



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

**June 16, 2020
6:00 PM**

AGENDA

1. THIS WILL BE A TELECONFERENCED MEETING VIA THE ZOOM PLATFORM.

- A. Please click this URL to join.
<https://us02web.zoom.us/j/82502836332?pwd=SWdTSIFXc1BTN3hnUDZRcEg4cGNXQT09>

Password: 588943

Or join by phone:
Dial: 301 715 8592 or 312 626 6799

Webinar ID: 825 0283 6332

2. 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.

3. CONSENT AGENDA

- A. Consider the meeting minutes of February 18, 2020 Planning and Zoning Board meeting.

4. OLD BUSINESS

5. NEW BUSINESS

- A. H2018-01-(S) Allburn Residential Subdivision Preliminary Plat Extension.
- B. Appointment of Planning Board Representative to the Unified Development Ordinance (UDO) Steering Committee
- C. Creation of a Planning and Zoning Board Sub-Committee to Review and Recommend New Appointments

6. STAFF UPDATES/INFORMATION

7. 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 February 18, 2020 Planning and Zoning Board meeting.

Presenting Personnel:

Suggested Motion or Action:

Motion to approve the meeting minutes of February 18, 2020 Planning and Zoning Board meeting.

Description/Background:

Recommendation:

Fiscal Impact:

Attachments:

1. PZ MINS FEB 18 2020

**TOWN OF HARRISBURG, NORTH CAROLINA
PLANNING & ZONING ADVISORY BOARD MEETING
TUESDAY, FEBRUARY 18, 2020
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, Thelma Thorne-Chapman

ABSENT: Kevin Schaffner

**A.
AGENDA ADOPTION
MOTION:**

Jacob Carpenter made a motion to adopt the agenda as presented. Second was made by Rodney Garner. **The motion passed 6-0.**

**B.
SPECIAL PRESENTATIONS**

**C.
PUBLIC COMMENT**

Diane Murphy- 4112 Carl Palmer Drive-Speaking on the development behind Town Hall

**2.
CONSENT AGENDA**

A. Planning Board meeting minutes from December 17, 2019 Planning and Zoning Board meeting.

MOTION:

Thelma Thorne-Chapman made a motion to approve the Consent Agenda. Second was made by Lloyd Quay. **The motion passed 6-0.**

**3.
OLD BUSINESS**

**4.
NEW BUSINESS**

A

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

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

MOTION:

Rodney Garner made a motion to recommend approval of H2019-4-(S) with the following conditions and send it on to Town Council for their consideration with a second from Jacob Carpenter. **The motion passed 6-0.**

B

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

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.

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, realignment 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.

Public Comment:

- Mike Davis- 11000 David Taylor Drive- Applicant, Spoke on behalf of the Rezoning request
- Virginia Lieto- 7869 Tottenham Drive- Speaking on the multi-use path and who will maintain both sides
- Keith- 1139 Hermington Rd, Rockhill- Site Engineer, will take any questions if needed
- Angela Brown- 7853 Tottenham Drive- Asking about the common space
- Lester Lemley- 7820 Grimsby Circle- Questions regarding storm water and grading
- Kim Harman- 7837 Tottenham Drive- Concerns on when it rains on their property coming from the new developed property

- Bob Brown- 7853 Tottenham Drive- How long will the entire construction take to finish

After some discussion about the project, the Planning Board suggested to add a new condition stating that the percentage change from being 80% to 90% of the homes will be 55 and plus and applicant agreed to that change, they then took the following action:

MOTION:

Lloyd Quay made a motion to recommend approval of H2019-03-(R) with the following conditions and changes and sent it on to Town Council for their consideration with a second from Thelma Thorne Chapman. **The motion passed 6-0.**

The following Consistency Statement was then proposed:

CONSISTENCY STATEMENT:

1. Based on the staff report, staff presentation and with the conditions proposed, this rezoning request is consistent with the Harrisburg Area Land Use plan and with the conditions it is reasonable and in the public interest.

MOTION:

Lloyd Quay made a motion to approve the proposed Consistency Statement with a second from Andy Rathke. **The motion passed 6-0.**

5.

STAFF UPDATES/INFORMATION

- We will hold our Neighborhood meeting Thursday for a Rezoning request (Hickory Ridge area) that came in front of the planning board a few years ago. As always, the Planning Board is encouraged to attend these Neighborhood Meetings.
- Transportation planning process is underway and plan to provide some updates to the Town Council at the March meeting.
- UDO Update, we received four proposals and we interviewed all four. Once one is selected, we hope to have this process wrapped up by May 2020 and get on with the UDO update.

6.

ADJOURNMENT

MOTION:

There being no further business, Andy Rathke made a motion to adjourn, with a second from Jacob Carpenter. **The motion passed 6-0.**

Andy Rathke, Chairman

Carly Bedgood, Secretary



TOWN OF HARRISBURG

Agenda Item Details

Title:

H2018-01-(S) Allburn Residential Subdivision Preliminary Plat Extension.

Presenting Personnel:

Sushil Nepal, Planning & Economic Development Director

Suggested Motion or Action:

If approved, the following motion is suggested:

To approve the time extension request of a year for a previously approved Preliminary Plat H-2018- 01 (S).

If denied, the following motion is suggested:

To deny the time extension request of a year for a previously approved Preliminary Plat H-2018- 01 (S).

Description/Background:

The Preliminary Plat for Allburn Subdivision H 2018-01-(S) was reviewed and approved by Town Council in July, 2018 upon receiving the recommendation for the Planning and Zoning Board. As stated in Article 6 - Subdivision Regulations of the Harrisburg Unified Development Ordinance (UDO), the Subdivision Final Plat is to be recorded within two (2) years of Preliminary Plat approval. The Town Council may grant a one-year extension after a review and recommendation by the Planning and Zoning Board.

Staff is currently reviewing the Construction Documents for the Subdivision. It is unlikely that the developer will be able to get the staff approval of Construction Documents and record the Subdivision Plat before July 2020, which is when Preliminary Plat is set to expire.

Applicant is requesting that the previously approved Preliminary Plat for Allburn Subdivision be extended for a year to allow them to complete the Construction Documents and Record the Subdivision Plat.

Recommendation:

Staff has reviewed the extension request and determined it to be in compliance of Article 6 - Subdivision of the UDO.

Staff recommends that the Planning and Zoning Board recommend approval of the time extension request of a year for a previously approved Preliminary Plat H-2018- 01 (S).

Fiscal Impact:

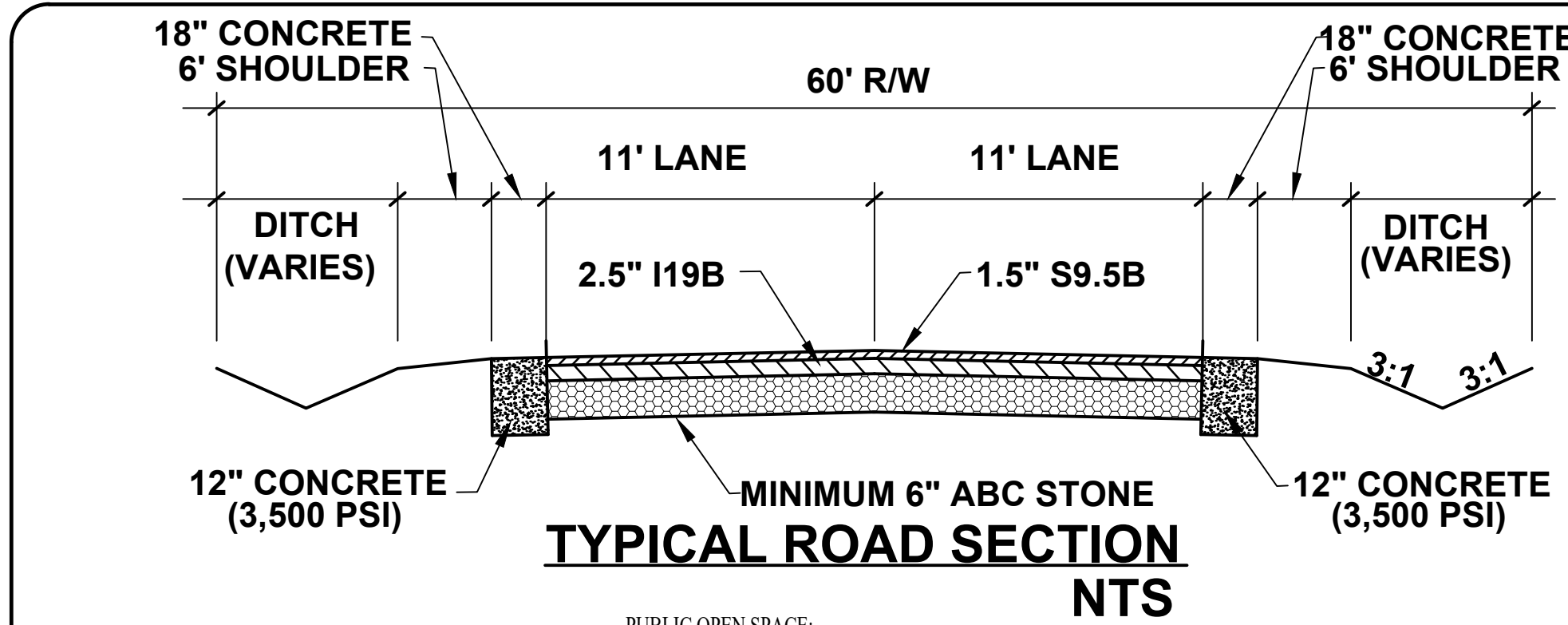
No Impact.

Attachments:

1. ALLBURN SUBDIVISION PRELIMINARY PLAT

MATCHLINE THIS SHEET

MATCHLINE THIS SHEET



SITE SUMMARY

PROJECT NAME: ALLBURN
PROJECT ADDRESS: 3351 & 3303 LAKELAND ROAD
OWNER: ASHWORTH DEVELOPMENT COMPANY
PO BOX 6122
CHARLOTTE, NC 28207
704.957.0509
JMAXWELL@MAXWELLDHOLDINGS.COM
PHONE: PLANS PREPARED BY: GEOSCIENCE GROUP, INC.
TAX PARCELS: 5518312220000 & 5518219861000
ZONING: RL
JURISDICTION: TOWN OF HARRISBURG
SURVEY PREPARED BY: GEOSCIENCE GROUP, INC.
SITE AREA: 57.01 AC
PROPOSED R/W ACREAGE: APPROXIMATELY 7.6
PROPOSED USE: SINGLE FAMILY
PROPOSED LOTS: 60

ANTICIPATED OF FINAL PLANTING: JULY 1, 2021

CLASS B BUFFER/JURISDICTION WATERS:

- POND WILL NOT BE DRAINED/ FILLED UNTIL AND UNLESS PERMITTED BY THE US ARMY CORPS.
- CLASS B BUFFERS WILL BE PROVIDED ALONG ALL STREAMS AS DETERMINED TO BE JURISDICTION BY THE US ARMY CORPS.

DIMENSIONAL REQUIREMENTS:

SETBACKS:
FRONT: 35'
SIDE: 15'
REAR: 30'
ACCESSORY STRUCTURES SETBACKS:
SIDE: 5'
REAR: 5'
BUFFERS: NONE
MIN LOT AREA: 20,000 FT²
MIN LOT WIDTH: 100'
MIN LOT DEPTH: 125'
MIN STREET FRONTAGE: 15'
MAX BLDG HT: 35'
IMPERVIOUS RATIO: NA
MAX DENSITY: 2
ENVIRONMENTAL:

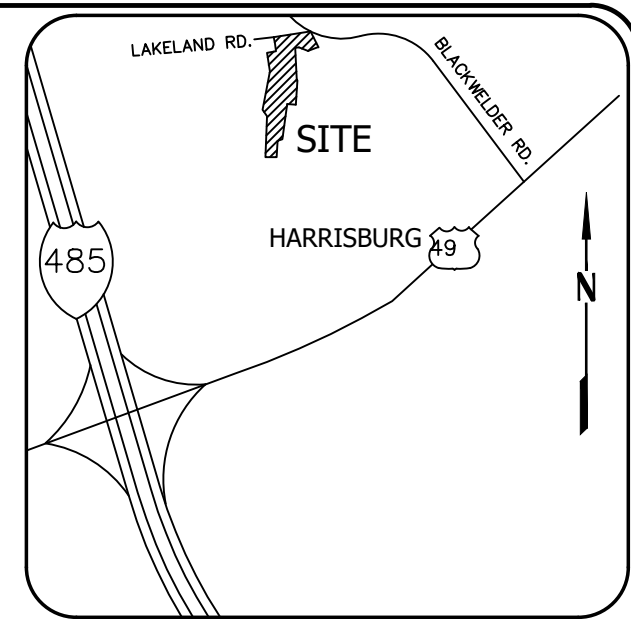
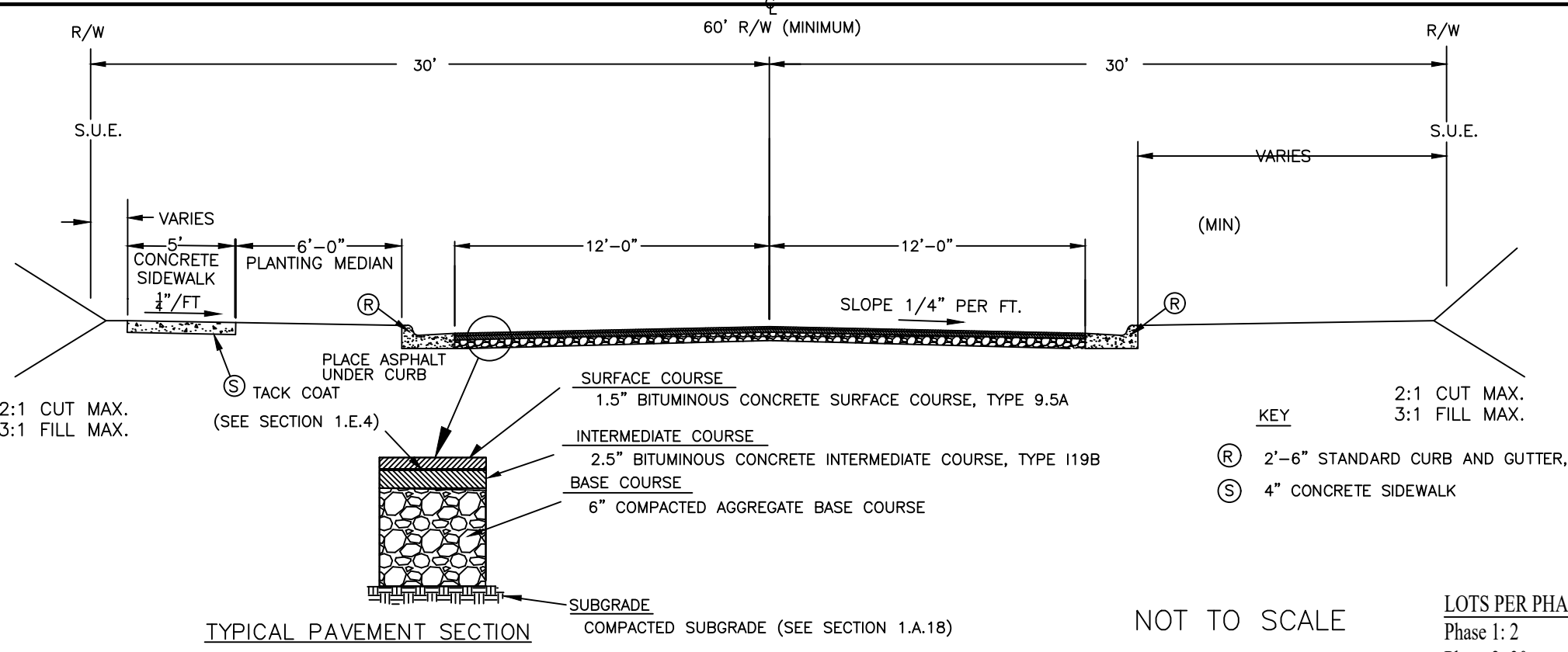
PROPERTY IN 100 YR FLOODPLAIN: YES
PROPERTY IN 500 YR FLOODPLAIN: YES
FLOOD MAP PANEL: 371051600J
EFFECTIVE DATE: NOVEMBER 5, 2008

PHASING:

THE PHASING SHOWN ON THE PLAN IS SCHEMATIC IN NATURE AND CAN BE CHANGED BY APPLICANT AT A LATER DATE SO LONG AS ANY PHASING MEETS ALL OF THE REQUIREMENTS OF THE TOWN OF HARRISBURG

TIA:

SIGNAGE AT BLACKWELDER WILL BE UPDATED TO REFLECT RECOMMENDATIONS OF THE TIA.



VICINITY MAP
N.T.S.

UTILITY SUMMARY:
8" WATERLINE - 6,604 LF

8" SEWER LINE "A" = 3,427'
8" SEWER LINE "B" = 429'
8" SEWER LINE "C" = 463'
8" SEWER LINE "D" = 817'
8" SEWER LINE "E" = 306'

LOTS PER PHASE:
Phase 1: 2
Phase 2: 30
Phase 3: 28

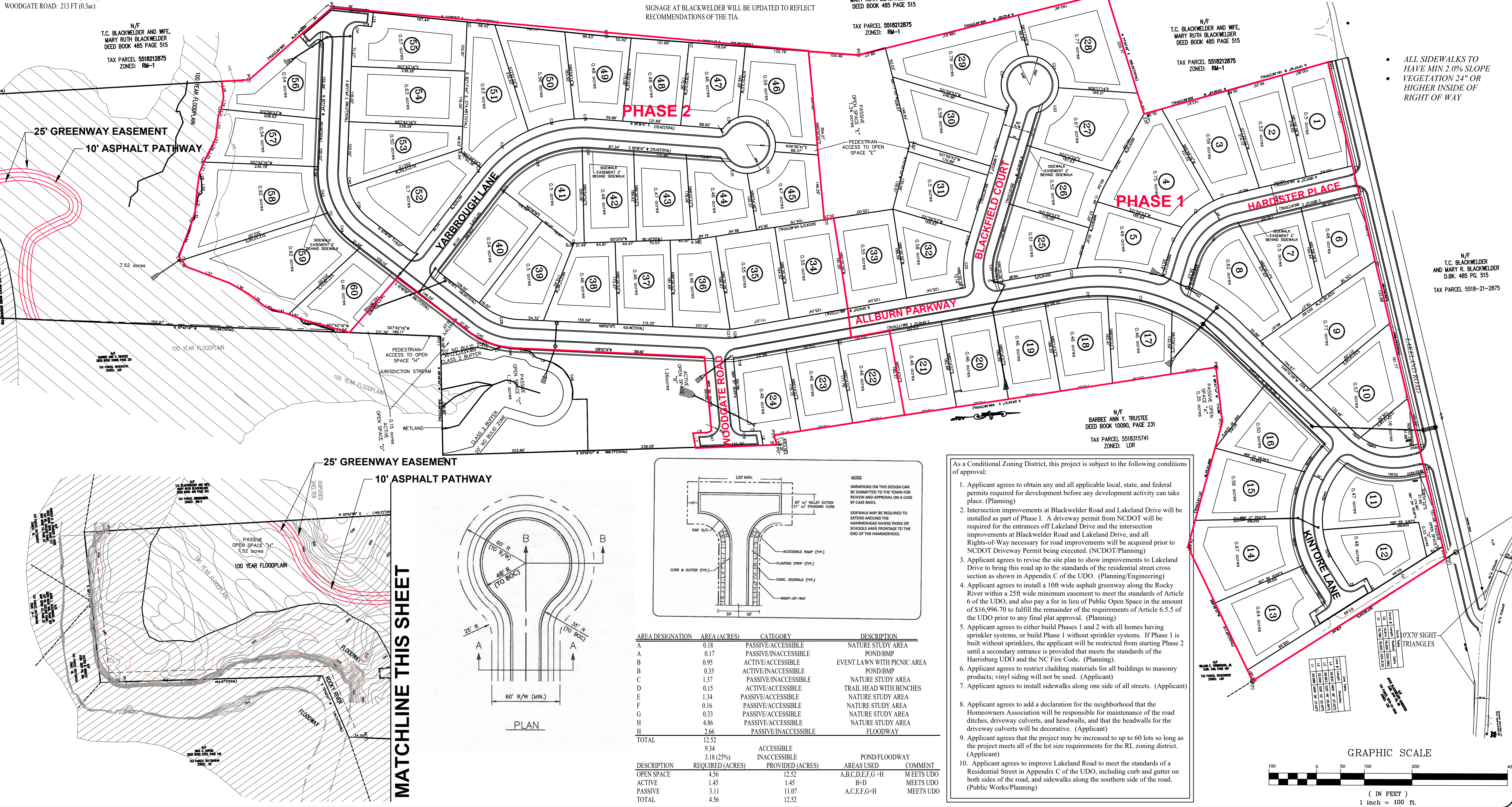
ROADWAY LENGTHS:

STOVEHAVEN FARM ROAD: 2,923 FT (4.02 ac)
ALLMAN COURT: 519 FT (0.71 ac)
YARBROUGH LANE: 817 FT (10.12 ac)
KINTORE LANE: 217 FT (0.3 ac)
ABERDEEN COURT: 475 FT (0.65 ac)
WOODGATE ROAD: 213 FT (0.3 ac)

PUBLIC OPEN SPACE:

ASHWORTH DEVELOPMENT COMPANY HAS DECIDED TO USE THE PAY IN LIEU OPTION. TOTAL FEE TO BE PAID: \$13,857.22/ACRE x 1.657 ACRES = \$22,961.41

SEE LETTER DATED MARCH 21, 2017 FROM ASHWORTH DEVELOPMENT COMPANY TO TOWN OF HARRISBURG



ALLBURN SUBDIVISION
HARRISBURG, NORTH CAROLINA

PRELIMINARY PLAT

C1.1

GEOSCIENCE GROUP
10000 Lakeland Road
Charlotte, NC 28217
Phone: 704.425.2003
Fax: 704.425.2005
www.geosciencegroup.com



- ALL SIDEWALKS TO HAVE MIN 2.0% SLOPE
- VEGETATION 24" OR HIGHER INSIDE OF RIGHT OF WAY

N/F
T.C. BLACKWELDER
AND MARY R. BLACKWELDER
D.B.K. 485 PG. 515
TAX PARCEL 5518-21-2875

N/F
T.C. BLACKWELDER AND WIFE,
MARY RUTH BLACKWELDER
DEED BOOK 485 PAGE 515
TAX PARCEL 5518212875
ZONED: RM-1

N/F
T.C. BLACKWELDER AND WIFE,
MARY RUTH BLACKWELDER
DEED BOOK 485 PAGE 515
TAX PARCEL 5518212875
ZONED: RM-1

N/F
BARBEE ANN Y. TRUSTEE
DEED BOOK 10090, PAGE 231
TAX PARCEL 5518315741
ZONED: LDR

- As a Conditional Zoning District, this project is subject to the following conditions of approval:
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. Intersection improvements at Blackwelder Road and Lakeland Drive will be installed as part of Phase 1. A driveway permit from NCDOT will be required for the entrances off Lakeland Drive and the intersection improvements at Blackwelder Road and Lakeland Drive, and all Rights-of-Way necessary for road improvements will be acquired prior to NCDOT Driveway Permit being executed. (NCDOT/Planning)
 3. Applicant agrees to revise the site plan to show improvements to Lakeland Drive to bring this road up to the standards of the residential street cross section as shown in Appendix C of the UDO. (Planning/Engineering)
 4. Applicant agrees to install a 10ft wide asphalt driveway along the Rocky River within a 25ft wide minimum easement to meet the standards of Article 6 of the UDO, and also pay a fee in lieu of Public Open Space in the amount of \$16,996.70 to fulfill the remainder of the requirements of Article 6.5.5 of the UDO prior to any final plat approval. (Planning)
 5. Applicant agrees to either build Phases 1 and 2 with all homes having sprinkler systems, or build Phase 1 without sprinkler systems. If Phase 1 is built without sprinklers, the applicant will be restricted from starting Phase 2 until a secondary entrance is provided that meets the standards of the Harrisburg UDO and the NC Fire Code. (Planning)
 6. Applicant agrees to restrict cladding materials for all buildings to masonry products; vinyl siding will not be used. (Applicant)
 7. Applicant agrees to install sidewalks along one side of all streets. (Applicant)
 8. Applicant agrees to add a declaration for the neighborhood that the Homeowners Association will be responsible for maintenance of the road ditches, driveway culverts, and headwalls, and that the headwalls for the driveway culverts will be decorative. (Applicant)
 9. Applicant agrees that the project may be increased to up to 60 lots so long as the project meets all of the lot size requirements for the RL zoning district. (Applicant)
 10. Applicant agrees to improve Lakeland Road to meet the standards of a Residential Street in Appendix C of the UDO, including curb and gutter on both sides of the road, and sidewalks along the southern side of the road. (Public Works/Planning)



TOWN OF HARRISBURG

Agenda Item Details

Title:

Appointment of Planning Board Representative to the Unified Development Ordinance (UDO) Steering Committee

Presenting Personnel:

Sushil Nepal, Planning & Economic Development Director

Suggested Motion or Action:

To appoint a Planning Board representative and alternate to the UDO Steering Committee.

Description/Background:

The members of the UDO Steering Committee will help guide the process of the upcoming update to Harrisburg's UDO to align with the Harrisburg Area Land Use Plan (HALUP), and also to modernize the language and make other revisions required by North Carolina State Statute(s).

The goal is to have diverse group of representation on the Committee to provide feedback during the process, below is the makeup of the UDO Steering Committee:

Harrisburg Town Council Representative

Harrisburg Resident Representative

Harrisburg Planning Board Representative (To be appointed at June 16th meeting)

Harrisburg Park and Rec Board Representative

Cabarrus County Planning Staff Representative

Cabarrus County Planning and Zoning Board Representative

Harrisburg Business Alliance Representative

Cabarrus County School Representative

Real Estate and Building Coalition (REBIC) Representative

Land Use Attorney Representative

Harrisburg Planning Staff

Recommendation:

Staff recommends Planning and Zoning Board make a primary and an alternate appointment to the UDO Steering Committee.

Fiscal Impact:

None

Attachments:

None



TOWN OF HARRISBURG

Agenda Item Details

Title:

Creation of a Planning and Zoning Board Sub-Committee to Review and Recommend New Appointments

Presenting Personnel:

Sushil Nepal, Planning & Economic Development Director

Suggested Motion or Action:

Create a Sub-Committee of the Planning and Zoning Board to review applications and recommend appointments by the Town Council.

Description/Background:

The Planning and Zoning Board has three (3) members whose appointment terms are set to expire on June 30, 2020. The board vacancy application has been posted on the town website and social media, current members with expiring term will need to re-apply to be considered for the new term. The applications will be accepted until June 15, 2020.

Staff is requesting the Planning and Zoning Board appoint a committee of its members to review applications and make a recommendation to the full Board to send recommended candidates to the Town Council. Applications received will be distributed to the committee for review. A special meeting of the Planning and Zoning Board will be called prior to the July 13th Town Council meeting to receive recommendations from the Committee. The goal is to present recommendations on candidates to the Town Council on July 13, 2020. New appointing will start their term starting July 21st Planning Board meeting.

Recommendation:

Staff is recommending the Planning and Zoning Board appoint a committee of its members to review applications and make a recommendation to the full Board to send recommended candidates to the Town Council.

Fiscal Impact:

None.

Attachments:

None