

Mayor
John Aneralla

Mayor Pro-Tem
Danny Phillips

Commissioners
Melinda Bales
Dan Boone
Mark Gibbons
Charles Guignard
Rob Kidwell

Town Manager
Gregory H. Ferguson



Department Heads
Max Buchanan, Public Works
Bill Coxe, Transportation
Michael Jaycocks, Parks&Rec
Jack Simoneau, Planning
Cleveland Spruill, Police Chief
Janet Stoner, Finance

Assistant Town Manager
Gerry Vincent

Town Clerk
Janet Pierson

Town Attorney
Bob Blythe

AGENDA
Regular Town Board Meeting
March 7, 2016 - 6:30 PM
TOWN HALL (101 Huntersville-Concord Road)

I. Pre-meeting

- A. Sell of Property - Harvest Point. (5:15 p.m.)
- B. Gilead Road Directional Crossover Update. (5:30 p.m.)
- C. Closed Session - Personnel. (5:45 p.m.)

II. Call to Order

III. Invocation - Moment of Silence

IV. Pledge of Allegiance

V. Mayor and Commissioner Reports-Staff Questions

- A. Mayor Aneralla (Metropolitan Transit Commission, Commerce Station Management Team)
- B. Commissioner Bales (Lake Norman EDC, Lake Norman Transportation Commission, Lake Norman Education Collaborative)
- C. Commissioner Boone (Public Safety Liaison, Land Development Ordinances Advisory Board)
- D. Commissioner Gibbons (NC 73 Council of Planning, Veterans Liaison)
- E. Commissioner Guignard (Centralina Council of Governments, Planning Coordinating Committee)
- F. Commissioner Kidwell (Charlotte Regional Transportation Planning Organization, Olde Huntersville Historic Society)
- G. Commissioner Phillips (Lake Norman Chamber Board, Visit Lake Norman Board)

VI. Public Comments, Requests, or Presentations

- A. Irish American Heritage Month Proclamation.

VII. Agenda Changes

- A. Agenda changes, if any.
- B. Adoption of Agenda.

VIII. Public Hearings

IX. Other Business

- A. Consider decision on Petition #R15-03, a request by Ethan Wakeman to rezone property located at 16516 and 16508 Old Statesville Road from Corporate Business to Highway Commercial - Conditional District for a pet daycare. *(Brian Richards)*
- B. Consider decision on Petition #TA15-06, a request by the Town of Huntersville to amend Article 3, Article 4 and Article 8 removing residential building design standards to conform to North Carolina Statute Amendment Senate Bill 25. *(Jack Simoneau)*
- C. Consider decision on Petition #TA15-07, a request by the Town of Huntersville to update 9.37.2, Temporary Mobile Food Sale Condition, to remove the up to a maximum of four (4) days per week and major holiday operating condition for temporary mobile food sales that are permitted as an accessory use on non-residential lots. *(Meredith Miller)*
- D. Conduct quasi-judicial evidentiary hearing and consider decision on Cashion Road Subdivision Sketch Plan. *(Alison Adams)*
- E. Consider authorizing the Town Manager to execute contract for solid waste collection services. *(Bobby Williams)*
- F. Consider adopting Resolution Supporting Neighborhood Schools. *(Commissioner Bales)*
- G. Consider authorizing the Town Manager to execute the contract for Commerce Station Substation Erection. *(Greg Ferguson/Kathy Moyer)*
- H. Consider adopting Alcoholic Beverage Policy and Possession or Consumption of Alcoholic Beverages Ordinance. *(Michael Jaycocks)*
- I. Consider appointment to the Parks & Recreation Commission. *(Michael Jaycocks)*
- J. Consider appointing two applicants to the Arts & Science Council North/West Advisory Council for 2-year terms. *(Janet Pierson)*

X. Consent Agenda

- A. Approve the minutes of the February 15, 2016 Regular Town Board Meeting. *(Janet Pierson)*
- B. Approve minutes of the February 4 and 5, 2016 Town Board Retreat. *(Janet Pierson)*
- C. Adopt ordinance to temporarily close certain State maintained roads for the Hello Huntersville Event organized by the Town of Huntersville. *(Michael Jaycocks)*
- D. Adopt ordinance to temporarily close certain State maintained roads for the Huntersville Christmas Event organized by the Town of Huntersville. *(Michael Jaycocks)*
- E. Award Concession Contract for Huntersville Athletic Park and North Mecklenburg Park. *(Michael Jaycocks)*
- F. Award Concession Contract for Bradford Park. *(Michael Jaycocks)*
- G. Approve Deed of Easement at 10246 Vanguard Parkway. *(Max Buchanan)*
- H. Approve budget amendment recognizing insurance revenue in the amount of \$9,513.28 and appropriate to the HFFA maintenance/building account. *(Janet Stoner/Dee Jetton)*
- I. Approve budget amendment recognizing insurance revenue in the amount of \$1,026.50 and appropriate to the Police Department's insurance account. *(Janet Stoner/Chief Spruill)*
- J. Approve budget amendment recognizing insurance revenue in the amount of \$500.00 and appropriate to the Police Department's insurance account. *(Janet Stoner/Chief Spruill)*
- K. Approve budget amendment recognizing insurance revenue in the amount of \$500.00 and appropriate to the Police Department's insurance account. *(Janet Stoner/Chief Spruill)*

- L. Call a public hearing for Monday, April 4, 2016 at 6:30 p.m. at Huntersville Town Hall on Petition #R16-01, a request by Lake Norman Charter School on behalf of the property owners, to conditionally rezone 34.9 acres (parcels 01723306 and 01723302) from Corporate Business to Neighborhood Residential Conditional District, located near the corner of Hambright Road and Patterson Road. (*Brad Priest*)
- M. Call a public hearing for Monday, April 4, 2016 at 6:30 p.m. at Huntersville Town Hall on Petition #R16-02, a request by Calatlantic Homes to rezone 73.274-acres located along Huntersville-Concord Road (west of Mirabella Subdivision) from Transitional Residential to Neighborhood Residential - Conditional District to create a 108 lot single-family home subdivision. (*David Peete*)

XI. Closing Comments

XII. Adjourn

To speak concerning an item on the Agenda, please print your name and address on the sign-up sheet on the table outside the Board Room prior to the meeting. If you wish to speak concerning an item that is added to the Agenda during the meeting, please raise your hand during that item. Each speaker will be limited to no more than 3 minutes. The Mayor, as the presiding officer may, at his discretion, shorten the time limit for speakers when an unusually large number of persons have signed up to speak.

**AS A COURTESY, PLEASE TURN CELL PHONES
OFF WHILE MEETING IS IN PROGRESS**

Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Brian Richards GIS Administrator
Subject: R15-03 Dreaming Tree

Rezoning: Petition #R15-03, is a request by Ethan Wakeman to rezone property located at 16516 & 16508 Old Statesville Rd (PID 01102109 & 0112108) from Corporate Business (CB) to Highway Commercial - Conditional District (HC-CD) for a pet daycare.

ACTION RECOMMENDED:

Take Final Action on Petition #R15-03, a request by Ethan Wakeman to rezone property located at 16516 and 16508 Old Statesville Road from Corporate Business to Highway Commercial - Conditional District for a pet daycare. (*Brian Richards*)

FINANCIAL IMPLICATIONS:

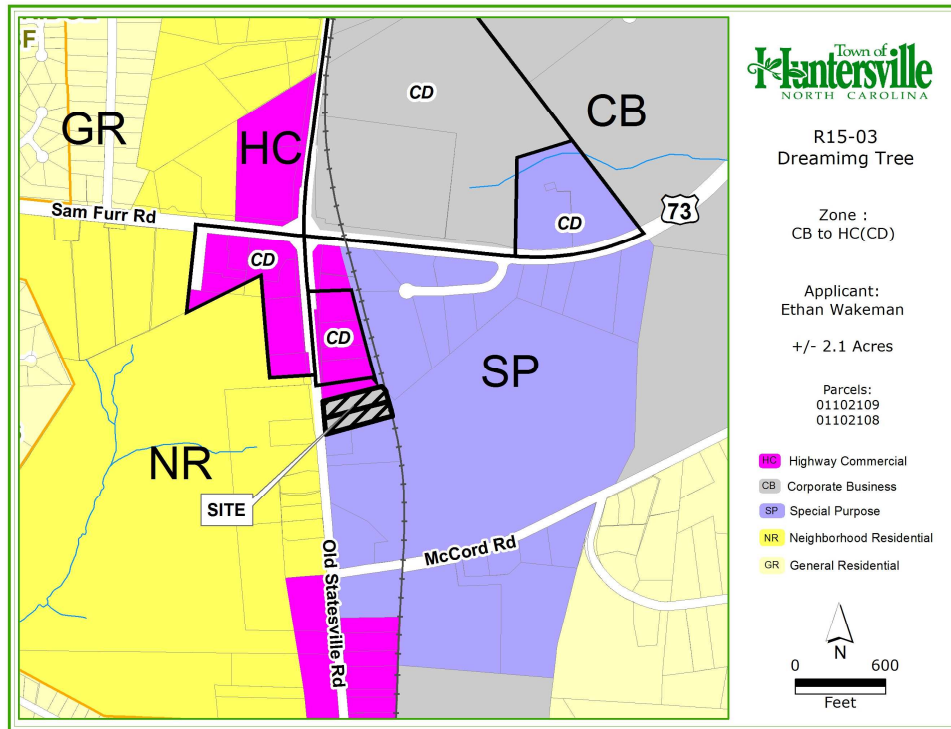
N/A

ATTACHMENTS:

Description	Type
▣ R15-03 Staff Report Final Action TB	Staff Report
▣ R15-03 Rezoning Plan	Exhibit
▣ R15-03 Neighborhood Meeting Summary	Exhibit

Petition R15-03: Dreaming Tree Conditional District Rezoning

PART 1: PROJECT SUMMARY



Applicant: Ethan Wakeman

Property Owner: Lochaven Development LLC

Property Address: 16516 & 16508 Old Statesville Road

Project Size: +/- 2.1 acres

Parcel Number(s): 01102108 & 01102109

Current Zoning: Corporate Business

Current Land Use: Contractor Office

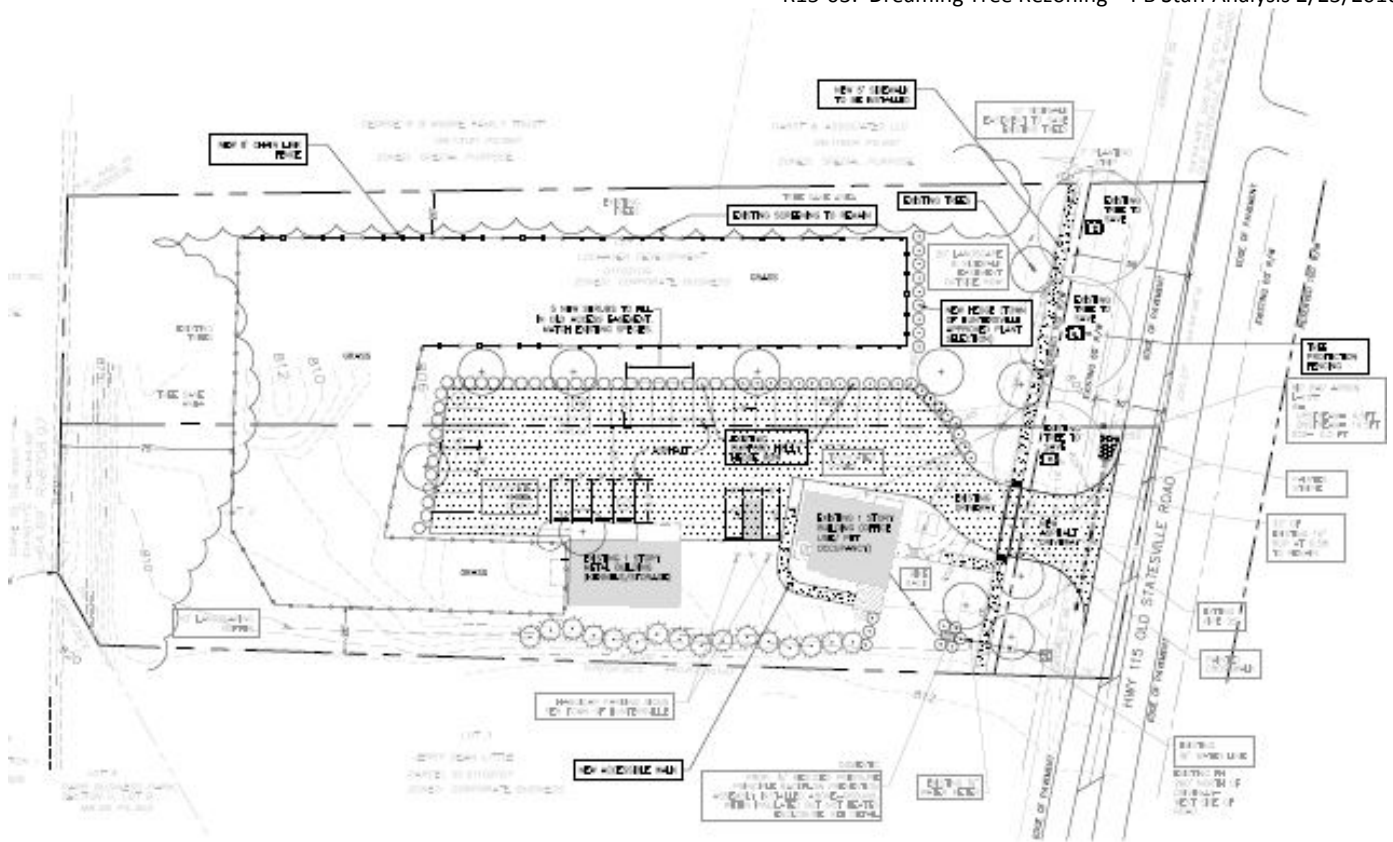
Proposed Zoning: Highway Commercial Conditional District (HC-CD)

Proposed Use: Commercial Use including Pet Daycare & Indoor Kenneling

- Purpose of Rezoning:** The property is currently zoned CB which does not allow for Commercial Uses including Pet Daycares and Boarding.
- Adjoining Zoning and Land Uses**
 - North: Highway Commercial (HC): 1 single-family dwelling and the Huntersville Plaza Development (Christian Brothers Auto Repair and Learning Experience Day Care).
 - South: Special Purpose (SP): Primal Brewery, a Grading Company, and Concrete Plant.
 - East: Special Purpose (SP): Norfolk Southern Railway and Huntersville Hardwoods.
 - West: Neighborhood Residential (NR): Old Statesville Road (NC 115) and vacant land.
- A commercial contractor's office has been operated on the site since 2009. Huntersville Planning approved a Change of Use application on May 22, 2009.
- At the neighborhood meeting several topics were brought up for discussion including: waste, smell, fence height, concerns of neighbors etc.

PART 2: REZONING/SITE PLAN DESCRIPTION

- The property previously went through the Town Commercial Change of Use process in 2009 (from a single family home to a commercial property).
- The applicant proposes to install a 5' sidewalk and complete the concrete driveway entrance. Also the applicant will be adding a fence and appropriate screening shrubs for the outdoor pet play areas.



PART 3: TRANSPORTATION ISSUES

- There are no transportation related issues with the proposed site plan.

PART 4: Adequate Public Facilities Ordinance

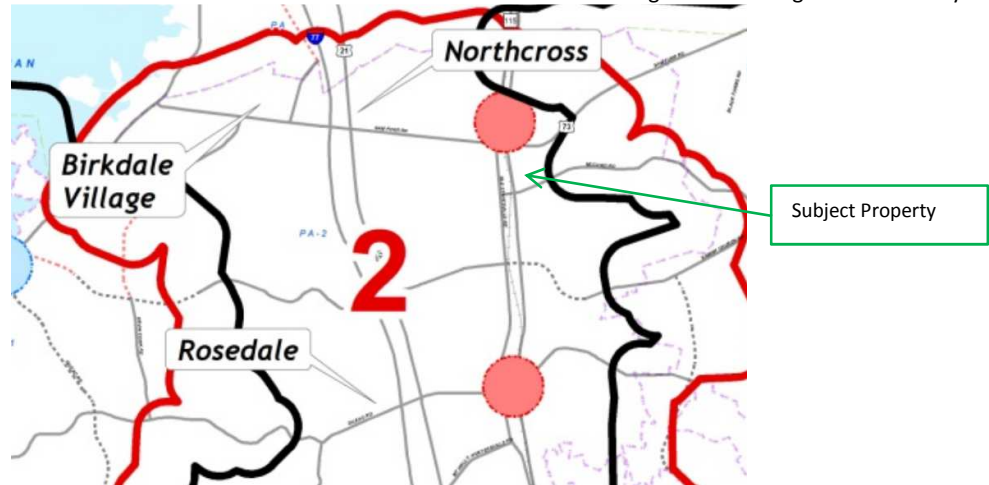
- Does not apply because the site is a previously approved development and there are no new additions proposed at this time.

PART 5: REZONING CRITERIA

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

STAFF COMMENT – Staff finds the proposed use consistent with the following policies of the 2030 Huntersville Community Plan:

- Policy CD-2: Focus Higher Intensity Development Generally within 2 miles of the I-77 and NC 115 Corridor.



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

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

STAFF COMMENT:

- HC zoning is adjacent to the proposed rezoning area. The Pet Daycare is in keeping with the character of the surrounding area (photo below).



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:

- Transportation staff has determined that no Traffic Impact Assessment (TIA) is required for the proposed development as the use proposed will not generate enough vehicle trips per Article 14.2 of the Zoning Ordinance.
- The Adequate Public Facilities requirements from Article 13 of the Huntersville Ordinance (APFO) does not apply for this application.

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

STAFF COMMENT:

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

PART 7: PUBLIC HEARING

The Public Hearing was held on February 4, 2016.

PART 6: STAFF RECOMMENDATION

Staff recommends approval of the rezoning.

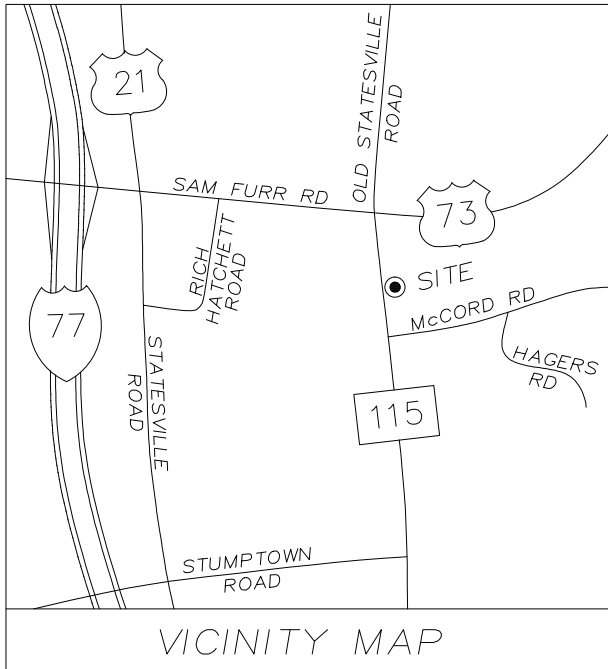
PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board meeting was held on February 23, 2016

A Motion to approve R15-03, with conditions to include a dumpster, was made by Joe Sailers and seconded by Stephen Swanick. The Motion Carried by a vote of 9 Ayes and 0 Nays. Board Members voting Ayes: Bankirer, Davis, Lewis , Miller, Price, Sailers, Swanick, Thomas, Walsh

PART 8: CONSISTENCY STATEMENT - R 15-03 Dreaming Tree

Planning Department	Planning Board	Board of Commissioners
<p>APPROVAL: In considering the proposed rezoning application R15-03; Dreaming Tree, the Planning staff recommends approval based on the amendment being consistent with policy <u>CD-2 of the Town of Huntersville 2030 Community Plan.</u></p> <p><u>It is reasonable and in the public interest to approve the Rezoning Plan because the rezoning plan will have minimal modifications, be in keeping with the character of the surrounding area, and is consistent with the 2030 Community Plan.</u></p>	<p>APPROVAL: In considering the proposed rezoning application R15-03; Dreaming Tree, the Planning Board recommends approval based on the amendment being consistent with <u>the Huntersville 2030 Community Plan</u> to focus this type of development along the NC115 corridor. It is reasonable and in the public interest to approve the rezoning because it does benefit and match (almost to the letter) of the 2030 Plan and the need for this type of development within the corridor.</p>	<p>APPROVAL: In considering the proposed rezoning application R15-03; Dreaming Tree, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u>.</p> <p><u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p>
N/A	N/A	<p>DENIAL: In considering the proposed rezoning application R15-01; Lee's Firewood, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent) with (insert applicable plan reference)</u>.</p> <p><u>It is not reasonable and in the public interest to amend the approved Rezoning Plan because... (Explain)</u></p>



** FOR CO TO BE ISSUED, DRIVEWAY AND
SIDEWALK TO BE COMPLETED. THESE WERE
NEVER FINISHED DURING THE ORIGINAL CHANGE
OF USE. **

1. TRASH SERVICE WILL BE PROVIDED BY A ROLLOUT TRASH SERVICE.

PCCO SUMMARY		
Original Parcel ID Number(s):	01102108, 01102109	
Development Type:	Highway Commercial	
Subject to PCCO? Y/N	N	
If NO, why?	~20,000 SF disturbed, density	
Watershed:	LAKE NORMAN	
Disturbed Area (ac):	0.02	
Site Area (ac):	2.12	
	DA#1	DA#2
Total on-site Drainage Area (ac):	2.12	
Existing Built-upon-area (SF):	19,969.00	
Existing BUA to be removed (SF):	2,440.00	
Existing BUA to remain (SF):	17,529.00	
Proposed New BUA (SF):	1,081.00	
Proposed % BUA:	1.4	
Density (High / Low)	LOW	
Total Post-Project BUA for site (SF):	18,610 (43 AC)	
Redevelopment or Redevelopment?	Redevelopment	
Natural Area Required (ac):		
Natural Area provided, total (ac):		
Undisturbed Treed Natural Area Preserved (ac):		
Total stream buffer protected on-site (ac):	N/A	
Transit Station Area? Y/N	N	
Distressed Business District? Y/N	N	
Mitigation Type (if applicable)		
Natural Area mitigation? Y/N	N	
Buffer Mitigation? Y/N	N	
Total Phosphorous Mitigation? Y/N	N	

PROJECT NUMBER:		215108	
DATE: 11/23/2015		DRAWN BY: HF	
SHEET		RZ1 OF 1	

Brian Richards

From: Mary Jeffrey <lochavenddevelopment@gmail.com>
Sent: Wednesday, December 16, 2015 9:55 AM
To: Brian Richards
Subject: Neighborhood meeting

Brian -

Regarding the Neighborhood meeting that was conducted yesterday - the following is submitted.

Those in attendance included:

Ethan Wakeman
Mary Jeffrey
Brian Richards
Dan Boone
Bill Walsh
Charles Guignard

Several topics were brought up for discussion to include waste, smell, fence height, concerns of neighbors etc. All questions voiced seemed to be answered to the satisfaction and agreement of all in attendance.

Attendees asked Brian Richards regarding the point of view of the Town of Huntersville Planning Department. Mr. Richards indicated their complete support of granting the Conditional Re-zoning.

If you have any questions regarding the meeting, the proposed business or any other portion of the re-zoning process.

Thank you for your attendance and your support of our company in this entire process. It is so appreciated.

Best Regards and Merry Christmas to you Brian -

Mary Jeffrey

Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Jack Simoneau, Planning Director
Subject: Petition TA15-06

Consider final action on Petition TA15-06, which is a request by the Town of Huntersville to amend Article 3, Article 4 and Article 8 removing residential building design standards to conform to North Carolina Statute Amendment Senate Bill 25.

ACTION RECOMMENDED:

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

Description		Type
<input type="checkbox"/>	Staff Report	Exhibit
<input type="checkbox"/>	Attachment 1	Exhibit
<input type="checkbox"/>	Attachment 2	Exhibit
<input type="checkbox"/>	Attachment 3	Exhibit
<input type="checkbox"/>	Attachment 4	Exhibit
<input type="checkbox"/>	Attachment 5	Exhibit
<input type="checkbox"/>	Attachment 6	Exhibit
<input type="checkbox"/>	Attachment 7	Exhibit

PART 1: DESCRIPTION

On June 19, 2015 Session Law 2015-86 (Attachment 1) was approved clarifying when municipalities can enact zoning ordinances related to design and aesthetic controls for one and two-family dwellings under the North Carolina Residential Code. The Town of Huntersville's zoning ordinance must be amended to comply with Session Law 2015-86.

PART 2: BACKGROUND

The Town of Huntersville adopted a new zoning ordinance in 1996 and some of those original provisions must be modified to comply with Session Law 2015-86. The full text of amendments recommended by staff can be found in Attachment 2. A summary of the major changes are as follows:

1. In Article 3, clarify the "Compatibility with Surrounding Development" provisions do not apply to structures subject to the North Carolina Residential Code for One- and Two- Family Dwellings. (Attachment 2, page 1)
2. Delete Architectural Standards for Detached and Attached House types (Attachment 2, pages 2-3).
3. Modify the provisions of Section 8.16 (Standards for Residential Garages and Parking in Residential Districts).
 - a. Since 1996, front loaded garages on lots greater than 60 feet in width have been required to be recessed at least 10 feet behind the primary plane of the structure (see photo below; exception for homes 1,400 sq. ft. or less). Because Session Law 2015-86 precludes the ability of municipalities to establish the location of garage doors (considered a "building design element" that cannot be regulated), the recessed garage provision has been removed.



- b. Developers have the choice to establish build-to-lines as close as 10' to the public street right-of-way for detached and attached homes types. However, a driveway depth of at least 20' is needed so cars can park in the driveway without blocking the sidewalk. Therefore, a minimum driveway depth of 20' from the public right-of-way was established (Attachment 2, page 5, subsection .5)



- c. Since 1996, alley access has been required on lots 60 feet wide or less with some exceptions that have been adjusted over the years. Unlike most communities who establish a minimum lot width, Huntersville has allowed the development community to set the lot width (and lot area) in most zoning districts to meet market demands and allow a variety of housing choices (excluding Rural and Transitional Zoning Districts). The choice of lots widths comes with the requirement that an alley must be provided when lots are 60' or less in width (see photo below). Requiring an alley be provided was based on several reasons, including:



- Multiple driveway cuts along public streets on lots less than 60' wide make it difficult to provide on-street parking, a recommendation for attached house types and detached house types on lots 60' wide or less (Attachment 3 of Zoning Ordinance, page 5-6, subsection b). It can also make it more difficult to provide areas for curbside trash pick-up depending on lot widths established and driveway widths.
- Multiple driveway cuts close to one another increase points of conflict for pedestrians using the sidewalk (reducing walkability) and vehicles traveling on the street.
- Reduces construction costs when repair work is done in the public street right-of-way.
- Provides adequate area along public streets to install street trees and street lights.

At this time, staff recommends detached and two unit attached house types have a lot width greater than 60 feet. Further, staff supports providing developers an option to choose lot widths of 60' or less for detached and two unit attached house types if an alley is provided (Attachment 2, page 4, subsection .1).



- d. For three or more unit attached house types, it is not possible to achieve lots widths greater than 60'. Therefore staff supports strongly encouraging the use of alleys (Attachment 2, page 4, subsection 2).



- e. When driveway access is provided from a public street, the widths of those driveways at the public right-of-way is recommended to be limited to 30% for detached and two-unit attached house types and 50% for three or more unit attached housing types. The reason for limiting driveway widths at the street right-of-way is to better accommodate on-street parking and curbside trash service, to minimize conflicts between pedestrians using the sidewalk and vehicles on the street, provide appropriate space for street trees and street lights, and minimize construction costs when repair work is done in the public street right-of-way (Attachment 2, page 4, subsection 3).

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2030 COMMUNITY PLAN AND APPLICABLE LONG RANGE PLANS

Relevant sections of the Huntersville 2030 Community Plan to the proposed amendment includes:

- Policy H-1: Development Pattern
Continue to follow existing residential development pattern as reflected in “Map of Zoning Districts,” focusing higher intensity development generally within two miles of the I-77/NC-115 corridor and lower intensity development east and west of this corridor extending to the Town boundaries.
- Policy H-7: Housing Affordability
Support appropriate mix of housing for all income levels.

PART 4: PUBLIC HEARING

Held December 21, 2015. Below are the comments presented at the public hearing from the meeting minutes.

Joe Padilla, 1201 Greenwood Cliff, Charlotte, Executive Director Real Estate and Building Industry Coalition, requested that the rear alley requirement be removed from the proposed language before voting for approval.

Rob Nanfelt, 1201 Greenwood Cliff, Homebuilders Association of Greater Charlotte Area, requested that the rear alley requirement be removed from proposed language.

PART 5: STAFF RECOMMENDATION

Staff recommends approval of the text amendment (Attachment 2 as modified by the Planning Board on 2-23-16) as it is necessary to comply with Session Law 2015-86. The proposed amendments are consistent with Policy H-1 and H-7 of the Huntersville 2030 Community Plan. It is reasonable and in the public interest to amend the zoning ordinance because the development community is provided a residential detached and two-unit attached lot width option to meet a varied housing market.

Staff can also support, as does REBIC, an alternative (Attachment 6). It is staff's position this amendment complies with Session Law 2015-86. While REBIC supports this amendment, they have indicated the proposal violates "... the spirit and intent of SL 2015-86, by effectively forcing the use of rear entry garages for lots 50' or narrower (through the alley requirement), and by forcing a garage setback for lots between 50' and 60' in width (through the maximum 12' curb cut, which forces a longer driveway)." (Attachment 7)

As noted in the public hearing comments, representatives of REBIC and the Homebuilders Association of the Greater Charlotte Area requested the rear alley "**requirement**" be removed in order for the text amendment to be consistent with the intent of Sessions Law 2015-86 (Attachment 2, page 4, #1, 2nd sentence). You will note the provision allowing lot widths 60' wide or less for detached and two-unit attached house types is an "**option**" chosen by the developer and not a requirement. Staff does not support violating the intent of Session Law 2015-86 and believes that proposed amendment (Attachment 2) complies with that law while allowing the development community an option on lot width flexibility. The same "option" language also appears in the staff/REBIC supported alternative amendment (Attachment 6, page 4, #1, 2nd sentence).

If the Planning Board or Town Board believe the staff endorsed text amendment (Attachment 2) violates the intent of Session Law 2015-86, then staff would offer an alternative amendment (Attachment 4) establishing a minimum lot width of greater than 60' for detached and two-unit attached house types in the Neighborhood Residential (NR) zoning district (Attachment 4, page 1 subsection 3.2.4(d)(1)). If a developer wanted to create lot widths of 60' or less for a detached or two-unit attached housing type, that could be accommodated in districts other than Rural, Transitional and Neighborhood Residential (Neighborhood Center (NC), Town Center (TC), Highway Commercial (HC), Traditional Neighborhood Development (TND) and Transit Oriented Development Residential (TOD-R) zoning districts) with a recommendation for alley access allowing on-site parking (Attachment 4 page 4, subsection 1).

Attachment 5 provides a comparison between the staff and Planning Board recommend amendment (Attachment 2), the alternative amendment (Attachment 4), and an amendment staff and REBIC supports (Attachment 6)

PART 6: PLANNING BOARD RECOMMENDATION

The Planning Board voted to endorse the staff recommendation (Attachment 2) by a vote of 7 (Bankirer, Lewis, Swanick, Sailors, Walsh, Price, Thomas) in favor and 1 opposed (Miller) on January 26, 2016. On February 1, 2016, the Town Board remanded TA 15-06 back to the Planning Board to consider an alternative amendment supported by staff and REBIC (Attachment 6). On February 23, 2016 the Planning Board voted to not recommend the alternative amendment supported by staff and REBIC (Attachment 6) by a vote of 4 in favor (Sailors, Thomas, Miller, Walsh) and 5 opposed (Swanick, Davis, Bankirer, Lewis, Price). The Planning Board then unanimously voted to support the original staff recommendation (Attachment 2) with the additional option for developers to have lots 60' wide or less without alleys through a conditional rezoning.

PART 7: ATTACHMENTS AND ENCLOSURES

Attachment 1: Session Law 2015-86

Attachment 2: Staff and Planning Board Recommended Proposed Ordinance Amendment with 2-23-16 Modification

Attachment 3: Page 5-6 of the Huntersville Zoning Ordinance

Attachment 4: Alternative Proposed Ordinance Amendment with NR Minimum Lot Width

Attachment 5: Comparison of Text Amendments

Attachment 6: Alternative Proposed Ordinance Amendment Staff & REBIC Support

Attachment 7: Correspondence Between Staff and REBIC on Attachment 6 Alternate Amendment

PART 8: STATEMENT OF CONSISTENCY

Planning Department	Planning Board	Board of Commissioners
<p>APPROVAL: In considering TA 15-06, amending Articles 3, 4 & 8 of the Zoning Ordinance, the Planning staff recommends approval of Attachment 2 or Attachment 6 based on the amendment being consistent with Policy H-1 and H-7 of the Huntersville Community Plan.</p> <p>It is reasonable and in the public interest to amend the zoning ordinance because the development community will be provided several options for subdivision layout to meet a varied housing market.</p>	<p>APPROVAL: In considering TA 15-06, amending Articles 3, 4 & 8 of the Zoning Ordinance, the Planning Board recommends approval of the staff proposal Attachment 2 based on the amendment being consistent with policies of the Huntersville Community Plan.</p> <p>It is reasonable and in the public interest to amend the zoning ordinance because of the need to control the driveway cuts and aesthetics of the neighborhood and have options available for the development community to meet a varied housing market.</p>	<p>APPROVAL: In considering TA 15-06, amending Articles 3, 4 & 8 of the Zoning Ordinance, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u></p> <p><u>It is reasonable and in the public interest to amend the Zoning Ordinance because... (Explain)</u></p>
		<p>DENIAL: In considering TA 15-06, amending Articles 3, 4 & 8 of the Zoning Ordinance, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>.</p> <p><u>It is not reasonable and in the public interest to amend the Zoning Ordinance because... (Explain)</u></p>

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

**SESSION LAW 2015-86
SENATE BILL 25**

**AN ACT TO CLARIFY WHEN A COUNTY OR MUNICIPALITY MAY ENACT ZONING
ORDINANCES RELATED TO DESIGN AND AESTHETIC CONTROLS.**

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 160A-381 is amended by adding new subsections to read:

"(h) Any zoning and development regulation ordinance relating to building design elements adopted under this Part, under Part 2 of this Article, or under any recommendation made under G.S. 160A-452(6)c. may not be applied to any structures subject to regulation under the North Carolina Residential Code for One- and Two-Family Dwellings except under one or more of the following circumstances:

- (1) The structures are located in an area designated as a local historic district pursuant to Part 3C of Article 19 of Chapter 160A of the General Statutes.
- (2) The structures are located in an area designated as a historic district on the National Register of Historic Places.
- (3) The structures are individually designated as local, State, or national historic landmarks.
- (4) The regulations are directly and substantially related to the requirements of applicable safety codes adopted under G.S. 143-138.
- (5) Where the regulations are applied to manufactured housing in a manner consistent with G.S. 160A-383.1 and federal law.
- (6) Where the regulations are adopted as a condition of participation in the National Flood Insurance Program.

Regulations prohibited by this subsection may not be applied, directly or indirectly, in any zoning district, special use district, conditional use district, or conditional district unless voluntarily consented to by the owners of all the property to which those regulations may be applied as part of and in the course of the process of seeking and obtaining a zoning amendment or a zoning, subdivision, or development approval, nor may any such regulations be applied indirectly as part of a review pursuant to G.S. 160A-383 of any proposed zoning amendment for consistency with an adopted comprehensive plan or other applicable officially adopted plan. For the purposes of this subsection, the phrase "building design elements" means exterior building color; type or style of exterior cladding material; style or materials of roof structures or porches; exterior nonstructural architectural ornamentation; location or architectural styling of windows and doors, including garage doors; the number and types of rooms; and the interior layout of rooms. The phrase "building design elements" does not include any of the following: (i) the height, bulk, orientation, or location of a structure on a zoning lot; (ii) the use of buffering or screening to minimize visual impacts, to mitigate the impacts of light and noise, or to protect the privacy of neighbors; or (iii) regulations adopted pursuant to this Article governing the permitted uses of land or structures subject to the North Carolina Residential Code for One- and Two-Family Dwellings.

(i) Nothing in subsection (h) of this section shall affect the validity or enforceability of private covenants or other contractual agreements among property owners relating to building design elements."

SECTION 2. G.S. 153A-340 is amended by adding new subsections to read:

"(l) Any zoning and development regulation ordinance relating to building design elements adopted under this Part, under Part 2 of this Article, or under any recommendation made under G.S. 160A-452(6)c. may not be applied to any structures subject to regulation



under the North Carolina Residential Code for One- and Two-Family Dwellings except under one or more of the following circumstances:

- (1) The structures are located in an area designated as a local historic district pursuant to Part 3C of Article 19 of Chapter 160A of the General Statutes.
- (2) The structures are located in an area designated as a historic district on the National Register of Historic Places.
- (3) The structures are individually designated as local, State, or national historic landmarks.
- (4) The regulations are directly and substantially related to the requirements of applicable safety codes adopted under G.S. 143-138.
- (5) Where the regulations are applied to manufactured housing in a manner consistent with G.S. 153A-341.1 and federal law.
- (6) Where the regulations are adopted as a condition of participation in the National Flood Insurance Program.

Regulations prohibited by this subsection may not be applied, directly or indirectly, in any zoning district, special use district, conditional use district, or conditional district unless voluntarily consented to by the owners of all the property to which those regulations may be applied as part of and in the course of the process of seeking and obtaining a zoning amendment or a zoning, subdivision, or development approval, nor may any such regulations be applied indirectly as part of a review pursuant to G.S. 153A-341 of any proposed zoning amendment for consistency with an adopted comprehensive plan or other applicable officially adopted plan. For the purposes of this subsection, the phrase "building design elements" means exterior building color; type or style of exterior cladding material; style or materials of roof structures or porches; exterior nonstructural architectural ornamentation; location or architectural styling of windows and doors, including garage doors; the number and types of rooms; and the interior layout of rooms. The phrase "building design elements" does not include any of the following: (i) the height, bulk, orientation, or location of a structure on a zoning lot; (ii) the use of buffering or screening to minimize visual impacts, to mitigate the impacts of light and noise, or to protect the privacy of neighbors; or (iii) regulations adopted pursuant to this Article governing the permitted uses of land or structures subject to the North Carolina Residential Code for One- and Two-Family Dwellings.

(m) Nothing in subsection (l) of this section shall affect the validity or enforceability of private covenants or other contractual agreements among property owners relating to building design elements."

SECTION 3. This act is effective when it becomes law. The act clarifies and restates the intent of existing law and applies to ordinances adopted before, on, and after the effective date.

In the General Assembly read three times and ratified this the 10th day of June, 2015.

s/ Daniel J. Forest
President of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Pat McCrory
Governor

Approved 10:00 a.m. this 19th day of June, 2015

AN ORDINANCE TO AMEND RESIDENTIAL DESIGN STANDARDS (Updated 2-23-16)

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

Under Article 3, Subsections 3.2.1(d)(4); 3.2.2(d)(5); 3.2.4(d)(1); 3.2.5(d)(1); 3.2.6(d)(1); 3.2.7(d)(1); 3.2.11(d)(1); 3.2.13(d)(2); 3.3.1(d)(1); add the following bullet:

Compatibility with Surrounding Development.

- **Nothing in this subsection shall be interpreted to conflict with the building design element provisions as found in GS 160A-381(h) for structures subject to the North Carolina Residential Code for One- and Two-Family Dwellings.**

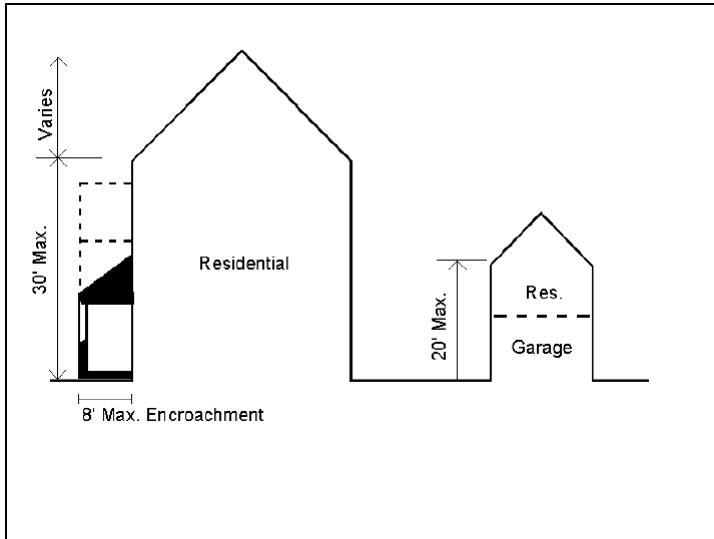
Under Article 3, add Subsections 3.2.1(d)(5); 3.2.2(d)(6); 3.2.4(d)(7); 3.2.5(d)(9); 3.2.6(d)(8); 3.2.7(d)(10); 3.2.11(d)(4); 3.2.13(d)(7); 3.3.1(d)(8) to read as follows:

See Section 8.16, Standards for Residential Lot Widths, Alleys, Garages and Parking in Residential Districts

Under Article 4 Detached House Type, amend by deleting the Architectural Standards as follows:

Building Type / Detached House

Permitted Height/Uses/Encroachments



1. Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves.
2. Building height of main dwelling to ridge may vary depending on the roof pitch.
3. Permitted uses are indicated above.
4. Maximum footprint for a building housing a detached accessory dwelling is 650 square feet or 50% of first floor area of principal residence, whichever is greater.
5. Balconies, stoops, stairs, open porches, bay windows, and awnings are permitted to encroach into setback area up to 8'.
6. Decks, balconies, and porches are permitted to encroach into the rear yard setback as provided in Section 8.8.9.

Architectural Standards

Principles-

- A. ~~To perpetuate the unique building character of the town and its environs, and to re-establish its local identity, development shall **should** generally employ building types that are sympathetic to the historic architectural vocabulary of the area in their massing and external treatment. Manufactured homes will not be permitted as part of any multi-unit residential development under this ordinance except within the MH-O District.~~
- B. ~~The front elevations facing the street, and the overall massing shall **should** communicate an emphasis on the human scale and the pedestrian environment.~~
- C. ~~Each building should be designed to form part of a larger composition of the area in which it is situated. Adjacent buildings should thus be of similar scale, height, and configuration.~~
- D. ~~Building silhouettes should be generally consistent. The scale and pitch of roof lines should thus be similar across groups of buildings. Excessively grandiose roof pitches with multiple changes of outline are not acceptable **recommended**.~~
- E. ~~Porches should form a predominant motif of house designs, and be located on the front or to the side of the dwelling. When attached to the front, they shall **are recommended to** extend over at least 15% of the front facade. All porches should be constructed of materials in keeping with those of the main building.~~
- F. ~~Front loaded garages **and driveways**, if provided, shall meet the standards of Section 8.16.~~

Configurations-

- A. ~~Main roofs on residential buildings should be symmetrical gables or hips with a pitch of between 4:12 and 12:12. Monopitch (shed) roofs should be attached to the wall of the main building. No monopitch should be less than 4:12. It is recommended that accessory buildings have roof pitches that conform to those of the main building.~~
- B. ~~Balconies should generally be simply supported by posts and beams. The support of cantilevered balconies should be assisted by visible brackets.~~
- C. ~~Two wall materials may be combined horizontally on one facade. The "heavier" material should be below.~~
- D. ~~Exterior chimneys should be finished in brick or stucco.~~

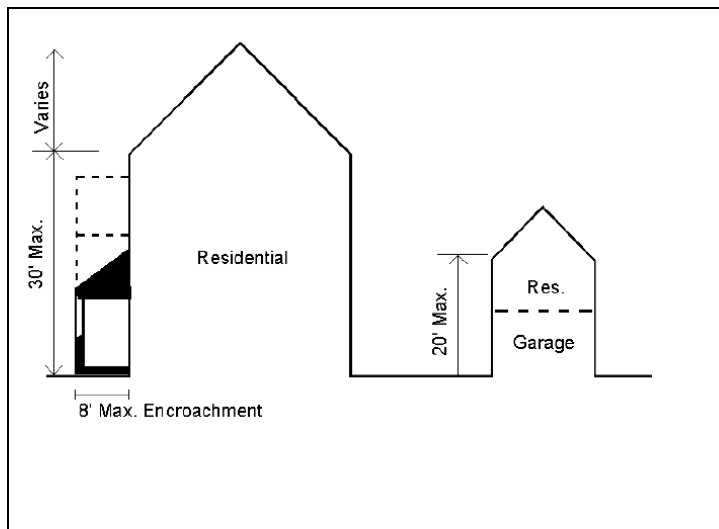
Techniques-

- A. ~~Overhanging eaves may expose rafters.~~
- B. ~~Flush eaves should be finished by profiled molding or gutters.~~

Under Article 4 Attached House Type, amend by deleting the Architectural as follows:

Building Type / Attached House

Permitted Height and Uses



1. Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves.
2. Building height to ridge will vary depending upon the roof pitch.
3. Permitted uses are indicated above.
4. Maximum footprint for a building housing a detached accessory dwelling is 650 square feet.

Architectural Standards

Principles-

- ~~A. To perpetuate the unique building character of the town and its environs, and to re-establish its local identity, development shall **should** generally employ building types that are sympathetic to the historic architectural vocabulary of the area in their massing and external materials. Manufactured homes will not be permitted as part of any multi-unit residential development under this ordinance.~~
- ~~B. The front elevations facing the street, and the overall massing shall **should** communicate an emphasis on the human scale and the pedestrian environment.~~
- ~~C. Each building should be designed to form part of a larger composition of the area in which it is situated.~~
- ~~D. Building silhouettes should be generally consistent. The scale and pitch of roof lines should thus be similar across groups of buildings.~~
- ~~E. Porches should form a predominant motif of house designs, and be located on the front or to the side of the dwelling. When attached to the front, they shall **they are recommended to** extend over at least 15% of the front facade. All porches should be constructed of materials in keeping with those of the main building.~~
- ~~F. Front loaded garages **and driveways**, if provided, shall meet the standards of section 8.16.~~

Configurations-

- ~~A. Main roofs on residential buildings shall **should** be symmetrical gables or hips with a pitch of between 4:12 and 12:12. Monopitch (shed) roofs are allowed only if they are **should be** attached to the wall of the main building. No monopitch shall **should** be less than 4:12. All accessory buildings shall have roof pitches that conform to those of the main buildings.~~
- ~~B. Balconies should generally be simply supported by posts and beams. The support of cantilevered balconies should be assisted by visible brackets.~~
- ~~C. Two wall materials may be combined horizontally on one facade. The "heavier" material should be below.~~
- ~~D. Exterior chimneys should be finished in brick or stucco.~~

Techniques-

- ~~A. Overhanging eaves may expose rafters.~~
- ~~B. Flush eaves should be finished by profiled molding or gutters.~~

Under Article 8, Subsection 8.16:

8.16 Standards for Residential Lot Widths, Alleys, Garages and Parking in Residential Districts

- .1 Except as specifically provided in the Rural and Transitional districts, detached house types and two-unit attached house types shall be required to have a lot width greater than 60 feet. Developers shall have the option to provide lots widths 60 feet wide or less when alley access allowing on-site parking is provided for detached house types and two-unit attached house types. . Further, developers shall also have the option to apply for a conditional district rezoning to create lot widths of 60 feet wide or less without an alley provided it can demonstrated the development can accommodate on-street parking, meet all the provisions of the zoning ordinance including installation of street trees, and demonstrate public services such as trash pick-up can be provided. (Planning Board added highlighted provision at 2-23-16 meeting)

On lots greater than 60 feet in width, front loading garages shall be recessed at least 10 feet behind the primary plane of the front facade of the structure.

~~Exception for single family detached dwellings with 1400 square feet or less of heated space:~~ single bay front loading garages may be built flush with, but may not project in front of, the primary plane of the front facade of the structure; double bay front loading garages shall be recessed at least 10 feet behind the primary plane of the front facade of the structure.

For the purpose of this section, primary plane shall be defined as the heated floor area or a porch extending across at least 55% of the total building width and a depth of at least 6 feet. In no case shall the garage be located less than 20 feet from the back of the public sidewalk.

- .2 Alley access for on-site parking is strongly encouraged for three-unit or more attached house types. On lots 60 feet or less in width, alley access is required if on-site parking is provided except as provided below.
- .3 Driveway width shall not occupy more than 30% of the public street front of a lot as measured along the public street right-of-way for a detached house and two-unit attached house type, and 50% of the public street front for a three or more unit attached house type.
- .4 When front entry garages are used, it is recommended to minimize emphasis on front loaded garages by having a building feature projecting from or flush with the garage, have a column to separate a two-car garage or any other technique as determined by the owner to be appropriate.
- ~~.2 On lots 60 feet or less in width, attached and detached single family homes may be permitted to have front or side entry garages, if the following conditions are met:~~

- (a) ~~The arrangement of permanent structural elements of the unit must provide side view screening of a single or double bay front loading garage. Examples of permanent structural screening would be: an elevated porch or stoop with steps to ground.~~
- (b) ~~The finished floor elevation must meet or exceed a height of 36" above grade to qualify under this paragraph. However, this requirement may be waived on projects with an average block cross slope greater than 5% as measured from the existing ground elevation at the proposed street centerline to the existing ground elevation at the proposed rear lot line.~~
- (c) ~~For attached single family homes, the garages may not abut one another.~~
- (d) ~~Single or double bay side loading garages shall be permitted for the end unit of an attached single family home provided the garage is recessed at least 2 feet behind the primary plane of the structure and the finished floor elevation of the dwelling unit is a minimum of 15 inches above the floor elevation of the garage.~~
- (e) ~~A double bay front loaded garage will be permitted only if the average block cross slope is greater than 5% as defined in item B and the garage is recessed at least 10 feet behind the front façade of the dwelling unit, the garage has two single bay width doors, and the garage width must be less than the width of the remaining portion of the front façade of the dwelling.~~

- .5 ~~In no case shall on-site residential parking extend into the public right-of-way, or into an easement for a public sidewalk on private property.~~ **Driveways shall extend at least twenty (20) feet from a public right-of-way and public sidewalk easement to prevent on-site residential parking from encroaching into the public right-of-way or easement for a public sidewalk.**
- .6 On-street parking at lot front, when specifically provided, may be counted toward all or part of the parking requirement of a dwelling unit.
- .7 Detached garages may only be placed in the established rear yard. Garages for more than two cars must be detached and located in the established rear yard or be attached side or rear loading,
- .8 Lots in subdivisions approved prior to the effective date of this ordinance, are exempt from the limitations of .1 through .2 ~~3~~, above.
- .9 Vehicles used primarily for commercial purposes and with more than two axles are prohibited from parking on streets, in driveways, or on private property in residential districts. This shall not be construed as preventing the temporary parking of delivery trucks, moving vans, and similar vehicles which deliver goods or services.
- .10 Provisions for parking unlicensed vehicles in residentially zoned districts shall be as follows:
- (a) No more than two (2) motor vehicles that do not have a current, valid license plate and are not fully enclosed in a permanent structure shall be permitted outside on any premises, provided such vehicles are registered to the occupant of the premises or immediate family member of the occupant as the record title of the vehicle.
 - (b) No unlicensed motor vehicle if not registered to the occupant of the premises or immediate family member of the occupant as the record title owner of the vehicle shall be permitted outside of any premises.
 - (c) Vehicles described in paragraphs (a) and (b) are not permitted to be located within any established setback or any established side yards which abut a street or any required side yards contained in these regulations or any street right-of-way. If stored in the rear yard, it must be a minimum of five (5) feet off the rear property line.
 - (d) Vehicles described in paragraphs (a) and (b) are not permitted on vacant or undeveloped parcels.

Section 2. That this ordinance shall become effective upon adoption.

PUBLIC HEARING DATE: December 21, 2015

PLANNING BOARD MEETING: January 26, 2016 (7-1 approval) and February 23, 2016 (9-0 approval with change highlighted on page 4)

PLANNING BOARD RECOMMENDATION: Approval: 9 in favor, 0 opposed

TOWN BOARD DECISION: March 7, 2016

ARTICLE 5

STREETS

Street Design

Specifications

Designs should permit comfortable use of the street by motorists, pedestrians, and bicyclists. Pavement widths, design speeds, and the number of motor travel lanes should be minimized to enhance safety for motorists and non-motorists alike. The specific design of any given street must consider the building types which have frontage and the relationship of the street to the overall town street network. The following specifications apply to street design:

- a. Street trees and sidewalks are required on both sides of public streets except rural roads, lanes, alleys, and the undeveloped edge of neighborhood parkways except that sidewalks may be permitted on only one side of the street to accommodate low impact design in the Rural district. Planting area for street trees should be a minimum of 7' in width and sidewalks shall at a minimum be 5' in width unless otherwise provided. On Commercial Town Streets, sidewalks should be a minimum of 7' in width. A 10' minimum width sidewalk with tree grates or cut-outs is encouraged on Commercial Town Streets. Generally, canopy trees shall be planted at a spacing not to exceed 40' on center. Where overhead utility lines preclude the use of canopy trees, small maturing trees may be substituted, planted 30' on center.
- b. On-street parking is recommended where building type and use will generate regular parking use. Occasional on-street parking can be accommodated without additional pavement width. For streets which serve workplace and storefront buildings, on-street parking lane(s) are required and should be marked as such. An on-street parking lane on at least one side of the street is recommended on streets serving apartments, attached houses, and detached houses with lots 60' or less in width. On-street parking must also be provided on one side of any street adjacent to a square, park or other Urban Open Space. Parallel on-street parking width is 7' to 8'. On-street parking should be parallel; angled parking is only permitted as an intentional design element along the main street(s) of the retail center in a planned mixed-use development.
- c. Design speeds should not exceed 30 miles per hour on any neighborhood street. Only arterials and town boulevards may exceed this design speed.
- d. Traffic control plans showing signage and pavement markings shall be prepared in accordance with the guidance of the Manual on Uniform Traffic Control Devices. The developer is responsible for the initial installation of the devices or markings and the maintenance thereof until the public accepts the street for maintenance.

The following illustrations present typical examples of ways in which town street cross-sections can be assembled. Lane measurements represent the width of travel lanes; add 1 ½ or 2 ¼ feet for standard curb and gutter or 2 feet for valley curb and gutter where curb drainage is required.

These specifications may be varied only in accordance with the design principles detailed above and as approved by the Planning Director in consultation with the consulting engineer or transportation.

Street geometries for the sections illustrated on the opposite page are listed below:

	Boulevard
Design Speed	35 mph
Min. Centerline Radius	To be determined
Pavement Width	62'
ROW Width	86' plus curb and gutter width
Curb Radius	15'
Drainage	Curb
	Commercial Town Street
Design Speed	25-30 mph
Min. Centerline Radius	165'-195''
Pavement Width	44'
ROW Width	74' plus curb and gutter width
Curb Radius	15'
Drainage	Curb
	Residential Town Street
Design Speed	25-30 mph
Min. Centerline Radius	165'-195''
Pavement Width	44'
ROW Width	68' plus curb and gutter width
Curb Radius	15'
Drainage	Curb

AN ORDINANCE TO AMEND RESIDENTIAL DESIGN STANDARDS (Option With NR Lot Width)

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

Under Article 3, Subsections 3.2.1(d)(4); 3.2.2(d)(5); 3.2.4(d)(1); 3.2.5(d)(1); 3.2.6(d)(1); 3.2.7(d)(1); 3.2.11(d)(1); 3.2.13(d)(2); 3.3.1(d)(1); add the following bullet:

Compatibility with Surrounding Development.

- **Nothing in this subsection shall be interpreted to conflict with the building design element provisions as found in GS 160A-381(h) for structures subject to the North Carolina Residential Code for One- and Two-Family Dwellings.**

Under Article 3, add Subsections 3.2.1(d)(5); 3.2.2(d)(6); 3.2.5(d)(9); 3.2.6(d)(8); 3.2.7(d)(10); 3.2.11(d)(4); 3.2.13(d)(7); 3.3.1(d)(8) to read as follows:

See Section 8.16, Standards for Residential Lot Widths, Alleys, Garages and Parking in Residential Districts

Under Article 3, Subsection 3.2.4(d) Neighborhood Residential District (NR), modify as follows:

d) General Requirements

- 1) **The minimum required lot width for detached and two-unit house attached house types in the Neighborhood Residential District shall be greater than sixty (60) feet.**
- 2) Along existing streets, new buildings shall respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.
 - New buildings which adhere to the scale, massing, volume, spacing, and setback of existing buildings along fronting streets exhibit demonstrable compatibility.
 - New buildings which exceed the scale and volume of existing buildings may demonstrate compatibility by varying the massing of buildings to reduce perceived scale and volume. The definition of massing in Article 12 illustrates the application of design techniques to reduce the visual perception of size and integrate larger buildings with pre-existing smaller buildings.
 - * A single-family detached house established on a lot of one acre or more that is created according to the provisions of Article 8.1, paragraph 1, need not adhere to the spacing, massing, scale, and street frontage relationships of existing buildings along an existing street or road, but shall, at a minimum, observe a front setback of 40 feet and a lot width of 90 feet. This paragraph shall take precedence over the requirement of Article 4: Lot Types/Detached House for placement of a building on its lot.
 - * **Nothing in this subsection shall be interpreted to conflict with GS 160A-381(h) for structures subject to the North Carolina Residential Code for One- and Two-Family Dwellings.**

Under Article 3, Subsection 3.2.11(f)(2) modify the 4th bullet as follows:

- A continuous network of rear alleys is recommended for all lots in a TND; ~~rear alleys shall provide vehicular access to~~ **particularly for** lots 60 feet or less in width.

Under Article 3, Subsection 3.2.11(e)(3) amend as follows:

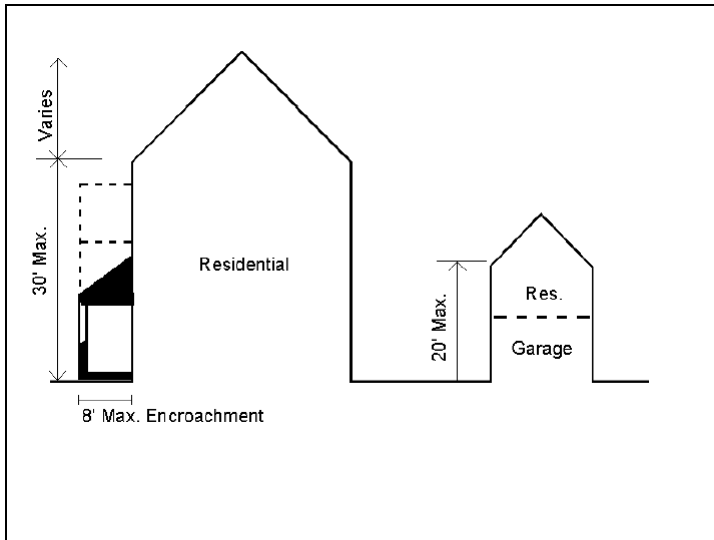
- 3) Maximum Permitted Densities:

TND-U may be developed to the density permitted in the NR district (see Section ~~3.2.3~~ **3.2.4**)

Under Article 4 Detached House Type, amend as follows:

Building Type / Detached House

Permitted Height/Uses/Encroachments



Architectural Standards

Principles-

- A. ~~To perpetuate the unique building character of the town and its environs, and to re-establish its local identity, development shall should generally employ building types that are sympathetic to the historic architectural vocabulary of the area in their massing and external treatment. Manufactured homes will not be permitted as part of any multi-unit residential development under this ordinance except within the MH O District.~~
- B. ~~The front elevations facing the street, and the overall massing shall should communicate an emphasis on the human scale and the pedestrian environment.~~
- C. ~~Each building should be designed to form part of a larger composition of the area in which it is situated. Adjacent buildings should thus be of similar scale, height, and configuration.~~
- D. ~~Building silhouettes should be generally consistent. The scale and pitch of roof lines should thus be similar across groups of buildings. Excessively grandiose roof pitches with multiple changes of outline are not acceptable recommended.~~

1. Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves.
2. Building height of main dwelling to ridge may vary depending on the roof pitch.
3. Permitted uses are indicated above.
4. Maximum footprint for a building housing a detached accessory dwelling is 650 square feet or 50% of first floor area of principal residence, whichever is greater.
5. Balconies, stoops, stairs, open porches, bay windows, and awnings are permitted to encroach into setback area up to 8'.
6. Decks, balconies, and porches are permitted to encroach into the rear yard setback as provided in Section 8.8.9.

- ~~E. Porches should form a predominant motif of house designs, and be located on the front or to the side of the dwelling. When attached to the front, they shall are recommended to extend over at least 15% of the front facade. All porches should be constructed of materials in keeping with those of the main building.~~
- ~~F. Front loaded garages and driveways, if provided, shall meet the standards of Section 8.16.~~

~~Configurations~~

- ~~A. Main roofs on residential buildings should be symmetrical gables or hips with a pitch of between 4:12 and 12:12. Monopitch (shed) roofs should be attached to the wall of the main building. No monopitch should be less than 4:12. It is recommended that accessory buildings have roof pitches that conform to those of the main building.~~
- ~~B. Balconies should generally be simply supported by posts and beams. The support of cantilevered balconies should be assisted by visible brackets.~~
- ~~C. Two wall materials may be combined horizontally on one facade. The "heavier" material should be below.~~
- ~~D. Exterior chimneys should be finished in brick or stucco.~~

~~Techniques~~

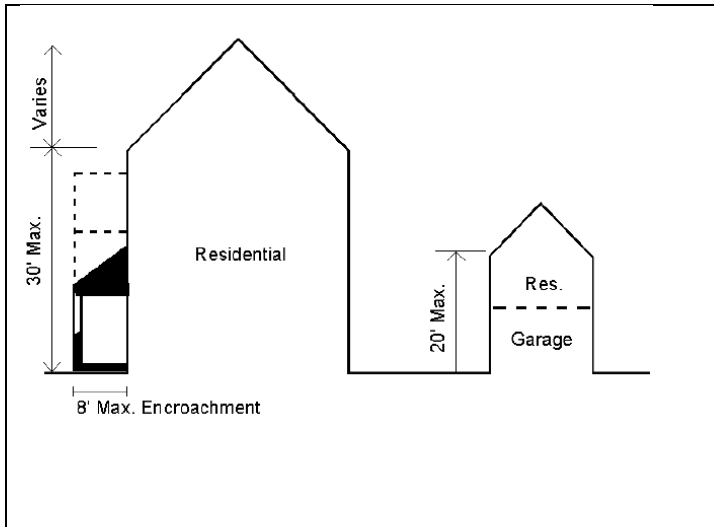
- ~~A. Overhanging eaves may expose rafters.~~
- ~~B. Flush eaves should be finished by profiled molding or gutters.~~

Under Article 4 Attached House Type, amend as follows:

Building Type / Attached House

Permitted Height and Uses

Architectural Standards



1. Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves.
2. Building height to ridge will vary depending upon the roof pitch.
3. Permitted uses are indicated above.
4. Maximum footprint for a building housing a detached accessory dwelling is 650 square feet.

Principles-

- ~~A. To perpetuate the unique building character of the town and its environs, and to re-establish its local identity, development shall **should** generally employ building types that are sympathetic to the historic architectural vocabulary of the area in their massing and external materials. Manufactured homes will not be permitted as part of any multi-unit residential development under this ordinance.~~
- ~~B. The front elevations facing the street, and the overall massing shall **should** communicate an emphasis on the human scale and the pedestrian environment.~~
- ~~C. Each building should be designed to form part of a larger composition of the area in which it is situated.~~
- ~~D. Building silhouettes should be generally consistent. The scale and pitch of roof lines should thus be similar across groups of buildings.~~
- ~~E. Porches should form a predominant motif of house designs, and be located on the front or to the side of the dwelling. When attached to the front, they shall **they are recommended to** extend over at least 15% of the front facade. All porches should be constructed of materials in keeping with those of the main building.~~
- ~~F. Front loaded garages **and driveways**, if provided, shall meet the standards of section 8.16.~~

Configurations-

- ~~A. Main roofs on residential buildings shall **should** be symmetrical gables or hips with a pitch of between 4:12 and 12:12. Monopitch (shed) roofs are allowed only if they are **should be** attached to the wall of the main building. No monopitch shall **should** be less than 4:12. All accessory buildings shall have roof pitches that conform to those of the main buildings.~~
- ~~B. Balconies should generally be simply supported by posts and beams. The support of cantilevered balconies should be assisted by visible brackets.~~
- ~~C. Two wall materials may be combined horizontally on one facade. The "heavier" material should be below.~~
- ~~D. Exterior chimneys should be finished in brick or stucco.~~

Techniques-

- ~~A. Overhanging eaves may expose rafters.~~
- ~~B. Flush eaves should be finished by profiled molding or gutters.~~

Under Article 8, Subsection 8.16:

8.16 Standards for Residential Lot Widths, Alleys, Garages and Parking in Residential Districts

- .1 Minimum lot widths are specifically provided in the Rural and Transitional districts as well as the Neighborhood Residential districts for detached and two-unit attached house types. In all other circumstances, it is recommended that alley access allowing on-site parking be provided when lots widths are 60 feet wide or less.**

On lots greater than 60 feet in width, front loading garages shall be recessed at least 10 feet behind the primary plane of the front facade of the structure.

~~Exception for single family detached dwellings with 1400 square feet or less of heated space:~~ single bay front loading garages may be built flush with, but may not project in front of, the primary plane of the front facade of the structure; double bay front loading garages shall be recessed at least 10 feet behind the primary plane of the front facade of the structure.

For the purpose of this section, primary plane shall be defined as the heated floor area or a porch extending across at least 55% of the total building width and a depth of at least 6 feet. In no case shall the garage be located less than 20 feet from the back of the public sidewalk.

- .2 On lots 60 feet or less in width, alley access is required if on site parking is provided except as provided below. Driveway width shall not occupy more than 30% of the public street front of a lot as measured along the public street right-of-way for a detached house and two-unit attached house type, and 50% of the public street front for a three or more unit attached house type.**

- .3 When front entry garages are used, it is recommended to minimize emphasis on front loaded garages by having a building feature projecting from or flush with the garage, have a column to separate a two-car garage or any other technique as determined by the owner to be appropriate.**

- ~~.2 On lots 60 feet or less in width, attached and detached single-family homes may be permitted to have front or side entry garages, if the following conditions are met:~~

- ~~(a) The arrangement of permanent structural elements of the unit must provide side view screening of a single or double bay front loading garage. Examples of permanent structural screening would be: an elevated porch or stoop with steps to ground.~~
- ~~(b) The finished floor elevation must meet or exceed a height of 36" above grade to qualify under this paragraph. However, this requirement may be waived on projects with an average block cross slope greater than 5% as measured from the existing ground elevation at the proposed street centerline to the existing ground elevation at the proposed rear lot line.~~
- ~~(c) For attached single family homes, the garages may not abut one another.~~
- ~~(d) Single or double bay side loading garages shall be permitted for the end unit of an attached single family home provided the garage is recessed at least 2 feet behind the primary plane of the structure and the finished floor elevation of the dwelling unit is a minimum of 15 inches above the floor elevation of the garage.~~
- ~~(e) A double bay front loaded garage will be permitted only if the average block cross slope is greater than 5% as defined in item B and the garage is recessed at least 10 feet behind the front facade of the dwelling unit, the garage has two single bay width doors, and the garage width must be less than the width of the remaining portion of the front facade of the dwelling.~~

- .4 In no case shall on-site residential parking extend into the public right of way, or into an easement for a public sidewalk on private property. Driveways shall extend at least twenty (20) feet from a public right-of-way and public sidewalk easement to prevent on-site residential parking from encroaching into the public right-of-way or easement for a public sidewalk.**

- .5 On-street parking at lot front, when specifically provided, may be counted toward all or part of the parking requirement of a dwelling unit.**
- .6 Detached garages may only be placed in the established rear yard. Garages for more than two cars must be detached and located in the established rear yard or be attached side or rear loading,**
- .7 Lots in subdivisions approved prior to the effective date of this ordinance, are exempt from the limitations of .1 through .2 ~~3~~, above.**
- .9 Vehicles used primarily for commercial purposes and with more than two axles are prohibited from parking on streets, in driveways, or on private property in residential districts. This shall not be construed as preventing the temporary parking of delivery trucks, moving vans, and similar vehicles which deliver goods or services.**

.10 Provisions for parking unlicensed vehicles in residentially zoned districts shall be as follows:

- (a) No more than two (2) motor vehicles that do not have a current, valid license plate and are not fully enclosed in a permanent structure shall be permitted outside on any premises, provided such vehicles are registered to the occupant of the premises or immediate family member of the occupant as the record title of the vehicle.
- (b) No unlicensed motor vehicle if not registered to the occupant of the premises or immediate family member of the occupant as the record title owner of the vehicle shall be permitted outside of any premises.
- (c) Vehicles described in paragraphs (a) and (b) are not permitted to be located within any established setback or any established side yards which abut a street or any required side yards contained in these regulations or any street right-of-way. If stored in the rear yard, it must be a minimum of five (5) feet off the rear property line.
- (d) Vehicles described in paragraphs (a) and (b) are not permitted on vacant or undeveloped parcels.

Section 2. That this ordinance shall become effective upon adoption.

PUBLIC HEARING DATE: December 21, 2015

PLANNING BOARD MEETING:

PLANNING BOARD RECOMMENDATION:

TOWN BOARD DECISION:

COMPARISON OF TEXT AMENDMENTS

Staff & PB Recommendation (Attachment 2)	Alternative with NR Zone Lot Width (Attachment 4)	Staff & REBIC Supports (Attachment 6)
All lots required to be over 60' wide for detached & 2-unit attached homes (excluding TR and R districts)	NR Zoning District require over 60'-wide lots for detached & 2-unit attached homes	All lots required to be over 50' wide for detached & 2-unit attached homes (excluding TR and R districts)
Option for 60'-wide or less if alley is provided to detached & 2-unit attached homes Additional Option for 60'-wide or less with no alley through conditional rezoning	All districts allowing residential other than R, TR & NR recommend alley when lots are 60'-wide or less (NC, TC, HC, TND,TOD-R) PLUS 3+unit attached homes in NR	Option for 50'-wide or less if alley is provided to detached & 2-unit attached homes Additional option for conditional rezoning for lots 50' wide or less without alley subject to conditions
Alley recommended for 3+ attached homes		Alley recommended for 3+ attached homes
Max. driveway 30% width at r/w for detached & 2- unit attached house	Max. driveway 30% width at r/w for detached & 2 unit attached house	Max. 12' driveway width at r/w for detached & 2- unit attached house on lots 60'-wide or less Max. 20' driveway width at r/w for detached & 2- unit attached house on lots over 60'-wide
Max. driveway 50% width at r/w for 3+ unit attached house	Max. driveway 50% width at r/w for 3+ unit attached house	Max. driveway 50% width at r/w for 3+ unit attached house
Delete 10' garage recess from house front; driveways must be 20 deep	Delete 10' garage recess from house front; driveways must be 20 deep	Delete 10' garage recess from house front; driveways must be 20 deep

AN ORDINANCE TO AMEND RESIDENTIAL DESIGN STANDARDS (Updated 2-23-16)

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

Under Article 3, Subsections 3.2.1(d)(4); 3.2.2(d)(5); 3.2.4(d)(1); 3.2.5(d)(1); 3.2.6(d)(1); 3.2.7(d)(1); 3.2.11(d)(1); 3.2.13(d)(2); 3.3.1(d)(1); add the following bullet:

Compatibility with Surrounding Development.

- **Nothing in this subsection shall be interpreted to conflict with the building design element provisions as found in GS 160A-381(h) for structures subject to the North Carolina Residential Code for One- and Two-Family Dwellings.**

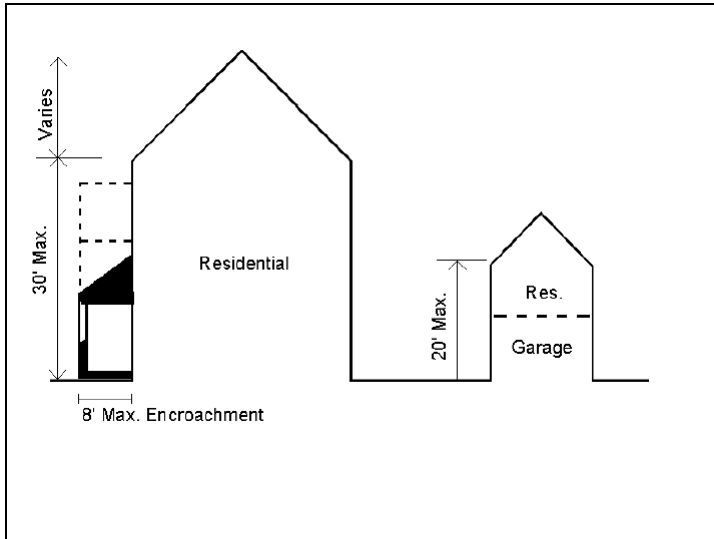
Under Article 3, add Subsections 3.2.1(d)(5); 3.2.2(d)(6); 3.2.4(d)(7); 3.2.5(d)(9); 3.2.6(d)(8); 3.2.7(d)(10); 3.2.11(d)(4); 3.2.13(d)(7); 3.3.1(d)(8) to read as follows:

See Section 8.16, Standards for Residential Lot Widths, Alleys, Garages and Parking in Residential Districts

Under Article 4 Detached House Type, amend by deleting the Architectural Standards as follows:

Building Type / Detached House

Permitted Height/Uses/Encroachments



1. Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves.
2. Building height of main dwelling to ridge may vary depending on the roof pitch.
3. Permitted uses are indicated above.
4. Maximum footprint for a building housing a detached accessory dwelling is 650 square feet or 50% of first floor area of principal residence, whichever is greater.
5. Balconies, stoops, stairs, open porches, bay windows, and awnings are permitted to encroach into setback area up to 8'.
6. Decks, balconies, and porches are permitted to encroach into the rear yard setback as provided in Section 8.8.9.

Architectural Standards

Principles-

- A. ~~To perpetuate the unique building character of the town and its environs, and to re-establish its local identity, development shall **should** generally employ building types that are sympathetic to the historic architectural vocabulary of the area in their massing and external treatment. Manufactured homes will not be permitted as part of any multi-unit residential development under this ordinance except within the MH-O District.~~
- B. ~~The front elevations facing the street, and the overall massing shall **should** communicate an emphasis on the human scale and the pedestrian environment.~~
- C. ~~Each building should be designed to form part of a larger composition of the area in which it is situated. Adjacent buildings should thus be of similar scale, height, and configuration.~~
- D. ~~Building silhouettes should be generally consistent. The scale and pitch of roof lines should thus be similar across groups of buildings. Excessively grandiose roof pitches with multiple changes of outline are not acceptable **recommended**.~~
- E. ~~Porches should form a predominant motif of house designs, and be located on the front or to the side of the dwelling. When attached to the front, they shall **are recommended to** extend over at least 15% of the front facade. All porches should be constructed of materials in keeping with those of the main building.~~
- F. ~~Front loaded garages **and driveways**, if provided, shall meet the standards of Section 8.16.~~

Configurations-

- A. ~~Main roofs on residential buildings should be symmetrical gables or hips with a pitch of between 4:12 and 12:12. Monopitch (shed) roofs should be attached to the wall of the main building. No monopitch should be less than 4:12. It is recommended that accessory buildings have roof pitches that conform to those of the main building.~~
- B. ~~Balconies should generally be simply supported by posts and beams. The support of cantilevered balconies should be assisted by visible brackets.~~
- C. ~~Two wall materials may be combined horizontally on one facade. The "heavier" material should be below.~~
- D. ~~Exterior chimneys should be finished in brick or stucco.~~

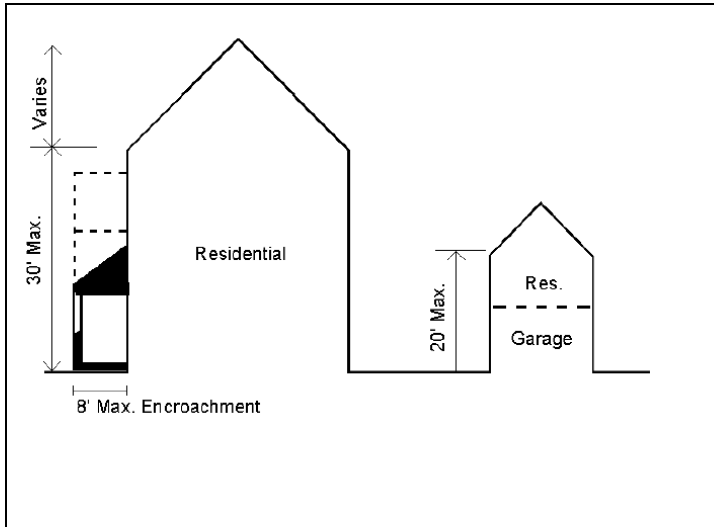
Techniques-

- A. ~~Overhanging eaves may expose rafters.~~
- B. ~~Flush eaves should be finished by profiled molding or gutters.~~

Under Article 4 Attached House Type, amend by deleting the Architectural as follows:

Building Type / Attached House

Permitted Height and Uses



1. Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves.
2. Building height to ridge will vary depending upon the roof pitch.
3. Permitted uses are indicated above.
4. Maximum footprint for a building housing a detached accessory dwelling is 650 square feet.

Architectural Standards

Principles-

- A. ~~To perpetuate the unique building character of the town and its environs, and to re-establish its local identity, development shall **should** generally employ building types that are sympathetic to the historic architectural vocabulary of the area in their massing and external materials. Manufactured homes will not be permitted as part of any multi-unit residential development under this ordinance.~~
- B. ~~The front elevations facing the street, and the overall massing shall **should** communicate an emphasis on the human scale and the pedestrian environment.~~
- C. ~~Each building should be designed to form part of a larger composition of the area in which it is situated.~~
- D. ~~Building silhouettes should be generally consistent. The scale and pitch of roof lines should thus be similar across groups of buildings.~~
- E. ~~Porches should form a predominant motif of house designs, and be located on the front or to the side of the dwelling. When attached to the front, they shall **they are recommended to** extend over at least 15% of the front facade. All porches should be constructed of materials in keeping with those of the main building.~~
- F. ~~Front loaded garages **and driveways**, if provided, shall meet the standards of section 8.16.~~

Configurations-

- A. ~~Main roofs on residential buildings shall **should** be symmetrical gables or hips with a pitch of between 4:12 and 12:12. Monopitch (shed) roofs are allowed only if they are **should be** attached to the wall of the main building. No monopitch shall **should** be less than 4:12. All accessory buildings shall have roof pitches that conform to those of the main buildings.~~
- B. ~~Balconies should generally be simply supported by posts and beams. The support of cantilevered balconies should be assisted by visible brackets.~~
- C. ~~Two wall materials may be combined horizontally on one facade. The "heavier" material should be below.~~
- D. ~~Exterior chimneys should be finished in brick or stucco.~~

Techniques-

- A. ~~Overhanging eaves may expose rafters.~~
- B. ~~Flush eaves should be finished by profiled molding or gutters.~~

Under Article 8, Subsection 8.16:

8.16 Standards for Residential Lot Widths, Alleys, Garages and Parking in Residential Districts

- .1 Except as specifically provided in the Rural and Transitional districts, detached house types and two-unit attached house types shall be required to have a lot width greater than 60 50' feet. Developers shall have the option to provide lots widths 60 50' feet wide or less when alley access allowing on-site parking is provided for detached house types and two-unit attached house types. Further, developers shall also have the option to apply for a conditional district rezoning to create lot widths of 50 feet wide or less without an alley provided it can demonstrated the development can accommodate on-street parking, meet all the provisions of the zoning ordinance including installation of street trees, and demonstrate public services such as trash pick-up can be provided.

On lots greater than 60 feet in width, front loading garages shall be recessed at least 10 feet behind the primary plane of the front facade of the structure.

~~Exception for single family detached dwellings with 1400 square feet or less of heated space:~~ single bay front loading garages may be built flush with, but may not project in front of, the primary plane of the front facade of the structure; double bay front loading garages shall be recessed at least 10 feet behind the primary plane of the front facade of the structure.

For the purpose of this section, primary plane shall be defined as the heated floor area or a porch extending across at least 55% of the total building width and a depth of at least 6 feet. In no case shall the garage be located less than 20 feet from the back of the public sidewalk.

- .2 Alley access for on-site parking is strongly encouraged for three-unit or more attached house types. On lots 60 feet or less in width, alley access is required if on-site parking is provided except as provided below.

- .3 Driveway width shall not occupy more than 30% of the public street front of a lot as measured along the public street right-of-way for a detached house and two-unit attached house type, and 50% of the public street front for a three or more unit attached house type. For lots 60 feet wide or less, driveways shall be no more than 12 feet wide as measured along the public street right-of-way for a detached house and two-unit attached house type. For lots wider than 60 feet, driveways shall be no more than 20 feet wide as measured along the public street right-of-way for a detached house and two-unit attached house type. For three or more unit attached house types, driveway width shall not occupy more than 50% of the public street front of a lot as measured along the public street right-of-way.

- .4 When front entry garages are used, it is recommended to minimize emphasis on front loaded garages by having a building feature projecting from or flush with the garage, have a column to separate a two-car garage or any other technique as determined by the owner to be appropriate.

- ~~.2 On lots 60 feet or less in width, attached and detached single family homes may be permitted to have front or side entry garages, if the following conditions are met:~~

- ~~(a) The arrangement of permanent structural elements of the unit must provide side view screening of a single or double bay front loading garage. Examples of permanent structural screening would be: an elevated porch or stoop with steps to ground.~~
- ~~(b) The finished floor elevation must meet or exceed a height of 36" above grade to qualify under this paragraph. However, this requirement may be waived on projects with an average block cross-slope greater than 5% as measured from the existing ground elevation at the proposed street centerline to the existing ground elevation at the proposed rear lot line.~~
- ~~(c) For attached single family homes, the garages may not abut one another.~~
- ~~(d) Single or double bay side loading garages shall be permitted for the end unit of an attached single family home provided the garage is recessed at least 2 feet behind the primary plane of the structure and the finished floor elevation of the dwelling unit is a minimum of 15 inches above the floor elevation of the garage.~~

- (e) ~~A double bay front loaded garage will be permitted only if the average block cross slope is greater than 5% as defined in item B and the garage is recessed at least 10 feet behind the front façade of the dwelling unit, the garage has two single bay width doors, and the garage width must be less than the width of the remaining portion of the front façade of the dwelling.~~
- .5 ~~In no case shall on-site residential parking extend into the public right-of-way, or into an easement for a public sidewalk on private property.~~ **Driveways shall extend at least twenty (20) feet from a public right-of-way and public sidewalk easement to prevent on-site residential parking from encroaching into the public right-of-way or easement for a public sidewalk.**
- .6 On-street parking at lot front, when specifically provided, may be counted toward all or part of the parking requirement of a dwelling unit.
- .7 Detached garages may only be placed in the established rear yard. Garages for more than two cars must be detached and located in the established rear yard or be attached side or rear loading,
- .8 Lots in subdivisions approved prior to the effective date of this ordinance, are exempt from the limitations of .1 through .2 ~~3~~, above.
- .9 Vehicles used primarily for commercial purposes and with more than two axles are prohibited from parking on streets, in driveways, or on private property in residential districts. This shall not be construed as preventing the temporary parking of delivery trucks, moving vans, and similar vehicles which deliver goods or services.
- .10 Provisions for parking unlicensed vehicles in residentially zoned districts shall be as follows:
- (a) No more than two (2) motor vehicles that do not have a current, valid license plate and are not fully enclosed in a permanent structure shall be permitted outside on any premises, provided such vehicles are registered to the occupant of the premises or immediate family member of the occupant as the record title of the vehicle.
 - (b) No unlicensed motor vehicle if not registered to the occupant of the premises or immediate family member of the occupant as the record title owner of the vehicle shall be permitted outside of any premises.
 - (c) Vehicles described in paragraphs (a) and (b) are not permitted to be located within any established setback or any established side yards which abut a street or any required side yards contained in these regulations or any street right-of-way. If stored in the rear yard, it must be a minimum of five (5) feet off the rear property line.
 - (d) Vehicles described in paragraphs (a) and (b) are not permitted on vacant or undeveloped parcels.

Section 2. That this ordinance shall become effective upon adoption.

PUBLIC HEARING DATE: December 21, 2015

PLANNING BOARD MEETING: February 23, 2016

PLANNING BOARD RECOMMENDATION: **On 2-23-16 by a vote of 4 in favor and 5 opposed, the Planning Board did not recommend approval but instead recommended approval of the original staff proposal with a modification (attachment 2)**

TOWN BOARD DECISION: TBD on March 7, 2016

Attachment 7 Staff and REBIC Correspondence on Attachment 6 Amendment Alternative

Jack,

Thank you for considering our position. We continue to believe these provisions violate the spirit and intent of SL 2015-86, by effectively forcing the use of rear-entry garages for lots 50' or narrower (through the alley requirement), and by forcing a garage setback for lots between 50' and 60' in width (through the maximum 12' curb cut, which forces a longer driveway). While none of the amendments specifically mandate a specific location for garage doors (a prohibited design element under SL 2015-86), they aim to achieve the same outcome through other regulatory tools at the Town's disposal.

However, because we are so concerned about the continued need for affordable, workforce housing in Huntersville, we will accept this proposed amendment as a compromise, recognizing the interpretive disagreement that exists over the language in the residential aesthetics bill. We are hopeful that the General Assembly will work with our industry to further refine the language in the zoning statute when it reconvenes in April, so that the original intent of the law is clarified.

But we believe the staff alternative to this language, which would eliminate lots narrower than 60' in Huntersville, is an unacceptable outcome that would delete an important zoning district which provides housing options for first-time buyers, as well as for police, firefighters, teachers and other civil servants who already challenged by a growing deficit of affordable housing.

This is how I will describe our position to the Planning Commission this evening, as well as to the Board of Commissioners when it meets next week. I would also like to show the diagram of the 12' driveway cut in my presentation, so they understand the potential consequences for lot design it may produce. Is there an overhead I can use for this purpose?

Thanks -- I'll see you this evening at 6.

Joe Padilla
Executive Director
Real Estate and Building Industry Coalition
1201 Greenwood Cliff, Suite 200
Charlotte, NC 28204
(704) 940-3171 (Main)
(704) 940-3174 (Direct)
(704) 940-3172 (Fax)
(980) 213-1270 (Cell)
joe.padilla@REBIC.com

From: Jack Simoneau <jsimoneau@huntersville.org>

Sent: Monday, February 22, 2016 4:45 PM

To: Joe Padilla

Cc: Bob Wiggins (Bob.Wiggins@mattamycorp.com); Rob Nanfelt; Greg Ferguson; Max Buchanan; Bill Cox; David Peete

Subject: RE: Huntersville Ordinance Amendment

Joe,

After meeting, it is staff's position that we would be willing to support not requiring alleys for lots over 50' wide with a maximum driveway width of 12' at the right-of-way only if REBIC supports that amendment. The unanimous position of the staff is that the town is well served with the current standard requiring alley access for lots 60' wide or less but would be willing to support the reduction stated above in an effort to find compromise.

In the example below under the current standards, lots 60' wide or less would not have driveways on the public street but instead would be served by an alley. Under the compromise, there could be nine 12' wide driveways each side of the block representing about 23% of the block length dedicated to driveways (not including the driveway flare).

Attachment 7 Staff and REBIC Correspondence on Attachment 6 Amendment Alternative

Driveways on 50+ Wide Lots

- 480' long block with 9 homes per side (53' average lot width)
- Today: No driveway cuts (0% of block length)
- Possible: 12' wide driveway at r/w (12' wide x 9 lots = 108' of driveway or 23% of block length)



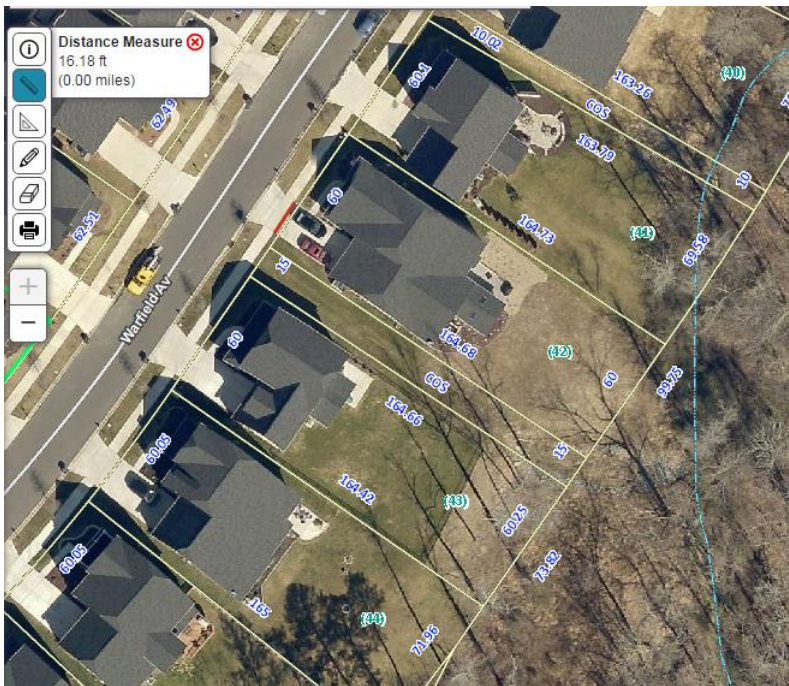
Regarding your point about driveways needing to be 20' so one does not step out of the car into the grass, the overwhelming majority of driveways being built today, even on wider lots, is in the 16-17' wide range. The photos below illustrate that point and the chart below that provides typical vehicle dimensions. If someone needs to widen their driveway so they have more room to get out of the car and not step onto the grass, that would be no problem since the extra driveway width is for someone to walk-on and not for the vehicle. We do not believe a 12' drive at the right-of-way creates a challenging movement into a 16' wide garage depending on how the house is placed on the lot.

Finally, your point that the increased setback will result in a less pedestrian friendly streetscape is well taken. That is why we support keeping the minimum front build-to-line at 10' if the developer chooses. While today lots 60'-wide or less have no driveways on the street making it very pedestrian friendly, town staff is willing to support allowing driveways on lots over 50' wide with a maximum driveway width of 12' at the public right-of-way with REBIC's support. On balance, we see limiting driveway widths on narrower lots more beneficial to the pedestrian environment.

Since the text amendment is being presented to the Planning Board tomorrow evening, we would like to know if REBIC is willing to support the attached amendment by 3PM tomorrow if possible. Please note that the only reason we considered reducing the lot width before alleys are required is because that was suggested by a REBIC representative during one of our several meetings. You and Rob Nanfelt have done a great job representing the building industry and we appreciate all the time you have spent with us discussing the issue. I will call you to follow-up on this email.

Thank you,
Jack Simoneau

Attachment 7 Staff and REBIC Correspondence on Attachment 6 Amendment Alternative



DESIGN VEHICLE DIMENSIONS

VEHICLE	LENGTH (L) (ft-in.)	WIDTH (W)	HEIGHT (H)	WEIGHT (W)
Small car ¹	14-9	5-9	4-4	8
All cars	16-6	6-1	4-8	5
Light truck	18-11	6-8	6-5	1
Van	18-8	6-7	6-10	1
Sport/utility vehicle	16-7	6-7	6-2	5
Sport wagon	15-8	7-1	5-11	8
Composite passenger vehicle ²	17-2	6-7	7-6	5
Wheelchair lift van (personal use)	17-8	6-8	8-0	1
Boat trailer	20-0	8-0	6-0	5
RV-conventional trailer	27-0	7-0	9-0	5
RV-fifth wheel (pickup-based)	34-0	8-6	12-0	8
RV-folding trailer	16-0	7-6	5-0	1
Side-in pickup camper	18-11	10-0	7-3	1
Stretch limousine	24-6	6-0	5-0	
Shuttle van (11 passengers)	20-0	6-6	6-10	

Notes:

1. Small car classes 5 through 7, per Parking Consultants Council (PCC).

2. A composite passenger vehicle is a design vehicle that encompasses passenger cars, light trucks, vans, and sport/utility vehicles.

From: Joe Padilla [<mailto:Joe.Padilla@rebic.com>]

Sent: Monday, February 22, 2016 12:15 PM

To: Jack Simoneau <jimoneau@huntersville.org>

Cc: Bob Wiggins (Bob.Wiggins@mattamycorp.com) <Bob.Wiggins@mattamycorp.com>; Rob Nanfelt <Rob.Nanfelt@rebic.com>

Subject: RE: Huntersville Ordinance Amendment

Thanks, Jack. I don't think most homebuyers want a driveway pad that's no wider than their garage door. Two cars, parked side by side, would take up the entire pad, forcing the homeowner to step into the grass (or mud), when they

Attachment 7 Staff and REBIC Correspondence on Attachment 6 Amendment Alternative

exited the vehicle. As we discussed last week, I think this would also create a code enforcement nightmare for Huntersville, with cars parked off the side of the driveway or homeowners installing unsightly pavers to extend the pad width for convenience sake.

Your illustration shows exactly why my members are so concerned about a 12' maximum driveway width at ROW. It either creates a challenging driveway pad or forces the house to be setback a minimum of 30', which goes against the pedestrian-friendly streetscape Huntersville is trying to create. I think we can live with a maximum width of 15' or 14' *at curb*, but anything less creates unintended consequences for neighborhood development.

Best,

Joe Padilla
Executive Director
Real Estate and Building Industry Coalition
1201 Greenwood Cliff
Suite 200
Charlotte, NC 28204
(704) 940-3174 (Direct)
(980) 213-1270 (Cell)
joe.padilla@REBIC.com
www.REBIC.com

Joe,

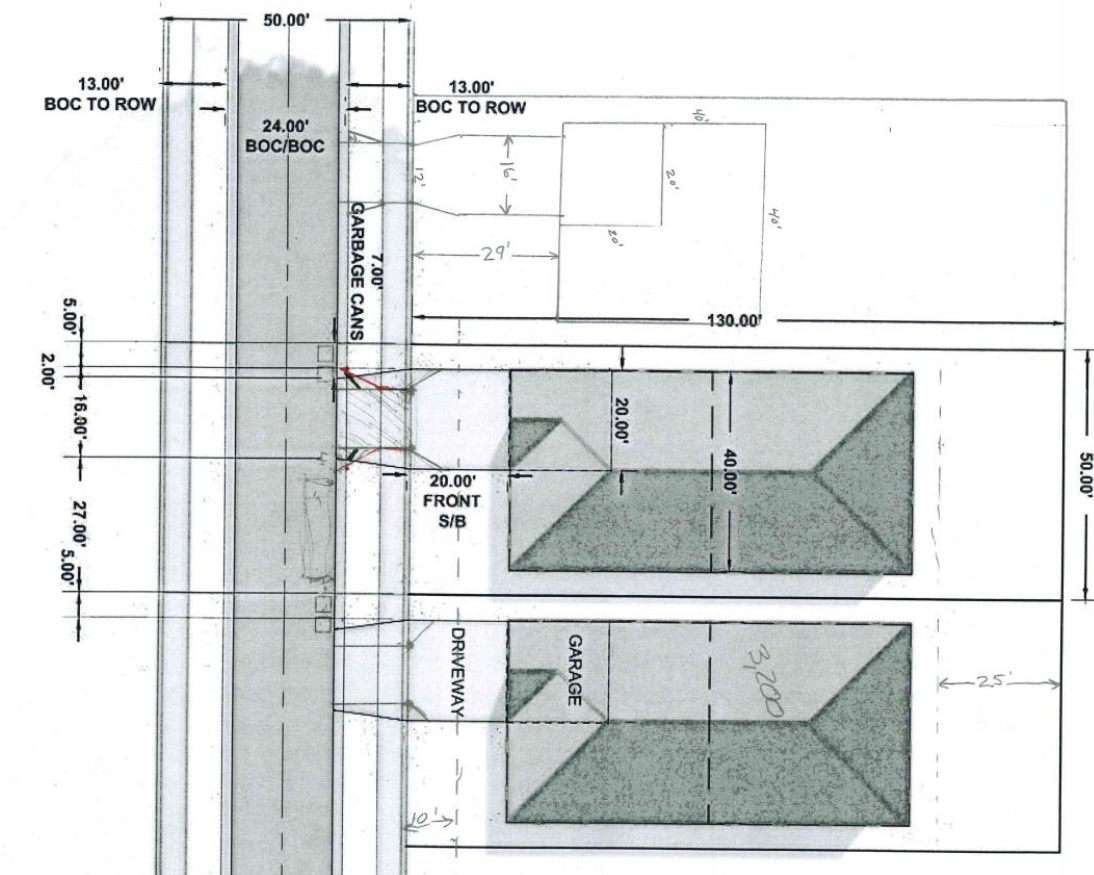
Thank you for the time you and Bob Wiggins took to meet with David Peete and I. Unfortunately I was unable to set-up the management team meeting today but hope to Monday. I spent some time looking at the realities of what is built in the field and found that houses on 50'+ -wide lots were around 40' (see attached). Certainly every home is different and they can be shorter or deeper, but I wanted to get at least some idea about what might get built on 50'+-wide lots. I also found that driveways were often the width of the garage door or slightly wider (16'-17' +/-) and the "flare-out" between the street and sidewalk was often about 2' each side (see photos below). I put that information into the attached site plan to see what that might look like with the 12'-wide drive we said we could accept with REBIC's buy-in. As an FYI, Huntersville has 3 roll-out carts (household, yard (weekly) and recycle (bi-weekly)).

Please know we are looking at this issue very carefully.

Take care and have a great weekend.

Jack Simoneau

Attachment 7 Staff and REBIC Correspondence on Attachment 6 Amendment Alternative



Jack Simoneau, AICP
Huntersville Planning Director
704-766-2211
105 Gilead Road
PO Box 664, Huntersville NC 28070

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.

Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Meredith Miller, Planner I
Subject: TA 15-07 - Update 9.37.2, Temporary Mobile Food Sale Condition

Text Amendment: TA 15-07: Update 9.37.2, Temporary Mobile Food Sale Condition, is a request by the Town of Huntersville to remove the up to a maximum of four (4) days per week and major holiday operating condition for temporary mobile food sales that are permitted as an accessory use on non-residential lots.

ACTION RECOMMENDED:

Consider final action on March 7, 2016.

FINANCIAL IMPLICATIONS:

None.

ATTACHMENTS:

Description	Type
▢ Staff Report	Staff Report

OTA #15-07 Amend Article 9.37.2, Update Temporary Mobile Food Sale Conditions

PART 1: DESCRIPTION

Text Amendment, TA #15-07, is a request by the Town of Huntersville to amend Article 9.37.2 of the Zoning Ordinance (see attachment A, Text Amendment Application and attachment B, Proposed Ordinance) to remove the maximum four (4) day per week per location operating restriction on temporary mobile food sales.

PART 2: BACKGROUND

Temporary mobile food sales are permitted by-right (staff approval) in Town Center (TC), Highway Commercial (HC), Special Purposes (SP), and Corporate Business (CB) zoning districts (see attachment C, Map of Zoning Districts). In these zoning districts, temporary mobile food sales are permitted subject to the conditions found in Article 9.37.2, *Temporary Uses and Structures*, of the Zoning Ordinance (see attachment B, Proposed Ordinance).

Prior to January 2016, temporary mobile food sales were only permitted in the Town Center (TC) and Highway Commercial (HC) zoning districts. However, on January 4, 2016 the Town Board amended the Zoning Ordinance (TA #15-05) to allow temporary mobile food sales as a use permitted by-right in the Special Purpose (SP) and Corporate Business (CB) zoning districts. During the Public Hearing for TA#15-05, the Town Board directed staff to process a text amendment to examine removing the four (4) day per week, per location operating condition found in Article 9.37.2.

Since initially being permitted in Huntersville, temporary mobile food sales have had a limit on the number of days per week, per location they could legally operating. In April 2011, Town Board voted to increase the number of days a temporary mobile food sale unit could operate from two (2) to four (4) days per week plus major holidays, at a specific location. A survey of surrounding communities found that, currently, Huntersville is second in terms of permitted number of days mobile food sales can operate, with an allowance of 216 days per, year per location (see table below).

<u>Community</u>	<u>Number of Days to Operate Per Year, Per Location</u>
Davidson	does not restrict days
Huntersville	216
Charlotte	90*
Cornelius	52
Concord	42

*City of Charlotte is processing an amendment to their Zoning Ordinance to allow temporary mobile food vending 365 days a year.

The Town of Davidson adopted ordinance language removing the number of operating days in August 2013. According to Charlotte's recent Rezoning Petition, the City proposes to permit mobile food vending 365 consecutive calendar days a year, with the option to renew on an annual basis. Theses amendment show

support for the trend that mobile food vending is growing locally and Zoning Ordinances are changing to keep up with the increasing popularity of mobile food vending.

Huntersville addresses traffic and parking concerns in Article 9.37.2. Furthermore, public health and safety concerns are addressed by the Mecklenburg County Health Department, Mobile Food Services Regulations. Mecklenburg County specifically requires mobile food units be removed from sale site once per day for cleaning, servicing, and restocking supplies (see attachment D, Mecklenburg County Health Department Mobile Food Service Regulations).

This text amendment request was provided to the Lake Norman Economic Development staff for feedback. They support the proposed amendment and did not have an issue removing the four (4) day per week operating condition from Article 9.37.2.

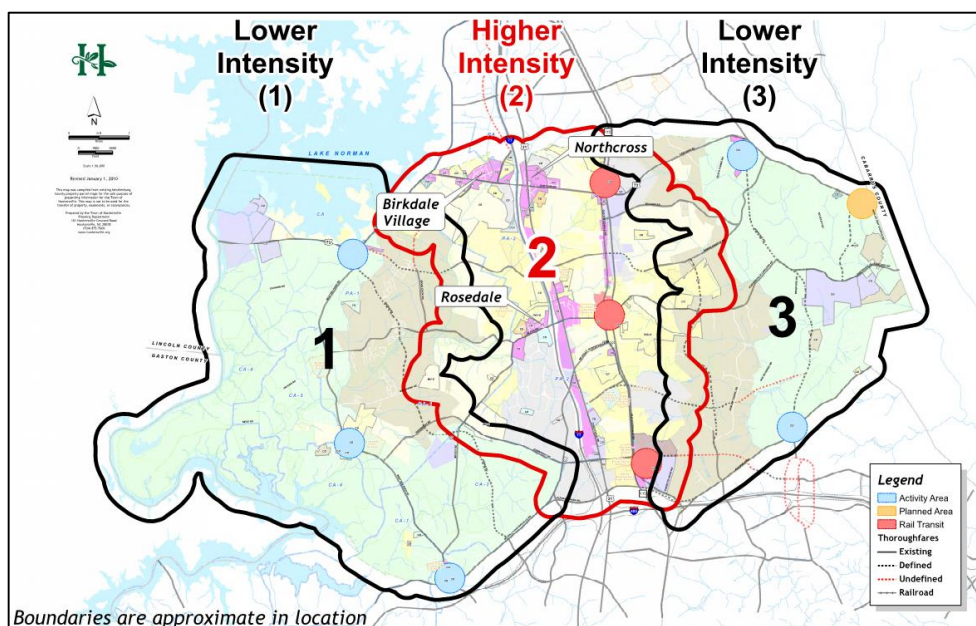
PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2030 COMMUNITY PLAN AND APPLICABLE LONG RANGE PLANS

The following are examples of relevant plans and polices from the 2030 Huntersville Community Plan that may be incorporated into the Board's statement of consistency for approval or denial of the request.

Policy CD-2: Commercial Development Pattern

Promote a mixed-use development pattern that focuses higher intensity development generally within two miles of the I-77/NC-115 core. Outside the core area, this more intense commercial development pattern shall be focused in identified nodes and centers.

NOTE: The High Intensity area has a high percentage of parcels zoned for Temporary Mobile Food Sales.



PART 4: STAFF RECOMMENDATION

Staff recommends amending Article 9.37.2. *Temporary Uses and Structures* for Temporary Mobile Food Sales, as presented in Attachment B. The recommendation is based on:

Consistency with policy of the Huntersville Community Plan listed above.

Amending temporary mobile food sales conditions offers greater flexibility and added economic activity in the TC, HC, SP, and CB zoning districts.

PART 5: PUBLIC HEARING

The Public Hearing was held on February 1, 2016. No comments from the public or Town Board members were received.

PART 6: PLANNING BOARD RECOMMENDATION

The Planning Board heard this text amendment on February 23, 2016 and voted (9-0) to add language to the amendment, as shown in Attachment E (Proposed Ordinance – Planning Board Recommendation), which would require County Health Department permits to be issued prior to zoning permits. Planning Staff contacted Mecklenburg County's Environmental Health Department to understand if Town zoning approval was required before the issuance of Health Department approval for temporary mobile food units, as the Planning Board language would require. Health Department staff indicated zoning approval was not required, but is recommended prior to applying for an Environmental Health Department permit.

In summary, to keep the permitting process as simple as possible, Planning Staff recommends the approval of this request as presented at the Public Hearing (shown in Attachments B Proposed Ordinance – Planning Staff Recommendation).

PART 7: ATTACHMENTS AND ENCLOSURES

Attachment A: Text Amendment Application

Attachment B: Proposed Ordinance – Planning Staff Recommendation

Attachment C: Map of Zoning Districts

Attachment D: Mecklenburg County Health Department Mobile Food Service Regulations

Attachment E: Proposed Ordinance – Planning Board Recommendation

PART 8: STATEMENT OF CONSISTENCY – TA #15-05

Planning Department	Planning Board	Board of Commissioners
<p>APPROVAL: In considering the proposed amendment, TA 15-07, to amend Article 9.37.2 (Temporary Uses and Structures) of the Zoning Ordinance, the Planning Staff recommends approval based on the amendment being consistent with policy CD-2 of the Community Plan.</p> <p>It is reasonable, and in the public interest to amend the Zoning Ordinance because, the amendment provides flexibility to the temporary mobile food sales industry, while providing economic benefit to the Town Center, Highway Commercial, Special Purpose, and Corporate Business Zoning Districts.</p>	<p>APPROVAL with Additional Language: In considering the proposed amendment, TA 15-07, to amend Article 9.37.2 (Temporary Uses and Structures) of the Zoning Ordinance, the Planning Board recommends approval based on the amendment being consistent with policy CD-2 of the Community Plan.</p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because, the amendment provides flexibility to the temporary mobile food sales industry, while providing economic benefit to the Town Center, Highway Commercial, Special Purpose, and Corporate Business Zoning Districts.</p> <p>IN ADDITION, adding language to 9.37.2.f and 9.37.2.h that would require applicants to meet all the requirements of Mecklenburg County's Environmental Health Department's Mobile Food Unit and Push Chart Flow Chart prior to the issuance of Town zoning approval.</p>	<p>APPROVAL (as presented or with Planning Board Additional Language) : In considering the proposed amendment, TA 15-07, to amend Article 9.37.2 (Temporary Uses and Structures) of the Zoning Ordinance, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u></p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)</p>
		<p>DENIAL: In considering the proposed amendment, TA 15-07, to amend Article 9.37.2 (Temporary Uses and Structures) of the Zoning Ordinance, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>.</p> <p>It is not reasonable and in the public interest to amend the Zoning Ordinance because....(Explain)</p>



Text Amendment Application

Incomplete submissions will not be accepted.

Applicant Data

Date of Application December 8, 2015
 Name Town of Huntersville
 Address 105 Gilead Road, 3rd Floor
 Phone Number (home) N/A (work) 704-766-2298
 Email mmiller@Huntersville.org

Fee

Text Amendment to the Zoning/Subdivision Ordinance Fee \$400.00

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 (If possible, please provide a Word document of the proposed text change)

Proposed text amendment will affect the following:

Ordinance: Zoning Article: 9.37 Section: 2, temporary mobile food sales

Current Text: The establishment of temporary mobile food sales are permitted as an accessory use for up to a maximum of four (4) days per week and major holidays upon issuance of a temporary use permit by the Zoning Administrator.

Proposed Text: The establishment of temporary mobile food sales are permitted as an accessory use for up to issuance of a temporary use permit by the Zoning Administrator.

Reason for requested change (attach additional sheets if necessary):

Board directed.

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.

Signatures

I hereby certify that the information presented by me in this application is accurate to the best of my knowledge, information and belief.

Applicant Signature: Meredith M. Nesbitt Date: 12-14-15

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
Website:	http://www.huntersville.org/Departments/Planning.aspx

**AN ORDINANCE TO AMEND ARTICLE 9.37.2 *Temporary Uses and Structure*, Establishment of
Temporary Mobile Food Sales**

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

Article 9.37, Temporary Uses and Structures

.2 The establishment of temporary mobile food sales are permitted as an accessory use ~~for up to a maximum of four (4) days per week and major holidays~~ upon issuance of a temporary use permit by the Zoning Administrator. The following conditions apply.

- (a) Trailers, carts and related storage shall be removed by the close of each business day.
- (b) The use may only be located on a lot occupied by a non-residential use.
- (c) The use shall be located a minimum of 15' behind existing road right-of-way, shall not impede the flow of pedestrian traffic, nor shall be located in any required parking space, loading space, or vehicle maneuvering area.
- (d) Off-street parking may be provided in existing parking spaces, as long as they are not part of the required number of spaces for the principal use.
- (e) No signage shall be permitted, except signs that are painted on or applied directly to the mobile food unit.
- (f) All applicable local and state regulations, including, but not limited to, Health Department and Environmental Protection, shall be met.
- (g) All discharge, waste and trash shall be properly disposed of in accordance with the applicable regulations by the close of each day.
- (h) A temporary use permit shall be required and is valid for one year and may be renewed annually.
- (i) At the issuance and renewal of a temporary use permit, the applicant shall supply the Zoning Administrator ~~with a schedule of the days of operation of the business along~~ with permission from the property owner to locate on the property.
- (j) The use shall not create any additional non-conformities on the existing site.

Section 2. That this ordinance shall become effective upon adoption.

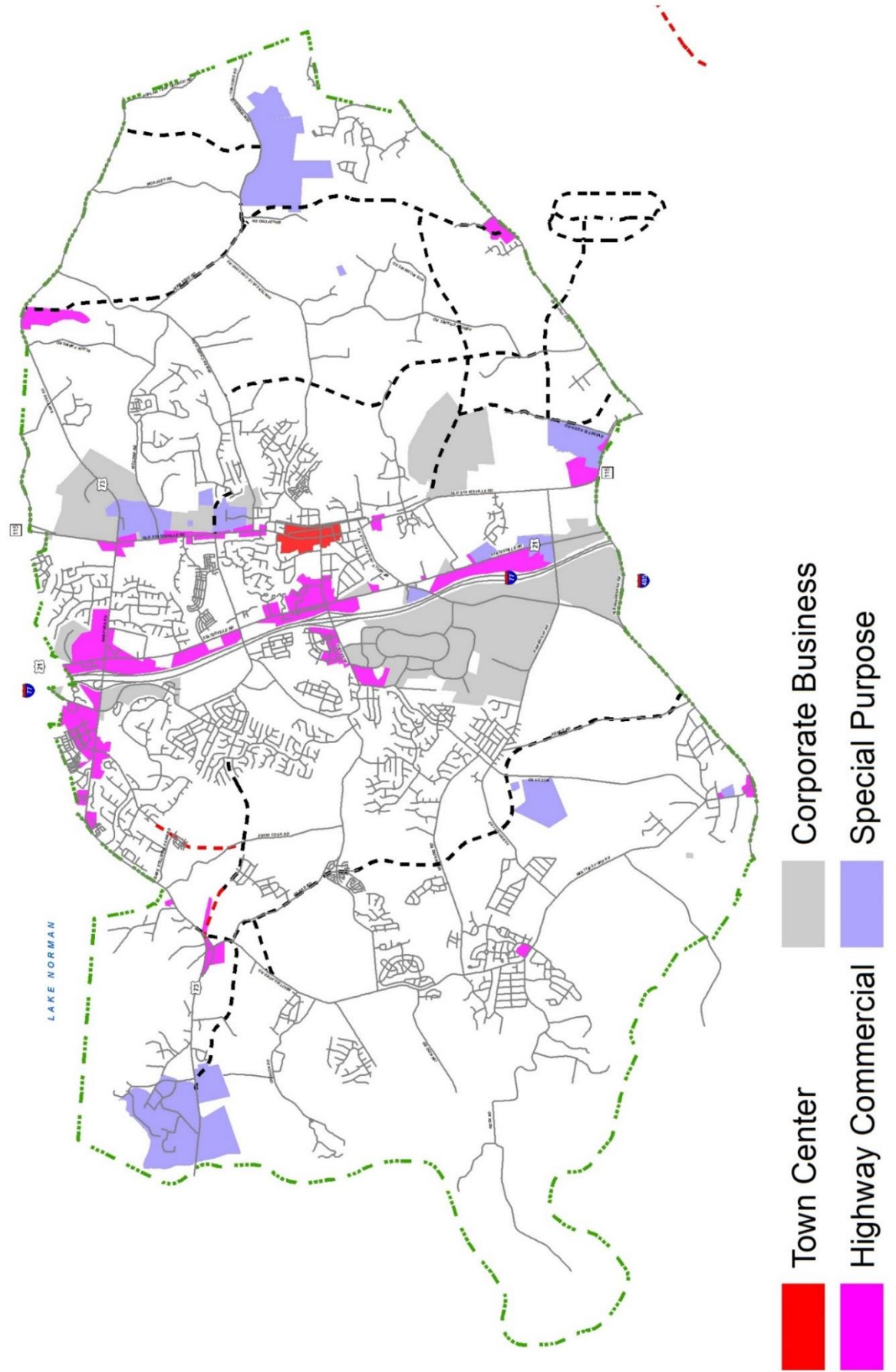
PUBLIC HEARING DATE: **February 1, 2016**

PLANNING BOARD MEETING: **February 23, 2016**

PLANNING BOARD RECOMMENDATION: **Approval, with additional language**

TOWN BOARD DECISION:

Map of Zoning Districts Allowing Temporary Mobile Food Sales





MECKLENBURG COUNTY Health Department

Mobile Food Service Regulations

15A NCAC 18A .2670 GENERAL REQUIREMENTS FOR PUSHCARTS AND MOBILE FOOD UNITS

- a) A permit shall be issued by the regulatory authority that inspects the commissary from which a pushcart or mobile food unit is to operate, if the regulatory authority determines that the pushcart or mobile food unit complies with the rules of this Section. The permit shall be maintained on the pushcart or mobile food unit and made available to the regulatory authority upon request.
- b) The regulatory authority that issues the permit shall be provided by the permit holder a list of counties and locations where each pushcart or mobile food unit will operate.
- c) Prior to initiating food service operations in a particular county, the pushcart or mobile food unit permit holder shall provide the regulatory authority in each county in which food service operations are proposed a list of locations where they will operate. Such lists must be kept current.
- d) Pushcarts or mobile food units shall operate in conjunction with a permitted commissary and shall report at least daily to the commissary for supplies, cleaning, and servicing. Facilities, in compliance with this Section, shall be provided at the commissary for storage of all supplies. The pushcart shall also be stored in an area that protects it from dirt, debris, vermin, and other contamination. Water faucets used to supply water for pushcarts or mobile food units shall be protected to prevent contact with chemicals, splash, and other sources of contamination. Solid waste storage and liquid waste disposal facilities must also be provided on the commissary premises.
- e) All food shall be obtained from sources that comply with Chapter 3 of the Food Code as amended by Rule .2653 of this Section.
- f) All potentially hazardous food (time/temperature control for safety food) shall be maintained at temperatures as required in Chapter 3 of the Food Code as amended by Rule .2653. A metal stem-type thermometer accurate to 1°C (2°F) shall be available to check food temperatures.
- g) Single service articles shall be used for serving customers. Single-service articles shall be purchased in sanitary containers, shall be stored therein in a clean, dry place until used, and shall be handled in a manner to prevent contamination.
- h) All garbage and other solid waste shall be stored and disposed in an approved manner.
- i) Employees shall wear effective hair restraints, clean outer clothing, and maintain good hygienic practices as specified in Part 2-4 of the Food Code as amended by Rule .2652 of this Section.
- j) Employees shall comply with the requirements in Subpart 2-201 of the Food Code as amended by Rule .2652 of this Section.
- k) Equipment and utensils shall meet the requirements in Parts 4-1 and 4-2 of the Food Code as amended by Rule .2654 of this Section.
- l) The pushcart or mobile food unit shall be kept clean and free of flies, roaches, rodents, and other vermin.

15A NCAC 18A .2671 SPECIFIC REQUIREMENTS FOR PUSHCARTS

- (a) Only hot dogs shall be prepared, handled, or served from a pushcart; however, food which has been prepared, pre-portioned, and individually pre-wrapped at a food establishment or commissary may be served from a pushcart.
- (b) Food and utensils on the pushcart exposed to the public or to dust or insects shall be protected by glass, or otherwise, on the front, top, and ends, and exposed only as much as may be necessary to permit the handling and serving of food.

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- (c) Toilet facilities, handwashing sinks, and running water are not required. Single-service towels are required.
- (d) All pre-wrapped potentially hazardous food (time/temperature control for safety food) shall be maintained at temperatures as required in Chapter 3 of the Food Code as amended by Rule .2653 of this Section or as labeled on the food item. Each pre-wrapped food item shall contain the name of the food establishment at which it was prepared, the name of the food item, and the time and date of expiration. The wrapper shall enclose the food at all times but sealing is not required.
- (e) Pre-portioned, individually pre-wrapped food that remains after the specified time period has elapsed shall not be sold for human consumption.
- (f) Pushcarts shall not be provided with seating facilities.
- (g) Pushcarts shall not be used for consumer self-service.

15A NCAC 18A .2672 SPECIFIC REQUIREMENTS FOR MOBILE FOOD UNITS

- (a) A mobile food unit shall be constructed and arranged so that food, drink, utensils, and equipment will not be exposed to insects, dust, and other contamination. Protection against flies and other insects shall be provided by screening or by effective use of fans. Where food or griddles are exposed to the public or to dust or insects, they shall be protected by glass, or otherwise, on the front, top, and ends, and exposed only as much as may be necessary to permit the handling and serving of food.
- (b) A mobile food unit shall have a potable water system under pressure. The system shall furnish hot and cold water for all food preparation, utensil cleaning, and handwashing. The water inlet shall be located so that it will not be contaminated by waste discharge, road dust, oil, or grease and it shall be kept capped unless being filled.
- (c) Water heating facilities shall be provided.
- (d) A handwashing sink with hot and cold water, combination supply faucet, soap, and single-service towels shall be provided.
- (e) At least a one-compartment sink shall be provided. The sink shall be of sufficient size to submerge, wash, rinse, and sanitize utensils and shall have splashback protection. Drainboards shall be provided as specified in Section 4-301.13 of the Food Code as amended by Rule .2654 to accommodate the drying of washed utensils. However, in cases where no food is prepared on the mobile food unit and all utensils are effectively cleaned at the commissary, the equipment sink is not required.
- (f) Sewage disposal must be provided either by means of an approved sewage disposal system or approved sewage storage tanks. Sewage storage tanks must be maintained in a manner so as not to create a health hazard or nuisance and to prevent contamination of food or water supply. Toilets are not required on the unit. Liquid waste that results from the operation of a mobile food unit shall be disposed in an approved sewage disposal system or stored in a permanently installed sewage storage tank that is of at least 15 percent larger capacity than the water supply tank. Liquid waste shall not be discharged from the sewage storage tank when the mobile food unit is in motion. All connections on the vehicle for servicing mobile food unit waste disposal facilities shall be of a different size or type than those used for supplying potable water to the mobile food unit. The waste connection shall be located lower than the water inlet connection to preclude contamination of the potable water system.
- (g) A servicing area shall be established at a commissary for the mobile food unit. Potable water servicing equipment shall be installed, stored, and handled to protect the water and equipment from contamination. The mobile food unit's sewage storage tank shall be flushed and drained during servicing operation. All sewage shall be discharged to an approved sewage disposal system in accordance with 15A NCAC 18A .1900 or 15A NCAC 02H .0200.

**AN ORDINANCE TO AMEND ARTICLE 9.37.2 *Temporary Uses and Structure*, Establishment of
Temporary Mobile Food Sales**

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- (b) The use may only be located on a lot occupied by a non-residential use.
- (c) The use shall be located a minimum of 15' behind existing road right-of-way, shall not impede the flow of pedestrian traffic, nor shall be located in any required parking space, loading space, or vehicle maneuvering area.
- (d) Off-street parking may be provided in existing parking spaces, as long as they are not part of the required number of spaces for the principal use.
- (e) No signage shall be permitted, except signs that are painted on or applied directly to the mobile food unit.
- (f) All applicable local and state regulations, including, but not limited to, Health Department, Environmental Health, and Environmental Protection, shall be met.
- (g) All discharge, waste and trash shall be properly disposed of in accordance with the applicable regulations by the close of each day.
- (h) A temporary use permit shall be required and is valid for one year and may be renewed annually. Prior to the issuing a temporary use permit all appropriate approvals, as provided in the Mecklenburg County Environmental Health Department's Mobile Food Unit and Push Cart Flow Chart, shall be provided to the Planning Department.
- (i) At the issuance and renewal of a temporary use permit, the applicant shall supply the Zoning Administrator ~~with a schedule of the days of operation of the business along~~ with permission from the property owner to locate on the property.
- (j) The use shall not create any additional non-conformities on the existing site.

Section 2. That this ordinance shall become effective upon adoption.

PUBLIC HEARING DATE: **February 1, 2016**

PLANNING BOARD MEETING: **February 23, 2016**

PLANNING BOARD RECOMMENDATION: **Approval, with additional language**

TOWN BOARD DECISION:

Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Alison Adams, Senior Planner
Subject: Cashion Road Subdivision Sketch Plan

Sketch Plan: Cashion Road Subdivision is a request by Blue Heel Development to subdivide approximately 46 acres to develop 40 single family homes in the Rural Residential (R) zoning district. The property is located at 5917 Cashion Road and is identified as PIN 01319111.

ACTION RECOMMENDED:

The Town Board should review and consider final action for the Cashion Road Subdivision Sketch Plan at the March 7, 2016 Town Board Meeting.

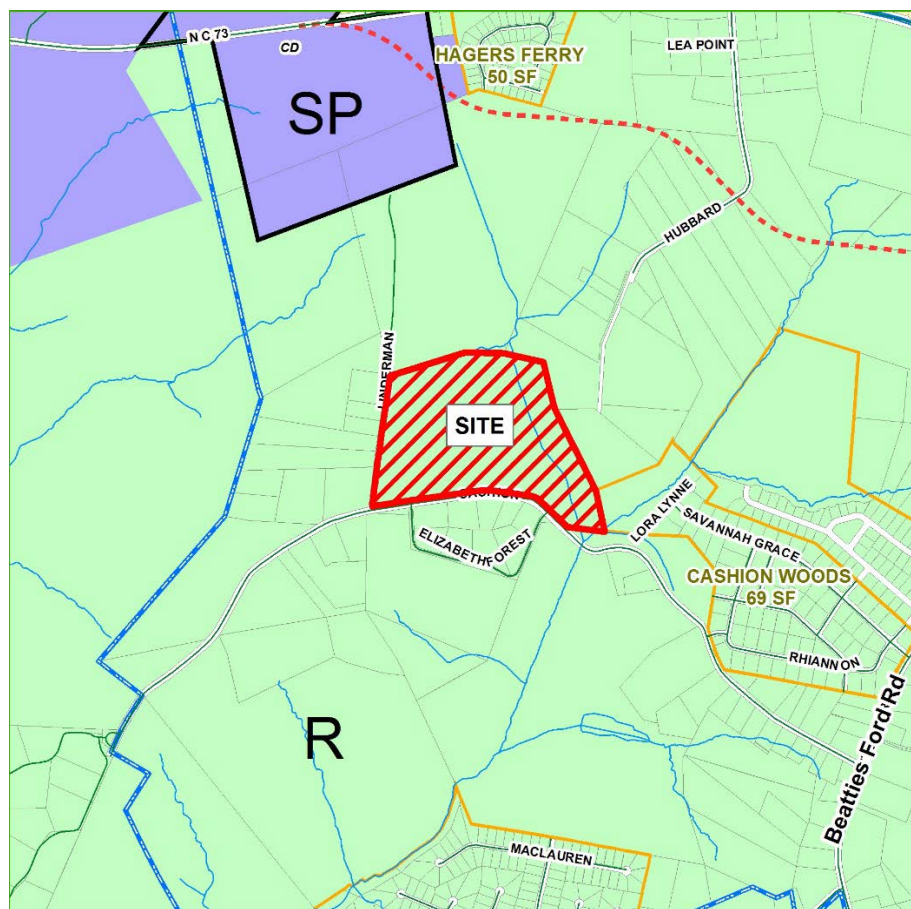
FINANCIAL IMPLICATIONS:

ATTACHMENTS:

Description	Type
▢ Cashion Road Sketch Plan Staff Report	Executive Summary
▢ Cashion Road Sketch Plan Attachment 1: Application	Backup Material
▢ Cashion Road Sketch Plan Attachment 2: Plan Set - Pages 5, 6 and 8	Backup Material
▢ Cashion Road Sketch Plan Attachment 3: Neighborhood Meeting Summary	Backup Material
▢ Cashion Road Sketch Plan Attachment 4: Determination of Adequacy Letter	Backup Material
▢ Cashion Road Sketch Plan Attachment 5: Charlotte Mecklenburg School Report	Backup Material

Cashion Sketch Plan

PART 1: PROJECT SUMMARY



Applicant: Blue Heel Development , LLC

Property Owner: Stephen M. Juhan, Edjar Leventis Juhan and Gary Williams Juhan.

Property Address: 5917 Cashion Road

Project Size: +/- 45.3 acres (not including right-of-way dedicated for Cashion Road)

Parcel Number: 01319111

Current Zoning: Rural (R)

Current Land Use: single family structure is on site. The land has been used for farming.

Proposed Land Use: 40 single-family lots

The application is Attachment A.
The site plan is Attachment B.

PART 2: SITE PLAN DESCRIPTION AND ISSUES

1. Adjacent Properties:

North: Rural (R) single-family: Vacant land, owned by Duke Energy

South: Rural (R), single-family: Elizabeth Circle Farmhouse Cluster

East: Rural (R) single-family: Large lot single-family residential

West: Rural (R) single-family: Large lot single-family residential

2. A neighborhood meeting was held on December 15, 2015, see Attachment C, Neighborhood Meeting Summary.
3. The proposed project is in the Mountain Island Lake Protected Area -1 (MIL-O, PA-1). The maximum percentage of impervious area is 36% with no curb and gutter using the low density option. The proposed impervious area is 15.1%.
4. Max density allowed is .9 units an acre with 45 % open space. The project has provided .88 units an acre with 45.9% open space.
5. 50% of the existing tree canopy and 50% of the existing specimen trees are required to be saved. The developer is saving 69% of the tree canopy and 76% of the specimen trees onsite.
6. Buffers, block length, street standards, connectivity and setbacks are all compliant with the zoning and subdivision ordinance.

PART 3: TRANSPORTATION ISSUES

The Traffic Impact Analysis Determination form was submitted early showing 41 lots. Currently the subdivision shows 40 lots. At 41 lots the single-family development would be anticipated to generate 38 AM peak-hour trips, 47 PM peak-hour trips, and 462 daily trips. Based on this anticipated traffic generation, a Traffic Impact Analysis (TIA) was not required per Article 14 of the Zoning Ordinance. Additionally, access to the site is proposed via two full movement connections to Cashion Road.

PART 4: PLANNING STAFF ANALYSIS

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

1. Consistency with adopted public plans and policies.

The following sections of the 2030 Huntersville Community Plan apply to this request:

- **Policy H-1: Development Pattern.** Continue to follow existing residential development pattern as reflected in “Map of Zoning Districts,” focusing higher intensity development generally within two miles of the I-77/NC 115 corridor and lower development from the east and west of this corridor extending to the Town boundaries.
STAFF COMMENT: The proposed density of Cashion Subdivision is .88 units per acre which is consistent with this policy of the 2030 Community Plan and the Rural (R) zoning district.
- **Policy E-2: Location of New Development.** Avoid locating new development in areas of significant environmental, scenic or cultural resources.
STAFF COMMENT: Planning staff has no indication that the request will adversely affect known cultural, scenic or environmental resources. On sheet L-4, the applicant has provided the 4-step design process, which is required by Section 6.300.14 of the Subdivision Ordinance.
- **Policy E-3: Environmental Regulations.** Support and enhance environmental regulations pertaining to tree preservation, buffer yards, open space, water quality, wetland and stream protection.
STAFF COMMENT: The Rural (R) zoning district requires fifty (50%) percent of the existing tree canopy to be preserved; the developer is providing sixty-nine (69%). As required 50% of all specimen trees are required to be saved. The applicant is saving seventy-six (76%) percent of the specimen trees. There is flood plain and storm water buffers located on the property are not being encroached upon. The site was designed using the 4-step design process per Section 6.300.14 of the Subdivision Ordinance and includes open space that meets the evaluation criteria found in Article 7.13 of the Zoning Ordinance. The current plan shows the subdivision at 15% impervious coverage and using BMPs to manage water quality. At 12% or less impervious BMPs are not required. Mecklenburg County has recognized this subdivision to be a potential candidate for the buy-down option. This would allow the developer to pay a onetime fee to mitigate the water quality. Those fees would then be used to treat water quality within the in same watershed. If the developer chooses the buy-down option the areas shown as BMPS on the plan would resort to open space.
- **Policy T-5: Context-sensitive Design of Streets.** Continue to support “context-sensitive” design of streets and the selection of appropriate street section designs for residential, commercial and industrial developments applications.
STAFF COMMENT: The street cross section proposed is appropriate for residential use. There are 10’ travel lanes. On one side of the street proposed is a ditch (total 12’), 6’ green zone (planting strip) and 5’ sidewalk and on the other side of the street proposed is a ditch (total 12’) and a 6’ tree easement. The total right-of way width is 65’.
- **Policy T-6: Pedestrian Connections.** Support the installation of sidewalks, bikeways and greenway trails connecting residential, commercial, employment, recreational and institutional uses.
STAFF COMMENT: The applicant is providing sidewalks on one side of the street on all internal subdivision streets. A meandering sidewalk will be installed along Cashion totaling 1,712 linear feet. Internal to the subdivision the developer is proposing to construct nature trails. There are no public greenways called for within the boundaries of the subdivision; however depending on future development a connection to the

North could be made as called for in the adopted Beatties Ford Corridor Plan and the Town of Huntersville Greenway and Bikeway Master Plan.

- **Policy T-8: Street Connectivity.** Promote and require street connectivity in the Town of Huntersville among residential, commercial, employment, recreational and institutional uses.

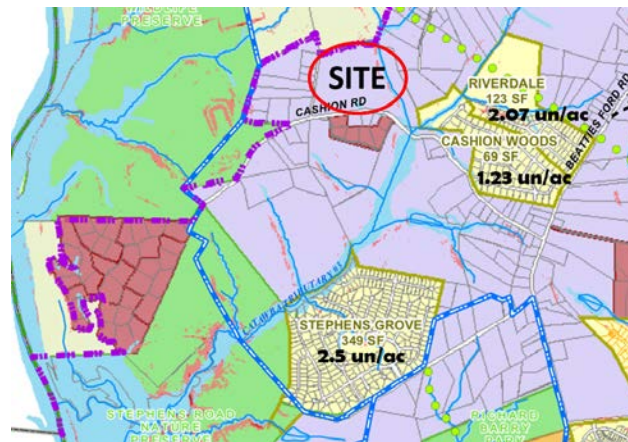
STAFF COMMENT: The proposed development has two separate entrances from Cashion Road. Internal to the subdivision a stub street located on the western property line will provide a right of way extending to Linderman Street (private easement) to provide for future connectivity. A connection to the east, due to the creek provides restraints. A connection to the north into Duke Energy property was not warranted, but the developer has extended the right-of-way to the property line to provide for future connectivity should development occur. The developer, as called for in Beatties Ford Corridor Plan, is reserving area within the southeast corner of the subdivision to allow for a north-south collector street.

- **Policy PF-2: Adequate Public Facilities Ordinance (APFO).** Continue use of “Adequate Public Facilities Ordinance (APFO)” to ensure that demand generated by existing and future growth and development for police, fire and parks & recreation capital facilities can be met by available supply of facilities.

STAFF COMMENT: An APFO application was submitted for 40 single-family units. See #19 of this section for further details.

2. Conformity.

The proposed development is lower density than other major subdivisions in this area of Beatties Ford (Cashion Woods, Riverdale and Stephen’s Grove). The Cashion Subdivision proposes to develop 40 single family homes at rural density of .88 units per acre.



3. Access between Adjoining Properties.

The proposed development is providing a right of way extending to Linderman Street (private easement) to provide for future connectivity. A connection to the north into Duke Energy property was not warranted, but the developer has extended the right of way to allow for future connectivity, should development occur. Block length and cul-de-sac requirements are being met. Reservation of future right-of-way for the north-south collector street has been established.

4. Relation to topography.

The street network is designed to respect the general topography, foliage and avoid sensitive streams and wetlands.

5. Mature trees and natural vegetation.

The proposed project is required to save fifty (50%) percent of the tree canopy, fifty (50%) percent of the specimen trees and one hundred (100%) percent of the heritage trees and these requirements are being met. Sixty-nine (69%) percent of the tree canopy is being saved; Seventy-six (76%) percent of the specimen trees are being saved;

and there are no heritage trees on site. There is an existing flood plain and storm water buffers, which permanently protects a significant portion of natural vegetation.

6. Access to parks, schools, etc.

The applicant is providing sidewalks on one side of the street for all internal streets. Installation of a meandering sidewalk on Cashion Road will be installed at total of 1,712 linear feet. Future development will aid tying the sidewalk network together.

7. Discourage through traffic.

All streets are appropriately sized for residential traffic and there is no straight access to any adjoining property. There is no direct access to a thoroughfare.

8. Relationship to railroad rights-of-way.

Not Applicable

9. Half streets.

Not Applicable

10. Parallel streets along thoroughfares.

Not Applicable

11. Public School and Public Park Sites

The parcels associated with the Cashion Subdivision have not been identified for a public school or park site.

12. Public Facilities

The parcels associated with Cashion Subdivision have not been identified for a public facility.

13. Proposed street names

Street names are not required at this review level. They will be reviewed at the preliminary plan stage.

14. Easements.

Easements have been identified and the plans have been sent to the respective Engineering and Utility Departments. A 100 ft. gas line easement runs east/west through the property.

15. Proposed water and sewerage system.

A *Willingness to Serve* Letter has been provided by the developer from Charlotte Water.

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

Flood plain is present on the south east corner of the property and has been labeled open space.

17. Reserved.

18. Open Space

The applicant is required to provide forty-five (45%) percent open space onsite. There are 20.8 acres (45.9%) of open space proposed on site. The applicant is reserving an adequate amount of area for the proposed north-south collector street to be engineered and installed. This area being reserved is allowed to count toward the open space total. Should the collector street not be built, then the reserved area will return back to the home owners association.

19. Impact of Development on Public Facilities

Under the provisions of the APF Ordinance, all residential development greater than twenty (20) lots are required to receive a "Determination of Adequacy (DOA)" for the following public facilities: fire vehicles, fire station, police station, police vehicles, indoor park and recreation facilities, and parks acreage. A DOA letter has been issued for all of the facilities, see Attachment D: Determination of Adequacy.

Additionally, staff has contacted Charlotte-Mecklenburg Schools (CMS) for an enrollment evaluation of this project, see Attachment E: CMS School Assessment.

PART 5: STAFF RECOMMENDATION

In considering Cashion Subdivision, staff finds:

- The application is complete.
- The application does comply with the ordinance and the future land use plans.
- Staff recommends approval of the subdivision with the option of allowing the developer to use onsite BMPS or to complete the BMP buy-down option to mitigate water quality.

PART 6: PLANNING BOARD RECOMMENDATION

Planning Board Meeting was held February 23, 2016.

Joe Sailers made a Motion to Approve the Sketch Plan for Cashion Road Subdivision. The Sketch Plan is applicable, complete, and lacks no particular necessary requirements (there are no changes). The application complies with all applicable requirements. The developer is allowed, based upon coordination with the Town, to decision whether to build BMPs or participate in the buy-down option. Susan Thomas seconded the Motion.

The motion passed unanimously.

PART 7: DECISION STATEMENTS

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

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

PART 8: ATTACHMENTS/ENCLOSURES

Attachments

- A – Application
- B – Site Plan
- C – Neighborhood Meeting Summary
- D – Determination of Adequacy
- E – CMS School Assessment



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. If you are applying for two (2) actions, provide a separate application for each action. **In addition to the application, the submission process for each application type can be found at**

<http://www.huntersville.org/Departments/Planning/PermitsProcess.aspx>

- ☐ CHANGE OF USE
- ☐ COMMERCIAL SITE PLAN
- ☐ CONDITIONAL REZONING
- ☐ GENERAL REZONING
- ☐ MASTER SIGNAGE PROGRAM
- ☐ REVISION to _____
- ☐ SPECIAL USE PERMIT

SUBDIVISION CATEGORIES: *Per the Huntersville Subdivision Ordinance*

- ☐ SKETCH PLAN
- ☐ PRELIMINARY PLAN
- ☐ FINAL PLAT (includes minor and exempt plats)
- ☐ FINAL PLAT REVISION
- ☐ FARMHOUSE CLUSTER

2. Project Data

Date of Application 10/20/15

Name of Project CASHION ROAD SUBDIVISION Phase # (if subdivision) N/A

Location CASHION ROAD, HUNTERSVILLE (W)

Parcel Identification Number(s) (PIN) 013-191-11

Current Zoning District Rural Proposed District (for rezonings only) N/A

Property Size (acres) 46.525 ac. Street Frontage (feet) 1365

Current Land Use single home + farm

Proposed Land Use(s) single family subdivision - community of 40 homes

Is the project within Huntersville's corporate limits?

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

3. Description of Request

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

Create a community of 40 single family lots keeping with the rural designation of the site

4. Site Plan Submittals

Consult the particular type of Review Process for the application type selected above. These can be found at <http://www.huntersville.org/Departments/Planning/PermitsProcess.aspx>.

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. Signatures

*Applicant's Signature Matthew Gallyhen Printed Name Matthew Gallyhen
Address of Applicant 442 S. Main St, Suite 100 Blue Heel Development
Darlington, NC 29536
Email matt@blueheelhomes.com
Property Owner's Signature (if different than applicant) Steve M. Juhar
Printed Name Steve Juhar
Property Owner's Address 2768 NC Hwy 131 W Mt. Gilead NC 27306 Email juhar's2768@comcast.net
* Applicant hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

Development Firm	Blue Heel Development	Name of contact	Matthew Gallyhen	Phone	704-634-5140	Email	matt@blueheelhomes.com
Design Firm	Design Craft	Name of contact	Jonathan Crowder	Phone	704-999-1203	Email	JCrowder@DesignCraftPA.com

If Applying for a General Rezoning:

Please provide the name and Address of owner(s) of fee simple title of each parcel that is included in this rezoning petition. If additional space is needed for signatures, attach an addendum to this application.

If Applying for a Conditional Rezoning:

Every owner of each parcel included in this rezoning petition, or the owner (s) duly authorized agent, must sign this petition. If signed by an agent, this petition MUST be accompanied by a statement signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in filing this petition. 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 PETITION. If additional space is needed for signatures, attach an addendum to this application.

Signature, name, firm, address, phone number and email of Duly Authorized Agent by owner needed below:

If Applying for a Subdivision:

By signature below, I hereby acknowledge my understanding that the Major Subdivision Sketch Plan Process is a quasi-judicial procedure and contact with the Board of Commissioners shall only occur under sworn testimony at the public hearing.

Matthew Gallyhen

Contact Information

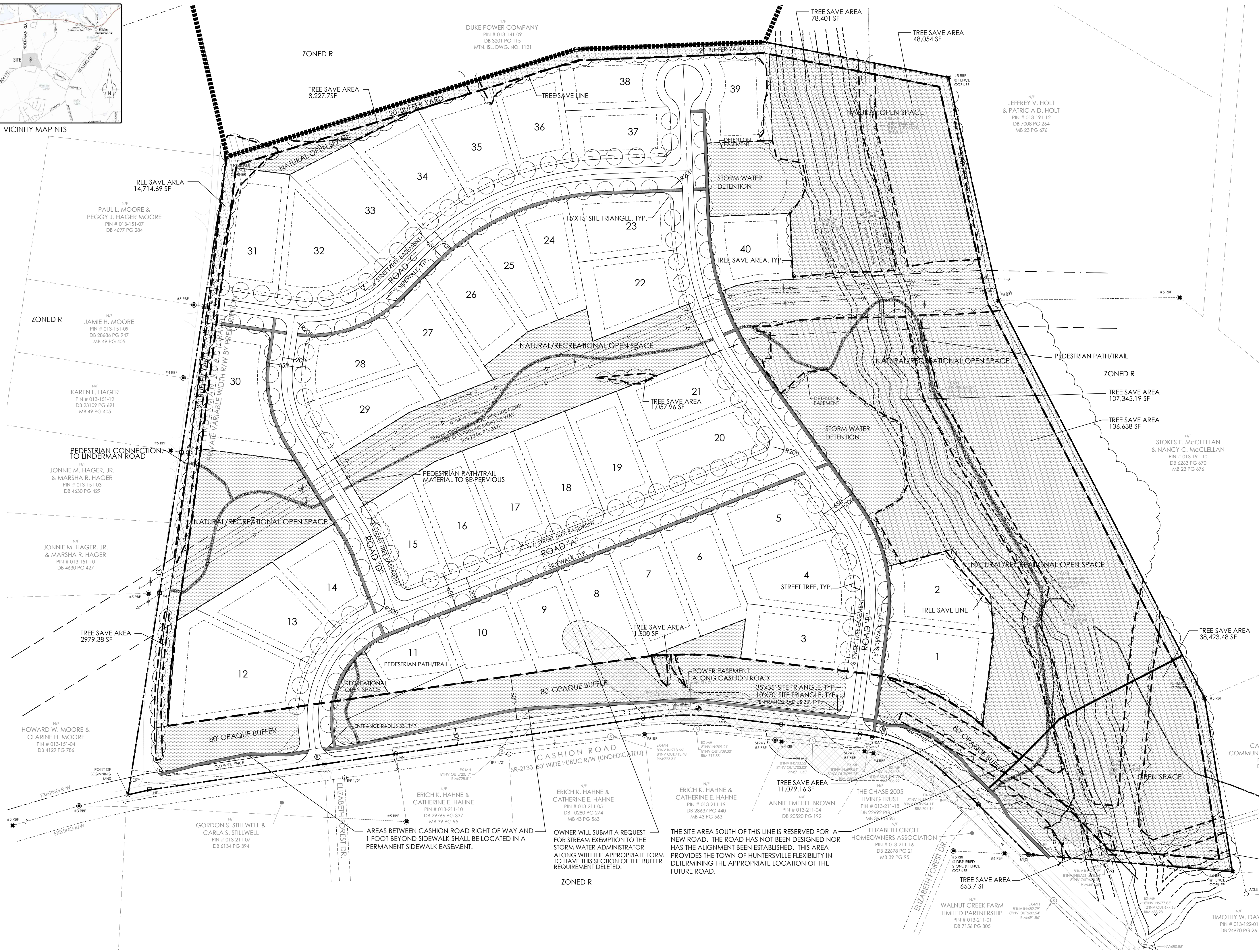
Town of Huntersville
Planning Department
PO Box 664
Huntersville, NC 28070

Phone:
Fax:
Physical Address:
Website:

704-875-7000
704-992-5528
105 Gilead Road, Third Floor
<http://www.huntersville.org/Departments/Planning.aspx>



VICINITY MAP NTS



- SKETCH PLAN: GENERAL NOTES**
- ALL DEVELOPMENT AND CONSTRUCTION SHALL COMPLY WITH ALL ZONING AND SUBDIVISION STANDARDS OF THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, AND NCDOT, AS APPLICABLE.
 - THIS PROPERTY MAY BE SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAY OF RECORD.
 - ALL AREAS DESIGNATED AS COMMON AND/OR URBAN OPEN SPACE SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION AND DEDICATED FOR PERPETUITY.
 - ACCESS (INGRESS/EGRESS) LOCATION AND DESIGN SHOWN ON THIS SKETCH PLAN ARE SUBJECT TO ACHIEVING VERTICAL AND HORIZONTAL SIGHT DISTANCES. TURN LANE IMPROVEMENTS (INCLUDING RIGHT-OF-WAY) AND INTERSECTION WITH ADJACENT AND OPPOSING ACCESS POINTS. MODIFICATIONS TO PLAN MAY RESULT.
 - LARGE MATURING TREES WILL BE PLANTED 40' C/W WITHIN THE REQUIRED PLANTING STRIP ALONG ALL STREETS WITH THE EXCEPTION OF RURAL PARKWAYS WHERE EXISTING TREES CAN SATISFY THE STREET TREE REQUIREMENT.
 - SMALL MATURING TREES ARE TO BE USED WHERE OVERHEAD POWER LINES EXIST.
 - MAIL DELIVERY AND GARBAGE PICK UP WILL BE FROM THE PUBLIC STREETS WITHIN THE SUBDIVISION.
 - ALL LOTS WITHIN THE SUBDIVISION ARE GREATER THAN 60 FEET IN WIDTH. THEREFORE FRONT LOADING GARAGES SHALL BE RECESSED AT LEAST 10 FEET BEHIND THE PRIMARY PLANE OF THE FRONT FACADE OF THE STRUCTURE.
 - A TIA APPLICATION WAS SUBMITTED TO THE TOWN OF HUNTERSVILLE AND WAS IT WAS DETERMINED ON 8/19/15 THAT A TIA WAS NOT REQUIRED.
 - THE TOWN OF HUNTERSVILLE REQUIRES THAT ALL STREETS PROPOSED TO BE TAKEN OVER BY THE TOWN FOR MAINTENANCE BE REVIEWED, INSPECTED, AND CERTIFIED BY A LICENSED PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF NORTH CAROLINA FOR ADEQUATE CONSTRUCTION. REVIEW OF STREET CONSTRUCTION BY THE CERTIFYING ENGINEER IS REQUIRED THROUGHOUT THE CONSTRUCTION PROCESS. REFER TO THE TOWN OF HUNTERSVILLE ENGINEERING STANDARDS AND PROCEDURES MANUAL FOR ADDITIONAL INFORMATION INCLUDING THE REQUIRED CERTIFICATION FORM.

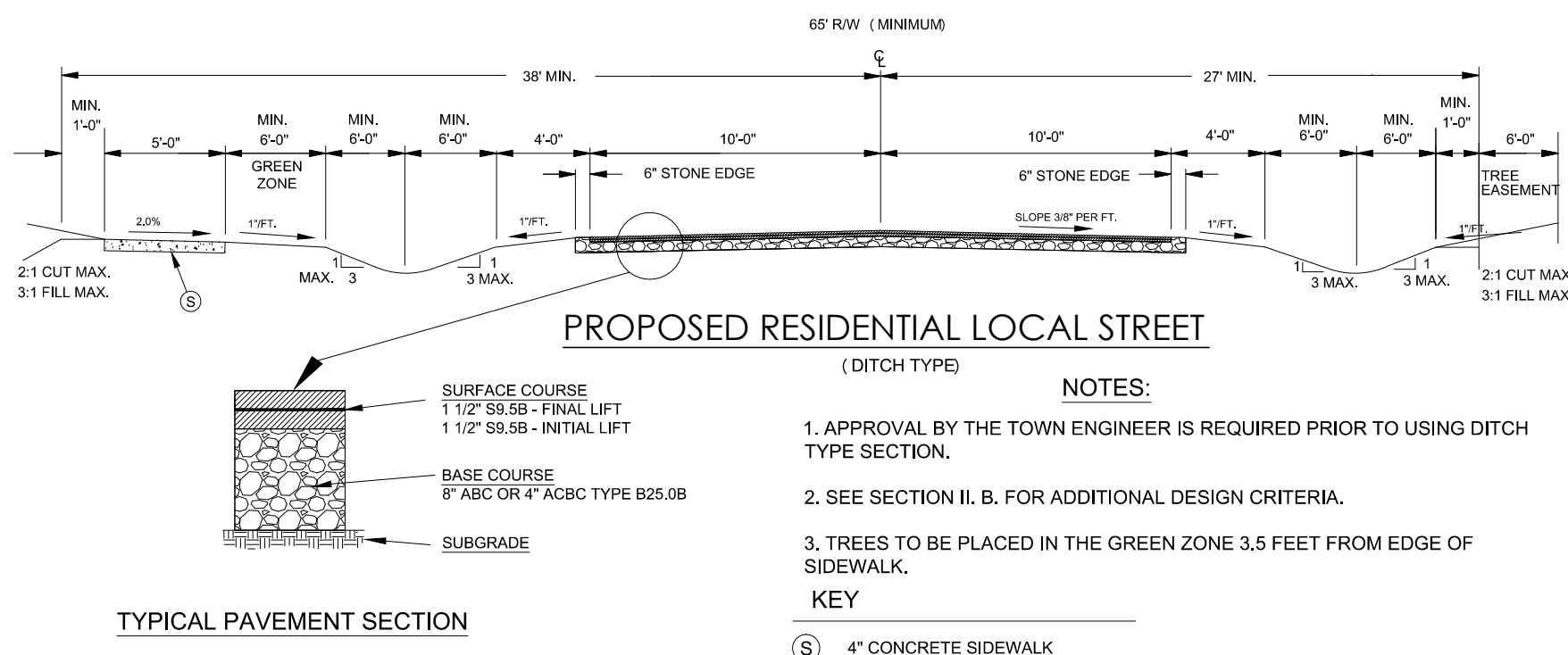
- ADDITIONAL NOTES**
- STREET CROSS SECTION UTILIZED IS A MODIFIED CROSS SECTION OF THE TOWN OF HUNTERSVILLE STANDARD CROSS SECTION 200.4. PLANNING STAFF AGREED TO DROP THE 6' GREEN ZONE TO MAKE THE TOTAL CROSS SECTION 65' WIDE.
 - ALL STREETS ARE PUBLIC STREETS.
 - EDGE OF PAVEMENT RADIUS IS 20' AT INTERSECTIONS.
 - LINDERMAN ROAD CURRENTLY SITS ON PART OF THIS PROPERTY. THIS PLAN PRESERVES THE EXISTING STREET AND PRESERVES THE ROW BY PRESCRIPTION. FOR THIS PURPOSE, THE REQUIRED 20' BUFFER WAS DRAWN AT THE EXISTING FENCE LINE ALONG LINDERMAN ROAD.
 - THERE IS AN EXISTING HEDGEROW OF CEDAR ALONG LINDERMAN WHICH WE PROPOSE SATISFIES THE REQUIRED 20' BUFFER YARD.
 - THERE WERE DETERMINED TO BE NO WETLANDS ON THE SITE.
 - THERE IS A REQUIRED 80' BUFFER ALONG CASHION ROAD.
 - STREET TREES AND LOT TREES WILL BE PROVIDED PER THE TOWN OF HUNTERSVILLE ZONING ORDINANCE.
 - THE APPLICANT AGREES TO RESERVE THE AREA IDENTIFIED ON THIS PLAN FOR A FUTURE ROAD CONNECTION TO THE EAST ACROSS THE CREEK TO THE ADJOINING PROPERTY.
 - THE PROPERTY LINE CURRENTLY GOES TO THE MIDDLE OF CASHION ROAD. APPLICANT AGREES TO DEDICATE THE NECESSARY ROW WHICH IS +/- 1.2 ACRES OF LAND.
 - THE SITE HAS NOT BEEN DE-FORESTED IN THE PAST THREE YEARS.
 - REQUIRED STREET TREES AND LOT TREES WILL BE PROVIDED IN ACCORDANCE WITH THE HUNTERSVILLE ZONING ORDINANCE.
 - 15'X15' SITE TRIANGLES ARE SHOWN ON ALL INTERNAL STREET INTERSECTIONS. A 35'X35' AND 10' X 70' SITE TRIANGLE IS SHOWN ON THE TWO CONNECTIONS TO CASHION ROAD.
 - THE EXISTING POWER LINES AND EASEMENTS ON THE INTERIOR OF THIS SITE WILL GO AWAY. THE POWER EASEMENT ALONG CASHION ROAD WILL REMAIN.
 - LOT BUA IS SUBJECT TO CHANGE DURING THE CONSTRUCTION DOCUMENT PHASE AS LONG AS THE TOTAL MAXIMUM SITE BUA LISTED ON THESE PLANS IS NOT EXCEEDED.
 - BOTH ENTRANCES FROM CASHION ROAD SHALL BE DESIGNED TO ACCOMMODATE A FIRE TRUCK.
 - DURING CONSTRUCTION PLAN SUBMITTAL, FIRE HYDRANT LOCATIONS AND CALCULATIONS WILL BE PROVIDED.
 - LENGTH OF SIDEWALK ALONG CASHION ROAD IS +/- 1,687 LF.

NOTE: FOR IMPERVIOUS AREA INFORMATION, AND BUA SUMMARY CHART CALCULATIONS SEE SHEET L-1

- BLOCK LENGTH TABLE:**
- ROAD "A" FROM CASHION ROAD TO INTERSECTION WITH ROAD "D": 348'
 - ROAD "A" FROM ROAD "D" TO INTERSECTION WITH ROAD "B": 784'
 - ROAD "B" FROM CASHION ROAD TO INTERSECTION OF ROAD "A": 532'
 - ROAD "B" FROM INTERSECTION OF ROAD "A" TO INTERSECTION OF ROAD "C": 585'
 - ROAD "B" CUL-DE-SAC: 192'
 - ROAD "C" FROM INTERSECTION WITH ROAD "B" TO INTERSECTION WITH ROAD "D": 789'
 - ROAD "C" FROM ROAD "D" TO PROPERTY LINE: 129'
 - ROAD "D": 584'

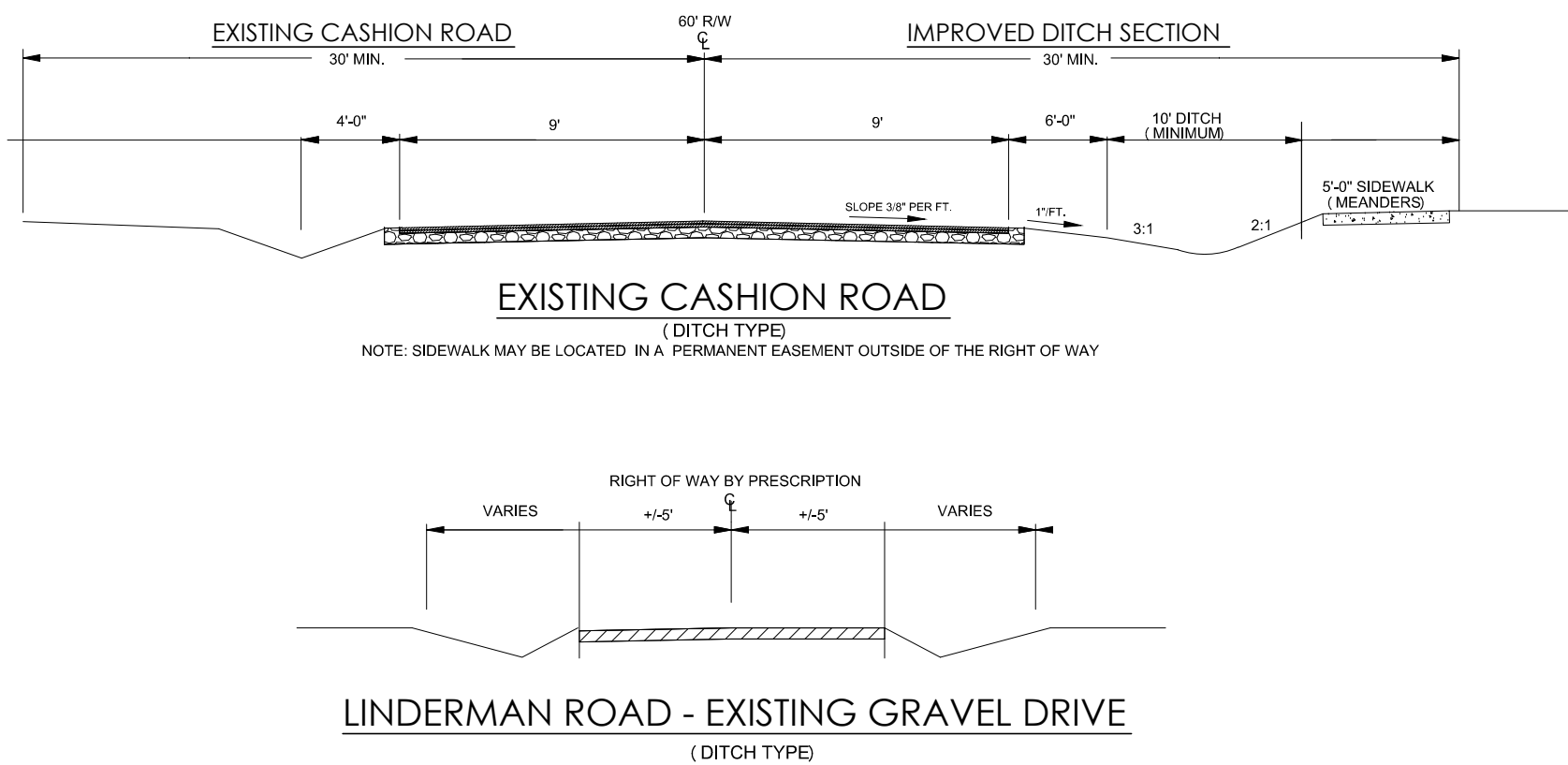
- HATCH LEGEND**
- OPEN SPACE: [Hatch Pattern]
- TREE SAVE AREA: [Hatch Pattern]

Site Plan Data Table	
Total Acreage	46.52 acres
Total Square Feet	2,026,411.20
Right of Way Dedication on Cashion Road	1.2 ac
Right of way to be preserved for Linderman	16,485 sf
Site Area to be used for Open space calculations:	45.3 ac (Total site ac minus Cashion ROW)
Principle Uses	Residential Subdivision
Zoning	Rural
POST CONSTRUCTION % of Impervious allowed	12%
% of Impervious shown	15.10%
Lot Count	40
Lot Range Size	
Lot Width	90' wide to 217' wide
Lot Acreage	15,763 sf to 36,188 sf
Number of Lots within each size Category	
90' x 200'	2 Lots
100' x 110' x 200'	32
110' x 200'	3
Wide Shallow lots (min. 95' deep x 130' x 150' wide)	3
Average Lot Width	109'
Average Lot sf	20,394 sf
Setbacks:	
Front Setback	25'
Side Yards	12'
Corner Lot Side Yard	15'
Rear yard	25'
Watershed District	MOUNTAIN ISLAND LAKE PA 1
LOW DENSITY	36% impervious area allowed
Tree Preservation and Canopy	
Specimen Trees on site	55
Heritage Trees on site	0
Specimen Trees saved	42
% of Specimen Trees required to save	50%
% of Specimen Trees saved	76%
% of Site covered by tree canopy	33% (15.07 ac)
% of tree canopy preservation required	50% (7.5 ac)
% of tree canopy actually saved	67%
Open space provided	20.80 ac
Site Density	.88 units/acre
% Open space required	45% (or 20.4 ac)
% of Open space provided	45.9% (or 20.80 ac)



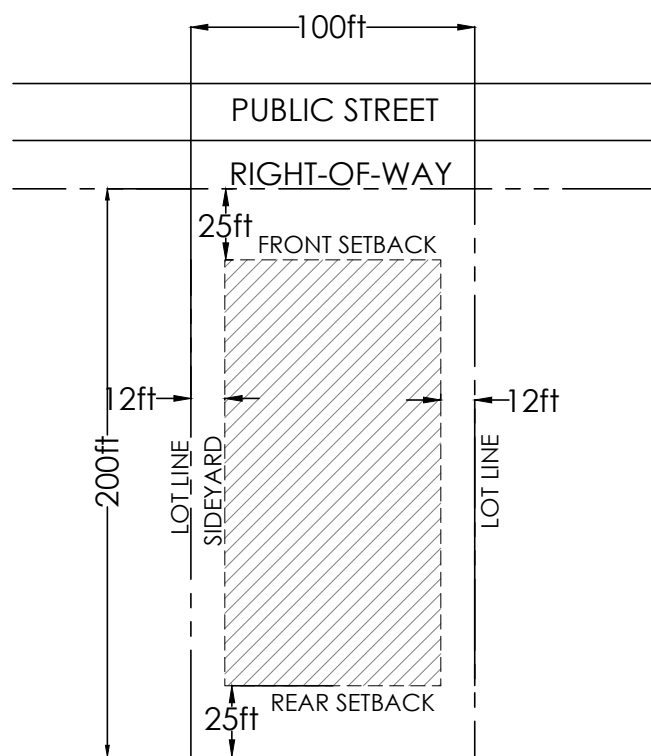
PROPOSED RESIDENTIAL LOCAL STREET

- NOTES:**
- APPROVAL BY THE TOWN ENGINEER IS REQUIRED PRIOR TO USING DITCH TYPE SECTION.
 - SEE SECTION II. B. FOR ADDITIONAL DESIGN CRITERIA.
 - TREES TO BE PLACED IN THE GREEN ZONE 3.5 FEET FROM EDGE OF SIDEWALK.
- KEY**
- ⑤ 4" CONCRETE SIDEWALK

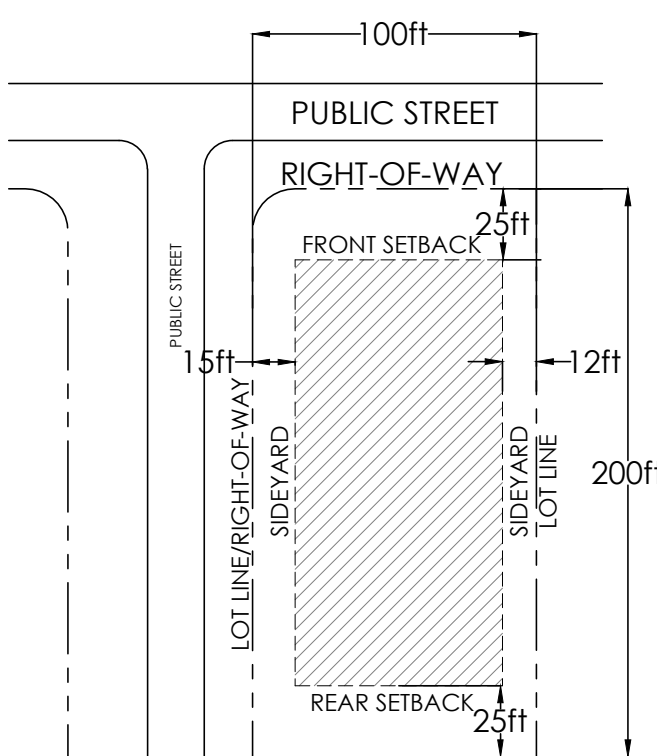


EXISTING CASHION ROAD

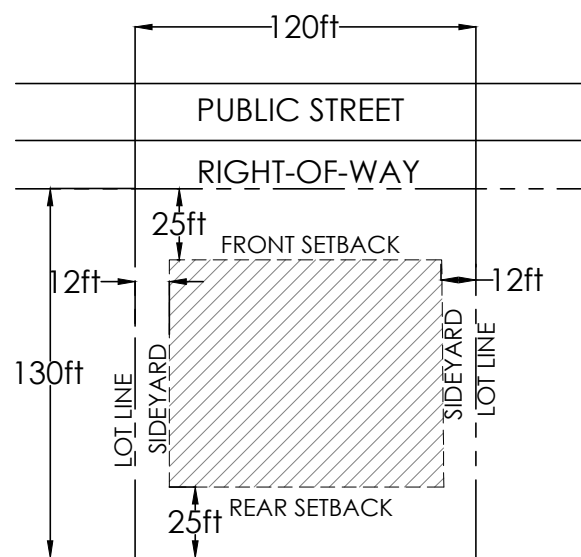
LINDERMAN ROAD - EXISTING GRAVEL DRIVE



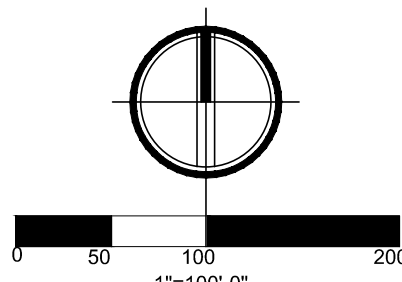
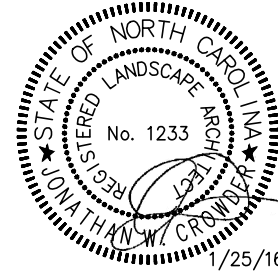
LOT DIAGRAM 1: TYPICAL LOT



LOT DIAGRAM 2: TYPICAL CORNER LOT



LOT DIAGRAM 3: TYPICAL WIDE - SHALLOW LOT



Date: 11/02/15
Project No. 1370

Sheet #

L-5

DESIGN CRAFT P.A.
landscape architecture. urban design
planning.healthcare

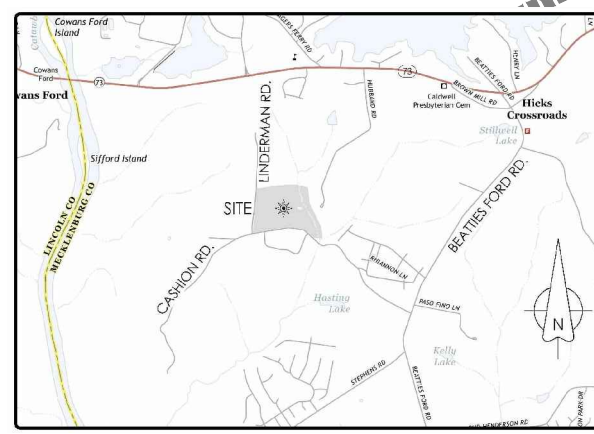
704.999.1203
2029 east 9th Street
Charlotte, NC 28204
www.designcraftpa.com
TC8TG

Blue Heel Development
442 South Main Street, Suite 100
Davidson, North Carolina

CASHION SITE
5917 Cashion road
Huntersville, North Carolina

Sketch Plan

Revisions: 00.00.00
12.21.15 REVISIONS PER FIRST REVIEW
01.25.16 REVISIONS PER SECOND REVIEW



VICINITY MAP NTS



PLANTING: GENERAL NOTES.

- LARGE MATURING TREES WILL BE PLANTED 40' O/C WITHIN THE REQUIRED PLANTING STRIP ALONG ALL STREETS WITH THE EXCEPTION OF RURAL PARKWAYS WHERE EXISTING TREES CAN SATISFY THE STREET TREE REQUIREMENT.
- SMALL MATURING TREES ARE TO BE USED WHERE OVERHEAD POWER LINES EXIST.
- STREET TREES WILL BE PLACED WITHIN A 6' STREET TREE EASEMENT ON THE SIDE OF THE STREET THAT DOES NOT HAVE A SIDEWALK.
- ALL PLANTING WILL COMPLY WITH THE TOWN OF HUNTERVILLE REQUIREMENTS.
- THE REQUIRED 20' BUFFER YARD IS SATISFIED WITH EXISTING VEGETATION ALONG THE PERIMETER OF THE SITE, WITH THE EXCEPTION OF CASHION ROAD, WHICH WILL BE PLANTED AS THE REQUIRED 80' BUFFER.
- RESIDENTIAL LOT TREES WILL BE PROVIDED PER THE HUNTERVILLE ORDINANCE
- LOTS BETWEEN 15,000 SF AND 20,000 SF REQUIRE 2 FRONT AND 2 REAR YARD TREES
- LOTS MORE THAN 20,000 SF REQUIRE 3 FRONT AND 3 REAR YARD TREES.
- SPECIMEN TREES SHOWN ARE NOTED WITH THE SIZE LISTED BUT SPECIES NAMES WERE NOT PROVIDED ON THE SURVEY.
- SPECIMEN TREES TO BE REMOVED ARE NOTED ON THIS SHEET.

80' OPAQUE SCREEN ALONG CASHION ROAD (SEE DIAGRAM BELOW)

3 TREES/1000 SF OF AREA
100 LF EXAMPLE (80' X 100' = 8000SF)
24 TREES REQUIRED (50% TO BE EVERGREEN)
6 LARGE MATURING
4 SMALL MATURING
12 EVERGREEN

SHRUBS
10 SHRUBS/1000 SF (75% EVERGREEN)
80 SHRUBS REQUIRED PER 100 LF OF 80' BUFFER

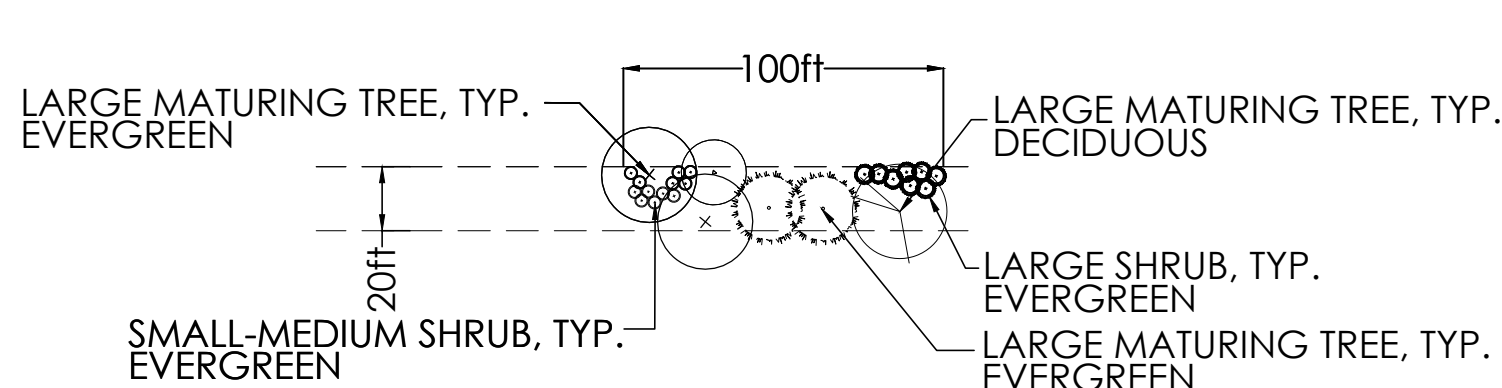
NOTE REGARDING THE BUFFER AREA IMPACTED BY THE POWER EASEMENT. WE REPLACED 2 LARGE EVERGREEN TREES WITH TWO SMALL MATURING TREES TO ACCOMMODATE THE POWER EASEMENT.

20' BUFFER YARD
3 TREES/100 SF OF AREA
100 LF EXAMPLE (20' X 100' = 2000SF)
6 TREES REQUIRED (25% TO BE EVERGREEN)
20 SHRUBS REQUIRED (100% EVERGREEN)

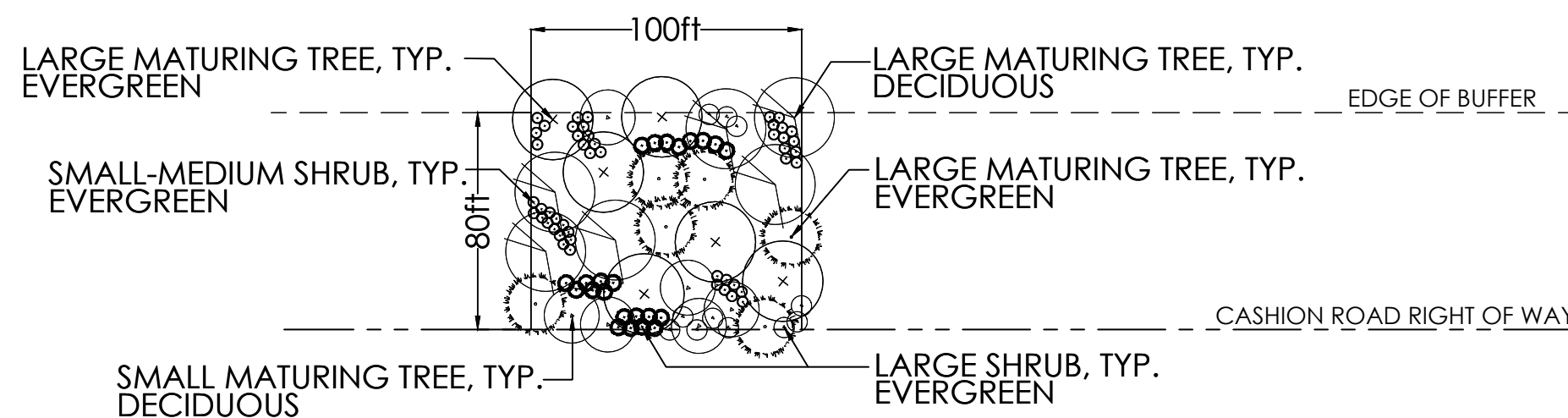
LEGEND

OPEN SPACE SYMBOL

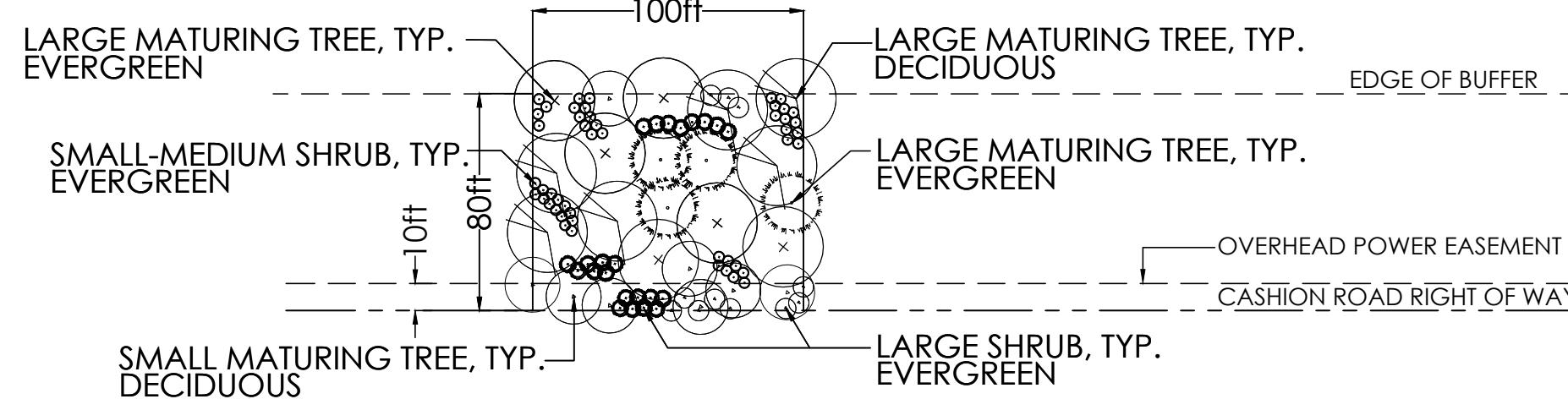
TREE SAVE SYMBOL



20' REQUIRED BUFFER YARD.
THIS TYPICAL SECTION WILL BE USED IN THE EVENT THAT THE EXISTING VEGETATION IS DETERMINED TO BE INSUFFICIENT TO MEET THE TOWNS STANDARD.



80' OPAQUE BUFFER - TYPICAL 100' SECTION WITH NO IMPACT FROM POWER EASEMENT



80' OPAQUE BUFFER - TYPICAL 100' SECTION WITH IMPACT FROM POWER EASEMENT

Blue Heel
Development

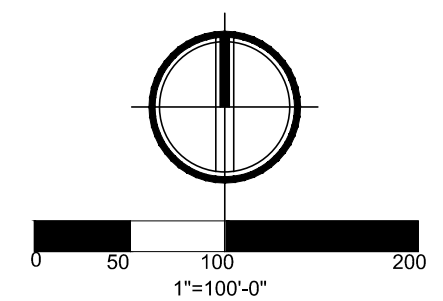
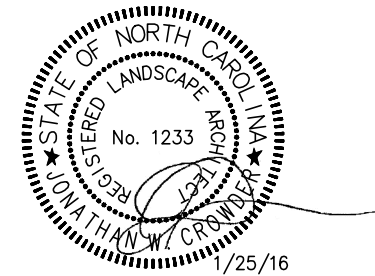
442 South Main Street, Suite 100
Davidson, North Carolina

CASHION SITE
5917 Cashion road
Huntersville, North Carolina

PLANTING PLAN

Revisions:

12/21/15 REVISIONS PER FIRST REVIEW
01.25.16 REVISIONS PER SECOND REVIEW



Date: 11/02/15

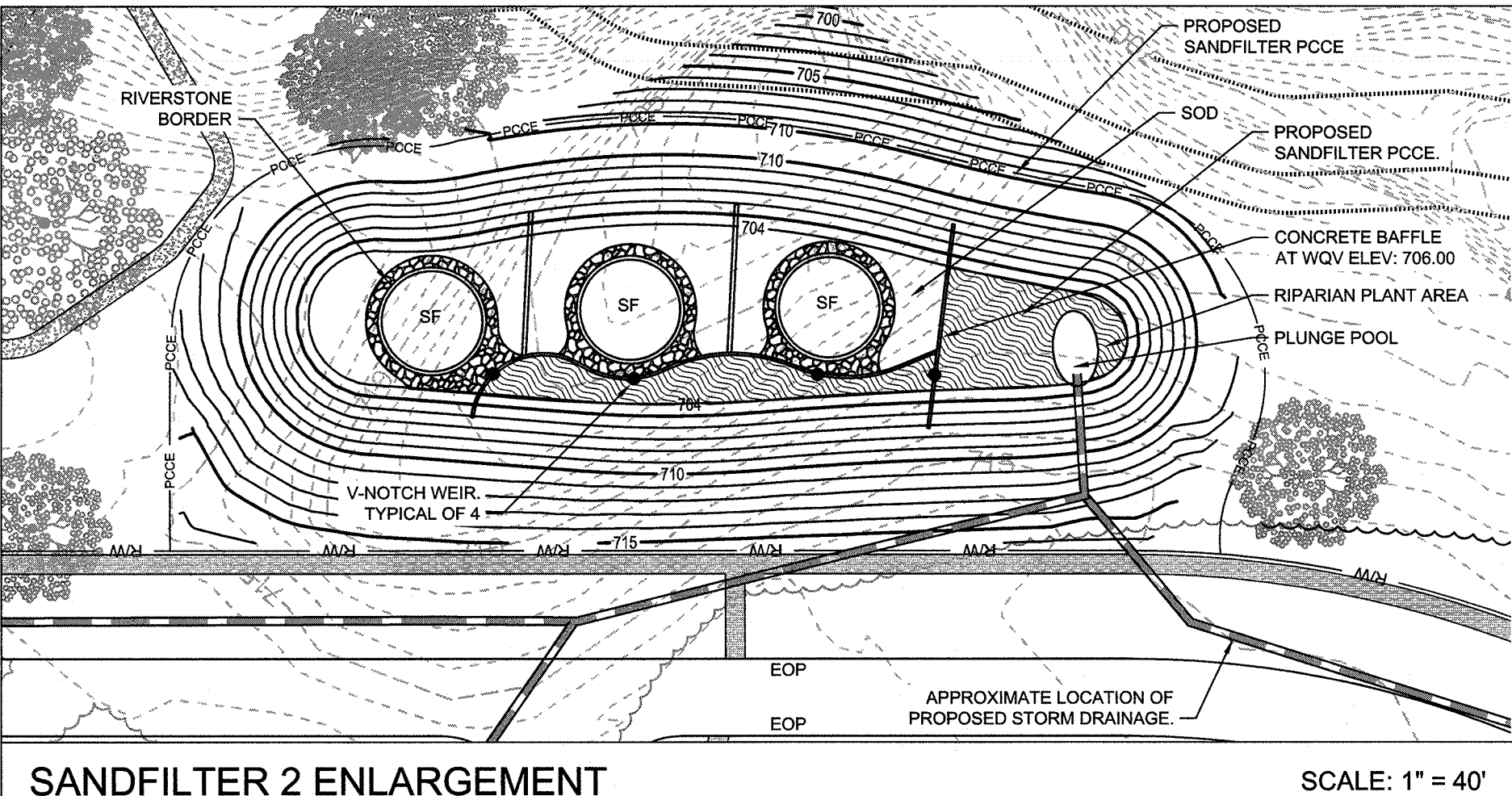
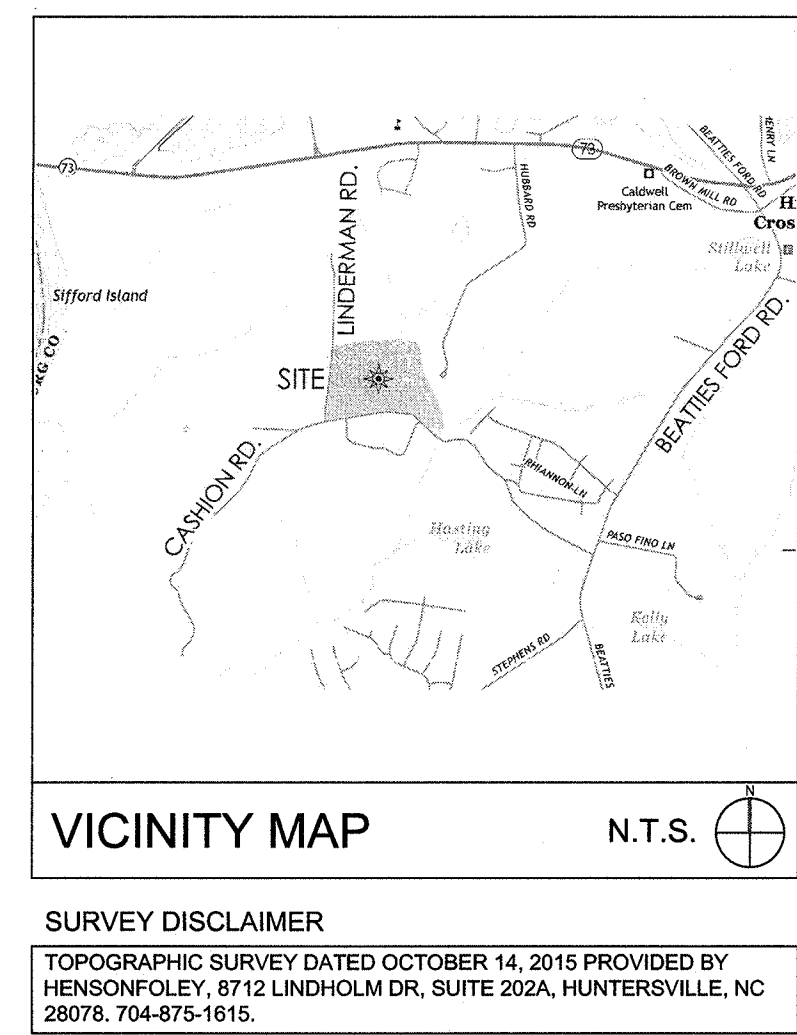
Project No. 1370

Sheet #

L-6



00228_SF Sandfilter Design(012216)	
Prepared by: Bior Design	Cashion Road Subdivision
HydroCAD® 10.00.15, sht 07600, © 2015 HydroCAD Software Solutions LLC	Printed: 1/22/2016
Page: 1	
Time span=0.00-36.00 hrs, dt=0.01 hrs, 3601 points	
Runoff by SCS TR-20 method, UH+SCS, Weighted-CN	
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method	
SubcatchmentPost SF1: Post DA SF1	Runoff Area=6.459 ac, 19.72% Impervious, Runoff Depth=3.74" Tc=12.0 min, CN=75, Runoff=24.15 cfs 2.006 af
SubcatchmentPost SF2: Post DA SF2	Runoff Area=21.598 ac, 17.45% Impervious, Runoff Depth=3.64" Tc=12.0 min, CN=74, Runoff=78.69 cfs 6.543 af
SubcatchmentPre SF1: Pre DA SF1	Runoff Area=6.459 ac, 6.00% Impervious, Runoff Depth=2.74" Flow Length=1,138', Tc=30.3 min, CN=65, Runoff=11.86 cfs 1.477 af
SubcatchmentPre SF2: Pre DA SF2	Runoff Area=21.598 ac, 6.00% Impervious, Runoff Depth=3.03" Flow Length=1,127', Tc=30.9 min, CN=68, Runoff=43.95 cfs 3.461 af
Pond SF1: Sandfilter1	Peak Elev=714.99', Storage=30.448 cf, Inflow=24.15 cfs 2.006 af Outflow=11.75 cfs 1.956 af
Pond SF2: Sandfilter2	Peak Elev=706.75', Storage=89.626 cf, Inflow=78.69 cfs 6.543 af Outflow=42.44 cfs 3.420 af



- North Carolina One-Call Center
DIAL 811 WWW.NC811.ORG
- CONTRACTOR SHALL CONTACT NORTH CAROLINA ONE-CALL CENTER PRIOR TO BEGINNING CONSTRUCTION AS REQUIRED IN THE NORTH CAROLINA "UNDERGROUND DAMAGE PREVENTION ACT", CHAPTER 785, SENATE BILL 168.
 - CONTRACTOR IS RESPONSIBLE FOR ASSURING ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
 - CONTRACTOR IS RESPONSIBLE FOR PLACEMENT OF ALL BARRICADES, SIGNAGE, FLAGGERS, SHORING, ETC., TO ENSURE THE SAFETY OF WORKERS AND THE PUBLIC.
 - ALL PAVEMENT CUTS SHALL BE REPLACED ACCORDING TO NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND CHARLOTTE WATER STANDARDS.

DESIGN
CRAFT_{P.A.}

landscape architecture.urban design
planning.healthcare

704.999.1203
2029 east 9th Street
Charlotte, NC 28204
www.designcraftpa.com
TSGTG

Blue Heel
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CASHION SITE
5917 Cashion road
Huntersville, North Carolina

Sketch Plan

Revisions:
01.25.16 - Revisions per County Comments

FOR SKETCH PLAN
REVIEW ONLY

DAVID S. KLAUSMAN

PROFESSIONAL
SEAL
35711

ENGINEER

DAVID S. KLAUSMAN

NC FIRM #: P-1007, C-380

25/16

True North
N

SCALE: 1"= 100'
0 50' 100' 200'

Date: 12/21/15
Project No. 00228.00
Sheet #
SF Exhibit 1

S:\Projects\00228\Exhibits\00228_SF Exhibit.dwg, 1/25/2016 2:15:50 PM, david.klausman, Bior Design



January 4, 2016

Alison Adams, Senior Planner
Town of Huntersville Planning Department
105 Gilead Road, 3rd Floor
Huntersville, NC 28070

Re: Cashion Road – Summary of Neighborhood Meeting

Ms. Adams:

On Tuesday, December 15, 2015, Blue Heel Development hosted a neighborhood meeting to share plans and receive feedback on the subject 40 lot development proposed along Cashion Road. The meeting was held at Centerpointe Church, which is located at 6431 Cashion Road. Prior to the event, notice of the meeting was mailed to property owners within a 300-foot radius of the site; meeting the Town's requirement to notify owners within at least 250 feet. Meeting notices were also mailed to 3 local homeowner's associations, including Cashion Woods, Elizabeth Circle, and Stillwell neighborhoods.

Approximately twenty-five residents attended the meeting: representing varying locations along Cashion Road and Hubbard Road (to the North). Matt Gallagher with Blue Heel Development provided an overview of the proposed subdivision plans, process to acquire entitlements with the Town and County, and construction timeline. Below is a list of questions/comments raised at the meeting with associated responses.

1. A concern was raised around the potential additional traffic created at the intersection of Cashion Road and Beatties Ford Road.
 - The Town evaluated the scale of the proposed development and determined a Traffic Impact Analysis and off-site transportation improvements were not warranted.
2. Stillwell residents shared their desire to walk along Cashion Road and the potential future conflict between pedestrians and vehicles traveling along the roadway. There was an interest in what efforts this development might contribute to increasing safety along the road, as well as what efforts the Town could make toward improving pedestrian comfort along the entire corridor.
 - Sidewalk will be installed along the frontage of the development along Cashion Road and along all internal streets within the neighborhood. Additionally, NCDOT has requested the segment of Cashion Road adjoining the site be widened to accommodate two, eleven-foot travel lanes.



3. There was discussion around how the design of the neighborhood would maintain the existing rural feel along Cashion Road.
 - The design of the development has been carefully prepared to incorporate the existing rural character. Approximately twelve (12) acres of contiguous open space will be preserved on the eastern portion of the tract. Additionally, an eighty (80) foot rural viewshed buffer will be preserved along the frontage of Cashion Road. The overall density of the development is low with an average of 1 lot per acre, with lots ranging from approximately 0.4 to 1.0 acres. Internal nature trails and additional open space areas created from utility easements will further enhance the rural feel of the development.
4. Adjoining property owners inquired about potential vegetative buffers around the perimeter of the site.
 - Buffers are proposed along all perimeter property lines. An 80-foot opaque buffer is proposed along the frontage of Cashion Road to preserve the rural viewshed. The 12 acre contiguous open space area on the eastern portion of the tract will provide a 300 foot buffer between developed lots and adjoining properties. The northern and western property boundaries will also have a 20-foot vegetative buffer. In all buffers, existing vegetation will be preserved with supplemental plantings being made to enhance the buffer where existing vegetation is thin.

Thank you for your attendance at this event and assisting our team in answering questions from residents regarding Town requirements. We look forward to our next steps in the approval process.

Sincerely,

Ben McCrary



September 25, 2015

Blue Heel Development
442 South Main St, Suite 100
Davidson, NC 28036

RE: Adequate Public Facilities (APF) Application – Cashion Rd Juhan (File#2015-07)

Dear Blue Heel Development:

The Town has completed its review of the above referenced APF Application and deemed it to be complete, per Article 13.6.3 of the Zoning Ordinance. Based upon your request for an allocation of capital facilities for the above-referenced development proposal, consisting of 41 Single Family Homes, I am issuing a “Determination of Adequacy (DOA)” for the following public facilities:

- Fire vehicles and station space
- Police vehicles and station space
- Parks & Recreation gym and parks

Please be advised that this DOA is valid for one (1) year, or until September 25, 2016, by which date this development proposal must have achieved vesting, per Section 2.2 of the Zoning Ordinance. Once vesting has been achieved, this DOA is valid for 3 years, at which time it will expire unless a certificate of occupancy or final plat approval has been granted.

Please feel free to contact me with any questions brichards@huntersville.org or by phone: (704) 766-2218.

Sincerely,

Brian Richards
GIS Administrator
APFO Administrator

CC: Jack Simoneau
Allison Adams

Planning

Post Office Box 664 • 105 Gilead Road, Third Floor • Huntersville, NC 28070
phone 704.875.7000 • fax 704.992.5528 • www.huntersville.org

Town of Huntersville: Cashion Road

RECOMMENDATION

We have the following comments that are critical to CMS' support of this petition:

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

CMS recommends the petitioner schedule a meeting with staff to discuss any opportunities that the petitioner/developer may propose to improve the adequacy of school capacity in the immediate area of the proposed development.

TOTAL IMPACT FROM PROPOSED DEVELOPMENT

Proposed Housing Units: 40 single family homes on Cashion Road under R-zoning.

CMS Planning Area: 18

Average Student Yield per Unit: 0.5370

This development will add 21 students to the schools in this area.

The following data is as of 20th Day of the 2015-16 school year.

<i>Schools Affected</i>	<i>Total Classroom Teachers</i>	<i>Building Classrooms/Teacher Stations</i>	<i>20th Day, Enrollment (non-ec)</i>	<i>Building Classroom/Adjusted Capacity (Without Mobiles)</i>	<i>20th Day, Building Utilization (Without Mobiles)</i>	<i>Additional Students As a result of this development</i>	<i>Utilization As of result of this development (Without Mobiles)</i>
BARNETTE ELEMENTARY	35	39	636	709	90%	13	92%
BRADLEY MIDDLE	56	53	1059	1002	106%	4	106%
HOPEWELL HIGH	88.5	100	1669	1862	89%	4	89%

Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Bobby Williams
Subject: Solid Waste RFP Bid Results

The existing contract for solid waste services was extended an additional year by Commissioners until June 30, 2016. Currently, Advanced Disposal provides weekly garbage and yard waste collection and bi-weekly recycling collection.

Current Operating Budget (FY16) is \$3,091,239 (17,500 households). In addition, the current contract with Advanced Disposal is \$14.34 per household (\$8.26/MSW, \$3.95/YW, \$2.13/REC). This includes the tipping fees of \$29/ton for municipal solid waste (MSW) and \$19/ton for yard waste (YW).

A pre-bid meeting was held on Tuesday, December 15th at Town Hall where eight (8) attendees responded. On January 14, 2016, the Town received six (6) bid proposals. In addition to weekly services of municipal solid waste (MSW) and yard waste (YW), the town also requested quotes for weekly and bi-weekly recycling. All services would be provided via 95-gallon carts as they are currently.

The RFP references a five-year contract, with two successive one-year terms (extensions). Bids came in for 5-year proposals and one included an option for a 7-year contract. The two lowest bids were (1) a 5-year proposal using existing equipment from Advanced Disposal and (2) a 7-year proposal with all new equipment from Republic.

These two options were discussed at the Town Board Planning Retreat on February 4th where commissioners directed staff to go to each firm for their best 5 and 7 year proposals using new trucks and new carts branded with the town logo for final consideration by Commissioners. Those proposals were due at 2 p.m. Monday, February 15th. They were shared with the board via e-mail prior to that night's board meeting. Commissioners deferred action that night to allow more time for research into the firms and their proposals to the March 7th meeting.

Bids for 5-and 7-year contracts for collection of municipal solid waste (MSW), yard waste (YW) and bi-weekly collection of recyclables (REC) with all new trucks, carts and equipment came in as follows:

- Advanced Disposal, 5-year: \$14.40/household (\$8.06/MSW, \$4.04/YW, \$2.30/REC) for a minimum annual cost of \$3,024,000 and minimum 5-year cost of \$15,120,000 to provide these services to our estimate of 17,500 households.
- Advanced Disposal, 7-year: \$14.25/household (\$7.98/MSW, \$3.99/YW, \$2.28/REC) for a minimum annual cost of \$2,992,500 and minimum 7-year cost of \$20,947,500 to provide these services to our estimate of 17,500 households.

and

- Republic, 5-year: \$15.25/household (\$8.25/MSW, \$3.80/YW, \$3.20/REC) for a minimum annual cost of \$3,202,500 and minimum 5-year cost of \$16,012,500 to provide these services to our estimate of 17,500 households.
- Republic, 7-year: \$14.35/household (\$8.26/MSW, \$3.95/YW, \$2.13/REC) for a minimum annual cost of \$3,011,400 and a minimum 7-year cost of \$21,079,800 to provide these services to our estimate of 17,500 households.

Based on these proposed figures, Advanced Disposal is an estimated \$178,500 cheaper annually than Republic if the board chooses to go with a 5-year contract. If the board prefers a 7-year contract, the difference is a lot closer as Advanced Disposal is an estimated \$18,900 per year cheaper than Republic. As part of their 7-year proposal, Republic has also pledged \$70,000 (\$10,000/year) to be invested in the community through sponsoring town events, programs and other activities to demonstrate their desire to be an active member of our community.

ACTION RECOMMENDED:

Authorize the Town Manager to proceed with contract signing based on the Board's direction.

FINANCIAL IMPLICATIONS:

The current rate is \$14.34 per household.

Current 5-year proposals are \$14.40 and \$15.25 per household, respectively.

Current 7-year proposals are \$14.25 and \$14.34 per household, respectively.

ATTACHMENTS:

Description	Type
□ Solid Waste Contract Final Bids Memo to Board (2/26/16)	Executive Summary

Board Members,

Per request, we have attached our current solid waste collection contract with Advanced Disposal for your review. Due to file sizes, we have added links scans of proposals from Advanced Disposal and a pdf of Republic's proposal to our FTP site- <ftp://173.226.80.57/Admin/2015%20Solid%20Waste%20Bids/>.

Based on the updated bids we got from both companies for their best prices for new trucks and new carts starting July 1st, you can disregard the figures in those two proposals. The final re-bid tab sheets from each company are attached to this email, as is the slide we showed last Monday night.

Using our estimate of 17,500 households, the difference between the two proposals is as follows:

- Advanced Disposal's 5-Year bid is \$178,500 per year cheaper than Republic's 5-year proposal. This equates to \$892,500 over 5 years. This does not include any adjustments over the life of the contract based on fuel, CPI, tipping fees, etc.
- Advanced Disposal's 7-year bid is 18,900 per year cheaper than Republic's 7-year proposal. This equates to \$132,300 over 7 years. This does not include any adjustments over the life of the contract based on fuel, CPI, tipping fees, etc.
 - o That said, Republic has reiterated their pledge of \$70,000 total over the 7-year life of the proposal (\$10,000/year) for investment into the community such as sponsoring town events, parks programs, community festivals, etc. – as indicated in the original proposal – if they are the selected service provider.

As shown at the last meeting, these are the figures from the rebid from the two companies:

Advanced Disposal			MSW	YW	REC (bi-weekly)	Total Unit Price
new trucks equip, etc.	Unit	5-year	\$ 8.06	\$ 4.04	\$ 2.30	\$ 14.40
	Cost	7-year	\$ 7.98	\$ 3.99	\$ 2.28	\$ 14.25

5-year: Using 17,500 households, this is \$3,024,000 for year one and a minimum of \$15,120,000 over the 5-year life of the contract (plus option of two 1-year renewals).

7-year: Using 17,500 households, this is \$2,992,500 for year one and a minimum of \$20,947,500 over the 7-year life of the contract.

**** NOTE:** these are minimum figures as contract allows for fuel and CPI adjustments and number of households will increase over life of contract. Also, these do not reflect any tipping fee increases.

Vs.

Republic			MSW	YW	REC (bi-weekly)	Total Unit Price
new trucks	Unit	5-year	\$ 8.25	\$ 3.80	\$ 3.20	15.25

equip, etc.	Cost	7-year	\$ 8.26	\$ 3.95	\$ 2.13	14.34
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5-year: Using 17,500 households, this is \$3,202,500 for year one and a minimum of \$16,012,500 over the 5-year life of the contract (plus option of two 1-year renewals).

7-year: Using 17,500 households, this is \$3,011,400 for year one and a minimum of \$21,079,800 over the 7-year life of the contract.

** NOTE: these are minimum figures as contract allows for fuel and CPI adjustments and number of households will increase over life of contract. Also, these do not reflect any tipping fee increases.

The current contract for roughly 17,500 households per year with some residential growth factored in is \$3,091,239 based on rates per service of:

Current Contract	MSW	YW	REC	TOTALS
	\$ 8.26	\$ 3.95	\$ 2.13	\$ 14.34

Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Commissioner Melinda Bales
Subject: Resolution Supporting Neighborhood Schools

Consider adopting Resolution Supporting Neighborhood Schools.

ACTION RECOMMENDED:

Adopt Resolution.

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

Description	Type
□ Resolution	Resolution

**TOWN OF HUNTERSVILLE
BOARD OF COMMISSIONERS
RESOLUTION IN SUPPORT OF NEIGHBORHOOD SCHOOLS**

Whereas, the Town of Huntersville believes that every student should be guaranteed an opportunity to attend a home school within proximity to where he/she lives; and

Whereas, the Town of Huntersville believes that Charlotte Mecklenburg Schools should offer high quality academic options and magnet programs that are accessible to students in all parts of the county; and

Whereas, the Town of Huntersville pledges to work with the other municipalities, county, and community based organizations to combat the burdens that poverty places on many in our community by utilizing all the resources granted to the Town of Huntersville by North Carolina State Statute;

NOW, THEREFORE, BE IT RESOLVED that this resolution is adopted by the Huntersville Board of Commissioners to strongly urge the Charlotte Mecklenburg School Board to support neighborhood schools as the first criteria in their Student Placement Guiding Principles.

Adopted this 7th day of March, 2016.

John Aneralla, Mayor

ATTEST

Janet Pierson, Town Clerk

Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Greg Ferguson/Kathy Moyer
Subject: Commerce Station Substation Erection Bid Award

Consideration of Award of Bid for Commerce Station Substation Erection. Breakdown of the bids can be found in the attachment along with the recommendation of the successful bidder. Total bid price for the awarded bid is \$184,000 and was budgeted for in this fiscal year.

ACTION RECOMMENDED:

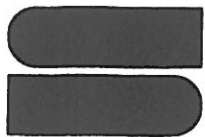
Award of bid as recommended and authorize the Town Manager to execute the bid contracts.

FINANCIAL IMPLICATIONS:

Budgeted in FY15-16.

ATTACHMENTS:

Description	Type
☐ Commerce Station Substation Erection Bid Award Recommendation	Backup Material



Southeastern Consulting Engineers, Inc.

February 29, 2016

Mrs. Kathy Moyer
Electric Systems Manager
Electricities of North Carolina
P. O. Box 2819
Huntersville, North Carolina 28070-2819

Ref.: Commerce Substation Erection

Dear Kathy:

Six proposals were received from contractors solicited for the construction of the project referenced above. A tabulation of the bids received and checked for mathematical errors is enclosed.

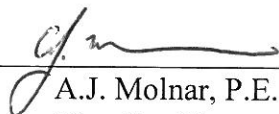
The lowest proposal was submitted by Coastal Power and Electric, LLC of Currie, North Carolina, in the amount of \$184,000.00. Coastal Power has the proper licensing to perform this work and appears to have an understanding of the project.

We would recommend that you accept the proposal submitted by Coastal Power in the amount of \$184,000.00 and authorize us to prepare the necessary contract documents.

Very truly yours,

SOUTHEASTERN CONSULTING ENGINEERS, INC.

By


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

AJM/lc

Enclosure

BID TABULATION
Erection of Portions of the
Commerce Substation

ElectriCities of North Carolina
c/o Town of Huntersville
Huntersville, North Carolina

Date: Februay 26, 2016
Time: 2:00 PM, EST

<u>Bidder</u>	<u>Coastal Power</u> <u>Currie, NC</u>	<u>T&D Solutions</u> <u>Kinston, NC</u>	<u>Lee Electrical</u> <u>Aberdeen, NC</u>	<u>Sumter Utilities</u> <u>Sumter, SC</u>	<u>Mastec</u> <u>Gaffney, SC</u>
I. Mobilization and Site Responsibilities (Lump Sum)	\$13,500.00	\$50,000.00	\$3,500.00	\$48,528.29	\$98,558.31
II. Erection of Owner Furnished Structure, Switches, Bus, and Packager Provided Equipment (Lump Sum)	\$132,000.00	\$130,120.00	\$182,185.00	\$201,596.94	\$330,525.91
III. Erection of Owner Furnished Circuit Switcher (1)	\$7,500.00	\$10,000.00	\$4,225.00	\$15,834.07	\$9,036.39
IV. Installation of Owner Furnished Circuit Breakers (4)	\$13,000.00	\$17,200.00	\$6,685.00	\$5,066.92	\$16,753.34
V. Installation of Owner Furnished Voltage Regulators (12)	\$18,000.00	\$36,780.00	\$15,095.00	\$15,200.76	\$44,737.81
Total, Installation	<u>\$184,000.00</u>	<u>\$244,100.00</u>	<u>\$211,690.00</u>	<u>\$286,226.98</u>	<u>\$499,611.76</u>
Bid Bond	5%	5%	5%	5%	5%

BID TABULATION
Erection of Portions of the
Commerce Substation

ElectriCities of North Carolina
c/o Town of Huntersville
Huntersville, North Carolina

Date: February 26, 2016
Time: 2:00 PM, EST

Bidder
Aubrey-Silvey
Carrollton, GA

I. Mobilization and Site Responsibilities (Lump Sum)	\$12,000.00
II. Erection of Owner Furnished Structure, Switches, Bus, and Packager Provided Equipment (Lump Sum)	\$151,900.00
III. Erection of Owner Furnished Circuit Switcher (1)	\$7,500.00
IV. Installation of Owner Furnished Circuit Breakers (4)	\$10,000.00
V. Installation of Owner Furnished Voltage Regulators (12)	\$15,600.00

Total, Installation **\$197,000.00**

Bid Bond 5%

Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Michael Jaycocks
Subject: Alcohol Policy & Ordinance

To Develop and Approve an Alcohol Policy and Ordinance that will allow alcohol to be served at certain events and facilities within the Town. The Parks and Recreation Committee unanimously approved the Alcohol Policy at its January 2016 meeting.

ACTION RECOMMENDED:

Approve Recommended Alcohol Policy and Ordinance.

FINANCIAL IMPLICATIONS:

None.

ATTACHMENTS:

Description	Type
☐ Alcohol Policy	Backup Material
☐ Alcohol Ordinance	Ordinance



**Town of Huntersville
Alcoholic Beverage Policy**

I. Overview

No sale of alcoholic beverages, other than beer and/or wine, is allowed on Town property. Beer and/or wine sale and consumption is allowed only for designated indoor and outdoor facilities. Any sale or consumption of beer and/or wine on Town premises without written authorization is unlawful. Authorization for the sale of beer and/or wine will be given only in conjunction with a Town sponsored event, program or facility. Authorization will only be given by the Huntersville Parks and Recreation Director or his designee.

The consumption of beer and/or wine maybe allowed at special events in Huntersville. However, efforts should be made so that the sale and consumption of beer and/or wine should not detract from the programs and the use of facilities of the Town. Revenue derived from the sale of beer and/or wine may be used to defray the operating costs of the sale of beer and/or wine.

II. Beer/Wine Sales

Beer and/or wine sale authorization will allow the sale or consumption of beer and/or wine in designated indoor and outdoor facilities owned and/or operated by the Town of Huntersville. Authorization may be issued for outdoor sales at approved Town facilities.

Outdoor beer sales must be from a temporary tent, trailer, beer garden or from a permanent concession building. Bring Your Own Beer/Wine will not be allowed on any town property during any event or rental.

The following conditions apply to all written authorizations for the sale of beer and/or wine:

- A. Seller must have written authorization from the Town of Huntersville.
- B. Seller must have all appropriate Town and State licenses.
- C. Area in which sales may take place must be designated and shown on a map.
- D. At least one or more police officers are required to be present, as well as have an ID check station. Wristbands or hand stamps will be required by any individual wishing to purchase beer and/or wine at a designated event. This requirement may be waived for indoor facility rentals for such events as wedding receptions and other similar private events that are strictly taken place inside a confined facility and is not open to the general public.
- E. Liquor liability and general liability insurance requirements must be met. A min. of \$1 million in liability insurance will be required. The amount could be higher based on the size of the event.
- F. Seller must follow all local and state guidelines regarding the sale of alcohol.
- G. Seller must serve alcohol in either unbreakable plastic cups or aluminum cans.
- H. Seller is responsible for clean-up.
- I. In the case of "beer gardens", no one under the age of 21 will be permitted in the designated area.
- J. The sale and consumption of alcoholic beverages at Town-sponsored events or on Town property is restricted and limited to the area that is approved as part of the authorization process. No person shall bring, carry or transport any alcoholic beverage into or onto any site in which a special event is taking place or where alcohol is being sold or served.
- K. Seller is responsible for all damage to persons or property caused by or related to Seller's activities.

Approved: _____

**AN ORDINANCE AMENDING TITLE IX OF THE TOWN OF HUNTERSVILLE
CODE OF ORDINANCES ENTITLED "TITLE IX: GENERAL REGULATIONS"**

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that the Code of Ordinances is hereby amended by adding the following Chapter to Title IX: General Regulations.

§ POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES.

It shall be unlawful to possess or consume any alcoholic beverages, malt beverages or unfortified wine while in a park or recreation center, or on designated public property which is the site of an event sponsored or sanctioned by the Town's Parks & Recreation Department (a "facility") unless a Special Consumption Permit has been issued by the Parks & Recreation Director (hereafter, the "Director" which term shall include the Parks & Recreation Assistant Director if acting for the Director). The words "alcoholic beverage", "malt beverage", "unfortified wine" and "open container" shall have the same definition as given said terms in G.S. Chapter 18B. Possession of an open container of an alcoholic beverage shall be prima facie evidence of consumption.

- (A) A Special Consumption Permit for malt beverages and unfortified wine may be issued, each for a specified event for the date requested (or dates for events of two or more consecutive dates), subject to Town rules and regulations, as follows.
 - (1) By the Director to the sponsor of Town approved events to be held at a Town park, facility or recreation center.
 - (2) By the Director to the sponsor of any athletic contest or similar sporting event held in a park or recreation center, if such sponsor is a manufacturer or distributor of malt beverages or unfortified wine and if such permit is to allow only the participants in the athletic contest or similar sporting event to consume during or after the contest or other sporting event the malt beverages or unfortified wine manufactured or distributed by the sponsor having the permit.
 - (3) By the Director to any promoter, sponsor or beneficiary of any special event having a Town Special Event Permit that utilizes Town parks, facilities or recreation centers.
- (B) The Director shall be authorized to establish and promulgate regulations for the issuance of Special Consumption Permits authorized by this subchapter. These rules and regulations shall include, but not be limited to, the following requirements.
 - (1) The permittee shall be required in the discretion of the Director to either procure or reimburse the Town for procuring such insurance coverage with such limits and with such other terms as may be required by the Town.
 - (2) The permittee may be required in the discretion of the Director to make arrangements for and to bear the costs of additional law enforcement presence at the event where consumption occurs.
 - (3) The permittee shall be required to obey all federal, state, county and Town laws and regulations, including but not limited to noise, safety, public health, and laws relating to the consumption of alcohol, including but not limited to I.D. carding.
 - (4) The permittee shall be required to sign an agreement which fully indemnifies the Town, its officers, agents and employees from any liability arising from consumption of alcohol pursuant to the permit.

- (5) The permittee shall be required to serve non-alcoholic beverages as an alternative beverage for all attending.
 - (6) The permittee shall not allow self-service of alcohol, nor shall the permittee allow participants to bring their own alcohol to the event. The permittee may be required in the discretion of the Director to obtain the services of a professional bartender for dispensing alcohol.
 - (7) The permittee shall not allow consumption of alcohol to take place beyond the boundary area designated by the permit.
 - (8) The permittee shall post a sufficient number of signs as determined by the Director which clearly state the prohibition on underage drinking of alcohol.
- (C) No consumption permit shall be issued to an individual or organization which violated the provisions of a previously issued consumption permit. Further, no consumption permit shall be issued for events at which a majority of those reasonably expected to attend will be twenty years old or younger.
- (D) If the Director shall refuse to issue a Special Consumption Permit, he shall within five (5) working days give a written explanation to the applicant as to the reason that the permit has been denied. Reasons for denial may include, but are not limited to, any of the following:
- (1) That the event may only reasonably accommodate a limited number of providers of such alcoholic beverages;
 - (2) That the applicant would be providing such alcoholic beverage that would be a direct competitor of a named sponsor or underwriter of the event;
 - (3) That the applicant has not demonstrated that it is able to comply with all alcohol serving requirements, such as checking IDs and controlling serving or other requirements of this ordinance;
 - (4) That the applicant is unable to comply with any of the requirements of this ordinance;
 - (5) That the applicant did not file an application in sufficient time before the event to permit the Director to properly process and evaluate the application. The Director shall have the authority of establish deadlines for filing applications for Special Consumption Permits for specific events, but shall further have the right to waive such deadlines for valid reasons.
- (E) An applicant who has been denied a Special Consumption Permit shall have the right to appeal the Director's decision to the Parks & Recreation Commission by notifying the Director within five (5) business days after the denial. The Director shall then schedule a meeting of the Commission (unless a regular meeting is to be held prior to the event) to consider the applicant's appeal. At the regular meeting or at a special meeting, a quorum of the Commission shall be present to decide the appeal, and the decision shall be by majority vote of those present.

This ordinance shall become effective the _____ day of _____, 2016.

Approved as to form:

Town Attorney

Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Michael Jaycocks
Subject: Parks and Recreation Committee Appointment

Fill one unexpired term on the Parks & Recreation Commission. Rose has resigned from her seat due to out of town obligations. This term will expire on December 31, 2016. The attached applications are from the pool of applicants that the Town Board met in January.

ACTION RECOMMENDED:

Appoint one applicant to the Parks and Recreation Committee.

FINANCIAL IMPLICATIONS:

None

ATTACHMENTS:

Description	Type
▢ Applications	Backup Material



Advisory Board Application

Applicant must be a Huntersville Resident

Please check the boxes next to the Advisory Boards in which you are interested in applying for:

- ☒ **Park and Recreation Commission**
☐ **Greenway, Trail and Bikeway Commission**

Background Information:

Name Henry J. Stiene Home Phone 704-948-1982
Home Address 6525 Neck Rd. Zip Code 28078-8300
E-Mail Address henrystiene511@hotmail.com
Present Occupation Retired Work Phone _____
Place of Employment _____
Approximate Hours Available Per Month for Serving On Advisory Board 20 hrs.
Name of Any Town or County Boards/Committees/Commissions You Are Presently Serving On:
Town of Huntersville Park & Rec Expiration Date 1-1-16

Expiration Date _____
Education High school and communication trade schools

Business and Civic Experience Volunteer at Latta Plantation

Areas of Expertise and Interests/Skills Interested in providing the best use of Huntersville park and fields for my grandchildren and all athletes of Huntersville.

I, undersigned, understand this application will be kept on the active file for a two (2) year period

Henry J. Stiene
(Signature of Applicant)

11-16-15
(Date)

Applications may be mailed to:
Huntersville Parks and Recreation Department
P.O. Box 2879
Huntersville, NC 28070

Applications may also be hand delivered to:
Huntersville Parks and Recreation Department
Town Center Building
105 Gilead Road, 3rd Floor
Huntersville, NC 28078

For more information about these advisory board openings, please call 704-766-2228

Parks & Recreation

Post Office Box 2879 • 105 Gilead Road, Third Floor • Huntersville, NC 28070
phone 704.766.2220 • fax 704.992.5528 • www.huntersville.org



Advisory Board Application

Applicant must be a Huntersville Resident

Please check the boxes next to the Advisory Boards in which you are interested in applying for:

- ☒ **Park and Recreation Commission**
☐ **Greenway, Trail and Bikeway Commission**

Background Information:

Name Varona L. Wynn Home Phone 704-948-6869
Home Address PO Box 2692 / 13219 New Haven Drive Zip Code 28070
E-Mail Address WYNNV60@gmail.com
Present Occupation Retired Work Phone NA
Place of Employment None

Approximate Hours Available Per Month for Serving On Advisory Board 10 hrs or more

Name of Any Town or County Boards/Committees/Commissions You Are Presently Serving On:

None Expiration Date _____
None Expiration Date _____

Education HS Diploma; BS Degree; MA Degree; MS Degree
North Mecklenburg; NC A & T State U; Clark Atlanta U

Business and Civic Experience 40 yrs teaching math; treasurer of
Torrence-Little Alumni; Treasurer of Huntersville Community
Bible Club; leader of St. Phillip Missionary Society;

Areas of Expertise and Interests/Skills leader of Summer Reading Club (ages 5-15)
Teaching Math

I, undersigned, understand this application will be kept on the active file for a two (2) year period

Varona L. Wynn
(Signature of Applicant)

12-11-2015
(Date)

Applications may be mailed to:
Huntersville Parks and Recreation Department
P.O. Box 2879
Huntersville, NC 28070

Applications may also be hand delivered to:
Huntersville Parks and Recreation Department
Town Center Building
105 Gilead Road, 3rd Floor
Huntersville, NC 28078

For more information about these advisory board openings, please call 704-766-2228

Parks & Recreation

Post Office Box 2879 • 105 Gilead Road, Third Floor • Huntersville, NC 28070
phone 704.766.2220 • fax 704.992.5528 • www.huntersville.org



Advisory Board Application

Applicant must be a Huntersville Resident

Please check the boxes next to the Advisory Boards in which you are interested in applying for:

- ☒ Park and Recreation Commission
☐ Greenway, Trail and Bikeway Commission

Background Information:

Name Michele Lee Home Phone 704-577-2500
Home Address 13343 Fremington Rd Zip Code 28078
E-Mail Address michelelee63@LNJRTT@gmail.com
Present Occupation USTA Local League Coordinator Work Phone 704-577-2500
Place of Employment USTA / LNNTA
Approximate Hours Available Per Month for Serving On Advisory Board 10 hrs

Name of Any Town or County Boards/Committees/Commissions You Are Presently Serving On:

Parks + Rec Commission Expiration Date 12/2015
(Huntersville) Expiration Date _____

Education BA Computer Information Systems

Business and Civic Experience Local League Tennis Coordinator
6 years. P+R Commission 2 yrs, USTA Volunteer
8 years, Lake Norman Charter 6 yrs

Areas of Expertise and Interests/Skills Sports Management, main
emphasis on juniors, Grants

I, undersigned, understand this application will be kept on the active file for a two (2) year period

Michele Lee
(Signature of Applicant)

11/30/2015
(Date)

Applications may be mailed to:
Huntersville Parks and Recreation Department
P.O. Box 2879
Huntersville, NC 28070

Applications may also be hand delivered to:
Huntersville Parks and Recreation Department
Town Center Building
105 Gilead Road, 3rd Floor
Huntersville, NC 28078

For more information about these advisory board openings, please call 704-766-2228

Parks & Recreation

Post Office Box 2879 • 105 Gilead Road, Third Floor • Huntersville, NC 28070
phone 704.766.2220 • fax 704.992.5528 • www.huntersville.org



Advisory Board Application

Applicant must be a Huntersville Resident

Please check the boxes next to the Advisory Boards in which you are interested in applying for:

- ☒ **Park and Recreation Commission**
☐ **Greenway, Trail and Bikeway Commission**

Background Information:

Name Jason Schuchard Home Phone 704-464-1977
Home Address 12627 Willington Road Zip Code 28078
E-Mail Address Jason.Schuchard@hotmail.com
Present Occupation Banker Work Phone 704-808-5168
Place of Employment Fifth Third Bank Davidson on 73
Approximate Hours Available Per Month for Serving On Advisory Board 5-10

Name of Any Town or County Boards/Committees/Commissions You Are Presently Serving On:

Expiration Date _____

Expiration Date _____

Education B.A. in Communications from Ramapo College of New Jersey

Business and Civic Experience Served as Treasurer on daughter's School Board; Young Bankers Club (5/3 Bank); 5 years at current role as Membership Banking Relationship Manager.

Areas of Expertise and Interests/Skills Public Speaking; Computers; youth athletics; town parks; conservation

I, undersigned, understand this application will be kept on the active file for a two (2) year period

Jason Schuchard
(Signature of Applicant)

11/15/2015

(Date)

Applications may be mailed to:
Huntersville Parks and Recreation Department
P.O. Box 2879
Huntersville, NC 28070

Applications may also be hand delivered to:
Huntersville Parks and Recreation Department
Town Center Building
105 Gilead Road, 3rd Floor
Huntersville, NC 28078

For more information about these advisory board openings, please call 704-766-2228

Parks & Recreation

Post Office Box 2879 • 105 Gilead Road, Third Floor • Huntersville, NC 28070
phone 704.766.2220 • fax 704.992.5528 • www.huntersville.org

Town of Huntersville NORTH CAROLINA

Advisory Board Application

Applicant must be a Huntersville Resident

Please check the boxes next to the Advisory Boards in which you are interested in applying for:

- ☒ Park and Recreation Commission
☒ Greenway, Trail and Bikeway Commission

Background Information:

Name Richard Skalski Home Phone 644-209-0163
Home Address 17219 Caldwell Track Drive Zip Code 28078
E-Mail Address RichSkalski@hotmail.com
Present Occupation Finance Analyst Work Phone 704-758-5160
Place of Employment Lowes
Approximate Hours Available Per Month for Serving On Advisory Board 10

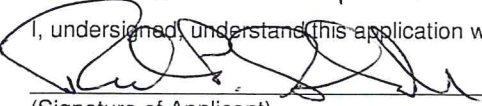
Name of Any Town or County Boards/Committees/Commissions You Are Presently Serving On:

N/A Expiration Date N/A
N/A Expiration Date N/A

Education BA Economics Michigan State University
MBA Finance + Marketing Fordham University
Business and Civic Experience 10 years retail store operations
5 years Corporate Finance

Areas of Expertise and Interests/Skills Store operations, Corporate Finance,
Strategic Analysis, Real Estate Analysis, Long Range Planning

I, undersigned, understand this application will be kept on the active file for a two (2) year period


(Signature of Applicant)

12-4-15
(Date)

Applications may be mailed to:
Huntersville Parks and Recreation Department
P.O. Box 2879
Huntersville, NC 28070

Applications may also be hand delivered to:
Huntersville Parks and Recreation Department
Town Center Building
105 Gilead Road, 3rd Floor
Huntersville, NC 28078

For more information about these advisory board openings, please call 704-766-2228

Parks & Recreation

Post Office Box 2879 • 105 Gilead Road, Third Floor • Huntersville, NC 28070
phone 704.766.2220 • fax 704.992.5528 • www.huntersville.org

Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Janet Pierson, Town Clerk
Subject: Appointments to ASC North/West Advisory Council

Consider appointing two applicants to the Arts & Science Council North/West Advisory Council for 2-year terms.

ACTION RECOMMENDED:

Appoint two members.

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

Description	Type
☐ Renee Calder Application	Backup Material
☐ John Foster Application	Backup Material
☐ Leif Rauer Application	Backup Material



Culture For All.

ADVISORY COUNCIL FY 2016 Appointment Form

Please return by January 4th, via email to
Robert.Bush@artsandscience.org or fax to 704-333-2720.

Advisory Council (check one):

☐ Cultural ☒ North/West ☐ Central ☐ South/East ☐ Private Sector

Person appointed Renee Calder **Daytime phone** 914 325 1298

Organization MCK Design **Title** Owner/Artist

Address 8681 Brook Glen Lane **City/State/Zip** Huntersville, NC 28078

Email caldermck@gmail.com

Representing North Region, Mecklenburg County (Town, District or at-large, CMS, College/University,)

Describe previous or current board or volunteer involvement, including service on another arts, science, history or heritage organization boards:

Previous Board Member- ClayWorks, Current Board Member/Secretary, Carolina Clay Matters Guild. I teach Mixed Media, Pottery/Hand-building and Kid Art Camps at Cornelius Parks Art & Recreation. I am a ceramic and jewelry artist with a focus on mixed media and repurposing found objects. I am a member of Ciel Gallery in Charlotte as well as participate in shows in the CLT such as King Street Walk, Art in the Park as well as juried shows out of the area.

Describe why the nominee would make a strong contribution to the work of this Advisory Council going forward:

I have recently retired from 20+ years as an advertising/marketing executive and bring not only my passion for the arts but a solid background in business/marketing and promotion. I feel strongly about supporting, developing and keeping arts as a vital part of the Huntersville/Cornelius/Davidson area not only for our younger citizens but for all ages. Art, art awareness and education is not only important for personal growth but to the economic development of a community. I would like to be able to provide some of the time I now have to give back to my community and the development, expansion and promotion of the arts in my community.

(If possible, please attach a **short biography** that further illuminates the appointee's qualifications and capacity to dialogue across difference)

Your name Renee Calder **Daytime phone** 914 325-1298

Email Address 8681 Brook Glen Lane, Huntersville, NC 28078
enter text.

Cell or home phone [Click here to](#)

☐ I have spoken with the appointee. He/she understands the responsibilities of being an ASC Advisory Council member, as outlined in the Advisory Council Member Expectations and Policy, the time commitment required, and is willing to serve.

R E N E E C A L D E R



While pursuing a career as an Advertising/Marketing Executive in NY, Renee spent 10+ years as a student/apprentice at the Jewelry Arts Institute in NYC focusing on Byzantine and Etruscan style of jewelry design, including ancient granulation/fusion techniques working in 22K gold. Upon moving to NC, she discovered the rich and varied ceramics community and became more intrigued with incorporating textures and found objects into her work bringing to life what has been discarded or overlooked in both metal and clay.

Recent ceramics reflect the fusion of texture and design similar to her one of a kind jewelry pieces.

"My work is a reflection of the diversity of the world around us.

I strive to bring personality into each piece - to engage the viewer with the unexpected. I focus mostly on the combination of materials, where the mundane becomes something more, engaging the viewer to take a second look and see things in a different way. I want to challenge our notions of the use of materials and prompt a new perception of ordinary things that surround us.

Using metal, clay, wood, fabric and found objects, I act as a sort of a visual alchemist.

There is a simple pleasure that we get from seeing and touching the objects we love.

We are perspective creatures, and aesthetics can touch us in some powerful ways.

So whether you respond to form, color, craftsmanship, or the design, my goal- is to make you smile."

Her work has been showcased in galleries in North Carolina, California, New York, Connecticut and Illinois.

Business and leadership skills have been honed over the years with more than 20+ years of experience in marketing and advertising for Fortune 500 companies with an emphasis on developing and leading integrated

campaigns including TV, Print, Digital and Social channels and agency relationship management for clients such as Coca Cola, AT&T, L'Oreal, Bank of America and Lowe's Home Improvement. Skilled at providing campaign creative direction and long range planning with an eye for innovation, success and profitability.

With firsthand experience working for advertising agencies in NY and client side experience has helped build leadership, management skills and reputation for providing integration processes, identify cost savings and value-added opportunities while inspiring internal and external teams to success. Extensive experience with large/complex projects building brands and leading cross channel production campaigns. Strong negotiation skills in developing budgets and estimates for print, video, model/actors as well as music – rights negotiations.

Specialties: Executive Producer TV/Video/Photography content development (US/International), Strategic planning, Product development, Brand management, Website development, Digital marketing, Social Media, Change management/process improvement, Agency management including RFP's and SOW/contracts. Studio management of photography and video teams including creative development, budget management and scheduling.



Culture For All.

ADVISORY COUNCIL FY 2016 Appointment Form

Please return by January 4th, via email to
Robert.Bush@artsandscience.org or fax to 704-333-2720.

Advisory Council (check one):

☐ Cultural ☒ North/West ☐ Central ☐ South/East ☐ Private Sector

Person appointed John E. Foster **Daytime phone** 704-948-1750

Organization Foster's Frame & Art Gallery **Title** Co-Owner

Address P.O. Box 2566, 403 N Old Statesville Rd. **City/State/Zip** Huntersville, NC 28070

Email fostersframe@att.net

Representing Town of Huntersville (Town, District or at-large, CMS, College/University,)

Describe previous or current board or volunteer involvement, including service on another arts, science, history or heritage organization boards:

Past, Board member MLN United Way 6 years; past, Board member Children's Hope Alliance (Barium Springs Home for Children) Chairman for 2 years, 6 years; past, Board member LN Chamber of Commerce - Chairman of community Affairs 2 year, 6 years; past, Chairman of Outreach Greater Vision UMC; past, Board member State AAU Track & Field; Current Member of MLN United Way Community Investment Council; and Member Novant Health Patient family Engagement Council.

Describe why the nominee would make a strong contribution to the work of this Advisory Council going forward:

Worked promoting the arts in the Charlotte region for the past 18 years. Work with local and regional artists and jazz groups to perform at Foster's Frame & Art gallery. Currently working with the Harvey B Gantt Art Center to promote local Artist.

(If possible, please attach a **short biography** that further illuminates the appointee's qualifications and capacity to dialogue across difference)

FOR TOWN USE:

Your name Click here to enter text. **Daytime phone** Click here to enter text.

Email Address [Click here to enter text.](#)

Cell or home phone [Click here to enter text.](#)

☐ I have spoken with the appointee. He/she understands the responsibilities of being an ASC Advisory Council member, as outlined in the Advisory Council Member Expectations and Policy, the time commitment required, and is willing to serve.



Culture For All.

ADVISORY COUNCIL

FY 2016 Appointment Form

Please return by January 4th, via email to
Robert.Bush@artsandscience.org or fax to 704-333-2720.

Advisory Council (check one):

☐ Cultural ☒ North/West ☐ Central ☐ South/East ☐ Private Sector

Person appointed Leif Rauer **Daytime phone** 980-621-4723 (mobile)

Organization TrueRisk, LLC **Title** Managing Partner

Address 8211 Tosomock Lane **City/State/Zip** Huntersville, NC 28078

Email leifrauer@yahoo.com

Representing Town of Huntersville (Town, District or at-large, CMS, College/University,)

Describe previous or current board or volunteer involvement, including service on another arts, science, history or heritage organization boards:

No previous related board involvement, but extensive knowledge, interest, and personal experience in the musical and performing arts.

Describe why the nominee would make a strong contribution to the work of this Advisory Council going forward:

The Nominee is well-spoken and educated; Nominee has the ability to manage conflict well and propose mutually beneficial solutions in problem situations. Passionate about the arts and culture as evidenced by a lifetime of personal musical performance and frequent attendance at local art and cultural events. As a local business owner who works from home, Nominee has the time and flexibility of schedule to make ASC a priority.

(If possible, please attach a **short biography** that further illuminates the appointee's qualifications and capacity to dialogue across difference)

Your name Click here to enter text. **Daytime phone** Click here to enter text.

Email Address Click here to enter text. **Cell or home phone** Click here to enter text.

☐ I have spoken with the appointee. He/she understands the responsibilities of being an ASC Advisory Council member, as outlined in the Advisory Council Member Expectations and Policy, the time commitment required, and is willing to serve.

Leif E. Rauer
8211 Tosomock Lane
Huntersville, NC 28078
(M) 980-621-4723
LRauer@TrueRiskbi.com; leifrauer@yahoo.com

EXPERIENCE

True Risk LLC b/d/a Evergreen Risk Management

Managing Partner, Owner

8/10--Current

- Manage a staff of full time and contract employees who perform financial and operational audit examinations on asset based lending deals, receivable securitizations, and company or portfolio acquisitions. Asset class focus is trade receivables, factoring, equipment loan/lease, capital commitments, timeshare receivables, and all segments of ABL.
- Market professional services using vast network lenders obtained through nearly 20 years of structured finance and lending experience. Develop personalized procedures to be performed for each individual examination based on industry knowledge and the lender's concerns. Negotiate price and terms of engagement to successfully achieve target margins as well as maintain strong client relationships.
- Personally perform financial and operational audit examinations for some deal structures or lending agreements which have been targeted as more complex or potential problems.

Bank of America Merrill Lynch, Charlotte, NC

Vice President, Structured Finance & Origination, ABCP Conduit Group

3/06 – 3/10

- Manage all aspects of a \$5-7 billion US and Canadian commercial lending portfolio of revolving and amortizing asset-backed structured finance transactions. Asset class expertise in trade receivable, equipment loan/lease, auto loan/lease, fleet lease, monetization, and esoteric asset-backed commercial paper facilities provided to small, medium and large commercial clients. Responsibilities include the negotiation and renewal of the revolving facilities, due diligence, all aspects of the structured credit analysis and legal documentation negotiation, the ongoing monitoring of compliance with deal performance metrics, portfolio and industry trends, and the workout of facilities deemed to be no longer suitable for the portfolio.
- Lead and perform the financial, quantitative and qualitative due diligence and credit review processes, as well as initial origination, structuring, negotiation and legal document review efforts for several new facilities for existing clients.
- Foster strong business partnerships in a volatile and competitive market to meet client's needs while achieving Bank of America's profit and market share goals.
- Present complex transactions to credit risk management, internal and external audit, compliance, and other regulatory bodies for periodic review.

Societe Generale, New York, NY

Vice President, Global Financial Operations, Securitization

3/04 – 3/06

CIBC World Markets, New York, NY

Director, Asset Securitization Group

6/03 – 3/04

Radian Group, New York, NY

Assistant Vice President, Risk Management

4/01 – 6/03

ABN AMRO, Chicago, IL

Assistant Vice President (1997-2000)

Various Municipal Lease Securitization positions (1993-1997)

1992-2000

EDUCATION

Illinois Institute of Technology, Stuart School of Business Chicago, IL

Master of Science in Financial Markets and Trading, February 1999, Emphasis in Investment Banking

University of Iowa Iowa City, IA

Bachelor of Business Administration, Finance, May 1993, Emphasis in International Finance

Alpha Tau Omega Social Fraternity 1989-93, Treasurer 1991-92, Hawkeye Marching Band 1989-92, University Concert Band, 1990-91

Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Janet Pierson, Town Clerk
Subject: Approval of Minutes - February 15 Meeting

Consider approving the minutes of the February 15, 2016 Regular Town Board Meeting.

ACTION RECOMMENDED:

Approve Minutes

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

Description	Type
□ Draft Minutes	Backup Material

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**February 15, 2016
6:30 p.m. – Town Hall**

PRE-MEETING

The Huntersville Board of Commissioners held a pre-meeting at the Huntersville Town Hall at 5:30 p.m. on February 15, 2016.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Mark Gibbons, Charles Guignard, Rob Kidwell and Danny Phillips.

Special Appropriation/501(c)(3) Funding. Mayor Aneralla presented a policy that he compiled using information from several other towns.

Following discussion, it was the general consensus of the Board to have the Town Attorney draft a policy on 501(c)(3) funding for the Board's consideration and to go ahead and send forms to entities that received funding in the current budget.

LNTC Discussion. Bill Thunberg, Executive Director of Lake Norman Transportation Commission, reviewed role of the LNTC. During the discussion, some members of the Board noted that Mr. Thunberg and the Town's Transportation Planner serve on several of the same committees and they don't feel that overlap is necessary. Commissioner Bales pointed out that per the LNTC bylaws, a review process of the commission is scheduled for this upcoming year.

Fire Station No. 4 Update. Scott Garner reviewed the plans for Fire Station No. 4.

There being no further business, the pre-meeting was adjourned.

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

The Regular Meeting of the Huntersville Board of Commissioners was held at the Huntersville Town Hall at 6:30 p.m. on February 15, 2016.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Mark Gibbons, Charles Guignard, Rob Kidwell and Danny Phillips.

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 next Metropolitan Transit Commission meeting is February 24.
- Will be meeting with CATS CEO on February 18.
- The Commerce Station Management Team has met twice in the last two weeks.

Commissioner Bales

- The Lake Norman EDC currently has 10 active projects.
- A Career Information Session will be held at CPCC Merancas Campus on February 24.
- The speed networking event at Hopewell High School for the Academy of Hospitality and Tourism was a success.
- The Lake Norman Transportation Commission will meet next month in Cornelius.

Commissioner Boone

- The plans for Fire Station No. 4 have been prepared and that project is on schedule.
- The Huntersville Police Department has received 10 new vehicles.
- The North Mecklenburg Rescue Squad held repelling training this past weekend.
- Is putting together a team for the HFFA Women's Red Run 4k Road Race or Walk and challenged Commissioner Bales to form her team.

Commissioner Gibbons

- The next meeting of the NC 73 Council of Planning is February 25.
- Attended the Mecklenburg County Veterans Services Council meeting. The 14th Annual U.S. Service Academy Day will be held April 16 at Charlotte Catholic High School.

Commissioner Guignard

- Commended Public Works for their work treating roads prior to the predicted winter weather.
- The Centralina Council of Governments met last Wednesday. Mayor Woods of Davidson was appointed to serve on the Executive Board.
- The next meeting of the Planning Coordinating Committee is next month.
- The 20th Annual Angels of 97 Spaghetti Dinner will be held on March 19.

Commissioner Kidwell

- The next Olde Huntersville Historic Society meeting is March 2.
- The next meeting of the Charlotte Regional Transportation Planning Organization is Wednesday.
- Attended a P4.0 Workshop.

Commissioner Phillips

- Announced upcoming Lake Norman Chamber events.
- Announced upcoming Visit Lake Norman events.

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

Bill Russell, 9449 Mt. Holly-Huntersville Road, encouraged the elected officials to visit Huntersville businesses to keep them updated on road construction projects.

Carolyn Averill, 8710 Westmoreland Lake Drive, Cornelius, addressed the Board concerning the unsolved case of the murder of her son, Peter Jordan, who was murdered two years ago. Ms. Averill feels she has not been getting adequate updates from the Police Department and hopes that given the breakdown of communication throughout this case that there will be a revised strategy to address victims' families. There will be a Walk for Justice for Peter on February 20.

Cassidy Brauns addressed the Board on behalf of Advanced Disposal. Mr. Brauns presented PowerPoint presentation reviewing their proposal for solid waste collection services. *PowerPoint Presentation attached hereto as Attachment No. 1.*

Malinda Barkley addressed the Board on behalf of Republic Services. Ms. Barkley reviewed their proposal for solid waste collection services.

PUBLIC HEARINGS

None

Mayor Aneralla recognized Planning Board members present: Hal Bankirer and Janice Lewis.

OTHER BUSINESS

Richard Barry Park Signage Agreement. Staff requests the Board consider extending the Richard Barry Park Signage Agreement with the Carolina Rapids Soccer Club for two additional years, ending December 31, 2017. The Carolina Rapids have paid for the two sections of new fencing along the soccer fields. All additional signage revenue sold will be split 50/50 with the Town. For the first two years the Town received just over \$4,000. Carolina Rapids anticipates to increase this number with more focus on signage sponsors. The Parks & Recreation Commission approved this extension with a unanimous vote at its January 2016 meeting.

Commissioner Kidwell made a motion to extend the Richard Barry Park Signage agreement for two additional years.

Commissioner Bales seconded motion.

Motion carried unanimously.

Agreement attached hereto as Attachment No. 2.

Alcoholic Beverage Policy/Ordinance. Michael Jaycocks, Parks & Recreation Director, reviewed request. Over the last couple of years the Town has been receiving more and more requests about potential events having alcohol at those events. The proposed policy is similar to the policies of the Town of Cornelius and the Town of Kannapolis which would allow alcohol at certain events that the Town approves and has to be in a certain area that is controlled. The Police Department reviewed the policy and did not have any concerns.

Commissioner Phillips requested there be another process for approving alcohol at events other than the Parks & Recreation Director having that sole authority and if they are denied a permit, a written reason be provided.

Bob Blythe, Town Attorney, suggested that the Parks & Recreation Director could have that responsibility and if it is denied, the applicant could appeal to the Parks & Recreation Commission.

Commissioner Boone suggested that more definition be included under Item H for what the seller is responsible for cleaning and that bilingual signage be considered.

Commissioner Gibbons requested clarification of the word sponsor.

Mr. Jaycocks explained that it basically means that the Town is involved in that event.

Commissioner Phillips made a motion to get the Town Attorney and Michael to make the changes that we are requesting and bring this back to us at our first meeting in March.

Commissioner Boone seconded motion.

Motion carried unanimously.

Solid Waste Collection Services. Bobby Williams, Assistant to the Manager, reviewed proposals that were received at 2 p.m. today.

						Using 17,500 Households		
Advanced Disposal			MSW	YW	REC (bi-weekly)	Total Unit Price	Annual Cost	Life of Contract
new trucks, equip, etc.	Unit Cost	5-year	\$ 8.06	\$ 4.04	\$ 2.30	\$ 14.40	\$ 3,024,000	\$ 15,120,000
		7-year	\$ 7.98	\$ 3.99	\$ 2.28	\$ 14.25	\$ 2,992,500	\$ 20,947,500
NOTE: Advanced Disposal's original 5-year bid with all new trucks and equipment was \$15.48 (\$14.30 over 5 years with existing trucks and rebranded carts, with a phased switch out period of carts over 12-18 months and replacement of 1-2 trucks per year, and/or as needed).								
						Using 17,500 Households		
Republic			MSW	YW	REC (bi-weekly)	Total Unit Price	Annual Cost	Life of Contract
new trucks, equip, etc.	Unit Cost	5-year	\$ 8.25	\$ 3.80	\$ 3.20	15.25	\$ 3,202,500	\$ 16,012,500
		7-year	\$ 8.26	\$ 3.95	\$ 2.13	14.34	\$ 3,011,400	\$ 21,079,800
NOTE: Republic's original 5-year bid was \$15.80 and its original 7-year bid alternate was \$14.34.								
CURRENT BUDGET - FY16 (17,500 HH's + some growth)								
			MSW	YW	REC	TOTALS	Annual Cost	
			\$ 8.26	\$ 3.95	\$ 2.13	\$ 14.34	\$ 3,091,239	
NOTE: Contract expires June 30, 2016.								
* NOTE: Prices above do not represent any increases to # of household units, CPI adjustments, tipping fee increases or fuel rate adjustments year by year over the life of the contract.								

Commissioner Kidwell made a motion to defer decision to the March 7 Regular Town Board Meeting. Commissioner Guignard seconded motion. Motion carried unanimously.

Lake Norman Transportation Commission. Commissioner Phillips made a motion to defund the Lake Norman Transportation Commission.

Commissioner Gibbons seconded motion.

Commissioner Guignard requested clarification if the motion is to defund effective immediately or defund at the end of the fiscal year.

Greg Ferguson, Town Manager, explained that the Interlocal Agreement is on a fiscal year basis, so the Town is committed through the end of June under the current Interlocal Agreement.

Commissioner Phillips amended his motion to notify the other towns that we are not going to participate in the Lake Norman Transportation Commission as of June 30, 2016.

Commissioner Gibbons seconded amended motion.

Commissioner Guignard said it gives me great pause to be discussing this because after sitting on this group for two years some four years ago and seeing the cooperation and collaboration that occurred between the four towns, I think a lot of what's going on between the four towns can go back to some of those roots. Unfortunately, there's a lot of things that have not occurred that these four towns might have stood for otherwise. Although I can accept and respect why my fellow commissioners want to defund this, I think to completely withdraw if there was a compromise to say we will participate in those types of meetings to discuss these types of things and some people will say you can't do it if you don't spend money, well you might can do it if you don't spend money. You don't always have to spend money to make things happen in a good way. It concerns me that we may be sending a message we don't want to be sending to the other three towns north of us, because we are certainly sending a message to the town south of us that we don't like what you've done recently. I don't know if I want to send this message.

Commissioner Gibbons stated this has been talked about and will not come as a surprise to the other towns that are participating. To the point about trying to continue this, I think that the people with the seats at the table need to continue getting together outside of our CRTPO meetings and discuss regional direction. I would like to see us have something very similar to an interlocal agreement where the towns say this is who we are going to have in this and this is why we got here.

Commissioner Boone stated I don't think we should defund the LNTC. I think we should defund the LNTC executive director. We'd still be on the committee but we just wouldn't be funding the director.

Commissioner Bales stated I think we need to have a little more dialogue here. In conversations over the last few weeks I have said that there was some direction needed and things that could be fixed. Per the interlocal agreement, the time to review the LNTC and make changes actually comes within the next fiscal year. Every two years the conversation happens within the LNTC that a committee is formed that we reevaluate what isn't working within the LNTC and we work to consensus and make those changes accordingly. I am deeply disappointed that this Board would choose to walk away from a regional entity that has since 2008 pulled all four towns together. If the directives need to change, our boards direct that change. There's no reason to walk away from the organization and the interlocal agreement to make the change.

Bob Blythe, Town Attorney, pointed out that the position and the funding for the executive director is part of the agreement itself. If you are to remain in it and not provide funding for executive director, it would require an amendment to the agreement.

Commissioner Kidwell stated in talks with representatives from Cornelius and Davidson, I hear the same thing over and over, is it worth saving and if you guys leave we're probably going to leave too. Whether they go forward with that or not is really up to them and their board. It was said earlier that we're not

talking about a whole lot of money here, about \$25,000 a year. That \$25,000 is money we can put towards something else that will benefit the town. As for the communication between the towns, the CRTPO, I get to sit with Cornelius and Davidson. We speak with each other two, three, four times a week regarding items that are on the TIP list, things that are going on in the town. What can we work towards to improve the infrastructure between our towns. Huntersville is very lucky that we have a Transportation Director. And so I'm looking at \$25,000 to an organization that even the rest of the transportation people involved in there say it's broken, I don't know if we want to fix it, we are probably going to leave. And then I look and I'm like we've got this great guy already working for us and they are overlapping in many groups. He knows our vision from the Town's perspective. As we learn more about these groups that they are involved in I feel strongly at this point it is a broken group and to keep dumping money into it or to launch another study to see how we can make it better is going to be a further waste of tax dollars.

Mayor Aneralla called for the vote to notify the other towns that we are not going to participate in the Lake Norman Transportation Commission as of June 30, 2016.

Motion carried 4 to 2, with Commissioners Bales and Guignard opposed.

Board of Adjustment Appointments. Commissioner Kidwell made a motion to move the Alternate Bethany Welch and the Alternate Eric Rowell to vacant Town Seats 2 and 5.

Commissioner Boone seconded motion.

Commissioner Kidwell withdrew his motion.

Commissioner Bales made a motion to appoint Bethany Welch to Town Seat 2.

Commissioner Gibbons seconded motion.

Motion carried 5 to 1, with Commissioner Phillips opposed.

Commissioner Kidwell made a motion to appoint Eric Rowell to Town Seat 5.

Commissioner Guignard seconded motion.

Motion carried 4 to 2, with Commissioners Bales and Boone opposed.

Mayor Aneralla accepted nominations to fill the two vacant Alternate Seats.

Commissioner Boone nominated Greg Evans and Toniann Primiano.

Commissioner Kidwell nominated Toniann Primiano and Edward Cecil.

Vote for Edward Cecil: Commissioners Bales, Guignard and Kidwell in favor.

Vote for Greg Evans: Commissioners Boone, Gibbons and Phillips in favor.

Vote for Primiano: Commissioners Bales, Boone, Gibbons, Guignard, Kidwell and Phillips in favor.

Mayor Aneralla broke the tie between Edward Cecil and Greg Evans by voting in favor of Greg Evans.

Greg Evans and Toniann Primiano were appointed to Alternate Seats on the Board of Adjustment.

Planning Board Appointments. Commissioner Phillips made a motion to appoint Jennifer Davis. Commissioner Bales seconded motion. Motion carried unanimously.

Land Development Ordinances Advisory Board Bylaws. Jack Simoneau, Planning Director, explained request. Section 2-2 of the bylaws reflects five at-large members and should reflect six at-large members for consistency with Section 2-1.

Commissioner Guignard made a motion to adopt amended Bylaws for the Land Development Ordinances Advisory Board.

Commissioner Bales seconded motion.

Motion carried unanimously.

Amended Bylaws attached hereto as Attachment No. 3.

Land Development Ordinances Advisory Board Appointments. The Board submitted written ballots for the appointments.

Following are the votes received for the six at-large members.

Vote for Bruce Andersen: Commissioners Bales, Boone, Gibbons, Guignard, Kidwell and Phillips in favor.

Vote for Jay Henson: Commissioners Bales, Boone, Gibbons, Guignard and Phillips in favor.

Vote for Brian Hines: Commissioners Boone, Gibbons, Guignard, Kidwell and Phillips in favor.

Vote for Jesse Jones: Commissioners Gibbons, Kidwell and Phillips in favor.

Vote for Daniel Rikard: Commissioners Bales, Boone, Gibbons, Guignard, Kidwell and Phillips in favor.

Vote for Jeff Sny: Commissioners Bales, Boone, Gibbons, Guignard and Kidwell in favor.

Vote for Geoffrey Steele: Commissioner Bales in favor.

Vote for Nick Walsh: Commissioners Bales, Boone, Kidwell and Phillips in favor.

Following are the votes received for the one Planning Board member.

Vote for Janice Lewis: Commissioner Bales in favor.

Vote for Joanne Miller: Commissioners Boone, Gibbons, Guignard, Kidwell and Phillips in favor.

Commissioner Kidwell made a motion to appoint Bruce Andersen, Daniel Rikard and Jeff Sny to two year terms and Jay Henson, Brian Hines and Nick Walsh to one year terms and appoint Joanne Miller as the Planning Board member.

Commissioner Guignard seconded motion.

Motion carried unanimously.

CONSENT AGENDA

Approval of Minutes. Commissioner Phillips made a motion to approve the minutes of the February 1, 2016 Regular Town Board Meeting. Commissioner Guignard seconded motion. Motion carried unanimously.

Budget Amendment – Commerce Station Park. Commissioner Phillips made a motion to approve budget amendment appropriating an economic development grant in the amount of \$4,000 received from ElectriCities for Commerce Station Park development costs. Commissioner Guignard seconded motion. Motion carried unanimously.

Budget Amendment – Police Department. Commissioner Phillips made a motion to approve budget amendment recognizing insurance revenue in the amount of \$500 and appropriate to the Police Department's insurance account. Commissioner Guignard seconded motion. Motion carried unanimously.

Budget Amendment – Police Department. Commissioner Phillips made a motion to approve budget amendment recognizing insurance revenue in the amount of \$207.54 and appropriate to the Police Department's insurance account. Commissioner Guignard seconded motion. Motion carried unanimously.

Property Tax Refunds. Commissioner Phillips made a motion to approve SL362 Property Tax Refund Report No. 53. Commissioner Guignard seconded motion. Motion carried unanimously.

Property Tax Refund Report attached hereto as Attachment No. 4.

CLOSING COMMENTS

None

Commissioner Bales made a motion to go into closed session for economic development. Commissioner Gibbons seconded motion. Motion carried unanimously.

Following closed session, there being no further business, the meeting was adjourned.

Approved this the ____ day of _____, 2016.

Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Janet Pierson, Town Clerk
Subject: Approval of Minutes - February Retreat

Consider approving minutes of the February 4 and 5, 2016 Town Board Retreat.

ACTION RECOMMENDED:

Approve Minutes

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

Description	Type
□ Draft Minutes	Backup Material

**TOWN OF HUNTERSVILLE
RETREAT MINUTES**

**February 4 and 5, 2016
Lee S. Dukes Water Treatment Plant
7980 Babe Stillwell Road – Huntersville, NC**

DAY ONE – FEBRUARY 4, 2016 – 9:00 A.M.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Mark Gibbons, Charles Guignard, Rob Kidwell and Danny Phillips.

Introduction/Overview

Greg Ferguson, Town Manager, reviewed highlights from last year.

- Downtown Redevelopment.
- Using Transportation Reserve funds to upgrade Town maintained streets downtown, including sidewalks, curb and gutter, to make them more pedestrian friendly.
- Discussion of 2016 bond sale for Transportation and Public Facilities projects.
- Timing of US 21/Gilead Road project and Main Street improvements.
- Municipal Agreement with NCDOT for improvements to US 21/Gilead is being negotiated.
- Adopt-a-street program for Town maintained roads. The first street has been adopted.
- Sidewalk prioritization.
- Solid waste rerouting. Some recycling days changed over the summer to line up with solid waste and yard waste days.
- Storm water fees. The fee will need to be increased in the future in order to maintain high level of storm water facilities.
- Recreation Center. There's a capital project ordinance in place.
- Economic development and what the Town needs to do to continue to attract international companies.
- Code enforcement. A new software program has been implemented to be proactive with violations.
- Annexation Agreement with Kannapolis. An agreement was drafted, however Kannapolis has not adopted it yet.
- Attendance of members of advisory boards.

Finance Update – Janet Stoner, Finance Director

- Contract for auditors will go out for bid in September or October.
- Presented Board with Draft Budget Calendar. *(Attached)*
- Presented Board with Balance Sheet – Governmental Funds dated June 30, 2015. *(Attached)*
- Reviewed Capital Project Fund.

Mitch Biruglio of Davenport & Company (Town's financial advisor), presented PowerPoint presentation on Town's financial position. *PowerPoint Presentation attached hereto.*

- The Town has an AAA bond rating, which is the highest you can get.
- The Town has good policies in place.
- Advised changing tax rate, reducing revenues, could hurt Bond rating.
- Currently have revenues to sell \$10-12 million in bonds without tax increase.

ElectriCities Update

Roy Jones, CEO of ElectriCities, presented overview of ElectriCities. *(PowerPoint Presentation attached)*

Planning Update – Jack Simoneau, Planning Director

- Updated the Board on Population and Permitting and ETJ development pressure. *(Refer to attachments)*
- Presented PowerPoint presentation on downtown redevelopment. *(PowerPoint Presentation attached)*

Transportation Update – Bill Coxe, Transportation Planner

- Updated Board on Downtown Transportation System Plan. *(PowerPoint presentation attached hereto)*
- Updated Board on NCDOT TIP. *(Refer to Attachment)*

Public Works and Engineering – Max Buchanan, Public Works Director/Town Engineer

- Updated Board on Large Roadway Projects
 - o Main Street improvements can be done in 5 years, prior to work at US 21/Gilead Road.
 - o Reviewed directional crossover proposal for Gilead Road at the shopping centers. *Refer to Attachment.* Proposes to use flex bars to implement access control. Commissioner Boone suggested a formal presentation be made for area businesses to get their feedback before implementing.
 - o Reviewed options for Main Street improvements. *Refer to Attachment.*
 - o Birkdale Commons Parkway Extension should be completed by July 1. House on property still needs to be moved or burned.
 - o Stumptown Road Extension – meeting with railroad officials on February 24 to discuss RR crossings.
 - o Townley Road Bridge – not critical until Cornelius does their connection from Westmoreland.
- Reviewed status of roadway projects on Top Ten list. *Refer to Attachment.*
 - o Commissioner Kidwell requested staff look at installing a right-turn lane on Beatties Ford Road onto McIlwaine.
 - o Commissioner Phillips inquired about the installation of a traffic signal at Norman View and Highway 73. Mr. Buchanan explained that a signal is not warranted at that intersection.
- Reviewed sidewalk priority ranking. *PowerPoint attached hereto.*
- Most communities are supplementing Powell Bill funds with tax dollars for maintaining streets. In the next two to four years the Board will need to make a decision if they want to supplement the Powell Bill funds, because the Powell Bill funds do not cover costs of all maintenance work that needs to be done.
- The Town is working on a partnership with Mecklenburg County to unify process for development infrastructure acceptance. Staff may ask for the Board to decide in the future at what point do we accept streets in Huntersville when developer finishes.
- Staff is trying to develop ordinances to be included in the Public Works Chapter of the Code of Ordinances and that will come to the Board in the next couple of months for consideration.
- Proposals were received for solid waste collection. The lowest bid was from Unity, however in discussions with them they had not included the tipping fee. The two lowest are Advanced and Republic. Republic's bid was for a 7 year contract. The Board directed Staff to meet with

Advanced and Republic and have them submit numbers for a 5-year contract and a 7-year contract with all new trucks and carts.

Miscellaneous

Mr. Ferguson informed the Board that he had been contacted by Dr. Dan Morrill of the Charlotte-Mecklenburg Historic Landmarks Commission. They are interested in buying the Bradford property that is at the end of the Main Street buildings and would request the Town consider designating it as a historic landmark

The Adequate Public Facilities Ordinance was discussed. Is it time to look at that as something that could be either not needed or utilized in a different method such as an internal tool for staff. It was the general consensus of the Board to have the Land Development Ordinances Advisory Board review it.

There being no further business, the retreat was adjourned for the day.

DAY TWO – FEBRUARY 5, 2016 – 9:00 A.M.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Mark Gibbons, Charles Guignard, Rob Kidwell and Danny Phillips.

Police – Chief Spruill

- Updated Board on Police staffing. *Refer to Attachment.*
- Updated Board on changes to DARE.
- Discussed policing the ETJ. It was the general consensus of the Board to move forward with researching a process for taking over policing the ETJ from the City.
- Dispatch. Chief Spruill stated that he had only received five citizen complaints related to dispatch since he arrived 18 months ago. Explained the issue of cell phones hitting a tower in another county, then the call having to be transferred. It is a technology issue. Commissioner Guignard indicated that the state should have funds from the 911 fee to update the technology. Commissioner Bales suggested putting it on the Town's legislative agenda.
- A/C units at Police Station will need to be replaced in the next one to two years.
- School Resource Officers are funded by the County. Will be asking County if we can get sergeant to supervise SRO's.

HFFA – Dee Jetton

- Updated Board on HFFA. *PowerPoint attached hereto.*

Discussion included:

- Medical program in partnership with Novant.
- Why police have to pay fee to workout in their own facility.
- Mecklenburg County needs to put more dollars into the facility.

Parks & Recreation – Michael Jaycocks, Parks & Recreation Director

- Recreation Center/CPCC Partnership. Reviewed CPCC Merancas Campus Master Plans and recreation center location. It was the general consensus of the Board to move forward with negotiating agreement with CPCC.
- Partnership with Community School of Davidson. The Parks & Recreation Director reviewed the Community School of Davidson's plans for a football stadium/track at Bradford Park. It was the general consensus of the Board to move forward with partnership with the Community School of Davidson.

- Partnership with Lake Norman Charter School. The Parks & Recreation Director reviewed Lake Norman Charter School's plans to locate an elementary school at Hambright Road. The Town would contribute \$500,000 to help build gymnasium and would have joint use. LNCS does not need an immediate decision.

Todd Steiss updated the Board on the Greenway. *PowerPoint presentation attached hereto.*

Commissioner Boone suggested that the greenway have markers to aid emergency personnel.

Miscellaneous and Parking Lot

- Town Attorney is drafting revisions to the litter ordinance for Board consideration. Town Attorney is also drafting Begging/Panhandling ordinance and Roadside Solicitation ordinance for consideration.
- Commissioner Kidwell suggested hearing public hearings on the Town Board's second meeting of the month, with a decision at the first meeting in order to reduce time for decisions on petitions. The Planning Director noted that the County now has a LUESA person assigned to Huntersville that will improve the permit process. It was the general consensus of the Board to have staff provide options for streamlining process.
- Commissioner Kidwell suggested the applications for advisory boards not include a name, but be identified by a number. Suggested if there's a lot of applicants to break them up over two meetings for the meet and greets. Set deadline at 30 days to receive applications.
- Mayor Aneralla pointed out that the Town needs to notify other members by March 1 if the Town is going to withdraw from the Lake Norman Transportation Commission.
 - o Commissioner Bales reviewed responsibilities of Director. LNTC has discussed the direction and members are going to list five activities they want to see with the LNTC and they will be discussed at the March LNTC meeting.
 - o Commissioner Bales requested Board members meet with Bill Thunberg.
 - o The Board requested a pre-meeting discussion and decision on February 15.
- Mayor Aneralla suggested the Board start having discussion to look at options to make sure the ½ cent sales tax for transportation stays where generated.
- Police vehicle take home policy – other jurisdictions have a policy of 12 miles from the outer limits of the city, not 12 miles from the police headquarters. If there is interest in changing the policy, that could be done within the Police Department through a change in policy.
- Selling Electricities – Mayor Aneralla has asked Duke and Energy United if there is any interest.
 - o Tim Holder, Energy United, over past 1-1/2 years have had conversations with municipal systems for their system. It is feasible for the town to sell, but would have to explore in depth of what would be involved with selling the system. If it's something the town wants to explore, would be happy to look at it.

Commissioner Bales left the retreat.

It was the general consensus of the Board to research what it would take to sell.

- Fund Balance Policy. Current policy is 45 percent. It was suggested not to lower it this year and revisit it next year.
- Seek legislation on CRTPO voting – more weight for Huntersville, less for Charlotte.
- No interest in reducing tax rate at this time.
- Want to figure out way to get more of the hotel/motel money and ABC revenues.

- North Mecklenburg Rescue Squad. It was the general consensus of the Board that the Town will not provide funding after FY 16-17.
- Vision for downtown. It was the general consensus of the Board to continue with what has been put in place.
- Policy funding 501c3 organizations. It's philosophical decision for Board to make. Requested to discuss at pre-meeting on February 15.

Town Manager told the Board you need to pick your battles and decide which ones you are going to fight. You don't want to irritate everyone.

There being no further business, the retreat was adjourned.

Approved this the ____ day of _____, 2016.

DRAFT

Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Michael Jaycocks
Subject: Street Closure and Special Event Ordinance- Hello Huntersville

North Carolina General Statute 20-169 allows local authorities to regulate by ordinance the use of a highway within their jurisdiction by processions, assemblages or anything that may be construed as a procession or assemblage. This ordinance is for the town's annual Hello Huntersville event.

ACTION RECOMMENDED:

Consider adopting Temporary Ordinance for Road Closures for the Hello Huntersville event.

FINANCIAL IMPLICATIONS:

None

ATTACHMENTS:

Description	Type
▣ Street Closure and Special Event Ordinance- Hello Huntersville	Backup Material
▣ Exhibit A	Backup Material

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

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

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

WHEREAS, the Town of Huntersville will sponsor and hold its annual Hello Huntersville Event on May 14, 2016; and

WHEREAS, this event will require the temporary closing of 1) Old Statesville Road (NC115) between Mt. Holly-Huntersville Road and Gilead Road, and 2) Huntersville-Concord Road between Church Street and Old Statesville Road (see Map Exhibit A).

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that (1) Old Statesville Road (NC115) between its intersection with Mt. Holly-Huntersville Road and Gilead Road, and (2) Huntersville-Concord Road between its intersection with Church Street and Old Statesville Road be closed to vehicular traffic on May 14, 2016, between the hours of 7:30 A.M. and 3:00 P.M.

Town will place signage as appropriate advising the Public of the closing.

A copy of this Ordinance shall be forwarded to the local NCDOT Division office.

Adopted this 7th day of March, 2016.

John Aneralla, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Robert B. Blythe, Town Attorney

Huntersville Road Closure

GILEAD

CHURCH

WALKER

MAXWELL

GREENWAY

MAIN

MULLEN

RANSON

RANSON

WATKINS

MT HOLLY-HUNTERSVILLE

GIBSON PARK

BAUCOM

CHURCH

DELLWOOD

The Town of Huntersville is holding its annual Hello Huntersville celebration and will temporarily close Old Statesville Rd (NC 115) between Mt. Holly-Huntersville Rd and Gilead Rd also Huntersville-Concord Rd will be closed between Church St and Old Statesville Rd from 7:30am-3:00pm on Saturday, May 14th during the festivities.



Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Michael Jaycocks
Subject: Street Closure and Special Event Ordinance- Huntersville Christmas

North Carolina General Statute 20-169 allows local authorities to regulate by ordinance the use of a highway within their jurisdiction by processions, assemblages or anything that may be construed as a procession or assemblage. This ordinance is for the town's annual Christmas event.

ACTION RECOMMENDED:

Consider approving Temporary Ordinance for Road Closures for Huntersville Christmas.

FINANCIAL IMPLICATIONS:

None

ATTACHMENTS:

Description	Type
▣ Huntersville Christmas Ordinance	Backup Material
▣ Exhibit A	Backup Material

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

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

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

WHEREAS, the Town of Huntersville will sponsor and hold its annual Huntersville Christmas celebration on December 10, 2016; and

WHEREAS, this event will require the temporary closing of 1) Old Statesville Road (NC115) between Mt. Holly-Huntersville Road and Gilead Road, and 2) Huntersville-Concord Road between Church Street and Old Statesville Road (see Map Exhibit A).

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that (1) Old Statesville Road (NC115) between its intersection with Mt. Holly-Huntersville Road and Gilead Road, and (2) Huntersville-Concord Road between its intersection with Church Street and Old Statesville Road be closed to vehicular traffic on December 10, 2016, between the hours of 12:00 P.M. and 9:30 P.M.

Town will place signage as appropriate advising the Public of the closing.

A copy of this Ordinance shall be forwarded to the local NCDOT Division office.

Adopted this 7th day of March, 2016.

John Aneralla, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Robert B. Blythe, Town Attorney

Huntersville Road Closure

GILEAD

CHURCH

WALKER

MAXWELL

GREENWAY

MAIN

MULLEN

RANSON

RANSON

WATKINS

MT HOLLY-HUNTERSVILLE

GIBSON PARK

BAUCOM

CHURCH

DELLWOOD

The Town of Huntersville is holding its annual Huntersville Christmas celebration and will temporarily close Old Statesville Rd (NC 115) between Mt. Holly-Huntersville Rd and Gilead Rd also Huntersville-Concord Rd will be closed between Church St and Old Statesville Rd from 12:00pm-9:30pm on Saturday, December 10th during the festivities.



Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Michael Jaycocks
Subject: North Mecklenburg Park & Huntersville Athletic Park Concession Stand Contract

The Huntersville Parks & Recreation Department advertised a RFP's in December and received two proposals for the operation of the three concession stands in the town's parks. Both responders offered to give 22% of the gross sales to the town. This is a 10% increase from the 20% that the town is currently receiving. The Parks & Recreation Commission unanimously recommended Yamo Concessions & Sports, Inc. to continue operating the Concession Stand at North Mecklenburg Park and Huntersville Athletic Park. This is a three year contract with an option to extend for one additional year.

ACTION RECOMMENDED:

Approve Concession Contract for Huntersville Athletic Park and North Mecklenburg Park.

FINANCIAL IMPLICATIONS:

An 10% increase of gross sales.

ATTACHMENTS:

Description	Type
□ Contract	Backup Material

Huntersville Parks and Recreation Department
CONCESSION AGREEMENT-**Huntersville Athletic Park & North Mecklenburg Park**

The Town of Huntersville Parks and Recreation Department (Town) and **Jamie Moreno, Yamo Concessions & Sports, Inc.** (Concessionaire) hereby enter into this agreement for the operation by a concessionaire for the Huntersville Athletic Park concession stand and North Mecklenburg Park concession stand.

The Concessionaire agrees to operate the concession stand in good faith and in accordance with the conditions listed below:

The Concessionaire shall:

1. Ensure the concession stand operations shall meet all requirements as set forth by the State of North Carolina Department of Environment and Natural Resources for Limited Foodservice Establishments. It is the responsibility of the Concessionaire to insure that the facility meets the guidelines for Limited Food Service Establishments.
2. Agree to accept all responsibility and liability regarding the Foodservice operation. This responsibility includes but is not limited to, proper cleaning and sanitizing of the concession stand and all utensils, as well as, properly preparing, handling and storing all food items so as not to propose a health risk to the general public.
3. Agrees to obtain all appropriate permits from the appropriate departments, including the Mecklenburg County Health Department, prior to this usage.
4. Will provide all equipment, supplies, items and articles necessary for provision of concession sales.
5. Will not hold the Town of Huntersville, the County of Mecklenburg, or any of its employees responsible in the event of injuries to persons who operate the concession stand.
6. Will hold the Town of Huntersville and the County of Mecklenburg harmless for any and all losses or damages to equipment and supplies that occur at the concession stand as a result of theft, vandalism, or by any other means; as well as any person raising a claim against the Town and/or the County for reasons associated with the concession operation.
7. Agrees to maintain the concession stand in a clean, sanitary and safe condition and leave the concession stand in the state of cleanliness in which it was found. The Concessionaire shall accept responsibility for any repairs necessitated by the negligence or willful acts of the Concessionaire's agents, volunteers or invitees. Any repairs necessary due to the latter should be planned, coordinated and executed with the assistance of the Parks and Recreation Department.
8. Agrees to operate concession stand for all baseball/softball games at the park during the time of the contract. Operation of concession stand on Saturdays when soccer games are the only event at the park is required unless it's determined by staff that it's not viable to keep it open. The Concessionaire will operate on any other mutually agreed upon day in the event a regularly scheduled game is postponed until after these dates for any reason. Concessionaire will open for business at least 30 minutes prior to the scheduled starting time of the first game of the day/evening and close concession operation no earlier than 15 minutes following the end of the final game on that day/evening.
9. Tournaments: The concessionaire is expected to operate on all baseball/softball tournament dates. However, should a tournament host/group request to operate the concession stand during that tournament, the concessionaire has first right of refusal; the tournament host/group will only be given permission to rent and operate the concession stand if the concessionaire opts not to run the concession stand himself/herself.

10. Shall provide concession services in a manner that adequately serves the total abled/disabled public wishing to utilize the service. Discriminatory methods of operation will not be tolerated.

11. Will notify the Town if the need to cancel scheduled services at least fourteen (14) days prior to the service date(s). The Town may elect to refuse future contracts to the Concessionaire canceling service and has the right to obtain service from another vendor for that time period with no recourse from the concessionaire.

12. Shall conform to and abide by all park/usage policies, Town and County ordinances, all state and federal laws and regulations that are applicable to public park concession sales, and instructions from the Parks and Recreation Director.

13. Concession workers coming in contact with the public should be courteous, polite and helpful to the park and concession patrons; concession workers should not be minors unless directly supervised by an adult concession worker.

14. Agrees to honor any vendor contracts or concession-related obligations of the Town of Huntersville. Contract/Obligations in effect at this time are: Purchase all soda related products from designated Pepsi representative for the town.

15. Understands and agrees that the sale of alcohol and/or tobacco products is not allowed. The Concessionaire shall submit a list of all products for sale with prices to the Parks and Recreation Director with his/her proposals and for approval prior to usage. Any change in pricing proposed during the contract must be approved by the Director. The Town of Huntersville Parks and Recreation Department has the right of final approval of menu and pricing. The Town reserves the right to cancel the contract of any Concessionaire charging prices deemed unreasonable.

16. Agrees to pay the Town of Huntersville **22 %** of its gross receipts for sales made in the Town's parks and recreation facilities.

17. Shall submit a sales report and payment to the Town on a monthly basis. The sales report is due no later than the 15th day of the month following the report month, and must be accompanied by the appropriate payment.

18. Agrees to purchase and maintain at its own expense during the term of this contract the following insurance covering its operation, a copy of which is to be provided with the initial proposal to the Town:

1. General Liability – Bodily and property damage liability as shall protect the Concessionaire and any subcontractor performing work under this contract from claims of bodily injury and property damage which arise from the operations of this contract whether such operations are performed by Concessionaire, any subcontractor or any one directly or indirectly employed by either. The amounts of such insurance shall not be less than one million dollars (\$1,000,000.00) bodily injury each occurrence/aggregate, or one million dollars (\$1,000,000.00) property damages each occurrence/aggregate, or one million dollars (\$1,000,000.00) bodily injury and property damage combined single limits each occurrence/aggregate. This insurance shall include coverage for products/completed operations, personal injury liability and contractual liability.
2. Commercial concessionaires shall have Commercial General Liability with the same amounts and coverage listed in Item 1 (above).
3. Commercial concessionaires shall also have Workers Compensation insurance in the amount and form to meet all applicable requirements of the laws of the State of North Carolina.

The Town:

1. Will provide all available utilities including power, water and sewer at no charge to the Lessee for the duration of the agreement as set forth above.
2. Shall be responsible for maintenance of the structure, plumbing, exterior walls, roofs, exterior and interior doors, interior electrical and any other repairs.
3. Will provide concessionaire with schedules of all games and special events during the time of the contract. Notification of rescheduled games/events and tournaments will be given to the concessionaire as soon as dates are confirmed.
3. Reserves the right to conduct random, unscheduled inspections and/or to request a financial report of concession operations at any time deemed necessary.
4. The Town also reserves the right to order the removal of any item sold or kept for sale that is judged to be inappropriate by the Town.

OBLIGATION AND INDEMNITY

1. Neither party shall be held responsible to the other for losses resulting from fire, flood, ice snow, Act of God or any cause not within the control of the party whose performance is interfered with and which by the exercise of reasonable diligence the party is unable to prevent.
2. The Concessionaire agrees to indemnify and hold harmless the Town from any and all liability incurred, and will take up and defend any litigation arising from, any injury or damage to any person or firm resulting from any negligent or willful act or omission of the concessionaire, its agents or employee

By signing below, both parties indicate that they have read and agree to abide by the terms listed above to the best of their abilities. This agreement will become null and void with written consent by both parties.

E-VERIFY. CONTRACTOR shall comply with the requirements of Article 2 of Chapter 64 of the General Statutes of North Carolina. Further, if CONTRACTOR utilizes a subcontractor, CONTRACTOR shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the General Statutes of North Carolina.

TERMS OF THE CONTRACT: This contract begins on March 7, 2016 and ends on March 6, 2019. The Town of Huntersville has the right to extend this contract for one additional year.

CANCELLATION OF CONTRACT

The Town reserves the right to terminate this contract immediately for any of the following reasons:

- inaccurate reporting and/or failure to report sales revenue and submit proper percentages or fees to the Town
- opening the concession stand for events later than specified in this contract or closing the concession stand earlier than stated in this contract.
- failure to properly serve a scheduled or assigned event previously agreed upon by concessionaire or opening too late and/or closing too early as determined by the Parks and Recreation Director.
- detrimental behavior of concessionaire employees or other factors that are deemed to negatively impact the safety and well-being of patrons, property or service of the Town.
- failure to comply with any aspect of this agreement
- concessionaire extends concession operation to any other park, facility or area managed by the Town of Huntersville other than the concession stand listed in the first paragraph of this agreement, without the express, written consent of the Town.

SIGNATURES:

Official Representative
Huntersville
& Recreation Department
(Town)

Date

Official Representative
(Concessionaire)

Date

Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Michael Jaycocks
Subject: Bradford Park Concession Stand Contract

The Huntersville Parks & Recreation Department advertised a RFP's in December and received two proposals for the operation of the three concession stands in the town's parks. Both responders offered to give 22% of the gross sales to the town. This is a 10% increase from the 20% that the town is currently receiving. The Parks & Recreation Commission unanimously recommended Homerun Concessions to continue operating the Concession Stand at Bradford Park. This is a three year contract with an option to extend for one additional year.

ACTION RECOMMENDED:

Approved Concession Contract for Bradford Park with Homerun Concessions.

FINANCIAL IMPLICATIONS:

An increase of 10% of gross sales.

ATTACHMENTS:

	Description	Type
□	Contract	Backup Material

Huntersville Parks and Recreation Department
CONCESSION AGREEMENT- Bradford Park

The Town of Huntersville Parks and Recreation Department (Town) and **Todd Riddle, Homerun Concessions** (Concessionaire) hereby enter into this agreement for the operation by a concessionaire for the Bradford Park concession stand.

The Concessionaire agrees to operate the concession stand in good faith and in accordance with the conditions listed below:

The Concessionaire shall:

1. Ensure the concession stand operations shall meet all requirements as set forth by the State of North Carolina Department of Environment and Natural Resources for Limited Foodservice Establishments. It is the responsibility of the Concessionaire to insure that the facility meets the guidelines for Limited Food Service Establishments.
2. Agree to accept all responsibility and liability regarding the Foodservice operation. This responsibility includes but is not limited to, proper cleaning and sanitizing of the concession stand and all utensils, as well as, properly preparing, handling and storing all food items so as not to propose a health risk to the general public.
3. Agrees to obtain all appropriate permits from the appropriate departments, including the Mecklenburg County Health Department, prior to this usage.
4. Will provide all equipment, supplies, items and articles necessary for provision of concession sales.
5. Will not hold the Town of Huntersville, the County of Mecklenburg, or any of its employees responsible in the event of injuries to persons who operate the concession stand.
6. Will hold the Town of Huntersville and the County of Mecklenburg harmless for any and all losses or damages to equipment and supplies that occur at the concession stand as a result of theft, vandalism, or by any other means; as well as any person raising a claim against the Town and/or the County for reasons associated with the concession operation.
7. Agrees to maintain the concession stand in a clean, sanitary and safe condition and leave the concession stand in the state of cleanliness in which it was found. The Concessionaire shall accept responsibility for any repairs necessitated by the negligence or willful acts of the Concessionaire's agents, volunteers or invitees. Any repairs necessary due to the latter should be planned, coordinated and executed with the assistance of the Parks and Recreation Department.
8. Agrees to operate concession stand for all baseball/softball games at the park during the time of the contract. Operation of concession stand on Saturdays when soccer games are the only event at the park is required unless it's determined by staff that it's not viable to keep it open. The Concessionaire will operate on any other mutually agreed upon day in the event a regularly scheduled game is postponed until after these dates for any reason. Concessionaire will open for business at least 30 minutes prior to the scheduled starting time of the first game of the day/evening and close concession operation no earlier than 15 minutes following the end of the final game on that day/evening.
9. Tournaments: The concessionaire is expected to operate on all baseball/softball tournament dates. However, should a tournament host/group request to operate the concession stand during that tournament, the concessionaire has first right of refusal; the tournament host/group will only be given permission to rent and operate the concession stand if the concessionaire opts not to run the concession stand himself/herself.

10. Shall provide concession services in a manner that adequately serves the total abled/disabled public wishing to utilize the service. Discriminatory methods of operation will not be tolerated.

11. Will notify the Town if the need to cancel scheduled services at least fourteen (14) days prior to the service date(s). The Town may elect to refuse future contracts to the Concessionaire canceling service and has the right to obtain service from another vendor for that time period with no recourse from the concessionaire.

12. Shall conform to and abide by all park/usage policies, Town and County ordinances, all state and federal laws and regulations that are applicable to public park concession sales, and instructions from the Parks and Recreation Director.

13. Concession workers coming in contact with the public should be courteous, polite and helpful to the park and concession patrons; concession workers should not be minors unless directly supervised by an adult concession worker.

14. Agrees to honor any vendor contracts or concession-related obligations of the Town of Huntersville. Contract/Obligations in effect at this time are: Purchase all soda related products from designated Pepsi representative for the town.

15. Understands and agrees that the sale of alcohol and/or tobacco products is not allowed. The Concessionaire shall submit a list of all products for sale with prices to the Parks and Recreation Director with his/her proposals and for approval prior to usage. Any change in pricing proposed during the contract must be approved by the Director. The Town of Huntersville Parks and Recreation Department has the right of final approval of menu and pricing. The Town reserves the right to cancel the contract of any Concessionaire charging prices deemed unreasonable.

16. Agrees to pay the Town of Huntersville **22 %** of its gross receipts for sales made in the Town's parks and recreation facilities.

17. Shall submit a sales report and payment to the Town on a monthly basis. The sales report is due no later than the 15th day of the month following the report month, and must be accompanied by the appropriate payment.

18. Agrees to purchase and maintain at its own expense during the term of this contract the following insurance covering its operation, a copy of which is to be provided with the initial proposal to the Town:

1. General Liability – Bodily and property damage liability as shall protect the Concessionaire and any subcontractor performing work under this contract from claims of bodily injury and property damage which arise from the operations of this contract whether such operations are performed by Concessionaire, any subcontractor or any one directly or indirectly employed by either. The amounts of such insurance shall not be less than one million dollars (\$1,000,000.00) bodily injury each occurrence/aggregate, or one million dollars (\$1,000,000.00) property damages each occurrence/aggregate, or one million dollars (\$1,000,000.00) bodily injury and property damage combined single limits each occurrence/aggregate. This insurance shall include coverage for products/completed operations, personal injury liability and contractual liability.
2. Commercial concessionaires shall have Commercial General Liability with the same amounts and coverage listed in Item 1 (above).
3. Commercial concessionaires shall also have Workers Compensation insurance in the amount and form to meet all applicable requirements of the laws of the State of North Carolina.

The Town:

1. Will provide all available utilities including power, water and sewer at no charge to the Lessee for the duration of the agreement as set forth above.
2. Shall be responsible for maintenance of the structure, plumbing, exterior walls, roofs, exterior and interior doors, interior electrical and any other repairs.
3. Will provide concessionaire with schedules of all games and special events during the time of the contract. Notification of rescheduled games/events and tournaments will be given to the concessionaire as soon as dates are confirmed.
3. Reserves the right to conduct random, unscheduled inspections and/or to request a financial report of concession operations at any time deemed necessary.
4. The Town also reserves the right to order the removal of any item sold or kept for sale that is judged to be inappropriate by the Town.

OBLIGATION AND INDEMNITY

1. Neither party shall be held responsible to the other for losses resulting from fire, flood, ice snow, Act of God or any cause not within the control of the party whose performance is interfered with and which by the exercise of reasonable diligence the party is unable to prevent.
2. The Concessionaire agrees to indemnify and hold harmless the Town from any and all liability incurred, and will take up and defend any litigation arising from, any injury or damage to any person or firm resulting from any negligent or willful act or omission of the concessionaire, its agents or employee

By signing below, both parties indicate that they have read and agree to abide by the terms listed above to the best of their abilities. This agreement will become null and void with written consent by both parties.

E-VERIFY. CONTRACTOR shall comply with the requirements of Article 2 of Chapter 64 of the General Statutes of North Carolina. Further, if CONTRACTOR utilizes a subcontractor, CONTRACTOR shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the General Statutes of North Carolina.

TERMS OF THE CONTRACT: This contract begins on March 7, 2016 and ends on March 6, 2019.
The Town of Huntersville has the right to extend this contract for one additional year.

CANCELLATION OF CONTRACT

The Town reserves the right to terminate this contract immediately for any of the following reasons:

- inaccurate reporting and/or failure to report sales revenue and submit proper percentages or fees to the Town
- opening the concession stand for events later than specified in this contract or closing the concession stand earlier than stated in this contract.
- failure to properly serve a scheduled or assigned event previously agreed upon by concessionaire or opening too late and/or closing too early as determined by the Parks and Recreation Director.
- detrimental behavior of concessionaire employees or other factors that are deemed to negatively impact the safety and well-being of patrons, property or service of the Town.
- failure to comply with any aspect of this agreement
- concessionaire extends concession operation to any other park, facility or area managed by the Town of Huntersville other than the concession stand listed in the first paragraph of this agreement, without the express, written consent of the Town.

SIGNATURES:

Official Representative
Huntersville
& Recreation Department
(Town)

Date

Official Representative
(Concessionaire)

Date

Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Max Buchanan
Subject: Vanguard Parkway - Deed of Easement

With recent construction of wooden stairs serving as the primary entrance into the home at 10246 Vanguard Parkway partially encroaching into the street right of way, it is necessary to convey a permanent easement for the limited purposes set forth in the attached agreement and exhibit.

ACTION RECOMMENDED:

Review and Approval of the Deed of Easement at 10246 Vanguard Parkway

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

Description	Type
▣ Deed of Easement	Backup Material
▣ Deed of Easement Exhibit 1	Backup Material
▣ Deed of Easement Exhibit 2	Backup Material

STATE OF NORTH CAROLINA)
)
COUNTY OF MECKLENBURG)

1. The easement shall be perpetual, except as limited hereafter, and shall run with the lands as an appurtenance to the aforesaid Lot 60. The terms and obligations of this Agreement shall be binding upon and inure to the benefit of Grantee and his heirs, successors and assigns as owners of the aforesaid Lot 60. Should the Easement Area ever be abandoned and no longer used as the site of the encroaching wooden stairs or their replacements, then this Easement shall cease and revert to Grantor.
2. Grantee shall have the free and unfettered right of ingress and egress across said easement for the construction, support, maintenance, preservation of said wooden stairs and any replacement thereof.
3. Grantee agrees to keep the wooden stairs that lie within the easement area in good repair and agrees to be solely responsible for all maintenance of such.
4. Grantee, for himself and his heirs, successors and assigns, agrees to indemnify and hold harmless the Grantor from and against any and all liabilities, claims, suits, actions, losses, damages, penalties, costs and expenses, including reasonable attorney's fees, arising out of or as a result of the granting, existence and use of this Easement and

Easement Area.

5. Grantee agrees that the Grantor shall have access as needed over the granted Easement Area for maintenance and repair of the Vanguard Parkway right of way.

IN TESTIMONY WHEREOF, the Parties have hereunto set their hand and seal, the day and year first above written.

GRANTORS:

TOWN OF HUNTERSVILLE

_____(SEAL)

ATTEST:

Town Clerk

GRANTEE:

_____(SEAL)

CERTIFICATE

STATE OF _____

COUNTY OF _____

I, a Notary Public of the state and county shown above certify that
_____ personally appeared before me this day and acknowledged that
s/he is the _____ of the TOWN OF HUNTERSVILLE
and further acknowledged the due execution of the foregoing instrument. Witness my hand and
official stamp or seal, this ____ day of _____.

_____(seal)
Notary Public

My Commission Expires: _____

STATE OF _____

COUNTY OF _____

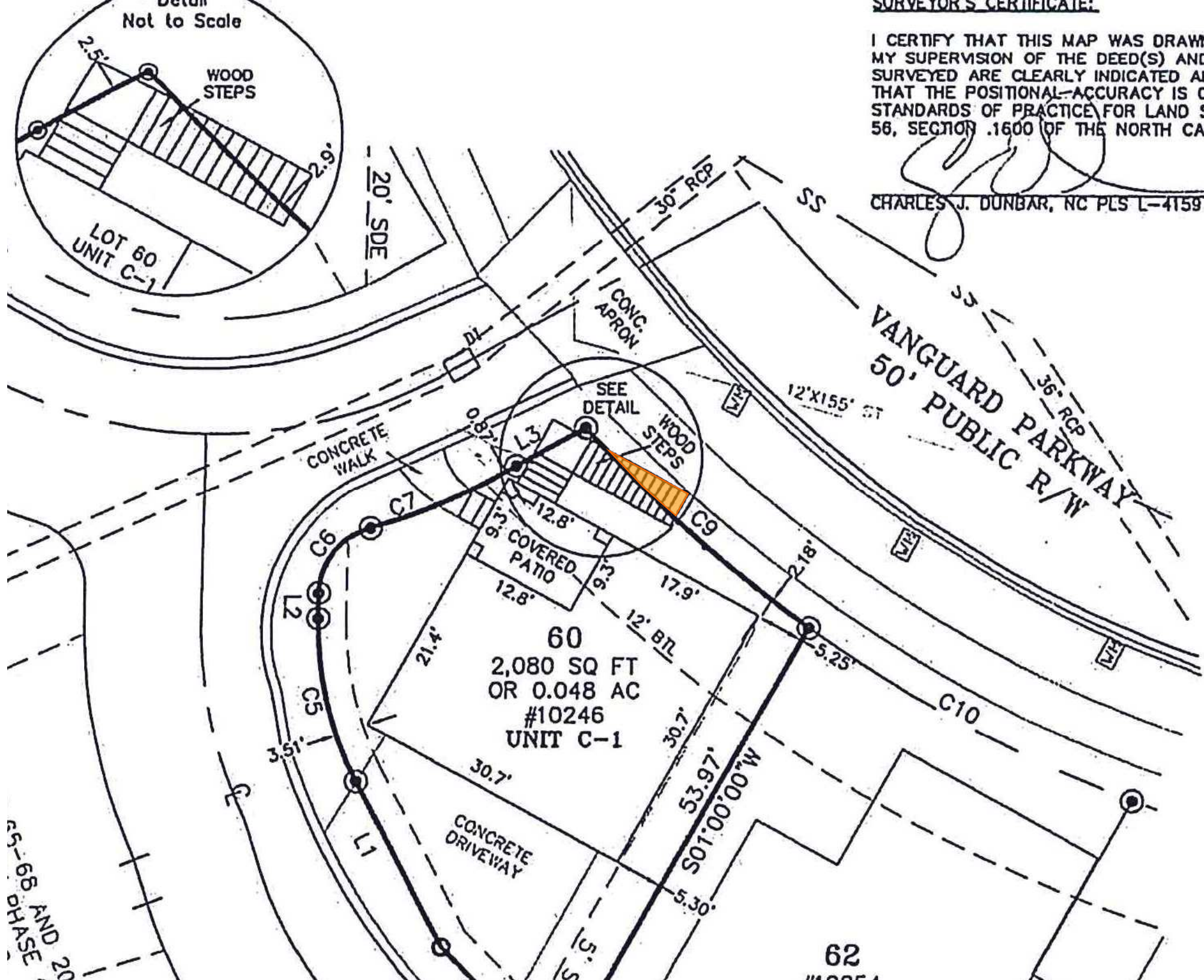
I, a Notary Public of the state and county shown above certify that Ricardo DeSoto personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official stamp or seal, this ____ day of _____,2016.

_____(seal)
Notary Public

My Commission Expires: _____

I CERTIFY THAT THIS MAP WAS DRAWN
MY SUPERVISION OF THE DEED(S) AND/
SURVEYED ARE CLEARLY INDICATED AND
THAT THE POSITIONAL ACCURACY IS 0.1
STANDARDS OF PRACTICE FOR LAND SURVEYING
56, SECTION 1600 OF THE NORTH CAROLINA

CHARLES J. DUNBAR, NC PLS L-4159



Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Janet Stoner/Dee Jetton
Subject: Budget Amendment

Recognize insurance revenue (753812.9999) in the amount of \$9,513.28 and appropriate to the HFFA maintenance/building account (756400.0351).

ACTION RECOMMENDED:

Approve Budget Amendment.

FINANCIAL IMPLICATIONS:

Additional revenue in the amount of \$9,513.28.

Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Janet Stoner/Chief Spruill
Subject: Budget Amendment

Recognize insurance revenue (103820.9999) in the amount of \$1,026.50 and appropriate to the Police Department's insurance account (105100.0452).

ACTION RECOMMENDED:

Approve Budget Amendment.

FINANCIAL IMPLICATIONS:

Additional revenue in the amount of \$1,026.50.

Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Janet Stoner/Chief Spruill
Subject: Budget Amendment

Recognize insurance revenue (103820.9999) in the amount of \$500.00 and appropriate to the Police Department's insurance account (105100.0452).

ACTION RECOMMENDED:

Approve Budget Amendment.

FINANCIAL IMPLICATIONS:

Additional revenue in the amount of \$500.00.

Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Janet Stoner/Chief Spruill
Subject: Budget Amendment

Recognize insurance revenue (103820.9999) in the amount of \$500.00 and appropriate to the Police Department's insurance account (105100.0452).

ACTION RECOMMENDED:

Approve Budget Amendment.

FINANCIAL IMPLICATIONS:

Additional revenue in the amount of \$500.00.

Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Brad Priest, Senior Planner
Subject: R16-01 Lake Norman Charter Elementary School

Call a public hearing for Monday April 4, 2016. R16-01 is a request by Lake Norman Charter School on behalf of the property owners, to conditionally rezone 34.9 acres (parcels 01723306 and 01723302) from Corporate Business (CB) to Neighborhood Residential Conditional District (NR-CD). The purpose of the rezoning is to build a new elementary school. The properties are located near the corner of Hambright Road and Patterson Road.

ACTION RECOMMENDED:

Recommend calling a public hearing for April 4, 2016.

FINANCIAL IMPLICATIONS:

N/A

Town of Huntersville
REQUEST FOR BOARD ACTION
3/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: David Peete, AICP
Subject: R 16-02 Cato Property

Request by Calatlantic Homes to rezone 73.274-acres located along Huntersville-Concord Road (west of Mirabella Subdivision) from Transitional Residential (TR) to Neighborhood Residential - Conditional District (NR-CD) to create a 108 lot single-family home subdivision. Parcel ID #s 01922108, 01939101 & 01939194.

ACTION RECOMMENDED:

Call Public Hearing for Monday, April 4.

FINANCIAL IMPLICATIONS:

n/a