

Mayor
John Aneralla

Mayor Pro-Tem
Danny Phillips

Commissioners
Melinda Bales
Dan Boone
Mark Gibbons
Charles Guignard
Rob Kidwell

Town Manager
Gerry Vincent



Department Heads
Vickie Brock, HR Director
Max Buchanan, Public Works
Jackie Huffman, Finance
Michael Jaycocks, Parks&Rec
Jack Simoneau, Planning
Cleveland Spruill, Police Chief

Town Clerk
Janet Pierson

Town Attorney
Bob Blythe

AGENDA
Regular Town Board Meeting
October 2, 2017 - 6:30 PM
TOWN HALL (101 Huntersville-Concord Road)

- I. Pre-meeting**
 - A. None
- 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, Huntersville Ordinances Advisory Board)
 - D. Commissioner Gibbons (NC 73 Council of Planning, Veterans Liaison)
 - E. Commissioner Guignard (Centralina Council of Governments, Planning Coordinating Committee)
 - F. Commissioner Kidwell (Charlotte Regional Transportation Planning Organization, Olde Huntersville Historic Society)
 - G. Commissioner Phillips (Lake Norman Chamber Board, Visit Lake Norman Board)
- VI. Public Comments, Requests, or Presentations**
- VII. Agenda Changes**
 - A. Agenda changes, if any.
 - B. Adoption of Agenda.
- VIII. Public Hearings**
- IX. Other Business**

- A. Consider decision on Petition #R17-08, a request by Central Piedmont Community College to generally rezone 9.3 acres from Campus Institutional, Highway Commercial and Neighborhood Residential to Campus Institutional at 12332 Statesville Road. (*Brad Priest*)
- B. Consider decision on Petition #R17-06, a request by Phoenix Montessori Academy to rezone 6.8 acres from Corporate Business to Campus Institutional Conditional District located at 12340 Mt. Holly-Huntersville Road. (*Brad Priest*)
- C. Conduct evidentiary hearing and consider decision on request for the removal of existing special use permit for Phoenix Montessori School to operate a temporary school in the Corporate Business zoning district at 12340 Mt. Holly-Huntersville Road. (*Brad Priest*)
- D. Consider approving name of the new Recreation Center. (*Michael Jaycocks*)

X. Consent Agenda

- A. Approve the minutes of the September 18, 2017 Regular Town Board Meeting. (*Janet Pierson*)
- B. Authorize the Mayor to execute a Deed transferring right-of-way to NCDOT for Parcel ID 017-101-11 for the US 21/Gilead Road Project. (*Max Buchanan*)
- C. Approve budget amendment appropriating Sponsorship revenue in the amount of \$1,400 to the Adult Recreation Program. (*Jackie Huffman/Michael Jaycocks*)
- D. Call a public hearing for Monday, November 6, 2017 at 6:30 p.m. at Huntersville Town Hall on Petition #S17-01, a request by Doug Godly to revise the Bryton Special Sign District for Frankie's Fun Park at 10621 Bryton Corporate Center Drive. (*Brian Richards*)
- E. Call a public hearing for Monday, November 6, 2017 at 6:30 p.m. at Huntersville Town Hall on Petition #ANNEX17-01, a request to annex 37.81 non-contiguous acres, PIN 01124111. (*Alison Adams*)

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
10/2/2017

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Brad Priest
Subject: CPCC General Rezoning

R17-08 is a request by Central Piedmont Community College to generally rezone 9.3 acres from Campus Institutional (CI) Highway Commercial (HC) and Neighborhood Residential (NR) to Campus Institutional (CI) at 12332 Statesville Road (Parcel #01742111).

ACTION RECOMMENDED:

Take Final Action

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

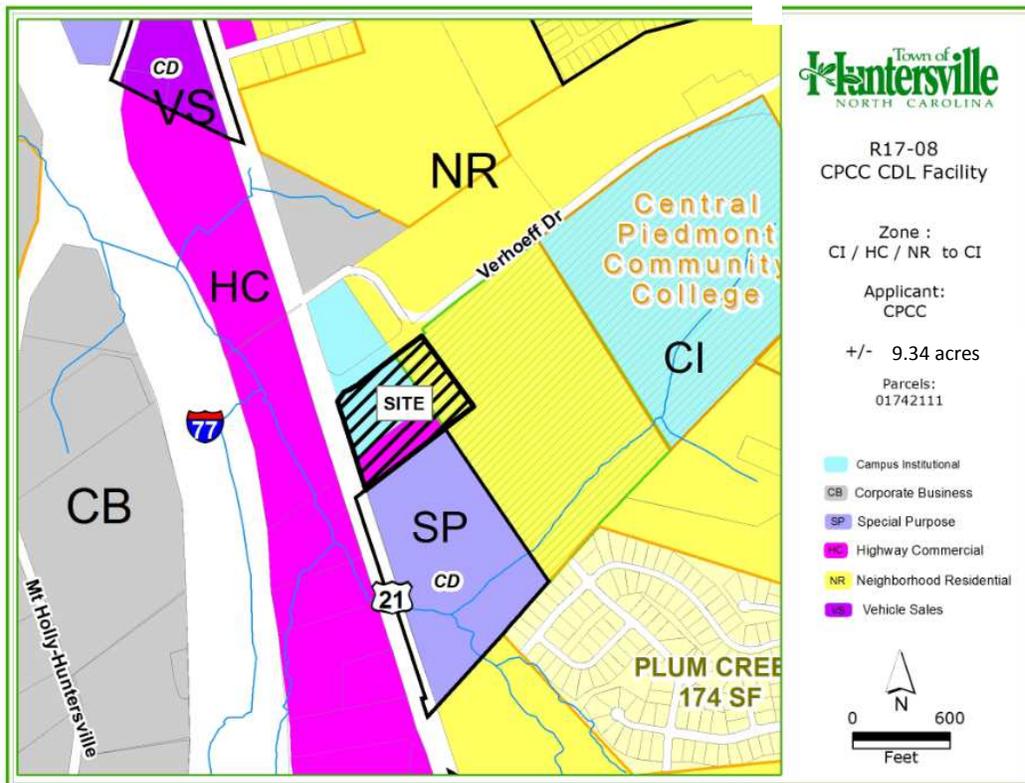
Description	Type
<input type="checkbox"/> Staff Analysis	Cover Memo
<input type="checkbox"/> Application	Cover Memo
<input type="checkbox"/> Survey	Cover Memo

Petition R17-08: Central Piedmont Community College General Rezoning

PART 1: PROJECT SUMMARY

Application Summary:

1. Central Piedmont Community College (CPCC) has applied generally rezone 9.34 acres from Campus Institutional (CI), Highway Commercial (HC), and Neighborhood Residential (NR) to all Campus Institutional (CI). The property is located at 12332 Statesville Road (Parcel # 01742111).



Applicant: CPCC

Property Owner:
Same

Property Address:
12332 Statesville
Road

Project Size: 9.34
acres

Parcel Numbers:
01742111

Existing Zoning:
Campus
Institutional (CI),
Highway
Commercial (HC),
and Neighborhood
Residential (NR)

Proposed Zoning:
Campus
Institutional (CI)
portion remains,
the Highway
Commercial (HC)
and Neighborhood
Residential (NR)
portion is rezoned
to Campus
Institutional (CI)

2. Adjoining Zoning and Land Uses

North: Campus Institutional (CI), Neighborhood Residential (NR), Former Gatling Juvenile Detention Center (now owned by CPCC) and Huntersville Family Fitness and Aquatics (HFFA).

South: Special Purpose Conditional District (SP-CD), Mecklenburg County Recycling Center: General Residential (GR) Plum Creek Single Family Neighborhood.

East: Neighborhood Residential (NR), Huntersville Athletic Community Park, Campus Institutional (CI), CPCC Merancas Campus.

West: Highway Commercial (HC), Single Family Residential.

3. The applicant is proposing a general rezoning and not a conditional district rezoning. Therefore the application does not have a site plan or any conditions associated with the request. If approved, all uses allowed in the Campus Institutional (CI) district will be permitted as described in the ordinance.
4. The subject property is currently "split zoned" and has three different zoning designations on the property; Campus Institutional (CI), Highway Commercial (HC), and Neighborhood Residential (NR). CPCC intends to use

the property for a commercial driver's license and public safety officer's training facility. Both HC and CI allow for vocational training schools but the NR district does not. Therefore to establish one zoning district that allows their facilities CPCC proposes to rezone the entire parcel CI.

5. Notifications to adjacent property owners were sent out by way of first class mail and a notification sign erected on the site per state statute. No neighborhood meeting is required for a general rezoning.

PART 2: REZONING/SITE PLAN ISSUES

- Article 3.28 of the Huntersville Zoning Ordinance states in the intent section of the Campus Institutional Zoning District (CI) that "the campus institutional district is established to provide for large institutional complexes which are already in place and for new institutional complexes on 15 acres or more, which, because of the scale of the buildings or the nature of the use, cannot be fully integrated into the fabric of the community". The purpose therefore of the CI district is to accommodate for large existing institutional uses that were present at the introduction of Town Zoning and for new institutional uses that are over 15 acres in size. The proposed parcel is only 9.4 acres in size. However, staff feels in this context the proposed parcel of property can be considered an extension of the existing CPCC Merancas campus to the east, which is also zoned CI. In addition, all the uses along Verhoeff Drive are either parks, Town recreational facilities, CPCC facilities, or some other civic or institutional use. Thus, when this parcel is viewed as a part of the whole framework of surrounding development the minimum 15 acres is being met.
- Since this is a general rezoning, there are no site specific issues with this rezoning application as there is no site plan attached to the request. If the application is approved, the applicant will need to submit a commercial site plan showing compliance to all zoning requirements under the new zoning designation.

PART 3: TRANSPORTATION ISSUES

- Since a general rezoning is proposed, there are no transportation issues with changing one zoning district to another. Any transportation items such as driveway permits, roadway improvements, traffic generation etc. will need to be reviewed and approved during the subsequent commercial site plan process for the new development.

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 property in question is located just east of I-77 along Statesville 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 overall character of existing development in the immediate vicinity of the subject property is civic and institutional in nature. The uses along Verhoeff Drive include a Huntersville Park, the Huntersville Family Fitness and Aquatics Center, the Central Piedmont Community College Merancas Campus, the Huntersville Oaks Skilled Nursing Center, and the Mecklenburg County Children’s Developmental Services Huntersville Annex. To the south of the subject property is a Mecklenburg County Recycling Center. The Campus Institutional (CI) district uses established on the subject property would be consistent with the surrounding development.

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:

- There are no public facility concerns for a general rezoning application. Any traffic impact or public facility needs will be reviewed during the subsequent commercial site plan review for any proposed 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 5: PUBLIC HEARING

The Public Hearing was held on September 5, 2017. No one from the public spoke on the application. Discussions between the Board and staff focused on the Commercial Driver’s License facility and Public Safety Training facility proposed by CPCC.

PART 6: STAFF RECOMMENDATION

Staff recommends approval of the rezoning application as the CI district is consistent with adjacent development.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board meeting unanimously recommended approval on September 26, 2017.

PART 8: CONSISTENCY STATEMENT – R17-08: CPCC GENERAL REZONING

Planning Department	Planning Board	Board of Commissioners
<p>APPROVAL: In considering the proposed rezoning of Petition R17-08, CPCC General Rezoning, Planning Staff finds that the rezoning is consistent with Policy CD-2 of the Town of Huntersville 2030 Community Plan. Staff recommends rezoning the property from Campus Institutional (CI), Highway Commercial (HC), and Neighborhood Residential (NR) to Campus Institutional (CI). It is reasonable and in the public interest to rezone this property because a large portion of the property is already zoned CI, and the CI district is consistent with the character and uses adjacent to the subject property.</p>	<p>APPROVAL: In considering the proposed rezoning of Petition R17-08, CPCC General Rezoning, Planning Staff finds that the rezoning is consistent with Policy CD-2 of the Town of Huntersville 2030 Community Plan. Staff recommends rezoning the property from Campus Institutional (CI), Highway Commercial (HC), and Neighborhood Residential (NR) to Campus Institutional (CI). It is reasonable and in the public interest to rezone this property because a large portion of the property is already zoned CI, and the CI district is consistent with the character and uses adjacent to the subject property.</p>	<p>APPROVAL: In considering the proposed rezoning of Petition R17-08, CPCC General Rezoning, Town Board finds that the rezoning is consistent with the Town of Huntersville 2030 Community Plan. The Board recommends rezoning the property from Campus Institutional (CI), Highway Commercial (HC), and Neighborhood Residential (NR) to Campus Institutional (CI). It is reasonable and in the public interest to rezone this property because...(explain)</p>
<p>DENIAL: N/A</p>	<p>DENIAL:</p>	<p>DENIAL: In considering the proposed rezoning of Petition R17-08, CPCC General Rezoning, 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 R17-08. It is not reasonable and not in the public interest to rezone this property because..... (Explain)</p>



General Application

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

1. Application Type

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

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

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

2. Project Data

Date of Application July 31, 2017

Name of Project Central Piedmont Community College CDL Lab Phase # (if subdivision) _____

Location 12332 Statesville Road Huntersville, NC 28078

Parcel Identification Number(s) (PIN) 01742111

Current Zoning District NR & HC & CI Proposed District (for rezonings only) CI

Property Size (acres) 5.01 AC (to be rezoned), 9.34 AC (total site) Street Frontage (feet) 573.2 LF Statesville Road, 637LF Verhoeff Road

Current Land Use Vacant

Proposed Land Use(s) Community College

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.

Property is to be developed as a Commercial Driving License Lab and Public Safety Training facility

4. Site Plan Submittals

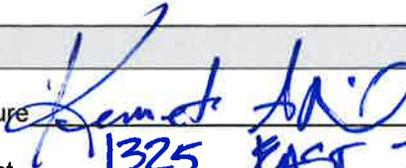
Consult the particular type of *Review Process* for the application type selected above. These can be found at: <http://www.huntersville.org/Departments/Planning/PermitsProcess.aspx>.

5. Outside Agency Information

Other agencies may have applications and fees associated with the land development process. The *Review Process* list includes plan documents needed for most town and county reviewing agencies.

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

6. Signatures

*Applicant's Signature  Printed Name Kenneth A. Reid

Address of Applicant 1325 EAST 7th St., Charlotte, NC

Email Kent.reide@ccc.edu

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
Alfred Benesch & Company	Paula Gornto	704 943-3178	pgornto@benesch.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.**

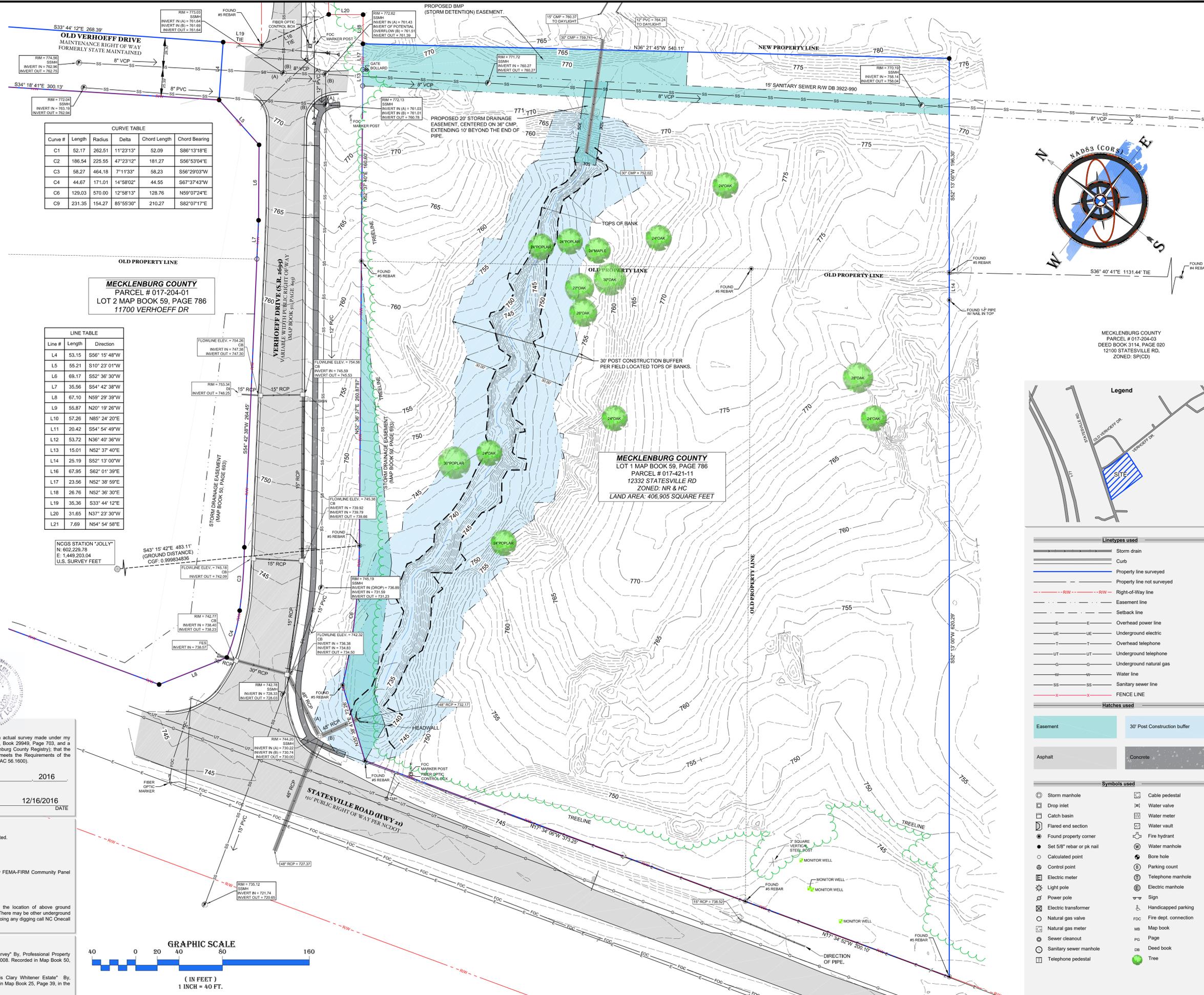
Signature, name, firm, address, phone number and email of Duly Authorized Agent by owner needed below:

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



CURVE TABLE

Curve #	Length	Radius	Delta	Chord Length	Chord Bearing
C1	52.17	262.51	11°23'13"	52.09	S86°13'18"E
C2	186.54	225.55	47°23'12"	181.27	S56°53'04"E
C3	58.27	464.18	7°11'33"	58.23	S56°29'03"W
C4	44.67	171.01	14°58'02"	44.55	S67°37'43"W
C6	129.03	570.00	12°58'13"	128.76	N59°07'24"E
C9	231.35	154.27	85°55'30"	210.27	S82°07'17"E

LINE TABLE

Line #	Length	Direction
L4	53.15	S56°15'48"W
L5	55.21	S10°23'01"W
L6	69.17	S52°36'30"W
L7	35.56	S54°42'38"W
L8	67.10	N59°29'39"W
L9	55.87	N20°19'26"W
L10	57.26	N85°24'20"E
L11	20.42	S54°54'49"W
L12	53.72	N36°40'36"W
L13	15.01	N52°37'40"E
L14	25.19	S52°13'00"W
L16	67.95	S62°01'39"E
L17	23.56	N52°38'59"E
L18	26.76	N52°36'30"E
L19	35.36	S33°44'12"E
L20	31.65	N37°23'30"W
L21	7.69	N54°54'58"E

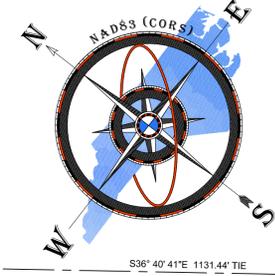
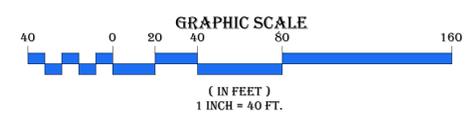


NC Standard Surveyor's Certification
 I certify that this map was drawn under my supervision from an actual survey made under my supervision (Deed description recorded in Book 3079, Page 092, Book 29949, Page 703, and a portion of tract described in Book 698, Page 241 of the Mecklenburg County Registry); that the ratio of precision is greater than 1:10,000; and that this map meets the Requirements of the Standards of Practice for Land Surveying in North Carolina (21 NCAC 58.1600).

THIS 16th DAY OF December 2016
 Charles S. Logue
 12/16/2016
 CHARLES S. LOGUE, PLS L4212 DATE

- General notes**
- All distances are horizontal measurements unless otherwise noted.
 - All areas are calculated by the coordinate computation method.
 - All corners monumented as shown.
 - Subject property is located within Floodzone(X) as defined by FEMA-FIRM Community Panel NO. 371046 4000 K, Revised September 2, 2015.
 - Basis of horizontal datum is NAD83 CORS (VRS Derived)
 Basis of vertical datum is NAVD83 (VRS Derived)
 - The Survey Company, Incorporated is responsible only for the location of above ground markings and not the actual location of utilities being marked. There may be other underground utilities on or serving this site other than those shown. Before doing any digging call NC OneCall (1-800-632-4949).

- References**
- Map titled, "Verhoeff Drive Realignment & Reconnection Survey" By, Professional Property Services, Inc., Dated, October 4, 2007, last revised, July 3, 2008, Recorded in Map Book 50, Page 693, in the Mecklenburg County Registry.
 - Map titled, "Boundary Survey and Division, Property of Lois Clary Whitener Estate" By, Surveying Consultants, P.A., Dated, April 21, 1992, Recorded in Map Book 25, Page 39, in the Mecklenburg County Registry.



Linetypes used

- Storm drain
- Curb
- Property line surveyed
- Property line not surveyed
- Right-of-Way line
- Easement line
- Setback line
- Overhead power line
- Underground electric
- Overhead telephone
- Underground telephone
- Underground natural gas
- Water line
- Sanitary sewer line
- FENCE LINE

Hatches used

- Easement
- 30' Post Construction buffer
- Asphalt
- Concrete

Symbols used

- Storm manhole
- Drop inlet
- Catch basin
- Flared end section
- Found property corner
- Set 5/8" rebar or pk nail
- Calculated point
- Control point
- Electric meter
- Light pole
- Power pole
- Electric transformer
- Natural gas valve
- Natural gas meter
- Sewer cleanout
- Sanitary sewer manhole
- Telephone pedestal
- Cable pedestal
- Water valve
- Water meter
- Water vault
- Fire hydrant
- Water manhole
- Bore hole
- Parking count
- Telephone manhole
- Electric manhole
- Sign
- Handicapped parking
- Fire dept. connection
- Map book
- Page
- Deed book
- Tree

THE SURVEY COMPANY, INC.
 4105-B STUART ANDREW BLVD
 CHARLOTTE, NC 28217
 (704) 561-9970 (704) 561-9972 FAX
 WWW.SURVEYCO.COM
 NORTH CAROLINA FIRM
 REGISTRATION NUMBER C-1716

TOPOGRAPHIC SURVEY OF:
MECKLENBURG COUNTY PARCEL #017-421-11
AT VERHOEFF DRIVE AND STATESVILLE ROAD
 TOWN OF HUNTERSVILLE
 MECKLENBURG COUNTY - NORTH CAROLINA

MECKLENBURG COUNTY
 PARCEL # 017-204-01
 LOT 2 MAP BOOK 59, PAGE 786
 11700 VERHOEFF DR

MECKLENBURG COUNTY
 PARCEL # 017-204-02
 DEED BOOK 3114, PAGE 020
 12100 STATESVILLE RD.
 ZONED: SP(CD)

PROPERTY OWNER:
 MECKLENBURG COUNTY

PREPARED FOR:
 THE TRUSTEES OF CENTRAL
 PIEDMONT COMMUNITY COLLEGE
 PO BOX 4009
 CHARLOTTE, NC 28204
 CONTACT: GREG LONG
 PHONE: 704.330.6316

PROJECT NUMBER: CPC55
 SURVEYED BY: RRD
 DRAWN BY: CCG
 CHECKED BY: MCS
 ISSUE DATE: 12/16/2016

CAD FILE: CPC55.DWG

Town of Huntersville
REQUEST FOR BOARD ACTION
10/2/2017

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Brad Priest
Subject: Phoenix Montessori Academy Rezoning

R17-06 is a request by Phoenix Montessori Academy to rezone 6.8 acres from Corporate Business (CB) to Campus Institutional Conditional District (CI-CD) located at 12340 Mt. Holly-Huntersville Road (Parcel # 0174211)

ACTION RECOMMENDED:

Final Action

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

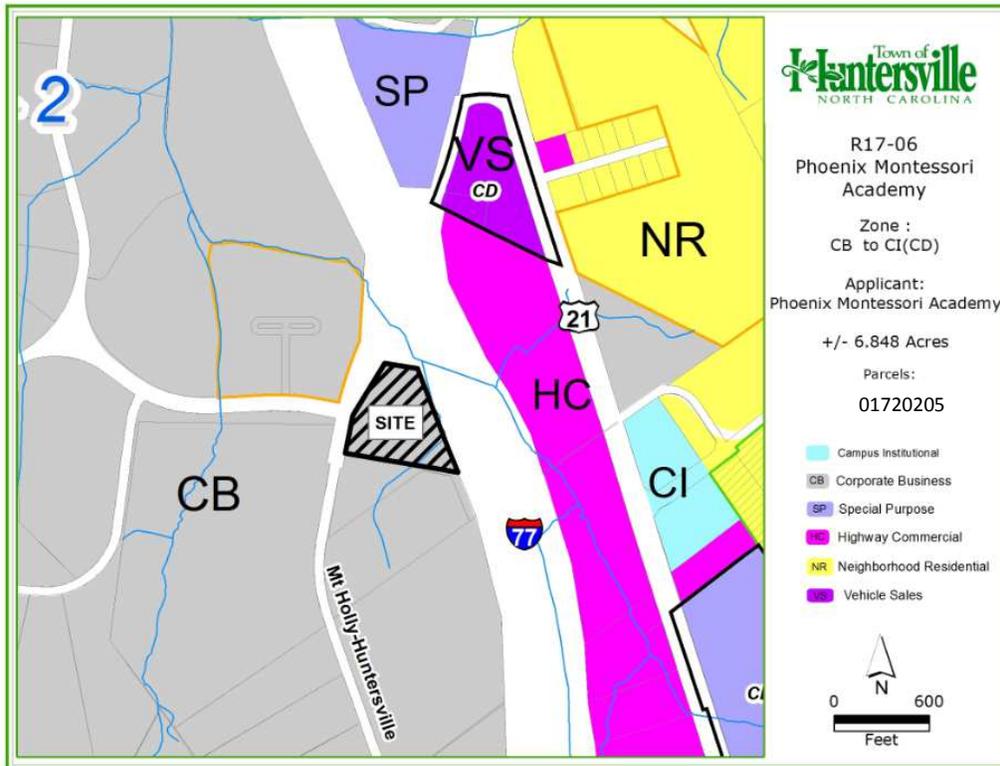
Description	Type
<input type="checkbox"/> Staff Report	Cover Memo
<input type="checkbox"/> Application	Cover Memo
<input type="checkbox"/> Neighborhood Meeting	Cover Memo
<input type="checkbox"/> Neighborhood Meeting Sign-Up	Cover Memo
<input type="checkbox"/> Park Huntersville Letter	Cover Memo
<input type="checkbox"/> Site Plan	Cover Memo

Petition R17-06: Phoenix Montessori Academy

PART 1: PROJECT SUMMARY

Application Summary:

1. Meeting Place Properties II LLC is applying to conditionally rezone 6.8 acres at 12340 Mt. Holly Huntersville Road from Corporate Business (CB) to Campus Institutional Conditional District (CI-CD). The purpose of the rezoning is to allow the Phoenix Montessori Academy to permanently locate on the property.



Applicant: Phoenix Montessori Academy

Property Owner: Meeting Place Properties II, LLC

Property Address: 12340 Mt. Holly Huntersville Road

Project Size: 6.8 acres

Parcel Numbers: 01720205

Existing Zoning: Corporate Business (CB)

Proposed Zoning: Campus Institutional Conditional District (CI-CD)

2. Adjoining Zoning and Land Uses

North: Special Purpose (SP), Trucking facility, Vehicular Sales (VS), Honda Car Dealership, Interstate I-77.

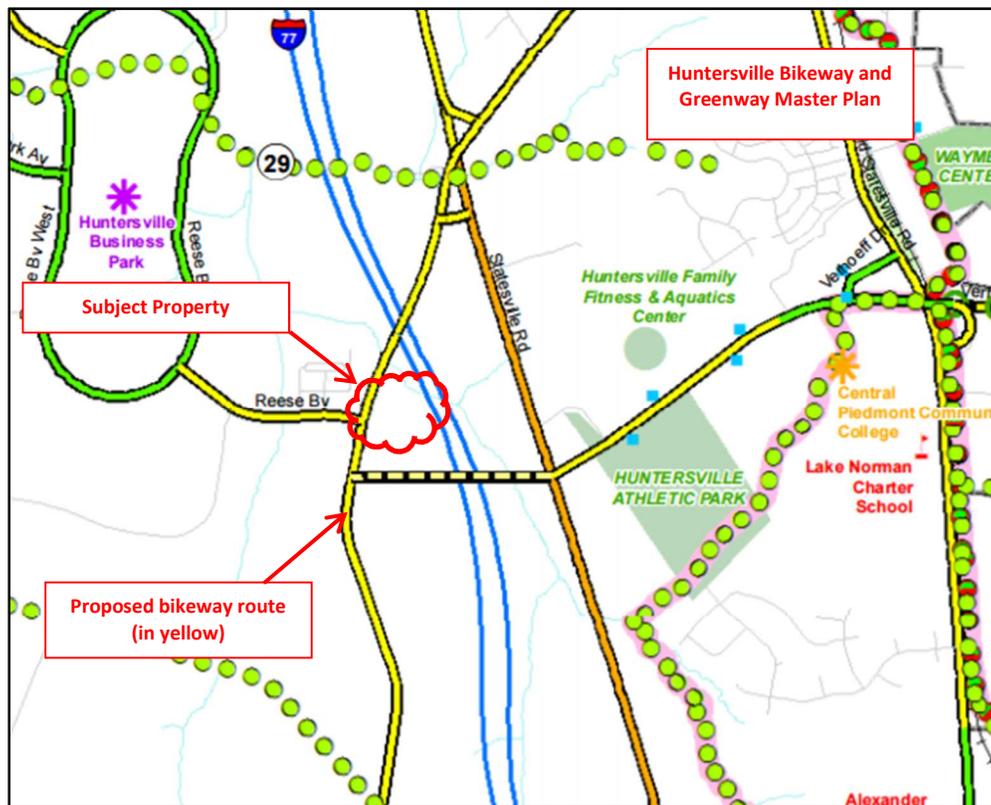
South: Corporate Business (CB), Saertex, manufacturing, Vacant Land, Nutec manufacturing.

East: Highway Commercial (HC), Vacant land, Interstate I-77.

West: Corporate Business (CB), Huntersville Business Park, NCDOT DMV facility, Multifamily homes.

3. Schools are allowed in the Corporate Business (CB) zoning district only as a temporary use with the issuance of a Special Use Permit (SUP) per Article 9.35.12 of the Huntersville Zoning Ordinance. On April 6, 2015 the Phoenix Montessori Academy was issued a SUP by the Town Board that is valid for 3 years.
4. The applicant wishes to be able to make their current location on Mt. Holly Huntersville Road permanent. The Campus Institutional (CI) district allows schools and academic institutions by right. Therefore the property owner has submitted a conditional rezoning plan to rezone the property to CI thus allowing the school to operate indefinitely. The school is currently leasing the location from the property owner, Meeting Place II, LLC.

5. Per the Huntersville Greenway and Bikeway Master Plan Mt. Holly Huntersville Road is a planned bike route. The applicants have proposed to add a bike lane to their frontage to the south of their driveway. Please see the proposed rezoning plan below on this page.
6. A neighborhood meeting for this application was advertised for and held on August 2, 2017. An invitation list, attendance list and summary report for the meeting are included in the agenda packet.
7. If the rezoning application is approved, the Special Use Permit (SUP) approved for the school will need to be formally removed by the Town Board. That application will follow the rezoning plan concurrently.
8. A Traffic Impact Analysis (TIA) was required for the proposed school development. On August 16 Huntersville Engineering sent comments to the school's consultant and requested an updated TIA be submitted for review. Please find those comments attached in your agenda package.



the existing building on the property and, though temporary, has successfully operated on the site, which is under the acreage limitation. Applicant requests approval despite the acreage limitation for this reason.” It should also be noted that the Town has approved another CI zoning district under the 15 acre minimum near the subject property. The Dickson Hospice House was rezoned to CI-CD in 2005 in the Huntersville Business Park. The size of that parcel is 12.42 acres. Staff supports the requested modification of the 15 acre minimum.

- Please see Part 3 below for a list of transportation improvements recommended by the TIA. No improvements are required to meet Article 14 of the Zoning Ordinance. However the applicant will need to work with NCDOT to receive an approved TIA and driveway permit for the expansion.

PART 3: TRANSPORTATION ISSUES

TIA

A TIA for the proposed school was required as the peak hour trips exceeded the ordinance threshold for 50 trips in a peak hour. The school is proposing three separate bell schedules (separated by 1 hour) to spread out the peak traffic demand. A revised, sealed TIA was submitted to the Town for review on 9/12/17. Based on a review of the TIA, it is found to be acceptable as a final version with no improvements required to meet Article 14 of the Zoning Ordinance. On site stacking as identified in the TIA, meets the minimum calculated length for queuing with side by side stacking (double stacking) the drive aisles in the added parking lot.

The following improvements are recommended by the TIA to address queuing concerns at the intersection of Mt Holly Huntersville Road at Reese Boulevard/School Access:

- Construct an exclusive northbound right-turn lane on Mt Holly-Huntersville Road with 200 feet of full width storage
- Extend the southbound left-turn lane on Mt Holly-Huntersville Road to 200 feet of full width storage
- Extend the existing westbound left-turn lane on School Access to 125 feet of full width storage

The TIA recommends the following roadway improvements at the intersection of Mt Holly Huntersville Road at Reese Boulevard/School Access to meet NCDOT requirements:

- Construct an exclusive northbound right-turn lane on Mt Holly-Huntersville Road with 200 feet of full width storage
- Extend the southbound left-turn lane on Mt Holly-Huntersville Road to 200 feet of full width storage
- Extend the existing westbound left-turn lane on School Access to 125 feet of full width storage
- Construct an exclusive eastbound left-turn lane on Reese Boulevard with 100 feet of full width storage (modify the existing shared through left lane to an exclusive through lane)
- Construct an exclusive westbound right-turn lane on the School Access with a minimum of 100 feet of full width storage.

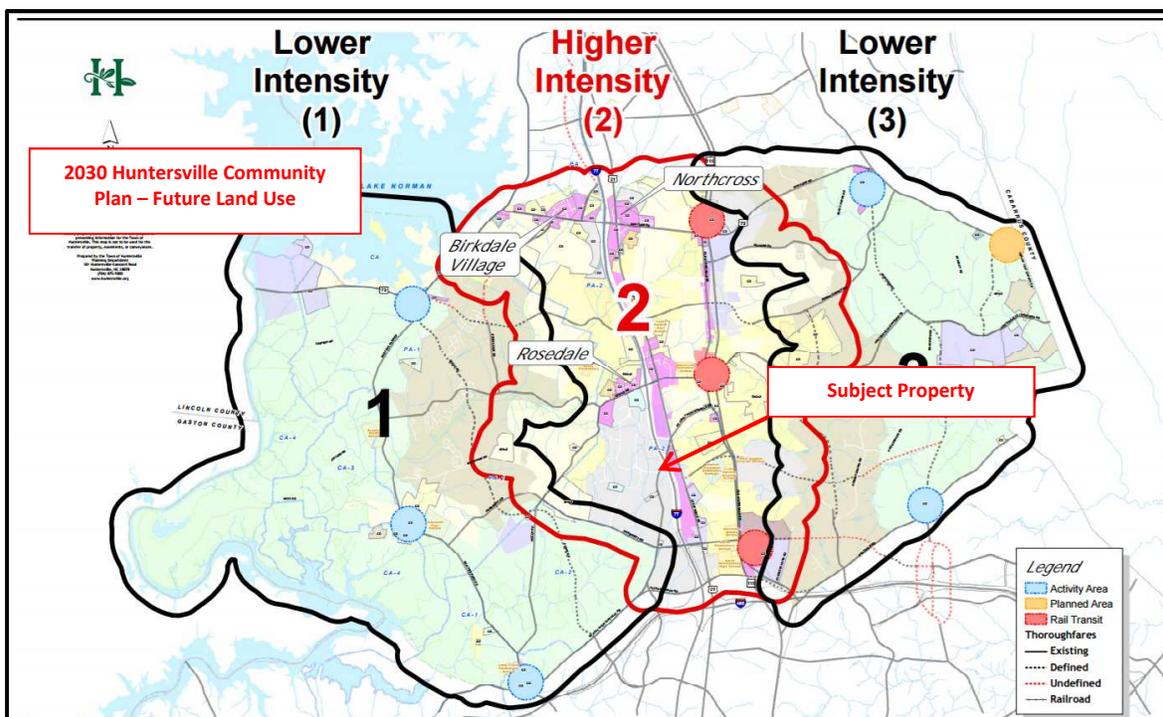
PART 4: REZONING CRITERIA

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 or within the identified nodes and centers.** The proposed development is adjacent to I-77. 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:

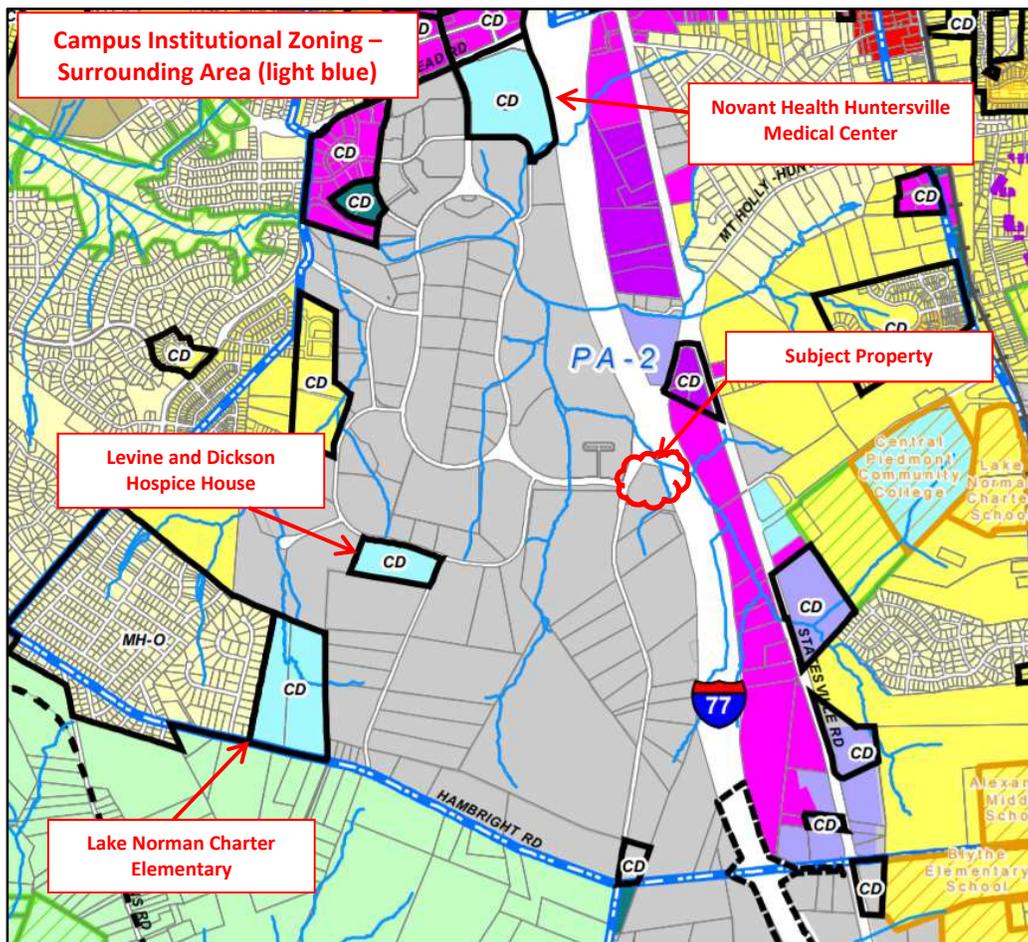
- **Policy ED-2: Preservation of Land Area for Non-Residential Development:** Both the Town of Huntersville Strategic Economic Development Plan (2014) and the 2030 Community Plan state that the Town should preserve areas that are “suitable for business and industrial development”. The subject property is currently zoned Corporate Business (CB), which currently allows economic development uses such as office, light industrial, warehousing, manufacturing, etc. Rezoning the property for a school would remove about 7 acres of property out of the Corporate Business zoning area. However, Lake Norman Economic Development has communicated to staff that they can support the rezoning as the unique architecture and topography of the site makes it difficult to establish an office use at the subject location.

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 majority of the area surrounding the subject property (west of the interstate) is zoned Corporate Business (CB). Although there is no Campus Institutional (CI) zoning immediately adjacent to the subject property, there is however individual CI zoning developments dispersed throughout the general area. Please see the zoning map attached below. The Novant Health Huntersville Medical Center, Levine Dickson Hospice House, and recently the Lake Norman Charter Elementary School are all zoned CI amidst a largely CB zoned area. Therefore the zoning of the property CI will not be out of character with the established development pattern of the area.



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

STAFF COMMENT:

- In regard to the roadway system, please see Part 3 above for transportation comments. Transportation staff has accepted the revised TIA. No improvements are needed to meet Article 14 TIA requirements.
- A Determination of Adequacy (DOA) was issued to Meeting Place Properties on May 31, 2017 for the following public facilities: Fire Vehicles, Fire Facilities, Police Facilities, and Police Vehicles. Please find the DOA letter attached in your agenda packet for reference.

- 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 5: PUBLIC HEARING

The Public Hearing took place on September 5, 2017. No one from the public spoke for or against the application.

PART 6: STAFF RECOMMENDATION

Although the rezoning would remove land from the Town’s economic development zoning inventory, the specific property in question is unique. The steep topography of the back portion of the site makes it difficult to fully develop the property for larger industrial uses, and the unique architecture of the building has proven difficult to establish office uses. Therefore, staff recommends approval of the rezoning with the following conditions:

1. Any traffic improvements needed to address queuing concerns by NCDOT is installed prior to issuance of certificate of occupancy for the school expansion.
2. All remaining minor site plan comments from planning and transportation are addressed.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board unanimously recommended approval on September 26, 2017.

PART 8: CONSISTENCY STATEMENT - R 17-06: Phoenix Montessori Academy

Planning Department	Planning Board	Board of Commissioners
<p>Approval: In considering the proposed rezoning of Petition R17-06, the Phoenix Montessori Academy on Mt. Holly Huntersville Road, the Planning Staff finds that the rezoning is consistent with Policy CD-2 and T-6 of the Town of Huntersville 2030 Community Plan. Planning staff recommends approving the conditional rezoning plan for the Phoenix Montessori Academy as shown in the R17-06 rezoning plan. It is reasonable and in the public interest to rezone this property because the unique nature of the property makes it difficult to develop CB uses, the CI district currently exists in other nearby areas, and the conditions added ensures compliance with the Huntersville Zoning Ordinance.</p>	<p>APPROVAL: The rezoning is consistent with the 2030 Community Plan, and other applicable long range plans, and Planning Board recommends approval based on all of the staff’s recommendations, and plan notes have been addressed; that additional information requests around the availability of the committed traffic light and demographics of the resident students from Huntersville will be available. It is reasonable and in the public interest to rezone this property because it allows additional educational opportunities within Huntersville, and because the use is complimentary of the unique features of the property. Additionally, the State TIA (Traffic Impact Analysis) has been committed to by the applicant.</p>	<p>APPROVAL: In considering the proposed rezoning of Petition R17-06, the Phoenix Montessori Academy on Mt. Holly Huntersville Road, the Town 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 Phoenix Montessori School as shown in Petition R17-06. It is reasonable and in the public interest to rezone this property because...<i>(explain)</i></p>
<p>DENIAL: N/A</p>	<p>DENIAL:</p>	<p>DENIAL: In considering the proposed rezoning of Petition R17-06 the Phoenix Montessori Academy on Mt Holly Huntersville 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 R17-06. It is not reasonable and not in the public interest to rezone this property because..... <i>(Explain)</i></p>



General Application

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

1. Application Type

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

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

<input type="checkbox"/> CHANGE OF USE <input type="checkbox"/> COMMERCIAL SITE PLAN <input type="checkbox"/> CONDITIONAL REZONING <input type="checkbox"/> GENERAL REZONING <input type="checkbox"/> MASTER SIGNAGE PROGRAM <input type="checkbox"/> REVISION to _____ <input type="checkbox"/> <input type="checkbox"/> SPECIAL USE PERMIT special use permit to be terminated upon approval of proposed conditional	SUBDIVISION CATEGORIES: <i>Per the Huntersville Subdivision Ordinance</i> <input type="checkbox"/> SKETCH PLAN <input type="checkbox"/> PRELIMINARY PLAN <input type="checkbox"/> FINAL PLAT (includes minor and exempt plats) <input type="checkbox"/> FINAL PLAT REVISION <input type="checkbox"/> FARMHOUSE CLUSTER
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

rezoning as described in this application.

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.

15 acre limitation is not applicable to the existing complex located on the Property.

4. Site Plan Submittals

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

5. Outside Agency Information

Other agencies may have applications and fees associated with the land development process. The *Review Process* list includes plan documents needed for most town and county reviewing agencies.

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

6. Signatures

*Applicant's Signature _____ Printed Name _____

Address of Applicant _____

Email _____

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

Printed Name _____

Property Owner's Address _____ Email _____

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

Development Firm	Name of contact	Phone	Email

Design Firm	Name of contact	Phone	Email

If Applying for a General Rezoning:

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

If Applying for a Conditional Rezoning:

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

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

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

Community Meeting Notes

Phoenix Montessori Academy, Zoning Petition No.: R17-06

The Community Meeting for the Phoenix Montessori Academy, Zoning Petition No.: R17-06 was held at the Phoenix Montessori Academy, 12340 Mt. Holly-Huntersville Road, Huntersville, North Carolina, on August 2, 2017, at 6:00 p.m.

The following people attended: Commissioner Dan Boone, Vice Chair of the Planning Board, Jennifer Davis. Members of the Applicant team in attendance were Nicolas Bracco, Julia Baddorrek, Jill Mack, Rick Mack and Nick Walsh of RdM Architecture; India French-Adams, Head of School and Susan Irvin of Irvin Law, PLLC.

Nicolas Bracco of RdM Architecture presented a power point presentation that included the new conceptual elevation, location and topography maps, photographs of the existing building (see below example):



and the proposed rezoning plans, which include the proposed addition of classrooms and gymnasium and related improvements, which would allow for a total of up to 300 students.

Susan Irvin explained that the Phoenix Montessori Academy had located in this building over a year ago under a temporary special use permit and had tried to find other appropriate space in Huntersville for a

permanent location. The school has been unable to find a suitable permanent location in Huntersville and, as so many of the students are from Huntersville, the school would like to stay in the location and plan for the future. The building and property on Mt. Holly-Huntersville, though unsuitable for many Corporate Business uses, is very suitable for the Montessori academy. This request necessitates a zoning change to CI. The property is on the edge of the CB area of Huntersville, bounded by steep topography and I-77 to the east and north and Mt-Holly Huntersville Road, across from the entrance to The Park to the west.

India French-Adams, Head of School, spoke of the school's activities and plans for growth and the discussions she has had with Huntersville Parks about sharing gym space once the expansion is built. Discussion centered around timing of construction, improvements, topography of the site and the process moving forward.

COMMUNITY MEETING

SIGN IN SHEET

AUGUST 2, 2017

Zoning Petition No.: R17-06

Location: PHOENIX MONTESSORI ACADEMY

12340 MT. HOLLY-HUNTERSVILLE ROAD, HUNTERSVILLE, NC

Name	Address	Phone Number	Email Address
DAN BOONE	317 SOUTHLAND Rd	704-948-1685	DANBOONE100@AOL.COM
JENNIFER DAVIS	7530 McILWAINe Rd	704 918 9357	jennifer.davis078@gmail.com
Jill Mack	P.O. Box 1029 Davidson, NC 28036	704-987-9127	jmack@rdmgroupp.net
Rick Mack	PO Box 1029 Davidson NC 28036	704 987 9727	rmack@rdmgroupp.net
India French-Adams	11242 Hoisye Green Dr. Cornelius	704 277 5503	india@phoenixmontessori.org
Nick Walsh	10320 Drake Hill Drive ^{Huntersville} NC	704.577.0379	NICK.WALSH.JR@GMAIL.COM

COMMUNITY MEETING

SIGN IN SHEET

AUGUST 2, 2017

Zoning Petition No.: R17-06

Location: PHOENIX MONTESSORI ACADEMY

12340 MT. HOLLY-HUNTERSVILLE ROAD, HUNTERSVILLE, NC

Name	Address	Phone Number	Email Address
Gideon Gourley		919.710.6756	gideon.gourley@gmail.com

Addison B. Causey, Jr.
Senior Vice President
SAM Real Estate Services - Asset Manager III
US Trust, Bank of America Private Wealth Management

September 1, 2017

VIA: e-mail

Mayor and Board of Commissioners
Town of Huntersville
101 Huntersville-Concord Road
Huntersville, NC 28078

Dear Mayor and Commissioners:

We understand the Phoenix Montessori Academy wishes to rezone its land located at 12340 Mt. Holly-Huntersville Road to CI-CD. Because the school property is located at a primary entrance to The Park - Huntersville, our management team is particularly interested in seeing this unusual site and building occupied by a quality owner and the property properly maintained. We believe modifying the zoning in order to allow Phoenix Montessori Academy to permanently locate its facilities to the above address helps ensure the property's continued quality use and secures the improvements.

The Park has reviewed the information regarding the improvements being proposed by the Academy and we understand the associated investment is not possible without a permanent zoning classification that allows schools. As the property was previously unoccupied for long periods of time, this action requested of the Town seems in everyone's best interest...and such school may be the highest and best possible use possible for the site.

Please know The Park - Huntersville supports the improvements proposed by The Phoenix Montessori Academy as well as the proposed rezoning of the land to CI-CD to accommodate the school's continued use of the property.

Best regards,



Addison B. Causey, Jr., RA, CCM
Senior Vice President
Manager – SAM RES Special Markets

13801 Reese Boulevard West, Charlotte, NC 28078
T 704.766.5212 M 704.575.4360
Addison.Causey@ustrust.com

0 1/2" 1" 2"

9/18/2017 4:50:21 PM
C:\Users\jhadomek\Documents\1501.02 PMA Rezoning_jhadomek.dwg

**REZONING / SKETCH / CONCEPT PLAN PACKAGE
PROPOSED
PHOENIX MONTESSORI ACADEMY
12340 MT. HOLLY-HUNTERSVILLE RD, HUNTERSVILLE, NC 28078
EPM # 377041**



P.O. Box 1029
215 South Main Street Suite 303
Davidson, NC 28036
P 704.987.9727
F 704.987.9722
rdmgroup@rdmgroup.net
www.rdmgroup.net

Client/Project

**PHOENIX
MONTESSORI
ACADEMY**

12340 MT
HOLLY-HUNTERSVILLE
ROAD



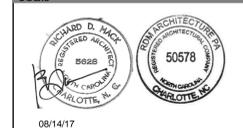
12340 Mt. Holly-Huntersville Road
Huntersville, NC 28078
P 704.875.2139
F 704.875.3812
info@phoenixmontessori.org
www.phoenixmontessori.org

Consultants



Landscape Architecture | Civil Engineering | Surveying
Birkdale Village
8712 Lindholm Dr #202A
Huntersville, NC 28078
P 704.875.1615
F 704.875.0959
info@hensonfoley.com
www.hensonfoley.com

Seals



Revisions

NO	ISSUE	DATE

Sheet Information

Date: 09/18/17
Job Number: 1501.02
Drawn: JB
Checked: Checker

Sheet Title

COVER SHEET

Sheet Number

A000

A002 PROPOSED ROAD CONCEPT
TABLE OF CONTENTS:
A000 COVER SHEET
A001 PROPOSED SITE PLAN WITH FRONTAGE IMPROVEMENT AND LANDSCAPING
A003 VEHICLE TURNING DIAGRAMS AND ELEVATION PRECEDENTS
A004 EXISTING FEATURES PLAN

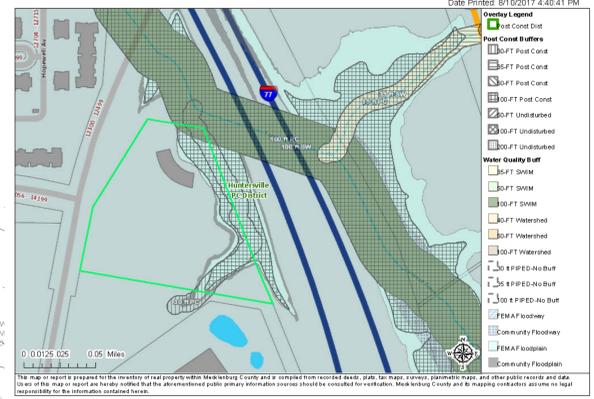
9/18/2017 4:50:27 PM C:\Users\jhadomek\Documents\1501.02_PMA_Rezoning_jhadomek.dwg



- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTRACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMAN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
- ALL PAYMENT CURBS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
- SHORING WILL BE ACCORDING TO CIVIL ENGINEERING STANDARDS PART 1926 SUBPART F, OR AS AMENDED.

THE MOST CURRENT TIA IS IN DRAFT FORM. OTHER ROAD IMPROVEMENTS WILL BE ADDRESSED WHEN A FINAL TIA HAS BEEN APPROVED.

**Polaris 3G Map – Mecklenburg County, North Carolina
FEMA Floodplains and Buffers**



EXISTING ZONING: CB
PROPOSED ZONING: CI-CD
JURISDICTION: HUNTERSVILLE
PARCEL ID: 01720205
DEED BOOK/PAGE: 13460260
TOTAL LOT SIZE: 298,323.92 SF
EXISTING BUILDING HEIGHT: 30 FEET (2 STORIES)
EXISTING GROSS FLOOR AREA: 10,101 SF
PROPOSED ZONING STREET ADDRESS: 12340 MT. HOLLY-HUNTERSVILLE ROAD, HUNTERSVILLE, NC
PROPOSED NEW CONSTRUCTION TYPE: CIVIC

- REZONING NOTES**
- REZONING PETITION.** THESE REZONING NOTES COMPRISE THE DEVELOPMENT STANDARDS ("DEVELOPMENT STANDARDS") ASSOCIATED WITH THE REZONING PETITION (THE "REZONING PETITION") FILED BY MEETING PLACE PROPERTIES II, LLC ("PETITIONER") AS REZONING PETITION #R17-06 FOR THAT APPROXIMATELY 6.848 ACRE TRACT OF LAND IDENTIFIED ON THIS SITE PLAN AS THE PHOENIX MONTESSORI ACADEMY, AND OTHER SITE PLAN INFORMATION SUBMITTED TO THE TOWN OF HUNTERSVILLE ON JUNE 1, 2017 (THE "REZONING PLAN"), AS REVISED, IN CONNECTION WITH ALL OR PART OF TAX PARCEL NUMBER 017-202-05 (THE "PROPERTY"). THE PURPOSE OF THE REZONING PETITION IS TO CONVERT THE ZONING CLASSIFICATIONS OF THE PROPERTY FROM THE CB (CORPORATE BUSINESS DISTRICT) ZONING DISTRICT TO CI-CD (CAMPUS INSTITUTIONAL - CONDITIONAL DISTRICT) PURSUANT TO THE PROVISIONS OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE (THE "ORDINANCE").
 - DEVELOPMENT STANDARDS.** DEVELOPMENT OF THE PROPERTY WILL BE GOVERNED BY THESE DEVELOPMENT STANDARDS, WHICH ARE PART OF THE REZONING PETITION, AND THE APPLICABLE PROVISIONS OF THE ORDINANCE IN PLACE ON THE DATE OF FILING DESCRIBED ABOVE. UNLESS THE REZONING PLAN ESTABLISHES A MORE STRINGENT STANDARD(S), OR UNLESS OTHERWISE NOTED ON THE REZONING PLAN OR IN THESE DEVELOPMENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE IN PLACE ON THE DATE OF FILING DESCRIBED ABOVE FOR THE CI (CAMPUS INSTITUTIONAL DISTRICT) ZONING DISTRICT GOVERN DEVELOPMENT OF THE PROPERTY AS SHOWN ON THE REZONING PLAN.
 - PERMITTED USE**
 THE CAMPUS INSTITUTIONAL ZONING DISTRICT IS APPROPRIATE FOR THE ACADEMIC INSTITUTION PROPOSED ON THE REZONING PLAN BECAUSE THE SCHOOL HAS BEEN LOCATED IN THE EXISTING BUILDING ON THE PROPERTY AND, THOUGH TEMPORARY, HAS SUCCESSFULLY OPERATED ON THIS SITE, WHICH IS UNDER THE ACREAGE LIMITATION. APPLICANT REQUESTS APPROVAL DESPITE THE ACREAGE LIMITATION FOR THIS REASON. ALL PARCELS MAY BE DEVOTED TO THE USES PERMITTED IN THE CI (CAMPUS INSTITUTIONAL) DISTRICT, TOGETHER WITH ANY OTHER PERMITTED INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH AND PERMITTED UNDER THE ORDINANCE BY RIGHT OR WITH CONDITIONS, EXCEPT THE FOLLOWING USES SHALL NOT BE PERMITTED:
 FAMILY CARE HOME
 SOLAR ENERGY FACILITY
 WIND ENERGY FACILITY
 HELISTOP
 HOME OCCUPATION
 HOSPITALS
 SINGLE FAMILY HOMES
 MULTIFAMILY HOMES

4. SETBACKS, SIDE YARDS AND REAR YARDS
 ALL BUILDINGS CONSTRUCTED ON THE SITE SHALL SATISFY OR EXCEED THE SETBACK / BUILD TO LINE, REAR YARD AND SIDE YARD REQUIREMENTS ESTABLISHED BY THE ORDINANCE UNLESS OTHERWISE SHOWN ON THE PLAN.

5. DESIGN AND PERFORMANCE STANDARDS
 THE DEVELOPMENT DEPICTED IN THE REZONING PLAN IS SCHEMATIC IN NATURE AND INTENDED TO DESCRIBE THE GENERAL ARRANGEMENT OF BUILDINGS, PARKING, PUBLIC STREETS, IF ANY, AND STORM WATER MEASURES TO BE CONSTRUCTED ON THE SITE. ACCORDINGLY, THE CONFIGURATIONS, PLACEMENTS, AND SIZES OF THE BUILDING FOOTPRINTS, AS WELL AS THE LOCATIONS OF STREETS SHOWN ON THE REZONING PLAN, IF ANY, ARE SCHEMATIC IN NATURE AND MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION PHASES AS LONG AS SUCH ALTERATIONS AND MODIFICATIONS ARE NOT A SUBSTANTIAL DEVIATION FROM THE LAYOUT AND INTENT OF THE REZONING PLAN AND ARE CONSISTENT WITH THE INTENT OF THE ORDINANCE. SUCH MODIFICATIONS TO THE PLAN SHALL IN NO WAY IMPACT THE PETITIONER'S VESTED RIGHTS. THE REZONING PLAN IS APPROVED FOR A PERIOD OF THREE (3) YEARS FROM THE DATE OF APPROVAL OF THE REZONING PLAN AND WILL BE PERMANENTLY VESTED UPON FULL OR PARTIAL BUILDOUT DURING THE THREE (3) YEAR PERIOD.

AS THE ORDINANCE MAY BE MODIFIED FROM TIME TO TIME BY THE TOWN BOARD, INCLUDING LIGHTING AND LANDSCAPING STANDARDS, THE DEVELOPER MAY VOLUNTARILY AGREE TO APPLY SUCH MODIFICATIONS TO THE REZONING PLAN IN A MANNER CONSISTENT WITH THE ORDINANCE AS IT CHANGES.

BUILDING PERMITTING AND IMPROVEMENTS ASSOCIATED WITH EACH BUILDING (I.E. PUBLIC STREETS, PARKING, LIGHTING, AND LANDSCAPING) MAY OCCUR IN A PHASED SEQUENCE IF INDICATED ON THE PLANS.

DESIGN CONTROLS:
 (A) BUILDING FOOTPRINTS AND ENVELOPES DEPICT THE GENERAL DEVELOPMENT INTENT. BUILDINGS SHOWN MAY BE DETACHED INTO NO MORE THAN FOUR (4) BUILDINGS.
 (B) ALL NEW BUILDINGS WILL BE DESIGNED IN ACCORDANCE WITH THOSE BUILDING TYPES THAT ARE PERMITTED IN THE CI ZONING DISTRICT AS DEFINED BY THE ORDINANCE AND IN CONFORMANCE WITH THE REZONING PLAN. THE CONCEPTUAL RENDERINGS ATTACHED HERIN DEPICT APPROXIMATE BUILDING PLACEMENT, ORIENTATION AND DESIGN. MINOR MODIFICATIONS MAY BE NECESSARY TO ACCOMMODATE FINAL DESIGN; THEREFORE, FINAL DIMENSIONS OF BUILDINGS MAY BE CHANGED ACCORDINGLY.

6. CONNECTIVITY
 (A) VEHICULAR ACCESS TO PUBLIC RIGHTS OF WAY SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN, IF NCDOT AND ANY OTHER AGENCIES WITH REVIEW AUTHORITY PERMIT THE INSTALLATION OF ADDITIONAL IMPROVEMENTS, DEVELOPER MAY INSTALL THE IMPROVEMENTS AT ITS OWN EXPENSE WITHOUT AMENDING THE REZONING PLAN.
 (B) THE PLACEMENTS AND CONFIGURATION OF VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SIZE, ARCHITECTURAL AND CONSTRUCTION PLANS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE NCDOT.
 (C) EXCEPT AS SPECIFICALLY INDICATED ON THE REZONING PLAN, NOTHING HEREIN SHALL BE DEEMED TO BE A COMMITMENT BY THE DEVELOPER TO PROVIDE, DEDICATE OR RESERVE RIGHT-OF-WAY OF ANY PROPERTY LOCATED OUTSIDE THE BOUNDARIES OF THE PROPERTY.

7. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS
 (A) IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED BY THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE DEVELOPER, TENANT AND OWNER OF THE SITE, AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
 (B) THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "DEVELOPER" SHALL BE DEEMED TO INCLUDE THE PETITIONER, ITS SUCCESSORS AND ASSIGNS, TENANT, AND OWNER OF THE SITE, THEIR HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, AND SUCCESSORS IN INTEREST IN THE SITE.
 (C) AS DETERMINED BY THE DEVELOPER, THE TOWN OF HUNTERSVILLE ZONING ORDINANCE SHALL MEAN THE ORDINANCE AND TOWN OF HUNTERSVILLE LAND DEVELOPMENT STANDARDS MANUAL IN EFFECT AT THE TIME OF REZONING.

ADDITIONAL INFORMATION:
THE PROPOSED GROWTH IS FOR A MAXIMUM OF 300 STUDENTS
PARKING:
 NO VEHICLE STACKING, QUEUEING, OR PARKING IS ALLOWED ON THE PUBLIC R.O.W.
STACKING:
 1. STAFF WILL SUPERVISE DROP-OFF AND PICK-UP
 2. START, END TIMES ARE STAGGERED - 3 IN BOTH MORNING AND EVENING
 3. 90 FEET OF QUEUE IS PROVIDED IN ADDITIONAL OF 130 FEET FOR LOADING AREA AS PER MSTA

REGULATORY COMPLIANCE:
 1. WILL COMPLY WITH THE HUNTERSVILLE ZONING ORDINANCE, INCLUDING:
 1.1 ARTICLE 6 (PARKING LOT REQUIREMENTS)
 1.2 ARTICLE 7 (LANDSCAPING SCREENING AND BUFFERS)
 1.3 ARTICLE 8.26 (SITE LIGHTING)
 2. WILL PROVIDE SEALED COMMERCIAL SITE PLAN PRIOR TO OCCUPANCY

OUTDOOR PLAY AREA:
 A PLAY AREA YET TO BE LOCATED AND DESIGNED, WILL CONFORM TO TOWN PLANNING REQUIREMENTS AND BE FENCED FOR CHILD SAFETY. THE PLAY AREA WILL BE INCLUDED IN A DISTURBED TREE AREA BUT STAY WITHIN THE ALLOWED DISTURBANCE. NO SPECIMEN TREES WILL BE REMOVED FOR THE PLAY AREA.

LIGHTING:
 SITE WILL MEET MINIMUM FOOTCANDLE REQUIREMENTS CONFORMING TO ARTICLE 8.26, OF HUNTERSVILLE TOWN ORDINANCES

UTILITIES:
 WATER: PUBLIC
 SEWER: PUBLIC

YARD REQUIREMENTS
 FRONT SETBACK: N/A (CIVIC BUILDING TYPE)
 SIDE YARD: 8'
 REAR YARD: 50'

BUFFER YARD REQUIREMENTS:
 FRONT: 80'
 REAR: 50'
 SIDE: NORTH 80', SOUTH N/A

TREE SAVE:
 TREES TO BE REMOVED IN ACCORDANCE WITH TOWN ORDINANCE

REQUIRED SCREENING:
 FRONT: 80' BUFFER
 SIDE: NO
 REAR: 50'
 PARKING: YES-TREES & SHRUBS ALONG WESTERN EDGE IN ACCORDANCE WITH TOWN ORDINANCE
 ALL UTILITIES INCLUDING ROOF EQUIPMENT TO BE SCREENED

BUILDING, PARKING LOTS, AND WALKWAYS COVERAGE: 87,000 (1.3 AC)
PARKING REQUIRED:
 (TOWN OF HUNTERSVILLE ZONING ORDINANCE ARTICLE 6) PROVIDED: 75 (6 HANDICAP)
 ALL SIGNAGE TO BE APPROVED AND PERMITTED SEPARATELY

Phoenix Montessori Academy Trip Generation						
Bell Schedule	Students	Daily	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
Proposed 300 Student + 45 Staff School (203 New Students + 31 New Staff)						
7:15 AM - 3:00 PM	100	222	71	56	127	40
8:15 AM - 6:00 PM	80	156	57	45	102	33
9:15 AM - 4:00 PM	120	282	84	66	150	62
						142

Reference: MSTA School Traffic Calculations: NCDOT, 2017
 (Urban Charter land use per NC UZA Boundary & Mecklenburg Co.)
 * Conditions studied in the Phoenix Montessori TIA per the NCDOT/TOH approved scope.

1 FLR - LEVEL 01 - SKETCH/CONCEPT PLAN
 1" = 40'-0"

WATERSHED INFORMATION AND POST-CONSTRUCTION CONCEPT DATA WILL BE ADDED PRIOR TO BUILDING CONSTRUCTION



P.O. Box 1029
 215 South Main Street Suite 303
 Davidson, NC 28036
 P 704.987.9727
 F 704.987.9722
 rdmgroupplaninggroup.net
 www.rdmgroup.net

Client/Project
PHOENIX MONTESSORI ACADEMY

12340 MT
 HOLLY-HUNTERSVILLE
 ROAD



Education & Imagination... Rising
 12340 Mt. Holly-Huntersville Road
 Huntersville, NC 28078
 P 704.875.2139
 F 704.875.3812
 info@phoenixmontessori.org
 www.phoenixmontessori.org

Consultants



Landscape Architecture | Civil Engineering | Surveying
 Birkdale Village
 8712 Lindholm Dr #202A
 Huntersville, NC 28078
 P 704.875.1615
 F 704.875.0959
 info@hensonfoley.com
 www.hensonfoley.com

Seals



08/14/17

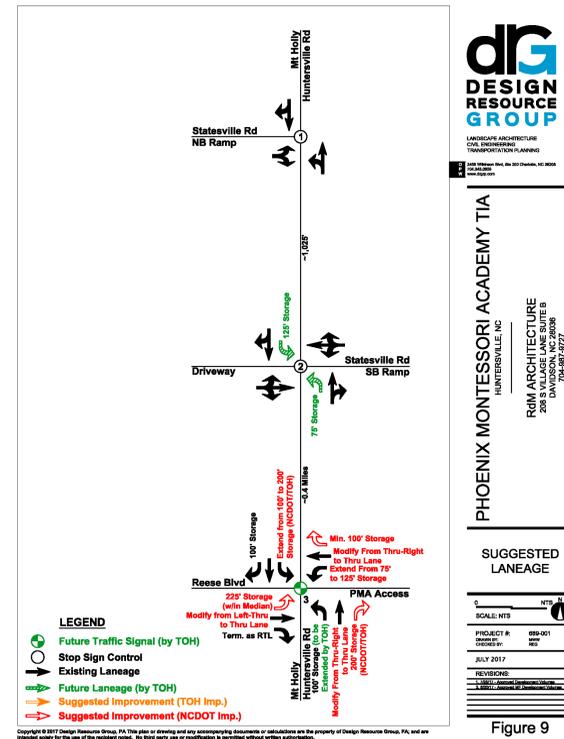
Revisions

NO	ISSUE	DATE
1	Revision 1	Date 1

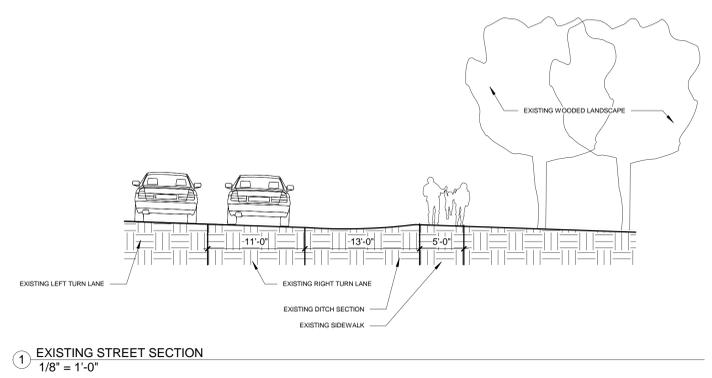
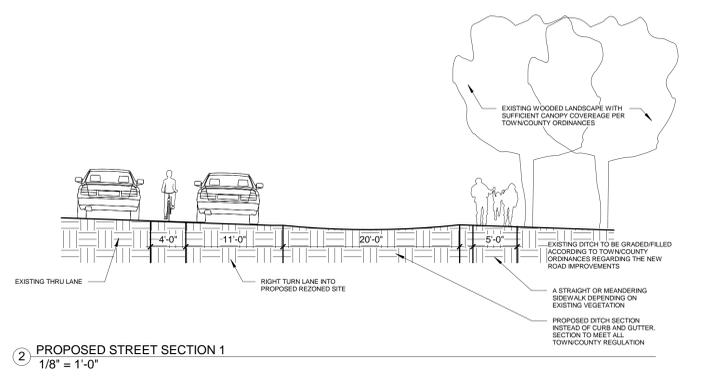
Sheet Information
 Date: 09/18/17
 Job Number: 1501.02
 Drawn JB

Sheet Title
PROPOSED SITE PLAN WITH FRONTAGE IMPROVEMENT AND LANDSCAPING

Sheet Number
A001

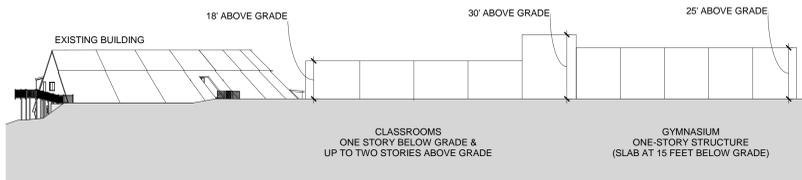


TIA IMPROVEMENTS



Revisions

NO	ISSUE	DATE



1 PROPOSED WEST ELEVATION
1/32" = 1'-0"

- The building shall utilize and repeat the below architectural design criteria :
 1. Facade Building Materials will be a composition of: brick, glass, stone, concrete, ACM.
 2. Building Massing: modulation of facade will occur based on programmatic functions
 3. Facade Treatment: Roofline treatment should be modified through the use of height, material and/or pitch
 - The architecture within the site shall comply with Article 4 of the Huntersville Zoning Ordinance.
 - The elevations are conceptual, details will be provided following the above standards during design, construction drawings/site plan review to ensure compliance.
 4. Heights and stories will be designed as noted in the diagram.

PASSENGER CAR TURNING : NTS



BUS-40 TURNING : NTS



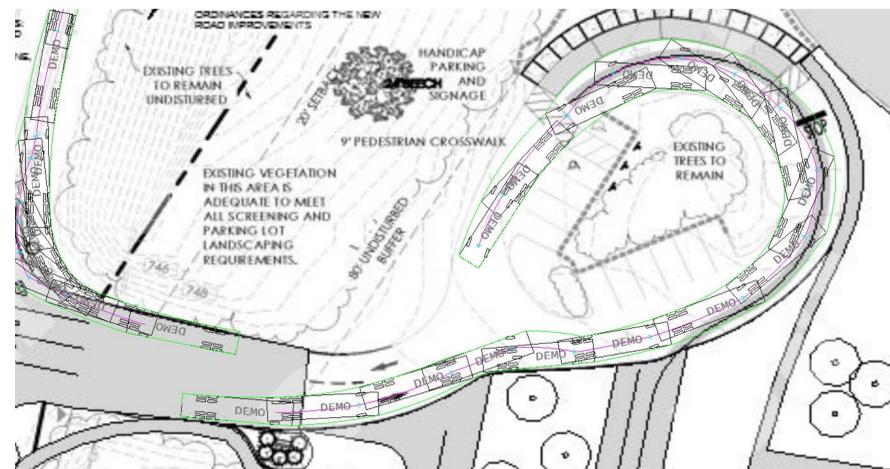
RADIUS IMPROVEMENTS WILL BE MADE IN ORDER TO ACCOMMODATE A BUS-40 VEHICLE FROM MT. HOLLY-HUNTERSVILLE ROAD INTO THE DRIVEWAY ON SITE. DETAIL WILL BE PROVIDED AT PERMITTING PHASE. RADIUS SHALL BE INCREASED SO VEHICLE DOES NOT ENCRANCH INTO OPPOSING TRAFFIC.

BUS-40 TURNING : NTS



RADIUS IMPROVEMENTS WILL BE MADE IN ORDER TO ACCOMMODATE A BUS-40 VEHICLE FROM MT. HOLLY-HUNTERSVILLE ROAD INTO THE DRIVEWAY ON SITE. DETAIL WILL BE PROVIDED AT PERMITTING PHASE.

BUS-40 TURNING : NTS



RADIUS IMPROVEMENTS WILL BE MADE IN ORDER TO ACCOMMODATE A BUS-40 VEHICLE FROM MT. HOLLY-HUNTERSVILLE ROAD INTO THE DRIVEWAY ON SITE. DETAIL WILL BE PROVIDED AT PERMITTING PHASE. RADIUS IMPROVEMENTS MAY BE NEEDED AND/OR PARKING RECONFIGURED.

Client/Project

PHOENIX MONTESSORI ACADEMY

12340 MT HOLLY-HUNTERSVILLE ROAD

PHOENIX MONTESSORI ACADEMY
Education & Imagination... Rising
12340 Mt. Holly-Huntersville Road
Huntersville, NC 28078
P 704.875.2139
F 704.875.3812
info@phoenixmontessori.org
www.phoenixmontessori.org

Consultants

HensonFoley
Landscape Architecture | Civil Engineering | Surveying
Birkdale Village
8712 Lindholm Dr #202A
Huntersville, NC 28078
P 704.875.1615
F 704.875.0959
info@hensonfoley.com
www.hensonfoley.com

Seals

Revisions

NO	ISSUE	DATE

Sheet Information

Date	09/18/17
Job Number	1501.02
Drawn By	JB

Sheet Title

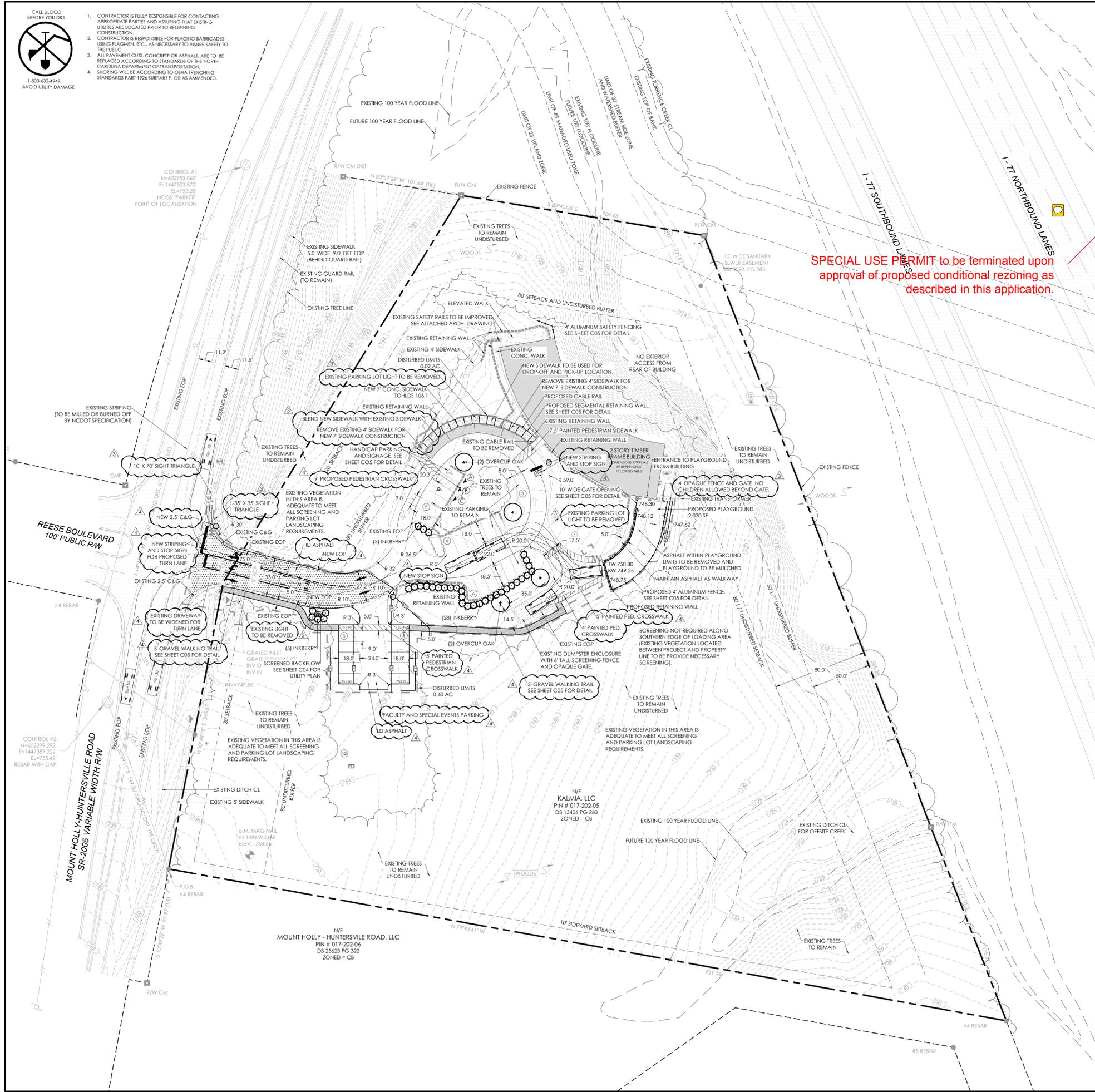
VEHICLE TURNING DIAGRAMS AND ELEVATION PRECEDENTS

Sheet Number

A003



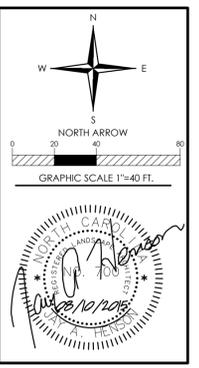
- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
- ALL PAYMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
- SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART P, OR AS AMENDED.



SPECIAL USE PERMIT to be terminated upon approval of proposed conditional rezoning as described in this application.

- ZONING:** C8
JURISDICTION: HUNTERSVILLE
PARCEL ID: 01720205
DEED BOOK/PAGE: 13460/260
TOTAL LOT SIZE: 298,323.92 SF (6.85 AC)
NUMBER OF UNITS: 1
PROPOSED USE: SCHOOL BUILDING
BUILDING HEIGHT: 32 FEET (2 STORIES)
GROSS FLOOR AREA: 10,101 SF
ADT MT. HOLLY-HUNTERSVILLE ROAD: 5.800
- GENERAL INFORMATION:**
- SPECIAL USE PERMIT APPLICATION IS FOR A SCHOOL USE.
 - APPLICANT SEEKS 3 YEARS STARTING AT DATE OF OCCUPANCY WITH A POSSIBLE EXTENSION OF 2 MORE YEARS.
 - EXISTING BUILDING IS 10,101 SF ON TWO LEVELS.
- PARKING:**
- EXISTING PAVED PARKING LOT WILL BE UTILIZED AS VISITOR AND PARENT PARKING.
 - PARENTAL VISITS WILL BE SCHEDULED SO THAT ADDITIONAL PARKING WILL NOT BE NEEDED.
 - AN ADDITIONAL HANDICAP SPACE WILL BE REQUIRED PER THE INCREASE IN FACULTY PARKING.
 - PAVED PARKING FOR FACULTY AND SMALL SPECIAL EVENTS TO OCCUR IN EXISTING CLEARED AREA.
 - MAX 10 STAFF MEMBERS.
 - ENROLLMENT NOT TO EXCEED 97 STUDENTS, CURRENTLY 80.
- STACKING:**
- DETERMINED THAT NO TIA IS REQUIRED.
 - STAFF WILL SUPERVISE DROP-OFF AND PICK-UP.
 - START/END TIMES ARE STAGGERED - 3 IN BOTH MORNING & EVENING.
 - SIDEWALK TO BE ADDED TO ALLOW MORE VEHICLES IN DROP-OFF AND PICK-UP AREA.
 - THE 350 FT OF QUEUE LENGTH WAS APPROVED BY THE MUNICIPAL & SCHOOL TRANSPORTATION DEPARTMENT.
 - NEW LEFT TURN LANE WILL BE ADDED TO ASSIST IN REDUCING EXISTING DELAYS FROM THE PARKING LOT.
 - USER COMMITS TO WORKING WITH THE TOWN TO ALLEVIATE UNFORESEEN STACKING PROBLEMS. THESE INCLUDE POTENTIAL USE OF:
 - FURTHER STAGGERING OF START/END TIMES.
 - FURTHER LIMITING ENROLLMENT.
- REGULATORY COMPLIANCE:**
- WILL COMPLY WITH THE HUNTERSVILLE ZONING ORDINANCE, INCLUDING:
 - ARTICLE 6 (PARKING LOT REQUIREMENTS)
 - ARTICLE 7 (LANDSCAPING SCREENING AND BUFFERS)
 - ARTICLE 8.26 (SITE LIGHTING)
 - WILL PROVIDE SEALED COMMERCIAL SITE PLAN PRIOR TO OCCUPANCY.
- SAFETY:**
- EXTERIOR CABLE RAILS AT ELEVATED WALKS WILL BE IMPROVED TO MEET CURRENT CODE STANDARDS FOR RAIL OPACITY. SEE ATTACHED ARCHITECTURAL DRAWING.
 - FENCING WILL BE INCLUDED (DESIGN TBD) TO LESSEN POTENTIAL FOR FALLING AT AREAS OF SIGNIFICANT GRADE.
- OUTDOOR PLAY AREA:**
- A PLAY AREA, YET TO BE DESIGNED, WILL CONFORM TO TOWN PLANNING REQUIREMENTS AND BE FENCED FOR CHILD SAFETY. SEE PLAN FOR LOCATION.
- LIGHTING:**
- SITE WILL MEET MINIMUM FOOTCANDLE REQUIREMENTS. SEE ATTACHED PHOTOMETRIC PLAN.
- UTILITIES:**
- WATER: PUBLIC
 - SEWER: PUBLIC
 - SEE SHEET C04 FOR UTILITY EQUIPMENT CHANGES
- YARD REQUIREMENTS:**
- FRONT SETBACK: 20' FROM R/W
 - SIDE YARD: 10'
 - REAR YARD: 20'
- BUFFER YARD REQUIREMENTS:**
- FRONT: 80'
 - REAR: 80'
 - SIDE: NORTH 80', SOUTH N/A
- TREE SAVE:**
- NO TREES TO BE REMOVED
- REQUIRED SCREENING:**
- FRONT: NO
 - SIDE: NO
 - REAR: NO
 - PARKING: YES - EXISTING VEGETATION
- NOTE:**
- L.M.T. REPRESENTS LARGE MATURING TREES FROM APPROVED LIST IN APPENDIX OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE FOR SCREENING AND BUFFER TREES, AND FROM THE URBAN FORESTRY TOWN OF STREET TREES AND INTERNAL PLANTINGS REQUIRED BY THE TREE ORDINANCE. MINIMUM TREE CALIPER MEASURED 6 INCHES ABOVE GROUND ON ALL TREES ARE 2 INCHES AND THE MINIMUM HEIGHT SHALL BE 8 FEET. ALL MULTI-STEM PLANTS MUST BE TREE FORM (MAXIMUM 5 TO 5 TRUNKS) AND MINIMUM 8 FEET TALL.
 - SHRUBS USED FOR SCREENING ARE EVERGREEN FROM THE APPROVED LIST IN APPENDIX 1 OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE.
- BUILDING, PARKING LOTS, AND WALKWAYS COVERAGE:** 41,276 SF (0.94 AC)
- PARKING REQUIRED:** (TOWN OF HUNTERSVILLE ZONING ORDINANCE ARTICLE 6)
- PROVIDED: 20 (1 HANDICAP)
 - ALL SIGNAGE WILL BE APPROVED AND PERMITTED SEPARATELY
- WATERSHED INFORMATION:**
- WATERSHED CLASSIFICATION = M1 PA2 (MOUNTAIN ISLAND LAKE PROTECTED AREA 2) 70% ALLOWABLE BUA
 - IMPERVIOUS AREA = 30,093.71 SF (0.69 AC) = 11.82% TOTAL SITE
 - EXISTING BUA = 28,352.95 SF (0.65 AC)
 - PROPOSED BUA = 7,295.89 SF (0.16 AC)
 - TOTAL BUA = 35,648.84 SF (0.81 AC)
 - TOTAL DEVELOPED AREA = 18,024.56 SF (0.42 AC)
 - 11.82% < 24.0% (HUNTERSVILLE MAX.) THEREFORE LOW-DENSITY OPTION
 - REQUIRED WATERSHED BUFFER = 30'
- PAVING SPECIFICATIONS**
- CONCRETE PAVEMENT (SIDEWALK)**
- 4" 3000 PSI
- HEAVY DUTY ASPHALT PAVEMENT**
- 8" COMPACT AGGREGATE BASE COURSE
 - 2" BINDER COURSE, TYPE H
 - 1" SURFACE COURSE, 1-2
- ZONING:**
- ALL FILL USED FOR RAISING SITE GRADE OR FOR REPLACEMENT OF MATERIAL THAT IS UNDERCUT SHOULD BE UNFORMALLY COMPACTED IN THIS LOTS TO AT LEAST 95% OF THE STANDARD PROCTOR MAXIMUM DRY DENSITY (ASTM D 698). IN ADDITION, AT LEAST THE UPPER 18 INCHES OF SUBGRADE FILL BENEATH PAVEMENT AND FLOOR SLABS AND 24 INCHES BELOW PAVEMENTS SUBJECT TO TRUCK TRAFFIC SHOULD BE COMPACTED TO 95% OF THE SAME SPECIFICATION. SPECIFIC PAVEMENT OR FLOOR SLAB DESIGN MAY REQUIRE FURTHER COMPACTON.
 - PAVEMENT SPECIFICATIONS ARE RECOMMENDATIONS ONLY AND ARE SUBJECT TO CHANGE BASED UPON PROJECT CONDITIONS OR RECOMMENDATIONS FROM SOILS REPORT.

HensonFoley
 Landscape Architecture | Civil Engineering | Surveying
 8712 Lindholm Dr Suite 202A, Huntersville, NC 28078
 p: 704.875.1615 | f: 704.875.0959 | www.hensonfoley.com
 NC ENGINEERING BOARD LICENSE # C-3781
 NC LAND SURVEYING BOARD LICENSE # PL-359



PHOENIX MONTESSORI ACADEMY
 PIN # 01720205
 12340 MT. HOLLY-HUNTERSVILLE ROAD, HUNTERSVILLE, NC 28078
SITE PLAN

PLANT LIST

QTY	COMMON NAME	SCIENTIFIC NAME	SIZE	HEIGHT	CONDITION	SPACING
TREES						
4	Overcup Oak	<i>Quercus lyrata</i>	2.5" cal.	8' min. at installation	B&B	As Shown
SHRUBS						
36	Inkberry Holly	<i>Ilex glabra</i>	5 gal.	3' min. at installation	cont.	As Shown

ENROLLMENT HISTORY

YEAR	ENROLLMENT
412 Armour Street, Davidson, NC 28036 - 2015	78
412 Armour Street, Davidson, NC 28036 - 2014	75
412 Armour Street, Davidson, NC 28036 - 2013	85

ENROLLMENT

TODDLER	PRIMARY	LOWER ELEMENTARY	UPPER ELEMENTARY	MIDDLE SCHOOL	HIGH SCHOOL (NON-DRIVERS)
8	20	15	20	20	20

MAXIMUM ENROLLMENT AND TRAFFIC FOR SPECIAL USE

	6:30-7:00 AM	8:00-8:30 AM	9:30-10:00 AM	3:00-3:30 PM	4:30-5:00 PM	6:00-6:30 PM
TODDLER/PRIMARY	20	32	16	16	16	16
ELEMENTARY	10	30	30	30	30	10
MIDDLE/HIGH SCHOOL			25		25	10
STAFF	10				5	5
TOTAL STUDENTS WITH VEHICLE GOING IN AND OUT	25	42	21	46	35	29
TOTAL STUDENTS AND STAFF WITH VEHICLE GOING IN ONLY	15	4			10	7
TOTAL STUDENTS AND STAFF WITH VEHICLE GOING OUT ONLY				4		22

Plan Sheet Is Part Of The Overall Approval As Of The Following Date
08/24/2015

REVISIONS:

08/07/2015	- TOWN / EXPRESS REVIEW COMMENTS
08/10/2015	- NCDOT

FILE NAME: C03 - SITE PLAN.DWG
 PROJECT NUMBER: 215061
 DATE: 08/10/2015 DRAWN BY: JAH
 SHEET **C03** OF **05**

Town of Huntersville
REQUEST FOR BOARD ACTION
10/2/2017

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Brad Priest
Subject: Phoenix Monterssori Academy Special Use Permit Removal

SUP15-01 is a request to remove the approved special use permit issued for the Phoenix Montessori School at 12340 Mt. Holly-Huntersville to operate a temporary school in the Corporate Business (CB) zoning district. This request is tied to rezoning request R17-06.

ACTION RECOMMENDED:

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

	Description	Type
□	Staff Report	Cover Memo
□	Special Use Permit	Cover Memo

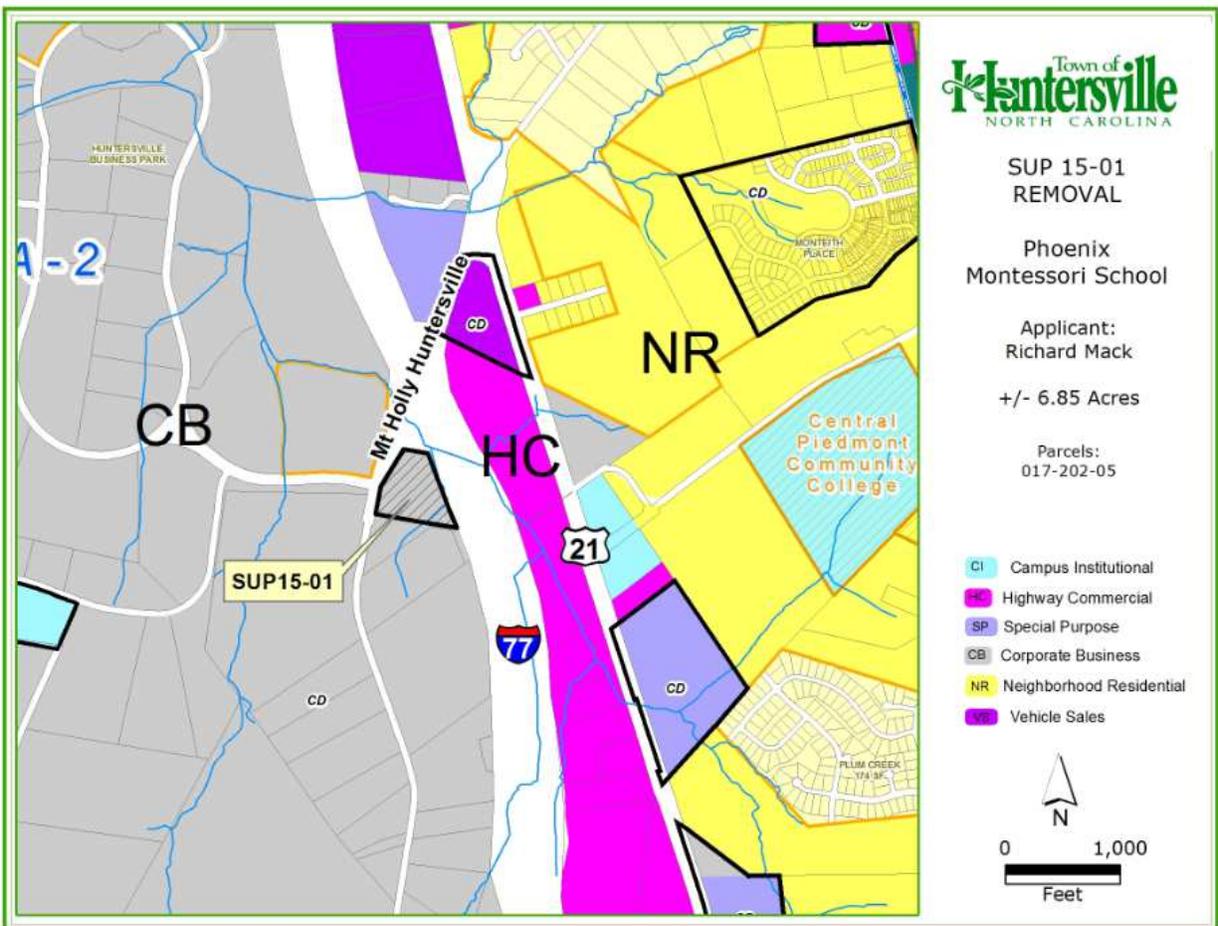
REQUEST:

Removal of an approved Special Use Permit – Phoenix Montessori Academy

PART 1: DESCRIPTION

On April 6, 2015 a Special Use Permit was issued to the property owners of 12340 Mt. Holly Huntersville Road. That permit allowed the Phoenix Montessori Academy to operate their school in a Corporate Business (CB) zoning district as a temporary use. The special use permit was issued for 3 years. In order to allow the permanent operation of the school at that location, the applicants have submitted a conditional rezoning application to rezone the property from Corporate Business (CB) to Campus Institutional (CI). If the application is successful, the Special Use Permit which limits their operation as a temporary use must be removed.

PART 2: LOCATION



PART 3: PLANNING STAFF RECOMMENDATION

Staff findings of this Special Use Permit amendment request:

- Removing the 2015 Special Use Permit would allow the school to operate permanently in their current location, dependent upon the approval of R17-06 Phoenix Montessori Academy in accordance to the conditional district rezoning plan.

Therefore, staff recommends approval of the application dependent upon the outcome of R17-06.

PART 4: PLANNING BOARD

The Planning Board unanimously recommended approval to remove the Special Use Permit on September 26, 2017.

PART 5: TOWN BOARD HEARING

The Town Board hearing is scheduled for October 2, 2017.

PART 6: ATTACHEMENTS

- A: Application
- B: 2015 Special Use Permit
- C: 2015 Special Use Permit Site Plan



Special Use Permit Granted

On Monday April 6, 2015 the Huntersville Town Board held a public meeting to consider the below noted Special Use Permit:

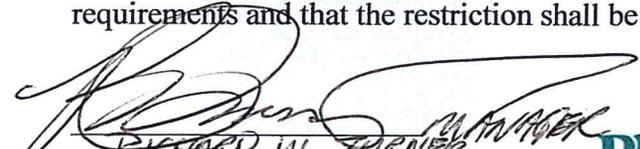
Petition SUP15-01, a request by Kalmia, LLC for a special use permit to operate a temporary school use in the Corporate Business (CB) zoning district. The proposed school and permit would be located at 12340 Mount Holly Huntersville Road (parcel number 01720205) for the Phoenix Montessori Academy.

Having heard all the evidence and argument presented at the meeting, 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 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 site plan and notes attached which were submitted to and approved by this Board, a copy of which is filed in the Town of Huntersville Planning Department.
2. That if the applicant chooses to develop the grass field into a permanent parking facility, they may do so per Huntersville Zoning Ordinance requirements and process without having to amend the approved special use permit.
3. The applicant has until April 6, 2016 to occupy the building or this permit becomes null and void.
4. This permit is good for a period of three (3) years from the date of building occupancy.
5. If any of the conditions or findings of fact 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.

KALMIA LLC, 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.


Richard W. Turner
Owner

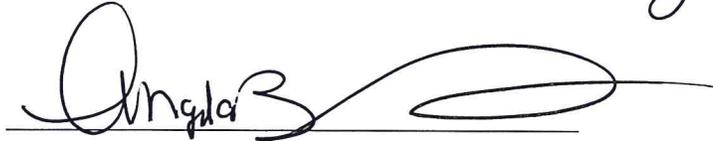
Planning

Post Office Box 664 • 101 Huntersville-Concord Road • Huntersville, NC 28070
phone 704.875.7000 • fax 704.875.6546 • www.huntersville.org

STATE OF VIRGINIA
COUNTY OF Tazewell

I, Angela Greene, a Notary Public of the County and State aforesaid, certify that Richard W Turner, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal or stamp, this 29th day of May 2015.



(SEAL)
Notary Public

My commission expires: June 30, 2018



APPROVED FINDINGS OF FACT

Article 3.2.9

Schools are allowed in the Corporate Business District (CB) with the issuance of a special use permit and subject to the conditions outlined in Article 9.35.

STAFF FINDINGS: The property owners of 12340 Mount-Holly Huntersville Road (tax parcel #01720205), Kalmia, LLC, have applied for a special use permit to operate a school at that location. The property is zoned Corporate Business (CB)

Article 9.35.11 (A)

Schools shall only be allowed in existing buildings and existing lots no greater than 50,000 sqft. Additions to buildings intended for school use will be limited to 10% of the existing floor are of the building.

STAFF FINDINGS: The building in question (12340 Mount-Holly Huntersville Road) is 10,101 sqft in size and conforms to the mentioned size restraint. The special use permit plan that was submitted and is attached to the application shows no plan for building expansion. Only the existing building will be used.

Article 9.35.11 (B)

Schools shall be limited to a temporary use. The length of time allowed for the school to operate will be determined by the Town Board during the special use permit process; not to exceed three (3) years from the occupancy of the temporary building. If the school does not occupy the building within one (1) year of the special use permit approval, the permit will become null and void. A school may apply for another special use permit allowing an additional two (2) years in the CB district with the approval of the Town Board. At no time shall an individual school be located in the CB district at the same location for more than a total of five (5) years.

STAFF FINDINGS: The plan attached to the application notes that the school is requesting approval for a school use for a period of 3 years, with the opportunity for a two year extension at a later time. The ordinance would allow the applicant, after their 3 year period, to apply for an optional extension with the Town Board approval.

Article 9.35.11 (C)

The maximum number of students shall be 300.

STAFF FINDINGS: The special use permit states that the number of students will be limited to 97 in compliance with the ordinance restriction.

Article 9.35.11 (D)

In a CB zoning district, the school site shall be designed, located, and accessed such that primary passenger vehicles routes avoid those that will be heavily used by truck/industrial traffic.

STAFF FINDING: The school is located and would be accessed from Mount Holly Huntersville Road which is a major thoroughfare and a Major Arterial (Class III) as defined by the Town of Huntersville Zoning Ordinance. The property is not located interior to an office/industrial park where large concentrations of truck/industrial traffic would be.

Staff reviewed the school's Traffic Impact Assessment (TIA) Determination of Need Form (see attached). Due to the limited number of students and the suggested triple staggered drop off and pick up times, it was determined that the threshold for needing a TIA would not be reached as proposed

Town of Huntersville
REQUEST FOR BOARD ACTION
10/2/2017

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Michael Jaycocks
Subject: Naming of the new Recreation Center

The Huntersville Parks and Recreation Commission unanimously recommended that the name for the Recreation Center be the Huntersville Recreation Center at their September 18th meeting. The Committee felt that this was appropriate since the other town facilities in the area are named Huntersville Athletic Park and Huntersville Family Fitness and Aquatics. This will continue to help brand this area of town as a sports destination.

ACTION RECOMMENDED:

Approve the naming of the new Recreation Center as Huntersville Recreation Center.

FINANCIAL IMPLICATIONS:

None

Town of Huntersville
REQUEST FOR BOARD ACTION
10/2/2017

REVIEWED:

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

Consider approving the minutes of the September 18, 2017 Regular Town Board Meeting.

ACTION RECOMMENDED:

Approve Minutes

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

Description	Type
□ Draft Minutes	Backup Material

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**September 18, 2017
6:30 p.m. – Huntersville Town Hall**

PRE-MEETING

No pre-meeting was held on September 18, 2017.

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

The Regular Meeting of the Huntersville Board of Commissioners was held at the Huntersville Town Hall at 6:30 p.m. on September 18, 2017.

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

Mayor Aneralla called the meeting to order.

Mayor Aneralla called for a moment of silence.

Mayor Aneralla led the Pledge of Allegiance.

MAYOR AND COMMISSIONER REPORTS/STAFF QUESTIONS

Mayor Aneralla

- Expressed appreciation to emergency agencies, local businesses and volunteers that assisted with the shelter in Huntersville for the Hurricane Irma evacuees.
- The next meeting of the Metropolitan Transit Commission is next week.
- At the last North Meck Alliance meeting, received update from the county on the proposed North Meck Rec Center.

Commissioner Bales

- The next meeting of the Lake Norman Economic Development Corporation Board is Thursday.

Commissioner Boone

- The next meeting of the Huntersville Ordinances Advisory Board is October 5.
- The Huntersville Fire Department will be selling t-shirts promoting Breast Cancer Awareness month.

Commissioner Gibbons

- The next Veterans Council meeting is the first week in October.
- The Charlotte Veterans Day Parade will be held on November 4. Town of Huntersville's parade will be on November 11.
- Expressed appreciation to Huntersville Police Department and Huntersville Fire Department for being prepared in case the hurricane came this way.
- Commissioner Bales represented the Town talking about the CMS bonds at the Lake Norman Chamber meeting.

Commissioner Kidwell

- The next Charlotte Regional Transportation Organization meeting is September 20.

Commissioner Phillips

- Updated the Board on Visit Lake Norman events.
- Expressed appreciation to Mecklenburg County Sheriff Irwin Carmichael and residents that assisted with donation drive for those in Texas affected by Hurricane Harvey.
- Requested Engineering staff ask NCDOT to check timing of traffic signal at Beatties Ford Road/Highway 73.

Commissioner Guignard entered the meeting.

Commissioner Guignard

- Expressed appreciation to the community for their continued support of Angels of 97.

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

Bill Russell, 9499 Mt. Holly-Huntersville Road, President of Lake Norman Chamber of Commerce, updated the Board on upcoming Chamber events.

Kim Aichele, 9511 Cennetta Court, said as a resident of Huntersville I am deeply concerned about the amount and more specifically the type of development being approved and constructed in our town. I also have concerns over traffic congestion and school crowding, however I do understand that these are two areas of infrastructure where the town does not have much control over due to the funding needed from the county, state and federal levels. What we do have control over is development. After having conversations with a variety of people and examining Town planning documents and maps and looking at the 2030 Community Land Use Plan, it seems to me that our Town officials err more on the side of developers and less on the side of town residents as a whole. I understand that this is a fine line but I believe we are crossing this line by favoring developers too much. I am in favor of development. It brings jobs and fuels our economy. I just want to see it done well. Finally I have significant concerns over the loss of tree canopy in Huntersville. When a parcel of land is developed it is clear cut. I live across from the Charlotte Eye Ear Nose and Throat that was recently developed and every tree was taken out. There is no regard for current forest conditions including specimen and heritage trees. My belief is that developers clear cut the area and pay the fine because this is more cost effective. They plant small saplings which may take 10 to 20 years to mature and do not even come close to replacing what is lost. I do realize that tree preservation is determined by zoning district and that the areas along I-77 are considered higher intensity areas. What I don't understand is why we change zoning areas in

both lower and higher intensity areas especially from TR to NR as this involves a significant loss of trees. We need to hold the developers more accountable in order to keep as many of our mature trees as we can and improve our tree canopy coverage. As a resident of Huntersville for 17 years I know a significant number of people with similar views. I hope you take these concerns seriously by someday considering altering town plans in a way that would include a more sensitive development and reduce tree canopy loss.

Gay Fragale, 15814 Hollingbourne Road, said I represent the Northstone HOA and also represent Save Huntersville. Just like Kim said we are deeply concerned about the types of development that have already been approved and what's on the agenda to possibly be approved where we do not believe that development will be mitigated completely. However we do believe that there should be some responsible development and that we preserve the plans that we have in place. There's a reason we have a Planning staff. There's a reason we have a Planning Board. We believe those recommendations should be taken very seriously by our commissioners when it comes to those. One of the things we will be doing at Northstone is spending a lot of time educating our members about exactly what has happened with development in this area and what is on tap to potentially happen. We are having another candidate forum. We did this 2 years ago. We will be doing it again this year and you will be getting an invitation, as well as the other candidates. All I can say is that with a thousand home community we're taking very seriously the type of development and how it's going to impact our property values. We hope that you will attend this forum and give us some reassurance as to why we should reelect you to protect and to save Huntersville.

Sharon Kitchen, 14131 Magnolia Bend Drive, said I agree with Kim and Gay. I'm here to represent Save Huntersville also. In 2000 our housing units were 9,859 homes and the population was 24,960. In 2010 it doubled, the housing units were 18,477 and the population was 46,773. The population now is 54,839. When is the building going to stop. I'm for building and for development, but smart development. We've got to look at the number of homes and our roadways, our infrastructure. The roadways need to be able to support development. We don't have the roadways to support it and we need to develop those. Again, I agree with Gay and Kim as far as our tree canopy and just the impact that more development will have on the traffic and road congestion and the devaluation of surrounding properties. The question is how much is too much. There needs to be a building moratorium as far as I'm concerned.

Darrell Hinklin, 13711 McCord Road, said my concerns are with some of the proposed development also and it's been pretty well stated I think our concerns. I moved here 5 years ago from Minnesota. I looked a lot and bought on McCord Road because of the type of properties and the neighborhood. The biggest part of this that concerns me is the rezoning that would be required for some of the proposed developments. If that zoning were approved that would open that whole area to a complete different type of housing and neighborhoods.

Paulette Schramm, 13306 Fremington Road, said I also am a resident in the Northstone development. I moved down from New York one year ago and researched the area 2 years prior before moving. I'm appalled by the amount of traffic that has increased in the last 2 years only to find out now after purchasing the home in Northstone about the development of McCord and the evacuation of the horse farm for more cement to be put up is appalling. And quite honestly we're to the point that my husband and I now want to move out of Huntersville. We went to a store in Cornelius to be told by an owner that it's because of you northerners that there's no oxygen. And I said oxygen, what are you talking

about. I said you have to blame the developers who are money hungry who put houses on top of one another because they want to get as much as they can in that development. I said you need to blame the developers. The board should follow the ordinances that were put into effect and should be helpful to us because we are suffering because of all this construction. I don't work. It takes me three traffic lights to make a left onto Sam Furr Road at 2:00 p.m. If you put in more construction, how many lights will we have to wait thereafter. And I represent Save Huntersville.

Ken Chelcun, 15928 Hollingbourne Road, said I didn't have anything prepared to say but I did want to at least step up here and support the previous five speakers about all the issues that they brought up. I moved here to Huntersville 18 years ago from the suburbs of Chicago. I got fed up with the suburbs of Chicago and said I'm fed up with this. I spent a year looking at where I wanted to relocate and start a family. I chose Huntersville. I now have three grown kids – two are in college and one is in high school. I can say in 18 years I have loved Huntersville. I've seen Huntersville grow. I've seen it grow for the better. I've gone through years where there's a lot of talk about smart growth and it seemed like Huntersville was following that path of smart growth. Today I'm just here supporting those five previous speakers to say I no longer believe that. I no longer believe that Huntersville is on a smart growth path. I'm at the point where you start to realize when you talk to your friends, your neighbors, your co-workers and when you start hearing over and over and over concerns and problems that you never heard of.....10 years ago I never heard of it, 5 years ago I never heard of it, 2 years ago it's escalated to the point you just have to say what's going on. It's extremely concerning. I've been extremely happy with Huntersville but I'm really at the turning point right now of saying can I continue to deal with this or is it time to give up. I don't feel like I want to give up. I want my kids to go through school and start their adulthood as being born and raised in Huntersville. I really don't want to have to move and I'm really hoping that people start to listen to those five previous speakers and start to consider what's going on here in Huntersville and are we still on a smart growth path.

Zach Brown, Interim Executive Director HFFA, said it's been 14 days since we began and it's been quite incredible by all accounts so we are pretty excited for the things that have occurred so far. There's been a lot of feedback that we have received. Most of it has been very positive and it includes things like the approval of Summit Coffee coming in to operate in the café area and they will be beginning construction soon. Some of the things that we have launched from an initiative standpoint is this morning a survey went out to all of our members to give them an opportunity to give us some feedback through digital means as well as there will be some hard copies available at our front desk. Some of the other areas that we have kind of tackled have been more infrastructure, if you will. We looked at the electricity in the facility more so for lighting. One of those areas was in the gym area where we felt that it was a bit dark and potentially a little depressing to exercise and we found that most gyms are typically around 30 to 50 foot candles which is how light is measured and typically in that area it was about 6 to 8. So we are going to be increasing that to hopefully brighten up that area so people can utilize it a little more efficiently. And then we also looked at the software that's currently being offered which is a bit aged if you will. That software we found there's a few things. One was about 2 years ago the process had been started to potentially update and learned from the vendor recently that for whatever reason that process had stopped. But we have reopened that so we can start to move towards being PCI compliant and also found during that process that there's been some struggles in the photographing of members and things of that nature so we are working on improving that infrastructure so we have proper recording of membership in the area. And during that process we've also been working in the billing center to make sure that we are capturing everyone and making sure of everyone that's supposed to be in the facility and found there's been exposures there and unfortunately I found some individuals that have been able to utilize the facility for some time without being on that billing process and have

worked through that and recently made sure that as many as possible so far have been moved to that process and been corrected. And to help in that we are going to start to move membership from credit card billing to ACH direct withdrawal if at all possible as we continue through the rest of 2017. We've also reviewed all sponsorships and found that there's been quite a few sponsorships that are being represented in the facility that maybe aren't up to date on their billing. And we're working through that process as well to make sure that those items are up-to-date and advertised appropriately.

From the classes and groups standpoint, that's a pretty big draw to the facility. We made some adjustments there, dedicated space for a spin room to move all those bikes that are on lease out of the hallways and utilize for group fitness and allowed some dedicated spaces for the other various groups such as yoga and so forth. From that standpoint a lot of positive things from our standpoint.

AGENDA CHANGES

Commissioner Guignard made a motion to approve the agenda.

Commissioner Gibbons seconded motion.

Motion carried unanimously.

PUBLIC HEARINGS

None

OTHER BUSINESS

Petition #SUP17-03. Petition #SUP17-03 is an application by the Charlotte-Mecklenburg Board of Education for a Special Use Permit at Bradley Middle School, 13359 Beatties Ford Road, to allow the installation of a commercial communication tower.

Mayor Aneralla pointed out this item would be heard as quasi-judicial.

Mayor Aneralla swore in Jack Simoneau and Bonnie Newell.

Jack Simoneau, Planning Director, entered the Staff Report into the record. *Staff Report attached hereto as Exhibit No. 1.* The site is at Bradley Middle School. The cell tower will be going to the back of the school. It is on Beatties Ford Road at the intersection of Bud Henderson and the area where the tower is going is right by the track and field area.

In the Staff Report there are a number of specific criteria that someone has to meet in order to get a cell tower approved. We have reviewed all that material. There were some things that were missing that have since been provided and the Planning Board on 8-22-17 recommended approval with the conditions that the lights on the pole be removed, that they install appropriate screening with correct planting heights around the base and that an engineer certification of the tower on the fall zone be submitted. All those materials have been submitted.

Staff recommends approval with the findings of fact that are in your agenda packet. There also is a comment that the faux lights, the fake lights that they had have been removed as the Planning Board

had asked for. The plan has been resubmitted showing the appropriate screening and planting heights, so we have all that. We do have the engineer certification that the fall zone is 160'. The closest structure is over 400', so it well meets the requirement that we have there. The applicant submitted in writing they are going to paint the tower a neutral earth tone. All of the criteria have been met. We would recommend approval.

Commissioner Phillips said by this being on school grounds does this exempt them from paying property taxes.

Mr. Simoneau said we do not think it does. I checked with Bonnie and it depends on how the county list that tax so our intention is to get with Mecklenburg County because this is a for profit venture and so we believe it is subject to the taxes and is not tax exempt even though it's on school property. So we are going to get with the Mecklenburg County Tax Assessor's office in the morning and make sure they get that issue addressed.

Commissioner Phillips said there was something about other towers where they are supposed to co-locate. Did they satisfy that.

Mr. Simoneau said they have satisfied that and shown the need for this tower as well as the ones that are already existing and the tower that they are building can accommodate even three more antennas so they can do multiple co-location on this, so they have satisfied all of the requirements.

Commissioner Phillips said so regardless of whether the tax issue is resolved tonight it really doesn't have a bearing on the approval.

Mr. Simoneau said that's correct, but we are going to still follow-up on the tax record issue.

Commissioner Guignard said I know this is probably not a question you can answer but I think this Board or a previous Board approved a cell tower with much more controversy several years ago and I may be wrong but I don't think that tower has been built. Are they planning on building this sometime soon? Is there a need for this?

Mr. Simoneau said Bonnie is here.

Commissioner Guignard said is your plan to build this sometime soon assuming we approve this.

Bonnie Newell said yes, correct.

Commissioner Guignard said so you've got an end user ready.

Ms. Newell said correct.

Commissioner Boone said there's some discussion about the color of this tower, either Morning Fog or Galvanized Gray.

Mr. Simoneau said so it's the Morning Fog. It meets our requirements. That was finalized today.

Commissioner Kidwell made a motion in considering the Special Use Permit #SUP17-03, Bradley Middle School Commercial Communication Tower, an application by the CMS Board of Education, we the Town Board find that the request meets all required conditions and specifications. It is reasonable and does not impose 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. The decision of approval is supported by the 2030 Community Plan and I'd just like to point out and make sure that the color is the appropriate color. I would prefer a light blue but if we are going to go with gray I'll accept that.

Commissioner Guignard seconded motion.

Mr. Simoneau said one point of clarification, the findings of fact as found in the Staff Report.

Commissioner Kidwell said and the findings of fact in the Staff Report.

Commissioner Guignard seconded motion.

Motion carried unanimously.

Municipal Agreement – Main Street Project. To document the responsibilities and programmed funding of both the Town of Huntersville and NCDOT for the Huntersville Main Street Improvements Project (U-5908) a Municipal Agreement must be considered and approved by the Town Board and Board of Transportation respectively.

Commissioner Kidwell made a motion to recuse Commissioner Guignard.

Commissioner Bales seconded motion.

Motion carried unanimously.

Commissioner Phillips made a motion to approve the Huntersville Main Street Project Municipal Agreement between the Town of Huntersville and NCDOT.

Commissioner Boone seconded motion.

Motion carried with five (5) yes votes.

Municipal Agreement attached hereto as Exhibit No. 2.

Commissioner Kidwell made motion to bring Commissioner Guignard back.

Commissioner Gibbons seconded.

Motion carried with five (5) yes votes.

Landscape Services. On September 5, 2017 the Board directed the Town Manager to coordinate improvements to the exterior of the former Police Annex Building. During an on-site visit it was determined that all three buildings (Robert B. Blythe, Town Hall and former Police Annex) are in dire need of exterior maintenance to the landscaping and buildings once pruned back, mainly the façade.

As for the pruning, the appropriate timing would be early winter (February), however efforts will be coordinated to clear out brush, trim up vegetation and minor repairs to the former Police Annex building by Parks & Recreation staff. Once pruning occurs, the façade of the building would need to be pressure washed and repainted. This will be an ongoing effort until completed.

Commissioner Guignard made a motion to authorize the Town Manager to pursue costs to provide additional landscape services towards the maintenance of the former Police Annex, the Robert B. Blythe and Town Hall buildings.

Commissioner Kidwell seconded motion.

Gerry Vincent, Town Manager, explained that there's no cost to this item as of yet. Michael Jaycocks and his crew are doing all the work for the former Police Annex Building. They ripped off gutters and they replaced rotten wood and they painted. We're going back through and clean out the brush. A landscape service provides spring and fall service, so they will take care of that under the current contract. The additional services will be once we cut back the shrubbery or crepe myrtles along the three buildings you are going to see how exposed the buildings look and what work needs to be done. Those costs will come back to you in January or February.

Commissioner Guignard requested that somebody be used that knows how to trim the crepe myrtles.

Motion carried unanimously.

CONSENT AGENDA

Approval of Minutes. Commissioner Guignard made a motion to approve the minutes of the September 5, 2017 Regular Town Board Meeting. Commissioner Phillips seconded motion. Motion carried unanimously.

Call for Public Hearing. Commissioner Guignard made a motion to call a public hearing for Monday, October 16, 2017 at 6:30 p.m. at Huntersville Town Hall to consider an economic development incentive grant to Daumar Corporation. Commissioner Phillips seconded motion. Motion carried unanimously.

Budget Amendment. Commissioner Guignard made a motion to approve budget amendment recognizing \$1,955 in bond interest earnings and spending those interest earnings on the Commerce Station Road infrastructure project currently under construction. Commissioner Phillips seconded motion. Motion carried unanimously.

Budget Amendment. All 2010 bond proceeds and interest have been spent, except \$1,955 in interest. These interest earnings have not been budgeted and cannot be spent until the Board authorizes spending it. This amendment recognizes the \$1,955 in bond interest earnings and spending those interest earnings on the Commerce Station road infrastructure project currently under construction.

Commissioner Guignard made a motion to approve budget amendment recognizing \$1,955 in bond interest earnings and spending those interest earnings on the Commerce Station road infrastructure

project currently under construction. Commissioner Phillips seconded motion. Motion carried unanimously.

Budget Amendment. The Parks & Recreation Department has applied for and received a \$10,000 grant from the US Tennis Association to resurface tennis courts at North Meck Park. This budget amendment recognizes the \$10,000 revenue and allocates related spending on the tennis courts.

Commissioner Guignard made a motion to approve budget amendment recognizing \$10,000 revenue and allocate related spending on the tennis courts at North Meck Park. Commissioner Phillips seconded motion. Motion carried unanimously.

CLOSING COMMENTS

Commissioner Guignard noted that the City of Mt. Holly received a grant to help staff their new fire station.

Mayor Aneralla announced that the Mayor's luncheon is tomorrow and on September 28 there will be a follow-up meeting for connecting the business community with the education community at Joe Gibbs Racing.

Commissioner Guignard made a motion go into closed session to discuss items in consultation with the town attorney concerning items as presented to us.

Commissioner Kidwell seconded motion.

Upon return from closed session, there being no further business, the meeting was adjourned.

Approved this the _____ day of _____, 2017.

Town of Huntersville
REQUEST FOR BOARD ACTION
10/2/2017

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Max Buchanan
Subject: Deed Transferring Right-of-way to NCDOT

Authorize the Mayor to execute a Deed transferring right of way to NCDOT for Parcel ID 017-101-11 for the US 21/Gilead Road Project.

ACTION RECOMMENDED:

Authorize Mayor to execute Deed.

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Proposed Right of Way Deed	Exhibit
<input type="checkbox"/> Donor Acknowledgement	Exhibit
<input type="checkbox"/> Plat	Exhibit

Revenue Stamps \$ 0.00

DEED FOR HIGHWAY RIGHT OF WAY

THIS INSTRUMENT DRAWN BY Kenny Hill CHECKED BY Shelby Randall

The hereinafter described property Does Does not include the primary residence of the Grantor

RETURN TO: Division 10 R/W Agent, NCDOT
206 Charter Street
Albemarle, NC 28001

NORTH CAROLINA
COUNTY OF Mecklenburg
TAX PARCEL 017-101-11

TIP/PARCEL NUMBER: U-5114 051A
WBS ELEMENT: 42376.2.1
ROUTE: US 21 (Statesville Road) and SR 2136 (Gilead Road)

THIS FEE SIMPLE DEED, made and entered into this the _____ day of _____ 20 17
by and between Town of Huntersville
PO Box 664
Huntersville, NC 28078

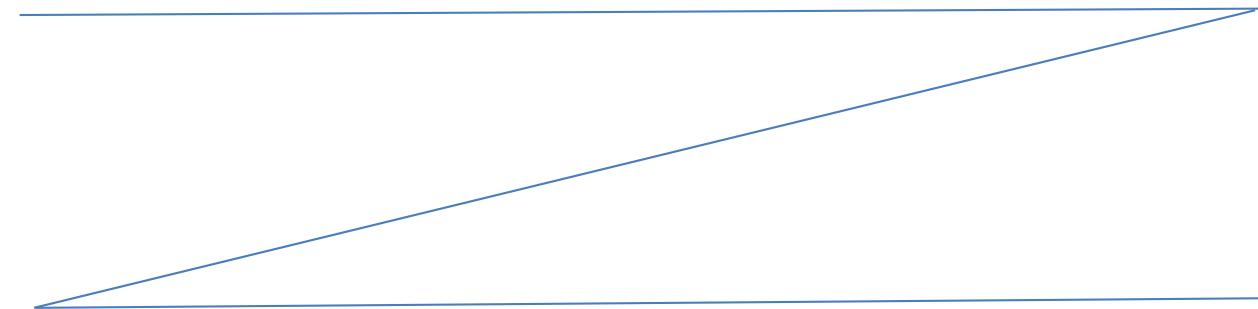
hereinafter referred to as GRANTORS, and the Department of Transportation, an agency of the State of North Carolina, 1546 Mail Service Center, Raleigh, NC 27611, hereinafter referred to as the Department;

WITNESSETH

That the GRANTORS, for themselves, their heirs, successors, and assigns, for and in consideration of the sum of \$ 1.00 agreed to be paid by the DEPARTMENT to the GRANTORS, do hereby give, grant and convey unto the DEPARTMENT, its successors and assigns, in FEE SIMPLE that certain property located in Huntersville Township, Mecklenburg County, North Carolina, which is particularly described as follows::

Area One: Point of beginning being N 06^25'18.3" E, 16.447 feet from -Y3- Sta 13+00; thence to a point on a bearing of S 83^58'14.5" E, 45.001 feet; thence to a point on a bearing of N 38^58'33.3" W, 25.983 feet; thence to a point on a bearing of N 06^25'18.3" E, 12.464 feet; thence to a point on a bearing of N 83^38'48.6" W, 26.500 feet; thence to a point on a bearing of S 06^25'18.3" W, 30.986 feet; returning to the point and place of beginning.

Area Two: Point of beginning being N 06^25'18.3" E, 16.447 feet from -Y3- Sta 13+00; thence to a point on a bearing of N 06^25'18.3" E, 30.986 feet; thence to a point on a bearing of N 83^38'48.6" W, 60.731 feet; thence to a point on a bearing of S 06^01'45.5" W, 31.328 feet; thence to a point on a bearing of S 83^58'14.5" E, 60.518 feet; returning to the point and place of beginning.



COUNTY: Mecklenburg WBS ELEMENT: 42376.2.1 TIP/PARCEL NO.: U-5114 051A

IN ADDITION, and for the aforesaid consideration, the GRANTORS further hereby convey to the DEPARTMENT, its successors and assigns the following described areas and interests:

None

SPECIAL PROVISIONS. This deed is subject to the following provisions only:

The undersigned property owners request that the Department enter upon our lands outside the right of way to the extent necessary for the reconnection of our driveway and we will have no further claim as a result of said reconnection.

The property hereinabove described was acquired by the GRANTORS by instrument(s) recorded in the Mecklenburg County Registry in Deed Book 30698 Page 147 .

The final right of way plans showing the above described right of way are to be certified and recorded in the Office of the Register of Deeds for said County pursuant to N.C.G.S. 136-19.4, reference to which plans is hereby made for purposes of further description and for greater certainty.

The Grantors acknowledge that the project plans for Project # 42376.2.1 have been made available to them. The Grantors further acknowledge that the consideration stated herein is full and just compensation pursuant to Article 9, Chapter 136 of the North Carolina General Statutes for the acquisition of the said interests and areas by the Department of Transportation and for any and all damages to the value of their remaining property; for any and all claims for interest and costs; for any and all damages caused by the acquisition for the construction of Department of Transportation Project # 42376.2.1 , 42376.2.1 County, and for the past and future use of said areas by the Department of Transportation, its successors and assigns for all purposes for which the said Department is authorized by law to subject the same.

TO HAVE AND TO HOLD the aforesaid premises and all privileges and appurtenances thereunto belonging to the DEPARTMENT, its successors and assigns in FEE SIMPLE, or by easement as indicated, for the past, present and future use thereof and for all purposes which the said Department is authorized by law to subject the same.

And the GRANTORS covenant with the DEPARTMENT, that the GRANTORS are seized of the premises in fee simple, have the right to convey the same in fee simple, or by easement as indicated, that the title thereto is marketable and free and clear of all encumbrances, and that the GRANTORS will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is hereby conveyed subject to the following exceptions:
None

IN WITNESS WHEREOF, the GRANTORS pursuant to authority delegated by Town Of Huntersville Town Council on _____, have caused this instrument to be signed in its corporate name by its Mayor, its corporate seal to be hereunto affixed, and attested by its TOWN CLERK by order of the TOWN OF HUNTERVILLE TOWN COUNCIL, the day and year first above written.

This instrument does not transfer the herein described interests unless and until this document is accepted by an authorized agent of the Department of Transportation.

Town of Huntersville

BY: _____ ; Mayor of Town of Huntersville
John Aneralla

ATTEST: _____ Clerk of the Town of Huntersville

COUNTY: Mecklenburg WBS ELEMENT: 42376.2.1 TIP/PARCEL NO.: U-5114 051A

--	--

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: _____

(Official Seal)	North Carolina, Mecklenburg County
	_____ I, _____, a Notary Public for Mecklenburg County, North Carolina, do hereby certify that
	personally appeared before me this day and acknowledged that he/she is the Clerk of the Town of Huntersville and that by authority duly given, the foregoing instrument was signed in its name by its MAYOR of the Town of Huntersville, sealed with its corporate seal and attested by _____ as its Town Clerk. .
	Witness my hand and official seal this the _____ day of _____, 20 <u>17</u> . _____ Notary Public My commission expires: _____



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

DATE:
WBS ELEMENT: 42376.2.1
FA PROJECT: STPDA-021(018)
TIP/PARCEL: U-5114-051A
COUNTY: Mecklenburg
DESCRIPTION: US-21 (Statesville Road) and Sr 2136 (Gilead Road)

Property Owner Acknowledgement of the Terms for the Voluntary Donation Of Property to the North Carolina Department of Transportation.

The undersigned property owner and/or the undersigned property owner's legal representatives freely acknowledge their desire and willingness to voluntarily transfer their ownership of privately owned real property to the North Carolina Department of Transportation for the benefit of the above sited public transportation project without receipt of just compensation. It is further agreed and acknowledged by the undersigned property owner and/or the property owner's legal representative that the property owner and/or legal representative has been advised that he/she is entitled to have an appraisal made on his/her property to determine just compensation and the owner releases the Department from this obligation and waives any compensation in exchange for the donation of property as right of way in full settlement of his/her claim. The purpose of this document is to ensure compliance under Title 23 of the United States Code of Federal Regulations (CFR), Subchapter H (Right-of-Way and Environment), Part 710 (Right-of-Way and Real Estate), Subpart E (Property Acquisition Alternatives), Subsection .505 (Real Property Donations).

Town of Huntersville

BY: _____ (SEAL) _____
John Aneralla Mayor of Town of Huntersville

ATTEST _____ Clerk of the Town of Huntersville

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY:

(Official Seal)	North Carolina, <u>Mecklenburg</u> County
	I, _____, a Notary Public for Mecklenburg County, North Carolina, certify that
	_____ personally came before me this day and acknowledged that he/she is the CLERK of the Town of <u>Huntersville</u> , and that by authority duly given, the foregoing instrument was signed in its name by its MAYOR of the Town of Huntersville _____, sealed with its corporate seal, and attested by _____ as its CITY CLERK.
	Witness my hand and official seal this the day of _____ _____, 20____.
	_____ Notary Public

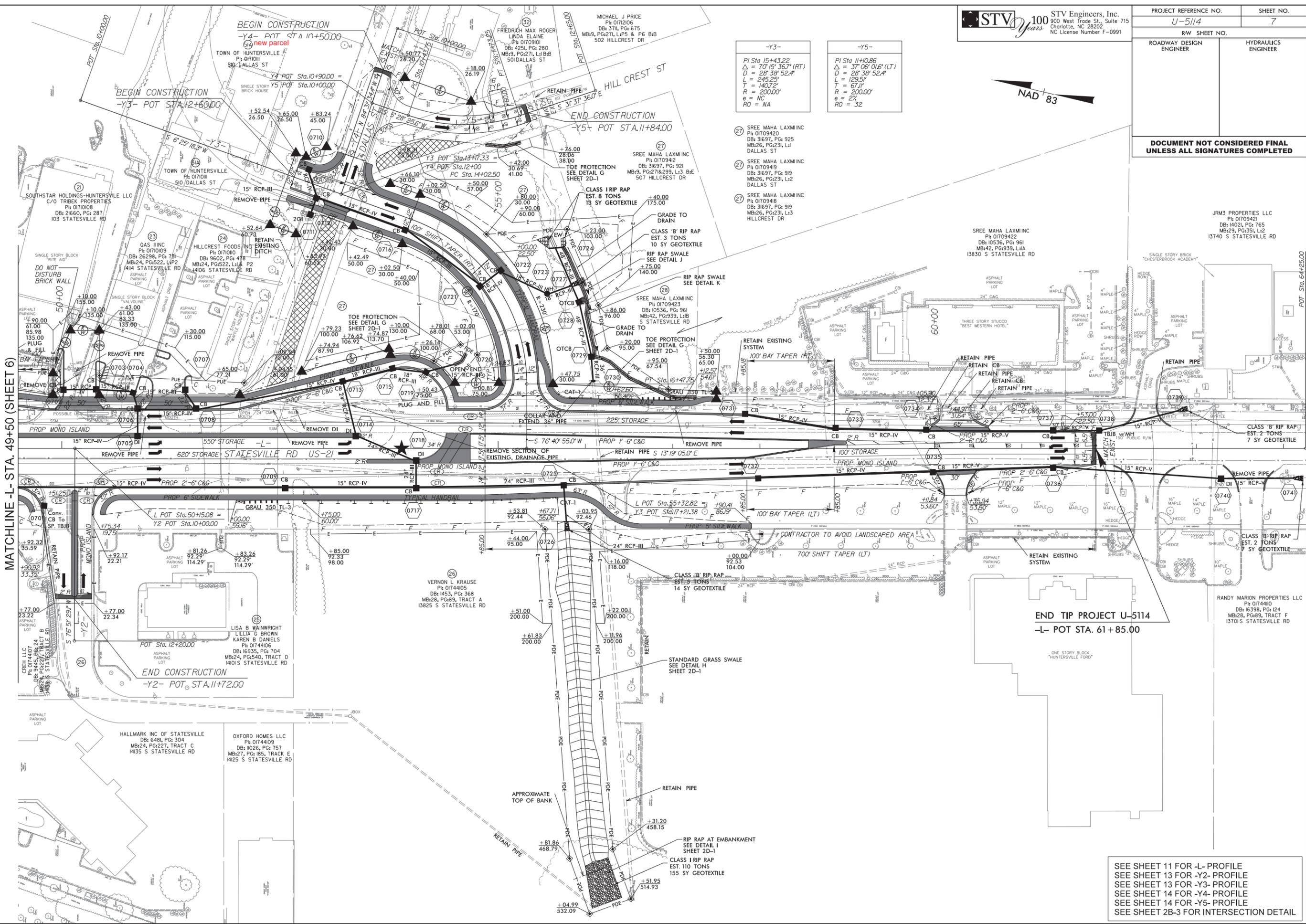
PROJECT REFERENCE NO.	SHEET NO.
U-5114	7
RW SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

REVISIONS

02-02-2017 - R/W REVISION (TERM) - ADJUSTED ROW AND ADDED TOE FOR PARCEL #2
 07-25-2017 - R/W REVISION (CEG) - MODIFIED DESIGN ROW AND TOE ALONG N1/2 ST. 10+50 TO STA. 12+60.00 CHANGE DED. BORD. FOR PARCEL #29. CHANGE PROPERTY OWNERS FOR PARCELS #27, 29, #30, #31
 08-16-2017 - R/W REVISION (MKA) - REMOVED TOE FROM PARCEL #22. CHANGED PARCELS #19 & #22. CHANGED PARCELS #19 & #22. ADDED PARCEL #31A

MATCHLINE -L- STA. 49+50 (SHEET 6)



-Y3-	-Y5-
PI Sta 15+43.22 Δ = 70' 15" 36.7" (RT) D = 28' 38" 52.4" L = 245.25' T = 140.72' R = 200.00' e = NC RO = NA	PI Sta 11+08.6 Δ = 37' 06" 01.6" (LT) D = 28' 38" 52.4" L = 129.51' T = 67.11' R = 200.00' e = 2' RO = 32



- (27) SREE MAHA LAXMINIC
PI: 01709420
DB: 31697, PG: 925
MB: 26, PG: 231, L1
DALLAS ST
- (27) SREE MAHA LAXMINIC
PI: 01709419
DB: 31697, PG: 919
MB: 26, PG: 231, L1, 2
DALLAS ST
- (27) SREE MAHA LAXMINIC
PI: 01709418
DB: 31697, PG: 919
MB: 26, PG: 231, L1, 3
HILLCREST DR

SREE MAHA LAXMINIC
PI: 01709422
DB: 10536, PG: 961
MB: 42, PG: 939, L1A
13740 S STATESVILLE RD

JRM3 PROPERTIES LLC
PI: 01709421
DB: 14021, PG: 165
MB: 29, PG: 351, L1, 2
13740 S STATESVILLE RD

RANDY MARION PROPERTIES LLC
PI: 0174410
DB: 16398, PG: 124
MB: 28, PG: 89, TRACT F
13701 S STATESVILLE RD

END TIP PROJECT U-5114
-L- POT STA. 61+85.00

SEE SHEET 11 FOR -L- PROFILE
 SEE SHEET 13 FOR -Y2- PROFILE
 SEE SHEET 13 FOR -Y3- PROFILE
 SEE SHEET 14 FOR -Y4- PROFILE
 SEE SHEET 14 FOR -Y5- PROFILE
 SEE SHEET 2B-3 FOR INTERSECTION DETAIL

Town of Huntersville
REQUEST FOR BOARD ACTION
10/2/2017

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Jackie Huffman/Michael Jaycocks
Subject: Budget Amendment

Appropriate Sponsorship revenue (103505.9999) in the amount of \$1,400 to the Adult Recreation Program (106200.0346).

ACTION RECOMMENDED:

Approve Budget Amendment.

FINANCIAL IMPLICATIONS:

Additional revenue in the amount of \$1,400.

Town of Huntersville
REQUEST FOR BOARD ACTION
10/2/2017

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Brian Richards
Subject: S17-01 Bryton Special Sign District

S17-01 is a request by the Doug Godly to revise the Bryton Special Sign District for Frankie's Fun Park at 10621 Bryton Corporate Center Dr. Special Purpose-Conditional District (SP-CD).

ACTION RECOMMENDED:

Call for a Public Hearing on 11/06/2017

FINANCIAL IMPLICATIONS:

Town of Huntersville
REQUEST FOR BOARD ACTION
10/2/2017

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Alison Adams, Senior Planner
Subject: Annexation Petition 17-01 Blackwood Knoll

Call a Public Hearing for the November 6, 2017 Town Board Meeting to hear Annexation Petition 17-01 Blackwood Knoll to annex 37.81 non-contiguous acres, PIN 01124111.

ACTION RECOMMENDED:

Call Public Hearing

FINANCIAL IMPLICATIONS: