

**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  
Jackie Huffman, Finance  
Michael Jaycocks, Parks&Rec  
Jack Simoneau, Planning  
Cleveland Spruill, Police Chief

**Assistant Town Manager**  
Gerry Vincent

**Town Clerk**  
Janet Pierson

**Town Attorney**  
Bob Blythe

**AGENDA**  
**Regular Town Board Meeting**  
**August 1, 2016 - 6:30 PM**  
**TOWN HALL (101 Huntersville-Concord Road)**

**I. Pre-meeting**

- A. Presentation and discussion of a proposed animal tethering ordinance. (5:30 p.m.)
- B. Comprehensive Transportation Plan Update. (6:00 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 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**

**VII. Agenda Changes**

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

**VIII. Public Hearings**

- A. Conduct public hearing on Petition #R16-06, a request by Greenway Waste Solutions, LLC and William Hammill to conditionally rezone 135 acres (parcels 01910102,

01910109, and portions of 01918135, 01918162, and 01934118) from Transitional Residential and Neighborhood Residential to Special Purpose Conditional District. (*Brad Priest*)

**IX. Other Business**

- A. Conduct evidentiary hearing and consider decision on Asbury Chapel NVR Subdivision Sketch Plan. (*Jack Simoneau*)
- B. Consider appointment to the Board of Adjustment. (*Jack Simoneau*)
- C. Consider adopting an ordinance to modify regulations to Title IX, General Regulations Chapter 93: Littering. (*Bob Blythe*)
- D. Consider adopting an ordinance to add regulations to Title IX, General Regulations Chapter 95: Solicitation, Panhandling and Begging. (*Bob Blythe*)
- E. Consider adopting an ordinance to add regulations to Title IX, General Regulations Chapter 95: Solicitation, Pedestrian Solicitation upon Highways or Streets. (*Bob Blythe*)
- F. Discussion on the caboose at Main and Maxwell. (*Greg Ferguson/Mayor Aneralla*)

**X. Consent Agenda**

- A. Receive Tax Collector's Settlement for Fiscal Year 2016. (*Jackie Huffman/Greg Ferguson*)
- B. Adopt ordinance to temporarily close certain state-maintained roads for the Huntersville Veterans Day Parade and Event. (*Michael Jaycocks*)
- C. Adopt ordinance to temporarily close certain state-maintained roads for the Huntersville Christmas event. (*Michael Jaycocks*)
- D. Approve Resolution Authorizing the Issuance of \$865,000 General Obligation Bonds, Series 2016A; Not to Exceed \$3,750,000 General Obligation Refunding Bonds, Series 2016B and \$7,810,000 General Obligation Bonds, Series 2016C. (*Jackie Huffman/Greg Ferguson*)
- E. Reschedule the Monday, September 5, 2016 Regular Town Board Meeting to Tuesday, September 6, 2016 at 6:30 p.m. due to the Labor Day holiday. (*Janet Pierson*)
- F. Call a public hearing for Tuesday, September 6, 2016 at 6:30 p.m. at Huntersville Town Hall on Petition # R16-05, a request by Crescent Communities to rezone approximately 224-acres located northeast of Ervin Cook Road and Gilead Road from Transitional Residential to Neighborhood Residential-Conditional District. (*David Peete*)
- G. Call a public hearing for Tuesday, September 6, 2016 at 6:30 p.m. at Huntersville Town Hall on Petition #TA 16-04, a request by Godley Group of Charlotte LLC (Frankie's Fun Park - Bryton) to amend Article 8.26 SITE LIGHTING as it relates to "outdoor amusement facilities" in the Special Purpose Zoning District. (*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**  
**8/1/2016**

**REVIEWED:**

**To:** The Honorable Mayor and Board of Commissioners  
**From:** Brad Priest, Senior Planner  
**Subject:** R16-06: Greenway Waste Landfill

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R16-06 is a request by Greenway Waste Solutions, LLC and William Hammill to conditionally rezone 135 acres (parcels 01910102, 01910109, and portions of 01918135, 01918162, and 01934118) from Transitional Residential (TR) and Neighborhood Residential (NR) to Special Purpose Conditional District (SP-CD). The purpose of the rezoning is to allow the applicant to apply for a Special Use Permit for the expansion of an existing Construction and Demolition landfill on Holbrooks Road

**ACTION RECOMMENDED:**

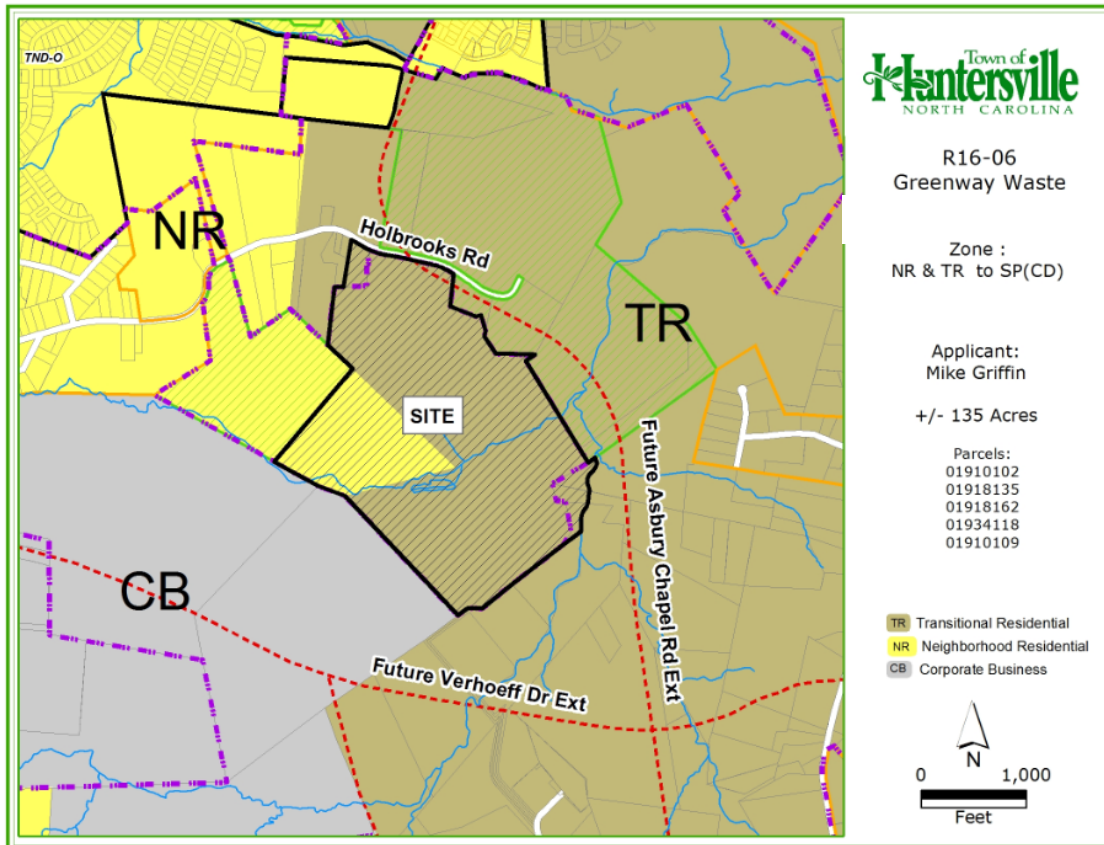
**FINANCIAL IMPLICATIONS:**

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Staff Report	Staff Report
<input type="checkbox"/> Rezoning Plan	Exhibit
<input type="checkbox"/> Recycling Building Elevations	Exhibit
<input type="checkbox"/> 2005 Special Use Permit	Backup Material
<input type="checkbox"/> 2009 Special Use Permit	Backup Material
<input type="checkbox"/> NCDOT Comments - 2009	Backup Material
<input type="checkbox"/> NCDOT Comments 2016	Backup Material
<input type="checkbox"/> TIA Determination - No Need	Backup Material
<input type="checkbox"/> APFO - Determination of Capacity Letter	Backup Material
<input type="checkbox"/> Neighborhood Meeting Information	Backup Material
<input type="checkbox"/> Application - Greenway Waste	Backup Material
<input type="checkbox"/> Application - Hammill	Backup Material
<input type="checkbox"/> BJ Caldwell Letter	Backup Material

## Petition R16-06 Greenway Waste Solutions Landfill

### PART 1: PROJECT SUMMARY



**Applicant:** Mike Griffin

**Property Owner:**  
Greenway Waste  
Solutions, LLC and  
Mike Hammill

**Property Address:**  
15300 Holbrooks  
Road, 15120  
Holbrooks Road, and  
others.

**Project Size:** 135  
acres

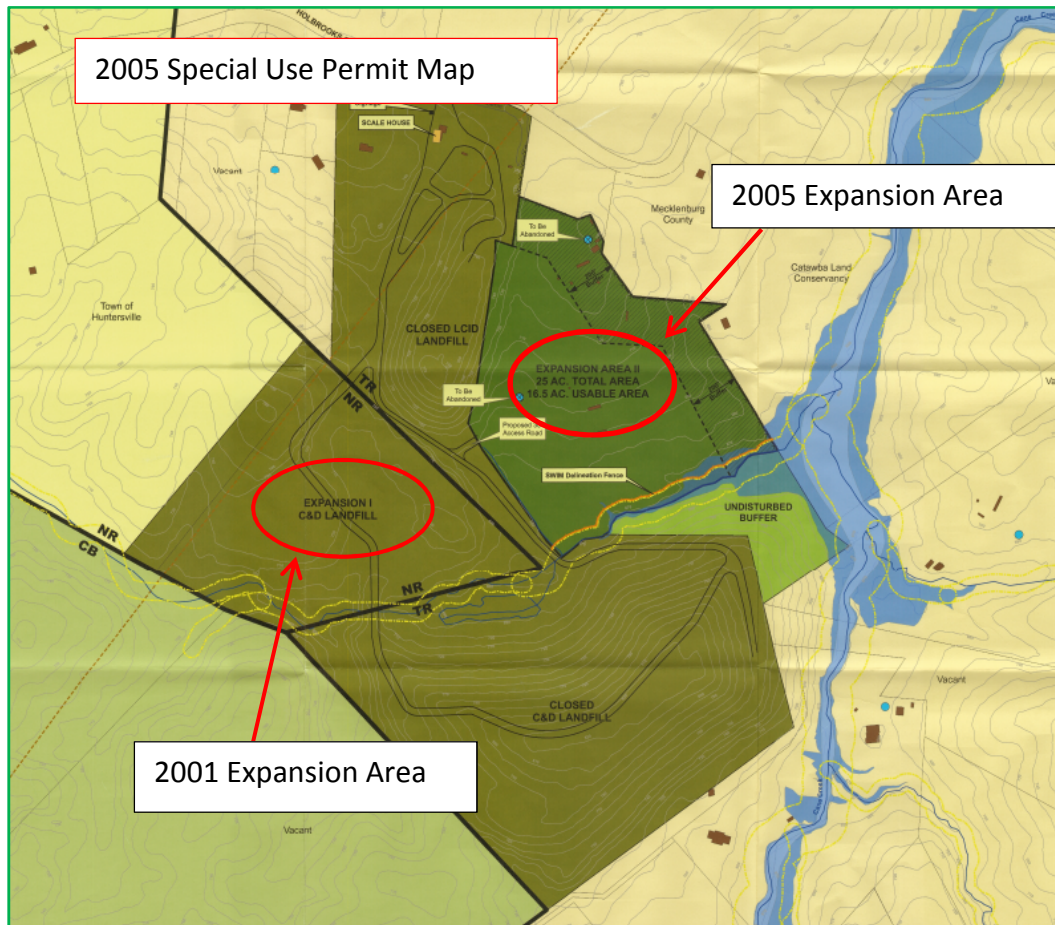
**Parcel Numbers:**  
01910102, 01910109,  
and portions of  
01918135, 01918162,  
01934118

#### Application Summary:

- Greenway Waste Solutions, LLC has submitted a conditional rezoning application to rezone their property from Neighborhood Residential (NR) and Transitional Residential (TR) to Special Purpose Conditional District (SP-CD). The purpose of the rezoning is to allow the applicant to seek a Special Use Permit (SUP) for an expansion of their landfill operation and accommodate the construction of a recycling facility on the site.
- Adjoining Zoning and Land Uses  
North: Transitional Residential (TR), Park Land: David Waymer Regional Flying Park, Vacant Land  
South: Corporate Business (CB), Commerce Station Business Park, Vacant Land  
East: Transitional Residential (TR), Large Lot Single Family Residential, Vacant Land  
West: Neighborhood Residential (NR), Vacant Town Land, Single Family Residential
- The Greenway Waste Solutions Landfill is considered a Construction and Demolition (C and D) landfill in the Huntersville Zoning Ordinance and is regulated by Article 9.23 of the ordinance. It is also regulated by the State of North Carolina Department of Environment and Natural Resources Division of Waste management (NCDENR)
- The landfill has been in operation on Holbrook Road since June 24, 1993. After the adoption of the Huntersville Zoning Ordinance in 1996, the landfill became and operated as a legal nonconforming use due to being located in a residential zoning district. As a legal nonconforming use, the landfill could continue its operation but could not expand unless that expansion was in complete conformance with the zoning ordinance.
- On December 18, 2000 per the landfill's request, a text amendment to the zoning ordinance was approved by the Huntersville Town Board allowing one expansion of the facility not to last more than 5 years from the

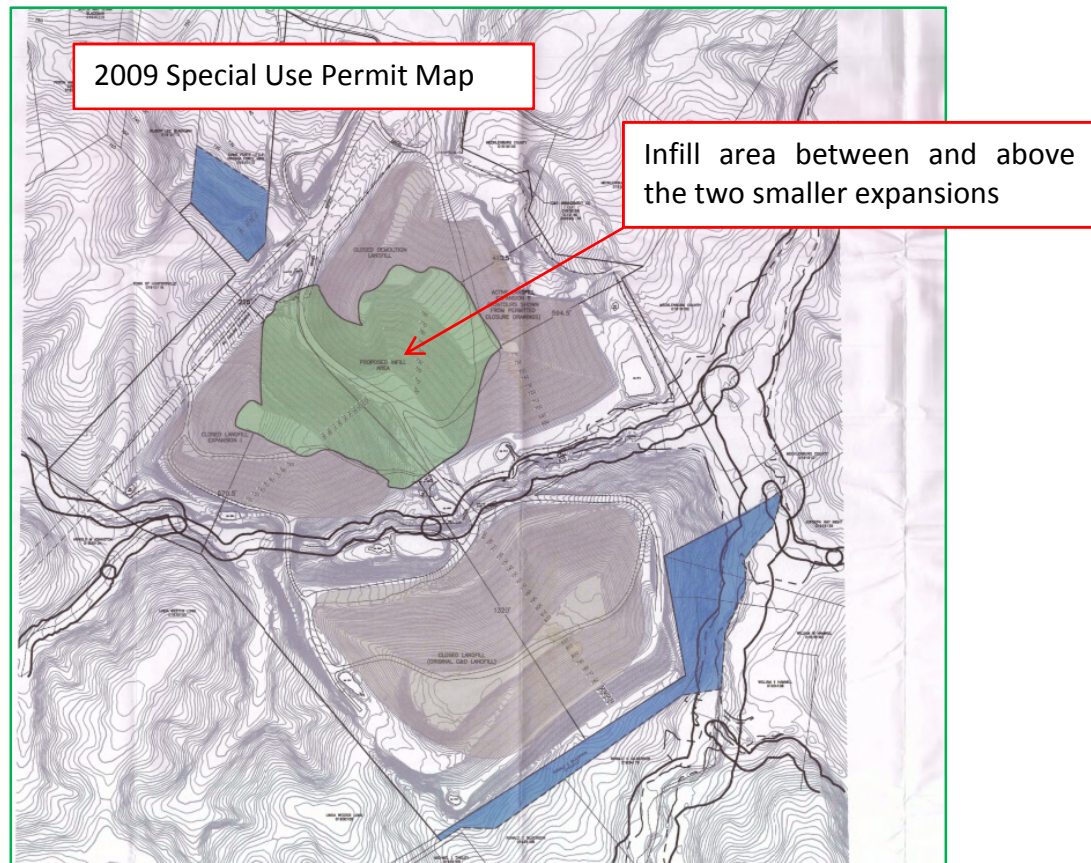
approval of the NCDENR permit. In 2001 the landfill was permitted its first expansion per the new ordinance. See 2005 Special Use Permit Map below.

6. On September 19, 2005 per the landfill's request, a text amendment was approved by the Town Board modifying the number of expansions allowed for landfills from one to two, with the issuance of Special Use Permit (SUP). The time limit remained at 5 years for each expansion to operate.
7. On November 21, 2005 a Special Use Permit was approved allowing the landfill to have its second expansion for no more than 5 years. Please see the 2005 SUP map below showing the locations of the two expansions.



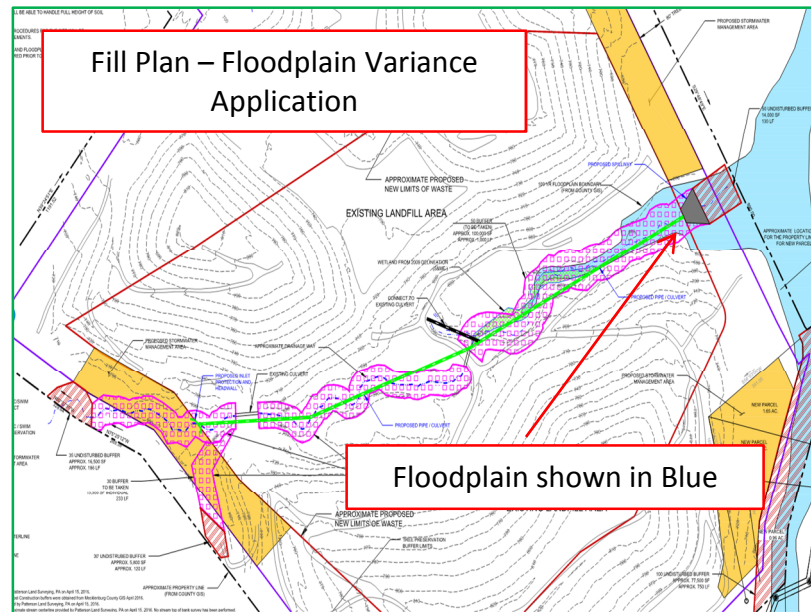
8. On December 7, 2009 per the applicant's request, a text amendment was approved by the Huntersville Town Board which significantly modified the requirements of Article 9.23. Noteworthy changes included:
  - Added flexibility to allow landfills to not have immediate access on a thoroughfare provided the Town Board finds that the access "would not likely cause any injurious effect on the property adjacent to the access".
  - Allowed existing landfills to continue their operation indefinitely as long as the landfill had an unexpired Special Use Permit and did not expand its exterior boundaries.
  - Deleted the landfill expansion section so that any expansion of a facility would need to fully conform to current ordinance standards.
9. On December 7, 2009 the Town Board approved the landfill's Special Use Permit (SUP) amendment application allowing them to fill in between the previous two expansions and removing its 5 year expiration date. This allowed the landfill to continue its operation as exists indefinitely as long as there was no expansion to its boundaries. The submitted lifespan of the landfill at that time was 25 years. Please see the 2009 SUP map below. The approved SUP itself is included in your agenda package for reference.





10. Greenway Waste’s current proposal is to pipe the stream running through the center of the landfill and to add an “expansion area” on top of it. This fill area would then connect the fill areas to the north and south of the creek (please see the Rezoning/SUP plan proposed below on page 7). They also propose to add a recycling facility to the site near Holbrook Road which will allow them to more efficiently recycle waste and encumber the new fill area on site more slowly, thus increasing the life expectancy of the landfill. In order to accomplish this however, the following Huntersville approvals would be required as proposed:

- A variance from the Zoning Board of Adjustment to Article 8.25.5 of the Huntersville Zoning Ordinance in regard to S.W.I.M buffers. Rather than allowing for the required 35-50 foot water quality buffer on the property, the landfill proposes to pipe the stream and fill on top of it thus removing any buffer.
- A variance from the Zoning Board of Adjustment to Section 151.60 (A)(10) of the Floodplain Ordinance, which states that no landfill may fill in a regulated floodplain except by variance. Please see the proposed fill plan below. The area in the blue to the east of the site is shown as floodplain.
- A variance from the Zoning Board of Adjustment to Article 9.23 of the Zoning Ordinance in regard to buffers for Construction and Demolition Landfills. Article 9.23 prohibits fill area in designated wetlands, FEMA community flood areas, and requires a 50 foot buffer from delineated streams.
- A conditional rezoning to Special Purpose Conditional District (SP-CD). There is no expansion language in the ordinance for landfills since the December 2009 text amendment. When a landfill now expands its boundaries it must do so per the requirements of Article 9.23. There it requires that landfills be located in the Special Purpose (SP) zoning district with the issuance of a special use permit. The landfill is looking to add properties to the landfill operation and thus is seeking a rezoning to SP.
- An updated Special Use Permit that includes the new fill area and added properties to the landfill.

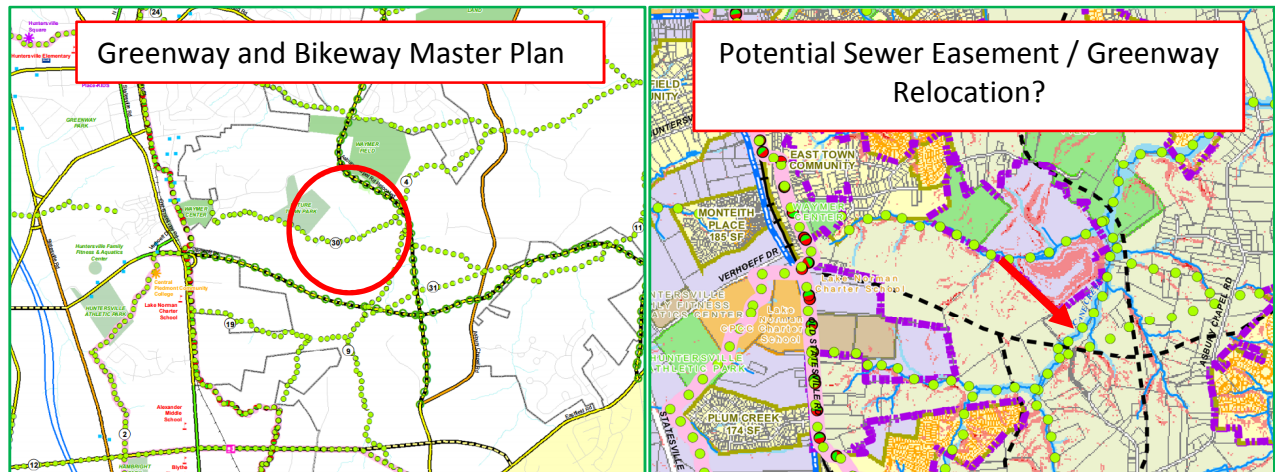


11. The variance applications are currently being heard by the Board of Adjustment. The Board held a hearing on July 12, 2016 and continued the hearing until August 9, 2016. This proposed rezoning application therefore cannot be approved if the variance applications are not also approved in conformance to ordinance standards.
12. The rezoning plan/Special Use Permit plan also includes a 30,000 sqft recycling building located toward Holbrooks Road. The purpose of this metal building is to make the recycling and separation of the construction debris more efficient. This facility would reduce the amount of waste added to the landfill and thus increase the lifespan of the use.
13. It is estimated that with the combination of adding another fill area over the creek and the addition of the recycling facility on site, the lifespan of the landfill will be extended another 40-50 years.
14. Article 9.23 of the Huntersville Zoning Ordinance requires that landfills in the SP district be issued a Special Use Permit by the Town Board. The Special Use Permit (SUP) is being processed concurrently with the rezoning application. Therefore the SUP is tentatively scheduled to go before the Planning Board on August 23 for recommendation to the Town Board at their September 6 meeting.
15. A neighborhood meeting was held on Monday June 27, 2016. The invitation list, attendance list and summary of the meeting are included in your agenda packet.

## PART 2: REZONING/SITE PLAN ISSUES

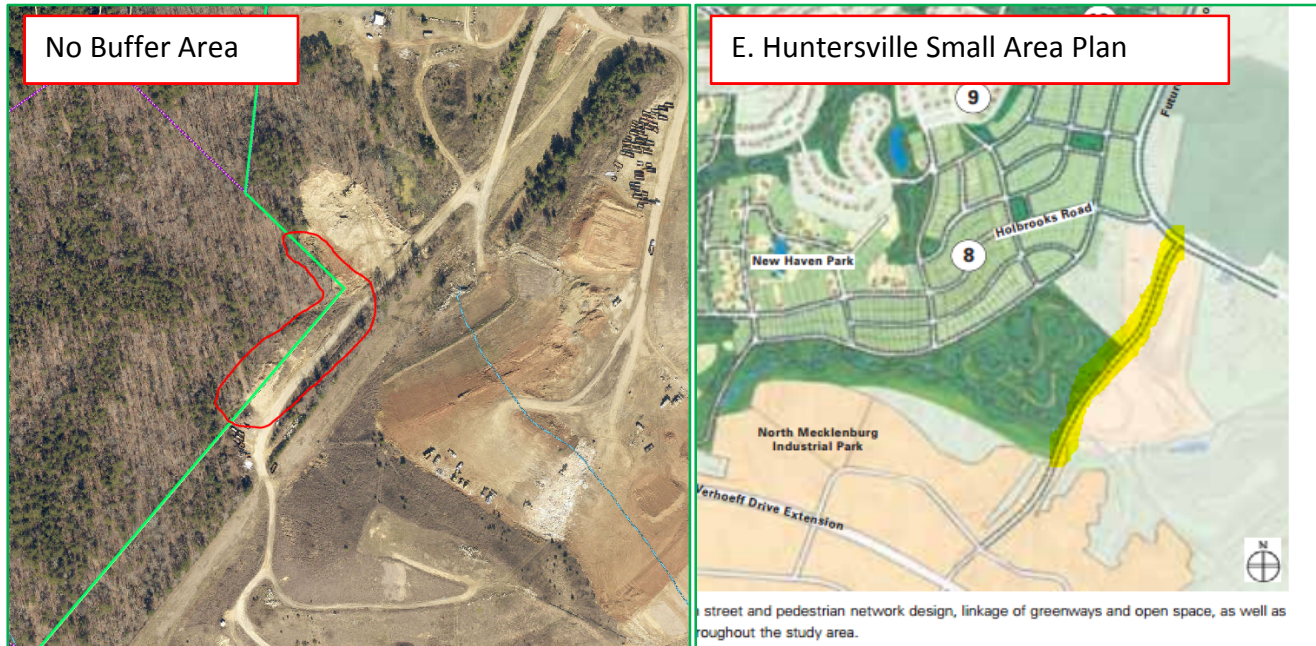
- Article 9.23.3 requires that landfills “not conflict with the objectives of the most detailed plan adopted for the area”. A greenway is planned along the stream that is proposed to be piped and covered in the application (see the Greenway and Bikeway Master Plan map below). It is common to locate greenways and other recreational areas in landfills after the site has been filled and closed. Piping and filling the creek however would eliminate the feasibility of a greenway path as shown on the approved greenway plan. In addition, if the rezoning and SUP are approved and the lifespan of the landfill is extended indefinitely, having an open greenway through an active landfill would create safety and security concerns for the landfill. Therefore the current application conflicts with the approved Greenway and Bikeway Master Plan.

However, Charlotte Water is currently in discussions to establish a sewer line and related easement in the vicinity of the applicant's southern property line. The sewer line would extend east and connect to Cane Creek, ultimately where the proposed greenway would also connect (please see the map below). It may be possible to relocate the greenway along the new sewer easement to the south and connect with the Cane Creek greenway at a further south location. The Greenway, Bikeway, and Trail Committee is meeting on Tuesday, July 26 to discuss this potential relocation. If this area is deemed as an appropriate realignment, the applicants have stated that they would accommodate the sewer and greenway easement on their property down to Cane Creek. However if the alignment is changed, a note and/or graphic representation of the relocated greenway should be shown on the applicants rezoning plan.



- Article 7.5 of the Huntersville Zoning Ordinance requires that developments in the Special Purpose (SP) zoning district provide an 80 foot buffer adjacent to their property lines (if not adjacent to other CB, SP, or CI zoned property). To conform to this section of the ordinance, wherever existing vegetation does not exist within the 80 foot buffer area, an opaque planted buffer would need to be installed. The applicants are seeking modification of the buffer requirements through the conditional rezoning process, per Article 11.4.7 K. The rezoning plan shows the areas where modification is proposed in a hatched green shading. (See rezoning plan below on page 7)
  - Article 2.3 of the Huntersville Zoning Ordinance states that when projects are redeveloped, they need to come up to current zoning code "to the extent practicable". Considering this is an existing landfill endeavoring to redevelop to current zoning standards, staff is generally supportive of the modification except for the one area shown below. From aerial photography, not including areas proposed to be planted per the ordinance, there seems to be about 20-50 feet of existing vegetation around the entire perimeter of the site except for the area shown below. In this area the grading and clearing have encroached up to the property line. Therefore staff recommends this area be landscaped per ordinance requirements to establish an opaque buffer.
- The subject property is not located within the boundaries of any of the Small Area Plans adopted by the Town of Huntersville. However, the East Huntersville plan does mention and recommend a connector road in between the proposed Verhoeff Drive extension to the south and the future Asbury Chapel extension to the north. The north/south connector road could traverse the subject property. Staff recommends that the applicants reserve right of way, or commit to accommodate a street connection through their property. In the 2009 SUP, the applicants reserved the right of way in the area of the gas pipeline and buffer at the southwest edge of the property through their main entrance. Something similar could be done for this application as well. Please see a portion of the E. Huntersville Small Area Plan below.



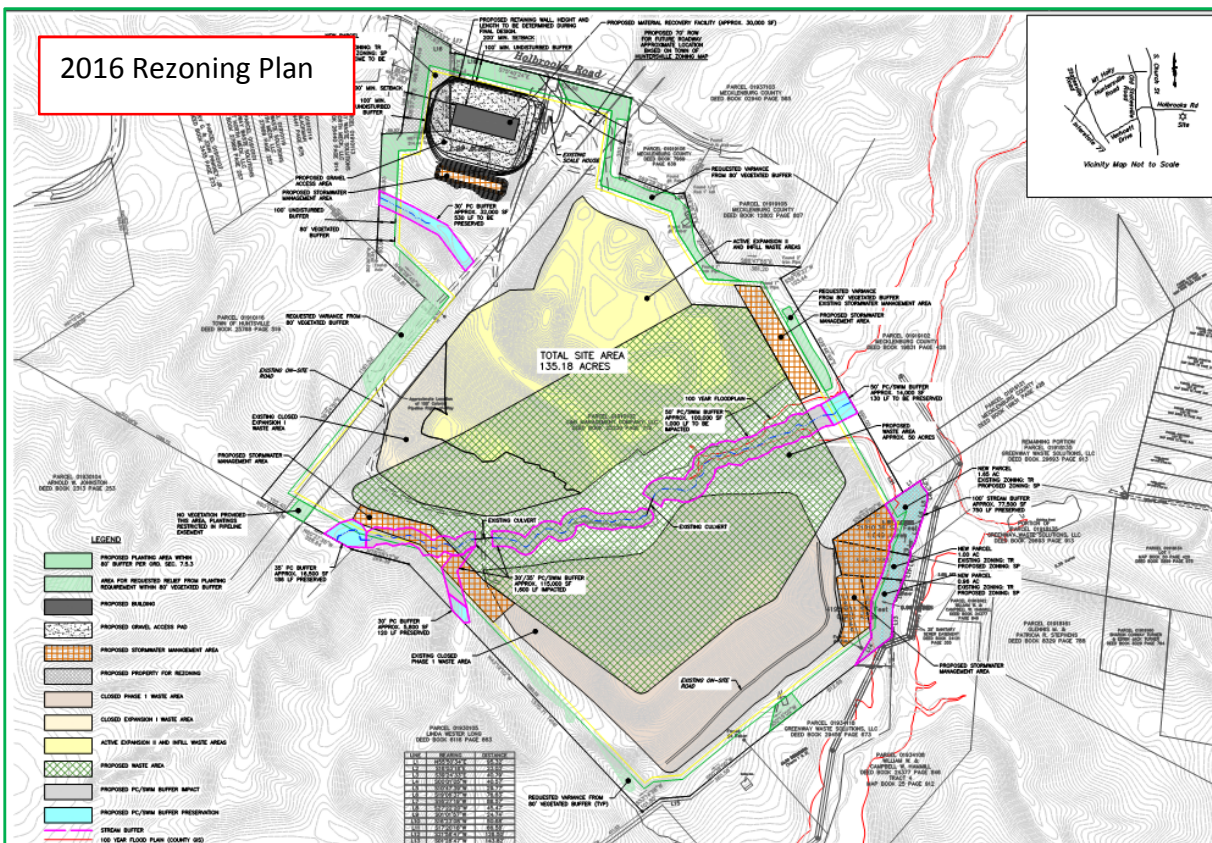


- Article 9.23.4 A of the Huntersville Zoning Ordinance requires that landfills over 10 acres be accessed from a major or minor thoroughfare or from a street built to commercial street standards that connects directly to a major or minor thoroughfare". The existing landfill does not have access to a thoroughfare or a street that is built to commercial street standards. Access is from Holbrooks Road, which is a secondary residential street. The ordinance states that the Town Board may issue a SUP for a landfill that does not front on a thoroughfare or commercial street if it finds that it "would not likely cause any injurious effect on the property adjacent to the access".

When the last Special Use Permit application was submitted in 2009, the NCDOT district engineer commented in an email to the applicant that Holbrooks Road "does not possess the pavement structure to accommodate the truck traffic it has experienced and will be subject to with the continued use your company is planning". Please see the email attached in your agenda packet. The SUP was eventually approved with an added stipulation that the condition of Holbrooks road be reviewed in 5 years. Another condition was that the applicant contribute \$25,000 in the next 10 years toward the maintenance of Holbrook Road. In December of 2014 public works and engineering staff inspected Holbrook Road and found that it was in good condition as NCDOT had just finished repaving the street in 2013 (added 4 inches of asphalt). As of this date, the applicant has not forwarded the \$25,000 to NCDOT for the street maintenance. In regard to this application, NCDOT has similar concerns. Please find correspondence from the District Engineer attached in your agenda packet. The approved 2009 Special Use Permit is also included in your agenda packet for reference.

- Article 7.4 of the Huntersville Ordinance requires that development in the SP district save a minimum of 30% of the specimen trees located on the site. A tree survey of the existing trees needs to be submitted to determine what specimen trees are located on the site and how many are required to be saved.
- Article 6 of the Ordinance requires .25 spaces of parking per 1000 sqft of warehouse/manufacturing building. With the newly added building, a new formal parking area of 8 parking spaces along with landscaping is required. No formal parking area is currently located at the site.
- Article 9.23.4 D states that driveways from the landfill need to be paved a distance of 100 feet back from the public street. The main entrance drive is paved with asphalt in conformance; however the exit drive is paved only about 20 feet back.

- Article 9.23.4 E states that “a non-climbable fence, at least 6’ high, shall be installed around the landfill and all of its operation as a safety device”. The rezoning plan does not indicate the site is secured with the required security fencing.
- Article 9.23.6 requires that the hours of operation for landfills be limited to 7 am to 6 pm. The rezoning plan should be amended to add a conditional note with the required hours of operation.
- On July 21, 2016 an updated rezoning plan was submitted to staff for review. However since there was not enough time to do the review prior to the Town Board agenda deadline, any changes will be highlighted at the Public Hearing.



### PART 3: TRANSPORTATION ISSUES

- Based on the proposed addition to the existing land use, a TIA due to the expansion was not required.
- Asbury Chapel Road adopted alignment not reserved. The adopted thoroughfare alignment, as adopted on 11/15/2006, encroaches more into the northeast corner of the property than the applicant has proposed. This proposed modification not only impacts property that the applicant owns, it impacts adjacent property owners. To modify an adopted thoroughfare alignment outside of one's property, a public involvement process and subsequent adoption of the modified alignment is required by the Charlotte Regional Transportation Planning Organization (CRTPO). To date, the applicant has not started this process.
- Connection to a thoroughfare or industrial street that connects to a thoroughfare. This development's only proposed connection to a thoroughfare is through its existing driveway to future Asbury Chapel Road. This development does not provide for or make a commitment to provide for a connection to a potential



industrial street to the south through the Commerce Station Industrial Park should that road be built sooner.

#### PART 4: REZONING CRITERIA

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

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

- **Policy CD-2: Focus higher intensity development generally within 2 miles of the I-77 and NC 115 corridor.** The landfill is just inside the two mile radius of the I-77 and NC 115 Corridor.
- **Policy ED-12: Business Retention and Expansion.** The landfill expansion would prevent the premature closing of this local business in the Huntersville area, and continue to serve the Town and surrounding region in Construction and Demolition waste needs for years in the future.

STAFF COMMENT – Staff finds the proposed use not consistent with the following policies of the 2030 Huntersville Community Plan:

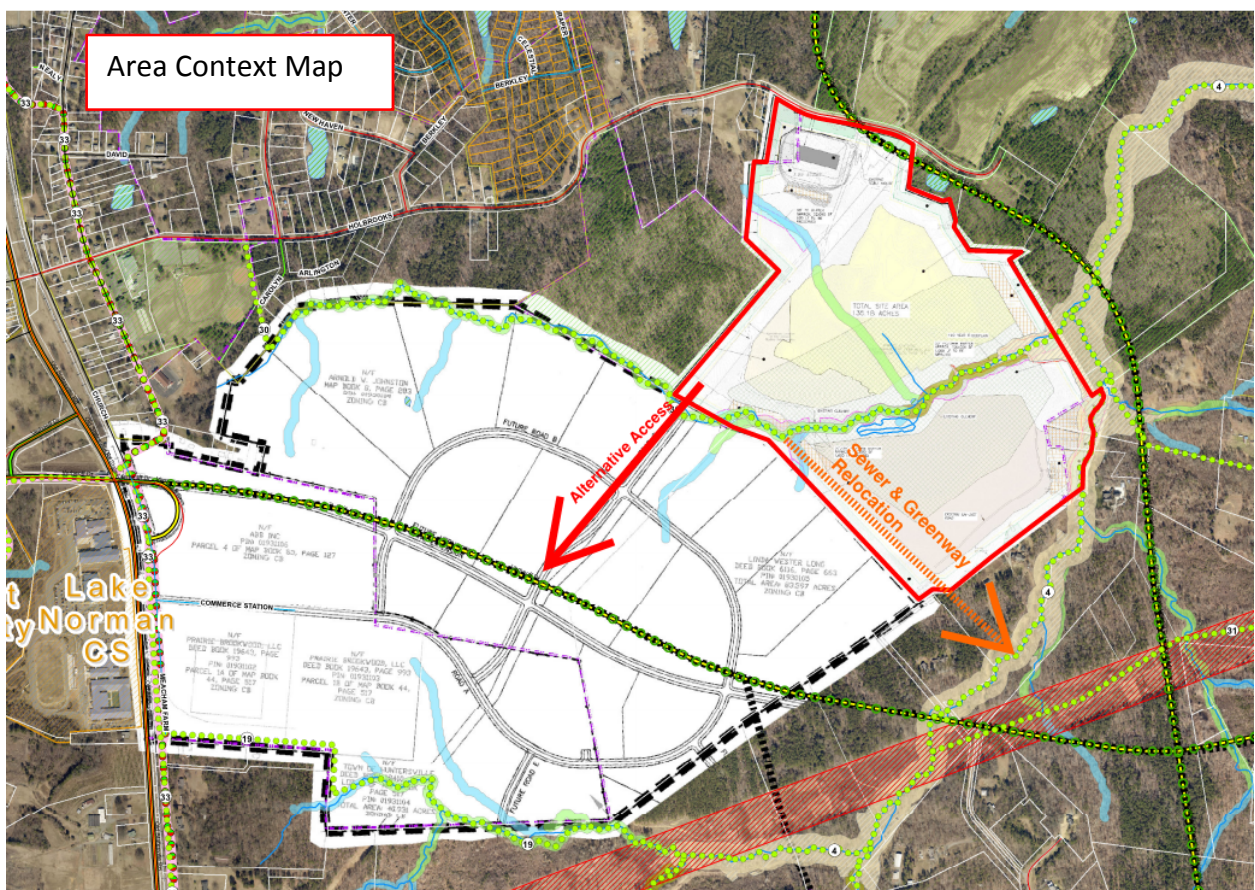
- **Policy E-1: Preservation and Environment.** The stream, vegetated buffer, and future greenway that are running through the landfill are proposed to be piped and covered with additional landfill area. Although the buffer is proposed to be mitigated for water quality purposes through the variance process and the greenway plan could potentially be amended, those needed modifications have not yet been approved.
- **Policy E-2: Location of New Development.** This policy encourages new development to avoid areas of significant environmental, scenic, or cultural resources. The application proposes new landfill area to be located in a protected stream and a future greenway.
- **Policy T-6: Pedestrian Connections.** This policy supports the installation of sidewalks, bikeways, and greenway trails connecting various uses. The application does not accommodate the greenway planned through the property as shown on the Huntersville Greenway and Bikeway Master Plan. However if the greenway plan is ultimately amended to modify the alignment, the plan would no longer be in conflict with this policy.
- **Policy CD-5: Infrastructure:** This policy supports the continued requirement that adequate public infrastructure such as roads either exist or will be made available to support new development. The adequacy of Holbrook Road to accommodate the landfill’s truck traffic has been a question for many years. Back in 2009, NCDOT stated that the pavement structure for Holbrooks Road was not designed to handle the landfill’s truck traffic and requested that the landfill participate in the maintenance of the road. With no definite timetable on obtaining frontage on a thoroughfare or commercial road, the rezoning and SUP extending the life of the landfill indefinitely, and the recycling facility adding more trucks onto Holbrooks Road, NCDOT has similar concerns in regard to this current application. The latest email from the District Engineer Wendy Taylor requesting core samples of the road is included in your agenda packet.

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

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

**STAFF COMMENT:**

The proposed Special Purpose (SP) zoning would be located immediately adjacent to the Commerce Station Business Park (zoned CB) to the south, and would be compatible with the future uses of that park (office, industrial, warehousing, etc). The majority of areas along Holbrook Road to the north and west of the landfill however are either park land or single family residential uses. Unfortunately, there is no current access to the south through the business park, only through Holbrooks Road and the residential neighborhoods. Thus, the continuing commercial traffic and access is not compatible with the residential development to the west of the landfill. It is recommended that the applicant work diligently with the Town and County to extend Verhoeff extension and connect to it as soon as feasibly possible. This would open up the business park for further economic development and relieve the Holbrook Road neighborhood of the commercial traffic created by the landfill. Please see the future, alternative access shown below on the area context map.



It is not recommended that the application be approved with the right to use Holbrooks Road as an access indefinitely. Each of the landfill permits/text amendments approved by the Town through the years has gradually and continually increased its lifespan with no requirement for alternate access. In 2009 their Special Use Permit application was approved by the Town Board with no expiration date, but with an estimated lifespan of 25 years for the facility. That approval thus allowed continued Holbrook Road access through the year 2034. Staff recommends that the lifespan of the facility not be extended past that date without alternate access being achieved on a thoroughfare.

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:**

- Engineering and Public Works has determined that based on the expansion proposed, the new amount of traffic that will be generated will not meet the threshold that would require the submission of Traffic Impact Analysis (TIA). Please find the TIA determination from engineering in your agenda packet.
- Planning staff issued a Determination of Adequacy (DOA) for fire vehicles and station space, police vehicles and station space, and parks and recreation gyms and parks on April 11, 2016. The determination of adequacy letter is attached in your agenda packet for reference.
- As mentioned previously, NCDOT has concerns that Holbrooks Road does not have the pavement structure to accommodate continued and indefinite heavy truck traffic. Please find the emails from NCDOT attached in your agenda package.

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

**STAFF COMMENT:**

Through the variance review, the applicants are applying to mitigate the disturbance of the water quality S.W.I.M. buffer per Article 8.25.11. Since the stream is being piped and encased in concrete, staff is not aware of any adverse effect to the stream.

**PART 5: PUBLIC HEARING**

The Public Hearing is scheduled August 1, 2016.

**PART 6: STAFF RECOMMENDATION**

Staff does not recommend approval or denial of the application at this time based on the following:

1. The rezoning plan issues outstanding in Part 2 above.
2. The outstanding transportation issues in Part 3 above.
3. The variances being reviewed by the Board of Adjustment.
4. Outstanding questions concerning the durability of Holbrooks Road by NCDOT.
5. The proposed indefinite use and access of the commercial activity through residential neighborhoods.

**PART 7: PLANNING BOARD RECOMMENDATION**

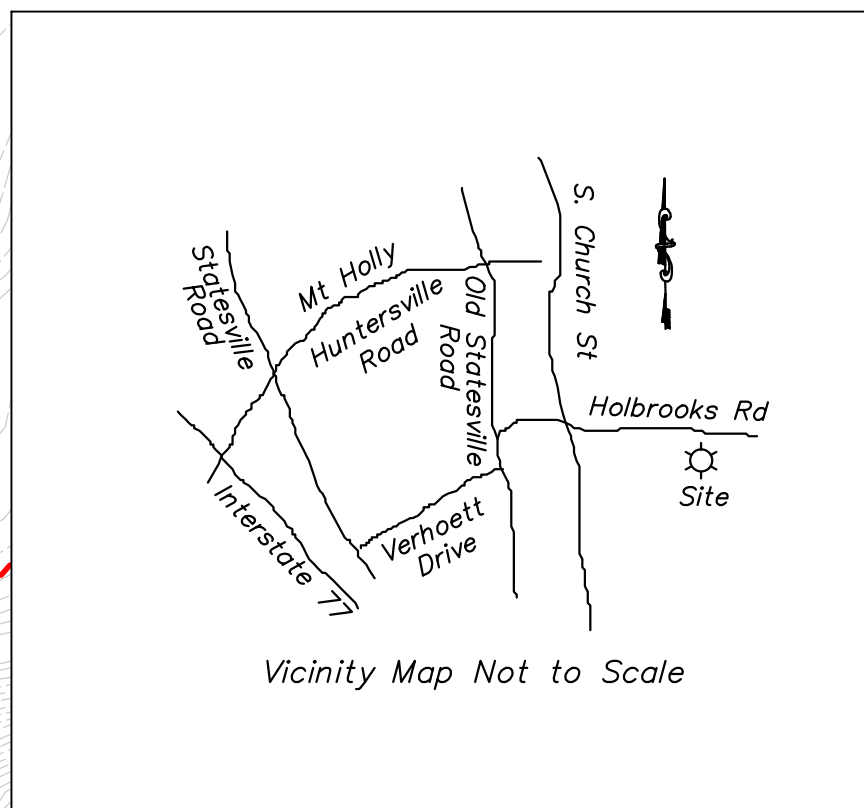
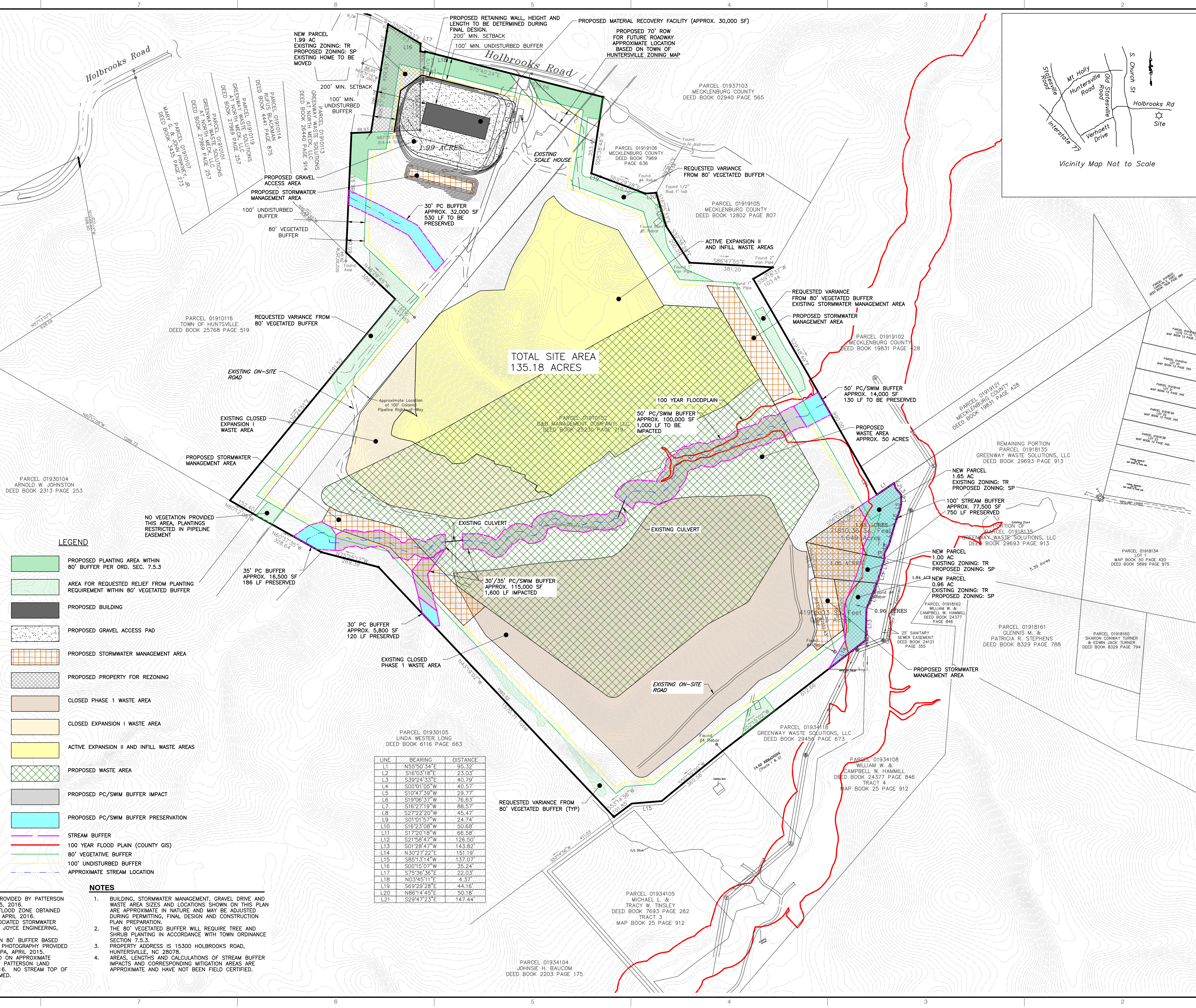
The Planning Board meeting is scheduled for August 23, 2016.

**PART 8: CONSISTENCY STATEMENT - R 16-06: Greenway Waste Solutions Landfill**

Planning Department	Planning Board	Board of Commissioners
<b>Approval:</b> To be determined. Please see the Staff Recommendation for comment.	<b>APPROVAL:</b> In considering the proposed rezoning of Petition R16-06, Greenway Waste Landfill, located on Holbrook Road, the <b>Planning Board</b> finds that the rezoning is consistent with the Town of Huntersville 2030 Community Plan and other applicable long range plans. The Planning Board recommends approving the conditional rezoning plan for the Greenway Waste Landfill as shown in Rezoning Petition R16-06. It is reasonable and in the public interest to rezone this property because...(explain)	<b>APPROVAL:</b> In considering the proposed rezoning of Petition R16-06, Greenway Waste Landfill on Holbrook Road the <b>Town Board</b> finds that the rezoning is consistent with the Town of Huntersville 2030 Community Plan and other applicable long range plans. We recommend approving the conditional rezoning plan for the Greenway Waste Landfill as shown in Rezoning Petition R16-06. It is reasonable and in the public interest to rezone this property because... (Explain)
<b>DENIAL:</b> To be determined: Please see the Staff recommendation for comment.	<b>DENIAL:</b> In considering the proposed rezoning of Petition R16-06, Greenway Waste Landfill on Holbrook Road, the <b>Planning Board</b> finds that the rezoning is not consistent with the Town of Huntersville 2030 Community Plan and other applicable long range plans. We recommend denial of Rezoning Petition R16-06. It is not reasonable and not in the public interest to rezone this property because..... (Explain)	<b>DENIAL:</b> In considering the proposed rezoning of Petition R16-06, Greenway Waste Landfill on Holbrook Road, the <b>Town Board</b> finds that the rezoning is not consistent with the Town of Huntersville 2030 Community Plan and other applicable long range plans. We recommend denial of Rezoning Petition R16-06. It is not reasonable and not in the public interest to rezone this property because..... (Explain)



P:\10011\111-3701-CD01\001\DWG\Map\1113701-Site\Prop\_Huntersville\Review\Process.dwg\CONDITIONAL DISTRICT SITE PLAN LS(6/22/2016 - Jngmrcs) - LP: 6/22/2016 3:19 PM



LEGEND

- PROPOSED PLANTING AREA WITHIN 80' BUFFER PER ORD. SEC. 7.5.3
- AREA FOR REQUESTED RELIEF FROM PLANTING REQUIREMENT WITHIN 80' VEGETATED BUFFER
- PROPOSED BUILDING
- PROPOSED GRAVEL ACCESS PAD
- PROPOSED STORMWATER MANAGEMENT AREA
- PROPOSED PROPERTY FOR REZONING
- CLOSED PHASE 1 WASTE AREA
- CLOSED EXPANSION I WASTE AREA
- ACTIVE EXPANSION II AND INFILL WASTE AREAS
- PROPOSED WASTE AREA
- PROPOSED PC/SWIM BUFFER IMPACT
- PROPOSED PC/SWIM BUFFER PRESERVATION
- STREAM BUFFER
- 100 YEAR FLOOD PLAIN (COUNTY GIS)
- 80' VEGETATIVE BUFFER
- 100' UNDISTURBED BUFFER
- APPROXIMATE STREAM LOCATION

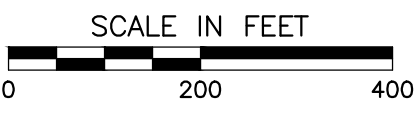
REFERENCE

- PRELIMINARY PLAT FOR PARCEL PROVIDED BY PATTERSON LAND SURVEYING, PA ON APRIL 15, 2016.
- EXISTING SITE TOPOGRAPHY AND FLOOD ZONE OBTAINED FROM MECKLENBURG COUNTY GIS APRIL 2016.
- PROPOSED WASTE AREA AND ASSOCIATED STORMWATER MANAGEMENT AREAS PROVIDED BY JOYCE ENGINEERING, INC.
- PROPOSED PLANTING AREAS WITHIN 80' BUFFER BASED ON REVIEW OF 2015 SITE AERIAL PHOTOGRAPHY PROVIDED BY PATTERSON LAND SURVEYING, PA, APRIL 2015.
- STREAM BUFFER BOUNDARY BASED ON APPROXIMATE STREAM CENTERLINE PROVIDED BY PATTERSON LAND SURVEYING, PA ON APRIL 15, 2016. NO STREAM TOP OF BANK SURVEY HAS BEEN PERFORMED.

NOTES

- BUILDING, STORMWATER MANAGEMENT, GRAVEL DRIVE AND WASTE AREA SIZES AND LOCATIONS SHOWN ON THIS PLAN ARE APPROXIMATE IN NATURE AND MAY BE ADJUSTED DURING PERMITTING, FINAL DESIGN AND CONSTRUCTION PLAN PREPARATION.
- THE 80' VEGETATED BUFFER WILL REQUIRE TREE AND SHRUB PLANTING IN ACCORDANCE WITH TOWN ORDINANCE SECTION 7.5.3.
- PROPERTY ADDRESS IS 15300 HOLBROOKS ROAD, HUNTERSVILLE, NC 28078.
- AREAS, LENGTHS AND CALCULATIONS OF STREAM BUFFER IMPACTS AND CORRESPONDING MITIGATION AREAS ARE APPROXIMATE AND HAVE NOT BEEN FIELD CERTIFIED.

LINE	BEARING	DISTANCE
L1	N85°50'34"E	95.32
L2	S16°03'18"E	23.03
L3	S39°24'33"E	40.79
L4	S00°01'05"W	40.57
L5	S10°47'39"W	29.77
L6	S19°08'37"W	76.63
L7	S16°27'19"W	88.57
L8	S27°22'20"W	45.47
L9	S01°01'57"W	24.74
L10	S16°23'08"W	50.68
L11	S17°20'18"W	66.58
L12	S21°58'47"W	128.50
L13	S01°28'47"W	143.82
L14	N30°27'22"E	151.19
L15	S85°13'14"W	137.07
L16	S00°15'07"W	35.24
L17	S75°36'36"E	22.03
L18	N03°45'11"E	4.37
L19	S69°29'28"E	44.16
L20	N86°14'45"E	50.18
L21	S29°47'23"E	147.44



REVISION RECORD

NO	DATE	DESCRIPTION


Civil & Environmental Consultants, Inc.  
1900 Center Park Drive - Suite A - Charlotte, NC 28217  
Ph: 980.237.0373 • Fax: 980.237.0372  
www.ceeinc.com

CONDITIONAL DISTRICT REZONING  
GREENWAY WASTE SOLUTIONS  
AT NORTH MECK, LLC  
15300 HOLBROOKS ROAD  
HUNTERSVILLE, NORTH CAROLINA

DRAWING NO.:  
**CD100**  
SHEET 2 OF 2

DATE:	MAY 2016	DRAWN BY:	CTH
DWG SCALE:	1"=200'	CHECKED BY:	TMG
PROJECT NO:	111-370-001	APPROVED BY:	SLB



**VARCO PRUDEN**

DRAWING INDEX	
DRAWING TITLE	PAGES
Cover Sheet	1
Notes	2
Anchor Rod Plan	3
Primary Structural	4 - 11
Secondary Structural	12 - 14
Covering	15 - 19
Special Drawings	
Standard Erection Details	20 - 22

[illegible]

GRADE 55  
GRADE 60  
GRADE 50  
GRADE 36 KSI UNLESS NOTED  
GRADE 50  
GRADE B  
GRADE 50 OR GRADE 80

IT IS THE RESPONSIBILITY OF THE ERECTOR TO INSURE PROPER BOLT TIGHTNESS IN ACCORDANCE WITH APPROPRIATE REGULATIONS. THE FOLLOWING CRITERIA IS IN COMPLIANCE WITH THE LATEST SPECIFICATIONS, HOWEVER THE ERECTOR IS RESPONSIBLE TO VERIFY LOCAL AUTHORITY REQUIREMENTS.

ALL CONNECTIONS MADE WITH A325 BOLTS MAY BE TIGHTENED TO THE "SNUG TIGHT" CONDITION AS PERMITTED BY THE SPECIFICATION FOR STRUCTURAL JOINTS USING A325 OR A490 BOLTS (2004 ED), UNLESS INDICATED AS "PRE-TENSIONED" ELSEWHERE IN THESE DRAWINGS, OR AS INDICATED BELOW.

SECONDARY MEMBERS AND FLANGE BRACE CONNECTIONS ARE ALWAYS "SNUG TIGHTENED", EVEN IF ABOVE CONDITIONS EXIST, UNLESS SPECIFICALLY NOTED OTHERWISE ON DETAILS.

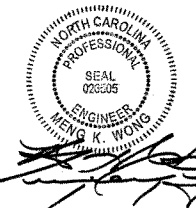
WASHERS ARE NOT REQUIRED FOR "SNUG-TIGHT" CONNECTIONS. PRE-TENSIONED A325 OR A490 CONNECTIONS TIGHTENED USING THE TURN-OF-THE-NUT METHOD DO NOT REQUIRE WASHERS. A490 BOLTS MUST ALWAYS BE PRE-TENSIONED.

WHEN MULTIPLE BUILDINGS ARE INVOLVED, SPECIFIC LOAD FACTORS FOR DIFFERING OCCUPANCIES, BUILDING DIMENSIONS, HEIGHTS, FRAMING SYSTEMS, ROOF SLOPES, ETC., MAY RESULT IN DIFFERENT LOAD APPLICATION FACTORS THAN INDICATED BELOW. SEE CALCULATIONS FOR FURTHER DETAILS.

**Note: All windows, doors, skylights and other covered openings must be designed for the specified above wind loads**

Lateral Force Resisting Systems using Equivalent Force Procedure  
Mapped Spectral Response - Ss: 24.10 %g, S1: 10.10 %g  
Seismic Hazard / Use Group: Group 1  
Seismic Performance / Design Category: C (See Bolt Tightening Note Above)  
Seismic Snow Load: 0.00 psf  
Seismic Importance: 1.000  
Soil Profile Type: Stiff soil (D, 4)  
Design Spectral Response - Sd: 0.2571, Sd1: 0.1616

Frame Redundancy Factor:1.0000  
Framing R-Factor: 3.0000, Frame Seismic Factor (%s): 0.0855, Design Base Shear = 0.0855 W  
Ordinary Steel Concentric Braced Frames  
Brace Redundancy Factor:1.0000  
Bracing R-Factor: 3.0000, Brace Seismic Factor (%s): 0.0857, Design Base Shear = 0.0857 W



1-6-09  
2-18-09

THIS DRAWING, INCLUDING THE INFORMATION HEREON, REMAINS THE PROPERTY OF VP BUILDINGS.

IT IS PROVIDED SOLELY FOR ERECTING THE BUILDING DESCRIBED IN THE APPLICABLE PURCHASE ORDER AND SHALL NOT BE MODIFIED, REPRODUCED OR USED FOR ANY OTHER PURPOSE WITHOUT PRIOR WRITTEN APPROVAL OF VP BUILDINGS.

THE GENERAL CONTRACTOR AND/OR DIRECTOR IS SOLELY RESPONSIBLE FOR ACCURATE, GOOD QUALITY WORKMANSHIP OF THIS DRAWING IN CONFORMANCE WITH THE DRAWING, DETAILS REFERENCED IN THIS DRAWING, ALL APPLICABLE VP BUILDINGS ERECTION GUIDES, AND INDUSTRY STANDARDS PERTAINING TO PROPER ERECTION, INCLUDING THE CORRECT USE OF TEMPORARY BRACING.



BUILDER	Annis Building Corp.
CUSTOMER	
LOCATION	Raleigh, North Carolina
PROJECT	Shotwell W.T.P.
BUILDERS PO#	



OBNO  
09-379  
DATE  
2-5-2009  
DRAWN / CHECK  
VEM  
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1

2/5/2009

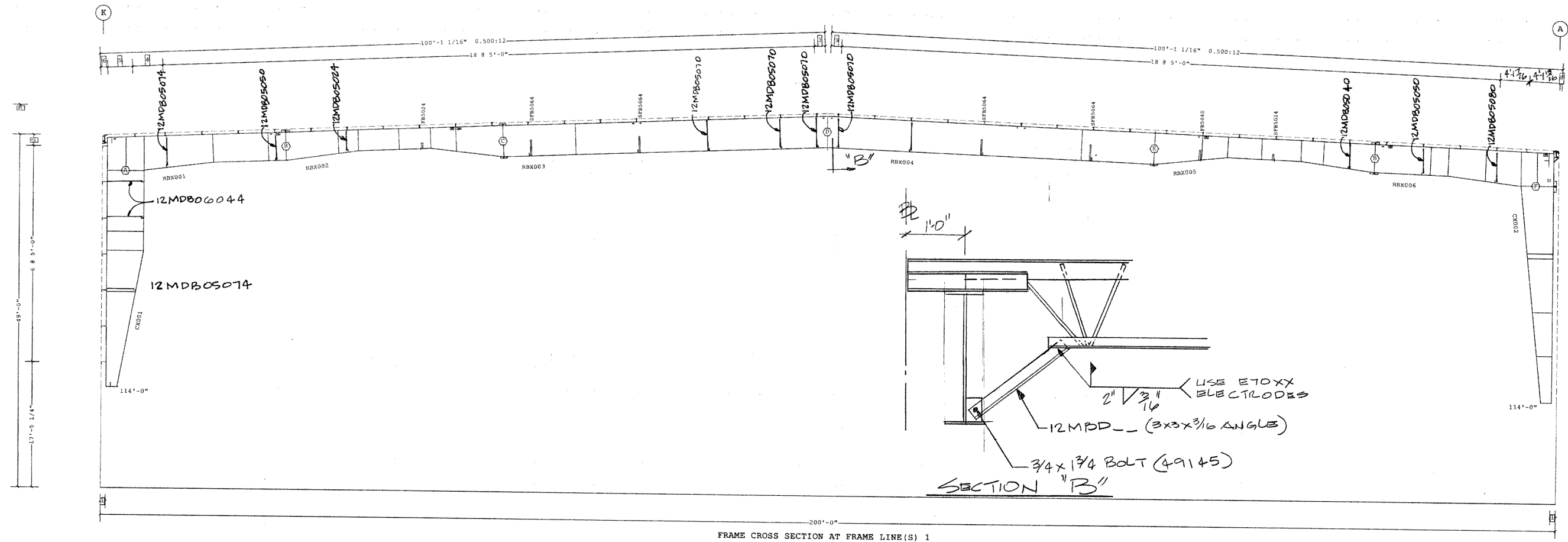
8:21:13

Concept elevations, final design pending.

Part	Mem	Width	Thick	WebThk.	Depth1	Depth2	Approx. Lgth
CX001	1	8"	.6250	.3125	1'-6"	5'-0"	30'-0 7/8"
	2	8"	.7500	.5000	5'-0"	5'-0"	
RBX001	3	1'-0"	.7500	.3750	4'-9"	3'-11"	24'-4 1/2"
	4	1'-0"	.7500	.2500	3'-11"	3'-11"	
RBX002	5	8"	.7500	.2500	3'-11"	2'-11"	30'-0"
	6	8"	.5000	.2500	2'-11"	2'-11"	
	7	8"	.6250	.2500	2'-11"	4'-4"	
RBX003	8	8"	.7500	.3125	4'-4"	4'-4"	44'-11 15/16"
	9	8"	1.0000	.2500	4'-4"	4'-4"	
RBX004	10	8"	1.0000	.2500	4'-4"	4'-4"	44'-11 15/16"
	11	8"	.7500	.3125	4'-4"	4'-4"	
RBX005	12	8"	.6250	.2500	4'-4"	2'-11"	30'-0 1/8"
	13	8"	.5000	.2500	2'-11"	2'-11"	
	14	8"	.7500	.2500	2'-11"	3'-11"	
RBX006	15	1'-0"	.7500	.2500	3'-11"	3'-11"	24'-6 3/4"
	16	1'-0"	.7500	.3750	3'-11"	4'-9"	
CX002	17	1'-3"	.7500	.3125	3'-5 15/16"	4'-6"	30'-0 9/16"
	18	1'-3"	.7500	.2500	1'-6"	3'-5 15/16"	

Id	Bolt Connection		Plate Schedule		Plate Thk.	Rows Out	Rows In	Tension Bolt	Washer
	ASTM	Q1913	Bolt	Length					
A	12	A325	Dia.	1 1/2"	1 1/4"	4	2		
B	16	A325	7/8"	2 3/4"	3/4"	4	4		
C	16	A325	3/4"	2 1/4"	5/8"	4	4		
D	14	A325	1"	3 1/2"	1"	3	4		
E	14	A325	3/4"	2 1/4"	5/8"	3	4		
F	14	A325	1 1/4"	4"	1"	4	3		

Frame Clearances  
 Horiz. Clearance between members 1(CX001) and 17(CX002): 189'-1"  
 Horiz. Clearance between members 1(CX001) and 18(CX002): 190'-1 1/16"  
 Horiz. Clearance between members 2(CX001) and 17(CX002): 189'-1"  
 Horiz. Clearance between members 2(CX001) and 18(CX002): 190'-1 1/16"  
 Vert. Clearance at member 2(CX001): 44'-0 13/16"  
 Vert. Clearance at member 17(CX002): 44'-0 9 15"  
 Finished Floor Elevation = 100'-0" (Unless Noted Otherwise)



FRAME CROSS SECTION AT FRAME LINE(S) 1

9 53'-2" Ridge Ht.  
8 3 1/2"  
6 3 1/2"  
5 4'-1 15/16"  
4 4'-1 7/16"  
3 1'-6 3/16"  
2 1'-6 3/4"  
1 8 1/2"

☐ Dimension Key

1. USE 1/2 X 1 1/2 A325 SNUG TIGHTENED BOLTS FOR PURLIN TO FRAME, GIRT TO FRAME, AND GIRT TO CLIP CONNECTIONS UNLESS NOTED OTHERWISE.
2. SLOT REINFORCEMENT PLATES NEED NOT BE LOCATED ON THE SAME SIDE OF THE WEB AS THE HILLSIDE WASHER.

THE VP ENGINEER'S SEAL APPLIES ONLY TO THE WORK PRODUCT OF VP AND DESIGN AND PERFORMANCE REQUIREMENTS SPECIFIED BY VP. THE VP ENGINEER'S SEAL DOES NOT APPLY TO THE PERFORMANCE OR DESIGN OF ANY OTHER PRODUCT OR COMPONENT FURNISHED BY VP EXCEPT TO ANY DESIGN OR PERFORMANCE REQUIREMENTS SPECIFIED BY VP.

Shape Name = Waste Transfer Station Wall 4, Frame 1

THIS DRAWING, INCLUDING THE INFORMATION HEREON, REMAINS THE PROPERTY OF VP BUILDINGS. IT IS PROVIDED SOLELY FOR ERECTING THE BUILDING DESCRIBED IN THE APPLICABLE PURCHASE ORDER AND SHALL NOT BE MODIFIED, REPRODUCED OR USED FOR ANY OTHER PURPOSE WITHOUT PRIOR WRITTEN APPROVAL OF VP BUILDINGS.

THE GENERAL CONTRACTOR AND/OR ERECTOR IS SOLELY RESPONSIBLE FOR ACCURATE, GOOD QUALITY WORKMANSHIP IN ERECTING THIS BUILDING IN CONFORMANCE WITH THIS DRAWING, DETAILS REFERENCED IN THIS DRAWING, ALL APPLICABLE VP ERECTION GUIDES, AND INDUSTRY STANDARDS PERTAINING TO PROPER ERECTION, INCLUDING THE CORRECT USE OF TEMPORARY BRACING.

VP Buildings
3200 Players Club Circle Memphis TN 38125

REV	DATE	BY	DESCRIPTION

**FOR CONSTRUCTION**

FRAME CROSS SECTION AT FRAME LINE(S) 1

BUILDER	Annis Building Corp.
---------	----------------------

CUSTOMER	
LOCATION	Raleigh, North Carolina

PROJECT	Shotwell W.T.P.
---------	-----------------

FILENAME: 2256-08-1403 revised ic at 1 & 2.VPC



**VP BUILDINGS**  
VARCO PRUDEN

OBNO	
9-379	
DATE	2/11/2009
DRAWN/CHECK	
JTI / BLM	
PAGE	5

# *Town of Huntersville, North Carolina*

## Special Use Permit Granted

On Monday, November 21, 2005, the Huntersville Town Board held a public meeting to consider the below noted Special Use Permit:

Special Use Permit request by Griffin Brothers Enterprises, Inc. to expand the North Mecklenburg Landfill by 25 acres on the south side of Holbrooks Road near the end of the street, Tax Parcels 01919114, 01919107, 01919112, 01919120, 01919198.

Having heard all the evidence and argument presented at the hearing, the Board finds the application is complete, that the application complies with all of the applicable requirements of the Huntersville Zoning Ordinance for the expansion proposed, and that therefore the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Zoning Ordinance, the attached Findings of Fact, and the following conditions:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Town of Huntersville Town Hall.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

IN WITNESS WHEREOF, the Town of Huntersville has cause this permit to be issued in its name, and the undersigned, being all of the property owners of the property above described, do hereby accept this Special Use Permit, together with all its conditions, as binding on them and their successors in interest.

\_\_\_\_\_, owner(s) of the above identified property, do hereby acknowledge receipt of this Special Use Permit. The undersigned owners do further acknowledge that no work may be done pursuant to the permit except in accordance with all of its conditions and requirements and that the restriction shall be binding on them and their successors in interest.

\_\_\_\_\_  
Owner

NORTH CAROLINA

MECKLENBURG COUNTY

I, \_\_\_\_\_, certify that the following person(s) personally appeared before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Name and capacity of person(s) signing)



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

\_\_\_\_\_

Notary Public

(Official Seal)

(Not valid until fully executed)

## ADOPTED FINDING OF FACT:

1. *The existing C&D landfill is over 60 acres in size.*
2. *A thoroughfare study was previously funded and the proposed alignment of Verhoeff Drive will be approximately 2,000' south of the proposed landfill expansion area.*
3. *If approved, the landfill expansion area will operate no longer than five years from the date the final state approval is granted for the landfill operation.*
4. *According to the site plan, the expansion area does not exceed 25 acres. The site plan does show a small area to the south of the expansion area that is to be an undisturbed buffer.*
5. *The proposed alignment of Verhoeff Drive will be approximately 2,000' south of the landfill expansion area.*
6. *The site plan prepared by BPB dated September, 2005 shows there will be over a 500' buffer between the fill area and existing residential water supply wells; a 200' buffer from adjacent property to the fill area; and over a 50' buffer from the road right-of-way to the fill area. A more detailed map will need to be submitted indicating details on the C&D landfill (i.e. fill limits, proposed stockpile areas; sediment basins' etc.) to further verify compliance with this subsection. The applicant has stated they will comply with all applicable buffer/setback requirements (see attached letter).*
7. *The North Mecklenburg Landfill has been granted one expansion. If approved, there can be no more expansions under the provisions of 9.23(9). Additional landfill activity would have to comply with the provisions of section 9.23 for new landfills.*
8. *The proposed C&D landfill will comply with all state and Town of Huntersville regulations. In an email dated August 11, 2005, Mr. Mike Stilwell, Solid Waste Compliance Inspector for Mecklenburg County, indicated the site has been inspected by him monthly since July 2003 and there have been no notices of violation for the landfill site. The applicant has stated they will continue to pick-up all trash and materials that are dropped on Holbrooks Road and portions of Hwy. 115 around Holbrooks Road. Further, the applicant has stated they have contracted a person to clean-up all roadside litter on Holbrooks and Old Statesville Road from North Meck High School to Gilead Road every Monday and Thursday (see attached).*
9. *There is no detailed plan adopted for the area in question. Therefore the proposed use does not conflict with any adopted plan.*
10. *The Traffic Impact Analysis has been submitted and review by the Town Traffic Engineer. Mr. David Jarrett, Town Engineer, is requesting that Holbrooks Road be improved at the intersection with NC 115 to a three-lane section.*
11. *The North Mecklenburg Landfill will comply with all Town of Huntersville buffer requirements.*
12. *The North Mecklenburg Landfill shall comply with the vehicular and pedestrian access standards of this subsection.*
13. *According to the application submitted, there will be no filling in the regulated floodplain.*
14. *The site plan indicates driveways serving the site are at least 30' wide which is enough to accommodate two-way traffic.*

15. *The landfill operator shall remove all debris, dirt, and other materials in accordance with this provision.*
16. *The applicant shall be limited to the hours of 7am until 6pm Monday through Saturday since this site adjoins property zoned residential.*
17. *The landfill operator shall provide an irrevocable letter of credit in compliance with this subsection ensure the landfill area will be closed in an approved fashion.*
18. *The applicant intends to fill the expansion site to about 20% capacity per year for a five year time period according to the application.*
19. *According to the application, "NCDENR details the minimum requirements and monitoring methods to which we must perform upon closing the facility. We have a 30 year ground water monitoring commitment. Per the included area map, our property will be very compatible for a county or town park. We are willing to commit to this post closure.*
20. *The property proposed for the landfill expansion area is zoned Transitional Residential.*
21. *The proposed use will not endanger the public health and safety, nor substantially reduce the value of nearby property;*



## Special Use Permit Amendment Granted

On Monday, December 7<sup>th</sup>, 2009, the Huntersville Town Board held a public meeting to consider the below noted Special Use Permit Amendment:

SUP05-01: Special Use Permit amendment request by Griffin Brothers Enterprises, Inc. to remove the expiration date of the permit and to amend its conditions as described in the attached finding of fact; Tax Parcels 01919114, 01919107, 01919112, 01919120, 01919198, 01910117, 01910102, 01910108, 01919113.

Having heard all the evidence and argument presented at the hearing, the Board finds the application is complete, that the application complies with all of the applicable requirements of the Huntersville Zoning Ordinance for the operation proposed, and that therefore the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Zoning Ordinance, the attached Findings of Fact, and the following conditions:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Town of Huntersville Town Hall.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

IN WITNESS WHEREOF, the Town of Huntersville has cause this permit to be issued in its name, and the undersigned, being all of the property owners of the property above described, do hereby accept this Special Use Permit, together with all its conditions, as binding on them and their successors in interest.

Michael L. Griffin, Sec/Treas., owner(s) of the above identified property, do hereby acknowledge receipt of this Special Use Permit. The undersigned owners do further acknowledge that no work may be done pursuant to the permit except in accordance with all of its conditions and requirements and that the restriction shall be binding on them and their successors in interest.

A handwritten signature in black ink, appearing to read "M. L. Griffin", written over a horizontal line.

Owner

## Planning

Post Office Box 664 • 101 Huntersville-Concord Road • Huntersville, NC 28070  
phone 704.875.7000 • fax 704.875.6546 • [www.huntersville.org](http://www.huntersville.org)

NORTH CAROLINA

MECKLENBURG COUNTY

I, Michelle V. Haines, certify that the following person(s) personally appeared before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:.

Michael L. Griffin Sec/Treas.  
\_\_\_\_\_  
\_\_\_\_\_

(Name and capacity of person(s) signing)

Date: Feb. 18, 2010

Michelle V. Haines  
Notary Public

(Official Seal)

(Not valid until fully executed)



## AMENDED FINDINGS OF FACT (as amended 12/7/09):

1. *The North Mecklenburg Landfill is an existing landfill with an unexpired special use permit that would be allowed to continue to operate in its current zoning designation per Article 9.23.10. The proposed application is to amend the existing special use permit to remove the expiration date so it can continue its use within its current boundaries indefinitely; infilling the site as shown on the site plan. The “infill” area would be located between two closed fill areas that currently exist onsite. No expansions are currently proposed. No rezoning to SP would be required as long as 1. The special use permit does not expire and 2. No expansions outside of the current property boundaries take place. The current special use permit is good through October 26<sup>th</sup>, 2011.*
2. *The NCDENR (North Carolina Division of Environment and Natural Resources) permit was approved on October 26<sup>th</sup>, 2006 and is attached for reference. Please also find an email from Joe Hack (Solid Waste Management, Mecklenburg County). Mr. Hack reports no violations or compliance issues in the last five years. The North Mecklenburg landfill will continue to be subject to the NCDENR rules and regulations.*
3. *Per the email from Mecklenburg County Waste Management, staff has no reason to believe public health, safety, or property values will be negatively affected by the amended special use permit.*
4. *The proposed use does not conflict with any adopted/accepted small area plans. However, the East Huntersville Plan does call for a connector road to be established through the proposed property in question (connecting the proposed North Mecklenburg Industrial Park to the south with the future Asbury Chapel Road extension to the north). The applicant has agreed to reserve right-of-way for the future connection as shown in the East Huntersville Small Area Plan. It is unclear at this time who would be responsible for constructing the connector road through the subject property.*
5. *The applicants intend to continue to use Holbrooks Road as their main access to the facility as no thoroughfare or commercial street is currently available. Please see the letter from the applicant attached. They have agreed to move their main entrance from Holbrook Road to the future thoroughfare (Asbury Chapel Extension) to the north or the commercial business park roads (North Mecklenburg Business Park) to the south. However their proposal would only make the move required if a completed and constructed street along with associated right of way becomes immediately adjacent to their property. No proposal to construct any of the proposed thoroughfares or commercial streets (on or off their property) has been offered. Please find an email from Max Buchanan (Huntersville Public Works Director dated November 3<sup>rd</sup>, 2009) attached. According to Mr. Buchanan, the NCDOT Maintenance Engineer for the area has stated that “Holbrooks Road requires regular maintenance activities be performed due to a large volume of truck traffic on pavement structure not designed to carry such volumes/weights”. However no proposal for improvements or maintenance for Holbrooks Road has been received (other than to clean debris and trash; see below) from the applicant.*
6. *Because the facility existed prior to the effective date of the TIA ordinance, it is not required to submit a traffic impact analysis per Article 14.2.1 (G). However if there is ever an expansion to the outer property boundaries of the site, a TIA may be required if the expansion meets the threshold requirements of Article 14.*



7. *The North Mecklenburg Landfill letter states that they comply with all buffers listed above except one. The northwest portion of the property has an existing dirt road that is within the 100 foot undisturbed buffer area. This is a pre-existing condition that, because of the location of closed out fill areas, can not reasonably be changed.*
8. *According to the attached letter from the applicant, their main driveway is paved 170 feet back from Holbrooks Road to their gated entrance.*
9. *The North Mecklenburg Landfill currently has a security fence that extends around the active fill area and the front main entrance. The closed out fill area does not have a security fence.*
10. *The application letter lists the driveway entrance at 48 feet wide 100 feet back from Holbrooks Road.*
11. *In the letter attached, the applicant has agreed to be responsible for a weekly cleaning of Holbrooks Road.*
12. *The North Mecklenburg Landfill is adjacent to and inside a residential zoning district therefore the restricted hours of operation will apply.*
13. *The letter from the applicant estimates the new life expectancy of the landfill to be 25 years.*
14. *Please find the proposed reclamation plan submitted by the applicant attached. The submitted information has not been approved as of yet by NCDENR.*
15. *The North Mecklenburg Landfill is a Construction and Demolition Landfill (C&D) and is not subject to this section of the ordinance. This section of the ordinance applies to Land Clearing and Inert Debris Landfills (LCID).*
16. *The current special use permit for the North Mecklenburg landfill is currently unexpired and valid. It states that the landfill could operate no longer than five years from the date the final state approval is granted. The state approval was granted in October 26<sup>th</sup>, 2006 therefore under the current special use permit the landfill needs to cease operation on or before October 26<sup>th</sup>, 2011. This proposed special use permit amendment however would remove the time restriction from the permit and the existing landfill would be allowed to continue to operate within its current boundaries indefinitely per the article above.*

Conditions added by the Town Board at the Special Use Permit Hearing

17. *The applicant must be annexed into the Town of Huntersville.*
18. *The applicant must enter into a franchise agreement with the town that will have an expiration date 10 years from the date of the approval. The special use permit has no expiration date.*
19. *The safety, stability, and capacity to handle commercial trucks for Holbrooks Road must be revisited by the Town and NCDOT in 5 years.*
20. *The applicant will donate \$25,000 for the improvements and/or maintenance of Holbrooks Road within the 10 year term of their franchise agreement with the Town.*

**From:** Max Buchanan  
**Sent:** Wednesday, December 02, 2009 1:58 PM  
**To:** Bradley Priest; Bill Coxe  
**Subject:** Fw: NCDOT Meeting - Holbrooks Road

Max L. Buchanan, PE  
Town Engineer  
Public Works Director  
Town of Huntersville, NC  
704-875-7007  
[mbuchanan@huntersville.org](mailto:mbuchanan@huntersville.org)

----- Original Message -----

From: Mitchell, Louis L <[lmitchell@ncdot.gov](mailto:lmitchell@ncdot.gov)>  
To: Canipe, Brett D <[bcanipe@ncdot.gov](mailto:bcanipe@ncdot.gov)>; [jmueller@griffinbrothers.com](mailto:jmueller@griffinbrothers.com)  
<[jmueller@griffinbrothers.com](mailto:jmueller@griffinbrothers.com)>  
Cc: Max Buchanan  
Sent: Wed Dec 02 09:15:41 2009  
Subject: RE: NCDOT Meeting - Holbrooks Road

Mr. Mueller

We have analyzed Holbrooks Rd. and have surveyed the Traffic and proposed future for this facility. In view of our findings, it is my recommendation that this facility have the proper pavement failures repaired/ patched followed by a 1.5 inch overlay. Holbrooks Rd. does not possess the pavement structure to accommodate the truck traffic it has experienced and will be subject to with the continued use your Company is planning. The facility has started to show signs of the stresses placed upon it, which will require abatement. If this facility is not repaired will have no choice, but to place a weight restriction to prevent further damages and deterioration. We trust that you understand our position. If you have any additional questions, please advise.

Louis L. Mitchell  
District Engineer-Mecklenburg  
NCDOT

---

From: Canipe, Brett D  
Sent: Tuesday, December 01, 2009 4:32 PM  
To: Mitchell, Louis L  
Subject: FW: NCDOT Meeting - Holbrooks Road



Louis,

I have yet to respond to Mr. Mueller. Can you provide confirmation to him on your decision.

thanks,

Brett

---

From: Justin Mueller [<mailto:jmueller@griffinbrothers.com>]  
Sent: Tuesday, December 01, 2009 11:25 AM  
To: Canipe, Brett D  
Cc: Mike Griffin  
Subject: NCDOT Meeting - Holbrooks Road

Brett,

Just checking in to see if you had heard any word from Louis Mitchell in regards to meeting about Holbrooks Road? I know this is a sensitive time in his life and we don't want to force him into work, but as stated previously this meeting is imperative to the continued operation of the North Mecklenburg C&D Reclamation Facility.

With the December 7th date with the Town Board of Huntersville fast approaching, Huntersville has sent us a message every day to ensure we are doing all we can to get this meeting finalized. Due to the nature of these conversations, we are under the impression that if we do not meet with Louis Mitchell & NCDOT the Town Board Meeting will not occur as scheduled and this would hinder our ability to continue operating as a C&D Reclamation Facility & Landfill due to the tight time line of the permitting process with the North Carolina Department of Environment and Natural Resources (NCDENR).

We appreciate your help in this matter and hope you had a great Thanksgiving Holiday.

Best Regards,

Mike Griffin  
Justin Mueller

---

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.

**From:** Taylor, Wendy A <wataylor1@ncdot.gov>  
**Sent:** Monday, July 25, 2016 11:34 AM  
**To:** Bradley Priest  
**Cc:** Stephen Trott; Sossamon, Gary D  
**Subject:** RE: Greenway Waste Rezoning - Holbrook Road Maintenance

Hi Brad,

Per our conversation, NCDOT will require the following for Holbrook Rd.

- Current and projected truck volumes must be provided for the facility.
- Provide the circulation pattern of the facility and recycling center.
- Cores must be taken along Holbrook to see what the existing pavement structure is on Holbrook. NCDOT will evaluate the pavement structure to see if the pavement structure is sufficient.
- Holbrook must be widened the full width of the main entrance and continue approximately 300' to the west. We also require a full width overlay for any pavement widening.

Let me know if you have any questions.

Thanks,

**Wendy Taylor, PE**  
District Engineer  
NCDOT  
Division 10/District 2

980 523 0000 office  
[wataylor1@ncdot.gov](mailto:wataylor1@ncdot.gov)

7605 District Dr  
Charlotte, NC 28213



 Nothing Compares 

*Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.*

---

**From:** Bradley Priest [<mailto:bpriest@huntersville.org>]  
**Sent:** Monday, July 18, 2016 6:08 PM  
**To:** Taylor, Wendy A <wataylor1@ncdot.gov>  
**Cc:** Stephen Trott <[strott@huntersville.org](mailto:strott@huntersville.org)>  
**Subject:** FW: Greenway Waste Rezoning - Holbrook Road Maintenance  
**Importance:** High

Hey Wendy,

Stephen mentioned that he spoke to you about this project and that you were going to talk to Doug about the issue. I wanted to follow up with you on it as I'll be putting together my staff report this week and it would be great to understand NCDOT's position in regard to Holbrooks



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

Article 14.2 of the Zoning Ordinance requires that a Traffic Impact Analysis (TIA) be performed for any residential subdivision, multifamily site plan, or non-residential development, or portion thereof, which is expected to create fifty (50) or more peak hour vehicle trips or 500 or more daily trips.

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

**Applicant:** Greenway Waste Solutions of North Meck

**Project Name:** GWS-MRF

**Location:** 15300 Holbrooks Road Huntersville, NC 28078

**Project Description** (including square footage for each proposed land use):

Materials recycling facility: ~28,300sf. The MRF will separate recyclables from non-recyclables. The recyclables will leave the facility in 53 ft. containers; at current volumes we anticipate 5 containers leaving per day. Currently, average trucks entering the facility is 120 per day.

In the future, biomass from the MRF may be used to supply feedstock to a Waste to Energy facility. This will result in a reduction of truck traffic.

  
**Applicant's Signature**

3/15/16

**Date**

Please feel free to contact the Planning Department @ (704) 875-7000 if you have any questions.

**Project file#:** \_\_\_\_\_

**Date Submitted:** 3/17/16

**Daily Trips Anticipated:** 10

**Peak Hour Trips Anticipated:** AM 2 PM 2

**TIA Required (Yes/No):** No

**Date of Determination:** 3/29/16

Note: Trips are only for the addition of an indoor recycling machine

Trip Generation of existing conditions prior to expansion:  
Daily- 246  
AM Peak Hour - 18  
PM Peak Hour - 9

Below is information provided by the applicant on current operations at the facility.

- On average we have 120 trucks cross our scales daily and we have 3 employees that drive to work.
- 6:00 - 8:59AM 26 vehicles enter the site; 4:00PM - 5:59PM 6 vehicles enter the site. The same 3 employees arrive and leave w/in these hours as well and were not included in the vehicle counts.
- We won't attract "new" business by the change in our operations. Our customers will remain the same. We anticipate an additional 5 trucks entering the site each day as a result of the new operations. To clarify these 5 trucks will be hauling material away from the site, not bringing in waste.



April 11, 2016

Greenway Waste Solutions, LLC  
15300 Holbrooks Rd  
Huntersville, NC 28078

**RE: Adequate Public Facilities (APF) Application – Greenway Waste Solutions (File#2016-06)**

Mr. Carroll:

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 a Materials Recycling Center (28,000 sq. ft.), 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 April 11, 2017, 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](mailto:brichards@huntersville.org) or by phone: (704) 766-2218.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Richards", with a long horizontal line extending to the right.

Brian Richards  
GIS Administrator  
APFO Administrator

CC: Jack Simoneau  
Brad Priest

**Planning**

Post Office Box 664 • 105 Gilead Road, Third Floor • Huntersville, NC 28070  
phone 704.875.7000 • fax 704.992.5528 • [www.huntersville.org](http://www.huntersville.org)



Community Meeting Report  
Petitioner: Greenway Waste Solutions, LLC  
Rezoning Petition No. R16-06

- The meeting was conducted at the Dellwood Center on Monday June 27<sup>th</sup> at 6PM
- Persons and organizations contacted about the meeting: Exhibit A
- Roster of persons in attendance: Exhibit B
- Copy of materials presented: Exhibit C
- Summary of issues discussed: Exhibit D

## Exhibit A

List of adjacent property owners within 250ft.

- Town of Huntersville PO Box 66428070 Huntersville, NC 28070
- Arnold W. Johnston 12300 Old Statesville Road Huntersville, NC 28078
- Linda Wester Long 7910 Golf Course Dr N Denver NC 28037
- Michael and Tracy Tinsley 11737 Trails End Lane Huntersville NC 28078
- Greenway Waste Solutions LLC 19109 W. Catawba Ave Ste 110 Cornelius, NC 28031
- William and Campbell Hammill 11745 Trails End Ln Huntersville NC 28078
- Mecklenburg County 600 E4th Street Charlotte NC 28202
- Sherrill's Group LLC 14031 Laurel Trace Dr Ste 1600 Charlotte NC 28273
- Vermillion HOW Attn: Nate Bowman 14015 Cinnabar Place Huntersville, NC 28078
- Holbrooks Road Association Attn Kathleen Hampton: 14703 Holbrooks Road Huntersville, NC 28078
- Mayor, Town Board of Commissioners, Planning Board Members and Town Clerk, Town Manager and Assistant Town Manager
- Planning Department Project Coordinator

COMMUNITY MEETING SIGN-IN SHEET  
 PETITIONER: Greenway Waste Solutions, LLC  
 REZONING PETITION NO.: R16-06  
 06/27/2016

Please fill out completely. This information is used by the Planning Department to distribute material regarding this petition.

Please **PRINT CLEARLY.**

Name	Address	Phone No.	Email
John Brown	11743 Trails End Ln	919-795-0599	jdbrown@griffinbrothers.com
John Aneralla	15705 Framingham	704-895-0586	<a href="mailto:janeralla@bellsouth.net">janeralla@bellsouth.net</a>
Meredith Nesbitt	105 Gilead Road	704-766-2298	<a href="mailto:mnesbitt@huntersville.org">mnesbitt@huntersville.org</a>
Cam Hammill	11745 Trails End Ln	704-948-8068	<a href="mailto:billhammill@gmail.com">billhammill@gmail.com</a>
Janice Lewis	10203 Halston Cir.	704-807-2905	janicelewis4@gmail.com
Dennis and Kathleen Hampton	14703 Holbrooks Road	704-875-1418	denkatbusiness@gmail.com
Barron	14763 Holbrooks Rd	704-813-7652	<a href="mailto:tracymbarron@gmail.com">tracymbarron@gmail.com</a>
Tracy Tinsley	11737 Trails End Ln	704-875-2194	<a href="mailto:twinsley@earthlinks.net">twinsley@earthlinks.net</a>
Nate Bowman	205 S Church St.	704-875-2194	<a href="mailto:maribethbowman@gmail.com">maribethbowman@gmail.com</a>
Gayland Sherrill	4500 Cecilia Lane	704-588-9093	gaylandsherrill@yahoo.com





**Conditional District Rezoning Community Meeting**

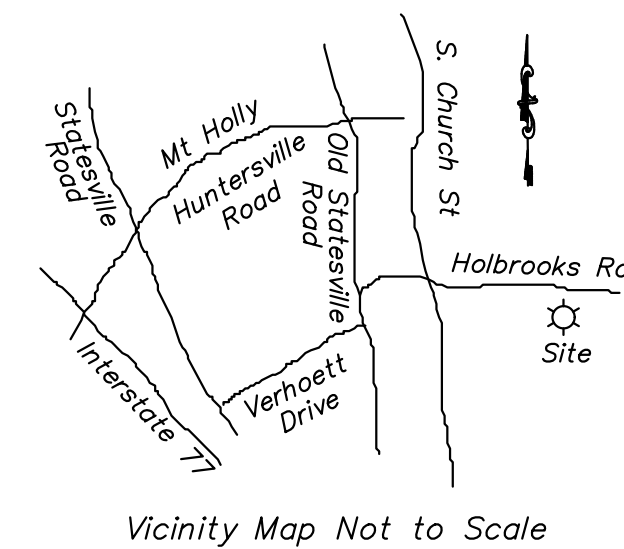
June 28, 2016

6PM 508 Dellwood Drive Huntersville, NC 28078




















**Meeting Agenda**

- I. Introductions
- II. Community meeting for zoning petition number: R16-06
  - a. The zoning petition is to change the current NR zoning at 15300 Holbrooks Road, parcel number 01910102, to SP(CD). The site is currently used as a construction and demolition debris facility. This new zoning will allow for the addition of a materials recycling facility.
- III. Project overview
  - a. Site plan
- IV. Questions





LEGEND

- |   |   |
|---|---|
|    | PROPOSED PLANTING AREA WITHIN 80' BUFFER PER ORD. SEC. 7.5.3                    |
|    | AREA FOR REQUESTED RELIEF FROM PLANTING REQUIREMENT WITHIN 80' VEGETATED BUFFER |
|    | PROPOSED BUILDING   |
|    | PROPOSED GRAVEL ACCESS PAD  |
|    | PROPOSED STORMWATER MANAGEMENT AREA   |
|    | PROPOSED PROPERTY FOR REZONING  |
|    | CLOSED PHASE I WASTE AREA   |
|    | CLOSED EXPANSION I WASTE AREA   |
|    | ACTIVE EXPANSION II AND INFILL WASTE AREAS                                      |
|    | PROPOSED WASTE AREA   |
|    | PROPOSED PC/SWIM BUFFER IMPACT  |
|    | PROPOSED PC/SWIM BUFFER PRESERVATION  |
|    | STREAM BUFFER   |
|    | FEMA 100 YEAR FLOOD PLAIN (COUNTY GIS)  |
|    | 80' VEGETATIVE BUFFER   |
|  | 100' UNDISTURBED BUFFER   |
|  | APPROXIMATE STREAM LOCATION   |
|  | COMMUNITY ENCRoACHMENT AREA (COUNTY GIS)  |
|  | FEMA FLOODWAY (COUNTY GIS)  |

LINE	BEARING	DISTANCE
L1	N55°50'34"E	95.32'
L2	N61°03'18"E	23.03'
L3	S39°24'33"E	40.79'
L4	S00°01'02"W	40.57'
L5	S10°47'39"W	29.77'
L6	S19°06'37"W	76.63'
L7	N61°27'19"W	88.57'
L8	S27°22'20"W	25.44'
L9	S01°10'11"W	45.47'
L10	S16°23'08"W	66.68'
L11	S17°20'18"W	60.58'
L12	S21°58'47"W	126.50'
L13	S01°28'47"W	143.82'
L14	N3°02'15"E	159.19'
L15	S85°31'14"W	137.07'
L16	S00°15'09"W	35.24'
L17	S75°36'36"E	22.03'
L18	N0°34'51"E	4.37'
L19	S89°29'02"W	44.66'
L20	N66°14'45"E	50.18'
L21	S29°47'23"E	147.44'

SCALE IN FEET  
0 200 400

NORTH CAROLINA  
BOARD OF EXAMINERS  
FOR ENGINEERS AND  
SURVEYORS LICENSE  
NO. C-3035

## REFERENCE


1. PRELIMINARY PLAT FOR PARCEL PROVIDED BY PATTERSON LAND SURVEYING, PA ON APRIL 15, 2016.
2. EXISTING SITE TOPOGRAPHY AND FLOOD ZONE OBTAINED FROM MECKLENBURG COUNTY GIS APRIL 2016.
3. PROPOSED WASTE AREA AND ASSOCIATED STORMWATER MANAGEMENT AREAS PROVIDED BY JOYCE ENGINEERING, INC.
4. PROPOSED PLANTING AREAS WITHIN 80' BUFFER BASED ON REVIEW OF 2015 SITE AERIAL PHOTOGRAPHY PROVIDED BY PATTERSON LAND SURVEYING, PA, APRIL 2015.
5. STREAM BUFFER BOUNDARY BASED ON APPROXIMATE STREAM CENTER LINE PROVIDED BY PATTERSON LAND SURVEYING, PA ON APRIL 15, 2016. NO STREAM TOP OF BANK SURVEY HAS BEEN PERFORMED.

**CONDITIONAL DISTRICT SITE PLAN**

DRAWING N

## CD100

SHEET 2 OF 3



**Civil & Environmental Consultants, Inc.**  
 1900 Center Park Drive - Suite A - Charlotte, NC 28217  
 Ph: 980.237.0373 · Fax: 980.237.0372

**CONDITIONAL DISTRICT REZONING  
GREENWAY WASTE SOLUTIONS  
AT NORTH MECK, LLC  
15300 HOLBROOKS ROAD  
HUNTERSVILLE, NORTH CAROLINA**







## Conditional Rezoning Neighborhood Meeting Notes

- Introduction by John Brown
- Overview of the larger overall site map – walked through each parcel being rezoned
- Went through the reasons for rezoning
- Overview of the zoomed in map
  
- Questions:
  - Will it be loud?
    - It will not be any louder than the equipment already used on site.
  - Additional Jobs?
    - Estimated 15-20 jobs
  - How many more trucks will be added?
    - Described the TIA process
  - Citizen wanted the speed limit decreased to 25 MPH
    - This is a DOT issue
  - How do we get a sidewalk or bike path?
    - “Not necessarily down by the facility but by where we live. Talking about from Central or Church all the way down to at least the residential side where we all live.”
      - This is also a Town and DOT issue
      - Nate Bowman approached the citizen about this saying his project would be installing sidewalks.
  - 100ft buffer will be vegetated and landscaped?
    - Yes, it will be an undisturbed buffer
  - Why are you asking for a variance to the vegetated buffer?
    - We replied about the colonial pipeline and the natural buffer
    - Requested variance from right side relief request where the buffer is
    - Planting additional screening and vegetation is counterproductive when it is already forested
  - How many trucks do you anticipate?
    - We can't predict that any more or fewer trucks will come to the site as a result of the operations. There will be additional trucks leaving with recycled commodities, somewhere in the estimated range of 5-10 trucks a day.
  - Have you guys thought about putting a light at Statesville Road?
    - Really a DOT issue
  - What type of materials are handled at the facility now? Janice
    - JB walked through what is accepted per the DEQ guidelines
  - What do you do with the material now?
    - Recycle what we can and landfill the rest

## Exhibit D

- Will this request allow you to handle any other types of material?  
Janie
  - No, same requirements.
- “With this facility and vermillion will we be able to get a light?”
  - From our perspective we will only be involved with what the Town is required from us.
  - Nate Bowman spoke up about the ability for them to drive through Vermillion to avoid the intersection at Statesville. He made some comments about a right hand storage lane.
- With the increase in the size of the facility are there any more trucks anticipated b/c the facility is larger?
  - No
- If this is passed as proposed what is the duration of time for construction?
  - An estimated 2 years, this could change
- What kind of building is it?
  - Metal building with three sides.
- When will the hearing be? Will it be public? What time is the hearing?  
Kathleen
  - Made them aware of the time, August 15<sup>th</sup> at 6:30PM
- “So this is a profitable venture? Not for charity?”
  - Yes, this is for profit.
- Will this site be like DH Griffin on Remes Road?
  - Not totally sure of DH Griffin’s operations on Remes to be exactly sure how similar or dissimilar it will be
- This will not create any more toxins or noise?
  - The material is on concrete and no different than what is already processed





# 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 \_\_\_\_\_

Name of Project \_\_\_\_\_ Phase # (if subdivision) \_\_\_\_\_

Location \_\_\_\_\_

Parcel Identification Number(s) (PIN) \_\_\_\_\_

Current Zoning District \_\_\_\_\_ Proposed District (for rezonings only) \_\_\_\_\_

Property Size (acres) \_\_\_\_\_ Street Frontage (feet) \_\_\_\_\_

Current Land Use \_\_\_\_\_

Proposed Land Use(s) \_\_\_\_\_

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.

## 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  Printed Name \_\_\_\_\_

Address of Applicant \_\_\_\_\_

Email \_\_\_\_\_

Property Owner's Signature (if different than applicant) \_\_\_\_\_

Printed Name \_\_\_\_\_

Property Owner's Address \_\_\_\_\_ Email \_\_\_\_\_

\* 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	Name of contact	Phone	Email
------------------	-----------------	-------	-------

Design Firm	Name of contact	Phone	Email
-------------	-----------------	-------	-------

### 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:

 Mike Griffin 704-533-5781

### 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.

## Contact Information

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



# General Application

***Incomplete submissions will not be accepted. Please check all items carefully.***

## 1. Application Type

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- |   |   |
|---|---|
| <input type="checkbox"/> CHANGE OF USE<br><input type="checkbox"/> COMMERCIAL SITE PLAN<br><input checked="" type="checkbox"/> CONDITIONAL REZONING<br><input type="checkbox"/> GENERAL REZONING<br><input type="checkbox"/> MASTER SIGNAGE PROGRAM<br><input type="checkbox"/> REVISION to _____<br><input checked="" type="checkbox"/> SPECIAL USE PERMIT | <b>SUBDIVISION CATEGORIES: <i>Per the Huntersville Subdivision Ordinance</i></b><br><input type="checkbox"/> SKETCH PLAN<br><input type="checkbox"/> PRELIMINARY PLAN<br><input type="checkbox"/> FINAL PLAT(includes minor and exempt plats)<br><input type="checkbox"/> FINAL PLAT REVISION<br><input type="checkbox"/> FARMHOUSE CLUSTER |
|---|---|



## 2. Project Data

Date of Application 4/27/2016

Name of Project Greenway Waste Addendum R16-06 Phase # (if subdivision) \_\_\_\_\_

Location 15300 Holbrooks Road Huntersville, NC 28078

Parcel Identification Number(s) (PIN) portion west of Cane Creek of parcel 01918162

Current Zoning District NR and TR Proposed District (for rezonings only) SP(CD)

Property Size (acres) 135 Street Frontage (feet) 1034 feet

Current Land Use Construction and Demolition Landfill

Proposed Land Use(s) Construction and Demolition Landfill with Materials Recycling Facility

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.  
Proposing to build a materials recycling facility on existing construction and demolition landfill.

This is an addendum to Greenway Waste Solutions larger conditional re-zoning.

## 4. Site Plan Submittals

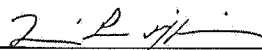
Consult the particular type of *Review Process* for the application type selected above. These can be found at: <http://www.huntersville.org/Departments/Planning/PermitsProcess.aspx>.

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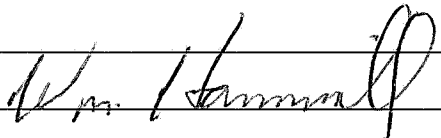
For major subdivisions, commercial site plans, and rezoning petitions please enclose a copy of the Charlotte-Mecklenburg Utility *Willingness to Serve* letter for the subject property.

## 6. Signatures

\*Applicant's Signature  Printed Name Mike Griffin

Address of Applicant 19109 W. Catawba Ave Ste 100 Cornelius, NC 28031

Email mike@griffinbrothers.com

Property Owner's Signature (if different than applicant) 

Printed Name William W. Hammill

Property Owner's Address 11745 Trails End Ln Huntersville, NC Email billhammille@gmail.com

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

Civil & Environmental Con Todd Gingrich 980-237-0371 tgingerich@cecinc.com

Development Firm	Name of contact	Phone	Email
Civil & Environmental Con	Scott Brown	980-237-0371	sbrown@cecinc.com

Design Firm	Name of contact	Phone	Email
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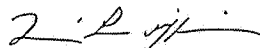
### If Applying for a General Rezoning:

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:



Mike Griffin 704-533-5781

19109 W. Catawba Ave Ste 110 Cornelius NC 28031

### 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.

## Contact Information

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



New Haven Park/Pottstown Association 2016  
Betty Jane "Bee Jay" Caldwell, Facilitator  
July 13, 2016

New Haven Park/Pottstown Association is a newly formed community association to meet the needs of the community in order to receive communications from Huntersville's governing body. The formation of the Holbrooks Road Association in 2000 has resulted in a "split/fracture" in the community. Pottstown citizens have suffered greatly because of this. Our complex society dictates that we as a people must reclaim our place in Huntersville's government. We must draw strength from our past when the Huntersville Community Development Association represented all segments of the Pottstown and adjoining communities – New Haven Park, Holbrook Road Community, David Street residents, Dellwood Drive residents, Whispering Pines, and Gibson Park.

Currently the Holbrooks Road Association is the only group in the Pottstown community that receives updates from the town on a regular basis. It consists of home owners/renters whose homes have a direct access to Holbrooks Road. It is a private entity (meaning that other Pottstown citizens are excluded from attending their meetings). Because it gives compensation to its members, (about 30 homes) twice a year, it has been a source of contention among the citizens. This is an injustice, because all who live in close proximity to Holbrooks Road suffer from the affects of diesel pollutants from the 200 plus trucks that travel it daily.

These dwellings are first generation homes of descendants of slaves and were designated as a site for them in 1909 by the governing body of Huntersville. No street has any infrastructure or sidewalks. If it rains, standing water at the corner of Central and Holbrooks Road floods and gushes like a roaring river. As of August 31, 2015, Huntersville Park and Rec has not served the citizens of these communities in any way. The community is the battering rams of a millionaire developer and a multi-millionaire business/landfill owner who is waiting for the older ones to die and take possession of this prime property real estate. I have listed the names of streets and the names of families living on it.

South Church Street (Dead Ends)  
Huntersville A. M. E. Zion Church  
Young  
Houston  
Renter  
North of Holbrooks Road  
Renter  
Sherrill  
Sloan  
Staton  
Boyd  
Caldwell  
Renter (Latino)  
Renter  
Whitley  
Vacant

Caldwell  
Renter  
For Sale  
South Church Street Extension  
Bost  
Vacant  
Patterson

Holbrooks Road  
Renter Corner of Church  
Renter Corner of Church  
Elliott  
Brown  
Renter  
Renter  
Barringer  
Grier  
Smith  
Ross  
Wynn  
Wynn  
Wynn  
Houston  
Moultry  
Renter  
New Home Owner  
Smith  
New Home Owner  
Renter  
Renter  
Renter  
Blackmon  
Blackmon  
Blackmon

North Central Avenue  
Patterson  
Sherrill  
Vacant  
Latino  
Moore  
Sherrill  
Renter  
Latino  
Renter  
Phillips  
Smith



South Central Avenue (East Side)

New  
Vacant  
Alexander  
Sloan  
New

South Central Avenue (West Side)

Gibson  
Moore  
Latta  
Berry  
White  
Grier  
Hughey  
Douglas  
Brunson  
Beatty

David Street (South side)

Thompson  
Thompson  
Neal

David Street (North side)

Henderson  
Vacant  
Renter  
Renter  
Renter

Below are the names of other families who live within a one half mile to one mile of Holbrooks Road and travel it to gain access to their homes.

North Central Avenue to Dellwood Drive (East Side)

Alexander  
Brown  
Vacant  
Whitley  
Alexander  
Renter  
Alexander

North Central Avenue to Dellwood Drive (West Side)

Trapp  
Thompson  
Vacant  
Springs  
Hall  
Renter  
Neal

Latino  
Moore  
Renter

Neeley Street  
Torrence  
Vacant  
New

Dellwood Drive (South Side)

Brice  
New  
Latino  
Vacant  
Brice  
Fletcher  
Johnson  
Johnson  
Alexander

Dellwood Drive (North Side)

Whitley  
Latino  
Smith  
Brown  
Renter  
Latino  
Habitat  
Habitat  
Habitat  
Habitat

Vermillion N/A – New Development

Whispering Pines (Cul-de-sac)

Sherwynn Drive – Fourteen (14) homes on it.

Gibson Park Drive (Mixture of old and new Vermillion homes) {South Side}

Home owner  
Vermillion Homes  
Moore  
Home owner  
Home owner  
Home owner  
Barringer

Gibson Park Drive (North West Older Homes)

Habitat  
Habitat  
Habitat



Moore  
Bost  
Brown  
Harris  
Hicks  
Davis  
Hicks

For most Pottstown citizens, the landfill has outlived its usefulness because it runs directly through our community and that means the 200+ plus trucks it carries. Mr. Griffin speaks of how great a "hardship" it will be if the town does not grant the requested variances. For him, it's the income it will generate for him and his family, for the town and the county for generations to come.

For us, we agree that it will be a hardship on our quality of life ... while at 6 AM daily, we hear speeding trucks entering our community; we smell the diesel fumes while we wait at the bus stop with our children! Each time we have voiced our concern for our health and safety, promises have been made to close Holbrook Road to landfill traffic. For many years we have set by using the "grace of silence" not to object to the fumes, speeding trucks, the noise and the fact that approximately twenty families receive annual compensation for agreeing to be supportive of it.

There is an end to everything, and 2016 is the year to assign a permanent year end stipulation to the landfill at the end of Holbrooks Road. It is important to note that it changes its name in order to assure its longevity.

Feel free to "Fact Check" this info.

Bee Jay's 70<sup>th</sup> birthday—July 13, 2016

New Haven Park (East)

Houston

Henderson

Latinos

Neal

New Haven (West)

Speart

Rental

Spears

Vacant

Home owner

Home owner

Home owner

over

**Town of Huntersville**  
**REQUEST FOR BOARD ACTION**  
**8/1/2016**

**REVIEWED:**

**To:** The Honorable Mayor and Board of Commissioners  
**From:** Jack Simoneau, Planning Director  
**Subject:** Asbury Chapel NVR Subdivision

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**SKETCH:** Asbury Chapel NVR Subdivision is a request by NVR to subdivide approximately 76.13 acres to develop 110 single family homes in the Transitional zoning district. The property is located on Asbury Chapel Road and is identified as PINs: 02101112, 02116101, 02116112, & 02116113.

**ACTION RECOMMENDED:**

Conduct evidentiary hearing and consider decision on Asbury Chapel NVR Subdivision Sketch Plan. (Jack Simoneau).

**FINANCIAL IMPLICATIONS:**

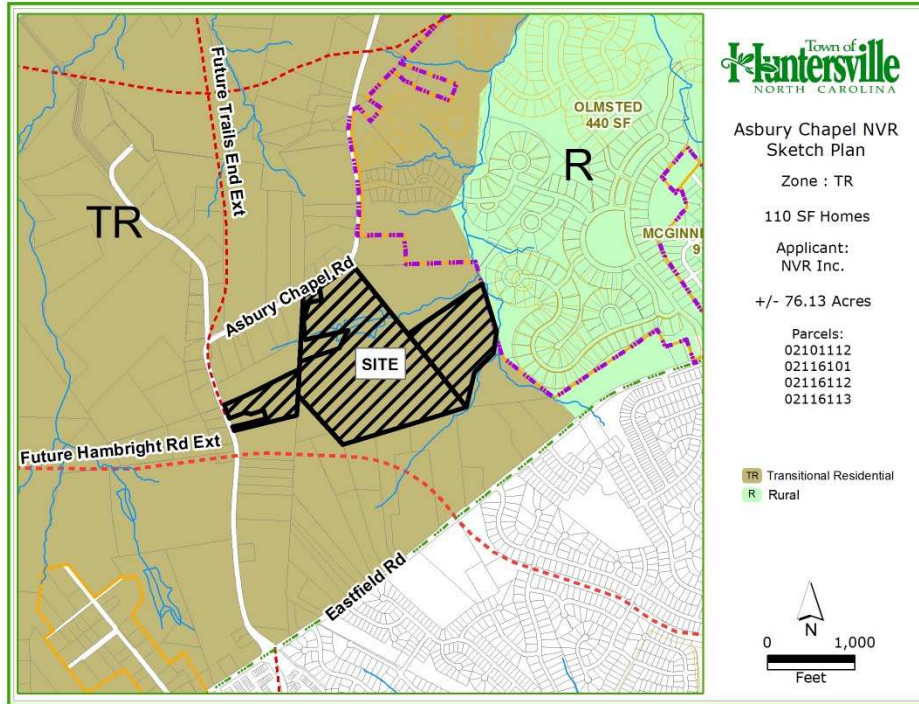
**ATTACHMENTS:**

Description	Type
▣ Asbury Chapel NVR TB Staff Report 8-1-16	Staff Report
▣ Attachment A -Application	Exhibit
▣ Attachment B Site Plan 1/4	Exhibit
▣ Attachment B Site Plan 2/4	Exhibit
▣ Attachment B Site Plan 3/4	Exhibit
▣ Attachment B Site Plan 4/4	Exhibit
▣ Attachment C - Neighborhood Meeting Summary	Exhibit
▣ Attachment D - Determination of Adequacy	Exhibit
▣ Attachment E - CMS Report	Exhibit
▣ Attachment F - PB Areas of Concern	Exhibit



## Asbury Chapel Subdivision Sketch Plan

### PART 1: PROJECT SUMMARY



**Applicant:** NVR Inc.

**Project Size:** +/- 76.13 acres

**Parcel Numbers:**  
02101112, 02116101, 02116112,  
02116113

**Current Zoning:** Transitional Residential (TR)

**Current Land Use:** The land is currently vacant.

**Proposed Land Use:** 110 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: Transitional (TR) single-family: Large lot single-family residential

South: Transitional (TR), single-family: Large lot single-family residential

East: Transitional (TR) Church & Rural (R) single-family: Olmsted subdivision

West: Transitional (TR) single-family: Large lot single-family residential

- A neighborhood meeting was held on May 12, 2016, see [Attachment C](#), Neighborhood Meeting Summary.
- The proposed project is not located in a protected watershed.
- Max density allowed is 1.5 units an acre with 40 % open space. The project has 1.44 units an acre with 44.4% open space.
- 35% of the existing tree canopy and 35% of the existing specimen trees are required to be saved. The developer is saving 36.01% of the tree canopy and 52.9% of the specimen trees onsite.
- Buffers, street standards, connectivity and setbacks are all compliant with the zoning and subdivision ordinance.
- The developer is asking the Town Board to approve two block length waivers, due to expansive creek crossings (1,645 & 1,150 linear feet), per Article 5: Streets.

### PART 3: TRANSPORTATION ISSUES

#### Traffic Impact Analysis

Based on the land use and intensity proposed, a Traffic Impact Analysis (TIA) was required. A final sealed TIA was accepted by Town staff on July 14<sup>th</sup>. The final TIA recommended no roadway improvements. It would be the

Engineering and Public Works Department's recommendation based on the results of the TIA, the conditions anticipated on the road in the future, and current speed limit posted, to require the following roadway improvements for the development:

Asbury Chapel Road at Site Entrance #1

- Construct an exclusive left-turn lane on Asbury Chapel Road with 100 feet of storage

Asbury Chapel Road at Site Entrance #2

- Construct an exclusive left-turn lane on Asbury Chapel Road with 100 feet of storage

Site Plan Comments

Engineering and Public Works have the following comments that remain outstanding based on the latest site plan:

1. NCDOT has chosen to agree with and require the road improvements suggested by the Town. Therefore, the developer will be required to construct an exclusive left-turn lane on Asbury Chapel Road with 100 feet of storage at each entrance into the subdivision.
2. Trees planted along the ditch section proposed on Asbury Chapel will need to be 5' from the back of ditch.
3. Internal sight triangles will need to be revised so that they are drawn along the right-of-way line.
4. Proposed storm lines may not be more than 2' from the gutter line.
5. Proposed storm lines may not have more than 50' of pipe directly under the pavement.

All the above items are typically addressed in the preliminary plan phase and are expected to be revised accordingly, at that time. At minimum, these items will be noted on the final Sketch Plan.

**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 intensity development from the east and west of this corridor extending to the Town boundaries.  
STAFF COMMENT: The proposed density of Asbury Chapel Subdivision is 1.44 units per acre, which is consistent with this policy of the 2030 Community Plan and the Transitional (TR) zoning district.
- **Policy E-1: Preservation and Environment.** Support the preservation and enhancement of the natural environment, along with its scenic and cultural assets.  
STAFF COMMENT: The applicant is preserving the natural environment through the protection of buffers and providing tree save area throughout the project boundary. A portion of a cemetery is located in the project and is being properly buffered (proposed lots will not impact the cemetery site).
- **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.
- **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 Transitional (TR) zoning district requires thirty-five (35%) percent of the existing tree canopy to be preserved; the developer is saving 36.01% (22.74 acres). As required thirty-five (35%) of all



specimen trees are required to be saved. The applicant is saving fifty two (52.9%) percent of the specimen trees. The 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.

- **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 internal street cross-section proposed is appropriate for residential use. There are 10’ travel lanes. Curb and gutter, with 7’ green zones (planting strips) and 5’ sidewalk on each side of the street. The total right-of way width is 51’. Block length is allowed to be no longer than, 800’ in major residential subdivisions. Per Article 5: Streets, the developer is requesting a waiver from the Town Board to approve two block lengths due to a large creek crossings. The block lengths to cross the creeks are 1,645 and 1,150 linear feet.

- **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 sidewalk on both sides of all internal subdivision streets that will tie into abutting neighborhood streets. A sidewalk, bike lanes, and wide shoulder will be installed on Asbury Chapel Road to comply with future plans and ordinance.

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

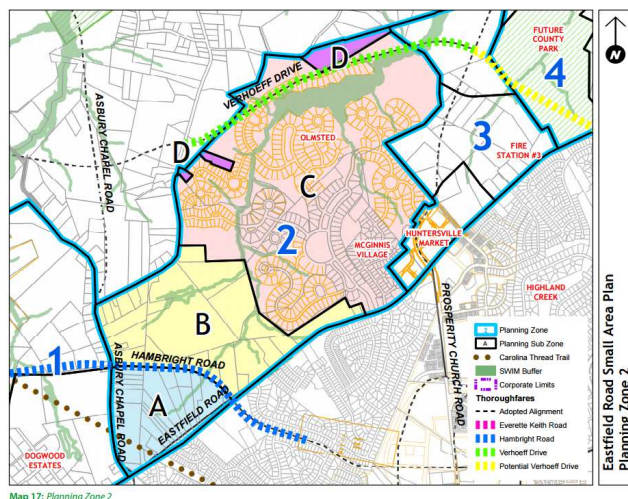
**STAFF COMMENT:** The proposed development has two entrances from Asbury Chapel Road. Internal to the subdivision, on the southern and eastern property lines a stub street will be constructed with right of way connecting to the adjoining property line.

- **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 110 single-family units. See #19 of this section for further details.

The Following Sections of the Eastfield Road Small Area Plan apply to this request:

- **Land Use Recommendations.** Zone 2B it is recommended that the current TR zoning be maintained (Page 29).



Map 17: Planning Zone 2  
Eastfield Road Small Area Plan | Adopted by Town Board of Commissioners on January 6, 2014

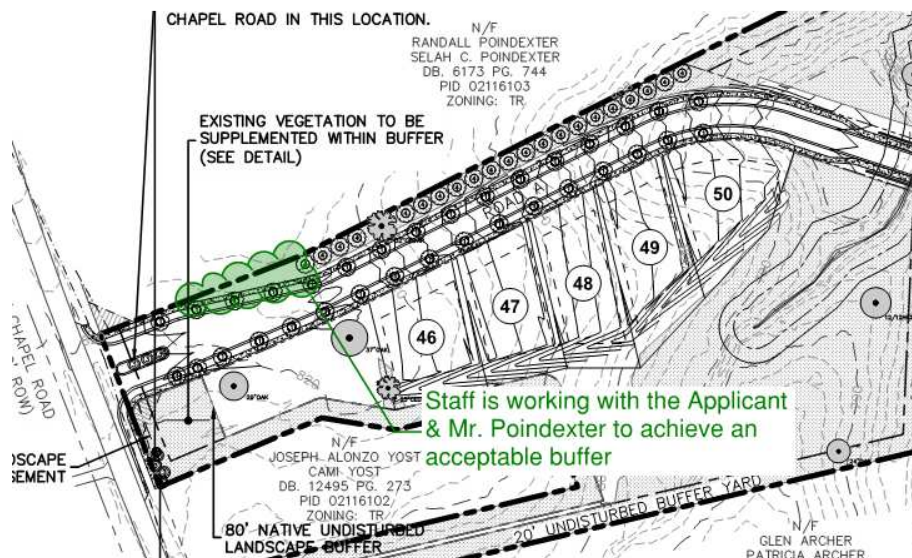
- **Transportation Recommendations.** Asbury Chapel Road is an existing state maintained two-lane road which provides important north/ south access to and from the Study Area. A thoroughfare alignment study

completed in 2006 called for the realignment of Asbury Chapel road just north of the Study Area up to Huntersville-Concord Road. Improvements to Asbury Chapel Road (i.e. pedestrian & bicycle accommodations) are not currently programmed and therefore not likely to occur unless funded through private development. (Page 38)

## 2. Conformity.

The proposed development is in keeping with the density in the Eastfield Road Small Area Plan and other major subdivisions in this area (Zone 2). Olmsted .95 units to the acre is currently zoned Transitional (TR) and Rural (R).

All proposed subdivisions shall be planned so as to facilitate the most advantageous development of the entire neighboring area. In areas with established and/or approved development, new subdivisions shall be planned to protect and enhance the stability, environment, health, and character of neighboring areas. The geometry of streets and intersections and the location of street connections will be assessed to minimize the detrimental effects of high volume, high speed neighborhood through traffic.



## 3. Access between Adjoining Properties.

The proposed development is providing a right of way extending to the western (Bodine Property) and northern (Poindexter Property & Asbury United Methodist Church) property lines to aid future connectivity. Block length and cul-de-sac requirements are being met. Additionally a pedestrian access to the adjacent cemetery is being provided between Lots 53 & 54.

## 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 thirty-five (35%) percent of the tree canopy, thirty-five (35%) percent of the specimen trees and one hundred (100%) percent of the heritage trees and these requirements are being met. 36.01% of the tree canopy is being saved; fifty two (52.9%) percent of the specimen trees are being saved; and there are no heritage trees on site. There is an existing storm water buffer that permanently protects a significant portion of natural vegetation.

**6. Access to parks, schools, etc.**

The applicant is providing sidewalks on both sides of the street for all internal streets. Installation of a sidewalk on Asbury Chapel Road will be installed. Future development surrounding the property will aid the sidewalk network.

**7. Discourage through traffic.**

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

**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 Asbury Chapel Subdivision have not been identified for a public school or park site.

**12. Public Facilities**

The parcels associated with Asbury Chapel 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.**

The property contains a 50' Gas Line right of way for Plantation Pipeline

**15. Proposed water and sewerage system.**

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

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

No flood plain exist onsite.

**17. Reserved.**

**18. Open Space**

The applicant is required to provide thirty nine (39%) percent open space to achieve 1.44 units per acre. The current plan is providing 44.4% open space. Also all lots must be within ¼ mile of an Urban Open Space (purple color in the map below). The applicant is utilizing a Greenbelt & Park to satisfy the Urban Open Space requirement.





## 19. Impact of Development on Public Facilities

Under the provisions of the APF Ordinance, all residential development greater than twenty (110) 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 Asbury Chapel Subdivision, staff finds:

- The application is complete.

- Staff recommends approval of the two block length waivers requested due to topography and the nature at which the creek crossings occur (see map below for locations).



- The application does comply with the ordinance and the future land use plans, upon minor plan corrections.
- Staff recommends approval of the subdivision, once final comments have been addressed.

#### **PART 6: PLANNING BOARD RECOMMENDATION**

The Planning held meeting on June 28<sup>th</sup> which resulted in a continuation until the July 26<sup>th</sup> hearing due to a number of items of concern from the Planning Board. See Attachment F for further details. All items have been addressed and the Planning Board recommended approval (8-0) with the following motion: approve the plan based on the application being complete; the subdivision sketch plan is consistent with implementation goals H-1, E-1, E-2, E-3, T-5, T-6, T-8, and PF-2 of the 2030 Community Plan, and Eastfield Road Small Area Plan; recommends the 2 block length waivers due to topography and nature at which the creek crossings occur, which includes a 1,645' and 1150' road; the application complies with the Zoning Ordinance and future land use plans upon minor plan corrections, which includes items 1-5, which are, 1) NCDOT has chosen to agree with and require the road improvements suggested by the Town; therefore the developer will be required to construct two (2) exclusive left turn lanes on Asbury Chapel Road and the developer has agreed to the recommendations of the length of the lanes; 2) trees planted along Asbury Chapel Road will need to be 5' from the back of the ditch; 3) internal sight triangles will need to be revised; 4) proposed storm lines may not have more than 50' of pipe under the pavement; and 5) that these items be noted on the sketch plan; including that the easement to the cemetery be documented and included in HOA documentation for who is to cover the maintenance of the easement, and that a fence for the corner of the cemetery property intruding into the subdivision be included in the sketch plan; and that the meeting with Mr. Poindexter to determine vegetation to be planted in the buffer along his property line be agreed upon with the applicant.

#### **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 per [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
- F – Planning Board Areas of Concern



# **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 4/1/2016

Name of Project Asbury Chapel - Finch Property Phase # (if subdivision) 1 of 1

Location 11124 Asbury Chapel Road

Parcel Identification Number(s) (PIN) 02116101

Current Zoning District TR - Transitional Residential Proposed District (for rezonings only) TR - Transitional Residential

Property Size (acres) 76.14 Acres (Total Project); 6.87 Acres (This Parcel) Street Frontage (feet) 213 ft

Current Land Use Mostly Vacant Land; Includes a few residential buildings

Proposed Land Use(s) Single Family Subdivision

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

## 3. Description of Request

Briefly explain the nature of this request. If a separate sheet is necessary, please attach to this application.  
This is a Major Subdivision Sketch Plan Submittal for a proposed single family residential subdivision.

## 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  Printed Name Mallie Colavita  
Address of Applicant 10710 Sikes Place, Suite 200, Charlotte, NC 28277  
Email mcolavit@nvrinc.com

Property Owner's Signature (if different than applicant)   
Printed Name Paul Finch, Manager of PF USA PROPERTY PORTFOLIO NC LLC

Property Owner's Address \_\_\_\_\_ Email paulfinch1954@gmail.com

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

NVR	Mallie Colavita	856-296-4407	mcolavit@nvrinc.com
Development Firm	Name of contact	Phone	Email
American Structurepoint	Rad D. Hudson, PE	704-654-7205	rhudson@structurepoint.com
Design Firm	Name of contact	Phone	Email

### 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.

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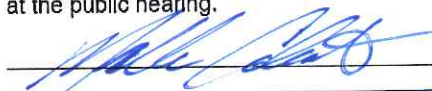
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Signature, name, firm, address, phone number and email of Duly Authorized Agent by owner needed below:

Mallie Colavita, Ryan Homes, 10710 Sikes Place Rd, Charlotte, NC 28277 mcolavit@nvrinc.com 856-296-4407

### 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.



## Contact Information

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





# 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 4/1/2016

Name of Project Asbury Chapel - Haack Property Phase # (if subdivision) 1 of 1

Location 11540 and 11820 Asbury Chapel Road

Parcel Identification Number(s) (PIN) 02101112; 02116112; 02116113

Current Zoning District TR - Transitional Residential Proposed District (for rezonings only) TR - Transitional Residential

Property Size (acres) 76.14 Acres (Total Project); 69.47 Acres (These Parcels) Street Frontage (feet) 640 ft

Current Land Use Mostly Vacant Land; Includes a residential building.

Proposed Land Use(s) Single Family Subdivision

Is the project within Huntersville's corporate limits?

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

## 3. Description of Request

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

*This is a Major Subdivision Sketch Plan Submittal for a proposed single family residential subdivision.*

## 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.

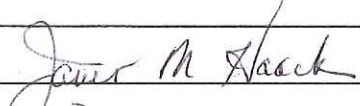
For major subdivisions, commercial site plans, and rezoning petitions please enclose a copy of the Charlotte-Mecklenburg Utility Willingness to Serve letter for the subject property.

## 6. Signatures

\*Applicant's Signature  Printed Name Mallie Colavita

Address of Applicant 10710 Sikes Place, Suite 200, Charlotte, NC 28277

Email mcolavit@nvrinc.com

Property Owner's Signature (if different than applicant) 

Printed Name Janet M. Haack Representative for Donald E. Haack Family Trust

Property Owner's Address  Email jhaack1382@aol.com

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

NVR	Mallie Colavita	856-296-4407	mcolavit@nvrinc.com
Development Firm	Name of contact	Phone	Email
American Structurepoint	Rad D. Hudson, PE	704-654-7205	rhudson@structurepoint.com
Design Firm	Name of contact	Phone	Email

### 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:

Mallie Colavita, Ryan Homes, 10710 Sikes Place Rd, Charlotte, NC 28277 mcolavit@nvrinc.com 856-296-4407

### 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.



## Contact Information

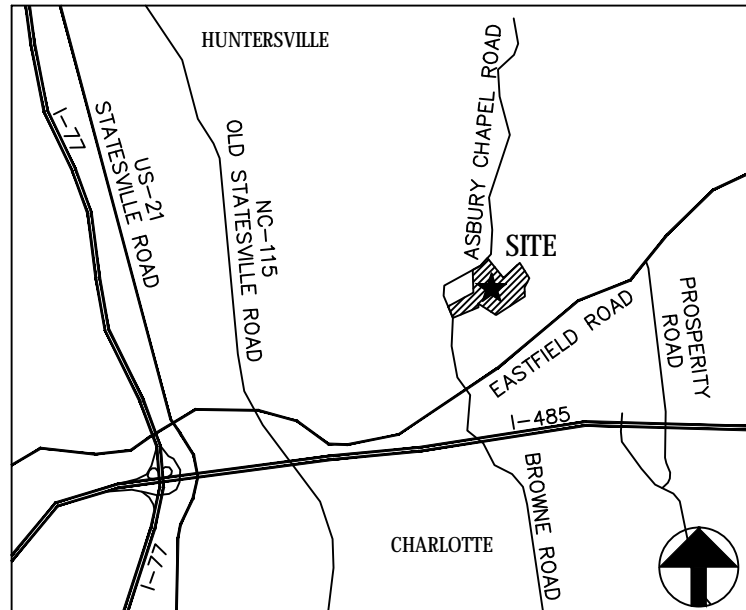
Town of Huntersville	Phone:	704-875-7000
Planning Department	Fax:	704-992-5528
PO Box 664	Physical Address:	105 Gilead Road, Third Floor
Huntersville, NC 28070	Website:	<a href="http://www.huntersville.org/Departments/Planning.aspx">http://www.huntersville.org/Departments/Planning.aspx</a>



# PRELIMINARY SKETCH PLAN FOR ASBURY CHAPEL

11620 ASBURY CHAPEL ROAD  
HUNTERSVILLE, NC 28078

EPM #364450



SHEET INDEX	
DESCRIPTION	SHEET No.
TITLE SHEET	C001
TOPOGRAPHIC SURVEY	C002
TREE SURVEY	C003
EXISTING FEATURES SITE ANALYSIS PLAN	C100
4 STEP PROCESS	C150
OVERALL SITE PLAN	C200
SITE PLAN	C201-C203
OPEN SPACE PLAN	C250
OVERALL GRADING PLAN	C400
GRADING PLAN	C401-C403
DRAINAGE AREA MAP	C401-C403
DETAILS	C800-C816
REQUIRED PLANTING PLAN	C900



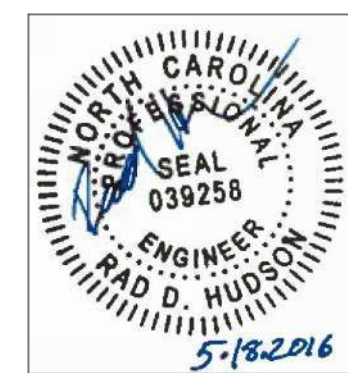
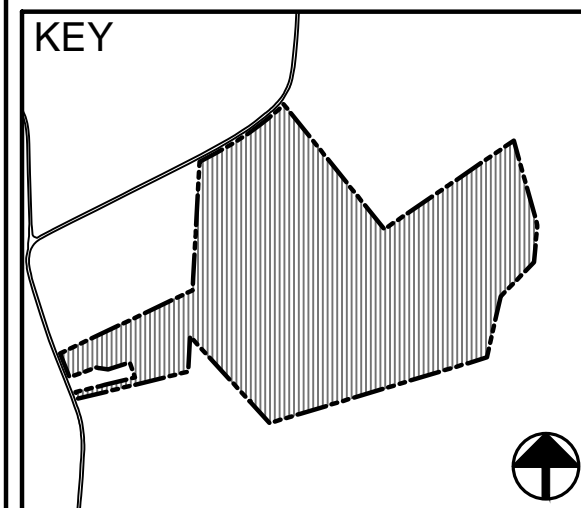
9920 Kincoy Avenue, Suite 200 | Huntersville, NC 28078  
TEL 704.875.9887  
www.ryanhomes.com



American Structurepoint, Inc.  
NC Engineering Firm F-119  
831 East Morehead Street, Suite 660 | Charlotte, NC 28202  
TEL 980.938.0977 | FAX 317.543.0270  
www.structurepoint.com

## ASBURY CHAPEL

11620 Asbury Chapel Road  
Huntersville, NC 28078



PERMITTING ONLY  
NOT FOR  
CONSTRUCTION

CERTIFIED BY  
NC ENGINEERING FIRM F-1119

### ISSUANCE INDEX

DATE:	
04/01/2016	
PROJECT PHASE:	
ALL	

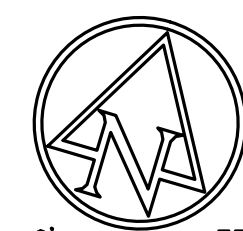
### REVISION SCHEDULE

NO.	DESCRIPTION	DATE
A	PRELIM. SKETCH PLAN 1	4/1/2016
B	PRELIM. SKETCH PLAN 2	5/18/2016

STRUCTUREPOINT PROJECT # 2015.00721

### TITLE SHEET

C001



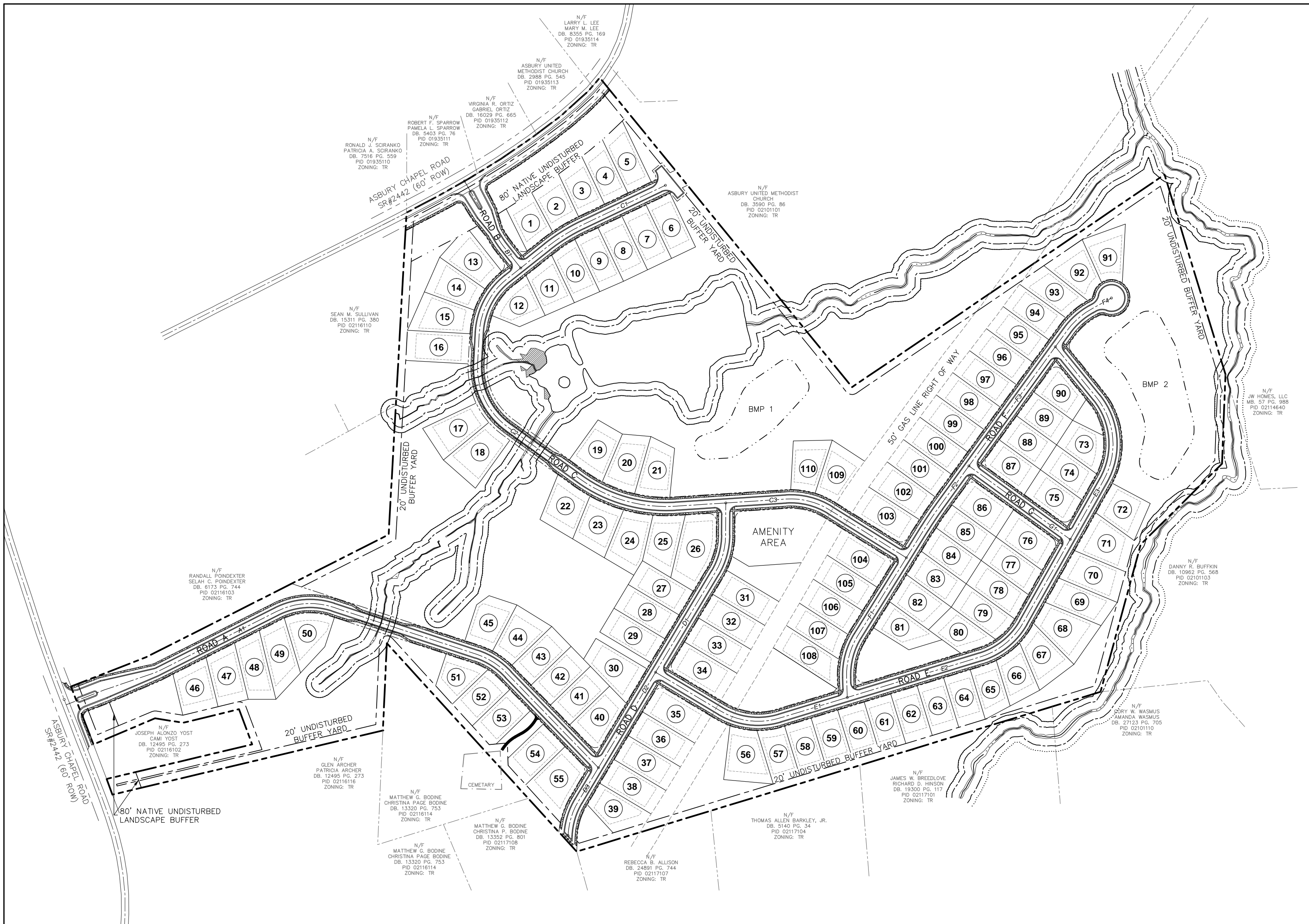
0' 75' 150'  
SCALE: 1"=150'

LOT DATA							
LOT	AREA (SF)	BUILT-UPON AREA (SF)	LOT WIDTH (FT)	LOT	AREA (SF)	BUILT-UPON AREA (SF)	LOT WIDTH (FT)
1	10197	5014	85	56	14716	8280	75
2	10248	5180	85	57	10742	5758	75
3	10428	5472	80	58	10500	5605	75
4	10548	5682	70	59	10500	5605	75
5	11966	6729	70	60	10500	5605	75
6	11520	6440	72	61	10500	5605	75
7	11520	6440	72	62	10500	5605	75
8	11520	6440	72	63	10500	5605	75
9	11103	6139	70	64	10500	5605	75
10	11285	6216	77	65	10120	5623	75
11	11276	5987	88	66	10947	5611	80
12	11000	5248	85	67	12692	6923	65
13	12722	7018	65	68	15034	8769	65
14	12735	6600	65	69	12506	7139	75
15	12735	7607	65	70	13596	7908	85
16	12735	8195	82	71	13936	7889	115
17	13008	7390	65	72	12132	6354	90
18	14935	8754	75	73	10500	5273	105
19	12538	6998	107	74	10864	5801	80
20	12764	7274	93	75	11168	5936	80
21	12213	6858	98	76	13507	7295	85
22	12921	6943	95	77	11654	6502	75
23	12789	6949	98	78	11970	6751	75
24	13948	8178	81	79	11824	6659	75
25	12644	7015	88	80	11260	5736	135
26	17575	11261	90	81	11180	5694	88
27	12000	6785	75	82	11466	6523	85
28	12000	6785	75	83	11185	6139	75
29	12000	6785	75	84	11250	6191	75
30	13947	8229	109	85	11184	6145	75
31	12239	6969	75	86	12502	6880	85
32	12290	7013	75	87	11044	5831	80
33	12375	7082	75	88	10809	5765	80
34	13954	8052	85	89	10423	5466	80
35	13909	8015	85	90	10456	5399	90
36	12310	7030	75	91	12052	6307	60
37	12268	6996	75	92	12533	6681	65
38	12168	6919	75	93	11644	6356	75
39	12002	6282	85	94	11439	6337	75
40	12458	6972	80	95	11488	6376	75
41	11250	6195	75	96	11634	6496	75
42	11250	6195	75	97	11800	6630	75
43	11249	6195	75	98	11883	6693	75
44	12516	6878	65	99	11935	6733	75
45	12113	6819	80	100	11969	6761	75
46	12264	6528	100	101	11995	6781	75
47	12298	6859	85	102	12785	7334	75
48	12674	7259	75	103	13328	7595	80
49	13553	7641	75	104	13344	7593	85
50	12979	6485	140	105	11944	6740	75
51	10142	4940	120	106	11728	6567	75
52	11120	6030	80	107	11201	6161	75
53	11300	6228	80	108	13012	7421	75
54	12357	6999	85	109	11660	6230	65
55	15858	8981	85	110	11770	6310	65

PROPOSED PUBLIC ROADS				
DESIGN STREET NAME	DESIGN STREET BLOCK ID	PROPOSED STREET NAME	LINEAR FOOTAGE (FT)	ROW WIDTH (FT)
ROAD A	A1*	TBD	1645	51
		ROAD A TOTAL LENGTH	1645	
ROAD B	B1	TBD	281	51
		ROAD B TOTAL LENGTH	281	
ROAD C	C1	TBD	453	51
	C2*		1150	51
	C3		532	51
		ROAD C TOTAL LENGTH	2135	
ROAD D	D1	TBD	508	51
	D2		301	51
	D3		203	51
		ROAD D TOTAL LENGTH	1012	
ROAD E	E1	TBD	562	51
	E2		788	51
	E3		599	51
		ROAD E TOTAL LENGTH	1949	
ROAD F	F1	TBD	422	51
	F2		301	51
	F3		399	51
		ROAD F TOTAL LENGTH	1327	
ROAD G	G1	TBD	339	51
		ROAD G TOTAL LENGTH	339	

#### NOTES

- SEE DETAILS FOR ROAD CROSS-SECTIONS.
- A WAIVER IS CURRENTLY BEING REQUESTED FOR ROAD A (BLOCK A1) AND ROAD C (BLOCK C2), WHICH EXCEED THE MAXIMUM BLOCK LENGTH OF 800 FEET.



#### NOTES

- APPROVAL OF THIS CONCEPT PLAN DOES NOT IMPLY OR GUARANTEE APPROVAL OF THE FINAL CONSTRUCTION PLAN. FINAL CONSTRUCTION PLAN WILL BE REVIEWED FOR COMPLIANCE PER ALL TOWN, COUNTY, AND STATE REGULATIONS IN EFFECT AT THE TIME OF SUBMITTAL.
- RETAINING WALL: ALL RETAINING WALLS REQUIRING SPECIAL INSPECTIONS (>2' IN HEIGHT) SHALL MEET THE REQUIREMENTS OF THE MCSBC CHAPTER 17 - SPECIAL INSPECTIONS AS DETAILED PER THE MECKLENBURG COUNTY CODE ENFORCEMENT SPECIAL INSPECTIONS PROCESS. ADDITIONALLY, COPIES OF THE RETAINING WALL PLANS SHALL BE SUBMITTED TO THE HUNTERSVILLE ENGINEERING DEPARTMENT FOR REVIEW AND APPROVAL. THE TOWN OF HUNTERSVILLE SHALL BE COPIED ON ALL STATEMENTS OF SPECIAL INSPECTIONS, SPECIAL INSPECTIONS FINAL REPORTS, AND DESIGN PRINCIPAL IN RESPONSIBLE CHARGE (DPIRC) LETTERS.
- 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.
- RETAINING WALLS ALL RETAINING WALLS REQUIRING SPECIAL INSPECTIONS (>5' IN HEIGHT) SHALL MEET THE REQUIREMENTS OF THE MCSBC CHAPTER 17 - SPECIAL INSPECTIONS AS DETAILED PER THE MECKLENBURG COUNTY CODE ENFORCEMENT SPECIAL INSPECTIONS PROCESS. ADDITIONALLY, COPIES OF THE RETAINING WALL PLANS SHALL BE SUBMITTED TO THE HUNTERSVILLE ENGINEERING DEPARTMENT FOR REVIEW AND APPROVAL. THE TOWN OF HUNTERSVILLE SHALL BE COPIED ON ALL STATEMENTS OF SPECIAL INSPECTIONS, SPECIAL INSPECTIONS FINAL REPORTS, AND DESIGN PRINCIPAL IN RESPONSIBLE CHARGE (DPIRC) LETTERS.
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#### TITLE SHEET LEGEND

-----	PROPERTY LINE	-----	20' STREAM SIDE ZONE STREAM BUFFER (NO DISTURB)
-----	PROPOSED RIGHT OF WAY	-----	15' UPLAND ZONE STREAM BUFFER
-----	PROPOSED SIDEWALK	-----	POND BOUNDARY (NORMAL POOL)
-----	PROPOSED EDGE OF PAVEMENT AND BOC	-----	20' UNDISTURBED BUFFER YARD
-----	PERENNIAL STREAM CENTERLINE & TOP OF BANK	-----	80' LANDSCAPE BUFFER

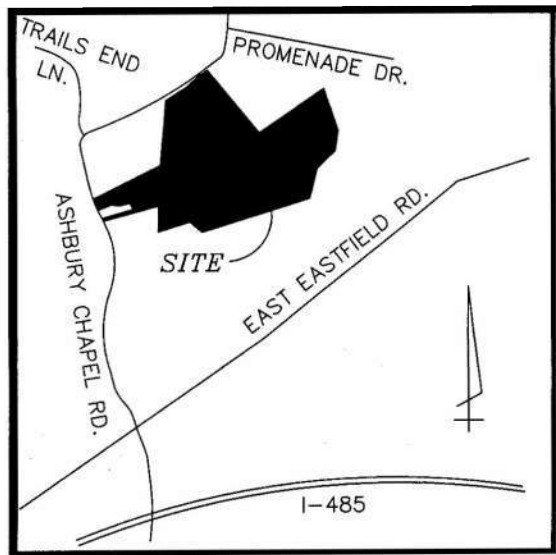


Know what's below.  
Call before you dig.

- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAGGERS, ETC AS NECESSARY TO ENSURE THE SAFETY OF THE PUBLIC.
- ALL PAVEMENT CUTS, ASPHALT OR CONCRETE, ARE TO BE PLACED ACCORDING TO STANDARDS OF THE DEPARTMENT OF TRANSPORTATION AND REGULATORY AUTHORITY SPECIFICATIONS.
- SHORING SHALL BE CARRIED OUT IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, PART 1926, SUBPART P, OR AS AMENDED.

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





VICINITY MAP (NTS)

**SURVEY NOTES:**

- 1) NORTH ORIENTATION IS NORTH CAROLINA GRID (NAD83-2011) USING GPS OBSERVATIONS AND NCSS MONUMENTS HIGHLAND AND NC VRS NETWORK ON JANUARY 8TH 2016.
- 2) UTILITIES ON SUBJECT TRACT ARE FROM FIELD OBSERVATIONS, 811 LOCATE TICKETS.
- 3) TITLE OF SUBJECT PROPERTY IS BASED ON GIS AND DEEDS FROM TO MECKLENBURG COUNTY, NC REGISTRY.
- 4) THIS PROJECT SUBJECT TO RESTRICTIONS AND EASEMENTS OF RECORD.
- 5) ALL IMPROVEMENTS SHOWN FOR THE PERFORMANCE OF THIS SURVEY.
- 6) THE SUBJECT PROPERTY IS ZONED: "TR" PER TOWN OF HUNTERSVILLE AND IS SUBJECT TO CHANGE WITH USE AND SHOULD BE VERIFIED BY USERS.  
TR SETBACKS: FRONT-25' MINIMUM, SIDE-8', REAR-25', MAX BLDG. HEIGHT: 40' MAX. DENSITY: 1.5 UNITS PER ACRE.
- 7) THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA PER COMMUNITY FLOOD PANEL MAP# 3710456900A, DATED MARCH 2, 2009.
- 8) THIS PROPERTY IS LOCATED IN CLARKE STREAM WATERSHED AND IS SUBJECT TO WATER QUALITY AND POST CONSTRUCTION BUFFERS.
- 9) IRONS AT ALL CORNERS, UNLESS NOTED OTHERWISE.
- 10) FIELD WORK FOR SURVEY UPDATE WAS PERFORMED DURING MONTHS OF FEBRUARY AND MARCH OF 2016.

**TREE SURVEY NOTES:**

**DEFINITIONS**

**SPECIMEN TREE:** A TREE (OR GROUP OF TREES) THAT MAY BE CONSIDERED IMPORTANT COMMUNITY ASSETS DUE TO THEIR UNIQUE OR NOTWORTHY CHARACTERISTICS OR VALUES. A TREE MAY BE CONSIDERED A SPECIMEN TREE BASED ON ITS SIZE, AGE, RARITY OR SPECIAL HISTORICAL OR ECOLOGICAL SIGNIFICANCE AND MAY ALSO MEET THE FOLLOWING CRITERIA:

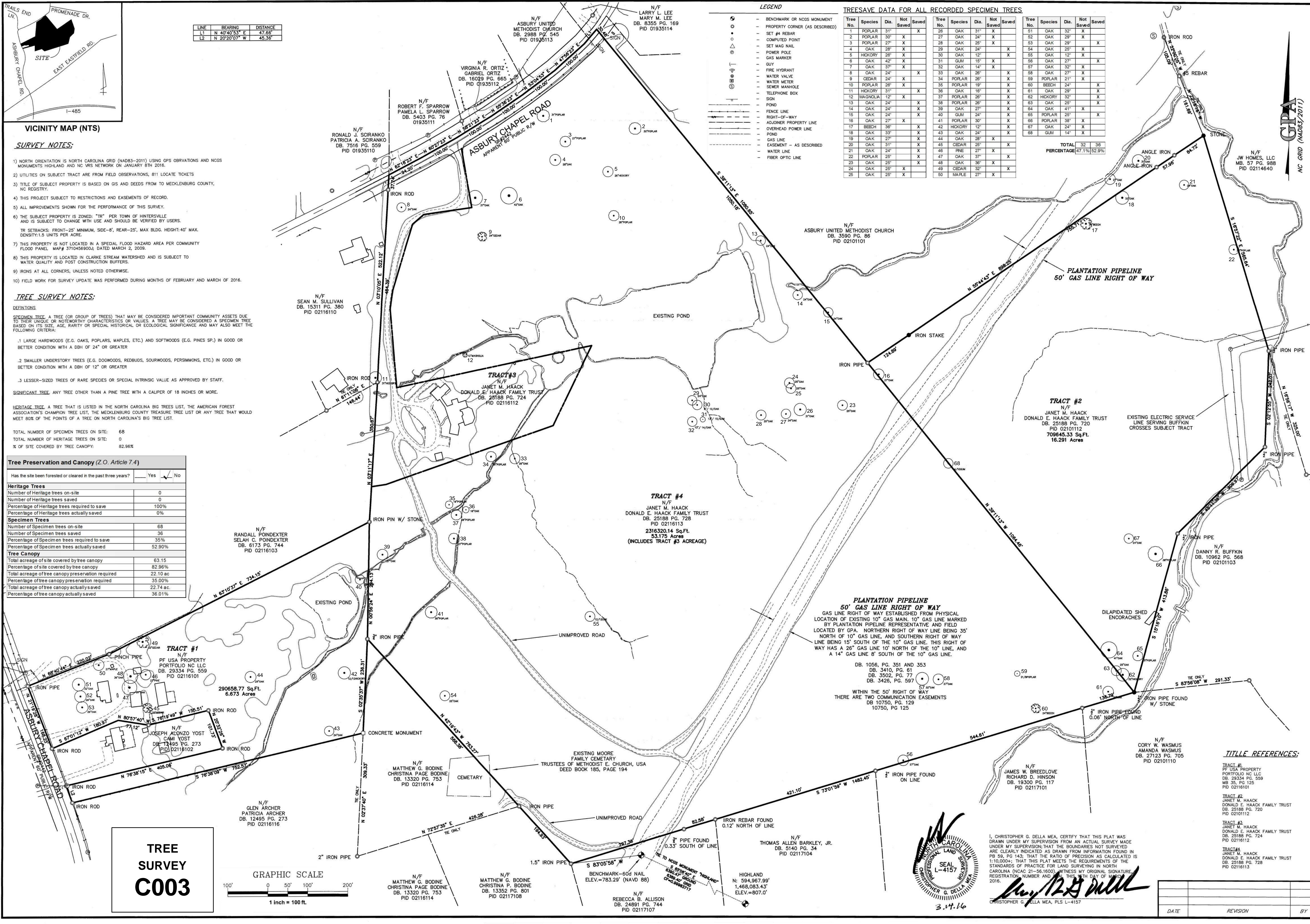
- 1. LARGE HARDWOODS (E.G. OAKS, POPLARS, MAPLES, ETC.) AND SOFTWOODS (E.G. PINES SP.) IN GOOD OR BETTER CONDITION WITH A DBH OF 24" OR GREATER
- 2. SMALLER UNDERSTORY TREES (E.G. DOGWOODS, REDBUDS, SOURWOODS, PERSIMMONS, ETC.) IN GOOD OR BETTER CONDITION WITH A DBH OF 12" OR GREATER
- 3. LESSER-SIZED TREES OF RARE SPECIES OR SPECIAL INTRINSIC VALUE AS APPROVED BY STAFF.

**SIGNIFICANT TREE:** ANY TREE OTHER THAN A PINE TREE WITH A CALIPER OF 18 INCHES OR MORE.

**HERITAGE TREE:** A TREE THAT IS LISTED IN THE NORTH CAROLINA BIG TREES LIST, THE AMERICAN FOREST ASSOCIATION'S CHAMPION TREE LIST, THE MECKLENBURG COUNTY TREASURE TREE LIST OR ANY TREE THAT WOULD MEET 80% OF THE POINTS OF A TREE ON NORTH CAROLINA'S BIG TREE LIST.

TOTAL NUMBER OF SPECIMEN TREES ON SITE: 68  
TOTAL NUMBER OF HERITAGE TREES ON SITE: 0  
% OF SITE COVERED BY TREE CANOPY: 82.96%

Tree Preservation and Canopy (Z.O. Article 7.4)		
Has the site been forested or cleared in the past three years?	Yes	No
<b>Heritage Trees</b>		
Number of Heritage trees on-site	0	
Number of Heritage trees saved	0	
Percentage of Heritage trees required to save	100%	
Percentage of Heritage trees actually saved	0%	
<b>Specimen Trees</b>		
Number of Specimen trees on-site	68	
Number of Specimen trees saved	36	
Percentage of Specimen trees required to save	35%	
Percentage of Specimen trees actually saved	52.90%	
<b>Tree Canopy</b>		
Total acreage of site covered by tree canopy	63.15	
Percentage of site covered by tree canopy	82.96%	
Total acreage of tree canopy preservation required	22.10 ac	
Percentage of tree canopy preservation required	35.00%	
Total acreage of tree canopy actually saved	22.74 ac	
Percentage of tree canopy actually saved	36.01%	



**LEGEND**

- BENCHMARK OR NCSS MONUMENT
- PROPERTY CORNER (AS DESCRIBED)
- SET #4 REBAR
- COMPUTED POINT
- SET MAG NAIL
- POWER POLE
- GAS MARKER
- GUY
- FIRE HYDRANT
- WATER VALVE
- WATER METER
- SEWER MANHOLE
- TELEPHONE BOX
- SIGN
- POND
- FENCE LINE
- RIGHT-OF-WAY
- ADJOINER PROPERTY LINE
- EASEMENT - AS DESCRIBED
- GAS LINE
- OVERHEAD POWER LINE
- WATER LINE
- FIBER OPTIC LINE

**TREESAVE DATA FOR ALL RECORDED SPECIMEN TREES**

Tree No.	Species	Di.	Not Saved	Saved
1	POPLAR	31"	X	
2	POPLAR	30"	X	
3	POPLAR	27"	X	
4	OAK	28"	X	
5	HICKORY	28"	X	
6	OAK	42"	X	
7	OAK	37"	X	
8	OAK	24"	X	
9	CEDAR	24"	X	
10	POPLAR	28"	X	
11	HICKORY	31"	X	
12	WALNUT	12"	X	
13	OAK	24"	X	
14	OAK	24"	X	
15	OAK	24"	X	
16	OAK	27"	X	
17	BEECH	36"	X	
18	OAK	33"	X	
19	OAK	27"	X	
20	OAK	31"	X	
21	OAK	24"	X	
22	POPLAR	25"	X	
23	OAK	25"	X	
24	OAK	25"	X	
25	OAK	25"	X	
26	OAK	31"	X	
27	OAK	24"	X	
28	OAK	25"	X	
29	OAK	24"	X	
30	OAK	12"	X	
31	GUM	15"	X	
32	OAK	14"	X	
33	OAK	28"	X	
34	POPLAR	26"	X	
35	POPLAR	19"	X	
36	OAK	18"	X	
37	POPLAR	26"	X	
38	POPLAR	26"	X	
39	OAK	27"	X	
40	GUM	24"	X	
41	POPLAR	30"	X	
42	HICKORY	12"	X	
43	OAK	24"	X	
44	OAK	28"	X	
45	CEDAR	25"	X	
46	PINE	27"	X	
47	OAK	37"	X	
48	OAK	36"	X	
49	CEDAR	32"	X	
50	MAPLE	27"	X	
51	OAK	32"	X	
52	OAK	29"	X	
53	OAK	29"	X	
54	OAK	29"	X	
55	OAK	12"	X	
56	OAK	27"	X	
57	OAK	32"	X	
58	OAK	27"	X	
59	POPLAR	21"	X	
60	BEECH	24"	X	
61	OAK	29"	X	
62	POPLAR	38"	X	
63	OAK	25"	X	
64	OAK	41"	X	
65	POPLAR	29"	X	
66	POPLAR	38"	X	
67	OAK	24"	X	
68	GUM	14"	X	

TOTAL: 32 Not Saved, 36 Saved  
PERCENTAGE: 47.1% Not Saved, 52.9% Saved

**GPA**  
PROFESSIONAL LAND SURVEYORS OF  
CHARLOTTE, N.C. INC.  
N.C. License C-6653  
S.C. License C04087  
605 PHILIP DAVIS DRIVE  
CHARLOTTE, NC 28206-6916  
OFFICE (704) 335-8800  
FAX (704) 335-8855

**Other GPA Companies:**  
GPA OF RALEIGH, INC.  
331 WADE AVENUE  
RALEIGH, NC 27605  
GPA OF SUMMERVILLE  
237 OLD SUMMERVILLE RD  
SUMMERVILLE, SC 29483  
OFFICE (843) 285-2424  
FAX (843) 285-2424  
CHARLESTON, SC 29402  
OFFICE (843) 971-9999  
FAX (843) 971-9992  
Integrity Without Boundaries  
www.gpaland.com

**SHOWING MECKLENBURG COUNTY TAX PARCELS: 02101112 - 02116113 - 02116112 - 02116101**  
**OWNED BY: JANET M. HAACK DONALD E. HAACK FAMILY TRUST AND PF USA PROPERTY PORTFOLIO NC LLC**  
**LOCATED IN THE TOWN OF HUNTERSVILLE**  
**MECKLENBURG COUNTY, NORTH CAROLINA**

**TREE SURVEY**

**TITLE REFERENCES:**

TRACT #1  
PF USA PROPERTY  
PORTFOLIO NC LLC  
DB. 29334 PG. 559  
MB 35, PG. 125  
PID 02116101

TRACT #2  
JANET M. HAACK  
DONALD E. HAACK FAMILY TRUST  
DB. 25188 PG. 720  
PID 02101112

TRACT #3  
JANET M. HAACK  
DONALD E. HAACK FAMILY TRUST  
DB. 25188 PG. 724  
PID 02116112

TRACT #4  
JANET M. HAACK  
DONALD E. HAACK FAMILY TRUST  
DB. 25188 PG. 728  
PID 02116113

PREPARED FOR:  
AMERICAN STRUCTUREPOINT, INC.  
1000 SOUTH STREET, SUITE 800  
CHARLOTTE, NC 28202

**SEAL**  
L-4157  
3.14.16

CHRISTOPHER G. DELLA MEA, PLS L-4157

I, CHRISTOPHER G. DELLA MEA, CERTIFY THAT THIS PLAT WAS  
DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE  
UNDER MY SUPERVISION; THAT THE BOUNDARIES NOT SURVEYED  
ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN  
PB 59, PG 143, THAT THE RATIO OF PRECISION AS CALCULATED IS  
1:10,000+; THAT THIS PLAT MEETS THE REQUIREMENTS OF THE  
STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH  
CAROLINA (NCAC 21-56.1600) WITH MY ORIGINAL SIGNATURE,  
REGISTRATION NUMBER AND THIS 15TH DAY OF MARCH  
2016.

DATE	REVISION	BY

SHEET 1 OF 1



1. THE MAJORITY OF THE SITE IS COVERED IN EXISTING TREE COVER. THIS EXISTING TREE COVER IS COMPOSED OF VARIOUS SPECIES, INCLUDING HARDWOODS SUCH AS POPLAR, OAK, AND HICKORY, AS WELL AS SOFTWOODS SUCH AS CEDAR, AMONG OTHERS. THE TREES WHICH QUALIFY AS SPECIMEN TREES ARE RECORDED ON THIS PLAN.
2. THERE ARE SEVERAL EXISTING STRUCTURES ON THIS SITE, INCLUDING 3 RESIDENTIAL HOMES WITH VARIOUS ACCESSORY STRUCTURES, FOOTBRIDGES AT STREAM CROSSINGS, AND A DILAPIDATED SHED. ALL 3 HOMES ARE CONNECTED TO ADJACENT STATE-MAINTAINED ROADWAYS BY GRAVEL ROADS.
3. THERE ARE TWO EXISTING PONDS ON THIS PROPERTY. THE LARGER OF TWO IS A JURISDICTIONAL POND COVERING APPROXIMATELY 1.98 ACRES, AND THE SMALLER OF THE TWO IS A MAN-MADE NON-JURISDICTIONAL POND COVERING APPROXIMATELY 0.28 ACRES, WITH A SHADY DUCK LOGGED IN ITS WATERS. THE JURISDICTIONAL POND IS FED BY AN PERENNIAL STREAM, WHICH ALSO FLOWS OUT OF THE POND AT ITS WESTERN EDGE.
4. THERE ARE TWO WETLAND AREAS LOCATED AT THE WESTERN EDGE OF THE LARGER JURISDICTIONAL POND, COVERING APPROXIMATELY 0.10 ACRES, COMBINED.
5. THERE IS ONE STREAM ON THIS PROPERTY, WHICH GENERALLY FLOWS ALONG A SOUTHWESTERN COURSE. THE STREAM IS COMPRISED OF SEVERAL SEGMENTS, WITH SOME BRANCHES RECORDED AS PERENNIAL STREAMS AND OTHERS RECORDED AS INTERMITTENT STREAMS. A 35' SWM BUFFER HAS BEEN APPLIED TO BOTH THE PERENNIAL AND INTERMITTENT SEGMENTS OF THE STREAM, MEASURED HORIZONTALLY FROM THE TOP OF BANK ON A LINE PARALLEL TO THE SURFACE WATER.
6. THERE ARE SEVERAL EXISTING UTILITIES FOUND ON SITE, INCLUDING MOST NOTABLY BOTH A 10"- AND 14"-INCH GAS LINE ENCOMPASSED IN A 50'-WIDE GAS LINE RIGHT OF WAY. THERE ARE ALSO 2 AREAS WHERE EXISTING ELECTRIC SERVICE LINES CAN BE FOUND ON THE SITE.
7. DRAINAGE AREAS ON THE SITE FLOW AS NOTED ON THE PLAN.
8. THE MAJORITY OF THE SLOPES ON THIS SITE ARE UNDER 10%, A SIGNIFICANT PORTION FALLS WITHIN THE 0%-25% RANGE, AND ONLY A SMALL FRACTION EXCEEDS 25%. SEE SLOPE ANALYSIS TABLE PROVIDED ON THIS SHEET FOR MORE DETAIL.

THE STREAM WHICH FLOWS THROUGH THIS SITE IS A VERY SIGNIFICANT FEATURE AS ITS LOCATION DICTATES WHERE BOTH ENTRANCE AND INTERNAL PUBLIC ROADS MUST BE PLACED TO MINIMIZE DISTURBANCE, ALONG WITH THE WETLANDS AND JURISDICTIONAL POND ARE LOCATED. THE PROPOSED DEVELOPMENT WILL BE PLACED TO THE WEST OF THE STREAM, AND THE REMAINING DEVELOPMENT TO THE EAST. HOMES WILL BE BUILT. EFFORTS HAVE BEEN MADE TO LOCATE AS MUCH OPEN SPACE AREA AS POSSIBLE AROUND THE STREAM TO MINIMIZE DISTURBANCE AND PRESERVE THE NATURAL AESTHETIC APPEAL OF THE PROPERTY.

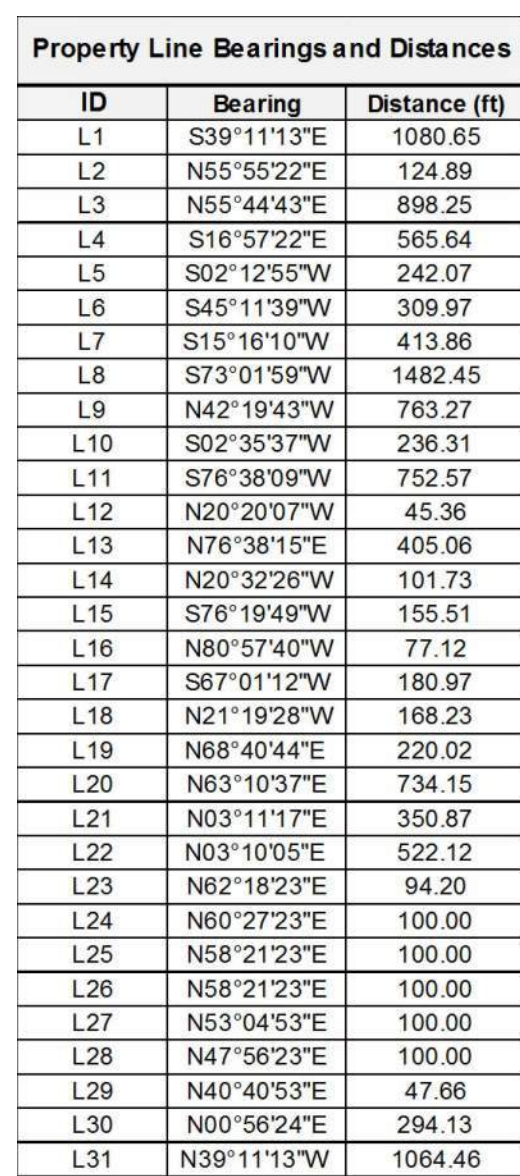
THE PROPOSED DEVELOPMENT WILL BE PLACED TO THE WEST OF THE STREAM, AND THE REMAINING DEVELOPMENT TO THE EAST, AND COVERS APPROXIMATELY 2.05 ACRES OF THE PROPERTY. CONSTITUTES A SIGNIFICANT FEATURE IN REGARD TO HOW THE SITE CAN BE DEVELOPED, AS NO GRADING OR PLANTING CAN OCCUR WITHIN ITS BOUNDS. PROPOSED STORM DRAINAGE AND SANITARY SEWER UTILITIES MUST ALSO BE COORDINATED WITH THIS GAS LINE AT CROSSING LOCATIONS TO ENSURE THAT MINIMUM PIPE SEPARATION DISTANCES ARE OBSERVED. IT SHOULD BE NOTED THAT THE PROPOSED TRAIL WILL BE PLACED TO THE WEST OF THE STREAM.

A CEMETERY IS PRESENT NEAR THE SOUTHWEST BOUNDARY OF THE PROPERTY. A 20'-WIDE BUFFER IS TO ENCOMPASS THE SECTION OF THE CEMETERY WHICH ENROACHES ON THIS PROPERTY. NO LOTS CAN BE POSITIONED WITHIN THIS BUFFER, AND NO GRADING OR PLANTING CAN OCCUR WITHIN IT. A PEDESTRIAN PATH SHALL BE PROVIDED LINKING THE EXISTING CEMETERY TO THE PROPOSED DEVELOPMENT.

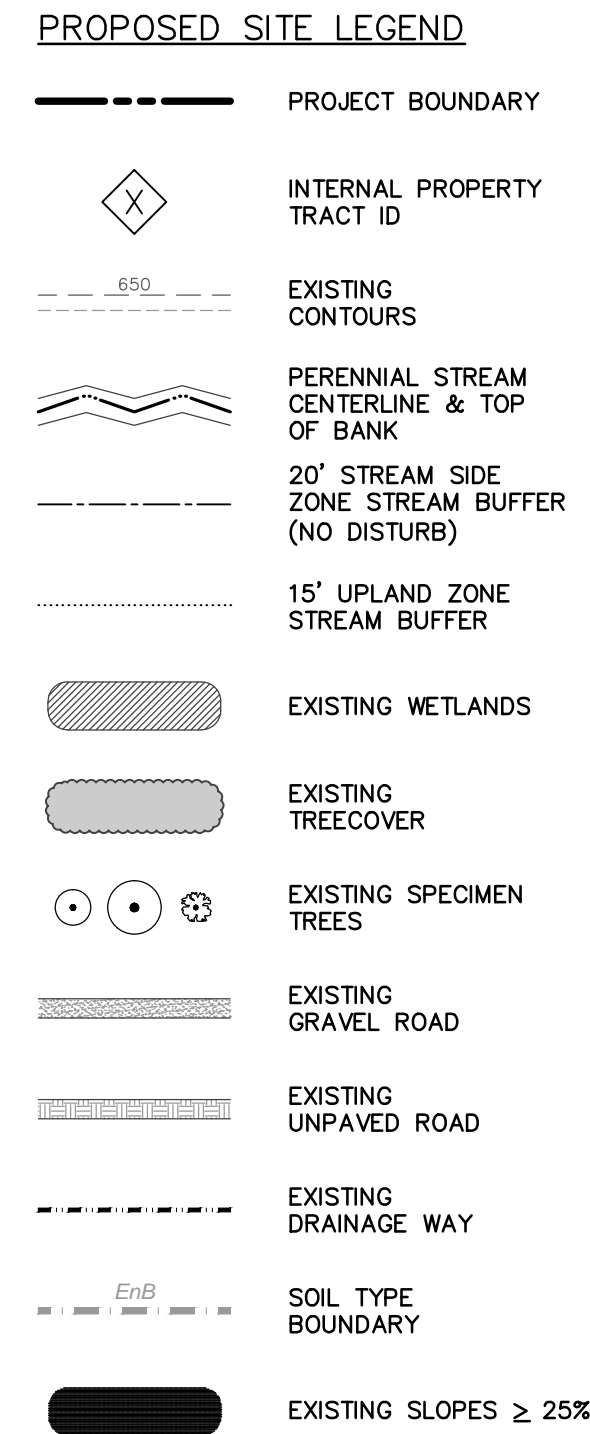


Now what's **below**.  
**Call** before you dig.

1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAGGERS, ETC AS NECESSARY TO ENSURE THE SAFETY OF THE PUBLIC.
3. ALL PAVEMENT CUTS, ASPHALT OR CONCRETE, ARE TO BE PLACED ACCORDING TO STANDARDS OF THE DEPARTMENT OF TRANSPORTATION AND REGULATORY AUTHORITY SPECIFICATIONS.
4. SHORING SHALL BE CARRIED OUT IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, PART 1926, SUBPART P, OR AS AMENDED.



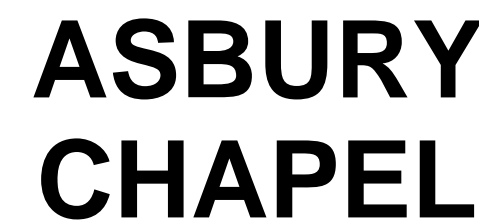
\*\*\* PLANTATION PIPELINE 50' GAS LINE RIGHT OF WAY  
GAS LINE RIGHT OF WAY ESTABLISHED FROM PHYSICAL LOCATION OF EXISTING 10" GAS MAIN. 10" GAS LINE MARKED BY  
PLANTATION PIPELINE REPRESENTATIVE AND FIELD LOCATED BY GPA. NORTHERN RIGHT OF WAY LINE BEING 35' NORTH OF 10"  
GAS LINE, AND SOUTHERN RIGHT OF WAY LINE BEING 15' SOUTH OF THE 10" GAS LINE. THIS RIGHT OF WAY HAS A 26" GAS LINE  
10' NORTH OF THE 10" LINE, AND A 14" GAS LINE 8' SOUTH OF THE 10" GAS LINE.



EXISTING SLOPES ANALYSIS		
SLOPE RANGE	TOTAL AREA	PERCENTAGE OF SITE
0%-10%	40.65	53.40%
10%-25%	29.69	38.99%
>25%	5.80	7.61%

SOIL ANALYSIS	
SOIL ID	SOIL TYPE AND DESCRIPTION
CeB2	Cecil sandy clay loam, 2 to 8 percent slopes, moderately eroded
CeD2	Cecil sandy clay loam, 8 to 15 percent slopes, moderately eroded
EnB	Enon sandy loam, 2 to 8 percent slopes
EnD	Enon sandy loam, 8 to 15 percent slopes
MO	Mnacan loam, 0 to 2 percent slopes, frequently flooded
WAE	Wilkes loam, 15 to 25 percent slopes

—	ADJACENT PROPERTY LINE	—fo	EXISTING FIBER OPTIC LINE
●	IRON ROD	—	EXISTING TELEPHONE POLE
⊙	IRON STAKE	—oh	EXISTING OVERHEAD POWER LINE
—	EXISTING ROW	Ⓟ	EXISTING POWER POLE
—	EXISTING CENTER LINE	—E	EXISTING ELECTRICAL POWER POLE
—	EXISTING STORM DRAINAGE PIPE	g	EXISTING GAS LINE
Ⓢ	EXISTING SAN SEWER PIPE AND MANHOLE	—	EXISTING FENCE
W	EXISTING WATER LINE	□ □ □ □ □	EXISTING WALL
—	EXISTING WATER METER	—	EXISTING SIGN
Ⓢ	EXISTING FIRE HYDRANT		



<b>ISSUANCE INDEX</b>
<b>DATE:</b>
04/01/2016
<b>PROJECT PHASE:</b>
ALL

[illegible]

## EXISTING FEATURES

### SITE ANALYSIS PLAN

# C100



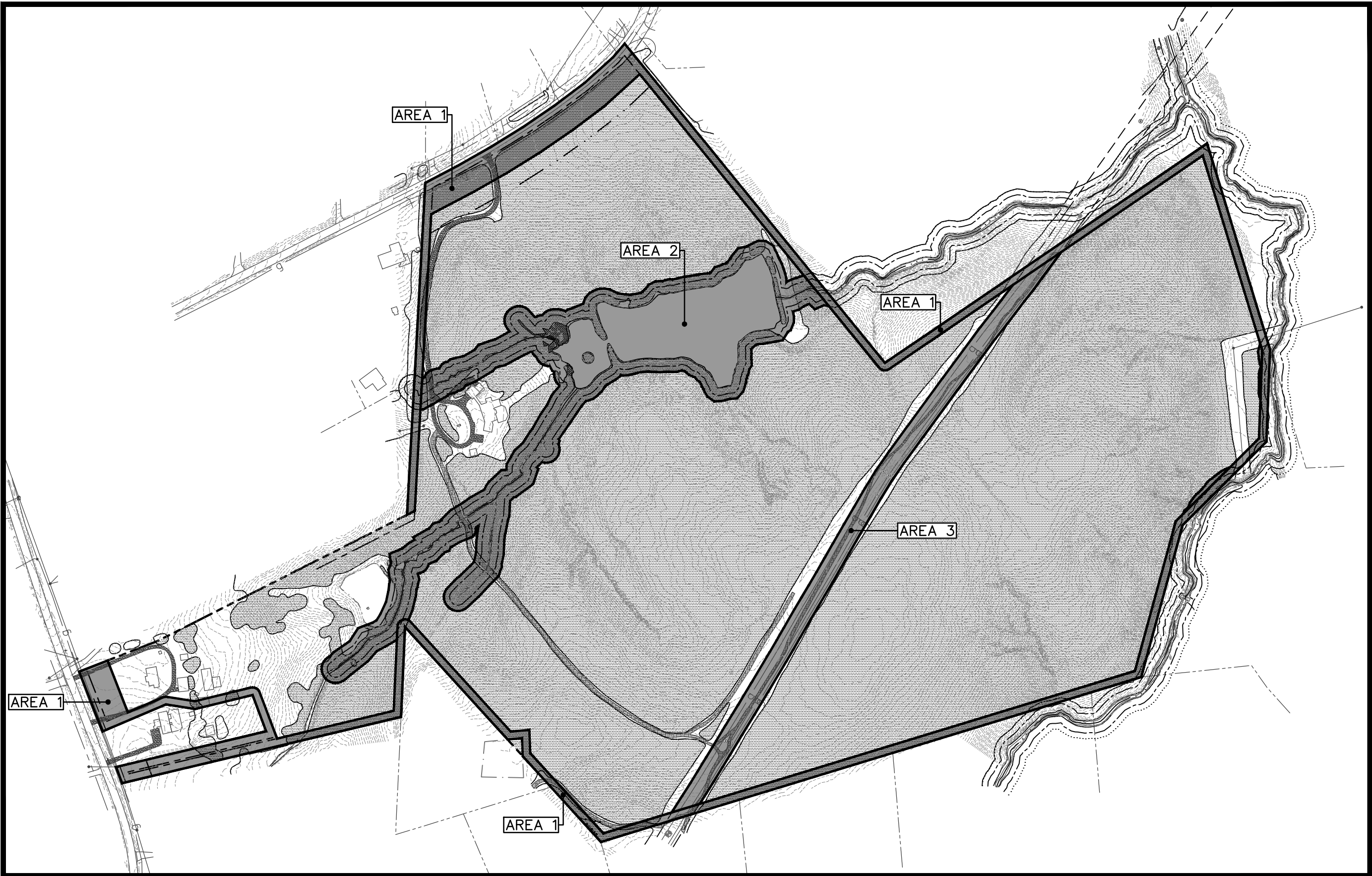
0' 75' 150'



SCALE: 1"=150'



PRINT DATE: 5/19/16  
PLOT SCALE: 1"=1024'  
EDIT DATE: 4/1/16 - 7:09 PM  
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DRAWN BY: DOHAUSSARD

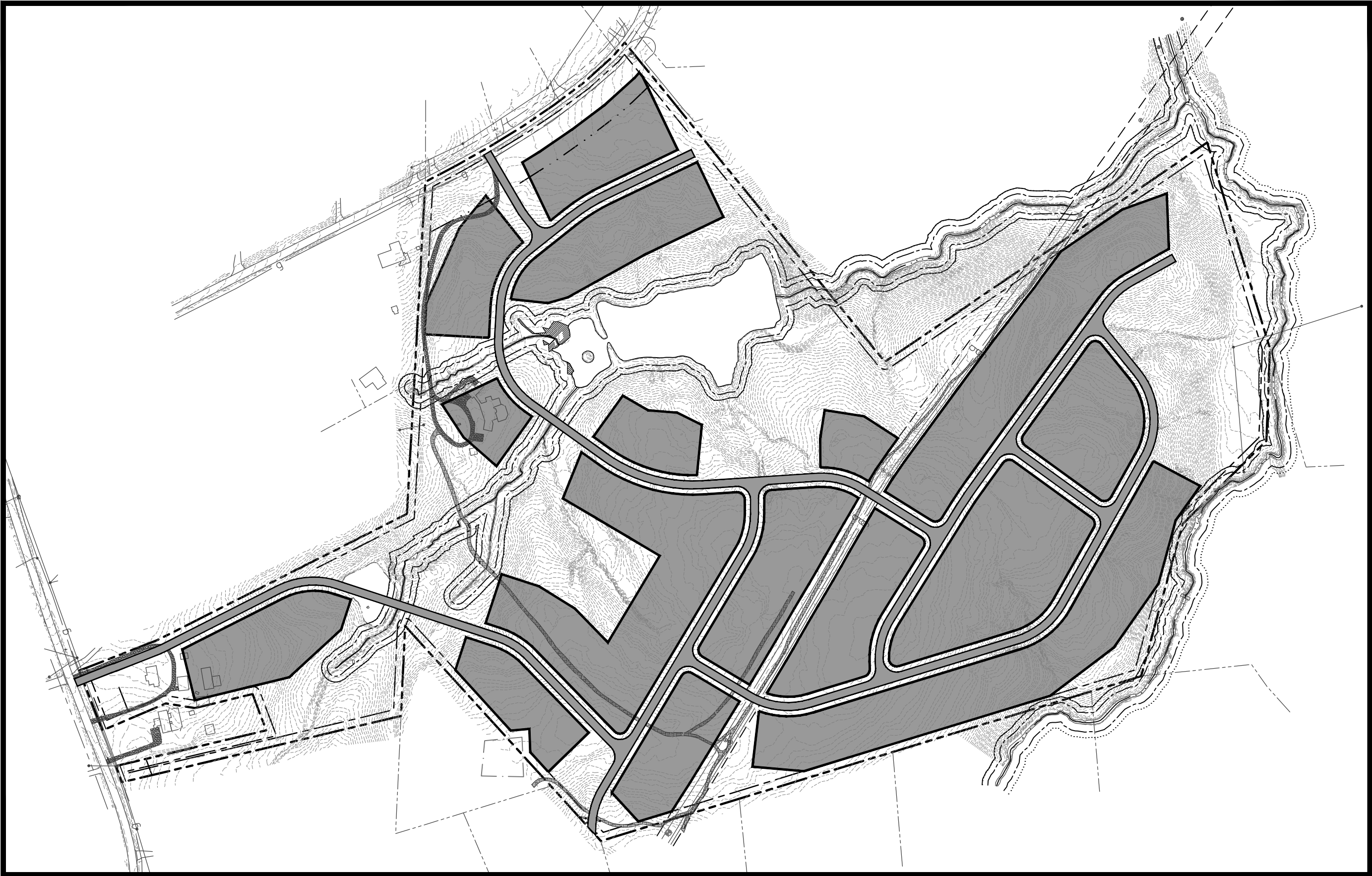


STEP 1: IDENTIFY OPEN SPACE

**AREA 1:** THIS AREA IS OPEN SPACE BY DEFAULT, AND WILL BE CLASSIFIED AS "NATURAL OPEN SPACE". IT IS COMPRISED OF TWO 80'-WIDE OPAQUE PERIMETER BUFFERS, WHICH ARE REQUIRED WHERE THE PROPERTY LINE ABUTS A STATE-MAINTAINED ROAD, AND A 20'-WIDE BUFFER ALONG ALL OTHER SECTIONS OF THE PROPERTY LINE. THE ONLY SECTION OF THE PROPERTY LINE, WHICH DOES NOT HAVE A BUFFER ASSOCIATED WITH IT, IS THE SEGMENT LOCATED JUST NORTH OF THE MAIN WESTERN ENTRANCE. THE BUFFER REQUIREMENT HAS BEEN WAIVED HERE TO ALLOW FOR THE ENTRANCE ROAD TO BE PLACED AS FAR NORTH AS POSSIBLE, ALIGNED WITH THE INTERSECTING STREET ACCESSING THE FARMHOUSE CLUSTER.

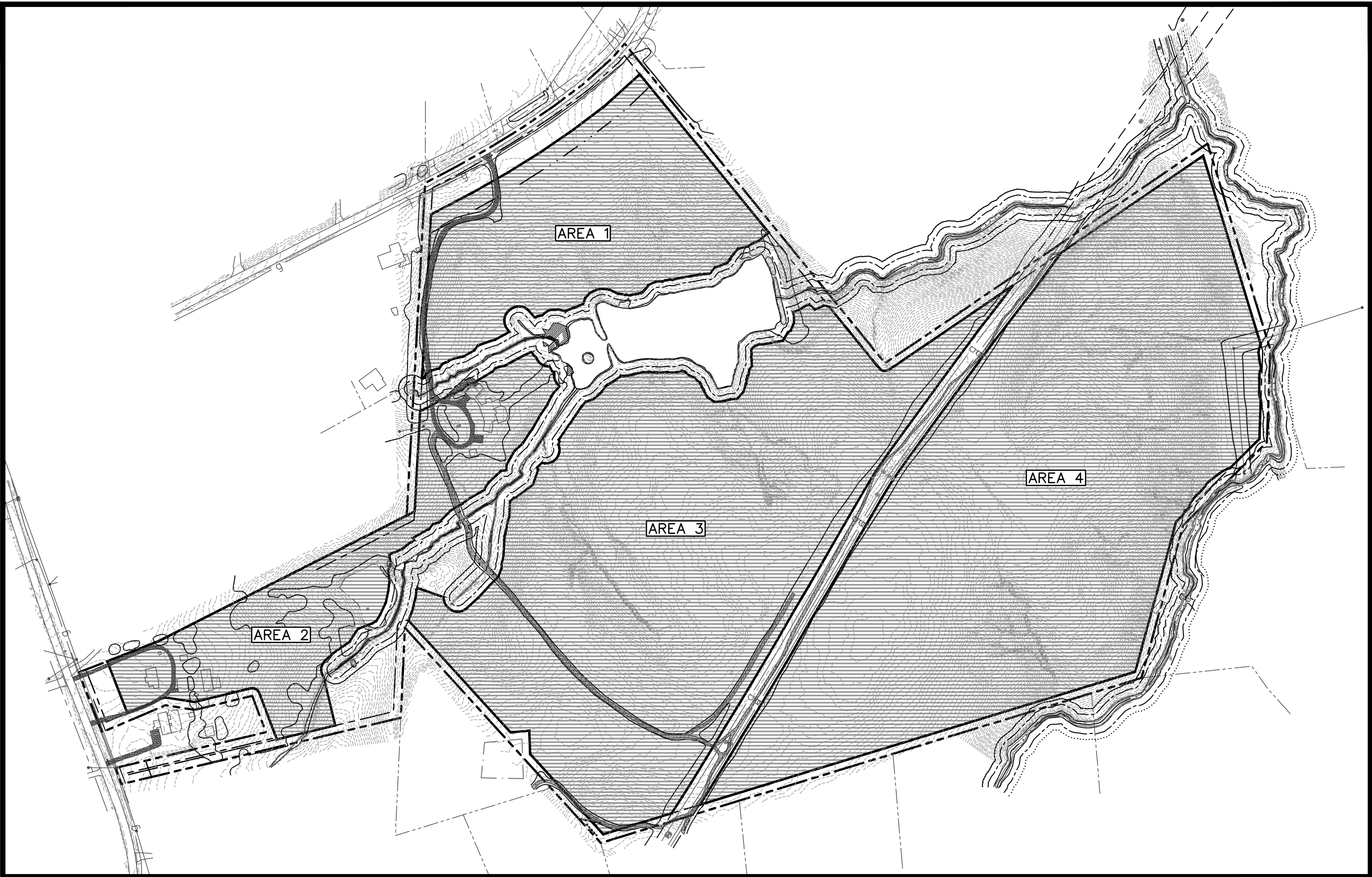
**AREA 2:** THIS AREA IS OPEN SPACE BY DEFAULT, AND WILL BE CLASSIFIED AS "NATURAL OPEN SPACE". THIS AREA FOLLOWS THE COURSE OF THE JURISDICTIONAL PERENNIAL AND INTERMITTENT STREAMS WHICH FLOW THROUGH THE SITE, AND INCLUDES THE 35'-WIDE STREAM BUFFER WHICH IS REQUIRED ON EACH SIDE OF THE STREAM, AS MEASURED LANDWARD FROM THE TOP OF BANK.

**AREA 3:** THIS AREA IS OPEN SPACE BY DEFAULT. IT IS MADE UP ENTIRELY OF THE EXISTING 50' WIDE GAS RIGHT-OF-WAY THAT RUNS DIAGONALLY THROUGH THE SITE. THE MAJORITY OF THIS AREA WILL BE CLASSIFIED AS "NATURAL OPEN SPACE," BUT A SMALL SECTION, WHERE AN EXISTING UNPAVED ROAD WILL BE CONVERTED INTO A MAINTAINED NATURE TRAIL WILL BE CLASSIFIED AS URBAN OPEN SPACE.



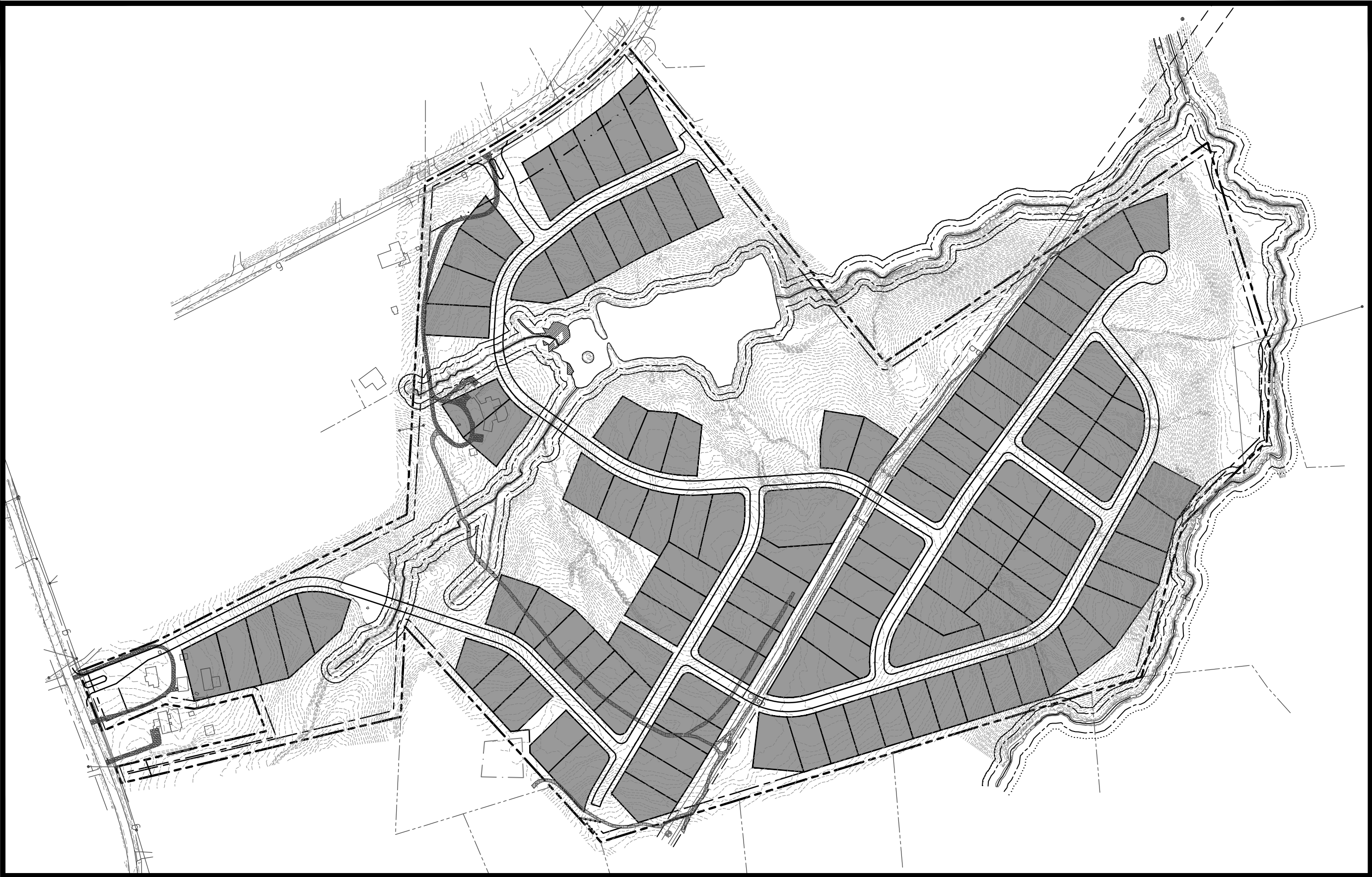
STEP 3: STREET AND LOT LAYOUT

TO RELIEVE TRAFFIC CONGESTION ISSUES AND MAXIMIZE THE OVERALL ACCESSIBILITY OF THE DEVELOPMENT, IT WAS DECIDED THAT TWO ENTRANCES WOULD BE CONSTRUCTED — ONE AT THE NORTHERN CONNECTION TO ASBURY CHAPEL ROAD, AND A SECOND AT A WESTERN CONNECTION POINT. THESE ENTRANCES ARE DESIGNED TO LEAVE A LASTING POSITIVE IMPRESSION ON ALL THOSE ENTERING THE SITE BY UTILIZING LANDSCAPED OPEN SPACES AT THEIR CONNECTION POINTS, PROVIDING WELL-PRESERVED STREAM CROSSINGS, AND MAINTAINING A DIVERSE ARRAY OF SPECIMEN TREES THAT CAN BE VIEWED FROM THE ROAD. ONCE THE LOCATION OF THESE ENTRANCES WAS SET, THE ROADS WERE LAID OUT IN SUCH A WAY AS TO CONNECT ALL OF THE HOUSING AREAS DESCRIBED ABOVE IN STEP 2, AVOIDING STEEPLY-SLOPED SECTIONS OF THE PROPERTY WHILE ALSO STRIVING TO PRESERVE IMPORTANT NATURAL FEATURES AND MAXIMIZE THE OVERALL AESTHETIC APPEAL OF THE DEVELOPMENT. THIS WAS ACCOMPLISHED IN A NUMBER OF WAYS. FIRST, ALL ROADWAYS INTERSECT WITH STREAMS AT AS NEAR TO 90° AS POSSIBLE TO MINIMIZE DISTURBANCE. THE ROADWAY INTERSECTING THE GAS LINE RIGHT OF WAY WAS ALSO REQUIRED TO CROSS PERPENDICULARLY TO MINIMIZE DISTURBANCE THERE. ALTHOUGH TECHNICALLY REQUIRED, THE MINIMIZATION OF THESE DISTURBANCES GOES ALONG WAY TOWARDS PRESERVING THE NATURAL BEAUTY OF THE SITE. IN ADDITION TO THIS, EFFORTS WERE MADE TO LOCATE THE ROADS ON THE PERIPHERY OF AREAS OF GREAT NATURAL AESTHETIC VALUE, SUCH AS THE HIGHLY VEGETATED AREAS NEAR THE STREAMS AND, IN SOME CASES, BETWEEN LOTS. THESE AREAS WERE CHOSEN FOR THEIR ABUNDANCE OF MATURE HARDWOOD AND SOFTWOOD TREE SPECIES, INCLUDING A LARGE CONCENTRATION OF SPECIMEN TREES AT THE WESTERN ENTRANCE. AN EFFORT WAS MADE TO LAYOUT ROADS AT THE PERIPHERY OF THESE HIGH-VALUE AREAS TO PRESERVE THE NATURAL BEAUTY OF THE SITE, WHILE SIMULTANEOUSLY PROVIDING SCENIC VIEWS TO ALL RESIDENTS AND VISITORS.



STEP 2: LOCATION OF HOUSE SITES

THE FOUR AREAS IDENTIFIED FOR HOUSING SITES ARE LOCATED ON THE PROPERTY IN THE AREAS WHICH ARE NOT ALREADY DESIGNATED FOR NON-BUILDABLE FEATURES, SUCH AS BUFFERS, EASEMENTS, AND STREAMS. AN EFFORT HAS BEEN MADE TO POSITION THE HOUSING SITES AWAY FROM HIGHLY-SLOPED AREAS AND SECTIONS OF THE PROPERTY IN WHICH ACCESSIBILITY WOULD BE AN ISSUE, SUCH AS SMALL, IRREGULAR AREAS BETWEEN STREAM BUFFERS AND THE RELATIVELY THIN SWATH OF LAND AT THE WESTERN EDGE OF THE PROPERTY. AS SUCH, THESE AREA REPRESENT ONLY THE OUTERMOST LIMITS OF WHERE LOTS CAN BE PLACED; A MORE DETAILED ANALYSIS REGARDING HOUSING PLACEMENT WAS CONDUCTED LATER IN THE PROCESS, IN WHICH OTHER CONSIDERATIONS SUCH AS TREE PRESERVATION, SCENIC VIEWS, AND AESTHETIC APPEAL WERE ACCOUNTED FOR.



STEP 4: DRAW THE LOT LINES

HAVING PREVIOUSLY DEFINED THE LOCATION OF ROADWAYS AND BUILDABLE AREAS, THE FINAL STEP IN THE PROCESS WAS TO DRAW THE LOT LINES IN THE SECTIONS DESIGNATED FOR HOUSING SITES. IN DOING THIS, AN EFFORT WAS MADE TO PROVIDE A BALANCE OF LOT SIZES, RANGING IN SIZE FROM ROUGHLY 10,000 SF TO 15,000 SF, WHILE OBSERVING ALL AVERAGE SETBACK AND LOT SIZE REQUIREMENTS. GENERALLY SPEAKING, THE SITE IS COMPRISED OF DIFFERENTIATED CLUSTERS OF LARGE, MEDIUM, AND SMALL LOTS TO PREVENT THE LARGEST LOTS FROM EXERTING A DWARFING EFFECT ON THE SMALLEST LOTS, AND VICE-VERSA. TO CREATE SOME VARIETY THROUGHOUT THE DEVELOPMENT AND AVOID UNINTERESTING STRAIGHT STRETCHES OF HOUSE LINES, LOTS WERE LOCATED AROUND ROADWAY CURVES WHENEVER POSSIBLE, AND THEIR SHAPES WERE VARIED AS MUCH AS POSSIBLE, WHILE STILL ACHIEVING THE DESIRED DENSITY.

RyanHomes

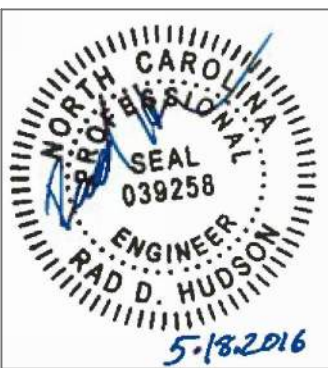
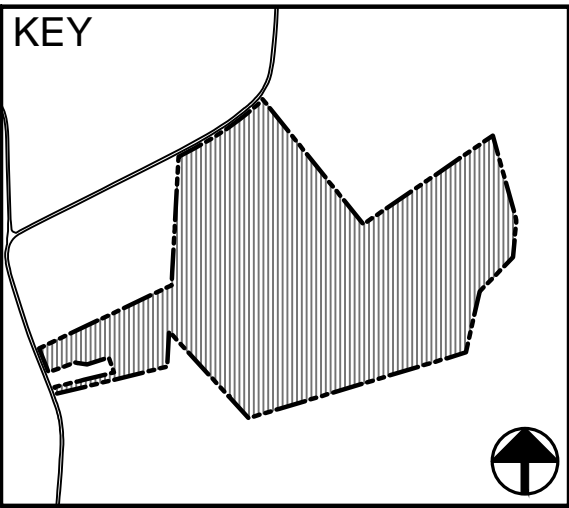
9920 Kincoy Avenue, Suite 200 | Huntersville, NC 28078  
TEL 704.875.9887  
www.ryanhomes.com

AMERICAN  
STRUCTUREPOINT  
INC.

American Structurepoint, Inc.  
NC Engineering Firm F-119  
831 East Morehead Street, Suite 660 | Charlotte, NC 28202  
TEL 980.938.0977 | FAX 317.543.0270  
www.structurepoint.com

## ASBURY CHAPEL

11620 Asbury Chapel Road  
Huntersville, NC 28078



PERMITTING ONLY  
NOT FOR  
CONSTRUCTION

CERTIFIED BY  
NC ENGINEERING FIRM F-1119

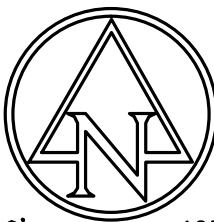
ISSUANCE INDEX		
DATE:		
04/01/2016		
PROJECT PHASE:		
ALL		

REVISION SCHEDULE		
NO.	DESCRIPTION	DATE
A	PRELIM. SKETCH PLAN 1	4/1/2016
B	PRELIM. SKETCH PLAN 2	5/18/2016

STRUCTUREPOINT  
PROJECT # 2015.00721

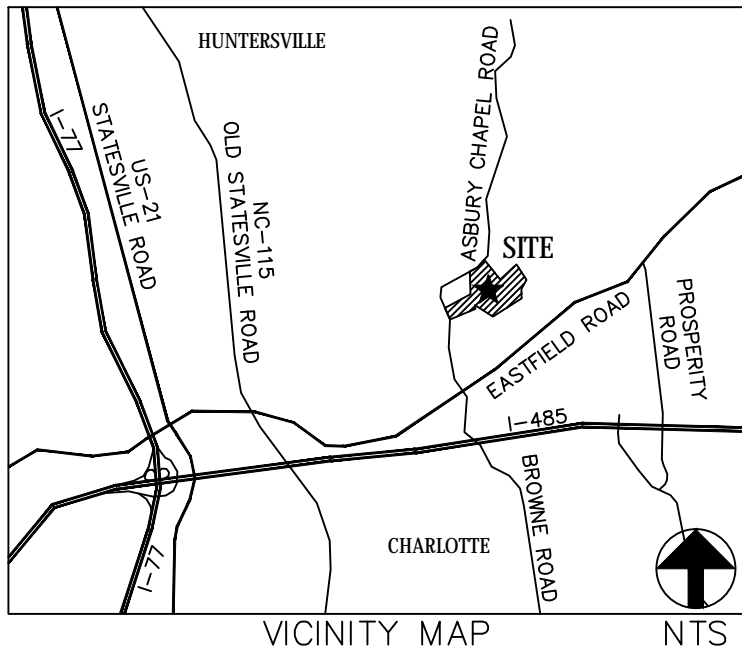
FOUR STEP  
PROCESS

C150



SCALE: 1"=250'





AN AREA OF APPROXIMATELY 0.19 ACRES, BETWEEN THE PROPOSED ROW AND EXISTING ROW, TO BE DEDICATED TO NCDOT.

Site Plan Data Table

Total Acreage	76.13
Total Square Feet	3316223
Principal Uses (Z.O. Article 3)	Single Family Detached Homes
Building Type (Z.O. Article 3, 4, & 8.10)	Detached House
Zoning District (Z.O. Article 3)	TR
Overlay District, if Applicable (Article 3 Z.O.)	NA
Percentage of Impervious Allowed (Article 3 Z.O.)	35%
Percentage of Impervious Shown	31%
Lot Count	110
Total Number of Dwellings (detached/attached)	110
Mixed-use/# of live/work units	0
Total Square Foot of Non-Residential	0
Lot Size Range	
Number of Lots within Each Range	
10000-12000 SF	51
12000-14000 SF	47
14000-16000 SF	10
> 16000 SF	2
Lot widths range (Z.O. Article 3)	
Number of Lots within Each Range	
≤70'	12
70'-85'	79
85'-100'	10
>100'	9

Setbacks

Front Setback	20'
Corner Setbacks	10'
Rear Setbacks	25'
Right Side Setback	8'
Left Side Setback	8'

Watershed Information (Z.O. Article 3 and S.O. Section 7.290)

Is the property in a regulated watershed district?	No
Watershed District	Clarke

SITE NOTES

- ALL DEVELOPMENT AND CONSTRUCTION SHALL COMPLY WITH ALL ZONING AND SUBDIVISION STANDARDS OF THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, AND NCDOT, AS APPLICABLE.
- PLAT APPROVAL SHALL BE LIMITED TO 50 DWELLING UNITS WITHIN A RESIDENTIAL SUBDIVISION UNTIL ALL TURN LANES, ROAD WIDENING, STRIPING, ETC. HAS BEEN COMPLETED AND APPROVED BY THE APPROPRIATE AUTHORITY.
- THIS PROPERTY MAY BE SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAY OF RECORD.
- LOTS SUBJECT TO FLOODING SHOULD NOT BE ESTABLISHED IN SUBDIVISIONS EXCEPT AS PROVIDED IN SECTION 7.280.
- AN AREA OF APPROXIMATELY 0.19 ACRES BETWEEN THE PROPOSED ROW AND EXISTING ROW ALONG THE NORTHERN PROPERTY BOUNDARY AT ASBURY CHAPEL ROAD SHALL BE DEDICATED TO NCDOT.
- DRIVEWAYS SHALL EXTEND AT LEAST TWENTY (20) FEET FROM A PUBLIC RIGHT-OF-WAY OR EASEMENT FOR A PUBLIC SIDEWALK.
- 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' 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.
- MAIL DELIVERY SHALL BE CARRIED OUT BY USPS, VIA A SERIES OF CLUSTERBOX UNITS, OR MAIL KIOSKS, SPACED STRATEGICALLY THROUGHOUT THE DEVELOPMENT TO FACILITATE MORE EFFICIENT MAIL DELIVERY AND PICK-UP.
- PENDING APPROVAL, GARBAGE COLLECTION SERVICES WILL BE PROVIDED BY THE TOWN OF HUNTERSVILLE, 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 50' FEET. DEVELOPERS SHALL HAVE THE OPTION TO PROVIDE LOTS WIDTHS 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 DEMONSTRATE 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.
- ALLEY ACCESS FOR ON-SITE PARKING IS STRONGLY ENCOURAGED FOR THREE-UNIT OR MORE ATTACHED HOUSE TYPES.
- DIRECT ACCESS FROM LOTS TO ASBURY CHAPEL ROAD IS PROHIBITED.
- SPACING OF PROPOSED FIRE HYDRANTS NOT TO EXCEED 750 FEET FROM THE MOST REMOTE POINT OF ANY PROPOSED BUILDING, AS THE FIRE TRUCK TRAVELS. SEE PLAN FOR PLACEMENT OF FIRE HYDRANTS.
- PLEASE SEE OPEN SPACE PLAN (SHEET C250) FOR OPEN SPACE LAYOUT, IMPROVEMENTS, AND ACREAGES.

PROPOSED SITE LEGEND

PROJECT BOUNDARY	POND BOUNDARY (NORMAL POOL)
20' BUFFER YARD	PERENNIAL STREAM CENTERLINE & TOP OF BANK
80' LANDSCAPE BUFFER	20' STREAM SIDE ZONE STREAM BUFFER (NO DISTURB)
EXISTING R/W	15' UPLAND ZONE STREAM BUFFER
PROPOSED ROW	SIGHT TRIANGLE
PROPOSED LOT LINE	PROPOSED WATER LINE & FIRE HYDRANT
PROPOSED LOT SETBACK LINE	15'x15' SIGHT TRIANGLE
PROPOSED 2'-0" VALLEY GUTTER	35'x35' SIGHT TRIANGLE
PROPOSED SIDEWALK	PROPOSED STREET SIGN
PROPOSED A.D.A. RAMP	PROPOSED STOP SIGN STANDARD MUTCD (R1-1)
UTILITY ACCESS ROAD	PROPOSED NO PARKING SIGN
	SPLIT-RAIL FENCE
	VEHICLE BARRICADE
	MAILBOX USPS CLUSTER BOX UNIT



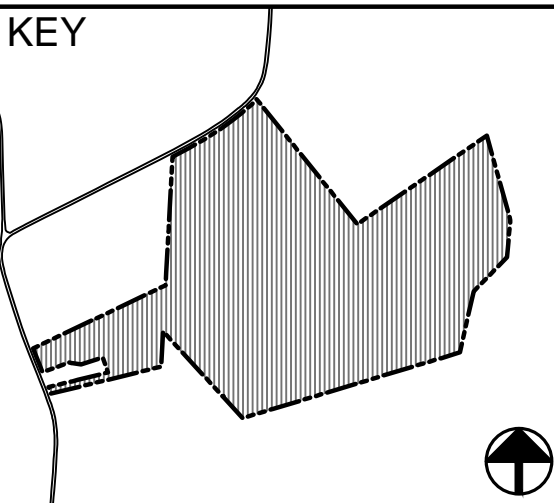
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A	PRELIM. SKETCH PLAN 1	4/1/2016
B	PRELIM. SKETCH PLAN 2	5/18/2016

STRUCTUREPOINT PROJECT # 2015.00721

## OVERALL SITE PLAN

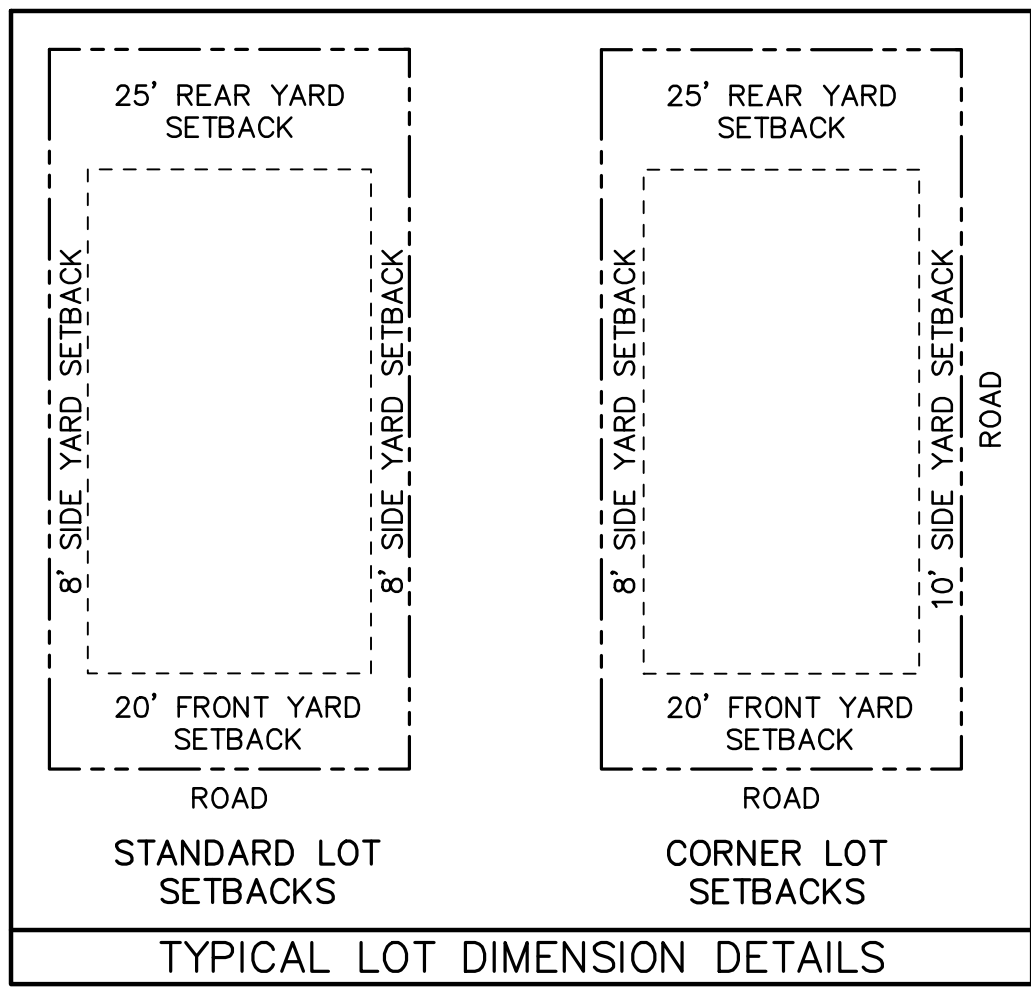
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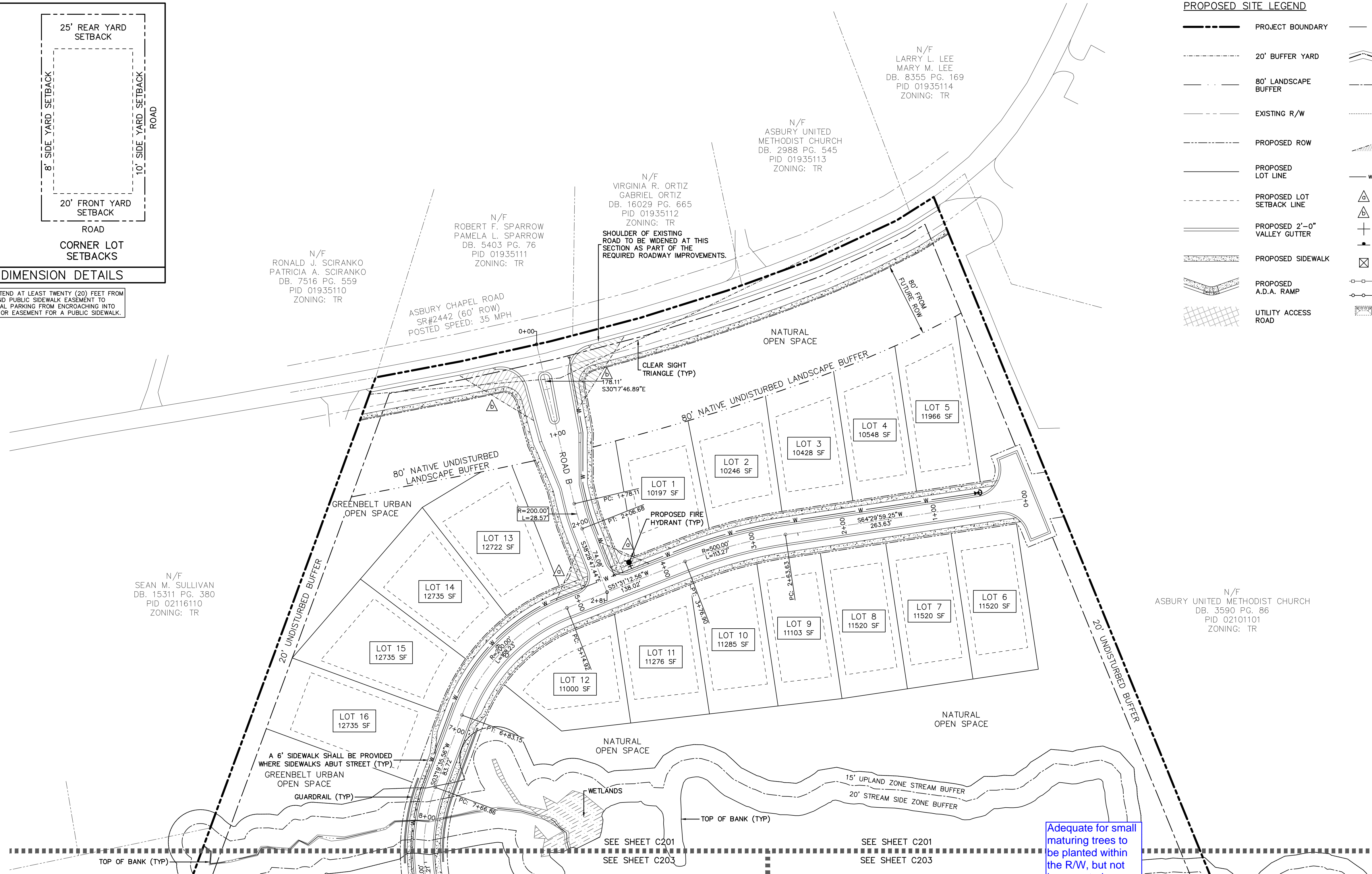
0' 75' 150'  
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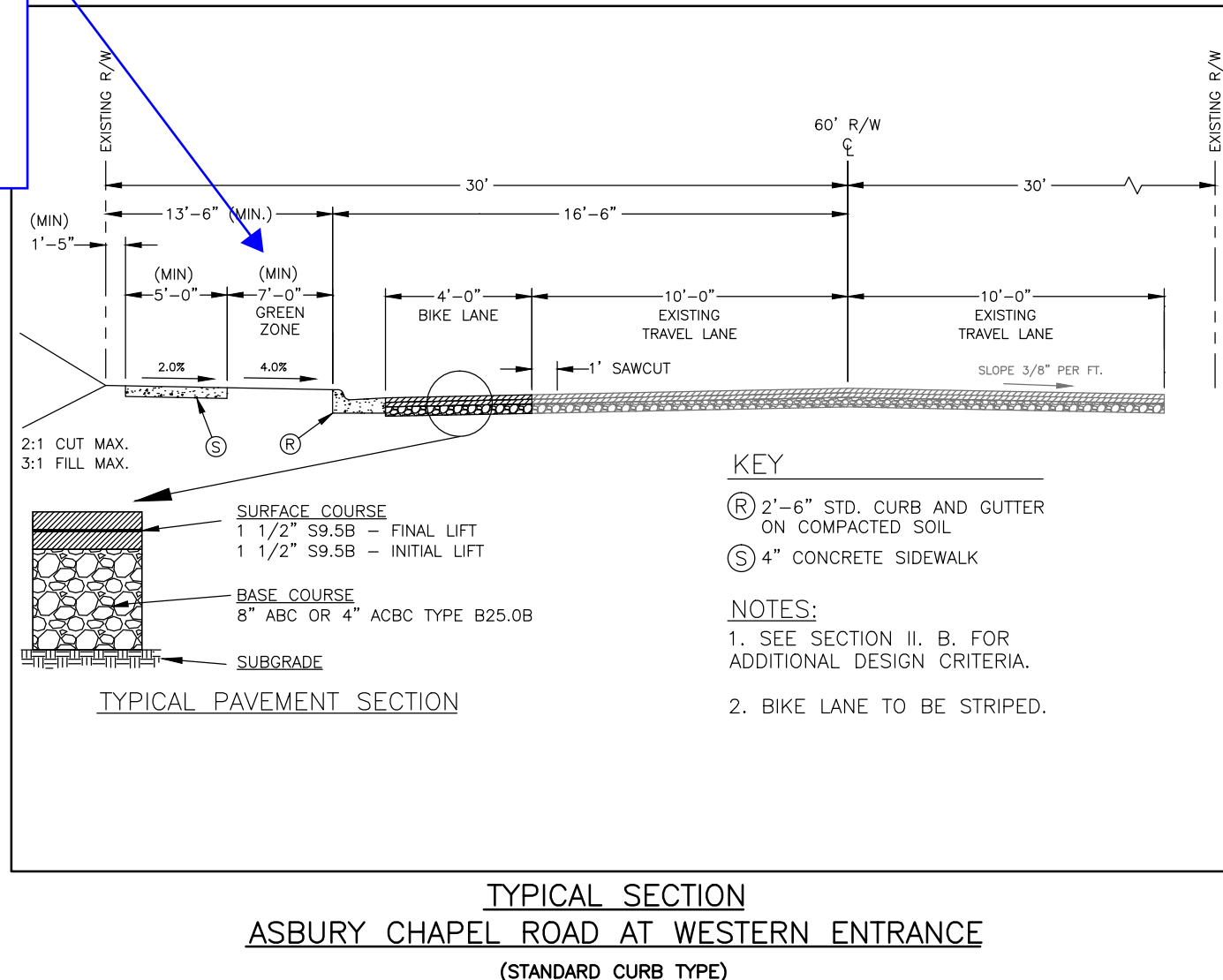
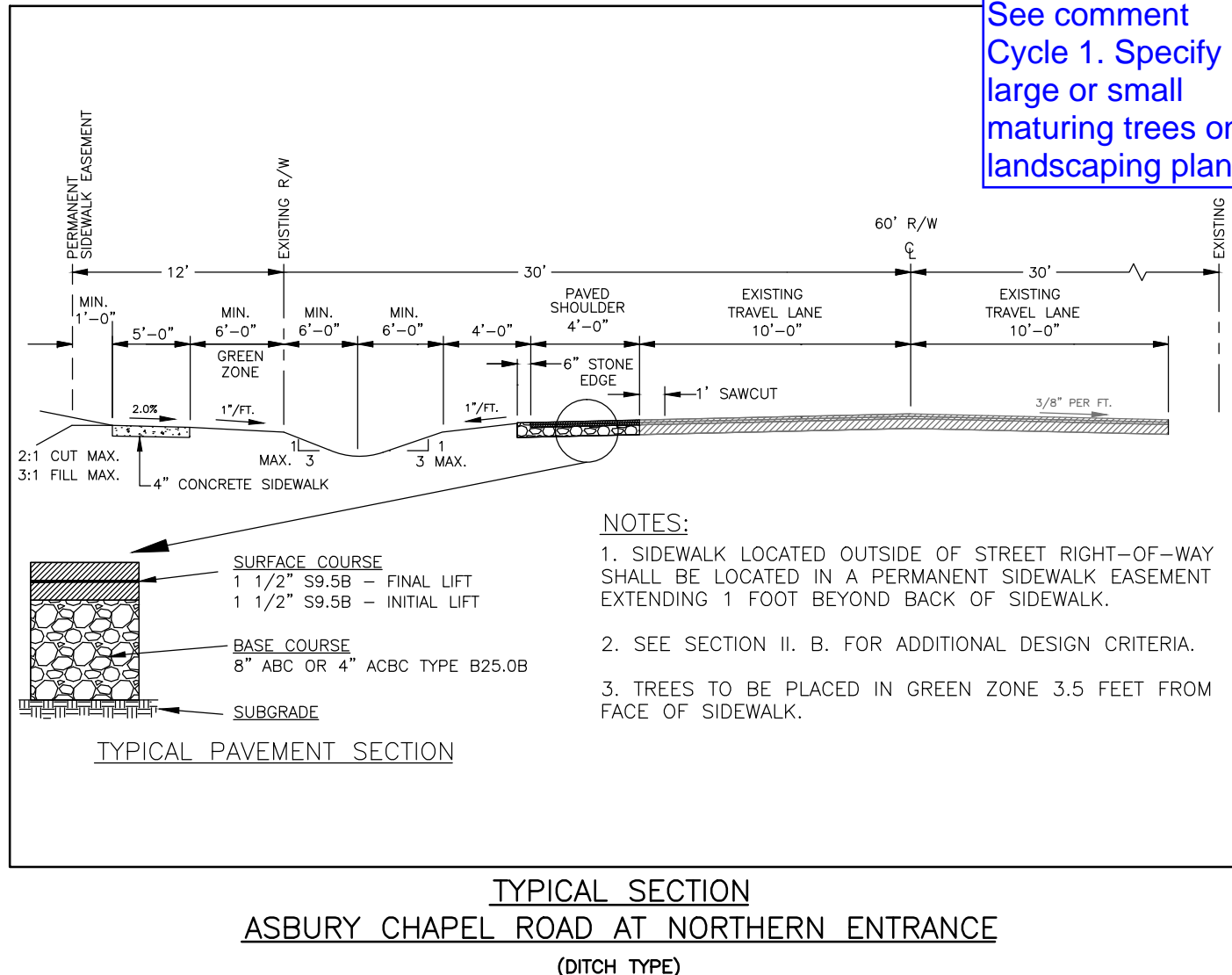
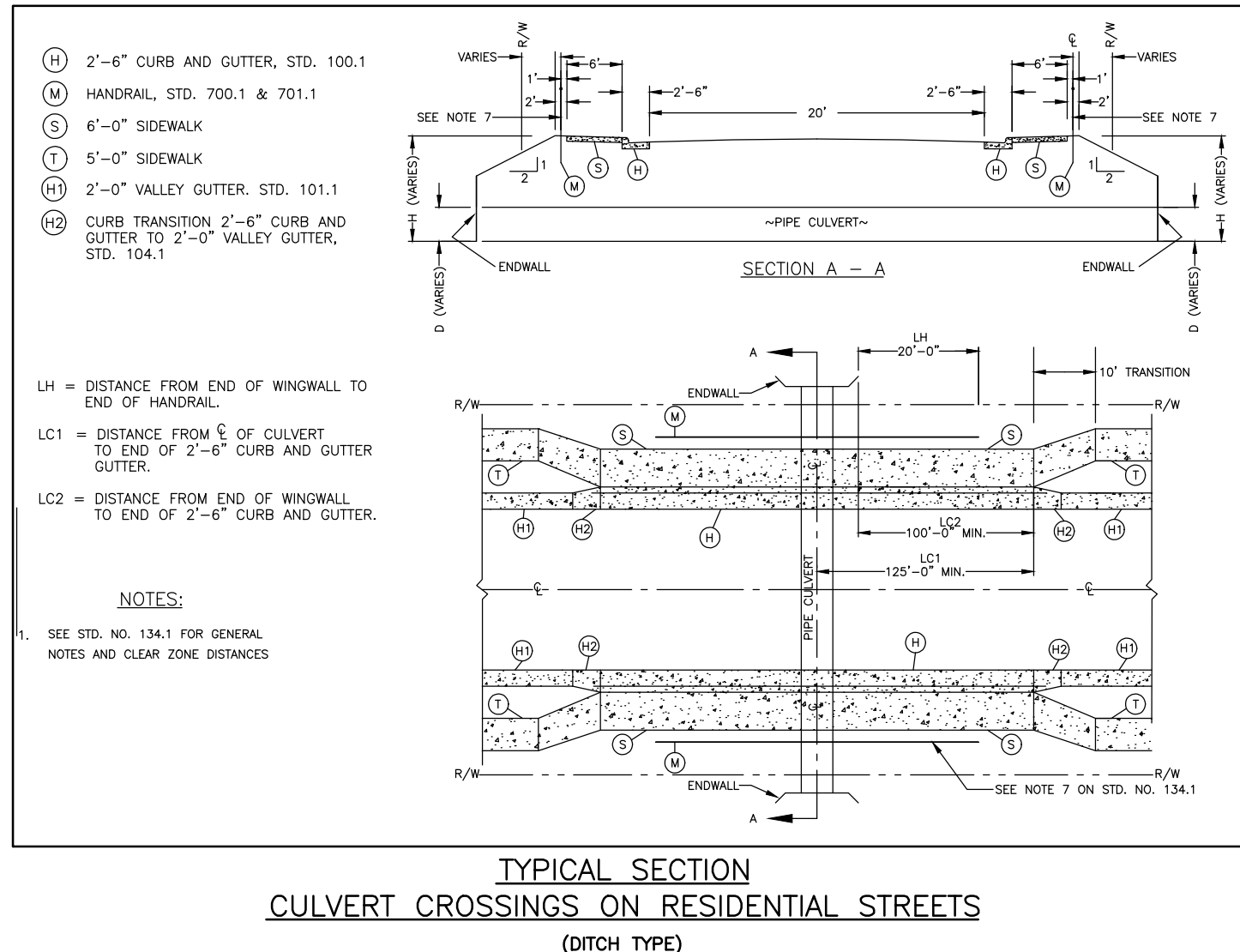
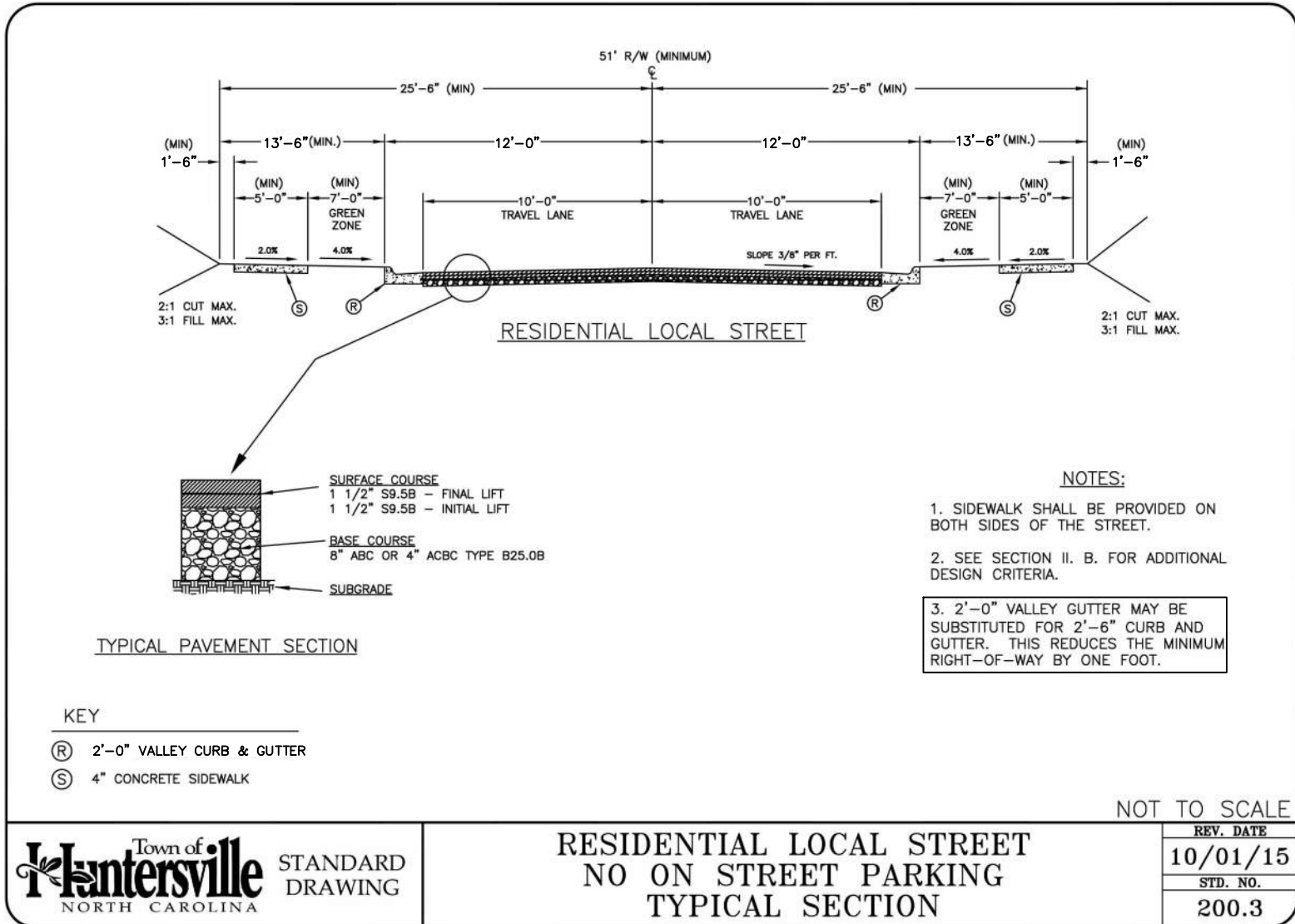
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PRINT DATE: 5/19/16 PLOT SCALE: 1"=60'



NOTE: 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 ENCRDACHING INTO THE PUBLIC RIGHT-OF-WAY OR EASEMENT FOR A PUBLIC SIDEWALK.

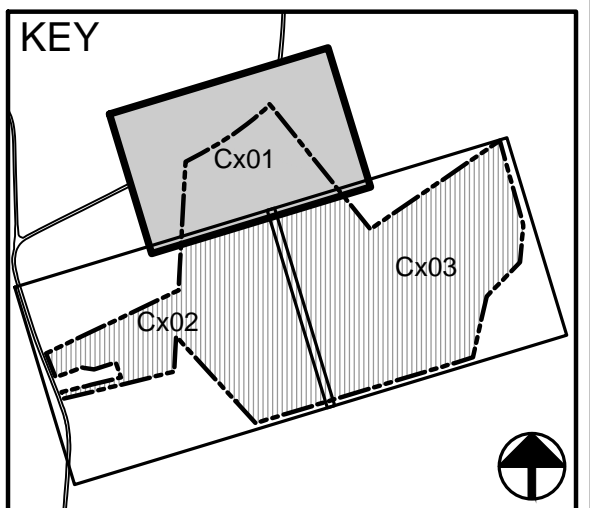


Adequate for small maturing trees to be planted within the R/W, but not large maturing. See comment Cycle 1. Specify large or small maturing trees on landscaping plan



## ASBURY CHAPEL

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Huntersville, NC 28078



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ISSUANCE INDEX		
DATE:	04/01/2016	
PROJECT PHASE:	ALL	

REVISION SCHEDULE		
NO.	DESCRIPTION	DATE
A	PRELIM. SKETCH PLAN 1	4/1/2016
B	PRELIM. SKETCH PLAN 2	5/18/2016

STRUCTUREPOINT PROJECT # 2015.00721

### SITE PLAN

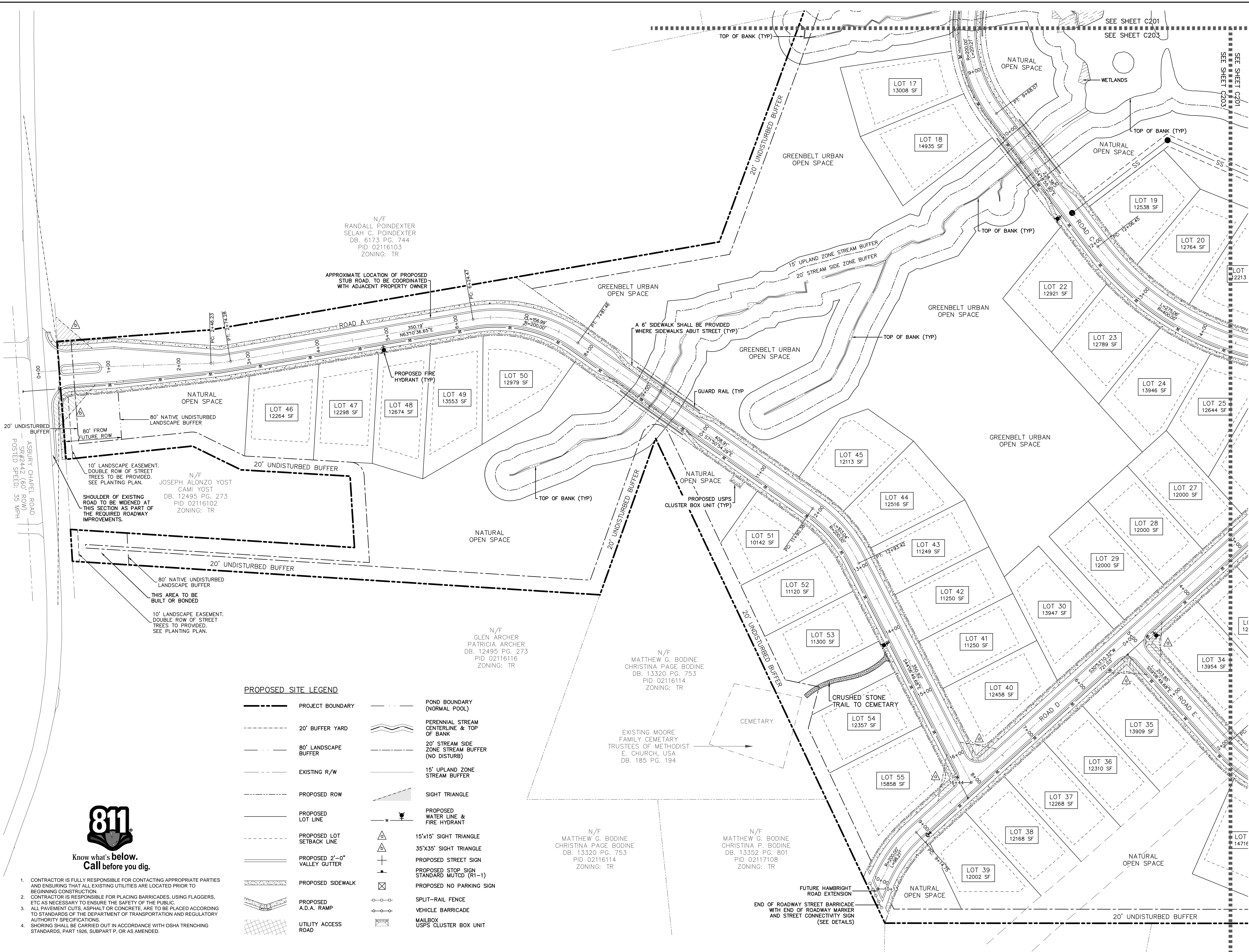
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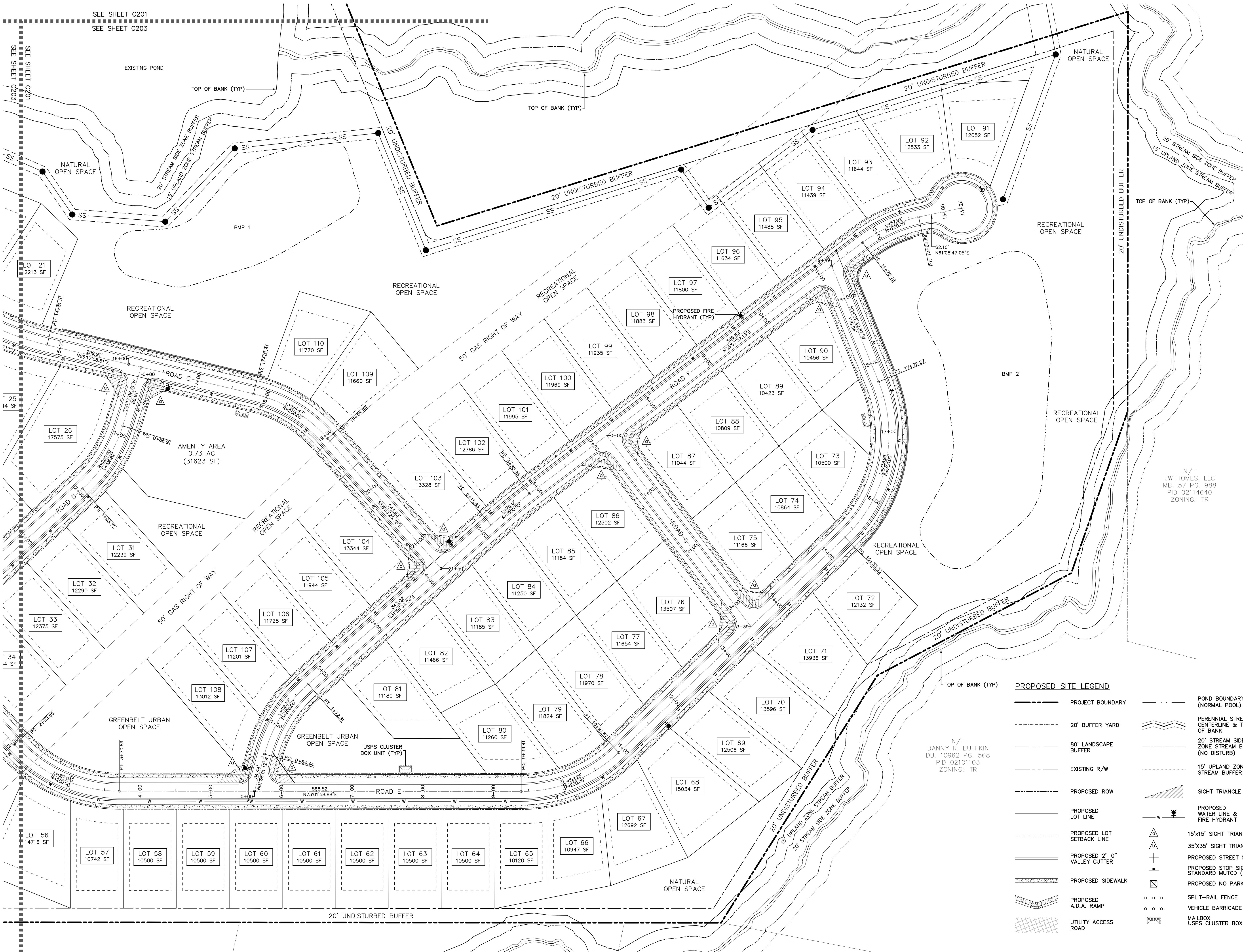


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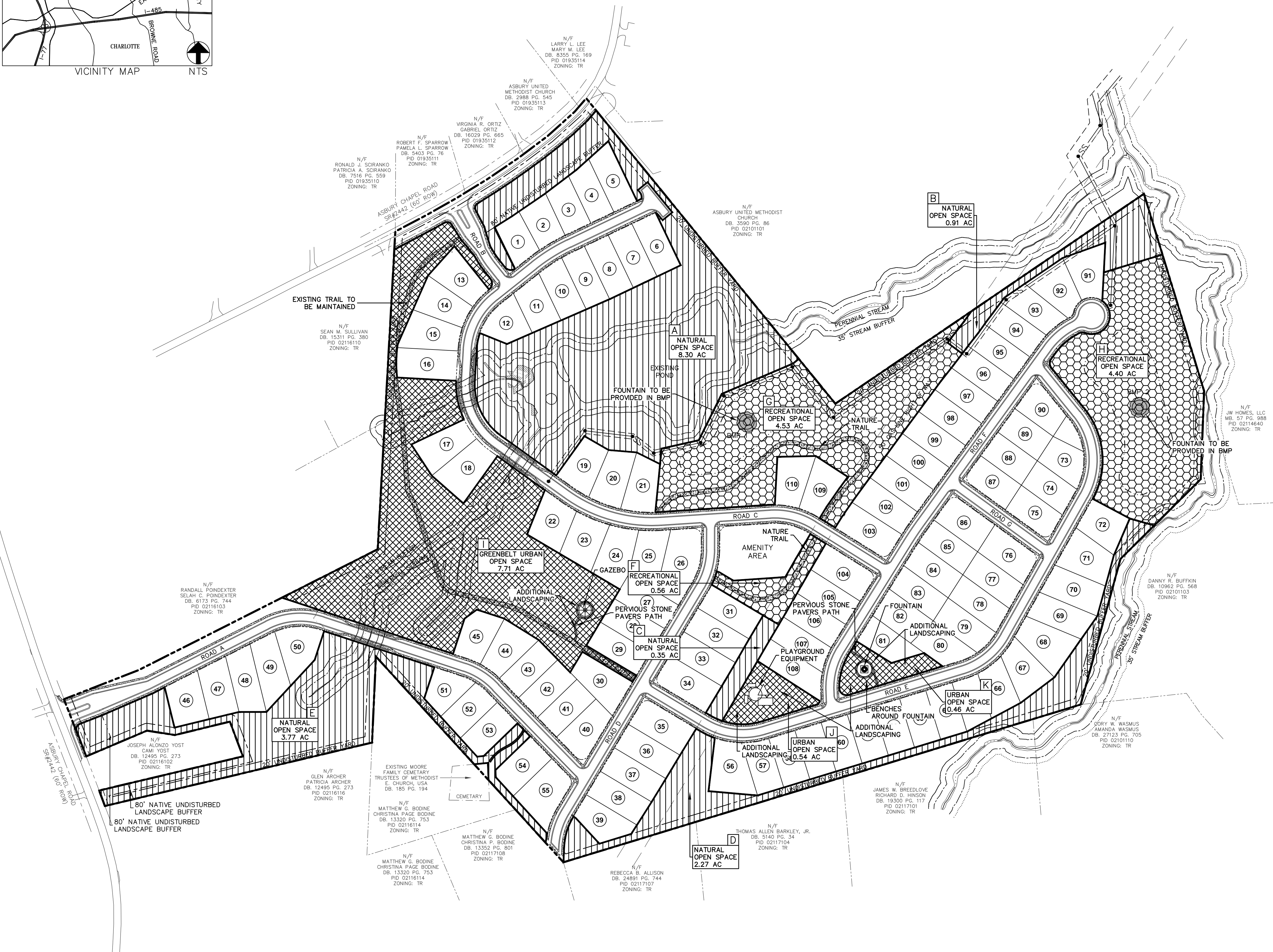
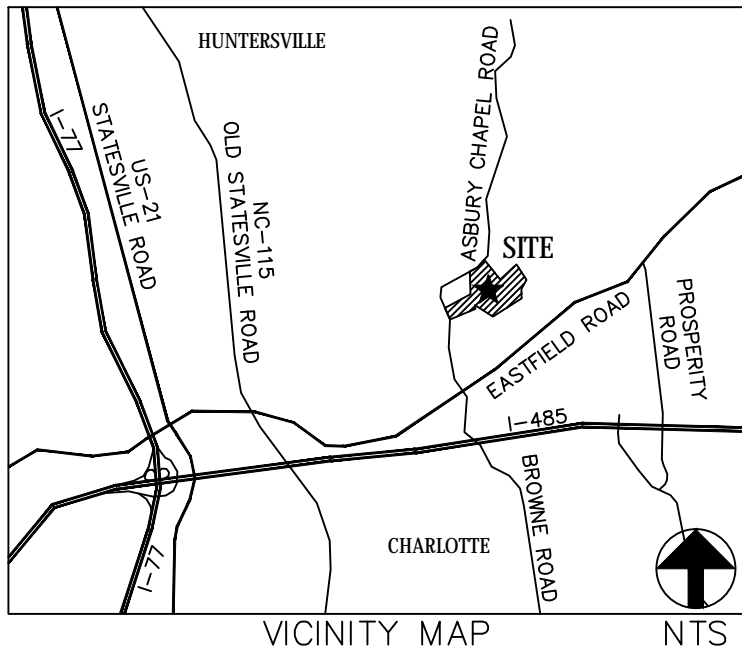




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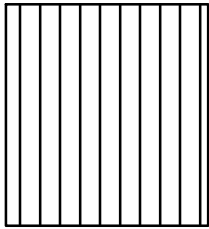






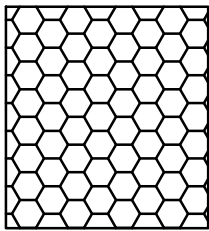
### OPEN SPACE LEGEND

TOTAL OPEN SPACE PROVIDED = 33.80 AC.



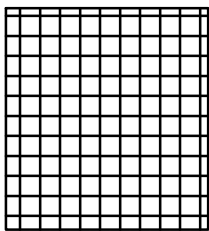
**NATURAL OPEN SPACE**  
15.60 AC. (46.15%)

- A THIS AREA TO REMAIN AS WOODED NATURAL OPEN SPACE.
- B THIS AREA TO REMAIN AS WOODED NATURAL OPEN SPACE.
- C THIS AREA TO REMAIN AS WOODED NATURAL OPEN SPACE.
- D THIS AREA TO REMAIN AS WOODED NATURAL OPEN SPACE.
- E THIS AREA TO REMAIN AS WOODED NATURAL OPEN SPACE.



**RECREATIONAL OPEN SPACE**  
9.49 AC. (28.08%)

- F NATURE TRAIL TO BE PROVIDED IN THIS AREA, AS SHOWN. ADDITIONAL LANDSCAPING AND BENCHES TO BE PROVIDED IN AREA OUTSIDE LIMITS OF GAS EASEMENT.
- G NATURE TRAIL TO BE PROVIDED IN THIS AREA (THROUGH GAS EASEMENT AND AROUND 10' BENCH OF BMP) AS SHOWN. BENCHES TO BE INSTALLED ALONG PORTION OF TRAIL NEAR BMP. BMP TO BE IMPROVED WITH POND FOUNTAIN AND ADDITIONAL LANDSCAPING.
- H BMP TO BE IMPROVED WITH POND FOUNTAIN AND ADDITIONAL LANDSCAPING.



**GREENBELT URBAN OPEN SPACE**  
8.71 AC. (25.77%)

- I GREENBELT TO BE PROVIDED IN THIS AREA, FOLLOWING THE COURSE OF AN EXISTING GRAVEL/UNPAVED PATH. BENCHES TO BE PROVIDED ALONG TRAIL. ALSO TO PROVIDE COMMUNAL AREA IN SECTION IMMEDIATELY BEHIND LOTS 28&29, LINKED TO GREENBELT BY PERVIOUS STONE PAVER PATH, AND CONTAINING GAZEBO.
- J PLAYGROUND EQUIPMENT WITH BENCHES TO BE PROVIDED IN THIS AREA. ADDITIONAL LANDSCAPING TO BE INCLUDED.

A POCKET PARK WITH A DECORATIVE FOUNTAIN AND SURROUNDED BY MULTIPLE BENCHES IS TO BE PROVIDED HERE. THE PARK WILL BE LINKED TO THE MAIN SIDEWALK BY PERVIOUS STONE PAVER PATHS, WHICH WILL ALSO ENCIRCLE THE FOUNTAIN, DEFINING A CLEAR SITTING AREA.



Know what's below.  
Call before you dig.

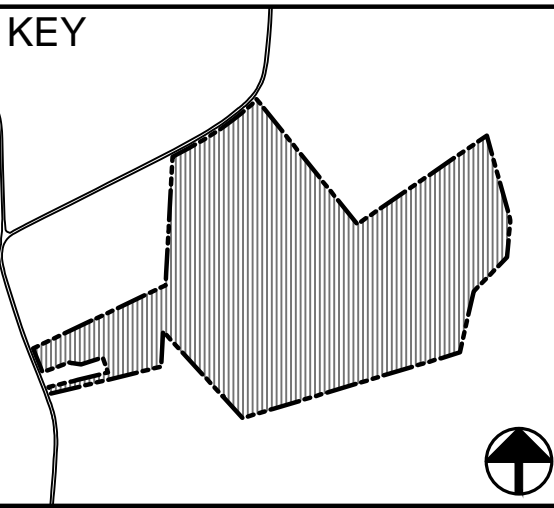
- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAGGERS, ETC AS NECESSARY TO ENSURE THE SAFETY OF THE PUBLIC.
- ALL PAVEMENT CUTS, ASPHALT OR CONCRETE, ARE TO BE PLACED ACCORDING TO STANDARDS OF THE DEPARTMENT OF TRANSPORTATION AND REGULATORY AUTHORITY SPECIFICATIONS.
- SHORING SHALL BE CARRIED OUT IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, PART 1926, SUBPART P, OR AS AMENDED.

**Ryan Homes**  
9920 Kincoy Avenue, Suite 200 | Huntersville, NC 28078  
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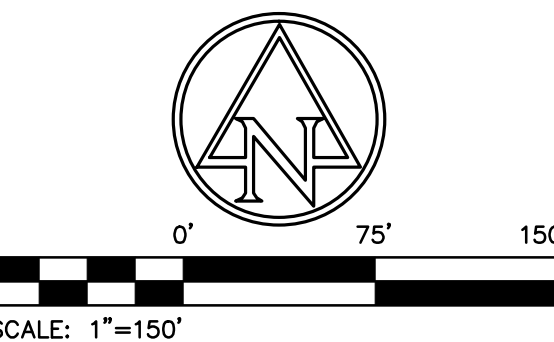
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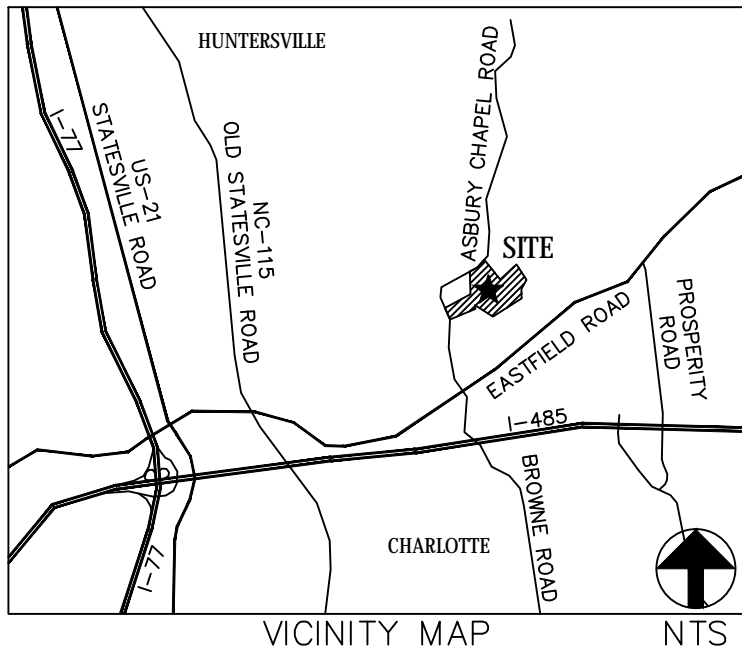
STRUCTUREPOINT PROJECT # 2015.00721

**OPEN SPACE PLAN**

**C250**







VICINITY MAP NTS



#### PROPOSED GRADING LEGEND

	PROJECT BOUNDARY		PROPOSED 2'-0" VALLEY GUTTER		PERENNIAL STREAM CENTERLINE & TOP OF BANK		PROPOSED STORM DRAINAGE PIPE AND CURB INLET		M.E.		MATCH EXISTING EDGE OF PAVEMENT
	20' BUFFER YARD		PROPOSED SIDEWALK		20' STREAM SIDE ZONE STREAM BUFFER (NO DISTURB)		PROPOSED STORM DROP INLET		BC		BOTTOM OF CURB
	80' LANDSCAPE BUFFER		PROPOSED A.D.A. RAMP		15' UPLAND ZONE STREAM BUFFER		PROPOSED STORM JUNCTION BOX		TC		TOP OF CURB
	EXISTING R/W		EXISTING INTERVAL CONTOUR		POND BOUNDARY (NORMAL POOL)		PROPOSED STORM SYSTEM DRAINAGE EASEMENT		BC		BOTTOM OF WALL
	PROPOSED ROW		EXISTING INDEX CONTOUR		PROPOSED SWALE LINE		PROPOSED TREE SAVE AREA		TW		TOP OF WALL
	PROPOSED LOT LINE		PROPOSED INTERVAL CONTOUR		BMP MAINTENANCE ACCESS ROAD		EXISTING SPECIMEN TREES TO BE SAVED		TC 000.50 BC 000.00		CURB ELEVATIONS
	PROPOSED LOT SETBACK LINE		PROPOSED INDEX CONTOUR		GUARD RAIL		PROPOSED STORM DRAINAGE EASEMENT		TW 000.XX BW 000.00		WALL ELEVATIONS
									000.00		SPOT ELEVATIONS
											FLOW ARROW
											GUARD RAIL
											USPS CLUSTERBOX UNIT (MAIL KIOSK)

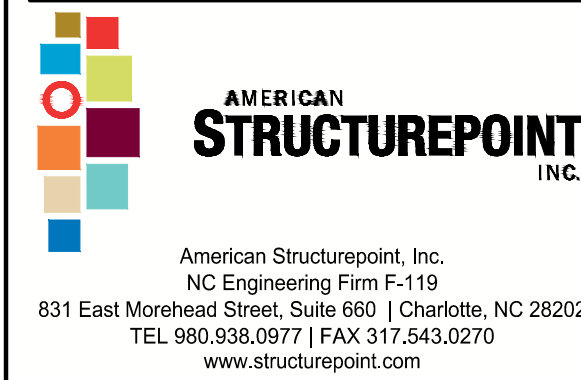


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- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAGGERS, ETC AS NECESSARY TO ENSURE THE SAFETY OF THE PUBLIC.
- ALL PAVEMENT CUTS, ASPHALT OR CONCRETE, ARE TO BE PLACED ACCORDING TO STANDARDS OF THE DEPARTMENT OF TRANSPORTATION AND REGULATORY AUTHORITY SPECIFICATIONS.
- SHORING SHALL BE CARRIED OUT IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, PART 1626, SUBPART P, OR AS AMENDED.

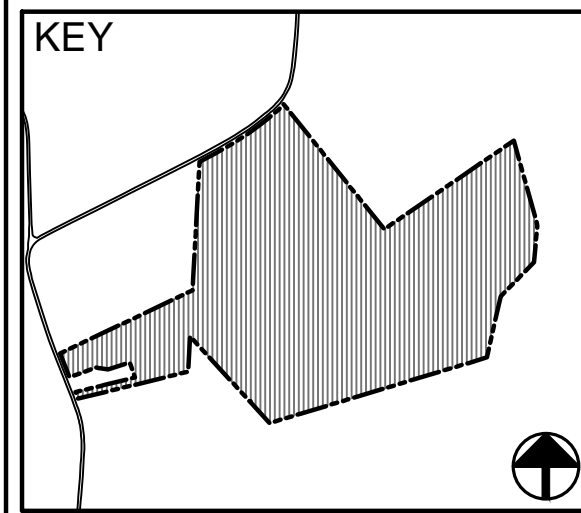
#### GRADING AND DRAINAGE NOTES

- EARTHWORK QUANTITIES HAVE NOT BEEN ESTIMATED AND SITE AS SHOWN IS NOT ASSUMED TO REPRESENT A BALANCED CUT/FILL CONDITION.
- CONTRACTOR SHALL PERFORM HIS OWN ESTIMATES AND SHALL PROVIDE ALL EARTHWORK NECESSARY TO ACHIEVE THE DESIGN GRADE, INCLUDING ANY OFFSITE BORROW OR SPOILS REQUIRED.
- CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE IN ALL GRADED AREAS, INCLUDING PAVING, LAWN AND LANDSCAPE AREAS.
- THE CONTRACTOR SHALL IMMEDIATELY REPORT TO OWNER ANY DISCREPANCIES FOUND BETWEEN ACTUAL FIELD CONDITIONS AND CONSTRUCTION DOCUMENTS AND SHALL WAIT FOR INSTRUCTION PRIOR TO PROCEEDING.
- CONTRACTOR SHALL VERIFY LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO BEGINNING WORK, BOTH PUBLIC AND PRIVATE. CONTRACTOR IS FULLY RESPONSIBLE FOR ALL UNDERGROUND UTILITIES AND SHALL REPAIR ANY DAMAGE AS A RESULT OF THIS CONTRACT.
- CONTRACTOR SHALL BLEND NEW EARTHWORK SMOOTHLY TO TRANSITION BACK TO EXISTING GRADE.
- THE PROPOSED CONTOURS AND SPOT ELEVATIONS SHOWN IN DRIVES, PARKING LOTS AND SIDEWALKS ARE FINISHED ELEVATIONS INCLUDING ASPHALT. REFER TO PAVEMENT CROSS SECTION DATA TO ESTABLISH CORRECT SUBBASE OR AGGREGATE BASE COURSE ELEVATIONS TO BE COMPLETED UNDER THIS CONTRACT.
- PIPE LENGTHS SHOWN ARE THE ENGINEER'S ESTIMATE USED TO COMPUTE PIPE SLOPES AND INVERTS AND SHALL NOT BE CONSTRUCTED BY THE CONTRACTOR TO REPRESENT THE ACTUAL QUANTITY OF PIPE REQUIRED.
- CROSS SLOPE OF SIDEWALKS SHALL BE 1/4"/FT. (MAX).
- SLOPES SHALL BE GRADED NO STEEPER THAN 3:1 UNLESS SPECIFICALLY NOTED ON PLANS OR UNDER DIRECTION OF THE ENGINEER BASED ON FIELD CONDITIONS.
- NO DISTURBANCE OR COMPACTION, CONSTRUCTION MATERIALS, TRAFFIC, BURIAL PITS, TRENCHING OR OTHER LAND DISTURBING ACTIVITY ALLOWED IN THE TREE PROTECTION ZONE. TREE BARRICADES MUST BE INSTALLED BEFORE ANY DEMOLITION, GRADING OR CONSTRUCTION BEGINS, AND NOT REMOVED UNTIL FINAL INSPECTION.
- NO GRUBBING WITHIN TREE PROTECTION ZONE. LEAVE SOIL AND LEAF LITTER UNDISTURBED. SUPPLEMENT WITH 1-2 INCHES OF MULCH. RE-SEED WITH GRASS ONLY IN DISTURBED/GRADED AREAS.
- BRUSH, VINES AND SMALL TREES (.8 IN. DIA. OR AS SMALL AS 2 IN. CALIPER) MAY BE HAND CLEARED ONLY. CUT FLUSH WITH GROUND SURFACE. EXISTING TREES MAY BE LIMBED UP 6 FEET (AT LEAST 2/3 OF THE BRANCHES SHOULD BE LEFT) TO IMPROVE VISIBILITY.
- EXPOSED TREE ROOTS MUST BE CLEANLY CUT WITH A SHARP PRUNING TOOL; BACKFILL ASAP TO MINIMIZE EXPOSURE TO THE AIR.
- ALL ROOF DRAINS SHALL DISCHARGE AT GRADE (UNLESS OTHERWISE SHOWN IN PLANS) AND DRAIN IN A POSITIVE DIRECTION AWAY FROM BUILDINGS.
- PIPE LENGTHS SHOWN ON CULVERTS INCLUDE FLARED END SECTIONS.
- IN ORDER TO ENSURE ADEQUATE DRAINAGE FLOW LINES IN GUTTERS SHALL BE 0.50% MINIMUM.
- SLOPE MATTING AS SHOWN IS THE MINIMUM.
- ALL DRIVEWAY SLOPES SHALL SLOPE AWAY FROM GARAGE TOWARDS ROAD.
- NO DRIVEWAY SLOPE SHALL EXCEED 8% UNLESS OTHERWISE NOTED.
- APPROVAL FOR IMPROVEMENTS SHALL BE BASED ON THESE PLANS, AS AMENDED, AND SUBMITTED SEPARATELY.
- CONTRACTOR SHALL PROTECT AND NOT DESTROY THE PROPERTY CORNER MONUMENTS DURING CONSTRUCTION.
- CONTRACTOR TO VERIFY LOCATION, SIZE, AND DEPTH OF EXISTING UTILITIES PRIOR TO COMMENCING ANY CONSTRUCTION. CONTACT ENGINEER IF VARIATION EXISTS.
- ALL RETAINING WALLS TO BE DESIGNED, SEALED, AND CERTIFIED BY CONTRACTOR'S STRUCTURAL ENGINEER. DESIGNED PLANS FOR RETAINING WALLS SHALL BE SUBMITTED, REVIEWED, AND PERMITTED BY THE TOWN OF HUNTERSVILLE. THE ENGINEER OF RECORD SHALL PROVIDE TOWN OF HUNTERSVILLE WITH WRITTEN INSPECTION REPORTS, WHICH VERIFY THAT ALL ON-SITE RETAINING WALLS WERE CONSTRUCTED AND INSTALLED PER THE APPROVED DESIGN PLAN. THESE REPORTS SHALL BE SIGNED AND SEALED BY THE ENGINEER OF RECORD.
- BUILDING PADS:  
A. OVERBUILD BUILDING PADS BY 5 FT MIN. ON ALL SIDES - 10 FT AT THE REAR, AND 3 FT AT THE FRONT.  
B. ALL BUILDING PADS ARE TO BE CONSTRUCTED WITHIN A 1 INCH TOLERANCE OF FIELD GRADES.  
C. ALL BUILDING PADS ARE TO BE LEFT 6 INCHES, UNLESS OTHERWISE DIRECTED BY CONSTRUCTION MANAGER.  
D. SURVEYOR SHALL COORDINATE THE BUILDING PAD STAKING METHOD WITH EXCAVATOR AND CONSTRUCTION MANAGER.
- 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 ENCRDACHING INTO THE PUBLIC RIGHT-OF-WAY OR EASEMENT FOR A PUBLIC SIDEWALK.
- GEOTECHNICAL ENGINEER TO VERIFY THE STABILITY OF ANY PROPOSED SLOPES THAT ARE STEEPER THAN 2:1.



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STRUCTUREPOINT PROJECT # 2015.00721

#### OVERALL GRADING PLAN

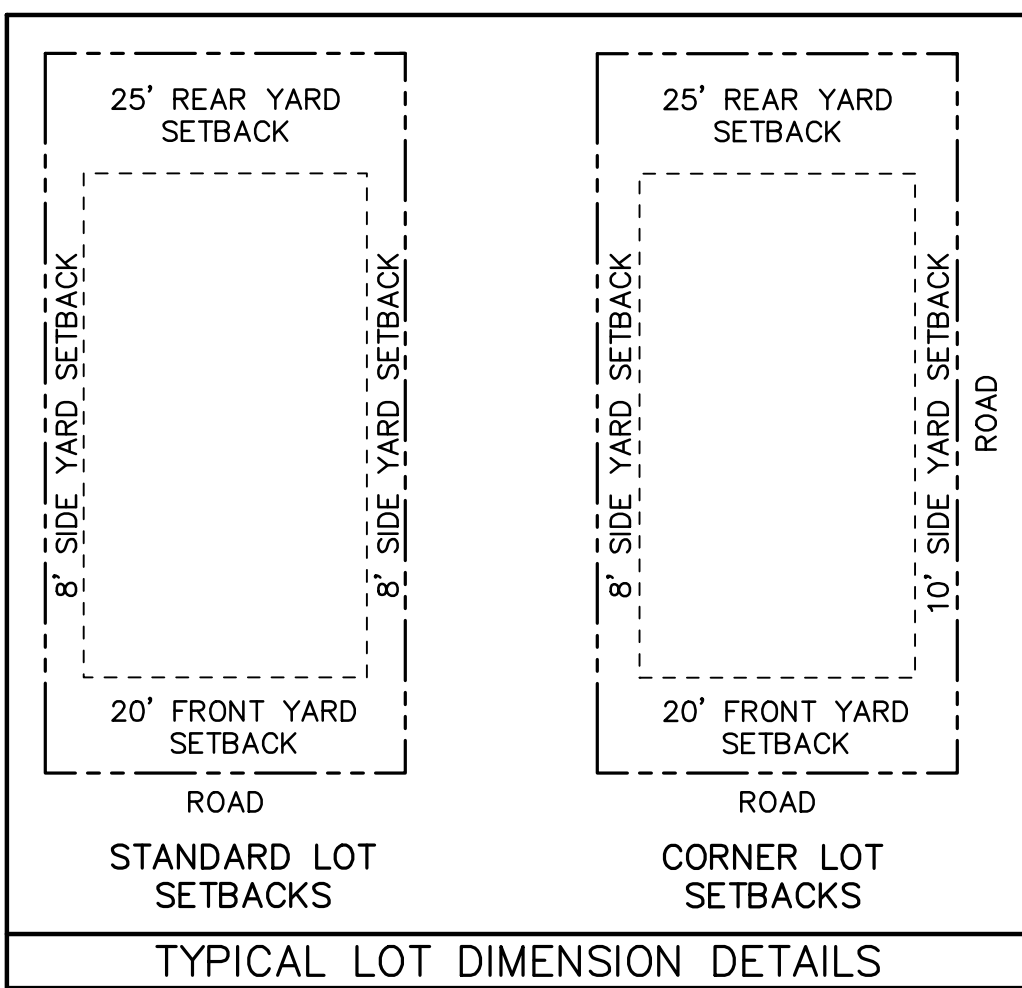
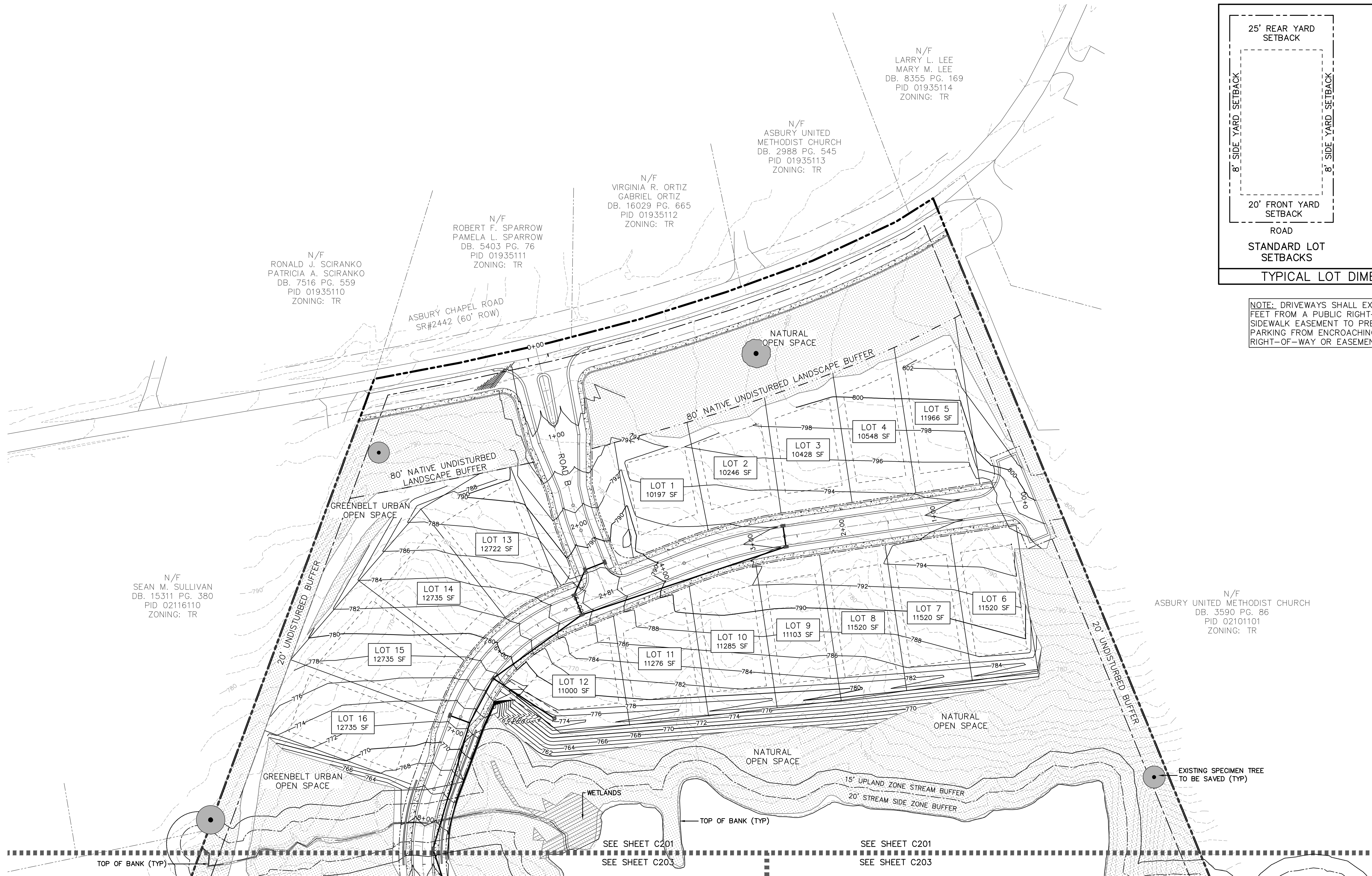
## C400



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NOTE: 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.

**Ryan Homes**

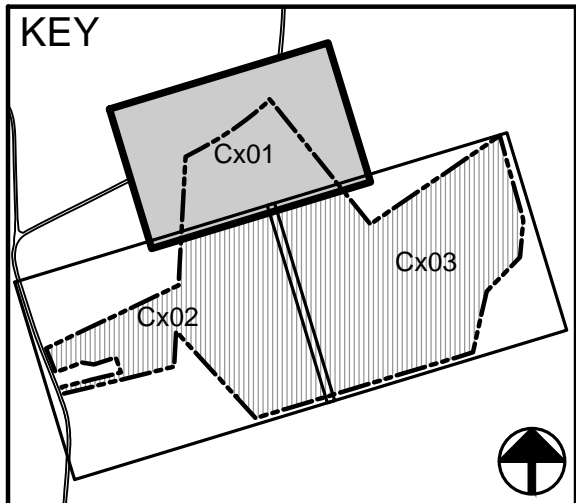
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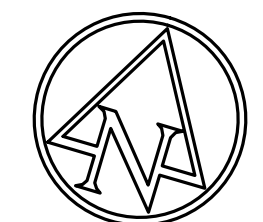
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### GRADING PLAN

## C401



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### PROPOSED GRADING LEGEND

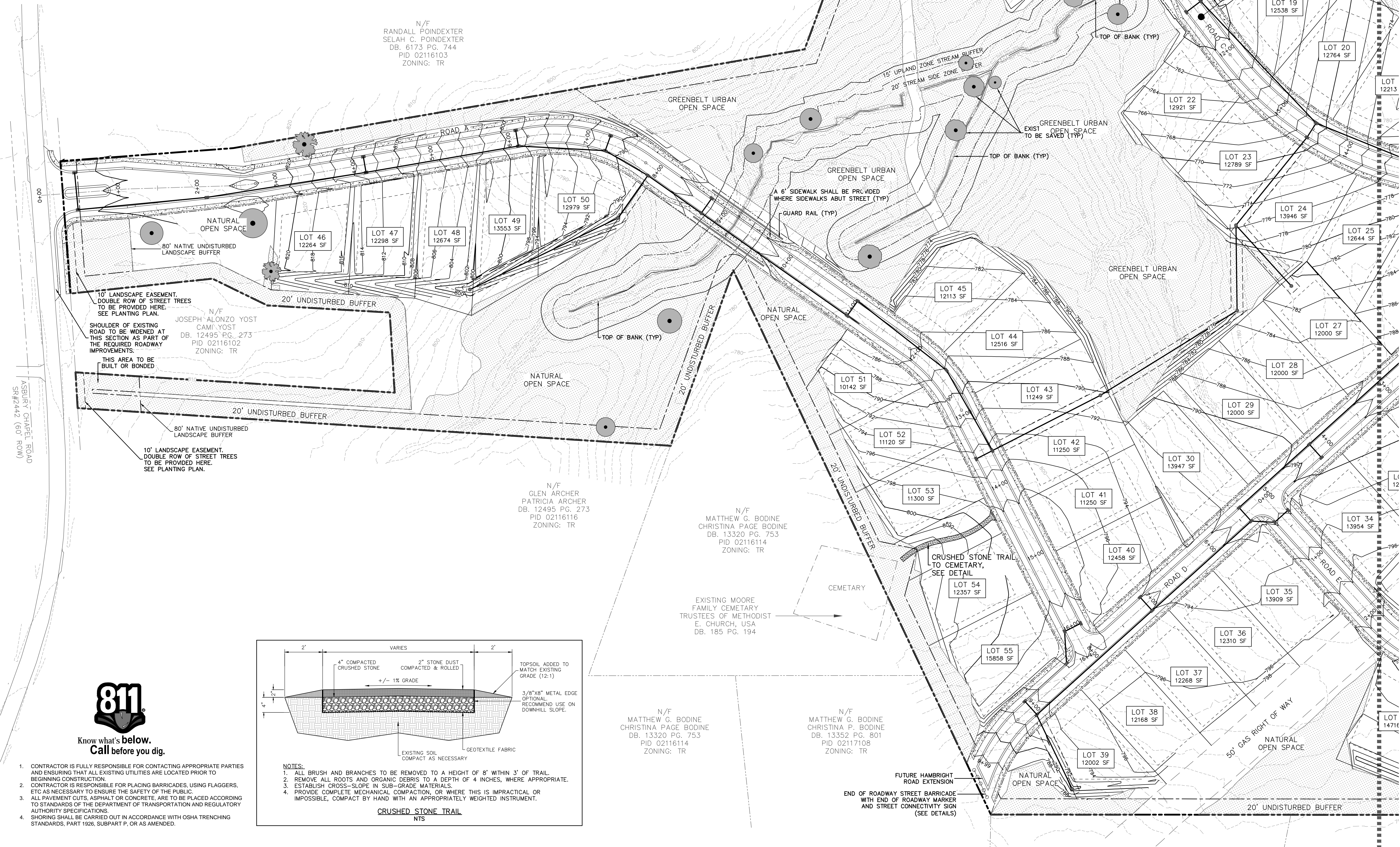
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PROPOSED ROW	EXISTING INDEX CONTOUR	PROPOSED SWALE LINE	PROPOSED TREE SAVE AREA	BC	TOP OF WALL
PROPOSED LOT LINE	PROPOSED INTERVAL CONTOUR	BMP MAINTENANCE ACCESS ROAD	EXISTING SPECIMEN TREES TO BE SAVED	TW	CURB ELEVATIONS
PROPOSED LOT SETBACK LINE	PROPOSED INDEX CONTOUR	GUARD RAIL		TC 000.50 BC 000.00 TW 000.XX BW 000.00	WALL ELEVATIONS
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### PROPOSED GRADING LEGEND

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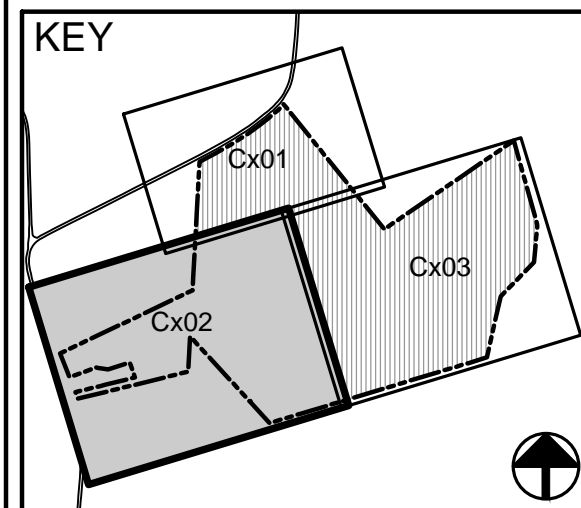
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Huntersville, NC 28078



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NC ENGINEERING FIRM F-1119

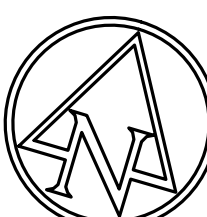
ISSUANCE INDEX		
DATE:	04/01/2016	
PROJECT PHASE:	ALL	

REVISION SCHEDULE		
NO.	DESCRIPTION	DATE
A	PRELIM. SKETCH PLAN 1	4/1/2016
B	PRELIM. SKETCH PLAN 2	5/18/2016

STRUCTUREPOINT PROJECT # 2015.00721

GRADING  
PLAN

C402



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



11620 Asbury Chapel Road  
Huntersville, NC 28078

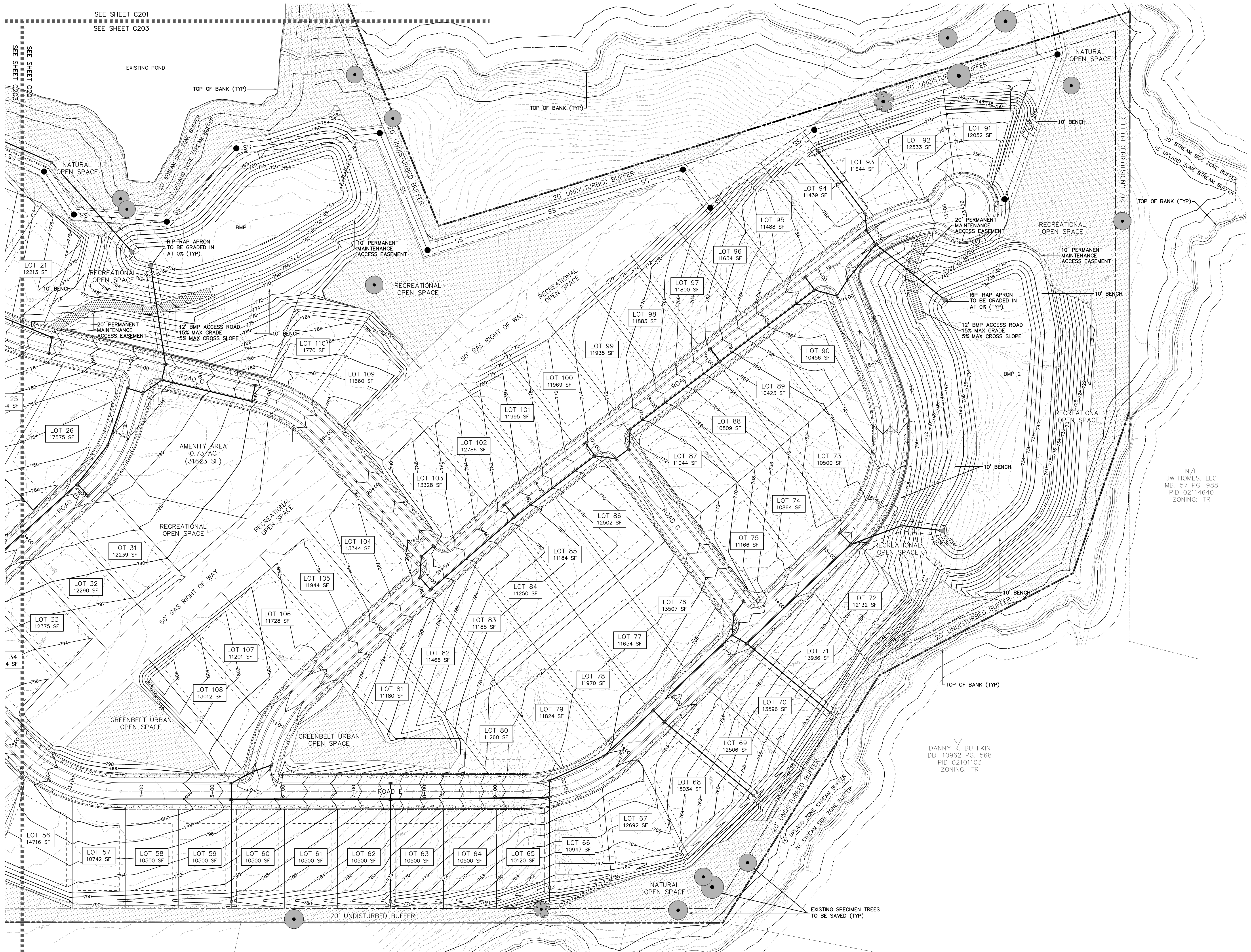


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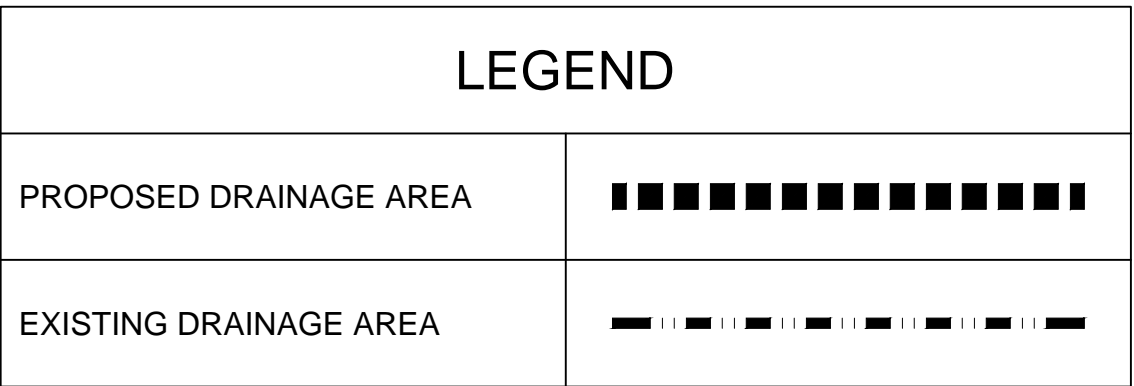
ISSUANCE INDEX
DATE:
04/01/2016
PROJECT PHASE:
ALL

STRUCTUREPOINT PROJECT #	2015.00721
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# C403

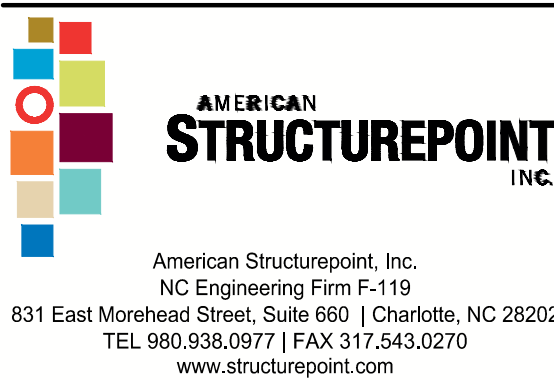




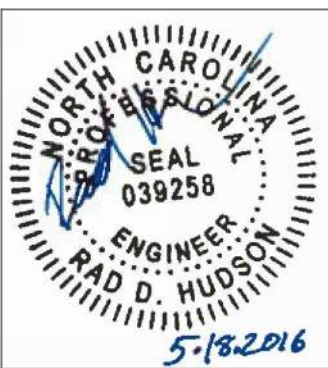


**BMP 2**  
**DA: = 22.2 ACRES**  
**CN (PRE) = 73**  
**CN (POST) = 83**  
**BTM ELEV = 733.00**

- RUNOFF FROM REAR YARDS DRAINING AWAY FROM ROAD TO BE COLLECTED VIA SWALES AND PIPE SYSTEM IN ORDER TO REACH BMP (TYP.)



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Huntersville, NC 28078



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DATE: 04/01/2016

PROJECT PHASE: ALL

NO.	DESCRIPTION	DATE
A	PRELIM. SKETCH PLAN 1	4/1/2016
B	PRELIM. SKETCH PLAN 2	5/18/2016



1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAGGERS, ETC AS NECESSARY TO ENSURE THE SAFETY OF THE PUBLIC.
3. ALL PAVEMENT CUTS, ASPHALT OR CONCRETE, ARE TO BE PLACED ACCORDING TO STANDARDS OF THE DEPARTMENT OF TRANSPORTATION AND REGULATORY AUTHORITY SPECIFICATIONS.
4. SHORING SHALL BE CARRIED OUT IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, PART 1926, SUBPART P, OR AS AMENDED.

50 Year, 24 Hour Volume Calculation			
NVR Asbury Chapel Road			
	BMP 1	BMP 2	
Drainage Area (Post) [ac]	31.3	27.22	
Drainage Area (Pre) [ac]	32.9	17.36	
CN (Post)	83	83	
CN (Pre)	73	73	
Tc (Post) [min]	5	5	
Tc (Pre) [min]	25	25	
50 Yr-24 Hr Volume (Post) [ac-ft]	11.580	8.213	
50 Yr-24 Hr Volume (Post) [Cubic ft]	504425	357758	
50 Yr-24 Hr Volume (Pre) [ac-ft]	9.260	4.866	
50 Yr-24 Hr Volume (Pre) [Cubic ft]	403364	212834	
50 Yr-24 Hr Volume Difference [ac-ft]	2.320	3.327	
50 Yr-24 Hr Volume Difference [Cubic ft]	101059	144924	

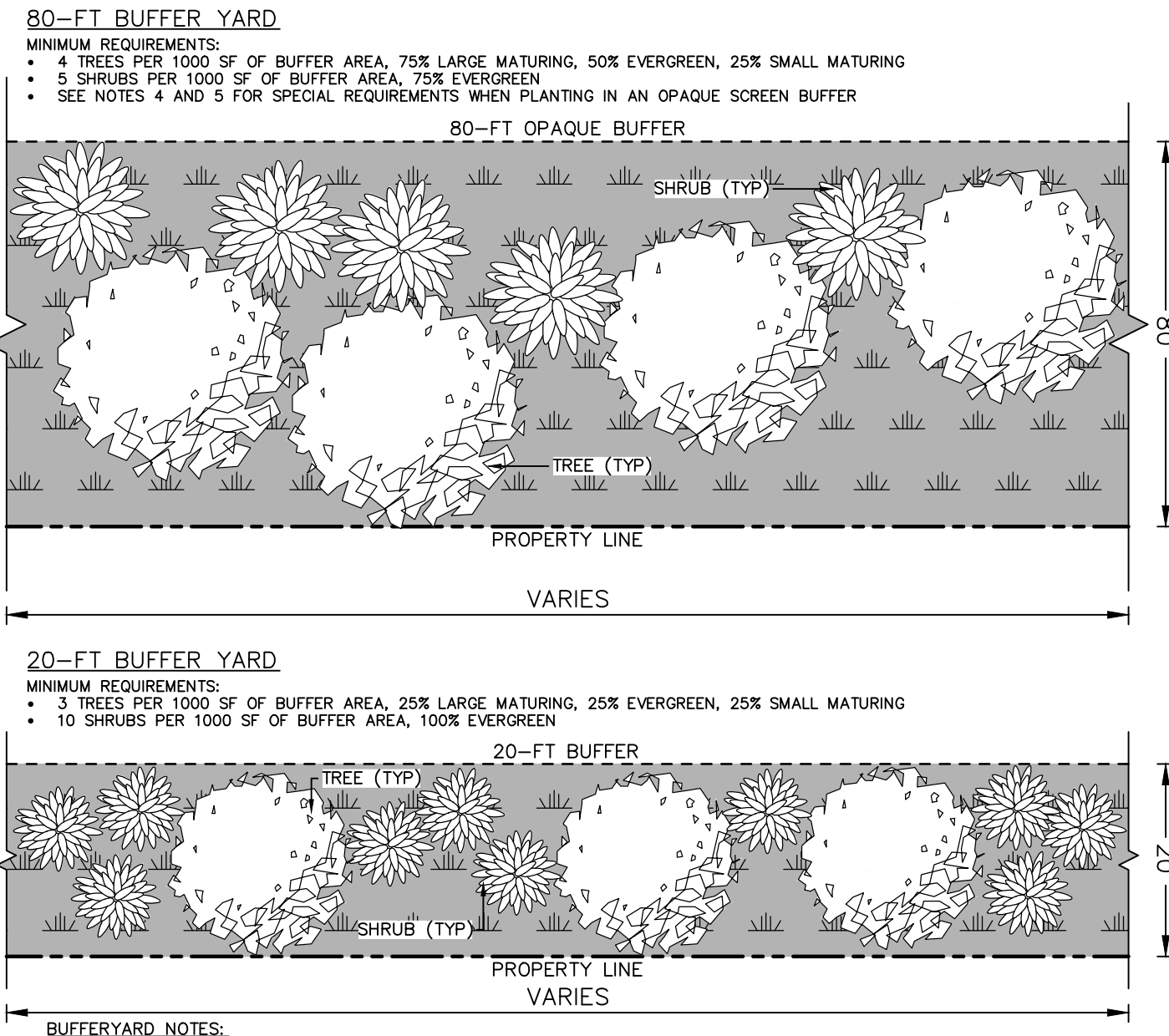
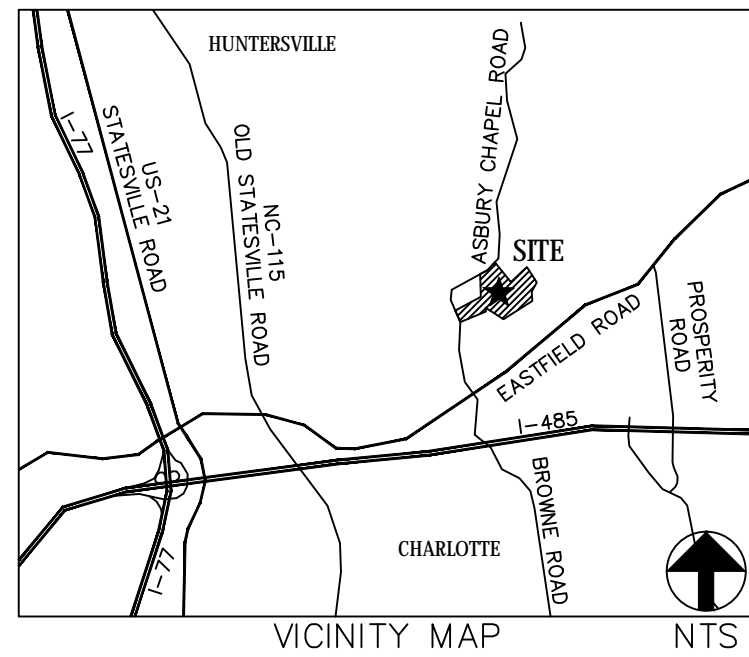
BMP 2										
REQUIRED STORAGE (ac-ft)							3,327			
Elevation	Area (sq)	Area (ac)	Avg Area (ac)	Height (ft)	Inc Vol (ac-ft)	Inc Vol (Cubic ft)	Acc Vol (ac-ft)	Acc Vol (Cubic ft)	Acc Vol (ac-ft)	Acc Vol (Cubic ft)
733	27991	0.642				0.000				
733.5	29299	0.673	0.657	0.5	0.329	14315	0.329	14315		
734	30651	0.704	0.688	0.5	0.344	14988	0.673	29303		
734.5	32018	0.735	0.719	0.5	0.360	15667	1.032	44970		
735	33398	0.767	0.751	0.5	0.375	16354	1.408	61324		
735.5	34793	0.799	0.783	0.5	0.391	17048	1.799	78372		
736	36202	0.831	0.815	0.5	0.407	17749	2.207	96120		
736.5	37625	0.864	0.847	0.5	0.424	18457	2.630	114577		
737	39062	0.897	0.880	0.5	0.440	19172	3.070	133749		
737.5	40513	0.930	0.913	0.5	0.457	19894	3.527	153643		
738	41979	0.964	0.947	0.5	0.473	20635	4.001	174266		
738.5	43458	0.998	0.981	0.5	0.490	21393	4.491	195625		
739	44952	1.032	1.017	0.5	0.507	22103	4.998	217372	0.000	0
739.5	46460	1.065	1.049	0.5	0.525	22853	5.523	240580	5.523	240580
740	47982	1.102	1.084	0.5	0.542	23611	6.065	264911	11.588	504771
740.5	49518	1.137	1.119	0.5	0.560	24375	6.625	288566	18.213	793337
741	51068	1.172	1.155	0.5	0.577	25147	7.202	313712	25.414	1107049



REQUIRED RESIDENTIAL LOT TREES				
LOT	AREA (SF)	REQUIRED FRONT YARD TREES	REQUIRED REAR YARD TREES	
1	10881	1	2	
2	10521	1	2	
3	10550	1	2	
4	11963	1	2	
5	13622	1	2	
6	11520	1	2	
7	11520	1	2	
8	11520	1	2	
9	11103	1	2	
10	11285	1	2	
11	11276	1	2	
12	11000	1	2	
13	12375	1	2	
14	12735	1	2	
15	12735	1	2	
16	12735	1	2	
17	13008	1	2	
18	14935	1	2	
19	12538	1	2	
20	12764	1	2	
21	12213	1	2	
22	12921	1	2	
23	12789	1	2	
24	13946	1	2	
25	12644	1	2	
27	12000	1	2	
28	12000	1	2	
29	12000	1	2	
30	13947	1	2	
31	12239	1	2	
32	12290	1	2	
33	12375	1	2	
34	13954	1	2	
35	13909	1	2	
36	12310	1	2	
37	12268	1	2	
38	12168	1	2	
39	12002	1	2	
40	12458	1	2	
41	11250	1	2	
42	11250	1	2	
43	11249	1	2	
44	12516	1	2	
45	12113	1	2	
46	14819	1	2	
47	14317	1	2	
48	13781	1	2	
49	14085	1	2	
50	13798	1	2	
51	10142	1	2	
52	11120	1	2	
53	11300	1	2	
54	12357	1	2	
56	14716	1	2	
108	10742	1	2	

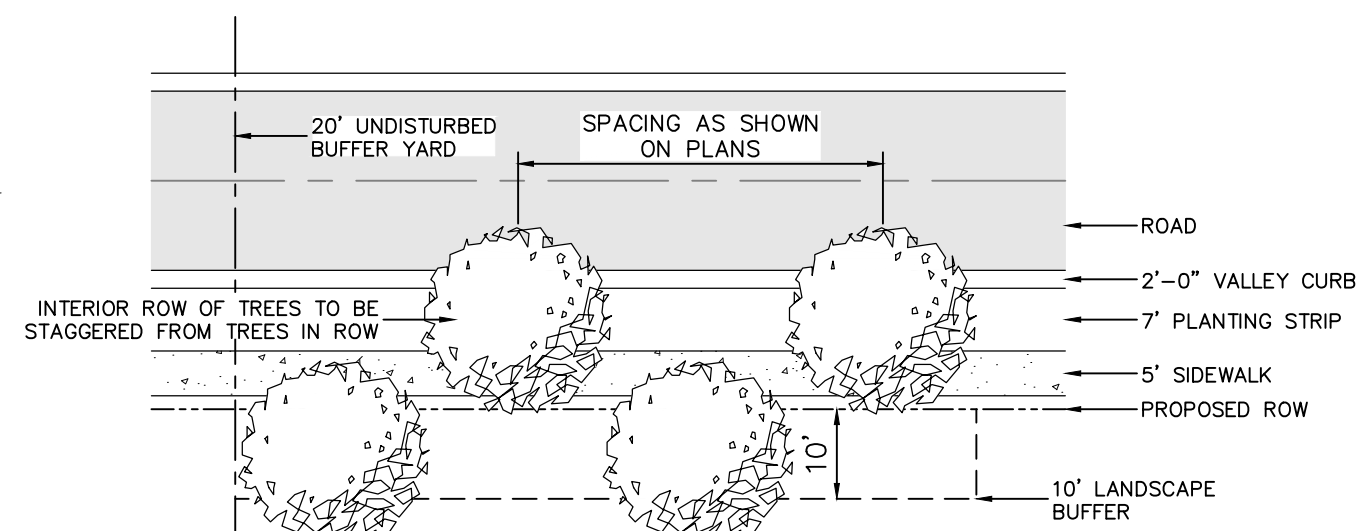
In order to maintain or replenish the urban tree canopy in areas of new residential subdivision, except when located in the TOD-R zoning district, each lot shall provide canopy trees in accordance with the following schedule.

Lot Size	Required Number of Canopy Trees
Less than 10,000 SF	1 Front Yard, 1 Rear Yard
10,000 - 15,000 SF	1 Front Yard, 2 Rear Yard
15,001 - 20,000 SF	2 Front Yard, 2 Rear Yard
More than 20,000 SF	3 Front Yard, 3 Rear Yard



- BUFFER YARD NOTES:**
- IF THE EXISTING CONDITION OF ALL UNDISTURBED NATURAL BUFFER YARDS DOES NOT MATCH THE MINIMUM PLANTING REQUIREMENTS SHOWN IN THE ABOVE DIAGRAMS, THE DEFICIENT BUFFER YARD SHALL BE SUPPLEMENTED WITH ADDITIONAL TREES AND SHRUBS UNTIL THE REQUIREMENT HAS BEEN SATISFIED.
  - MINIMUM TREE SIZE IS 2" CALIPER, WITH MINIMUM HEIGHT 8' TO 10' AT TIME OF PLANTING. SHRUBS PLANTED SHALL HAVE A MINIMUM HEIGHT OF 3' AT INSTALLATION, EXPECTED HEIGHT OF 5' AT MATURITY.
  - CLUSTERING AND/OR RANDOM SPACING OF PLANTS AND TREES IS ENCOURAGED TO PRODUCE A NATURAL APPEARANCE IN THE LANDSCAPE TO THE EXTENT THAT THE PLANTINGS MEET THE SCREENING INTENT OF THIS SECTION.
  - NO GRADING, CLEARING, OR LAND DISTURBING ACTIVITIES SHALL OCCUR WITHIN THE REQUIRED BUFFER YARD AREA. AREAS COMPLETELY DEVOID OF EXISTING TREES MAY BE GRADED WITH SLOPES NO GREATER THAN 3:1 AS LONG AS THE FUTURE GRADES DO NOT CHANGE THE FUNCTIONALITY OF THE REQUIRED BUFFER YARD (EXAMPLE: GRADING OF A BUFFER YARD TO WHERE THE PLANTED VEGETATION IS BELOW THE PROPOSED SIDEWALK OR DRIVEWAY SHALL BE CONSIDERED A VIOLATION).
  - TO PRODUCE AN OPAQUE SCREEN, INTERMITTENT PLANTING OF DECIDUOUS AND EVERGREEN TREES SHALL OBTAIN A HEIGHT AT MATURITY OF NO LESS THAN 35 FEET AND HAVE NO UNOBSTRUCTED OPENINGS BETWEEN TREE CANOPIES UPON MATURITY.
  - AT INSTALLATION, SHRUB PLANTINGS WITHIN AN OPAQUE SCREEN SHALL HAVE A MINIMUM HEIGHT OF 3 FEET WITH AN EXPECTED HEIGHT AT MATURITY AT LEAST 12 FEET, AND NO UNOBSTRUCTED OPENINGS WIDER THAN FOUR FEET.
  - TREES AND SHRUBS PLANTED WITHIN BUFFER MUST BE CHOSEN FROM THE TOWN OF HUNTERSVILLE TREE AND SHRUB LIST.

#### BUFFER YARD PLANTING DETAIL



- DOUBLE-ROW STREET TREES NOTES:**
- FOR PROPERTY LOCATED ON A MAJOR OR MINOR THOROUGHFARE, EXCLUDING THE TOWN CENTER (TC) ZONING DISTRICT, AN ADDITIONAL ROW OF STREET TREES ARE REQUIRED TO BE LOCATED BEHIND THE PROPOSED SIDEWALK IN 10'-0" LANDSCAPE EASEMENT TO BE RECORDED ON A PLAT OF RECORD PRIOR TO ISSUANCE OF A BUILDING PERMITS. THE INTERIOR ROW OF TREES SHALL BE STAGGERED FROM THE TREES PROVIDED WITHIN THE RIGHT-OF-WAY.
  - ALL STREET TREES MUST BE LISTED AS AN APPROVED STREET TREE ON THE TOWN OF HUNTERSVILLE TREE AND SHRUB LIST.

#### REQUIRED DOUBLE-ROW STREET TREES AT WESTERN ENTRANCE



Know what's below.  
Call before you dig.

- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAGGERS, ETC. AS NECESSARY TO ENSURE THE SAFETY OF THE PUBLIC.
- ALL PAVEMENT CUTS, ASPHALT OR CONCRETE, ARE TO BE PLACED ACCORDING TO STANDARDS OF THE DEPARTMENT OF TRANSPORTATION AND TOWN SPECIFICATIONS.
- SHORING SHALL BE CARRIED OUT IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, PART 1926, SUBPART P, OR AS AMENDED.

#### PLANTING PLAN NOTES

- ALL PROPOSED LANDSCAPING SHALL BE IN CONFORMANCE WITH THE REQUIRED SPECIFICATIONS OF THE TOWN OF HUNTERSVILLE ORDINANCE.
- ANY PRIVATE LOTS THAT CONTAIN SPECIMEN TREES OR AREAS DESIGNATED AS TREESAVE AREAS SHALL BE RE-PLATED BEFORE THE CERTIFICATE OF OCCUPANCY CAN BE ISSUED TO ENSURE THAT THE TREES ARE PROTECTED.
- NO TREES SHALL BE PLANTED ON THE BERMS OF BMPs.
- ENTRY SIGNAGE WILL BE APPROVED PRIOR TO CONSTRUCTION.
- ALL DISTURBED AREAS TO BE STABILIZED WITH MULCH, GRASS SEED OR SOD.
- PROPOSED QUANTITIES OF TREES SHOWN ON THE LANDSCAPE PLAN MAY BE OFFSET BY PRESERVED TREES.
- FINAL LOCATION OF PATH TO BE DETERMINED WITH FINAL GRADING PLAN'S APPROVAL.
- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAGGERS, ETC. AS NECESSARY TO ENSURE THE SAFETY OF THE PUBLIC.
- ALL PAVEMENT CUTS, ASPHALT OR CONCRETE, ARE TO BE PLACED ACCORDING TO STANDARDS OF THE DEPARTMENT OF TRANSPORTATION AND TOWN SPECIFICATIONS.
- SHORING WILL BE CARRIED OUT IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, PART 1926, SUBPART P, OR AS AMENDED.
- THE DEVELOPER SHALL FURNISH AND INSTALL ALL PLANT MATERIALS LISTED ON THE PLANT SCHEDULE.
- PLANT MATERIALS SHALL CONFORM TO THE REQUIREMENTS DESCRIBED IN THE LATEST EDITION OF AMERICAN STANDARD FOR NURSERY STOCK, PUBLISHED BY THE AMERICAN SOCIETY OF NURSERYMEN.
- PLANT MATERIALS MUST BE SELECTED FROM THE APPROVED SPECIES LIST IN THE LOCAL ORDINANCE.
- EXCAVATE PITS WITH VERTICAL SIDES APPROXIMATELY THE DEPTH OF THE ROOTBALL AND WITH A CIRCULAR OUTLINE WHICH SHALL BE APPROXIMATELY 2 TO 3 TIMES WIDER THAN THE ROOTBALL. FOR PLANTING PITS, BEDS OR TRENCHES, WHICH ARE TO BE DEVELOPED WHERE PAVING EXISTED PREVIOUSLY, ALL PAVING AND BASE STONE SHALL BE REMOVED AS PART OF THE EXCAVATION.
- REMOVE ROCK DEBRIS, INORGANIC COMPOSITIONS, AND CHEMICAL RESIDUES FROM SOIL IN PLANTING PITS.
- CULTIVATE SHRUB PLANTING PITS TO A MINIMUM DEPTH OF 18 INCHES.
- INSTALL ROOTBALL ON A FLAT, COMPACT SURFACE OF UNDISTURBED SOIL. REMOVE ANY INORGANIC ITEMS ON TOP OF ROOTBALL, AND THE TOP THIRD OF WIRE BASKETS.
- LEAVE THE TOP OF THE ROOTBALL EXPOSED, TO BE COVERED BY MULCH ONLY.
- FINISH THE PLANTING WITH A MINIMUM 3-INCH LAYER OF MULCH AND PINE NEEDLES, TREE BARK OR SIMILAR MATERIALS DISTRIBUTED AROUND THE TREE BARK.
- EACH TREE, SHRUB, AND VINE SHALL BE PRUNED IN AN APPROPRIATE MANNER, IN ACCORDANCE WITH ACCEPTED STANDARD PRACTICE.
- EXISTING TREES SHALL BE PRESERVED WHEREVER POSSIBLE.
- THE DEVELOPER SHALL BE RESPONSIBLE FOR ALL MAINTENANCE OF THE PROPERTY'S LANDSCAPING ON A CONTINUING BASIS FOR THE LIFE OF THE DEVELOPMENT.
- REQUIRED LANDSCAPING SHALL BE MAINTAINED IN PERPETUITY. AFTER INITIAL INSTALLATION, IT SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE PROPERTY UPON WHICH THE LANDSCAPING IS INSTALLED TO MAINTAIN ALL REQUIRED PLANTINGS IN A HEALTHY, VIGOROUS, AND ATTRACTIVE STATE, AS WELL AS TO REPLACE DEAD, DISEASED OR DETERIORATED PLANTS.
- QUANTITIES SHOWN ARE FOR CONVENIENCE ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR QUANTITIES AS SHOWN ON THE PLAN.
- ADJUST TREE PLANTING LOCATIONS TO AVOID UNDERGROUND UTILITIES.
- SEE SPECIFICATIONS FOR SEEDING REQUIREMENTS. ALL DISTURBED AREAS SHALL BE SEED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO EXCAVATION.
- TYPE I SEEDING (LAWNS, SHOULDER, OR OTHER MAINTAINED AREAS):
  - 100 LBS OF LIME
  - 15 LBS OF 19-23-12
  - 4 LBS OF TALL FESCUE, CONTAINING A BLEND OF 2 OR MORE TALL FESCUES
  - 1 LB OF SERVICEA LESPEDeza (AUGUST 15 - FEBRUARY 1 USE UNSCARIFIED SEEDS)
  - 1/4 LB OF GERMAN MILLET (MAY 1 - AUGUST 15)
  - 1 LB OF RYE GRAIN (PRIOR TO MAY 1 AND AFTER AUGUST 15)
- \*SEEDING MIXTURES OTHER THAN THOSE LISTED ABOVE SHALL BE APPROVED BY THE TOWN/INSPECTOR PRIOR TO SEEDING

#### TREESAVE DATA FOR ALL RECORDED SPECIMEN TREES

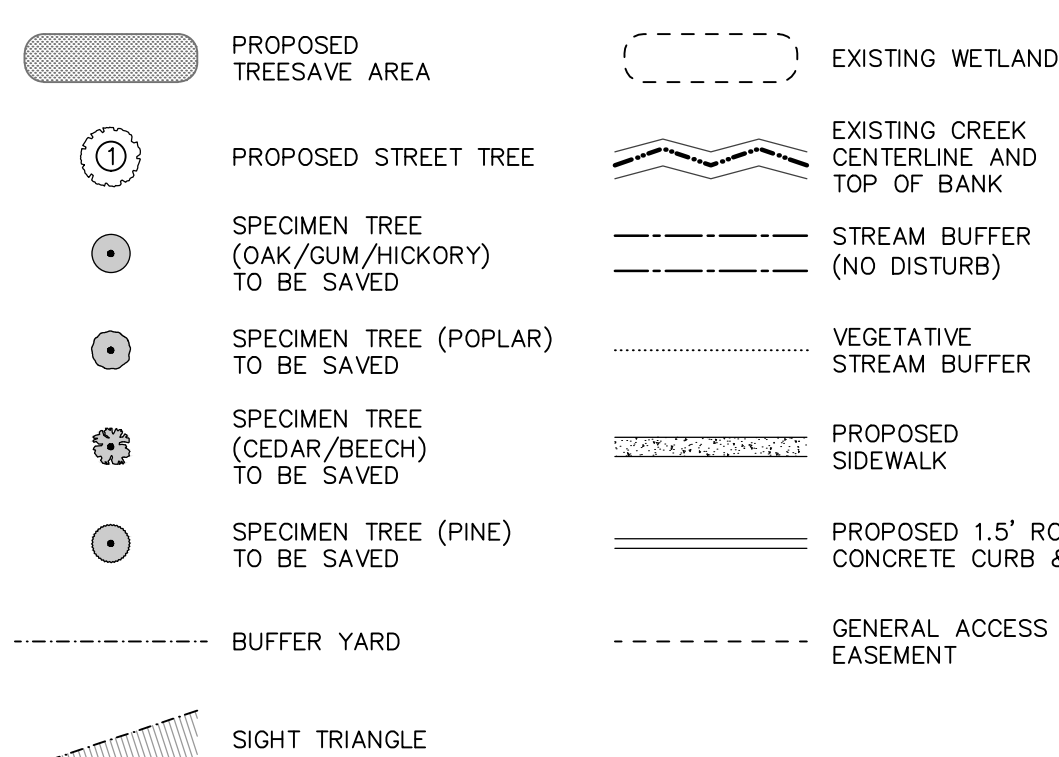
Tree No.	Species	Dia.	Not Saved	Saved
1	POPLAR	31"	X	
2	POPLAR	30"	X	
3	POPLAR	27"	X	
4	OAK	28"	X	
5	HICKORY	26"	X	
6	OAK	42"	X	
7	OAK	37"	X	
8	OAK	24"	X	
9	CEDAR	24"	X	
10	POPLAR	26"	X	
11	HICKORY	31"	X	
12	MAGNOLIA	12"	X	
13	OAK	24"	X	
14	OAK	24"	X	
15	OAK	24"	X	
16	OAK	27"	X	
17	BEECH	36"	X	
18	OAK	35"	X	
19	OAK	27"	X	
20	POPLAR	31"	X	
21	OAK	24"	X	
22	POPLAR	25"	X	
23	OAK	25"	X	
24	OAK	25"	X	
25	OAK	25"	X	

NOTE: ALL OF THE SPECIMEN TREES THAT WERE SURVEYED ON THIS SITE CAN ALSO BE VIEWED ON THE SIGNED AND SEALED TREE SURVEY (SHEET C003) OF THIS PLAN SET.

STREET TREES				
Tree No.	Species	Dia.	Not Saved	Saved
26	OAK	31"	X	
27	OAK	24"	X	
28	OAK	35"	X	
29	OAK	24"	X	
30	OAK	12"	X	
31	GUM	15"	X	
32	OAK	14"	X	
33	OAK	26"	X	
34	POPLAR	26"	X	
35	POPLAR	19"	X	
36	OAK	16"	X	
37	OAK	26"	X	
38	POPLAR	36"	X	
39	OAK	27"	X	
40	GUM	24"	X	
41	POPLAR	30"	X	
42	HICKORY	12"	X	
43	OAK	24"	X	
44	OAK	28"	X	
45	CEDAR	25"	X	
46	PINE	27"	X	
47	OAK	37"	X	
48	OAK	36"	X	
49	CEDAR	32"	X	
50	MAPLE	27"	X	

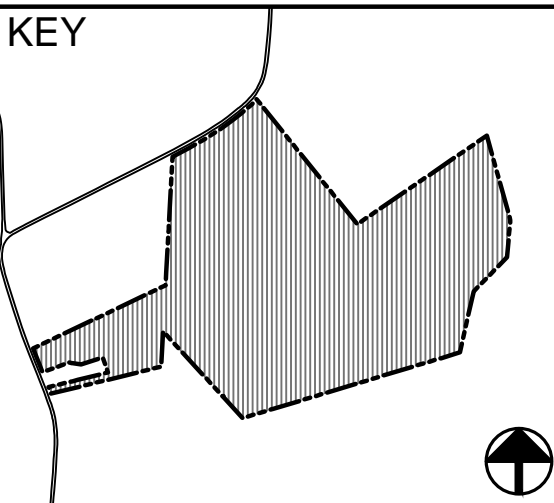
Tree Preservation and Canopy (Z.O. Article 7.4)	
Has the site been forested or cleared in the past three years?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Heritage Trees</b>	
Number of Heritage trees on-site	0
Number of Heritage trees saved	0
Percentage of Heritage trees required to save	100.0%
Percentage of Heritage trees actually saved	0%
<b>Specimen Trees</b>	
Number of Specimen trees on-site	68
Number of Specimen trees saved	36
Percentage of Specimen trees required to save	35%
Percentage of Specimen trees actually saved	52.90%
<b>Tree Canopy</b>	
Total acreage of site covered by tree canopy	63.15
Percentage of site covered by tree canopy	82.96%
Total acreage of tree canopy preservation required	22.10 ac
Percentage of tree canopy preservation required	35.00%
Total acreage of tree canopy actually saved	22.74 ac
Percentage of tree canopy actually saved	36.01%

#### PROPOSED PLANTING PLAN LEGEND



## ASBURY CHAPEL

11620 Asbury Chapel Road  
Huntersville, NC 28078



PERMITTING ONLY  
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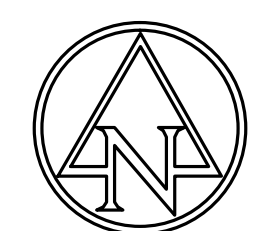
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STRUCTUREPOINT PROJECT # 2015.00721

#### REQUIRED PLANTING PLAN

C900



0' 75' 150'  
SCALE: 1"=150'



# Neighborhood Meeting for NVR Asbury Chapel

---

**American Structurepoint, Inc.**  
831 East Morehead Street, Suite 660  
Charlotte, NC 28202

**May 12, 2016**



AMERICAN  
**STRUCTUREPOINT**  
INC.

831 East Morehead Street, Suite 660  
Charlotte, NC 28202

[www.structurepoint.com](http://www.structurepoint.com)



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<b>Appendix B – Neighborhood Meeting Contact List, Notification Map and Checklist</b>		
<b>Appendix C – Neighborhood Meeting Sign in Sheet</b>		
<b>Appendix D – Neighborhood Meeting Memo</b>		
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## 1.0 Purpose

The purpose of this report is to document a neighborhood meeting for the NVR Asbury Chapel Major Subdivision Sketch Plan. The meeting took place on May 12<sup>th</sup>, 2016 at 5 pm at the Huntersville Hall located at 101 Huntersville-Concord Road, Huntersville, NC 28078.

This report contains a general description of the project and includes Appendices with various documentation for the Neighborhood Meeting.

## 2.0 Project Narrative

### 2.1 Background

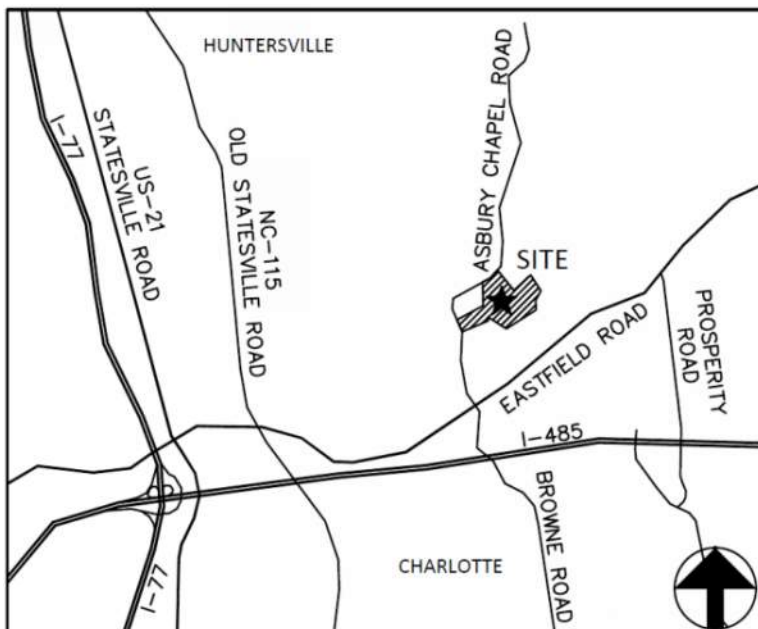
The project site is located in Huntersville, NC off of Asbury Chapel Road. The project proposes 110 single family lots and includes associated infrastructure the site of 76.13 acres.

### 2.2 General Information

- Jurisdiction: City of Huntersville, Mecklenburg County, North Carolina
- Parcel IDs: 02101112; 02116101; 02116112, 02116113
- Key Streets: Asbury Chapel Road, Hambright Road
- Watershed: Clarke

## 3.0 Project Location

Figure 1 – Vicinity Map





## Appendix A – Neighborhood Meeting Minutes



## MEETING MINUTES

**Project Name:** Asbury Chapel  
**Description:** Neighborhood Meeting  
**Date:** May 12<sup>th</sup>, 2016  
**Location:** Huntersville Town Hall, 101 Huntersville-Concord Road, Huntersville NC 28078  
**Project No.:** 2015-00721  
**Attendees:**

Alison Adams	Town of Huntersville
Brian Richards	Town of Huntersville
Mallie Colavita	NVR – Ryan Homes
Rad Hudson	American Structurepoint, Inc.
David Chaussard	American Structurepoint, Inc.
Matthew G Bodine	Neighborhood Representative
Pattie Archer	Neighborhood Representative
Randy Poindexter	Neighborhood Representative
Selah Poindexter	Neighborhood Representative
Eric Swanger	Neighborhood Representative
Walter Ruemmer	Neighborhood Representative
Chris Keheley	Neighborhood Representative
William Laita	Neighborhood Representative
Glen Archer	Neighborhood Representative
Janet Haack	Neighborhood Representative

**Minutes By:** Rob Brinkman, EI      American Structurepoint, Inc.

The following notes reflect our understanding of the discussions and decisions made at this meeting.  
If you have any questions, additions, or comments, please contact the issuer of these minutes.

### Meeting Overview

1. Engineer (American Structurepoint) and Developer (NVR) presented plans for public viewing upon arrival
  - a. Residents present at the meeting viewed the plans on their own for approximately 30 minutes before the formal discussion began
2. Engineer and Developer both spoke giving general specifics on the project.
  - a. Size of the project is 76.13 acres on 4 parcels of land
  - b. The Neighborhood is to have 110 lots and include associated infrastructure, utilities and stormwater management
3. A few residents expressed concern about traffic conditions after build-out
  - a. The Engineer indicated that the Traffic Impact Analysis effort is on-going and that all parties will consider this concern throughout the process





4. Mr. Randy Poindexter (adjacent property owner) expressed concern with the proximity of the proposed entrance drive to his property
  - a. The Town and the engineer described that the driveway location was set through careful consideration by all parties considering traffic safety among other contributing reasons
  - b. UPDATE: After the meeting, the Town worked with the engineer and developer to move the drive further away from Mr. Poindexter's property where appropriate
5. Meeting Adjourned

Thank you,  
American Structurepoint, Inc.

Rad D. Hudson, PE  
Project Manager  
cc: Attendees



## Appendix B – Neighborhood Meeting Contact List, Notification Map and Checklist

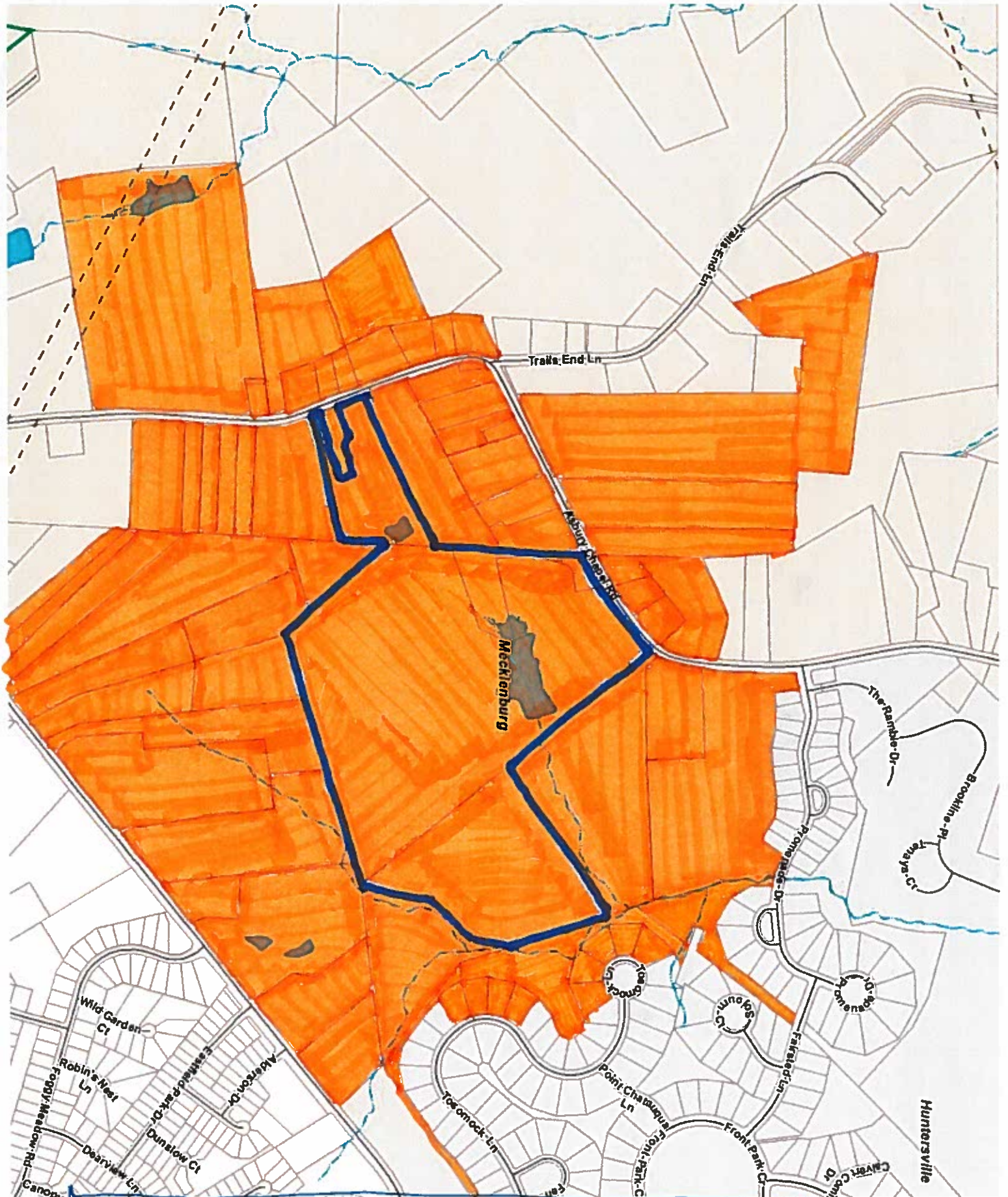


ID	Parcel ID	Owner Name	Mailing Address
			PO BOX 106 CIVIC CENTRE AIWO DISTRICT REPUBLIC OF NAURU
1	02116101	PF USA PROPERTY PORTFOLIO NC LLC	CENTRAL PACIFIC 00000
2	02116113	JANET M HAACK; DONALD E FAMILY TST HAACK	3116 ETHEREAL LN CHARLOTTE NC 28226
3	02116112	JANET M HAACK; DONALD E FAMILY TST HAACK	3116 ETHEREAL LN CHARLOTTE NC 28226
4	02101112	JANET M HAACK; DONALD E FAMILY TST HAACK	3116 ETHEREAL LN CHARLOTTE NC 28226
5	02101103	DANNY R BUFFKIN	3115 GARRISON DR CHARLOTTE NC 28269
6	02101108	WILLIAM C WOOD; REBECCA M WOOD	12305 EASTFIELD RD HUNTERSVILLE NC 28078
7	02101109	EDWARD I III GULLEDGE; LYNETTE WEST	12233 EASTFIELD RD HUNTERSVILLE NC 28078
8	02101110	CORY W WASMUS; CORY W WASMUS	12129 EASTFIELD RD HUNTERSVILLE NC 28078
9	02101111	CORY WASMUS	8829 ARBOR CREEK DR CHARLOTTE NC 28269
10	02117101	JAMES W BREEDLOVE; RICHARD D HINSON	12027 EASTFIELD RD HUNTERSVILLE NC 28078
11	02117102	METHODIST CHURCH GREATER VISION UNITED	11901 EASTFIELD RD HUNTERSVILLE NC 28078
12	02117104	THOMAS ALLEN JR BARKLEY	11829 EASTFIELD RD HUNTERSVILLE NC 28078
13	02117107	REBECCA B ALLISON	11821 EASTFIELD RD HUNTERSVILLE NC 28078
14	02117105	NANCY MAE ZETHOF	17232 HUNTERSVILLE-CONCORD RD HUNTERSVILLE NC 28078
15	02117106	RONALD W JR WARD; AMY WARD	11801 EASTFIELD RD HUNTERSVILLE NC 28078
16	02117108	MATTHEW G BODINE; CHRISTINA P BODINE	11819 EASTFIELD RD HUNTERSVILLE NC 28078
17	02117110	NOAH F LAZES	19401 OLD JETTON RD SUITE 101 CORNELIUS NC 28031
18	02117111	NOAH F LAZES	19401 OLD JETTON RD SUITE 101 CORNELIUS NC 28031
19	02117113	GREGORY HUGHES	144 DIDIO CR MOORESVILLE NC 28115
20	02117114	GREGORY HUGHES	6542 RUMPLE RD CHARLOTTE NC 28262
21	02117122	SHERI A MCCARTHY; AIDIAN MCCARTHY	10916 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
22	02117124	WILLIAM A SCHEUNEMAN; GAIL L SCHEUNEMAN	10924 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
23	02117125	BRADLEY R MOORE; ELIZABETH J BOETTCHER	11000 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
24	02117126	KAREN M BLESER; STEPHEN T BLESER	11008 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
25	02116117	KAREN M BLESER; STEPHEN T BLESER	11008 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
26	02116116	GLEN ARCHER; PATRICIA ARCHER	11026 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
27	02116114	MATTHEW G BODINE; CHRISTINA P BODINE	11819 EASTFIELD RD HUNTERSVILLE NC 28078
28	02116103	RANDALL POINDEXTER; SELAH C POINDEXTER	11132 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
29	02116105	KAREN T KEZIAH	11316 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
30	02116104	NANCY J DAVIS	11301 TRAILS END LN HUNTERSVILLE NC 28078
31	02116106	KAREN T KING	11316 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
32	02116108	MANOLA Y TAYLOR	11334 ASBURY CHAPEL RD HUNTERSVILLE NC 28078

ID	Parcel ID	Owner Name	Mailing Address
33	02116107	MANOLA R TAYLOR	11334 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
34	02116115	SEAN M SULLIVAN	11510 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
35	02116109	SEAN M SULLIVAN	11510 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
36	02116110	SEAN M SULLIVAN	11510 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
37	02101101	CHURCH (TRUSTEES) ASBURY UNITED METHODIST	11716 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
38	02114109	CHURCH ASBURY CHAPEL METHODIST	11724 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
39	02114276	OLMSTED NEIGHBORHOOD ASSOCIATION INC	130 BEN CASEY DR SUITE 100 FORT MILL SC 29708
40	01935111	ROBERT F SPARROW; PAMELA L SPARROW	11601 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
41	01935112	VIRGINIA R ORITZ; GABRIEL ORITZ	11617 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
42	01935113	ASBURY METHODIST CHURCH	11724 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
43	01935114	LARRY L LEE; MARY M LEE	11709 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
44	01935110	RONALD J SCIRANKO; PATRICIA A SCIRANKO	11525 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
45	01935109	MARTHA B PECK	11501 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
46	01935108	DEXTER BURWELL JORDAN; BEULAH C JORDAN	2501 CLEMSON LN STANLEY NC 28164
47	01916217	RICHARD L RUDD; LINDA C RUDD	PO BOX 2339 CORNELIUS NC 28031
48	01916218	CRISTINE A KEHELEY; WALTER P RUEMMER	11001 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
49	01917122	ERIN O SCHOTTHOEFER; FRANK J SCHOTTHOEFER	11015 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
50	01917123	JAMES PATE; AMY PATE	11029 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
51	01917124	JOHN M PLUMMER; BETH L PLUMMER	11103 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
52	01917125	JOHN M PLUMMER; BETH L PLUMMER	11103 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
53	01917126	MARGARET S FERRELL; KENNETH FERRELL; MARY FERRELL	11125 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
54	01917133	GARY M NANCE	11145 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
55	01917127	FRED RICHARDSON; LINDA K RICHARDSON	11215 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
56	01917101	NANCY J DAVIS	11301 TRAILS END LN HUNTERSVILLE NC 28078
57	02116102	JOSEPH ALONZO YOST; CAMI YOST	11100 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
58	02114640	JW HOMES LLC	4125 ATLANTA RD SE SMYRNA GA 30080
59	01917129	TONY TERMINI; DENISE TERMINI	11121 ASBURY CHAPEL RD HUNTERSVILLE NC 28078
61	02114616	PULTE HOME CORPORATION	3350 PEACHTREE RD NORTHEAST STE 150 ATLANTA GA 30326
62	02757293	INC ASBURY PLACE HOMEOWNERS ASSOC	5350 77 CENTER DR ,SUITE 100 CHARLOTTE NC 28217
63	N/A	ALISON ADAMS	105 GILEAD ROAD, HUNTERSVILLE, NC 28070
64	N/A	RAD HUDSON	831 E MOREHEAD ST, STE 660, CHARLOTTE, NC 28202



ORANGE HIGHLIGHT INDICATES PROPERTY OWNER TO BE NOTIFIED



NVR ASBURY CHAPEL - NEIGHBORHOOD MEETING



**Who to Notify**

- ☒ Owner of each property being subdivided
- ☒ Owner of each abutting property
- ☒ Owner of each property within 250 feet of the petitioned property
- ☒ Owner of each property directly across a street, easement, or right-of-way (public or private) from the petitioned property
- ☒ Owner of each property across a street, easement, or right-of-way (public or private) and with/in 250 feet from the petitioned property
- ☒ Neighborhood, property owner and homeowner associations registered with the Huntersville Planning Department within 2,000 feet of any portion of the subdivision site (distance scaled on a TOH or Mecklenburg County official map). If fewer than two registered associations are identified, the applicant must include unregistered associations or associations beyond 2000 feet of the site. No fewer than two neighborhood, property owner or homeowner associations are notified of the neighborhood meeting.
- ☒ Town Project Coordinator -

**Information Included on Invitation to Meeting**

- ☒ Date, Time and Location of the meeting
- ☒ Name of the subdivision/project
- ☒ Address/Parcel number of the property petitioned for subdivision (location).
- ☒ Property owner names and applicant names (if different)
- ☒ Statement describing the purpose of the meeting

**Information to Include in the Report**

- ☒ a list of those persons and organizations contacted about the meeting and the manner and date of contact, the date, time, and location of the meeting
- ☒ a list of the persons in attendance at the meeting
- ☒ a copy of any materials presented at the meeting
- ☒ a summary of issues discussed at the meeting, including changes suggested by the participants and a description of any changes to the subdivision petition made by the petitioner as a result of the meeting

**Step 7 Resubmittal**

Once the applicant has incorporated redline comments from the previous review, the revised plans are uploaded to Electronic Plan Management. It is not necessary to resubmit redlines. Please go to <https://epm.mecklenburgcountync.gov> to upload all documents, including the following:

- ☐ Complete set of Site/Sketch Plan
- ☐ Any other documents that are necessary for review (PDFs)

After an applicant uploads the revised plans to EPM, both the County and Town must accept the intake of the resubmission. Each agency has 48 hours to review the materials for their completeness. Once the Intake has been accepted the review "time clock" begins again. Reviewing agencies have fifteen (15) working days to complete reviews. Applicants will be emailed by EPM when reviewers are finished with their reviews.

**Step 8 Agenda Packet Deadline**

The last day to submit changes to the subdivision sketch plan is three weeks prior to the Planning Board meeting. This date is the Agenda Deadline which can be found on *Review Schedule: Plan Submission Dates*. **Submit 24 complete FOLDED sets of plans** (paper) for both the Planning and



## Appendix C – Neighborhood Meeting Sign in Sheet





AMERICAN  
**STRUCTUREPOINT**  
INC.

# NEIGHBORHOOD MEETING NVR ASBURY CHAPEL SIGN IN SHEET

NAME	ADDRESS	EMAIL
Matthew G Bodina	11819 East Feild Rd	BHPFAB@yahoo.com
Pattie Archer	11026 Asbury Chapel	speedstechniques@bellsouth.net
Randy Poindexter	11132 Asbury Chapel Rd	Rpoindexter@bojangles.com
SELAH POINDEXTER	"	"
ERIC SWANGER	11109 ASBURY CHAPEL RD	eswanger@bellsouth.net
Brian Richards	Town Steff	brichards@watersill.org
WALTER RUMMER	11001 ASBURY CHAPEL RD	W.RUMMER@Yahoo.com
Cris Keholey		ckeholey@yahoo.com
Steve Kahan Pleier	11008 Asbury Chapel Rd	28078 stwele@Analogos.com
Wm LAITA	20009 VERLUX RD 28036	williamla@Analogos.com
Glen ARCHER	11026 Asbury Chapel	Glen.ARCHER@RAYMONDJAMES.COM
Janet Haack	3116 Ethereal Ln. Charlotte, NC 28226	jhaack1382@aol.com



## Appendix D – Neighborhood Meeting Memo

(Sent to Residents)



# Memorandum of Notice for Neighborhood Meeting



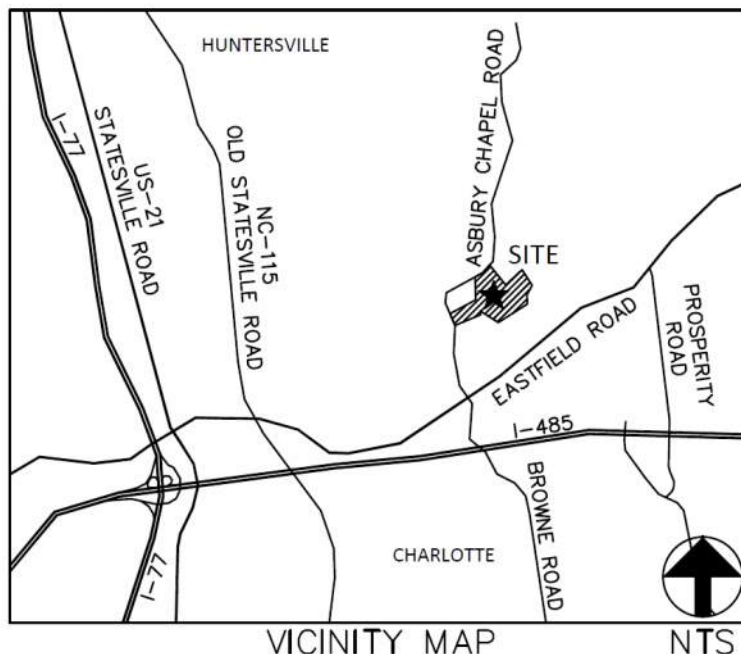
**Meeting Date:** May 12, 2016  
**Time:** 5 PM until 6 PM  
**Location:** Huntersville Town Hall  
101 Huntersville-Concord Road  
Huntersville, NC 28078  
**Project Name:** Asbury Chapel Major Subdivision Sketch Plan  
**Petitioner:** NVR Southeast Region

The purpose for this neighborhood meeting is to present a sketch plan and collect community feedback regarding a proposed development located on the following properties:

Parcel #	Physical Address	Property Owner
02116101	11124 ASBURY CHAPEL RD HUNTERSVILLE NC 28078	PF USA PROPERTY PORTFOLIO NC LLC
02116113	11620 ASBURY CHAPEL RD HUNTERSVILLE NC 28078	JANET M HAACK; DONALD E HAACK FAMILY TST
02116112	11540 ASBURY CHAPEL RD HUNTERSVILLE NC 28078	JANET M HAACK; DONALD E HAACK FAMILY TST
02101112	N/A – Landlocked Parcel	JANET M HAACK; DONALD E HAACK FAMILY TST

The improvements include approximately 120 single family homes with associated streets and amenities.

Please reference the vicinity map below for the project location.





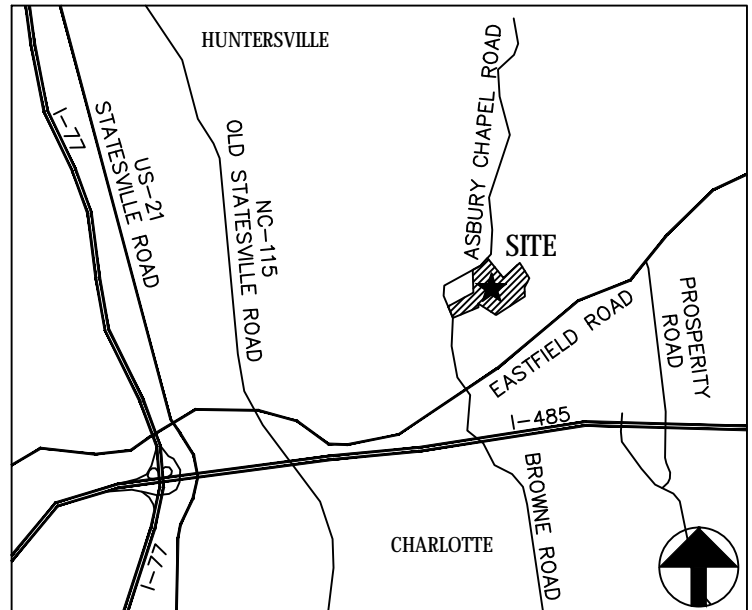
## Appendix E – Asbury Chapel Sketch Plan



# PRELIMINARY SKETCH PLAN FOR ASBURY CHAPEL

11620 ASBURY CHAPEL ROAD  
HUNTERSVILLE, NC 28078

EPM #364450



SHEET INDEX	
DESCRIPTION	SHEET No.
TITLE SHEET	C001
TOPOGRAPHIC SURVEY	C002
TREE SURVEY	C003
EXISTING FEATURES SITE ANALYSIS PLAN	C100
4 STEP PROCESS	C150
OVERALL SITE PLAN	C200
SITE PLAN	C201-C203
OPEN SPACE PLAN	C250
OVERALL GRADING PLAN	C400
GRADING PLAN	C401-C403
DRAINAGE AREA MAP	C401-C403
DETAILS	C800-C816
REQUIRED PLANTING PLAN	C900



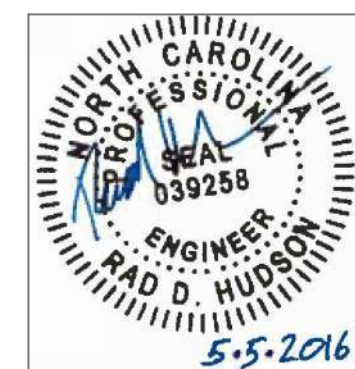
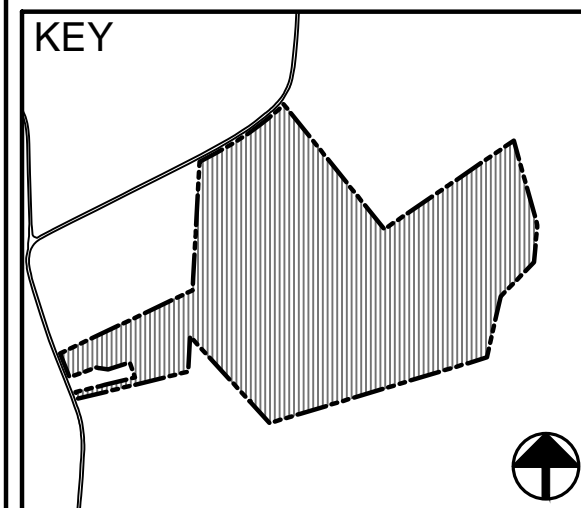
9920 Kincoy Avenue, Suite 200 | Huntersville, NC 28078  
TEL 704.875.9887  
www.ryanhomes.com



American Structurepoint, Inc.  
NC Engineering Firm F-119  
831 East Morehead Street, Suite 660 | Charlotte, NC 28202  
TEL 980.938.0977 | FAX 317.543.0270  
www.structurepoint.com

## ASBURY CHAPEL

11620 Asbury Chapel Road  
Huntersville, NC 28078



PERMITTING ONLY  
NOT FOR  
CONSTRUCTION

CERTIFIED BY  
NC ENGINEERING FIRM F-1119

### ISSUANCE INDEX

DATE:	04/01/2015
PROJECT PHASE:	ALL

### REVISION SCHEDULE

NO.	DESCRIPTION	DATE

STRUCTUREPOINT PROJECT # 2015.00721

### TITLE SHEET

C001



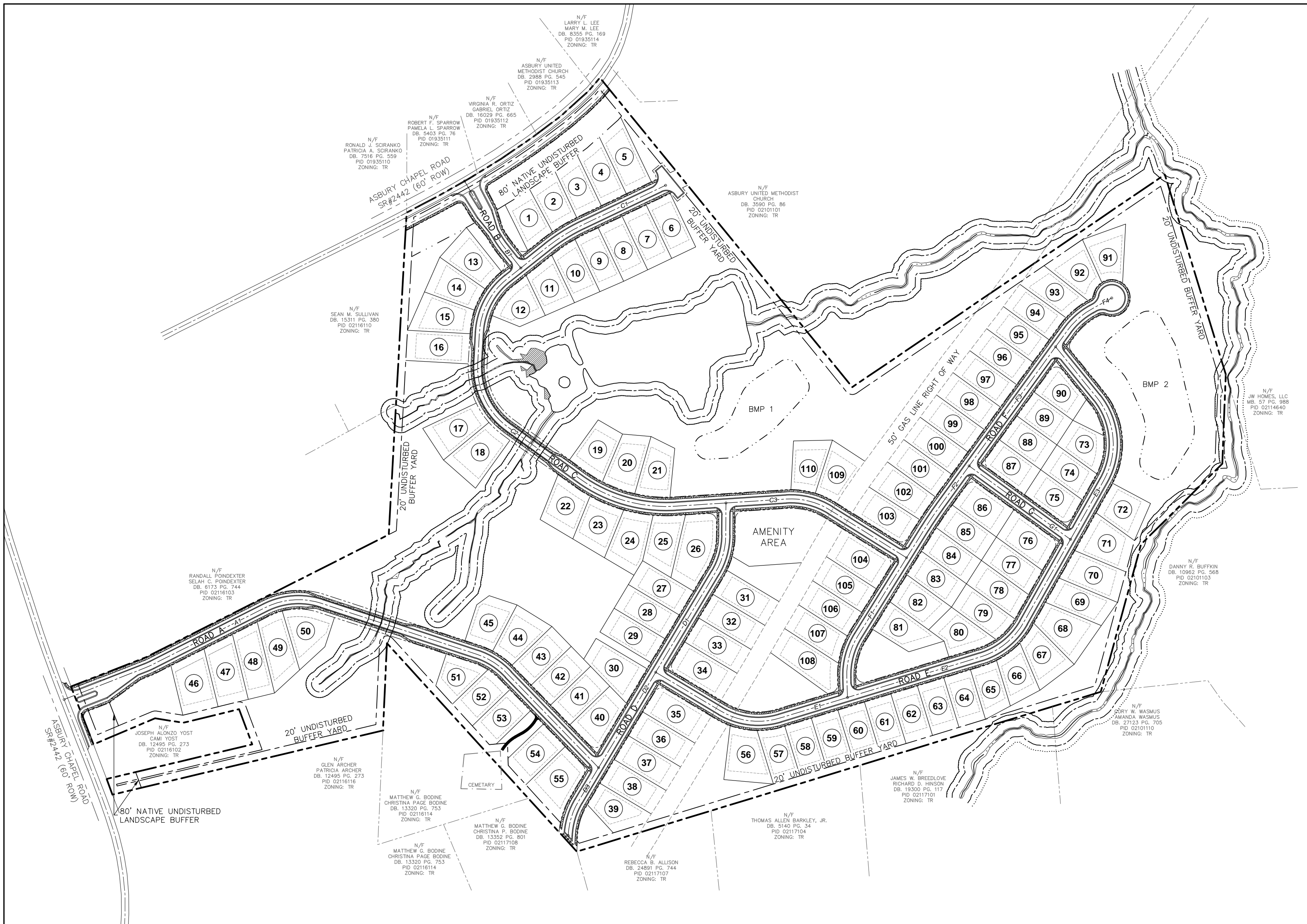
0' 75' 150'  
SCALE: 1"=150'

LOT DATA							
LOT	AREA (SF)	BUILT-UPON AREA (SF)	LOT WIDTH (FT)	LOT	AREA (SF)	BUILT-UPON AREA (SF)	LOT WIDTH (FT)
1	10861	5428	85	56	14716	8280	75
2	10521	5502	75	57	10742	5758	75
3	10550	5637	75	58	10500	5605	75
4	11963	6697	75	59	10500	5605	75
5	13622	7991	75	60	10500	5605	75
6	11520	6440	72	61	10500	5605	75
7	11520	6440	72	62	10500	5605	75
8	11520	6440	72	63	10500	5605	75
9	11103	6139	70	64	10500	5605	75
10	11285	6216	77	65	10120	5623	75
11	11276	5987	88	66	10947	5611	80
12	11000	5248	85	67	12692	6923	65
13	12735	6912	65	68	15034	8769	65
14	12735	6600	65	69	12506	7139	75
15	12735	7607	65	70	13596	7908	85
16	12735	8195	82	71	13936	7889	115
17	13008	7390	65	72	12132	6354	90
18	14935	8754	75	73	10500	5273	105
19	12538	6998	107	74	10864	5801	80
20	12764	7274	93	75	11168	5936	80
21	12213	6858	98	76	13507	7295	85
22	12921	6943	95	77	11654	6502	75
23	12789	6949	98	78	11970	6751	75
24	13948	8178	81	79	11824	6659	75
25	12644	7015	88	80	12468	6009	135
26	17575	11261	90	81	12231	6424	88
27	12000	6785	75	82	11466	6523	85
28	12000	6785	75	83	11185	6139	75
29	12000	6785	75	84	11250	6191	75
30	13947	8229	109	85	11184	6145	75
31	12239	6969	75	86	12502	6880	85
32	12290	7013	75	87	11044	5831	80
33	12375	7082	75	88	10809	5765	80
34	13954	8052	85	89	10423	5466	80
35	13909	8015	85	90	10456	5399	90
36	12310	7030	75	91	12052	6307	60
37	12268	6996	75	92	12533	6681	65
38	12168	6919	75	93	11644	6356	75
39	12002	6282	65	94	11439	6337	75
40	12458	6972	80	95	11488	6376	75
41	11250	6195	75	96	11634	6496	75
42	11250	6195	75	97	11800	6630	75
43	11249	6195	75	98	11883	6693	75
44	12516	6878	65	99	11935	6733	75
45	12113	6819	80	100	11969	6761	75
46	14819	8498	100	101	11995	6781	75
47	14517	8493	85	102	12785	7334	75
48	13781	8165	75	103	13328	7595	80
49	14085	8260	75	104	14146	8172	85
50	13798	7224	145	105	11930	6728	75
51	10142	4940	120	106	11716	6557	75
52	11120	6030	80	107	12129	6819	75
53	11300	6228	80	108	15375	9130	75
54	12357	6999	85	109	11660	6230	65
55	15858	8981	85	110	11770	6310	68

PROPOSED PUBLIC ROADS				
DESIGN STREET NAME	DESIGN STREET BLOCK ID	PROPOSED STREET NAME	LINEAR FOOTAGE (FT)	ROW WIDTH (FT)
ROAD A	A1*	TBD	1651	51
ROAD A TOTAL LENGTH			1651	
ROAD B	B1	TBD	281	51
ROAD B TOTAL LENGTH			281	
ROAD C	C1	TBD	453	51
	C2*		1150	51
	C3		532	51
ROAD C TOTAL LENGTH			2135	
ROAD D	D1	TBD	508	51
	D2		301	51
	D3		203	51
ROAD D TOTAL LENGTH			1012	
ROAD E	E1	TBD	562	51
	E2		788	51
	E3		599	51
ROAD E TOTAL LENGTH			1949	
ROAD F	F1	TBD	422	51
	F2		301	51
	F3		399	51
	F3		205	51
ROAD F TOTAL LENGTH			1327	
ROAD G	G1	TBD	339	51
ROAD G TOTAL LENGTH			339	

#### NOTES

- SEE DETAILS FOR ROAD CROSS-SECTIONS.
- A WAIVER IS CURRENTLY BEING REQUESTED FOR ROAD A (BLOCK A1) AND ROAD C (BLOCK C2), WHICH EXCEED THE MAXIMUM BLOCK LENGTH OF 800 FEET.



#### NOTES

- APPROVAL OF THIS CONCEPT PLAN DOES NOT IMPLY OR GUARANTEE APPROVAL OF THE FINAL CONSTRUCTION PLAN. FINAL CONSTRUCTION PLAN WILL BE REVIEWED FOR COMPLIANCE PER ALL TOWN, COUNTY, AND STATE REGULATIONS IN EFFECT AT THE TIME OF SUBMITTAL.
- RETAINING WALL: ALL RETAINING WALLS REQUIRING SPECIAL INSPECTIONS (>2' IN HEIGHT) SHALL MEET THE REQUIREMENTS OF THE MCSBC CHAPTER 17 - SPECIAL INSPECTIONS AS DETAILED PER THE MECKLENBURG COUNTY CODE ENFORCEMENT SPECIAL INSPECTIONS PROCESS. ADDITIONALLY, COPIES OF THE RETAINING WALL PLANS SHALL BE SUBMITTED TO THE HUNTERSVILLE ENGINEERING DEPARTMENT FOR REVIEW AND APPROVAL. THE TOWN OF HUNTERSVILLE SHALL BE COPIED ON ALL STATEMENTS OF SPECIAL INSPECTIONS, SPECIAL INSPECTIONS FINAL REPORTS, AND DESIGN PRINCIPAL IN RESPONSIBLE CHARGE (DPIRC) LETTERS.
- 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.
- RETAINING WALLS: ALL RETAINING WALLS REQUIRING SPECIAL INSPECTIONS (>5' IN HEIGHT) SHALL MEET THE REQUIREMENTS OF THE MCSBC CHAPTER 17 - SPECIAL INSPECTIONS AS DETAILED PER THE MECKLENBURG COUNTY CODE ENFORCEMENT SPECIAL INSPECTIONS PROCESS. ADDITIONALLY, COPIES OF THE RETAINING WALL PLANS SHALL BE SUBMITTED TO THE HUNTERSVILLE ENGINEERING DEPARTMENT FOR REVIEW AND APPROVAL. THE TOWN OF HUNTERSVILLE SHALL BE COPIED ON ALL STATEMENTS OF SPECIAL INSPECTIONS, SPECIAL INSPECTIONS FINAL REPORTS, AND DESIGN PRINCIPAL IN RESPONSIBLE CHARGE (DPIRC) LETTERS.
- 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.

#### TITLE SHEET LEGEND

-----	PROPERTY LINE	-----	20' STREAM SIDE ZONE STREAM BUFFER (NO DISTURB)
-----	PROPOSED RIGHT OF WAY	-----	15' UPLAND ZONE STREAM BUFFER
-----	PROPOSED SIDEWALK	-----	POND BOUNDARY (NORMAL POOL)
-----	PROPOSED EDGE OF PAVEMENT AND BOC	-----	20' UNDISTURBED BUFFER YARD
-----	PERENNIAL STREAM CENTERLINE & TOP OF BANK	-----	80' LANDSCAPE BUFFER

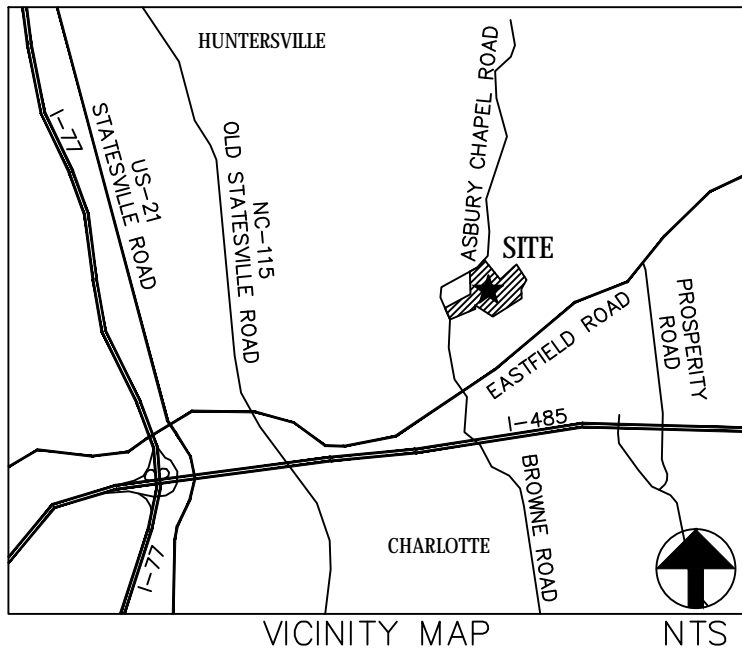


Know what's below.  
Call before you dig.

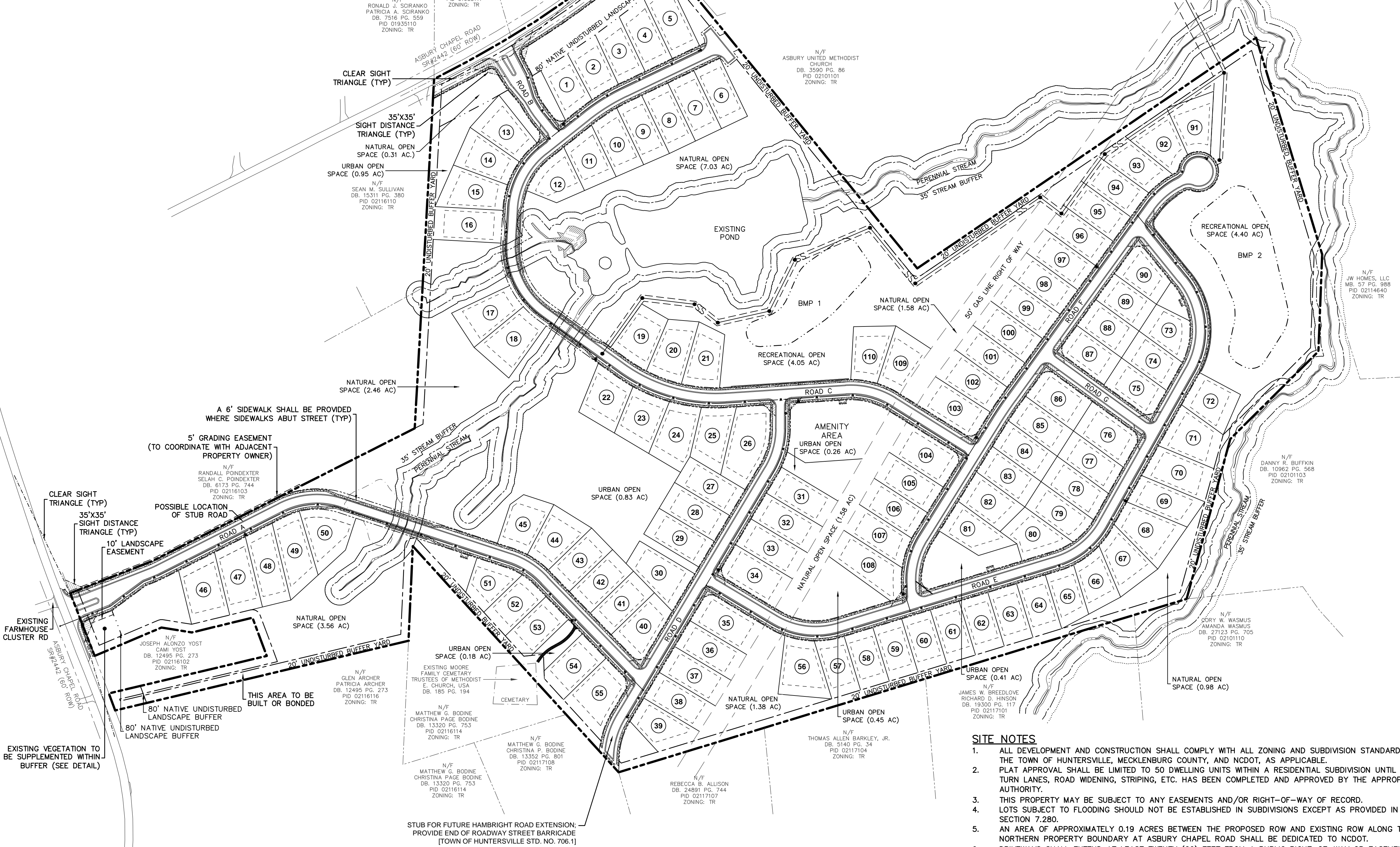
- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAGGERS, ETC AS NECESSARY TO ENSURE THE SAFETY OF THE PUBLIC.
- ALL PAVEMENT CUTS, ASPHALT OR CONCRETE, ARE TO BE PLACED ACCORDING TO STANDARDS OF THE DEPARTMENT OF TRANSPORTATION AND REGULATORY AUTHORITY SPECIFICATIONS.
- SHORING SHALL BE CARRIED OUT IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, PART 1926, SUBPART P, OR AS AMENDED.

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





VICINITY MAP NTS



#### SITE NOTES

- ALL DEVELOPMENT AND CONSTRUCTION SHALL COMPLY WITH ALL ZONING AND SUBDIVISION STANDARDS OF THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, AND NCDOT, AS APPLICABLE.
- PLAT APPROVAL SHALL BE LIMITED TO 50 DWELLING UNITS WITHIN A RESIDENTIAL SUBDIVISION UNTIL ALL TURN LANES, ROAD WIDENING, STRIPING, ETC. HAS BEEN COMPLETED AND APPROVED BY THE APPROPRIATE AUTHORITY.
- THIS PROPERTY MAY BE SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAY OF RECORD.
- LOTS SUBJECT TO FLOODING SHOULD NOT BE ESTABLISHED IN SUBDIVISIONS EXCEPT AS PROVIDED IN SECTION 7.280.
- AN AREA OF APPROXIMATELY 0.19 ACRES BETWEEN THE PROPOSED ROW AND EXISTING ROW ALONG THE NORTHERN PROPERTY BOUNDARY AT ASBURY CHAPEL ROAD SHALL BE DEDICATED TO NCDOT.
- DRIVEWAYS SHALL EXTEND AT LEAST TWENTY (20) FEET FROM A PUBLIC RIGHT-OF-WAY OR EASEMENT FOR A PUBLIC SIDEWALK.
- 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' 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.
- MAIL DELIVERY SHALL BE CARRIED OUT BY USPS, VIA A SERIES OF CLUSTERBOX UNITS, OR MAIL KIOSKS, SPACED STRATEGICALLY THROUGHOUT THE DEVELOPMENT TO FACILITATE MORE EFFICIENT MAIL DELIVERY AND PICK-UP.
- PENDING APPROVAL, GARBAGE COLLECTION SERVICES WILL BE PROVIDED BY THE TOWN OF HUNTERSVILLE, 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 50' FEET. DEVELOPERS SHALL HAVE THE OPTION TO PROVIDE LOTS WIDTHS 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 DEMONSTRATE 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.
- ALLEY ACCESS FOR ON-SITE PARKING IS STRONGLY ENCOURAGED FOR THREE-UNIT OR MORE ATTACHED HOUSE TYPES.
- DIRECT ACCESS FROM LOTS TO ASBURY CHAPEL ROAD IS PROHIBITED.
- SPACING OF PROPOSED FIRE HYDRANTS NOT TO EXCEED 750 FEET FROM THE MOST REMOTE POINT OF ANY PROPOSED BUILDING, AS THE FIRE TRUCK TRAVELS. SEE PLAN FOR PLACEMENT OF FIRE HYDRANTS.

#### PROPOSED SITE LEGEND

PROJECT BOUNDARY	POND BOUNDARY (NORMAL POOL)
20' BUFFER YARD	PERENNIAL STREAM CENTERLINE & TOP OF BANK
80' LANDSCAPE BUFFER	20' STREAM SIDE ZONE STREAM BUFFER (NO DISTURB)
EXISTING R/W	15' UPLAND ZONE STREAM BUFFER
PROPOSED ROW	SIGHT TRIANGLE
PROPOSED LOT LINE	PROPOSED WATER LINE & FIRE HYDRANT
PROPOSED LOT SETBACK LINE	15'x15' SIGHT TRIANGLE
PROPOSED 2'-0" VALLEY GUTTER	35'x35' SIGHT TRIANGLE
PROPOSED SIDEWALK	PROPOSED STREET SIGN
PROPOSED A.D.A. RAMP	PROPOSED STOP SIGN (STANDARD MUTCD (R1-1))
UTILITY ACCESS ROAD	PROPOSED NO PARKING SIGN
	SPLIT-RAIL FENCE
	VEHICLE BARRICADE
	MAILBOX USPS CLUSTER BOX UNIT

#### Site Plan Data Table

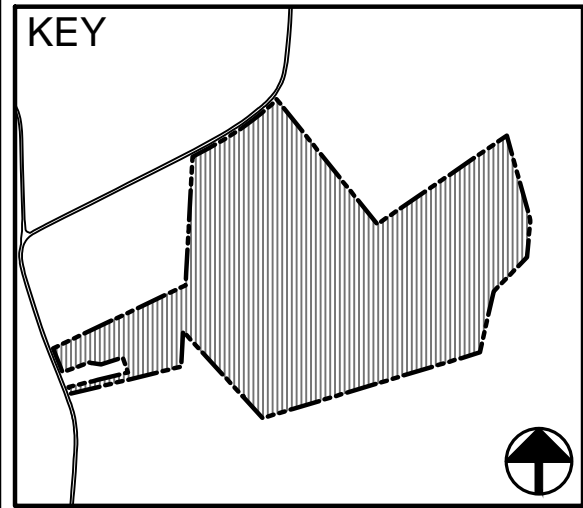
Total Acreage	76.13
Total Square Feet	3316223
Principal Uses (Z.O. Article 3)	Single Family Detached Homes
Building Type (Z.O. Article 3, 4, & 8.10)	Detached House
Zoning District (Z.O. Article 3)	TR
Overlay District, if Applicable (Article 3 Z.O.)	NA
Percentage of Impervious Allowed (Article 3 Z.O.)	35%
Percentage of Impervious Shown	31%
Lot Count	110
Total Number of Dwellings (detached/attached)	110
Mixed-use/# of live/work units	0
Total Square Foot of Non-Residential	0
Lot Size Range	
Number of Lots within Each Range	
10000-12000 SF	51
12000-14000 SF	47
14000-16000 SF	10
> 16000 SF	2
Lot widths range (Z.O. Article 3)	
Number of Lots within Each Range	
≤70'	12
70'-85'	79
85'-100'	10
>100'	9
Setbacks	
Front Setback	20'
Corner Setbacks	10'
Rear Setbacks	25'
Right Side Setback	8'
Left Side Setback	8'
Watershed Information (Z.O. Article 3 and S.O. Section 7.290)	
Is the property in a regulated watershed district?	No
Watershed District	Clarke

**Ryan Homes**  
9920 Kincoy Avenue, Suite 200 | Huntersville, NC 28078  
TEL 704.875.9887  
www.ryanhomes.com

**AMERICAN STRUCTUREPOINT INC.**  
American Structurepoint, Inc.  
NC Engineering Firm F-119  
831 East Morehead Street, Suite 660 | Charlotte, NC 28202  
TEL 980.938.0977 | FAX 317.543.0270  
www.structurepoint.com

## ASBURY CHAPEL

11620 Asbury Chapel Road  
Huntersville, NC 28078



PERMITTING ONLY  
NOT FOR  
CONSTRUCTION

CERTIFIED BY  
NC ENGINEERING FIRM F-1119

#### ISSUANCE INDEX

DATE:	04/01/2015
PROJECT PHASE:	ALL

#### REVISION SCHEDULE

NO.	DESCRIPTION	DATE
1	PRELIM. SKETCH PLAN	5/5/2016

STRUCTUREPOINT PROJECT # 2015.00721

#### OVERALL SITE PLAN

C200



0' 75' 150'  
SCALE: 1"=150'



Know what's below.  
Call before you dig.

- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAGGERS, ETC AS NECESSARY TO ENSURE THE SAFETY OF THE PUBLIC.
- ALL PAVEMENT CUTS, ASPHALT OR CONCRETE, ARE TO BE PLACED ACCORDING TO STANDARDS OF THE DEPARTMENT OF TRANSPORTATION AND REGULATORY AUTHORITY SPECIFICATIONS.
- SHORING SHALL BE CARRIED OUT IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, PART 1926, SUBPART P, OR AS AMENDED.





April 19, 2016

Mr. Mallie Colavita  
Ryan Homes  
10710 Sikes Place, Suite 200  
Charlotte, NC 28277

**Re: Adequate Public Facilities (APF) Application – Hack Subdivision: 120 Single Family Homes (File #2016-04)**

Dear Mr. Colavita:

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 120 single family homes, I am issuing a "Determination of Adequacy (DOA)" (see attached) for the following public facilities:

- Fire Vehicles
- Fire Station
- Police Station
- Parks Acreage
- Parks & Rec Facilities

Please be advised that this DOA is valid for one (1) year, or until April 8, 2017, by which date this development proposal must have achieved vesting, per Section 2.2 of the Zoning Ordinance.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Richards".

Brian Richards  
GIS Administrator

Cc: Jack Simoneau, AICP, Planning Director  
Gerry Vincent, Assistant Town Manager  
Robert Blythe, Town Attorney  
Alison Adams, Senior Planner

**Planning**

Post Office Box 664 • 105 Gilead Road, Third Floor • Huntersville, NC 28070  
phone 704.875.7000 • fax 704.992.5528 • [www.huntersville.org](http://www.huntersville.org)



## Asbury Chapel NVR Subdivision

### 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:* Approximately 110 single family homes under transitional residential district (TR) zoning

*CMS Planning Area:* 4, 17, 18, 19

*Average Student Yield per Unit:* 0.4905

This development will add 54 students to the schools in this area.

The following data is as of 20<sup>th</sup> Day of the 2015-2016 school year.

<i>Schools Affected</i>	<i>Total Classroom Teachers</i>	<i>Building Classrooms/ Teacher Stations</i>	<i>20<sup>th</sup> Day, Enrollment (non-ec)</i>	<i>Building Classroom/ Adjusted Capacity (Without Mobiles)</i>	<i>20<sup>th</sup> 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>
BLYTHE ELEMENTARY	62	50	1118	902	124%	29	<b>127%</b>
ALEXANDER MIDDLE	37.9	51	799	1075	74%	11	<b>75%</b>
NORTH MECKLENBURG HIGH	106	108	2022	2054	98%	14	<b>98%</b>

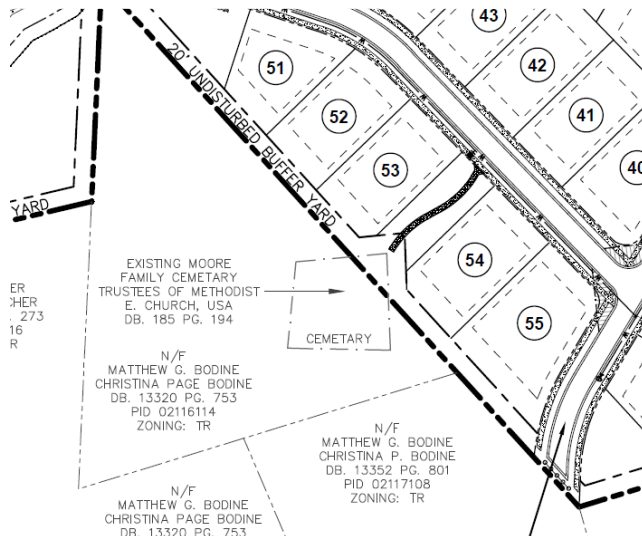


### Planning Board Areas of Concern – Asbury Chapel NVR Sketch

- TIA – Currently the TIA call for no improvements. Staff is recommending 2 Left Turn lanes with 100' of storage. Staff believes that this will also be NCDOT recommendation. The TIA has been completed and sealed.
- Wetlands – The project is not impacting the two existing wetlands



- LUESA (PCO1) – Mecklenburg County has approved with minor notations (June 7, 2016).
- Cemetery – NVR is in the process with Asbury Methodist to maintain and preserve the cemetery.



- Gasline – NVR will utilize markers/stakes, HOA documentations, and provide surveys to new homeowners as to the location of the line so that fences, berms, landscaping materials not be installed in the Gasline easement. The HOA must approve any fence being installed anywhere in



the subdivision. In locations where the PNG easement is in play, the HOA will ensure the homeowner is aware of their property line and the risk in installing a fence beyond their property.

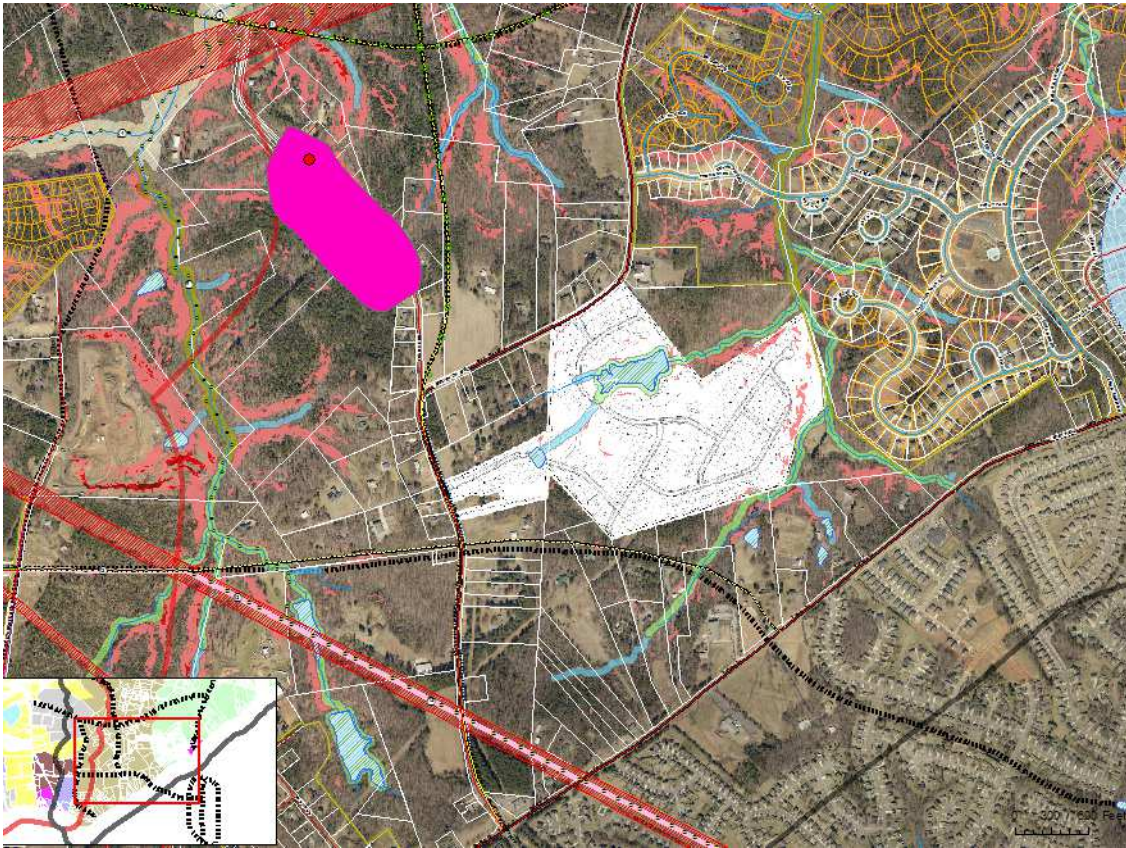
- Open Space/BMP Area – NVR will not be utilizing fountains in the pond areas. The applicant is required to provide thirty nine (39%) percent open space to achieve 1.44 units per acre. The current plan is providing 44.4% open space. Also all lots must be within ¼ mile of an Urban Open Space (purple color in the map below). The applicant is utilizing a Greenbelt & Park to satisfy the Urban Open Space requirement.



- Sunflowers – The area shaded in pink is the closest know National Heritage Area. Mecklenburg County staff has reported that there are NO Schweintz’s Sunflower within the project



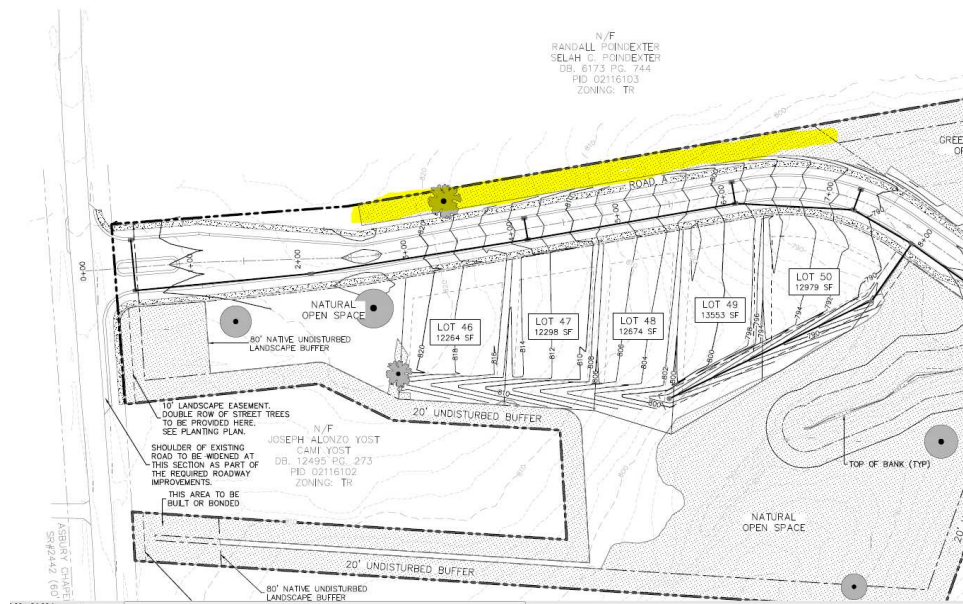
boundaries.



- Bike Lanes - They are being provided on Asbury Chapel Rd per the Town Greenway & Bikeway Plan.
- Western Asbury Chapel entrance – Staff recommends the current alignment. With the extension of the 20' Undisturbed Buffer (shown in yellow) along the Poindexter property line. Example to be provided by NVR at the Planning Board meeting. The Applicant and



Mr. Poindexter have a meeting scheduled to discuss and address Mr. Poindexter's concerns.





**Town of Huntersville**  
**REQUEST FOR BOARD ACTION**  
**8/1/2016**

**REVIEWED:**

**To:** The Honorable Mayor and Board of Commissioners  
**From:** Jack Simoneau, Planning Director  
**Subject:** Consider Appointment for the Board of Adjustment

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Consider appointment on the Board of Adjustment, as follows:

There is one (1) Regular Member seat that has been recently vacated (Town Seat 6). The Planning Department has advertised and accepted applications for volunteers, which are attached.

It is suggested when appointing Regular members that the Alternate members be rotated and moved up into regular voting membership, thus making the appointment to an Alternate seat.

**ACTION RECOMMENDED:**

**FINANCIAL IMPLICATIONS:**

**ATTACHMENTS:**

Description	Type
▣ C. Price Application	Backup Material
▣ N. Walsh Application	Backup Material
▣ Knox Application	Exhibit
▣ Bradshaw Application	Exhibit
▣ Pugliese Application	Exhibit
▣ Nixon Application	Exhibit





NOTIFICATION FOR SERVICE FOR THE  
TOWN OF HUNTERSVILLE  
BOARD OF ADJUSTMENT

Please type or print in black ink

BACKGROUND INFORMATION

NAME Chris Price HOME PHONE 704-619-8889  
HOME ADDRESS 8310 Misty Lilac Dr, Huntersville NC 28078 CELL PHONE 704-619-8889  
DO YOU RESIDE IN THE TOWN LIMITS OR ETJ? Town limits  
PRESENT OCCUPATION Business Real Estate WORK PHONE 704-590-7557  
PLACE OF EMPLOYMENT Wells Fargo Bank NA  
EMAIL ADDRESS Cprice8889@gmail.com

APPROXIMATE HOURS AVAILABLE PER MONTH FOR SERVING ON ADVISORY BOARD 8

NAME OF ANY TOWN OR COUNTY BOARDS/COMMITTEES/COMMISSIONS YOU ARE PRESENTLY  
SERVING ON:

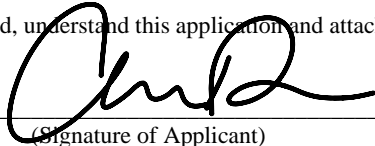
Mecklenburg Co Vehicles Tax EXPIRATION DATE June , 2017

EDUCATION Western Carolina University

BUSINESS AND CIVIC EXPERIENCE Board of Adjustments, Planning Board, TKE Alumini Treasurer

EXPERTISE AND INTERESTS/SKILLS Financial, Sales, Services, Real Estate, Zoning, Automotive and  
Planning Board experience.

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

  
(Signature of Applicant)

07/05/16

(Date)

QUESTIONNAIRE





To assist the Board of Commissioners in making appointments to the Board of Adjustment, please respond briefly to the following questions. There is no right or wrong answer. Your responses will provide a framework for discussion with the Mayor and Commissioners.

**Overview:** The Board of Adjustment consists of Regular and Alternate Members appointed by the Board of Commissioners. The Regular membership shall consist of six (6) members who reside within the corporate limits, and one (1) extraterritorial member. The number of Regular members appointed who reside in the extraterritorial zoning jurisdiction ("ETJ") shall at a minimum meet the requirement of NCGS §160A-362 for proportional representation, but shall in no instance be less than one (1). The Alternate membership shall consist of at least two (2) members who reside within the corporate limits, with the remaining alternate member residing in either the corporate limits or the ETJ.

The Board's primary function is to act upon variances, which are specific requests for deviation from the strict letter of the law of the Huntersville Zoning Ordinance. As an example, picture a property with a stream running through it thirty feet back from the road. If the Zoning Ordinance requires that every new house must be set back thirty feet from the road, the property owner is faced with a hardship and may request a variance. The Board of Adjustment acts quite literally as a court, with evidence presented, petitioners sworn in, and strict rules followed to determine if indeed a hardship exists. The Board considers the facts relative to the petition and formulates a legally-binding ruling.

1. Please describe the areas of community service in which you have participated, in Huntersville or elsewhere.

I am originally from Mooresville, NC. I have served as a HOA President in my community. I completed the Huntersville 101 and Citizens Police Academy course. I have serviced on the board of adjustments, planning board and recently spent time on the Urban Open Space committee.

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2. Briefly describe your vision for Huntersville in the next 10 to 15 years. What factors during that time will shape the growth of our community?

I would like to see Urban Open Space and better TIA regulations. Our 2030 plan will come together if light rail and bike trails meet all sides of Huntersville. I see the toll road completed and traffic flowing.

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3. Since the Board of Adjustment is a quasi-judicial body and must act essentially as a court, it is bound by strict rules of procedure and must use specific findings of fact in order to reach a ruling. As such, Board members must base their ruling on the facts alone, and not on emotion. As a potential Board member, how will you ensure that your decisions are formed objectively?

My decisions have always been made based on fact. However, everyone will have their own opinion. It has been my finds to base my decisions on the facts that are presented and not sold. Of course, common sense never hurts.

---

4. With rapid development occurring in Huntersville and the surrounding area, the character and growth patterns of our community are changing rapidly. Please discuss briefly any problems that you perceive, anything that you would like to change, and/or anything you find particularly appropriate to Huntersville.





I would like to see Urban Open Space and better TIA regulations. Traffic and school systems are a must! I have seen our police and fire department grow and expect additional companies to make Huntersville their home. Our 2030 plan will come together if light rail and bike trails meet. I see the toll road completed and traffic flowing. I would like to see Huntersville move outside of the Charlotte Meck's budgeting. They current control our police, fire and central security systems. Hopefully our future budget does not involve paying for our ETJ to be policed.

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OTHER COMMENTS:

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The Town of Huntersville Board of Commissioners sincerely appreciates the interest of all citizens in the Town's advisory committees and urges the public to nominate qualified persons for membership. Nominations may be sent to:

TOWN OF HUNTERSVILLE  
ATTN: Michelle Haines  
P.O. BOX 664  
HUNTERSVILLE, NC 28070

For more information on the responsibilities of various advisory bodies, applicants may contact the Planning Department at (704) 875-7000.

**Thank you for completing the application and questionnaire.  
Please return them to the Huntersville Planning Department**





NOTIFICATION FOR SERVICE FOR THE  
TOWN OF HUNTERSVILLE  
BOARD OF ADJUSTMENT

Please type or print in black ink

BACKGROUND INFORMATION

NAME Nick Walsh HOME PHONE N/A  
HOME ADDRESS 10320 Drake Hill Drive CELL PHONE 704-577-0379  
DO YOU RESIDE IN THE TOWN LIMITS OR ETJ? Town Limits  
PRESENT OCCUPATION Sales WORK PHONE 704-227-7774  
PLACE OF EMPLOYMENT Ricoh USA Inc  
EMAIL ADDRESS Nick.Walsh.Jr@Live.com

APPROXIMATE HOURS AVAILABLE PER MONTH FOR SERVING ON ADVISORY BOARD Open

NAME OF ANY TOWN OR COUNTY BOARDS/COMMITTEES/COMMISSIONS YOU ARE PRESENTLY  
SERVING ON:

Land Development Ordinance Advisory Board EXPIRATION DATE February 2016  
EXPIRATION DATE \_\_\_\_\_

EDUCATION St Petersburg College

BUSINESS AND CIVIC EXPERIENCE \_\_\_\_\_

Wynfield Homeowners Association (3 years / 2 Years as President)

AREAS OF EXPERTISE AND INTERESTS/SKILLS \_\_\_\_\_

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

A handwritten signature in black ink, appearing to read "Nick Walsh", is written over a horizontal line.

(Signature of Applicant)

7/11/16

(Date)





## QUESTIONNAIRE

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1. Please describe the areas of community service in which you have participated, in Huntersville or elsewhere.

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I served for three years on the Wyfield Homeowners Association Board.

---

I completed the Huntersville 101 class along with the Huntersville Citizen Police Academy.

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I am currently serving on the Land Development Ordinance Advisory Board.

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2. Briefly describe your vision for Huntersville in the next 10 to 15 years. What factors during that time will shape the growth of our community?

---

Huntersville is a growing and dynamic community. Properly balancing the growth of residential and business will be key to maintaining vibrancy along with a healthy tax base. I would like to see continued focus on our downtown so we foster a greater sense of pride in the identity of Huntersville.

---

3. Since the Board of Adjustment is a quasi-judicial body and must act essentially as a court, it is bound by strict rules of procedure and must use specific findings of fact in order to reach a ruling. As such, Board members must base their ruling on the facts alone, and not on emotion. As a potential Board member, how will you ensure that your decisions are formed objectively?

---

I think that balance is key to objective decision making. Thoroughly listening to both sides of an issue doing your best not to filter the discourse with preconceived notions is critical.

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4. With rapid development occurring in Huntersville and the surrounding area, the character and growth patterns of our community are changing rapidly. Please discuss briefly any problems that you perceive, anything that you would like to change, and/or anything you find particularly appropriate to Huntersville.

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One of the biggest opportunities I think we have is with downtown Huntersville. It is run down looking and has great potential to be a go to place just like Birkdale. I would like to see more restaurants, shops, music venues, and other entertainment options.

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OTHER COMMENTS:

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NOTIFICATION FOR SERVICE FOR THE  
TOWN OF HUNTERSVILLE  
BOARD OF ADJUSTMENT

Please type or print in black ink

BACKGROUND INFORMATION

NAME Chandler Knox HOME PHONE —  
HOME ADDRESS 15633 Taviston Street - Huntersville, NC CELL PHONE 704-287-8607  
DO YOU RESIDE IN THE TOWN LIMITS OR ETJ? Town  
PRESENT OCCUPATION Commercial Real Estate Broker WORK PHONE 704-409-2901  
PLACE OF EMPLOYMENT Colliers International  
EMAIL ADDRESS chandler.knox@colliers.com

APPROXIMATE HOURS AVAILABLE PER MONTH FOR SERVING ON ADVISORY BOARD 2-8

NAME OF ANY TOWN OR COUNTY BOARDS/COMMITTEES/COMMISSIONS YOU ARE PRESENTLY SERVING ON:

NONE EXPIRATION DATE \_\_\_\_\_  
EXPIRATION DATE \_\_\_\_\_

EDUCATION Bachelors → Business Administration at NC State University

BUSINESS AND CIVIC EXPERIENCE District Manager - Aldi Foods 2012-2015,  
Volunteer Coach Carolina Rapids, Athletes in Action

AREAS OF EXPERTISE AND INTERESTS/SKILLS Business/General, Finance/Accounting,  
Planning, Real Estate Brokerage/Development, Leadership/Community Development

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

Chandler Knox  
(Signature of Applicant)

7/19/16  
(Date)





## QUESTIONNAIRE

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1. Please describe the areas of community service in which you have participated, in Huntersville or elsewhere.

My community service has been through my churches, schools, and sports organizations while growing up and currently. I have been involved with Athletes in Action, Leukemia & Lymphoma Society, Joe Mentel ALS Foundation, and others but haven't held specific board roles etc. in any community service organizations.

2. Briefly describe your vision for Huntersville in the next 10 to 15 years. What factors during that time will shape the growth of our community?

Huntersville will continue to experience record residential & commercial growth through calculated infrastructure developments. The town currently has a fantastic opportunity to continue tapping into Charlotte's overall growth and development as long as we are focused on intelligent transportation & decongestion solutions, diverse retail and shopping options, and a continued focus on diversity within our leadership in education and political positions. Huntersville is a wonderful town for young people through cost of living and we have to continue that sector of growth as Charlotte MSA continues to

3. Since the Board of Adjustment is a quasi-judicial body and must act essentially as a court, it is bound by strict rules of procedure and must use specific findings of fact in order to reach a ruling. As such, Board members must base their ruling on the facts alone, and not on emotion. As a potential Board member, how will you ensure that your decisions are formed objectively?

I was a District Manager for Aldi Foods, Inc. for three and a half years and I used and find a staff of 50+ individuals. I had to use facts and not emotion in order to terminate an employee since it directly affected the company as well as the livelihood of those employees.

be a  
best area  
for  
millennials  
to live.





4. With rapid development occurring in Huntersville and the surrounding area, the character and growth patterns of our community are changing rapidly. Please discuss briefly any problems that you perceive, anything that you would like to change, and/or anything you find particularly appropriate to Huntersville.

Our problems are primarily poorly designed roads and intersections as well as one crowded retail shopping center. Huntersville is a hub for Lake Norman/ North Charlotte shopping and we need to act quickly to keep attracting residents and businesses for economic growth. As we continue to grow in home ownership, we need to develop and approve residential neighborhoods that will be appropriately priced but also reflect the character and value of the town.

OTHER COMMENTS:

I was born and raised in Charlotte with the majority of my family living at Lake Norman. I have had 4 great uncles as neighbors of Corbelus, Dardis, Moonsick, and Clemons and was raised with many pride in the character of Lake Norman. I want to see the Town of Huntersville as it continues to grow and develop and I'd love to ensure we maintain the value and character of this town while also growing and adapting to our new identity as we attract more and more residents & visitors.

The Town of Huntersville Board of Commissioners sincerely appreciates the interest of all citizens in the Town's advisory committees and urges the public to nominate qualified persons for membership. Nominations may be sent to:

TOWN OF HUNTERSVILLE  
ATTN: Michelle Haines  
P.O. BOX 664  
HUNTERSVILLE, NC 28070

For more information on the responsibilities of various advisory bodies, applicants may contact the Planning Department at (704) 875-7000.

**Thank you for completing the application and questionnaire.  
Please return them to the Huntersville Planning Department**





NOTIFICATION FOR SERVICE FOR THE  
TOWN OF HUNTERSVILLE  
BOARD OF ADJUSTMENT

Please type or print in black ink

BACKGROUND INFORMATION

NAME: Jonathan Bradshaw

HOME PHONE: 704-351-6851

HOME ADDRESS 3807 Archer Notch Lane Huntersville NC 28078

CELL PHONE: 704-351-6851

DO YOU RESIDE IN THE TOWN LIMITS OR ETJ? Town Limits

PRESENT OCCUPATION Category Manager- Footwear & Accessories

WORK PHONE 704-708-2755

PLACE OF EMPLOYMENT Family Dollar Stores Inc.

EMAIL ADDRESS: j.p.bradshaw@wingate.edu

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:

Huntersville Greenway, Paths & Bikeways Commission \_\_\_\_\_ EXPIRATION DATE January 2018

\_\_\_\_\_  
EXPIRATION DATE \_\_\_\_\_

EDUCATION BA, History- UNC Charlotte, BA Secondary Education- UNC Charlotte, MBA Corporate  
Innovation- Wingate University

BUSINESS AND CIVIC EXPERIENCE

Huntersville 101- 2013

Huntersville Citizens Police Academy- 2014

Co-Founder and Steering Committee Member of the Huntersville 101 Alumni Association, 2016.

Charlotte Young Professionals Entrepreneur of the Year- 2011, for starting my own online car buying service, built  
to a \$13m business in two years.

AREAS OF EXPERTISE AND INTERESTS/SKILL: I excel in business,

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

*Jonathan Bradshaw* \_\_\_\_\_

(Signature of Applicant)

7-22-16 \_\_\_\_\_

(Date)





## QUESTIONNAIRE

To assist the Board of Commissioners in making appointments to the Board of Adjustment, please respond briefly to the following questions. There is no right or wrong answer. Your responses will provide a framework for discussion with the Mayor and Commissioners.

**Overview:** The Board of Adjustment consists of Regular and Alternate Members appointed by the Board of Commissioners. The Regular membership shall consist of six (6) members who reside within the corporate limits, and one (1) extraterritorial member. The number of Regular members appointed who reside in the extraterritorial zoning jurisdiction ("ETJ") shall at a minimum meet the requirement of NCGS §160A-362 for proportional representation, but shall in no instance be less than one (1). The Alternate membership shall consist of at least two (2) members who reside within the corporate limits, with the remaining alternate member residing in either the corporate limits or the ETJ.

The Board's primary function is to act upon variances, which are specific requests for deviation from the strict letter of the law of the Huntersville Zoning Ordinance. As an example, picture a property with a stream running through it thirty feet back from the road. If the Zoning Ordinance requires that every new house must be set back thirty feet from the road, the property owner is faced with a hardship and may request a variance. The Board of Adjustment acts quite literally as a court, with evidence presented, petitioners sworn in, and strict rules followed to determine if indeed a hardship exists. The Board considers the facts relative to the petition and formulates a legally-binding ruling.

1. Please describe the areas of community service in which you have participated, in Huntersville or elsewhere.

In Huntersville I currently serve as the Vice Chair for the Greenways Commission. I have attended Huntersville 101 and the Citizens Police Academy. I have furthered my civic engagement by co-founding the Huntersville 101 Alumni Associate and serve on its steering committee. This new organization is designed to keep folks who've attended engaged in the community and continue to learn beyond the 10 classes. Outside of Huntersville, I tutor 4th graders during my lunch break on Wednesdays at Crown Point Elementary. I am a former president of and current member of A Compelling Place to Speak, Toastmasters at Family Dollar where I work. I have achieved my Distinguished Toastmaster and Leader awards.

2. Briefly describe your vision for Huntersville in the next 10 to 15 years. What factors during that time will shape the growth of our community?

Growth is on the way, it has to, we are too spectacular not to attract residents. My vision of Huntersville is that it will transition from being strictly a bedroom community to Charlotte and Statesville and begin to become a place where businesses call home. Not only is it great for our tax base, it is great for our roads if everyone works local, shops local, and dines local. With our diamond of The Park along with development at Anchor Mills, with a revitalized downtown we could attract big employers as well as startups from all over the spectrum to call Huntersville home.

3. Since the Board of Adjustment is a quasi-judicial body and must act essentially as a court, it is bound by strict rules of procedure and must use specific findings of fact in order to reach a ruling. As such, Board members must base their ruling on the facts alone, and not on emotion. As a potential Board member, how will you ensure that your decisions are formed objectively?

I think the answer to this question will be in my understanding of roles and responsibilities. The statutes come from the Town Board, and they are solely responsible for that job. They will be informed by the LDOAB and will make





laws accordingly. Those seeking variances from those statutes will apply through the town, to which the town will weigh in. I believe strongly that between the Statute written by the Board, the opinion of the town, and any information presented by the applicant, the decisions will have facts sufficient enough to make ruling clear. There is the chance for shades of grey, in these cases you look for precedence and always keep the needs of the town level with the rights of the property owner.

4. With rapid development occurring in Huntersville and the surrounding area, the character and growth patterns of our community are changing rapidly. Please discuss briefly any problems that you perceive, anything that you would like to change, and/or anything you find particularly appropriate to Huntersville.

There is always traffic.... I would like for that one solitary issue to not be thing that defines Huntersville. I think we have unique opportunity in this day and age to define what our town will be, look like, and will be known for. I wish for us to be known as a friendly place to live and work, to operate a business, to travel by car, bike, foot safely. A big part of that will be interconnected greenway, pathways system, direct access (toll free) to Charlotte, and a downtown we can be proud of.

OTHER COMMENTS:

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ATTN: Michelle Haines  
P.O. BOX 664  
HUNTERSVILLE, NC 28070

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NOTIFICATION FOR SERVICE FOR THE  
TOWN OF HUNTERSVILLE  
BOARD OF ADJUSTMENT

Please type or print in black ink

Jeff

BACKGROUND INFORMATION

NAME Jeffrey Pugliese HOME PHONE 704-948-4292

HOME ADDRESS 15827 Hollingbourne Rd, Huntersville CELL PHONE 704-999-2130

DO YOU RESIDE IN THE TOWN LIMITS OR ETJ? Town Limits

PRESENT OCCUPATION Regional Sales Director WORK PHONE 704-947-7798

PLACE OF EMPLOYMENT Aria Solutions Inc.

EMAIL ADDRESS

jeffpugliese@roadrunner.com

APPROXIMATE HOURS AVAILABLE PER MONTH FOR SERVING ON ADVISORY BOARD 10-15

NAME OF ANY TOWN OR COUNTY BOARDS/COMMITTEES/COMMISSIONS YOU ARE PRESENTLY SERVING ON:

NA EXPIRATION DATE

EXPIRATION DATE

EDUCATION Bachelor of Arts in Business Administration, Montreat College 2007, Summa Cum Laude

BUSINESS AND CIVIC EXPERIENCE Extensive experience in all phases of business operations in the telecommunications and data networking industry. For over 30 years I have worked in Operations, Product Development, Engineering, and Sales roles working with customers from the C-Suite down to the service floor. I regularly negotiate client and partner contracts, including sales terms and conditions, as well as conduct client meetings. I served on the Huntersville Town Board for two terms from 2001 to 2005 and am very familiar with the workings of the Board of Adjustment in adjudicating decisions regarding Huntersville zoning ordinances. I have also been a member of BSA Troop 19 in the past holding roles as the Merit Badge Coordinator and Assistant Scout Master.

AREAS OF EXPERTISE AND INTERESTS/SKILLS I am a very strong organizer and problem solver with significant technology expertise. I am very proficient in the use of computers and software, have excellent oral and written communication, as well as presentation skills.

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

\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
(Date)





## QUESTIONNAIRE

To assist the Board of Commissioners in making appointments to the Board of Adjustment, please respond briefly to the following questions. There is no right or wrong answer. Your responses will provide a framework for discussion with the Mayor and Commissioners.

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The Board's primary function is to act upon variances, which are specific requests for deviation from the strict letter of the law of the Huntersville Zoning Ordinance. As an example, picture a property with a stream running through it thirty feet back from the road. If the Zoning Ordinance requires that every new house must be set back thirty feet from the road, the property owner is faced with a hardship and may request a variance. The Board of Adjustment acts quite literally as a court, with evidence presented, petitioners sworn in, and strict rules followed to determine if indeed a hardship exists. The Board considers the facts relative to the petition and formulates a legally-binding ruling.

1. Please describe the areas of community service in which you have participated, in Huntersville or elsewhere.

Huntersville Board of Commissioners, BSA Troop 19, Blythe Elementary Parent Leadership Team President

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2. Briefly describe your vision for Huntersville in the next 10 to 15 years. What factors during that time will shape the growth of our community?

Steady growth to expand our tax base appropriately, maintaining a high level of services to town citizens, and constantly managing and improving town infrastructure.

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3. Since the Board of Adjustment is a quasi-judicial body and must act essentially as a court, it is bound by strict rules of procedure and must use specific findings of fact in order to reach a ruling. As such, Board members must base their ruling on the facts alone, and not on emotion. As a potential Board member, how will you ensure that your decisions are formed objectively?

I have significant experience in basing decisions on the facts, whether in business or personally. As a Town Commissioner I often had to help resolve issues, and in many cases rule under quasi-judicial rules regarding zoning and planning issues.

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4. With rapid development occurring in Huntersville and the surrounding area, the character and growth patterns of our community are changing rapidly. Please discuss briefly any problems that you perceive, anything that you would like to change, and/or anything you find particularly appropriate to Huntersville. As I noted above the key is to plan land use and zoning in a way to maintain a balance of growth. Commercial, retail, residential and other growth create different opportunities, and demands on town resources and citizens. We must also stay abreast of changes in neighboring jurisdictions, and work with those parties (ad hoc or via inter-local agreements) to manage those factors at the edges of Huntersville and ETJ areas.

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**OTHER COMMENTS:**

I would be honored to have the opportunity to serve the Board and our town's citizens.

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TOWN OF HUNTERSVILLE  
ATTN: Michelle Haines  
P.O. BOX 664  
HUNTERSVILLE, NC 28070

For more information on the responsibilities of various advisory bodies, applicants may contact the Planning Department at (704) 875-7000.

**Thank you for completing the application and questionnaire.  
Please return them to the Huntersville Planning Department**





NOTIFICATION FOR SERVICE FOR THE  
TOWN OF HUNTERSVILLE  
BOARD OF ADJUSTMENT

7/25/16  
Juff

Please type or print in black ink

BACKGROUND INFORMATION

NAME JAMES I. Nixon HOME PHONE 704.948.1365  
HOME ADDRESS 3918 Halcyon Drive CELL PHONE 203.554.0391  
DO YOU RESIDE IN THE TOWN LIMITS OR ETJ? Huntersville, NC 28078  
PRESENT OCCUPATION Retired Corp. Exec. WORK PHONE N/A  
PLACE OF EMPLOYMENT \_\_\_\_\_  
EMAIL ADDRESS JimNixonPE@Gmail.com

APPROXIMATE HOURS AVAILABLE PER MONTH FOR SERVING ON ADVISORY BOARD 60 max

NAME OF ANY TOWN OR COUNTY BOARDS/COMMITTEES/COMMISSIONS YOU ARE PRESENTLY  
SERVING ON:

none

EXPIRATION DATE \_\_\_\_\_

EXPIRATION DATE \_\_\_\_\_

EDUCATION See attached elaboration - Section A

BUSINESS AND CIVIC EXPERIENCE \_\_\_\_\_

"

"

"

- Section B

AREAS OF EXPERTISE AND INTERESTS/SKILLS \_\_\_\_\_

"

"

"

- Section C

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

[Signature]  
(Signature of Applicant)

7/23/16  
(Date)





## QUESTIONNAIRE

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1. Please describe the areas of community service in which you have participated, in Huntersville or elsewhere.

*See Attached elaboration - Section D*

2. Briefly describe your vision for Huntersville in the next 10 to 15 years. What factors during that time will shape the growth of our community?

*" " " - Section E*

3. Since the Board of Adjustment is a quasi-judicial body and must act essentially as a court, it is bound by strict rules of procedure and must use specific findings of fact in order to reach a ruling. As such, Board members must base their ruling on the facts alone, and not on emotion. As a potential Board member, how will you ensure that your decisions are formed objectively?

*" " " - Section F*





4. With rapid development occurring in Huntersville and the surrounding area, the character and growth patterns of our community are changing rapidly. Please discuss briefly any problems that you perceive, anything that you would like to change, and/or anything you find particularly appropriate to Huntersville.

See attachment - Section G

OTHER COMMENTS:

" " - Section H

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HUNTERSVILLE, NC 28070

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**Thank you for completing the application and questionnaire.  
Please return them to the Huntersville Planning Department**

A handwritten signature in purple ink, followed by the date 7/23/16.



## Attachments to Huntersville Application for appointment to the Town Board of Adjustment

### A. Education

a. **Carnegie--Mellon University – BSME**

b. Graduate studies in Advanced Math & Nuclear Engineering at the University of Cincinnati

c. Graduate studies in Business Administration at Union College, Schenectady, NY

d. Graduate studies in Financial Management & Control – The Wharton School /University of Pennsylvania

### B. Business and Civic Experience

**My business experience** consists of the following; Nuclear Design Engineer at the Knolls Atomic Power Laboratory in Schenectady, NY; Director of Equal Opportunity & Minority Relations for GE Corporation; District Sales Manager for GE Electric Power Distribution Div. – Detroit District; VP and Director of Equal Opportunity Operations ((Global) for ITT Corporation; Director of Affirmative Action and Minority Supplier Development for the Metropolitan Transportation Authority of New York; Owner, President & CEO of Inline Brake Manufacturing Corp; Managing Director – Beacon Partners, Inc.

**My Civic experiences** include: (i) Chair – Urban Redevelopment Commission of Stamford, CT; (ii) Vice Chair- Stamford Old Town Hall Redevelopment Authority, and(iii) Board Member of the Mill River Park and Corridor Consortium (Stamford, CT also).

C. **My areas of expertise and interests/skills** center on Urban Design at all levels, from city layout to traffic control, rain water management, and waste disposal, as well as economic development associated with the creation of job



opportunities and continuing education in the area. I also have extensive experience in the management of Human Resources at all levels.

D. **Community Service in which I've participated, in Huntersville or elsewhere.**

My wife and I relocated here from Stamford, CT slightly more than a year ago (6/8/15) and purchased our current residence in The **Beckett Subdivision**. We recently completed the "**Huntersville 101**" Course to acquaint ourselves with the organizational structure of the Town, as well as its financial status and the management and plans for infrastructure maintenance and upgrading.

During our more than thirty years in Stamford I participated in a wide variety of community service roles, including Commissioner on the **Stamford Urban Redevelopment Commission** (member 17 years, Vice Chair 5 yrs. and Chair 2yrs); Vice Chair of the **Old Town Hall Redevelopment Authority** (5 yrs.); and Member of the **Board of Directors of the Mill River Park and Corridor Collaborative**. I also served (19 yrs.) on the Board of **Liberation Programs** (2 yrs. As Board Chair). This organization is the leading drug and alcohol treatment agency in the area. We recently completed a new treatment facility which includes post-treatment residences for recovering mothers and their children.

E. **Vision for Huntersville in the next 10 to 15 years.**

I expect Huntersville to continue its current pace of growth for at least 15 years, due to its relatively low cost of land, cost of living in general, its moderate climate and generally upbeat, happy, and optimistic population. Thus the need for continuous planning and direction of development of infrastructure, including roads, public transportation, amenities e.g. parks and recreation programs as well as opportunities for continuing education.

F. **Ensuring that my decisions on the Board of Adjustment are formed objectively.**



Perhaps because of my training and experience as an engineer I am only comfortable making decisions based on the relevant facts of the situation. If sufficient facts are not immediately available they should be obtained as rapidly as possible, and all facts should be assigned a weight for comparison and collective evaluation. This has been my practice for many years, in both my personal life and in my professional affairs. The process was enthusiastically welcomed by my fellow Board members in my relations cited above.

G. **Issues in the growth pattern in Huntersville and the surrounding area.**

As a newcomer to the area (Here for not quite a year, from decades in Connecticut and Upstate New York) I applaud the procedures employed here for community development largely by subdivisions created by developers and maintained by HOAs. I look to overall development of the area as new subdivisions "bloom" to fill in the voids and old subdivisions "blossom" with the growth of maturing and expanding human populations, flora of all sizes, and activity of all sorts. The infrastructure needs to be managed such that roads, water supply, air quality, waste disposal, and schools remain adequate to the needs of all as the demographics change.

H. **Other Comments.**

I look forward to the development of a solution to the uncomfortably narrow roads which seem to force drivers dangerously close to oncoming traffic and/or running off the road onto soft shoulders. Perhaps a creative approach to property tax assessments would create the funds needed for the widening necessary to more safely accommodate the increasing traffic, including larger trucks.

A handwritten signature in purple ink, followed by the date 7/23/16.



**Town of Huntersville  
REQUEST FOR BOARD ACTION  
8/1/2016**

**REVIEWED:**

**To:** The Honorable Mayor and Board of Commissioners  
**From:** Robert B. Blythe, Town Attorney  
**Subject:** Consider Adopting Ordinance

---

Consider adopting an Ordinance to modify regulations to Title IX, General Regulations Chapter 93: Littering.

**ACTION RECOMMENDED:**

Adopt proposed Ordinance

**FINANCIAL IMPLICATIONS:**

**ATTACHMENTS:**

Description	Type
□ Proposed Ordinance	Exhibit



**AN ORDINANCE TO MODIFY REGULATIONS TO THE  
TOWN OF HUNTERSVILLE CODE OF ORDINANCES,  
TITLE IX, GENERAL REGULATIONS CHAPTER 93: LITTERING**

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

**§ 93.25 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**COMMERCIAL VEHICLE.** A vehicle that is owned or used by a business, corporation, association, partnership or sole proprietorship or any other entity conducting business for economic gain.

**LITTER.** Any garbage, rubbish, trash, refuse, can, bottle, box, container, wrapper, paper product, tire, appliance, mechanical equipment or part, building or construction material or discarded material, or any other material defined as litter by North Carolina General Statute section 14-399(i)(1), or in any form resulting from domestic, industrial, commercial, mining, agricultural or government operations. **LITTER** does not include political pamphlets, handbills, religious tracts, newspapers or other printed materials that unsolicited distribution of which is protected by the Constitution of the United States and North Carolina provided that it is being used for and distributed in accordance with its intended use. Intended use shall mean that its distribution is made in such a manner as is calculated to reach its intended recipient and not in a manner that it is reasonably likely to be blown or scattered about.

**VEHICLE.** Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon fixed rails or tracks. A bicycle shall be deemed a vehicle and every rider of a bicycle upon a highway shall be subject to the same provisions as a vehicle. Exceptions to the definitions of a vehicle are the same as those defined in G.S. § 20-4.01(49).

**PERSON.** An individual person or any firm, organization, private or public corporation, institution or governing body or its or their agents.

**§ 93.26 LITTERING PROHIBITED.**

(A) It shall be unlawful for any person to ~~intentionally or recklessly~~ throw, scatter, spill or place or to cause to be blown, scattered, spilled, thrown or placed or otherwise dispose of any litter upon any public property or private property not owned by such person ~~street, sidewalk or~~



~~public right-of-way~~ within the Town of Huntersville, subject to the exceptions set forth in Sec. 93.27.

(B) It shall be unlawful for any person ~~to, firm or corporation to intentionally or recklessly~~ cause or allow litter to be blown, scattered, spilled, thrown, placed or otherwise disposed of from any private or commercial vehicle upon any public right-of-way within the Town of Huntersville.

(C) When litter is blown, scattered, spilled, thrown or placed from a vehicle, the operator thereof shall be presumed to have committed the offense.

(D) Subsection (A) of this section does not apply to the accidental blowing, scattering, or spilling of an insignificant amount of municipal waste, as defined in G.S. 130-290(18a), during the automated loading of a vehicle designed and constructed to transport municipal solid waste if the vehicle is operated in a reasonable manner and according to manufacturer specifications.

Penalty, see § 93.99

#### **§ 93.27 EXCEPTIONS.**

The following provisions are exceptions to this subchapter:

(A) Property inside the Town of Huntersville that is designated by the state or political subdivision thereof for the disposal of garbage or refuse, and such person is authorized to use such property for such purpose;

(B) When placing litter into a litter receptacle in such a manner that the litter will be prevented from being carried away or deposited by the elements and the receptacle is designated for the disposal of litter;

(C) Vehicles transporting agricultural products or supplies when the litter from the vehicle is a nontoxic, biodegradable agricultural product.

***Section 2. That this Ordinance shall become effective upon approval.***

APPROVED AS TO FORM:

---

Robert B. Blythe, Town Attorney



**Town of Huntersville  
REQUEST FOR BOARD ACTION  
8/1/2016**

**REVIEWED:**

**To:** The Honorable Mayor and Board of Commissioners  
**From:** Robert B. Blythe, Town Attorney  
**Subject:** Consider Adopting Ordinance

---

Consider adopting an Ordinance to add regulations to Title IX, General Regulations Chapter 95: Solicitation, Panhandling and Begging.

**ACTION RECOMMENDED:**

Adopt proposed Ordinance

**FINANCIAL IMPLICATIONS:**

**ATTACHMENTS:**

Description	Type
□ Proposed Ordinance	Exhibit



**AN ORDINANCE TO ADD REGULATIONS TO THE  
TOWN OF HUNTERSVILLE CODE OF ORDINANCES,  
TITLE IX, GENERAL REGULATIONS  
CHAPTER 95: SOLICITATION,  
PANHANDLING AND BEGGING**

***Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that the Code of Ordinance is hereby amended, by adding the following:***

§95.20 Panhandling and begging regulated.

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Accosting means approaching or speaking to someone in such a manner as would cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon his or her person, or upon property in his or her immediate possession.

After dark means from one half hour after sunset until one half hour before sunrise. The times of sunset and sunrise will be established by the times listed in The Charlotte Observer or another publication of similar distribution.

Beg, solicit or panhandle includes, without limitation, use of the spoken, written, or printed word, or other acts as are conducted in the furtherance of the purpose of immediately collecting contributions for the use of oneself or others. As used in this ordinance, the word "solicit," and its forms, includes begging and panhandling.

Financial institution means a bank, trust company, savings and loan association, credit union, check-cashing business or other entity principally engaged in the business of lending money or receiving or soliciting money on deposit.

Forcing oneself upon the company of another means:

(1) Continuing to solicit in close proximity to the person addressed after the person to whom the solicitation is directed has made a negative response, either verbally, by physical sign, by attempting to leave the presence of the person soliciting, or by other negative indication;

(2) Blocking the passage of the person solicited; or

(3) Otherwise engaging in conduct that could reasonably be construed as intending to compel or force a person to accede to a solicitation.

(b) Prohibited acts. It shall be unlawful for any person to beg, solicit or panhandle on a public sidewalk, public right of way or within a public park owned by the town:

(1) By accosting another, or by forcing oneself upon the company of another;

(2) Within 20 feet of the entrance to any financial institution or any automated teller machine, regardless of whether or not such automated teller machine is located at or near a financial institution;



- (3) Within 20 feet of any outdoor dining area or outdoor merchandise area, provided such areas are in active use at the time;
  - (4) Within 20 feet of any transit stop or taxi stand;
  - (5) While the person being solicited is standing in line waiting to be admitted to a commercial establishment;
  - (6) While under the influence of alcohol, illegal drug or prescription medication unless prescribed by a licensed physician.
  - (7) By touching the person being solicited without that person's consent; or
  - (8) After dark by means of verbal communication.
- (c) Public transportation vehicle. It shall be unlawful for any person to beg, solicit or panhandle on a public transportation vehicle.
- (d) Penalty. Any person who violates any of the provisions of this section shall be guilty of a misdemeanor as provided in G.S. 14-4 and, upon conviction, shall be subject to a maximum fine of \$500.00, or imprisonment, or both.

***Section 2. That this Ordinance shall become effective upon approval.***

APPROVED AS TO FORM:

---

Robert B. Blythe, Town Attorney



**Town of Huntersville  
REQUEST FOR BOARD ACTION  
8/1/2016**

**REVIEWED:**

**To:** The Honorable Mayor and Board of Commissioners  
**From:** Robert B. Blythe, Town Attorney  
**Subject:** Consider Adopting an Ordinance

---

Consider adopting an Ordinance to add regulations to Title IX, General Regulations Chapter 95: Solicitation, Pedestrian Solicitation upon Highways or Streets.

**ACTION RECOMMENDED:**

Adopt proposed Ordinance

**FINANCIAL IMPLICATIONS:**

**ATTACHMENTS:**

Description	Type
□ Proposed Ordinance	Exhibit

**AN ORDINANCE TO ADD REGULATIONS TO THE  
TOWN OF HUNTERSVILLE CODE OF ORDINANCES,  
TITLE IX, GENERAL REGULATIONS  
CHAPTER 95: SOLICITATION,  
PEDESTRIAN SOLICITATION UPON HIGHWAYS OR STREETS**

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

**§95.40 Pedestrians soliciting rides, employment, business or funds upon highways or streets.**

(a) No person shall stand on any street, highway, or right of way excluding sidewalks while soliciting, or attempting to solicit, any employment, business, or contributions from the driver or occupants of any vehicle. This section does not restrict or prohibit activities of licensees, employees, or contractors of the North Carolina Department of Transportation, or of the Town of Huntersville engaged in construction or maintenance or in making traffic or engineering surveys except as provided in subsection (b) of this section.

(b) Notwithstanding the above, Town shall have the authority to grant authorization for a person to stand in, on, or near a street or State roadway, within its municipal corporate limits, to solicit a charitable contribution if the requirements of this subsection are met.

A person seeking authorization under this subsection to solicit charitable contributions shall file a written application with the Town of Huntersville Police Department. This application shall be filed not later than seven days before the date the solicitation event is to occur. If there are multiple events or one event occurring on more than one day, each event shall be subject to the application and permit requirements of this subsection for each day the event is to be held, to include the application fee.

The application must include:

- (1) The date and time when the solicitation is to occur;
- (2) Each location at which the solicitation is to occur; and
- (3) The number of solicitors to be involved in the solicitation at each location.

An application fee for a permit shall be no greater than twenty-five dollars (\$25.00) per day per event.

The applicant shall also furnish to the Town advance proof of liability insurance in the amount of at least two million dollars (\$2,000,000) to cover damages that may arise from the solicitation. The insurance coverage must provide coverage for claims against any solicitor and agree to hold the Town harmless.



In the event the solicitation event or the solicitors shall create a nuisance, delay traffic, create threatening or hostile situations, any law enforcement officer with proper jurisdiction may order the solicitations to cease. Any individual failing to follow a law enforcement officer's lawful order to cease solicitation shall be guilty of a Class 3 misdemeanor and shall pay a fine not to exceed five hundred dollars (\$500.00).

***Section 2. That this Ordinance shall become effective upon approval.***

APPROVED AS TO FORM:

---

Robert B. Blythe, Town Attorney

**Town of Huntersville**  
**REQUEST FOR BOARD ACTION**  
**8/1/2016**

**REVIEWED:**

**To:** The Honorable Mayor and Board of Commissioners  
**From:**  
**Subject:** Caboose

---

**ACTION RECOMMENDED:**

**FINANCIAL IMPLICATIONS:**



**Town of Huntersville**  
**REQUEST FOR BOARD ACTION**  
**8/1/2016**

**REVIEWED:**

**To:** The Honorable Mayor and Board of Commissioners  
**From:** Jackie Huffman Finance Director / Greg Ferguson Town Manager  
**Subject:** Annual Tax Collector's Settlement Statement

---

Receive Tax Collector's Settlement for Fiscal Year 2016

**ACTION RECOMMENDED:**

Receive Tax Collector's Settlement

**FINANCIAL IMPLICATIONS:**

**ATTACHMENTS:**

Description	Type
□ Dixon Cover Letter	Cover Memo
□ Settlement Figures	Cover Memo



**MECKLENBURG COUNTY**  
Office of the Tax Collector

July 21, 2016

Greg Ferguson  
Town Manager  
P.O. Box 664  
Huntersville, NC 28070

RE: TAX COLLECTOR'S SETTLEMENT FOR FISCAL YEAR 2016

Dear Mr. Ferguson:

Please find the enclosed FY 2016 Tax Collector's Settlement. I am pleased to inform you that we achieved our collections objectives. We will continue to collect taxes for FY 2016 and other prior years as we move forward with the FY 2017 billing cycle (tax year 2016).

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

It was my pleasure to serve you, your board, and your residents again this year. Please do not hesitate to contact me with any feedback about our service to Huntersville during this past year.

Sincerely,

Neal L. Dixon  
Director/Tax Collector

c: Jackie Huffman, Finance Director

**PEOPLE • PRIDE • PROGRESS • PARTNERSHIPS**

700 East Stonewall Street • P.O. Box 31457 • Charlotte, North Carolina 28231 • 704-336-7600





## MECKLENBURG COUNTY

### Office of the Tax Collector

**To:** Greg Ferguson, Huntersville Manager  
**From:** Neal L. Dixon, Director/Tax Collector  
**Date:** July 20, 2016  
**Subject:** Tax Collector's Settlement for Fiscal Year 2016

Pursuant to the provisions of N.C.G.S. 105-373, this memorandum is the Tax Collector's report of settlement to the Huntersville Town Commission for Fiscal Year 2016 (tax year 2015).

Total FY 2016 Tax Charged to the Tax Collector for Collection: \$19,428,695.35.

#### Real Estate & Personal Property Tax

<u>Net Levy</u>	<u>Collected</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
\$19,428,695.35	\$19,369,100.81	\$86,900.62	99.69%

#### Registered Motor Vehicle Tax

<u>Net Levy</u>	<u>Collected</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
\$0.00	\$0.00	\$0.00	N/A

---

#### Combined Total

<u>Net Levy</u>	<u>Collected</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
\$19,428,695.35	\$19,369,100.81	\$86,900.62	99.69%

At the end of FY 2016 there were no parcels under formal appeal with the Board of Equalization and Review or the Property Tax Commission. Tax Collector was barred by the U.S. Bankruptcy Court from collecting 9 real estate and personal property tax bills totaling \$2,254.30. When the net levy is adjusted to remove the amounts barred from collections, the combined collection percentage increases to 99.70%.

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

Prior Year Collections

Real Estate/Personal Property Tax:

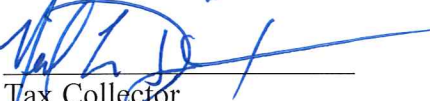
<u>Tax Year</u>	<u>Net Levy</u>	<u>Collected in FY 2016</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
2008	\$13,258,852.67	\$ 2,372.56	\$26,192.63	99.80%
2009	\$13,795,285.57	\$ 3,433.89	\$42,225.87	99.69%
2010	\$14,280,686.31	\$ 8,953.65	\$56,969.98	99.60%
2011	\$16,028,644.96	\$13,626.19	\$29,683.88	99.81%
2012	\$16,345,289.95	\$11,666.41	\$41,886.81	99.74%
2013	\$16,515,040.37	\$12,302.03	\$52,925.55	99.68%
2014	\$18,748,531.18	\$50,662.06	\$66,778.06	99.64%

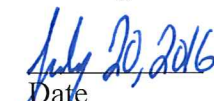
Registered Motor Vehicle Tax:

<u>Tax Year</u>	<u>Net Levy</u>	<u>Collected in FY 2016</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
2012	\$2,115,242.42	\$2,515.38	\$26,675.20	98.74%
2013	\$1,230,003.09	\$2,996.89	\$18,833.61	98.47%
2014	\$ 7,717.93	\$ 0.00	\$ 272.37	96.47%

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

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

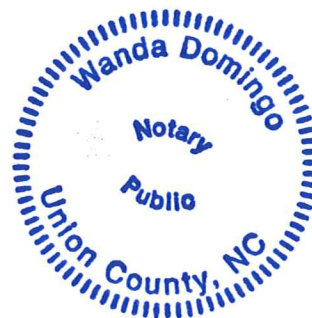
  
Tax Collector

  
Date

Sworn to and subscribed before me this 20<sup>th</sup> day of July, 2016

  
Notary Public

My Commission expires on September 2, 2019.  
Date



CC: Jackie Huffman, Town of Huntersville Finance Director  
Julissa Fernández, Deputy Director, Office of the Tax Collector  
Kimberly Deal, Deputy Director, Office of the Tax Collector



**Town of Huntersville**  
**REQUEST FOR BOARD ACTION**  
**8/1/2016**

**REVIEWED:**

**To:** The Honorable Mayor and Board of Commissioners  
**From:** Michael Jaycocks  
**Subject:** Street Closure and Special Event Ordinance- Veterans Day Parade

---

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 Veterans Day Parade.

**ACTION RECOMMENDED:**

Consider adopting Temporary Ordinance for Road Closures for the Huntersville Veterans Day Parade and Event.

**FINANCIAL IMPLICATIONS:**

None

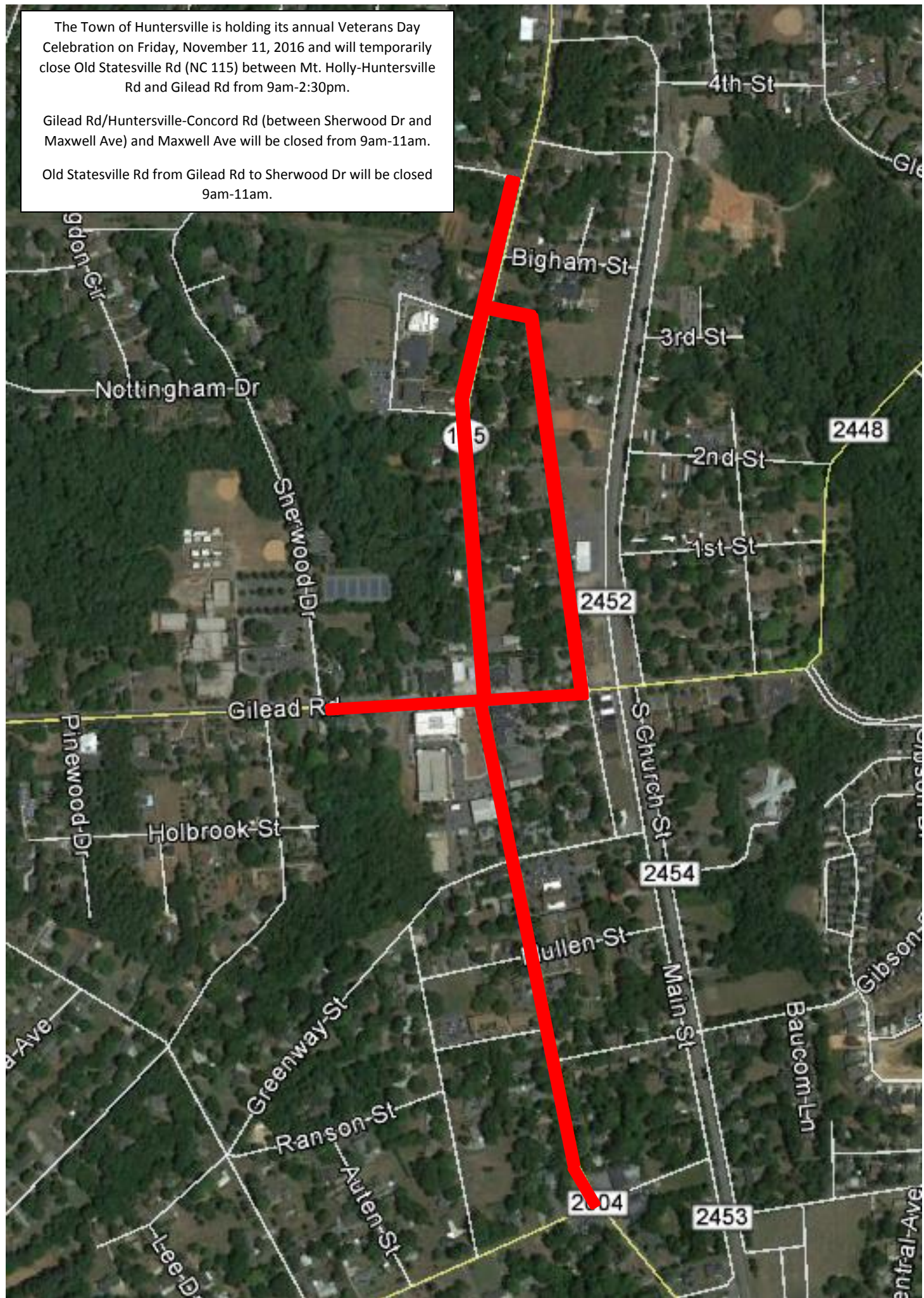
**ATTACHMENTS:**

Description	Type
☐ Road Closure Map	Exhibit
☐ Street Closure and Special Event Ordinance	Ordinance

The Town of Huntersville is holding its annual Veterans Day Celebration on Friday, November 11, 2016 and will temporarily close Old Statesville Rd (NC 115) between Mt. Holly-Huntersville Rd and Gilead Rd from 9am-2:30pm.

Gilead Rd/Huntersville-Concord Rd (between Sherwood Dr and Maxwell Ave) and Maxwell Ave will be closed from 9am-11am.

Old Statesville Rd from Gilead Rd to Sherwood Dr will be closed 9am-11am.





**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 Veterans Day Parade celebration on November 11, 2016; and

**WHEREAS**, this event will require the temporary closing of 1) Old Statesville Road (NC115) between Mt. Holly-Huntersville Road and Sherwood Drive, and 2) Huntersville-Concord Road between Church Street and Old Statesville Road and 3) Maxwell Ave between the intersections of Old Statesville Road (Hwy115) and Huntersville Concord 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 to be closed from 9am – 2:30pm, and (2) Huntersville-Concord Road between its intersection with Maxwell Ave and Old Statesville Road and Maxwell Ave from Huntersville Concord Road to Old Statesville Road (NC115) and Old Statesville Road (NC115) from Gilead Road to Sherwood Drive to be closed to vehicular traffic between the hours of 9am – 11am on November 11, 2016.

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 1<sup>st</sup> day of August, 2016.

\_\_\_\_\_  
John Aneralla, Mayor

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Robert B. Blythe, Town Attorney





**Town of Huntersville**  
**REQUEST FOR BOARD ACTION**  
**8/1/2016**

**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 adopting Temporary Ordinance for Road Closures for the Huntersville Christmas Event.

**FINANCIAL IMPLICATIONS:**

None

**ATTACHMENTS:**

	<b>Description</b>	<b>Type</b>
□	Road Closure Map	Exhibit
□	Ordinance	Ordinance

# 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 on Saturday, December 3, 2016 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 Main St and Old Statesville Rd from 12:00pm-9:30pm during the festivities.





**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 3, 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 3, 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 1<sup>st</sup> day of August, 2016.

\_\_\_\_\_  
John Aneralla, Mayor

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Robert B. Blythe, Town Attorney

**Town of Huntersville**  
**REQUEST FOR BOARD ACTION**  
**8/1/2016**

**REVIEWED:**

**To:** The Honorable Mayor and Board of Commissioners  
**From:** Jackie Huffman Finance Director / Greg Ferguson Town Manager  
**Subject:** Adopt Bond Resolution

---

The final item requiring Board action for our bond sale on August 30 is to approve the attached resolution to authorize issuing the bonds. This resolution has been prepared by our bond counsel Don Ubell.

**ACTION RECOMMENDED:**

Approve Resolution Authorizing the Issuance of \$865,000 General Obligation Bonds, Series 2016A; Not to Exceed \$3,750,000 General Obligation Refunding Bonds, Series 2016B and \$7,810,000 General Obligation Bonds, Series 2016C.

**FINANCIAL IMPLICATIONS:**

Future principal and interest

**ATTACHMENTS:**

Description	Type
□ Bond Resolution	Cover Memo



**EXTRACT FROM MINUTES OF BOARD OF COMMISSIONERS**

A regular meeting of the Board of Commissioners of the Town of Huntersville, North Carolina (the “*Board*”) was held at the Town Hall, 101 Huntersville-Concord Road, Huntersville, North Carolina 28078, at 6:30 p.m. on August 1, 2016, after proper notice, and was called to order by Mayor John Aneralla, and on the roll being called, the following members of the Board answered present: \_\_\_\_\_

---

The following members of the Board were absent: \_\_\_\_\_

Also present: \_\_\_\_\_

Commissioner \_\_\_\_\_ introduced the following resolution, a summary of which had been provided to each Commissioner, a copy of which was available with the Town Clerk and which was read by title:

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF HUNTERSVILLE, NORTH CAROLINA, AUTHORIZING THE ISSUANCE OF \$865,000 GENERAL OBLIGATION BONDS, SERIES 2016A; NOT TO EXCEED \$3,750,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016B AND \$7,810,000 GENERAL OBLIGATION BONDS, SERIES 2016C**

*WHEREAS*, the Bond Orders described below have been adopted, and it is desirable to make provision for the issuance of the Bonds (as defined below) authorized by the Bond Orders;

*NOW, THEREFORE, BE IT RESOLVED* by the Board of Commissioners (the “*Board*”) of the Town of Huntersville, North Carolina (the “*Town*”), as follows:

**Section 1.** For purposes of this Resolution, the following words will have the meanings ascribed to them below:

“*Arbitrage and Tax Regulatory Agreement*” means the Arbitrage and Tax Regulatory Agreement executed by the Town related to the Bonds.

“*Board*” means the Board of Commissioners of the Town.

“*Bond Orders*” means, collectively, the Parks and Recreation Bond Order, the Street Bond Order, the Public Improvement Bond Order, the Two-Thirds’ Bond Order and the Refunding Bond Order.

“*Bonds*” means, collectively, the 2016A Bonds, the 2016B Bonds and the 2016C Bonds.

“*Code*” means the Internal Revenue Code of 1986, as amended. Each reference to a section of the Code herein will be deemed to include the United States Treasury Regulations proposed or in effect with respect thereto.

“*Escrow Agent*” means U.S. Bank National Association and any successor thereto.

*“Escrow Agreement”* means the Escrow Agreement dated as of August 1, 2016 between the Town and the Escrow Agent, and any amendments thereto.

*“Federal Securities”* means obligations permitted by Section 159-72 of the General Statutes of North Carolina, as may be amended from time-to-time, or any successor statute thereto.

*“Moody’s”* means Moody’s Investors Service, a corporation organized and existing under the laws of the State of Delaware, its successors and their assigns and, if such corporation for any reason no longer performs the functions of a securities rating agency, *“Moody’s”* will be deemed to refer to any other nationally recognized rating agency other than S&P designated by the Town.

*“Parks and Recreation Bond Order”* means the bond order authorizing the Town to issue general obligation bonds to finance certain parks and recreation projects adopted by the Board on July 16, 2012 and effective on its approval by the voters of the Town at a referendum on November 6, 2012.

*“Parks and Recreation Projects”* means, collectively, (1) the construction, acquisition, equipping and furnishing of a new multi-court recreation center located at the existing Huntersville Athletic Park and (2) related improvements authorized under the Parks and Recreation Bond Order.

*“Pricing Certificate”* means the certificate of the Finance Officer of the Town delivered in connection with the issuance of the Bonds which establishes, with respect to the Bonds, the final maturity amounts, deposits of the Bond proceeds and, if determined by the Finance Officer, redemption provisions different from those provided for in Section 9.

*“Public Improvement Bond Order”* means the bond order authorizing the Town to issue general obligation bonds to finance certain public improvements adopted by the Board on July 16, 2012 and effective on its approval by the voters of the Town at a referendum on November 6, 2012.

*“Public Improvement Projects”* means (1) the construction, acquisition, equipping and furnishing of West Huntersville Fire Station Number 4 and (2) related improvements authorized under the Public Improvement Bond Order.

*“Refunding Bond Order”* means the bond order authorizing the Town to issue general obligation refunding bonds to refund the Refunded Bonds adopted by the Board on June 20, 2016 and effective 30 days after its publication during which period no petition to a vote of the people is filed with the Town Clerk under Section 159-60 of the General Statutes of North Carolina.

*“Refunded Bonds”* means the 2008 Bonds maturing on and after June 1, 2019.

*“S&P”* means S&P Global Ratings, its successors and their assigns and, if such corporation for any reason no longer performs the functions of a securities rating agency, *“S&P”* will be deemed to refer to any other nationally recognized rating agency other than Moody’s designated by the Town.

*“Street Bond Order”* means the bond order authorizing the Town to issue general obligation bonds to finance certain street improvements adopted by the Board on July 16, 2012 and effective on its approval by the voters of the Town at a referendum on November 6, 2012.

*“Street Projects”* means, collectively, various improvements to the intersection of U.S. Highway 21 and Gilead Road, the upgrading of Main Street and provision of connections to NC 115 at Mount Holly-Huntersville Road and Fourth Street in the Town and related improvements authorized under the Street Bond Order and the Two-Thirds’ Bond Order.



“*Town*” means the Town of Huntersville, North Carolina, and its successors or assigns.

“*Two-Thirds’ Bond Order*” means the bond order authorizing the Town to issue general obligation street bonds to finance certain street improvements adopted by the Board on June 20, 2016 and effective on its adoption.

“*2008 Bonds*” means \$5,000,000 aggregate principal amount of the Town’s General Obligation Bonds, Series 2008, of which \$3,425,000 is currently outstanding.

“*2016A Bonds*” means the Town’s General Obligation Bonds, Series 2016A authorized under the Two-Thirds Bond Order.

“*2016B Bonds*” means the Town’s General Obligation Refunding Bonds, Series 2016B authorized under the Refunding Bond Order.

“*2016C Bonds*” means the Town’s General Obligation Bonds, Series 2016C authorized under the Street Bond Order, the Public Improvement Bond Order and the Parks and Recreation Bond Order.

**Section 2.** The Town shall issue \$865,000 in total aggregate principal amount of its 2016A Bonds; not to exceed \$3,750,000 in total aggregate principal amount of its 2016B Bonds; and \$7,810,000 in total aggregate principal amount of its 2016C Bonds.

**Section 3.** The Bonds shall be dated their date of issuance and pay interest semiannually on June 1 and December 1, beginning June 1, 2017. The 2016A Bonds are being issued to finance all or a portion of the capital costs of the portion of the Street Projects, described in and in accordance with the Two-Thirds’ Bond Order. The 2016B Bonds are being issued to provide funds to refund all or a portion of the Refunded Bonds, described in and in accordance with the Refunding Bond Order. The 2016C Bonds are being issued to finance all or a portion of the capital costs of (a) the Parks and Recreation Projects, described in and in accordance with the Parks and Recreation Bond Order; (b) the Public Improvement Projects, described in and in accordance with the Public Improvement Bond Order and (c) the portion of the Street Projects, described in and in accordance with the Street Bond Order.

**Section 4.** The Board has ascertained and hereby determines that the average period of usefulness of the capital projects being financed by the proceeds of the Bonds is not less than 25 years computed from the date of issuance of the Bonds.

**Section 5.** The Bonds are payable in annual installments on June 1 and as set forth in the Pricing Certificate.

**Section 6.** The 2016A Bonds are to be numbered from “RA-1” consecutively and upward. The 2016B Bonds are to be numbered from “RB-1” consecutively and upward. The 2016C Bonds are to be numbered from “RC-1” consecutively and upward. All Bonds shall bear interest from their date at a rate or rates which shall be hereafter determined on the sale thereof computed on the basis of a 360-day year of twelve 30-day months.

**Section 7.** The Bonds shall be registered as to principal and interest, and the Finance Officer is directed to maintain the registration records with respect thereto. The Bonds shall bear the original or facsimile signatures of the Mayor or Town Manager and the Town Clerk. An original or facsimile of the seal of the Town shall be imprinted on each of the Bonds.

**Section 8.** The Bonds will initially be issued by means of a book-entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to The Depository Trust Company, New York, New York ("*DTC*"), and immobilized in its custody. A book-entry system will be employed, evidencing ownership of the Bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on the Bonds will be payable to DTC or its nominee as registered owner of the Bonds in immediately available funds. The principal of and interest on the Bonds will be payable to owners of Bonds shown on the records of DTC at the close of business on the 15th day of the month preceding an interest payment date or a bond payment date. The Town will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

If (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Finance Officer for the Town determines that the continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Town will discontinue the book-entry system with DTC in accordance with DTC's rules and procedures. If the Town fails to identify another qualified securities depository to replace DTC, the Town will authenticate and deliver replacement Bonds in accordance with DTC's rules and procedures.

**Section 9.** The Bonds maturing on or before June 1, 2026 are not subject to redemption before maturity. The Bonds maturing on and after June 1, 2027 are subject to redemption prior to maturity, at the option of the Town, from any money that may be made available for such purpose, either in whole or in part on or after June 1, 2026, at the redemption price of 100% of the principal amount of Bonds to be redeemed, plus accrued interest thereon to the redemption date. The Town may change the foregoing redemption provisions pursuant to the Pricing Certificate.

If less than all of the Bonds of a series are called for redemption, the Town shall select the series of the Bonds to be redeemed and the maturity or maturities of the Bonds within a series to be redeemed in such manner as the Town in its discretion may determine, and DTC and its participants shall determine which of the Bonds within a maturity are to be redeemed by lot; provided, however, that the portion of any Bond to be redeemed shall be in principal amount of \$5,000 or integral multiples thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. If the Town elects to redeem Bonds, notice of such redemption of Bonds, stating the redemption date, redemption price and identifying the Bonds or portions thereof to be redeemed by reference to their numbers and further stating that on such redemption date there shall become due and payable on each Bond or portion thereof so to be redeemed, the principal thereof, and interest accrued to the redemption date and that from and after such date interest thereon shall cease to accrue, shall be given not less than 30 days nor more than 60 days before the redemption date in writing to DTC or its nominee as the registered owner of the Bonds, by prepaid certified or registered United States mail, at the address provided to the Town by DTC (or otherwise in accordance with DTC's then-existing rules and procedures), but any failure or defect in respect of such mailing will not affect the validity of the redemption. If DTC is not the registered owner of the Bonds, the Town will give notice at the time set forth above by prepaid first class United States mail, to the then-registered owners of the Bonds or portions thereof to be redeemed at the last address shown on the registration books kept by the Town. The Town will also send the notice of redemption within the time set forth above (1) to the Local Government Commission of North Carolina (the "*LGC*") by mail or electronic mail (with receipt confirmed by the recipient) and (2) to the Municipal Securities Rule Making Board (the "*MSRB*") in an electronic format as prescribed by the MSRB.

If at the time of mailing of notice of redemption there is not on deposit money sufficient to redeem the Bonds called for redemption, such notice may state that it is conditional on the deposit of



money for the redemption on the date of redemption as set forth in the notice. Any notice, once given, may be withdrawn by notice delivered in the same manner as the notice of redemption was given.

**Section 10.** The Bonds and the provisions for the registration of the Bonds and for the approval of the Bonds by the Secretary of the LGC are to be in substantially the form set forth in Appendices hereto.

**Section 11.** The Town covenants that it will not take or permit, or omit to take or cause to be taken, any action that would adversely affect the exclusion from gross income of the recipient thereof for federal income tax purposes of the interest on the Bonds, and, if it should take or permit, or omit to take or cause to be taken, any such action, the Town will take or cause to be taken all lawful actions within its power necessary to rescind or correct such actions or omissions promptly upon having knowledge thereof. The Town acknowledges that the continued exclusion of interest on the Bonds from the owner's gross income for federal income tax purposes depends, in part, on compliance with the arbitrage limitations imposed by Section 148 of the Code. The Town covenants that it will comply with all the requirements of Section 148 of the Code, including the rebate requirements, and that it will not permit at any time any of the proceeds of the Bonds or other funds under its control be used, directly or indirectly, to acquire any asset or obligation, the acquisition of which would cause the Bonds to be "arbitrage bonds" for purposes of Section 148 of the Code. The Finance Officer is hereby authorized to execute an Arbitrage and Tax Regulatory Agreement with respect to the Bonds.

**Section 12.** The Finance Officer is hereby directed to create and establish a special fund to be designated "*Town of Huntersville, North Carolina General Obligation Bonds, Series 2016 Project Fund*" (the "*Project Fund*") and, within the Project Fund, to designate a 2016A Bonds Account, a 2016B Bonds Account and a 2016C Bonds Account. The Finance Officer shall deposit the proceeds from the sale of the 2016A Bonds in the 2016A Bonds Account and the proceeds from the sale of the 2016C Bonds in the 2016C Bonds Account. From the proceeds of the 2016B Bonds, the State Treasurer shall transfer an amount as provided in the Pricing Certificate to the Escrow Agent for deposit in the Escrow Fund (as defined in the Escrow Agreement) created under the Escrow Agreement in accordance with the terms of the Escrow Agreement and transfer the balance of the proceeds from the sale of the 2016B Bonds to the 2016B Bonds Account. The Town Manager and the Finance Officer of the Town are hereby authorized and directed to enter into the Escrow Agreement, a form of which has been made available to the Board, but with such changes, modifications, additions or deletions therein as to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the Board's approval of any and all changes, modifications, additions or deletions therein from the form and content of the Escrow Agreement presented to the Board, and that from and after the execution and delivery of the Escrow Agreement, the Town Manager and the Finance Officer of the Town are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Escrow Agreement as executed.

The Finance Officer shall invest and reinvest any money held in the Project Fund as permitted by the laws of the State of North Carolina, and the income, to the extent permitted by the Code, is to be retained in the corresponding account of the Project Fund and applied with the proceeds of the Bonds to pay the applicable costs described in Section 3, as directed by the Finance Officer. The Finance Officer shall keep and maintain adequate records pertaining to the Project Fund and all disbursements therefrom so as to satisfy the requirements of the laws of the State of North Carolina and to assure that the Town maintains its covenants with respect to the exclusion of the interest on the Bonds from gross income for purposes of federal income taxation. To the extent any funds remain in the 2016B Bonds Account on November 15, 2016, the Finance Officer shall apply them to pay interest on the 2016B Bonds.

**Section 13.** Actions taken by officials of the Town to select paying and transfer agents, and a bond registrar, or alternate or successor agents and registrars pursuant to Section 159E-8 of the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, are hereby authorized and approved.

**Section 14.** The LGC is hereby requested to sell the Bonds through a competitive sale to the bidder whose bid results in the lowest interest cost to the Town.

**Section 15.** The Mayor, the Town Manager, the Finance Officer and the Town Clerk are hereby authorized and directed to cause the Bonds to be prepared and, when they shall have been duly sold by the LGC, to execute the Bonds and to turn the Bonds over to the registrar and transfer agent of the Town for delivery through the facilities of DTC to the purchaser or purchasers to whom they may be sold by the LGC.

**Section 16.** The form and content of the Preliminary Official Statement to be dated on or about August 19, 2016, together with the final Official Statement to be dated on or about August 30, 2016, are in all respects authorized, approved and confirmed, and the Mayor, the Town Manager, the Finance Officer and the Town Clerk are authorized, empowered and directed to execute and deliver the Official Statement in substantially the form and content presented to the Board, but with such changes, modifications, additions or deletions therein as the Mayor, Town Manager or the Finance Officer may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the Board's approval of any and all changes, modifications, additions or deletions therein from the form and content of the Official Statement presented to the Board.

The form and content of the Notice of Sale and Bid Form with respect to the sale of each series of the Bonds are in all respects authorized, approved and confirmed.

**Section 17.** The Mayor, the Town Manager, the Finance Officer and the Town Clerk are authorized and directed to execute and deliver for and on behalf of the Town any and all additional certificates, documents, opinions or other papers and perform all other acts as may be required by the documents contemplated in this Resolution or as may be deemed necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

**Section 18.** The Town agrees, in accordance with Rule 15c2-12 (the "*Rule*") promulgated by the Securities and Exchange Commission (the "*SEC*") and for the benefit of the Registered Owners and beneficial owners of the Bonds, as follows:

(1) by not later than seven months after the end of each Fiscal Year to the MSRB in an electronic format as prescribed by the MSRB, the audited financial statements of the Town for the preceding Fiscal Year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or if such audited financial statements are not then available, unaudited financial statements of the Town for such Fiscal Year to be replaced subsequently by audited financial statements of the Town to be delivered within 15 days after such audited financial statements become available for distribution;

(2) by not later than seven months after the end of each Fiscal Year to the MSRB, the financial and statistical data as of a date not earlier than the end of the preceding Fiscal Year for the type of information included under the captions "**THE TOWN--DEBT INFORMATION**" and "**--TAX INFORMATION**" (excluding information on



overlapping units) in the Official Statement referred to in Section 16 above;

(3) in a timely manner not in excess of 10 business days after the occurrence of the event, to the MSRB, notice of any of the following events with respect to the Bonds:

- (a) principal and interest payment delinquencies;
- (b) non-payment related defaults, if material;
- (c) unscheduled draws on the debt service reserves reflecting financial difficulties;
- (d) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (e) substitution of any credit or liquidity providers, or their failure to perform;
- (f) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (g) modification of the rights of the beneficial owners of the Bonds, if material;
- (h) call of any of the Bonds, if material, and tender offers;
- (i) defeasance of any of the Bonds;
- (j) release, substitution or sale of any property securing repayment of the Bonds, if material;
- (k) rating changes;
- (l) bankruptcy, insolvency, receivership or similar event of the Town;
- (m) the consummation of a merger, consolidation, or acquisition involving the Town or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to such actions, other than pursuant to its terms, if material; and
- (n) appointment of a successor or additional trustee or the change of name of a trustee, if material; and

(4) in a timely manner to the MSRB, notice of the failure by the Town to provide the required annual financial information described in (1) and (2) above on or

before the date specified.

The Town agrees that its undertaking under this Section is intended to be for the benefit of the registered owners and the beneficial owners of the Bonds and is enforceable by any of the registered owners and the beneficial owners of the Bonds, including an action for specific performance of the Town's obligations under this Section, but a failure to comply will not be an event of default and will not result in acceleration of the payment of the Bonds. An action must be instituted, had and maintained in the manner provided in this Section for the benefit of all of the registered owners and beneficial owners of the Bonds.

All documents provided to the MSRB as described in this Section shall be provided in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB. The Town may discharge its undertaking described above by providing such information in a manner the SEC subsequently authorizes in lieu of the manner described above.

The Town may modify from time to time, consistent with the Rule, the information provided or the format of the presentation of such information, to the extent necessary or appropriate in the judgment of the Town, but:

- (1) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law or change in the identity, nature or status of the Town;
- (2) the information to be provided, as modified, would have complied with the requirements of the Rule as of the date of the Official Statement, after taking into account any amendments or interpretations of the Rule as well as any changes in circumstances;
- (3) any such modification does not materially impair the interest of the registered owners or the beneficial owners of the Bonds, as determined by nationally recognized bond counsel or by the approving vote of the registered owners of a majority in principal amount of the Bonds.

Any annual financial information containing modified operating data or financial information will explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section terminate on payment, or provision having been made for payment in a manner consistent with the Rule, in full of the principal of and interest on the Bonds.

**Section 19.** Those portions of this Resolution other than Section 18 may be amended or supplemented, from time to time, without the consent of the owners of the Bonds if in the opinion of nationally recognized bond counsel, such amendment or supplement would not adversely affect the interests of the owners of the Bonds and would not cause the interest on the Bonds to be included in the gross income of a recipient thereof for federal income tax purposes. This Resolution may be amended or supplemented with the consent of the owners of a majority in aggregate principal amount of the outstanding Bonds, exclusive of Bonds, if any, owned by the Town, but a modification or amendment (a) may not, without the express consent of any owner of Bonds, reduce the principal amount of any Bond, reduce the interest rate payable on it, extend its maturity or the times for paying interest, change the monetary medium in which principal and interest is payable, or reduce the percentage of consent required



for amendment or modification and (b) as to an amendment to Section 18, must be limited as described therein.

Any act done pursuant to a modification or amendment consented to by the owners of the Bonds is binding on all owners of the Bonds and will not be deemed an infringement of any of the provisions of this Resolution, whatever the character of the act may be, and may be done and performed as fully and freely as if expressly permitted by the terms of this Resolution, and after consent has been given, no owner of a Bond has any right or interest to object to the action, to question its propriety or to enjoin or restrain the Town from taking any action pursuant to a modification or amendment.

If the Town proposes an amendment or supplemental resolution to this Resolution requiring the consent of the owners of the Bonds, the Registrar shall, on being satisfactorily indemnified with respect to expenses, cause notice of the proposed amendment to be sent to each owner of the Bonds then outstanding by first-class mail, postage prepaid, to the address of such owner as it appears on the registration books; but the failure to receive such notice by mailing by any owner, or any defect in the mailing thereof, will not affect the validity of any proceedings pursuant hereto. Such notice shall briefly set forth the nature of the proposed amendment and shall state that copies thereof are on file at the principal office of the Registrar for inspection by all owners of the Bonds. If, within 60 days or such longer period as shall be prescribed by the Town following the giving of such notice, the owners of a majority in aggregate principal amount of Bonds then outstanding have consented to the proposed amendment, the amendment will be effective as of the date stated in the notice.

**Section 20.** Nothing in this Resolution precludes (a) the payment of the Bonds from the proceeds of refunding bonds or (b) the payment of the Bonds from any legally available funds.

If the Town causes to be paid, or has made provisions to pay, on maturity or on redemption before maturity, to the owners of the Bonds the principal of the Bonds (including interest to become due thereon), through setting aside trust funds or setting apart in a reserve fund or special trust account created pursuant to this Resolution or otherwise, or through the irrevocable segregation for that purpose in some sinking fund or other fund or trust account with an escrow agent or otherwise, money sufficient therefor, including, but not limited to, interest earned or to be earned on Federal Securities, the Town shall so notify Moody's and S&P, and then such Bonds shall be considered to have been discharged and satisfied, and the principal of the Bonds (including any interest thereon) shall no longer be deemed to be outstanding and unpaid; provided, however, that nothing in this Resolution requires the deposit of more than such Federal Securities as may be sufficient, taking into account both the principal amount of such Federal Securities and the interest to become due thereon, to implement any such defeasance.

If such a defeasance occurs and after the Town receives an opinion of a nationally recognized firm specializing in verification of defeasance escrow funds that the segregated money or Federal Securities together with interest earnings thereon are sufficient to effect a defeasance, the Town shall execute and deliver all such instruments as may be necessary to effect such a defeasance and desirable to evidence such release, discharge and satisfaction. The Town shall make provisions for the mailing of a notice to the owners of the Bonds that such money is so available for such payment.

**Section 21.** All acts and doings of the Mayor, the Town Manager, the Finance Officer and the Town Clerk that are in conformity with the purposes and intents of this Resolution and in the furtherance of the issuance of the Bonds are in all respects approved and confirmed.

**Section 22.** If any one or more of the agreements or provisions contained in this Resolution is held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or for any reason whatsoever is held invalid, then such

covenants, agreements or provisions are null and void and separable from the remaining agreements and provisions and will in no way affect the validity of any of the other agreements and provisions of this Resolution or of the Bonds authorized hereunder.

**Section 23.** All resolutions or parts thereof of the Board in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby superseded and repealed.

**Section 24.** This Resolution is effective on its adoption.

Upon motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, the foregoing order titled **“A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF HUNTERVILLE, NORTH CAROLINA, AUTHORIZING THE ISSUANCE OF \$865,000 GENERAL OBLIGATION BONDS, SERIES 2016A; NOT TO EXCEED \$3,750,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016B AND \$7,810,000 GENERAL OBLIGATION BONDS, SERIES 2016C”** was adopted by the following vote:

AYES:

NAYS:

*PASSED, ADOPTED AND APPROVED* this 1<sup>st</sup> day of August, 2016.

\* \* \* \*



STATE OF NORTH CAROLINA                    )  
  )  
TOWN OF HUNTERSVILLE                    )           ss:

I, Janet Pierson, Town Clerk of the Town of Huntersville, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of the resolution titled “**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF HUNTERSVILLE, NORTH CAROLINA, AUTHORIZING THE ISSUANCE OF \$865,000 GENERAL OBLIGATION BONDS, SERIES 2016A; NOT TO EXCEED \$3,750,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016B AND \$7,810,000 GENERAL OBLIGATION BONDS, SERIES 2016C” adopted by the Board of Commissioners of the Town of Huntersville, North Carolina in regular session convened on the 1<sup>st</sup> day of August, 2016, as recorded in the minutes of the Board of Commissioners of the Town of Huntersville, North Carolina.**

***WITNESS*** my hand and the seal of the Town of Huntersville, North Carolina, this the \_\_\_ day of August, 2016.

(SEAL)

\_\_\_\_\_  
Janet Pierson, Town Clerk  
Town of Huntersville, North Carolina

**EXHIBIT A**

**FORM OF 2016A BOND**

No. RA-

\$

**UNITED STATES OF AMERICA  
STATE OF NORTH CAROLINA  
TOWN OF HUNTERSVILLE**

**INTEREST**

**RATE**

**MATURITY DATE**

**JUNE 1, \_\_\_\_\_**

**DATED DATE**

**SEPTEMBER 21, 2016**

**CUSIP**

**REGISTERED OWNER: CEDE & CO.**

**PRINCIPAL SUM:**

**DOLLARS**

**GENERAL OBLIGATION BOND, SERIES 2016A**

*THE TOWN OF HUNTERSVILLE, NORTH CAROLINA* (the “Town”) acknowledges itself indebted and for value received hereby promises to pay to the Registered Owner named above, on the Maturity Date specified above, upon surrender hereof, the Principal Sum shown above and to pay to the Registered Owner hereof interest thereon from the date of this Bond until it shall mature at the Interest Rate per annum specified above, payable on June 1, 2017 and semiannually thereafter on June 1 and December 1 of each year. Principal of and interest on this Bond are payable in immediately available funds to The Depository Trust Company (“DTC”) or its nominee as registered owner of the Bonds and is payable to the owner of the Bonds shown on the records of DTC at the close of business on the 15<sup>th</sup> day of the month preceding an interest payment date or a bond payment date. The Town is not responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

This Bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act and the bond order (the “Bond Order”) authorizing the Town to issue general obligation bonds general obligation street bonds to finance certain street improvements adopted by the Board on June 20, 2016 and effective on its adoption.

The Bonds are being issued to finance all or a portion of the capital costs of (1) the upgrading of Main Street and provision of connections to NC 115 at Mount Holly-Huntersville Road and Fourth Street in the Town and (2) related improvements authorized under the Bond Order.

The Bonds maturing on or before June 1, 2026 are not subject to redemption before maturity. The Bonds maturing on and after June 1, 2027 are subject to redemption prior to maturity, at the option of the Town, from any money that may be made available for such purpose, either in whole or in part on or after June 1, 2026, at the redemption price of 100% of the principal amount of Bonds to be redeemed, plus accrued interest thereon to the redemption date.

If less than all of the Bonds are called for redemption, the Town shall select the maturity or maturities of the Bonds to be redeemed in such manner as the Town in its discretion may determine, and



DTC and its participants shall determine which of the Bonds within a maturity are to be redeemed by lot; provided, however, that the portion of any Bond to be redeemed shall be in principal amount of \$5,000 or integral multiples thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. Whenever the Town elects to redeem Bonds, notice of such redemption of Bonds, stating the redemption date, redemption price and identifying the Bonds or portions thereof to be redeemed by reference to their numbers and further stating that on such redemption date there shall become due and payable on each Bond or portion thereof so to be redeemed, the principal thereof, and interest accrued to the redemption date and that from and after such date interest thereon shall cease to accrue, shall be given not less than 30 days nor more than 60 days before the redemption date in writing to DTC or its nominee as the registered owner of the Bonds, by prepaid certified or registered United States mail, at the address provided to the Town by DTC (or otherwise in accordance with DTC's then-existing rules and procedures), but any failure or defect in respect of such mailing will not affect the validity of the redemption. If DTC is not the registered owner of the Bonds, the Town will give notice at the time set forth above by prepaid first class United States mail, to the then-registered owners of the Bonds or portions thereof to be redeemed at the last address shown on the registration books kept by the Town.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this Bond, exist, have been performed and have happened, and that the amount of this Bond, together with all other indebtedness of the Town, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on this Bond in accordance with its terms.

This Bond shall not be valid or become obligatory for any purpose until the certification hereon shall have been signed by an authorized representative of the Local Government Commission.

*IN WITNESS WHEREOF*, the Town has caused this Bond to bear the original or facsimile of the signatures of the Mayor and the Town Clerk and an original or facsimile of the seal of the Town to be imprinted hereon and this Bond to be dated as of the Dated Date above.

(SEAL)

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Town Clerk

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Mayor

Date of Execution: September 21, 2016

The issue hereof has been approved under the  
provisions of The Local Government Bond Act.

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GREG C. GASKINS  
Secretary of the Local Government Commission

FORM OF ASSIGNMENT

ASSIGNMENT

*FOR VALUE RECEIVED* the undersigned hereby sells, assigns and transfers unto

---

(Please print or typewrite Name and Address,  
including Zip Code, and Federal Taxpayer Identification or  
Social Security Number of Assignee)

---

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

---

Attorney to register the transfer of the within Bond on the books kept for registration thereof,  
with full power of substitution in the premises.

Dated: \_\_\_\_\_  
Signature guaranteed by:

---

NOTICE: Signature must be guaranteed by a  
Participant in the Securities Transfer Agent  
Medallion Program ("Stamp") or similar  
program.

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NOTICE: The signature to this assignment must  
correspond with the name as it appears on the face  
of the within Bond in every particular, without  
alteration, enlargement or any change whatever.

**TRANSFER FEE MAY BE REQUIRED**



**EXHIBIT B**

**FORM OF 2016B BOND**

No. RB-

\$

**UNITED STATES OF AMERICA  
STATE OF NORTH CAROLINA  
TOWN OF HUNTERSVILLE**

**INTEREST**

**RATE**

**MATURITY DATE**

**JUNE 1, \_\_\_\_\_**

**DATED DATE**

**SEPTEMBER 22, 2016**

**CUSIP**

**REGISTERED OWNER: CEDE & CO.**

**PRINCIPAL SUM:**

**DOLLARS**

**GENERAL OBLIGATION REFUNDING BOND, SERIES 2016B**

*THE TOWN OF HUNTERSVILLE, NORTH CAROLINA* (the “Town”) acknowledges itself indebted and for value received hereby promises to pay to the Registered Owner named above, on the Maturity Date specified above, upon surrender hereof, the Principal Sum shown above and to pay to the Registered Owner hereof interest thereon from the date of this Bond until it shall mature at the Interest Rate per annum specified above, payable on June 1, 2017 and semiannually thereafter on June 1 and December 1 of each year. Principal of and interest on this Bond are payable in immediately available funds to The Depository Trust Company (“DTC”) or its nominee as registered owner of the Bonds and is payable to the owner of the Bonds shown on the records of DTC at the close of business on the 15<sup>th</sup> day of the month preceding an interest payment date or a bond payment date. The Town is not responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

This Bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act and the bond order (the “Bond Order”) authorizing the Town to issue general obligation bonds to refund the Town’s General Obligation Bonds, Series 2008 maturing on and after June 1, 2019. The Bond Order was adopted by the Board on June 20, 2016 and was effective 30 days after its publication during which period no petition to a vote of the people is filed with the Town Clerk under Section 159-60 of the General Statutes of North Carolina.

The Bonds maturing on or before June 1, 2026 are not subject to redemption before maturity. The Bonds maturing on and after June 1, 2027 are subject to redemption prior to maturity, at the option of the Town, from any money that may be made available for such purpose, either in whole or in part on or after June 1, 2026, at the redemption price of 100% of the principal amount of Bonds to be redeemed, plus accrued interest thereon to the redemption date.

If less than all of the Bonds are called for redemption, the Town shall select the maturity or maturities of the Bonds to be redeemed in such manner as the Town in its discretion may determine, and DTC and its participants shall determine which of the Bonds within a maturity are to be redeemed by lot; provided, however, that the portion of any Bond to be redeemed shall be in principal amount of \$5,000 or

integral multiples thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. Whenever the Town elects to redeem Bonds, notice of such redemption of Bonds, stating the redemption date, redemption price and identifying the Bonds or portions thereof to be redeemed by reference to their numbers and further stating that on such redemption date there shall become due and payable on each Bond or portion thereof so to be redeemed, the principal thereof, and interest accrued to the redemption date and that from and after such date interest thereon shall cease to accrue, shall be given not less than 30 days nor more than 60 days before the redemption date in writing to DTC or its nominee as the registered owner of the Bonds, by prepaid certified or registered United States mail, at the address provided to the Town by DTC (or otherwise in accordance with DTC's then-existing rules and procedures), but any failure or defect in respect of such mailing will not affect the validity of the redemption. If DTC is not the registered owner of the Bonds, the Town will give notice at the time set forth above by prepaid first class United States mail, to the then-registered owners of the Bonds or portions thereof to be redeemed at the last address shown on the registration books kept by the Town.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this Bond, exist, have been performed and have happened, and that the amount of this Bond, together with all other indebtedness of the Town, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on this Bond in accordance with its terms.

This Bond shall not be valid or become obligatory for any purpose until the certification hereon shall have been signed by an authorized representative of the Local Government Commission.

*IN WITNESS WHEREOF*, the Town has caused this Bond to bear the original or facsimile of the signatures of the Mayor and the Town Clerk and an original or facsimile of the seal of the Town to be imprinted hereon and this Bond to be dated as of the Dated Date above.

(SEAL)

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Town Clerk

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Mayor

Date of Execution: September 22, 2016



The issue hereof has been approved under the provisions of The Local Government Bond Act.

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GREG C. GASKINS

FORM OF ASSIGNMENT

ASSIGNMENT

*FOR VALUE RECEIVED* the undersigned hereby sells, assigns and transfers unto

---

(Please print or typewrite Name and Address,  
including Zip Code, and Federal Taxpayer Identification or  
Social Security Number of Assignee)

---

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

---

Attorney to register the transfer of the within Bond on the books kept for registration thereof,  
with full power of substitution in the premises.

Dated: \_\_\_\_\_  
Signature guaranteed by:

---

NOTICE: Signature must be guaranteed by a  
Participant in the Securities Transfer Agent  
Medallion Program ("Stamp") or similar  
program.

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NOTICE: The signature to this assignment must  
correspond with the name as it appears on the face  
of the within Bond in every particular, without  
alteration, enlargement or any change whatever.

**TRANSFER FEE MAY BE REQUIRED**



**EXHIBIT C**

**FORM OF 2016C BOND**

No. RC-

\$

**UNITED STATES OF AMERICA  
STATE OF NORTH CAROLINA  
TOWN OF HUNTERSVILLE**

**INTEREST**

**RATE**

**MATURITY DATE**

**JUNE 1, \_\_\_\_\_**

**DATED DATE**

**SEPTEMBER 22, 2016**

**CUSIP**

**REGISTERED OWNER: CEDE & CO.**

**PRINCIPAL SUM:**

**DOLLARS**

**GENERAL OBLIGATION BOND, SERIES 2016C**

*THE TOWN OF HUNTERSVILLE, NORTH CAROLINA* (the “Town”) acknowledges itself indebted and for value received hereby promises to pay to the Registered Owner named above, on the Maturity Date specified above, upon surrender hereof, the Principal Sum shown above and to pay to the Registered Owner hereof interest thereon from the date of this Bond until it shall mature at the Interest Rate per annum specified above, payable on June 1, 2017 and semiannually thereafter on June 1 and December 1 of each year. Principal of and interest on this Bond are payable in immediately available funds to The Depository Trust Company (“DTC”) or its nominee as registered owner of the Bonds and is payable to the owner of the Bonds shown on the records of DTC at the close of business on the 15<sup>th</sup> day of the month preceding an interest payment date or a bond payment date. The Town is not responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

This Bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act and the following bond orders (collectively, the “*Bond Orders*”):

- (a) the bond order authorizing the Town to issue general obligation bonds to finance certain parks and recreation projects adopted by the Board on July 16, 2012 and effective on its approval by the voters of the Town at a referendum on November 6, 2012;
- (b) the bond order authorizing the Town to issue general obligation bonds to finance certain street improvements adopted by the Board on July 16, 2012 and effective on its approval by the voters of the Town at a referendum on November 6, 2012; and
- (c) the bond order authorizing the Town to issue general obligation bonds to finance certain public improvement projects adopted by the Board on July 16, 2012 and effective on its approval by the voters of the Town at a referendum on November 6, 2012.

The Bonds are being issued to finance all or a portion of the capital costs of (1) the construction, acquisition, equipping and furnishing of West Huntersville Fire Station Number 4, (2) various improvements to the intersection of U.S. Highway 21 and Gilead Road, (3) the upgrading of Main Street and provision of connections to NC 115 at Mount Holly-Huntersville Road and Fourth Street in the Town, (4) non-motorized transportation improvements, (5) the construction, acquisition, equipping and furnishing of a new multi-court recreation center located at the existing Huntersville Athletic Park and (6) related improvements authorized under each applicable Bond Order.

The Bonds maturing on or before June 1, 2026 are not subject to redemption before maturity. The Bonds maturing on and after June 1, 2027 are subject to redemption prior to maturity, at the option of the Town, from any money that may be made available for such purpose, either in whole or in part on or after June 1, 2026, at the redemption price of 100% of the principal amount of Bonds to be redeemed, plus accrued interest thereon to the redemption date.

If less than all of the Bonds are called for redemption, the Town shall select the maturity or maturities of the Bonds to be redeemed in such manner as the Town in its discretion may determine, and DTC and its participants shall determine which of the Bonds within a maturity are to be redeemed by lot; provided, however, that the portion of any Bond to be redeemed shall be in principal amount of \$5,000 or integral multiples thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. Whenever the Town elects to redeem Bonds, notice of such redemption of Bonds, stating the redemption date, redemption price and identifying the Bonds or portions thereof to be redeemed by reference to their numbers and further stating that on such redemption date there shall become due and payable on each Bond or portion thereof so to be redeemed, the principal thereof, and interest accrued to the redemption date and that from and after such date interest thereon shall cease to accrue, shall be given not less than 30 days nor more than 60 days before the redemption date in writing to DTC or its nominee as the registered owner of the Bonds, by prepaid certified or registered United States mail, at the address provided to the Town by DTC (or otherwise in accordance with DTC's then-existing rules and procedures), but any failure or defect in respect of such mailing will not affect the validity of the redemption. If DTC is not the registered owner of the Bonds, the Town will give notice at the time set forth above by prepaid first class United States mail, to the then-registered owners of the Bonds or portions thereof to be redeemed at the last address shown on the registration books kept by the Town.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this Bond, exist, have been performed and have happened, and that the amount of this Bond, together with all other indebtedness of the Town, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on this Bond in accordance with its terms.

This Bond shall not be valid or become obligatory for any purpose until the certification hereon shall have been signed by an authorized representative of the Local Government Commission.



*IN WITNESS WHEREOF*, the Town has caused this Bond to bear the original or facsimile of the signatures of the Mayor and the Town Clerk and an original or facsimile of the seal of the Town to be imprinted hereon and this Bond to be dated as of the Dated Date above.

(SEAL)

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Town Clerk

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Mayor

Date of Execution: September 22, 2016

The issue hereof has been approved under the provisions of The Local Government Bond Act.

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GREG C. GASKINS  
Secretary of the Local Government Commission



FORM OF ASSIGNMENT

ASSIGNMENT

*FOR VALUE RECEIVED* the undersigned hereby sells, assigns and transfers unto

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(Please print or typewrite Name and Address,  
including Zip Code, and Federal Taxpayer Identification or  
Social Security Number of Assignee)

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the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

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Attorney to register the transfer of the within Bond on the books kept for registration thereof,  
with full power of substitution in the premises.

Dated: \_\_\_\_\_  
Signature guaranteed by:

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NOTICE: Signature must be guaranteed by a  
Participant in the Securities Transfer Agent  
Medallion Program ("Stamp") or similar  
program.

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NOTICE: The signature to this assignment must  
correspond with the name as it appears on the face  
of the within Bond in every particular, without  
alteration, enlargement or any change whatever.

**TRANSFER FEE MAY BE REQUIRED**

**Town of Huntersville**  
**REQUEST FOR BOARD ACTION**  
**8/1/2016**

**REVIEWED:**

**To:** The Honorable Mayor and Board of Commissioners  
**From:** David Peete, Principal Planner  
**Subject:** Ervin Cook Road CD Rezoning

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**Request to call a public hearing for Tuesday, September 6, 2016 at 6:30 PM, Huntersville Town Hall** on Petition # R16-05, a request by Crescent Communities to rezone approximately 224-acres from Transitional Residential (TR) to Neighborhood Residential-Conditional District (NR-CD). NR-CD zoning is requested to create a 382-lot single-family subdivision located northeast of Ervin Cook Road and Gilead Road (west of Wynfield). Property is currently, farmland, vacant and several single-family homes.

**ACTION RECOMMENDED:**

Call Public Hearing for September 6, 2016

**FINANCIAL IMPLICATIONS:**

TBD



**Town of Huntersville**  
**REQUEST FOR BOARD ACTION**  
**8/1/2016**

**REVIEWED:**

**To:** The Honorable Mayor and Board of Commissioners  
**From:** David Peete, Principal Planner  
**Subject:** TA 16-04 Outdoor Amusement Facilities lighting standards in SP zoning district

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TA 16-04 is a proposed text amendment submitted by Godley Group of Charlotte LLC (Frankie's Fun Park - Bryton) to amend Article 8.26 SITE LIGHTING as it relates to "outdoor amusement facilities" in the Special Purpose (SP) Zoning District.

**ACTION RECOMMENDED:**

Call Public Hearing for Tuesday, September 6, 2016 at 6:30.

**FINANCIAL IMPLICATIONS:**