



**TOWN OF HARRISBURG, NORTH CAROLINA
HARRISBURG TOWN HALL
PLANNING AND ZONING BOARD MEETING**

**February 18, 2020
6:00 PM**

AGENDA

1. CALL TO ORDER

- A. AGENDA ADOPTION
- B. SPECIAL PRESENTATIONS
- C. PUBLIC COMMENT - Anyone wishing to address the Board may do so during the Public Comment section. Please state your name and address for the record, be courteous and do not repeat what has already been said. Please keep your comments about the subject and not personal in nature.

2. CONSENT AGENDA

- A. Consider the meeting minutes of December 17, 2019 Planning and Zoning Board meeting.

3. OLD BUSINESS

4. NEW BUSINESS

- A. H2019-4-(S) Harrisburg Landing (Morris Drive Town homes) Preliminary Plat.
- B. H-2019-03 (R) – Epcon Communities Conditional Rezoning and Zoning Map Amendment.

5. STAFF UPDATES/INFORMATION

6. ADJOURNMENT

Town of Harrisburg's Vision Statement

Harrisburg will be the best small town in North Carolina based on low density housing, excellent economic opportunities, a safe living environment, and efficient and effective municipal services. Amenities such as excellent recreational programs, adequate open space, attractive shopping opportunities, a diversity of restaurants, and a connected system of roadways, sidewalks, greenways, and bicycle lanes will continue to enhance the quality of life of the Town. These services and amenities will be provided while retaining reasonable tax rates and debt levels.



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consider the meeting minutes of December 17, 2019 Planning and Zoning Board meeting.

Presenting Personnel:

Suggested Motion or Action:

Motion to approve the meeting minutes of December 17, 2019 Planning and Zoning Board meeting

Description/Background:

Recommendation:

Fiscal Impact:

Attachments:

1. PZ MINS DEC 17 2019

**TOWN OF HARRISBURG, NORTH CAROLINA
PLANNING & ZONING ADVISORY BOARD MEETING
TUESDAY, DECEMBER 17, 2019
6:00 PM**

MINUTES

**1.
CALL TO ORDER**

Andy Rathke called the meeting to order.

PRESENT: Andy Rathke, Lloyd Quay, John Overcash, Jacob Carpenter, Rodney Garner, Kevin Schaffner, Thelma Thorne-Chapman

**A.
AGENDA ADOPTION**

Sushil Nepal made a correction to the Agenda, item B. under New Business will be removed from tonight's meeting and postponed until our January meeting.

MOTION:

Lloyd Quay made a motion to adopt the agenda with the changes listed above. Second was made by Kevin Schaffner. **The motion passed 7-0.**

**B.
SPECIAL PRESENTATIONS**

**C.
PUBLIC COMMENT**

**2.
CONSENT AGENDA**

A. Planning Board meeting minutes from October 15, 2019 Planning and Zoning Board meeting.

MOTION:

Kevin Schaffner made a motion to approve the Consent Agenda. Second was made by Rodney Garner. **The motion passed 7-0.**

**3.
OLD BUSINESS**

**4.
NEW BUSINESS**

A

H2019-03-(S) Camellia Gardens Preliminary Plat. Mike Shea, on behalf of Shea Homes, has submitted a Preliminary Plat application for 157 Single Family Homes, located on Stallings Road across from Stallings Road Park and Harrisburg Elementary School. The site Pin includes 55170390420000, 55170235250000, 55170347420000, 55170245910000, 55079363640000, and 55079255470000 consisting a total area of 89.96 acres. The subject property recently rezoned on August 12, 2019 to CRV, Conditional Residential Village (H2018-08-R). A staff report is attached for more information and a site plan along with development notes is submitted for your consideration. Staff has reviewed the site plan in accordance with the Harrisburg Area Land Use Plan (HALUP) and Unified Development Ordinance (UDO). Staff has reviewed the submitted preliminary plat and has found it to be consistent with the approved conditional zoning site plan (H-2019-08-R), the Harrisburg Area Land Use Plan (HALUP) and the standards of the UDO for CZ-RV districts. Staff recommends that the Planning and Zoning Board recommend approval of the proposed preliminary plat to the Town Council, with the inclusion of the conditions of the approved conditional rezoning plan.

1. Applicant agrees to obtain any and all applicable local, state, and federal permits required for development before any development activity can take place.
2. Applicant agrees to restrict cladding materials for all buildings to classing products other than vinyl siding.
3. Applicant agrees to dedicate land for Public Open Space as required in the UDO.
4. Applicant agrees to construct a ten (10) foot wide greenway trail connection and dedicate a twenty-five (25) foot wide easement to provide access to the greenway connection from Stallings Road to Back Creek Greenway. The installation of the greenway connection shall be completed prior to the issuance of a certificate of occupancy for the first 71 homes to be constructed on the site. The applicant will also fund 50% of the cost to build a pedestrian bridge across Back Creek to connect the greenways. In the event that the easement is not secured by the Town of Harrisburg within two (2) years of the date of approval of this rezoning, the applicant shall have the option to instead exercise the fee-in-lieu provision of the UDO, which is calculated to be \$165,000
5. Applicant agrees to install all required improvements as identified in the Traffic Impact Analysis.
6. Applicant agrees to provide easement to allow the Town to decommission existing pump station on Hoffner Rd and connect onto the projects sewer system.
7. Applicant agrees to complete a LOMR-F prior to any fill activity taking place within the floodplain.

After some discussion about the project, they then took the following action:

MOTION:

Rodney Garner made a motion to recommend approval of H2019-03-S with the following conditions and send it on to Town Council for their consideration with a second from Jacob Carpenter. **The motion passed 7-0.**

C

H2019-5-(S) Commons at Farmington Preliminary Plat. Eddie Moore with McAdams, on behalf of Farmington Owner and Developer, has submitted a Preliminary Plat application for 112 town homes and 37 single family homes, located on the north side of Rocky River Road adjacent to the Mecklenburg County line and west of Stafford Road approximately 900' north of Rocky River Road. The site Address is 9880 Rocky River Road and the Town Homes POD consists a total area of 36.21 acres. The subject property is part of the Farmington PUD and that the site plan was recently updated (Case #H-2019-02-(R)) in September 2019 to allow for removal of condition to build YMCA and add additional residential units. A staff report is attached for more information and a site plan along with development notes is submitted for your consideration. Staff has reviewed the site plan in accordance with the Harrisburg Area Land Use Plan (HALUP) and Unified Development Ordinance (UDO). Staff has reviewed the submitted preliminary plat, and has found it to be consistent with the approved conditional zoning site plan (H-2019-02-R), the Harrisburg Area Land Use Plan (HALUP) and the standards of the UDO for CZ-RV and CZ-RM-1 districts. Staff recommends that the Planning and Zoning Board recommend approval of the proposed preliminary plat to the Town Council, with the inclusion of the conditions of the approved conditional rezoning plan.

1. Applicant agrees to obtain any and all applicable local, state, and federal permits required for development before any development activity can take place.
2. Applicant agrees to dedicate a 25ft greenway easement (except for portions of greenway along streets) and construct a 10ft asphalt greenway as shown on plan, to meet the requirements of Article 6.5.5 of the UDO. The greenway shall be constructed prior to the 50 % completion of each residential POD (Areas C-1 and C-2)
3. Applicant agrees to restrict cladding materials for all residential buildings to masonry products; vinyl siding will not be used.
4. Applicant agrees to install all required improvements as required by the final approved Traffic Impact Analysis.
5. Applicant agrees that the final design for Farmington Ridge Parkway may be altered to eliminate the on-street bicycle lanes and instead provide 2 10ft asphalt multi-use paths with a minimum of a 5ft planting strip pending Engineering review.
6. Applicant agrees to assess the pavement structure for the existing portions of Farmington Ridge Parkway and bring this portion of street up to current Town standards as needed to accommodate the increased traffic this proposed development will place on this structure.
7. Applicant agrees to construct Farmington Ridge Parkway in its entirety throughout the site as part of Phase I of the development.

8. Applicant agrees that there will be no more than 20% of the residential units as rentals at any given time and will be restricted as such by the deed restrictions.
9. Applicant agrees to install greenway amenities such as trash receptacles and benches along the greenway during greenway construction.
10. Applicant agrees to remove animal shelters as an allowed use in this PUD district.

After some discussion about the project, they then took the following action:

MOTION:

Lloyd Quay made a motion to recommend approval of H2019-5-S with the following conditions and sent it on to Town Council for their consideration with a second from Jacob Carpenter. **The motion passed 7-0.**

5.

STAFF UPDATES/INFORMATIO

- Sushil Nepal stated that Matt Ward, Senior Planner, will be leaving the Town of Harrisburg and that his last day will be next week. We have put the job application out on the website to hopefully hire someone to replace him soon.

6.

ADJOURNMENT

MOTION:

There being no further business, Andy Rathke made a motion to adjourn, with a second from Lloyd Quay. **The motion passed 7-0.**

Andy Rathke, Chairman

Carly Bedgood, Secretary



TOWN OF HARRISBURG

Agenda Item Details

Title:

H2019-4-(S) Harrisburg Landing (Morris Drive Town homes) Preliminary Plat.

Presenting Personnel:

Sushil Nepal, Planning & Economic Development Director

Suggested Motion or Action:

If approved, the following motion is suggested:

To approve the Preliminary Plat application as requested by the applicant for the related property in application H-2019-04 (S).

If denied, the following motion is suggested:

To deny the Preliminary Plat application as requested by the applicant for the related property in application H-2019-04 (S).

Description/Background:

Rocky River LLC, on behalf of the Property Owner and Developer, has submitted a Preliminary Plat application for 15 town homes, located on the southwest corner of the intersection of Morris Drive and Patricia Avenue, behind Bojangles. The site pin is 55075693030000 and consists a total area of 1.287 acres. The subject property was rezoned in 2018(Case #H-2018-10-(R)) to CZ-OI to allow for 13 Town Homes. The applicant has modified the town home product types to include 10 units with garages and 5 with no garages, increasing the units total to 15.

A staff report is attached for more information and a site plan along with development notes is submitted for your consideration. Staff has reviewed the site plan in accordance with the Harrisburg Area Land Use Plan (HALUP) and Unified Development Ordinance (UDO).

Recommendation:

Staff has reviewed the submitted preliminary plat, and has found it to be consistent with the approved conditional zoning site plan (H-2018-10-R), the Harrisburg Area Land Use Plan (HALUP) and the standards of the UDO for CZ-OI districts.

Staff recommends that the Planning and Zoning Board recommend approval of the proposed preliminary plat to the Town Council, with the inclusion of the conditions of the approved conditional rezoning plan.

Fiscal Impact:

Attachments:

1. Harrisburg Landing Preliminary Plat Application
2. HarrisburgLanding_ Site Location Map
3. PRELIMINARY PLAT_rev 1.31.2020
4. H2019-04-(S) Staff Report_Harrisburg Landing
5. Harrisburg Landing_Building Elevations

6. HarrisburgLanding_Parks fee in lieu Letter



Application for Preliminary Plat Review and Approval

For an application to be considered complete, you must submit the following information to the Town of Harrisburg Planning Department:

1. One (1) copy of the signed Pre-submittal Meeting Checklist completed at the required pre-submittal meeting.
2. One (1) complete Town of Harrisburg Preliminary Plat Application
3. Five (5) FOLDED copies of the final plat (blue/black lines), and One (1) digital version (PDF)
4. Plat review fee (\$1000.00 + \$25 per lot)
5. One (1) completed Street Name Review and Confirmation Form
6. Required number of copies of the Transportation Impact Analysis (Number of copies to be submitted to be determined at pre-submittal meeting)

NOTE: Incomplete Applications will not be processed by the Planning and Zoning Department, and will be returned to the Applicant.

Project Information							
1. Name of Subdivision:	Harrisburg Landing						
2. Location of Subdivision:	4850 HWY 49 S, Harrisburg NC 28075						
3. Cabarrus County PIN Numbers:	5507-56-93030000						
4. Current Zoning:	O-I						
5. Project Classification (Residential, Commercial, etc.):	Residential						
6. Is this a CU or CZ Project?	CZ ☒ YES: Case Number: H2018-10-(R) ☐ NO						
7. Date of Rezoning Approval:	02/12/2019 Subdivision Case #:						
Owner/Developer Information							
1. Property Owner Name:	Rocky River LLC Property Owner Phone: 860-595-6439						
Property Owner Email: venuvedre@gmail.com							
2. Agent/Developer Name:	Agent/Developer Phone:						
Agent/Developer Email:							
3. Contact for Comments Name:	Travis Gingras Contact for Comments Phone: 704-875-1615						
Contact for Comments Email: travis@hensonfoley.com							
Utilities							
<table border="0"> <thead> <tr> <th>Water</th> <th>Sewer</th> </tr> </thead> <tbody> <tr> <td>1, Who will provide water and ☐ Private ☒ Public</td> <td>☐ Private ☒ Public</td> </tr> <tr> <td>sewer services for this site? Provider <u>Harrisburg</u></td> <td>Provider <u>Harrisburg</u></td> </tr> </tbody> </table>		Water	Sewer	1, Who will provide water and ☐ Private ☒ Public	☐ Private ☒ Public	sewer services for this site? Provider <u>Harrisburg</u>	Provider <u>Harrisburg</u>
Water	Sewer						
1, Who will provide water and ☐ Private ☒ Public	☐ Private ☒ Public						
sewer services for this site? Provider <u>Harrisburg</u>	Provider <u>Harrisburg</u>						
Overlay District (Article 4)							
Is the subject property located in an Overlay Zone? ☐ YES: ☒ NO							
If YES, which one(s): _____							

Flood Panel and RSOD Information (Article 4)

Is the subject property located in an area regulated by the Floodplain Overlay District? ☐ YES: ☒ NO

Flood Panel Number(s) 3710550700K Map Date 11/16/2018

Is the subject property in the RSOD? ☐ YES: ☒ NO

If YES, has the RSOD been shown on the plan and have the calculations been submitted with the plan?

☐ YES: ☐ NO

Verification of Process

I, VENU GOPAL R, VEDRE, submit that all of the information contained in this application is true and correct and also understand that incomplete applications will not be processed by the Town of Harrisburg Planning Department.

Date: 10/9/2019

Signed: _____

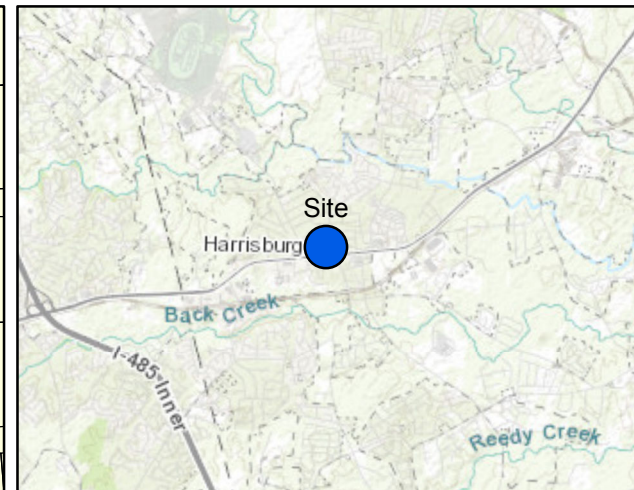
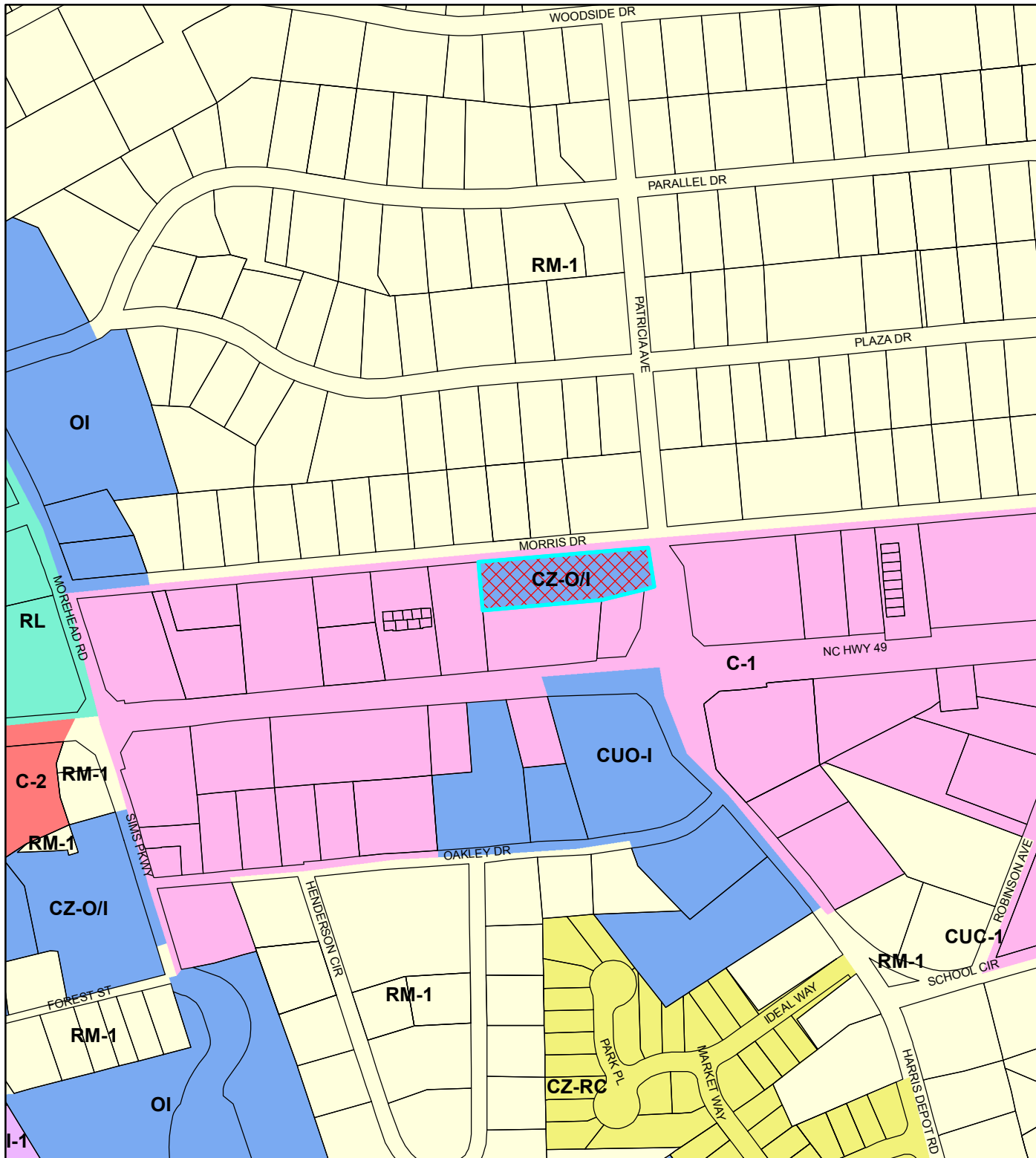
Title: LLC MANAGING MEMBER

(Owner, Agent, Developer, LLC Member, etc.)

Do not write below this point

For Staff Use Only:

Subdivision application fee paid: _____ Check Number: _____



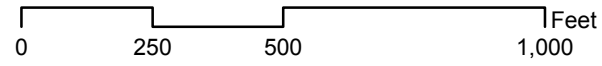
H 2019-04 (S) Harrisburg Landing Townhomes

Applicant: Harrisburg Holdings LLC

Zoning: CZ-OI (Conditional Office & Institutional)

Harrisburg Landing Townhomes
Preliminary Plat Request

-  Parcels
-  Site
-  Town Limits



CONDITIONS OF REZONING

1. APPLICANT AGREES TO OBTAIN ANY AND ALL APPLICABLE LOCAL, STATE, AND FEDERAL PERMITS REQUIRED FOR DEVELOPMENT BEFORE ANY DEVELOPMENT ACTIVITY CAN TAKE PLACE. (PLANNING)
2. APPLICANT AGREES NOT TO USE VINYL SIDING AND UTILIZE HIGH QUALITY CLADDING MATERIALS FOR ALL BUILDINGS SUCH AS MASONRY AND WOOD SIDING PRODUCTS, TO BE REVIEWED AND APPROVED BY THE TOWN. (APPLICANT)
3. APPLICANT AGREES TO RESTRICT OUTSIDE STORAGE. (APPLICANT)
4. APPLICANT AGREES TO CREATE A BUILDING-TO-STREET RELATIONSHIP ALONG MORRIS DRIVE TO HAVE THE "FRONT LOOK AND FEEL" AND BUILDING MATCH THE ELEVATION AS SUBMITTED. (PLANNING)
5. APPLICANT AGREES TO CONTINUED MAINTENANCE OF BUILDINGS AND GROUNDS IN THE FORM OF DEED RESTRICTIONS, ESTABLISHMENT OF HOA OR RESTRICTIVE COVENANTS RECORDED AND WILL RUN WITH THE LAND. (APPLICANT)
6. APPLICANT AGREES TO DEDICATE A FEE IN LIEU OF PUBLIC OPEN SPACE DEDICATION FOR THE 0.37 ACRES OF REQUIRED PUBLIC OPEN SPACE, IN THE AMOUNT OF \$38,850.03 PER ACRE, FOR A TOTAL OF \$14,375.00. ALL FEE IN LIEU OF DEDICATIONS SHALL BE MADE TO THE TOWN PRIOR TO FINAL PLAT APPROVAL. (PARKS AND RECREATION ADVISORY BOARD)
7. APPLICANT AGREES TO INSTALL A FENCE ADJACENT TO BOJANGLES PROPERTY, TO BE REVIEWED AND APPROVED BY THE TOWN. (APPLICANT)

THIS PLAN IS FOR MUNICIPALITY REVIEW ONLY.
PRELIMINARY PLAT PLAN NOT FOR
CONSTRUCTION

SITE DATA

DEVELOPER:	ROCKY RIVER LLC 4324 GRANITE RIDGE ROAD CEDAR FALLS, IA 50613 PH: (860) 595-6439
LOCATION:	4850 NC HWY 49 (PIN 5507-56-93030000) HARRISBURG, NC 28075
EXISTING ZONING:	CZ-C-1
CONTACT:	HENSONFOLEY (JAY HENSON) 704-875-1615
ITEM	PROVIDED
MIN. FRONT SETBACK	10 FT
MIN. SIDE SETBACK	0 FT
MIN. REAR SETBACK	0 FT
MAX. BUILDING HEIGHT	35'
SOIL TYPE	MkB
FEMA FIRM PANEL # / ZONE	3710550700K / ZONE X

BUFFERS

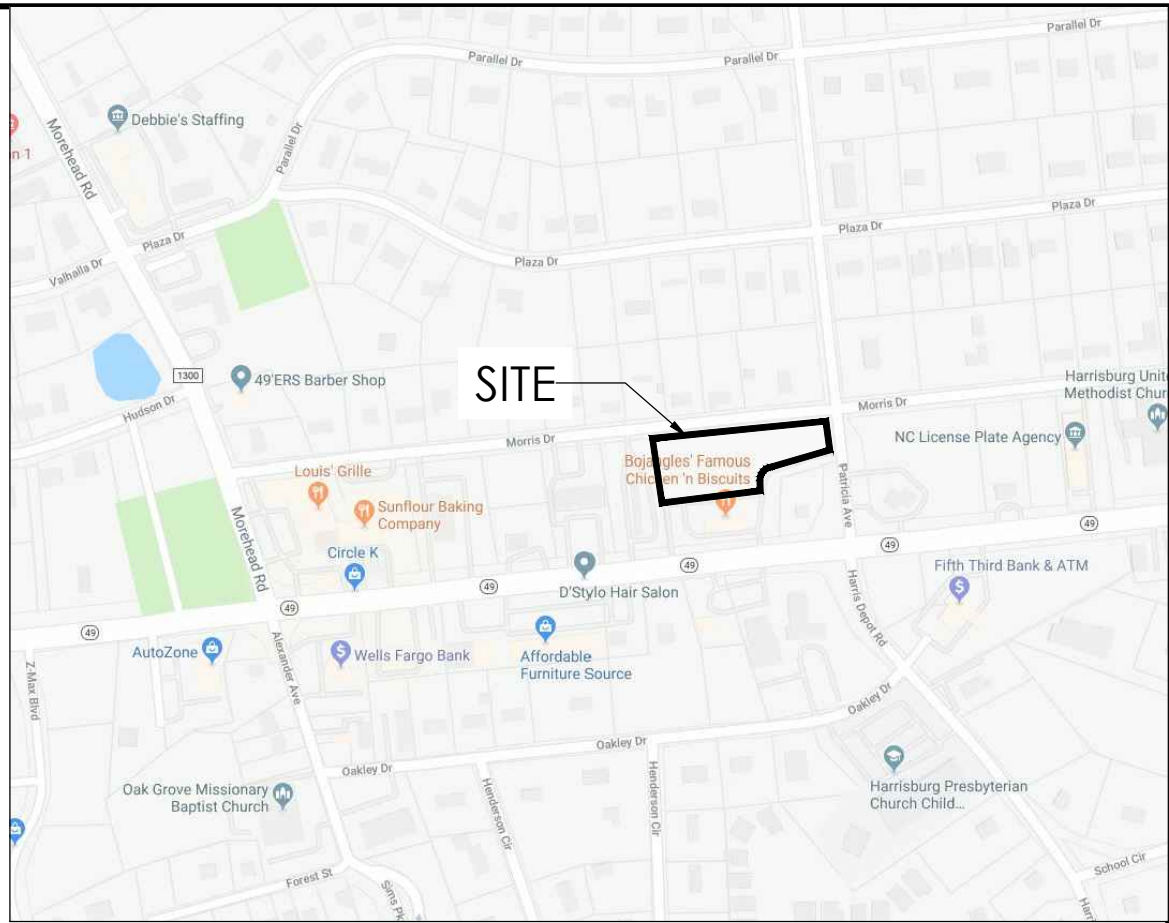
PERIMETER LANDSCAPING TYPE A BUFFERS
1 TREE PER 100'
1 SHRUB PER 50'
40 POINTS PER 100 LF

ZONING CODE SUMMARY

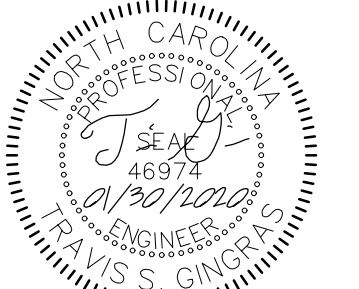
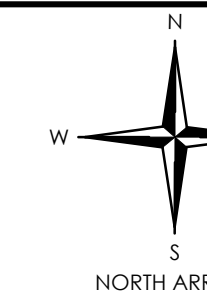
ITEM	PROVIDED
SITE AREA	1.287 AC
BUILDING SIZE	BUILDING A: 5,477 SF (7 UNITS) BUILDING B: 6,073 SF (8 UNITS)
BUILDING DENSITY	BUILDING TOTAL: 11,550 SF (15 UNITS)
FAR	15 UNITS PER ACRE
PARKING SPACES REQUIRED	12,000/ 1.287 AC (56,061 SF) = 0.21
PARKING SPACES PROVIDED	30 @ 2 PER UNIT (15 UNITS)
BIKE PARKING REQUIRED	34 SPACES (GARAGE SPACE + DRIVEWAY)
MIN. DRIVE AISLE WIDTH	NONE
MIN. DRIVEWAY RADIUS	AS NOTED

SURVEY MONUMENTS

NORTHING	EASTING	DESCRIPTION
576,380.53	1,505,686.69	REBAR AT PROPERTY CORNER
576,402.81	1,506,123.14	REBAR AT PROPERTY CORNER
576,295.51	1,506,136.67	PROPERTY CORNER
576,245.87	1,505,999.94	REBAR AT PROPERTY CORNER
576,250.12	1,505,924.01	PROPERTY CORNER
576,432.64	1,505,924.01	REBAR ON ADJACENT PROPERTY



Landscape Architecture | Civil Engineering | Surveying
8712 Lindholm Dr Suite 202A, Huntersville NC 28078
p: 704.875.0959 | www.hensonfoley.com
NC ENGINEERING BOARD LICENSE # C-3781
NC LAND SURVEYING BOARD LICENSE # L-1580



HARRISBURG LANDING

PIN # 5507-56-93030000
4850 HWY 49 S, HARRISBURG, NC 28075

PRELIMINARY PLAT

REVISIONS:

- REV1 - 2019-09-04 - PRE SUBMITTAL
- REV2 - 2019-10-09 - PRELIM PLAT SUB 1
- REV3 - 2019-11-12 - PRELIM PLAT SUB 2
- REV4 - 2020-01-27 - PRELIM PLAT SUB 3
- REV5 - 2020-01-30 - PRELIM PLAT SUB 4

PRELIMINARY PLAT, RECOVER.DWG

PROJECT NUMBER: 219033

DATE: 01/27/2020 DRAWN BY: TLM

01

01

SHEET OF



Town of Harrisburg
Planning and Economic Development Department

DATE: February 10, 2020

SUBJECT: H2019-04-(S) **Harrisburg Landing**, Preliminary Plat

Owner/ Developer: Rocky River, LLC

Location: The subject property is located on the southwest corner of the intersection of Morris Drive and Patricia Avenue, behind Bojangles. PIN 55075693030000.

BACKGROUND:

Area: Approximately 1.287 acres

Zoning: CZ-O-I, Conditional Office-Institutional (Case #H2018-10-R)

Staff Report prepared by: Sushil Nepal, AICP, Planning and Economic Development Department

GENERAL DISCUSSION:

- The subject property was rezoned in 2018 to CZ-O-I, Conditional Office-Institutional to build 13 multi-family townhomes, applicant has submitted revised site plan to build 15 townhomes (9 with garages and 6 without garages).
- With the revised plan, applicant is adding a secondary driveway (with security gate) to the existing Bojangles/Take 5 driveway.
- The applicant is seeking preliminary plat approval of Harrisburg Landing, a townhouse community of 15 units, consistent with the underlying O-I zoning, including the approved conditional rezoning site plan.
- Staff has reviewed the submitted preliminary plat and has found it to be generally consistent with the approved conditional zoning site plan and the standards of the UDO. There is variation in the product type and the number of units compared to approved rezoning. However, the rezoning intent to develop the site as town homes remains unchanged.

APPROVAL CRITERIA:

1. **The proposed land uses are in accord with the adopted *Comprehensive Plan* and the Official Zoning Map, or that the means for reconciling any differences have been addressed. A Preliminary Plat may be processed concurrently with a rezoning request.**

Per the Harrisburg Area Plan, the subject property is in an area designated as Mixed Use. This area is intended to accommodate development that combines commercial and civic/institutional land uses with a mixture of housing types. The predominant uses in this

district include retail, office, multi-tenant flex space, single-family detached and attached residential, multi-family residential at a medium density and civic and institutional uses. This area is characterized as having new traffic mitigations, village center connected with multi-use paths, tree save and unique farmhouse style residential architecture.

The rezoning which was approved to accommodate this development was found to be consistent with the Harrisburg Area Plan and the Unified Development Ordinance. Therefore, the request conforms to the goals and policies of the Harrisburg Area Plan and the Unified Development Ordinance.

- 2. The proposed subdivision conforms to all relevant requirements of this ordinance and to any variances that have been granted to permit any nonconformance. The plat shall meet all requirements of this Ordinance with respect to lot size and area, and in no way create a violation of any applicable current ordinances, statutes or regulations.**

The preliminary plat, as presented, is consistent with the approved conditional zoning site plan, which governs the development standards for the site. There is variation in the product type and the number of units compared to approved rezoning. However, the general intent to develop the site as town homes remains intact.

- 3. The proposed development, including its lot sizes, density, access and circulation, are compatible with the existing and/or permissible future use of adjacent property.**

The approval of the conditional zoning map amendment and associated site plan and conditions for the subject property established that the proposed development is compatible with the surrounding area.

- 4. That the proposed subdivision will not have detrimental impacts on the safety or viability of permitted uses on adjacent properties.**

The proposed project is an attached residential subdivision. No uses or designs proposed in this development would detrimentally impact the ability of the surrounding property to be used in a safe or viable manner. The proposed use offer a different variety of housing types in Harrisburg.

- 5. That the soils and topography have been adequately studied to ensure that all lots are developable for their designated purposes.**

The subject property will be served by public utilities (water and sewer) therefore; soil suitability is not a primary concern. Regarding the topography, the applicant will be required to submit a Soil and Erosion Control Plan to NCDEQ for review and approval. In addition, the applicant will also be required to submit construction drawings to the Town of Harrisburg for review and approval regarding utility placement and lot design standards.

- 6. That any land located within Zone AE, as shown on the currently adopted Flood Boundary and Floodway Maps of the Flood Insurance Study, is determined to be suitable for its intended use and that the proposed subdivision adequately mitigates the risks of flooding, inadequate drainage, soil and rock formations with severe limitations for development, severe erosion potential, or any other floodplain-related risks to the health, safety or welfare of the future residents of the proposed subdivision in a manner consistent with this ordinance, as described in § 4.14 of this Ordinance.**

The proposed development will be subject to the regulations set forth in the Unified Development Ordinance as well as any State or Federal regulations related to floodplain development and/or wetlands regulations. In addition, the development will be subject to NCDEQ sedimentation and erosion control standards. Any fill within a floodplain area to prepare it for development will be required to be coordinated with FEMA and the town's flood damage prevention regulations.

- 7. The proposed name of a subdivision shall be approved by the Cabarrus County E-911 Coordinator(s) and shall not use a word, or phrase, which is the same as, similar to, or pronounced the same as a word or phrase in the name of any other subdivision in Cabarrus County or any municipality or jurisdiction in the County. Proposed subdivisions may only use a duplicate subdivision name in the event that the Administrator requires the use of the same name for purposes of clear identification.**

The proposed name of the Townhome development is Harrisburg Landing. This name has been approved for use by the Cabarrus County E-911 Coordinator, no new public streets are created.

APFO REVIEW:

SCHOOLS

The part of the Unified Development Ordinance is no longer enforceable as determined by the NC Supreme Court. However, the schools have provided the following data:

Proposed Student Generation:

Townhomes produce a very limited number of students. Using the student generation rate which has been used for the past several years, it was estimated (at the time of rezoning) that 13 townhomes would generate less than 4 students. These students would be divided between elementary, middle, and high school. Therefore, these schools would be receiving 2 students or less.

NCDOT

NCDOT was not required to review the preliminary plat for this development.

FIRE, POLICE SANITATION

Adequate fire, police and sanitation services are available through the Town of Harrisburg.

UTILITIES

Utilities are available through the Town of Harrisburg. Applicant will be required to extend the water line and sewer line to their site.

CONDITIONS:

In considering an application for a subdivision plat, the decision-making agency shall consider and may impose modifications or conditions to the extent that such modifications or conditions are necessary to ensure compliance with the criteria of Section 6.2 of the UDO.

Should the Planning Board recommend approval of the preliminary plat for the Harrisburg Landing, staff requests that the following conditions become part of the approval, which are inclusive of the conditions agreed to as part of the approval of the conditional zoning map amendment for the project (H2018-10-R):

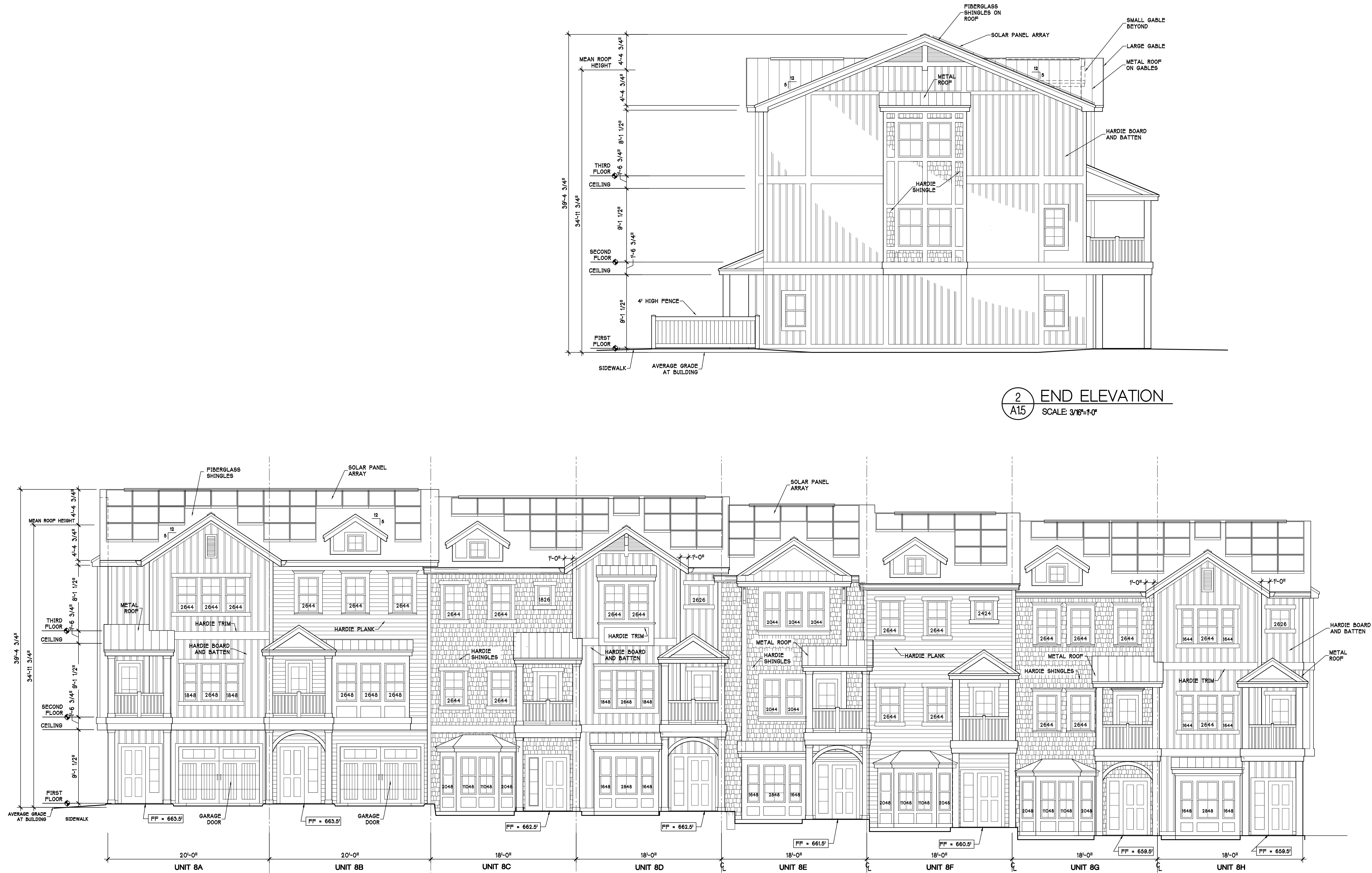
1. Applicant agrees to obtain any and all applicable local, state, and federal permits required for development before any development activity can take place.
2. Applicant agrees not to use vinyl siding and utilize high quality cladding materials for all buildings such as masonry and wood siding products, to be reviewed and approved by the Town.
3. Applicant agrees to restrict outside storage.
4. Applicant agrees to create a building-to-street relationship along Morris Drive to have the "front look and feel" and building match the elevation as submitted.

5. Applicant agrees to continued maintenance of buildings and grounds in the form of deed restrictions, establishment of HOA or restrictive covenants recorded and will run with the land.
6. Applicant agrees to dedicate a fee in lieu of Public Open Space dedication for the 0.37 acres of required Public Open Space, in the amount of \$38,850.03 per acre, for a total of \$14,375.00. All fee in lieu of dedications shall be made to the Town prior to final plat approval.
7. Applicant agrees to install a fence adjacent to Bojangles Property, to be reviewed and approved by the Town.

RECOMMENDATION:

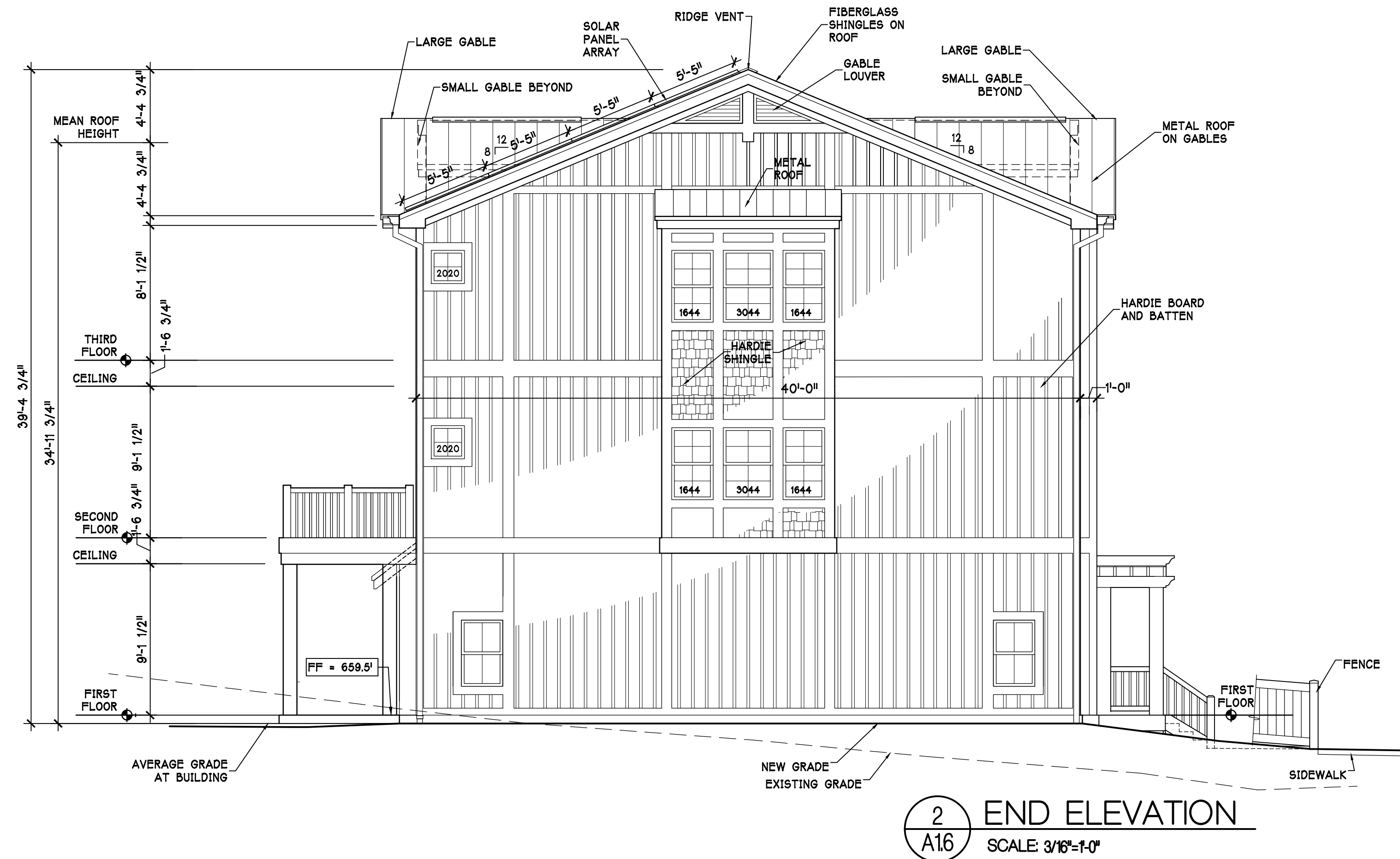
The preliminary plat is consistent with the Harrisburg Area Land Use Plan and the existing CZ-O-I zoning designation, including the multi-family residential design guidelines and approved Conditional Rezoning Site Plan. Therefore, the Planning and Zoning Department recommends approval of this preliminary plat request.

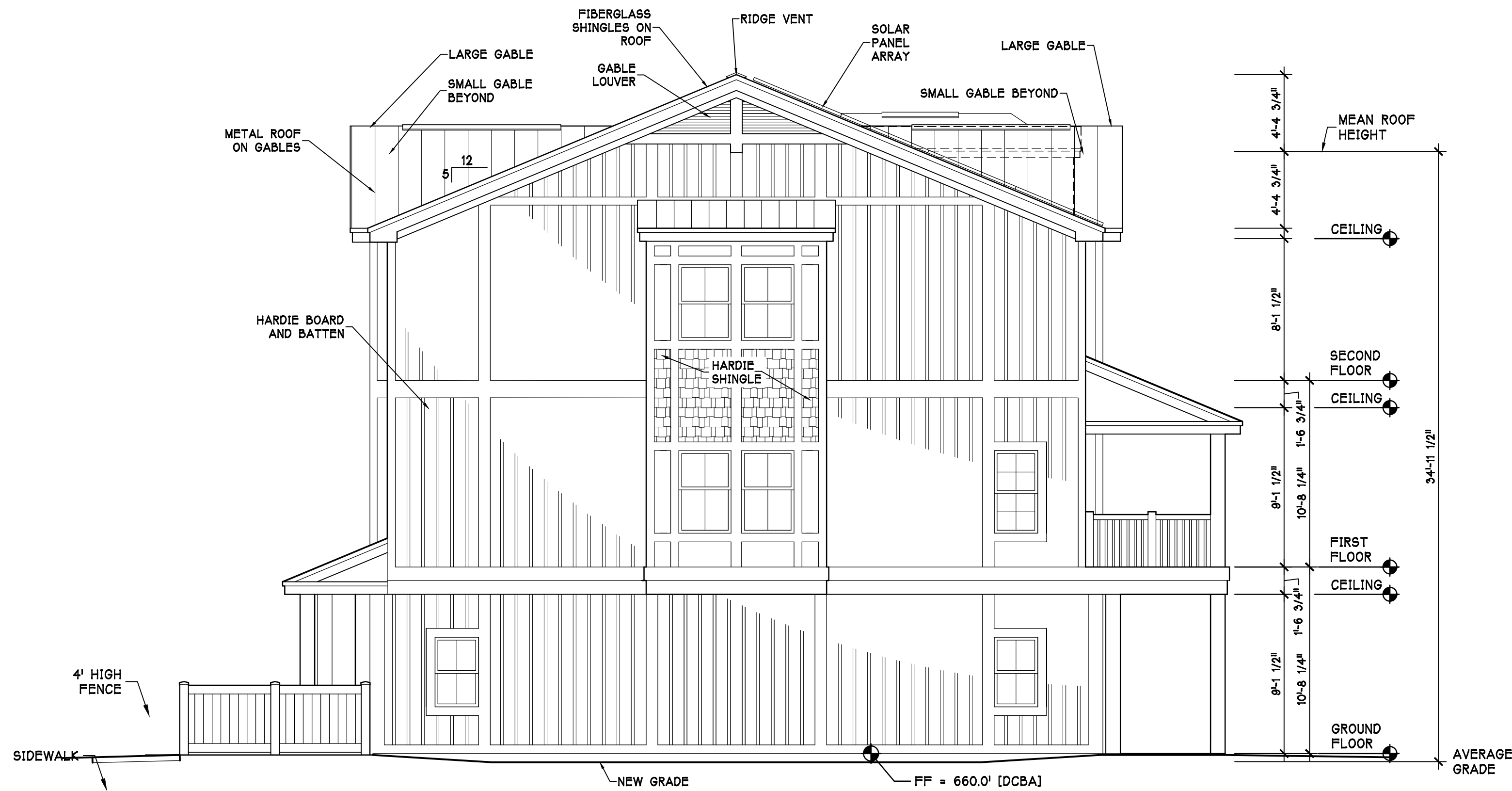
G:\1-commercial\Harrisburg Townhomes\ Current Drawings\8 Unit Building\A1.5 - A1.6 - elevations - stepped slab.dwg, 1/30/2020 6:07:43 PM, DWG To PDF.pc3



REVISION	KEY	DATE
HARRISBURG TOWNHOMES 4850 HWY 49 SOUTH HARRISBURG, NC		
NEW CONSTRUCTION		
PRELIMINARY NOT FOR CONSTRUCTION		
MICHAEL R. McLEOD ARCHITECT, PA www.mcleodarchitect.com 72 SOUTH END COURT, HAMPSTEAD, NC 28443 Phone: (910) 270-9778 Fax: (910) 270-9461		
ELEVATIONS		8 UNIT BUILDING
6 JAN 2020	A1.5	

6 JAN 2020		ELEVATIONS	MICHAEL R. MCLEOD ARCHITECT, PA www.mcleodarchitect.com 72 SOUTH END COURT, HAMPSTEAD, NC 28443 Phone: (910) 270-9778 Fax: (910) 270-9461	PRELIMINARY NOT FOR CONSTRUCTION	HARRISBURG TOWNHOMES 4850 HWY 49 SOUTH HARRISBURG, NC	REVISION	KEY	DATE
A16		8 UNIT BUILDING				NEW CONSTRUCTION		



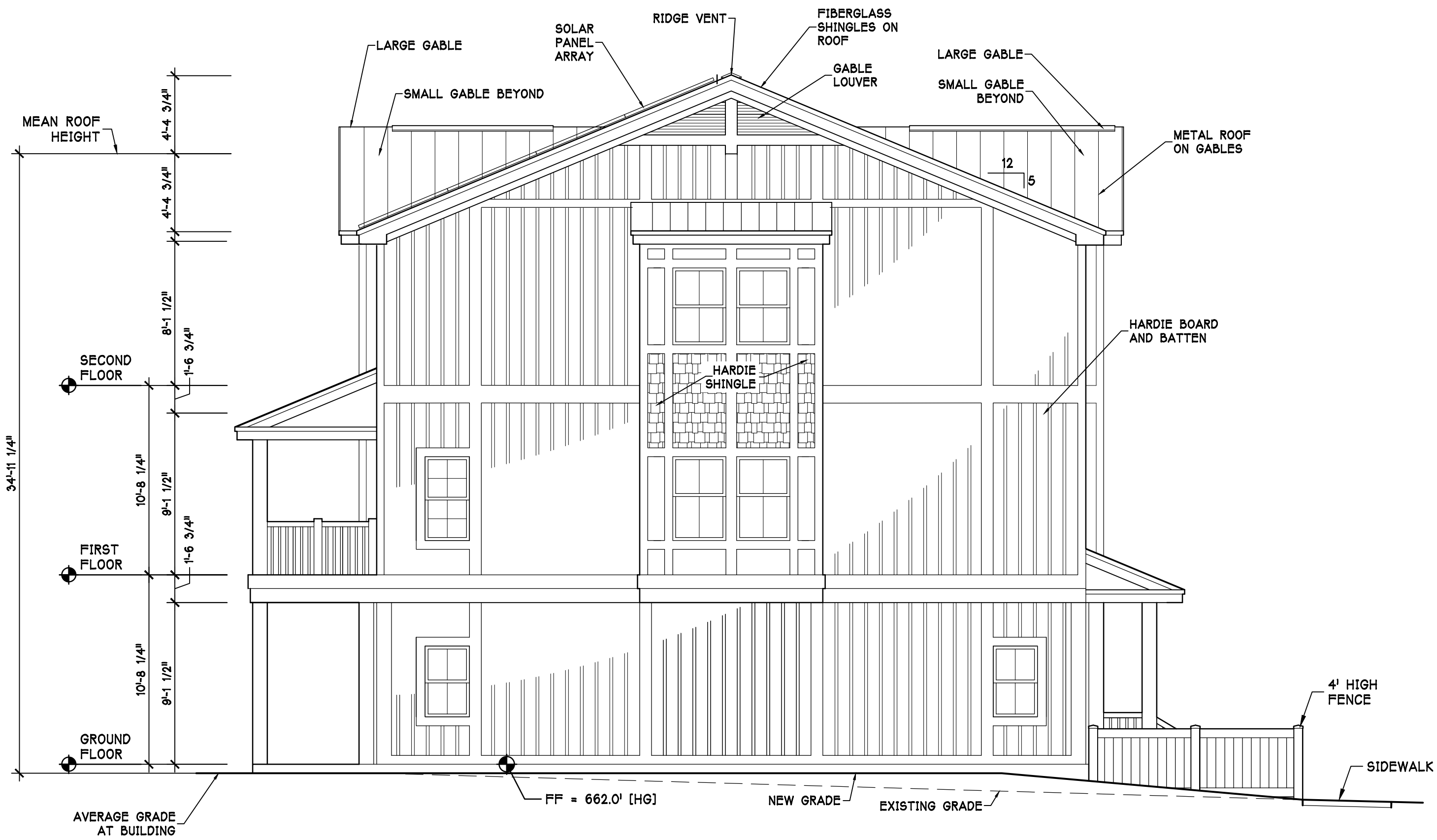


2 WEST END ELEVATION
SCALE: 3/16" = 1'-0"

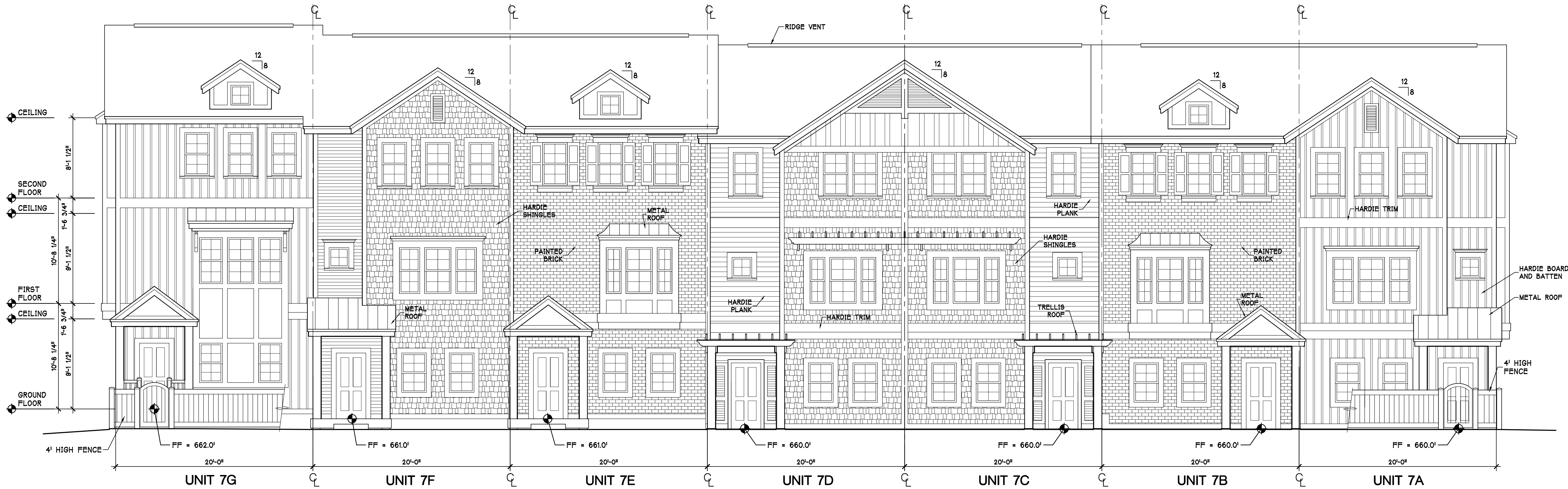


1 PARKING SIDE ELEVATION
SCALE: 3/16" = 1'-0"

G:\1-commercial\Harrisburg Townhomes\ Current Drawings\7 Unit Building\A2.1 - A2.2 - A2.3 - A2.4 - A2.5 - A2.6.dwg, 1/30/2020 6:17:03 PM, DWG To PDF.pcl



2 EAST END ELEVATION
A26 SCALE: 3/16" = 1'-0"



1 STREET ELEVATION
A26 SCALE: 3/16" = 1'-0"

REVISION	KEY	DATE

HARRISBURG TOWNHOMES 4850 HWY 49 SOUTH HARRISBURG, NC	NEW CONSTRUCTION

PRELIMINARY
NOT FOR
CONSTRUCTION

MICHAEL R. MCLEOD ARCHITECT, PA www.mcleodarchitect.com 72 SOUTH END COURT - HAMPSTEAD, NC 28443 Phone: (910) 270-9778 Fax: (910) 270-9461	ELEVATIONS	7 UNIT BUILDING

6 JAN 2020	A2.6
---------------	------

Sweetwater Assets, LLC
568 Jetton Street, Suite 200
Davidson, NC 28036

November 16, 2018

Town of Harrisburg
Mr. Daniel Stines
4100 Main Street, Suite 101 Harrisburg, NC 28075

RE: Public Open Space for Morris Drive and Patricia Avenue Dear Mr. Stines,

We would like to present payment in lieu of dedication of public open space for the proposed townhome/duplex plan at the corner of Morris Drive and Patricia Avenue. The total purchase price for the property is \$50,000 and the acreage is 1.287 acres which averages out to \$38,850.03 per acre. There are 13 proposed lots within the Town of Harrisburg which calculates to .37 acres required open space based upon 1/35 of an acre per unit. We request to make this payment at time of lot platting.

Total Fee to be Paid = $\$38,850.03/\text{acre} \times .37 \text{ acres} = \$14,375$

Please advise if you have any questions or need additional documentation from s. We look forward to working with and the Town of Harrisburg on this project.

Sincerely,



Jeff Watson
Manager



TOWN OF HARRISBURG

Agenda Item Details

Title:

H-2019-03 (R) – Epcon Communities Conditional Rezoning and Zoning Map Amendment.

Presenting Personnel:

Sushil Nepal, Planning & Economic Development Director

Suggested Motion or Action:

If approved, the following motion is suggested:

To approve the conditional rezoning request from Rural Estate (RE) to Conditional Residential Village (CZ-RV) as requested by the applicant for the related property in application H-2019-03 (R).

If denied, the following motion is suggested:

To deny the conditional rezoning request from Rural Estate (RE) to Conditional Residential Village (CZ-RV) as requested by the applicant for the related property in application H-2019-03 (R).

Description/Background:

Epcon Communities, on behalf of the property owners (Parks and Carloyn Howie) has submitted a request to rezone approximately 32.85 acres located at the southwest corner of the intersection of Robinson Church Road and Tom Query Road (PIN 55075084100000). The applicant proposes to develop 77 age-restricted single-family detached residential dwellings. To achieve this, the applicant is requesting that the property be rezoned from the current Rural Estate (RE) district to Conditional Residential Village (CZ-RV) in accordance with the site plan submitted with the application.

A staff report is attached for more information and a site plan is submitted for your consideration. If approved, staff will review the site plan in accordance with our Unified Development Ordinance (UDO). Staff is recommending approval of the rezoning request with conditions included in the staff report.

Recommendation:

With the conditions proposed, the rezoning request is consistent with the Harrisburg Area Plan. Planning and Zoning Department staff support approval of the rezoning request with conditions.

Fiscal Impact:

Attachments:

1. Epcon_Conditional Rezoning Application
2. Epcon - Site Location Map
3. H_2019_03_R Staff Report_Epcon Communities
4. H2019-03-R Epcon_Rezoning Site Plan
5. Epcon-ElevationExamples

6. Neighborhood Meeting Summary for H2019-03 _Epcon



APPLICATION FOR CONDITIONAL REZONING

Applications for a Conditional District must be accompanied by an application for a Zoning Map Amendment.

1. Please submit fifteen (15) copies of a complete development plan in conformance with Appendix B, Section B-4 of the UDO (all conditional rezoning applications shall include a site specific development plan which, if approved, shall be binding on the property in question). If approved, a zoning site plan review and approval will be required to receive a zoning compliance permit. For specific requirements, please see the form entitled "Site Plan Requirements".
2. Please list the specific permitted land use(s) that you are proposing. Land use(s) shall be chosen from Article 4.6 in the Harrisburg UDO titled "Use Regulations" and shall correspond to the Zoning District requested.

Age Restricted detached Residential

3. Please list any specific conditions that you would be willing to impose as part of this application (example: no outside storage permitted on-site, increased buffer width, etc.).

This will be a 55 and older age restricted community with walking trails and
an amenity area for the residents. Additional berms and landscaping will be
provided within the proposed lots in addition to the required buffers. Epcon
proposes on all homes to have painted composite siding with stone & brick accents
and architectural shingles.



Harrisburg NC

The right side of opportunity

Owner Information

It is understood by all parties hereto that while this application will be carefully considered and reviewed, the burden of providing its need and providing all required evidence rests with the below named petitioner. In addition, it is understood and acknowledged that if the property is rezoned as requested, the property involved in this request will be perpetually bound by the use(s) authorized and subject to such conditions as imposed, unless subsequently changed or amended through the rezoning process. It is further understood and acknowledged that it is the responsibility of the petitioner to file the development plan in the Cabarrus County Register of Deeds Office as a deed restriction upon the subject property.

If, after two years from the date of approval substantial construction has not begun, the property in question may revert to its prior zoning designation after a public hearing is held in compliance with the required procedure for a zoning map amendment.

I do hereby certify that all information which I have provided for this application is, to the best of my/our knowledge, correct.

Property Owner Carolyn Howie

Address PO Box 248
Harrisburg, NC 28075

Phone _____

Fax _____

Signature James H. Wolfe POA

NOTE: If multiple parcels are involved in a request, property owners must sign an application identifying the individual parcel(s) represented. Each parcel included in the request must be accounted for in the application process for the application to be considered complete.

OFFICIAL USE ONLY:

Petition Number: _____

Date Filed: _____

Received By: _____



APPLICATION FOR ZONING MAP AMENDMENT

The following steps are required in order for your application to be considered complete.

Incomplete applications will be returned to the applicant and will not be processed.

1. Schedule a pre-application meeting with staff.
2. Submit a completed application for an amendment to the official zoning map. All applications must include:
 - a. A list of all adjacent property owners (include owner name, address, and Parcel Identification Number)
 - b. A recent survey or legal description of the property or area to be rezoned
 - c. A copy of the letter, minutes, and the sign-up sheet from the Neighborhood Meeting
 - d. Copies of the Traffic Impact Analysis (TIA), proposed site plan, landscape plan, and proposed building elevations (applicability determined at pre-application meeting with staff)
3. Submit cash, checks, or money orders made payable to the Town of Harrisburg for all fees listed in the pre-application checklist.

Overview of the Rezoning Process:

1. Hold a pre-application meeting with staff to discuss your rezoning request and the map amendment process.
2. Hold a **neighborhood meeting** with the adjacent property owners. All adjacent property owners must be contacted and given an opportunity to meet with the applicant at a meeting established at a reasonable time. No member of the Town decision-making entity may participate in this meeting.
3. Submit a Zoning Map Amendment application to the Town of Harrisburg Planning Department. All applications must be submitted by the third Tuesday of the Month to go before the Planning and Zoning Board on the following month. NOTE: If the request is a Conditional Zoning request, complete and submit, with this application, a Conditional Rezoning Application.
4. Planning staff will review your application and subsequent information, prepare a staff report for the Board and take your request to the Planning and Zoning Board for a recommendation to the Town Council. Planning Board meetings are held on the third Tuesday of every month at 7:00 PM.
5. Once the Planning and Zoning Board has made a recommendation, staff will notify the adjacent property owners of the public hearing, post a sign on the property, and place announcements of the hearing in the local newspaper.
6. Town Council meetings are held on the second Monday of every month at 7:00 PM. At this meeting the Council will hold a public hearing and may vote on your request. Meetings are held at the Harrisburg Town Hall located at 4100 Main Street, Suite 101.

Questions: Contact the Town of Harrisburg Planning Department with any questions regarding rezonings in the Town of Harrisburg. Staff can be reached at 704-455-0709.



Subject Property Information

1. Street Address 7800 Robinson Church Road
2. PIN(s) (10 digit#) 5507 -- 50 -- 8410 ; -- -- --
3. Deed Reference Book Null Page
4. Township # 1

Description of Subject Property

5. Size (square feet or acreage) 32.85 Acres
 6. Street Frontage (feet) 3000
 7. Current Land Use Residential (One home)
 8. Surrounding Land Use and Zoning Classification
 - North: Zoning RE Land Use Residential
 - South: Zoning RE Land Use Residential
 - East: Zoning RE, RM-1 Land Use Residential
 - West: Zoning RE, RM-1 Land Use Residential
 9. Request to Change Zoning From RE to CZ-RV
 10. Is this a request for a Conditional Rezoning? YES NO
- (If YES, you must also submit an application for a Conditional Rezoning)
11. Purpose for Request: A 76 Lot Age-restricted Community
- _____
- _____
- _____
- _____
- _____
- _____



HarrisburgNC

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Owner/Agent/Applicant Information

It is understood by all parties hereto that while this application will be carefully considered and reviewed, the burden of providing its need and providing all required evidence rests with the below named petitioner.

I do hereby certify that all information which I have provided for this application is, to the best of my/our knowledge, correct.

12. Property Owner

Carolyn Howie

Address

PO Box 248, Harrisburg, NC 28075

Phone

Fax

Email:

Signature

James H. Wolfe POA

13. Agent (if any)

Address

Phone

Fax

Email

Signature

14. Applicant (if any)

Epcon Communities

Address

11020 David Taylor Dr., Suite 106
Charlotte, NC 28262

Phone

704-589-4821

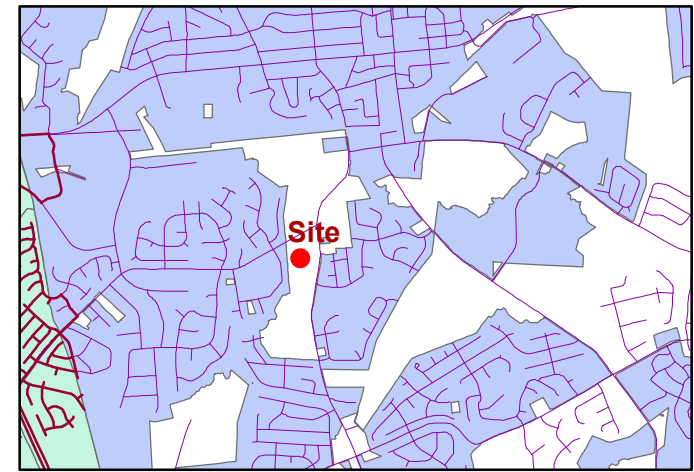
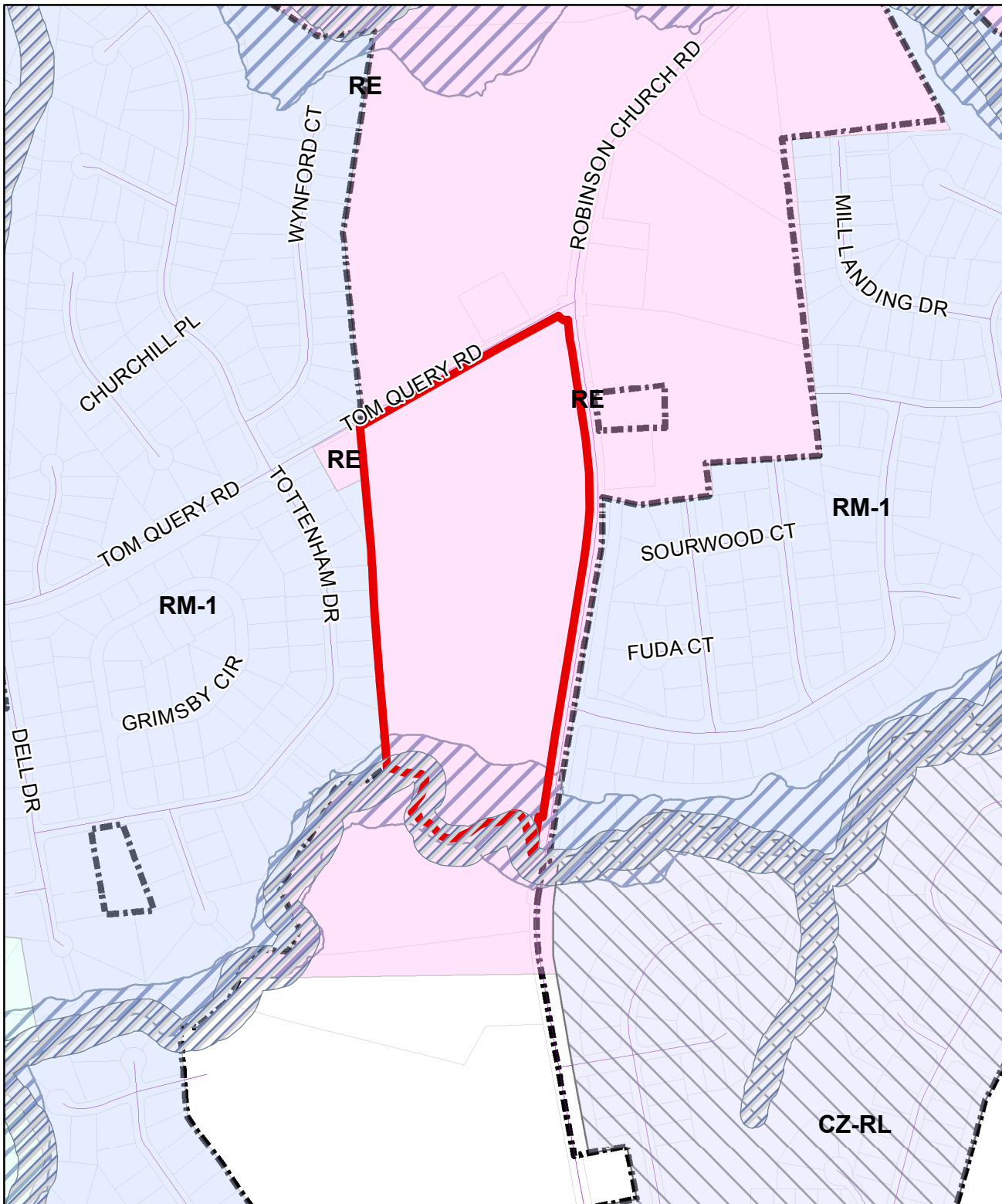
Fax

Email

mdavis@epconcommunities.com

Signature

NOTE: If multiple parcels are involved in a request, property owners must sign an application identifying the individual parcel(s) represented. Each parcel included in the request must be accounted for in the application process for the application to be considered complete.



H 2019-03-(R) 7800 Robinson Church Road Epcon Communities

Applicant: Epcon Communities

Current Zoning: RE

Proposed Zoning: Conditional Residential Village
(CZ-RV)

-  Site
-  Town Limits
-  Floodplain Overlay
-  Parcels



0 350 700 1,400 Feet



Town of Harrisburg
Planning and Economic Development Department
Rezoning Staff Report

DATE: February 10, 2020

SUBJECT:

Request H-2019-03-(R): To rezone approximately 32.85 acres from RE, Rural Estate to CZ-RV, Conditional Residential Village

Location: The subject property is located at the southwest corner of the intersection of Robinson Church Road and Tom Query Road. (PIN 55075084100000)

Applicant: Epcon Communities on behalf of owners (Parks and Carolyn Howie)

Staff Report Prepared by: Sushil Nepal, AICP, Planning & Economic Development Department

Neighborhood Meeting: Held November 21st, 2019

BACKGROUND:

Area: ±32.85 acres Total

Existing Land Use: Vacant/Single-Family Residential

Zoning within 500 feet: North – RE, Rural Estate
South – RE, Rural Estate
East – RE, Rural Estate
– RM-1, Residential Medium Density
West – RE, Rural Estate
– RM-1, Residential Medium Density

Land Uses within 500 feet: North – Vacant and Single-Family Residential
South – Vacant and Single-Family Residential

East – Single-Family Residential
West – Single-Family Residential

APPLICATION SUMMARY:

- The applicant proposes to develop a 77-lot single-family age-restricted (55 and above) subdivision. To achieve this, the applicant is requesting that the property be rezoned from the current Rural Estate (RE) district to Conditional Residential Village (CZ-RV) in accordance with the site plan submitted with the application.
- The proposed density of the site is 2.34 dwelling units per acre. The RV district has a maximum density of 8 dwelling units per acre but upon approval of this rezoning, the density will be capped at 2.34 unit/acre and the site plan will be attached with the land.
- Per the Town subdivision regulations, the applicant is providing dedicated public open space. The applicant proposes the development of 6.3 acres of open space as part of the development.
- The applicant agreed to install a ten (10) foot wide paved greenway trail near the southern boundary of the site along Fuda Creek and to dedicate a twenty-five (25) foot wide greenway easement to complete a segment of the Fuda Creek Greenway. The greenway would directly link to both the proposed development and the Fenton Dell community immediately to the west, and to the existing greenway across Robinson Church Road to the east. The applicant also proposes to construct a pedestrian grade crossing (including “hawk” pedestrian signal) crossing Robinson Church Road that will link the proposed segment of the greenway to the existing greenway across Robinson Church Road.
- The applicant also agreed to re-design and participate financially in the reconfiguration of the Robinson Church/Tom Query intersection, and to dedicate a portion of the site for the reconfigured intersection street right-of-way. This intersection improvement is prescribed in the Harrisburg Area Land Use Plan.
- As a conditional zoning request, the applicant has submitted a site plan along with the request for rezoning, which is attached for your consideration.
- The property is in the Town’s Extra-Territorial Jurisdiction (ETJ), applicant has also submitted a Petition requesting Annexation for the subject property which is contiguous to the current Town of Harrisburg corporate limits.

APPROVAL CRITERIA:

1. The size of the tract in question;

The subject property is approximately 32.85 acres in size.

2. Whether the proposal conforms with and is in furtherance of the implementation of the goals and policies of the Comprehensive Plan, other adopted plans, and the goals, objectives and policies of the Ordinance;

Per the Unified Development Ordinance, the intent of the proposed district depicted on the submitted site plan is as follows:

***RV:** The RV district is established to provide areas for detached and attached single family homes, with a maximum of eight (8) dwelling units per acre, in areas where large-lot development is discouraged and adequate public facilities and services are available. RV supports the principles of concentrating urban growth and reinforcing existing community centers.*

Per the Harrisburg Area Land Use Plan, the subject property is located in an area designated on the future land use map as Medium Density Residential. The description of Medium Density Residential is as follows:

“This area is comprised of predominantly single-family detached homes but may include attached single family units, such as townhomes and duplexes. The mix of housing types are intended to create neighborhoods with a density range of 3 to 4 dwelling units per acre. Improved open spaces are interspersed and the streetscape is more formal.”

Based on the description of the Medium Density Residential land use classification, the proposed development, at 2.34 dwelling units per acre would fall within the threshold of 2 to 3 dwelling units per acre that has been set for this area in the Land Use Plan.

With regard to the overall goals of the Land Use Plan, **recommendation LU-5** states that the Town should “Expand Housing Options” to appeal to a broad range of audiences. It specifically mentions offering a housing product that could appeal to residents wishing to age in place. The Plan’s demographic section documents that “the Planning area has a growing mature population with more than 40 percent of households being over the age of 55”. The Market Conditions Projections section states that close to half of the future demand for for-sale housing will be for homes and villas on smaller lots.

Recommendation LU-7 of the Plan recommends consistency between the Town’s zoning regulations and the adopted Future Land Use Map. A table included as part of this goal establishes the “appropriate” zoning districts to use when making zoning decisions based on the Future Land Use Map. The map, as previously stated, designates this area as Medium Density Residential. The table indicates that the RV district is appropriate for this land use classification.

3. The benefits or detriments for the owner, neighbors and surrounding community;

The benefits to the owner of the property would be that single-family residential development at the proposed density of 2.34 dwelling units per acre could be achieved under the proposed zoning. The existing zoning restricts density to 1 dwelling unit per acre.

Detriments to the neighbors and surrounding community are consistent with those expected with additional residential development, such as generation of additional traffic

and potential traffic congestion during peak times. Since the proposal is for an age-restricted community, traffic generation is less compared to traditional single-family subdivision and that there should be no impact upon student populations in the schools.

Benefits to the neighbors and the surrounding community include the dedication and construction of an additional segment of the Fuda Creek Greenway and installation of a greenway pedestrian crossing across Robinson Church Road, and the re-alignment of Tom Query Road at its intersection with Robinson Church Road to make it a safe intersection.

4. Whether the proposed request is in compliance with the adequate public facilities criteria;

a. Utilities:

Utilities are available in this area, and are sufficient to meet the needs of this property. Water and sewer access are located along Robinson Church Road, and will be available to the development upon annexation. Any utility line extensions or upgrades necessary to serve this development will be the responsibility of the developer.

b. Transportation:

A TIA was not required based on the lower amount of traffic generated by an age-restricted community. However, several transportation-related improvements will be completed as part of this development. In addition to the afore-mentioned greenway and intersection improvements, the developer has committed to installation of sidewalks along the Robinson Church and Tom Query frontages, and some perimeter road widenings to accommodate turn movements into the development.

c. Safety and Sanitation Services:

Adequate police, fire, and sanitation services are available for the proposed use, and will be provided upon annexation.

d. Schools:

The proposal is for an age-restricted (55 plus) adult community, so the generation of school-age populations is extremely unlikely. In recognition of the community's characteristics, Cabarrus County Schools states that they do not estimate students from age-restricted communities.

5. The relationship of the uses envisioned under the new zoning and the uses currently present in adjacent tracts. The Commission shall consider the following:

a. Whether the proposed zoning is compatible with the surrounding area or whether there will be adverse impacts on the capacity or safety of the portion of street network influenced by the rezoning, parking problems, or

environmental impacts that the new use will generate such as excessive storm water runoff, water, air or noise pollution, excessive nighttime lighting or other nuisances;

The density of the proposed development (2.34 dwelling units per acre) is slightly higher than the observed density of the newer developed neighborhoods to the east and west of the site (although those neighborhoods are the same RV zoning as being requested for this site). Although such a density is not uncommon with an age-restricted community. The development proposes 6.3 acres of the site be devoted to open space. With regard to specific uses, the single-family homes proposed for this development would not be incompatible with surrounding land uses.

Properties to the north and south of the site are currently exists as rural homesteads, so the proposed development would represent a change compared to those areas.

b. Any change of character in the area due to installation of public facilities, other zoning changes, new growth changes, deterioration, and development;

Sizable portions of the Robinson Church Road corridor continue to remain rural or undeveloped in character although the Harrisburg Area Land Use Plan prescribes medium density residential uses for the portion of the corridor north of Rocky River Road. Several residential developments including Bridge Pointe to the east of the site suggests increased development interest and pressure in this part of Harrisburg.

Like all other development activity in this area, the development of this land would convert former farmland and forestland into residential neighborhoods, while preserving appropriate area for open space/tree save.

c. The zoning districts and existing land uses of the surrounding properties;

The areas around this property are generally zoned for low to medium density residential use. Existing land use patterns in the area typically consist of low to medium density residential neighborhoods and vacant forested land and land previously used for agricultural purposes.

d. Whether the subject property is suitable for the uses to which it has been restricted under the existing zoning classification;

The property is suitable for the uses which it has been restricted to under the existing zoning classification.

e. Whether the rezoning is compatible with the adjacent neighborhood, especially concerning neighborhood stability and character;

As previously mentioned, the specific use of the property, single family residential, is consistent with surrounding neighborhoods. The primary point of potential inconsistency would be the introduction of smaller lots into this area, which however is in alignment with the Land Use Plan.

- f. The length of time the subject property has remained vacant as zoned (if applicable);**

This property has been used for residential and agricultural purposes.

- g. Whether there is an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs;**

Land supply is not a direct issue in this area.

- 6. Whether the existing zoning was in error at the time of adoption.**

The existing zoning was not in error at the time of adoption.

Furthermore, as a Conditional Zoning request, the Board must consider the following criteria:

- 7. The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the current Land Use Plan.**

The rezoning application to RV district to the property, with the proposed density limitation, is consistent with the density and lot size standards established for the base RV Zoning District in the Unified Development Ordinance and Medium Density Residential land use classification in the Land Use Plan.

The development proposal accompanying the rezoning request would restrict permitted uses to single family residences, which are appropriate in this area.

- 8. The use(s) requested are among those listed as an eligible permitted or conditional use in the general use district as included in the rezoning request.**

The applicant is seeking for the following uses to be allowed in this Conditional Zoning District:

- Single-Family Detached Residential; this use is allowed in the RV District.

- 9. The design of the proposed Conditional Zoning (CZ) District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare and vibration and not create a nuisance.**

The applicant intends to work collaboratively with both Harrisburg town staff and the NC Department of Transportation in identifying and implementing roadway improvement measures on perimeter roadways intended to mitigate adverse transportation impacts associated with the proposed development. Currently two vehicular site access points are planned, one onto Tom Query Road (planned as a right in/right out intersection) and one full-movement access point onto Robinson Church Road to be aligned opposite Baybrooke Lane.

Furthermore, the re-alignment of the Tom Query/Robinson Church intersection will provide benefits to both residents of the proposed development as well as to citizens and motorists of the larger community. Finally, the planned extension of the Fuda Creek Greenway will provide residents in the area greater bicycle and pedestrian mobility alternatives.

Landscaping buffers shown are adequate to meet the needs of the adjacent properties, and town staff is working with the applicant to identify any prospective tree save opportunities on the site that could be incorporated into the final planting plan.

10. The use limitations and conditions as proposed and/or imposed for the requested district can reasonably be implemented and enforced for the subject property.

The conditions proposed and imposed for this district can be reasonably implemented on this site.

11. When implemented the proposed and/or imposed use limitations and conditions will mitigate specific land development issues that would likely result if the subject property were zoned to accommodate all the uses and the minimum standards of the corresponding general zoning district. If any standards are proposed that are different from the underlying zoning district, the applicant must clearly demonstrate that the overall resultant project is greater than that which is typically allowed by the general district.

All proposed conditions recommended by staff are to bring the site into conformance with applicable local and state regulations.

12. The applicant has agreed to accept the use limitations and conditions as proposed and/or imposed for the requested district.

The applicant will need to agree to all conditions listed in this staff report. Any additional conditions placed on this property will need the acceptance of the applicant before a decision can be made on this application.

13. For an approval, the Board must adopt a consistency statement that the amendment being considered is either consistent or inconsistent with the adopted land use plan and that the Board considers the action to be reasonable and in the public interest.

Both the Planning Board and the Town Council will need to adopt a consistency statement when a recommendation or decision is made on this item.

APPROVAL WITH CONDITIONS:

The proposal is a conditional re-zoning request. Conditions may be imposed on the zoning action; staff recommends that the following conditions be placed on this project. Applicant agrees to the following:

1. Applicant agrees to obtain any and all applicable local, state, and federal permits required for development before any development activity can take place.
2. Applicant agrees to develop the site as “age-restricted” community and will be restricted as such by deed restrictions.
3. Applicant agrees to restrict exterior cladding materials to non-vinyl products.
4. Applicant agrees to construct a ten (10) foot wide paved greenway trail connection and dedicate a twenty-five (25) foot wide easement to provide access to the greenway connection from the proposed development, to Robinson Church Road, and to the adjoining Fenton Dell community (including constructing the paved trail to Tottenham Drive).
5. Applicant agrees to install a pedestrian crosswalk and signal on the greenway crossing at Robinson Church Rd.
6. Applicant agrees to work collaboratively with the Town Staff and the NC Department of Transportation in identifying and participating in the development of right-of-way improvements on perimeter roads, including left and right turn lanes at site entrances, re-alignment of Tom Query Road at its intersection with Robinson Church Road, and a streetlighting plan.
7. Applicant agrees to identify any potential tree save areas (including heritage trees) on the site that might be able to be retained post-development.

RECOMMENDATION:

With the conditions proposed, the rezoning request is consistent with the Harrisburg Area Land Use Plan. Planning and Zoning Department staff supports approval of the rezoning request with conditions.

Epcon Product



Epcon Product



Promenade III
© 2018 IP86, LLC

Epcon Product



Palazzo

© 2016 Epcon Communities Franchising, Inc.

Aerial View of Product – Rear Yard



BIRDS EYE VIEW – COURTYARDS & HOMES



© 2014 Epcn Communities Franchising, Inc.



Neighborhood Meeting Summary
Epcon Communities
Case: H2019-03-® 7800 Robinson Church Road

Aa required by the Town of Harrisburg, a neighborhood meeting was held on Thursday, November 21st at 6:00 PM at the Town of Harrisburg. Epcon was represented by Mike Davis and John Shamp. Keith Rains from McKim & Creed was the engineer for Epcon. The following is a summary of some of the comments, concerns, and responses from the meeting:

- There was a question if the existing gas easement would be affecting the realignment of Tom Query Road and Robinson Church Road. It was responded to that the gas easement would not affect the widening.
- There was a request to consider additional buffering to the Fenton Dell residents. Epcon explained the current 20' buffer will preserve the trees that exist and additional buffering will be provided within the rear setbacks of the lots that would include trees and shrubs.
- The question was asked if there was a double yellow line where the proposed drive would be on Tom Query. It was confirmed that there was.
- A resident from Fenton Dell was concerned about water runoff stating that they currently have a ditch that gets flooded regularly. Requested a bigger buffer to help with that. Epcon's engineer stated that the stormwater from the site would be captured in a new storm drainage system and piped to a proposed wet pond. This would significantly reduce the water that currently drains to the Fenton Dell residents.
- There was a concern that the curve on Robinson Church Road as you drive towards to Harrisburg was dangerous. It was asked if this project would be required to do anything about it. Harrisburg planning staff said it would not be a requirement for this site, but they would notify the appropriate agencies about the concern.
- A resident asked if Epcon would agree in writing to meet the state stormwater requirements. The engineer stated that they would have to before they could get a permit to do the project from the state.
- A resident asked about preserving the trees shown in the buffer along Robinson Church Road. Epcon stated that they wanted as much of the buffer to remain as possible. They stated they would only clear as much as possible that was required for grading.
- A resident was concerned about tree removal to install a trail access to Fenton Dell. The engineer stated that the trail would meander as needed to minimize the tree removal.
- A question was asked if the BMP would be fenced. Epcon responded that it would be and landscaped with a fountain in the wet pond as well.

- A question was asked about a cross-walk across Robinson Church Road to connect the trail system. Epcon stated that they are in discussions with the Town regarding the cross-walk.
- A question was asked if the project would be installing any turn lanes on Robinson Church Road. Epcon stated that any improvements NCDOT required would be installed. They were concerned about Bridgepoint drivers making left turns into their site waiting on slow drivers. Planning staff informed them that they would be formally reviewing the plan now and that NCDOT would be involved with that review.
- A question was asked about the HOA dues and when it would be taken over by the residents. Epcon stated that their typical dues were around \$250 per month and that it depended on how quick the community sells as to when the residents took over.
- A question was asked about how would they know the comments from the meeting were addressed before it went to Planning Board and Council. Planning staff stated that they would not take it to the Board and Council without the issues being addressed to the extent Epcon agreed to address.
- One resident spoke in support of the greenway/trail system

Attachments:

Agenda

Sign-in Sheet

**TOWN OF HARRISBURG, NORTH CAROLINA
HARRISBURG TOWN HALL
NEIGHBORHOOD MEETING
THURSDAY, November 21, 2019
6:00 PM**

AGENDA

1. CALL TO ORDER:

2. PRESENTATIONS:

A. 6:00 PM H2019-01-(R) – Pharr Mill/ Mulberry Road Parcels –
Request to rezone parcels # 55177993000000, 55179854430000 and 55179699450000, generally locate at the intersection of Phar Mill and Mulberry Rd. The property owner is requesting a rezoning of these parcels, currently located in the County, from LI (Light Industrial) and OI (Office Institutional) to CZ-RV, Conditional Zoning Residential Village. The purpose of the rezoning is to enable the property owner to develop and subdivide the property for single family homes.

B. 6:30 PM H2019-03-(R) 7800 Robinson Church Rd – Request to rezone parcel # 55075084100000, located at the intersection of Robinson Church and Tom Query Rd. The property owner is requesting a rezoning of these parcels from RE, Rural Estate, to CZ-RV, Conditional Zoning Residential Village. The purpose of the rezoning is to enable the property owner to develop and subdivide the property for age-restricted (55+ only) single family homes.

3. ADJOURNMENT

7800 Robinson Church Road Rezoning

Sign in Sheet

Neighborhood Meeting

11/21/19

6:30 PM - 7:00 PM

Name

Address

Ken & Darlene Seibert 7917 Tottenham Dr.

Virginia & Nick Lieto 7869 TOTTENHAM DR.

JESSICA Fava 4455 Millard Dr.

ASHOK Kumar Kotte 7232 old valley way.

Betty Lee Robinson Ch

Cathy Idunsa 7525 Robinson Ch

* Bob & Angela Brokin 7853 Tottenham Drive

Jan Maynard 7829 Tottenham Drive

Kathleen Murphy 7829 Tottenham Dr.

MIKE Smith 6325 PHARR MOUNT RD

DAVE A. PARKER 8152 CAMELOT DR.

Joe-Phillip Tudorola - 7813 Tottenham Dr.

GREG HOWARD 5045 WYNFORD CT

Jeff Phillips 6005 The Meadows LN

Sandy Morgan 7173 Ruth Fidler Ln

Robert & Evelyn ARADY 4655 Rice Hill DR.

Sheryl Cheek 7746 Coachman Ct Harrisburg NC 28075

Bo & Dixie Clark 8026 Wycombe Ct Harrisburg

7800 Robinson Church Road Rezoning

Sign in Sheet

Neighborhood Meeting

11/21/19

6:30 PM - 7:00 PM

Name

Address

Patrizia Rhyme

7250 Streamhaven Dr. Harrisburg NC

Victoria Minchin

7901 Tottenham Dr. Harrisburg

GREG HOWARD

5045 WYNFORD CT

Elizabeth Scott

4895 Sherburne Dr Harrisburg

Deborah Beale

7967 Grimsby Circle Harrisburg

Kim Harman

7837 Tottenham Dr Harrisburg

Todd MAY

8018 WYCOMBE COURT

Nicole Eskew

8010 Wycombe Ct.

Jan Eskew

8010 Wycombe Ct.

Ron Smith

3118 SEA ISLAND.