Mayor
John Aneralla

Mayor Pro-Tem
Danny Phillips

Commissioners
Melinda Bales
Dan Boone
Mark Gibbons
Charles Guignard
Rob Kidwell

Town Manager
Gregory H. Ferguson

Town of Huntersville
NORTH CAROLINA

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

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

I. Pre-meeting

A. Traffic Impact Analysis 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, North Meck Alliance)

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

A. Presentation of World Pancreatic Cancer Day Proclamation.

B. Lake Norman Teen Council.

VII. Agenda Changes

A. Agenda changes, if any.

B. Adoption of Agenda.

VIII. Public Hearings

A. Conduct public hearing on Petition #R16-08, a request by Sports Village Land Group, LLC to rezone approximately 24.82 acres (parcel #01740104) from Corporate Business to Special Purpose Conditional District to allow the construction of an estimated 225,000 sq. ft. mixed-use development including indoor recreation, retail, and office uses. *(Brad Priest)*

B. Conduct public hearing on Petition #R16-09, a request by Daniel Phillips, Madeline Phillips, and Helga Haddix to rezone 9.25 acres (portion of parcel #00902202, known as 14936 Brown Mill Road) from Rural to Special Purpose Conditional District to allow the construction of a 123,225 sq. ft. mini warehouse facility. *(Brad Priest)*

C. Conduct public hearing on Petition #TA16-05, a request by Mike Clapp to amend Article 3.2.10 of the Huntersville Zoning Ordinance to add Indoor Recreation uses as a use permitted by right in the Special Purpose zoning district. *(Brad Priest)*

D. Conduct public hearing on Petition #TA16-06, a request by Susan Lurz to amend Article 12.2.1 of the Huntersville Zoning Ordinance to modify the Farm, Bona Fide definition. *(Meredith Nesbitt)*

E. Conduct public hearing on Petition #TA16-08, a request by the Town of Huntersville to amend Article 8.26.4 of the Huntersville Zoning Ordinance to exempt the lighting of official public civic monuments from lighting standards. *(Meredith Nesbitt)*

IX. Other Business

A. Consider decision 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)*

B. Conduct evidentiary hearing and consider decision on Special Use Permit #SUP16-01, a request by Greenway Waste Solutions, LLC and William Hammill for a Special Use Permit allowing the 135 acre landfill located at 15300 Holbrooks Road to expand its boundaries, add another fill area in the existing site (parcels 01910102, 01910109, and portions of 01918135, 01918162, and 01934118), and construct a recycling facility onsite. *(Brad Priest)*

C. Conduct evidentiary hearing and consider decision on Petition #SUP16-02, a request by James Ward of GreenPower of NC and Jonathan Brown, property owner, for a Special Use Permit allowing a minor residential solar energy facility (solar panels) on the front roof slope above the façade of the house facing a public street. *(Meredith Nesbitt)*

D. Consider approving proposal with AMT for engineering and surveying for roadway improvements associated with the Lake Norman Charter Elementary School. *(Stephen Trott)*

E. Consider adopting resolution committing $300,000 to be used by Mecklenburg County for the Torrence Creek Tributary #2 project. *(Michael Jaycocks/Bill Coxe)*

X. Consent Agenda

A. Approve the minutes of the October 17, 2016 Regular Town Board Meeting. *(Janet Pierson)*

B. Approve Capital Project Ordinance for Lake Norman Charter School intersection improvements. *(Jackie Huffman/Max Buchanan)*

C. Approve budget amendment recognizing insurance revenue in the amount of $500 and appropriate to the Public Works Department's insurance account. *(Jackie Huffman/Max Buchanan)*

D. Approve budget amendment recognizing insurance revenue in the amount of $500 and appropriate to the Police Department's insurance account. *(Jackie Huffman/Chief Spruill)*

E. Call a public hearing for Monday, December 5, 2016 at 6:30 p.m. at Huntersville Town Hall on Petition #R16-10, a request by MI Homes of Charlotte, LLC to rezone approximately 50.337 acres located south of Ramah Church Road and west of Ewart Road from Transitional Residential to Neighborhood Residential-Conditional District. *(David Peete)*

F. Call a public hearing for Monday, December 5, 2016 at 6:30 p.m. at Huntersville Town Hall on Petition #TA16-07, a request by LStar Management, LLC to reduce the minimum lot size, side yard setback and lot width in the Transitional Residential zoning district. *(Jack Simoneau)*

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
11/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Brad Priest, Senior Planner
Subject: R16-08: Huntersville Sports Village

R16-08 is a request by Sports Village Land Group, LLC to rezone approximately 24.82 acres (parcel #01740104) from Corporate Business (CB) to Special Purpose Conditional District (SP-CD). The purpose of the rezoning is to allow the construction of an estimated 225,000 sqft mixed use development including indoor recreation, retail, and office uses.

ACTION RECOMMENDED:
Consider holding a public hearing on November 7, 2016.

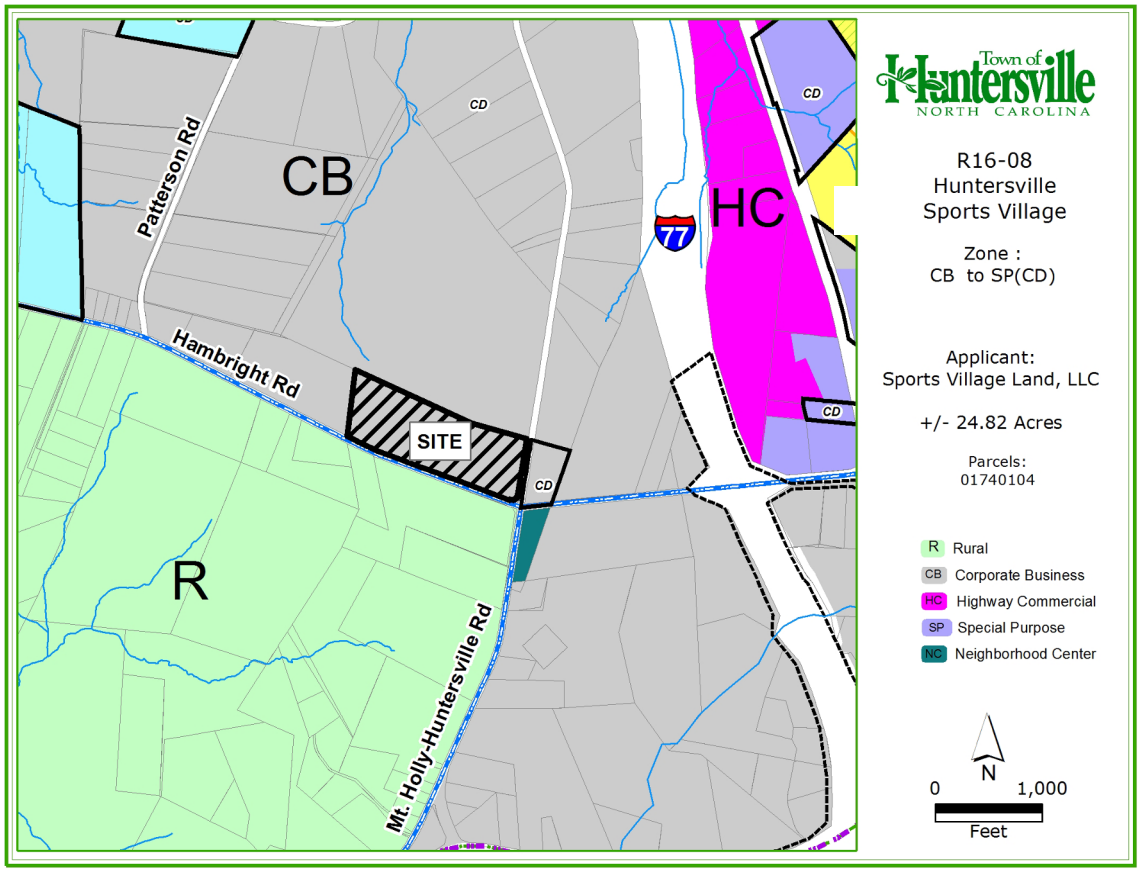
FINANCIAL IMPLICATIONS:

ATTACHMENTS:

Description	Type
Staff Report	Staff Report
Rezoning Plan	Exhibit
Neighborhood Meeting Report	Backup Material
APFO Letter to Applicant	Backup Material
Letters of Support - LNEDC / Burkert	Backup Material
Portion of Economic Development Plan 2014	Backup Material
Application	Backup Material

Petition R16-08: Huntersville Sports Village

PART 1: PROJECT SUMMARY



Applicant: Mike Clapp

Property Owner: Sports Village Land Group, LLC

Property Address: 10695 Hambright Road

Project Size: 24.82 acres

Parcel Numbers: 01740104

Existing Zoning:

Corporate Business (CB)

Application Summary:

1. Mike Clapp with Sports Village Land Group LLC has applied to rezone the subject property to Special Purpose (SP) to allow for the development of a mixed use commercial development which would include indoor recreation, retail, and office uses.

2. Adjoining Zoning and Land Uses

   North: *Corporate Business (CB),* Office/Industrial/Undeveloped Land: Huntersville Business Park
   South: *Rural Residential (R*), Single Family Residential/Horse Farm and Stables.
   East: *Corporate Business (CB)*, Office/Contractor Office and *Neighborhood Center (NC),* Neighborhood Gas Station.
   West: *Corporate Business (CB),* Vacant Land and Single Family Residential

3. Neither indoor recreational uses nor retail are allowed under the current zoning of the tract (CB). The applicant is requesting the rezoning to Special Purpose (SP) as SP allows retail uses. In order to allow the indoor recreational use, the applicant is concurrently proposing a text amendment application (TA16-05) to add indoor recreation as a use permitted by right in the Special Purpose (SP) district. Since this rezoning application

includes the indoor recreation use, this rezoning cannot be approved until and unless that text amendment adding the use is approved.

4. There are multiple buildings being proposed on one tract of land. Therefore a multi-building site plan is also required to be approved per Section 6.800 of the Huntersville Subdivision Ordinance. However Section 6.840 allows staff to review the multi-building site plan administratively when the development is part of a conditional district rezoning plan. That is the case in this application therefore if the Town Board approves the proposed rezoning showing the layout of the proposed buildings, staff will review the multi-building preliminary site plan administratively at a later time.
5. The proposed plan would include 3 buildings; one 120,000 sqft building, one 60,000 sqft building, and one two story 45,000 sqft building located at the corner of Mt. Holly Huntersville and Hambright Road. At this time, no buildings are assigned a specific use. A note on page SP0.1 states that the applicants reserve the right to allow any use in the (SP) zoning district except the ones they specifically prohibit. See staff comment in Part 2 below for recommendation on uses proposed.
6. The subject parcels are a portion of 330 acres that were rezoned by the Town of Huntersville from Transitional Residential (TR) and Rural Residential (R) to Corporate Business (CB) on September 5, 2006 (R06-07). The rezoning was in response to the North Mecklenburg County Economic Development Strategy plan (2002) that identified this area as appropriate for light industrial and other economic development type uses (please see below on this page).
7. The subject parcels are included in the area the Town of Huntersville Strategic Economic Development Plan (2014) identifies as a “Major Employment Area” (see page 3). It also identifies this area as both a “Medium-Term” and “Long-Term” Opportunity area in regard to economic commercial development. Portions of the economic development plan are included separately in the agenda package for reference.
8. A neighborhood meeting for this application was advertised for and held on August 22, 2016. An invitation list, attendance list and summary report for the meeting are included in the agenda packet.
9. Per the Huntersville Greenway and Bikeway Master Plan there is a proposed greenway that runs adjacent to this property along its frontage on Mt. Holly Huntersville Road. Please the Greenway and Bikeway map below. To accommodate the greenway, the applicants have proposed a 10 foot sidewalk along their frontage on Mt. Holly Huntersville Road.
10. The Lake Norman Economic Development Corporation (LNEDC) has written a letter of support of this development. The letter, along with a letter of support from the neighboring Burkert Corporation is included in your agenda packet for reference.

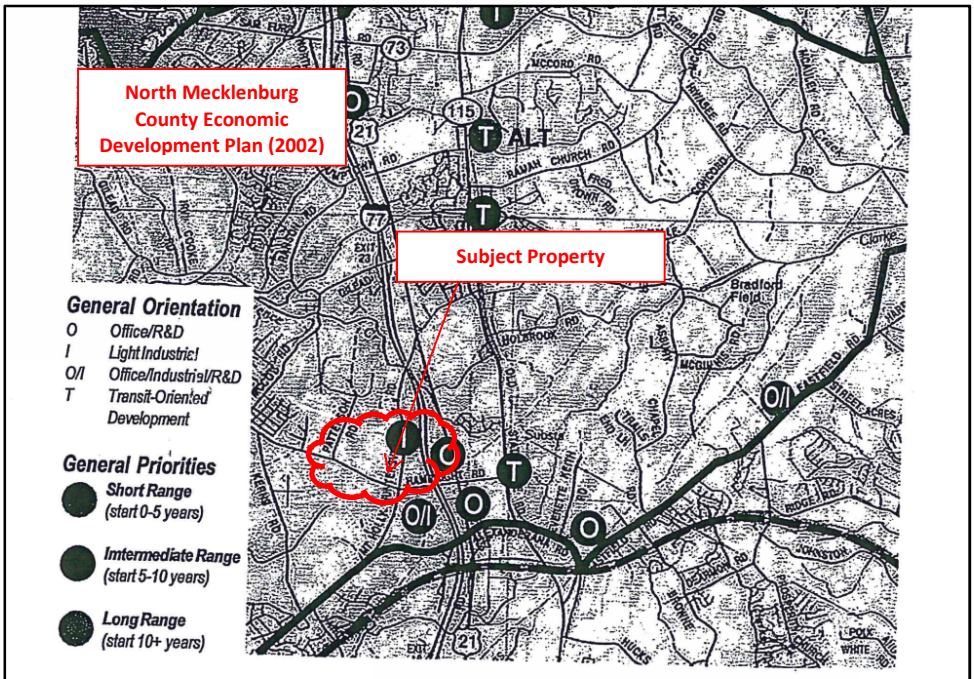
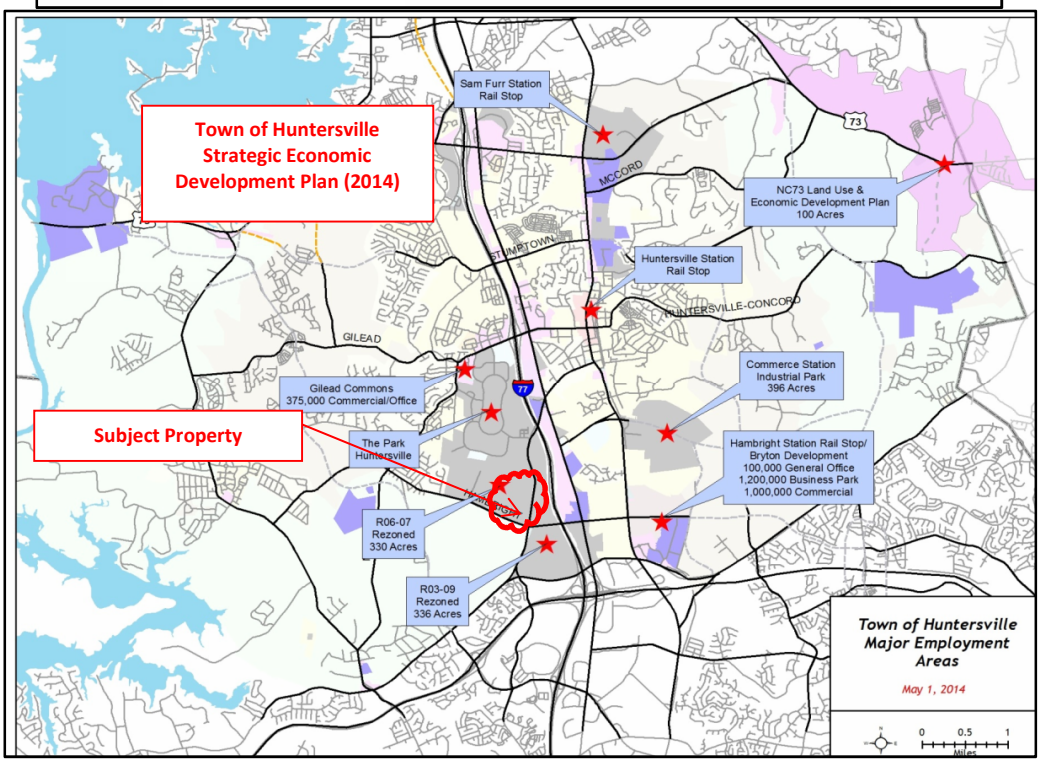
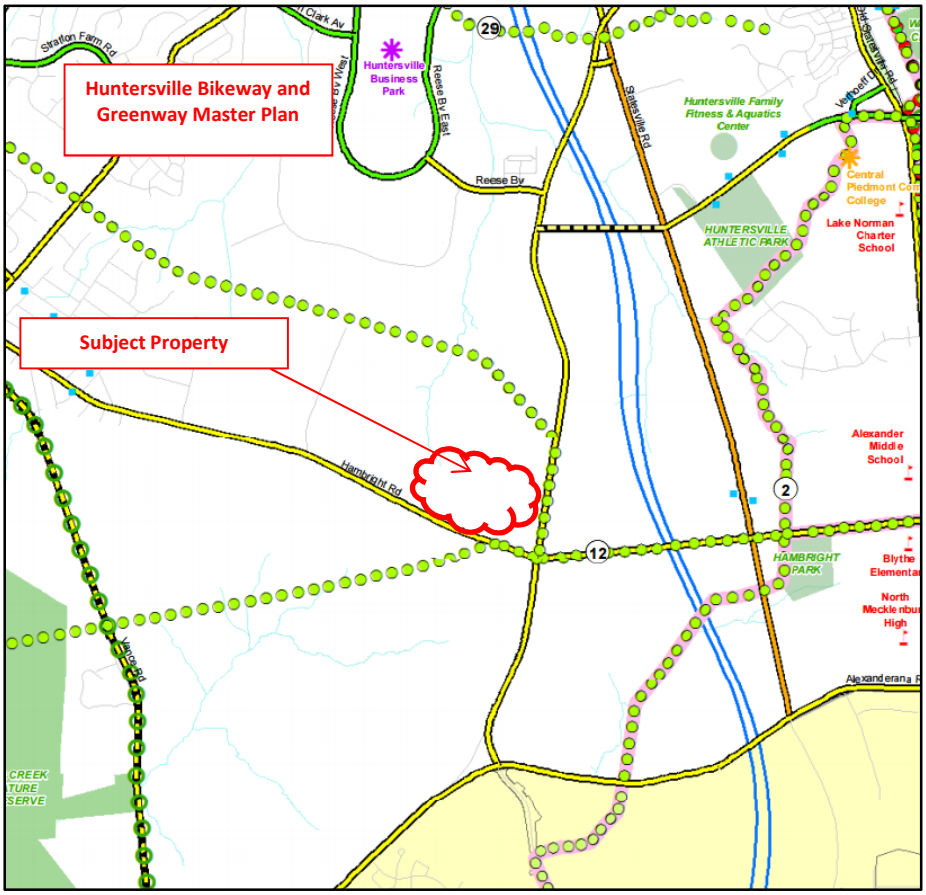
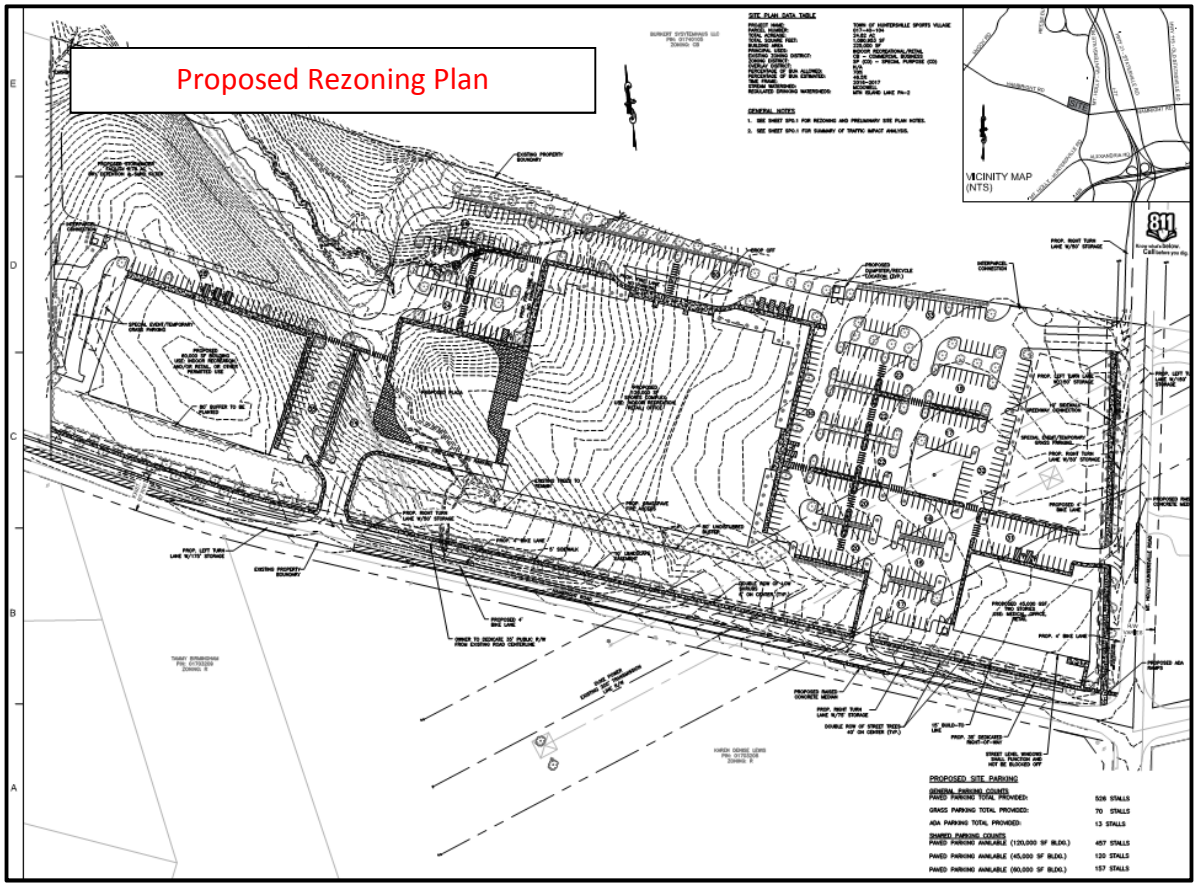


Figure 8. Recommended Business and Industrial Locations and Priorities




Huntersville Bikeway and Greenway Master Plan
Subject Property
Huntersville Business Park
Reese By
Statesville Rd
Huntersville Family Fitness & Aquatics Center
HUNTERSVILLE ATHLETIC PARK
Central Piedmont Com College
Lake Norman Charter School
Alexander Middle School
HAMBRIGHT PARK
Hambright Rd
Strafton Farm Rd
Clark Av
Reese By West
Reese By East
Vance Rd
29
2
12



PART 2: REZONING/SITE PLAN ISSUES

- Article 7.5 of the Zoning Ordinance requires that developments in the Special Purpose (SP) zoning district establish an 80 foot buffer adjacent to the street. However the buffer may be reduced "where building scale, frontage relationship, and location of accessory uses ensure design compatibility off site". Therefore if the building has a frontage relationship to the street, with windows, doors, and is appropriately located on the front build to line (usually about 15 feet from the Right of Way (ROW)), the 80 foot buffer can be significantly reduced or eliminated, as a building "addressing" the street does not need to be buffered from it.

  In this case though, the 120,000 sqft building is proposed to be 100 feet back from the proposed street right of way (ROW), has a very large scale and footprint, and has no streetscape characteristics like windows, doors, or architectural articulation on the façade facing Hambright Road. Please see the southern elevation attached in your agenda packets. Therefore with no relationship to the street, the 80 foot buffer is required along Hambright Road. Along a significant part of the Hambright frontage, the 80 foot buffer is accommodated for using existing vegetation. However due to an existing Duke Power ROW near the eastern most driveway on Hambright, there are no existing trees. And due to Duke Power regulations, none can be planted in the ROW to complete the 80 foot buffer and appropriately screen the building.

Staff therefore recommends two options: One, screen the building as much as possible. Add evergreen trees as close to the Duke ROW as possible. In addition add small evergreen vegetation/shrubs inside the Duke ROW that will be small enough to be permitted by Duke, but tall enough to provide some visual screen and a softening of the large scale building. Or two, establish a relationship between the exposed front corner of the building and the street to the extent practical. Add architectural interest (windows, parapets, etc.) and an entrance to the front corner of the building and connect it to Hambright Road with a sidewalk, plaza, open space or other pedestrian space.

  - Due to the Duke Power ROW, the applicant needs to request that the buffer requirements be "modified" as part of the conditional rezoning process per Article 11.4.7 K and show that the spirit of the regulation is maintained. Staff would support the modification of the buffer with the inclusion of the above mentioned elements in the plan.

- The building renderings provided show large scale signage that does not conform to Article 10 of the Huntersville Zoning Ordinance. Wall signs are permitted on the street side of buildings up to a maximum of 10% of the wall façade or 128 sqft. On facades not facing the public street, up to 25% of the allowable area of the street facing sign (32 sqft) may be transferred to a façade not facing a street. The signage shown on the buildings exceed these standards. To obtain the signage proposed a Special Sign District would need to be applied for and approved by the Town Board per Article 10.11.1 of the Huntersville Zoning Ordinance.
- A note on page SP0.1 of the plan states that the applicant reserves the right to allow generally all uses in the SP district except certain ones specifically prohibited in the note. Many of the prohibited uses are appropriately ones that could have substantial effects on adjacent properties, such as waste incineration, landfills, and junk yards. However uses such as residential recycling centers, mini-storage warehouses, and heavy manufacturing are not included in the uses prohibited. For clarity, staff recommends the uses proposed to be allowed be listed, and all others prohibited.
- The proposed road improvements along Hambright Road have the sidewalk 26 feet from the road's edge of pavement, removing the pedestrian environment from the street. Staff recommends the sidewalk and street trees be moved as closer to the street and inside the future right of way if possible.
- The building on the corner is placed too far back from the street. Article 4 of the zoning ordinance requires that standard buildings (workplace building types or highway commercial) be placed 15 feet from the future/dedicated right of way. The proposed building at the corner is about 53 feet from the future Hambright Road ROW and 29 feet from the future Mt. Holly Huntersville Road ROW.
- Article 4 of the Huntersville Zoning Ordinance requires that buildings have a pedestrian entrance on the street. No pedestrian entrance is shown on the building elevations. In addition, if multiple different businesses are proposed on the floor level of the building, multiple street connections and doors will be required. Therefore the architectural elevations and the site plan should be amended to reflect this requirement. Or, if future tenant space is not clearly understood, a note on the plan should state that all floor level units will have required pedestrian access accommodated for.
- Due to the increased setback of the corner building from the street, the proposed parking area and dumpster in the side parking area extends into the front of the building. Article 4 of the zoning ordinance prohibits parking and the dumpster from being located in between the building and the street. The dumpster is required in the rear of the building. If the entrance is on Hambright Road as shown on the site plan, the dumpster location is in the side of the building and should be moved to the rear.
- The plans submitted show two different elevation sets that do not match. Clarification is needed on what elevations are proposed.
- It is unclear on the plans where the water and sewer service is coming from. Staff recommends the utility connections proposed be shown on the plans.

- The plans submitted show that less than the required 30% specimen trees are going to be saved. Therefore mitigation is required to be approved by the Planning Board per Article 7.4 of the zoning ordinance. The plan itemizes correctly that 18 trees are required for mitigation, but does not show where the trees are going to be planted on the site.
- The TIA has been completed and the first draft has been submitted to the engineering department for review. A draft list of traffic improvements has been included on the plan, but these have yet to be reviewed and accepted by engineering. Also, when the list of improvements is accepted, they need to be listed on the plan and committed to by the applicant.
- A storm water concept plan has not yet been approved for this project. Once must be finalized and approved prior to permitting.
- Staff has reviewed the updated submitted plan and has several minor deficiencies still outstanding. It is recommended that final comments be addressed prior to final rezoning plan review by the Town Board.

PART 3: TRANSPORTATION ISSUES

A draft TIA for the development was submitted to the Town on October 7th and is currently under review. Listed in the TIA's summary of results are improvements to the following intersections:

- Hambright Road at Mt Holly Huntersville Road
- Hambright Road at Site Driveway #1 and #2
- Mt Holly Huntersville Road at Site Driveway #3 and #4
- Gilead Road at McCoy Road*
- McIlwaine Road at McCoy Road*
- Reese Boulevard at Mt Holly Huntersville Road*
- Gilead Road at Old Statesville Road (NC 115)*
- Mt Holly Huntersville Road at Old Statesville Road (NC 115)*

*The TIA states that the developer is proposing to pay the Town for a portion of the construction costs for improvements at 5 of the above intersections. The developer is basing this recommendation on the portion of traffic increase by the development in the future year (ranges between 4.2 and 12.2 percent).

As of the date of this staff report, comments have not been forwarded from NCDOT regarding this TIA.

PART 5: REZONING CRITERIA

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

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

- **Policy CD-2: Focus higher intensity development generally within 2 miles of the I-77 and NC 115 corridor**. The proposed development is appropriately located inside the 2 mile radius and is very close to Interstate 77.
- **Policy T-6: Pedestrian Connections**. The applicant is installing an extra wide sidewalk along Mt. Holly Huntersville and bike lanes along both its frontages to accommodate the greenway and bike lanes shown on the Huntersville Greenway and Bikeway Master Plan.

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

- **Policy ED-2**: **Preservation of Land Area for Non-Residential Development**. Both the Town of Huntersville Stategic Economic Development Plan (2014) and the 2030 Community Plan state that the Town should preserve areas that are "suitable for business and industrial development". As discussed above, the area in question was zoned to Corporate Business (CB) in order to accommodate for business and industrial uses. While the proposed application submitted does include some office uses, the notes on the plan allow an unlimited percentage of indoor recreation uses and gymnasium facilities. If the development is proposed to be a majority of indoor recreational uses, it becomes questionable whether or not it is providing the economic development impact and benefit intended by the adopted plans. Staff recommends the applicant clarify what buildings or what percentage of buildings are proposed to be indoor recreation/gymnasium uses; and what will be office, manufacturing, or other high employment generating uses.
    - The Lake Norman Economic Development Corporation (LNEDC) has reviewed the application and supports the application. Please find their letter of support attached in the agenda packet.
- **Policy CD-6: Architecture and Place Making**. As mentioned in Part 2 above, the building on the corner of Mt. Holly Huntersville Road and Hambright is set considerablly further back from the streets than required, reducing its relationship to the street. In addition, this building's required pedestrian access to the street is not currently understood. The largest building in the middle of the site is not fully buffered per ordinance requirements near the Duke Power ROW. The architecture proposed along the street side in this area seems to be a large flat wall with no articulation other than the non-conforming sign element. The signage of the buildings proposed is large and not in conformance with the Huntersville Zoning Ordinance.

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:

   Although there is no Special Purpose (SP) zoning anywhere in the immediate facility, the proposed SP zoning would not necessarily be out of character with the existing zoning of the area. Although most of the area as discussed is zoned Corporate Business (CB), Special Purpose is very similar to Corporate Business in that it specifically allows all the uses allowed in CB, including office, industrial, warehouse, etc. However, the difference is that Special Purpose allows uses that "may constitute health or safety hazards, or have greater than average impacts on the environment or diminish the use and enjoyment of nearby property by generation of noise, smoke, fumes, odors, glare, commercial vehicle traffic, or similar nuisances". Therefore in order to mitigate those potential impacts, be more consistent with the CB district as well as other recently developed industries in the area, appropriate notes should be added to the plan excluding certain uses that

could have greater than average impact on adjacent properties (especially considering Rural (R) residential zoning existing south of Hambright Road). An existing note on the plan does prohibit some uses, but not all. Staff recommends the uses proposed and allowed be specifically listed, while all others like residential recycling facilities and heavy manufacturing facilities be prohibited.

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

   STAFF COMMENT:
   - In regard to the adequacy of the roadway system, the Traffic Impact Analysis (TIA) has been submitted and and the rezoning plan notes several road improvements needed for mitigation on sheet SP0.1 As of the date of this report, engineering staff has not completed their review of the submitted TIA. The final and sealed TIA must be completed and accepted prior to Town Board final action.
   - On October 24, 2016 the Planning Department issued a "Determination of Adequacy (DOA)" for Fire Vehicles and Station Space, and Police Station Space. *However a "Determination of No Available Capacity (DONAC) was issued for Police Vehicles*. Therefore prior to the issuance of the Certificate of Occupancy for the first building, capacity for Police Vehicles would need to be accommodated for or mitigation will be required from the applicant.

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

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

PART 7: PUBLIC HEARING

The Public Hearing is scheduled for November 7, 2016

PART 6: STAFF RECOMMENDATION

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

1. The Traffic Impact Analysis has not been finalized and accepted, nor has the mitigation described on the rezoning plan been committed to.
2. The rezoning, site, and building issues remain outstanding as described in Part 2 above.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board meeting is scheduled for November 15, 2016.

PART 8: CONSISTENCY STATEMENT - R 16-08: Huntersville Sports Complex

Planning Department	Planning Board	Board of Commissioners
Approval: To be determined. Please see the Staff Recommendation for comment.	**APPROVAL**: In considering the proposed rezoning of Petition R16-08, Huntersville Sports Complex located on Hambright Road, the **Planning Board** 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 Huntersville Sports Complex as shown in Rezoning Petition R16-08. It is reasonable and in the public interest to rezone this property because…*(explain)*	**APPROVAL**: In considering the proposed rezoning of Petition R16-08, Huntersville Sports Complex located on Hambright Road, the **Town Board** 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 Huntersville Sports Complex as shown in Rezoning petition R16-08. It is reasonable and in the public interest to rezone this property because… *(Explain)*
DENIAL: To be determined: Please see the Staff recommendation for comment.	**DENIAL:** In considering the proposed rezoning of Petition R16-08, Huntersville Sports Complex, located on Hambright Road, the **Planning Board** 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 R16-08. It is not reasonable and not in the public interest to rezone this property because…… *(Explain)*	**DENIAL:** In considering the proposed rezoning of Petition R16-08, Huntersville Sports Complex, located on Hambright Road, the **Town Board** 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 R16-08. It is not reasonable and not in the public interest to rezone this property because…… *(Explain)*

DRAWING INDEX

GENERAL

SP0 COVER SHEET

SITE PLAN

SP0.1 GENERAL NOTES
RZ1 REZONING PLAN
SP1 PRELIMINARY SITE PLAN
SP2 EXISTING CONDITIONS
SP3 ADJACENT PROPERTY OWNERS
SP4 TREE PRESERVATION PLAN
SP5 PRELIMINARY GRADING AND STORMWATER
SP6 SLOPE ANALYSIS
SP7 TURNING MOVEMENTS

SITE INFORMATION

SITE LOCATION

PARCEL NUMBER:	017–40–104
ETJ AREA:	HUNTERSVILLE
TIME FRAME	2016–2017

ZONING INFORMATION

EXISTING ZONING DISTRICT:	CB – COMMERCIAL BUSINESS
PROPOSED ZONING DISTRICT:	SP (CD) – SPECIAL PURPOSE (CD)
OVERLAY DISTRICT:	N/A
PRINCIPAL USES:	INDOOR RECREATION/RETAIL/OFFICE

FLOODPLAIN INFORMATION

PERCENTAGE OF BUA ALLOWED:	70%
PERCENTAGE OF BUA ESTIMATED:	46.5%

WATERSHED INFORMATION

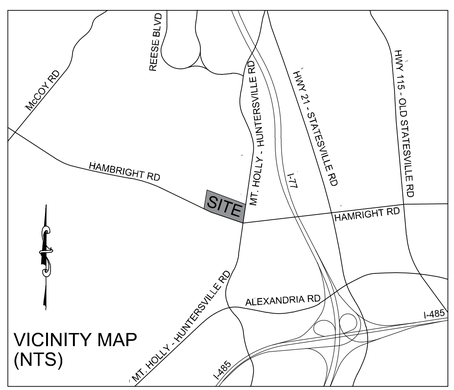
STREAM WATERSHED:	MCDOWELL
REGULATED DRINKING WATERSHEDS:	MTN ISLAND LAKE PA–2

CONTACTS

OWNER:
SPORTS VILLAGE INC.
CONTACT: MIKE CLAPP
18635 STARCREEK DRIVE, UNIT F
CORNELIUS, NC 28031
PH: (704) 201–8876
MSCLAPP6@YAHOO.COM

ENGINEER:
DEWBERRY ENGINEERS INC.
TIM DERYLAK, P.E.
6135 LAKEVIEW RD, SUITE 150
CHARLOTTE, NC 28269
PH: (704) 625–5087
FAX: (704) 509–9937
TDERYLAK@DEWBERRY.COM

811 Know what's below. Call before you dig.

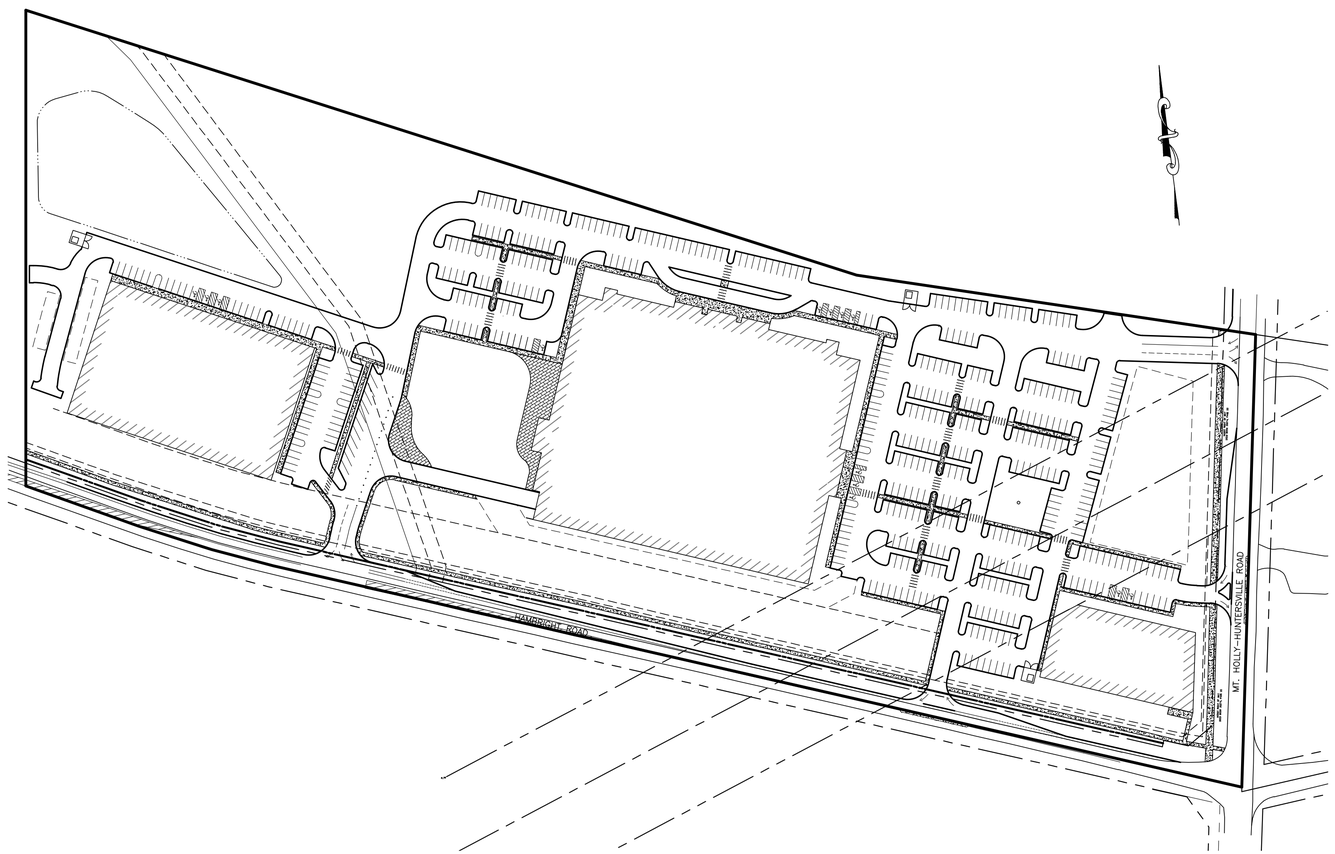


VICINITY MAP
(NTS)

HUNTERSVILLE SPORTS VILLAGE

REZONING AND SKETCH PLANS

HUNTERSVILLE, NORTH CAROLINA



Dewberry

Dewberry Engineers Inc.
6135 Lakeview Rd - Suite 150
Charlotte, NC 28269
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www.dewberry.com
NCBELS #F-0929

TOWN OF HUNTERSVILLE
SPORTS VILLAGE

HUNTERSVILLE, NORTH CAROLINA

SEAL

NORTH CAROLINA PROFESSIONAL SEAL 039857 ENGINEER TIMOTHY J. DERYLAK 10/14/16

KEY PLAN

SCALE: 1" = 100'

0' 50' 100' 200'

NO.	DATE	BY	DESCRIPTION
1	10/12/16	ADS	TOWN COMMENTS

REVISIONS

DRAWN BY

APPROVED BY

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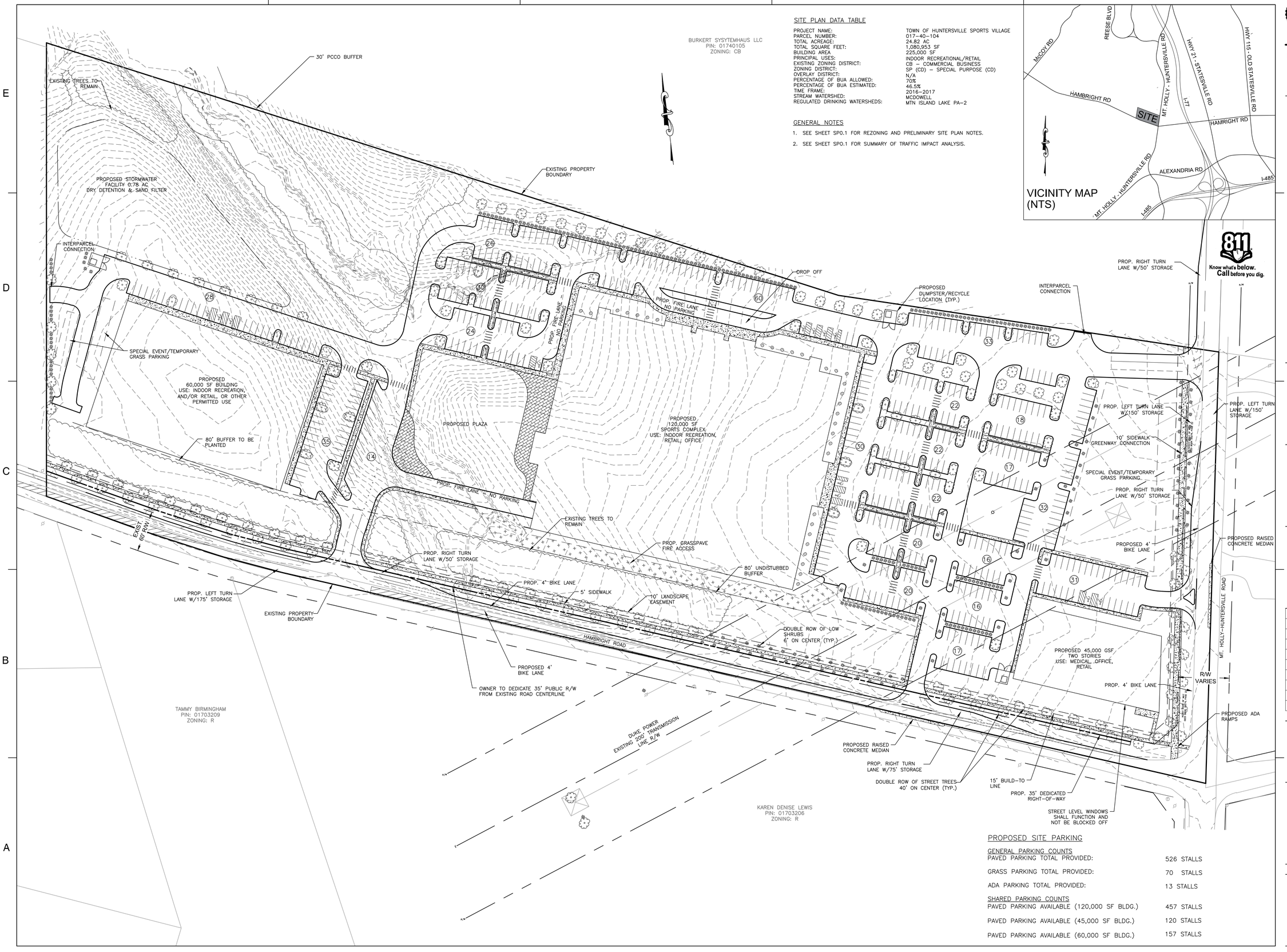
DATE JULY 29, 2016

TITLE

COVER SHEET

PROJECT NO. 50083178

SP0



SITE PLAN DATA TABLE

PROJECT NAME:	TOWN OF HUNTERSVILLE SPORTS VILLAGE
PARCEL NUMBER:	017-40-104
TOTAL ACREAGE:	24.82 AC
TOTAL SQUARE FEET:	1,080,953 SF
BUILDING AREA	225,000 SF
PRINCIPAL USES:	INDOOR RECREATIONAL/RETAIL
EXISTING ZONING DISTRICT:	CB - COMMERCIAL BUSINESS
ZONING DISTRICT:	SP (CD) - SPECIAL PURPOSE (CD)
OVERLAY DISTRICT:	N/A
PERCENTAGE OF BUA ALLOWED:	70%
PERCENTAGE OF BUA ESTIMATED:	46.5%
TIME FRAME:	2016-2017
STREAM WATERSHED:	MCDOWELL
REGULATED DRINKING WATERSHEDS:	MTN ISLAND LAKE PA-2

GENERAL NOTES

1. SEE SHEET SP0.1 FOR REZONING AND PRELIMINARY SITE PLAN NOTES.
2. SEE SHEET SP0.1 FOR SUMMARY OF TRAFFIC IMPACT ANALYSIS.

PROPOSED SITE PARKING

GENERAL PARKING COUNTS	
PAVED PARKING TOTAL PROVIDED:	526 STALLS
GRASS PARKING TOTAL PROVIDED:	70 STALLS
ADA PARKING TOTAL PROVIDED:	13 STALLS
SHARED PARKING COUNTS	
PAVED PARKING AVAILABLE (120,000 SF BLDG.)	457 STALLS
PAVED PARKING AVAILABLE (45,000 SF BLDG.)	120 STALLS
PAVED PARKING AVAILABLE (60,000 SF BLDG.)	157 STALLS

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TOWN OF HUNTERSVILLE SPORTS VILLAGE

HUNTERSVILLE, NORTH CAROLINA

SEAL

NORTH CAROLINA PROFESSIONAL SEAL 039857 ENGINEER TIMOTHY J. DERYLAK 10/11/16

KEY PLAN

SCALE: 1" = 60'

0' 30' 60' 120'

NO.	DATE	BY	DESCRIPTION
1	10/12/16	ADS	TOWN COMMENTS

REVISIONS

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DATE JULY 29, 2016

TITLE

CONDITIONAL DISTRICT REZONING PLAN

PROJECT NO. 50083178

RZ1

REZONING AND PRELIMINARY SITE PLAN NOTES

1. ALL DEVELOPMENT AND CONSTRUCTION SHALL COMPLY WITH ALL ZONING AND SUBDIVISION STANDARDS OF THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, AND NCDOT, AS APPLICABLE.
2. THE PROPOSED BUILDINGS, PARKING, SIDEWALKS, AND OTHER SITE ELEMENTS SHOWN ON THE SITE PLAN ARE INTENDED TO REFLECT THE ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT CONFIGURATION, PLACEMENT AND SIZE OF INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ABOVE LISTED ORDINANCES DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES.
3. THIS PROPERTY MAY BE SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAY OF RECORD.
4. ACCESS (INGRESS/EGRESS) LOCATION AND DESIGN SHOWN ON THIS SKETCH PLAN AREA SUBJECT TO ACHIEVING VERTICAL AND HORIZONTAL SIGHT DISTANCES, TURN LANE IMPROVEMENTS (INCLUDING RIGHT-OF-WAY) AND INTERSECTION WITH ADJACENT AND OPPOSING ACCESS POINTS. MODIFICATION TO PLAN MAY RESULT.
5. LARGE MATURING TREES WILL BE PLANTED 40' ON CENTER WITHIN THE REQUIRED PLANTING STRIP ALONG ALL STREETS. SMALL MATURING TREES ARE TO BE USED WHERE OVERHEAD POWER LINES EXIST.
6. THE TOWN OF HUNTERSVILLE BUILD-TO LINE IS DEFINED AS, "A LINE EXTENDING THROUGH A LOT WHICH IS GENERALLY PARALLEL TO THE FRONT PROPERTY LINE AND MARKS THE LOCATION FROM WHICH THE PRINCIPLE VERTICAL PLANE OF THE FRONT BUILDING ELEVATION, EXCLUSIVE OF PORCHES, BAY WINDOWS AND SIMILAR APPURTENANCES, MUST BE ERECTED; INTENDED TO CREATE AN EVEN BUILDING FACADE LINE ON A STREET. THE BUILD-TO LINE IS ESTABLISHED ON THE RECORD PLAT (FINAL PLANT)."
7. THE PROPOSED DEVELOPMENT WILL CONSIST OF A GRAVITY DRIVEN SANITARY SEWER SYSTEM. THE SANITARY SEWER WILL SERVE EACH PROPOSED BUILDING AND TIE TO THE PROPOSED PUBLIC SYSTEM WITHIN THE DEVELOPMENT.
8. THE PROPOSED DEVELOPMENT WILL CONSIST OF A PUBLIC WATER MAIN EXTENSION ALONG HAMBRIGHT ROAD. THE SITE WILL INCLUDE PRIVATE WATER LINES WHICH WILL TIE INTO THE PROPOSED PUBLIC WATER LINE LOCATED IN HAMBRIGHT ROAD RIGHT-OF-WAY.
9. ALL RETAINING WALLS REQUIRING SPECIAL INSPECTIONS (GREATER THAN 5' IN HEIGHT) SHALL MEET THE REQUIREMENTS OF THE MCSBC CHAPTER 17 – SPECIAL INSPECTIONS AS DETAILED PER THE MECKLENBURG COUNTRY 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.
10. THE PROPERTY IS TO BE CONSIDERED HIGH DENSITY.
11. THIS PROJECT WILL BE BUILT AS ONE PHASE. OWNER RESERVES THE RIGHT TO PHASE PROJECT.
12. ALL EXTERIOR LIGHTING SHALL MEET ARTICLE 8.26 OF THE HUNTERSVILLE ZONING ORDINANCE.
13. ROOFTOP EQUIPMENT SHALL NOT BE VISIBLE FROM GRADE.
14. THE 80' UNDISTURBED BUFFER MAY NEED TO BE SUPPLEMENTED WITH EVERGREEN TREES TO REDUCE VISIBILITY.
15. THE SHOWN GRAPHICS ARE PRELIMINARY AND BE BE ALTERED OR CHANGED SLIGHTLY TO ADDRESS CONSTRUCTION NEEDS.
16. THIS REZONING PLAN IS BEING REVIEWED CONCURRENTLY WITH A MULTI-BUILDING PRELIMINARY SITE PLAN. ALL DETAILS AND SPECIFICATIONS NOTED ON THE PRELIMINARY SITE PLAN ARE APPLICABLE TO THIS REZONING PLAN.
17. THIS REZONING PLAN IS BEING REVIEWED CONCURRENTLY WITH A TEXT AMENDMENT PROPOSAL TO AMEND ZONING ORDINANCE ARTICLE 3, SECTION 3.2.10(a) TO INCLUDE INDOOR RECREATION AS AN ALLOWED USE, AND THE REZONING CANNOT BE APPROVED WITHOUT THE TEXT AMENDMENT APPROVAL.

TRAFFIC IMPROVEMENTS PER TIA

PER THE TRAFFIC IMPACT ANALYSIS BY RAMEY KEMP, THE FOLLOWING ROAD IMPROVEMENTS ARE NEEDED TO MEET THE TOWN OF HUNTERSVILLE ORDINANCE:

1. HAMBRIGHT ROAD AT SITE DRIVEWAY 1
   a. CONSTRUCT 36' DRIVEWAY WITH RIGHT AND LEFT EXIT LANES
   b. CONSTRUCT EASTBOUND LEFT TURN LANE WITH 175' OF STORAGE
   c. CONSTRUCT WESTBOUND RIGHT TURN LANE WITH 50' OF STORAGE
2. HAMBRIGHT ROAD AT SITE DRIVEWAY 2
   a. CONSTRUCT WESTBOUND RIGHT TURN LANE WITH 75' OF STORAGE
   b. CONSTRUCT 4' WIDE RAISED CONCRETE MEDIAN TO RESTRICT ACCESS
3. MT. HOLLY-HUNTERSVILLE ROAD AT SITE DRIVEWAY 3
   a. CONSTRUCT SOUTHBOUND RIGHT TURN LANE WITH 75' OF STORAGE
   b. CONSTRUCT 4' WIDE RAISED CONCRETE MEDIAN TO RESTRICT ACCESS
4. MT. HOLLY-HUNTERSVILLE ROAD AT SITE DRIVEWAY 4
   a. CONSTRUCT 36' DRIVEWAY WITH RIGHT AND LEFT EXIT LANES
   b. CONSTRUCT NORTHBOUND LEFT TURN LANE WITH 100' OF STORAGE
   c. CONSTRUCT SOUTHBOUND RIGHT TURN LANE WITH 50' OF STORAGE
5. GILEAD ROAD AND MCCOY ROAD
   a. REPHASE THE EASTBOUND PERMITTED LEFT TURN MOVEMENT AS PROTECTED/PERMITTED
6. MCILWAINE ROAD AND MCCOY ROAD
   a. CONSTRUCT NORTHBOUND LEFT TURN LANE WITH 175' OF STORAGE
7. REESE BLVD. AND MT. HOLLY-HUNTERSVILLE ROAD
   a. SIGNALIZE INTERSECTION AND CONSTRUCT DUAL NORTHBOUND LEFT TURN LANES WITH 225' OF STORAGE
8. SOUTH OLD STATESVILLE ROAD AND MT. HOLLY-HUNTERSVILLE ROAD
   a. CONSTRUCT EASTBOUND RIGHT TURN LANE WITH 50' OF STORAGE
9. SOUTH OLD STATESVILLE ROAD AND GILEAD ROAD
   a. CONSTRUCT EASTBOUND RIGHT TURN LANE WITH 175' OF STORAGE
10. HAMBRIGHT ROAD AND MT. HOLLY-HUNTERSVILLE ROAD
   a. CONSTRUCT EASTBOUND LEFT TURN LANE WITH 200' OF STORAGE
   b. CONSTRUCT WESTBOUND LEFT TURN LANE WITH 50' OF STORAGE

PARKING

1. PARKING SPACES SHOWN ON SITE PLAN ARE PROVIDED AT A RATE OF 1 SPACE PER 500 SF OF BUILDING AREA.

GENERAL PARKING COUNTS	
PAVED PARKING TOTAL PROVIDED:	526 STALLS
GRASS PARKING TOTAL PROVIDED:	70 STALLS
ADA PARKING TOTAL PROVIDED:	13 STALLS
SHARED PARKING COUNTS	
PAVED PARKING AVAILABLE (120,000 SF BLDG.)	457 STALLS
PAVED PARKING AVAILABLE (45,000 SF BLDG.)	120 STALLS
PAVED PARKING AVAILABLE (60,000 SF BLDG.)	157 STALLS

SITE PLAN DATA TABLE

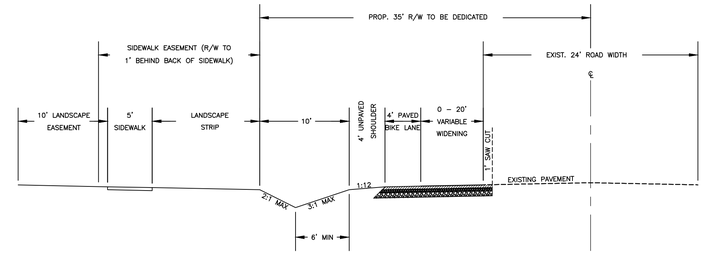
PROJECT NAME:	TOWN OF HUNTERSVILLE SPORTS VILLAGE
PARCEL NUMBER:	017-40-104
TOTAL ACREAGE:	24.82 AC
TOTAL SQUARE FEET:	1,080,953 SF
BUILDING AREA	225,000 SF
PRINCIPAL USES:	INDOOR RECREATIONAL/RETAIL
EXISTING ZONING DISTRICT:	CB – COMMERCIAL BUSINESS
ZONING DISTRICT:	SP (CD) – SPECIAL PURPOSE (CD)
OVERLAY DISTRICT:	N/A
PERCENTAGE OF BUA ALLOWED:	70%
PERCENTAGE OF BUA ESTIMATED:	46.5%
FRONT BUILD-TO-LINE:	15'
TIME FRAME:	2016-2017
STREAM WATERSHED:	MCDOWELL
REGULATED DRINKING WATERSHEDS:	MTN ISLAND LAKE PA-2

PERMITTED USES

1. THE PROPOSED USES OF EACH BUILDING LISTED ON THE SITE PLAN REPRESENT POTENTIAL USES OF EACH BUILDING.
2. THE OWNER RESERVES THE RIGHT TO ALTER THE BUILDINGS' USES WITHIN THE LIMITS OF THE OF THE ALLOWED USES SPECIFIED BY THE SP(CD) ZONING DISTRICT IN THE TOWN OF HUNTERSVILLE ZONING ORDINANCE WITH THE EXCEPTION OF THE FOLLOWING USES: FOUNDRIES, LUMBERMILLS AND STORAGE YARDS, POWER GENERATION PLANTS, RAILROAD FREIGHT YARDS, REPAIR SHOPS, MARSHALING YARDS, AIRPORTS, CORRECTIONAL FACILITY, HALFWAY HOUSES, HAZARDOUS OR INFECTIOUS MATERIAL INCINERATION, HANDLING, OR STORAGE, OFF-SITE LCID AND C&D LANDFILLS, OTHER ENVIRONMENTALLY SENSITIVE USES NOT EXPRESSLY PERMITTED IN THE SP OR OTHER DISTRICTS, QUARRIES, RACEWAYS AND DRAG STRIPS, SANITARY LANDFILLS, SOLAR ENERGY FACILITY (MAJOR), SOLID WASTE INCINERATION, TRANSFER STATION FOR ORGANIC AND INORGANIC WASTE PRODUCTS, WIND ENERGY FACILITY (MAJOR), INORGANIC RESIDENTIAL HOUSEHOLD WASTE AND INTAKE AND TRANSFER OFF-SITE, YARD WASTE INTAKE AND PROCESSING, JUNK YARDS, PETROLEUM STORAGE FACILITIES, AND TRUCKING TERMINALS.

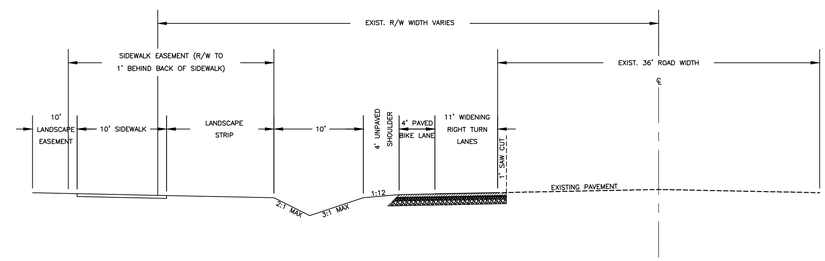
FIRE PROTECTION

1. FIRE HYDRANTS ARE REQUIRED WITHIN 750' OF MOST REMOTE POINT OF STRUCTURES AS THE APPARATUS TRAVELS.
2. FIRE HYDRANTS SHALL BE PROVIDED WITHIN 200' OF FDC'S AS THE APPARATUS TRAVELS.
3. FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS OF 80,000 POUNDS.
4. DEAD END FIRE APPARATUS ACCESS ROADS IN EXCESS OF 150 FEET IN LENGTH SHALL BE PROVIDED WITH AN APPROVED AREA FOR TURNING AROUND FIRE APPARATUS.



HAMBRIGHT ROAD TYPICAL CROSS-SECTION

1. WIDENING VARIES FROM 0' TO AN ESTIMATED 20' FOR THE ADDITION OF THE RIGHT TURN LANE AND 0' TO 24' FOR A RIGHT TURN LANE AND LEFT TURN LANE ON HAMBRIGHT ROAD. ACTUAL WIDTHS MAY VARY TO MEET THE MINIMUM LANE WIDTH REQUIREMENTS.
2. PER NCDOT AND TOWN OF HUNTERSVILLE GUIDELINES, TREES ARE TO BE PLANTED A MINIMUM OF 5' FROM THE TOP OF DITCH AND BE A MINIMUM OF 3.5' FROM THE EDGE OF THE SIDEWALK.
3. SIDEWALKS WHICH LIE OUTSIDE OF THE R/W SHALL BE WITHIN A PERMANENT SIDEWALK EASEMENT WHICH EXTENDS FROM THE R/W TO A POINT 1 FT BEHIND THE SIDEWALK.
4. CURB AND GUTTER MAY BE USED INSTEAD OF DITCH SECTION, UPON APPROVAL BY HUNTERSVILLE AND NCDOT.



MT. HOLLY-HUNTERSVILLE ROAD TYPICAL CROSS-SECTION

1. WIDENING VARIES FROM 0' TO AN ESTIMATED 11' FOR THE ADDITION OF THE RIGHT TURN LANES ON MT. HOLLY-HUNTERSVILLE ROAD. ACTUAL WIDTHS MAY VARY TO MEET THE MINIMUM LANE WIDTH REQUIREMENTS.
2. PER NCDOT AND TOWN OF HUNTERSVILLE GUIDELINES, TREES ARE TO BE PLANTED A MINIMUM OF 5' FROM THE TOP OF DITCH AND BE A MINIMUM OF 3.5' FROM THE EDGE OF THE SIDEWALK.
3. SIDEWALKS WHICH LIE OUTSIDE OF THE R/W SHALL BE WITHIN A PERMANENT SIDEWALK EASEMENT WHICH EXTENDS FROM THE R/W TO A POINT 1 FT BEHIND THE SIDEWALK.
4. CURB AND GUTTER MAY BE USED INSTEAD OF DITCH SECTION, UPON APPROVAL BY HUNTERSVILLE AND NCDOT.

Dewberry

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TOWN OF HUNTERSVILLE SPORTS VILLAGE

HUNTERSVILLE, NORTH CAROLINA

SEAL

KEY PLAN

NO.	DATE	BY	DESCRIPTION
1	10/12/16	ADS	TOWN COMMENTS

REVISIONS

DRAWN BY

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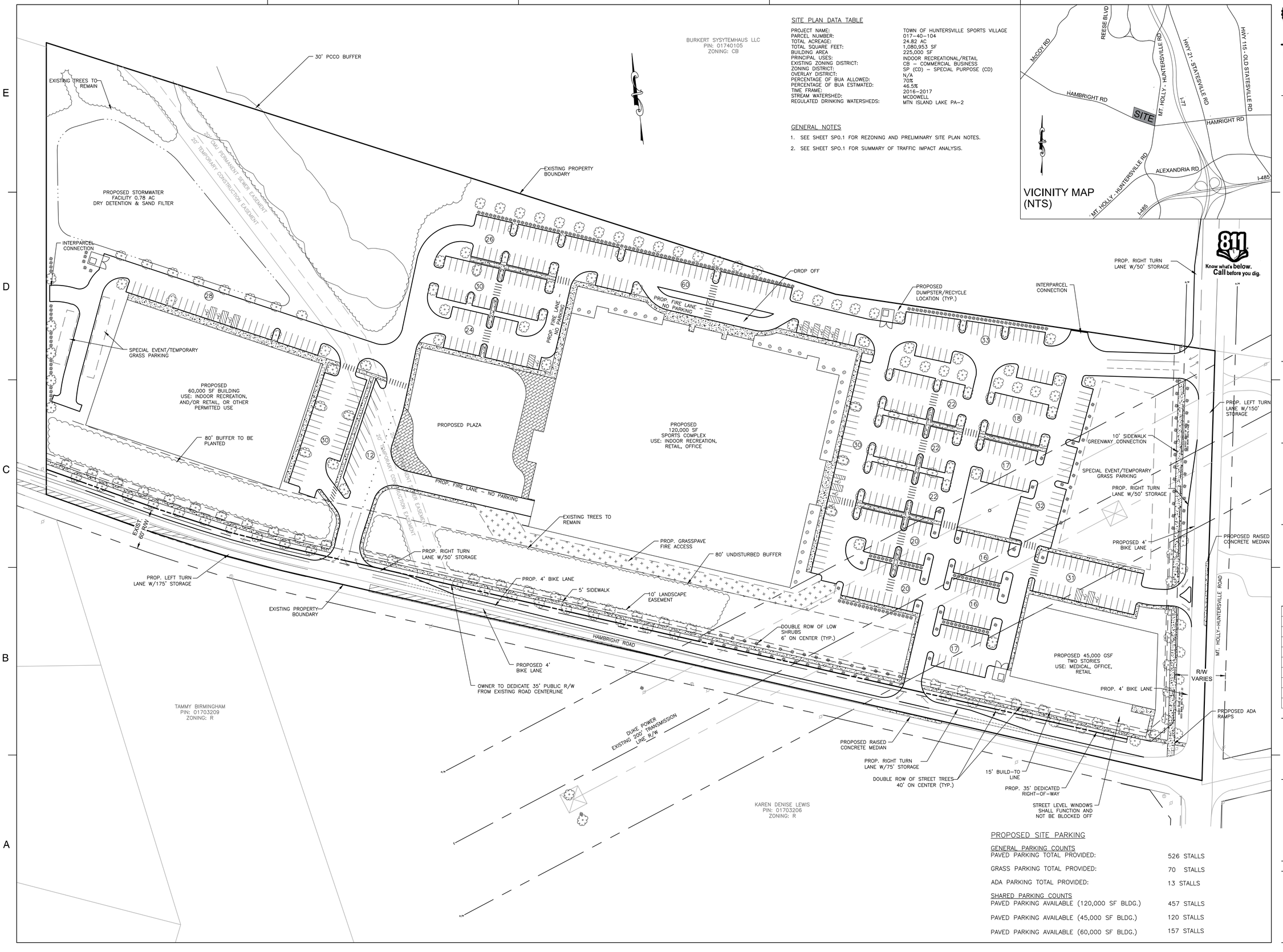
DATE JULY 29, 2016

TITLE

GENERAL NOTES

PROJECT NO. 50083178

SP0.1



SITE PLAN DATA TABLE

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PARCEL NUMBER:	017-40-104
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ZONING DISTRICT:	SP (CD) - SPECIAL PURPOSE (CD)
OVERLAY DISTRICT:	N/A
PERCENTAGE OF BUA ALLOWED:	70%
PERCENTAGE OF BUA ESTIMATED:	46.5%
TIME FRAME:	2016-2017
STREAM WATERSHED:	MCDOWELL
REGULATED DRINKING WATERSHEDS:	MTN ISLAND LAKE PA-2

GENERAL NOTES

1. SEE SHEET SP0.1 FOR REZONING AND PRELIMINARY SITE PLAN NOTES.
2. SEE SHEET SP0.1 FOR SUMMARY OF TRAFFIC IMPACT ANALYSIS.

PROPOSED SITE PARKING

GENERAL PARKING COUNTS	
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GRASS PARKING TOTAL PROVIDED:	70 STALLS
ADA PARKING TOTAL PROVIDED:	13 STALLS
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PAVED PARKING AVAILABLE (120,000 SF BLDG.)	457 STALLS
PAVED PARKING AVAILABLE (45,000 SF BLDG.)	120 STALLS
PAVED PARKING AVAILABLE (60,000 SF BLDG.)	157 STALLS

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TOWN OF HUNTERSVILLE SPORTS VILLAGE

HUNTERSVILLE, NORTH CAROLINA

SEAL

NORTH CAROLINA PROFESSIONAL SEAL 039857 ENGINEER TIMOTHY J. DERYLAK 10/14/16

KEY PLAN

SCALE:

0' 30' 60' 120'

NO.	DATE	BY	DESCRIPTION
1	10/12/16	ADS	TOWN COMMENTS

REVISIONS

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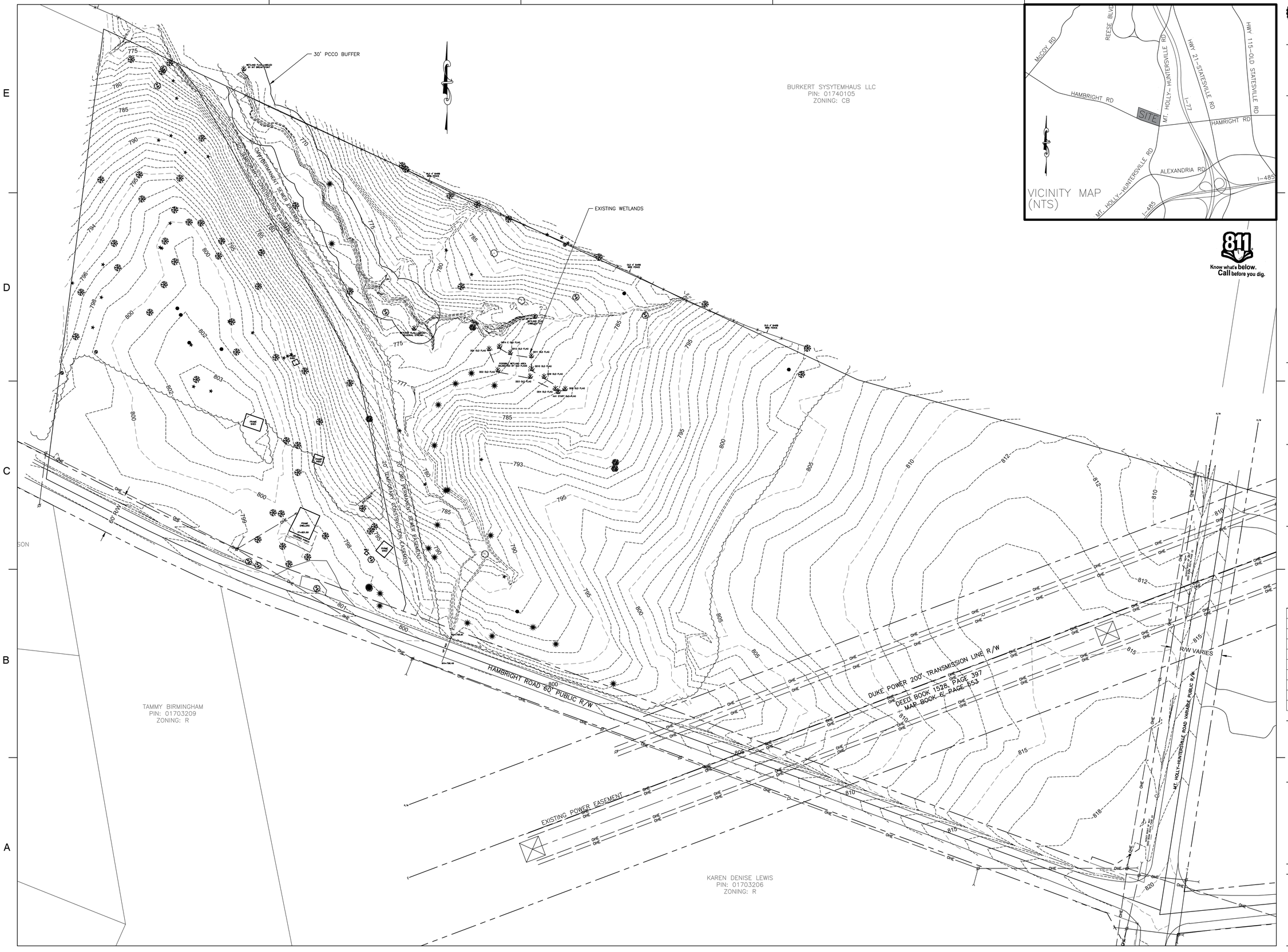
DATE JULY 29, 2016

TITLE

PRELIMINARY SITE PLAN

PROJECT NO. 50083178

SP1



811 Know what's below. Call before you dig.

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HUNTERSVILLE SPORTS VILLAGE

HUNTERSVILLE, NORTH CAROLINA

SEAL

NORTH CAROLINA PROFESSIONAL SEAL 038857 ENGINEER TIMOTHY J. DERTLAK 7/29/16

KEY PLAN

SCALE: 1" = 60'

0' 30' 60' 120'

No.	DATE	BY	Description

REVISIONS

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DATE JULY 29, 2016

TITLE

EXISTING CONDITIONS

PROJECT NO. 50083178

SP2

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HUNTERSVILLE SPORTS VILLAGE

HUNTERSVILLE, NORTH CAROLINA

SEAL

NORTH CAROLINA PROFESSIONAL SEAL 038857 ENGINEER TIMOTHY J. DERTLAK 7/29/16

KEY PLAN

SCALE: 1" = 100'

0' 50' 100' 200'

No.	DATE	BY	Description

REVISIONS

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CHECKED BY

DATE JUNE 29, 2016

TITLE

EXISTING ZONING AND ADJACENT PROPERTY OWNER INFORMATION

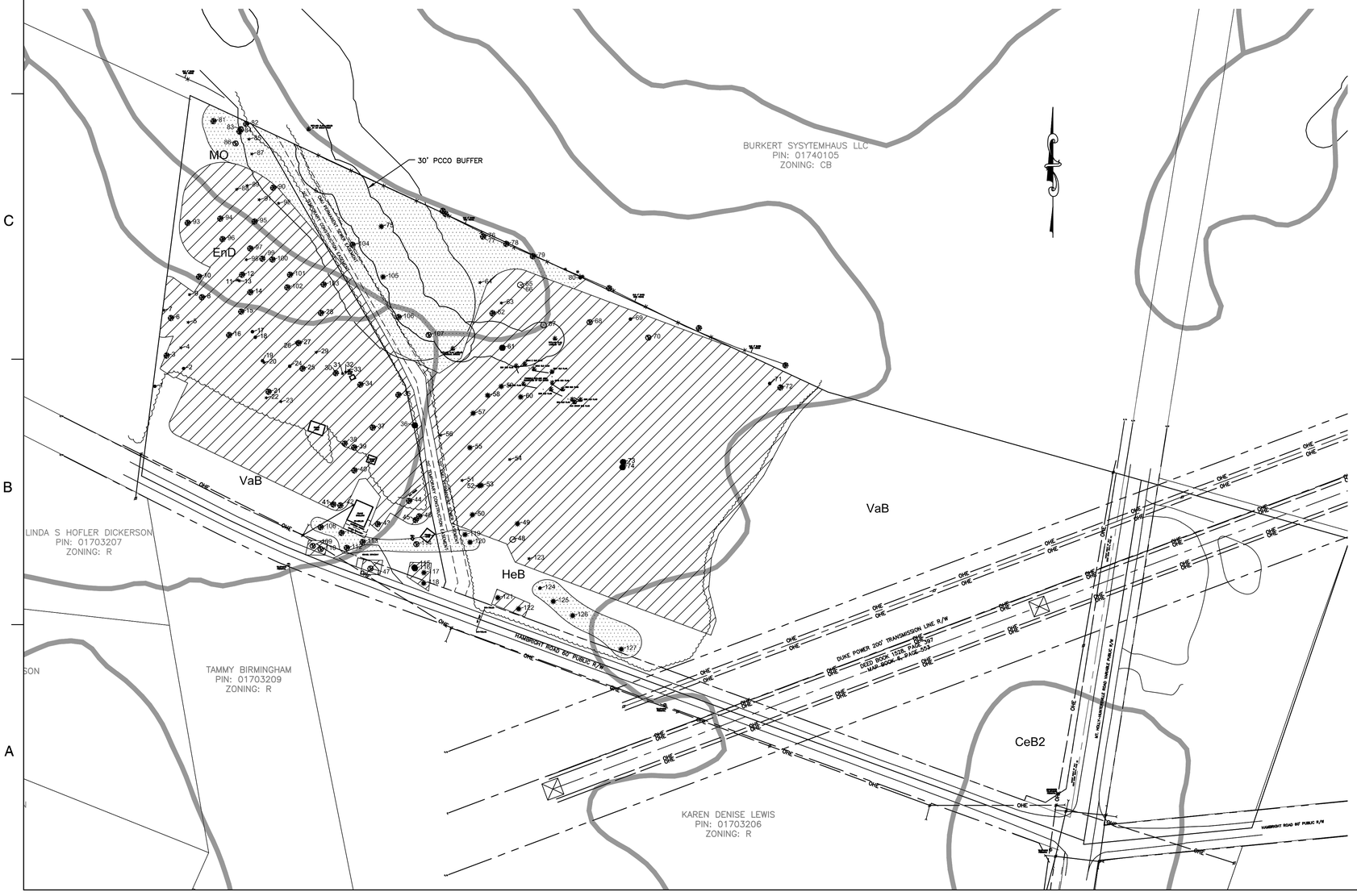
PROJECT NO. 50083178

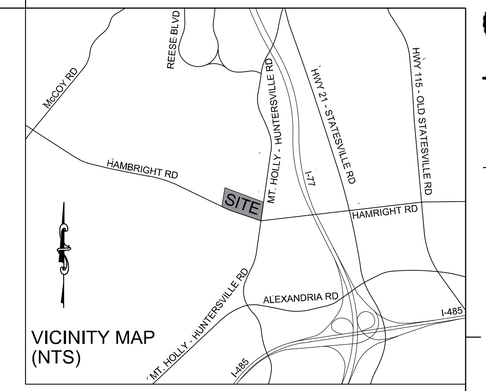
SP3

TREE ID	DIAMETER	SPECIES	DESIGNATION	STATUS
1	6 in	SOURWOOD	NON-SPECIMEN	REMOVED
2	6 in	SOURWOOD	NON-SPECIMEN	REMOVED
3	30 in	OAK	SPECIMEN	REMOVED
4	5 in	DOGWOOD	NON-SPECIMEN	REMOVED
5	4 in	DOGWOOD	NON-SPECIMEN	REMOVED
6	30 in	OAK	SPECIMEN	REMOVED
7	6 in	DOGWOOD	NON-SPECIMEN	REMOVED
8	24 in	OAK	SPECIMEN	REMOVED
9	6 in	DOGWOOD	NON-SPECIMEN	REMOVED
10	30 in	OAK	SPECIMEN	REMOVED
11	4 in	DOGWOOD	NON-SPECIMEN	REMOVED
12	24 in	OAK	SPECIMEN	REMOVED
13	4 in	DOGWOOD	NON-SPECIMEN	REMOVED
14	32 in	OAK	SPECIMEN	REMOVED
15	24 in	OAK	SPECIMEN	REMOVED
16	26 in	OAK	SPECIMEN	REMOVED
17	4 in	PERSIMMON	NON-SPECIMEN	REMOVED
18	6 in	PERSIMMON	NON-SPECIMEN	REMOVED
19	10 in	PERSIMMON	NON-SPECIMEN	REMOVED
20	5 in	DOGWOOD	NON-SPECIMEN	REMOVED
21	34 in	OAK	SPECIMEN	REMOVED
22	5 in	DOGWOOD	NON-SPECIMEN	REMOVED
23	5 in	DOGWOOD	NON-SPECIMEN	REMOVED
24	8 in	PERSIMMON	NON-SPECIMEN	REMOVED
25	28 in	OAK	SPECIMEN	REMOVED
26	4 in	DOGWOOD	NON-SPECIMEN	REMOVED
27	38 in	OAK	SPECIMEN	REMOVED
28	24 in	OAK	SPECIMEN	REMOVED
29	6 in	DOGWOOD	NON-SPECIMEN	REMOVED
30	42 in	OAK	SPECIMEN	REMOVED
31	3 in	DOGWOOD	NON-SPECIMEN	REMOVED
32	3 in	DOGWOOD	NON-SPECIMEN	REMOVED
33	3 in	DOGWOOD	NON-SPECIMEN	REMOVED
34	24 in	OAK	SPECIMEN	REMOVED
35	24 in	OAK	SPECIMEN	REMOVED
36	24 in	GUM	SPECIMEN	REMOVED
37	30 in	OAK	SPECIMEN	REMOVED
38	15 in	OAK	NON-SPECIMEN	REMOVED
39	24 in	OAK	SPECIMEN	REMOVED
40	36 in	OAK	SPECIMEN	REMOVED
41	24 in	OAK	SPECIMEN	REMOVED
42	22 in	OAK	NON-SPECIMEN	REMOVED
43	24 in	OAK	SPECIMEN	REMOVED

TREE ID	DIAMETER	SPECIES	DESIGNATION	STATUS
44	36 in	OAK	SPECIMEN	REMOVED
45	18 in	OAK	NON-SPECIMEN	REMOVED
46	24 in	OAK	SPECIMEN	REMOVED
47	7 in	HARDWOOD	NON-SPECIMEN	REMOVED
48	24 in	MAPLE	SPECIMEN	REMOVED
49	24 in	PINE	SPECIMEN	REMOVED
50	24 in	PINE	SPECIMEN	REMOVED
51	5 in	DOGWOOD	NON-SPECIMEN	REMOVED
52	24 in	PINE	SPECIMEN	REMOVED
53	24 in	PINE	SPECIMEN	REMOVED
54	5 in	DOGWOOD	NON-SPECIMEN	REMOVED
55	24 in	PINE	SPECIMEN	REMOVED
56	6 in	DOGWOOD	NON-SPECIMEN	REMOVED
57	24 in	PINE	SPECIMEN	REMOVED
58	24 in	PINE	SPECIMEN	REMOVED
59	24 in	PINE	SPECIMEN	REMOVED
60	24 in	PINE	SPECIMEN	REMOVED
61	24 in	GUM	SPECIMEN	REMOVED
62	24 in	OAK	SPECIMEN	REMOVED
63	6 in	DOGWOOD	NON-SPECIMEN	REMOVED
64	6 in	DOGWOOD	NON-SPECIMEN	SAVED
65	15 in	MAPLE	NON-SPECIMEN	REMOVED
66	15 in	MAPLE	NON-SPECIMEN	REMOVED
67	28 in	MAPLE	SPECIMEN	REMOVED
68	24 in	POPLAR	SPECIMEN	REMOVED
69	6 in	PERSIMMON	NON-SPECIMEN	REMOVED
70	24 in	POPLAR	SPECIMEN	REMOVED
71	5 in	PERSIMMON	NON-SPECIMEN	REMOVED
72	24 in	OAK	SPECIMEN	REMOVED
73	24 in	GUM	SPECIMEN	REMOVED
74	24 in	GUM	SPECIMEN	REMOVED
75	24 in	PINE	SPECIMEN	SAVED
76	15 in	OAK	NON-SPECIMEN	SAVED
77	15 in	OAK	NON-SPECIMEN	SAVED
78	24 in	OAK	SPECIMEN	SAVED
79	24 in	OAK	SPECIMEN	SAVED
80	18 in	HICKORY	NON-SPECIMEN	SAVED
81	24 in	OAK	SPECIMEN	SAVED
82	30 in	OAK	SPECIMEN	SAVED
83	24 in	POPLAR	SPECIMEN	SAVED
84	24 in	OAK	SPECIMEN	SAVED
85	5 in	DOGWOOD	NON-SPECIMEN	SAVED

TREE ID	DIAMETER	SPECIES	DESIGNATION	STATUS
86	18 in	POPLAR	NON-SPECIMEN	SAVED
87	5 in	DOGWOOD	NON-SPECIMEN	SAVED
88	5 in	DOGWOOD	NON-SPECIMEN	SAVED
89	5 in	DOGWOOD	NON-SPECIMEN	REMOVED
90	24 in	OAK	SPECIMEN	REMOVED
91	6 in	DOGWOOD	NON-SPECIMEN	REMOVED
92	6 in	DOGWOOD	NON-SPECIMEN	REMOVED
93	26 in	OAK	SPECIMEN	REMOVED
94	28 in	OAK	SPECIMEN	REMOVED
95	24 in	OAK	SPECIMEN	REMOVED
96	28 in	OAK	SPECIMEN	REMOVED
97	24 in	OAK	SPECIMEN	REMOVED
98	5 in	DOGWOOD	NON-SPECIMEN	REMOVED
99	24 in	OAK	SPECIMEN	REMOVED
100	26 in	OAK	SPECIMEN	REMOVED
101	26 in	OAK	SPECIMEN	REMOVED
102	24 in	OAK	SPECIMEN	REMOVED
103	30 in	OAK	SPECIMEN	REMOVED
104	24 in	OAK	SPECIMEN	SAVED
105	24 in	PINE	SPECIMEN	SAVED
106	24 in	OAK	SPECIMEN	SAVED
107	24 in	POPLAR	SPECIMEN	SAVED
108	27 in	OAK	SPECIMEN	SAVED
109	15 in	HARDWOOD	NON-SPECIMEN	SAVED
110	12 in	HARDWOOD	NON-SPECIMEN	SAVED
111	20 in	OAK	NON-SPECIMEN	SAVED
112	15 in	OAK	NON-SPECIMEN	SAVED
113	20 in	OAK	NON-SPECIMEN	SAVED
114	12 in	ELM	NON-SPECIMEN	SAVED
115	15 in	CEDAR	NON-SPECIMEN	SAVED
116	15 in	ELM	NON-SPECIMEN	SAVED
117	16 in	PINE	NON-SPECIMEN	SAVED
118	18 in	PINE	NON-SPECIMEN	REMOVED
119	30 in	PINE	SPECIMEN	SAVED
120	24 in	PINE	SPECIMEN	SAVED
121	24 in	PINE	SPECIMEN	REMOVED
122	24 in	PINE	SPECIMEN	REMOVED
123	5 in	DOGWOOD	NON-SPECIMEN	SAVED
124	8 in	PERSIMMON	NON-SPECIMEN	SAVED
125	24 in	PINE	SPECIMEN	SAVED
126	24 in	PINE	SPECIMEN	SAVED
127	24 in	PINE	SPECIMEN	SAVED





Know what's below. Call before you dig.

LEGEND

- TREE SAVE AREA
- TREE CANOPY TO BE REMOVED
- CeB2 SOIL GROUP
- SOIL GROUP BOUNDARY

EXISTING CANOPY (sf)	PRESERVED CANOPY (sf)	% CANOPY PRESERVED
519,966	138,516	26.66%

HYDROLOGIC SOIL GROUP SUMMARY				
SYMBOL	NAME	RATING	ACRES	PERCENT
CeB2	CECIL SANDY CLAY LOAM, 2-8% SLOPES	B	0.8	3.3%
EnD	ENON SANDY LOAM, 8-15% SLOPES	C	1.3	5.4%
HeB	HELENA SANDY LOAM, 2-8% SLOPES	D	6.8	29.6%
MO	MONACAN LOAM, 0-2% SLOPES	B/D	1.0	4.5%
VaB	VANCE SANDY LOAM, 2-8% SLOPES	C	13.2	57.1%
TOTAL			23.1	100%

SPECIMEN TREES CALCULATIONS				
TOTAL EXISTING SPECIMEN TREES	EXISTING SPECIMEN TREES TO BE REMOVED	% SPECIMEN TREES PRESERVED	SPECIMEN TREES TO BE MITIGATED	NON-SPECIMEN TREES TO BE REMOVED
71	54	23.94%	5	36

TREE MITIGATION CALCULATIONS	
MIN. NUMBER OF SPECIMEN TREES REQUIRED TO BE SAVED	71 x 30% = 21.3 → 22 TREES
NUMBER OF SPECIMEN TREES PROPOSED TO BE SAVED	71 - 54 = 17 TREES
NUMBER OF TREES REMOVED OVER ORDINANCE	22 - 17 = 5 TREES
TOTAL CALIPER OF TREES REMOVED OVER ORDINANCE (AVG. DBH = 24")	24" x 5 = 120"
NUMBER OF 2" CALIPER REPLACEMENT TREES REQUIRED	$\frac{(120" \times 20\%)}{2}$ =18 TREES

TREE MITIGATION NOTES

1. CALCULATIONS PERFORMED IN ACCORDANCE WITH ARTICLE 7.4.2(f) OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE.
2. OWNER TO PLANT 18 TREES OF 2" CALIPER OR GREATER AS MITIGATION FOR REMOVAL OF 5 SPECIMEN TREES. LOCATION OF TREES ON SITE TO BE DETERMINED DURING DESIGN PHASE.
3. IF SITE CONDITIONS ARE NOT CONDUCIVE FOR HEALTHY TREE REPLACEMENT ON SITE, THE DEVELOPER MAY CONTRIBUTE TO A TREE FUND/BANK SET UP BY THE TOWN FOR THE PLANTING AND DISTRIBUTION OF SUCH TREES ELSEWHERE IN THE COMMUNITY. A COMBINATION IN LIEU OF PLANTING IS ACCEPTABLE. THE AMOUNT OF CONTRIBUTION IS BASED ON THE TOTAL COST OF THE REQUIRED MITIGATION TREES PLUS THAT OF THEIR INSTALLATION.

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TOWN OF HUNTERSVILLE
SPORTS VILLAGE

HUNTERSVILLE, NORTH CAROLINA

SEAL

NORTH CAROLINA PROFESSIONAL SEAL 039857 ENGINEER TIMOTHY J. DERYLAK
10/14/16

KEY PLAN

SCALE: 1" = 100'

0' 50' 100' 200'

NO.	DATE	BY	DESCRIPTION
1	10/12/16	ADS	TOWN COMMENTS

REVISIONS

DRAWN BY

APPROVED BY

CHECKED BY

DATE JULY 29, 2016

TITLE

TREE
PRESERVATION PLAN

PROJECT NO. 50083178

SP4

STORMWATER MANAGEMENT NOTES:

1. ONSITE STORMWATER MANAGEMENT WILL BE DESIGNED TO MEET THE REQUIREMENTS AS SET FORTH IN THE POST-CONSTRUCTION CONTROLS ORDINANCE AND TOWN OF HUNTERSVILLE LOW IMPACT DESIGN (LID) MANUAL
2. THE FINAL STORM ROUTING WILL BE BASED UPON THE FINAL LOCATION OF ON-SITE FEATURES.
3. BMP'S WERE PRELIMINARILY SIZED TO CONTAIN THE DIFFERENCE IN VOLUME BETWEEN THE PREDEVELOPMENT AND POST DEVELOPMENT 50 YEAR STORMS AND THE WATER QUALITY VOLUME. THE BMP WAS ALSO SIZED TO HOLD AN APPROXIMATED VOLUME FOR WATER QUALITY VOLUME, CHANNEL PROTECTION VOLUME, AND PERMANENT POOL VOLUME. THE APPROX. REQUIRED STORAGE VOLUME IS 417,000 CF (50 YR POST DEVELOPMENT VOLUME) – 217,000 CF (PRE-DEVELOPMENT VOLUME) = 146,000 CF
4. THE REQUIRED COMBINED WATER QUALITY VOLUME AND CHANNEL PROTECTION VOLUME WILL BE APPROX. 47,500 CF.

GENERAL NOTES:

1. GRADING IS PROHIBITED WITHIN 25' OF DUKE ENERGY TRANSMISSION TOWERS OR POLES.
2. APPROVAL OF THIS PLAN IS NOT AN AUTHORIZATION TO GRADE ADJACENT PROPERTIES. IF FIELD CONDITIONS WARRANT OFFSITE GRADING, PERMISSION MUST BE OBTAINED FROM THE AFFECTED PROPERTY OWNERS.

IMPERVIOUS AREA CALCULATIONS

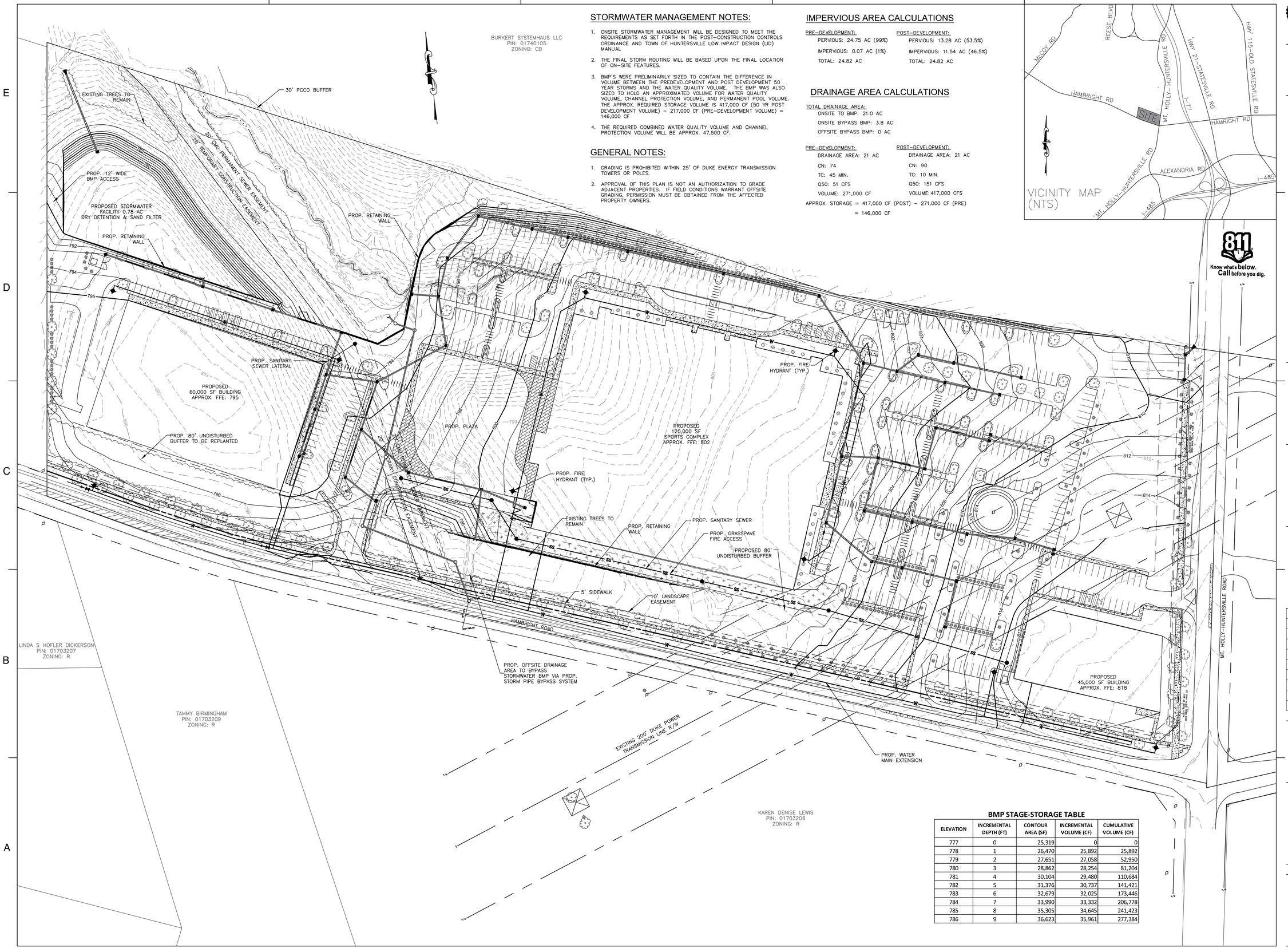
PRE-DEVELOPMENT:	POST-DEVELOPMENT:
PERVIOUS: 24.75 AC (99%)	PERVIOUS: 13.28 AC (53.5%)
IMPERVIOUS: 0.07 AC (1%)	IMPERVIOUS: 11.54 AC (46.5%)
TOTAL: 24.82 AC	TOTAL: 24.82 AC

DRAINAGE AREA CALCULATIONS

TOTAL DRAINAGE AREA:
ONSITE TO BMP: 21.0 AC
ONSITE BYPASS BMP: 3.8 AC
OFFSITE BYPASS BMP: 0 AC

PRE-DEVELOPMENT:	POST-DEVELOPMENT:
DRAINAGE AREA: 21 AC	DRAINAGE AREA: 21 AC
CN: 74	CN: 90
TC: 45 MIN.	TC: 10 MIN.
Q50: 51 CFS	Q50: 151 CFS
VOLUME: 271,000 CF	VOLUME: 417,000 CFS

APPROX. STORAGE = 417,000 CF (POST) – 271,000 CF (PRE)
= 146,000 CF



BMP STAGE-STORAGE TABLE

ELEVATION	INCREMENTAL DEPTH (FT)	CONTOUR AREA (SF)	INCREMENTAL VOLUME (CF)	CUMULATIVE VOLUME (CF)
777	0	25,319	0	0
778	1	26,470	25,892	25,892
779	2	27,651	27,058	52,950
780	3	28,862	28,254	81,204
781	4	30,104	29,480	110,684
782	5	31,376	30,737	141,421
783	6	32,679	32,025	173,446
784	7	33,990	33,332	206,778
785	8	35,305	34,645	241,423
786	9	36,623	35,961	277,384

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HUNTERSVILLE SPORTS VILLAGE

HUNTERSVILLE, NORTH CAROLINA

SEAL

NORTH CAROLINA PROFESSIONAL SEAL 039857 ENGINEER TIMOTHY J. DERYLAK
10/14/16

KEY PLAN

SCALE: 1" = 60'

0' 30' 60' 120'

No.	DATE	BY	Description
1	10/12/16	TD	TOWN COMMENTS

REVISIONS

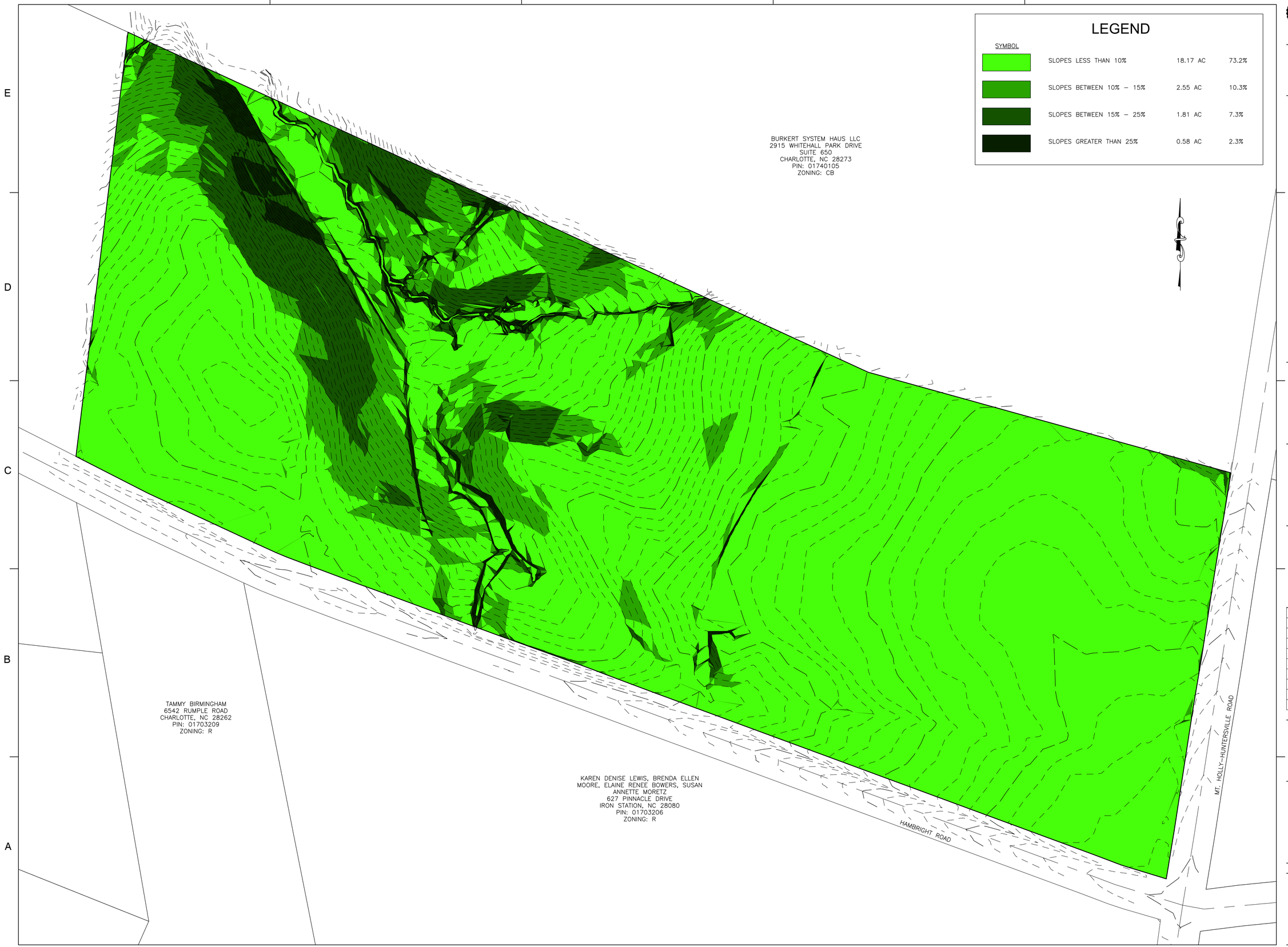
DRAWN BY
APPROVED BY
CHECKED BY
DATE JULY 29, 2016

TITLE

PRELIMINARY GRADING & STORM WATER CONCEPT PLAN

PROJECT NO. 50083178

SP5



LEGEND

SYMBOL			
	SLOPES LESS THAN 10%	18.17 AC	73.2%
	SLOPES BETWEEN 10% – 15%	2.55 AC	10.3%
	SLOPES BETWEEN 15% – 25%	1.81 AC	7.3%
	SLOPES GREATER THAN 25%	0.58 AC	2.3%

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HUNTERSVILLE SPORTS VILLAGE

HUNTERSVILLE, NORTH CAROLINA

SEAL

NORTH CAROLINA PROFESSIONAL SEAL 038857 ENGINEER TIMOTHY J. DERTLAK 7/29/16

KEY PLAN

SCALE: 1" = 60'

0' 30' 60' 120'

No.	DATE	BY	Description

REVISIONS

DRAWN BY

APPROVED BY

CHECKED BY

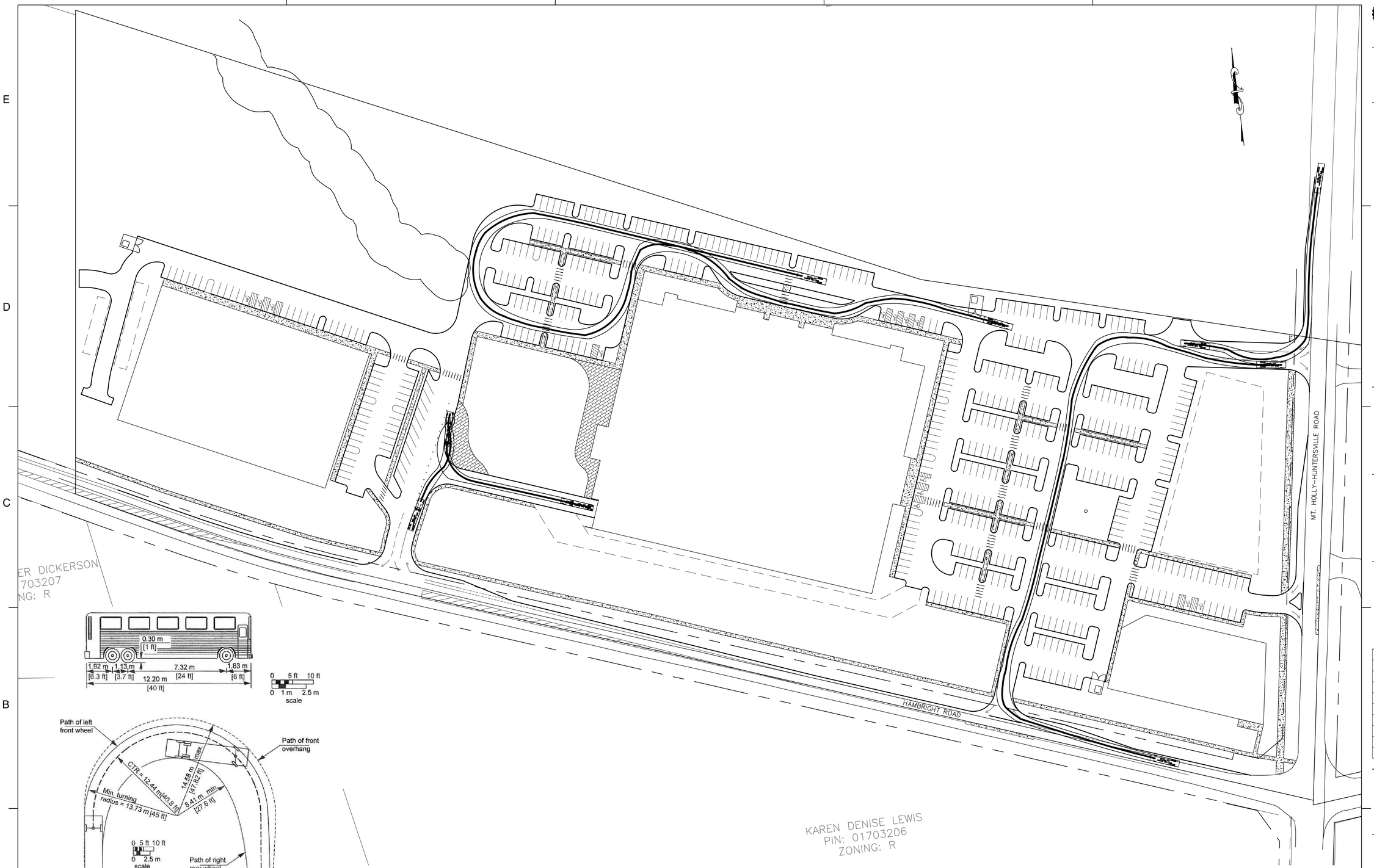
DATE JULY 29, 2016

TITLE

SLOPE ANALYSIS

PROJECT NO. 50083178

SP6



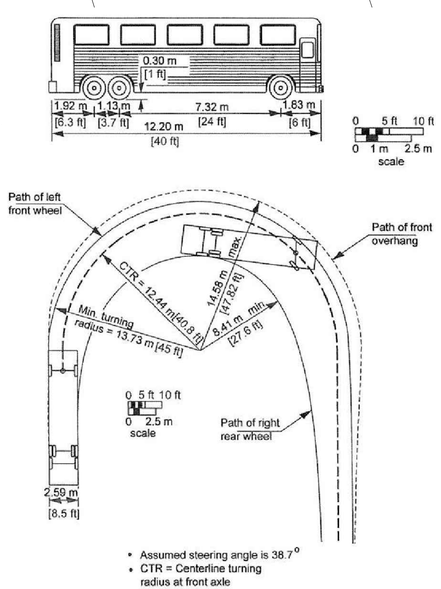


Exhibit 2-5. Minimum Turning Path for Intercity Bus (BUS-12 [BUS-40]) Design Vehicle

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HUNTERSVILLE SPORTS VILLAGE

HUNTERSVILLE, NORTH CAROLINA

SEAL

NORTH CAROLINA PROFESSIONAL SEAL 039857 ENGINEER TIMOTHY J. DERYLAK 10/14/16

KEY PLAN

SCALE: 1" = 60'

0' 30' 60' 120'

No.	DATE	BY	Description
1	10/12/16	TD	TOWN COMMENTS

REVISIONS

DRAWN BY

APPROVED BY

CHECKED BY

DATE JULY 29, 2016

TITLE

TURNING MOVEMENTS

PROJECT NO. 50083178

SP7

Dewberry

Dewberry Engineers Inc.
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704.509.9937 fax
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SIGN-IN SHEET

NAME	ADDRESS	PHONE
DAN BOONE	317 SOUTHLAND Rd	704-948-1685
LINDA DIZKUSON	10516 Hambright	704 497 5742
JOHN ANTERALIA	15705 FRAMINGHAM LANE	704-495-0586
GIUSEPPE CURCIO PIRAINO	5137 S. Parker Rd.	704-363 2825
CHARLES GUEGNARD	Box 1766 - H. NC 28070	704-8751407

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SIGN-IN SHEET

NAME	ADDRESS	PHONE
BRAD PRIEST	TOWN OF HUNTERSVILLE	
ANDREW SWICEGOOD	DEWBERRY	
JAY MARTIN	OWNER SPORTS VILLAGE LAND LLC	
TIM DERYLAK	DEWBERRY	
SKIP NOTTE	DEWBERRY	

Huntersville Sports Village Meeting Minutes

Date: 08/22/16
Time: 6:00 PM
Location: Huntersville Town Planning Office

Introduction:

Skip Notte: Sports Village, Inc. has submitted a rezoning application to change the 24 acre parcel from Corporate Business (CB) to Special Purpose (SP). The intent is to develop three structures: a 60,000 SF flex-space building, a 120,000 SF sports complex, and a 45,000 SF building for office and/or retail space.

Questions and Discussion:

Attendee: What will be the use of the flex space?
Skip Notte: It has the potential for many different uses. Nothing has been decided on, but it could provide space for weight rooms, indoor recreation, teaching spaces, etc..

Skip Notte: The food services available, along with the outdoor amenities, offer a total package for families.

Attendee: Are the eight basketball courts full size?
Skip Notte: Yes.
Attendee: Will they all have permanent seating?
Jay Martin: The seating will be temporary. The space will primarily be an open recreation space and could service gymnastics, wrestling, dance, etc…
Skip Notte: The floor plan has not been finalized, but will likely be such that the seating could be situated for a variety of events and purposes.
Attendee: Nothing stops the space from being a banquet room that seats 1500 people?
Skip Notte: The parking limits the number of people
Jay Martin: If our original plan were to fail it could easily become a distribution center.

Skip Notte: A text amendment was submitted on August 1, 2016 to allow for indoor recreation in Special Purpose zoned areas. The goal is for rezoning to be completed by December 5, 2016.
Attendee: Does that include the text amendment and board vote?
Brad Priest: Yes, we hope the site plan approval and rezoning to be complete by December 5, 2016. A public hearing meeting will be held in November.

Skip Notte: We are in the process of preparing the traffic impact analysis, which we hope to be submitted by late September.

Skip Notte: Sewer service is in the proximity of the site, and water service exists along Mt. Holly-Huntersville Road. We have been in contact with Duke Energy about the overhead power easement to make sure we meet all of their requirements.

Skip Notte: Approximately 450 parking space will be needed to serve the intended uses of the site. We are currently planning to provide 510 spaces with an additional 100 through the use of grass.

Skip Notte: We have had our stormwater management plan looked at by Mecklenburg county.

Skip Notte: The 60,000 SF and 120,000 SF buildings will utilize the 80' natural buffer. The 45,000 SF building will address the street.

Skip Notte: We have performed a tree survey to identify any necessary mitigation requirements.

Attendee: Are there any other buildings adjacent to the property?
Skip Notte: Burkert is the only one.

Attendee: Are there any structures on this property presently?
Skip Notte: There is one small house on the western side of the property.

Attendee: What is the size of the pond?
Tim Derylak: 0.9 acres.

Attendee: Does Duke have issue with a 3-story building near their easement?
Skip Notte: We have shared this with them, and their only comment was with the entrance on the NE corner.
Attendee: Where does the road between the two large buildings lead.
Skip Notte: This road is designed to serve as a loading dock for the 120,000 SF building.

Attendee: The entrance to the building will not face Hambright Road?
Skip Notte: Yes, the entrance to the building will be on the far side facing away from Hambright.

Attendee: There are four road accesses?
Skip Notte: Yes.
Brad: The accesses are currently under review.
Skip Notte: Yes, that is a part of the traffic impact analysis.

Attendee: What is the plan for construction?
Skip Notte: If rezoning is completed as planned, there is a possibility of construction beginning in 2017.

Attendee: Will the corner office building be built concurrently with the main building?
Jay Martin: Construction of the 60,000 SF and 45,000 SF buildings depend on demand. We are currently working right now with tenants and possible lease arrangements for those buildings.

Attendee: Will the corner building be retail or strictly office space?
Jay Martin: Right now we do not know.
Attendee: Is retail allowed?
Brad Priest: Yes, Special Purpose zoning allows retail.

Attendee: Will there be a restaurant in the main building?
Jay Martin: Food service will be provided but not a restaurant.

Attendee: Could a drive-through window be a part of the retail space in the corner building?
Brad Priest: I do not believe that Special Purpose zoning allows for drive-through windows.

Attendee: How much is the total potential investment?
Jay Martin: We are looking at spending $10-12 million on the sports complex building. We are not sure about the corner building.
Skip Notte: That does not include the site work, which will be $3-4 million dollars.
Attendee: Will the basketball courts be leased out long-term to other organizations:
Jay Martin: That is not our plan. Our plan is to run those operations ourselves.

Mayor Aneralla: Are you still looking at after-school programs and tutoring?
Jay Martin: Yes.

Skip Notte: We like this parcel for its location. It provides a transition between the economic development to the north and the residential areas to the south.

Attendee: Where is Burkert in relation to this site?
Skip Notte: (identifies the location of Burkert)

Attendee: Does Burkert own up to the backside property line of this site?
Skip Notte: Yes.

Attendee: Is there any possibility of utilizing Burkert's parking for large events?
Skip Notte: Sports Village has been in conversation with Burkert. They are aware of what we are doing and appear to be in support, but their campus belongs to them.

Huntersville Sports Village - Neighborhood Meeting Invitees	
Owner	**Address**
Linda S. Hofler Dickerson	10516 Hambright Road Huntersville, NC 28078
Burkert System Haus LLC	2915 Whitehall Park Drive Suite 650 Charlotte, NC 28273
Piraino Investments LLC	5137 Parkview Drive Charlotte, NC 28226
Moores Cabinet Shop	627 Pinnacle Drive Iron Station, NC 28280
Linda S. Hofler Dickerson	10516 Hambright Road Huntersville, NC 28078
Linda S. Hofler Dickerson	10516 Hambright Road Huntersville, NC 28078
Tammy Birmongham	6542 Rumple Road Charlotte, NC 28262
Karen Denise Lewis Brenda Ellen Moore Elaine Renee Bowers Susan Annette Moretz	627 Pinnancle Drive Iron Station, NC 28080
SB Land LLC	9911 Rose Commons Drive Huntersville, NC 28078
NC State Prison	P.O. Box 605 Huntersville, NC 28078
INC United Oil of the Carolinas	P.O. Box 68 Gastonia NC 28053
Linda S. Hofler Dickerson	10516 Hambright Road Huntersville, NC 28078
Howard J. Foy	201 Keats Road Mooresville, NC 28117
Mayor John Aneralla	15705 Framingham Lane Huntersville, NC 28078
Commissioner Melinda Bales	15426 Ranson Road Huntersville, NC 28078
Commissioner Dan Boone	317 Southland Road Huntersville, NC 28078

Commissioner Mark Gibbons	13818 Bramborough Road Huntersville, NC 28078
Commissioner Charles Guignard	P.O. Box 1766 (201 Sherwood Drive) Huntersville, NC 28070
Commissioner Rob Kidwell	7603 Rolling Meadows Ln Huntersville, NC 28078
Commissioner Danny Phillips	14720 Brown Mill Road Huntersville, NC 28078
Town of Huntersville Attn: Mr. Gerry Vincent Assistant Town Manager	P.O. Box 664 Huntersville NC 28070
Town of Huntersville Attn: Ms. Janet Pierson Town Clerk	P.O. Box 664 Huntersville NC 28070
Town of Huntersville Attn: Mr. Greg Ferguson Town Manager	P.O. Box 664 Huntersville NC 28070
Town of Huntersville Attn: Mr. Brad Priest Planning Department Project Coordinator	P.O. Box 664 Huntersville NC 28070
Harold Bankirer	17206 Linksview Lane Huntersville, NC 28078
Catherine Graffy	15120 Pavilion Loop Drive Huntersville, NC 28078
Stephen Swanick	12903 Heath Grove Drive Huntersville, NC 28078
Joe Sailers	9332 Westminster Drive Huntersville, NC 28078
Jennifer Davis	7727 Prairie Rose Lane Huntersville, NC 28078
Adam Planty	12327 Cross Meadow Road Huntersville, NC 28078
Ron Smith	15902 Gathering Oaks Huntersville, NC 28078
Susan Thomas	10215 Lasaro Way Huntersville, NC 28078

JoAnne Miller	13900 Asbury Chapel Road Huntersville, NC 28078
Cedar Management Attn: Plum Creek HOA	9500 Statesville Road Charlotte, NC 28269
Hawthorned Management Attn: Cedarfield HOA	PO Box 11906 Charlotte, NC 28220

Town of Huntersville
NORTH CAROLINA

October 24, 2016

Mr. Mike Clapp
18635 Starcreek Dr, Unit F
Cornelius, Nc 28031

Re: Adequate Public Facilities (APF) Application – Sports Village (File #2016-14)

Dear Mr. Clapp:

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 225,000 sf, I am issuing a "Determination of Adequacy (DOA)" (see attached) for the following public facilities:

- Fire Vehicles
- Fire Facilities
- Police Facilities

Please be advised that this DOA is valid for one (1) year, or until October 24, 2017, by which date this development proposal must have achieved vesting, per Section 2.2 of the Zoning Ordinance.

I am also issuing a "Determination of No Available Capacity (DONAC)" (see attached) for Police Vehicles, as there is currently no available capacity for this public facility to serve the proposed development.

In the accordance with Article 13.6.6 Non-Availability of Capacity; Mitigation Plans, of the APF Ordinance, where there is no Available Capacity, the applicant may:

1). *"Submit a Development Proposal that has a reduced amount of development for which available capacity exists;*
2). *Submit a Phased Development Proposal that includes the following:*
a. *a proposed Phasing Schedule setting forth the amount, location, and timing of development associated with each proposed phase;*
b. *a showing that Available Capacity will exist for each phase of development;*
c. *where Advanced Facilities are proposed, the location and timing of the proposed facilities based on the Phasing Schedule and Mitigation Plan as provided in c) (3) below; and*
d. *other additional information or materials identified by the Administrator or other Town staff as necessary to ensure the timely and adequate provision of Public Facilities, based on the level of service standards and requirements of this Article.*

3) *<u>Propose a Mitigation Plan</u>, at the applicant's expense, which provides Advanced Facilities that would mitigate the proportionate-share impacts of the Proposed Development on Public Facilities based on the Level of Service standards in section 13.4. Should mitigation be required in conjunction with a Development Proposal, nothing shall preclude the participation of third-parties (public or private) in defraying all or a portion of the cost of such mitigation. Any Mitigation Plan that proposes the provision of Advanced Facilities must provide an estimate of the incremental cost of providing the Advanced Facilities, a schedule for commencement and completion thereof, and a description of how the Advanced Facilities will mitigate the impact of the Proposed Development. In order for a Mitigation Plan to be accepted, it must be approved by the Town Board."*

Police Vehicles (including any capacity included on a "Capital Improvements Program (CIP)" adopted by the Town and expected to be made available by the end of the third fiscal year following the date of the APF Application) to serve this development must be made available prior to the issuance of a Certificate of Occupancy for any of the lots in this development., Should Police Vehicle capacity for this development not be made available prior to the request for issuance of a Certificate of Occupancy for all or a portion of the proposed development, mitigation per Article 13.6.6 will be required.

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

Sincerely,

Brian Richards
GIS Administrator

Cc: Jack Simoneau, AICP, Planning Director
Gerry Vincent, Assistant Town Manager
Robert Blythe, Town Attorney
Brad Priest, Principal Planner

LAKE NORMAN
economic development

July 14, 2016

RE: Sports Village Project

Greetings:

The Lake Norman Economic Development Corporation (LNEDC) is responsible for development and execution economic development strategies for the towns of Cornelius, Davidson and Huntersville. The goals are to improve our quality of life through expansion of the tax base and creation of new, highly skilled jobs for area residents.

LNEDC staff has studied the proposed Sports Village development at the NW corner of Mt Holly Huntersville Road and Hambright Road. This project consists of a large multipurpose facility along with a mix of office and other development. The project represents over $15M of taxable investment, and will create full time and seasonal jobs.

The Sports Village will also serve as a transition between the Industrial uses (Bürkert, Nutec, Saertex) and the rural property to the south of Hambright Road.

Lake Norman Economic Development supports this development at the proposed location, and we look forward to the economic benefits provided by the Sports Village.

Thanks for your consideration.

Respectfully,

Ryan McDaniels
Executive Director

burkert
FLUID CONTROL SYSTEMS

Burkert Fluid Control Systems
2915 Whitehall Park Drive, Suite 650
Charlotte, North Carolina 28273
U.S.A.

Phone (704) 504-4463
Fax (704) 504-4722
www.burkert-usa.com

August 3, 2015

Ryan McDaniels
Lake Norman Regional EDC
10115 Kincey Avenue, Suite 148
Huntersville, NC 28078

Subject: Sports Village - Town of Huntersville

Dear Ryan,

I recently had the opportunity to meet with Michael Clapp to learn about their 'Sports Village' proposal to purchase land located on Hambright Road; this land is adjacent to our 98 acres located on Mt. Holly-Huntersville Road.

This is an exciting project which we would welcome as neighbors! The numerous fitness amenities and health/wellness programs would be a plus for our employees and their families. This would be a positive offering to the many new hires and their families that may relocate to work in Huntersville and the Lake Norman region.

I was especially pleased to learn that Mr. Clapp has already reached out to various non-profits with plans to start literacy and scholarship programs to support our community. This 'community involvement' is the type of neighbor we had only 'dreamed about'....

We talked about the possibility to 'partner' in the future, using Mr. Clapp's contacts to bring Burkert's dream to create outdoor walking & bike trails for our employees, their families and the local community. We envision the trails be created under the Duke Power easement (part of the Carolina Thread Trailway System) and follow the creek along the entire back of our property which continues into the proposed land to be purchased for the Sports Village. Think about it... this could possibly be a 'Trailway loop' that would cover over 130 acres together! Awesome!

Please contact me if you need any additional information.
Best Regards,

Diann Norwood

Diann Norwood
Executive Assistant
Project Manager
diann.norwood@burkert.com

cc: Michael Clapp

and Special Purpose (SP). Bryton also includes a planned transit station stop, one of three proposed for Huntersville.

b.) Medium-Term Opportunity Areas (Years 3-7)

The Red Line Regional Rail (RLRR) Project (a.k.a "Red Line") is a planned commuter rail transit line to offer passenger service between Charlotte and Mooresville, along an existing 25-mile section of the Norfolk and Southern "O" Line. The Red Line would include three station stops in Huntersville: Hambright Station, Downtown Station and Sam Furr Station and is one of five transit lines included in the 2030 Transit System Corridor Plan, adopted by the Charlotte-Mecklenburg Metropolitan Transit Commission (MTC) in 2007. The current schedule for implementation of the Red Line is pending development of a system-wide plan to finance the entire transit system. Approval for use of the Norfolk & Southern rail line will also need to be obtained prior to the implementation of passenger rail service. If the project does indeed move forward, it will greatly enhance the attractiveness of the Town's three planned transit station areas to potential investors, and otherwise accelerate economic activity in these areas. Indeed, estimates regarding job creation associated with the RLRR Project suggest that the line would generate 23,000 new jobs in the North Corridor by 2035.

- ***Hambright Station*** – *(See Bryton)*

- ***Huntersville Station*** — Located around Huntersville's traditional downtown; this area has a Town Center Zoning designation which supports a diverse array of uses of relatively high density in a compact, pedestrian oriented environment. Planning for transportation improvements are underway, which could be funded in part from Tax Increment Financing (TIF, or synthetic TIF) as discussed in Section 4-C of this report. The case for downtown revitalization is strong, as the Town will accrue both tangible and intangible benefits through redevelopment: the development program projects 586 new jobs supported; increased property values will generate net new property tax revenues; a revitalized downtown will serve as the activity center for nearby neighborhoods and employment nodes; and, a revitalized downtown will create a source of pride for the Town. The redevelopment of the downtown should be a priority action item for the Town, with or without a transit station.

- ***Sam Furr Station*** — The greater area surrounding the proposed Sam Furr transit station comprises a significant amount of CB and SP zoned land, located east of the Norfolk Southern rail line. While the SP zoned area contains existing industrial uses, the CB zoned land is largely undeveloped with the exception of a large warehouse in the northeast quadrant of Old Statesville and Sam Furr Roads. If the RLRR project does not come into fruition, development of this area will likely be longer term.

- ***06-07 and R03-09 (Mt. Holly/Huntersville Road West of I-77) -*** The two large CB zoned tracts to the south of The Park Huntersville and west of I-77 (referred to as R06-07 and R03-09 in Figure 4-6), represent medium term commercial development opportunities for Huntersville. The two areas comprise 666 acres.

c.) Long-Term Opportunity Areas (Years 8-16)

- ***R06-07 and R03-09 (Mt. Holly/Huntersville Road West of I-77) -*** The two large CB zoned tracts to the south of The Park Huntersville and west of I-77 (referred to as R06-07 and R03-09 in Figure 4-6), also represent long term commercial development opportunities for Huntersville.

- ***NC 73 Land Use & Economic Development Plan Area*** - In 2005, a small area and economic development plan was prepared for a 3½ mile stretch of NC 73 from Davidson-Concord Road to Poplar Tent, traversing the jurisdictions of Davidson, Huntersville and Cabarrus

County. The plan anticipates the widening of NC 73 as recommended in the 2003 NC 73 Transportation and Land Use Corridor Study. The Plan provides for a Central Business District that straddles both Davidson and Huntersville, and allows for commercial building heights of 2 to 6 stories. The Huntersville portion of the Plan Area is estimated to equal 100 acres, and also contains a Research and Development District and a Neighborhood Center. Anticipated build-out is 20 to 30 years. In 2012, Huntersville updated its portion of the NC 73 LUEDC Plan. This plan modified the NC 73 Plan but reiterated the recommendations for a mixed-use land use pattern along NC 73, with adjoining office/flex and light industrial uses.

d.) Conclusions and Recommendations

All of Huntersville's CB zones are appropriately located in the higher density area situated in the I-77/NC-115 area of the Town, which is recommended for a "Higher Intensity" development pattern in the 2030 Community Plan (Figure 6-2). Economic Analysis Zones encompassed in this development pattern include 1, 3, 5, 6, 7 and 8. Zone 10 is the exception in the "Lower Intensity" areas by virtue of the NC 73 Plan.

- ***Master/Small Area Planning*** — The Town may want to consider creating small area plans for commercially zoned districts where higher density development (and associated employment) may occur , as a means of maximizing its current inventory of non-residentially-zoned land, along with the resulting tax base for the Town. While there is sufficient acreage currently zoned for employment type land uses, area plans would provide the Town with a valuable tool for integrating these uses into areas which have previously been characterized by either a low-intensity or underdeveloped land use pattern.

- ***Preserve Non-Residentially Zoned Land*** — It is reasonable to assume that demand for residential development will continue to outpace non-residential development in the foreseeable future. As Huntersville approaches residential build-out, developers and landowners are likely to bring pressure to bear to rezone non-residential land to residential. This trend is well documented in other jurisdictions, and is one the Town should remain mindful of and resist when and if the occasion warrants. In order to attain an optimal balance of residential and non-residential development, the town should maintain its inventory of land for employment generating uses (i.e., office, industrial, etc.) in order to ensure its economic sustainability into the future.

2. Coordinate Economic Development Programs and Support Services

Huntersville's economic development initiatives will be most effective through the enhancement of the ongoing efforts of the LNREDC and other advocacy organizations. Although the subsequent action items in this section fall outside of the responsibilities of the LNREDC, the Town can take steps to coordinate more effectively with its economic development partners.

- *Establish a point person for economic development:* — The town should assign an individual as a de facto economic development director, who can interact with LNREDC, CPCC, and other economic development organizations. This individual will administer activities associated with the recommendations contained herein, and help ensure that public policy is consistent with Huntersville's economic development objectives.

- *Connect to and coordinate with the network of available business resources:* The economic development point person should become familiar with all of the local, state, and federal assistance programs and funding mechanisms that support economic development, including deadlines for submitting grant applications, eligibility requirements for various programs, etc.

General Application

Town of Huntersville NORTH CAROLINA

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 <u>submission process</u> 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 (Multibuilding Site Concept Plan)
- ☐ FINAL PLAT(includes minor and exempt plats)
- ☐ FINAL PLAT REVISION
- ☐ FARMHOUSE CLUSTER

2. Project Data

Date of Application 07/28/2016

Name of Project Huntersville Sports Village Phase # (if subdivision) n/a

Location 10695 Hambright Road

Parcel Identification Number(s) (PIN) 017-401-04

Current Zoning District CB Proposed District (for rezonings only) SP(CD)

Property Size (acres) 24.82 Street Frontage (feet) 2,306

Current Land Use Vacant

Proposed Land Use(s) Indoor recreation, medical office, retail, and business park.

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.

Conditional rezoning of property to Special Purpose and concurrent review of the concept plan by town and county. This application is being submitted concurrently with a text amendment to amend language in the zoning ordinance, article 3, section 3.2.10 (a.).

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 .

Last updated on 9/15/2015

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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 M Clapp Printed Name Michael Clapp, Sports Village Land LLC

Address of Applicant 18635 Starcreek Drive, Unit F

Email msclapp6@yahoo.com

Property Owner's Signature (if different than applicant) Same as Applicant

Printed Name Sports Village Land Group LLC

Property Owner's Address Sports Village Land Group LLC,C/O Mike Clapp 18635 Starcreek Dr, Unit F, Cornelius, NC 28031 Email msclapp6@yahoo.com

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

Sports Village Inc.	Michael Clapp	(704) 201-8876	msclapp6@yahoo.com
Development Firm	Name of contact	Phone	Email
Dewberry Engineers Inc.	Skip Notte	(704) 625-5088	snotte@dewberry.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:

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

Last updated on 9/15/2015

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Town of Huntersville
REQUEST FOR BOARD ACTION
11/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Brad Priest, Senior Planner
Subject: R16-09: Blythe Landing Mini Storage

R16-09 is a request by Daniel Phillips, Madeline Phillips, and Helga Haddix to rezone 9.25 acres (portion of parcel #00902202, known as 14936 Brown Mill Road) from Rural (R) to Special Purpose Conditional District (SP-CD). The purpose of the rezoning is to allow the construction of a 123,225 sqft mini warehouse facility. The rezoning is located near the corner of Beatties Ford Road and Brown Mill Road.

ACTION RECOMMENDED:
Consider holding a public hearing on November 7, 2016.

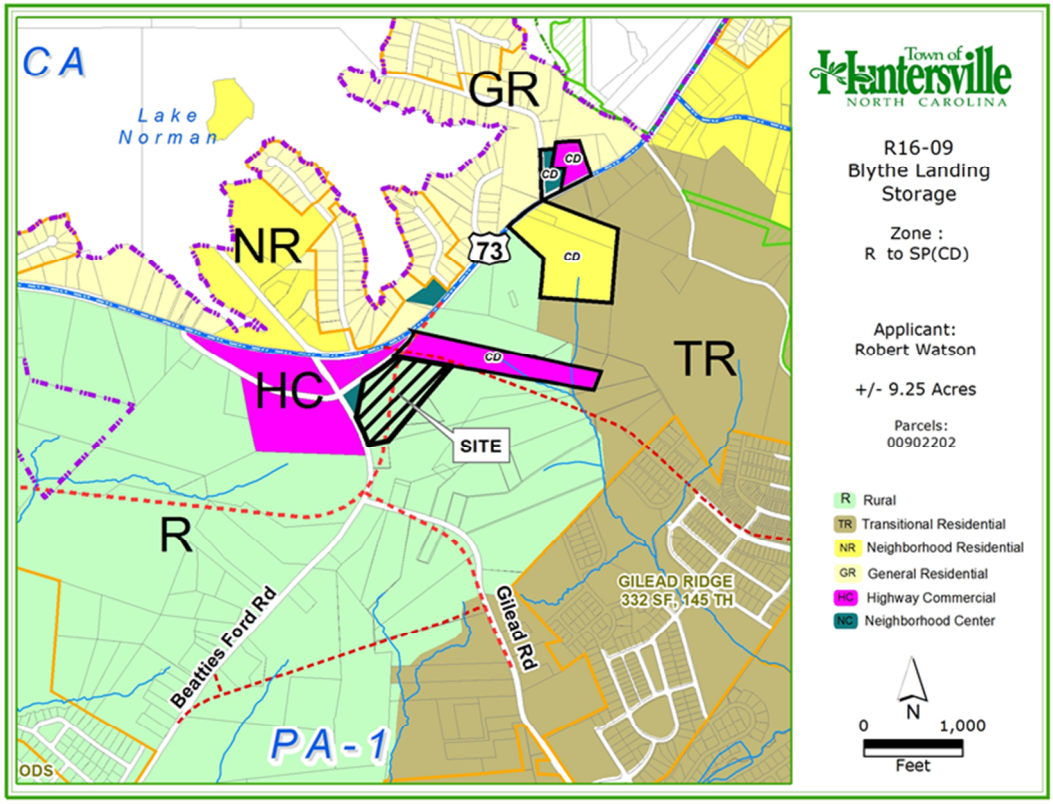
FINANCIAL IMPLICATIONS:

ATTACHMENTS:

Description	Type
Staff Report	Staff Report
Rezoning Plan	Exhibit
Neighborhood Meeting Invitation List	Backup Material
Neighborhood Meeting Summary	Backup Material
Portions of Beatties Ford Road Small Area Plan	Backup Material
TIA Determination - No Need	Backup Material
Application	Backup Material

Petition R16-09: Blythe Landing Mini-Storage

PART 1: PROJECT SUMMARY



Applicant: Bob Watson

Property Owner: Daniel Phillips, Madeline Phillips, and Helga Haddix

Property Address: 14936 Brown Mill Road

Project Size: 9.38 acres (portion of existing parcel)

Parcel Numbers: Portion of 00902202

Existing Zoning:

Corporate Business (CB)

<u>Application Summary</u>:

1. Daniel Phillips, Madeline Phillips, and Helga Haddix have proposed to rezone a portion of their property at 14936 Brown Mill Road from Rural (R) to Special Purpose Conditional District (SP-CD). The purpose of the rezoning is to develop a 123,225 sqft mini storage facility.

2. Adjoining Zoning and Land Uses

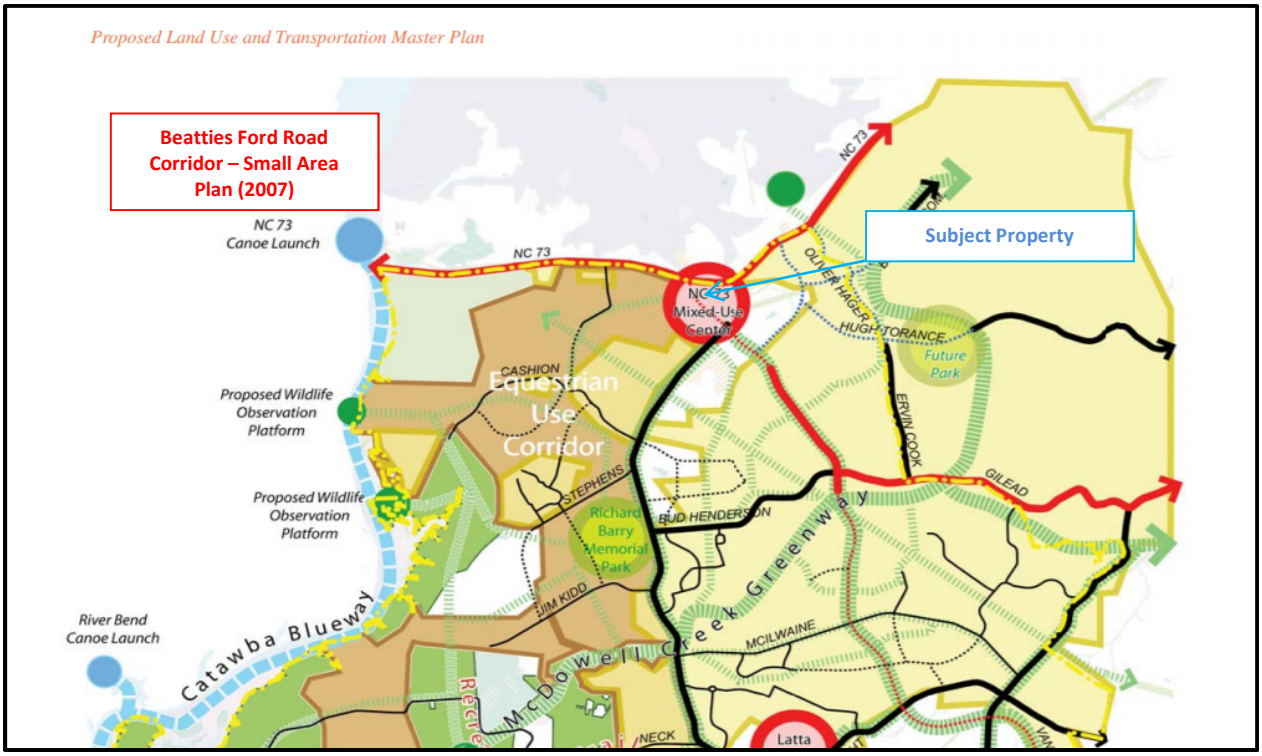
   <u>North</u>: *Neighborhood Center (NC),* Old Store Market, *Highway Commercial* (HC), Grease Monkey Automotive Oil Change Service

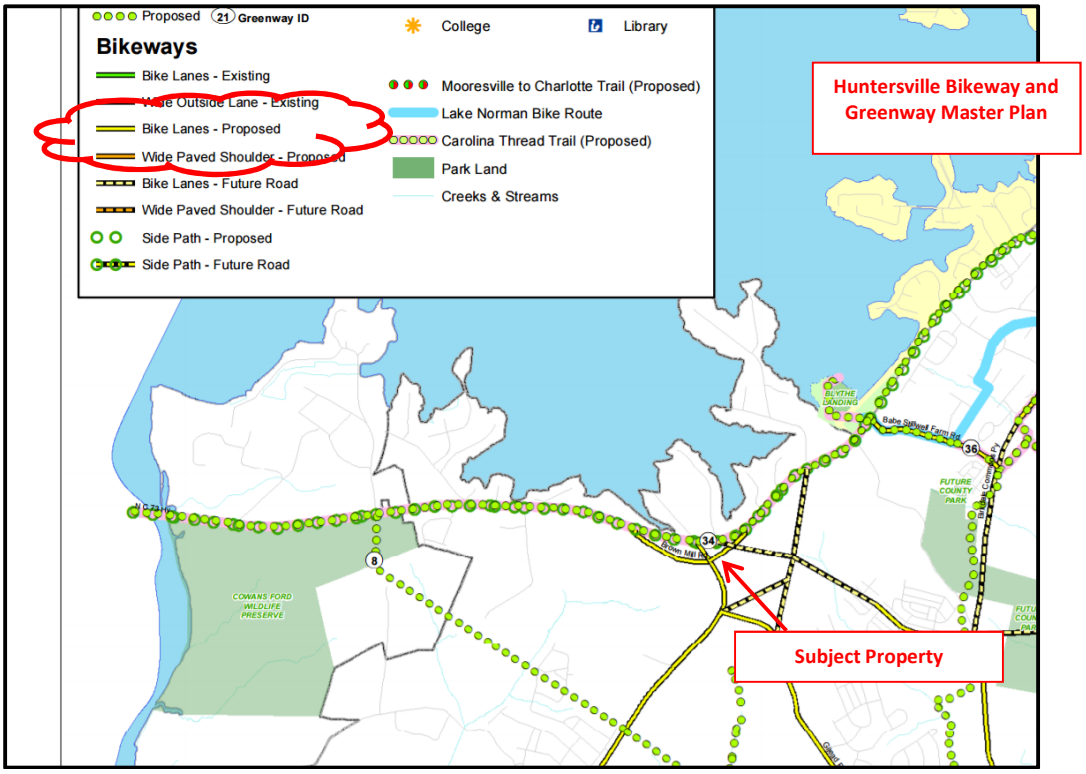
   <u>South</u>: *Rural (R),* Huntersville Fire Station #1, Single Family Residential, Piedmont Natural Gas Regulator Facility

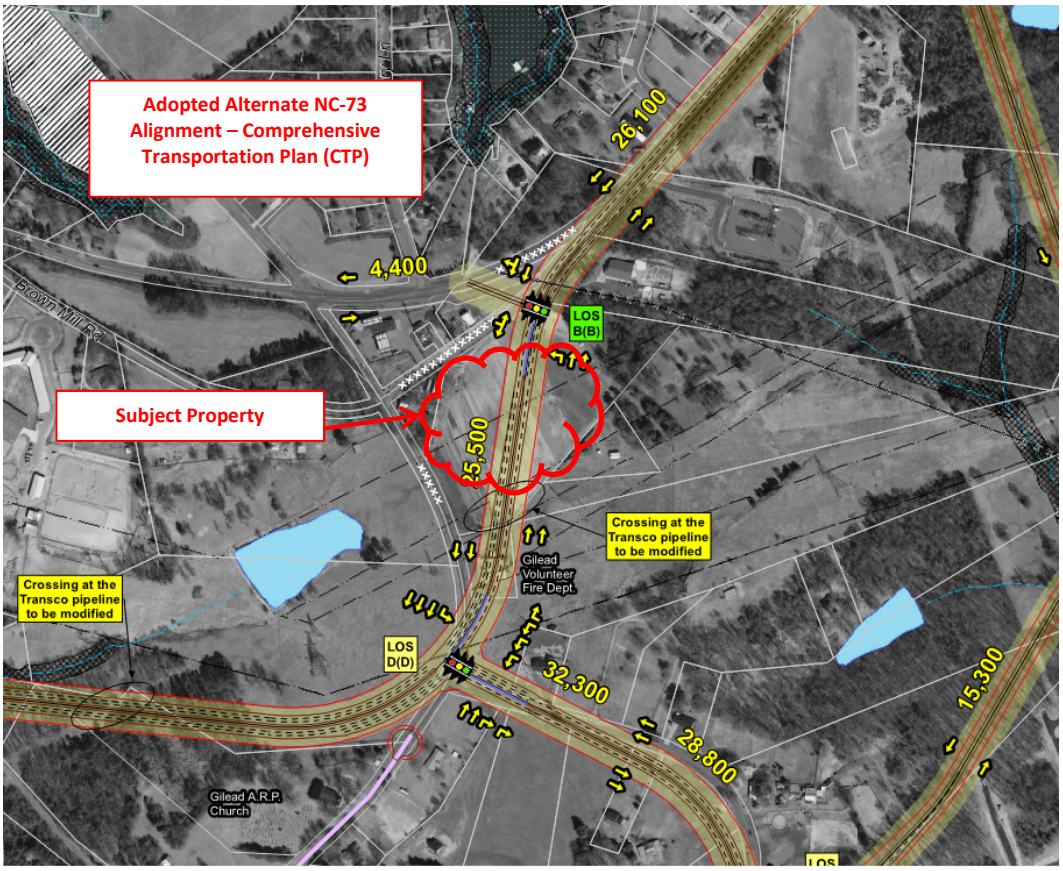
   <u>East</u>: *Highway Commercial Conditional District (HC-CD),* Pet Paradise Grooming Facility, *Rural (R),* Vacant Land

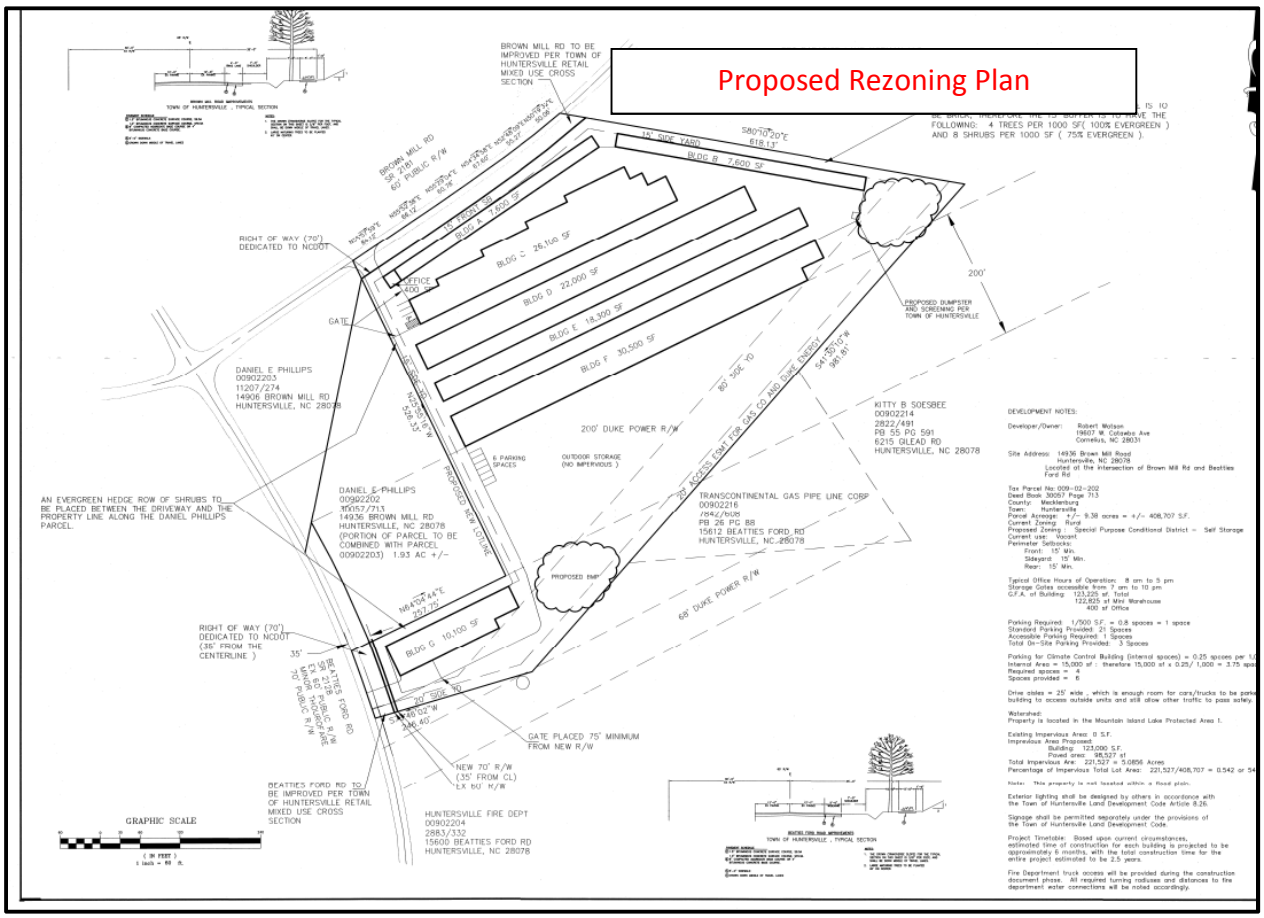
   <u>West</u>: *Highway Commercial (HC),* Farm Land, *Rural (R)*, Vacant Land and Horse Stables
3. Mini-storage facility uses are only allowed under the Town of Huntersville Zoning Ordinance in the Special Purpose (SP) zoning district, therefore the application for the ministorage facility development is to rezone to SP-CD.
4. The applicant proposes to either subdivide the current 11.29 acre tract to create two parcels, or recombine a portion of it into the existing Old Store property to the northwest. As currently proposed only 9.28 acres are proposed to be rezoned and used as a mini-storage facility. Either of the proposed recombination or minor subdivision of the property can be handled administratively by staff after zoning approval.

5. The subject parcel is located in an area studied by the Beatties Ford Road Corridor Small Area Plan. The plan calls for the area around the intersection of NC-73 and Beatties Ford Road to be developed as a "Mixed-Use Center". Please see the land use and transportation master plan of the Beatties Ford Road small area plan below on this page.
6. Per the Huntersville Greenway and Bikeway Master Plan both Beatties Ford Road and Brown Mill Road are bikeway routes with proposed bike lanes. Please see the Greenway and Bikeway map below. To accommodate the bikeway plan, the applicants have proposed to add bike lanes along their frontages of Beatties Ford Road and Brown Mill Road. Please see the proposed rezoning plan below on page 3.
7. The property in question lies in the path of the proposed NC-73 Realignment on the Comprehensive Thoroughfare Plan (CTP). This alignment was recommended by the Town Board by 3-2 vote on September 6, 2011 and adopted by the Mecklenburg-Union Metropolitan Planning Organization (MUMPO, now the Charlotte Regional Transportation Planning Organization (CRTPO)) on November 16, 2011. Please see the adopted NC-73 realignment added to the CTP on page 3 below.
8. A neighborhood meeting for this application was advertised for and held on September 28, 2016. An invitation list, attendance list and summary report for the meeting are included in the agenda packet.




Proposed
21 Greenway ID
Bikeways
Bike Lanes - Existing
Wide Outside Lane - Existing
Bike Lanes - Proposed
Wide Paved Shoulder - Proposed
Bike Lanes - Future Road
Wide Paved Shoulder - Future Road
Side Path - Proposed
Side Path - Future Road
College
Library
Mooresville to Charlotte Trail (Proposed)
Lake Norman Bike Route
Carolina Thread Trail (Proposed)
Park Land
Creeks & Streams
Huntersville Bikeway and Greenway Master Plan
Subject Property
COWANS FORD WILDLIFE PRESERVE
BLYTHE LANDING
FUTURE COUNTY PARK


Adopted Alternate NC-73 Alignment – Comprehensive Transportation Plan (CTP)
26,100
4,400
LOS B(B)
Brown Mill Rd
Subject Property
25,500
Crossing at the Transco pipeline to be modified
Gilead Volunteer Fire Dept.
Crossing at the Transco pipeline to be modified
LOS D(D)
32,300
28,800
15,300
Gilead A.R.P. Church



PART 2: REZONING/SITE PLAN ISSUES

- Article 7.5 of the Zoning Ordinance requires that developments in the Special Purpose (SP) zoning district establish an 80 foot buffer adjacent to the street. However the buffer may be reduced "where building scale, frontage relationship, and location of accessory uses ensure design compatibility off site". Therefore if the building has a frontage relationship to the street, with windows, doors, and is appropriately located on the front build to line (usually about 15 feet from the Right of Way (ROW)), the 80 foot buffer can be significantly reduced or eliminated, as a building "addressing" the street does not need to be buffered from it.

  However, no building elevations have been submitted with the plan showing a relationship to the street and thus allowing the buffer along the street to be reduced. Therefore staff cannot determine if reducing the buffer along Beatties Ford Road or Brown Mill Road is merited. In discussions with the applicant, there have been some photos shared of other existing storage facilities that could potentially qualify for a buffer reduction if they were to be proposed along the street. However no photos, elevations, or commitments have been made in the latest submittal in regard to any elevations of the buildings proposed (Please note, on the hard copies of plans submitted for the 11/7 agenda, photos and an elevation sheet were included for distribution. These photos and elevation sheet were not submitted to staff for review and they are thus being submitted after the agenda deadline. Therefore they will need to be presented by the applicant at the public hearing to make changes following the hearing per Article 11.4.4 C). From only the site plan submitted, the orientation, width, and location of the buildings do not seem like they are proposed to address the street.

The reduction of the buffer based on architecture only applies along the street. Along the other property lines the 80 foot buffer is required by ordinance no matter what the buildings look like. By way of the conditional rezoning process per Article 11.4.7 (K), the Town Board may modify "standards established in the zoning or subdivision ordinance provided the spirit of the regulations are maintained". In the rezoning plan, no modifications have been specifically requested although the rezoning plan shows significant encroachments into the 80 foot buffer along the entire perimeter of the property. The updated plan should be amended to include modification request notes for areas where they would like to reduce the 80 foot buffer and why/how the modifications maintain "the spirit of the regulations" as required by Article 11.

  - No buffering is proposed along the southern property line. It is understood that screening along this southern section will be difficult due to the Duke Power right of way and its planting restrictions. However, with visibility of this area from Gilead Road likely, staff recommends at least some buffering or screening be included on the plan.

- No building elevations were submitted in the plan thus staff does not know if the building materials or heights meet ordinance requirements.
- The parking notes on the rezoning plan offer several different parking counts that seem to conflict. Staff recommends the calculations be simplified with only one calculation showing what amount is required and what amount is provided.
- There currently is a Piedmont Natural Gas Regulator Station located immediately south of the property. Currently access to the regulator is through the subject property north to Brown Mill Road. The proposed development blocks this access and therefore access needs to be re-aligned. In the latest rezoning plan, the access easement has been relocated to the southern extent of the property out to Beatties Ford Road. However this area is located on top of where the 80 foot buffer should be, creating a conflict between required landscaping and the access. It is also not aligned with the proposed driveway on the plan to Beatties Ford Road. Additionally it is unclear how access would be granted as the site is proposed to be gated/fenced off for security purposes. Staff recommends more detail be submitted to understand how the utility access easements will function with the proposed development.
- Under the Duke Power utility lines, the rezoning plan shows parking spaces added in an area labeled "Outdoor Storage – No impervious". This required parking area is required to be paved with asphalt or concrete and have perimeter landscaping installed per Article 6 of the ordinance.
- No tree survey has been submitted and therefore staff cannot review the 30% tree save requirement.
- A concept storm water plan has not been submitted for review. The applicant has requested to submit that at a later time prior to permitting. Such a request normally would be acceptable, however in this situation staff is concerned that the lack of detail in regard to the storm water pond locations on the rezoning plan could cause subsequent site conflicts. For example the general areas identified on the current plan as storm water structures are located both in the required 80 foot buffer and the proposed re-located gas company access easement. These ponds will ultimately need to be moved. Not knowing at this point how big the water structures need to be and where they're going to be located could have a significant effect on site plan at a later time. Staff recommends the concept plan be submitted and reviewed concurrently with the zoning plan to identify the needed size and location of the ponds in relation to the proposed site.
- There is no proposed use listing included on the zoning plan (self-storage is listed as proposed zoning). Staff recommends that any and all uses proposed be specifically noted, and that all other uses in the SP district be prohibited. The SP district includes many uses that could have a negative or high impact on adjacent properties such as heavy manufacturing facilities, landfills, recycling centers, waste incineration etc. Staff does not recommend such uses in this location, nor is it assumed those uses are proposed. Therefore as part of the conditional district it is recommended for clarity purposes these uses be prohibited.
- Staff recommends that a flexibility note be added to the plan describing that the representations on the plan are schematic in nature and may be slightly adjusted during construction and design. Without such a note, the zoning conditions for the development become very rigid to what is exactly shown on the plan.

- It is unclear what type of pavement is proposed and where. Is there gravel throughout the facility? Are the driveways paved with asphalt up to the street? What are asphalt driveway areas and what is grass within the facility? Staff recommends the pavement structure be labeled on the plans.
- Staff recommends if fencing is proposed, the type/material, height, and location be shown on the plan. It is common for mini-storage facilities to have chain link fences. Any such fence would need to conform to Article 8.11.2 of the Huntersville Zoning Ordinance in regard to location, height, and setback.
- Staff has reviewed the submitted plan and has several minor deficiencies still outstanding. It is recommended that final comments be addressed prior to final rezoning plan review by the Town Board.

PART 3: TRANSPORTATION ISSUES

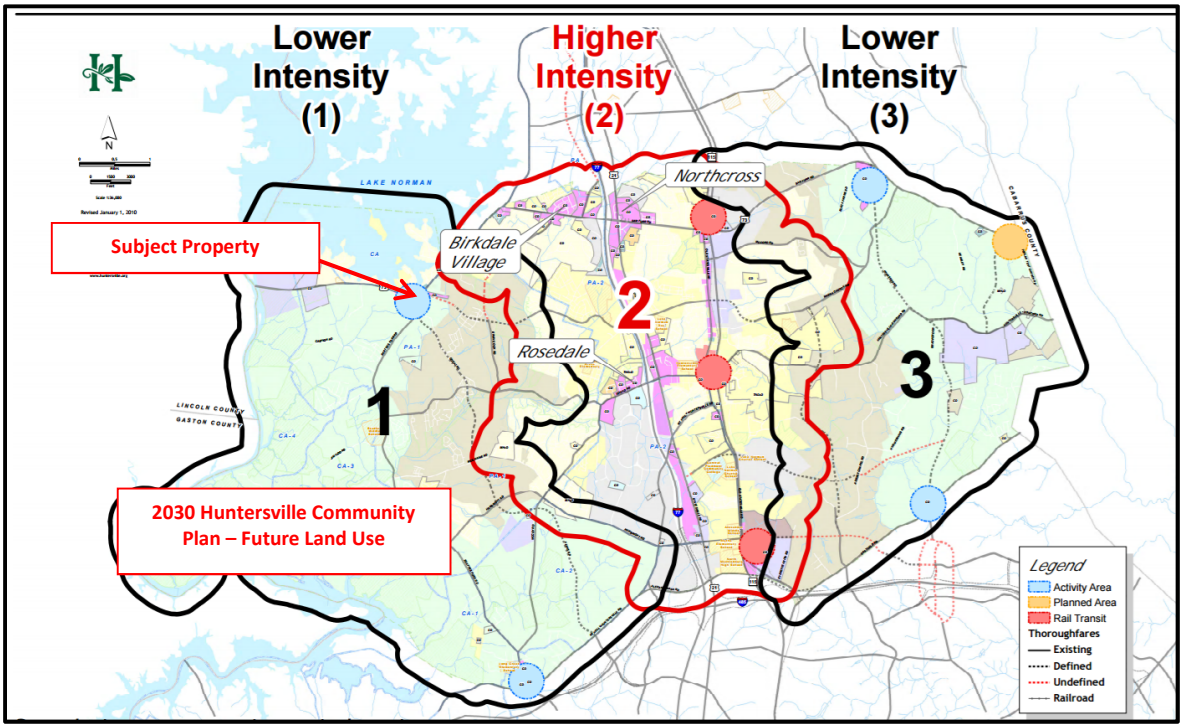
- TIA was not required based on the land use and intensity proposed on the TIA determination form but a new determination is needed to see if one is (TIA determination was for 116,300 square feet while 122,200 was included on the latest site plan.
- Many errors exist on the typical street sections that need revision.
- Driveways shown on the plan go to the middle of the road for both Brown Mill Road and Beatties Ford Road.
- The site plan does not show the layout of the bike lane or sidewalk along the street frontage.
- The property proposed to be rezoned currently lies directly within the path of the adopted realignment of NC-73.

PART 5: REZONING CRITERIA

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

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

- **Policy CD-2: Focus higher intensity development generally within 2 miles of the I-77 and NC 115 corridor or within the identified nodes and centers**. The proposed development is located in the activity area "node" identified in the 2030 plan. Please see the 2030 future land use map below.
- **Policy T-6: Pedestrian Connections**. The applicant is installing bike lanes along their frontage, consistent with the Huntersville Greenway and Bikeway Master Plan.



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

- **Policy CD3: Commercial Development Principles.** Although the location of the proposed development is inside the identified "activity node" in the 2030 plan, the 2030 plan also states that these areas should *"encourage mixed-use development pattern at key nodes* as identified in Small Area Plans, ensuring an appropriate mix of residential, commercial, and employment uses…". The Beatties Ford Road Corridor Small Area Plan (BFRCSAP) identifies this node as a mixed use node as described above. Section 6.4.3 of the BFRCSAP states that "a mixed use commercial center containing retail, multi-family residential, and civic uses is proposed at the northern end of the study area where Beatties Ford Road, Vance Road and NC-73 intersect". Please find pages 45-49 of the BFRCSAP attached in the agenda packets for your reference. Some of the uses mentioned in the description of mixed uses nodes or "hamlets" include office, retail, multi-family residential, and civic. Mini or Self Storage is not a use described. In addition, the proposed development has no mixed use component, nor is it part of an overall larger development where other uses envisioned in the plan are proposed in later phases. To better comply with this section of the plan, staff recommends the applicant consider mixing other retail or office uses along with the proposed self-storage use. In other areas around the region, it is becoming more common for offices and retail to be established in the front of a storage facility near the street while the storage facility is recessed back in the rear. While this is admittedly more common in urban areas, it would better meet the intent of providing a mixture of uses in the development as described in the small area and community plans.
- **Policy CD-6: Architecture and Place Making**. No architecural elevations of the proposed buildings have been submitted or committed to. In order for the front 80 foot buffer to be reduced, the elevations of the buildings along both Beatties Ford Road and Brown Mill Road need to have a relationship to the street. This would include windows and articulation along the façade facing the street.

STAFF COMMENT – Staff finds the proposed use *not* consistent with ***the Adopted Comprehensive Transportation Plan (CTP)***

- The widening and improving of NC-73 in the area of Beatties Ford Road (State Project number R5721) is scheduled for construction on the North Carolina Transportation Improvement Program (NCTIP) for the year

2023. The property proposed to be rezoned currently lies directly within the path of the adopted realignment of NC-73. This alignment was recommended by the Town Board and then adopted into the Comprehensive Transportation Plan (CTP) by the Charlotte Regional Transportation Planning Organization (CRTPO) in November 2011. The North Carolina Department of Transportation (NCDOT) has recently begun conducting an Environmental Study for R5721 and will study the environmental and historical impacts of two potential alternatives; the expansion and improvement of the current alignment of NC-73 and that of the new realignment alternative adopted. Please see the study alternative map below on page 9. The alternative that ultimately is found to present the most benefit with the least level of negative impact will be chosen. The first draft of the study is scheduled to be released in the summer of 2018 and be ultimately approved in the summer of 2019. Staff does not recommend approving the intensification of any property within an approved thoroughfare alignment. However if after having studying both alignments, and the original NC-73 alignment is ultimately chosen, then the proposed development would no longer be in conflict with the updated plans.

- As mentioned above under Policy CD-3, the proposed plan is not consistent with the Beatties Ford Road Corridor Small Area Plan.

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:

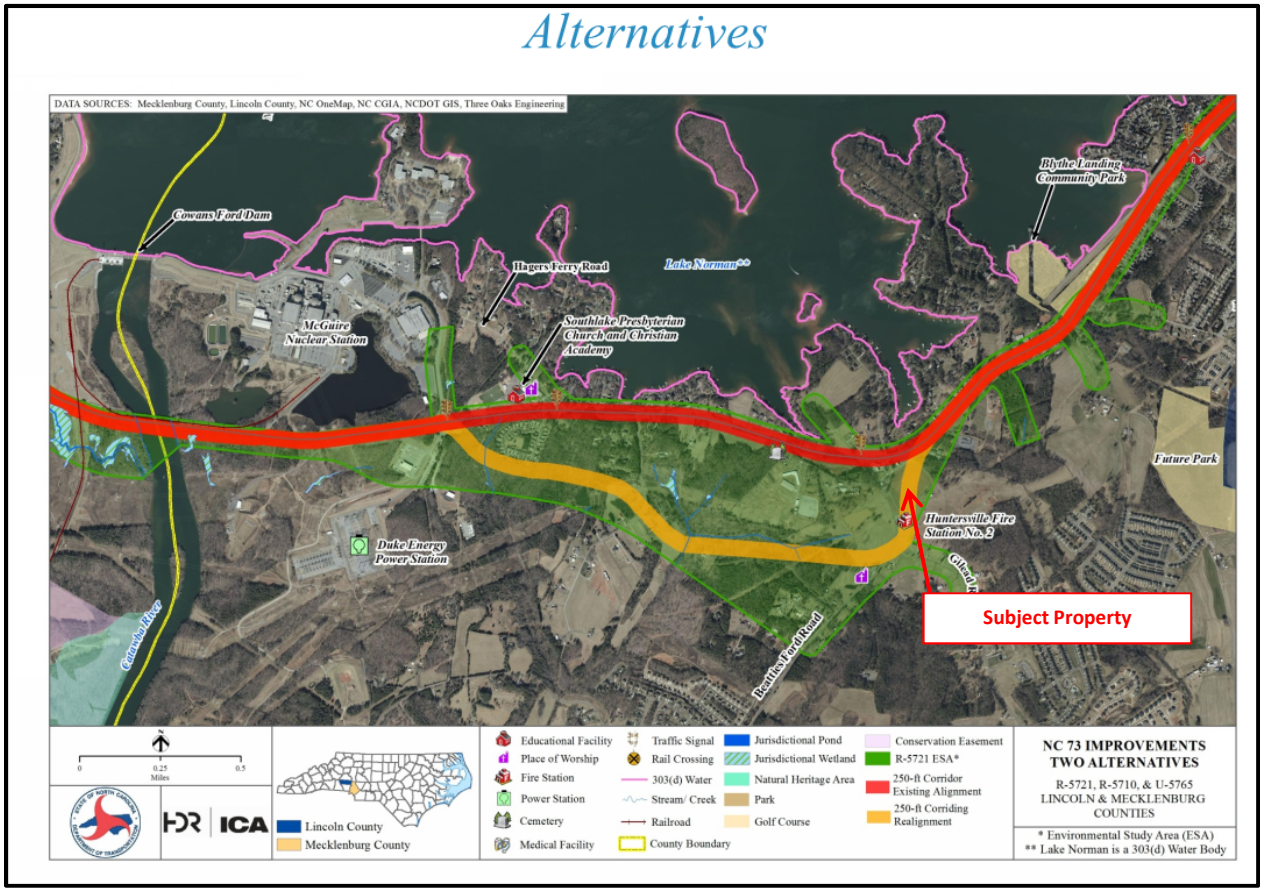
1. **Whether the proposed reclassification is consistent with the overall character of existing development in the immediate vicinity of the subject property.**

   STAFF COMMENT:

   Although there is no Special Purpose (SP) zoning anywhere in the area of the proposed development, commercial activity is common near NC-73 and Brown Mill Road to the north, with a gas station and oil change facility both zoned Highway Commercial (HC). The Old Store retail building at the corner of Brown Mill Road and Beatties Ford Road is also a commercial operation along that street frontage. Therefore with a building facing and addressing the street, the proposed development along Brown Mill Road has the potential to be consistent with surrounding development. Staff is concerned however with the proposed building orientation on the site plan which shows a very long narrow building along the entire Brown Mill Road frontage. Such a long and flat building elevation could create a poor streetscape. Staff recommends specific building elevations be submitted and reviewed to ensure the proposed building appropriately addresses the street and creates a softened pedestrian and visual design along Brown Mill Road, rather than a rigid one that a standard mini-storage building could create.

   A good example of a long, large building wall that was appropriately broken up to address the street is the Wal-Mart development in Bryton. Please find a photo attached below on page 9. Also, the office portion of the North Meck Self-Storage facility on Hambright Road created a building with windows, doors, eaves, dormers etc that merited the reduction of the 80 foot buffer (please see below on page 9). If this type of architecture is proposed, the building could be moved up to the street as shown. If a standard mini-storage building is proposed with no relationship to the street, staff recommends the 80 foot buffer be installed per ordinance to screen the building and use from Brown Mill Road, thus blending it in to surrounding development.

   The property immediately to the west of the proposed development along Beatties Ford Road is currently farmland and rural in character but zoned Highway Commercial (HC). The approved sketch plan for this development (Shops at Crossroads Village) includes a building that addresses the street. The proposed development has a building planned close to Beatties Ford Road, but based on the orientation of the building on the site plan, with the blunt side of the building facing Beatties Ford Road; it is unlikely that this building would have a relationship with the street as shown. Therefore as presently depicted on the site plan, and with no elevations committed to, staff recommends this area also be buffered per ordinance.



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

STAFF COMMENT:

- In regard to the adequacy of the roadway system, per Huntersville Transportation Staff, the proposed use as currently submitted will not create enough vehicle trips to necessitate the submittal of a Traffic Impact Analysis (TIA). However the newly submitted plan has increased the size of the development proposed therefore a new TIA determination of need form needs to be reviewed. Also if the plan is amended to add other uses such as offices or retail in order to create a mixed use development, the numbers of trips produced will need to be reassessed and a TIA may be required at that time.
- Since the property proposed only has 400 sqft of office proposed, the Adequate Public Facilities Ordinance does not apply to this development.

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

STAFF COMMENT:

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

PART 7: PUBLIC HEARING

The Public Hearing is scheduled for November 7, 2016

PART 6: STAFF RECOMMENDATION

Staff recommends denial of the rezoning based on the following:

1. The property is located in the adopted path of the NC-73 realignment alternative, thus the development currently conflicts with the adopted Comprehensive Transportation Plan (CTP).
2. The development proposed does not represent a mixed-use pattern recommended in the Beatties Ford Road Corridor Small Area Plan and Huntersville 2030 plan.
3. The rezoning, site, and building issues remain outstanding as described in Part 2 and 3 above.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board meeting is scheduled for November 15, 2016.

PART 8: CONSISTENCY STATEMENT - R 16-09: Blythe Landing Mini-Storage

Planning Department	Planning Board	Board of Commissioners
Approval: N/A	**APPROVAL**: In considering the proposed rezoning of Petition R16-09, Blythe Landing Mini-Storage located on Brown Mill Road, the **Planning Board** 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 Blythe Landing Mini-Storage as shown in Petition R16-09. It is reasonable and in the public interest to rezone this property because…*(explain)*	**APPROVAL**: In considering the proposed rezoning of Petition R16-09, Blythe Landing Mini-Storage located on Brown Mill Road, the **Town Board** 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 Blythe Landing Mini-Storage as shown in Rezoning petition R16-09. It is reasonable and in the public interest to rezone this property because… *(Explain)*
DENIAL: In considering the proposed rezoning of Petition R16-09, Blythe Landing Mini-Storage, Planning Staff finds that the rezoning is not consistent with Policies CD-3 and CD-6 of the Huntersville 2030 Community Plan, the Beatties Ford Road Corridor Small Area Plan, or the adopted Comprehensive Transportation Plan. We recommend denial of R16-09. It is not reasonable and not in the public interest to rezone this property because it does not accommodate for future road improvements, is not consistent with the mixed-use development pattern called for in adopted Huntersville plans, nor conforms to the Huntersville Zoning Ordinance in regard to architectural improvements, buffering, and Tree Save requirements.	**DENIAL:** In considering the proposed rezoning of Petition R16-09, Blythe Landing Mini-Storage on Brown Mill Road, the **Planning Board** 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 R16-09. It is not reasonable and not in the public interest to rezone this property because…… *(Explain)*	**DENIAL:** In considering the proposed rezoning of Petition R16-09, Blythe Landing Mini-Storage on Brown Mill Road, the **Town Board** 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 R16-09. It is not reasonable and not in the public interest to rezone this property because…… *(Explain)*

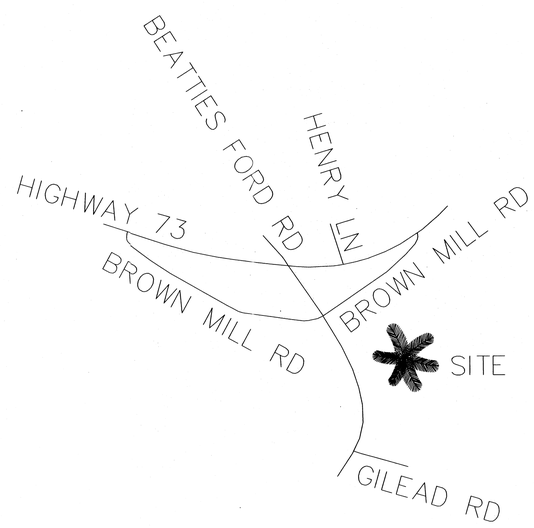
CONCEPT DRAWINGS

FOR

BLYTHE LANDING MINI STORAGE

TOWN OF HUNTERSVILLE., MECKLENBURG COUNTY., N.C.

OWNED BY
ROBERT WATSON
19607 W CATAWBA AVE
CORNELIUS, N.C. 28031
PHONE: (704) 807-1733



VICINITY MAP NTS

INDEX

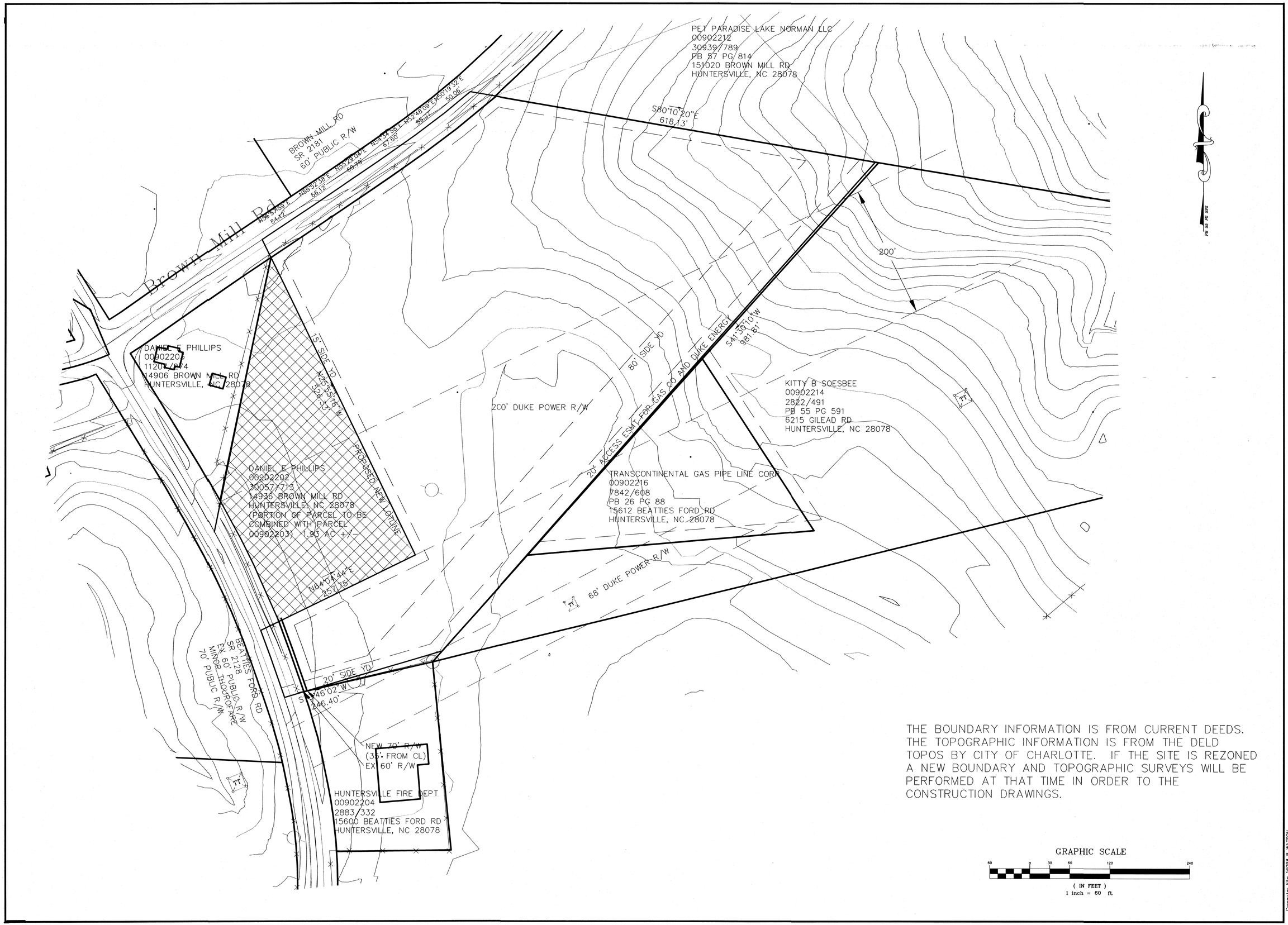
SHEET ONE	COVER SHEET
SHEET TWO	EXISTING CONDITIONS
SHEET THREE	SITE PLAN
SHEET FOUR	LANDSCAPE PLAN

NORTH CAROLINA PROFESSIONAL SEAL 16292 ENGINEER DOUGLAS L. DOWELL JR.

Douglas L. Dowell Jr
10/11/16

DOWELL & COMPANY
Engineering * Surveying * Planning
PO BOX 3504 * Mooresville , N.C. 28117 * (704) 660-9697
EMAIL: LELAND7896@AOL.COM C: 2177

COMPUTER FILE: 08809/08809REV6/COVER



THE BOUNDARY INFORMATION IS FROM CURRENT DEEDS. THE TOPOGRAPHIC INFORMATION IS FROM THE DELD TOPOS BY CITY OF CHARLOTTE. IF THE SITE IS REZONED A NEW BOUNDARY AND TOPOGRAPHIC SURVEYS WILL BE PERFORMED AT THAT TIME IN ORDER TO THE CONSTRUCTION DRAWINGS.

ENGINEER
NORTH CAROLINA PROFESSIONAL SEAL 16292 ENGINEER
Douglas B. Dowell Jr.
10/11/16

SEAL

DLD
DRAWN BY:

8-5-16
DATE PREPARED

REVISIONS
NO: 1
NO: 2
NO: 3
NO: 4

SHEET 2 OF 4

JOB NUMBER 16-1098

SCALE
Horz: 1" = 60'
Vert:

EXISTING CONDITIONS OF BLYTHE LANDING MINI STORAGE

TOWN OF HUNTERSVILLE, MECKLENBURG CO., NC

OWNER:
ROBERT WATSON
19607 W CATAWBA AVE
CORNELIUS, NC 28031
704-607-1733

DOWELL & CO., P.C.
344 Rolling Hill Road Suite 103 • P.O. Box 3304 • Mooresville, N.C. 28117
Engineering • Surveying • Planning
(704) 663-4697 P.O. (704) 664-1977 Fax
EMAIL: wand78@aol.com
C 2177

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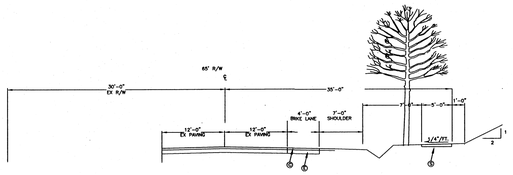
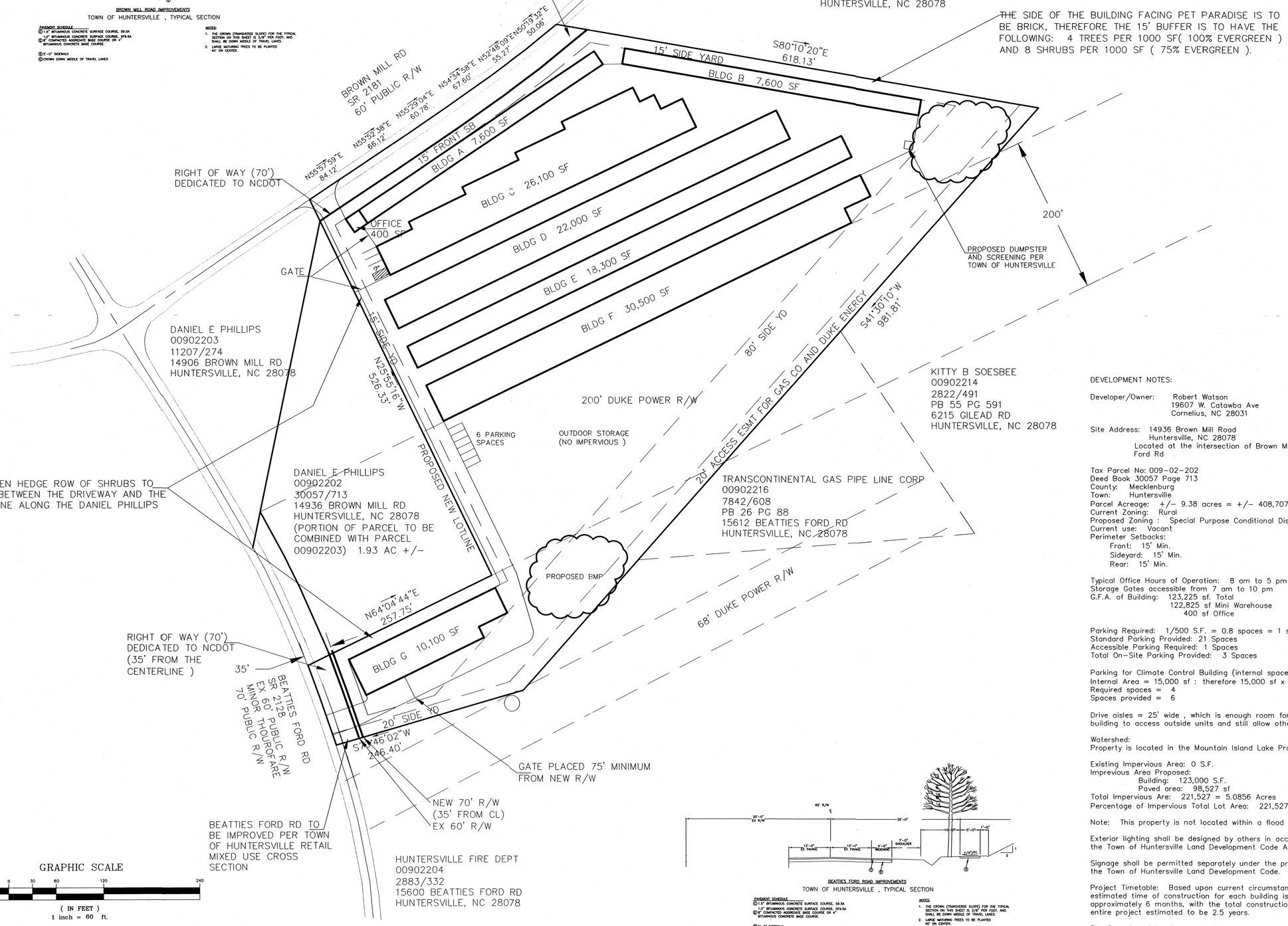


BROWN MILL ROAD IMPROVEMENTS
TOWN OF HUNTERSVILLE , TYPICAL SECTION

PAVEMENT SCHEDULE
Ⓐ 1.5" BITUMINOUS CONCRETE SURFACE COURSE, S9.5A
1.0" BITUMINOUS CONCRETE SURFACE COURSE, SF9.5A
Ⓑ 8" COMPACTED AGGREGATE BASE COURSE OR 4" BITUMINOUS CONCRETE BASE COURSE.
Ⓒ 5'-0" SIDEWALK
Ⓓ CROWN DOWN MIDDLE OF TRAVEL LANES

NOTES:
1. THE CROWN (TRANSVERSE SLOPE) FOR THE TYPICAL SECTION ON THIS SHEET IS 3/8" PER FOOT, AND SHALL BE DOWN MIDDLE OF TRAVEL LANES.
2. LARGE MATURING TREES TO BE PLANTED 40' ON CENTER.



BEATTIES FORD ROAD IMPROVEMENTS
TOWN OF HUNTERSVILLE , TYPICAL SECTION

PAVEMENT SCHEDULE
Ⓐ 1.5" BITUMINOUS CONCRETE SURFACE COURSE, S9.5A
1.0" BITUMINOUS CONCRETE SURFACE COURSE, SF9.5A
Ⓑ 8" COMPACTED AGGREGATE BASE COURSE OR 4" BITUMINOUS CONCRETE BASE COURSE.
Ⓒ 5'-0" SIDEWALK
Ⓓ CROWN DOWN MIDDLE OF TRAVEL LANES

NOTES:
1. THE CROWN (TRANSVERSE SLOPE) FOR THE TYPICAL SECTION ON THIS SHEET IS 3/8" PER FOOT, AND SHALL BE DOWN MIDDLE OF TRAVEL LANES.
2. LARGE MATURING TREES TO BE PLANTED 40' ON CENTER.

DEVELOPMENT NOTES:

Developer/Owner: Robert Watson
19607 W. Catawba Ave
Cornelius, NC 28031

Site Address: 14936 Brown Mill Road
Huntersville, NC 28078
Located at the intersection of Brown Mill Rd and Beatties Ford Rd

Tax Parcel No: 009-02-202
Deed Book 30057 Page 713
County: Mecklenburg
Town: Huntersville
Parcel Acreage: +/- 9.38 acres = +/- 408,707 S.F.
Current Zoning: Rural
Proposed Zoning : Special Purpose Conditional District - Self Storage
Current use: Vacant
Perimeter Setbacks:
Front: 15' Min.
Sideyard: 15' Min.
Rear: 15' Min.

Typical Office Hours of Operation: 8 am to 5 pm
Storage Gates accessible from 7 am to 10 pm
G.F.A. of Building: 123,225 sf. Total
122,825 sf Mini Warehouse
400 sf Office

Parking Required: 1/500 S.F. = 0.8 spaces = 1 space
Standard Parking Provided: 21 Spaces
Accessible Parking Required: 1 Spaces
Total On-Site Parking Provided: 3 Spaces

Parking for Climate Control Building (internal spaces) = 0.25 spcaes per 1,000 sf
Internal Area = 15,000 sf : therefore 15,000 sf x 0.25/ 1,000 = 3.75 spaces
Required spaces = 4
Spaces provided = 6

Drive aisles = 25' wide , which is enough room for cars/trucks to be parked along building to access outside units and still allow other traffic to pass safely.

Watershed:
Property is located in the Mountain Island Lake Protected Area 1.

Existing Impervious Area: 0 S.F.
Imprevious Area Proposed:
Building: 123,000 S.F.
Paved area: 98,527 sf
Total Impervious Are: 221,527 = 5.0856 Acres
Percentage of Impervious Total Lot Area: 221,527/408,707 = 0.542 or 54.2%

Note: This property is not located within a flood plain.

Exterior lighting shall be designed by others in accordance with the Town of Huntersville Land Development Code Article 8.26.

Signage shall be permitted separately under the provisions of the Town of Huntersville Land Development Code.

Project Timetable: Based upon current circumstances, estimated time of construction for each building is projected to be approximately 6 months, with the total construction time for the entire project estimated to be 2.5 years.

Fire Department truck access will be provided during the construction document phase. All required turning radiuses and distances to fire department water connections will be noted accordingly.

PB 55 PG 592

ENGINEER
NORTH CAROLINA PROFESSIONAL SEAL 16292 ENGINEER DOUGLAS L. DOWELL JR.
Douglas L. Dowell Jr. 10/11/16
SEAL

DLD
DRAWN BY:

8-5-16
DATE PREPARED

REVISIONS
NO: 1 10/11/16 town
NO: 2
NO: 3
NO: 4

SHEET 3 OF 4

JOB NUMBER 16-1098

SCALE Horz: 1" = 60' Vert:

SITE PLAN OF BLYTHE LANDING MINI STORAGE

TOWN OF HUNTERSVILLE, MECKLENBURG CO., NC

OWNER:
ROBERT WATSON
19607 W CATAWBA AVE
CORNELIUS, NC 28031
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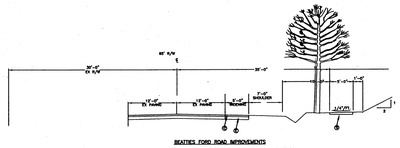
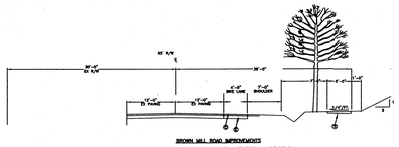


BEATTIES FORD ROAD IMPROVEMENTS
TOWN OF HUNTERSVILLE , TYPICAL SECTION



BROWN MILL ROAD IMPROVEMENTS
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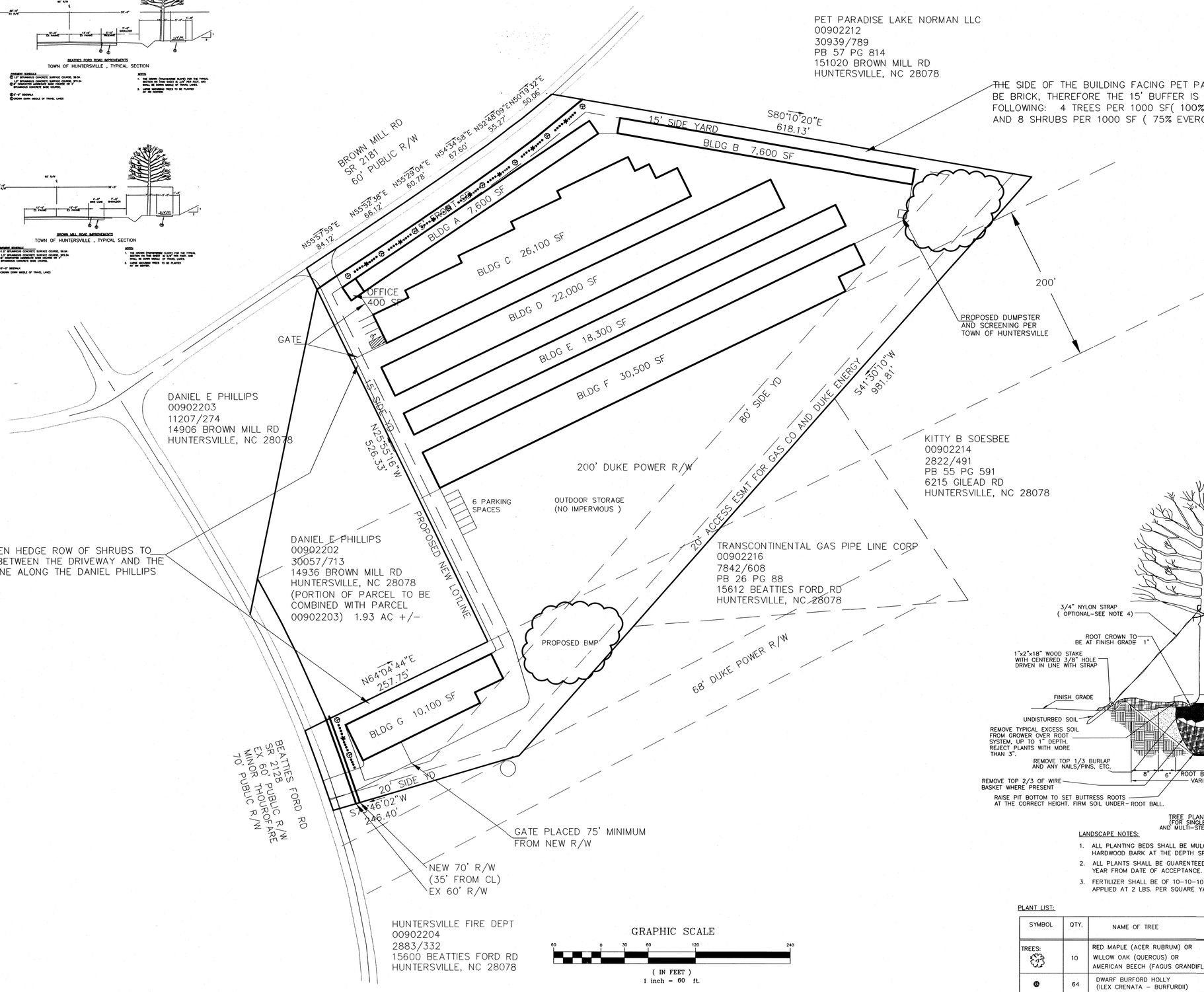

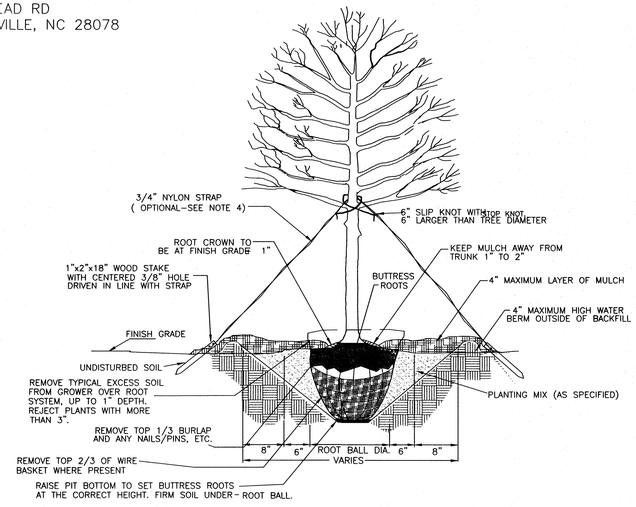

TREE PLANTING
(FOR SINGLE AND AND MULTI-STEM TREES)

LANDSCAPE NOTES:

1. ALL PLANTING BEDS SHALL BE MULCHED WITH A LAYER OF SHREDDED HARDWOOD BARK AT THE DEPTH SPECIFIED ON DETAIL.
2. ALL PLANTS SHALL BE GUARENTEED TO LIVE AT LEAST ONE FULL CALENDAR YEAR FROM DATE OF ACCEPTANCE.
3. FERTILIZER SHALL BE OF 10-10-10 NORTH CAROLINA CERTIFIED ANALYSTS APPLIED AT 2 LBS. PER SQUARE YARD.

PLANT LIST:

SYMBOL	QTY.	NAME OF TREE	CAL.	HEIGHT	SPREAD	COND.	NOTES
TREES:	10	RED MAPLE (ACER RUBRUM) OR WILLOW OAK (QUERCUS) OR AMERICAN BEECH (FAGUS GRANDIFLORA)	2 1/2"	8'	30'	B&B	MATCH
	64	DWARF BURFORD HOLLY (ILEX CRENATA - BURFURDII)		36"	5 GAL		MATCH
	8	CRAPE MYRTLE (LAGERSTROEMIA INDICA)	2.5"	8'	30'		MATCH

PB 55 PG 592

ENGINEER
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NO: 3
NO: 4

SHEET 4 OF 4

JOB NUMBER 16-1098

SCALE
Horz: 1" = 60'
Vert:

LANDSCAPE PLAN OF BLYTHE LANDING MINI STORAGE

TOWN OF HUNTERSVILLE, MECKLENBURG CO., NC

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344 Rolling Hill Road Suite 103 • P.O. Box 3504 • Mooresville , N.C. 28117
(704) 660-9697 (704) 664-5177 Fax
EMAIL: letsnd78@bellsouth.net
C 2177

Computer File: 16098 B WATSON

GILEAD RIDGE HOMEOWNERS ASSOC., INC

P O BOX 79032
CHARLOTTE NC 28271

EPCON HUNTERSVILLE LLC

500 STONEHENGE PKWY
DUBLIN OH 43017

BECKETT HOMEOWNERS ASSOCIATION OF

PO BOX 11906
CHARLOTTE NC 28220

Parcel ID 00102313
Ownership 1. COLEMAN, PAIGE K
2. CONTASTATHES, PETER J
Mailing Address 17229 PENNINGTON DR
HUNTERSVILLE NC 28078
Land Area 0.88 AC
Legal Desc L3 M50-165
Deed 29520-71

2. **Parcel ID** 00102316
Ownership 1. MORROW, MARTHA WOODSIDE
Mailing Address 117 WINGFIELD DR
UMATILLA FL 32784
Land Area 1.924 AC
Legal Desc NA
Deed 08080-103

3. **Parcel ID** 00902101
Ownership 1. GML VENTURES LLC,
Mailing Address 7450 E PROGRESS PL
GREENWOOD VILLAGE CO 80111
Land Area 1.103 AC
Legal Desc NA
Deed 30321-899

4. **Parcel ID** 00902102
Ownership 1. MDHB PROPERTIES LLC,
Mailing Address PO BOX 795
LINCOLNTON NC 28093
Land Area 1.773 AC
Legal Desc NA
Deed 29907-805

5. **Parcel ID** 00902105A
Ownership 1. C/O PENNINGTON &LOTT/, JOHN PILLER
2. CROWN ATLANTIC COMPANY LLC,
Mailing Address PMB 353 806285 4017 WASHINGTON RD
MCMURRAY PA 15317
Land Area 0.152 AC
Legal Desc M33-133
Deed 11268-610

6. **Parcel ID** 00902105B

Ownership 1. CROWN ATLANTIC CO LLC,

Mailing Address PMB 353 4017 WASHINGTON RD
MCMURRAY PA 15317

Land Area 0 AC

Legal Desc CELL TOWER

Deed NA

7. **Parcel ID** 00902202

Ownership 1. PHILLIPS, MADELINE
2. PHILLIPS, DANIEL E
3. HADDIX, HELGA

Mailing Address 14720 BROWNS MILL RD
HUNTERSVILLE NC 28078

Land Area 11.29 AC

Legal Desc NA

Deed 30057-713

8. **Parcel ID** 00902203

Ownership 1. PHILLIPS, MADELINE
2. HADDOX, J
3. PHILLIPS, DANIEL E

Mailing Address 14720 BROWNS MILL RD
HUNTERSVILLE NC 28078

Land Area 0.75 AC

Legal Desc NA

Deed 11207-274

9. **Parcel ID** 00902204

Ownership 1. HUNTERSVILLE FIRE DEPT INC,

Mailing Address 15600 BEATTIES FORD RD
HUNTERSVILLE NC 28078

Land Area 1 LT (1.082 GIS Acres)

Legal Desc NA

Deed 02883-332

10. **Parcel ID** 00902212

Ownership 1. PET PARADISE-LAKE RE LLC,

Mailing Address 5130 UNIVERSITY BOULEVARD W
JACKSONVILLE FL 32216

Land Area 11.236 AC

Legal Desc M57-814

Deed 30939-789

11. **Parcel ID** 00902214

Ownership 1. SOESBEE, KITTY B
2. SOESBEE, JAMES R

Mailing Address 6215 GILEAD RD
HUNTERSVILLE NC 28078

Land Area 20.271 AC

Legal Desc L1 M55-591 THRU 593

Deed 2822-491

12. **Parcel ID** 00902216

Ownership 1. TRANSCONTINENTAL GAS PIPE LINE, CORP

Mailing PO BOX 2400 MD 46-4

Address TULSA OK 74102
Land Area 1.307 AC
Legal Desc L1 M26-88
Deed 07842-608

13. **Parcel ID** 01313103
Ownership 1. PHILLIPS, DANIEL E (B/W)
2. PHILLIPS, MADELINE T
Mailing Address 14720 BROWNS MILL RD
HUNTERSVILLE NC 28078
Land Area 22.71 AC
Legal Desc NA
Deed 06780-074

14. **Parcel ID** 01313104
Ownership 1. PHILLIPS, DANIEL E
2. PHILLIPS, MADELINE T
Mailing Address 14720 BROWNS MILL RD
HUNTERSVILLE NC 28078
Land Area 15.3 AC
Legal Desc NA
Deed 06780-074

Mayor John Aneralla
15705 Framingham Lane
Huntersville, NC 28078
Phone: 704-895-0586
janeralla@huntersville.org

Commissioner Melinda Bales
15426 Ranson Road
Huntersville, NC 28078
Phone: (704) 728-9643
mbales@huntersville.org

Commissioner Dan Boone
317 Southland Road
Huntersville, NC 28078
Phone:: 704-948-1685
dboone@huntersville.org

Commissioner Mark Gibbons
13818 Bramborough Road
Huntersville, NC 28078
Phone**:** 704-948-5320
mgibbons@huntersville.org

Commissioner Charles Guignard
P.O. Box 1766 (201 Sherwood Drive)
Huntersville, NC 28070
Phone: 704-875-1407
cguignard@huntersville.org

Commissioner Rob Kidwell
7603 Rolling Meadows Ln
Huntersville, NC 28078
Phone: (704) 941-8250
rkidwell@huntersville.org

Commissioner Danny Phillips (Mayor Pro Tem)
14720 Brown Mill Road
Huntersville, NC 28078
Phone: (704) 622-2611
dphillips@huntersville.org

Hal Bankirer, Chairman	17206 Linksview Lane	hbankirer@aol.com
Jennifer Davis, Vice Chairman	7530 McIlwaine Road	jenniferdavis078@gmail.com
Catherine Graffy	15120 Pavilion Loop Drive	cgraffy@outlook.com
JoAnne Miller (ETJ Member)	13900 Asbury Chapel Road	joannebmiller@bellsouth.net
Adam Planty	12327 Cross Meadow Road	aplanty2@gmail.com
Joe Sailers	9332 Westminster Drive	jwscws@bellsouth.net
Ron Smith	15902 Gathering Oaks	ronsmith@celgard.com
Stephen Swanick	12903 Heath Grove Drive	stephen.swanick@gmail.com
Susan Thomas	10215 Lasaro Way	set0525@bellsouth.net

101 Huntersville-Concord Rd
Post Office Box 664
Huntersville, North Carolina 28070

(704) 875-6541
(704) 948-6020 - fax
e-mail

Greg Ferguson, Town Manager
e-mail

Gerry Vincent, Assistant Town Manager
e-mail

Janet Pierson, Town Clerk
e-mail

Brad Priest, Planning Department Project Coordinator

Date: 9-28-16 Time: 6:00 to 7:00 pm

Blythe Landing Storage
Neighborhood Meeting Report

Brad,
The following people attended the Blythe Landing Storage Neighborhood Meeting:

Kitty and James Soesbee
6215 Gilead Road
Huntersville, NC 28078

They like the project and would like to see some trees add around the property. Also, they didn't want their fence touched. They liked and welcomed the project.

Gilead Fire Department
Henry Cook

Want to make sure that the firetrucks line of site entering Beatties Ford Road was not obscured by any building or landscaping. No other concerns were expressed.

Williams Gas Pipeline (Tranco)
David Chastain 704-975-2635
Mike Fitzpatrick 704-975-2643
236 Transco Road
Mooresville, NC 28115

They were there to introduce themselves to the development group and explain the steps involved with locating the pipeline and row. No concerns were expressed.

Dan Boone
Town of Huntersville
Town Commissioner

Liked the project no other concerns were expressed.

Brad Priest
Town of Huntersville
Planning Department Project Coordinator

Blythe Landing Storage
Development Group

Robert Watson 704-827-1733
Kimberly Sailors 704-239-6268
Robbie Lowrance 704-575-4520

Focused Growth Corridors and Nodes: Future growth within the study area should be directed to areas with existing infrastructure capacity or locations where infrastructure extensions or improvements can be made most logically and economically. These locations include:

- Vance Road Corridor Extension
- Long Creek Community (as specified by the Beatties Ford / Mt. Holly-Huntersville Small Area Plan)
- NC 73 Corridor

Open Space Preservation: The character of the built environment and its relationship to the natural landscape forms the image and identity of Huntersville. The Town is at a critical juncture regarding the need to develop a Comprehensive Open Space and Protection Strategy. Growth within the study area is occurring at rapid levels. As land development continues to encroach on previously undeveloped land areas within the Beatties Ford Corridor Study Area, the supply of existing open space is reduced. This condition increases the need to preserve open space, while at the same time making open space protection more expensive due to rising land values resulting from this increased demand for land development.

Six of Mecklenburg County's fourteen nature preserves are located within the study area. Yet there is no strategic guidance for open space conservation on a regional level. The Open Space Framework and Implementation section of this report provides specific recommendations and approaches to this issue.

Mixed and Multiple Uses: A mixture of land uses, housing, jobs and incomes creates a more balanced community, reduces traffic and creates a better fiscal balance. Use of a village land use classification pattern that reduces reliance on the automobile by allowing a variety of land uses is also a valuable tool in promoting this type of community. The building blocks of a village are neighborhoods which incorporate housing, shops, employment, schools, parks and civic facilities essential to the daily life of residents.

New mixed-use retail and office centers should be located at the north (NC 73) and south (Mt. Holly - Huntersville Road) ends of the corridor in "hamlet" centers. A hamlet can be defined as a discernible place with a focal point and boundary that maintains and fosters primarily residential, institutional (i.e. places of worship, schools) or recreational activities. 50% or more of its land is dedicated to open space (either a preserve or reserve). It is organized in accordance with a pedestrian scale. Its boundary is typically an agricultural or natural area.

There are a number of uses that are compatible within the neighborhood core as permitted in the Town's Neighborhood Residential (NR) District zoning classification. To enhance these neighborhoods, a percentage of retail in the neighborhood core should be prescribed within the zoning code. Design elements and standards should also be established to ensure retail viability of the core.

Design elements should include:

- Architectural detailing of storefronts
  - Main street shops
  - On street parking
- Building heights two- four stories
- Streetscapes with human and architectural interest
- Mixed use: residential or office over retail
- Site planning for new commercial and mixed-use development is to employ a village-grid development pattern that can easily be adapted or transition between residential, open space, mixed-use and civic uses over time.
- Public/civic open space with green linkages to adjacent neighborhood and parks

Above: Sketch of the Holly Bend Plantation on Neck Road, on the National Register of Historic Places.

6.3.2 Architectural Framework for Community Design

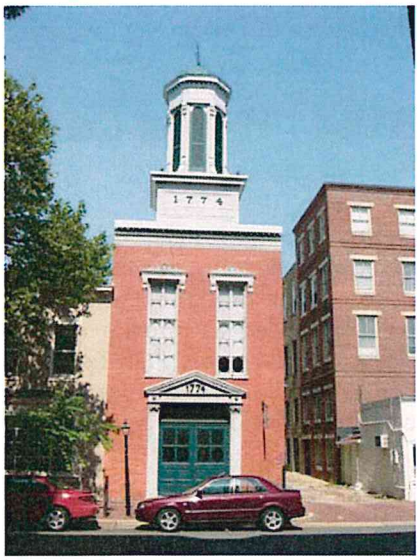
Design standards for commercial development are to reference the rural and historical features of the Beatties Ford Road Corridor. New commercial and civic structures are recommended to be composed of brick and employ Neoclassical/Palladian details in the style reminiscent of Federalist civic architecture, such as that of the historic churches in the area. Regional precedents of Federalist civic buildings (or older Georgian Colonial precedents) are to be found throughout Virginia and the Carolinas, and it is worth mentioning those structures that have been preserved in downtown Alexandria, Virginia, Old Salem in Winston-Salem, and Edenton, N.C. (a fine example is St. Paul's Episcopal Church in Edenton, the oldest brick church in use in North Carolina). The buildings defining the William J. Bowman Square in Vermillion are contemporary examples in Huntersville that incorporate references to Federalist architecture. The Hopewell Presbyterian Church will serve as the precedent for Federalist period architecture in the study area. Like many of the historic, rural homes in the area, this architecture emphasizes the human scale and exhibits stately restraint in building massing and in the handling of architectural elements and ornamental details.

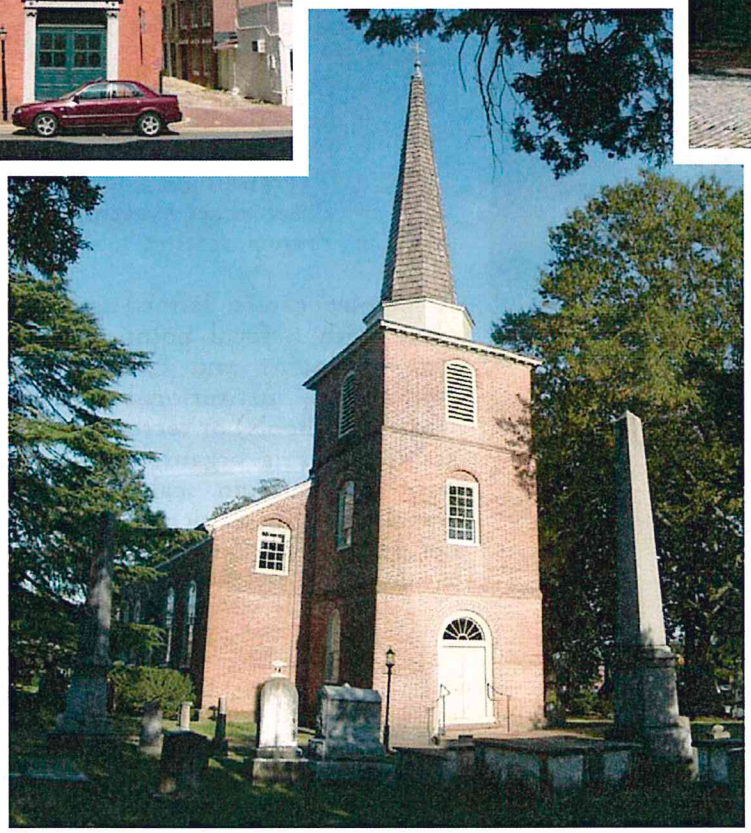
In order to honor the historic heritage of the Corridor, building elements shall employ the following features and physical guidelines:

- Signage, lighting, and awnings are to be integrated into frieze band above the first story
- Primary building materials are to be masonry, wood, and/or fiber cement board
- Building elements such as frieze, cornice, and columns are to have architecturally correct proportions
- Wood frame windows & mullions
- Significant buildings are to be emphasized by unique architectural features such as towers, clerestory windows, pyramid roofs, and deep overhangs
- Tower elements, either freestanding

SUGGESTED ARCHITECTURAL MATERIALS

Material used for future enhancements of BFR Corridor should reflect the rich historical heritage of the region. Natural materials such as brick, stone, and wood should be used as they reflect a continuity with the historical framework of the area.





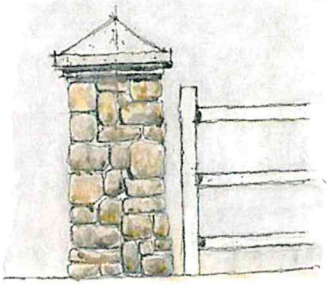
Above and left: Examples of civic structures and treatments. Above left to right: a firehouse in Alexandria, Virginia; intersection monument, Alexandria, Virginia; Freemason Street in Norfolk, Virginia.

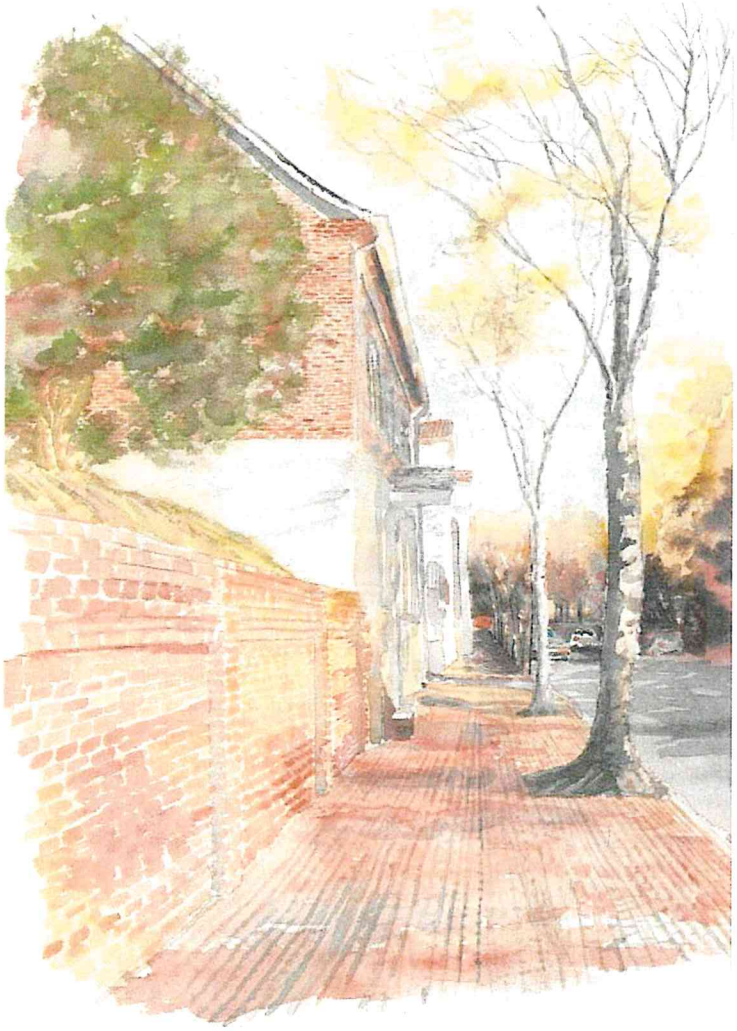
Left: The oldest brick church in use in North Carolina - the St. Paul Episcopal Church in Edenton, N.C., exhibiting the character of late Georgian architecture.

Below: The Historic Hopewell Presbyterian Church.

or part of a larger building, are located to terminate street vistas, emphasize significant street intersections, and highlight major open spaces

- Masonry details, such as rowlock sills, reveals, stretcher coursing, and corbels, are used to highlighting major building elements
- Traditional storefronts with wood mullions, solid or glass transom, and wood or masonry base
- Entrances are to be defined by features such as awnings, overhangs, lintels, pediments, porches, and recessed facades
- Wide (10'+) sidewalks with textured bands and joint spacing to relate to the building's column/bay spacing
- Split rail wood fencing with stone columns to reflect local historic features (example of a gateway pillar illustrated at right)



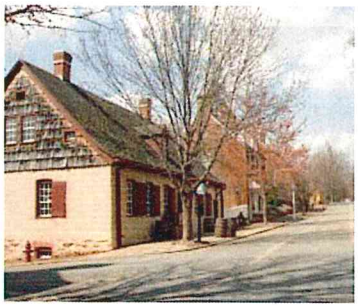


6.4 Mixed Use / Hamlet Centers

At the May 10th open house, public consensus favored the adoption of a mixed-use/hamlet center development concept for those areas designated as appropriate locations for commercial uses. A mixed-use/hamlet center development pattern would require that the following issues be addressed:

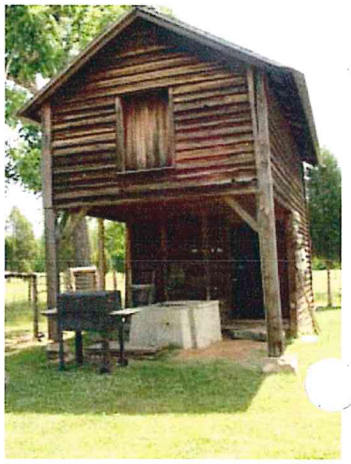
- Density/scale
- Land use pattern
- Functional relationships
- Overall image and identity
- Green space system
- Transportation

A "hamlet" can be defined as a discernible place with a focal point and boundary that maintains and fosters residential, commercial, institutional (i.e. places of worship, schools) or recreational uses and activities. It is organized in accordance with a pedestrian scale to permit and encourage non-vehicular transportation options (i.e. walking and biking).



Old Salem in Winston-Salem (left) is an example of a district demonstrating the character of a potential Hamlet Center. The streetscape for the Long Creek Hamlet Center (above) draws from the character of Old Salem and honors the brick vernacular architecture of the BFRCSAP Corridor. At right is a detail of the base rustication of the Cedar Grove Plantation House.

Below are structures that represent the rural heritage of the BFRCSAP corridor; pictured left to right are: a cabin in the Long Creek Community, the Historic Torance Store, the well of the McCoy-Nisbit House.



6.4.1 Beatties Ford Road/Highway 73 Development

A mixed use commercial center containing retail, multi-family residential, and civic uses is proposed at the northern end of the study area where Beatties Ford Road, Vance Road and NC 73 intersect. The location and composition of this center will be subject to final determination of the road network recommended by this plan by MUMPO and the Town.

6.4.2 Latta Village:

On January 16, 2007, the Town Board approved a commercial center with approximately 100,000 square feet on 23 acres. The approved plan is anchored by a 55,600 square feet grocery store. An internal grid pattern has been established with the introduction of public streets that provides connections to the Hopewell High School property and Hambright Road .

6.4.3 Long Creek Community:

In 2005, The Town of Huntersville retained the services of Gemini Studios, Warren Associates and the Littlejohn Group to prepare a market based vision for the intersection of Mt. Holly-Huntersville and Beatties Ford Road. The focus of the plan was to create a new "urban village" centered on the Long Creek Elementary School. The plan identified a number of initiatives that are relevant to The Beatties Ford Road Corridor Small Area Plan, including:

- Focusing retail development on Mt. Holly- Huntersville Road (25,000 – 50,000 square feet demand by the year 2015)
- Making the Long Creek Elementary School the focal point of the future Long Creek hamlet center
- Increasing residential development
- Developing a roundabout at McCoy and Beatties Ford Road

The Long Creek Elementary School reconstruction provides significant opportunity for redevelopment of the Long Creek area. Residential uses will be single-family, with a future potential for some attached housing in response to changes in the market. The following sketches and plans support the recommended initiatives of the Mt. Holly-Huntersville/Beatties Ford Road Small Area Plan for residential and commercial uses.

Above and right: sketch concepts for the Long Creek Hamlet Center. The architecture and rural motifs of the BFR Corridor are referenced.

6.5 Open Space and Preservation

During the public participation process for the BFRCSAP, preservation of the historic, rural heritage of the Corridor was a primary concern raised by stakeholders and the public. Continuing preservation of the natural lands and farms of the Corridor will not only preserve the qualities that make the Corridor distinct, protecting the quality of life for the Town of Huntersville, but also serve the greater region through recreation, education, and the continued conservation of the region's air and water quality, local wildlife and ecological diversity. Conservation planning presents physical solutions and policies for smart growth that should not be misconstrued as "anti-growth". Conservation strategies are necessary mechanisms of responsible civic management and planning to sustain the economy, resources, public health and future growth of the region. To help gather public support and resources to implement a conservation vision, this plan proposes an open space framework for the BFR Corridor with two primary aims: (1) to designate specific areas for preservation and (2) to build a cohesive open space network, presenting a conceptual framework for integrating these pristine areas with the community. The following framework will highlight and strengthen community assets that the Town of Huntersville, Mecklenburg County and their citizens can support and protect for generations.

6.5.1 Open Space Preservation

The primary goal of this plan is to create a preservation vision for the BFR Corridor. Preservation of the area's historic and rural lands is not only important for preserving the character and quality of life of the Corridor, it is necessary for the preservation of regional assets, namely, the distinct natural communities that still exist in these lands and the critical watersheds, aquatic and riparian habitats that convey and filter water to the inlet of the drinking water supply system for the Town of Huntersville and other communities served by Mountain Island Lake.

Six of the fourteen nature preserves in Mecklenburg County are located within the study area. A number of natural heritage sites are located both inside and outside the County owned nature preserves. Added to these protected areas is a Duke Energy facility just south of NC 73 and adjacent to the Catawba River, which provides conservation areas that function as a waterfowl refuge along the river. These nature preserves form an almost unbroken string of preservation lands along the Catawba River, creating a dominant green border of natural open space to permanently encompass most of the meandering western edge of the study area. With the exception of a few subdivisions, farm house clusters and the CMUD Waste Water Treatment Plant,

Town of Huntersville
NORTH CAROLINA

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: Robert Watson

Project Name: Blythe Landing Storage

Location: Old Mill Road & Beatties Ford Road

Project Description (including square footage for each proposed land use):
Storage w/office-Retail
116,300 SQFT total

Robert Watson 7-25-16

Applicant's Signature **Date**

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

Project file#: _____

Date Submitted: 7/26/16

Daily Trips Anticipated: 291

Peak Hour Trips Anticipated: AM 16 **PM** 30

TIA Required (Yes/No): No

Date of Determination: 7/26/16

Determination based on 116,300 feet of self storage use (mini warehouse #151).

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General Application

Town of Huntersville NORTH CAROLINA

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: August 1, 2016

Name of Project: Blythe Landing Storage Phase # (if subdivision) _____

Location: 14936 Brown Mill Road, Huntersville, NC 28078

Parcel Identification Number(s) (PIN): 009 02 202

Current Zoning District: Rural Proposed District (for rezonings only): Special Purpose

Property Size (acres): 9.25 acres Street Frontage (feet): 415' Brown Mill Road 140' Beatties Ford Road

Current Land Use: Farm

Proposed Land Use(s): Self Storage

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.

Indoor and outdoor storage

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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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 Robert Watson

Address of Applicant 19607 W. Catawba Avenue, Cornelius, NC 28031

Email robertewatson@gmail.com

Property Owner's Signature (if different than applicant) _____

Printed Name Daniel Phillips

Property Owner's Address 14720 Brown Mill Road, Huntersville, NC 28078 Email phil3147@bellsouth.net

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

Development Firm	Name of contact	Phone	Email
Robert Watson	Robert Watson	704-807-1733	robertewatson@gmail.com

Design Firm	Name of contact	Phone	Email
Trachte, Inc.	Jamie Lindau	608-327-3119	jlindau@trachte.com

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

If Applying for a Conditional Rezoning:
Every owner of each parcel included in this rezoning petition, or the owner (s) duly authorized agent, must sign this petition. If signed by an agent, this petition MUST be accompanied by a statement signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in filing this petition. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID PETITION. **If additional space is needed for signatures, attach an addendum to this application.**

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

_____

_____

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

_____

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

Last updated on 9/15/2015

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Address of Applicant 19607 W. Catawba Avenue, Cornelius, NC 28031

Email robertewatson@gmail.com

Property Owner's Signature (if different than applicant) Madeline Phillips

Printed Name Madeline Phillips

Property Owner's Address 14720 Brown Mill Road, Huntersville, NC 28078 Email phil3147@bellsouth.net

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

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Development Firm	Name of contact	Phone	Email
Trachte, Inc.	Jamie Lindau	608-327-3119	jlindau@trachte.com
Design Firm	Name of contact	Phone	Email

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6. Signatures

*Applicant's Signature _____ Printed Name Robert Watson

Address of Applicant 19607 W. Catawba Avenue, Cornelius, NC 28031

Email robertewatson@gmail.com

Property Owner's Signature (if different than applicant) _____

Printed Name Helga Haddix, by Gardner Haddix, Attorney In Fact

Property Owner's Address 2291 McCloud Street, Denver, NC 28037 Email kyridgerunner@bellsouth.net

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

Robert Watson	Robert Watson	704-807-1733	robertewatson@gmail.com
Development Firm	Name of contact	Phone	Email
Trachte, Inc.	Jamie Lindau	608-327-3119	jlindau@trachte.com
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Huntersville, NC 28070	Website:	http://www.huntersville.org/Departments/Planning.aspx

Last updated on 9/15/2015

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Town of Huntersville
REQUEST FOR BOARD ACTION
11/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Brad Priest, Senior Planner
Subject: TA16-05: Indoor Recreation in the SP District

TA16-05 is an application submitted by Mike Clapp to amend Article 3.2.10 of the Huntersville Zoning Ordinance. The purpose of the amendment is to add Indoor Recreation uses as a use permitted by right in the Special Purpose (SP) zoning district.

ACTION RECOMMENDED:
Consider holding a public hearing on November 7, 2016.

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

Description	Type
Staff Report	Staff Report
Application	Exhibit
Proposed Ordinance	Exhibit

TA 16-05 Indoor Recreation Uses in the Special Purpose (SP) Zoning District

PART 1: DESCRIPTION

TA16-05 a request by Mike Clapp and Sports Village Land Group, LLC to amend Article 3.2.10 of the Zoning Ordinance to allow Indoor Recreation uses in the Special Purpose (SP) zoning district as a use permitted by right.

PART 2: BACKGROUND

The property owners of 10695 Hambright Road have submitted a separate conditional rezoning application that proposes a mixture of uses at the corner of Mt. Holly Huntersville Road and Hambright Road. The development plan includes indoor recreation (gymnasium facilities), office, and retail uses. The current Corporate Business (CB) zoning of the property allows neither retail nor indoor recreation uses. Retail and other commercial uses however are allowed in the Special Purpose (SP) district. Therefore in order to accommodate the retail element of the development plan, the applicant is proposing a rezoning to SP. Indoor Recreation however is not a use permitted in the SP district. The applicant is seeking a text amendment to the SP district to add the indoor recreation use as a use permitted by right, thus accommodating all of the uses proposed in their development plan.

The Land Development Ordinances Advisory Board (LDOAB) is scheduled to review the application at their November 3, 2016 meeting. Their recommendation will be provided at the public hearing.

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

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

- *Policy ED-1: Diversify Tax Base-* Continue to look for ways to expand and diversify the employment base in Huntersville.
- *Policy ED-17: Recreation Tournaments/Events* – Support continued efforts of Parks and Recreation Department and Huntersville Family Fitness and Aquatics Center (HFFA) to attract national, state and regional amateur recreational and sports tournament events.

PART 4: STAFF RECOMMENDATION

The SP district allows a wide variety of uses including commercial, retail, office and many other uses, including ones that could have greater than average impacts on the environment or adjacent properties. Adding indoor recreation would not significantly change the character or intent of the zoning district. Also, indoor

amusements such as arcades, skating rinks, billiard halls, etc. are already permitted in the SP district. Therefore recreational oriented uses already seem to be envisioned in the district. Adding indoor recreational uses such as gymnasiums, hockey rinks, other indoor sports facilities do not seem out of character with what is already permitted. Staff recommends approval.

PART 5: PUBLIC HEARING

The Public Hearing will be held on November 7, 2016.

PART 6: PLANNING BOARD RECOMMENDATION

The Planning Board is scheduled to hear this text amendment on November 15, 2016.

PART 7: ATTACHMENTS AND ENCLOSURES

Attachment A: Text Amendment Application
Attachment B: Proposed Ordinance from Staff

PART 8: STATEMENT OF CONSISTENCY – TA #16-05

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment, TA 16-05, to amend Article 3.2.10 *Special Purpose Zoning District – Uses Permitted by Right* of the Zoning Ordinance, the Planning Staff finds it consistent with Policy ED-1 and ED-17 of the 2030 Community Plan and recommends approval. It is reasonable and in the public interest to amend the Zoning Ordinance because indoor recreational uses are similar to uses already allowed in the Special Purpose (SP) district and will have no foreseeable negative impact on the environment.	**APPROVAL:** In considering the proposed amendment, TA 16-05, to amend Article 3.2.10 *Special Purpose Zoning District – Uses Permitted by Right* of the Zoning Ordinance, the Planning Board recommends approval based on the amendment being consistent with **(insert applicable plan reference)** It is reasonable and in the public interest to amend the Zoning Ordinance because…*(Explain)*	**APPROVAL:** In considering the proposed amendment, TA 16-05, to amend Article 3.2.10 *Special Purpose Zoning District – Uses Permitted by Right* of the Zoning Ordinance, the Town Board recommends approval based on the amendment being consistent with **(insert applicable plan reference)** It is reasonable and in the public interest to amend the Zoning Ordinance because…*(Explain)*
	DENIAL: In considering the proposed amendment, TA 16-05, to amend Article 3.2.10 of the Zoning Ordinance, the Planning Board recommends denial based on the amendment being **(consistent OR inconsistent)** with **(insert applicable plan reference).** It is not reasonable and in the public interest to amend the Zoning Ordinance because….*(Explain)*	**DENIAL:** In considering the proposed amendment, TA 16-05, to amend Article 3.2.10 of the Zoning Ordinance, the Town Board recommends denial based on the amendment being **(consistent OR inconsistent)** with **(insert applicable plan reference).** It is not reasonable and in the public interest to amend the Zoning Ordinance because….*(Explain)*

Town of Huntersville
NORTH CAROLINA

Text Amendment Application

Incomplete submissions will not be accepted.

Applicant Data

Date of Application July 26,2016

Name Sports Village Inc.

Address 18635 Starcreek Drive, Unit F

Phone Number (home) (704) 201-8876 (work) _____

Email msclapp6@yahoo.com

Fee

Text Amendment to the Zoning/Subdivision Ordinance Fee $400.00

Type of Change

_____ New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other

X Revision/Modification to text of Zoning Ordinance / Subdivision Ordinance / Other

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

Proposed text amendment will affect the following:

Ordinance: Zoning Article: 3: Zoning Districts Section: 3.2.10 (a.)

Current Text: See Attachment A

Proposed Text: See Attachment B

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

To allow for the development of an indoor recreation facility within the SP zoning district. The proposed site is located at parcel # 01740104. The site will include indoor recreation facitilites, office, and retail uses. The SP district currently allows both indoor and outdoor amusement facilities. The inclusion of indoor recreation is congruent with section 3.2.10 (a.) of the zoning ordinance.

NOTE: If the proposed text amendment effects property located along Hwy 73; is 2000 feet from an adjoining municipality, and/or the Mountain Island and Lake Norman Watersheds, additional peer review is required.

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Signatures

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

Applicant Signature: _____ Date: _____

Contact Information

Town of Huntersville	Phone:	704-875-7000
Planning Department	Fax:	704-875-6546
PO Box 664	Physical Address:	105 Gilead Road, Third Floor
Huntersville, NC 28070	Website:	http://www.huntersville.org/Departments/Planning.aspx

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Attachment A – Current Text

- **a) Permitted Uses**

  Uses Permitted by Right
  - abattoirs
  - agricultural industries
  - amusement facilities: all indoor uses
  - commercial uses including office
  - contractor offices and accessory storage yards
  - foundries
  - laboratories
  - lumber mills and storage yards
  - heavy manufacturing
  - outdoor theaters
  - power generation plants
  - railroad freight yards, repair shops, and marshaling yards
  - repair of products of heavy manufacturing operations
  - all other uses permitted by right in the CB District
  - mini-warehouse storage

  Uses Permitted with a Special Use Permit

  - airports, (9.4)
  - correctional facilities, (9.41)
  - essential services 3, (9.15)
  - halfway houses, (9.55)
  - hazardous or infectious material incineration, handling, or storage, (9.17)
  - off-site LCID and C&D landfills, (9.23)
  - other environmentally sensitive uses not expressly permitted in the SP or other districts, (9.24)
  - quarries, (9.31)
  - raceways and drag strips, (9.32)
  - sanitary landfill, (9.34)
  - solar energy facility, minor residential, as follows: located on the facade elevation facing public street or common access; or located on the roof slope above the facade of the structure facing public street or common access (9.54)
  - solar energy facility, minor free-standing non-residential, (9.54)
  - solar energy facility, minor rooftop on roof slope facing a street that are noticeable (9.54)
  - solar energy facility, major (9.54)
  - solid waste incineration, (9.36)
  - transfer station for organic and inorganic waste products, (9.38)
  - wind energy facility, major (9.53)
  - wind energy facility, minor (accessory) (9.53)

  Uses Permitted with Conditions

  - amusement facilities, outdoor, (9.5)
  - commercial communication towers, (9.9)

- commercial kennels, indoor and outdoor (9.10)
- essential services 1 and 2, (9.14)
- inorganic residential household waste, intake and transfer off-site, (9.16)
- residential recycling center, (9.16)
- yard waste intake and processing, (9.16)
- junk yards, (9.20)
- outdoor storage, (9.26)
- outdoor storage of construction equipment, (9.27)
- petroleum storage facilities, (9.30)
- temporary mobile food sales (9.37)
- transit-oriented parking lots as a principal use, (9.49)
- transit shelters, (9.39)
- trucking terminals, (9.40)
- internet sweepstakes, (9.58)
- all other uses permitted with conditions in the CB District

Attachment B – Proposed Text

- **a) Permitted Uses**

  Uses Permitted by Right

  - abattoirs
  - agricultural industries
  - amusement facilities: all indoor uses
  - commercial uses including office
  - contractor offices and accessory storage yards
  - foundries
  - laboratories
  - lumber mills and storage yards
  - heavy manufacturing
  - outdoor theaters
  - power generation plants
  - railroad freight yards, repair shops, and marshaling yards
  - repair of products of heavy manufacturing operations
  - all other uses permitted by right in the CB District
  - mini-warehouse storage
  - **indoor recreation**

  Uses Permitted with a Special Use Permit

  - airports, (9.4)
  - correctional facilities, (9.41)
  - essential services 3, (9.15)
  - halfway houses, (9.55)
  - hazardous or infectious material incineration, handling, or storage, (9.17)
  - off-site LCID and C&D landfills, (9.23)
  - other environmentally sensitive uses not expressly permitted in the SP or other districts, (9.24)
  - quarries, (9.31)
  - raceways and drag strips, (9.32)
  - sanitary landfill, (9.34)
  - solar energy facility, minor residential, as follows: located on the facade elevation facing public street or common access; or located on the roof slope above the facade of the structure facing public street or common access (9.54)
  - solar energy facility, minor free-standing non-residential, (9.54)
  - solar energy facility, minor rooftop on roof slope facing a street that are noticeable (9.54)
  - solar energy facility, major (9.54)
  - solid waste incineration, (9.36)
  - transfer station for organic and inorganic waste products, (9.38)
  - wind energy facility, major (9.53)
  - wind energy facility, minor (accessory) (9.53)

  Uses Permitted with Conditions

  - amusement facilities, outdoor, (9.5)

- commercial communication towers, (9.9)
- commercial kennels, indoor and outdoor (9.10)
- essential services 1 and 2, (9.14)
- inorganic residential household waste, intake and transfer off-site, (9.16)
- residential recycling center, (9.16)
- yard waste intake and processing, (9.16)
- junk yards, (9.20)
- outdoor storage, (9.26)
- outdoor storage of construction equipment, (9.27)
- petroleum storage facilities, (9.30)
- temporary mobile food sales (9.37)
- transit-oriented parking lots as a principal use, (9.49)
- transit shelters, (9.39)
- trucking terminals, (9.40)
- internet sweepstakes, (9.58)
- all other uses permitted with conditions in the CB District

AN ORDINANCE TO AMEND ARTICLE 3.2.10 (SPECIAL PURPOSE DISTRICT) TO ALLOW INDOOR RECREATIONAL USES AS A USE PERMITTED BY RIGHT

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

3.2.10 SPECIAL PUROSE DISTRICT (SP)

3.2.10 (A) Uses Permitted by Right

- **Indoor Recreation**

New Text = Bold and Underlined

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

PUBLIC HEARING DATE: **November 7, 2016**
PLANNING BOARD MEETING: **November 15, 2016**
PLANNING BOARD RECOMMENDATION:
TOWN BOARD DECISION:
TOWN BOARD MEETING: **December 5, 2016**

Town of Huntersville
REQUEST FOR BOARD ACTION
11/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Meredith Nesbitt
Subject: TA16-06, Bonafide Farm Definition

Text Amendment - TA16-06 is a request by Susan Lurz to amend Article 12.2.1 of the Huntersville Zoning Ordinance to modify the Farm, Bona Fide definition.

ACTION RECOMMENDED:
Hold a public hearing on November 7, 2016.

FINANCIAL IMPLICATIONS:
None

ATTACHMENTS:

Description	Type
TA16-06: Staff Report and Attachments	Staff Report

TA #16-06 Amend Article 12.2.1 GENERAL DEFINITIONS (Bona Fide Farm Definition)

PART 1: DESCRIPTION

Text Amendment, TA #16-06, is a request by Susan Lurz to amend Article 12.2.1 General Definitions of the Huntersville Zoning Ordinance (see Attachment A, Text Amendment Application and Attachment B, Proposed Ordinance) to modify the bona fide farm definition.

PART 2: BACKGROUND

The applicant is interested in operating a "teaching farm" on a 13.2 acre parcel at 14412 Beatties Ford Road (PIN 015-021-04) which would otherwise be classified as a bona fide farm, as it meets the defined requirements for bona fide tax status. Currently, teaching farm is not a use covered in the Town's Zoning Ordinance.

The applicant proposes adding the use by modifying the bona fide farm definition to include language which will allow bona fide farms *only* within the corporate limits of the Town and located within the Rural or Transitional Residential districts to operate educational programs limited to farming technique, animal husbandry and seasonal farming activities.

The Land Development Ordinance Advisory Board (LDOAB) reviewed the proposed amendment at their October 6, 2016 meeting and recommended approval (7-0).

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

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

> ***Policy E-1: Preservation and Enhancement*** – Support the preservation and enhancement of the natural environment, along with its scenic and cultural assets.
> ***Policy ED-16: Tourism*** – The Town will support local tourism efforts and partner with other agencies such as "Visit Lake Norman" and "Destination Roundtable" as appropriate.

PART 4: STAFF RECOMMENDATION

Staff recommends amending Article 12.2.1 General Definitions The recommendation is based on:

> Consistency with policies of the Huntersville Community Plan listed above.

PART 5: PUBLIC HEARING

The Public Hearing will be held on November 7, 2016.

PART 6: PLANNING BOARD RECOMMENDATION

The Planning Board is scheduled to review this text amendment on November 15, 2016.

PART 7: ATTACHMENTS AND ENCLOSURES

Attachment A: Text Amendment Application
Attachment B: Proposed Ordinance

PART 8: STATEMENT OF CONSISTENCY – TA #16-06

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment, TA 16-06, to amend Article 12.2.1 of the Zoning Ordinance, the Planning staff recommends approval based on the amendment being consistent with policy E-1 and ED-16 of the Town of Huntersville 2030 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because modifying the bona fide farm definition allows greater flexibility for farming uses in the rural and transitional residential districts.	**APPROVAL:** In considering the proposed amendment, TA 16-06, to amend Article 12.2.1 of the Zoning Ordinance, the Planning Board recommends approval based on the amendment being consistent with **(insert applicable plan reference)** It is reasonable and in the public interest to amend the Zoning Ordinance because…*(Explain)*	**APPROVAL:** In considering the proposed amendment, TA 16-06, to amend Article 12.2.1 of the Zoning Ordinance, the Town Board recommends approval based on the amendment being consistent with **(insert applicable plan reference)** It is reasonable and in the public interest to amend the Zoning Ordinance because…*(Explain)*
	DENIAL: In considering the proposed amendment, TA 16-06, to amend Article 12.2.1 of the Zoning Ordinance, the Planning Board recommends denial based on the amendment being **(consistent OR inconsistent)** with **(insert applicable plan reference).** It is not reasonable and in the public interest to amend the Zoning Ordinance because….*(Explain)*	**DENIAL:** In considering the proposed amendment, TA 16-06, to amend Article 12.2.1 of the Zoning Ordinance, the Town Board recommends denial based on the amendment being **(consistent OR inconsistent)** with **(insert applicable plan reference).** It is not reasonable and in the public interest to amend the Zoning Ordinance because….*(Explain)*

Town of Huntersville
NORTH CAROLINA

Text Amendment Application

Attachment A: Application

Incomplete submissions will not be accepted.

Applicant Data

Date of Application 9-1-16

Name Susan Lurz

Address 14412 Beatties Ford Rd Huntersville, NC 28078

Phone Number (~~home~~ Cell) 980-253-1446 (work)

Email susan.lurz@proadtree.com

Fee

Text Amendment to the Zoning/Subdivision Ordinance Fee $400.00

Type of Change

____ New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other

✓ Revision/Modification to text of Zoning Ordinance / Subdivision Ordinance / Other

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

Proposed text amendment will affect the following:

Ordinance: Zoning Article: 12 Section: 12.2.1

Current Text:

See attached

Proposed Text:

See attached

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

See attached

NOTE: If the proposed text amendment effects property located along Hwy 73; is 2000 feet from an adjoining municipality, and/or the Mountain Island and Lake Norman Watersheds, additional peer review is required.

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Signatures

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

Applicant Signature: _____ Date: 9-1-16

Contact Information

Town of Huntersville	Phone:	704-875-7000
Planning Department	Fax:	704-875-6546
PO Box 664	Physical Address:	105 Gilead Road, Third Floor
Huntersville, NC 28070	Website:	http://www.huntersville.org/Departments/Planning.aspx

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Text Amendment Application

Current Text:

Farm, bona fide. Any tract of land containing at least three acres which is used for dairying or for the raising of agricultural products, forest products, livestock or poultry, and which may include facilities for the sale of such products from the premises where produced. The definition of "farm" and "bona fide farm" shall not include agricultural industries.

Proposed Text:

Farm, bona fide. Farm, bona fide. Any tract of land containing at least three acres which is used for dairying or for the raising of agricultural products, forest products, livestock or poultry, and which may include facilities for the sale of such products from the premises where produced. The definition of "farm" and "bona fide farm" shall not include agricultural industries. Additionally, any tract of land qualified to be a bona fide farm as above defined and which is located within the corporate limits of the Town and is in a Rural or Transitional Residential district may conduct educational programs or activities limited to farming technique, animal husbandry and seasonal farming activities.

Reason for Requested Change:

My farm is located at 14412 Beatties Ford Rd in Huntersville. I purchased the farm this past April with the intention of keeping it as a family farm with just my own horses and goats. However, since living on the farm these several months it feels like the farm should have another purpose. Because of the farms' layout, it lends itself nicely as a teaching farm for children. The land is flat and the buildings are close together which is perfect for an outdoor classroom. My company, Proudtree Empowered Learning, produces programs for social and emotional health for early childhood education as well as programs for nutrition and physical activity. My vision is to teach these programs on my farm to help children begin to build a strong, empowering foundation for healthy living.

Farm Description:

The farm has a 2300 sq ft main house, which I am currently living in, along with another 600 sq ft cottage, which was built by the previous owner as her yoga studio. There is a ten stall barn and a 12'x24' storage shed that I am currently using as my goat/tool house. The farm is situated on 13.2 acres, ten of which are fenced in for pastures. It is ideally located 15 minutes from local schools in the Huntersville, Cornelius, and Davidson areas.

Hours of Operation:

I would like for the hours of operation at the farm to coincide with the hours of a typical school day, Mon-Fri 9:00 to 3:00 but also allow for the possibility of afterschool programming which would be weekdays as well from 3:00–5:30pm. I would then also like to do summer camps, which would fall under those same hours.

I would like to schedule one class or school to come to the farm at a time, in three-hour increments, with no more than 40 children per group. I would also like to offer family engagement programs perhaps once a month on a Saturday as well as Farm Day or Open House events to invite educators, parents, and students to visit the farm. I am currently working with other like-minded facilities to receive assistance with school/child release forms and I am researching insurance needs. I have met with the Mecklenburg County Extension Service to gain their assistance with curriculum and to make sure the farm is handicap accessible and meets all ADA requirements.

The Business:

The farm will operate as Sweetwater Farms LLC, a for-profit company. There will be a fee per child associated with a trip to the farm that will go towards the upkeep and management of the farm.

AN ORDINANCE TO AMEND ARTICLE 12.2.1 GENERAL DEFINITIONS

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

12.2.1 General Definitions

Farm, bona fide. Any tract of land containing at least three acres which is used for dairying or for the raising of agricultural products, forest products, livestock or poultry, and which may include facilities for the sale of such products from the premises where produced. The definition of "farm" and "bona fide farm" shall not include agricultural industries. **Additionally, any tract of land qualified to be a bona fide farm as above defined and which is located within the corporate limits of the Town and is in a Rural or Transitional Residential district may conduct educational programs or activities limited to farming technique, animal husbandry and seasonal farming activities.**

Section 2. That this ordinance shall become effective upon adoption.
LAND DEVELOPMENT ADVISORY BOARD: October 6, 2016
LAND DEVELOPMENT ADVISORY BOARD RECOMMENDATION: Approval (7-0)
PUBLIC HEARING DATE: November 7, 2016
PLANNING BOARD MEETING: November 15, 2016
PLANNING BOARD RECOMMENDATION: TBD
TOWN BOARD DECISION: TBD

Town of Huntersville
REQUEST FOR BOARD ACTION
11/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Meredith Nesbitt
Subject: TA16-08, Civic Monument Lighting

Text Amendment: TA16-08 is a request by the Town of Huntersville to amend Article 8.26.4 of the Huntersville Zoning Ordinance to exempt the lighting of official public civic monuments from lighting standards.

ACTION RECOMMENDED:
Hold a Public Hearing on November 7th, 2016.

FINANCIAL IMPLICATIONS:
None.

ATTACHMENTS:

Description	Type
TA16-08: Staff Report and Attachments	Staff Report

TA #16-08 Amend Article 8.26.4 Exemptions to Site Lighting Requirements

PART 1: DESCRIPTION

Text Amendment, TA #16-08, is a request by the Town of Huntersville to amend Article 8.26.4 Exemptions to Site Lighting Requirements of the Huntersville Zoning Ordinance (see Attachment A, Text Amendment Application and Attachment B, Proposed Ordinance) to exempt the lighting of public civic monuments from lighting standards.

PART 2: BACKGROUND

Section 8.26 of the Town of Huntersville Zoning Ordinance provides site lighting be orientated downward unless otherwise exempted. Article 8.26.4 contains a list of circumstances that shall be exempt from the lighting requirements of Article 8.26. The exemptions are as followed:

A. Emergency lighting, used by police, firefighting, or medical personnel, or at their direction, is exempt for as long as the emergency exists.
B. Underwater lighting used for the illumination of swimming pools and fountains.
C. Lighting used for nighttime street construction and repair.
D. The lighting of official government flags shall not be subject to these lighting standards. Such lighting shall utilize a narrow cone beam of light of no more than 150 watts.
E. Seasonal decoration.

As the Town moves forward with plans for Veteran's Park (located between Main Street and Maxwell Avenue), staff found conflict with the Zoning Ordinance lighting requirements and the proposed up-lighting for the Park's monument. The proposed text amendment would add lighting of public civic monuments to the list of exemptions, similar to the lighting of official government flags (see example image below).

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

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

Policy E-4: Reduce Outdoor Lighting – Support reduction in outdoor lighting to lowest possible levels to maintain public safety, while limiting glare, habitat impacts and loss of privacy.

Policy CD-6: Architecture and Place Making – Consistent with Zoning and Subdivision Ordinance (as well as "Town of Huntersville Design Manual") maintain high design standards for development.

Policy DT-2: Architectural Design Standards – Promote high quality architectural design standards for new development and redevelopment projects in the Downtown.

Policy DT-6: Parks and Recreation – Continue to enhance parks and recreation opportunities in Downtown, consistent with the "Downtown Master Plan", "East Huntersville Area Development Plan", "Parks & Recreation Master Plan" and "Greenway and Bike Master Plan"

Policy PF-1: Public Facilities – Continue to assess public facility needs to meet demand generated by existing, as well as future growth and development.

PART 4: STAFF RECOMMENDATION

Staff recommends amending Article 8.26.4, Exemptions to Site Lighting Requirements. The recommendation is based on:

Consistency with policies of the Huntersville Community Plan listed above.

By exempting the lighting of public civic monuments from lighting regulations but requiring that such lighting utilize a narrow cone beam no more than 150 watts the purpose of the lighting regulation is still secured. Staff finds that lighting public civic monuments in the same fashion as official government flags will not significantly affect the night sky, nor pose impacts to public safety.

PART 5: PUBLIC HEARING

The Public Hearing will be held on November 7, 2016.

PART 6: PLANNING BOARD RECOMMENDATION

The Planning Board is scheduled to review this text amendment on November 15, 2016.

PART 7: ATTACHMENTS AND ENCLOSURES

Attachment A: Text Amendment Application
Attachment B: Proposed Ordinance

PART 8: STATEMENT OF CONSISTENCY – TA #16-08

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment, TA 16-08, to amend Article 8.26.4 of the Zoning Ordinance, the Planning staff recommends approval based on the amendment being consistent with policy E-4, CD-6, DT-2, DT-6, and PF-1 of the Town of Huntersville 2030 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because adding public civic monuments to the list of lighting exemptions found in Article 8.26.4 allows public civic monuments to be up-lit.	**APPROVAL:** In considering the proposed amendment, TA 16-08, to amend Article 8.26.4 of the Zoning Ordinance, the Planning Board recommends approval based on the amendment being consistent with **(insert applicable plan reference)** It is reasonable and in the public interest to amend the Zoning Ordinance because…*(Explain)*	**APPROVAL:** In considering the proposed amendment, TA 16-08, to amend Article 8.26.4 of the Zoning Ordinance, the Town Board recommends approval based on the amendment being consistent with **(insert applicable plan reference)** It is reasonable and in the public interest to amend the Zoning Ordinance because…*(Explain)*
	DENIAL: In considering the proposed amendment, TA 16-08, to amend Article 8.26.4 of the Zoning Ordinance, the Planning Board recommends denial based on the amendment being **(consistent OR inconsistent)** with **(insert applicable plan reference).** It is not reasonable and in the public interest to amend the Zoning Ordinance because….*(Explain)*	**DENIAL:** In considering the proposed amendment, TA 16-08, to amend Article 8.26.4 of the Zoning Ordinance, the Town Board recommends denial based on the amendment being **(consistent OR inconsistent)** with **(insert applicable plan reference).** It is not reasonable and in the public interest to amend the Zoning Ordinance because….*(Explain)*

Attachment A: Application

Text Amendment Application

Incomplete submissions will not be accepted.

Applicant Data

Date of Application 10-1-16

Name Huntersville Planning Department

Address 105 Gilead Road, 3rd Floor, Huntersville NC 28078

Phone Number (home) 704-875-7000 (work) 704-875-7000

Email mnesbitt@huntersville.org

Fee

Text Amendment to the Zoning/Subdivision Ordinance Fee $400.00

Type of Change

X New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other

_____ Revision/Modification to text of Zoning Ordinance / Subdivision Ordinance / Other

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

Proposed text amendment will affect the following:

Ordinance: Zoning Article: 8.26 Section: .4

Current Text: See attached

Proposed Text: See attached

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

The Huntersville Planning Department is requesting this change to allow up lighting of public civic monuments to accommodate potential development

NOTE: If the proposed text amendment effects property located along Hwy 73; is 2000 feet from an adjoining municipality, and/or the Mountain Island and Lake Norman Watersheds, additional peer review is required.

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Signatures

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

Applicant Signature: Meredith Nesbitt Date: 10/1/16

Contact Information

Town of Huntersville	Phone:	704-875-7000
Planning Department	Fax:	704-875-6546
PO Box 664	Physical Address:	105 Gilead Road, Third Floor
Huntersville, NC 28070	Website:	http://www.huntersville.org/Departments/Planning.aspx

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AN ORDINANCE TO AMEND ARTICLE 8.26.4 Exemptions to Site Lighting Requirements

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

.4 Exemptions to these requirements.

The following shall be exempt from the lighting requirements of this ordinance:

a. Emergency lighting, used by police, firefighting, or medical personnel, or at their direction, is exempt for as long as the emergency exists.
b. Underwater lighting used for the illumination of swimming pools and fountains.
c. Lighting used for nighttime street construction and repair.
d. The lighting of official governmental flags and **public civic monuments** shall not be subject to these lighting standards. Such lighting shall utilize a narrow cone beam of light of no more than 150 watts.
e. Seasonal decorations.

Section 2. That this ordinance shall become effective upon adoption.
LAND DEVELOPMENT ADVISORY BOARD: November 3, 2016
LAND DDEVELOPMENT ADVISORY BOARD RECOMMENDATION: TBD
PUBLIC HEARING DATE: November 7, 2016
PLANNING BOARD MEETING: November 15, 2016
PLANNING BOARD RECOMMENDATION: TBD
TOWN BOARD DECISION: December 5, 2016

Town of Huntersville
REQUEST FOR BOARD ACTION
11/7/2016

REVIEWED:

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

Rezoning: 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:
Consider taking final action at the November 7, 2016 meeting.

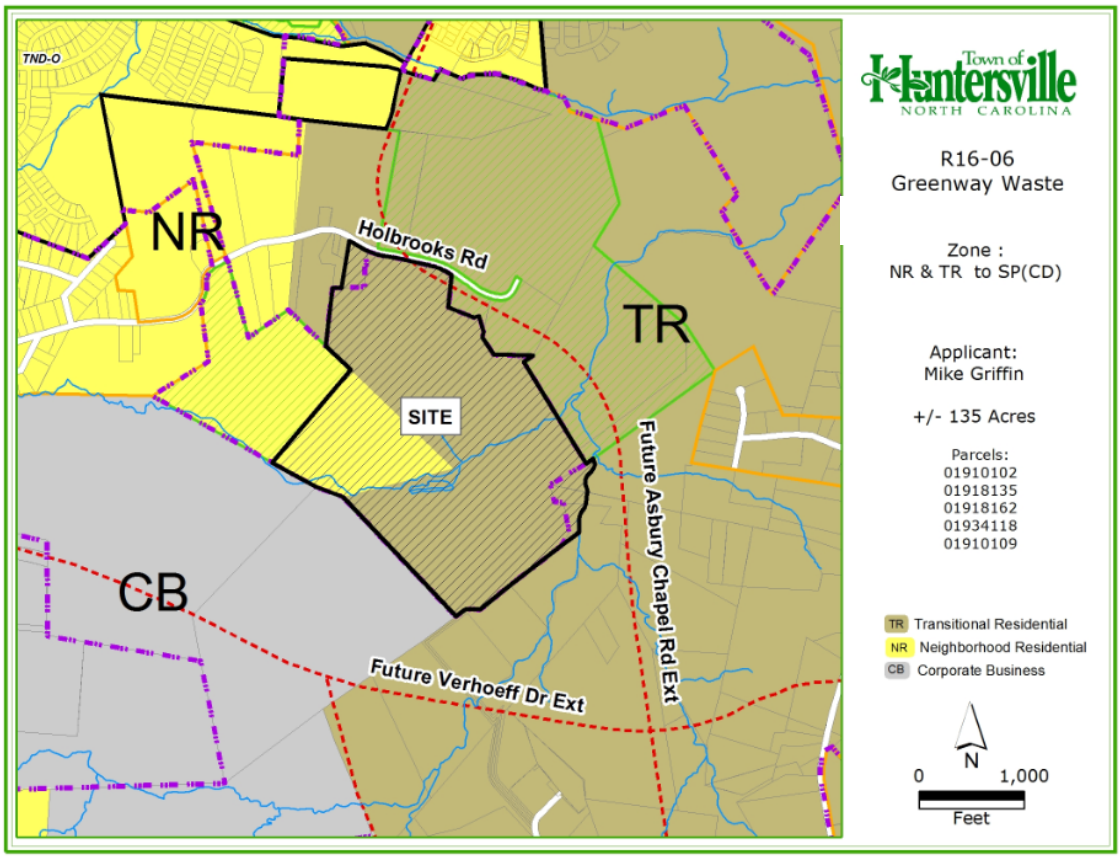
FINANCIAL IMPLICATIONS:

ATTACHMENTS:

Description	Type
Staff Report	Staff Report
Updated Rezoning Plan	Exhibit
Recycling Building Elevations	Exhibit
Applicant Condition Letter - Updated	Exhibit
2005 Special Use Permit	Backup Material
2009 Special Use Permit	Backup Material
NCDOT Comments - 2009	Backup Material
NCDOT Comments 2016	Backup Material
NCDOT Comments - Updated 10 4 16	Backup Material
NCDEQ Groundwater Well Map	Backup Material
TIA Determination - No Need	Backup Material
APFO - Determination of Capacity Letter	Backup Material
Neighborhood Meeting Information	Backup Material
Application - Greenway Waste	Backup Material
Application - Hammill	Backup Material
BJ Caldwell Letter	Backup Material
Planning Board DRAFT Recommendation Minutes	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

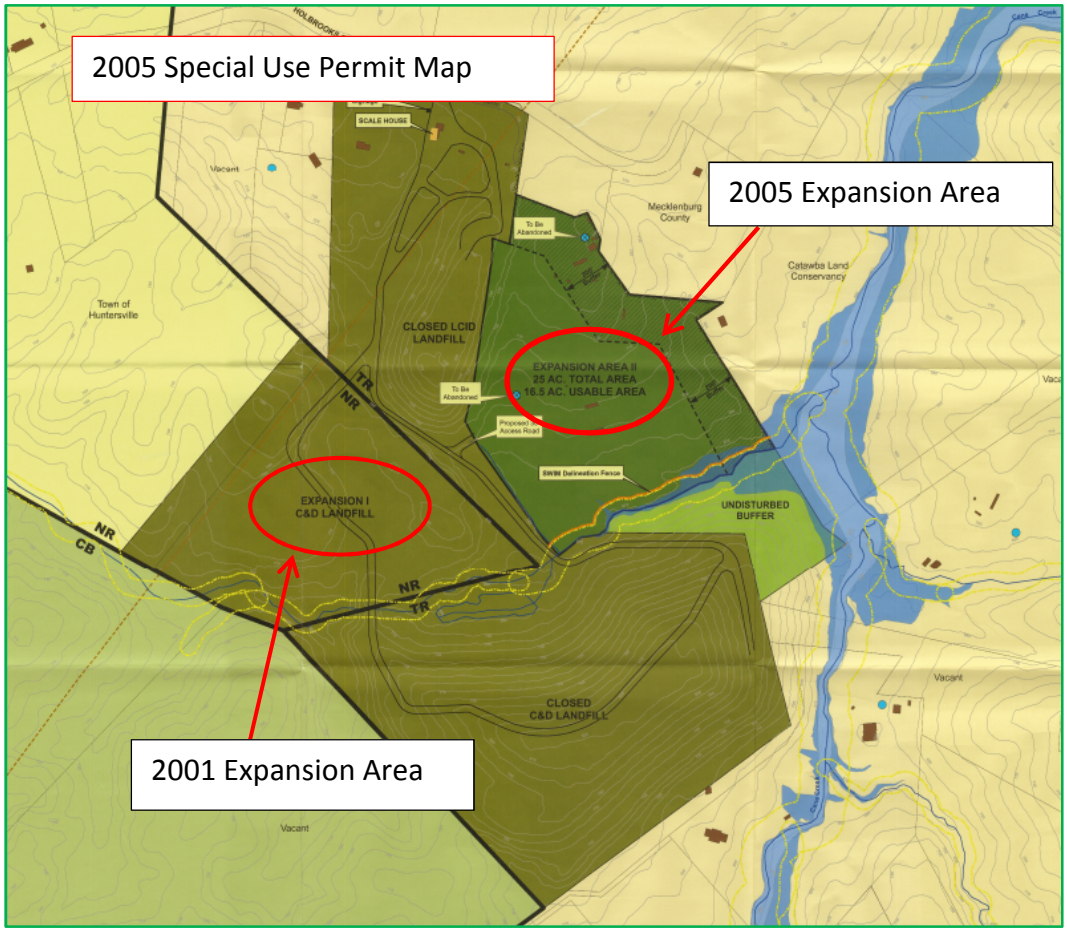
Parcel Numbers: 01910102, 01910109, and portions of 01918135, 01918162, 01934118

Application Summary:

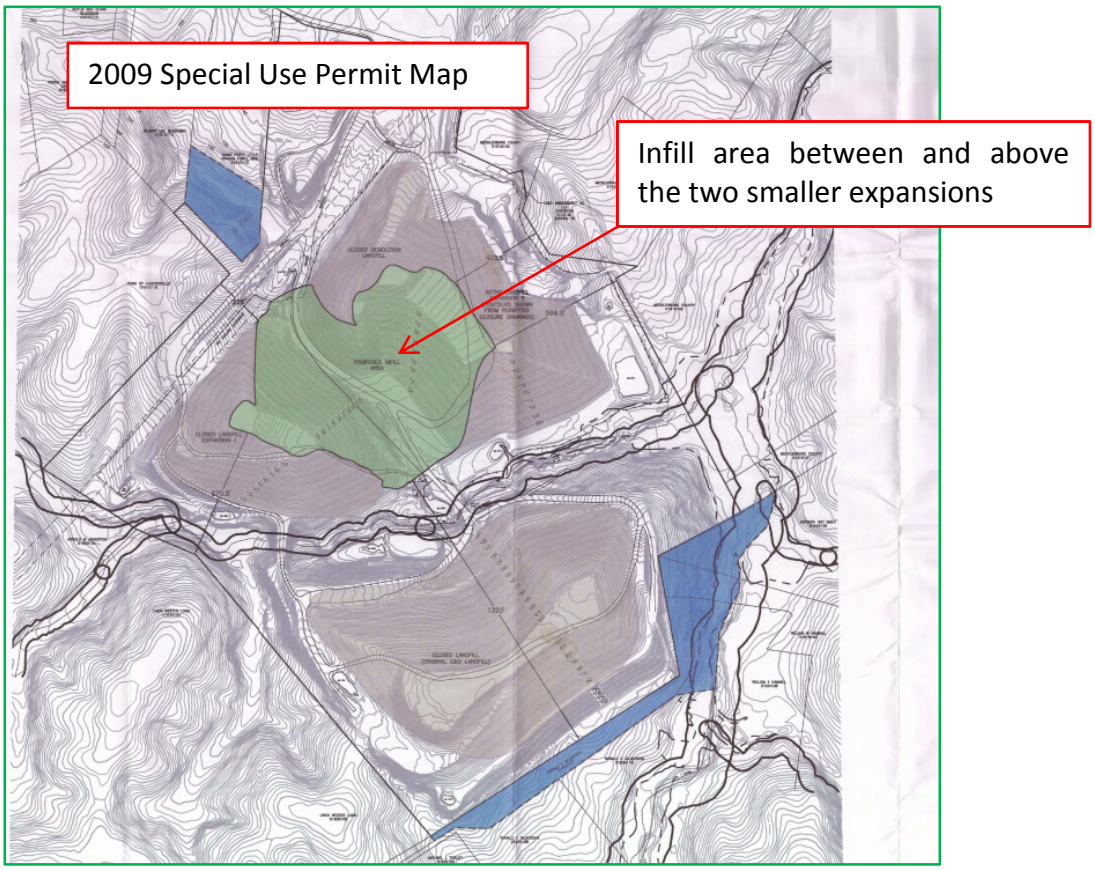
1. Greenway Waste Solutions, LLC has submitted a conditional rezoning application to rezone their property from Neighborhood Residential (NR) and Transitional Residential (TR) to Special Purpose Conditional District (SP-CD). The purpose of the rezoning is to allow the applicant to seek a Special Use Permit (SUP) for an expansion of their landfill operation and accommodate the construction of a recycling facility on the site.
2. UPDATE 9/19/16: The applicants have altered their plan and no longer propose to pipe and fill on top of the creek.
3. 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
4. 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)
5. 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.
6. 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.

7. 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.
8. 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.



9. 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.
10. 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.



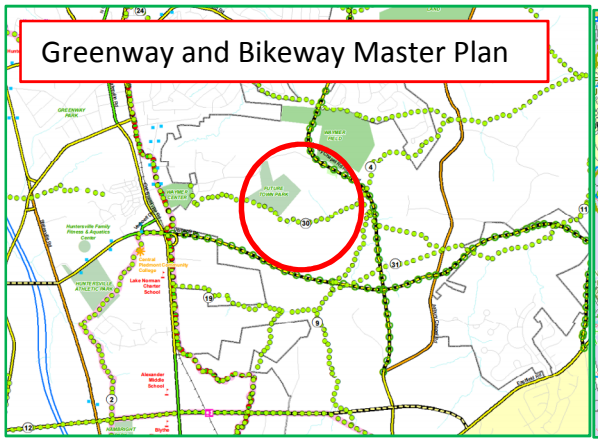
11. The rezoning plan/Special Use Permit plan also includes a 30,000 sqft recycling building located toward Holbrooks Road. The purpose of this metal building is to make the recycling and separation of the construction debris more efficient. This facility would reduce the amount of waste added to the landfill and thus increase the lifespan of the use.
12. It is estimated that with the addition of the recycling facility, the lifespan of the landfill will be extended another 20+ years.
13. 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.
14. 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.

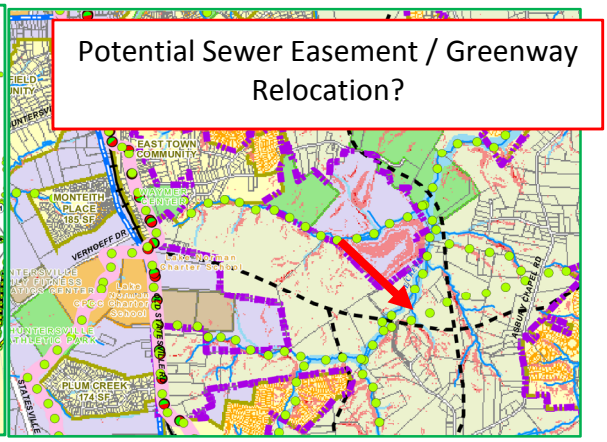
PART 2: REZONING/SITE PLAN ISSUES

- 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 runs through the applicant's property (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.

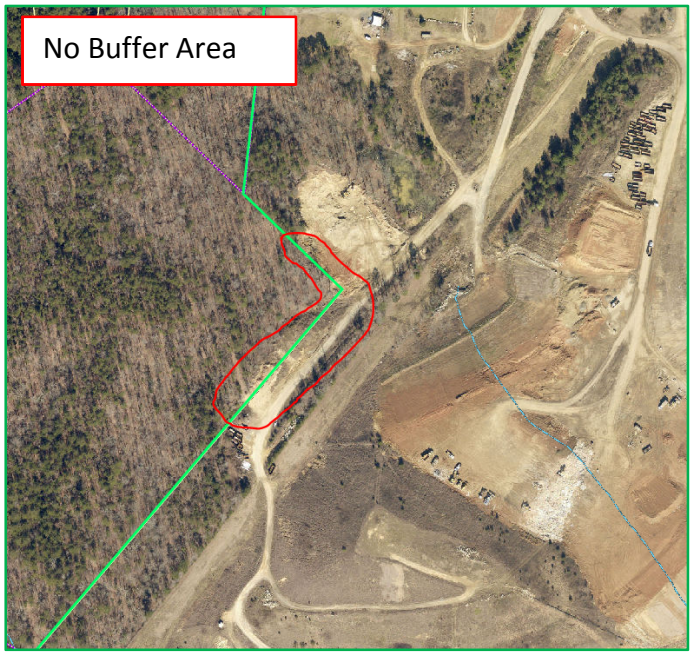
  UPDATE 10/17/16: The updated plans submitted shows the proposed greenway going along the creek as generally depicted in the Greenway and Bikeway Master Plan. However there is no reservation area identified

on the plan. As described above, staff recommends a 100 foot reservation/easement to allow for construction of the greenway. In addition, the other locations of the proposed greenway along Holbrooks and along the southern property line should be labeled as "alternative locations if approved by the Town of Huntersville".





- 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.
    - <u>UPDATE 8/12/16</u>: The updated plans submitted by the applicant do not include any buffering or screening in this area.
    - <u>UPDATE 9/19/16</u>: The new plan submitted notes that this area will be planted with Leyland Cypresses, or other evergreen trees to provide a screen. Staff is supportive of this note and modification as long as the trees are planted in such a way as to create an opaque screen of the use from adjacent property.
- 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.



- UPDATE 8/12/16: The updated rezoning plan submitted by the applicant does not include a note or commitment to accommodate a future connector road through the property.
- UPDATE 9/19/16: After discussing with the applicant, they stated they would add a note on the new plan that states that they would reserve right of way for the future connector street on any property within their ownership once the future alignment of that road is finalized. Staff supports this condition. However the actual note on the plan needs to be amended so that "connector" is added to the language. It currently reads that right of way for only the Asbury Chapel and Verhoeff extensions would be granted.
- UPDATE 10/17/16: Note #10 on the rezoning plan clarifies that the proposed connector road would be accommodated for.

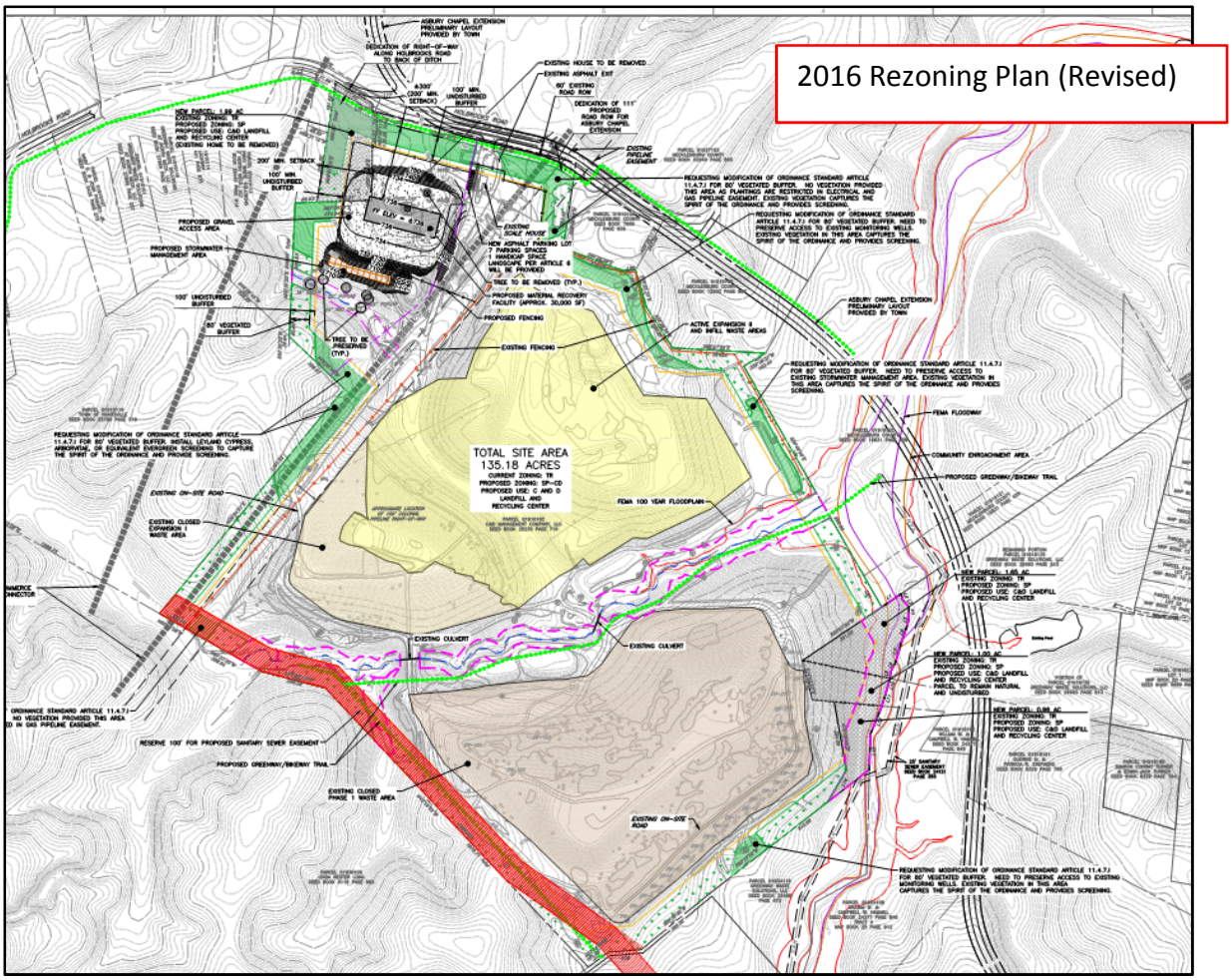
- Article 9.23.4 A of the Huntersville Zoning Ordinance requires that landfills over 10 acres be accessed from a major or minor thoroughfare or from a street built to commercial street standards that connects directly to a major or minor thoroughfare". The existing landfill does not have access to a 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.

- UPDATE 8/12/16: Staff is not aware of any further discussions the applicant has had with NCDOT about the durability of Holbrook Road, or whether or not the core samples of the road have been taken per the District Engineer's request.
- There are no notes on the updated rezoning plan that address the maintenance of Holbrook Road.
- UPDATE 9/19/16: The newest plan submitted has no notes about the maintenance and structure of Holbrook Road. However the letter submitted by the applicant with the application states that they intend to "connect to the future Verhoff/Asbury Chapel Extension and will reserve a right of way for the future connection to a potential industrial street to the south through the Commerce Station Industrial Park by 2034". Per past discussions with the applicant it is thought that this note is intended to cap or limit their usage of Holbrook Road to no longer than the year 2034, as well as provide their intent of making the connection from their site to one of the future thoroughfares by that time. Staff recommends that if that is the case, the note be clarified to clearly state that on the rezoning plan. It is still also unclear if the $25,000 committed to at the last SUP approval would carry over as a condition for this project.
- UPDATE 10/17/16: Note #11 on the latest plan submitted states "Greenway Waste Solutions shall have alternative access to replace Holbrooks Road by 2035". Staff recommends the note be clarified to read: "Greenway Waste Solutions will cease using Holbrook Road as its primary access and will have functional primary access onto a commercial street or thoroughfare by 2034". 2034 is the year that based on prior approvals, permission has already been granted for the use of Holbrook Road.
    - Note #13 on the updated plan includes a series of notes in regard to the maintenance and improvement of Holbrook Road. They include:
    - Conducting the boring tests to determine the current pavement structure of Holbrook Road, per NCDOT's request.
    - Overlaying Holbrook Road in front of the facility as requested by NCDOT.
    - Carrying over the previously offered $25,000 contribution for improvements to Holbrook Road as part of this application.
    - Reassessing the condition of Holbrook Road with Town Staff and NCDOT in 2025, about the half way point between now and 2034 when they've agreed to stop using Holbrook Road.
    - The applicant would then contribute additional funds at that time if the Town and NCDOT deem it necessary.
        - Planning staff is supportive of these proposed conditions in principle. However it is recommended that the $25,000 be donated immediately as it was originally committed to maintenance of Holbrook in 2009; and NCDOT spent a considerable amount on maintenance on Holbrook Road in 2013. This contribution thus should have been forwarded at that time. Staff would also recommend that the note concerning the contribution in 2025 be specified to understand what maximum amount would be contributed.
        - Transportation staff further recommends that rather than delaying the contribution until 2025, the applicant set up an escrow account and contribute a specified amount immediately. Then if it's needed between now and 2025 NCDOT can use the funds. If it's not needed in 2025, it can be returned to the applicant. The language should also be changed to clarify that NCDOT should receive all funds as they maintain Holbrook Road.

- 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.
    - UPDATE 8/12/16: The updated rezoning submittal did not include a tree survey to ensure compliance with the tree save requirements of the ordinance.
    - UPDATE 9/19/16: The newest plan submitted still has no tree survey included. With the removal of the new fill area from the plan, the actual removal of trees would be greatly reduced. However some trees

would still need to be removed in the area proposed for the new recycling facility. Therefore a tree survey is still applicable.
    - UPDATE 10/17/16: The updated plan submitted shows the existing trees located in the disturbed area near the proposed recycling facility. In that area there are 5 specimen trees shown and 4 are proposed to be preserved, leaving 80% specimen tree save in conformance with the ordinance.
- 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.
    - UPDATE 8/12/16: The updated rezoning plan includes required parking spaces along the edge of the future recycling building. However Article 6 of the ordinance requires that the parking area include an asphalt driveway as part of the parking area and formal landscaping around the perimeter of it. The updated plan shows gravel around the perimeter of the parking spaces and no landscaping per ordinance requirements.
    - UPDATE 9/19/16: The new plan submitted shows an asphalt parking area and notes that it will be landscaped per ordinance. Staff supports this amendment as meeting the intent of this section of the ordinance.
- 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.
    - UPDATE 8/12/16: The updated rezoning plan shows the exit drive to be paved 100 feet back from ROW in conformance to the ordinance.
- 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.
    - UPDATE 8/12/16: The letter from the applicant states that the site is "closeable and secured from vehicular and pedestrian access" but does not provide how that is done. The letter also mentions that a variance will be submitted for the fence requirement. No variance application has been submitted for this section of the ordinance. The updated rezoning plan includes a note stating that "heavy vegetation" prevents access to the site. The submitted information does not provide conformance to the fence and security requirement of this section of the ordinance.
    - UPDATE 9/19/16: The new rezoning plan includes a modification request to the Town Board from the fencing section of the ordinance. It states that the new recycling facility near Holbrook Road would be fenced and shows an existing fence along the northern sections of the landfill. However it implies that the remainder of the site, the southern portion, would not be fenced. A note on the plan states that "heavy vegetation prevents access to the remainder of the site". Staff cannot support this modification request at this time as it is unclear whether or not heavy vegetation provides a secure facility as intended in the code.
    - UPDATE 10/17/16: The updated plan modifies the above note, which commits the applicant to enclose the rest of the active facility with a fence within 90 days of either development happening adjacent to the property, or the greenway begins construction through the applicant's property.
        - Staff has no objection to this modification with the added condition.
- 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.
    - UPDATE 8/12/16: The updated letter from the applicant notes that the hours of operation will be limited from 7 am to 6 pm. That same note should be added to the rezoning plan as a condition of the rezoning.
    - UPDATE 10/17/16: The hours of operation have been added to the rezoning plan in note #12.
- 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.

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***:

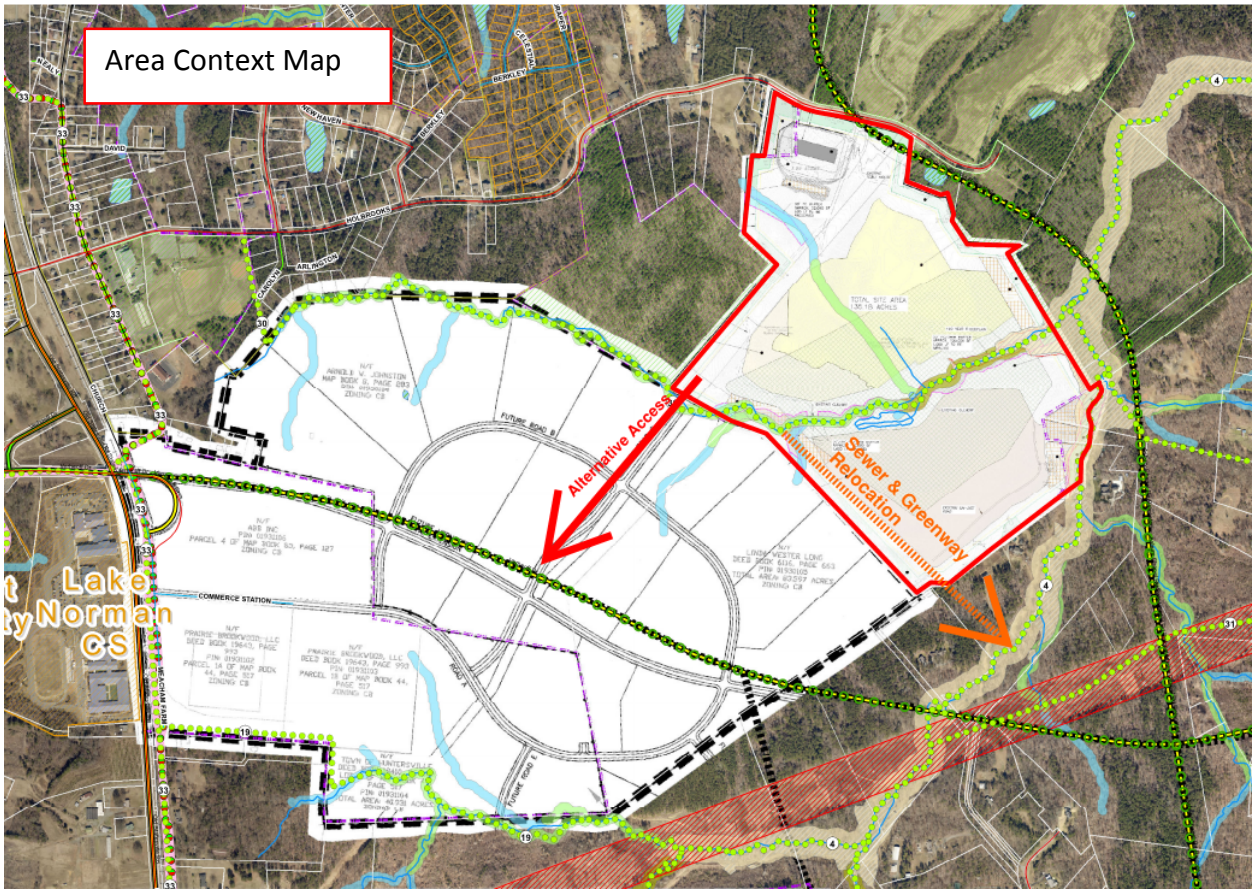
- **Policy T-6: Pedestrian Connections**. This policy supports the installation of sidewalks, bikeways, and greenway trails connecting various uses. The application does not accommodate the greenway planned through the property as shown on the Huntersville Greenway and Bikeway Master Plan. However if the greenway plan is ultimately amended to modify the alignment, the plan would no longer be in conflict with this policy.
    - UPDATE 9/19/16: With the removal of the proposed fill area from the application, this finding would no longer apply. However there still needs to be accommodation for the existing greenway alignment along the creek. The reservation easement shown on the current plan along the southern property boundary should be relocated through the creek.
- **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.
    - UPDATE 9/19/16: No additional information has been submitted by the applicants to address the NCDOT concerns.
    - UPDATE 10/17/16: As discussed above in Part 2, note #13 has been added to the plan that commits Greenway Waste Solutions to doing the following:
    - Conduct the boring tests to determine the current pavement structure of Holbrook Road.
    - Overlay Holbrook Road in front of the facility as requested by NCDOT for a length of 300 feet.
    - Carry over the previously offered $25,000 contribution for improvements to Holbrook Road.
    - Reassess the condition of Holbrook Road with Town Staff and NCDOT in 2025, about the half way point between now and 2034 when they've agreed to stop using Holbrook Road.
    - The applicant would then contribute additional funds at that time if the Town and NCDOT deem it necessary.
        - Planning staff is supportive of these proposed conditions in principle. However it is recommended that the $25,000 be donated immediately as it was originally committed to maintenance of Holbrook in 2009; and NCDOT spent a considerable amount on maintenance on Holbrook Road in 2013. This contribution thus should have been forwarded at that time. Staff would also recommend that the note concerning the contribution in 2025 be specified to understand what maximum amount would be contributed.
        - Transportation staff further recommends that rather than delaying the contribution until 2025, the applicant set up an escrow account and contribute a specified amount immediately. Then if it's needed between now and 2025 NCDOT can use the funds. If it's not needed in 2025, it can be returned to the applicant. The language should also be changed to clarify that NCDOT should receive all funds as they maintain Holbrook Road.

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.

- UPDATE 9/19/16: A letter submitted by the applicant includes a statement concerning the connection to a thoroughfare by 2034. It is believed that the applicant is intending to commit to moving their access from Holbrook Road to a commercial thoroughfare no later

than 2034 as suggested by staff above. Staff recommends a note be added to the actual rezoning plan clarifying that intent.

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.

- UPDATE 8/12/16: Staff contacted Mecklenburg County Solid Waste Management just prior to the public hearing in order to ascertain if there were any environmental issues or violations with the subject landfill. The County stated that there have been reports of off-site contamination at the landfill but we would need to contact the North Carolina Department of Environmental Quality (NCDENR is now known as NCDEQ) for further information and details. In subsequent conversations with NCDEQ after the public hearing staff was informed of the following:
    - The Greenway Solutions Landfill on Holbrook Road has been found to exceed state regulatory limits of various groundwater and surface water contaminants and methane gas since 2013. Further, a Notice of Violation was issued on September 16, 2014 to the landfill due to an encroachment upon their required state mandated buffer to the east of the property. As of now, the landfill remains in violation of the required buffer.
    - It appears the constituents leaching from the landfill have contaminated multiple drinking water wells adjacent to the subject property. Two parcels were purchased (including one residence) by the landfill and two homes were added on to municipal water service due to the groundwater contamination. According to NCDEQ, the applicant has been cooperative with the state in installing both shallow and deep groundwater monitoring wells and methane gas monitoring wells, in an effort to analyze and find the nature and extent of both the groundwater contamination and the methane gas exceedances. The applicant has also been cooperative in addressing the immediate issue of the contamination of the adjacent drinking water wells as discussed above. The monitoring and analyzing of both the groundwater and methane gas contamination is ongoing. At this time, there are still many unknowns in regard to the nature and extent of the existing groundwater and surface water contamination and potential methane gas migration. Once the nature and extent is more fully understood, NCDEQ will require mitigation plans for the applicant to begin contamination cleanup of both the active fill area, and the fill area that is closed out and inactive (which is under a different set of state rules).

Contamination has also been found in the groundwater monitoring wells near the stream, and recently in the surface water sampling of the stream that is being proposed to be piped and covered with the expansion. Please find the groundwater monitoring well locations of the site in a map forwarded by NCDEQ in your agenda package.

- UPDATE 9/19/16: The proposed recycling facility is located near Holbrook Road, separated from the area that is contaminated and a significant distance from where active monitoring wells are located. Please see the NCDEQ Monitoring well map attached in the agenda packet. There are no new fill areas proposed with the updated application. Therefore since disturbance of the contaminated area is no longer proposed, and the new recycling facility is located a significant distance from the contamination, staff finds the contamination issue of the existing facility and the addition of the recycling facility separate issues that do not conflict. However for record in regard to public safety and health concerns, it is recommended that the applicant add a note on the plan stating the planned schedule of NCDEQ remediation of the existing site and commit to the cleanup in a timely manner.
- UPDATE 10/17/16: No new note has been added to the rezoning plan in regard to the contamination. However the letter submitted by the applicant commits that "Once assessment activities have determined the nature and extent of the contaminants, a remediation plan approved and monitored by DEQ will be implemented". Staff recommends this statement be added to the rezoning plan as a condition.

PART 5: PUBLIC HEARING

The Public Hearing was held on August 1, 2016. Multiple individuals from the public voiced their concerns about the landfill's continued use of Holbrook Road and the potential negative affects the landfill expansion would have on the environment. A representative of the Holbrook Association voiced his support of the application. Please find the drafted minutes included in your agenda packet.

PART 6: STAFF RECOMMENDATION.

UPDATE 10/28/16: Staff recommends approval of the rezoning plan with the following conditions:

1. The rezoning plan is amended to show a 100 foot easement to accommodate the future greenway along the stream.
2. The secondary greenway locations are labeled as "alternate greenway locations if adopted by the Town of Huntersville".
3. Note #11 is amended to clarify that Holbrook Road will be abandoned as a primary access by 2034.
4. Note #13 is amended to clarify the previously approved $25,000 is contributed immediately and the additional $25,000 is forwarded no later than 2025 as offered by the applicant at the 10/25/16 Planning Board meeting.
    a. In addition, transportation staff recommends the future contribution be currently escrowed so that NCDOT may use the funds as needed between now and 2025.
5. Provide a note on the plan addressing the proposed cleanup of the contamination of the existing fill areas.

PART 7: PLANNING BOARD RECOMMENDATION

UPDATE: 9/19/16: On August 23, 2016 the Planning Board unanimously continued the application until their September 27, 2016 meeting. During the discussion the question was raised whether or not the rezoning and special use permit applications could move forward if the variances under consideration were denied. Staff at the time mentioned that due to the substantial change in the application that removing the stream fill would cause, the application would likely

need to be re-advertised and start over in the process. However after staff discussion of the application, it is staff's opinion that removing the proposed infill area is a reduction in intensity of the application and that it can continue in the review process as currently submitted.

UPDATE 10/17/16: The Planning Board met and reviewed the application on September 27, 2016. During the discussion, many of the outstanding items noted by staff were discussed. Concerning several of the items, the applicants committed to address them by adding the requested notes. In addition to the issues in the staff report, it was requested that the new properties obtained by Greenway Waste to the east of the landfill not be used for landfill purposes due to their proximity to residential properties. The applicant agreed to add a note clarifying that intent. Toward the end of the discussion, the Board communicated their lack of comfort in making a recommendation on the plan before them with so many outstanding items. The Board asked if the applicant would consider addressing the items and coming back before the Board. The applicant agreed to do so and after some further discussion, the Planning Board unanimously continued the application until their October 25, 2016 meeting.

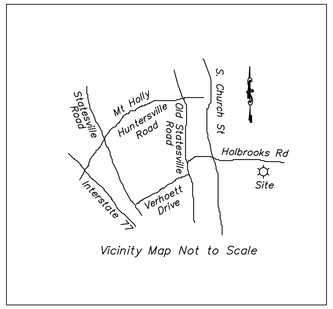
UPDATE 10/28/16: The Planning Board met and reviewed the application again at their October 25, 2016 meeting. After discussion, the Planning Board unanimously recommended approval of the plan with the following conditions:

1. The rezoning plan is amended to show a 100 foot easement to accommodate the future greenway along the stream.
2. Note #11 on the plan is amended to clarify that Holbrook Road will be abandoned as a primary access by 2034.
3. A note is added to the plan addressing the proposed cleanup of the contamination of the existing fill areas.
4. Clarification of all references on the plan to Holbrooks Road, Not Holbrook Road.
5. Note #6 is clarified to state that any adjacent development or construction of a greenway will trigger the construction of a fence for the active area of the site within 90 days.
6. The proposed evergreen trees proposed as a buffer are installed in a way that creates an opaque screen.
7. That the alternate locations of the greenway shown on the plan, if approved by the Town, will be supported and land will be provided by the applicant for them.

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

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering rezoning Petition R16-06, Greenway Waste Landfill, located on Holbrook Road, **Planning Staff** finds that the application is consistent with policies CD-2 and ED-12 of the Huntersville 2030 Community Plan. It is reasonable and the in the public interest to rezone this property because the applicant has committed to clean up the adjacent contamination, contribute to the maintenance of Holbrook Road, and relocate their entrance to a commercial thoroughfare by 2034.	**APPROVAL**: In considering the proposed rezoning of Petition R16-06, Greenway Waste Landfill, located on Holbrook Road, the **Planning Board** 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)*	**APPROVAL**: In considering the proposed rezoning of Petition R16-06, Greenway Waste Landfill on Holbrook Road the **Town Board** 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)*
DENIAL: N/A	**DENIAL:** In considering the proposed rezoning of Petition R16-06, Greenway Waste Landfill on Holbrook Road, the **Planning Board** 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)*	**DENIAL:** In considering the proposed rezoning of Petition R16-06, Greenway Waste Landfill on Holbrook Road, the **Town Board** 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)*

CONDITIONAL DISTRICT REZONING
FOR
GREENWAY WASTE SOLUTIONS OF NORTH MECK. LLC.



LIST OF DRAWINGS:

CD001	COVER SHEET
CD100	CONDITIONAL DISTRICT SITE PLAN
CD101	CONDITIONAL DISTRICT SITE PLAN

EPM REFERENCE NUMBER:
#365454 CONDITIONAL REZONING & CONCEPT PLAN

MAY 2016

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.

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

NORTH CAROLINA PROFESSIONAL SEAL 022429 ENGINEER TODD M. GINGERICH
10/13/16

REVISION RECORD

NO	DATE	DESCRIPTION
1.	7/19/2016	REVISIONS PER TOWN OF HUNTERSVILLE.

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

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

CONDITIONAL DISTRICT COVER SHEET

DATE:	MAY 2016
DRAWN BY:	CTH
DWG SCALE:	N.T.S.
CHECKED BY:	TMG
PROJECT NO:	111-370.001
APPROVED BY:	SLB

DRAWING NO.: CD001

SHEET 1 OF 3

P:\2011\111-370\-CADD\001\Dwg\MPT\111370-MPT10.03.16.dwg\CONDITIONAL DISTRICT COVER SHEET| LS:(10/13/2016 - pahaley) - LP: 10/13/2016 2:11 PM

NORTH

ASBURY CHAPEL EXTENSION PRELIMINARY LAYOUT PROVIDED BY TOWN

DEDICATION OF RIGHT-OF-WAY ALONG HOLBROOKS ROAD TO BACK OF DITCH

EXISTING HOUSE TO BE REMOVED

EXISTING ASPHALT EXIT

60' EXISTING ROAD ROW

DEDICATION OF 111' PROPOSED ROAD ROW FOR ASBURY CHAPEL EXTENSION

±300' (200' MIN. SETBACK)

100' MIN. UNDISTURBED BUFFER

HOLBROOKS ROAD

NEW PARCEL: 1.99 AC
EXISTING ZONING: TR
PROPOSED ZONING: SP
PROPOSED USE: C&D LANDFILL AND RECYCLING CENTER
(EXISTING HOME TO BE REMOVED)

200' MIN. SETBACK

100' MIN. UNDISTURBED BUFFER

EXISTING PIPELINE EASEMENT

PARCEL 01937103
MECKLENBURG COUNTY
DEED BOOK 02940 PAGE 555

REQUESTING MODIFICATION OF ORDINANCE STANDARD ARTICLE 11.4.7.I FOR 80' VEGETATED BUFFER. NO VEGETATION PROVIDED THIS AREA AS PLANTINGS ARE RESTRICTED IN ELECTRICAL AND GAS PIPELINE EASEMENT. EXISTING VEGETATION CAPTURES THE SPIRIT OF THE ORDINANCE AND PROVIDES SCREENING.

REQUESTING MODIFICATION OF ORDINANCE STANDARD ARTICLE 11.4.7.I FOR 80' VEGETATED BUFFER. NEED TO PRESERVE ACCESS TO EXISTING MONITORING WELLS. EXISTING VEGETATION IN THIS AREA CAPTURES THE SPIRIT OF THE ORDINANCE AND PROVIDES SCREENING.

PROPOSED GRAVEL ACCESS AREA

PROPOSED STORMWATER MANAGEMENT AREA

FF ELEV = ±736

EXISTING SCALE HOUSE

NEW ASPHALT PARKING LOT
7 PARKING SPACES
1 HANDICAP SPACE
LANDSCAPE PER ARTICLE 6 WILL BE PROVIDED

TREE TO BE REMOVED (TYP.)

PROPOSED MATERIAL RECOVERY FACILITY (APPROX. 30,000 SF)

PROPOSED FENCING

100' UNDISTURBED BUFFER

80' VEGETATED BUFFER

TREE TO BE PRESERVED (TYP.)

EXISTING FENCING

ACTIVE EXPANSION II AND INFILL WASTE AREAS

ASBURY CHAPEL EXTENSION PRELIMINARY LAYOUT PROVIDED BY TOWN

REQUESTING MODIFICATION OF ORDINANCE STANDARD ARTICLE 11.4.7.I FOR 80' VEGETATED BUFFER. NEED TO PRESERVE ACCESS TO EXISTING STORMWATER MANAGEMENT AREA. EXISTING VEGETATION IN THIS AREA CAPTURES THE SPIRIT OF THE ORDINANCE AND PROVIDES SCREENING.

REQUESTING MODIFICATION OF ORDINANCE STANDARD ARTICLE 11.4.7.I FOR 80' VEGETATED BUFFER. INSTALL LEYLAND CYPRESS, ARBORVITAE, OR EQUIVALENT EVERGREEN SCREENING TO CAPTURE THE SPIRIT OF THE ORDINANCE AND PROVIDE SCREENING.

TOTAL SITE AREA
135.18 ACRES
CURRENT ZONING: TR
PROPOSED ZONING: SP-CD
PROPOSED USE: C AND D LANDFILL AND RECYCLING CENTER

FEMA FLOODWAY

COMMUNITY ENROACHMENT AREA

PROPOSED GREENWAY/BIKEWAY TRAIL

EXISTING ON-SITE ROAD

EXISTING CLOSED EXPANSION I WASTE AREA

FEMA 100 YEAR FLOODPLAIN

APPROXIMATE LOCATION OF 100' COLONIAL PIPELINE RIGHT-OF-WAY

PARCEL 01910102
C&D MANAGEMENT COMPANY, LLC
DEED BOOK 25230 PAGE 719

NEW PARCEL: 1.65 AC
EXISTING ZONING: TR
PROPOSED ZONING: SP
PROPOSED USE: C&D LANDFILL AND RECYCLING CENTER

FUTURE COMMERCE STATION CONNECTOR ROAD

EXISTING CULVERT

EXISTING CULVERT

NEW PARCEL: 1.00 AC
EXISTING ZONING: TR
PROPOSED ZONING: SP
PROPOSED USE: C&D LANDFILL AND RECYCLING CENTER
PARCEL TO REMAIN NATURAL AND UNDISTURBED

NEW PARCEL: 0.96 AC
EXISTING ZONING: TR
PROPOSED ZONING: SP
PROPOSED USE: C&D LANDFILL AND RECYCLING CENTER

REQUESTING MODIFICATION OF ORDINANCE STANDARD ARTICLE 11.4.7.I FOR 80' VEGETATED BUFFER. NO VEGETATION PROVIDED THIS AREA AS PLANTINGS ARE RESTRICTED IN GAS PIPELINE EASEMENT.

RESERVE 100' FOR PROPOSED SANITARY SEWER EASEMENT

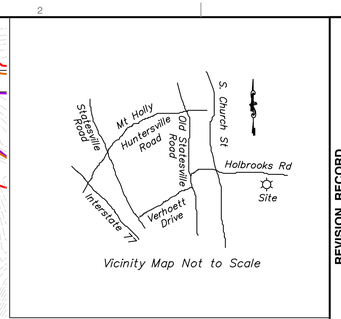
PROPOSED GREENWAY/BIKEWAY TRAIL

EXISTING CLOSED PHASE 1 WASTE AREA

EXISTING ON-SITE ROAD

25' SANITARY SEWER EASEMENT
DEED BOOK 24121
PAGE 355

REQUESTING MODIFICATION OF ORDINANCE STANDARD ARTICLE 11.4.7.I FOR 80' VEGETATED BUFFER. NEED TO PRESERVE ACCESS TO EXISTING MONITORING WELLS. EXISTING VEGETATION IN THIS AREA CAPTURES THE SPIRIT OF THE ORDINANCE AND PROVIDES SCREENING.



Vicinity Map Not to Scale

LEGEND

- EXISTING VEGETATED BUFFER
- PROPOSED PLANTING AREA WITHIN 80' BUFFER PER ORD. SEC. 7.5.3
- AREA FOR REQUESTED MODIFICATION 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
- 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)
- PROPOSED SANITARY SEWER EASEMENT
- PROPOSED GREENWAY/BIKEWAY TRAIL
- EXISTING FENCE
- PROPOSED FENCE
- PROPOSED PARCEL BOUNDARY
- FUTURE COMMERCE STATION CONNECTOR ROAD

LINE	BEARING	DISTANCE
L1	N55°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°06'37"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	126.50'
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'

SCALE IN FEET
0 200 400

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

NORTH CAROLINA PROFESSIONAL SEAL 022429 ENGINEER TODD M. GINGERICH
10/13/16

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 PLANTING AREAS WITHIN 80' BUFFER BASED ON REVIEW OF 2015 SITE AERIAL PHOTOGRAPHY PROVIDED BY PATTERSON LAND SURVEYING, PA, APRIL 2015.
4. 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.

REVISION RECORD

NO	DATE	DESCRIPTION
1	5/26/2015	ADDED FLOODZONE INFORMATION
2	6/22/2016	REVISIONS PER TOWN OF HUNTERSVILLE.
3	7/19/2016	REVISIONS PER TOWN OF HUNTERSVILLE.
4	8/1/2016	REVISED MAP LOCATION.
5	8/17/2016	REVISIONS PER TOWN OF HUNTERSVILLE
6	8/19/2016	LANDFILL EXPANSION REMOVED
7	10/12/2016	REVISED POND LOCATION AND NOTES
8	10/13/2016	ADDED FUTURE COMMERCE STATION CONNECTOR ROAD

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

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

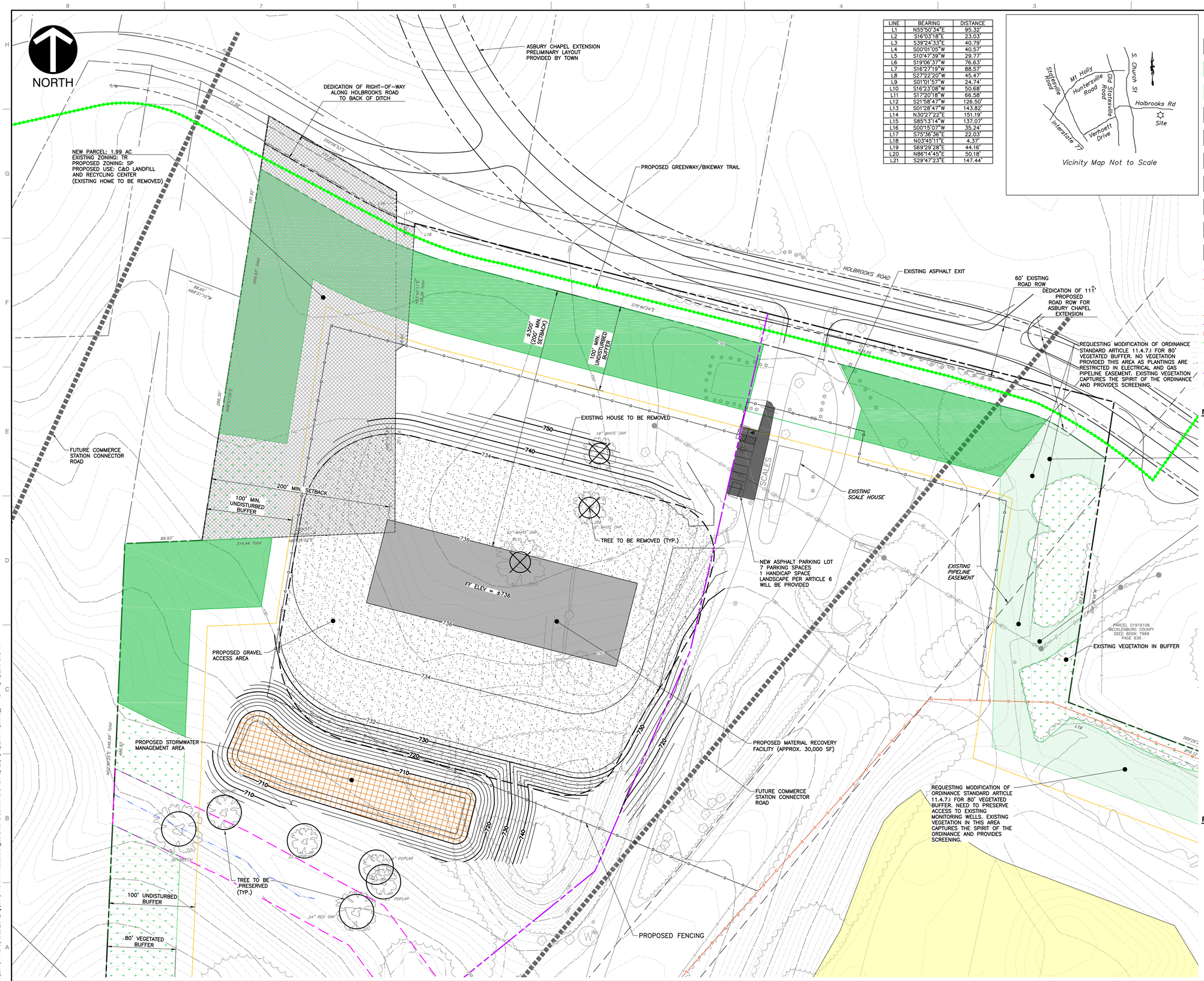
CONDITIONAL DISTRICT SITE PLAN

DATE:	MAY 2016	DRAWN BY:	CTH
DWG SCALE:	1"=200'	CHECKED BY:	TMG
PROJECT NO:		111-370.001	
APPROVED BY:			SLB

DRAWING NO.: CD100

SHEET 2 OF 3

P:\2011\111-370\-CADD\001\Dwg\MPT\111370-MPT10.03.16.dwg(CONDITIONAL DISTRICT SITE PLAN) LS:(10/13/2016 - parkway) - LP: 10/13/2016 2:12 PM



LINE	BEARING	DISTANCE
L1	N55°50'34"E	95.32'
L2	S16°03'18"E	23.03'
L3	S39°24'33"E	40.79'
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L5	S10°47'39"W	29.77'
L6	S19°06'37"W	76.63'
L7	S16°27'19"W	88.57'
L8	S27°22'20"W	45.47'
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L19	S69°29'28"E	44.16'
L20	N86°14'45"E	50.18'
L21	S29°47'23"E	147.44'

LEGEND

- EXISTING VEGETATED BUFFER
- PROPOSED PLANTING AREA WITHIN 80' BUFFER PER ORD. SEC. 7.5.3
- AREA FOR REQUESTED MODIFICATION 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
- 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)
- PROPOSED SANITARY SEWER EASEMENT
- PROPOSED GREENWAY/BIKEWAY TRAIL
- EXISTING FENCE
- PROPOSED FENCE
- PROPOSED PARCEL BOUNDARY
- FUTURE COMMERCE STATION CONNECTOR ROAD

NOTES

1. BUILDING, STORMWATER MANAGEMENT, PARKING AND PAVEMENT SIZES AND LOCATIONS SHOWN ON THIS PLAN ARE APPROXIMATE IN NATURE AND MAY BE ADJUSTED DURING PERMITTING, FINAL DESIGN AND CONSTRUCTION PLAN PREPARATION.
2. THE 80' VEGETATED BUFFER WILL REQUIRE TREE AND SHRUB PLANTING IN ACCORDANCE WITH TOWN ORDINANCE SECTION 7.5.3.
3. PROPERTY ADDRESS IS 15300 HOLBROOKS ROAD, HUNTERSVILLE, NC 28078.
4. EXISTING HOUSE ADJACENT TO HOLBROOK ROAD TO BE REMOVED.
5. LIGHTING PLAN SHALL BE IN ACCORDANCE WITH ARTICLE 8.26.
6. REQUESTING MODIFICATION OF ORDINANCE STANDARD ARTICLE 9.23.4 e), FOR 6' NON-CLIMBABLE FENCE. VEHICULAR ACCESS TO THE FACILITY IS LIMITED TO HOLBROOKS ROAD. FENCING AND GATE WILL BE PROVIDED ALONG HOLBROOKS ROAD. HEAVY VEGETATION PREVENTS ACCESS TO THE REMAINDER OF THE SITE. THE NEAREST PUBLIC RIGHT-OF-WAYS INCLUDE STATESVILLE ROAD (WEST ±¾ MILE), TRAILS END LANE (SOUTH ±½ MILE) AND WILDLIFE LANE (EAST ±¼ MILE). GREENWAY WASTE SOLUTIONS AGREES TO BEGIN INSTALLATION OF FENCE WITHIN 90 DAYS OF ANY DEVELOPMENT ON THE PARCELS EAST OR WEST TO GREENWAY WASTE SOLUTIONS. GREENWAY WASTE SOLUTIONS AGREES TO BEGIN INSTALLATION OF FENCE WITHIN 90 DAYS OF CONSTRUCTION OF FUTURE BIKEWAY/GREENWAY/CAROLINA THREAD TRAIL PASSING THROUGH GREENWAY WASTE SOLUTIONS PROPERTY.
7. NO ROOF TOP UTILITIES PLANNED.
8. AREAS NOT SHOWN TO BE PLANTED OR WHERE RELIEF FROM PLANTING REQUIREMENTS IS NOT REQUESTED CONTAIN EXISTING VEGETATION TO PROVIDE SCREENING.
9. PROVIDE ESCROW AND/OR BONDING FOR STREET TREES AND SIDEWALKS.
10. PROVIDE RIGHT OF WAY FOR FUTURE VERHOFF/ASBURY CHAPEL EXTENSION CONNECTOR ON ANY GRIFFIN OWNED LAND ONCE FINAL LOCATION IS DETERMINED.
11. GREENWAY WASTE SOLUTIONS SHALL HAVE ALTERNATIVE ACCESS TO REPLACE HOLBROOKS ROAD BY 2035.
12. HOURS OF OPERATION: M-F 7AM TO 6PM
    SAT 7AM TO 12PM
13. GREENWAY WASTE SOLUTIONS WILL PAY FOR HOLBROOKS BORINGS PER DOT'S REQUEST.

    GREENWAY WASTE SOLUTIONS WILL PAY FOR EXTENDING HOLBROOKS SHOULDERS AND A NEW OVERLAY FOR 300 FEET WEST OF GREENWAY WASTE SOLUTIONS' ENTRANCE.

    GREENWAY WASTE SOLUTIONS WILL EXTEND THE $25,000 DONATION TO THE TOWN OF HUNTERSVILLE FOR IMPROVEMENTS TO HOLBROOKS ROAD FOR AS LONG AS GREENWAY WASTE SOLUTIONS CUSTOMERS USE HOLBROOKS ROAD.

    GREENWAY WASTE SOLUTIONS AGREES TO REASSESS HOLBROOKS ROAD'S CONDITION IN CONJUNCTION WITH THE TOWN AND DOT DURING 2025 (HALFWAY MARK FOR GREENWAY WASTE SOLUTIONS' COMMITMENT TO STOP USING HOLBROOKS).

    GREENWAY WASTE SOLUTIONS AGREES TO CONTRIBUTE AN ADDITIONAL AMOUNT TO THE MAINTENANCE OF HOLBROOKS ROAD IF THE TOWN AND DOT DEEM NECESSARY.
14. GREENWAY WASTE SOLUTIONS IS IN THE PROCESS TO ACQUIRE APPROXIMATELY 1 ACRE (THE LAND TO THE WEST OF CANE CREEK ON PARCEL 01918162) ON THE SOUTHEASTERN PORTION OF THE LANDFILL PROPERTY FROM CO-APPLICANT BILL HAMMILL TO INCREASE FACILITY BUFFER. THIS LAND WILL NEVER BE USED FOR LANDFILL AIR SPACE AND SHALL REMAIN UNDISTURBED.

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 PLANTING AREAS WITHIN 80' BUFFER BASED ON REVIEW OF 2015 SITE AERIAL PHOTOGRAPHY PROVIDED BY PATTERSON LAND SURVEYING, PA, APRIL 2015.
4. 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.

SCALE IN FEET
0 50 100

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

NORTH CAROLINA PROFESSIONAL SEAL 022429 ENGINEER TODD M. GINGERICH
10/13/16

REVISION RECORD

NO	DATE	DESCRIPTION
1	5/26/2016	ADDED FLOODZONE INFORMATION
2	6/22/2016	REVISIONS PER TOWN OF HUNTERSVILLE.
3	7/19/2016	REVISIONS PER TOWN OF HUNTERSVILLE.
4	8/1/2016	REVISED MRF LOCATION, ADDED NOTATION.
5	8/17/2016	REVISIONS PER TOWN OF HUNTERSVILLE.
6	8/19/2016	LANDFILL EXPANSION REMOVED
7	10/12/2016	REVISED POND LOCATION AND NOTES
8	10/13/2016	ADDED FUTURE COMMERCE STATION CONNECTOR ROAD

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

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

CONDITIONAL DISTRICT SITE PLAN

DATE:	MAY 2016	DRAWN BY:	CTH
DWG SCALE:	1"=50'	CHECKED BY:	TMG
PROJECT NO:	111-370.001		
APPROVED BY:			SLB

DRAWING NO.: CD101

SHEET 3 OF 3

P:\2011\111-370\-CADD\001\Dwg\MRF\111370-MRF10.03.16.dwg\CONDITIONAL DISTRICT SITE PLAN 2\ LS(10/13/2016 - pdmwlay) - LP: 10/13/2016 2:12 PM

Concept elevations, final design pending.

VP BUILDINGS
VARCO PRUDEN
A BlueScope Steel Company

DRAWING INDEX

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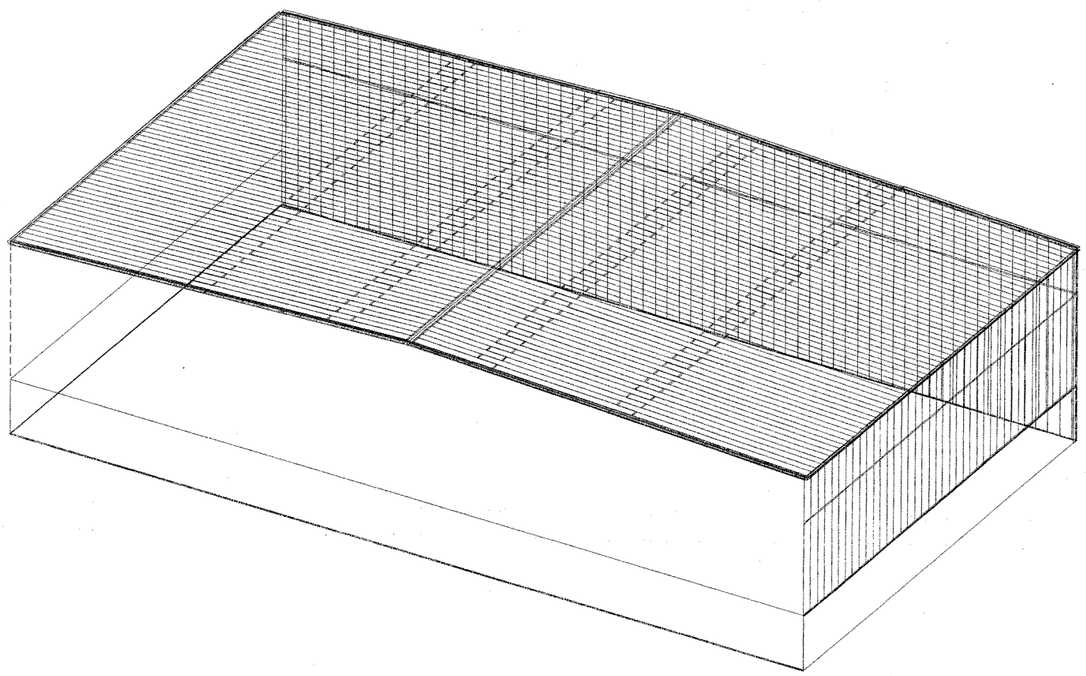
Notes	2
Anchor Rod Plan	3
Primary Structural	4 - 11
Secondary Structural	12 - 14
Covering	15 - 19
Special Drawings	
Standard Erection Details	20 - 22

DRAWING RELEASE HISTORY

TYPE	DATE	DESCRIPTION
A. Rod drawings	2-5-09	FOR CONSTRUCTION
ERECTION DRAWINGS	2-13-09	FOR CONSTRUCTION



VP Buildings 3200 Players Club Circle Memphis TN 38125

GENERAL NOTES

MATERIALS

	ASTM DESIGNATION	
3 PLATE WELDED SECTIONS	A529, A572, A1011, A1018	GRADE 55
COLD FORMED LIGHT GAGE SHAPES	A653, A1011	GRADE 60
BRACE RODS	A572	GRADE 50
HOT ROLLED MILL SHAPES	A36, A529, A572, A588, A709, A992	GRADE 36 KSI UNLESS NOTED
HOT ROLLED ANGLES	A529, A572, A588, A709, A992	GRADE 50
HOLLOW STRUCTURAL SECTION (HSS)	A500	GRADE B
CLADDING	A653, A792	GRADE 50 OR GRADE 80

A325 & A490 BOLT TIGHTENING REQUIREMENTS

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.

PRE-TENSION BOLTS ON PRIMARY FRAMING, BOLTED BRACING, AND STRUT CONNECTIONS IF LOCATED IN IBC SEISMIC PERFORMANCE / DESIGN CATEGORY D, E OR F, UBC ZONE 3 OR 4. SEE CODES AND LOADS NOTES BELOW FOR FOR SEISMIC DESIGN CATEGORY. PRE-TENSION ALL PRIMARY FRAMING CONNECTIONS IN CANADA.

PRE-TENSION BOLTS ON PRIMARY FRAMING, BOLTED BRACING, STRUTS AND CRANE RUNWAY CONNECTIONS IF BUILDING SUPPORTS A CRANE WITH A CAPACITY GREATER THAN 5 TONS.

CONNECTIONS THAT SUPPORT RUNNING MACHINERY AND OTHER SOURCES OF IMPACT OR STRESS REVERSAL MUST BE PRE-TENSIONED.

ALL SLIP CRITICAL CONNECTIONS AS INDICATED IN THESE DRAWINGS WITH -SC DESIGNATION MUST BE PRE-TENSIONED. SC TYPE CONNECTIONS MUST BE FREE OF PAINT, OIL OR OTHER MATERIALS THAT REDUCE THE FRICTION AT CONTACT SURFACES.

CONNECTIONS DESIGNATED AS A325-X OR A490-X SHALL BE INSTALLED WITH BOLT HEAD ON SIDE OF THE THINNEST PLATE BEING CONNECTED.

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.

CODES AND LOADS

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.

Building Code: 2006 International Building Code
Waste Transfer Station : Building Use:Standard Occupancy Structure, Collateral Gravity: 3.00 psf (Not Including bldg wt)
LIVE LOADS AND RAINFALL
Live Load 20.00 psf (Reducible)
Rainfall: 8.00 inches per hour

SNOW LOAD
Ground Snow: 15.00 psf, Flat Roof Snow: 12.60 psf
Snow Exposure Category (Factor): 2 Partially Exposed (1.00)
Snow Importance: 1.000 Thermal Category (Factor): Unheated (1.20)

WIND LOAD
Wind Speed: 95.00 mph, Wind Exposure: B
Basic Wind Pressure: 15.83 psf
Wind Importance Factor: 1.000, Ft= Topographic Factor: 1.0000
Wind Enclosure: Partially Enclosed, 0.550
Note: All windows, doors, skylights and other covered openings must be designed for the specified above wind loads

EARTHQUAKE DESIGN DATA
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 - Sds: 0.2571, Sd1: 0.1616

Ordinary Steel Moment Frames
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

NORTH CAROLINA PROFESSIONAL SEAL 026605 ENGINEER MENG K. WONG

1-6-09
2-18-09

JRO 2-5-09 AR pg 1-3, JRO 2-17-09 pg 4-22

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.

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 BUILDINGS ERECTION GUIDES, AND INDUSTRY STANDARDS PERTAINING TO PROPER ERECTION, INCLUDING THE CORRECT USE OF TEMPORARY BRACING.

CANCSA A660 QUASAR Certified

IAS ACCREDITED AC172

COVER SHEET

BUILDER	Annis Building Corp.	VP BUILDINGS VARCO PRUDEN A BlueScope Steel Company	JOBNO 09-379
CUSTOMER			DATE 2-5-2009
LOCATION	Raleigh, North Carolina		DRAWN / CHECK VEM
PROJECT	Shotwell W.T.P.		PAGE 1
BUILDERS PO#		VPC VERSION: 7.1c	
FILENAME	2256-08-1403 revised lc at 1 & 2.VPC		

2/5/2009 8:21:13

Concept elevations, final design pending.

Frame Member Schedule

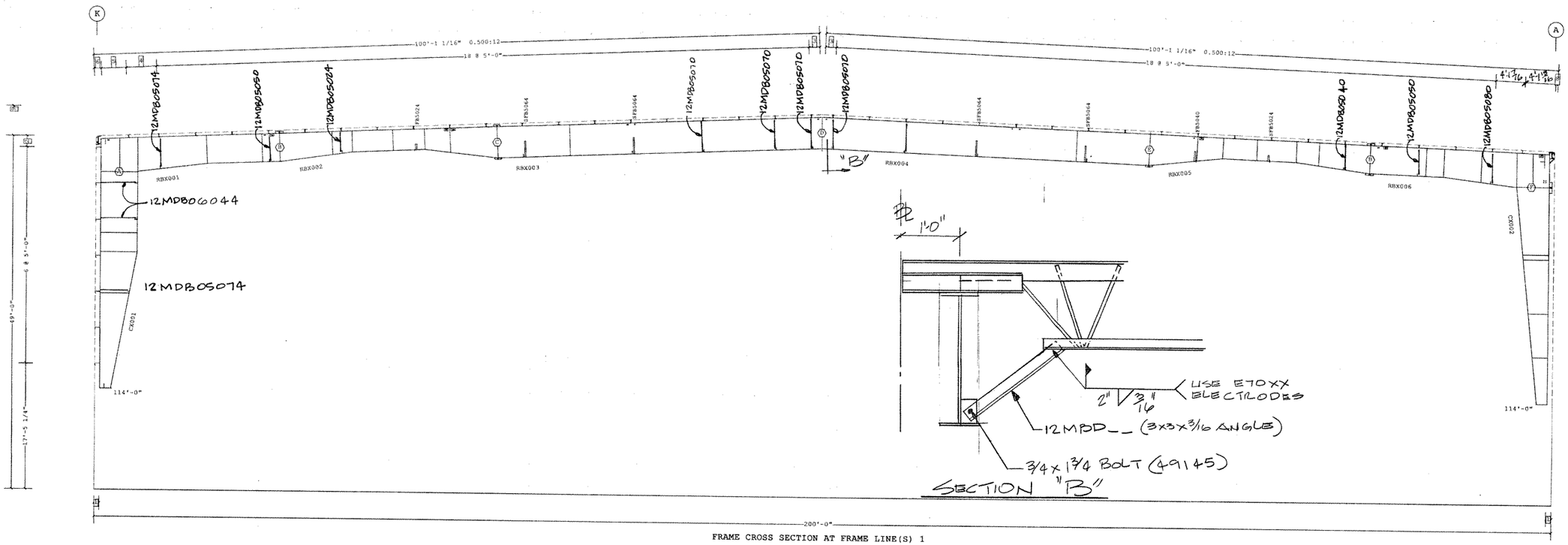
Part	Mem	Width	Thick	WebThk.	Depth1	Depth2	Approx.Lgth
CX001	1	8"	.6250	.3125	1'-6"	5'-0"	30'-0 7/8"
	2	8"	.7500	.5000	5'-0"	5'-0"	
RBX001	3	1'-0"	.7500	.3750	4'-9"	3'-11"	24'-4 1/2"
	4	1'-0"	.7500	.2500	3'-11"	3'-11"	
RBX002	5	8"	.7500	.2500	3'-11"	2'-11"	30'-0"
	6	8"	.5000	.2500	2'-11"	2'-11"	
	7	8"	.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"	

Bolt Connection & Plate Schedule

Id	Qty	ASTM	Bolt Dia.	Bolt Length	Plate Thick.	Rows Out	Rows In	Tension Bolt	Washer
A	12	A325	1 1/2"	4 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 9/16"
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.

Shape Name = Waste Transfer Station Wall 4, Frame 1

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VP Buildings
3200 Players Club Circle Memphis TN 38125

REV	DATE	BY	DESCRIPTION

NTS

2/12/2009 13:56:30

FOR CONSTRUCTION

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL MENG K. WONG 2-13-09

FRAME CROSS SECTION AT FRAME LINE(S) 1

BUILDER	Annis Building Corp.
CUSTOMER	
LOCATION	Raleigh, North Carolina
PROJECT	Shotwell W.T.P.
BUILDERS PO#	
FILENAME:	2256-08-1403 revised ic at 1 & 2.VPC

VP BUILDINGS
VARCO PRUDEN
A BlueScope Steel Company
VPC VERSION: 7.1c

JOBNO	09-379
DATE	2/11/2009
DRAWN/CHECK	JTI / BLM
PAGE	57

A Griffin Brothers Co.
Greenway Waste Solutions

Special Use Permit Application
Subject: Letter stating how the applicant satisfies Article 9
Date: 10/12/16

Greenway Waste Solutions, LLC has been operating in its current use since 1988. During this time Greenway Waste Solutions, LLC has operated under the purview of Article 9.23 and satisfied all criteria.

Sincerely,

John Brown
Greenway Waste Solutions

9.23 Off-Site Land Clearing and Inert Debris (LCID) and Construction & Demolition (C&D) Landfills
Off-Site LCID and C&D Landfills are permitted in the SP District subject to a Special Use Permit, according to the procedures of Section 11.4.10. The Town Board shall issue a Special Use Permit for the subject facility in the SP District if, but not unless, the evidence presented at the Special Use Permit hearing establishes the conditions below.

.1 That the site will operate in compliance with the rules according to NCDENR for C&D and LCID landfills, as amended.

This site will operate in compliance with the rules according to NCDEQ. See attached NCDEQ (formerly NCDENR) Permit No. 60-13 CDLF-1993. The current permit expires 10/8/2017. (see p.6, Attachment 3, Part I:1)

In 2013 routine landfill groundwater monitoring detected an exceedance in Appendix 1 constituents. As a result of the detection, ongoing assessment monitoring has been conducted. In May 2016, Greenway Waste Solutions (GWS) submitted a Contaminant Delineation Plan to NCDEQ to further assess the exceedances. The Contaminant Delineation Plan was accepted by DEQ on June 17, 2016 and GWS is implementing the plan. Once assessment activities have determined the nature and extent of the contaminants, a remediation plan approved and monitored by DEQ will be implemented. Assessment and remediation efforts will continue until deemed approved by DEQ. Due to the nature of assessment and remediation, no timetable for completion can be provided, but will be initiated at the request of NCDEQ. See attached DEQ Contaminant Delineation Plan approval letter.

GWS is in process to acquire approximately 1 acre (the land to the west of Cane creek on parcel 01918162) on the southeastern portion of the landfill property from co applicant, Bill Hammill to increase our facility buffer. With the increased buffer area, the landfill will have significantly more buffer than required and will no longer be in violation of the NCDEQ buffer requirements. This land will never be used for landfill air space and shall remain undisturbed.

.2 That the proposed use will not endanger the public health and safety, nor substantially

reduce the value of nearby property; and

This site and the cleanup of the existing contamination will operate in compliance with the rules according to NCDEQ. Waste entering the recycling center will be hand sorted. Any unacceptable waste will be sent off site to the proper facility.

.3 That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area; and

This site will not be in conflict with the objectives of the most detailed plan adopted for the area. The small area plan calls for a connector road from Commerce Station to the future Verhoff/Asbury Chapel Extension. The applicant will and the site plan makes an accommodation for the connector road on any Griffin owned land once the final location is determined. See note 14 on CD-101.

.4 That the comprehensive site plan addresses each of the environmental and development standards below:

a). A landfill which would be larger than 10 acres shall be accessed from a major or minor thoroughfare or from a street built to commercial street standards that connects directly to a major or minor thoroughfare. Landfills 10 acres or less must directly connect to a major or minor thoroughfare, or to a non-residential collector or non-residential local street where available. However, if such thoroughfares or streets are not reasonably available, the Board may nevertheless issue a special use permit upon finding that the use for which the permit is granted would not likely cause any injurious effect on the property adjacent to the access.

GWS shall relocate their main access from Holbrook Road to the future Verhoff/Asbury Chapel Extension as soon as available but no later than 2034. GWS will reserve a right-of-way through their property for the future connector road from the Verhoeff extension to Asbury Chapel extension.

Additionally:
GWS will pay for Holbrooks borings per DOT's request
GWS will pay for extending Holbrooks shoulders and a new overlay for 300 feet West of GWS' entrance
GWS will extend the $25,000 donation to the Town of Huntersville for improvements to Holbrooks Road for as long as GWS customers use Holbrooks Road.
GWS agrees to reassess Holbrooks Road's condition in conjunction with the town and DOT during 2025 (halfway mark for GWS' commitment to stop using Holbrooks). GWS agrees to contribute an additional amount to the maintenance of Holbrooks if the Town and DOT deem necessary.

b). That the proposed or existing use will be in compliance with the rules and regulations as established by the Traffic Impact Analysis (TIA) Article 14.

A Traffic Impact Analysis was not deemed necessary.

c). Neither clearing, grading, land disturbing activities nor any portion of a C&D or LCID landfill may be located within 100 feet of any exterior property line. Further, the buffer requirements for the site are required per the state permitting criteria. The requirements stated

below take precedence over any and all modification made by the state unless the state standards become more restrictive.

500-foot buffer from existing residential water supply wells to fill area.
200-foot buffer from adjacent property to fill area.
No fill in designated wetlands or the FEMA and/or Community Special Flood Hazard Areas.
50-foot buffer from delineated streams.
50-foot buffer from road right-of-way to fill area (non-state requirement).

The site is in compliance with all criteria in this section.

d). Driveway access to the facility must be paved for a distance of at least 100' from the public street.

Driveway access to the facility is paved at least 100' from the public street. See "f" below

e). Vehicular and pedestrian access to the site must be controlled; the site must be closed and secured during hours when filling activities are not under way. A non-climbable fence, at least 6' high, shall be installed around the landfill and all of its operations as a safety device. These fences must be constructed of wire mesh with openings not to exceed 2 inches by 4 inches or equivalent and must be placed on the interior side of screening/buffering devices.

See site plan CD 100 for existing and proposed fencing around the recycling facility. The active landfill area has a security fence. The applicant is seeking relief from the fencing requirement for the closed fill area that is inaccessible.

"GWS agrees to begin installation of fence within 90 days of any development on the parcels east or west of GWS . GWS also agrees to begin installation of fence within 90 days of construction of future Bikeway/Greenway/Carolina Thread Trail passing through GWS property."

f). All driveways which serve the site must be wide enough to accommodate two-way traffic for a distance of at least 100' from the public street so that no traffic waiting to enter the site will be backed up on any public right-of-way.

The driveway is about 48' wide serving both ingress and egress for about 65 feet. From that point ingress only continues to the scalehouse for about 125 feet for a total of 185 feet of paved driveway. The scalehouse separates ingress and egress providing two way traffic. Egress is paved for approximately 125 feet from Holbrooks Road.

.5 That the landfill operator will be responsible for removal of any and all debris, dirt, or other materials which fall from trucks entering or leaving the landfill from all adjoining streets on at least a weekly basis. Failure to comply constitutes a violation of this ordinance and may constitute grounds for revocation of the operating permit.

Since inception we have taken pride in keeping the roadways clean. This process starts on site where we provide a well groomed tipping floor for our customers. From there we maintain gravel roads to remove dirt from tires. Lastly, the site operators commit to routinely wash the street with a specialized truck designed to remove dirt or mud at least once per week or more frequently if needed. Debris and litter on Holbrooks Road will be picked up at least once per week or more frequently if needed. This includes debris that is not related to our facility. We plan to continue to exceed section 6.5 of the Franchise

Agreement with the Town of Huntersville that states that we must pick up debris from our customers vehicles.

An added benefit of the MRF is that all trucks will be tipping their loads on a concrete floor further eliminating dirt falling from trucks.

.6 That the use of the site for any purpose shall be limited to the hours of 7:00 a.m. until 6:00 p.m. Monday through Saturday, if the site adjoins or is across the street from property located in a residential district.

The use of the site is limited to the hours of 7:00AM until 6:00PM, Monday through Friday and 7:00AM until 12:00PM on Saturday.

.7 That a timetable has been submitted with the application indicating the development phases and the projected life expectancy of the landfill.

Based on current waste acceptance rates and anticipated recycling rates we project a life of over 20 years.

.8 That a reclamation plan is provided that shows how the site will be reclaimed upon the closing of the landfill. The reclamation plan shall state the proposed method of conservatorship and perpetual maintenance or use. It shall demonstrate that the site, when closed, will pose no threat to public safety; that the finished contours and groundcover will reestablish a compatible appearance with surrounding lands and buildings; and that the method of maintenance or use will cause no future environmental degradation.

See attached Infill Expansion Closure Plan and drawing

.9 An existing LCID landfill shall not be required to be brought into compliance with the provisions of this ordinance provided:

This not applicable to this site.

a). The landfill has been continuously operating since 1990 and was not within the zoning jurisdiction of the Town of Huntersville in 1991;

b). The landfill has a valid LCID or demolition landfill permit and/or obtains any renewals of the LCID or demolition landfill permit required by the State of North Carolina and/or Mecklenburg County;

c). The landfill has a closure plan approved by the State of North Carolina and/or Mecklenburg County; and

d). In no event shall the landfill operate under a LCID or demolition landfill permit later than December 4, 2016 and further provided that on the earlier of the final date permitted for operation of the landfill or the date the landfill permanently ceases operation, the owner and/or operator of the landfill shall immediately commence and continuously pursue to completion closure of the landfill according to the provisions of the then current closure plan approved by the State of North Carolina and/or Mecklenburg County. Failure to complete closure according to such approved plan shall be a violation of this ordinance enforceable by all remedies and penalties available to the Town.

.10 Any existing C&D landfill shall be permitted to continue operation in the zone in which it is located provided the landfill has an unexpired special use permit. Any expansion beyond the property boundary of an existing C&D landfill as approved on November 11, 2005 must be located in the SP district with a special use permit in accordance with the provisions of this Section.

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 if 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;*

Town of Huntersville
NORTH CAROLINA

Special Use Permit Amendment Granted

On Monday, December 7th, 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.

Owner

Planning
Post Office Box 664 • 101 Huntersville-Concord Road • Huntersville, NC 28070
phone 704.875.7000 • fax 704.875.6546 • 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/Tres.

(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 26th, 2011.*

2. *The NCDENR (North Carolina Division of Environment and Natural Resources) permit was approved on October 26th, 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 pubic 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 3rd, 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 26th, 2006 therefore under the current special use permit the landfill needs to cease operation on or before October 26th, 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.*

<u>*Conditions added by the Town Board at the Special Use Permit Hearing*</u>

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

----- Original Message -----
From: Mitchell, Louis L <lmitchell@ncdot.gov>
To: Canipe, Brett D <bcanipe@ncdot.gov>; jmueller@griffinbrothers.com <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

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>
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

Bradley Priest

From: Taylor, Wendy A <wataylor1@ncdot.gov>
Sent: Tuesday, October 04, 2016 11:06 AM
To: Bradley Priest
Cc: Stephen Trott; Sossamon, Gary D
Subject: RE: Greenway Waste Rezoning - Holbrook Road Maintenance

Hi Brad,
Please see some clarification to my email below in red. 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

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: Taylor, Wendy A
Sent: Monday, July 25, 2016 11:34 AM
To: 'Bradley Priest' <bpriest@huntersville.org>
Cc: Stephen Trott <strott@huntersville.org>; Sossamon, Gary D <dsossamon@ncdot.gov>
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. If the pavement structure is found to not be sufficient, then the entire length of Holbrook will need to be brought up to standard to provide the strength needed for the truck traffic this facility is generating.
- 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

NORTH

NOTES:
1. GAS MONITORING WELL LOCATIONS ARE APPROXIMATE AND HAVE NOT BEEN SURVEYED.
2. GROUNDWATER POTENTIOMETRIC CONTOURS ARE APPROXIMATE AND INTERPOLATED BETWEEN WELL MEASURING POINTS.

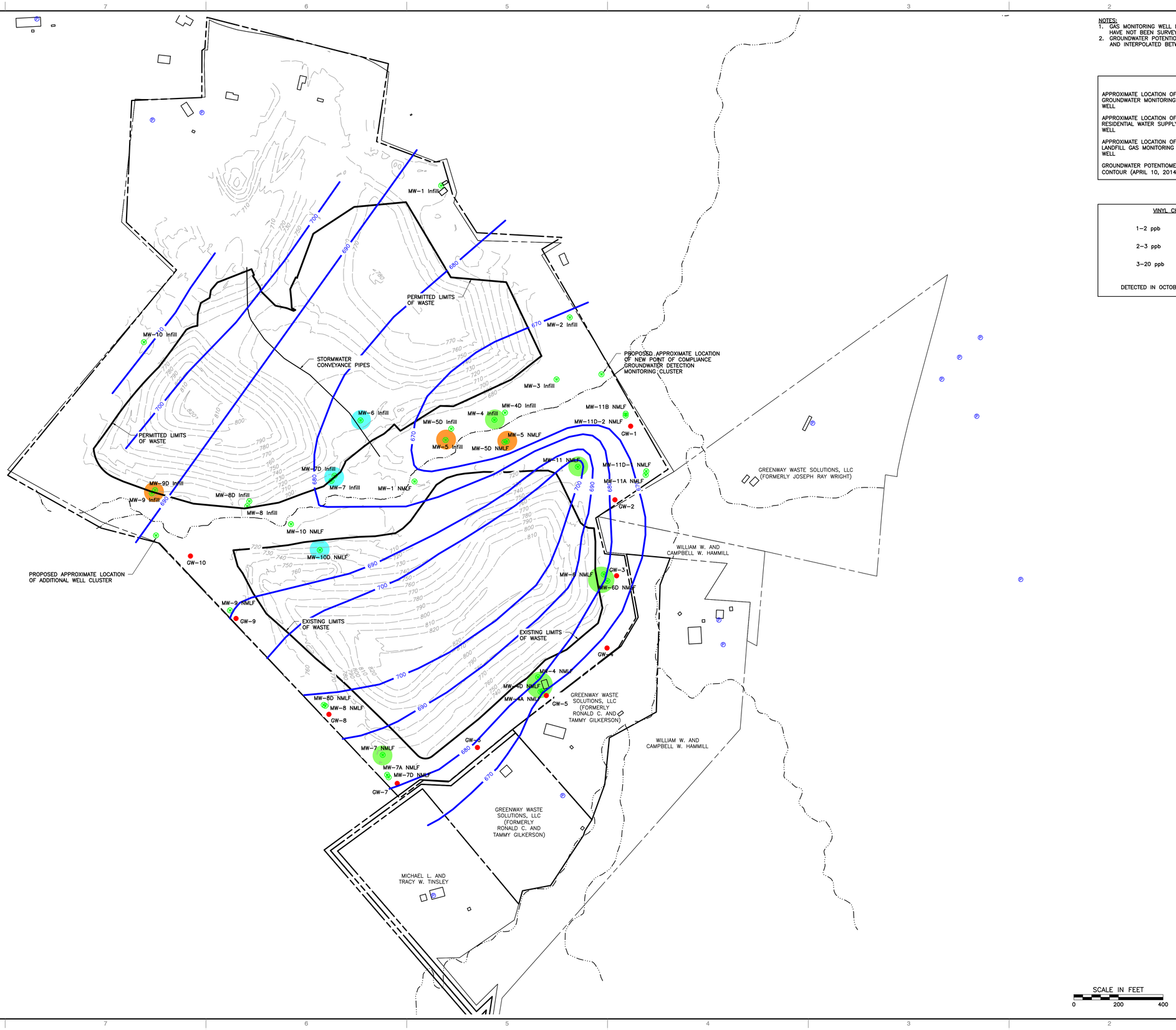
LEGEND

APPROXIMATE LOCATION OF GROUNDWATER MONITORING WELL	W
APPROXIMATE LOCATION OF RESIDENTIAL WATER SUPPLY WELL	P
APPROXIMATE LOCATION OF LANDFILL GAS MONITORING WELL	●
GROUNDWATER POTENTIOMETRIC CONTOUR (APRIL 10, 2014)	680

VINYL CHLORIDE OCCURRENCE

1–2 ppb	
2–3 ppb	
3–20 ppb	

DETECTED IN OCTOBER 21, 2015 MONITORING EVENT



REVISION RECORD

NO	DATE	DESCRIPTION

Civil & Environmental Consultants, Inc.
333 Baldwin Road · Pittsburgh, PA 15205
412-429-2324 · 800-365-2324
www.cecinc.com

GREENWAY WASTE SOLUTIONS AT NORTH MECK, LLC NORTH MECK LANDFILL HUNTERSVILLE, NC

SITE MAP

DATE:	MARCH 2016
DRAWN BY:	PNP
DWG SCALE:	1"=200'
CHECKED BY:	EHS
PROJECT NO:	111-370.001
APPROVED BY:	EHS

FIGURE NO.: 2

SHEET 1 OF 1

P:\2011\111-370\-CADD\001\Dwg\111-370.001 Groundwater Map for Eng(24 X 36) LS(3/21/2016 - gwmap) - LP: 3/21/2016 8:14 AM

Town of Huntersville
NORTH CAROLINA

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 the 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.

3/15/16

Applicant's Signature **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.

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Town of Huntersville
NORTH CAROLINA

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 or by phone: (704) 766-2218.

Sincerely,

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

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

- The meeting was conducted at the Dellwood Center on Monday June 27th 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

Exhibit B

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	janeralla@bellsouth.net
Meredith Nesbitt	105 Gilead Road	704-766-2298	mnesbitt@huntersville.org
Cam Hammill	11745 Trails End Ln	704-948-8068	billhammill@gmail.com
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	tracymbarron@gmail.com
Tracy Tinsley	11737 Trails End Ln	704-875-2194	twtinsley@earthlinks.net
Nate Bowman	205 S Church St.	704-875-2194	maribethbowman@gmail.com
Gayland Sherrill	4500 Cecilia Lane	704-588-9093	gaylandsherrill@yahoo.com

Exhibit C

A Griffin Brothers Co.
Greenway Waste Solutions
of North Meck

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

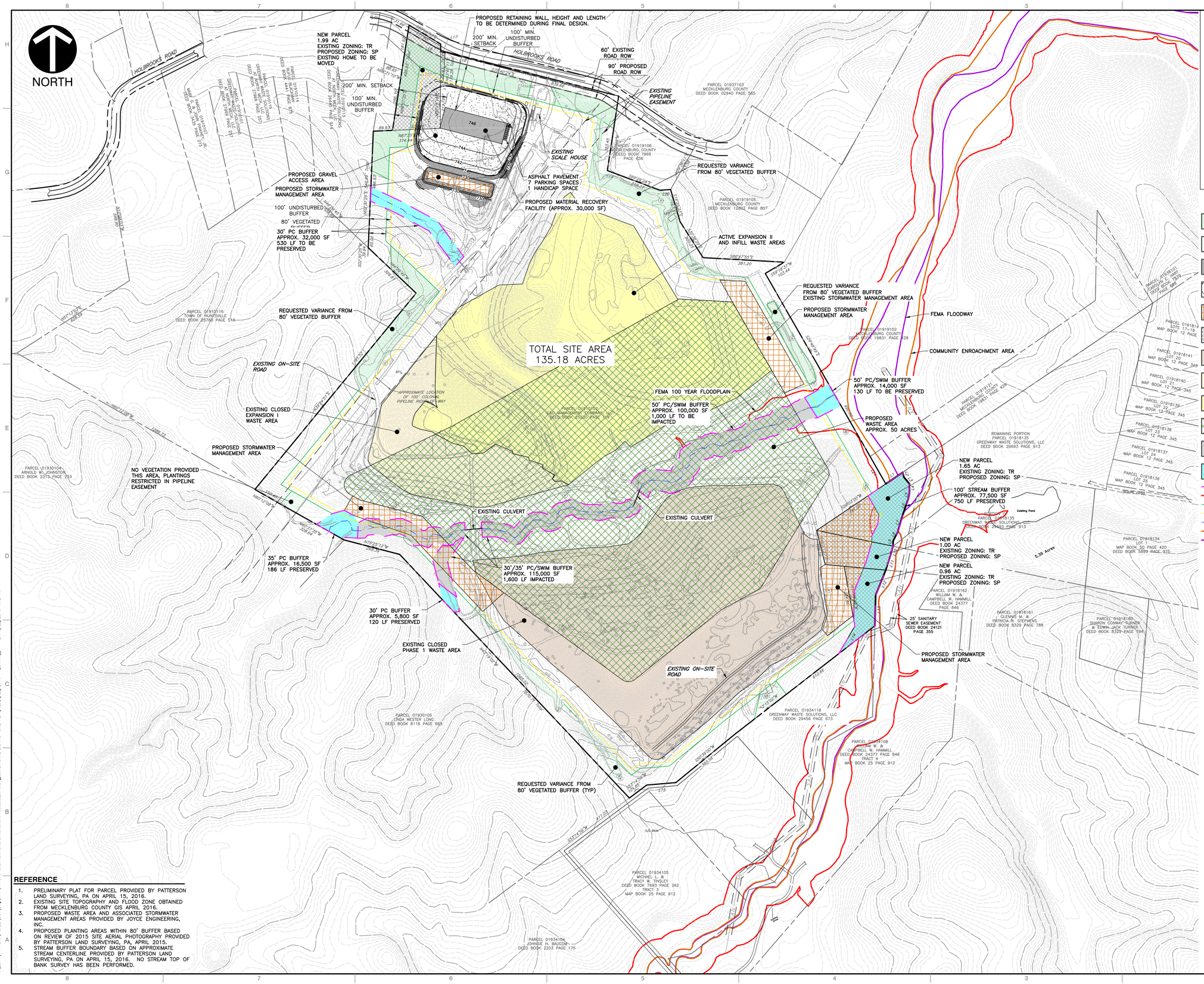
   a. The zoning petition is to change the current NR zoning at 15300 Holbrooks Road, parcel number 01910102, to SP(CD). The site is currently used as a construction and demolition debris facility. This new zoning will allow for the addition of a materials recycling facility.

III. Project overview

   a. Site plan

IV. Questions

Exhibit C



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
- 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	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°06'37"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	126.50'
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'

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 CENTERLINE PROVIDED BY PATTERSON LAND SURVEYING, PA ON APRIL 15, 2016. NO STREAM TOP OF BANK SURVEY HAS BEEN PERFORMED.

P:\2011\111-370\-CADD\001\Dwg\MPF\111370-Site Plan-Huntersville Review Process6.26.16.dwg\CONDITIONAL DISTRICT SITE PLAN\ LS:6/22/2016 - pdmikley) - LP: 6/22/2016 4:12 PM

REVISION RECORD

NO	DATE	DESCRIPTION
1	5/26/2016	ADDED FLOODZONE INFORMATION
2	6/22/2016	REVISIONS PER TOWN OF HUNTERSVILLE.

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

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

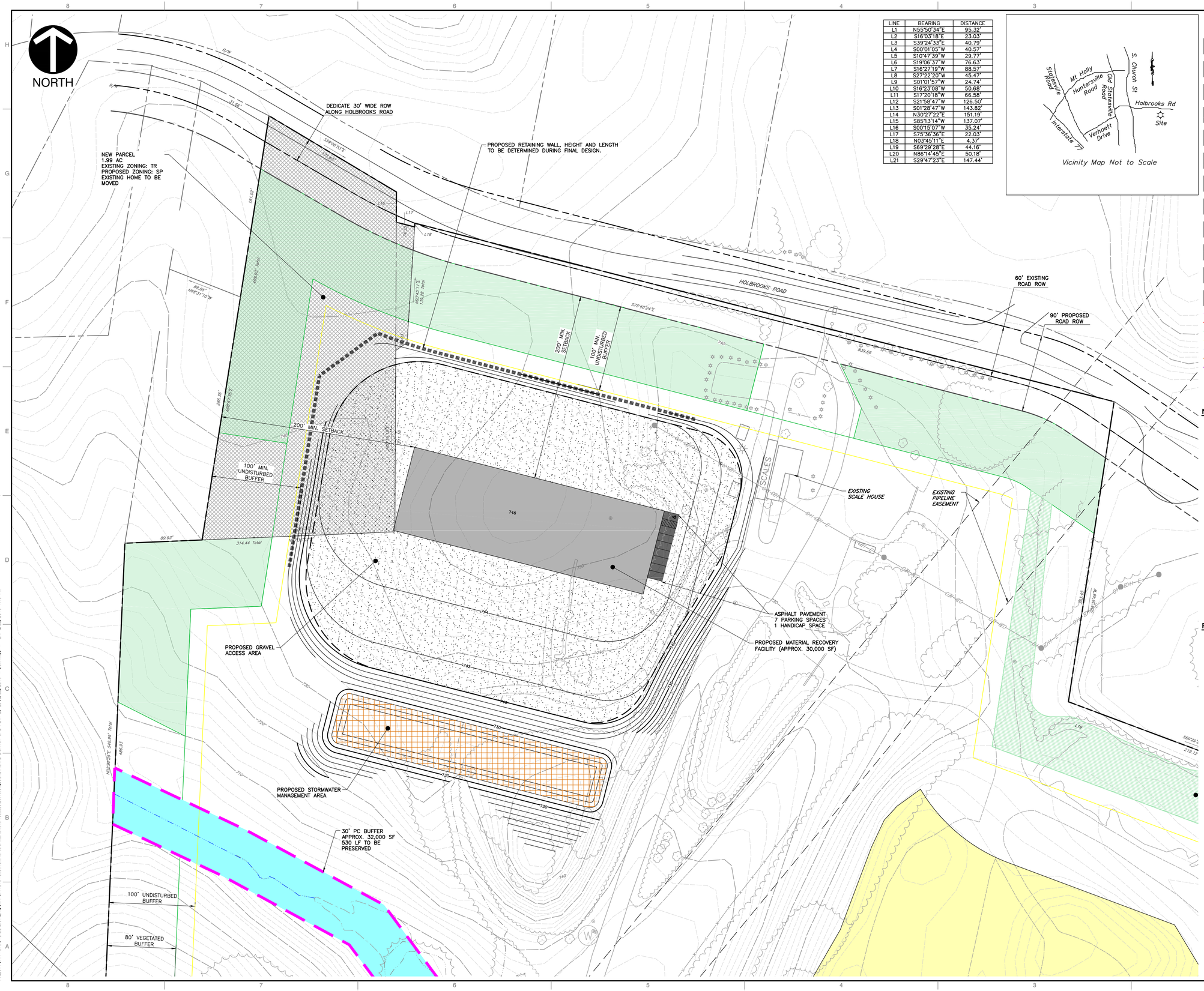
CONDITIONAL DISTRICT SITE PLAN

DATE:	MAY 2016
DRAWN BY:	CTH
DWG SCALE:	1"=200'
CHECKED BY:	TMG
PROJECT NO:	111-370.001
APPROVED BY:	SLB

DRAWING NO.: CD100

SHEET 2 OF 3

Exhibit C



LINE	BEARING	DISTANCE
L1	N55°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°06'37"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	126.50'
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'

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
- 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)

NOTES

1. 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.
2. THE 80' VEGETATED BUFFER WILL REQUIRE TREE AND SHRUB PLANTING IN ACCORDANCE WITH TOWN ORDINANCE SECTION 7.5.3.
3. PROPERTY ADDRESS IS 15300 HOLBROOKS ROAD, HUNTERSVILLE, NC 28078.
4. AREAS, LENGTHS AND CALCULATIONS OF STREAM BUFFER IMPACTS AND CORRESPONDING MITIGATION AREAS ARE APPROXIMATE AND HAVE NOT BEEN FIELD CERTIFIED.

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 CENTERLINE PROVIDED BY PATTERSON LAND SURVEYING, PA ON APRIL 15, 2016. NO STREAM TOP OF BANK SURVEY HAS BEEN PERFORMED.

SCALE IN FEET
0 50 100

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

REVISION RECORD

NO	DATE	DESCRIPTION
1	5/26/2016	ADDED FLOODZONE INFORMATION
2	6/22/2016	REVISIONS PER TOWN OF HUNTERSVILLE

Civil & Environmental Consultants, Inc.
1900 Center Park Drive - Suite A - Charlotte, NC 28217
Ph: 980.237.0373 - Fax: 980.237.0372
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CONDITIONAL DISTRICT REZONING GREENWAY WASTE SOLUTIONS AT NORTH MECK, LLC 15300 HOLBROOKS ROAD HUNTERSVILLE, NORTH CAROLINA

CONDITIONAL DISTRICT SITE PLAN

DATE:	MAY 2016
DRAWN BY:	CTH
DWG SCALE:	1"=50'
CHECKED BY:	TMG
PROJECT NO:	111-370.001
APPROVED BY:	SLB

DRAWING NO.: CD101

SHEET 3 OF 3

P:\2011\111-370\-CADD\001\Dwg\MP\111370-Site Plan-Huntersville Review Process5.26.16.dwg\CONDITIONAL DISTRICT SITE PLAN XI LS:6/22/2016 = pdmlaby) - LP: 6/22/2016 4:13 PM

Exhibit D

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 that the equipment already used on site.
    - Additional Jobs?
        - Estimated15-20 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 counter productive 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 15th 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 <u>submission process</u> 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 .

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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 <u>General Rezoning:</u>
Please provide the name and Address of owner(s) of fee simple title of **<u>each</u>** 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 <u>Conditional Rezoning</u>:
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 <u>Subdivision</u>:
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:	http://www.huntersville.org/Departments/Planning.aspx

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General Application

Town of Huntersville NORTH CAROLINA

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 4/27/2016

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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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 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 billhammill@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.

Development Firm	Name of contact	Phone	Email
Civil & Environmental Con	Todd Gingrich	980-237-037	tgingerich@cecinc.com

Design Firm	Name of contact	Phone	Email
Civil & Environmental Con	Scott Brown	980-237-037	sbrown@cecinc.com

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

If Applying for a Conditional Rezoning:
Every owner of each parcel included in this rezoning petition, or the owner (s) duly authorized agent, must sign this petition. If signed by an agent, this petition MUST be accompanied by a statement signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in filing this petition. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID PETITION. **If additional space is needed for signatures, attach an addendum to this application.**

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

_____ 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.

_____

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Last updated on 9/15/2015

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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 adjourning 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 though 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 70th birthday—July 13, 2016

New Haven Park (East)

Houston

Henderson

Latino

Neal

New Haven (West)

Spear

Rental

Spears

Vacant

Home Owner

Home Owner

Home Owner

over

Planning Board

Regular Meeting Minutes
October 25, 2016 - 6:30 PM

Town Hall

A. Call to Order/Roll Call

DRAFT MINUTES - SUBJECT TO CHANGE UNTIL APPROVED

The Chairman determined quorum and called the meeting to order.

B. Approval of Minutes

1. Consider Approval of Minutes of the September 27, 2016 Regular Meeting

   A Motion was made by Joe Sailers and seconded by Jennifer Davis. The Motion Carried by a vote of 8 Ayes and 0 Nays. Board Members voting Ayes: Bankirer, Davis, Graffy, Planty, Sailers, Smith, Swanick, Thomas

   Absent: Miller

   A Motion to Approve the Special Meeting Minutes of October 24, 2016 was made by Joe Sailers and seconded by Jennifer Davis. The Motion Carried by a vote of 8 Ayes and 0 Nays. Board Members voting Ayes: Bankirer, Davis, Graffy, Planty, Sailers, Smith, Swanick, Thomas.

   Absent: Miller

C. Public Comments

D. Action Agenda

1. **Special Use**: SUP16-02 is a request by James Ward of GreenPower of NC and Jonathan Brown, property owner, for a Special Use Permit allowing a minor residential solar energy facility (solar panels) on the front roof slope above the façade of the house facing a public street.

   A Motion to Approve as amended was made by Stephen Swanick and seconded by Jennifer Davis. The Motion Carried by a vote of 8 Ayes and 0 Nays. Board Members voting Ayes: Bankirer, Davis, Graffy, Planty, Sailers, Smith, Swanick, Thomas

   Absent: Miller

   Adam Planty made a Motion to Approve the Special Use Permit. It is reasonable and does not pose an injurious effect on adjoining properties, and finds that the character of the neighborhood or health, safety and general welfare of the community will be minimized with the following conditions: 1) All ground level equipment should be located at the side or rear of the house located at 7218 Chaddsley Drive, and 2) No glare from the solar energy facilities (solar panels) should be produced into the public right of way in front of the house or any

adjoining properties to 7218 Chaddsley Drive. This decision is support by the following findings: 1) The neighborhood HOA has approved the plans for installation of the solar panels, and 2) Necessary permits will be obtained from State and Federal agencies. Joe Sailers seconded the Motion. Stephen Swanick amended the Motion to include that written approval from the HOA be provided prior to issuance of the Special Use Permit.

Absent: Miller

2. **Rezoning:** 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

A Motion to Approve as amended was made by Harold Bankirer and seconded by Catherine Graffy. The Motion Carried by a vote of 8 Ayes and 0 Nays. Board Members voting Ayes: Bankirer, Davis, Graffy, Planty, Sailers, Smith, Swanick, Thomas

Absent: Miller

Stephen Swanick made a Motion to Approve. It is consistent with the 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 proposed changes including a recycling facility will provide economic and environmental methods and negative impacts of rezoning have been mitigated to a satisfactory level. This recommendation is contingent upon, A) the staff recommendation 1, 2 and 4 on page 4 of the Staff Report, and B) clarification of all discrepancies between “Holbrook” and “Holbrooks” Road to make sure it is the same road wherever mentioned, and C) amendment of the Note regarding the fence to say that any development and/or greenway would trigger the installation of the fence within ninety (90) days, and D) that $25,000.00 shall be remitted to the Town of Huntersville relative to prior commitments immediately, and another $25,000.00 shall be remitted to the Town of Huntersville within thirty (30) days to be held in escrow to be used in the future as NCDOT sees fit, and/or returned in 2034, or whenever Holbrooks Road is abandoned in use, whichever comes first.

Hal Bankirer amends the Motion to include: Insure that trees are planted to provide a screen in buffer areas as noted on page 4 of the Staff Report; that language to the affect that alternative locations for the greenway, if approved by the Town, will be supported and land will be provided by the applicant; and establishment of an escrow account for the additional $25,000.00 would not be required for the rezoning. Catherine Graffy seconded. Motion carried 8-0.

Absent: Miller

3. **Special Use:** SUP16-01 is a request by Greenway Waste Solutions, LLC and William Hammill for a Special Use Permit allowing the 135 acre landfill located at 15300 Holbrook Road to expand its boundaries, add another fill area in the existing site (parcels 01910102, 01910109, and portions of 01918135, 01918162, and 01934118), and construct a recycling facility onsite.

A Motion to Amend was made by Susan Thomas and seconded by Stephen Swanick. The Motion Carried by a vote of 8 Ayes and 0 Nays. Board Members voting Ayes: Bankirer, Davis, Graffy, Planty, Sailers, Smith, Swanick, Thomas

Absent: Miller

Hal Bankirer made a Motion to Approve the Special Use Permit. The request was found to meet all required conditions and specifications; it is reasonable and does not pose injurious effect on adjoining properties, and finds that the character of the neighborhood or health, safety and general welfare of the community will be minimized subject to certain conditions. This decision is supported by the following findings: That the site will operate in compliance with the rules according to NCDEQ; that the applicant work with NCDEQ in addressing its contaminated ground waters; that the proposed use will not be in conflict with the objectives of the long and short range adopted area plans; that the comprehensive site plan addresses necessary environmental and development standards; and the following conditions will be levied for the betterment of both the operator, the Town and the surrounding land mass in that the condition of Holbrooks Road will be assessed by the applicant, the Town with concurrence of participation of NCDOT on a five (5) year basis; that the bore tests for Holbrooks Road will be taken within ninety (90) days of approval of this SUP, and provided to NCDOT as requested; and the applicant will maintain an internal 100' driveway from the public street in good working condition; that an escrow account to contribute for improvements and maintenance for Holbrooks Road will be established and paid into upon an annual basis; the amount to be determined in negotiations between the Town and applicant, and that if such negotiations cannot reach agreement that the SUP will not be in affect and such negotiations must be concluded within 180 days of approval of the SUP; that all right of ways which serve the site must be wide enough to accommodate two way traffic for a distance of at least 100' from a public street so that no traffic waiting to enter the site will be backed up on any public right of way; that the landfill operator will commit to routinely washing the street (Holbrooks Road) with a specialized truck designed to remove dirt and mud at least once per week, or more frequently if needed; that debris and litter on Holbrooks Road will be picked up at least once per week, or more frequently if needed, across the entire right of way of Holbrooks Road; that the use of the site for the purpose shall be limited to the hours of 7:00 a.m. until 6:00 p.m., Monday through Saturday; that a time table will be submitted indicating the development phases and life expectancy of the landfill; that a reclamation plan is provided in accordance with applicable State regulations; and that the applicant commits to making changes to update the plan as circumstances dictate; that the applicant will meet all appropriate State operating and reporting requirements pertaining to C&D recycling; and because of the contamination in the landfill and surrounding area that the applicant provide updates to the Town with compliance of the existing SUP conditions ten (10) years following approval of the SUP, and every five (5) years subsequent until the closure of the landfill; and that all provisions in Article 9.23 be complied. Stephen Swanick made a Motion to Separate the Amended Motion into two; one being items A & D as hereinabove described, and two, all other items. The Catherine Graffy seconded, and the Motion to Separate was carried by a vote of 8-0. Joe Sailers made a Motion to Approve (B, C, and M, minus A&D) and Ron Smith seconded. The Motion carried unanimously 8-0. Motion to amend parts A&D was made by Stephen Swanick to remove the requirement of NCDOT involvement and be rephrased to be with the aid of NCDOT but in the absence of cooperation the Town and applicant will be able to carry on negotiations and assessments for Holbrooks Road. Susan Thomas made a Motion to incorporate all of the prior motions, and strike the requirement of annual payment to facilitate the negotiations of the escrow account

including frequency of payment. Stephen Swanick seconded. The Motion to amend and strike carried 8-0.

Absent: Miller

Absent: Miller

4. **Rezoning:** 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.

   A Motion to Amend was made by Harold Bankirer and seconded by Susan Thomas. The Motion Carried by a vote of 6 Ayes and 0 Nays. Board Members voting Ayes: Bankirer, Graffy, Planty, Sailers, Smith, Thomas

   Absent: Davis, Miller, Swanick

   Joe Sailers made a Motion to postpone the Rezoning to either the November or December meeting based on staff's recommendation. Catherine Graffy seconded. Hal Bankirer amended the Motion to include the applicant's acceptance of the postponement until the November meeting, and Susan Thomas seconded.

   Absent: Davis, Miller, Swanick

5. **Sketch Plan:** A request by Crescent Communities to subdivide approximately 234-acres - proposed to be zoned Neighborhood Residential-Conditional District (NR-CD). The Sketch Plan would create 382 new single-family lots located northeast of Ervin Cook Road and Gilead Road (west of Wynfield).

   A Motion to Amend was made by Harold Bankirer and seconded by Susan Thomas. The Motion Carried by a vote of 6 Ayes and 0 Nays. Board Members voting Ayes: Bankirer, Graffy, Planty, Sailers, Smith, Thomas

   Absent: Davis, Miller, Swanick

   Joe Sailers made a Motion to postpone the Sketch Plan to either the November or December meeting based on staff's recommendation. Catherine Graffy seconded. Hal Bankirer amended the Motion to include the applicant's acceptance of the postponement until the November meeting, and Susan Thomas seconded.

   Absent: Davis, Miller, Swanick

E. Other Business

F. Adjourn

Approved this _____ day of _____, 2016.

_____

Chairman or Vice Chairman

_____

Michelle V. Haines, Board Secretary

Town of Huntersville
REQUEST FOR BOARD ACTION
11/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Brad Priest, Senior Planner
Subject: SUP16-01: Greenway Waste Landfill Amendment

Special Use: SUP16-01 is a request by Greenway Waste Solutions, LLC and William Hammill for a Special Use Permit allowing the 135 acre landfill located at 15300 Holbrook Road to expand its boundaries, add another fill area in the existing site (parcels 01910102, 01910109, and portions of 01918135, 01918162, and 01934118), and construct a recycling facility onsite.

ACTION RECOMMENDED:
Consider holding a Special Use Permit hearing and taking final action on November 7, 2016.

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

Description	Type
Staff Report	Staff Report
Special Use Permit Plans	Exhibit
Applicants Findings of Fact	Exhibit
Recycling Building Elevations	Exhibit
NCDEQ Permit	Backup Material
2005 Special Use Permit	Backup Material
2009 Special Use Permit	Backup Material
NCDOT Comments - 2009	Backup Material
NCDOT Comments 2016	Backup Material
NCDOT Comments Update 10 4 16	Backup Material
NCDEQ Groundwater Well Map	Backup Material
TIA Determination - No Need	Backup Material
APFO - Determination of Capacity Letter	Backup Material
Application - Greenway Waste	Backup Material
Application - Hammill	Backup Material
BJ Caldwell Letter	Backup Material
Landfill Closure Plan	Exhibit

REQUEST:

Special Use Permit Amendment by Mike Griffin for the Greenway Waste Solutions Construction and Demolition (C & D) Landfill – SUP16-01

* The existing permit and findings (Special Use Permit 2009) are attached.

ZONING ORDINANCE CRITERIA AND STAFF COMMENTS

Article 9.23

Off Site LCID and C&D landfills are permitted in the SP District-subject to a Special Use Permit, according to the procedures of Section 11.4.10. The Town Board shall issue a Special Use Permit for the subject facility in the SP District if, but not unless, the evidence presented at the Special Use Permit hearing establishes the conditions below.

STAFF FINDINGS: The Greenway Waste Solutions Landfill (North Mecklenburg Landfill) is an existing Construction and Demolition (C&D) 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 add adjacent properties to the permit boundaries, add an additional fill area on the site over the stream that bisects the site, and include a recycling facility near Holbrook Road. The applicants are seeking a rezoning of the entire 135 acre property to Special Purpose (SP) concurrent with the SUP application in conformance to Article 9.23.10.

- *UPDATE 9/19/16: The updated site plan has removed the additional fill area over the stream from the application. The special use permit now is solely for the boundary expansion as shown on the plan and for the addition of the recycling facility near Holbrook Road.*

1. That the site will operate in compliance with the rules according to NCDENR for C&D and LCID landfills.

STAFF FINDINGS: The NCDENR (North Carolina Division of Environment and Natural Resources) is now known as the North Carolina Department of Environmental Quality (NCDEQ). The NCDEQ permit has not been forwarded by the applicant showing evidence of permitting. In addition, after discussion with NCDEQ Division of Waste Management, the landfill in question has been found to exceed state regulatory limits of various groundwater and surface water contaminants and methane gas since 2013. Further, a Notice of Violation was issued on September 16, 2014 to the landfill due to an encroachment upon their required state mandated buffer to the east of the property. As of now, the landfill remains in violation of the required buffer.

- *UPDATE 9/19/16: The current NCDEQ permit has been forwarded and is attached in the Board's agenda packet. The current permit is valid though 10/8/17. The updated letter attached to the SUP application states that the applicants will operate in compliance with NCDEQ rules. Staff recommends that a more specific statement from the applicant be added to the SUP plan or attached letter that addresses the contamination of the site and the buffer violation. It is staff's understanding that the applicants are beginning discussion with NCDEQ*

on the remediation process to clean up the contamination. They are also in the process of purchasing property to the southeast of the site that will mitigate their buffer violation.

2. That the proposed use will not endanger the public health and safety, nor substantially reduce the value of the nearby property; and

STAFF FINDINGS: Per discussion with NCDEQ Division of Waste Management, it appears the constituents leaching from the landfill have contaminated multiple drinking water wells adjacent to the subject property. Two parcels were purchased (including one residence) by the landfill and two homes were added on to municipal water service due to the groundwater contamination. According to NCDEQ, the applicant has been cooperative with the state in installing both shallow and deep groundwater monitoring wells and methane gas monitoring wells, in an effort to analyze and find the nature and extent of both the groundwater contamination and the methane gas exceedances. The applicant has also been cooperative in addressing the immediate issue of the contamination of the adjacent drinking water wells as discussed above. The monitoring and analyzing of both the groundwater and methane gas contamination is ongoing. At this time, there are still many unknowns in regard to the nature and extent of the existing groundwater and surface water contamination and potential methane gas migration. Once the nature and extent is more fully understood, NCDEQ will require mitigation plans for the applicant to begin contamination cleanup of both the active fill area, and the fill area that is closed out and inactive (which is under a different set of state rules). In addition, contamination was also found in the groundwater monitoring wells near the stream, and recently in the surface water sampling of the stream that is being proposed to be piped and covered with the expansion. Please find the groundwater monitoring well locations of the site in a map forwarded by NCDEQ.

- *UPDATE 9/16/19: The proposed recycling facility is located near Holbrook Road, separated from the area that is contaminated and a significant distance from where active monitoring wells are located. Please see the NCDEQ Monitoring well map attached in the agenda packet. There are no new fill areas proposed with the updated application. Therefore since disturbance of the contaminated area is no longer proposed, and the new recycling facility is located a significant distance from the contamination, staff finds the contamination issue of the existing facility and the addition of the recycling facility separate issues that do not conflict. However for record in regard to public safety and health concerns, it is recommended that the applicant add a note in the plan stating the planned schedule of NCDEQ remediation of the existing site and commit to the cleanup in a timely manner.*
- *UPDATE 10/17/16: The updated condition letter submitted by the applicant states: "Once assessment activities have determined the nature and extent of the contaminants, a remediation plan approved and monitored by DEQ will be implemented"*

3. That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area; and

STAFF FINDINGS: 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. In the 2009 landfill 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. Please find the 2009 SUP for your reference in your agenda packet. For this application no commitment has been made to accommodate the future connection.

- *UPDATE 9/19/16: The letter attached to the application states that "the site plan makes an accommodation for the connector road on any Griffin owned land once the final locate is determined". The note on the plan however is not clear and needs to be reworded showing the intent to provide right of way for the thoroughfare connector road through the subject property. UPDATE 10/17/16: The note has been amended on the conditional letter stating that the applicant will accommodate for the connector road on any property owned by the applicant.*

4. That the comprehensive site plan addresses each of the environmental and development standards below:

    (a) A landfill which would be larger than 10 acres shall be accessed from a major or minor thoroughfare or from a street built to commercial street standards that connects directly to a major or minor thoroughfare-where available. Landfills 10 acres or less must directly connect to a major or minor thoroughfare or to a non-residential collector or non-residential local street where available. However, if such thoroughfares or streets are not reasonably available, the Board may nevertheless issue a special use permit upon finding that the use for which the permit is granted would not likely cause any injurious effect on the property adjacent to the access.

STAFF FINDING: 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 that traverses a residential neighborhood. 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 (SUP) 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". The 2009 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 contributes $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.

After contacting NCDOT and asking for their input on the current state of Holbrook Road in relation to the proposed expansion and indefinite lifespan extension of the landfill, NCDOT's concern about the durability of the road remained. They requested that the applicant submit core samples of the road to evaluate its substructure. As of the date of this report staff is not aware of any recent discussions the applicant has had with NCDOT on the durability of Holbrook Road in regard to this application. Please find the emails from NCDOT attached in your agenda package.

- *UPDATE 9/19/16: The newest plan submitted has no updated notes about the maintenance and structure of Holbrook Road in response to NCDOT comments. The letter submitted by the applicant with the application states that they intend to "connect to the future Verhoff/Asbury Chapel Extension and will reserve a right of way for the future connection to a potential industrial street to the south through the Commerce Station Industrial Park by 2034". Per past discussions with the applicant it is thought that this note is intended to cap or limit their usage of Holbrook Road to no longer than the year 2034, as well as providing a connection from their site to one of the future thoroughfares by that time. Staff recommends that if that is the case, the note be clarified to clearly state that on the special use permit plan. It is still also unclear if the $25,000 committed to at the last SUP approval would carry over as a condition for this permit.*
    - *UPDATE 10/17/16: Note #11 on the latest Special Use Permit plan submitted states "Greenway Waste Solutions shall have alternative access to replace Holbrooks Road by 2035". Staff recommends the note be clarified to read: "Greenway Waste Solutions will cease using Holbrook Road as its primary access and will have functional primary access onto a commercial street or thoroughfare by 2034". 2034 is the year that based on prior approvals, permission has already been granted for the use of Holbrook Road.*
    - *Note #13 on the updated Special Use Permit plan includes a series of notes in regard to the maintenance and improvement of Holbrook Road. They include:*
        - *Conducting the boring tests to determine the current pavement structure of Holbrook Road, per NCDOT's request.*
        - *Overlaying Holbrook Road in front of the facility as requested by NCDOT.*
        - *Carrying over the previously offered $25,000 contribution for improvements to Holbrook Road as part of this application.*
        - *Reassessing the condition of Holbrook Road with Town Staff and NCDOT in 2025, about the half way point between now and 2034 when they've agreed to stop using Holbrook Road.*
        - *The applicant would then contribute additional funds at that time if the Town and NCDOT deem it necessary.*
            - *Planning staff is supportive of these proposed conditions in principle. However it is recommended that the $25,000 be donated immediately as it was originally committed to maintenance of Holbrook in 2009; and NCDOT spent a considerable amount on maintenance on Holbrook Road in 2013. This contribution thus should have been forwarded at that time. Staff would also recommend that the note concerning the contribution in 2025 be specified to understand what maximum amount would be contributed.*
            - *Transportation staff further recommends that rather than delaying the contribution until 2025, the applicant set up an escrow account and contribute a specified amount immediately. Then if it's needed between now and 2025 NCDOT can use the funds. If it's not needed in 2025, it can be returned to the applicant. The language should also be changed*

to clarify that NCDOT should receive all funds as they maintain Holbrook Road.

(b) That the proposed or existing use will be in compliance with the rules and regulations as established by Traffic Impact Analysis (TIA) Article 14.

STAFF FINDING: 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.

(c) Neither clearing, grading, land distrurbing activities nor any portion of a C&D or LCID landfill may be located within 100 feet of any exterior property line. Further, the buffer requirements for the site are required per the state permitting criteria. The requirements stated below take precedence over any and all modifications made by the state unless the state standards become more restrictive.

- 500-foot buffer from existing residential water supply wells to fill area.
- 200-foot buffer from adjacent property to fill area.
- No fill in designated wetlands or the FEMA and /or Community Special Flood Hazard Areas.
- 50-foot buffer from delineated streams.
- 50-foot buffer from road right of way to fill area (non-state requirement).

STAFF FINDING: The submitted letter from Greenway Waste Solutions states that they conform to all the buffers required in this section. However, as shown on aerial photography and from the submitted special use permit plan, multiple existing driveways are located within the 100 foot undisturbed buffer. In addition, the applicants are seeking a variance from the Board of Adjustment for this section of the ordinance in order to encroach/fill the 50 foot delineated stream buffer and to fill in designated wetlands and FEMA flood areas. No new encroachments are shown on the plan other than the ones requested by way of the Board of Adjustment. In order for the applicant to try to address some concerns by staff, the Board of Adjustment has continued the variance hearing per the applicant's request. The hearing is scheduled to continue on September 13, 2016.

- *<u>UPDATE 9/19/16</u>: On September 13, the applicants withdrew their variance applications. The proposed plan no longer proposes to fill the stream and encroach into the required buffers. After review, there are not any newly proposed encroachments on the updated special use permit plan.*

(d) Driveway access to the facility must be paved for a distance of at least 100 feet from the public street.

STAFF FINDING: According to aerial photography and as inspected in a staff site visit, the entrance driveway to the facility is paved to a distance greater than 100 feet. However the separate exit drive that connects to the main street driveway where trucks leave the site is not paved for distance of 100 feet. The special use permit plan submitted by the applicant shows the exit drive proposed to be paved for a distance of 100 feet per this section.

(e) Vehicular and pedestrian access to the site must be controlled; the site must be closed and secured during hours when filling activities are not under way. A non-climbable fence, at least 6 feet high, shall be installed around the landfill and all of its operations as a safety device. These fences must be constructed of wire mesh with openings not to exceed 2 inches by 4 inches or equivalent and must be placed on the interior side of screening/buffering devices.

STAFF FINDING: The letter from the applicant states that the site is "closeable and secured from vehicular and pedestrian access" but does not provide how that is done. The letter also mentions that a variance will be submitted for the fence requirement. No variance application has been submitted for this section of the ordinance. The Special Use Permit site plan includes a note stating that "heavy vegetation" prevents access to the site. The submitted information does not provide conformance to the fence and security requirement of this section.

- *UPDATE 9/19/16: The new rezoning plan (separate application) includes a modification request to the Town Board from the fencing section of the ordinance. It states that the new recycling facility near Holbrook Road would be fenced and shows an existing fence along the northern sections of the landfill. However it implies that the remainder of the site, the southern portion, would not be fenced. A note on the plan states that "heavy vegetation prevents access to the remainder of the site". Staff cannot support this modification request at this time as it is unclear whether or not heavy vegetation provides a secure facility as intended in the code.*
- *UPDATE 10/17/16: The updated Special Use Permit plan modifies the above note (note #6), which commits the applicant to enclose the rest of the active facility with a fence within 90 days of either development happening adjacent to the property, or the greenway begins construction through the applicant's property.*

(f) All driveways which serve the site must be wide enough to accommodate two way traffic for a distance of at least 100 feet from the public street so that no traffic waiting to enter the site will be backed up on any public right of way.

STAFF FINDING: The letter from the applicant states that "The driveway that serves the site is wide enough to accommodate two-way traffic for 200 feet from the public street. There is ample room such that traffic should not enter the public right of way". As shown on aerial photography and inspected on a site visit, there is a single driveway entering the facility that is not wide enough

to accommodate two way traffic through the scale house and into the facility. This driveway is mainly about 11 feet wide. However, this entrance driveway leading up to the scale house is over 100 feet long in conformance to this section. There is a separate and additional one-way exit drive that directs trucks back out to the main driveway. Therefore with both of these driveways combined two-way traffic is appropriately accommodated for in and out of the facility.

5. That the landfill operator will be responsible for removal of any and all debris, dirt, or other materials which fall from trucks entering or leaving the landfill from all adjoining streets on at least a weekly basis. Failure to comply constitutes a violation of this ordinance and may constitute grounds for revocation of the operating permit.

STAFF FINDING: In the letter attached from the applicant, it is stated that they "have taken pride in keeping the roadways clean". However no commitment has been made to weekly clean the road as required in this section. On several site inspections to the site the majority of Holbrook Road seems to be clean and debris free. However the area of street immediately in front of the facility's driveway is often covered with dirt from trucks exiting the facility.

- *UPDATE 9/19/16: In the updated letter from the applicant, they've stated that they "plan to continue to exceed section 6.5 of the franchise agreement with the Town of Huntersville that states that we must pick up debris from our customers vehicles". This statement however does not make it clear that the cleaning of Holbrook Road would take place on a weekly basis. UPDATE 10/17/16: The applicants have updated the letter to commit to "routinely wash the street with a specialized truck designed to remove dirt or mud at least once per week or more frequently if needed. Debris and litter on Holbrooks Road will be picked up at least once per week or more frequently if needed."*

6. That use of the site for any purpose shall be limited to the hours of 7:00 a.m. until 6:00 p.m. Monday through Saturday, if the site adjoins or is across the street from property located in a residential district.

STAFF FINDING: The Greenway Waste Solutions landfill is adjacent to a residential zoning district therefore the restricted hours of operation will apply. The letter from the applicant has stated that the use will be limited from 7:00 am to 6:00 pm.

7. That a timetable has been submitted with the application indicating the development phases and the projected life expectancy of the landfill.

STAFF FINDING: The letter from the applicant states that an updated timetable has been submitted with the application. However staff has not located it in the submittal.

- *UPDATE 9/19/16: The updated letter from the applicant states that based on current waste acceptance rates and anticipated recycling rates, they project the life of the landfill to be over 20 years.*

8. That a reclamation plan is provided that shows how the site will be reclaimed upon the closing of the landfill. The reclamation plan shall state the proposed method of conservatorship and perpetual maintenance or use. It shall demonstrate that the site, when closed, will pose no threat to public safety; that the finished contours and groundcover will reestablish a compatible appearance with surrounding lands and buildings; and that the method of maintenance or use will cause no future environmental degradation.

STAFF FINDING: No updated reclamation plan (or closure plan) has been submitted by the applicant for this application.

- *UPDATE 9/19/16: There is no reclamation plan/closure plan submitted with the updated submitted as required. The letter submitted with the application though includes a statement regarding NCDEQ monitoring the site post closure. UPDATE 10/17/16: The closure plan has been submitted and is included in the agenda package for your reference.*

9. An existing LCID landfill shall not be required to be brought into compliance with the provisions of this ordinance provided:

    (a) The landfill has been continuously operating since 1991 and was not within the zoning jurisdiction of the Town of Huntersville in 1991;

    (b) The landfill has a valid LCID or demolition landfill permit and/or obtains any renewals of the LCID or demolition landfill permit required by the State of North Carolina and/or Mecklenburg County;

    (c) The landfill has a closure plan approved by the State of North Carolina and/or Mecklenburg County; and

    (d) In no event shall the landfill operate under a LCID landfill permit later than December 4, 2016 and further provided that on the earlier of the final date permitted for operation of the landfill or the date the landfill permanently ceases operation, the owner and/or operator of the landfill shall immediately commence and continuously pursue to completion closure of the landfill according to the provisions of the then current closure plan approved by the State of North Carolina and/or Mecklenburg County. Failure to complete closure according to such approved plans shall be a violation of this ordinance enforceable by all remedies and penalties available to the Town.

STAFF FINDINGS: The Greenway Waste Solution 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).

10. Any existing C&D landfill shall be permitted to continue operating in the zone in which it is located provided that landfill has an unexpired special use permit. Any expansion beyond the property boundary of an existing C&D landfill as approved on November 11, 2005 must be

located in the SP district with a special use permit in accordance with the provisions of this Section.

STAFF FINDINGS: *The current special use permit for the Greenway Waste Solutions landfill is current and unexpired. However the applicants do wish to expand the boundaries of the landfill as shown in the attached Special Use Permit site plan. Therefore the rezoning application submitted for these properties must first be approved designating them Special Purpose (SP) prior to this special use permit being approved.*

STAFF RECOMMENDATION (UPDATE 10/28/17)

Staff recommends approval of the special use permit based on the following findings of fact in relation to Article 9.23 summarized below.

FINDINGS OF FACT

1. The applicants are seeking a special use permit to extend their boundaries and add a recycling center as shown on the attached special use permit (SUP) site plan.
2. Once the additional property to the southeast is acquired the applicant will no longer be in violation of the NCDEQ buffer requirements. The applicants have committed to pursue cleanup of the contamination of the groundwater per NCDEQ's direction and timeline.
3. The submitted letter by the applicant commits to contaminant cleanup by stating "once assessment activities have determined the nature and extent of the contaminants, a remediation plan approved and monitored by NCDEQ will be implemented".
4. A note on the Special Use Permit (SUP) plan states that the applicants will reserve right of way for the thoroughfare connector road through any of their owned property.
5. A note on the SUP plan states that the applicants will conduct boring tests for Holbrooks Road, overlay Holbrooks Road in front of their facility, reassess the condition of Holbrooks Road in 2025 with Town Staff and NCDOT, and contribute additional funds for the maintenance of Holbrooks Road at that time if needed.
6. The traffic that will be generated by the proposed development will not meet the threshold that would require the submission of a Traffic Impact Analysis (TIA).
7. There are not any newly proposed buffer encroachments on the updated SUP plan.
8. The submitted SUP plan notes that the exit drive of the site will be paved for a distance of 100 feet back. Thus both the entrance and exit driveway access will be paved for a distance of 100 feet.
9. The SUP plan shows the new recycling facility to be fenced in per code and the northern section of the active area of the landfill bordered by a fence. A note is included on the plan that states once there is any development adjacent to the site or there is construction of a greenway adjacent to the site, the applicants will fully enclose the remainder of the active fill area within 90 days.
10. The existing site has separate entrance and exit driveways that overall accommodate two way traffic for a distance of at least 100 feet from the public street.
11. The applicants have committed to "routinely wash the street with a specialized truck designed to remove dirt or mud at least once per week or more frequently if needed. Debris and litter on Holbrooks Road will be picked up at least once per week or more frequently if needed".

12. The applicant has committed their hours of operation to be limited from 7 am to 6 pm.
13. The applicant has submitted a landfill timetable which based on current waste acceptance rates and anticipated recycling rates, project the life of the landfill to be over 20 years.
14. A closure plan has been submitted to the Town.
15. The landfill is not subject to LCID requirements.
16. The SUP is subject to the rezoning of the property being approved by the Town Board (R16-06). If the rezoning is not approved, the SUP is not valid.

ADDITIONAL STAFF RECOMMENDED CONDITIONS:

17. Note #11 on the SUP plan is amended to clarify that Holbrooks Road will be abandoned as a primary access by 2034.
18. Note #13 on the SUP plan is amended to clarify the previously approved $25,000 is contributed immediately and the additional $25,000 is donated no later than 2025.
    - In addition, transportation staff recommends the future contribution be currently escrowed so that NCDOT may use the funds as needed between now and 2025.

PLANNING BOARD RECOMMENDATION UPDATE 10/28/16:

On September 27, 2016 the Planning Board unanimously continued the application per the applicant's request until their October 25, 2016 meeting in order to address outstanding issues with the plan.

On October 25, 2016 the Planning Board unanimously recommended approval of the special use permit with the following conditions and findings of facts:

1. The site will operate in compliance with all NCDEQ requirements.
2. The applicant will cooperate with NCDEQ in addressing its contaminated ground waters.
3. The proposed use will not be in conflict with the objectives of the long and short range adopted area plans.
4. The comprehensive site plan addresses necessary environmental and development standards.
5. The condition of Holbrooks Road will be assessed by the applicant and the Town, as well as with participation of NCDOT if available on a five (5) year basis.
6. The bore test for Holbrooks Road will be taken within ninety (90) days of approval of this SUP and provided to NCDOT as requested.
7. The applicant will maintain an internal 100 foot driveway from the public street in good working condition.
8. An escrow account for the applicant to contribute to the improvements and maintenance for Holbrooks Road will be established. The amount of the contribution will be determined by a negotiation between the Town and applicant with the aid of NCDOT if possible within 180 days of SUP approval. If agreement is not reached the SUP will not be in effect. STAFF COMMENT: *Staff recommends that if this condition is desired, that the SUP be valid and effective contingent upon the negotiation being reached and not that the SUP becomes invalid if not reached. The later would resemble closely an expiration date of the SUP, which is not recommended.*
9. All right of ways which serve the site must be wide enough to accommodate two way traffic for a distance of at least 100 feet from a public street so that traffic waiting to enter the site will not be backed up on to any public right of way.

10. The landfill operator will commit to routinely wash Holbrooks Road with a specialized truck designed to remove dirt and mud at least once per week, or more frequently if needed, across the entire right of way of Holbrooks Road.
11. That the use of the site shall be limited to the hours of 7 am to 6 pm Monday through Saturday.
12. That a time table be submitted indicating the development phases and life expectancy of the landfill.
13. That a closure plan (reclamation plan) is provided in accordance with applicable State regulations and the applicant commits to make changes to update the plan as circumstances dictate.
14. The applicant will meet all appropriate State operating and reporting requirements pertaining to C&D recycling.
15. Due to the contamination in the landfill and surrounding areas, the applicant provide updates to the Town with compliance of the SUP conditions ten (10) years following approval of the SUP, and every five (5) years subsequent until the closure of the landfill.
16. That all provisions and findings of Article 9.23 be complied with as identified by staff.

DECISION STATEMENTS

In favor of the Special Use Permit

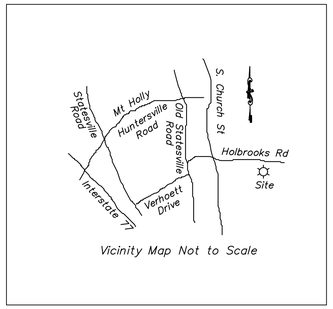
In considering the Special Use Permit SUP 16-01, Greenway Waste Landfill, we, the Town Board, find that the request meets all required conditions and specifications, is reasonable and does not pose an injurious effect on adjoining properties, and finds that the character of the neighborhood or the health, safety and general welfare of the community will be minimized. This decision is supported by the following findings:
1)
2)
Add additional statements as necessary.

Against Special Use Permit

In considering the Special Use Permit SUP 16-01, Greenway Waste Landfill we, the Town Board, find that the request does not meet the required conditions and specifications.
(List which conditions are not being met)
1)
2)
Add additional statements as necessary.

In addition the use poses an injurious effect on adjoining properties and the Town Board finds that the request is not character of the neighborhood and there will be negative effects on the health, safety and general welfare of the surrounding community based on the following findings:
1)
2)
Add additional statements as necessary

SPECIAL USE PERMIT
FOR
GREENWAY WASTE SOLUTIONS OF NORTH MECK. LLC.



LIST OF DRAWINGS:

SP001	COVER SHEET
SP100	SPECIAL USE SITE PLAN
SP101	SPECIAL USE SITE PLAN

EPM REFERENCE NUMBER:
#365598 SPECIAL USE PERMIT

MAY 2016

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.

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

NORTH CAROLINA PROFESSIONAL SEAL 022429 ENGINEER TODD M. GINGERICH
10/13/16

REVISION RECORD

NO	DATE	DESCRIPTION
1.	7/19/2016	REVISIONS PER TOWN OF HUNTERSVILLE

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

SPECIAL USE PERMIT
GREENWAY WASTE SOLUTIONS AT NORTH MECK, LLC
15300 HOLBROOKS ROAD
HUNTERSVILLE, NORTH CAROLINA

SPECIAL USE COVER SHEET

DATE:	MAY 2016
DRAWN BY:	CTH
DWG SCALE:	N.T.S.
CHECKED BY:	TMG
PROJECT NO:	111-370.001
APPROVED BY:	SLB

DRAWING NO.: SP001

SHEET 1 OF 3

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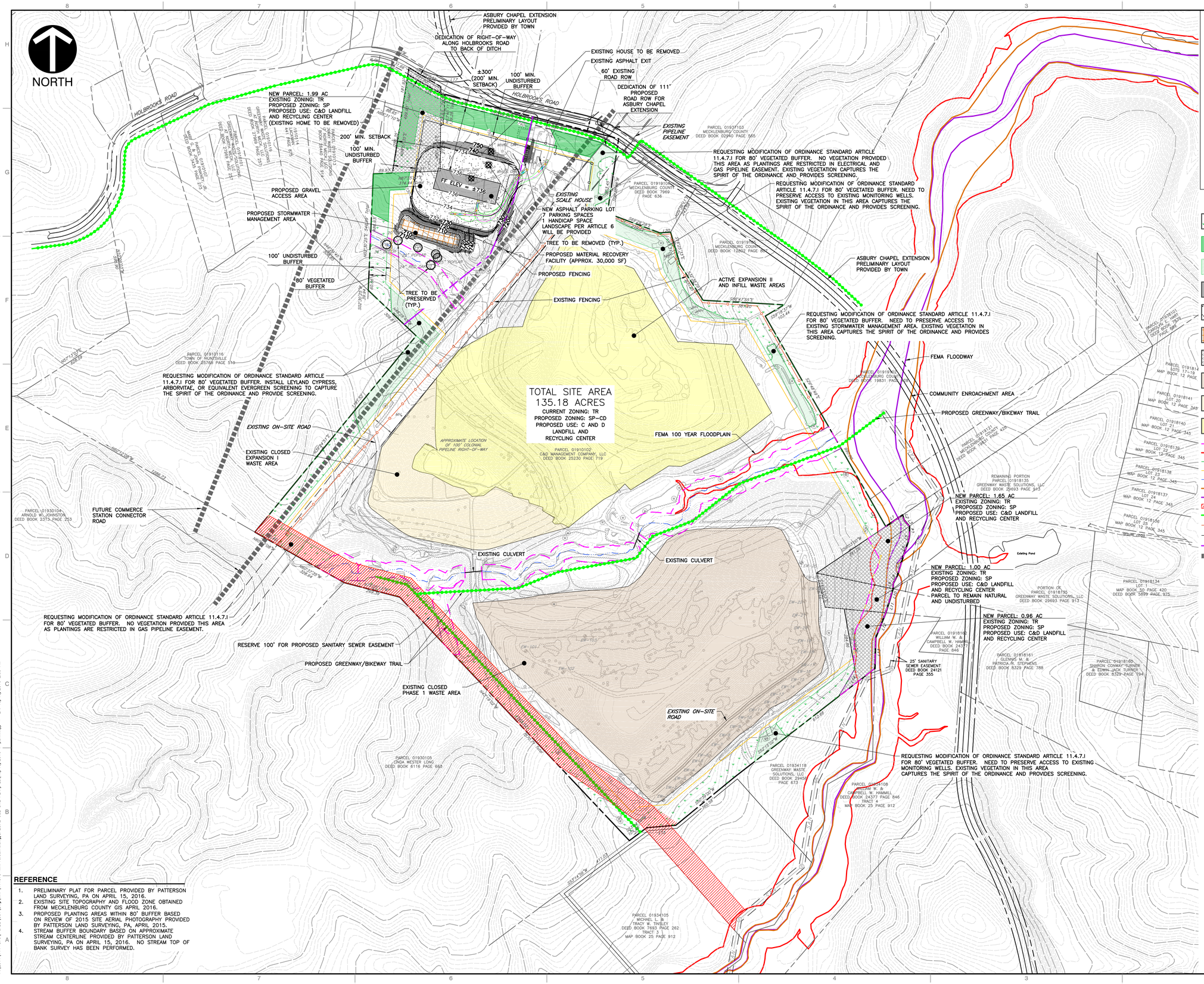

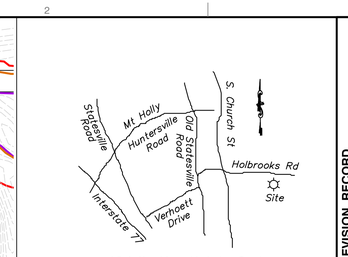

Vicinity Map Not to Scale

LEGEND

- EXISTING VEGETATED BUFFER
- PROPOSED PLANTING AREA WITHIN 80' BUFFER PER ORD. SEC. 7.5.3
- AREA FOR REQUESTED MODIFICATION 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
- 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)
- PROPOSED SANITARY SEWER EASEMENT
- PROPOSED GREENWAY/BIKEWAY TRAIL
- EXISTING FENCE
- PROPOSED FENCE
- PROPOSED PARCEL BOUNDARY
- FUTURE COMMERCE STATION CONNECTOR ROAD

SCALE IN FEET
0 200 400

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

NORTH CAROLINA PROFESSIONAL SEAL 022429 ENGINEER TODD M. GINGERICH
10/13/16

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 PLANTING AREAS WITHIN 80' BUFFER BASED ON REVIEW OF 2015 SITE AERIAL PHOTOGRAPHY PROVIDED BY PATTERSON LAND SURVEYING, PA, APRIL 2015.
4. 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.

REVISION RECORD

NO	DATE	DESCRIPTION
1	5/26/2015	ADDED FLOODZONE INFORMATION
2	6/22/2016	REVISIONS PER TOWN OF HUNTERSVILLE.
3	7/19/2016	REVISIONS PER TOWN OF HUNTERSVILLE.
4	8/1/2016	REVISED MAP LOCATION.
5	8/17/2016	REVISIONS PER TOWN OF HUNTERSVILLE
6	8/19/2016	LANDFILL EXPANSION REMOVED
7	10/12/2016	REVISED POND LOCATION AND NOTES
8	10/13/2016	ADDED FUTURE COMMERCE STATION CONNECTOR ROAD

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

SPECIAL USE PERMIT
GREENWAY WASTE SOLUTIONS AT NORTH MECK, LLC
15300 HOLBROOKS ROAD
HUNTERSVILLE, NORTH CAROLINA

SPECIAL USE SITE PLAN

DATE:	MAY 2016
DRAWN BY:	CTH
DWG SCALE:	1"=200'
CHECKED BY:	TMG
PROJECT NO:	111-370.001
APPROVED BY:	SLB

DRAWING NO.: **SP100**

SHEET 2 OF 3

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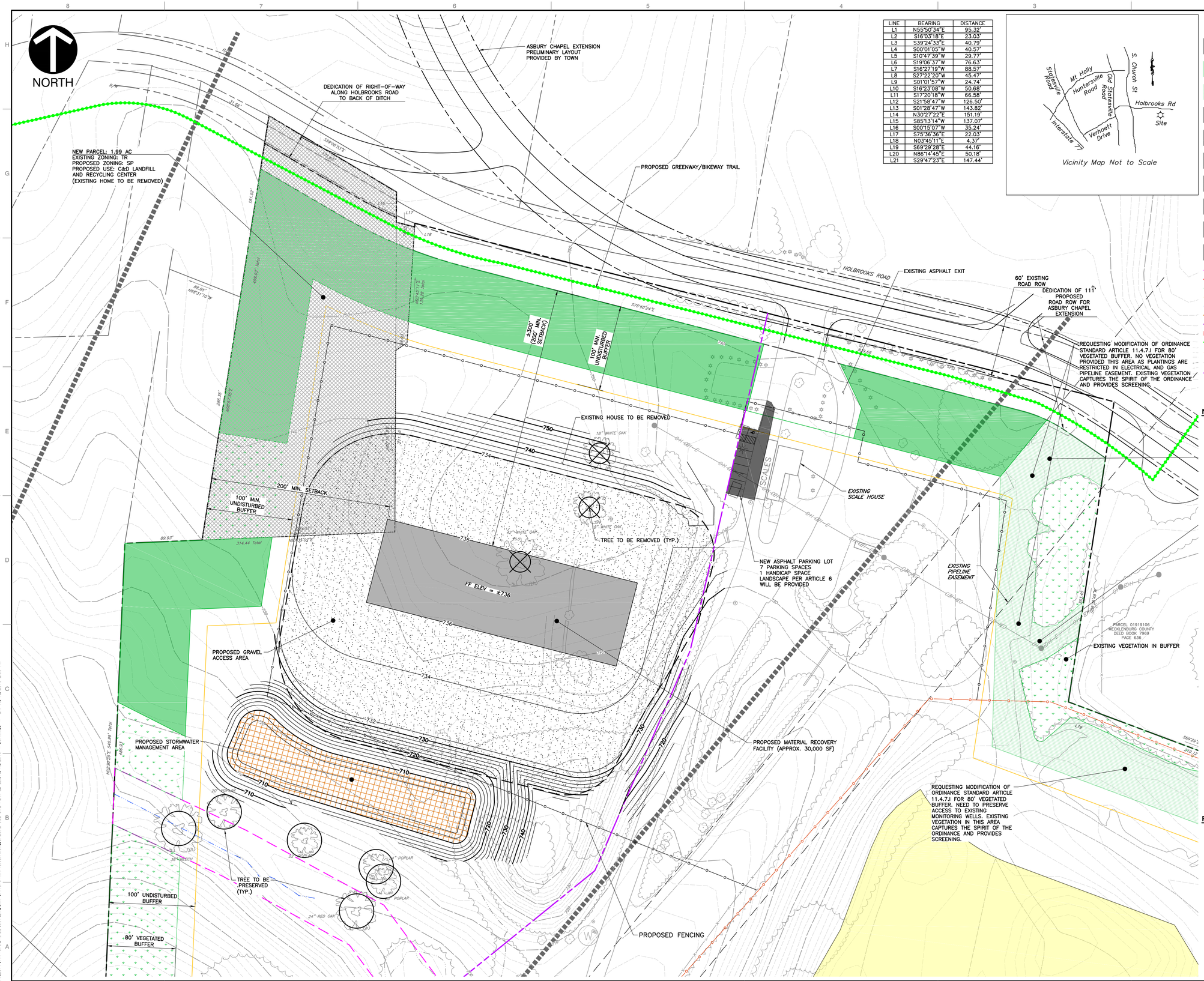

LINE	BEARING	DISTANCE
L1	N55°50'34"E	95.32'
L2	S16°03'18"E	23.03'
L3	S39°24'33"E	40.79'
L4	S00°01'05"W	40.57'
L5	S10°47'39"W	29.77'
L6	S19°06'37"W	76.63'
L7	S16°27'19"W	88.57'
L8	S27°22'20"W	45.47'
L9	S01°01'57"W	24.74'
L10	S16°23'08"W	50.68'
L11	S17°20'18"W	66.58'
L12	S21°58'47"W	126.50'
L13	S01°28'47"W	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'

LEGEND

- EXISTING VEGETATED BUFFER
- PROPOSED PLANTING AREA WITHIN 80' BUFFER PER ORD. SEC. 7.5.3
- AREA FOR REQUESTED MODIFICATION 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
- STREAM BUFFER
- FEMA 100 YEAR FLOOD PLAIN (COUNTY GIS)
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- COMMUNITY ENCROACHMENT AREA (COUNTY GIS)
- FEMA FLOODWAY (COUNTY GIS)
- PROPOSED SANITARY SEWER EASEMENT
- PROPOSED GREENWAY/BIKEWAY TRAIL
- EXISTING FENCE
- PROPOSED FENCE
- PROPOSED PARCEL BOUNDARY

NOTES

1. BUILDING, STORMWATER MANAGEMENT, PARKING AND PAVEMENT SIZES AND LOCATIONS SHOWN ON THIS PLAN ARE APPROXIMATE IN NATURE AND MAY BE ADJUSTED DURING PERMITTING, FINAL DESIGN AND CONSTRUCTION PLAN PREPARATION.
2. THE 80' VEGETATED BUFFER WILL REQUIRE TREE AND SHRUB PLANTING IN ACCORDANCE WITH TOWN ORDINANCE SECTION 7.5.3.
3. PROPERTY ADDRESS IS 15300 HOLBROOKS ROAD, HUNTERSVILLE, NC 28078.
4. EXISTING HOUSE ADJACENT TO HOLBROOK ROAD TO BE REMOVED.
5. LIGHTING PLAN SHALL BE IN ACCORDANCE WITH ARTICLE 8.26.
6. REQUESTING MODIFICATION OF ORDINANCE STANDARD ARTICLE 9.23.4 e). FOR 6' NON-CLIMBABLE FENCE. VEHICULAR ACCESS TO THE FACILITY IS LIMITED TO HOLBROOKS ROAD. FENCING AND GATE WILL BE PROVIDED ALONG HOLBROOKS ROAD. HEAVY VEGETATION PREVENTS ACCESS TO THE REMAINDER OF THE SITE. THE NEAREST PUBLIC RIGHT-OF-WAYS INCLUDE STATESVILLE ROAD (WEST ±¾ MILE), TRAILS END LANE (SOUTH ±½ MILE) AND WILDLIFE LANE (EAST ±¼ MILE). GREENWAY WASTE SOLUTIONS AGREES TO BEGIN INSTALLATION OF FENCE WITHIN 90 DAYS OF ANY DEVELOPMENT ON THE PARCELS EAST OR WEST TO GREENWAY WASTE SOLUTIONS. GREENWAY WASTE SOLUTIONS AGREES TO BEGIN INSTALLATION OF FENCE WITHIN 90 DAYS OF CONSTRUCTION OF FUTURE BIKEWAY/GREENWAY/CAROLINA THREAD TRAIL PASSING THROUGH GREENWAY WASTE SOLUTIONS PROPERTY.
7. NO ROOF TOP UTILITIES PLANNED.
8. AREAS NOT SHOWN TO BE PLANTED OR WHERE RELIEF FROM PLANTING REQUIREMENTS IS NOT REQUESTED CONTAIN EXISTING VEGETATION TO PROVIDE SCREENING.
9. PROVIDE ESCROW AND/OR BONDING FOR STREET TREES AND SIDEWALKS.
10. PROVIDE RIGHT OF WAY FOR FUTURE VERHOFF/ASBURY CHAPEL EXTENSION CONNECTOR ON ANY GRIFFIN OWNED LAND ONCE FINAL LOCATION IS DETERMINED.
11. GREENWAY WASTE SOLUTIONS SHALL HAVE ALTERNATIVE ACCESS TO REPLACE HOLBROOKS ROAD BY 2035.
12. HOURS OF OPERATION: M-F 7AM TO 6PM
    SAT 7AM TO 12PM
13. GREENWAY WASTE SOLUTIONS WILL PAY FOR HOLBROOKS BORINGS PER DOT'S REQUEST.

    GREENWAY WASTE SOLUTIONS WILL PAY FOR EXTENDING HOLBROOKS SHOULDERS AND A NEW OVERLAY FOR 300 FEET WEST OF GREENWAY WASTE SOLUTIONS' ENTRANCE.

    GREENWAY WASTE SOLUTIONS WILL EXTEND THE $25,000 DONATION TO THE TOWN OF HUNTERSVILLE FOR IMPROVEMENTS TO HOLBROOKS ROAD FOR AS LONG AS GREENWAY WASTE SOLUTIONS CUSTOMERS USE HOLBROOKS ROAD.

    GREENWAY WASTE SOLUTIONS AGREES TO REASSESS HOLBROOKS ROAD'S CONDITION IN CONJUNCTION WITH THE TOWN AND DOT DURING 2025 (HALFWAY MARK FOR GREENWAY WASTE SOLUTIONS' COMMITMENT TO STOP USING HOLBROOKS).

    GREENWAY WASTE SOLUTIONS AGREES TO CONTRIBUTE AN ADDITIONAL AMOUNT TO THE MAINTENANCE OF HOLBROOKS ROAD IF THE TOWN AND DOT DEEM NECESSARY.
14. GREENWAY WASTE SOLUTIONS IS IN THE PROCESS TO ACQUIRE APPROXIMATELY 1 ACRE (THE LAND TO THE WEST OF CANE CREEK ON PARCEL 01918162) ON THE SOUTHEASTERN PORTION OF THE LANDFILL PROPERTY FROM CO-APPLICANT BILL HAMMILL TO INCREASE FACILITY BUFFER. THIS LAND WILL NEVER BE USED FOR LANDFILL AIR SPACE AND SHALL REMAIN UNDISTURBED.

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 PLANTING AREAS WITHIN 80' BUFFER BASED ON REVIEW OF 2015 SITE AERIAL PHOTOGRAPHY PROVIDED BY PATTERSON LAND SURVEYING, PA, APRIL 2015.
4. 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.

SCALE IN FEET
0 50 100

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

NORTH CAROLINA PROFESSIONAL SEAL 022429 ENGINEER TODD M. GINGERICH
10/13/16

REVISION RECORD

NO	DATE	DESCRIPTION
1	5/26/2016	ADDED FLOODZONE INFORMATION
2	6/22/2016	REVISIONS PER TOWN OF HUNTERSVILLE.
3	7/19/2016	REVISIONS PER TOWN OF HUNTERSVILLE.
4	8/1/2016	REVISE MFF LOCATION, ADD NOTATION
5	8/17/2016	REVISIONS PER TOWN OF HUNTERSVILLE
6	8/19/2016	LANDFILL EXPANSION REMOVED
7	10/12/2016	REVISED POND LOCATION AND NOTES
8	10/13/2016	ADDED FUTURE CONNECTOR STATION CONNECTOR ROAD

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

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

SPECIAL USE SITE PLAN

DATE:	MAY 2016	DRAWN BY:	CTH
DWG SCALE:	1"=50'	CHECKED BY:	TMG
PROJECT NO:		111-370.001	
APPROVED BY:			SLB

DRAWING NO.: SP101

SHEET 3 OF 3

P:\2011\111-370\-CADD\001\Dwg\MP\111370-MRP10.03.16.dwg[SPECIAL USE SITE PLAN 2] LS:(10/13/2016 - potnikay) - LP: 10/13/2016 2:09 PM

A Griffin Brothers Co.
Greenway Waste Solutions

Special Use Permit Application
Subject: Letter stating how the applicant satisfies Article 9
Date: 10/12/16

Greenway Waste Solutions, LLC has been operating in its current use since 1988. During this time Greenway Waste Solutions, LLC has operated under the purview of Article 9.23 and satisfied all criteria.

Sincerely,

John Brown
Greenway Waste Solutions

9.23 Off-Site Land Clearing and Inert Debris (LCID) and Construction & Demolition (C&D) Landfills
Off-Site LCID and C&D Landfills are permitted in the SP District subject to a Special Use Permit, according to the procedures of Section 11.4.10. The Town Board shall issue a Special Use Permit for the subject facility in the SP District if, but not unless, the evidence presented at the Special Use Permit hearing establishes the conditions below.

.1 That the site will operate in compliance with the rules according to NCDENR for C&D and LCID landfills, as amended.

This site will operate in compliance with the rules according to NCDEQ. See attached NCDEQ (formerly NCDENR) Permit No. 60-13 CDLF-1993. The current permit expires 10/8/2017. (see p.6, Attachment 3, Part I:1)

In 2013 routine landfill groundwater monitoring detected an exceedance in Appendix 1 constituents. As a result of the detection, ongoing assessment monitoring has been conducted. In May 2016, Greenway Waste Solutions (GWS) submitted a Contaminant Delineation Plan to NCDEQ to further assess the exceedances. The Contaminant Delineation Plan was accepted by DEQ on June 17, 2016 and GWS is implementing the plan. Once assessment activities have determined the nature and extent of the contaminants, a remediation plan approved and monitored by DEQ will be implemented. Assessment and remediation efforts will continue until deemed approved by DEQ. Due to the nature of assessment and remediation, no timetable for completion can be provided, but will be initiated at the request of NCDEQ. See attached DEQ Contaminant Delineation Plan approval letter.

GWS is in process to acquire approximately 1 acre (the land to the west of Cane creek on parcel 01918162) on the southeastern portion of the landfill property from co applicant, Bill Hammill to increase our facility buffer. With the increased buffer area, the landfill will have significantly more buffer than required and will no longer be in violation of the NCDEQ buffer requirements. This land will never be used for landfill air space and shall remain undisturbed.

.2 That the proposed use will not endanger the public health and safety, nor substantially

reduce the value of nearby property; and

This site and the cleanup of the existing contamination will operate in compliance with the rules according to NCDEQ. Waste entering the recycling center will be hand sorted. Any unacceptable waste will be sent off site to the proper facility.

.3 That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area; and

This site will not be in conflict with the objectives of the most detailed plan adopted for the area. The small area plan calls for a connector road from Commerce Station to the future Verhoff/Asbury Chapel Extension. The applicant will and the site plan makes an accommodation for the connector road on any Griffin owned land once the final location is determined. See note 14 on CD-101.

.4 That the comprehensive site plan addresses each of the environmental and development standards below:

a). A landfill which would be larger than 10 acres shall be accessed from a major or minor thoroughfare or from a street built to commercial street standards that connects directly to a major or minor thoroughfare. Landfills 10 acres or less must directly connect to a major or minor thoroughfare, or to a non-residential collector or non-residential local street where available. However, if such thoroughfares or streets are not reasonably available, the Board may nevertheless issue a special use permit upon finding that the use for which the permit is granted would not likely cause any injurious effect on the property adjacent to the access.

GWS shall relocate their main access from Holbrook Road to the future Verhoff/Asbury Chapel Extension as soon as available but no later than 2034. GWS will reserve a right-of-way through their property for the future connector road from the Verhoeff extension to Asbury Chapel extension.

Additionally:
GWS will pay for Holbrooks borings per DOT's request
GWS will pay for extending Holbrooks shoulders and a new overlay for 300 feet West of GWS' entrance
GWS will extend the $25,000 donation to the Town of Huntersville for improvements to Holbrooks Road for as long as GWS customers use Holbrooks Road.
GWS agrees to reassess Holbrooks Road's condition in conjunction with the town and DOT during 2025 (halfway mark for GWS' commitment to stop using Holbrooks). GWS agrees to contribute an additional amount to the maintenance of Holbrooks if the Town and DOT deem necessary.

b). That the proposed or existing use will be in compliance with the rules and regulations as established by the Traffic Impact Analysis (TIA) Article 14.

A Traffic Impact Analysis was not deemed necessary.

c). Neither clearing, grading, land disturbing activities nor any portion of a C&D or LCID landfill may be located within 100 feet of any exterior property line. Further, the buffer requirements for the site are required per the state permitting criteria. The requirements stated

below take precedence over any and all modification made by the state unless the state standards become more restrictive.

500-foot buffer from existing residential water supply wells to fill area.
200-foot buffer from adjacent property to fill area.
No fill in designated wetlands or the FEMA and/or Community Special Flood Hazard Areas.
50-foot buffer from delineated streams.
50-foot buffer from road right-of-way to fill area (non-state requirement).

The site is in compliance with all criteria in this section.

d). Driveway access to the facility must be paved for a distance of at least 100' from the public street.

Driveway access to the facility is paved at least 100' from the public street. See "f" below

e). Vehicular and pedestrian access to the site must be controlled; the site must be closed and secured during hours when filling activities are not under way. A non-climbable fence, at least 6' high, shall be installed around the landfill and all of its operations as a safety device. These fences must be constructed of wire mesh with openings not to exceed 2 inches by 4 inches or equivalent and must be placed on the interior side of screening/buffering devices.

See site plan CD 100 for existing and proposed fencing around the recycling facility. The active landfill area has a security fence. The applicant is seeking relief from the fencing requirement for the closed fill area that is inaccessible.

"GWS agrees to begin installation of fence within 90 days of any development on the parcels east or west of GWS . GWS also agrees to begin installation of fence within 90 days of construction of future Bikeway/Greenway/Carolina Thread Trail passing through GWS property."

f). All driveways which serve the site must be wide enough to accommodate two-way traffic for a distance of at least 100' from the public street so that no traffic waiting to enter the site will be backed up on any public right-of-way.

The driveway is about 48' wide serving both ingress and egress for about 65 feet. From that point ingress only continues to the scalehouse for about 125 feet for a total of 185 feet of paved driveway. The scalehouse separates ingress and egress providing two way traffic. Egress is paved for approximately 125 feet from Holbrooks Road.

.5 That the landfill operator will be responsible for removal of any and all debris, dirt, or other materials which fall from trucks entering or leaving the landfill from all adjoining streets on at least a weekly basis. Failure to comply constitutes a violation of this ordinance and may constitute grounds for revocation of the operating permit.

Since inception we have taken pride in keeping the roadways clean. This process starts on site where we provide a well groomed tipping floor for our customers. From there we maintain gravel roads to remove dirt from tires. Lastly, the site operators commit to routinely wash the street with a specialized truck designed to remove dirt or mud at least once per week or more frequently if needed. Debris and litter on Holbrooks Road will be picked up at least once per week or more frequently if needed. This includes debris that is not related to our facility. We plan to continue to exceed section 6.5 of the Franchise

Agreement with the Town of Huntersville that states that we must pick up debris from our customers vehicles.

An added benefit of the MRF is that all trucks will be tipping their loads on a concrete floor further eliminating dirt falling from trucks.

.6 That the use of the site for any purpose shall be limited to the hours of 7:00 a.m. until 6:00 p.m. Monday through Saturday, if the site adjoins or is across the street from property located in a residential district.

The use of the site is limited to the hours of 7:00AM until 6:00PM, Monday through Friday and 7:00AM until 12:00PM on Saturday.

.7 That a timetable has been submitted with the application indicating the development phases and the projected life expectancy of the landfill.

Based on current waste acceptance rates and anticipated recycling rates we project a life of over 20 years.

.8 That a reclamation plan is provided that shows how the site will be reclaimed upon the closing of the landfill. The reclamation plan shall state the proposed method of conservatorship and perpetual maintenance or use. It shall demonstrate that the site, when closed, will pose no threat to public safety; that the finished contours and groundcover will reestablish a compatible appearance with surrounding lands and buildings; and that the method of maintenance or use will cause no future environmental degradation.

See attached Infill Expansion Closure Plan and drawing

.9 An existing LCID landfill shall not be required to be brought into compliance with the provisions of this ordinance provided:

This not applicable to this site.

a). The landfill has been continuously operating since 1990 and was not within the zoning jurisdiction of the Town of Huntersville in 1991;

b). The landfill has a valid LCID or demolition landfill permit and/or obtains any renewals of the LCID or demolition landfill permit required by the State of North Carolina and/or Mecklenburg County;

c). The landfill has a closure plan approved by the State of North Carolina and/or Mecklenburg County; and

d). In no event shall the landfill operate under a LCID or demolition landfill permit later than December 4, 2016 and further provided that on the earlier of the final date permitted for operation of the landfill or the date the landfill permanently ceases operation, the owner and/or operator of the landfill shall immediately commence and continuously pursue to completion closure of the landfill according to the provisions of the then current closure plan approved by the State of North Carolina and/or Mecklenburg County. Failure to complete closure according to such approved plan shall be a violation of this ordinance enforceable by all remedies and penalties available to the Town.

.10 Any existing C&D landfill shall be permitted to continue operation in the zone in which it is located provided the landfill has an unexpired special use permit. Any expansion beyond the property boundary of an existing C&D landfill as approved on November 11, 2005 must be located in the SP district with a special use permit in accordance with the provisions of this Section.

Concept elevations, final design pending.

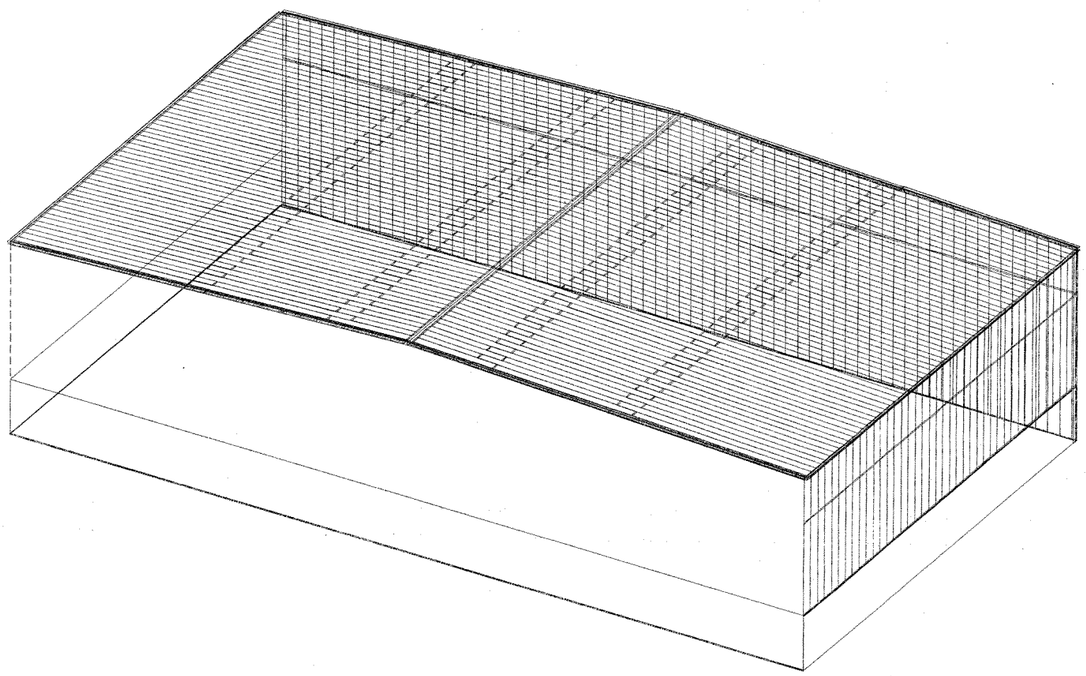
VP BUILDINGS
VARCO PRUDEN
A BlueScope Steel Company

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

DRAWING RELEASE HISTORY

TYPE	DATE	DESCRIPTION
A. Rod drawings	2-5-09	FOR CONSTRUCTION
ERECTION DRAWINGS	2-13-09	FOR CONSTRUCTION



VP Buildings 3200 Players Club Circle Memphis TN 38125

GENERAL NOTES

MATERIALS

	ASTM DESIGNATION	
3 PLATE WELDED SECTIONS	A529, A572, A1011, A1018	GRADE 55
COLD FORMED LIGHT GAGE SHAPES	A653, A1011	GRADE 60
BRACE RODS	A572	GRADE 50
HOT ROLLED MILL SHAPES	A36, A529, A572, A588, A709, A992	GRADE 36 KSI UNLESS NOTED
HOT ROLLED ANGLES	A529, A572, A588, A709, A992	GRADE 50
HOLLOW STRUCTURAL SECTION (HSS)	A500	GRADE B
CLADDING	A653, A792	GRADE 50 OR GRADE 80

A325 & A490 BOLT TIGHTENING REQUIREMENTS

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.

PRE-TENSION BOLTS ON PRIMARY FRAMING, BOLTED BRACING, AND STRUT CONNECTIONS IF LOCATED IN IBC SEISMIC PERFORMANCE / DESIGN CATEGORY D, E OR F, UBC ZONE 3 OR 4. SEE CODES AND LOADS NOTES BELOW FOR FOR SEISMIC DESIGN CATEGORY. PRE-TENSION ALL PRIMARY FRAMING CONNECTIONS IN CANADA.

PRE-TENSION BOLTS ON PRIMARY FRAMING, BOLTED BRACING, STRUTS AND CRANE RUNWAY CONNECTIONS IF BUILDING SUPPORTS A CRANE WITH A CAPACITY GREATER THAN 5 TONS.

CONNECTIONS THAT SUPPORT RUNNING MACHINERY AND OTHER SOURCES OF IMPACT OR STRESS REVERSAL MUST BE PRE-TENSIONED.

ALL SLIP CRITICAL CONNECTIONS AS INDICATED IN THESE DRAWINGS WITH -SC DESIGNATION MUST BE PRE-TENSIONED. SC TYPE CONNECTIONS MUST BE FREE OF PAINT, OIL OR OTHER MATERIALS THAT REDUCE THE FRICTION AT CONTACT SURFACES.

CONNECTIONS DESIGNATED AS A325-X OR A490-X SHALL BE INSTALLED WITH BOLT HEAD ON SIDE OF THE THINNEST PLATE BEING CONNECTED.

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.

CODES AND LOADS

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.

Building Code: 2006 International Building Code
Waste Transfer Station : Building Use:Standard Occupancy Structure, Collateral Gravity: 3.00 psf (Not Including bldg wt)
LIVE LOADS AND RAINFALL
Live Load 20.00 psf (Reducible)
Rainfall: 8.00 inches per hour

SNOW LOAD
Ground Snow: 15.00 psf, Flat Roof Snow: 12.60 psf
Snow Exposure Category (Factor): 2 Partially Exposed (1.00)
Snow Importance: 1.000 Thermal Category (Factor): Unheated (1.20)

WIND LOAD
Wind Speed: 95.00 mph, Wind Exposure: B
Basic Wind Pressure: 15.83 psf
Wind Importance Factor: 1.000, Ft= Topographic Factor: 1.0000
Wind Enclosure: Partially Enclosed, 0.550
Note: All windows, doors, skylights and other covered openings must be designed for the specified above wind loads

EARTHQUAKE DESIGN DATA
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 - Sds: 0.2571, Sd1: 0.1616

Ordinary Steel Moment Frames
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

NORTH CAROLINA PROFESSIONAL SEAL 026605 ENGINEER MENG K. WONG

1-6-09
2-18-09

JRO 2-5-09 AR pg 1-3, JRO 2-17-09 pg 4-22

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.

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 BUILDINGS ERECTION GUIDES, AND INDUSTRY STANDARDS PERTAINING TO PROPER ERECTION, INCLUDING THE CORRECT USE OF TEMPORARY BRACING.

CANCSA A660 QUASAR Certified

IAS ACCREDITED AC172

COVER SHEET

BUILDER	Annis Building Corp.	VP BUILDINGS VARCO PRUDEN A BlueScope Steel Company	JOBNO 09-379
CUSTOMER			DATE 2-5-2009
LOCATION	Raleigh, North Carolina		DRAWN / CHECK VEM
PROJECT	Shotwell W.T.P.		PAGE 1
BUILDERS PO#		VPC VERSION: 7.1c	
FILENAME	2256-08-1403 revised lc at 1 & 2.VPC		

2/5/2009 8:21:13

Concept elevations, final design pending.

Frame Member Schedule

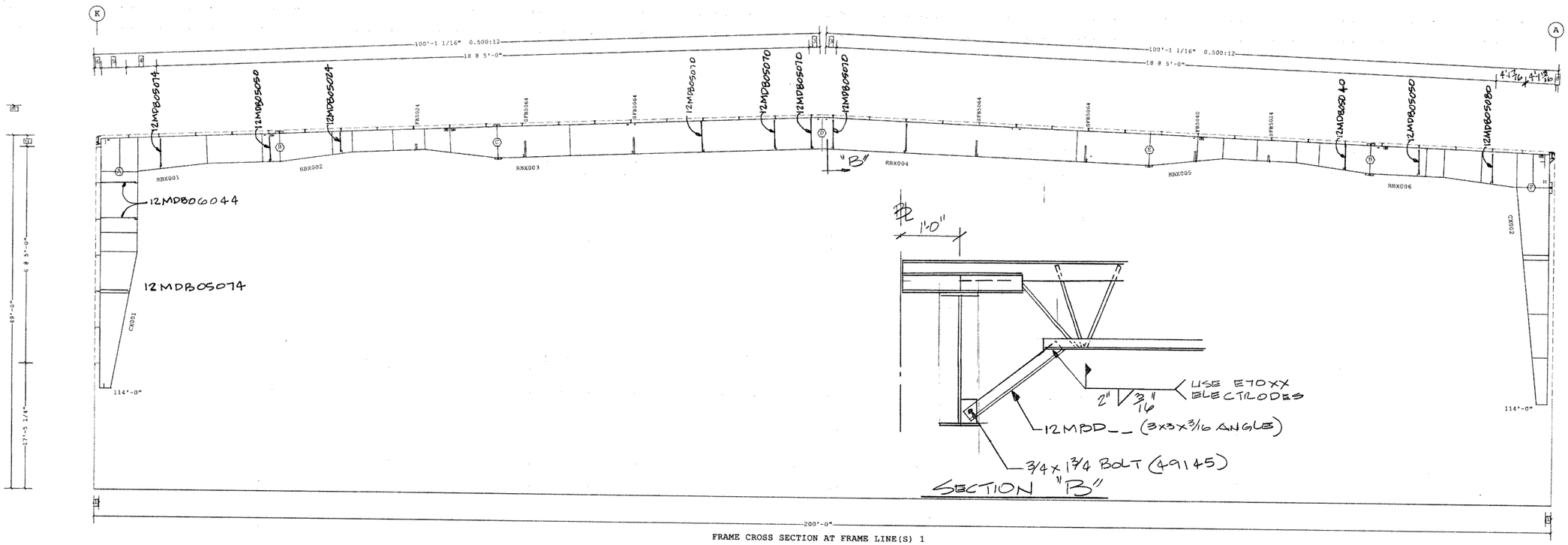
Part	Mem	Width	Thick	WebThk.	Depth1	Depth2	Approx.Lgth
CX001	1	8"	.6250	.3125	1'-6"	5'-0"	30'-0 7/8"
	2	8"	.7500	.5000	5'-0"	5'-0"	
RBX001	3	1'-0"	.7500	.3750	4'-9"	3'-11"	24'-4 1/2"
	4	1'-0"	.7500	.2500	3'-11"	3'-11"	
RBX002	5	8"	.7500	.2500	3'-11"	2'-11"	30'-0"
	6	8"	.5000	.2500	2'-11"	2'-11"	
	7	8"	.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"	

Bolt Connection & Plate Schedule

Id	Qty	ASTM	Bolt Dia.	Bolt Length	Plate Thick.	Rows Out	Rows In	Tension Bolt	Washer
A	12	A325	1 1/2"	4 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 9/16"
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.

Shape Name = Waste Transfer Station Wall 4, Frame 1

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VP Buildings
3200 Players Club Circle Memphis TN 38125

REV	DATE	BY	DESCRIPTION

NTS

2/12/2009 13:56:30

FOR CONSTRUCTION

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL MENG K. WONG 2-13-09

FRAME CROSS SECTION AT FRAME LINE(S) 1

BUILDER	Annis Building Corp.
CUSTOMER	
LOCATION	Raleigh, North Carolina
PROJECT	Shotwell W.T.P.
BUILDERS PO#	
FILENAME:	2256-08-1403 revised ic at 1 & 2.VPC

VP BUILDINGS
VARCO PRUDEN
A BlueScope Steel Company
VPC VERSION: 7.1c

JOBNO	09-379
DATE	2/11/2009
DRAWN/CHECK	JTI / BLM
PAGE	57

NCDENR

North Carolina Department of Environment and Natural Resources
Division of Waste Management

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
SOLID WASTE SECTION

CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL FACILITY
Permit No. 60-13-CDLF-1993

C&D MANAGEMENT COMPANY, LLC. (Landowner)
AND
GREENWAY WASTE SOLUTIONS AT NORTH MECK, LLC (Operator)
are hereby issued a

PERMIT TO OPERATE
C&DD Landfill - Existing Expansion II, Phases 1, 2 & 3
and
Phase I of Infill Expansion

Located at 15300 Holbrooks Road, in the Town of Huntersville, Mecklenburg County, North Carolina, in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The facility is located and described by the legal description found in the approved application.

Digitally signed by Edward F. Mussler III, P.E.
DN: cn=Edward F. Mussler III, P.E., o=Solid Waste Section, ou=NC DWM, email=ed.mussler@ncdenr.gov, c=US
Date: 2012.10.08 13:06:38 -04'00'

Edward F. Mussler, III, P.E.,
Permitting Branch Supervisor
Solid Waste Section

ATTACHMENT 1

PART I: PERMITTING HISTORY

Permit Type	Date Issued	Doc ID
Original Issue PTO Phase I	June 24, 1993	
PTC\PTO Phase II	March 7, 1995	
PTC (14.9 acres)	October 19,2001	
PTO (4.4 acres)	October 26, 2001	
PTO Modification (Subgrade Certifications & PTC expanded by 0.36 acres to total of 15.26 acres)	April 15, 2003	
PTC Expansion II, Phase 1A (4.72 acres)	March 10,2006	
PTO Expansion II, Phase 1A & 1B (4.57 acres)	April 20, 2006	
PTC Expansion II, Phases 2 & 3	June 26, 2006	443
PTO Expansion II, Phase 1A, 1B, 2 & 3	October 26, 2006	548
Letter Of Closure For Expansion Area 1 (~25 acres)	September 13, 2007	2895
PTO Phase Expansion II, Phase 1A, 1B, 2 & 3- 5 Yr. Renewal	January 20, 2012	15209
PTC Infill Expansion	January 20, 2012	15209
PTO Infill Expansion, Phase I (3.2 acres)	October 8, 2012	17213

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

Documents 1-16 are contained in previous permits, identified above.

17. *North Mecklenburg C&D Reclamation "Center. Expansion II Permit. Site Plan Application Report. North Mecklenburg Landfill, Inc. Griffin Brothers Enterprises, Inc. C&D Management Company, LLC. Huntersville, North Carolina.* Prepared for: North Mecklenburg Landfill, Inc. Huntersville, NC, Prepared by: Enviro-Pro, P.C. Fort Mill, SC. September 15, 2005. Revised through March 8, 2006. Project No. EP-1401.

18. *C&D Landfill Permit Application. Engineering Report for the North Mecklenburg C&D Landfill. Expansion II.* Prepared for North Mecklenburg Landfill, Inc. Cornelius, NC. Prepared by; B.P. Barber & Associates, Inc. Columbia, SC. October 27, 2005. Revised through February 15, 2006. Project No. 05185. Includes construction plan drawings (C1 through C17).

19. "Boundary Survey and Legal description of Expansion II". Prepared by: B. P. Barber Associates Inc. February 15, 2006.

20. *Amendment to Construction and Demolition Debris Landfill Ordinance and Franchise Agreement.* Issued by: Mecklenburg County. Issued to: North Mecklenburg Landfill, Inc. Minute Book 42-A. February 14, 2006. The size of the area is 25 acres with a capacity of 2 million cubic

yards. The Landfill's Disposal Capacity is 300,000 tons per year. The Franchise begins on August 1, 2006 and ends on July 1, 2011.

21. *North Mecklenburg C&D Reclamation Center, Closure Report, Mecklenburg County, Huntersville, NC.* Prepared for and by: North Mecklenburg Landfill, Inc. December, 2006.

22. *Closure Report for the North Mecklenburg C&D Landfill, Expansion Area 1.* Prepared by: BP Barber, Charlotte, NC. Prepared for: North Mecklenburg Landfill, Inc. July 2007.

23. *North Mecklenburg C&D Landfill Infill Expansion Site Suitability Study* prepared for North Mecklenburg Landfill, Inc. by BP Barber, May 20, 2010 and revised thru January 17, 2011. Doc.ID 12728, 12708.

24. *Design Hydrogeological Report* for the North Mecklenburg C&D Landfill Infill Expansion prepared by BP Barber May 20, 2010, and approved by the Section on June 4, 2010. Doc.ID 10789, 10790.

25. *North Mecklenburg C&D Landfill Facility* Permit Amendment to allow continued operations, 5-year permit to operate renewal. Submitted by Brown and Caldwell. Prepared for North Mecklenburg C&D Landfill, Permit No. 60-13. Dated January 28, 2011. Doc.ID 12881.

26. Resolution by the Town of Huntersville approving the transfer of the landfill Franchise from North Mecklenburg C&D Landfill to Greenway Waste Solutions at North Meck, LLC.

27. Greenway Waste Solutions at North Meck, LLC, formerly North Meck C&D Landfill, Deed to combine the various properties owned by C&D Management Company, LLC into one parcel. DIN 15059

28. *Permit to Construct, Greenway Waste Solutions At North Meck, LLC* Application for Permit to Construct. July 14, 2010, Revised July 19, 2011, October 10, 2011. DIN 14870.

29. Revised *Operations Plan* for Greenway Waste Solutions at North Meck, LLC. Permit No. 60-13-CDLF-1993. Prepared By: Civil & Environmental Consultant, Inc. Charlotte, North Carolina CEC Project No. 111-370. November 30, 2011. DIN 15680.

30. *Supplemental Operations Plan-Mining & Reclamation.* Prepared By: Civil & Environmental Consultant, Inc. Charlotte, North Carolina CEC Project No. 111-370. December 22, 2011. DIN 15997.

31. *Construction Quality Assurance Report.* Prepared for Greenway Waste Solutions at North Meck, LLC. Prepared By: Civil & Environmental Consultant, Inc. Charlotte, North Carolina CEC Project No. 111-370.001. August 8, 2012, Revised September 26, 2012. DIN 17368.

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Cabarrus County, N.C. Register of Deeds

Property Pin	Book	Page	Acreage	Grantor	Grantee
01910102	25802	717	129.58	C&D Management Company, LLC	C&D Management Company, LLC
Total Site Acreage:			129.58		

Deed Dated July 27, 2010. Purpose of Deed was to combine various properties owned by the Grantor into one parcel (#0910102), Instrument # 2010089118. DIN 15239.

PART IV: GENERAL CONDITIONS

1. This permit is issued by the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section (Section). In accordance with North Carolina Solid Waste Management Rule 15A NCAC 13B .0201(d), a solid waste management facility permit shall have two parts: a Permit to Construct and a Permit to Operate. The Permit to Construct shall expire on January 20, 2017. The Permit to Construct must be implemented in accordance with Attachment 2 of this permit. The Permit to Operate shall expire on January 20, 2017. The Permit to Operate must be implemented in accordance with Attachment 3 of this permit.

2. The person(s) to whom this permit is issued ("permittee") are the owner(s) and operator(s) of the solid waste management facility.

3. This permit shall not be effective until the certified copy of this permit which references legal descriptions for all land within the solid waste management facility boundary is recorded in the Register of Deeds office and indexed in the grantor index under the name of the owner of the land in the county or counties in which the land is located. The certified copy of the permit, affixed with the Register's seal and the date, book, and page number of recording, must be returned to the Section within 30 calendar days of issuance of this permit. If the Section does not receive the certified copy of the recorded permit within 30 calendar days of issuance of the permit, then and in that event, the permit is suspended and of no effect until the date the Section receives the certified copy of the recorded permit.

4. When this property is sold, leased, conveyed, or transferred in any manner, the deed or other instrument of transfer must contain in the deed description section, in no smaller type than that used

in the body of the deed or instrument, a statement that the property has been used as a sanitary landfill and a reference by book and page to the recordation of the permit. .

5. By beginning construction or receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.

6. Construction and operation of this solid waste management facility must be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of Chapter 130A of the North Carolina General Statutes (NCGS 130A-290, et seq.), the conditions contained in this permit; and the approved plan. Should the approved plan and the rules conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition.

7. This permit is issued based on the documents submitted in support of the permit application for the facility including those identified in Attachment 1, "List of Documents for Approved Plan," and which constitute the approved plan for the facility. Where discrepancies exist, the most recent submittals and the Conditions of Permit shall govern.

8. This permit may be transferred only with the approval of the Section and through the issuance of a new or substantially amended permit in accordance with applicable statutes and rules. In accordance with NCGS 130A-295.2(g) the permittee must notify the Section thirty (30) days prior to any significant change in the identity or business structure of either the owner or the operator, including but not limited to, a proposed transfer of ownership of the facility or a change in the parent company of the owner or operator of the facility.

9. The permittee is responsible for obtaining all permits and approvals necessary for the development of this project including approval from appropriate agencies for a General or Individual NPDES Stormwater Discharge Permit. Issuance of this permit does not remove the permittee's responsibilities for compliance with any other local, state or federal rule, regulation or statute.

- End of Section-

ATTACHMENT 2
CONDITIONS OF PERMIT TO CONSTRUCT

PART I: FACILITY SPECIFIC CONDITIONS

1. The Permit to Construct dated January 20, 2012 will expire on January 20, 2017. Construction of any C&DLF future phases or cells requires written approval of the Section. Application for a Permit to Construct must be prepared in accordance with applicable statutes and rules in effect on that date and will be subject to a permitting fee.

2. The following conditions must be met prior to operation of the Infill Expansion Area.

   a. The Permittee must obtain a Permit to Operate for each phase from the Section in accordance with 15A NCAC 13B .0201(d).

   b. Construction Quality Assurance (CQA) documentation and a certification by the project engineer that the landfill was built in accordance with approved plans and the conditions of the permit, must be submitted to the Section for review and approval.

   c. The Permittee must contact the appropriate regional environmental specialist and permitting engineer to determine whether the Section chooses to hold a pre-operative meeting with key landfill personnel and representatives of the Section.

   d. The edge of the waste footprint must be identified with permanent physical markers.

   e. The revised Financial Assurance instrument for approved Closure and Post-closure Care costs must be submitted to the Section.

ATTACHMENT 3
CONDITIONS OF PERMIT TO OPERATE

PART I: OPERATING CONDITIONS

1. This Permit to Operate shall expire October 8, 2017. Pursuant to 15A NCAC 13B .0201(g), no later than April 8, 2017, the owner or operator must submit a request to the Section for permit review and must update pertinent facility plans including, but not limited to, the facility operation and waste screening plans.

2. This permit approves the continued operation of Expansion II, Phases 1, 2 and 3, the onsite environmental management and protection facilities and Phase I of the Infill Expansion. Prior to operation, the permittee must acquire and maintain all other permits, licenses and authorizations necessary to properly operate the facility.

3. The landfill has a total permitted disposal capacity of approximately 3,141000 cubic yards of total gross capacity in approximately 34.3 acres. Total gross capacity is defined as the volume measured from the bottom of waste through the top of final cover.

C&D Unit	Gross Capacity (cubic yards)	Waste (acres)
Current Permitted Landfill		
Phase 1	1,000,000	14.9
Phase 2 & 3	1,100,000	16.2
Sub-Total	**2,100,000**	**31.1**
Infill Expansion		
Phase I	323724	3.2
Phase II (future)	423,810	Vertical Exp.
Phase III (future)	293,466	Vertical Exp.
Sub-Total	**1,041,000**	
Total for Facility	**3,141000**	**34.3**

4. The estimated annual waste disposal rate is approximately 120,000 tons per year. This rate is approximately 415 tons per day, 291 days per year. The Ordinance and Franchise Agreement with the Town of Huntersville allows a maximum of 500,000 tons of construction and demolition debris waste to be deposited into the landfill each year. Maximum variance shall be in accordance with NCGS 130A-294(b1)(1).

5. This facility is permitted to receive solid waste generated within Mecklenburg County and from counties contiguous to Mecklenburg County. The population to be served comes mainly from the following counties: Cabarrus, Catawba, Gaston, Iredell, Lincoln, Mecklenburg, Rowan, Union, Lancaster, SC and York, SC.

6. The landfill is permitted to receive the following waste types:

   a. "C&D solid waste" as defined in 15A NCAC 13B, Rule .0532(8) means solid waste generated solely from the construction, remodeling, repair, or demolition operations on pavement and buildings or structures. C&D waste does not include municipal and industrial wastes that may be generated by the on-going operations at buildings or structures.

   b. "Inert debris" as defined in G.S. 130A-290 (a)(14) means solid waste that consists solely of material such as concrete, brick, concrete block, uncontaminated soil, rock, and gravel.

   c. "Land-clearing waste" as defined in G.S. 130A-290 (a)(15) means solid waste which is generated solely from land clearing activities, limited to stumps, trees, limbs, brush, grass, and other naturally occurring vegetative material.

d. "Asphalt" in accordance with G.S. 130-294(m).

7. Those wastes listed in 15A NCAC 13B .0542 (e) must not be accepted for disposal including, but not limited to hazardous waste, municipal solid waste, liquid wastes, commercial or industrial solid waste.

8. Regulated-asbestos containing material must be managed in accordance with 40 CFR 61. Disposal of asbestos waste must be in accordance with 15 NCAC 13B .0542 (c).

9. Wastewater treatment sludge is not approved for disposal. Wastewater treatment sludge may be accepted, with the approval of the Section, for utilization as a soil conditioner and incorporated into or applied onto the vegetative growth layer. The wastewater treatment sludge must not be applied at greater than agronomic rates or to a depth greater than six inches.

10. The permittee must not knowingly dispose of C&D waste that is generated within the boundaries of a unit of local government that by ordinance:

    a. Prohibits generators or collectors of C&D waste from disposing of that type or form of C&D waste.

    b. Requires generators or collectors of C&D waste to recycle that type or form of C&D waste.

11. The facility operator must complete an approved operator training course in compliance with G.S. 130A-309.25.

    a. A responsible individual certified in landfill operations must be on-site during all operating hours of the facility at all times while open for public use to ensure compliance with operational requirements.

    b. All pertinent landfill-operating personnel must receive training and supervision necessary to properly operate the landfill units in accordance with G.S. 130A-309.25.

12. The permittee must actively employ a screening program for the C&D unit that detects and prevents the disposal of MSW, hazardous, liquid or non-permitted wastes. At a minimum, the program must include:

    a. Random inspections of incoming loads or other comparable procedures.

    b. Records of all inspections.

    c. Training of personnel to recognize hazardous, liquid and other excluded waste types.

    d. Development of a contingency plan to properly manage any identified hazardous, liquid, MSW or other excluded or unauthorized wastes. The plan must address identification, removal, storage and final disposition of these wastes.

13. The use of alternative periodic cover requires approval, prior to implementation, by the Section. Requests for alternative periodic cover approval must include a plan detailing the comprehensive use and a demonstration of the effectiveness of the alternative cover. The plan must be developed according to Section guidelines. Plans which are approved by the Section will be incorporated into, and made a part of, the approved documents listed in Attachment 1.

14. The facility must maintain records for all solid waste materials accepted as alternative cover material and used as alternate periodic cover. The records must include: the date of receipt, weight of material, general description of the material, identity of the generator and transporter, and county of origin. Such records must be made available to the Section upon request.

PART II: MONITORING AND REPORTING REQUIREMENTS

15. Groundwater, surface water, and landfill gas monitoring locations must be established and monitored as identified in the approved plans. Any proposed modification to an approved plan must be submitted to the Section and approved prior to implementation.

16. A licensed geologist must be present to supervise the installation of groundwater monitoring wells and landfill gas monitoring wells. The exact locations, screened intervals, and nesting of the wells must be established after consultation with the Section Hydrogeologist at the time of well installation.

17. The permittee must obtain approval from the Section for the design, installation, and abandonment of any groundwater or landfill gas monitoring well.

18. Groundwater monitoring wells and surface water sampling locations must be sampled at least semi-annually in accordance with 15A NCAC 13B .0544, the approved water quality monitoring plan, and the current policies and guidelines of the Section in effect at the time of sampling. In accordance with 15A NCAC 13B .0544(d), landfill gas monitoring must be conducted quarterly, unless otherwise specified by the Section.

19. Hydraulic conductivity and effective porosity values must be established for each screened interval at each monitoring well in order to develop groundwater flow characteristics.

20. Monitoring reports of the analytical results for surface water and groundwater monitoring sampling events must be submitted to the Section within 120 days of the sample collection date. Analytical laboratory data must be submitted in electronic portable document format (pdf) and in a spreadsheet format in an Electronic Data Deliverable (EDD) Template. All monitoring reports must contain:

    a. a potentiometric surface map for the current sampling event,

    b. analytical laboratory reports and summary tables,

c. a completed Solid Waste Environment Monitoring Data Form, and

d. laboratory data submitted in accordance with the EDD Template.

21. A readily accessible unobstructed path must be maintained so that groundwater and landfill gas monitoring wells and surface water sampling locations are accessible using four-wheel drive vehicles.

22. Documentation of well completion, development details, repair, abandonment, and all other pertinent activities associated with each groundwater and landfill gas monitoring well must be maintained in the facility operating record. The permittee must maintain a record of all groundwater, surface water, and landfill gas monitoring events and analytical data in the operating record.

23. Within 30 days of completed construction of each new groundwater and landfill gas monitoring well, a well construction record, well schematic, boring log, field log and notes, and description of well development activities must be submitted to the Section. Form GW-1 must be used for both groundwater and landfill gas wells. The submittal must also include a scaled topographic map, showing the location and identification of new, existing, and abandoned wells and piezometers, and hydraulic conductivity and effective porosity values.

24. Each groundwater monitoring well and landfill gas well must be surveyed for location and elevation. Each groundwater monitoring well and landfill gas monitoring well must have an identification plate permanently attached to the well, in accordance with 15A NCAC 2C .0108(o).

25. Within thirty (30) days of the abandonment of any groundwater monitoring well, the well abandonment record (GW-30 form) and any additional information included in the abandonment record must be certified by a Licensed Geologist, and submitted to the Section. A copy of the well abandonment records submitted to the Division of Water Quality, consistent with 15A NCAC 2C .0114(b), must be submitted to the Section.

26. All forms, reports, maps, plans, and data submitted to the Section must include an electronic (pdf) copy.

27. All landfill gas monitoring must be conducted by properly trained personnel and must include monitoring for hydrogen sulfide. Landfill gas monitoring must include interior monitoring of onsite buildings.

28. Landfill gas monitoring results must be recorded on forms provided by the Section and be maintained in the facility's operating record.

29. Within thirty (30) days of the abandonment of a landfill gas monitoring well, an abandonment record must be submitted to the Section. The boring must be abandoned in accordance with 15A NCAC 2C .0113(d) and be certified by a Licensed Geologist.

REPORTING AND RECORDKEEPING

30. Copies of this permit, the approved plans, and all records required to be maintained by the permittee must be maintained at the facility, unless otherwise approved by the Section, and made available to the Section upon request during normal business hours.

31. The owner or operator must maintain a record of the amount of solid waste received at the landfill, compiled on a monthly basis. Scales must be used to weigh the amount of waste received.

32. On or before August 1 annually, the Permittee must submit an annual facility report to the Section, on forms prescribed by the Section.

a. The reporting period shall be for the previous year beginning July 1 and ending June 30.

b. The annual facility report must list the amount of waste received in tons and be compiled:

i. On a monthly basis.
ii. By county, city or transfer station of origin.
iii. By specific waste type.
iv. By receiving disposal facility.
v. By diversion to alternative management facilities.

c. A measurement of volume utilized in the landfill cells must be performed during the first or second quarter of the calendar year. The date and volumes, in cubic yards, must be included in the report.

d. The amount of waste, in tons from scale records, disposed in landfill cells from June 24, 1993 through the date of the annual volume survey must be included in the report.

e. The tons of C&D waste recycled, recovered or diverted from disposal including a description of how and where the material was ultimately managed, as applicable, must be included in the report.

f. The completed report must be forwarded to the Regional Environmental Specialist for the facility by the date due on the prescribed annual facility report form.

g. A copy of the completed report must be forwarded to each county manager for each county from which waste was received the facility. Documentation that a copy of the report has been forwarded to the county managers must be sent to the Regional

Environmental Specialist by the date due on the prescribed annual facility report form.

33. Financial assurance must be continuously maintained for the duration of the facility in accordance with Rule 15A NCAC 13B .0546 and 15A NCAC 13B .0547 (2). Closure and Post-Closure cost estimates and financial instruments must be updated annually pursuant to 15A NCAC 13B .0546.

34. A closure and post-closure plan must be submitted for approval at least 90 days prior to closure or partial closure of any landfill unit. The plan must include all steps and measures necessary to close and maintain the C&D unit in accordance with all rules in effect at that time. At a minimum, the plan must address the following:

    a. Design of a final cover system in accordance with 15 NCAC 13B .0543(c), or the solid waste management rules in effect at the time of closure;
    b. Construction and maintenance/operation of the final cover system and erosion control structures;
    c. Surface water, ground water, and explosive gas monitoring.

35. Pursuant to the NC Solid Waste Management Rule (Rule) 15A NCAC 13B .1626(5) burning of land-clearing debris generated on-site, as a result of construction activities, requires approval by the Section prior to initiating the burn. In addition, the Division of Air Quality and local fire department must approve the activity prior to burning.

- End of Section-

PART II: MISCELLANEOUS SOLID WASTE MANAGEMENT SPECIFIC CONDITIONS

GENERAL CONDITIONS

1. All treatment and processing and or storage areas must be located on the facility as shown on the approved drawings. The permittee must obtain Section approval before re-locating any of these operations or revising the Operations Plan.

2. Wastes received and product stored shall be maintained in reasonably sized piles with adequate fire breaks and lanes in accordance with the approved operational plans and the pertinent rules.

3. Surface water shall be diverted from all operational and storage areas to prevent standing water in operational areas and under or around storage piles. Water that comes in contact with solid waste is deemed to be leachate and shall be contained on-site or properly treated prior to discharge.

4. These areas must be operated and maintained with sufficient dust control measures to minimize airborne emissions and to prevent dust from becoming a nuisance or safety hazard. The Permit does not include the grinding of sheetrock (wallboard).

5. Areas must be operated and maintained in a manner so as to minimize odors, prevent the creation of a nuisance, potential health hazard, or a potential fire hazard.

6. Effective vector control measures shall be applied as necessary to control flies, rodents, insects, and vermin.

Mobile Home Deconstruction Area Conditions

7. The permittee must implement the approved plan to store mobile homes, stockpile recyclable materials, and conduct deconstruction activities. The storage and deconstruction activities shall take place only in the designated areas.

8. Regulated asbestos-containing material as defined in 40 CFR 61 must be managed in accordance with 40 CFR 61. The permittee must follow the approved plan to properly remove asbestos-containing material from a mobile home. Disposal of asbestos waste must be in accordance with 15 NCAC 13B .0542 (c).

9. White goods, as defined in NCGS 130A-290(a)(44), which are within mobile homes to be deconstructed, must be properly removed to the White Goods Handling Area prior to deconstruction activities. White goods must be managed in accordance with all federal, state, and local applicable statutes and rules.

10. All mobile homes must be deconstructed within 45 days from acceptance into the deconstruction area. The date of receipt at the landfill shall be posted on the mobile home or its frame.

11. All material not planned for recycling must be placed in an appropriate approved disposal unit before the end of the day in which deconstruction takes place.

12. Recyclable materials may be stockpiled at the mobile home deconstruction area for no more than 45 days from the date of deconstruction.

13. Records shall be kept at the facility in accordance with the approved plan.

Operational Conditions – White Goods

14. The facility is permitted to receive and recycle white goods as defined in North Carolina General Statute Article 9, Chapter 130A-290(44).

15. The facility must manage white goods according to the Operation Plan included in Attachment 1, Part II "List of Documents for the Approved Plan". This document is included in the approved plan. Any revisions to the approved plan shall be approved by the North Carolina Division of Waste Management (DWM), Solid Waste Section, prior to implementation.

16. White goods collection areas shall provide for the proper removal of chlorofluorocarbon refrigerants. White goods must be managed in accordance with all federal, state, and local applicable statutes and rules.

Operational Conditions – Scrap Tires

17. The facility is permitted to receive tires and scrap tires as defined in North Carolina General Statute Article 9, Chapter 130A-309.53(6) & (7).

18. Scrap tire collection areas shall be operated in accordance with the requirements of 15A NCAC 13B Rule .1107.

19. The facility must manage tires according to the Operation Plan included in Attachment 1, Part II, *List of Documents for the Approved Plan*. This document is included in the approved plan. Any revisions to the approved plan shall be approved by the North Carolina Division of Waste Management (DWM), Solid Waste Section, prior to implementation.

20. The facility must manage tires according to all applicable statutes and rules of the State of North Carolina.

Operational Conditions – Solid Waste Treatment and Processing (Wood Grinding and C&D Processing) Facility

21. The facility must manage the treatment and processing operation according to 15A NCAC 13B 0101(49) and .0302 and the Operation Plan included in Attachment 1, Part II: "List of Documents for the Approved Plan (Documents 29 & 30)". Demolition waste reclaimed from the designated area in the Operation Plan must be processed each operating day. Any revisions to the approved plan must be approved by the Section, prior to implementation.

22. The facility is permitted to receive land clearing waste as defined in 15A NCAC 13B, Rule .0101(23).

23. Source separated wood pallets and cardboard from non-C&D waste sources may be accepted at the site for recycling, but the materials must not be unloaded at the working face. Wood pallets must be directly unloaded onto the sorted clean wood pile or into a wood materials container, and cardboard must be unloaded directly into a storage container

24. The facility is permitted to receive yard trash as defined in 15A NCAC 13B.0101(55). However, this ground material containing yard trash may not be distributed to the public unless it has been composted in accordance with 15A NCAC 13B.1400.

--End of Permit Conditions –

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 if 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;*

Town of Huntersville
NORTH CAROLINA

Special Use Permit Amendment Granted

On Monday, December 7th, 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.

Owner

Planning
Post Office Box 664 • 101 Huntersville-Concord Road • Huntersville, NC 28070
phone 704.875.7000 • fax 704.875.6546 • 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/Tres.

(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 26th, 2011.*

2. *The NCDENR (North Carolina Division of Environment and Natural Resources) permit was approved on October 26th, 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 pubic 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 3rd, 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 26th, 2006 therefore under the current special use permit the landfill needs to cease operation on or before October 26th, 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.*

<u>*Conditions added by the Town Board at the Special Use Permit Hearing*</u>

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

----- Original Message -----
From: Mitchell, Louis L <lmitchell@ncdot.gov>
To: Canipe, Brett D <bcanipe@ncdot.gov>; jmueller@griffinbrothers.com <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

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>
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

Bradley Priest

From: Taylor, Wendy A <wataylor1@ncdot.gov>
Sent: Tuesday, October 04, 2016 11:06 AM
To: Bradley Priest
Cc: Stephen Trott; Sossamon, Gary D
Subject: RE: Greenway Waste Rezoning - Holbrook Road Maintenance

Hi Brad,
Please see some clarification to my email below in red. 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

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: Taylor, Wendy A
Sent: Monday, July 25, 2016 11:34 AM
To: 'Bradley Priest' <bpriest@huntersville.org>
Cc: Stephen Trott <strott@huntersville.org>; Sossamon, Gary D <dsossamon@ncdot.gov>
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. If the pavement structure is found to not be sufficient, then the entire length of Holbrook will need to be brought up to standard to provide the strength needed for the truck traffic this facility is generating.
- 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

NORTH

NOTES:
1. GAS MONITORING WELL LOCATIONS ARE APPROXIMATE AND HAVE NOT BEEN SURVEYED.
2. GROUNDWATER POTENTIOMETRIC CONTOURS ARE APPROXIMATE AND INTERPOLATED BETWEEN WELL MEASURING POINTS.

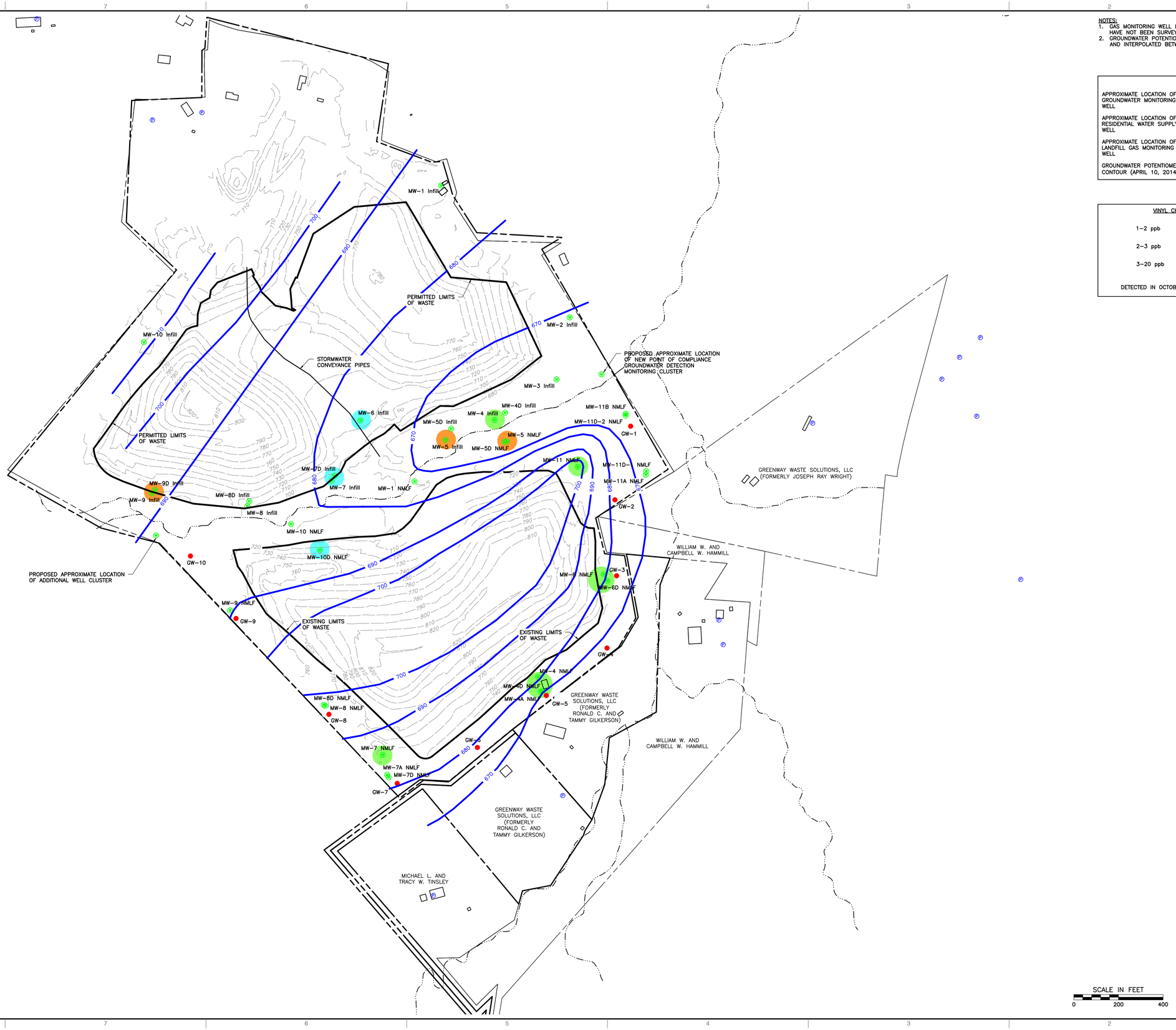
LEGEND

APPROXIMATE LOCATION OF GROUNDWATER MONITORING WELL	W
APPROXIMATE LOCATION OF RESIDENTIAL WATER SUPPLY WELL	P
APPROXIMATE LOCATION OF LANDFILL GAS MONITORING WELL	●
GROUNDWATER POTENTIOMETRIC CONTOUR (APRIL 10, 2014)	680

VINYL CHLORIDE OCCURRENCE

1–2 ppb	
2–3 ppb	
3–20 ppb	

DETECTED IN OCTOBER 21, 2015 MONITORING EVENT



REVISION RECORD

NO	DATE	DESCRIPTION

Civil & Environmental Consultants, Inc.
333 Baldwin Road · Pittsburgh, PA 15205
412-429-2324 · 800-365-2324
www.cecinc.com

GREENWAY WASTE SOLUTIONS AT NORTH MECK, LLC NORTH MECK LANDFILL HUNTERSVILLE, NC

SITE MAP

DATE:	MARCH 2016
DRAWN BY:	PNP
DWG SCALE:	1"=200'
CHECKED BY:	EHS
PROJECT NO:	111-370.001
APPROVED BY:	EHS

FIGURE NO.: 2

SHEET 1 OF 1

P:\2011\111-370\-CADD\001\Dwg\111-370.001 Groundwater Map for Eng(24 X 36) LS(3/21/2016 - gwmap) - LP: 3/21/2016 8:14 AM

Town of Huntersville
NORTH CAROLINA

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 the 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.

3/15/16

Applicant's Signature **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.

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Town of Huntersville
NORTH CAROLINA

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 or by phone: (704) 766-2218.

Sincerely,

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

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 <u>submission process</u> 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 .

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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 <u>General Rezoning:</u>
Please provide the name and Address of owner(s) of fee simple title of **<u>each</u>** 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 <u>Conditional Rezoning</u>:
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 <u>Subdivision</u>:
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:	http://www.huntersville.org/Departments/Planning.aspx

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General Application

Town of Huntersville NORTH CAROLINA

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 4/27/2016

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 billhammill@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.

Development Firm	Name of contact	Phone	Email
Civil & Environmental Con	Todd Gingrich	980-237-037	tgingerich@cecinc.com

Design Firm	Name of contact	Phone	Email
Civil & Environmental Con	Scott Brown	980-237-037	sbrown@cecinc.com

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

If Applying for a Conditional Rezoning:
Every owner of each parcel included in this rezoning petition, or the owner (s) duly authorized agent, must sign this petition. If signed by an agent, this petition MUST be accompanied by a statement signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in filing this petition. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID PETITION. **If additional space is needed for signatures, attach an addendum to this application.**

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

_____ 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

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

Last updated on 9/15/2015

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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 adjourning 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 though 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 70th birthday—July 13, 2016

New Haven Park (East)

Houston

Henderson

Latino

Neal

New Haven (West)

Spear

Rental

Spears

Vacant

Home Owner

Home Owner

Home Owner

over

1. CLOSURE PLAN

1.1 Closure Plan

The requirements are contained in the North Carolina Solid Waste Management Regulations (15A NCAC 13B .0543) and in the Financial Assurance Rule of Solid Waste Management Facilities (15A NCAC 13B .0546) require that a closure and post-closure plan be submitted to the North Carolina Department of Environment and Natural Resources (NCDENR) Division of Waste Management that details the activities that will be performed to satisfy the requirements of these regulations.

1.2 Closure Plan – 15 NCAC 13B .0543

All construction and demolition landfill facility (C&DLF) owners/operators shall prepare a closure plan that describes the steps necessary to close a C&DLF at any point during its active life as well as the steps necessary to facilitate final closure. In providing this information, the closure plan will assist the North Mecklenburg C&D Landfill – Infill Expansion in achieving the goals of closure implementation, which are: prevent exposure of the disposed waste, minimize precipitation infiltration, and control the emission of landfill gas in order to protect human health and the environment. Specifically, this closure plan establishes: design criteria for the final cover system, a description of the landfill gas collection system, a closure sequence and construction schedule, construction costs, and other information relating to closure.

1.3 Closure Schedule – 15 NCAC 13B .0543(d)(4)

The proposed closure schedule and estimated maximum area and inventory of waste is included as Table1-1. In accordance with 15 NCAC 13B .0543(c)(5) the landfill facility may conduct partial closure of a portion of the C&DLF upon reaching final waste grades.

Table 1-1. Inventory of Waste and Estimated Life

Landfill Area	Total Airspace	Disposal Airspace	Estimated Waste Density	Estimated Disposal Tonnage	Annual Waste Disposal	Anticipated Landfill Life
16.2 acres	1,041,000 yd^3	949,631 yd^3	1,200 lbs/yd^3	569,800 tons	120,000 tons	4.75 years

1.4 Closure Performance Standard –15A NCAC 13B .0543(c)(1)

The landfill final cover system is designed to minimize infiltration of precipitation and erosion and the need for post-closure maintenance.

Use of contents on this sheet is subject to the limitations specified at the end of this document.
P:\139366 - GriffinBros NMeck C and D LF Infill Expansion\PTC Document\2011 Updated PTC\5_Closure and Post-Closure Plan.doc

1.5 Landfill Closure – 15A NCAC 13B .0543

1.5.1 Plan Sheets

Closure Plan Engineering Drawings are provided in Appendix A of the Facility Plan showing cover layers and thickness, final slope topography, stormwater management, erosion and sediment controls, and associated details.

1.5.2 Closure Cap Description

The following provides a description of each layer of the landfill closure cap system. Details for the cap system are provided in the Engineering Drawings included in Appendix A of the Facility Plan.

- The cap system will consist of the following layers (listed from top to bottom):
  - An 18-inch Erosion Soil Layer consisting of soil capable of supporting native plant growth and designed to maintain vegetative growth over the landfill; and,
  - An 18-inch Low-Permeability Soil Barrier Layer to minimize infiltration of precipitation through the closed landfill.

1.5.3 Intermediate/Operational Soil Cover

A 12-inch intermediate/operational soil cover layer will be placed over the in-place waste prior to placement of the cap system. The intermediate/operational soil cover layer will be placed in such a manner as to protect the integrity of the in-place waste and landfill closure cap system.

1.5.4 Soil Cap Construction

The closure cap system for the Greenway Waste Solutions at North Meck, LLC facility shall be constructed in accordance with the requirements within this plan and the Engineering Drawings included in Appendix A of the Facility Report.

1.5.5 Low-Permeability Soil Barrier Layer

The closure cap system low permeability soil barrier layer shall have a maximum permeability less than or equal to soils underlying the landfill or $1.0 * 10^{-5}$ cm/sec, whichever is less.

1.5.6 Final Closure Slopes

The closure cover system will accommodate the differential settlement anticipated to occur during the post-closure period. The closure cover system will be placed on a slope of no less than 5 percent to promote positive drainage and at a maximum slope of 33 percent. A closure system slope stability evaluation including calculations was completed for determining the static and seismic stability of the landfill final cover system and waste mass and is included in Appendix D of the Engineering Plan. The stability evaluation concluded that the final cover system and waste mass met Federal EPA's guidance document 600/R-95/051 minimum factors of safety against slope failures of 1.5 for static loading and 1.0 for earthquake loading.

Use of contents on this sheet is subject to the limitations specified at the end of this document.
P:\139366 - GriffinBros NMeck C and D LF Infill Expansion\PTC Document\2011 Updated PTC\5_Closure and Post-Closure Plan.doc

1.5.7 Stormwater Management and Erosion and Sediment Control

Proposed stormwater management and erosion and sediment control for the final closure conditions includes side-slope terrace benches, downchute inlets and piping, perimeter channels, sediment basins and sediment basin inlet and outlet structures, silt fencing and rip-rap aprons.

Applicable regulations and guidance used in the design of the erosion and sediment control system include the North Carolina Erosion and Sediment Control Planning and Design Manual dated June 1, 2006. Plan and detail drawings for the stormwater management and erosion and sediment control systems are provided in Appendix A of the Facility Plan. Specific stormwater management and erosion and sedimentation control design information and calculations are provided in Appendix F of the Engineering Plan.

1.5.8 Landfill Gas Management

In accordance with 15 NCAC 13B .0543(c)(2)(B) a passive gas venting system will be installed as part of the final closure cap system to minimize pressures exerted on the low-permeability soil barrier layer of the cap system. The approximate locations and details of the venting system are provided in the Engineering Drawings included in Appendix A of the Facility Plan.

1.5.9 Construction Quality Assurance

Procedures, observations, and tests required during construction of the landfill closure cap system are included in the Construction Quality Assurance Plan in the Permit to Construct.

1.6 Schedule for Landfill Closure – 15 NCAC 13B .0543(c)(5)

The Greenway Waste Solutions at North Meck, LLC facility will be developed incrementally in three phases. The general intent is to construct phases within the landfill as needed. Phases 2 and 3 of the Facility's three planned phases is simply a vertical expansion of Phase 1. The existing expansion was permitted to construct by the North Carolina Department of Environment and Natural Resources – Division of Waste Management (NCDENR-DWM) in October 26, 2006, under Permit Number 60-13. The proposed phased development is consistent with the permitted facility boundary.

Final landfill closure procedures will begin when the filling operations have reached the proposed final waste grades. An estimate of landfill area that has reached final waste grade will be determined annually by a surveyor during the active life of the facility.

Upon reaching final waste grades, all areas will be covered with a minimum of 12 inches of intermediate/operational soil and then seeded. These areas will be inspected quarterly and after every major storm event for excessive erosion, and will be repaired accordingly. These areas will be maintained until the construction of the closure cap system.

The landfill facility is anticipated to be closed with a cap system as shown on the proposed closure schedule provided in Table 1-1. The cap system construction will be initiated when waste placement reaches final grades. The facility will perform an aerial survey each year and will determine areas that have reached final waste grade elevation.

Table 1-1 presents a schedule for completing all activities necessary to satisfy the closure criteria. The schedule presented in Table 1-1 is based upon the final waste grades presented in the Drawings included in the Greenway Waste Solutions at North Meck, LLC facility Operations Plan. This schedule does not reflect any variations to the filling rate or filling sequence which are likely to occur during the life of the facility.

Use of contents on this sheet is subject to the limitations specified at the end of this document.
P:\139366 - GriffinBros NMeck C and D LF Infill Expansion\PTC Document\2011 Updated PTC\5_Closure and Post-Closure Plan.doc

When the landfill has reached final waste grades the Greenway Waste Solutions at North Meck, LLC facility shall initiate the closure process no later than 30 days after the final receipt of waste. However, if the area has not reached permitted final grades and there is reasonable likelihood that additional waste will be received, then closure activities must begin no later than 1 year after the most recent receipt of wastes. The Division of Waste Management may grant extensions beyond the 1 year deadline for beginning closure if the Greenway Waste Solutions at North Meck, LLC facility demonstrates the area has additional capacity and the facility has implemented measures to protect human health and the environment.

According to 15 NCAC 13B .0543(c)(6), the Greenway Waste Solutions at North Meck, LLC facility shall complete all closure activities of each C&DLF unit in accordance with the closure plan within 180 days following the beginning of closure activities. Extensions of the closure period may be granted by the Division of Waste Management if the Greenway Waste Solutions at North Meck, LLC facility demonstrates that closure will, of necessity, take longer than 180 days and the facility has taken and will continue to take all steps to prevent threats to human health and the environment from the unclosed C&DLF unit.

1.7 Security and Posting

The site security fencing around the perimeter of the landfill facility property will be maintained. All gates will remain locked to prevent unauthorized entry to the site. The site will be properly posted with signage to clearly delineate the limits of the landfill.

1.8 Closure Certification – 15 NCAC 13B .0543(c)(7)

Upon closure of the C&DLF, North Mecklenburg C&D Landfill – Infill Expansion will provide a certification from a North Carolina registered professional engineer verifying that the closure activities have been completed in accordance with the regulatory approved closure plan. The certification will be submitted with the results of the construction quality assurance program.

1.9 Notification – 15 NCAC 13B .0543(c)(8)

In accordance with 15 NCAC 13B .0543(c)(8), following closure of all C&DLF units, Greenway Waste Solutions at North Meck, LLC shall record a notation on the deed to the landfill facility property, or some other instrument that is normally examined during title search, and notify the Division of Waste Management that the notation has been recorded and a copy has been placed in the facility's operating record. The notation on the deed shall, in perpetuity, notify any potential purchaser of the property that the land has been used as a landfill facility and that its future use is restricted to the planned post-closure property uses presented in the post-closure plan. Greenway Waste Solutions at North Meck, LLC will also notify Mecklenburg County's Register of Deeds office as the local land recording authority.

1.10 Financial Assurance – 15 NCAC 13B .0543(d)(5)

A cost estimate for hiring a third party to close the entire 16.2 acre Greenway Waste Solutions at North Meck, LLC facility has been prepared and included in Appendix A. Each year, the estimate will be adjusted according to the areas of the landfill that are operational and closed, for inflation and to reflect any changes to the closure plan.

Use of contents on this sheet is subject to the limitations specified at the end of this document.
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Town of Huntersville
REQUEST FOR BOARD ACTION
11/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Meredith Nesbitt, Planner I
Subject: SUP 16-02: 7218 Chaddsley Drive Solar Panels

Special Use: SUP16-02 is a request by James Ward of GreenPower of NC and Jonathan Brown, property owner, for a Special Use Permit allowing a minor residential solar energy facility (solar panels) on the front roof slope above the façade of the house facing a public street.

ACTION RECOMMENDED:
Review application and take final action on request, SUP 16-02.

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

Description	Type
SUP 16-02: Staff Report and Attachments	Staff Report

REQUEST:

Special Use Permit by James Ward for Solar Panels at 7218 Chaddsley Drive– SUP16-02

ZONING ORDINANCE CRITERIA AND STAFF COMMENTS

Applicable Ordinance Criteria from Article 3: Zoning Districts

Article 3.2.4

Minor residential solar energy facilities facing a public street or common access space are allowed in the Neighborhood Residential District (NR) with the issuance of a special use permit and subject to the conditions outlined in Article 9.54.

STAFF FINDINGS: James Ward of GreenPower of NC and property owner, Jonathan Brown, have applied for a special use permit to install a minor residential solar energy facility (solar panels) on the front roof slope above the façade of a house facing a public street. The property is located at 7218 Chaddsley Drive and is zoned Neighborhood Residential (NR). See attached application (attachment A) showing the proposed minor residential solar energy facility.

Applicable Ordinance Criteria from Article 9: Conditions For Certain Uses

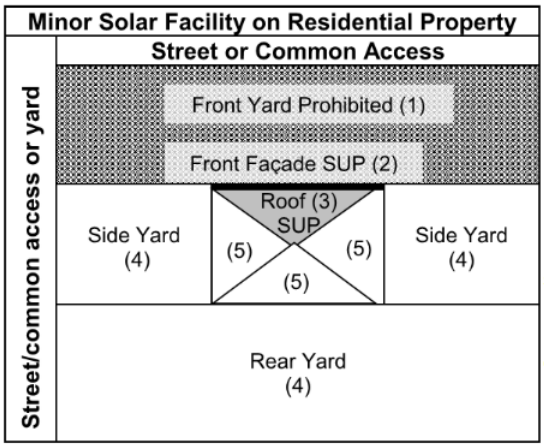
Article 9.54

Any major or minor solar energy facility shall require approval from all applicable state and federal agencies as well as the affected energy provider.

STAFF FINDINGS: In a statement from the applicant all permits will be obtained prior to installation of the solar panels.

Article 9.54.1 (A)

Residential Property (refer to illustration): Minor solar facilities shall be allowed in accordance with the provisions below:



(1) Front yard placement is prohibited.

(2) Front façade placement (if facing street or common access) requires a Special Use Permit (SUP).

(3) Front roof slope placement requires a Special Use Permit (SUP)

(4) Side & rear yard placement permitted as by-right accessory use in all districts subject to the issuance of a zoning permit.

(5) Side & rear roof slope placement permitted as a by-right accessory use in all districts subject to the issuance of a zoning permit.

STAFF FINDINGS: The applicant is requesting a special use permit for the instillation of solar panels in two locations on the front roof slope. See image below and the application, attached, for approximate location of solar panels.

Article 9.54.1 (E)

Minor rooftop solar energy facilities shall not be considered as rooftop equipment on any building type and therefore, do not require screening and are not subject to any architectural standards that would prohibit reflective materials.

STAFF FINDINGS: The solar energy facilities will not be considered rooftop equipment and screening or architectural standards are not required.

<u>Applicable Ordinance Criteria from Article 11: Administration</u>

Article 11.4.10 (E)

Hearing

(1) A Special Use Permit hearing will be conducted as a quasi-judicial hearing before the Town Board.

(2) The applicant has the burden of producing competent, material and substantial evidence establishing that:

- The proposed special use will comply with all of the lot, size, yard, and other standards which this ordinance applies to all uses permitted in the zoning district in which the property is located; and
- The proposed special use will comply with all general and specific standards required by the appropriate sections of this ordinance for the issuance of a special use permit for this use.

STAFF FINDINGS: The applicant has provided substantial evidence for staff to find the solar panels will comply with general standards of the ordinance for the issuance of a special use permit.

Article 11.4.10 (F)

Recommendation and Decision

(1) In considering an application for a special use permit, the Planning Board is an advisory capacity and the Town Board, in a decision making capacity, shall consider, evaluate and may attach reasonable and appropriate conditions and safeguards to the location, nature, and extent of the proposed use and its relations to surrounding property, for the purpose of ensuring that the conditions of permit approval will be complied with and any potentially injurious effect of the special use on adjoining properties, the character of the neighborhood, or the health, safety, and general welfare of the community will be minimized.

(2) Any such conditions may relate to parking areas and driveways, pedestrian and vehicular circulation systems, screening and buffer areas, intensity of site development, the timing of development, and other matters the Town Board may find appropriate or the applicant may propose. The applicant will have a reasonable opportunity to consider and respond to any additional conditions or requirements prior to final action by the Town Board.

STAFF FINDINGS: In a statement from the applicant, the solar panel will not produce any glare into the public right of way or onto adjacent property owners (see attachment B). Staff is not aware of any effects the minor solar energy facility (solar panels) will have on the health and safety of adjacent property owners. Based on the application the neighborhood HOA has approved the plans for installation of the solar panels (see attachment C).

Additionally, equipment, such a device to convert solar energy into electrical power maybe out of character at ground level.

ATTACHMENTS

A – Application

B- No Glare Statement

C- HOA Approval Letter

STAFF RECOMMENDATION

Staff recommends approval of the application based on the following findings of fact:

1. James Ward and Jonathan Brown have applied for a special use permit for a minor residential solar energy facility (further referred to as solar panels) facing a public street at 7218 Chaddsley Drive (zoned NR).
2. Applicants have stated that all permits will be obtained prior to installation of solar panels.
3. Applicants are requesting a special use permit for instillation of solar panels in two locations on the front roof slope of the dwelling located at 7218 Chaddsley Drive.
4. The solar panels will not be considered rooftop equipment and screening or architectural standards are not required.
5. Applicant has provided substantial evidence for staff to find that solar panels will comply with general standards of the ordinance for the issuance of a special use permit.
6. Applicants have stated no glare into public right of way or adjacent property owners will be produced from the solar panels.
7. HOA approval has been obtained.

Staff recommends approval with the following conditions:

1. All ground level equipment should be located at the side or rear of the house located at 7218 Chaddsley Drive.
2. No glare from the solar energy facilities (solar panels) should be produced into the public right of way in front of the house or any adjoining properties to 7218 Chaddsley Drive.

PLANNING BOARD RECOMMENDATION

Planning Board Recommends approval of the application based on the following findings of fact:

1. The application is reasonable and does not pose an injurious effect on adjoining properties
2. The character of the neighborhood, health, safety and general welfare of the community will be minimized with the following conditions:
    a. All ground level equipment should be located at the side or rear of the house at 7218 Chaddsley Drive, and
    b. No glare from solar energy facility (solar panels) should be produced into the public right of way in front of the house or any adjoining properties to 7218 Chaddsley Drive.
3. The neighborhood HOA has approved the plans for installation of the solar panels
4. Necessary permits will be obtained from State and Federal agencies.

DECISION STATEMENT

In favor of the Special Use Permit:

In considering the Special Use Permit SUP16-02, Solar Panels at 7218 Chaddsley Drive, we, the Town Board, find that the request meets all required conditions and specifications, is reasonable and does not pose an injurious effect on adjoining properties, and finds that the character of the neighborhood or health, safety and general welfare of the community will be minimized with the following conditions:

1. All ground level equipment should be located at the side or rear of the house located at 7218 Chaddsley Drive.
2. No glare from the solar energy facilities (solar panels) should be produced into the public right of way in front of the house or any adjoining properties to 7218 Chaddsley Drive.

This decision is supported by the following findings:

1.)

2.)

Add additional statements as necessary.

Against Special Use Permit:

In considering the Special Use Permit SUP16-02, Solar Panels at 7218 Chaddsley Drive, we, the Town Board, find that the request does not meet the required conditions and specifications.

(List which conditions are not being met)

1)

2)

Add additional statements as necessary.

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

1)

2)

Add additional statements as necessary.

Attachment A-Application

General Application

Town of Huntersville NORTH CAROLINA

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 9/23/2016

Name of Project Jonathan Brown Phase # (if subdivision) _____

Location 7218 Chaddsley Dr., Huntersville, NC 28078

Parcel Identification Number(s) (PIN) 009311301

Current Zoning District Huntersville Proposed District (for rezonings only) _____

Property Size (acres) 0.964 Street Frontage (feet) 80

Current Land Use R100

Proposed Land Use(s) solar panels on the front facade

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.
Install solar panels on the front of the home, we met the HOA President who has already given approval for the location of the installation.

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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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 James Ward Digitally signed by James Ward DN: cn=James Ward, o, ou, email=xyzsolar@gmail.com, c=US Date: 2016.09.23 13:48:05 -04'00' Printed Name James Ward

Address of Applicant 891 West Star St., Greenville, NC 27834

Email james.ward@greenpowernc.com

Property Owner's Signature (if different than applicant) Jonathan Brown Digitally signed by Jonathan Brown Date: 2016.09.24 12:10:01 -04'00'

Printed Name Jonathan Brown

Property Owner's Address 7218 Chaddsley Dr. Email jonbmw_@hotmail.com

* 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
GreenPower of NC	James Ward	9199988879	james.ward@greenpowernc.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:

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.

~~James Ward~~ CES

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

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YOUR FIRST STEP IN THE RIGHT DIRECTION

Converting to solar energy is a big step. The selection of solar panels to choose from today can be daunting. Working closely with your installer, we want to make the transition as easy as possible for you.

WHY PANASONIC?

You probably know Panasonic as a consumer electronics leader. Did you also know that we've been a solar pioneer since the green revolution began? We started developing promising renewable energy solutions over 40 years ago, and have amassed over 150 solar industry patents to date. It began with the research and development of amorphous silicon solar cells in 1975. In 1997, our innovative solar panel HIT® introduced high-efficiency panels to the world, setting the industry standard for conversion efficiency. Satisfied customers worldwide have come to trust and rely on Panasonic quality ever since.

BUILT AND GUARANTEED FOR THE LONG HAUL

The Highest Testing Standards

Merely good is not good enough for us, or for you. Rigid performance testing under all conditions helps us guarantee you decades of safe, efficient operation. That's why we demand our testing criteria be more stringent than "acceptable" industry standards. In fact, our testing protocol demands that we perform 20 additional tests beyond those mandated by current standards.

Quality and reliability are in our DNA

Panasonic began mass production of HIT® panels back in 1997, with an amazingly low failure rate of 0.01%* through 2016. That's because we keep complete control over the production process. No 3rd party suppliers are utilized. What's more, our 15-year workmanship and 25-year output warranties give you ironclad peace of mind that you've made the very best solar investment. With Panasonic, you can relax knowing that the solar panels you're choosing are backed by the stability and financial strength of a $70 billion Fortune 500 company, and a name you can trust.

*Based on panels shipped outside of Japan between 2003 and January 2016.

PANASONIC SOLAR PANELS – TIMELINE

1975 Started to offer amorphous silicon cells

1980 Worldwide commercialization of amorphous silicon cells

1990 Started R&D of HIT®

1997 Started large-scale production and sales of HIT®

2004 Worldwide factory photovoltaic (PV) cells, Japan

2012 Received highest IEEE honor for HIT® Panasonic Energy Michigan starts production

2013 New lab record for cell efficiency 24.7% – #1 in the world

2014 New lab record for cell efficiency 25.6% – #1 in the world 22.5% module efficiency achieved by 72-cell 270W production models in 2015 Accumulated HIT® production reaches 1.7 million

2016 New record for module efficiency 23.8% – #1 in the world

HIT® PERFORMANCE RECORDS FOR CONVERSION EFFICIENCY

Cell conversion efficiency (Current world record, set in 2014)* **25.6%**

Panel conversion efficiency (New world record, set in 2016)* **23.8%**

*Measured results from the National Institute of Advanced Industrial Science and Technology (AIST)

Panasonic

Panasonic Eco Solutions of North America
Two Riverfront Plaza, 5th Floor, Newark, NJ 07102
panasonicHIT@us.panasonic.com
business.panasonic.com/solarpanels

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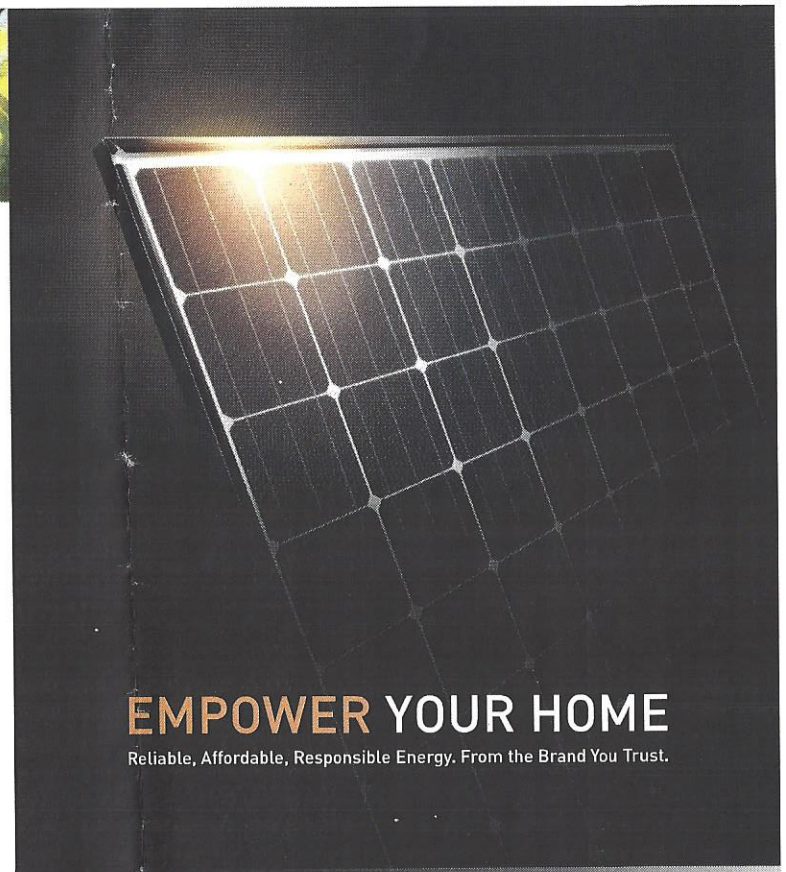
Specifications are subject to change without notice.



EMPOWER YOUR HOME

Reliable, Affordable, Responsible Energy. From the Brand You Trust.

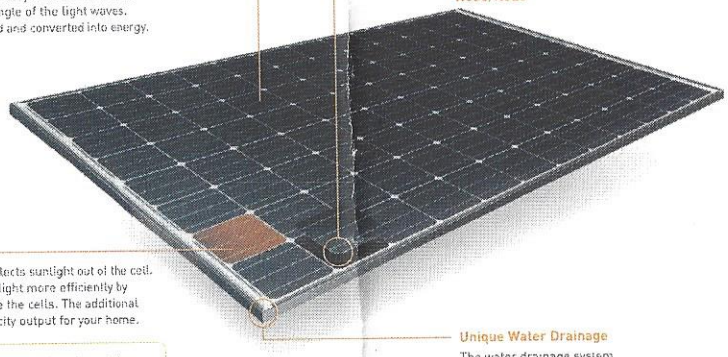
Panasonic

HIT

TURN YOUR HOME INTO A POWERHOUSE – THE HIT® ADVANTAGE

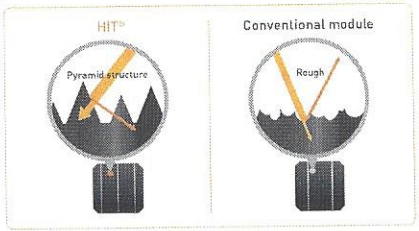
Advanced Bifacial Cell Designed for Increased Energy Output

The ingenious bifacial cell generates energy from both sides, effectively capturing both short wavelength and long wavelength light entering the panel. Typically, more diffuse, or longer wavelength light – like early morning or late day light – would contribute very little to the overall energy production of the panel due to the angle of the light waves. With Panasonic panels, more light is captured and converted into energy.



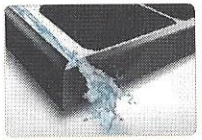
Original Pyramid Structure

The rough surface of conventional panels reflects sunlight out of the cell. Our unique pyramid structure captures sunlight more efficiently by reducing reflection and directing light inside the cells. The additional sunlight absorption generates more electricity output for your home.



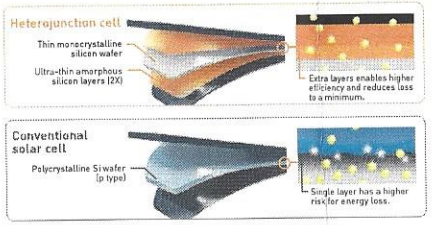
Unique Water Drainage

The water drainage system prevents rain water accumulation and eliminates water stains from the panel surface.



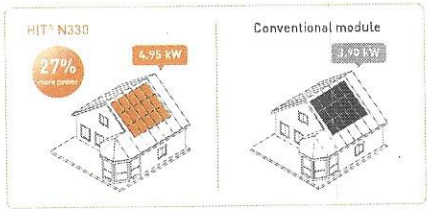
State-of-the-Art Heterojunction Technology

Our unique cell structure uses ultra-thin amorphous silicon layers. These thin dual layers reduce carrier loss, resulting in higher energy output than conventional panels.



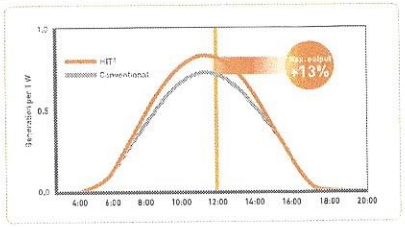
Ultra Efficient Space-saving Design

Our space-saving N330 and N325 panels set the standard for long-term conversion efficiency. They employ 96 cells in the same size footprint as standard 60-cell panels. That means more output per square foot and fewer panels to install, making HIT® ideal for smaller roofs too.



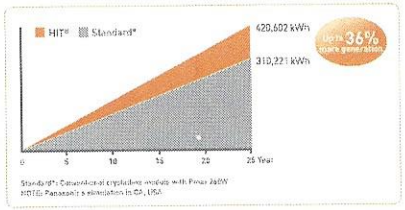
High-efficiency at High Temperatures

As temperatures increase, solar panels often sputter and go weak. Thanks to our unique cell structure, Panasonic HIT® continues to perform at high levels throughout the year.



Up to 36% More Electricity Output

Conversion efficiency is the key when comparing solar panels. Using ultra-thin amorphous silicon layers, Panasonic HIT® absorbs and retains more sunlight, producing up to 36% more electricity than conventional panels.



Standard*: Conventional crystalline modules with Power 260W
NOTE: Panasonic's simulation in CA, USA

Attachment B - No Glare Statement

From: Gpnc <james.ward@greenpowernc.com>
Sent: Friday, October 14, 2016 2:25 PM
To: Meredith Nesbitt
Subject: Re: SUP16-02: 7218 Chaddsley Drive Solar Panels

Zero glare. Glare can affect pilots flying over solar farms.

On Oct 14, 2016 2:17 PM, Meredith Nesbitt <mnesbitt@huntersville.org> wrote:
James,

A senior staff member raised a good question while he was reviewing the staff report for the SUP application you provided.

Could you provide information or give some details that would help us understand if the solar panels located on the front roof slope would produce any glare into the public right of way or affect drivers on Chaddsley? We are wondering if/how much glare the solar panels may produce.

Thank you!

Best regards,

Meredith M. Nesbitt, MSc. Urban Planning
Planner I | Town of Huntersville
105 Gilead Road | Third Floor
P.O. Box 664 | Huntersville, North Carolina 28070
PH: 704-766-2298 | FX: 704-992-5528
Email: mnesbitt@huntersville.org
Web: www.huntersville.org

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

MacAulay Homeowners Association of Mecklenburg, Inc.
c/o East West Partners Club Management
10800 Sikes Place – Suite 330
Charlotte, NC 28277
(704) 847-2630

Attachment C - HOA Approval

August 17, 2016

Jonathan Brown
7218 Chaddsley Drive
Huntersville, NC 28078

Dear Mr. Brown:

Your recently submitted Architectural Control Committee Review Request has been approved. Specifically, you have approval to proceed with the following alteration:

- Solar Panel Installation

The Architectural Control Committee and Board of Directors reserve the right to make a final inspection of the alteration to make sure they are in compliance with the request you submitted for approval. The alteration must be completed as outlined and approved in your Architectural Control Committee Review Request. Any changes from the original plan must be approved by the Architectural Control Committee by submission of an additional Architectural Control Committee Review Request prior to any work beginning.

All local ordinances, specifications, regulations and setback requirements concerning this alteration must be complied with. Please contact the local government agencies to determine if a Building Permit is required for your alteration. If required, it is your responsibility to secure and post a Building Permit.

This approval is based solely on the aesthetics of your proposed alteration. This approval should not be taken as any certification as to the construction worthiness or structural integrity of the alteration you propose. It is your responsibility to contact the appropriate Utility Companies before digging.

Enclosed, please find an ACC Approved Project Placard. This Placard must be displayed in a front window that faces the mailbox and is visible from the street while the work approved by the Architectural Control Committee is being performed.

Please contact me at my office if you have any questions regarding this matter. I can be reached at my office by calling 704-847-2630, extension 302, or by email at sbright@ewclubs.com.

Sincerely,

Scott A. Bright

Scott A. Bright, CMCA®, AMS®
For the Board of Directors
MacAulay Homeowners Association of Mecklenburg, Inc.

Town of Huntersville
REQUEST FOR BOARD ACTION
11/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Stephen Trott
Subject: LNCES Roadway Improvements Design

Proposal for Engineering and Surveying for roadway improvements associated with the Lake Norman Charter Elementary School

ACTION RECOMMENDED:
Approval of Proposal for Services

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

	Description	Type
	LNCES Roadway Design Proposal	Exhibit

September 16, 2016 *updated October 7, 2016*

Mr. Stephen Trott, PE
Town Transportation Engineer
105 Gilead Road, Suite 300
Huntersville, NC 28070

Re: Off-Site Roadway and Signal Modification Design for the Town of Huntersville – Mecklenburg County, NC

Dear Mr. Trott:

AMT is pleased to submit this proposal to provide roadway design and signal modification design engineering services for the Town of Huntersville project required for approval from the NCDOT, and Mecklenburg County, NC. For purposes of this proposal, "Consultant" will be AMT and the "Client" will be Town of Huntersville.

SCOPE OF SERVICES

AMT is developing transportation improvement plans, construction drawings, and signal modification designs for Town of Huntersville. The following roadway improvements will be included:

Hambright Road at Mt Holly Huntersville Road

- Addition of an exclusive eastbound right-turn lane with 150 feet of full-width storage and appropriate taper on Hambright Road
- Addition of an exclusive westbound right-turn lane with 150 feet of full-width storage and appropriate taper on Hambright Road
- Redesign and retiming of the intersection signalization.

Hambright Road at Statesville Road (US 21)

- Addition of an exclusive eastbound left-turn lane with 175 feet of full-width storage and appropriate taper on Hambright Road
- Addition of an exclusive westbound left-turn lane with 150 feet of full-width storage and appropriate taper on Hambright Road
- Redesign and retiming of the intersection signalization.

Mt Holly Huntersville Road at Statesville Road (US 21) (Southbound ramp intersection)

- Addition of an exclusive left-turn lane with 125 feet of full-width storage and appropriate taper on Mt Holly Huntersville Road

The scope will also include the following:

- Submittal to the client for review and receipt of permits and encroachments from NCDOT and Mecklenburg County for all improvements.

Below is the proposed scope for the project:

Task 1 - Project Management

AMT will provide project management consisting of day to day management of the Scope of Work by the Project Manager, Design Team, and provide coordination with "on-site" construction documents. It includes meetings; site visits; coordination with affected agencies, utilities, project administration and QA/QC activities.

Task 2 - Data Collection/Survey

AMT will gather information necessary to complete the requested design. Data includes: design files, mapping information, R/W access permits, utility information, and drainage data.

2.1 - Property Boundary Research, Control

AMT staff will commence with performing property research of all of the adjoining parcels with the footprint of the survey. The project research will be gathered from online sources provided by NCDOT and Charlotte – Mecklenburg County GIS and the Registrar of Deeds. Property reconnaissance will be performed to locate property boundary monuments and reference the survey model to the North Carolina State Plane Coordinates System.

2.2 - Topographic Survey

The topographic survey will locate all of the land within the survey limits including al physical improvements above the surface, gravity fed sewer systems and underground utilities designated by NC811.

2.3 - Plot Survey Data prepare base mapping

Process field survey data in Micro Station format, compliant to NCDOT standards. The deliverable provided to the AMT engineering staff will be in the form of a digital file containing all of the forgoing scoped features.

Task 3 – Roadway Design

AMT will utilize NCDOT standards for all elements of the roadway design, and preparation of the engineer's estimate. Below is a list of tasks related to the development of the plans at each stage of the process:

3.1 Design plans to include:

- Review of existing conditions. This will establish the hard and soft constraints for the development of the design plans. Existing utilities and storm drainage; construction of widening with a possibility of curb and gutter and sidewalk (but not likely)
- Traffic Control and Pavement Markings Options: AMT will examine options for providing traffic control, signage, and / or pavement markings for temporary striping. Those options will be included if project team determines the options are necessary.
- Evaluate storm drain design. This assumes no stormwater management facilities (i.e. BMPs) related to the roadway improvements.
- Erosion Control and sedimentation.
- Evaluate location of utilities to include coordination with both public utilities and private utilities (gas, telephone, fiber optic, etc.) and possible need for relocations.
- Design Plan Set for first submittal to NCDOT and other public agencies: To include the following:
    i. Existing Conditions Plan: GIS Survey Data and Existing Utilities
    ii. Typical Sections
    iii. Plan and Profile: Horizontal and Vertical Design
    iv. Grading, Drainage and Erosion Control
    v. Traffic Control Options

vi. Pavement Marking Options
vii. Storm Drainage
viii. Evaluation of Stormwater pipe sizes
ix. Roadway Cross Sections (if necessary)

3.2 Construction Drawings 100%

- Construction Plan Sets will be an update to the design plans after agencies review and comment. This submittal will concentrate on completion of the sealed drawings for all aspects of the project.

3.3 Utility Coordination: From the topographic survey and existing data supplied, AMT will coordinate with utilities located in the area near the roadway and site development. Through the development of the plans, utility conflicts will be recognized. The project team will lead discussions with the utility owners to resolve the conflicts. Utilities may include: power, gas, fiber optic, cable, telephone, etc. Any water and sewer utility coordination will take place with Charlotte Water management (formerly Charlotte-Mecklenburg Utilities).

3.4 Project Submittals to Agencies: Erosion Control Plans will be submitted to Mecklenburg County and all plan sets will be sent to NCDOT for review.

3.5 Cost Estimates: At the completion of each phase of the drawings, cost estimates will be developed. The estimates will be based on take-offs from the quantities.

Task 4 – Signal Modification Design

The intersections of Hambright Road at Mt Holly Huntersville Road and Hambright Road at Statesville Road (US 21) are currently signalized. Improvements at the intersection will make it necessary to upgrade these signals. It is also assumed that the signals are maintained by NCDOT. Both intersecting roadways are state maintained and therefore, the signal plan will be reviewed by NCDOT.

The scope of signal design services will include the following:

- Evaluation and Review of Intersection Capacity Analysis (to determine the phasing plan and timing parameters)
- Signal Plans (including phasing diagram, table of operating, loop and detector installation chart, signal face ID, intersection layout, timing chart, proposed pole and stop line locations, notes, legend, clearance distance diagram and clearance timing calculation sheets);
- Electrical Details (including malfunction management unit programming details, detector rack set-up details, equipment information, pedestrian push-button wiring detail, field connection hook-up chart, countdown pedestrian signal operation note, load resistor installation detail, load switch assignment detail, and notes);
- Communication Cable and Conduit Routing Plans;
- Fiber Optic Splice Details;
- Project Special Provisions (specifications for metal poles, if needed).

Product: *Final signal design plans to be submitted to the Town and NCDOT. This is typically a two-review cycle with NCDOT. NCDOT will also need an application, letter, and $5k review fee, to be supplied by the Client.*

Task 5 – Additional Services, Assumptions, and Exclusions

This task will include any additional services that are not included in Tasks 1-4. Such work will be completed only upon the Client's direction, on an hourly basis plus reimbursable expenses, according to the attached rate schedule.

Other assumptions and exclusions:

1. All cost for prints and reproductions shall be billed against the reimbursable estimated budget. If this is exceeded, billing will be based on an hourly rate sheet.
2. All permit, application, impact, etc. fees are to be paid by the Client.
3. If Construction Phase Services are provided by the Client and not by the Consultant, the Client assumes all responsibility for interpretation of the Contract Documents and for construction observation and supervision and waives any claims against the Consultant that may be in any way connected thereto.
4. Construction support services for the construction are not included in this contract. If those services are requested, a separate contract will be written for those services.
5. Any additional meetings not mentioned in Task 1-4 will be considered additional services.
6. Survey and SUE performed by others.
7. NCDOT submissions will be prepared in MicroStation.
8. Pavement section by others and or provided by NCDOT standard.
9. Scope of work does not include environmental documentation.
10. Other Additional Services: In addition to the foregoing services being performed the following items may be provided upon request of the Client:

    - Bidding Assistance services.
    - Soil testing evaluation and pavement design.
    - Water system analysis.
    - Retaining wall design.
    - Flood Studies.
    - Riparian Buffer Variance request.
    - Wetland/Stream Impact Permitting – assumes none on this site.
    - Construction Phase Services per diem basis.
    - Site amenities plans.
    - Offsite Improvements – Roadway or Utilities not mentioned in proposal.
    - Verification or correction of information supplied by others
    - Rock Quantities or Rock Excavation Analysis.
    - Boundary and Topographic surveying.
    - Platting and Mapping Services.

SCHEDULE

The goal of the permit completion for the above improvements would be so that construction completion would occur prior to the start of the 2017 school year.

The design plans will be complete 8-10 weeks after receipt of the survey via CAD. The signal design will take 6-8 weeks to be completed after completion of roadway design.

Construction drawings and signal designs will be complete 4 weeks after comment responses from NCDOT.

DELIVERABLES

- Submissions prepared in MicroStation
- Construction Plans (follows the below NCDOT standard process)
- Utility Coordination
- Project Submittals to Agencies
- Cost Estimates at each milestone
- NCDOT permits required for construction

NCDOT Plan development/review and permitting will follow this standard process:

1. Hold a preliminary scoping meeting with NCDOT and the Town to set design parameters and address any concerns moving into preliminary design. The following items will be addressed during the preliminary meeting:
    - Detail proposed roadway improvements- turn lane and taper lengths
    - Typical sections
    - Lane restriction times
    - Preliminary clear-zone issues
    - Special site considerations and constructability issues
    - Overall NCDOT plan development and project construction expectations
2. Complete 25% plans, hold a project plan review-progress meeting with NCDOT
3. Coordinate any needed utility relocation
4. Complete 65% plans, hold a project plan review-progress meeting with NCDOT
5. Coordinate any needed ROW acquisition with the Town
6. Complete 100% plans, submit to NCDOT for review, along with the following items:
    - Cover Letter
    - Encroachment Agreement (Form 16.1B)
    - NPDES Statement (Form NPDES-1)
    - Verification of Compliance (Form VCER-1)

FEE PROPOSAL

The work described in Tasks 1-4 will be completed for a lump sum fee of **$68,095**, including reimbursable expenses. Any additional services (Task 5) will only be completed at the direction of the Client, on an hourly basis plus reimbursable expenses, according to an hourly rate schedule. Reimbursable expenses including travel, subsistence, and out-of-pocket expenses, multiplied by 1.15, will be charged to the Client. Standard rates for in-house expenses are as follows: mileage to be charged at the published IRS rate (currently at $0.50 per mile), $0.18 per copy, and $1.00 per facsimile page.

TERMS OF AGREEMENT

If you are in agreement with this proposal and the attached terms and conditions, you may execute the agreement by signing where indicated below and returning one copy for our files. Please contact Mike Surasky at (919) 855-9989, should you have any questions regarding the proposal or scope of work.

A. Morton Thomas and Associates, Inc.			
"CONSULTANT"		"CLIENT"	
BY:		BY:	
NAME:	Michael Surasky, PE, PTOE	NAME:	
TITLE:	Associate	TITLE:	
ADDRESS:	6131 Falls of Neuse Road, Suite 106, Raleigh, NC 27609	ADDRESS:	
DATE:	10-7-16	DATE:	

ADDENDUM TO THAT PROPOSAL OF AMT TO TOWN OF HUNTERSVILLE DATED SEPTEMBER 16, 2016 AND UPDATED OCTOBER 7, 2016

This Addendum shall modify and control over the Proposal and the Standard Contract Terms and Conditions.

Section 9 of the Standard Contract Terms and Conditions ("Standard Terms") is modified by adding the following: "except to the extent that any such liability is covered by and within the limits of coverage of the Insurance required by Section 7, in which case the limits of coverage of such insurance shall be the limits of liability."

Section 12 of the Standard Terms is modified in its entirety to read as follows:

SECTION 12 – GOVERNING LAW, VENUE. This Agreement shall be interpreted by and governed by the laws of the State of North Carolina, and the sole venue for the resolution of any dispute shall be a state or federal court in Mecklenburg County, North Carolina.

Add the Following:

AMT certifies that it is not listed on the Final Divestment List ("**Divestment List**") created by the North Carolina State Treasurer pursuant to Article 6E, North Carolina General Statute 147-86.55 *et seq* ("**Iran Divestment Act of 2015**"). AMT shall not utilize in the performance of its obligations under this Contract any contractor or subcontractor listed on the Divestment List, nor assign this Contract to any assignee on the Divestment List.

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

A Morton and Associates, Inc.

By:_____
Michael N. Suratsky, PE

Town of Huntersville

By:_____

STANDARD CONTRACT TERMS AND CONDITIONS

SECTION 1 – GENERAL: A. Morton Thomas and Associates, Inc., the "AMT", agrees to provide Professional Services described in the preceding PROPOSAL.

The "CLIENT", as referred to herein, is the other party to this "AGREEMENT" to which this PROPOSAL was prepared and submitted.

The entire AGREEMENT between AMT and CLIENT consists of the PROPOSAL, these Standard Contract Terms and Conditions, any applicable Supplemental Conditions of Service, and any other referenced exhibits or attachments.

SECTION 2 – SCOPE OF WORK: It is mutually understood that the scope of work and time schedule, if any, defined in the PROPOSAL are based on the information provided by CLIENT. If this information is found to be incomplete or inaccurate, or if unexpected conditions are discovered, the scope of work may change, even as the work is in progress. If the CLIENT requests additional services or when a change in the scope of work or time schedule is necessary, a written amendment to this AGREEMENT shall be executed by the CLIENT and AMT as soon as is practicable. Consent to such amendments shall not be unreasonably withheld.

SECTION 3 – STANDARDS OF WORK: AMT will perform services in a manner consistent with that level of care and skill ordinarily exercised by members of the Engineering profession currently practicing in the same locality under similar conditions. No other representations, express or implied, and no warranty or guarantee is included in this AGREEMENT, or in any report, opinion, document, or otherwise.

Any exploration, testing, surveys and analysis associated with the work will be performed by AMT for the CLIENT'S sole use to fulfill the purpose of this AGREEMENT. AMT is not responsible for interpretation by others of the information provided.

SECTION 4 – RIGHT OF ENTRY: CLIENT hereby grants AMT and any subconsultants or agents the right to enter from time to time the property to perform the services offered under this AGREEMENT.

SECTION 5 – OWNERSHIP OF DOCUMENTS: AMT will provide documents in a quantity and type as described in the PROPOSAL. Documents may include but not be limited to: engineering drawings and plans, specifications, survey reports and certifications, subsurface engineering reports, field data, and laboratory/test reports. Additional copies shall be furnished to the CLIENT at cost plus 10%.

AMT acknowledges CLIENT'S ownership of documents prepared for and paid for in full by the CLIENT. CLIENT acknowledges AMT'S rights of ownership and property interests in the documents, including all common law, statutory and other reserved rights, including copyrights, whether or not the project is completed. No third party may rely upon AMT'S documents, including but not limited to opinions, conclusions, certificates, reports, drawings, and specifications unless AMT has agreed to such reliance in advance.

CLIENT and AMT further agree that, if necessary, to execute under separate cover, electronic communications and CADD data transfer AGREEMENTS.

SECTION 6 – COMPENSATION: CLIENT shall compensate AMT for all services and direct expenses authorized and properly performed and delivered in accordance with the fees stated in the PROPOSAL. Subject to the foregoing, CLIENT may make partial payments based on regular monthly billings by AMT.

Payment of fees properly invoiced by AMT will be paid by CLIENT within 45 days of receipt of invoice. Notwithstanding the foregoing, CLIENT will make all reasonable efforts to collect from project owner(s), or other third party, for which AMT'S fees were invoiced as part of the CLIENT'S invoice to said owner, or third party.

CLIENT'S obligation to pay for the services invoiced by AMT are in no way contingent upon CLIENT'S ability to obtain financing, zoning, approval or governmental or regulatory agencies, final adjudication of a lawsuit in which AMT may be involved, or upon CLIENT'S successful completion of the project. Failure by CLIENT to make payments in accordance with SECTION 6 provisions may render any resultant AGREEMENT null and void.

The fees quoted in the PROPOSAL shall remain valid for a period of six (6) months from the date of the PROPOSAL. AMT may, at its sole discretion, honor quoted fees for services requested by CLIENT beyond the validity period.

Remittance address: 800 King Farm Blvd., 4th Floor, Rockville, MD 20850

SECTION 7 – INSURANCE: AMT will maintain General and Professional Liability Insurance for the protection of CLIENT and, if applicable, other third parties on an as required basis. Such insurance covering personal and bodily injuries or death shall be in the sum of not less than $1,000,000 for one person and not less than $1,000,000 for any one occurrence. Insurance covering damage to property shall be in the sum of not less than $1,000,000 for any one occurrence and $1,000,000 aggregate. Professional Liability Insurance coverage shall be in the sum of not less than $2,000,000.
pon req

SECTION 8 – INDEMINIFICATION: AMT agrees to indemnify and hold harmless CLIENT'S shareholders, officers, directors, employees, and agents from and against any and all claims, suits, liabilities, damages, expenses which may arise from the performance of the services under this AGREEMENT.

CLIENT agrees to indemnify and hold harmless AMT from and against any and all losses to the extent caused by the negligence of the CLIENT, its employees, agents and contractors.

Neither CLIENT nor AMT will be liable to the other for any special, consequential, incidental or penal losses or damages including but not limited to losses, damages or claims related to the unavailability of property or facilities, shutdowns or service interruptions, loss of use, profits, revenue, or inventory, or for free use charges, cost of capital, or claims of the other party whatsoever.

SECTION 9 – LIMITATION OF LIABILITY: In recognition of the relative risks and benefits of the project to both the CLIENT and AMT, the risks have been allocated such that the CLIENT agrees to limit AMT'S total cumulative liability to CLIENT for any act or omission of AMT in connection with this AGREEMENT, including, but not limited to attorneys fees and costs, whether in contract, indemnity, contribution, tort, or otherwise, irrespective of the form of action in which such liability is asserted by CLIENT or others, shall not exceed the total compensation received by AMT under this AGREEMENT or $75,000; whichever is less.

SECTION 10 – TERMINATION:
CLIENT or AMT may, for any reason whatsoever, terminate this AGREEMENT in whole or in part, or for convenience or for cause, and upon 5 days written notice to the other. Upon receipt of written notice, AMT shall take all reasonable efforts to immediately avoid encumbering any further expenses for labor and/or materials under this AGREEMENT.

In the event of termination for convenience, AMT will promptly render to CLIENT a final invoice for all labor and material expenses encumbered through the date of termination, which may include, but will not be limited to expenses for demobilization, reassignment of personnel, and restocking charges for returned material. Upon receipt of aforementioned invoice, CLIENT shall immediately compensate AMT for all undisputed amounts.

Due to any default by AMT in the performance of services under this AGREEMENT, or, upon demand by CLIENT, to cure a failure to make progress consistent with the terms of the AGREEMENT or to provide adequate assurances of future performance, the CLIENT may elect to terminate this AGREEMENT for cause. CLIENT shall not be liable to AMT for any amount for services (labor and/or materials) not accepted, and AMT shall be liable to the CLIENT for any and all rights and remedies provided by law. If it is determined that the CLIENT improperly terminated this contract for cause, such termination shall be deemed a termination for convenience.

Regardless of whether termination was for convenience or cause, AMT will deliver to CLIENT, upon AMT'S receipt of all financial obligations due under the AGREEMENT, all reports and documents pertaining to services performed up to termination.

SECTION 11 – DISPUTE RESOLUTION: All claims, disputes or controversies arising out of, or in relation to the interpretation, application or enforcement of this AGREEMENT shall be submitted to non-binding mediation, in accordance with the current rules of the American Arbitration Association, as a condition precedent to litigation. Cost for mediation including the mediator's fees will be borne equally by each party to this AGREEMENT.

SECTION 12 – GOVERNING LAW: The validity of the terms of this AGREEMENT shall be governed by the laws of the State of Maryland. CLIENT waives the right to remove any legal actions to any other jurisdiction.

SECTION 13 – TITLES: The titles used in this AGREEMENT are for general reference only and are not part of the AGREEMENT. Parties to this AGREEMENT are advised to read the each provision and rely on the guidance of legal counsel as necessary to help assure a complete understanding of all provisions and the obligations imposed through acceptance.

END OF STANDARD TERMS AND CONDITIONS

Town of Huntersville
REQUEST FOR BOARD ACTION
11/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Michael Jaycocks and Bill Coxe
Subject: Torrence Creek Greenway Trib #2 Resolution

This resolution is to approve allocating $300,000 from the non-motorized transportation funds to the Torrence Creek Greenway Trib #2. This project was identified as the top project by our Greenway and Bikeway Committee and they made a recommendation at their October 18th meeting to allocate these funds to partner with Mecklenburg County in getting this project ranked in their next five year CIP Plan for FY19-23. Mecklenburg County staff is waiting on instructions from management to submit projects for their next five year CIP. We hope by partnering with the County that we can get this project ranked higher to get it into the next CIP. The previous ranking system used for ranking CIP projects included additional points for partners and for outside funding. The estimated cost for this project is around $1.8 million.

ACTION RECOMMENDED:
Approve resolution.

FINANCIAL IMPLICATIONS:
$300,000 from transportation bonds recently sold.

ATTACHMENTS:

Description	Type
Resolution	Resolution
Greenway Map	Backup Material
Top Greenway Segments	Backup Material

TOWN OF HUNTERSVILLE
RESOLUTION

Whereas, the Town of Huntersville recognizes that greenway trails consistently rank as the most desired type of recreational amenity in citizen polls; and

Whereas, the Town of Huntersville encourages active use of greenway trails as a means of improving physical and mental health; and

Whereas, the Town of Huntersville actively supports the proper integration of greenway trails with land development to offer a viable transportation option to motorized vehicles; and

Whereas, the Town has for decades endorsed the creation of a greenway trail along McDowell Creek, Torrence Creek, and Torrence Creek Tributary # 2 between Beatties Ford Rd and downtown Huntersville; and

Whereas, the Town has successfully partnered with private developers, Mecklenburg County and the NC Department of Transportation to achieve segments of the aforementioned greenway; and

Whereas, the voters of the Town of Huntersville have approved bonds for transportation investments and the Board of the Town has determined that a portion of these bonds would be used to implement non-highway transportation improvements; and

Whereas, Mecklenburg County has developed construction plans for the next segment of the Torrence Creek Tributary # 2 Greenway to lead from its current end at Rosewood Meadow Lane to the west side of I-77 and is willing to consider this project in its 2019 Capital Improvement Program evaluation; and

Whereas; the Charlotte Regional Transportation Planning Organization has dedicated six million dollars to an underpass of I-77 so that this greenway trail can be extended in the future; and

Whereas, the Town of Huntersville is funding the construction of the greenway trail overland from the west side of Statesville Road to Commerce Centre Dr in 2018;

Now, therefore, be it resolved by the Huntersville Board of Commissioners, that it commits $300,000 of Town funds to be used by Mecklenburg County in conjunction with any other funds the County may make available to achieve the segment of this greenway trail from Rosewood Meadow Lane to Statesville Road. This commitment expires in June 2017 if Mecklenburg County does not include this project in the 2019-23 CIP.

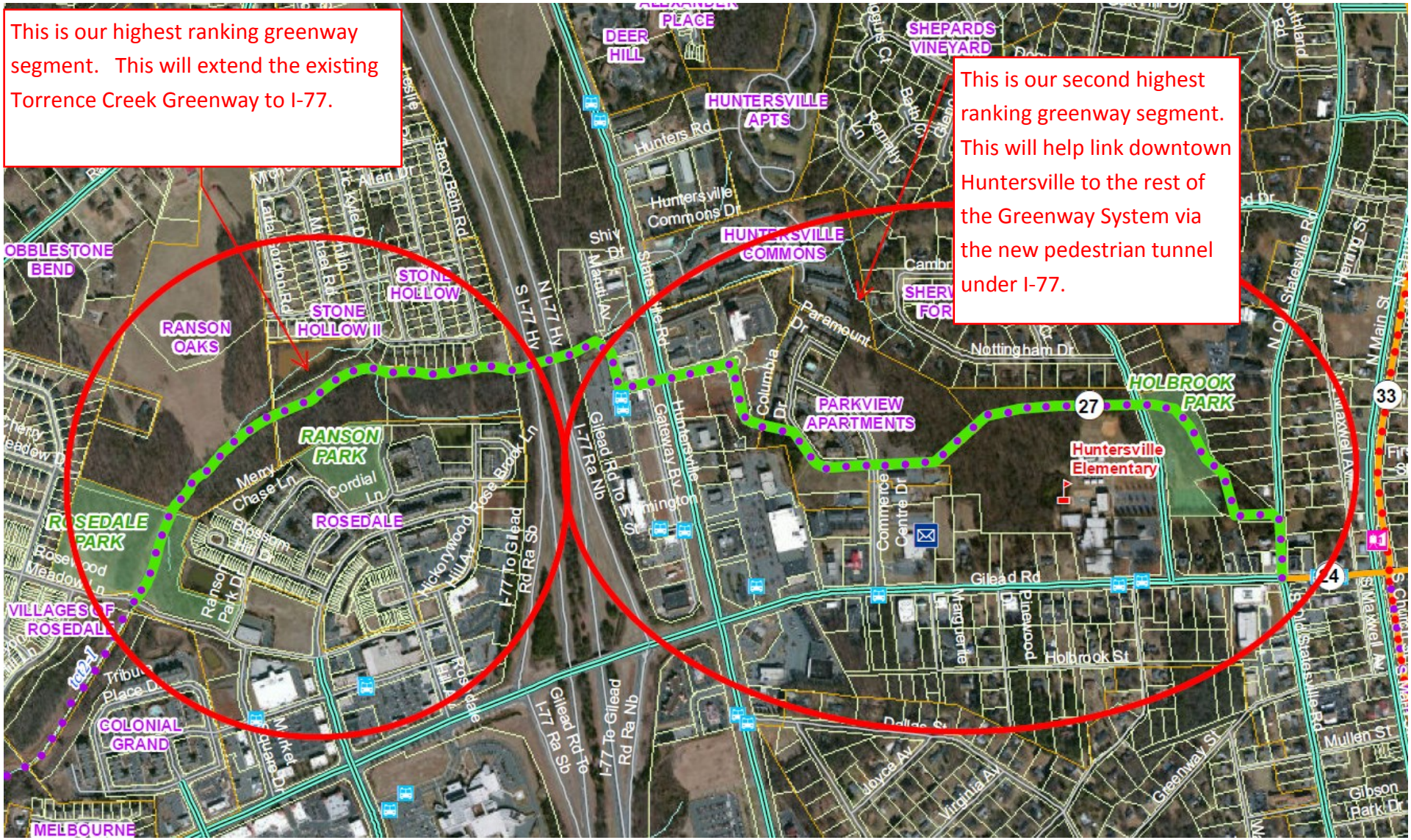
Adopted this the _____ day of _____, 2016.

_____
John Aneralla, Mayor

ATTEST

_____
Janet Pierson, Town Clerk

Torrence Creek #2 Greenway Extension


This is our highest ranking greenway segment. This will extend the existing Torrence Creek Greenway to I-77.
This is our second highest ranking greenway segment. This will help link downtown Huntersville to the rest of the Greenway System via the new pedestrian tunnel under I-77.
DEER HILL
SHEPARDS VINEYARD
HUNTERSVILLE APTS
HUNTERSVILLE COMMONS
OBBLESTONE BEND
STONE HOLLOW
STONE HOLLOW II
RANSON OAKS
RANSON PARK
ROSEDALE PARK
ROSEDALE
VILLAGES OF ROSEDALE
COLONIAL GRAND
MELBOURNE
PARKVIEW APARTMENTS
HOLBROOK PARK
Huntersville Elementary
Hunters Rd
Huntersville Commons Dr
Paramount Dr
Nottingham Dr
Columbia Dr
Commerce Centre Dr
Gilead Rd
Holbrook St
Mullen St
Greenway St
Gibson Park Dr
Tracy Beth Rd
Gateway Blvd
Huntersville Wilmington St
Gilead Rd To I-77 Ra Nb
Gilead Rd To I-77 Ra Sb
N I-77 Hy
S I-77 Hy
Statesville Rd
N Main St
S Main St
Maxwell Av
Joyce Av
Virginia Av
Pinewood Dr
Marguerite
Rosebrook Ln
Hickorywood Hill Av
Rosedale
Ranson Park Dr
Merry Chase Ln
Cordial Ln
Blossom Hill Dr
Rosewood Meadow Ln
Tribute Place Dr
Market Square Dr
Shiv Dr
Marcil Av
Leslie
Allen Dr
Cambridge
Remally Ln
Bath Ct
Gleason
Rogers Ct
Northland Rd
Herring St
27
33
24
#1

Town of Huntersville
REQUEST FOR BOARD ACTION
11/7/2016

REVIEWED:

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

Consider approving the minutes of the October 17, 2016 Regular Town Board Meeting.

ACTION RECOMMENDED:
Approve Minutes

FINANCIAL IMPLICATIONS:
N/A

Town of Huntersville
REQUEST FOR BOARD ACTION
11/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Jackie Huffman / Max Buchanan / Greg Ferguson
Subject: Lake Norman Charter Intersections Capital Project Ordinance

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The Town received $200,000 from Lake Norman Charter School as a result of the interlocal agreement provisions when the Town Board approved the school's expansion. That $200,000 is the first expected payment from the school to assist with intersection improvements required by the Traffic Impact Analysis. This amendment funds the first of three expected phases for the intersection improvements (1 - design; 2 - ROW procurement; 3 - construction). All costs associated with the engineering contract for the project are funded with the payment already received from the school. Once plans are in place, future Board action is expected to fund future phases.

ACTION RECOMMENDED:
Approve capital project ordinance

FINANCIAL IMPLICATIONS:
Costs associated with the engineering and design are funded with Lake Norman Charter escrow funds.

ATTACHMENTS:

Description	Type
LKN Charter Intersections Capital Project Ordinance	Cover Memo

TOWN OF HUNTERSVILLE
LAKE NORMAN CHARTER SCHOOL INTERSECTION IMPROVEMENTS
CAPITAL PROJECT ORDINANCE

BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

SECTION 1. The project authorized is to begin surveying and engineering design services for the intersection mitigation improvements as required by the Traffic Impact Analysis associated with the expansion of Lake Norman Charter School at the following locations:

- Hambright Road / US21 Intersection
- Mt. Holly Huntersville Road / US21 Southbound Ramp Intersection
- Hambright Road / Mt. Holly Huntersville Road Intersection

SECTION 2. The officers of the unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

SECTION 3. The following amounts are appropriated for the project:

Surveying and Engineering Design	$74,000
TOTAL PROJECT COSTS, PHASE 1 (DESIGN)	$74,000

SECTION 4. The following revenues are anticipated to be available to complete this project:

Contribution from Lake Norman Charter School	$74,000
TOTAL PROJECT REVENUE	$74,000

SECTION 5. The Finance Director is authorized from time to time to transfer as a loan from the General Fund in an amount necessary to meet obligations until such time as funding is received. When funds are received, repayments to the General Fund will be made.

Town of Huntersville
REQUEST FOR BOARD ACTION
11/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Jackie Huffman/Max Buchanan
Subject: Budget Amendment

Recognize insurance revenue (103813.9999) in the amount of $500.00 and appropriate to the Public Works Department's insurance account (105700.0452).

ACTION RECOMMENDED:
Approve Budget Amendment.

FINANCIAL IMPLICATIONS:
Additional revenue in the amount of $500.00.

Town of Huntersville
REQUEST FOR BOARD ACTION
11/7/2016

REVIEWED:

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

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

ACTION RECOMMENDED:
Approve Budget Amendment.

FINANCIAL IMPLICATIONS:
Additional revenue in the amount of $500.00.

Town of Huntersville
REQUEST FOR BOARD ACTION
11/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: David Peete, Principal Planner
Subject: Annsborough Park CD Rezoning

Request to call a public hearing for Monday, December 5, 2016 at 6:30 PM, Huntersville Town Hall on Petition # R16-10, a request by MI Homes of Charlotte, LLC to rezone approximately 50.337-acres from Transitional Residential (TR) to Neighborhood Residential-Conditional District (NR-CD). NR-CD zoning is requested to create an 85-lot single-family subdivision located south of Ramah Church Road, and west of Ewart Road. Property is currently, farmland, vacant and several single-family homes.

ACTION RECOMMENDED:
Call Public Hearing for Monday, December 5, 2016

FINANCIAL IMPLICATIONS:
TBD

Town of Huntersville
REQUEST FOR BOARD ACTION
11/7/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Jack Simoneau, Planning Director
Subject: TA16-07 TR Lot Size

Call Public Hearing

ACTION RECOMMENDED:
Call public hearing for December 5, 2016 at 6:30 PM, Huntersville Town Hall, on a request by LStar Management, LLC to reduce the minimum lot size, side yard setback and lot width in the Transitional Residential (TR) zoning district.

FINANCIAL IMPLICATIONS: