



AGENDA

Town Board Organizational Meeting

December 6, 2021 - 6:00 PM

TOWN HALL (101 Huntersville-Concord Road)

- 1. Call to Order**
- 2. Invocation - Moment of Silence**
- 3. Pledge of Allegiance**
- 4. Mayor and Commissioner Reports-Staff Questions**
- 5. Public Comments, Requests, or Presentations**
- 6. Agenda Changes (Current Board)**
- 7. Public Hearing (Current Board)**
 - 7.A. Conduct public hearing on Petition #ANNEX21-03, a request by Bowman Development Group, Inc and SDH Charlotte, LLC to annex 6.898 contiguous acres (Holbrooks Rd Property) into the Town of Huntersville. (*Nathan Farber*)
- 8. Other Business (Current Board)**
 - 8.A. Consider decision on Petition #ANNEX21-03, a request by Bowman Development Group, Inc. and SDH Charlotte, LLC to annex 6.898 contiguous acres (Holbrooks Rd Property) into the Town of Huntersville. (*Nathan Farber*)
 - 8.B. Consider approving the Public Art Commission selection of artist David Landis (not Specific Design, Contract, or Funding) for the Downtown Greenway Trail Head Sculpture. (*Tracy Houk*)
 - 8.C. QUASI-JUDICIAL. Conduct evidentiary hearing and consider decision on Petition #SUP21-03, a request by Art Van Wingerden on behalf of Metrolina Greenhouses, Inc. for a Special Use Permit for a dormitory for Bona Fide Farm for 14846, 14568,

and 14654 Huntersville-Concord Road (Tax parcel #s 02122102, 02122108, 02122105, and 02122104). (*Jack Simoneau*)

9. Consent Agenda (Current Board)

- 9.A. Approve the minutes of the November 15, 2021 Regular Town Board Meeting. (*Janet Pierson*)
- 9.B. Award Transformer Bid for Delivery #3 and Delivery #4 Substations. (*Don Mitchell*)
- 9.C. Approve an Electric Fund budget amendment for transformer purchase. (*Pattie McGinnis*)
- 9.D. Consider approving contract with Heartline Fitness Systems for commercial fitness equipment at HFFA. (*Zach Brown*)
- 9.E. Consider approving budget amendment appropriating Fund Balance in the amount of \$292,534.72 for fitness equipment at the HFFA facility. (*Jackie Huffman*)
- 9.F. Consider adopting Resolution authorizing a general fund loan to HFFA for fitness equipment purchase. (*Jackie Huffman*)

10. Recognition of Outgoing Elected Officials

- 10.A. Recognition of Commissioner Brian Hines (*John Aneralla*)
- 10.B. Recognition of Commissioner Nick Walsh (*John Aneralla*)
- 10.C. Recognition of Mayor John Aneralla (*Melinda Bales*)

11. Installation of Elected Officials

- 11.A. Oath of Office for Mayor and Commissioners
- 11.B. RECESS (15 minutes)

12. Agenda Changes (New Board)

13. New Business (New Board)

- 13.A. Consider election of Mayor Pro Tem. (*Melinda Bales*)

13.B. Consider adopting meeting schedule for the Huntersville Town Board. (*Janet Pierson*)

13.C. Consider appointments to various boards and committees. (*Melinda Bales*)

13.D. Presentation of FY 21 Financial Statements. (*Pattie McGinnis*)

14. Public Hearings (New Board)

14.A. Conduct public hearing on Petition #R21-10, a request by ADE 883, LLC, to rezone 10401 Hambright Road (Parcel 01740103) from Corporate Business to Corporate Business Conditional District to reduce the planting requirements of the 80' CB buffer. (*Brad Priest*)

14.B. Conduct public hearing on Petition #TA21-16, a request by the Town of Huntersville Planning Department to amend various provisions of the Town of Huntersville Zoning Ordinance, Subdivision Ordinance, and Code of Ordinances to comply with NC SB 300 to decriminalize certain ordinances adopted under Article 18 of G.S. 153A (Planning and Regulation of Development) or 160D of the General Statutes and to comply with NC HB 218 to allow an applicant to exceed the allowable built-upon area (density) under the water supply watershed rules if all statutory requirements are met. (*Kayleigh Mielenz*)

14.C. Conduct public hearing on Petition #TA21-11, a request by the Town of Huntersville Planning Department to amend Hearing Requirements for Special Use Permits; Conditions For Certain Uses; Appeals and Variances in MIL-O District; and Appeals and Variances in LN-O District. The purpose of the amendment is to standardize existing requirements for Special Use Permits and delete repetitive standards; and amend definitions of major and minor variances from Watershed regulations and findings of fact required for variances from Watershed regulations to be consistent with the North Carolina Administrative Code. (*Kayleigh Mielenz*)

15. Other Business (New Board)

15.A. Call a public hearing Monday, January 3, 2022 at 6:00 p.m. at the Huntersville Town Hall (101 Huntersville-Concord Road) on Petition #TA21-14 to amend Sections 2.100: Definitions, Section 6.300: Sketch Plan Required for Major Subdivisions, Section 6.310: Sketch Plan Not Required for Minor Subdivisions. Section 6.520: Exceptions: When Preliminary Plan Not Required. (*Brad Priest*)

16. Closing Comments

17. Adjourn

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

The Board reserves the right to deviate from the agenda.

**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From: Nathan Farber

Date: December 6, 2021

Subject: Petition #ANNEX21-03

EXPLAIN REQUEST:

Conduct public hearing on Petition #ANNEX21-03, a request by Bowman Development Group, Inc and SDH Charlotte, LLC to annex 6.898 contiguous acres (Holbrooks Rd Property) into the Town of Huntersville.

ACTION RECOMMENDED:

Conduct Public Hearing

FINANCIAL IMPLICATIONS:

n/a

ATTACHMENTS:

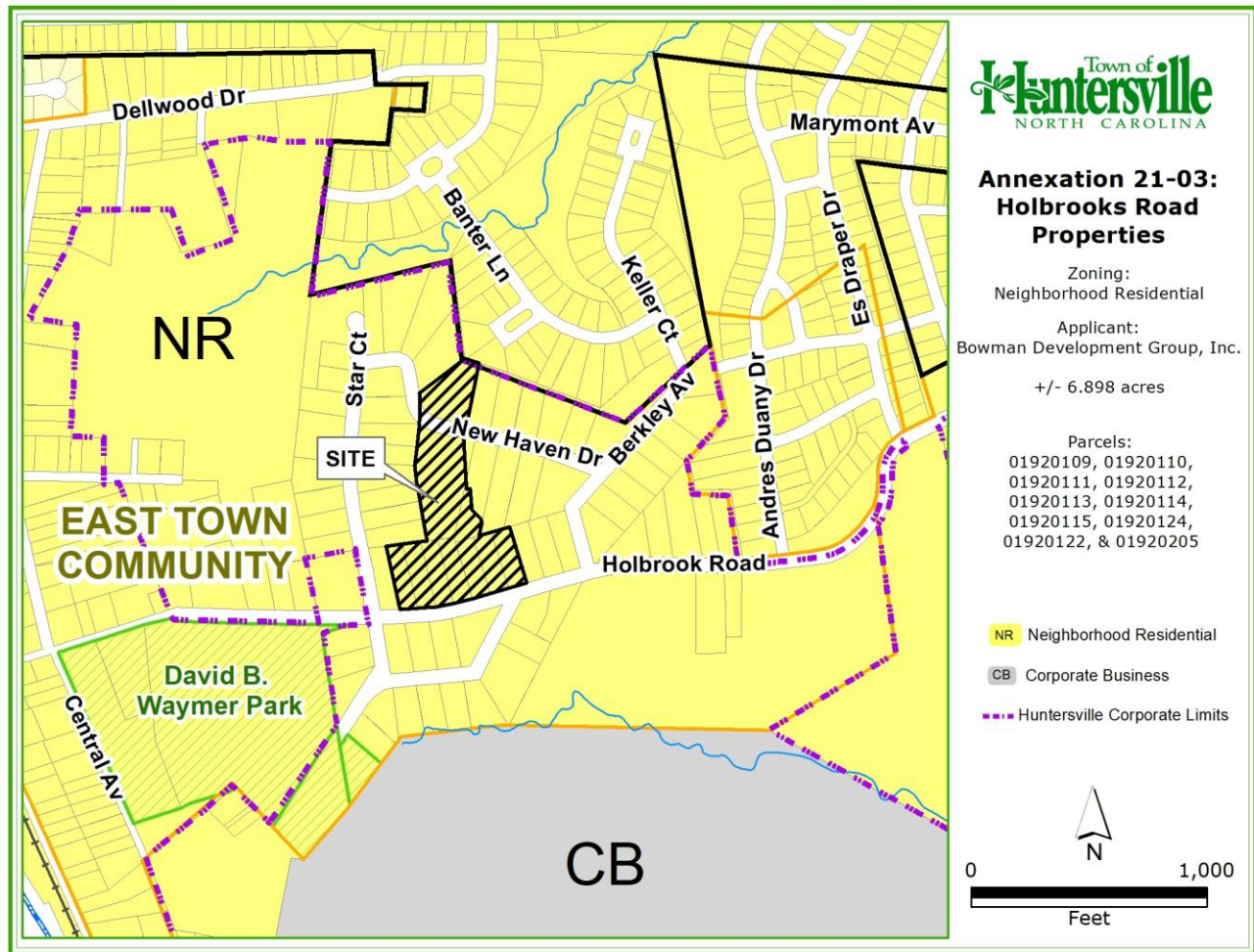
1. Annex 21-03 Holbrooks Property Staff Report TB 11-15-2021
2. Attachment A- Contiguous Annexation Petition
3. Attachment B - Annexation Plat
4. Attachment C- Certificate of Sufficiency
5. Attachment D- Resolution of Annexation
6. Attachment E- Public Hearing Ad
7. Attachment F - Metes & Bounds Description

Annexation Petition # 21-03 (Contiguous) Holbrooks Road Properties

EXPLANATION OF THE REQUEST

Petition Annex #21-03 is a request for contiguous annexation into the Town of Huntersville of 6.897 acres consisting of ten (10) parcel (PIN# 019-20-109, 019-20-110, 019-20-111, 019-20-112, 019-20-113, 019-20-114, 019-20-115, 019-20-122, 019-201-24, 019-20-205) and portion of New Haven Drive Public R/W (see Exhibit A).

LOCATION



BACKGROUND

The property owners, Bowman Development Group, Inc. and SDH Charlotte, LLC and have filed a petition to consider voluntary contiguous annexation (see Exhibit A) pursuant to North Carolina General Statutes Section 160A-58.1; the proposed area to annex is 6.898 acres.

All statutory requirements for annexation have been met:

- A petition requesting annexation was received on October 22, 2021 (see Exhibit A).
- The Town Clerk certified the sufficiency of the petition on November 1, 2021 (see Exhibit C).
- On November 15, 2021, the Board of Commissioners set the date for the public hearing to be held on December 6, 2021.
- Notice of the public hearing was placed in a newspaper of general circulation. The notice appeared in the Charlotte Observer on November 11, 2021 (see Exhibit F).

STAFF RECOMMENDATION

Since all statutory requirements have been met in full, staff recommends that the Board of Commissioners approve the petition with Mayor's signature on the associated ordinance. If the final action of this annexation takes place on December 6, 2021, the voluntary contiguous annexation would also become effective on December 6, 2021.

ATTACHMENTS

Attachment A – Contiguous Annexation Petition
Attachment B – Annexation Plats
Attachment C – Certificate of Sufficiency
Attachment D – Resolution of Intent to Annex
Attachment E - Public Hearing Ad
Attachment F – Metes & Bounds Description



PETITION REQUESTING ANNEXATION

To the Board of Commissioners of the Town of Huntersville:

1. We, the undersigned owners of all or a part of the real property described on the metes and bounds description attached hereto, request that the described area be annexed to the Town of Huntersville.

2. The area to be annexed is contiguous (non-contiguous) [circle one] to the primary corporate limits of the Town of Huntersville. The petitioner attaches hereto and submits as part of the petition:

(a) a metes and bounds description of the parcel(s) identified in paragraph 1, and

(b) a plat, suitable for recordation in the office of the Mecklenburg County Register of Deeds, showing the area proposed for annexation with relation to the primary corporate limits of the Town of Huntersville.

3. The petitioner (does) does not [circle one] claim vested rights in the property pursuant to N.C.G.S. 153A-344.1 or 160A-385.1. The basis of this claim of vested rights is as follows:

4. This petition may be one of multiple petitions of all owners within the described area and, if so, shall be considered as a single petition. If petitioner is the owner of a portion of described area, a brief description of that portion (for example, lot number on a recorded plat or tax parcel number), as of the date of this petition, is as follows:

PIN: 01920109, 01920110, 01920111, 01920112, 01920113, 01920114, 01920115,
01920122, 01920124, 01920205

Bowman Development Group, Inc.

Property Owner(s)

13815 Cinnabar Place, Huntersville, NC 28078

Address of Property Owner(s)

704-875-9704

Telephone Number

Jason.earnhardt3@gmail.com

E-mail address


Signature of Property Owner

10-21-21

Date

SDH Charlotte, LLC

Property Owner(s)

PO Box 311, Midland, NC 28107

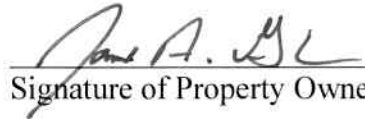
Address of Property Owner(s)

704-781-5224

Telephone Number

JGaskins@SmithDouglas.com

E-mail address



Signature of Property Owner

October 21st, 2021

Date

PROFESSIONAL LAND SURVEYOR

THIS PLAT REPRESENTS ONE AREA ANNEXED TO THE TOWN OF HUNTERVILLE,
NORTH CAROLINA PURSUANT TO NCGS 160A-58, BY ORDINANCE DULY ADOPTED
95-_____, (ANNEXATION ORDINANCE
_____) AND IS NOT SUBJECT TO REVIEW OR APPROVAL BY THE CHARLOTTE-
MECKLENBURG PLANNING COMMISSION.
THIS _____ DAY OF _____, 2021.

MAYOR
TOWN OF HUNTERSVILLE

ATTEST: _____
JANET PIERSON
TOWN CLERK

I, _____ REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN.

DATE _____ OWNER(S) BOWMAN DEVELOPMENT GROUP INC.

GENERAL NOTES:

THE DEVELOPMENT WILL ADHERE TO ALL DIMENSIONAL REQUIREMENTS SET FORTH FOR THEIR RESPECTIVE DISTRICTS IN THE TOWN OF HUNTERSVILLE ZONING ORDINANCE.

THE OWNER WISHES TO SAVE CERTAIN TREES ON THE SITE. PLACE TREE BARRICADES AS SHOWN ON THE PLAN OR AS SPECIFIED BY THE OWNER BEFORE CONSTRUCTION ACTIVITY BEGINS.

ALL CONSTRUCTION SHALL CONFORM TO TOWN OF HUNTERSVILLE OR NCDOT STANDARDS
WHICHEVER IS GREATER.

PIPE SYSTEMS AND/OR CHANNELS LOCATED WITHIN PUBLIC STORM DRAINAGE EASEMENTS ARE THE MAINTENANCE RESPONSIBILITY OF THE INDIVIDUAL PROPERTY OWNER.

THE DEVELOPER SHALL MAINTAIN THE STREAMBED OF EACH STREAM, CREEK OR BACKWASH CHANNEL IN AN UNOBSTRUCTED STATE AND SHALL REMOVE FROM THE CHANNEL AND BANKS OF THE STREAM ALL DEBRIS, LOGS, TIMBER, AND JUNK.

THERE WILL BE NO STUMP HOLES ON-SITE. ALL SOLID WASTE HAULED OFF SITE SHALL BE DISPOSED OF AT FACILITIES PERMITTED TO RECEIVE THOSE WASTES.

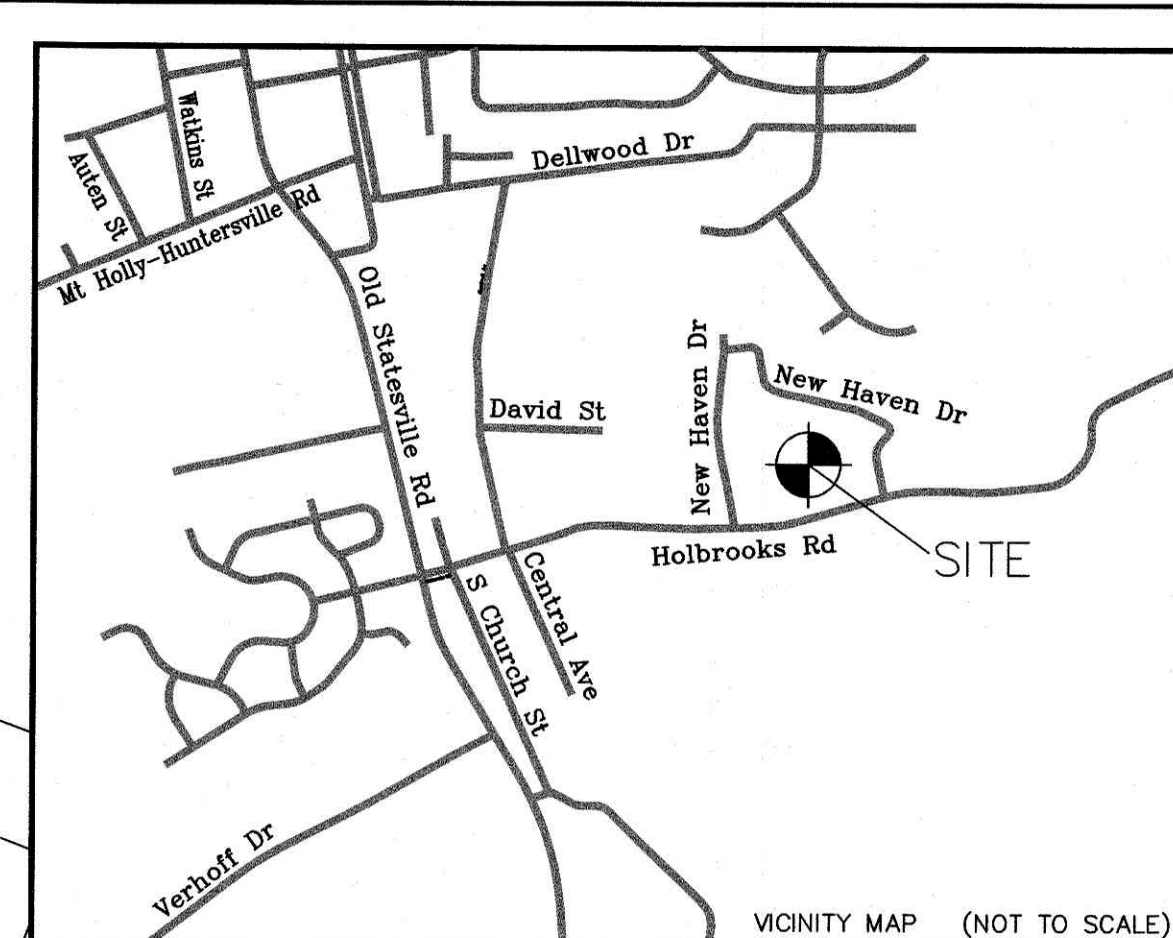
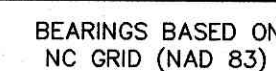
COMMON OPEN SPACE TO BE OWNED AND MAINTAINED BY THE DEVELOPER OR HIS ASSIGNS.

A HOME OWNERS ASSOCIATION WILL BE ESTABLISHED FOR THE MAINTENANCE OF ALL OPEN SPACE AREAS.

AREAS WERE CALCULATED BY COORDINATE METHOD.

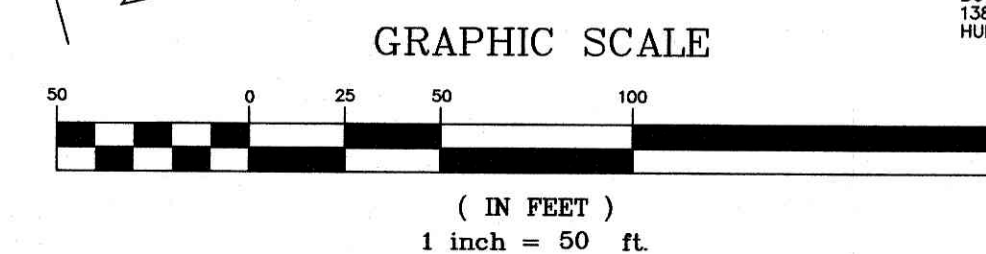
LOTS 10-16 & 24 = 5.569 ACRES
 LOT 14 = 0.996 ACRES
 TOTAL = 6.565 ACRES

THE PURPOSE OF THIS PLAT IS TO ANNEX LOTS 10-16 & 24 & 14 & PORTION OF
NEW HAVEN ROAD WITHIN THE RIGHT OF WAY.

[illegible]

VICINITY MAP (NOT TO SCALE)

OWNERS NOTE:
BOWMAN DEVELOPMENT GROUP IN
13815 CINNABAR PLACE
HUNTERVILLE, NC 28078

[illegible]



CERTIFICATE OF SUFFICIENCY

To the Board of Commissioners of the Town of Huntersville, North Carolina:

I, Janet Pierson, Town Clerk, do hereby certify that I have investigated the attached petition and hereby make the following findings:

- a. The petition contains an adequate property description of the area proposed for annexation.
- b. The area described in the petition is contiguous to the Town of Huntersville primary corporate limits, as defined by G.S. 160A-31.
- c. The petition is signed by and includes addresses of all owners of real property lying in the area described therein.

The undersigned therefore certifies that the petition is sufficient for the voluntary annexation of a contiguous area pursuant to NCGS §160A-31.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the seal of the Town of Huntersville this 1st day of November, 2021.



Janet Pierson
Janet Pierson, Town Clerk



**RESOLUTION FIXING DATE OF PUBLIC HEARING
ON QUESTION OF ANNEXATION PURSUANT TO N.C.G.S. 160A-31
(HOLBROOKS PROPERTIES SUBDIVISION)**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Board of Commissioners has directed the Town Clerk to investigate the sufficiency thereof;
and

WHEREAS, certification by the Town Clerk as to the sufficiency of said petition has been made.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

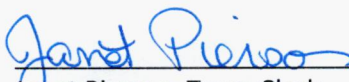
Section 1. That a public hearing on the question of annexation of the area described herein which is contiguous to the primary town limits of the Town of Huntersville will be held at the Huntersville Town Hall, 101 Huntersville-Concord Rd, Huntersville, NC at 6:00 p.m. on the 6th day of December 2021.

Section 2. The area proposed for annexation is described as follows:
(Metes and bounds description attached hereto as Exhibit A and Annexation Plat attached hereto as Exhibit B.)

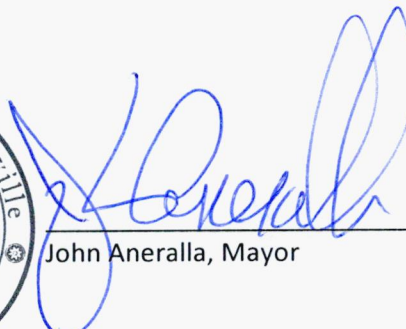
Section 3. Notice of said public hearing shall be published in the Charlotte Observer, a newspaper having a general circulation in the Town of Huntersville, at least ten (10) days prior to the date of said public hearing.

Adopted this 15th day of November, 2021.

ATTEST:


Janet Pierson, Town Clerk




John Aneralla, Mayor

APPROVED AS TO FORM:

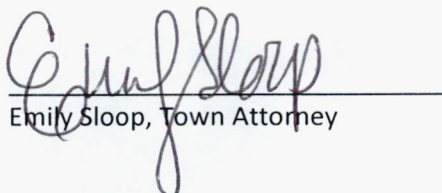

Emily Sloop, Town Attorney

Exhibit A: Holbrooks Property Annexation Plat Metes & Bounds.

Holbrooks Property - Property Description

All that certain parcel of land, situated, lying and being in the Huntersville Township, Mecklenburg County, State of North Carolina, and more particularly described as follows:

Beginning at (POINT OF BEGINNING) a point being the South-Western corner of Lot 10, Block 2 as recorded in Map Book 8, page 339 of the Mecklenburg County Register of Deeds, being further located on the Northern margin of Holbrooks Drive, also being the South-Eastern corner of land owned Now or Formerly by Everett B. Houston & Anne E. Blackmon as recorded in Deed Book 12440, page 539 of the Mecklenburg County Register of Deeds, thence with the Northern margin of Holbrooks Drive for five (5) calls and distances to points, 1) N86-10-22E 78.00', 2) N84-48-22E 78.00', 3) N80-45-22E 78.00', 4) N74-34-22E 78.00', 5) N74-19-22E 240.00' to the South-Easter corner of Lot 16, Block 2 as recorded in Map Book 8, page 339 of the Mecklenburg County Register of Deeds, thence with the Eastern line of Lot 16 N15-40-38W 250.00' to a point on the Southern line of land owned Now or Formerly by Odell N. Martin Heirs as recorded in Deed Book 2746, page 159 of the Mecklenburg County Register of Deeds, thence with the Southern Line of the Odell N. Martin Heirs land & Land owned Now or Formerly Joshua Penn & Jennifer Jar as recorded in Deed Book 29328, page 987 of the Mecklenburg County Register of Deeds S74-18-33W 130.04' to a point, thence with the line of land owned Now or Formerly by Joshua Penn & Jennifer Jar as recorded in Deed Book 29328, page 987; Deed Book 22979, page 346; Deed Book 26746, page 812 all of the Mecklenburg County Register of Deeds for five (5) calls and distances to points, 1) N12-03-05E 66.17', 2) N45-43-26W 64.67', 3) N04-39-34W 88.50', 4) S89-17-22W 13.79', 5) N03-10-14W 211.20' to a point on the Southern margin of New Haven Drive; Thence crossing New Haven Drive to a point located on the Northern side of New Haven Drive, the South-Eastern corner of Lot 14 Block 1, N09-14-48E 60.24'; thence N11-24-52E 254.08' to a point, thence N71-08-12W 77.85' to a found rod, thence with the Southern line of land owned Now or Formerly by James Rosman as recorded in Deed Book 33282, page 769 of the Mecklenburg County Register of Deeds S52-42-22W 222.97' to a point on the northern margin of New Haven Drive; Thence crossing New Haven Drive S 01-12-39W 159.16' to a point on the southern margin of New Haven Drive, being the North-Eastern corner of Lot 3 Block 2 as recorded in Map Book 8, page 339 of the Mecklenburg County Register of Deeds, thence with the Eastern line of Lots 3 through 8 as recorded in Map Book 8, page 339 of the Mecklenburg County Register of Deeds for three (3) calls and distances to points, 1) S06-13-22W 167.81', 2) S02-20-38E 58.60', 3) S10-52-38E 257.05' to a point on the Northern line of Lot 12 of Block 2 as recorded in Map 8, page 339 of the Mecklenburg County Register of Deeds, thence with the Northern line of Lots 12 through 10 as recorded in Map 8, page 339 of the Mecklenburg County Register of Deeds S82-59-22W 176.69' to a point, thence with the Western line of Lot 10 S11-57-38E 270.67' to the Point and Place of Beginning,

Containing 6.899 acres total

As shown on a map drawn by Yarbrough-Williams & Houle, dated 10/26/21

NOTICE OF PUBLIC HEARING ON REQUEST FOR ANNEXATION
(Holbrooks Properties Subdivision)

Take notice that the Board of Commissioners of the Town of Huntersville has called a Public Hearing at 6:00 p.m. on December 6, 2021 on the question of annexing the following described territory, requested by petition filed pursuant to NCGS 160A-31, to annex to the Town of Huntersville certain contiguous property. The Hearing will be held in person at the Huntersville Town Hall at 101 Huntersville-Concord Rd, Huntersville, NC 28078. You may also watch the Hearing via <https://www.facebook.com/HuntersvilleNCTownGovernment>. The property subject to the Petition consists of +/- 6.897-acres, (Meck Co. PIN are 019-20-109, 019-20-111, 019-20-112, 019-20-113, 019-20-114, 019-20-115, 019-20-122, 019-20-205) and described as follows documents are on file in the Huntersville Planning Dept.:

LEGAL DESCRIPTION (ANNEX 21-03)

All that certain parcel of land, situated, lying and being in the Huntersville Township, Mecklenburg County, State of North Carolina, and more particularly described as follows:

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Containing 6.899 acres total

As shown on a map drawn by Yarbrough-Williams & Houle, dated 10/26/21

**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From: Nathan Farber

Date: December 6, 2021

Subject: Petition #ANNEX21-03

EXPLAIN REQUEST:

Consider decision on petition #ANNEX21-03, a request by Bowman Development Group, Inc and SDH Charlotte, LLC to annex 6.898 contiguous acres (Holbrooks Rd property) into the Town of Huntersville.

ACTION RECOMMENDED:

Consider final action.

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

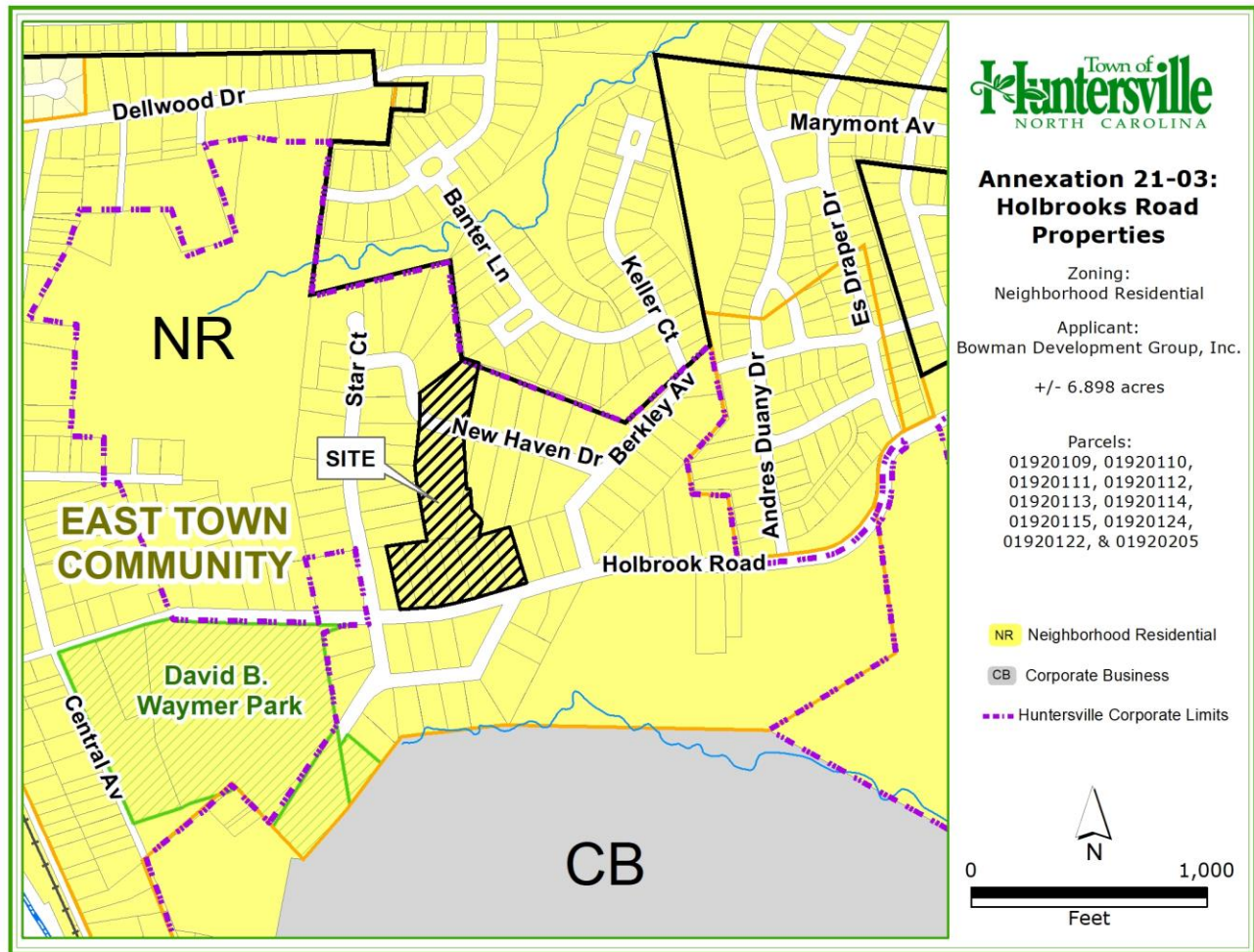
1. Annex 21-03 Holbrooks Property Staff Report TB 11-15-2021
2. Attachment A- Contiguous Annexation Petition
3. Attachment B - Annexation Plat
4. Attachment C- Certificate of Sufficiency
5. Attachment D- Resolution of Annexation
6. Attachment E- Public Hearing Ad
7. Attachment F - Metes & Bounds Description
8. Annex 21-03 Ordinance

Annexation Petition # 21-03 (Contiguous) Holbrooks Road Properties

EXPLANATION OF THE REQUEST

Petition Annex #21-03 is a request for contiguous annexation into the Town of Huntersville of 6.897 acres consisting of ten (10) parcel (PIN# 019-20-109, 019-20-110, 019-20-111, 019-20-112, 019-20-113, 019-20-114, 019-20-115, 019-20-122, 019-201-24, 019-20-205) and portion of New Haven Drive Public R/W (see Exhibit A).

LOCATION



BACKGROUND

The property owners, Bowman Development Group, Inc. and SDH Charlotte, LLC and have filed a petition to consider voluntary contiguous annexation (see Exhibit A) pursuant to North Carolina General Statutes Section 160A-58.1; the proposed area to annex is 6.898 acres.

All statutory requirements for annexation have been met:

- A petition requesting annexation was received on October 22, 2021 (see Exhibit A).
- The Town Clerk certified the sufficiency of the petition on November 1, 2021 (see Exhibit C).
- On November 15, 2021, the Board of Commissioners set the date for the public hearing to be held on December 6, 2021.
- Notice of the public hearing was placed in a newspaper of general circulation. The notice appeared in the Charlotte Observer on November 11, 2021 (see Exhibit F).

STAFF RECOMMENDATION

Since all statutory requirements have been met in full, staff recommends that the Board of Commissioners approve the petition with Mayor's signature on the associated ordinance. If the final action of this annexation takes place on December 6, 2021, the voluntary contiguous annexation would also become effective on December 6, 2021.

ATTACHMENTS

Attachment A – Contiguous Annexation Petition
Attachment B – Annexation Plats
Attachment C – Certificate of Sufficiency
Attachment D – Resolution of Intent to Annex
Attachment E - Public Hearing Ad
Attachment F – Metes & Bounds Description



PETITION REQUESTING ANNEXATION

To the Board of Commissioners of the Town of Huntersville:

1. We, the undersigned owners of all or a part of the real property described on the metes and bounds description attached hereto, request that the described area be annexed to the Town of Huntersville.

2. The area to be annexed is contiguous (non-contiguous) [circle one] to the primary corporate limits of the Town of Huntersville. The petitioner attaches hereto and submits as part of the petition:

(a) a metes and bounds description of the parcel(s) identified in paragraph 1, and

(b) a plat, suitable for recordation in the office of the Mecklenburg County Register of Deeds, showing the area proposed for annexation with relation to the primary corporate limits of the Town of Huntersville.

3. The petitioner (does) does not [circle one] claim vested rights in the property pursuant to N.C.G.S. 153A-344.1 or 160A-385.1. The basis of this claim of vested rights is as follows:

4. This petition may be one of multiple petitions of all owners within the described area and, if so, shall be considered as a single petition. If petitioner is the owner of a portion of described area, a brief description of that portion (for example, lot number on a recorded plat or tax parcel number), as of the date of this petition, is as follows:

PIN: 01920109, 01920110, 01920111, 01920112, 01920113, 01920114, 01920115,
01920122, 01920124, 01920205

Bowman Development Group, Inc.

Property Owner(s)

13815 Cinnabar Place, Huntersville, NC 28078

Address of Property Owner(s)

704-875-9704

Telephone Number

Jason.earnhardt3@gmail.com

E-mail address


Signature of Property Owner

10-21-21

Date

SDH Charlotte, LLC

Property Owner(s)

PO Box 311, Midland, NC 28107

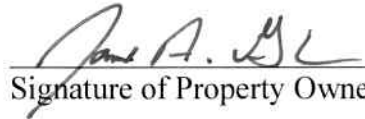
Address of Property Owner(s)

704-781-5224

Telephone Number

JGaskins@SmithDouglas.com

E-mail address



Signature of Property Owner

October 21st, 2021

Date

PROFESSIONAL LAND SURVEYOR

THIS PLAT REPRESENTS ONE AREA ANNEXED TO THE TOWN OF HUNTERVILLE,
NORTH CAROLINA PURSUANT TO NCGS 160A-58, BY ORDINANCE DULY ADOPTED
95-_____, (ANNEXATION ORDINANCE
_____) AND IS NOT SUBJECT TO REVIEW OR APPROVAL BY THE CHARLOTTE-
MECKLENBURG PLANNING COMMISSION.
THIS _____ DAY OF _____, 2021.

MAYOR
TOWN OF HUNTERSVILLE

ATTEST: _____
JANET PIERSON
TOWN CLERK

I, _____ REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN.

DATE _____ OWNER(S) BOWMAN DEVELOPMENT GROUP INC.

GENERAL NOTES:

THE DEVELOPMENT WILL ADHERE TO ALL DIMENSIONAL REQUIREMENTS SET FORTH FOR THEIR RESPECTIVE DISTRICTS IN THE TOWN OF HUNTERSVILLE ZONING ORDINANCE.

THE OWNER WISHES TO SAVE CERTAIN TREES ON THE SITE. PLACE TREE BARRICADES AS SHOWN ON THE PLAN OR AS SPECIFIED BY THE OWNER BEFORE CONSTRUCTION ACTIVITY BEGINS.

ALL CONSTRUCTION SHALL CONFORM TO TOWN OF HUNTERSVILLE OR NCDOT STANDARDS
WHICHEVER IS GREATER.

PIPE SYSTEMS AND/OR CHANNELS LOCATED WITHIN PUBLIC STORM DRAINAGE EASEMENTS ARE THE MAINTENANCE RESPONSIBILITY OF THE INDIVIDUAL PROPERTY OWNER.

THE DEVELOPER SHALL MAINTAIN THE STREAMBED OF EACH STREAM, CREEK OR BACKWASH CHANNEL IN AN UNOBSTRUCTED STATE AND SHALL REMOVE FROM THE CHANNEL AND BANKS OF THE STREAM ALL DEBRIS, LOGS, TIMBER, AND JUNK.

THERE WILL BE NO STUMP HOLES ON-SITE. ALL SOLID WASTE HAULED OFF SITE SHALL BE DISPOSED OF AT FACILITIES PERMITTED TO RECEIVE THOSE WASTES.

COMMON OPEN SPACE TO BE OWNED AND MAINTAINED BY THE DEVELOPER OR HIS ASSIGNS.

A HOME OWNERS ASSOCIATION WILL BE ESTABLISHED FOR THE MAINTENANCE OF ALL OPEN SPACE AREAS.

AREAS WERE CALCULATED BY COORDINATE METHOD.

AREAS:
 LOTS 10-16 & 24 = 5.569 ACRES
 LOT 14 = 0.996 ACRES
 TOTAL = 6.565 ACRES

THE PURPOSE OF THIS PLAT IS TO ANNEX LOTS 10-16 & 24 & 14 & PORTION OF
NEW HAVEN ROAD WITHIN THE RIGHT OF WAY.

TAX ID #D19-201-06
ZONING NR

NOW OR FORMERLY
MECKLENBURG COUNTY
DEED: 24949-971
MB: 8-339 L1 & B2
TAX ID #019-201-07
ZONING NR

MECKLENBURG COUNTY

NEW HAVEN DRIVE

NOW OR FORMERLY
EVERETT E BLICKMAN
ANNEXED: 1244019 B2
MB: 8-339 L1 & B2
TAX ID #019-201-08
ZONING NR

MECKLENBURG COUNTY

NOW OR FORMERLY
BOWMAN DEVELOPMENT
GROUP INC.
DEED: 34904-563
MB: 8-339
TAX ID #019-201-10
CURRENT ZONING NR

#019-201-09
20,958 SF
0.473 ACRES

NOW OR FORMERLY
BOWMAN DEVELOPMENT
GROUP INC.
DEED: 34904-563
MB: 8-339
TAX ID #019-201-11
CURRENT ZONING NR

#019-201-10
20,798 SF
0.477 ACRES

NOW OR FORMERLY
BOWMAN DEVELOPMENT
GROUP INC.
DEED: 34904-563
MB: 8-339
TAX ID #019-201-12
CURRENT ZONING NR

#019-201-11
20,857 SF
0.479 ACRES

NOW OR FORMERLY
BOWMAN DEVELOPMENT
GROUP INC.
DEED: 34904-563
MB: 8-339
TAX ID #019-201-13
CURRENT ZONING NR

#019-201-12
20,400 SF
0.469 ACRES

NOW OR FORMERLY
BOWMAN DEVELOPMENT
GROUP INC.
DEED: 34904-563
MB: 8-339
TAX ID #019-201-14
CURRENT ZONING NR

#019-201-13
20,001 SF
0.459 ACRES

NOW OR FORMERLY
BOWMAN DEVELOPMENT
GROUP INC.
DEED: 34904-563
MB: 8-339
TAX ID #019-201-15
CURRENT ZONING NR

#019-201-14
19,998 SF
0.459 ACRES

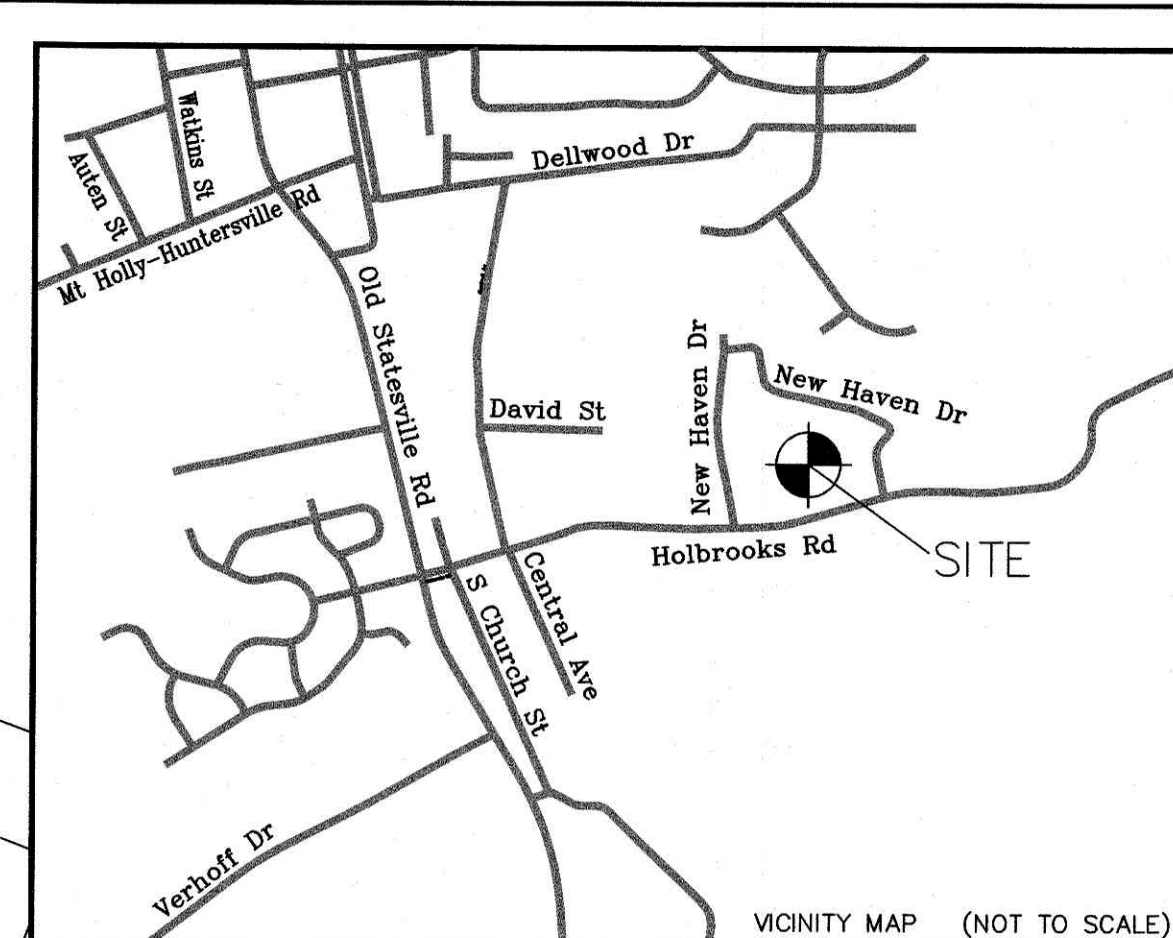
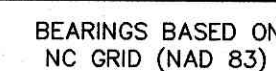
NOW OR FORMERLY
NELSON SORTO
DEED: 32668-155
MB: 8-339 L17&18 B2
TAX ID #019-201-16
ZONING NR

MECKLENBURG COUNTY

HOLBROOKS DRIVE

MECKLENBURG COUNTY

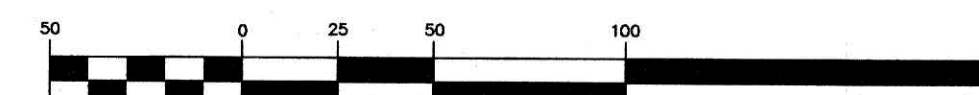
Bearings and Distances:
N82°59'22"E 176.69'
N87°10'22"E 78.00'
N84°48'22"E 78.00'
N80°45'22"E 78.00'
N74°18'33"E 130.04'
N74°19'22"E 240.00'
N74°34'22"E 78.00'
N72°30'E 66.17'



VICINITY MAP (NOT TO SCALE)

OWNERS NOTE:
BOWMAN DEVELOPMENT GROUP IN
13815 CINNABAR PLACE
HUNTERVILLE, NC. 28078

GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft

[illegible]

Town of Huntersville

NORTH CAROLINA

CERTIFICATE OF SUFFICIENCY

To the Board of Commissioners of the Town of Huntersville, North Carolina:

I, Janet Pierson, Town Clerk, do hereby certify that I have investigated the attached petition and hereby make the following findings:

- a. The petition contains an adequate property description of the area proposed for annexation.
- b. The area described in the petition is contiguous to the Town of Huntersville primary corporate limits, as defined by G.S. 160A-31.
- c. The petition is signed by and includes addresses of all owners of real property lying in the area described therein.

The undersigned therefore certifies that the petition is sufficient for the voluntary annexation of a contiguous area pursuant to NCGS §160A-31.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the seal of the Town of Huntersville this 1st day of November, 2021.



Janet Pierson
Janet Pierson, Town Clerk



**RESOLUTION FIXING DATE OF PUBLIC HEARING
ON QUESTION OF ANNEXATION PURSUANT TO N.C.G.S. 160A-31
(HOLBROOKS PROPERTIES SUBDIVISION)**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Board of Commissioners has directed the Town Clerk to investigate the sufficiency thereof;
and

WHEREAS, certification by the Town Clerk as to the sufficiency of said petition has been made.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

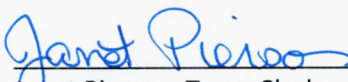
Section 1. That a public hearing on the question of annexation of the area described herein which is contiguous to the primary town limits of the Town of Huntersville will be held at the Huntersville Town Hall, 101 Huntersville-Concord Rd, Huntersville, NC at 6:00 p.m. on the 6th day of December 2021.

Section 2. The area proposed for annexation is described as follows:
(Metes and bounds description attached hereto as Exhibit A and Annexation Plat attached hereto as Exhibit B.)

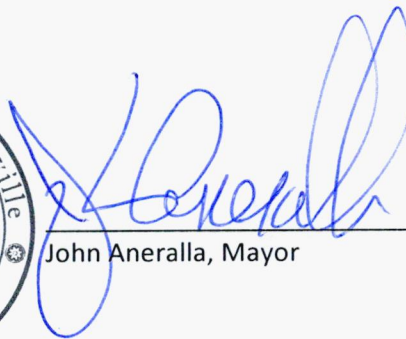
Section 3. Notice of said public hearing shall be published in the Charlotte Observer, a newspaper having a general circulation in the Town of Huntersville, at least ten (10) days prior to the date of said public hearing.

Adopted this 15th day of November, 2021.

ATTEST:


Janet Pierson, Town Clerk




John Aneralla, Mayor

APPROVED AS TO FORM:

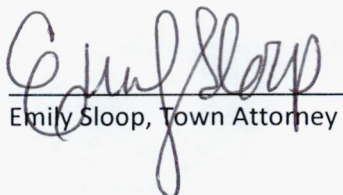

Emily Sloop, Town Attorney

Exhibit A: Holbrooks Property Annexation Plat Metes & Bounds.

Holbrooks Property - Property Description

All that certain parcel of land, situated, lying and being in the Huntersville Township, Mecklenburg County, State of North Carolina, and more particularly described as follows:

Beginning at (POINT OF BEGINNING) a point being the South-Western corner of Lot 10, Block 2 as recorded in Map Book 8, page 339 of the Mecklenburg County Register of Deeds, being further located on the Northern margin of Holbrooks Drive, also being the South-Eastern corner of land owned Now or Formerly by Everett B. Houston & Anne E. Blackmon as recorded in Deed Book 12440, page 539 of the Mecklenburg County Register of Deeds, thence with the Northern margin of Holbrooks Drive for five (5) calls and distances to points, 1) N86-10-22E 78.00', 2) N84-48-22E 78.00', 3) N80-45-22E 78.00', 4) N74-34-22E 78.00', 5) N74-19-22E 240.00' to the South-Easter corner of Lot 16, Block 2 as recorded in Map Book 8, page 339 of the Mecklenburg County Register of Deeds, thence with the Eastern line of Lot 16 N15-40-38W 250.00' to a point on the Southern line of land owned Now or Formerly by Odell N. Martin Heirs as recorded in Deed Book 2746, page 159 of the Mecklenburg County Register of Deeds, thence with the Southern Line of the Odell N. Martin Heirs land & Land owned Now or Formerly Joshua Penn & Jennifer Jar as recorded in Deed Book 29328, page 987 of the Mecklenburg County Register of Deeds S74-18-33W 130.04' to a point, thence with the line of land owned Now or Formerly by Joshua Penn & Jennifer Jar as recorded in Deed Book 29328, page 987; Deed Book 22979, page 346; Deed Book 26746, page 812 all of the Mecklenburg County Register of Deeds for five (5) calls and distances to points, 1) N12-03-05E 66.17', 2) N45-43-26W 64.67', 3) N04-39-34W 88.50', 4) S89-17-22W 13.79', 5) N03-10-14W 211.20' to a point on the Southern margin of New Haven Drive; Thence crossing New Haven Drive to a point located on the Northern side of New Haven Drive, the South-Eastern corner of Lot 14 Block 1, N09-14-48E 60.24'; thence N11-24-52E 254.08' to a point, thence N71-08-12W 77.85' to a found rod, thence with the Southern line of land owned Now or Formerly by James Rosman as recorded in Deed Book 33282, page 769 of the Mecklenburg County Register of Deeds S52-42-22W 222.97' to a point on the northern margin of New Haven Drive; Thence crossing New Haven Drive S 01-12-39W 159.16' to a point on the southern margin of New Haven Drive, being the North-Eastern corner of Lot 3 Block 2 as recorded in Map Book 8, page 339 of the Mecklenburg County Register of Deeds, thence with the Eastern line of Lots 3 through 8 as recorded in Map Book 8, page 339 of the Mecklenburg County Register of Deeds for three (3) calls and distances to points, 1) S06-13-22W 167.81', 2) S02-20-38E 58.60', 3) S10-52-38E 257.05' to a point on the Northern line of Lot 12 of Block 2 as recorded in Map 8, page 339 of the Mecklenburg County Register of Deeds, thence with the Northern line of Lots 12 through 10 as recorded in Map 8, page 339 of the Mecklenburg County Register of Deeds S82-59-22W 176.69' to a point, thence with the Western line of Lot 10 S11-57-38E 270.67' to the Point and Place of Beginning,

Containing 6.899 acres total

As shown on a map drawn by Yarbrough-Williams & Houle, dated 10/26/21

NOTICE OF PUBLIC HEARING ON REQUEST FOR ANNEXATION
(Holbrooks Properties Subdivision)

Take notice that the Board of Commissioners of the Town of Huntersville has called a Public Hearing at 6:00 p.m. on December 6, 2021 on the question of annexing the following described territory, requested by petition filed pursuant to NCGS 160A-31, to annex to the Town of Huntersville certain contiguous property. The Hearing will be held in person at the Huntersville Town Hall at 101 Huntersville-Concord Rd, Huntersville, NC 28078. You may also watch the Hearing via <https://www.facebook.com/HuntersvilleNCTownGovernment>. The property subject to the Petition consists of +/- 6.897-acres, (Meck Co. PIN are 019-20-109, 019-20-111, 019-20-112, 019-20-113, 019-20-114, 019-20-115, 019-20-122, 019-20-205) and described as follows documents are on file in the Huntersville Planning Dept.:

LEGAL DESCRIPTION (ANNEX 21-03)

All that certain parcel of land, situated, lying and being in the Huntersville Township, Mecklenburg County, State of North Carolina, and more particularly described as follows:

Beginning at (POINT OF BEGINNING) a point being the South-Western corner of Lot 10, Block 2 as recorded in Map Book 8, page 339 of the Mecklenburg County Register of Deeds, being further located on the Northern margin of Holbrooks Drive, also being the South-Eastern corner of land owned Now or Formerly by Everett B. Houston & Anne E. Blackmon as recorded in Deed Book 12440, page 539 of the Mecklenburg County Register of Deeds, thence with the Northern margin of Holbrooks Drive for five (5) calls and distances to points, 1) N86-10-22E 78.00', 2) N84-48-22E 78.00', 3) N80-45-22E 78.00', 4) N74-34-22E 78.00', 5) N74-19-22E 240.00' to the South-Easter corner of Lot 16, Block 2 as recorded in Map Book 8, page 339 of the Mecklenburg County Register of Deeds, thence with the Eastern line of Lot 16 N15-40-38W 250.00' to a point on the Southern line of land owned Now or Formerly by Odell N. Martin Heirs as recorded in Deed Book 2746, page 159 of the Mecklenburg County Register of Deeds, thence with the Southern Line of the Odell N. Martin Heirs land & Land owned Now or Formerly Joshua Penn & Jennifer Jar as recorded in Deed Book 29328, page 987 of the Mecklenburg County Register of Deeds S74-18-33W 130.04' to a point, thence with the line of land owned Now or Formerly by Joshua Penn & Jennifer Jar as recorded in Deed Book 29328, page 987; Deed Book 22979, page 346; Deed Book 26746, page 812 all of the Mecklenburg County Register of Deeds for five (5) calls and distances to points, 1) N12-03-05E 66.17', 2) N45-43-26W 64.67', 3) N04-39-34W 88.50', 4) S89-17-22W 13.79', 5) N03-10-14W 211.20' to a point on the Southern margin of New Haven Drive; Thence crossing New Haven Drive to a point located on the Northern side of New Haven Drive, the South-Eastern corner of Lot 14 Block 1, N09-14-48E 60.24'; thence N11-24-52E 254.08' to a point, thence N71-08-12W 77.85' to a found rod, thence with the Southern line of land owned Now or Formerly by James Rosman as recorded in Deed Book 33282, page 769 of the Mecklenburg County Register of Deeds S52-42-22W 222.97' to a point on the northern margin of New Haven Drive; Thence crossing New Haven Drive S 01-12-39W 159.16' to a point on the southern margin of New Haven Drive, being the North-Eastern corner of Lot 3 Block 2 as recorded in Map Book 8, page 339 of the Mecklenburg County Register of Deeds, thence with the Eastern line of Lots 3 through 8 as recorded in Map Book 8, page 339 of the Mecklenburg County Register of Deeds for three (3) calls and distances to points, 1) S06-13-22W 167.81', 2) S02-20-38E 58.60', 3) S10-52-38E 257.05' to a point on the Northern line of Lot 12 of Block 2 as recorded in Map 8, page 339 of the Mecklenburg County Register of Deeds, thence with the Northern line of Lots 12 through 10 as recorded in Map 8, page 339 of the Mecklenburg County Register of Deeds S82-59-22W 176.69' to a point, thence with the Western line of Lot 10 S11-57-38E 270.67' to the Point and Place of Beginning,

Containing 6.899 acres total

As shown on a map drawn by Yarbrough-Williams & Houle, dated 10/26/21

All that certain parcel of land, situated, lying and being in the Huntersville Township, Mecklenburg County, State of North Carolina, and more particularly described as follows:

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Containing 6.899 acres total

As shown on a map drawn by Yarbrough-Williams & Houle, dated 10/26/21

**AN ORDINANCE TO ANNEX CONTIGUOUS AREA INTO THE CORPORATE
LIMITS OF THE TOWN OF HUNTERSVILLE, NORTH CAROLINA**

Annexation Ordinance 2021-03
(Holbrooks Rd Property)

WHEREAS, the Board of Commissioners has been petitioned under G.S. 160A-31 to annex the area described herein; and

WHEREAS, the Board of Commissioners has directed the Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at Huntersville Town Hall at 6:00 p.m. on the 6th day of December 2021, after due notice by publication in The Charlotte Observer on November 22nd.

WHEREAS, the Board of Commissioners hereby finds that the area described therein meets the standards of G.S. 160A-31; and

WHEREAS, the Board of Commissioners further finds that said petition, (i) has been signed by all of the owners of real property within the area proposed for annexation; (ii) is otherwise valid; (iii) the public health, safety, and welfare of the inhabitants of the Town of Huntersville and of the area proposed for annexation will be best served by the annexing the area described;

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Huntersville as of the 6th day of December 2021:

See Exhibit A attached hereto for a metes and bounds description of the subject tract

Section 2. Upon the effective date, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Huntersville and shall be entitled to the same privileges and benefits as other parts of the Town of Huntersville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Huntersville shall cause to be recorded in the office of the Register of Deeds of Mecklenburg County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Adopted this 6th day of December 2021.

Mayor: _____

ATTEST:

APPROVED AS TO FORM:

Town Clerk

Town Attorney

Exhibit A: Holbrooks Rd Property - Property Description

ALL that certain piece, parcel or tract of land lying and being in the Town of Huntersville, Huntersville Township, Mecklenburg County, North Carolina, and being more particularly described as follows:

Mecklenburg County Tax Parcel #019-20-109, 019-20-110, 019-20-111, 019-20-112, 019-20-113, 019-20-114, 019-20-115, 019-20-122, 019-201-24, 019-20-205

All that certain parcel of land, situated, lying and being in the Huntersville Township, Mecklenburg County, State of North Carolina, and more particularly described as follows:

Beginning at (POINT OF BEGINNING) a point being the South-Western corner of Lot 10, Block 2 as recorded in Map Book 8, page 339 of the Mecklenburg County Register of Deeds, being further located on the Northern margin of Holbrooks Drive, also being the South-Eastern corner of land owned Now or Formerly by Everett B. Houston & Anne E. Blackmon as recorded in Deed Book 12440, page 539 of the Mecklenburg County Register of Deeds, thence with the Northern margin of Holbrooks Drive for five (5) calls and distances to points, 1) N86-10-22E 78.00', 2) N84-48-22E 78.00', 3) N80-45-22E 78.00', 4) N74-34-22E 78.00', 5) N74-19-22E 240.00' to the South-Easter corner of Lot 16, Block 2 as recorded in Map Book 8, page 339 of the Mecklenburg County Register of Deeds, thence with the Eastern line of Lot 16 N15-40-38W 250.00' to a point on the Southern line of land owned Now or Formerly by Odell N. Martin Heirs as recorded in Deed Book 2746, page 159 of the Mecklenburg County Register of Deeds, thence with the Southern Line of the Odell N. Martin Heirs land & Land owned Now or Formerly Joshua Penn & Jennifer Jar as recorded in Deed Book 29328, page 987 of the Mecklenburg County Register of Deeds S74-18-33W 130.04' to a point, thence with the line of land owned Now or Formerly by Joshua Penn & Jennifer Jar as recorded in Deed Book 29328, page 987; Deed Book 22979, page 346; Deed Book 26746, page 812 all of the Mecklenburg County Register of Deeds for five (5) calls and distances to points, 1) N12-03-05E 66.17', 2) N45-43-26W 64.67', 3) N04-39-34W 88.50', 4) S89-17-22W 13.79', 5) N03-10-14W 211.20' to a point on the Southern margin of New Haven Drive; Thence crossing New Haven Drive to a point located on the Northern side of New Haven Drive, the South-Eastern corner of Lot 14 Block 1, N09-14-48E 60.24'; thence N11-24-52E 254.08' to a point, thence N71-08-12W 77.85' to a found rod, thence with the Southern line of land owned Now or Formerly by James Rosman as recorded in Deed Book 33282, page 769 of the Mecklenburg County Register of Deeds S52-42-22W 222.97' to a point on the northern margin of New Haven Drive; Thence crossing New Haven Drive S 01-12-39W 159.16' to a point on the southern margin of New Haven Drive, being the North-Eastern corner of Lot 3 Block 2 as recorded in Map Book 8, page 339 of the Mecklenburg County Register of Deeds, thence with the Eastern line of Lots 3 through 8 as recorded in Map Book 8, page 339 of the Mecklenburg County Register of Deeds for three (3) calls and distances to points, 1) S06-13-22W 167.81', 2) S02-20-38E 58.60', 3) S10-52-38E 257.05' to a point on the Northern line of Lot 12 of Block 2 as recorded in Map 8, page 339 of the Mecklenburg County Register of Deeds, thence with the Northern line of Lots 12 through 10 as recorded in Map 8, page 339 of the Mecklenburg County Register of Deeds S82-59-22W

176.69' to a point, thence with the Western line of Lot 10 S11-57-38E 270.67' to the Point and Place of Beginning,

Containing 6.899 acres total

As shown on a map drawn by Yarbrough-Williams & Houle, dated 10/26/21

**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From: Tracy Houk

Date: December 6, 2021

Subject: Selection of Artist for the Downtown Greenway Trail Head Sculpture

EXPLAIN REQUEST:

The Public Art Commission (PAC) has selected to work with David Landis for the Downtown Greenway Trail Head Sculpture. The PAC sent out a Request for Proposals (RFP) and received 13 submissions (attached). At the November 10, 2021 PAC meeting, a motion was made to move forward with David Landis' proposed project for Town Board approval, we are not finalizing the piece now, but moving forward to work with the artist on creating the final piece. The Greenway, Trail, and Bikeway Commission (GTBC) also made a motion at their November 16, 2021 meeting to support the Public Art Commission's decision to move forward with artist, David Landis.

ACTION RECOMMENDED:

Consider approving the Public Art Commission selection of artist David Landis for the Downtown Greenway Trail Head Sculpture. (*Tracy Houk*)

FINANCIAL IMPLICATIONS:

The PAC has received a donation of \$10,000 to go towards the sculpture and has also applied for 2, \$10,000 grants. The PAC and GTBC will continue to seek funding for this project.

ATTACHMENTS:

1. RFP Submissions
2. David Landis

BEATRICE CORON



BILLY JOE MILLER

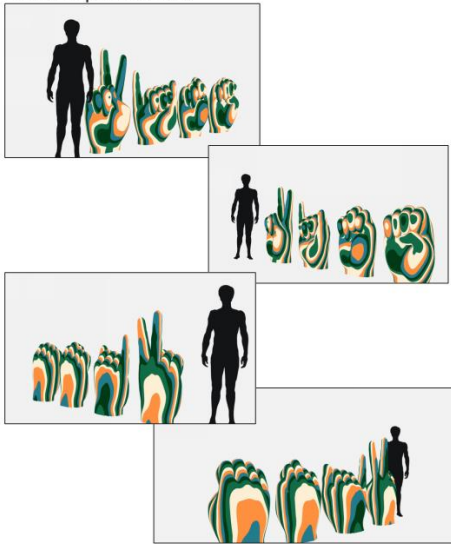


BIZ DROUILLARD

***Did not send concept*

CHRISTOPHER WARREN

Concept Sketch



DAVID LANDIS



DON LAWLER



FINKELAND



GARY LEE PRICE

***Did not send concept*

JD TREHO-MAYA

***Did not send concept*

JIM COLLINS



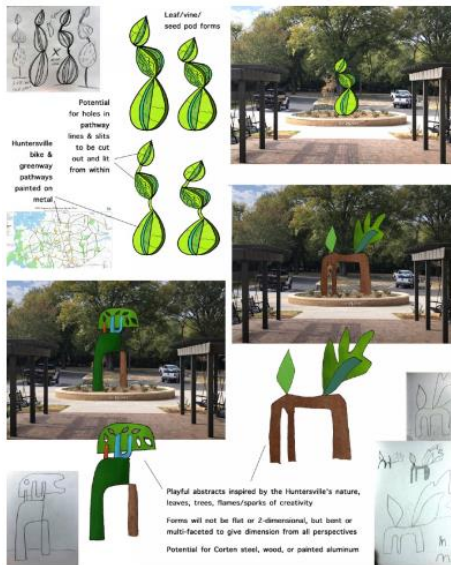
JOHN CHRISTENSEN



KYLE LUSK



SHARON DOWELL



LANDIS SCULPTURE STUDIO

1152 OXFORD RD, ATLANTA, GA 30306, Cell 404-247-2760

WWW.LANDISSCULPTURE.COM

HUNTERSVILLE GREENWAY TRAILHEAD SCULPTURE PROJECT

Concept Description

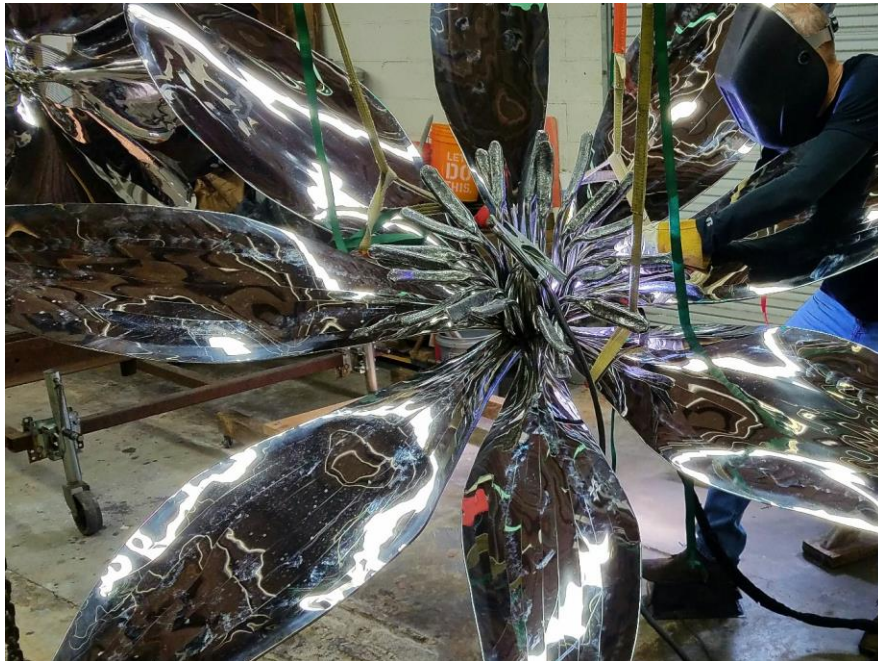
My concept for the trailhead site involves large ivy leaves growing upward towards the sky up from the planting circle in a subtle and elegant “s” curve shape. The sculpture will be created out of stainless steel with high polished leaves (approx. 4’x 5’ size per leaf), and the stems/vines would have a brushed finish. A painted metal base would need to be attached to a foundation block located in the center of the circular planting area. Foundation size would have to be coordinated with the Huntersville contractor. The sculpture in the image below is approximately 17.5 feet tall (13’ sculpture + 3’ base + 18” raised bed = 17’-6” total).

Concept Image



LANDIS PAST WORK IMAGE LIST

10/30/2021



LANDIS SCULPTURE, LLC

Home Office: 1152 Oxford Road, Atlanta, GA 30306

Studio: 97 Georgia Avenue, Atlanta, GA 30312

Cell 404-247-2760

WWW.LANDISSCULPTURE.COM

david@landissculpture.com

Please note: My website has project images
though you can see more at:

Facebook: Landis Sculpture

Instagram: @landissculpture

Twitter: @landissculpt

LANDIS IMAGE REFERENCE LIST

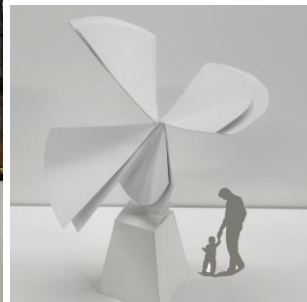
1. **STELLA NOVA**, 2019

STAINLESS STEEL

17'x 12'x 10'

South Fulton, GA.

Commissioned by the South Fulton CID. An abstract “starburst” work that celebrates and marks the gateway into the new city of South Fulton. Budget 45,000.



2. **CYCLES**, 2010

STAINLESS STEEL

21'x 13'x6'

Rose Circle Park, Atlanta, GA.

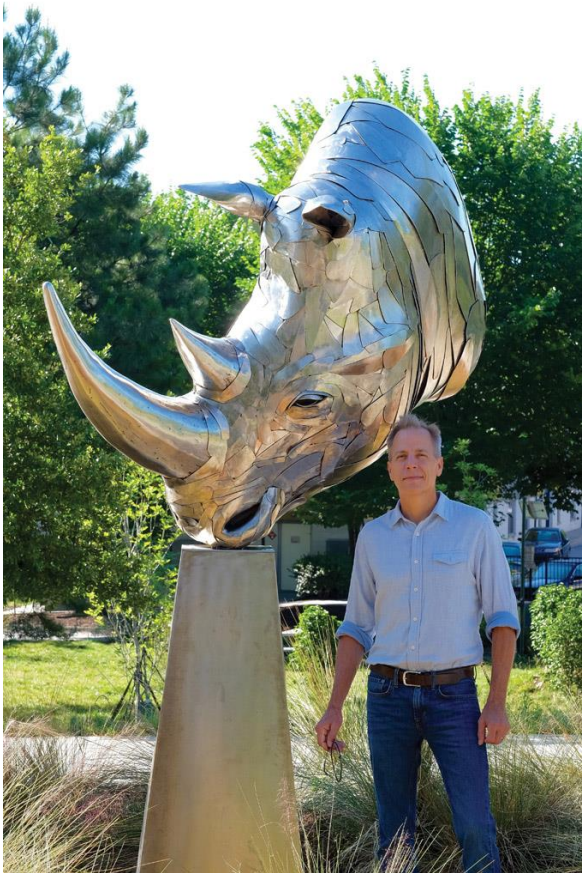
Commissioned by Trees Atlanta through a Blank Foundation grant and giving to the City of Atlanta. A 21-foot-tall sculpture composed of swirling abstracted stainless-steel Ginkgo leaves. The work references and connects the historic trees of the neighborhood with the generations of community members.



3. NORTHERN WHITE RHINO, 2012 STAINLESS STEEL

9'x 8'x3'

Inspired by the Northern White Rhino of which only two exist of breeding age on a reserve in Kenya. Located on the Eastside trail of the Atlanta Beltline. Budget \$24,000.



4. **SENTIENCE**, 2017

STAINLESS STEEL

11' x 8' x 3'

Based on the bloodroot flower. Located in Heart of Roswell Park. Budget \$24,000.



Commissioned by Albany Tomorrow, Inc. for the **Law Enforcement Center** in Albany, GA. This piece is of an abstracted eagle for memorializing the officers who have fallen in the line of duty. Budget \$40,000.

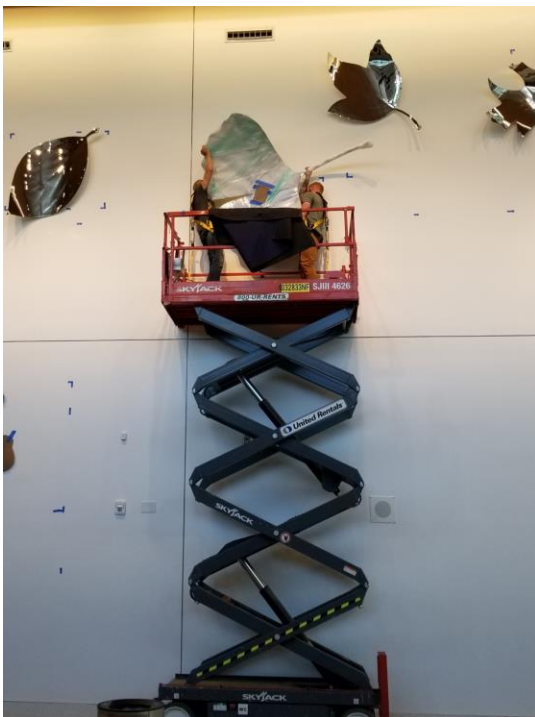


6. **DRIFTING LEAVES**, 2020

STAINLESS STEEL

70'x 30'

A permanent installation of leaves blowing across the main lobby wall of the new Marcus Tower of Piedmont Hospital. The leaves are all local species created for the hospital's art theme of "canopy of care". Atlanta, GA. Budget \$50,000.



7. **SOLSTICE** (in process), 2017

STAINLESS STEEL

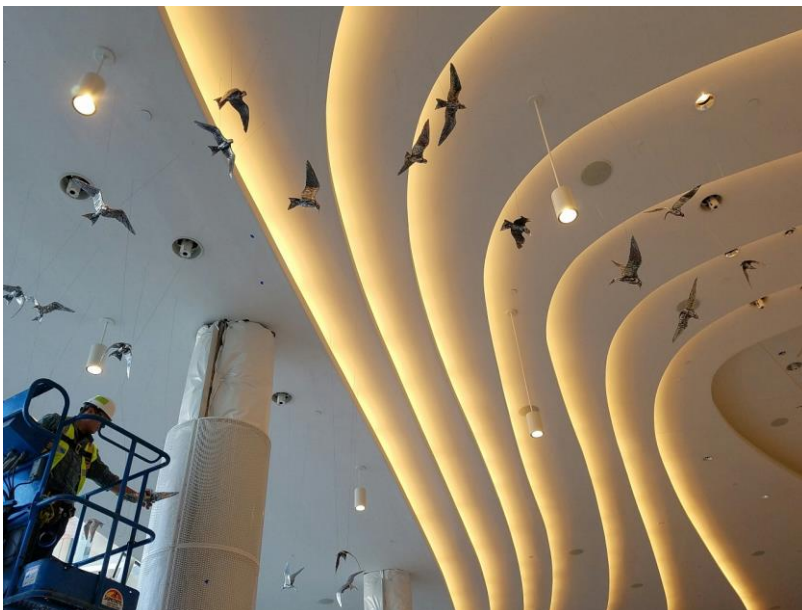
10' x 8' x 5'

An individual floret of a hydrangea bloom. Budget \$42,000.



8. **LPCH PROJECT** (process/installation), 2013

Lucile Packard Children's Hospital, Palo Alto, Ca. Budget \$200,000. An installation bringing awareness to the endangered California Least Tern. 100 cast aluminum terns will be suspended throughout the hallways as a wayfinding device for visitors and patients of the hospital.



9. **DUET**, 2018

STAINLESS STEEL

10' x 8' x 6'

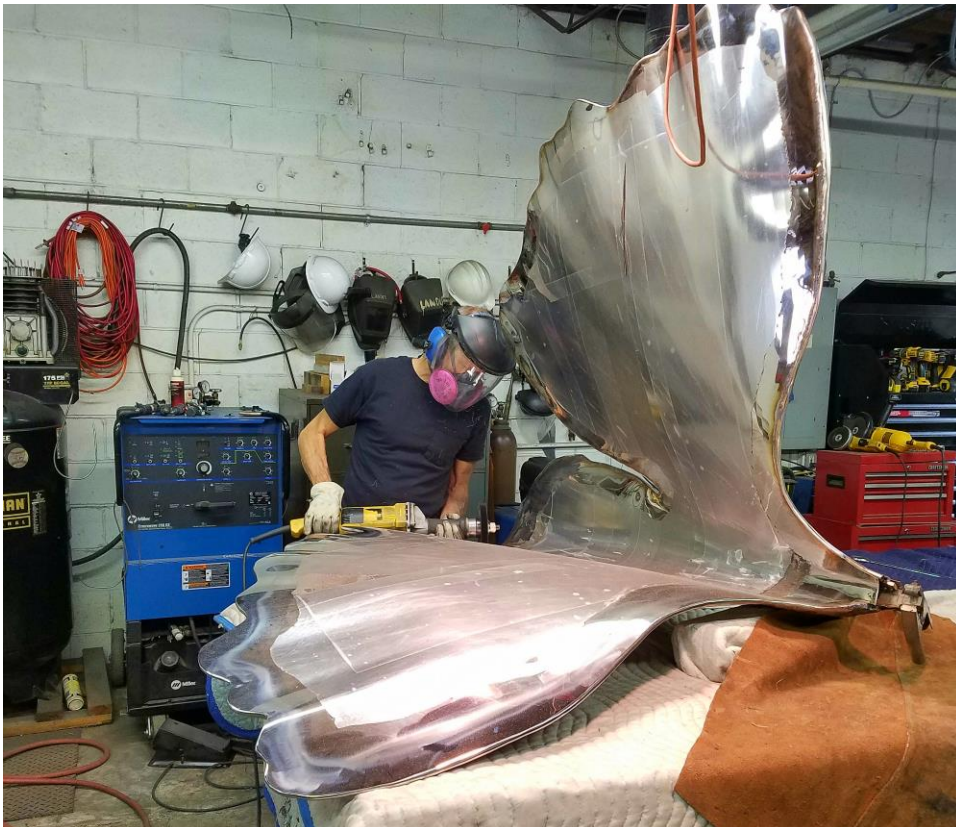
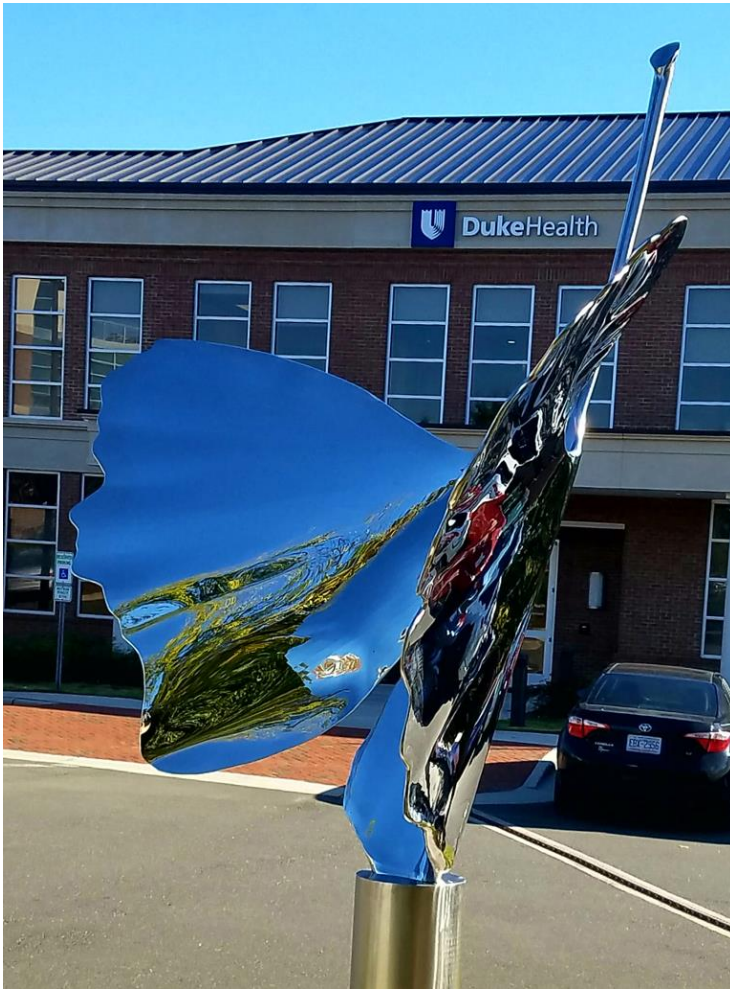
Halton Hills Mall, Toronto, Canada. Budget \$33,000.

Two intertwined ginkgo leaves.



10. **ALIGHT**, 2018
Stainless steel
Giant ginkgo leaf. Private collection \$33,000.

11'x 7' x 7'



LANDIS SCULPTURE STUDIO

1152 OXFORD RD, ATLANTA, GA 30306, Cell 404-247-2760

WWW.LANDISSCULPTURE.COM

October 30, 2021

Dear Arts Committee,

I am a sculptor based in Atlanta, and excited to receive your RFQ regarding your Downtown Greenway Trailhead Project. The park setting and the natural “vine” theme create an inspiring stage for integrating art into the trail entrance.

My work has been greatly influenced by butterflies, botanicals, and endangered species. From my resume and images you’ll see that I have created many botanical public art projects which I believe perfectly aligns my work to your RFQ.

I create my sculptures from high polished stainless steel, which is quite durable and low maintenance. There is one aspect of my pieces that does not translate well in images, but is highly rewarding in person is that the vein patterns in butterfly wings and botanicals are creased into the surface of the work. These patterns are an elegant surprise to the viewers. The polish of the stainless is highly interactive in that the colors reflected are constantly changing, and viewers investigating the work become part of the piece as their reflections change and vary while passing the work. Clouds, sky, time of day, seasonal changes, and faces are driving forces in the experience.

It is my aim to create a sculpture that will complement the area, and offer a place for reflection, interaction, and education. An art piece that will not only be a rewarding experience to the one time visitor, but also will remain vital and interesting to the visitors of the trail.

Thank you very much for your consideration,

Sincerely,

David Landis

Landis Sculpture Studio
david@landissculpture.com
Cell# 404-247-2760
1152 Oxford Road
Atlanta, GA 30306

DAVID P. LANDIS

1152 OXFORD ROAD • ATLANTA, GA 30306

404.247.2760 • david@landissculpture.com

WWW.LANDISSCULPTURE.COM

EDUCATION

1993-1998	Georgia State University M.F.A. in Sculpture	Atlanta, Georgia
1987-1990	Georgia State University B.B.A. in Marketing	Atlanta, Georgia
1982-1986	University of Georgia School of Art	Athens, Georgia

PROFESSIONAL EXPERIENCE

2008- 2009	Visiting Lecturer, Sculpture Georgia State University	Atlanta, Georgia
1998-2005	Adjunct Instructor, Sculpture Georgia State University	Atlanta, Georgia
1996-1998	Graduate Instructor, Sculpture Georgia State University	Atlanta, Georgia
1996	Figure Modeling Instructor Spruill Center for the Arts	Atlanta, Georgia
1995	Foundry Assistant Inferno Art Foundry	Newnan, Georgia

COMMISSION EXPERIENCE

2020	<u>DRIFTING LEAVES</u> , Piedmont Hospital Project, Budget 50K <u>THE PATH</u> (in process), City of Atlanta new linear park An installation of 4 large sculptures, Budget 85,000	Atlanta, GA Atlanta, GA
2019	<u>STELLA NOVA</u> , South Fulton CID Project <u>PAPER FLOWER</u> , Duke Health, Hultquist bldg.	South Fulton, GA Chapel Hill, NC
2018	<u>Cottage Children's Hospital Project</u> , Budget \$80,000 <u>SOLSTICE</u> , Chattanooga River Walk <u>DUET</u> , Simon Corporation	Santa Barbara, CA Chattanooga, TN Toronto, Canada
2017	<u>PACIFIC WINDS</u> , Budget \$200,000 A permanent installation for the Lucille Packard Children's Hospital at Stanford Medical Center <u>SENTIENCE</u> , Heart of Roswell Park <u>PAPILLION</u> , Yokna Sculpture Trail <u>ALIGHT</u> , Duke Health <u>SHAUS</u> , Private Collection <u>Atlanta Hawks Owners Club Project</u> , State Farm Arena	Palo Alto, CA Roswell, GA Oxford, MS Chapel Hill, NC Fountain, NC Atlanta, GA
2014-16	<u>OPEN</u> , Alpharetta Branch Public Library, Budget \$101,000 Three-part permanent installation inspired by children's literature. <u>33 OAKS</u> , Atlanta Park System, Trees Atlanta Budget 80,000 Large scale educational landscape installation focused on 33 Georgia oak species.	Alpharetta, GA Atlanta, GA

2013	<u>Kaiser Tree Project</u> , Kendeda Center, Trees Atlanta <u>DOVES</u> , Cloister Garden, The Cathedral of St. Philip	Atlanta, GA Atlanta, GA
2012	<u>NORTHERN WHITE</u> , Eastside Trail, Atlanta Beltline park	Atlanta, GA
2010	<u>CYCLES</u> , Rose Circle Park, commissioned by Trees Atlanta First sculpture to be placed on the Atlanta Beltline. A 21ft. tall sculpture composed of swirling abstracted stainless steel Ginkgo leaves. <u>Novelis Project</u> , Novelis Corporate Headquarters	Atlanta, GA Atlanta, GA
2009	<u>Memorial Cross Project</u> , Memorial Garden, The Cathedral of St. Philip	Atlanta, GA
2008	<u>Moulder Memorial</u> , Haygood United Methodist Church An outdoor classroom honoring the lives of Darlene, Caroline, and Bryn Moulder, who died in a helicopter crash in Afghanistan.	Atlanta, GA
2007	<u>THE DANCE</u> , The Ritz-Carlton	Shenzhen, China
2004-2005	<u>CURRENTS</u> , US Bancorp Center. Budget \$100,000. An abstract sculpture inspired by the natural forms of wind and water currents. Multiple curved geometric shapes merge together in this suspended stainless-steel work. Approximately 30'x12'x10'. <u>THE GUARDIAN</u> , Albany Law Enforcement Center. Budget \$45,000. A 14' high abstracted eagle-like form created out of stainless steel. A signature work for the new building and memorial for the city's fallen officers.	Minneapolis, MN Albany, GA
2003-2004	<u>Toulouse Phoenix Project</u> , budget \$100,000. A cast bronze phoenix based on the Bateleur (an African eagle believed to be the original influence for the myth), with a 15' wingspan and mounted on a granite base. A gift to the city of Toulouse from the Atlanta-Toulouse Sister City Committee.	Toulouse, France
2002-2003	<u>AIRING</u> , Hartsfield Atlanta International Airport, Concourse E Budget \$85,000. A 170' installation consisting of 600 cast white birds, which pass through 8' tall translucent sheets. <u>COMMON GROUND</u> , Kennesaw State University. A life-size figurative bronze installation.	Atlanta, GA Kennesaw, GA
2000-2002	<u>SOARING</u> , Atrium Project, Atlanta Fulton County Government Center Budget \$20,000. Approximately 30 cast aluminum birds suspended in a circular pattern throughout the atrium. <u>ADRIFT</u> , Private Commission. A life-size figurative bronze. <u>The Human Highlight Film</u> , ESPN Zone. 9' tall illuminated film strip with images of Dominique Wilkins.	Atlanta, GA Atlanta, GA Atlanta, GA
1998-1999	<u>Butterfly Pavilion</u> , Atlanta Botanical Garden. 20' tall butterfly house, comprised of structural steel and a 12' stainless steel butterfly.	Atlanta, GA

**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From: Jack Simoneau

Date: December 6, 2021

Subject: Petition #SUP21-03 - Metrolina Greenhouses Dormitory

EXPLAIN REQUEST:

QUASI-JUDICIAL. Conduct evidentiary hearing and consider decision on Petition #SUP21-03, a request by Art Van Wingerden on behalf of Metrolina Greenhouses, Inc. for a Special Use Permit for a dormitory for Bona Fide Farm for 14846, 14568, and 14654 Huntersville-Concord Road (Tax parcel #s 02122102, 02122108, 02122105, and 02122104).

ACTION RECOMMENDED:

Conduct a special use permit hearing.

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. SUP21-03 TB FA Staff Analysis 12 06 21_v3
2. Attachment A Application
3. Attachment B Site Plan 12 6 2021
4. Attachment C Tax Parcel Land Use
5. Attachment D H2A_Building_Plans
6. Attachment E Staff Correspondence
7. Attachment F NCL_DOL_H2A_Housing_Checklist
8. Attachment G Greenway Dedication

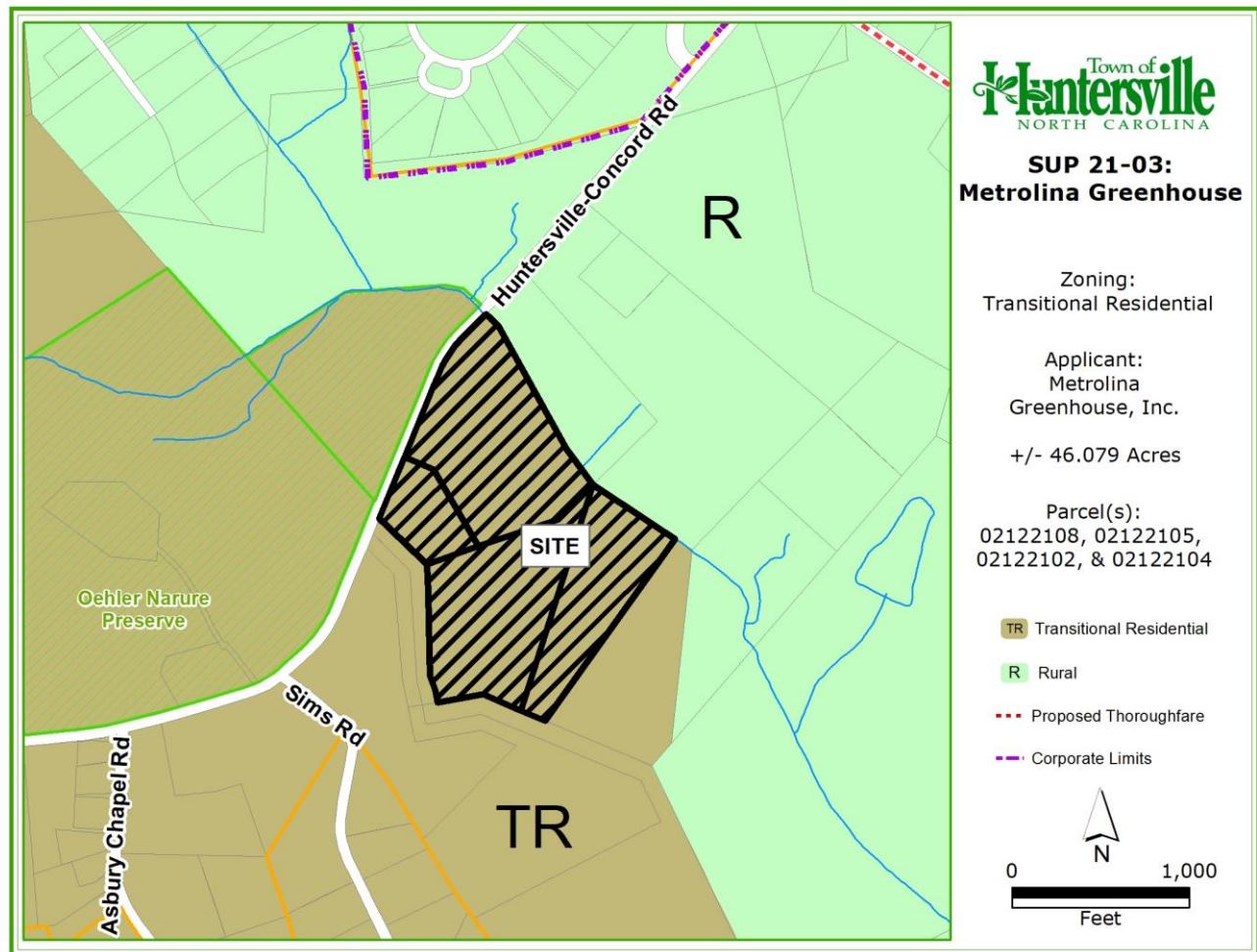
REQUEST:

Special Use Permit Application for Dormitories for a Bona Fide Farm for Metrolina Greenhouses – SUP21-03

1: DESCRIPTION

Petition #SUP21-03 is a request by Art Van Wingerden on behalf of Metrolina Greenhouses, Inc. for a Special Use Permit for a dormitory on a Bona Fide Farm at 14846, 14568, and 14654 Huntersville-Concord Road (Tax parcel #s 02122102, 02122108, 02122105, and 02122104). Dormitories are permitted in the Transitional Residential (TR) and Rural (R) zoning districts with the issuance of a special use permit and subject to the conditions outlined in Article 9.62. The dormitory for a bona fide farm use was recently added per the adoption of Text Amendment 21-05, August 16, 2021.

PART 2: LOCATION

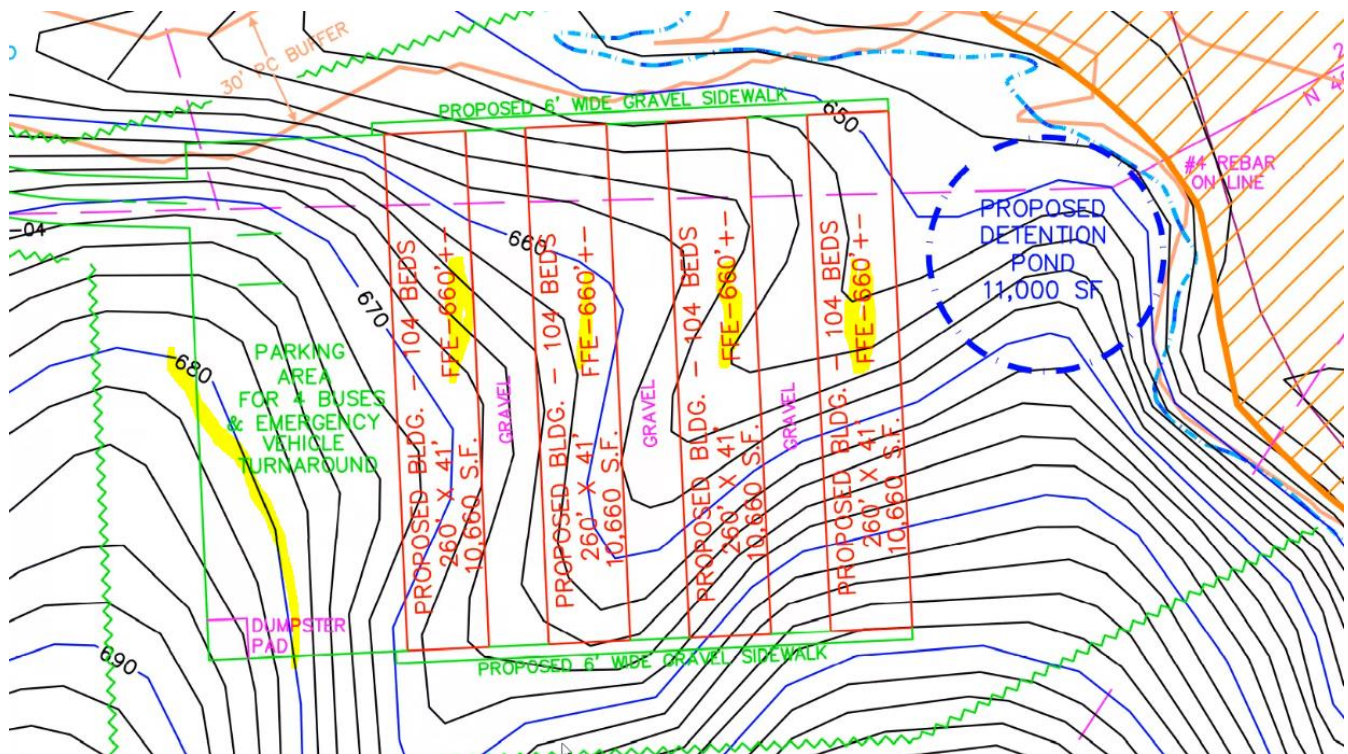


PART 3: STAFF FINDINGS

Article 9.62.1

The use will not endanger health and safety, does not substantially reduce the value of nearby property.

STAFF FINDINGS: The applicant has a note on the site plan indicating the use will not endanger health and safety and does not substantially reduce the value of nearby property. The applicant proposes 4 dormitory buildings and the buildings are required to meet North Carolina State Building and Trade Code requirements. Buildings, parking, and trash facilities shall be setback at least 100 feet from any adjoining property line and 500 feet from any public street right-of-way. The applicant must demonstrate the site is in compliance with storm water and storm drainage requirements and the applicant is in the process of addressing comments by Staff regarding the storm water plan. A grading plan is required and will be useful to understand the proposed future elevations of the property.

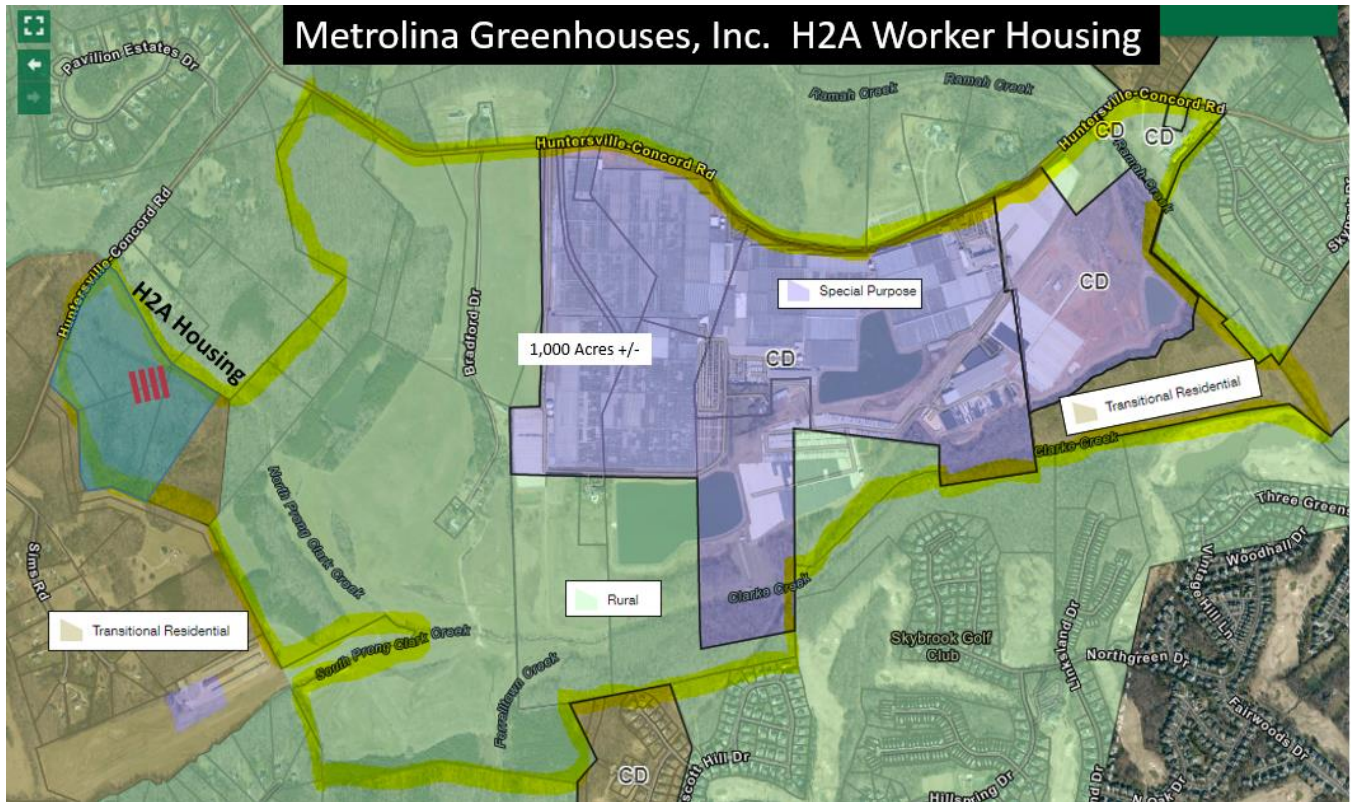


Article 9.62.2

The use does not conflict with long range plans.

STAFF FINDINGS: The subject parcels are within the Residential Edge area per the 2040 Huntersville Community Plan. The Residential Edge aims to provide a transition from higher density areas to lower-density areas. Average densities in the area are 1.5 units/acre. This development is proposing an accessory use to an existing farm facility of four dormitory buildings with 104 beds each on a development area of approximately 46 acres. The approximately 46 acres included in

this application owned by Metrolina Greenhouses adjoin other parcels also owned by Metrolina Greenhouses that total more than 1000 acres.



Article 9.62.3

The use does not constitute a nuisance to adjoining properties with respect to noise, dust, fumes, odor, and traffic.

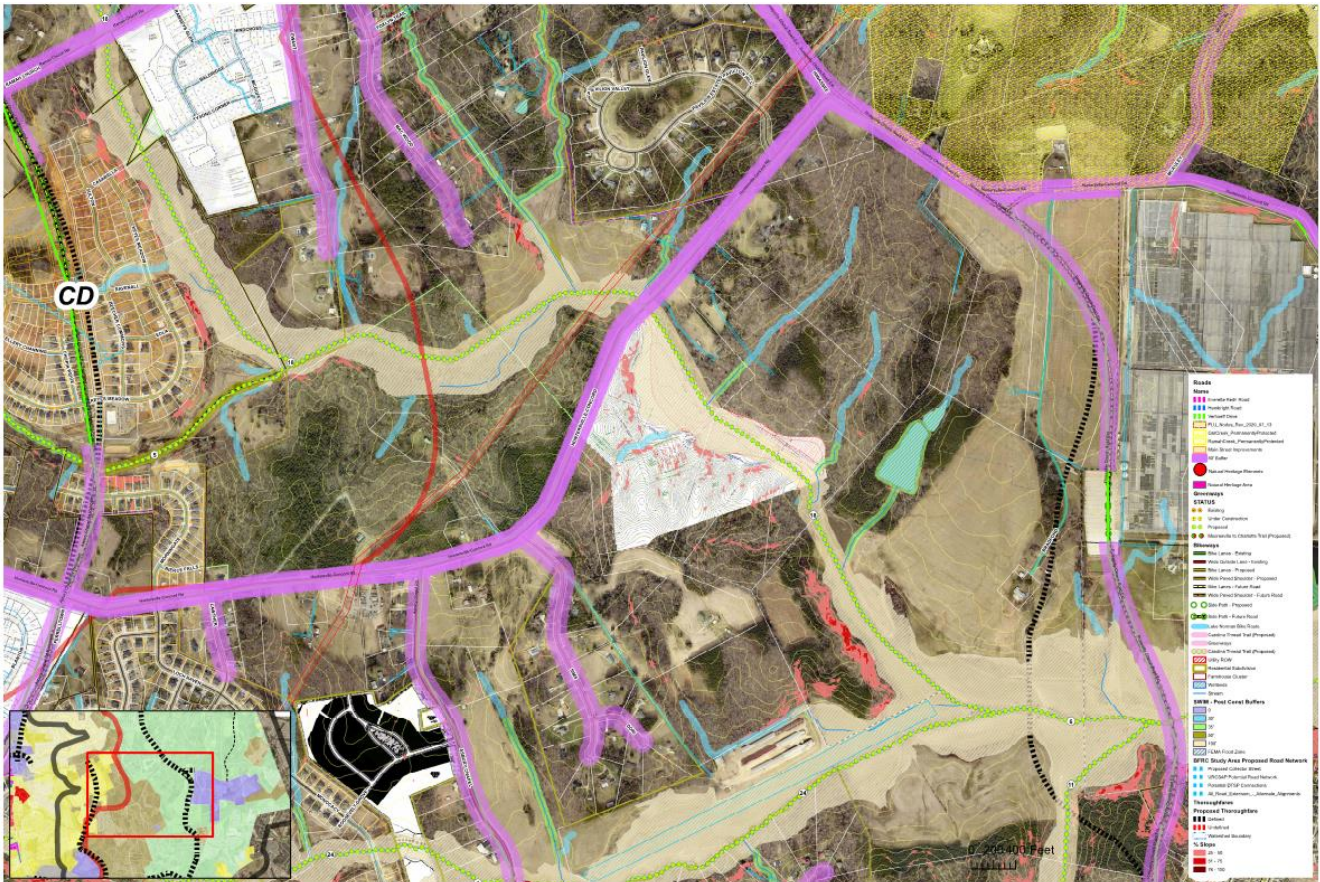
STAFF FINDINGS: The applicant has a note on the site plan indicating the use does not constitute a nuisance to adjoining properties with respect to noise, dust, fumes, odor, and traffic. The development area is over 800 ft from the nearest adjoining residential structure. The site plan shows the vegetation proposed to surround the dormitories on all sides and screen the dormitories from the public street. The applicant is proposing crushed asphalt for the driveway. The applicant proposes to use 4 buses for transportation for the occupants of the dormitories. The applicant must demonstrate the site is in compliance with storm water and storm drainage requirements and the applicant is in the process of addressing comments by Staff regarding the storm water plan. A grading plan is required.

Article 9.62.4

Buildings, parking, and trash facilities shall be setback at least 100 feet from any adjoining property line and 500 feet from any public street right-of-way.

STAFF FINDING: The dormitory buildings, parking area, and trash facilities are shown on the site plan to be setback at least 100 feet from any adjoining property line and 500 feet from any public street right-of-way. The parking, dormitory, and trash facilities are 321 ft from the shared property line with Parcel 021-221-18 (western boundary of the development area); 376 ft from

the shared property line with Parcel 021-221-01 (eastern boundary of the development area); greater than 500 ft from the front property line and street right-of-way; and, greater than 500 ft from the rear yard property line of the development area. The development area is over 800 ft from the nearest adjoining residential structure.



Article 9.62.5

The use shall be screened year-round from all adjoining properties and public streets.

STAFF FINDINGS: The dormitory buildings are shown to be screened year-round from all adjoining properties and public streets by existing vegetation based on the proposed tree line in the site plan. (See Attachment B)

Article 9.62.6

The driveway and parking area shall, at minimum, be ground asphalt.

STAFF FINDINGS: The driveway and parking area will be further evaluated during the plan review for construction drawings and shall at a minimum be ground asphalt compliant with requirements for emergency vehicle access. (See Attachment B)

Article 9.62.7

The dormitory is located on a bona fide farm of at least 100 contiguous acres and is on the land being farmed by the occupants on a full-time basis.

STAFF FINDINGS: The parcels included in the requested Special Use Permit application totals approximately 46 acres according to the site plan. The approximately 46 acres included in this application owned by Metrolina Greenhouses adjoin other parcels also owned by Metrolina Greenhouses that total more than 1000 acres. Per Attachment C, “Tax Parcel Land Use”, the parcels included in Special Use Permit Application are in the Forest Use Value program and qualify as Bona Fide Farm properties. The properties included in this application are not used for farming, however the subject properties adjoin properties owned by Metrolina Greenhouses used for farming purposes. The properties included in this Special Use Permit application and the adjoining farm at which the workers will be employed are all owned by Metrolina Greenhouses, Inc. (See Attachment C)

Article 9.62.8

The dormitory cannot exceed 2 stories in height; 15,000 square feet per building; and five buildings total.

STAFF FINDINGS: The proposed dormitory buildings will be 1 story in height per the H-2A Building Plans and each of the four proposed buildings are proposed to be 10,660 square feet in area. (See Attachments B and D)

Article 9.62.9

Building and housing will be constructed and maintained to meet H-2A program requirements or similar federal programs applicable at the time.

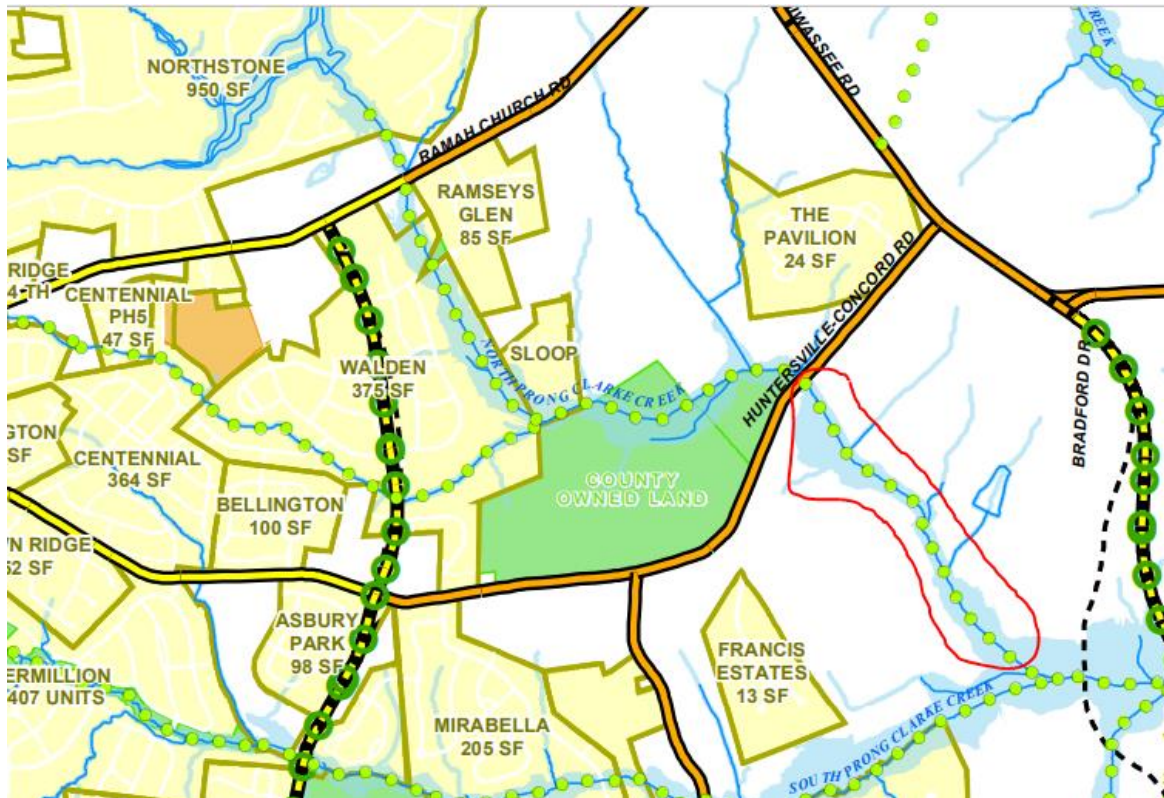
STAFF FINDINGS: The applicants have submitted the Migrant Housing Inspection Checklist (Attachment F), and the applicant must be in compliance with these standards. Per email correspondence from the applicant regarding the State Certification Process, the North Carolina Department of Labor does not approve housing plans, however they inspect to see that the housing meets the requirements of the Migrant Housing Act/Temporary Labor Camp Standards after the property receives a Certificate of Occupancy. Town Staff approval for zoning for the building permits for the dormitories will list that housing must have required inspections to certify applicable H-2A program requirements have been met and Staff will request this certification once received by the applicant.

PART 4: PLANNING STAFF RECOMMENDATION

Staff finds this Special Use Permit meets the requirements for the proposed dormitory for a bona fide farm use based on the above findings of fact and pending the below additional information is provided:

- Storm water and storm drainage plans are required and in the process of review by the Town Land Development Engineer.
- A grading plan is required and is in the process of review by the Town Land Development Engineer.
- The applicant shall, upon receipt of certification that the buildings meet H-2A program requirements or similar federal program requirements, submit certification to the Town Planning Department.

- The site plan shows the acreage of the property totals 444.516 acres. However, the total area of tax parcel #s 02122102, 02122108, 02122105, and 02122104 is approximately 46 acres. The applicant has been notified of this required revision.
- Staff recommends approval of Petition #SUP21-03 based on the previously established findings of fact within the pages 2-5 of this report.
- As construction drawing/commercial site plan is not required at this stage, a Charlotte Water Willingness to Serve letter was not requested as a part of this Special Use Permit application review. If sewer capacity is not available, options would include installing a package sewer system or installation of septic tanks. Staff has communicated that such changes to the may have significant implications on the site layout.
- While not required, Mecklenburg County requests dedication of the floodplain through the subject parcels as well as dedication of a hatched area near the public street for the proposed north prong of the Clarke Creek Greenway (Attachments G).



PART 5: PUBLIC HEARING/FINAL ACTION

The Special Use Permit Hearing will be held December 6, 2021.

PART 6: ATTACHEMENTS

- A: Application
- B: Site Plan
- C: Tax Parcel Land Use

D: H2A Building Plans
E: Staff Correspondence
F: Migrant Housing Inspection Checklist
G: Proposed Greenway Dedication Request from Mecklenburg County

PART 7: Planning Board Decision Statements

F. Gammon made a Motion to Approve SUP21-03 – dormitories for a bona fide farm for Metrolina Greenhouses, we the Planning Board find that the request meets all required conditions and specifications, is reasonable and does not impose an injurious effect on adjoining properties and find that the character of the neighborhood or the health, safety and general welfare of the community will be minimized. The decision is supported by the following findings: the proposed dormitories meet the requirements of and are consistent with the Huntersville zoning ordinance articles 9.6 2.1 through 9.6 2.9. Further the Planning Board adopts the finding of fact of the staff report and recommends approval for special use permit 21-03 with the following conditions: 1) that all legal notification requirements have been met, 2) approval by the Town land development engineer of a) stormwater and storm drainage lands and b) site grading plan. 3) Obtain certification from the North Carolina Department of Labor that the proposed dormitories have completed inspection and that these requirements of the migrant housing act/temporary labor camp standards have been certified to meet the applicable H-2A program requirements and provide proof of that certification to the staff upon request. 4) Add tax parcel # 02122102 to the application and evidence labeled attachment C. 5) Correct the site plan to show the correct total acreage, currently shown as 444.515 acres however correct acreage is 46 acres +/- G. Baber seconded the motion. The motion passed unanimously (9-0).

PART 7: Town Board Decision Statements

In Favor of the Special Use Permit

In considering the Special Use Permit SUP21-03, Dormitories for a Bona Fide Farm for Metrolina Greenhouses, we, the Town Board, find that the request meets all required conditions and specifications, is reasonable and does not pose an injurious effect on adjoining properties, and finds that the character of the neighborhood or the health, safety and general welfare of the community will be minimized. This decision is supported by the following findings:

- 1)
 - 2)
- Add additional statements as necessary.

Against Special Use Permit

In considering the Special Use Permit SUP21-03, Dormitories for a Bona Fide Farm for Metrolina Greenhouses, we, the Town Board, find that the request does not meet the required conditions and specifications.

(List which conditions are not being met)

1)

2)

Add additional statements as necessary.

In addition, the use poses an injurious effect on adjoining properties and the Town Board finds that the request is not character of the neighborhood and there will be negative effects on the health, safety and general welfare of the surrounding community based on the following findings:

1)

2)

Add additional statements as necessary



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 8/31/2021

Name of Project: Metrolina Greenhouses H2A Housing Phase # (if subdivision) _____

Project Address _____

Parcel Identification Number(s) (PIN) 02122108, 02122105, 02122104

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

Property Size (acres) 41.91 Street Frontage (feet) _____

Current Land Use Wood Land

Proposed Land Use(s) Homesite

Is the project within Huntersville's corporate limits?

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

3. Description of Request

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

Special use permit to construct dormitory housing for seasonal H2A employees

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: **Metrolina Greenhouses, Inc.** Phone **704-875-1371**
☒ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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

Signature _____ Printed Name: **Art Van Wingerden**

Title **CO- CEO** Email arvanwingerden@metrolinagreenhouses.com

Address of Applicant **16400 Huntersville Concord Rd, Huntersville, NC 28078**

7. Property Owner (if different than applicant)

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

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

Signature _____ Printed Name _____

Title _____ Email _____

Address of Property Owner _____

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

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

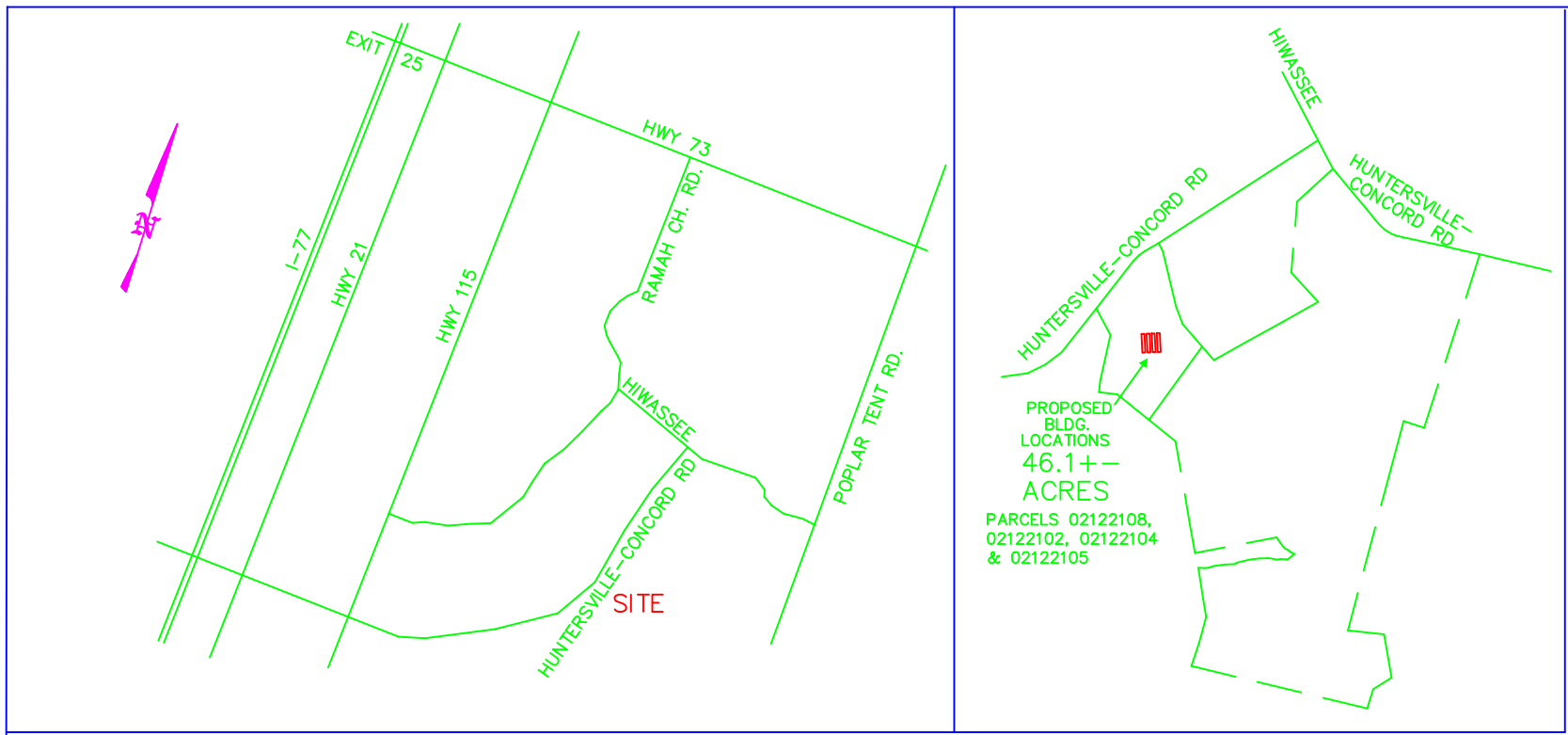
8. Development/Design Firm Contact Information

Spectrum Enterprises, Inc.	Michael Crump	803-417-2790	mcrump@spectrum-inc.com
Development Firm	Name of Contact	Phone	Email

Design Firm	Name of Contact	Phone	Email
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Contact Information

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



VICINITY MAP
NO SCALE

BUILDING LOCATION INSET
NO SCALE

- LEGEND:**
- PROPERTY LINE
 - TIE LINE
 - UNSURVEYED LINE
 - BACK OF CURB
 - BUFFER
 - POND
 - FEMA EXISTING 100 YR FLOODPLAIN LINE
 - FEMA FUTURE 100 YR FLOODPLAIN LINE
 - COMMUNITY ENCROACHMENT LINE
 - COMMUNITY ENCROACHMENT AREA
 - SSMH SANITARY SEWER MANHOLE
 - CP COMPUTED POINT
 - PP POWER POLE
 - CB CATCH BASIN

Any construction or use within the areas delineated by floodway fringe district boundary line and floodway district encroachment line is subject to the restrictions imposed by Floodway Regulations.

- NOTES:**
- SOME OF THIS PROPERTY IS LOCATED IN A DESIGNATED FLOOD ZONE PER FEMA MAP# 3710467100L, DATED 11/16/2018 & MAP# 3710466100K, DATED 11/16/2018.
 - AREA DETERMINED BY COORDINATE COMPUTATION.
 - CP DENOTES COMPUTED POINT, NO MONUMENT FOUND OR SET.
 - UNDERGROUND UTILITIES NOT LOCATED AS OF THIS DATE.
 - PROPERTY IS ZONED SP(CD), TR(CD) & R ON 3/30/16.
 - MONUMENTS AT CORNERS AS SHOWN.
 - THIS PROPERTY CONTAINS A WATER QUALITY FEATURE THAT MUST BE MAINTAINED IN ACCORDANCE WITH RECORDED MAINTENANCE COVENANT AS SPECIFIED IN SECTION 8.17.12(a) OF THE HUNTERSVILLE ZONING ORDINANCE.
 - THIS PROPERTY IS SUBJECT TO FEMA FLOODWAY REGULATIONS, COMMUNITY FLOODWAY REGULATIONS AND MECKLENBURG COUNTY WATER QUALITY BUFFERS. SEE MECKLENBURG COUNTY GIS FOR MORE INFORMATION.
 - SANITARY SEWER EASEMENTS EXIST ALONG CLARKE CREEK. SEE DEED BOOKS 10478-859, 11265-279, 11265-284, 11530-584, & 21060-759.
 - THIS PROPERTY SUBJECT TO ANY RIGHTS-OF-WAY & EASEMENTS OF RECORD.
 - TOTAL ACREAGE OF PROPERTY - 444.516 ACRES
 - SEE DB 3674-645 FOR R/W ACQUISITION. THERE IS ADDITIONAL R/W AT CLARKS CREEK 100' IN WIDTH MEASURED 50' EACH SIDE OF CENTERLINE OF ROAD.
 - NO PROPOSED SIGNS ON SITE.
 - PROPOSED BUILDINGS WILL HAVE 104 BEDS EACH. (416 TOTAL)
 - THE USE WILL NOT ENDANGER HEALTH AND SAFETY, DOES NOT SUBSTANTIALLY REDUCE THE VALUE OF NEARBY PROPERTY.
 - THE USE DOES NOT CONSTITUTE A NUISANCE TO ADJOINING PROPERTIES WITH RESPECT TO NOISE, DUST, FUMES, ODOR, AND TRAFFIC.

PROPOSED IMPERVIOUS AREA:

CRUSHED ASPHALT DRIVEWAY & PARKING - 41,495 SF
GRAVEL SIDEWALK & BETWEEN BUILDINGS - 26,520 SF
BUILDINGS - 42,640 SF
TOTAL PROPOSED IMPERVIOUS AREA - 110,655 SF

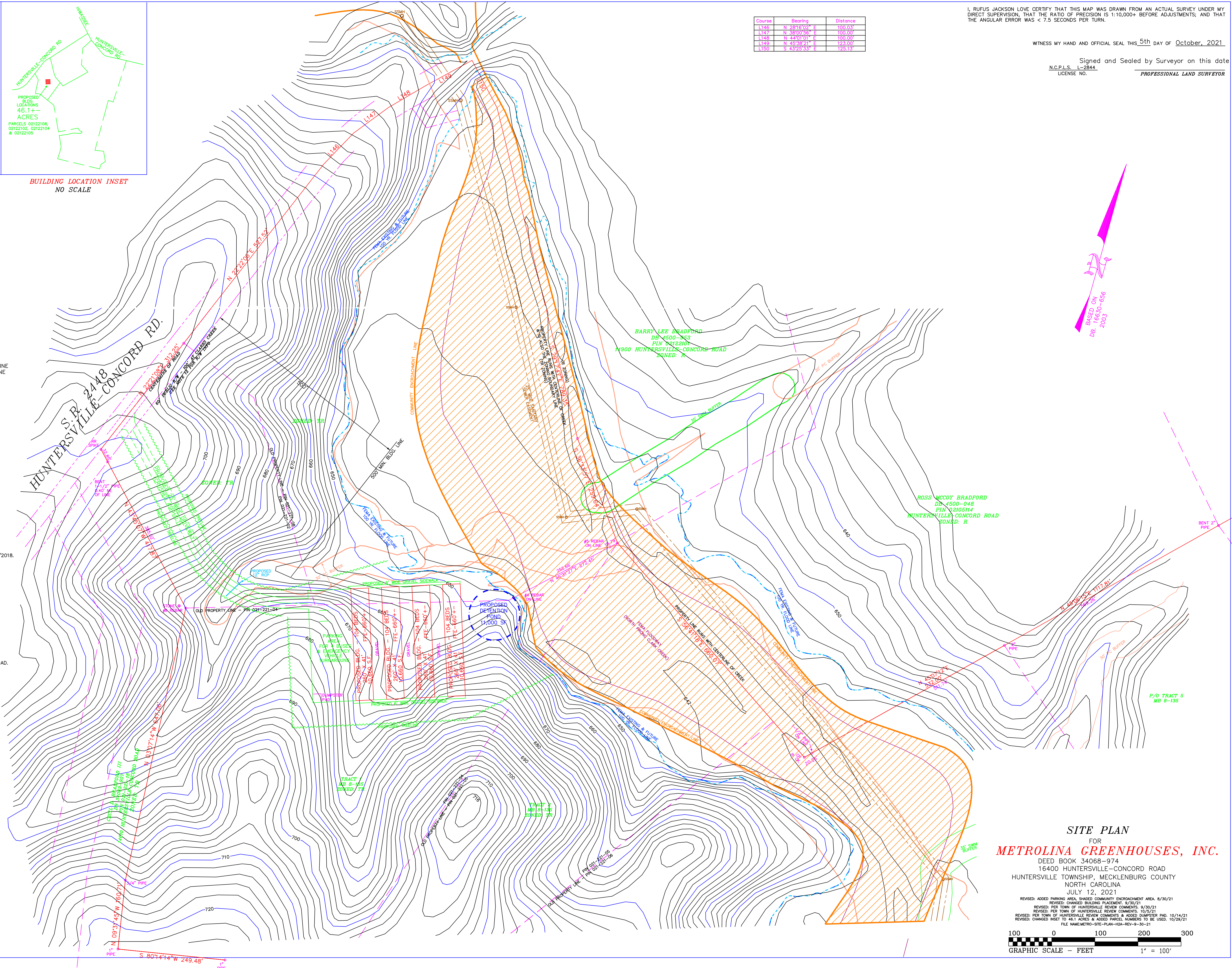
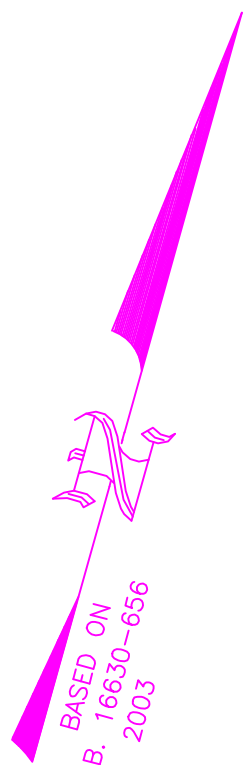


Course	Bearing	Distance
L146	N 28°15'02" E	100.03'
L147	N 38°00'00" E	100.00'
L148	N 44°01'01" E	100.00'
L149	N 45°38'21" E	123.00'
L150	S 43°22'53" E	125.19'

I, RUFUS JACKSON LOVE CERTIFY THAT THIS MAP WAS DRAWN FROM AN ACTUAL SURVEY UNDER MY DIRECT SUPERVISION, THAT THE RATIO OF PRECISION IS 1:10,000+ BEFORE ADJUSTMENTS; AND THAT THE ANGULAR ERROR WAS < 7.5 SECONDS PER TURN.

WITNESS MY HAND AND OFFICIAL SEAL THIS 5th DAY OF October, 2021

Signed and Sealed by Surveyor on this date
N.C.P.L.S. L-2844
LICENSE NO. PROFESSIONAL LAND SURVEYOR

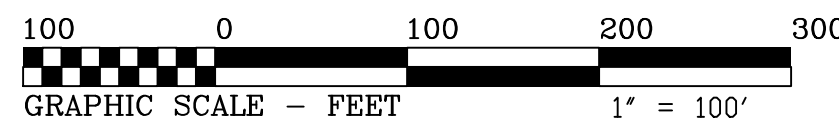


SITE PLAN
FOR
METROLINA GREENHOUSES, INC.

DEED BOOK 34068-974
16400 HUNTERSVILLE-CONCORD ROAD
HUNTERSVILLE TOWNSHIP, MECKLENBURG COUNTY
NORTH CAROLINA

JULY 12, 2021

REVISED: ADDED PARKING AREA, SHOWN COMMUNITY ENCROACHMENT AREA. 8/30/21
REVISED: CHANGED BUILDING PLACEMENT. 9/30/21
REVISED: PER TOWN OF HUNTERSVILLE REVIEW COMMENTS. 10/2/21
REVISED: PER TOWN OF HUNTERSVILLE REVIEW COMMENTS. 10/2/21
REVISED: PER TOWN OF HUNTERSVILLE REVIEW COMMENTS & ADDED SUMMITER PAD. 10/14/21
REVISED: CHANGED INSET TO 46.1 ACRES & ADDED PARCEL NUMBERS TO BE USED. 10/29/21
FILE NAME: METRO-SITE-PLAN-H2A-REV-9-30-21





Mecklenburg County Assessor's Office
Real Property Division
P.O. Box 31127
Charlotte, NC 28231-1127
www.MeckNC.gov/AssessorsOffice

**NOTICE OF VALUE
REAL PROPERTY ASSESSMENT**



NOV-NT23

METROLINA GREENHOUSES INC
16400 HUNTERSVILLE CONCORD RD
HUNTERSVILLE NC 28078-6650

Date of Notice: July 10, 2020

Last Date to Appeal: August 10, 2020

THIS IS NOT A BILL

The Assessor's Office has reviewed the Assessed Value of the following property:

Parcel Number: 021-221-04	Legal Description: 14.460 AC N/A
Building Type:	Location: SIMS RD UNINC
Land Use:	

We have determined the value to be as follows:

Assessed Value	\$408,444
Value After Exemption/Deferral	\$5,206

You are receiving this Notice for the following reason:

FOREST USE VALUE

The purpose of this Notice is to inform you of a newly adjusted Assessed Value, or a decision affecting its assessment. No action is required on your part. This Notice can result for a variety of reasons: value adjustments due to new construction, remodeling, changes in use, equalization with the values of similar properties, decisions on requests for exemptions, exclusions, and deferrals as allowed by NC statute.

If you agree with the Assessed Value, or decision affecting its assessment, **STOP**. You do not need to do anything further. Please keep this information for your records. If you feel this Assessed Value does not fairly represent your property, you have the right to appeal to the Board of Equalization and Review (BER). An appeal must be filed with the BER by August 10, 2020, or by the BER adjournment date of May 4, 2020, to be considered. Instructions for making an appeal are provided on the reverse side of this Notice.

Sincerely,

Kenneth L. Joyner, RES, AAS
Assessor – Mecklenburg County

10011PNOV_1 3/2/20 K



Mecklenburg County Assessor's Office
Real Property Division
P.O. Box 31127
Charlotte, NC 28231-1127
www.MeckNC.gov/AssessorsOffice

**NOTICE OF VALUE
REAL PROPERTY ASSESSMENT**



NOV-NT23

METROLINA GREENHOUSES INC
16400 HUNTERSVILLE CONCORD RD
HUNTERSVILLE NC 28078-6650

Date of Notice: July 10, 2020

Last Date to Appeal: August 10, 2020

THIS IS NOT A BILL

The Assessor's Office has reviewed the Assessed Value of the following property:

Parcel Number: 021-221-05	Legal Description: 10.110 AC L2 M8-135
Building Type:	Location: SIMS RD UNINC
Land Use:	

We have determined the value to be as follows:

Assessed Value	\$220,419
Value After Exemption/Deferral	\$14,440

You are receiving this Notice for the following reason:

FOREST USE VALUE

The purpose of this Notice is to inform you of a newly adjusted Assessed Value, or a decision affecting its assessment. No action is required on your part. This Notice can result for a variety of reasons: value adjustments due to new construction, remodeling, changes in use, equalization with the values of similar properties, decisions on requests for exemptions, exclusions, and deferrals as allowed by NC statute.

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Sincerely,

Kenneth L. Joyner, RES, AAS
Assessor – Mecklenburg County

10011PNOV_1 3/2/20 K



Mecklenburg County Assessor's Office
Real Property Division
P.O. Box 31127
Charlotte, NC 28231-1127
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**NOTICE OF VALUE
REAL PROPERTY ASSESSMENT**



NOV-NT23

METROLINA GREENHOUSES INC
16400 HUNTERSVILLE CONCORD RD
HUNTERSVILLE NC 28078-6650

Date of Notice: July 10, 2020

Last Date to Appeal: August 10, 2020

THIS IS NOT A BILL

The Assessor's Office has reviewed the Assessed Value of the following property:

Parcel Number: 021-221-08	Legal Description: 17.339 AC NA
Building Type:	Location: HUNTERSVILLE-CONCORD RD UNINC
Land Use:	

We have determined the value to be as follows:

Assessed Value	\$368,760
Value After Exemption/Deferral	\$6,242

You are receiving this Notice for the following reason:

FOREST USE VALUE

The purpose of this Notice is to inform you of a newly adjusted Assessed Value, or a decision affecting its assessment. No action is required on your part. This Notice can result for a variety of reasons: value adjustments due to new construction, remodeling, changes in use, equalization with the values of similar properties, decisions on requests for exemptions, exclusions, and deferrals as allowed by NC statute.

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Sincerely,

Kenneth L. Joyner, RES, AAS
Assessor – Mecklenburg County

10011PNOV_1 3/2/20 K

BUILDING CODES IN EFFECT FOR THIS PROJECT:

☐ 2018 IBC ☒ 2018 IFC ☒ 2018 IFC ☒ 2018 IMC ☒ 2009 IEC ☒ 2017 NEC ☒ 2017 ANSI A117.1
☒ 2018 SC STATE BUILDING CODE
☒ NEW BUILDING ☐ SHELL BUILDING ☐ INTERIOR UPFIT ☐ ADDITION ☐ REPAIR
☐ ALTERATION L1 ☐ ALTERATION L2 ☐ ALTERATION L3 ☐ CHANGE OF OCCUPANCY

I. USE AND OCCUPANCY CLASSIFICATION - PRIMARY USE / MOST RESTRICTIVE (CHAPTER 3):

A-1 ☐	A-2 ☐	A-3 ☐	A-4 ☐	A-5 ☐	B ☐	E ☐	F-1 ☐	F-2 ☐	H-1 ☐
H-2 ☐	H-3 ☐	H-4 ☐	H-5 ☐	I-1 C1 ☐	I-1 C2 ☐	I-1 C3 ☐	I-1 C4 ☐	I-2 ☐	I-3 ☐
I-4 ☐	M ☐	R-1 ☐	R-2 ☒	R-3 ☐	R-4 C1 ☐	R-4 C2 ☐	S-1 ☐	S-2 ☐	U ☐

USE AND OCCUPANCY CLASSIFICATION - SECONDARY USES:

A-1 ☐	A-2 ☐	A-3 ☐	A-4 ☐	A-5 ☐	B ☐	E ☐	F-1 ☐	F-2 ☐	H-1 ☐
H-2 ☐	H-3 ☐	H-4 ☐	H-5 ☐	I-1 C1 ☐	I-1 C2 ☐	I-1 C3 ☐	I-1 C4 ☐	I-2 ☐	I-3 ☐
I-4 ☐	M ☐	R-1 ☐	R-2 ☐	R-3 ☐	R-4 C1 ☐	R-4 C2 ☐	S-1 ☐	S-2 ☐	U ☐

INCIDENTAL USES (TABLE 508.2.5):

- ☐ FURNACE ROOMS WHERE ANY PIECE OF EQUIPMENT IS OVER 400,000 BTU PER HOUR INPUT
☐ ROOMS WITH BOILERS WHERE THE LARGEST PIECE OF EQUIPMENT IS OVER 15 PSI & 10 HP
☐ REFRIGERANT MACHINE ROOMS ☐ INCINERATOR ROOMS ☐ LAUNDRY ROOMS OVER 100 S.F.
☐ HYDROGEN CUTOFF ROOMS NOT CLASSIFIED AS GROUP H
☐ PAINT SHOPS NOT CLASSIFIED AS GROUP H, LOCATED IN OCCUPANCIES OTHER THAN GROUP F
☐ LABS AND VOCATIONAL SHOPS NOT CLASSIFIED AS GROUP H LOCATED IN GROUP E OR I-2 OCCUPANCIES
☐ GROUP I-3 CELLS EQUIPPED WITH PADDED SURFACES ☐ GROUP I-2 WASTE/LINEN COLLECTION ROOMS
☐ WASTE/LINEN COLLECTION ROOMS OVER 100 S.F. ☐ ROOMS CONTAINING FIRE PUMPS
☐ ROOMS CONTAINING LIFE-SAFETY GENERATORS ☐ ROOMS CONTAINING PRIMARY TRANSFORMERS
☐ GROUP I-2 STORAGE ROOMS OVER 100 S.F. ☐ GROUP I-2 COMMERCIAL KITCHENS
☐ GROUP I-2 LAUNDRIES 100 S.F. OR LESS ☐ GROUP I-2 ROOMS OR SPACES WITH FUEL-FIRED HEATING
☐ STATIONARY STORAGE BATTERY SYSTEMS HAVING A LIQUID ELECTROLYTE CAPACITY OF MORE THAN 50 GALLONS, OR A LITHIUM ION CAPACITY OF 1,000 LBS USED FOR FACILITY STANDBY POWER, EMERGENCY POWER OR UNINTERRUPTED POWER SUPPLIES

2. SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY (CHAPTER 4):

- COVERED MALLS ☐ HIGH RISE BUILDINGS ☐ ATRIUMS ☐ UNDERGROUND BUILDINGS ☐
MOTOR VEHICLE RELATED ☐ GROUP I-2 ☐ GROUP I-3 ☐ MOTION PICTURE PROJECTION ☐
STAGES & PLATFORMS ☐ SPECIAL AMUSEMENT BUILDINGS ☐ AIRCRAFT RELATED ☐
HAZARDOUS MATERIALS ☐ GROUPS H-1 THRU H5 ☐ DRYING ROOMS ☐ ORGANIC COATINGS ☐
GROUPS I-1, R-1 THRU R-3 ☐ HYDROGEN CUTOFF ROOMS ☐

3. ALLOWABLE BUILDING HEIGHTS, STORIES AND AREAS:

MAXIMUM HEIGHT ALLOWED (TABLE 504.3): ALLOWED: **60'** SHOWN: **20'-9"**
MAXIMUM NUMBER OF STORIES (TABLE 504.4): ALLOWED: **4** SHOWN: **1**
GROSS BUILDING AREA PER FLOOR (TABLE 506.2): ALLOWED: **12,000** SHOWN: **10,765**
PROTECTED CONSTRUCTION: ☐ SPRINKLERED: ☒ MEZZANINE: ☐ UNLIMITED AREA: ☐
AREA INCREASE APPLICABLE: ☐ (IF CHECKED, SEE AREA INCREASE CALCULATION SECTION)

INCIDENTAL USE AREAS (TABLE 509):

A. ROOM OR AREA: _____ = _____ HOUR
B. ROOM OR AREA: _____ = _____ HOUR
C. ROOM OR AREA: _____ = _____ HOUR

REQUIRED SEPARATION OF OCCUPANCIES (TABLE 508.4):

NONSEP. USES (508.3) ☒ SEPARATED USES (508.4) ☐ ACCESSORY USE (508.2) ☐
BETWEEN: _____ AND: _____ = _____ HOUR
BETWEEN: _____ AND: _____ = _____ HOUR
BETWEEN: _____ AND: _____ = _____ HOUR

SEPARATED USE FLOOR AREA CALCULATIONS:

AREA 1 AREA 2 AREA 3 AREA 4 AREA ____ AREA ____ AREA ____ AREA ____
ACTUAL + ACTUAL + ACTUAL + ACTUAL + ≤1
ALLOWED + ALLOWED + ALLOWED + ALLOWED

4. TYPES OF CONSTRUCTION (CHAPTER 6):

1-A ☐ 1-B ☐ 2-A ☐ 2-B ☐ 3-A ☐ 3-B ☐ 4 ☐ 5-A ☐ 5-B ☒
FIRE RESISTANCE RATING REQUIREMENTS FOR BUILDING ELEMENTS IN HOURS (TABLE 601):
STRUCTURAL FRAME: 0 BEARING WALLS (INT.): 0 BEARING WALLS (EXT.): 0
NONBEARING WALLS (INT.): 0 FLOOR CONSTRUCTION: 0 ROOF CONSTRUCTION: 0
FIRE RESISTANCE RATING FOR EXTERIOR WALLS BASED ON FIRE SEPARATION DISTANCE (TABLE 602):
0 TO <5': _____ 5' TO <10': _____ 10' TO <30': _____ 30'+: 0

5. FIRE RESISTANCE RATED CONSTRUCTION (CHAPTER 6):

STRUCTURAL FRAME (TABLE 601): _____ N/A HR.
EXTERIOR BEARING WALLS (TABLE 601, 602): _____ N/A HR.
INTERIOR BEARING WALLS (TABLE 601): _____ N/A HR.
FLOOR CONSTRUCTION (TABLE 601, 602): _____ N/A HR.
ROOF CONSTRUCTION (TABLE 601, 602): _____ N/A HR.
FIRE WALLS (TABLE 706.4): _____ N/A HR.
FIRE BARRIERS (TABLE 707.3.10): _____ N/A HR.
SHAFT ENCLOSURES (SECTION 713): _____ N/A HR.
CORRIDORS (TABLE 1020.1): _____ N/A HR.
FIRE DOOR & FIRE SHUTTER PROTECTION RATINGS (TABLE 716.5): _____ N/A HR.
FIRE WINDOW ASSEMBLY FIRE PROTECTION RATINGS (TABLE 716.6): _____ N/A HR.
FIRE DAMPER RATING (TABLE 717.3.2.1): _____ N/A HR.

MAXIMUM AREA OF EXTERIOR WALL OPENINGS (TABLE 705.8):
UNPROTECTED CONSTRUCTION: NOT PERMITTED ☐ PERCENT ☐ NO LIMIT ☒
0'-3' ☐ +3'-5' ☐ +5'-10' ☐ +10'-15' ☐ +15'-20' ☐ +20'-25' ☐ +25'-30' ☐
PROTECTED CONSTRUCTION: NOT PERMITTED ☐ PERCENT ☐ NO LIMIT ☐
0'-3' ☐ +3'-5' ☐ +5'-10' ☐ +10'-15' ☐ +15'-20' ☐ +20'-25' ☐ +25'-30' ☐

6. INTERIOR FINISHES (CHAPTER 8):

BY OCCUPANCY GROUP (TABLE 803.11): **R-2** SPRINKLERED ☒ NON-SPRINKLERED ☐
VERTICAL EXITS AND EXIT PASSAGeways EXIT ACCESS CORRIDORS AND OTHER EXITWAYS ROOMS AND ENCLOSED SPACES
FINISH CLASS: A B C A B C A B C A B C

7. FIRE PROTECTION SYSTEMS (CHAPTER 9):

SPRINKLER REQUIRED (SECTION 903): NFPA 13 ☐ NFPA 13R ☒ NFPA 13D ☐
FIRE EXTINGUISHER TYPES (IFC SECTION 906): WATER - TYPE A ☐ POTASSIUM - TYPE K ☐
DRY CHEM. - TYPE BC ☐ DRY CHEM. - TYPE ABC ☒ CARBON DIOXIDE - TYPE BC ☐
FIRE EXTINGUISHER LOCATIONS (IFC SECTION 906):
PER IFC TABLE 906.1 ☒ PER IFC TABLE 906.3 (1) ☐ PER IFC TABLE 906.3 (2) ☐
FIRE ALARM SYSTEM (SECTION 907):
PULL STATIONS: ☒ ANNUNCIATORS: ☒
STROBES: ☒ SMOKE DETECTORS: ☒
CONTROL PANEL: ☒ BATTERY BACK-UP: ☒
EMERGENCY ALARM SYSTEM: ☒
SMOKE CONTROL SYSTEM (SECTION 909):
SMOKE DAMPERS: ☐ SMOKE BARRIERS: ☐
SMOKE LATCHES: ☐ EXHAUST FANS: ☐
SMOKE VENTS: ☐ HEAT VENTS: ☐

8. OCCUPANCY LOAD (TABLE 1004.1.2):

PRINCIPAL OCCUPANCY: **R-2** **10,765** SQ. FT./ **50** SQ. FT./PERSON = **216** PERSONS
FIXED SEATING (SECTION 1004.4): NUMBER OF SEATS @ 18' PER PERSON = PERSONS
FIXED SEATING (SECTION 1004.4): NUMBER OF SEATS @ 24' PER PERSON = PERSONS
INCIDENTAL OR MIXED OCCUPANCY GROUPS:
A. AREA: _____ SQ. FT./ _____ SQ. FT./PERSON = PERSONS
B. AREA: _____ SQ. FT./ _____ SQ. FT./PERSON = PERSONS
C. AREA: _____ SQ. FT./ _____ SQ. FT./PERSON = PERSONS
D. AREA: _____ SQ. FT./ _____ SQ. FT./PERSON = PERSONS
E. AREA: _____ SQ. FT./ _____ SQ. FT./PERSON = PERSONS
F. AREA: _____ SQ. FT./ _____ SQ. FT./PERSON = PERSONS
TOTAL OCCUPANT LOAD = **216** PERSONS

EGRESS WIDTH (IN INCHES) PER OCCUPANT SERVED (SECTIONS 1005.3.1):

STAIRWAYS: **0.2** OTHER COMPONENTS: **0.15** SPRINKLERED ☒

TOTAL STAIR EGRESS WIDTH: PERSONS x INCHES PER OCCUPANT REQUIRED = SHOWN:

TOTAL OTHER COMPONENTS EGRESS WIDTH: PERSONS x INCHES PER OCCUPANT REQUIRED = SHOWN: **136**

216 PERSONS x **0.15** INCHES PER OCCUPANT REQUIRED = **32.4** SHOWN: **136**

EGRESS WIDTH (IN INCHES) PER OCCUPANT SERVED (SECTIONS 1005.3.2):

STAIRWAYS: OTHER COMPONENTS: NON-UNSPRINKLERED ☐

TOTAL STAIR EGRESS WIDTH: PERSONS x INCHES PER OCCUPANT REQUIRED = SHOWN:

TOTAL OTHER COMPONENTS EGRESS WIDTH: PERSONS x INCHES PER OCCUPANT REQUIRED = SHOWN:

9. EXIT REQUIREMENTS (CHAPTER 10):

MINIMUM NUMBER OF EXITS (SECTION 1006): _____ 1 ☐ 2 ☒ 3 ☐ 4 ☐
SINGLE EGRESS ALLOWED (TABLES 1006.2.1 & 1006.3.2(2)): _____ YES ☐ NO ☒
DEAD-END CORRIDORS (SECTION 1020.4): _____ ALLOWED: **20'** PROVIDED: **0**
EXIT ACCESS TRAVEL DISTANCE (TABLE 1017.2): _____ ALLOWED: **250'** PROVIDED: **133'±**
MINIMUM CORRIDOR WIDTH (TABLE 1020.2): _____ REQUIRED: **44"** PROVIDED: **N/A**
ACCESS TO ROOF REQUIRED (SECTION 1011.2): _____ YES ☐ NO ☒

STAIRWAYS (SECTION 1009):

MINIMUM STAIR WIDTH (SECTION 1011.2): _____ REQUIRED: _____ PROVIDED: _____
MAXIMUM RISER HEIGHT (SECTION 1011.5.2): _____ ALLOWED: _____ PROVIDED: _____
MINIMUM TREAD DEPTH (SECTION 1011.5.2): _____ REQUIRED: _____ PROVIDED: _____
HANDRAIL HEIGHT (SECTION 1014.2): _____ ALLOWED: _____ PROVIDED: _____
SMOKE BARRIER REQUIRED (SECTION 407.5): _____ YES ☐ NO ☐
GUARDRAIL HEIGHT (SECTIONS 1015.2 & 1015.3): _____ REQUIRED: _____ PROVIDED: _____
RAMPS (SECTION 1012):
MAXIMUM SLOPE (SECTION 1012.2): _____ ALLOWED: _____ PROVIDED: _____
MAXIMUM RISE (SECTION 1012.4): _____ ALLOWED: _____ PROVIDED: _____
HANDRAIL HEIGHT (SECTION 1012.8, 1014.8): _____ ALLOWED: _____ PROVIDED: _____
HANDRAIL REQUIRED (SECT. 1014.1): _____ NOT REQ'D ☐ ONE SIDE ☐ BOTH SIDES ☐
RAILING HEIGHT (SECTION 1014.2): _____ ALLOWED: _____ PROVIDED: _____

10. RESTROOM FACILITIES (TABLE 2902.1):

MINIMUM NUMBER OF TOILET STALLS FOR MEN: _____ REQUIRED: **6** PROVIDED: **12**
MINIMUM NUMBER OF TOILET STALLS FOR WOMEN: _____ REQUIRED: **0** PROVIDED: **0**
MINIMUM NUMBER OF LAVATORIES FOR MEN: _____ REQUIRED: **6** PROVIDED: **10**
MINIMUM NUMBER OF LAVATORIES FOR WOMEN: _____ REQUIRED: **0** PROVIDED: **0**
MINIMUM NUMBER ACCESSIBLE SHOWERS: _____ REQUIRED: **10** PROVIDED: **12**
NUMBER OF SERVICE SINKS: _____ REQUIRED: **0** PROVIDED: **1**
UNISEX RESTROOM ALLOWED (SECTION 2902.2): _____ YES ☐ NO ☒
NUMBER OF UNISEX RESTROOMS: _____ REQUIRED: _____ PROVIDED: _____
NUMBER OF EXISTING MEN'S RESTROOMS: _____ PROVIDED: _____
NUMBER OF EXISTING WOMEN'S RESTROOMS: _____ PROVIDED: _____
NUMBER OF EXISTING MEN'S LAVATORIES: _____ PROVIDED: _____
NUMBER OF EXISTING WOMEN'S LAVATORIES: _____ PROVIDED: _____
NUMBER OF EXISTING DRINKING FOUNTAINS: _____ PROVIDED: _____

II. STRUCTURAL REQUIREMENTS (CHAPTER 16):

LOADS:
WIND LOAD (SECTION 1609): _____ = **115** MPH
FLOOR LIVE LOAD (TABLE 1607.1): _____ = **100** PSF
FLOOR DEAD LOAD (SECTION 1606): _____ = **N/A** PSF
ROOF LIVE LOAD (SECTION 1607.12): _____ = **20** PSF
ROOF COLLATERAL LOADS: _____ = **3** PSF
GROUND SNOW LOAD (SECTION 1608): _____ = **10** PSF
FLOOD LOADS (SECTION 1612): _____ = **N/A** PSF
SPECIAL LOADS _____ = **N/A** PSF
SNOWGUARDS REQUIRED: ☐ YES ☒ NO
TRIBUTARY LOAD REDUCTION ALLOWED: ☐ YES ☐ NO
SEISMIC LOADS (CHAPTER 16):
DESIGN AREA ZIP CODE: _____ = **29745**
DESIGN AREA CENTRAL LATITUDE: _____ = **35.0**
DESIGN AREA CENTRAL LONGITUDE: _____ = **-81.3'**
SPECTRAL RESPONSE ACCELERATION AT 1 SECOND PERIOD: S_1 = **.106**
SPECTRAL RESPONSE ACCELERATION AT SHORT PERIODS: S_S = **.257**
SEISMIC HAZARD EXPOSURE GROUP: _____ = **2**
SEISMIC PERFORMANCE CATEGORY: _____ = **C**
SOIL PROFILE: _____ = **D**
BASIC STRUCTURAL SYSTEM: ☐ BUILDING FRAME ☒ BEARING WALL

II. SCHEDULE OF SPECIAL INSPECTIONS (CHAPTER 17):

☐ NO SPECIAL INSPECTIONS REQUIRED FOR THIS PROJECT ☒ SPECIAL INSPECTIONS REQUIRED
☐ EXCAVATIONS ☐ INSPECTION OF STRUCTURAL STEEL FABRICATORS
☐ FILLS ☐ STRUCTURAL MASONRY
☐ DEEP FOUNDATIONS ☐ WELDING
☒ SHALLOW FOOTINGS & FOUNDATIONS ☐ HIGH STRENGTH BOLTS AND STEEL FRAMING INSP.
☒ VERIFICATION OF SOILS ☐ SPRAYED FIRE-RESISTANCE MATERIALS
☐ RETAINING WALLS ☐ EXTERIOR INSULATION AND FINISH SYSTEMS
☐ POST TENSION SLABS ☐ SEISMIC RESISTANCE
☐ PRE-CAST CONCRETE ERECTION ☐ SMOKE CONTROL
☐ PRE-STRESSED CONCRETE ☐ DETENTION BASINS
☐ INSPECTION OF PRE-CAST FABRICATORS ☐ SPECIAL CASES

☐ EXCEPTIONS:

☐ EXCAVATIONS

12. LIFE SAFETY SYSTEM REQUIREMENTS:

EMERGENCY LIGHTING: _____ YES ☒ NO ☐
EXIT SIGNS: _____ YES ☒ NO ☐
FIRE ALARM: _____ YES ☒ NO ☐
SMOKE DETECTION SYSTEMS: _____ YES ☒ NO ☐ PARTIAL ☐
PANIC HARDWARE: _____ YES ☒ NO ☐
LIFE SAFETY SYSTEMS GENERATOR: _____ YES ☐ NO ☐

LIFE SAFETY PLAN SHEET # **A1**

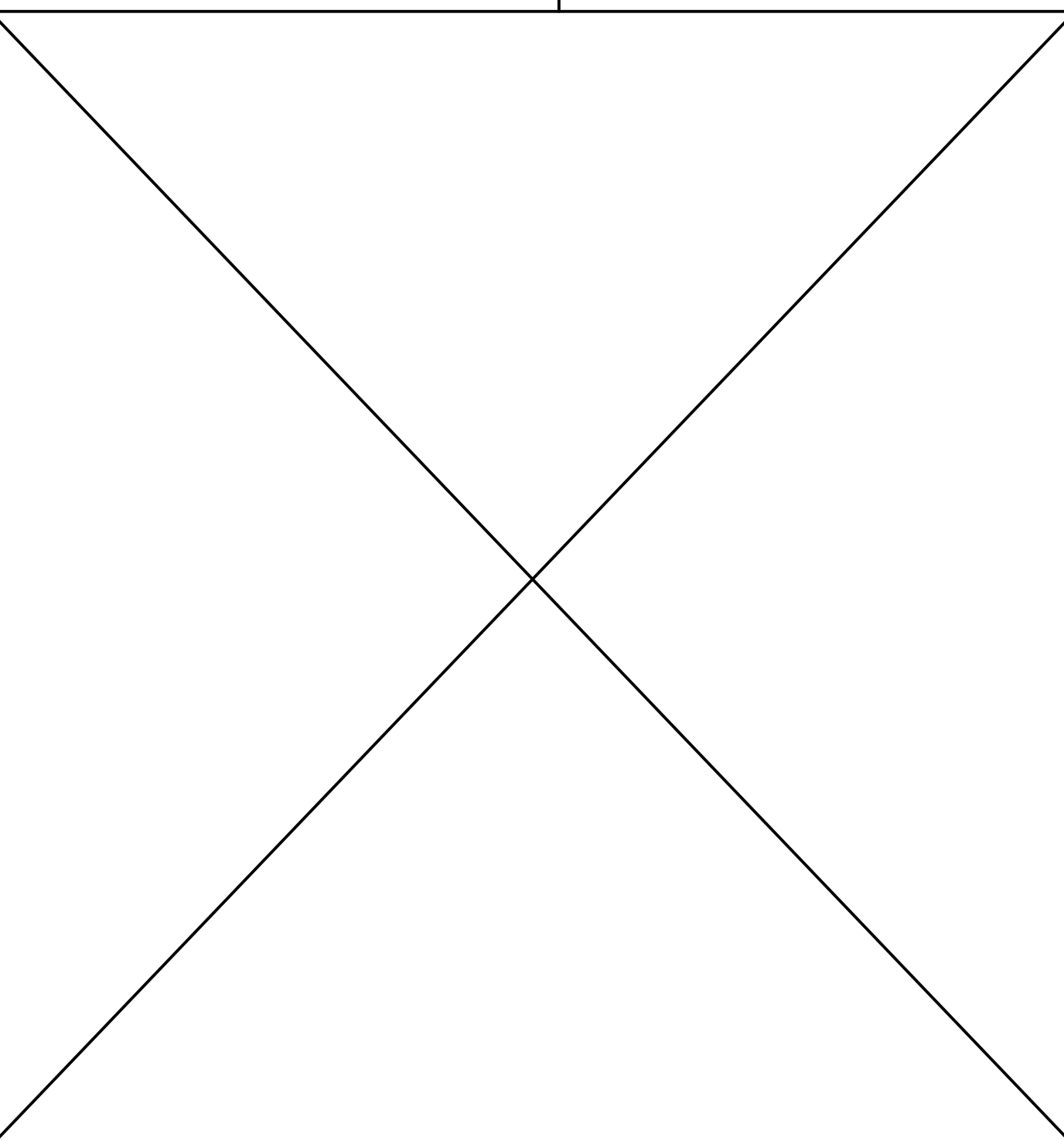
- ☐ FIRE AND/OR SMOKE RATED WALL LOCATIONS (CHAPTER 7)
☐ ASSUMED AND REAL PROPERTY LINE LOCATIONS (IF NOT ON THE SITE PLAN)
☐ EXTERIOR WALL OPENING AREA WITH RESPECT TO DISTANCE OF ASSUMED PROPERTY LINES (TABLE 705.8)
☒ OCCUPANCY USE FOR EACH AREA AS IT RELATES TO OCCUPANT LOAD CALCULATION (TABLE 1004.1.2)
☒ OCCUPANT LOADS FOR EACH AREA (TABLE 1004.5)
☒ EXIT TRAVEL DISTANCES (TABLE 1017.2)
☒ COMMON PATH OF TRAVEL DISTANCES (TABLES 1006.2.1 AND 1006.3.2)
☐ DEAD END LENGTHS (1020.4)
☒ CLEAR EXIT WIDTH FOR EACH DOOR (1010.1.1)
☒ MAXIMUM CALCULATED OCCUPANT LOAD CAPACITY EACH EXIT DOOR CAN ACCOMMODATE BASED BASED ON EGRESS WIDTH (1005.3.1 & 1005.3.2)
☒ ACTUAL OCCUPANT LOAD FOR EACH EXIT DOOR (1010.1.1)
☐ A SEPARATE SCHEMATIC PLAN INDICATING WHERE FIRE RATED FLOOR/CEILING AND/OR ROOF
☐ STRUCTURE IS PROVIDED FOR PURPOSES OF OCCUPANCY SEPARATION
☒ LOCATIONS OF DOORS WITH PANIC HARDWARE (1010.1.10)
☐ LOCATIONS OF DOORS WITH DELAYED EGRESS LOCKS AND THE AMOUNT OF THE DELAY (1010.1.9.8)
☐ LOCATIONS OF DOORS WITH ELECTROMAGNETIC EGRESS LOCKS (1010.1.9.10)
☐ LOCATIONS OF DOORS WITH HOLD-OPEN DEVICES
☐ LOCATIONS OF EMERGENCY ESCAPE WINDOWS (1030)
☐ THE SQUARE FOOTAGE OF EACH FIRE AREA (907.1)
☐ THE SQUARE FOOTAGE OF EACH SMOKE COMPARTMENT FOR OCCUPANCY CLASSIFICATION I-2 (407.5)
☐ NOTE ANY CODE EXCEPTIONS OR TABLE NOTES THAT MAY HAVE BEEN UTILIZED REGARDING THE ITEMS ABOVE

	STEEL
	WOOD - FINISHED
	WOOD - ROUGH
	INSULATION
	PLYWOOD
	ACOUSTICAL TILE
	GYPSUM WALL BOARD
	GRAVEL
	BRICK
	CMU
	CONCRETE
	EARTH

101 ROOM NUMBER
EQUIPMENT NUMBER
REVISION
PROJECT NORTH ARROW
FLOOR ELEVATION
FLOOR DRAIN
ROOF DRAIN
BUILDING SECTION
WALL SECTION
DETAIL REFERENCE
INTERIOR ELEVATION
WALL TYPE
DOOR MARK
WINDOW MARK
SPECIFIC NOTE
COLUMN GRID LINES
STUD PARTITION
RATED PARTITION
BRICK VENEER
CONCRETE MASONRY UNIT

MATERIAL SYMBOLS

GRAPHIC SYMBOLS



AREA INCREASE CALCULATIONS

GENERAL CONTRACTOR:

TO BE PROVIDED AT PERMITTING

CIVIL CONTRACTOR:

TO BE PROVIDED AT PERMITTING

PLUMBING CONTRACTOR:

TO BE PROVIDED AT PERMITTING

MECHANICAL CONTRACTOR:

TO BE PROVIDED AT PERMITTING

ELECTRICAL CONTRACTOR:

TO BE PROVIDED AT PERMITTING

SPRINKLER CONTRACTOR

TO BE PROVIDED AT PERMITTING

FIRE ALARM CONTRACTOR

TO BE PROVIDED AT PERMITTING

GI GENERAL INFORMATION

STRUCTURAL

S1 FOUNDATION PLAN

ARCHITECTURAL

A1 FLOOR PLAN/ELEVATIONS

A2 AREA ENLARGEMENTS

PLUMBING

P1 OVERALL PLUMBING PLAN

P2 PLUMBING WASTE PLAN

P3 DOMESTIC WATER PLAN

P4 ADA COMPLIANCE PLAN

MECHANICAL

M1 HVAC PLAN

ELECTRICAL

E1 OVERALL ELECTRICAL PLAN

E2 ENLARGED RESTROOM ELEC.

E3 ENLARGED KITCHEN RIGHT

E4 ENLARGED KITCHEN LEFT

ISSUED FOR CLIENT REVIEW

DATE OF ISSUE: **9-22-2021**

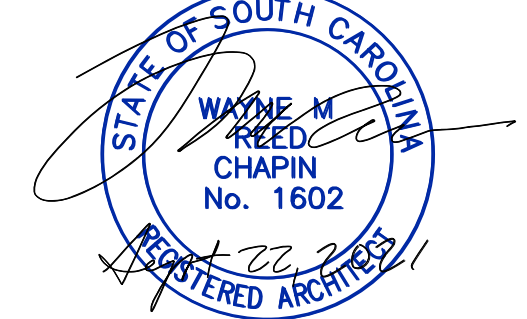
THESE PLANS HAVE NOT BEEN APPROVED BY THE BUILDING DEPARTMENT. PLANS SHOULD BE STAMPED "APPROVED FOR CONSTRUCTION" BY THE BUILDING DEPARTMENT PRIOR TO BIDDING OR CALCULATING TAKE-OFFS.

Wayne M Reed ARCHITECT

146 Ballentine Lane
Chapin, SC 29036
1 - 803 - 417 - 2790

NOTE: ALL QUESTIONS AND INQUIRIES ARE TO BE DIRECTED TO MICHAEL GRUBB, THE PROJECT COORDINATOR, AT SPECTRUM ENTERPRISES, INC. CELL 803-417-2790.

Professional Seal:



THE ARCHITECT HAS NOT BEEN RETAINED TO PERFORM CONTRACT ADMINISTRATION SERVICES

General Notes:

No.	Description	Date
-----	-------------	------

REVISIONS

Project Title:

METROLINA GREENHOUSES WORKERS BUNKHOUSE
2121 QUARRY ROAD
YORK, SC 29745

Sheet Title:

GENERAL INFO

Project No.:

5754

Drawn By:

MAC

Checked By:

MAC

Scale:

AS SHOWN

Date:

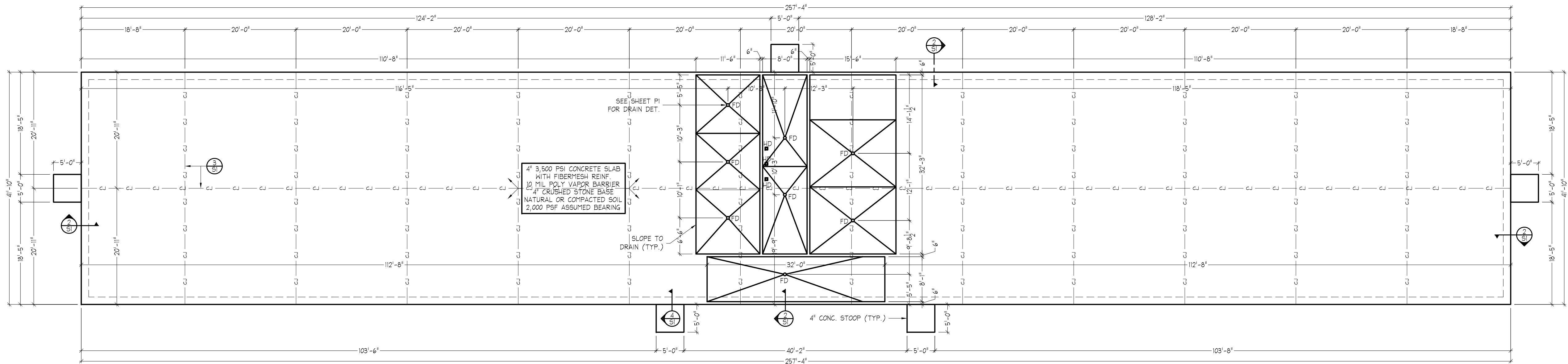
5-19-2021

Sheet No.:

G1

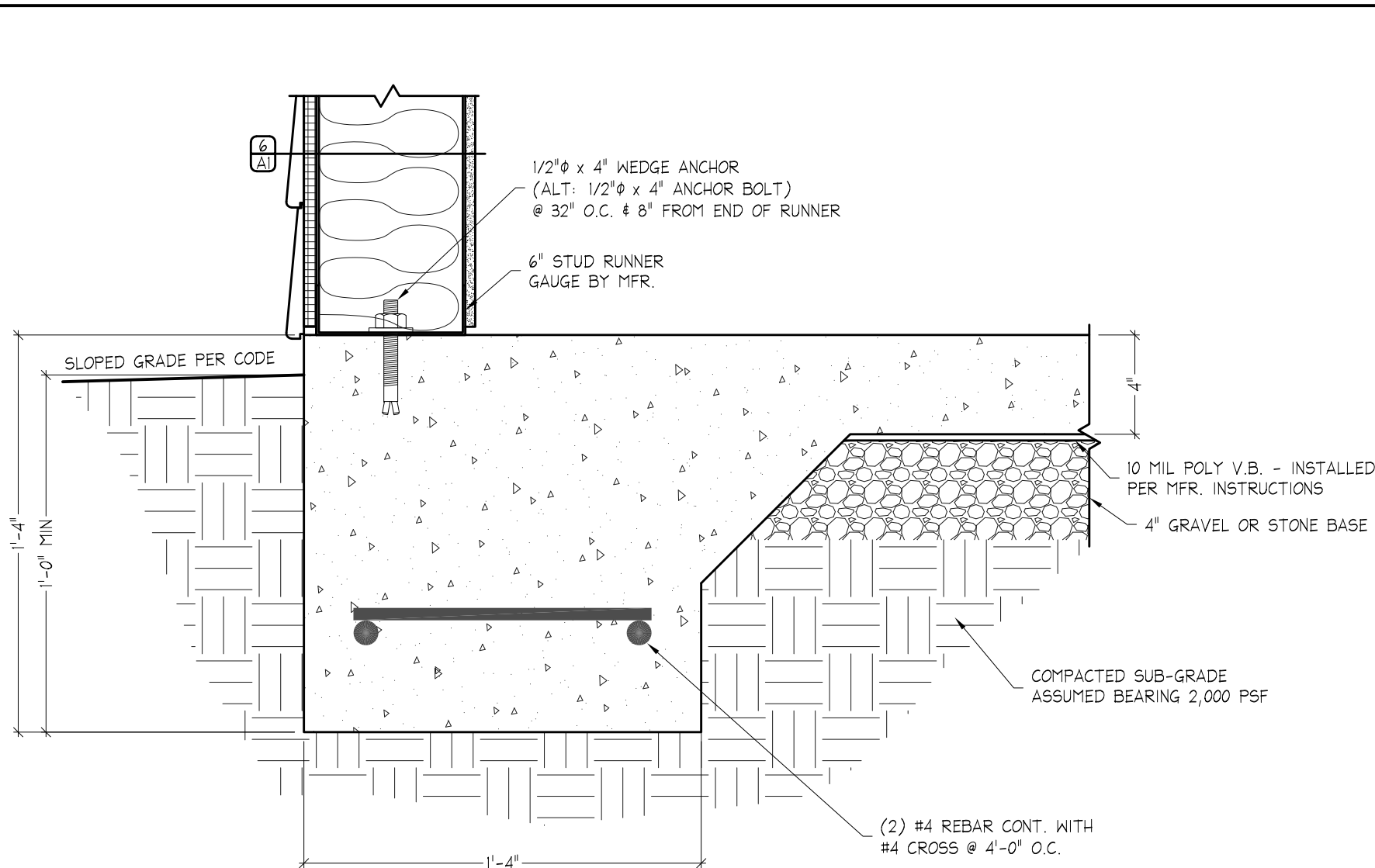


- General Notes:**
- WHERE APPLICABLE, TEMPORARILY BRACE RETAINING WALLS AND BRACE CMU WALLS UNTIL FLOOR SLAB IS INSTALLED.
 - VERIFY DIMENSIONS, CONDITIONS AND ELEVATIONS. IF APPLICABLE, REFERENCE METAL BUILDING DRAWINGS FOR ANCHOR BOLT LAYOUT.
 - NO ALTERATIONS OR DEVIATION FROM THIS DRAWING ARE ALLOWED WITHOUT THE APPROVAL OF THE PROFESSIONAL ENGINEER.
 - DIG FOUNDATIONS PER THIS DRAWING.
 - ALL APPLICABLE MATERIALS AND PROCEDURES SHALL CONFORM TO THE LATEST EDITION OF THE FOLLOWING STANDARDS:
 - ASTM A-150 PORTLAND CEMENT
 - ASTM C-33 AGGREGATES FOR CONCRETE
 - ASTM C-94 READY-MIXED CONCRETE
 - ASTM A495 GRADE 40 REBAR
 - ASTM A82 & ASTM A185 WELDED WIRE FABRIC
 - ASTM 318-14 REINFORCED CONCRETE
 - ACI 501 AND 530-88
 - ASCE 5-88 AND 6-88
 - THE 2018 INTERNATIONAL BUILDING CODE
 - MIX AND PLACE CONCRETE PER THE PORTLAND CEMENT ASSOCIATION PUBLICATION "DESIGN AND CONTROL OF CONCRETE MIXTURES".
 - PRIOR TO PLACING CONCRETE, FOOTING EXCAVATIONS SHALL BE FREE OF WATER, SLUSH, AND FOREIGN MATTER.
 - FOOTING SLAB BASE IS TO BE POURED AGAINST EARTH HAVING 95% COMPACTION (PROCTOR STANDARD AND ASTM D-698).
 - CONCRETE AND (W.W.F. IF APPLICABLE) SHALL HAVE A MAXIMUM SIZE OF COURSE AGGREGATE OF 3/4", WITH A MAXIMUM SLUMP OF 5".
 - DEFECTIVE OR HONEYCOMBED CONCRETE SHALL BE EXAMINED BY A PROFESSIONAL ENGINEER FOR THE METHOD OF CORRECTION.
 - FOOTING EXCAVATION SHALL BE CARRIED TO A GOOD BEARING SOIL. SLAB DEPTH SHALL EXTEND A DISTANCE EQUAL TO THE DEPTH SHOWN OR TO A MINIMUM DEPTH REQUIRED BY LOCAL CODE TO MEET RESTRICTIONS ENCOUNTERED. EXCAVATION BELOW THE BASE OF THE FOOTING SHALL BE BACK FILLED WITH 2,000 PSI CONCRETE, BUT SHALL NOT EXCEED 5' WITHOUT THE APPROVAL OF THE ENGINEER.
 - EXCAVATED FOOTING/FOUNDATION AREAS SHALL BE INSPECTED BY THE RESPECTIVE INSPECTOR BEFORE CONCRETE IS APPLIED.
 - FOOTING/FOUNDATION DESIGNED TO CONFORM TO IBC CHAPTER 16.
 - FOOTING/FOUNDATION DESIGNED FOR A SOIL BEARING PRESSURE OF 2,000 PSF. VERIFY SOIL BEARING PRESSURE IF REQUIRED BY LOCAL CODE AUTHORITY.
 - HOOK CONTINUOUS BARS 1'-6" AROUND CORNERS OR PROVIDE CORNER BARS.
 - LAP ALL REBAR IN MASONRY 40 BAR DIAMETERS MIN. LAP ALL REBAR IN CONCRETE 30 BAR DIAMETERS MIN.
 - CONCRETE BLOCK SHALL CONFORM TO ASTM C90 WITH MIN. Fm OF 1,500 PSI.
 - MORTAR SHALL BE TYPE M.
 - ALIGN VERTICAL CELLS TO MAINTAIN A CLEAR, UNOBSTRUCTED CONTINUOUS VERTICAL CELL FILL.
 - PROVIDE INSPECTION CLEANOUT OPENINGS AT THE BOTTOM OF ALL FILLED CELLS AND AT EACH LIFT. SEAL CLEANOUTS AFTER INSPECTION AND PRIOR TO GROUTING.
 - WHEN GROUTING IS STOPPED FOR ONE HOUR OR LONGER, STOP GROUT 1-1/2' BELOW THE UPPERMOST UNIT.
 - PLACE ONE #5 REBAR IN GROUTED CELLS AT ALL DOOR AND WINDOW JAMBS AND CORNERS MAX. 4 FEET APART U.N.O..



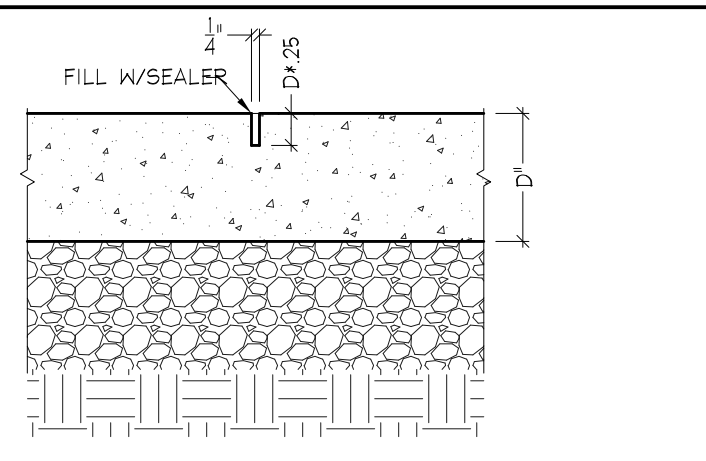
1 FOUNDATION PLAN
3/32" = 1'-0"

NO GEOTECHNICAL INFORMATION FOR THE SITE HAS BEEN PROVIDED OTHER THAN THE ASSUMED DESIGN BEARING CAPACITY OF THE SOIL. IT IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO ASSURE THAT THE FOUNDATION MATERIALS ARE OF THE PROPER GEOTECHNICAL CHARACTERISTICS AND CONDITIONS FOR SUPPORT OF THE STRUCTURE. THE ENGINEER OF RECORD FOR THIS FOUNDATION DESIGN IS NOT RESPONSIBLE FOR THE CONDITION OF THE SOIL ON WHICH THE FOUNDATION IS PLACED.



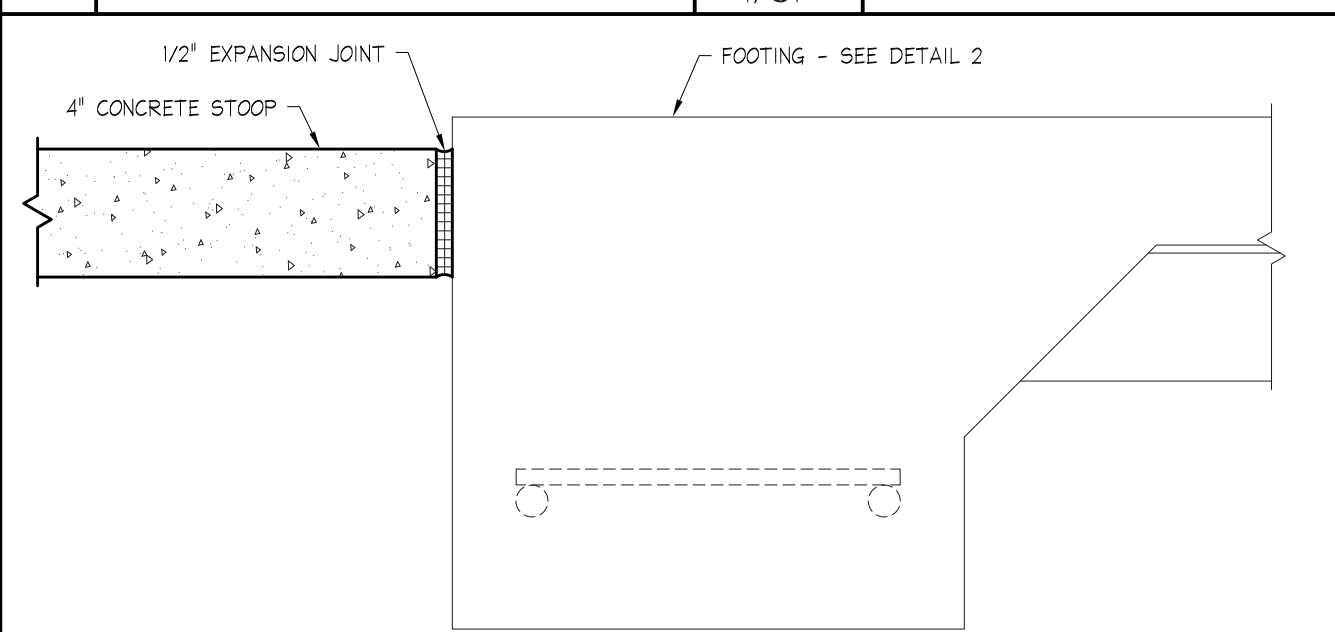
2 PERIMETER FOOTING SECTION

NO SCALE
1/51



3 CONTROL JNT.

NO SCALE
1/51



4 STOOP SECTION

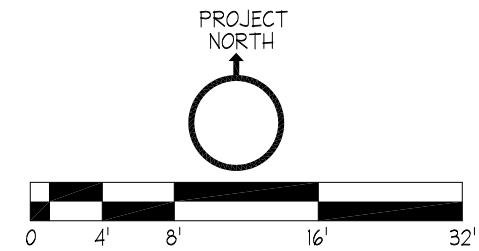
NO SCALE
1/51



PROVIDENCE PARTNERS, INC.
BRIAN K. CONE, P.E.
bcone@providencepartnersinc.com

ISSUED FOR CODE REVIEW
DATE OF ISSUE: 9-22-2021
THESE PLANS HAVE NOT BEEN APPROVED BY THE BUILDING DEPARTMENT. PLANS SHOULD BE STAMPED 'APPROVED FOR CONSTRUCTION' BY THE BUILDING DEPARTMENT PRIOR TO BIDDING OR CALCULATING TAKE-OFFS.

NOTE TO PLANS EXAMINER:
THE OWNER SHALL HIRE A SPECIAL INSPECTIONS COMPANY TO PERFORM THE REQUIRED SPECIAL INSPECTIONS.



No.	Description	Date
-----	-------------	------

REVISIONS

Project Title:

METROLINA
GREENHOUSES WORKER'S
BUNKHOUSE
2121 QUARRY ROAD
YORK, SC 29745

Sheet Title:

STRUCTURAL

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5754

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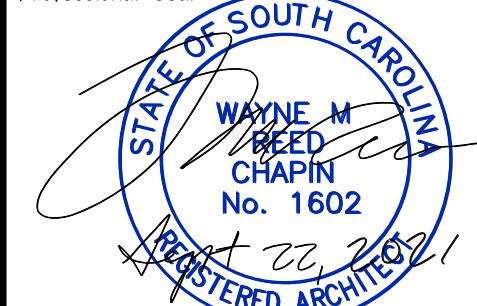
AS SHOWN

Sheet No.:

S1

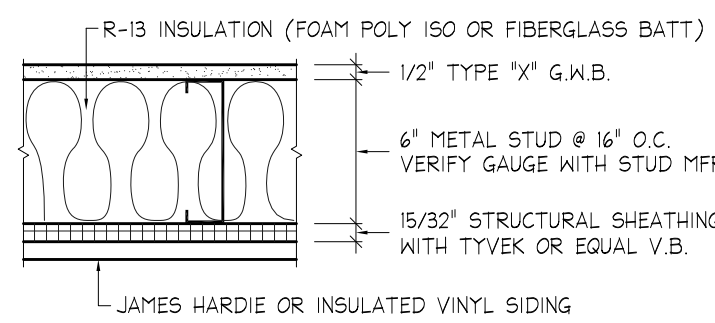
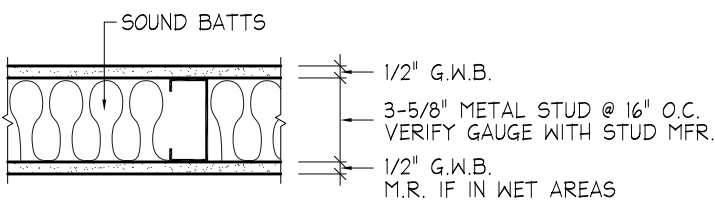
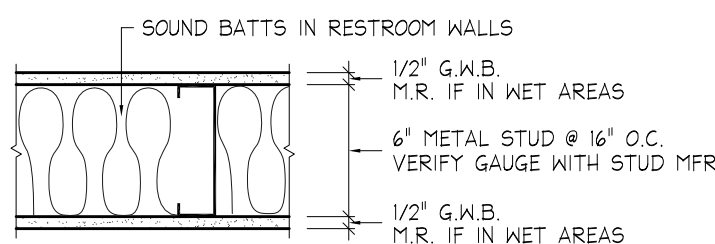
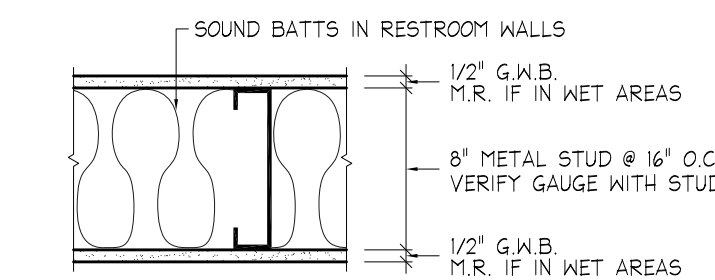
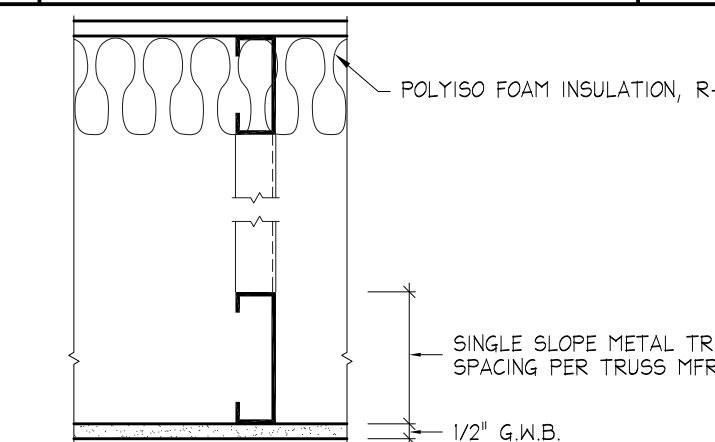
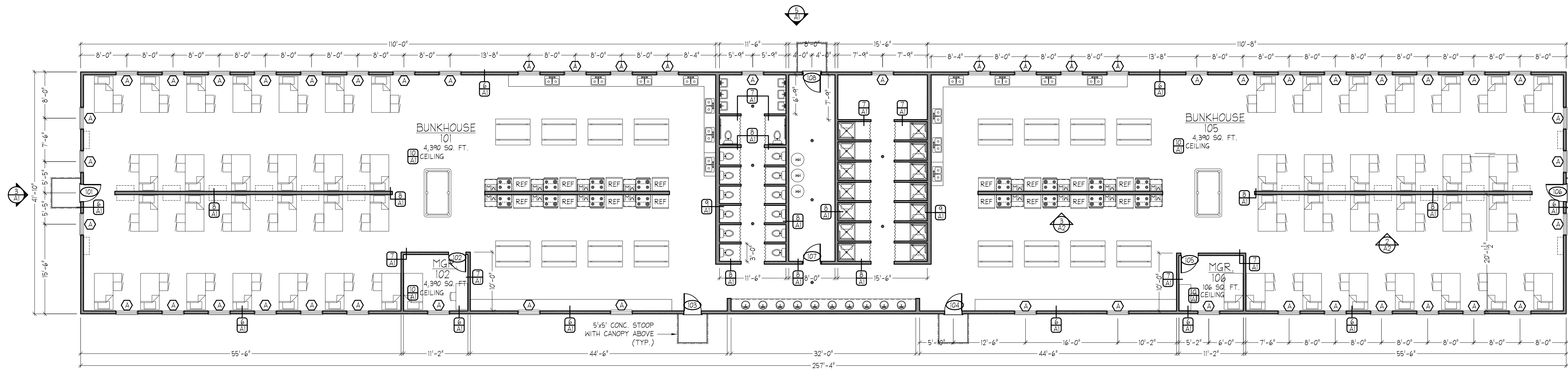
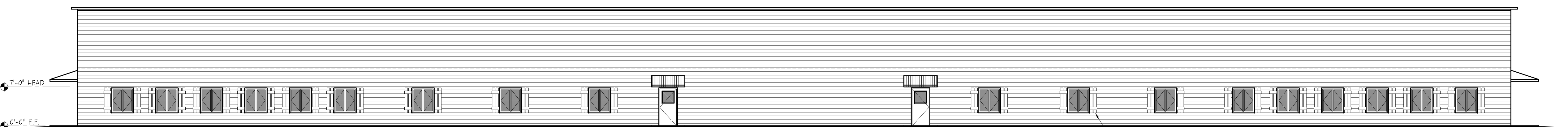
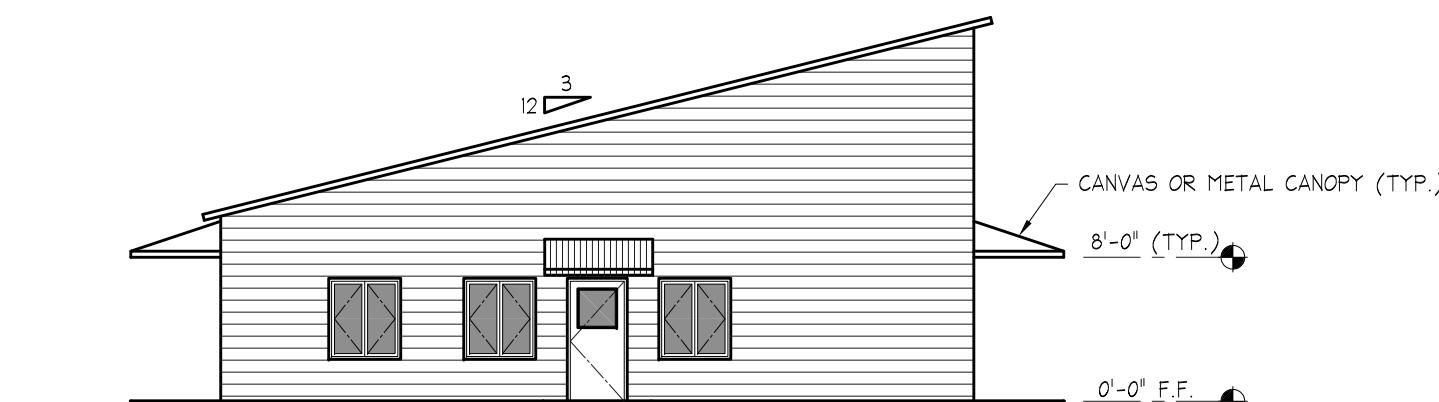
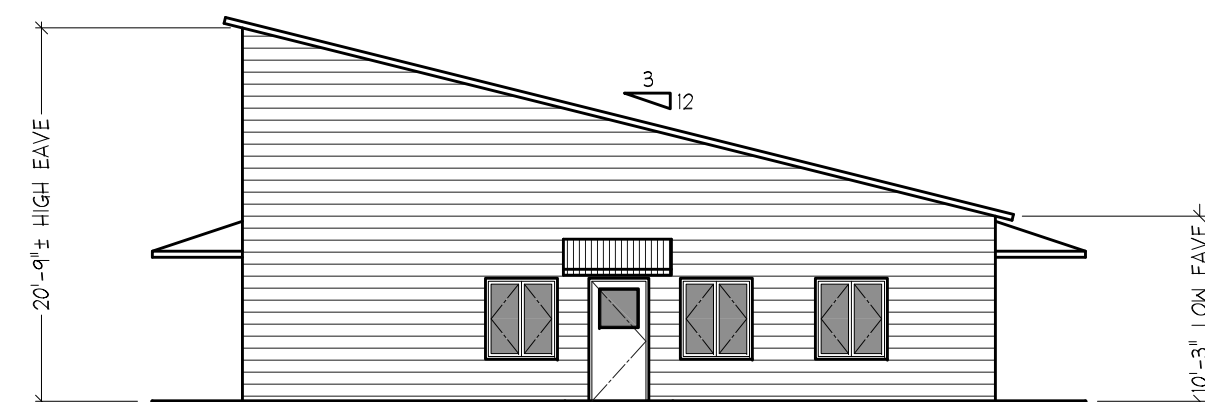
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8-17-2021

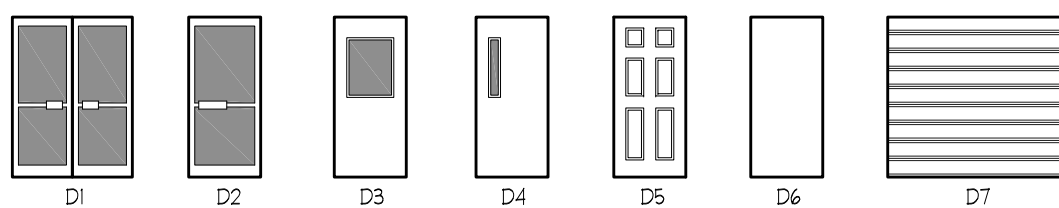


General Notes:

1. ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH THE 2018 SC EDITION OF THE INTERNATIONAL BUILDING CODE, AS WELL AS ALL LOCAL BUILDING CODES.
2. ANY PENETRATIONS INTO RATED ASSEMBLIES SHALL BE PERFORMED SO AS TO NOT ALTER OR DECREASE THE RATING OF THE ASSEMBLY.
3. APPROVED SIGNS SHALL BE POSTED AT ALL HANDICAPPED ACCESSIBLE ELEMENTS.
4. A TACTILE SIGN STATING "EXIT" IN RAISED VISUAL CHARACTERS AND BRAILLE AND COMPLYING WITH ICC A117.1 SHALL BE PROVIDED ADJACENT TO EACH DOOR TO AN EGRESS STAIRWAY, AN EXIT PASSAGEWAY AND THE EXIT DISCHARGE PER IBC 103.4.
5. ALL DOOR HARDWARE SHALL BE OF APPROVED BARRIER FREE DESIGN THAT REQUIRES NO TWISTING OR TURNING.
6. ALL WOOD IN CONTACT WITH CONCRETE OR MASONRY SHALL BE PRESSURE TREATED.
7. ALL FIRE RATED PARTITIONS SHALL BE LABELED ABOVE ALL DECORATIVE CEILINGS WITH THE WORDING "FIRE AND SMOKE BARRIER - PROTECT ALL OPENINGS".
8. ALL DECORATIVE CURTAINS & DRAPERIES SHALL BE NON-COMBUSTIBLE OR FLAME RESISTANT IN ACCORDANCE WITH NFPA 701. OWNER TO PROVIDE CERTIFICATION.
9. INSTALL MAXIMUM OCCUPANT CONTENT SIGN IN ALL ASSEMBLY AREAS IN ACCORDANCE WITH THE IBC.
10. DOORS INTO ELECTRICAL/MECHANICAL ROOMS SHALL BE LABELED WITH APPROPRIATE SIGNAGE PER IFC 605.3.1.
11. A SIGN STATING "EXIT" IN VISUAL CHARACTERS, RAISED CHARACTERS AND BRAIL, COMPLYING WITH ICC A117.1, SHALL BE PROVIDED ADJACENT TO ALL EXIT STAIRWAYS, PASSAGEWAYS, RAMPS AND DISCHARGES PER 103.4 OF THE 2015 IBC.
12. CARPETING FOR ALL EXIT ACCESS AREAS SHALL WITHSTAND A MINIMUM CRITICAL RADIANT FLUX OF 0.22 WATTS/SQ. CM. IN ACCORDANCE WITH NFPA 253. G.C. TO PROVIDE CERTIFICATION.
13. ALL EXISTING DIMENSIONS AND CONDITIONS SHALL BE VERIFIED IN THE FIELD. ANY DISCREPANCIES IN CONDITIONS OR DIMENSIONS, WHETHER IN THE FIELD OR ON THE DRAWINGS, SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGNER FOR CLARIFICATION BEFORE PROCEEDING WITH THE AFFECTED PART OF THE WORK.
14. SUSPENDED CEILING SYSTEMS SHALL CONFORM TO C.I.S.C.A. SEISMIC ZONES 3 & 4 FOR SEISMIC RESTRAINT. PROVIDE CEILING GRID EXPANSION JOINTS FOR CEILING AREAS GREATER THAN 2,500 SQ. FT.
15. SUPPORT LAY-IN LIGHTS FROM EACH CORNER OF THE LIGHT TO THE STRUCTURE.
16. IT IS NOT INTENDED THAT THE DRAWINGS SHOW ALL DETAILS OF CONSTRUCTION, BUT THE GENERAL CONTRACTOR SHALL BE REQUIRED TO FURNISH AND INSTALL ALL MATERIALS NECESSARY TO COMPLETE THE SCOPE OF WORK IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS. THE GENERAL CONTRACTOR SHALL FURNISH AND INSTALL ALL PARTS WHICH MAY BE REQUIRED BY THE DRAWINGS AND OMITTED BY THE SPECIFICATIONS OR VICE VERSA, JUST AS THOUGH REQUIRED BY BOTH. SHOULD THERE APPEAR TO BE ANY DISCREPANCIES OR A QUESTION OF INTENT, THE GENERAL CONTRACTOR SHALL REFER TO THE DESIGNER FOR DECISIONS AND HIS INTERPRETATION SHALL BE FINAL, CONCLUSIVE AND BINDING.

6 PERIM. WALL NO SCALE
1/A17 WALL TYPE NO SCALE
1/A18 WALL TYPE NO SCALE
1/A19 WALL TYPE NO SCALE
1/A110 CEILING TYPE NO SCALE
1/A11 FLOOR PLAN
3/32"=1'-0"2 PROJECT SOUTH ELEVATION
3/32"=1'-0"3 PROJECT WEST ELEVATION
3/32"=1'-0"4 PROJECT EAST ELEVATION
3/32"=1'-0"5 PROJECT NORTH ELEVATION
3/32"=1'-0"

MARK	SIZE	TYPE	MTL	SWING	FRAME	ELEV.	HDW	ROUGH OPN'G	RATING	TEMP. GL.	REMARKS
D1	3'-0"x7'-0"	D3	WM	RA	WM	2/A1	H1	PER MFR	YES		
D2	3'-0"x6'-8"	D6	WM	LA	WM		H2	PER MFR	YES		
D3	3'-0"x7'-0"	D3	WM	LA	WM	3/A1	H1	PER MFR	YES		
D4	3'-0"x7'-0"	D3	WM	RA	WM		H2	PER MFR	YES		
D5	3'-0"x6'-8"	D6	WM	RA	WM		H2	PER MFR	YES		
D6	3'-0"x7'-0"	D3	WM	RA	WM	4/A1	H1	PER MFR	YES		
D7	3'-0"x6'-8"	D6	WM	RA	WM		H2	PER MFR	YES		
D8	3'-0"x7'-0"	D3	WM	LA	WM	5/A1	H1	PER MFR	YES		



ABBREVIATIONS:
H1 HOLLOW METAL
SCW SOLID CORE WOOD VENEER
H2N HOLLOW CORE WOOD VENEER
CMP COMPOSITE DOOR
WD WOOD
6PNL 6 PANEL
PK POCKET
OHS OVERHEAD SECTIONAL
RUC ROLL-UP CAN
SFG STORE FRONT GLASS
AL ALUMINUM
IM INSULATED METAL
LBF LOUVERED BI-FOLD
PBF PANELED BI-FOLD

MARK	SIZE	TYPE	OPERATION	FRAME	ELEV.	HDW	ROUGH OPN'G	TEMP. GL.	REMARKS
H1	3'-8"x4'-2"	W5	CS	VNL	ALL		PER MFR.	YES	
H2	3'-8"x4'-2"	W5	CS	VNL	ALL		PER MFR.	YES	

MARK	SIZE	TYPE	OPERATION	FRAME	ELEV.	HDW	ROUGH OPN'G	TEMP. GL.	REMARKS
W1	3'-8"x4'-2"	W5	CS	VNL	ALL		PER MFR.	YES	
W2	3'-8"x4'-2"	W5	CS	VNL	ALL		PER MFR.	YES	
W3	3'-8"x4'-2"	W5	CS	VNL	ALL		PER MFR.	YES	
W4	3'-8"x4'-2"	W5	CS	VNL	ALL		PER MFR.	YES	
W5	3'-8"x4'-2"	W5	CS	VNL	ALL		PER MFR.	YES	
W6	3'-8"x4'-2"	W5	CS	VNL	ALL		PER MFR.	YES	

ABBREVIATIONS:
WD WOOD
VNL VINYL
VCN VINYL CLAD WOOD
SH SINGLE HUNG
DH DOUBLE HUNG
FG FIXED GLASS
CS CASEMENT
LWN LOUVERED WOOD
SFG STORE FRONT GLASS

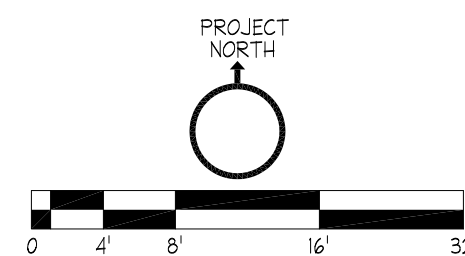
ROOM NO.	ROOM NAME	FLOOR	BASE	NORTH	SOUTH	EAST	WEST	CEILING	HT.	CEILING TYPE	REMARKS
101	BUNKHOUSE	21	18	4	4	4	4	4	10'-0"	10/A1	
102	MANAGER'S OFFICE	21	18	4	4	4	4	4	10'-0"	10/A1	
103	RESTROOMS	21	18	4	4	4	4	4	10'-0"	10/A1	NON-ABSORB. FINISHES
104	LAUNDRY	21	18	4	4	4	4	4	10'-0"	10/A1	
105	BUNKHOUSE	21	18	4	4	4	4	4	10'-0"	10/A1	
106	MANAGER'S OFFICE	21	18	4	4	4	4	4	10'-0"	10/A1	

FINISHES

1. Prefinished
2. Sealer
3. Urethane Paint
4. Paint
5. Vinyl Wall Covering
6. Ceramic Tile
7. Fiber Reinforced Panels
8. Acoustic Panels
9. Plaster Coat
10. Marble
11. Granite
12. Carpet
13. Terrazzo
14. Wood
15. Vinyl Composition Tile
16. Rubber
17. Resilient Base
18. Entrance Mat
19. Vinyl Base
20. Unfinished Structure
21. Sealed Concrete
22. Exterior Plywood
23. Wood/Metal Liner Panel
24. Existing Finish To Remain

ISSUED FOR CODE REVIEW
DATE OF ISSUE: 9-22-2021

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THE BUILDING DEPARTMENT. PLANS SHOULD
BE STAMPED APPROVED FOR CONSTRUCTION
BY THE BUILDING DEPARTMENT PRIOR TO
BIDDING OR CALCULATING TAKE-OFFS.



11 SCHEDULES

NO SCALE
A1

No.	Description	Date
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REVISIONS

Project Title:

METROLINA
GREENHOUSES WORKER'S
BUNKHOUSE
2121 QUARRY ROAD
YORK, SC 29745

Sheet Title:

ARCHITECTURAL

Project No.:

5754

Drawn By:

MAC

Checked By:

MAC

Scale:

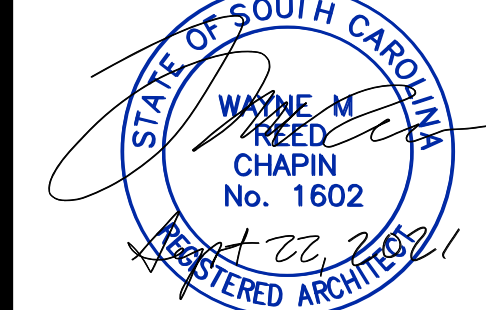
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Sheet No.:

A1

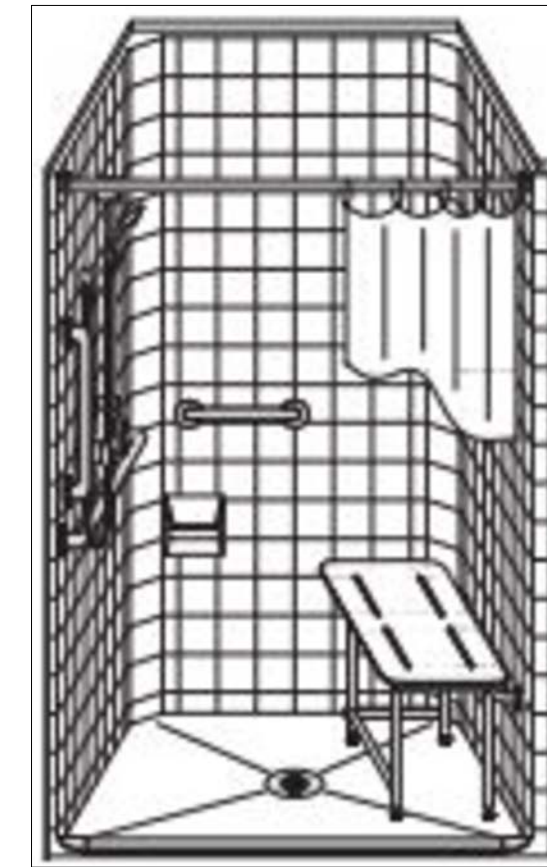
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5-13-2021

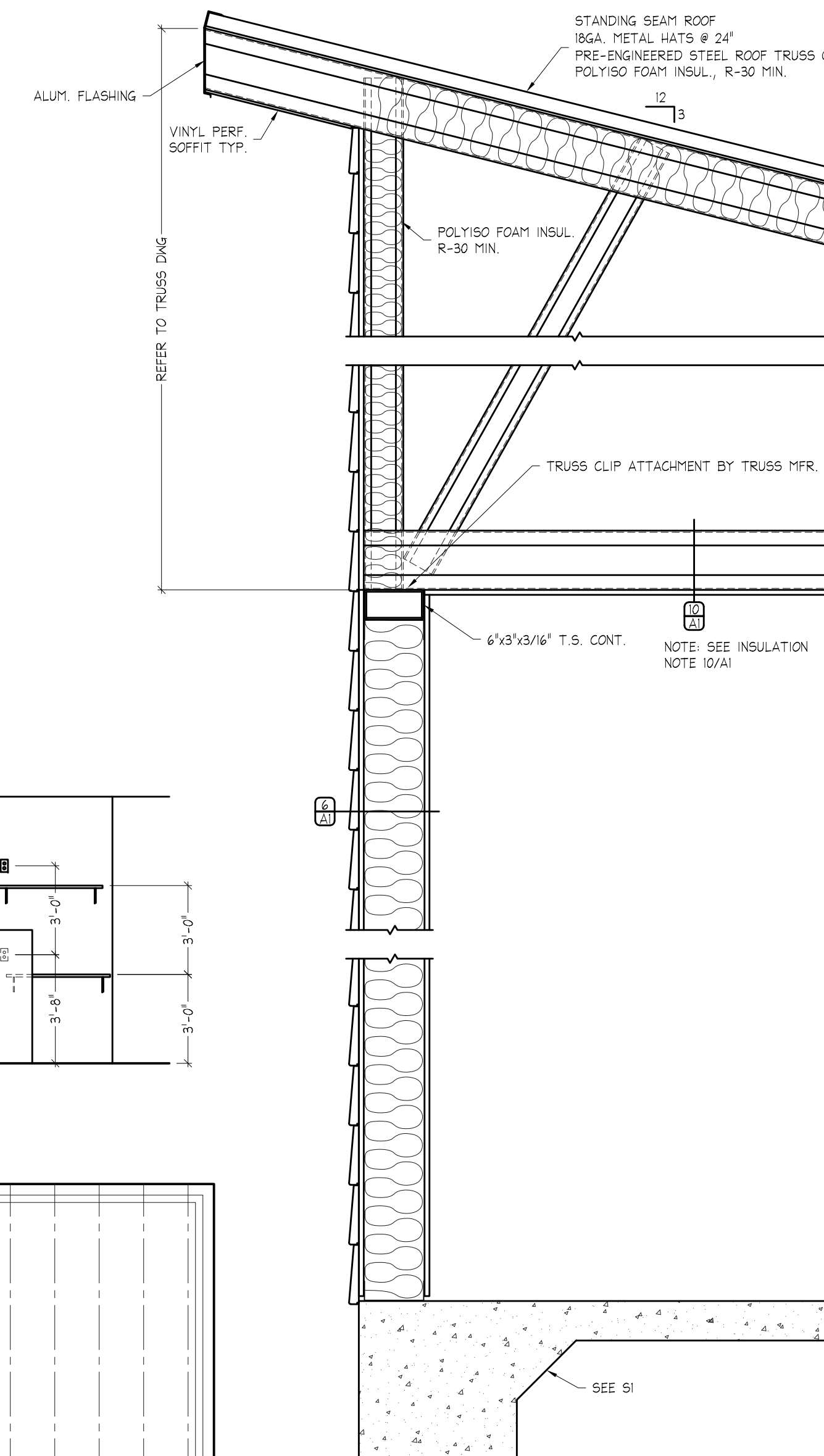


General Notes:

1. ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH THE 2018 SC EDITION OF THE INTERNATIONAL BUILDING CODE, AS WELL AS ALL LOCAL BUILDING CODES.
2. ANY PENETRATIONS INTO RATED ASSEMBLIES SHALL BE PERFORMED SO AS TO NOT ALTER OR DECREASE THE RATING OF THE ASSEMBLY.
3. APPROVED SIGNS SHALL BE POSTED AT ALL HANDICAPPED ACCESSIBLE ELEMENTS.
4. A TACTILE SIGN STATING "EXIT" IN RAISED VISUAL CHARACTERS AND BRAILLE AND COMPLYING WITH ICC A117.1 SHALL BE PROVIDED ADJACENT TO EACH DOOR TO AN EGRESS STAIRWAY, AN EXIT PASSAGEWAY AND THE EXIT DISCHARGE PER IBC 1013.4.
5. ALL DOOR HARDWARE SHALL BE OF APPROVED BARRIER FREE DESIGN THAT REQUIRES NO TWISTING OR TURNING.
6. ALL WOOD IN CONTACT WITH CONCRETE OR MASONRY SHALL BE PRESSURE TREATED.
7. ALL FIRE RATED PARTITIONS SHALL BE LABELED ABOVE ALL DECORATIVE CEILINGS WITH THE WORDING "FIRE AND SMOKE BARRIER - PROTECT ALL OPENINGS".
8. ALL DECORATIVE CURTAINS & DRAPERIES SHALL BE NON-COMBUSTIBLE OR FLAME RESISTANT IN ACCORDANCE WITH NFPA 701. OWNER TO PROVIDE CERTIFICATION.
9. INSTALL MAXIMUM OCCUPANT CONTENT SIGN IN ALL ASSEMBLY AREAS IN ACCORDANCE WITH THE IBC.
10. DOORS INTO ELECTRICAL/MECHANICAL ROOMS SHALL BE LABELED WITH APPROPRIATE SIGNAGE PER IFC 605.3.1.
11. A SIGN STATING "EXIT" IN VISUAL CHARACTERS, RAISED CHARACTERS AND BRAIL, COMPLYING WITH ICC A117.1, SHALL BE PROVIDED ADJACENT TO ALL EXIT STAIRWAYS, PASSAGEWAYS, RAMP AND DISCHARGES PER 1013.4 OF THE 2015 IBC.
12. CARPETING FOR ALL EXIT ACCESS AREAS SHALL WITHSTAND A MINIMUM CRITICAL RADIANT FLUX OF 0.22 WATTS/SQ. CM. IN ACCORDANCE WITH NFPA 253. G.C. TO PROVIDE CERTIFICATION.
13. ALL EXISTING DIMENSIONS AND CONDITIONS SHALL BE VERIFIED IN THE FIELD. ANY DISCREPANCIES IN CONDITIONS OR DIMENSIONS, WHETHER IN THE FIELD OR ON THE DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGNER FOR CLARIFICATION BEFORE PROCEEDING WITH THE AFFECTED PART OF THE WORK.
14. SUSPENDED CEILING SYSTEMS SHALL CONFORM TO C.I.S.C.A. SEISMIC ZONES 3 & 4 FOR SEISMIC RESTRAINT. PROVIDE CEILING GRID EXPANSION JOINTS FOR CEILING AREAS GREATER THAN 2,500 SQ. FT.
15. SUPPORT LAY-IN LIGHTS FROM EACH CORNER OF THE LIGHT TO THE STRUCTURE.
16. IT IS NOT INTENDED THAT THE DRAWINGS SHOW ALL DETAILS OF CONSTRUCTION, BUT THE GENERAL CONTRACTOR SHALL BE REQUIRED TO FURNISH AND INSTALL ALL MATERIALS NECESSARY TO COMPLETE THE SCOPE OF WORK IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS. THE GENERAL CONTRACTOR SHALL FURNISH AND INSTALL ALL PARTS WHICH MAY BE REQUIRED BY THE DRAWINGS AND OBTAINED BY THE SPECIFICATIONS OR VICE VERSA, JUST AS THOUGH REQUIRED BY BOTH. SHOULD THERE APPEAR TO BE ANY DISCREPANCIES OR A QUESTION OF INTENT, THE GENERAL CONTRACTOR SHALL REFER TO THE DESIGNER FOR DECISIONS AND HIS INTERPRETATION SHALL BE FINAL, CONCLUSIVE AND BINDING.



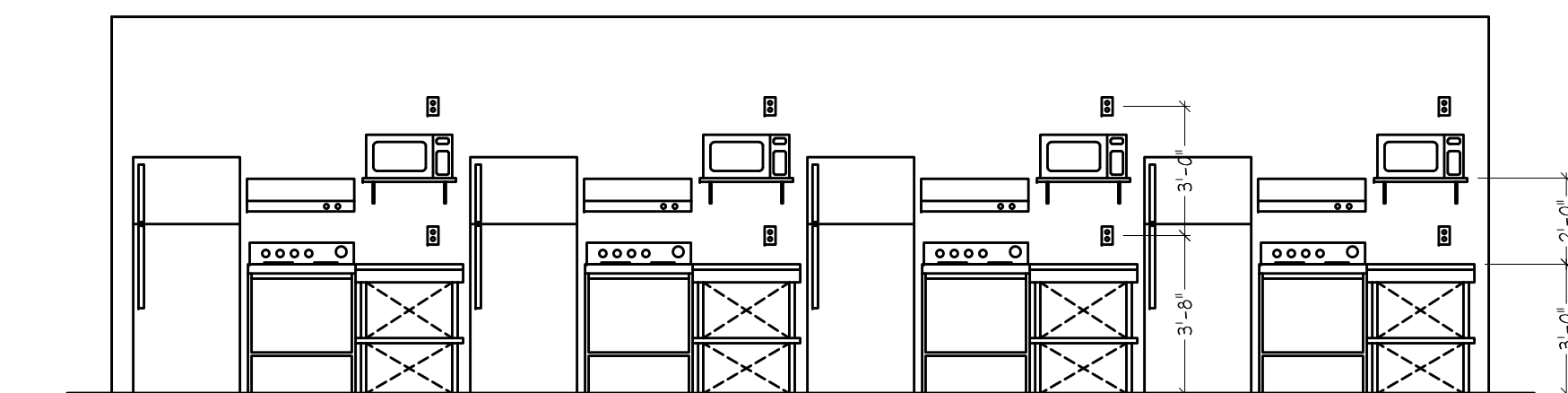
5 TYP. ADA SHOWER MODULE
NO SCALE



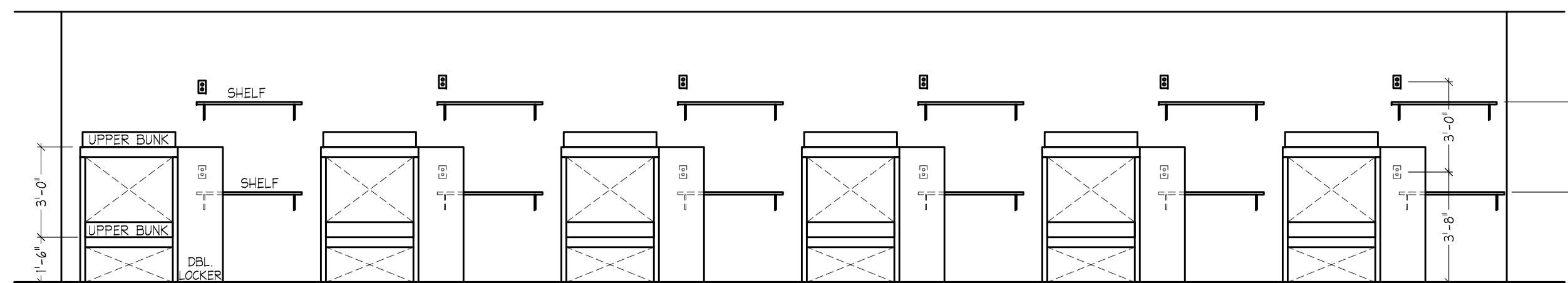
7 PERIMETER WALL
NO SCALE



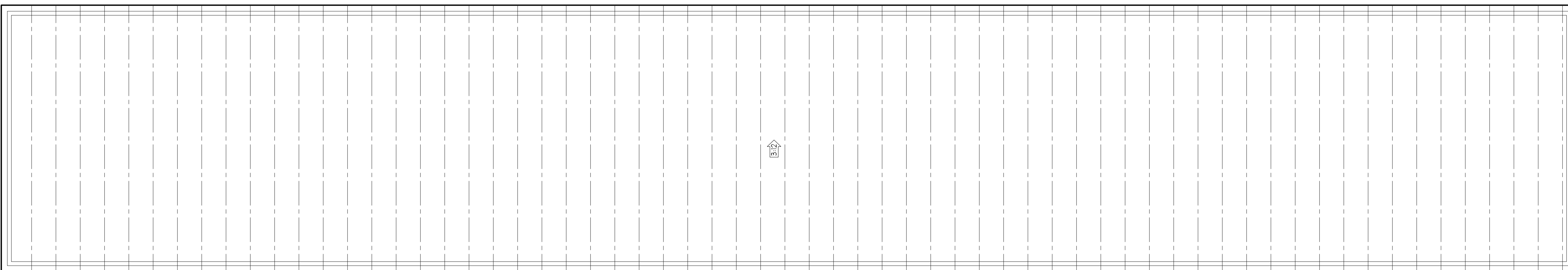
1 ENLARGED RESTROOM PLAN
1/4"=1'-0"



3 ENLARGED KITCHEN PLAN / ELEVATION
1/4"=1'-0"



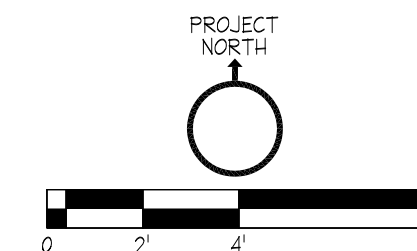
2 TYP. SLEEPING ELEVATION
1/4"=1'-0"



7 ROOF PLAN
NO SCALE

PRE-ENGINEERED METAL ROOF TRUSS # 48" (TYP.)
SEE ALPINE TrusSteel ENGINEERED DRAWINGS

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No.	Description	Date
REVISIONS		

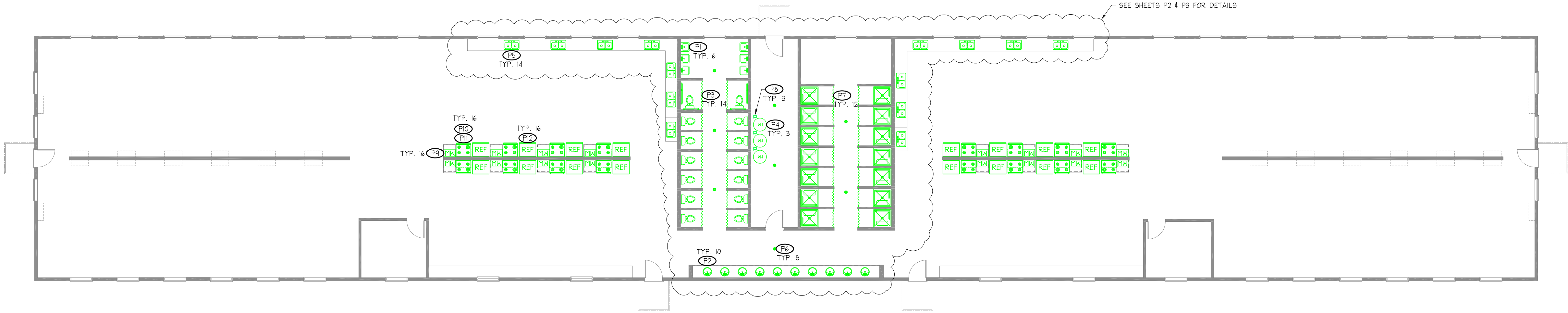
Project Title:
METROLINA
GREENHOUSES WORKER'S
BUNKHOUSE
2121 QUARRY ROAD
YORK, SC 29745

Sheet Title:
ARCHITECTURAL

Project No.: 5754	Drawn By: MAC	Checked By: MAC
Scale: AS SHOWN	Sheet No.: A2	Date: 5-17-2021

FIXTURE SCHEDULE		
KEY	FIXTURE	DESCRIPTION
	SINK	CRANE "HARKICH" #1412V, WALL HUNG, 18"x15" WITH MOEN "CHATEAU" #L64600 FAUCET AND TRUEBRO #102 E-Z P-TRAP COVER
	LAVATORY	CRANE "HARKICH" #1412V, WALL HUNG, 18"x15" WITH MOEN "CHATEAU" #L64600 FAUCET AND TRUEBRO #102 E-Z P-TRAP COVER
	WATER CLOSET	CRANE "GALAXY ELITE 2" #5742, VITREOUS CHINA TANK TYPE, 1.6 GPF, ELONGATED RIM, 12" ROUGH-IN
	WATER HEATER	NAVIEN 240A TANKLESS GAS WATER HEATER, 199,000 BTU, 720 CFM GAS INPUT MIN.
	SINK	ELKAY "CELEBRITY" #ECC3322, SELF RIMMING, DOUBLE BOWL, 20ga. STAINLESS STEEL, WITH MOEN #67430 FAUCET
	FLOOR DRAIN	JOSAM 30500-A, WITH TRAP & PRIMER
	SHOWER BASIN	BESTBATH LCS403BA5T L/R SHOWER MODULE, ADA COMPLIANT, WITH SCALD GUARD MIXING VALVE
	HUB DRAIN	ZURN Z1870 WITH STRAINER BASKET (OR EQUAL)
	MICROWAVE	RESIDENTIAL, 120v, 1,000w, MAKE AND MODEL BY OWNER
	RANGE	RESIDENTIAL, 4 BURNER, ELECTRIC, 240v, MAKE AND MODEL BY OWNER
	EXHAUST HOOD	DENLUR DS-30-F, VENTLESS, 220v, NEMA 10-50, WITH NFPA & IBC APPROVED FIRE SUPPRESSION SYSTEM
	REFRIGERATOR	RESIDENTIAL, 120v, MAKE AND MODEL BY OWNER
EQUIVALENT FIXTURES SHALL BE ACCEPTED AS EQUAL TO THE ABOVE		

2	PLUMB. LEGEND	NO SCALE 1/PI
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1 OVERALL PLUMBING PLAN
3/32"=1'-0"

NOTE:

THE PLUMBING SYSTEM ON THIS DRAWING HAS BEEN DRAFTED IN GREEN INK. USE A PRINTING SERVICE THAT WILL PRINT THIS DRAWING IN COLOR FOR OPTIMUM CLARITY.

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PROJECT NORTH

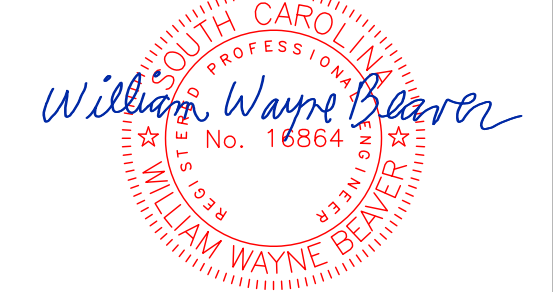
0 4 8 16 32

William
Beaver, P.E.

121 Bay Water Way
Mt. Pleasant, SC 29464
Phone 803 - 417 - 2790

NOTE: ALL QUESTIONS AND INQUIRIES ARE TO BE DIRECTED TO MICHAEL CRUMP, THE PROJECT COORDINATOR, AT SPECTRUM ENTERPRISES, INC. OFFICE 803-328-1118, CELL 803-417-2790.

Professional Seal



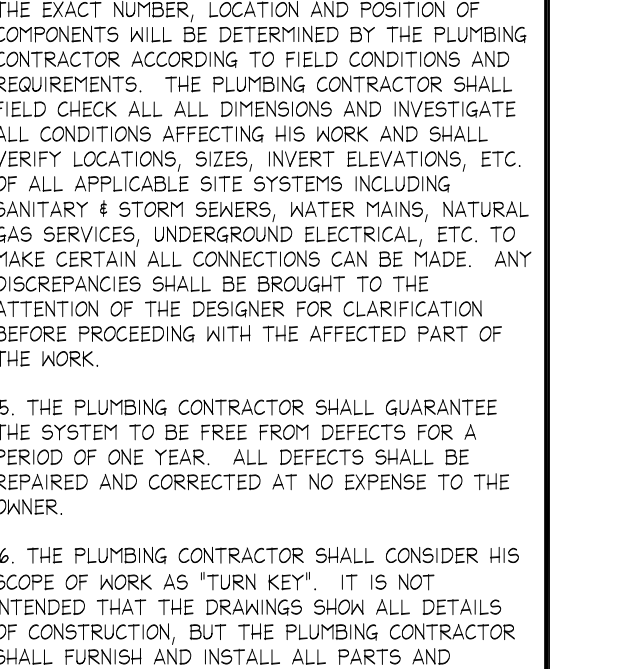
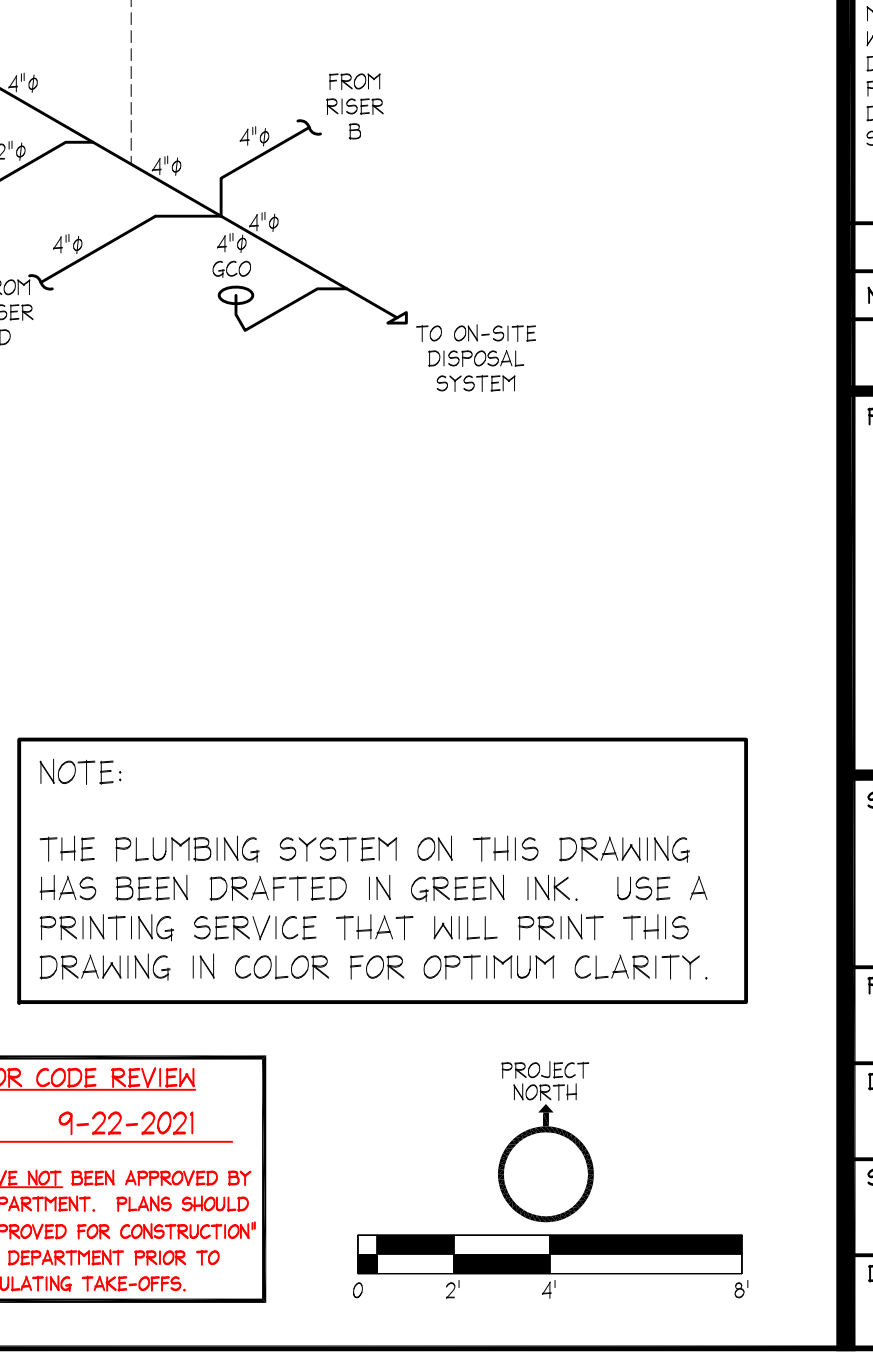
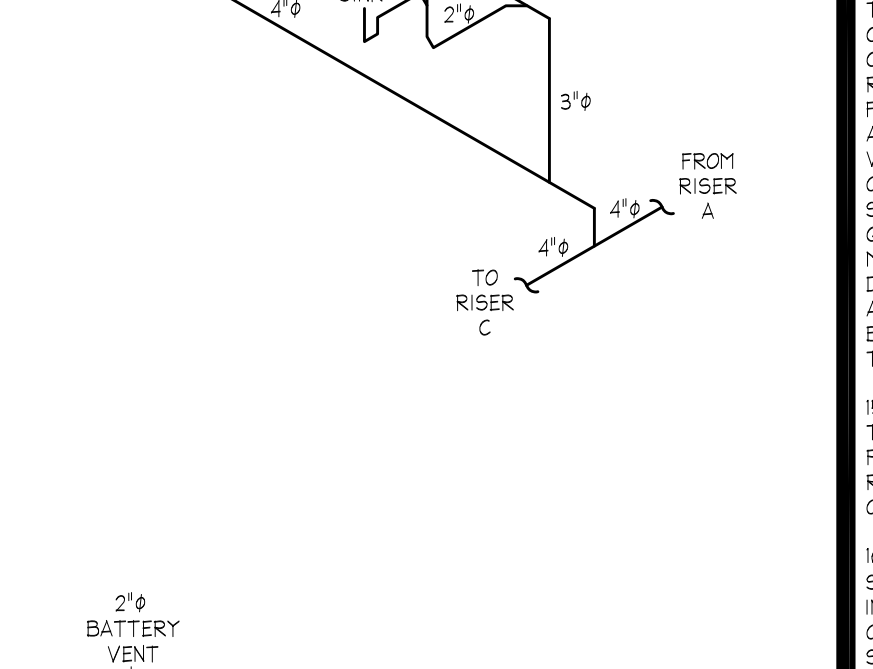
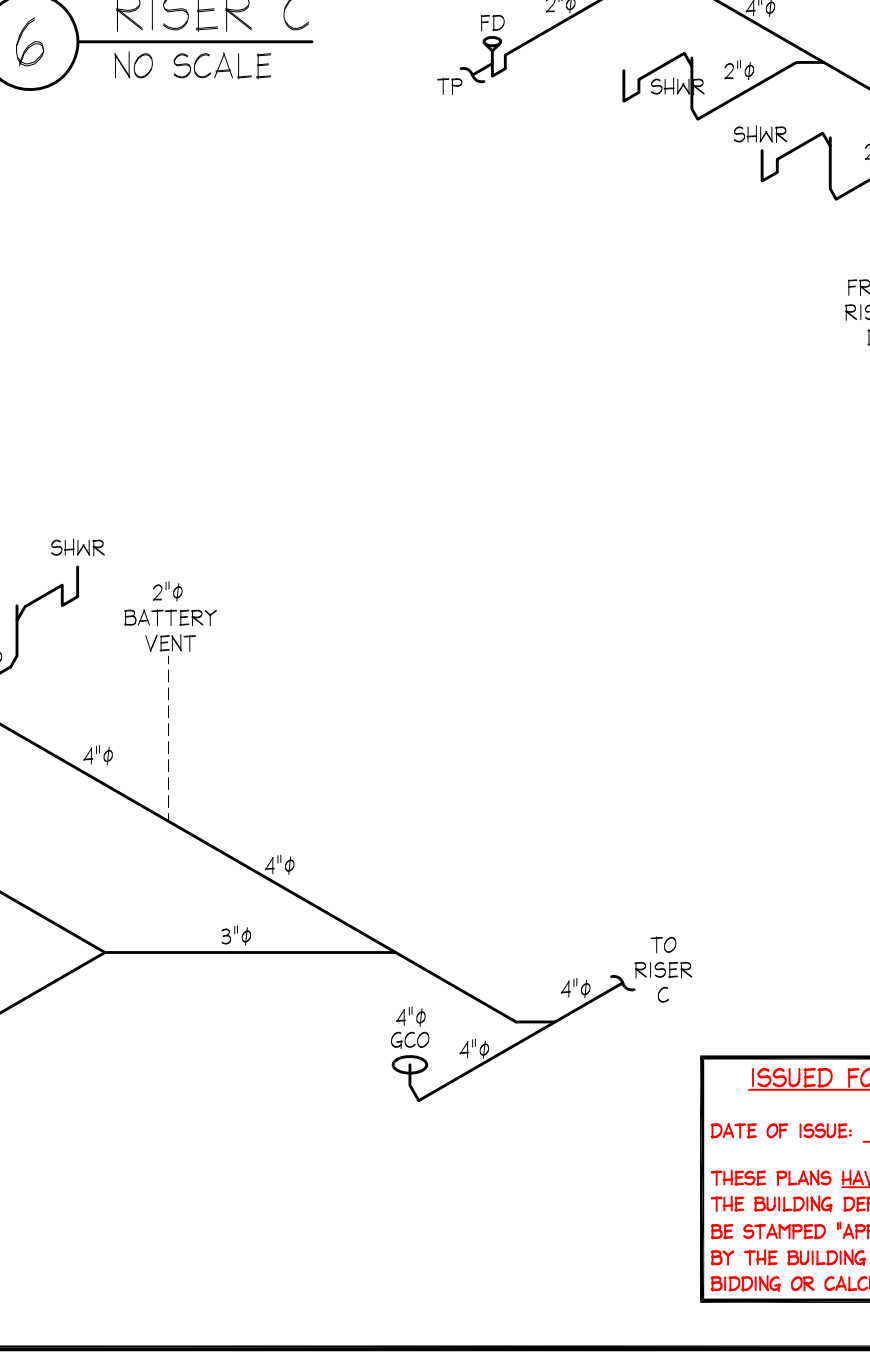
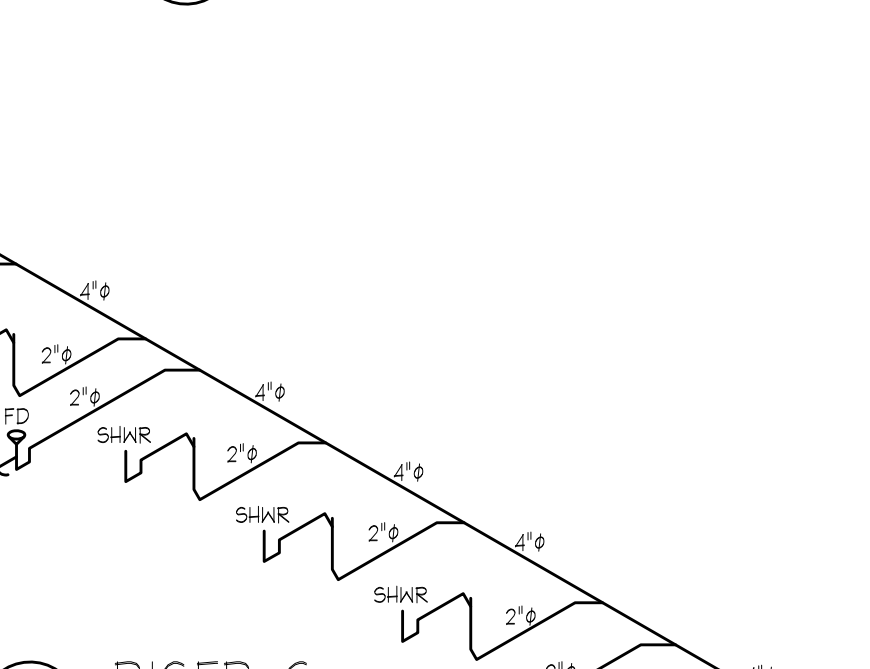
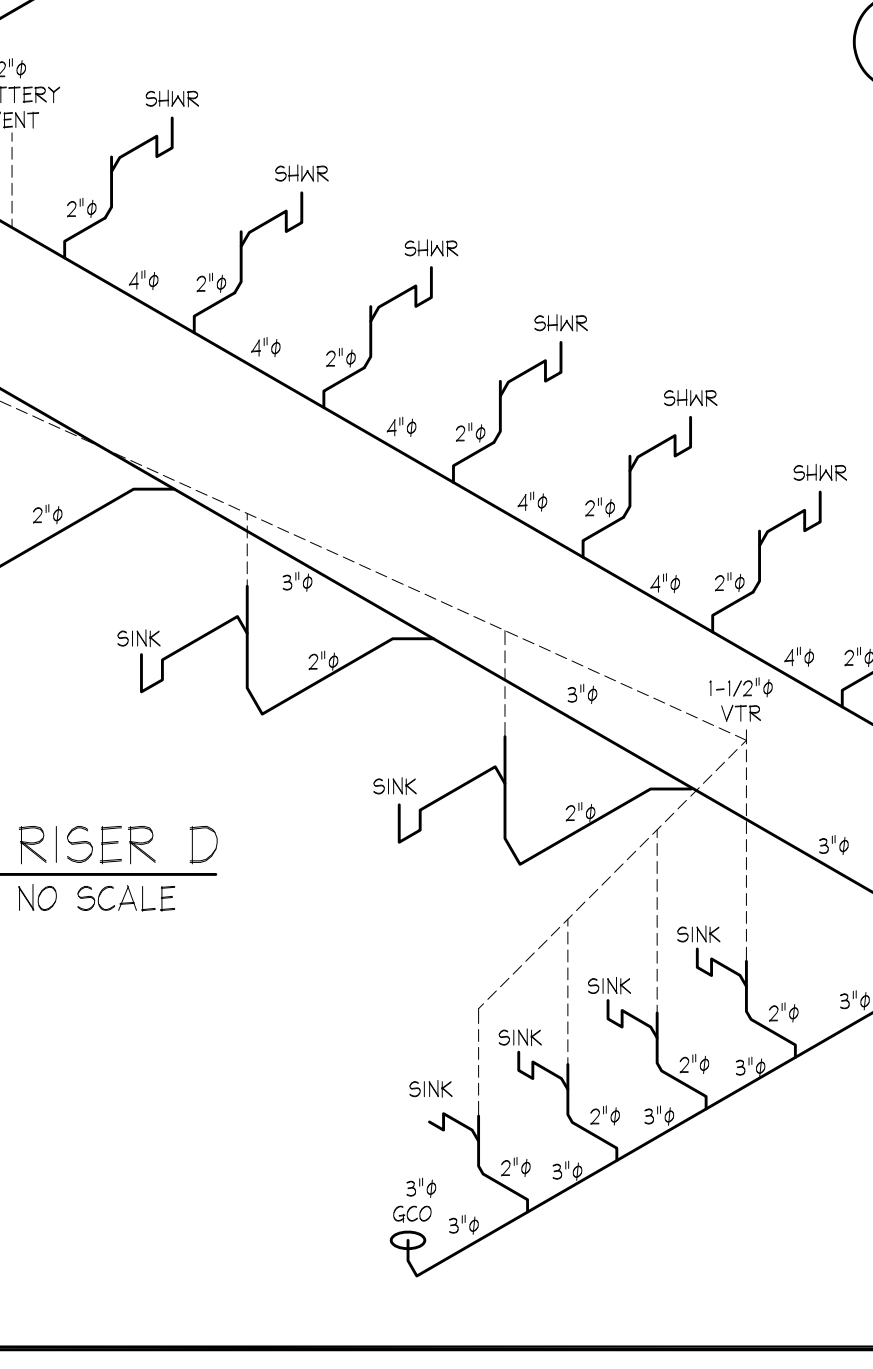
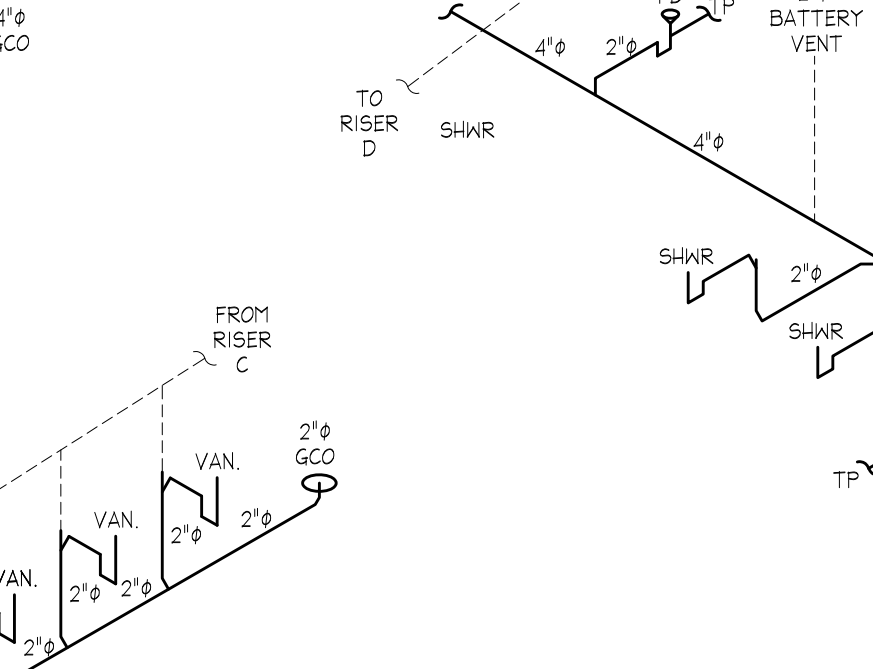
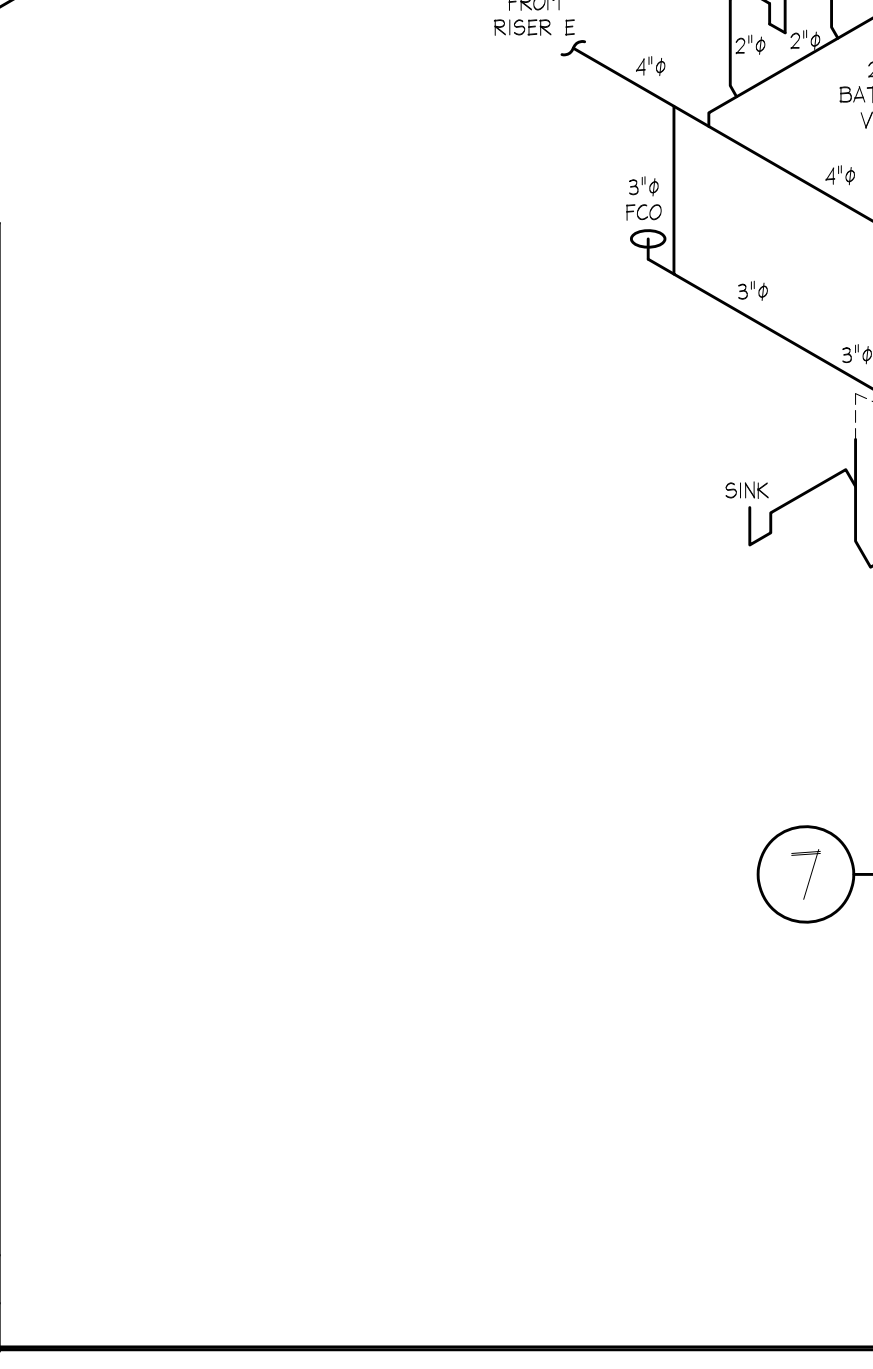
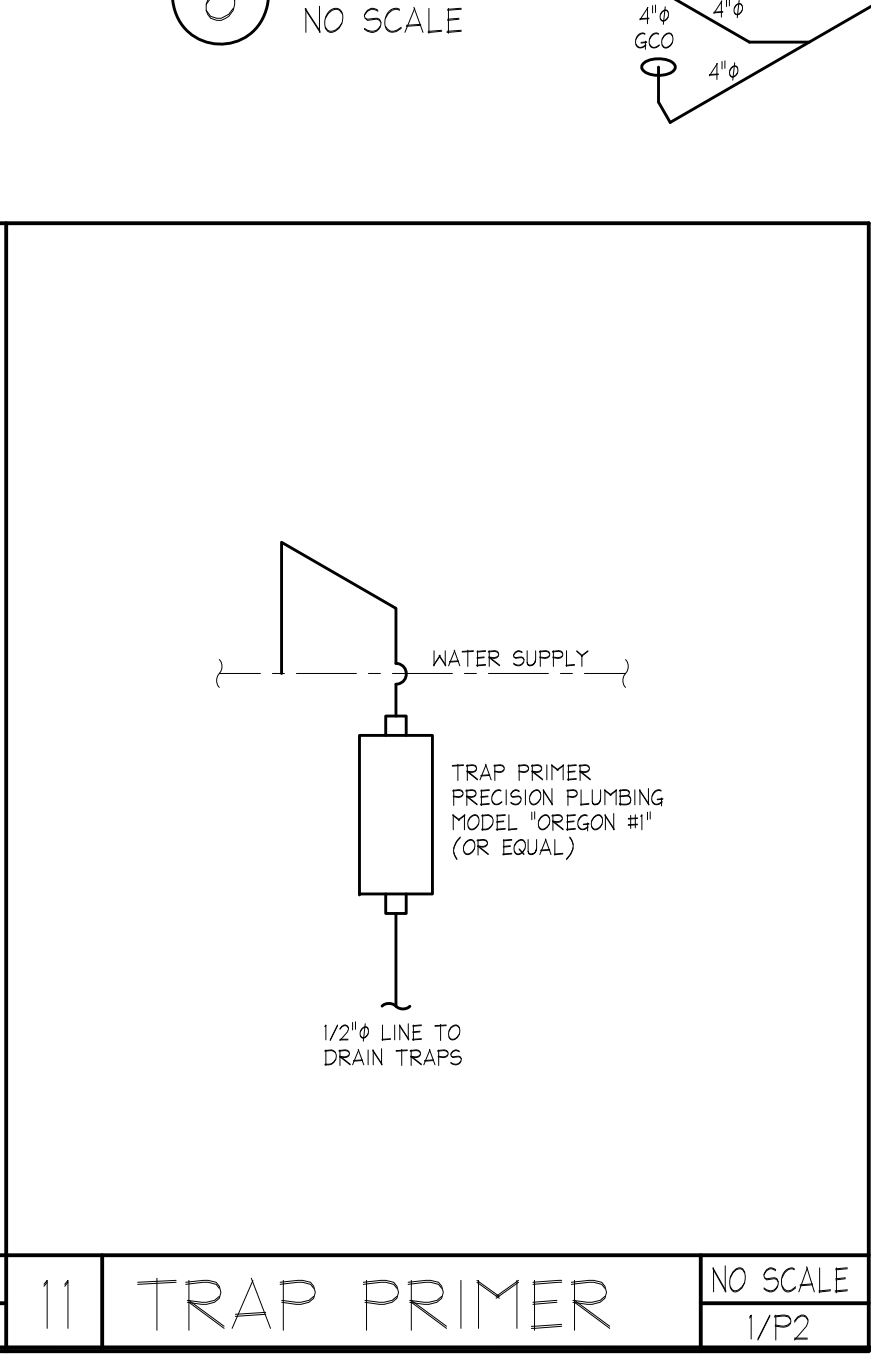
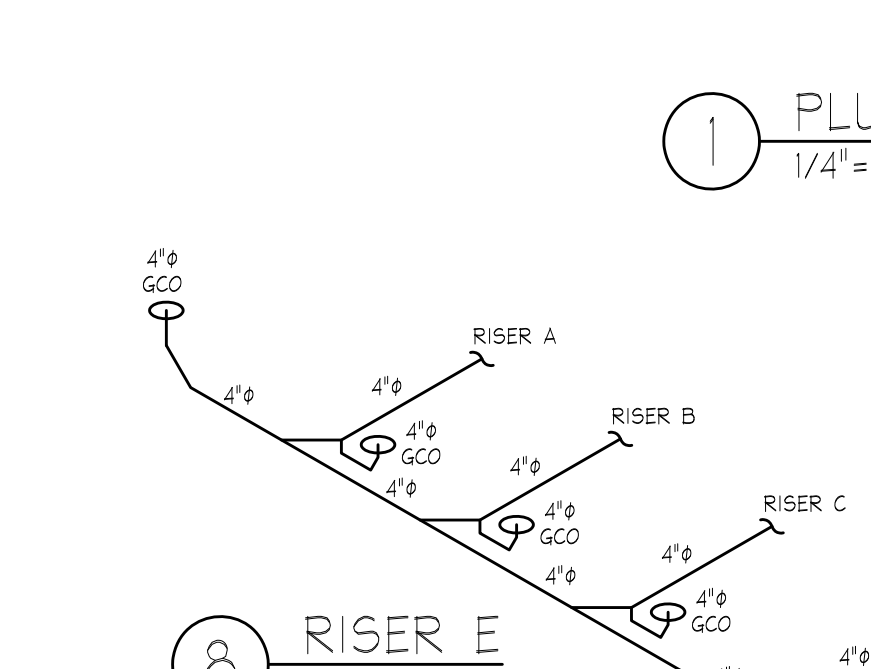
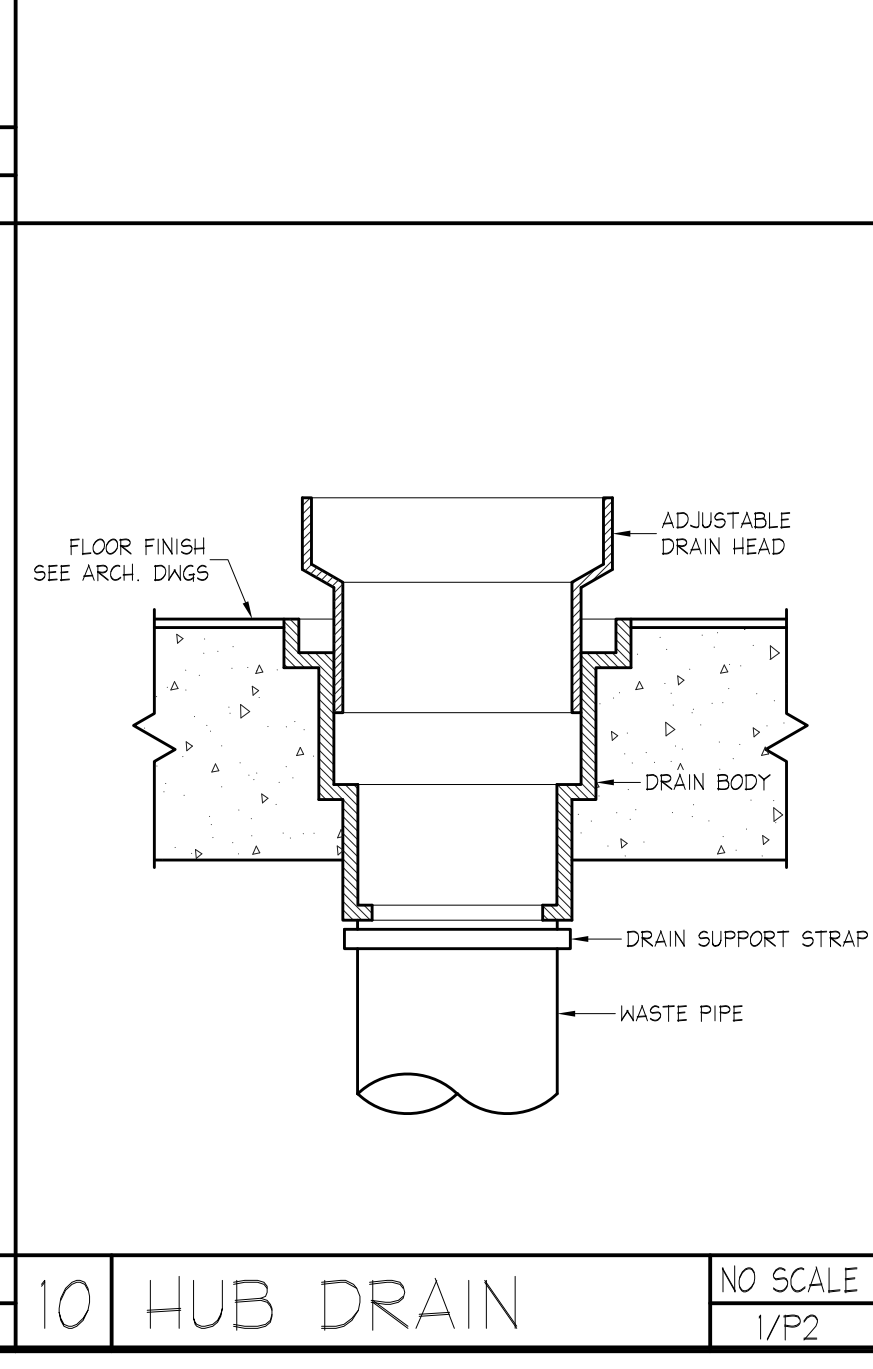
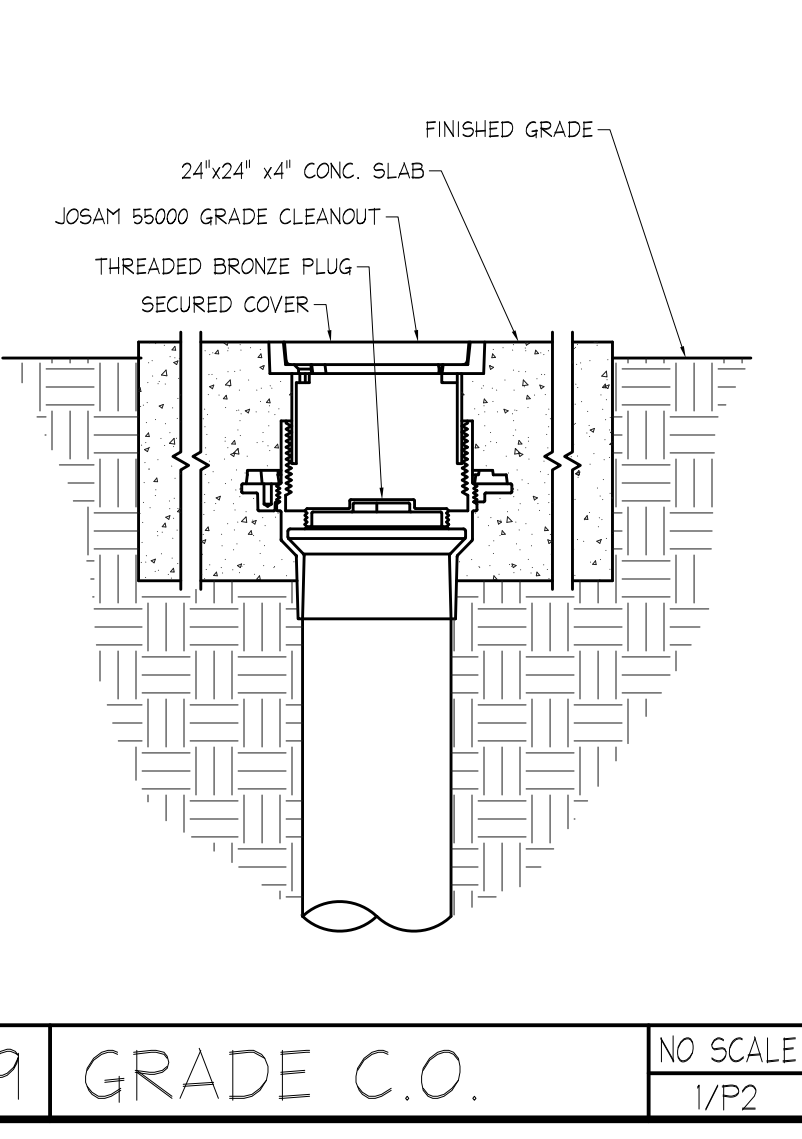
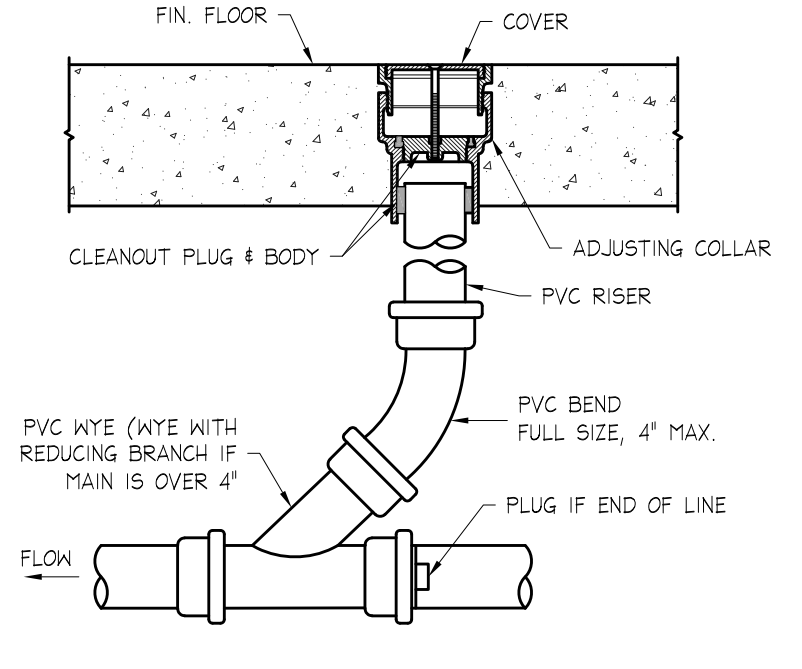
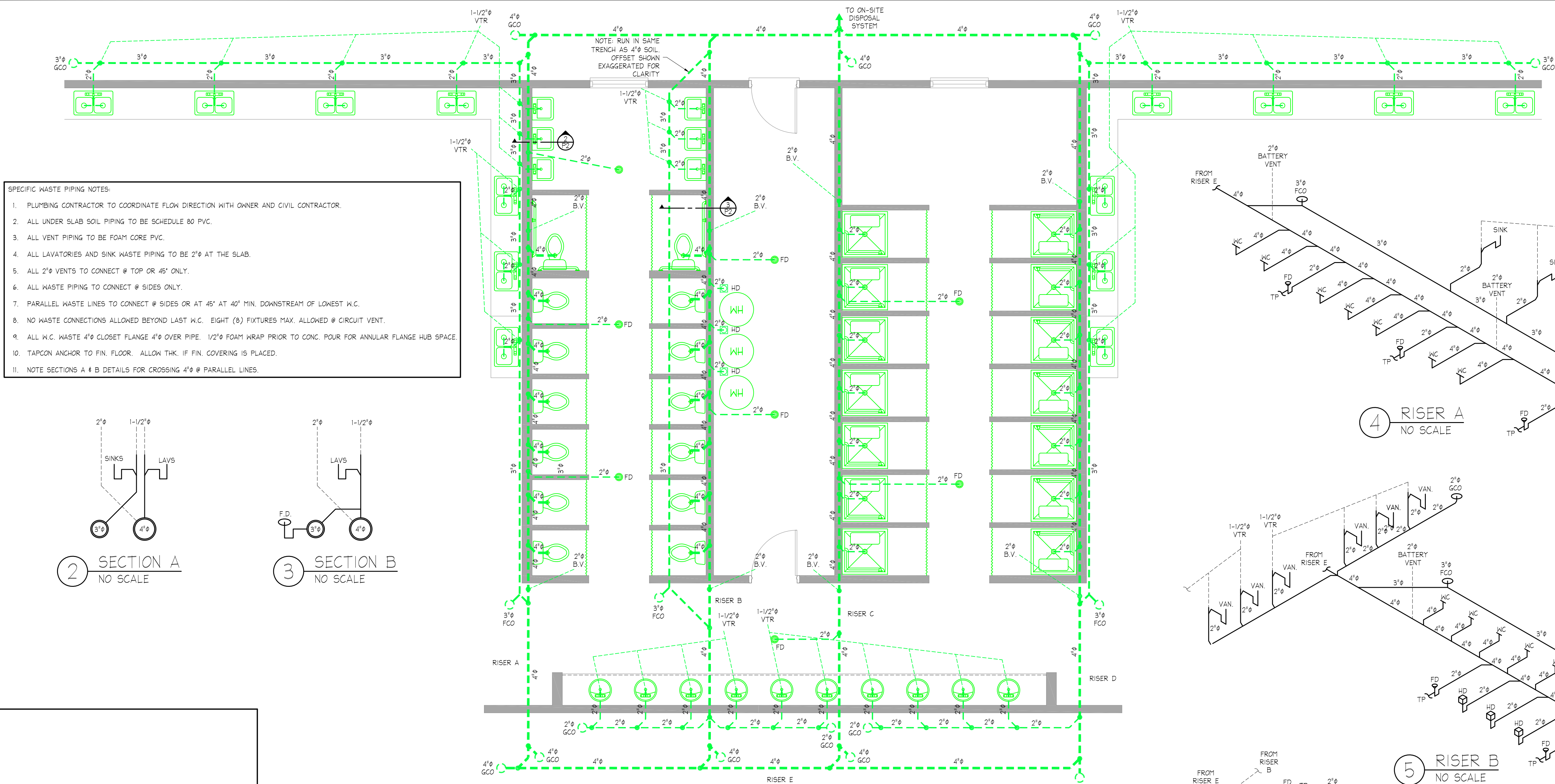
9-22-2021

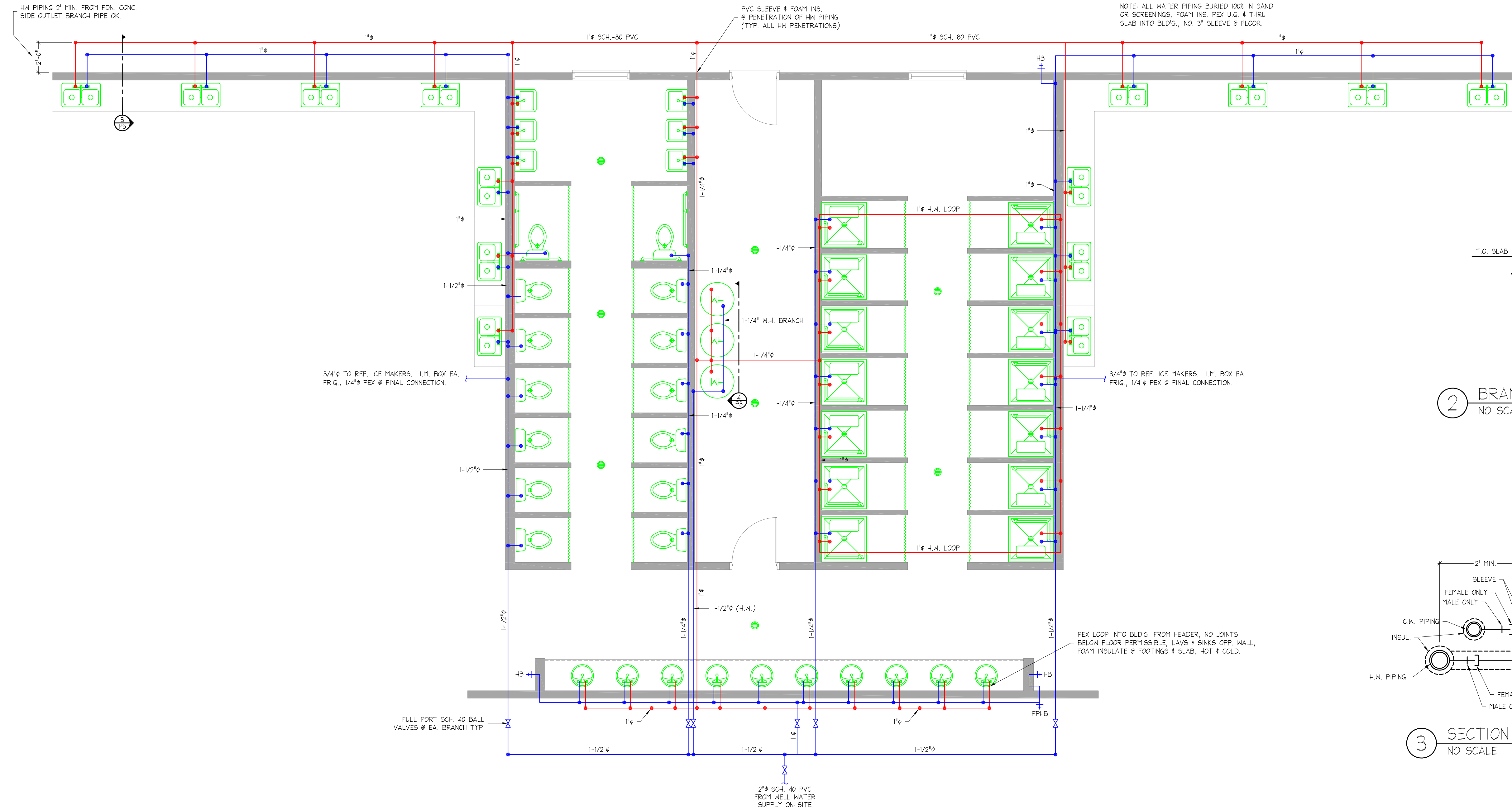
THE ENGINEER HAS NOT BEEN RETAINED TO PERFORM CONTRACT ADMINISTRATION SERVICES

General Notes:

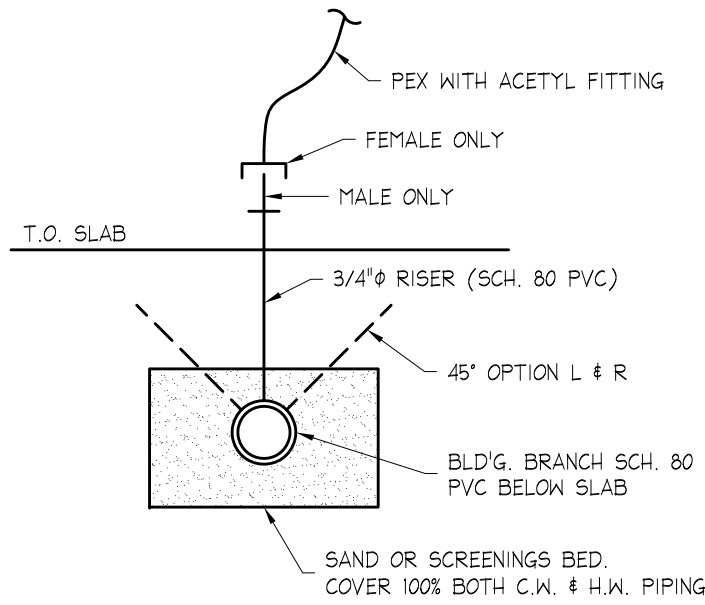
1. ALL PLUMBING INSTALLATIONS SHALL BE PREPARED IN ACCORDANCE WITH THE 2018 INTERNATIONAL PLUMBING CODE AND ALL STATE/LOCAL PLUMBING CODES AS APPLICABLE.
2. CLEANOUTS SHALL BE SPACED NOT MORE THAN 75' APART.
3. WASTE PIPING SHALL BE MIN. SCH-40 PVC-DWV PIPE & FITTINGS CONFORMING TO ASTM D-2665-88 WITH HSF SEAL. VENT PIPING SHALL BE OF THE SAME MATERIAL AS WASTE PIPING. ALL ROOF PENETRATIONS SHALL BE SEALED.
4. WATER PIPING SHALL BE TYPE "L" HARD COPPER WITH EQUIV. FITTINGS ABOVE GRADE AND TYPE "K" COPPER WITH EQUIV. FITTINGS BELOW GRADE. PVC PIPING OF EQUIVALENT SPECIFICATIONS IS ACCEPTABLE.
6. ALL WATER PIPING SHALL BE CONCEALED IN FLOORS, WALLS AND PIPE CHASES AS APPLICABLE, HOWEVER, NO WATER PIPING SHALL BE INSTALLED IN EXTERIOR WALLS. ALL PIPE SUBJECT TO FREEZING CONDITIONS SHALL BE INSULATED.
7. PROVIDE AIR CHAMBERS AND STOPS ON EACH FIXTURE HOT AND COLD WATER SUPPLY.
8. BARRIER FREE FIXTURES, TRIM AND ACCESSORIES SHALL COMPLY WITH THE LATEST ANSI A117.1. EXPOSED PIPING UNDER HANDICAP LAVATORIES SHALL BE INSULATED. PROVIDE APPROPRIATE "HANDICAP" SIGNS AT ALL ACCESSIBLE AREAS.
9. PIPE INSULATION SHALL BE 1" OXENS-CORNING SA/SSL-11 OR EQUAL WITH VAPOR BARRIER JACKET PER UL-72. ALL JOINTS SHALL BE TAPED AND SEALED. COLD WATER PIPING BELOW BUILDING SLABS OR BELOW FROST LINE NEED NOT BE INSULATED.
10. THE ENTIRE SYSTEM SHALL BE FLUSHED, CLEANED, AND STERILIZED PER THE LOCAL HEALTH DEPARTMENT OR APPROVING AUTHORITY.
11. THE WATER SYSTEM SHALL BE TESTED AT 100 PSI FOR 24 HOURS PRESSURE LOSS. WASTE SYSTEM SHALL BE TESTED TO A HEAD OF 10 FT. FOR 15 MINUTES MINIMUM WITHOUT LEAKS.
12. PROVIDE UL APPROVED FIRE STOPS PER ASTM E-814 FOR ALL PIPE PENETRATIONS IN FIRE RATED ASSEMBLIES. PENETRATIONS THROUGH NON-RATED ASSEMBLIES SHALL BE SEALED SPOKE TIGHT.
13. ALL ACCESSIBLE PLUMBING ELEMENTS DELIVERING HOT WATER SHALL BE EQUIPPED WITH A TEMPERATURE LIMITING DEVICE (SCALD GUARD) THAT WILL LIMIT THE HOT WATER TEMPERATURE TO 120° F.
14. THE DRAWINGS AND DETAILS DIAGRAMMATIC TO SHOW THE PURPOSE AND INTENT OF THE DESIGN. THE EXACT NUMBER, LOCATION AND POSITION OF COMPONENTS WILL BE DETERMINED BY THE PLUMBING CONTRACTOR ACCORDING TO FIELD CONDITIONS AND REQUIREMENTS. THE PLUMBING CONTRACTOR SHALL FIELD CHECK ALL ALL DIMENSIONS AND INVESTIGATE ALL CONDITIONS AFFECTING HIS WORK AND SHALL VERIFY LOCATIONS, SIZES, INVERT ELEVATIONS, ETC. OF ALL APPLICABLE SITE SYSTEMS INCLUDING SANITARY & STORM SEWERS, WATER MAINS, NATURAL GAS SERVICES, UNDERGROUND ELECTRICAL, ETC. TO MAKE CERTAIN ALL CONNECTIONS CAN BE MADE. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGNER FOR CLARIFICATION BEFORE PROCEEDING WITH THE AFFECTED PART OF THE WORK.
15. THE PLUMBING CONTRACTOR SHALL GUARANTEE THE SYSTEM TO BE FREE FROM DEFECTS FOR A PERIOD OF ONE YEAR. ALL DEFECTS SHALL BE REPAIRED AND CORRECTED AT NO EXPENSE TO THE OWNER.
16. THE PLUMBING CONTRACTOR SHALL CONSIDER HIS SCOPE OF WORK AS "TURN KEY". IT IS NOT INTENDED THAT THE DRAWINGS SHOW ALL DETAILS OF CONSTRUCTION, BUT THE PLUMBING CONTRACTOR SHALL FURNISH AND INSTALL ALL PARTS AND MATERIALS NECESSARY TO COMPLETE HIS SCOPE OF WORK. SHOULD THERE APPEAR TO BE ANY DISCREPANCIES OR A QUESTION OF INTENT, THE PLUMBING CONTRACTOR SHALL REFER TO THE DESIGNER FOR DECISIONS AND HIS INTERPRETATION SHALL BE FINAL, CONCLUSIVE AND BINDING.

No.	Description	Date
REVISIONS		
Project Title:		
METROLINA GREENHOUSES WORKER'S BUNKHOUSE		
2121 QUARRY ROAD YORK, SC 29745		
Sheet Title:		
PLUMBING		
Project No.:		
5754		
Drawn By:	Checked By:	
MAC	MAC	
Scale:	Sheet No.:	
AS SHOWN	P1	
Date:		
6-2-2021		

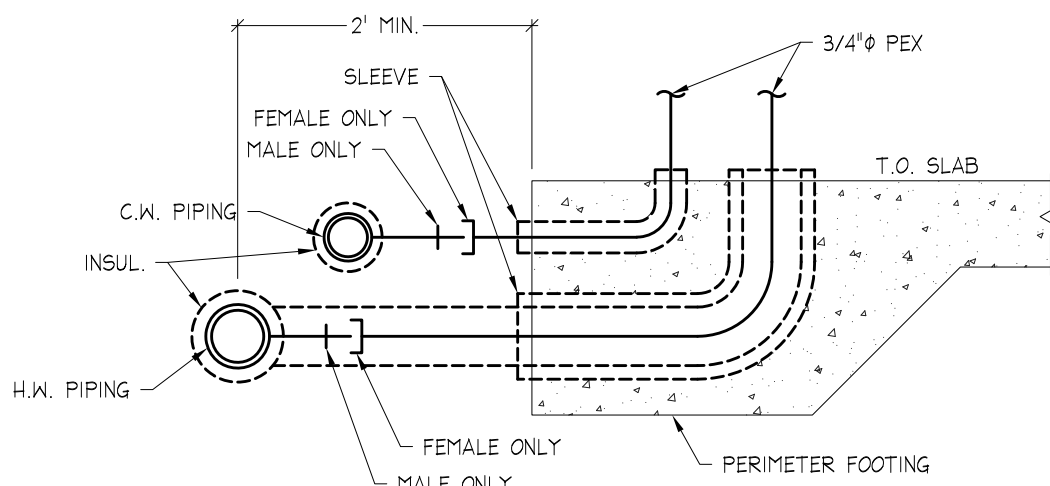




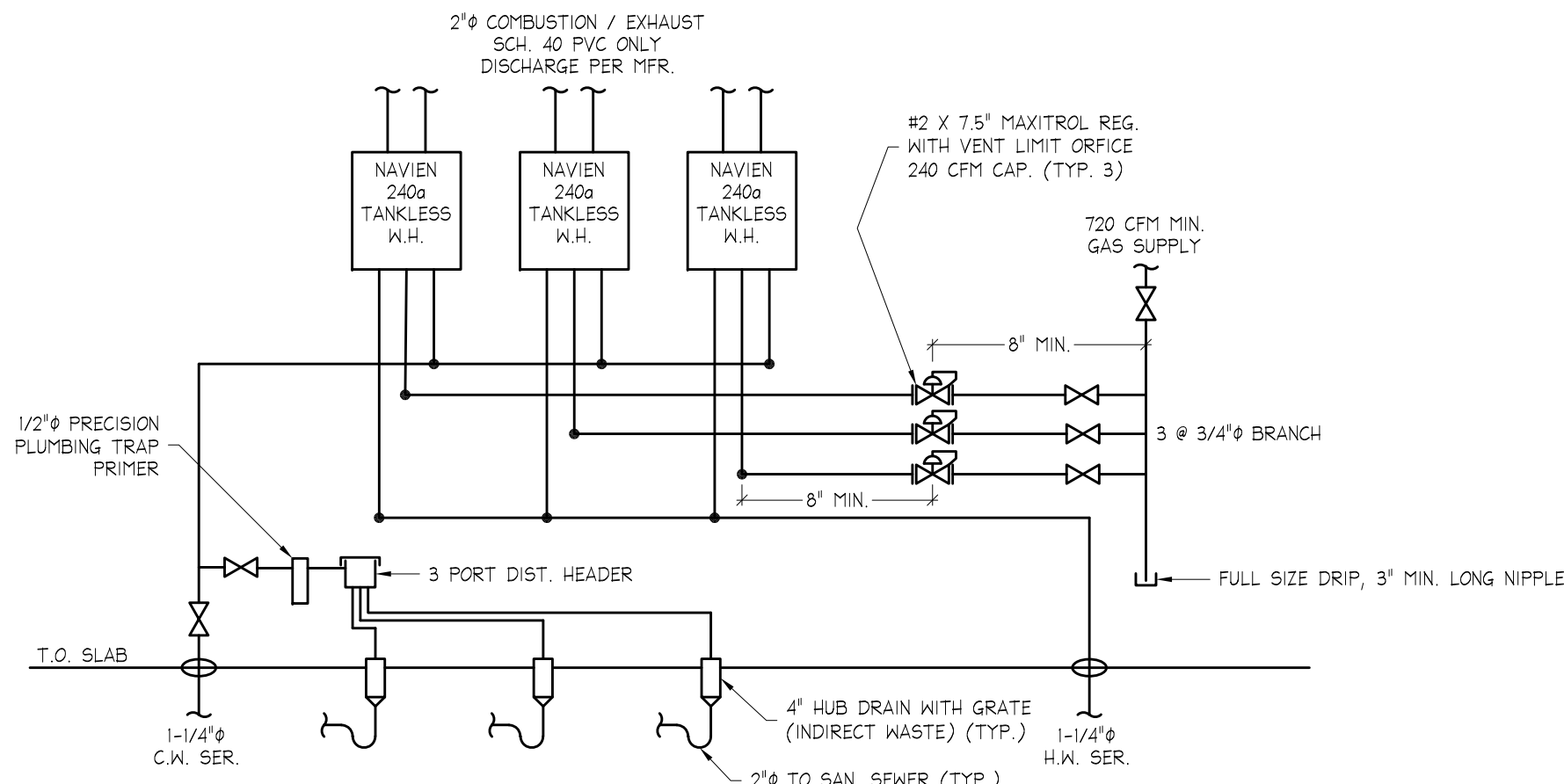
1 DOMESTIC WATER PLAN
1/4" = 1'-0"



2 BRANCH CONN. BELOW SLAB
NO SCALE



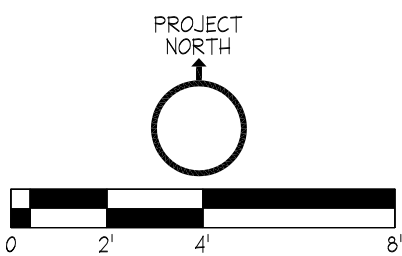
3 SECTION THRU PIPING
NO SCALE



4 GAS WATER HEATER SCHEMATIC
NO SCALE

NOTE:
THE PLUMBING SYSTEM ON THIS DRAWING
HAS BEEN DRAFTED IN GREEN INK. USE A
PRINTING SERVICE THAT WILL PRINT THIS
DRAWING IN COLOR FOR OPTIMUM CLARITY.

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- SPECIFIC WATER PIPING NOTES:
- 1/2" FOAM INSULATE ALL H.W. PIPING.
 - 3/4" PVC SLEEVE ALL H.W. PIPING THRU SLAB AFTER INSULATING INSIDE BUILDING.
 - ALL WATER PIPING THRU SLAB 3/4" MIN.
 - 1-1/2" C.W. BRANCH TO WATER HEATER BANK.
 - IF WATER ENTRY TO BLDG. CHANGES FROM THE ASSUMED DWG., SIZING CANNOT CHANGE FOR INTERIOR BRANCH/RISER PIPING.
 - WATER PIPING SIZED BY TABLE E-103 PREDOMINATELY FLUSH TANKS & LOAD VALUES.
1-1/2" @ 6 FPS, DELTA P 4.5/C, 37 GPM
1-1/4" @ 7 FPS, DELTA P 7.0/C, 27 GPM
1" @ 7.5 FPS, DELTA P 10/C 21 GPM
2" @ 7.0 FPS, DELTA P 4/C 70 GPM
 - SEE DETAIL & NOTES CONCERNING BRANCH CONNECTIONS.
 - ALL PVC PIPING FROM 2" MAIN VALVE & BLDG. IN & OUT, BED 100% IN SAND OR SCREENINGS.
 - FOAM INSULATE ALL COLD WATER PIPING VERTICAL THRU SLAB & @ FOOTING PENETRATIONS.
 - FOAM & 3" PVC SLEEVE ALL HOT WATER PIPING VERTICAL THRU SLAB.
 - PVC SLEEVE OTHERWISE AS CODE REQUIRES.
 - FILL SYSTEM WITH WATER, EXPEL AIR, TEST AIR OVER WATER FROM 2" MAIN VALVE, SUPPLY SIDE.
 - EXPANSION OF HOT WATER IS CRITICAL TO ALLOW FOR EXPANSION. BEDDING MATERIAL & SLEEVES MUST ALLOW MOVEMENT. CRITICAL CONCERNS ARE @ BRANCHES VERTICAL THRU FLOOR.
 - ALL PVC S.W. JOINTS, CLEAN WITH PURPLE PRIMER, H.D. CEMENT WET ONLY, FULL SOCKET, 1/4" MIN. ROTATION.
 - PIPE EACH WATER HEATER TO HUB DRAIN WITH TIP, CONDENSATE & PRIMER.
 - PIPE C.W. & H.W. SERVICE AS SHOWN OR MANIFOLD FOR FLOW CONTROL BALANCE.

**William
Beaver, P.E.**

121 Bay Water Way
Mt. Pleasant, SC 29464
Phone 803 - 417 - 2790

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Professional Seal



9-22-2021

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General Notes:

- ALL PLUMBING INSTALLATIONS SHALL BE PERFORMED IN ACCORDANCE WITH THE 2018 INTERNATIONAL PLUMBING CODE AND ALL STATE/LOCAL PLUMBING CODES AS APPLICABLE.
- CLEANOUTS SHALL BE SPACED NOT MORE THAN 75' APART.
- WASTE PIPING SHALL BE MIN. SCH. 40 PVC-DWV PIPE & FITTINGS CONFORMING TO ASTM D-2665-08 WITH HSF SEAL. VENT PIPING SHALL BE OF THE SAME MATERIAL AS WASTE PIPING. ALL ROOF PENETRATIONS SHALL BE SEALED.
- WATER PIPING SHALL BE TYPE 1/1" HARD COPPER WITH EQUIV. FITTINGS ABOVE GRADE AND TYPE 1/1" COPPER WITH EQUIV. FITTINGS BELOW GRADE. PVC PIPING OF EQUIVALENT SPECIFICATIONS IS ACCEPTABLE.
- ALL WATER PIPING SHALL BE CONCEALED IN FLOORS, WALLS AND PIPE CHASES AS APPLICABLE. HOWEVER, NO WATER PIPING SHALL BE INSTALLED IN EXTERIOR WALLS. ALL PIPE SUBJECT TO FREEZING CONDITIONS SHALL BE INSULATED.
- PROVIDE AIR CHAMBERS AND STOPS ON EACH FIXTURE HOT AND COLD WATER SUPPLY.
- BARRIER FREE FIXTURES, TRIM AND ACCESSORIES SHALL COMPLY WITH THE LATEST ANSI A117.1. EXPOSED PIPING UNDER HANDICAP LAVATORIES SHALL BE INSULATED. PROVIDE APPROPRIATE "HANDICAP" SIGNS AT ALL ACCESSIBLE AREAS.
- PIPE INSULATION SHALL BE 1" OAKENS-CORNING SAU/SSL-11 OR EQUAL WITH VAPOR BARRIER JACKET PER UL-72. ALL JOINTS SHALL BE TAPED AND SEALED. COLD WATER PIPING BELOW BUILDING SLABS OR BELOW FROST LINE NEED NOT BE INSULATED.
- THE ENTIRE SYSTEM SHALL BE FLUSHED, CLEANED, AND STERILIZED PER THE LOCAL HEALTH DEPARTMENT OR APPROVING AUTHORITY.
- THE WATER SYSTEM SHALL BE TESTED AT 100 PSI FOR 24 HOURS PRESSURE LOSS. WASTE SYSTEM SHALL BE TESTED TO A HEAD OF 10 FT. FOR 15 MINUTES MINIMUM WITHOUT LEAKS.
- PROVIDE UL APPROVED FIRE STOPS PER ASTM E-814 FOR ALL PIPE PENETRATIONS IN FIRE RATED ASSEMBLIES. PENETRATIONS THROUGH NON-RATED ASSEMBLIES SHALL BE SEALED SMOKE TIGHT.
- ALL ACCESSIBLE PLUMBING ELEMENTS DELIVERING HOT WATER SHALL BE EQUIPPED WITH A TEMPERATURE LIMITING DEVICE (SCALD GUARD) THAT WILL LIMIT THE HOT WATER TEMPERATURE TO 120° F.
- THE DRAWINGS AND DETAILS DIAGRAMMATIC TO SHOW THE PURPOSE AND INTENT OF THE DESIGN. THE EXACT NUMBER, LOCATION AND POSITION OF COMPONENTS WILL BE DETERMINED BY THE PLUMBING CONTRACTOR ACCORDING TO FIELD CONDITIONS AND REQUIREMENTS. THE PLUMBING CONTRACTOR SHALL FIELD CHECK ALL ALL DIMENSIONS AND INVESTIGATE ALL CONDITIONS AFFECTING HIS WORK AND SHALL VERIFY LOCATIONS, SIZES, INVERT ELEVATIONS, ETC. OF ALL APPLICABLE SITE SYSTEMS INCLUDING SANITARY & STORM SEWERS, WATER MAINS, NATURAL GAS SERVICES, UNDERGROUND ELECTRICAL, ETC. TO MAKE CERTAIN ALL CONNECTIONS CAN BE MADE. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGNER FOR CLARIFICATION BEFORE PROCEEDING WITH THE AFFECTED PART OF THE WORK.
- THE PLUMBING CONTRACTOR SHALL GUARANTEE THE SYSTEM TO BE FREE FROM DEFECTS FOR A PERIOD OF ONE YEAR. ALL DEFECTS SHALL BE REPAIRED AND CORRECTED AT NO EXPENSE TO THE OWNER.
- THE PLUMBING CONTRACTOR SHALL CONSIDER HIS SCOPE OF WORK AS "TURN KEY". IT IS NOT INTENDED THAT THE DRAWINGS SHOWN ALL DETAILS OF CONSTRUCTION, BUT THE PLUMBING CONTRACTOR SHALL FURNISH AND INSTALL ALL PARTS AND MATERIALS NECESSARY TO COMPLETE HIS SCOPE OF WORK. SHOULD THERE APPEAR TO BE ANY DISCREPANCIES OR A QUESTION OF INTENT, THE PLUMBING CONTRACTOR SHALL REFER TO THE DESIGNER FOR DECISIONS AND HIS INTERPRETATION SHALL BE FINAL, CONCLUSIVE AND BINDING.

No.	Description	Date
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REVISIONS

Project Title:

METROLINA
GREENHOUSE WORKER'S
BUNKHOUSE
2121 QUARRY ROAD
CLOVER, SC 29745

Sheet Title:

PLUMBING

Project No.:

5754

Drawn By:

MAC

Checked By:

MAC

Scale:

AS SHOWN

Sheet No.:

P3

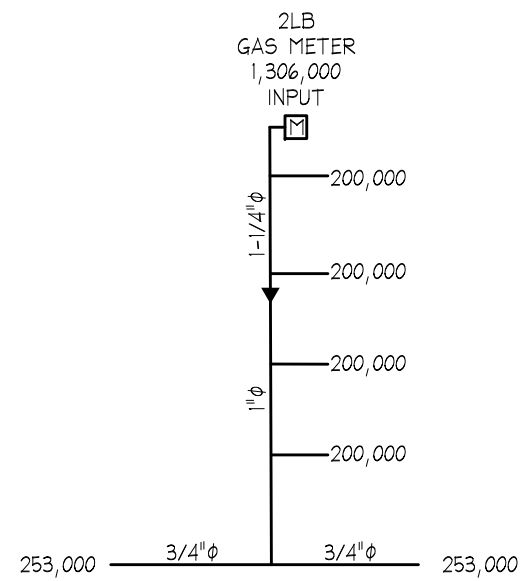
Date:

8-11-2021

- GP-1 & GP-2
TRANE 14H02F3RLA
208/230V 3ph, MCA 72, MOPC 90
WITH ECONOMIZER AND COIL GUARDS. SET OA
DAMPER FOR 784 WITH ALL EXHAUST FANS RUNNING.
- EF-1 - GREENHECK G-103 1/4 HP 115v. - ROOF
MOUNTED ON CURB. TO RUN CONSTANTLY. SET
FOR 1,140 CFM.
- EF-2 & EF-3 - GREENHECK G-070 1/30 HP 115v. -
ROOF MOUNTED ON CURB. TO RUN WHEN KITCHEN
IS IN USE.
- CEILING SUPPLY FLUSH MOUNT PRICE MODEL SMD
12"x12" WITH DAMPER
- CEILING RETURN GRILLE, FLUSH MOUNT PRICE
MODEL 630, 30"x14".
- AUTOCHANGE THERMOSTAT
- BATHROOM EXHAUST FAN
- RIGID SUPPLY & RETURN DUCT
- FLEX EXHAUST DUCT WITH LOUVERED/SCREENED DAMPER
- MAKE UP AIR VENT FOR HOT WATER HEATERS,
12"x12", COVER OPENING WITH WIRE MESH - TWO 12" FROM
CEILING & TWO 12" FROM THE FLOOR PER GAS CODE.
- ALTERNATE MECHANICAL EQUIPMENT SHALL BE ACCEPTABLE AS LONG
AS THE PERFORMANCE CRITERIA'S ARE ADHERED TO.

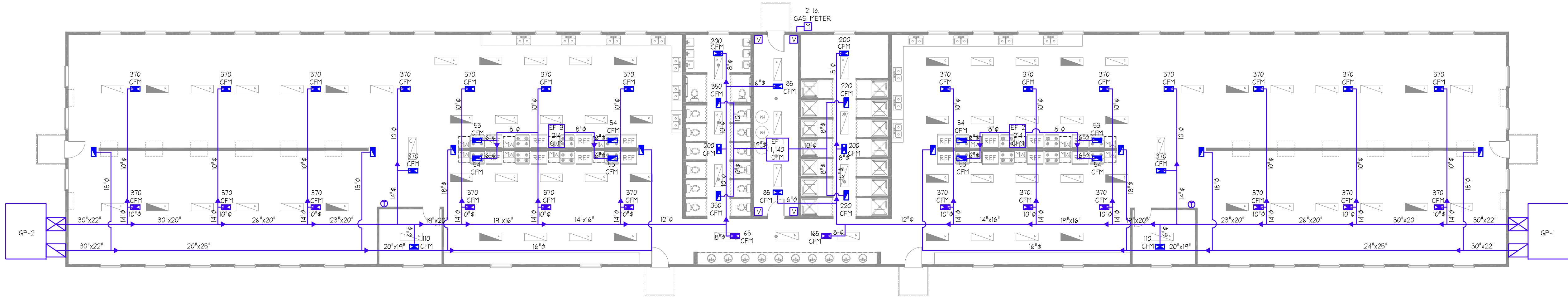
2 HVAC LEGEND

NO SCALE
1/1"=1'



3 GAS RISER

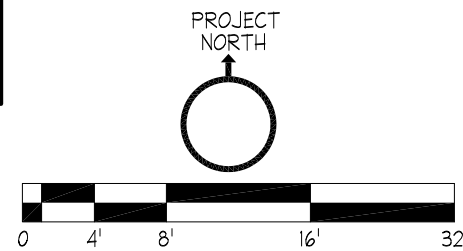
NO SCALE
1/1"=1'



1 HVAC PLAN
3/32"=1'-0"

NOTE:
THE MECHANICAL SYSTEM ON THIS DRAWING
HAS BEEN DRAFTED IN BLUE INK. USE A
PRINTING SERVICE THAT WILL PRINT THIS
DRAWING IN COLOR FOR OPTIMUM CLARITY.

ISSUED FOR CODE REVIEW
DATE OF ISSUE: 9-22-2021
THESE PLANS HAVE NOT BEEN APPROVED BY
THE BUILDING DEPARTMENT. PLANS SHOULD
BE STAMPED APPROVED FOR CONSTRUCTION
BY THE BUILDING DEPARTMENT PRIOR TO
BIDDING OR CALCULATING TAKE-OFFS.

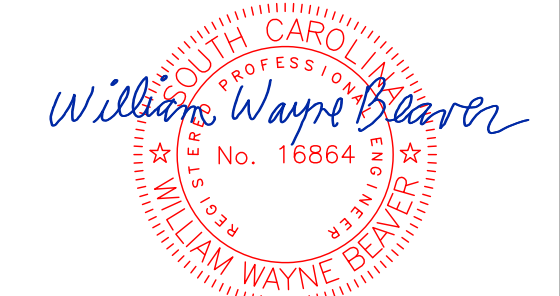


**William
Beaver, P.E.**

121 Bay Water Way
Mt. Pleasant, SC 29464
Phone 803 - 417 - 2790

NOTE: ALL QUESTIONS AND INQUIRIES ARE TO BE DIRECTED
TO MICHAEL CRUMP, THE PROJECT COORDINATOR, AT
SPECTRUM ENTERPRISES, INC. OFFICE 803-325-1116, CELL
803-417-2790.

Professional Seal



9-22-2021
THE ENGINEER HAS NOT BEEN RETAINED TO PERFORM
CONTRACT ADMINISTRATION SERVICES

- General Notes:**
1. ALL INSTALLATIONS SHALL BE PER THE
INTERNATIONAL MECHANICAL CODE, SMACNA
AND ASHRAE STANDARDS, AND ALL LOCAL CODES.
 2. WALL/CEILING PENETRATIONS SHALL NOT ALTER
OR DECREASE THE RATING OF THE ASSEMBLY.
 3. INSTALL TYPE 'B' FIRE DAMPERS AT ALL RATED
WALL PENETRATIONS. INSTALL RADIATION DAMPERS
AT ALL RATED CEILING PENETRATIONS.
 4. THERMOSTATS TO BE 7-DAY PROGRAMMABLE.
 5. DUCT SYSTEM SHALL BE GALVANIZED SHEET
METAL FOR TRUNK LINES. BRANCH DUCTS SHALL BE
RIGID ROUND DUCT WITH ROUND FLEX EXTENSIONS AT
APPROPRIATE CEILING DIFFUSERS.
THE DUCT SYSTEM IS DESIGNED TO SMACNA
STANDARDS FOR A LOW PRESSURE DUCT SYSTEM.
 6. ATTACHMENTS TO GRILLES SHALL BE UL-181 FLEX
DUCT WITH A MAXIMUM LENGTH OF 14'.
 7. INSULATE RECTANGULAR DUCTS WITH R-8
DUCTWRAP. INSULATE ROUND DUCTS WITH R-8
FIBERGLASS DUCTWRAP WITH VAPOR BARRIER
JACKET. DUCT EXPOSED TO THE OUTSIDE IS TO BE
LINED WITH R8 DUCT LINER AND SHEET METAL DUCT
SEALED AND WEATHER COATED.
 8. DUCTWORK AND EQUIPMENT SHALL BE SUPPORTED
BY THE BUILDING STRUCTURE. MOUNT CONDENSERS
ON CONCRETE PADS.
 9. ALL APPLICABLE EQUIPMENT SHALL BEAR THE 'UL'
LABEL OR EQUIVALENT.
 10. ALTERNATE MANUFACTURER EQUIPMENT IS
ACCEPTABLE AS LONG AS PERFORMANCE CRITERIA IS
ADHERED TO.
 11. SUPPLY GRILLES - SEE SCHEDULE.
 12. RETURN AIR GRILLES - SEE SCHEDULE.
 13. EACH HVAC SYSTEM SHALL BE BALANCED TO
PROVIDE ADEQUATE AIR FLOW TO ALL ROOMS AND
WORK AREAS.
 14. THE MECHANICAL CONTRACTOR SHALL PROVIDE
AND INSTALL ALL CONTROL WIRING.
 15. OBSERVE ALL MANUFACTURER'S MINIMUM
CLEARANCE RECOMMENDATIONS.
 16. GAS PIPING SHALL BE BLACK IRON PIPE AND ALL
GAS PIPING INSTALLATIONS SHALL BE INSTALLED PER
THE INTERNATIONAL GAS CODE AND ALL LOCAL GAS
CODES.
 17. RESTROOM EXHAUST FANS - SEE SCHEDULE.
DUCT RESTROOM EXHAUST FANS TO THE
ATMOSPHERE.
 18. ALL DUCTING THROUGH EXTERIOR WALL SHALL
TERMINATE WITH A VENT LOUVER EQUIPPED WITH AN
INSECT SCREEN. ALL PENETRATIONS SHALL BE
SEALED WEATHERTIGHT.
 19. A SMOKE DETECTOR SHALL BE INSTALLED IN THE
RETURN AIR DUCT OF EACH UNIT.
 20. THE DUCT WORK AND SYSTEM EQUIPMENT ARE
SHOWN DIAGRAMMATIC. FIELD VERIFY DIMENSIONS
CONDITIONS. DISCREPANCIES SHALL CLARIFIED
WITH THE DESIGNER BEFORE PROCEEDING WITH THE
AFFECTED PART OF THE WORK.
 21. THE MECHANICAL CONTRACTOR SHALL GUARANTEE
THE SYSTEM FOR A PERIOD OF ONE YEAR. ANY
DEFECTS SHALL BE REPAIRED AT NO COST TO THE
OWNER DURING THE WARRANTY PERIOD.
 22. THE MECHANICAL CONTRACTOR SHALL CONSIDER
HIS SCOPE OF WORK AS "TURN KEY". IT IS NOT
INTENDED THAT THE DRAWINGS SHOW ALL DETAILS
OF CONSTRUCTION, BUT THE MECHANICAL
CONTRACTOR SHALL BE REQUIRED TO FURNISH AND
INSTALL ALL MATERIALS NECESSARY TO COMPLETE
THE SCOPE OF WORK. SHOULD THERE APPEAR TO
BE ANY DISCREPANCIES OR A QUESTION OF INTENT,
THE MECHANICAL CONTRACTOR SHALL REFER TO THE
DESIGNER FOR DECISIONS AND HIS INTERPRETATION
SHALL BE FINAL, CONCLUSIVE AND BINDING.
 23. EACH OUTSIDE AIR CONNECTION TO THE UNITS
SHALL HAVE A MANUAL BALANCING AND BACK DRAFT
DAMPER THAT SHALL CLOSE WHEN THE UNIT IS IDLE.

No.	Description	Date
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REVISIONS

Project Title:

METROLINA
GREENHOUSES WORKER'S
BUNKHOUSE
2121 QUARRY ROAD
YORK, SC 29745

Sheet Title:

MECHANICAL

Project No.:

5754

Drawn By:

MAC

Checked By:

MAC

Scale:

AS SHOWN

Sheet No.:

M1

Date:

6-2-2021

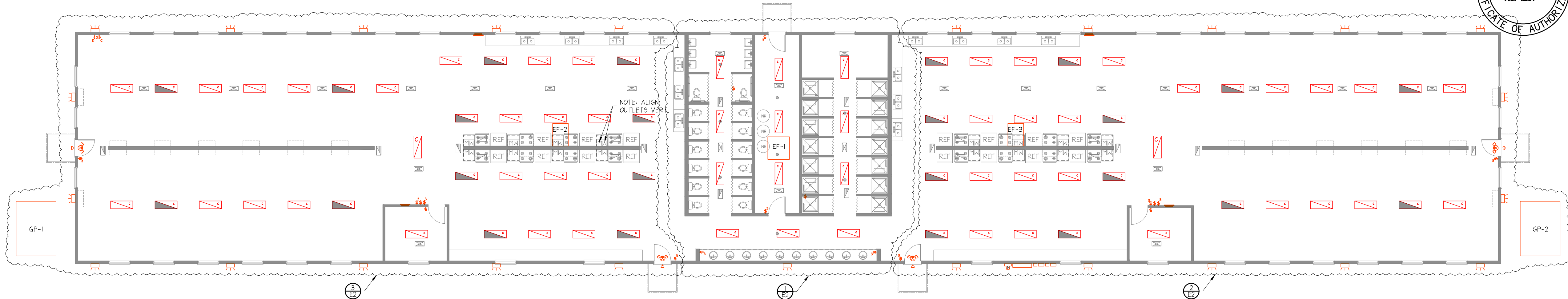
- LED LIGHT, SURFACE/SUSPENDED MOUNT, 120v, 50w, 0-43g, 5,000± LUMENS, NEUTRAL WHITE, DIMMABLE, WITH ADJUSTABLE OCCUPANCY SENSOR OR MOTION DETECTOR
- LED LIGHT, SURFACE/SUSPENDED MOUNT, 120v, 50w, 0-43g, 5,000± LUMENS, NEUTRAL WHITE, DIMMABLE, WITH ADJUSTABLE OCCUPANCY SENSOR OR MOTION DETECTOR, HALF SHADE DENOTES BATTERY BACKED EMERGENCY LIGHT
- LED LIGHT, WALL PACK, 120v, 50w MAX., 5,000 LUMENS, NEUTRAL WHITE
- SINGLE POLE SWITCH, 120v, 20a, 48" A.F.F.
- THREE-WAY SWITCH, 120v, 20a, 48" A.F.F.
- EXIT SIGN, LED, RED OR GREEN LETTERS, EMERGENCY FLOODS, BATTERY BACKUP, INTERNALLY ILLUMINATED, REMOTE HEAD, 120v, 3.7w
- EMERGENCY FLOOD, LED, BATTERY BACKUP, ADJUSTABLE HEADS, 120v, 1.8w
- EF-1, 2 & 3 (SEE MECHANICAL FOR SPECS.)

EMERGENCY EGRESS LIGHTING DESIGNED TO PROVIDE A MINIMUM OF 1 FOOT CANDLE AT THE WALKING SURFACE FOR A MINIMUM DURATION OF 90 MINUTES. ALTERNATE FIXTURES ARE ACCEPTABLE AS LONG AS DESIGN CRITERIA IS ADHERED TO. THE LIGHTING SYSTEM IS DESIGNED FOR LED LIGHTING ONLY. FLUORESCENT FIXTURES SHALL NOT BE SUBSTITUTED FOR THE LED FIXTURES.

2 LIGHT LEGEND

- DUPLEX RECEPTACLE OUTLET, GFCI, 120v, 20a, 16" AFF
- DUPLEX RECEPTACLE OUTLET, GFCI & AFCI, 120v, 20a, 44" AFF
- DUPLEX RECEPTACLE OUTLET, GFCI & AFCI, 120v, 20a, 44" AFF
- DUPLEX RECEPTACLE OUTLET, GFCI & AFCI, 120v, 20a, 78" AFF
- DUPLEX RECEPTACLE OUTLET, GFCI, WP COVER, 120v, 20a, 16" AFF
- SIMPLEX RECEPTACLE OUTLET, 240v, SEE PLAN FOR LOAD AMPS, 16" AFF
- EQUIPMENT CIRCUIT (AS NOTED ON PLAN)
- ELECTRICAL PANEL, FLUSH MOUNT (SEE RISER FOR DETAILS)
- ELECTRICAL PANEL, SURFACE MOUNT (SEE RISER FOR DETAILS)
- ELECTRIC METER BY UTILITY CO. (SEE RISER FOR DETAILS)

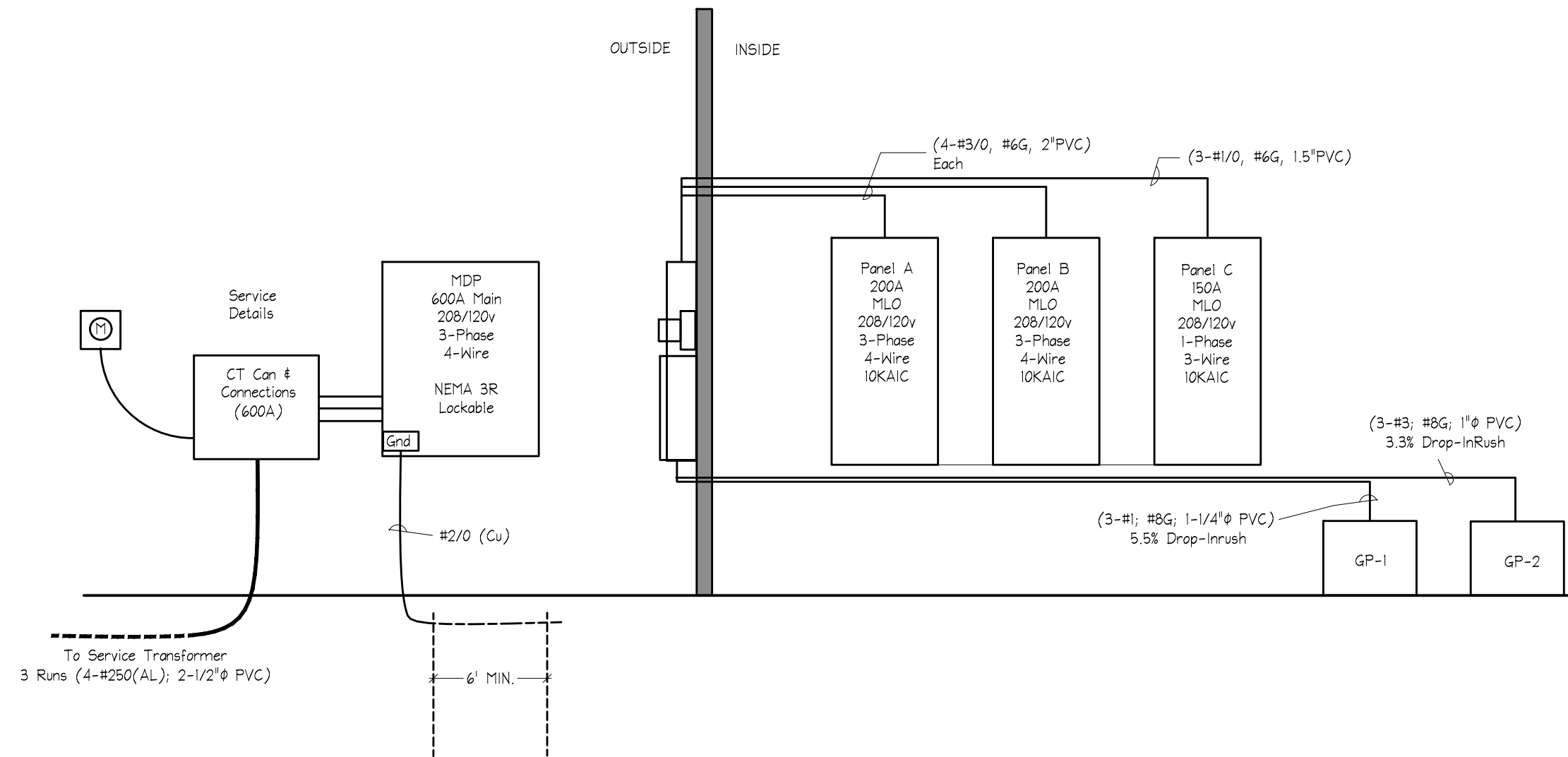
3 POWER LEGEND



		Metrolina Workers Bunkhouses								Fed From Service XFMR	
		MDP									
		208/120 3-Ph 4-W									
		600A Main									
		14KA Breakers Min.						10763 AIC w/150 KVA XFMR Max			
Service		Wire Size	Load KVA	Bkr Size			Bkr Size	Load KVA	Wire Size	Service	
GP-1, 15Ton**		#1	8.6	3P-90	1	x	2	3P-90	8.6	#3	GP-2, 15Ton
"		"	8.6	"	3	y	4	"	8.6	"	"
"		"	8.6	"	5	z	6	"	8.6	"	"
Panel A		#3/0	19.0	3P-200	7	x	8	3P-200	19.0	#3/0	Panel B
"		"	18.4	"	9	y	10	"	18.4	"	"
"		"	17.1	"	11	z	12	"	17.1	"	"
Panel C		#1/0	10.1	2P-150	13	x	14				Space
"		"	7.1	"	15	y	16				Space
Space					17	z	18				Space
Panel Load/Phase		X	65.3	KVA	544	Amps					
Connected As Shown		Y	61.2	KVA	510	Amps					
		Z	51.6	KVA	430	Amps					
** - Farthest from Panelboard											
Total			178	KVA	495	Amps					
Revisions		Rev 0	9/13/21								

Service Load Summary	
Metrolina Workers Bunkhouses	
Total Electrical For Project at 208/120v, 3-Ph	
Connected Loads	Connected VA
Internal Lights	6252
External Lights	1578
Water Heating	0
HVAC, RTUs	51817
AHUs	1755
Motors	0
Food Service	60577
Receptacles	23084
Misc. Machines	0
Future Loads	0
Total Connected KVA:	103
Total Connected Amps:	286
Calc. Peak KVA	84
Calc. Peak Amps	101

Electrical Equipment Connection Schedule																				
Article 220 Calculations										Rev 0		Date		9/13/21						
Metrolina Workers Bunkhouses																				
¹ Note: All equipment currents resolved to service voltage.																				
Service Voltage					208 V					3-Ph										
Phase to Neutral					120 V															
Service Panel	Connected Equipment Loads	Qty	Re-solved Volt ¹	Ph, Poles	Item Amps (120v)	All Mtrs less Lgst	HP Amp	Lgst. Motor	Lgst. Hp Amps	Per Line MCA (Total)	Duty Demand	Final MCA	X	Y	Z	Calc. MOCP	OCP Req.	Wire Size	Load, KVA Less *	OCP
	Dwellings, 3va/SF (Stand)	10374	120	1, 1	0.025					259	1.00	259	86	86	86				31.1	
A,B,C	Lights (LED-5K Lumins)	80	120	1, 1	0.50		0		0	40	1.25	50	17	17	17	15		#12	6.0	1P-20
	Office Lighting LED (120v)		120	1, 1			0		0	0	1.25	0	0	0	0			#12	0.0	
A,B,C	Outdoor Lts 120v	21	120	1, 1	0.50		0		0	11	1.25	13	4	4	4	15		#12	1.6	1P-20
A,B,C	EMGR Lights 120v Type	2	120	1, 1	1.00		0		0	2	1.00	2	2			15		#12	0.2	1P-20
A,B,C	G. Purpose Recept	128	120	1, 1	1.50		0		0	192	1.00	192	64	64	64	15		#12	23.1	1P-20
(Final Art 220 Light & Recept., Standard Calc or Actual):					Actual								87	85	85				30.9	
MDP	GP-1, 15Ton	1	208	3, 3	72.0		0		0	72	1.00	72	72	72	72	150	90	#1	25.9	3P-90
MDP	GP-2, 15Ton	1	208	3, 3	72.0		0		0	72	1.00	72	72	72	72	150	90	#3	25.9	3P-90
A,B	Refrigerator	16	120	1, 1	10.5		0		0	168	1.00	168	56	56	56	20		#12	20.2	1P-20
A,B	Stove (8Kw) (31KW Demand)	1	208	1, 2	149.0		0		0	149	1.00	149	86	86	86	150	50	#8	31.0	2P-50
A,B	M.Ovens (1.5KW) (39%Demand)	16	120	1, 1	12.5		0		0	200	0.39	78	26	26	26	20		#12	9.4	1P-20
A,B	EF-1	1	120	1, 1		0.25	5.8		0	6	1.25	7				7	20	#12	0.7	1P-20
A,B	EF-2	1	120	1, 1		0.03	4.4		0	4	1.00	4	4			20		#12	0.5	1P-20
A,B	EF-3	1	120	1, 1		0.03	4.4		0	4	1.00	4		4		20		#12	0.5	1P-20
Final Article 220 Connected Load Entrance Current												404	402	404	Amps		103	KVA*		
Panel Frame Size 208/120v												600	Amps (67%) Capacity		286	Amps*				
Qty and Wire Size Per Phase												3	AL	#250	(615 A)	750,000	cmils			
Tbl 250.66 Electrode Grounding Conductor												#2/0	Cu							
250.102(C)(1) Min Neutral Size/Main Bonding Jumper-12.5%										750	Kcm	#2/0		()	Min. Neutral per parallel phase					

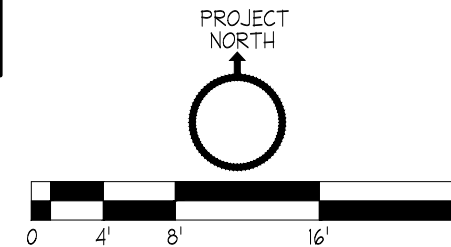


4 ALL NEW SYSTEM ELECTRICAL RISER

NO SCALE

NOTE:
THE ELECTRICAL SYSTEM ON THIS DRAWING HAS BEEN DRAFTED IN RED INK. USE A PRINTING SERVICE THAT WILL PRINT THIS DRAWING IN COLOR FOR OPTIMUM CLARITY.

ISSUED FOR CODE REVIEW
DATE OF ISSUE: 9-22-2021
THESE PLANS HAVE NOT BEEN APPROVED BY THE BUILDING DEPARTMENT. PLANS SHOULD BE STAMPED APPROVED FOR CONSTRUCTION BY THE BUILDING DEPARTMENT PRIOR TO BIDDING OR CALCULATING TAKE-OFFS.

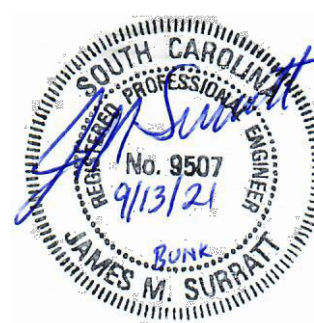


J. M. Surratt, PE

233 Johnston Street
Rock Hill, SC 29730
Phone 1 - 803 - 322 - 7630

NOTE: ALL QUESTIONS AND INQUIRIES ARE TO BE DIRECTED TO MICHAEL CRUMP THE PROJECT COORDINATOR, AT SPECTRUM ENTERPRISES, INC. OFFICE 803-328-1118, CELL 803-417-2790.

Professional Seal



THE ENGINEER HAS NOT BEEN RETAINED TO PERFORM CONTRACT ADMINISTRATION SERVICES

- General Notes:
- THESE DRAWINGS AND ELECTRICAL INSTALLATIONS WERE PREPARED AND INSTALLED PER THE 2017 NATIONAL ELECTRICAL CODE AND THE AUTHORITY HAVING JURISDICTION (AHJ).
 - MARKED EQUIPMENT LOCATIONS ARE FOR BEST REFERENCE AND INFORMATION.
 - PENETRATIONS THROUGH WALL AND CEILING ASSEMBLIES SHALL NOT ALTER FIRE, WATER, MOISTURE AND AIR CODE RATINGS.
 - ALL MATERIALS SHALL BE NEW AND LISTED WITH A U.S. AGENCY SUCH AS: "UL", "MET LABS", "ETL", ETC. MARKS SHOWING "CE" ONLY, WITHOUT AGENCY MARKS, ARE NOT ACCEPTABLE.
 - PANELBOARD CIRCUITS SHALL BE PERMANENTLY MARKED WITH NAME AND USE.
 - MARK A 36" CLEAR FLOOR SPACE IN FRONT OF ALL PANELBOARDS WITH EITHER YELLOW TAPE OR PAINT THE WIDTH OF THE PANELBOARD.
 - UNLESS OTHERWISE MARKED, CONDUCTORS SHALL BE COPPER, DUAL LISTED THRU/THRU, RATED 90°C, SIZED PER PANELBOARD SCHEDULE. TYP. "NY" NON-METALLIC SHEATHED CABLE SHALL NOT BE USED.
 - PER NEC 110.4(C)(2)(3), 40°C TABLE IS USED FOR WIRING SIZES 100g AND LESS. FIELD USE OF 75°C WIRE TABLE MAY BE USED, ONLY IF ALL EQUIPMENT IS MARKED AT LEAST 75°C USE.
 - ELECTRICAL CONTRACTOR SHALL VERIFY OLD/NEW EQUIPMENT COMPATIBILITY, FURNISH, INSTALL, AND GUARANTEE WORKMANSHIP FOR ONE YEAR. CONTRACTOR SHALL PROVIDE EQUIPMENT WARRANTY INFORMATION TO THE OWNER AT THE CLOSE OF THE PROJECT.
 - CONTRACTOR SHALL CONTACT THE DESIGN ENGINEER OF ERRORS OR OMISSIONS. THE ENGINEER SHALL RENDER FINAL DECISIONS.
 - CONTRACTOR IS RESPONSIBLE AND SHALL ENFORCE THEIR ELECTRICAL WORKER SAFETY POLICIES ON SITE SUCH AS: NEC, TIE, PPE, LOCK OUT TAG OUT, AND SAFETY TAPE.
 - IF NOT PROVIDED BY MANUFACTURER, FLASH PROTECTION WARNING LABELS SHALL BE PLACED ON APPLICABLE EQUIPMENT FOR THIS PROJECT PER ARTICLE 110.16.
 - IF APPLICABLE, PROVIDE A 20a DISCONNECT SWITCH AT OVERHEAD DOOR MOTORS.
 - THE LIGHTING SYSTEM IS DESIGNED TO PROVIDE AN EMERGENCY LIGHTING ILLUMINATION LEVEL OF ONE (1) FOOT CANDLE AT THE WALKING SURFACE FOR A MINIMUM OF NINETY (90) MINUTES UPON A LIGHTING SYSTEM POWER FAILURE.

No. Description Date

REVISIONS

Project Title:

METROLINA GREENHOUSES WORKER'S BUNKHOUSE
2121 QUARRY ROAD
YORK, SC 29745

Sheet Title:

ELECTRICAL

Project No.: 5754

Drawn By: MAC Checked By: MAC

Scale: AS SHOWN Sheet No.: E1

Date: 6-2-2021

-  LED LIGHT, SURFACE/SUSPENDED MOUNT, 120v, 50w, 0.43a, 5,000± LUMENS, NEUTRAL WHITE, DIMMABLE, WITH ADJUSTABLE OCCUPANCY SENSOR OR MOTION DETECTOR
-  LED LIGHT, SURFACE/SUSPENDED MOUNT, 120v, 50w, 0.43a, 5,000± LUMENS, NEUTRAL WHITE, DIMMABLE, WITH ADJUSTABLE OCCUPANCY SENSOR OR MOTION DETECTOR, HALF SHADE DENOTES BATTERY BACKED EMERGENCY LIGHT
-  LED LIGHT, WALL PACK, 120v, 50w MAX., 5,000 LUMENS, NEUTRAL WHITE
-  SINGLE POLE SWITCH, 120v, 20a, 48" A.F.F.
-  THREE-WAY SWITCH, 120v, 20a, 48" A.F.F.
-  EXIT SIGN, LED, RED OR GREEN LETTERS, EMERGENCY FLOODS, BATTERY BACKUP, INTERNALLY ILLUMINATED, REMOTE HEAD, 120v, 3.7w
-  EMERGENCY FLOOD, LED, BATTERY BACKUP, ADJUSTABLE HEADS, 120v, 1.8w
-  EF-1 (SEE MECHANICAL FOR SPECS.), 1/4hp, 115v

EMERGENCY EGRESS LIGHTING DESIGNED TO PROVIDE A MINIMUM OF 1 FOOT CANDLE AT THE WALKING SURFACE FOR A MINIMUM DURATION OF 90 MINUTES. ALTERNATE FIXTURES ARE ACCEPTABLE AS LONG AS DESIGN CRITERIA IS ADHERED TO. THE LIGHTING SYSTEM IS DESIGNED FOR LED LIGHTING ONLY. FLUORESCENT FIXTURES SHALL NOT BE SUBSTITUTED FOR THE LED FIXTURES.

2 LIGHT LEGEND

-  DUPLEX RECEPTACLE OUTLET, GFCI, 120v, 20a, 16" AFF
-  DUPLEX RECEPTACLE OUTLET, GFCI & AFCI, 120v, 20a, 44" AFF
-  DUPLEX RECEPTACLE OUTLET, GFCI & AFCI, 120v, 20a, 44" AFF
-  DUPLEX RECEPTACLE OUTLET, GFCI & AFCI, 120v, 20a, 78" AFF
-  DUPLEX RECEPTACLE OUTLET, GFCI, WP COVER, 120v, 20a, 16" AFF
-  SIMPLEX RECEPTACLE OUTLET, 240v, SEE PLAN FOR LOAD AMPS, 16" AFF
-  EQUIPMENT CIRCUIT (AS NOTED ON PLAN)
-  ELECTRICAL PANEL, FLUSH MOUNT (SEE RISER FOR DETAILS)
-  ELECTRICAL PANEL, SURFACE MOUNT (SEE RISER FOR DETAILS)
-  ELECTRIC METER BY UTILITY CO. (SEE RISER FOR DETAILS)

3 POWER LEGEND

		Metrolina Workers Bunkhouses							Fed From MDP	
			Panel C							
			208/120 1-Ph, 3W							
			150A MLO							
			10KA Breakers Min.					8262 AIC w/ 225 KVA XMR		
									</	

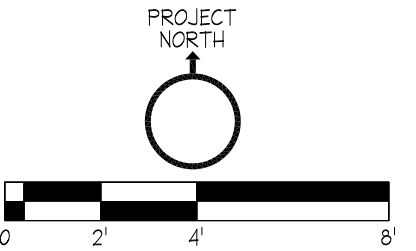


1 RESTROOM ELECTRICAL ENLARGEMENT

3/8"=1'-0"

NOTE:
THE ELECTRICAL SYSTEM ON THIS DRAWING HAS BEEN DRAFTED IN RED INK. USE A PRINTING SERVICE THAT WILL PRINT THIS DRAWING IN COLOR FOR OPTIMUM CLARITY.

ISSUED FOR CODE REVIEW
DATE OF ISSUE: 9-22-2021
THESE PLANS HAVE NOT BEEN APPROVED BY THE BUILDING DEPARTMENT. PLANS SHOULD BE STAMPED "APPROVED FOR CONSTRUCTION" BY THE BUILDING DEPARTMENT PRIOR TO BIDDING OR CALCULATING TAKE-OFFS.

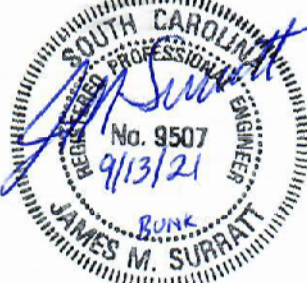


J. M. Surratt, PE

233 Johnston Street
Rock Hill, SC 29730
Phone 1 - 803 - 322 - 7630

NOTE: ALL QUESTIONS AND INQUIRIES ARE TO BE DIRECTED TO MICHAEL CRUMP, THE PROJECT COORDINATOR, AT SPECTRUM ENTERPRISES, INC. OFFICE 803-328-1116, CELL 803-411-2710.

Professional Seal



THE ENGINEER HAS NOT BEEN RETAINED TO PERFORM CONTRACT ADMINISTRATION SERVICES

General Notes:

- THESE DRAWINGS AND ELECTRICAL INSTALLATIONS WERE PREPARED AND INSTALLED PER THE 2017 NATIONAL ELECTRICAL CODE AND THE AUTHORITY HAVING JURISDICTION (AHJ).
- MARKED EQUIPMENT LOCATIONS ARE FOR BEST REFERENCE AND INFORMATION.
- PENETRATIONS THROUGH WALL AND CEILING ASSEMBLIES SHALL NOT ALTER FIRE, WATER, MOISTURE AND AIR CODE RATINGS.
- ALL MATERIALS SHALL BE NEW AND LISTED WITH A U.S. AGENCY SUCH AS: "UL", "MET LABS", "ETL", ETC. MARKS SHOWING "CE" ONLY, WITHOUT AGENCY MARKS, ARE NOT ACCEPTABLE.
- PANELBOARD CIRCUITS SHALL BE PERMANENTLY MARKED WITH NAME AND USE.
- MARK A 36" CLEAR FLOOR SPACE IN FRONT OF ALL PANELBOARDS WITH EITHER YELLOW TAPE OR PAINT THE WIDTH OF THE PANELBOARD.
- UNLESS OTHERWISE MARKED, CONDUCTORS SHALL BE COPPER, DUAL LISTED THINWALL, RATED 90°C, SIZED PER PANELBOARD SCHEDULE "TYP" "NM" NON-METALLIC SHEATHED CABLE SHALL NOT BE USED.
- PER NEC 110.14(C)(3), 40" C TABLE IS USED FOR WIRING SIZES 100A AND LESS. FIELD USE OF 75° C WIRE TABLE MAY BE USED, ONLY IF ALL EQUIPMENT IS MARKED AT LEAST 75° C USE.
- ELECTRICAL CONTRACTOR SHALL VERIFY OLD/NEW EQUIPMENT COMPATIBILITY. FURNISH, INSTALL, AND GUARANTEE WORKMANSHIP FOR ONE YEAR. CONTRACTOR SHALL PROVIDE EQUIPMENT WARRANTY INFORMATION TO THE OWNER AT THE CLOSE OF THE PROJECT.
- CONTRACTOR SHALL CONTACT THE DESIGN ENGINEER OF ERRORS OR OMISSIONS. THE ENGINEER SHALL RENDER FINAL DECISIONS.
- CONTRACTOR IS RESPONSIBLE AND SHALL ENFORCE THEIR ELECTRICAL WORKER SAFETY POLICIES ON SITE SUCH AS: NEC TOE PPE, LOCK OUT TAG OUT, AND SAFETY TAPE.
- IF NOT PROVIDED BY MANUFACTURER, FLASH PROTECTION WARNING LABELS SHALL BE PLACED ON APPLICABLE EQUIPMENT FOR THIS PROJECT PER ARTICLE 110.16.
- IF APPLICABLE, PROVIDE A 20a DISCONNECT SWITCH AT OVERHEAD DOOR MOTORS.
- THE LIGHTING SYSTEM IS DESIGNED TO PROVIDE AN EMERGENCY LIGHTING ILLUMINATION LEVEL OF ONE (1) FOOT CANDLE AT THE WALKING SURFACE FOR A MINIMUM OF NINETY (90) MINUTES UPON A LIGHTING SYSTEM POWER FAILURE.

No. Description Date

REVISIONS

Project Title:

METROLINA
GREENHOUSES WORKER'S
BUNKHOUSE
2121 QUARRY ROAD
YORK, SC 29745

Sheet Title:

ELECTRICAL

Project No.:

5754

Drawn By:

MAC

Checked By:

MAC

Scale:

AS SHOWN

Date:

8-25-2021

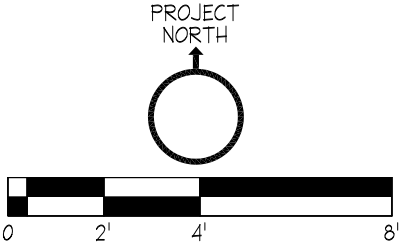
Sheet No.:

E2

[illegible]

NOTE:

THE ELECTRICAL SYSTEM ON THIS DRAWING HAS BEEN DRAFTED IN RED INK. USE A PRINTING SERVICE THAT WILL PRINT THIS DRAWING IN COLOR FOR OPTIMUM CLARITY.

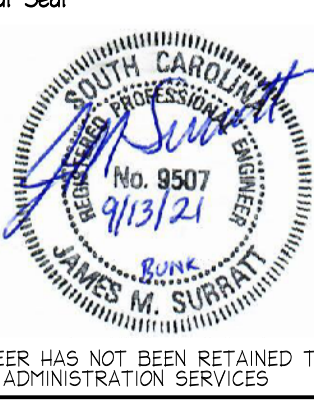


J. M. Surratt, PE

**233 Johnston Street
Rock Hill, SC 29730
Phone 1 - 803 - 322 - 7630**

NOTE: ALL QUESTIONS AND INQUIRIES ARE TO BE DIRECTED
TO MICHAEL CREEP, THE PROJECT COORDINATOR, AT
SPECTRUM ENTERPRISES, INC. OFFICE 803-328-1118, CELL
803-417-9760

Professional Seal



THE ENGINEER HAS NOT BEEN RETAINED TO PERFORM
CONTRACT ADMINISTRATION SERVICES

General Notes:

1. THESE DRAWINGS AND ELECTRICAL
INSTALLATIONS WERE PREPARED AND
INSTALLED PER THE 2017 NATIONAL
ELECTRICAL CODE AND THE AUTHORITY HAVING
JURISDICTION (AHJ).
2. MARKED EQUIPMENT LOCATIONS ARE FOR
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3. PENETRATIONS THROUGH WALL AND CEILING
ASSEMBLIES SHALL NOT ALTER FIRE, WATER,
MOISTURE AND AIR CODE RATINGS.
4. ALL MATERIALS SHALL BE NEW AND LISTED
WITH A U.S. AGENCY SUCH AS: "UL", "MET
LABS", "ETL", ETC. MARKS SHOWING "CE"
ONLY, WITHOUT AGENCY MARKS, ARE NOT
ACCEPTABLE.
5. PANELBOARD CIRCUITS SHALL BE
PERMANENTLY MARKED WITH NAME AND USE.
6. MARK A 36" CLEAR FLOOR SPACE IN FRONT
OF ALL PANELBOARDS WITH EITHER YELLOW
TAPE OR PAINT THE WIDTH OF THE
PANELBOARD.
7. UNLESS OTHERWISE MARKED, CONDUCTORS
SHALL BE COPPER, DUAL LISTED THW/THHN,
RATED 90°C, SIZED PER PANELBOARD
SCHEDULE. TYPE "NM" NON-METALLIC
SHEATHED CABLE SHALL NOT BE USED.
8. PER NEC 110.14(C)(6)(3), 60°C TABLE IS
USED FOR WIRING SIZES 100 and LESS. FIELD
USE OF 75°C WIRE TABLE MAY BE USED,
ONLY IF ALL EQUIPMENT IS MARKED AT LEAST
75°C USE.
9. ELECTRICAL CONTRACTOR SHALL VERIFY
OLD/NEW EQUIPMENT COMPATIBILITY, FURNISH,
INSTALL, AND GUARANTEE WORKMANSHIP FOR
ONE YEAR. CONTRACTOR SHALL PROVIDE
EQUIPMENT WARRANTY INFORMATION TO THE
OWNER AT THE CLOSE OF THE PROJECT.
10. CONTRACTOR SHALL CONTACT THE DESIGN
ENGINEER OF ERRORS OR OMISSIONS. THE
ENGINEER SHALL RENDER FINAL DECISIONS.
11. CONTRACTOR IS RESPONSIBLE AND SHALL
ENFORCE THEIR ELECTRICAL WORKER SAFETY
POLICIES ON SITE SUCH AS NEC 70E PPE,
LOCK OUT TAG OUT, AND SAFETY TAPE.
12. IF NOT PROVIDED BY MANUFACTURER,
FLASH PROTECTION WARNING LABELS SHALL BE
PLACED ON APPLICABLE EQUIPMENT FOR THIS
PROJECT PER ARTICLE 110.16.
13. IF APPLICABLE, PROVIDE A 20a DISCONNECT
SWITCH AT OVERHEAD DOOR MOTORS.
14. THE LIGHTING SYSTEM IS DESIGNED TO
PROVIDE AN EMERGENCY LIGHTING
ILLUMINATION LEVEL OF ONE (1) FOOT CANDLE
AT THE WALKING SURFACE FOR A MINIMUM OF
NINETY (90) MINUTES UPON A LIGHTING
SYSTEM POWER FAILURE.

No.	Description	Date
REVISIONS		

Project Title:

METROLINA
GREENHOUSES WORKER'S
BUNKHOUSE

2121 QUARRY ROAD
CLOVER, SC 29745

Sheet Title:

ELECTRICAL

Project No.:

5754

Drawn By: MAC	Checked By: MAC
Scale: AS SHOWN	Sheet No.: E3
Date: 9-9-2021	

LED LIGHT, SURFACE/SUSPENDED MOUNT, 120V, 50w, 0.43g, 5,000+ LUMENS, NEUTRAL WHITE, DIMMABLE, WITH ADJUSTABLE OCCUPANCY SENSOR OR MOTION DETECTOR

LED LIGHT, SURFACE/SUSPENDED MOUNT, 120V, 50w, 0.43g, 5,000+ LUMENS, NEUTRAL WHITE, DIMMABLE, WITH ADJUSTABLE OCCUPANCY SENSOR OR MOTION DETECTOR, HALF SHADE DENOTES BATTERY BACKED EMERGENCY LIGHT

LED LIGHT, WALL PACK, 120V, 20w MAX., 5,000 LUMENS, NEUTRAL WHITE

SINGLE POLE SWITCH, 120V, 20a, 48" A.F.F.

THREE-WAY SWITCH, 120V, 20a, 48" A.F.F.

EXIT SIGN, LED, RED OR GREEN LETTERS, EMERGENCY FLOODS, BATTERY BACKUP, INTERNALLY ILLUMINATED, REMOTE HEAD, 120V, 3.7w

EMERGENCY FLOOD, LED, BATTERY BACKUP, ADJUSTABLE HEADS, 120V, 1.8w

EF-3 (SEE MECHANICAL FOR SPECS.), 1/30hp, 115v, SWITCHED ON WITH LIGHTS

DUPLEX RECEPTACLE OUTLET, GFCI, 120V, 20a, 16" AFF

DUPLEX RECEPTACLE OUTLET, GFCI & AFCI, 120V, 20a, 44" AFF

DUPLEX RECEPTACLE OUTLET, GFCI & AFCI, 120V, 20a, 44" AFF

DUPLEX RECEPTACLE OUTLET, GFCI & AFCI, 120V, 20a, 78" AFF

DUPLEX RECEPTACLE OUTLET, GFCI, WP COVER, 120V, 20a, 16" AFF

SIMPLEX RECEPTACLE OUTLET, 240V, SEE PLAN FOR LOAD AMPS, 16" AFF

EQUIPMENT CIRCUIT (AS NOTED ON PLAN)

ELECTRICAL PANEL, FLUSH MOUNT (SEE RISER FOR DETAILS)

ELECTRICAL PANEL, SURFACE MOUNT (SEE RISER FOR DETAILS)

ELECTRIC METER BY UTILITY CO. (SEE RISER FOR DETAILS)

EMERGENCY EGRESS LIGHTING DESIGNED TO PROVIDE A MINIMUM OF 1 FOOT CANDLE AT THE WALKING SURFACE FOR A MINIMUM DURATION OF 90 MINUTES. ALTERNATE FIXTURES ARE ACCEPTABLE AS LONG AS DESIGN CRITERIA IS ADHERED TO. THE LIGHTING SYSTEM IS DESIGNED FOR LED LIGHTING ONLY. FLUORESCENT FIXTURES SHALL NOT BE SUBSTITUTED FOR THE LED FIXTURES.

2

LIGHT LEGEND

NO SCALE
1/4"

3

POWER LEGEND

NO SCALE
1/4"

Panel Load/Phase	X	Y	Z
Connected As Shown	19.0 KVA	18.4 KVA	17.1 KVA

Total Panel	55 KVA
Total Amps	152 Amps

Revisions	Rev 0	9/13/21
Revisions	Rev 0	9/13/21

1 KITCHEN/SLEEPING ELECTRICAL ENLARGEMENT
1/4"=1'-0"

NOTE:
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ISSUED FOR CODE REVIEW
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Metrolina Workers Bunkhouses												Fed From MDP	
Panel A													
208/120 3-Ph 4-W													
200A MLO													
10KA Breakers Min.						AFC = 6612 Amps							
Service	Wire Size*	KVA	Bkr Size			Bkr Size	KVA	Wire Size*	Service				
Stove (8Kw)	#8	1.9	2P-50	1	x	2	2P-50	1.9	#8	Stove (8Kw)			
"	"	1.9	"	3	y	4	"	1.9	"	"			
Stove (8Kw)	#8	1.9	2P-50	5	z	6	2P-50	1.9	#8	Stove (8Kw)			
"	"	1.9	"	7	x	"	"	1.9	"	"			
Stove (8Kw)	#8	1.9	2P-50	9	y	10	2P-50	1.9	#8	Stove (8Kw)			
"	"	1.9	"	11	z	12	"	1.9	"	"			
Stove (8Kw)	#8	1.9	2P-50	13	x	14	2P-50	1.9	#8	Stove (8Kw)			
"	"	1.9	"	15	y	16	"	1.9	"	"			
Refrigerator	#12	1.3	1P-20	17	z	18	1P-20	1.3	#12	Refrigerator			
Refrigerator	#12	1.3	1P-20	19	x	20	1P-20	1.3	#12	Refrigerator			
Refrigerator	#12	1.3	1P-20	21	y	22	1P-20	1.3	#12	Refrigerator			
Refrigerator	#12	1.3	1P-20	23	z	24	1P-20	1.3	#12	Refrigerator			
M.Wave	#12	1.2	1P-20	25	x	26	1P-20	1.2	#12	M.Wave			
M.Wave	#12	1.2	1P-20	27	y	28	1P-20	1.2	#12	M.Wave			
M.Wave	#12	1.2	1P-20	29	z	30	1P-20	1.2	#12	M.Wave			
M.Wave	#12	1.2	1P-20	31	x	32	1P-20	1.2	#12	M.Wave			
Lights	#12	0.8	1P-20	33	y	34	1P-20	1.1	#12	G.Purpose Receptacles			
Lights	#12	0.9	1P-20	35	z	36	1P-20	1.1	#12	G.Purpose Receptacles			
				37	x	38							
				39	y	40							
				41	z	42							

Lauren Speight

From: Jim Shiller <jshiller@metrolinagreenhouses.com>
Sent: Thursday, October 7, 2021 3:24 PM
To: Lauren Speight; Jack Simoneau
Cc: Art VanWingerden
Subject: RE: Huntersville H2A Revised Site Plan
Attachments: Tax Parcels Land Use.pdf

Follow Up Flag: Follow up
Flag Status: Completed

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

Lauren,

Let me know if the attached and below will work for your report.

Land Use – see attached. I provided the last assessment for the 3 parcels. As of the last assessment, they were in forest use. All of our parcels, outside of home sites, are in agricultural or forestry land use.

Garbage Collection – we will most likely have a dumpster on site, and it will get emptied on an as needed frequency.

State Certification Process – see below directly from my contact:

Please let them know that NCDOL does not approve housing plans and that, when we inspect, we are only inspecting to see that the housing meets the requirements of the Migrant Housing Act /Temporary labor camp standards, which are minimal and do not include life/safety codes. We expect all housing built by growers/agricultural employers to meet all applicable local and state building code requirements prior to our inspection. We will also want to see a copy of the certificate of occupancy before we issue a housing certificate.

Let me know if I am missing something you need or can provide something else on your list to support the bona fide farm status.

Thanks,

Jim

From: Lauren Speight <lspeight@huntersville.org>
Sent: Thursday, October 7, 2021 2:24 PM
To: Jim Shiller <jshiller@metrolinagreenhouses.com>; Jack Simoneau <jsimoneau@huntersville.org>
Cc: Art VanWingerden <arvanwingerden@metrolinagreenhouses.com>
Subject: RE: Huntersville H2A Revised Site Plan

**** CAUTION: RECEIVED FROM EXTERNAL SENDER ****

Good afternoon,

Thank you!

Below are the requirements from the state to demonstrate a property is a bona fide farm:

For purposes of determining whether a property is being used for bona fide farm purposes, any of the following is sufficient evidence that the property is being used for bona fide farm purposes:

- (1) A farm sales tax exemption certificate issued by the Department of Revenue.
- (2) A copy of the property tax listing showing that the property is eligible for participation in the present-use value program pursuant to G.S. 105-277.3.
- (3) A copy of the farm owner's or operator's Schedule F from the owner's or operator's most recent federal income tax return.
- (4) A forest management plan.

Regarding the H2A Housing, is there any prior certification process? As in, does Metrolina acquire any type of certification that it is a site for H2A housing before the inspection you referenced? Do you have to submit building plans to the NC Dept of Labor, Agricultural Safety and Health Bureau for their review and approval?

Lauren Speight, CZO
Planner II | Town of Huntersville
105 Gilead Road | Third Floor
P.O. Box 664 | Huntersville, North Carolina 28070
PH: 704-766-2254 | FX: 704-992-5528
Email: lspeight@huntersville.org
Web: www.huntersville.org



Pursuant to North Carolina General Statutes, Chapter 132, email correspondence to and from this address may be considered public record under the North Carolina Public Records Law and may be disclosed to third parties.

From: Jim Shiller <jshiller@metrolinagreenhouses.com>
Sent: Thursday, October 7, 2021 2:14 PM
To: Lauren Speight <lspeight@huntersville.org>; Jack Simoneau <jsimoneau@huntersville.org>
Cc: Art VanWingerden <arvanwingerden@metrolinagreenhouses.com>
Subject: RE: Huntersville H2A Revised Site Plan

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Lauren,

We will get back to you on your first question regarding trash and the bona fide farm question. I can give you land use for each but I am not sure that is what you are looking for.

For this question, we will be working with the NC Dept of Labor, Agricultural Safety and Health Bureau. I have been working with them the last year as we plan this project and I shared the checklist that they asked us to use in our constructions process. They would do a formal inspection 30 days before we intend to occupy the building and that would give us the final approval to move in. After that, they can do random inspections but the 30 day prior inspection is required before move in.

Thanks,
Jim

From: Lauren Speight <lspeight@huntersville.org>
Sent: Thursday, October 7, 2021 2:08 PM
To: Jim Shiller <jshiller@metrolinagreenhouses.com>; Jack Simoneau <jimoneau@huntersville.org>
Cc: Art VanWingerden <arvanwingerden@metrolinagreenhouses.com>
Subject: RE: Huntersville H2A Revised Site Plan

**** CAUTION: RECEIVED FROM EXTERNAL SENDER ****

Good afternoon,

Also, what agency certifies the buildings and housing have been constructed and are being maintained to meet H-2A program requirements (or similar federal program requirements)?

And, when do they certify this?

Lauren Speight, CZO
Planner II | Town of Huntersville
105 Gilead Road | Third Floor
P.O. Box 664 | Huntersville, North Carolina 28070
PH: 704-766-2254 | FX: 704-992-5528
Email: lspeight@huntersville.org
Web: www.huntersville.org



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From: Lauren Speight
Sent: Thursday, October 7, 2021 2:01 PM
To: Jim Shiller <jshiller@metrolinagreenhouses.com>; Jack Simoneau <jimoneau@huntersville.org>
Cc: Art VanWingerden <arvanwingerden@metrolinagreenhouses.com>
Subject: RE: Huntersville H2A Revised Site Plan

Good afternoon,

Thank you!

1. What is the plan for trash collection?
2. And, might someone have documentation from the state showing which parcels are included in the bona fide farm for Metrolina? (I know it is a farm. I am requesting it as documentation for the staff reports and evidentiary hearing.)

Lauren Speight, CZO
Planner II | Town of Huntersville
105 Gilead Road | Third Floor
P.O. Box 664 | Huntersville, North Carolina 28070
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Email: lspeight@huntersville.org

Web: www.huntersville.org



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From: Jim Shiller <jshiller@metrolinagreenhouses.com>

Sent: Tuesday, October 5, 2021 11:38 AM

To: Jack Simoneau <jimoneau@huntersville.org>; Lauren Speight <lspeight@huntersville.org>

Cc: Art VanWingerden <arvanwingerden@metrolinagreenhouses.com>

Subject: RE: Huntersville H2A Revised Site Plan

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Good morning Lauren and Jack,

I wanted to let you know we communicated with Mike as you requested below and made the additions to the site plan as he requested – and also sent him a copy via email. I have uploaded 4 new files to EPM:

- Updated Site Plan with the requested changes, including the stormwater catch location
- The H2A Housing Checklist
- The Building Plans and drawings
- The TIA impact application

After review, please let us know if there is anything we still need to provide to keep the project on the current timeline.

Thanks,

Jim

From: Art VanWingerden <arvanwingerden@metrolinagreenhouses.com>

Sent: Tuesday, October 5, 2021 6:33 AM

To: Jim Shiller <jshiller@metrolinagreenhouses.com>

Subject: FW: Huntersville H2A Revised Site Plan

From: Lauren Speight <lspeight@huntersville.org>

Sent: Monday, October 4, 2021 1:13:14 PM

To: Jack Simoneau <jimoneau@huntersville.org>; Art VanWingerden <arvanwingerden@metrolinagreenhouses.com>

Cc: Mike MacIntyre <mmacintyre@huntersville.org>

Subject: RE: Huntersville H2A Revised Site Plan

**** CAUTION: RECEIVED FROM EXTERNAL SENDER ****

Good afternoon,

I checked with Rusty Rozzelle and Randy Frazier:

- The site plan does not need to show the entire property area since the property is so expansive, though a small context map may be helpful.

- As we discussed during the meeting last week, please upload the elevations of the units with the resubmittal. And, please note the number of beds and proposed timeline for the project on the site plan.
- Please include the data you mentioned to demonstrate the site will meet the H2A Housing requirements in the resubmittal to EPM. This can be submitted as a separate document.
- Jack addressed the TIA requirement in the previous email.
- Randy confirmed, additional information regarding compliance with fire access is not required at this time.
- Rusty stated that he believes the agricultural exemption does not apply to habitable buildings and this plan must be treated like any other development in Huntersville. So, any plans that Mike needs such as grading plans, drainage plans, and any other calculations or engineered documents demonstrating compliance with water quality standards must be submitted as well. You will need to contact Mike (copied) to learn what plans/calculations he needs to review compliance with Town water quality standards.

Please let us know if you have any questions!

Lauren Speight, CZO
 Planner II | Town of Huntersville
 105 Gilead Road | Third Floor
 P.O. Box 664 | Huntersville, North Carolina 28070
 PH: 704-766-2254 | FX: 704-992-5528
 Email: lspeight@huntersville.org
 Web: www.huntersville.org



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From: Jack Simoneau <jsimoneau@huntersville.org>
Sent: Friday, October 1, 2021 2:45 PM
To: Art VanWingerden <arvanwingerden@metrolinagreenhouses.com>
Cc: Lauren Speight <lspeight@huntersville.org>
Subject: RE: Huntersville H2A Revised Site Plan

Art,

Sorry I missed the meeting. I thought it was 1:30 and Lauren advised me it was 1PM. We both had the meeting listed as virtual. I got back to the office at 1:10 and tried to log onto the virtual meeting. When the meeting with Lauren was over, Lauren came to my office to inform me the meeting was in person and not virtual.

I believe stormwater/water quality rules apply since we consider this non-farm development. Lauren is checking on that and will advise us what she finds-out.

As for a traffic impact analysis, please fill out the form found [here](#). That form will be used by Huntersville Engineering to official determine the use **will not** generate more than 100 peak trips per hour or 1,000 trips per day (triggers for requiring a TIA).

Again, sorry for my misunderstanding about the meeting.

Jack Simoneau

From: Art VanWingerden <arvanwingerden@metrolinagreenhouses.com>
Sent: Friday, October 1, 2021 10:31 AM
To: Jack Simoneau <jimoneau@huntersville.org>
Subject: FW: Huntersville H2A Revised Site Plan

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Updated drawing
I will have paper copies at 1

From: Jeff Myers <jeff@pyramidlandsurveying.com>
Sent: Friday, October 1, 2021 8:54 AM
To: Art VanWingerden <arvanwingerden@metrolinagreenhouses.com>
Cc: Thomas VanWingerden <tvawingerden@metrolinagreenhouses.com>; Jim Shiller <jshiller@metrolinagreenhouses.com>
Subject: Huntersville H2A Revised Site Plan

**** CAUTION: RECEIVED FROM EXTERNAL SENDER ****

Gentlemen,
I have addressed the comments made by the Town of Huntersville review.
Attached is the revised pdf for your review.
Please advise of any comments and/or changes you may want.

Thank You,
Jeff Myers
Pyramid Land Surveying
704-491-5685 cell

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Agricultural Safety and Health Bureau
 Division of Occupational Safety and Health
 1101 Mail Service center
 Raleigh, NC 27699-1101
 919-707-7820
 Fax: 919-807-2924
 www.labor.nc.gov

Migrant Housing Inspection Checklist

1. Inspector's name:	6. Inspection date:
2a. Grower's name/Telephone number:	7. Housing description:
2b. Grower's complete address:	8. County and housing site directions:
3. Crew leader:	9. Water supply/sewage disposal approved: ☐ Yes ☐ No
4. Crops grown:	10. Number of occupants approved for:
5. Type of inspection: ☐ Preoccupancy ☐ Occupied housing	11. Expected occupancy dates: Arrival: _____ Departure: _____

A. Site	Standard	In Compliance		Findings
		Yes	No	
1. adequately drained	.142(a)(1)			
2. site free from depressions and water nuisance	.142(a)(1)			
3. 200 feet from collections of inactive water	.142(a)(1)			
4. 500 feet from livestock feeding or quartering area	.142(a)(2)			
5. grounds and open areas maintained in sanitary condition	.142(a)(3)			
Heat—General Structure (May 15–September 1)				
1. adequate heating equipment if used during cold weather. Note: Any time the outside temperature falls below 50° F., heaters must be provided	95-225(e)			
2. heating equipment must be capable of heating the area to 65° F.	95-225(e)			
Lighting—General Structure				
1. one ceiling fixture and one wall outlet in rooms and service rooms	.142(g)			
2. 30 footcandles provided 30 inches from floor in living quarters and kitchen	.142(g)			
3. 20 footcandles provided for toilet and service rooms	.142(g)			
Water Supply—General Structure				
1. within 100 feet from shelter	.142(c)(3)			
2. water supply equal to 35 gallons per person per day	.142(c)(2)			
3. no common drinking cups	.142(c)(4)			
4. drinking fountains provided (ratio of 1 fountain to 100 occupants)	.142(c)(4)			
B. Shelter				
1. protects against elements	.142(b)(1)			
2. 7-foot ceiling minimum	.142(b)(2)			
3. floors made of wood, concrete, or asphalt	.142(b)(4)			
4. floors smooth, tight, and in good repair	.142(b)(4)			
5. wooden floors at least 1 foot above ground level	.142(b)(5)			
6. window area equal to 1/10 of floor space	.142(b)(7)			
7. one-half of windows will open for ventilation	.142(b)(7)			
8. windows unbroken	.142(b)(1)			
9. windows and door screened	.142(b)(8)			
10. screen door has self-closing device	.142(b)(8)			
11. 100 square feet per person for cooking, living, and sleeping	.142(b)(9)			

Grower:

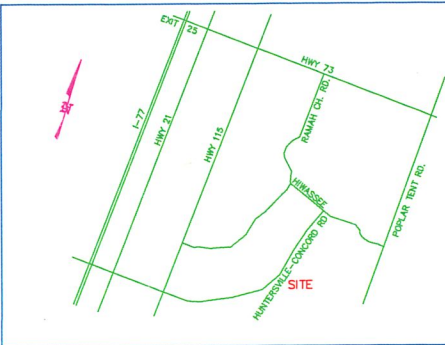
Site:

C. Sleeping Quarters	Standard	In Compliance		Findings
		Yes	No	
1. 50 square feet per person for sleeping only	.142(b)(2)			
2. beds, cots, and storage facilities provided for each occupant	.142(b)(3)			
3. beds, cots, or bunks 3 feet apart	.142(b)(3)			
4. beds, cots, or bunks 12 inches from floor	.142(b)(3)			
5. 36 inches space laterally and end-to-end between beds/cots	.142(b)(3)			
6. no triple bunks used	.142(b)(3)			
D. Toilet Facilities				
1. adequate for capacity of camp (see .142(d)(5))	.142(d)(1)			
2. one unit per 15 people	.142(d)(5)			
3. urinal trough provided at rate of 2 linear feet per 25 men	.142(d)(6)			
4. accessible without passing through sleeping quarters	.142(d)(2)			
5. properly ventilated or six-foot square window	.142(d)(2)			
6. outside openings screened	.142(d)(2)			
7. located within 200 feet from shelter	.142(d)(3)			
8. privies at least 100 feet from shelter	.142(d)(3)			
9. facilities provided for each sex with clear identification	.142(d)(4)			
10. facilities for each sex separated by solid walls or partitions extending from floor to ceiling	.142(d)(4)			
11. toilet rooms lighted	.142(d)(8)			
12. adequate supply of toilet paper	.142(d)(9)			
13. privies and toilet rooms kept in sanitary condition	.142(d)(10)			
14. toilet rooms and privies must be cleaned daily	.142(d)(10)			
F. Washing and Bathing Facilities				
1. hand washbasin per family or per 6 persons	.142(f)(1)(i)			
2. shower head per every 10 persons	.142(f)(1)(ii)			
3. laundry tub per every 30 persons	.142(f)(1)(iii)			
4. slop sink in each laundry building must be provided	.142(f)(1)(iv)			
5. floor drain in showers	.142(f)(2)			
6. shower floor impervious to moisture	.142(f)(2)			
7. walls and partitions of waterproof material up to splash line	.142(f)(2)			
8. adequate supply of hot and cold running water	.142(f)(3)			
9. facilities for heating water for bath and laundry	.142(f)(3)			
10. service building equipped with heating facilities to maintain a temperature of 70° F. during cold weather	.142(f)(4)			
11. facilities for drying clothes	.142(f)(5)			
12. service buildings clean	.142(f)(6)			
I. Kitchens				
1. food free from vermin, rodents, and flies	95-225(g)(1)			
2. food preparation areas maintained in a clean and sanitary manner	95-225(g)(2)			
3. food free from spoilage	95-225(g)			
4. sanitary facilities for storing and preparing food	95-225(g)(1)			
5. kitchen facility provided with operable stove with at least 1 burner per 5 persons, in no event less than 2 burners	95-225(g)(2)			
6. kitchen provided with an operable refrigerator with .75 cubic feet per person minimum	95-225(g)(2)			
7. kitchen provided with a table	95-225(g)(2)			
8. kitchen provided with a sink with hot and cold running water	95-225(g)(2)			
9. kitchen surfaces accessible for cleaning, free from open crevices, nontoxic, and resistant to corrosion	95-225(g)(3)			
10. no poisonous or toxic materials stored with food or in food preparation area	95-225(g)			

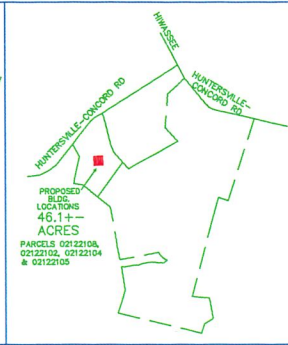
Grower:

Site:

I. Kitchens (continued)	Standard	In Compliance		Findings
		Yes	No	
11. if single-service eating and drinking utensils are used, they are maintained, stored, and handled in order to prevent contamination	95-225(g)			
12. pots and pans maintained in a clean and sanitary condition	95-225(g)			
13. cloths used in kitchen must be clean	95-225(g)			
14. proper storage area provided for kitchen utensils	95-225(g)			
15. food supplies safe for human consumption	95-225(g)			
16. potentially hazardous food maintained at safe temperatures—45° F. or below	95-225(g)			
17. frozen food treated properly in order to avoid contamination	95-225(g)			
18. canned food treated properly in order to avoid contamination	95-225(g)			
19. no live pets present in room or area in which food is prepared or served	95-225(g)			
20. food preparation person meets all sanitary requirements of position (clean garments and hands and no smoking)	95-225(g)			
21. no person with communicable diseases serving or preparing food	95-225(g)			
22. water and sewage approved by local sanitarian	.142(c)(1)			
23. equipment and utensils clean	95-225(g)(1)			
24. kitchen area clean	95-225(g)(2)			
H. Refuse Disposal				
1. fly- and rodent-tight containers available	.142(h)(1)			
2. located within 100 feet of shelter	.142(h)(1)			
3. placed on wooden, metal, or concrete stands	.142(h)(1)			
4. garbage containers kept clean	.142(h)(2)			
5. garbage containers emptied when full and no less than twice per week	.142(h)(3)			
J. Rodent Control				
1. effective rodent control measures in place	.142(j)			
K. First Aid Supplies				
1. first aid supplies available	.142(k)(1)			
2. person trained to administer first aid	.142(k)(2)			
L. Communicable Diseases				
1. communicable diseases reported to local health authorities	.142(1)(1)			
2. suspected food poisoning, fever, diarrhea, sore throat, vomiting, or jaundice reported to health authorities	.142(1)(2)			
General Duty Violations				
1. electrical wiring, fixtures, appliances, equipment	95-129(1)			
Fire Protection—General Structure				
1. rooms used for sleeping which open to outside and are 900 square feet or larger must have one smoke detector and one alarm device per 900 square feet or fraction thereof	95-225(f)			
2. rooms used for sleeping that open to a common corridor or hall must have smoke detectors and alarm devices located approximately 15 feet from the ends of the hall	95-225(f)			
3. smoke detectors and alarm devices properly maintained	95-225(f)			
4. one fire extinguisher present in each building used for sleeping, minimum rating 2a	95-225(f)			
5. one fire extinguisher present in each building used for cooking, minimum rating 5bc	95-225(f)			
6. all multistory buildings have a stairway	95-225(f)			
7. all multistory buildings have a permanently affixed exterior ladder or second stairway	95-225(f)			



VICINITY MAP
NO SCALE



BUILDING LOCATION INSET
NO SCALE

LEGEND:

- PROPERTY LINE
- TIE LINE
- UNSURVEYED LINE
- BACK OF CURB
- BUFFER
- POND
- FEMA EXISTING 100 YR FLOODPLAIN LINE
- FEMA FUTURE 100 YR FLOODPLAIN LINE
- COMMUNITY ENCROACHMENT LINE
- COMMUNITY ENCROACHMENT AREA
- SSMH
- CP
- PP
- CB

Any construction or use within the areas delineated by floodway fringe district boundary line and floodway district encroachment line is subject to the restrictions imposed by Floodway Regulations.

NOTES:

- SOME OF THIS PROPERTY IS LOCATED IN A DESIGNATED FLOOD ZONE PER FEMA MAP# 3710467100L, DATED 11/16/2018 & MAP# 3710466100K, DATED 11/16/2018.
- AREA DETERMINED BY COORDINATE COMPUTATION.
- CP DENOTES COMPUTED POINT, NO MONUMENT FOUND OR SET.
- UNDERGROUND UTILITIES NOT LOCATED AS OF THIS DATE.
- PROPERTY IS ZONED SP(CD), TR(CD) & R ON 3/30/16.
- MONUMENTS AT CORNERS AS SHOWN.
- THIS PROPERTY CONTAINS A WATER QUALITY FEATURE THAT MUST BE MAINTAINED IN ACCORDANCE WITH RECORDED MAINTENANCE COVENANT AS SPECIFIED IN SECTION 8.17.12(c) OF THE HUNTERVILLE ZONING ORDINANCE.
- THIS PROPERTY IS SUBJECT TO FEMA FLOODWAY REGULATIONS, COMMUNITY FLOODWAY REGULATIONS AND MECKLENBURG COUNTY WATER QUALITY BUFFERS. SEE MECKLENBURG COUNTY GIS FOR MORE INFORMATION.
- SANITARY SEWER EASEMENTS EXIST ALONG CLARKS CREEK. SEE DEED BOOKS 10476-859, 11265-279, 11265-284, 11530-584, & 21060-759.
- THIS PROPERTY SUBJECT TO ANY RIGHTS-OF-WAY & EASEMENTS OF RECORD.
- TOTAL ACREAGE OF PROPERTY - 444.516 ACRES.
- SEE DB 3674-645 FOR R/W ACQUISITION. THERE IS ADDITIONAL R/W AT CLARKS CREEK 100' IN WIDTH MEASURED 50' EACH SIDE OF CENTERLINE OF ROAD.
- NO PROPOSED SIGNS ON SITE.
- PROPOSED BUILDINGS WILL HAVE 104 BEDS EACH. (416 TOTAL)
- THE USE WILL NOT ENDANGER HEALTH AND SAFETY, DOES NOT SUBSTANTIALLY REDUCE THE VALUE OF NEARBY PROPERTY.
- THE USE DOES NOT CONSTITUTE A NUISANCE TO ADJOINING PROPERTIES WITH RESPECT TO NOISE, DUST, FUMES, ODOR, AND TRAFFIC.

PROPOSED IMPERVIOUS AREA:

CRUSHED ASPHALT DRIVEWAY & PARKING - 41,495 SF
GRAVEL SIDEWALK & BETWEEN BUILDINGS - 26,520 SF
BUILDINGS - 42,640 SF
TOTAL PROPOSED IMPERVIOUS AREA - 110,655 SF



Course	Bearing	Distance
L148	N 28°16'07" E	100.03
L147	N 38°00'56" E	100.00
L146	N 44°10'01" E	100.00
L145	N 45°39'21" E	123.00
L150	S 43°25'33" E	125.13

I, RUFUS JACKSON LOVE CERTIFY THAT THIS MAP WAS DRAWN FROM AN ACTUAL SURVEY UNDER MY DIRECT SUPERVISION, THAT THE RATIO OF PRECISION IS 1:10,000+ BEFORE ADJUSTMENTS, AND THAT THE ANGULAR ERROR WAS < 7.5 SECONDS PER TURN.

WITNESS MY HAND AND OFFICIAL SEAL THIS 5th DAY OF October, 2021.

Signed and Sealed by Surveyor on this date
N.C.P.L.S. L-2844
LICENSE NO. PROFESSIONAL LAND SURVEYOR



SITE PLAN
FOR
METROLINA GREENHOUSES, INC.
DEED BOOK 34058-974
16400 HUNTERVILLE-CONCORD ROAD
HUNTERVILLE TOWNSHIP, MECKLENBURG COUNTY
NORTH CAROLINA
JULY 12, 2021
REVISED: ADDED PARKING AREA, SHOWN COMMUNITY ENCROACHMENT AREA, 8/20/21
REVISED: CHANGED BILLING PLACEMENT, 8/20/21
REVISED: PER TOWN OF HUNTERVILLE REVIEW COMMENTS, 8/20/21
REVISED: PER TOWN OF HUNTERVILLE REVIEW COMMENTS, 10/20/21
REVISED: PER TOWN OF HUNTERVILLE REVIEW COMMENTS & ADDED DUMPSTER PAD, 10/14/21
REVISED: CHANGED INSET TO 4.51 ACRES & ADDED PARKING MANHOLES TO BE USED, 10/29/21
FILE IN: MEK-METRO-SITE-PLAN-15A-REV-8-30-21

100 0 100 200 300
GRAPHIC SCALE - FEET 1" = 100'

**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From: Janet Pierson

Date: December 6, 2021

Subject: Approval of Minutes

EXPLAIN REQUEST:

Consider approving the minutes of the November 15, 2021 Regular Town Board Meeting.

ACTION RECOMMENDED:

Approve Minutes

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. 111521DraftForBoard

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**November 15, 2021
6:00 p.m. – Huntersville Recreation Center**

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 Recreation Center, 11836 Verhoeff Drive, at 6:00 p.m. on November 15, 2021.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Stacy Phillips and Nick Walsh. Commissioners Brian Hines and Lance Munger were not present.

Mayor Aneralla called the meeting to order.

Mayor Aneralla called for a moment of silence.

Mayor Aneralla led the Pledge of Allegiance.

MAYOR AND COMMISSIONER REPORTS – STAFF QUESTIONS

Mayor Aneralla

- The Charlotte-Mecklenburg Historic Landmarks Commission unanimously voted last Monday to move forward with historic landmark designation of the Dellwood Center.
- Veterans Day Parade and celebration was a success.
- Recently had the honor of sitting as an interviewee for 19 perspective Congressional nominees to the service academies.
- Next meeting of the Metropolitan Transit Commission is November 17.
- Mayor Elect Bales and I met with the Charlotte-Mecklenburg Schools Superintendent and the principal of Hopewell High School to discuss ways the community can engage with the school. A Town Hall meeting will be held on November 17 at Lake Forest Church.

Commissioner Bales

- Encouraged Hopewell High families to participate in the meeting on November 17.
- The Lake Norman Chamber of Commerce and the Lake Norman Economic Development Corporation hosted the 5th Annual Speed Networking Event today for the three area high schools. More than 120 high school students participated.

- At the upcoming Lake Norman Chamber of Commerce Education Luncheon, Educator of the Year awards will be given for traditional public schools, public charter, and private schools in the area. The Inspire our Future award will be presented to an area business that has engaged with educators in making a difference in their lives.
- Tree lighting at Birkdale is November 20.
- Commended Huntersville Parks & Recreation and the American Legion for hosting a successful Veterans Day Parade and ceremony.

Commissioner Boone

- Provided update from the Lake Norman Chamber of Commerce.
- Huntersville Fire Department announced their 2021 fund drive.
- Boy Scout Troop 19 raised approximately \$1,000 for collecting campaign signs after the election.

Commissioner Phillips

- Provided update from Ada Jenkins Center.

Commissioner Walsh

- Provided update from the Huntersville Regional Chamber of Commerce.
- Next meeting of the Greenway, Trail and Bikeway Commission is November 16.
- Next meeting of the Parks & Recreation Commission is November 17.
- The ribbon cutting was recently held for the downtown greenway trailhead.

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

Mayor Aneralla introduced Trey and Wagner Ramsey who recently purchased the Bob Blythe Building.

Trey Ramsey reviewed their plans to open a craft brewery. The goal is to have permits in hand sometime in January and open for business by Labor Day of next year. The second phase of the project includes building a kitchen on the west side of the property.

Charlie Holt, 19725 Playrights Way, Cornelius, said I'm with Leigh Brown & Associates One Community Real Estate and we are ecstatic to be on board with Inflatable Joy. One Community Real Estate would like to ask our neighbors to consider donating an inflatable to Inflatable Joy.

Laura Czerwinski and son Marek, Inflatable Joy, provided update on Inflatable Joy. Marek has been featured on Spectrum News, WSOC-TV and in the local Lake Norman publication. So far, we have collected 53 holiday inflatables, over 20 sets of lights, and games, etc. for children to enjoy in their rooms at Levine Children's Hospital. The deadline to receive donations has been extended to about Thanksgiving.

BeeJay Caldwell, 14521 New Haven Drive, read letter into the record from Dorothy McGuire concerning historic designation of the Rosenwald School.

Letter and email from BeeJay Caldwell dated November 11, 2021, attached hereto as Exhibit No. 1.

Crystal Silvas, 13925 Beatties Ford Road. Tonja McDonald and Tim McDonald deferred their time to Ms. Silvas. My husband and I own a little tiny chicken farm on Beatties Ford and there have been some developments right across the street and I've prepared a presentation for you. *Refer to Exhibit No. 2.*

Last week I started a petition. We now have over 200 signatures, 175 of those are directly affected by this situation.

I understand that our Town Ordinance allows for outdoor neighborhood parks to be built without a special use permit. The issue with that is that this is not just a park, this is a stadium that has a very loud system and has lights that are completely outside of our Town Ordinance. No special use permits were given.

If you look at Page 2, you can see what our neighbors in Arrington are dealing with. You'll see a picture of the lights directly across the street. These photos were taken one minute apart, and you can see the vast difference between Richard Barry and CSD Athletic Complex. I got on POLARIS and got you the exact footage of where these pictures are taken.

I do not know a lot about footcandles, but I have a little bit of a guide for you. Fifty footcandles is where you are going to be able to read. Legally they are allowed to have 0.1 footcandles 10' into the closest adjacent property. Clearly, they are well past that. This is not something that is happening on Friday nights, this is every soccer practice, every lacrosse practice, this is usually five nights a week that our neighbors' yards are lit up.

I have reached out to Huntersville PD and Anthony about the noise. I apologize about this, but the last time, Officer Reynolds was told to f-off and that it is a \$50 citation, so they don't care.

I understand that this is a Davidson charter school that came in. Essentially every child from Huntersville that is going to this school is taking dollars away from CMS. I understand that they are doing a great job as far as building tennis courts for us, but they are touting that they built this completely by themselves and not accounting for the over \$300,000 that our town gave to them.

The road frontage in Davidson is pristine. The road frontage on Beatties Ford has had a silt fence up for 2 years. There is nowhere to walk our children to school. There is nowhere to safely walk them to Richard Barry Park. We have contacted them multiple times and they are unwilling to discuss it. Jay Martin, Athletic Director, told me to get off his property, at which point I bought a ticket to their game.

We are requesting that sidewalks be built immediately. I understand that we have a reimbursement contract with them, however they are already using their fieldhouse primarily as a school. They opened what is called a Ripple program. There are students in those classrooms every single week with plans to do two to three times a week as soon as it is possible. That is clearly within the guidelines of our reimbursement agreement which states as soon as they have a building whose primary use is a school with classrooms, that they are to build those sidewalks. I have action items for you, and it is basically a summary of all of this. I would like to point out that a project like this absolutely deserves a special use permit and public hearings. This has greatly affected our home values because anyone would agree if you were buying a farmhouse, there's a very large difference between the price you are going to pay for a farmhouse across the street from a farm with thousands of trees and what you are going to pay for a farmhouse across the street with noise and light nuisance regularly.

I have notes from the community members. I only highlighted some main ones. Obviously, there's not appropriate barriers for noise and light pollution near homes. CSD knew what needed to be done, but they are not holding up their end of the deal. I really don't enjoy having to listen to every event that takes place in my backyard. This was brought up a month ago and nothing has been done outside of one Board member coming and actually taking audio and seeing what we are experiencing. It's been for

me about a 2-1/2 year fight when I came home to find a silt fence and equipment in my yard after the Town of Huntersville and the NCDOT signed off on a quarter acre of my land being stolen. It took me 6 months to get that reversed and another 1-1/2 years to get compensated. The people who are in charge had to be looking at these projects before they said okay, I'm going to permit these lights, because they are not in the ordinance; before they say we are going to permit the sound system, because they are not within the ordinance.

Ed Cecil, off McCord Road. Kimberly Burton and Peter Jacobson deferred their time to Mr. Cecil. I thank the board members that are here from the Board of Adjustment. I am Chair of the Board of Adjustment and I am here representing the Board of Adjustment. The members of the Board of Adjustment are objecting to Consent Agenda 9.D or any attempt to transfer it to the regular agenda, the attempt by the Town Attorney and whomever else to improperly repeal the right and authority from the Board of Adjustment to adopt and amend its own rules which are granted to the Board of Adjustment and which has been held for decades.

You were sent an email on November 14 pointing out the objections in detail to which neither the Town Attorney nor the Town Board can with a swipe of a red pen and wave of a hand with no proper public process by way of the improper, surreptitious method of inserting into the Consent Agenda. The Board of Adjustment hereby requests that the said objection letter to the Town and Commissioners and the public comment request by me, to be placed in the public record and I will give it to the clerk. *Refer to Exhibit No. 3.*

In our review of the facts, we are of the belief that the Town Attorney or whomever else might have incorrectly interpreted Section 160D-308 of the NCGS, in believing that the Town can unilaterally take away and over the Rules of Procedure from the Board of Adjustment.

That section does not have to do with a Board of Adjustment that was established decades ago and given the right and the authority to adopt and amend its own Rules of Procedure. It is only as to new established boards. If there's an attempt to take away that right and authority, which the Board of Adjustment objects to, then only by way of public process, public hearing, discussion with total transparency and not by way of a Consent Agenda item or by transferring it to the agenda that eliminates all of that. As I recall, the Mayor Elect specifically stated that she wants citizens of Huntersville to participate and be involved.

Another concern we have is that it was mentioned by a commissioner that there appears to have been star chamber discussions to dissolve the Board of Adjustment entirely or transfer it to an advisory board that the Town controls. Not only would that remove the independence of the Board of Adjustment as mandated by the State of North Carolina, but it might also be a pre-text in an attempt to get rid of it. That is why I'm wearing a black suit in fear of the death and burial of the Board of Adjustment.

The present standing members of the Board of Adjustment are probably some of the best qualified people that have ever been on it. The Board is diverse. There's owners of businesses, vice president of a regional corporation, chief financial officer, teachers, a former chair of the 2040 Plan Steering Committee, prominent architect and three attorneys with over 120 years of experience with analytical experience, vast trial and appellant work experience. They have represented hundreds and actually up to thousands of major clients and corporations. All have taught law, have assisted in writing legislation for a governor of a state, one having been a judge pro tem and a member licensed to practice in the 9th, 6th, 4th United States Circuit Court of Appeals, as well as being a member and entitled to practice before the United States Supreme Court.

We have been informed and believe that you may be removing it from the Consent Agenda and wrongly placing it on the agenda. We are strongly requesting that you not only remove Item 9.D from the Consent Agenda, but that you do not place it on the agenda. To do so and any attempt to pass it would be illegal and void on its face. To pass this without a public hearing is unethical. It is also potentially illegal as it violates the spirit of a transparent government and the constitutional rights of due process and equal protection of the law.

If the Town wants to go down this road, the better approach would be to hold public hearings and solicit the input of the entire town. There's a larger concern for if these changes can be made by the Town as to the Board of Adjustment without transparency, what other changes are being made behind closed doors in the town without any transparency.

John Passarelli, 12503 Levins Hall Road, said I'm just here to augment what Mr. Cecil has said. I have practiced law for over 50 years. I've had cases before foreign governments. I've been a prosecutor for both the state and federal government. I think I know what I'm talking about, and I took a look at the law of this state and your ordinances with regard to the matter of the rules of the Board of Adjustment. According to the law in the state of North Carolina, if the Town Board does not adopt Rules of Procedure and the statute uses the word may, not shall adopt, may adopt rules, then the Board of Adjustment is entitled to adopt its own Rules. The wisdom of your predecessors established within your own ordinances a specific provision that indicates that if the Board of Adjustment is to hear any appeal or petition that comes before it, that it must do so under its own rules, not the rules of the Town. Consequently, if I were an attorney representing a client before the Board of Adjustment, I would allow the hearing to go ahead and immediately sue the city and the Board of Adjustment for violation of procedural due process. I've done this in the past in the state of Illinois and won. The situation is that any decision made by the Board of Adjustment based on rules passed by this Town or the Town Board, would be null and void, and they would be a denial of due process. The Board of Adjustment is the only one under your own law that is allowed to adopt Rules of Procedure and if you do it, then immediately you are going to essentially negate the ability of the Board of Adjustment to have any hearings whatsoever because they would not be done under its own rules as required by your law.

Rob Kidwell, 7219 Handon Lane, said you've heard a lot of points I was going to make, so I'll be brief. Under the same General Statute 160D-308 that you are reviewing tonight under the Consent Agenda, which I still don't know why it's on the Consent Agenda. When you get your preview packets, one of you should have said let's move this up. One of the six, there's only four here tonight, which is another reason this needs to be punted down the road until six Board members can make an informed decision. It says in the absence of action by the Governing Board, each board created under this article is authorized to adopt its own Rules of Procedure that are consistent with the revisions of this chapter. Since its inception nearly 30 years ago, the Governing Board has not been involved with adopting the rules of the Board of Adjustment. They've been their own entity. The Governing Body has been an absent parent for a child that has grown and created its own rules. It needs to stay that way. They're grown, they're doing well, they're doing what we've asked, let them continue to do that. Furthermore, the statute is not clear on whether a governing board can override existing rules of procedure when we provide ones for a new board. If this was a new board, if we were creating a new Board of Adjustment for the Town of Huntersville, we absolutely would have that power. But it does not state that in the statute. It does not say if you have an existing one you can override it, so it's very ambiguous. I would ask the Board with only four members present as I said earlier, to postpone it until six board members can hear this and also allow the public and the Board of Adjustment to weigh in on this. I think there needs to be a lot more communication before this is passed.

Kevin Bray, 9708 St. Barts Lane, said I'm also here to speak in support of the remarks by Mr. Ed Cecil and Mr. Passarelli and also Mr. Kidwell. I think the one point that I would like to make about this is I think for the operation of township and respect for the citizens of the township, I think it's essential that the Board of Adjustment have a position that's absolutely independent of the Town Board. I think that's an important role that the Board of Adjustment can play and that any perception of interference by the Town not be permitted. Even the impression of impropriety I think dilutes the power and the impact that the Board of Adjustment has on the community, and the community's expectations of the board as well and for that reason I think that the Board of Adjustment should have the power to make its own rules without interference from the Town and I think the only criterion we should be held to is that anything we do is in compliance with the laws of the state of North Carolina.

AGENDA CHANGES

Commissioner Bales moved Item 9.D (Adopt Rules of Procedure for the Huntersville Board of Adjustment Pursuant to NCGS 160D-308) off the Consent Agenda to Item 8.I under Other Business.

Commissioner Bales made a motion to adopt the agenda, as amended.

Commissioner Phillips seconded motion.

Motion carried unanimously.

PUBLIC HEARINGS

Abandon and Close Portion of Patterson Road. Mayor Aneralla called to order public hearing on request to abandon and close a portion of Patterson Road.

Lora Mastrofrancesco, Town Transportation Engineer, entered the Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 4.*

On October 4, 2021, the Town Board adopted the Intent to Abandon a Portion of Patterson Road. Since then the Town has followed NCGS 160A-299, which is titled Procedure for Permanently Closing Streets or Alleys.

The Town completed a project in 2019 to realign Patterson Road at the intersection of Hambright and also upgrade the intersection. This is a picture to show you the portion of the road that is no longer in use and has been petitioned to be abandoned. The total area to be abandoned for this roadway is 6,296 sq. ft. The staff has no objections to this abandonment, and I have not received any comments during this period of time.

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

OTHER BUSINESS

Abandon and Close a Portion of Patterson Road. Commissioner Walsh made a motion to adopt an Order Closing a Portion of Patterson Road.

Commissioner Boone seconded motion.

Motion carried 4 to 0.

Order attached hereto as Exhibit No. 5.

Petition #SUP21-03 – Metrolina Greenhouses Dormitory. Mayor Aneralla called to order evidentiary hearing on Petition #SUP21- 03, a request by Art Van Wingerden on behalf of Metrolina Greenhouses, Inc. for a Special Use Permit for a dormitory for Bona Fide Farm for 14846, 14568, and 14654 Huntersville-Concord Road (Tax parcel #s 02122102, 02122108, 02122105, and 02122104).

Mayor Aneralla said it's my understanding that the applicant would like to continue to December 6.

Commissioner Walsh made a motion to continue the evidentiary hearing for Petition #SUP21-03 until December 6, 2021 to be held at Town Hall.

Commissioner Bales seconded motion.

Commissioner Boone said I've got a question on the motion. Will the new board or old board hear this quasi-judicial.

Mayor Aneralla said it's the old board.

Commissioner Boone said that wasn't in the motion.

Commissioner Walsh amended his motion to include that the petition be heard by the old board.

Motion to continue Petition #SUP21-03 to December 6 carried by 4 to 0 vote.

Petition #SUP21-04 – Knotts Development Resources. Mayor Aneralla said as a reminder quasi-judicial hearings are evidentiary in nature. The Board must base quasi-judicial decisions upon competent, relevant, and substantial evidence in the record.

Competent evidence is evidence that is sufficiently trustworthy and reliable, and that is legally fit and acceptable for consideration by the Board. Speculative, irrelevant, or vague evidence, non-expert opinions as to something that requires an expert, and non-expected hearsay evidence will likely not be competent evidence.

Material evidence is evidence that shows that the standards will or will not be met.

Evidence is substantial if it is relevant and regarded by a reasonable person as sufficient to support a specific conclusion. Speculation, unsubstantiated fears of the community, or vague assertions do not constitute substantial evidence.

Quasi-judicial hearings are constrained by the standards in the ordinance and the facts presented.

Only parties with standing including the applicant, local government, and individuals who can show they will suffer special damages have the right to participate fully in the hearing. Parties may present evidence, call witnesses, and make legal arguments. Other individuals may speak as a witness; however,

they will not be allowed to participate fully as a party, such as by questioning other witnesses, or by calling other persons to testify.

Witnesses must swear or affirm their testimony. General witness testimony is limited to facts, not personal preference or opinions.

Certain topics require expert witnesses including projections about impacts on property values and traffic impacts. Individuals providing expert opinion testimony must be qualified as experts and provide the factual evidence upon which they base their expert opinion. Mere conclusory testimony lacking the foundation of the expert's opinion is insufficient to establish the existence or nonexistence of a fact or conclusion.

Even though the Board may rely on other evidence if it is not objected to, the Board should rely on competent, reliable evidence in making its decision.

Who is here for the Town and who is here for the applicant.

Nathan Farber, Planner I, said my name is Nathan Farber and I'll be representing the Town.

Mayor Aneralla said nobody is here for the applicant.

Mayor Aneralla swore in Nathan Farber.

Mayor Aneralla said the parties in this case have rights for any ex parte communication to be disclosed. Ex parte communication is any communication about the case outside of the hearing. That may include email, as well as conversations with parties, staff, or the general public. Does any Board member have any ex parte communications to disclose.

Seeing none, now you may proceed.

Mr. Farber said I would like to present my Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 6.*

Back in August 2018 the Town Board approved a SUP to allow a banquet facility off of Hambright and Beatties Ford Road. The property owner has decided they no longer want to develop the Saddlecreek banquet facility, and the property owner is now requesting to remove the 2018 Special Use Permit. Removing the 2018 Special Use Permit would allow the property to be developed in accordance with the underlying zoning district requirements. In this case they would have to follow the Rural zoning district and here's just an aerial overview of the property and that includes the small little triangular property at the corner. And the Planning Board decision. If you guys have any questions, I can answer them.

Commissioner Bales said if we remove the Special Use Permit, that does go back to Rural.

Mr. Farber said correct.

Mayor Aneralla said as a reminder the Board is tasked with deciding if, based on the evidence presented at the hearing before this Board, this proposal meets the applicable standards.

If the applicant meets their burden of producing competent, material and substantial evidence that the standards in the ordinance will be met, the burden shifts to the other parties opposing the application to show by competent material and substantial evidence that the standards in the ordinance will not be met. If conflicting evidence as to a standard is presented, the Board will weigh the evidence and determine which side's evidence is correct. As an example, the Board may determine that one side's evidence is more credible and more reliable.

If the applicant does not meet their burden of producing competent, material and substantial evidence that the standards in the ordinance will be met, the Board must deny the application.

The application as originally submitted was considered by the Planning Board and the Planning Board made a recommendation. Nothing that occurred at the Planning Board level, including the Planning Board's recommendation, is considered evidence that you can base your decision on. However, the Planning Board's recommendation may be useful to the Board in identifying issues that this Board may want to consider and evaluate based upon the evidence that was presented in the hearing.

Commissioner Walsh made a motion in considering the Special Use Permit #SUP21-04, Saddlebrook Event Venue, we the Town Board find that the request meets all required conditions and specifications, is reasonable and does not pose an injurious effect on adjoining properties and find that the character of the neighborhood or the health, safety and general welfare of the community will be minimized. The decision is supported by the following findings: (1) all legal notification requirements have been met; (2) removing the 2018 Special Use Permit would allow the property to be developed in accordance with the underlying zoning district (Rural) requirements; and (3) any future use must comply with all the lot, size, yard, and other standards, which the Zoning Ordinance applies to all uses, permitted in the Rural zoning district.

Commissioner Boone seconded motion.

Motion carried by 4 to 0 vote.

Mayor Aneralla said staff will draft and I will sign a final written decision to reflect the vote and reasoning for this decision. That written decision will be provided to the applicant and other parties with a right to such notice.

Petition #TA21-08. Petition #TA21-08 is a request by the Town of Huntersville Planning Department to amend Article 8.25.4: S.W.I.M Stream Buffers, Buffer Delineation; Articles 8.17.12(a)(2) and 8.17.12(b)(1): Water Quality, Performance Criteria, Performance Criteria for Low Density Projects, Performance Criteria for High Density Projects; and Article 12.2.3: Definitions, Watershed Definitions of the Huntersville Zoning Ordinance.

Lauren Speight, Planner II, entered the Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No 7.*

The SWIM buffer delineation text amendment is proposed to clarify which and how buffers must be shown on land development plans for review and approval by the Town. Currently, if someone is submitting, someone being a developer, a land development plan, Article 8.25.9(a) requires that buffer boundaries, including all buffer zones, be clearly delineated on all site-specific plans for approval on construction plans, grading and clearing plans, erosion and sedimentation control plans and site plans. The proposed ordinance would clarify that the delineation be by a certified professional using US Army

Corps of Engineers and/or North Carolina Division of Water Quality methodology and that for projects that do not require a land development permit, such as an individual property owner who wants to put a deck in their backyard and they happen to have SWIM buffer, they would not have to have the delineation by a certified professional. This proposed text amendment has been sent through the County Storm Water Administrator who has, I won't say approved, but supported the language of the text amendment. The Planning Board made a motion to approve the text amendment as well.

Commissioner Walsh made a motion in considering the proposed Amendment #TA21-08, to amend Article 8.25.4: SWIM Stream Buffers, Buffer Delineation; Articles 8.17.12(a)(2) and 8.17.12(b)(1): Water Quality, Performance Criteria, Performance Criteria for Low Density Projects, Performance Criteria for High Density Projects; and Article 12.2.3: Definitions, Watershed Definitions of the Huntersville Zoning Ordinance, to clarify which and how buffers must be shown on land development plans submitted for review and approval by the Town of Huntersville, the Town Board approves based on the amendment being consistent with Policies EOS-1 and EOS-5, of the Huntersville 2040 Community Plan. It is reasonable and in the public interest, to amend the Zoning Ordinance, because it clarifies which and how buffers must be shown on land development plans submitted for review and approval, by the Town of Huntersville and helps to prevent unintended disturbance of SWIM Buffers, throughout the Town of Huntersville.

Commissioner Bales seconded motion.

Motion carried by 4 to 0 vote.

Contract – Commercial Fitness Equipment for HFFA. Commissioner Boone made a motion to continue to our meeting on December 6 with the current Board.

Commissioner Bales seconded motion.

Motion carried by 4 to 0 vote.

Budget Amendment – Fitness Equipment for HFFA. Commissioner Boone made a motion to continue to our meeting on December 6 with the current Board.

Commissioner Phillips seconded motion.

Motion carried by 4 to 0 vote.

Resolution – General Fund Loan to HFFA. Commissioner Boone made a motion to continue to our meeting on December 6 with the current Board.

Commissioner Phillips seconded motion.

Motion carried by 4 to 0 vote.

Planning Board Appointments. Consider appointments to the Planning Board to fill the vacancies of Derek Partee (seat vacant as of November 9, 2021, appointed as Town Commissioner) and Catherine Graffy (vacant as of November 17, moving).

Commissioner Walsh nominated Jodi Wright and Trina Loomis.

Commissioner Phillips nominated Jodi Wright and Trina Loomis.
Commissioner Boone nominated Steve Genenbacher and Scott Harrington.
Commissioner Bales nominated Jodi Wright and Trina Loomis.

Commissioner Bales made a motion to appoint Jodi Wright and Trina Loomis to the Planning Board.

Commissioner Phillips seconded motion.

Motion carried 3 to 1, with Commissioner Boone opposed.

Rules of Procedure – Board of Adjustment. Emily Sloop, Town Attorney, said as you all may recall the Board of Adjustment previously adopted edits to their Rules of Procedure. Recently, the Chair submitted additional proposed edits and those edits have been encompassed in the proposed edits for tonight's agenda with the addition of a few other grammatical edits.

Commissioner Walsh said is the Town of Huntersville required to have a Board of Adjustment.

Ms. Sloop said no. The North Carolina General Statutes do mandate that certain types of decisions be made using quasi-judicial procedures, however the statutes allow that those decisions can be made by the Town Board, Planning Board or Board of Adjustment. There are several jurisdictions in North Carolina that do not have separate Boards of Adjustment.

Commissioner Walsh said the Planning Board or the Town Board could perform those functions, if necessary.

Ms. Sloop said that's correct. NCGS 160D-302 specifically makes the appointment of a Board of Adjustment optional.

Commissioner Walsh said is it within the authority of the Town Board to extend, limit, terminate or in other ways change those who serve on the boards, commissions, and committees that the Town is responsible for.

Ms. Sloop said yes, the statutes allow the Town to establish and appoint members to the various boards including the Planning Board, Board of Adjustment, and other advisory boards. The Town Board may also remove members appointed to its various boards as established by both common law and also by case law. The UNC School of Government has several publications on that topic. Aside from its statutory authority to appoint and remove members, the Town Board also adopted a resolution in 2018 that specifically set term limits, service limits, etc. and directed Town staff to carry out those changes in the various boards' Rules of Procedure, bylaws, etc., as well as make any necessary updates to the Town Ordinances to align with what was set forth in the resolution.

Commissioner Walsh said just to be clear, the Town Board may extend, limit terms and in other ways change those who serve on these various boards, including the Board of Adjustment.

Ms. Sloop said that's correct and the specific statute reference for Board of Adjustment is 160D-302. You do have to appoint them within the confines of that statute, meaning that is if you choose to establish a Board of Adjustment, you have to have at least five members and there has to be 3-year term limits. However, as I mentioned, the Town previously passed a resolution that set limitations on

the ability to serve as far as the number of terms. You do have the authority to change, remove, add to, appoint, that's specific in the statutes.

Commissioner Walsh said in the last year or so have we changed any rules or bylaws for any other boards, commissions or committees.....Public Art, Greenway, Trail & Bikeway, Parks & Rec, etc.

Ms. Sloop said almost every single board or committee has undergone revisions. In February 2021, we edited the Town Board Code of Ethics and also established one for the other Town boards. We edited the Town Board Rules of Procedure in April 2021. The Parks & Rec Commission, Public Art Commission, Greenway, Trail and Bikeway Commission were also updated in May 2021 and in August 2021 we established bylaws for the 150th anniversary committee. The HOAB bylaws were updated in September 2021. The Planning Board also had edits proposed to their Rules of Procedure which they approved in September 2021. I would note that the statutes do not require a public hearing to amend any of these rules and in fact none of them had a public hearing, as it's not legally required.

Commissioner Walsh said so over the last two years we've been making these adjustments. What was the reason behind that.

Ms. Sloop said the Town Board did pass a resolution in 2018 which specifically directed Town Staff to update the bylaws, rules of procedure etc. for the various boards to align them with what was set forth in the resolution with regards to term limits, service limits, etc. We also needed to go through and make any necessary changes to account for legislative changes, specifically 160D-109, with regards to conflict of interest rules, and also some of them were requested specifically by that board.

Commissioner Walsh said in any case, when we changed for those various groups, did we ever put it on the consent agenda.

Ms. Sloop said yes, we did. Some were on the Consent Agenda, some were not on the Consent Agenda, some were moved from the Consent Agenda.

Commissioner Walsh said is the Board of Adjustment an independent entity from the Town of Huntersville.

Ms. Sloop said the Board of Adjustment serves as an arm of the Town in that it is a decision-making body for the Town with duties assigned to it by the Town. Town Planning Staff are responsible for providing staff reports to the Board of Adjustment on individual applications coming before it, such as requests for variances. Town legal staff are responsible for ensuring that the Board of Adjustment follows all statutorily mandated procedural processes and requirements in carrying out its assigned duties. However, that being said, the Board of Adjustment independently decides when to approve or disapprove applications and appeals coming before it without influence from the Town Board or Town staff.

Commissioner Walsh said an example of the Board of Adjustment making a variance request, does the Town Board have any authority to overrule it.

Ms. Sloop said no, it does not. The board makes its own decision to approve or disapprove variances independently from the Town Board. They do have to apply the four statutorily mandated variance requirements that are set forth in 160D-705(d).

Commissioner Walsh said the Board of Adjustment is not an independent entity from the Town, but their rulings are

Ms. Sloop said that's correct.

Commissioner Walsh said who can override a Board of Adjustment decision.

Ms. Sloop said quasi-judicial decisions made by the Board of Adjustment can be appealed to Mecklenburg County Superior Court pursuant to 160D-1405.

Commissioner Walsh said is there any provision in state law that gives the Board of Adjustment the authority to independently write their Rules of Procedure without any oversight from the Town Board.

Ms. Sloop said 160D-308 specifically provides the Town Board with authority to adopt Rules of Procedure for not only the Board of Adjustment, but all boards that it creates pursuant to Article 3 Chapter 160D. In the absence of action by the Town Board, the Board of Adjustment could adopt its own rules as long as they are consistent with Chapter 160D and other applicable laws. The adoption is typically done and coordinated in jurisdiction with the Legal Department, however once the Town Board takes action, that forecloses the ability for them to adopt their own rules.

Commissioner Walsh said in your legal opinion, does the Town Board have the right to approve the rules included for the Board of Adjustment included in our agenda packet this evening.

Ms. Sloop said yes, pursuant to 160D-308, and as confirmed by the subject matter experts at the UNC School of Government.

Commissioner Boone said I would like to know if you could re-read your opening comment about where the suggestions came from.

Ms. Sloop said those were specifically, well with the addition of a few grammar changes, they came from the chairman of the Board of Adjustment.

Commissioner Boone said is there any local towns that has the Board of Adjustment and the Planning Board under one hat.

Ms. Sloop said we did some research to see and many jurisdictions have their Planning Board set as both the Planning Board and the Board of Adjustment including Cornelius, Graham, Asheboro, Pinehurst, Tryon, Davie County, Caldwell, etc.

Commissioner Walsh made a motion to adopt the Rules of Procedure for the Huntersville Board of Adjustment pursuant to NCGS 160D-308.

Commissioner Boone seconded motion.

Motion carried by 4 to 0 vote.

Rules of Procedure attached hereto as Exhibit No. 8.

CONSENT AGENDA

Approval of Minutes. Commissioner Phillips made a motion to approve the minutes of the November 1, 2021 Regular Town Board Meeting. Commissioner Walsh seconded motion. Motion carried unanimously.

Call for Public Hearing – Close Portion of Birkdale Commons Parkway. Commissioner Phillips made a motion to adopt Resolution declaring intent to abandon and close a portion of Birkdale Commons Parkway and call a public hearing for December 20, 2021 at 6:00 p.m. at Huntersville Town Hall, 101 Huntersville-Concord Road, on the question of closing a portion of Birkdale Commons Parkway. Commissioner Walsh seconded motion. Motion carried by 4 to 0 vote.

Resolution attached hereto as Exhibit No. 9.

Call for Public Hearing – Petition #ANNEX21-03. Commissioner Phillips made a motion to adopt Resolution to call a public hearing for Monday, December 6, 2021 at 6:00 p.m. at Huntersville Town Hall, on Petition #ANNEX21-03, a request by Bowman Development Group, Inc. and SDH Charlotte, LLC to annex 6.897 contiguous acres (Holbrooks Rd Properties) into the Town of Huntersville. Commissioner Walsh seconded motion. Motion carried by 4 to 0 vote.

Resolution attached hereto as Exhibit No. 10.

Updated Meeting Schedule. Commissioner Phillips made a motion to adopt Updated 2021 Town Board Regular Meeting Schedule changing the location of the December 6, 2021 and December 20, 2021 meetings to Huntersville Town Hall, 101 Huntersville-Concord Road. Commissioner Walsh seconded motion. Motion carried by 4 to 0 vote.

Updated Schedule attached hereto as Exhibit No. 11.

CLOSING COMMENTS

Mayor Aneralla said this is my last time to sign-off and I want to thank everybody for six great years and wish the new board luck and thank everybody else for serving over the last two years. I think Huntersville is one of the best places to live. It's moving in the right direction, and I feel confident that the new board, along with the new mayor, will keep everything moving in the right direction. I'm looking forward to the progress that continues to be made here. Happy Thanksgiving.

There being no further business, the meeting was adjourned.

Approved this the ____ day of _____.

**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From: Don Mitchell

Date: December 6, 2021

Subject: Award Transformer Bid

EXPLAIN REQUEST:

A formal bid was received on October 21, 2021 for 100/12.47 KV, 30/40/50 MVA substation power transformers. One transformer will replace the existing transformer at the Town's delivery #3 substation. The second transformer will be used at the Town's proposed delivery #4 substation on Sam Furr Road. Virginia Transformer Corporation of Roanoke, Va. provided the lowest, responsive, responsible proposal at \$668,215.00 for the transformers. A bid recommendation and tabulation from Southeastern Consulting Engineers, Inc. is attached. Funds for the delivery #3 transformer will come from an insurance settlement with CNA insurance. Funds for the delivery #4 transformer are available in the FY 21/22 capital budget. Staff recommends approval of the purchase of the transformers from Virginia Transformer Corporation and that the Town Manager be authorized to execute contracts associated with the purchases.

ACTION RECOMMENDED:

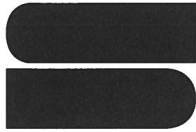
Award the bid for the purchase of two transformers from Virginia Transformer Corporation and authorize the Town Manager to execute contracts associated with the purchases.

FINANCIAL IMPLICATIONS:

Funds available from an insurance settlement and FY 21/22 budget.

ATTACHMENTS:

1. Huntersville Transformer Recommendation
2. Medium Voltage Power TX TAB



Southeastern Consulting Engineers, Inc.

November 4, 2021

Mr. Don Mitchell
Electric Systems Manager
ElectriCities of North Carolina
11316 Sam Furr Road
Huntersville, North Carolina 28078

Ref.: Huntersville Bid Award Recommendation
Power Transformers

Dear Don:

The Town of Huntersville received proposals in our office on October 21, 2021, from seven suppliers solicited to provide one or two power transformers to the Town of Huntersville. One transformer would replace the existing Commerce Substation transformer with one that better matches the Duke Energy transmission voltage. The second unit would be installed in the Town's proposed Delivery #4.

A tabulation of the bids received is attached.

The most attractive proposal for the Commerce transformer was submitted by Virginia Transformer Corporation (VTC) of Roanoke, Virginia in the amount of \$668,215.00, which includes delivery, crane offload, and field commissioning. VTC payment terms are 20% at drawing approval (approx. six weeks from order), 70% upon shipment (approx. 26 weeks from order), and 10% when commissioning completed (approx. two weeks from delivery). An order placed this month would allow for May commissioning, before the summer months when it will be difficult to unload the station. We would recommend the Town accept the VTC proposal in order to meet this delivery and avoid station stresses during peak summer loading.

The second transformer would be identical to the first except delivered in fall of 2022. the only challenge is that the site has not been obtained by the Town and we may not be ready for delivery to a finished station pad when transformer is complete. Often a transformer manufacturer will work with us and store for a time. If they will not store or delay delivery this time the Town would incur additional expense (estimated \$25,000) to receive transformer and then transport into place when site is ready. Although the cost of this added move is not preferred, transformer

prices have risen 25% in the past 18 months and one manufacturer quoted as much as 80 weeks delivery to furnish these transformers. Because we see no indication that the market will soon turn in buyer's favor, we would recommend the Town purchase this second transformer from VTC for \$668,215.00 and request delivery as late as possible, despite the risk that it may need to be moved one additional time.

Lastly, because of the current volatile market, Virginia Transformer has included some language in their proposal that ties their proposal prices to commodity indexes rather than providing a firm pricing. We have contacted the manufacturer about converting their proposal to a firm price and they seem receptive but could not commit as such until the Town indicates intention to place the order. Understanding Town purchase orders assume a firm price, we make our recommendations to approve contingent that agreeable firm pricing and terms are reached with VTC.

Please let us know if you have any questions and we stand ready to move forward preparing contracts for this purchase should the Town approve.

Very truly yours,

SOUTHEASTERN CONSULTING ENGINEERS, INC.

By _____
A.J. Molnar, P.E.
Vice President

AJM/lc

Attachment

BID TABULATION
Medium Voltage Power Transformer(s)

Town of Huntersville
Huntersville, North Carolina

Date: October 21, 2021
Time: 2:00 PM, EST

<u>Bidder</u>	<u>Virginia Transformer Corp. Roanoke, Virginia</u>	<u>WESCO/GE Prolec W. Columbia, SC</u>	<u>LS Electric/ Hyundai Torrence, CA</u>	<u>ABB/Hitachi Crystal Springs, MS</u>	<u>SPX Waukesha, WI</u>
One 30/40/50 MVA Medium Voltage Power Transformer (Delivered per manufacturer's next standard slot at time of order)	\$ <u>668,215.00</u>	\$ <u>691,800.00</u>	\$ <u>768,924.00</u>	\$ <u>785,535.00</u>	\$ <u>806,221.00</u>
Manufacturer	<u>VTC</u>	<u>GE Prolec</u>	<u>LS Electric</u>	<u>ABB</u>	<u>SPX</u>
Delivery	<u>24-26 Weeks</u>	<u>28-32 Weeks</u>	<u>30-35 Weeks</u>	<u>32-36 Weeks</u>	<u>76-80 Weeks</u>
Evaluated Cost	\$ <u><u>927,450.00</u></u>	\$ <u><u>925,135.00</u></u>	\$ <u><u>1,033,074.00</u></u>	\$ <u><u>1,010,265.00</u></u>	\$ <u><u>1,034,176.00</u></u>

Option 1:

One 30/40/50 MVA Medium Voltage Power Transformer (Identical to Base Bid but delivered to a new substation site in late 2022)	\$ <u>668,215.00</u>	\$ <u>691,800.00</u>	\$ <u>768,924.00</u>	\$ <u>785,535.00</u>	\$ <u>806,221.00</u>
Manufacturer	<u>VTC</u>	<u>GE Prolec</u>	<u>LS Electric</u>	<u>ABB</u>	<u>SPX</u>
Delivery	<u>28-30 Weeks</u>	<u>28-32 Weeks</u>	<u>30-35 Weeks</u>	<u>32-36 Weeks</u>	<u>76-80 Weeks</u>

Option2:

One 30/40/50 MVA Medium Voltage Power Transformer delivered late 2022 and with dual voltage (100kV/43.8kV) primary. Otherwise identical to base bid.	\$ <u>773,065.00</u>	\$ <u>782,800.00</u>	\$ <u>865,548.00</u>	\$ <u>No Quote</u>	\$ <u>946,836.00</u>
Manufacturer	<u>VTC</u>	<u>GE Prolec</u>	<u>LS Electric</u>		<u>SPX</u>
Delivery	<u>28-30 Weeks</u>	<u>28-32 Weeks</u>	<u>30-35 Weeks</u>		<u>76-80 Weeks</u>
Evaluated Cost	\$ <u><u>1,058,515.00</u></u>	\$ <u><u>1,069,855.00</u></u>	\$ <u><u>1,109,898.00</u></u>	\$ <u><u> </u></u>	\$ <u><u>1,192,361.00</u></u>

Bid Bond	<u>5%</u>	<u>5%</u>	<u>5%</u>	<u>5%</u>	<u>5%</u>
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BID TABULATION
Medium Voltage Power Transformer(s)

Town of Huntersville
Huntersville, North Carolina

Date: October 21, 2021
Time: 2:00 PM, EST

<u>Bidder</u>	<u>WEG</u> <u>Washington, MO</u>	<u>Howard</u> <u>Industries</u> <u>Laurel, MS</u>	_____	_____	_____
One 30/40/50 MVA Medium Voltage Power Transformer (Delivered per manufacturer's next standard slot at time of order)	\$ <u>854,787.00</u>	Could Not Find \$ <u>Price in Proposal</u>	\$ _____	\$ _____	\$ _____
Manufacturer	<u>WEG</u>	_____	_____	_____	_____
Delivery	<u>65-67 Weeks</u>	_____	_____	_____	_____
Evaluated Cost	\$ <u><u>1,081,422.00</u></u>	\$ <u>_____</u>	\$ <u>_____</u>	\$ <u>_____</u>	\$ <u>_____</u>
<u>Option 1:</u>					
One 30/40/50 MVA Medium Voltage Power Transformer (Identical to Base Bid but delivered to a new substation site in late 2022)	\$ <u>No Quote</u>	\$ _____	\$ _____	\$ _____	\$ _____
Manufacturer	_____	_____	_____	_____	_____
Delivery	_____	_____	_____	_____	_____
<u>Option2:</u>					
One 30/40/50 MVA Medium Voltage Power Transformer delivered late 2022 and with dual voltage (100kV/43.8kV) primary. Otherwise identical to base bid.	\$ <u>No Quote</u>	\$ _____	\$ _____	\$ _____	\$ _____
Manufacturer	_____	_____	_____	_____	_____
Delivery	_____	_____	_____	_____	_____
Evaluated Cost	\$ <u><u>_____</u></u>	\$ <u><u>_____</u></u>	\$ <u><u>_____</u></u>	\$ <u><u>_____</u></u>	\$ <u><u>_____</u></u>
Bid Bond	<u>5%</u>	_____	_____	_____	_____

**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From: Pattie McGinnis

Date: December 6, 2021

Subject: Approve budget amendment.

EXPLAIN REQUEST:

Related to the Electric Fund request to enter into a contract with Virginia Transformer Corporation, this purchase was not included in the original FY 2022 budget ordinance. This item would place funds in the budget to enter the contract and execute a purchase order for the transformers whose currently anticipated delivery date is May 2022 (near the end of the current fiscal year). Appropriate Electric fund balance (353890.9999) of \$1,336,430 for transformer #3 of \$668,215 in account 358100.0512.35074 and for transformer #4 of \$668,215 in account 358100.0512.35057.

ACTION RECOMMENDED:

Approve ordinance

FINANCIAL IMPLICATIONS:

This item would use Electric fund balance of \$1,336,430. There are likely salvage proceeds to be received from selling the previous transformer and potentially insurance proceeds that will assist in offsetting this cost, but those costs cannot be estimated until the time of salvage and are likely to occur in next fiscal year.

ATTACHMENTS:

None

**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From: Zach Brown

Date: December 6, 2021

Subject: Commercial Fitness Equipment Contract

EXPLAIN REQUEST:

HFFA solicited proposals for the replacement of 5+ year old fitness equipment, and received four proposals. All bidders provided sealed bids that were opened publicly. Two proposals were eliminated as unresponsive; one did not provide proposals for all pieces of fitness equipment; the other proposed used equipment (in conflict with the bid specifications which indicated new equipment should be proposed). After comparing the remaining proposals related to equipment, warranties and responses to the bid specifications, Heartline was determined to be the lower (\$313,743 vs \$320,098) of the two remaining proposals. Therefore, Town is proposing to purchase from Heartline Fitness Systems fitness equipment with the attached contract.

ACTION RECOMMENDED:

Approve contract

FINANCIAL IMPLICATIONS:

See additional items on this agenda: ultimately, no impact to fund balance over four-year repayment term. In FY 22 budget, net outflow of \$214,476 (Total purchase price, net of sales tax \$292,535, less first year payment of \$76,059).

ATTACHMENTS:

1. Commercial Fitness Equipment Quote
2. Contract - Commercial Fitness Equipment



HEARTLINE FITNESS

Heartline Fitness Systems
7520 Standish Place
Suite 250
Rockville MD 20855
United States

Quote #70828

08/11/2021

Bill To

Huntersville Family Fitness and Aquatics

Ship To

Huntersville Family Fitness and Aquatics

Contact Name - Phone Number - Email

Zach Brown - (704) 956-3231 - zbrown@huntersville.org

Terms

Net 30

Submitted By

482 Crystal Capone

Item	Qty	Description	Rate	Amount
CARDIO				
9-9271-10TRX-110-19-ATSC	4	10 SERIES FREERUNNER TREADMILL WITH 19" DISPLAY (5 year warranty included)	\$17,999.00	\$71,996.00
9-9291-8TRX-110-19-ATSC	10	8 SERIES TRX TREADMILL WITH 19" DISPLAY	\$12,999.00	\$129,990.00
100misc	10	Extended Manufacturers Warranty-5 years parts/1 year labor/1 year wear items for 8TR treadmills	\$899.00	\$8,990.00
9-6150-8RDE-2019-15-ATSC	6	8 SERIES REAR DRIVE ELLIPTICAL WITH 15" DISPLAY	\$10,999.00	\$65,994.00
9-6140-8CT-2019-15-ATSC	6	8 Series Cross Trainer W/15" ATSC EMBEDD	\$11,599.00	\$69,594.00
LF-ARC-TB-SE3HD	2	LIFE FITNESS TOTAL BODY ARC TRAINER WITH SE3HD CONSOLE	\$11,529.00	\$23,058.00
9-8140-8UB-2019-15-ATSC	2	8 SERIES UPRIGHT BIKE WITH 15" DISPLAY	\$8,599.00	\$17,198.00
9-8150-8RB-2019-15-ATSC	3	8 SERIES RECUMBENT BIKE WITH 15" DISPLAY	\$8,999.00	\$26,997.00
112250-001	2	Octane XRide-xR6000 w/ Swivel - Base	\$5,805.00	\$11,610.00
8019437	2	XRide - Smart Console	\$3,330.00	\$6,660.00
8023100	4	Octane-TV attachment	\$1,540.00	\$6,160.00
8019430	2	Octane LatX - Base	\$7,345.00	\$14,690.00
8019437	2	LatX - Smart Console	\$3,330.00	\$6,660.00
STRENGTH				
9-IPAA4	1	INSPIRATION ABDUCTOR / ADDUCTOR	\$5,999.00	\$5,999.00
9-IPAC3	1	INSPIRATION ABDOMINAL CRUNCH	\$5,999.00	\$5,999.00
9-IPBC3	1	INSPIRATION BICEPS CURL	\$5,999.00	\$5,999.00



70828

Item	Qty	Description	Rate	Amount
9-IPPD3	1	INSPIRATION LAT PULL DOWN	\$5,999.00	\$5,999.00
9-IPPF3	1	INSPIRATION PEC/DELT FLY	\$5,999.00	\$5,999.00
9-IPTE3	1	INSPIRATION TRICEPS EXTENSION	\$5,999.00	\$5,999.00
9-IPVP3	1	INSPIRATION CHEST PRESS	\$5,999.00	\$5,999.00
9-IPVR3	1	INSPIRATION VERTICAL ROW	\$5,999.00	\$5,999.00
9-IPLP3	1	INSPIRATION LEG PRESS	\$7,999.00	\$7,999.00
9-IPLE3	1	INSPIRATION LEG EXTENSION	\$5,999.00	\$5,999.00
9-IPLC3	1	INSPIRATION LEG CURL	\$5,999.00	\$5,999.00
9-IPSP3	1	INSPIRATION SHOULDER PRESS	\$5,999.00	\$5,999.00
9NA-S6334-13AGS	1	IMPACT CHIN / DIP ASSIST	\$5,599.00	\$5,599.00
9-HSFT3-19AAC	1	NAUTILUS FREEDOM TRAINER	\$6,199.00	\$6,199.00
9NP-M9605-13BZS	1	5 STATION WITH ADJUSTABLE PULLEY	\$14,999.00	\$14,999.00
9NP-D9302-19AAS	1	INSPIRATION DUAL ADJUSTABLE PULLEY	\$6,199.00	\$6,199.00
Note		Functional Strength		
9NP-L8507-13AAS	1	NAUTILUS FREEDOM RACK	\$5,599.00	\$5,599.00
9-HDHR2	4	NAUTILUS HALF RACK	\$4,999.00	\$19,996.00
9NP-L1131-13BZS	1	GLUTE DRIVE (PLATE LOADED)	\$3,599.00	\$3,599.00
9NP-B7506-13BZS	6	INSPIRATION MULTI ADJUSTABLE BENCH	\$1,599.00	\$9,594.00
9NP-B7507-13BZS	2	INSPIRATION FLAT BENCH	\$799.00	\$1,598.00
9NP-B7511-13BZS	1	INSPIRATION PULL UP / DIP / LEG RAISE	\$1,899.00	\$1,899.00
9NP-R8010-13AAS	2	INSPIRATION DOUBLE DUMBBELL RACK (10 PAIR)	\$1,499.00	\$2,998.00
826VDR8-SM	1	TKO 8 Pr. Vertical Dumbbell Rack	\$451.00	\$451.00
9NP-B7514-13BZS	1	INSPIRATION 45 DEGREE BACK EXTENSION BENCH	\$1,399.00	\$1,399.00
Note		Storage and Accessories		
9-XTR-6062-60	1	THROWDOWN XTR, BALL STORAGE RACK, 6FT	\$1,999.00	\$1,999.00
100misc	1	Torque X-Create 2-Module Wall	\$2,276.00	\$2,276.00
100misc	1	Torque X-Create Ball Target Wall	\$974.00	\$974.00
100misc	1	Torque X-Create 4ft Storage Module	\$1,962.00	\$1,962.00
DBSET5100	1	PROSTYLE RUBBER DUMBBELL WITH CUSTOM LOGO (5-100LB) \$2.38/lb MSRP (prior to bottom line discount)	\$5,512.50	\$5,512.50
812OB-86	4	TKO 7' 1000LB OLYMPIC BARBELL	\$260.00	\$1,040.00
Installation Services - HL	1	Delivery & Installation Services (Heartline will provide this service at no cost at a value of \$15,000)	\$0.00	\$0.00
005	1	Trade-In of Equipment	(\$15,000.00)	(\$15,000.00)
Note		**All cardio and strength include a monthly preventive maintenance, plus disinfectant at each trip for the first year. ** **All products will be sprayed with anti-microbial protection-Spec sheet provided in bid package**		



70828

Subtotal	\$612,477.50
Discount	(\$330,737.85)
Shipping Cost	\$10,795.07
Tax Total (7.25%)	\$21,208.79
Total	\$313,743.51

Email Approved quotes to your sales rep: crystal.capone@heartlinefitness.com

Standard Terms and Conditions:

Service labor is estimated and may vary depending on underlying issues, customer approval will be requested if additional service labor is required.

All unit prices are F.O.B. Destination.

These prices are subject to change after 30 days from the document date.

Post-installation entertainment (television) requirements will be handled as a billable service visit.

The above quotation is computed to be performed during regular business hours.

Clerical errors subject to correction.

All prices and agreements are contingent upon strikes, accidents, and other causes unavoidable or beyond our control.

Buyer agrees to promptly file a claim for all goods damaged in transit.

There will be a 20% restocking charge on all merchandise ordered but not accepted.

A preventative Maintenance Agreement is available for all equipment.

An equipment lease is available with approved credit.

We accept all major credit cards for payment, however, there is a nominal 3% processing fee for invoices over \$1000.00.

Hold and Storage: Should an install be delayed by the client more than 60 days from the initial install date, Heartline reserves the right to charge the client a storage fee until the install is completed. If the future estimated install date exceeds 90 days Heartline reserves the right to require an additional deposit of up to 75% of the order.

Proposals must be signed and emailed to your sales rep for processing: crystal.capone@heartlinefitness.com

Approval Signature:

Name: _____ Date: _____



70828

Heartline Fitness Site Survey (To be completed and returned with signed approval)

Heartline Fitness will contact customer 24 to 48 hours prior to delivery & installation. Please provide two contact names and numbers.

Primary contact name & number: _____ (____) _____

Secondary contact name & number: _____ (____) _____

Facility Name: _____

Complete ship to address: _____

City: _____ State: _____ Zip Code: _____

Is this location under construction? **Yes / No** If Yes: When is the construction scheduled for completion? _____

Can the location accommodate a 28' box truck? **Yes / No**

On what floor level will the equipment be installed? _____

Is there an elevator available for the delivery? **Yes / No** If Yes: Weight limit: _____ Door dimensions: _____

Will the equipment need to be carried through any stairs? (Please include both inside & outside stairs) **Yes / No**

What is the narrowest measurement of the stairs? _____

What is the narrowest width of the door the equipment must pass through? _____

Does the ceiling height meet or exceed the minimum required 94"? **Yes / No**

Please describe anything unusual about your facility that could affect delivery: _____

What are the best days/hours for delivery? Days: **M T W T F** Hours: _____

Deliveries can take up to several hours to complete depending on the amount of equipment and challenges of the facility.

All equipment is shipped directly from our manufacture's factory

Our warehouses specialize in delivery & installation of all commercial fitness equipment. You Should receive your shipment in approximately 7 - 10 business days from ship date.

Requirements:

110/120V Power supply (Dedicated circuit and NEMA 5-20R outlet receptacle required for treadmills)



Acknowledgement of power requirement

Initials: _____

Site Survey Completed by: _____



70828



105 Gilead Road, Suite 300
Huntersville, NC 28078
(704) 766-2220

CONTRACT FOR GOODS

SELLER: **Heartline Fitness Systems**
 7520 Standish Place, Suite 250
 Rockville, MD 20855
 Crystal Capone
 Crystal.capone@heartlinefitness.com

PROJECT: **Commercial Fitness Equipment**
SITE **Huntersville Family Fitness &**
LOCATION(S): **Aquatics**

This Contract for good, and all exhibits, (collectively this "Contract") is entered into this _____ day of _____, 20____ by and between the Town of Huntersville, a municipal corporation of the State of North Carolina, (the "Town") and Heartline Fitness Systems located at 7520 Standish Place, Suite 250 Rockville, MD 20855 (the "Seller").

WITNESSETH:

That for and in consideration of the mutual promises set forth in this Contract, the sufficiency of which is acknowledged by the parties hereto, the parties do mutually agree as follows:

1. Sale of Goods. Pursuant to the terms and conditions of this Contract, the Seller agrees to transfer ownership and deliver possession to the Town, and the Town shall pay for and accept from the Seller, the "Goods" as shown in Exhibit B, attached hereto.
2. Purchase Price. In consideration of the Goods, Town shall pay to Seller the Purchase Price as shown in the Exhibit C attached hereto.
3. Bid Documents. If applicable, Seller and Town acknowledge that this Contract for Goods is based on bid documents submitted by Seller to Town. The bid documents shall control any terms not stated herein.
4. Standard Terms and Conditions. The Standard Terms and Conditions, attached hereto as Exhibit A, shall be a part of this Contract. The Standard Terms and Conditions are hereby incorporated by reference, and all parties agree to be bound thereby.
5. Delivery. Seller shall deliver the Goods to Town within the date specified in the bid documents. If the Contract was not subject to bidding requirements, the Seller shall deliver the Goods to the location and by the date specified in Exhibit B.

In witness thereof, the contracting parties, by their authorized agents, affix their signatures and seals at Huntersville, North Carolina, this _____ day of _____, 20_____.

Seller

Town of Huntersville

Name:

Name of Seller (type or print)

Town Manager

By:

(Signature)

Attest: _____
Town Clerk

Title:

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

Attest:

(Secretary, if a corporation)

Finance Director

EXHIBIT A

STANDARD TERMS & CONDITIONS

1. **Acceptance.** Seller's acknowledgment of the terms of this Contract constitutes an agreement to: (i) all terms and conditions set forth or referenced herein, (ii) on any attachments hereto, (iii) any applicable solicitation documentation related to this Contract (including without limitation any request for proposals or invitation for bids or Seller's response thereto) that deal with the same subject matter as this Contract, and (iv) any other terms and conditions of a written agreement signed by Seller and the Town that deals with the same subject matter as this Contract (collectively, the "Contract Documents"). The terms and provisions set forth in the Contract Documents shall constitute the entire agreement between Seller and the Town with respect to the purchase by the Town of the: (i) goods ("Goods") and/or (ii) services provided or work performed ("Services") as described in the Contract Documents. The agreements set forth in the Contract Documents are sometimes referred to herein as the "Contract." In the event of any conflict between any terms and conditions of the Contract Documents, the terms and conditions most favorable to the Town shall control. No additional or supplemental provision or provisions in variance herewith that may appear in Seller's quotation, acknowledgment, invoice, or in any other communication from Seller to the Town shall be deemed accepted by or binding on the Town. The Town hereby expressly rejects all such provisions which supplement, modify, or otherwise vary from the terms of the Contract Documents, and such provisions are superseded by the terms and conditions stated in the Contract Documents, unless and until the Town's authorized representatives expressly assent, in writing, to such provisions. Stenographic and clerical errors and omissions by the Town are subject to correction.
2. **Entire Agreement.** These terms and conditions and any other specifications contained in any other documents referenced shall constitute and represent the complete and entire agreement between the Town and Seller and supersede all previous communications, either written or verbal with respect to the subject matter of this Contract.
3. **Changes, Additions, Deletions.** No changes, additions, deletions or substitutions of scope of goods, specifications, terms and conditions, quantity, unit of issue, delivery date, delivery charges or price will be permitted without the prior written approval from the Town.
4. **Relationship of the Parties.** The Seller is an independent Seller and not an employee of the Town. The conduct and control of the work will lie solely with the Seller. The Contract shall not be construed as establishing a joint venture, partnership or any principal-agent relationship for any purpose between the Seller and the Town. Employees of the Seller shall remain subject to the exclusive control and supervision of the Seller, which is solely responsible for their compensation.
5. **Prices.** If Seller's price or the regular market price of any of the Goods or Services covered hereunder is lower than the price stated in the Contract Documents on the date of shipment of such Goods or performance of such Services, Seller agrees to give the Town the benefit of such lower price on any such Goods or Services. In no event shall Seller's price be higher than the price last quoted or last charged to the Town unless otherwise agreed in writing. No charges for transportation, boxing, crating, etc. are allowable unless such charges are included in the Contract Documents.
6. **Taxes.** Any applicable taxes shall be invoiced as a separate item.
7. **Substitutions.** No substitutions or cancellations shall be permitted without prior written approval from the Town.

8. **Indemnification.** To the greatest extent allowed by the law the Firm shall indemnify and hold harmless the Town, its officers, agents, employees and assigns from and against all claims, losses, costs, damages, expenses, attorneys' fees ("Claims"). In the event that any portion of the Goods under the Contract shall be defective in any respect whatsoever, the Firm shall indemnify and save harmless the Town, its officers, agents, employees and assigns from all loss or the payment of all sums of money, but only to the extent allowed by law.
9. **Invoices and Payment Terms.** It is understood and agreed that orders will be shipped at the established Contract prices in effect on dates orders are placed. Invoicing that does not comply with this provision will subject the Contract to cancellation. Upon satisfactory delivery of the Goods or satisfactory completion of the Work, all invoices and statements shall reference the Contract number and be submitted to: Town of Huntersville, Accounts Payable, PO Box 664, Huntersville, North Carolina, 28070. Payment terms are Net 30 days after receipt of correct, undisputed invoice or acceptance of Goods or Services, whichever is later.
10. **Anti-Discrimination.** During the performance of the Contract, Seller shall comply with all federal and state requirements concerning fair employment and shall not discriminate against or deny the Contract's benefits to any person on the basis of race, religion, color, creed, national origin, age, sex (including sexual orientation, gender identity, and pregnancy), disability or handicapping condition, or genetic information.
11. **Ethics in Public Contracting.** By submitting their prices and acceptance of this Contract, all Sellers certify that their bids are made without collusion or fraud and that they have not offered or received any kickbacks or inducements from any other supplier, manufacturer, or subcontractor in connection with their offer, and that they have not conferred on any public employee having official responsibility for this procurement transaction any payment, loan, subscription, deposit of money, services or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value was exchanged.
12. **Applicable Laws and Courts.** All Town Contracts for Goods shall be governed in all respects by the laws of the State of North Carolina. All matters, whether sounding in contract or tort relating to the validity, construction, interpretation and enforcement of the Contract, shall be governed in all respects by the laws of the State of North Carolina and venue shall be proper only in a court of competent jurisdiction located in Mecklenburg County, North Carolina. The Seller represents and warrants that it shall comply with all applicable federal, state, and local laws, regulations, and orders, including, not limited to, licensure requirements.
13. **Codes and Permits.** When applicable, the Seller shall obtain the required permits, if required, give all notices, and comply with all laws, ordinances, codes, rules, and regulations bearing on the conduct of the work under this contract. If the Seller performs any work knowing it to be contrary to such laws, ordinances, codes, rules and regulations, and without such notice to the Town, he shall bear all cost arising there from.
14. **Strict Compliance.** The Town may at any time insist upon strict compliance with these terms and conditions notwithstanding any previous course of dealing or course of performance between the parties to the contrary.
15. **Assignment.** Seller may not assign, pledge, or in any manner encumber Seller's rights under this Contract or delegate the performance of any of its obligations hereunder, without Town's prior, express written consent.
16. **General Provisions.** The Town's remedies as set forth herein are not exclusive. Any delay or omission by the Town in exercising any right hereunder, or any waiver by the Town of any single breach or default hereunder, shall not be deemed to be a waiver of such right or of any other right, breach, or default.

17. **Warranties.** The Seller warrants it shall adhere to all laws, codes, ordinances, and regulations of the United States, the State of North Carolina, the County of Mecklenburg, and the Town of Huntersville for the Goods outlined in this Contract and any attached specifications. Seller warrants that any goods delivered hereunder shall also adhere to all laws, codes, ordinances, and regulations of the United States, the State of North Carolina, the County of Mecklenburg, and the Town of Huntersville. This warranty shall survive any inspection, delivery, acceptance or payment by the Town of the Goods and shall run to the Town and any user of the Goods. This express warranty is in addition to Seller's implied warranties of merchantability and fitness for a particular purpose which shall not be disclaimed. In addition to any other rights available at law or in equity, the Town shall be entitled to consequential and incidental damages.
18. **Quality and Workmanship.** All Goods delivered shall be performed to the satisfaction of the Town. The work shall not be considered complete nor applicable payments rendered until the Town is satisfied with the Goods provided.
19. **Default.** The Town may terminate the Contract, in whole or in part, immediately and without prior notice upon breach of the Contract by the Seller. In addition to any other remedies available to the Town in law or equity, the Town may procure upon such terms as the Town shall deem appropriate, Goods substantially similar to those so terminated, in which case the Seller shall be liable to the Town for any excess costs for such similar supplies or Goods and any expenses incurred in connection therewith.
20. **Termination for Convenience.** The Town shall have the right, without assigning any reason therefore, to terminate any work under the Contract, in whole or in part, at any time at its complete discretion by providing 10 days' notice in writing from the Town to Seller. If the Contract is terminated by the Town in accordance with this paragraph, the Seller will be paid in an amount which bears the same ratio to the total compensation as does the Goods actually delivered or performed to the total originally contemplated in the Contract. The Town will not be liable to the Seller for any costs for materials acquired or contracted for if such costs were incurred prior to the date of this Contract.
21. **Risk of Loss.** The Seller assumes responsibility for the Goods, and all risk of damage, loss, or delay of the Goods, until the Goods are delivered to or collected by the Buyer. Once the Goods have been delivered to or collected by the Buyer, the Buyer assumes all responsibility for and risk of damage to such Goods.
22. **No Third-Party Beneficiaries.** There shall be no intended nor incidental third-party beneficiaries of this Contract. Seller shall include in all contracts, subcontracts, or other agreements relating to the Contract an acknowledgment by the contracting parties that the Contract creates no third-party beneficiaries.
23. **Valid Contract for Goods.** In order for a Contract for Goods of the Town to be valid, it must be executed by the Town Manager or his or her authorized designee, and must be pre-audited in that manner required by the Local Government Budget and Fiscal Control Act, as the same may be amended.
24. **Verification of Work Authorization.** Seller shall comply with, and require all Sellers and subcontractors to comply with, the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes, "Verification of Work Authorization," sometimes known as E-verify for all Sellers and subcontractors.
25. **Iran Divestment List.** With the execution hereof, Seller, certifies that they are not on the Iran Final Divestment List created by the N.C. State Treasurer pursuant to N.C.G.S. § 147-86.58, and will not contract with anyone on such List in performance of the work hereunder.
26. **Buyer.** All references to Buyer or Town, throughout these terms and conditions, shall refer to the Town of Huntersville, North Carolina.

27. **Seller.** All references to Seller, Seller, or Firm throughout these terms and conditions shall refer to the Seller identified on page 1 of this Contract.
28. **Availability of Funds.** Any and all payments to the Seller are dependent upon and subject to the availability of funds to the Town for the purpose set forth in this agreement.
29. **Severability.** If any provision of this Contract is found to be invalid or unlawful, then remainder of this Contract shall not be affected thereby, and each remaining provision shall be valid and enforced to the fullest extent permitted by law.
30. **Companies that Boycott Israel.** With the execution hereof, Seller, certifies that they are not on the Companies that Boycott Israel List created by the N.C. State Treasurer pursuant to N.C.G.S. § 147-86.80, and will not contract with anyone on such List in performance of the work hereunder.

EXHIBIT B – GOODS

<u>Item</u>	<u>Qty</u>	<u>Description</u>
CARDIO		-----
9 - 9 2 7 1 - 1 0 T R X -	4	10 Series FreeRunner Treadmill W/19" ATSC EMBEDD (5 year warranty included)
FREERUNNER-110-19-ATSC		
9-9251-8TRX-110-19-ATSC	10	8 Series TRx Treadmill, W/19" ATSC EMBEDD
100misc	10	Extended Manufacturer's Warranty-5 years parts/1 year labor/1 year wear items for 8TR treadmills
9-6150-8RDE-2019-15-ATSC	6	8 Series Rear Drive Elliptical W/15" ATSC EMBEDD
9-6140-8CT-2019-15-ATSC	6	8 Series Cross Trainer W/15" ATSC EMBEDD
INATTSH-ALLXX	2	Life Fitness Total Body Arc Trainer with SE3HD Console
9-8120-8UB-2019-15-ATSC	3	8 Series Upright Bike W/15" ATSC EMBEDD
9-8130-8RB-2019-15-ATSC	3	8 Series Recumbent Bike W/15" ATSC EMBEDD
112250-001	2	Octane XRide-XR6000s with Swivel Base(Smart Console)
8019437	2	XRide-Smart Console
8023100	4	Octane –TV Attachement
8019430	2	Octane Latx - Base
8019437	2	Latx – Smart Console
STRENGTH		-----
9-IPAA4	1	INSPIRATION ABDUCTOR / ADDUCTOR
9-IPAC3	1	INSPIRATION ABDOMINAL CRUNCH
9-IPBC3	1	INSPIRATION BICEPS CURL
9-IPPD3	1	INSPIRATION LAT PULL DOWN
9-IPPF3	1	INSPIRATION PEC/DELT FLY
9-IPTE3	1	INSPIRATION TRICEPS EXTENSION
9-IPVP3	1	INSPIRATION CHEST PRESS
9-IPVR3	1	INSPIRATION VERTICAL ROW
9-IPLP3	1	INSPIRATION LEG PRESS
9-IPLE3	1	INSPIRATION LEG EXTENSION
9-IPLC3	1	INSPIRATION LEG CURL
9-IPSP3	1	INSPIRATION SHOULDER PRESS

9NA-S6334-13AGS	1	IMPACT CHIN / DIP ASSIST
9-HSFT3-19AAC	1	NAUTILUS FREEDOM TRAINER
9NP-M9605-13BZS	1	5 STATION WITH ADJUSTABLE PULLEY
9NP-D9302-13AAS	1	INSPIRATION DUAL ADJUSTABLE PULLEY
		Functional Strength
9NP-L8507-13AAS	1	NAUTILUS FREEDOM RACK
9-HDHR2	4	NAUTILUS HALF RACK
9NP-L1131-13BZS	1	GLUTE DRIVE (PLATE LOADED)
9NP-B7506-13BZS	6	INSPIRATION MULTI ADJUSTABLE BENCH
826VDR8-SM	1	TKO 8 Pr. Vertical Dumbbell Rack
9NP-B7507-13BZS	2	INSPIRATION FLAT BENCH
9NP-R8010-13AAS	2	INSPIRATION DOUBLE DUMBBELL RACK (10 PAIR)
9NP-B7514-13BZS	1	INSPIRATION 45 DEGREE BACK EXTENSION BENCH
9NP-B7511-13BZS	1	INSPIRATION PULL UP / DIP / LEG RAISE
Note		Storage and Accessories
9-XTR-6062-60	1	THROWDOWN XTR, BALL STORAGE RACK, 6FT
100misc	1	TORQUE X-CREATE 2-MODULE WALL
100misc	1	TORQUE X-CREATE BALL TARGET WALL
100misc	1	TORQUE X-CREATE 4FT STORAGE MODULE
DBSET5100	1	PROSTYLE RUBBER DUMBBELL WITH CUSTOM LOGO (5-100LB)
812OB-86	4	TKO 7' 1000LB OLYMPIC BARBELL

EXHIBIT C – FEE SCHEDULE

Delivery & Installation Services: \$0.00

Trade-In of Equipment (\$15,000.00)

Subtotal: \$612,477.50

Discount: (\$330,737.85)

Shipping: \$10,795.07

Tax Total (7.25%): \$21,208.79

Total: \$313,743.51

Company Name

Date

Print Name

Title

Signature

**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From: Jackie Huffman

Date: December 6, 2021

Subject: Budget Amendment - Fitness Equipment

EXPLAIN REQUEST:

Appropriate Fund Balance (103890.9999) in the amount of \$292,534.72 for fitness equipment at the HFFA facility (104200.0500). There are two related items on the agenda. The first one is the award of the contract which is a different amount because the contract includes sales tax which is not included in the Board Action. The second item is the resolution of the repayment terms from the Town's HFFA Enterprise fund.

ACTION RECOMMENDED:

Approve Budget Amendment

FINANCIAL IMPLICATIONS:

Decrease in Fund Balance of \$292,534.72.

ATTACHMENTS:

None

**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From: Jackie Huffman

Date: December 6, 2021

Subject: HFFA Loan from General Fund for fitness equipment

EXPLAIN REQUEST:

The HFFA enterprise fund budgeted to spend \$100,000 on lease of new equipment and \$50,000 capital expenditures. With this loan, the lease of equipment will cost \$76,059 in the first year, resulting in spending \$23,941 less than budgeted on the fitness equipment lease. This savings of \$23,941 will be added to the capital budget, resulting in additional investment of capital in FY 22 thereby keeping lease and capital expenditures at a total budget of \$150,000.

ACTION RECOMMENDED:

Approve resolution

FINANCIAL IMPLICATIONS:

See budget amendment; over four year term of loan, 1% interest earned. Net outflow in FY 2021 of \$216,476. Net inflow over 4 year term of \$7407 interest earned.

ATTACHMENTS:

1. R-2021-70 Resolution to Approve Loan to HFFA - revised



RESOLUTION APPROVING A LOAN TRANSFER FROM THE HUNTERSVILLE GENERAL FUND TO THE HUNTERSVILLE FAMILY FITNESS AND AQUATIC CENTER ENTERPRISE FUND

WHEREAS, the Huntersville Family Fitness and Aquatic Center (“HFFA”) Enterprise Fund desire to borrow \$292,534.72 for various recreational equipment and such borrowing is authorized by N.C.G.S. § 160A-353 and N.C.G.S. § 160A-356; and

WHEREAS, the Huntersville General Fund is willing to loan the HFFA Enterprise Fund \$292,534.72 of available funds that is not needed or committed currently by the Town; and

WHEREAS, the financial terms of such loan will be beneficial to both the General Fund and the HFFA Enterprise Fund; and

WHEREAS, the Huntersville Board of Commissioners (the “Board”) now wishes to formally approve the loan transfer from the Huntersville General Fund to the HFFA Enterprise fund.

NOW, THEREFORE, BE IT RESOLVED by the board of Commissioners of the Town of Huntersville that \$292,534.72 be loaned from the General Fund to the HFFA Enterprise Fund in accordance with the following terms and conditions:

Principal Sum:	\$292,534.72
Term:	4 years
Loan Commencement Date:	October 4, 2021
Interest:	1% per annum, compounded semi-annually
Repayment:	Equal annual payments beginning January 1, 2022 and continuing until paid in full or until January 1, 2026 at which time the loan shall be fully due and payable

Adopted this 15th day of November 15, 2021.

ATTEST:

Janet Pierson, Town Clerk

John Aneralla, Mayor

APPROVED AS TO FORM:

Emily Sloop, Town Attorney

**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From: John Aneralla

Date: December 6, 2021

Subject: Recognition of Commissioner Brian Hines

EXPLAIN REQUEST:

Presented in grateful appreciation for 4 years of dedicated and loyal service as a Commissioner for the Town of Huntersville from 2017 to 2021.

ACTION RECOMMENDED:

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

None

**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From: John Aneralla

Date: December 6, 2021

Subject: Recognition of Commissioner Nick Walsh

EXPLAIN REQUEST:

Presented in grateful appreciation for 4 years of dedicated and loyal service as a Commissioner for the Town of Huntersville from 2017 to 2021.

ACTION RECOMMENDED:

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

None

**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From: Melinda Bales

Date: December 6, 2021

Subject: Recognition of Mayor John Aneralla

EXPLAIN REQUEST:

Presented in grateful appreciation for 6 years of dedicated and loyal service as the Mayor for the Town of Huntersville from 2015 to 2021.

ACTION RECOMMENDED:

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

None

**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From:

Date: December 6, 2021

Subject: Oath of Office for Mayor and Commissioners

EXPLAIN REQUEST:

Superior Court Judge George Bell will administer the Oaths to:
Mayor Melinda Bales
and Commissioners:
Dan Boone
Rob Kidwell
Amber Kovacs
Lance Munger
Derek Partee
Stacy Phillips

ACTION RECOMMENDED:

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

None

**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From: Janet Pierson

Date: December 6, 2021

Subject: 2022 Meeting Schedule for the Huntersville Town Board

EXPLAIN REQUEST:

Consider adopting Meeting Schedule for the Huntersville Town Board.

ACTION RECOMMENDED:

Adopt 2022 Meeting Schedule for the Town Board

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. BofC Meeting Schedule 2022

Huntersville Board of Commissioners

2022 Town Board Regular Meeting Schedule

Meetings begin at 6:00 p.m. at Huntersville Town Hall located at 101 Huntersville-Concord Road, Huntersville, NC 28078 (unless otherwise posted) and livestreamed at <https://www.facebook.com/HuntersvilleNCTownGovernment>. Pre-meetings may occur as part of any regular meeting at the time and for the purposes specified on the regular meeting agenda. The time and purpose(s) of pre-meetings will be published on the agenda.

The Board of Commissioners reserve the right to hold virtual board meetings during declared States of Emergency as applicable in the Town of Huntersville. Notice of virtual meetings will be issued pursuant to N.C.G.S. § 166A-19.24.

When meetings are held virtually, the following procedures apply:

Meetings will be held both in person and virtually via livestream. The Board of Commissioners will participate remotely. The public is invited to attend and comment during public comment or during any of the public hearings: (1) in person or (2) by telephonic communication in accordance with instructions sent to persons who have registered with the Town Clerk no later than 3 p.m. the day of the meeting. The public may also submit comments by email to the Town Clerk. Emailed comments regarding public hearings may be submitted up to 24 hours prior to the scheduled time for the beginning of the public hearing. The Town Clerk may be reached by email at jpierson@huntersville.org or by phone at (704) 766-2202.

January 3, 2022	
January 18, 2022	Tuesday, due to Martin Luther King, Jr Day
February 7, 2022	
February 21, 2022	
March 7, 2022	
March 21, 2022	
April 4, 2022	
April 18, 2022	
May 2, 2022	
May 16, 2022	
June 6, 2022	
June 20, 2022	
July 5, 2022	Cancelled, due to Independence Day
July 18, 2022	
August 1, 2022	
August 15, 2022	
September 6, 2022	Tuesday, due to Labor Day
September 19, 2022	
October 3, 2022	
October 17, 2022	
November 7, 2022	
November 21, 2022	
December 5, 2022	
December 19, 2022	

**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From: Melinda Bales

Date: December 6, 2021

Subject: Appointments to Various Boards and Committees

EXPLAIN REQUEST:

Consider appointments to various boards and committees.

ACTION RECOMMENDED:

Consider appointments to various boards and committees.

FINANCIAL IMPLICATIONS:

n/a

ATTACHMENTS:

1. TownBoard-Committee Assignments 2021-2023

Huntersville Town Committee Assignments 2021-2023

Mayor Appointments	Representative	Alternate
Charlotte Regional Transportation Planning Org (CRPTO)	Rob Kidwell	Dan Boone
Metropolitan Transit Commission (MTC)	Melinda Bales	Stacy Phillips
Lake Norman Regional EDC	Melinda Bales	Stacy Phillips
North Meck Alliance	Melinda Bales	Amber Kovacs
Commerce Station	Melinda Bales	
Ada Jenkins	Stacy Phillips	Lance Munger
Commissioner Appointments		
Centralina Council of Governments (COG)	Stacy Phillips	Amber Kovacs
Lake Norman Chamber	Amber Kovacs	Dan Boone
Visit Lake Norman	Stacy Phillips	Derek Partee
NC 73 Council of Planning	Derek Partee	Rob Kidwell
NC Power Agency #1	Dan Boone	Jackie Huffman
Planning Coordinating Committee	Derek Partee	
Huntersville Ordinance Advisory Board	Lance Munger	Amber Kovacs
Other		
Huntersville Government Affairs	Melinda Bales, Stacy Phillips, Lance Munger	
Huntersville Police Liaison	Derek Partee	Dan Boone
Huntersville Fire Liaison	Dan Boone	Derek Partee
Veterans Liaison	Rob Kidwell	Stacy Phillips
Municipal Education Advisory Committee (MEAC)	Lance Munger	Derek Partee
Huntersville Chamber	Amber Kovacs	Dan Boone
TIA Sub-Committee	Dan Boone, Lance Munger, Rob Kidwell	
HFFA	Dan Boone and Rob Kidwell	
Age-Friendly Meck	Stacy Phillips, Dan Boone	
Communications Liaison	Melinda Bales	Rob Kidwell
Park & Rec	Rob Kidwell	Derek Partee
Greenways	Derek Partee	Amber Kovacs
Public Art Committee	Lance Munger	Amber Kovacs
Huntersville Historic Representative	Rob Kidwell	Derek Partee

**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From: Pattie McGinnis

Date: December 6, 2021

Subject: Presentation of FY 21 Financial Statements.

EXPLAIN REQUEST:

Martin Starnes has completed their annual audit of the Town's financial statements, and the report has been submitted to the Local Government Commission (LGC). We have received approval from the LGC and a copy will be presented at this meeting. A representative from Martin Starnes will be available to respond to specific questions about the audit. Staff will be available to discuss annual results during this meeting and in more detail during our upcoming budget process.

ACTION RECOMMENDED:

Hear the presentation and accept the FY21 Annual Comprehensive Financial Report.

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

None

**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From: Brad Priest, Principal Planner

Date: December 6, 2021

Subject: Petition #R21-10, North Chase at the Park

EXPLAIN REQUEST:

Petition #R21-10 is a conditional rezoning application by ADE 883, LLC to rezone 10401 Hambright Road (Parcel 01740103) from Corporate Business (CB) to Corporate Business Conditional District (CB-CD). The purpose of the rezoning is to reduce the planting requirements of the 40 foot CB buffer. The property is located east of the intersection of Patterson Road and Hambright Road.

ACTION RECOMMENDED:

Hold public hearing for Petition #21-10 on December 6th, 2021

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. R21-10 Northchase at the Park - PH 12 6 21
2. December 6 Continuance Request
3. SUB1_North_Chase_at_the_Park_Bldg_100_-_Rezoning Plan 1 - 9 7 21
4. SUB1_North_Chase_at_the_Park_Bldg_100_-_Building_Elevations_210601
5. Community Meeting Report
6. SUB1_North_Chase_at_the_Park_Bldg_100_-_TIA_Determination_Form_210601
7. SUB1_North_Chase_at_the_Park_Bldg_100_-_General_Application_210601
8. Sept 7 Legal Ad
9. R21-10 North Chase at the Park APO Labels

Petition R21-10: North Chase at the Park (Building 100)

PART 1: PROJECT SUMMARY

Application Summary:

- Petition R21-10 is a conditional rezoning application by ADE 883, LLC to rezone 10401 Hambright Road (tax ID 01740103) from Corporate Business (CB) to Corporate Business Conditional District (CB-CD). The purpose of the rezoning is to reduce the planting requirements of the 40 foot CB buffer. The property is located east of the intersection of Patterson Road and Hambright Road.

Applicant: ADE 883, LLC

Property Owners: Same as Applicant

Property Address: 10401 Hambright Road

Project Size: 15.4 acres

Parcel Numbers:

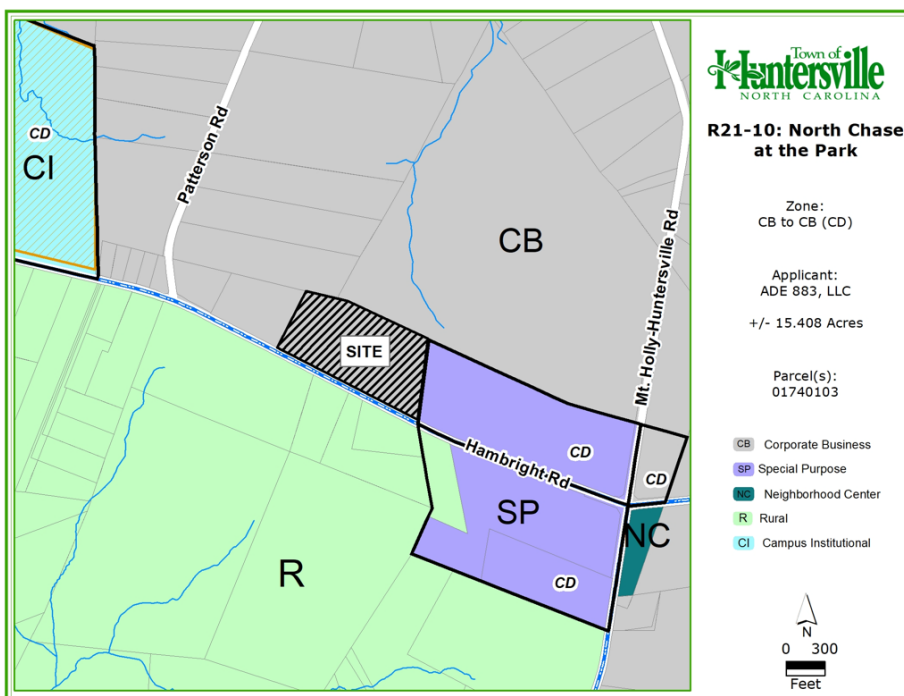
01740103

Existing Zoning:

Corporate Business (CB)

Proposed Zoning:

Corporate Business Conditional District (CB-CD)



1. Adjoining Zoning and Land Uses

North: Corporate Business (CB), Huntersville Business Park, CB vacant tracts.

South: Rural (R), Large tract single family homes, Horse Farm

East: Special Purpose Conditional District (SP-CD), Approved Huntersville Sports Village (potentially to be redeveloped into industrial), Kurz Corporate Office.

West: Corporate Business (CB), Single family large lot residential, Patterson Road industrial area.

- The application submitted is to develop a 203,000ft² warehouse and light industrial facility on Hambright Road. This is a one building one lot development therefore no subdivision is required.
- The purpose of the conditional district rezoning application is to seek modifications to the required buffers of Article 7.5.3 of the Zoning Ordinance. Article 7.5.3 requires buildings in the Corporate Business district to establish an 80 foot undisturbed buffer along the fronting public street if the buildings do not architecturally front the street. The applicants are requesting the Town Board modify the planting requirements of the 80 foot buffer. Please see Part 2 below for more information on the buffer.
- As a condition of the application, the conceptual architectural elevations of the proposed buildings have been submitted. Please find them attached in the agenda packet.

5. A neighborhood meeting for this application was advertised for and held virtually on Monday July 19, 2021. An invitation list and meeting summary are included in the agenda packet.
6. A Traffic Impact Analysis (TIA) Determination of Need form was submitted and reviewed by Transportation Staff for the proposed application. Upon staff review, it was found that a Traffic Impact Analysis was required. The completed TIA determination form is attached in the agenda packet.
7. Brad Priest of the Planning Staff certifies that the required notifications were made for the application's public hearing. Notice was advertised in the local paper, adjacent property owner notice post cards were sent and a sign was installed at the subject property per state statute requirements.

PART 2: REZONING/SITE PLAN ISSUES

- **UPDATE 11/22/21** - Article 11.4.4 C of the zoning ordinance does not permit the applicant to change the proposed plan within 3 weeks of the original September 7th public hearing date. Therefore the original rezoning plan submitted prior to September 7th is required to be presented at the continued public hearing date. However, the applicants may discuss their potential changes at the public hearing. The applicants have submitted an updated landscaping plan to staff showing additional landscaping in the buffer. Staff will discuss the proposed changes at the public hearing and address the changes in the Planning Board staff report.
- Please see the proposed rezoning plan below on page 4.
- **Buffer Modification – Along New Public Street:** Article 7.5 of the Zoning Ordinance requires CB uses establish an 80 foot buffer along public streets unless the building architecturally fronts the street per Article 4. The proposed buildings will not meet Article 4 of the ordinance therefore an 80 foot vegetated buffer is required. As allowed in Article 11.4.7 K of the Zoning Ordinance the applicant is seeking buffer modifications/reductions through the conditional rezoning process. The applicant is seeking relief from the following:
 - o Disturbing the 80 foot buffer. The area along Hambright Road is wooded with pine trees. Article 7.5.8 requires that the buffer remain undisturbed. The applicants are seeking to disturb the buffer and replant.
 - o Landscaping requirements of Article 7.5.3. The proposed site plan includes the required 80 feet of open area in the buffer. However the landscaping that the ordinance requires inside the 80 foot buffer is not proposed at this time.
 - The TA21-10 CB Buffer Flexibility text amendment that is currently in review could alter the planting requirements of the site. With only passenger vehicle parking proposed in the front between the building and street (thoroughfare), only a 40 foot buffer would be required. The 40 foot buffer would reduce the planting requirement by half (80 foot buffer area to 40 foot buffer area). Please see the table below on page 3 showing the current planting requirements, the requirements if TA21-10 is approved, and what the applicant is currently proposing.
 - If the buffer requirements are reduced to 40 feet, staff would recommend the reduced plantings be planted in a consolidated 40 foot area in order to create a visual barrier. If the 40 feet of plantings are dispersed in the shown 80 feet, the plantings would be further spread out and a functional buffer may not be achieved.
 - o It is staff's understanding that the applicant is requesting the Town Board approve a modification to the planting requirements in order to keep the building and use visible from Hambright Road. Staff recommends modification notes be added to the plan to clearly outline the specific modifications requested.
 - o Article 7.5.1 of the Zoning Ordinance states that the objective of the required buffers is to "exclude visual contact, create spatial separation and to minimize any adverse impacts on adjacent properties". Article 7.5.3 states that the buffer yard shall "function as an opaque or semi-opaque barrier between the viewer and the use or structure to be buffered".

- o Article 11.4.7 K allows the Town Board to modify the requirements of the ordinance “provided the spirit of the ordinance is maintained”.
- o Staff currently does not support the proposed rezoning plan as the modifications requested would not create a visual barrier between the use and Hambright Road per the intent of the ordinance. Staff could support a reduction in planting, but one that keeps the intent of the buffer ordinance.

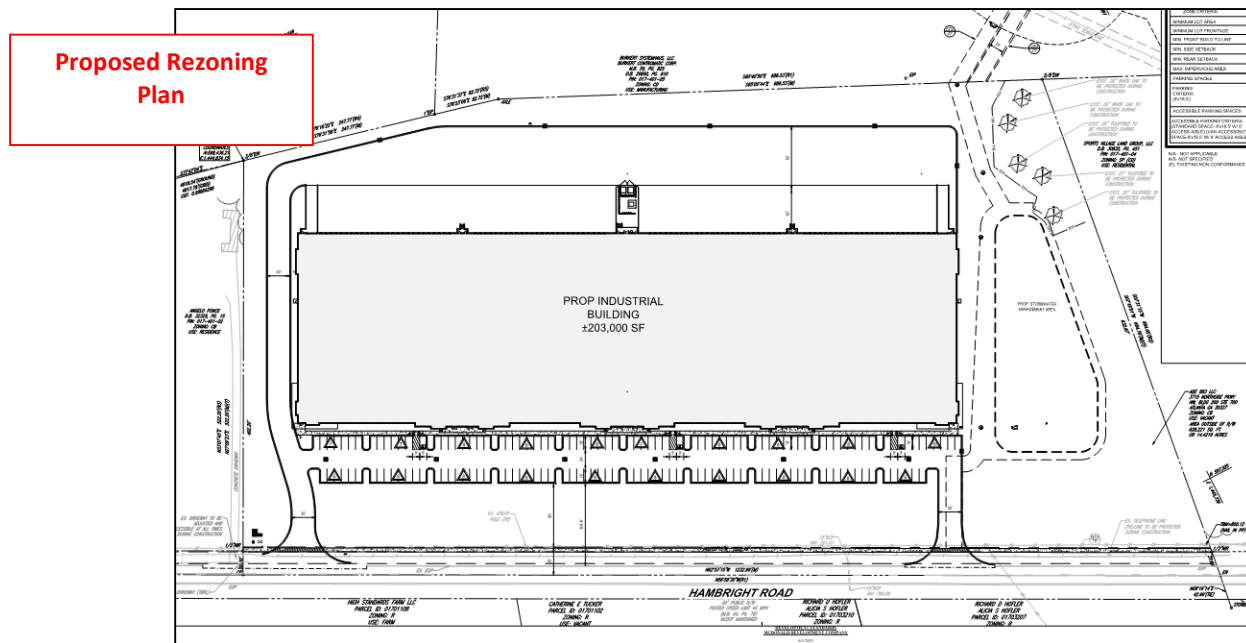
Planting Requirements – Article 7.5.3

CB Buffer = 4 trees and 5 shrubs per 1,000 sqft of buffer area

Requirement/ Landscaping	Previous <u>80 foot buffer</u> Planting Requirement (Removed from ordinance 9/20/21)	Current <u>40 foot buffer</u> Planting Requirement (9/20/21)	Applicant Proposed Landscaping (Estimated)
Trees	367	184	115
Evergreen Trees	184 (50%)	92	9
Large Maturing Trees	276 (75%)	138	55
Shrubs	459	230	245
Shrubs Evergreen	344 (75%)	173	245

- **Tree Save Requirement:** Article 7.4 of the Zoning Ordinance requires that CB developments save 30% of their specimen trees. A tree survey was included with the plan. Staff has the following comments and concerns with the tree survey:
 - o Only trees over 24 inches are shown on the tree survey. Specimen trees can also be small maturing trees 12 inches in caliper and greater (Dogwoods, Cherries, Redbuds, etc). Staff requests that either all trees 12 inches in caliper and above be included on the tree survey or, the surveyor certify that no small maturing tree species over 12 inches in caliper are located on the site.
 - o The dripline of specimen trees proposed to be saved are being encroached upon. Staff recommends that the delimited limits be retracted away from the saved trees, or the tree save calculation be amended to remove trees counted as saved whose dripline is being encroached upon.
 - Assuming no other specimen trees are located on site and the trees whose dripline are encroached upon are not counted as saved, tree mitigation will be required.
 - 15 specimen trees on site – 5 trees required to be saved (30%). 2 proposed to be saved (13%).
 - o Staff recommends an updated tree survey be submitted along with a mitigation plan as needed.

- **Off-site Improvements:** The plan submitted shows sanitary sewer and storm sewer lines extending off of the property to the north. Staff recommends the applicant provide adjacent property owner permission for the future utilities to extend off the site for the development.
- **Minor Staff Comments:** Staff has many outstanding comments on tree save, landscaping, frontage improvements, architectural elevations, parking, etc. Staff recommends the comments be addressed prior to final plan approval.



PART 3: TRANSPORTATION ISSUES

- **Traffic Impact Analysis (TIA):** Staff has not yet received the first draft of the Traffic Impact Analysis (TIA) report. Per Article 14.2.3 the first draft must be received 30 days prior to the public hearing. However the rezoning in question is not an intensification of the proposed land use. The reason for the rezoning is to modify planting requirements only. The TIA will be required based on ordinance requirements prior to permitting and construction. Staff therefore is supportive of moving forward in the rezoning review process to work out the buffer without the TIA in this specific case.
- **Road Improvements:** Staff has been informed that NCDOT will require road improvements and turn lanes in the front of the development. Staff recommends the required road improvements and turn lanes required be conceptually shown on the site plan for review. These road improvements can have impacts to the proposed site plans.

PART 4: REZONING CRITERIA

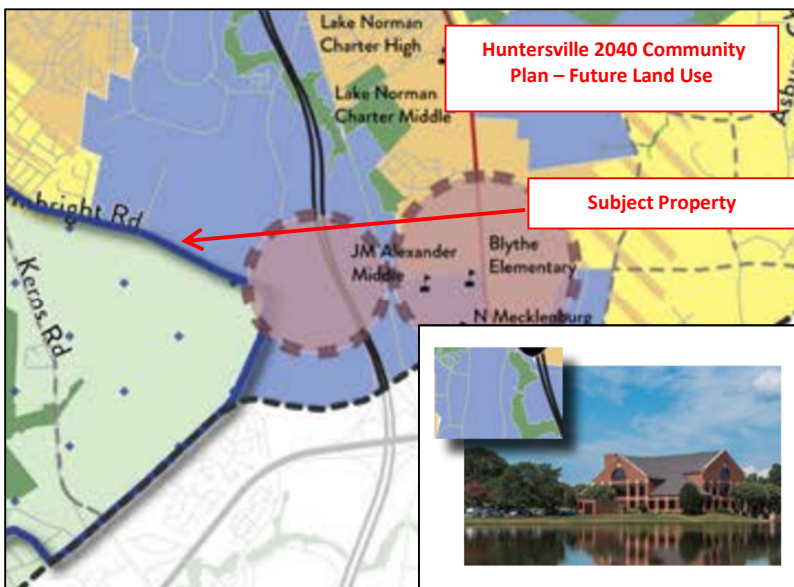
Article 11.4.7(d) of the Zoning Ordinance states that “in considering any petition to reclassify property, the Planning Board in its recommendation and the Town Board in its decision shall take into consideration any identified relevant adopted land-use plans for the area including, but not limited to,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

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

- **Policy LU 1.1** – *Utilize the Future Land Use Map during development approval process to ensure compatibility with long-range plans.* **STAFF COMMENT**: The application proposed includes office, light industrial, warehousing, and distribution uses in the appropriate Employment Center character area of the 2040 plan. This area is intended to accommodate such employment generating uses. Please see the Employment Center description below on page 5.
- **Policy LU 5.1** – *Allow more intense development only where transportation infrastructure and utilities already exist.* **STAFF COMMENT**: The location of the proposed development is appropriately located on a thoroughfare in close proximity to Interstate 77.
- **Policy LU 7.1** – *Require new development to adhere to the following design principles: In defined employment centers some flexibility in the form-based design principles is allowed including: Exceptions to building frontage requirements and public street requirements may be allowable for internal streets in an industrial park or near interstates.* **STAFF COMMENT**: The rezoning application is located in an identified employment center and is seeking flexibility from the fronting public street buffer requirement. The location of the property is not on an interior street to a business park, but is located near the interstate.
- **Economic Development Goal** – *Maintain or exceed the current percentage of tax revenue from non-residential uses.* **STAFF COMMENT**: The large commercial development would add to the Town's commercial tax base.

STAFF COMMENT – Staff finds the proposed use **NOT** consistent with the following policies of the **Huntersville 2040 Community Plan**:

- **Policy LU 11.1**: *Protect and enhance the unique character of Huntersville neighborhood by using planning tools to safeguard from potentially negative impacts of development and redevelopment.* **STAFF COMMENT**: The property to the south of Hambright Road is low density residential and agricultural. A fully landscaped buffer along Hambright Road would provide an effective tool to separate the high intensity industrial/distribution use proposed from the low density residential uses to the south.
- **Policy LU 11.2**: *Along existing streets, encourage new buildings to respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.* **STAFF COMMENT**: The property at the corner of Mt. Holly Huntersville Road and Hambright Road was conditionally rezoned and includes the required vegetated buffer along Hambright Road. Removing the landscaping requirements for the subject property would not be consistent with the frontage relationship of similar uses on the same side of the street.



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.

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 COMMENTS:

- The rezoning application would rezone the property from Corporate Business (CB) to Corporate Business Conditional District (CB-CD). The main purpose of the rezoning is to modify the 80 foot buffer requirements. Therefore the underlying zoning category and uses proposed would not change. The uses proposed then are consistent with existing and surrounding development.
- The proposed development is located on a thoroughfare and is surrounded by SP and CB zoning to the north, east, and west.
- South of Hambright Road however is zoned Rural (R) with low density residential uses. Due to this area being in the critical watershed it is likely to remain that type of use. Buffers and visual separation between these uses can assist in making the proposed commercial uses blend in with the character of existing development to the south.
- The property at the corner of Mt. Holly Huntersville Road and Hambright Road (Huntersville Sports Village) was conditionally rezoned and includes the required vegetated buffer along Hambright Road for their similar uses. Although staff has been contacted about potentially redeveloping this corner site, a functional buffer along Hambright Road is still proposed.
- Considering the information above, staff recommends that the application to remove the required landscaping from the buffer is not consistent with the overall character of existing development in the immediate vicinity of the subject properties. Establishing the required landscaping along Hambright Road would match previously approved development in the vicinity and provide a transition of the commercial use to the low density residential uses to the south.

- 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:

- In regard to the roadway system, please see Part 3 above concerning the Traffic Impact Analysis.
- Staff has no findings to show that there would not be adequate public facilities to service the intended development. The concept plan for storm water drainage systems are currently under review and must meet ordinance requirements. A willingness to serve letter from Charlotte Water will need to be provided for utilities once the applicants submit for the land development permits.

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

STAFF COMMENT:

- Staff has no findings to show that other archeological, environmental, historical or cultural resources will be negatively affected by the application.

PART 5: PUBLIC HEARING – UPDATE – 11/22/21

On September 7, 2021 the Town Board continued the public hearing until October 4, 2021. On October 4, 2021 the Town Board continued the application again at the applicants request until November 1, 2021. On November 1, 2021 the Town Board continued the application until the December 6, 2021 meeting.

PART 6: STAFF RECOMMENDATION

Although the TIA has not been received 30 days prior to the public hearing, staff is supportive of moving forward in the review process and holding the public hearing for the rezoning as there is no intensification of use proposed. The rezoning is for modification of planting requirements only.

The 2040 Community Plan specifically calls for flexibility for buffers and other frontage improvement requirements for employment centers. Even before the 2040 plan was adopted staff has consistently recommended approval for many modification requests for buffer widths in the last several years. Staff has always been able to work with the applicant to meet the intent of the ordinance and provide a functional visual separation even with reduced buffer widths. However, this modification request is different than previous requests in the following ways:

1. The width is not being requested for modification, but the required landscaping is which creates the visual separation of uses. Although a full 80 foot *setback* is being provided, an opaque or semi-opaque *buffer* is not proposed to be achieved.
2. The location of the proposed higher intensity industrial use is across the street from a low density residential area.
3. Adjacent similar industrial uses have been approved establishing the required buffer along Hambright Road.
4. The proposed modification is not consistent with text amendment TA21-10 (approved September 20, 2021), which added flexibility to the required CB buffers along the street. In the text approved by the Town Board, width reductions are allowed, but the visual separation requirement is maintained.

Therefore staff does not support the rezoning application at this time. The plan is not consistent with Policies LU 11.1 and 11.2 of the Huntersville 2040 Community Plan. It is not reasonable and in the public interest to approve the rezoning due to the proposed use not being consistent with the zoning ordinance or with the character of existing development in the immediate vicinity.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board meeting is tentatively scheduled to review the application on December 21, 2021.

PART 8 CONSISTENCY STATEMENT – R21-10: North Chase at the Park

Planning Board:

Approve (Consistent w/ Plans)	Approve (Inconsistent w/ Plans and Plans Change __?)	Deny (Inconsistent w/ Plans)
In considering the proposed rezoning petition R21-10, North Chase at the Park, the Planning Board recommends approval based on the amendment being consistent with <u>[insert applicable plan reference(s)]</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...<u>[Explain]</u>	In considering the proposed rezoning petition R21-10, North Chase at the Park, the Planning Board recommends approval of the amendment but finds the request inconsistent with <u>[insert applicable plan reference(s)]</u>, therefore amends <u>[insert plan reference(s)] AND detail the ways the policy or reference is to be amended</u>. The Planning Board took into account the following change in conditions in recommending approval to meet the development needs in Huntersville: <u>[List and explain the change in conditions]</u> It is reasonable and in the public interest to amend the approve the rezoning because...<u>[Explain]</u>	In considering the proposed rezoning petition R21-10, North Chase at the Park, the Planning Board recommends denial based on the amendment being <u>[consistent OR inconsistent]</u> with <u>[insert applicable plan reference(s)]</u>. It is not reasonable and in the public interest to amend the Zoning Ordinance because...<u>[Explain]</u>

Town Board:

Approve (Consistent w/ Plans)	Approve (Inconsistent w/ Plans and Plans Change __?)	Deny (Inconsistent w/ Plans)
In considering the proposed rezoning Petition R21-10, North Chase at the Park, the Town Board recommends approval based on the amendment being consistent with <u>[insert applicable plan reference(s)]</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...<u>[Explain]</u>	In considering the proposed rezoning petition R21-10, North Chase at the Park, the Town Board recommends approval of the amendment but finds the request inconsistent with <u>[insert applicable plan reference(s)]</u>, therefore amends <u>[insert plan reference(s)] AND detail the ways the policy or reference is to be amended</u>. The Town Board took into account the following change in conditions in recommending approval to meet the development needs in Huntersville: <u>[List and explain the change in conditions]</u> It is reasonable and in the public interest to amend the approve the rezoning because...<u>[Explain]</u>	In considering the proposed rezoning petition R21-10, North Chase at the Park, the Town Board recommends denial based on the amendment being <u>[consistent OR inconsistent]</u> with <u>[insert applicable plan reference(s)]</u>. It is not reasonable and in the public interest to amend the Zoning Ordinance because...<u>[Explain]</u>

Bradley Priest

From: Tracy White <TWhite@mcdco.com>
Sent: Friday, October 22, 2021 4:27 PM
To: Bradley Priest
Cc: Jack Simoneau; Daniel Hines; Collin Brown; Brittany Lins; Austin McDonald; Robert McLeod; Greg Toepp
Subject: RE: North Chase at the Park - Rezoning Update?

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

Brad,

This will conform our phone conversation today regarding our request for a continuance to the December 6 public hearing. Thank you.

Tracy White

Senior Vice President - Development



McDonald Development Company
525 N. Tryon Street, Suite 1600, Charlotte, NC 28202
Direct 704.378.8757 **Cell** 404.309.6050
twhite@mcdco.com | [vCard](#) | mcdco.com



From: Bradley Priest <bpriest@huntersville.org>
Sent: Tuesday, October 19, 2021 8:43 AM
To: Tracy White <TWhite@mcdco.com>
Cc: Jack Simoneau <jsimoneau@huntersville.org>; Daniel Hines <DHines@bohlereng.com>; Collin Brown <Collin.Brown@alexanderricks.com>; Brittany Lins <brittany.lins@alexanderricks.com>; Austin McDonald <amcdonald@mcdco.com>; Robert McLeod <RMcLeod@mcdco.com>
Subject: RE: North Chase at the Park - Rezoning Update?

Hey Tracy,

Good morning. I'm following up on the North Chase at the Park rezoning application. My deadline for the November 1 public hearing staff report is this Friday. Are you prepared to move forward with the application for the November 1 public hearing, or would you like to request another continuance until December?

Again, no changes can be made before the public hearing for November 1st, but if any changes are proposed I'd request they be submitted ASAP well prior to the Planning Board agenda deadline of November 5th for review (Planning Board is a week early next month due to the Thanksgiving holiday). Thank you.

Bradley D. Priest, AICP
Principal Planner
Town of Huntersville
Planning Department
704-766-2214
105 Gilead Road – 3rd Floor
Huntersville, NC 28070
www.huntersville.org



From: Tracy White <TWhite@mcdco.com>
Sent: Wednesday, September 29, 2021 12:13 PM
To: Bradley Priest <bpriest@huntersville.org>
Cc: Jack Simoneau <jsimoneau@huntersville.org>; Daniel Hines <DHines@bohlereng.com>; Collin Brown <Collin.Brown@alexanderricks.com>; Brittany Lins <brittany.lins@alexanderricks.com>; Austin McDonald <amcdonald@mcdco.com>; Robert McLeod <RMcLeod@mcdco.com>
Subject: Re: North Chase at the Park - Rezoning Update?

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

Brad,

Thank you for your email. We are evaluating how the recent text amendment to the landscape buffer ordinance impacts our plan and our conditional zoning case, so we request a continuance from the October 4 hearing to the next hearing date.

Thank you for your assistance.

Tracy White
twhite@mcdco.com

On Sep 28, 2021, at 3:05 PM, Bradley Priest <bpriest@huntersville.org> wrote:

Hey Tracy,
Please find the updated staff report attached for the rezoning request going to public hearing October 4. I have not received any updates on this application since the first cycle was closed out in EPM on June 25th. My understanding is that there has been some discussion with Jack about modifying the plan and the plantings in the buffer. Is the intent to modify the plan, or to keep it as is?

Separate of the buffer, staff had many other comments referenced that I recommend be addressed as we move forward to the Planning Board and later final action with the Town Board.

No changes can be made prior to the public hearing (October 4), but if you're making changes I'd ask that they please be submitted asap so staff can get to it and review well before the Planning Board deadline of October 15th. If you have any questions, let me know. Thanks.

Bradley D. Priest, AICP

Principal Planner

Town of Huntersville

Planning Department

704-766-2214

105 Gilead Road – 3rd Floor

Huntersville, NC 28070

www.huntersville.org



<R21-10 Northchase at the Park - PH 10 4 21.pdf>

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REZONING DOCUMENTS

FOR

MCDONALD DEVELOPMENT

PROPOSED

NORTH CHASE AT THE PARK BUILDING 100

LOCATION OF SITE
HAMBRIGHT ROAD
TOWN OF HUNTERSVILLE, NORTH CAROLINA
PID: 01740103



LOCATION MAP

SCALE: N.T.S.
PLAN REFERENCE:
Copyright Bing Maps

DEVELOPER

MCDONALD DEVELOPMENT COMPANY
3715 NORTHSIDE PARKWAY, NW
BUILDING 200, SUITE 700
ATLANTA, GEORGIA 30327
CONTACT: TRACEY WHITE
PHONE: (404) 239-5069

PREPARED BY

SURVEYOR

R.B. PHARR & ASSOCIATE, P.A.
420 HAWTHORNE LANE
CHARLOTTE, NC 28204
(704) 376-2186

ARCHITECT

HARLEY COMMERCIAL ARCHITECT
CONTACT: ROBERT HARLEY
(813) 760-1957



CONTACT: BRIAN MILLER, P.E. (BMILLER@BOHLERENG.COM)

SHEET INDEX	
Sheet Title	Sheet Number
COVER	RZ-0
ALTA SURVEY	RZ-0.1
EXISTING CONDITIONS AND DEMOLITION PLAN	RZ-1
SITE PLAN	RZ-2
GRADING PLAN	RZ-3
LANDSCAPE PLAN	RZ-4

REVISIONS

[illegible]

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PROJECT No.:	NCC182042.1
DRAWN BY:	RB
CHECKED BY:	DH
DATE:	3/13/2019
CAD I.D.:	RDP - 0

PROJECT:

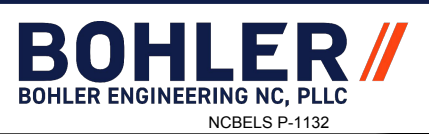
**NORTH CHASE
AT THE PARK
BUILDING 100**

— FOR —

MCDONALD
DEVELOPMENT

PROPOSED
DEVELOPMENT

HAMBRIGHT ROAD
HUNTERSVILLE, NC



1927 S. TRYON STREET, SUITE 310
CHARLOTTE, NC 28203
 Phone: (980) 272-3400
 Fax: (980) 272-3401
NC@BohlerEng.com



SHEET TITLE:

COVER

SHEET NUMBER:

RZ - 0

ORG. DATE - 3/13/2019

un 01, 2021
BOHLERENG.NET\SHARES\NC-PROJECTS\2018\NC-18204.1\DRAWINGS\PLAN SETS\REZONING DOCUMENTS\NC18204.1\RDP - 0 --->LAYOUT: C-101 COVER

GENERAL NOTE:
IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT WORK SCOPE PRIOR TO THE INITIATION OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DOCUMENTS RELATIVE TO THE SPECIFICATIONS OR APPLICABLE CODES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND IN FULL CONFORMANCE WITH LOCAL, REGIONAL AND CODES.

LEGAL DESCRIPTION

Being that certain parcel of land lying and being in the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

COMMENCING at NGS Monument "M 021", NAD83(2011) Coordinates, Northing 599,455.61 feet and Easting 1,440,125.45 feet, from said monument South 77°47'04" East a ground distance of 4,818.54 feet and a grid distance of 4,817.78 feet to the Point and Place of BEGINNING, said point also being located on the southerly line of the ADE 859, LLC property as shown in Map Book 56, Page 602 at the Mecklenburg County Register of Deeds; thence with the ADE 859, LLC line South 76°31'59" East a distance of 247.77 feet to an existing 1" iron pipe, said point also being located at the southwest corner of the Burkert Systemhaus, LLC property as shown in Map Book 59, Page 825; thence with the Burkert line the following two(2) courses and distances: (1) South 76°23'06" East a distance of 82.72 feet to an existing axle; (2) South 65°00'44" East a distance of 686.53 feet to an existing 5/8" iron rod, said point also being located at the northwest corner of the Sports Village Land Group, LLC property as described in Deed Book 30835, Page 451; thence with the Sports Village line, South 07°18'01" West a total distance of 664.76 feet (passing a new 1/2" iron rod at 632.87 feet) to an existing nail in the centerline of Hambright Road; thence with the centerline of Hambright Road, North 62°53'15" West a distance of 1232.99 feet to a calculated point, said point also being located at the southeast corner of the Angelo Ponce property as described in Deed Book 32325, Page 15; thence with the Ponce line, North 27°09'23" East a total distance of 522.20 feet (passing a 1/2" new iron rod at 30.00') to the Point and Place of BEGINNING.

Containing an area of 671,154 square feet or 15.4076 acres as shown on a survey prepared by R.B. Pharr & Associates, P.A. dated March 26, 2020, Job No. 91217. The property described above herein is a portion of the property as described in Deed Book 6503, Page 270.

MEASURED & RECORDED BEARINGS

- (R1) - D.B. 6503, PG. 270
(R2) - D.B. 30835, PG. 451
(R3) - D.B. 32325, PG. 15
(R4) - M.B. 56, PG. 602
(R5) - M.B. 59, PG. 825

FIDELITY NATIONAL TITLE INSURANCE COMPANY

COMMITMENT NO: NC2520040367; COMMITMENT DATE: MARCH 10, 2020

SCHEDULE B - II (EXCEPTIONS)

13. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variation, or other adverse circumstance affecting the Title disclosed by plat(s) recorded in Map Book 4 Page 543, Mecklenburg County Registry. (DOES NOT AFFECT THE SUBJECT PROPERTY) (NOT PLOTTABLE)

14. Rural Line Permits to Southern Bell Telephone and Telegraph Company recorded in Book 1843 Pages 308 and 311, Mecklenburg County Registry. (DOES NOT AFFECT THE SUBJECT PROPERTY) (EASEMENT IS BLANKET IN NATURE AND IS LOCATED ALONG MT. HOLLY-HUNTERSVILLE ROAD)

BURKERT SYSTEMHAUS, LLC
BURKERT CONTROMATIC CORP.
M.B. 59, PG. 825
D.B. 28650, PG. 810
PIN: 017-401-05

ADE 859, LLC
LOT 6, MARGARET P. PARKS &
ANNIE P. MCELROY ESTATES
M.B. 56, PG. 602
D.B. 33831, PG. 5
PIN: 017-221-08

SPORTS VILLAGE LAND GROUP, LLC
D.B. 30835, PG. 451
PIN: 017-401-04

AREA OUTSIDE OF R/W
63,327 SQ. FT.
OR 14.5621 ACRES

AREA WITHIN R/W
36,827 SQ. FT.
OR 0.8454 ACRES

HAMBRIGHT ROAD
60' PUBLIC R/W
(M.B. 64, PG. 76)

LEGEND:

CP - CALCULATED POINT
D.B. - DEED BOOK
EIP - EXISTING IRON PIPE
EIR - EXISTING IRON ROD
EX - EXISTING NAUL
EOP - EDGE OF PAVEMENT
(M) - MEASURED
M.B. - MAP BOOK
N.G.S. - NATIONAL GEODETIC SURVEY
NIR - NEW IRON ROD
NN - NEW NAUL
PIN - PARCEL IDENTIFICATION NUMBER
PP - POWER POLE
PG - PAGE
(R) - RECORDED
R/W - RIGHT-OF-WAY
(T) - TOTAL
PROPERTY LINE (NOT SURVEYED)
RIGHT-OF-WAY
RIGHT-OF-WAY (NOT SURVEYED)
EASEMENT
SETBACK
POWER LINE
TELEPHONE LINE (UNDERGROUND)

UTILITIES:

POWER

DUKE POWER ENERGY

1-800-777-9898

TELEPHONE

BELL SOUTH TELECOMMUNICATIONS

1-888-257-6500

WATER & SEWER

CHAR-MECK. UTILITY DEPT. (CMUD)

(704) 336-2564 WATER

(704) 357-6064 SEWER

GAS

PIEDMONT NATURAL GAS CO.

1-800-752-7504

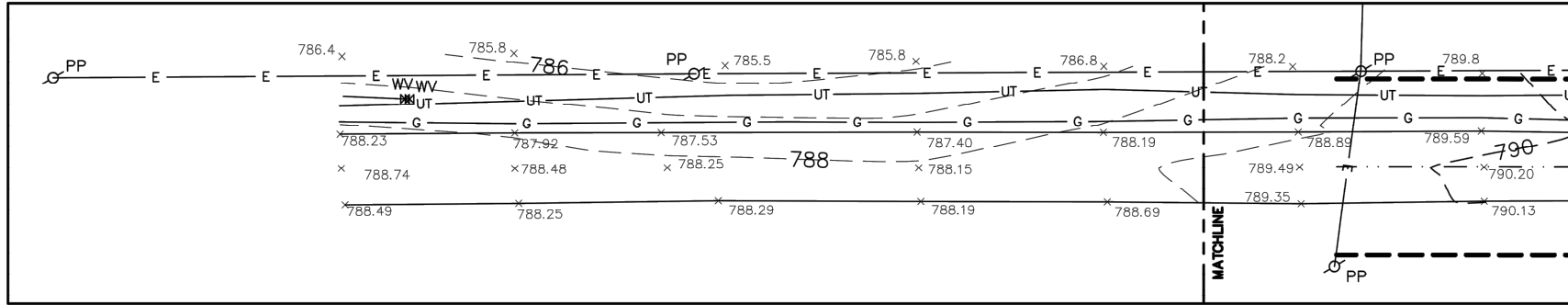
CABLE TELEVISION

TIME WARNER CABLE

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GRAPHIC SCALE

0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

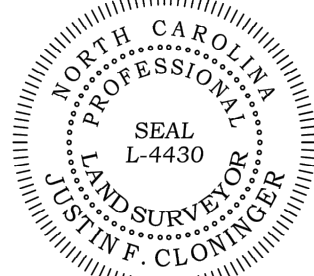
FLOOD CERTIFICATION

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

MAP NUMBER: 3710454900K

THIS IS TO CERTIFY THAT ON THE 26TH DAY OF MARCH 20 20, AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1800 (2) NCAC 56 AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

SIGNED *Justin F. Cloninger*

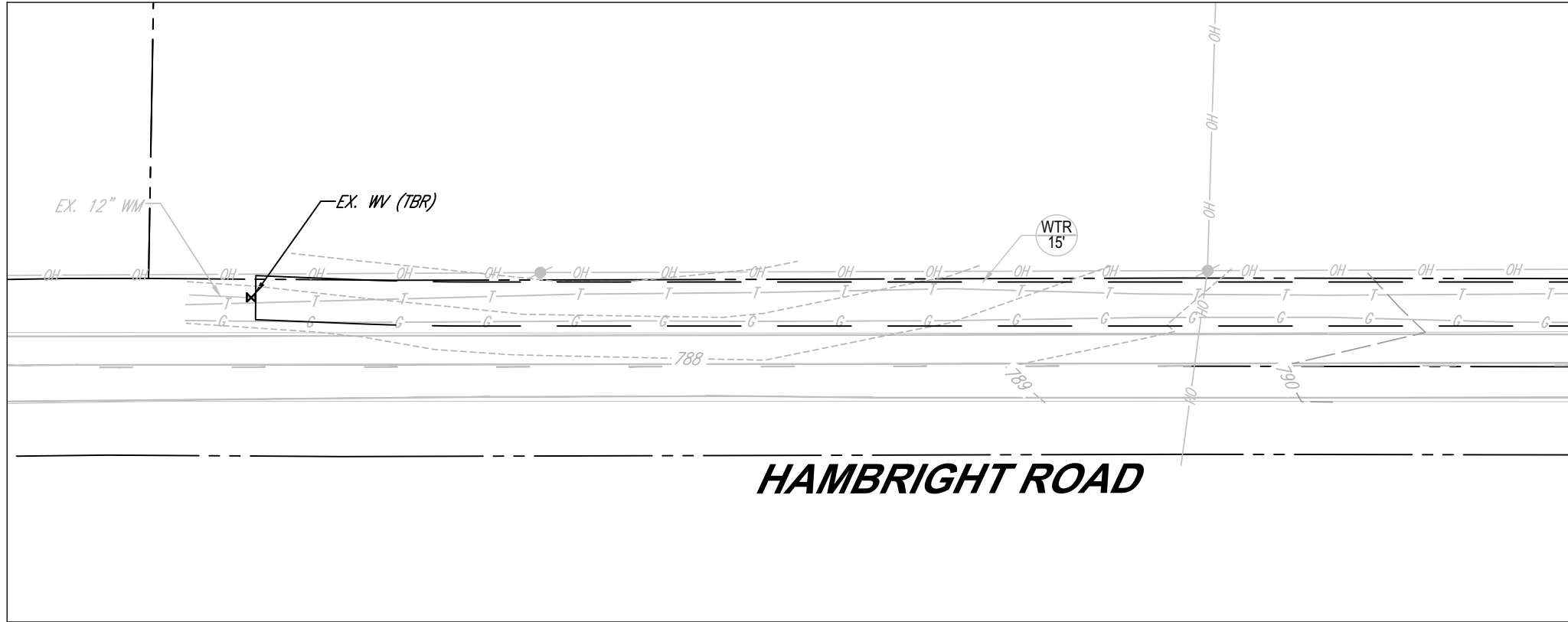
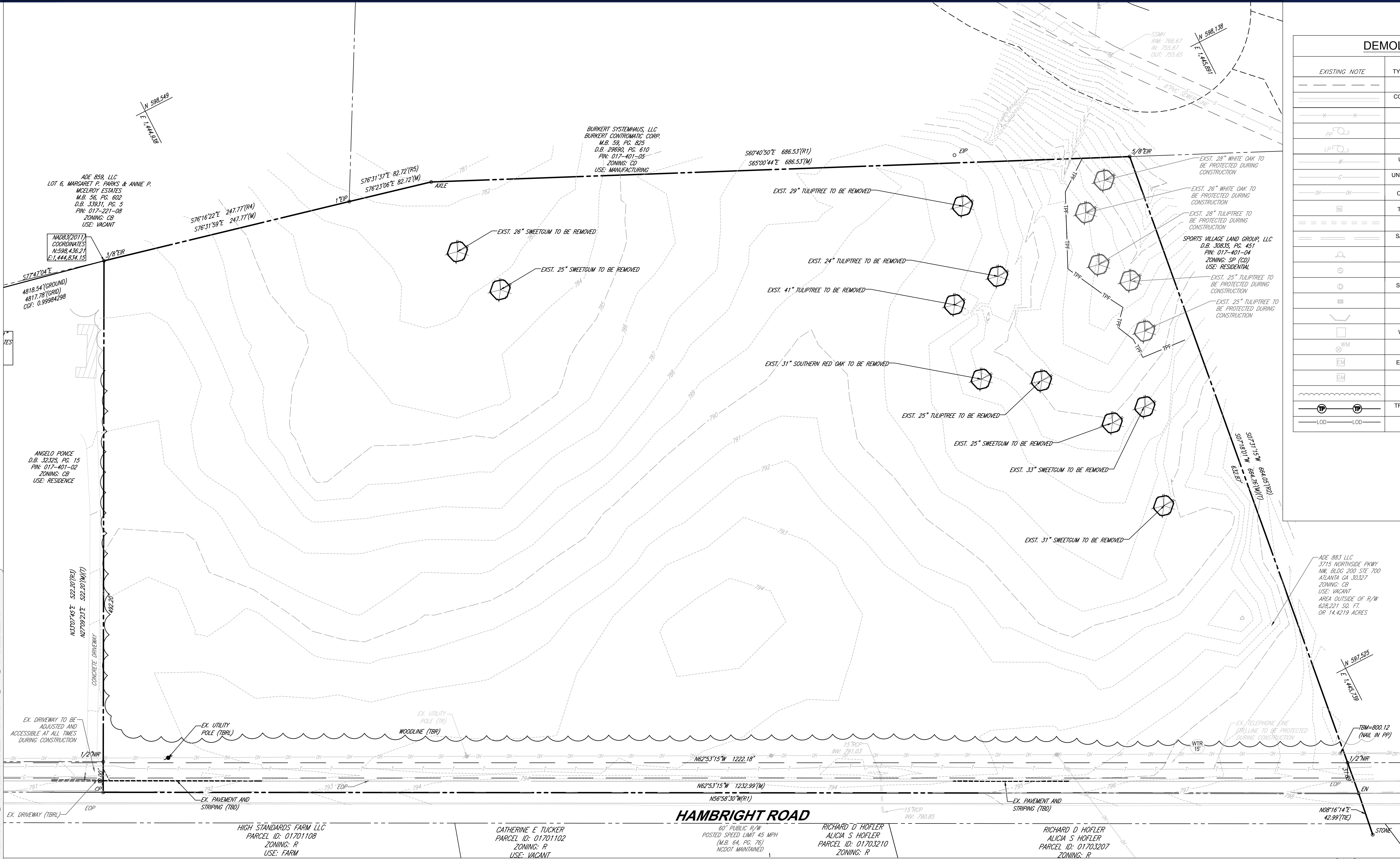


AREA: 671,154 SQ. FT. OR 15.4076 ACRES

REVISIONS				ALTA/NSPS LAND TITLE SURVEY FOR:			
07/22/20	ADDITIONAL	INFORMATION	ADDED.	MACQ, LLC			
				HAMBRIGHT ROAD TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, NC DEED REFERENCE: 06503-270 TAX PARCEL NO: 017-401-03			
				R.B. PHARR & ASSOCIATES, P.A. SURVEYING & MAPPING			
				420 HAWTHORNE LANE CHARLOTTE, N.C. 28204 TEL: (704) 376-2186			
CREW:	DRAWN:	REVISED:	SCALE:	DATE:	JOB NO.		
JB	DB	CW	1" = 60'	MARCH 26, 2020	91217		

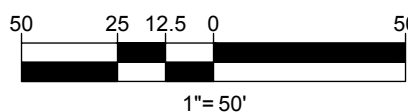
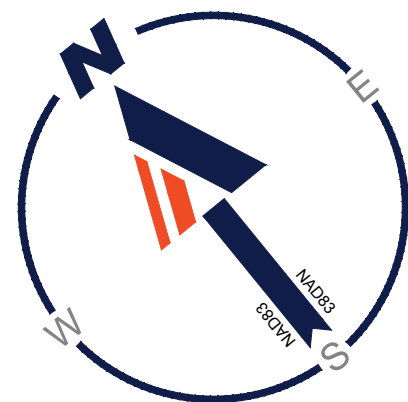
PLOTTED: 7/22/2020
C:\CARLSON\PROJECTS\91217\DWG\91217.DWG

MATCHLINE THIS SHEET



MATCHLINE THIS SHEET

DEMOLITION LEGEND		
EXISTING NOTE	TYPICAL NOTE TEXT	DEMOLITION NOTE
---	EASEMENT LINE	---
---	CONCRETE CURB & GUTTER	---
---	FENCE	---
PP	UTILITY POLE	PP
LP	LIGHT POLE	LP
---	UNDERGROUND WATER LINE	---
---	UNDERGROUND GAS LINE	---
---	OVERHEAD WIRE	---
---	TELEPHONE BOX	---
---	STORM SEWER	---
---	SANITARY SEWER MAIN	---
---	HYDRANT	---
---	SANITARY MANHOLE	---
---	STORM MANHOLE	---
---	STORM INLET	---
---	HEADWALL	---
---	WELL LOCATION	---
---	WATER METER	---
---	ELECTRIC METER	---
---	GAS METER	---
---	WOODS	---
---	TREE PROTECTION FENCING	---
---	LIMITS OF DISTURBANCE	---



BOHLER

BOHLER ENGINEERING NC, PLLC

SITE CIVIL AND CONSULTING ENGINEERING

PROJECT MANAGEMENT

LANDSCAPE ARCHITECTURE

SUSTAINABLE DESIGN

PERMITTING SERVICES

TRANSPORTATION SERVICES

REVISIONS			
REV	DATE	COMMENT	DRAWN BY / CHECKED BY

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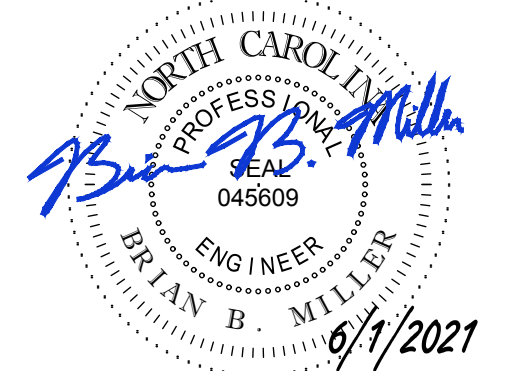
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PROJECT No.: NCC182042.1
DRAWN BY: RB
CHECKED BY: DH
DATE: 3/13/2019
CAD ID: RSP - 0

PROJECT:
NORTH CHASE AT THE PARK BUILDING 100
FOR
MCDONALD DEVELOPMENT

PROPOSED DEVELOPMENT
HAMBRIGHT ROAD
HUNTERSVILLE, NC

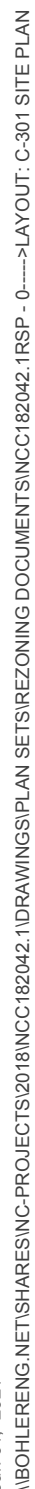
BOHLER
BOHLER ENGINEERING NC, PLLC
NCCBLS P-1132
1927 S. TRYON STREET, SUITE 310
CHARLOTTE, NC 28203
Phone: (980) 272-3400
Fax: (980) 272-3401
NC@BohlerEng.com



SHEET TITLE:
EXISTING CONDITIONS AND DEMOLITION PLAN

SHEET NUMBER:
RZ - 1

ORG. DATE - 3/13/2019



N/A - NOT APPLICABLE
N/S- NOT SPECIFIED
(E)- EXISTING NON-CONFORMANCE

N/A - NOT APPLICABLE
N/S- NOT SPECIFIED
(E)- EXISTING NON-CONFORMANCE

[illegible]

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PROJECT No.:	NCC182042.1
DRAWN BY:	RE
CHECKED BY:	DH
DATE:	3/13/2019
CAD I.D.:	RSP - 0

PROJECT:

— FOF

PROPOSED
DEVELOPMENT

HAMBRIGHT ROAD
HUNTERSVILLE, NC



SHEET NUMBER

RZ - 2

ORG. DATE - 3/13/2019

- SITE DEVELOPMENT DATA:**

TAX PARCEL NUMBER: 017-041-03
ACREAGE: +/- 15.408 ACRES
EXISTING ZONING: CB
PROPOSED ZONING: CB(CD)
EXISTING USE: VACANT
PROPOSED USE: INDUSTRIAL
PROPOSED DEVELOPMENT: UP TO 203,000 SQUARE FEET OF GROSS FLOOR AREA
MAXIMUM BUILDING HEIGHT: HEIGHT AS PERMITTED BY THE ORDINANCE.
PARKING: AS REQUIRED BY THE ORDINANCE

I. GENERAL PROVISIONS

a. THESE DEVELOPMENT STANDARDS FORM PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY MCDONALD DEVELOPMENT COMPANY (THE "PETITIONER") TO ACCOMMODATE AN INDUSTRIAL DEVELOPMENT ON THAT APPROXIMATELY 15.408-ACRE SITE LOCATED ON THE NORTHERN SIDE OF HAMBRIGHT ROAD, EAST OF PATTERSON ROAD AND WEST OF MT. HOLLY-HUNTERSVILLE ROAD IN HUNTERSVILLE, NORTH CAROLINA, MORE PARTICULARLY DESCRIBED AS TAX PARCEL NUMBER 017-401-03 (THE "SITE").

b. DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THE ACCOMPANYING REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE HUNTERSVILLE ZONING ORDINANCE (THE "ORDINANCE"). THE REZONING PLAN IS INTENDED REFLECT MAXIMUM DEVELOPMENT RIGHTS AND THE ARRANGEMENTS AND LOCATIONS OF ACCESS POINTS.

c. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE CB ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.

II. PERMITTED USES AND MAXIMUM DEVELOPMENT

a. THE SITE MAY BE DEVELOPED WITH UP TO 203,000 SQUARE FEET OF GROSS FLOOR AREA OF DISTRIBUTIVE BUSINESS, LABORATORIES AND RESEARCH FACILITIES, MANUFACTURING AND ASSEMBLY (EXCLUDING HEAVY MANUFACTURING), GOVERNMENT BUILDINGS, WAREHOUSES (EXCEPT MINI-WAREHOUSE STORAGE), WHOLESALE SALES, AND AUXILIARY/ACCESSORY OFFICE USES AS PERMITTED IN THE CB ZONING DISTRICT.

III. TRANSPORTATION

a. VEHICULAR ACCESS TO THE SITE WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN, FINAL LOCATIONS OF SUCH ACCESS POINTS TO BE DETERMINED IN COORDINATION WITH NCDOT DURING THE PERMITTING PHASE OF DEVELOPMENT.

b. THE PETITIONER SHALL DEDICATE RIGHT-OF-WAY ALONG THE SITE'S FRONTAGE OF HAMBRIGHT ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN.

c. THE PETITIONER SHALL COORDINATE ROAD IMPROVEMENTS AS OUTLINED IN THE [PENDING] TRAFFIC IMPACT ANALYSIS

IV. ARCHITECTURAL STANDARDS

a. BUILDING MATERIALS: THE PRINCIPAL BUILDING(S) CONSTRUCTED ON THE SITE MAY USE A VARIETY OF BUILDING MATERIALS. THE BUILDING MATERIALS MAY BE A COMBINATION OF THE FOLLOWING: GLASS, BRICK, STONE, SIMULATED STONE, STUCCO, ALUMINUM CANOPIES AND TRIM, EIFS, CAST ON SITE CONCRETE PANEL OR WOOD.

V. BUFFERING, SCREENING, AND LANDSCAPING

a. THE PETITIONER SHALL PROVIDE AN ALTERNATIVE LANDSCAPE ALONG THE SITE'S FRONTAGE OF HAMBRIGHT ROAD, AS MORE PARTICULARLY DEPICTED IN THE LANDSCAPE PLAN (WITH A MINIMUM WIDTH OF EIGHTY (80) FEET AS REQUIRED PER ORDINANCE).

b. THE PETITIONER SHALL PROVIDE A SIDEWALK AND DOUBLE LINE OF STREET TREES ALONG THE SITE'S FRONTAGE OF HAMBRIGHT ROAD, AS GENERALLY DEPICTED ON THE LANDSCAPE PLAN.

c. LOADING AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES AS REQUIRED BY THE ORDINANCE.

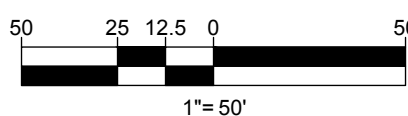
VI. ENVIRONMENTAL FEATURES

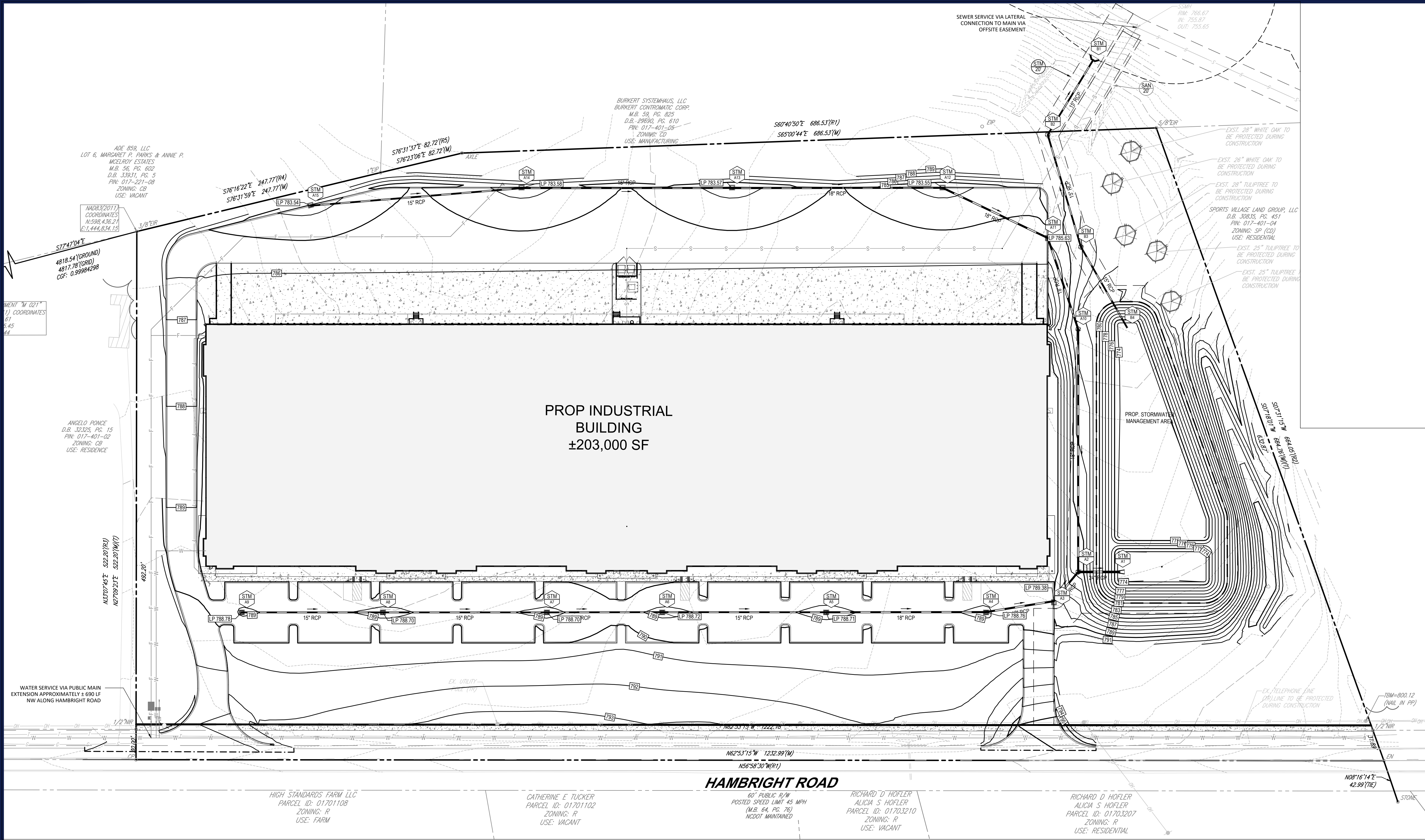
a. THE PETITIONER SHALL SATISFY THE STORMWATER REQUIREMENTS FOR A MAXIMUM OF 70% BUILT-UPON AREA.

b. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

VII. BINDING EFFECT OF THE REZONING DOCUMENTS

a. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.





BOHLER

BOHLER ENGINEERING NC, PLLC

SITE CIVIL AND CONSULTING ENGINEERING

PROGRAM MANAGEMENT

LANDSCAPE ARCHITECTURE

SUSTAINABLE DESIGN

PERMITTING SERVICES

TRANSPORTATION SERVICES

REVISIONS				
REV	DATE	COMMENT	DRAWN BY	

811

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PROJECT No.: NCC182042.1
DRAWN BY: RB
CHECKED BY: DH
DATE: 3/13/2019
CAD I.D.: wing2

PROJECT:
NORTH CHASE AT THE PARK BUILDING 100
FOR

MCDONALD DEVELOPMENT

PROPOSED DEVELOPMENT
HAMBRIGHT ROAD
HUNTERSVILLE, NC

BOHLER

BOHLER ENGINEERING NC, PLLC

NCELS P-1132

1927 S. TRYON STREET, SUITE 310

CHARLOTTE, NC 28203

Phone: (980) 272-3400

Fax: (980) 272-3401

NC@BohlerEng.com

NORTH CAROLINA

PROFESSIONAL SEAL

045609

ENGINEER

DR. BRIAN B. MILLER

6/1/2021

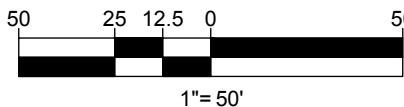
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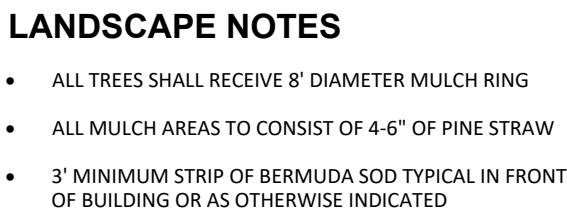
GRADING PLAN

SHEET NUMBER:

RZ - 3

ORG. DATE - 3/13/2019





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PROJECT No.: NCC182042.1
DRAWN BY: RB
CHECKED BY: DH
DATE: 3/13/2019
CAD I.D.: RLP - 0

PROJECT:

NORTH CHASE AT THE PARK BUILDING 100

_____ FOR

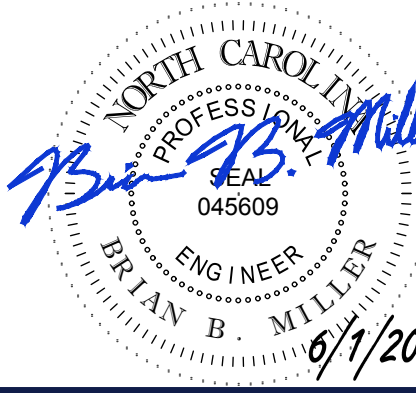
MCDONALD
DEVELOPMENT

PROPOSED
DEVELOPMENT

HAMBRIGHT ROAD
HUNTERSVILLE, NC

BOHLER 
BOHLER ENGINEERING NC, PLLC
NCBELS P-1132

1927 S. TRYON STREET, SUITE 310
CHARLOTTE, NC 28203
 Phone: (980) 272-3400
 Fax: (980) 272-3401
NC@BohlerEng.com



SHEET TITLE:

LANDSCAPE PLAN

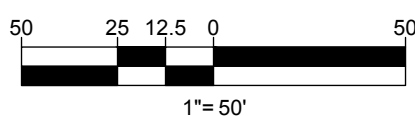
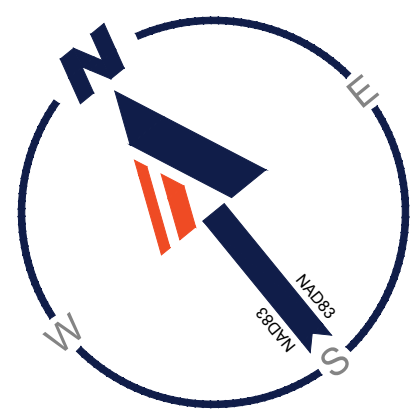
SHEET NUMBER

RZ - 4

ORG. DATE - 3/13/2019

TOWN OF HUNTERSVILLE LANDSCAPE REQUIREMENTS		
SECTION	REQUIREMENTS	CALCULATIONS/PROPOSED
ARTICLE 6 LANDSCAPING OF PARKING LOTS	PERIMETER LANDSCAPING OF PARKING SHALL MEET ALL STANDARDS BELOW A. SCREENING SHALL BE PROVIDED ALONG THE PERIMETER OF THE PARKING LOT A CONTINUOUS ROW OF EVERGREEN SHRUBS MAX. SEPARATION 4' ON CENTER MINIMUM HEIGHT 2' AT INSTALLATION, EXPECTED HEIGHT AT MATURITY AT LEAST 6' C. IN ADDITION TO SCREENING, LARGE MATURING CANOPY TREES SHALL LINE THE PARKING LOT. THEY SHALL BE PLANTED AT A MAXIMUM OF 40 FEET ON CENTER. TREE PLANTING STRIPS AT PERIMETER OF LOTS SHALL BE A MINIMUM OF 10 FEET IN WIDTH.	PROVIDED REQUIRED TREES: 23 CALCULATION: 89740x22.4 PROVIDED TREES: 20 REQUIRED SHRUBS: 225 CALCULATION: 89740x22.4 PROVIDED SHRUBS: 225
ARTICLE 7.5 BUFFER YARDS	ANY PROPERTY ZONED CL, CR, OR SUB-ABUTTING STREET RIGHT OF WAY AND PROPERTY LINES.	SEE PLANS
ARTICLE 12 STREET TREE/INTERIOR LANDSCAPING	SPACING AND LOCATION OF STREET TREES STREET TREES ARE REQUIRED TO BE WITHIN A MINIMUM 7 FOOT PLANTING STRIP LOCATED BETWEEN THE EXISTING STREET AND PROPOSED SIDEWALK. PLANTING SHALL BE PROVIDED AS FOLLOWS: (A) LARGE MATURING CANOPY TREES SHALL BE PLANTED AT A SPACING NOT TO EXCEED 45 FEET ON CENTER EXCEPT THAT SPACING MAY BE ADJUSTED SLIGHTLY TO ACCOMMODATE OVERHEAD UTILITIES. (B) SMALL MATURING "CANOPY" LIKE TREES SHALL BE PLANTED 50 FEET ON CENTER WHERE EXISTING OVERHEAD UTILITIES PROHIBIT THE USE OF LARGE MATURING CANOPY TREES. (C) PROPERTY LOCATED ON A MAJOR OR MINOR THROUGHWAY, EXCLUDING THE TOWN CENTER (TC) ZONING DISTRICT, AN ADDITIONAL ROW OF STREET TREES ARE REQUIRED TO BE LOCATED BEHIND THE PROPOSED SIDEWALK IN A 10' FOOT PLANTING ZONE SETBACK TO BE RECORDED ON A PLAT OF RECORD PRIOR TO ISSUANCE OF A BUILDING PERMIT. THE INTERIOR ROW OF TREES SHALL BE STAGGERED FROM THE TREES PROVIDED WITHIN THE RIGHT-OF-WAY.	INTERNAL LANDSCAPING REQUIRED TREES: 48 CALCULATION: 100040x.477 PROVIDED INTERIOR TREES: 55 PROVIDED STREET TREES: 5
ARTICLE 14 TREE PRESERVATION, PROTECTION & REMOVAL	30% SPECIFIC TREE SAVE REQUIRED PER TABLE 7.4.2(a) OF ARTICLE 7.4	EXISTING SPECIMEN TREES + 15 15+ = 34 SPECIMEN TREES REQUIRED 5 TREES PROVIDED

LANDSCAPE SCHEDULE								
KEY	QTY.	BOTANICAL NAME	COMMON NAME	CAL.	CONT.	SIZE	Remarks	
OVERSTORY TREES								
	GTL	47	Gleditsia thurbinata	Thames River Locust	2 1/2" CAL	B+B	12-14 HT	Full Central Leader
	QLPA	99	Quercus palustris	Pin Oak	2 1/2" CAL	B+B	12-14 HT	Full Central Leader
SUBTOTAL:		137						
UNDERSTORY TREES								
	CCSP	23	Cercis canadensis "Forest Pansy"	Forest Pansy Redbud	2" CAL	B+B	8-10 HT	Full
	LIST	27	Lagerstromia indica "Tussock"	Tussock Craple Myrtle	1" CANES	B+B	8-10 HT	Full, 3-6 canes
SUBTOTAL:		50						
EVERGREEN TREES								
	CRJA	6	Cryptomeria japonica	Cryptomeria	2" CAL	B+B	8 HT	Full
	BNJS	3	Illex x Nellore R. Stevens	Nellore Stevens Holly	2" CAL	B+B	8 HT	Full TO GROUND
SUBTOTAL:		9						
SHRUBS								
	HPLL	10	Hydrangea paniculata "Little Lime"	Little Lime Hydrangea	N/A	3 GAL	24" HT	Full
	BLGS	10	Illex glabra "Shamrock"	Shamrock Inkberry Holly	N/A	3 GAL	19" HT	Full
	LJAP	111	Ligustrum japonicum	Waxleaf Ligustrum	N/A	3 GAL	24" HT	Multi Trunk
	LOCR	112	Coronilla chinensis "Ruby"	Ruby Coronilla	N/A	3 GAL	24" HT	
	ROEN	142	Rhododendron x "Ercosy"	Ercosy Azalea Variety	N/A	3 GAL	32" HT	Full
SUBTOTAL:		385						



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SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION

NORTH CHASE AT THE PARK
BUILDING 100
HUNTERVILLE, NORTH CAROLINA



1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

OFFICIAL COMMUNITY MEETING REPORT
Petitioner: McDonald Development Company
Rezoning Petition #R21-10

This Community Meeting Report is being submitted to the Huntersville Planning Department pursuant to the provisions of the Town of Huntersville Zoning Ordinance.

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

A representative of the Petitioner mailed written notice of the date, time and virtual format for the Community Meeting to the individuals and organizations set out on Exhibit A attached hereto by depositing such notice in the U.S. mail on June 29, 2021. A copy of the written notice is attached hereto as Exhibit B.

DATE, TIME AND FORMAT OF MEETING:

The Virtual Community Meeting was held on July 19, 2021 at 5:30 p.m. via the Zoom platform.

Recipients of the notice letter were directed to RSVP for a link to the virtual meeting via email or phone to a member of the Petitioner's team. Members of the community who were unable to access the virtual meeting were directed to email or call a member of the Petitioner's team and could be provided with a copy (including a mailed paper copy, if necessary) of the meeting presentation.

MEETING PARTICIPATION:

The Virtual Community Meeting had nine (9) total attendees from the Town and community, as listed in Exhibit C. The Petitioner was represented at the Community Meeting by Tracy White (and Bob McLeod), as well as by Petitioner's agents, Collin Brown, Brittany Lins, and Lisa Tucker with Alexander Ricks PLLC.

SUMMARY OF PRESENTATION/DISCUSSION:

Mr. Collin Brown and Mr. Tracy White welcomed the attendees and introduced the Petitioner's team, using a PowerPoint presentation, attached hereto as Exhibit D. Mr. Brown showed aerials and a street view of the property located on Hambright Road. He noted that the property frontage contains commercial pine trees that were planted with the intention of being harvested.

Mr. Brown gave a general overview of the development considerations that a developer must take into account, including property owner requirements, environmental constraints, council priorities, and access and transportation requirements. Mr. Brown explained that the property is already zoned to the CB zoning district, which can accommodate the proposed warehouse/industrial/flex development. The purpose of the rezoning is to allow for alternative landscape plantings within the required buffer area along Hambright Road. The Petitioner is not requesting a reduction in the required eighty (80) foot buffer. Mr. Brown demonstrated the landscape exhibit of the Petitioner's proposed alternative buffer plantings which would adequately screen vehicles and provide plantings while allowing for portions of the building to be seen through the buffer area to allow for successful marketing and wayfinding for the building. Mr. Brown emphasized that the existing trees on the site were commercially grown, not intended as screening trees, and would not adequately screen cars and headlights from the parking lot. An example rendering was shown to reflect the plantings Petitioner is proposing and building visibility at maturity.

Mr. White concluded the presentation by emphasizing that the proposed use is already permitted and the sole purpose of the conditional zoning is to provide an alternative to the existing commercial pine trees in the eighty-foot buffer area. He stated that he believes the proposal creates a more attractive presentation of

landscaping between Hambright Road and the development. The Petitioner does not want to hide the building with a full opaque screening but would still provide two hedge rows to completely screen cars and headlights.

Mr. Brown stated that the Petitioner started the rezoning application in June and hopes to have a public hearing in September and decision in October, at the earliest. The virtual meeting was then opened for discussion via either chat or the “raise hand” function on Zoom to allow participants to ask individual questions or provide comments:

In response to an attendee’s question regarding the size of trees that would be planted in the buffer, Mr. White responded that both large and understory trees and two species of shrubs to screen vehicles would be provided as detailed in the landscape plan. As a follow-up, the attendee asked how long it would take the trees and hedges to grow to reach the maturity as shown in the example illustration. In response, Mr. White estimated approximately five to six years.

An attendee inquired into the hardwood trees on the back eastern portion of the property and whether the Petitioner intended to preserve any of those trees. In response, Mr. White stated that the Petitioner would save the required number of specimen trees per the Huntersville Ordinance and noted that no building footprint is shown on the eastern side of the property where those hardwood trees are located.

One attendee commented that he believed the existing commercial pine trees would be better than the proposed landscaping.

An attendee asked whether consideration had been given to noise abatement from traffic in and out of the proposed facility. In response, Mr. White stated that the team has discussed this matter and intentionally placed the logistics and truck docks at the rear of the property so noise could be blocked by the building. The small parking lot in front of the building is for employee parking, not logistics or industrial uses.

In response to an attendee’s concern for parking lot lighting and desire to not allow lighting to bleed onto Hambright Road, Mr. White responded that the Petitioner’s team is not requesting any deviations from the Huntersville standards for lighting and will meet all lighting requirements.

The meeting concluded at approximately 6:00 p.m. with no further questions or comments from attendees.

Respectfully submitted this 23th day of July 2021.

cc: Brad Priest, Huntersville Planning Department

Exhibit A

PARCEL_ID	OWNER_N	MAILING_	CITY	STATE	ZIP_CODE	PROPERTY_Zoning
01740105	BURKERT S	11425	HUNTERSV	NC	28078	11425 MT CB
01701108	HIGH STAN	10204	HUNTERSV	NC	28078	10204 HAN R
01740104	SPORTS VII	16930 W	CORNELIU	NC	28031	10701 HAN SP(CD)
01740103	ADE 883 LL	3715	ATLANTA	GA	30327	HAMBRIGI CB
01722108	ADE 859 LL	3535	MARIETTA	GA	30062	PATTERSO CB
01740102	PONCE, AN	10325	HUNTERSV	NC	28078	10325 HAN CB
01703207	HOFER, RI	136 TWIN	NEWPORT	VA	23608	10516 HAN R
01703210	HOFER, RI	136 TWIN	NEWPORT	VA	23608	10500 HAN R
01701102	TUCKER, C	10204	HUNTERSV	NC	28078	10400 HAN R
01703209	BIRMINGH.	1093	MOUNT UI	NC	28125	10600 HAN R(CD)

250 Feet Buffer

PARCEL_ID	OWNER_N	MAILING_	CITY	STATE	ZIP_CODE	PROPERTY_	LEGAL DES	DEED BOOI	DEED PAGE	LAND AREA
01740105	BURKERT S	11425	HUNTERSV	NC	28078	11425 MT	M59-825	29690	610	95.845 AC
01701108	HIGH STAN	10204	HUNTERSV	NC	28078	10204 HAN	NA	34405	611	20.198 AC
01740104	SPORTS VII	16930 W	CORNELIU	NC	28031	10701 HAN	N/A	30835	451	23.14 AC
01740103	ADE 883 LL	3715	ATLANTA	GA	30327	HAMBRIGI	NA	34791	534	15.408 AC
01722108	ADE 859 LL	3535	MARIETTA	GA	30062	PATTERSO L6	M56-60	33931	5	10.239 AC
01740102	PONCE, AN	10325	HUNTERSV	NC	28078	10325 HAN	NA	32325	15	5.684 AC
01703207	HOFER, RI	136 TWIN	NEWPORT	VA	23608	10516 HAN	NA	6503	270	3.89 AC
01703210	HOFER, RI	136 TWIN	NEWPORT	VA	23608	10500 HAN	NA	6503	270	6.34 AC
01701102	TUCKER, C	10204	HUNTERSV	NC	28078	10400 HAN	NA	30868	838	4.116 AC
01703209	BIRMINGH.	1093	MOUNT UI	NC	28125	10600 HAN	NA	23391	758	4 AC

Huntersville Personnel

Mayor - Huntersville NC

	MAILING_ADDRESS
John Aneralla	PO Box

BoardMembers@huntersville.org

Physical Ac Email
Huntersvil janeralla@huntersville.org

Town Board of Commissioners/ Town Council

Melinda Bales	PO Box
Dan Boone	PO Box
Lance Munger	PO Box
Brian Hines	PO Box
Stacy Phillips	PO Box
Nick Walsh	PO Box

Huntersvil mbales@huntersville.org
Huntersvil dboone@huntersville.org
Huntersvil lmunger@huntersville.org
Huntersvil bhines@huntersville.org
Huntersvil sphillips@huntersville.org
Huntersvil nwalsh@huntersville.org

Planning Board Members and Town Clerk

Janet Pierson - Town C	PO Box
Town Manager	PO Box
Anthony Roberts	PO Box

Huntersvil jpierson@huntersville.org
Huntersvil aroberts@huntersville.org

Assistant Town Manag PO Box

Jackie Huffman	PO Box
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Huntersvil jhuffman@huntersville.org

Planning Dept	attn:
Jack Simoneau	attn:
Brian Richards	attn:
Tracy Barron	attn:
Kimberly Behrenbrink	attn:
Au'Darius Blackwood	attn:
Dave Hill	attn:
David Peete	attn:
Brad Priest	attn:

Town of
Town of jsimoneau@huntersville.org
Town of brichards@huntersville.org
Town of tbarron@huntersville.org;
Town of kbehrenbrinker@huntersville.org
Town of ablackwood@huntersville.org
Town of dhill@huntersville.org
Town of dpeete@huntersville.org
Town of bpriest@huntersville.org

Paul Lowe attn:
Claudia Schruhl attn:
Lauren Speight attn:
Frances Tucker attn:

Town of plowe@huntersville.org
Town of cschruhl@huntersville.org
Town of lspeight@huntersville.org
Town of ftucker@huntersville.org

Planning members attn:
Greg Baber attn:
Jennifer Davis attn:
Frank Gammon attn:
Catherine Graffy attn:
Scott Hensley attn:
Derek Partee attn:
Jeff Sny attn:
Stephen Swanick attn:

Huntersvil bogeybabber@gmail.com
Huntersvil cbpack51@yahoo.com
Huntersvil jenniferdavis078@gmail.com
Huntersvil gammonf@roadrunner.com
Huntersvil cgraffy@outlook.com
Huntersvil hensleyscott1@gmail.com
Huntersvil dpartee755@gmail.com
Huntersvil jeffrey.sny@gmail.com
Huntersvil stephen.swanick@gmail.com

HOA From Staff Compared to 2000 Feet Buffer Deed CSV Results

TBD by Brittany

Subdivision	Location	Emails	HOA Contact Info	Term Expires	Management Co. Contact	Address	Phone	Registered Agent	Website
Arrington Owners Association	Bud Henderson & Gilead Road		Lennar Christina Blue 3030 Latrobe Drive Charlotte 28211 704-535-1122x285	Builder	Henderson Properties Krystal Rogers		704-535-1122x285	Lennar 3030 Latrobe Drive Charlotte NC 28211	Krystal.Rogers@hendersonproperties.com
Birkdale, The Townhomes of	Behind Birkdale Village		Art Rouse 8253 Brick Lane 704-806-4085 artrouselkn@gmail.com	2020	Henderson Properties (Chesney Jackson)	3030 Latrobe Drive Charlotte NC 28211	704-535-1122		hoa@hendersonproperties.com
Caldwell Station HOA, Inc.	Old Statesville		Adam Nowocin 18249 Conductor Court Cornelius 540 219-3429	2019	CSI Property Management Beth Wilkins	PO Box 4810 Davidson NC 28036	704-897-1394	CSI Property Management	adam_nowocin@live.com beth@csiproperties.com
Cashion Woods Community Assoc., Inc.	Beatties Ford		Karen Magoteaux 14318 Rhiannon lane 937-423-0546	2019	Hawthorne Management- Sarah Ziegler	4530 Park Road Ste 201 Charlotte NC 28209			Sarah Ziegler <sziegler@hawthornemgmt.com>
Cedarfield Plantation	McCoy	danny4911@verizon.com	Daniel Spencer 12725 Cedar Fall Dr 727-753-4584 danny4911@verizon.com	Dec-19	Cedar Management Group	9500 Statesville Road charlotte nc 28269	704-644-8808		James Stracener <jcszrs@att.net>
Cedarfield Park (aka Torrence Crossing)	Gilead & Bradford Hill		Cheryl Westlake 8516 Fox Tail Lane 704-728-1073 westny716@gmail.com	2019	Hawthorne Management	PO Box 11906, Charlotte 28220	704-377-0144	Hawthorne Management 4530 Park Rd, Charlotte, NC 28209	admin@hawthornemgmt.com
Centennial @ Historic Huntersville HOA, Inc.	Huntersville-Concord		Chris Parke 15752 Centennial Forest Dr 704-305-8572 christopherparke@yahoo.com	2020	Henderson Properties Yamile Hernandez	3030 Latrobe Drive Charlotte NC 28269	704-535-1122	Sellers, Sellers & Dortch 301 S McDowell St #410 Charlotte NC 28204 704-377-5050	yamile.hernandez@hendersonproperties.com
Cobblestone Manor	Off Ranson Road		Lester Olivia 8903 Bur Lane 704-303-0014	2021	Cusick Company Bill Gill	8008 Corporate Center Dr Ste 100 Charlotte NC 28226	704-800-3216		lolivia9432@gmail.com, bgill@cusickcompany.com
Courtyards of Huntersville Condominium			Bill Heckman 8209 Parknoll Drive 704-274-5968	2022	Henderson Properties Brayden Johnson	3030 Latrobe Drive Charlotte NC 28269	704-535-1122x255	Henderson Properties 3030 Latrobe Drive Charlotte NC 28269	wsheckman@yahoo.com brayden.johnson@hendersonproperties.com
Courtyards at Kinnamon Park Condo Association			Rick Cushing 9206 Edelweiss Lane 704-905-3300	2020	Henderson Properties Brayden Johnson	3030 Latrobe Drive Charlotte NC 28269	704-535-1122x255	Henderson Properties 3030 Latrobe Drive Charlotte NC 28269	rcushing@gmail.com brayden.johnson@hendersonproperties.com
Crosswinds	McCoy		Vincent Ragone, Pres vjragone@yahoo.com		Taylor Dasilva Red Rock Management		(888) 757.3376 ext. 732		http://www.crosswindshomeowners.com/ taylor@gowithredrock.com
Gilead Ridge HOA	Gilead		Richard Hirsch 8157 Bridgegate Dr 516-996-2727	2021	Henderson Properties	3030 Latrobe Drive Charlotte NC 28211	704-896-7224	Chesney Jackson Henderson Properties	gridgepres@gmail.com hendersonpr
Gilead Village Homeowners Association, Inc.			Mindy DeLano 6904 Dunton Street 704-281-7660	2020	Cedar Management Group Ashley Miller	PO Box 26844 Charlotte NC 28221	704-281-7660		Ashley Miller <amiller@cedarmanage
Henderson Park HOA, Inc.	off Bud Henderson Rd				Kuester Management Group Gabrielle Baisey	130 Ben Casey Drive, Ste 100 Fort Mill SC 29708	704-894-9052	Bryan Kuester 705 Griffith Street, Ste 204 Davidson NC 28036	support@kuester.com
Lakemont Commons	Gilead Rd & Baytown Ct		Brian Welborn 14336 Baytown Ct Huntersville NC 28078 704-249-7753 bcowelborn14@gmail.com	Dec-19	CSI Properties Attn: Angela Benkovich	575 Davidson Gateway Dr Ste 200 Davidson 28036	704-892-1660		lakemontcommons@csiproperties.com
McAlpine-Rosedale Homeowners Association			Melissa Tuttle 9576 Blossom Hill Dr 336-408-3636	2019	CSI Property management Beth Wilkins	PO Box 4810 Davidson NC 28036	704-897-1394		melissatuttle@bellsouth.net beth@csiproperties.com
McGinnis Village Homeowners Assoc., Inc.			Robert Maze Jr 12710 McGinnis Woods Dr 704-644-8808	Jul-05	Cedar Management Group Jennifer Cordell	9500 Statesville Road charlotte nc 28269			Jennifer Cordell <jcordell@mycmg.com>
Melbourne HOA, Inc.	Gilead & McCoy		Cameron Drennan, Pres, 9153 Hillston Ridge Rd., 28078; 704-947-6723	Jul-05	Cedar Management Group Nicole DeRiso	9500 Statesville Road charlotte nc 28269	704-565-5009		Nicole DeRiso <nderiso@mycmg.com>
Mirabella	Huntersville-Concord Rd				Kuester Management Group Gabrielle Baisey	130 Ben Casey Drive, Ste 100 Fort Mill SC 29708	704-894-9052	Bryan Kuester 705 Griffith Street, Ste 204 Davidson NC 28036	support@kuester.com
Monteith Park Homeowners Assoc., Inc.	Stumptown Rd		Dan Mooney 15340 Barnsbury Dr 980-373-7155	Jul-05	CSI Property management Beth Wilkins	PO Box 4810 Davidson NC 28036	704-897-1394		danhoamonteithpark@gmail.com beth@csiproperties.com
Northcross Professional Park Association, Inc					Kuester Management Group Gabrielle Baisey	130 Ben Casey Drive, Ste 100 Fort Mill SC 29708	704-894-9052	Bryan Kuester 705 Griffith Street, Ste 204 Davidson NC 28036	support@kuester.com
Olmsted	Eastfield				Kuester Management Group Gabrielle Baisey	130 Ben Casey Drive, Ste 100 Fort Mill SC 29708	704-894-9052	Bryan Kuester 705 Griffith Street, Ste 204 Davidson NC 28036	support@kuester.com
Plum Creek	Old Statesville			2020	Hawthorne Management/Kendall Adair	PO Box 11906, Charlotte 28220	704-377-0114	Hawthorne Management 4530 Park Rd, Charlotte, NC 28209	kadair@hawthornemanagement.com m admin@hawthornemgmt.com
Skybrook Homeowners Assoc., Inc.			Craig Sandhaus 11255 Skytop Drive 914-320-3633	2022	Cedar Management Group Susan Rouanzion	PO Box 26844, Charlotte, NC 28221			Susan Rouanzion <susanr@mycmg.com>
Stephens Grove Homeowners Assoc., Inc	Off Beatties Ford on Stephen's Road		Bob Brethen 14332 McLauren Lane Huntersville 704-948-2457	2020	Hawthorne Management/Cass Shapard	PO Box 11906, Charlotte 28220	704-377-0114	Hawthorne Management PO Box 11906 Charlotte NC 28220	thehoaboard@stephensgrove.com, cshapard@hawthornemgmt.com, admin@hawthornemgmt.com
Stillwell Farms Property Owner's Assoc., Inc	Beatties Ford and Cashion Road		John Higbee 4905 Harrison's Sabbath Dr 704-875-0709	Jul-05	Hawthorne Management/Cass Shapard	PO Box 11906, Charlotte 28220	704-377-0114	Hawthorne Management PO Box 11906 Charlotte NC 28220	cshapard@hawthornemgmt.com, admin@hawthornemgmt.com
The Pavillion	Huntersville-Concord Rd		Catherine Graffy 15120 Pavillion Loop 860-805-1196	2021	Hawthorne Management/Kendall Adair	PO Box 11906, Charlotte 28220	704-377-0114	Hawthorne Management 4530 Park Rd, Charlotte, NC 28209	kadair@hawthornemanagement.com m admin@hawthornemgmt.com
Vermillion					Kuester Management Group Gabrielle Baisey	130 Ben Casey Drive, Ste 100 Fort Mill SC 29708	704-894-9052	Bryan Kuester 705 Griffith Street, Ste 204 Davidson NC 28036	support@kuester.com
Willowbrook POA, Inc.			Gary Mills 12600 Willow Grove Way 704-896-4948	2021	Hawthorne Management Company Sarah Ziegler	4530 Park Road Ste 201 Charlotte NC 28209			Sarah Ziegler <sziegler@hawthornemgmt.com>
Wynfield Forest HOA, Inc.	Off Wynfield Creek Pkwy				Hawthorne Management Ashleigh Jones	PO Box 11906 Charlotte NC 28220	704-377-0114		www.wynfieldforest.org, admin@hawthornemgmt.com

Exhibit B

June 29, 2021

Alexander Ricks PLLC
1420 E. 7th St., Suite 100
Charlotte, North Carolina 28204

VIA US MAIL

NOTICE TO INTERESTED PARTIES OF REZONING COMMUNITY MEETING

Date: Tuesday, July 20th at 5:30 p.m.
Meeting Location: Virtual Meeting, RSVP for link (details provided below)
Petitioner: McDonald Development Company
Property Owner: ADE 883 LLC
Property: North Chase at The Park, Building 100, Hambright Road, Huntersville NC
Rezoning #: R21-10

Dear Huntersville Neighbor:

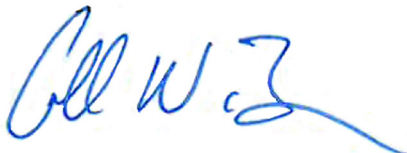
Our firm represents McDonald Development Company (the "Petitioner") in their evaluation of a potential rezoning request to modify the buffer requirements with alternative landscape plantings along Hambright Road as related to a warehouse/distribution development project. The alternative proposal would more effectively screen proposed surface parking areas while allowing some visibility of the building area to ensure a viable and successful development.

In accordance with the requirements of the Town of Huntersville Zoning Ordinance, the Petitioner will hold an Official Community Meeting prior to the Public Hearing on this Rezoning Petition for the purpose of discussing this rezoning proposal with nearby property owners and organizations. The Mecklenburg County records indicate that you are either a representative of a registered neighborhood organization or an owner of property that adjoins, is located across the street from, or is near the Property.

Due to federal and state executive orders directed at preventing the spread of COVID-19, the Official Community Meeting will be held virtually. We invite you to attend the virtual Official Community Meeting via Zoom on **Tuesday, July 20th at 5:30 p.m.** If you are interested in attending the live virtual presentation and discussion session at the scheduled time, **please send an email to Lisa.Tucker@alexanderricks.com and you will be provided with a link to RSVP and receive access information for the virtual meeting.** Please reference the site location ("Hambright Rd") in your email so we can send you the proper link.

If you expect you will be unable to access the virtual meeting and would like additional information, please contact Lisa.Tucker@alexanderricks.com or call 980-334-2003 and we can make alternative arrangements for you to receive the presentation information.

Sincerely,



Collin W. Brown

Exhibit C

Participants (17)

Find a participant

Brittany Lins (Host, me)



CB

Collin Brown



CB

Collin Brown (audio)



TW

Tracy White



AH

A Hofler



AP

Angelo Ponce



BM

Bob McLeod



BM

Bob McLeod



BP

Brad Priest



CG

Catherine Graffy



DB

Dan Boone



DN

Diann Norwood



FG

Frank Gammon



LT

Lisa Tucker



NW

Nick Walsh



RH

Richard Hofler



LT

Lisa Tucker



Exhibit D



REZONING PETITION #R21-10

NORTH CHASE AT THE PARK

MCDONALD DEVELOPMENT CO.

Official Community Meeting
July 19, 2021

Alexander
Ricks
PLLC

MEETING AGENDA

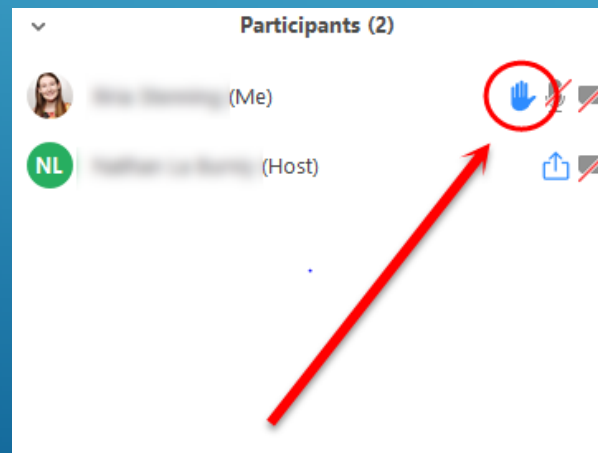
- **Introductions**
 - **Property Location**
 - **Development Considerations**
 - **Current Zoning**
 - **Proposed Adjustment**
 - **Example Rendering**
 - **Potential Rezoning Timeline**
 - **Questions/Discussion**
- 
- A series of white diagonal lines of varying lengths and thicknesses, located in the bottom right corner of the slide, creating a modern, abstract graphic element.

AT THE END: QUESTIONS & DISCUSSION

Type your
questions



Or ask out loud



TEAM INTRODUCTIONS

Property Owner: **ADE 883, LLC**

Petitioner: **McDonald Development Company**
Tracy White

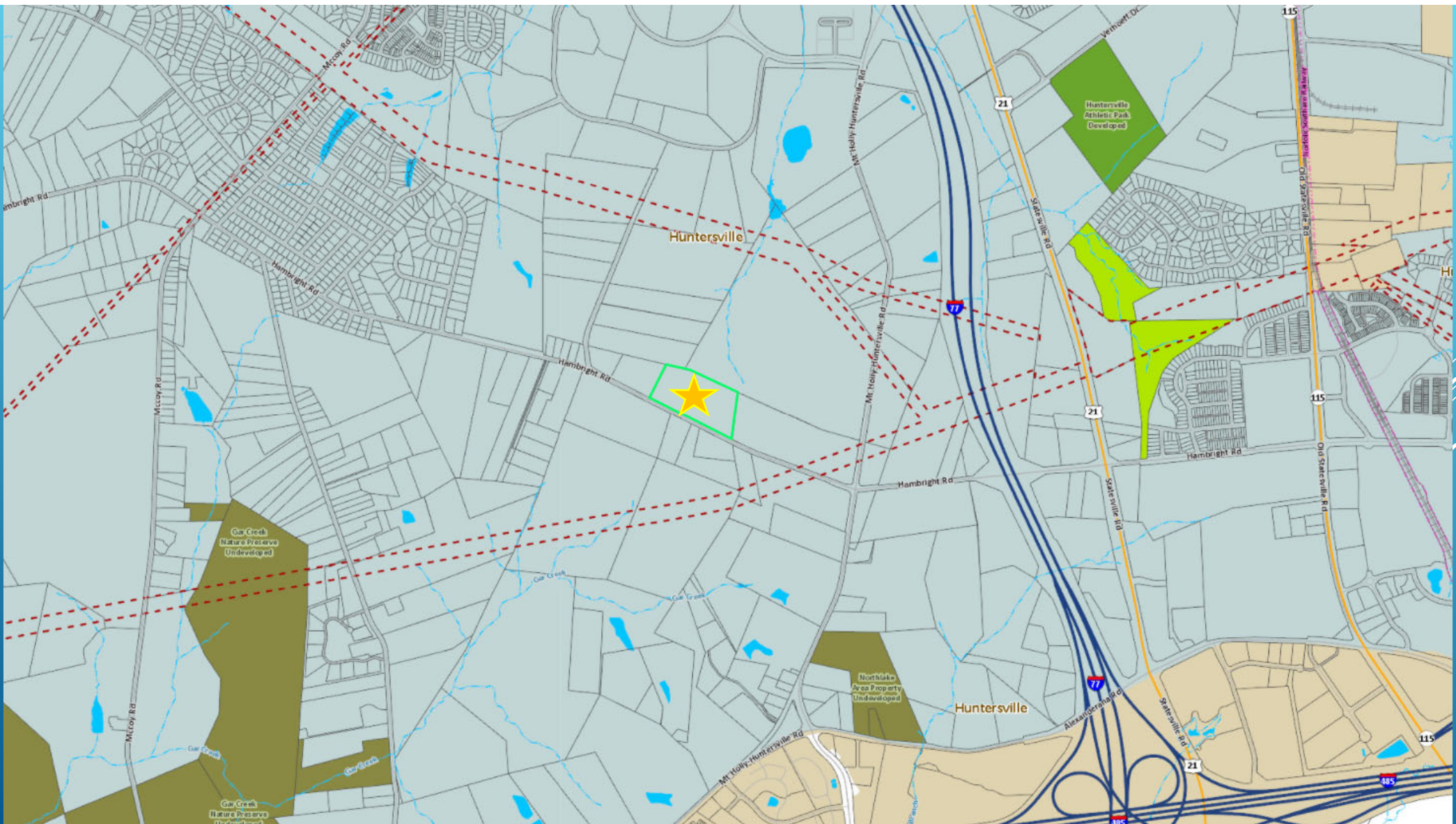


Brian Miller,
Steven Singleton

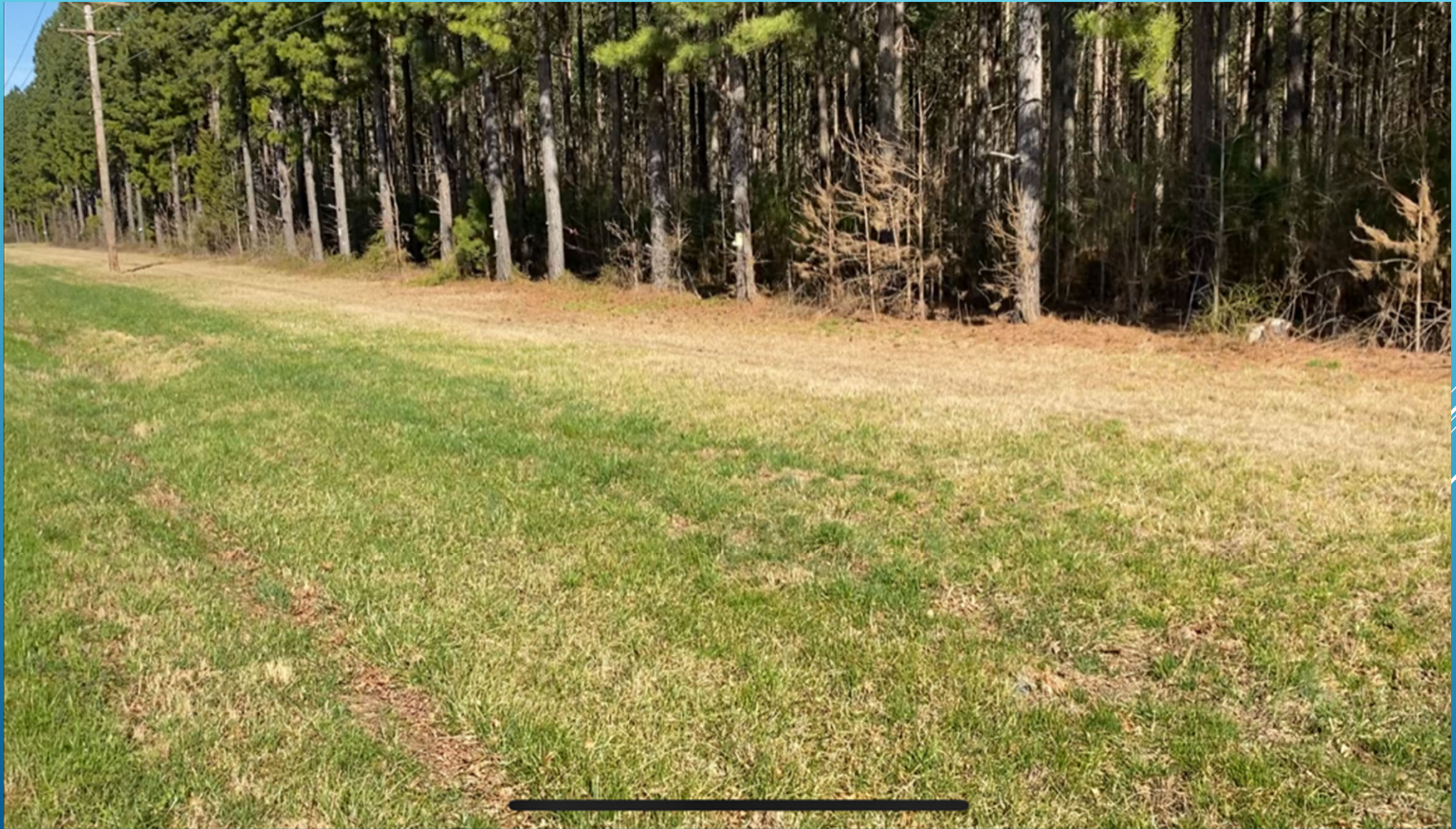


Collin Brown,
Brittany Lins, &
Lisa Tucker

PROPERTY LOCATION









DEVELOPMENT CONSIDERATIONS



DEVELOPMENT CONSIDERATIONS

- ▶ Property Owner Requirements
- ▶ Existing Zoning
- ▶ Natural / Environmental Constraints
- ▶ Access / Transportation Requirements
- ▶ Adjacent Owner Concerns
- ▶ Ordinance / Policy Requirements (non-zoning, e.g., Stormwater, Tree)
- ▶ Adopted Area Plans
- ▶ Town Priorities
- ▶ Adjacent Uses
- ▶ Broader Community Concerns
- ▶ Market Realities

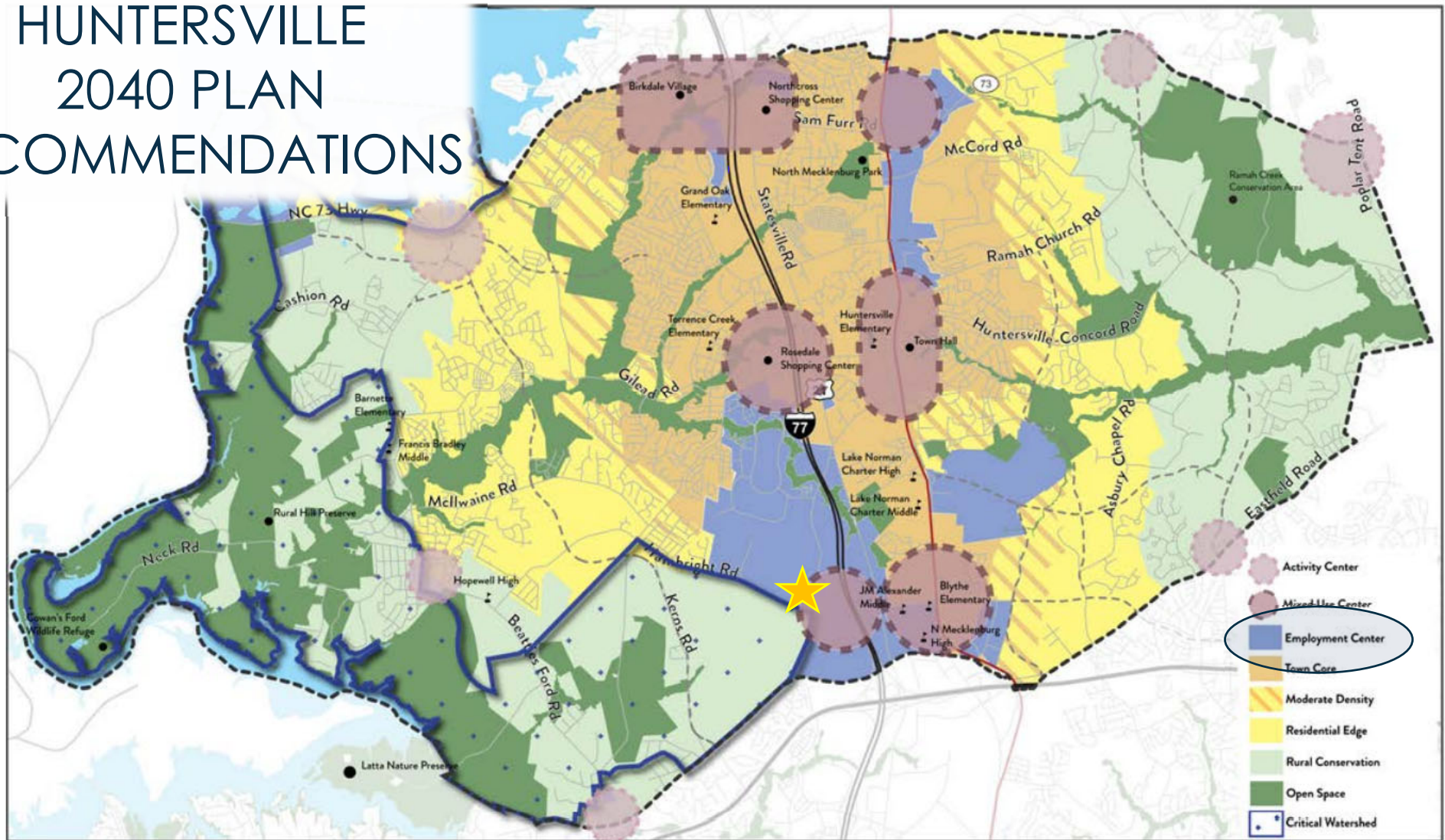


CURRENT ZONING

A map showing the current zoning for the area around the proposed site. The map includes various zoning districts such as GR(MH-O), C1(CD), R, R(CD), SP(CD), and NC. The proposed site is highlighted in green. The map also shows major roads like Patterson Rd, Hemlock Rd, and Mt Holly-Huntersville Rd, as well as Gar Creek and the I-77 highway.

TOWN OF HUNTERSVILLE FUTURE LAND USE MAP

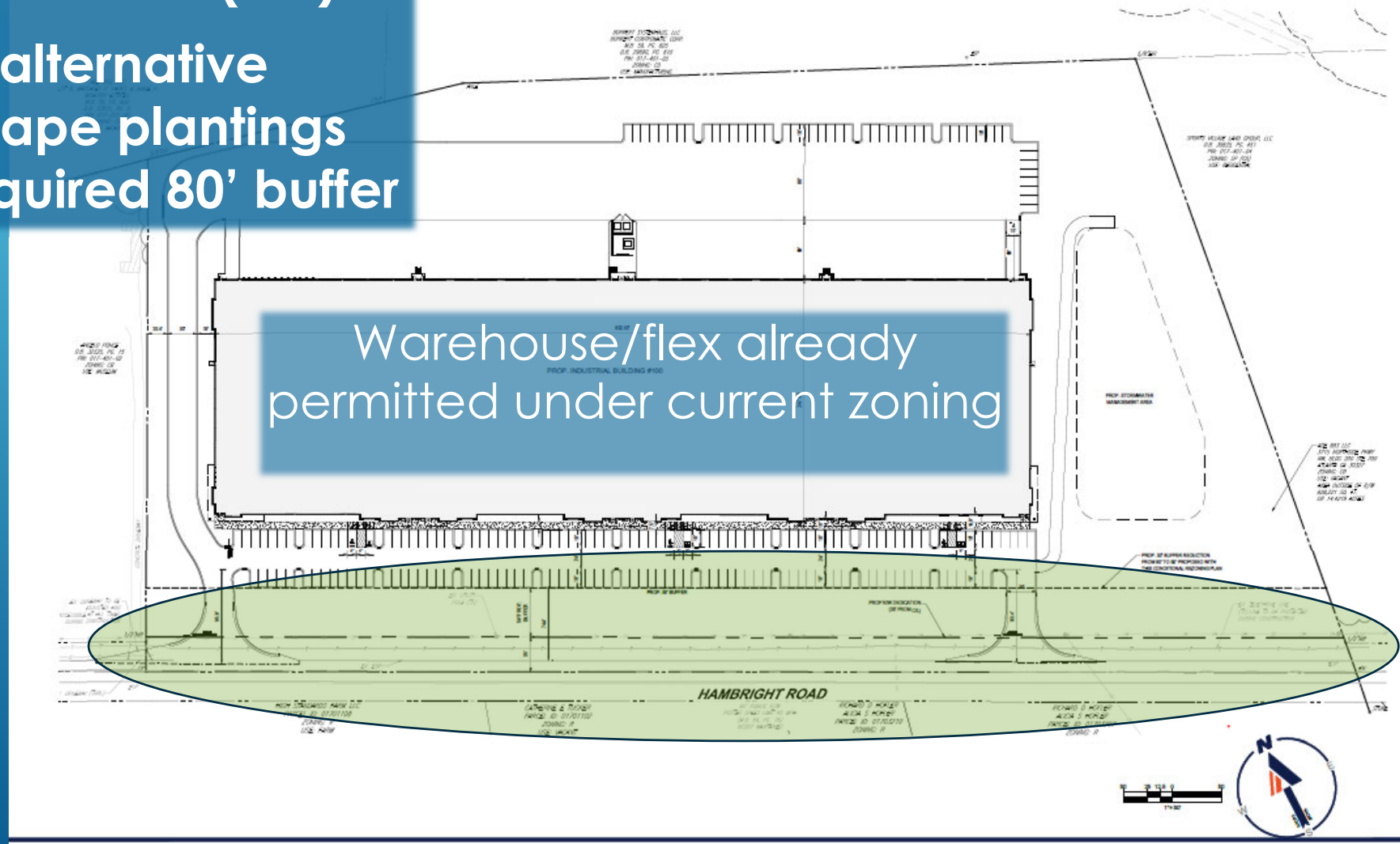
HUNTERSVILLE 2040 PLAN RECOMMENDATIONS



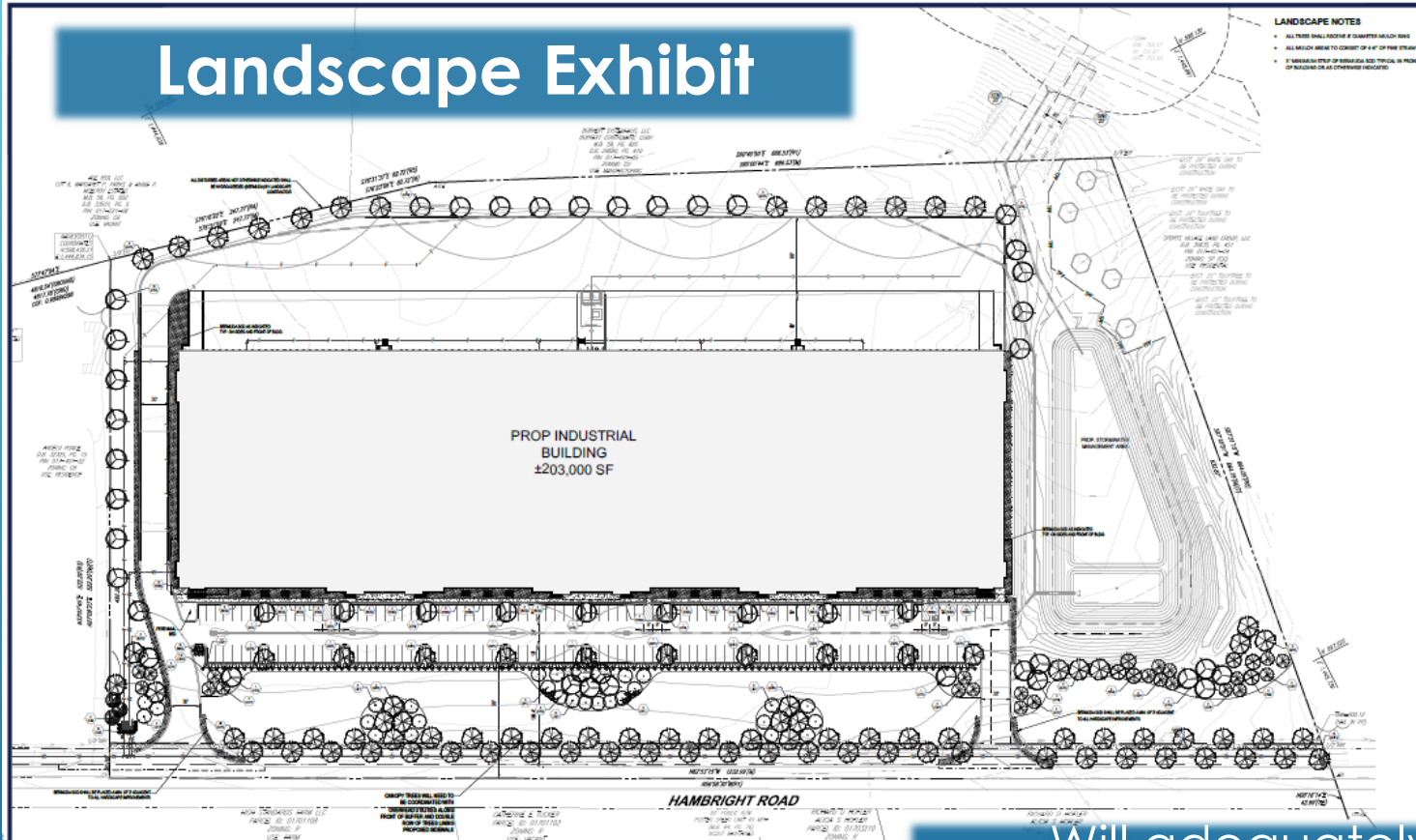
REZONING REQUEST

Conditional CB(CD)

For alternative
landscape plantings
within required 80' buffer



Landscape Exhibit



- LANDSCAPE NOTES**
- ALL TREES SHALL RECEIVE 8" DIAMETER MULCH BARS
 - ALL MULCH BARS TO CONSIST OF 4" OF PINE STRAW
 - EXAMINATION OF TOPOGRAHY REQUIRED SPECIAL IN FRONT OF BUILDING OR AS OTHERWISE INDICATED

PROP INDUSTRIAL
BUILDING
±203,000 SF

HAMBRIGHT ROAD

TOWN OF HUNTERVILLE LANDSCAPE REQUIREMENTS		
SECTION	REQUIREMENTS	COMMENTS/NOTES
GENERAL	ALL LANDSCAPING SHALL BE IN ACCORDANCE WITH THE TOWN OF HUNTERVILLE LANDSCAPE REQUIREMENTS. ALL LANDSCAPING SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE TOWN OF HUNTERVILLE LANDSCAPE REQUIREMENTS. ALL LANDSCAPING SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE TOWN OF HUNTERVILLE LANDSCAPE REQUIREMENTS.	
PLANTING	ALL PLANTING SHALL BE IN ACCORDANCE WITH THE TOWN OF HUNTERVILLE LANDSCAPE REQUIREMENTS. ALL PLANTING SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE TOWN OF HUNTERVILLE LANDSCAPE REQUIREMENTS. ALL PLANTING SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE TOWN OF HUNTERVILLE LANDSCAPE REQUIREMENTS.	
MAINTENANCE	ALL MAINTENANCE SHALL BE IN ACCORDANCE WITH THE TOWN OF HUNTERVILLE LANDSCAPE REQUIREMENTS. ALL MAINTENANCE SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE TOWN OF HUNTERVILLE LANDSCAPE REQUIREMENTS. ALL MAINTENANCE SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE TOWN OF HUNTERVILLE LANDSCAPE REQUIREMENTS.	

LANDSCAPE SCHEDULE			
ITEM	QTY.	SYMBOL NAME	COMMON NAME
1.01	1	Small Tree	Small Tree
1.02	1	Medium Tree	Medium Tree
1.03	1	Large Tree	Large Tree
1.04	1	Shrub	Shrub
1.05	1	Flower Bed	Flower Bed
1.06	1	Grass	Grass
1.07	1	Path	Path
1.08	1	Water Feature	Water Feature
1.09	1	Lighting	Lighting
1.10	1	Signage	Signage

Will adequately screen vehicles and provide plantings while allowing for successful/marketable building

BOHLER
BOHLER ENGINEERING INC. PLLC
SITE CIVIL AND CONSULTING ENGINEERING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
TRANSPORTATION SERVICES

REVISIONS			
REV	DATE	DESCRIPTION	BY

811
Call before you dig
ALWAYS CALL 811
It's Not. It's Free. It's the Law.

ISSUED FOR MUNICIPAL &
AGENCY REVIEW & APPROVAL

PROJECT No. 1000000000
DESIGNED BY: CH
DATE: 01/15/2019
CITY: HUNTERVILLE, IN

PROJECT
**NORTH CHASE
AT THE PARK
BUILDING 100**

FOR
**MCDONALD
DEVELOPMENT**

PROPOSED
DEVELOPMENT
HAMBRIGHT ROAD
HUNTERVILLE, IN

BOHLER
1807 S. TRYON STREET, SUITE 510
CHARLOTTE, NC 28203
Phone: 980.270.5400
Fax: 980.270.5401
NC@bohlereing.com

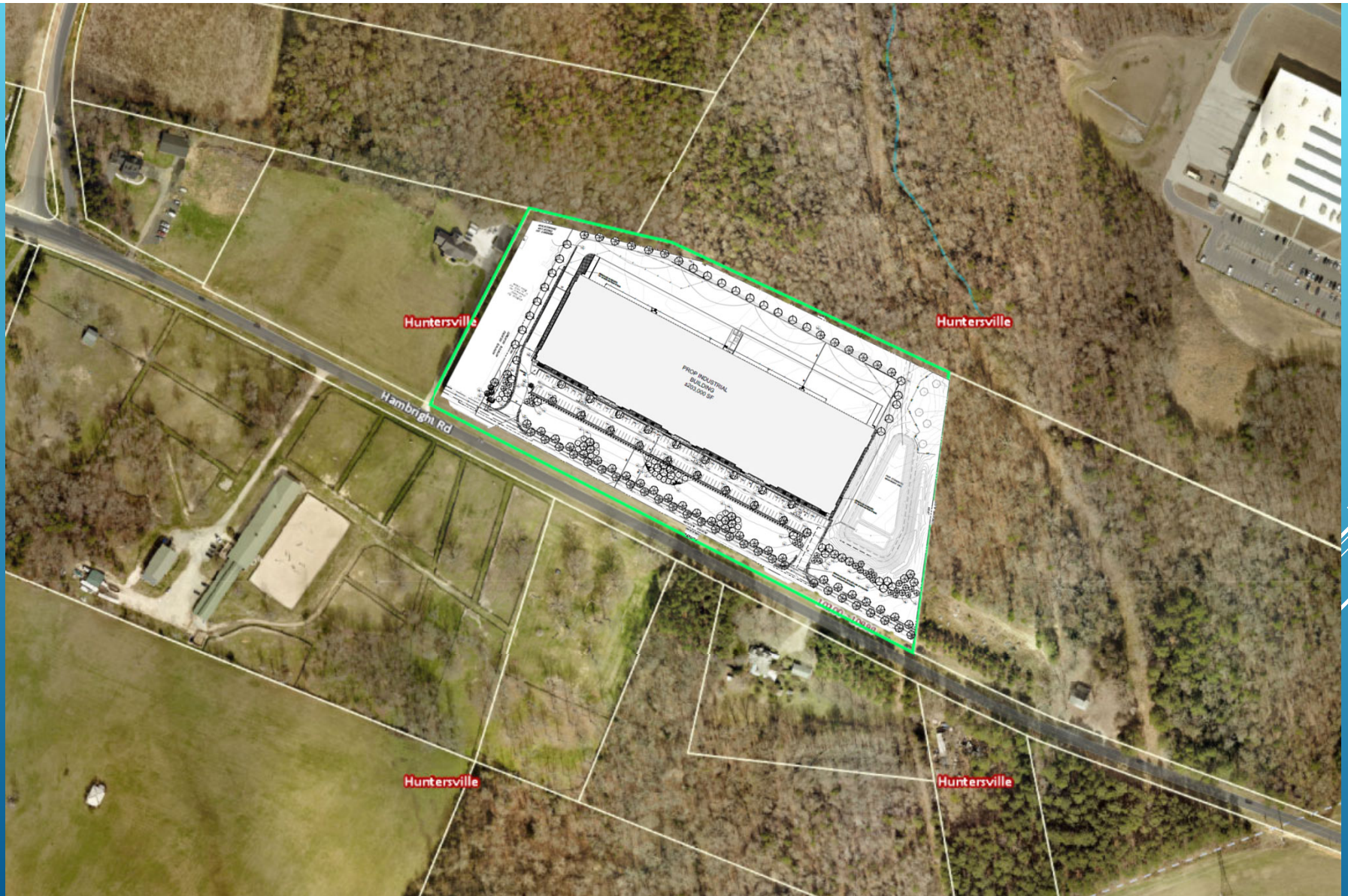
SEAL
NORTH CAROLINA
Professional Engineer
No. 1000000000
J. L. S. MALL
6/16/2020

SHEET TITLE

LANDSCAPE PLAN

SHEET NUMBER
RZ - 4

ORG. DATE - 3/13/2019



Example Rendering



REZONING TIMELINE

Several thin, white, parallel diagonal lines are positioned in the bottom right corner of the slide, extending from the right edge towards the center.

POTENTIAL REZONING TIMELINE

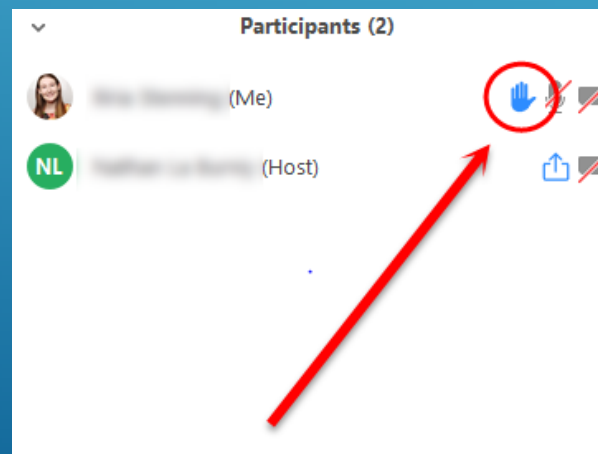
- Filed Application: June 1st
 - Community Meeting: TODAY
 - Earliest Possible Public Hearing: September 7th
 - Planning Board Meeting: September 28th
 - Earliest Possible Decision: October 18th
- 
- A series of white diagonal lines of varying lengths and thicknesses, located in the bottom right corner of the slide, creating a modern, abstract graphic element.

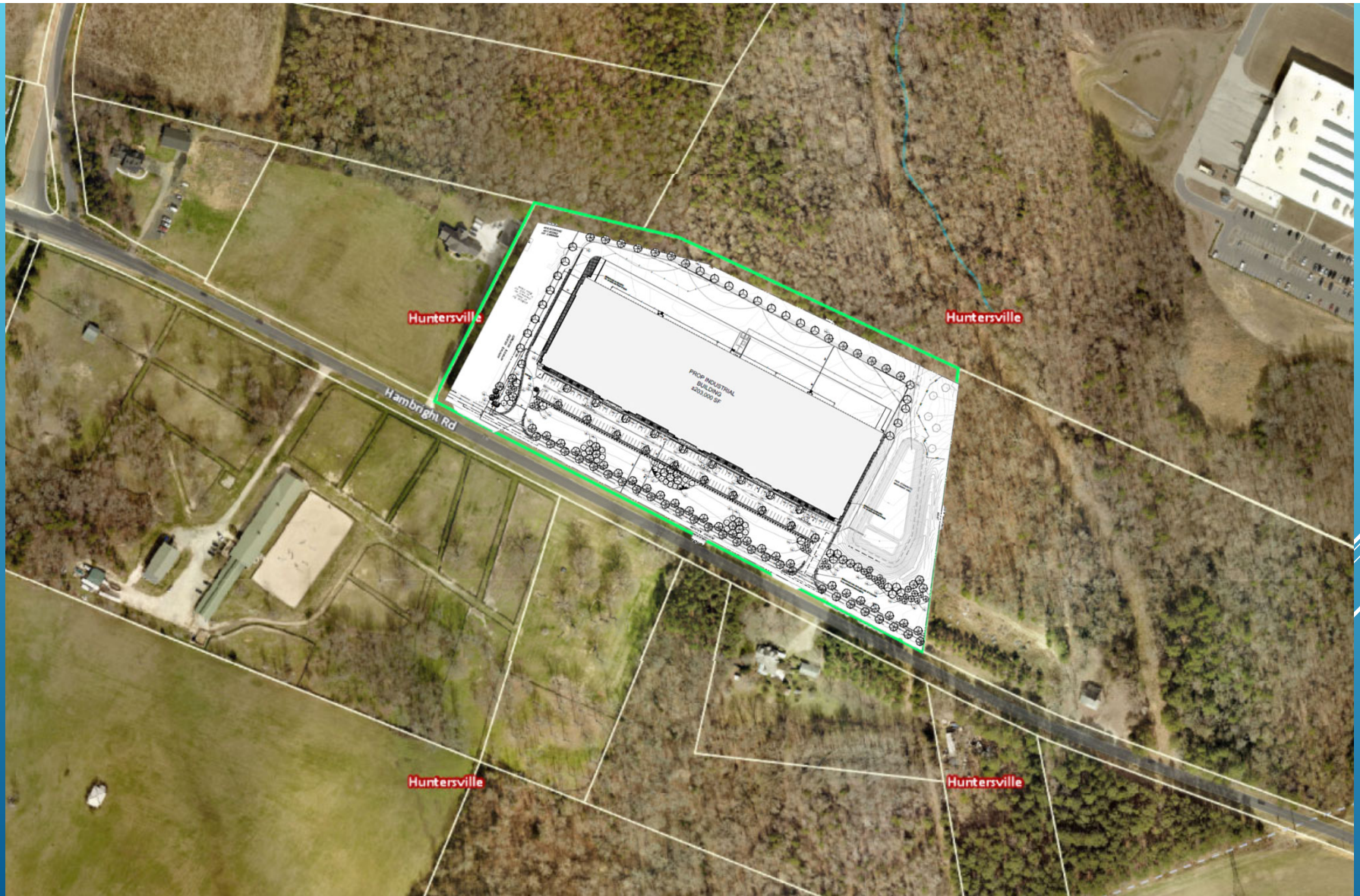
QUESTIONS & DISCUSSION

Type your
questions



Or ask out loud





THANK YOU!



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 (100) or more peak hour vehicle trips or 1,000 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: McDonald Development Company

Project Name: North Chase at The Park, Building 100

Project Address: Hambright Road

Project Description (including square footage for each proposed land use):
Warehouse building containing 203,000 square feet.

Applicant

Printed Name McDonald Development Company Phone 404-239-0885

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

Signature Jay A. White

Title Senior Vice President Email twhite@mcdco.com

Contact Information

Town of Huntersville Engineering Department
(704) 766 - 2220

For Town Staff Use Only

Project File # _____

Date Submitted 4/8/2021

Daily Trips Anticipated 1357

Peak Hour Trips Anticipated AM 81 PM 81

TIA Required (Yes/No) Yes

Date of Determination: 4/8/2021

Comments: Determination made based on 203,000 sq ft of Industrial Park Use (Land Use Code 130).



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 6/1/2021

Name of Project North Chase at The Park, Building 100 Phase # (if subdivision) _____

Project Address Hambright Road

Parcel Identification Number(s) (PIN) 01740103

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

Property Size (acres) 15.408 acres Street Frontage (feet) 1,219 feet

Current Land Use Vacant

Proposed Land Use(s) Industrial/warehouse/flex

Is the project within Huntersville's corporate limits?

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

3. Description of Request

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

(see attached sheet)

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 ADE 883, LLC Phone _____
☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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

Signature _____ Printed Name: _____

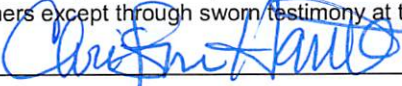
Title _____ Email _____

Address of Applicant _____

7. Property Owner (if different than applicant)

*Printed Name ADE 883, LLC Phone 678-403-4202
☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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

Signature  Printed Name Christina Hamilton

Title Manager Email thamilton@ade1031.com

Address of Property Owner 3535 Roswell Road, Suite 63, Marietta GA 30062

* 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

McDonald Development Company	Tracy White	704-378-8757	twhite@mcdco.com
Development Firm	Name of Contact	Phone	Email
Bohler Engineering	Brian Miller	980-272-3400	bmiller@bohlereng.com
Design Firm	Name of Contact	Phone	Email

Contact Information

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

Section #3.

The Petitioner proposes a conditional rezoning plan to accommodate a warehouse/distribution development project with alternative landscape plantings within the required eighty (80) foot wide buffer area along Hambright Road.

The existing area includes pine trees intended to be harvested and provides very little visual screening at lower levels. The alternative proposal would more effectively screen surface parking areas while allowing some visibility of the building area to ensure a viable and successful development.

PARCEL_ID	OWNER_NAME	MAILING_ADDRESS	CITY	STATE	ZIP_CODE	PROPERTY_ADDRESS	Zoning
01740105	BURKERT SYSTEMHAUS LLC,	11425 MOUNT HOLLY	HUNTERSVILLE	NC	28078	11425 MT HOLLY-HUNTERSVILLE RD HUNTERSVILLE	CB
01701108	HIGH STANDARDS FARM LLC,	10204 HAMBRIGHT RD	HUNTERSVILLE	NC	28078	10204 HAMBRIGHT RD HUNTERSVILLE	R
01740104	SPORTS VILLAGE LAND GROUP LLC,	16930 W CATAWBA AVE STE	CORNELIUS	NC	28031	10701 HAMBRIGHT RD HUNTERSVILLE	SP(CD)
01740103	ADE 883 LLC,	3715 NORTHSIDE PKWY NW	ATLANTA	GA	30327	HAMBRIGHT RD HUNTERSVILLE	CB
01722108	ADE 859 LLC,	3535 ROSWELL RD STE 63	MARIETTA	GA	30062	PATTERSON RD HUNTERSVILLE	CB
01740102	PONCE, ANGELO	10325 HAMBRIGHT RD	HUNTERSVILLE	NC	28078	10325 HAMBRIGHT RD HUNTERSVILLE	CB
01703207	HOFER, RICHARD D HOFER, ALICIA S	136 TWIN LAKE CIRCLE	NEWPORT NEWS	VA	23608	10516 HAMBRIGHT RD HUNTERSVILLE	R
01703210	HOFER, RICHARD D HOFER, ALICIA S	136 TWIN LAKE CIRCLE	NEWPORT NEWS	VA	23608	10500 HAMBRIGHT RD HUNTERSVILLE	R
01701102	TUCKER, CATHERINE E	10204 HAMBRIGHT RD	HUNTERSVILLE	NC	28078	10400 HAMBRIGHT RD HUNTERSVILLE	R
01703209	BIRMINGHAM, TAMMY	1093 READSBORO DR	MOUNT ULLA	NC	28125	10600 HAMBRIGHT RD HUNTERSVILLE	R(CD)

OFFICIAL AD PROOF

This is the proof of your ad scheduled to run in **Charlotte Observer** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(202) 713-5613**.

Notice ID: AcpZXKWKjBtK9RYZdOc3 | **Proof Updated: Aug. 20, 2021 at 06:55am EDT**
Notice Name: September 7 | Publisher ID: IPL0037956

See Proof on Next Page

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

Tracy Barron
tbarron@huntersville.org

FILING FOR

Charlotte Observer

Columns Wide: 1**Ad Class: Legals**

08/23/2021: Other Public Notices Notice	39.10
08/30/2021: Other Public Notices Notice	39.10

Subtotal	\$78.20
Tax %	0.00
Processing Fee	\$7.82
Total	\$86.02

NOTICE OF PUBLIC HEARING

The public is put on notice that the Town of Huntersville will hold a public hearing on Tuesday, September 7, 2021 on the following petition. This public hearing will be held virtually or in person at the Huntersville Recreation Center located at 11836 Verhoeff Drive Huntersville NC 28078. COVID-19 protocols will be in place for an in-person meeting, details regarding this will be available one week prior to the meeting, as published on the meeting agenda.

Petition #R21-10, a request by ADE 883, LLC to rezone 10401 Hambright Road (tax ID 01740103) from Corporate Business to Corporate Business Conditional District, to reduce the planting requirements of the 80 foot CB buffer.

Petition #TA 21-07, a request by Nick Lombardo on behalf of North American Properties, to amend Article 4: Shopfront Building Architectural Standards and Principles of the Huntersville Zoning Ordinance, to allow metal panel accents up to 30 percent of any building façade visible from the street.

The public is invited to attend the hearing and comment on the proposed changes. Substantial changes may occur to the request based on comments. For further information please contact the Planning Dept. at 704-875-7000 or go to www.huntersville.org.

W000000000000

Published Monday, August 23 and 30, 2021

ADE 883 LLC
3715 NORTHSIDE PKWY NW BLD 200 STE 700
ATLANTA GA 30327

RICHARD D HOFLER
ALICIA S HOFLER
136 TWIN LAKE CIRCLE
NEWPORT NEWS VA 23608

ANGELO PONCE
10325 HAMBRIGHT RD
HUNTERSVILLE NC 28078

TAMMY BIRMINGHAM
1093 READSBORO DR
MOUNT ULLA NC 28125

SPORTS VILLAGE LAND GROUP LLC
16930 W CATAWBA AVE STE 205
CORNELIUS NC 28031

ADE 859 LLC
3535 ROSWELL RD STE 63
MARIETTA GA 30062

BURKERT SYSTEMHAUS LLC
11425 MOUNT HOLLY HUNTERSVILLE RD
HUNTERSVILLE NC 28078

HIGH STANDARDS FARM LLC
10204 HAMBRIGHT RD
HUNTERSVILLE NC 28078

CATHERINE E TUCKER
10204 HAMBRIGHT RD
HUNTERSVILLE NC 28078

RICHARD D HOFLER
ALICIA S HOFLER
136 TWIN LAKE CIRCLE
NEWPORT NEWS VA 23608

CROSSWINDS PHASE 3 HOMEOWNERS ASSOCIATION INC
PO BOX 49443
CHARLOTTE NC 28277

HUNTERSVILLE BUSINESS PROPERTY OWNERS
ASSOCIATION INC
C/O SUSAN MELTON
13801 REESE BOULEVARD
HUNTERSVILLE NC 28078

**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From: Kayleigh Mielenz

Date: December 6, 2021

Subject: Public Hearing - Petition #TA21-16

EXPLAIN REQUEST:

Conduct public hearing on Petition #TA21-16, a request by the Town of Huntersville Planning Department to amend Sections 8.17.25(B), 8.17.25(B)(3), and 11.2.3(A) of the Zoning Ordinance, and to amend Subsection 1 of Section 9.000 of the Subdivision Ordinance, and to amend Sections 151.02, 151.34, and 151.48(E) of the Flood Damage Prevention Ordinance, and to amend Sections 110.99 of Title XI, 150.01, 150.16(C), 150.16, 151.16(E), 158.18, 150.20, 150.23, and 150.99(B) of the Town Code of Ordinances, and to add Section 99.99 to Title IX of the Town Code of Ordinances to remove criminal penalty from Ordinances adopted under Article 18 Of G.S. 153A (Planning and Regulation of Development) or 160D of the General Statutes, except those ordinances related to unsafe buildings. And, the Town of Huntersville Planning Department requests to amend Sections 3.3.2.2 Exceptions to Applicability, Subsection (e) of Section 3.3.2-A Built-Upon Area Development Standards, Subsection (e) of Section 3.3.2-B Built-Upon Area Development Standards, Section 3.3.3.2 Exceptions to Applicability, (e) of Section 3.3.3-A Built-Upon Area Development Standards, and Subsection e of Section 8.17.3 Water Quality Exceptions to Applicability of the Zoning Ordinance to allow an applicant to exceed the allowable built-upon area (density) under the Water Supply Watershed Rules if all circumstances are met.

ACTION RECOMMENDED:

Conduct the public hearing.

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. TA21-16 Public Hearing Staff Report
2. 1. Updated Text Amendment Application 10.27.21

3. SB 300 & HB 218 Proposed Ordinance Language 11.12.21

TA21-16 – Senate Bill 300 & House Bill 218 Text Amendment

PART 1: DESCRIPTION

TA21-16 is a text amendment request by Town of Huntersville Planning Staff in order to comply with Senate Bill 300 & S.L. 2021-138 to remove criminal penalty from ordinances adopted under Article 18 of G.S. 153A (Planning and Regulation of Development) or 160D of the General Statutes, except those ordinances related to unsafe buildings. TA21-16 is also a text amendment request by Town of Huntersville Planning Staff to comply with House Bill 218 to allow an applicant to exceed the allowable built-upon area (density) under the water supply watershed rules if all circumstances are met.

PART 2: BACKGROUND

TA21-16, the Town of Huntersville Planning Department requests to amend Sections 8.17.25(B), 8.17.25(B)(3), and 11.2.3(A) of the Zoning Ordinance, and to amend Subsection 1 of Section 9.000 of the Subdivision Ordinance, and to amend Sections 151.02, 151.34, and 151.48(E) of the Flood Damage Prevention Ordinance, and to amend Sections 110.99 of Title XI, 150.01, 150.16(C), 150.16, 151.16(E), 158.18, 150.20, 150.23, and 150.99(B) of the Town Code of Ordinances, and to add Section 99.99 to Title IX of the Town Code of Ordinances to remove criminal penalty from Ordinances adopted under Article 18 Of G.S. 153A (Planning and Regulation of Development) or 160D of the General Statutes, except those ordinances related to unsafe buildings.

And, the Town of Huntersville Planning Department requests to amend Sections 3.3.2.2 Exceptions to Applicability, Subsection (e) of Section 3.3.2-A Built-Up-On Area Development Standards, Subsection (e) of Section 3.3.2-B Built-Up-On Area Development Standards, Section 3.3.3.2 Exceptions to Applicability, (e) of Section 3.3.3-A Built-Up-On Area Development Standards, and Subsection e of Section 8.17.3 Water Quality Exceptions to Applicability of the Zoning Ordinance to allow an applicant to exceed the allowable built-upon area (density) under the Water Supply Watershed Rules if all circumstances are met.

Senate Bill 300 was approved on September 2, 2021 and became effective October 1, 2021. Part XIII of Senate Bill 300 pertains to the decimalization of certain ordinances and specifies ordinances adopted under Article 18 of G.S. 153A or 160D of the General Statutes, except those ordinances related to unsafe buildings, shall not impose criminal penalty.

House Bill 218 was approved on October 8, 2021 and became effective November 1, 2021. House Bill 218 is to clarify stormwater runoff requirements applicable to preexisting development in water supply watersheds.

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN

TA21-16 is consistent with all policies of the Huntersville 2040 Community Plan as the amendment is necessary to comply with State Legislature.

PART 4: STAFF RECOMMENDATION

Staff recommends approval of the text amendment language.

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD

The Huntersville Ordinances Advisory Board (HOAB) recommended approval of the proposed text amendment for SB 300 5-4 on October 7, 2021. The Huntersville Ordinances Advisory Board (HOAB) recommended approval of the proposed text amendment for HB 218 8-0 on November 4, 2021.

PART 6: PUBLIC HEARING

December 6, 2021.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board is scheduled for December 21, 2021.

PART 8: ATTACHMENTS

1. Applicant's Text Amendment Application
2. Ordinance

PART 9: STATEMENT OF CONSISTENCY – TA 21-16

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA21-16, Planning Staff recommends approval based on consistency with all policies of the Huntersville 2040 Community Plan as the amendment is necessary to comply with State Legislature. It is reasonable and in the public interest to amend the Zoning Ordinance because it is necessary to coordinate the Huntersville Zoning, Subdivision, and Town Code of Ordinances to comply with State Legislature.	APPROVAL: In considering the proposed amendment TA21-16, Planning Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because... <i>(Explain)</i>	APPROVAL: In considering the proposed amendment TA21-16, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...<i>(Explain)</i>
DENIAL: N/A	DENIAL: N/A In considering the proposed amendment TA21-16, the Planning Board recommends denial based on the amendment being <u>(consistent OR inconsistent) with (insert applicable plan reference).</u> It is not reasonable and in the public interest to amend the Zoning Ordinance because.... <i>(Explain)</i>	DENIAL: In considering the proposed amendment TA21-16, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent) with (insert applicable plan reference).</u> It is not reasonable and in the public interest to amend the Zoning Ordinance because.... <i>(Explain)</i>



Text Amendment Application

Date of Application: 10/22/21

Fee

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

Type of Change

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

X__ Revision/Modification to text of **Zoning Ordinance / Subdivision Ordinance / Other**

Description of Change

Proposed text amendment will affect the following:

Ordinance(s): See attached Article(s): _____ Section(s): _____

Current Ordinance

See attached

Proposed Text

See attached.

**Reason for Proposed
Change**

Mandated by Senate Bill 300 & S.L. 2021-138 to remove criminal penalty from ordinances adopted under Article 18 of G.S. 153A (Planning and Regulation of Development) or 160D of the General Statutes, except those ordinances related to unsafe buildings. Mandated by House Bill 218 to allow an applicant to exceed the allowable built-upon area (density) under the water supply watershed rules if all circumstances are met.

Attach additional pages if needed.

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

ApplicantPrinted Name Town of Huntersville Planning Department☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____Signature Kayleigh Mielenz Date 10/22/21Title Planner I Email Kmielenz@huntersville.orgAddress of Applicant 105 Gilead Rd, 3rd Floor, Huntersville, NC 28078**Property Owner (if different than applicant)**

* Printed Name _____

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

Signature _____ Date _____

Title _____ Email _____

Address of Property Owner _____

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

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

Contact Information

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

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

Date Received By Planning Department: 10/22/21Staff Initials: KIM

AN ORDINANCE TO AMEND SECTIONS 8.17.25(B), 8.17.25(B)(3), AND 11.2.3(A) OF THE ZONING ORDINANCE, AND TO AMEND SUBSECTION 1 OF SECTION 9.000 OF THE SUBDIVISION ORDINANCE, AND TO AMEND SECTIONS 151.02, 151.34, AND 151.48(E) OF THE FLOOD DAMAGE PREVENTION ORDINANCE, AND TO AMEND SECTIONS 110.99 OF TITLE XI, 150.01, 150.16(C), 150.16, 151.16(E), 158.18, 150.20, 150.23, AND 150.99(B) OF THE TOWN CODE OF ORDINANCES, AND TO ADD SECTION 99.99 TO TITLE IX OF THE TOWN CODE OF ORDINANCES TO REMOVE CRIMINAL PENALTY FROM ORDINANCES ADOPTED UNDER ARTICLE 18 OF G.S. 153A (PLANNING AND REGULATION OF DEVELOPMENT) OR 160D OF THE GENERAL STATUTES, EXCEPT THOSE ORDINANCES RELATED TO UNSAFE BUILDINGS.

AND, AN ORDINANCE TO AMEND SECTIONS 3.3.2.2 EXCEPTIONS TO APPLICABILITY, SUBSECTION (e) OF SECTION 3.3.2-A BUILT-UPON AREA DEVELOPMENT STANDARDS, SUBSECTION (e) OF SECTION 3.3.2-B BUILT-UPON AREA DEVELOPMENT STANDARDS, SECTION 3.3.3.2 EXCEPTIONS TO APPLICABILITY, (e) OF SECTION 3.3.3-A BUILT-UPON AREA DEVELOPMENT STANDARDS, AND SUBSECTION E OF SECTION 8.17.3 WATER QUALITY EXCEPTIONS TO APPLICABILITY OF THE ZONING ORDINANCE TO ALLOW AN APPLICANT TO EXCEED THE ALLOWABLE BUILT-UPON AREA (DENSITY) UNDER THE WATER SUPPLY WATERSHED RULES IF ALL CIRCUMSTANCES ARE MET.

Section 1. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that subsection 1 of Section 9.000 of the Town of Huntersville Subdivision Ordinance, Enforcement, is hereby amended as follows:

1. After the effective date of this ordinance, any person who, being the owner or the agent of the owner of any land located within the area of jurisdiction of this ordinance, subdivides land in violation of this ordinance or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a subdivision of the land before the plat has been properly approved under this ordinance and recorded in the Office of the Register of Deeds of Mecklenburg County shall, ~~upon conviction, be guilty of a Class 1 misdemeanor, which shall result in the assessment of a civil penalty be punishable by a fine not to exceed of \$500.00 per offense and may result in other enforcement actions as allowed by law, or imprisonment for not more than 30 days for each and every offense.~~ The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land does not exempt the transaction from this penalty. The Town of Huntersville through the Town Attorney may bring an action for injunction of any illegal subdivision, transfer, conveyance, or sale of land, and the court shall, upon appropriate findings, issue an injunction and order requiring the offending party to comply with the subdivision regulation. All administrative actions relating to such land, including the issuance of any grading, construction, building, or occupancy permit will be suspended. This ordinance will not affect the sale or transfer of any land, a plat of which was recorded prior to the effective date of this ordinance. No penalties shall be assessed until the person alleged to be in violation has been notified in writing of the violation by registered or certified mail, return receipt requested, or by other means which are reasonably calculated to give actual notice. The notice shall describe the nature of the violation with reasonable

particularity, specify a reasonable time period within which the violation must be corrected, and warn that failure to correct the violation within the time period will result in assessment of a civil penalty or other enforcement action as allowed by law. Each day's continuing violation shall be a separate and distinct offense.

Section 2. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 8.17.25(b) of the Town of Huntersville Zoning Ordinance is hereby amended as follows:

Remedies and Penalties. The remedies and penalties provided for violations of this ordinance, ~~whether civil or criminal~~, shall be cumulative and in addition to any other remedy provided by law, and may be exercised in any order.

Section 3. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 8.17.25(b)(3) of the Town of Huntersville Zoning Ordinance is hereby deleted and amended as follows:

~~Criminal Penalties Violation of this ordinance may be enforced as a misdemeanor subject to the maximum fine permissible under North Carolina law.~~

Section 4. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 11.2.3(a) of the Town of Huntersville Zoning Ordinance, Enforcement Remedies and Penalties for Violation, is hereby amended as follows:

- (a) **Criminal.** Any person, firm, or corporation convicted of violating the provisions of this ordinance related to unsafe buildings, Section 11.2.3(f), or 11.3.2(h)(4) shall, upon conviction, be guilty of a misdemeanor and shall be fined an amount not to exceed five hundred dollars (\$500) and/or imprisoned for a period not to exceed twenty (20) days. Each day of violation shall be considered a separate offense, provided that the violation of this ordinance is not corrected within thirty (30) days after notice of said violation is given.

Section 5. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 151.02 of the Flood Damage Prevention Ordinance, Statutory Authorization, is hereby amended as follows:

The Legislature of the State of North Carolina has in G.S. Chapter 143, Art. 21, Part 6; Chapter 160D ~~160A, Art. 19~~, Parts 3, 5, and 8; and Chapter 160A, Art. 8, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare.

Section 6. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 151.34 of the Flood Damage Prevention Ordinance, Penalties for Violation, is hereby amended as follows:

Violation of the provisions of this ordinance or failure to comply with any of its requirements including violation of conditions and safeguards established in connection with grants of Floodplain Development Permits, Variances or special exceptions, shall constitute a misdemeanor and shall, upon conviction thereof, be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than thirty (30) days, but only if the violation is not related to Article 19 of Chapter 160A of the North Carolina General Statutes or a violation of Chapter 160D of the North Carolina General Statutes. ~~Any person who~~

~~violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than thirty (30) days. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Town of Huntersville or the Floodplain Administrator from taking such other lawful action as is necessary to prevent or remedy any violation, including but not limited to seeking injunctive relief, orders of abatement, or other similar equitable relief~~

Section 7. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 151.48(E) of the Flood Damage Prevention Ordinance, Corrective Procedures, is hereby amended as follows:

(E) Failure to comply with order. If the owner or occupant of a building or property fails to comply with an order to take corrective action from which no appeal has been taken, or fails to comply with an order of the Board of Adjustment following an appeal, he/she ~~shall be guilty of a misdemeanor and shall be punished in the discretion of the court. In addition, the owner or occupant shall be subject to civil enforcement as described in Article II, Section 14.~~

Section 8. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 110.99 of Title XI of the Town of Huntersville Code of Ordinances, Penalty, is hereby amended as follows:

~~(A) Criminal penalty. Any person who violates any of the following provisions of this chapter shall be guilty of a misdemeanor as provided in G.S. § 14-4 and, upon conviction, shall be subject to a maximum fine of \$500.00 or imprisonment, or both: Sections 110.20(B)(9)(a), 110.23, 110.26(D), 110.27(E), 110.30(C), 110.45, 110.46(C) and (D), 110.47(B) and 110.48(B) and (C). Each violation shall be considered a separate and distinct offense, and each day of continued violation shall be considered as a separate offense. The issuance of a notice of violation or a suspension or revocation of a sexually oriented business license shall not prohibit the imposition of a criminal penalty and the imposition of a criminal penalty shall not prevent the issuance of a notice of violation or a suspension or revocation of the license.~~

~~(A)(B) Civil injunction.~~ In addition to the issuance of a notice of violation and, the suspension or revocation of a sexually oriented business license, ~~or a prosecution for criminal violations,~~ any person who violates this chapter may be subject to all civil and equitable remedies stated in G.S. § 160A-175.

Section 9. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 150.01 of the Town of Huntersville Code of Ordinances, Findings; purpose, is hereby amended as follows:

- (A) Pursuant to G.S. § ~~160A-441~~160D-1201, it is hereby found and declared that there exist in the town dwellings which are unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents and other calamities, lack of ventilation, light and sanitary facilities, and other conditions rendering such dwellings unsafe or unsanitary, dangerous and detrimental to the health and otherwise inimical to the welfare of the residents of the town.
- (B) In order to protect the health, safety and welfare of the residents of the town as authorized by G.S. § 160DA, Article ~~19, Part 6~~, it is the purpose of this chapter to establish minimum standards of fitness for the initial and continued occupancy of all buildings used for human habitation, as expressly authorized by G.S. § ~~160A-444~~160D-1205.

Section 10. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 150.16(c) of the Town of Huntersville Code of Ordinances, Administrative Procedure, is hereby amended as follows:

(3) *In personam remedy.* If the owner of any deteriorated dwelling or dwelling unit shall fail to comply with an order of the Inspector to repair, alter, or improve the same within the time specified therein, or if the owner of a dilapidated dwelling shall fail to comply with an order of the Inspector to vacate and close, and remove or demolish the same within the time specified therein, the Inspector shall submit to the Board of Commissioners may adopt an ordinance at its next regular meeting a resolution directing the Town Attorney to petition the superior court for an order directing such owner to comply with the order of the Inspector, as authorized by G.S. § ~~160A-446(g)~~ 160D-1208.

(4) *In rem remedy.* After failure of an owner of a deteriorated dwelling or dwelling unit, or of a dilapidated dwelling, to comply with an order of the Inspector within the time specified therein, if injunctive relief has not been sought or has not been granted as provided in the preceding division (1), the Inspector shall submit to the governing body an ordinance ordering the Inspector to cause such dwelling or dwelling unit to be repaired, altered, improved, or vacated and closed and removed or demolished, as provided in the original order of the Inspector, and pending such removal or demolition, to placard such dwelling as provided by G.S. § ~~160A-443~~ 160D-1203 and Section 150.17 of this chapter.

Section 11. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 150.16(d) of the Town of Huntersville Code of Ordinances, Appeals from orders of Inspector, is hereby amended as follows:

(1) An appeal from any decision or order of the Inspector may be taken by any person aggrieved thereby. Any appeal from the Inspector shall be taken within ten days from the rendering of the decision or service of the order, and shall be taken by filing with the Inspector and with the town's Zoning Board of Adjustment, hereinafter referred to as "Board", a notice of appeal which shall specify the grounds upon which the appeal is based. Upon the filing of any notice of appeal, the Inspector shall forthwith transmit to the Board all the paper constituting the record upon which the decision appealed from was made. When appeal is from a decision of the Inspector refusing to allow the person aggrieved thereby to do any act, his or her decision shall remain in force until modified or reversed. When any appeal is from a decision of the Inspector requiring the person aggrieved to do any act, the appeal shall have the effect of suspending the requirement until the hearing by the Board, unless the Inspector certifies to the Board, after the notice of appeal is filed with him or her, that by reason of the facts stated in the certificate (a copy of which shall be furnished the appellant), a suspension of his or her requirement would cause imminent peril to life or property, in which case the requirement shall not be suspended except by a restraining order, which may be granted for due cause shown upon not less than one-days written notice to the Inspector, by the Board, or by a court of record upon petition made pursuant to G.S. § ~~160A-446(f)~~ 160D-1208 and division (E) of this section.

Section 12. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 150.16(e) of the Town of Huntersville Code of Ordinances is hereby amended as follows:

(E) Every decision of the Board shall be subject to review by proceedings in the nature of certiorari instituted within 15 days of the decision of the Board, but not otherwise, as provided in G.S. § ~~160A-446(e)~~ 160D-1208(c). In addition, any person aggrieved by an order issued by the Inspector or a decision

rendered by the Board shall also have the right, within 30 days after issuance of the order or rendering of the decision, to petition the Superior Court for a temporary injunction restraining the Inspector pending a final disposition of the cause, as provided by G.S. § ~~160A-446(f)~~ 160D-1208(d).

Section 13. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 150.18 of the Town of Huntersville Code of Ordinances, In rem action by Inspector; placarding, is hereby amended as follows:

- (A) After failure of an owner of a dwelling or dwelling unit to comply with an order of the Inspector issued pursuant to the provisions of this chapter, and upon adoption by the governing body of the town of an ordinance authorizing and directing him or her to do so, as provided by G.S. § ~~160A-443(5)~~ 160D-1203(4) and § 150.16(C) of this chapter, the Inspector shall proceed to cause such dwelling or dwelling unit to be repaired, altered, or improved to comply with the minimum standards of fitness established by this chapter, or to be vacated and closed and removed or demolished, as directed by the ordinance of the governing body and shall cause to be posted on the main entrance of such dwelling or dwelling unit a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building so posted shall constitute a Class 1 misdemeanor.
- (B) Each such ordinance shall be recorded in the office of the Register of Deeds in the county wherein the property is located, and shall be indexed in the name of the property owner in the grantor index, as provided by G.S. § ~~160A-443(5)~~ 160D-1203(7).

Section 14. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 150.20 of the Town of Huntersville Code of Ordinances, Costs a lien on premises, is hereby amended as follows:

As provided by G.S. § ~~160A-443(6)~~ 160D-1203(7), the amount of the cost of any repairs, alterations, or improvements, or vacating and closing, or removal or demolition, caused to be made or done by the Inspector pursuant to Section 150.18 of this chapter shall be a lien against the real property upon which such cost was incurred. Such lien shall be filed, have the same priority and be enforced and the costs collected as the lien for special assessments provided by G.S. § 160A, Article 10.

Section 15. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 150.23 of the Town of Huntersville Code of Ordinances, Lis Pendens, is hereby amended as follows:

Sec. 150.23- Lis Pendens Reserved

~~Upon issuance of a complaint and notice of hearing or an order pursuant thereto, a notice of lis pendens, with a copy of the complaint and notice of hearing or order attached thereto, may be filed in the office of the clerk of superior court of the county. The notice of lis pendens and a copy of the complaint and the notice of hearing or order attached thereto shall be indexed and cross-indexed in accordance with the indexing procedures of G.S. § 1-117. From the date and time of indexing, the complaint and notice of hearing or order shall be binding upon successors and assigns of the owners of and parties in interest in the dwelling at the time of filing in accordance with G.S. § 160A-445. The notice of lis pendens shall remain in full force and effect until cancelled. The notice of lis pendens shall be~~

~~cancelled upon compliance with the order. Upon receipt of notice of cancellation from the town, the Clerk of Superior Court shall cancel the notice of lis pendens.~~

Section 16. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 150.99(B) of the Town of Huntersville Code of Ordinances, Penalty, is hereby amended as follows:

(B) The violation of any provision related to unsafe buildings in ~~of~~ this chapter shall constitute a misdemeanor, as provided by G.S. § 14-4.

Section 17. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 99.99 of Title IX of the Town of Huntersville Code of Ordinances, Penalty, is hereby amended and added as follows:

Sec. 99.99- Penalty.

This chapter may be enforced by any or all of the following ways as provided by law.

(A) Anyone violating this chapter shall be guilty of a Class 3 misdemeanor and shall be fined not more than \$100.00 or imprisoned for not more than 20 days.

(B) A violation of this chapter shall subject the violator to issuance of a citation in the amount of \$100.00 for each citation. A citation remaining unpaid to the Town of Huntersville after 15 days from the date of issuance shall subject the violator to a civil penalty, which may be recovered by the town in a civil action. A violation, which is a continuing violation, shall subject the violator to separate citations for each day the violation continues.

(C) Any other penalty provided by law as set forth in Section 10.99 of this Code.

Section 18. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that subsection (e) of Section 3.3.2-A, Built-Upon Area (BUA) Development Standards, is hereby amended as follows:

Notwithstanding the above, an applicant shall be allowed to exceed the allowable Built-Upon Area (density) under the water supply watershed rules if all of the following circumstances apply:

- (1) The property was developed prior to October 1, 1993, the effective date of the local water supply watershed program.
- (2) The property has not been combined with additional lots after January 1, 2021.
- (3) The property has not been a participant in a density averaging transaction as provided in Section 3.3.2-A(h).
- (4) The current use of the property is nonresidential.
- (5) In the sole discretion, and at the voluntary election, of the property owner, the stormwater from all of the existing and new built-upon area on the property is treated in accordance with all applicable local government, State, and federal laws and regulations.
- (6) The remaining vegetated buffers on the property are preserved in accordance with Section 3.3.2-A(f).

Section 19. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that subsection (e) of Section 3.3.2-B, Built-Upon Area (BUA) Development Standards, is hereby amended as follows:

Notwithstanding the above, an applicant shall be allowed to exceed the allowable Built-Upon Area (density) under the water supply watershed rules if all of the following circumstances apply:

- (1) The property was developed prior to October 1, 1993, the effective date of the local water supply watershed program.
- (2) The property has not been combined with additional lots after January 1, 2021.
- (3) The property has not been a participant in a density averaging transaction as provided in Section 3.3.2-B(i).
- (4) The current use of the property is nonresidential.
- (5) In the sole discretion, and at the voluntary election, of the property owner, the stormwater from all of the existing and new built-upon area on the property is treated in accordance with all applicable local government, State, and federal laws and regulations.
- (6) The remaining vegetated buffers on the property are preserved in accordance with Section 3.3.2-B(f).

Section 20. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that (e) of Section 3.3.3-A, Built-Upon Area (BUA) Development Standards, is hereby amended as follows:

Notwithstanding the above, an applicant shall be allowed to exceed the allowable Built-Upon Area (density) under the water supply watershed rules if all of the following circumstances apply:

- (1) The property was developed prior to October 1, 1993, the effective date of the local water supply watershed program.
- (2) The property has not been combined with additional lots after January 1, 2021.
- (3) The property has not been a participant in a density averaging transaction as provided in Section 3.3.3-A(i).
- (4) The current use of the property is nonresidential.
- (5) In the sole discretion, and at the voluntary election, of the property owner, the stormwater from all of the existing and new built-upon area on the property is treated in accordance with all applicable local government, State, and federal laws and regulations.
- (6) The remaining vegetated buffers on the property are preserved in accordance with Section 3.3.3-A(f).

Section 21. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 3.3.2.2, Exceptions to Applicability, is hereby amended as follows:

.2 Exceptions to Applicability:

- a) Existing development, as defined in Section 12.2.3, is not subject to the requirements of the Mountain Island Lake Watershed Overlay District. Expansions to structures classified as existing development must meet the requirements of this section, however the built-upon area of the existing development is not required to be included in the impervious area calculations.

- b) An existing lot, as defined in Section 12.2.3, owned prior to the effective date of this ordinance, regardless of whether or not a vested right has been established, may be developed for single family residential purposes subject only to the buffer requirements of Section 3.3.3-A, f) and g) or Section 3.3.3-B, f) and g), whichever are applicable.
- c) Existing public utilities may expand without being subject to the restrictions of this part provided that:
 - (i) Such expansion complies with all applicable laws of the State of North Carolina and the United States of America, and
 - (ii) Discharges associated with the existing public utilities may be expanded, however the pollutant load shall not be increased beyond presently permitted levels.
- d) This Section 3.3.2 shall not require private property owners to install new or increased stormwater controls for (i) preexisting development or (ii) redevelopment activities that do not remove or decrease existing stormwater controls. When a preexisting development is redeveloped, either in whole or in part, increased stormwater controls shall only be required for the amount of impervious surface being created that exceeds the amount of impervious surface that existed before the redevelopment. Provided, however, a property owner may voluntarily elect to treat all stormwater from preexisting development or redevelopment activities described herein for the purpose of exceeding allowable density under the applicable water supply watershed rules as provided in as provided in G.S. 143-214.5(d3) and as further described in this Article 3

Section 22. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 3.3.3.2, Exceptions to Applicability, is hereby amended as follows:

.2 Exceptions to Applicability:

- a) Existing development, as defined in Section 12.2.3, is not subject to the requirements of the Lake Norman Watershed Overlay District. Expansions to structures classified as existing development must meet the requirements of this section, however the built-upon area of the existing development is not required to be included in the impervious area calculations.
- b) An existing lot, as defined in Section 12.2.3, owned prior to the effective date of this ordinance, regardless of whether or not a vested right has been established, may be developed for single family residential purposes subject only to the buffer requirements of Section 3.3.4-A, f) and g), whichever are applicable.
- c) Existing public utilities may expand without being subject to the restrictions of this part provided that:
 - (a) Such expansion complies with all applicable laws of the State of North Carolina and the United States of America; and
 - (b) Discharges associated with the existing public utilities may be expanded, however the pollutant load shall not be increased beyond presently permitted levels.
- d) This Section 3.3.3 shall not require private property owners to install new or increased stormwater controls for (i) preexisting development or (ii) redevelopment activities that do not remove or decrease existing stormwater controls. When a preexisting development is redeveloped, either in whole or in part, increased stormwater controls shall only be required for

the amount of impervious surface being created that exceeds the amount of impervious surface that existed before the redevelopment. Provided, however, a property owner may voluntarily elect to treat all stormwater from preexisting development or redevelopment activities described herein for the purpose of exceeding allowable density under the applicable water supply watershed rules as provided in as provided in G.S. 143-214.5(d3) and as further described in this Article 3.

Section 23. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that subsection e of Section 8.17.3, Exceptions to Applicability, is hereby amended as follows:

- e) This Article shall not require private property owners to install new or increased stormwater controls for (i) preexisting development or (ii) redevelopment activities that do not remove or decrease existing stormwater controls. When a preexisting development is redeveloped, either in whole or in part, increased stormwater controls shall only be required for the amount of impervious surface being created that exceeds the amount of impervious surface that existed before the redevelopment. Provided, however, a property owner may voluntarily elect to treat all stormwater from preexisting development or redevelopment activities described herein for the purpose of exceeding allowable density under the applicable water supply watershed rules as provided in as provided in G.S. 143-214.5(d3) and as further described in Article 3.

Section 24. Effective Date.

This ordinance shall become effective upon the date of adoption.

Text Amendment Timeline

Recommendation by HOAB: 10/07/21 & 11/04/21

Call for Public Hearing: 11/01/21

Proposed Recommendation by Planning Board: 12/21/21

Proposed Final Decision by Town Board: 01/08/22

**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From: Kayleigh Mielenz

Date: December 6, 2021

Subject: Public Hearing - Petition #TA21-11

EXPLAIN REQUEST:

Conduct public hearing on Petition #TA21-11, a request by the Town of Huntersville Planning Department to amend Hearing Requirements for Special Use Permits; Conditions For Certain Uses; Appeals and Variances in MIL-O District; and Appeals and Variances in LN-O District. The purpose of the amendment is to standardize existing requirements for Special Use Permits and delete repetitive standards; and amend definitions of major and minor variances from Watershed regulations and findings of fact required for variances from Watershed regulations to be consistent with the North Carolina Administrative Code.

ACTION RECOMMENDED:

Conduct public hearing.

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. Application_SUP requirements, Watershed variances 9292021
2. Ordinance Draft 3
3. TA21-11 SUP Watershed Variance Appeal - PH Staff Report _12 6 2021



Text Amendment Application

Date of Application 9/29/2021

Fee

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

Type of Change

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

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

Description of Change

Proposed text amendment will affect the following:

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

See Attached

Current Ordinance

See Attached

Proposed Text

Reason for Proposed
Change

The proposed language is already incorporated in the conditions of some uses per current Zoning Ordinance regulations. The additional language should be included in the Zoning Ordinance for these standards to be factored into the decision-making process for granting or denying all SUPs and the language of Article 11.4.10 (e) must also be included in the proposed motion language. The definitions of minor and major variances from Watershed standards are proposed to be amended to be consistent with 15A NCAC 02B .0621 of the North Carolina Administrative Code. And, variances from Watershed standards shall make the additional findings of fact per 15A NCAC 02B.0623 of the North Carolina Administrative Code.

Attach additional pages if needed.

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

Applicant

Printed Name Town of Huntersville Planning Department

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

Signature Lauren Speight Date 9/29/2021

Title Planner II Email lspeight@huntersville.org

Address of Applicant 105 Gilead Road, Huntersville, NC 28078

Property Owner (if different than applicant)

* Printed Name _____

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

Signature _____ Date _____

Title _____ Email _____

Address of Property Owner _____

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

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

Contact Information

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

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

Date Received By Planning Department: _____

Staff Initials: _____

AN ORDINANCE TO AMEND ARTICLE 11.4.10 (e): Amendment Process, Special Use Permit, HEARING REQUIREMENTS FOR SPECIAL USE PERMITS; ARTICLES 9.4, 9.15, 9.17, 9.23, 9.24, 9.31, 9.32, 9.34, 9.36, 9.38, 9.41, 9.45, 9.56, 9.61: CONDITIONS FOR CERTAIN USES; ARTICLE 3.3.2-C: Appeals and Variances in MIL-O District; and ARTICLE 3.3.3-B: Appeals and Variances in LN-O District

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that ARTICLE 11.4.10 (e): Amendment Process, Special Use Permit, Hearing of the **Zoning Ordinance** is hereby amended as follows:

e) Hearing

1) A Special Use Permit hearing will be conducted as a quasi-judicial hearing before the Town Board.

2) The applicant has the burden of producing competent, material, and substantial evidence establishing that:

i. The proposed special use will not materially endanger the public health or safety;

ii. The proposed special use will not substantially injure the value of adjoining property or it constitutes a public necessity;

iii. The proposed special use will be in harmony with the area in which it is located and in general conformity with the comprehensive plan and any applicable small area plan;

iv. The proposed special use will comply with all of the lot, size, yard, and other standards which this ordinance applies to all uses permitted in the zoning district in which the property is located; and

v. The proposed special use will comply with all general and specific standards required by the appropriate section of this ordinance for the issuance of a special use permit for this use.

Section 2. Be it ordained by the Board of Commissioners of the Town of Huntersville that ARTICLE 9.3: Conditions for Certain Uses, Agricultural Industry in the Rural and Transitional District of the **Zoning Ordinance** is hereby amended as follows:

Agricultural Industry, limited to the production of commercial poultry or small livestock in enclosed buildings, according to the procedures of Section 11.4.10.

The Town Board shall issue a Special Use Permit for the production of commercial poultry or small livestock in enclosed buildings in the Rural and Transitional District if, but not unless, the evidence presented at the Special Use Permit hearing establishes:

~~.1 — That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area; and~~

~~.2 — That the proposed use will not endanger the public health and safety, nor substantially reduce the value of nearby property; and~~

~~.1 .3~~ That no part of the proposed use will be located or operated so as to emit dust, noise, fumes, or odors in concentrations or amounts that would constitute a nuisance to persons of ordinary sensitivities on nearby properties; and

~~.2 .4~~ That there will be a separation of no less than 250 feet between structures housing the agricultural industry and any property located in a residential district or developed for residential or mixed-use purposes; and

~~.3 .5~~ That the proposed use shall be located on a lot of no less than ten acres.

Section 3. Be it ordained by the Board of Commissioners of the Town of Huntersville that ARTICLE 9.4: Conditions for Certain Uses, Airports of the **Zoning Ordinance** is hereby amended as follows:

Airports are permitted in the SP District subject to a Special Use Permit, according to the procedures of Section 11.4.10.

The Town board shall issue a Special Use Permit for the subject facility in the SP District if, but not unless, the evidence presented at the Special Use Permit hearing establishes:

~~.1 — That the proposed use will not endanger the public health and safety, nor substantially reduce the value of nearby property; and~~

~~.1 .2 — That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area; and~~

~~.1 .3~~ That the proposed use will not constitute a nuisance to properties located in residential or mixed-use districts or developed for residential purposes with respect to noise, dust, fumes, light, vibration, or traffic; and

~~.2 .4~~ That the proposed use will comply with all applicable Federal Aviation Administration regulations.

Section 4. Be it ordained by the Board of Commissioners of the Town of Huntersville that ARTICLE 9.15: Conditions for Certain Uses, Essential Services 3 of the **Zoning Ordinance** is hereby amended as follows:

Essential Services, Class 3, are permitted in the SP District subject to a Special Use Permit, according to the procedures of Section 11.4.10.

The Town board shall issue a Special Use Permit for the subject facility in the SP District if, but not unless, the evidence presented at the Special Use Permit hearing establishes:

~~1. That the proposed use will not endanger the public health and safety, nor substantially reduce the value of nearby property; and~~

~~2. That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area; and~~

1. ~~3.~~ That the proposed use will not constitute a nuisance to properties located in residential districts or developed for residential or institutional purposes with respect to noise, dust, odors, light, vibration, or traffic; and

2. ~~4.~~ That area of active use will be enclosed by a fence, not easily climbable, at least six feet in height, and the fence must be located at least 20 feet from the public street right-of-way and 100 feet from abutting property lines; and

3. ~~5.~~ That a minimum separation of 100 feet, fully vegetated, will be provided between the fenced use area and any abutting property line; existing vegetation shall be preserved to the extent practicable and supplemented with new plantings as may be required to provide a year-round opaque buffer from abutting properties; and

4. ~~6.~~ That the site shall be screened from the street(s) by a screen composed of a masonry wall or a solid fence, planted on the exterior side with a semi-opaque vegetative screen with expected height of at least 8 feet at maturity; security fencing shall be placed on the interior side of the vegetation and wall/fence.

Section 5. Be it ordained by the Board of Commissioners of the Town of Huntersville that ARTICLE 9.17: Conditions for Certain Uses, Hazardous or infectious material incineration, handling, or storage of the **Zoning Ordinance** is hereby amended as follows:

Hazardous or infectious materials, storage and treatment facilities are permitted in the Special Purpose (SP) District subject to a Special Use Permit, according to the procedures of Section 11.4.10.

The Town Board shall issue a Special Use Permit for the subject facility in the SP District if, but not unless, the evidence presented at the Special Use Permit hearing establishes:

TA21-11: SUP Hearing Requirements, Watershed Minor and Major Variance Definition and Findings of Facts

~~1. That the proposed use will not endanger the public health and safety, nor substantially reduce the value of nearby property; and~~

~~2. That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area; and~~

1. ~~3.~~ That the use complies with the Federal Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. §6901 et seq) and the North Carolina Solid Waste Management Act, as amended, (Article 9, G.S. 130A-290 et seq) for design, siting, and monitoring, and for materials to be stored or treated; and

2. ~~4.~~ That all storage, treatment, and loading facilities handling hazardous or infectious materials will be located at least 200 feet from any exterior property line and at least 2,000 feet from any lot zoned or used for residential, institutional, or office purposes; and

3. ~~5.~~ That the use will be entirely fenced with fencing material to a height of at least 7 feet; and the site shall be screened from the street(s) by a screen composed of a masonry wall or a solid fence, planted on the exterior side with a semi-opaque vegetative screen with expected height of at least 8 feet at maturity; security fencing shall be placed on the interior side of the vegetation and wall or fence; and

4. ~~6.~~ That vehicular access to the operation will be provided only by way of a designated thoroughfare; and

5. ~~7.~~ That all surface water and groundwater on the property shall be protected so as to minimize to the greatest extent possible the probability of contamination by hazardous materials; and

6. ~~8.~~ That the site will be served by a publicly operated sewage disposal system and all sanitary sewer and storm water management systems on the property will be protected so as to minimize to the greatest extent possible the probability of contamination by hazardous or infectious materials; and

7. ~~9.~~ That no structures or operations of any kind on the site shall be located within 200 feet of any adjacent lot.

Section 6. Be it ordained by the Board of Commissioners of the Town of Huntersville that ARTICLE 9.23: Conditions for Certain Uses, Hazardous or infectious material incineration, handling, or storage of the **Zoning Ordinance** is hereby amended as follows:

Off-Site LCID and C&D Landfills are permitted in the SP District subject to a Special Use Permit, according to the procedures of Section 11.4.10. The Town Board shall issue a Special Use Permit for the subject facility in the SP District if, but not unless, the evidence presented at the Special Use Permit hearing establishes the conditions below.

1. That the Site will operate in compliance with the rules according to the NCDENR for C&D and LCID landfills, as amended.

~~2. That the proposed use will not endanger the public health and safety, nor substantially reduce the value of nearby property; and~~

~~3. That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area; and~~

2. 4. That the comprehensive site plan addresses each of the environmental and development standards below:

a. A landfill which would be larger than 10 acres shall be accessed from a major or minor thoroughfare or from a street built to Industrial Collector Street standards that connects directly to a major or minor thoroughfare. Landfills 10 acres or less must directly connect to a major or minor thoroughfare, or to an Industrial Collector Street or Industrial Local Street where available. However, if such thoroughfares or streets are not reasonable available, the Board may nevertheless issue a special use permit upon finding that the use for which the permit is granted would not likely cause any injurious effect on the property adjacent to the access.

b. That the proposed or existing use will be in compliance with the rules and regulations as established by Traffic Impact Analysis (TIA) Article 14.

c. Neither clearing, grading, land disturbing activities nor any portion of a C&D or LCID landfill may be located within 100 feet of any exterior property line. Further, the buffer requirements for the site are required per the state permitting criteria. The requirements stated below take precedence over any and all modifications made by the state unless the state standards become more restrictive.

- 500-foot buffer from existing residential water supply wells to fill area.
- 200-foot buffer from adjacent property to fill area.
- No fill in designated wetlands or the FEMA and/or Community Special Flood Hazard Areas.

- 50-foot buffer from delineated streams.
- 50-foot buffer from road right-of-way to fill area (non state requirement)

d. Driveway access to the facility must be paved for a distance of at least 100' from the public street.

e. Vehicular and pedestrian access to the site must be controlled; the site must be closed and secured during hours when filling activities are not under way. A non-climbable fence, at

least 6' high, shall be installed around the landfill and all of its operations as a safety device. These fences must be constructed of wire mesh with openings not to exceed 2 inches by 4 inches or equivalent and must be placed on the interior side of screening/buffering devices.

f. All driveways which serve the site must be wide enough to accommodate two-way traffic for a distance of at least 100 feet from the public street so that no traffic waiting to enter the site will be backed up on any public right-of-way.

3. 5.—That the landfill operator will be responsible for removal of any and all debris, dirt, or other materials which fall from trucks entering or leaving the landfill from all adjoining streets on at least a weekly basis. Failure to comply constitutes a violation of this ordinance and may constitute grounds for revocation of the operating permit.

4. 6. That use of the site for any purpose shall be limited to the hours of 7:00 a.m. until 6:00 p.m. Monday through Saturday, if the site adjoins or is across the street from property located in a residential district.

5. 7. That a timetable has been submitted with the application indicating the development phases and the projected life expectancy of the landfill.

6. 8.—That a reclamation plan is provided that shows how the site will be reclaimed upon the closing of the landfill. The reclamation plan shall state the proposed method of conservatorship and perpetual maintenance or use. It shall demonstrate that the site, when closed, will pose no threat to public safety; that the finished contours and groundcover will reestablish a compatible appearance with surrounding lands and buildings; and that the method of maintenance or use will cause no future environmental degradation.

7. 9. An existing LCID landfill shall not be required to be brought into compliance with the provisions of this ordinance provided:

- a. The landfill has been continuously operating since 1990 and was not within the zoning jurisdiction of the Town of Huntersville in 1991;
- b. The landfill has a valid LCID or demolition landfill permit and/or obtains any renewals of the LCID or demolition landfill permit required by the State of North Carolina and/or Mecklenburg County;
- c. The landfill has a closure plan approved by the State of North Carolina and/or Mecklenburg County; and
- d. In no event shall the landfill operate under a demolition landfill permit later than December 4, 2016 and further provided that on the earlier of the final date permitted for operation of the landfill or the date the landfill permanently ceases operation, the owner and/or operator of the landfill shall immediately commence and continuously pursue to completion closure of the landfill according to the provisions of the then current closure plan

approved by the State of North Carolina and/or Mecklenburg County. Failure to complete closure according to such approved plan shall be a violation of this ordinance enforceable by all remedies and penalties available to the Town.

e. In no event shall a landfill operate under an LCID landfill permit later than March 3, 2028 and further provided that on the earlier of the final date permitted for operation of the landfill or the date the landfill permanently ceases operation, the owner and/or operator of the landfill shall immediately commence and continuously pursue to completion closure of the landfill according to the provisions of the then current closure plan approved by the State of North Carolina and/or Mecklenburg County. Failure to complete closure according to such approved plan shall be a violation of this ordinance enforceable by all remedies and penalties available to the Town. Recycling from an LCID landfill shall be considered an LCID activity and shall not be considered an expansion for purposes of determining nonconformance.

f. A landfill operating under an LCID landfill permit as described in e) shall meet the following requirements to the extent reasonably practicable without violating County, State, or Federal regulations:

(1) In the event that, after September 5, 2017, a driveway is permitted to replace an existing permitted driveway for the facility, the new driveway shall be paved for a distance of 100 feet from the public right of way, or, if the Planning Director determines that 100 feet of pavement is not reasonable due to topographic conditions, for such lesser distance as is determined by the Planning Director;

(2) Landscaping along street frontages to the extent commercially reasonable; and

(3) The landfill operator will be responsible for removal of any and all debris, dirt, or other materials which fall from trucks entering or leaving the landfill from all adjoining streets on at least a weekly basis, or more as needed.

8. 10.—Any existing C&D landfill shall be permitted to continue operation in the zone in which it is located provided the landfill has an unexpired special use permit. Any expansion beyond the property boundary of an existing C&D landfill as approved on November 11, 2005 must be located in the SP district with a special use permit in accordance with the provisions of this Section.

Section 7. Be it ordained by the Board of Commissioners of the Town of Huntersville that ARTICLE 9.24: Conditions for Certain Uses, Environmentally Sensitive Uses not Expressly Permitted of the **Zoning Ordinance** is hereby amended as follows:

Uses not expressly named in this ordinance, but which may constitute a greater than average impact on the environment or diminish the use and enjoyment of nearby property by generation of noise, smoke, fumes, odors, glare, commercial vehicle traffic, or similar nuisances, are permitted in the SP District subject to a Special Use Permit, according to the procedures of Section 11.4.10.

The Town Board shall issue a Special Use Permit for the subject facility in the SP District if, but not unless, the evidence presented at the Special Use Permit hearing establishes:

~~1. That the proposed use will not endanger the public health and safety, nor substantially reduce the value of nearby property; and~~

~~2. That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area; and~~

~~1.-3.~~ That a comprehensive site plan addresses the development standards below:

a. Adjoining properties and streets are protected from adverse impacts of the use and buildings on the proposed site by the locations of buffers and/or screens;

b. Any areas of the site which may present a danger to residents, their children, pets, or livestock shall be fenced with non-climbable fencing material to a height sufficient to avert said danger; fencing shall be installed on the interior of any buffering or screening;

c. Vehicular access to the proposed use will be provided by way of a road sufficiently sized to accommodate the generated trips and the vehicles typically associated with the use; a use considered under the standards of this special use permit process shall not be accessed through a residential neighborhood nor from a Residential Local street.

Section 8. Be it ordained by the Board of Commissioners of the Town of Huntersville that ARTICLE 9.31: Conditions for Certain Uses, Quarries of the **Zoning Ordinance** is hereby amended as follows:

Quarries are permitted in the SP District subject to a Special Use Permit, according to the procedures of Section 11.4.10.

The Town board shall issue a Special Use Permit for the subject facility in the SP District if, but not unless, the evidence presented at the Special Use Permit hearing establishes:

~~1. That the proposed use will not endanger the public health and safety, nor substantially reduce the value of nearby property; and~~

~~2. That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area; and~~

~~1.~~ ~~3.~~ That the quarry and all its buildings, pits, and processing equipment will be separated by a 100-foot buffer from the street and from any adjacent property that is located in a residential district or developed for residential or institutional use; and

- ~~2. 4.~~ That the quarry and all its buildings, pits, and processing equipment will be provided with an opaque screen to shield the view from the public street and from all abutting properties, regardless of use; and
- ~~3. 5.~~ That a non-climbable fence, at least 6 feet high, will be installed around the quarry and all of its operations as a safety device. These fences must be constructed of wire mesh with openings not to exceed 2 inches by 4 inches or equivalent and must be placed on the interior side of screening and/or buffering devices; and
- ~~4. 6.~~ Vehicle access to the quarry shall be provided by way of a major or minor thoroughfare, or an Industrial Street directly connecting to a thoroughfare; and
- ~~5. 7.~~ That any crushing of rock or processing of material must be done in such a way as to minimize the amount of air-borne dust created; and
- ~~6. 8.~~ That the minimum distances of quarry operations from adjacent properties shall be:
- a. for any quarry building 100 feet
 - b. for any crushing of rock, processing of stone, gravel or other material 300 feet
 - c. for any blasting 500 feet
- ~~7. 9.~~ And that upon termination of quarrying operation, the site must be reclaimed in accordance with NC General Statutes.

Section 9. Be it ordained by the Board of Commissioners of the Town of Huntersville that ARTICLE 9.32: Conditions for Certain Uses, Raceways and Drag Strips of the **Zoning Ordinance** is hereby amended as follows:

Raceways and Drag strips are permitted in the SP District subject to a Special Use Permit, according to the procedures of Section 11.4.10.

The Town board shall issue a Special Use Permit for the subject facility in the SP District if, but not unless, the evidence presented at the Special Use Permit hearing establishes:

- ~~.1 — That the proposed use will not endanger the public health and safety, nor substantially reduce the value of nearby property; and~~
- ~~.2 — That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area; and~~
- ~~.1 .3~~ That the use will be located on a lot of at least 50 acres; and
- ~~.2 .4~~ That vehicular access to the use will be provided only by way of a major or minor thoroughfare; and

~~.3~~ ~~5~~ That no direct beams of light from outdoor lighting fixtures, signs, or vehicles maneuvering on the site will shine into any abutting property located in a residential district; and

~~.4~~ ~~6~~ That a minimum separation of 100 feet, fully vegetated, shall be provided between the fenced use area and any abutting property line; existing vegetation shall be preserved to the extent practicable and supplemented with new plantings as may be required to provide a year-round opaque buffer from abutting properties; and

~~.5~~ ~~7~~ That the site shall be screened from the street(s) by a masonry wall or a solid wood fence, planted on the exterior side with a semi-opaque vegetative screen with expected height of at least 8 feet at maturity; if security fencing of chain link or similar material is provided, it shall be placed on the interior side of the vegetation and wall or fence; and

~~.6~~ ~~8~~ That hours of operation will be no earlier than 8:00 a.m. and no later than 11:00 p.m.

Section 10. Be it ordained by the Board of Commissioners of the Town of Huntersville that ARTICLE 9.34: Conditions for Certain Uses, Sanitary Landfill of the **Zoning Ordinance** is hereby amended as follows:

Sanitary Landfills are permitted in the SP District subject to a Special Use Permit, according to the procedures of Section 11.4.10.

The Town board shall issue a Special Use Permit for the subject facility in the SP District if, but not unless, the evidence presented at the Special Use Permit hearing establishes:

~~.1~~ ~~That the proposed use will not endanger the public health and safety, nor substantially reduce the value of nearby property; and~~

~~.2~~ ~~That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area; and~~

~~.1~~ ~~3~~ That the comprehensive site plan addresses each of the development standards below:

(a) The use shall be located on a lot of at least 50 acres;

(b) All land filling operations and off-street parking and service areas will be separated by a 100-foot buffer from all adjacent properties and shielded by an opaque screen from the view from a public street;

(c) No structure or land filling operation will be located within 100 feet of any property line nor within 200 feet of abutting property located in a residential district or developed for residential or mixed use;

(d) Vehicle access to the proposed use shall be provided by way of a major or minor thoroughfare, or an Industrial Street directly connecting to a thoroughfare; and

.2 .4 That the plan for development and operation of the site addresses the environmental standards below:

- (a) The siting and design of the facility will comply with the "Siting and Design Requirements for Disposal Sites" of the North Carolina Solid Waste Management Rules (Title 15A NCAC Chapter 13B) in effect at the time of review of the application;
- (b) Monitoring of surface water and groundwater will be conducted in accordance with the State of North Carolina permit and monitoring documents developed pursuant to the State of North Carolina Solid Waste Management Rules;
- (c) The facility complies with the Mecklenburg County Department of Environmental Protection's policy concerning Actual and Suspected Contaminants of Mecklenburg County Surface and Groundwater; and

.3 .5 That there is a general timetable indicating the development phases and projected life expectancy of the landfill; and

.4 .6 That there is a detailed plan for the re-use of the property, after landfill operations cease, that is not in conflict with the objectives of the most detailed plan approved for the area; and

.5 .7 That the plan for close-out of the landfill includes the creation of an escrowed fund to finance close-out, with contributions to the fund escrowed annually, beginning at the time facility development begins.

Section 11. Be it ordained by the Board of Commissioners of the Town of Huntersville that ARTICLE 9.36: Conditions for Certain Uses, Solid Waste Incineration of the Zoning Ordinance is hereby amended as follows:

Solid Waste Incineration, materials that are neither hazardous nor infectious, is permitted in the SP District subject to a Special Use Permit, according to the procedures of Section 11.4.10.

The Town Board shall issue a Special Use Permit for the subject facility in the SP District if, but not unless, the evidence presented at the Special Use Permit hearing establishes:

~~.1 That the proposed use will not endanger the public health and safety, nor substantially reduce the value of nearby property; and~~

~~.2 That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area; and~~

.1 .3 That the incineration unit(s) will be constructed and operated in compliance with environmental regulations, both current and future, as annotated in the United States Code of Federal Regulations, particularly 40 CFR § 63.988, which deals with environmental regulations,

as amended by the State of North Carolina and Mecklenburg County Department of Environmental Protection; and

~~.2~~ ~~4~~ That all storage, handling, incineration, and loading facilities will be located at least 200 feet from any exterior property line and at least 1,250 feet from any lot located in a residential or mixed use district or developed for residential, institutional, or mixed use; and

~~.3~~ ~~5~~ That structures, off-street parking and service areas will be separated by a 100-foot buffer from all adjacent properties and shielded by an opaque screen from the view from all public streets; and

~~.4~~ ~~6~~ That active use portions of the site will be entirely fenced with non-climbable fencing material to a height of at least six feet, which shall be installed on the interior of the buffer; and

~~.5~~ ~~7~~ That vehicular access to the operation will be provided only by way of a designated thoroughfare; and

~~.6~~ ~~8~~ That all surface water and groundwater on the property shall be protected so as to minimize to the greatest extent possible the potential for contamination; and

~~.7~~ ~~9~~ That the site will be served by a publicly operated sewage disposal system and all sanitary sewer and storm water management systems on the property will be protected so as to minimize to the greatest extent possible the potential for contamination.

Section 12. Be it ordained by the Board of Commissioners of the Town of Huntersville that ARTICLE 9.38: Conditions for Certain Uses, Transfer Station for Organic and Inorganic Waste Products of the **Zoning Ordinance** is hereby amended as follows:

Transfer Stations are permitted in the SP District subject to a Special Use Permit, according to the procedures of Section 11.4.10.

The Town board shall issue a Special Use Permit for the subject facility in the SP District if, but not unless, the evidence presented at the Special Use Permit hearing establishes:

~~.1~~ ~~That the proposed use will not endanger the public health and safety, nor substantially reduce the value of nearby the property; and~~

~~.2~~ ~~That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area; and~~

~~.1~~ ~~3~~ That the comprehensive site plan addresses the development standards below:

(a) The active use areas of the site shall be separated by a 100-foot buffer from all adjacent properties and shielded by an opaque screen from all public streets; and

- (b) That active use portions of the site will be entirely fenced with non-climbable fencing material to a height of at least six feet, which shall be installed on the interior of the buffer and screen; and
- (c) No active area will be located within 100 feet of any property line nor within 200 feet of abutting property located in a residential district or developed for residential, institutional, or mixed use; and
- (d) Vehicular access to the proposed use shall be provided by way of a major or minor thoroughfare, or an Industrial Street directly connecting to a thoroughfare.

Section 13. Be it ordained by the Board of Commissioners of the Town of Huntersville that ARTICLE 9.41: Conditions for Certain Uses, Correctional Facilities of the Zoning Ordinance is hereby amended as follows:

Correctional Facilities are permitted in the SP District subject to a Special Use Permit, according to the procedures of Section 11.4.10.

The Town Board shall issue a Special Use Permit for a correctional institution in the SP District if, but not unless, the evidence presented at the Special Use Permit hearing establishes:

- .1 That the proposed use will comply with all standards which this ordinance applies to uses in the SP Districts; and
- ~~.2 That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area; and~~
- ~~.3 That the proposed use will not endanger the public health and safety, nor substantially reduce the value of nearby property; and~~
- .2 .4 That the principal structure and any accessory use or structure (excluding property boundary fencing) will be located at least 500 feet from any property located in a residential district or mixed-use district; and
- .3 .5 That property boundary fencing shall not employ barbed wire, razor wire, electrical fencing, or similar materials where abutting property located in a residential district or mixed-use district; and
- .4 .6 That security fencing will be provided an opaque screen on the exterior of fencing wherever it is adjacent to a street or property in a residential or mixed-use district; and
- .5 .7 That all lighting for the facility will be oriented so that direct beams of light shine away from all abutting properties and into the correctional facility property; and
- .6 .8 That the use will be located on a lot of at least 10 acres if the facility has beds for more than 100 inmates; and

~~.7.9~~ That the use will be located on a lot of at least five acres if the facility has beds for 100 or fewer inmates.

Section 14. Be it ordained by the Board of Commissioners of the Town of Huntersville that ARTICLE 9.45: Conditions for Certain Uses, Hotels and Motels of the **Zoning Ordinance** is hereby amended as follows:

Hotels are permitted in the Highway Commercial and Corporate Business Districts subject to the requirements below; Motels are permitted in the Corporate Business District only, subject to the requirements below:

.1 Any structure in which a hotel or motel is the principal or accessory use shall be separated by a distance of at least 250 feet from any residential or mixed-use zoning district, measured from the closest point of the lot occupied by the hotel or motel to the closest point of lots in residential and mixed-use zoning districts.

.2 Any structure in which a hotel or motel is the principal or accessory use is spaced less than established in 1 above shall require a special use permit subject to the following standards as well as all other standards applicable for special use permits:

a. Any structure in which a hotel or motel is the principle or accessory use shall be separated by a distance no less than three (3) times the height of the proposed structure closest to the common lot line of the adjoining residential and mixed-use zone, but in no case less than 100 feet.

b. That all other site design requirements stated in this code are met.

~~c. That the proposed use will not endanger the public health and safety, not substantially reduce the value of nearby property.~~

~~d. That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area.~~

c. e- That vehicular access to the use will be provided only by way of a major or minor thoroughfare, or a Retail/Mixed-Use Local or Collector Street within a commercial or mixed-use project.

.3 Any structure in which a hotel or motel is the principal or accessory use may exceed the permitted

building height of the zoning district, not to exceed six (6) stories, subject to a Special Use Permit, and the requirements of Article 9.45.2

Section 15. Be it ordained by the Board of Commissioners of the Town of Huntersville that ARTICLE 9.56: Conditions for Certain Uses, Crematoriums, accessory of the **Zoning Ordinance** is hereby amended as follows:

Crematoriums are permitted in the HC district subject to a Special Use Permit, according to the procedures of Section 11.4.10.

The Town Board shall issue a Special Use Permit for the use in the HC District if, but not unless the evidence presented at the Special use Permit hearing establishes:

1. Are accessory to an established Funeral Home.
2. That the proposed use will not ~~endanger the public health and safety, substantially reduce the value of nearby property, nor~~ emit noticeable odors; and
- ~~3. That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area; and~~
3. 4. That the proposed use will be constructed and operated in compliance with all applicable environmental regulations; and
- ~~4. 5.~~ That all storage, handling, incineration, and loading facilities will be located at least 50 feet from any exterior property line; and
5. 6. The number of cremations shall be below that requiring an air quality permit by Mecklenburg County per current calendar year.
- ~~6. 7.~~ That active use portions of the site will be entirely enclosed in the principal structure.

Section 16. Be it ordained by the Board of Commissioners of the Town of Huntersville that ARTICLE 9.61: Conditions for Certain Uses, Par 3 and/or Golf Driving Range of the **Zoning Ordinance** is hereby amended as follows:

Par 3 and golf driving ranges are permitted in the Rural Zoning District subject to a Special Use Permit according to the procedures of Article 11.4.10.

The Town Board shall issue a Special Use Permit for the use in the Rural District if, but not unless the evidence presented at the Special Use Permit hearing establishes:

- ~~1. That the proposed use will not endanger the public health and safety, substantially reduce the value of nearby property; and~~
1. 2. Par 3 courses shall not be lit. Outdoor lighting associated with driving ranges in the Rural district shall be designed as follows:
 - a. Facility lighting may include floodlights but must be shielded and shall be oriented and directed in such a way as to not produce glare at any off-site location.
 - b. Maximum light fixture height shall be 40 feet.
 - c. Maximum lighting level is 15 foot-candles measured at grade.

d. If free standing lighting is proposed, photometric lighting plans shall be submitted at special use permit application. A maximum of .5 foot-candles at any location on any non-residential property and .1 foot-candles at any location on any residential property, as measurable from any orientation of the measuring device shall be met.

e. Lighting shall be extinguished at 11 pm.

f. Upon review of the photometric plan, the Town Board may modify the above lighting standards provided the spirit of the ordinance, reducing glare and off-site light trespass is maintained.

~~2. 3.~~ Vehicular access to the use will be provided only by way of a Boulevard or Major Thoroughfare.

~~3. 4.~~ A par 3 golf course or driving range must be located on a property at least 20 acres in size.

~~4. 5.~~ No multi-level buildings or tee boxes are permitted.

~~5. 6.~~ Hours of operation shall be no earlier than 6 am and no later than 11 pm.

~~6. 7.~~ Existing vegetation within 50 feet of the fronting thoroughfare and residential property lines shall remain undisturbed. If no vegetation exists along the property line, an opaque buffer shall be planted per Article 7.6 If there is no existing vegetation along the street, the required second row of street trees will be planted using large maturing evergreen trees to maintain an intermittent screen.

a. As each property is unique, the Town Board may modify the buffers for a golf facility based on particular topographical issues and uses of the property. For instance, additional buffer requirements may be appropriate for active commercial areas, while a reduction in buffer area may be appropriate for open natural areas.

~~7. 8.~~ At no time shall golf balls be permitted to cross on to adjacent property or onto the public street. If course or tee orientation makes it possible for balls to leave the site through standard operating use, netting, buffers, screening or other barrier shall be installed to prohibit off site encroachment. If netting is required, it shall be located behind a vegetative buffer, screening if from any property line.

~~8. 9.~~ Only accessory retail and commercial uses meant to serve patrons of the golf facility are permitted, such as snack shops and pro shops. No principle use restaurants or retail establishments meant to serve the general public are permitted.

Section 17. Be it ordained by the Board of Commissioners of the Town of Huntersville that ARTICLE 3.3.2-C: Appeals and Variances in MIL-O District of the **Zoning Ordinance** is hereby amended as follows:

.3 A petition for variance to the standards of the Mountain Island Lake Watershed Overlay District shall comply with the procedures and standards of Section 11.3 of these regulations, with the following exceptions.

a) In addition to the notification requirements of Section 11.3, the Watershed Administrator shall also notify in writing each local government having jurisdiction in the watershed and the entity using the water supply for consumption. Such notice shall include a description of the variance being requested. Local governments receiving notice of the variance request may submit comments to the Watershed Administrator prior to a decision by the Watershed Review Board. Such comments shall become a part of the record of proceedings of the Watershed Review Board.

b) Major and Minor Variances are differentiated by definition.

Minor variances shall include ~~petitions for the reduction of any numerical standard of the low density option in the overlay district by a factor of 10% or less.~~ **a variance from the minimum statewide watershed protection rules that results in the relaxation of up to 10 percent of any vegetated setback, density, or minimum lot size requirement applicable to low density development, or the relaxation of up to five percent of any vegetated setback, density, or minimum lot size requirement applicable to high density development. For variances to a vegetated setback requirement, the percent variation shall be calculated using the foot print of built-upon area proposed to encroach within the vegetated setback divided by the total area of vegetated setback within the project.**

Major variances means ~~a~~ **a** variance that is not a "minor variance" as that term is defined in 15A NCAC 02B .0621 of the North Carolina Administrative Code. ~~from the minimum statewide water supply watershed protection criteria that result in any one or more of the following:~~

~~Petitions for the reduction of any numerical standard of the low density option in the overlay district by a factor of more than 10%; and~~

~~Petitions for variation in the design, maintenance, or operation requirements of a wet detention pond or other approved storm water system; and~~

~~Petitions for the reduction of any management requirement that applies to a development proposal intended to qualify under the high density option.~~

c) Major and Minor Variances are differentiated as to procedures and standards.

Per 15A NCAC 02B.0623(5) of the North Carolina Administrative Code the Watershed Review Board shall make the below findings of fact for granting minor and major variance petitions:

a) there are difficulties or hardships that prevent compliance with the ordinance;

(b) the variance is in accordance with the general purpose and intent of the local watershed protection ordinance; and

(c) granting the variance, the project will ensure equal or better protection of waters of the State than the requirements of Rules .0621-.0624 of 15A NCAC 02B.0623(5) of the North Carolina Administrative Code and that the stormwater controls will function in perpetuity.

Minor variances shall comply with the procedures and standards of Section 11.3 of these regulations. An annual report of minor variances granted shall be submitted by the Watershed Administrator for each calendar year to the Division of Water Quality on or before January 1st of the following year and provide a description of each project receiving a variance and the reasons for granting the variance.

Major variances shall comply with the procedures and standards of Section 11.3 except that:

A decision by the Watershed Review Board to deny a major variance shall be final. Appeal shall be to a court of competent jurisdiction as provided in Section 11.3.

A decision by the Watershed Review Board to approve a major variance shall be advisory only. The Watershed Administrator shall within 30 days forward a record of the Board of Adjustment hearing, findings, and conclusions to the North Carolina Environmental Management Commission for final decision.

Section 18. Be it ordained by the Board of Commissioners of the Town of Huntersville that ARTICLE 3.3.3-B: Appeals and Variances in LN-O District and ARTICLE 3. of the **Zoning Ordinance** is hereby amended as follows:

.3 A petition for variance to the standards of the Lake Norman Watershed Overlay District shall comply with the procedures and standards of Section 11.3 of these regulations, with the following exceptions.

- a) In addition to the notification requirements of Section 11.3, the Watershed Administrator shall also notify in writing each local government having jurisdiction in the watershed and the entity using the water supply for consumption. Such notice shall include a description of the variance being requested. Local governments receiving notice of the variance request may submit comments to the Watershed Administrator prior to a decision by the Watershed Review Board. Such comments shall become a part of the record of proceedings of the Watershed Review Board.
- b) Major and Minor Variances are differentiated by definition.

~~Minor variances shall include petitions for the reduction of any numerical standard of the low density option in the overlay district by a factor of 10% or less.~~ **a variance from the minimum statewide watershed protection rules that results in the relaxation of up to 10 percent of any vegetated setback, density, or minimum lot size requirement applicable to low density development, or the relaxation of up to five percent of any vegetated setback, density, or minimum lot size requirement applicable to high density development. For variances to a vegetated setback requirement, the percent variation shall be calculated using the foot print of built-upon area proposed to encroach within the vegetated setback divided by the total area of vegetated setback within the project.**

Major variances means a variance that is not a "minor variance" as that term is defined in 15A NCAC 02B .0621 of the North Carolina Administrative Code. ~~from the minimum statewide water supply watershed protection criteria that result in any one or more of the following:~~

~~Petitions for the reduction of any numerical standard of the low density option in the overlay district by a factor of more than 10%; and~~

~~Petitions for variation in the design, maintenance, or operation requirements of a wet detention pond or other approved storm water system; and~~

~~Petitions for the reduction of any management requirement that applies to a development proposal intended to qualify under the high density option.~~

- c) Major and Minor Variances are differentiated as to procedures and standards.

Per 15A NCAC 02B.0623(5) of the North Carolina Administrative Code the Watershed Review Board shall make the below findings of fact for granting minor and major variance petitions:

a) there are difficulties or hardships that prevent compliance with the ordinance;

(b) the variance is in accordance with the general purpose and intent of the local watershed protection ordinance; and

(c) granting the variance, the project will ensure equal or better protection of waters of the State than the requirements of Rules .0621-.0624 of 15A NCAC 02B.0623(5) of the North Carolina Administrative Code and that the stormwater controls will function in perpetuity.

Minor variances shall comply with the procedures and standards of Section 11.3 of these regulations. An annual report of minor variances granted shall be submitted by the Watershed Administrator for each calendar year to the Division of Water Quality on or before January 1st of the following year and provide a description of each project receiving a variance and the reasons for granting the variance.

Major variances shall comply with the procedures and standards of Section 11.3 except that:

A decision by the Watershed Review Board to deny a major variance shall be final. Appeal shall be to a court of competent jurisdiction as provided in Section 11.3.

A decision by the Watershed Review Board to approve a major variance shall be advisory only. The Watershed Administrator shall within 30 days forward a record of the Board of Adjustment hearing, findings, and conclusions to the North Carolina Environmental Management Commission for final decision.

Section #. That this ordinance shall become effective **TBD**

HUNTERSVILLE ORDINANCE ADVISORY BOARD: **October 7, 2021**

PUBLIC HEARING DATE: **November 1, 2021**

PLANNING BOARD MEETING: **Tentative**

TOWN BOARD DECISION: **Tentative**

TA 21-11 – Special Use Permit Criteria, Appeals and Variances from Mountain Island Lake and Lake Norman Watershed Requirements

PART 1: DESCRIPTION

TA21-11 is a text amendment request submitted by the Town of Huntersville Planning Department to amend Article 11.4.10 (e): Amendment Process, Special Use Permit, Hearing Requirements For Special Use Permits; Articles 9.4, 9.15, 9.17, 9.23, 9.24, 9.31, 9.32, 9.34, 9.36, 9.38, 9.41, 9.45, 9.56, 9.61: Conditions For Certain Uses; ARTICLE 3.3.2-C: Appeals and Variances in MIL-O District; and ARTICLE 3.3.3-B: Appeals and Variances in LN-O District. The purpose of the amendment is to 1) standardize existing requirements for Special Use Permits and delete repetitive standards; and 2) amend definitions of major and minor variances from Watershed regulations and findings of fact required for variances from Watershed regulations to be consistent with the North Carolina Administrative Code.

PART 2: BACKGROUND

The proposed language regarding Special Use Permits is already incorporated in the conditions of some uses per current Zoning Ordinance regulations. For the proposed requirements to be factored into the decision-making process for granting or denying all Special Use Permits by the Town Board of Commissioners the language of Article 11.4.10 (e) must also be included in the proposed motion language. The definitions of minor and major variances from Watershed standards are proposed to be amended to be consistent with 15A NCAC 02B .0621 of the North Carolina Administrative Code. The North Carolina Administrative Code also indicates variances from Watershed standards shall make the additional findings of fact per 15A NCAC 02B.0623.

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN

- Policy EV1.4: Review development standards to support business growth. Support efforts to improve efficiency of the development review process for development proposals. COMMENT: The language regarding Special Use Permit applications is not new. The proposed language seeks to centrally location and clarify requirements for all Special Use Permit applications and remove duplication of requirements.
- Policy LU-4: Limit the scale of new development in Critical Watersheds; EOS-1: Support the preservation and enhancement of the natural environment, along with its scenic and cultural assets; Policy EOS-5: Protect water quality. COMMENT: The amendment with regard to variances and appeals from regulations of the Mountain Island Lake and Laken Norman Watersheds is proposed to be consistent with the North Carolina Administrative Code and ensure the Huntersville Zoning Ordinance supports protections of water quality, particularly in regulated drinking watersheds.

PART 4: STAFF RECOMMENDATION

Planning staff recommends approval of the proposed text amendment application as proposed.

Please see the drafted text as Attachment 2. The proposed amendment ordinance is included in the agenda packet. Removed language is struck out, new language is **bold underline**.

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD

The Huntersville Ordinances Advisory Board (HOAB) recommended approval of the attached draft of this text amendment during the October 7, 2021 meeting.

PART 6: PUBLIC HEARING

The Public Hearing is scheduled for December 6, 2021.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board is scheduled to consider this text amendment December 21, 2021.

PART 8: ATTACHMENTS AND ENCLOSURES

- Attachment 1 - Text Amendment Application
- Attachment 2 - Draft Language Ordinance

PART 9: STATEMENT OF CONSISTENCY – TA21-14

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA21-11 to amend Article 11.4.10 (e): Amendment Process, Special Use Permit, Hearing Requirements For Special Use Permits; Articles 9.4, 9.15, 9.17, 9.23, 9.24, 9.31, 9.32, 9.34, 9.36, 9.38, 9.41, 9.45, 9.56, 9.61: Conditions For Certain Uses; ARTICLE 3.3.2-C: Appeals and Variances in MIL-O District; and ARTICLE 3.3.3-B: Appeals and Variances in LN-O District of the Huntersville Zoning Ordinance to 1) standardize existing requirements for Special Use Permits and delete repetitive standards; and 2) amend definitions of major and minor	APPROVAL: In considering the proposed amendment TA21-11 to amend Article 11.4.10 (e): Amendment Process, Special Use Permit, Hearing Requirements For Special Use Permits; Articles 9.4, 9.15, 9.17, 9.23, 9.24, 9.31, 9.32, 9.34, 9.36, 9.38, 9.41, 9.45, 9.56, 9.61: Conditions For Certain Uses; ARTICLE 3.3.2-C: Appeals and Variances in MIL-O District; and ARTICLE 3.3.3-B: Appeals and Variances in LN-O District of the Huntersville Zoning Ordinance to 1) standardize existing requirements for Special Use Permits and delete repetitive standards; and 2) amend definitions of major and minor variances from Watershed	APPROVAL: In considering the proposed amendment TA21-11 to amend Article 11.4.10 (e): Amendment Process, Special Use Permit, Hearing Requirements For Special Use Permits; Articles 9.4, 9.15, 9.17, 9.23, 9.24, 9.31, 9.32, 9.34, 9.36, 9.38, 9.41, 9.45, 9.56, 9.61: Conditions For Certain Uses; ARTICLE 3.3.2-C: Appeals and Variances in MIL-O District; and ARTICLE 3.3.3-B: Appeals and Variances in LN-O District of the Huntersville Zoning Ordinance to 1) standardize existing requirements for Special Use Permits and delete repetitive standards; and 2) amend definitions of major and minor variances from Watershed

variances from Watershed regulations and findings of fact required for variances from Watershed regulations to be consistent with the North Carolina Administrative Code, the Planning Staff recommends approval of the application based on the amendment being consistent with policies EV1.4, LU-4, EOS-1, and EOS-5 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Subdivision Ordinance because it improves efficiency of land development reviews, supports protection of water quality in regulated drinking watersheds, and establishes greater consistency with the North Carolina Administrative Code.	regulations and findings of fact required for variances from Watershed regulations to be consistent with the North Carolina Administrative Code, the Planning Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)	regulations and findings of fact required for variances from Watershed regulations to be consistent with the North Carolina Administrative Code, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)
	DENIAL: In considering the proposed amendment TA21-11 to amend Article 11.4.10 (e): Amendment Process, Special Use Permit, Hearing Requirements For Special Use Permits; Articles 9.4, 9.15, 9.17, 9.23, 9.24, 9.31, 9.32, 9.34, 9.36, 9.38, 9.41, 9.45, 9.56, 9.61: Conditions For Certain Uses; ARTICLE 3.3.2-C: Appeals and Variances in MIL-O District; and ARTICLE 3.3.3-B: Appeals and Variances in LN-O District of the Huntersville Zoning Ordinance to 1) standardize existing requirements for Special Use Permits and delete repetitive standards; and 2) amend definitions of major and minor	DENIAL: In considering the proposed amendment TA21-11 to amend Article 11.4.10 (e): Amendment Process, Special Use Permit, Hearing Requirements For Special Use Permits; Articles 9.4, 9.15, 9.17, 9.23, 9.24, 9.31, 9.32, 9.34, 9.36, 9.38, 9.41, 9.45, 9.56, 9.61: Conditions For Certain Uses; ARTICLE 3.3.2-C: Appeals and Variances in MIL-O District; and ARTICLE 3.3.3-B: Appeals and Variances in LN-O District of the Huntersville Zoning Ordinance to 1) standardize existing requirements for Special Use Permits and delete repetitive standards; and 2) amend definitions of major and minor

	variances from Watershed regulations and findings of fact required for variances from Watershed regulations to be consistent with the North Carolina Administrative Code, the Planning Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>. It is not reasonable and in the public interest to amend the Zoning Ordinance because....<i>(Explain)</i>	variances from Watershed regulations and findings of fact required for variances from Watershed regulations to be consistent with the North Carolina Administrative Code , the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>. It is not reasonable and in the public interest to amend the Zoning Ordinance because....<i>(Explain)</i>
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**Town of Huntersville
Town Board
December 6, 2021**

To: Town Board

From: Brad Priest

Date: December 6, 2021

Subject: Call a public hearing on Petition#TA21-14

EXPLAIN REQUEST:

Call a public hearing on Monday, January 3, 2022 at 6:00 p.m. at the Huntersville Town Hall (101 Huntersville-Concord Road) on Petition #TA21-14. to amend Sections 2.100: Definitions, Section 6.300: Sketch Plan Required for Major Subdivisions, Section 6.310: Sketch Plan Not Required for Minor Subdivisions. Section 6.520: Exceptions: When Preliminary Plant Not Required. The purpose of the amendment is to 1) remove recordation of street right of way dedication, reservation, and improvements from the definition of a major subdivision; 2) remove the extension of any needed right of way or easement for the water and sewer system operation by Charlotte Mecklenburg Utility Department from the definition of a major subdivision; 3) condense the definition of a minor subdivision; and, 4) specify the requirements for a Farmhouse Cluster Plan.

ACTION RECOMMENDED:

Call a public hearing on Petition#TA21-14

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

None