



**Planning Board
Regular Meeting Agenda
August 22, 2017 - 6:30 PM**

Town Hall

A. Call to Order/Roll Call

B. Approval of Minutes

1. Consider approval of the July 25, 2017 Regular Meeting Minutes

C. Public Comments

D. Action Agenda

1. **Rezone:** Request by Nickel Development Group, LLC to rezone 2.024 acres located along Sam Furr Rd. west of Birkdale Village from Highway Commercial Conditional District (HC-CD) to Highway Commercial Conditional District (HC-CD) to create a 78 unit age restricted apartment building. Parcel ID # 00537401
2. **Special Use Permit:** This request is for the removal of the existing Special Use Permit (SUP) for the Birkdale Inn. Nickel Development is requesting the removal dependent upon the approval of R17-04 Sam Furr Senior Apartments.
3. **Text Amendment:** TA17-05 is a request by Piedmont Wrecking and Grading Company, Inc. to amend Article 9.23.9 of the Huntersville Zoning Ordinance. The purpose of the application is to extend the closure deadline for existing LCID landfills.
4. **Rezone:** Request by Charles Guignard to rezone 0.33 acres located at 503 S. Old Statesville Rd (south of Mt. Holly-Huntersville Rd.) from Neighborhood Residential Conditional District (NR-CD) to Neighborhood Residential (NR) to remove an existing multifamily overlay. Parcel ID # 01907202.
5. **Special Use Permit:** 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 (Parcel # 01308105). The purpose of the permit is to allow the installation of a commercial communication tower on the property.
6. **Text Amendment:** TA17-06, a request by the Town of Huntersville to amend Article 3.2.1 Rural, Article 3.2.2 Transitional Residential, Article 3.2.5 Neighborhood Center, Article 3.2.6 Town Center, Article 3.2.7 Highway Commercial, Article 3.2.8 Campus Institutional, Article 3.2.9 Corporate Business, Article 3.2.11 Transitional Neighborhood Development Districts, Article 3.2.12 Passenger Vehicle Sales, Article 3.2.13 Transit Oriented Development – Residential, Article 3.2.14 Transit Oriented Development – Employment, Article 7 Part B Open Space, Article 8.1.4, and Article 12.2.1 General Definitions of the Huntersville Zoning Ordinance to modify Open Space criteria and associated definitions.

E. Other Business

1. Adjusted TIA Results Reporting Format

F. Adjourn

**Town of Huntersville
PLANNING BOARD
8/22/2017**

To: Planning Board Members
From: Michelle Haines
Subject: Approve Minutes

Consider approval of the July 25, 2017 Regular Meeting Minutes

ACTION RECOMMENDED:

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Draft Minutes	Cover Memo



**Planning Board
Regular Meeting Minutes
July 25, 2017 - 6:30 PM**

Town Hall

A. Call to Order/Roll Call

DRAFT MINUTES ARE SUBJECT TO CHANGE

The Chairman determined quorum and called the meeting to order.

B. Approval of Minutes

1. Consider Approval of the June 27, 2017 Regular Meeting Minutes

A Motion to Approve was made by Joe Sailers and seconded by Ron Smith. The Motion Carried by a vote of 9 Ayes and 0 Nays. Board Members voting Ayes: Bankirer, Davis, Graffy, McClelland, Miller, Sailers, Smith, Swanick, Thomas

C. Public Comments

Item 3. Trevor Kale, 15372 Michael Andrew Road, Huntersville. Mr. Kale stated his appearance was on behalf of some neighbors in the subdivision and some present, and noted he was against the subdivision for 94 single family homes. There are 227 homes in both Stone Hollow I and II, and the 94 home will impair their quality of life. They have major traffic concerns. There is a current traffic study done between April 27, 2017 and May 1, 2017, with a total of 8,727 cars going through the neighborhood of 227 homes. The traffic study was completed before the residents of the new Cobblestone Manor (across from Torrence Creek Elementary School), and there is no one living in that 82 home development now. So the traffic study (counts) do not include the new development. Mr. Kale identified the cut through in Stone Hollow that cuts off about a quarter of a mile of traffic. There are no plans being presented by the Town to improve the traffic in that area of Ranson Road. There are no environmental studies done to show an impact on the neighborhood and residents. Currently, there are sink holes that homeowners are having to pay for. He repeated that the 94 homes would hinder his, and the neighbors' quality of life. He is getting more frustrating by sitting in traffic; gaining more time away from his family, and putting his family in potential accidents by pulling out on Ranson to turn left or right. He asked the Board to take a hard look at the situation. This side of Huntersville is growing rapidly, and he felt they were being left out of the study part as far as traffic with no traffic plan whatsoever for Ranson Road. He requested denial for the proposed neighborhood.

D. Action Agenda

1. **Rezoning:** Petition R16-07, a request by Skybrook, LLC to revise the existing Conditional District rezoning plan for 175.05-acres to add 4-acres (currently zoned R) and to revise the Transitional Residential Conditional District (TR-CD) to increase density, adjust open space, streets and other site plan changes. TR-CD zoning is requested for the entire

site to permit 225 single-family lots located north of Huntersville-Concord Road and west of Poplar Tent Church Road. Property is vacant, with a few single-family homes.

A Motion to Deny was made by Stephen Swanick and seconded by Jennifer Davis. The Motion Carried by a vote of 5 Ayes and 4 Nays. Board Members voting Ayes: Davis, Graffy, McClelland, Smith, Swanick

Nays: Bankirer, Miller, Sailors, Thomas

Included in the Motion: the denial is based upon factors related to density and characteristic. It is not reasonable and not in the public interest to continue to eat away at our Rural zones.

David Peete, Principal Planner, gave an update from last month's deferral, and entered by the rezoning and sketch plan Staff Reports into the record, a copy of which are attached hereto collectively as Exhibit A, and incorporated herein by reference. The current site plan for tract A (no changes to tract B), has reduced density to 221 lots, and staff recommends approval, including the waivers. The Urban Open Space ("UOS") has not changed. There are miscellaneous transportation comments to be addressed. The curve radii has been further discussed, and the Engineering Department would still recommend 200, but the developer is in compliance with what has been proposed. The cross section near the park now includes street trees. The storm water review and USPS will be taken care of. The applicant intends to annex the area, and create a build-to range variation no greater than 5-10' from home to home. There will be a private trail connection to a future greenway. The applicant is only amending just the specific sketch plan that goes with the majority of the rezoning that was in place in 2006 and 2010. There is a small amount of acreage being added to the rezoning from Rural to the TR-CD. Staff has no outstanding issues and recommends the density increase of 41 units overall.

Scott Moore, Project Manager with Skybrook, LLC, 830 Skybrook Drive, stated that a private trail will be maintained by the HOA and will be connected for pedestrian purposes, which will be noted on the plans.

Ron Smith commented about the age of the Traffic Impact Analysis ("TIA") from 2006, and staff responded that the Engineering Department determined that a new TIA was not needed. The number of units requested does not meet the threshold to require a new TIA. Scott Moore noted that the original TIA used 258 lots, and now it is down to 221; even less that what was studied and what the standard would have called for. Jack Simoneau, Planning Director, commented that this is a conditional rezoning plan that is approved and vested. The only question before the Board is the additional 41 lots. The Board continued to express concerns with the (older) TIA. The Chairman suggested that as part of the Minutes that a message to the Town Board be made to perhaps look at aged TIA's and if there is substantial development in the affected area since the (older) TIA.

Other questions were made about language in the Staff Report for the number of lots ("should be 220") and staff indicated they wanted to see the 40-41 lots along with the UOS.

The radii was questioned if it was changed, and staff indicated that one did not change. Scott Moore added that the plan is supported by staff. From a historical standpoint, the plan was approved for 258, and there are now 37 fewer lots, and the overall density is 1.6. There were no other questions, and the Chairman called for a Motion.

Discussion after the Motion included Stephen Swanick's reasoning to deny. Acknowledging the development is by right, and the zoning ordinance was put in place to support

development and keep certain characteristic consistent. This being a rural area at the edge of our borders requires a different consideration. It has already be rezoned once to allow 180 units, and this request is for an additional 41 units that will further the density in that area.

The Staff Report confirms the density being higher than nearby development. Mr. Swanick did not feel this was in the best interest of the community, because we are running out of rural land. He further commented that the developer could build under the existing plan, and that Skybrook could do that instead of further increasing density in that area. It was expressed by another member that the committee that worked on the three (3) areas of density was to control development with more dense development toward the center. As development changes, density would be increased going out to the edges, and there was no intent on keeping the edges rural. There needs to be a blending between the densities. Other comments were noted they were not in favor of denial, and there is a good representation of UOS. Another member noted his support of denial is based on a 10 year old TIA.

2. **Sketch Plan:** A request by Skybrook, LLC to revise the Sketch Plan for 175.05-acres to add 4-acres (currently zoned R) to increase density, adjust open space, streets and other site plan changes. The Sketch Plan would permit 225 single-family lots located north of Huntersville-Concord Road and west of Poplar Tent Church Road. Property is vacant, with a few single-family homes.

A Motion to Deny was made by Stephen Swanick and seconded by Jennifer Davis. The Motion Carried by a vote of 5 Ayes and 4 Nays. Board Members voting Ayes: Davis, Graffy, McClelland, Smith, Swanick

Nays: Bankirer, Miller, Sailers, Thomas

Included in the Motion: The application is complete, and does comply with all applicable requirements; however the denial is based on overriding concerns relative to density and Town development, including concerns with the TIA. The Sketch Plan is inconsistent with the recommended conditional rezoning district.

3. **Sketch Plan:** Ranson Road Residential Subdivision Sketch Plan proposed by applicant, Larry Burton with Classica Homes, is a request to subdivide parcel numbers 01714205 and portions of 01714247, 01714207, 01714204, and 01714214 in to 94 single family residential homes within the Neighborhood Residential Zoning District.

A Motion to Approve was made by Harold Bankirer and seconded by Stephen Swanick. The Motion Carried by a vote of 9 Ayes and 0 Nays. Board Members voting Ayes: Bankirer, Davis, Graffy, McClelland, Miller, Sailers, Smith, Swanick, Thomas

Included in the Motion: The application is complete, and complies with all applicable requirements, and it is in compliance with the 2030 Community Plan. The Planning Board finds support for the applicant's block waiver request. The applicant to provide corrections to the minor plan comments, and that the applicant comply with the Town recommendation of the left turn lane on Ranson Road with a 100' stacking lane, and that language is provided in the plan to match ordinance language for the cross-section of the greenway to be provided to the County.

Alison Adams, Senior Planner, presented the sketch plan, and entered the Staff Report into the record, a copy of which is attached hereto as Exhibit B, and incorporated herein by reference. The plan is by right, and there is no conditional rezoning. Staff gave the zoning and location of the site, including its density. Staff addressed the Air Quality and Noise

Pollution issues raised at the neighborhood meeting, as well as the construction on I-77 and other surrounding areas. Stone Hollow sits in a low spot and a lot of noise will bounce into the area. Through the I-77 project there will be noise walls installed the entire length of Stone Hollow. The study to measure speeding resulted in less than 1% of the cars studied were speeding, and therefore no need for a traffic calming study. The number of cars going through the subdivision was analyzed as cut-through traffic, and the Engineering Department does not feel that based on trips per day there is a cut-through problem occurring. The applicant is providing connectivity with stubs, and the TIA has been completed and sealed. It was determined no road improvements were needed, but through the driveway permit onto Ranson Road the Town is requiring a left turn lane into the subdivision. There is a 20' required undisturbed buffers and the cross sections of the streets meet the street requirements. The applicant is asking for a block length waiver, and staff show the location. Applicant will dedicate property to the County for future greenway and bikeway plans. There is a willingness to serve letter from Charlotte Water, and CMS indicated that a total of 46 students would be derived from the subdivision.

The applicant, Bill Saint, President and CEO of Classica Homes, 2215 Arysley Town Blvd., Suite G, Charlotte, presented and commented about the company and local developments (i.e. Robbins Park). Blending open space, connectivity and timeless design. Rick Jasinski, Vice President of Land, with Classica Homes, commented about the neighborhood design and the other current developments (i.e. Jetton Road and Washam Potts Reserve in Cornelius). The site on Ranson Road is existing farm land, excluding the home of Mrs. McAulay, and totaling about 37 acres. There will be common open land at the entrance and a mail kiosk with parking spots. The lots are 55' wide, and 65' wide. In the back of the neighborhood there will be a one-way road that loops around common open space. There will be a left turn lane on Ranson Road with 100' of storage as recommended by the Town. The stub streets from Stone Hollow will be tied into and connected. Property for the greenway will be dedicated. Pocket park examples were shown from Robbins Parks for this proposal. Mr. Jasinski also showed examples of the product homes, with the market price of \$500,000, and up.

The Chairman called for questions, and it was asked of staff why the entrance for the development was not across from the entrance into the assisted living facility, and noted that a prior plan's discussion included that the entrances match and line up. Staff responded that the location if lined up would take a lot of property from the design, and possibly take a house to accommodate the alignment. The Engineering staff has deemed the space between the entrances appropriate. The cut-through traffic issue was raised, and staff further explained the route taken through Stone Hollow to avoid traffic at the stop light at Ranson Road and Stumptown Road. It is assumed by staff that the cut-through is used during high volume traffic times. Staff is looking at solutions for the intersection. It was also noted that Stone Hollow residents would have connection through the proposed neighborhood to Ranson Road, and how traffic routes might work in the future. The Planning Board noted that future routes by homeowners are hypothetical, and clearly the Town has identified a traffic issue. Staff stated that the possible traffic patterns were analyzed.

The topography of the subdivision on the eastern side was noted as being at a lower grade, and Mr. Jasinski responded that the land comes into the center point where there is currently an existing pond. The property will need to be lowered for proper grading. The grade with Stone Hollow will be line up, and the grade transition will be further into the site with the houses sitting lower than Stone Hollow. There is a 20' landscaped buffer that will provide privacy screening as well. The pond was questioned, and staff noted it is a farm pond and from a natural stream. It was further asked to the developer if any modifications to the plan

were made from Stone Hollow concerns, and Mr. Jasinski responded that concerns of traffic is more of a global concern, and connectivity will help alleviate some congestion. The addition 94 homes is not what is causing traffic concerns that is there now. Ranson Road is a disaster now because of the I-77 widening and traffic going around it. The target for home sales is 25-35 homes per year. There are no tree save concerns, and the canopy requirement is being met. The BMP location was identified on the plan.

Staff noted it is recommended to add parking, and the applicant will submit concept plans and have the opportunity to commit to the parking. The Staff Report includes a mini-circle suggestion, and staff identified its location and the reasoning for adding a mini-circle to which the developer has not yet made a commitment. Mr. Bankirer noted that measurements were taken for the TIA at Ranson and Gilead, and requested further explanation. Staff replied that Ranson Road and Gilead was the only intersection that needed to be studied for the TIA. Staff noted the threshold (30 trips on approach, or 50 trips at the intersection), and once studied there was a difference of 1.4, and no mitigation is required. Ranson and Stumptown did not hit the threshold of 30/50 trips. The Town will be looking at Gilead Road improvements that will affect the intersection to help offset the traffic issue, and solutions at Ranson and Stumptown. It was asked about a bike lane on Ranson Road, and staff noted a lane will be installed along the frontage of the site. The bike lane does not connect, but there is an existing bike lane on the other side of the road.

The discussion after the Motion included the members expressing concerns for the traffic issue at Ranson and Stumptown, and Ranson and Gilead. Clearly the Town knows there is a current traffic issue at Ranson and Stumptown, and how the TIA arrived at not having to study that intersection was concerning. This subdivision, and every subdivision, impacts the global transportation picture. The Town Board needs to consider whether or not to use the flexibility provided in the TIA ordinance to look at intersections that might statistically not otherwise rise to the level of being considered for improvement, but nevertheless needs improvement. The members can review the TIA on online. It was requested that the Minutes reflect these concerns, and insure that communications to the Town Board may be made. It was further noted the ability to provide emergency services in traffic congestion.

4. **Sketch Plan:** Bellterre Subdivision located in the rural zoning district is being requested by Bowman Development. Eighteen (18) single family residential homes are being proposed on parcel numbers 01115104 and 0115121.

A Motion to Approve was made by Joe Sailers and seconded by Susan Thomas. The Motion Carried by a vote of 0 Ayes and 0 Nays. Board Members voting

Included in the Motion: The application is complete, and complies with all applicable requirements. It is found to meet the Subdivision Ordinance, and complies with the 2030 Community Plan.

A Motion to Amend and Approve was made by Jennifer Davis and seconded by Susan Thomas. The Motion Carried by a vote of 9 Ayes and 0 Nays. Board Members voting Ayes: Bankirer, Davis, Graffy, McClelland, Miller, Sailers, Smith, Swanick, Thomas

Included in the Motion to Amend: To add that all outstanding comments be addressed.

Alison Adams, Senior Planner, presented the sketch plan, and entered the Staff Report into

the record, a copy of which is attached hereto as Exhibit C, and incorporated herein by reference. The site is for 18 homes off McCord Road near Black Farm Road containing approximately 21 acres. The density requirement is for 43% Open Space, and 44% is being provided. An 80' buffer along the street is required with existing vegetation to be maintained, or installed if none. The developer will install a meandering sidewalk. There is recreational open space is being provided, and can also be considered like an urban park. A street stub is included in the plan, along with a 20' undisturbed buffer around the project. The site is above 12% impervious, and there will be a sand filters installed. There is a willingness to serve letter from Charlotte Water. Sidewalks will be installed on one side of the road, with a ditch type cross section. Tree save is being met, and they are providing 51% of the tree canopy and 76% of the specimen trees. A concern at the neighborhood meeting was about the buffers, and traffic. The sketch plan meets the requirements of the ordinance. A TIA is not required. CMS has projected 9 students from the subdivision. The application is complete and it within the future land use plans. Staff recommends approval.

Mr. Bankirer asked the developer, Nate Bowman (205 S. Church Street, Huntersville), about the buffer concerns from the neighboring property owner, and Mr. Bowman indicated the buffer area near this neighbor will be planted match to look more natural. Mr. Bowman was asked the size of the lots, which are significantly smaller to the surrounding lots, and Mr. Bowman replied that with the 44% open space surrounding the lots they will look like acre lots. The quality of design and open space is being used to provide more features, trails, and open space with less yards for owners to mow.

There was no discussion after the Motion.

5. **Rezoning:** R17-03 is a request by Donald and Vicki Shew to generally rezone 12.66 acres from Corporate Business (CB) to Special Purpose (SP) at 15746 Old Statesville Road (Parcel #01101235).

A Motion to Approve was made by Susan Thomas and seconded by Joe Sailers. The Motion Carried by a vote of 7 Ayes and 2 Nays. Board Members voting Ayes: Bankirer, Graffy, McClelland, Miller, Sailers, Smith, Thomas

Nays: Davis, Swanick

Included in the Motion: The rezoning is consistent with the 2030 Community Plan and other applicable long range plans. It is reasonable and in the public interest to rezone the property because a Special Purpose District is consistent with adjacent zoning districts; there are no traffic impacts outlined, and it accommodates the current use of the property with reasonable improvement to be outlined in the commercial phase.

Bradley Priest, Senior Planner, presented, and entered the Staff Report into the record, a copy of which is attached hereto as Exhibit D, and incorporated herein by reference. Staff indicated there are no changes made to the plan since the public hearing.

During questions for staff, it was noted that the application was being made to make the property compliant, and staff confirmed it is a general rezoning request, and the current use is not permitted under the current zoning. Rezoning to Special Purpose ("SP") will bring the use into compliance. A member mentioned storage of items on the adjoining property, and staff was not aware of that situation. Jack Simoneau, Planning Director and staff commented they walked the property and did not see an issue. Brad Priest responded to a question of all requirements being met by the applicant, and confirmed to the extent practical. In example,

there is existing vegetation around some areas, and other areas could use screening, and storm water will be worked out. The applicant is putting a plan together to calculate the impervious on the site, which is separate of the rezoning. Staff was asked to explain the process for the commercial site plan, and described the administrative review process and that staff will look closely at screening and storm water, and possibly a driveway permit. The future Church Street extension was mentioned, and staff indicated that nothing will be changed based on the rezoning, and staff is not asking at this time for any right of way reservation as that would not be appropriate. Staff was asked about the uses in SP, to which staff listed the various by right uses, and conditional uses. Mr. Swanick questioned if the process could be made without a general rezoning, and staff commented there are options for a conditional rezoning, but staff is trying to keep this simple for the applicant considering it has been there for 22 years. Further discussion was made about the uses, zoning, and the future extension of Church Street. For the future Stumptown Road extension some of the railroad crossings to the north would need to be closed and additional or alternative access crossings will need to be created. Mr. Swanick again asked staff about adjusting the application to a conditional rezoning, and staff explained the (approximately) four month process. This is a much shorter process, and this request will move forward to the Town Board as proposed. The Town Board would have to deny this rezoning for the applicant to submit a conditional rezoning application.

There was no discussion after the Motion.

6. **Tree Mitigation:** Request by the developers of Bellamor at the Park, a Senior Living Apartment building, to preserve less than the required amount of canopy and specimen tree save on their Old Statesville Road site and to mitigate the shortage per Article 7.4 of the Huntersville Zoning Ordinance.

A Motion to Approve was made by Jennifer Davis and seconded by Stephen Swanick. The Motion Carried by a vote of 8 Ayes and 1 Nays. Board Members voting Ayes: Bankirer, Davis, Graffy, McClelland, Miller, Sailors, Smith, Swanick

Nays: Thomas

Bradley Priest, Senior Planner, presented, and entered the Staff Report into the record, a copy of which is attached hereto as Exhibit E, and incorporated herein by reference. Through the commercial site plan application it was found that the application would not be able to save the required amount of trees (10% of the canopy and specimen trees). Staff showed the existing conditions and the grading plan. Calculations were submitted; 11 trees and 11 specimen trees to saved (22 total), and the applicant has requested the trees be mitigated by contribution to the tree fund. The contribution is \$5,500.00. Staff recommends approval. Staff was asked the amount in the tree fund, and staff indicated it was approximately \$10,000.00, but some may have been used (possibly NC73 trees). Staff described the left turn lane being required for the site, and the right of way. There were concerns about trees outside of the boundary not being counted because of NCDOT. Staff interrupts that area not under the ownership of the applicant, and the applicant does not have the ability to save those trees. A concern was that there is a total wipe of trees. Staff noted that some trees were being saved in the right of way, and if counted the applicant might met the specimen requirements but not the canopy requirements. The right of way is to be dedicated to NCDOT and is on the plan. It was asked about the landscaping, and staff indicated there would be a double row of trees along NC115, in the parking lot (perimeter and interior), and along the southern façade of the building.

Susan Irvin, Attorney at Law (19726 Zion Avenue, Cornelius), spoke on behalf of the applicant, and explained the unique situation for the plan. There is a letter from the NC Housing and Finance Authority explaining the tax credit program and the project by Solstice. The program is limited to 30-40 awards each year, and this project is for affordable living for seniors through the IRS tax credit program. It is extremely difficult to obtain permission to build these projects with strict requirements. The 2030 Community Plan, Policy H-5 is to encourage housing options for senior citizens, and Policy H-7 that supports appropriate mix of housing for all income levels. This is not your average apartment development. The registered landscaping architect was present, to which Ms. Irvin gave his qualifications, and could speak to any specific landscaping or mitigation questions. Along with the project is a crucial time period for funding by July 31, 2017. Ms. Irvin expressed thanks to staff for their prompt and thorough job.

There was no discussion after the Motion.

E. Other Business

1. Elections for Chairman and Vice Chairman

Chairman: Harold "Hal" Bankirer

Vice Chairman: Jennifer Davis

2. Adjusted TIA Results Reporting Format

The Chairman requested that Stephen Swanick communicate with the Planning Director, Stephen Trott and Max Buchanan, Engineering Department, concerning the template for TIA results and analysis presented to the Planning Board. It is suggested to use color codes that might be beneficial in presenting and show consistency. This matter will be placed on the August 22, 2017 Agenda.

F. Adjourn

Approved this _____ day of _____, 2017.

Chairman or Vice Chairman

Michelle V. Haines, Board Secretary

Town of Huntersville
PLANNING BOARD
8/22/2017

To: Planning Board Members
From: Brian Richards
Subject: R17-04 Sam Furr Senior Apartments

Rezone: Request by Nickel Development Group, LLC to rezone 2.024 acres located along Sam Furr Rd. west of Birkdale Village from Highway Commercial Conditional District (HC-CD) to Highway Commercial Conditional District (HC-CD) to create a 78 unit age restricted apartment building. Parcel ID # 00537401

ACTION RECOMMENDED:

Make a recommendation to the Town Board.

FINANCIAL IMPLICATIONS:

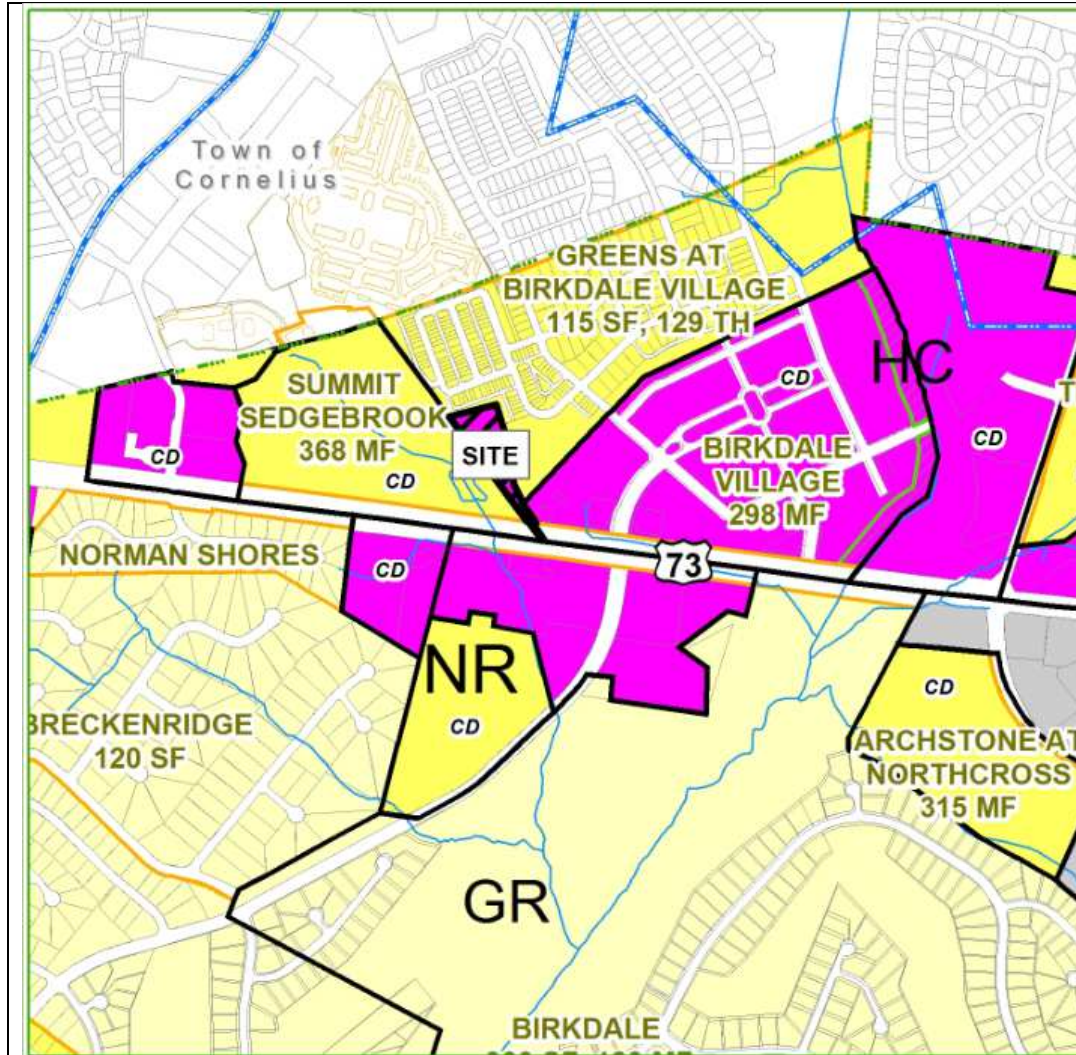
n/a

ATTACHMENTS:

Description	Type
☐ R17-04 Staff Report PB	Staff Report
☐ A - Application	Exhibit
☐ B - Rezoning Site Plan	Exhibit
☐ C - APFO Determination	Exhibit
☐ D - Neighborhood Meeting Report	Exhibit
☐ E - R08-09 Birkdale Inn	Exhibit
☐ F - Letter from Townhome HOA	Exhibit
☐ G - Neighborhood Petition	Exhibit

Petition R17-04 Sam Furr Senior Apartments Conditional District Rezoning

PART 1: PROJECT SUMMARY



Applicant: Nickel Development Group, LLC

Property Owner: Nickel Development Group, LLC

Property Address: 8541 Sam Furr Road

Project Size: (+/-) 2.024-acres

Parcel Numbers:

00537401

Current Zoning: Highway Commercial Conditional District (HC-CD) Birkdale Inn 16 Room Hotel

Current Land Use: Vacant

Proposed Zoning:

Highway Commercial Conditional District (HC-CD) Sam Furr Sr Apartments 78 Units.

Proposed Land Use:

78 unit multi-family apartment

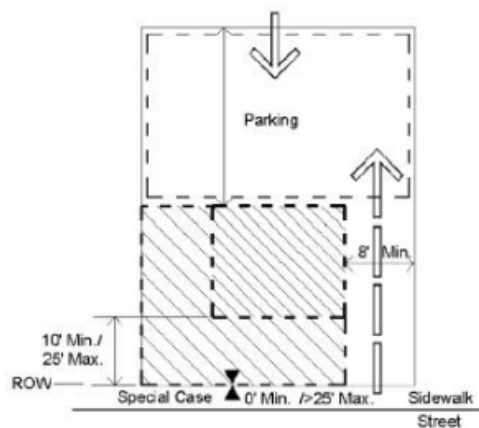
1. Purpose: Rezone 2.024 acres near the intersection of Sam Furr Road and Birkdale Commons Parkway (west of Birkdale Village) from Highway Commercial Conditional District (HC-CD) to Highway Commercial Conditional District (HC-CD) to allow for a 78 unit age-restricted apartment building.
2. Adjoining Zoning and Land Uses.
 - North: Neighborhood Residential (NR) –Townhomes and Single-family homes (Greens at Birkdale).
 - South: Highway Commercial (HC) – Commercial and Office.
 - East: Neighborhood Residential (NR) and Highway Commercial (HC) –Townhomes/ Single-family homes also Commercial and Office (Birkdale Village).
 - West: Neighborhood Residential (NR) – Apartments (Summit Sedgwick).

3. The Parcel is currently approved for a 16 room boutique hotel. This was approved as Rezoning R08-09 Birkdale Inn (Attachment E).
4. A neighborhood meeting was held on Wednesday, July 12, 2017. The complete meeting summary is provided in Attachment D. Questions/concerns centered mainly on the building height, parking, and buffers.
5. Notice for this rezoning petition was given via letters sent to adjoining property owners; a legal ad placed in the Charlotte Observer; and posting of rezoning signs on the property.

PART 2: REZONING/SITE PLAN ISSUES

Due to the unique shape of the parcel the developer is requesting several modifications to requirements of the Zoning Ordinance. In approving a conditional zoning district, the Town Board may modify standards established in the zoning or subdivision ordinance provided the spirit of the regulations are maintained.

- Article 4: Lot Type/Apartment Building - 1. Buildings shall be placed within the zone represented within the hatched area (10' to 25').

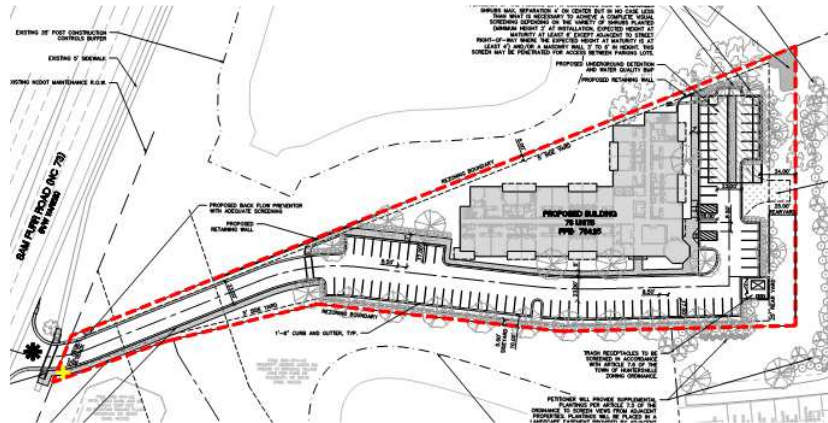


2. In most cases, the build to line will be 15' behind street ROW. Special site conditions such as topography, pattern of lot widths, or setbacks of existing buildings permit a larger setback. In urban conditions, apartments may be set up to the property line at the sidewalk, including corner conditions.

The Developer is requesting to set the building at 388' feet from the ROW.

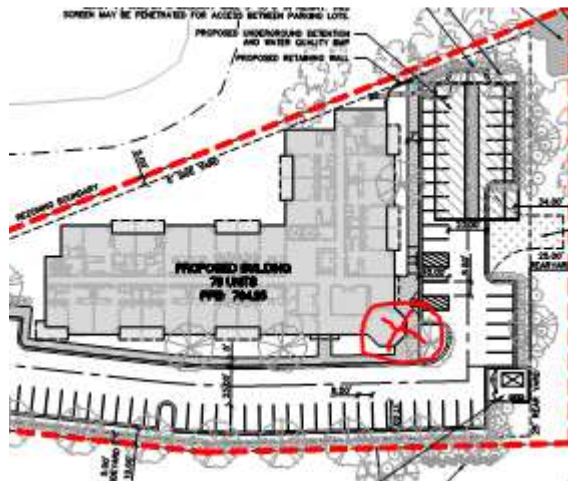
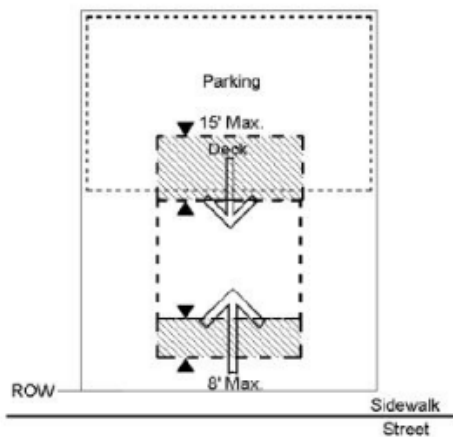
COMMENT: Due to the unique shape of the property Staff supports this modification.

- Article 4: Lot Type/Apartment Building – 4. Parking shall be located to the rear of the building. The Developer is requesting that parking be allowed between the building and the public right-of-way.



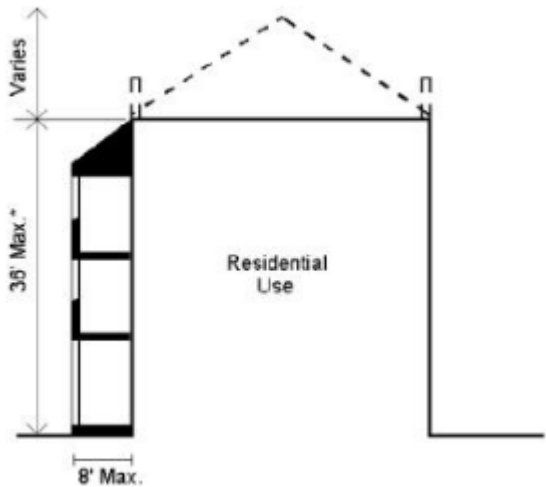
COMMENT: Due to the unique shape of the property Staff supports this modification.

- Article 4: Encroachment/Pedestrian Access – 4. Main pedestrian access to the building and to individual units is from the street (indicated by larger arrow), unless specifically exempted by one of the provisions of Section 8.1. Secondary access may be from parking areas (indicated by smaller arrow). The Developer is requesting that the main pedestrian entrance be allowed from the rear parking area.



COMMENT: Due to the unique shape of the property Staff supports this modification.

- Article 4 Permitted Height and Uses – Maximum Height 36'. The Developer is requesting to increase the height of the building to be 5 stories (55') as measured from the base of the building to the eaves.

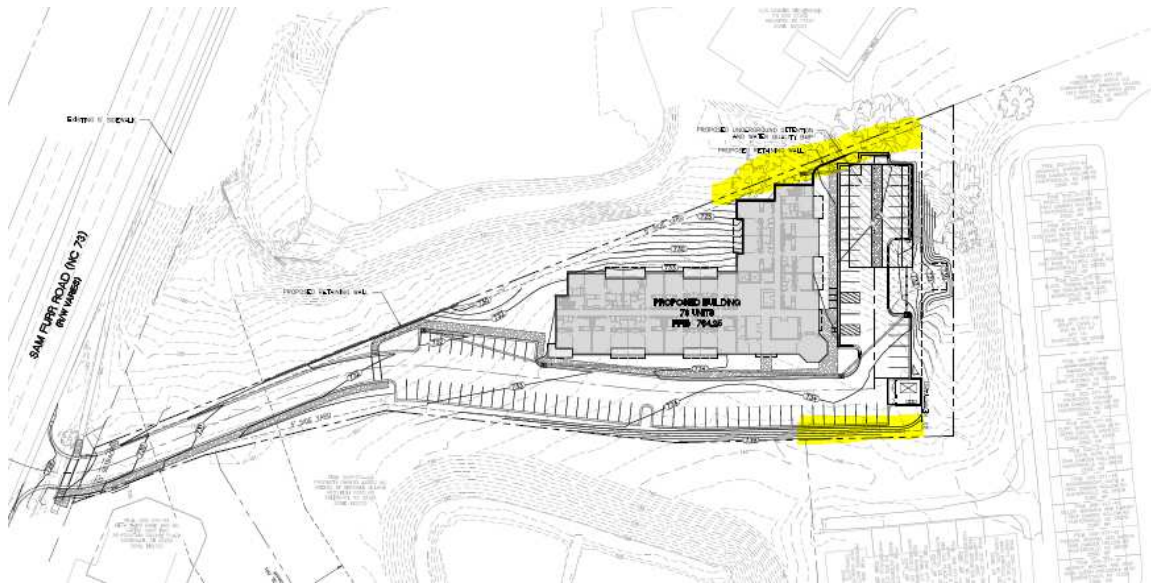


COMMENT: Due to the unique shape of the property, topography, and surrounding development (there are 3 & 4 story building nearby) Staff would support a modification to 4 stories.



- Article 7.5 Buffer Yards – Width 20’
The Developer is requesting to reduce the buffer width to 5’ on the western and to 10’ on the eastern boundaries.

Residential	Any Major residential subdivision abutting a property zoned residential or developed residential, not internal to a planned community [4]	20 ft.	3 trees per 1,000 sf. of buffer area, 25% large maturing, 25% small maturing, 25% evergreen	10 shrubs per 1,000 sf., 100% evergreen
-------------	---	--------	---	---



COMMENT: Staff recommends that a 20' buffer be provided in the areas highlighted and that the modification be supported in the areas adjacent to the ponds located to the east and west of the subject property.

The Developer is offering to limit garbage pick up to the hours of 1P.M. until 5P.M. Monday thru Friday in order to limit noise and disturbance to the adjacent property owners.

COMMENT: Staff supports this condition.

The rezoning plan has been reviewed and can be approved as noted pending the rezoning hearing.

PART 3: TRANSPORTATION ISSUES

Traffic Impact Analysis (TIA)

Based on the land use and intensity proposed, a TIA is not required.

Site Plan Comments

- All comments have been addressed.

PART 4: ADEQUATE PUBLIC FACILITIES (APF)

Under the provisions of the APF Ordinance, all residential development greater than twenty (20) lots are required to receive a "Determination of Adequacy (DOA)" for the following public facilities: Fire Facilities, Fire Vehicles, Police Facilities, Police Vehicles, Indoor Park and Recreation Facilities, and Parks Acreage. The proposed CD Rezoning met the required threshold for submission of an APF application, and the proposed development is subject to the requirements of the APFO.

A Determination of Adequacy (DOA) has been issued for the following public facilities: Fire Vehicles, Fire Facilities, Police Facilities, Police Vehicles, Indoor Park & Recreation Facilities & Park Acreage (see Attachment C).

PART 5: REZONING CRITERIA

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

COMMENT: The 2030 Huntersville Community Plan supports this project through the following sections:

- **Policy H-5: Senior Housing.** Encourage housing options which accommodate senior citizens (e.g. age restricted/retirement communities, congregate care/assisted living facilities,) allowing seniors to remain in the community.
Comment: The proposed development provides senior housing within the Birkdale area.
- **Policy H-9: Future Residential Development.** Higher intensity development generally within two miles of the I-77/NC 115 corridor.
Comment: The proposed CD Rezoning is located within the High Intensity Area of the 2030 Community Plan.
- **Policy PF-2: Adequate Public Facilities:** Continue use of “Adequate Public Facilities Ordinance” to ensure that demand generated by existing and future growth and development for police, fire and parks & recreation capital facilities can be met by available supply of facilities.
Comment: see Part 4 of this report.

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.**

COMMENT: The proposed Conditional District Rezoning for the Sam Furr Senior is supported by the 2030 Comprehensive Plan, as the property is located within the area eligible for intensification. The proposal is also appropriate for the area by introducing a new senior living option to the housing market. Staff has concern with the building height of 5 stories and would recommend a maximum height of 4 stories.

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.**

COMMENT:

- A Transportation Impact Analysis was not required – see Part 3 of this report.
- The APF Ordinance Determination of Adequacy was met – see Part 4 of this report.
- Storm water drainage, water supplies and wastewater and refuse disposal and a Willingness-to-serve letter must be provided by Charlotte Water, as well as PCO-1 storm water approval from Mecklenburg County.

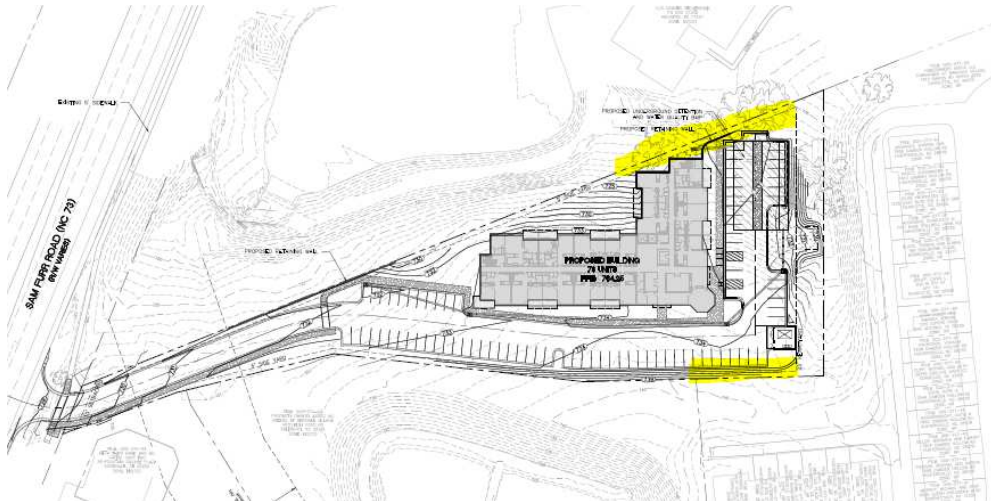
3. Whether the proposed reclassification will adversely affect a known archeological, environmental, historical or cultural resource.”

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

PART 6: STAFF RECOMMENDATION

The Sam Furr Senior Apartments Conditional District Rezoning Plan can be supported by staff subject to the following:

- The height of the building be reduced to 4 stories.
- A buffer of 20' is provided in the areas highlighted below which area adjacent to neighboring structures and that a modification to the buffer requirement be granted along the areas that are adjacent to the two ponds.



PART 7: PUBLIC HEARING COMMENTS

A Public Hearing was conducted on Monday, August 7, 2017.

PART 8: PLANNING BOARD RECOMMENDATION

Planning Board scheduled to review on August 22, 2017.

PART 9: ATTACHMENTS/ENCLOSURES

Attachments

- A - Rezoning Application
- B - Rezoning Plan
- C - APFO Determination
- D - Neighborhood Meeting Report from July 12, 2017.
- E - R08-09 Birkdale Inn
- F – Letter from Townhome HOA
- G – Neighborhood Petition

PART 10: CONSISTENCY STATEMENT - R 17-04 Sam Furr Senior Apartments

Planning Department	Planning Board	Board of Commissioners
<p>APPROVAL: In considering the proposed rezoning application R17-04; Sam Furr Senior Apartments Conditional District Rezoning, the Planning staff recommends conditional approval (building height of 4 stories and modification of buffers) as it is consistent with Policy Goals H-5, H-9, and PF-2 of the 2030 Community Plan. The property is also located within two miles of I-77 corridor (see Part 5).</p> <p><u>With those provisions, it is reasonable and in the public interest to approve the Conditional District Rezoning Plan because the request is consistent with the 2030 Community Plan.</u></p>	<p>APPROVAL: In considering the proposed rezoning application R17-04; Sam Furr Senior Apartments Conditional District, the Planning Board recommends approval based on the Plan being consistent with <u>(insert applicable plan reference)</u>.</p> <p><u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p>	<p>APPROVAL: In considering the proposed rezoning application R17-04; Sam Furr Senior Apartments Subdivision Conditional District, the Town Board recommends approval based on the Plan being consistent with <u>(insert applicable plan reference)</u>.</p> <p><u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p>
<p>DENIAL:</p>	<p>DENIAL: In considering the proposed rezoning application R17-04; Sam Furr Senior Apartments Conditional District, the Planning Board recommends denial based on <u>(consistent OR inconsistent) with (insert applicable plan reference)</u>.</p> <p><u>It is not reasonable and not in the public interest to amend the approved Rezoning Plan because... (Explain)</u></p>	<p>DENIAL: In considering the proposed rezoning application R17-04; Sam Furr Senior Apartments Conditional District, the Town Board recommends denial based on the Plan being <u>(consistent OR inconsistent) with (insert applicable plan reference)</u>.</p> <p><u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></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>

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

SUBDIVISION CATEGORIES: *Per the Huntersville Subdivision Ordinance*

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

2. Project Data

Date of Application 04/26/17

Name of Project Sam Furr Senior Apartments Phase # (if subdivision) _____

Location 8521 Sam Furr Road

Parcel Identification Number(s) (PIN) 00537401

Current Zoning District HC (CD) Proposed District (for rezonings only) HC (CD)

Property Size (acres) 2.024 ac Street Frontage (feet) 47 feet

Current Land Use Vacant

Proposed Land Use(s) 78 unit Senior Apartments (age-restricted) and associated parking areas

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.

This project was originally re-zoned to HC (CD) under approved petition number R08-09. This rezoning is required to amend the use (senior

apartments) and the site layout (building and parking areas).

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 Jake Palillo
Address of Applicant 19520 West Catawba Avenue, Suite 200, Cornelius, NC 28031
Email jpalillo@aol.com

Property Owner's Signature (if different than applicant) _____
Printed Name Nickel Development Group, LLC
Property Owner's Address 19520 West Catawba Avenue, #200, Cornelius, NC 28031 Email jpalillo@aol.com

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

Nickel Development Group, LLC	Jake Palillo	704-363-7902	jpalillo@aol.com
Development Firm	Name of contact	Phone	Email
ColeJenest & Stone, PA	Colin Jenest, PE	704-971-4510	cjenest@colejeneststone.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

SITE DEVELOPMENT DATA:

--ACREAGE: 2.024 ± ACRES
--TAX PARCEL #: 005-374-01
--EXISTING ZONING: HC (CD)
--PROPOSED ZONING: HC (CD)
--EXISTING USES: VACANT
--PROPOSED USES: MULTI-FAMILY RESIDENTIAL – 78 UNITS (AGE RESTRICTED)
--PARKING: 1.0 SPACES PER UNIT (1 BEDROOM) MINIMUM, 1.5 SPACES PER UNIT (>1 BEDROOM) MINIMUM

1. GENERAL PROVISIONS

- a. UNLESS MORE STRINGENT STANDARDS ARE ESTABLISHED BY THE SCHEMATIC SITE PLAN OR THESE DEVELOPMENT STANDARDS, ALL DEVELOPMENT STANDARDS ESTABLISHED UNDER THE TOWN OF HUNTERSVILLE ZONING ORDINANCE (THE "ORDINANCE") FOR THE HC ZONING DISTRICT CLASSIFICATION SHALL BE FOLLOWED IN CONNECTION WITH DEVELOPMENT TAKING PLACE ON THE SITE.
- b. THE CONFIGURATION, PLACEMENT AND SIZE OF THE BUILDINGS, PARKING AREAS, AND OTHER SITE ELEMENTS DEPICTED ON THE SCHEMATIC SITE PLAN ARE SCHEMATIC IN NATURE AND MAY BE ALTERED OR MODIFIED WITHIN THE CONSTRAINTS DEFINED BY THE ORDINANCE AND BY THE DEVELOPMENT DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.

2. PERMITTED USES

THE SITE MAY BE DEVOTED ONLY TO THE FOLLOWING USE:
MULTI-FAMILY RESIDENTIAL (AGE-RESTRICTED)

3. SETBACKS, SIDE YARDS, AND REAR YARDS

- a. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE SETBACK, REAR YARD AND SIDE YARD REQUIREMENTS ESTABLISHED UNDER THE ORDINANCE FOR THE HC ZONING DISTRICT AS DEPICTED OR NOTED ON THE PLAN.

4. LANDSCAPE/BUFFER REQUIREMENTS

- a. PARKING LOT LANDSCAPING SHALL CONFORM WITH THE STANDARDS AND TREATMENTS SPECIFIED IN ARTICLE 6 OF THE ORDINANCE.
- b. DUE TO THE UNIQUE SHAPE OF THE PARCEL AND NATURE OF THE SURROUNDING PARCELS, THE PETITIONER IS REQUESTING A WAIVER OF VARIABLE WIDTH REDUCTION OF THE REQUIRED 30' BUFFER WIDTH ALONG THE SIDE AND REAR YARDS AS PART OF THIS REZONING PETITION. REQUIRED BUFFER PLANTINGS WILL BE PROVIDED AS SHOWN ON THE SCHEMATIC SITE PLAN WITHIN A LANDSCAPE EASEMENT ON THE ADJACENT PROPERTIES.
- c. THE PETITIONER WILL PROVIDE BUFFER LANDSCAPING TO SCREEN THE APARTMENT BUILDING FROM ADJACENT PROPERTIES. SUCH SCREEN PLANTINGS MAY BE LOCATED ON THE PROJECT PROPERTY OR ON ADJACENT PROPERTY ONLY WITH A LANDSCAPE EASEMENT AGREEMENT BETWEEN THE PETITIONER AND ADJACENT PROPERTY OWNERS. ALL BUFFER LANDSCAPING WILL ADHERE TO ARTICLE 7.5 OF THE ORDINANCE AND WILL BE MASSED NEAR THE TOPS OF SLOPES SO AS TO PROVIDE MAXIMUM SCREENING EFFECT.
- d. THERE ARE NO EXISTING SPECIMEN TREES LOCATED ON THE SUBJECT PROPERTY.

5. PARKING

- a. OFF-STREET PARKING AND LOADING WILL MEET THE MINIMUM REQUIREMENTS SET OUT IN THE ORDINANCE. THE PARKING REQUIREMENTS ARE NOTED IN THE DEVELOPMENT SUMMARY.
- b. THE ALIGNMENT OF INTERNAL VEHICULAR CIRCULATION AND DRIVEWAYS IS PRELIMINARY AND AS A RESULT HAS NOT BEEN FINALIZED AND IS SUBJECT TO FINAL DESIGN AND ENGINEERING PLANS. MINOR MODIFICATION OR ALTERATION OF THESE ALIGNMENTS MAY THEREFORE TAKE PLACE DURING DESIGN DEVELOPMENT AND CONSTRUCTION PHASES.

6. SIGNS

- a. ALL SIGNS PLACED ON THE SITE WILL BE PERMITTED SEPARATELY UNDER ARTICLE 10 OF THE TOWN OF HUNTERSVILLE ZONING ORDINANCE.
- b. DETACHED SIGNS WILL BE GROUND MOUNTED SIGNS (POLE SIGNS ARE NOT ALLOWED). THE DESIGN OF THESE SIGNS WILL BE ARCHITECTURALLY COMPATIBLE WITH BUILDINGS ON THE SITE THROUGH THE USE OF THE SIMILAR BUILDING MATERIALS AND ARCHITECTURAL STYLES.
- c. THE USE OF NEON IN ANY SIGN IS PROHIBITED.
- d. NO SIGN SHALL BE PERMITTED WITHIN THE SAM FURR ROAD RIGHT-OF-WAY OR OUTSIDE OF THE EXISTING PROPERTY BOUNDARY.

7. FIRE ACCESS

THE PARKING LOT INCLUDES AN INTEGRAL HAMMER HEAD DESIGNED TO ALLOW FOR FIRE TRUCK TURN-AROUND ACCESS PER MECKLENBURG COUNTY STANDARDS.

8. STORM WATER

- a. STORM WATER RUNOFF FROM THE SITE WILL BE MANAGED THROUGH PROVEN TECHNIQUES WHICH SATISFY THE STANDARDS IMPOSED BY THE TOWN OR MECKLENBURG COUNTY.
- b. THE FOLLOWING AGENCIES MUST BE CONTACTED PRIOR TO CONSTRUCTION REGARDING WETLAND AND WATER QUALITY PERMITS
 - b.a. SECTION 401 PERMIT – NCDEQ, RALEIGH OFFICE (919.733.1786)
 - b.b. SECTION 404 PERMIT – US ARMY CORPS OF ENGINEERS (704.271.4854)

9. GARBAGE

- a. ANY DUMPSTERS VISIBLE FROM A PUBLIC STREET OR FROM AN ADJOINING PARCEL OF LAND WILL BE SCREENED FROM VIEW IN ACCORDANCE WITH ARTICLE 7.6. SCREENING TO BE ACHIEVED BY A SOLID ENCLOSURE WITH GATES AND SUPPLEMENTAL LANDSCAPING AS NEEDED. MATERIALS FOR ANY ENCLOSURE SHALL BE CONSISTENT WITH THOSE OF THE PRINCIPLE STRUCTURE.
- b. GARBAGE PICK-UP WILL BE LIMITED TO THE HOURS OF 1P.M. UNTIL 5P.M. MONDAY THRU FRIDAY IN ORDER TO LIMIT NOISE DISTURBANCE TO ADJACENT PROPERTY OWNERS.

10. UTILITIES

- a. NO UTILITIES OR UTILITY EASEMENTS ARE CURRENTLY SHOWN AS BEING LOCATED WITHIN THE PROJECT PROPERTY BOUNDARIES.
- b. LOCATION OF BACKFLOW PREVENTORS SHALL BE COORDINATED WITH CMUD AND THE TOWN OF HUNTERSVILLE.
- c. ALL BUILDING-RELATED UTILITIES AND MECHANICAL EQUIPMENT WILL BE LOCATED TO THE SIDE OR REAR OF THE PRINCIPAL STRUCTURE AND WILL BE SCREENED FROM VIEW.

11. SITE LIGHTING

- a. LIGHTING WILL BE PROVIDED THROUGHOUT THE SITE AND SHALL COMPLY WITH ARTICLE 8.26. LIGHTING TO BE FULL CUT-OFF TYPE LIGHTING FIXTURES.
- b. SITE LIGHTING WILL BE LIMITED TO 20 FEET IN HEIGHT.
- c. NO "WALL PAK" LIGHTING WILL BE ALLOWED, HOWEVER ARCHITECTURAL LIGHTING ON BUILDING FACADES, SUCH AS SCONCES, WILL BE PERMITTED. SUCH PERMITTED ARCHITECTURAL LIGHTING MUST BE DOWNWARDLY DIRECTED, SO AS TO NOT BE ANGLED GREATER THAN 45-DEGREES FROM VERTICAL.

12. ARCHITECTURAL CONTROLS

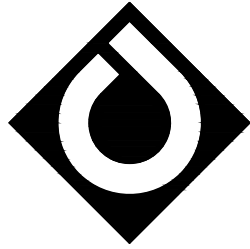
BUILDING ARCHITECTURE SHALL FOLLOW THE GENERAL FORM AND STYLE OF THE ELEVATIONS SUBMITTED AS PART OF THIS REZONING PETITION. HOWEVER, THE PETITIONER RESERVES THE RIGHT TO MAKE MINOR MODIFICATIONS AS REQUIRED BY BUILDING STANDARDS OR MARKET CONDITIONS; SUCH MODIFICATIONS MUST BE APPROVED BY THE TOWN STAFF.

13. AMENDMENTS TO THE REZONING PLAN

FUTURE AMENDMENTS TO THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH PROVISIONS OF ARTICLE 11.3 OF THE ORDINANCE.

14. BINDING EFFECT OF THE REZONING APPLICATION

IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE SCHEMATIC SITE PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.



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Landscape Architecture
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Urban Design

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NICKEL
DEVELOPMENT
GROUP, LLC

19520 WEST CATAWBA AVENUE
SUITE #200
CORNELIUS, NC 28031

SAM FURR SENIOR
APARTMENTS
REZONING

8521 SAM FURR ROAD
HUNTERSVILLE, NC 28078

DEVELOPMENT
STANDARDS

Project No.

4536

Issued

05/01/17

Revised

07/10/17 – TOH AND MECK. CO. COMMENTS

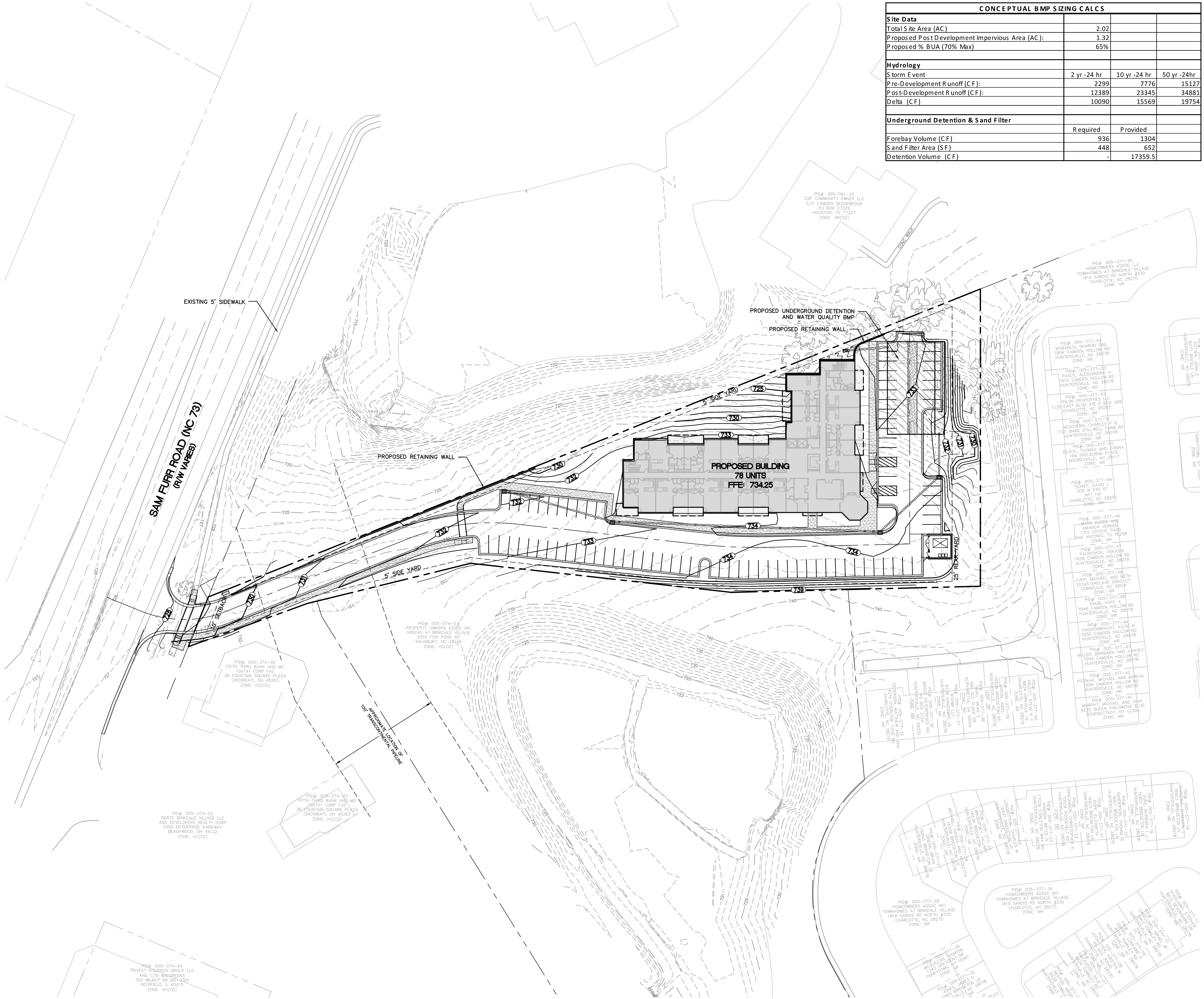


RZ2.0

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PETITION #: R17-04



CONCEPTUAL BMP SIZING CALCS				
Site Data				
Total Site Area (AC)	2.02			
Proposed Post Development Impervious Area (AC):	1.32			
Proposed % BUA (70% Max)	65%			
Hydrology				
Storm Event	2 yr -24 hr	10 yr -24 hr	50 yr -24hr	
Pre-Development Runoff (C F):	2299	7776	15127	
Post-Development Runoff (C F):	12389	23345	34881	
Delta (C F)	10090	15569	19754	
Underground Detention & Sand Filter				
	Required	Provided		
Forebay Volume (C F)	936	1304		
Sand Filter Area (S F)	448	652		
Detention Volume (C F)	-	17359.5		

VICINITY MAPN.T.S.

SURVEY DISCLAIMER
ALTA/ASOM LAND TITLE SURVEY ISSUED AUGUST 8, 2013, PROVIDED BY PROFESSIONAL PROPERTY SURVEYORS, INC., 18335 OLD STATEVILLE ROAD UNIT A, CORNELIUS, NC 28031, (704) 765-5134.

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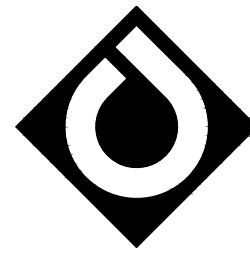
NICKEL DEVELOPMENT GROUP, LLC
19520 WEST CATAWBA AVENUE
SUITE #200
CORNELIUS, NC 28031
SAM FURR SENIOR APARTMENTS REZONING
8521 SAM FURR ROAD
HUNTERSVILLE, NC 28078

GRADING AND STORMWATER CONCEPT PLAN
Project No. 4536
Issued 05/01/17
Revised 07/10/17 - TOH AND MECK, CO. COMMENTS

07/10/17

SCALE: 1"=40'
0 20' 40' 80'

RZ3.0
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PETITION #: R17-04



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SAM FURR SENIOR APARTMENTS REZONING

8521 SAM FURR ROAD
HUNTERSVILLE, NC 28078

EXISTING CONDITIONS AND TREE PRESERVATION PLAN

Project No.

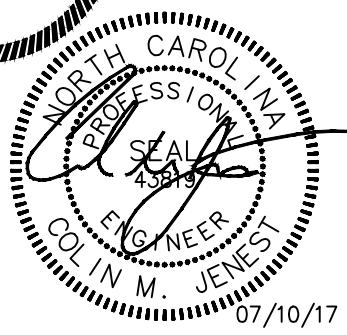
4536

Issued

05/01/17

Revised

07/10/17 - TOH AND MECK. CO. COMMENTS



SCALE: 1"=40'

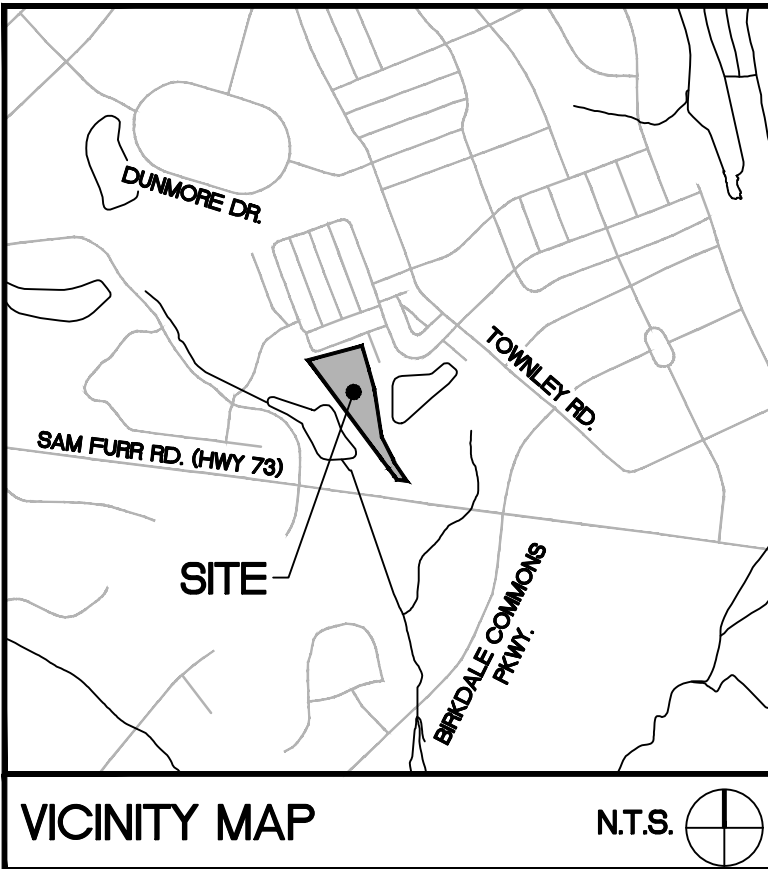
0 20' 40' 80'

RZ4.0

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PETITION #: R17-04



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LEGEND

SYMBOL

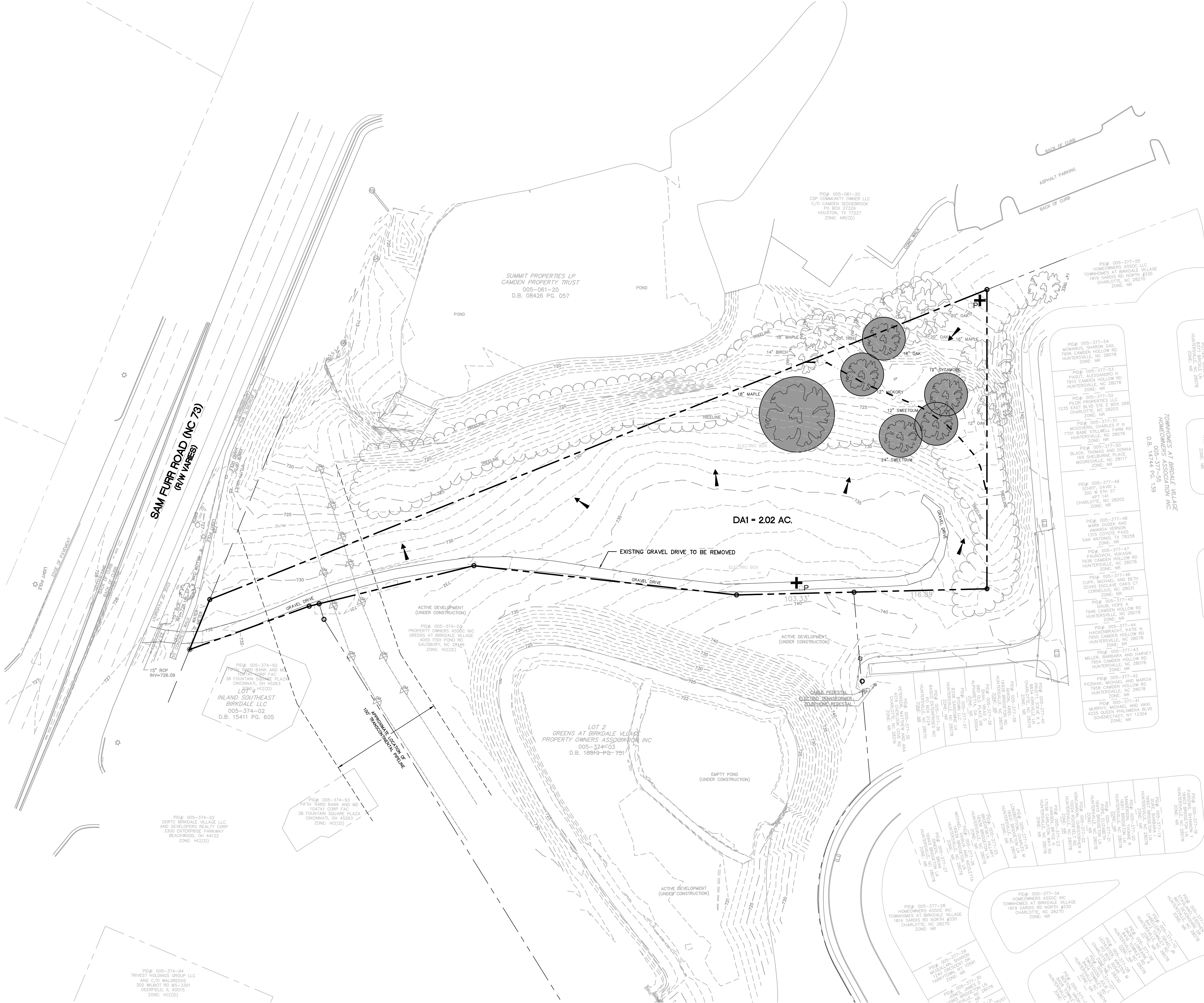
- EXISTING TREE
- EXISTING TREE TO REMAIN
- EXISTING TREE TO BE REMOVED
- LOCAL HIGH POINTS
- FLOW DIRECTION
- SWALES

TREE PROTECTION:

APPLICABILITY:
A TREE AND ROOT PRESERVATION PLAN DELINEATING AREAS OF TREE SAVE SHALL BE INCORPORATED AS PART OF THE LANDSCAPING, GRADING AND EROSION CONTROL PLANS. THE FOLLOWING MEASURES SHALL BE FOLLOWED TO PROTECT EXISTING TREES ON A DEVELOPING SITE PRIOR TO DEMOLITION, CLEARING, CONSTRUCTION, GRADING AND INSTALLATION OF EROSION CONTROL MEASURES; TREE PROTECTIVE BARRIERS MUST BE INSTALLED AROUND ALL TREE SAVE AREAS BY THE DEVELOPER AND APPROVED BY THE TOWN.
- THE TREE PROTECTION FENCE SHALL BE LOCATED ALONG THE PERIMETER OF THE TREE SAVE AREA (DRIP LINE PLUS 5 FEET). TREE PROTECTION FENCING FOR A FOREST CANOPY STANDS AREA IS TO BE LOCATED ALONG THE PERIMETER OF THE TREE SAVE AREA AROUND THE FOREST EDGE. TREE PROTECTION FENCING SHALL CONSIST OF ORANGE SAFETY FENCING OR A COMBINATION OF ORANGE SAFETY FENCING WITH SILT FENCING AT A MINIMUM OF 4 FEET IN HEIGHT ON METAL OR WOOD POSTS.
- ALL TREE PROTECTION AREAS MUST BE DESIGNATED AS SUCH WITH "TREE SAVE AREA SIGNS" POSTED IN ADDITION TO THE REQUIRED PROTECTIVE FENCING. SIGNS REQUESTING SUBCONTRACTOR COOPERATION AND COMPLIANCE WITH TREE PROTECTION STANDARDS ARE RECOMMENDED FOR SITE ENTRANCES.
- NO SOIL DISTURBANCE OR COMPACTION, STOCK PILING OF SOIL OR OTHER CONSTRUCTION MATERIAL, VEHICULAR TRAFFIC, OR STORAGE OF EQUIPMENT AND MATERIALS ARE ALLOWED WITHIN THE TREE SAVE AREA.
- NO ROPES, SIGNS, WIRES, UNPROTECTED ELECTRICAL INSTALLATION OR OTHER DEVICE OR MATERIAL, SHALL BE SECURED OR FASTENED AROUND OR THROUGH A TREE OR SHRUB.
- ALL PROTECTIVE MEASURES SHALL BE MAINTAINED THROUGHOUT THE LAND DISTURBING AND CONSTRUCTION PROCESS, AND SHALL NOT BE REMOVED UNTIL FINAL LANDSCAPING IS INSTALLED.

SPECIMEN TREE NOTES:

1. THERE ARE NO EXISTING SPECIMEN TREES LOCATED ON THE SUBJECT PROPERTY.





- Land Planning
- +
- Landscape Architecture
- +
- Civil Engineering
- +
- Urban Design

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**NICKEL
DEVELOPMENT
GROUP, LLC**

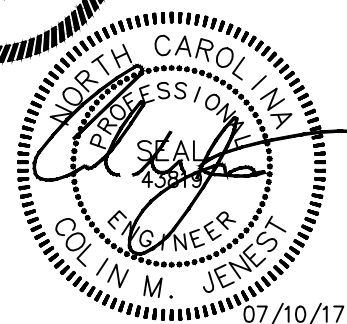
SAM FURR SENIOR APARTMENTS REZONING

SLOPE ANALYSIS

4536

05/01/17

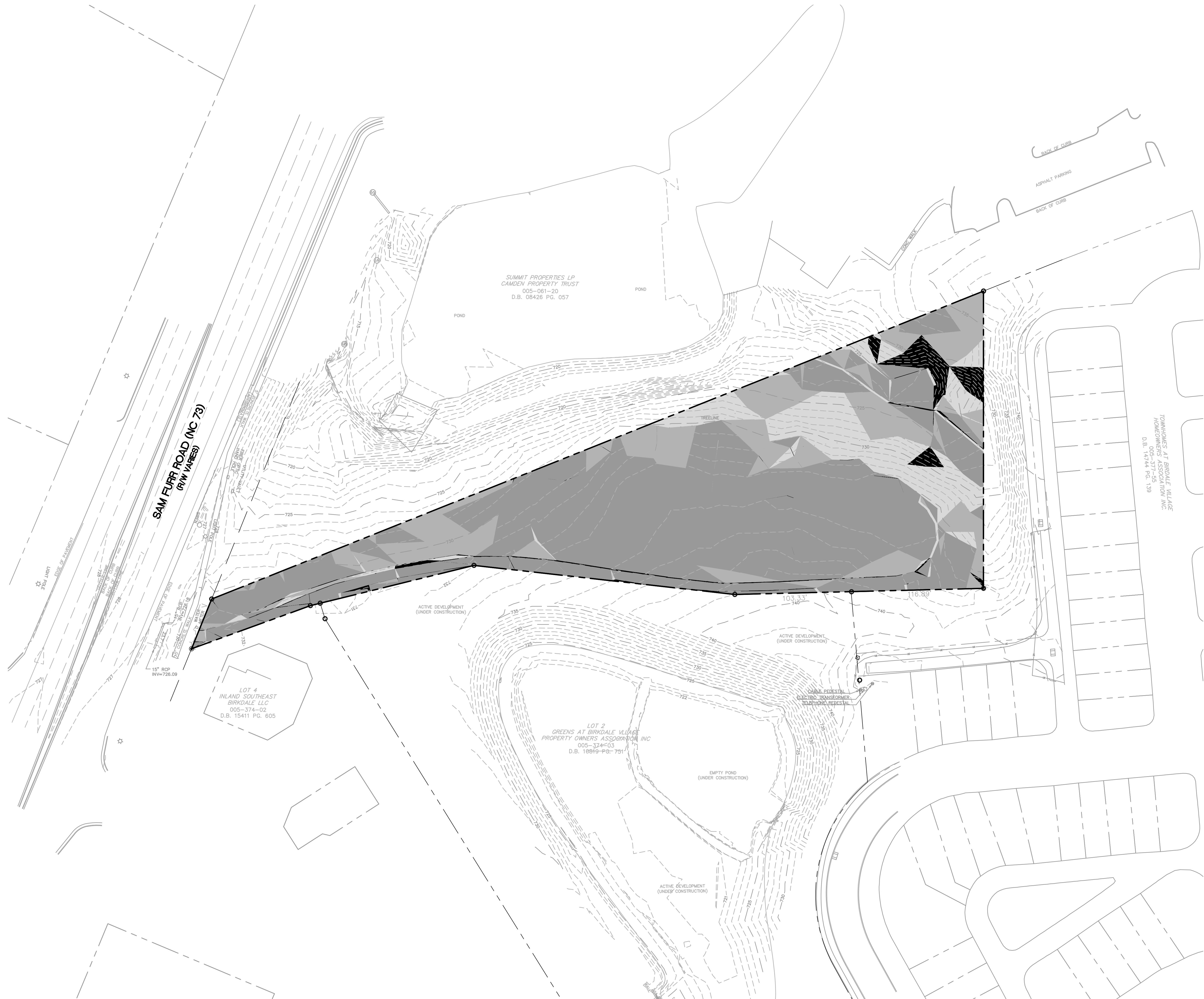
07/10/17 - TOH AND MECK. CO. COMMENTS



RZ5.0

ColeJenest & Stone, P.A. 2017 ©

PETITION #: R17-04





Shaping the Environment
Realizing the Possibilities

- Land Planning
- +
- Landscape Architecture
- +
- Civil Engineering
- +
- Urban Design

200 South Tryon Street, Suite 1400
Charlotte, North Carolina 28202

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url+ www.colejeneststone.com

**NICKEL
DEVELOPMENT
GROUP, LLC**

19520 WEST CATAWBA AVENUE
SUITE #200
CORNELIUS, NC 28031

SAM FURR SENIOR APARTMENTS

REZONING
8521 SAM FURR ROAD
HUNTERSVILLE, NC 28078

REZONING SECTIONS

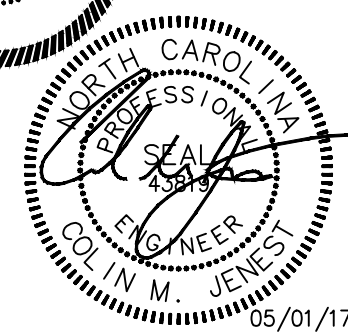
Project No.

4536

Issued

05/01/17

Revised



RZ6.0

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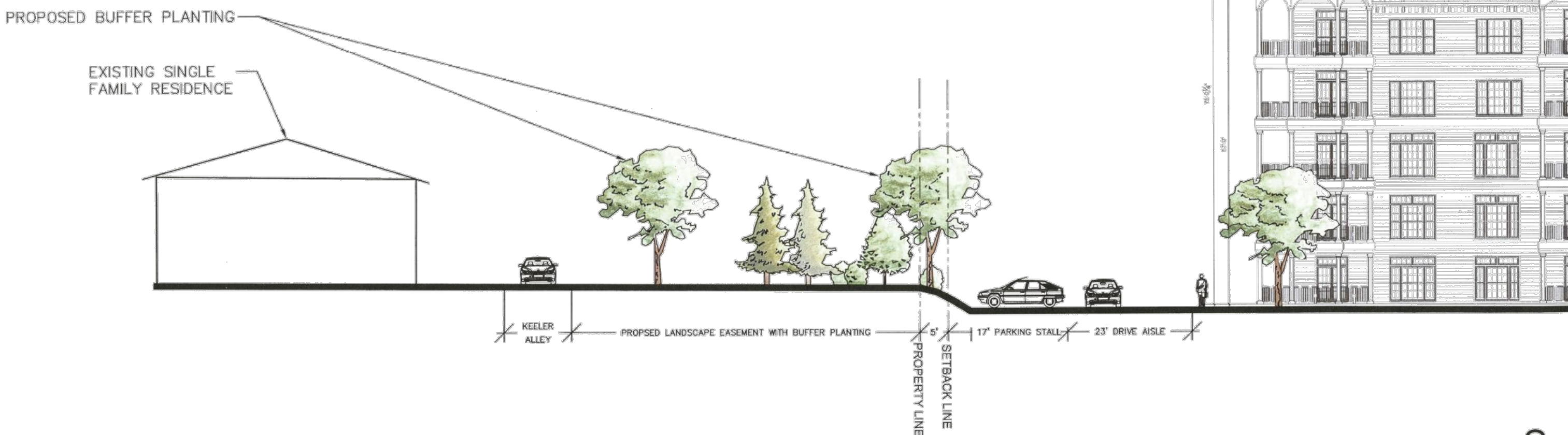
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PETITION #: R17-04

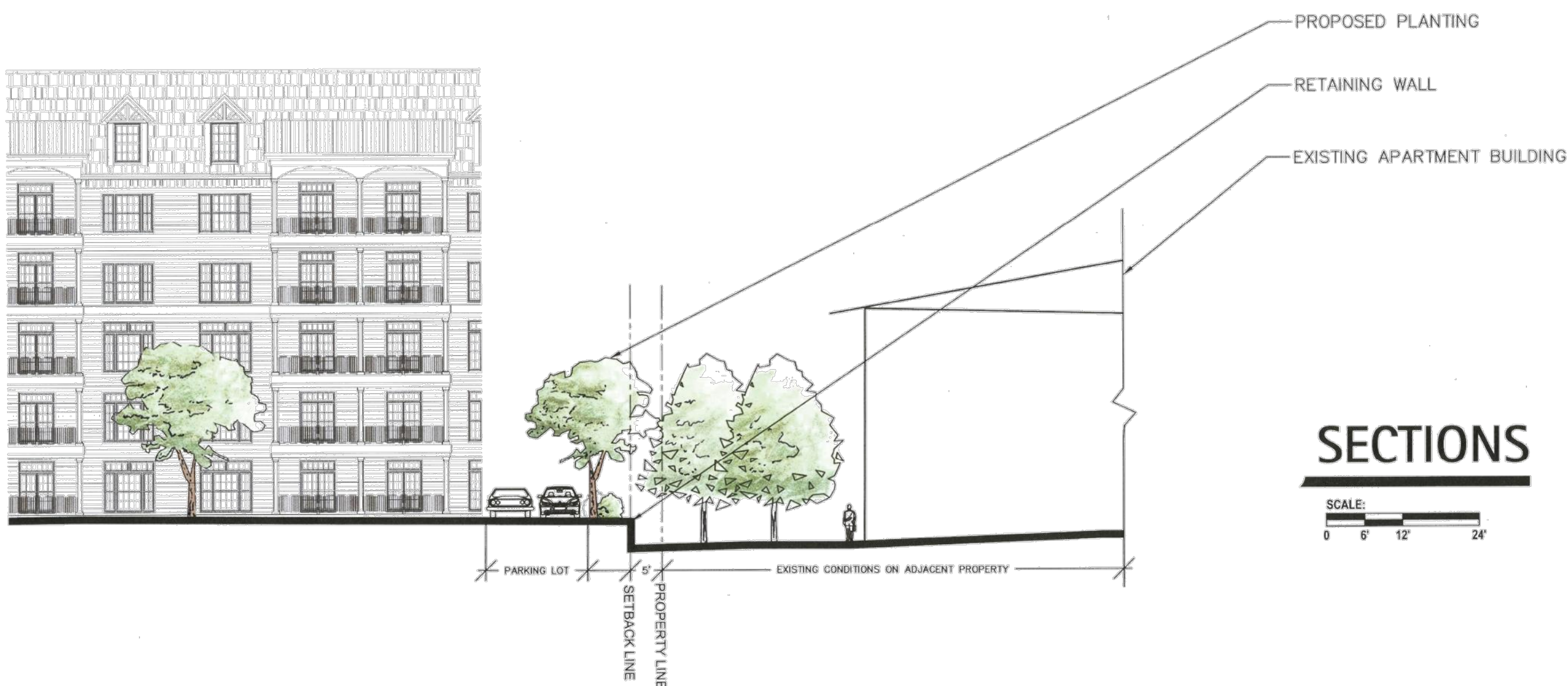
Section A



Section B



Section C

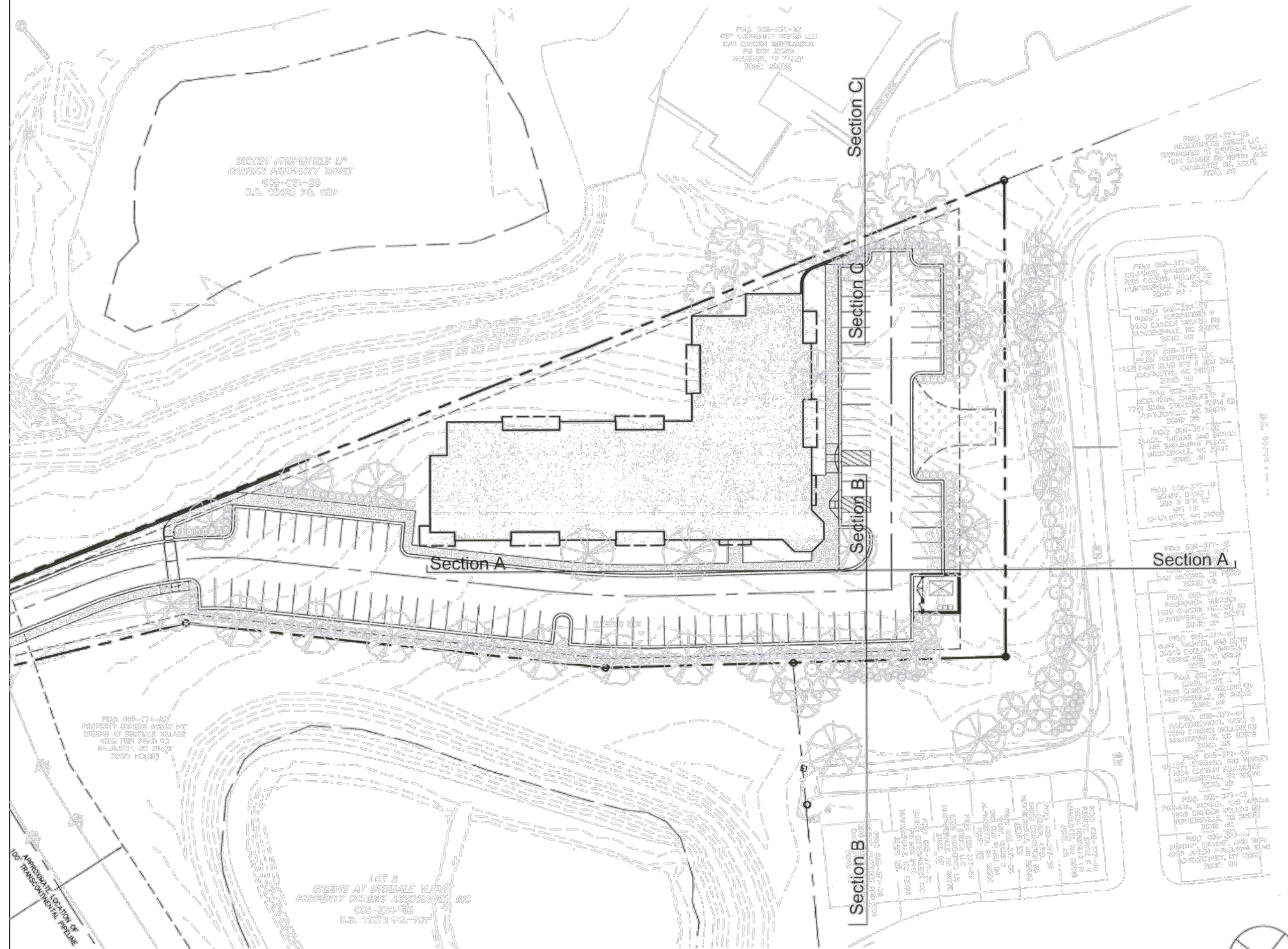


SECTIONS

SCALE:

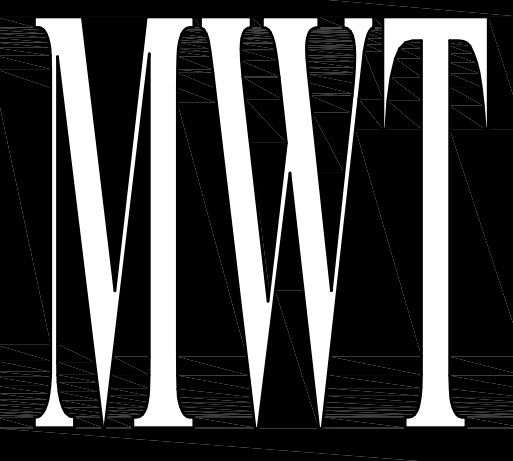


0 6' 12' 24'



SCALE:



[illegible]

ARCHITECTURE
URBAN PLANNING
INTERIORS
HOTELS/ HOUSING/ MIXED USE
1800.630.3750

WARNING
IT IS A VIOLATION OF THE LAW FOR ANY
PERSON, UNLESS ACTING UNDER THE
DIRECTION OF THE ARCHITECT OR ENGINEER,
TO ALTER OR REPRODUCE THESE DRAWINGS
IN ANY WAY.

SENIOR HOUSING

SAM FURR RD
HUNTERSVILLE, NC

PROJECT NO.:
DATE: 1/10/2017
DRAWN BY: LF
CHKD. BY: DE

ELEVATIONS

SHEET A301



1 FRONT ELEVATION
SCALE: 1/8" = 1'-0"

IMPORTANT NOTICE TO ALL CONTRACTORS AND OR SUBCONTRACTORS: (COMPLETE BUILDING SYSTEMS AND OR INSTALLATIONS)

- IF AWARDED A CONTRACT FOR ANY PORTION OF WORK NEEDED TO COMPLETE THIS PROJECT YOU ARE AGREEING TO THE FOLLOWING TERMS:
1. YOU ARE A QUALIFIED CONTRACTOR AND OR SUBCONTRACTOR SPECIFICALLY IN PROVIDING A COMPLETE TURNKEY SERVICE IN YOUR TRADE OR PROFESSION FOR THE TYPE OF WORK AND SCOPE FOR THIS PROJECT.
2. YOU AGREE TO PROVIDE A COMPLETE DESIGN BUILD SOLUTION BASED ON THE ARCHITECT'S INTENDED DESIGN FOR THIS PROJECT.
3. YOUR BID INCLUDED ALL THE TYPES, PROCESSES, MATERIALS, PRODUCTS, GOVERNING PERMITS AND APPROVALS NECESSARY TO PROVIDE A COMPLETED AND WARRANTED SYSTEM OR INSTALLATION THAT DOES NOT REQUIRE ANOTHER CONTRACTOR OR PRODUCT TO COMPLETE YOUR SCOPE OF WORK.
4. YOUR BID MUST HAVE INCLUDED ANY DESIGN INFORMATION REFERENCED WITHIN ANY CIVIL, ARCHITECTURAL, STRUCTURAL, MECHANICAL, ELECTRICAL AND OR PLUMBING DRAWINGS; ALSO NOTE THESE DRAWINGS ARE SCHEMATIC AND ARE INTENDED TO SHOW ONLY BASIC CONCEPTS AND GENERAL INFORMATION. THE COMPLETION OF YOUR WORK MAY INCLUDE OTHER TYPES, PROCESSES, MATERIALS, PRODUCTS, LABOR, GOVERNING PERMITS AND OR APPROVALS NECESSARY TO PROVIDE A COMPLETE SYSTEM INSTALLATION WHETHER SUGGESTED ON THE DRAWINGS OR NOT.
5. AS TO ALL OTHER ITEMS AND OR TASKS LIKE, FIRE, CRAFT, DRIFT, STAINS, FASTENERS, ANCHORS, EMBEDMENTS, DUMPSTERS, DEBRIS CLEAN UP, ETC. ARE YOUR RESPONSIBILITY. ANY WORK NOT COMPLETED IN A TIMELY MANNER, OR INCOMPLETE WORK WILL BE BILL BACK TO THE CONTRACTOR AND OR SUBCONTRACTOR, AT THE OWNER'S DISCRETION.



May 4, 2017

Nickel Development Group, LLC.
Jake Palillo
19520 W. Catawba Ave, #200
Cornelius, NC 28031

Re: Adequate Public Facilities (APF) Application – Sam Furr Senior Apartment (File #2017-11)

Dear Mr. Palillo:

The Town has completed its review of the above referenced APF Application and deemed it to be complete, per Article 13.6.3 of the Zoning Ordinance. Based upon your request for an allocation of capital facilities for the above-referenced development proposal, consisting of 78 Multi-family homes. I am issuing a "Determination of Adequacy (DOA)" for the following public facilities:

- Fire Vehicles
- Fire Facilities
- Police Facilities
- Police Vehicles
- Indoor Park & Recreation Facilities
- Parks Acreage

Please be advised that this DOA is valid for one (1) year, or until May 4, 2018, by which date this development proposal must have achieved vesting, per Section 2.2 of the Zoning Ordinance.

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

Sincerely,

A handwritten signature in black ink that reads "Brian Richards". The signature is written in a cursive, slightly stylized font.

Brian Richards
GIS Administrator

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

COMMUNITY MEETING REPORT
Sam Furr Senior Apartments Rezoning
Petitioner: Nickel Development Group, LLC
Rezoning Petition No. R17-04

This Community Meeting Report is being filed with the Office of the Town Clerk and the Town of Huntersville Town and Planning Boards pursuant to the provisions of the Town of Huntersville Zoning Ordinance.

PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:

A representative of the Petitioner mailed a written notice of the date, time and location of the Community Meeting to the individuals and organizations set out on Exhibit A attached hereto by depositing such notice in the U.S. mail on June 30, 2017. A copy of the written notice is attached hereto as Exhibit B.

DATE, TIME AND LOCATION OF MEETING:

The Community Meeting was held on Wednesday, July 12, 2017 at 6:30 p.m. to 7:30 p.m. at the Huntersville Town Hall Board Room, located at 101 Huntersville-Concord Road, Huntersville, NC 28078.

PERSONS IN ATTENDANCE AT MEETING (see attached copy of sign-in sheet):

The Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as Exhibit C. The Petitioner was represented at the Community Meeting by Jake Palillo and Stacey Caldwell from Nickel Development, LLC, and Mark McAuley and Colin Jenest from ColeJenest & Stone, P.A.

SUMMARY OF PRESENTATION/DISCUSSION:

The Petitioner and Petitioner's agents welcomed the neighbors to the meeting. Mr. Palillo provided an overview of the project and the current rezoning request, including the proposed site plan, building type and information regarding the previously approved site re-zoning that occurred in January 2009. Mr. Palillo provided background information about his company and addressed questions regarding the site plan. A list of comments and questions posed by the neighbors and the Petitioner's responses include:

1. The site as configured does not appear to provide adequate parking.
The petitioner agreed to look at providing additional parking as the site constraints will allow. The petitioner will attempt to increase parking by providing a number of compact spaces throughout the site.
2. What will be the rentable rates for the apartment units?
The petitioner indicated rates have not been set for the units, however he indicated the rents will be market-rate or above.
3. Where is the landscape buffer located and where is the reduction in width being requested?
The petitioner indicated any existing vegetation located in the townhome's common open space will not be disturbed. The petitioner noted that we are requesting a zoning modification to reduce the buffer width from 30' to 25' at the rear of the property and from 30' to 5' along the

eastern and western property boundaries. Subsequently, the Town has provided further clarification regarding the buffer width, indicating that the Ordinance requires 20' around the perimeter of the property. The petitioner will no longer be requesting a modification for the rear buffer width, however will still pursue a reduction to the eastern and western buffers to be 5' wide. Furthermore, the petitioner agreed to provide supplemental landscaping within the adjacent property's common open space subject to an agreement with the homeowner's association.

4. Is there an opportunity to reconfigure the trash enclosure location?
The petitioner agreed to look at re-locating the trash enclosure to the end of the parking lot in the northwest corner of the site.
5. Concerns regarding access to the subject site via the adjacent neighborhood (i.e. apartment residents traversing through the townhome properties to access Birkdale Village).
The petitioner noted that due to the elevation differences between the site and existing vegetation, the likelihood of seniors creating a path through this area is doubtful. The petitioner noted that we would look at an option to install a fence to prevent cross-access between the subject site and adjacent townhome community. Additionally, the petitioner noted he is working with the natural gas company to construct a path at the front of the property to provide apartment residents' access to Birkdale Village. This path will be located within the natural gas easement and will not encroach upon the adjacent townhome properties.
6. Concerns regarding the building roof design (pitch & color) related to the current Birkdale Village architecture.
The petitioner noted he would meet with the adjacent homeowner associations to discuss the architecture in further detail.
7. Frustration with visitors of Birkdale Village parking on streets within their townhome neighborhood.
Brian Richards with the Town of Huntersville requested contact information for the homeowner associations to facilitate a meeting between the neighborhood and Town of Huntersville Public Works Departments to review and resolve issues related to parking within the townhome community.

The Petitioner and Petitioner's agents provided their contact information to the meeting attendees in the event they have additional questions.

CHANGES MADE TO PETITION AS A RESULT OF THIS MEETING:

The Petitioner and Petitioner's agent are reviewing comments and questions generated during the community meeting and will attempt to revise the layout and design as site constraints allow. Potential plan revisions may include, but are not limited to, number of parking spaces, supplemental planting in common open space, relocation of the dumpster enclosure, and architectural roof design.

Respectfully submitted, this 25th day of July, 2017.

cc: Mayor of the Town of Huntersville
Members of the Huntersville Town Board
Members of the Huntersville Planning Board
Jack Simoneau, Huntersville Planning Department
Brian Richards, Huntersville Planning Department
Gerry Vincent, Huntersville Interim Town Manager
Janet Pierson, Huntersville Town Clerk
Jake Palillo, Nickel Development, LLC

Stacy Caldwell, Nickel Development, LLC
Mark McAuley, ColeJenest & Stone
Colin Jenest, ColeJenest & Stone

EXHIBIT A

PARCEL ID	OWNER NAME	MAILING ADDRESS	CITY	STATE	ZIP CODE	PROPERTY ADDRESS	LEGAL DESCRIPTION	DEED BOOK	DEED PAGE	LAND AREA
00506120A	CSP COMMUNITY OWNER LLC, C/O CAMDEN SEDGEBROOK,	PO BOX 27329 HOUSTON TX 77227	HOUSTON	TX	77227	16705 REDCLIFF DR HUNTERSVILLE	NA	24145	366	23.38 AC
00506120A	CSP COMMUNITY OWNER LLC, C/O CAMDEN SEDGEBROOK,	PO BOX 27329 HOUSTON TX 77227	HOUSTON	TX	77227	16705 REDCLIFF DR HUNTERSVILLE	NA	24145	366	23.38 AC
00506120B	C/O CAMDEN SEDGEBROOK, CSP COMMUNITY OWNER LLC,	PO BOX 27329 HOUSTON TX 77227	HOUSTON	TX	77227	SAM FURR RD CORNELIUS	NA	24145	366	2.1 AC
00537401	NICKEL DEVELOPMENT GROUP LLC,	19520 WEST CATAWBA AV #200 CORNELIUS NC 28031	CORNELIUS	NC	28031	8521 SAM FURR RD HUNTERSVILLE	NA	24678	40	2.02 AC
00537402	C/O DEVELOPERS REALTY CORP, DDRTC BIRKDALE VILLAGE LLC,	3300 ENTERPRISE PARKWAY BEACHWOOD OH 44122	BEACHWOOD	OH	44122	16725 BIRKDALE COMMONS PY HUNTERSVILLE	L4 M39-183	21859	546	4.828 AC
00537403	GREENS AT BIRKDALE VILLAGE, PROPERTY OWNERS ASSOC INC	4055 FISH POND RD SALISBURY NC 28146	SALISBURY	NC	28146	TOWNLEY RD HUNTERSVILLE	L2 M29-688	10819	751	3.82 AC
00537413	KOPCZYNSKI, MICHAEL ANDREW	16870 BRIDGETON LN HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	16870 BRIDGETON LN HUNTERSVILLE	L114 M32-168	24360	694	0.056 GIS Acres
00537414	JONES, GARY L JONES, SHERI	16866 BRIDGETON LN HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	16866 BRIDGETON LN HUNTERSVILLE	L115 M32-168	30850	227	0.033 GIS Acres
00537415	BOWDEN, JAMES W III	16862 BRIDGETON LN HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	16862 BRIDGETON LN HUNTERSVILLE	L116 M32-168	11319	185	0.034 GIS Acres
00537442	COOPER, TERRI L	17312 VILLANOVA RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	17312 VILLANOVA RD HUNTERSVILLE	L111 M32-168	11197	594	0.034 GIS Acres
00537443	SHIRLEY A RANSON REVOCABLE, TRUST RANSON, SHIRLEY A	17308 VILLANOVA RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	17308 VILLANOVA RD HUNTERSVILLE	L112 M32-168	27937	443	0.035 GIS Acres
00537444	BISHOP, WAYNE BISHOP, SHIRLEY	439 FAIRWAY LN #B SPRUCE PINE NC 28777	SPRUCE PINE	NC	28777	17304 VILLANOVA RD HUNTERSVILLE	L113 M32-168	11221	185	0.054 GIS Acres
00537445	MCQUILLAN, SHARON	1240 CRESCENT DR TARRYTOWN NY 10591	TARRYTOWN	NY	10591	17303 VILLANOVA RD HUNTERSVILLE	L82 M31-971	30562	988	0.055 GIS Acres
00537446	EDWARDS, MITZI M	17307 VILLANOVA RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	17307 VILLANOVA RD HUNTERSVILLE	L83 M31-971	14095	394	0.034 GIS Acres

00537447	MAQUIRE, DIANE MAQUIRE, MATTHEW	17311 VILLANOVA RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	17311 VILLANOVA RD HUNTERSVILLE	L84 M31-971	29412	624	0.034 GIS Acres
00537448	LEE, MARTIN B	2058 LAKE FOUNTAIN DR KATY TX 77494	KATY	TX	77494	17315 VILLANOVA RD HUNTERSVILLE	L85 M31-971	16041	125	0.034 GIS Acres
00537473	CATHMARCO SALES INC,	3877 BROOKLYN AVE SEAFORD NY 11783	SEAFORD	NY	11783	8365 BRICKLE LN HUNTERSVILLE	L78 M31-971	31241	488	0.034 GIS Acres
00537474	BALI DEVELOPMENT LLC,	PO BOX 3305 MOORESVILLE NC 28117	MOORESVILLE	NC	28117	8369 BRICKLE LN HUNTERSVILLE	L79 M31-971	29644	348	0.034 GIS Acres
00537475	JACKSON II, GILBERT N SHAFFER, MARY M	8373 BRICKLE LN HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	8373 BRICKLE LN HUNTERSVILLE	L80 M31-971	27730	618	0.033 GIS Acres
00537476	POTTER, JOAN E	8377 BRICKLE LN HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	8377 BRICKLE LN HUNTERSVILLE	L81 M31-971	17129	643	0.054 GIS Acres
00537490	TOWNHOMES AT BIRKDALE VILLAGE, HOMEOWNERS ASSOC INC	1819 SARDIS RD NORTH #330 CHARLOTTE NC 28270	CHARLOTTE	NC	28270	OAKPORT RD HUNTERSVILLE	C/A M31-213	14744	139	1.095 AC
00537491	TOWNHOMES AT BIRKDALE VILLAGE, HOMEOWNERS ASSOC INC	1819 SARDIS RD NORTH #330 CHARLOTTE NC 28270	CHARLOTTE	NC	28270	BRICKLE LN HUNTERSVILLE	C/A M31-971	14744	139	0.095 AC
00537492	C/O MD 10ATA1 CORP FAC, FIFTH THIRD BANK,	38 FOUNTAIN SQUARE PLAZA CINCINNATI OH 45263	CINCINNATI	OH	45263	16719 BIRKDALE COMMONS PY HUNTERSVILLE	L4A M39-183	14949	125	0.124 AC
00537493	FIFTH THIRD BANK, C/O MD 10ATA1 CORP FAC,	38 FOUNTAIN SQUARE PLAZA CINCINNATI OH 45263	CINCINNATI	OH	45263	16719 BIRKDALE COMMONS PY HUNTERSVILLE	L4B M39-183	14949	125	0.069 AC
00537718	PARSONS, SHANNON Y	16903 BRIDGETON LN HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	16903 BRIDGETON LN HUNTERSVILLE	L23 M31-617	10976	230	0.054 GIS Acres
00537719	DUKE, BARBARA I	16907 BRIDGETONO LN HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	16907 BRIDGETON LN HUNTERSVILLE	L24 M31-617	30293	853	0.034 GIS Acres
00537720	SANDERSON, YVONNE R	16911 BRIDGETON LN HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	16911 BRIDGETON LN HUNTERSVILLE	L25 M31-617	24351	699	0.034 GIS Acres
00537721	POPE, ELIZABETH	16915 BRIDGETON LN HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	16915 BRIDGETON LN HUNTERSVILLE	L26 M31-617	21422	485	0.034 GIS Acres
00537722	VONCANNON, CHRISTOPHER K	10024 ROOSEVELT DR HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	16919 BRIDGETON LN HUNTERSVILLE	L27 M31-617	22910	209	0.034 GIS Acres

00537723	HANSEN, BRYCE N	17036 CARLTON WAY RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	16923 BRIDGETON LN HUNTERSVILLE	L28 M31-617	30892	910	0.045 GIS Acres
00537724	Longbottom, Charles M	16931 BRIDGETON LN HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	16931 BRIDGETON LN HUNTERSVILLE	L29 M31-617	17342	594	0.045 GIS Acres
00537725	BRODOFSKY, HILLARY	16936 BRIDGETON LN HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	16935 BRIDGETON LN HUNTERSVILLE	L30 M31-617	29178	686	0.038 GIS Acres
00537726	MICHAEL, VASILIA MICHAEL, NICOLETTA M	16939 BRIDGETON LN HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	16939 BRIDGETON LN HUNTERSVILLE	L31 M31-617	29939	196	0.041 GIS Acres
00537727	DINEEN, BRIAN	16943 BRIDGETON LN HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	16943 BRIDGETON LN HUNTERSVILLE	L32 M31-617	19717	722	0.049 GIS Acres
00537728	Townhomes at Birkdale Village, Homeowners Assoc Inc	1819 SARDIS RD NORTH #330 CHARLOTTE NC 28270	CHARLOTTE	NC	28270	BRIDGETON LN HUNTERSVILLE	COS M37-931	14744	139	0.123 AC
00537735	PETERSON, ANA C PETERSON, MATTHEW D	4216 OVERLOOK COVE RD CHARLOTTE NC 28216	CHARLOTTE	NC	28216	16944 BRIDGETON LN HUNTERSVILLE	L33 M31-859	18064	863	0.069 GIS Acres
00537736	BASCO ENTERPRISES INC,	PO BOX 2124 HUNTERSVILLE NC 28070	HUNTERSVILLE	NC	28070	16940 BRIDGETON LN HUNTERSVILLE	L34 M31-859	30894	452	0.035 GIS Acres
00537737	BTOWN LLC,	8338 SANDOWNE LN HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	16936 BRIDGETON LN HUNTERSVILLE	L35 M31-859	29326	120	0.034 GIS Acres
00537738	SHAH, VIKAS S	980 OLD PLACE DR ALPHARETTA GA 30004	ALPHARETTA	GA	30004	16932 BRIDGETON LN HUNTERSVILLE	L36 M31-859	23768	570	0.034 GIS Acres
00537739	AKRON, ARIEL	16928 BRIDGETON RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	16928 BRIDGETON LN HUNTERSVILLE	L37 M31-859	25187	457	0.034 GIS Acres
00537740	PRUETT, STEVE K II	8834 KIRKVILLE LN CHARLOTTE NC 28216	CHARLOTTE	NC	28216	16924 BRIDGETON LN HUNTERSVILLE	L38 M31-859	22332	735	0.054 GIS Acres
00537741	MURPHY, VIKKI A MURPHY, MICHAEL	4225 QUEEN PHILOMENA BV SCHENECTADY NY 12304	SCHENECTADY	NY	12304	7962 CAMDEN HOLLOW RD HUNTERSVILLE	L39 M31-859	27643	854	0.040 GIS Acres
00537742	POZNIAK, MARCIA POZNIAK, MICHAEL	7958 CAMDEN HOLLOW RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	7958 CAMDEN HOLLOW RD HUNTERSVILLE	L40 M31-859	28973	670	0.035 GIS Acres
00537743	MILLER, BARBARA P MILLER, HARVEY D	7954 CAMDEN HOLLOW RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	7954 CAMDEN HOLLOW RD HUNTERSVILLE	L41 M31-859	29830	962	0.033 GIS Acres

00537744	HACKENBRACHT, KATIE N	7950 CAMDEN HOLLOW RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	7950 CAMDEN HOLLOW RD HUNTERSVILLE	L42 M31-859	28626	201	0.034 GIS Acres
00537745	DAUB, HOPE A	7946 CAMDEN HOLLOW RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	7946 CAMDEN HOLLOW RD HUNTERSVILLE	L43 M31-859	10919	361	0.033 GIS Acres
00537746	CUPP, BETH L CUPP, MICHAEL J	20345 ENCLAVE OAKS CT CORNELIUS NC 28031	CORNELIUS	NC	28031	7942 CAMDEN HOLLOW RD HUNTERSVILLE	L44 M31-859	17949	742	0.034 GIS Acres
00537747	PAUNOVICH, VUKASIN	7938 CAMDEN HOLLOW RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	7938 CAMDEN HOLLOW RD HUNTERSVILLE	L45 M31-859	28487	448	0.035 GIS Acres
00537748	VERNON, AMANDA DUDEK, MARK	1315 COYOTE PASS SAN ANTONIO TX 78258	SAN ANTONIO	TX	78258	7934 CAMDEN HOLLOW RD HUNTERSVILLE	L46 M31-859	18688	911	0.044 GIS Acres
00537749	SCHIFF, DAVID L	300 W 5TH ST APT 141 CHARLOTTE NC 28202	CHARLOTTE	NC	28202	7926 CAMDEN HOLLOW RD HUNTERSVILLE	L47 M31-859	16943	752	0.060 GIS Acres
00537750	BLACK, DONNA S BLACK, THOMAS R	169 SHELBURNE PLACE MOORESVILLE NC 28117	MOORESVILLE	NC	28117	7922 CAMDEN HOLLOW RD HUNTERSVILLE	L48 M31-859	26754	812	0.033 GIS Acres
00537751	MCGOVERN, CHARLES P III	7701 BABE STILLWELL FARM RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	7918 CAMDEN HOLLOW RD HUNTERSVILLE	L49 M31-859	11692	902	0.033 GIS Acres
00537752	PILON PROPERTIES LLC,	1235 EAST BOULEVARD STE E BOX 268 CHARLOTTE NC 28203	CHARLOTTE	NC	28203	7914 CAMDEN HOLLOW RD HUNTERSVILLE	L50 M31-859	25918	502	0.034 GIS Acres
00537753	PASUT, ALESSANDRO H	7910 CAMDEN HOLLOW RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	7910 CAMDEN HOLLOW RD HUNTERSVILLE	L51 M31-859	30374	449	0.033 GIS Acres
00537754	MCMANUS, SHARON GAIL	7906 CAMDEN HOLLOW RD HUNTERSVILLE NC 28078	HUNTERSVILLE	NC	28078	7906 CAMDEN HOLLOW RD HUNTERSVILLE	L52 M31-617	13907	740	0.054 GIS Acres
00537755	TOWNHOMES AT BIRKDALE VILLAGE, HOMEOWNERS ASSOC INC	1819 SARDIS RD NORTH #330 CHARLOTTE NC 28270	CHARLOTTE	NC	28270	LOWELL AL HUNTERSVILLE	C/A M30-347	14744	139	0.575 AC
00917184	FAIRWAY BIRKDALE II LLC,	728 SHADES CREEK PKWY STE 210 BIRMINGHAM AL 35209	BIRMINGHAM	AL	35209	16627 BIRKDALE COMMONS PY HUNTERSVILLE	L1 M29-419	31723	227	7.923 AC
00917184	FAIRWAY BIRKDALE II LLC,	728 SHADES CREEK PKWY STE 210 BIRMINGHAM AL 35209	BIRMINGHAM	AL	35209	16627 BIRKDALE COMMONS PY HUNTERSVILLE	L1 M29-419	31723	227	7.923 AC
00917186	FAIRWAY BIRKDALE II LLC,	728 SHADES CREEK PKWY STE 210 BIRMINGHAM AL 35209	BIRMINGHAM	AL	35209	16639 BIRKDALE COMMONS PY HUNTERSVILLE	L2 M29-419	31723	227	0.576 AC

EXHIBIT B
NOTICE TO INTERESTED PARTIES OF A REZONING PETITION
Petition # 17-04 – Sam Furr Senior Apartments

Subject: Rezoning Petition No. 17-04

Petitioner/Developer: Nickel Development Group, LLC

Property: ± 2.05 acres located at 8521 Sam Furr Road Huntersville, NC 28078

Existing Zoning: HC(CD) (Highway Commercial (Conditional District))

Rezoning Request: HC(CD) (Highway Commercial (Conditional District))

Date and Time of Meeting: Wednesday, July 12, 2017 from 6:30 p.m. to 7:30 p.m.

Location of Meeting: Huntersville Town Hall – Board Room
101 Huntersville-Concord Road
Huntersville, NC 28078

Date of Notice: June 30, 2017

We are assisting Nickel Development Group, LLC (the "Petitioner") on a Rezoning Petition recently filed regarding a zoning change for approximately 2.05 acres (the "Site") located at 8521 Sam Furr Road Huntersville, NC 28078. We take this opportunity to furnish you with basic information concerning the Petition and to invite you to attend a Community Meeting to discuss it.

Background and Summary of Request:

This Petition involves a request to rezone the 2.05 acre Site from the HC(CD) (Highway Commercial (Conditional District)) zoning district to HC(CD) (Highway Commercial (Conditional District)). The subject property was originally re-zoned HC(CD) in January 2009 under the approved petition number R08-09 for a proposed Inn. The new rezoning plan proposes to maintain the current HC(CD) zoning and develop the Site as an age-restricted Multi-Family Residential use. The proposed building will have a minimum set back of 10' along Sam Furr Road and will provide a vegetated buffer between the Site and the adjacent residential properties to the north and east.

The Site is currently not developed.

The site plan associated with the Rezoning Petition proposes to develop the Site with one (1) residential multi-family building with a maximum of 78 units total.

For additional information, please visit the Town of Huntersville website – Current Projects page.
<http://www.huntersville.org/Departments/Planning/CurrentProjectsMap/ProjectsList.aspx>

Community Meeting Date and Location:

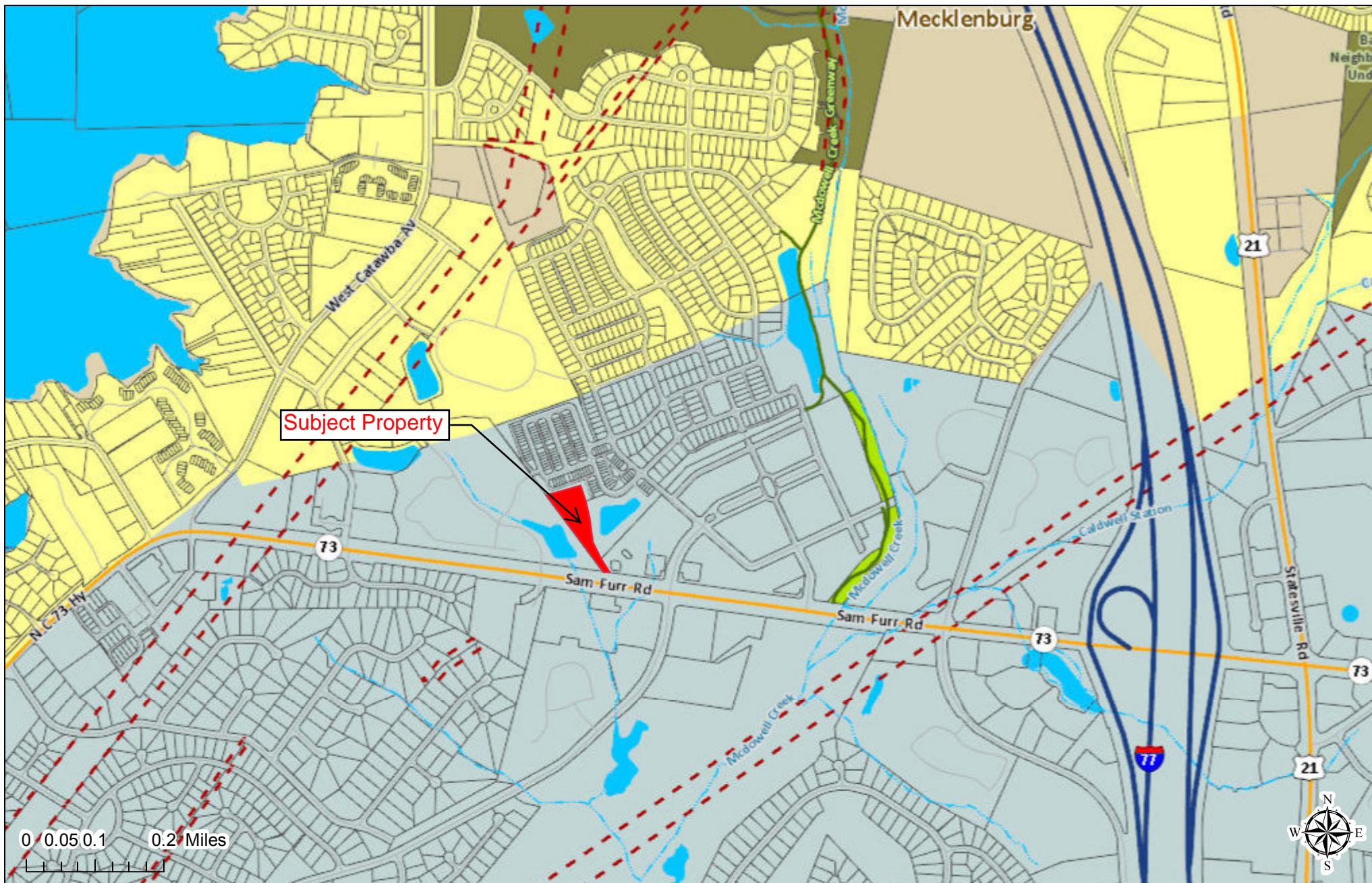
Mecklenburg County's records indicate that you are either a representative of a registered neighborhood organization or an owner of property near the site. **Accordingly, we are extending an invitation to attend the upcoming Community Meeting to be held Wednesday, July 12th, from 6:30 p.m. to 7:30 p.m. at the Huntersville Town Hall Board Room**, located at 101 Huntersville-Concord Road, Huntersville, NC 28078. Representatives of the Petitioner look forward to discussing this exciting rezoning proposal with you at the Community Meeting.

In the meantime, should you have any additional questions about this matter, you may call or email Colin Jenest at (704) 376-1555 or cjenest@colejeneststone.com.

Thank you.

cc: Members of the Huntersville Town Board
 Members of the Huntersville Planning Board
 Jack Simoneau, Huntersville Planning Department
 Brian Richards, Huntersville Planning Department
 Gerry Vincent, Huntersville Interim Town Manager
 Janet Pierson, Huntersville Town Clerk
 Jake Palillo, Nickel Development, LLC
 Kevin Ammons, ColeJenest & Stone

Polaris 3G Map – Mecklenburg County, North Carolina



This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

PETITIONER: Nickel Development Group, LLC

Date: July 12th, 2017

EXHIBIT C

[illegible]

Date: July 12th, 2017

Please **PRINT CLEARLY.**

[illegible]



VICINITY MAP n.t.s.

REZONING PETITION 208-09
APPROVED BY THE BOARD OF HUNTERSVILLE
Planning Staff
Approved by BOC on 1/20/09

**URBAN
DESIGN
PARTNERS**

1918-e6 central ave. # 704.334.3303
charlotte, nc 28205 # 704.334.3305
urbandesignpartners.com

Mr. Jake Pallo

19520 W. Catawba Ave
Suite #313
Cornelius, NC 28031

Birkdale Inn

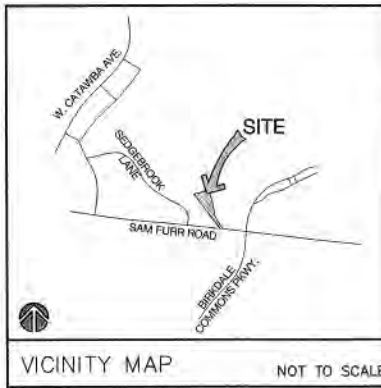
Conditional Rezoning Plan

Existing Features

NO.	DATE	BY	REVISIONS:
1	09/29/08	EJV	Per City Comments
2	10/10/08	EJV	Per City Comments
3	11/17/08	EJV	Per City Comments

Project No: 08-042
Date: July, 2008
Designed by: udp
Drawn By: udp
Scale: 1"=40'
Sheet No:

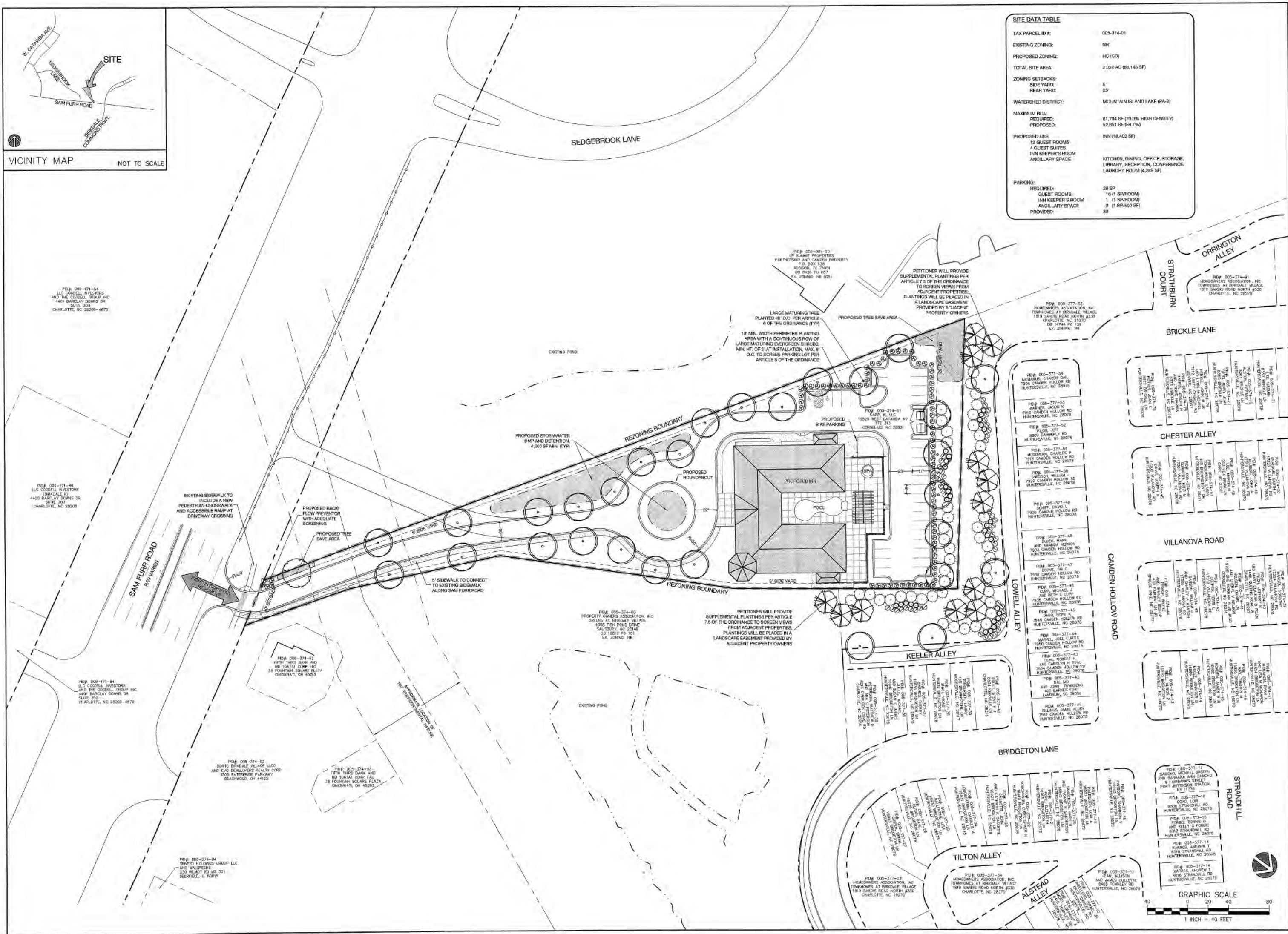
RZ-1



SITE DATA TABLE	
TAX PARCEL ID #:	005-374-01
EXISTING ZONING:	NR
PROPOSED ZONING:	HC (C)
TOTAL SITE AREA:	2.024 AC (88,148 SF)
ZONING SETBACKS:	
SIDE YARD:	5'
REAR YARD:	25'
WATERSHED DISTRICT:	MOUNTAIN ISLAND LAKE (PA-2)
MAXIMUM BUA:	
REQUIRED:	81,704 SF (70.0% HIGH DENSITY)
PROPOSED:	52,851 SF (59.7%)
PROPOSED USE:	INN (18,402 SF)
12 GUEST ROOMS	
4 GUEST SUITES	
INN KEEPER'S ROOM	
ANCILLARY SPACE	
KITCHEN, DINING, OFFICE, STORAGE, LIBRARY, RECEPTION, CONFERENCE, LAUNDRY ROOM (4,289 SF)	
PARKING:	
REQUIRED:	26 SP
GUEST ROOMS	16 (1 SP/ROOM)
INN KEEPER'S ROOM	1 (1 SP/ROOM)
ANCILLARY SPACE	9 (1 SP/500 SF)
PROVIDED:	30

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1318-e1 central ave. # 704.334.3305
charlotte, nc 28205 f 704.334.3305
urbandesignpartners.com



Mr. Jake Pallio
19520 W. Catawba Ave
Suite #313
Cornellus, NC 28031

Birkdale Inn

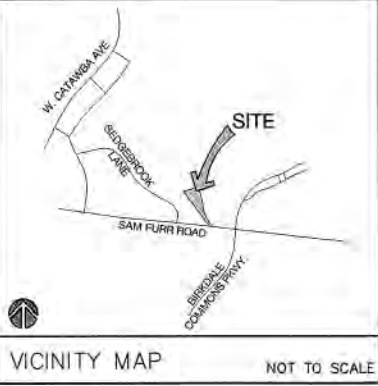
Conditional Rezoning Plan

Schematic Site Plan

NO.	DATE	BY	REVISIONS:
1	09/29/08	EJV	Per City Comments
2	10/10/08	EJV	Per City Comments
3	11/11/08	EJV	Per City Comments

Project No. 08-042
Date: July, 2008
Designed by: udp
Drawn by: udp
Scale: 1"=40'
Sheet No:

RZ-2



DEVELOPMENT NOTES

1. GENERAL PROVISIONS

- a. Unless more stringent standards are established by the Schematic Site Plan or these Development Standards, all development standards established under the Town of Huntersville Zoning Ordinance (the "Ordinance") for the HC zoning district classification shall be followed in connection with development taking place on the Site.
- b. The configuration, placement and size of the buildings, parking areas, and other site elements depicted on the Schematic Site Plan are schematic in nature and may be altered or modified within the constraints defined by the Ordinance and by the development during design development and construction document phases.
- c. The area within the roundabout may be used as an aesthetic feature (fountain, green, etc.) or as a rain garden. This will be determined during the design development and construction document phase of design based on engineering requirements for the site.

2. PERMITTED USES

- The Site may be devoted only to the following use:
- (1) Inn with Inn Keeper's Suite, 16 Guest Rooms/Suites, and any ancillary or accessory uses such as kitchen and dining, conference room, library, etc.

3. SETBACKS, SIDE YARDS AND REAR YARDS

- a. Development of the Site shall comply with the setback, rear yard and side yard requirements established under the Ordinance for the HC zoning district as depicted or noted on the plan.
- b. The Petitioner has filed a Special Use Permit to allow a hotel (inn) use less than 250 feet from residential zones.

4. LANDSCAPE/BUFFER REQUIREMENTS

- a. Parking lot landscaping shall conform with the standards and treatments specified in Article 6 of the Ordinance.
- b. Due to the unique shape of the parcel and nature of the surrounding parcels, the Petitioner is requesting a waiver or variable width reduction of the required 30' buffer width along the side and rear yards as part of this Rezoning Petition. Required buffer plantings will be provided as shown on the Schematic Site Plan within a landscape easement on the adjacent properties.
- c. The Petitioner will provide buffer landscaping to screen the Inn from adjacent properties. Such screen plantings may be located on the project property or on adjacent property only with a landscape easement agreement between the Petitioner and adjacent property owners. All buffer landscaping will adhere to Article 7.5 of the Ordinance and will be massed near the tops of slopes so as to provide maximum screening effect.
- d. One specimen tree exists on site (30" tulip poplar). If a certified arborist deems the tree to be a quality tree in good health, the Petitioner will make reasonable attempts to save the tree during construction; however, if it is not feasible to save the tree, the Petitioner will contribute to the Tree Fund/Bank set up by the town for the planting and maintenance of such trees elsewhere in the community as outlined in Article 7.4.2 (g) (2).

5. PARKING

- a. Off-street parking and loading will meet the minimum requirements set out in the Ordinance. The parking requirements are noted in the Development Summary.
- b. The alignment of internal vehicular circulation and driveways is preliminary and as a result has not been finalized and is subject to final design and engineering plans. Minor modification or alteration of these alignments may therefore take place during design development and construction phases.
- c. Bicycle parking will be provided on the Site as required by the Town of Huntersville parking requirements and standards.

6. SIGNS

- a. All signs placed on the Site will be permitted separately under Article 10 of the Town of Huntersville Zoning Ordinance.
- b. Detached signs will be ground mounted signs (pole signs are not allowed). The design of these signs will be architecturally compatible with buildings on the site through the use of the similar building materials and architectural styles.
- c. The use of neon in any sign is prohibited.
- d. No sign shall be permitted within the Sam Furr Road Right-of-Way or outside of the existing property boundary.

7. FIRE ACCESS

- The parking lot includes an integral hammer head designed to allow for fire truck turn-around access per Mecklenburg County standards.

8. STORM WATER

- a. Storm water runoff from the Site will be managed through proven techniques which satisfy the standards imposed by the Town or Mecklenburg County.
- b. The following agencies must be contacted prior to construction regarding wetland and water quality permits:
- (i) Section 401 Permit - NCDENR, Raleigh Office (919.733.1789)
- (ii) Section 404 Permit - US Army Corps of Engineers (704.271.4854)

9. GARBAGE

- a. Any dumpsters visible from a public street or from an adjoining parcel of land will be screened from view by a solid enclosure with gates and supplemental landscaping as needed. Materials for any enclosure shall be consistent with those of the principal structure.
- b. Garbage pick-up will be limited to the hours of 1 p.m. until 5 p.m. Monday thru Friday in order to limit noise disturbance to adjacent property owners.

10. UTILITIES

- a. No utilities or utility easements are currently shown as being located within the project property boundaries.
- b. Location of backflow preventors shall be coordinated with CMUD and the Town of Huntersville.
- c. All building-related utilities and mechanical equipment will be located to the side or rear of the principal structure and will be screened from view.

11. SITE LIGHTING

- a. Lighting will be provided throughout the Site and shall be full cut-off type lighting fixtures.
- b. Site lighting will be limited to 20 feet in height.
- c. No "wall pak" lighting will be allowed, however architectural lighting on building facades, such as sconces, will be permitted. Such permitted architectural lighting must be downwardly directed, so as not to be angled greater than 45-degrees from vertical.

12. ARCHITECTURAL CONTROLS

- Building architecture shall follow the general form and style of the elevations submitted as part of this Rezoning Petition. However, the Petitioner reserves the right to make minor modifications as required by building standards or market conditions; such modifications must be approved by the Town Staff.

13. AMENDMENTS TO THE REZONING PLAN

- Future amendments to the Rezoning Plan and these Development Standards may be applied for by the then Owner or Owners of the applicable portion of the Site affected by such amendment in accordance with the provisions of Article 11.3 of the Ordinance.

14. BINDING EFFECT OF THE REZONING APPLICATION

- If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under these Development Standards and the Schematic Site Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.



Mr. Jake Palillo

19520 W. Catawba Ave
Suite #313
Cornellius, NC 28031

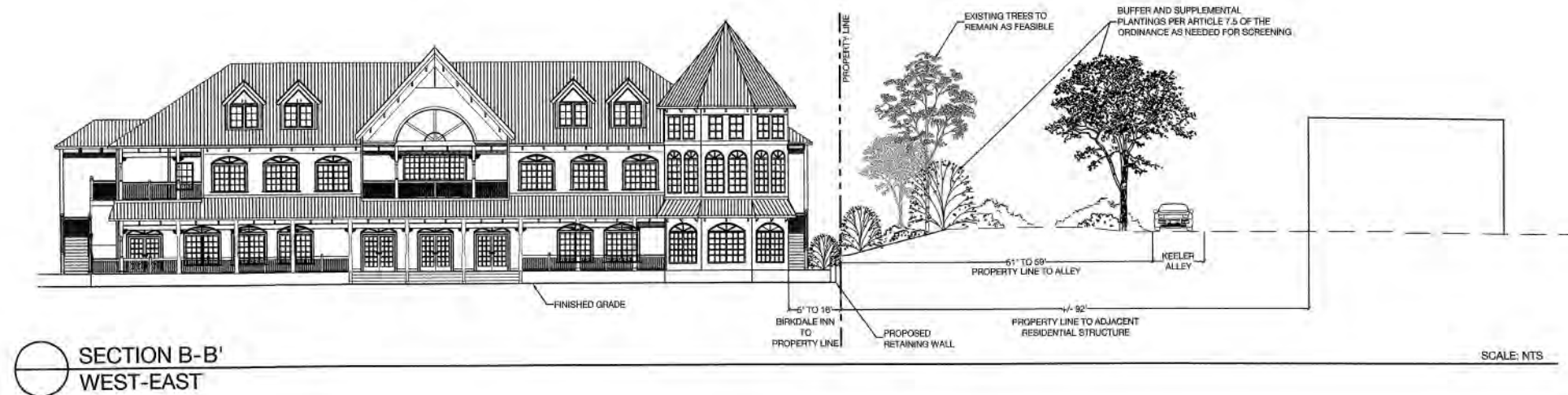
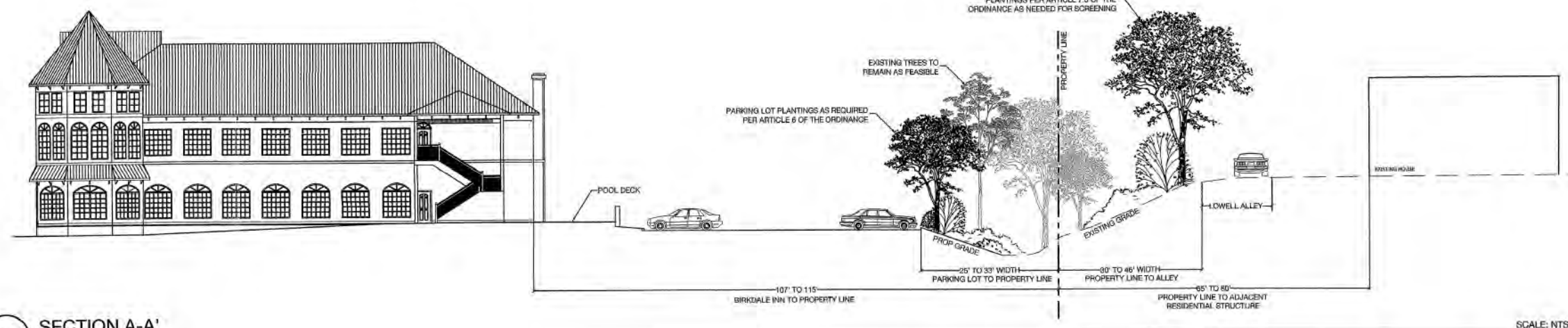
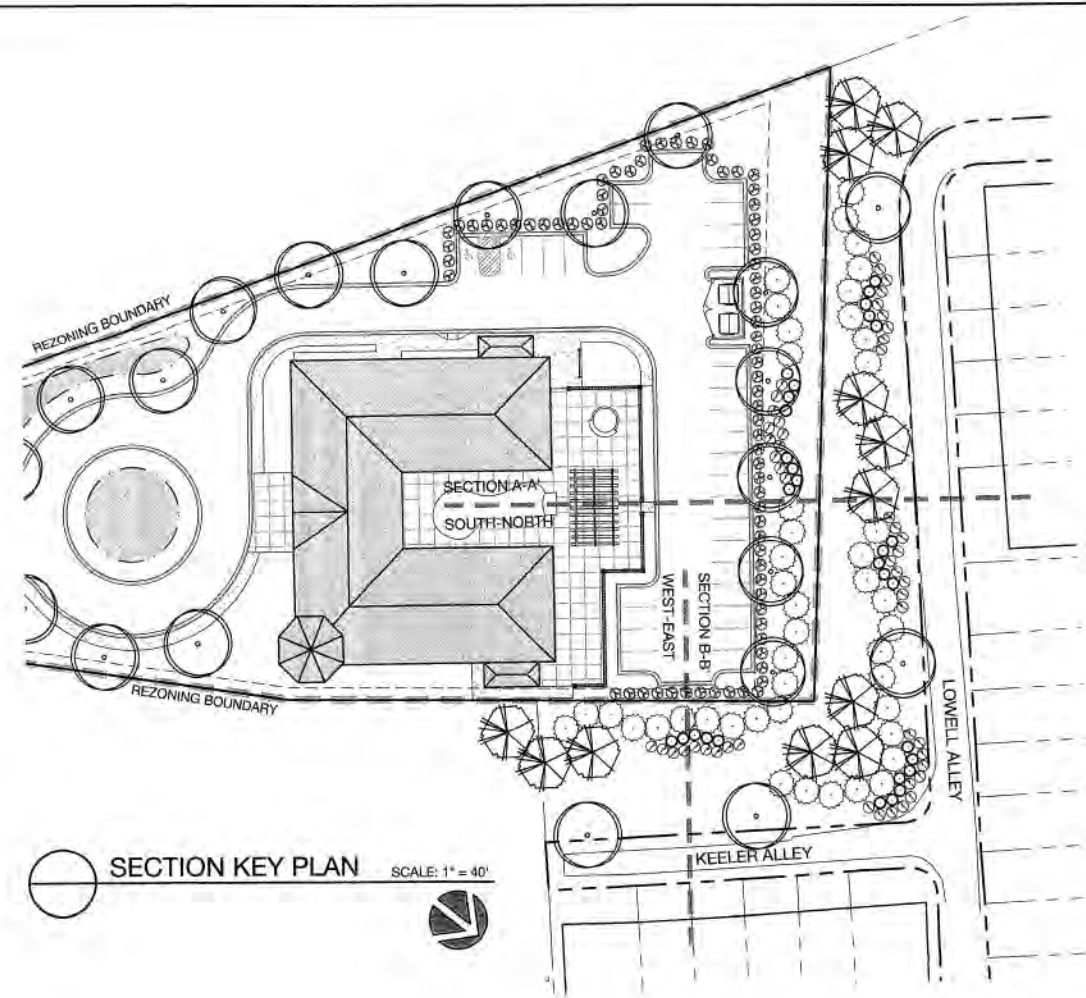
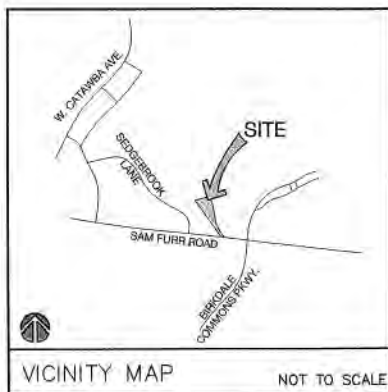
Birkdale Inn
Conditional Rezoning Plan
Development Notes

8521 Sam Furr Road Huntersville, NC

NO.	DATE	BY	REVISIONS
1	06/29/08	EW	Per City Comments
2	10/10/08	EW	Per City Comments
3	11/11/08	EW	Per City Comments

Project No: 08-002
Date: July, 2008
Designed by: udp
Drawn By: udp
Scale: 1"=40'
Sheet No:

RZ-3



Birkdale Inn

Conditional Rezoning Plan

Schematic Site Sections

8521 Sam Furr Road Huntersville, NC

NO.	DATE	BY:	REVISIONS:
1	09/26/08	EJV	Per City Comments
2	10/10/08	EJV	Per City Comments
3	11/11/08	EJV	Per City Comments



VICINITY MAP NOT TO SCALE

T.O. ROOF
43'-0" A.F.F.
T.O. ROOF
40'-1" A.F.F.
T.O. DORMER
37'-0" A.F.F.

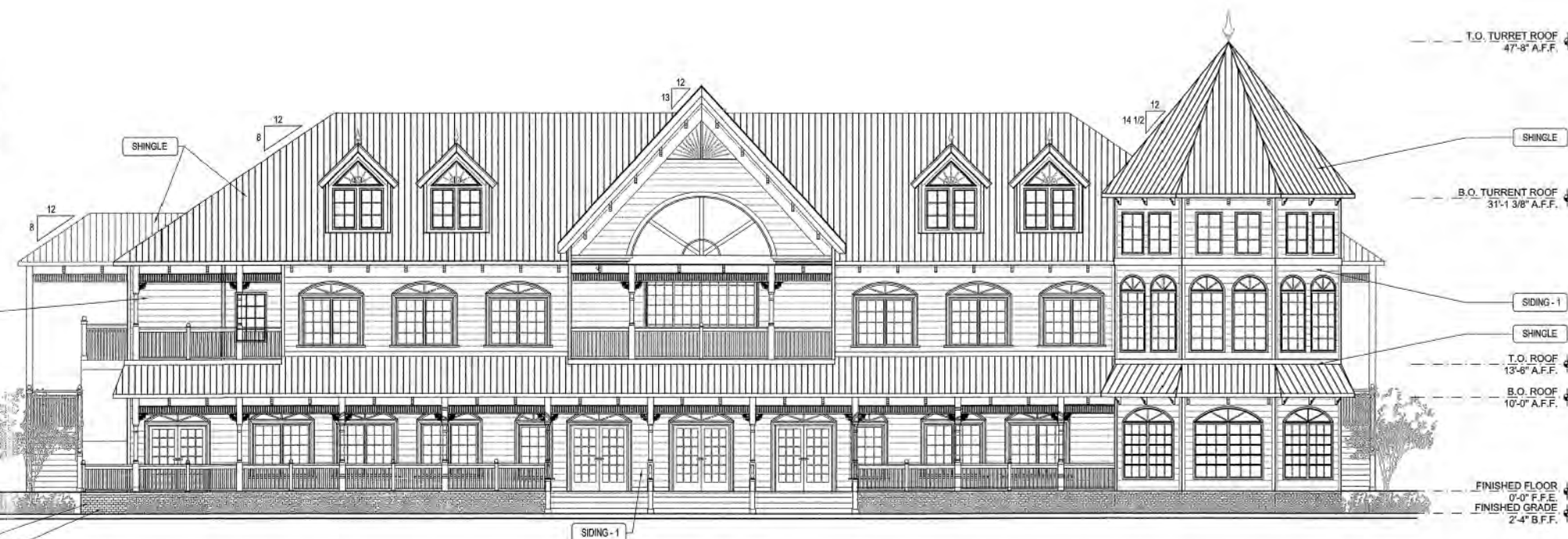
B.O. DORMER
267'-5" A.F.F.
SECOND FLOOR CEILING
24'-0" A.F.F. (10'-0" CEILING)

SIDING - 1

SECOND FLOOR LEVEL
14'-0" A.F.F.

FINISHED FLOOR
0'-0" F.F.E.
FINISHED GRADE
2'-4" B.F.F.

BRICK
MORTAR



FRONT ELEVATION

SCALE: 1/8" = 1'

T.O. TURRET ROOF
47'-8" A.F.F.

T.O. ROOF
40'-1" A.F.F.

T.O. STAIR ROOF
29'-6" A.F.F.

SECOND FLOOR CEILING
24'-0" A.F.F. (10'-0" CEILING)

SECOND FLOOR LEVEL
14'-0" A.F.F.

BRICK
MORTAR

FINISHED FLOOR
0'-0" F.F.E.



REAR ELEVATION

SCALE: 1/8" = 1'

MATERIAL LEGEND

SIDING - 1	Hardy Plank Siding: To Be Selected Coordinate with architect for specifications
SHINGLE	Asphalt Shingles: Contained Carriage House Shingle Coordinate with architect for color & specifications
BRICK	Base Brick: Color to be selected Coordinate with architect for specifications
MORTAR	Mortar Color: Coordinate with architect for specifications

***Materials shown are shown for design concept only. All materials are to be approved on a separate submitted finish material board.



URBAN
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PARTNERS

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urbandesignpartners.com



ROBERT JOHNSON
architects

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Charlotte, NC 28208
T 704 / 345-0688
F 704 / 345-0963
E info@rjaarchitects.com

Mr. Jake Palillo

19520 W. Carawba Ave
Suite #313
Cornelius, NC 28031

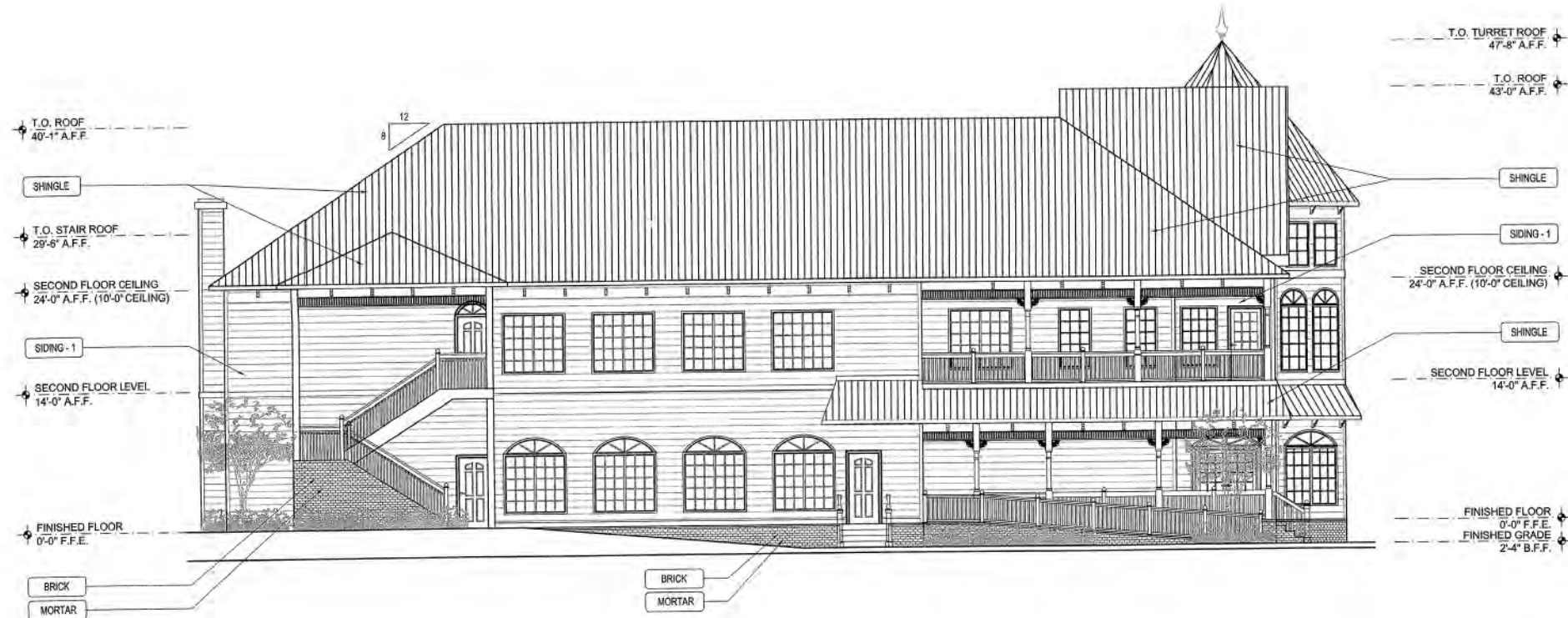
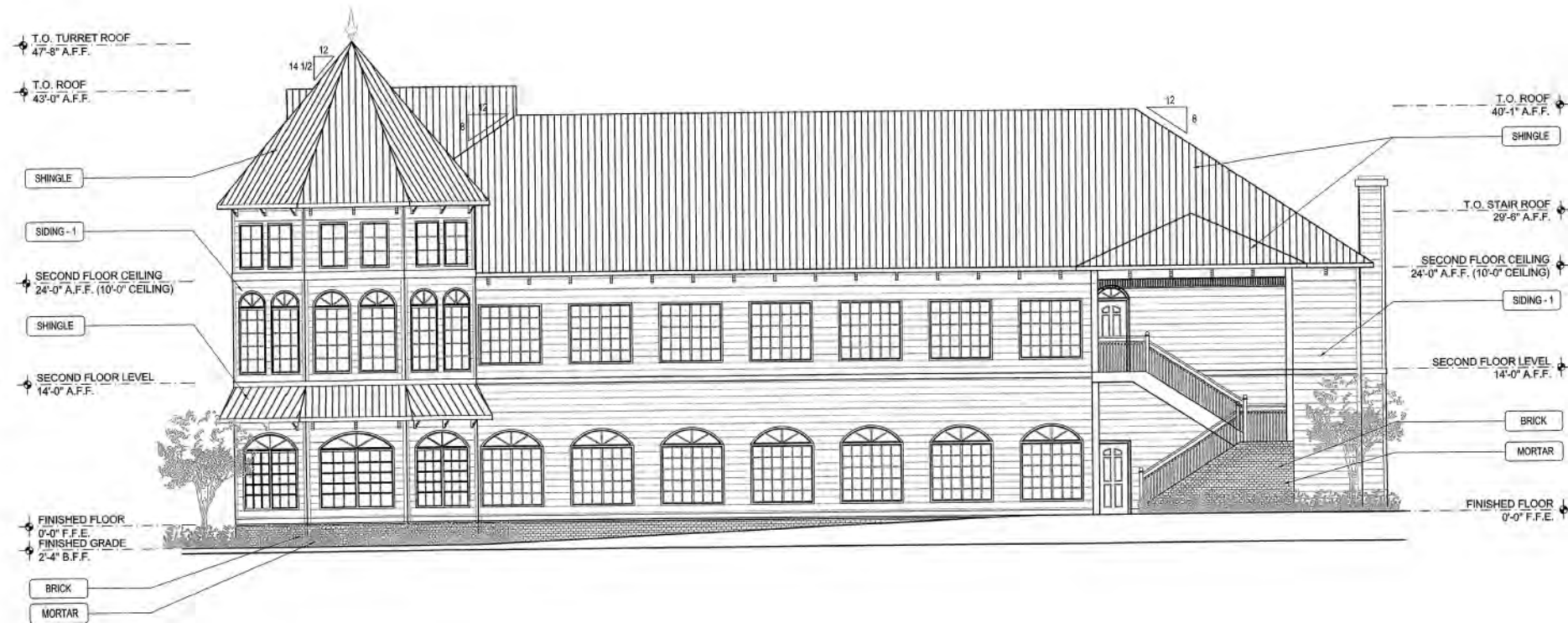
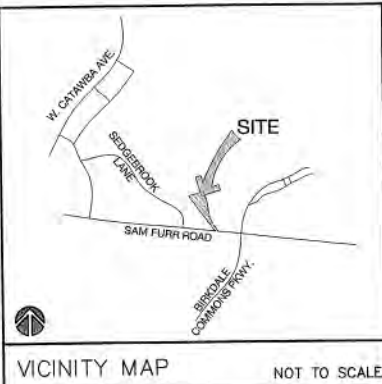
Birkdale Inn Conditional Rezoning Plan Schematic Building Elevations

8521 Sam Furr Road Huntersville, NC

NO.	DATE	BY:	REVISIONS:
1	08/29/08	EJV	Per City Comments
2	10/10/08	EJV	Per City Comments
3	11/11/08	EJV	Per City Comments

Project No: 08-042
Date: July, 2008
Designed by: udp
Drawn By: udp
Scale: 1" = 10'
Sheet No:

RZ-5



MATERIAL LEGEND		
SIDING - 1	Hardy Plank Siding: To Be Selected	
	-Coordinate with architect for specifications	
SHINGLE	Asphalt Shingle: CertainTeed Carriage House Shingle	
	-Coordinate with architect for color & specifications	
BRICK	Base Brick: Color to be selected	
	-Coordinate with architect for specifications	
MORTAR	Mortar Color:	
	-Coordinate with architect for specifications	

***Materials shown are shown for design concept only. All materials are to be approved on a separate submitted finish material board.

Birkdale Inn Conditional Rezoning Plan Schematic Building Elevations

8521 Sam Furr Road Huntersville, NC

NO.	DATE	BY:	REVISIONS:
1	09/29/08	EJV	Per City Comments
2	10/10/08	EJV	Per City Comments
3	11/11/08	EJV	Per City Comments

Townhomes at Birkdale Village HOA, Inc. (THBV)

August 7, 2017

To: Town of Huntersville Board of Commissioners

Town of Huntersville Planning Commission

Re: Rezoning Petition 17-04 (Sam Furr Senior Apartments)

Ladies and Gentlemen,

At the regularly scheduled Board of Directors meeting held on July 13, 2017, the Board voted unanimously to OPPOSE the granting of variances for height and buffer zones for the subject project.

By a 3-1 margin, the Board voted to object to the proposed color scheme of the subject project.

While understanding the need for age restricted housing in the Town of Huntersville and understanding that this use may be the best use of this land, this proposed plan is out of character with the surrounding neighborhoods of Birkdale, Birkdale Crossing, Birkdale Village, The Greens at Birkdale Village, The Apartments at Birkdale Village and The Townhomes at Birkdale Village.

The maximum height in any of the surrounding communities is 4 stories and all of them follow a traditional small town theme with historical influences like Charleston and Nantucket. This proposed building is inspired by a resort hotel in Disneyland and will tower over any existing structure in the community.

Sincerely,

Arthur T. Rouse,

President, Townhomes at Birkdale Village HOA, Inc.

Petition to Reject Rezoning 17-04




Petition summary and background	<p>Rezoning 17-04 Birkdale Active Adult (Sam Furr Senior Apartments.)</p> <p>The proposed plan is out of character with the surrounding neighborhoods of Birkdale, Birkdale Crossing, Birkdale Village, The Greens at Birkdale Village, The Apartments at Birkdale Village and The Townhomes at Birkdale Village.</p> <p>The maximum residential apartment building height allowed is 36 feet per Article 4 of The Town of Huntersville Zoning Ordinance. This proposed FIVE story building with a pitched roof will be essentially SIX stories and will tower over any existing structure in the community. The architectural style, a white building with a red roof, is that of a resort hotel in Disneyland and does not follow the traditional Charleston / Nantucket theme of the Birkdale Village community.</p> <p>In addition, the proposed buffer zone will not sufficiently screen the project from the residents of The Townhomes at Birkdale Village who will be most affected by this project.</p>		
Action petitioned for	<p>We, the undersigned, are concerned residents of The Townhomes at Birkdale Village and The Greens at Birkdale Village, do hereby request variances for the proposed project be rejected and the complex redesigned consistent with current building codes and the surrounding communities design theme.</p>		

Printed Name	Signature	Address	Phone number	Date
Sharon McManus	Sharon McManus	7906 Camden Hollow Road Huntersville NC 28078	(704) 904-7903	7-31-17
ELIZABETH PAVNOVICH	Elizabeth Panno	7938 Camden Hollow Rd Huntersville NC 28078	(980) 2266588	7/31/17
Hope Daul	Hope Daul	7946 Camden Hollow Rd Huntersville NC 28078	(704) 962-4141	7/31/17
Mike Pozniak	Michael Pozniak	7958 Camden Hollow Rd Huntersville NC 28078	419-346-3181	7/31/17
Marcia Pozniak	Marcia Pozniak	7958 Camden Hollow Rd Huntersville NC 28078	419-346-3181	7/31/17
Sean Hays	Sean Hays	7939 Camden Hollow Rd		7/31/17
Denise Connelley	Denise Connelley	16944 BIRCHVIEW LN HUNTERSVILLE NC 28078	513-708-3836	7/31/17

Printed Name	Signature	Address	Phone Number	Date
Dwayne Miller	Dwayne Miller	1954 Camden Hollow Rd	(919) 815-3242	7/31/17
Michael Meyer	Michael Meyer	7926 Camden Hollow Rd		7/31/17
Katie Hackbart	Katie Hackbart	1950 Camden Hollow Rd		7/31/17
Michael Fain	Michael Fain	7918 Camden Hollow Rd		7/31/17
Chad Smith	Chad Smith	7914 Camden Hollow Rd		7/31/17
Shirley Ransom	Shirley Ransom	17308 Villanova Rd		7-31-17
Lorraine Geraci	Lorraine Geraci	7942 Camden Hollow Rd	(845) 541-1147	7/31/17
Rocky Pasot	Rocky Pasot	7910 Camden Hollow Rd	704-502-9986	7/31/17
Denna Black	Denna Black	7922 Camden Hollow Rd	704-562-4665	7/31/17
Mike Carman	Mike Carman	16511 Bridgeton Ln	704-460-3055	8-1-17
Steve Frost	Steve Frost	16924 BRIDGETON LN	704-975-5151	8-1-17
Ashley Goodson	Ashley Goodson	16919 Bridgeton Lane	704-402-8399	8-1-17
Julie Seiged	Julie Seiged	8424 Townier Rd	704-904-6530	8-1-17
Johnny Boat	Johnny Boat	16915 Bridgeton	704.604.1189	8-1-17
Brendan Boon	Brendan Boon	16935 Bridgeton	908-399-3366	8-1-17
Hillary Boosky	Hillary Boosky	16935 Bridgeton	908-391-3764	8-1-17
Mike MURPHY	Mike MURPHY	7962 CAMDEN HOLLOW		8/1/17
Weston Mullis	Weston Mullis	16943 Bridgeton Ave		8-1-17
James Mullis	James Mullis	16943 Bridgeton Ave		8/1/17

BRICKLE

Printed Name	Signature	Address	Comment	Date
Richard Star	<i>[Signature]</i>	8358 Brickie		7/30/17
Ali Rasmussen	<i>[Signature]</i>	8369 Brice		7/31/17
H.B. Drucker	<i>[Signature]</i>	8373 Brice Ln.		7/31/17
LD Smith	<i>[Signature]</i>	8373 Brickle Ln		7/31/17
Joan Potter	<i>[Signature]</i>	8377 Brickle Ln.		7/31/17
Holly Foster	<i>[Signature]</i>	8354 Brickle Lane		7/31/17
Terry Anderson	<i>[Signature]</i>	8326 Brickle Ln		7/31/17
Earl Henson	<i>[Signature]</i>	8318 BRICKLE LN		7-31-17
Shirley Henson	<i>[Signature]</i>	8318 Brickle Ln		7-31-17
Chris Link	<i>[Signature]</i>	8323 Brickle Ln		7-31-17
Whitney Smart	<i>[Signature]</i>	8323 Brickle Lane		7/31/17
Arthur Rose	<i>[Signature]</i>	8353 Brickle Lane		7/31/17
Till Brown	<i>[Signature]</i>	8361 Brickle Ln		7/31/17
Debbie Messer	<i>[Signature]</i>	8311 Brickle Ln.		7/31/17
Heidi Hines	<i>[Signature]</i>	17004 Bridgetta Ln		7/6/17
Heidi Hines	<i>[Signature]</i>	17327 Villanova		7/6/17
Deanne Doff	<i>[Signature]</i>	17327 Villanova Rd		7/7/17

Printed Name	Signature	Address	Phone number	Date
Virginia L. Benton	Virginia L. Benton	8428 Townley Rd.		8/1/17
James Lewis		1445 Bridgeman		8/1/17
Fernanda Flanagan	Fernanda Flanagan	8512 Townley Rd.		8/1/17
James Mackay	James Mackay	8428 Townley Rd.		8/1/17
Jessica Davenport	Jessica Davenport	8004 Strandhill Rd		8/1/17
Allison McLeight	Allison McLeight	17513 Calverton Road		8/1/17
Debbie Carson	Debbie Carson	11940 Bridgeton Lane		8/3/17
Blake Henry	Blake Henry	8020 Strand Hill Rd		8/5/17
Kandis Pannouch		7438 Lander Hollow Rd		8/5/17
Roxie Rine		8315 Biddle Lane	104/655-8787	8/5/17
Joseph A. Mullin	Joseph A. Mullin	17368 Ulla N. Rd.	704/457-7865	8/5/17
Tyree Hart	Tyree Hart	16814 Dingess Lane 23078	704/605-7011	8/6/17
Jasmine Hart	Jasmine Hart	16814 Bridgeton Ln	704-605-7011	
Antione Hart	Antione Hart	16814 Bridgeton Ln.	704 605 7011	8/6/17
Peter Hochick	Peter Hochick	16810 Bridgeton Ln		8/6/17
Katie Gentry	Katie Gentry	16814 Bridgeton Lane	910-409-4399	8-6-17
Cheryl Taylor	Cheryl Taylor	16834 Bridgeton Ln		8-6-17
Alan Vandy	Alan Vandy	16846 Bridgeton	704 605 4523	8-6-17

Printed Name	Signature	Address	Comment	Date
Gloria Gacturight	Gloria Gacturight	17353 Volcano Rd	Phone # 704-724-5278	7/31/01
Mike Kozakiewicz	Mike Kozakiewicz	17361 Villanova Rd.		8-1-17
Michelle Tomlinson	Michelle Tomlinson	17349 Villanova Rd.	(321) 689-9646	8-1-17
Zach Naylor	Zach Naylor	17352 Villanova Rd	(980) 721-5840	8-1-17
Bonnie Jones	Bonnie Jones	17344 Villanova Rd	704-892-0684	8-1-17
Leah Carver	Leah Carver	17307 Villanova Rd	704-201-7663	8-1-17
Debbie Tamson	Debbie Tamson	17304 Villanova Rd	704 5076518	8-1-17
John Beck	John Beck	17311 Villanova Rd	—	8-1-17
Chet Brown	Chet Brown	17315 Villanova Rd	704 895-7887	8-1-17
Connie Murray	Connie Murray	8335 Buckle Lane	704-907-8180	8-6-17
Phillip's Sekel	Phillip's Sekel	9327 Buckle Lane	704-895-2802	8-6-17
Cleopatra Odega	Cleopatra Odega	Buckle Lane 8319	629 203 9231	8-6-17
Ruth M-SQL	Ruth M-SQL	17305 Villanova Rd	704 895-8160	8-6-17
MATT COMELY	MATT COMELY	16830 BRIDGETON LN	704-683-8647	8-6-17
Emily Lamm	Emily Lamm	16802 Bridgeton Lane	214-803-6536	8-6-17
John Clemons	John Clemons	8319 Bridgeton Ave	615-477-9315	8-6-17
DAN MATTHEWS	DAN MATTHEWS	8342 Buckle Ln	704 795-3227	8-6-17
Marie Harlan	Marie Harlan	8346 Buckle Lane	704 237-4432	8-6-17

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[illegible]

[illegible]

**Town of Huntersville
PLANNING BOARD
8/22/2017**

To: Planning Board Members
From: Jack Simonaeu
Subject: SUP Removal: Birkdale Inn

Special Use Permit: This request is for the removal of the existing Special Use Permit (SUP) for the Birkdale Inn. Nickel Development is requesting the removal dependent upon the approval of R17-04 Sam Furr Senior Apartments.

ACTION RECOMMENDED:

Make a recommendation to the Town Board.

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

Description		Type
<input type="checkbox"/>	Staff Report: SUP Removal	Staff Report
<input type="checkbox"/>	A - Application	Exhibit
<input type="checkbox"/>	B - Findings of Fact 2009 Birkdale Inn SUP	Exhibit
<input type="checkbox"/>	C - 2009 SUP Birkdale Inn	Exhibit

REQUEST:

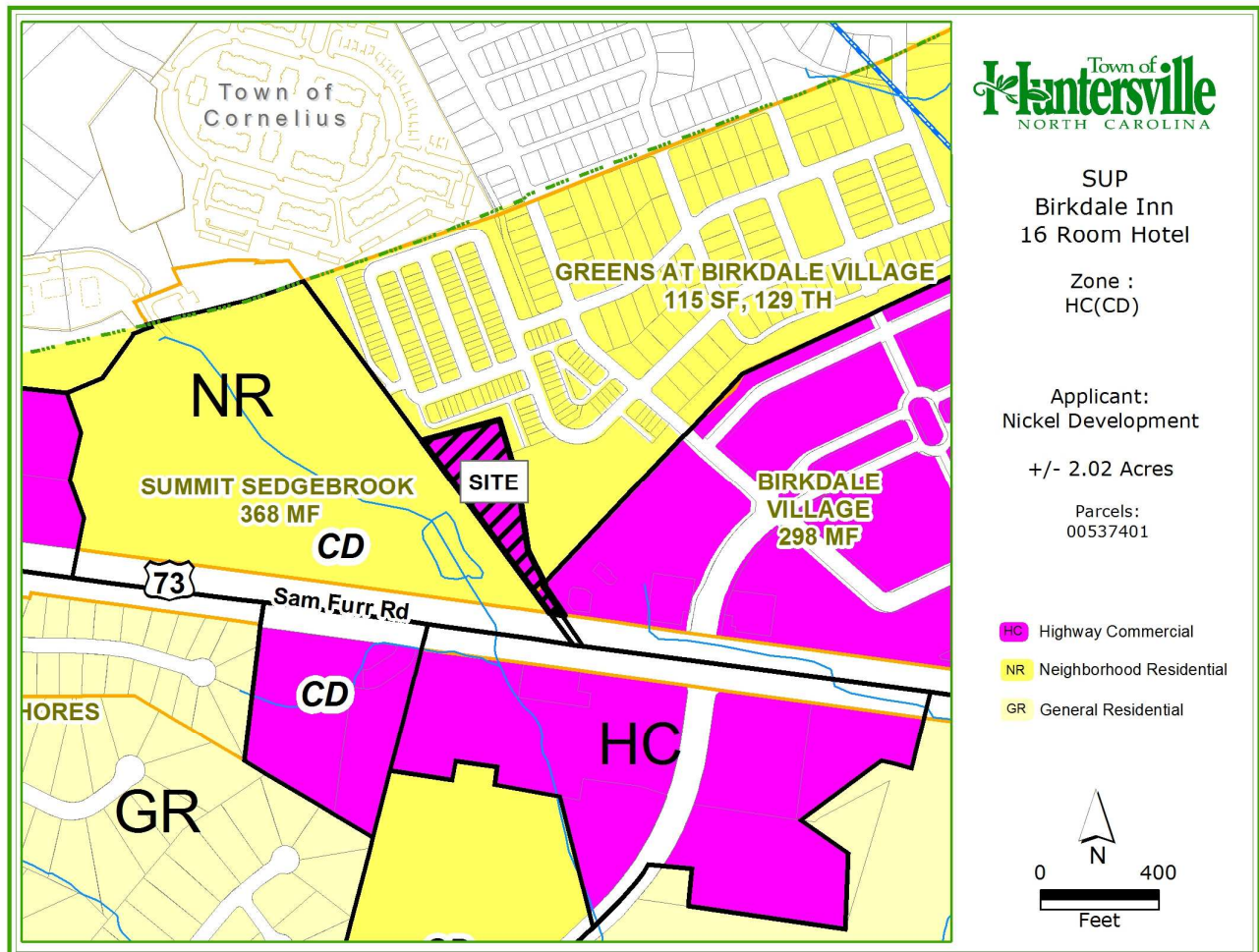
Removal of an approved Special Use Permit – Birkdale Inn to Establish a Hotel Building Closer than 250 feet from a Residential or Mixed Use Zoning District, Tax Parcel 005-373-01

PART 1: DESCRIPTION

This request is for the REMOVAL of the existing Special Use Permit (SUP) for the Birkdale Inn. Nickel Development is requesting the removal dependent upon the approval of R17-04 Sam Furr Senior Apartments.

On January 20, 2009, the Huntersville Town Board approved a Special Use Permit to allow a hotel to be located within 250 feet of a Residential or Mixed use Zoning District at 8521 Sam Furr Rd. (Parcel ID #00537301). Since the 2009 Special Use Permit approval, the developer has decided they will not develop a hotel. Therefore, in accordance with Article 11.4.10(i)(1) of the Town's Zoning Ordinance the property owners are requesting to amend (in this case remove) the 2009 Special Use Permit dependent upon the approval of R17-04 Sam Furr Senior Apartments.

PART 2: LOCATION



PART 3: PLANNING STAFF RECOMMENDATION

Staff findings of this Special Use Permit amendment request:

- Removing the 2009 Special Use Permit would allow the property to be developed as a Senior Apartment building dependent upon the approval of R17-04 Sam Furr Senior Apartments in accordance to the conditional district rezoning plan.

Therefore, staff recommends approval of Petition dependent upon the outcome of R17-04.

PART 4: TOWN BOARD HEARING

The Hearing will be held on September 7, 2017.

PART 5: ATTACHEMENTS

A: Application

B: 2009 Special Use Permit

C: 2009 Special Use Permit Site Plan



General Application

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

1. Application Type

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

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

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

SUBDIVISION CATEGORIES: *Per the Huntersville Subdivision Ordinance*

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

2. Project Data

Date of Application 08/07/17

Name of Project Sam Furr Senior Apartments Phase # (if subdivision) _____

Location 8521 Sam Furr Road

Parcel Identification Number(s) (PIN) 00537401

Current Zoning District HC (CD) Proposed District (for rezonings only) _____

Property Size (acres) 2.024 ac Street Frontage (feet) 47 feet

Current Land Use Vacant

Proposed Land Use(s) 78 unit senior apartments (age-restricted) and associated parking areas

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.

We are requesting to remove the SUP associated with the previously approved re-zoning for the site (R08-09) pending the approval of

re-zoning petition number R17-04.

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 Jake Palillo

Address of Applicant 19520 W. Catawba Avenue, Suite 200, Cornelius, NC 28031

Email jpalillo@aol.com

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

Printed Name Nickel Development Group, LLC

Property Owner's Address 19520 W. Catawba Avenue, Suite 200, Cornelius, NC 28031 Email jpalillo@aol.com

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

Nickel Development Group, LLC Jake Palillo 704-363-7902 jpalillo@aol.com

Development Firm Name of contact Phone Email

ColeJenest & Stone, PA Colin Jenest, PE 704-971-4510 cjenest@colejeneststone.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
Planning Department
PO Box 664
Huntersville, NC 28070

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

Special Use Permit
~~SKETCH PLAN~~ APPROVED BY
THE TOWN OF HUNTERSVILLE
Bradley D. [Signature] 1/30/09
Planning Staff Date
- Approved by BOC on 1/20/09

REQUEST:

Special Use Permit by Birkdale Inn, LLC to Establish a Hotel Building
Closer than 250 feet from a Residential or Mixed Use Zoning District, Tax
Parcel 005-374-01.

ZONING ORDINANCE CRITERIA AND STAFF COMMENTS

- 9.45.1 Hotels are permitted in the Highway Commercial and Corporate Business Districts subject to the requirements below; Motels are permitted in the Corporate Business District only, subject to the requirements below:

Any structure in which a hotel or motel is the principal or accessory use shall be separated by a distance of at least 250 feet from any residential or mixed use zoning district, measured from the closest point of the lot occupied by the hotel or motel to the closest point of lots in residential and mixed use zoning districts.

- 9.45.2 Any structure in which a hotel or motel is spaced less than established in 1 above shall require a special use permit subject to the following standards as well as all other standards applicable for special use permits

STAFF FINDINGS: The applicant is currently seeking a rezoning to a Highway Commercial conditional zoning district (HC-CD). The proposed hotel will be located closer than 250 feet from a residentially zoned district therefore the applicants are seeking approval of a special use permit.

- (a) Any structure in which a hotel or motel is the principle or accessory use shall be separated by a distance no less than three (3) times the height of the proposed structure closest to the common lot line of the adjoining residential and mixed use zone, but in no case less than 100 feet.

STAFF FINDINGS: The proposed hotel height will be approximately 23 feet. The actual building will physically be located 5 feet from a residentially zoned district. The proposed use does not meet the above finding.

However, there are very unique circumstances involved with this application. The parcel in question is surrounded by residentially zoned property but a large portion of that residential property is not an actual residential use; it's open space and water retention basins. The intent of the ordinance is to sufficiently distance and separate hotel uses from residential uses. In this specific case, open space provides a natural buffer and separation area between the two uses even though the open space itself is zoned residential. Even though the building is only 5 feet from a residentially zoned property line, the closest the hotel will actually be from a residential use or structure is 98 feet. In addition, the proposed hotel use is not the standard multi-story hotel that is common along interstates. The proposed building is only two stories tall with a maximum of 16 rooms. The building design is also residential in nature. Considering these 3 findings, the natural buffer of the open space (landscaped), the minimal height of the building, and the residential nature of the architecture, it is staff's opinion that the intent of this finding will be achieved.

- (b) That all other site design requirements stated in this code are met.

STAFF FINDINGS: The applicants have submitted a site plan that, at this level of review, conforms to all applicable zoning requirements except one: the required 30 foot vegetative buffer. There are many areas on the plan that reduces the buffer to 5 feet of width (between development and the residential property line). At one point on the plan, the sidewalk for the building comes right onto the property line; for a zero (0) foot buffer. Again however, the area in between the town home uses and the hotel is common open space. A letter was received from the town homes homeowner association stating that they intended to grant the Birkdale Inn a landscape easement to screen the hotel use from the town home development. Along the western property line (apartment complex property), large shrubs are proposed to be established along the lot line in addition to remaining tree line on the adjacent property. Considering these items, the open space landscaping, the additional onsite screening, and the existing tree line on the apartment complex property, it is staff's opinion that intent of this finding will be met.

- (c) That the proposed use will not endanger the public health and safety, nor substantially reduce the value of nearby property.

STAFF FINDINGS: Planning staff has no indication that the request will adversely affect the public health and safety. It is staff's opinion that because of the existing mixed use nature of the Birkdale Village development in general and the provided screening to be installed as part of the development, the Birkdale Inn will not substantially reduce the value of nearby property.

- (d) That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area.

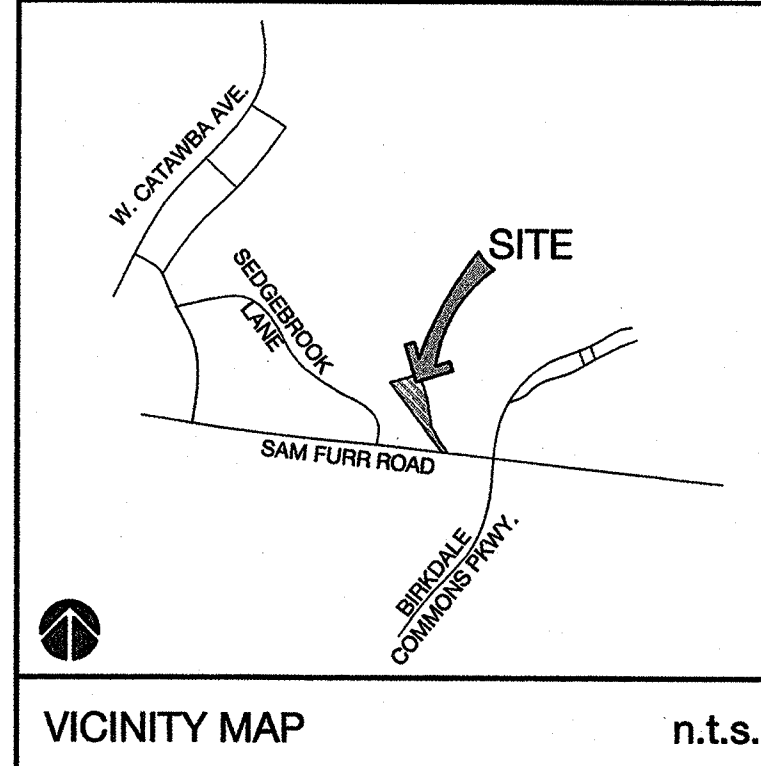
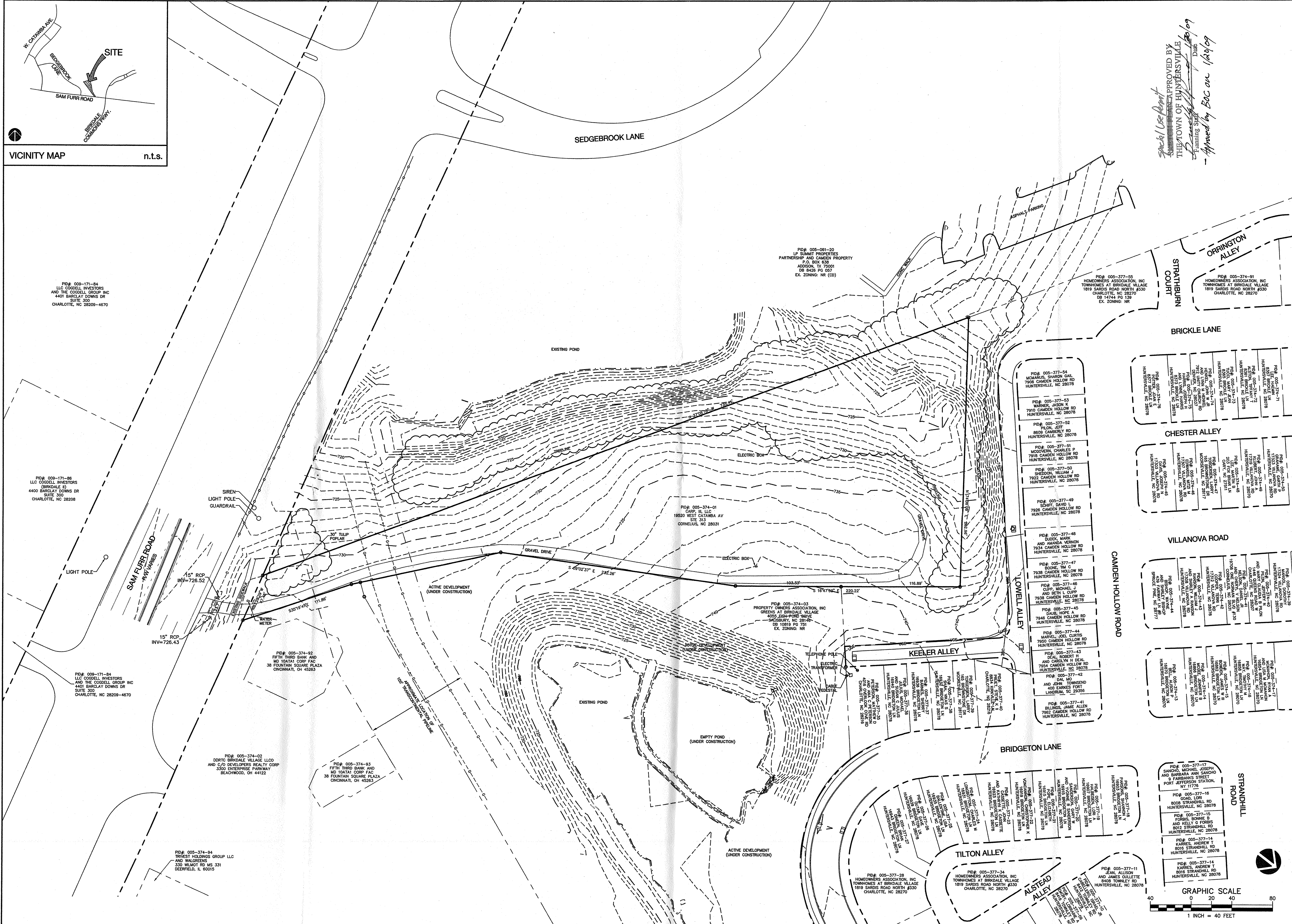
STAFF FINDINGS: The proposed use of the development does not conflict with any small area plans. However due to issues regarding intensifying the existing Sam Furr Road driveway, it is staff's opinion that the proposed driveway intensification conflicts with the NC 73 Corridor Plan.

- (e) That vehicular access to the use will be provided only by way of a major or minor thoroughfare, or a commercial street within a commercial or mixed use project.

STAFF FINDINGS: If the Town Board approves the submitted rezoning plan/special use permit plan as submitted, right in/right out access will be allowed through a major thoroughfare (Sam Furr Road). If transportation staff's recommendation is followed, access would be achieved through the mixed use Birkdale Village development.

UPDATE 12/8/08: At their November 18th, 2008 meeting, the Planning Board unanimously deferred this item until their next month meeting; to correspond with the deferral of the proposed Birkdale Inn conditional district rezoning application. For the second Planning Board meeting for December 16th, 2008 no changes to the plan were made. Please review the special use permit site plan submitted last month for reference.

STAFF RECOMMENDATION: Based on the findings above and subject to the conditional rezoning being approved by the Town Board, staff recommends approval of the special use permit.



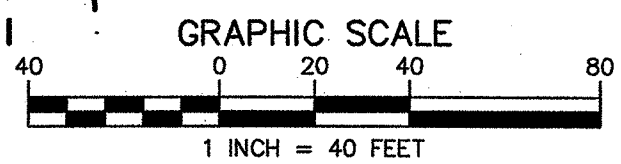
Special Use Permit APPROVED BY
THE TOWN OF HUNTERSVILLE
Date: 7/1/09
Approved by BOC on 1/2/09

Mr. Jake Pallio
19520 W. Catwba Ave
Suite #313
Cornellus, NC 28031

Birkdale Inn Special Use Permit Plan Existing Features

NO.	DATE	BY	REVISIONS:
1	09/29/08	EJV	Per City Comments
2	10/10/08	EJV	Per City Comments
3	11/11/08	EJV	Per City Comments

Project No: 08-042
Date: July, 2008
Designed by: udp
Drawn by: udp
Scale: 1"=40'
Sheet No:
SUP-1





Mr. Jake Paillo
19520 W. Catawba Ave
Suite #313
Cornellius, NC 28031

BIRKDALE INN
 SPECIAL USE PERMIT PLAN
 SCHEMATIC SITE PLAN

8521 Sam Furr Road Huntersville, NC

NO.	DATE	BY:	REVISIONS:
1	09/29/08	EJV	Per City Comments
2	10/10/08	EJV	Per City Comments
3	11/11/08	EJV	Per City Comments

Project No: 08-042

Project No: 08-042
Date: July 2008

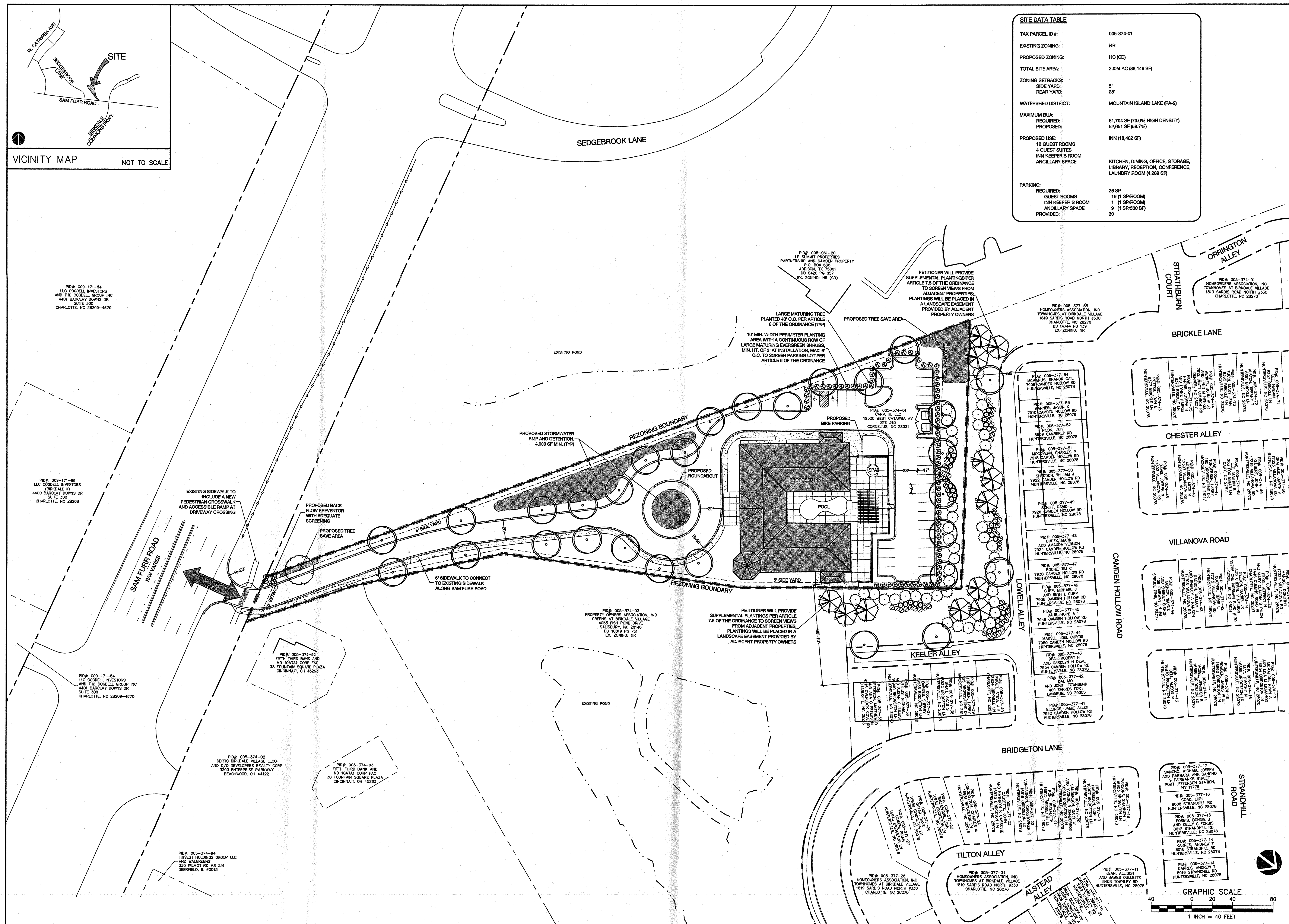
Designed by: udp

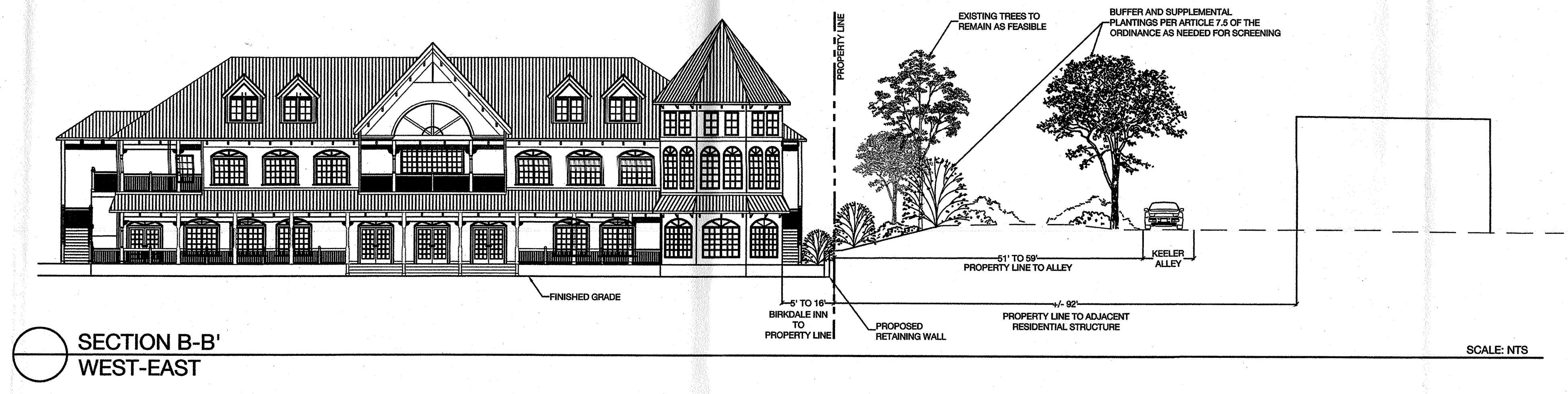
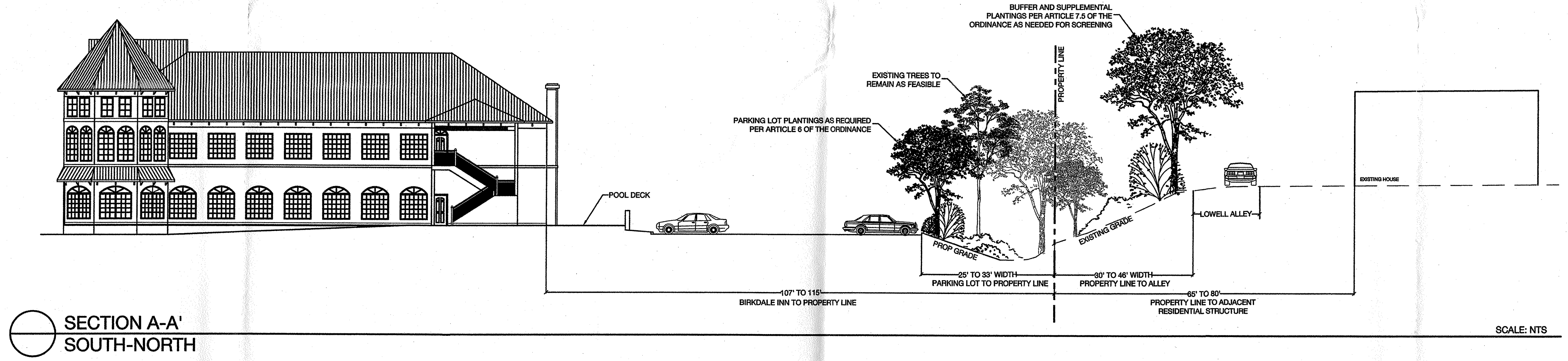
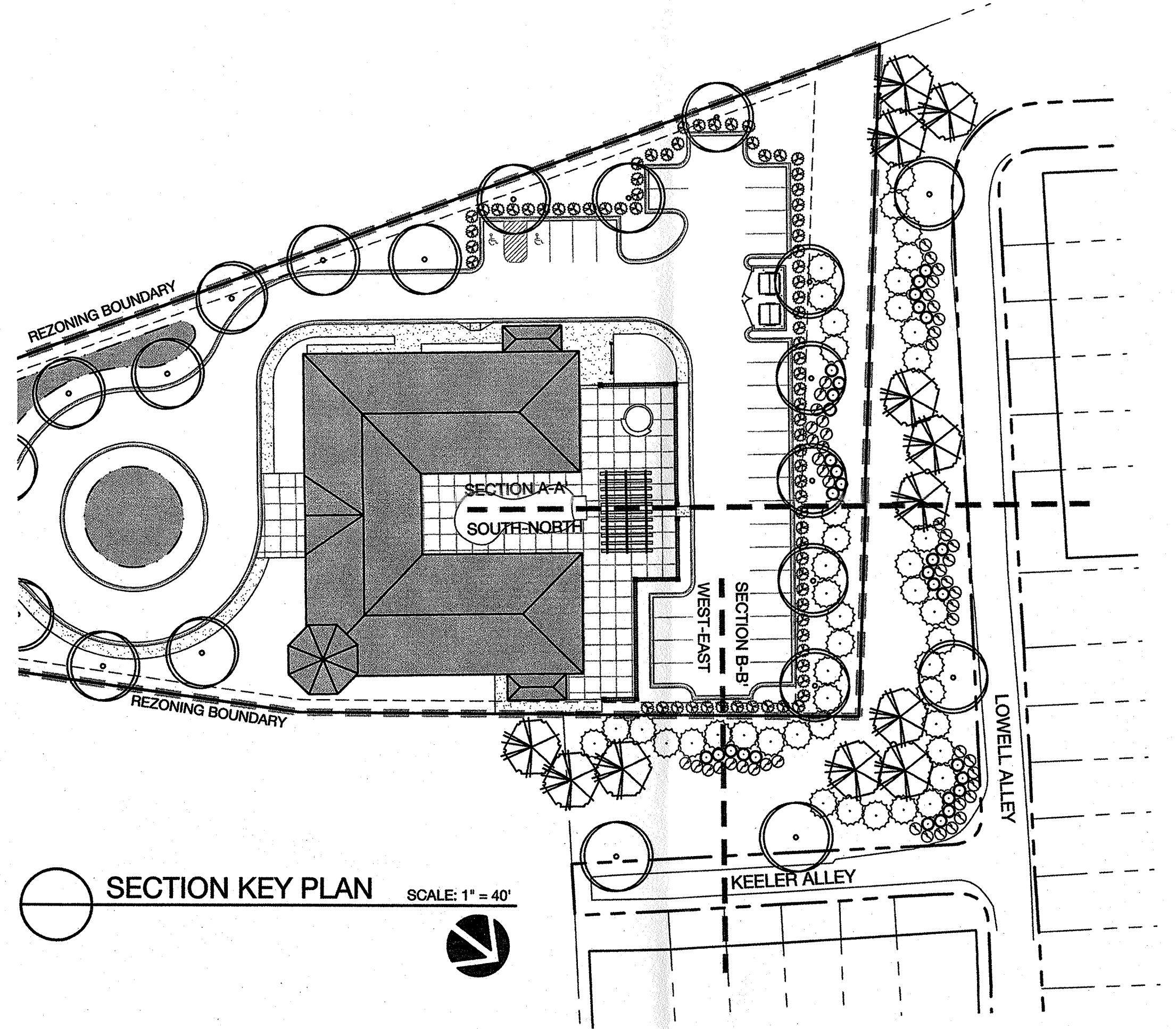
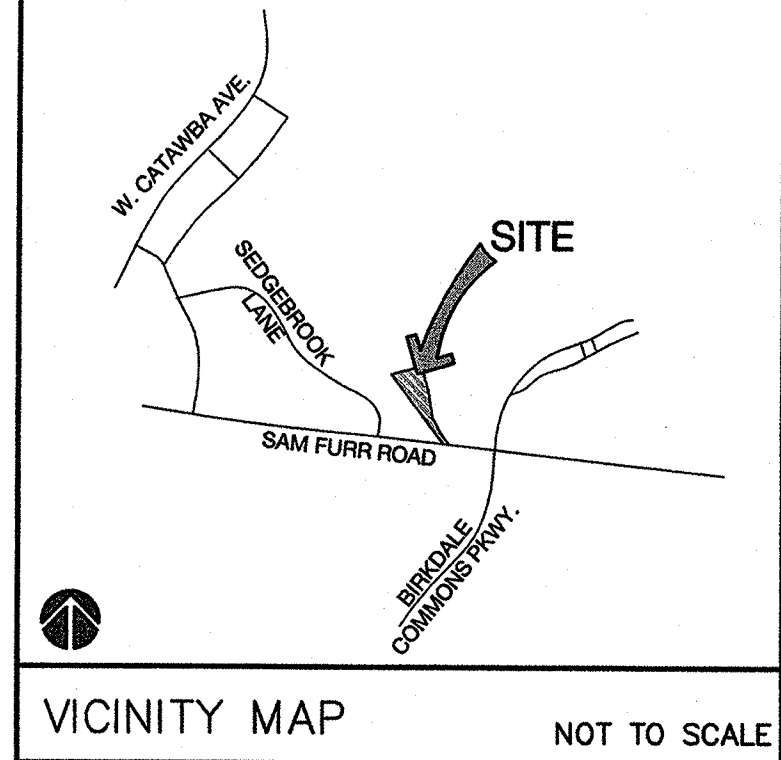
Drawn By: udp
Scale: 1"=10'

Scale: 1" = 40'

Sheet No:

SUP-2





Birkdale Inn
Special Use Permit Plan
Schematic Site Sections

8521 Sam Furr Road Huntersville, NC

NO.	DATE	BY	REVISIONS
1	08/23/08	E.V.	Per City Comments
2	10/10/08	E.V.	Per City Comments
3	11/17/08	E.V.	Per City Comments

**Town of Huntersville
PLANNING BOARD
8/22/2017**

To: Planning Board Members
From: Brad Priest, Senior Planner
Subject: TA17-05: LCID Landfill Closure Extension

Text Amendment: TA17-05 is a request by Piedmont Wrecking and Grading Company, Inc. to amend Article 9.23.9 of the Huntersville Zoning Ordinance. The purpose of the application is to extend the closure deadline for existing LCID landfills.

ACTION RECOMMENDED:

Consider making a recommendation to the Town Board on 8/22/17.

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

Description	Type
□ Staff Report	Staff Report
□ Updated Amendment Ordinance - Current Proposal	Ordinance
□ Amended Proposed Text Language 7/13/17	Exhibit
□ Application and Original Text Language 6/1/17	Exhibit

TA 17-05 – Existing LCID Landfill Closure

PART 1: DESCRIPTION

TA17-05 is a request by Piedmont Wrecking and Grading Company, Inc. to amend Article 9.23.9 of the Huntersville Zoning Ordinance. The currently proposed text would extend the closure deadline for existing Land Clearing and Inert Debris (LCID) landfills by 5 five years. The original text submitted in the application would remove the closure deadline for LCID landfills. Please see the Huntersville Ordinance Advisory Board meeting summaries below for a description of how the draft text has evolved since the original application submittal.

PART 2: BACKGROUND

Since its adoption in 1996, the Town of Huntersville Zoning Ordinance has had an amortization or “sunset” date requirement where on a certain date existing non-conforming landfills (both Construction and Demolition (C&D) and Land Clearing and Inert Debris (LCID)) are required to come up to the requirements of ordinance or close. Various text amendments by the owners of the landfills throughout the years have either moved back the closure deadline or had it removed.

For instance the ordinance currently allows existing non-conforming C&D landfills to operate indefinitely as long as they have an unexpired Special Use Permit (SUP). Greenway Waste C&D landfill on Holbrook Road recently rezoned their entire landfill and got an updated Special Use Permit approved for their operation. Therefore their landfill has been brought into compliance with current ordinance standards. There are no more existing C&D landfills in Huntersville zoning jurisdiction.

In 2006, Piedmont Wrecking and Grading successfully applied to amend the zoning text to move the sunset date for its LCID landfill on Everette Keith Road back 10 years. After discussion with the Town Attorney in regard to the State Legislature’s “permit freeze” during the recession, it was determined that the Everette Keith landfill now has until March 3, 2018 to come into compliance or close. There are no other existing LCID landfills in the Huntersville zoning jurisdiction. The applicant is applying to amend Article 9.23.9 to again push back the sunset date another 10 years; to March 3, 2028.

The Land Development Ordinances Advisory Board (LDOAB) considered multiple drafts of the proposed text. A summary of their meetings and the different draft texts are below.

- June 1, 2017: The applicant’s first draft submitted removed the reference of LCID landfills in Article 9.23.9 D. The removal would in effect remove the sunset date for LCID landfills altogether and allow them to continue operation indefinitely without complying with any ordinance requirements. *This original proposed text is included in your agenda packet for review.* Staff presented the concern that the process for compliance was already present in the text through the conditional rezoning and special use permit process; which ensures that the landfill comes up to Article 9.23 code to “the extent practical”. After discussion, the committee recommended the applicant redraft the text to include some conformance stipulations of Article 9.23.
- July 13, 2017: The updated draft language continued to remove the sunset date but included language that required the landfill to pave their driveway, landscape their frontage to a reasonable degree, and keep the driveway clean. It also included a provision that after 10 years, the Planning Director could

direct the landfill to close if there were 3 violations within the 10 year period. *This updated text is also included in your agenda package for review.* Staff's concern remained that many of the principles from Article 9.23 were not addressed in the proposed text and that staff would make the closure decision and not the Town Board. After discussion, the Board recommended the applicant meet with staff to come up with appropriate language that sufficiently addressed the requirements of Article 9.23.

- August 3, 2017. At the August meeting, the Board discussed staff's recommendation that the applicant go through the Special Use Permit (SUP) process, and the applicant's new proposed language to simply extend the sunset date by 7 years. After discussion, the Board recommended to approve a text amendment that would extend the sunset date 10 years with the following conditions (by a 5-3-1 vote):
 1. Pavement of the driveway entering the facility shall be 100 feet.
 2. Landscaping the frontage of the property to a commercially reasonable degree.
 3. Maintained gravel within the driveway exiting the facility.
 4. Weekly regular cleaning from the exit driveway down to Hambright Road.

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

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

- Policy E-7: Sustainability: Extending the life of the landfill would allow an existing recycling LCID landfill to continue to operate and reduce waste through their recycling program.
- Policy ED-12: Business Retention and Expansion: The text would allow the continuation or retention of a local business that has been in operation for many years.

PART 4: STAFF RECOMMENDATION

Rather than moving the sunset date back another 10 years and having to again review the conformity of the landfill for a 3rd time, staff recommends amending Article 9.23 of the ordinance to allow LCID landfills to continue to operate in the zoning district in which it is currently located indefinitely with the issuance of a Special Use Permit (SUP). Staff recommends the Special Use Permit (SUP) process be followed to allow the continuation of the existing LCID landfill for the following reasons:

1. The SUP process will easily allow staff, the public, and the Town Board to review site specific ways the landfill can come up to the current ordinance standards of Article 9.23 "to the extent practical". Issues such as screening, buffers, cleaning of streets, site security, street maintenance, consistency with thoroughfare plans etc. can be reviewed and addressed on the SUP site plan.
2. Moving the closure date for existing LCID landfills and C&D landfills has been done several times in the past by two different landfills. Going through the SUP process for LCID landfills now would put an end to that process and allow the applicant to continue to operate indefinitely with no sunset date.
3. Greenway Waste used the SUP process to allow their landfill to continue operation indefinitely, thus setting a pattern to follow.
4. If an existing landfill is going to continue to operate for several years past the ordinance sunset date, staff believes the public and adjacent property owners should be included in the process and have

input on the permit. The SUP process would give adjacent property owners specific notice and allow them to comment if desired.

5. Staff does not anticipate the SUP process being an unreasonable burden on the applicant. Considering the fact that a landfill plan already exists (attached to the state permit), it does not seem like much in the way of site design would be needed to produce a SUP site plan. Much of the agreements worked through to bring the site up to code to the extent practical can be included with simple notes on the plan. The SUP process is a 3 month process that could yield an unlimited amount of operation time for the applicant.

PART 5: PUBLIC HEARING

The Public Hearing was held on August 7, 2017. An individual from the public expressed opposition to the application due to the truck traffic that would continue to take place through a heavily developed residential area. The applicant presented the updated text proposed as recommended by the Huntersville Ordinance Advisory Board. The new language presented by the applicant at the hearing would allow the landfill to continue to operate for 10 years (until March 3, 2028) with the following conditions.

1. In the event that a driveway is permitted for entrance into the facility, paving of the driveway entering the facility for a distance of 100 feet from the public right of way;
2. Landscaping along street frontages to the extent commercially reasonable;
3. Installation of gravel within the driveway exiting the facility;
4. Regular cleaning of the public right of way from the exiting driveway to the nearest intersection.

PART 6: PLANNING BOARD RECOMMENDATION

The Planning Board is scheduled to hear this text amendment application on August 22, 2017.

PART 7: ATTACHMENTS AND ENCLOSURES

- Original Draft Language
- Revised Draft Language
- Applicant Amendment Ordinance

PART 8: STATEMENT OF CONSISTENCY – TA17-05

Planning Department	Planning Board	Board of Commissioners
<p>APPROVAL: N/A</p>	<p>APPROVAL: In considering the proposed amendment TA 17-05, to amend Article 9.23: <i>Off-Site Land Clearing and Inert Debris and Construction & Demolition Landfills</i> of the Zoning Ordinance, the Planning Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u></p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)</p>	<p>APPROVAL: In considering the proposed amendment TA 17-05, to amend Article 9.23: <i>Off-Site Land Clearing and Inert Debris and Construction & Demolition Landfills</i> of the Zoning Ordinance, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u></p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)</p>
<p>DENIAL: In considering the proposed amendment TA17-05, to amend Article 9.23: <i>Off-Site Land Clearing and Inert Debris and Construction & Demolition Landfills</i> of the Zoning Ordinance, Planning Staff recommends denial of the amendment. The recommendation is based on staff's view that the Special Use Permit process is the more appropriate method to allow the continuation of a non-conforming landfill operation due to its ability to include the public in the decision making process and bring the site more fully into conformance with Article 9.23 of the zoning ordinance.</p>	<p>DENIAL: In considering the proposed amendment TA 17-05, to amend Article 9.23: <i>Off-Site Land Clearing and Inert Debris and Construction & Demolition Landfills</i> of the Zoning Ordinance, the Planning Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>.</p> <p>It is not reasonable and in the public interest to amend the Zoning Ordinance because....(Explain)</p>	<p>DENIAL: In considering the proposed amendment TA 17-05, to amend Article 9.23: <i>Off-Site Land Clearing and Inert Debris and Construction & Demolition Landfills</i> of the Zoning Ordinance, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>.</p> <p>It is not reasonable and in the public interest to amend the Zoning Ordinance because....(Explain)</p>

AN ORDINANCE TO AMEND ARTICLE 9.23.9 (OFF-SITE LAND CLEARING AND INERT DEBRIS AND CONSTRUCTION & DEMOLITION LANDFILLS) - TO EXTEND THE CLOSURE DEADLINE FOR EXISTING LCID LANDFILLS

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

ARTICLE 9.23.9

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

e). In no event shall a landfill operate under an LCID landfill permit later than March 3, 2028 and further provided that on the earlier of the final date permitted for operation of the landfill or the date the landfill permanently ceases operation, the owner and/or operator of the landfill shall immediately commence and continuously pursue to completion closure of the landfill according to the provisions of the then current closure plan approved by the State of North Carolina and/or Mecklenburg County. Failure to complete closure according to such approved plan shall be a violation of this ordinance enforceable by all remedies and penalties available to the Town. Recycling from an LCID landfill shall be considered an LCID activity and shall not be considered an expansion for purposes of determining nonconformance.

f). A landfill operating under an LCID landfill permit as described in e) shall meet the following requirements to the extent reasonably practicable without violating County, State, or Federal regulations:

- In the event that a driveway is permitted for entrance into the facility, paving of the driveway entering the facility for a distance of 100 feet from the public right of way;**
- Landscaping along street frontages to the extent commercially reasonable;**
- Installation of gravel within the driveway exiting the facility; and**
- Regular cleaning of the public right of way from the exiting driveway to the nearest intersection.**

New Text = Bold and Underlined

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

PUBLIC HEARING DATE: **August 7, 2017**

PLANNING BOARD MEETING: **August 22, 2017**

PLANNING BOARD RECOMMENDATION: **TBD**

TOWN BOARD DECISION: **TBD**
TOWN BOARD MEETING: **September 5, 2017**

ATTACHMENT TO TEXT AMENDMENT

Ordinance: Huntersville Zoning Ordinance

Article: Article 9 – Condition for Certain Use

Section: 9.23.9 (d) – Off-Site Land Clearing and Inert Debris (LCID)

Party Proposing the Amendment: Piedmont Wrecking and Grading Company, Inc. is proposing this Text Amendment as the owner of a disposal facility for land clearing and inert debris at 11898 Everette Keith Road in Huntersville, North Carolina. Tax Parcel Number: 01932108.

Reason for Requested Change:

1. Disposal facilities for land-clearing and inert debris ("Greenfills") benefit the environment because they facilitate and encourage the recycling of waste generated from land-clearing activities and material that is inert, such as gravel, rock, untreated soil and untreated and unpainted wood.
2. Greenfills support the building industry by taking in land-clearing and inert debris and providing opportunities for transfer of these materials to appropriate recycling facilities.
3. Materials brought to a Greenfill facility are often transferred to appropriate recycling facilities and, as a result, the time required to fill the facility can be significantly delayed. Allowing the continued operation of Greenfills that have not reached full capacity would encourage the recycling of Greenfill materials because Greenfill operators would be incentivized to recycle in order to continue operation of their Greenfill facilities.
4. Local zoning and land use ordinances that require closure of landfills prior to the date the landfills would otherwise be closed under state law also apply to Greenfills and so reduce the benefits of Greenfills to the public and private sector by requiring early closure of these environmentally beneficial facilities and removing a resource for recycling from the building industry.
5. The proposed text amendment would allow Greenfills to benefit the public, providing a valuable resource for recycling to the building industry, until they are required by state law to close.

Current Text:

d). In no event shall the landfill operate under a LCID or demolition landfill permit later than December 4, 2016 and further provided that on the earlier of the final date permitted for operation of the landfill or the date the landfill permanently ceases operation, the owner and/or operator of the landfill shall immediately commence and continuously pursue to completion

closure of the landfill according to the provisions of the then current closure plan approved by the State of North Carolina and/or Mecklenburg County. Failure to complete closure according to such approved plan shall be a violation of this ordinance enforceable by all remedies and penalties available to the Town.

Proposed Text:

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

e). A landfill operating under an LCID landfill permit ("Greenfill") shall meet the following requirements ("Maintenance Requirements") to the extent reasonably practicable without violating County, State, or Federal regulations:

- Paving of the driveway entering the facility for a distance of feet from the public right of way;
- Landscaping along street frontages to the extent commercially reasonable;
- Installation of gravel within the driveway to the facility; and
- Regular cleaning, maintenance, and repair of the driveway to the facility.

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So long as the Maintenance Requirements are met, or, if not met, any failure is remedied within thirty (30) days after receipt of written notice from the Town of Huntersville (or if such failure cannot be cured in such a thirty (30) day period, within a reasonable period thereafter) the Greenfill shall be allowed to operate until closure pursuant to state regulations; provided, however, on or before ~~January 1, 2028~~December 31, 2027 and on the expiration of every successive ten (10) year period thereafter, the Greenfill shall be reviewed ~~administratively by the Planning Director~~ to confirm regular compliance with the Maintenance Requirements over the past ten (10) year period. ~~If the record reveals that~~ If the Greenfill has failed to comply with Maintenance Requirements after receipt of written notice from the Town as described above on at least three (3) occasions over the prior ten (10) year period, then the Planning Director may make a determination that the Greenfill shall be closed and within one hundred twenty (120) days after receipt of such determination, the owner and/or operator must begin landfill of the Greenfill shall immediately commence and continuously pursue to completion ~~closure procedures outlined of the Greenfill~~ according to the provisions of the then current closure plan approved by the ~~state~~State of North Carolina and/or Mecklenburg County. Failure to complete closure according to such approved plan shall be a violation of this ordinance enforceable by all remedies and penalties available to the Town. Appeals of the decision of the Planning Director shall be made to the Town Board.



Text Amendment Application

Incomplete submissions will not be accepted.

Applicant Data

Date of Application 5/5/2017

Name Piedmont Wrecking and Grading Company, Inc.

Address 11898 Everette Keith Road Huntersville, NC 28078

Phone Number (home) 704-875-1166 (work) 704-875-1166

Email Piedmontgrading@aol.com

Fee

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

Type of Change

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

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

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

Proposed text amendment will affect the following:

Ordinance: Zoning Ordinance Article: 9 Section: 9.23.9 (d))

Current Text: [See Attached]

Proposed Text: [See Attached]

Reason for requested change (attach additional sheets if necessary): [See Attached]

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

Signatures

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

Applicant Signature: Wayne Herr Date: 5-16-2017

Contact Information

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

Phone:	704-875-7000
Fax:	704-875-6546
Physical Address:	105 Gilead Road, Third Floor
Website:	http://www.huntersville.org/Departments/Planning.aspx

ATTACHMENT TO TEXT AMENDMENT

Ordinance: Huntersville Zoning Ordinance

Article: Article 9 – Condition for Certain Use

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4. Local zoning and land use ordinances that require closure of landfills prior to the date the landfills would otherwise be closed under state law also apply to Greenfills and so reduce the benefits of Greenfills to the public and private sector by requiring early closure of these environmentally beneficial facilities and removing a resource for recycling from the building industry.
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closure of the landfill according to the provisions of the then current closure plan approved by the State of North Carolina and/or Mecklenburg County. Failure to complete closure according to such approved plan shall be a violation of this ordinance enforceable by all remedies and penalties available to the Town.

Proposed Text:

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**Town of Huntersville
PLANNING BOARD
8/22/2017**

To: Planning Board Members
From: Brian Richards
Subject: R17-07 503 S. Old Statesville Rd

Rezone: Request by Charles Guignard to rezone 0.33 acres located at 503 S. Old Statesville Rd (south of Mt. Holly-Huntersville Rd.) from Neighborhood Residential Conditional District (NR-CD) to Neighborhood Residential (NR) to remove an existing multifamily overlay. Parcel ID # 01907202.

ACTION RECOMMENDED:

Make a recommendation to the Town Board.

FINANCIAL IMPLICATIONS:

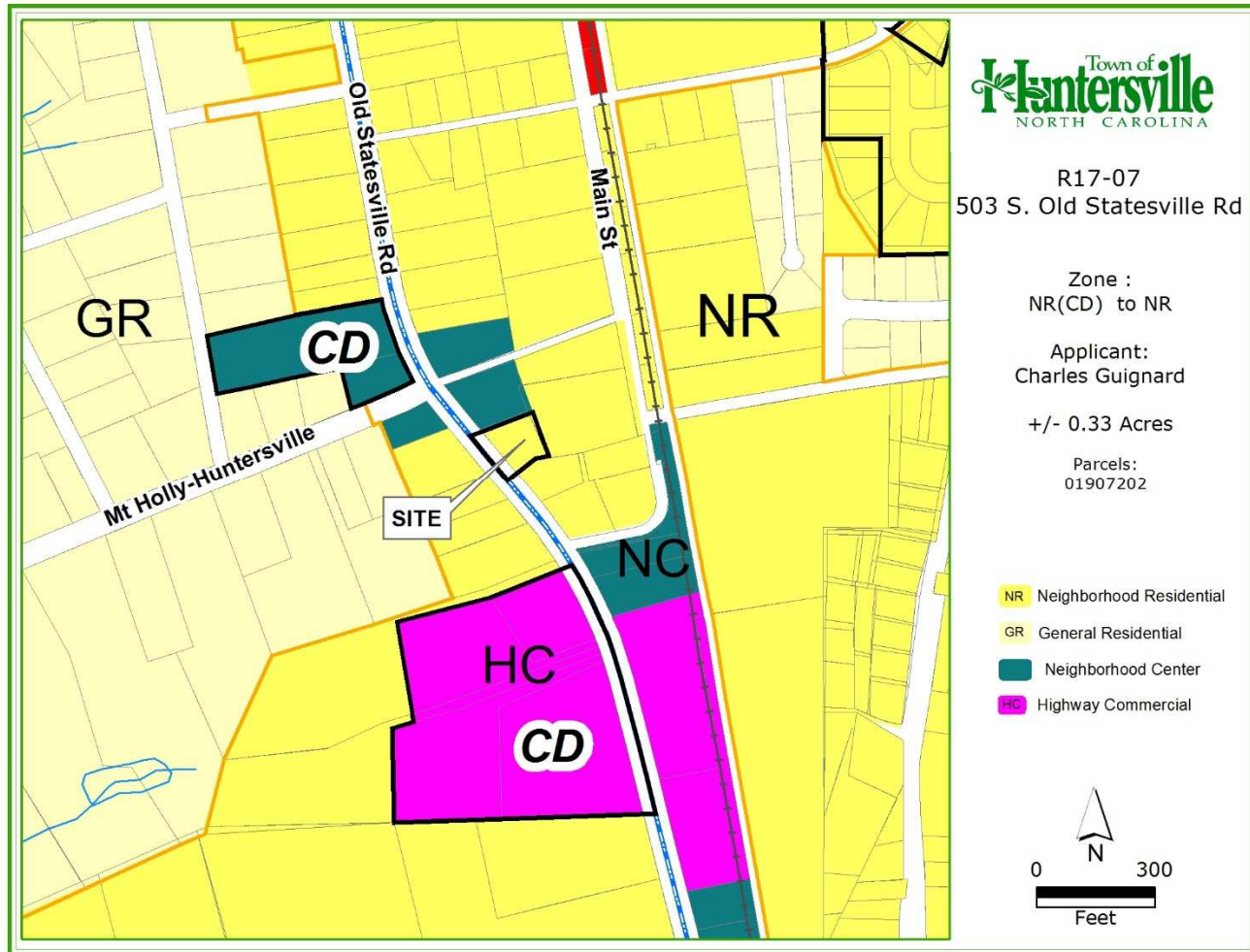
n/a

ATTACHMENTS:

Description	Type
☐ R17-07 Staff Report PB	Staff Report
☐ A - Application	Exhibit
☐ B - NR Zoning District	Exhibit
☐ C - R17-07 Site Plan	Exhibit
☐ D - 1992 Rezoning Plan & Approval Letter	Exhibit

Petition R17-07 503 South Old Statesville Road

PART 1: SUMMARY



1. On March 17, 1992 the Board of Commissioners approved a request by Diane Maye and Walton Neil to rezone 503 S. Old Statesville Rd from R-3 to R-8MF(CD) to allow for a conversion of a Single Family home to a Duplex with the conditions that no exterior structural changes would be made. During the 1996 Zoning Ordinance rewrite the property was reclassified to Neighborhood Residential Conditional District (NR-CD), as this was the category that allowed for Duplex buildings. The applicant is requesting a general rezoning from Neighborhood Residential Conditional District (NR-CD) to Neighborhood Residential (NR), which would allow for the Duplex to remain and remove the conditions of no exterior changes. Also all uses within Neighborhood Residential (NR) would be allowed by-right if the rezoning is approved.
2. Adjoining Zoning and Land Uses.
North: Neighborhood Center (NC): Old Ford Place
South: Neighborhood Residential (NR): Duplex Homes
East: Neighborhood Residential (NR): Single Family Home
West: Neighborhood Residential (NR): Single Family Home
3. Notice for this rezoning petition was sent to adjoining property owners (via letters), a legal ad placed in the Charlotte Observer and posted rezoning signs on the property in one location.

PART 2: TRANSPORTATION ISSUES

None

PART 3: REZONING CRITERIA

Current Zoning: Neighborhood Residential Conditional District (NR-CD) allows for the Duplex unit with the conditions that there will be no exterior modifications to the building.

Proposed Zoning: Neighborhood Residential (NR) allows for the Duplex to remain and removes the condition that prohibits exterior modifications.

Future Land Use:

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 – The request to rezone the property from NR (CD) to NR is consistent with the following policies of the **2030 Huntersville Community Plan**:

- **Housing Policy H-1 and H-7: Focus Higher Intensity Development Generally within 2 miles of the I-77 and NC 115 Corridor.**

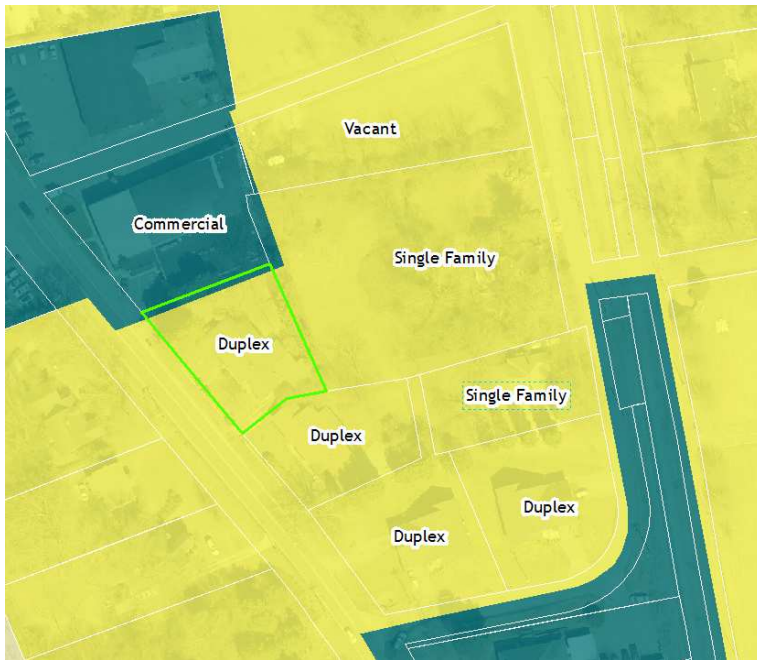
Staff comment: The subject parcel is zoned Neighborhood Residential Conditional District (NR-CD) and is located within the higher intensity zone. Neighborhood Residential allows for duplex homes; therefore the request is consistent with the future land use plan.

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

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

STAFF COMMENT:

The existing building was constructed in 1949 and converted to a Duplex in 1992. The existing development surrounding the property is Commercial, Duplexes, and Single Family Homes; therefore the request to rezone the property is consistent with the existing development of adjacent parcels (see image below).



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

STAFF COMMENT:

There is no development site plan proposal associated with the general rezoning request. Public facilities will not be impacted.

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

STAFF COMMENT: There are no known resources located on the property.

Article 11 Section 11.4.7(f) of the Zoning Ordinance states that: “When considering a petition to reclassify property to a general district, the Planning Board and the Town Board shall not evaluate the petition based on any specific proposal for the use of the property or design of the site.”

STAFF COMMENT: There is no development site plan proposal associated with the general rezoning request.

PART 4: STAFF RECOMMENDATION

The request to rezone the parcel from Neighborhood Residential Conditional District to Neighborhood Residential is consistent with the 2030 Community Plan and the surrounding development; therefore staff recommends approval of the request.

PART 5: PUBLIC HEARING COMMENTS

Public Hearing was held on August 7, 2017.

PART 6: PLANNING BOARD RECOMMENDATION

Planning Board hearing to be held on August 22, 2017

PART 7: ATTACHMENTS/ENCLOSURES

Attachments

- A – Rezoning Application
- B – Neighborhood Residential Zoning Uses
- C - Site Plan
- D - 1992 Rezoning Plan and Letter

PART 8: CONSISTENCY STATEMENT - R 17-07 503 S. Old Statesville Rd.

Planning Department	Planning Board	Board of Commissioners
<p>APPROVAL: In considering the proposed rezoning application R17-07; 503 S. Old Statesville Rd., the Planning staff recommends approval as it is consistent with Housing Policies H-1 and H-7 of the 2030 Community Plan. The property is also located within the high intensity development area and the proposed density is consistent with surrounding developments (see Part 3).</p> <p>With those provision, it is reasonable and in the public interest to approve the General Rezoning Plan because the request is consistent with the 2030 Community Plan and is in keeping with the surrounding development.</p>	<p>APPROVAL: In considering the proposed rezoning application R17-07; 503 S. Old Statesville Rd., the Planning Board recommends approval based on the Plan being consistent with <u>(insert applicable plan reference)</u>.</p> <p><u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p>	<p>APPROVAL: In considering the proposed rezoning application R17-07; 503 S. Old Statesville Rd., the Town Board recommends approval based on the Plan being consistent with <u>(insert applicable plan reference)</u>.</p> <p><u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p>
	<p>DENIAL: In considering the proposed rezoning application R17-07; 503 S. Old Statesville Rd., the Planning Board recommends denial based on <u>(consistent OR inconsistent) with (insert applicable plan reference)</u>.</p> <p><u>It is not reasonable and not in the public interest to amend the approved Rezoning Plan because... (Explain)</u></p>	<p>DENIAL: In considering the proposed rezoning application R17-07; 503 S. Old Statesville Rd., the Town Board recommends denial based on the Plan being <u>(consistent OR inconsistent) with (insert applicable plan reference)</u>.</p> <p><u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></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>

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

SUBDIVISION CATEGORIES: *Per the Huntersville Subdivision Ordinance*

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

2. Project Data

Date of Application 6/30/17

Name of Project ad Statesville Duplex Phase # (if subdivision) _____

Location 503 S. ad Statesville Rd

Parcel Identification Number(s) (PIN) 01907202

Current Zoning District NR-CD Proposed District (for rezonings only) NR

Property Size (acres) .33 Street Frontage (feet) 157.33'

Current Land Use Duplex

Proposed Land Use(s) Duplex

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.

Remove the conditional overlay for a duplex

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

X *Applicant's Signature  Printed Name CHARLES S. GUILGNARD

Address of Applicant P.O. Box 1766 HUNTERSVILLE, N.C. 28070

Email _____

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

X Printed Name CHARLES S. GUILGNARD

X Property Owner's Address Box 1766 HUNTERSVILLE NC 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
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Design Firm	Name of contact	Phone	Email
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If Applying for a General Rezoning:

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

If Applying for a Conditional Rezoning:

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

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

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
Planning Department
PO Box 664
Huntersville, NC 28070

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

3.2.4 NEIGHBORHOOD RESIDENTIAL DISTRICT (NR)

Intent: The Neighborhood Residential District provides for residential **infill** development surrounding the traditional town center and its logical extensions. This district also provides for town-scaled residential development within walking distance (generally ½ mile) of satellite village centers, identified on the Land Development Plan. Streets in the Neighborhood Residential District must be interconnected, according to Article 5, Streets, and Urban Open Space provided according to Article 7. A range of housing types is encouraged. Low-intensity business activity is permitted in mixed-use and commercial buildings at residential scale, according to locational criteria. The intensity to which permitted uses may be built is regulated by the building type which corresponds to the use.

“towns offer an important lesson in both architecture and citizenship: buildings, like citizens, warrant their idiosyncrasies so long as they behave civilly toward their neighbors...”

Alex Krieger
PLACES
Winter, 1996 (67)

a) Permitted Uses

Uses permitted by right

- bed and breakfast inns
- boarding or rooming houses for up to four roomers
- congregate housing designed within the “civic” building type
- family care home
- multi-family homes
- single family homes

Uses permitted with conditions

- cemeteries, (9.7)
- religious institutions, (9.8)
- commercial use in a mixed use building¹, located on an arterial or at the intersection of a neighborhood street and a larger capacity street
- commercial use, in a detached house building type, located within ¼ mile of a Town Center district and fronting a major or minor thoroughfare (Includes properties in which any portion falls within the ¼ mile boundary) (9.51)
- essential services 1 and 2, (9.14)
- government buildings up to 5000 square feet of gross floor area
- neighborhood and outdoor recreation, (9.21)
- parks, (9.29)
- retirement communities (9.50)
- schools, (9.35)
- transit-oriented parking lots as a principal use, (9.49)
- transit shelters, (9.39)

Uses permitted with Special Use Permit

- solar energy facility free-standing, minor, non-residential, (9.54)
- solar energy facility, rooftop, minor non-residential that is noticeable on a roof slope facing a street, (9.54)
- solar energy facility, minor residential as follows: located on the façade elevation facing public street or common access; or located on the roof slope above the façade of the structure facing public street or common access, (9.54)
- wind energy facility, minor, accessory, (9.53)

b) Permitted Building and Lot Types

- apartment
- attached house
- civic building
- detached house (Commercial uses up to 4,500 SF of first floor area)
- mixed use¹, up to 3,000 SF of first floor area

c) Permitted Accessory Uses

- accessory dwelling, (9.1)
- day care home (small), (9.11)

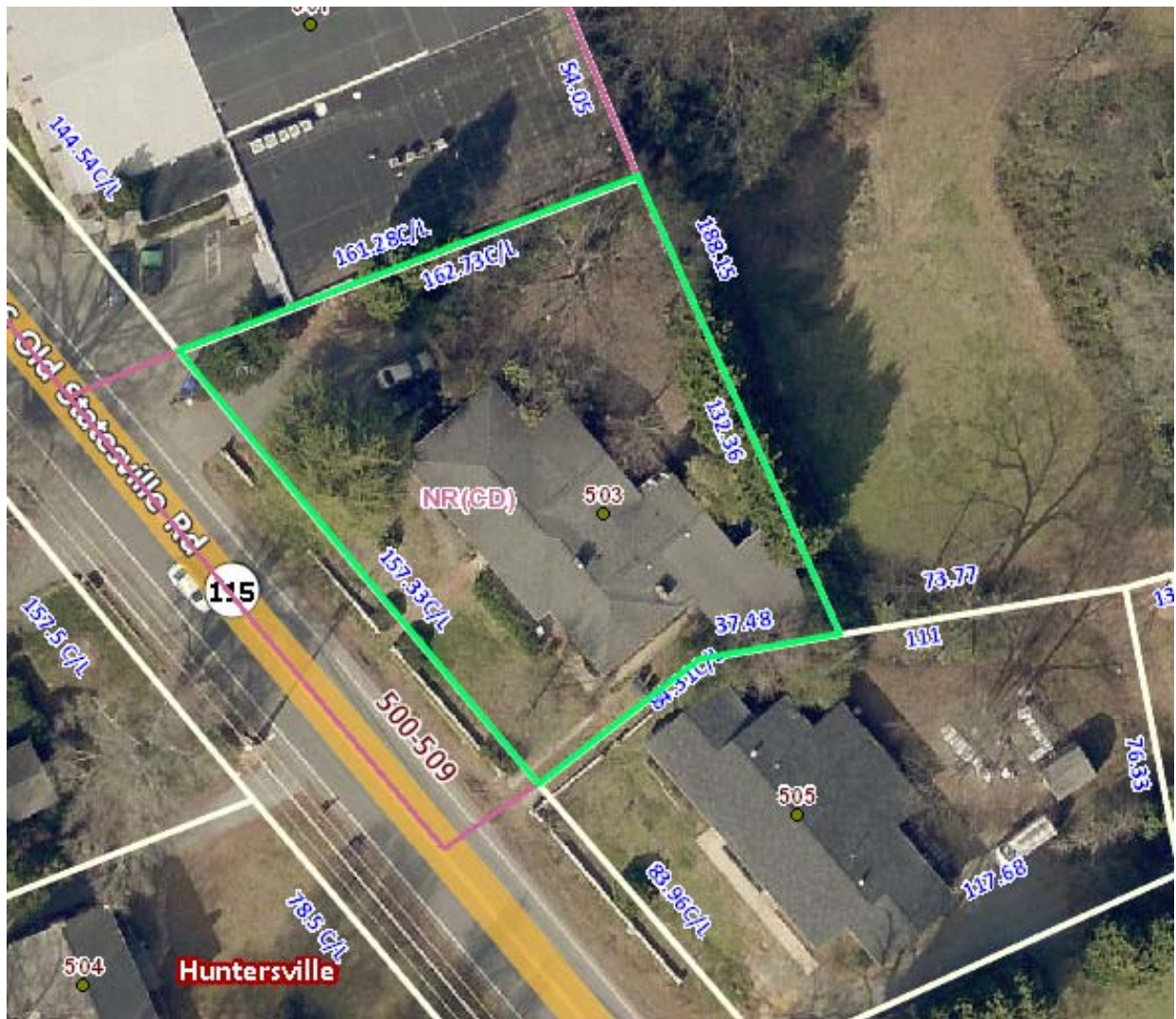
¹ The mixed use building duplicates the shopfront building type and has at least two occupiable stories; at least 50% of the habitable area of the building shall be in residential use, the remainder shall be in commercial use. However, when an existing residential building is redeveloped to a mixed-use, at least 40% of the habitable area shall be in residential use.

- home occupation, (9.19)
- marinas, (9.42)
- solar facility, rooftop minor non-residential on a flat roof, a roof slope not facing a street and unnoticeable building integrated solar panels on roof slopes facing a street (9.54)
- solar energy facility, minor residential; located in the established rear or side yards or roof slopes, (9.54)
- accessory uses permitted in all districts (8.11)

d) General Requirements

- 1) Along existing streets, new buildings shall respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.
 - New buildings which adhere to the scale, massing, volume, spacing, and setback of existing buildings along fronting streets exhibit demonstrable compatibility.
 - New buildings which exceed the scale and volume of existing buildings may demonstrate compatibility by varying the massing of buildings to reduce perceived scale and volume. The definition of massing in Article 12 illustrates the application of design techniques to reduce the visual perception of size and integrate larger buildings with pre-existing smaller buildings.
 - A single-family detached house established on a lot of one acre or more that is created according to the provisions of Article 8.1, paragraph 1, need not adhere to the spacing, massing, scale, and street frontage relationships of existing buildings along an existing street or road, but shall, at a minimum, observe a front setback of 40 feet and a lot width of 90 feet. This paragraph shall take precedence over the requirement of Article 4: Lot Types/Detached House for placement of a building on its lot.
 - Nothing in this subsection shall be interpreted to conflict with the building design element provision as found in GS 160A-381(h) for structures subject to the North Carolina Residential Code for One- and Two-Family Dwellings.
- 2) On new streets, allowable building and lot types will establish the development pattern.
- 3) In major subdivisions which are extensions of the traditional town center and planned developments associated with new neighborhood centers, the aggregate number of dwelling units contained in attached houses, apartment buildings, and mixed-use buildings shall not exceed 30 percent of the total number of dwelling units in a project.
- 4) Notwithstanding the limitations of 3), above, in any section of a major subdivision located within ¼ mile of a designated rail transit station, the percentage of dwelling units contained in attached houses, apartment buildings, and mixed use buildings is not limited. Higher overall density is encouraged within ¼ mile of rail transit stations. Rail transit stations are those locations designated by resolution adopted by the Board of Commissioners of the Town of Huntersville.
- 5) Every building lot shall have frontage upon a public street except as provided in Section 8.1.
- 6) The percentage of attached dwelling units contained in a retirement community is not limited when duplex style buildings are used.
- 7) See Section 8.16, Standards for Residential Lot Widths, Alleys, Garages and Parking in Residential Districts.

503 South Old Statesville Rd



TOWN OF HUNTERSVILLE

P.O. BOX 664

PHONE 875-6541

HUNTERSVILLE, NORTH CAROLINA 28078



April 21, 1992

Mr. Robert Brandon
Charlotte-Mecklenburg Building Standards Department
700 N. Tryon Street
Charlotte, NC 28202

Dear Mr. Brandon:

On March 17, 1992 the Board of Commissioners of the Town of Huntersville approved a request by Diane Maye and Walton Neil for a change in zoning from the R-3 single-family residential district to an R-8MF (CD) parallel conditional multi-family district for a .58 acre parcel located at 503 Old Statesville Road South. The property is identified as Mecklenburg County tax parcel 019-072-02. A revised zoning map and the approved conditional site plan are enclosed for placement in your Huntersville file.

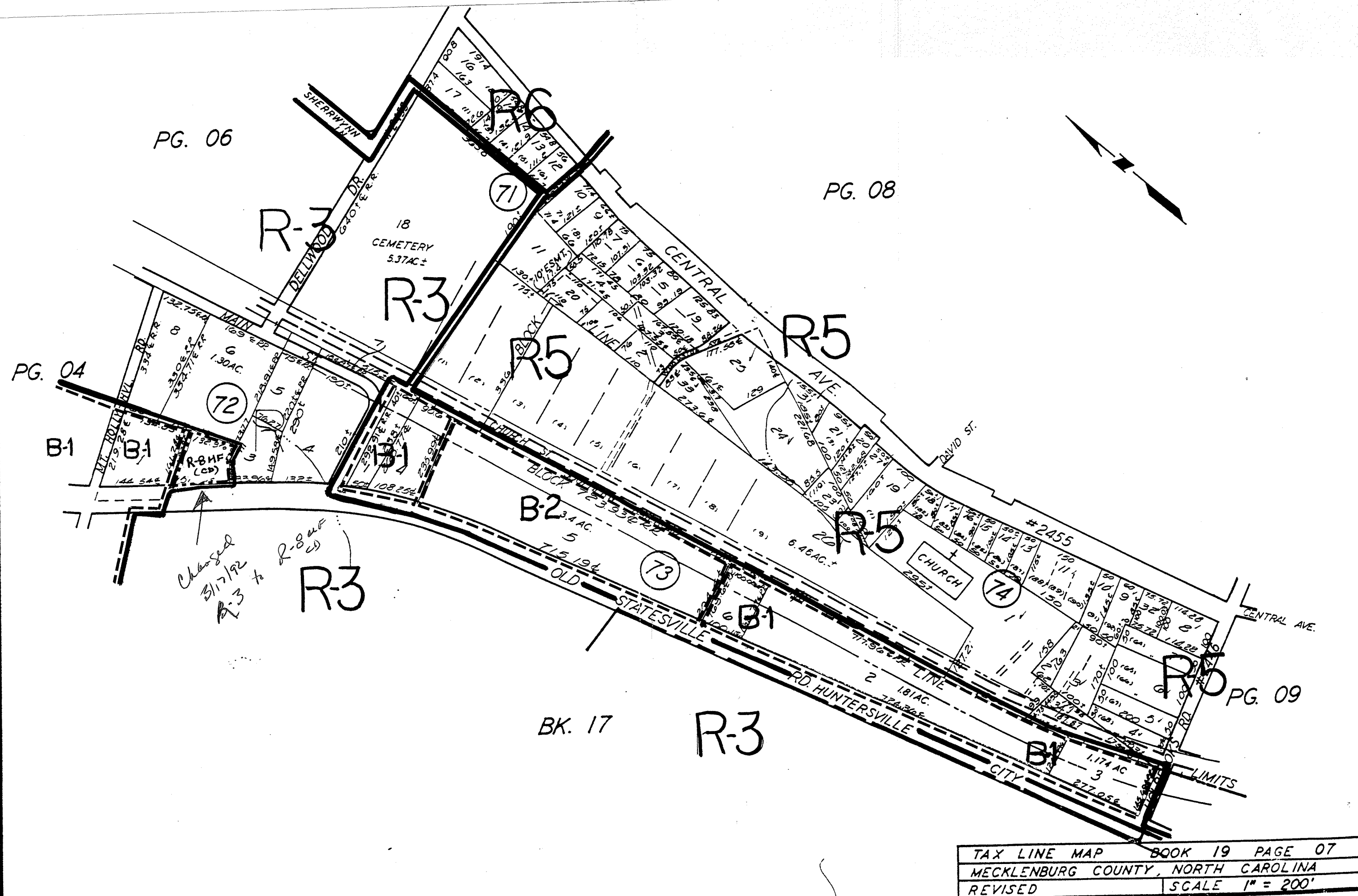
Thank you for your continued assistance. If you or your staff have questions concerning this zoning change, please let me know.

Very truly yours,

Ann Hammond
Ann Hammond
Town Planner

cc w/enclosure: Sam McCoy, Charlotte-Mecklenburg Building Standards
Kam Merrill, Charlotte-Mecklenburg Building Standards
Darryl Broome, Charlotte-Mecklenburg Building Standards
Katrina Young, Charlotte-Mecklenburg Building Standards

cc: Peggy Long, Mecklenburg County Tax Administrator's Office
Diane Maye, Petitioner
Walton Neil, Petitioner



Town of Huntersville
PLANNING BOARD
8/22/2017

To: Planning Board Members
From: Brad Priest, Senior Planner
Subject: SUP17-03: Bradley Middle School Commercial Communication Tower

Special Use Permit: 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 (Parcel # 01308105). The purpose of the permit is to allow the installation of a commercial communication tower on the property.

ACTION RECOMMENDED:

Consider making a recommendation to the Town Board on August 22, 2017.

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

Description	Type
▢ Staff Report	Staff Report
▢ SUP Site Plan	Exhibit
▢ SUP Letter from Applicant	Exhibit
▢ Application	Backup Material
▢ Rendering Location Map	Backup Material
▢ Rendering 1	Backup Material
▢ Rendering 2	Backup Material
▢ Rendering 3	Backup Material
▢ Cell Tower Drawings	Backup Material

REQUEST:

Special Use Permit Application by Charlotte-Mecklenburg Board of Education for a Commercial Communication Tower in the Rural District (R): SUP17-02

ZONING ORDINANCE CRITERIA AND STAFF COMMENTS

9.9 Commercial Communication Tower

A Commercial Communication tower shall meet the following standards:

- .1 To encourage future shared use of commercial communication towers, the tower owner must demonstrate that the tower will support a specified number of antennas, and must file a letter of intent with the town to lease the space to other users in good faith. In turn, the owner may charge users a proportionate share of capital, financing, and operating costs, plus the cost of insulating equipment so that the transmissions do not interfere with one another. To encourage co-location of commercial communication antenna and facilities and to reduce the need for new commercial communication towers, co-location of such antennae and facilities shall be permitted on any commercial communication tower or tower for radio communication for business or governmental purposes of which the tower was in existence on July 20, 2009, regardless of when constructed, the underlying zoning district, or any condition of approval for the existing tower other than a condition which was imposed or accepted by the Board of Commissioners. To the extent practical as determined by the Planning Director, all standards of this Section 9.9 shall be applicable.

Staff Comment: *The letter submitted by the applicant states that the owner intends to lease space to other carriers in good faith. The plans for the tower submitted shows spaces for 4 total carriers (co-locations) on sheet C4. The letter and tower plans are attached in your packet as reference.*

- .2 No new commercial communication tower may be established if there is a technically suitable space available on an existing communications tower within the geographic area that the proposed tower is to serve.

Staff Comment: *The letter submitted by the applicant includes "propagation maps" that staff believes is intended to show the Verizon signal strength in the area before and after the installation of the tower. Staff does not believe the information provided however answers the question on whether or not there are other suitable locations available on existing communication towers. There is an existing cell tower 1.4 miles from the proposed location (north of the location near the corner of*

Beatties Ford Road and Gilead Road). Could co-location or signal strength improvements be made on that tower rather than installing a new tower? Could accessory co-locations such as on existing street light poles be used to improve service (or on the Richard Barry Park field lighting poles)? In regard to the propagation maps submitted, staff is not sure what is being represented by the colors and numbers shown. What is the condition of the signal strength in the area? Is it only Verizon that has a weaker signal there or is it for all carriers? Staff recommends more factual evidence be submitted showing the need for a new commercial tower at this location and that other options have been exhausted. Please find the letter and propagation maps attached to your agenda packets.

- .3 The entire facility must be aesthetically compatible with its environment. If not otherwise camouflaged, towers shall be of a coloration that will blend with the surroundings. Example: brown/green/gray.**

Staff Comment: *The plans submitted show the tower to be painted as a "Morning Fog" gray color on sheet C4.*

- .4 Fencing must be provided to secure the communication equipment on site. If chain link or similar fencing material is used on the site, an opaque screen shall be provided on the exterior side of the fence.**

Staff Comment: *On sheet C2 of the submitted plans, the tower and ground utilities are shown to be surrounded by a chain link fence. On sheet C5 the fence is shown to be 8 feet tall with barbed wire on the top. On sheet C6, Nellie Steven Hollies are proposed to be planted 6 feet on center around the chain link fence for screening. The Hollies however are considered small evergreen trees and should have a minimum planting height of 8 feet. Currently the plants are shown to be planted at 3 feet in height which is more appropriate for smaller shrubs.*

- .5 All obsolete or unused facilities must be removed within 12 months of cessation of operations at the site.**

Staff Comment: *The submitted letter states and acknowledges that all unused facilities must be removed within 12 months of cessation of operation.*

- .6 No equipment, mobile or immobile, not used in direct support of the transmission or relay facility shall be stored or parked on the site unless repairs to the facility are being made.**

Staff Comment: *The submitted letter states that no additional equipment will be stored or held at this facility.*

- .7 Towers shall not be artificially lighted except to insure human safety as required by the Federal Aviation Administration (FAA) regulations. To the extent possible, tower lighting shall be located and directed to avoid flashing or shining into the interior spaces of dwellings.**

Staff Comment: *Regarding this requirement, the submitted letter states that “this tower is designed to be a light pole design, however, will be for aesthetics only (non-functional lights) unless additional requests are made to the Town and or the FAA or FCC requires such lighting”. Staff does not understand this statement and the proposed lighting of the facility. It is understood that FAA or FCC lighting will be required for safety purposes. However it is not currently understood what a “light pole design” (single monopole structure?) is and whether or not that means the pole is lit. Also on sheet C4 of the submitted plans, “Non-functional lights” are shown to be installed at 40 feet height. It is unclear what these aesthetic lights do and what they are for. Staff recommends further information be provided about the lighting of the site in compliance with 9.9.7.*

- .8 An opaque screen expected to reach minimum 8’ height at maturity shall be planted around the perimeter of the area occupied by the tower, security fencing, and auxiliary uses such as parking. In addition, existing onsite trees and other vegetation shall be preserved to the extent possible.**

Staff Comment: *On sheet C6, Nellie Steven Hollies are proposed to be planted 6 feet on center around the facility for screening. According to the Huntersville Approved Species List, Nellie Steven Hollies are small evergreen trees which at maturity will reach between 15-25 feet in height. The Hollies however are considered small evergreen trees and therefore should have a minimum planting height of 8 feet. Currently the plants are shown to be at a shrub planting height of 3 feet. Staff recommends the at planting height be revised to 8 feet.*

- .9 No more than one communication tower shall be constructed on a single tract of land.**

Staff Comment: *The letter submitted by the applicant states that the proposed tower would be the only tower on the Bradley Middle School property. Staff found no other cell towers on the site.*

- .10 If such a structure is located on a lot adjacent to a lot or lots located in a residential or mixed use district, it must be located at least 200 feet from all property lines adjacent to the residential or mixed use district(s).**

Staff Comment: Bradley Middle School is currently located on a property that is zoned Rural (R) and is surrounded by Rural residential zoning. On sheet V1 of the submitted plan, the pole is shown to be 333.9 feet from the nearest adjacent property line.

.11 To be permitted as an incidental accessory use in any zoning district, a tower shall be camouflaged on, with, or in an existing or proposed conforming structure (e.g., inside religious institution steeple, on utility transmission line tower). A detailed site plan and structural elevations must be submitted to the Planning Department for approval. The affirmative decision of the Planning Department shall be based upon a determination that the proposed tower is so camouflaged as to be unnoticeable to the public; or if placed upon a utility transmission line tower, that the additional equipment would not further diminish the quality of the view from surrounding properties and public streets, nor would additional light(s) intrude upon the private interior or exterior living areas of existing dwellings.

Staff Comment: *The proposed cell tower is not considered an "incidental accessory use" permitted in any zoning district; therefore this section does not apply. The proposed facility is a stand-alone commercial communication tower.*

.12 Commercial Communication Towers in addition to meeting criteria 9.9.1-10 may be allowed in the Rural (R) district only if they meet the following criteria and are subject to a Special Use Permit, according to the procedures of Section 11.4.10:

Staff Comment: *Bradley Middle School is zoned Rural (R), thus the applicants have submitted the application for a Special Use Permit approval. All the requirements of 9.9.12 below apply to the proposed application.*

- a) The height of the commercial communication tower may not exceed 199 feet above ground level;**

Staff Comment: *Sheets C2, C3, C4 of the submitted plan show the tower to be 160 feet in height.*

- b) The commercial communication tower may only be placed on properties in eight and a half (8.5) acres on a tract that existed as an eight and a half (8.5) acre tract or greater on February 6, 2012;**

Staff Comment: *The submitted plan shows the tower to be placed on the Bradley Middle School property which is 61 acres in size.*

- c) The commercial communication tower must be set back a distance of at least 500 feet from any public right-of-way and 200 feet from any property line;**

Staff Comment: *On sheet V1 of the submitted plan, the pole is shown to be 333.9 feet from the nearest property line and about 910 feet from the nearest public right of way (Jim Kidd Road).*

- d) The commercial communication tower may only be placed on a property where it will not require artificial illumination;**

Staff Comment: *As mentioned above, staff is not currently clear on the proposed illumination of the site and the notes on the plan regarding the tower being a “light pole” and having “non-functional” lighting. Staff recommends additional information be submitted for review.*

- e) The commercial communication tower must provide technically-suitable space for at least four (4) users;**

Staff Comment: *Sheet C4 of the submitted plans shows antennas for Verizon and 3 additional “future carriers” in conformance with the requirement.*

- f) The commercial communication tower must be set back a distance of at least the tower’s fall zone, as certified by a North Carolina Professional Engineer, from any occupied structure.**

Staff Comment: *Staff has not found any submitted information from an engineer on establishing the tower’s fall zone. The tower’s height is listed at 160 feet. According to sheet V1 of the submitted plan, the proposed tower is 170 feet from an unoccupied storage building near the school track, and 465 feet from the nearest occupied structure/house. Staff recommends the engineered fall zone be submitted for review.*

- g) All commercial communication towers in the Rural district shall be constructed using a monopole design.**

Staff Comment: *Sheet C-4 of the submitted plan shows the tower consisting of one singular pole with the antennas connected at the top.*

h) A new communication tower cannot be placed within a one mile radius of an existing tower.

Staff Comment: *The submitted letter and sheet V1 of the plan state that the closest existing tower is 1.4 miles to the northeast of the subject site (near the intersection of Gilead Road and Beatties Ford Road).*

STAFF RECOMMENDATION:

Staff recommends that further information be submitted to clarify the following items:

1. Whether or not a new standalone tower is warranted in the area per Article 9.9.2.
2. The proposed lighting of the facility per Article 9.9.7.
3. What the engineered fall zone would be for the tower.
4. Increasing the planting height of the screening trees to the minimum 8 feet.

PLANNING BOARD RECOMMENDATION

The Planning Board review of the application is scheduled for August 22, 2017.

DECISION STATEMENTS

In Favor of the Special Use Permit

In considering the Special Use Permit SUP17-03, Bradley Middle School Commercial Communication Tower, we, the Planning Board, find that the request meets all required conditions and specifications, is reasonable and does not pose an injurious effect on adjoining properties, and finds that the character of the neighborhood or the health, safety and general welfare of the community will be minimized. This decision is supported by the following findings:

- 1)
- 2)

Add additional statements as necessary.

Against Special Use Permit

In considering the Special Use Permit SUP17-03, Bradley Middle School Commercial Communication Tower, we, the Planning Board, find that the request does not meet the required conditions and specifications.

(List which conditions are not being met)

- 1)

2)





Add additional statements as necessary.

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

1)

2)

Add additional statements as necessary

ISSUE	REVISION	DATE
	ISSUED FOR OWNER'S REVIEW	04/11/16
	REVISED PER VERIZON'S COMMENTS	04/28/16
	ISSUED FOR CONSTRUCTION	06/27/16
	REVISED PER TOWN OF HUNTERSVILLE COMMENTS	07/28/17

A PROJECT FOR:

BERKLEY GROUP LLC

SPECIAL USE PERMIT FOR A CELL TOWER
EPM #: 377075

BASE TRANSCEIVER SITE
BRADLEY MIDDLE SCHOOL
VERIZON SITE NAME: FRANCIS BRADLEY
13359 BEATTIES FORD ROAD
HUNTERSVILLE, NC 28078
MECKLENBURG COUNTY
NORTH CAROLINA

DIRECTIONS:
FROM CHARLOTTE, NC: START OUT GOING NORTHEAST ON
S. CALDWELL ST. TOWARD E. TRADE ST. CONTINUE FOR
APPROX. 0.7 MILES. MERGE ONTO NC-16 N./BROOKSHIRE
FWY. W. VIA THE RAMP ON THE LEFT. CONTINUE FOR
APPROX. 1.3 MILES. MERGE ONTO I-77 N. VIA EXIT 5A
TOWARD I-85 N./STATESVILLE. CONTINUE FOR APPROX. 4.7
MILES. TAKE SUNSET RD. W. , EXIT 16B. CONTINUE FOR
APPROX. 0.3 MILES. MERGE ONTO SUNSET RD. CONTINUE
FOR APPROX. 0.6 MILES. TURN RIGHT ONTO BEATTIES FORD
RD. CONTINUE FOR APPROX. 7.8 MILES. END AT 13345
BEATTIES FORD RD., CHARLOTTE, NC.



VICINITY MAP



PROPERTY OWNER:
THE CHARLOTTE-MECKLENBURG
BOARD OF EDUCATION
600 E. 4TH STREET
FIFTH FLOOR
CHARLOTTE, NC 28202

PARCEL ID #:
01308105

SURVEYOR:
SANDERS SURVEYING AND
MAPPING SERVICES, INC.
510 AVENA ROAD
BLACK MOUNTAIN, NC 28711

SITE INFORMATION:

APPLICANT:
BERKLEY GROUP LLC
10612-D PROVIDENCE ROAD, PMB 742
CHARLOTTE, NC 28277
BONNIE NEWELL - PROJECT MANAGER
TEL: (704) 907-7104

POWER:
DUKE ENERGY
(800) 777-9898

TELCO:
TIME WARNER (FOR VERIZON)
(866) 489-2669

TOWER INFORMATION:
PROPOSED 160' LIGHT POLE
LATITUDE: 35° 23' 52.45" N
LONGITUDE: 80° 55' 38.37" W
GROUND ELEVATION: 713.0'

ZONING INFORMATION:
JURISDICTION: TOWN OF HUNTERSVILLE
PLANNING DEPARTMENT
(704) 875-7000
CLASSIFICATION: R - RURAL AND CRITICAL
AREA 3 OF THE MOUNTAIN ISLAND LAKE
WATERSHED DISTRICT
OCCUPANCY: SCHOOL
PROPOSED USE: COMMERCIAL
COMMUNICATION TOWER

BUILDING INSPECTIONS:
MECKLENBURG COUNTY CODE ENFORCEMENT
700 NORTH TRYON STREET
CHARLOTTE, NC 28202
(704) 814-0435

NOTE:
THIS COMMERCIAL SITE PLAN IS DEPENDENT ON
THE APPROVAL OF SUP17-03. ALL CONDITIONS
AND REQUIREMENTS OF THE SUP APPLY.

ACOS ENGINEERING, Inc.
3 Marcus Drive
Greenville, SC 29615
Ph. (864) 288-0553
Fax. (864) 288-0559

NC FIRM LICENSE NUMBER: C-2484



DRAWING INDEX

GENERAL

G1 GENERAL ABBREVIATIONS
G2 BUILDING CODE APPENDIX B (SHEET 1 OF 2)
G2A BUILDING CODE APPENDIX B (SHEET 2 OF 2)

SURVEY

V1 SITE SURVEY (SHEET 1 OF 4)
V2 SITE SURVEY (SHEET 2 OF 4)
V3 SITE SURVEY (SHEET 3 OF 4)
V4 SITE SURVEY (SHEET 4 OF 4)

SITE PLAN

SP-01 SITE PLAN

CIVIL

C1 GENERAL NOTES AND SYMBOLS
C2 SITE LAYOUT PLAN
C3 SITE GRADING PLAN
C4 TOWER ELEVATION AND SIGN DETAILS
C5 COMPOUND FENCE DETAILS
C6 LANDSCAPE PLAN AND DETAIL

TREE SAVE

TS1 TREE SAVE PLAN

ELECTRICAL

E1 GENERAL ELECTRICAL NOTES AND LEGEND
E2 SERVICES ROUTING PLAN
E3 SITE GROUNDING PLAN
E4 ONE LINE DIAGRAM
E5 GROUNDING DETAILS
E6 UTILITY RACK AND TRENCH DETAILS

SPECIAL INSPECTIONS

SP1 SPECIAL INSPECTIONS (SHEET 1 OF 2)
SP2 SPECIAL INSPECTIONS (SHEET 2 OF 2)



1

SPECIAL USE PERMIT FOR A CELL TOWER
EPM #: 377075

ISSUE	REVISION	DATE
△ ISSUED FOR OWNER'S REVIEW		04/11/16
△ ISSUED FOR OWNER'S COMMENTS		06/27/16
△ ISSUED FOR CONSTRUCTION		06/27/16
△ REVISED PER TOWN OF HUNTERVILLE COMMENTS		07/26/17
△		

GENERAL ABBREVIATIONS

G1

NOTES:

1. NORTH CAROLINA GRID AND DISTANCES ARE GROUND UNLESS OTHERWISE SHOWN OR NOTED. COORDINATES ARE ON NORTH GRID (NAD 83) AND THE VERTICAL DATUM IS (NAVD 88).
2. GRID COORDINATES SHOWN WERE OBTAINED FROM USE OF GPS OBSERVATION, USING A TOPCON HIPER-V SURVEY GRADE RECEIVER (DUAL FREQUENCY) UTILIZING GNSS VRS RTK TECHNIQUES AND/OR STATIC DATA SOLUTIONS VIA NGS OPUS.
3. ALL IPS ARE 5/8" IRON REBAR UNLESS OTHERWISE NOTED.
4. THE RATIO OF PRECISION OF THE UNBALANCED TRAVERSE MEETS OR EXCEEDS 1 : 10,000.
5. THE FEATURE SYMBOL LOCATIONS ARE TO THE CENTER OF THE SYMBOL AND MAY BE ENLARGED FOR CLARITY.
6. THE UNDERGROUND UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS MADE AVAILABLE AND PROVIDED TO THE UNDERSIGNED SURVEYOR. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THE UNDERSIGNED DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE AND PROVIDED. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
7. THE UNDERSIGNED, DOES NOT WARRANT THE EXISTENCE OR NONEXISTENCE OF ANY HAZARDOUS WASTE ON THE SURVEY SITE.
8. THE UNDERSIGNED DOES NOT WARRANT THE EXISTENCE OR NONEXISTENCE OF ANY JURISDICTIONAL WETLANDS ON THE SURVEY SITE OTHER THAN SHOWN, IF ANY. WETLANDS SHOWN ARE SUBJECT TO FINAL APPROVAL BY THE U.S. CORPS. OF ENGINEERS.
9. THIS PLAT WAS PREPARED AS A PROFESSIONAL SERVICE FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED WITHIN THE HEREON STATEMENT AND/OR TITLE. SAID STATEMENT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT THE EXPRESSED PERMISSION OF AC&S, NAMING SAID PERSON, PERSONS, OR ENTITY.
10. AREA COMPUTED BY DMD METHOD.
11. THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
12. IT IS THE EXPRESSED INTENT THAT THE ACCESS, UTILITY AND MAINTENANCE EASEMENT SHOWN ON THIS SURVEY IS TO MEET AND ABUT AND BE CONTIGUOUS WITH BOTH THE LEASE AREA AND THE PUBLIC ACCESS OR PUBLIC RIGHT OF WAY WITHOUT ANY GAPS OR OVERLAPS.
13. ZONING NOTES:

THE PREMISES ARE IN AN R ZONING DISTRICT UNDER THE APPLICABLE ZONING ORDINANCE OF THE TOWN OF HUNTERVILLE, WHICH DISTRICT ALLOWS THE CURRENT USE OF THE IMPROVEMENTS LOCATED ON THE PREMISES. THE FOLLOWING OVERLAY DISTRICTS INCLUDE THE PREMISES. TOWER IS LOCATED IN THE CRITICAL AREA OF THE MOUNTAIN ISLAND LAKE WATERSHED DISTRICT.

THE FOLLOWING PROVISIONS OF ZONING ORDINANCE APPLY TO THE PREMISES:

MINIMUM BUILDING SETBACKS:

FRONT YARD SETBACK - 25'
SIDE YARD SETBACK - 12'
REAR YARD SETBACK - 25'

MINIMUM TOWER SETBACKS:

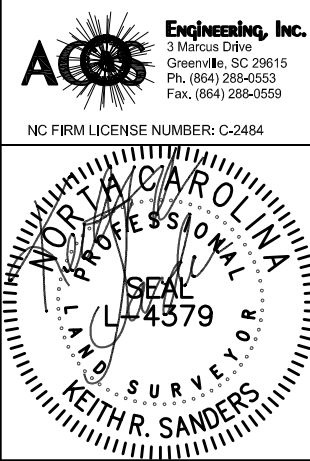
SETBACK FROM RESIDENTIAL OR MIXED USE DISTRICT - 200'
SETBACK FROM PUBLIC RIGHT-OF-WAY - 500'

NOTE:

FINAL PLAT WILL BE RECORDED SHOWING ALL APPROVED EASEMENTS/TREE SAVE ETC PRIOR TO FINAL INSPECTION OF THE TOWER.

NOTES:

1. ONLY ONE TOWER WILL BE BUILT ON THIS PROPERTY.
2. THE CLOSEST COMMERCIAL TOWER IS APPROXIMATELY 1.4 MILES NORTHEAST OF THE PROPOSED TOWER.
3. TOWER IS DESIGNED TO SUPPORT 4 CARRIERS.

VICINITY MAP
(NTS)

SANDERS SURVEYING & MAPPING SERVICES, INC.
510 AVENUE ROAD,
BLACK MOUNTAIN,
NORTH CAROLINA, 28711
(828) 669-2777
C-2384

BASE TRANSCREIVER SITE
BRADLEY MIDDLE SCHOOL
VERIZON SITE NAME: FRANCIS BRADLEY
13389 BEATTIES FORD ROAD
HUNTERVILLE, NC 28078
MECKLENBURG COUNTY
NORTH CAROLINA

BERKLEY GROUP, LLC
SPECIAL USE PERMIT FOR A CELL TOWER
EPW # 377075

BEARING & DISTANCE (BY DEED OR PLAT)		LEGEND	
LINE SURVEYED	=====	STORM DRAIN LINE	=====
LINE NOT SURVEYED	----	SANITARY SEWER LINE	----
R/W (RIGHT-OF-WAY)	----	CREEK OR DITCH	----
CHAIN LINK FENCE LINE	----	P.O.C. POINT OF COMMENCEMENT	----
POWER OR UTILITY POLE	○	P.O.B. POINT OF BEGINNING	○
OVERHEAD ELECTRIC LINE	----	N/F NOW OR FORMERLY	----
TELEPHONE PEDESTAL	○	TM TAX MAP	○
IRON PIN FOUND	●	DB DEED BOOK	○
IRON PIN SET (5/8" REBAR, U.N.O.)	○	PB PLAT BOOK	○
RIGHT-OF-WAY MONUMENT	△	RCP REINFORCED CONCRETE PIPE	○
GPS POINT	△	M MAPLE	○
TEMPORARY BENCH MARK	⊕	O OAK	○
STORM DRAIN MANHOLE	⊕	P PINE	○
SANITARY SEWER MANHOLE	⊕		

I, KEITH R. SANDERS, A REGISTERED LAND SURVEYOR, CERTIFY THAT THIS IS A TRUE, COMPLETE, AND CORRECT SURVEY OF THE DESCRIBED REAL PROPERTY SITUATED IN TOWN OF HUNTERVILLE, MECKLENBURG COUNTY, NORTH CAROLINA; THAT THIS PLAT WAS DRAWN UNDER MY DIRECT SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN THE MECKLENBURG COUNTY REGISTRY (SEE REFERENCES); THAT THE RATIO OF PRECISION AS CALCULATED IS 1 : 10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

FLOOD ZONE
PROPERTY IS IN FLOOD ZONE "X"
ZONE "X" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN
PER FEMA FIRM NORTH CAROLINA
MAP NUMBER 3710462000K
PANEL 4620
EFFECTIVE DATE SEPTEMBER 2, 2015

GPS CONTROL POINTS	
1	N: 605,322.31' E: 1,425,583.37' ELEV.: 714' LAT: 35° 23' 52.47" N LONG: 80° 55' 39.53" W
2	N: 605,391.64' E: 1,425,815.79' ELEV.: 713' LAT: 35° 23' 53.20" N LONG: 80° 55' 36.74" W

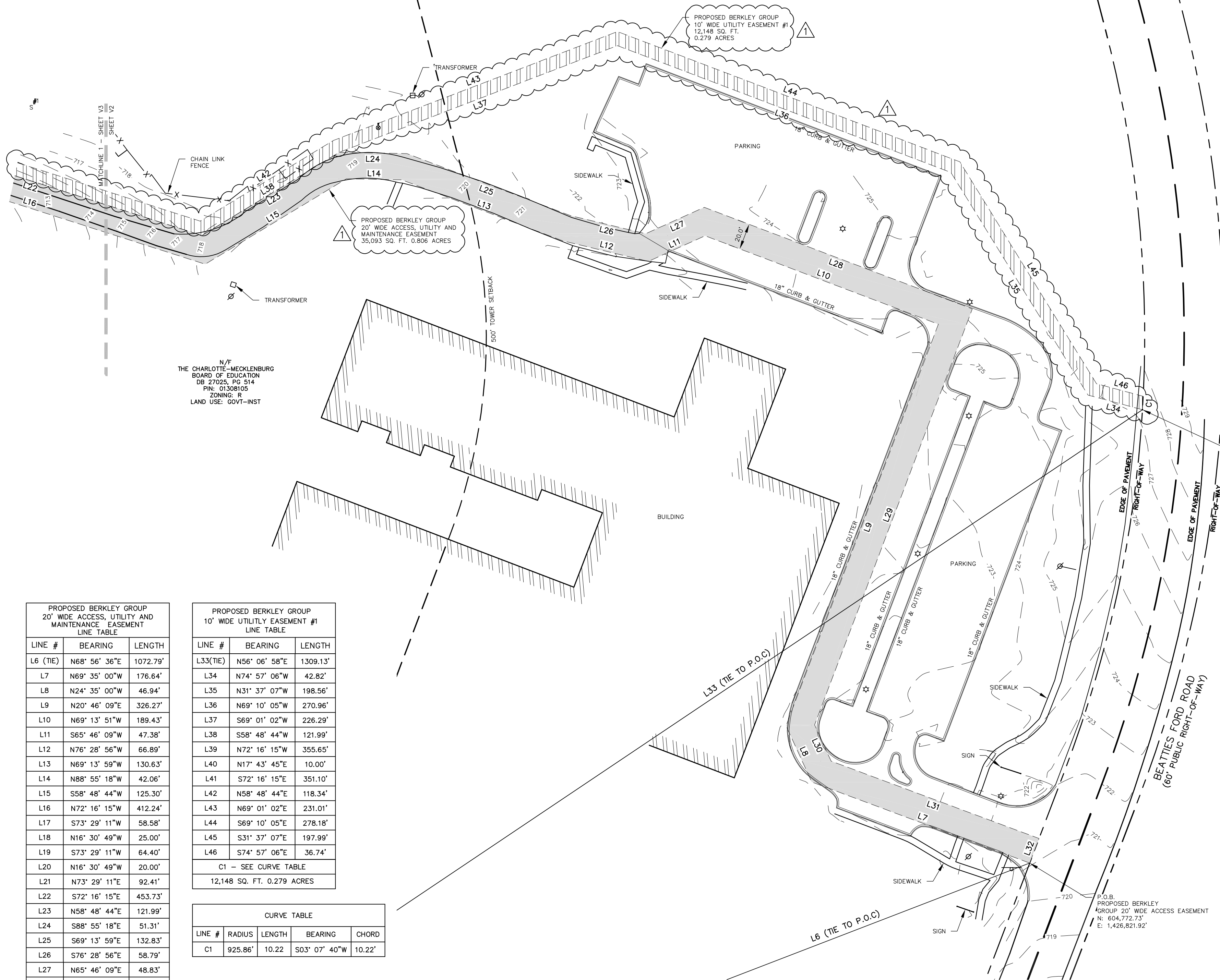
BERKLEY GROUP
SITE NAME "BRADLEY MIDDLE SCHOOL"
PARTY CHIEF: D. LINDSEY
DATE SURVEYED: 11/03/15
DRAWN BY: J. GARY
OWNER: THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION
P.O. BOX 30035
CHARLOTTE, NC 28230
PROPERTY ADDRESS: 13345 BEATTIES FORD RD.
HUNTERVILLE, NC 28078
DEED BOOK 27025, PAGE 514
TM #: 01308105
MECKLENBURG COUNTY, NORTH CAROLINA

0 200' 400' 600'
GRAPHIC SCALE: 1" = 200'

SITE SURVEY

SHEET NUMBER:

V1



LEGEND

BEARING & DISTANCE
(BY DEED OR PLAT)
R/W

LINE SURVEYED
LINE NOT SURVEYED
R/W (RIGHT-OF-WAY)
CHAIN LINK FENCE LINE
POWER OR UTILITY POLE
OVERHEAD ELECTRIC LINE
TELEPHONE PEDESTAL
IRON PIN FOUND
IRON PIN SET (5/8" REBAR, U.N.O.)
RIGHT-OF-WAY MONUMENT
GPS POINT
TEMPORARY BENCH MARK
CREEK OR DITCH
P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
N/F NOW OR FORMERLY
TM TAX MAP
DB DEED BOOK
PB PLAT BOOK
RCP REINFORCED CONCRETE PIPE
M MAPLE
O OAK
P PINE

Engineering, Inc.
13 Marcus Drive
Greenville, SC 29615
Ph: (864) 288-0553
Fax: (864) 288-0559

NC FIRM LICENSE NUMBER: C-2484

SANDERS SURVEYING & MAPPING SERVICES, INC.
510 AVENA ROAD,
BLACK MOUNTAIN,
NORTH CAROLINA, 28711
(828) 669-2777
C-2384

BASE TRANSCIVER SITE
BRADLEY MIDDLE SCHOOL
VERIZON SITE NAME: FRANCIS BRADLEY
13389 BEATTIES FORD ROAD
HUNTERSVILLE, NC 28078
MECKLENBURG COUNTY
NORTH CAROLINA

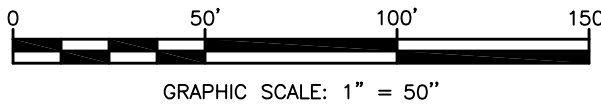
BERKLEY GROUP, LLC

SPECIAL USE PERMIT FOR A CELL TOWER
EPM # 377075

PROPOSED BERKLEY GROUP 20' WIDE ACCESS, UTILITY AND MAINTENANCE EASEMENT LINE TABLE		
LINE #	BEARING	LENGTH
L6 (TIE)	N68° 56' 36"E	1072.79'
L7	N69° 35' 00"W	176.64'
L8	N24° 35' 00"W	46.94'
L9	N20° 46' 09"E	326.27'
L10	N69° 13' 51"W	189.43'
L11	S65° 46' 09"W	47.38'
L12	N76° 28' 56"W	66.89'
L13	N69° 13' 59"W	130.63'
L14	N88° 55' 18"W	42.06'
L15	S58° 48' 44"W	125.30'
L16	N72° 16' 15"W	412.24'
L17	S73° 29' 11"W	58.58'
L18	N16° 30' 49"W	25.00'
L19	S73° 29' 11"W	64.40'
L20	N16° 30' 49"W	20.00'
L21	N73° 29' 11"E	92.41'
L22	S72° 16' 15"E	453.73'
L23	N58° 48' 44"E	121.99'
L24	S88° 55' 18"E	51.31'
L25	S69° 13' 59"E	132.83'
L26	S76° 28' 56"E	58.79'
L27	N65° 46' 09"E	48.83'
L28	S69° 13' 51"E	217.72'
L29	S20° 46' 09"W	337.91'
L30	S24° 35' 00"E	30.29'
L31	S69° 35' 00"E	168.47'
L32	S20° 44' 16"W	20.00'
35,093 SQ. FT.; 0.806 ACRES		

PROPOSED BERKLEY GROUP 10' WIDE UTILITY EASEMENT #1 LINE TABLE		
LINE #	BEARING	LENGTH
L33(TIE)	N56° 06' 58"E	1309.13'
L34	N74° 57' 06"W	42.82'
L35	N31° 37' 07"W	198.56'
L36	N69° 10' 05"W	270.96'
L37	S69° 01' 02"W	226.29'
L38	S58° 48' 44"W	121.99'
L39	N72° 16' 15"W	355.65'
L40	N17° 43' 45"E	10.00'
L41	S72° 16' 15"E	351.10'
L42	N58° 48' 44"E	118.34'
L43	N69° 01' 02"E	231.01'
L44	S69° 10' 05"E	278.18'
L45	S31° 37' 07"E	197.99'
L46	S74° 57' 06"E	36.74'
C1 - SEE CURVE TABLE		
12,148 SQ. FT. 0.279 ACRES		

CURVE TABLE				
LINE #	RADIUS	LENGTH	BEARING	CHORD
C1	925.86'	10.22	S03° 07' 40"W	10.22'



REVISION

DATE	REVISION
04/11/16	ISSUED FOR OWNER'S REVIEW
04/28/16	REVISED PER OWNER'S COMMENTS
07/26/17	REVISED PER TOWN OF HUNTERSVILLE COMMENTS

PROJECT NUMBER:
14049.013

SHEET CONTENTS:

SITE SURVEY

SHEET NUMBER:
V2

ALTA COMMITMENT

INVESTORS TITLE INSURANCE COMPANY

COMMITMENT NUMBER: 201500697CA2
DATE OF POLICY: 10-09-15

SCHEDULE B - SECTION 2

ANY POLICY WE ISSUE WILL HAVE THE FOLLOWING EXCEPTIONS UNLESS THEY ARE TAKEN CARE OF TO OUR SATISFACTION.

- NOTE: THE ABOVE MENTIONED PROPERTY IS TAX EXEMPT. (NOT A SURVEY MATTER)
- LOSS OR DAMAGE RESULTING FROM FAILURE TO COMPLY WITH THE TERMS AND PROVISIONS OF LEASE SET FORTH UNDER SCHEDULE A HEREOF, CREATING THE LEASEHOLD ESTATE INSURED. (NOT A SURVEY MATTER)
- SUBJECT TO THE FEE SIMPLE INTEREST OF THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION. (NOT A SURVEY MATTER)
- TITLE TO THAT PORTION OF THE LAND WITHIN THE RIGHT-OF-WAY OF BEATTIES FORD ROAD AND JIM KIDD ROAD.
- EASEMENT(S) AND /OF RIGHT(S) OF WAY TO CORNELIUS MUTUAL CORPORATION RECORDED IN BOOK 1527 AT PAGE 159. (BLANKET IN NATURE)
- RIGHT OF WAY AGREEMENT IN FAVOR OF THE STATE HIGHWAY COMMISSION RECORDED IN BOOK 2410 AT PAGE 352. (AFFECTS PARENT PARCEL, JIM KIDD ROAD RIGHT OF WAY SHOWN ON SURVEY)
- EASEMENT (S) AND/OF RIGHT (S) OF WAY TO BELLSOUTH TELECOMMUNICATIONS, INC. RECORDED IN BOOK 21313 AT PAGE 892. (AFFECTS PARENT PARCEL, BELL SOUTH EASEMENT SHOWN ON SURVEY)
- SITE OWNERSHIP, AGENCY AND MASTER LEASE INTERLOCAL AGREEMENT RECORDED IN BOOK 23360 AT PAGE 552. (NOT A SURVEY MATTER)
- TITLE TO THAT PORTION OF THE LAND WITHIN THE RIGHT-OF-WAY OF BEATTIES FORD ROAD AND JIM KIDD ROAD.. (BEATTIES FORD RD. AND JIM KIDD RD. ROW SHOWN ON SURVEY)
- ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AND ACCURATE AND COMPLETE LAND SURVEY OF THE LAND. THE TERM "ENCROACHMENT" INCLUDES ENCROACHMENTS OF EXISTING IMPROVEMENTS.

LOCATED ON THE LAND ONTO ADJOINING LAND, AND ENCROACHMENTS ONTO THE LAND OF EXISTING IMPROVEMENTS LOCATED ON ADJOINING LAND. PARAGRAPH 2 (C) OF THE COVERED RISKS IS HEREBY DELETED. NOTE: UPON RECEIPT OF SATISFACTORY PLAT OF SURVEY AND SURVEYOR'S REPORT, THIS EXCEPTION WILL BE ELIMINATED OR AMENDED IN ACCORDANCE WITH THE FACTS DISCLOSED THEREBY.

NO INSURED CLOSING PROTECTION COVERAGE PROVIDED - AS TO THE TRANSACTION FOR WHICH THIS BINDER AND/OR POLICY IS ISSUED, THE COMPANY SPECIFICALLY EXCLUDES THIS TRANSACTION FROM ANY CLOSING PROTECTION SERVICES.

THE FOLLOWING ENDORSEMENT, IN THE FORM ATTACHED HERETO, IS ADDED TO THE OWNER'S POLICY:

(A) ALTA ENDORSEMENT FORM 13-06 (LEASEHOLD)

PARENT PARCEL:
LEGAL DESCRIPTION PER TITLE COMMITMENT

BEING ALL OF MECKLENBURG COUNTY TAX PARCEL # 013-08-105 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A PK NAIL SET, SAID PK NAIL BEING SOUTH 10° 37' 54" EAST 102.41 FEET FROM THE POINT OF INTERSECTION OF THE CENTERLINE OF THE BEATTIES FORD ROAD (STATE ROAD 2128) 60-FOOT PUBLIC RIGHT-OF-WAY AND THE CENTERLINE OF BUD HENDERSON ROAD (STATE ROAD 2131), SAID PK NAIL BEING ALSO LOCATED AT A CORNER OF THAT CERTAIN PROPERTY OWNED BY JAMES A. CANIPE (NOW OR FORMERLY) AS DESCRIBED IN THAT INSTRUMENT RECORDED IN BOOK 4604, PAGE 0661, MECKLENBURG COUNTY PUBLIC REGISTRY (THE "CANIPE PROPERTY"); THENCE FROM SAID BEGINNING POINT, RUNNING WITH THE CENTERLINE OF THE BEATTIES FORD ROAD 60-FOOT PUBLIC RIGHT-OF-WAY THE FOLLOWING FOUR COURSES AND DISTANCES: (1) SOUTH 10° 15' 39" EAST 1001.57 FEET TO A SET PK NAIL; (2) WITH THE ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 955.86 FEET, AN ARC LENGTH OF 589.60 FEET, SAID ARC BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF SOUTH 07° 24' 35" WEST 580.30 FEET TO A SET PK NAIL; (3) SOUTH 25° 04' 50" WEST 428.29 FEET TO A SET PK NAIL; (4) WITH THE ARC OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 677.31 FEET, AN ARC LENGTH OF 124.85 FEET, SAID ARC BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF SOUTH 19° 47' 58" WEST 124.68 FEET TO AN EXISTING PK NAIL, SAID EXISTING PK NAIL BEING LOCATED AT THE POINT OF INTERSECTION OF THE CENTERLINE OF THE BEATTIES FORD ROAD 60-FOOT PUBLIC RIGHT-OF-WAY AND THE JIM KIDD ROAD (SR 2129) 60-FOOT PUBLIC RIGHT-OF-WAY; THENCE WITH THE CENTER LINE OF THE JIM KIDD ROAD 60-FOOT PUBLIC RIGHT-OF-WAY THE FOLLOWING TWO COURSES AND DISTANCES: (1) NORTH 88° 33' 21" WEST 638.56 FEET TO A SET PK NAIL; (2) WITH THE ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 527.20 FEET, AN ARC LENGTH OF 195.32 FEET, SAID ARC BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH 75° 56' 33" WEST 194.20 FEET TO A SET PK NAIL; THENCE LEAVING THE CENTERLINE OF THE JIM KIDD ROAD 60-FOOT PUBLIC RIGHT-OF-WAY AND RUNNING WITH AN EASTERN BOUNDARY LINE OF THAT CERTAIN PROPERTY OWNED BY ROBERT J. HUBBARD (NOW OR FORMERLY) AS DESCRIBED IN THAT INSTRUMENT RECORDED IN DEED BOOK 0614, PAGE 199, AFORESAID REGISTRY NORTH 35° 00' 07" WEST 491.80 FEET (PASSING AN EXISTING AXLE IN 1-3/4 INCH IRON PIPE AT 42.84 FEET AND A SET CONCRETE MONUMENT AT 65.87 FEET) TO AN EXISTING CONCRETE MONUMENT; THENCE WITH AN EASTERN BOUNDARY LINE OF THAT PROPERTY OWNED BY W. EDWARD CAUTHEN, JR. (NOW OR FORMERLY) AS DESCRIBED IN THAT INSTRUMENT RECORDED IN DEED BOOK 6285, PAGE 503, AFORESAID (THE "CAUTHEN PROPERTY") THE FOLLOWING TWO COURSES AND DISTANCES: (1) NORTH 18° 22' 48" WEST 348.99 FEET TO AN EXISTING #5 REBAR; (2) NORTH 12° 42' 59" WEST 935.35 FEET TO AN EXISTING CONCRETE MONUMENT, SAID EXISTING CONCRETE MONUMENT BEING LOCATED IN A COMMON CORNER OF THE CAUTHEN PROPERTY AND THE CANIPE PROPERTY SAID EXISTING CONCRETE MONUMENT BEING ALSO LOCATED NORTH 78° 03' 14" EAST 499.43 FEET FROM EXISTING #4 REBAR, THENCE WITH A SOUTHERN BOUNDARY LINE OF THE CANIPE PROPERTY NORTH 77° 47' 08" EAST 1579.80 FEET (PASSING A SET CONCRETE MONUMENT IN THE WESTERLY MARGIN OF THE BEATTIES FORD ROAD 60-FOOT PUBLIC RIGHT-OF-WAY AT 1549.78 FEET) TO A PK NAIL SET, THE POINT OR PLACE OF BEGINNING AND CONTAINING 61.3784 ACRES, MORE OR LESS, ALL AS SHOWN ON THAT MAP ENTITLED "BOUNDARY SURVEY OF HAL McDONALD HEIRS PROPERTY FOR CHARLOTTE-MECKLENBURG SCHOOLS" PREPARED BY TIMOTHY A. RUDOLPH (RLS NO. 2686) OF ESP ASSOCIATES, P.A., DATED JUNE 19, 1996, LAST REVISED JULY 22, 1996, REFERENCE TO WHICH SURVEY IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION.

LESS AND EXCEPTING THE FOLLOWING:

TO FIND THE TRUE POINT AND PLACE OF BEGINNING, COMMENCE AT A FOUND CONCRETE MONUMENT IN THE RIGHT OF WAY OF BEATTIES FORD ROAD AT THE SOUTH EASTERLY CORNER OF THAT PROPERTY ACQUIRED BY MECKLENBURG COUNTY BY DEED RECORDED IN BOOK 12666 AT PAGE 462, SAID CONCRETE MONUMENT ALSO BEING THE NORTH EASTERLY CORNER OF THAT PROPERTY ACQUIRED BY THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION BY DEED RECORDED IN BOOK 8781 AT PAGE 720; THENCE WITH THE COMMON PROPERTY LINE OF THE AFORESAID MECKLENBURG COUNTY PROPERTY AND THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION PROPERTY S. 77-47-08 W. 1092.07 FEET TO A POINT, SAID POINT BEING THE TRUE POINT AND PLACE OF BEGINNING; THENCE WITH A NEW LINE S. 12-12-52 E. 110.00 FEET TO A POINT; THENCE S. 77-47-08 W. 150.00 FEET TO A POINT; THENCE N. 12-12-52 W. 110.00 FEET TO A POINT ON THE COMMON LINE BETWEEN THE PROPERTY OWNED BY MECKLENBURG COUNTY AND THE PROPERTY OWNED BY THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION, THENCE WITH SAID COMMON PROPERTY LINE N. 77-47-08 E. 150.00 FEET TO THE POINT AND PLACE OF BEGINNING, CONTAINING 16,500 SQUARE FEET, MORE OR LESS, AS SHOWN ON THAT CERTAIN UNDATED SURVEY PREPARED BY MICHAEL F. ULANEY OF DELTA LAND SERVICES, INC.

PROPOSED BERKLEY GROUP 71'-5"x140' LEASE AREA
LEGAL DESCRIPTION PER SURVEYOR:

ALL THAT LOT, TRACT OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE STATE OF NORTH CAROLINA, COUNTY OF MECKLENBURG, TOWN OF HUNTERSVILLE CONSISTING OF 0.230 ACRES, BEING A PORTION OF PARCEL NOW OR FORMERLY OWNED BY CHARLOTTE-MECKLENBURG BOARD OF EDUCATION, AS DESCRIBED IN DEED BOOK 27025 PAGE 514, AND SHOWN AS PROPOSED BERKLEY GROUP LEASE AREA ON THAT CERTAIN SURVEY TITLED SITE SURVEY, SHEETS V1-V4, PREPARED BY AC&S ENGINEERING, DATE OF SURVEY 11/03/15, LAST REVISED 07/28/17, METES AND BOUNDS MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT FOUND LOCATED ON SOUTHWESTERN BOUNDARY LINE OF SAID CHARLOTTE-MECKLENBURG BOARD OF EDUCATION PROPERTY, ALSO BEING A COMMON CORNER WITH PAUL R. AND TARA E. WARNER PROPERTY, AS RECORDED IN DEED BOOK 28907, PAGE 272, ALSO LOCATED AT NORTHERN RIGHT-OF-WAY OF JIM KIDD ROAD (60' PUBLIC RIGHT-OF-WAY), HAVING A NORTH CAROLINA STATE PLANE COORDINATES (NAD 83) N: 604,387.28'; E: 1,425,820.77'. THENCE RUNNING ALONG A TIE LINE N 12°41'38" W, A DISTANCE OF 886.64 FEET TO A 5/8" REBAR SET ON THE SOUTH WEST CORNER OF PROPOSED BERKLEY GROUP 71'-5"x140' LEASE AREA, HAVING A NORTH CAROLINA STATE PLANE COORDINATES (NAD 83) N: 605,252.26'; E: 1,425,625.94', THIS POINT BEING THE POINT OF BEGINNING:

THENCE RUNNING N 16°30'49" W, A DISTANCE OF 71.43 FEET TO A 5/8" REBAR SET ON THE NORTH WEST CORNER OF SAID LEASE AREA;
THENCE N 73°29'11" E, A DISTANCE OF 140.00 FEET TO A 5/8" REBAR SET ON THE NORTH EAST CORNER OF SAID LEASE AREA;
THENCE S 16°30'49" E, A DISTANCE OF 71.43 FEET TO A 5/8" REBAR SET ON THE SOUTH EAST CORNER OF SAID LEASE AREA;
THENCE S 73°29'11" W, A DISTANCE OF 140 FEET TO THE POINT OF BEGINNING.

THIS PROPOSED BERKLEY GROUP LEASE AREA TO CONTAIN 10,000 SQ. FT. OR 0.230 ACRES MORE OR LESS.

PROPOSED BERKLEY GROUP ACCESS, UTILITY AND MAINTENANCE EASEMENT
LEGAL DESCRIPTION PER SURVEYOR:

ALL THAT LOT, TRACT OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE STATE OF NORTH CAROLINA, COUNTY OF MECKLENBURG, TOWN OF HUNTERSVILLE CONSISTING OF 0.806 ACRES, BEING A PORTION OF PARCEL NOW OR FORMERLY OWNED BY CHARLOTTE-MECKLENBURG BOARD OF EDUCATION, AS DESCRIBED IN DEED BOOK 27025 PAGE 514, AND SHOWN AS PROPOSED BERKLEY GROUP 20' WIDE ACCESS, UTILITY AND MAINTENANCE EASEMENT ON THAT CERTAIN SURVEY TITLED SITE SURVEY, SHEETS V1-V4, PREPARED BY AC&S ENGINEERING, DATE OF SURVEY 11/03/15, LAST REVISED 07/28/17, METES AND BOUNDS MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT FOUND LOCATED ON SOUTHWESTERN BOUNDARY LINE OF SAID CHARLOTTE-MECKLENBURG BOARD OF EDUCATION PROPERTY, ALSO BEING A COMMON CORNER WITH PAUL R. AND TARA E. WARNER PROPERTY, AS RECORDED IN DEED BOOK 28907, PAGE 272, ALSO LOCATED AT NORTHERN RIGHT-OF-WAY OF JIM KIDD ROAD (60' PUBLIC RIGHT-OF-WAY), HAVING A NORTH CAROLINA STATE PLANE COORDINATES (NAD 83) N: 604,387.28'; E: 1,425,820.77'. THENCE RUNNING ALONG A TIE LINE N 68°56'36" E, A DISTANCE OF 1072.79 FEET TO A POINT ON WESTERN RIGHT-OF-WAY OF BEATTIES FORD ROAD (60' PUBLIC RIGHT-OF-WAY), HAVING A NORTH CAROLINA STATE PLANE COORDINATES (NAD 83) N: 604,772.73'; E: 1,426,821.92', THIS POINT BEING THE POINT OF BEGINNING:

THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING ALONG SOUTHERN LINES OF SAID ACCESS EASEMENT N 69°35'00" W, A DISTANCE OF 176.64 FEET TO A POINT;
THENCE N 24°35'00" W, A DISTANCE OF 46.94 FEET TO A POINT;
THENCE N 20°46'09" E, A DISTANCE OF 326.27 FEET TO A POINT;
THENCE N 69°13'51" W, A DISTANCE OF 189.43 FEET TO A POINT;
THENCE S 65°46'09" W, A DISTANCE OF 47.38 FEET TO A POINT;
THENCE N 76°28'56" W, A DISTANCE OF 66.89 FEET TO A POINT;
THENCE N 69°13'59" W, A DISTANCE OF 130.63 FEET TO A POINT;
THENCE N 89°55'18" W, A DISTANCE OF 42.06 FEET TO A POINT;
THENCE S 58°48'44" W, A DISTANCE OF 125.30 FEET TO A POINT;
THENCE N 72°16'15" W, A DISTANCE OF 412.24 FEET TO A POINT;
THENCE S 73°29'11" W, A DISTANCE OF 58.58 FEET TO A POINT ON THE EASTERN LINE OF PROPOSED BERKLEY GROUP LEASE AREA;
THENCE ALONG SAID EASTERN LINE OF LEASE AREA N 16°30'49" W, A DISTANCE OF 25.00 FEET TO A 5/8" REBAR SET ON NORTH EAST CORNER OF SAID LEASE AREA;
THENCE ALONG NORTHERN LINE OF SAID LEASE AREA S 73°29'11" W, A DISTANCE OF 64.40 FEET TO A POINT;
THENCE LEAVING COMMON LINE WITH SAID LEASE AREA AND RUNNING WITH NORTHERN LINES OF SAID ACCESS EASEMENT N 16°30'49" W, A DISTANCE OF 20.00 FEET TO A POINT;
THENCE N 73°29'11" E, A DISTANCE OF 92.41 FEET TO A POINT;
THENCE S 72°16'15" E, A DISTANCE OF 453.73 FEET TO A POINT;
THENCE N 58°48'44" E, A DISTANCE OF 121.99 FEET TO A POINT;
THENCE S 88°55'18" E, A DISTANCE OF 51.31 FEET TO A POINT;
THENCE S 69°13'59" E, A DISTANCE OF 132.63 FEET TO A POINT;
THENCE S 76°28'56" E, A DISTANCE OF 58.79 FEET TO A POINT;
THENCE N 65°46'09" E, A DISTANCE OF 48.83 FEET TO A POINT;
THENCE S 69°13'51" E, A DISTANCE OF 217.72 FEET TO A POINT;
THENCE N 20°46'09" W, A DISTANCE OF 337.91 FEET TO A POINT;
THENCE S 24°35'00" E, A DISTANCE OF 30.29 FEET TO A POINT;
THENCE S 69°35'00" E, A DISTANCE OF 168.47 FEET TO A POINT;
THENCE S 20°44'16" W, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

THIS PROPOSED BERKLEY GROUP 20' WIDE ACCESS, UTILITY AND MAINTENANCE EASEMENT TO CONTAIN 35,093 SQ. FT., 0.806 ACRE MORE OR LESS.

1

PROPOSED BERKLEY GROUP UTILITY EASEMENT #1
LEGAL DESCRIPTION PER SURVEYOR:

ALL THAT LOT, TRACT OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE STATE OF NORTH CAROLINA, COUNTY OF MECKLENBURG, TOWN OF HUNTERSVILLE CONSISTING OF 0.279 ACRES, BEING A PORTION OF PARCEL NOW OR FORMERLY OWNED BY CHARLOTTE-MECKLENBURG BOARD OF EDUCATION, AS DESCRIBED IN DEED BOOK 27025 PAGE 514, AND SHOWN AS PROPOSED BERKLEY GROUP 10' WIDE UTILITY EASEMENT #1 ON THAT CERTAIN SURVEY TITLED SITE SURVEY, SHEETS V1-V4, PREPARED BY AC&S ENGINEERING, DATE OF SURVEY 11/03/15, LAST REVISED 07/28/17, METES AND BOUNDS MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT FOUND LOCATED ON SOUTHWESTERN BOUNDARY LINE OF SAID CHARLOTTE-MECKLENBURG BOARD OF EDUCATION PROPERTY, ALSO BEING A COMMON CORNER WITH PAUL R. AND TARA E. WARNER PROPERTY, AS RECORDED IN DEED BOOK 28907, PAGE 272, ALSO LOCATED AT NORTHERN RIGHT-OF-WAY OF JIM KIDD ROAD (60' PUBLIC RIGHT-OF-WAY), HAVING A NORTH CAROLINA STATE PLANE COORDINATES (NAD 83) N: 604,387.28'; E: 1,425,820.77'. THENCE RUNNING ALONG A TIE LINE N 56°06'58" E, A DISTANCE OF 1309.13 FEET TO A POINT ON WESTERN RIGHT-OF-WAY OF BEATTIES FORD ROAD (60' PUBLIC RIGHT-OF-WAY), HAVING A NORTH CAROLINA STATE PLANE COORDINATES (NAD 83) N: 605,117.14'; E: 1,426,907.57', THIS POINT BEING THE POINT OF BEGINNING:

THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING WITH SOUTHERN LINES OF SAID UTILITY EASEMENT #1 N 74°57'06" W, A DISTANCE OF 42.82 FEET TO A POINT;
THENCE N 31°37'07" W, A DISTANCE OF 198.56 FEET TO A POINT;
THENCE N 69°10'05" W, A DISTANCE OF 270.96 FEET TO A POINT;
THENCE S 69°01'02" W, A DISTANCE OF 226.29 FEET TO A COMMON POINT WITH PROPOSED BERKLEY GROUP 20' WIDE ACCESS, UTILITY AND MAINTENANCE EASEMENT;
THENCE ALONG COMMON LINE WITH SAID ACCESS EASEMENT S 58°48'44" W, A DISTANCE OF 121.99 FEET TO A POINT;
THENCE N 72°16'15" W, A DISTANCE OF 355.65 FEET TO A POINT;
THENCE LEAVING COMMON LINE WITH SAID ACCESS EASEMENT AND RUNNING N 17°43'45" E, A DISTANCE OF 10.00 FEET TO A POINT;
THENCE N 72°16'15" E, A DISTANCE OF 351.10 FEET TO A POINT;
THENCE N 58°48'44" W, A DISTANCE OF 118.34 FEET TO A POINT;
THENCE N 69°01'02" E, A DISTANCE OF 231.01 FEET TO A POINT;
THENCE S 69°10'05" E, A DISTANCE OF 278.18 FEET TO A POINT;
THENCE S 31°37'07" E, A DISTANCE OF 197.99 FEET TO A POINT;
THENCE S 74°57'06" E, A DISTANCE OF 36.74 FEET TO A POINT ON WESTERN RIGHT-OF-WAY OF BEATTIES FORD ROAD (60' PUBLIC RIGHT-OF-WAY);
THENCE ALONG SAID RIGHT-OF-WAY, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 925.86 FEET, A CURVE LENGTH OF 10.22 FEET, A CHORD BEARING AND DISTANCE OF S 03°07'40" W, 10.22 FEET TO THE POINT OF BEGINNING.

THIS PROPOSED BERKLEY GROUP 10' WIDE UTILITY EASEMENT #1 TO CONTAIN 12,148 SQ. FT., 0.279 ACRE MORE OR LESS.

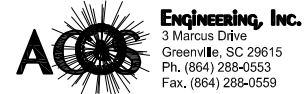
PROPOSED BERKLEY GROUP UTILITY EASEMENT #2
LEGAL DESCRIPTION PER SURVEYOR:

ALL THAT LOT, TRACT OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE STATE OF NORTH CAROLINA, COUNTY OF MECKLENBURG, TOWN OF HUNTERSVILLE CONSISTING OF 0.015 ACRES, BEING A PORTION OF PARCEL NOW OR FORMERLY OWNED BY CHARLOTTE-MECKLENBURG BOARD OF EDUCATION, AS DESCRIBED IN DEED BOOK 27025 PAGE 514, AND SHOWN AS PROPOSED BERKLEY GROUP 10' WIDE UTILITY EASEMENT #2 ON THAT CERTAIN SURVEY TITLED SITE SURVEY, SHEETS V1-V4, PREPARED BY AC&S ENGINEERING, DATE OF SURVEY 11/03/15, LAST REVISED 07/28/17, METES AND BOUNDS MORE PARTICULARLY AS FOLLOWS:

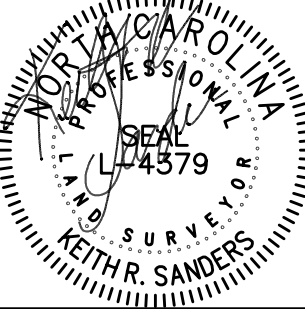
COMMENCING AT A CONCRETE MONUMENT FOUND LOCATED ON SOUTHWESTERN BOUNDARY LINE OF SAID CHARLOTTE-MECKLENBURG BOARD OF EDUCATION PROPERTY, ALSO BEING A COMMON CORNER WITH PAUL R. AND TARA E. WARNER PROPERTY, AS RECORDED IN DEED BOOK 28907, PAGE 272, ALSO LOCATED AT NORTHERN RIGHT-OF-WAY OF JIM KIDD ROAD (60' PUBLIC RIGHT-OF-WAY), HAVING A NORTH CAROLINA STATE PLANE COORDINATES (NAD 83) N: 604,387.28'; E: 1,425,820.77'. THENCE RUNNING ALONG A TIE LINE N 02°04'43" E, A DISTANCE OF 939.52 FEET TO A POINT ON SOUTH EAST CORNER OF SAID 10' WIDE UTILITY EASEMENT #2, HAVING A NORTH CAROLINA STATE PLANE COORDINATES (NAD 83) N: 605,326.19' E: 1,425,854.85', THIS POINT BEING THE POINT OF BEGINNING:

THENCE ALONG SOUTHERN LINE OF SAID UTILITY EASEMENT #2 N 72°16'15" W, A DISTANCE OF 72.18 FEET TO A POINT ON SOUTHERN LINE OF PROPOSED BERKLEY GROUP 20' WIDE ACCESS, UTILITY AND MAINTENANCE EASEMENT;
THENCE ALONG COMMON LINE WITH ACCESS EASEMENT N 73°29'11" E, A DISTANCE OF 17.77 FEET TO A POINT;
THENCE S 72°16'15" E, A DISTANCE OF 57.49 TO A POINT;
THENCE LEAVING SAID COMMON LINE WITH ACCESS EASEMENT S 17°43'45" W, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

THIS PROPOSED BERKLEY GROUP 10' WIDE UTILITY EASEMENT #2 TO CONTAIN 648 SQ. FT., 0.015 ACRE MORE OR LESS.



NC FIRM LICENSE NUMBER: C-2484



SANDERS SURVEYING & MAPPING SERVICES, INC.
510 AVENUE ROAD,
BLACK MOUNTAIN,
NORTH CAROLINA, 28711
(828) 669-2777
C-2384

BASE TRANSCIVER SITE
BRADLEY MIDDLE SCHOOL
VERIZON SITE NAME: FRANCIS BRADLEY
13360 BEATTIES FORD ROAD
HUNTERSVILLE, NC 28078
MECKLENBURG COUNTY
NORTH CAROLINA

BERKLEY GROUP LLC
SPECIAL USE PERMIT FOR A CELL TOWER
EPM # 377075

REVISION	DATE
ISSUED FOR OWNER'S REVIEW	04/11/16
REVISED PER SURVEYOR'S COMMENTS	04/29/16
REVISED PER TOWN OF HUNTERSVILLE COMMENTS	07/28/17

PROJECT NUMBER:
14049.013
SHEET CONTENTS:

SITE SURVEY

SHEET NUMBER:

V4

1. NORTH CAROLINA GRID AND DISTANCES ARE GROUND UNLESS OTHERWISE SHOWN OR NOTED.
2. COORDINATES ARE ON NORTH GRID (NAD 83) AND THE VERTICAL DATUM IS (NAVD 88).
3. GRID COORDINATES SHOWN WERE OBTAINED FROM USE OF GPS OBSERVATION, USING A TOPCON HIPER-V SURVEY GRADE RECEIVER (DUAL FREQUENCY) UTILIZING GNSS VERS RTK TECHNIQUES AND/OR STATIC DATA SOLUTIONS VIA NGS OPUS.
4. ALL IPS ARE 5/8" IRON REBAR UNLESS OTHERWISE NOTED.
5. THE RATIO OF REDUCTION OF THE UNBALANCED TRAVERSES MEETS OR EXCEEDS 1 : 10,000.
6. THE FEATURE SYMBOL LOCATIONS ARE TO THE CENTER OF THE SYMBOL AND MAY BE ENLARGED FOR CLARITY.
7. THE UNDERGROUND UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS MADE AVAILABLE AND PROVIDED TO THE UNDERSIGNED SURVEYOR. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN CORRESPOND TO ALL UTILITIES IN THE AREA. IF ANY UTILITY IS DISCOVERED OR ABANDONED, THE SURVEYOR FURTHER DOES NOT WARRANT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THE UNDERSIGNED DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE AND PROVIDED. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
8. THE UNDERSIGNED, DOES NOT WARRANT THE EXISTENCE OR NONEXISTENCE OF ANY HAZARDOUS WASTE ON THE SITE.
9. THE UNDERSIGNED DOES NOT WARRANT THE EXISTENCE OR NONEXISTENCE OF ANY JURISDICTIONAL WETLANDS ON THE SURVEY SITE OTHER THAN SHOWN, IF ANY. WETLANDS SHOWN ARE SUBJECT TO FINAL APPROVAL BY THE U.S. CORPS. OF ENGINEERS.
10. THIS PLAT WAS PREPARED AS A PROFESSIONAL SERVICE FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED WITHIN THE HEREON STATEMENT AND/OR TITLE. SAID EMPLOYMENT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT THE EXPRESSED PERMISSION OF AC&S. NAMING SAID PERSON, PERSONS, OR ENTITY.
11. AREA COMPUTED BY DMD METHOD.
12. THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
13. IT IS THE EXPRESSED INTENT THAT THE ACCESS, UTILITY AND MAINTENANCE EASEMENT SHOWN ON THIS SURVEY IS TO MEET AND ABUT AND BE CONTIGUOUS WITH BOTH THE LEASE AREA AND THE PUBLIC ACCESS OR PUBLIC RIGHT OF WAY WITHOUT ANY GAPS OR OVERLAPS.
14. ZONING NOTES:

THE FOLLOWING PROVISIONS OF ZONING ORDINANCE APPLY TO THE PREMISES:

MINIMUM BUILDING SETBACKS:

FRONT YARD SETBACK - 25'
SIDE YARD SETBACK - 12'
REAR YARD SETBACK - 25'

MINIMUM TOWER SETBACKS:

SETBACK FROM RESIDENTIAL OR MIXED USE DISTRICT - 200'
SETBACK FROM PUBLIC RIGHT-OF-WAY - 500'

N/F
MECKLENBURG COUNTY
DB 18276, PG 934
PIN: 01308127
ZONING: R
LAND USE: SINGLE FAMILY

N/F
W. EDWARD CAUTHEN, JR.
DOROTHY CRUM
DB 6285, PG 503
PIN: 01308106
ZONING: R
LAND USE: SINGLE-FAMILY

PROPOSED BERKLEY GROUP
71'-5"x140' LEASE AREA,
10,000 SQ. FT., 0.230 ACRE

N/F
 PAUL R. & TARA E. WARNER
 DB 28907, PG 272
 PIN: 01308104
 ZONING: R
 LAND USE: SINGLE FAMILY
 RESIDENTIAL-RURAL ACREAGE

P.O.C. - CONCRETE MONUMENT
PROPOSED BERKLEY GROUP
71'-5"x140' LEASE AREA

TOWER INFORMATION:

PROPOSED 160' LIGHT POLE
LATITUDE: 35° 23' 52.45" N
LONGITUDE: 80° 55' 38.37" W
GROUND ELEVATION: 713.0'

ZONING INFORMATION:

JURISDICTION: TOWN OF HUNTERSVILLE
PLANNING DEPARTMENT
(704) 875-7000
CLASSIFICATION: R - RURAL AND CRITICAL AREA 3 OF
THE MOUNTAIN ISLAND LAKE WATERSHED
DISTRICT
OCCUPANCY: SCHOOL
PROPOSED USE: COMMERCIAL COMMUNICATION TOWER

BUILDING INSPECTIONS:

MECKLENBURG COUNTY CODE ENFORCEMENT
700 NORTH TRYON STREET
CHARLOTTE, NC 28202
(704) 814-0435

NOTE:
FINAL PLAT WILL BE REQUIRED SHOWING ALL APPROVED
EASEMENTS/TREE SAVE ETC PRIOR TO FINAL INSPECTION
OF THE TOWER.

NOTES:

1. ONLY ONE TOWER WILL BE BUILT ON THIS PROPERTY.
2. THE CLOSEST COMMERCIAL TOWER IS APPROXIMATELY 1.4 MILES NORTHEAST OF THE PROPOSED TOWER.
3. TOWER IS DESIGNED TO SUPPORT 4 CARRIERS.

LEGEND

<u>BEARING & DISTANCE</u>	LINE SURVEYED	=====	STORM DRAIN LINE
<u>(BEARING & DISTANCE)</u>	LINE NOT SURVEYED	==SS==	SANITARY SEWER LINE
<u>(BY DEED OR PLAT)</u>	R/W (RIGHT-OF-WAY)	----	GREEK OR DITCH
R/W x	CHAIN LINK FENCE LINE		P.O.C. POINT OF COMMENCEMENT
Ø	POWER OR UTILITY POLE		P.O.B. POINT OF BEGINNING
— ONE —	OVERHEAD ELECTRICAL LINE	N/F	NOW OR FORMERLY
TEL PED	TELEPHONE PEDESTAL	TM	TAX MAP
●	IRON PIN	DB	DEED BOOK
○	IRON PIN SET (5/8" REBAR, U.N.O.)	PB	PLAT BOOK
ROW MON	RIGHT-OF-WAY MONUMENT	RCP	REINFORCED CONCRETE PIPE
△	GPS POINT	M	MAPLE
⊕	TEMPORARY BENCH MARK	O	OAK
Ⓢ	STORM DRAIN MANHOLE	P	PINE
Ⓢ	SANITARY SEWER MANHOLE	SG	SWEETGUM

**VICINITY MAP
(NTS)**

*TABLE PER REF. DWG. L-3.0 BRADLEY ELEMENTARY SCHOOL BY SITE SOLUTIONS DATED 6/16/07

WATERSHED AND IMPERVIOUS SUMMARY:

WATERSHED DISTRICT:	MOUNTAIN ISLAND LAKE
WATERSHED OVERLAY PROTECTION DISTRICT:	CA-3 AND PA-1
CA-3 ALLOWABLE BUILT-UPON AREA:	(12%)
PA-1 ALLOWABLE BUILT-UPON AREA LOW DENSITY	(24%)
PA-1 ALLOWABLE BUILT-UPON AREA HIGH DENSITY	(70%)

TOTAL SITE AREA:	103.51 AC
PARCEL 'A': (MECK COUNTY PARK AND REC)	42.132 AC
PARCEL 'B': (BOARD OF EDUCATION)	61.378 AC

EXISTING IMPERVIOUS	'PARCEL A'	
BUILDING, PARKING, SERVICE AND WALK AREAS		125,300 SF
IMPERVIOUS PERCENTAGE:		6.82 %

EXISTING IMPERVIOUS	'PARCEL B'	
BUILDING, PARKING, SERVICE AND WALK AREAS		353,861 SF
IMPERVIOUS PERCENTAGE:		13.23 %

PROPOSED IMPERVIOUS BUILDING, PARKING, SERVICE AND WALK AREAS	'PARCEL B'	198,365 SF
---	------------	------------

TOTAL IMPERVIOUS AREA (COMBINED PARCELS)	
TOTAL BUILD-UPON AREA:	677,526 SF
(IMPERVIOUS PERCENTAGE)	15.03 %

TOTAL BUILD-UPON AREA: CA-3	
PARK PARCEL:	125,300
MIDDLE SCHOOL:	66,055
ELEMENTARY SCHOOL:	<u>183,865</u>
	375,220 SF

TOTAL CA-3 AREA = 80.65 AC
TOTAL % BUILT UPON AREA = 10.68 %

TOTAL BUILT-UPON AREA: PA-1	
PARK PARCEL:	0
MIDDLE SCHOOL:	287,806
ELEMENTARY SCHOOL:	14,500
	<u>302,306 SF</u>

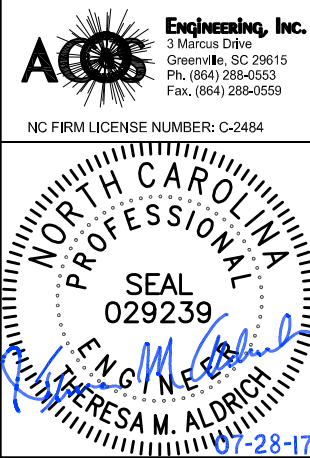
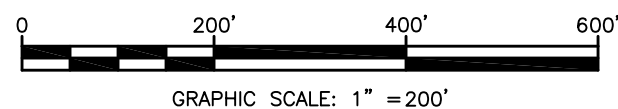
TOTAL PA-1 AREA = 22.86 AC
TOTAL % BUILT UPON AREA = 30.36 %

NOTE:
PER THE INSTRUCTION OF MECKLENBURG COUNTY, THE PROPOSED
TELECOMMUNICATION SITE BUILT-UPON AREA % WILL BE CALCULATED USING
TOTAL CA-3 AREA = 80.65 AC FROM THE ABOVE REFERENCED TABLE.

PROPOSED BUILT-UPON AREA TABLE

TOTAL BUILD-UPON AREA: CA-3	
EXISTING BUILT-UPON AREA: (FROM ABOVE REFERENCED TABLE)	375,220 SF
PROPOSED TELECOMM. SITE BUILT UPON AREA:	6,730 SF
TOTAL CA-3 AREA: (FROM ABOVE REFERENCED TABLE)	80.65 AC
TOTAL % PROPOSED BUILT-UPON AREA:	10.87 %

FLOOD ZONE
PROPERTY IS IN FLOOD ZONE "X"
ZONE "X" - AREAS DETERMINED TO BE
OUTSIDE THE 0.2% ANNUAL CHANCE
FLOODPLAIN
PER FEMA FIRM NORTH CAROLINA
MAP NUMBER 3710462000K
PANEL 4620
EFFECTIVE DATE SEPTEMBER 2, 2015



BASE TRANSCIEVER SITE
BRADLEY MIDDLE SCHOOL
ON SITE NAME: FRANCIS BRADLEY
3359 BEATTIES FORD ROAD
HUNTERVILLE, NC 28078
MECKLENBURG COUNTY
NORTH CAROLINA

BERKLEY GROUP LLC

SPECIAL USE PERMIT FOR A CELL TOWER
EPM #: 377075

ISSUE	REVISION	DATE
△ INITIAL ISSUE		06/27/16
△ REVISED PER TOWN OF HUNTERSVILLE COMMENTS		07/28/17

PROJECT NUMBER
14049.013
SHEET CONTENTS:

SITE PLAN

SHEET NUMBER:

SP-01



BASE TRANSCIVER SITE
BRADLEY MIDDLE SCHOOL
VERIZON SITE NAME: FRANCIS BRADLEY
13389 BEATTIES FORD ROAD
HUNTERSVILLE, NC 28078
MECKLENBURG COUNTY
NORTH CAROLINA

BERKLEY GROUP LLC

SPECIAL USE PERMIT FOR A CELL TOWER
EPM # 377075

DATE	REVISION
04/11/16	ISSUED FOR OWNER'S REVIEW
04/29/16	REVISED PER OWNER'S COMMENTS
07/26/17	REVISED PER TOWN OF HUNTERSVILLE COMMENTS

PROJECT NUMBER:
14049.013

SHEET CONTENTS:

GENERAL NOTES
AND SYMBOLS

SHEET NUMBER:

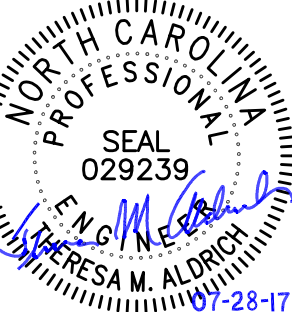
C1

CIVIL SYMBOLS		
EXISTING	ITEM	NEW
	POWER POLE WITH LIGHT	
	LIGHT POLE	
	POWER POLE	
	GUY ANCHOR	
	OVERHEAD ELECTRIC	
	ELECTRIC MANHOLE	
	COMMUNICATIONS MANHOLE	
	UTILITY BOX	
	BUILDING	
	POST	
	SIGN	
	GAS METER	
	GAS VALVE	
	GAS LINE	
	SANITARY SEWER LINE & MANHOLE	
	SANITARY SEWER CLEAN OUT	
	FIRE HYDRANT	
	POST INDICATOR VALVE	
	WATER LINE & VALVE	
	WATER METER	
	FIRE WATER LINE	
	ABANDONED UTILITY	
	CULVERT WITH HEADWALLS	
	STORM DRAIN	
	STORM DRAIN HEADWALL	
	AREA INLET	
	STORM DRAIN MANHOLE	
	Q DRAINAGE DITCH	
	FLOW DIRECTION	
	CONTOURS	
X 712.13	SPOT ELEV.	
	SIDEWALK/GRAVEL	
	CONCRETE PAVING	
	ASPHALT SURFACE COURSE	
	CURB & GUTTER	
	EDGE OF PAVEMENT	
	CHAIN LINK FENCE	
	ITEM TO BE REMOVED	
	PARKING STRIPING / HC PARKING	
	HC RAMP	
	BOLLARD	
	IRON PIN SET	
	WOODS	
	SILT FENCE	

NOTE :
THIS IS A GENERAL LEGEND.
SOME ITEMS MAY NOT APPLY.

GENERAL NOTES

1. THE FACILITY IS AN UNOCCUPIED WIRELESS FACILITY.
2. PLANS ARE NOT TO BE SCALED AND ARE INTENDED TO BE A DIAGRAMMATIC OUTLINE ONLY, UNLESS NOTED OTHERWISE. THE WORK WILL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES, AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
3. PRIOR TO THE SUBMISSION OF BIDS, THE CONTRACTORS WILL VISIT THE JOB SITE AND BE RESPONSIBLE FOR ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS, AND CONFIRMING THAT THE WORK MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES ARE TO BE BROUGHT TO THE ATTENTION OF THE PROJECT ENGINEER AND ARCHITECT/ENGINEER PRIOR TO PROCEEDING WITH THE WORK.
4. WRITTEN AUTHORIZATION IS REQUIRED BEFORE STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED OR IDENTIFIED BY THE CONTRACT DOCUMENTS.
5. CONTACT LOCAL DIGGERS HOTLINE 48 HOURS PRIOR TO PROCEEDING WITH ANY EXCAVATION, SITE WORK OR CONSTRUCTION.
6. INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY INDICATED OTHERWISE OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
7. ALL WORK PERFORMED AND MATERIALS INSTALLED WILL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES. THE CONTRACTOR WILL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS, AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY REGARDING THE PERFORMANCE OF THE WORK. MECHANICAL AND ELECTRICAL SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL AND STATE JURISDICTIONAL CODES, ORDINANCES, AND APPLICABLE REGULATIONS.
8. THE GENERAL CONTRACTOR WILL SUPERVISE AND DIRECT THE WORK, USING THE BEST SKILLS AND ATTENTION. THE CONTRACTOR WILL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES, AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT INCLUDING CONTACT AND COORDINATION WITH THE PROJECT ENGINEER AND WITH THE LANDLORD'S AUTHORIZED REPRESENTATIVE.
9. DETAILS ARE INTENDED TO SHOW END RESULT OF DESIGN. MINOR MODIFICATIONS MAY BE REQUIRED TO SUIT JOB DIMENSIONS OR CONDITIONS, AND SUCH MODIFICATIONS WILL BE INCLUDED AS PART OF THE WORK.
10. REPRESENTATIONS OF TRUE NORTH, OTHER THAN THOSE FOUND ON THE PLAT OF THE SURVEY DRAWING, WILL NOT BE USED TO IDENTIFY OR ESTABLISH THE BEARING OF TRUE NORTH AT THE SITE. THE CONTRACTOR WILL RELY SOLELY ON THE PLAT OF SURVEY DRAWING AND ANY SURVEYOR'S MARKINGS AT THE SITE FOR THE ESTABLISHMENT OF TRUE NORTH, AND WILL NOTIFY THE ARCHITECT/ENGINEER PRIOR TO PROCEEDING WITH THE WORK IF ANY DISCREPANCY IS FOUND BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND THE TRUE NORTH ORIENTATION AS DEPICTED ON THE PLAT OF SURVEY. THE CONTRACTOR WILL ASSUME SOLE LIABILITY FOR ANY FAILURE TO NOTIFY THE ARCHITECT/ENGINEER.



- GENERAL NOTES**
- SEE G1 FOR GENERAL ABBREVIATIONS.
 - SEE C1 FOR GENERAL NOTES AND SYMBOLS.
 - SEE SITE SURVEY FOR LIMITS OF LEASE AREA AND ADDITIONAL SURVEY INFORMATION.
 - PARKING FOR SERVICE VEHICLES WILL BE PROVIDED IN THE VEHICLE TURNAROUND AREA.
 - AFTER ALL HEAVY TRAFFIC IS COMPLETE (CONCRETE, TRUCKS, TRAILERS, DRILL RIG, ETC.) CONTRACTOR SHALL REPAIR THE ROAD/PARKING AREA AS NECESSARY.

FLOOD INSURANCE RATE MAP
NORTH CAROLINA
3710462000K
PANEL 4620
EFFECTIVE: SEPTEMBER 2, 2015
FLOOD ZONE: X
BFE: AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN

BRADLEY MIDDLE SCHOOL
PROPOSED 160' LIGHT POLE
LAT. = 35° 23' 52.45" N
LONG. = 80° 55' 38.37" W
SITE EL. = 713.0'

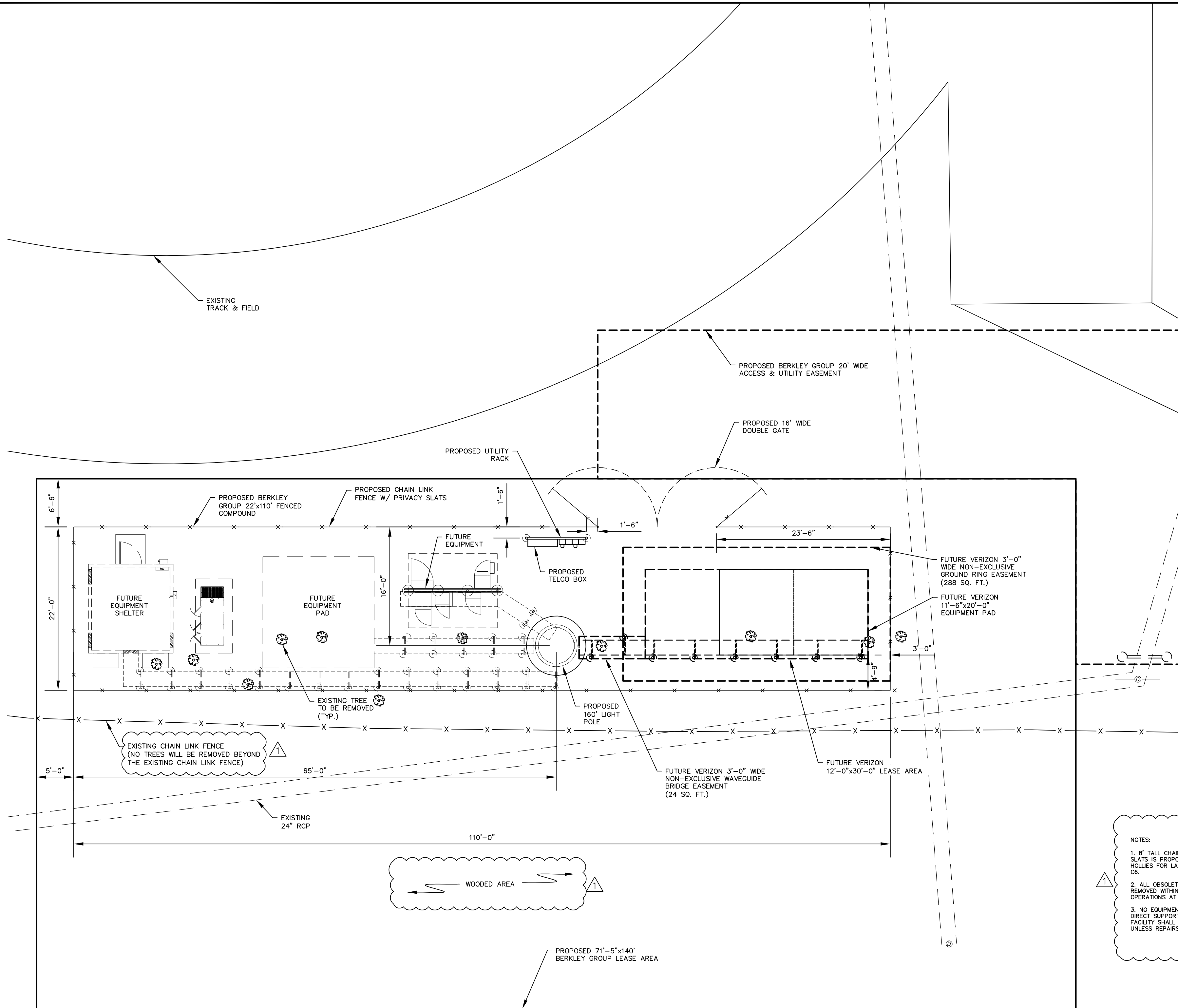
* INFORMATION TAKEN FROM 1A LETTER, PREPARED BY AC&S ENGINEERING, DATED 11/19/15.

BASE TRANSCIVER SITE
BRADLEY MIDDLE SCHOOL
BRADLEY SITE NAME: FRANCIS BRADLEY
13389 BEATTIES FORD ROAD
HUNTERSVILLE, NC 28078
MECKLENBURG COUNTY
NORTH CAROLINA

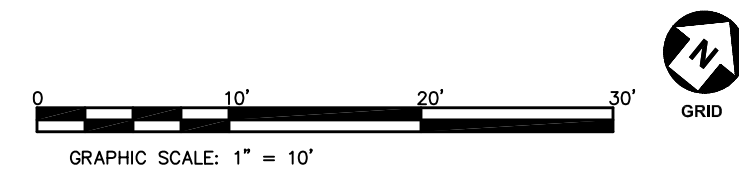
BERKLEY GROUP LLC
SPECIAL USE PERMIT FOR A CELL TOWER
EPM # 377075

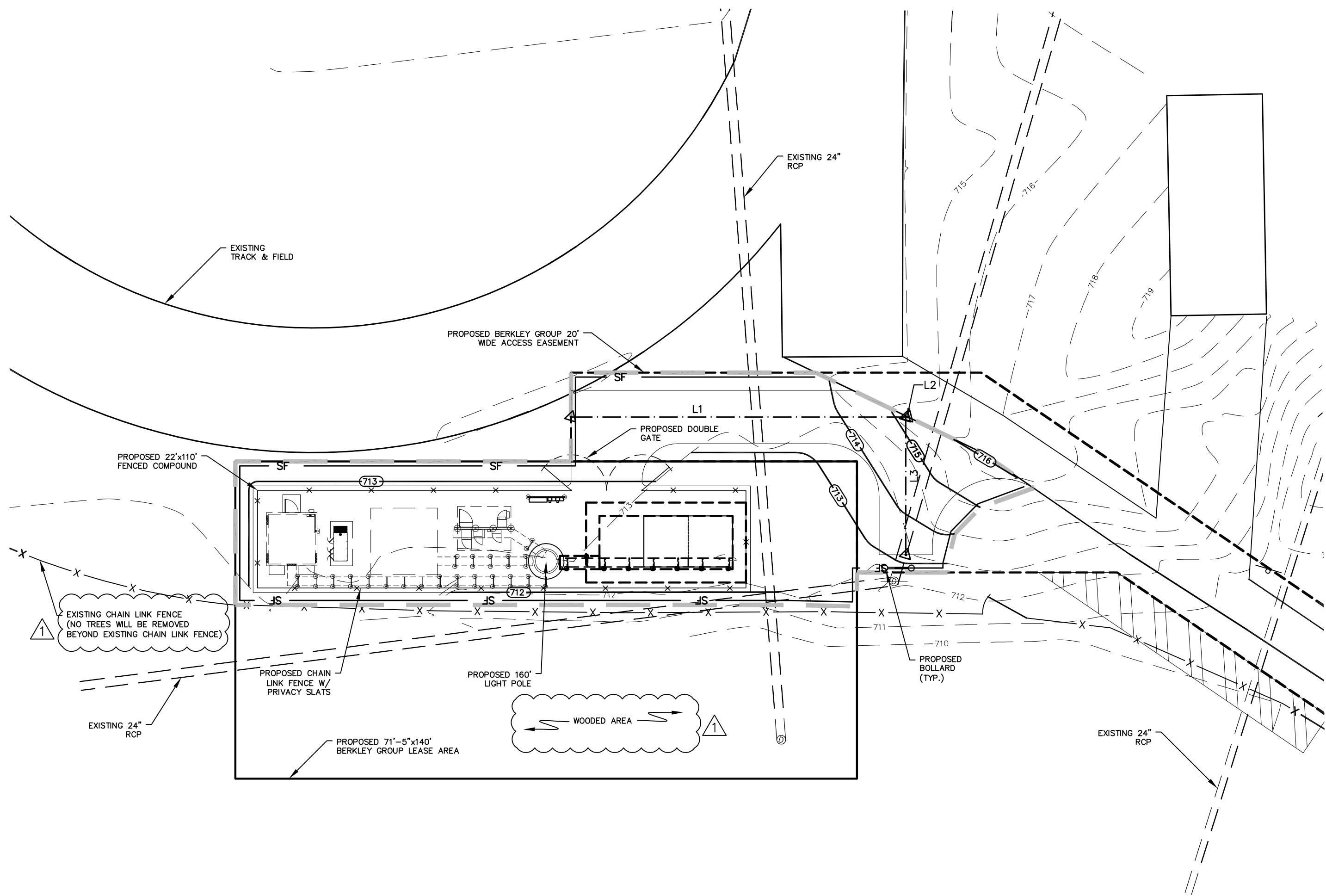
DATE	REVISION
04/11/16	ISSUED FOR OWNER'S REVIEW
04/28/16	REVISED PER OWNER'S COMMENTS
07/28/17	REVISED PER TOWN OF HUNTERSVILLE COMMENTS

PROJECT NUMBER:
14049.013
SHEET CONTENTS:
SITE LAYOUT PLAN
SHEET NUMBER:
C2



- NOTES:**
- 8' TALL CHAIN LINK FENCING WITH GREEN PRIVACY SLATS IS PROPOSED. SEE DRAWING C5. NELLIE STEVENS HOLLIES FOR LANDSCAPING IS PROPOSED. SEE DRAWING C6.
 - ALL OBSOLETE OR UNUSED FACILITIES MUST BE REMOVED WITHIN 12 MONTHS OF CESSATION OF OPERATIONS AT THE SITE.
 - NO EQUIPMENT, MOBILE OR IMMOBILE, NOT USED IN DIRECT SUPPORT OF THE TRANSMISSION OR RELAY FACILITY SHALL BE STORED OR PARKED ON THE SITE UNLESS REPAIRS TO THE FACILITY ARE BEING MADE.





*TABLE PER REF. DWG. L-3.0 BRADLEY ELEMENTARY SCHOOL BY SITE SOLUTIONS DATED 6/16/07

WATERSHED AND IMPERVIOUS SUMMARY:

WATERSHED DISTRICT:	MOUNTAIN ISLAND LAKE
WATERSHED OVERLAY PROTECTION DISTRICT:	CA-3 AND PA-1
CA-3 ALLOWABLE BUILT-UPON AREA:	(12%)
PA-1 ALLOWABLE BUILT-UPON AREA LOW DENSITY	(24%)
PA-1 ALLOWABLE BUILT-UPON AREA HIGH DENSITY	(70%)
TOTAL SITE AREA:	103.51 AC
PARCEL 'A': (MECK COUNTY PARK AND REC) 42.132 AC	
PARCEL 'B': (BOARD OF EDUCATION) 61.378 AC	
EXISTING IMPERVIOUS 'PARCEL A'	
BUILDING, PARKING, SERVICE AND WALK AREAS	125,300 SF
IMPERVIOUS PERCENTAGE:	6.82 %
EXISTING IMPERVIOUS 'PARCEL B'	
BUILDING, PARKING, SERVICE AND WALK AREAS	353,861 SF
IMPERVIOUS PERCENTAGE:	13.23 %
PROPOSED IMPERVIOUS 'PARCEL B'	
BUILDING, PARKING, SERVICE AND WALK AREAS	198,365 SF
TOTAL IMPERVIOUS AREA (COMBINED PARCELS)	
TOTAL BUILT-UPON AREA:	677,526 SF
(IMPERVIOUS PERCENTAGE)	15.03 %
TOTAL BUILT-UPON AREA: CA-3	
PARK PARCEL:	125,300
MIDDLE SCHOOL:	66,055
ELEMENTARY SCHOOL:	183,865
	375,220 SF
TOTAL CA-3 AREA = 80.65 AC	
TOTAL % BUILT UPON AREA = 10.68 %	
TOTAL BUILT-UPON AREA: PA-1	
PARK PARCEL:	0
MIDDLE SCHOOL:	287,806
ELEMENTARY SCHOOL:	14,500
	302,306 SF
TOTAL PA-1 AREA = 22.86 AC	
TOTAL % BUILT UPON AREA = 30.36 %	

NOTE:
PER THE INSTRUCTION OF MECKLENBURG COUNTY, THE PROPOSED
TELECOMMUNICATION SITE BUILT-UPON AREA % WILL BE CALCULATED USING
TOTAL CA-3 AREA = 80.65 AC FROM THE ABOVE REFERENCED TABLE.

PROPOSED BUILT-UPON AREA TABLE

TOTAL BUILT-UPON AREA: CA-3	
EXISTING BUILT-UPON AREA:	375,220 SF
(FROM ABOVE REFERENCED TABLE)	
PROPOSED TELECOMM. SITE BUILT UPON AREA:	6,730 SF
TOTAL CA-3 AREA:	80.65 AC
(FROM ABOVE REFERENCED TABLE)	
TOTAL % PROPOSED BUILT-UPON AREA:	10.87 %

GENERAL NOTES

- SEE G1 FOR GENERAL ABBREVIATIONS.
- SEE C1 FOR GENERAL NOTES AND SYMBOLS.
- SEE SITE SURVEY FOR LIMITS OF LEASE AREA AND ADDITIONAL SURVEY INFORMATION.
- DISTURBED AREAS TO BE SEEDED AND MULCHED IMMEDIATELY AFTER COMPLETION OF CONSTRUCTION.

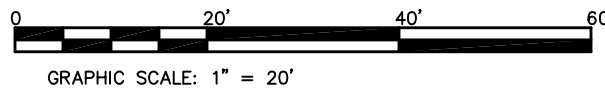
ALL SLOPED GRADES 2:1 OR STEEPER SHALL BE APPROVED BY A GEOTECHNICAL ENGINEER. ALL FILL MATERIAL SHALL BE PLACED IN 6" LIFTS AND COMPACTED TO 98% OF STANDARD PROCTOR MAXIMUM DRY DENSITY TO BE MONITORED BY A QUALIFIED SOILS TECHNICIAN WORKING UNDER A QUALIFIED GEOTECHNICAL ENGINEER. ALL SLOPES 3:1 OR STEEPER SHALL RECEIVE A CURLEX EROSION CONTROL BLANKET (OR APPROVED EQUAL).

NOTE:
LIMITS OF DISTURBANCE = 0.154 AC

NOTES:

- 8' TALL CHAIN LINK FENCING WITH GREEN PRIVACY SLATS IS PROPOSED. SEE DRAWING C5. NELLIE STEVENS HOLLIES FOR LANDSCAPING IS PROPOSED. SEE DRAWING C6.
- ALL OBSOLETE OR UNUSED FACILITIES MUST BE REMOVED WITHIN 12 MONTHS OF CESSATION OF OPERATIONS AT THE SITE.
- NO EQUIPMENT, MOBILE OR IMMOBILE, NOT USED IN DIRECT SUPPORT OF THE TRANSMISSION OR RELAY FACILITY SHALL BE STORED OR PARKED ON THE SITE UNLESS REPAIRS TO THE FACILITY ARE BEING MADE.

CENTERLINE OF PROPOSED 20' WIDE ACCESS ROAD		
LINE #	BEARING	LENGTH
L1	N73° 29' 11"E	75.40'
L2	N73° 29' 11"E	0.50'
L3	S16° 30' 49"E	31.00'



BASE TRANSCIVER SITE
BRADLEY MIDDLE SCHOOL
VERIZON SITE NAME: FRANCIS BRADLEY
13389 BEATTIES FORD ROAD
HUNTERSVILLE, NC 28078
MECKLENBURG COUNTY
NORTH CAROLINA

BERKLEY GROUP LLC

SPECIAL USE PERMIT FOR A CELL TOWER
EPM # 377075

DATE	REVISION
04/11/16	ISSUED FOR OWNER'S REVIEW
04/29/16	REVISED PER OWNER'S COMMENTS
07/26/17	REVISED PER TOWN OF HUNTERSVILLE COMMENTS

PROJECT NUMBER:
14049.013
SHEET CONTENTS:
SITE
GRADING PLAN

SHEET NUMBER:
C3

NOTES:

1. ALL LIGHTING MUST COMPLY WITH THE OUTDOOR LIGHTING PROVISIONS FOUND IN SECTION 12.402 OF THE ZONING ORDINANCE.
2. ALL ANTENNA PLACED ON THE TOWER MUST BE ENCASED WITHIN A CANISTER WITH A DIAMETER NO GRATER THEN 12 FEET SO THEY ARE INDESCRIPTIBLE.
3. ALL CANISTERS ON THE TOWER MUST BE THE SAME DIAMETER AND THEY MUST HAVE AN UNDER MOUNT THAT SCREENS THE VIEW OF THE ANTENNA FROM THE GROUND.
4. THE TOWER AND CANISTERS MUST BE PAINTED OR CONSTRUCTED OF A NEUTRAL COLOR THAT BLENDS IN WITH THE SKY.

BELOW IS AN EXAMPLE OF AN ACCEPTABLE DESIGN AND COLOR.

PROPOSED, RF FRIENDLY SCREENING, TYP. SEE TOWER MANUFACTURER'S DRAWINGS

PROPOSED VERIZON ANTENNAS AND RRUS BEHIND STEALTH SCREENING.

VERIZON ANTENNAS
RAD. CENTER = 155'

FUTURE CARRIER ANTENNAS
RAD. CENTER = 145'

FUTURE CARRIER ANTENNAS
RAD. CENTER = 135'

FUTURE CARRIER ANTENNAS
RAD. CENTER = 125'



PAINT COLOR:
SW6255 MORNING FOG - SHERWIN WILLIAMS

NOTES:

1. TOWERS SHALL NOT BE ARTIFICIALLY LIGHTED EXCEPT TO INSURE HUMAN SAFETY AS REQUIRED BY THE FAA OR FCC REGULATIONS. THERE ARE NON-FUNCTIONAL LIGHTS PROPOSED AT 40' FOR AESTHETICS ONLY UNLESS ADDITIONAL REQUESTS ARE MADE TO THE TOWN. TO THE EXTENT POSSIBLE, TOWER LIGHTING SHALL BE LOCATED AND DIRECTED TO AVOID ONSITE FLASHING OR SHINING INTO INTERIOR SPACES OF DWELLINGS.
2. THE TOWER IS DESIGNED TO ACCOMMODATE 4 CARRIERS.

PROPOSED
160' LIGHT POLE

NONFUNCTIONAL
LIGHTS AT 40'

CABLE SUPPORT
VERIZON POWER CABINET
VERIZON EQUIPMENT CABINET

1 TOWER ELEVATION
C4 SCALE: 1" = 20'

BERKLEY GROUP LLC

SITE NAME: BRADLEY MIDDLE SCHOOL
FCC#:
ADDRESS: 13359 BEATTIES FORD ROAD

FOR EMERGENCY & LEASING CONTACT:
704-907-7104

1

CAUTION



BEYOND THIS POINT you are entering a controlled area where RF emissions may exceed the FCC Occupational Exposure Limits

Follow all posted signs and site guidelines for working in a RF environment.

Ref. FCC 47CFR1.1307(b)

2 WHITE/ YELLOW BACKGROUND W/ BLACK LETTERING
QUANTITY: (1)
(TO BE MOUNTED AT EYE LEVEL ON TOWER NEAR SAFETY CLIMB)

DO NOT CLIMB
TOWER WITHOUT
OWNER'S WRITTEN
PERMISSION

3 WHITE BACKGROUND W/ RED LETTERING
QUANTITY: (1)
(TO BE MOUNTED AT EYE LEVEL ON TOWER NEAR SAFETY CLIMB)

- 1 TOWER OWNER IDENTIFICATION SIGN
- 2 FCC/RF EXPOSURE SIGN
- 3 TOWER CLIMBING SIGN
- 4 STREET ADDRESS SIGN
- 5 INFORMATION RF EXPOSURE SIGN
- 6 TOWER REGISTRATION SIGN

000

4 WHITE BACKGROUND W/ BLACK LETTERING
E911 STREET #
QUANTITY: (1) TYPICAL
(TO BE MOUNTED ON FENCE FOR ALL SITES WHERE THERE IS NO POSTED STREET # SIGN.)

TYPICAL SIGNS AND SPECIFICATIONS

FCC TOWER REGISTRATION NO.
1234567

6 WHITE BACKGROUND W/ BLACK LETTERING
QUANTITY: (1) TYPICAL
(ONE TO BE MOUNTED ON COMPOUND ACCESS GATE)

GREEN

INFORMATION

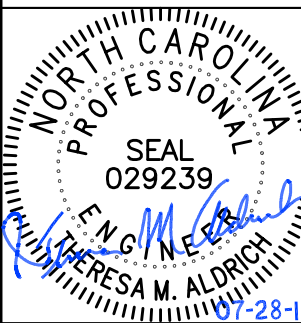
ACTIVE ANTENNAS ARE MOUNTED
☐ ON THE OUTSIDE OF THIS BUILDING
☐ BEHIND THIS PANEL
☐ ON THIS STRUCTURE

STAY BACK A MINIMUM OF 3 FEET
FROM THESE ANTENNAS

Contact Berkley Group at 704-907-7104
and follow their instructions prior to performing any maintenance or repairs closer than 3 feet from the antennas.

This is BRADLEY MIDDLE SCHOOL
Decal # 2

5 WHITE BACKGROUND W/ BLACK LETTERING
QUANTITY: (1) PER ACCESS GATE
(TO BE MOUNTED ON COMPOUND ACCESS GATE)



BASE TRANSCIVER SITE
BRADLEY MIDDLE SCHOOL
VERIZON SITE NAME: FRANCIS BRAD
13359 BEATTIES FORD ROAD
HUNTERSVILLE, NC 28078
MECKLENBURG COUNTY
NORTH CAROLINA

BERKLEY GROUP LLC

SPECIAL USE PERMIT FOR A CELL TOWER
EPM #: 377075

ISSUE	REVISION	DATE
1	ISSUED FOR OWNER'S REVIEW	04/17/16
2	REVISED FOR COMMENTS	04/29/16
3	REVISED FOR COMMENTS	05/20/16
4	REVISED FOR TOWN OF HUNTERSVILLE COMMENTS	07/28/17

PROJECT NUMBER:
14049.013
SHEET CONTENTS:

TOWER ELEVATION
AND SIGN DETAILS

SHEET NUMBER:

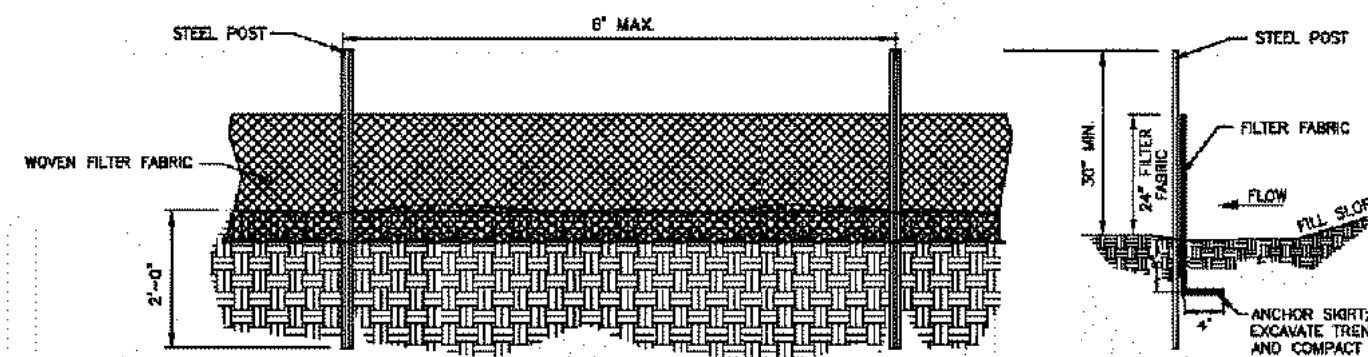
C4

1. SEE G1 FOR GENERAL ABBREVIATIONS.
2. SEE C1 FOR GENERAL NOTES AND SYMBOLS.



1. ALL MATERIALS AND HARDWARE FOR THE CHAIN LINK FENCE SHALL BE OF A HOT DIP GALVANIZED FINISH.
2. CHAIN LINK FABRIC TO BE 8 FT. HIGH, 9 GA. WIRE, 2 IN. MESH WITH TWISTED SPIN. (ASTM A392)
3. BARBED WIRE TO CONSIST OF 3 NO. 12-1/2 GA. GALVANIZED STEEL WIRE WITH 4 POINT BARBS NO. 14 GA. GALVANIZED STEEL.
4. POST, RAIL, AND GATE FITTINGS TO BE PRESSED STEEL OR MALLEABLE CASTING. (ASTM A153)
5. ALL POSTS SHALL HAVE WEATHER CAPS INSTALLED.
6. POSTS TO SET IN 2000 PSI CONCRETE. BOTTOM OF CONCRETE TO BE 2" MIN. FROM BOTTOM OF POST.
7. THE WIRES TO BE 9 GA. ALUMINUM SPACED AT 12" O.C. POSTS/GATES AND 24" O.C. RAILS/WIRE.
8. TENSION BARS TO BE 5/16 x 3/4 INCH CARBON STEEL ATTACHED TO TERMINAL POSTS BY MEANS OF BEVELED END BANDS.
9. PROVIDE TWO GATE KEEPER HOOK OPEN DEVICES FOR SWING GATES. GATE KEEPERS TO ALLOW GATES TO OPEN APPROX. 180 DEGREES.
10. PROVIDE COMBINATION LOCK FOR COMPOUND GATE AND ONE LOCK FOR ANY OTHER GATE (I.E. ACCESS GATE, GUY WIRE GATE, ETC.).
11. INSTALL 1/2 INCH COLOR MATCHING AGGREGATE SLATING (PDS) IN FENCE FABRIC FOR SCREENING.

1 STANDARD PANEL SECTION
C6 SCALE: NTS



GENERAL NOTES

1. FILTER FABRIC FENCE SHALL BE A MINIMUM OF 32" IN WIDTH AND SHALL HAVE A MINIMUM OF 6 LINE WIRES WITH 12" STAY SPACING.
2. WOVEN FILTER FABRIC BE USED WHERE SILT FENCE IS TO REMAIN FOR A PERIOD OF MORE THAN 30 DAYS.
3. STEEL POSTS SHALL BE 5'-0" IN HEIGHT AND BE OF THE SELF-FASTENER ANGLE STEEL TYPE.
4. TURN SILT FENCE UP SLOPE AT ENDS.
5. ORANGE SAFETY FENCE IS REQUIRED AT BACK OF SILT FENCE WHEN GRADING IS ADJACENT TO SWIM BUFFERS, STREAMS OR WETLANDS. (REFER TO SWIM BUFFER GUIDELINES). THE COLOR ORANGE IS RESERVED FOR VISUAL IDENTIFICATION OF ENVIRONMENTALLY SENSITIVE AREAS.
6. DRAINAGE AREA CAN NOT BE GREATER THAN 1/4 ACRE PER 100 FT OF FENCE.
7. SLOPE LENGTHS CAN NOT EXCEED CRITERIA SHOWN IN TABLE 8.62A NORTH CAROLINA EROSION AND SEDIMENT CONTROL PLANNING AND DESIGN MANUAL.
8. DO NOT INSTALL SEDIMENT FENCE ACROSS STREAMS, DITCHES, WATERWAYS OR OTHER AREAS OF CONCENTRATED FLOW.

MAINTENANCE NOTES:

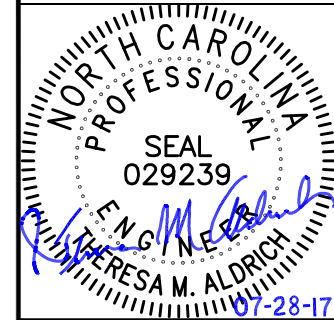
1. FILTER BARRIERS SHALL BE INSPECTED BY THE FINANCIALLY RESPONSIBLE PARTY OR HIS AGENT IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL ANY REPAIRS NEEDED SHALL BE MADE IMMEDIATELY.
2. SHOULD THE FABRIC DECOMPOSE OR BECOME INEFFECTIVE PRIOR TO THE END OF THE EXPECTED USABLE LIFE AND THE BARRIER STILL IS NECESSARY, THE FABRIC SHALL BE REPLACED PROMPTLY.
3. SEDIMENT DEPOSITS SHOULD BE REMOVED WHEN DEPOSITS REACH APPROX. HALF THE HEIGHT OF THE BARRIER. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AT THE END OF THE SUEWATER REPAIR SHALL BE DRESSED TO CONFORM TO THE EXISTING GRADE, PREPARED AND SEEDED.

NOT TO SCALE

TEMPORARY SILT FENCE

3 SILT FENCE DETAIL
C6 SCALE: NTS

REV. DATE
10/14/09
STD. NO.
507.1



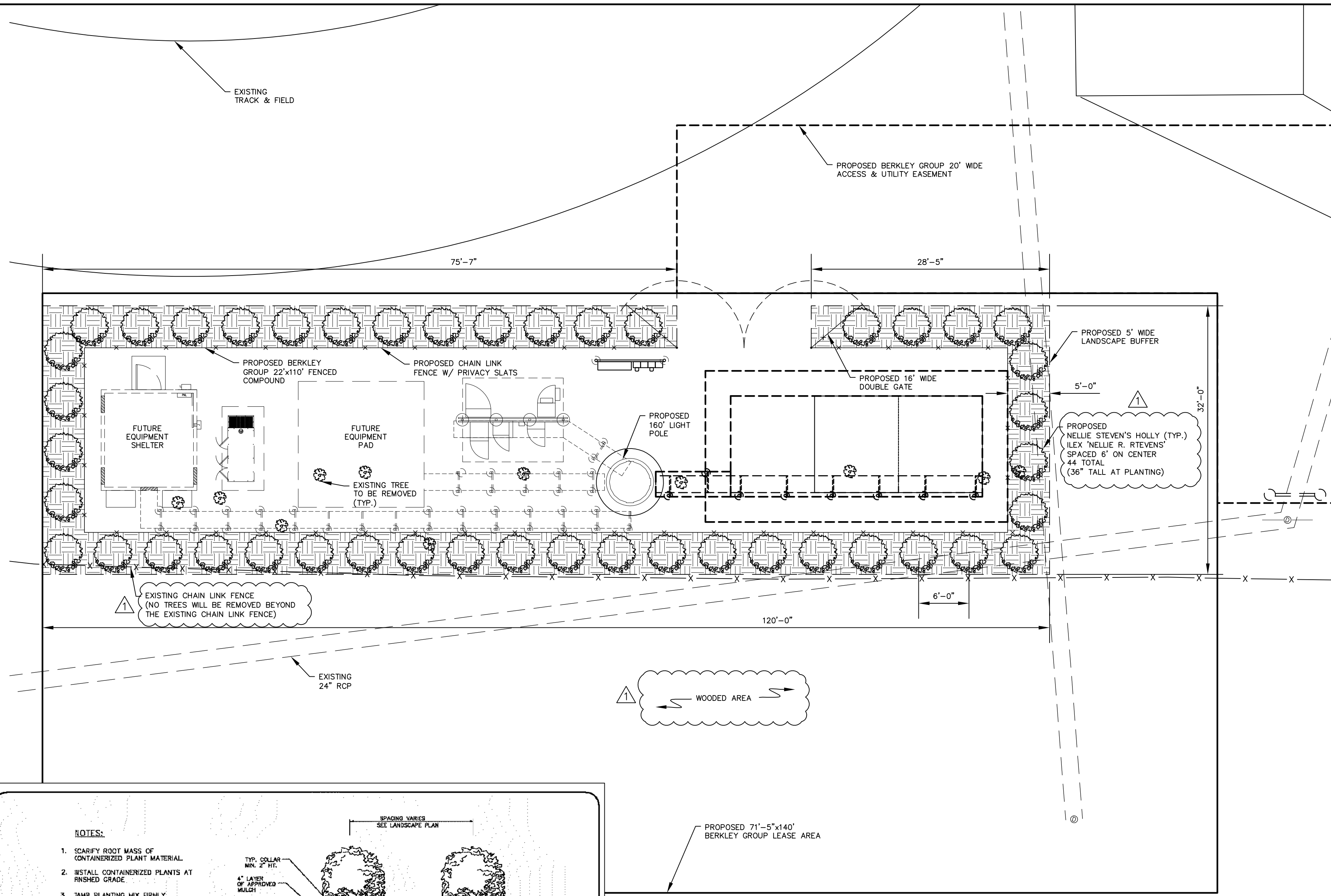
BASE TRANSCIVER SITE
BRADLEY MIDDLE SCHOOL
BRADLEY SITE NAME: FRANCIS BRADLEY
13389 BEATTIES FORD ROAD
HUNTERVILLE, NC 28078
MECKLENBURG COUNTY
NORTH CAROLINA

BERKLEY GROUP LLC
SPECIAL USE PERMIT FOR A CELL TOWER
EPM # 377075

REVISION	DATE
ISSUED FOR CONSTRUCTION	08/27/18
REVISED PER TOWN OF HUNTERVILLE COMMENTS	07/26/17

PROJECT NUMBER:
14049.013
SHEET CONTENTS:
**LANDSCAPE PLAN
AND DETAIL**

SHEET NUMBER:
C6



NOTES:

1. SCARIFY ROOT MASS OF CONTAINERIZED PLANT MATERIAL.
2. INSTALL CONTAINERIZED PLANTS AT FINISHED GRADE.
3. TAMP PLANTING MIX FIRMLY. 1/8 PIT IS FILLED AROUND EACH PLANT BALL.
4. CHIT COLLAR AROUND EACH SHRUB WHEN IRRIGATION SYSTEM IS PRESENT.
5. SOAK EACH PLANT BALL AND RT IMMEDIATELY AFTER INSTALLATION.

TYPICAL PLANTING BED DETAIL

TYPICAL PLANTING BED PLAN

TYPICAL BED CROWNING

NOT TO SCALE

REV. DATE
10/14/09
STD. No.
610.1

Town of Huntersville
STANDARD DRAWING
NORTH CAROLINA

SHRUB PLANTING BED





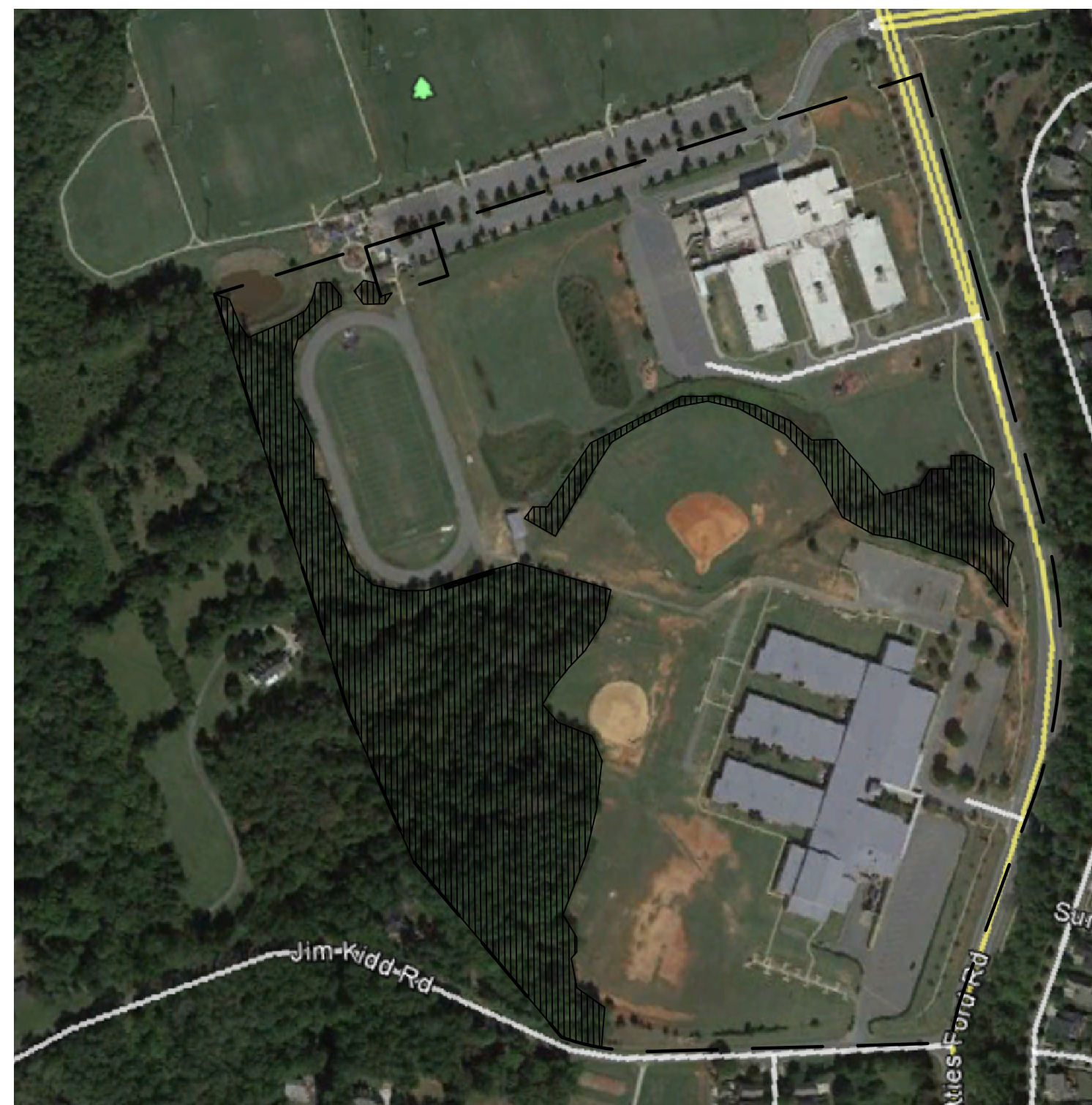
TOTAL WOODED AREA: 14.51 AC



TOTAL WOODED AREA: 6.88 AC



TOTAL WOODED AREA: 9.21 AC



TOTAL WOODED AREA: 12.03 AC

WOODED AREA OF ENTIRE SITE PRIOR TO DEVELOPMENT (1993): 14.51 ACRES
WOODED AREA REMOVED FOR MIDDLE SCHOOL (1998): 7.63 ACRES
WOODED AREA ADDED BETWEEN 1998 AND 2008: 4.55 ACRES
WOODED AREA REMOVED FOR ELEMENTARY SCHOOL (2008): 2.22 ACRES
WOODED AREA REMOVED FOR DEVELOPING ELEMENTARY SCHOOL (2008): 9.21 ACRES
WOODED AREA ADDED BETWEEN 2008 AND 2016: 2.82 ACRES
WOODED AREA PRIOR CELL TOWER DEVELOPMENT: 12.03 ACRES
WOODED AREA BEING REMOVED FOR CELL TOWER: 0.03 ACRE
WOODED AREA REMAINING AFTER CELL TOWER DEVELOPMENT: 12.00 ACRES
PERCENTAGE OF WOODED AREA REMAINING VERSUS WHAT WAS ORIGINALLY THERE: 83%

WOODED AREA REMOVED FOR MIDDLE SCHOOL (1998): 7.63 ACRES

WOODED AREA ADDED BETWEEN 1998 AND 2008: 4.55 ACRES

WOODED AREA AFTER DEVELOPING ELEMENTARY SCHOOL (2008): 9.21 ACRES

WOODED AREA ADDED BETWEEN 2008 AND 2016: 2.82 ACRES
WOODED AREA PRIOR CELL TOWER DEVELOPMENT: 12.03 ACRES

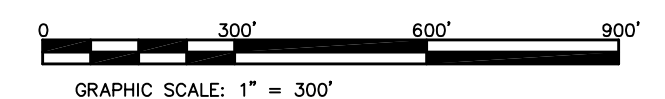
WOODED AREA BEING REMOVED FOR CELL TOWER: 0.03 ACRE

WOODED AREA REMAINING AFTER CELL TOWER DEVELOPMENT: 12.9

PERCENTAGE OF WOODED AREA REMAINING VERSUS WHAT WAS ON

TREE SAVE CALCULATIONS
 - 83 % OF ORIGINAL TREE AREA REMAINS

TREE SAVE CALCULATIONS
 - 83 % OF ORIGINAL TREE AREA REMAINS
 - NO SPECIMEN TREES BEING REMOVED
 - (6) 4" OAK TREES TO BE REMOVED
 (1) 8" MAPLE AND (1) 10" MAPLE TO BE REMOVED
 (3) 12" PINE TREES TO BE REMOVED
 (SEE V3 FOR LOCATION OF TREES TO BE REMOVED)





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Statement of Special Inspections

Statement Date: XX-XX-16

Project Name: Berkley Group Bradley Telecommunications Tower Site

Building Permit Number: _____

Project Address: 13359 Beatties Ford Rd., Charlotte, NC 28078

Registered Design Professional in Responsible Charge (RDP/RC): Theresa M. Aldrich

The following information is being submitted in accordance with the Special Inspection provisions of the North Carolina State Building Code. Attached to this Statement of Special Inspections (SSI) is the Schedule of Special Inspections (SOSI) required for this project. This completed form is required to be placed on the drawings for plan review. After permit issuance, a listing of the Special Inspection Firms (SIF) and the Designated Special Inspectors (DSI) for each inspection type will be attached to this form and uploaded to www.meck-si.com prior to scheduling the Pre-Construction Meeting with Mecklenburg County Code Enforcement. No work is permitted to be performed prior to the Special Inspections Pre-Construction Meeting (see the meck-si.com website for details).

This and all subsequent reports, logs, testing results, and other related documents shall be uploaded to the meck-si.com website within 10 business days of the event documented. Only documents that are prepared by Authorized Special Inspectors (ASIs) and signed/sealed by Designated Special Inspectors (DSIs) are valid and are permitted to be uploaded to the meck-si.com website. The DSI will verify the Department upon the discovery of information that would constitute a result of an information posted on meck-si.com, and update said information within 10 days.

The DSI is responsible for verifying all information on each document prior to signing/sealing and uploading it. The DSI is responsible for verifying each document that is uploaded and stored on the meck-si.com website, is the correct document and it is associated with the correct attributes for storage in the database on meck-si.com. The DSI is responsible for deleting any documents that have incorrect attributes or contain errors, and reuploading the correct information or document onto meck-si.com. The DSI is responsible for verifying all ASIs maintain current certifications during the course of the project, as failure to maintain current certifications may result in a voided document. At the conclusion of each individual Special Inspection type, the DSI will complete a Final Report and upload it to the meck-si.com website. The RDP/RC is responsible for completing the RDP/RC Letter at the conclusion of all Special Inspections.

The Special Inspection program outlined herein, does not relieve the Contractor or any other entity of any contractual duties, including quality control, quality assurance, or safety. The Contractor is solely responsible for construction means, methods, and job execution. Failure to adhere to the SSI program as outlined herein, and on meck-si.com, may result in a stop work order being issued by the Department.

Respectfully submitted,
The Registered Design Professional in Responsible Charge.

Theresa M. Aldrich
Type/print Name

Signature Date
Licensed Professional Seal

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IT-5 REINFORCED CONCRETE (Refer to NCBC Sections 1904, 1911, 1912 & 1913)

Check if required	Inspection Task	C	P	Standard	Notes / Comments
<input checked="" type="checkbox"/>	Inspection of reinforcing steel, including pre-stressing tendons and placement	<input type="checkbox"/>	<input type="checkbox"/>	ACI 318: 3.5, 7.1-7.7, NCBC 1913.4	
<input type="checkbox"/>	Inspection of reinforcing steel welding in accordance with Table 1704.3, Item 5b	<input type="checkbox"/>	<input type="checkbox"/>	AWS 01.4-98; ACI 318: 3.5.2	
<input checked="" type="checkbox"/>	Inspection of bolts to be installed in concrete prior to and during placement of concrete where allowable loads have been increased or where strength design is used.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ACI 318: 8.1.3, 21.2.8; NCBC 1911.5, 1912.1	
<input type="checkbox"/>	Inspection of anchors installed in hardened concrete	<input type="checkbox"/>	<input type="checkbox"/>	ACI 318: 3.8.6, 8.1.3, 11.2.8; NCBC 1912.1	
<input checked="" type="checkbox"/>	Verifying use of required design mix	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ACI 318: Ch. 4, 5.2-5.6; NCBC 1904.3, 1913.3	
<input checked="" type="checkbox"/>	At the time fresh concrete is sampled to fabricate specimens for strength tests, perform slump and air content tests, and determine the temperature of the concrete	<input type="checkbox"/>	<input type="checkbox"/>	ASTM C 172; ASTM C 31; ACI 318: 5.6, 5.8; NCBC 1913.10	
<input type="checkbox"/>	Inspection of concrete and shotcrete placement for proper application techniques	<input type="checkbox"/>	<input type="checkbox"/>	ACI 318: 5.9, 5.10; NCBC 1913.6, 1913.7, 1913.8	
<input type="checkbox"/>	Inspection for maintenance of specified curing temperature and techniques	<input type="checkbox"/>	<input type="checkbox"/>	AWS 01.4-98: 5.11-5.13; NCBC 1913.9	
<input type="checkbox"/>	Inspection of pre-stressed concrete: a. Application of pre-stressing forces b. Grouting of bonded pre-stressing tendons in the seismic-force-resisting system	<input type="checkbox"/>	<input type="checkbox"/>	ACI 318: 18.20 ACI 318: 18.18.4	
<input type="checkbox"/>	Erection of precast concrete members	<input type="checkbox"/>	<input type="checkbox"/>	ACI 318: Ch. 16	
<input type="checkbox"/>	Verification of in-situ concrete strength, prior to stressing of tendons in post-tensioned concrete and prior to removal of shores and forms from beams and structural slabs	<input type="checkbox"/>	<input type="checkbox"/>	ACI 318: 6.2	
<input type="checkbox"/>	Inspect formwork for shape, location and dimensions of the concrete members being formed	<input type="checkbox"/>	<input type="checkbox"/>	ACI 318: 6.1.1	

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SCHEDULE OF SPECIAL INSPECTIONS

Project Name: Berkley Group Bradley Telecommunications Tower Site

Code Enforcement Project Number: XXXXXX Permit Number: _____

Project Address: 13359 Beatties Ford Rd., Charlotte, NC 28078

Date: XX-XX-16 Revised Date: _____

Unless noted otherwise, all of the indicated Inspections below will be performed by the following Special Inspections Firm: _____

Instructions for completing the Schedule of Special Inspections Form

1. Indicate the Inspection Type (IT-#) required for this project per NCBC section 1704.
2. Indicate whether Special Inspections are Continuous (C), Periodic (P) or both by checking the appropriate box. Per requirements of the listed Standard
3. Insure the scope meets NCBC section 1704 and other applicable standards for each Inspection Type.

Note This form and the Statement of Special Inspections must be included on a plan sheet as part of the plan submittal for this project.

The following Special Inspections are required for this project: (C=continuous, P=periodic)

IT-1 VERIFICATION OF SOILS (Refer to NCBC Table 1704.7)

Check if required	Inspection Task	C	P	Standard	Notes / Comments
<input type="checkbox"/>	Verify materials below shallow foundation are adequate to achieve the design bearing capacity	<input type="checkbox"/>	<input type="checkbox"/>	Table 1704.7, #1.	
<input type="checkbox"/>	Perform classification and testing of compacted fill materials	<input type="checkbox"/>	<input type="checkbox"/>	Table 1704.7, #3.	

IT-2 EXCAVATION AND FILL (Refer to NCBC Table 1704.7)

Check if required	Inspection Task	C	P	Standard	Notes / Comments
<input checked="" type="checkbox"/>	Verify excavations are extended to proper depth and have reached proper material	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Table 1704.7, #2.	
<input type="checkbox"/>	Verify use of proper materials, densities and lift thicknesses during placement and compaction of compacted fill	<input type="checkbox"/>	<input type="checkbox"/>	Table 1704.7, #4.	
<input type="checkbox"/>	Prior to placement of compacted fill, observe sub-grade and verify that site has been prepared properly	<input type="checkbox"/>	<input type="checkbox"/>	Table 1704.7, #5.	

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IT-6 POST TENSION SLAB-ON-GROUND & POST TENSION CONCRETE

Check if required	Inspection Task	C	P	Standard	Notes / Comments
<input type="checkbox"/>	All pre-stressed concrete design in construction to be in accordance with ACI 318-08	<input type="checkbox"/>	<input type="checkbox"/>	ACI 311: 6.2; NCBC Table 1704.4 Item #11	Also see IT-5 & IT-13

IT-7 PRECAST CONCRETE ERECTION

Check if required	Inspection Task	C	P	Standard	Notes / Comments
<input type="checkbox"/>	Precast concrete erection	<input type="checkbox"/>	<input type="checkbox"/>	NCBC Table 1704.4 Item #10	
<input type="checkbox"/>	Precast concrete fabricated in a certified plant	<input type="checkbox"/>	<input type="checkbox"/>	NCBC Section 1704.2	Also see IT-3

IT-8 PRESTRESSED CONCRETE

Check if required	Inspection Task	C	P	Standard	Notes / Comments
<input type="checkbox"/>	All pre-stressed concrete design and construction to be in accordance with ACI 318-08	<input type="checkbox"/>	<input type="checkbox"/>	ACI 311: 6.2.	Also see IT-5 & IT-13

IT-9 INSPECTION OF PRECAST CONCRETE FABRICATORS

Check if required	Inspection Task	C	P	Standard	Notes / Comments
<input type="checkbox"/>	Inspection of fabricators to be in accordance with the requirements set forth in NCBC Section 1704.2	<input type="checkbox"/>	<input type="checkbox"/>	NCBC 1704.2	

IT-10 INSPECTION OF STRUCTURAL STEEL FABRICATORS

Check if required	Inspection Task	C	P	Standard	Notes / Comments
<input type="checkbox"/>	Welding inspections shall be in compliance with AWS D1.1. The base for welding qualifications shall be AWS D1.1	<input type="checkbox"/>	<input type="checkbox"/>	AWS D1.1: 3.04 NCBC 1704.2	

IT-11 STRUCTURAL MASONRY (Refer to NCBC Tables 1704.5.1 & 1704.5.3)

Check if required	Inspection Task	C	P	Standard	Notes / Comments
<input type="checkbox"/>	Level 1 (Table 1704.5.1)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Compliance with required inspection provisions of the construction documents and the approved submittals shall be verified	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 3.1	

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IT-3 PILINGS AND DRILLED PIERS (Refer to NCBC Tables 1704.8, 1704.9 & Section 1704.10)

Check if required	Inspection Task	C	P	Standard	Notes / Comments
<input type="checkbox"/>	Driven Deep Foundations	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Verify element materials sizes and lengths comply with the requirements	<input type="checkbox"/>	<input type="checkbox"/>	Table 1704.8, #1.	
<input type="checkbox"/>	Determine capacities of test elements and conduct additional load tests as required	<input type="checkbox"/>	<input type="checkbox"/>	Table 1704.8, #2.	
<input type="checkbox"/>	Observe driving operations and maintain complete and accurate records for each element	<input type="checkbox"/>	<input type="checkbox"/>	Table 1704.8, #3.	
<input type="checkbox"/>	Verify placement locations and plumb, confirm type and size of hammer, record number of blows per foot of penetration, determine required penetrations to achieve design capacity, record tip and butt elevations and document any damage to foundation element	<input type="checkbox"/>	<input type="checkbox"/>	Table 1704.8, #4	
<input type="checkbox"/>	For steel elements, perform additional inspections in accordance with Section 1704.3	<input type="checkbox"/>	<input type="checkbox"/>	Table 1704.8, #5	
<input type="checkbox"/>	For concrete elements and concrete-filled elements, perform additional inspections in accordance with Section 1704.4	<input type="checkbox"/>	<input type="checkbox"/>	Table 1704.8, #6	
<input type="checkbox"/>	For specialty elements, perform additional inspections as determined by the registered design professional in responsible charge	<input type="checkbox"/>	<input type="checkbox"/>	Table 1704.8, #7	
<input checked="" type="checkbox"/>	Cast-in-place Deep Foundations	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	Observe drilling operations and maintain complete and accurate records for each element	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Table 1704.9, #1.	
<input checked="" type="checkbox"/>	Verify placement locations and plumb, confirm element diameters (if applicable), lengths, embedment into bedrock (if applicable) and adequate end-bearing strata capacity. Record concrete or grout volume	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Table 1704.9, #2	
<input type="checkbox"/>	For concrete elements, perform additional inspections in accordance with section 1704.4	<input type="checkbox"/>	<input type="checkbox"/>	Table 1704.9, #3	

IT-4 MODULAR RETAINING WALLS (Refer to NCBC Sections 1610, 1704.15 & 1807.2)

Check if required	Inspection Task	C	P	Standard	Notes / Comments
<input type="checkbox"/>	Modular retaining walls Verify materials below shallow foundation are adequate to achieve the design bearing capacity	<input type="checkbox"/>	<input type="checkbox"/>	Table 1704.7, #1.	

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Last Revision: 10/30/2014

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<input type="checkbox"/>	Verification of f_{cm} and f_{cm} prior to construction except where specifically exempted by this code	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 1.4B	
<input type="checkbox"/>	Verification of slump flow and VSI is delivered to the site for self-consolidating grout	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 1.5B.1.b.3	
<input type="checkbox"/>	As masonry construction begins, the following shall be verified to ensure compliance: a. Proportions of site-prepared mortar b. Construction of mortar joints c. Location of reinforcement connectors, pre-stressing tendons and anchorage d. Pre-stressing technique e. Grade and size of pre-stressing tendons and anchorage	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 2.5A Art. 3.3B Art. 3.4, 3.6A Art. 3.4B Art. 2.4B, 2.4H	
<input type="checkbox"/>	During construction the inspection program shall verify: a. Size and location of structural elements b. Type, size and location of anchors, including other details of anchorage of masonry to structural members, frames or other construction c. Specified size, grade and type of reinforcement, anchor bolts, pre-stressing tendons and anchorages d. Welding of reinforcing bars e. Preparation, construction and protection of masonry during cold weather (temperature below 40°F) or hot weather (temperatures above 90°F) f. Application and measurement of pre-stressing force	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 3.3F TMS 602/ACI 530.1/ASCE 5 Sec 1.2.2(e), 1.16.1 TMS 602/ACI 530.1/ASCE 5 Sec 1.5B TMS 602/ACI 530.1/ASCE 6 Art. 2.4, 3.4 TMS 602/ACI 530.1/ASCE 5 Sec 1.5 TMS 602/ACI 530.1/ASCE 6 Art. 1.3C, 1.8D & NCBC 1104.3, 2104.4 TMS 602/ACI 530.1/ASCE 6 Art. 3.4B	
<input type="checkbox"/>	Prior to grouting, the following shall be verified to ensure compliance: a. Grout space is clean b. Placement of reinforcement and connectors, pre-stressing tendons and anchorage c. Proportions of site-prepared grout and pre-stressing grout for bonded tendons d. Construction of mortar joints	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 3.3D TMS 602/ACI 530.1/ASCE 6 Art. 3.4 & TMS 602/ACI 530.1/ASCE 5 Sec 1.3 TMS 602/ACI 530.1/ASCE 6 Art. 2.4B Art. 3.3B	

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BASE TRANSCIVER SITE
BRADLEY MIDDLE SCHOOL
VERIZON SITE NAME: FRANCIS BRADLEY
13359 BEATTIES FORD ROAD
HUNTERSVILLE, NC 28078
MECKLENBURG COUNTY
NORTH CAROLINA

BERKLEY GROUP LLC
SPECIAL USE PERMIT FOR A CELL TOWER
EPW # 377075

DATE	REVISION
04/11/16	ISSUED FOR OWNER'S REVIEW
04/29/16	REVISED PER OWNER'S COMMENTS
07/26/17	REVISED PER TOWN OF HUNTERSVILLE COMMENTS

PROJECT NUMBER:
14049.013

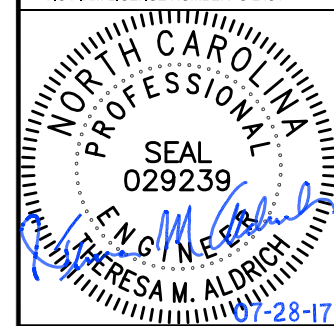
SHEET CONTENTS:

SPECIAL
INSPECTIONS

(SHEET 1 OF 2)

SHEET NUMBER:

SP1



BASE TRANSCIVER SITE
BRADLEY MIDDLE SCHOOL
VERIZON SITE NAME: FRANCIS BRADLEY
13380 BEATTIES FORD ROAD
HUNTERSVILLE, NC 28078
MECKLENBURG COUNTY
NORTH CAROLINA

BERKLEY GROUP LLC

SPECIAL USE PERMIT FOR A CELL TOWER
EPM #: 377075

DATE	REVISION
04/11/16	ISSUED FOR OWNER'S REVIEW
04/28/16	REVISED PER OWNER'S COMMENTS
07/26/17	REVISED PER TOWN OF HUNTERSVILLE COMMENTS

PROJECT NUMBER:
14049.013

SHEET CONTENTS:

SPECIAL INSPECTIONS

(SHEET 2 OF 2)

SHEET NUMBER:

SP2

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<input type="checkbox"/>	GROUT placement shall be verified to ensure compliance:	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 3.3	
<input type="checkbox"/>	a. Grouting of pre-stressing bonded tendons	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 3.3	
<input type="checkbox"/>	Preparation of any required grout specimens, mortar specimens and / or prisms shall be observed	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 1.4 NCBC 1105.2.2, 2105.3	
Level 2 (Table 1704.5.3)					
<input type="checkbox"/>	Compliance with required inspection provisions of the construction documents and the approved submittals	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 1.3	
<input type="checkbox"/>	Verification of f'_{cm} and f'_{m} prior to construction and for every 5,000 square feet during construction	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 1.4B	
<input type="checkbox"/>	Verification of proportions of materials in premix or preblended mortar and grout as delivered to the site	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 1.3B	
<input type="checkbox"/>	Verification of slump flow and VSI as delivered to the site for self-consolidating grout	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 1.3B.1.b.3	
<input type="checkbox"/>	The following shall be verified to ensure compliance:				
	a. Proportions of pre-prepared mortar, grout and pre-stressing grout for bonded tendons	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 2.4A	
	b. Placement of masonry units and construction of mortar joints	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 3.3B	
	c. Placement of reinforcement, connectors and pre-stressing tendons and anchorages	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 3.4, 3.4A TMS 402/ACI 530/ASCE 5 Sec 1.75	
	d. Grout space prior to grout	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 3.3D	
	e. Placement of grout	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 3.3	
	f. Placement of pre-stressing grout	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 3.3C	
	g. Size and location of structural elements	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 3.3F	
	h. Type, size and location of anchors, including other details of anchorage of masonry to structural members, frames or other construction	<input type="checkbox"/>	<input type="checkbox"/>	TMS 402/ACI 530/ASCE 5 Sec 1.2.2(e), 1.16.1	

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<input type="checkbox"/>	i. Specified size, grade and type of reinforcement, anchor bolts, pre-stressing tendons and anchorages	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 2.4, 3.4 TMS 402/ACI 530/ASCE 5 Sec 1.75	
<input type="checkbox"/>	j. Welding of reinforcing bars	<input type="checkbox"/>	<input type="checkbox"/>	TMS 402/ACI 530/ASCE 5 Sec 2.1.9.7.2, 3.3.4(b)	
<input type="checkbox"/>	k. Preparation, construction and protection of masonry during cold weather (temperatures below 40° F) or hot weather (temp above 90° F)	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 1.1C, 1.8D NCBC Sec 2104.3, 2104.4	
<input type="checkbox"/>	l. Application and measurement of pre-stressing force	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 3.4B	
<input type="checkbox"/>	Preparation of any required grout specimens and / or prisms shall be observed	<input type="checkbox"/>	<input type="checkbox"/>	TMS 602/ACI 530.1/ASCE 6 Art. 1.4 NCBC Sec 2105.2.2, 2105.3	

IT-12 WELDING

Check if required	Inspection Task	C	P	Standard	Notes / Comments
<input type="checkbox"/>	Welding inspections shall be in compliance with AWS D1.1. The base for welding qualifications shall be AWS D1.1	<input type="checkbox"/>	<input type="checkbox"/>	AWS D1.1-04 NCBC :704.2	

IT-13 HIGH-STRENGTH BOLTING & STEEL FRAME INSPECTIONS (Refer to 1704.3)

Check if required	Inspection Task	C	P	Standard	Notes / Comments
<input checked="" type="checkbox"/>	Material verification of high-strength bolts, nuts and washers must be inspected for:		<input checked="" type="checkbox"/>	ASCE 350, Section A3.3 & applicable ASTM material standards	
	a. Identification markings to conform to ASTM standards specified in the approved construction documents				
	b. Manufacturer's certificate of compliance required	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Inspection of high-strength bolting:				
	a. Snug-tight joints	<input type="checkbox"/>	<input type="checkbox"/>	ASCE 350, Section M2.5 NCBC :704.3.3	
	b. Pre-tensioned and slip-critical joints using turn-of-nut with match-marking, twist-off bolt or direct tension indicator methods of installation	<input type="checkbox"/>	<input type="checkbox"/>	ASCE 350, Section M2.5 NCBC :704.3.3	
	c. Pre-tensioned and slip-critical joint using turn-of-nut without match-marking or calibrated	<input type="checkbox"/>	<input type="checkbox"/>	ASCE 350, Section M2.5 NCBC :704.3.3	

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<input type="checkbox"/>	wrench methods of installation	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Material verification of structural steel and cold-formed steel deck:	<input type="checkbox"/>	<input type="checkbox"/>	ASCE 350, Section M5.5	
	• For structural steel, identification markings to conform to ASCE 350	<input type="checkbox"/>	<input type="checkbox"/>	Applicable ASTM material standards	
	• For other steel, identification markings to conform to ASTM standards specified in the approved construction documents	<input type="checkbox"/>	<input type="checkbox"/>		
	• Manufacturer's certified test reports	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Material verification of weld filler materials:	<input type="checkbox"/>	<input type="checkbox"/>	ASCE 350, Section A3.5 and applicable AWS A5 documents	
	• Inspection markings to conform to AWS specification in the approved construction documents	<input type="checkbox"/>	<input type="checkbox"/>		
	• Manufacturer's certificate test reports	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Inspection of welding:	<input type="checkbox"/>	<input type="checkbox"/>		
	a. Structural steel and cold-formed steel deck:	<input type="checkbox"/>	<input type="checkbox"/>	AWS E1.1, NCBC 1704.3.1	
	1. Complete and partial joint penetration groove welds	<input type="checkbox"/>	<input type="checkbox"/>	AWS E1.1, NCBC 1704.3.1	
	2. Multipass fillet welds	<input type="checkbox"/>	<input type="checkbox"/>	AWS E1.1, NCBC 1704.3.1	
	3. Single-pass fillet welds > 5/16"	<input type="checkbox"/>	<input type="checkbox"/>	AWS E1.1, NCBC 1704.3.1	
	4. Plug and slot welds	<input type="checkbox"/>	<input type="checkbox"/>	AWS E1.1, NCBC 1704.3.1	
	5. Single-pass fillet welds ≤ 5/16"	<input type="checkbox"/>	<input type="checkbox"/>	AWS E1.1, NCBC 1704.3.1	
	6. Floor and roof deck welds	<input type="checkbox"/>	<input type="checkbox"/>	AWS E1.3	
	b. Reinforcing steel:	<input type="checkbox"/>	<input type="checkbox"/>		
	1. Verification of weldability of reinforcing steel other than ASTM A 706	<input type="checkbox"/>	<input type="checkbox"/>	AWS E1.4, ACI 313:Sec 3.5.2	
	2. Reinforcing steel resisting flexural and axial forces in intermediate and special moment frames, and boundary elements of special structural walls of concrete and shear reinforcement	<input type="checkbox"/>	<input type="checkbox"/>	AWS E1.4, ACI 313:Sec 3.5.2	

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<input type="checkbox"/>	3. Shear reinforcement	<input type="checkbox"/>	<input type="checkbox"/>	AWS E1.4, ACI 311:Sec 3.5.2	
<input type="checkbox"/>	4. Other reinforcing steel	<input type="checkbox"/>	<input type="checkbox"/>	AWS E1.4, ACI 311:Sec 3.5.2	
<input type="checkbox"/>	Inspection of steel frame joint details for compliance:	<input type="checkbox"/>	<input type="checkbox"/>		
	a. Details such as bracing and stiffening	<input type="checkbox"/>	<input type="checkbox"/>	NCBC :704.3.2	
	b. Member locations	<input type="checkbox"/>	<input type="checkbox"/>	NCBC :704.3.2	
	c. Application of joint details at each connection	<input type="checkbox"/>	<input type="checkbox"/>	NCBC :704.3.2	

IT-14 SPRAYED FIRE-RESISTANT MATERIALS

Check if required	Inspection Task	C	P	Standard	Notes / Comments
<input type="checkbox"/>	Spray applied fire-resistant materials	<input type="checkbox"/>	<input type="checkbox"/>	NCBC :704.12	

IT-15 EXTERIOR INSULATION & FINISH SYSTEM (EIFS)

Check if required	Inspection Task	C	P	Standard	Notes / Comments
<input type="checkbox"/>	EIFS	<input type="checkbox"/>	<input type="checkbox"/>	NCBC :704.14	

IT-16 SEISMIC RESISTANCE

Check if required	Inspection Task	C	P	Standard	Notes / Comments
<input type="checkbox"/>	A quality assurance plan with seismic requirements shall be provided in accordance with section 1704	<input type="checkbox"/>	<input type="checkbox"/>	NCBC :704	

IT-17 SMOKE CONTROL

Check if required	Inspection Task	C	P	Standard	Notes / Comments
<input type="checkbox"/>	Inspection of smoke control system	<input type="checkbox"/>	<input type="checkbox"/>	NCBC :704.16	

IT-18 WOOD

Check if required	Inspection Task	C	P	Standard	Notes / Comments
<input type="checkbox"/>	Inspection of fabricators to be in accordance with the requirements set forth in NCBC Section 1704.2	<input type="checkbox"/>	<input type="checkbox"/>	NCBC :704.2	
<input type="checkbox"/>	Temp & permanent bracing on metal	<input type="checkbox"/>	<input type="checkbox"/>	NCBC :704.6	

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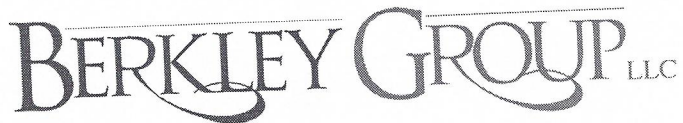
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	plate-connected trusses spanning 360"				
IT-19 SPECIAL CASES					
Check if required	Inspection Task	C	P	Standard	Notes / Comments
<input type="checkbox"/>	Racking	<input type="checkbox"/>	<input type="checkbox"/>	NCBC :707.5	
<input type="checkbox"/>	Retaining Walls	<input type="checkbox"/>	<input type="checkbox"/>	NCBC :807.2	
<input type="checkbox"/>	Special Events (as decided / required by Code Enforcement)	<input type="checkbox"/>	<input type="checkbox"/>	Per Mecklenburg County Policy	
<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>		

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July 25, 2017

Town of Huntersville - Planning and Zoning
Huntersville, NC

RE: Parcel 01308105
Letter regarding tower request and Section 9.9 of Town Ordinance

To The Town of Huntersville:

Berkley Group LLC respectfully submits this proposal to erect a 160' stealth light monopole telecommunications tower on the property commonly referred to as Francis Bradley Middle School at 13345 Beatties Ford Road. Berkley entered an agreement with the Charlotte Mecklenburg Board of Education on March 7, 2016 for this purpose as well as Verizon Wireless to engage in securing their needed wireless infrastructure.

This request is done after evaluating all of the neighboring sites and existing structures that could be potential collocations for Verizon Wireless. In addition, a community meeting was held to answer any questions that neighbors and those that were affiliated with the school might have. As you will see in the confidential propagation maps that are attached, the science of wireless transmission is very specific and this tower is needed to provide the wireless service that the residents, business owners and those passing by are demanding.

Section 9.9 - Town Ordinance - Berkley response

1. Submitted plans indicate a multi carrier pole and Berkley Group LLC submits this letter in good faith to lease space to others -- it is our common goal and objective to do such. Reference tower manufacturer drawings and drawings C2 and C4.
2. Attached propagation maps show need for the tower to provide improved and increased cellular coverage.
3. Design of tower is stealth and considered a light pole design - this was the request of those who attended community meeting in May 2015.
4. Fencing will be done according to Town plans. Reference drawing C6.
5. It is acknowledged that all unused facilities must be removed within 12 months of cessation of operation
6. No additional equipment will be stored or held at this facility.
7. This tower is designed to be a light pole design, however, will be for aesthetics only (non-functional lights) unless additional requests are made to the Town and or the FAA or FCC requires such lighting.
8. Screening will meet the town requirements. Reference Drawing C8.
9. This is the only proposed tower on this property.
10. Engineering plans as submitted meet the setback requirements. Reference drawing V1.

10612-D Providence Road, PMB 742
Charlotte, NC 28277

Tel 704-892-0688
Fax 704-892-0698

11. Tower plans as submitted meet the camouflaged requirements. Berkley worked diligently with the City of Charlotte to come up with this stealth tower design in this type of scenario. In addition, the location of this tower is very low (topographically) compared to the surrounding areas and will be very discreet.
12.
 - a.) The proposed tower height is 160'.
 - b.) The property the tower is being proposed on is 61.4 acres.
 - c.) The tower is 1183' from Beatties Ford Road and 1048' from Jim Kidd Road as shown on drawing V1.
 - d.) The tower will only have lighting per FAA and FCC requirements. The proposed lights at 40' are for aesthetics only and will be non-functional.
 - e.) The proposed tower is designed for 4 carriers. Reference tower manufacturer drawings and drawings C2 and C4.
 - f.) The closest occupied structure is approximately 465' west of the proposed structure. There is a storage building for sports equipment and tools located approx. 150' east of the proposed tower. It is not occupied.
 - g.) The proposed tower is a Monopole/Light Pole design.
 - h.) The closest existing communication tower is approx. 1.4 miles northeast of the proposed tower.

Essential Service:

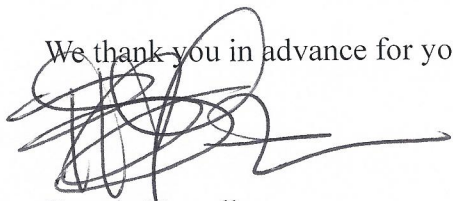
Over the past two decades, wireless service has become ubiquitous in the United States. Mobile telecommunications has evolved into a daily necessity and an essential public service for the vast majority of the citizens of Huntersville, North Carolina and the United States. Citizens are demanding and expecting quality, reliable wireless service for their daily lives, safety and medical use, and essential 911 service calls.

The backbone of any wireless system is the towers that allow for transmission and the equipment related to such. Obviously, without the tower as proposed and as seen in the attached propagation maps, the area has weak and declining service which we are proposing to improve upon. As one might see structures that support other essential services such as electricity, cable and water, this too is a structure that supports the demanded service. In this case, we believe we have sited and designed the tower to allow for the least amount of attention possible.

BERKLEY GROUP_{LLC}

We ask that you give our proposal serious and diligent consideration and ask questions that you may have. We will be prepared for those between now and our scheduled meetings. It is our desire to enhance your community with this wireless service and be a benefit to the very citizens of your community.

We thank you in advance for your consideration.

A handwritten signature in dark ink, appearing to be 'Bonnie Newell', with a long horizontal flourish extending to the right.

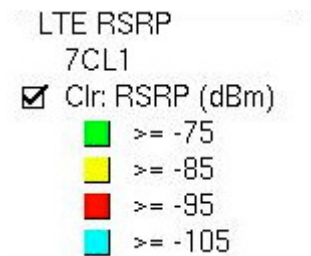
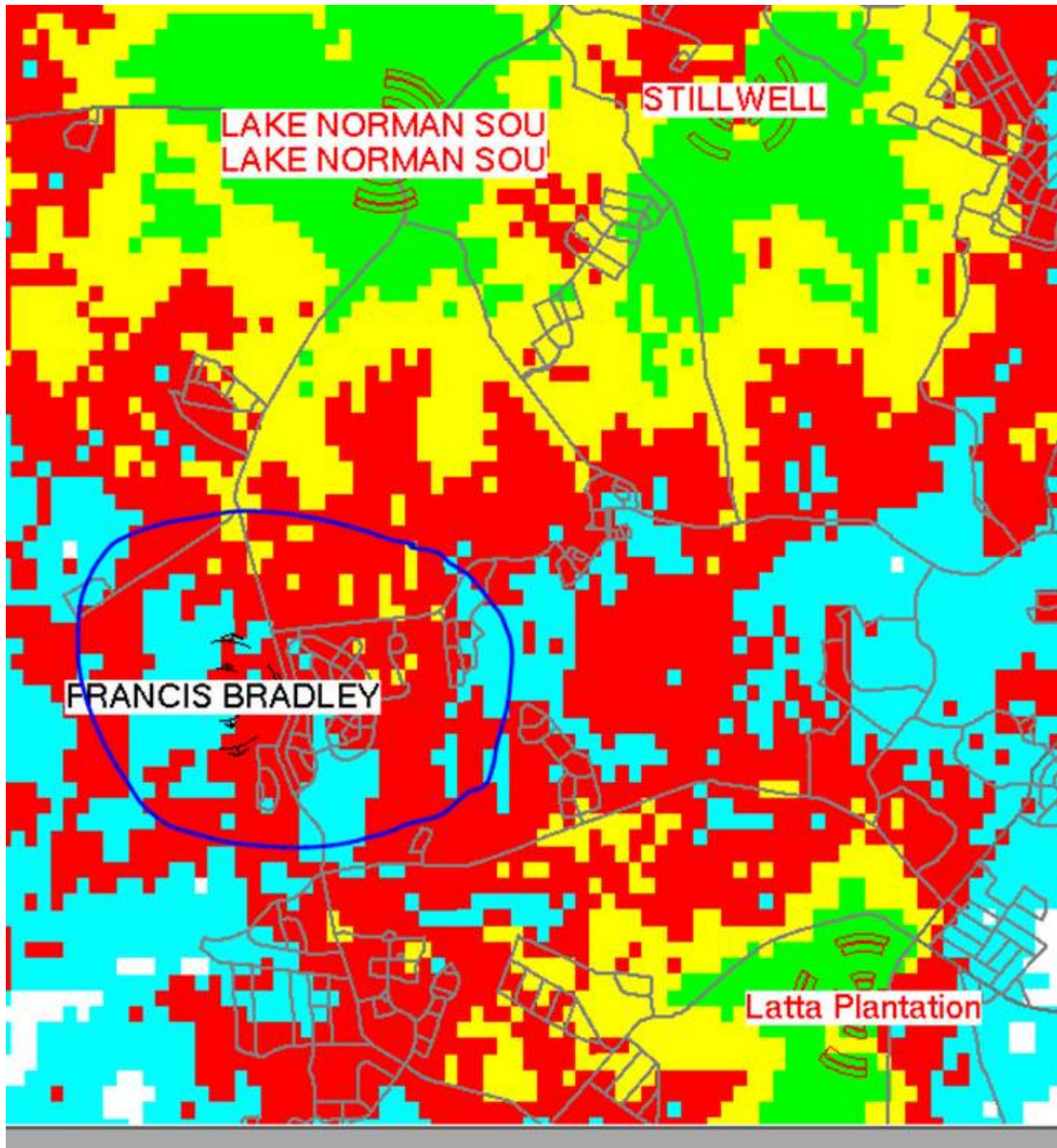
Bonnie Newell
Berkley Group LLC
704-907-7104

10612-D Providence Road, PMB 742
Charlotte, NC 28277

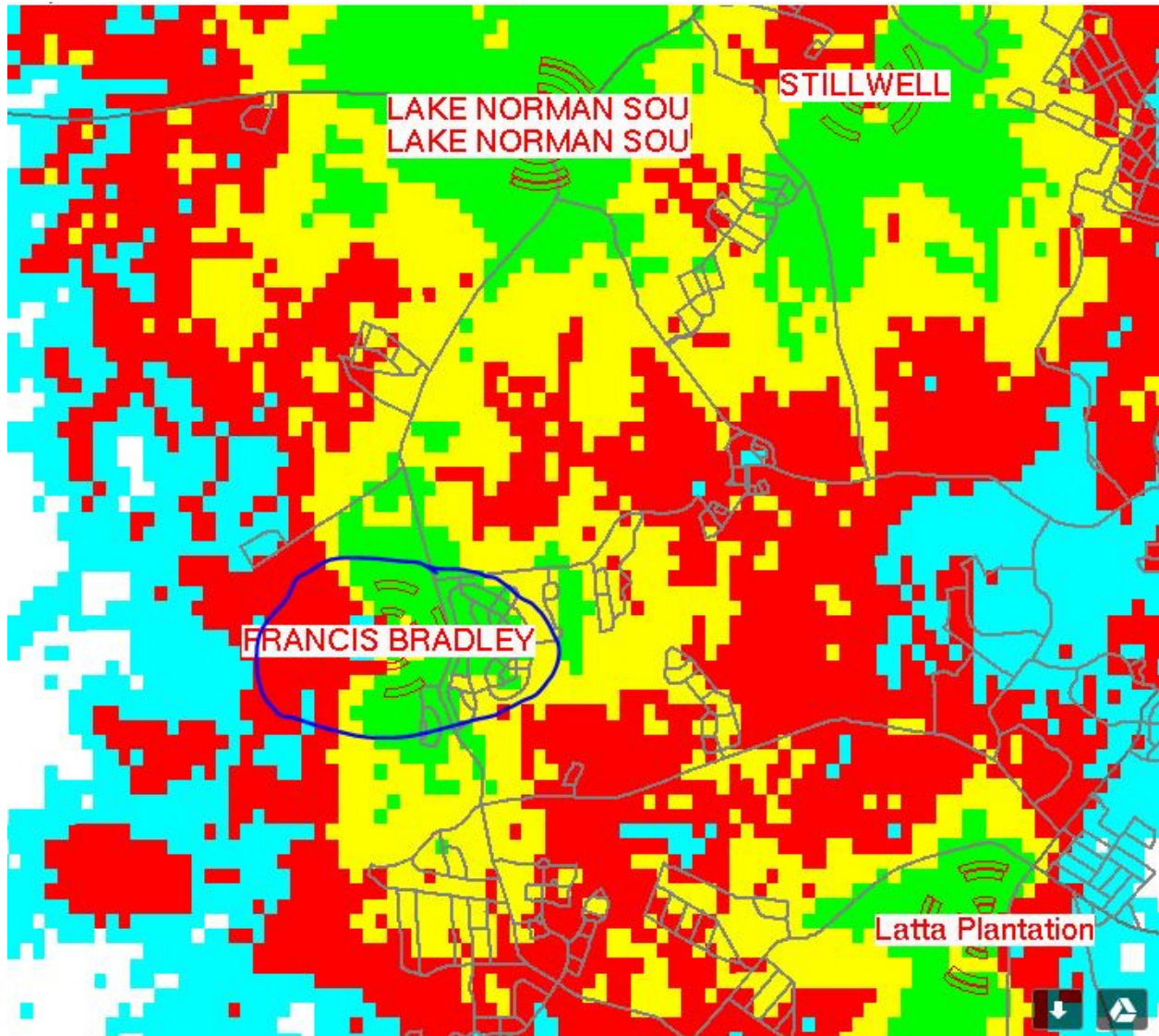
Tel 704-892-0688
Fax 704-892-0698

Note: The below Propagation Maps are confidential material and can not be disseminated in any public forum.

Verizon Propagation Map before construction of Proposed Tower



Verizon Propagation Map after construction of Proposed Tower



LTE RSRP

7CL1

☒ Clr: RSRP (dBm)

■ ≥ -75

■ ≥ -85

■ ≥ -95

■ ≥ -105

Storage building (unoccupied)



Front view



Back view



Side view



Side view



General Application

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

1. Application Type

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

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

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

SUBDIVISION CATEGORIES: *Per the Huntersville Subdivision Ordinance*

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

2. Project Data

Date of Application 6-1-17

Name of Project Berkley Group Bradley Middle School Telecommunication Site Phase # (if subdivision) _____

Location 13359 Beatties Ford Road, Huntersville, NC 28078

Parcel Identification Number(s) (PIN) 01308105

Current Zoning District Residential Proposed District (for rezonings only) _____

Property Size (acres) 61 Street Frontage (feet) Approx. 2100

Current Land Use School

Proposed Land Use(s) Add Telecommunication Tower site

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.

Obtain SUP approval for new telecommunications tower on Charlotte Mecklenburg Bradley Middle School 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

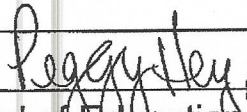
*Applicant's Signature  Printed Name Bonnie Newell

Address of Applicant 10612-D Providence Rd., PMB 742, Charlotte, NC 28277

Email b_newell@bellsouth.net

Property Owner's Signature (if different than applicant)

Printed Name Charlotte-Mecklenburg Board of Education

 ED of Facility Planning and Management

Property Owner's Address 600 E. 4th Street, Fifth Floor, Charlotte, NC 28202

Email

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

Berkley Group LLC **Bonnie Newell**

704 907-7104 b_newell@bellsouth.net

Development Firm Name of contact

Phone Email

AC&S Engineering, Inc **Terry Aldrich**

864 288-0553 terry.aldrich@acs-es.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
Planning Department
PO Box 664
Huntersville, NC 28070**

Phone:
Fax:
Physical Address:
Website:

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

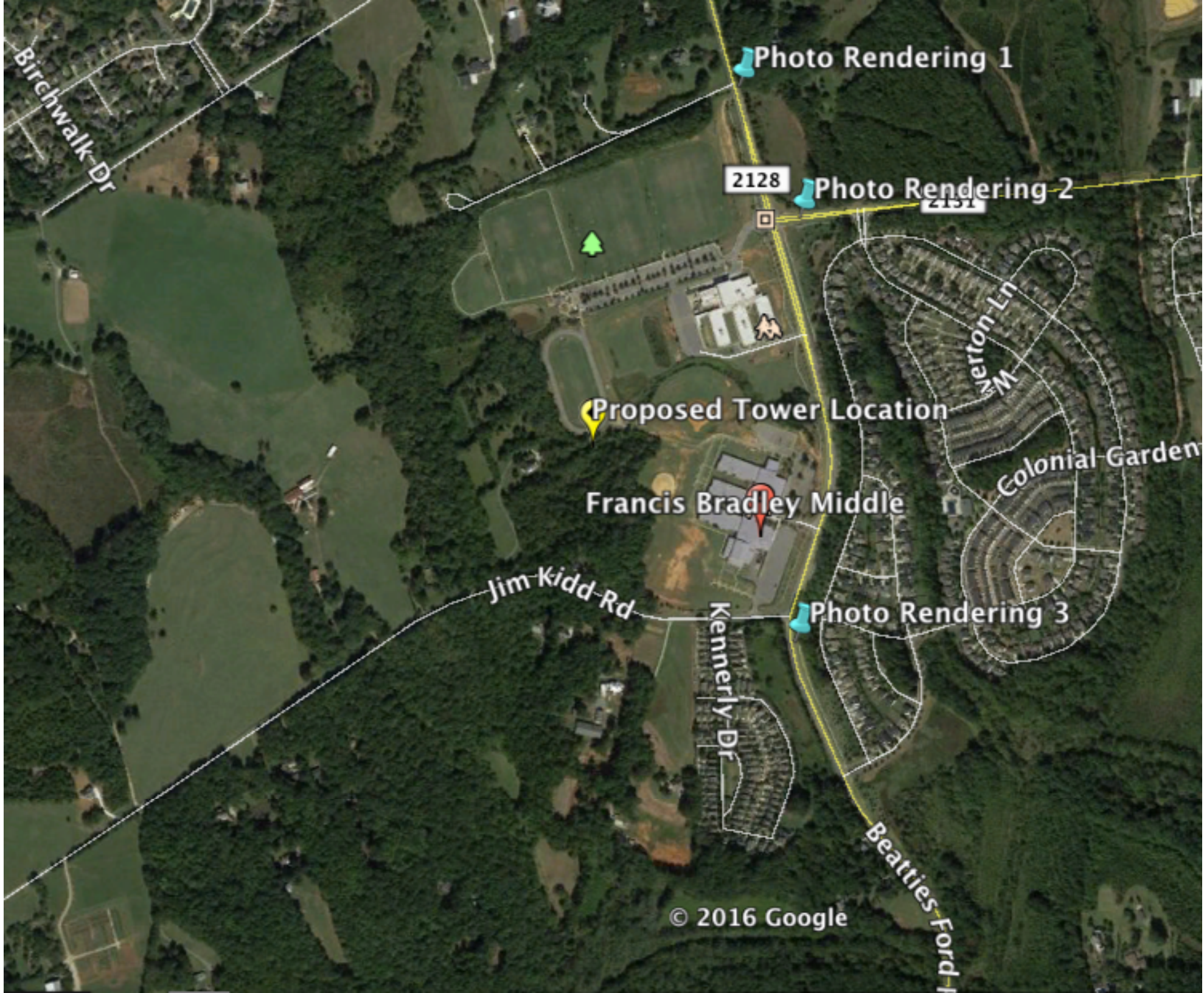


Photo Rendering 1

2128

Photo Rendering 2

4151

Proposed Tower Location

Francis Bradley Middle

Jim Kidd-Rd

Kennerly-Dr

Photo Rendering 3

Nerton-Ln

Colonial-Garden

Beatties-Ford-Rd

© 2016 Google

Proposed Stealth Communication Tower - 1988' from here
41' higher elevation

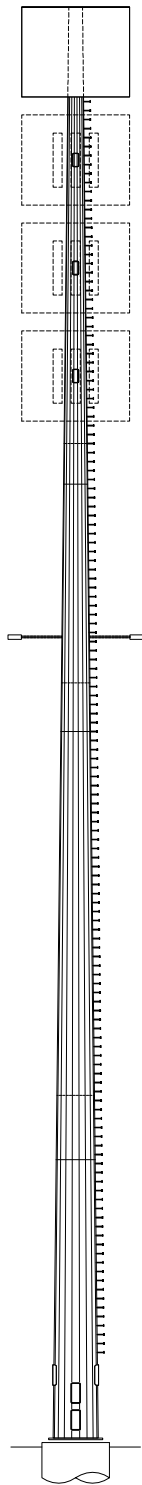


Proposed Stealth Communication Tower - 1615' from here
37' higher elevation here



Proposed Stealth Communication Tower - 1629' from here
12' lower elevation





25

YEARS

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PROJECT MANAGER: DANIEL ROBERTS ; (843)-574-9675

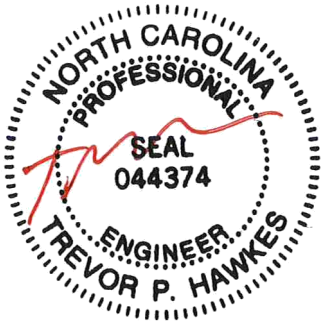
FINAL ENGINEERING

BERKLEY GROUP, LLC.
BRADLEY MIDDLE SCHOOL
13345 BEATTIES FORD ROAD
HUNTERSVILLE, NC 28078

STEALTH JOB #: BG16-00460W-05R3

DRAWING INDEX

T1	TITLE SHEET
N1-N2	NOTES & SPECIFICATIONS
S1	ELEVATIONS
S2	PLAN VIEWS
S3-S4	DETAILS
S5	FOUNDATION
S6	DETAILS



04/06/17

T1	REVISION
4/6/17	0

1. THE TYPICAL NOTES SHALL APPLY FOR ALL CASES UNLESS OTHERWISE SPECIFICALLY DETAILED WITHIN THE DRAWINGS. SOME NOTES MAY NOT BE APPLICABLE IN PART OR IN WHOLE FOR EVERY PROJECT.
2. ANY ITEMS REFERENCED AS BEING ON "HOLD" ARE TO BE INCLUDED IN THE WORK AS SHOWN. HOWEVER, CONSTRUCTION OR FABRICATION IS NOT TO BEGIN UNTIL THE "HOLD" REFERENCE IS REMOVED.
3. DIMENSIONS CONTAINED WITHIN MUST BE FIELD VERIFIED AND CUSTOMER APPROVED PRIOR TO FABRICATION OF MATERIALS.
4. THE MODIFICATIONS DEPICTED IN THESE DRAWINGS ARE INTENDED TO PROVIDE STRUCTURAL SUPPORT FOR THE ADDITION OF THE ANTENNA SCREENING SYSTEMS OUTLINED WITHIN. THE EXISTING STRUCTURE OR BUILDING SHALL BE ANALYZED AND RETROFITTED AS REQUIRED, BY OTHERS, TO WITHSTAND THE LOADS IMPOSED BY THE NEW STEALTH® ENCLOSURE SHOWN ON THE DRAWINGS.
5. ANTENNA CONCEALMENT PRODUCTS SHALL BE INSTALLED BY A CONTRACTOR EXPERIENCED IN SIMILAR WORK. CARE SHALL BE TAKEN IN THE INSTALLATION OF ANY AND ALL MEMBERS IN ACCORDANCE WITH RECOGNIZED INDUSTRY STANDARDS AND PROCEDURES. ALL APPLICABLE OSHA SAFETY GUIDELINES ARE TO BE FOLLOWED. STEALTH® IS NOT PROVIDING FIELD INSTALLATION SUPERVISION.
6. THESE DRAWINGS INDICATE THE MAJOR OPERATIONS TO BE PERFORMED, BUT DO NOT SHOW EVERY FIELD CONDITION THAT MAY BE ENCOUNTERED. THEREFORE, PRIOR TO BEGINNING OF WORK THE CONTRACTOR SHOULD SURVEY THE JOB SITE THOROUGHLY TO MINIMIZE FIELD PROBLEMS.
7. PROTECTION OF EXISTING STRUCTURES DURING THE COURSE OF THE CONSTRUCTION SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
8. THE STRUCTURAL INTEGRITY OF THIS STRUCTURE IS DESIGNED TO BE ATTAINED IN ITS COMPLETED STATE. WHILE UNDER CONSTRUCTION ANY TEMPORARY BRACING OR SHORING WHICH MAY BE REQUIRED TO MAINTAIN STABILITY PRIOR TO COMPLETION SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
9. THE PLANS AND DETAILS WITHIN DO NOT INCLUDE DETAILS OR DESIGN FOR DRAINAGE FROM OR WATERPROOFING OF EXTERIOR OR INTERIOR SURFACES OF THE EXISTING BUILDING OR STRUCTURE. THESE DETAILS MUST BE COMPLETED BY OTHERS.

1. 18-SIDED MONOPOLE SHAFT STEEL SHALL CONFORM w/ ASTM A572 GR. 65, U.N.O.
2. BASE PLATE STEEL SHALL CONFORM w/ ASTM A572, GR. 50, U.N.O.
3. REINFORCED ACCESS PORT STEEL SHALL CONFORM w/ ASTM A572 GR. 65, U.N.O.
4. ALL STEEL TUBES (SQUARE & RECTANGULAR) SHALL CONFORM w/ ASTM A500 GR. C (50 ksi), U.N.O.
5. ALL OTHER STRUCTURAL STEEL SHAPES & PLATES SHALL CONFORM TO ASTM A36, U.N.O.
6. ALL BOLTS FOR THE STEEL-TO-STEEL CONNECTIONS SHALL CONFORM w/ ASTM F3125 GR. A325, U.N.O.
7. ALL WELDING SHALL BE PERFORMED BY CERTIFIED WELDERS IN ACCORDANCE WITH THE LATEST VERSION OF THE AMERICAN WELDING SOCIETY (AWS) D1.1. ALL WELDING SHALL BE PERFORMED IN A SHOP APPROVED BY THE BUILDING OFFICIAL. STEEL WELDS SHALL BE BY E70XX LOW HYDROGEN ELECTRODES.
8. ALL STEEL SURFACES SHALL BE THOROUGHLY COATED WITH A ZINC-RICH PRIMER OR EQUIVALENT.
9. ALL BOLTED CONNECTIONS SHALL BE TIGHTENED PER THE "TURN-OF-NUT" METHOD AS DEFINED BY AISI

1. ALL STRUCTURAL COMPONENTS TO BE CONNECTED TOGETHER SHALL BE COMPLETELY FIT UP ON THE GROUND OR OTHERWISE VERIFIED FOR COMPATIBILITY PRIOR TO LIFTING ANY COMPONENT INTO PLACE. REPAIRS REQUIRED DUE TO FIT-UP OR CONNECTION COMPATIBILITY PROBLEMS AFTER PARTIAL ERECTION ARE THE FINANCIAL RESPONSIBILITY OF THE CONTRACTOR.

1. FASTENER HOLES IN STEALTHSKIN® FOAM COMPOSITE PANELS ARE NOT FACTORY DRILLED AND MUST BE DRILLED IN THE FIELD.
2. PANEL FASTENERS TO BE SPACED 12" O.C. MAX. AND LOCATED 6" MAX. HORIZONTALLY FROM EACH EDGE AT TOP AND BOTTOM OF PANEL. MAINTAIN 1 ½" MIN. EDGE DISTANCE FROM ALL EDGES.
3. 4' WIDE PANELS REQUIRE (4) FASTENERS TOP AND BOTTOM. 5' WIDE PANELS REQUIRE (5) FASTENERS TOP AND BOTTOM.
4. WHEN FASTENER BOLT HEAD OR NUT BEARS DIRECTLY ON SURFACE OF STEALTHSKIN® PANEL, TIGHTEN PANEL BOLTS ONLY ½ TURN PAST SNUG. APPLY THREAD LOCK COMPOUND TO THE THREADS OF METAL BOLTS. USE THIN BEAD OF EPOXY TO LOCK THE NUTS OF FRP BOLTS AND STEALTH® STAINLESS STEEL PANEL BOLTS. USE WASHER OR FLANGED HEAD BOLT, OR FASTENER WITH LARGE BEARING SURFACE.
5. PANELS WILL EXPAND AND CONTRACT DUE TO TEMPERATURE. WHEN INSTALLING PANELS IN COLD TEMPERATURES, EVENLY SPACE PANELS ALONG LENGTH OF SCREEN WALL WITH EQUAL GAPS BETWEEN PANELS TO ALLOW FOR EXPANSION DURING WARM TEMPERATURES.
6. ADJACENT FLAT PANELS ARE JOINED BY A VERTICAL FOAM SPLINE THAT IS INSERTED INTO GROOVES CUT INTO THE SIDE OF EACH PANEL. DO NOT LIFT PANELS BY GROOVES. PANELS MUST BE LIFTED WITH FORCE DIRECTED ONTO PANEL SURFACE.
7. ADJACENT RADIUS PANELS ARE JOINED BY A VERTICAL H-CHANNEL. INSERT PANELS INTO EACH SIDE OF H-CHANNEL.
8. RADIUS PANELS MUST BE EVENLY SPACED ALONG RADIUS SUPPORT. CONTRACTOR TO MEASURE LENGTH OF RADIUS SUPPORT AND DIVIDE BY THE NUMBER OF RADIUS PANELS TO DETERMINE PROPER SPACING. H-CHANNEL CONNECTORS ARE USED TO COVER THE GAP BETWEEN PANELS AND TO ALLOW FOR PANEL EXPANSION AND CONTRACTION.
9. SURFACES OF PANELS SHALL BE COATED WITH SUITABLE PAINT FOR UV PROTECTION. TOP EDGE OF PANEL MUST BE COVERED TO PREVENT WATER TRAVEL BETWEEN PANELS. USE SHERWIN WILLIAMS "COROTHANE II" OR PRE APPROVED EQUIVALENT.
10. EXPOSED TOP AND SIDE FOAM EDGES OF PANELS MUST BE COVERED OR COATED FOR UV PROTECTION. STEALTH® WILL PROVIDE PANEL EDGE CAPS TO BE FIELD APPLIED FOR THIS PURPOSE FOR MOST APPLICATIONS. PANEL EDGE CAPS TO BE SECURED WITH TEK SCREW INSTALLED @ 12" MAXIMUM SPACING ON THE INSIDE FACE OF THE PANEL.

STRUCTURAL DESIGN IS BASED ON THE 2012 NORTH CAROLINA BUILDING CODE (2009 IBC) & THE ASCE 7-05 STANDARD.

WIND:
BASIC WIND SPEED: 90 MPH (3-SEC GUST) PER TIA-222-G STANDARD
IMPORTANCE FACTOR: 1.00
STRUCTURE CLASS / OCCUPANCY CATEGORY: II
EXPOSURE: C
TOPOGRAPHIC CATEGORY: 1
CREST HEIGHT: 0 FT

ESTIMATED WEIGHT (INCLUDING ANTENNAS AND EQUIPMENT):
47.8 k (1.0 DEAD)

SHEAR, V = 31.7 k (1.6 WIND)
AXIAL, P = 86.0 k (1.2 DEAD + 1.0 ICE)
MOMENT, M = 3,721 k-ft (1.6 WIND)

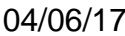
1. ENGINEERING AND DESIGN CALCULATIONS FOR STEALTH® POLE AND TOWER PRODUCTS ARE PREPARED IN ACCORDANCE WITH THE LATEST VERSION OF THE TIA/EIA-222. OTHER STRUCTURES ARE DESIGNED IN ACCORDANCE WITH APPLICABLE LOCAL OR NATIONAL STANDARDS AND PER CLIENT INPUT.

1. STEEL FABRICATION AND INSTALLATION SHALL BE DONE IN ACCORDANCE WITH THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION MANUAL AND SPECIFICATIONS.
2. STEEL I-SHAPE, ANGLE, CHANNEL, AND MISCELLANEOUS MEMBERS SHALL CONFORM TO ASTM A36 (36 KSI MIN. YIELD STRENGTH) STEEL SPECIFICATIONS, U.N.O.
3. STEEL PLATE MEMBERS SHALL CONFORM TO ASTM A36 (36 KSI MIN. YIELD STRENGTH) STEEL SPECIFICATIONS U.N.O.
4. STEEL PIPE AND ROUND TUBE MEMBERS SHALL CONFORM TO ASTM A500 GRADE B (42 KSI MIN. YIELD STRENGTH) STEEL SPECIFICATIONS, U.N.O.
5. STEEL RECTANGULAR AND SQUARE TUBE MEMBERS SHALL CONFORM TO ASTM A500 GRADE B (46 KSI MIN. YIELD STRENGTH) STEEL SPECIFICATIONS, U.N.O.
6. STEEL WIDELFLANGE MEMBERS SHALL CONFORM TO ASTM A992 (50 KSI MIN, YIELD STRENGTH) STEEL SPECIFICATIONS U.N.O.
7. BOLTS SHALL BE DOMESTIC, NEW HIGH STRENGTH GALVANIZED BOLTS, BEARING TYPE "X" (THREADS EXCLUDED), U.N.O., AND SHALL CONFORM TO ASTM A325 SPECIFICATIONS, U.N.O.
8. STRUCTURAL BOLTS SHALL BE TIGHTENED USING TURN-OF-THE-NUT METHOD.
9. BOLT HOLE EDGE DISTANCES SHALL BE A MINIMUM 1", U.N.O.
10. ALL WELDING SHALL BE PERFORMED IN ACCORDANCE WITH THE SPECIFICATIONS AND PROCEDURES OF THE AMERICAN WELDING SOCIETY (AWS) BY CERTIFIED WELDERS PER AWS D1.1 FOR STEEL AND AWS D1.2 FOR ALUMINUM. STEEL WELDS SHALL BE BY E70XX, LOW HYDROGEN ELECTRODE.
11. STEEL SHALL BE HOT DIP GALVANIZED PER ASTM A123 SPECIFICATIONS AFTER FABRICATION OR PAINTED WITH RUST INHIBITIVE PRIMER.
12. STEEL HARDWARE SHALL BE HOT DIP GALVANIZED PER ASTM A153, U.N.O.
13. AFTER ANY FIELD HOLE PUNCHING / DRILLING OR CUTTING HAS BEEN COMPLETED, OR FOR ANY DAMAGED STRUCTURAL MEMBER, TOUCH UP ALL BARE MATERIAL AND WELDED AREAS WITH TWO COATS OF GAL-CON OR SIMILAR MATERIAL TO RESTORE THE GALVANIZED PROTECTION ON THE MEMBERS.
14. ALL WELDED STEEL ASSEMBLIES AND INDIVIDUAL STEEL PARTS SHOULD HAVE THE PART NUMBER WELDED ONTO THE PART OR ASSEMBLY. THE PART NUMBERS SHOULD BE LOCATED CONSISTENTLY AND AWAY FROM ANY CONNECTION POINT TO AVOID ANY INTERFERENCE ISSUES WITH THE WELD.

1. STEEL FABRICATION SHALL BE DONE ON THE PREMISES OF A FABRICATOR REGISTERED AND APPROVED AS REQUIRED BY THE BUILDING CODE TO PERFORM SUCH WORK WITHOUT SPECIAL INSPECTION.
2. NO FIELD WELDING SHALL BE PERMITTED.
3. THE FOLLOWING SPECIAL INSPECTIONS (WHERE APPLICABLE) SHALL BE REQUIRED PER CHAPTER 17 OF THE BUILDING CODE.
 - PERIODIC SPECIAL INSPECTION OF HIGH-STRENGTH BOLTING
 - CONTINUOUS SPECIAL INSPECTION OF DRILLING OPERATIONS FOR PIER FOUNDATIONS
 - CONTINUOUS SPECIAL INSPECTION TO VERIFY LOCATION, PLUMBNESS, DIAMETER, AND LENGTH OF DRILLED PIER FOUNDATIONS
 - PERIODIC SPECIAL INSPECTION TO VERIFY ADEQUATE SOIL BELOW GRADE
 - CONTINUOUS SPECIAL INSPECTION OF ANCHOR BOLTS PRIOR TO AND DURING CONCRETE PLACEMENT
4. SPECIAL INSPECTION IS NOT REQUIRED FOR WORK OF A MINOR NATURE OR AS WARRANTED BY CONDITIONS IN THE JURISDICTION AS APPROVED BY THE BUILDING OFFICIAL. THUS, SPECIAL INSPECTION ITEMS ABOVE MAY BE WAIVED AS DEEMED APPROPRIATE BY THE BUILDING OFFICIAL.
5. NO STRUCTURAL OBSERVATION IS REQUIRED.



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NOTES & SPECIFICATIONS

BERKLEY GROUP, LLC.

SITE: BRADLEY MIDDLE SCHOOL

5 BEATTIES FORD ROAD
HUNTERSVILLE, NC

DRAWN: WAM-VSE

DESIGNED: TAJ-VSE

REVISÉD:

N1

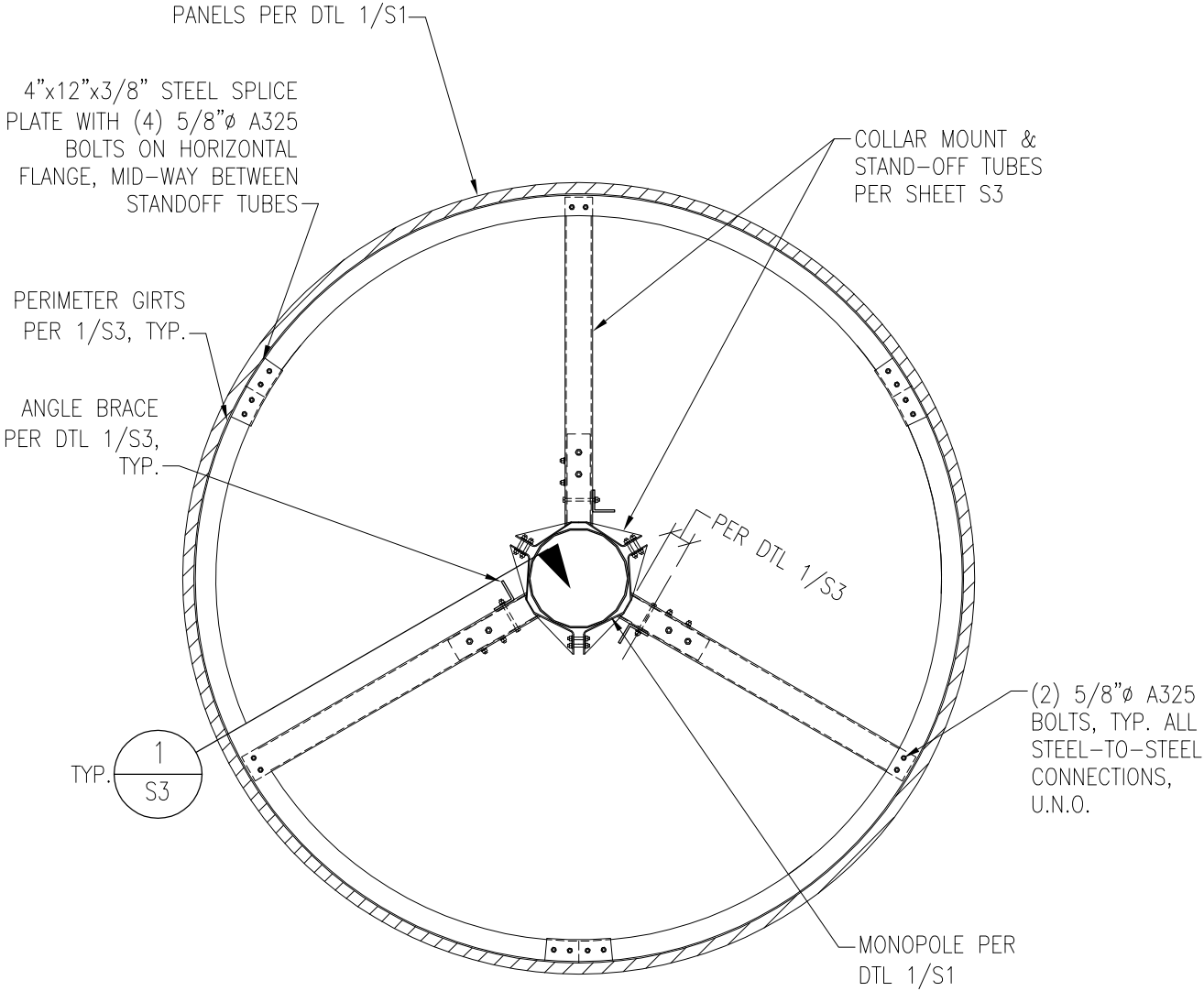
4/6/17

REVISION

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NOTE: ANTENNAS & MOUNT
NOT SHOWN FOR CLARITY

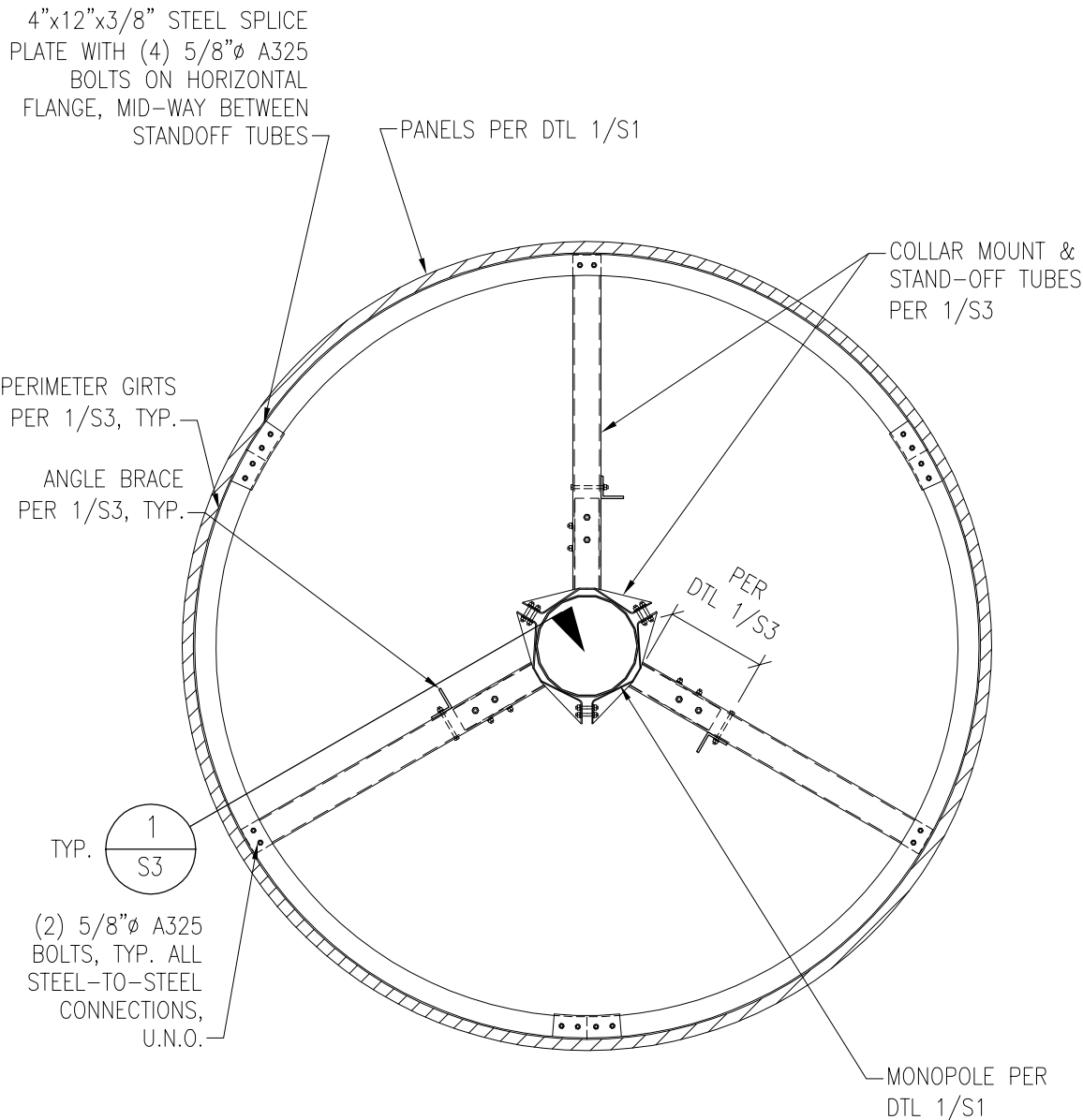


PLATFORM CONCEALMENT TOP PLAN VIEW

N.T.S.

2

NOTE: ANTENNAS & MOUNT
NOT SHOWN FOR CLARITY



PLATFORM CONCEALMENT BOTTOM PLAN VIEW

N.T.S.

1



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DRAWING NOT TO SCALE. UNLESS SPECIFIED
OTHERWISE DIMENSIONS SHOWN ARE IN INCHES
TOLERANCES
DECIMALS
X ± 1/16"
.XXX ± 0.01"
ANGULAR
X ± 0.5°

PLAN VIEWS

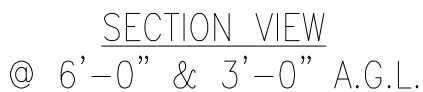
BERKLEY GROUP, LLC.
SITE: BRADLEY MIDDLE SCHOOL
13345 BEATTIES FORD ROAD
HUNTERSVILLE, NC

JOB #:	BG16-00460W-05R3
DRAWN:	WAM-VSE
DESIGNED:	TAJ-VSE
REVISED:	
S2	REVISION
4/6/17	0





N.T.S



REINFORCED ACCESS PORTS

N.T.S.



N.T.S.



HAND HOLES

N.T.S



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DECIMALS	ANGULAR
X ± 1/16"	X ± 0.5°
.XXX ± 0.01"	

DETAILS

BERKLEY GROUP, LLC.
SITE: BRADLEY MIDDLE SCHOOL

13345 BEATTIES FORD ROAD
HUNTERSVILLE, NC

REVISÉ:

S4

4/6/17

REVISION

0



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1. FOUNDATION DESIGN IS BASED ON THE FOLLOWING GEOTECHNICAL REPORT:

2. ALL CONCRETE SHALL USE TYPE II PORTLAND CEMENT AND HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI AT 28 DAYS. CONCRETE SHALL HAVE A MAXIMUM WATER/CEMENT RATIO OF 0.50. CONCRETE SHALL HAVE A SLUMP OF 5" (± 1 ") OR AS SPECIFIED BY THE GEOTECHNICAL ENGINEER. ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH "THE BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE," ACI 318-11. FOUNDATION INSTALLATION SHALL BE IN ACCORDANCE WITH ACI 336, "STANDARD SPECIFICATIONS FOR THE CONSTRUCTION OF DRILLED PIERS," LATEST EDITION.

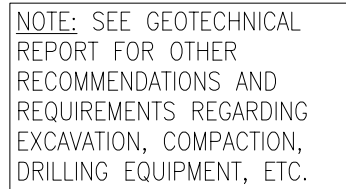
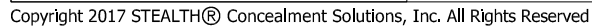
4. INSTALLATION OF DRILLED PIERS MUST BE OBSERVED BY A REPRESENTATIVE OF THE GEOTECHNICAL ENGINEER FIRM. GEOTECHNICAL ENGINEER TO PROVIDE A NOTICE OF INSPECTION FOR THE BUILDING INSPECTOR FOR REVIEW AND RECORD PURPOSES.

Diagram illustrating the assembly of a pole base, showing the connection between the pole shaft and the footing. The components labeled are:

- POLE SHAFT
- ANCHOR BOLT
- HEAVY HEX NUT
- LOCK WASHER
- FLAT WASHER
- BASE PLATE
- TOP OF FOOTING
- GROUND LEVEL
- FLAT WASHER
- HEAVY HEX LEVELING NUT

A dimension of 3" is indicated for the height of the base plate above the footing.

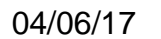
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DECIMALS	ANGULAR
$X \pm 1/16''$	$X \pm 0.5^\circ$
$.XXX \pm 0.01''$	

BERKLEY GROUP, LLC.
SITE: BRADLEY MIDDLE SCHOOL

13345 BEATTIES FORD ROAD
HUNTERSVILLE, NC

REVISÉ:

4/6/17

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VECTOR

ENGINEERS

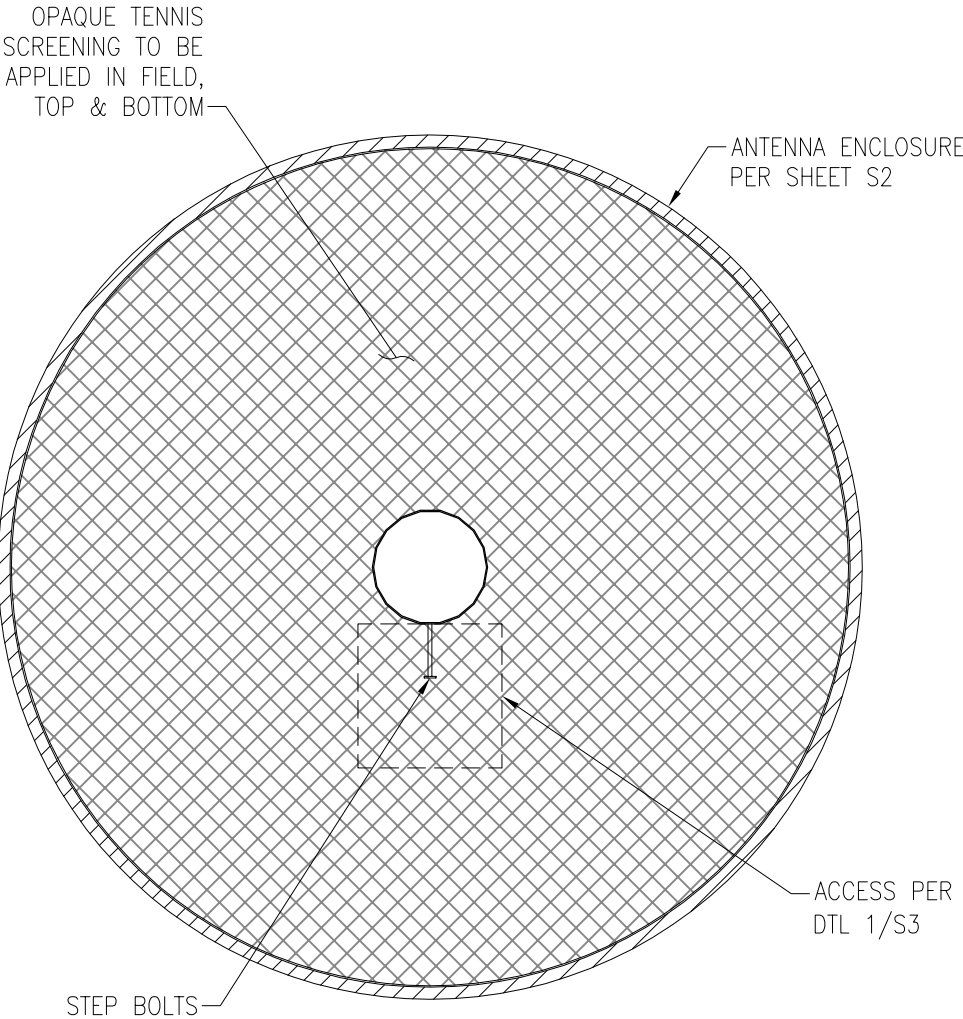
651 W. GALENA PARK BLVD., SUITE 101

DRAPER, UT 84020

P: (801) 990-1775 F: (801) 990-1776

VECTOR PROJECT: U0142-373-171

NC FIRM LICENSE NUMBER: COAP0742



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NORTH CAROLINA

PROFESSIONAL

SEAL

044374

ENGINEER

TREVOR P. HAWKES

04/06/17

DRAWING NOT TO SCALE. UNLESS SPECIFIED OTHERWISE DIMENSIONS SHOWN ARE IN INCHES

TOLERANCES	
DECIMALS	ANGULAR
X ± 1/16"	X ± 0.5°
.XXX ± 0.01"	

DETAILS

BERKLEY GROUP, LLC.

SITE: BRADLEY MIDDLE SCHOOL

13345 BEATTIES FORD ROAD

HUNTERSVILLE, NC

JOB #: BG16-00460W-05R3

DRAWN: WAM-VSE

DESIGNED: TAJ-VSE

REVISED:

S6

4/6/17

REVISION

0

Town of Huntersville
PLANNING BOARD
8/22/2017

To: Planning Board Members
From: Alison Adams
Subject: TA 17-06 Open Space Amendment

Text Amendment: TA17-06, a request by the Town of Huntersville to amend Article 3.2.1 Rural, Article 3.2.2 Transitional Residential, Article 3.2.5 Neighborhood Center, Article 3.2.6 Town Center, Article 3.2.7 Highway Commercial, Article 3.2.8 Campus Institutional, Article 3.2.9 Corporate Business, Article 3.2.11 Transitional Neighborhood Development Districts, Article 3.2.12 Passenger Vehicle Sales, Article 3.2.13 Transit Oriented Development – Residential, Article 3.2.14 Transit Oriented Development – Employment, Article 7 Part B Open Space, Article 8.1.4, and Article 12.2.1 General Definitions of the Huntersville Zoning Ordinance to modify Open Space criteria and associated definitions.

ACTION RECOMMENDED:

Request Planning Board make a recommendation to Town Board.

FINANCIAL IMPLICATIONS:

None

ATTACHMENTS:

Description	Type
☐ TA 17-06 Open Space Amendment Staff Report	Staff Report
☐ Attachment A: Application	Exhibit
☐ Attachment B: Redlined Version	Exhibit
☐ Attachment C: Clean Version	Exhibit
☐ Attachment D: Quick Reference	Exhibit

TA #17-06

Amend various sections within Article 3, Article 7 B, Article 8.1.4, and Article 12.2.1 to revise open space criteria.

PART 1: DESCRIPTION

Text Amendment, TA #17-06, is a request by the Town of Huntersville Staff to amend the above mentioned articles of the Town Zoning Ordinance to reorganize, clarify and provide more open space options to the development community. See Attachment A for application.

PART 2: BACKGROUND

The Planning Board directed staff to evaluate open space. A sub-committee was formed to facilitate feedback and buy-in. The sub-committees goals were to review the Town of Huntersville Open Space Ordinance and to collaborate with the Huntersville Planning Staff to address the following:

1. **Expand the urban open space option menu:** Staff began looking at surrounding communities to better understand what urban open space options were being offered. The chart below summarizes the research.

Town	Playground	close	attached squares	plazas	Urban Parks	Forecourts	Detached squares	Greens	(Neighborhood) Parks	Parkway	Greenway	Greenbelt	Community Garden	Pedestrian Passageway	mini-parks	Passive recreation/unusable Open space
Davidson	X	X	X	X			X	X	X		X		X	X		
Cornelius	X	X	X	X	X	X	X	X	X	X	X	X				
Huntersville				X		X	X		X	X		X				
Holly Springs	X	X	X	X			X		X	X		X	X		X	X
Belmont	X	X	X	X		X	X	X	X	X	X					

The yellow highlighted boxes above represent new typologies that could be incorporated. Staff has addressed each as follows:

- Playground - as being allow within all urban space; primarily to be implemented with in parks and squares.
- Close fits under the current definition of square.
- Attached vs. detached squares – staff recommends no change to the current definition (either is appropriate).
- Urban parks, neighborhood parks, mini-parks – Have been defined with changes made to the current park option. Restrictions have been lessened by requiring 25% of the square to be abutted by a street (rather than 50%) and the size requirement for parks has been removed. This allows pocket parks to be placed within odd shaped areas.
- Greens – added
- Greenway – added. Historically the Town has considered the greenway and greenbelt to function interchangeably. To clarify staff is requesting to define both options.
- Community Gardens - added
- Pedestrian passageways – added
- Woonerf – not used by any of the Towns studied, but a prime opportunity as another option for car/pedestrian designed urban open space.
- Promenade – not used by the Towns studied, but an opportunity to provide another option as a linear feature within more dense areas.
- Passive recreation/unusable open space – addressed through other types of open space, such as recreational, agriculture or common open space, rather than urban open space.

2. **To review the off-site urban opens space provision** – After the subcommittee reviewed the language and understood application all were comfortable keeping the language as is.
3. **To evaluate the relationship of the water quality/quantity treatment system (BMPs)** – after reviewing the current ordinance and understanding current application, staff is recommending to add a definition of common open space. Under the current language, all types of open space (rural, agricultural, natural and urban) are prescribed and do not allow for BMPs unless the BMP is incorporated so that the intent of the ordinance is being met (example: Water detention pond within Monteith Place incorporates natural trails, which provides for recreation). Historically, BMPs have been approved within open space. However, the installation of BMPs have compromised the quality of the required open spaces. Features, such as, but not limited to, BMPs and entry monuments that do not meet the definitions of the other open space options would be allowed in common open space. The current required percentage of open space will not be affected by this request.

Upon learning the different types of BMPs and the ability to use them as amenities, design elements, and aesthetic opportunities the sub-committee can support the idea of allowing 25% of an above ground BPM to be incorporated in an urban open space with design criteria.

Other changes staff felt were needed:

- Clarity within the Rural and Transitional Residential District how an applicant obtains open space credit for installing public greenways.
- Currently buildings are required to front a public street or square. Staff is proposing to allow buildings to front on all types of urban open space and public streets.
- Change to existing urban open space diagrams.
- An introduction was added to Article 7B.

Attachment D, quick reference chart, provides a cliffs notes version of the current ordinance reference, proposed changes and reason for requested the changes. Staff recommends referencing this attachment while reviewing the clean version of the proposed ordinance (Attachment A).

PART 3: STAFF RECOMMENDATION

To achieve quality open space, staff recommends approval of the request as presented. The request is compliant with the goals (located in Part 4 of this report) of the 2030 Community Plan.

PART 4: RELEVANT HUNTERSVILLE 2030 COMMUNITY PLAN AND APPLICABLE LONG RANGE PLAN SECTIONS

E-1: Preservation and Enhancement – Support the preservation and enhancement of the natural environment, along with its scenic and cultural assets.

Staff Comment: Removal of BMPs from natural, agricultural and recreational land will help preserve the natural environment.

E-2: Location of New Development – Avoid locating new development in areas of significant environmental, scenic, or cultural resources.

Staff Comment: Introduction of common open space will provide developers a location to place BMPs, rather than trying to shoe in BMPs and still meet the intent of the ordinance.

E-3: Environmental Regulations – Support and enhance environmental regulations pertaining to tree preservation, buffer yards, open space, water quality, and wetland and stream protection.

Staff Comment: More urban open space options and the ability to install BMPs within 25% of urban open space provides the flexibility to be creative while treating and containing storm water. The introduction of common

open space, which allows for BMPs will hopefully stimulate thinking about the qualitative nature of the natural, agricultural and recreational open space.

T-6: Pedestrian Connections – Support the installation of sidewalks, bikeways and greenway trails connecting residential, commercial, employment, recreational and institutional uses.

Staff Comment: The introduction of the new urban open spaces (Promenade, Greenway, Pedestrian Passageway, and Woonerf) will allow more options to get the public from point A to B

PART 5: HUNTERSVILLE ORDINANCES ADVISORY BOARD

The Board heard the request on August 3, 2017. Walsh made a motion to recommend approval of the request as presented, Anderson seconded the motion. The board voted (9-0) to recommend approval.

PART 6: PUBLIC HEARING

The Public Hearing will be held on August 21, 2017.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board is scheduled to hear this text amendment on August 22, 2017.

PART 8: ATTACHMENTS

Attachment A: Text Amendment Application

Attachment B: Proposed Ordinance Language (redlined version)

Attachment C: Proposed Ordinance (clean Version)

Attachment D: Quick Reference guide

PART 9: STATEMENT OF CONSISTENCY – TA #17-06

Planning Department	Planning Board	Board of Commissioners
<p>APPROVAL: In considering the proposed amendment, TA 17-06, to amend Article 3.2.1, 3.2.2, 3.2.5, 3.2.6, 3.2.7, 3.2.8, 3.2.9, 3.2.11, 3.2.12, 3.2.13, 3.2.14, 7 Part B, 8.1.4, 12.2.1 of the Zoning Ordinance, the Planning staff recommends approval of language based on the amendment being consistent with the Town of Huntersville 2030 Community Plan policy numbers E-1, E-2, E-3 and T-6 .</p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because amending provides for greater flexibility within the open space requirements while maintaining consistency with other local community regulations.</p>	<p>APPROVAL: In considering the proposed amendment, TA 17-06, to amend Article 3.2.1, 3.2.2, 3.2.5, 3.2.6, 3.2.7, 3.2.8, 3.2.9, 3.2.11, 3.2.12, 3.2.13, 3.2.14, 7 Part B, 8.1.4, 12.2.1 of the Zoning Ordinance, the Planning Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u></p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)</p>	<p>APPROVAL: In considering the proposed amendment, TA 17-06, to amend Article 3.2.1, 3.2.2, 3.2.5, 3.2.6, 3.2.7, 3.2.8, 3.2.9, 3.2.11, 3.2.12, 3.2.13, 3.2.14, 7 Part B, 8.1.4, 12.2.1 of the Zoning Ordinance, the Town Board approval is based on the amendment being consistent with <u>(insert applicable plan reference)</u></p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)</p>
	<p>DENIAL: In considering the proposed amendment, TA 17-06, to amend Article 3.2.1, 3.2.2, 3.2.5, 3.2.6, 3.2.7, 3.2.8, 3.2.9, 3.2.11, 3.2.12, 3.2.13, 3.2.14, 7 Part B, 8.1.4, 12.2.1 of the Zoning Ordinance, the Planning Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>.</p> <p>It is not reasonable and in the public interest to amend the Zoning Ordinance because....(Explain)</p>	<p>DENIAL: In considering the proposed amendment, TA 17-06, to amend Article 3.2.1, 3.2.2, 3.2.5, 3.2.6, 3.2.7, 3.2.8, 3.2.9, 3.2.11, 3.2.12, 3.2.13, 3.2.14, 7 Part B, 8.1.4, 12.2.1 of the Zoning Ordinance, the Town Board denial is based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>.</p> <p>It is not reasonable and in the public interest to amend the Zoning Ordinance because....(Explain)</p>



Text Amendment Application

Incomplete submissions will not be accepted.

Applicant Data

Date of Application 06.01.2017
Name Town of Huntersville
Address 105 Gilead Rd.
Phone Number (home) 704.766.2212 (work) _____
Email _____

Fee

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

Type of Change

- ☒ New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other
☒ Revision/Modification to text of Zoning Ordinance / Subdivision Ordinance / Other

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

Proposed text amendment will affect the following:

Ordinance: Zoning Article: 3.21, 3.22, 3.2.4, 3.2.9 Section: 3.2.11-3.2.14, 7B Open Space, 8.1.4, 12.2.1
Current Text: see attachment

Proposed Text: see attachment

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

Provide clarity and more options of open space for the development community

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

Signatures

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

Applicant Signature: Alison H. Adams Date: ~~4-20-17~~ 5-31-17

Contact Information

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

Phone: 704-875-7000
Fax: 704-875-6546
Physical Address: 105 Gilead Road, Third Floor
Website: <http://www.huntersville.org/Departments/Planning.aspx>

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AN ORDINANCE TO AMEND ARTICLE 3.2.1 (RURAL ZONING), ARTICLE 3.2.2 (TRANSITIONAL RESIDENTIAL ZONING), ARTICLE 3.2.5 NEIGHBORHOOD CENTER, ARTICLE 3.2.6 (TOWN CENTER ZONING), ARTICLE 3.2.7 HIGHWAY COMMERCIAL, ARTICLE 3.2.8 CAMPUS INSTITUTIONAL, ARTICLE 3.2.9 CORPORATE BUSINESS, ARTICLE 3.2.11 TRANSITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICTS, ARTICLE 3.2.12 PASSENGER VEHICLE SALES, ARTICLE 3.2.13 TRANSIT ORIENTED DEVELOPMENT – RESIDENTIAL, ARTICLE 3.2.14 TRANSIT ORIENTED DEVELOPMENT – EMPLOYMENT, ARTICLE 7 PART B (OPEN SPACE), ARTICLE 8.1.4, AND ARTICLE 12.2.1 (GENERAL DEFINITIONS) TO REVISE OPEN SPACE CRITERIA WITH IN THE TOWN ZONING ORDINANCE.

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

3.2.1 Rural District (R)

3.2.1.d.2.

c. Open space which is improved, dedicated and accepted by a public agency for public use shall be counted as 1.5 times the actual acreage as an incentive to provide improved public open space. **In order to obtain credit the open space should align with Town and County's future land use plans.** Written proof of willingness to accept the open space by a public agency shall be presented at all stages of the approval process. Access shall at least consist of trails built to public standards meandering through the open space with public access points readily available and public access signs posted at those locations and where the trail intersects with roads shown on the Thoroughfare Plan. Other improvements, such as parks, shall be in accordance with applicable governmental standards.

3.2.1.d.

3. Open Space. Designated Open Space includes that parcel or parcels of land which shall be set aside in perpetuity and shall have no buildings or permanent structures constructed within its perimeters except as provided for in this section. ~~Open space shall meet the provisions of this section and the provisions for open space established in Article 7.~~ There are ~~three~~ **four** types of open space in the Rural District – **agricultural, common, natural and recreational.** ~~which are as follows:~~ **Open space shall meet the provisions of this section and the provisions for open space established in Article 7, Part B.**

- ~~• Natural Open Space: shall include areas where natural features, such as topography, rock outcroppings, hills and valleys are not altered. Only minimal thinning of vegetation shall be permitted to promote overall health of the natural area in accordance with the tree protection regulations of Article 7.~~

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- ~~• Recreational Open Space: shall include areas where natural features may be altered to provide for recreational activities without impacting the impervious quality of the soil except as provided herein. These activities may include ballfields, equestrian trails, hiking trails, picnicking, primitive camping, golf courses, green spaces (manicured or not), etc. Structures related to the recreation space may count towards open space provided they do not create an impervious area over 100 sq. ft.~~
- ~~• Agricultural Open Space: shall include areas set aside for agricultural purposes such as growing fruits, vegetables, grains, etc.~~

3.2.2 Transitional Residential District (TR)

3.2.2.d.2.

c. Open space which is improved, dedicated and accepted by a public agency for public use shall be counted as 1.5 times the actual acreage as an incentive to provide improved public open space. **In order to obtain credit the open space should align with the Town and County's future land use plans.** Written proof of willingness to accept the open space by a public agency shall be presented at all stages of the approval process. Access shall at least consist of trails built to public standards meandering through the open space with public access points readily available and public access signs posted at those locations and where the trail intersects with roads shown on the Thoroughfare Plan. Other improvements, such as parks, shall be in accordance with applicable governmental standards.

3.2.2.d.

- 3. Open Space.** Designated Open Space includes that parcel or parcels of land which shall be set aside in perpetuity and shall have no buildings or permanent structures constructed within its perimeters except as provided for in this section. ~~Open space shall meet the provisions of this section and the provisions for open space established in Article 7.~~ There are four **five** types of open space in the Transitional District - **urban, agricultural, common, natural and recreational.** **Open space shall meet the provisions of this section and the provisions for open space established in Article 7, Part B.**

- ~~• Natural Open Space: shall include areas where natural features, such as topography, rock outcroppings, hills and valleys are not altered. Only minimal thinning of vegetation shall be permitted to promote overall health of the natural area in accordance with the tree protection regulations of Article 7.~~
- ~~• Recreational Open Space: shall include areas where natural features may be altered to provide for recreational activities without impacting the impervious quality of the soil except as provided herein. These activities may include ballfields, equestrian trails, hiking trails, picnicking, primitive camping, golf courses, green spaces (manicured or not), etc. Structures~~

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~~related to the recreation space may count towards open space provided they do not create an impervious area over 100 sq. ft.~~

- ~~• Agricultural Open Space: shall include areas set aside for agricultural purposes such as growing fruits, vegetables, grains, etc.~~
- ~~• Urban Open Space: shall be planned and improved, accessible and useable by persons living nearby and be in compliance with the provisions in Article 7. In a Parkway or Greenbelt setting as described in Article 7, some recreational areas may be located within urban open space.~~

ARTICLE 3.2.5 Neighborhood Center (NC)

- d) 8). Every building lot shall have frontage upon a public street or square urban open space.

ARTICLE 3.2.6 Town Center (TC)

- d) 6). Every building lot shall have frontage upon a public street or square urban open space.

ARTICLE 3.2.7 Highway Commercial (HC)

- d) 9) Every building lot shall have frontage upon a public street or square urban open space except as follows: in specific locations where factors beyond developer control, such as a limited access highway, an existing development, or the location of an existing intersection, prohibit completing a street connection in the Highway Commercial District, a private drive may be substituted for the interior street which cannot be connected to the public network.

ARTICLE 3.2.8 Campus Institutional (CI)

- d) 4) Every building lot shall have frontage upon a public street, ~~square~~, or quadrangle urban open space; buildings fronting on quadrangles urban open space shall provide for vehicular access from a rear alley or street.

ARTICLE 3.2.9 Corporate Business (CB)

- d) 5) Every building lot shall have frontage upon a public street, ~~square~~, or quadrangle urban open space; buildings fronting on quadrangles urban open space shall provide for vehicular access from a rear alley or street.

ARTICLE 3.2.11 Transitional Neighborhood Development Districts (TND-U and TND-R)

- f) 3) All lots shall share a frontage line with a street or square urban open space; lots fronting an urban open space square shall be provided rear alley access.

ARTICLE 3.2.12 Passenger Vehicle Sales District (VS)

- 13) Every building lot shall have frontage upon a public street or square urban open space except as follows: in specific locations where factors beyond

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developer control, such as a limited access highway, an existing development, or the location of an existing intersection, prohibit completing a street connection in the Highway Commercial District, a private drive may be substituted for the interior street which cannot be connected to the public network.

ARTICLE 3.2.13 Transit Oriented Development - Residential (TOD-R)

- f) 3) Every building lot shall share a frontage line with a street, ~~square~~, or ~~other~~ urban open space; lots fronting directly onto a formal open space (i.e., without intervening street) shall be provided rear alley access.

ARTICLE 3.2.14 Transit Oriented Development - Employment (TOD-E)

- d) 1) Every building lot shall share a frontage line with a street, ~~square~~, or ~~other~~ urban open space; lots fronting directly onto a formal open space (i.e., without intervening street) shall be provided rear alley access.

ARTICLE 7, PART B: OPEN SPACE

7.10 Urban Open Space **Open Space - Purpose, Intent and Definitions**

- ~~.1 Urban Open Space is defined as all areas not divided into private or civic building lots, streets, right-of-way, parking or easements for purposes other than open space conservation.~~
- ~~.2 Urban Open Space shall be planned and improved, accessible and usable by persons living nearby. Improved shall mean cleared of underbrush and debris and may contain one or more of the following improvements: landscaping, walls, fences, walks, statues, fountains, ball fields, and/or playground equipment. Walls and fences shall be made of brick, stone, wrought iron, or wood and shall not exceed 3.5 ft. in height. (Exceptions: fences used in conjunction with ball fields.) Urban Open Space shall conform to one of the Urban Open Space types described in this section, or to a minor variation of same.~~
- ~~.3 In major subdivisions and multi-building developments in all zoning districts except Rural, urban open space shall be integrated into the design of the site. Such open space, whether on-site or off-site, shall be located within ¼ mile of each building lot as measured along the rights-of-way of streets providing access between the two. In large lot subdivisions such urban open space shall be integrated into the design of the site so that, whether located on-site or off-site, such open space is located within ½ mile of all building lots, as measured along the rights-of-way of street providing access between the two.~~
- ~~.4 Urban Open Space features should provide focal points for the neighborhood. A central square or green, for example, may comprise a majority of the open space. There should be a hierarchy of open space within new neighborhoods to serve the needs of all residents.~~

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5 Urban Open Space types includes Squares, Parks, Forecourts, Plazas, Parkway and Greenbelts that are characterized as described below.

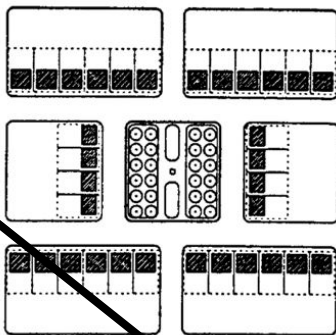
Squares

Squares are areas for passive recreational use. Square shall be bounded by streets on a minimum of three sides or 75% of their perimeter.

Minimum size: 500 sq. ft.
Maximum size: 1 acre

Squares may be entirely paved in crushed gravel, brick paver, or similar material, or partially paved with other areas of soft landscape.

Squares are encouraged to be planted parallel to all street ROW's with one tree species planted a minimum of 10 ft. on center and at a maximum of 30 ft. on center. Geometrical tree planting layouts for internal plantings are encouraged.

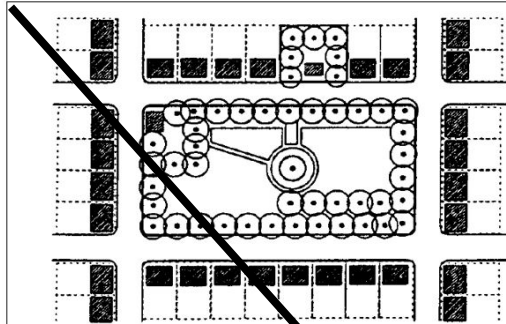


Parks

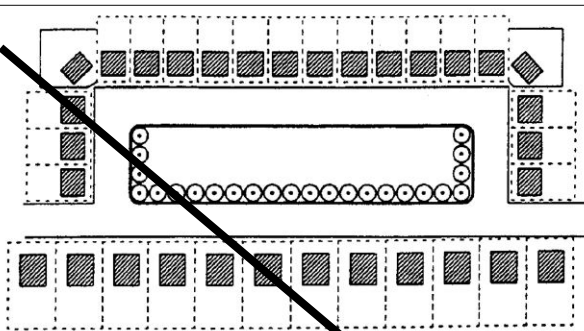
Parks may be designed for passive and/or active recreational use. Parks shall be bounded by streets on a minimum of 50% of their perimeter, and are encouraged to be enclosed by streets on all sides.

Minimum size: 1 acre
Maximum size: 3 acres

Maximum park size may exceed 3 acres if through design the park creates a central open space which services an entire neighborhood or group of neighborhoods; or incorporates physical features which are an asset to the community (i.e. lake, high ground, significant stands of trees).



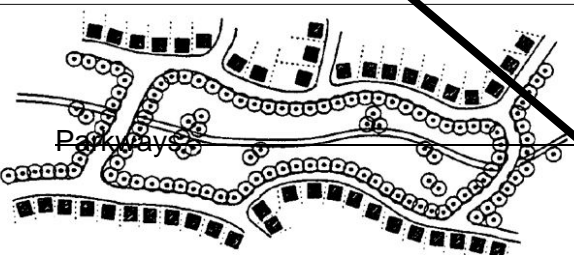
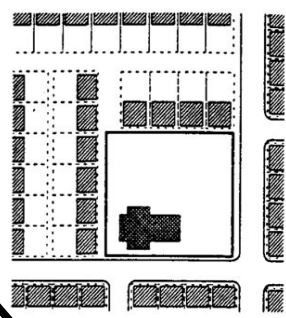
Forecourt



Forecourts are open space areas which act as buffers between residential buildings and non-residential buildings or streets.

Plaza

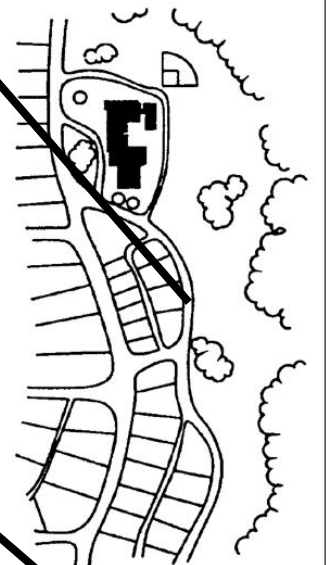
A plaza is an open area adjacent to a civic, commercial, or residential building. Plazas function as gathering places and may incorporate a variety of nonpermanent activities, such as vendors and display stands. Limited parking is also permitted. Plazas are always paved in brick or another type of paver, or crushed stone. Plazas shall be level.



Parkways are open spaces designed to incorporate natural settings such as creeks and significant stands of trees within a neighborhood. Parkway are to be entirely bounded by streets or pedestrian ROW's within developed areas. Parkway differ from parks and squares in that their detailing is natural (i.e. informally planted). Parkway are used for walking, jogging or bicycling. In addition, small scale recreational features such as a playground area or soccer field are appropriate in parkways. Streets bordering the parkway shall match the Neighborhood Parkway street standards in Article 5.

Greenbelts run along the perimeter of a neighborhood or town and serve to buffer a neighborhood from surrounding non-compatible uses such as a highway corridor, industrial district, or town from agricultural areas or adjacent towns.

Greenbelts are left natural but may include walking trails. In addition, schools located adjacent to Greenbelts can provide all recreational and athletic fields within the greenbelt. Streets bordering greenbelts shall match the Neighborhood Parkway street standards in Article 5.



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Regulations are intended to provide quality open space within a subdivision, multi-building site or commercial development.

There are five types of open space Urban, Agricultural, Common, Natural, and Recreational. Encouragement is given to apply creative design and allow flexibility to aid application of open space typologies. When determining placement of open space within a subdivision evaluation should occur when siting services and infrastructure by reducing road length, utility runs, and pavement. The creation of compact neighborhoods accessible to open space amenities aid strong community identity.

.1 Open Space Typologies Defined

- (a) Urban Open Space: planned and improved open space, accessible and usable. For small lot subdivisions urban open space shall be provide to persons living within ¼ mile measured along rights-of-way. In large lot subdivision urban open space application is required at ½ mile.
- (b) Agricultural Open Space: preserve agricultural lands and rural character that would likely be lost through conventional development approaches.
- (c) Common Open Space: Any portion of a land that is not part of a private lot or tract of land such as, but not limited to, area devoted to water quality/quantity measures, entryway features including the landscape material, signage and, if applicable berm and any other open space area that is not defined by one of the four other open space types.
- (d) Natural Open Space: preserve forested lands, natural features, and rural character that would likely be lost through conventional developments approaches.
- (e) Recreational Open Space: to provide for active and passive recreation, included but not limited to, implementation of associated long range Town/County plans.

Reference Article 12: Definitions for subdivision, large lot.

.2 All zoning districts, except Rural, require Urban Open Space to be incorporated into the design. All open space areas outside of landscape and BMP (stormwater) easements and lots that are not specified as Urban Open Space shall meet one or a combination of the remaining four open space typologies, Agricultural, Common, Natural and Recreational. Article 3 and Article 7.11 shall be referenced for further information.

.3 Rural Zoning shall incorporate a combination of Agricultural, Common, Natural, or Recreational open space typologies. Article 3.2.1 and Article 7.11 shall be further referenced.

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.4 Below is a table outlining what types of open space options are available to meet zoning district standards.

		Zoning Districts	R	TR	GR	NR, NC, TC, HC, CI, CB, SP, TND-U, TND-R, VS, TOD-R, and TOD-E.	Ordinance Reference
Open Space Type							
Common			◆	◆	◆	◆	7.10.1.c.
Agricultural			◆	◆			7.10.1.b.
Natural			◆	◆			7.10.1.d.
Recreational			◆	◆			7.10.1.e.
Urban - Types							7.11.1.f
	Community Garden			◆		◆	
	Forecourt			◆		◆	
	Green			◆		◆	
	Greenbelt			◆		◆	
	Greenway			◆		◆	
	Park			◆		◆	
	Parkway			◆		◆	
	Pedestrian Passage			◆		◆	
	Plaza			◆		◆	
	Promenade			◆		◆	
	Square			◆		◆	
	Woonerf			◆		◆	

7.11 Urban, Agricultural, Common, Natural, and Recreational Agricultural Open Space

~~.1 The purposes of natural recreational and agricultural open space is to preserve agricultural and forestry lands, natural and cultural features, and rural character that would likely be lost through conventional development approaches. To accomplish this goal, greater flexibility and creativity in design of such developments is encouraged. Specific objectives are as follows:~~

- ~~(a) To conserve areas of the town with productive soils for continued agricultural and forestry use by preserving large blocks of land large enough to allow for efficient operations.~~
- ~~(b) To encourage the maintenance and enhancement of habitat for various forms of wildlife and to create new woodlands through natural succession and reforestation where appropriate.~~
- ~~(c) To minimize site disturbance and erosion through retention of existing vegetation and avoiding development in sensitive areas.~~

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- ~~(d) To conserve open land, including those areas containing unique and sensitive features such as natural areas and wildlife habitats, streams and creeks, wetlands and floodways.~~
- ~~(e) To protect scenic views and elements of the town's rural character, and to minimize perceived density by minimizing views of new development from existing roads.~~
- ~~(f) To preserve and maintain historic and archeological site and structures that serve as significant visible reminders of the town's social and architectural history.~~
- ~~(g) To provide for active and passive recreational needs of town residents, including implementation of associated town long range plans.~~
- ~~(h) To provide greater efficiency in the siting of services and infrastructure by reducing road length, utility runs, and the amount of paving for development.~~
- ~~(i) To create compact neighborhoods accessible to open space amenities and with a strong community identity.~~

.1 Urban Open Space:





- (a) Urban Open Space is defined as all areas not divided into private or civic building lots, streets, right-of-way, parking or easements.**
- (b) Urban Open Space shall be planned and improved, accessible and usable by persons living nearby. Improved shall mean cleared of underbrush and debris and may contain one or more of the following improvements: landscaping, walls, fences, walks, statues, fountains, ball fields, and/or playground equipment. Walls and fences shall be made of brick, stone, wrought iron, or wood and shall not exceed 3.5 ft. in height. (Exceptions: fences used in conjunction with ball fields.) Urban Open Space shall conform to one of the Urban Open Space types described in this section, or to a minor variation of same.**
- (c) In major subdivisions and multi-building developments in all zoning districts except Rural, urban open space shall be integrated into the design of the site. Such open space, whether on-site or off-site, shall be located within ¼ mile of each building lot as measured along the rights-of-way of streets providing access between the two. In large-lot subdivisions such urban open space shall be integrated into the design of the site so that, whether located on-site or off-site, such open space**

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is located within ½ mile of all building lots, as measured along the rights-of-way of street providing access between the two.

- (d) Urban Open Space features should provide focal points for the neighborhood. A central square or green, for example, may comprise a majority of the open space. There should be a hierarchy of open space within new neighborhoods to serve the needs of all residents.
- (e) No more than twenty-five (25) percent of each above ground water quality/quantity treatment system (BMP) within an urban open space area can be used. Any above ground BMPs located within an Urban Open Space must add to the overall quality of the open space, rather than detract from area devoted to BMP. To exceed the twenty-five (25) percent limitation a design maybe submitted to the Planning Board for review and approval. Such BMP design shall incorporate a combination of the following design elements; but not limited to, pathways, boardwalks, ponds with fountains, and landscape material. Underground BMPS are not limited.
- (f) Urban Open Space types includes Community Garden, Forecourt, Green, Greenbelt, Greenway, Park, Parkway, Pedestrian Passage, Plaza, Promenade, Square, and Woonerf, and that are characterized as described below or to a minor variation of same.

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<p><u>Community Gardens should be centrally located and accessible to residents for participation. Maintenance of the site shall be continued year round, as the intent is for the garden to be all-season. Should the garden become abandoned then the garden area will be required to be seeded with grass and used as a recreational area. Community Gardens shall be a minimum of 500 sq. ft.</u></p>	
<p><u>Forecourts are open space areas which act as buffers between residential buildings and non-residential buildings or streets. Forecourts are entirely bounded by streets. It is recommended that forecourts be planted parallel to all street ROW's with one tree species. Such plantings shall be a minimum of 10 ft. on center and a maximum of 30 ft. on center.</u></p>	
<p><u>Greenbelts run along the perimeter of a neighborhood or town and serve to buffer from surrounding non-compatible uses such as a highway corridor, industrial district, or from agricultural areas or adjacent towns.</u></p> <p><u>Greenbelts are left natural, but may include walking trails or passive recreation.</u></p>	 

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<p><u>A Green is typically landscaped with trees at the edge and an open expanse of grass in the center that is externally surrounded directly or indirectly by buildings.</u></p>	
<p><u>Greenways are generally linear in nature and may bisect or border developments. They are designed to incorporate natural settings such as creeks and significant stands of trees with neighborhoods. Recreational uses shall be provided, at a minimum, trails for walking, jogging and/or bicycling. A greenway may be bound by Public Street, but not required. Greenways dedicated to Town/County as identified on the adopted greenway plan will be counted toward tree save area, if relevant. Upon completion of the publicly dedicated greenway any trees removed due to construction are not required to be replaced.</u></p>	
<p><u>Parks may be designed for passive and/or active recreational use. Parks shall be bounded by streets on a minimum of 25% of their perimeter, and are encouraged to be enclosed by streets on all sides. Mini Parks, such as, but not limited to dog parks, playgrounds, pocket parks and splash pads can be incorporated throughout a development to meet the ordinance requirements.</u></p> <p><u>Where mini parks are not used, the minimum size shall be 1 acre and maximum size 3 acres. Maximum park size may exceed 3 acres, if through design, the park creates a central open space which services an entire neighborhood or group of neighborhoods; or incorporates physical features which are an asset to the community (i.e. lake, high ground, significant stand of trees).</u></p>	




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<p><u>Parkways are open spaces designed to incorporate natural settings such as creeks and significant stands of trees within a neighborhood. Parkway may be entirely bounded by streets or pedestrian ROW's within developed areas. Parkway differ from parks and squares in that their detailing is natural (i.e. informally planted). Parkway are used for walking, jogging or bicycling. In addition, small scale recreational features such as playground area or soccer field are appropriate in parkways.</u></p>	 
<p><u>A Plaza is an open area adjacent to a civic, commercial, or residential building/s. Plazas function as gathering places. Limited parking is also permitted. Plazas are always paved in brick or another type of paver or crushed stone. Plazas shall be level, stepped, or gently sloping (less than 5% grade). The following sizes are recommended but may be smaller or larger depending on the building or facility design. At no time shall a plaza's horizontal length or width be greater than 3 times the height of surrounding buildings. Plazas may be left unplanted. If planted, trees should form the geometric frame of the plaza space or for the structure the plaza services. Spacing shall be a minimum of 10 ft. on center and a maximum of 30 ft. on center. Minimum size is 2,000 sq. ft. and maximum size is 30,000 sq. ft.</u></p>	
<p><u>Pedestrian passageway are relatively narrow public spaces located in dense areas between buildings, allowing pedestrian access to the public front. These passageways can be successful locations for store entries, window displays café seating or public meeting space. The passageway shall incorporate fixtures such as, but not limited to fountains, benches, landscape materials, sculptures, and other decorative elements.</u></p>	 

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<p><u>Promenade is a large, linear-designed area, usually adjacent to buildings lined with trees and shrubbery, which can be used as a public walk. Typically parking surrounds a promenade.</u></p>	
<p><u>Squares are areas for passive recreational use. Square shall be bounded by streets on a minimum of three sides or 75% of their perimeter. Minimum size: 500 sq. ft.; Maximum size: 1 acre. Squares may be entirely paved in crushed gravel, brick paver, or similar material, or partially paved with other areas of soft landscape. Squares are encouraged to be planted parallel to all street ROW's with one tree species planted a minimum of 10 ft. on center and at a maximum of 30 ft. on center. Geometrical tree planting layouts for internal plantings are encouraged. A close can function as a square.</u></p>	
<p><u>A Woonerf is an access way where the primary use is by pedestrian and bicycles with secondary use by vehicles. By removing curbs and any indication of a car travel line, while at the same time adding landscaping and street furniture, the public realm for pedestrians is expanded into what was the street. Parking areas shall be dispersed.</u></p>	

.2 Agricultural Open Space: shall include areas set aside for agricultural purposes such as livestock, growing fruits, vegetables, grains, etc. The goals of the agricultural open space are as follows:

- (a) To conserve areas of the town with productive soils for continued agricultural use by preserving large blocks of land large enough to allow for efficient operations.
- (b) To minimize site disturbance and erosion through retention of existing vegetation and avoiding development in sensitive farmland areas.
- (c) To protect scenic views and elements of the town's rural character, and to minimize perceived density by minimizing views of new development from existing roads.
- (d) To preserve and maintain historic and archeological sites and structures that serve as significant visible reminders of the town's social and architectural history.

Reference Article 3 and Article 7.12 - 7.14 for further information

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.3 Common Open Space: shall include all other areas that are not suitable within the other open space categories. These areas can include, but are not limited to the following:

- (a) Entryway monumentation to include the landscaped area, berm (if applicable)**
- (b) Water quality/quantity feature, known as Best Management Practices (BMPS): The required maintenance easement shall be included as common open space. BMPS include, but are not limited to, sandfilters, detention ponds, dry ponds, rain gardens, swales, and level spreaders.**

Reference Article 3 and Article 7.12 - 7.14 for further information

.4 Natural Open Space: shall include areas where natural features, such as topography, rock outcroppings, hills and valleys are not altered. Only minimal thinning of vegetation shall be permitted to promote overall health of the natural area in accordance with the tree protection regulations of Article 7. The goals of natural open space are as follows:

- (a) To conserve areas of the town with productive soils for forestry use by preserving large blocks of land large enough to allow for efficient operations.**
- (b) To encourage the maintenance and enhancement of habitat for various forms of wildlife and to create new woodlands through natural succession and reforestation where appropriate.**
- (c) To minimize site disturbance and erosion through retention of existing vegetation and avoiding development in sensitive areas.**
- (d) To conserve open land, including those areas containing unique and sensitive features such as natural areas and wildlife habitats, streams and creeks, wetlands and floodways.**
- (e) To protect scenic views and elements of the town's rural character, and to minimize perceived density by minimizing views of new development from existing roads.**

Reference Article 3 and Article 7.12 - 7.14 for further information

.5 Recreational Open Space: shall include areas where natural features may be altered to provide for recreational activities without impacting the impervious quality of the soil except as provided herein. These activities may include ballfields, equestrian trails, hiking trails, picnicking, primitive camping, golf courses, green spaces (manicured or not), etc. Structures related to the recreation space may count towards open space provided they do not create an impervious area over 100 sq. ft. The goals of recreation open space are as follows:

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- (a) To preserve and maintain historic and archeological site and structures that serve as significant visible reminders of the town's social and architectural history.**
- (b) To provide for active and passive recreational needs of town residents, including implementation of associated town long range plans.**

Reference Article 3 and Article 7.12 - 7.14 for further information

7.13 **Open Space** Evaluation Criteria

- .1 In evaluating the layout of lots and open space, the following criteria will be considered by the town as indicating design appropriate to the site's natural, historic, and cultural features, and meeting the purposes of this ordinance. Diversity and originality in lot layout shall be encouraged to achieve the best possible relationship between development and conservation areas. **Reference Subdivision Ordinance 6.300.** Accordingly, the town shall evaluate proposals to determine whether the proposed subdivision plan:

{Items (a) – (j) unchanged}

(k) Landscapes common areas ~~(such as community greens)~~, cul-de-sac islands, and both sides of new streets with native species shade trees and flowering shrubs with **providing** high wildlife conservation value **listed on the approved tree and shrub list.**

{Items (l) – (n) unchanged}

Article 8.1 Street Frontage Requirement

4. A site specific development plan may be considered for approval in the TC, NC, NR, R, TR, HC, CB, **CI, VS,** and both TND **and TOD** districts where residential and/or non-residential lots and/or structures front upon a private courtyard, carriageway, mid-block private alleyway with courtyard, or pedestrian way, or urban open space as defined in **Article 7, part B,** where adequate access by emergency vehicles is maintained by way of a street or alley and where the off-street placement of uses does not diminish the orientation of building fronts to the public street.

Article 12.2.1 General Definitions

Large-Lot Subdivision A major residential subdivision in which all **residential** lots are a minimum of $\frac{3}{4}$ acre in size.

Open Space. Any area which is not divided into private or civic building lots, streets, rights-of-way, parking, or easements for purposes other than open space conservation; unless specifically allowed by this ordinance in the Farmhouse Cluster, Conservation Subdivisions, and Minor Subdivisions, ~~open space may also include portions of private building lots subject to an open space easement dedicated to the town.~~ Urban Open

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~~Space assumes one or more of the forms detailed in Article 7, and may contain recreation equipment and amenities as indicated. Rural Open Space is site specific in its designation. Golf courses and other neighborhood and outdoor recreational uses which are designed and sited to preserve rural appearance as described in Section 3.2.1, will be construed, in whole or in part, to be rural open space.~~ **Reference Article 7.11 Urban, Agricultural, Common, Natural, and Recreational Open Space for specific qualitative criteria.**

Structure. Anything constructed, installed, or portable, the use of which requires a location on a parcel of land. This includes a fixed or movable building which can be used for residential, business, commercial, agricultural, or office purposes, either temporarily or permanently. "Structure" also includes, but is not limited to, ~~water quality best management practices,~~ swimming pools, tennis courts, signs, cisterns, sewage treatment plants, sheds, docks, mooring areas, and similar accessory construction.

New Text = Bold and Underlined; Old Text = Marked Through

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

PUBLIC HEARING DATE:

PLANNING BOARD MEETING:

PLANNING BOARD RECOMMENDATION:

TOWN BOARD DECISION:

TOWN BOARD MEETING:

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AN ORDINANCE TO AMEND ARTICLE 3.2.1 (RURAL ZONING), ARTICLE 3.2.2 (TRANSITIONAL RESIDENTIAL ZONING), ARTICLE 3.2.5 NEIGHBORHOOD CENTER, ARTICLE 3.2.6 (TOWN CENTER ZONING), ARTICLE 3.2.7 HIGHWAY COMMERCIAL, ARTICLE 3.2.8 CAMPUS INSTITUTIONAL, ARTICLE 3.2.9 CORPORATE BUSINESS, ARTICLE 3.2.11 TRANSITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICTS, ARTICLE 3.2.12 PASSENGER VEHICLE SALES, ARTICLE 3.2.13 TRANSIT ORIENTED DEVELOPMENT – RESIDENTIAL, ARTICLE 3.2.14 TRANSIT ORIENTED DEVELOPMENT – EMPLOYMENT, ARTICLE 7 PART B (OPEN SPACE), ARTICLE 8.1.4, AND ARTICLE 12.2.1 (GENERAL DEFINITIONS) TO REVISE OPEN SPACE CRITERIA WITH IN THE TOWN ZONING ORDINANCE.

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

3.2.1 Rural District (R)

3.2.1.d.2.

c. Open space which is improved, dedicated and accepted by a public agency for public use shall be counted as 1.5 times the actual acreage as an incentive to provide improved public open space. In order to obtain credit the open space should align with Town and County's future land use plans. Written proof of willingness to accept the open space by a public agency shall be presented at all stages of the approval process. Access shall at least consist of trails built to public standards meandering through the open space with public access points readily available and public access signs posted at those locations and where the trail intersects with roads shown on the Thoroughfare Plan. Other improvements, such as parks, shall be in accordance with applicable governmental standards.

3.2.1.d.

3. Open Space. Designated Open Space includes that parcel or parcels of land which shall be set aside in perpetuity and shall have no buildings or permanent structures constructed within its perimeters except as provided for in this section. There are four types of open space in the Rural District – agricultural, common, natural and recreational. Open space shall meet the provisions of this section and the provisions for open space established in Article 7, Part B.

3.2.2 Transitional Residential District (TR)

3.2.2.d.2.

c. Open space which is improved, dedicated and accepted by a public agency for public use shall be counted as 1.5 times the actual acreage as an incentive to provide improved public open space. In order to obtain credit the open space should align with the Town and County's future land use plans. Written proof of willingness to accept the open space by a public agency shall be presented at all stages of the approval process. Access shall at least consist of trails built to public standards meandering through the open space with public access points readily

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available and public access signs posted at those locations and where the trail intersects with roads shown on the Thoroughfare Plan. Other improvements, such as parks, shall be in accordance with applicable governmental standards.

3.2.2.d.

3. Open Space. Designated Open Space includes that parcel or parcels of land which shall be set aside in perpetuity and shall have no buildings or permanent structures constructed within its perimeters except as provided for in this section. There are five types of open space in the Transitional District - urban, agricultural, common, natural and recreational. Open space shall meet the provisions of this section and the provisions for open space established in Article 7, Part B.

ARTICLE 3.2.5 Neighborhood Center (NC)

- d) 8). Every building lot shall have frontage upon a public street or urban open space.

ARTICLE 3.2.6 Town Center (TC)

- d) 6). Every building lot shall have frontage upon a public street or urban open space.

ARTICLE 3.2.7 Highway Commercial (HC)

- d) 9) Every building lot shall have frontage upon a public street or urban open space except as follows: in specific locations where factors beyond developer control, such as a limited access highway, an existing development, or the location of an existing intersection, prohibit completing a street connection in the Highway Commercial District, a private drive may be substituted for the interior street which cannot be connected to the public network.

ARTICLE 3.2.8 Campus Institutional (CI)

- d) 4) Every building lot shall have frontage upon a public street or urban open space; buildings fronting on urban open space shall provide for vehicular access from a rear alley or street.

ARTICLE 3.2.9 Corporate Business (CB)

- d) 5) Every building lot shall have frontage upon a public street or urban open space; buildings fronting on urban open space shall provide for vehicular access from a rear alley or street.

ARTICLE 3.2.11 Transitional Neighborhood Development Districts (TND-U and TND-R)

- f) 3) All lots shall share a frontage line with a street or urban open space; lots fronting an urban open space shall provide rear alley access.

ARTICLE 3.2.12 Passenger Vehicle Sales District (VS)

- 13) Every building lot shall have frontage upon a public street or urban open space except as follows: in specific locations where factors beyond developer control, such as a limited access highway, an existing development, or the location of an existing intersection, prohibit completing a street connection in

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the Highway Commercial District, a private drive may be substituted for the interior street which cannot be connected to the public network.

ARTICLE 3.2.13 Transit Oriented Development - Residential (TOD-R)

- f) 3) Every building lot shall share a frontage line with a street, or urban open space; lots fronting directly onto a formal open space (i.e., without intervening street) shall be provided rear alley access.

ARTICLE 3.2.14 Transit Oriented Development - Employment (TOD-E)

- d) 1) Every building lot shall share a frontage line with a street, or urban open space; lots fronting directly onto a formal open space (i.e., without intervening street) shall be provided rear alley access.

ARTICLE 7, PART B: OPEN SPACE

7.10 Open Space - Purpose, Intent and Definitions

Regulations are intended to provide quality open space within a subdivision, multi-building site or commercial development. There are five types of open space: Urban, Agricultural, Common, Natural, and Recreational. Encouragement is given to apply creative design and allow flexibility to aid application of open space typologies. When determining placement of open space within a subdivision evaluation should occur when siting services and infrastructure by reducing road length, utility runs, and pavement. The creation of compact neighborhoods accessible to open space amenities aid strong community identity.

.1 Open Space Typologies Defined

- (a) Urban Open Space: planned and improved open space, accessible and usable. There are multiple variations of urban open space choose from.
- (b) Agricultural Open Space: preserve agricultural lands and rural character that would likely be lost through conventional development approaches.
- (c) Common Open Space: Any portion of a land that is not part of a private lot or tract of land such as, but not limited to, area devoted to water quality/quantity measures, entryway features including the landscape material, signage and, if applicable berm and any other open space area that is not defined by one of the four other open space types.
- (d) Natural Open Space: preserve forested lands, natural features, and rural character that would likely be lost through conventional developments approaches.
- (e) Recreational Open Space: to provide for active and passive recreation, included but not limited to, implementation of associated long range Town/County plans.

Reference Article 12: Definitions for subdivision, large lot.

- .2 All zoning districts, except Rural, require Urban Open Space to be incorporated into the design. All open space areas outside of landscape and BMP (stormwater) easements and lots that are not specified as Urban Open Space shall meet one or a combination of the remaining four open space typologies,

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Agricultural, Common, Natural and Recreational. Article 3 and Article 7.11 shall be referenced for further information.

- .3 Rural Zoning shall incorporate a combination of Agricultural, Common, Natural, or Recreational open space typologies. Article 3.2.1 and Article 7.11 shall be further referenced.
- .4 Below is a table outlining what types of open space options are available to meet zoning district standards.

		Zoning Districts	R	TR	GR	NR, NC, TC, HC, CI, CB, SP, TND-U, TND-R, VS, TOD-R, and TOD-E.	Ordinance Reference
Open Space Type							
<i>Common</i>			◆	◆	◆	◆	7.10.1.c.
<i>Agricultural</i>			◆	◆			7.10.1.b.
<i>Natural</i>			◆	◆			7.10.1.d.
<i>Recreational</i>			◆	◆			7.10.1.e.
<i>Urban - Types</i>							7.11.1.f
	<i>Community Garden</i>			◆		◆	
	<i>Forecourt</i>			◆		◆	
	<i>Green</i>			◆		◆	
	<i>Greenbelt</i>			◆		◆	
	<i>Greenway</i>			◆		◆	
	<i>Park</i>			◆		◆	
	<i>Parkway</i>			◆		◆	
	<i>Pedestrian Passage</i>			◆		◆	
	<i>Plaza</i>			◆		◆	
	<i>Promenade</i>			◆		◆	
	<i>Square</i>			◆		◆	
	<i>Woonerf</i>			◆		◆	

7.11 Urban, Agricultural, Common, Natural, and Recreational Open Space Criteria

.1 Urban Open Space:

- (a) Urban Open Space is defined as all areas not divided into private or civic building lots, streets, right-of-way, parking or easements.
- (b) Urban Open Space shall be planned and improved, accessible and usable by persons living nearby. Improved shall mean cleared of underbrush and debris and may contain one or more of the following improvements: landscaping, walls, fences, walks, statues, fountains, ball fields, and/or playground equipment. Walls and fences shall be made of brick, stone, wrought iron, or wood and shall not exceed 3.5 ft. in height. (Exceptions: fences used in conjunction with ball fields.) Urban Open Space shall conform to one of the Urban Open Space types described in this section, or to a minor variation of same.








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- (c) In major subdivisions and multi-building developments in all zoning districts except Rural, urban open space shall be integrated into the design of the site. Such open space, whether on-site or off-site, shall be located within $\frac{1}{4}$ mile of each building lot as measured along the rights-of-way of streets providing access between the two. In large-lot subdivisions such urban open space shall be integrated into the design of the site so that, whether located on-site or off-site, such open space is located within $\frac{1}{2}$ mile of all building lots, as measured along the rights-of-way of street providing access between the two.
- (d) Urban Open Space features should provide focal points for the neighborhood. A central square or green, for example, may comprise a majority of the open space. There should be a hierarchy of open space within new neighborhoods to serve the needs of all residents.
- (e) No more than twenty-five (25) percent of each above ground water quality/quantity treatment system (BMP) within an urban open space area can be used. Any above ground BMPs located within an Urban Open Space must add to the overall quality of the open space, rather than detract from area devoted to BMP. To exceed the twenty-five (25) percent limitation a design maybe submitted to the Planning Board for review and approval. Such BMP design shall incorporate a combination of the following design elements; but not limited to, pathways, boardwalks, ponds with fountains, and landscape material. Underground BMPS are not limited.
- (f) Urban Open Space types includes Community Garden, Forecourt, Green, Greenbelt, Greenway, Park, Parkway, Pedestrian Passage, Plaza, Promenade, Square, and Woonerf, and that are characterized as described below or to a minor variation of same.






Community Gardens should be centrally located and accessible to residents for participation. Maintenance of the site shall be continued year round, as the intent is for the garden to be all-season. Should the garden become abandoned then the garden area will be required to be seeded with grass and used as a recreational area. Community Gardens shall be a minimum of 500 sq. ft.








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<p>Forecourts are open space areas which act as buffers between residential buildings and non-residential buildings or streets. Forecourts are entirely bounded by streets. It is recommended that forecourts be planted parallel to all street ROW's with one tree species. Such plantings shall be a minimum of 10 ft. on center and a maximum of 30 ft. on center.</p>	
<p>Greenbelts run along the perimeter of a neighborhood or town and serve to buffer from surrounding non-compatible uses such as a highway corridor, industrial district, or from agricultural areas or adjacent towns.</p> <p>Greenbelts are left natural, but may include walking trails or passive recreation.</p>	 
<p>A Green is typically landscaped with trees at the edge and an open expanse of grass in the center that is externally surrounded directly or indirectly by buildings.</p>	 
<p>Greenways are generally linear in nature and may bisect or border developments. They are designed to incorporate natural settings such as creeks and significant stands of trees with neighborhoods. Recreational uses shall be provided, at a minimum, trails for walking, jogging and/or bicycling. A greenway may be bound by Public Street, but not required. Greenways dedicated to Town/County as identified on the adopted greenway plan will be counted toward tree save area, if relevant. Upon completion of the publicly dedicated greenway any trees removed due to construction are not required to be replaced.</p>	 

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<p>Parks may be designed for passive and/or active recreational use. Parks shall be bounded by streets on a minimum of 25% of their perimeter, and are encouraged to be enclosed by streets on all sides. Mini Parks, such as, but not limited to dog parks, playgrounds, pocket parks and splash pads can be incorporated throughout a development to meet the ordinance requirements.</p> <p>Where mini parks are not used, the minimum size shall be 1 acre and maximum size 3 acres. Maximum park size may exceed 3 acres, if through design, the park creates a central open space which services an entire neighborhood or group of neighborhoods; or incorporates physical features which are an asset to the community (i.e. lake, high ground, significant stand of trees).</p>	 
<p>Parkways are open spaces designed to incorporate natural settings such as creeks and significant stands of trees within a neighborhood. Parkway may be entirely bounded by streets or pedestrian ROW's within developed areas. Parkway differs from parks and squares in that their detailing is natural (i.e. informally planted). Parkway are used for walking, jogging or bicycling. In addition, small scale recreational features such as playground area or soccer field are appropriate in parkways.</p>	 
<p>A Plaza is an open area adjacent to a civic, commercial, or residential building/s. Plazas function as gathering places. Limited parking is also permitted. Plazas are always paved in brick or another type of paver or crushed stone. Plazas shall be level, stepped, or gently sloping (less than 5% grade). The following sizes are recommended but may be smaller or larger depending on the building or facility design. At no time shall a plaza's horizontal length or width be greater than 3 times the height of surrounding buildings. Plazas may be left unplanted. If planted, trees should form the geometric frame of the plaza space or for the structure the plaza services. Spacing shall be a minimum of 10 ft. on center and a maximum of 30 ft. on center. Minimum size is 2,000 sq. ft. and maximum size is 30,000 sq. ft.</p>	

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<p><u>Pedestrian passageway</u> are relatively narrow public spaces located in dense areas between buildings, allowing pedestrian access to the public front. These passageways can be successful locations for store entries, window displays café seating or public meeting space. The passageway shall incorporate fixtures such as, but not limited to fountains, benches, landscape materials, sculptures, and other decorative elements.</p>	 
<p><u>Promenade</u> is a large, linear-designed area, usually adjacent to buildings lined with trees and shrubbery, which can be used as a public walk. Typically parking surrounds a promenade.</p>	
<p><u>Squares</u> are areas for passive recreational use. Square shall be bounded by streets on a minimum of three sides or 75% of their perimeter. Minimum size: 500 sq. ft.; Maximum size: 1 acre. Squares may be entirely paved in crushed gravel, brick paver, or similar material, or partially paved with other areas of soft landscape. Squares are encouraged to be planted parallel to all street ROW's with one tree species planted a minimum of 10 ft. on center and at a maximum of 30 ft. on center. Geometrical tree planting layouts for internal plantings are encouraged. A close can function as a square.</p>	
<p>A <u>Woonerf</u> is an access way where the primary use is by pedestrian and bicycles with secondary use by vehicles. By removing curbs and any indication of a car travel line, while at the same time adding landscaping and street furniture, the public realm for pedestrians is expanded into what was the street. Parking areas shall be dispersed,</p>	

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- (b) To minimize site disturbance and erosion through retention of existing vegetation and avoiding development in sensitive farmland areas.
- (c) To protect scenic views and elements of the town's rural character, and to minimize perceived density by minimizing views of new development from existing roads.
- (d) To preserve and maintain historic and archeological sites and structures that serve as significant visible reminders of the town's social and architectural history.

Reference Article 3 and Article 7.12 - 7.14 for further information

.3 Common Open Space: shall include all other areas that are not suitable within the other open space categories. These areas can include, but are not limited to the following:

- (a) Entryway monumentation to include the landscaped area, berm (if applicable).
- (b) Water quality/quantity feature, known as Best Management Practices (BMPS): The required maintenance easement shall be included as common open space. BMPS include, but are not limited to, sandfilters, detention ponds, dry ponds, rain gardens, swales, and level spreaders.

Reference Article 3 and Article 7.12 - 7.14 for further information

.4 Natural Open Space: shall include areas where natural features, such as topography, rock outcroppings, hills and valleys are not altered. Only minimal thinning of vegetation shall be permitted to promote overall health of the natural area in accordance with the tree protection regulations of Article 7. The goals of natural open space are as follows:

- (a) To conserve areas of the town with productive soils for forestry use by preserving large blocks of land large enough to allow for efficient operations.
- (b) To encourage the maintenance and enhancement of habitat for various forms of wildlife and to create new woodlands through natural succession and reforestation where appropriate.
- (c) To minimize site disturbance and erosion through retention of existing vegetation and avoiding development in sensitive areas.
- (d) To conserve open land, including those areas containing unique and sensitive features such as natural areas and wildlife habitats, streams and creeks, wetlands and floodways.
- (e) To protect scenic views and elements of the town's rural character, and to minimize perceived density by minimizing views of new development from existing roads.

Reference Article 3 and Article 7.12 - 7.14 for further information

.5 Recreational Open Space: shall include areas where natural features may be altered to provide for recreational activities without impacting the impervious quality of the soil except as provided herein. These activities may include

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ballfields, equestrian trails, hiking trails, picnicking, primitive camping, golf courses, green spaces (manicured or not), etc. Structures related to the recreation space may count towards open space provided they do not create an impervious area over 100 sq. ft. The goals of recreation open space are as follows:

- (a) To preserve and maintain historic and archeological site and structures that serve as significant visible reminders of the town's social and architectural history.
- (b) To provide for active and passive recreational needs of town residents, including implementation of associated town long range plans.

Reference Article 3 and Article 7.12 - 7.14 for further information

7.13 Open Space_Evaluation Criteria

- .1 In evaluating the layout of lots and open space, the following criteria will be considered by the town as indicating design appropriate to the site's natural, historic, and cultural features, and meeting the purposes of this ordinance. Diversity and originality in lot layout shall be encouraged to achieve the best possible relationship between development and conservation areas. Reference Subdivision Ordinance 6.300. Accordingly, the Town shall evaluate proposals to determine whether the proposed subdivision plan:

{Items (a) – (j) unchanged}

(k) Landscapes common areas, cul-de-sac islands, and both sides of new streets with native species shade trees and flowering shrubs providing high wildlife conservation value listed on the approved tree and shrub list.

{Items (l) – (n) unchanged}

Article 8.1 Street Frontage Requirement

4. A site specific development plan may be considered for approval in the TC, NC, NR, R, TR, HC, CB, CI, VS, and both TND and TOD districts where residential and/or non-residential lots and/or structures front upon a private courtyard, carriageway, mid-block private alleyway with courtyard, or pedestrian way, or urban open space as defined in Article 7, part B, where adequate access by emergency vehicles is maintained by way of a street or alley and where the off-street placement of uses does not diminish the orientation of building fronts to the public street.

Article 12.2.1 General Definitions

Large-Lot Subdivision A major residential subdivision in which all residential lots are a minimum of $\frac{3}{4}$ acre in size.

Open Space. Any area which is not divided into private or civic building lots, streets, rights-of-way, parking, or easements for purposes other than open space conservation; unless specifically allowed by this ordinance in the Farmhouse Cluster, Conservation Subdivisions, and Minor Subdivisions. Reference Article 7.11 Urban, Agricultural, Common, Natural, and Recreational Open Space for specific qualitative criteria.

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Structure. Anything constructed, installed, or portable, the use of which requires a location on a parcel of land. This includes a fixed or movable building which can be used for residential, business, commercial, agricultural, or office purposes, either temporarily or permanently. "Structure" also includes, but is not limited to, swimming pools, tennis courts, signs, cisterns, sewage treatment plants, sheds, docks, mooring areas, and similar accessory construction.

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

PUBLIC HEARING DATE:

PLANNING BOARD MEETING:

PLANNING BOARD RECOMMENDATION:

TOWN BOARD DECISION:

TOWN BOARD MEETING:

Quick Reference Guide

Current Ordinance	Proposed Ordinance	Reason for proposal
3.2.1 d. 2. Rural Zoning	In order to obtain 1.5X open space credit the open space should align with Town and County's future land use plan.	Developers have questioned how to obtain the 1.5X open space credit. Clarity was needed; therefore future land use plans were referenced.
3.2.1.d.3. Rural Zoning	Identify that the rural district shall include a combination of the following open space typologies— agricultural, common, natural and recreational as defined in Article 7	Instead of having multiple located for the open space types to be defined, staff felt that one location, Article 7 Open Space, was the best place for definitions. Addition of Common Open Space to be a catch all.
3.2.2.d.2 Transitional Residential Zoning	In order to obtain 1.5X open space credit the open space should align with Town and County's future land use plan.	Developers have questioned how to obtain the 1.5X open space credit. Clarity was needed; therefore future land use plans were referenced.
3.2.2.d.3 Transitional Residential Zoning	Identify that the Transitional Residential district shall include a combination of the following open space typologies— urban, agricultural, common, natural and recreational as defined in Article 7	Instead of having multiple located for the open space types to be defined, staff felt that one location, Article 7 Open Space, was the best place for definitions Addition of Common Open Space to be a catch all.
3.2.5 Neighborhood Center, 3.2.6 Town Center, 3.2.7 Highway Commercial, 3.2.8 Campus Institutional, 3.2.9 Corporate Business, 3.2.11 Transitional Neighborhood Development Districts, 3.2.12 Passenger Vehicle Sales, 3.2.13 Transit Oriented Development – Residential, 3.2.14 Transit Oriented Development – Employment	Remove the use of square and add all urban open space types	Found that each of the sections was limiting; to provide more opportunity for good design staff is proposing to open it up to all urban open space types.
7.10 Urban Open Space	Change title of 7.10 to Open Space - Purpose, Intent and Definitions. Provided definitions for each type of open space and a chart stating which types of open space options are available to meet zoning district standards.	There was no introduction. Many people read 7.10 Urban Open Space and never realized there were other qualitative types of open space.
7.11 Natural, Recreational and Agricultural Open Space Purpose	Change title to address all open space types: Urban, Agricultural, Common, Natural and Recreational.	Each type of open space is discussed and expectations

		set for appropriate application.
	<p>Added 7.11.1 Urban Open Space, use Ordinance language that existed in 7.10, as well as adding the following:</p> <ul style="list-style-type: none"> • new typologies (Greenways, Promenades, Pedestrian Passages, Greens, woonerfs and Community Gardens) • Identify that only 25% of the Urban Open Space can be used for BMP's if the nature of the open space is being respected. If more than 25% is used as BMP then Planning Board would have to approve based on qualitative criteria. • Language was also added to some of the existing urban open space typologies to provide clarity, such as parks. Parks were required to be 1 acre, with no options of pocket parks. Now a combination can occur. 	The development community had a desire as well as staff to have more options for urban open space. The 6 existing types, depending upon the variables at hand, could be limiting. This change adds more items (6) to the "menu".
	Added 7.11.2 Agricultural Open Space	Needed to be separated out from the other typologies to understand the goal of this open space.
	Added 7.11.3 Common Open Space	Category was added due to the inability to quantify entrance monumentation, BMPs, and other areas within a subdivision with in the four other types.
	Added 7.11.4 Natural Open Space	Needed to be broken out to provide clarity on the qualitative nature of the open space to applicants
	Added 7.11.5 Recreational Open Space	Needed to be broken out from the other typologies to understand the goal of this type of open space.
7.13 Evaluation Criteria	Add "Open Space" in front of Evaluation Criteria for clarity. Corrected references within the section.	Clarity needed, it was unclear as to what was being evaluated.

		Reference to the subdivision ordinance was added and the approved tree and shrub list.
8.1.4	Add CI, VS, and TOD districts	For buildings within these districts to be able to front urban open space.
12.2 Definitions	Removed references to Urban and Rural open space within the Open Space definition.	The definition was very limited, there was nothing in the Ordinance that is called rural open space (even though we believe the intent was to address the recreational, natural and agricultural). In removing both the urban and rural terminology the definition become more general. Reference has been added for Article 7.10 with defines the five open space types.
	Remove BMP's from the definition of structure	Currently the ordinance doesn't allow for BMPs to be in open space; however consistently staff has allowed them to exist in open space. This is an ordinance clean up from how we have consistently done business for years. BMP's per ordinance changes can exist in common open space or within 25% of urban open space. If more, then design requires Planning Board approval.
	Refine large lot subdivision	The ordinance refers to large lot subdivisions, but clarity those lots to be residential.

**Town of Huntersville
PLANNING BOARD
8/22/2017**

To: Planning Board Members
From: Chairman Bankirer
Subject: TIA Report Format

Adjusted TIA Results Reporting Format

ACTION RECOMMENDED:

FINANCIAL IMPLICATIONS: