

Conditions Applicable to Rezoning Request by HTCP Development One, LLC  
Rezoning Petition #R 08-05

The Following Uses shall be prohibited on the properties to be rezoned:

1. Nightclubs, music clubs, bars and similar entertainment facilities, further provided that such prohibition of bars shall not apply to restaurants with a bar located therein;
2. Automobile service and repair uses;
3. Automobile and/or motorcycle sales;
4. Cemeteries;
5. Neighborhood gasoline stations, including major service and repair of motor vehicles;
6. Drive through windows, including those associated with restaurants.

Commissioner Jeter said reading the letter, we are talking about a 50' buffer. However, in Mr. Combs' letter he specifically states a 75' buffer, which is different than what you are requesting here.

Mr. Boone said the 50' strip that is within the red area but is hatched, that is from the common property line between the project seeking the rezoning and Combs Concrete. That 50' goes from effectively the centerline of the 100' railroad right-of-way over to the exterior limits of that same railroad right-of-way. The reason there was a mention of the 75', there is an additional 25' that's not right-of-way but is being asked that it be set aside for future railroad right-of-way. If the rezoning went to the centerline of the railroad right-of-way to the limits of the Huntersville Plaza Project, the 80' buffer would then be required on Combs Concrete property, not on Huntersville Plaza. This is to avoid any imposition on the adjoining property.

Mr. Simoneau said the concern is when the players change and somebody wants to rezone that 50' to Highway Commercial, how will they know why the decision was made to stay off of there. The answer would be it is part of the staff analysis and part of the rezoning package. The minutes will also have that information.

**Commissioner McAulay made a motion to approve Petition #R07-10.**  
**Commissioner Jeter seconded motion.**

**Motion carried with four (4) yes votes.**

**Petition R08-05.** Petition #R08-05 is a request by HTCP Development One, LLC to rezone five parcels (totaling 2 acres) from Neighborhood Residential to Town Center – Conditional District, located along the south side of Gilead Road between NC 115 and Hillcrest Drive.

*Refer to Staff Analysis and other related documents attached hereto as Attachment No. 11.*

**Commissioner McAulay made a motion to approve Petition #R08-05. In considering the proposed amendment to the official zoning map to rezone five parcels totaling 2 acres from Neighborhood Residential to Town Center – Conditional District, the Town Board finds that the rezoning revision is consistent with the Town of Huntersville Community Plan and the Downtown Master Plan. We recommend approving Rezoning Petition #R08-05 as presented. It is reasonable and in the public interest to amend the rezoning plan because of the discussions with the developer and the six previously stated conditions that were put on the site; (a) contained six conditions that should be highlighted and (b) the condition that they would agree to come back with the sketch plan and all those for further approval.**

**Commissioner Julian seconded motion.**

R08-05 Rezoning Plan

SHERWOOD

GILEAD

HUNTERSVILLE-CONCORD

CD

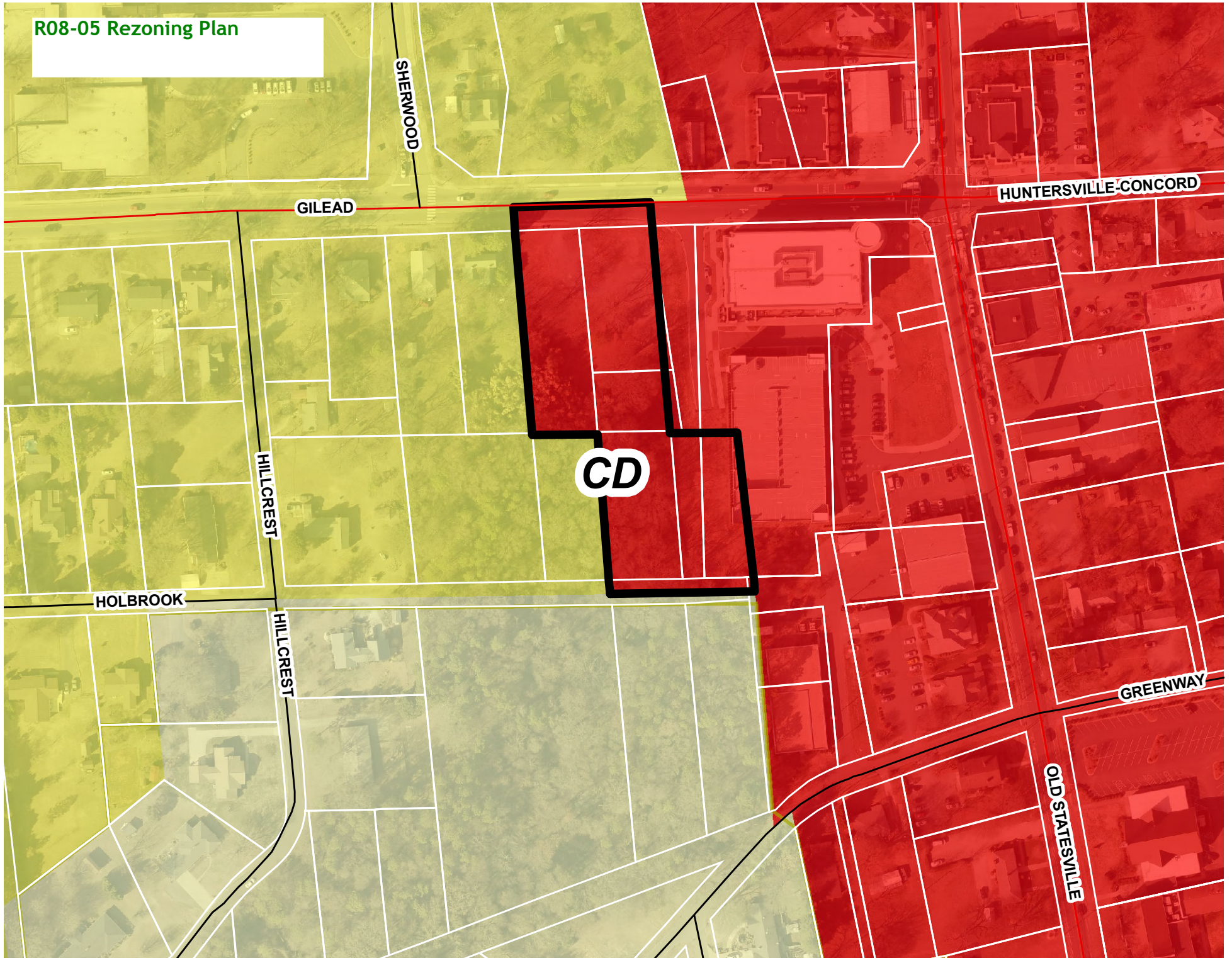
HILLCREST

HOLBROOK

HILLCREST

GREENWAY

OLD STATESVILLE





R09-02 - Revision to allow for parking deck.

Gilead Rd

Huntersville-Concord Rd

Old Statesville Rd

Revision Area

0 50 100 Feet

N