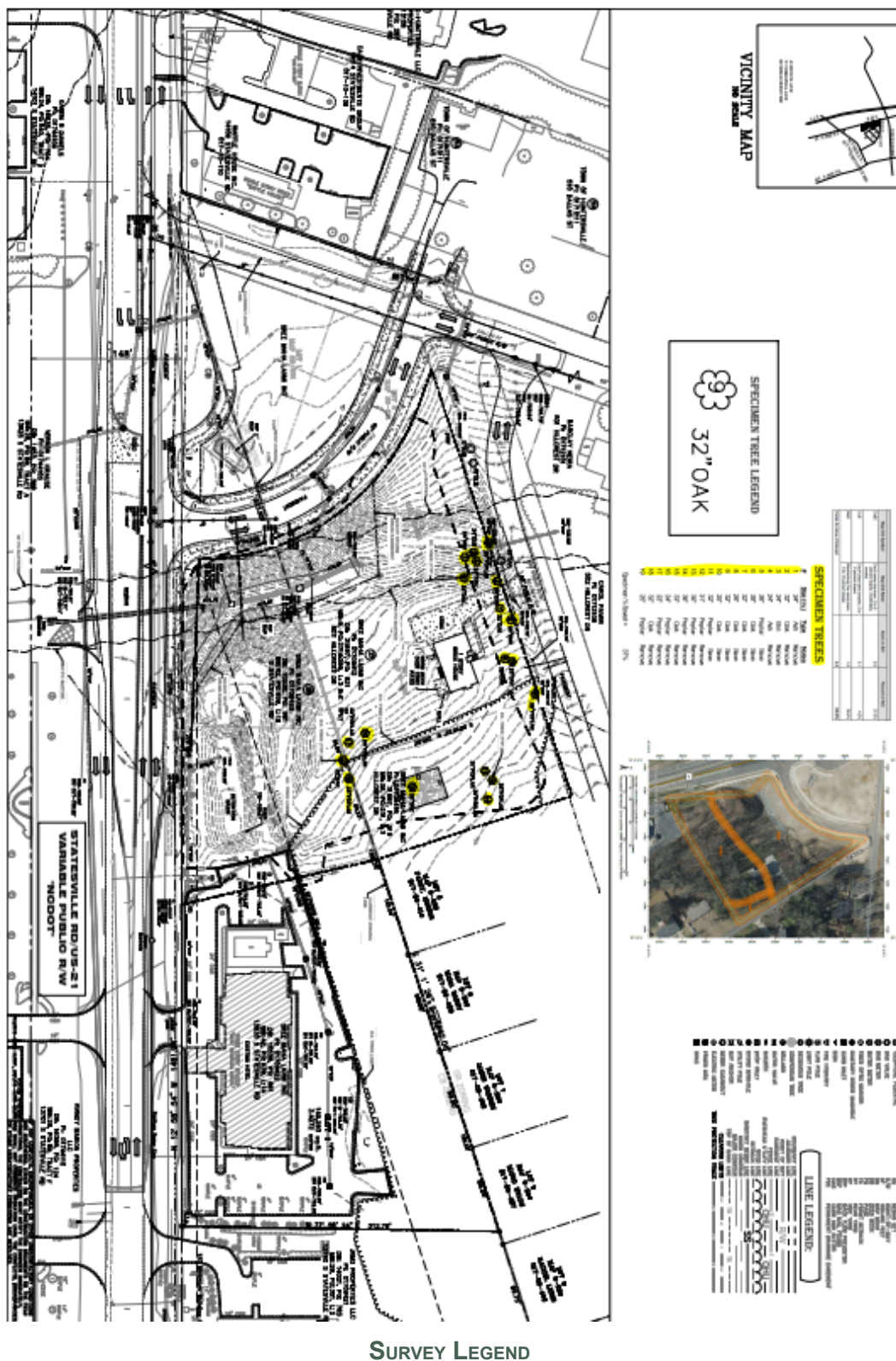
TREES 13-16





TREES 17-19





## Appendix B - Assumptions and Limiting Conditions

1. Care has been taken to obtain all information from reliable sources. All data had been verified insofar as possible; however, the consultant can neither guarantee nor be responsible for the accuracy of information provided by others.
2. The consultant shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule.
3. Loss or alteration of any part of this report invalidates the entire report.
4. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior expressed written or verbal consent of the consultant.
5. This report represents the opinion of the consultant, and the consultant's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.
6. Sketches, diagrams, graphs, and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be so construed as engineering or architectural reports or surveys.
7. Unless expressed otherwise, information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants or property in question may not arise in the future.

## Appendix C – Certification of Performance

I, Casey Diffley, certify that:

1. I have personally inspected the trees and property referred to in this report and have stated my findings accurately.
2. I have no current or prospective interest in the tree or the property that is the subject of this report and have no personal interest or bias with respect to the parties involved.
3. The analysis, opinions and conclusions stated herein are my own and are based on current scientific procedures and facts.
4. My analysis, opinions and conclusions were developed and this report has been prepared according to commonly accepted arboricultural practices.
5. No one provided significant professional assistance to me, except as indicated within the report.
6. My compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the Client or any other party nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any subsequent events.

Casey Diffley  
ISA Certified Arborist #SO-10676A  
ISA Qualified Tree Risk Assessor  
Plant Health Care Assistant Manager  
Heartwood Tree Care







## Request for Board Action

September 2, 2025

**To:** The Honorable Mayor and Board of Commissioners

**From:** Jesse James, Principal Planner

**Subject:** Public Hearing on Petition #R25-11: Long Creek Retail

---

### **EXPLAIN REQUEST:**

Rezone approximately 4.39-acres at 8900 Beatties Ford Road (PIN 01526434) and 9000 Beatties Ford Road (PIN 01526435) from Highway Commercial-Conditional District (HC-CD) to Highway Commercial- Conditional District (HC-CD) and Rural to replace the current CD Rezoning R08-01 to allow for a convenience store with a gas canopy and another commercial building where a drug store retail site was previously approved.

Parcel 01526435 would revert back to its pre 2008 Rural zoning designation.

### **ACTION RECOMMENDED:**

Conduct a public hearing

### **FINANCIAL IMPLICATIONS:**

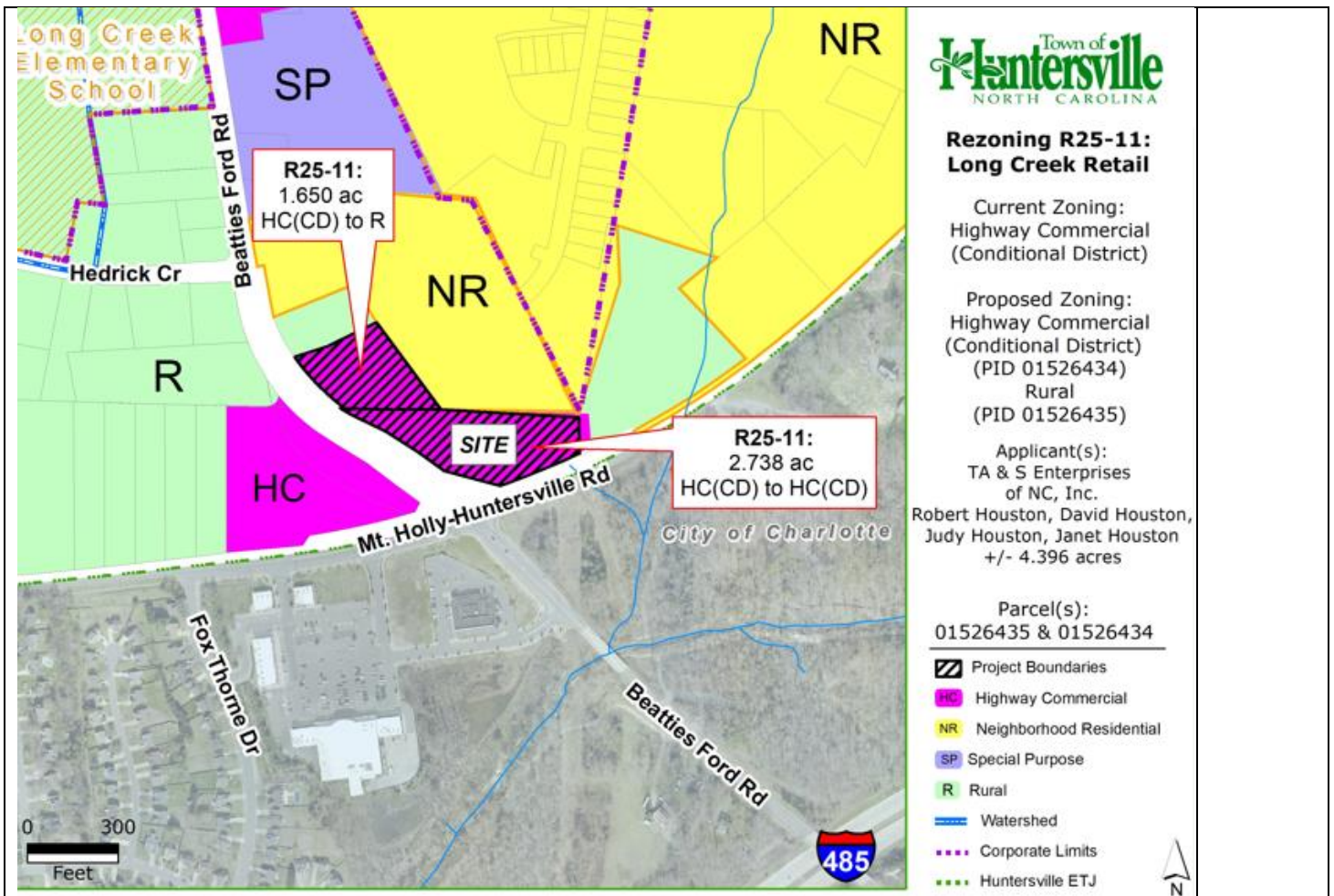
N/A

### **ATTACHMENTS:**

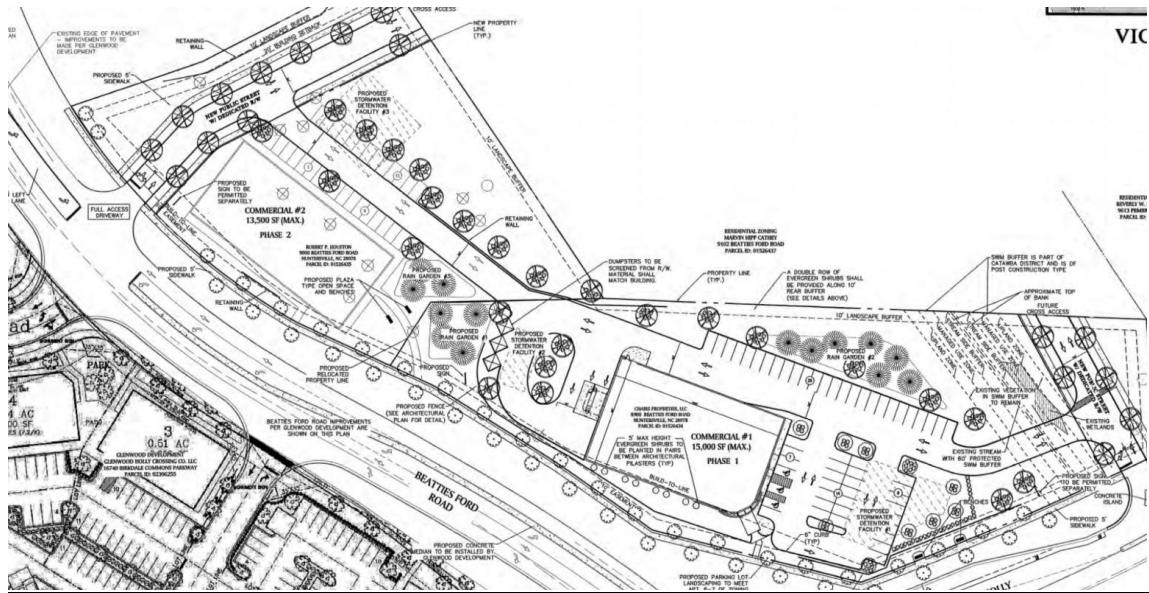
1. R25-11 PH 9-2-25 Staff Report
2. GeneralApplication-Signed
3. Rezoning-7-1-25
4. Long Creek Retail ENG\_Public Hearing\_2025 0819
5. CommunityMeetingReport Long Creek

## Petition R25-11 Long Creek Retail

### PART 1: PROJECT SUMMARY



1. Purpose: Rezone approximately 4.39-acres at 8900 Beatties Ford Road (PIN 01526434) and 9000 Beatties Ford Road (PIN 01526435) from Highway Commercial-Conditional District (HC-CD) to Highway Commercial-Conditional District (HC-CD) and Rural to replace the current CD Rezoning R08-01 to allow for a convenience store with a gas canopy and another commercial building where a drug store retail site was previously approved. Parcel 01526435 would revert back to its pre 2008 Rural zoning designation.
2. On November 19, 2024, R24-03 was denied by the Huntersville Town Board of Commissioners.  
(R-08-01)



3. Adjoining Zoning and Land Uses.

North: Rural(R) Single Family Residential and NR-CD– Age Restricted Multi-Family Development (zoning only-not in for construction-Vacant)

South: City of Charlotte-Vacant and Commercial

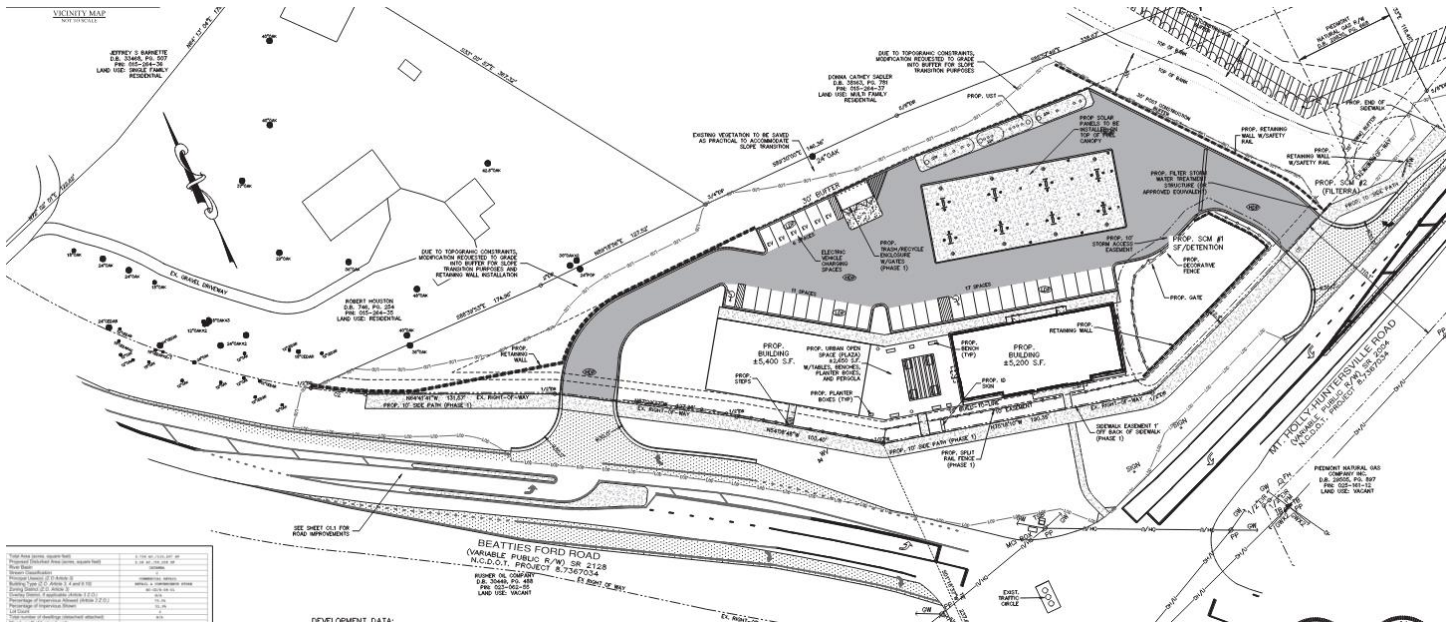
East: Rural- Single Family Residential

West: HC-CD-Holly Crossing Approved Rezoning 2006 for retail/office- Vacant

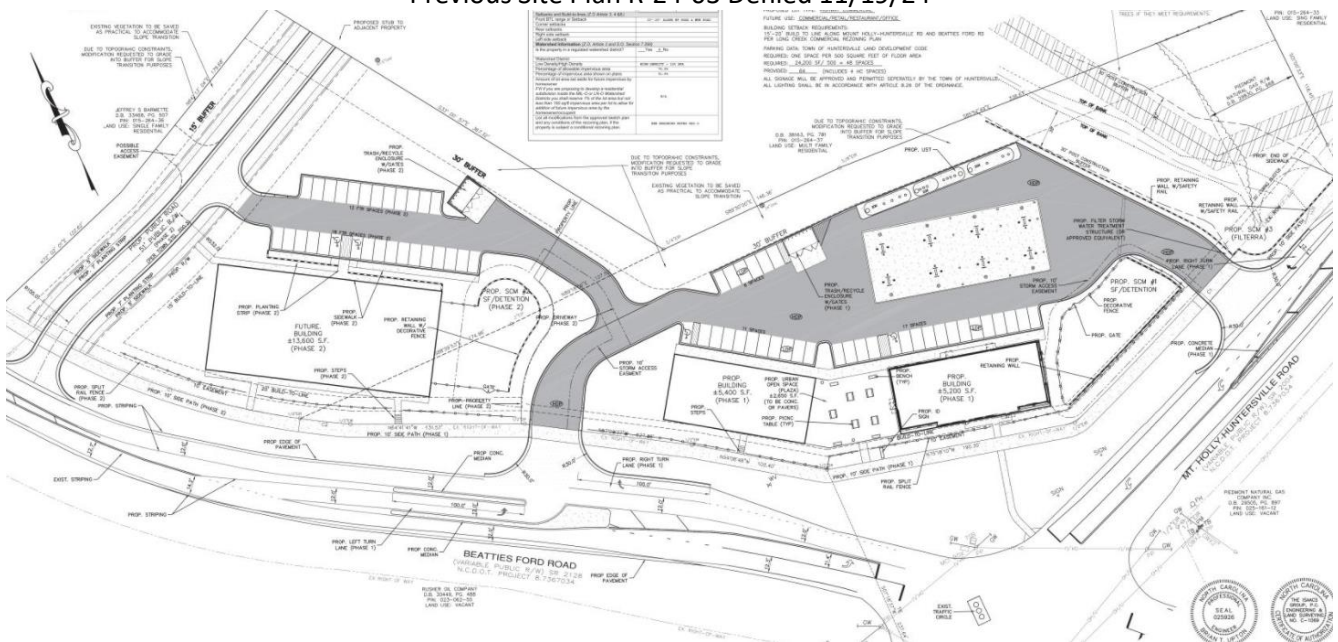
4. A neighborhood meeting was held on Wednesday, July 23, 2025. Questions asked by residents and the responses from the applicants are summarized in the Neighborhood Meeting Report (see Attachment D).
5. Notice for this rezoning petition was sent via letter to adjoining property owners; a legal ad placed in the Charlotte Observer; and posting of rezoning signs on the property along Mt-Holly Huntersville Rd and Beatties Ford Rd.

**PART 2: REZONING/SITE PLAN**





Previous Site Plan R-24-03 Denied 11/19/24



The proposed Conditional District Rezoning Plan has modification proposals and site standard requests from staff that are presented in the body of this document. Generally, the layout and architecture of these buildings meet ordinance standards. Staff have concerns with buffering, landscaping, and lack of connection to adjacent parcels. Significant elements include:

- Modification Request-The plan proposes a modified 30' buffer to the rear of the buildings adjacent to parcel 01526437. The zoning ordinance requires buffers to retain existing vegetation and supplement to ordinance

specifications to create an opaque buffer and in this case the buffer is required to be 30 foot in depth. The applicant has requested the ability to grade into the buffer and replant for slope transition purposes.

**Staff Comments-** Staff are concerned with the overall grading of the site and its ability to impact future developments regarding connections. The requested buffer disturbance has an approximate 3:1 slope. Staff will work with the applicant to ensure maximum 3:1 slope for planting is met and that the buffer area is able to meet minimum planting standards for healthy growth to meet the 30-foot buffer planting requirements.

- **Lack of Connection-** The site plan does not accommodate a connection to adjacent parcels.

**Staff Comment-** Staff recommend grading the site plan to allow for a future connection(s) to the adjacent parcel addressed 9000 Beatties Ford Road (PIN- 01526435) and adding an access easement(s) to the most practical portion(s) for future developments. This is the parcel that was previously included in the rezoning that was denied as well as the approved and existing CD rezoning. Without this accommodation for a connection or connections, any future development to the north would not have interconnecting parking lots or driveways.

- **Building Architecture-** The proposed architecture for the convenience store and the 2<sup>nd</sup> building meets the ordinance requirements. (Below is the architectural theme for the development)



### **General Plan Information**

- Parking requirements= 1 space per 500 square feet of floor space. +/-10,600 proposed=21 parking spaces required. Provided 34.
- **\*\*Update\*\***Minimum Tree Preservation (specimen tree save) for Highway Commercial is 30%. There is an estimated 13 specimen trees on the site where 4 are required to save. The plan saves 3.

**Staff Comment-** For Specimen Tree Mitigation, the developer may mitigate the removal of specimen trees by planting new trees on the site whose total caliper (DBH) equals 100% of the total caliper of trees (DBH) to be removed above the ordinance requirement. If site conditions are not conducive for healthy tree planting on site, the developer may contribute to a Tree Fund/Bank. The applicants have stated that they will mitigate the required trees per ordinance standards.

- There is no identified Heritage Trees on site.
- Planning, Transportation, and Storm Water Engineering staff have minor site plan comments outstanding that need to be addressed prior to final plan approval.

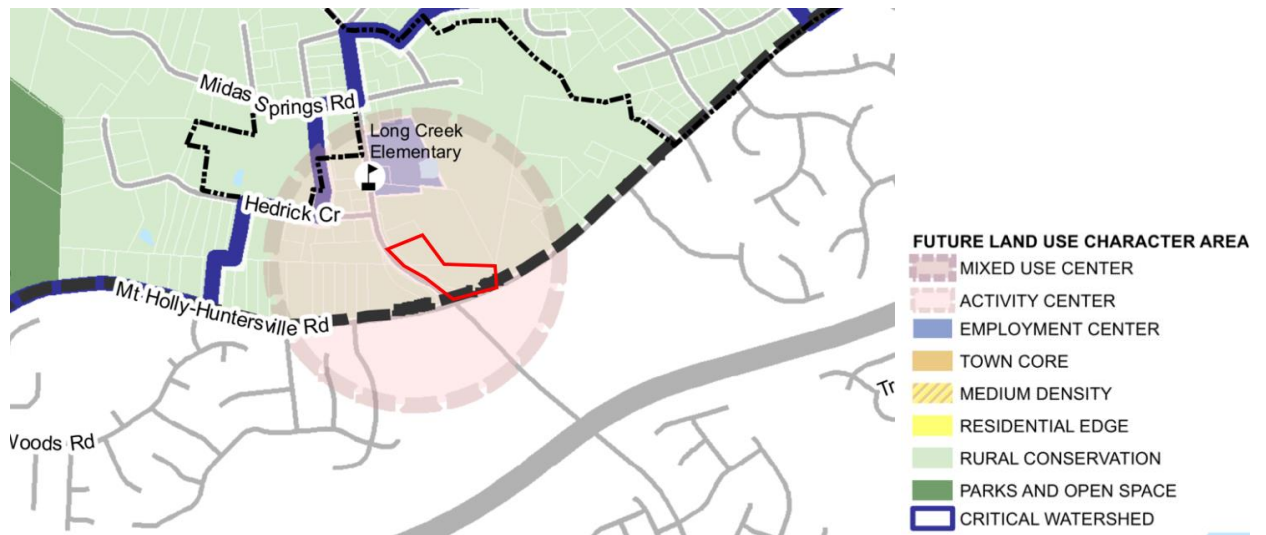
### PART 3: TRANSPORTATION ISSUES

See attached analysis attachment C

### PART 4: REZONING CRITERIA

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

#### 2040 Huntersville Community Plan(Subject Parcel within “Activity Center”)



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

- LU 5.1: Allow more intense development only where transportation infrastructure and utilities already exist.  
**Staff Comment**- The site is at the corner of 2 major thoroughfares and is within an activity center defined by the 2040 Community Plan.

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

- LU-6: Support Mix of Land Uses in key locations.  
**Staff Comment**-Due to the site plan including steep slope graded buffers against adjacent parcels, this development as proposed will cannot be part of a larger development with connectivity. Because of this,



it would forever be a development on its own. The Beatties Ford and Mt Holly Road Small area plan calls for this parcel to be included in an “Urban Village”, with connectivity throughout.

- Policy LU-7.1: Require new development to follow design principles that reinforce the vision for the Town as expressed in this plan and other adopted plans.

**Staff Comment:** - “Improve connectivity, particularly for pedestrians and vehicles” Is pulled from the Community Plan. For the same reasons as listed in this report, this site does not meet this key implementation guideline.

- LU 8.2: Evaluate and strengthen incentives to encourage the achievement of higher design standards.

**Staff Comment:** There are no elements of the plan that would achieve going above and beyond ordinance standards. Having no connections to adjacent parcels and grading inside the buffers would actually be the opposite of this.

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

**Staff Comment:** The applicant proposal has not incorporated any creative design to save the minimum requirement of specimen trees identified. Staff recommends design that encourages the preservation of a portion of these trees on site. (See the tree save comments in the previous section.)

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

**Staff Comment:** See previous comments on connectivity.

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

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

STAFF COMMENT:

The proposed rezoning can be consistent with the overall character of the existing development by adding a commercial development in the designated “Activity Center” from the Huntersville 2040 Community Plan if connections are accommodated for adjacent future developments.

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

STAFF COMMENT:

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

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

**STAFF COMMENT:**

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

**PART 5: STAFF RECOMMENDATION**

In considering the proposed rezoning amendment petition R25-11 for Long Creek Retail, staff cannot at this time recommend approval of the proposed rezoning plan as the development lacks connectivity and ability to connect to any future development.

The plan is not consistent with future land use implementation policies LU-6, 7.1, 8.2, EOS-4, or T-3 and it is reasonable and in the public interest to approve the plan.

**PART 6: PUBLIC HEARING COMMENTS**

The Public Hearing is scheduled for 9-2-25.

**PART 7: PLANNING BOARD RECOMMENDATION**

The Planning Board is scheduled for 9-23-25

**PART 8: TOWN BOARD RECOMMENDATION**

Town Board Meeting for the final decision is scheduled for 10-21-25

**PART 9: ATTACHMENTS**

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

**PART 10: CONSISTENCY STATEMENT – R25-11 Long Creek Retail**

| Planning Department | Planning Board                                        | Board of Commissioners                                |
|---------------------|-------------------------------------------------------|-------------------------------------------------------|
| APPROVAL:           | APPROVAL: <u>(insert applicable plan reference)</u> . | APPROVAL: <u>(insert applicable plan reference)</u> . |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                           |                                                                                                                                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <u><b>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</b></u>                                                                                                               | <u><b>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</b></u>                                                                                                               |
| <p>DENIAL: In considering the proposed rezoning amendment petition R25-11 for Long Creek Retail, staff cannot at this time recommend approval of the proposed rezoning plan as the development lacks connectivity and ability to connect to any future development.</p> <p><u><b>The plan is not consistent with future land use implementation policies LU-6, 7.1, 8.2, EOS-4, or T-3 and it is reasonable and in the public interest to approve the plan.</b></u></p> | <p><u><b>DENIAL: (consistent OR inconsistent with (insert applicable plan reference)).</b></u></p> <p><u><b>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</b></u></p> | <p><u><b>DENIAL: (consistent OR inconsistent with (insert applicable plan reference)).</b></u></p> <p><u><b>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</b></u></p> |





# General Application

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

## 1. Application Type

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

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

SUBDIVISION CATEGORIES: Per the Huntersville Subdivision Ordinance

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

## 2. Project Data

Date of Application June 1, 2025

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

Project Address 8900 & 9000 Beatties Ford Road

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

Current Zoning District HC Proposed District (for rezoning only) HC-CD & R(revised plan)

Property Size (acres) 4.396 Street Frontage (feet) 678 (Beatties Ford) & 422 Mt Holly Huntersville Road

Current Land Use Vacant & Single Family

Proposed Land Use(s) Retail/office (01526434) & Single Family (01526435)

Is the project within Huntersville's corporate limits?  
Yes \_\_\_\_\_ No x If no, does the applicant intend to voluntarily annex? Y

## 3. Description of Request

Provide a detailed summary. (i.e. RTAP identify what you are revising). Additional sheets may be added.

This request is to change the approved 2008 conditional rezoning to allow a 5,200 sf convenience

store with a fuel canopy and a 5,400 sf retail/office building on Parcel 01526434. Parcel 01526435

would revert to a R zoning classification.

## 4. Site Plan Submittals

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



## 5. Outside Agency Information

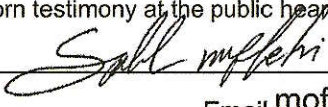
Other agencies may have applications and fees associated with the land development process. The *Review Process* list includes plan documents needed for most town and county reviewing agencies. For major subdivisions, commercial site plans, and rezoning petitions please enclose a copy of the Charlotte-Mecklenburg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

## 6. Applicant

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

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

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

Signature 

Title President Email moflehi@quickne-z.com

Address of Applicant 14315 Hus McGinnis rd. Huntersville, NC, 28078

## 7. Property Owner (if different than applicant)

\*Printed Name \_\_\_\_\_ Phone \_\_\_\_\_

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: \_\_\_\_\_

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

Signature \_\_\_\_\_

Title \_\_\_\_\_ Email \_\_\_\_\_

Address of Property Owner \_\_\_\_\_

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

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

## 8. Development/Design Firm Contact Information

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

## Contact Information

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



## 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 Robert P Houston, Jr; David Lewis Houston; Judy Houston Jamieson; Janet Houston Booker Phone 980-721-3750

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

☐ 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 Robert P. Houston Jr / David L. Houston

Title Owner Email \_\_\_\_\_

Address of Applicant 6548 Jim Kidd Road, Huntersville, NC 28078

## 7. Property Owner (if different than applicant)

\*Printed Name \_\_\_\_\_ Phone \_\_\_\_\_

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: \_\_\_\_\_

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

Signature Robert P Houston Jr / David L. Houston

Title owner Email RPHoustonjr@gmail.com

Address of Property Owner \_\_\_\_\_

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

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

## 8. Development/Design Firm Contact Information

| Development Firm | Name of Contact | Phone | Email |
|------------------|-----------------|-------|-------|
|------------------|-----------------|-------|-------|

| Design Firm | Name of Contact | Phone | Email |
|-------------|-----------------|-------|-------|
|-------------|-----------------|-------|-------|

## Contact Information

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





# General Application Owner/Applicant Signature Addendum

## Application Information

Date of Application June 1, 2025 EPM Number \_\_\_\_\_  
Name of Project Long Creek Retail CD Revision Phase # (if subdivision) \_\_\_\_\_  
Parcel Identification Number(s) (PIN) 01526435

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

\* ^ Printed Name of Signer \_\_\_\_\_ 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 *Doreen L. Houston*  
Title *owner* Email *doreen.houston@att.net*  
Address of Property Owner/Applicant *60xy 7500 W Notmer 1, NC 2802*

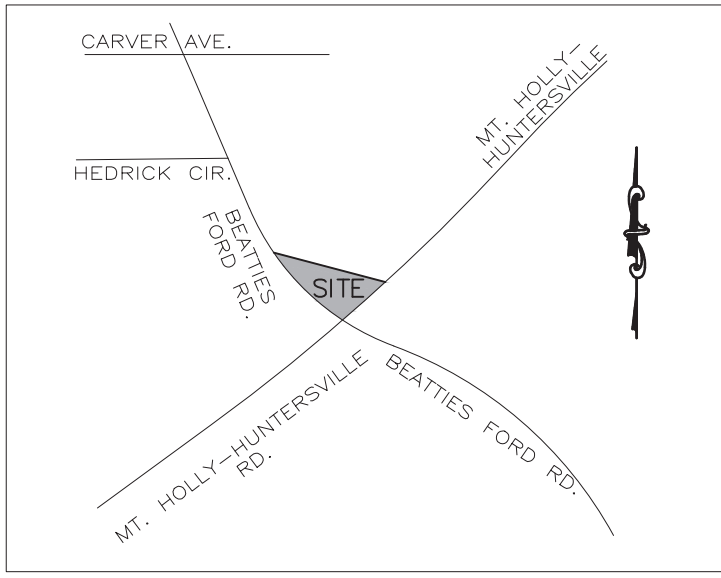
\* ^ Printed Name of Signer \_\_\_\_\_ Phone Number \_\_\_\_\_  
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: \_\_\_\_\_  
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Signature \_\_\_\_\_  
Title \_\_\_\_\_ Email \_\_\_\_\_  
Address of Property Owner/Applicant \_\_\_\_\_

\* ^ Printed Name of Signer \_\_\_\_\_ Phone Number \_\_\_\_\_  
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: \_\_\_\_\_  
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Signature \_\_\_\_\_  
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.





VICINITY MAP  
NOT TO SCALE

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

ROBERT HOUSTON  
D.B. 746, PG. 254  
PIN: 015-264-35  
LAND USE: RESIDENTIAL

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

TA&S ENTERPRISES OF NC INC  
D.B. 31408, PG. 824  
PIN: 015-264-34  
LAND USE: VACANT

# LONG CREEK RETAIL

## 8900 BEATTIES FORD ROAD

### REZONING/SKETCH PLAN (MULTI BUILDING SITE)

#### COMMITTED ROAD IMPROVEMENTS:

1. 100' RIGHT TURN LANE FROM MT. HOLLY-HUNTERSVILLE ROAD TO PROPERTY
2. RIGHT TURN LANE W/100' OF STORAGE FROM BEATTIES FORD ROAD TO PROPERTY
3. LEFT-OVER TURN LANE W/100' OF STORAGE FROM BEATTIES FORD INTO SITE
4. RIGHT TUNE LANE W/300' OF STORAGE FROM BEATTIES FORD ROAD TO MT. HOLLY-HUNTERSVILLE ROAD
5. EXIST. LEFT TURN LANE STORAGE TO BE INCREASED TO 200' FROM BEATTIES FORD RD TO MOUNT HOLLY HUNTERSVILLE RD.

#### SHEET INDEX

- RZ0.0 - OVERALL PLAN/NOTES PAGE
- RZ1.0 - SITE PLAN
- RZ1.1 - ROAD IMPROVEMENT PLAN
- RZ1.2 - LANDSCAPE PLAN
- RZ2.0 - UTILITY PLAN
- RZ3.0 - GRADING & STORM WATER PLAN
- RZ3.1 - EXISTING HYDROLOGY PLAN
- RZ3.2 - POST DEVELOPED MAP & CALCULATIONS
- RZ3.3 - WATER QUALITY PLAN & CALCULATIONS
- RZ4.0 - EXISTING CONDITIONS PLAN
- RZ4.1 - SLOPE ANALYSIS PLAN
- A1.2 - CIRCLE K FLOOR PLAN
- A-1 - CIRCLE K ELEVATIONS
- A-2 - RETAIL FLOOR PLAN
- RETAIL ELEVATION
- TREE SURVEY
- 2008 REZONING

#### ZONING PETITION NOTES:

**SUBJECT PROPERTY:** THE SUBJECT PROPERTY TOTALS APPROX 2.738 AC. (THE SITE). THE APPROVAL OF THIS PETITION WILL RESULT IN THE CREATION OF PARCELS DEPICTED IN THIS REZONING PLAN (THE "PLAN") AND ACCOMPANYING SKETCH PLAN, RECOMBINATION, RECONFIGURATION OR REDUCTION OF PARCELS MAY OCCUR TO ACCOMMODATE THE FINAL DEVELOPMENT/ENGINEERING PLANS PREPARED BY DEVELOPER.

**PROPERTY USE(S):** PER THE BEATTIES FORD ROAD/MOUNT HOLLY-HUNTERSVILLE ROAD AREA PLAN CALLS FOR RETAIL ON THE SUBJECT PROPERTY. THE PRIMARY USES FOR THIS SITE ARE COMMERCIAL AND A GASOLINE SERVICE STATION. ADDITIONAL USES MAY INCLUDE AMUSEMENT FACILITIES, ALL INDOOR USES, RELIGIOUS INSTITUTIONS, CIVIC, FRATERNAL, CULTURAL, COMMUNITY, OR CLUB FACILITIES, TEMPORARY MOBILE FOOD SALES, AND ANY ACCESSORY USES PERMITTED BY THE ORDINANCE.

ALL BUILDINGS ARE HIGHWAY COMMERCIAL BUILDING TYPE. THE INTENT OF COMMERCIAL BUILDING #1 IS FOR A CONVENIENCE STORE WITH A FUEL CANOPY AND SHALL NOT EXCEED 5,200 SQUARE FEET. COMMERCIAL BUILDING #2 SHALL NOT EXCEED 5,400 SQUARE FEET.

**BUILDING MATERIAL, CONFIGURATION AND DESIGN:** ALL BUILDING TYPES AS SPECIFIED HEREIN AND AS PERMITTED IN THE HC DISTRICT WILL BE PERMITTED ON THE SITE AND DESIGNED IN ACCORDANCE WITH THE HUNTERSVILLE ZONING ORDINANCE (THE "ORDINANCE"). THE ARCHITECTURAL DESIGN OF THE BUILDINGS (I.E. THE BUILDING MATERIALS AND BUILDING SCALE) SHALL BE COMPATIBLE WITH EACH OTHER AND THE ELEVATIONS THAT ARE HEREBY INCORPORATED AS PART OF THIS PETITION. THE SPECIFIC FEATURES THAT MAKE UP THE BUILDING(S) ELEVATIONS (BRICK, BLOCK/CMU, METAL, FABRIC, GLASS, ETC.) MAY BE CHANGED IN ADDITION TO REDUCTIONS TO THE FOOTPRINTS BASED ON FINAL ARCHITECTURAL DESIGN AT THE BUILDING PERMITTING PHASE, HOWEVER, THE CHARACTER OF THE BUILDING(S) ALONG MT. HOLLY-HUNTERSVILLE ROAD AND BEATTIES FORD ROAD SHALL REMAIN CONSISTENT WITH THE APPEARANCE OF THE ELEVATIONS CONTAINED HEREIN.

**BUILDING FOOTPRINTS** DEPICTED OR INTENDED TO DEFINE THE OVERALL INTENT OF THE RELATIONSHIP THE BUILDINGS WILL HAVE TO BEATTIES FORD ROAD AND MOUNT HOLLY-HUNTERSVILLE ROAD, BASED UPON FINAL ENGINEERING DESIGN THE BUILDING FACADES WILL NOT EXCEED A LOCATION THAT IS 15 FT FROM THE LOCATION DEPICTED ON THE PLAN. THE DEVELOPER MAY REDUCE AND OR RECONFIGURE THE SIZE SHAPE AND FOOTPRINTS FROM WHAT IS DEPICTED WITH MINOR MODIFICATIONS AS LONG AS THE REQUIREMENTS OF THE ORDINANCE ARE MET AND THE INTEGRITY OF THE APPROVED PLAN IS ACHIEVED. EXACT DIMENSIONS, ORIENTATION, AND LOCATION OF THE BUILDINGS AND BUILD TO LINES LOADING AND SERVICE AREAS INGRESS AND EGRESS POINTS (BOTH PEDESTRIAN AND VEHICULAR) MAY BE MODIFIED AT THE ENGINEERING PHASE OF PERMITTING TO ACCOMMODATE THE DEVELOPMENT AND OR SITE FEATURES SUCH AS TOPOGRAPHY, EXISTING VARIATIONS AND CHANGES IN THE PROPERTY LINE(S) THAT DO NOT CREATE A CONSISTENTLY SMOOTH LINEAR PROPERTY BOUNDARY. CHANGES TO THE BUILD TO LINES SHALL NOT RESULT IN BUILDINGS BEING LOCATED FURTHER FROM THE FRONTAGE AS DENOTED ON THE PLAN EXISTING CHANGES IN THE PROPERTY LINE ALONG THE FRONTAGE MAY RESULT IN PORTIONS OF THE BUILDINGS BEING LOCATED OFF THE BUILD TO LINE. THE INTENT OF THE BUILDINGS WITH A PRESENCE ON THE PUBLIC STREET AS GENERALLY DEPICTED ON THE PLAN SHALL BE MET. THE OVERALL SQUARE FOOTAGE OF BUILDINGS SHALL NOT EXCEED THE AMOUNT DEPICTED ON THE PLAN.

**LIMITED USES PERMITTED USES:** PERMITTED USES SHALL BE IN ACCORDANCE WITH USES PERMITTED IN THE HC ZONING DISTRICT WITH THE EXCEPTION OF THE FOLLOWING: ARMORIES, AUCTION SALES, BOARDING OR ROOMING HOUSES FOR UP TO SIX ROOMS, CONTRACTOR OFFICES (AS REFERENCED IN THE PERMITTED USES), MULTIFAMILY HOMES, BARS AS PRINCIPLE USE (AND SIMILAR USES AS REFERENCED IN THE PERMITTED USES), PAWNSHOPS, SINGLE FAMILY HOMES, WHOLESALE SALES (AS REFERENCED IN THE PERMITTED USES), ADULT ESTABLISHMENTS, COMMERCIAL MARINAS, AND ESSENTIAL SERVICES 1 AND 2 AS PRINCIPLE USES.

**LANDSCAPING/SCREENING/PARKING/SIGNAGE:** A WAIVER IS REQUESTED TO DISTURB THE 30 FOOT BUFFER WHICH ADJOINS THE HOUSTON AND CATHEY PROPERTY ON THE NORTH SIDE OF THE PROPERTY DUE TO TOPOGRAPHIC CONSTRAINTS. AREAS OF THE BUFFER NOT NEEDED FOR GRADING PURPOSES SHALL REMAIN UNDISTURBED. MOREOVER, THE BEATTIES FORD ROAD/MOUNT HOLLY-HUNTERSVILLE ROAD AREA PLAN CALLS FOR RETAIL ON THE PROPERTY AND THE ADJOINING TRACTS AS WELL. IT IS ANTICIPATED THAT THE BUFFER, AS DEPICTED ON THE PLAN, ALONG WITH STORMWATER MANAGEMENT FEATURES, SCREENING, AND LANDSCAPING WILL BE MAINTAINED WITHIN WHAT WILL IN THE FUTURE BECOME A LARGER NONRESIDENTIAL DEVELOPMENT OF THE NORTHEAST QUADRANT OF BEATTIES FORD ROAD AND MOUNT HOLLY-HUNTERSVILLE ROAD.

THE LANDSCAPING COMPONENT OF THE SITE (STREET TREES, SCREENING, PARKING LOT LANDSCAPING, AND BUFFERS) AS THEY MAY BE REQUIRED (THE "LANDSCAPING") WILL BE DESIGNED IN ACCORDANCE WITH THE STANDARDS OF THE ORDINANCE AND THE PLAN. THE LANDSCAPING DEPICTED ON THE SITE PLAN ARE CONDITIONS OF THIS PETITION AND ARE PERMITTED AS DEPICTED. ALL MECHANICAL EQUIPMENT, WHETHER ROOFTOP OR GROUND MOUNTED WILL BE SCREENED AS REQUIRED.

**PARKING LOT LANDSCAPING** WILL BE DESIGNED IN ACCORDANCE WITH THE ORDINANCE AND WHERE BUFFERS AND SCREENING ARE REQUIRED AND OR WHEN EXISTING VEGETATION CAN BE SAVED, DEVELOPER MAY USE IT TO SATISFY THE PARKING LOT LANDSCAPING, AND STREET TREE REQUIREMENTS. RETAINING WALL(S), KNEE WALL(S), AND WALLS MAY BE USED IN CONJUNCTION WITH MEETING BUFFERING REQUIREMENTS ON THE SITE AS OUTLINED IN THE WAIVER REQUEST ABOVE. ADDITIONALLY, TO REINFORCE THE DESIGN FEATURES OF THE AREA PLAN RECOMMENDATIONS, PARKING LOCATED TO THE EAST OF BUILDING 1 SHALL BE SCREENED WITH THE SPLIT RAIL FENCE AND STONE PLASTER AS DEPICTED IN THE PLAN IN LIEU OF A KNEE WALL.

PARKING SPACES AND MANEUVERING AREAS MAY BE MODIFIED TO ACCOMMODATE THE LANDSCAPING, BUILDINGS, STORM WATER MEASURES, AND OTHER FEATURES OF THE PROJECT WHICH WILL BE FULLY ENGINEERED/DESIGNED AT THE PRELIMINARY PLAN STAGE AND AS A RESULT MAY CHANGE THEIR SHAPE, SIZE, LOCATION, AND NUMBER, IN NO EVENT SHALL MORE THAN 45% OF THE PROJECT FRONTAGE MEASURED ALONG THE RIGHT OF WAY BE CONSUMED WITH PARKING LOTS.

SIGNS TO BE PERMITTED SEPARATELY AND IN ACCORDANCE WITH ARTICLE 10 OF THE ZONING ORDINANCE.

**SPECIMEN AND HERITAGE TREES:** DEVELOPERS TREE SURVEYS COMPLETED BY R.B. PHARR AND ASSOCIATES SHOWS 12 SPECIMEN TREES (CANOPY TREES THAT HAVE A DBH OF 24" OR GREATER OR UNDERSTORY TREES THAT HAVE A DBH OF 12" OR GREATER). IF 30% OF THE SPECIMEN TREES AND THEIR DRIPLEINES CANNOT BE SAVED DUE TO TOPOGRAPHIC CONDITIONS AND FINAL SITE DESIGN AND GRADES, DEVELOPER WILL CONTRIBUTE FUNDS TO THE TREE FUND IN ACCORDANCE WITH THE ORDINANCE.

**OPEN SPACE:** DEVELOPER WILL INSTALL TABLES, BENCHES, PLANTER BOXES, PERGOLA, ETC. AS PART OF THE URBAN OPEN SPACE. OPEN SPACE MAY BE MODIFIED DURING THE FINAL ENGINEERING DESIGN. THE MODIFICATIONS MAY INCLUDE ADJUSTING THE NUMBER, SIZE, AND OR PLACEMENT OF TABLES, BENCHES, PLANTER BOXES, ETC. AS NECESSARY TO ACCOMMODATE TENANT NEEDS. THE SIZE OF THE OPEN SPACE AREA SHALL NOT BE ADJUSTED.

**SITE ACCESS/CONNECTIVITY:** DEVELOPER WILL BE REQUIRED TO SECURE NCDOT DRIVEWAY PERMITS TO SERVE THE SITE AND CONSTRUCT THE ROAD IMPROVEMENTS ASSOCIATED WITH ISSUANCE OF DRIVEWAY PERMITS.

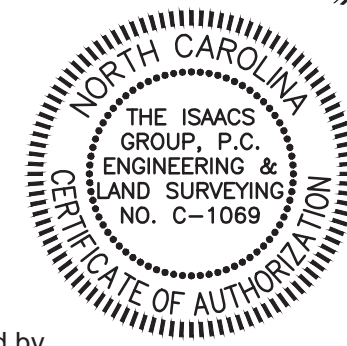
DEVELOPER WILL ATTEMPT ENGINEERING OF 10' SIDE PATH AND PLANTING STRIP ALONG THE EAST SIDE OF THE SWM BUFFER. IF DURING DESIGN, THE SWM BUFFER WILL BECOME ADVERSELY AFFECTED, DEVELOPER AND STAFF WILL WORK TOGETHER TO ACHIEVE PEDESTRIAN CONNECTIVITY. THIS MAY BE ACHIEVED BY A REDUCTION IN PLANTING STRIP OR SIDEPATH MODIFICATIONS AS TO BE DETERMINED BY STAFF AT THE PRELIMINARY PLAN STAGE.

DEVELOPERS SURVEY INDICATES THAT BOTH MT. HOLLY-HUNTERSVILLE ROAD AND BEATTIES FORD ROAD HAVE AN EXISTING RIGHT OF WAY WIDTH OF AT LEAST 100' THEREIN MEETING THE SUBDIVISION ORDINANCE REQUIREMENTS FOR DEDICATION OF MINIMUM RIGHT OF WAY REQUIRED.

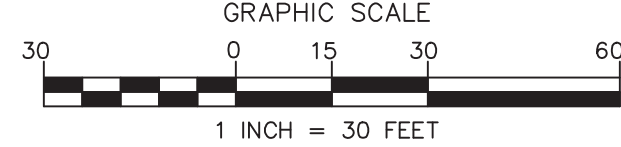
**STORMWATER MANAGEMENT:** THE PRELIMINARY STORMWATER MANAGEMENT PLAN SHOWN WITH THIS PETITION MAY BE MODIFIED DURING THE FINAL ENGINEERING DESIGN. THE MODIFICATIONS MAY INCLUDE ADJUSTING THE NUMBER, SIZE, LOCATION, LAYOUT, AND TYPE OF STORMWATER MANAGEMENT PRACTICES BEING UTILIZED. DEVELOPER MAY UTILIZE ABOVE OR BELOW GROUND DESIGNS TO ACCOMMODATE STORMWATER REQUIREMENTS OF THE SITE.

**APPLICABILITY OF PETITION AND AMENDMENTS:** OWNER RESERVES THE RIGHT TO MODIFY THE ZONING PETITION IN ACCORDANCE WITH HUNTERSVILLE ZONING STANDARDS AND NCCS. MODIFICATIONS TO THIS PETITION/ZONING PLAN MAY OCCUR TO ACCOMMODATE FINAL SITE DESIGN. IN THE INSTANCE THAT THIS PETITION/ZONING PLAN LACKS CLARITY OR IS CONTRARY TO THE INTENT OR STANDARDS OF THE ORDINANCE, THE ORDINANCE SHALL RULE.

**VOLUNTARY ANNEXATION:** UPON THE ISSUANCE OF GRADING PERMITS FOR DEVELOPMENT OF THE PROPERTY BY DEVELOPER, DEVELOPER AGREES TO COOPERATE WITH THE TOWN TO EFFECTUATE THE VOLUNTARY ANNEXATION OF THE PROPERTY INTO THE TOWN OF HUNTERSVILLE.



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

#### PURPOSE:

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

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

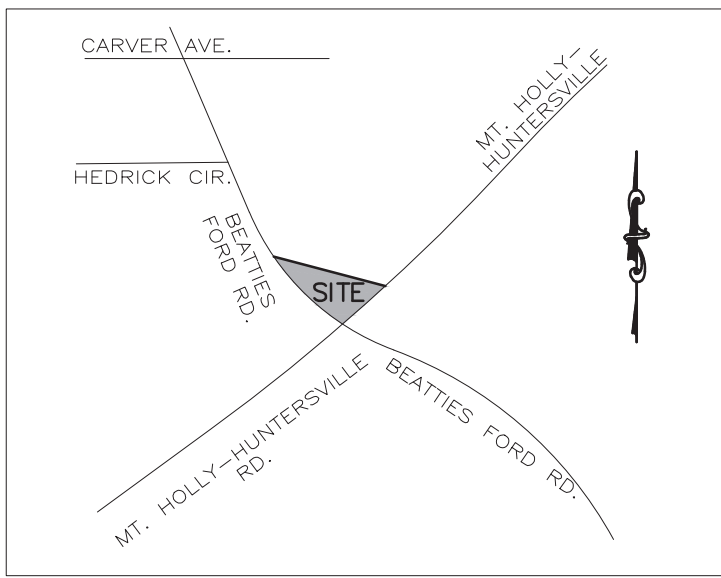
Title: **OVERALL PLAN**

File #: 18048-PB.DWG Date: 07/01/25 Project Egr: BTU  
Design By: BTU  
Drawn By: RKS  
Scale: 1"=30'

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

**RZ0.0**





VICINITY MAP  
NOT TO SCALE

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

ROBERT HOUSTON  
D.B. 746, PG. 254  
PIN: 015-264-35  
LAND USE: RESIDENTIAL

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

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

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

PROPOSED BUFFER TO MEET MINIMUM  
OF 4 TREES PER 1000 SQ/FT OF  
BUFFER AREA; 50% LARGE MATURING;  
25% SMALL MATURING; 50%  
EVERGREEN. EXISTING TREES CAN BE  
SUBSTITUTED IN PLACE OF PROPOSED  
TREES IF THEY MEET REQUIREMENTS.

DUE TO TOPOGRAPHIC CONSTRAINTS,  
MODIFICATION REQUESTED TO GRADE  
INTO BUFFER FOR SLOPE  
TRANSITION PURPOSES

EXISTING VEGETATION TO BE SAVED  
AS PRACTICAL TO ACCOMMODATE  
SLOPE TRANSITION

DUE TO TOPOGRAPHIC CONSTRAINTS,  
MODIFICATION REQUESTED TO GRADE  
INTO BUFFER FOR SLOPE  
TRANSITION PURPOSES AND  
RETAINING WALL INSTALLATION

SEE SHEET C1.1 FOR  
ROAD IMPROVEMENTS

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

RUSHER OIL COMPANY  
D.B. 30449, PG. 488  
PIN: 023-062-58  
LAND USE: VACANT

PIEDMONT NATURAL GAS  
COMPANY INC.  
D.B. 29505, PG. 897  
PIN: 025-161-12  
LAND USE: VACANT

|                                                                                                                                                                                                                                                                              |                                                                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Total Area (acres, square feet)                                                                                                                                                                                                                                              | 2.738 AC./119,267 SF                                                |
| Proposed Disturbed Area (acres, square feet)                                                                                                                                                                                                                                 | 2.28 AC./99,208 SF                                                  |
| River Basin                                                                                                                                                                                                                                                                  | CATAWBA                                                             |
| Stream Classification                                                                                                                                                                                                                                                        | C                                                                   |
| Principal Use(s) (Z.O. Article 3)                                                                                                                                                                                                                                            | COMMERCIAL RETAIL                                                   |
| Building Type (Z.O. Article 3, 4 and 8.10)                                                                                                                                                                                                                                   | RETAIL & CONVENIENCE STORE                                          |
| Zoning District (Z.O. Article 3)                                                                                                                                                                                                                                             | HC-CD R-08-01                                                       |
| Overlay District, if applicable (Article 3 Z.O.)                                                                                                                                                                                                                             | N/A                                                                 |
| Percentage of Impervious Allowed (Article 3 Z.O.)                                                                                                                                                                                                                            | 70.0%                                                               |
| Percentage of Impervious Shown                                                                                                                                                                                                                                               | 51.9%                                                               |
| Lot Count                                                                                                                                                                                                                                                                    | 2                                                                   |
| Total number of dwellings (detached/ attached)                                                                                                                                                                                                                               | N/A                                                                 |
| Mixed-use/# of live/work units                                                                                                                                                                                                                                               | N/A                                                                 |
| Total area of residential                                                                                                                                                                                                                                                    | N/A                                                                 |
| Total area of non-residential (square feet)                                                                                                                                                                                                                                  | N/A                                                                 |
| Lot size range                                                                                                                                                                                                                                                               | N/A                                                                 |
| Number of lots within each range<br>(Use more lines if needed)                                                                                                                                                                                                               |                                                                     |
| Lot widths range (Z.O. Article 3)                                                                                                                                                                                                                                            |                                                                     |
| Number of lots within each width<br>(Use more lines if needed)                                                                                                                                                                                                               |                                                                     |
| Setbacks and Build-to-lines (Z.O. Article 3, 4 & 8.1)                                                                                                                                                                                                                        |                                                                     |
| Front BTL range or Setback                                                                                                                                                                                                                                                   | 15'-20' ALONG BP ROAD & MAIN ROAD                                   |
| Corner setbacks                                                                                                                                                                                                                                                              |                                                                     |
| Rear setbacks                                                                                                                                                                                                                                                                |                                                                     |
| Right side setback                                                                                                                                                                                                                                                           |                                                                     |
| Left side setback                                                                                                                                                                                                                                                            |                                                                     |
| Watershed Information (Z.O. Article 3 and S.O. Section 7.290)                                                                                                                                                                                                                |                                                                     |
| Is the property in a regulated watershed district?                                                                                                                                                                                                                           | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| Watershed District                                                                                                                                                                                                                                                           | HCN DENSITY = 12% BQA                                               |
| Low Density/High Density                                                                                                                                                                                                                                                     | 70.0%                                                               |
| Percentage of allowable impervious area                                                                                                                                                                                                                                      | 51.9%                                                               |
| Percentage of impervious area shown on plans                                                                                                                                                                                                                                 |                                                                     |
| Amount of lot area set aside for future impervious by homeowner                                                                                                                                                                                                              |                                                                     |
| FW If you are proposing to develop a residential subdivision inside the MIL-O or LN-O Watershed Districts you shall reserve 1% of the lot area but not less than 150 sqft impervious area per lot to allow for addition of future impervious area by the homeowner/occupant. | N/A                                                                 |
| List all modifications from the approved sketch plan and any conditions of the rezoning plan, if the property is subject a conditional rezoning plan.                                                                                                                        | SEE RECORDING NOTES B20.0                                           |

#### DEVELOPMENT DATA:

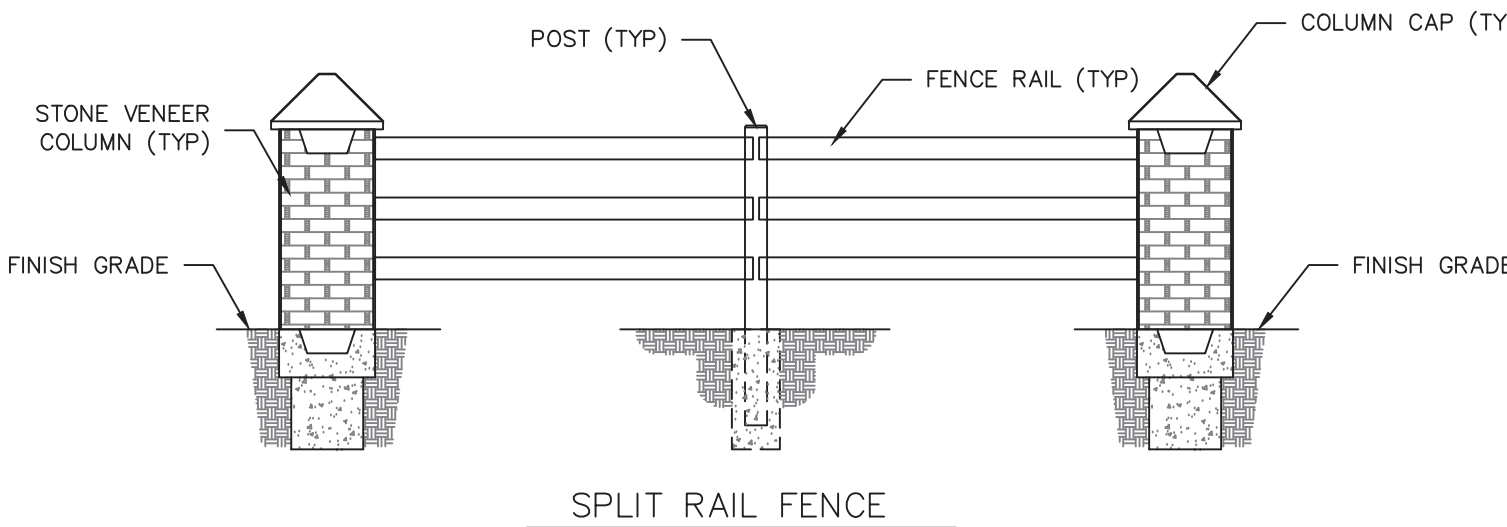
PROJECT NAME: LONG CREEK RETAIL  
PLANS PREPARED BY: THE ISAACS GROUP, P.C.  
ZONING: HC-CD R-08-01  
JURISDICTION: TOWN OF HUNTERSVILLE  
PARCEL ADDRESS: 8900 BEATTIES FORD RD  
TAX PARCEL NUMBER: 01526434  
RIVER BASIN: CATAWBA WATERSHED: LONG  
STREAM CLASSIFICATION: C (TRIBUTARY TO LONG CREEK)  
TOTAL PARCEL SIZE: 119,267/2,738 SQ. FEET/ACRES  
PRE-DEVELOPED IMPERVIOUS: 0/0 SQ. FEET/ACRES  
POST-DEVELOPED IMPERVIOUS: 57,660/1,324 SQ. FEET/ACRES  
BUILT UPON AREA: 48.3 %  
EXISTING USE: VACANT  
PROPOSED USE: COMMERCIAL - CONV. STORE/RETAIL  
PROPOSED BUILDING TYPE: HIGHWAY COMMERCIAL  
PROPOSED LOT TYPE: HIGHWAY COMMERCIAL  
FUTURE USE: COMMERCIAL/RETAIL/RESTAURANT/OFFICE

BUILDING SETBACK REQUIREMENTS:  
15'-20' BUILD TO LINE ALONG MOUNT HOLLY-HUNTERSVILLE RD AND BEATTIES FORD RD  
PER LONG CREEK COMMERCIAL REZONING PLAN

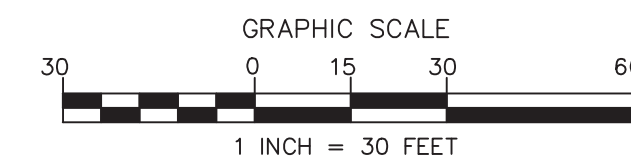
PARKING DATA: TOWN OF HUNTERSVILLE LAND DEVELOPMENT CODE  
REQUIRED: ONE SPACE PER 500 SQUARE FEET OF FLOOR AREA  
REQUIRED: 10,600 SF/ 500 = 21 SPACES

PROVIDED: 34 (INCLUDES 2 HC SPACES)

ALL SIGNAGE WILL BE APPROVED AND PERMITTED SEPERATELY BY THE TOWN OF HUNTERSVILLE.  
ALL LIGHTING SHALL BE IN ACCORDANCE WITH ARTICLE 8.26 OF THE ORDINANCE.



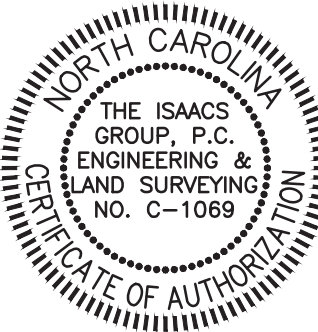
| CURVE | RADIUS   | ARC LENGTH | CHORD BEARING | CHORD LENGTH |
|-------|----------|------------|---------------|--------------|
| C1    | 2804.79' | 283.24'    | S67°41'38"W   | 283.12'      |
| C2    | 548.11'  | 38.23'     | N58°20'31"W   | 38.22'       |



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

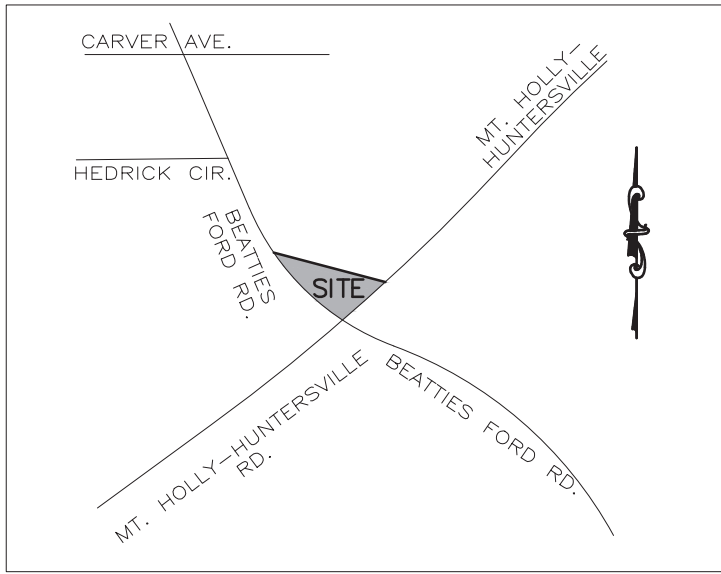
Title: **SITE PLAN**

File #: 18048-PB.DWG Date: 06/30/25 Project Egr: BTU  
Design By: RKS  
Drawn By: RKS  
Scale: 1"=30'

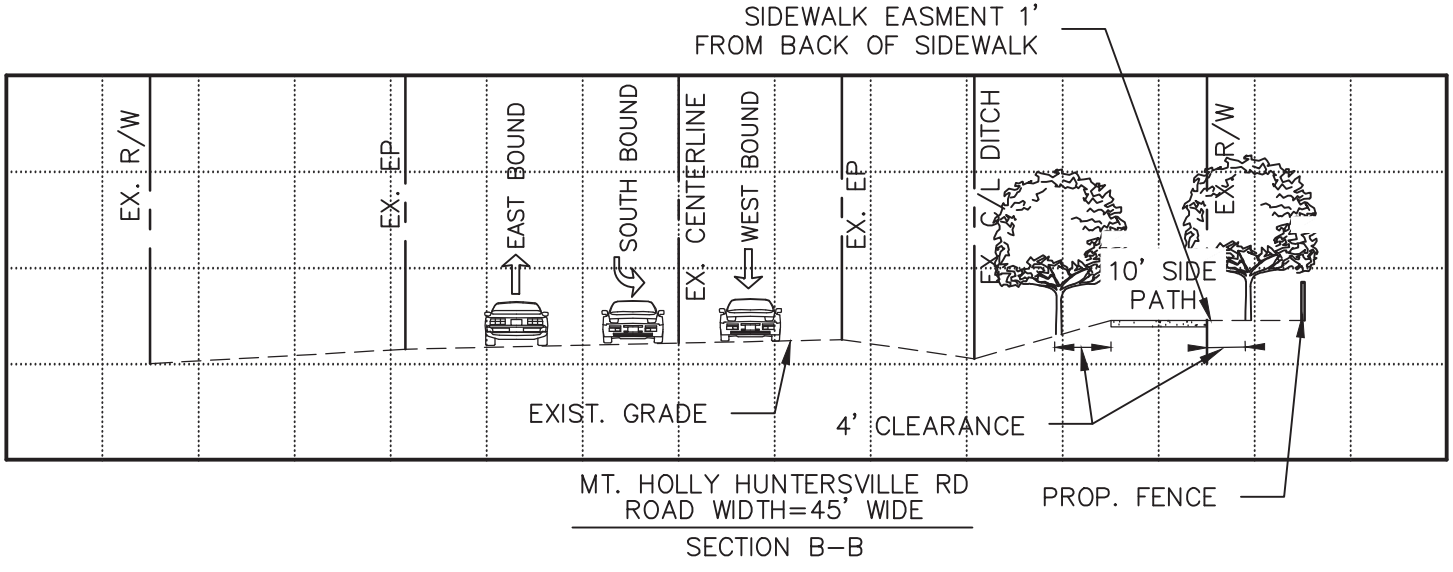
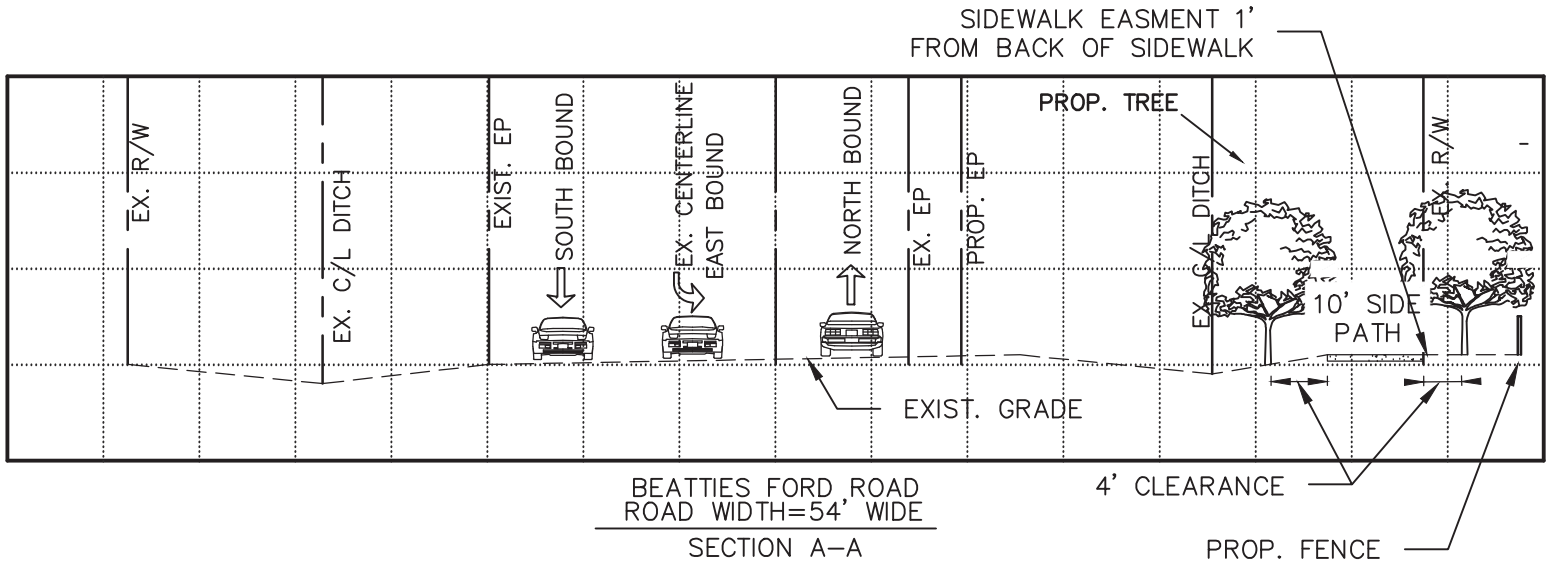
**THE ISAACS GROUP**  
CIVIL ENGINEERING DESIGN AND SURVEYING  
8720 RED OAK BOULEVARD, SUITE 420  
CHARLOTTE, N.C. 28217  
PHONE (704) 527-3440 FAX (704) 527-8335

**RZ1.0**

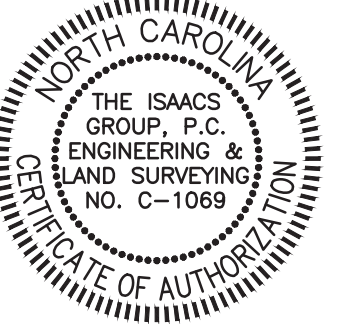
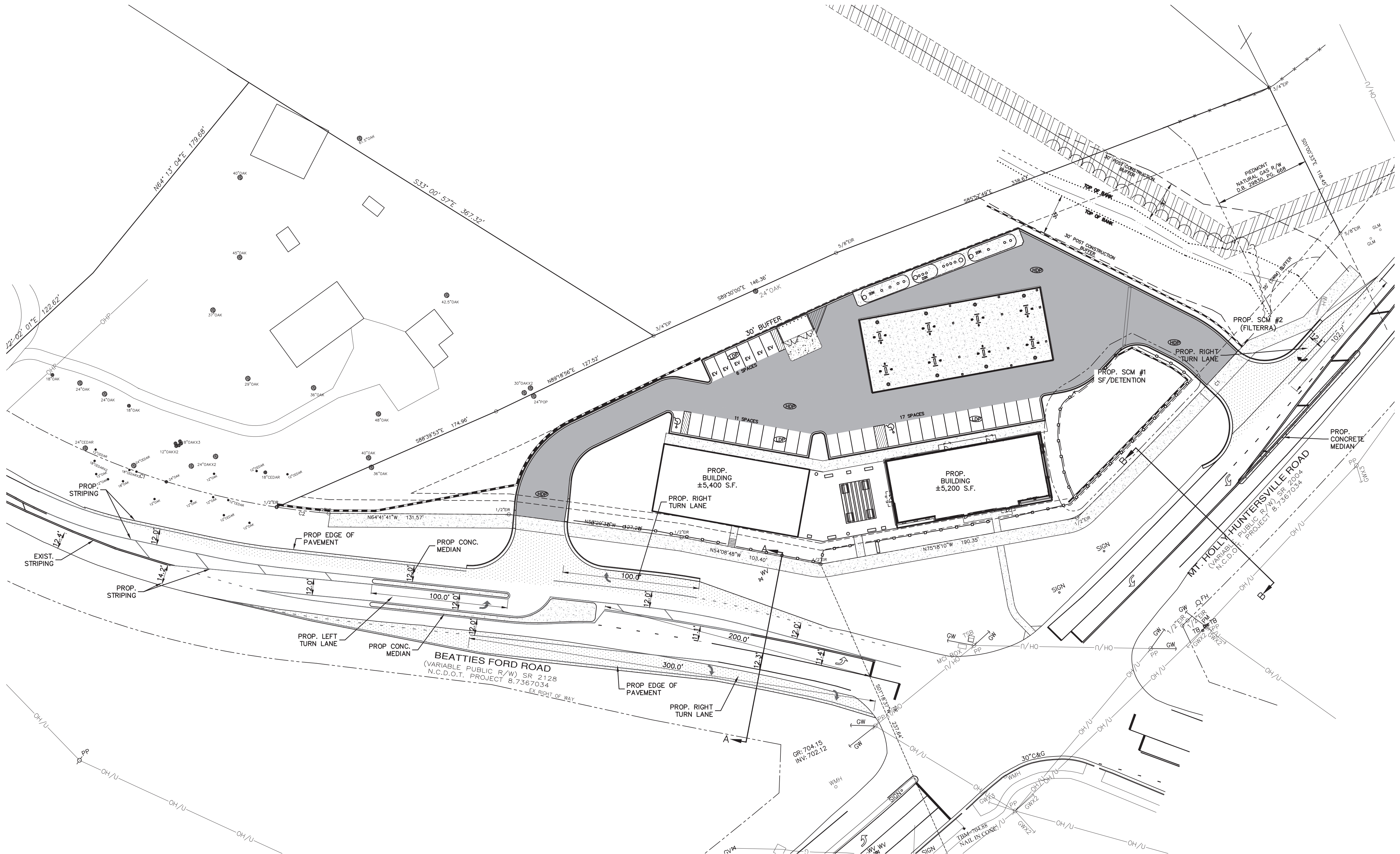




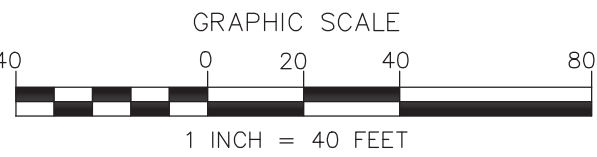
VICINITY MAP  
NOT TO SCALE



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



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**THE ISAACS GROUP**  
CIVIL ENGINEERING DESIGN AND SURVEYING

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

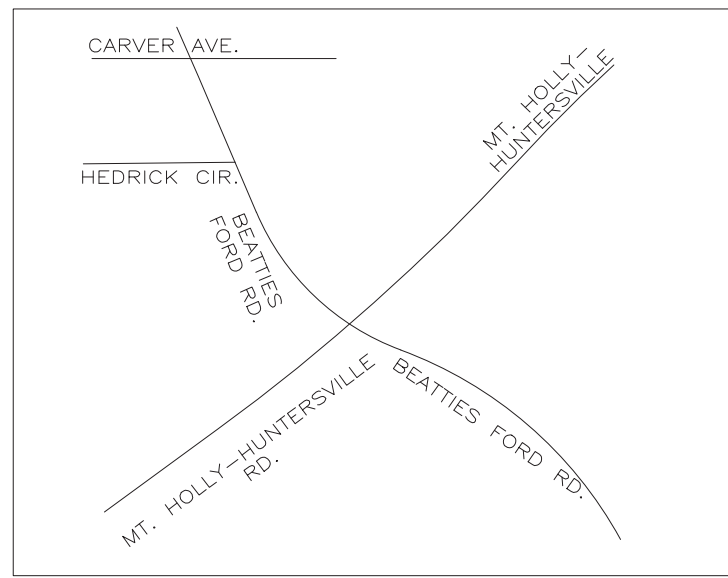
Project: **LONG CREEK RETAIL**  
8900 BEATTIES FORD ROAD  
HUNTERSVILLE, NC 28078

Title: **ROAD IMPROVMENT PLAN**

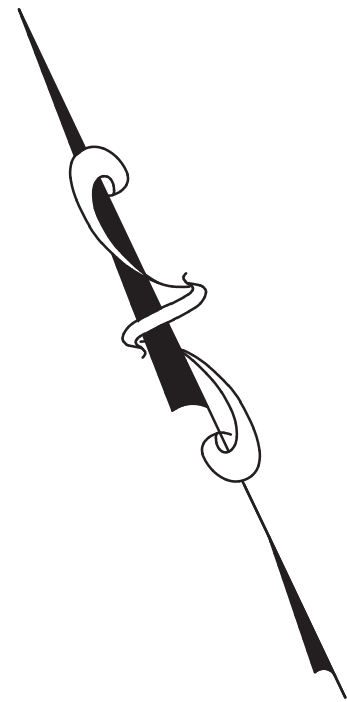
File #: 18048-PB.DWG Date: 07/01/25 Project Egr: BTU  
Design By: RKS  
Drawn By: RKS  
Scale: 1"=40'

**RZ1.1**





VICINITY MAP  
NOT TO SCALE



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

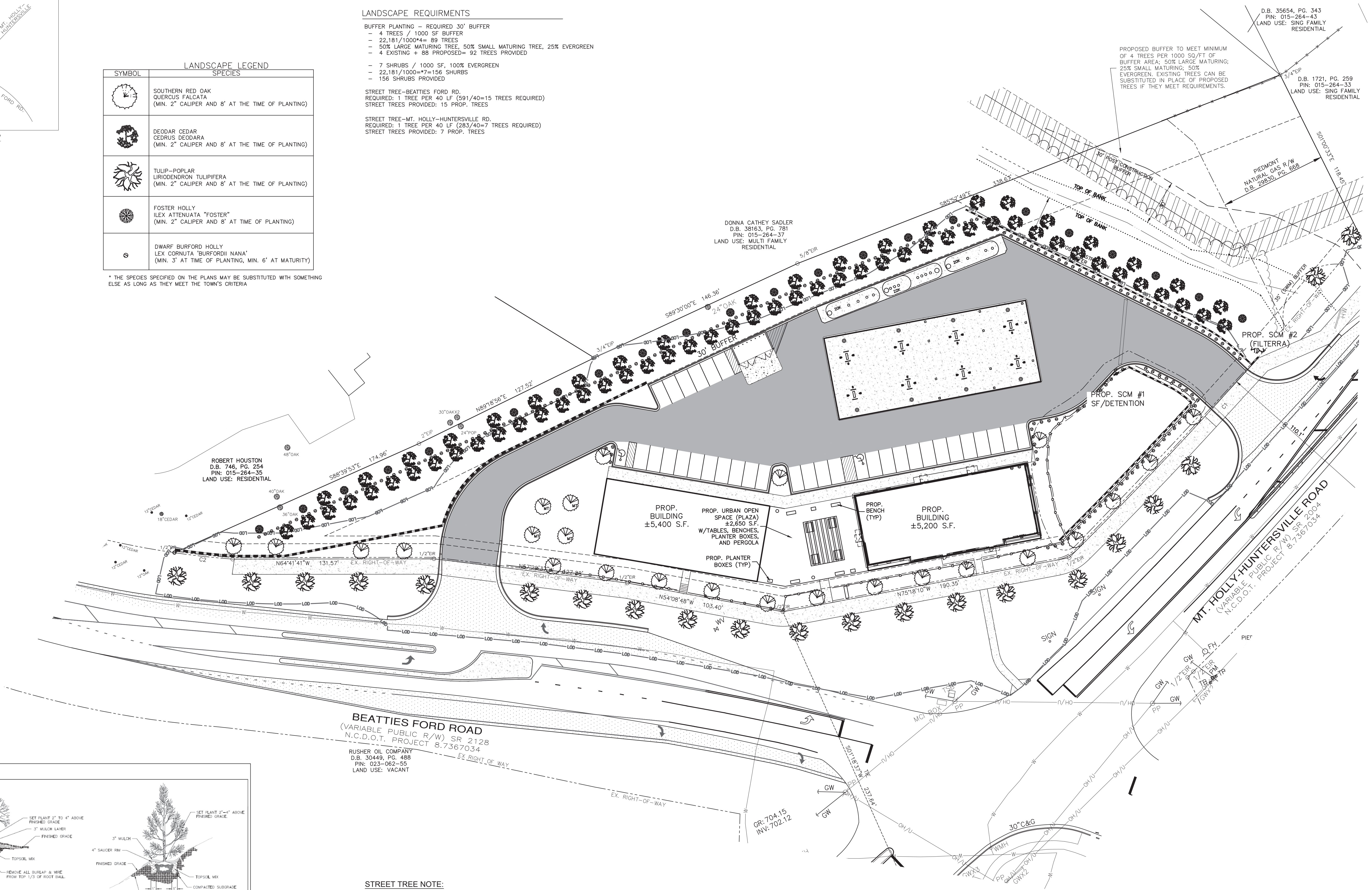
\* THE SPECIES SPECIFIED ON THE PLANS MAY BE SUBSTITUTED WITH SOMETHING ELSE AS LONG AS THEY MEET THE TOWN'S CRITERIA

#### LANDSCAPE REQUIRMENTS

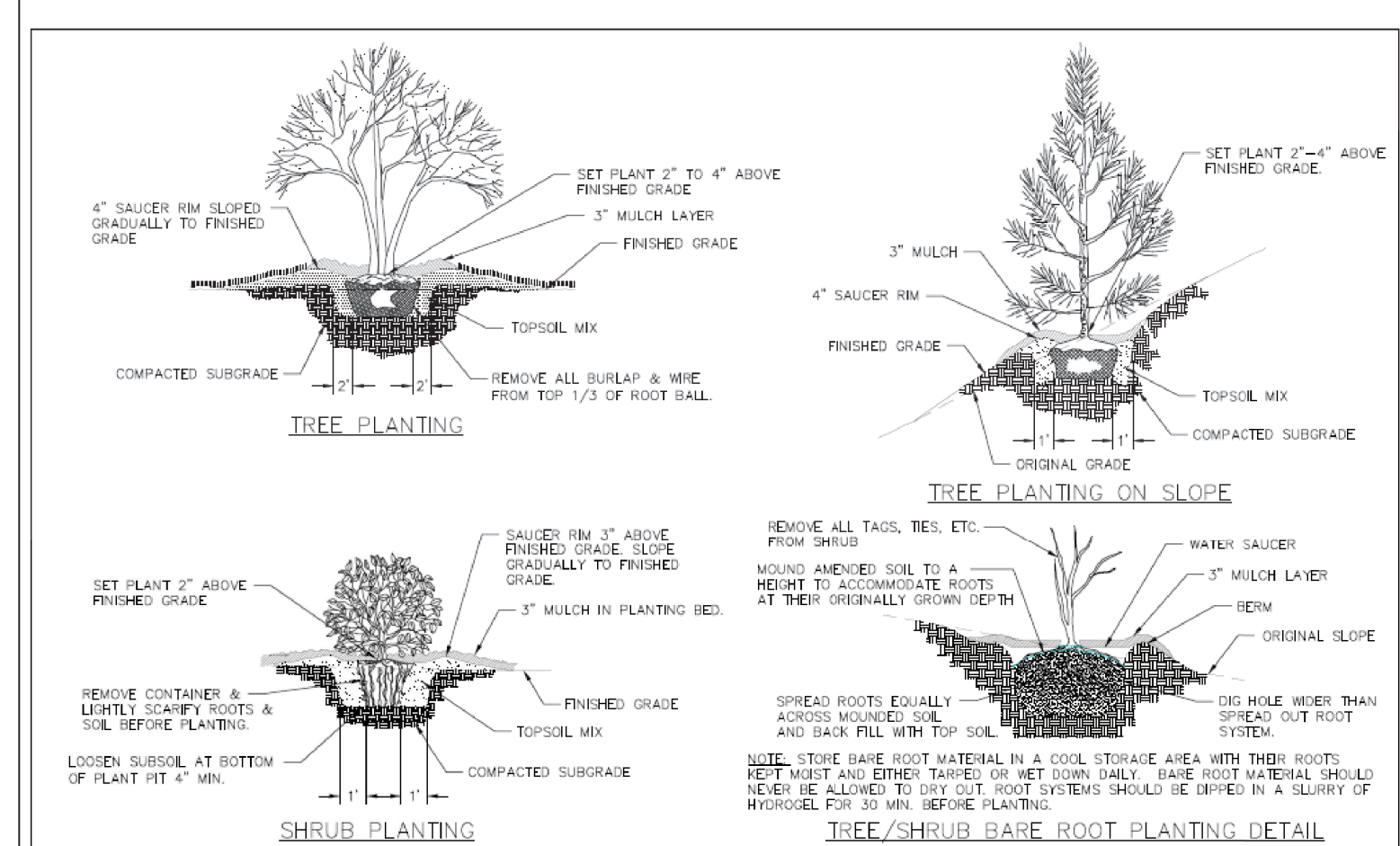
- BUFFER PLANTING - REQUIRED 30' BUFFER
- 4 TREES / 1000 SF BUFFER
  - 22,181/1000'±= 89 TREES
  - 50% LARGE MATURING TREE, 50% SMALL MATURING TREE, 25% EVERGREEN
  - 4 EXISTING + 88 PROPOSED= 92 TREES PROVIDED
- 7 SHRUBS / 1000 SF, 100% EVERGREEN
- 22,181/1000'±= 7=156 SHRUBS
  - 156 SHRUBS PROVIDED

STREET TREE-BEATTIES FORD RD.  
REQUIRED: 1 TREE PER 40 LF (591/40=15 TREES REQUIRED)  
STREET TREES PROVIDED: 15 PROP. TREES

STREET TREE-MT. HOLLY-HUNTERSVILLE RD.  
REQUIRED: 1 TREE PER 40 LF (283/40=7 TREES REQUIRED)  
STREET TREES PROVIDED: 7 PROP. TREES



#### 3.22F Tree & Shrub Planting



#### TREE & SHRUB PLANTING DETAIL

| DATE | REVISIONS | DESCRIPTION | STD. NO. |
|------|-----------|-------------|----------|
|      | 3.22F     |             |          |

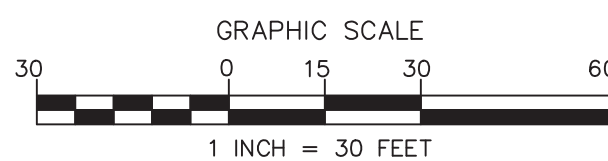
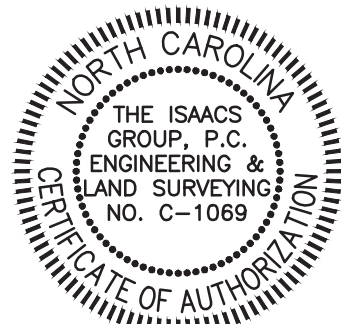
#### STREET TREE NOTE:

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

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



Digitally signed by  
Brian T. Upton, P.E.  
Date: 2025.07.01  
14:43:15-0400'



| NO. | BY | DATE | REVISION |
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Project: **LONG CREEK RETAIL**  
8900 BEATTIES FORD ROAD  
HUNTERSVILLE, NC 28078

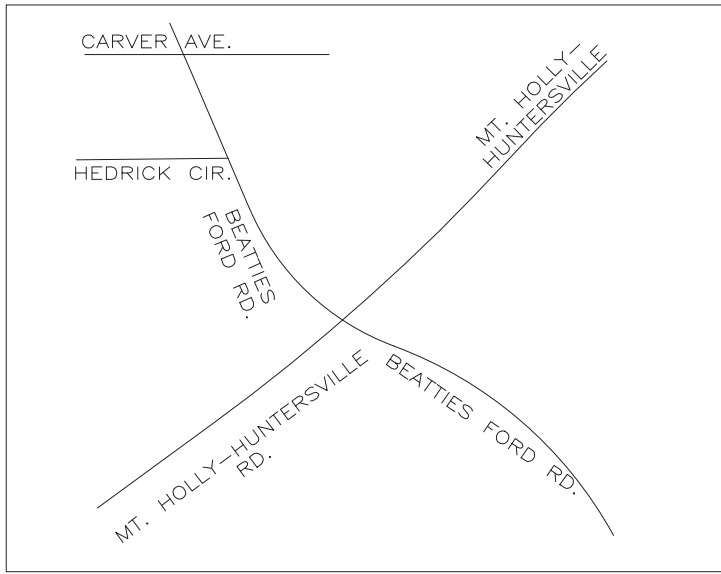
Title: **LANDSCAPE PLAN**

File #: 18048-P&DWG Date: 07/01/25 Project Egr: BTU  
Design By: RKS  
Drawn By: RKS  
Scale: 1"=30'

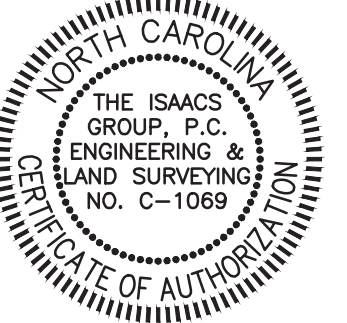
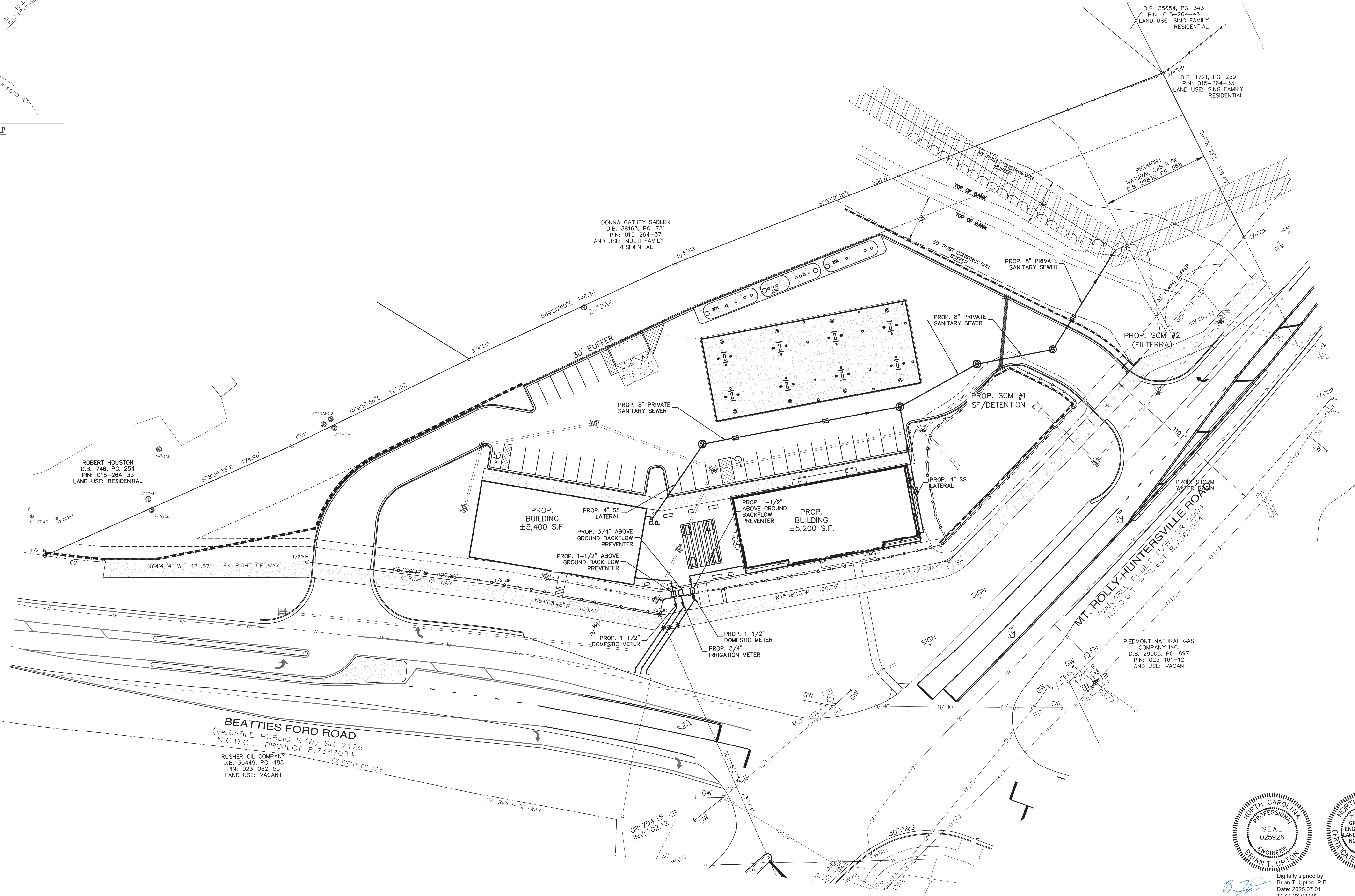
**THE ISAACS GROUP**  
CIVIL ENGINEERING DESIGN AND SURVEYING  
8720 RED OAK BOULEVARD, SUITE 420  
CHARLOTTE, N.C. 28217  
PHONE (704) 527-3440 FAX (704) 527-8335

**RZ1.2**



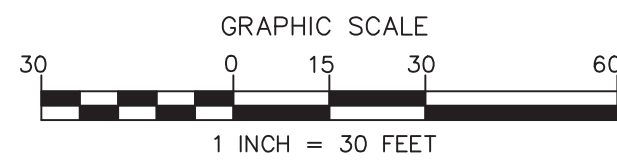


VICINITY MAP  
NOT TO SCALE



Digitally signed by  
Brian T. Upton, P.E.  
Date: 2025.07.01  
14:44:23-04'00'

| CURVE | RADIUS   | ARC LENGTH | CHORD BEARING | CHORD LENGTH |
|-------|----------|------------|---------------|--------------|
| C1    | 2804.79' | 283.24'    | S67°41'38\"W  | 283.12'      |
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| NO. | BY | DATE | REVISION |
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Project: **LONG CREEK RETAIL**  
8900 BEATTIES FORD ROAD  
HUNTERSVILLE, NC 28078

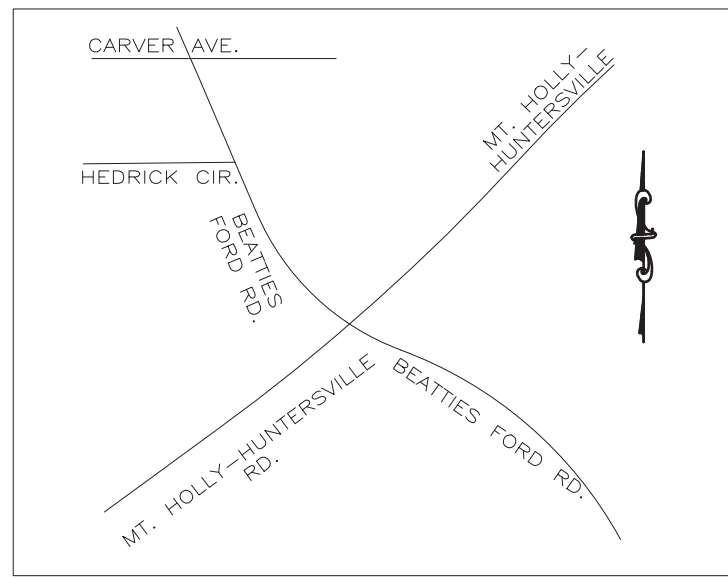
Title: **UTILITY PLAN**

File #: 18048-PB.DWG Date: 07/01/25 Project Egr: BTU  
Design By: BTU  
Drawn By: RKS  
Scale: 1\"/>

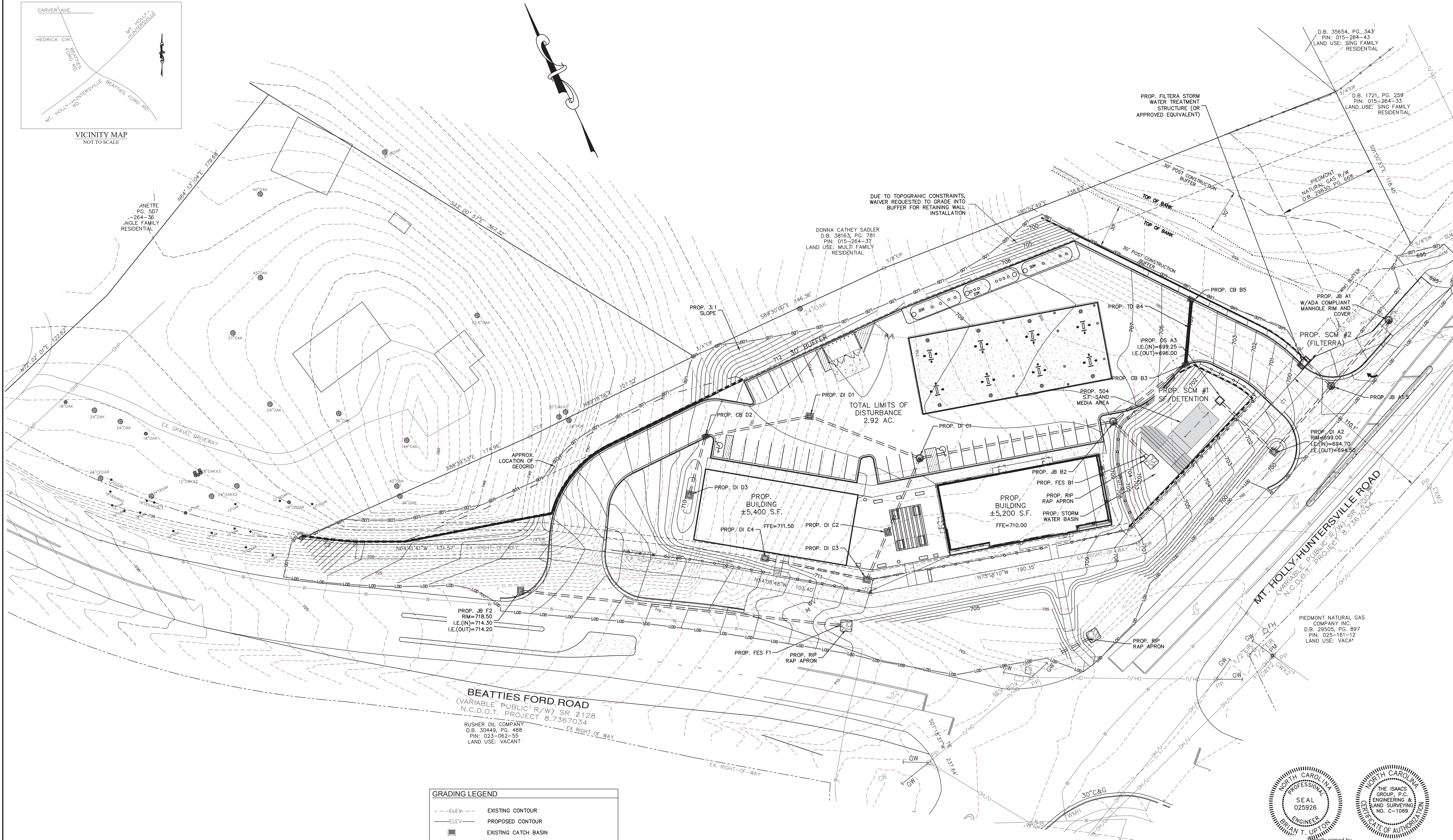
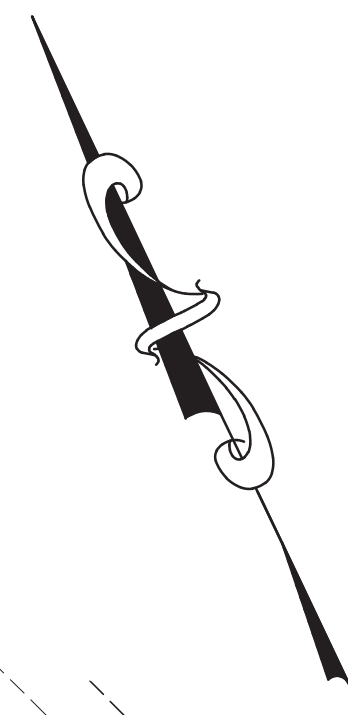
8720 RED OAK BOULEVARD, SUITE 420  
CHARLOTTE, N.C. 28217  
PHONE (704) 527-3440 FAX (704) 527-8335

**RZ2.0**



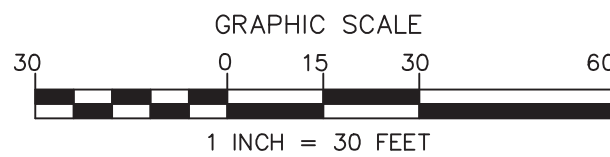


VICINITY MAP  
NOT TO SCALE

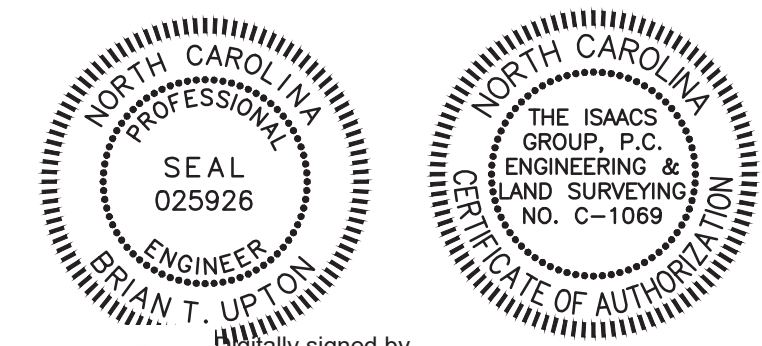


| GRADING LEGEND |                              |
|----------------|------------------------------|
|                | EXISTING CONTOUR             |
|                | PROPOSED CONTOUR             |
|                | EXISTING CATCH BASIN         |
|                | PROPOSED CATCH BASIN         |
|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

| CURVE | RADIUS   | ARC LENGTH | CHORD BEARING | CHORD LENGTH |
|-------|----------|------------|---------------|--------------|
| C1    | 2804.79' | 283.24'    | S67°41'38"W   | 283.12'      |
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| NO. | BY | DATE | REVISION |
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Brian T. Upton, P.E.  
Date: 2025.07.01  
14:45:00-04'00'

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

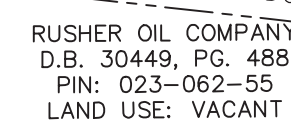
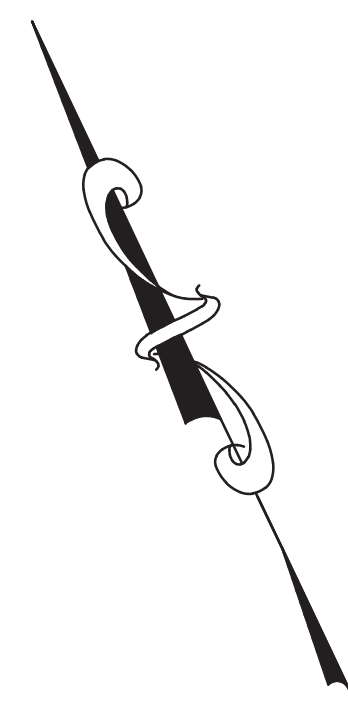
Title: **GRADING & STORM WATER PLAN**

File #: 18048-PB.DWG Date: 07/01/25 Project Egr: BTU  
Design By: BTU  
Drawn By: RKS  
Scale: 1"=30'

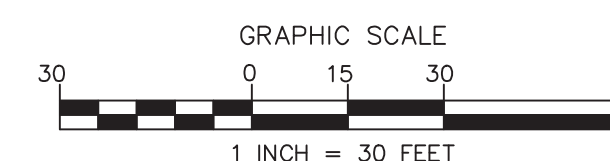
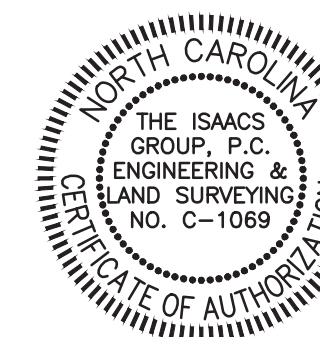
8720 RED OAK BOULEVARD, SUITE 420  
CHARLOTTE, N.C. 28217  
PHONE (704) 527-3440 FAX (704) 527-8335

**RZ3.0**

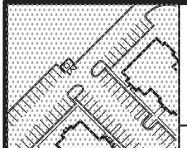




| CURVE | RADIUS   | ARC LENGTH | CHORD BEARING | CHORD LENGTH |
|-------|----------|------------|---------------|--------------|
| C1    | 2804.79' | 283.24'    | S67°41'38"W   | 283.12'      |
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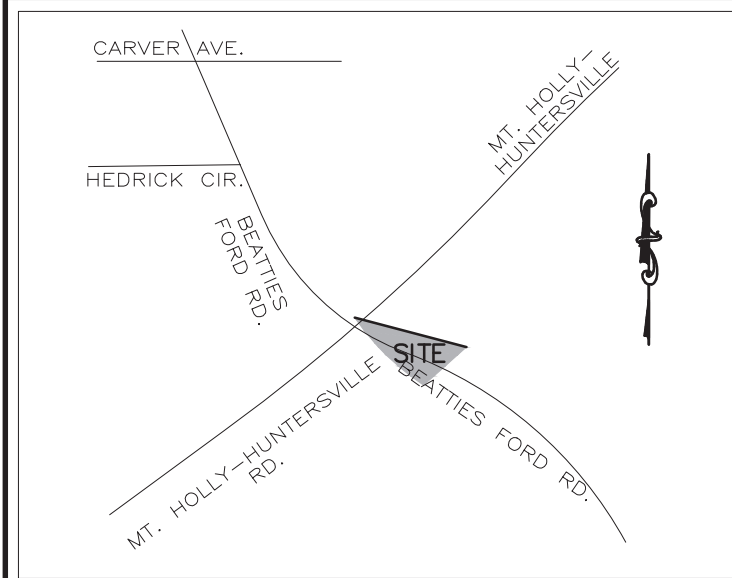
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Brian T. Upton, P.  
Date: 2025.07.01  
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|                                                                                                                                                                                                                                                                                                    |                                                                                        |                       |                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|-----------------------|--------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                               | <b>Project:</b> LONG CREEK RETAIL<br>8900 BEATTIES FORD ROAD<br>HUNTERSVILLE, NC 28078 |                       |                                                                                                  |
|                                                                                                                                                                                                                                                                                                    | <b>Title:</b> EXISTING HYDROLOGY PLAN                                                  |                       |                                                                                                  |
|                                                                                                                                                                                                                                                                                                    | <b>File #:</b> 18048-PB.DWG                                                            | <b>Date:</b> 07/01/25 | <b>Project Egr:</b> BTU<br><b>Design By:</b> BTU<br><b>Drawn By:</b> RKS<br><b>Scale:</b> 1"=30' |
| <div style="display: flex; align-items: center;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg); font-weight: bold; margin-right: 5px;">GROUP</div> <div style="text-align: center;"> <b>THE ISAACS</b><br/>         CIVIL ENGINEERING DESIGN AND SURVEYING       </div> </div> |                                                                                        |                       |                                                                                                  |
| 8720 RED OAK BOULEVARD, SUITE 420<br>CHARLOTTE, N.C. 28217<br>PHONE (704) 527-3440 FAX (704) 527-8335                                                                                                                                                                                              |                                                                                        |                       |                                                                                                  |
|                                                                                                                                                                                                                                                                                                    |                                                                                        |                       | RZ3.                                                                                             |

RZ3.

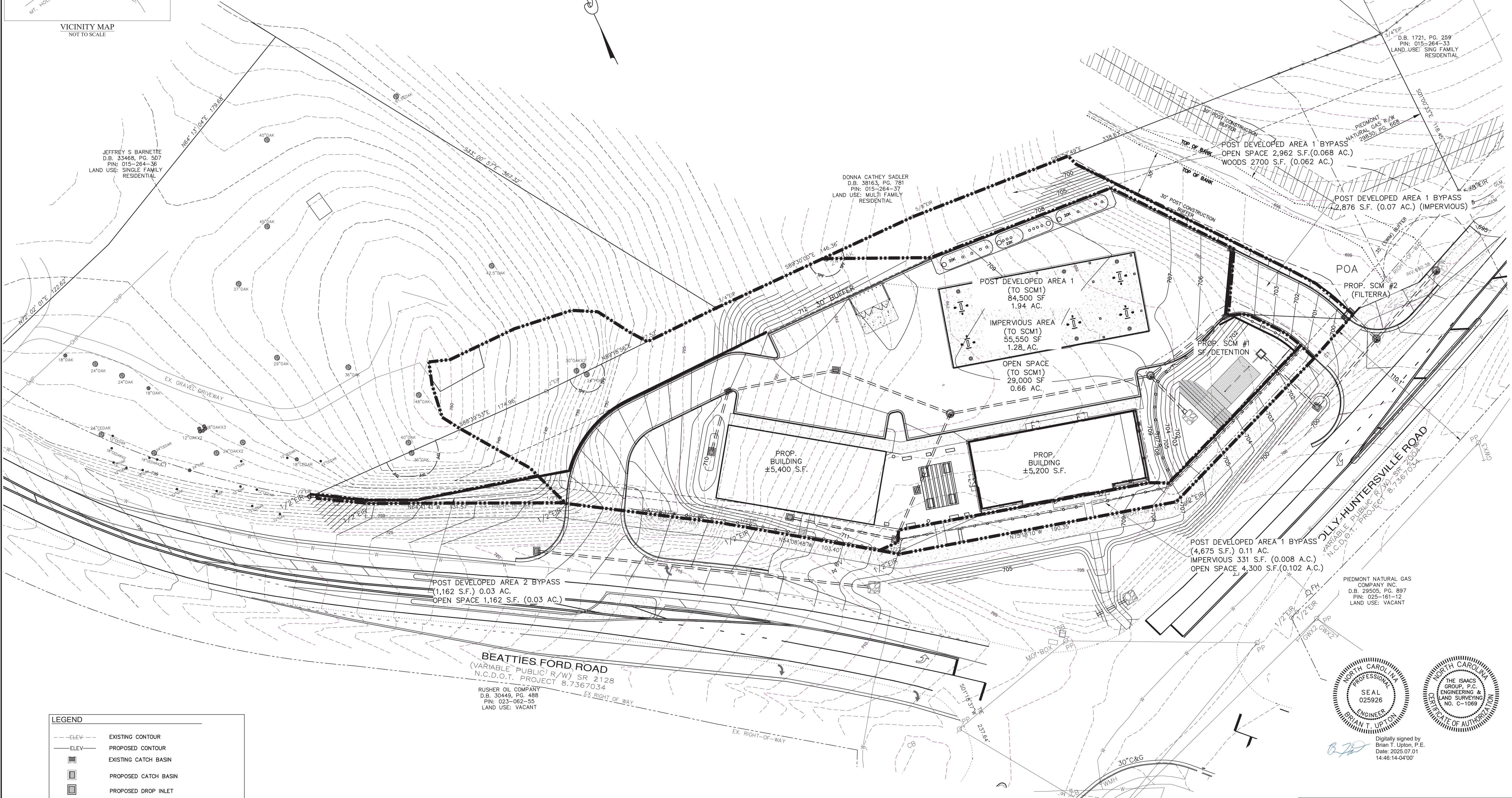




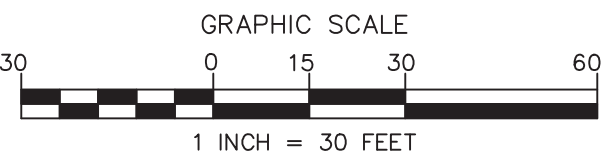
VICINITY MAP  
NOT TO SCALE

| STORM EVENT | POA                |                     | WSE    | TOP OF SCM |
|-------------|--------------------|---------------------|--------|------------|
|             | PRE-DEVELOPED FLOW | POST-DEVELOPED FLOW |        |            |
| 2 YEAR      | .45 cfs            | .44 cfs             | 703.32 | 706.00     |
| 10 YEAR     | 2.41 cfs           | 1.36 cfs            | 704.79 | 706.00     |
| 50 YEAR     | 5.40 cfs           | 13.23 cfs           | 705    | 706.00     |

DETENTION SUMMARY CHART



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



| NO. | BY | DATE | REVISION |
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Project: **LONG CREEK RETAIL**  
8900 BEATTIES FORD ROAD  
HUNTERSVILLE, NC 28078

Title: **POST DEVELOPED MAP & CALCULATIONS**

File #: 18048-PB.DWG Date: 07/01/25 Project Egr: BTU

Design By: BTU

Drawn By: RKS

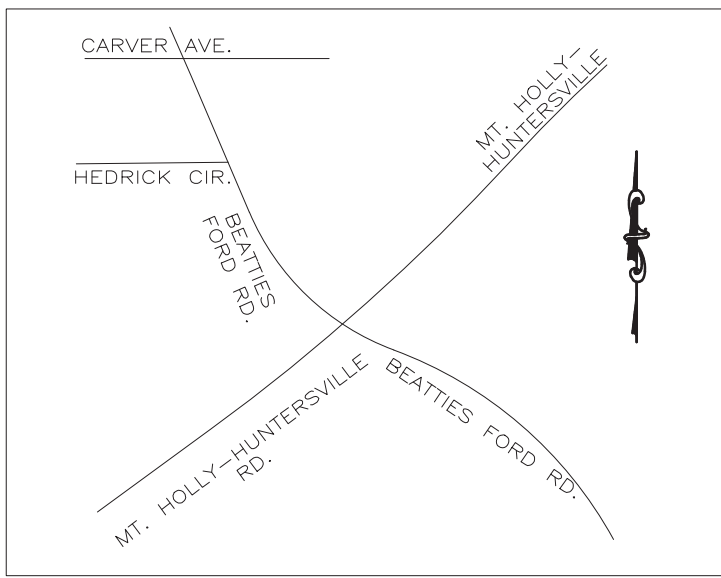
Scale: 1"=30'

**THE ISAACS GROUP**  
CIVIL ENGINEERING DESIGN AND SURVEYING

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

**RZ3.2**





VICINITY MAP  
NOT TO SCALE

SCM #2 SIZING CHART

NCDEQ Stormwater Design Manual

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

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

| Filterra Model                           | Media Area at 140"/hr (sf) | Recommended Impervious Drainage Area (ac) | Outlet Pipe Size |
|------------------------------------------|----------------------------|-------------------------------------------|------------------|
| 4x4                                      | 16                         | 0.06                                      | 4" PVC           |
| 4x6 / 6x4                                | 24                         | 0.14                                      | 4" PVC           |
| 4x6 / 6x4                                | 32                         | 0.19                                      | 4" PVC           |
| 6x6                                      | 36                         | 0.21                                      | 4" PVC           |
| 6x6 / 6x6 / 4x12 / 12x4                  | 48                         | 0.26                                      | 4" PVC           |
| 6x10 / 10x6                              | 60                         | 0.35                                      | 6" PVC           |
| 6x12 / 12x6                              | 72                         | 0.42                                      | 6" PVC           |
| 7x13 / 13x7                              | 91                         | 0.54                                      | 6" PVC           |
| Other / Custom Sizes / Filterra Bioscape | TBD                        | Media Area + 0.39%                        | TBD              |

1. Contact Contech for information on other available configurations.  
2. A standard PVC coupling is cast into the wall to connect to discharge piping.  
3. Dimensions shown are internal.

WATER QUALITY CALCULATIONS SCM #1

BMP Drainage Information:

|                                            |      |                                |
|--------------------------------------------|------|--------------------------------|
| Drainage Facility No.:                     | 1    | See Drainage Area Exhibit      |
| Total Drainage Area, A <sub>0</sub> (Ac.): | 1.94 | Total Proposed Impervious Area |
| Impervious Area (Ac.):                     | 1.51 | (Coastal)                      |
| Percent Impervious Area, I <sub>a</sub> :  | 78   | (Hydrologic Group B Soil)      |
| SCS Curve Number, CN:                      | 90   | See Computer Output            |
| Time of Concentration, t <sub>c</sub> :    | N/A  |                                |

Stage-Storage Information:

|                       |       |  |
|-----------------------|-------|--|
| Top of Filter Media = | 700.5 |  |
|-----------------------|-------|--|

| Elevation | Total Surface Area (ft <sup>2</sup> ) | Incremental Volume (ft <sup>3</sup> ) | Cumulative Volume (ft <sup>3</sup> ) | Forebay Surface Area (ft <sup>2</sup> ) | Forebay Cumulative Volume (ft <sup>3</sup> ) |
|-----------|---------------------------------------|---------------------------------------|--------------------------------------|-----------------------------------------|----------------------------------------------|
| 700.50    | 720                                   | 0                                     | 0                                    | 0                                       | 0                                            |
| 701.00    | 2507                                  | 807                                   | 807                                  | 616                                     | 154                                          |
| 702.00    | 3123                                  | 2,815                                 | 3,622                                | 805                                     | 959                                          |
| 702.50    | 3358                                  | 1,620                                 | 5,242                                | 1008                                    | 1,378                                        |
| 703.00    | 3636                                  | 1,749                                 | 6,991                                |                                         |                                              |
| 704.00    | 4090                                  | 3,883                                 | 10,874                               |                                         |                                              |
| 705.00    | 4440                                  | 4,265                                 | 15,139                               |                                         |                                              |
| 706.00    | 4833                                  | 4,637                                 | 19,775                               |                                         |                                              |

Compute Water Quality Volume (WQ<sub>v</sub>) - Schueler Method:

|                                                           |         |                                     |
|-----------------------------------------------------------|---------|-------------------------------------|
| Runoff Coefficient, R <sub>c</sub> :                      | 0.751   | = 0.05 + 0.009(I <sub>a</sub> )     |
| Water Quality Volume, WQ <sub>v</sub> (acre-feet):        | 0.12    | = 1.05(A <sub>i</sub> )/12          |
| Water Quality Volume, WQ <sub>v</sub> (ft <sup>3</sup> ): | 5285.28 | = (43,560)(1.0)(A <sub>i</sub> )/12 |
| Water Quality Storage Elevation =                         | 702.51  | Interpolated                        |

Compute Modified Curve Number (CN<sub>2</sub>):

CN<sub>2</sub> = 100/(10 + SP + 10WQ<sub>v</sub> - 10(WQ<sub>v</sub> + 1.25WQ<sub>v</sub>P)<sup>1/4</sup>)

P = rainfall, in inches (use 1.0 inches)

WQ<sub>v</sub> = Water Quality Volume, in inches (1.0R)

Modified Curve Number, CN<sub>2</sub> = 97.54

Use CN<sub>2</sub> to calculate the peak discharge produced from routing the 1-inch, 6-hour storm event.

Compute Channel Protection Volume (CP<sub>v</sub>):

|                                                                |          |                                                 |
|----------------------------------------------------------------|----------|-------------------------------------------------|
| Potential maximum soil retention, S (inches):                  | 1.14     | = 1000/CN-10                                    |
| Accum. rainfall (potential maximum runoff), P (in.):           | 2.58     | = 1-year, 24-hour storm event                   |
| Accum. runoff volume, Q (inches):                              | 1.58     | = (P - 0.257)/(P + 0.85)                        |
| Channel Protection Volume, CP <sub>v</sub> (acre-feet):        | 0.26     | = (Q)(A <sub>0</sub> )(1 foot/12 inches)        |
| Channel Protection Volume, CP <sub>v</sub> (ft <sup>3</sup> ): | 11173.90 | = (Q)(A <sub>0</sub> )(1 foot/12 inches)(43560) |
| Actual Channel Protection Storage Elevation =                  | 704.08   | Interpolated                                    |

Compute Pretreatment System Requirements:

The sediment chamber storage area above the filter media must be sized to hold 20 percent of the water quality volume.

Required Sediment Forebay Volume (ft<sup>3</sup>) = (WQ<sub>v</sub> ft<sup>3</sup>) x (0.20)

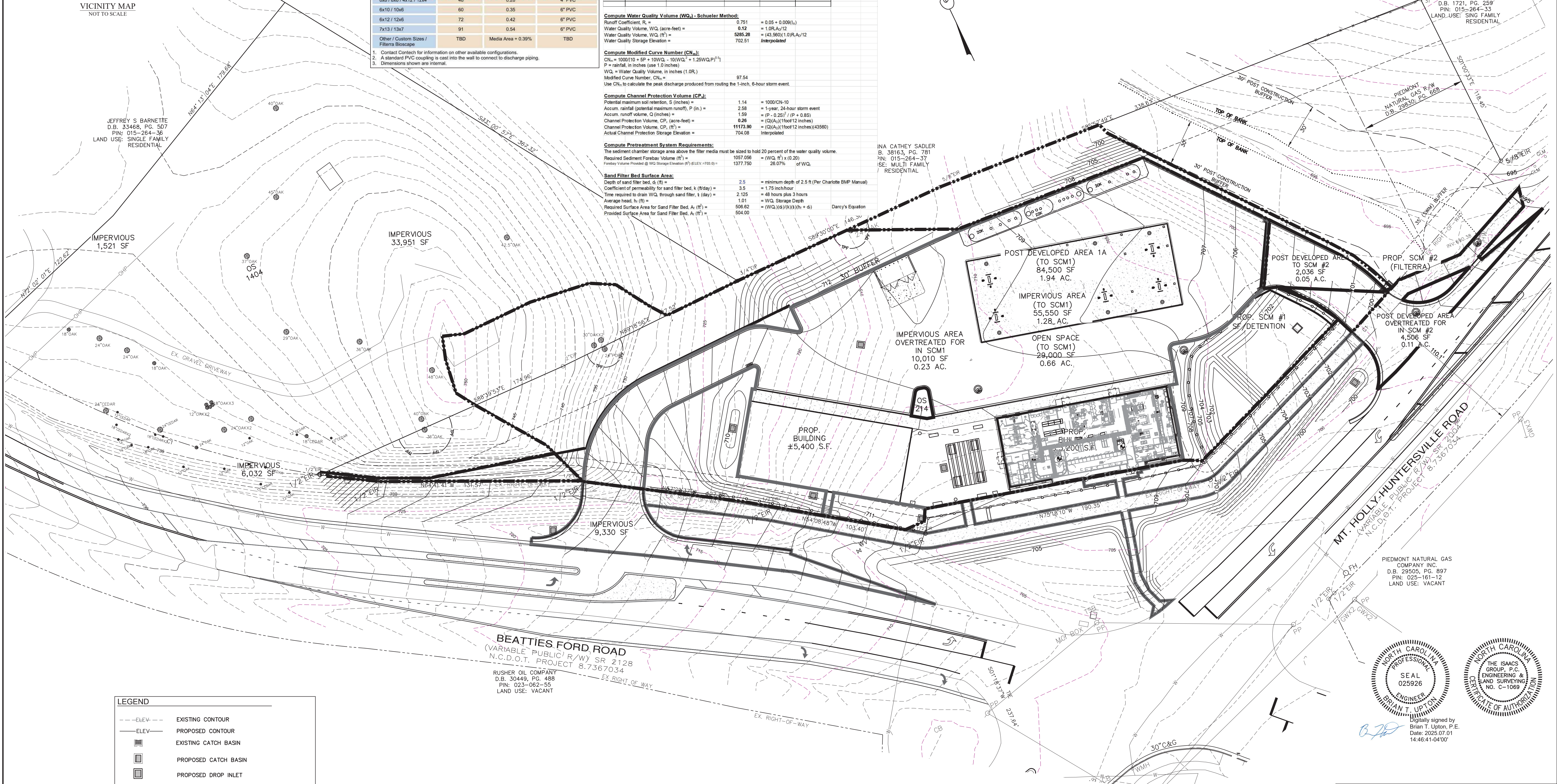
Required Volume Provided @ WQ<sub>v</sub> Storage Elevation (ft<sup>3</sup>) (ELEV. = 702.51) = 1377.750

26.07% of WQ<sub>v</sub>

Sand Filter Bed Surface Area:

|                                                                               |        |                                                      |
|-------------------------------------------------------------------------------|--------|------------------------------------------------------|
| Depth of sand filter bed, d (ft):                                             | 2.5    | = minimum depth of 2.5 ft (Per Charlotte BMP Manual) |
| Coefficient of permeability for sand filter bed, k (ft/day):                  | 3.5    | = 1.75 inch/hour                                     |
| Time required to drain WQ <sub>v</sub> through sand filter, t (day):          | 2.125  | = 48 hours plus 3 hours                              |
| Average head, h <sub>a</sub> (ft):                                            | 1.01   | = WQ <sub>v</sub> Storage Depth                      |
| Required Surface Area for Sand Filter Bed, A <sub>s</sub> (ft <sup>2</sup> ): | 506.62 | = (WQ <sub>v</sub> )(d)/(k)(h <sub>a</sub> + d)      |
| Provided Surface Area for Sand Filter Bed, A <sub>p</sub> (ft <sup>2</sup> ): | 504.00 | Darcy's Equation                                     |

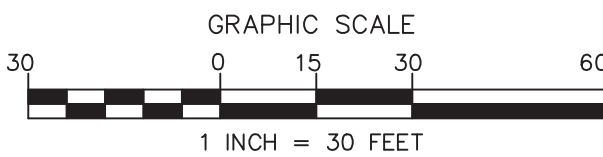
INA CATHEY SADLER  
B. 38163, PG. 781  
PIN: 015-264-37  
ISE: MULTI FAMILY RESIDENTIAL



LEGEND

|     |          |                              |
|-----|----------|------------------------------|
| --- | ELEV.--- | EXISTING CONTOUR             |
| --- | ELEV.--- | PROPOSED CONTOUR             |
| ■   |          | EXISTING CATCH BASIN         |
| ■   |          | PROPOSED CATCH BASIN         |
| ■   |          | PROPOSED DROP INLET          |
| ●   |          | PROPOSED JUNCTION BOX        |
| --- |          | EXISTING STORM DRAINAGE PIPE |
| --- |          | CONCRETE SIDEWALK            |
| --- |          | STANDARD CURB AND GUTTER     |
| --- |          | PROPOSED RETAINING WALL      |

| CURVE | RADIUS   | ARC LENGTH | CHORD BEARING | CHORD LENGTH |
|-------|----------|------------|---------------|--------------|
| C1    | 2804.79' | 283.24'    | S67°41'38"W   | 283.12'      |
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| NO. | BY | DATE | REVISION |
|-----|----|------|----------|
|     |    |      |          |
|     |    |      |          |
|     |    |      |          |

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

Title: WATER QUALITY MAP & CALCULATIONS

File #: 18048-PB.DWG Date: 07/01/25 Project Egr: BTU

Design By: BTU

Drawn By: RKS

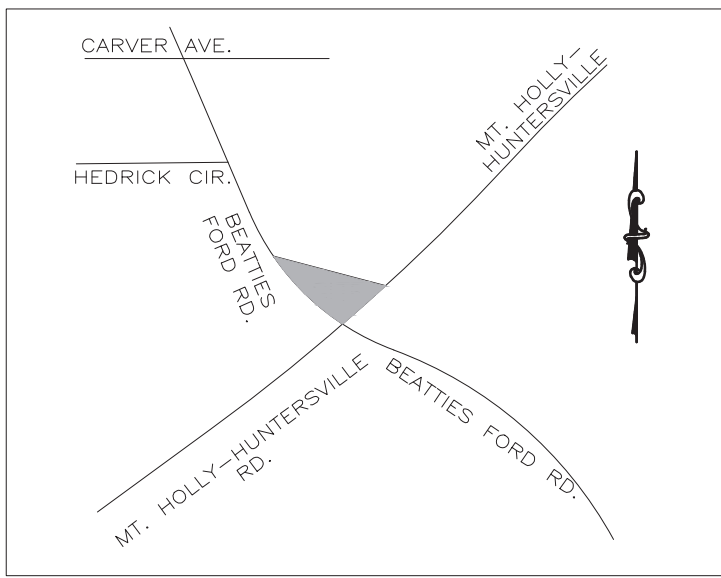
Scale: 1"=30'

THE ISAACS GROUP, P.C.  
ENGINEERING & SURVEYING  
NO. C-1069

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

RZ3.3





VICINITY MAP  
NOT TO SCALE

**SPECIMEN TREE SAVE REQUIREMENT:**  
FOR HC ZONING, TREE SAVE = 30% OF SPECIMEN TREES  
(CANOPY TREES > 24" OR UNDERSTORY TREES > 18")

THERE ARE 6 SPECIMEN TREES ON THIS SITE.  
30% OF 6 SPECIMEN TREES = 0.30 x 6 = 1.8 TREES (REQUIRED TO BE SAVED)

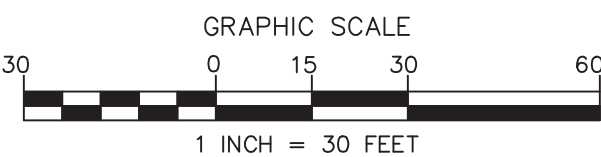
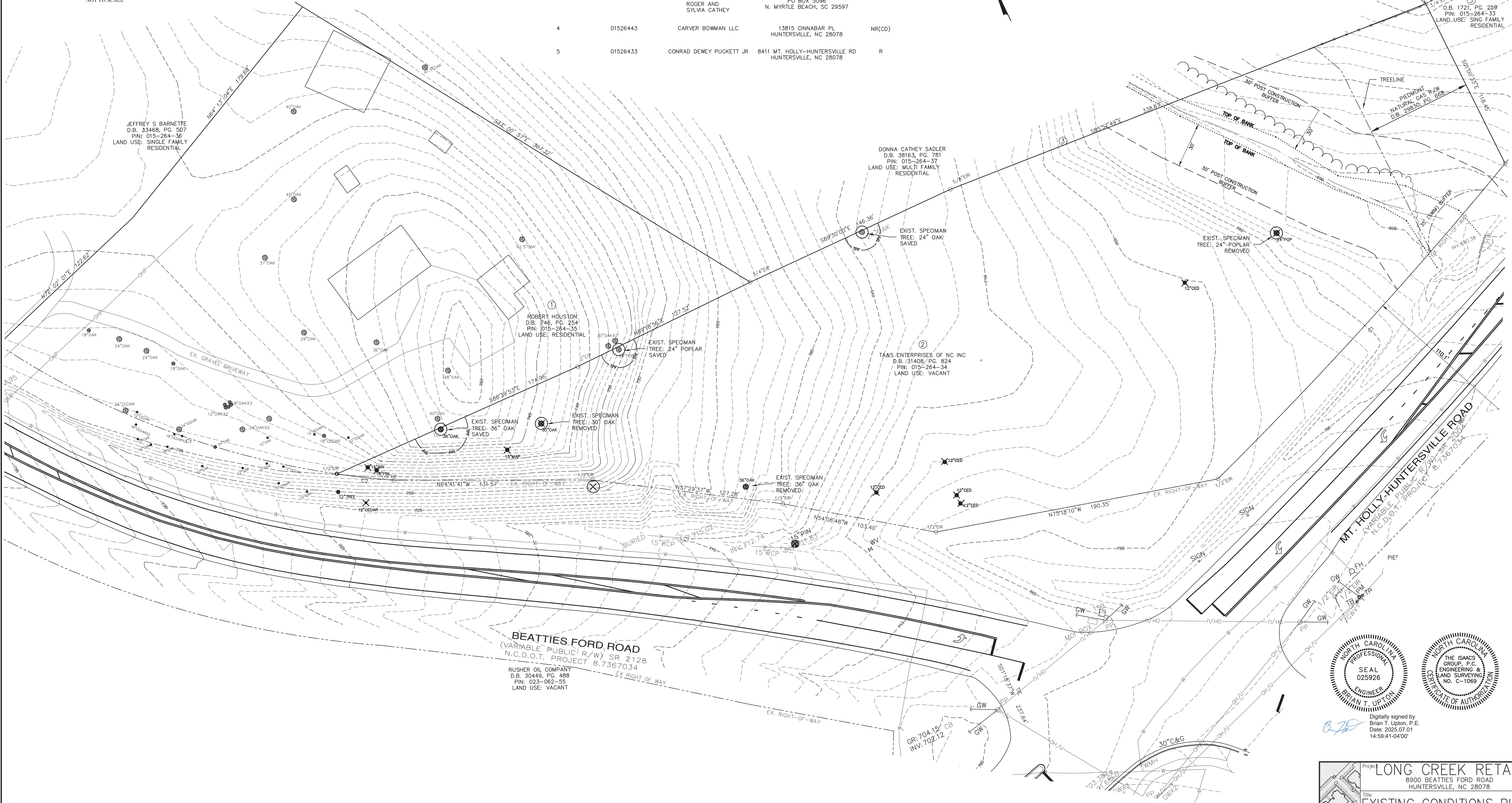
3 SPECIMEN TREES TO BE REMOVED  
3 SPECIMEN TREES TO REMAIN

**SPECIMEN TREE PRESERVATION:**

| SPECIES | SIZE | SAVED |
|---------|------|-------|
| OAK     | 36   | Y     |
| POPLAR  | 24   | Y     |
| OAK     | 30   | N     |
| OAK     | 36   | N     |
| OAK     | 24   | Y     |
| POPLAR  | 24   | N     |

**PARCEL LEGEND:**

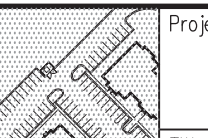
| PARCEL # | PARCEL I.D. | PARCEL OWNER                                                     | MAILING ADDRESS                                        | ZONING |
|----------|-------------|------------------------------------------------------------------|--------------------------------------------------------|--------|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



| NO. | BY | DATE | REVISION |
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Digitally signed by  
Brian T. Upton, P.E.  
Date: 2025.07.01  
14:59:41-04'00'



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

Title: **EXISTING CONDITIONS PLAN**

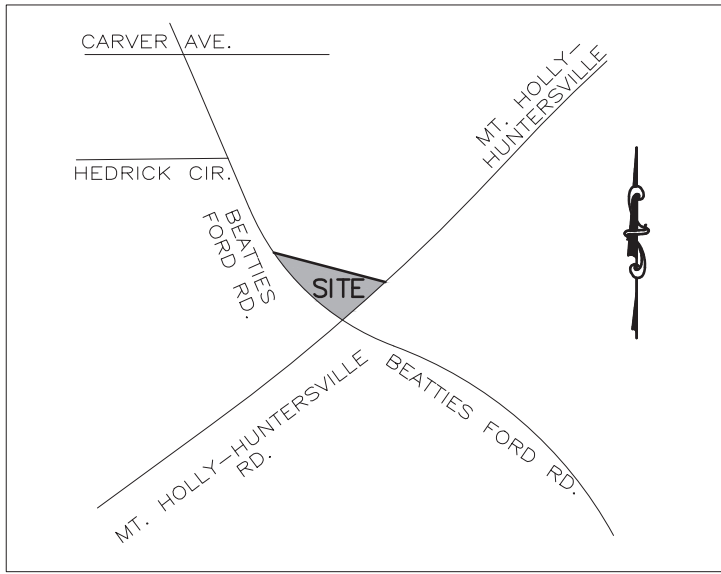
File #: 18048-PB.DWG Date: 07/01/25 Project Egr: BTU  
Design By: BTU  
Drawn By: RKS  
Scale: 1"=30'

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

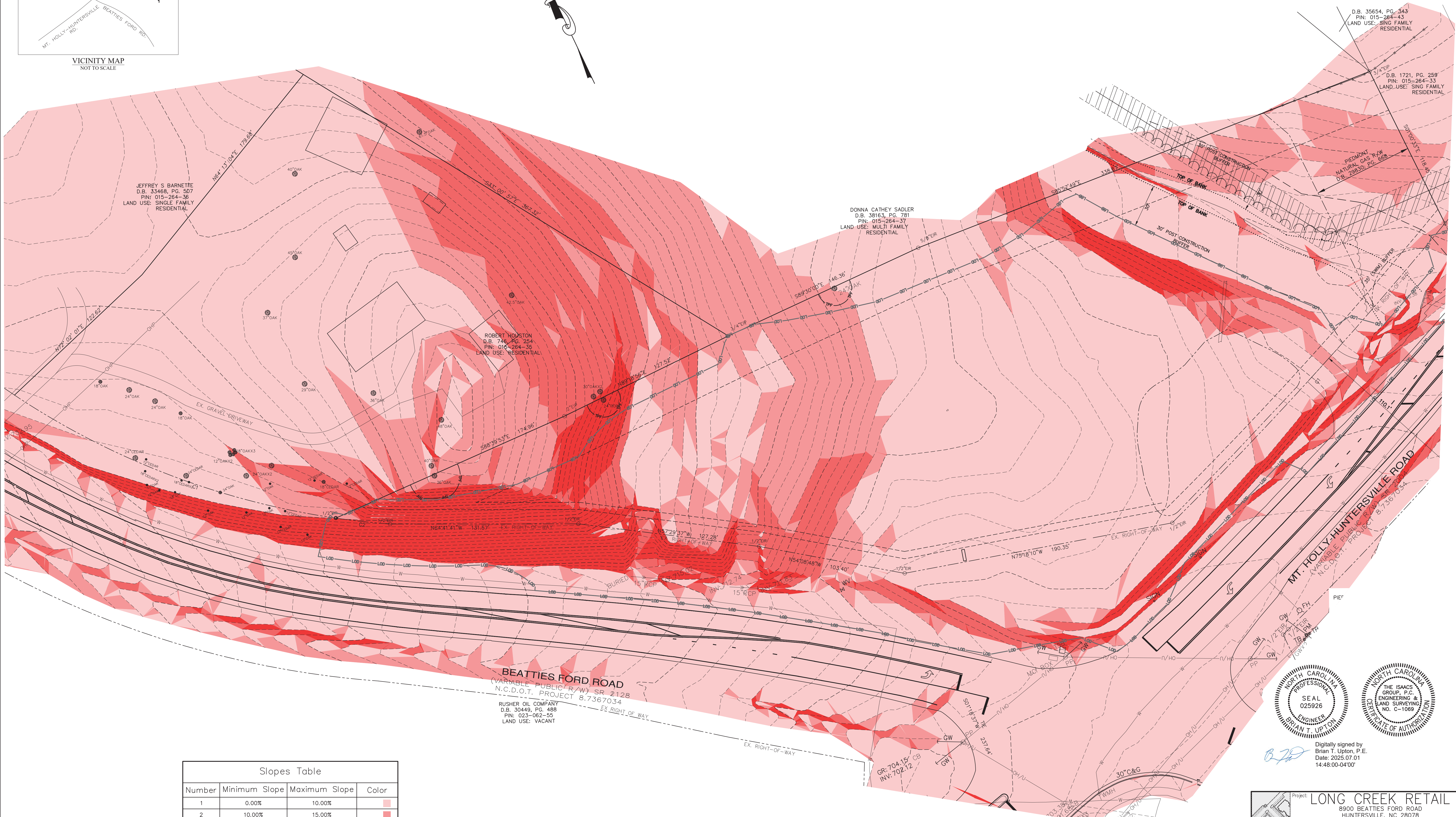
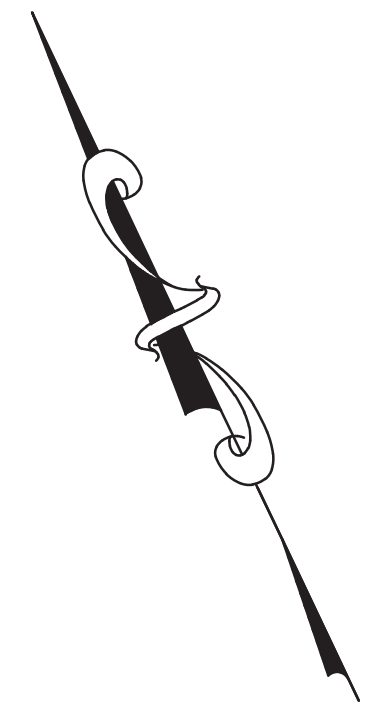
**THE ISAACS GROUP**  
CIVIL ENGINEERING DESIGN AND SURVEYING

**RZ4.0**



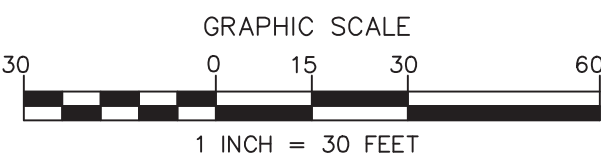


VICINITY MAP  
NOT TO SCALE



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

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



| NO. | BY | DATE | REVISION |
|-----|----|------|----------|
|     |    |      |          |
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Project: **LONG CREEK RETAIL**  
8900 BEATTIES FORD ROAD  
HUNTERSVILLE, NC 28078

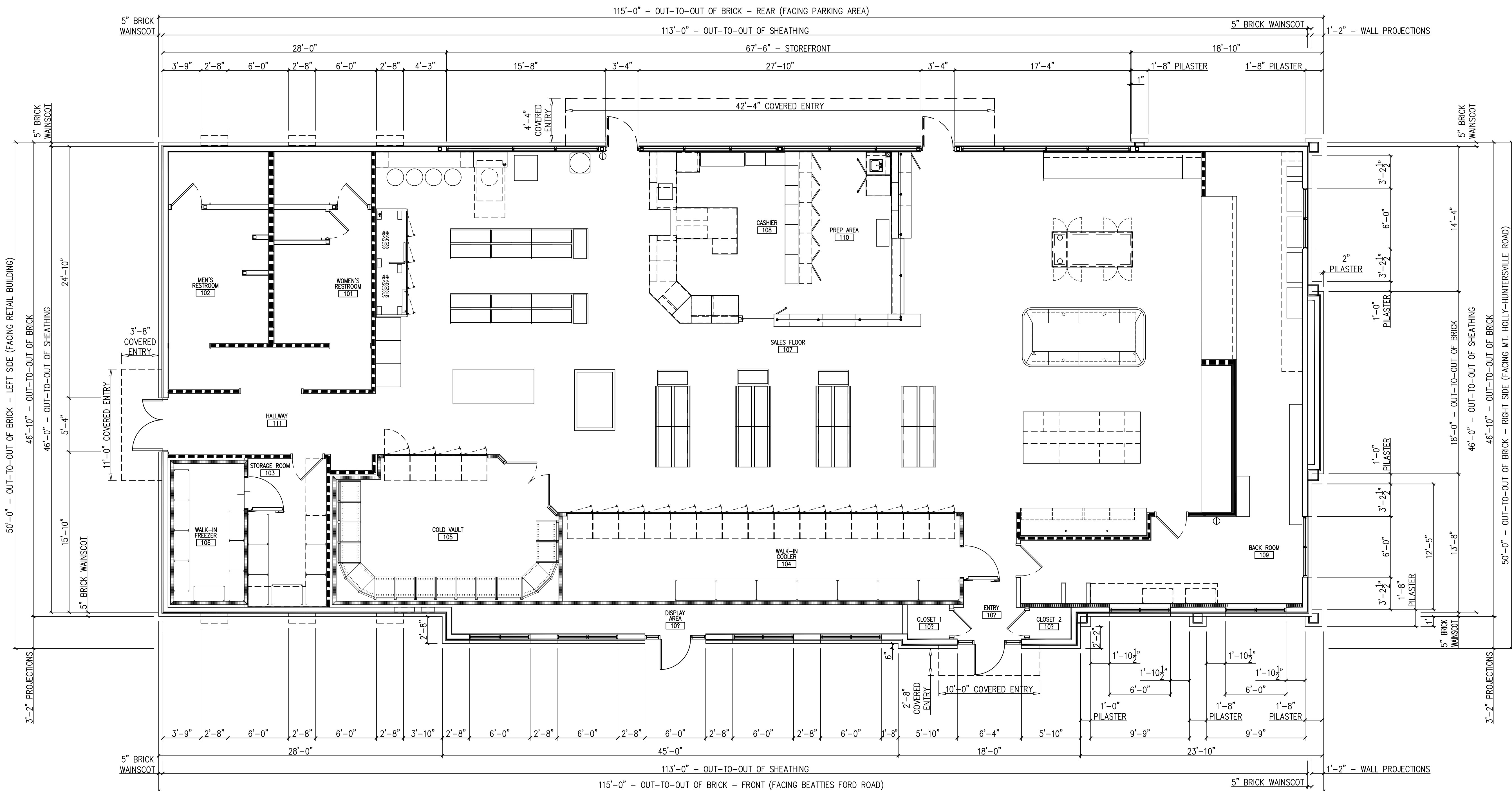
Title: **SLOPE ANALYSIS PLAN**

File #: 18048-PB.DWG Date: 07/01/25 Project Egr: BTU  
Design By: BTU  
Drawn By: RKS  
Scale: 1"=30'

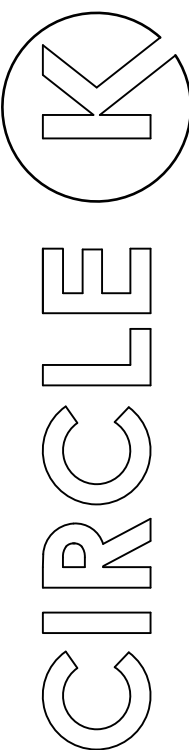
**THE ISAACS GROUP**  
CIVIL ENGINEERING DESIGN AND SURVEYING  
8720 RED OAK BOULEVARD, SUITE 420  
CHARLOTTE, N.C. 28217  
PHONE (704) 527-3440 FAX (704) 527-8335

**RZ4.1**





NEW CONVENIENCE STORE FOR:



BEATTIES FORD ROAD &  
HUNTERSVILLE, NORTH CAROLINA 28759

PRELIMINARY PLANS  
NOT FOR CONSTRUCTION

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

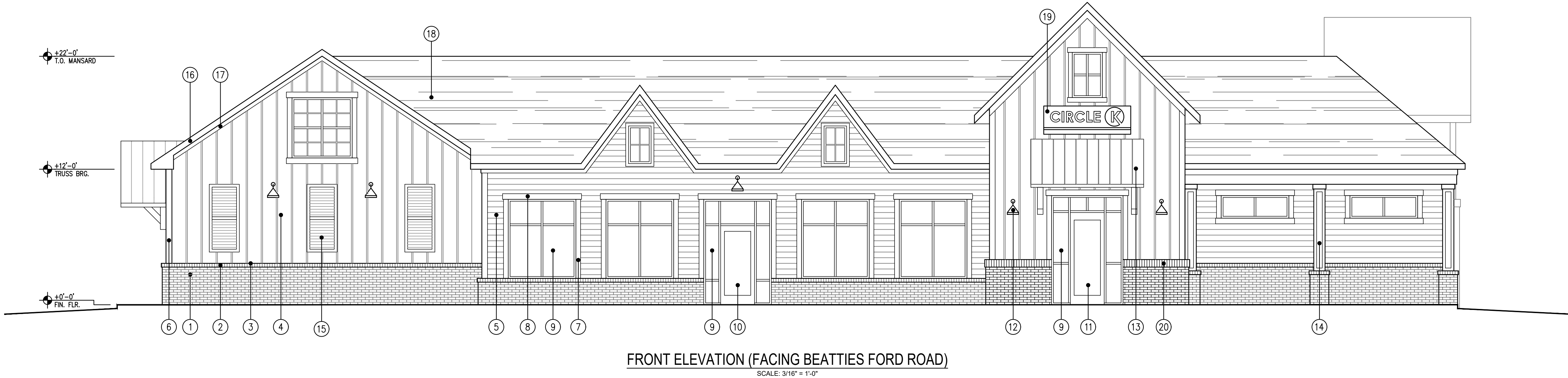
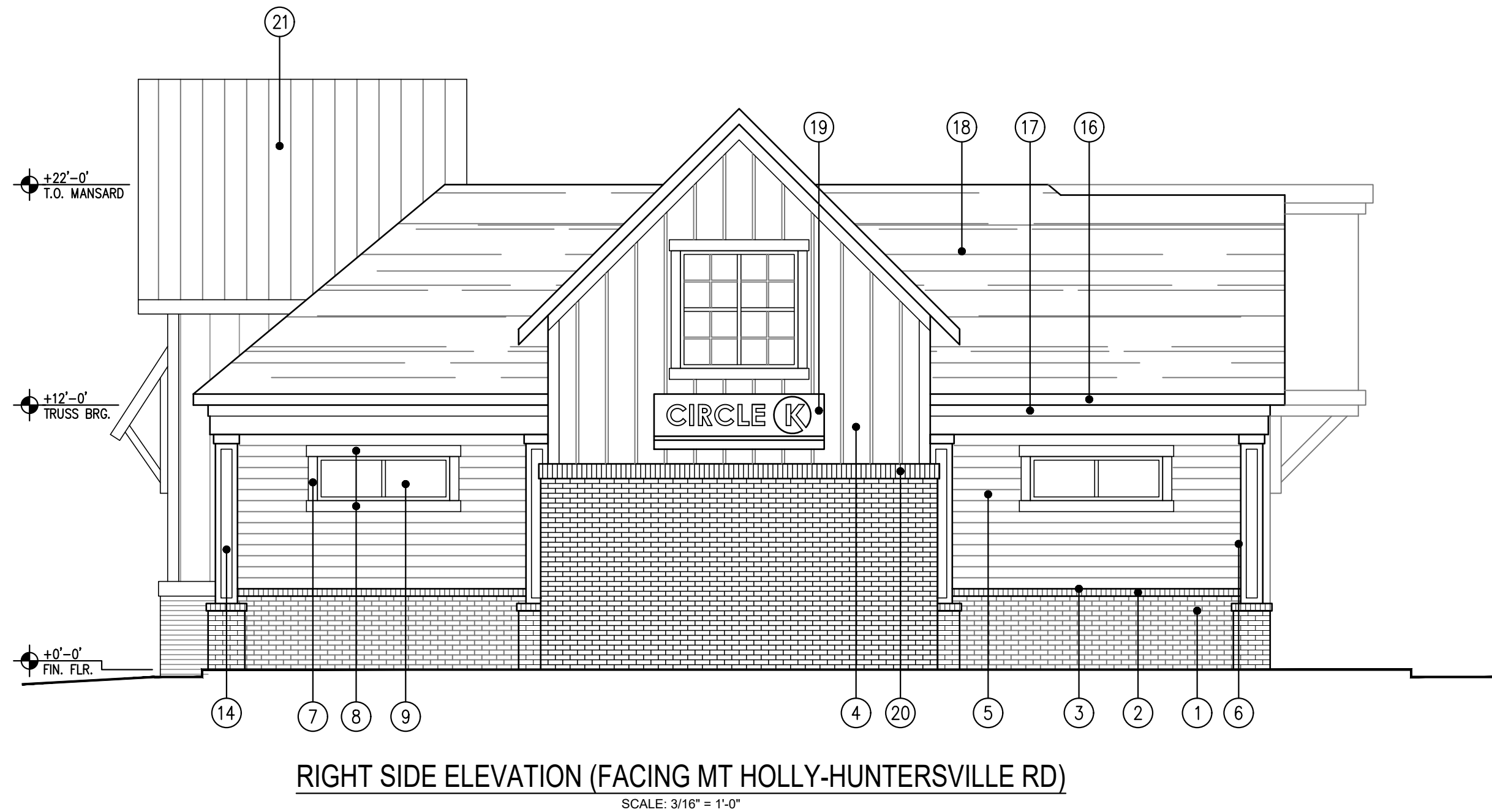
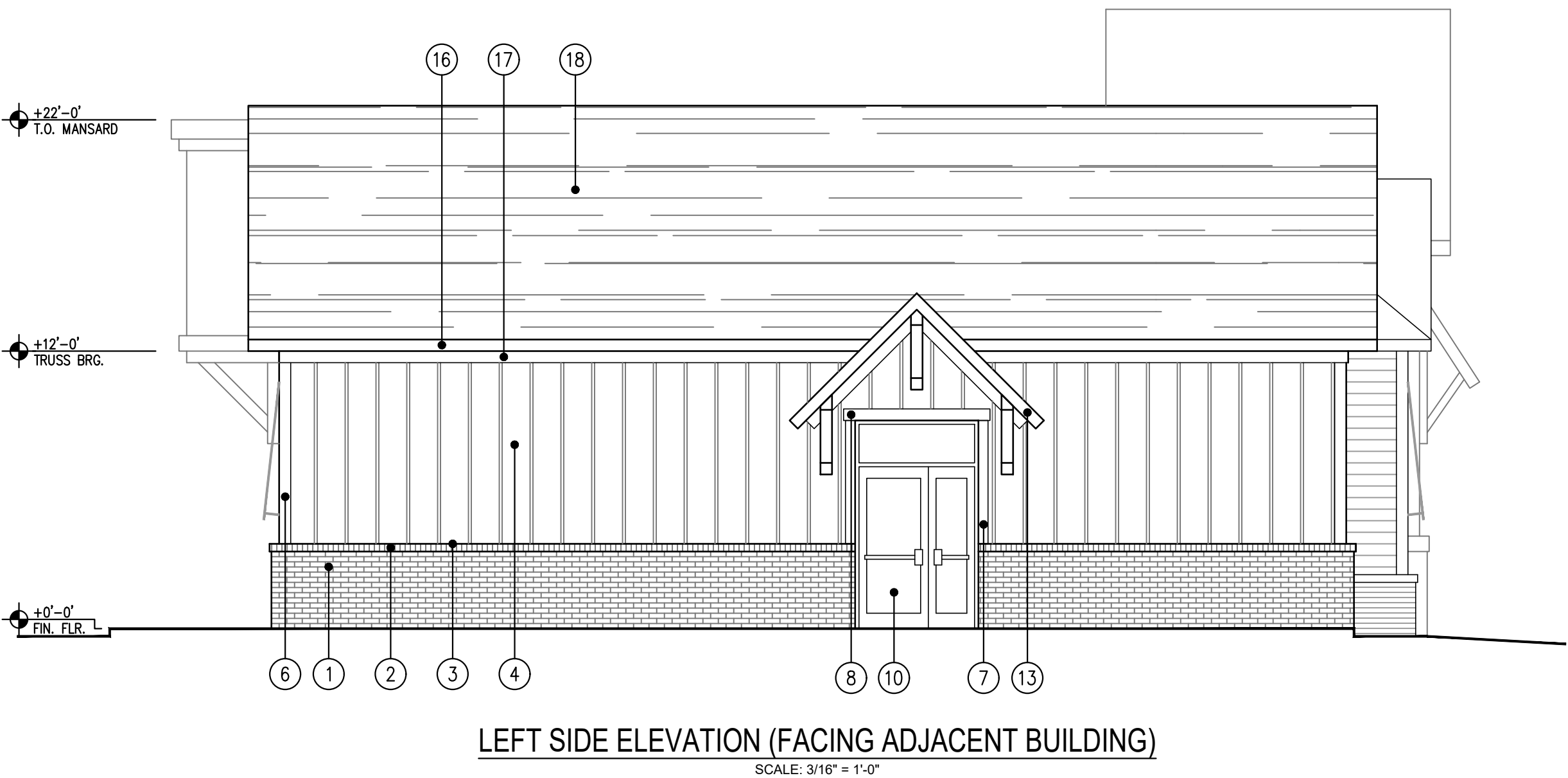
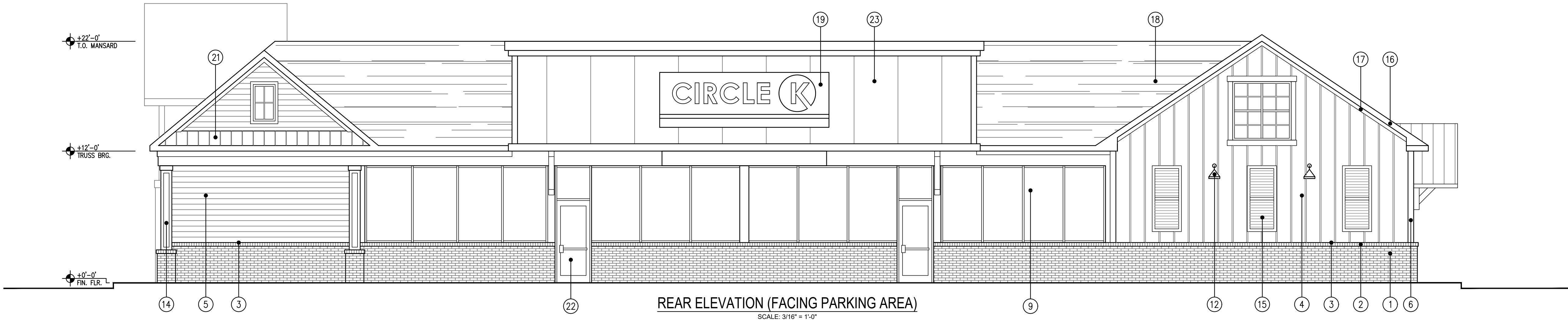
FLOOR PLAN  
& ROOM FINISH  
SCHEDULE

A1.2

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

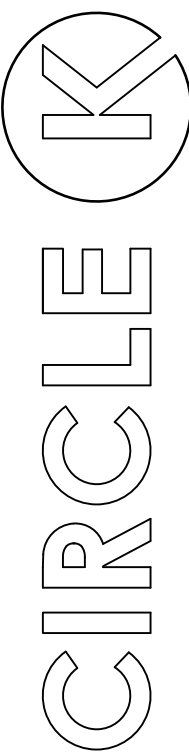
CHRIS HOPE/PROFESSIONAL ENGINEER/2617 ROLLING HILLS DRIVE/MONROE, NC 28110/(704) 882-1500





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

NEW CONVENIENCE STORE FOR:



BEATTIES FORD ROAD &  
HUNTERSVILLE, NORTH CAROLINA 28759

PRELIMINARY PLANS  
NOT FOR CONSTRUCTION

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

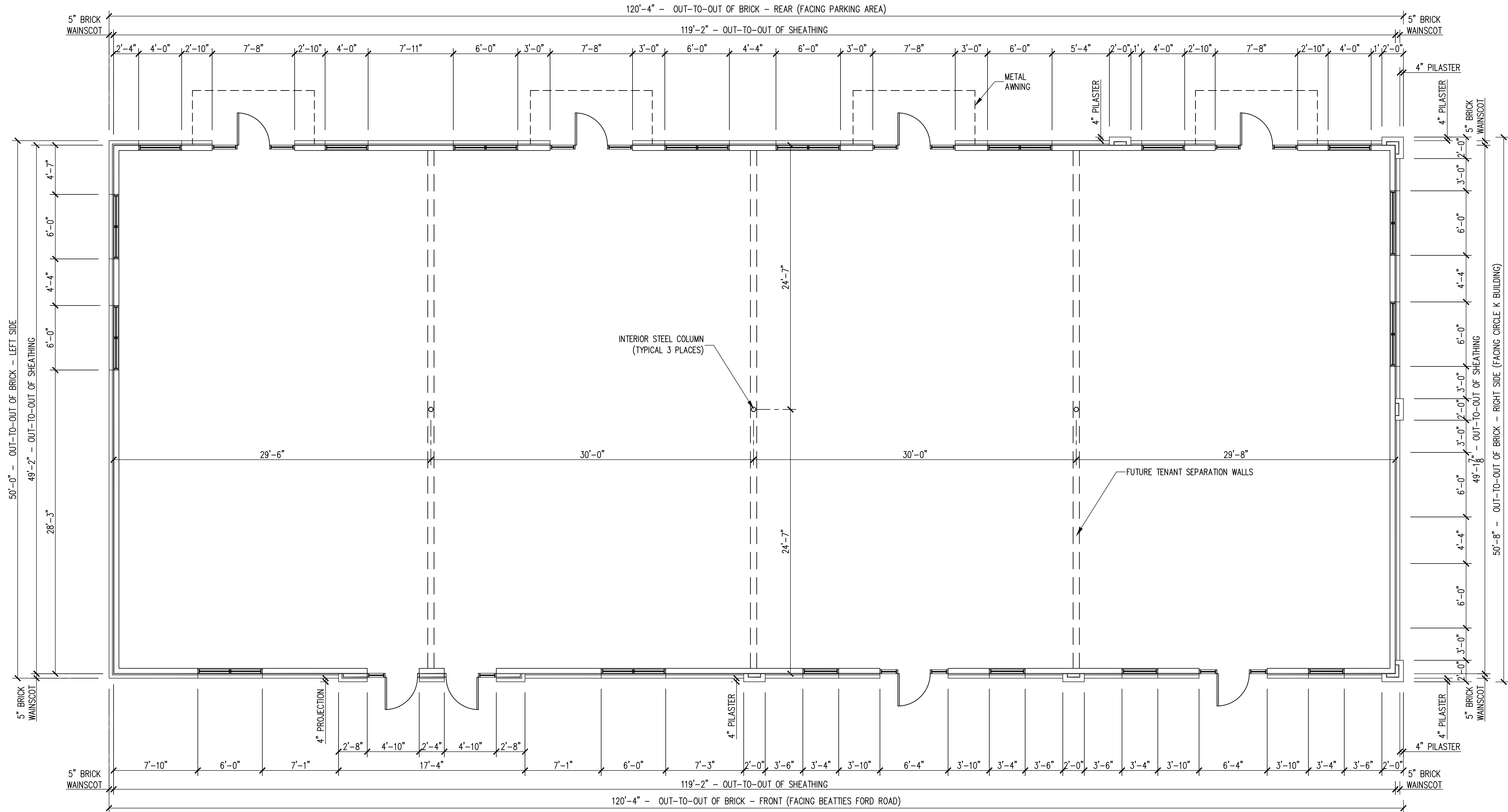
**EXTERIOR  
ELEVATIONS**

**A2.1**

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

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





PRELIMINARY FLOOR PLAN  
SCALE: 3/16" = 1'-0"

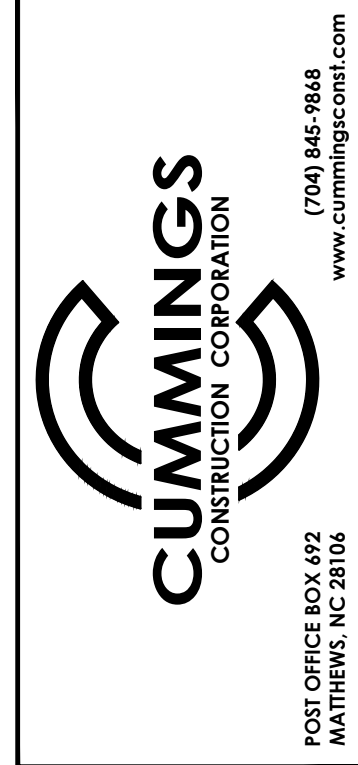
**Ted Richard Brown, PLLC**  
Architectural Services  
Post Office Box 2070, Matthews, North Carolina 28106  
Telephone: (704) 330-1111

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

A-1  
OF 2

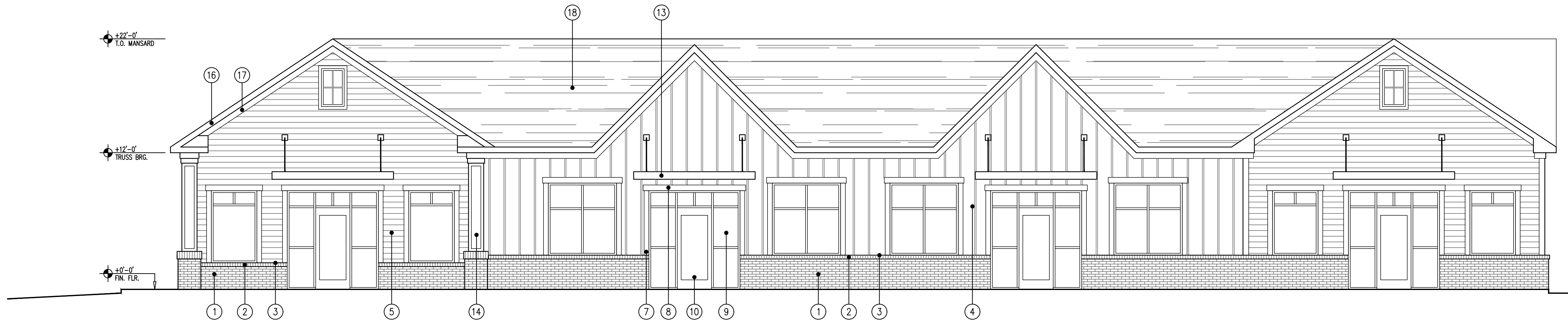
PROPOSED RETAIL LEASE BUILDING FOR:  
**LONG CREEK RETAIL**  
BEATTIES FORD ROAD  
CHARLOTTE, NORTH CAROLINA

PRELIMINARY PLANS  
NOT FOR CONSTRUCTION



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

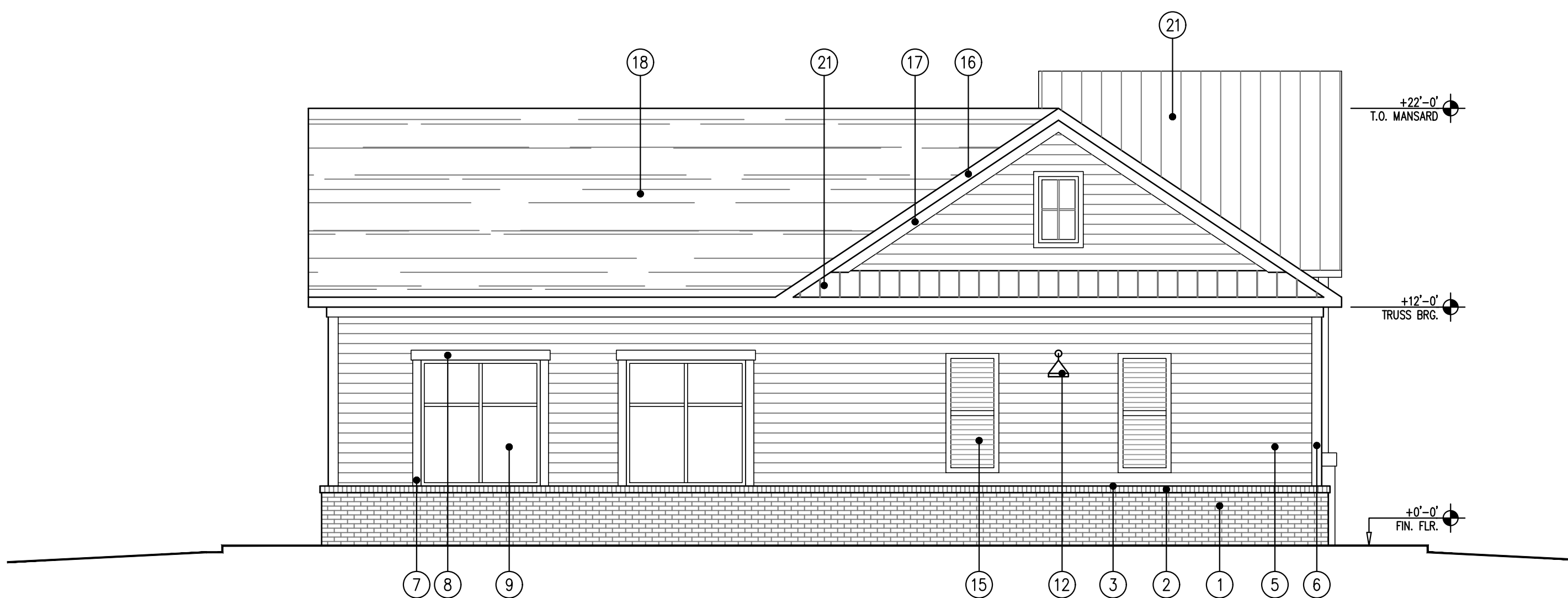




REAR ELEVATION (FACING PARKING AREA)  
SCALE: 3/16" = 1'-0"



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



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



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

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

CUMMINGS

CONSTRUCTION CORPORATION

POST OFFICE BOX 492  
MATTHEWS, NC 28106

(704) 846-9868  
www.cummingsccnc.com

PROPOSED RETAIL LEASE BUILDING FOR:  
**LONG CREEK RETAIL**  
BEATTIES FORD ROAD  
CHARLOTTE, NORTH CAROLINA

PRELIMINARY PLANS  
NOT FOR CONSTRUCTION

Revisions7/16/2024  
ScaleAS NOTED  
Drawn ByCTC  
Checked ByTRB  
Date2/28/2024  
Job No.???24

**A-2**  
OF 2

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

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



**Town Engineering Rezoning Comment Summary**  
**R25-11 Long Creek Retail (CSP-500088)**  
**8900 Beatties Ford Rd (PID 01526434)**  
**Huntersville, NC 28078**

**General Project Information**

This proposed rezoning is located at the corner of Beatties Ford Rd (SR 2074) and Mt Holly-Huntersville Rd (SR 2004) and consists of a new mixed-use development to include a gas station and convenience store.

**Engineering Staff Comments**

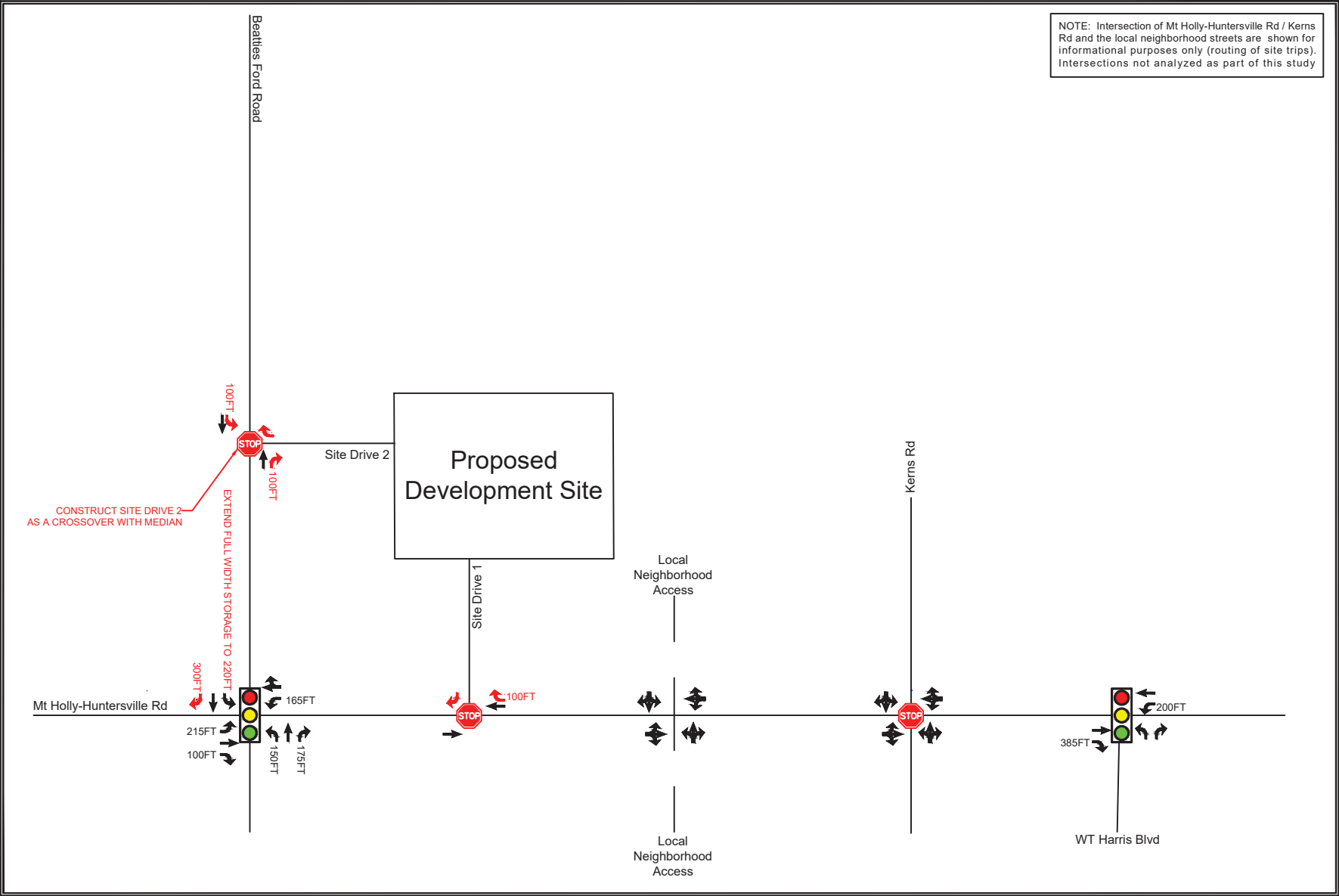
Traffic Impact Analysis (TIA):

- 1) The Town has deferred the TIA to NCDOT. NCDOT has accepted a TIA for proposed development, attached is figure attachment C. The following improvements were recommended in the TIA as the responsibility of the developer:
  - a. Construct Site Drive 1 on Mt Holly-Huntersville Road as a right-in / right-out with a westbound right-turn lane with 100 feet of storage on Mt Holly-Huntersville Road.
  - b. Construct Site Drive 2 on Beatties Ford Road as a right-in / right-out / leftover with a northbound right-turn lane with 100 feet of storage and a southbound left-turn lane with 100 feet of storage on Beatties Ford Road.
  - c. Construct a southbound right-turn with 300 feet of storage on Beatties Ford Road at Mt Holly-Huntersville Road.
  - d. Construct/extend the existing southbound left-turn lane on Mt Holly Huntersville Road at Beatties Ford Road to include 220 feet of storage.

Transportation and Stormwater:

- 1) Post-construction controls easement (PCCE) adhering to Huntersville Water Quality Manual section 2.4.2 is to be provided for both proposed SCMs.

O:\PROJECTS\9001-9500\9328 LONG CREEK RETAIL\UPDATE MEMORANDUM\GRAPHICS 08.01.2025.DWG



Attachment C  
2026 Build  
Recommended Improvements

← EXISTING LANE CONFIGURATION  
→ RECOMMENDED IMPROVEMENTS BY DEVELOPER



NORTH

Long Creek Retail  
Town of Huntersville, NC





**Long Creek Retail Revision Community Meeting**  
**Huntersville Arts and Cultural Center**  
**July 23, 2025**  
**1:00 PM**

**Developer Team in Attendance**

Jeff Moflehi, Owner

Brian Upton, Civil Engineer with The Isaacs Group

Joe Sailors Consultant

**Attendance from the Town**

Jesse James, Town of Huntersville Planning Department

Nick Walsh, Town Commissioner

The meeting began at 1:00 and it was explained to those in attendance that the purpose of the rezoning was to change the use from a 2008 rezoning for a drug store with additional office and retail uses to a convenience store/gas station with additional office and retail uses. It was also explained that this rezoning would remove the Houston property from the development.

Drawings showing the site plan, road improvements, landscaping, grading plan, and building elevations were presented to those in attendance.

**Questions:**

Several questions were raised regarding circulation and traffic. Concerns were raised about traffic backing up on Beatties Ford Road. It was explained that right turn lanes would be provided for both new driveways and a left turn lane would be provided for the driveway to Beatties Ford Road. It was also explained that a right turn lane would be added on Beatties Ford Road at the Mt Holly Huntersville Road intersection and the left turn lane would be extended. It was also explained that no left turns would be made leaving the property on either road.

A question regarding potential tenants was brought up and it was explained that as of now, the gas station is the only known use. The building next to the gas station could be for any retail or office use. It is configured to be split into as many as 4 separate spaces for uses such as a barber shop, restaurant, tax office, or other similar use.

A question was asked about preserving trees on the perimeter and it was pointed out that most of the existing vegetation along the rear property line can be retained. Due to topography, there are a couple of areas where existing vegetation will have to be removed to accommodate slope transitions.

A few questions were asked regarding the road that was shown on the previous rezoning plan. It was explained that since the Houston property has been removed from this project, the road was also removed since it connected to proposed development on the Cathey property. It was speculated whether or not that project for the senior living development was moving forward.

A question was asked how many more meetings would be held. It was explained that this is the only community meeting, but there would be a public hearing, followed by the planning commission hearing, and then a town council meeting for the final decision. The goal being to have the project approved under the current council.

A question was asked regarding when construction would take place and how long it would take. The owner stated he intended to start as soon as possible and anticipated the construction to take about 7 months.

Shortly after members from the community left, Commissioner Walsh came and the project was reviewed with him.

**Community Meeting Notification List**

|                                   |                               |                              |
|-----------------------------------|-------------------------------|------------------------------|
| Robert P Houston Jr               | 6548 Jim Kidd Road            | Huntersville, NC 28078       |
| Judy Houston Jamieson             | 6548 Jim Kidd Road            | Huntersville, NC 28078       |
| David Lewis Houston               | 6548 Jim Kidd Road            | Huntersville, NC 28078       |
| Janet Houston Booker              | 6548 Jim Kidd Road            | Huntersville, NC 28078       |
| Donna Cathey Sadler               | 8218 Rainer Drive             | Denver, NC 28037             |
| Candace Cathey Kidd               | 4237 McClure Road             | Charlotte, NC 28216          |
| Christopher Jerome Kidd           | 4237 McClure Road             | Charlotte, NC 28216          |
| Roger Lee Cathey, Sr.             | PO Box 5096                   | North Myrtle Beach, SC 29597 |
| Sylvia T Cathey                   | PO Box 5096                   | North Myrtle Beach, SC 29597 |
| Conrad Dewey Puckett, Jr          | 8417 Mt Holly Huntersville Rd | Huntersville, NC 28078       |
| Rusher Oil Company                | PO Box 1483                   | Salisbury, NC 28145          |
| Woodlands North Apartments, LP    | PO Box 5539                   | Greenville, SC 29606         |
| Trustees Long Creek Mason Lodge   | PO Box 681057                 | Charlotte, NC 28216          |
| Piedmont Natural Gas Co, Inc.     | PO Box 33068                  | Charlotte, NC 28216          |
| Kristy Clark, Mayor               | PO Box 664                    | Huntersville, NC 28070       |
| Jennifer Hunt, Mayor Pro Tem      | PO Box 664                    | Huntersville, NC 28070       |
| Alisia Bergsman, Commissioner     | PO Box 664                    | Huntersville, NC 28070       |
| Amada Dumas, Commissioner         | PO Box 664                    | Huntersville, NC 28070       |
| Edwin Quarles, Commissioner       | PO Box 664                    | Huntersville, NC 28070       |
| LaToya Rivers, Commissioner       | PO Box 664                    | Huntersville, NC 28070       |
| Nick Walsh, Commissioner          | PO Box 664                    | Huntersville, NC 28070       |
| Margie P Barnette                 | 9003 Beatties Ford Rd         | Huntersville, NC 28078       |
| Godley Auction Co, Inc.           | 4918 Rozzelles Ferry Rd       | Charlotte, NC 28216          |
| Jeffrey S. Barnette               | 1900 Old Brier Lane           | Charlotte, NC 28216          |
| Kerley Capital Expressway LP      | 1 CVS Drive                   | Woonsocket, RI 02895         |
| Long Creek OP Holdings, LLC       | 3735 B Beam Rd                | Charlotte, NC 28217          |
| Long Creek OP C LLC               | 3735 B Beam Rd                | Charlotte, NC 28217          |
| Long Creek Village Fee Owner, LLC | 3735 B Beam Rd                | Charlotte, NC 28217          |



To: Property Owners Adjacent to Long Creek Retail

From: TA&S Enterprises of NC, LLC

Date: July 3, 2025

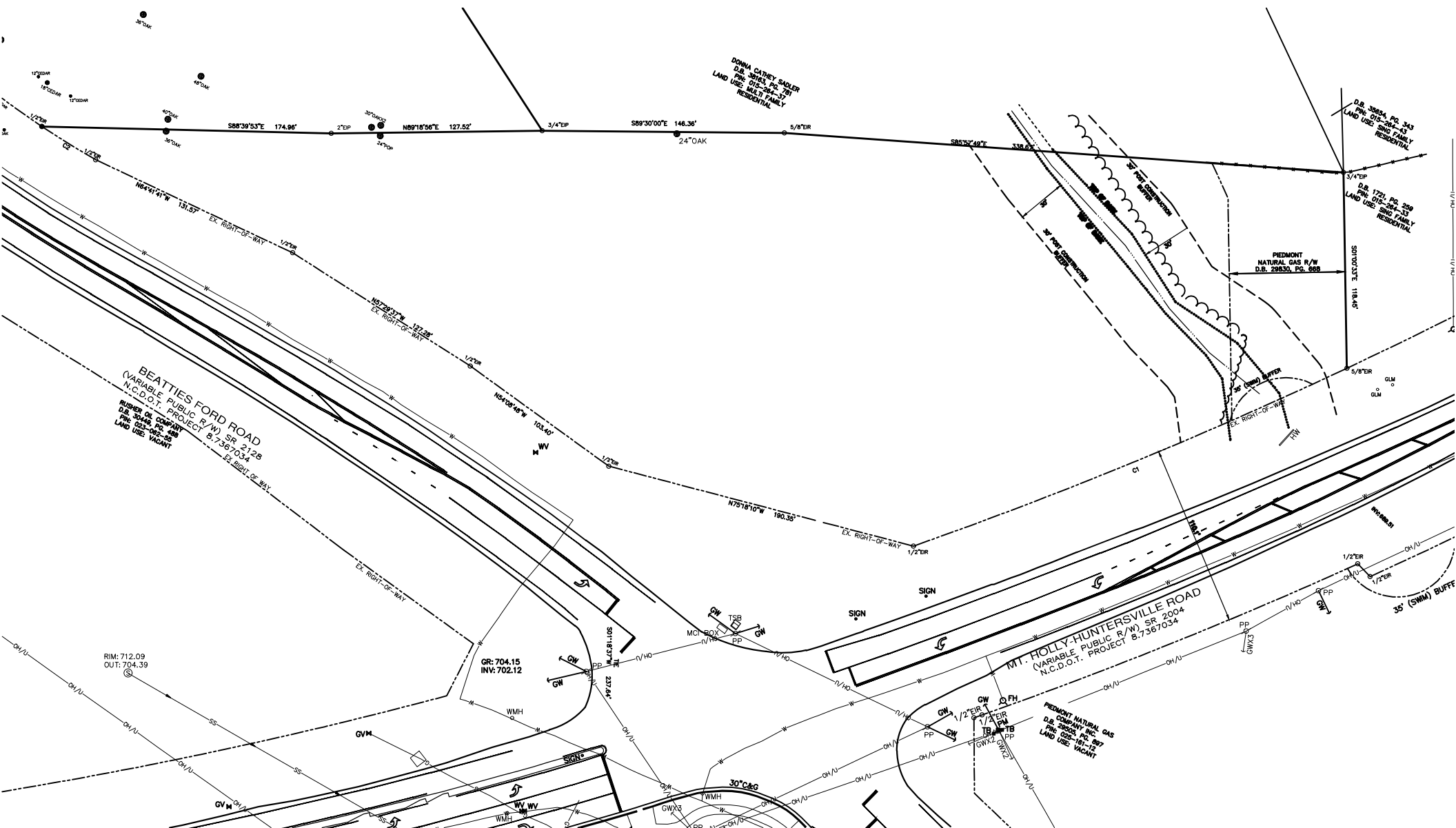
RE: Notice of public input meeting for R25-11, a conditional rezoning revision of approximately +/- 2.738 acres located on Beatties Ford Road and Mount Holly-Huntersville Road in Huntersville, North Carolina.

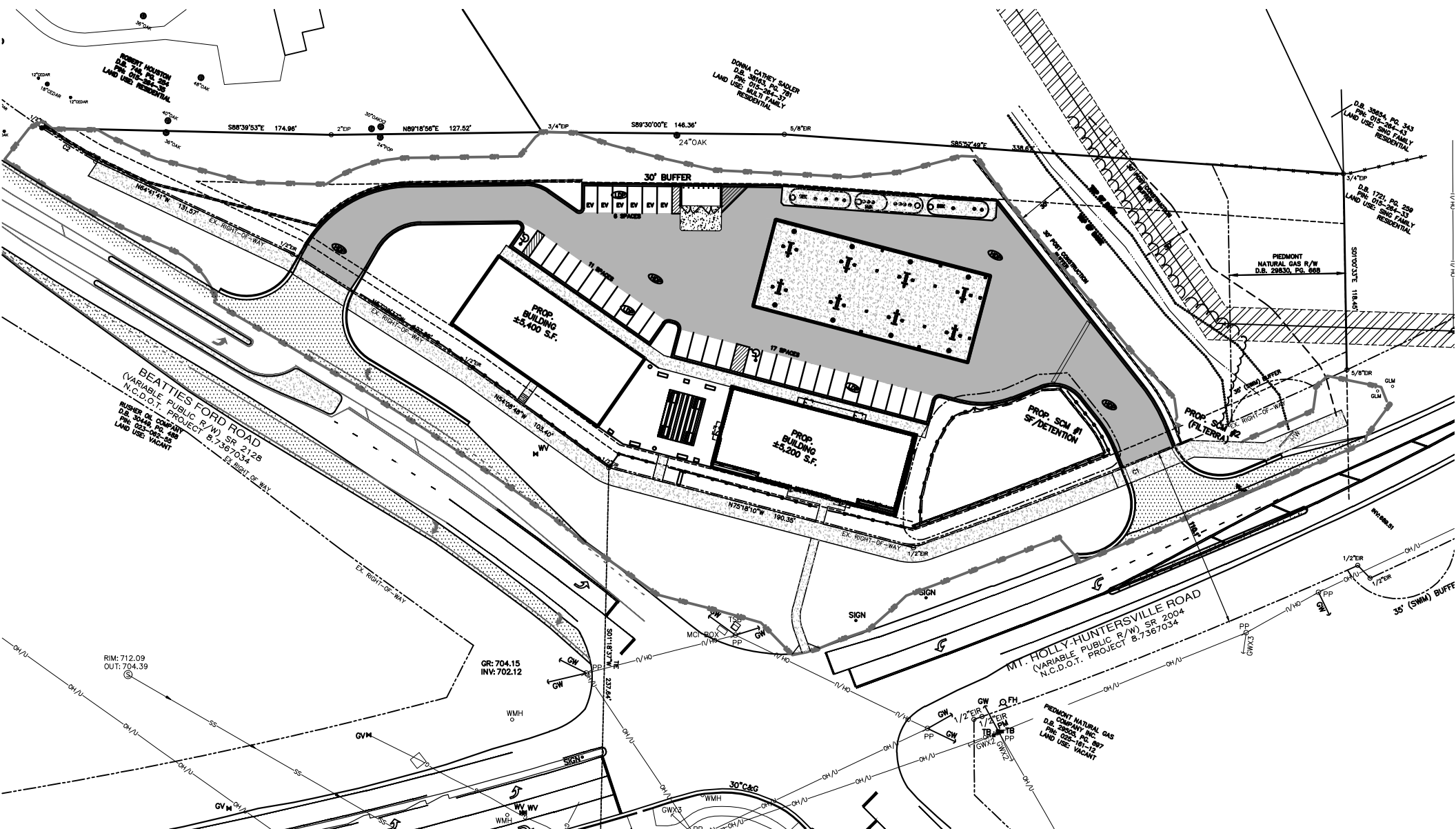
TA& S Enterprises of NC, LLC proposes to revise a conditional rezoning known as Long Creek Retail. The property is one parcel, approximately 2.738 acres, located on Beatties Ford Road and Mount Holly-Huntersville Road (PIN#s 015-26-434). The parcel is owned by TA&S Enterprises of NC.

In 2008, the Town approved a rezoning to Highway Commercial Conditional District (HC-CD) to build a pharmacy with a drive-through and an additional commercial building (13,500 sq ft). The proposed revision would change the conditions of the original approval to allow a convenience store with a fuel canopy and one additional retail/office building (6,000 sq ft).

You are invited to attend a public input meeting on Wednesday, July 23, 2025, at 1:00 p.m. at the Huntersville Arts and Cultural Center (109 S. Old Statesville Road, Huntersville, NC 28078). A proposed plan is enclosed. For a full-size plan, please see the Town's website: <https://huntersville.maps.arcgis.com/apps/MapSeries>.

If you have questions about the meeting, please contact Joe Sailors at jwscws@bellsouth.net or 704-661-8275. You may also contact the Town of Huntersville Planning Department at 704-875-7000 for additional information.







# Community Meeting Attendance Log

|                      |                                       |
|----------------------|---------------------------------------|
| Project Name:        | Long Creek Retail                     |
| Location of Meeting: | Huntersville Arts and Cultural Center |
| Date:                | 7/23/2025                             |
| Time:                | 1:00 PM                               |

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

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

|    |                 |    |  |
|----|-----------------|----|--|
| 1  | Scott Barnette  | 26 |  |
| 2  | Margie Barnette | 27 |  |
| 3  | Rick Barnette   | 28 |  |
| 4  |                 | 29 |  |
| 5  |                 | 30 |  |
| 6  |                 | 31 |  |
| 7  |                 | 32 |  |
| 8  |                 | 33 |  |
| 9  |                 | 34 |  |
| 10 |                 | 35 |  |
| 11 |                 | 36 |  |
| 12 |                 | 37 |  |
| 13 |                 | 38 |  |
| 14 |                 | 39 |  |
| 15 |                 | 40 |  |
| 16 |                 | 41 |  |
| 17 |                 | 42 |  |
| 18 |                 | 43 |  |
| 19 |                 | 44 |  |
| 20 |                 | 45 |  |
| 21 |                 | 46 |  |
| 22 |                 | 47 |  |
| 23 |                 | 48 |  |
| 24 |                 | 49 |  |
| 25 |                 | 50 |  |



## Request for Board Action

September 2, 2025

**To:** The Honorable Mayor and Board of Commissioners

**From:** Brad Priest, Assistant Planning Director

**Subject:** Public Hearing on Petition #R25-09: Greenway Waste Expansion

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### **EXPLAIN REQUEST:**

A Rezoning Petition has been submitted by Greenway Waste Solutions at North Meck to rezone +/- 220.9 acres near 15300 Holbrooks Road (PIN 01910102, 01930106, 01910116, 01910113, 01910119, 01910101, 01910107, 01910109, 01934118) from NR, TR, CB, and SP-CD to SP-CD to expand the North Meck Landfill.

### **ACTION RECOMMENDED:**

Conduct public hearing.

### **FINANCIAL IMPLICATIONS:**

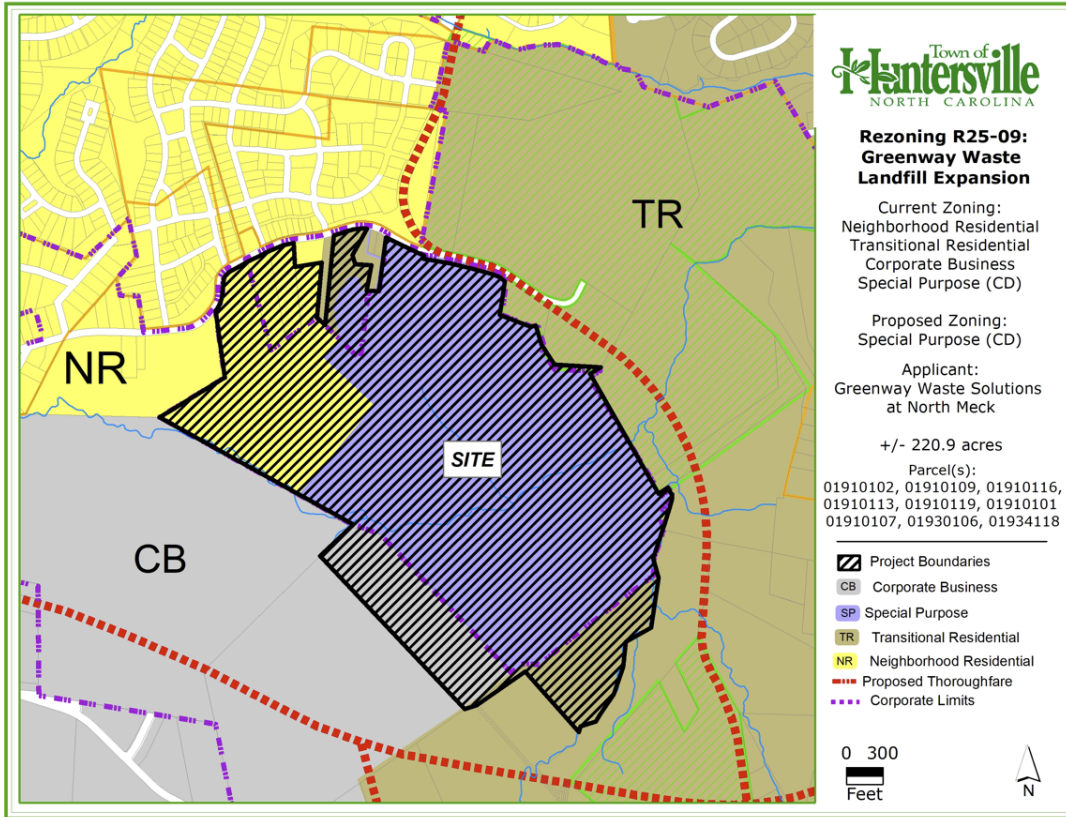
N/A

### **ATTACHMENTS:**

1. R25-09 Greenway Waste - PH - 9 2 25
2. Greenway Waste ENG\_Public Hearing\_2025 0822
3. 324-055-North Meck Conditional Rezoning Plan\_7.16.25
4. GWSMM\_NeighborhoodMtg Summary 2025\_0722\_
5. TIA Determination 7-14-25
6. Conditional Rezoning General Application updated 8 18 25

## Petition R25-09 Greenway Waste Landfill Expansion

### PART 1: PROJECT SUMMARY



**Applicant:** Greenway Waste Solutions, LLC

**Property Owner:** Same

**Property Address:** 15416 Holbrooks Road

**Project Size:** (+/-) 220.9

**Parcel Numbers:** 01910102, 01910109, 01910116, 01910113, 01910119, 01910101, 01910107, 01930106, 01934118

**Current Zoning:**  
Neighborhood Residential (NR)

Transitional Residential (TR)  
Corporate Business (CB)  
Special Purpose Conditional District (SP-CD)

**Current Land Use:**  
Construction and Demolition Landfill, and Vacant Land

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

**Proposed Land Use:**  
Re-routed stream and buffer, expanded Construction and Demolition Landfill

1. Purpose: A Rezoning Petition has been submitted by Greenway Waste Solutions at North Meck to rezone +/- 220.9 acres near 15300 Holbrooks Road (PIN 01910102, 01930106, 01910116, 01910113, 01910119, 01910101, 01910107, 01910109, 01934118) from NR, TR, CB, and SP-CD to SP-CD to expand the North Meck Landfill.
2. Adjoining Zoning and Land Uses

North: Transitional Residential (TR), Park Land: David Waymer Regional Flying Park, Vacant Land

South: Corporate Business (CB), Commerce Station Business Park, Vacant Land

East: Transitional Residential (TR), Large Lot Single Family Residential, Vacant Land

West: Neighborhood Residential (NR), Vacant Landfill Property, Single Family Residential

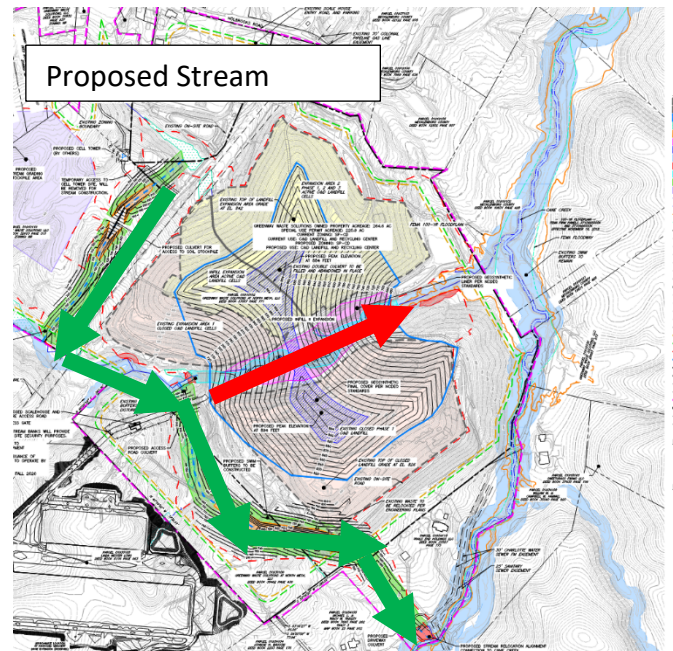
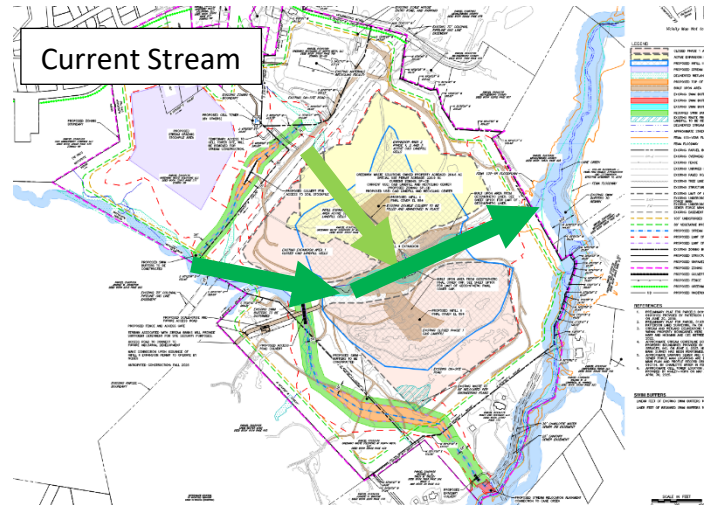


3. The Greenway Waste Solutions – North Meck Landfill is considered a Construction and Demolition (C&D) landfill in the Huntersville Zoning Ordinance and is regulated by Article 9.23 of the ordinance. It is also regulated by the State of North Carolina Department of Environmental Quality Division of Solid Waste (NCDEQ).
4. The landfill has been in operation on Holbrook Road since June 24, 1993. After the adoption of the Huntersville Zoning Ordinance in 1996, the landfill became and operated as a legal nonconforming use due to being located in a residential zoning district. As a legal nonconforming use, the landfill could continue its operation but could not expand unless that expansion was in complete conformance with the zoning ordinance.
5. On December 18, 2000 per the landfill's request, a text amendment to the zoning ordinance was approved by the Huntersville Town Board allowing one expansion of the facility not to last more than 5 years from the approval of the NCDEQ permit. In 2001 the landfill was permitted its first expansion per the new ordinance.
6. On September 19, 2005 per the landfill's request, a text amendment was approved by the Town Board modifying the number of expansions allowed for landfills from one to two, with the issuance of Special Use Permit (SUP). The time limit remained at 5 years for each expansion to operate.
7. On November 21, 2005 a Special Use Permit was approved allowing the landfill to have its second expansion for no more than 5 years.
8. On December 7, 2009 per the applicant's request, a text amendment was approved by the Huntersville Town Board which significantly modified the requirements of Article 9.23. Noteworthy changes included:
  - a. Added flexibility to allow landfills to not have immediate access on a thoroughfare provided the Town Board finds that the access "would not likely cause any injurious effect on the property adjacent to the access".
  - b. Allowed existing landfills to continue their operation indefinitely as long as the landfill had an unexpired Special Use Permit and did not expand its exterior boundaries.
  - c. Deleted the landfill expansion section so that any expansion of a facility would need to fully conform to current ordinance standards.
9. On December 7, 2009 the Town Board approved the landfill's Special Use Permit (SUP) amendment application allowing them to fill in between the previous two expansions and removing its 5 year expiration date. This allowed the landfill to continue its operation as exists indefinitely as long as there was no expansion to its boundaries. The submitted lifespan of the landfill at that time was 25 years.
10. On November 7, 2016 the Town Board approved both a Conditional Rezoning and Special Use Permit application for the landfill's expansion. The expansion application initially included piping the stream that runs west-east through the property and filling construction debris in the "valley" between the existing fill areas. However, due to the variances required, and environmental concerns, the stream piping aspect of the application was withdrawn. However, approval was given to expand the landfill operations with a material recycling facility on the property (MRF).
11. The current application submitted revisits the effort to fill the area between the northern and southern fill areas where the stream currently exists. However rather than piping the stream, the application is to re-route the stream to the south of the property. Then, with the stream and buffers moved to the south, the landfill would be able to fill the area where the stream previously existed. (please see page 3 graphics below).
12. In order for the proposed expansion to be approved, a Special Use Permit by the Town Board is required. This permit application is tentatively scheduled to be heard before the Town Board on October 21<sup>st</sup>, 2025.
13. A neighborhood meeting was held on Monday August 4, 2025. The invitation list, invitation, attendance list, and summary of the meeting are included in the agenda packet for review. Several adjacent property owners attended the meeting to discuss the potential project and ask questions of the applicant. Concerns included storm water impacts to the adjacent property owners and potential deed restrictions on the adjacent sites.
14. Planning staff certifies that notice for this rezoning petition was sent via a postcard to adjoining property owners; a legal ad was placed in the Charlotte Observer; and posting of a rezoning sign along Gilead Road in front of the property.

## PART 2: REZONING/SITE PLAN

### Site Plan Description

- Currently a tributary of Clarke Creek runs from west to east through the existing landfill in **dark green**. See graphic on this page. Also, a piped portion of stream runs underneath the current fill area (shown in **light green**) into the tributary going west to east.
- There are fill areas both to the north and south of the stream. The fill area to the south is closed and no longer used, shown in **pink**. The fill area to the north, shown in **yellow** is still actively used.
- The application for the rezoning and special use permit includes *two separate actions* that would facilitate the expansion of the landfill; the re-routing of the stream to the south, and the filling of the newly inactive stream bed with another landfill cell. See second graphic below. The old stream removed is shown in **red**. The new route of the stream is shown in **dark green**.
- Each action above requires its own technical permitting and review (in addition to rezoning and special use permit). The stream relocation requires:
  - NCDEQ 401 Permit – Stream Disturbance Mitigation (**approved**)
  - NCDEQ 404 Permit – Wetland Disturbance Mitigation (**approved**)
  - Floodplain Development Permit from Mecklenburg County,
    - Conditional Letter of Map Revision (CLOMR) – Hydrologic modeling for the stream relocation
    - Letter of Map Revision (LOMR) – Letter of Map Revision – Official Change of Stream Location and Buffers
  - Solid Waste Facility Permit from NCDEQ (not yet submitted)
  - Town of Huntersville Commercial Site Plan / Erosion Control Plan
- The new fill addition for the landfill after stream relocation would require:
  - NCDEQ Solid Waste Facility Permit
  - Commercial Site Plan / Erosion Control Plan
  - NCDOT Driveway Permit
- No new buildings are proposed to be built with the rezoning application.
- Adjacent properties to the west of the proposed landfill site are also proposed to be rezoned to SP-CD. The use shown for these properties currently includes only the stockpile area (dirt/soil storage) for the relocation of the stream. It is currently unknown what this property would be used for after the relocation of the stream.
- The access for the landfill remains on Holbrooks Road. However, a connection to the adjacent proposed Commerce Station Development is shown on the plan with an estimated construction time of Fall 2026.



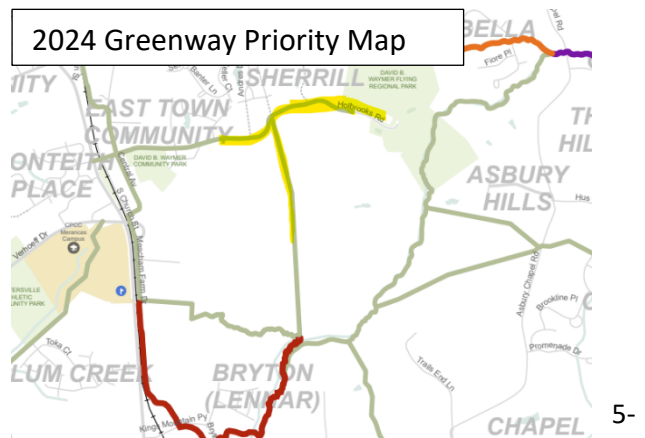
**Rezoning Issues:**

- **Modifications:**
  - **SWIM Buffers:** Article 8.25 requires that stream buffers remain undisturbed. The applicants propose relocating the stream to the south, which would involve disturbing the existing channel. Once final permits are secured and the stream is officially relocated by the County, landfill debris would occupy the former channel. At that point, the SWIM buffer requirements would no longer apply to the abandoned stream, as it would cease to function as a regulated waterway. Several of the modifications noted below follow a similar pattern: they are applicable under current conditions, but would be permissible once the stream relocation is completed.
    - **STAFF COMMENT:** Staff supports the re-location of the stream to the perimeter of the landfill operation. The current health of the stream is poor due to its proximity to the debris fill area. From a water quality perspective, the health of the stream would likely improve in its new location. With coordination with Mecklenburg County and North Carolina Department of Environmental Quality (NCDEQ), the consensus is with proper permitting, the relocation is recommended.
  - **SP Buffers:** Article 7.5 of the Zoning Ordinance requires an 80-foot buffer along all property lines not zoned CB or SP, and along street ROW. The proposed plan shows buffers disturbed and not planted in several areas.
    - **STAFF COMMENT:** The rezoning plan shows spatial areas with buffers, but it is not clear how the buffers will be provided. Some areas need plantings, some have existing landscaping, some are disturbed, and some have existing landscaping but need supplementation. Staff recommends a “buffer exhibit” to show clearly how all applicable perimeter areas that require buffer will be treated and how they will be planted.
  - **C&D Landfill Buffers:** Article 9.23 of the Zoning Ordinance prohibits Construction and Demolition (C&D Landfills) from having fill in designated wetlands, and within 50 feet from delineated streams. The proposed plan would relocate the subject stream and associated wetlands and place fill where they currently exist.
    - **STAFF COMMENT:** Staff supports the relocation of the stream and the abandoning of the existing buffers, with the condition that all required State and County permits and approvals are obtained for the stream re-location.
  - **Landfill Fencing/Enclosure:** The applicants are requesting a modification to Article 9.23.2 E which requires that the entire landfill be controlled and secured with a non-climbable fence at least 6 feet high. The plan shows only fencing around access points and states that steep topography and streams otherwise limit access.
    - **STAFF COMMENT:** For the 2016 rezoning, a modification was approved for this section of the ordinance based on the topography of the site and the isolated nature of the facility. Staff recommends clarification regarding where fencing will be proposed and where it will not be. Since 2016, residential development has been established closer to the landfill, and commercial development is proposed immediately to the south. With that in mind, staff recommends this issue be revisited for discussion.
- **Access on Holbrooks Road:** Article 9.23.2 A states that C&D landfills greater than 10 acres must be accessed by a commercial street unless approved by the Town Board upon the determination that using a non-commercial street “would not likely cause any injurious effect on the property adjacent to the access”. Through past approvals by the Town Board, the applicants have used Holbrooks Road as the main access for the life of the landfill. During the last rezoning however the following conditions were placed on the approval regarding the future use of Holbrooks:
  - The condition of Holbrooks Road will be assessed by the applicant and the Town, as well as with the participation of NCDOT if available on a five (5) year basis.

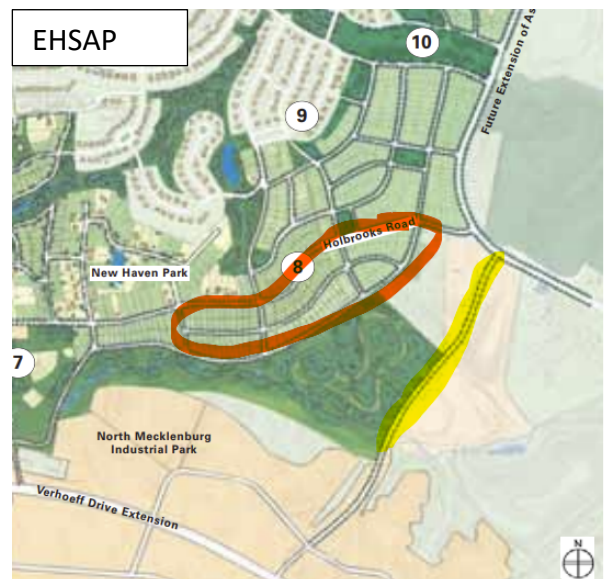


- The applicant would abandon access on Holbrooks no later than the year 2034.
- If alternative access becomes available prior to 2034, the applicants commit to move their access to it within one year of the alternative access becoming available.
- STAFF COMMENT: Staff recommends these conditions be transferred to the new rezoning, with no extension. Holbrooks Road was not designed for continuous commercial truck activity and has residential uses throughout its frontage. The applicants have shown a potential connection to the new Commerce Station Drive alternative access to the south on their plan with an “anticipated construction Fall 2026”. This timeframe is acceptable to staff, however the condition that access will be transferred to this location within one year of availability is recommended to be carried over.
  - Additionally, staff recommends the Town work with NCDOT to inspect the current condition of Holbrooks Road. If maintenance items are needed, discussion with the applicant for continued maintenance contribution of Holbrooks Road is recommended until transfer of the access can take place. The applicants have taken core samples of the road and are in process of having them reviewed by the Town and NCDOT.

- Huntersville Greenway Plan: The Huntersville 2024 Existing Greenways, Future Projects and Priority Map shows greenways running along Holbrook Road and north-south through the subject property. Although a line is shown along Holbrooks on the plans implying a future greenway on Holbrook, these greenways are not sufficiently accommodated for in the site plan. See map attached with highlighted planned greenways.

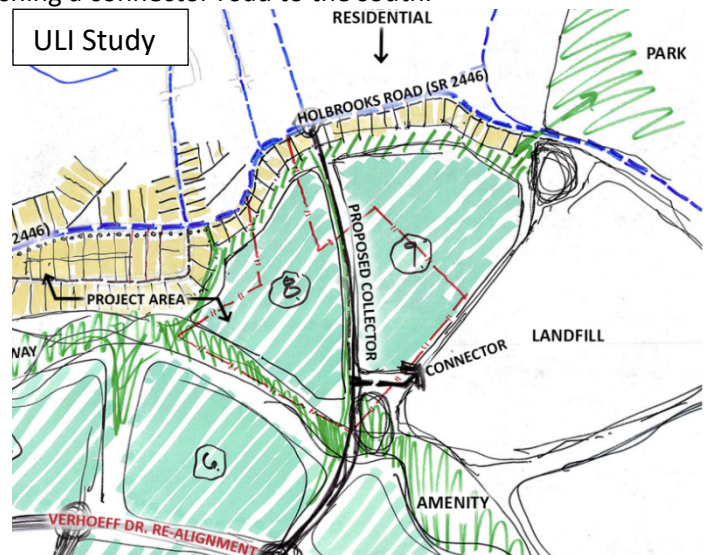


- STAFF COMMENT: To accommodate the Holbrooks Road greenway, staff recommends a 10-foot side-path be *constructed* along the property frontage in lieu of the required standard foot sidewalk. For the north/south greenway connection, staff recommends ROW be dedicated of sufficient width to accommodate a 10-foot side path. See north/south connector road discussion below.
- Holbrooks Road Street Improvements: Article 5.1 of the Zoning Ordinance requires that sidewalk and street trees are added to the streets along a development’s frontage. No improvements on the plan are shown. As mentioned above, staff recommends a 10-foot sidewalk/side path be constructed along the frontage in lieu of sidewalk to also accommodate the greenway recommended in the Huntersville Greenway Plan. Staff recommends a typical cross section be included in the plan showing all proposed improvements to Holbrooks Road including street trees.
- Connector Road (Holbrooks Road to Commerce Station): The East Huntersville Small Area Plan (EHSAP) envisions a connector public street connecting Commerce Station Drive and Future Verhoeff Drive with Future Asbury Chapel Road (highlighted in yellow). This connector street is not accommodated in the proposed rezoning plan. Additionally, the plan envisions residential development south of Holbrooks Road. The proposed plan rezones



property all the way up to Holbrooks Road as SP-CD for industrial type development.

- Urban Land Institute Recommendations: In 2017 Huntersville engaged with the Urban Land Institute Charlotte to convene a Technical Assistance Panel (TAP) regarding the recommended development patterns south of Holbrooks Road. Although the report was never adopted as an official small area plan by the Town, the report continued to discuss general themes of the EHSAP such as below. Please find the link to the ULI study attached, and a graphic of the recommended land use below on this page. <https://www.huntersville.org/1264/Holbrooks-Road-Study-ULI-TAP>
  - Diverting traffic off Holbrooks Road by establishing a connector road to the south.
  - Establishing residential uses south of Holbrooks Road and west of the commercial uses. In the sketch included, residential development is shown all along Holbrooks Road.
- Stream Buffer Conflict with Existing Fill: The proposed realigned stream channel is currently shown to clip a portion of an existing fill area, where the fill is labeled to be relocated. After discussion with Mecklenburg County Storm Water, Groundwater, and NCDEQ Solid Waste, it is possible this location may not be feasible due to the complexity of fill area contamination at the site and the location of required monitoring wells. Please see page 10 below for site contamination discussion. It may be that the stream and its buffer will need to be pushed south outside of the existing fill area.
- Minor Site Plan Comments: Several minor site plan comments remain unresolved. Staff recommends these comments be addressed on the updated rezoning submittals.



### PART 3: TRANSPORTATION ISSUES

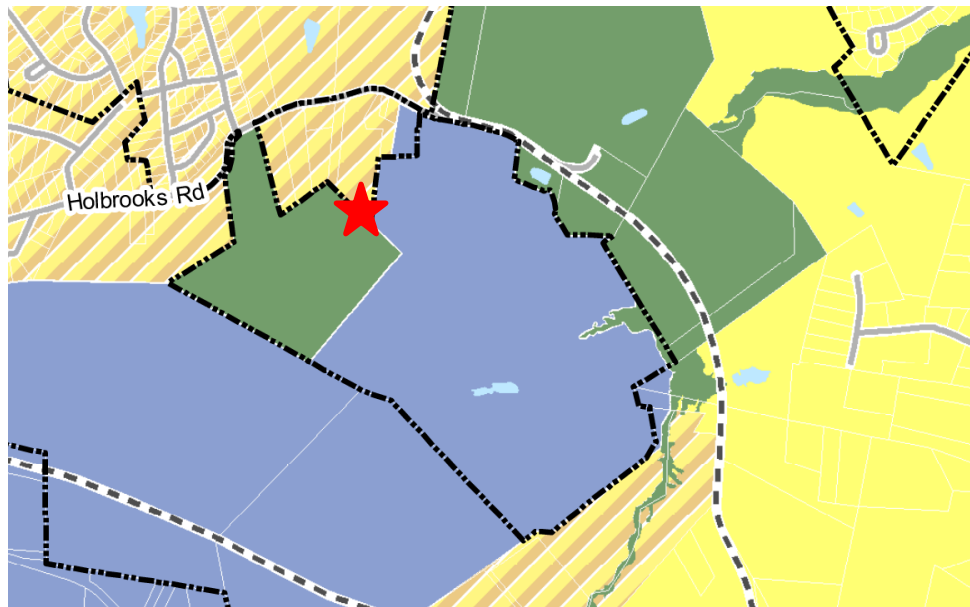
#### Traffic Impact Analysis (TIA)

- A Town TIA for the proposed project was not required due to the use not producing the threshold number of trips necessary to require the study. The determination included the potential change in entrance to Holbrooks Road in the future.
- Please find the TIA Determination from Engineering attached in the agenda packet.

### PART 4: REZONING CRITERIA

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

2040 Huntersville Community Plan – “Employment Center / Moderate Residential / Open Space”



#### FUTURE LAND USE CHARACTER AREA

-  MIXED USE CENTER
-  ACTIVITY CENTER
-  EMPLOYMENT CENTER
-  TOWN CORE
-  MEDIUM DENSITY
-  RESIDENTIAL EDGE
-  RURAL CONSERVATION
-  PARKS AND OPEN SPACE
-  CRITICAL WATERSHED



#### Moderate Density

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



#### Environmental / Open Space

These sensitive environmental areas consist primarily of development-impaired lands such as floodways and floodplains as well as parks and previously-protected areas.



#### Employment Center

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



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

- **Policy LU 1.1:** Utilize the Future Land Use Map during development approval process to ensure compatibility with long range plans.
  - **STAFF COMMENT:** The properties involved in the rezoning plan include different character areas in the future land use map. They include the Employment Center, Moderate Density, and Park/Open Space Character Area.
    - The property labeled as “Park/Open Space” was likely labeled that way due to in the past being owned by the Town of Huntersville and discussed as a possible park location. However, this property was sold to Greenway Waste several years ago. This tract, based on the ULI study mentioned above, may be more appropriate as an Employment Center Future Character Area. The proposed industrial use would be consistent with the Employment Center Character Area.



- The main property of the landfill is also included in the Employment Center Character Area and would be appropriate for the proposed continued industrial use.
- The property near Holbrooks Road, labeled as “Moderate Density,” is identified for residential development. However, the current rezoning plan does not specify the type of development proposed for this area. Staff recommends that clarification be provided. Consistent with the adopted small area plans and the ULI report, staff recommends that the area immediately along Holbrooks Road be reserved for residential use. With this clarification, the plan could align with this policy of the 2040 plan.
- **Policy EOS-5:** Protect Water quality. Continue Stream Restoration –
  - STAFF COMMENT: The proposed development would improve water quality of the subject streams by rerouting them and buffering them appropriately around the landfill. Additionally, the applicants are proposed to add supplemental buffer over the amount that may be required by the water quality ordinance. However, discussion continues with NCDEQ on how filling the existing stream area could affect the on-site contamination issue. Please see page 10 below on the current contamination issues with the site. With the assumption that the applicants successfully actively remediate the contamination and approval from NCDEQ is granted, this policy could be met.

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

- **Policy LU-5.1:** Focus more intense development in locations that can support growth.
  - STAFF COMMENT: The landfill currently relies on Holbrooks Road as its primary access. For many years, the Town, staff, and the Holbrooks neighborhood have raised concerns about using a residentially designed road for heavy truck traffic. The applicant anticipates future access via Commerce Station Drive, contingent on construction of the recently rezoned development to the south. Until that development is built and access is physically shifted, staff finds this policy is not met. Once the main entrance is relocated to Commerce Station Drive, the policy would then be satisfied.
- **Policy LU-8.2:** Excellence in Design.
  - STAFF COMMENT: Modifications from the Huntersville Zoning Ordinance are requested, but no site plan elements have been offered over and above the requirements of the ordinance. The applicants include notes on the sheet SP002 concerning excellence in design; however, these notes seem to refer to technical cleanup efforts regarding the groundwater and surface water contamination present at the site. For site plan elements that would achieve public good and excellence in design, that would be over and above already needed environmental concerns, staff would recommend the following:
    - The applicant owns several parcels on Holbrooks Road, adjacent to where the Town’s current greenway plan calls for a 10-foot side path. The applicants could construct side paths further west than required off the site down Holbrook Road.
    - A Clarke Creek restoration project is currently being planned by Mecklenburg County and the Town of Huntersville. The applicants could contribute materials, funds, etc to this project.
    - Other site plan, transportation, pedestrian or pedestrian improvements not required by the ordinance.
    - Environmental improvements to the site that are not required by the Town of Huntersville, Mecklenburg County, or for NCDEQ remediation, expansion, or close out.
- **Policy LU-11:** Protect existing housing stock.
  - STAFF COMMENT: The landfill currently relies on Holbrooks Road as its primary access. For many years, the Town, staff, and the Holbrooks neighborhood have raised concerns about using a residentially designed road for heavy truck traffic. The applicant anticipates future access via Commerce Station Drive, contingent on

construction of the recently rezoned development to the south. Until that development is built and access is shifted, staff finds this policy is not met. Once the main entrance is relocated to Commerce Station Drive, the policy would then be satisfied.

- **Policy EOS-1: Preservation and Enhancement of the Environment.**
  - STAFF COMMENT: While the relocation of the stream is categorically beneficial to the water quality of the existing stream, the additional fill over existing surface water and groundwater contamination is a current concern. After discussion with NCDEQ Solid Waste Section, active remediation of the site is needed to remove the contamination before additional fill can be permitted to be placed on top. Also, how the contamination and the existing monitoring wells will be affected by the new surface water and hydrogeologic conditions is currently unknown. The applicants are currently working with NCDEQ on the stream location and preparing an active remediation plan to clean up the chemicals present at the site. Until more is understood about the contamination cleanup, staff recommends this policy is not met.
  - Additionally, without doing hydrologic studies of the site (CLOMR) it is currently unknown where the limits of the floodway will be for the relocated stream. The boundaries shown may change after the study. Staff has concerns that portions of the stream that are close to property lines, and intersect other portions of streams may have a greater floodway footprint than shown.
  - To meet this policy, staff recommends that through the Special Use Permit process the applicant submit approvals, evidence, and expert testimony that:
    - The specific remediation proposed will be beneficial and effective in addressing the existing site contamination; and
    - The relocated stream will have a minimal effect on the spread of the contamination; and
    - The additional fill on top of the contaminated area will be safely contained, and
    - The Conditional Letter of Map Revision (CLOMR) is completed showing the limits of the new floodway accurately.

**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 Special Purpose (SP) zoning would be located immediately adjacent to the Commerce Station Business Park (zoned CB) to the south, and would be compatible with the future uses of that park (office, industrial, warehousing, etc). Many areas along Holbrook Road to the north and west of the landfill, however, are either park land or single-family residential uses. There is no current access to the south through the business park, only through Holbrooks Road and the residential neighborhoods. Thus, the continuing commercial traffic and access is not compatible with the residential development to the west of the landfill. Once the connection and access to the south is constructed and utilized staff recommends the reclassification would be consistent with the overall character of existing 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, stormwater drainage systems, water supplies, and wastewater and refuse disposal.**

STAFF COMMENT:

- A Transportation Impact Analysis (TIA) was not required for this development as the number of trips produced did not trip the threshold to require one.

- In the past, NCDOT and the Town of Huntersville have expressed concern that the structure of Holbrooks Road was insufficient to accommodate the heavy vehicle traffic of the landfill. During the past rezoning, the applicants contributed \$50,000 for the maintenance of Holbrooks Road as a condition of their rezoning. They are also currently providing core samples of the road for review with Huntersville and NCDOT. With the potential of alternative access south to Commerce Station Drive, the concern for Holbrooks Road could be minimized. However, although there is a development planned to the south of the subject property that would provide alternate access, currently there is no guarantee the alternative access can be available soon.

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

**STAFF COMMENT:**

- The North Meck Construction and Demolition (C&D) Landfill is a permitted and unlined landfill (NC Solid Waste Permit Number 6013-CDLF-1993). Concentrations of volatile organic compounds (VOCs), including 1,4-Dioxane, persistently exceed the NC regulatory 02L Groundwater Standards at the landfill. Groundwater corrective action has been implemented for VOCs since 2020. The approved selected remedy for the cleanup of the contamination is active landfill gas extraction and monitored natural attenuation (MNA) as a treatment train. Groundwater corrective action continues to be required.

A Notice of Regulatory Requirements (NORR) for contaminant assessment and cleanup was issued in 2024 for PFAS (Per – Polyfluoroalkyl Substance) contamination. This included the requirement to submit a Receptor Survey and a PFAS Work Plan. PFAS assessment of groundwater and surface water at the landfill is ongoing.

Landfill gas is comprised of different gases and methane gas is one of them. Methane gas persistently exceeds the regulatory lower explosive limits (LELs) in the Infill Area of the landfill. A methane gas corrective action plan was implemented in 2024, and the effectiveness of the passive gas collection trench installed is ongoing.

The NC Solid Waste Section has already conveyed to the facility that additional corrective action will need to be implemented for persistent exceedances and detections of VOCs (including 1,4-Dioxane) and PFAS in the groundwater and the surface water.

The proposed stream relocation project and landfill expansion will be evaluated from a hydrogeologic and engineering perspective, to ensure that the existing water quality monitoring network is not negatively impacted, and that any necessary corrective action to comply with the law and NC Admin Code can be designed and effectively implemented in a manner that would allow consideration of expanding the landfill.

- Therefore, considering the above, staff recommends that through the Special Use Permit process, the applicant submit documentation and evidence showing the stream relocation and additional fill will not cause further contamination or impact to adjacent properties.
- Please also see the Engineering Memo attached from Engineering Staff for further comments.

**PART 5: STAFF RECOMMENDATION**

Staff supports the general intent of the conditional rezoning application. Relocating the stream with supplemental buffers represents, in principle, a positive step for water quality. In addition, the proposed fill would extend the operational life of a local Construction and Demolition landfill, providing long-term benefits to the regional economy.



That said, the scope and scale of the proposed stream relocation are unprecedented to the best of staff's knowledge. Significant questions remain regarding both the environmental and technical feasibility of the request. While Town staff typically defers to subsequent agency permitting processes to address such matters, the unique nature and magnitude of this project creates the potential for small environmental challenges resulting in major impacts to the site design.

Given the number of outstanding issues, therefore, staff cannot recommend approval of the application at this time. However, staff looks forward to recommending approval in the future once the following conditions and items are addressed:

1. The Special Use Permit is approved contingent upon clear evidence demonstrating the environmental safety and feasibility of the project, including:
  - a. Confirmation that the relocated stream, its floodway, and associated buffers will not encroach upon adjacent properties outside the scope of the rezoning or special use permit review.
  - b. Assurance that the stream relocation will not cause increased downstream flooding or otherwise negatively impact adjacent properties. (This may be demonstrated through a completed Conditional letter of Map Revision [CLOMR].)
  - c. Documentation that the proposed hydrologic changes from the stream relocation will not worsen, spread, or exacerbate existing landfill contamination.
  - d. Evidence that the placement of new fill material will not worsen, spread, or exacerbate the current level of contamination on the site.
2. The plan is updated to include accommodation of the north/south connector street through the property.
3. The frontage along Holbrooks Road is improved with a 10-foot side path and street trees.
4. Residential development is accommodated along the frontage of Holbrooks Road consistent with the East Huntersville Small Area Plan (ERSAP) and the Urban Land Institute (ULI) study.
5. Site related items that go above and beyond the requirements of the ordinance and needed NCDEQ mitigation are included in the application (excellence in design).
6. The plan is amended to include a buffer exhibit showing the various modifications, widths, and treatments of the required 80-foot buffers around the perimeter of the property.
7. Where secure fencing will be located and not located is shown/referenced on the plan for review.
8. The conditions of the existing rezoning regarding the access of the facility on Holbrooks are carried over to the new rezoning:
  - a. Main entrance on Holbrooks Road to be abandoned no later than 2034
  - b. If alternative access becomes available before then, the applicants commit to move the main entrance within one year of availability.
  - c. The integrity of Holbrooks Road is shown to be in satisfactory condition to accommodate the applicants' future truck traffic. If it is shown to need improvements, the applicants commit to needed improvements until the use of the road can be abandoned.

#### **PART 6: PUBLIC HEARING COMMENTS**

The public hearing is scheduled for Tuesday September 2, 2025.

#### **PART 7: PLANNING BOARD RECOMMENDATION**

The Planning Board review of the application is scheduled for Tuesday September 23, 2025.

#### **PART 8: TOWN BOARD CONSIDERATION**

Town Board final action consideration is scheduled for October 21, 2025.

## **PART 9: ATTACHMENTS/ENCLOSURES**

### Attachments

- Rezoning Application
- R25-09 Rezoning Plan
- Neighborhood Meeting Report
- Engineering Report
- Rezoning Application
- TIA Determination of Need Report

**PART 10: CONSISTENCY STATEMENT – R25-09 Greenway Waste Expansion**

| Planning Department                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Planning Board                                                                                                                                                                                                                                                                                                                                      | Board of Commissioners                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| APPROVAL: N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>APPROVAL: In considering the proposed rezoning application R25-04, The Holbrook Phase 2, the Planning Board recommends approval based on the Plan being consistent with <u>(insert applicable plan reference)</u>.</p> <p><u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p>               | <p>APPROVAL: In considering the proposed rezoning application R25-04, The Holbrook Phase 2, the Town Board recommends approval based on the Plan being consistent with <u>(insert applicable plan reference)</u>.</p> <p><u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p>                        |
| <p><b>DENIAL:</b> In considering the proposed rezoning application R25-09, Greenway Waste Expansion, staff recommends denial of the application as it is inconsistent with policies LU-5.1, LU-8.2, LU-11, and EOS-1 of the Huntersville 2040 Plan.</p> <p>It is not reasonable and in the public interest to approve the Rezoning Plan because the development is inconsistent with the development pattern of adopted area planning documents, is not compatible with the residential neighborhood along Holbrooks Road, and has environmental challenges to which solutions are still pending.</p> | <p>DENIAL: In considering the proposed rezoning application R25-04, The Holbrook Phase 2, the Town Board recommends denial based on the Plan being <u>(consistent OR inconsistent) with (insert applicable plan reference)</u>.</p> <p><u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p> | <p>DENIAL: In considering the proposed rezoning application R24-16 Blythe Landing Residential, the Town Board recommends denial based on the Plan being <u>(consistent OR inconsistent) with (insert applicable plan reference)</u>.</p> <p><u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p> |





**Town Engineering Rezoning Comment Summary**  
**R25-09 Greenway Waste Stream Relocation (CSP-500081)**  
**15416 Holbrooks Rd (PID 01910102) Huntersville, NC 28078**

**General Project Information**

This proposed rezoning is located off Holbrooks Road (SR-2446) and consists of relocating approximately 1,445 linear feet of an existing unnamed tributary to Cane Creek and expansion of the existing landfill by approximately 43 Acres.

**Engineering Staff Comments**

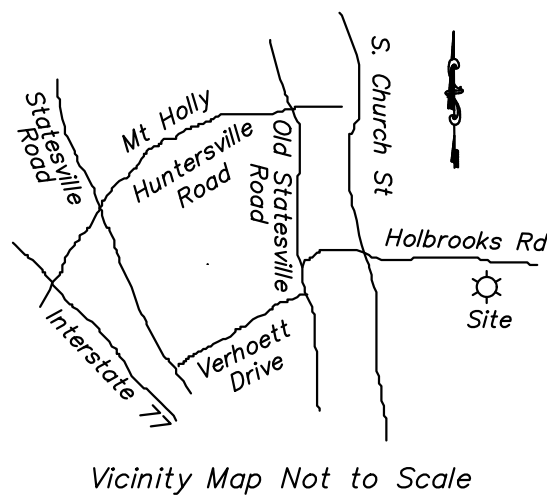
**Traffic Impact Analysis (TIA):**

- 1) A TIA Determination was completed on 7/14/2025 for the proposed development. Based on the proposed use and intensity, a TIA for the Town is not required as the trips anticipated are below the Town threshold.

**Transportation and Stormwater:**

- 1) The proposed development is requesting to modify section 8.25 of the Zoning Ordinance for permitted SWIM buffer impacts. The proposed mitigation (#9 - alternative mitigation per 8.25.11) is to replace the stream channel in exceedance of what would be removed, 1,445 linear feet to be removed and 3,800 linear feet to be added, and to provide additional area adjacent to the required SWIM buffers that will be preserved by conservation easement. Approximately 9.64 Acres of conservation easement is proposed.
- 2) The tie in of the proposed creek relocation to Cane Creek is anticipated to have impacts on the floodplain limits in the area. The applicant has submitted a flood study to Mecklenburg County to review the extent of these impacts (currently still under their review). Any proposed development within the floodplain will require a floodplain development permit from Mecklenburg County prior to the approval of construction plans.
- 3) The applicant has not provided an accurate impervious summary for this development. If the proposed impervious were to exceed 12%, the development would be subject to performance criteria for high density projects listed in Zoning Ordinance 8.17.12.b.
- 4) The plan set submitted on 8/13/25 for review shows the proposed required stream buffer conflicting with the existing closed phase 1 C&D landfill with the note "Existing waste to be relocated per engineering plans." More detail is needed from the applicant on the means of removal and if any remediation is proposed to the soil in this area before it can be determined if this is acceptable.

# CONDITIONAL REZONING PLAN FOR GREENWAY WASTE SOLUTIONS OF NORTH MECK. LLC



## LIST OF DRAWINGS:

|         |                                                       |
|---------|-------------------------------------------------------|
| SP001   | COVER SHEET                                           |
| SP002   | GENERAL NOTES                                         |
| SP100   | SITE PLAN                                             |
| SP101   | GRADING PLAN                                          |
| SP102   | TREE PRESERVATION PLAN                                |
| SP102.1 | TREE PRESERVATION PLAN ENLARGEMENT                    |
| SP103   | SURFACE WATER IMPROVEMENT & MANAGEMENT (SWIM) BUFFERS |
| SP104   | UNDISTURBED AND VEGETATIVE BUFFERS                    |
| SP105   | DRAINAGE AREA MAP                                     |

EPM REFERENCE NUMBER:  
CSP-500081 CONDITIONAL REZONING PLAN

JULY 2025

APPROVAL OF THIS CONCEPT 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.

REVISION RECORD

| NO | DATE     | DESCRIPTION                    |
|----|----------|--------------------------------|
| 1  | 07/16/25 | 1ST RESPONSE TO TOWNS COMMENTS |
|    |          |                                |
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|    |          |                                |

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Civil & Environmental  
Consultants, Inc.

GREENWAY WASTE SOLUTIONS  
AT NORTH MECK, LLC  
15300 HOLBROOKS ROAD  
HUNTERSVILLE, NORTH CAROLINA

CONDITIONAL REZONING PLAN  
COVER SHEET

|              |           |             |     |
|--------------|-----------|-------------|-----|
| DATE:        | JULY 2025 | DRAWN BY:   | BML |
| DWG SCALE:   |           | N.T.S.      | TMG |
| PROJECT NO:  | 324-055   | CHECKED BY: |     |
| APPROVED BY: |           |             | TMG |

DRAWING NO:

SP001

SHEET 1 OF 9

A:\320-000\324-055\1-CADD\Org\2024\_Specs\Use Permit\324-055-North Meck Conditional Rezoning Permit.dwg(6/20/2025) COVER SHEET LS(7/16/2025 - Update) - LP- 7/16/2025 9:01 AM



A:\200-2001\234-0561-0000\Draw\2024\_Special\_Use Permit\234-056-005-North Meck Conditional Rezoning Permit\dwg\REZONING GENERAL NOTES.dwg (15/7/18/2025 - 15/7/18/2025 9:07 AM)

| SITE DATA TABLE                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| TOTAL AREA (ACRES, SQUARE FEET)                                                                                                                                                                                                                                                                                                                                                                                          | 220.9 AC<br>9,622,404 FT²                                                |
| PROPOSED DISTURBED AREA (ACRES, SQUARE FEET)                                                                                                                                                                                                                                                                                                                                                                             | 125.2 AC<br>5,453,826 FT²                                                |
| RIVER BASIN                                                                                                                                                                                                                                                                                                                                                                                                              | YANDKIN-PEEDEE RIVER BASIN                                               |
| STREAM CLASSIFICATION                                                                                                                                                                                                                                                                                                                                                                                                    | CLASS C                                                                  |
| PRINCIPAL USES(S) (Z.O. ARTICLE 3)                                                                                                                                                                                                                                                                                                                                                                                       | C&D LANDFILL AND RECYCLING CENTER                                        |
| BUILDING TYPE (Z.O. ARTICLE 3, 4 AND 8.10)                                                                                                                                                                                                                                                                                                                                                                               | NO BUILDINGS PROPOSED AS PART OF THIS REZONING PLAN                      |
| ZONING DISTRICT (Z.O. ARTICLE 3)                                                                                                                                                                                                                                                                                                                                                                                         | CONDITIONAL ZONING SPECIAL PURPOSE (SP (CD)) DISTRICT                    |
| OVERLAY DISTRICT, IF APPLICABLE (ARTICLE 3 Z.O.)                                                                                                                                                                                                                                                                                                                                                                         | N/A                                                                      |
| PERCENTAGE OF IMPERVIOUS ALLOWED (ARTICLE 3 Z.O.)                                                                                                                                                                                                                                                                                                                                                                        | 24%                                                                      |
| PERCENTAGE OF IMPERVIOUS SHOWN                                                                                                                                                                                                                                                                                                                                                                                           | 13%                                                                      |
| LOT COUNT                                                                                                                                                                                                                                                                                                                                                                                                                | NO LOTS PROPOSED AS PART OF THIS REZONING PLAN                           |
| TOTAL NUMBER OF DWELLINGS (DETACHED/ATTACHED)                                                                                                                                                                                                                                                                                                                                                                            | NO DWELLINGS PROPOSED AS PART OF THIS REZONING PLAN                      |
| MIXED-USE/# OF LIVE/WORK UNITS                                                                                                                                                                                                                                                                                                                                                                                           | NO MIXED-USE/# OF LIVE/WORK UNITS PROPOSED AS PART OF THIS REZONING PLAN |
| TOTAL AREA OF RESIDENTIAL                                                                                                                                                                                                                                                                                                                                                                                                | NO RESIDENTIAL AREA PROPOSED AS PART OF THIS REZONING PLAN               |
| TOTAL AREA OF NON-RESIDENTIAL (SQUARE FEET)                                                                                                                                                                                                                                                                                                                                                                              | 220.9 AC<br>9,622,404 FT²                                                |
| LOT SIZE RANGE                                                                                                                                                                                                                                                                                                                                                                                                           | NO LOTS PROPOSED AS PART OF THIS REZONING PLAN                           |
| NUMBER OF LOTS WITHIN EACH RANGE                                                                                                                                                                                                                                                                                                                                                                                         | NO LOTS PROPOSED AS PART OF THIS REZONING PLAN                           |
| LOT WIDTHS RANGE (Z.O. ARTICLE 3)                                                                                                                                                                                                                                                                                                                                                                                        | NO LOTS PROPOSED AS PART OF THIS REZONING PLAN                           |
| NUMBER OF LOTS WITHIN EACH WIDTH                                                                                                                                                                                                                                                                                                                                                                                         | NO LOTS PROPOSED AS PART OF THIS REZONING PLAN                           |
| SETBACKS AND BUILD-TO-LINES (Z.O. ARTICLE 3, 4 & 8)                                                                                                                                                                                                                                                                                                                                                                      |                                                                          |
| FRONT BTL RANGE OR SETBACK                                                                                                                                                                                                                                                                                                                                                                                               | NO BUILDINGS PROPOSED AS PART OF THIS REZONING PLAN                      |
| CORNER SETBACKS                                                                                                                                                                                                                                                                                                                                                                                                          | NO BUILDINGS PROPOSED AS PART OF THIS REZONING PLAN                      |
| REAR SETBACKS                                                                                                                                                                                                                                                                                                                                                                                                            | NO BUILDINGS PROPOSED AS PART OF THIS REZONING PLAN                      |
| RIGHT SIDE SETBACKS                                                                                                                                                                                                                                                                                                                                                                                                      | NO BUILDINGS PROPOSED AS PART OF THIS REZONING PLAN                      |
| LEFT SIDE SETBACKS                                                                                                                                                                                                                                                                                                                                                                                                       | NO BUILDINGS PROPOSED AS PART OF THIS REZONING PLAN                      |
| WATERSHED INFORMATION (Z.O. ARTICLE 3 AND S.O. SECTION 7.290)                                                                                                                                                                                                                                                                                                                                                            |                                                                          |
| IS THE PROPERTY IN A REGULATED WATERSHED DISTRICT?                                                                                                                                                                                                                                                                                                                                                                       | YES                                                                      |
| WATERSHED DISTRICT                                                                                                                                                                                                                                                                                                                                                                                                       | CLARKE WATERSHED                                                         |
| LOW DENSITY/HIGH DENSITY                                                                                                                                                                                                                                                                                                                                                                                                 | LOW DENSITY                                                              |
| PERCENTAGE OF ALLOWABLE IMPERVIOUS AREA                                                                                                                                                                                                                                                                                                                                                                                  | 24%                                                                      |
| PERCENTAGE OF IMPERVIOUS AREA SHOW ON PLANS                                                                                                                                                                                                                                                                                                                                                                              | 13%                                                                      |
| AMOUNT OF LOT AREA SET ASIDE FOR FUTURE IMPERVIOUS BY HOMEOWNERS                                                                                                                                                                                                                                                                                                                                                         | NO LOTS PROPOSED AS PART OF THIS REZONING PLAN                           |
| LIST ALL MODIFICATIONS FROM THE APPROVED SKETCH PLAN AND ANY CONDITIONS OF THE REZONING PLAN, IF THE PROPERTY IS SUBJECT A CONDITIONAL REZONING PLAN.                                                                                                                                                                                                                                                                    |                                                                          |
| 1. ADDITIONAL SWIM BUFFER AREA PROPOSED ABOVE THE REQUIREMENT PER SECTION 8.25.5 IN THE TOWN OF HUNTERSVILLE ZONING ORDINANCE.                                                                                                                                                                                                                                                                                           |                                                                          |
| 2. PROPOSED ADDITIONAL STREAM CHANNEL LENGTHS EXCEEDS IMPACTED STREAM CHANNEL LENGTH. THE PROPOSED LINEAR FOOTAGE OF STREAM BUFFER TO BE REMOVED IS 1,445'. THE PROPOSED LINEAR FOOTAGE OF STREAM BUFFER TO BE CONSTRUCTED IS 3,800'.                                                                                                                                                                                    |                                                                          |
| 3. EXISTING WASTE FROM THE CLOSED C&D LANDFILL WILL BE RELOCATED DURING THE CONSTRUCTION OF THE SOUTH STREAM. EXISTING WASTE WILL BE RELOCATED TO THE CURRENT LANDFILL DISPOSAL AREA. IT IS OUR UNDERSTANDING THAT THE WASTE IN THIS LOCATION OF THE CLOSED LANDFILL IS LAND CLEARING AND INERT DEBRIS AS DEFINED BY NCDQ SECTION 15A NCAC 13B .0563 AND THEREFORE WILL NOT POSE AN ENVIRONMENTAL THREAT WHEN DISTURBED. |                                                                          |
| 4. REQUESTING MODIFICATION OF ORDINANCE STANDARD ARTICLE 11.4.7.J FOR 80' VEGETATED BUFFER. NEED TO PRESERVE ACCESS TO EXISTING STORMWATER MANAGEMENT AREA. INSTALL LEYLAND CYPRRESS, ARBORVITAE, OR EQUIVALENT EVERGREEN SCREENING ALONG PROPERTY LINE TO CREATE AN OPAQUE BUFFER OR EXISTING VEGETATION TO PROVIDE OPAQUE BUFFER.                                                                                      |                                                                          |
| 5. THE EXISTING TOP OF THE LANDFILL EXPANSION AREA ELEVATION IS 842'. THE PROPOSED INFILL 2 EXPANSION PEAK ELEVATION IS 884' IN THIS LOCATION. ADDITIONALLY, THE EXISTING CLOSED PHASE 1 C&D LANDFILL ELEVATION IS 828'. THE PROPOSED INFILL 2 EXPANSION PEAK ELEVATION IS 894' AT THIS LOCATION.                                                                                                                        |                                                                          |
| 6. REQUESTING MODIFICATION OF ORDINANCE STANDARD ARTICLE 9.23.2(e). THE LANDFILL PARCEL IS ABOUT 2,500 FEET FROM THE NEAREST PUBLIC STREET THRU A PRIVATE DRIVE AND WOODED AREA. DISTANCE, TERRAIN, STREAM, AND STREAM BANKS PREVENT VEHICULAR AND PEDESTRIAN ACCESS ELIMINATING THE NEED FOR FENCING.                                                                                                                   |                                                                          |

## PROJECT TIMELINE

A PHASE-BY-PHASE APPROACH WILL BE IMPLEMENTED FOR THIS PROJECT CONSTRUCTION. A DETAILED PHASE-BY-PHASE APPROACH WILL BE PROVIDED IN THE EROSION CONTROL PLAN, BUT HAS BEEN SUMMARIZED FOR THE PURPOSES OF THIS SUBMITTAL.

### PHASE 1

- OBTAIN GRADING/EROSION CONTROL PLAN APPROVAL FROM TOWN OF HUNTERSVILLE.
- SETUP ON-SITE PRECONSTRUCTION CONFERENCE WITH THE FOLLOWING DEPARTMENTS: TOWN OF HUNTERSVILLE EROSION CONTROL INSPECTOR, LAND DEVELOPMENT INSPECTOR, AND ZONING INSPECTOR. FAILURE TO SCHEDULE SUCH CONFERENCE 48 HOURS PRIOR TO ANY LAND DISTURBING ACTIVITY IS SUBJECT TO FINE.
- INSTALL NECESSARY EROSION & SEDIMENTATION (E&S) CONTROL MEASURES ON-SITE IN PREPARATION FOR CONSTRUCTION.

### PHASE 2

- CONSTRUCT TEMPORARY HAUL ROAD.
- EXCAVATE THE SOUTH CUT TO TOP OF ROCK AND HAUL SOIL TO THE STOCKPILE AREA.
- ESTABLISH VEGETATIVE STABILIZATION ON CUT SLOPES.

### PHASE 3

- REMOVE ROCK FROM SOUTH CUT AND HAUL TO STOCKPILE AREA.
- USE BLASTED ROCK TO LINE THE SOIL PORTIONS OF THE FLOOR OF THE SOUTH CUT.
- EXCAVATE THE NORTH CUT TO TOP OF ROCK AND HAUL SOIL TO STOCKPILE AREA.
- ESTABLISH VEGETATIVE STABILIZATION ON CUT SLOPES

### PHASE 4

- REMOVE ROCK FROM NORTH CUT AND HAUL TO STOCKPILE AREA.

### PHASE 5

- COORDINATE WITH EROSION CONTROL INSPECTOR PRIOR TO REMOVAL OF EROSION CONTROL MEASURES.
- DECOMMISSION THE EXISTING CULVERT UNDER THE LANDFILL.
- AT EXISTING STREAM TIE-IN AREAS, ESTABLISH RIPARIAN PLANTINGS PER THE PLANTING PLAN.

AFTER THE STREAM CUTS HAVE BEEN CONSTRUCTED, THE PROJECT FOCUS WILL SHIFT TO THE INFILL 2 EXPANSION CONSTRUCTION. THIS PART OF THE PROJECT WILL INCLUDE, CLEARING AND GRUBBING, GRADING, STORMWATER MANAGEMENT, AND INSTALLING THE GEOSYNTHETIC LINER.

## EXCELLENCE IN DESIGN NOTES

- SUBTITLE D COMPOSITE LINER SYSTEM MINIMIZES FUTURE IMPACTS TO PUBLIC HEALTH AND THE ENVIRONMENT AS WELL AS REDUCING POTENTIAL IMPACTS TO GROUNDWATER (SEE DRAWING SP101 FOR HIGHLIGHTED BASE LINER SYSTEM).
- THE PROPOSED ENGINEERED UNDERDRAIN SYSTEM WILL BE DESIGNED TO CAPTURE EXISTING STREAM BED FLOW FROM GROUNDWATER DISCHARGE AND OTHER CATCHMENT CONSIDERATIONS THROUGH THIS INFILL AREA. THIS UNDERDRAIN WILL DIRECT FLOW AND ALLOW FOR MONITORING UNDERNEATH THE INFILL 2 EXPANSION'S LINED AREA. THE UNDERDRAIN WILL INCLUDE A CLEANOUT ON THE UPSTREAM SIDE FOR FUTURE ACCESS IF NECESSARY (SEE DRAWING SP100 & SP101).
- THE NEW PROPOSED INFILL LAYOUT AVOIDS IMPACTS TO THE 100-YEAR FLOODPLAIN, ALLOWING APPROXIMATELY 640 FEET BETWEEN THE LIMITS OF WASTE AND THE PROPERTY LINE FOR INCREASED MONITORABILITY AND DESIGN ENHANCEMENTS.
- BY AVOIDING THE 100-YEAR FLOODPLAIN, SPACE FOR AN EXTENDED BUFFER MUCH GREATER THAN THE 200' REQUIREMENT WILL REMAIN TO MONITOR AND CAPTURE POTENTIAL FUTURE CONSTITUENTS OF CONCERN, IF DETECTED.
- ENHANCED MONITORING NETWORK: GROUNDWATER MONITORING WELL LAYOUT WILL BE REDESIGNED INTO A MORE REPRESENTATIVE MONITORING NETWORK. NEW WELLS WILL BE PROPOSED AND INSTALLED THAT ENSURE CONSISTENT COVERAGE IN TERMS OF SPACING, DISTANCE FROM WASTE, AND CONSTRUCTION. SOME OF THE EXISTING WELLS WILL BE ABANDONED. THE MAJORITY OF THESE WELLS ARE NOT NEEDED FOR SEMI-ANNUAL MONITORING AS THEY ARE NOT LOCATED IN A DOWNGRADIENT REGULATORY MONITORING BUFFER ZONE.
- MONITORING WELLS LOCATED ALONG THE INFILL EXPANSION AREA WILL REMAIN IN PLACE UNTIL SPECIFIC PHASES OF THE PROJECT REQUIRE THEIR PROPER ABANDONMENT, LIMITING REMOVAL AND ASSOCIATED IMPACT UNTIL NECESSARY.
- SLOW GROUNDWATER INFLOW PERMEABILITY: AN EXISTING GROUNDWATER FLOWRATE OF APPROXIMATELY <10 FEET PER YEAR IN INFILL 2 EXPANSION AREA WITH APPROXIMATELY 640 FEET OF LINEAR DISTANCE FROM LIMITS OF WASTE TO THE PROPERTY LINE PROVIDES A LARGE AND SUITABLE AREA FOR MONITORING AND CAPTURE/REMEDATION OF ANY FUTURE CONSTITUENTS OF CONCERN.

## MITIGATION NOTES

- ABANDONMENT OF THE EXISTING PIPES UNDERNEATH INFILL 1: MINIMIZES FUTURE IMPACTS TO PUBLIC HEALTH AND THE ENVIRONMENT AND PROVIDES REDUNDANCY FOR THE EXISTING STREAM THAT FLOWS THROUGH THE LANDFILL (SEE DRAWING SP100 & SP101).
- SWIM BUFFER/ECOLOGICAL IMPROVEMENTS: PROJECT INCLUDES INCREASING THE LENGTH OF STREAM AND ASSOCIATED SWIM BUFFER AREAS (FROM APPROXIMATELY 1,445 FEET OF EXISTING SWIM BUFFER LENGTH TO APPROXIMATELY 3,800 FEET OF SWIM BUFFER LENGTH POST-CONSTRUCTION) ALONG THE STREAM RELOCATION PROJECT AND REPLACING EXISTING LOW QUALITY STREAM BETWEEN TWO LANDFILLS WITH AN ENGINEERED REALIGNED STREAM WITH ECOLOGICAL UPLIFT. MECKLENBURG COUNTY STORMWATER HAS BEEN CONSULTED ON THE PROPOSED STREAM DESIGN AND BASED ON THEIR FEEDBACK, RIFLE POOLS, ROCK DROPS, AND OTHER DESIGNED ECOLOGICAL FEATURES HAVE BEEN ADDED TO THE PROJECT (SEE DRAWING SP104).
- LOCAL STAKEHOLDERS SUPPORT: USACE (404 APPROVAL PENDING), CATAWBA RIVERKEEPERS (LETTER OF SUPPORT), NCDQ WATER QUALITY DIVISION (401 APPROVAL) AND MECKLENBURG COUNTY STORMWATER (EMAIL FROM WATER QUALITY DIRECTOR IN SUPPORT OF SWIM BUFFER ENHANCEMENT AND STREAM RELOCATION ENHANCEMENTS) HAVE EXPRESSED SUPPORT FOR THIS PLAN BASED ON IMPROVEMENTS TO ECOLOGICAL/AQUATIC HABITAT AND HYDROLOGIC SYSTEMS.

## CONDITIONAL REZONING PLAN GENERAL NOTES

DRAWING NO.:

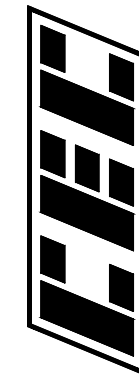
SP002

SHEET 2 OF 9

DATE: JULY 2025  
DWG SCALE: N.T.S.  
PROJECT NO: 324-056  
APPROVED BY: TMG

BML  
TMG  
324-056  
TMG

GREENWAY WASTE SOLUTIONS  
AT NORTH MECK, LLC  
15300 HOLBROOKS ROAD  
HUNTERSVILLE, NORTH CAROLINA



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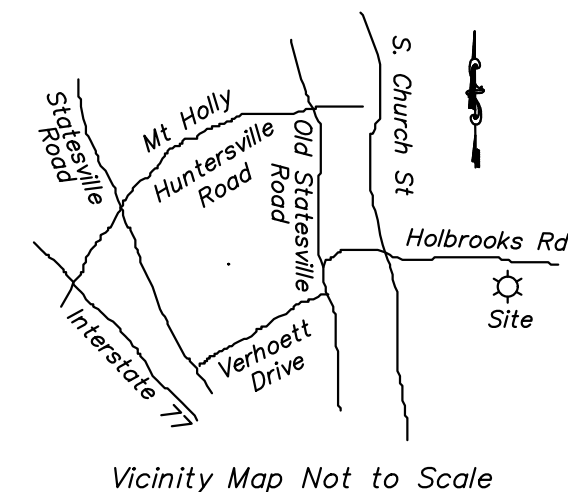
## REVISION RECORD

| NO. | DATE       | DESCRIPTION                    |
|-----|------------|--------------------------------|
| 1   | 07/16/2025 | 1ST RESPONSE TO TOWNS COMMENTS |



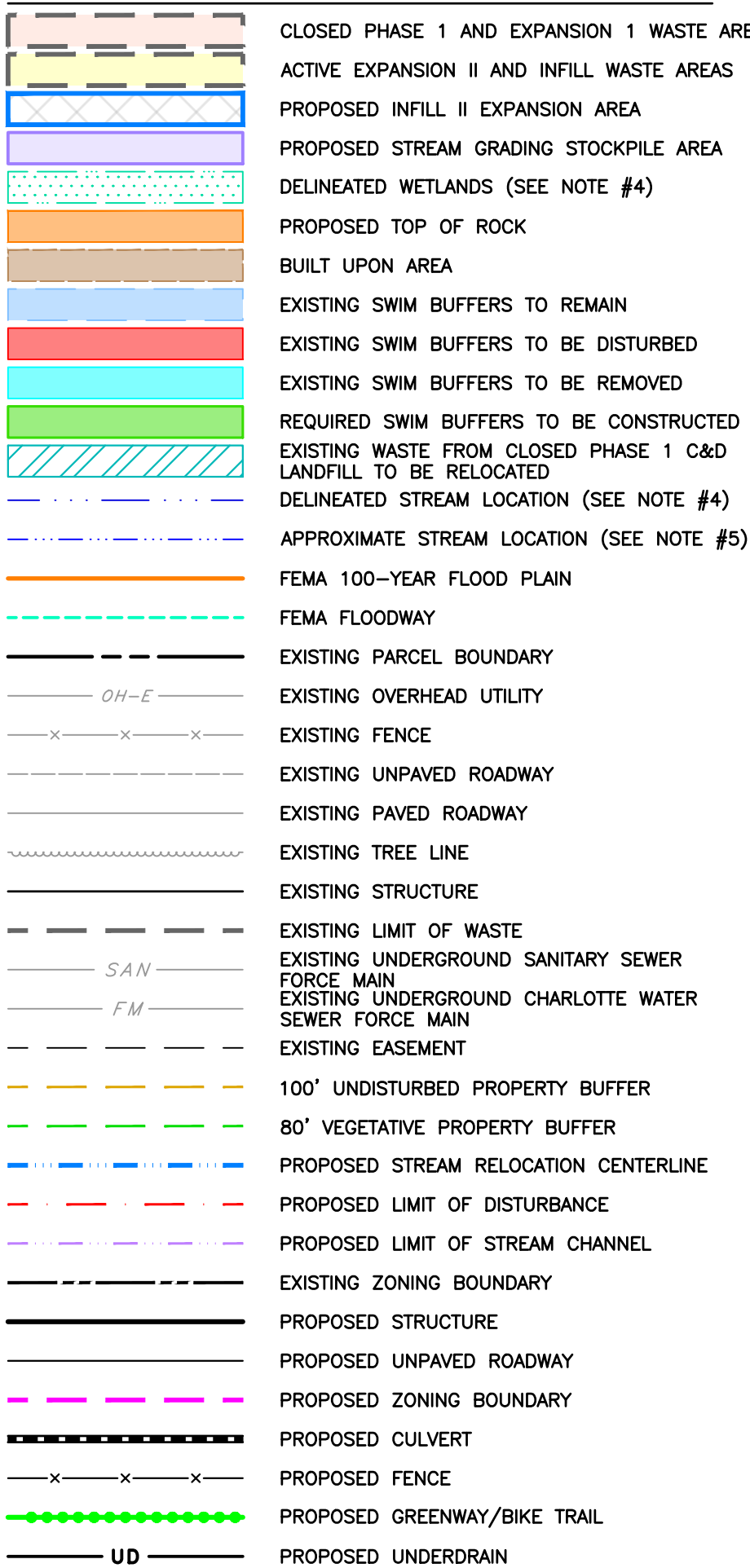


NORTH



*Vicinity Map Not to Scale*

## LEGEND



## REFERENCES

1. PRELIMINARY PLAT FOR PARCELS 01910109 AND 01910102 PROVIDED BY PATTERSON LAND SURVEYING, PA ON JUNE 30, 2019.
2. PRELIMINARY PLAT FOR PARCEL 01930106 PROVIDED BY PATTERSON LAND SURVEYING, PA ON JULY 24, 2023. STREAM AND WETLAND DELINEATIONS UPSTREAM AND DOWNSTREAM PROPERTY OF HART AND HICKMAN AND CEC BETWEEN APRIL AND JULY 2023.
3. APPROXIMATE STREAM CENTERLINE DOWNSTREAM OF PROPERTY BOUNDARIES PROVIDED BY AVOIANGE MAPPING SERVICES, INC. ON JUNE 2, 2023. NO STREAM TOP OF WATER HAS BEEN DETERMINED.
4. APPROXIMATE SANITARY SEWER AND CHARLOTTE WATER SEWER FORCE MAIN LOCATIONS ARE BASED ON FORCE MAINS AND PROPOSED SANITARY SEWER DRAINAGE DISTRICT 01C114, BY CHARLOTTE IN FEBRUARY 2023.
5. APPROXIMATE CELL TOWER LOCATION AND GRADING PROVIDED BY KIMLEY-HORN ON MAY 23, 2023 AND APRIL 20, 2025.

## SWIM BUFFERS

LINEAR FEET OF EXISTING SWIM BUFFERS TO BE REMOVED = 1,445 FT  
LINEAR FEET OF REQUIRED SWIM BUFFERS TO BE CONSTRUCTED = 3,800 FT

[illegible]

33701 Arco Corporate Drive  
Suite 400  
Charlotte, NC 28273  
Ph: 980.237.0373  
[www.cecinc.com](http://www.cecinc.com)



Soil & Environmental  
Consultants, Inc.

**GREENWAY WASTE SOLUTIONS  
AT NORTH MECK, LLC  
15300 HOLBROOKS ROAD  
HUNTERSVILLE, NORTH CAROLINA**

# CONDITIONAL REZONING PLAN SITE PLAN

DRAWING NO.:

# SP100

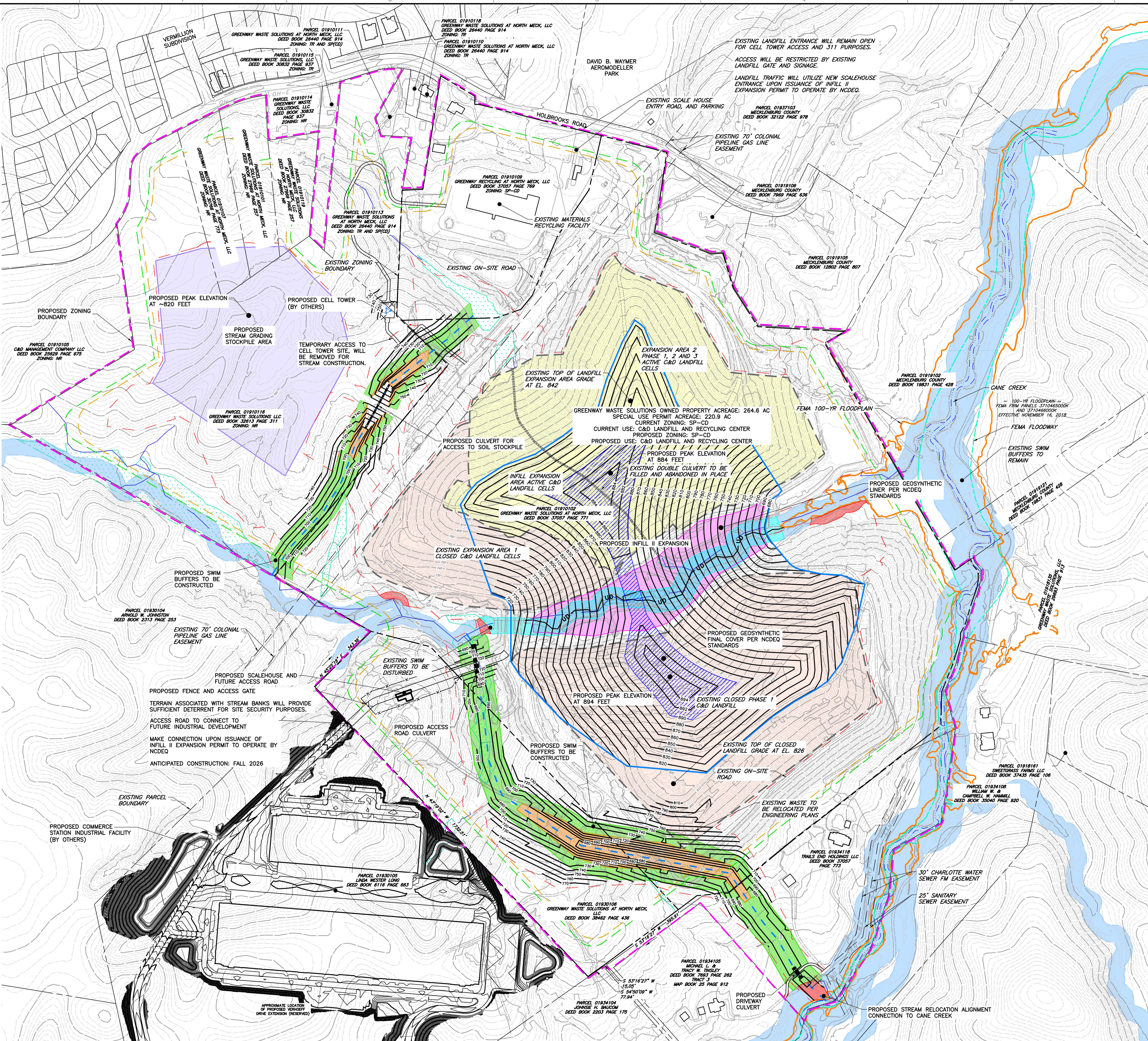
SHEET 3 OF 9

P:\320-000\324-055\CADD\DWG\2024 Special Use Permit\324-055-North Meck Conditional Rezoning Permit.dwg(Rezoning Site Plan (SP100)) - LP: 7/16/2025 9:01 AM

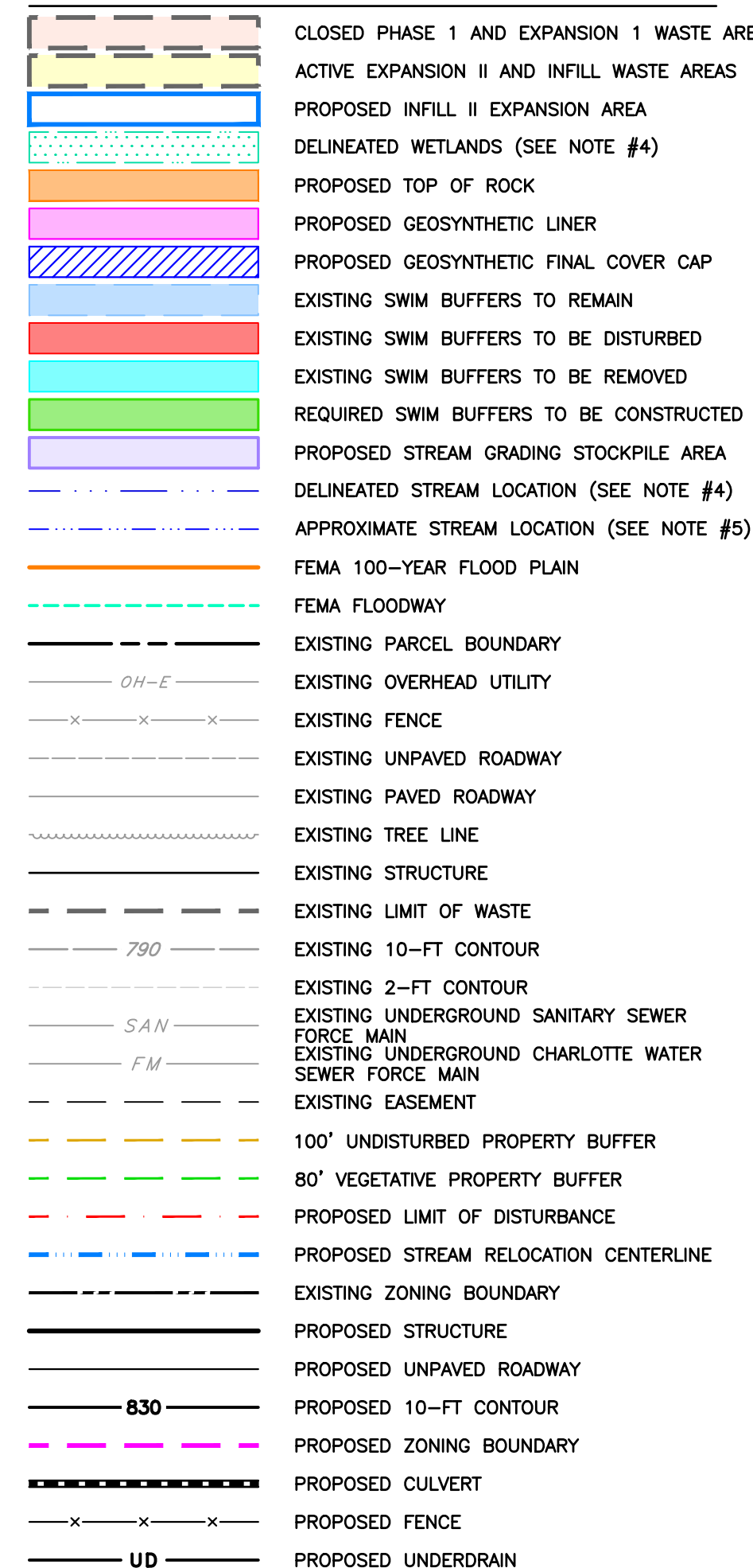




NORTH



### LEGEND



## LANDFILL CAPACITY AND ANTICIPATED LIFE

1. APPROXIMATE INFILL II AIRSPACE CAPACITY: 4.8 MILLION CUBIC YARDS.
2. BASED ON AN AVERAGE HISTORIC DISPOSAL RATE OF 100,000 TONS PER YEAR AND COMPACTION DENSITY OF 1,400 LBS PER CUBIC YARD, THE INFILL II EXPANSION WILL PROVIDE APPROXIMATELY 34 YEARS OF ADDITIONAL LANDFILL LIFE AT THE SITE.

## REFERENCES

1. PRELIMINARY PLAT FOR PARCELS 01910109 AND 01910102 PROVIDED BY PATTERSON LAND SURVEYING, PA ON JUNE 30, 2019.
2. PRELIMINARY PLAT FOR PARCEL 01930106 PROVIDED BY PATTERSON LAND SURVEYING, PA ON JULY 24, 2023.
3. TOPOGRAPHIC INFORMATION WITHIN SITE PROVIDED BY AVOIAGE SURVEY SERVICES, INC. ON FEBRUARY 28, 2023.
4. STREAM AND WETLAND DELINEATIONS UPSTREAM AND WITHIN PROPERTY BOUNDARIES WERE CONDUCTED BY HART AND KACHUCKI AND CEMENTED BETWEEN 2020 AND 2021.
5. APPROXIMATE STREAM CENTERLINE DOWNSTREAM OF PROPERTY BOUNDARIES PROVIDED BY AVOIAGE MAPPING SERVICES, INC. ON FEBRUARY 28, 2023. NO STREAM TOP OF BANK SURVEY HAS BEEN PERFORMED.
6. APPROXIMATE SANITARY SEWER AND CHARLOTTE WATER SEWER FOR FORTH MAIN LOCATION AND BAYVIEW FORCE MAIN 2023. A PROFESSIONAL RECORD DRAWING, SHEET C1111, CHARLOTTE, WATER IN FEBRUARY 2025.
7. APPROXIMATE CELL TOWER LOCATION AND GRADING PROVIDED BY CUMULUS, INC. ON MARCH 30, 2025 AND APRIL 30, 2025.

[illegible]

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Charlotte, NC 28273  
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Civil & Environmental  
Consultants, Inc.

**GREENWAY WASTE SOLUTIONS  
AT NORTH MECK, LLC  
15300 HOLBROOKS ROAD  
HUNTERSVILLE, NORTH CAROLINA**

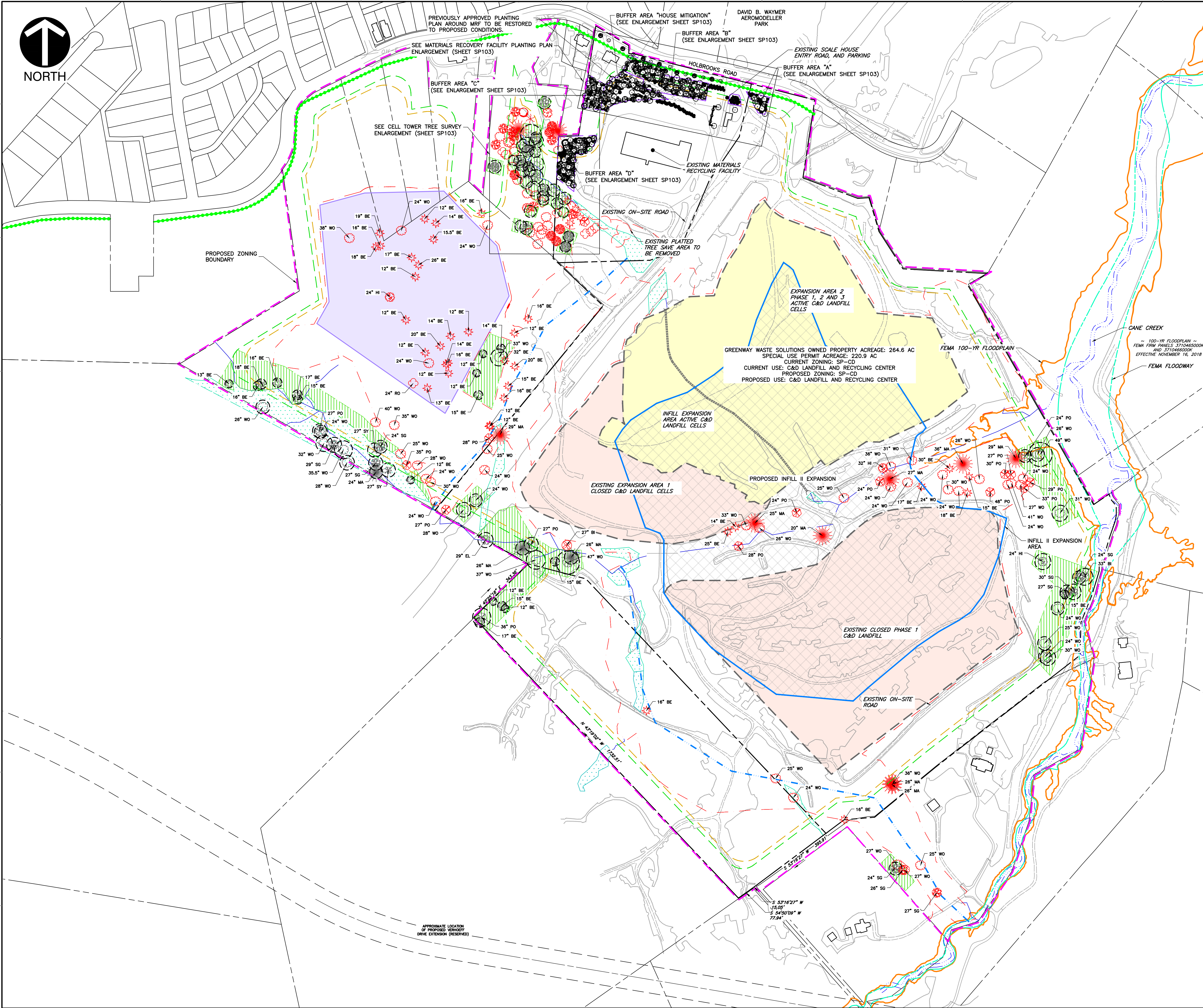
# CONDITIONAL REZONING PLAN GRADING PLAN

DRAWING NO.:  
**SP101**  
SHEET 4 OF 9

SHEET 4 OF 9



A:\130-000\134-055\134-055-0551 - CADD\DWG\2024 Special Use Permit\134-055-North Meck Conditional Reopening Permit\Land\REZONING TREE SURVEY PLAN (SP102).DWG (15/07/2025 8:02 AM) - LP: 7/16/2025 8:02 AM



**LEGEND**

- CLOSED PHASE 1 AND EXPANSION 1 WASTE AREAS
- ACTIVE EXPANSION II AND INFILL WASTE AREAS
- PROPOSED INFILL II EXPANSION AREA
- DELINEATED WETLANDS (SEE NOTE #4)
- PROPOSED STREAM GRADING STOCKPILE AREA
- ADDITIONAL BUFFER AREA TO BE VEGETATED AND/OR EXISTING TREES TO BE PRESERVED
- MATERIALS RECOVERY FACILITY PLANTING BUFFER AREA
- DELINEATED STREAM LOCATION (SEE NOTE #4)
- APPROXIMATE STREAM LOCATION (SEE NOTE #5)
- FEMA 100-YEAR FLOOD PLAIN
- FEMA FLOODWAY
- EXISTING PARCEL BOUNDARY
- EXISTING OVERHEAD UTILITY
- EXISTING FENCE
- EXISTING UNPAVED ROADWAY
- EXISTING PAVED ROADWAY
- EXISTING TREE LINE
- EXISTING STRUCTURE
- EXISTING LIMIT OF WASTE
- EXISTING PLATTED TREE SAVE AREA TO BE REMOVED
- 100' UNDISTURBED PROPERTY BUFFER
- 80' VEGETATIVE PROPERTY BUFFER
- PROPOSED LIMIT OF DISTURBANCE
- PROPOSED STREAM RELOCATION CENTERLINE
- EXISTING ZONING BOUNDARY
- PROPOSED 10-FT CONTOUR
- PROPOSED ZONING BOUNDARY
- PROPOSED TREE DRIP LINE + 5 FT (PER SECTION 7.4.2.C IN THE ZONING ORDINANCES)
- PROPOSED GREENWAY/BIKE TRAIL

**TREE LEGEND**

- HICKORY (HI)
- BIRCH (BI)
- SYCAMORE (SY)
- RED OAK (RO)
- ELM (EL)
- WHITE OAK (WO)
- SWEETGUM (SG)
- BEECH (BE)
- MAPLE (MA)
- POPLAR (PO)
- ASH (AS)
- CEDAR (CE)
- CHERRY (CH)
- PINE (PI)

**NOTES**

- TREES IN RED DENOTE SPECIMEN TREES TO BE REMOVED
- TREES IN GRAY DENOTE SPECIMEN TREES TO BE SAVED

**TREE SAVE TABLE**

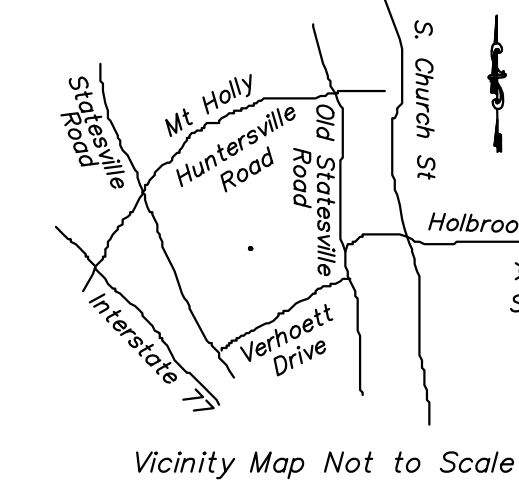
| EXISTING SPECIMEN TREES ON-SITE (AS DEFINED IN ZO SECTION 12.2.1) |     |
|-------------------------------------------------------------------|-----|
| PROPOSED SPECIMEN TREES TO BE REMOVED                             | 72  |
| PROPOSED SPECIMEN TREES TO BE SAVED                               | 52  |
| PERCENTAGE OF TREES TO REMAIN                                     | 42% |

**REFERENCES**

- PRELIMINARY PLAT FOR PARCELS 01910109 AND 01910102 PROVIDED BY PATTERSON LAND SURVEYING, PA ON JUNE 30, 2019.
- PRELIMINARY PLAT FOR PARCEL 01930106 PROVIDED BY PATTERSON LAND SURVEYING, PA ON JULY 24, 2023.
- STREAM AND WETLAND DELINEATIONS UPSTREAM AND WITHIN PROPERTY BOUNDARIES WERE CONDUCTED BY HART AND HICKMAN AND CEC BETWEEN APRIL AND JULY 2022.
- APPROXIMATE STREAM CENTERLINE DOWNSTREAM OF PROPERTY BOUNDARIES PROVIDED BY AVOIMAGE MAPPING SERVICES, INC. ON JUNE 2, 2023. NO STREAM TOP OF BANK SURVEY HAS BEEN PERFORMED.
- TREE SURVEY DATA PROVIDED BY PATTERSON LAND SURVEYING, PA FOR CELL TOWER AREA ON JANUARY 23, 2025 AND THE REMAINDER OF THE SITE ON JULY 7, 2025.
- LANDSCAPE PLANTING PLAN AROUND MRF PROVIDED BY LANDWORKS DESIGN GROUP, PA ON JULY 9, 2025.

**SCALE IN FEET**

0 200 400



**REVISION RECORD**

| NO. | DATE       | DESCRIPTION                    |
|-----|------------|--------------------------------|
| 1   | 07/16/2025 | 1ST RESPONSE TO TOWNS COMMENTS |

**CONDITIONAL REZONING PLAN  
TREE PRESERVATION PLAN**

**GREENWAY WASTE SOLUTIONS  
AT NORTH MECK, LLC**  
15300 HOLBROOKS ROAD  
HUNTERSVILLE, NORTH CAROLINA

**3701 Arco Corporate Drive  
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Charlotte, NC 28273  
Ph: 980.237.0373  
www.cecinc.com**

**CEC**  
Civil & Environmental  
Consultants, Inc.

**SP102**

DRAWING NO. **SP102**

SHEET 5 OF 9

DATE: JULY 2025 | DRAWN BY: AS SHOWN | CHECKED BY: TMG

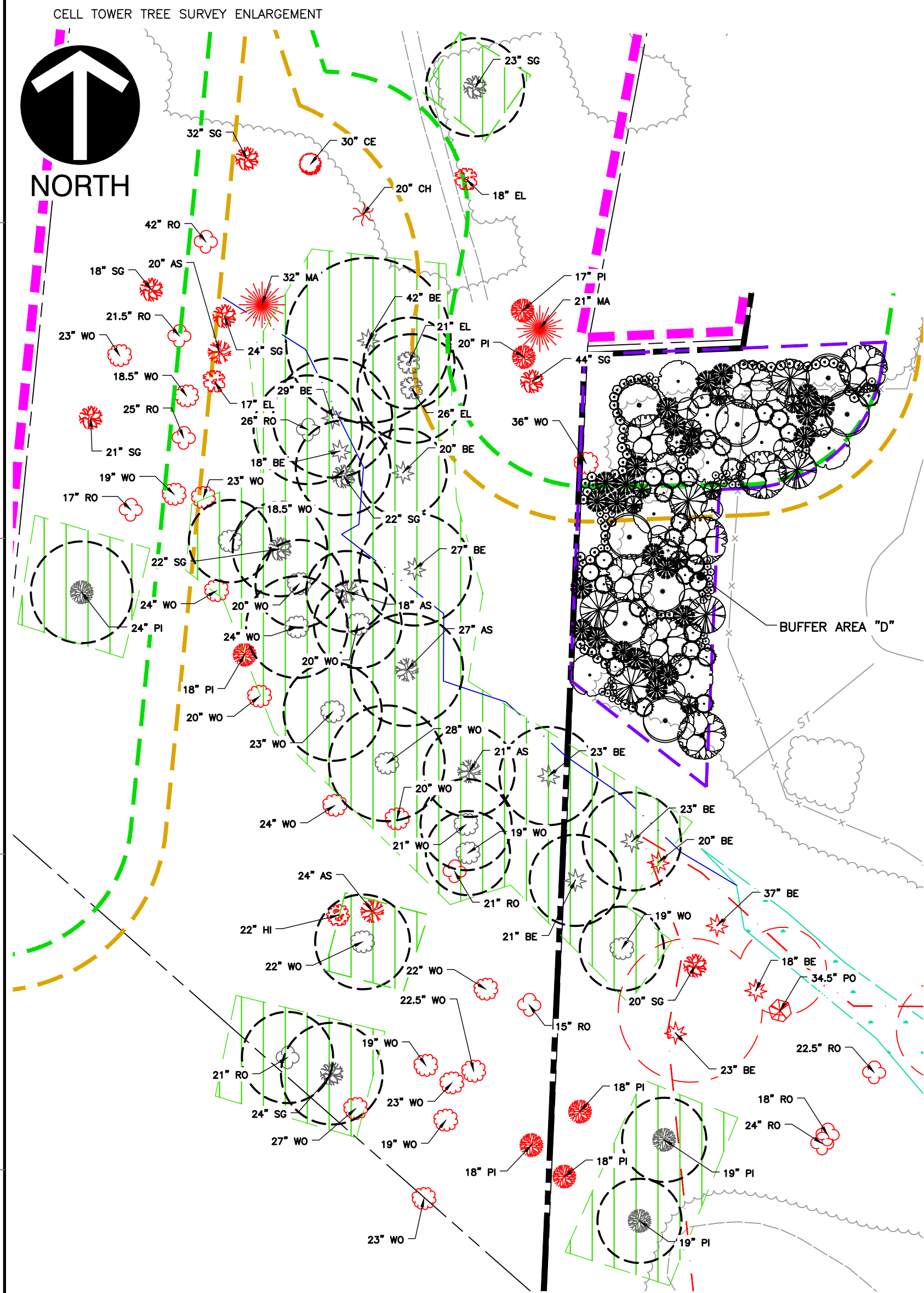
DWG SCALE: AS SHOWN | TMG

PROJECT NO: 324-055 | TMG

APPROVED BY: TMG



A:\200-2001\234-0551 - CADD\Drawings\2024 Special Use Permit\234-055-North Meck Conditional Reopening Permit\Land\REZONING TREE SURVEY PLAN (SP102.1) LS(7/16/2025 - bspaz) - LP: 7/16/2025 9:02 AM



#### PLANT LIST (BUFFER A):

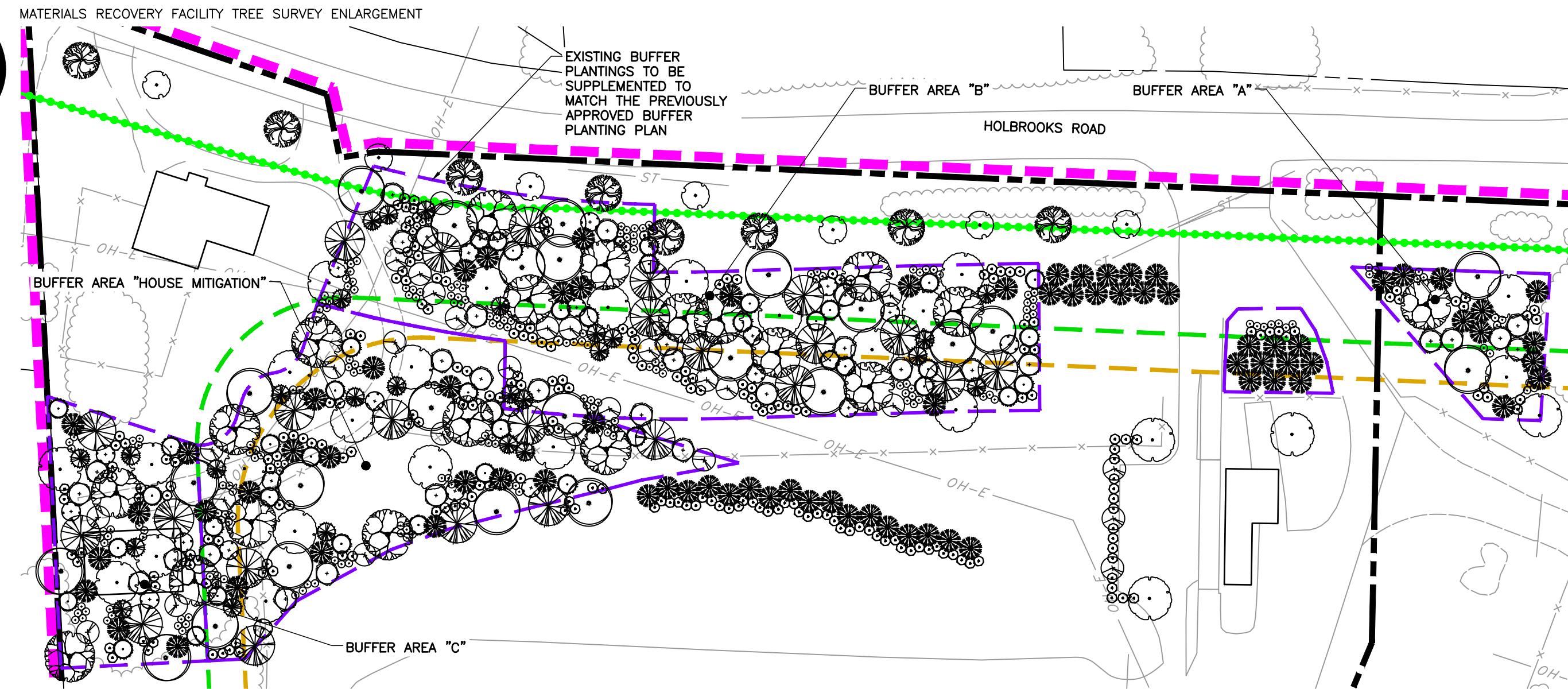
| SYMBOL                              | QTY | BOTANICAL NAME                | COMMON NAME            | SIZE                         | COMMENTS |
|-------------------------------------|-----|-------------------------------|------------------------|------------------------------|----------|
| TREES (LARGE MATURING — DECIDUOUS): |     |                               |                        |                              |          |
| AR                                  | 2   | Acer rubrum                   | Red Maple              | 2" caliper min., 8' ht. min. | B&B      |
| LT                                  | 1   | Liriodendron tulipifera       | Tulip Poplar           | 2" caliper min., 8' ht. min. | B&B      |
| QP                                  | 3   | Quercus phellos               | Willow Oak             | 2" caliper min., 8' ht. min. | B&B      |
| TREES (LARGE MATURING — EVERGREEN): |     |                               |                        |                              |          |
| TG                                  | 21  | Thuja 'Green Giant'           | Green Giant Arborvitae | 2" caliper min., 8' ht. min. | B&B      |
| TREES (SMALL MATURING — DECIDUOUS): |     |                               |                        |                              |          |
| CF                                  | 5   | Cornus florida                | Flowering Dogwood      | 2" caliper min., 8' ht. min. | B&B      |
| SHRUBS:                             |     |                               |                        |                              |          |
| AG                                  | 21  | Abelia grandiflora            | Glossy Abelia          | 3' ht. min.                  | 5' O.C.  |
| IC                                  | 20  | Ilex cornuta 'Burfordii Nana' | Dwarf Burford Holly    | 3' ht. min.                  | 5' O.C.  |

#### PLANT LIST (BUFFER B):

| SYMBOL                              | QTY | BOTANICAL NAME                | COMMON NAME            | SIZE                         | COMMENTS |
|-------------------------------------|-----|-------------------------------|------------------------|------------------------------|----------|
| TREES (LARGE MATURING — DECIDUOUS): |     |                               |                        |                              |          |
| AR                                  | 11  | Acer rubrum                   | Red Maple              | 2" caliper min., 8' ht. min. | B&B      |
| LT                                  | 9   | Liriodendron tulipifera       | Tulip Poplar           | 2" caliper min., 8' ht. min. | B&B      |
| QP                                  | 9   | Quercus phellos               | Willow Oak             | 2" caliper min., 8' ht. min. | B&B      |
| QR                                  | 12  | Quercus rubra maxima          | Eastern Red Oak        | 2" caliper min., 8' ht. min. | B&B      |
| TREES (LARGE MATURING — EVERGREEN): |     |                               |                        |                              |          |
| TG                                  | 20  | Thuja 'Green Giant'           | Green Giant Arborvitae | 2" caliper min., 8' ht. min. | B&B      |
| IS                                  | 11  | Ilex x attenuata 'Savannah'   | Savannah Holly         | 2" caliper min., 8' ht. min. | B&B      |
| JV                                  | 19  | Juniperus virginiana          | Eastern Red Cedar      | 2" caliper min., 8' ht. min. | B&B      |
| TREES (SMALL MATURING — DECIDUOUS): |     |                               |                        |                              |          |
| CC                                  | 8   | Cercis canadensis             | Eastern Redbud         | 2" caliper min., 8' ht. min. | B&B      |
| CF                                  | 15  | Cornus florida                | Flowering Dogwood      | 2" caliper min., 8' ht. min. | B&B      |
| TREES (SMALL MATURING — EVERGREEN): |     |                               |                        |                              |          |
| IF                                  | 14  | Ilex x attenuata 'Foster'     | Foster Holly           | 2" caliper min., 8' ht. min. | B&B      |
| SHRUBS:                             |     |                               |                        |                              |          |
| AG                                  | 85  | Abelia grandiflora            | Glossy Abelia          | 3' ht. min.                  | 5' O.C.  |
| IC                                  | 82  | Ilex cornuta 'Burfordii Nana' | Dwarf Burford Holly    | 3' ht. min.                  | 5' O.C.  |

#### PLANT LIST (BUFFER C):

| SYMBOL                              | QTY | BOTANICAL NAME                | COMMON NAME            | SIZE                         | COMMENTS |
|-------------------------------------|-----|-------------------------------|------------------------|------------------------------|----------|
| TREES (LARGE MATURING — DECIDUOUS): |     |                               |                        |                              |          |
| AR                                  | 3   | Acer rubrum                   | Red Maple              | 2" caliper min., 8' ht. min. | B&B      |
| LT                                  | 3   | Liriodendron tulipifera       | Tulip Poplar           | 2" caliper min., 8' ht. min. | B&B      |
| QP                                  | 4   | Quercus phellos               | Willow Oak             | 2" caliper min., 8' ht. min. | B&B      |
| QR                                  | 4   | Quercus rubra maxima          | Eastern Red Oak        | 2" caliper min., 8' ht. min. | B&B      |
| TREES (LARGE MATURING — EVERGREEN): |     |                               |                        |                              |          |
| TG                                  | 7   | Thuja 'Green Giant'           | Green Giant Arborvitae | 2" caliper min., 8' ht. min. | B&B      |
| IS                                  | 4   | Ilex x attenuata 'Savannah'   | Savannah Holly         | 2" caliper min., 8' ht. min. | B&B      |
| JV                                  | 7   | Juniperus virginiana          | Eastern Red Cedar      | 2" caliper min., 8' ht. min. | B&B      |
| TREES (SMALL MATURING — DECIDUOUS): |     |                               |                        |                              |          |
| CC                                  | 3   | Cercis canadensis             | Eastern Redbud         | 2" caliper min., 8' ht. min. | B&B      |
| CF                                  | 4   | Cornus florida                | Flowering Dogwood      | 2" caliper min., 8' ht. min. | B&B      |
| TREES (SMALL MATURING — EVERGREEN): |     |                               |                        |                              |          |
| IF                                  | 4   | Ilex x attenuata 'Foster'     | Foster Holly           | 2" caliper min., 8' ht. min. | B&B      |
| SHRUBS:                             |     |                               |                        |                              |          |
| AG                                  | 27  | Abelia grandiflora            | Glossy Abelia          | 3' ht. min.                  | 5' O.C.  |
| IC                                  | 26  | Ilex cornuta 'Burfordii Nana' | Dwarf Burford Holly    | 3' ht. min.                  | 5' O.C.  |



#### PLANT LIST (BUFFER D):

| SYMBOL                              | QTY | BOTANICAL NAME                | COMMON NAME            | SIZE                         | COMMENTS |
|-------------------------------------|-----|-------------------------------|------------------------|------------------------------|----------|
| TREES (LARGE MATURING — DECIDUOUS): |     |                               |                        |                              |          |
| AR                                  | 8   | Acer rubrum                   | Red Maple              | 2" caliper min., 8' ht. min. | B&B      |
| LT                                  | 8   | Liriodendron tulipifera       | Tulip Poplar           | 2" caliper min., 8' ht. min. | B&B      |
| QP                                  | 8   | Quercus phellos               | Willow Oak             | 2" caliper min., 8' ht. min. | B&B      |
| QR                                  | 6   | Quercus rubra maxima          | Eastern Red Oak        | 2" caliper min., 8' ht. min. | B&B      |
| TREES (LARGE MATURING — EVERGREEN): |     |                               |                        |                              |          |
| TG                                  | 25  | Thuja 'Green Giant'           | Green Giant Arborvitae | 2" caliper min., 8' ht. min. | B&B      |
| JV                                  | 13  | Juniperus virginiana          | Eastern Red Cedar      | 2" caliper min., 8' ht. min. | B&B      |
| TREES (SMALL MATURING — DECIDUOUS): |     |                               |                        |                              |          |
| CC                                  | 8   | Cercis canadensis             | Eastern Redbud         | 2" caliper min., 8' ht. min. | B&B      |
| CF                                  | 7   | Cornus florida                | Flowering Dogwood      | 2" caliper min., 8' ht. min. | B&B      |
| TREES (SMALL MATURING — EVERGREEN): |     |                               |                        |                              |          |
| IF                                  | 8   | Ilex x attenuata 'Foster'     | Foster Holly           | 2" caliper min., 8' ht. min. | B&B      |
| SHRUBS:                             |     |                               |                        |                              |          |
| AG                                  | 57  | Abelia grandiflora            | Glossy Abelia          | 3' ht. min.                  | 5' O.C.  |
| IC                                  | 57  | Ilex cornuta 'Burfordii Nana' | Dwarf Burford Holly    | 3' ht. min.                  | 5' O.C.  |

#### PLANT LIST (BUFFER EXISTING HOUSE MITIGATION):

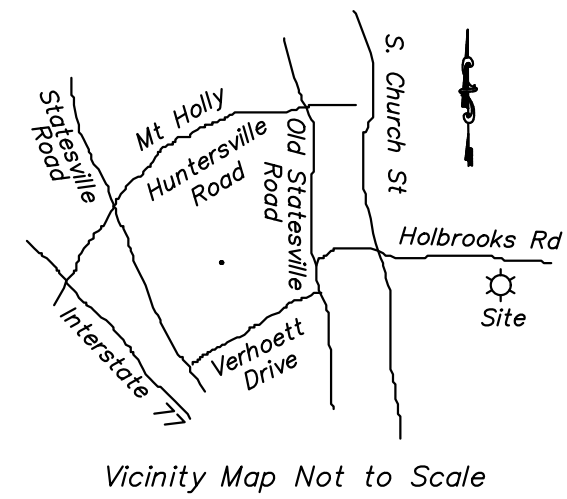
| SYMBOL                              | QTY | BOTANICAL NAME                | COMMON NAME            | SIZE                         | COMMENTS |
|-------------------------------------|-----|-------------------------------|------------------------|------------------------------|----------|
| TREES (LARGE MATURING — DECIDUOUS): |     |                               |                        |                              |          |
| AR                                  | 8   | Acer rubrum                   | Red Maple              | 2" caliper min., 8' ht. min. | B&B      |
| LT                                  | 6   | Liriodendron tulipifera       | Tulip Poplar           | 2" caliper min., 8' ht. min. | B&B      |
| QP                                  | 8   | Quercus phellos               | Willow Oak             | 2" caliper min., 8' ht. min. | B&B      |
| QR                                  | 8   | Quercus rubra maxima          | Eastern Red Oak        | 2" caliper min., 8' ht. min. | B&B      |
| TREES (LARGE MATURING — EVERGREEN): |     |                               |                        |                              |          |
| TG                                  | 14  | Thuja 'Green Giant'           | Green Giant Arborvitae | 2" caliper min., 8' ht. min. | B&B      |
| IS                                  | 7   | Ilex x attenuata 'Savannah'   | Savannah Holly         | 2" caliper min., 8' ht. min. | B&B      |
| JV                                  | 14  | Juniperus virginiana          | Eastern Red Cedar      | 2" caliper min., 8' ht. min. | B&B      |
| TREES (SMALL MATURING — DECIDUOUS): |     |                               |                        |                              |          |
| CC                                  | 9   | Cercis canadensis             | Eastern Redbud         | 2" caliper min., 8' ht. min. | B&B      |
| CF                                  | 8   | Cornus florida                | Flowering Dogwood      | 2" caliper min., 8' ht. min. | B&B      |
| TREES (SMALL MATURING — EVERGREEN): |     |                               |                        |                              |          |
| IF                                  | 8   | Ilex x attenuata 'Foster'     | Foster Holly           | 2" caliper min., 8' ht. min. | B&B      |
| SHRUBS:                             |     |                               |                        |                              |          |
| AG                                  | 58  | Abelia grandiflora            | Glossy Abelia          | 3' ht. min.                  | 5' O.C.  |
| IC                                  | 54  | Ilex cornuta 'Burfordii Nana' | Dwarf Burford Holly    | 3' ht. min.                  | 5' O.C.  |

#### PLANT LIST (PARKING LOT):

| SYMBOL                              | QTY | BOTANICAL NAME                | COMMON NAME         | SIZE                         | COMMENTS |
|-------------------------------------|-----|-------------------------------|---------------------|------------------------------|----------|
| TREES (LARGE MATURING — DECIDUOUS): |     |                               |                     |                              |          |
| QP                                  | 2   | Quercus phellos               | Willow Oak          | 2" caliper min., 8' ht. min. | B&B      |
| TREES (SMALL MATURING — DECIDUOUS): |     |                               |                     |                              |          |
| CC                                  | 3   | Cercis canadensis             | Eastern Redbud      | 2" caliper min., 8' ht. min. | B&B      |
| SHRUBS:                             |     |                               |                     |                              |          |
| IC                                  | 18  | Ilex cornuta 'Burfordii Nana' | Dwarf Burford Holly | 3' ht. min.                  | 5' O.C.  |

#### PLANT LIST (PERIMETER STREETSCAPE):

| SYMBOL                              | QTY | BOTANICAL NAME     | COMMON NAME      | SIZE                         | COMMENTS |
|-------------------------------------|-----|--------------------|------------------|------------------------------|----------|
| TREES (LARGE MATURING — DECIDUOUS): |     |                    |                  |                              |          |
| QF                                  | 7   | Quercus falcata    | Southern Red Oak | 2" caliper min., 8' ht. min. | B&B      |
| TREES (SMALL MATURING — DECIDUOUS): |     |                    |                  |                              |          |
| TD                                  | 8   | Taxodium distichum | Bald Cypress     | 2" caliper min., 8' ht. min. | B&B      |



#### LEGEND

|  |                                                                              |
|--|------------------------------------------------------------------------------|
|  | ADDITIONAL BUFFER AREA TO BE VEGETATED AND/OR EXISTING TREES TO BE PRESERVED |
|  | MATERIALS RECOVERY FACILITY PLANTING BUFFER AREA                             |
|  | EXISTING PARCEL BOUNDARY                                                     |
|  | EXISTING OVERHEAD UTILITY                                                    |
|  | EXISTING FENCE                                                               |
|  | EXISTING UNPAVED ROADWAY                                                     |
|  | EXISTING PAVED ROADWAY                                                       |
|  | EXISTING TREE LINE                                                           |
|  | EXISTING STRUCTURE                                                           |
|  | EXISTING PLATTED TREE SAVE AREA TO BE REMOVED                                |
|  | 100' UNDISTURBED PROPERTY BUFFER                                             |
|  | 80' VEGETATIVE PROPERTY BUFFER                                               |
|  | PROPOSED LIMIT OF DISTURBANCE                                                |
|  | EXISTING ZONING BOUNDARY                                                     |
|  | PROPOSED ZONING BOUNDARY                                                     |
|  | PROPOSED TREE DRIP LINE + 5FT (PER SECTION 7.4.2.C IN THE ZONING ORDINANCES) |
|  | PROPOSED GREENWAY/BIKE TRAIL                                                 |

#### TREE LEGEND

| SYMBOL | SPECIMEN TREES |
|--------|----------------|
|        | HICKORY (HI)   |
|        | BIRCH (BI)     |
|        | SYCAMORE (SY)  |
|        | RED OAK (RO)   |
|        | ELM (EL)       |
|        | WHITE OAK (WO) |
|        | SWEETGUM (SG)  |
|        | BEECH (BE)     |
|        | MAPLE (MA)     |
|        | POPLAR (PO)    |
|        | ASH (AS)       |
|        | CEDAR (CE)     |
|        | CHERRY (CH)    |
|        | PINE (PI)      |

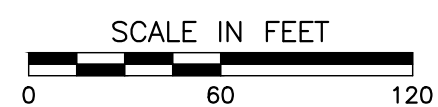
#### NOTES

- TREES IN RED DENOTE SPECIMEN TREES TO BE REMOVED
- TREES IN GRAY DENOTE SPECIMEN TREES TO BE SAVED

| TREE SAVE TABLE                                                   |     |
|-------------------------------------------------------------------|-----|
| EXISTING SPECIMEN TREES ON-SITE (AS DEFINED IN ZO SECTION 12.2.1) | 124 |
| PROPOSED SPECIMEN TREES TO BE REMOVED                             | 72  |
| PROPOSED SPECIMEN TREES TO BE SAVED                               | 52  |
| PERCENTAGE OF TREES TO REMAIN                                     | 42% |

#### REFERENCES

- PRELIMINARY PLAN FOR PARCELS 01910109 AND 01910102 PROVIDED BY PATTERSON LAND SURVEYING, PA ON JUNE 30, 2019.
- PRELIMINARY PLAN FOR PARCEL 01930106 PROVIDED BY PATTERSON LAND SURVEYING, PA ON JULY 24, 2023.
- TREE SURVEY DATA PROVIDED BY PATTERSON LAND SURVEYING, PA FOR CELL TOWER AREA ON JANUARY 23, 2025 AND THE REMAINDER OF THE SITE ON JULY 7, 2025.
- LANDSCAPE PLANTING PLAN AROUND MRF PROVIDED BY LANDWORKS DESIGN GROUP, PA ON JULY 9, 2025.



#### CONDITIONAL REZONING PLAN TREE PRESERVATION PLAN ENLARGEMENT

DRAWING NO.:

**SP102.1**

SHEET 6 OF 9

#### REVISION RECORD

| NO. | DATE     | DESCRIPTION                    |
|-----|----------|--------------------------------|
| 1   | 07/16/25 | 1ST RESPONSE TO TOWNS COMMENTS |

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Suite 400  
Charlotte, NC 28273  
Ph: 980.237.0373  
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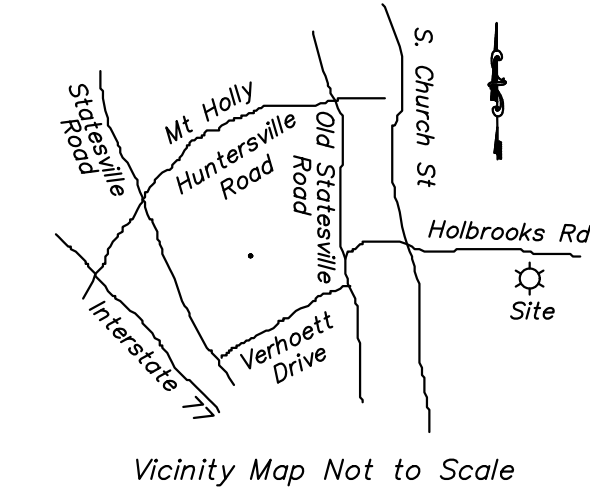
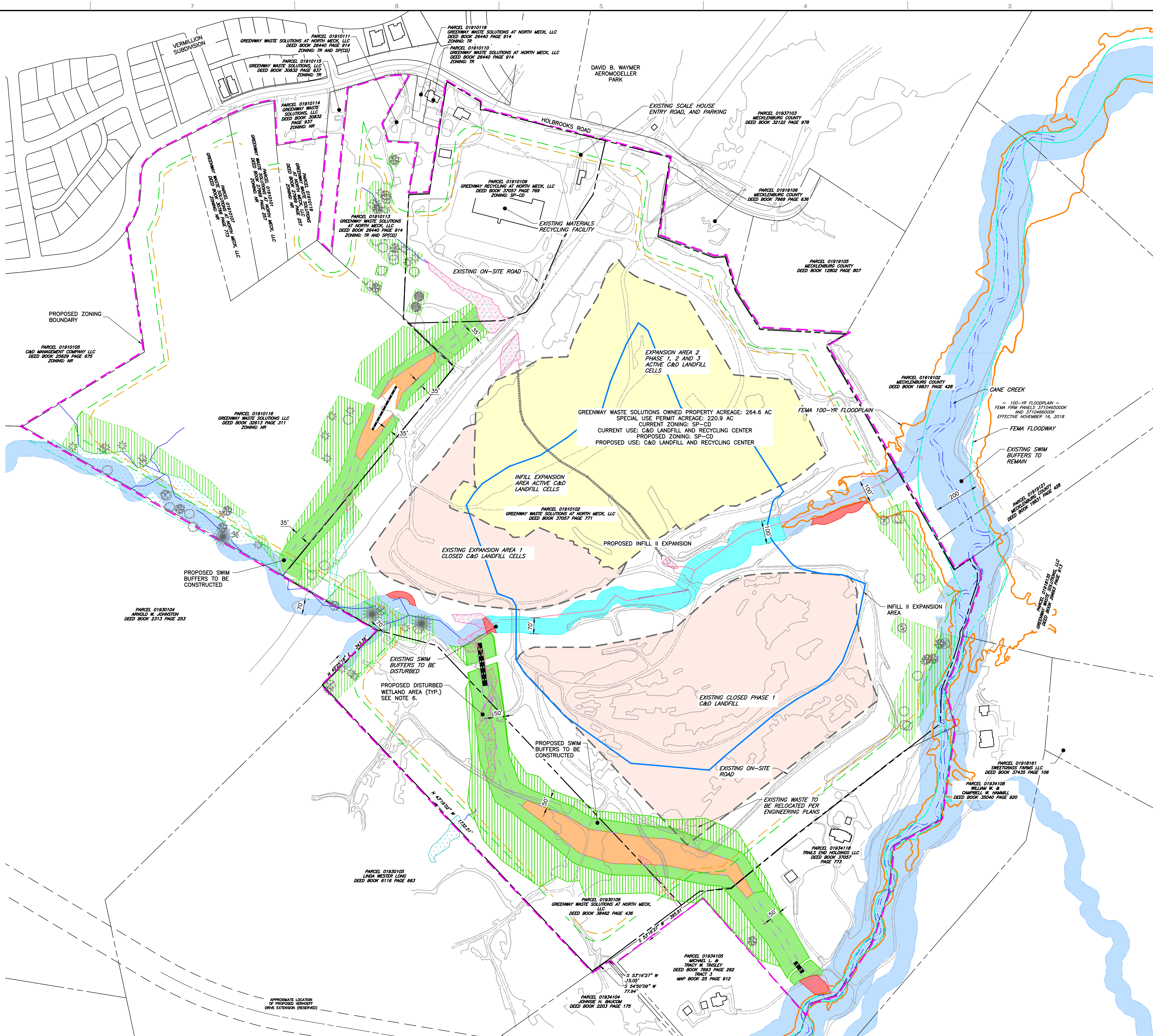
Civil & Environmental  
Consultants, Inc.

**GREENWAY WASTE SOLUTIONS  
AT NORTH MECK, LLC**  
15300 HOLBROOKS ROAD  
HUNTERSVILLE, NORTH CAROLINA

|              |           |              |     |
|--------------|-----------|--------------|-----|
| DATE:        | JULY 2025 | DRAWN BY:    | BML |
| DWG SCALE:   | 1" = 60'  | CHECKED BY:  | TMG |
| PROJECT NO.: | 324-055   | APPROVED BY: | TMG |



A:\200-2001\204-0551 - C&D\Draw\2024 Special Use Permit\204-0551-North Meck Conditional Rezoning Vermilion Subdivision SWM Buffers (SP103).LS(7/10/2025 - Nappes) - (LP: 7/10/2025 8:02 AM)



- LEGEND**
- CLOSED PHASE 1 AND EXPANSION 1 WASTE AREAS
  - ACTIVE EXPANSION II AND INFILL WASTE AREAS
  - PROPOSED INFILL II EXPANSION AREA
  - PROPOSED TOP OF ROCK
  - DELINEATED WETLANDS (SEE NOTE #4)
  - DELINEATED WETLANDS (PROPOSED IMPACTS)
  - EXISTING SWIM BUFFERS TO REMAIN
  - EXISTING SWIM BUFFERS TO BE DISTURBED
  - EXISTING SWIM BUFFERS TO BE REMOVED
  - REQUIRED SWIM BUFFERS TO BE CONSTRUCTED
  - ADDITIONAL BUFFER AREA TO BE VEGETATED AND/OR EXISTING TREES TO BE PRESERVED
  - DELINEATED STREAM LOCATION (SEE NOTE #4)
  - APPROXIMATE STREAM LOCATION (SEE NOTE #5)
  - EXISTING STREAM (PROPOSED IMPACTS)
  - FEMA 100-YEAR FLOOD PLAIN
  - FEMA FLOODWAY
  - EXISTING PARCEL BOUNDARY
  - EXISTING OVERHEAD UTILITY
  - EXISTING FENCE
  - EXISTING UNPAVED ROADWAY
  - EXISTING PAVED ROADWAY
  - EXISTING TREE LINE
  - EXISTING STRUCTURE
  - EXISTING LIMIT OF WASTE
  - 100' UNDISTURBED PROPERTY BUFFER
  - 80' VEGETATIVE PROPERTY BUFFER
  - PROPOSED LIMIT OF STREAM CHANNEL
  - EXISTING ZONING BOUNDARY
  - PROPOSED ZONING BOUNDARY
  - PROPOSED CULVERT
- TREE LEGEND**
- HICKORY (HI)
  - BIRCH (BI)
  - SYCAMORE (SY)
  - RED OAK (RO)
  - ELM (EL)
  - WHITE OAK (WO)
  - SWEETGUM (SG)
  - BEECH (BE)
  - MAPLE (MA)
  - POPLAR (PO)
  - ASH (AS)
  - CEDAR (CE)
  - CHERRY (CH)
  - PINE (PI)
- NOTE**
- TREES IN GRAY DENOTE SPECIMEN TREES TO BE SAVED
- SWIM BUFFERS**
- AREA OF EXISTING SWIM BUFFERS TO BE REMOVED = 2.91 AC
- AREA OF REQUIRED SWIM BUFFERS TO BE CONSTRUCTED = 9.06 AC
- ADDITIONAL BUFFER AREA TO BE VEGETATED AND/OR EXISTING TREES TO BE PRESERVED = 9.64 AC
- REFERENCES**
- PRELIMINARY PLAT FOR PARCELS 01910109 AND 01910102 PROVIDED BY PATTERSON LAND SURVEYING, PA ON JUNE 30, 2019.
  - PRELIMINARY PLAT FOR PARCEL 01930106 PROVIDED BY PATTERSON LAND SURVEYING, PA ON JULY 24, 2023.
  - STREAM AND WETLAND DELINEATIONS UPSTREAM AND WITHIN PROPERTY BOUNDARIES WERE CONDUCTED BY HART AND HICKMAN AND CEC BETWEEN APRIL AND JULY 2022.
  - APPROXIMATE STREAM CENTERLINE DOWNSTREAM OF PROPERTY BOUNDARIES PROVIDED BY AVOIMAGE MAPPING SERVICES, INC. ON JUNE 2, 2023. NO STREAM TOP OF BANK SURVEY HAS BEEN PERFORMED.
  - EXISTING STREAM AND WETLAND IMPACTS REQUIRE US ARMY CORPS OF ENGINEER AND NCDEQ DIVISION OF WATER QUALITY APPROVAL PRIOR TO DISTURBANCE. USACE PERMIT APPLICATION #SAW-2022-02469.
  - TREE SURVEY DATA PROVIDED BY PATTERSON LAND SURVEYING, PA FOR CELL TOWER AREA ON JANUARY 23, 2025 AND THE REMAINDER OF THE SITE ON JULY 7, 2025.
- SCALE IN FEET**
- 0 200 400

| REVISION RECORD                |            |
|--------------------------------|------------|
| NO.                            | DATE       |
| 1                              | 07/10/2025 |
| 1ST RESPONSE TO TOWNS COMMENTS |            |

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AT NORTH MECK, LLC**  
15300 HOLBROOKS ROAD  
HUNTERSVILLE, NORTH CAROLINA

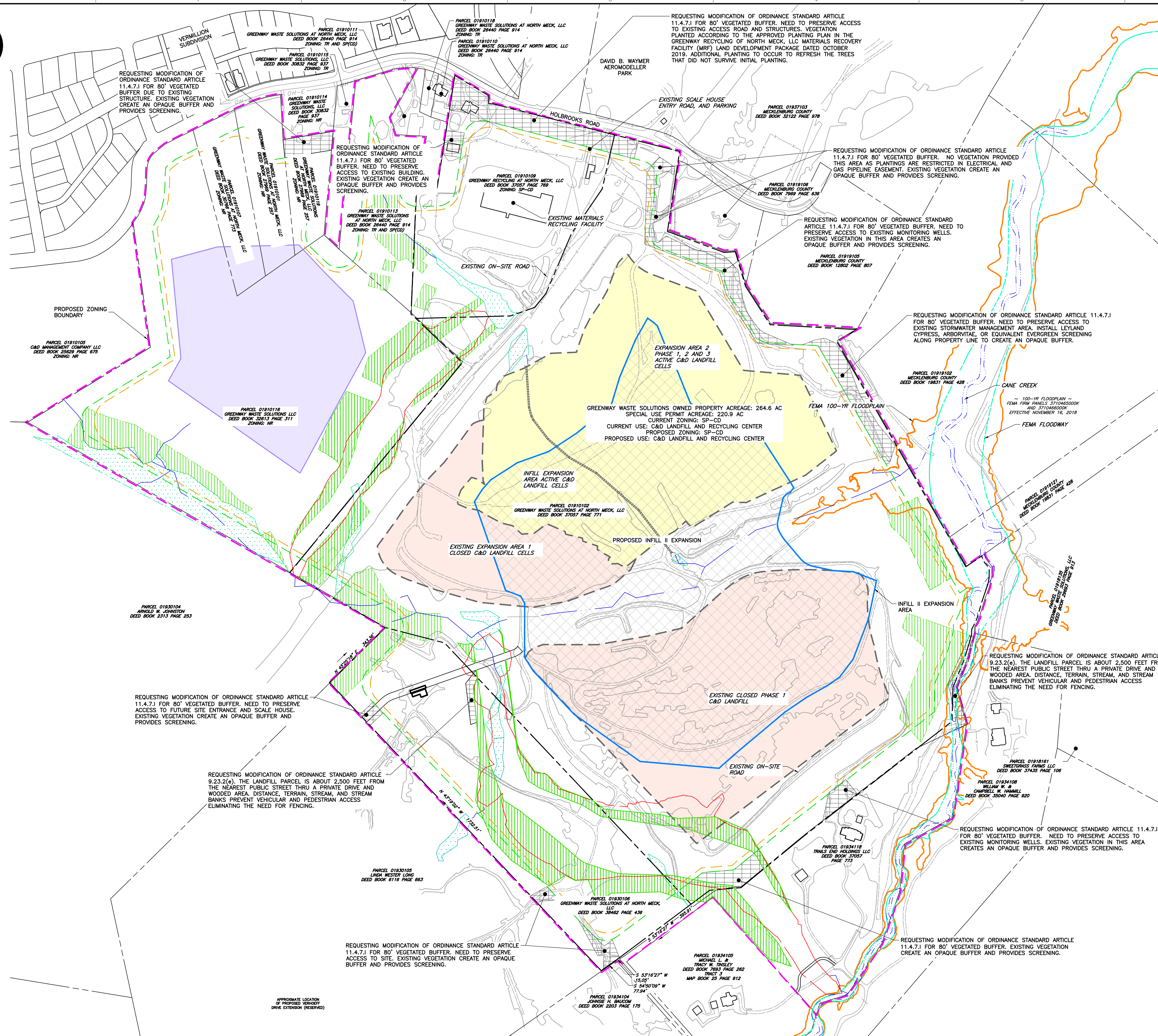
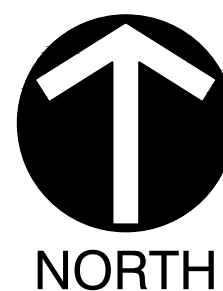
| CONDITIONAL REZONING PLAN<br>SURFACE WATER IMPROVEMENT &<br>MANAGEMENT (SWIM) BUFFERS |         |
|---------------------------------------------------------------------------------------|---------|
| DATE:                                                                                 | BML     |
| JULY 2025                                                                             | TMG     |
| DWG SCALE:                                                                            | TMG     |
| 1" = 200'                                                                             | 324-055 |
| PROJECT NO.:                                                                          | TMG     |
| APPROVED BY:                                                                          |         |

DRAWING NO.:

**SP103**

SHEET 7 OF 9



[illegible]

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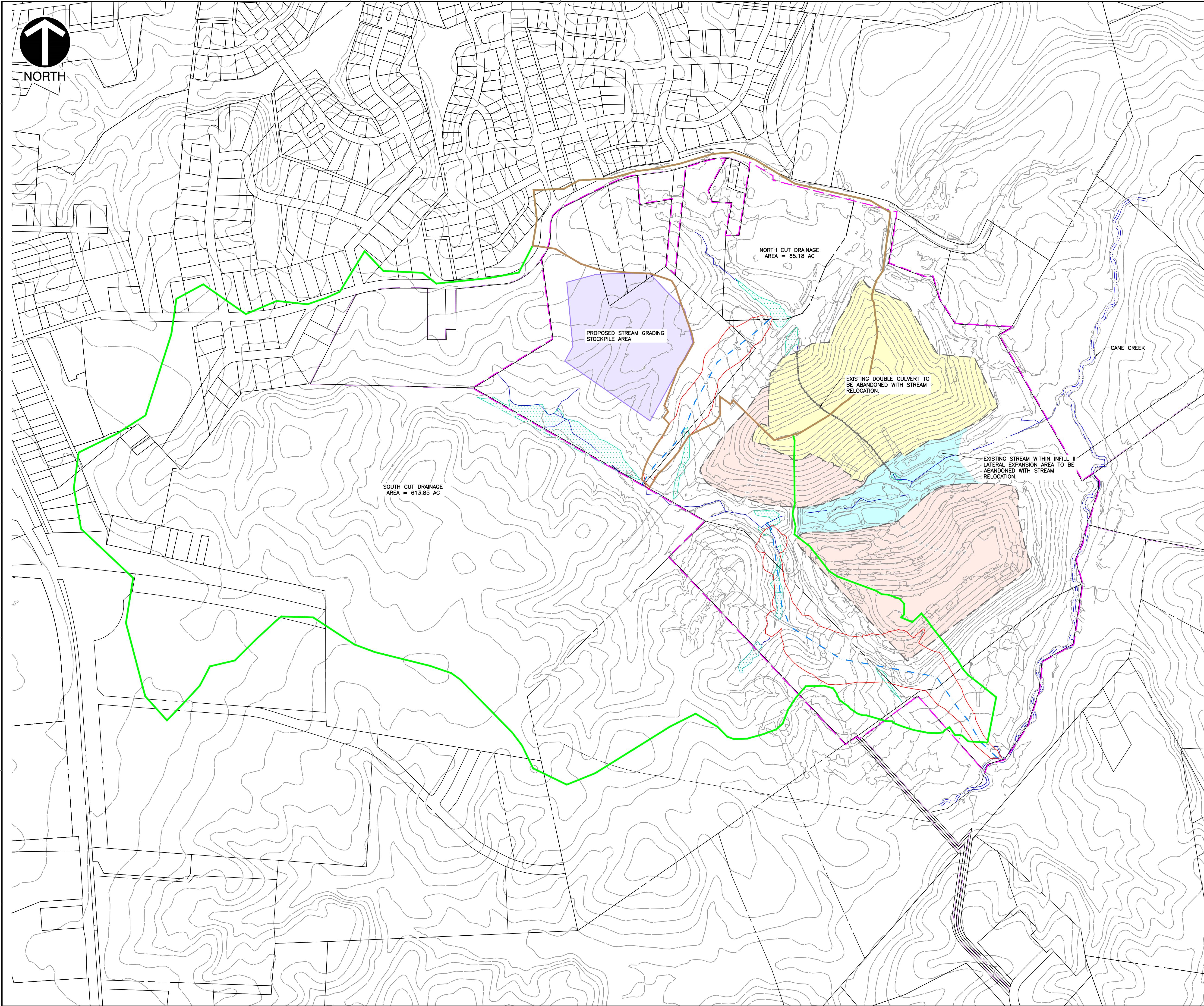
**GREENWAY WASTE SOLUTIONS  
AT NORTH MECK, LLC  
15300 HOLBROOKS ROAD  
HUNTERSVILLE, NORTH CAROLINA**

CONDITIONAL REZONING PLAN  
PERIMETER UNDISTURBED AND  
VEGETATED BUFFER PLAN

DRAWING NO.:  
**SP104**  
SHEET 8 OF 9



A:\200-2001\234-0551 - CADD\Drawg\2024\_Special Use Permit\234-055-North Meck Conditional Rezoning Permit.dwg(RIZONING DA MAP (SP105)) LS(7/16/2025 - Nmap) -- LP: 7/16/2025 8:02 AM



- LEGEND**
- CLOSED PHASE 1 AND EXPANSION 1 WASTE AREAS
  - ACTIVE EXPANSION II AND INFILL WASTE AREAS
  - PROPOSED INFILL II LATERAL EXPANSION AREA (8.01 AC)
  - PROPOSED STREAM RELOCATION GRADING
  - BOUNDARY OF EXISTING GREENWAY PROPERTIES (264.6 AC)
  - PROPOSED STREAM GRADING STOCKPILE AREA
  - DELINEATED WETLANDS (SEE NOTE #4)
  - DELINEATED STREAM LOCATION (SEE NOTE #4)
  - APPROXIMATE STREAM LOCATION (SEE NOTE #5)
  - PROPOSED STREAM RELOCATION CENTERLINE
  - PROPOSED ZONING BOUNDARY
  - EXISTING PARCEL BOUNDARY
  - PROPOSED POST-CONSTRUCTION NORTH CUT DRAINAGE AREA (65.18 AC)
  - PROPOSED POST-CONSTRUCTION SOUTH CUT DRAINAGE AREA (613.85 AC)
  - EXISTING 10-FT CONTOUR

- REFERENCES**
- PRELIMINARY PLAT FOR PARCELS 01910109 AND 01910102 PROVIDED BY PATTERSON LAND SURVEYING, PA ON JUNE 30, 2019.
  - PRELIMINARY PLAT FOR PARCEL 01930106 PROVIDED BY PATTERSON LAND SURVEYING, PA ON JULY 24, 2023.
  - STREAM AND WETLAND DELINEATIONS UPSTREAM AND WITHIN PROPERTY BOUNDARIES WERE CONDUCTED BY HART AND HICKMAN AND CEC BETWEEN APRIL AND JULY 2022.
  - APPROXIMATE STREAM CENTERLINE DOWNSTREAM OF PROPERTY BOUNDARIES PROVIDED BY AVOIMAGE MAPPING SERVICES, INC. ON JUNE 2, 2023. NO STREAM TOP OF BANK SURVEY HAS BEEN PERFORMED.

SCALE IN FEET  
0 300 600

NORTH CAROLINA  
BOARD OF EXAMINERS  
FOR ENGINEERS AND  
SURVEYORS LICENSE  
NO. C-3035

**DRAFT**

CONDITIONAL REZONING PLAN  
DRAINAGE AREA MAP

DRAWING NO.:  
**SP105**

SHEET 9 OF 9

**GREENWAY WASTE SOLUTIONS  
AT NORTH MECK, LLC**  
15300 HOLBROOKS ROAD  
HUNTERSVILLE, NORTH CAROLINA

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REVISION RECORD

| NO | DATE     | DESCRIPTION                    |
|----|----------|--------------------------------|
| 1  | 07/16/25 | 1ST RESPONSE TO TOWNS COMMENTS |



# Community Meeting Attendance Log

|                      |                                         |
|----------------------|-----------------------------------------|
| Project Name:        | R25-09 Greenway Waste Stream Relocation |
| Location of Meeting: | Dellwood Community Center               |
| Date:                | 8/4/25                                  |
| Time:                | 6:00 PM                                 |

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

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

|    |                                 |    |       |
|----|---------------------------------|----|-------|
| 1  | <u>Gene Salomon</u>             | 26 | _____ |
| 2  | <u>John Smith</u>               | 27 | _____ |
| 3  | <u>Christine Wolak</u>          | 28 | _____ |
| 4  | <u>Richard + Ruthie Huffman</u> | 29 | _____ |
| 5  | <u>MIKE TINSLEY</u>             | 30 | _____ |
| 6  | <u>Bobby Williams</u>           | 31 | _____ |
| 7  | <u>Bill Hammill</u>             | 32 | _____ |
| 8  | <u>DREW BOWMAN</u>              | 33 | _____ |
| 9  | _____                           | 34 | _____ |
| 10 | _____                           | 35 | _____ |
| 11 | _____                           | 36 | _____ |
| 12 | _____                           | 37 | _____ |
| 13 | _____                           | 38 | _____ |
| 14 | _____                           | 39 | _____ |
| 15 | _____                           | 40 | _____ |
| 16 | _____                           | 41 | _____ |
| 17 | _____                           | 42 | _____ |
| 18 | _____                           | 43 | _____ |
| 19 | _____                           | 44 | _____ |
| 20 | _____                           | 45 | _____ |
| 21 | _____                           | 46 | _____ |
| 22 | _____                           | 47 | _____ |
| 23 | _____                           | 48 | _____ |
| 24 | _____                           | 49 | _____ |
| 25 | _____                           | 50 | _____ |



## Summary Discussion

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### 1. Landfill Facility Expansion, Environmental Compliance, and Water Management

- **Facility Entrance and Fire Safety**  
Discussion on the new entrance opening, closure of the old entrance, and its use for backup and fire safety purposes.
- **Liner System and Stormwater Management**  
Details about the liner system, its role in environmental stewardship, and how stormwater and leachate are managed, including collection, testing, and treatment.
- **Capping of Existing Landfills**  
Discussion on the timing and process for capping the two existing landfill cells, integration with new liner systems, and current status of closed portions.
- **Groundwater Monitoring and Contaminant Remediation**  
Explanation of groundwater movement, number of test wells, frequency of testing, and remediation efforts for contaminants and methane.
- **Permitting and Zoning Variance**  
Clarification on the need for zoning variances and the permitting process with the town and DEQ.
- **Coordination with County and Water Runoff Remediation**  
Emphasis on working with the county to address water runoff and creek remediation, including partnership and shared responsibilities.
- **Permitting Timeline Coordination**  
Comparison of permitting timelines between the project and county for stream restoration, aiming for better alignment.
- **Landfill Height and Capacity**  
Discussion on the engineered height of the landfill, final height projections, and estimated capacity in cubic yards and tons.

### Conclusion

1. The new entrance will open, and the old one will be closed except for backup and fire safety use; it will not be used by all employees or customers.
2. Stormwater that comes into contact with waste is collected in a lined system, tested, and sent to a wastewater treatment plant; direct discharge to the creek is not permitted.
3. Landfill slope closure will occur in phases meeting soil permeability standards, with some synthetic capping in the long term; the liner comes first, and the cap is the final step.
4. Groundwater wells and surface water are monitored semi-annually in accordance with NCDEQ guidelines.
5. No variance process is required for this project; permitting is ongoing and will be fine-tuned with DEQ and town input.

6. The team has partnered with the county to develop stormwater improvements that will benefit the surrounding area and the landfill.
7. County permitting for the new Mecklenburg County stream restoration is expected to take 9 to 12 months, and both projects are now expected to align better than previously thought.
8. The engineered height is 865 feet +/-, with a current high point of 820 feet; estimated capacity is 3.8 million cubic yards, with 65% of that in tons.

## 2. Landfill facility expansion, rezoning, and public meeting planning

- **Landfill Elevation and Boundaries**  
Discussion about landfill elevation (865+/-), boundaries, and compliance with DEQ requirements, including changes since 2007 and reduction in visual/noise impacts.
- **Landfill Closure Dates and Capacity**  
Lincoln County landfill is projected to close in seven years (2032) based on DEQ airspace calculations. North Meck has approximately five years of capacity left if no assignment is made.
- **Meeting Notes and Deliverables**  
Responsibility for meeting notes and ensuring they are sent to the town, with two town representatives present. Notes will be included in the town board agenda and made available online.
- **Public Meeting Schedule**  
Three public meetings are scheduled: September 2 (public hearing), September 23 (planning board), and October 21 (potential final action).
- **Rezoning and Special Use Permit Process**  
Rezoning and special use permit are two separate items. Rezoning involves public hearings and board review; special use permit is quasi-judicial and only heard at the town board level, with strict rules on ex parte communication.
- **Public Input and Communication**  
Public and adjacent property owners can provide input on rezoning at any time, but special use permit comments must be made at the hearing. Contact information for all commissioners is available online.
- **Zoning and Variance Questions**  
Discussion about current zoning (commercial business), Article 9:23, and the need for rezoning to special purpose for certain operations and buffers. ULI study recommendations for density and land use were mentioned.
- **Creek and Buffer Requirements**  
Rezoning involves a 20-acre creek area, requiring special purpose zoning and a 100-foot undisturbed vegetative buffer around the perimeter. Collaboration with the county on creek restoration cross-section, habitat, and tree save areas.
- **Technical Drawings and Visuals**  
Plans to provide more technical drawings and visuals, especially regarding buffers, creek rerouting, and facility boundaries.



### **3. Subdivision development, infrastructure modifications, access planning, and property use coordination**

- **Restrictive Covenants and Subdivision Modifications**

Mr. Tinsley raised concerns about restrictive covenants in the Cane Creek Forest subdivision affecting the ability to route a creek for a special purpose use district. There was discussion about updating the covenants, referencing modifications from 2016 and the need to revisit unfinished updates. The original road design and property boundaries were also discussed.

- **Development Approvals and Timeline**

Discussion about development approvals, updating plans based on finalized approvals, and using new CAD drawings. Mike Griffin mentioned that the development is expected to be approved by November 1, and August 12 was identified as the last date for hard-coded changes to the plans for public hearing submission.

- **Access and Entrance Routes**

There was a detailed discussion about current and future access points, including the use of an existing facility entrance for E911 purposes, the avoidance of creating a new driveway on Holbrooks Road and the use of a gravel entrance from the landfill property that will not require DOT-approval. The existing landfill entrance will be restricted to maintenance (AT&T, Verizon, T-Mobile) for cell tower access, with minimal truck traffic expected.

- **Cell Tower Construction and Carrier Access**

AT&T, Verizon, and soon T-Mobile have filed permits for cell tower attachments. Construction access will use the existing facility entrance, and radios are expected to be installed within the next 60 days from the meeting date (by October 4, 2025).

- **Stream Relocation and access for Cell Tower Access and New Landfill Entrance**

The meeting covered the stream relocation project, including the use of an existing culvert for tower access, limited traffic, design considerations for commercial vehicle access, and concerns about the impact on traffic patterns, especially regarding Commerce Station entrance and truck routes.

- **Landscaping and Buffer Plantings**

Discussion about tree plantings and buffers, including the location of new plantings to provide screening for residences, and efforts to improve the visual buffer.

- **Rezoning and Special Purpose Use**

A parcel was recently purchased and is being considered for rezoning from commercial business to special purpose use. The impact on adjacent properties, including the potential for a new or replacement bridge, was discussed.

- **Bridge Construction and Cost Responsibility**

There was debate about who should pay for a new or replacement bridge in the Cane Creek subdivision, with concerns that the council expects residents to cover the cost in exchange for driveway use.

- **Water Quality**

Mike Griffin mentioned the requirement to check surface water quality in the new stream.

- **Sewer Line and Gravity Issues**

There was discussion about the location and elevation of the gravity sewer line, challenges with

crossing it with new stream channel, and ongoing efforts to coordinate with Charlotte Water to adjust the project design.

#### **4. Stormwater management solutions and neighborhood covenants compliance**

- **Stormwater Management Solutions**

Discussion of three potential solutions for stormwater management, including routing options for a tributary, environmental impacts, and the need to address stormwater issues for 350 acres.

- **Neighborhood Covenants and Compliance**

Concerns raised about routing business solutions through the neighborhood, compliance with covenants, and the need to revisit and clean up previous agreements and documents.

- **Property and Easement Arrangements**

Review of past property transactions, easements, and agreements involving multiple parties, including gifting land, building restrictions, and the setup of easements.

- **Environmental Stewardship and Regulatory Requirements**

Discussion on the broader environmental benefits of the proposed solutions, regulatory requirements from the county and Corps, and the need to address groundwater contamination and landfill management.

- **Community Concerns and Nuisance Issues**

Concerns about nuisance activities from neighboring properties to the east of the Hammill property, such as noise from dump trucks and potential ordinance violations.

- **Next Steps and Documentation**

Agreement to document the meeting's outcomes, share with relevant parties, and update design plans to be more exact.



**POLARIS 3G PROPERTY OWNERSHIP REPORT**

Date Printed: 07/21/2025

**Filter:**

buffer: 250, gisid: 01910116

| No  | Parcel ID | Address on Property (max 3)                                                                                                      | Owner Name                                                                             |
|-----|-----------|----------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1.  | 01910101  | NA                                                                                                                               | 1) GREENWAY WASTE SOLUTIONS AT NORTH MECK LLC                                          |
| 2.  | 01910102  | 15330 HOLBROOKS RD HUNTERSVILLE NC 28078<br>15360 HOLBROOKS RD HUNTERSVILLE NC 28078<br>15350 HOLBROOKS RD HUNTERSVILLE NC 28078 | 1) GREENWAY WASTE SOLUTIONS AT NORTH MECK LLC                                          |
| 3.  | 01910105  | NA                                                                                                                               | 1) C&D MANAGEMENT COMPANY LLC                                                          |
| 4.  | 01910107  | 14930 HOLBROOKS RD HUNTERSVILLE NC 28078                                                                                         | 1) GREENWAY WASTE SOLUTIONS AT NORTH MECK LLC                                          |
| 5.  | 01910109  | 15106 HOLBROOKS RD HUNTERSVILLE NC 28078<br>15114 HOLBROOKS RD HUNTERSVILLE NC 28078<br>15300 HOLBROOKS RD HUNTERSVILLE NC 28078 | 1) GREENWAY RECYCLING AT NORTH MECK LLC                                                |
| 6.  | 01910113  | NA                                                                                                                               | 1) GREENWAY WASTE SOLUTIONS AT NORTH MECK LLC                                          |
| 7.  | 01910114  | NA                                                                                                                               | 1) GREENWAY WASTE SOLUTIONS LLC                                                        |
| 8.  | 01910116  | 15102 HOLBROOKS RD HUNTERSVILLE NC 28078<br>15110 HOLBROOKS RD HUNTERSVILLE NC 28078                                             | 1) GREENWAY WASTE SOLUTIONS LLC                                                        |
| 9.  | 01920312  | 14931 HOLBROOKS RD HUNTERSVILLE NC 28078                                                                                         | 1) HURT HUNTER                                                                         |
| 10. | 01930104  | NA                                                                                                                               | 1) JOHNSTON ARNOLD W                                                                   |
| 11. | 01910119  | NA                                                                                                                               | 1) GREENWAY WASTE SOLUTIONS AT NORTH MECK LLC                                          |
| 12. | 01927467  | 12711 ES DRAPER DR HUNTERSVILLE NC 28078                                                                                         | 1) STIER FRANK                                                                         |
| 13. | 01927468  | 12715 ES DRAPER DR HUNTERSVILLE NC 28078                                                                                         | 1) MOSCA JOSEPH CHARLES                                                                |
| 14. | 01927469  | 12719 ES DRAPER DR HUNTERSVILLE NC 28078                                                                                         | 1) SOMMERS TODD ALLEN<br>2) MONNIN JENNIFER M                                          |
| 15. | 01927470  | 12723 ES DRAPER DR HUNTERSVILLE NC 28078                                                                                         | 1) BALLEW SCOTT<br>2) BALLEW ANN                                                       |
| 16. | 01927614  | 13412 QUICKSILVER LN HUNTERSVILLE NC 28078                                                                                       | 1) RUBAINE KEITH<br>2) RUBAINE MERLE                                                   |
| 17. | 01927615  | 13416 QUICKSILVER LN HUNTERSVILLE NC 28078                                                                                       | 1) ANKENY ANNE-LIESSE HLLARY<br>2) ANKENY GERALD HOWARD                                |
| 18. | 01927616  | 12718 ES DRAPER DR HUNTERSVILLE NC 28078                                                                                         | 1) RODRIGUEZ KELLY D<br>2) RODRIGUEZ FRANK LOUIS JR                                    |
| 19. | 01927617  | 14803 HOLBROOKS RD HUNTERSVILLE NC 28078                                                                                         | 1) SPAIDE SHERRY                                                                       |
| 20. | 01927618  | 14797 HOLBROOKS RD HUNTERSVILLE NC 28078                                                                                         | 1) PARKUNAN VENKATESAN<br>2) KARUPPANNAN RADHA                                         |
| 21. | 01927619  | 14791 HOLBROOKS RD HUNTERSVILLE NC 28078                                                                                         | 1) DAVENPORT AMANDA LAUREN LEE<br>2) LEE DAVENPORT LIVING TRUST<br>3) DAVENPORT WADE T |
| 22. | 01927620  | 14785 HOLBROOKS RD HUNTERSVILLE NC 28078                                                                                         | 1) MURPHY DANIEL JOSEPH<br>2) MURPHY JESICA CONWAY                                     |
| 23. | 01927621  | 14779 HOLBROOKS RD HUNTERSVILLE NC 28078                                                                                         | 1) GUINCHO CARL DENNIS SR<br>2) ANDERSON LIM L                                         |

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# POLARIS 3G PROPERTY OWNERSHIP REPORT

Date Printed: 07/21/2025

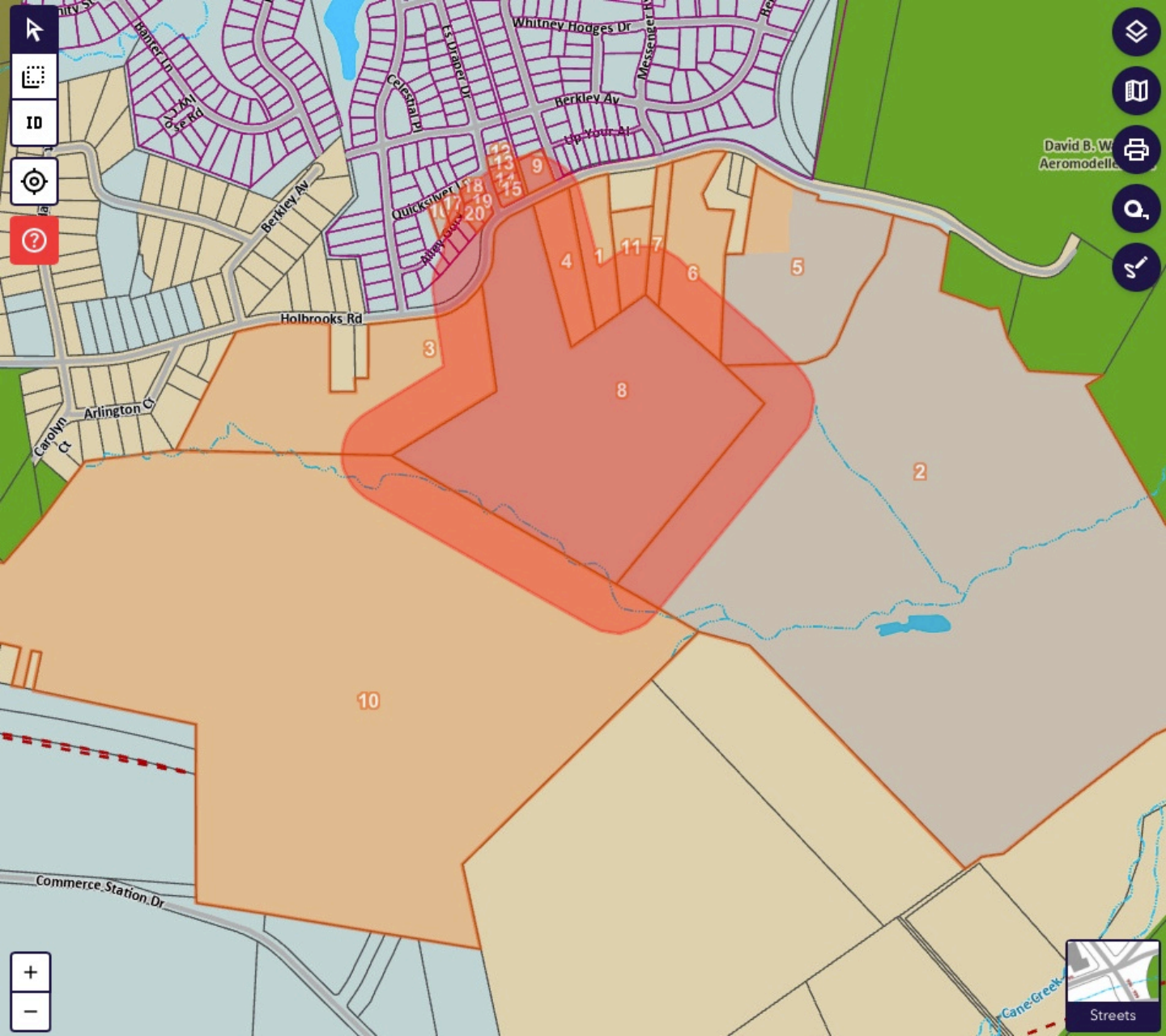
**Filter:**

buffer: 250, gisid: 01910116

| No  | Parcel ID | Address on Property (max 3)              | Owner Name                                                                           |
|-----|-----------|------------------------------------------|--------------------------------------------------------------------------------------|
| 24. | 01927622  | 14773 HOLBROOKS RD HUNTERSVILLE NC 28078 | 1) MIXAYCHAREUN JENNIFER MARIE<br>2) MIXAYCHAREUN PARAMY                             |
| 25. | 01927623  | 14767 HOLBROOKS RD HUNTERSVILLE NC 28078 | 1) ZOOK STEVEN M<br>2) ZOOK LANA R                                                   |
| 26. | 01927627  | 14802 ALLEY GORY HUNTERSVILLE NC 28078   | 1) SOUTHSIDE NEIGHBORHOOD LLC                                                        |
| 27. | 01927628  | NA                                       | 1) VERMILLION COMMUNITY<br>ASSOCIATION INC<br>2) C/O KUESTER MANAGEMENT GROUP<br>LLC |
| 28. | 01927473  | NA                                       | 1) VERMILLION COMMUNITY<br>ASSOCIATION INC<br>2) C/O KUESTER MANAGEMENT GROUP<br>LLC |
| 29. | 01937201  | 11314 VANGUARD PY HUNTERSVILLE NC 28078  | 1) BHOWMIK KAUSHIK DUTTA<br>2) PAUL KABITA                                           |
| 30. | 01937269  | 14941 HOLBROOKS RD HUNTERSVILLE NC 28078 | 1) GRIFFIN MARK C<br>2) STANFIELD-GRIFFIN ERICA N                                    |
| 31. | 01937285  | NA                                       | 1) VERMILLION COMMUNITY<br>ASSOCIATION INC<br>2) C/O KUESTER MANAGEMENT GROUP<br>LLC |

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**POLARIS 3G PROPERTY OWNERSHIP REPORT**

Date Printed: 07/21/2025

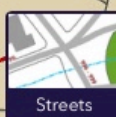
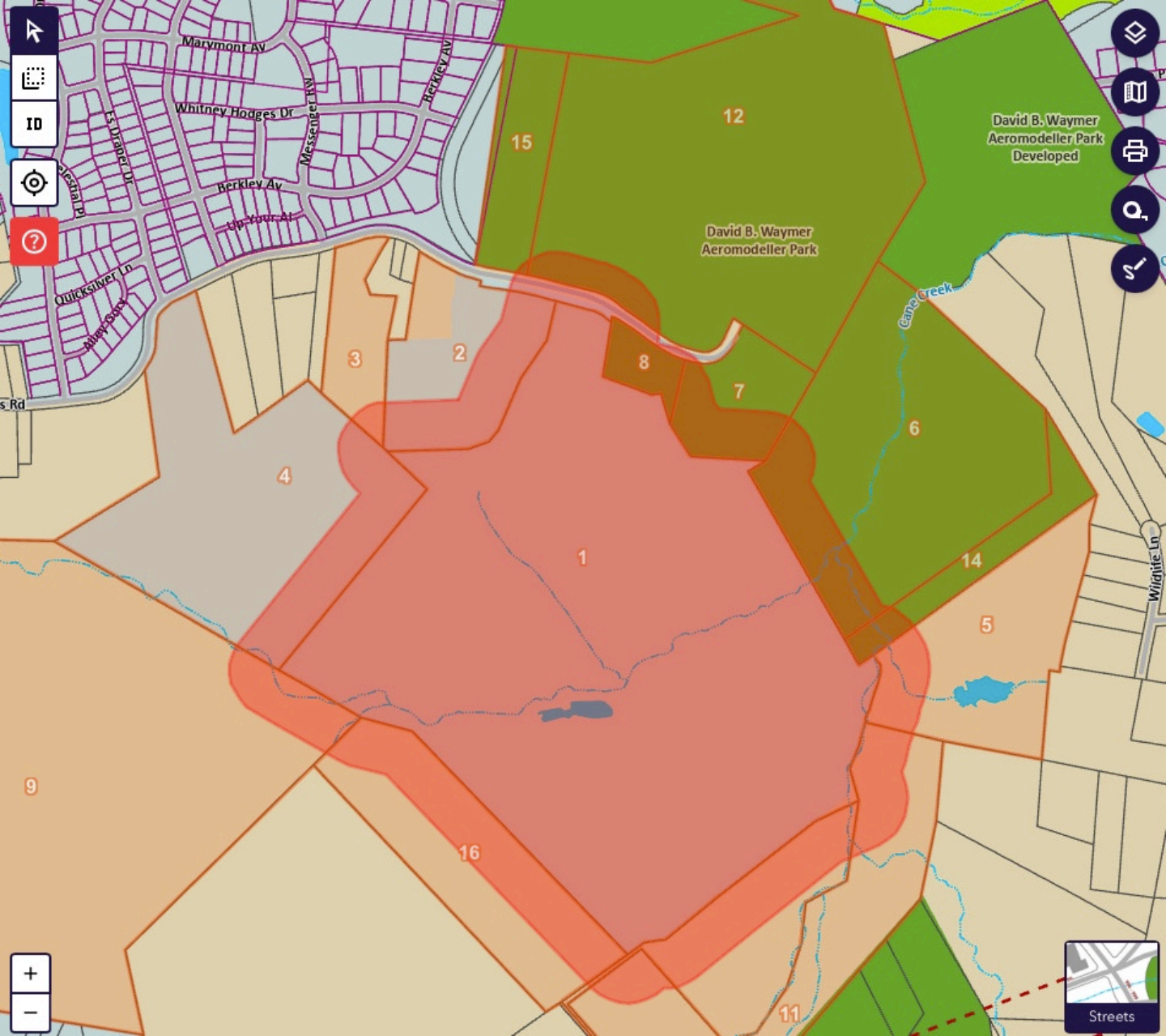
**Filter:**

buffer: 250, gisid: 01910102

| No  | Parcel ID | Address on Property (max 3)                                                                                                      | Owner Name                                                 |
|-----|-----------|----------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| 1.  | 01910102  | 15330 HOLBROOKS RD HUNTERSVILLE NC 28078<br>15360 HOLBROOKS RD HUNTERSVILLE NC 28078<br>15350 HOLBROOKS RD HUNTERSVILLE NC 28078 | 1) GREENWAY WASTE SOLUTIONS AT<br>NORTH MECK LLC           |
| 2.  | 01910109  | 15106 HOLBROOKS RD HUNTERSVILLE NC 28078<br>15114 HOLBROOKS RD HUNTERSVILLE NC 28078<br>15300 HOLBROOKS RD HUNTERSVILLE NC 28078 | 1) GREENWAY RECYCLING AT NORTH<br>MECK LLC                 |
| 3.  | 01910113  | NA                                                                                                                               | 1) GREENWAY WASTE SOLUTIONS AT<br>NORTH MECK LLC           |
| 4.  | 01910116  | 15102 HOLBROOKS RD HUNTERSVILLE NC 28078<br>15110 HOLBROOKS RD HUNTERSVILLE NC 28078                                             | 1) GREENWAY WASTE SOLUTIONS LLC                            |
| 5.  | 01918135  | 12539 WILDLIFE LN HUNTERSVILLE NC 28078                                                                                          | 1) GREENWAY WASTE SOLUTIONS LLC                            |
| 6.  | 01919102  | NA                                                                                                                               | 1) MECKLENBURG COUNTY                                      |
| 7.  | 01919105  | NA                                                                                                                               | 1) MECKLENBURG COUNTY<br>2) % REAL ESTATE /FINANCE DEPT    |
| 8.  | 01919106  | NA                                                                                                                               | 1) MECKLENBURG COUNTY<br>2) C/O REAL ESTATE /FINANCE DEPT. |
| 9.  | 01930104  | NA                                                                                                                               | 1) JOHNSTON ARNOLD W                                       |
| 10. | 01934105  | 11737 TRAILS END LN HUNTERSVILLE NC 28078                                                                                        | 1) TINSLEY MICHAEL L<br>2) TINSLEY TRACY W                 |
| 11. | 01934108  | 11745 TRAILS END LN HUNTERSVILLE NC 28078                                                                                        | 1) HAMMILL WILLIAM W<br>2) HAMMILL CAMPBELL W              |
| 12. | 01937103  | 15401 HOLBROOKS RD HUNTERSVILLE NC 28078                                                                                         | 1) MECKLENBURG COUNTY                                      |
| 13. | 01934118  | 11743 TRAILS END LN HUNTERSVILLE NC 28078                                                                                        | 1) TRAILS END HOLDINGS LLC                                 |
| 14. | 01919121  | NA                                                                                                                               | 1) MECKLENBURG COUNTY                                      |
| 15. | 01937199  | NA                                                                                                                               | 1) MECKLENBURG COUNTY<br>2) C/O REAL ESTATE /FINANCE DEPT  |
| 16. | 01930106  | NA                                                                                                                               | 1) GREENWAY WASTE SOLUTIONS AT<br>NORTH MECK LLC           |

*This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.*





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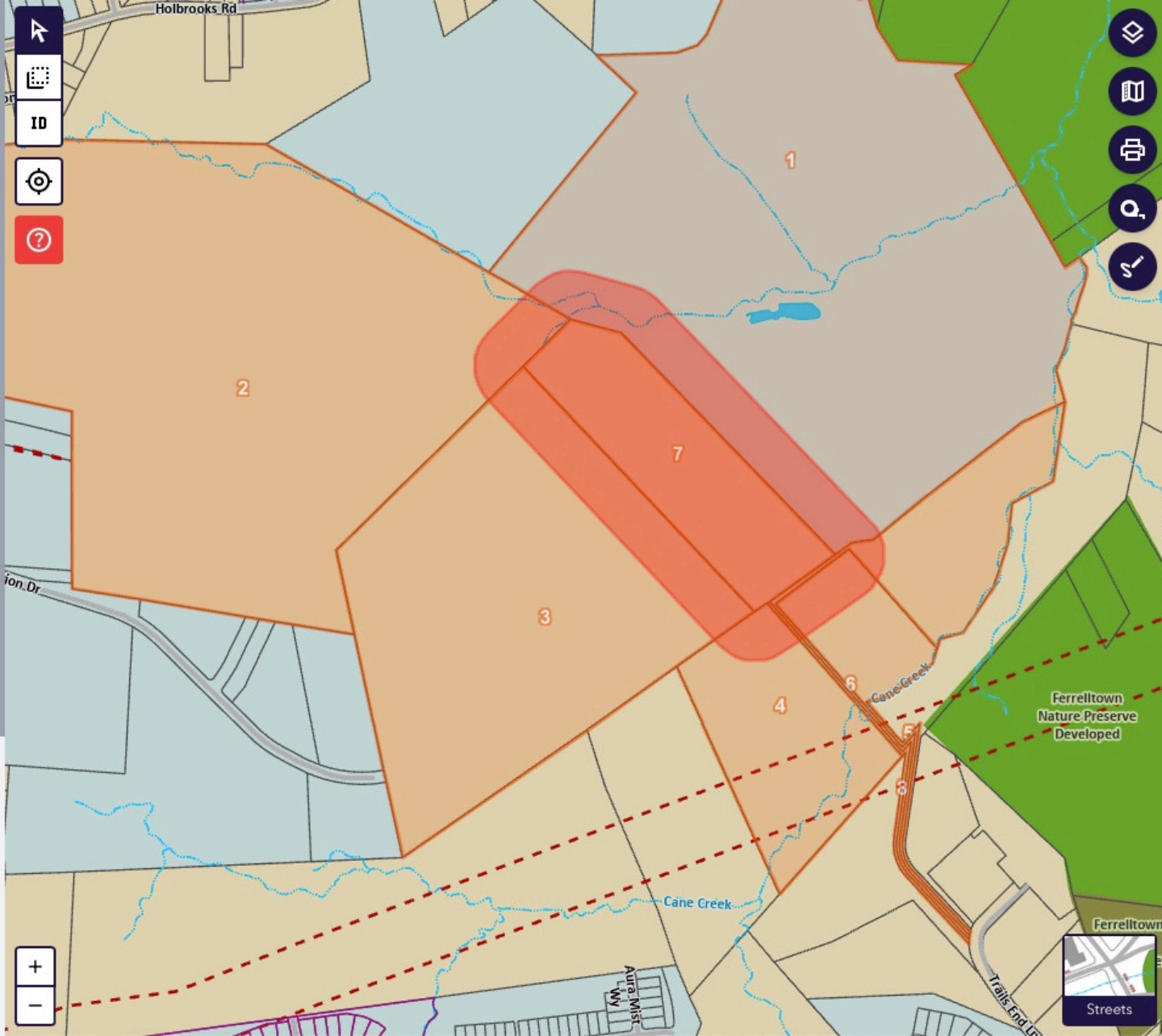
**Filter:**

buffer: 250, gisid: 01930106

| No | Parcel ID | Address on Property (max 3)                                                                                                      | Owner Name                                       |
|----|-----------|----------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| 1. | 01910102  | 15330 HOLBROOKS RD HUNTERSVILLE NC 28078<br>15360 HOLBROOKS RD HUNTERSVILLE NC 28078<br>15350 HOLBROOKS RD HUNTERSVILLE NC 28078 | 1) GREENWAY WASTE SOLUTIONS AT<br>NORTH MECK LLC |
| 2. | 01930104  | NA                                                                                                                               | 1) JOHNSTON ARNOLD W                             |
| 3. | 01930105  | 12705 COMMERCE STATION DR HUNTERSVILLE NC<br>28078                                                                               | 1) LONG LINDA WESTER                             |
| 4. | 01934104  | 11735 TRAILS END LN HUNTERSVILLE NC 28078                                                                                        | 1) BAUCOM JOHNSIE H                              |
| 5. | 01934105  | 11737 TRAILS END LN HUNTERSVILLE NC 28078                                                                                        | 1) TINSLEY MICHAEL L<br>2) TINSLEY TRACY W       |
| 6. | 01934118  | 11743 TRAILS END LN HUNTERSVILLE NC 28078                                                                                        | 1) TRAILS END HOLDINGS LLC                       |
| 7. | 01930106  | NA                                                                                                                               | 1) GREENWAY WASTE SOLUTIONS AT<br>NORTH MECK LLC |
| 8. | 01930107  | NA                                                                                                                               | 1) LONG LINDA WESTER                             |

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|                                        |                   |                                    |                   |                              |            |    |              |
|----------------------------------------|-------------------|------------------------------------|-------------------|------------------------------|------------|----|--------------|
| ALEXANDER                              | GLENDA N          |                                    | NATALIE           | 11750 TRAILS END LN          | 28078-4657 | NC | HUNTERSVILLE |
| AUSTRIAN                               | MATTHEW           | AUSTRIAN                           |                   | 14957 HOLBROOKS RD           | 28078      | NC | HUNTERSVILLE |
| BAUCOM                                 | JOHNSIE H         |                                    |                   | 7861 DEER TRACK DR           | 28037      | NC | DENVER       |
| BOYD                                   | CHARLISA DUNNING  | BOYD                               | JIMMIE LEE JR     | 14965 HOLBROOKS RD           | 28078      | NC | HUNTERSVILLE |
| CASE                                   | RODNEY M JR       | CASE                               | KELLY M           | 11763 TRAILS END LN          | 28078      | NC | HUNTERSVILLE |
| CHILES                                 | DAVID LLOYD       | CHILES                             | KRISTINA          | 14953 HOLBROOKS RD           | 28078      | NC | HUNTERSVILLE |
| DEAN                                   | BRITTANY NICOLE   |                                    |                   | 13628 BERKLEY AV             | 28078      | NC | HUNTERSVILLE |
| DOSCH                                  | KYLE              | DORCH                              | ANDREA            | 14973 HOLBROOKS RD           | 28078      | NC | HUNTERSVILLE |
| FREE                                   | BRANDON TERRELL   | FREE                               | ANDREA GIBBS      | 13610 BERKLEY AV             | 28078      | NC | HUNTERSVILLE |
| GUIGNARD                               | CHARLES S         |                                    |                   | PO BOX 1766                  | 28070      | NC | HUNTERSVILLE |
| HARRELL                                | CHAD              | HARRELL                            | JANELLE BEA       | 13712 BERKLEY AVE            | 28078      | NC | HUNTERSVILLE |
| HEAGAN                                 | BRIAN             | HEAGAN                             | REBECCA           | 14949 HOLBROOKS RD           | 28078      | NC | HUNTERSVILLE |
| HELLMAN                                | DONALD M          | HELLMAN                            | ROSANNE M         | 4625 CROWN VISTA DR          | 28269      | NC | CHARLOTTE    |
| HUFFMAN                                | WILLIAM RICHARD   | HUFFMAN                            | RUTH S            | 11749 TRAILS END LN          | 28078      | NC | HUNTERSVILLE |
| JACKSON                                | RONALD K          | JACKSON                            | ANGELA            | 14969 HOLBROOKS RD           | 28078      | NC | HUNTERSVILLE |
| KEESLING                               | CHASE             | KEESLING                           | SIDNEY            | 11313 VANGUARD PKWY          | 28078      | NC | HUNTERSVILLE |
| KHOURY-ISSOUH                          | FARIS NABEEH      | KHOURY-ISSOUH                      | NATALIE LLOYD     | 13618 BERKLEY AVE            | 28078      | NC | HUNTERSVILLE |
| KLEINSMITH                             | JAIMEY            | JAIMEY KLEINSMITH REVOCABLE LIVING | TRUST             | 14961 HOLBROOKS RD           | 28078-3622 | NC | HUNTERSVILLE |
| MARTIN                                 | PAUL MATTHEW      | MARTIN                             | LINDA S           | 11701 TRAILS END LN          | 28078-4657 | NC | HUNTERSVILLE |
| MONROE                                 | NATHANIEL RUSSELL | MONROE                             | KATIE KINSER      | 13622 BERKLEY AVE            | 28078      | NC | HUNTERSVILLE |
| MWANGI                                 | CHRISTOPHER       | MWANGI                             | SAMANTHA BALMER   | 13614 BERKLEY AVE            | 28078      | NC | HUNTERSVILLE |
| RAFIZADEH                              | CAMRON PETER      | TOVAR                              | CAMILOA RIVERA    | 13722 BERKLEY AVE            | 28078      | NC | HUNTERSVILLE |
| RAMOS                                  | NICOLE K          |                                    |                   | 13708 BERKELEY AV            | 28078      | NC | HUNTERSVILLE |
| RYAN                                   | PHYLLIS S         |                                    |                   | 13704 BERKLEY AVE            | 28078      | NC | HUNTERSVILLE |
| SMITH                                  | SYLVIA M          | SMITH FAMILY REVOCABLE LIVING      | TRUST             | 13718 BERKLEY AVE            | 28078      | NC | HUNTERSVILLE |
| SOUTHSIDE NEIGHBORHOOD LLC             |                   |                                    |                   | 13815 CINNABAR PL            | 28078      | NC | HUNTERSVILLE |
| TARIQ                                  | SHEIKH OMAR       | MARTIN                             | SHANNON ELIZABETH | 14945 HOLBROOKS RD           | 28078      | NC | HUNTERSVILLE |
| ASBURY PARK HOMEOWNERS ASSOCIATION INC |                   |                                    |                   | PO BOX 3104                  | 28106      | NC | MATTHEWS     |
| BOWMAN DEVELOPMENT GROUP INC           |                   |                                    |                   | 13815 CINNABAR PL            | 28078      | NC | HUNTERSVILLE |
| HOMEOWNERS ASSOCIATION OF MIRABELLA    |                   |                                    |                   | 13420 REESE BLVD W           | 28078      | NC | HUNTERSVILLE |
| SHEA HOMES CAROLINA LLC                |                   |                                    |                   | 10130 PERIMETER PKWY STE 300 | 28216      | NC | CHARLOTTE    |





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

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

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

Applicant: Greenway Waste Solutions at North Meck, LLC

Project Name: Infill Area 2 Expansion

Project Address: 15300 Holbrooks Road, Huntersville, NC

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

Landfill expansion at North Meck Landfill. This is a 4.8M cubic yard expansion

The facility has averaged 105 customers per day (210 trips/day) over one year's time frame starting 5/1/24 thru 4/30/25. The facility is open from 7:00 AM

to 5:00 PM Monday through Friday and 7:00 AM to 12:00 PM on Saturday. The facility does not expect additional traffic as a result of the expansion.

### Applicant

Printed Name Greenway Waste Solutions at North Meck, LLC Phone 919-795-0599

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

Signature 

Title Chief Operating Officer Email jdbrown@griffinbros.com

### Contact Information

Town of Huntersville Engineering Department  
(704) 766 - 2220

#### For Town Staff Use Only

Project File # \_\_\_\_\_

Date Submitted 6/5/25

Daily Trips Anticipated 0

Peak Hour Trips Anticipated AM 0 PM 0

TIA Required (Yes/No) No

Date of Determination: 7/14/25

Comments: Determination based on no additional capacity to process more material than current conditions, only extending the duration of the facility operation.



# General Application

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

## 1. Application Type

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

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

SUBDIVISION CATEGORIES: Per the Huntersville Subdivision Ordinance

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

## 2. Project Data

Date of Application June 2, 2025

Name of Project North Meck Infill II Expansion Phase # (if subdivision) \_\_\_\_\_

Project Address 15300 Holbrooks Road, Huntersville, NC 28078

Parcel Identification Number(s) (PIN) 01910102, 01930106, 01910116, 01910113, 01910119, 01910101, 01910107, 01910109, and 01934118

Current Zoning District Varies Proposed District (for rezoning only) SP-CD

Property Size (acres) 220.8 Street Frontage (feet) \_\_\_\_\_

Current Land Use Single Family Residential

Proposed Land Use(s) C&D Landfill and Recycling Center

Is the project within Huntersville's corporate limits?  
Yes ☒ No ☐ If no, does the applicant intend to voluntarily annex? \_\_\_\_\_

## 3. Description of Request

Provide a detailed summary. (i.e. RTAP identify what you are revising). Additional sheets may be added.  
This special use application is being submitted on behalf of Greenway Waste Solutions at  
North Meck, LLC. for the Infill II Landfill Expansion project.

## 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 Greenway Waste Solutions, LLC, Greenwa Phone 704-533-5781

☐ 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 Mik Griffin

Title Member Manager Email mike@griffinbros.com

Address of Applicant 19109 West Catawba Ave., Ste. 110, Cornelius, NC 28031

## 7. Property Owner (if different than applicant)

\*Printed Name Greenway Waste Solutions, LLC, Greenw Phone 919-795-0599

☐ 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 Mik Griffin

Title Member manager Email mike@griffinbros.com

Address of Property Owner 19109 West Catawba Ave. Suite 110 Cornelius, NC 28031

\* 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

N/A

| Development Firm          | Name of Contact | Phone        | Email             |
|---------------------------|-----------------|--------------|-------------------|
| Civil and Environmental C | Todd Gingerich  | 980-260-2108 | tgingerich@cecinc |
| Design Firm               | Name of Contact | Phone        | Email             |

## Contact Information

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



## Request for Board Action

September 2, 2025

**To:** The Honorable Mayor and Board of Commissioners

**From:** Brian Vaughan, Chief of Police

**Subject:** Update Police Salary Ranges

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### **EXPLAIN REQUEST:**

Historically the Town of Huntersville Police Salary Ranges have been second in the region to CMPD ranges. Following local municipalities budget adoption, our research indicates that there are 6 local sworn agencies with salary ranges that are appreciable higher than Huntersville's (\$56,196.80) following our FY 2026 budget adoption (Charlotte, \$59,502; Mooresville, \$59,000; Pineville, \$60,376; Cabarrus County \$60,540; Concord, \$56,912 and Matthews \$56,551).

Offering starting pay below this number of local agencies has proven a recruiting impediment; therefore, this request is to increase our Police Officer starting pay to \$61,000 in an effort to assist with our recruiting efforts. We expect to continue to review market research and perhaps propose additional updates to recruiting incentives with the next year's budget adoption.

Increasing starting new officer pay by approximately \$4,800 is expected to cause compression issues if we do not impact current officer pay. Therefore, with this item, we are also requesting that existing sworn officer pay be increased by \$4,800 which will result in current level spacing between new hires and existing staff. Based upon the current number of officer vacancies, there are no new budgetary dollars associated with this request, as we expect lapsed salary dollars to fund this increased salary and benefit level in the current year's budget.

### **ACTION RECOMMENDED:**

Approve updated ranges and compression adjustment.

### **FINANCIAL IMPLICATIONS:**

No increase to FY 2026 budget; fund within existing budget.

### **ATTACHMENTS:**

None