



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

**February 16, 2021
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/86805977897?pwd=Tkc2WXVSNEhxSUt1WVYrb2gvQWZVdz09>
Passcode: 608971

Or join by phone:
Dial: 312 626 6799
929 205 6099

Webinar ID: 868 0597 7897

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 January 19, 2021 Planning and Zoning Board meeting.

4. OLD BUSINESS

5. NEW BUSINESS

- A. H-2020-08 (R) – Kelly Woods Subdivision Conditional Rezoning and Zoning Map Amendment.

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 January 19, 2021 Planning and Zoning Board meeting.

Presenting Personnel:

Suggested Motion or Action:

Motion to approve the meeting minutes of January 19, 2021 Planning and Zoning Board meeting.

Description/Background:

Recommendation:

Fiscal Impact:

Attachments:

1. PZ MINS JAN 19 2021

**TOWN OF HARRISBURG, NORTH CAROLINA
PLANNING & ZONING ADVISORY BOARD MEETING
TUESDAY, JANUARY 19, 2021
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, Kevin Schaffner

**A.
AGENDA ADOPTION**

MOTION

Kevin Schaffner made a motion to adopt the agenda as presented. Second was made by John Overcash. **The motion passed 7-0.**

1. Oath of Office for New Members appointed to the Planning and Zoning Board and the Board of Adjustment. **Jacob Carpenter, Thelma Thorne-Chapman, and Andy Rathke were all three sworn under the Oath of Office.**

**B.
SPECIAL PRESENTATIONS**

**C.
PUBLIC COMMENT**

**2.
CONSENT AGENDA**

- A. Planning Board meeting minutes from August 18, 2020 Planning and Zoning Board meeting.

MOTION:

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

**3.
OLD BUSINESS**

**4.
NEW BUSINESS**

A

Election of Officers for Planning and Zoning Board and the Board of Adjustments for the current annual term ending on June 30, 2021. The adopted by-laws of the Planning and Zoning Board and the Board of Adjustment call for appointment of Chair and Vice Chair annually. The Planning and Zoning Board members appointed by the Town Council also serve as the Town's Board of Adjustments members. With delayed appointments of Planning and Zoning Board members, we are now asking the Board to appoint its officers to serve the remainder of the annual term ending on June 30, 2021. Staff recommends the Board discuss the election of officers, seek nominations and elect Chair and Vice-Chair for each Board.

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

MOTION:

Rodney Garner made a motion to recommend approval to reappointment the current board members as is: Planning Board Chair- Andy Rathke, Vice Chair- Lloyd Quay along with the Board of Adjustment Board Chair- Lloyd Quay, Vice Chair- Andy Rathke, and send it on to Town Council for their consideration with a second from Kevin Schaffner.
The motion passed 7-0.

5.

STAFF UPDATES/INFORMATION

- The list Sushil has sent out to each board member has been super helpful. This will keep all board members up to date on projects that are coming in and that could possibly be coming to the board in the future.
- We have a scheduled Neighborhood Meeting this Thursday; it is virtual and will start at 6pm. You all are welcomed to join us.

6.

ADJOURNMENT

MOTION:

There being no further business, Thelma Thorne-Chapman 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:

H-2020-08 (R) – Kelly Woods Subdivision 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 Low Density Residential (LDR) in the County to Conditional Residential Low Density (CZ-RL) as requested by the applicant for the related property in application H-2020-08 (R).

If denied, the following motion is suggested:

To deny the conditional rezoning request from Low Density Residential (LDR) in the County to Conditional Residential Low Density (CZ-RL) as requested by the applicant for the related property in application H-2020-08 (R). .

Description/Background:

Harrisburg Real Estate Investments, LCC, the property owner for parcel 55061061470000 has submitted a request to rezone approximately 2.46 acres located off of Plaza Rd Ext. The applicant proposes to develop 4 single-family detached residential dwellings. To achieve this, the applicant is requesting that the property be rezoned from the current Low Density Residential (LDR) in the County to Conditional Residential Low Density (CZ-RL) 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 continue reviewing the site plan in accordance with our Unified Development Ordinance (UDO) during the subsequent Preliminary Plat and Construction Document (CDs) reviews. 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.

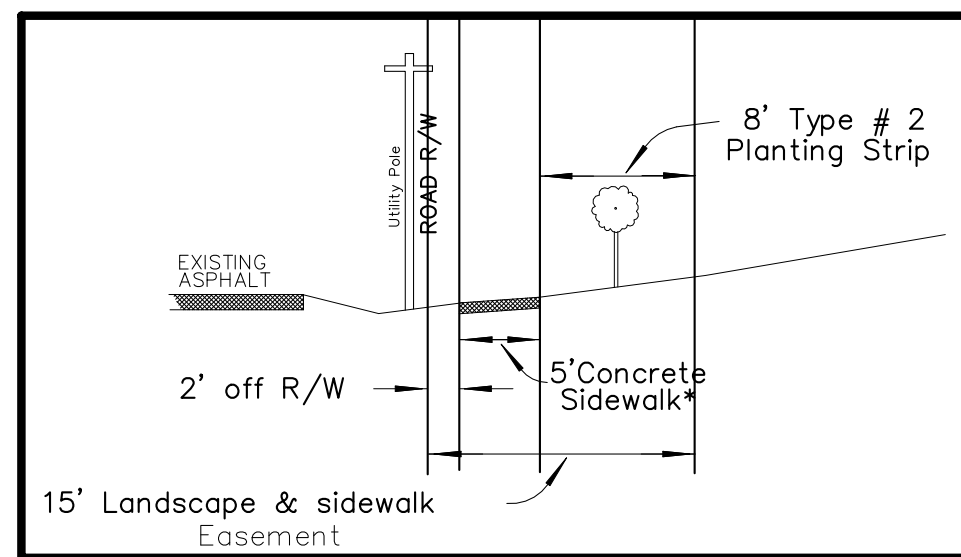
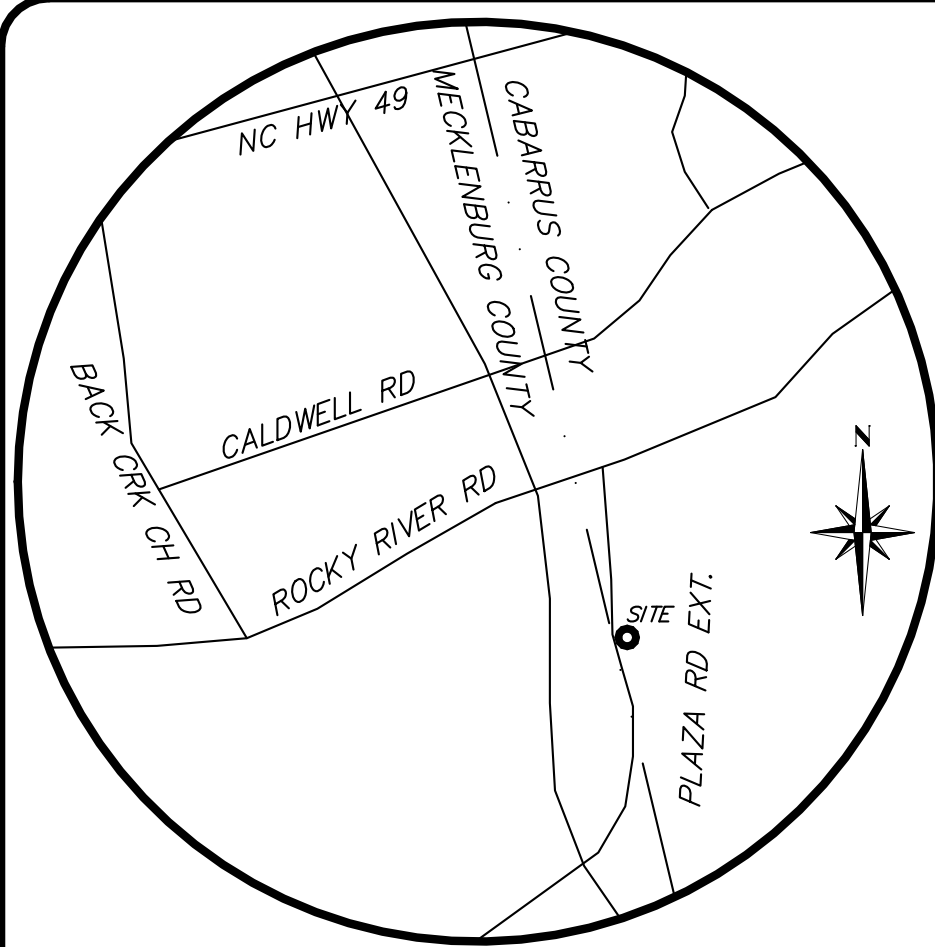
Fiscal Impact:

None.

Attachments:

1. KellyWoods_Rezoning and Utility Plan
2. Site Location Map_KellyWoods
3. Conditional Zoning Application_Kelly Woods
4. H_2020_08_R Staff Report PB

5. Kelly Woods_Home Elevations Example
6. Neighborhood Meeting Notes 12-17-20



* SEE NCDOT CONCRETE SIDEWALK DRAWING #848.01 FOR TYPICAL CROSS SECTION OF NEW SIDEWALK

TYPE 2 STREET LEVEL PLANTING SCHEME:
HARRISBURG UDO: SEE SECTION 7.7-1
SECTION 7.7.3.1: OVERHEAD UTILITY LINES
ORNAMENTAL TREES: MINIMUM 50' SPACING
MINIMUM OF EIGHT TREES NEEDED
VARIETY: MAPLE, HOLLY, DOGWOOD, CHERRY



SITE STATISTICS

PIN# 5506 10 6147

CURRENT CABARRUS COUNTY ZONING

LOW DENSITY RESIDENTIAL "LDR"

EXISTING SETBACKS ARE:

FRONT: 75' / SIDE: 20' / REAR: 30'

PROPOSED TOWN OF HARRISBURG ZONING

RESIDENTIAL LOW DENSITY "RL"

PROPOSED SETBACKS ARE:

FRONT: 35' / SIDE: 15' / REAR: 30'

TOTAL AREA: 2.46AC

Proposed use: Single Family

Total number of lots: 4

Smallest lot area: 20,180 sqft

Minimum lot size: 100' wide x 125' deep

NCDOT R/W Dedication: 0.45AC

Net site area (Less R/W): 2.01AC

Area to be cleared: 35,000 sqft+-

This subdivision will be served by public water and gravity sewer service from the Town of Harrisburg. All water & sewer extensions and requirements for this project are the responsibility of the developer.

Applicant obtain any and all applicable local, state and federal permits required for development before any construction activity begins.

Applicant agrees to restrict cladding material for all residential buildings to masonry products; vinyl siding will not be used.

Applicant agrees that there will be no exposed concrete foundations and that the cladding must extend to the ground level on all sides of the homes.

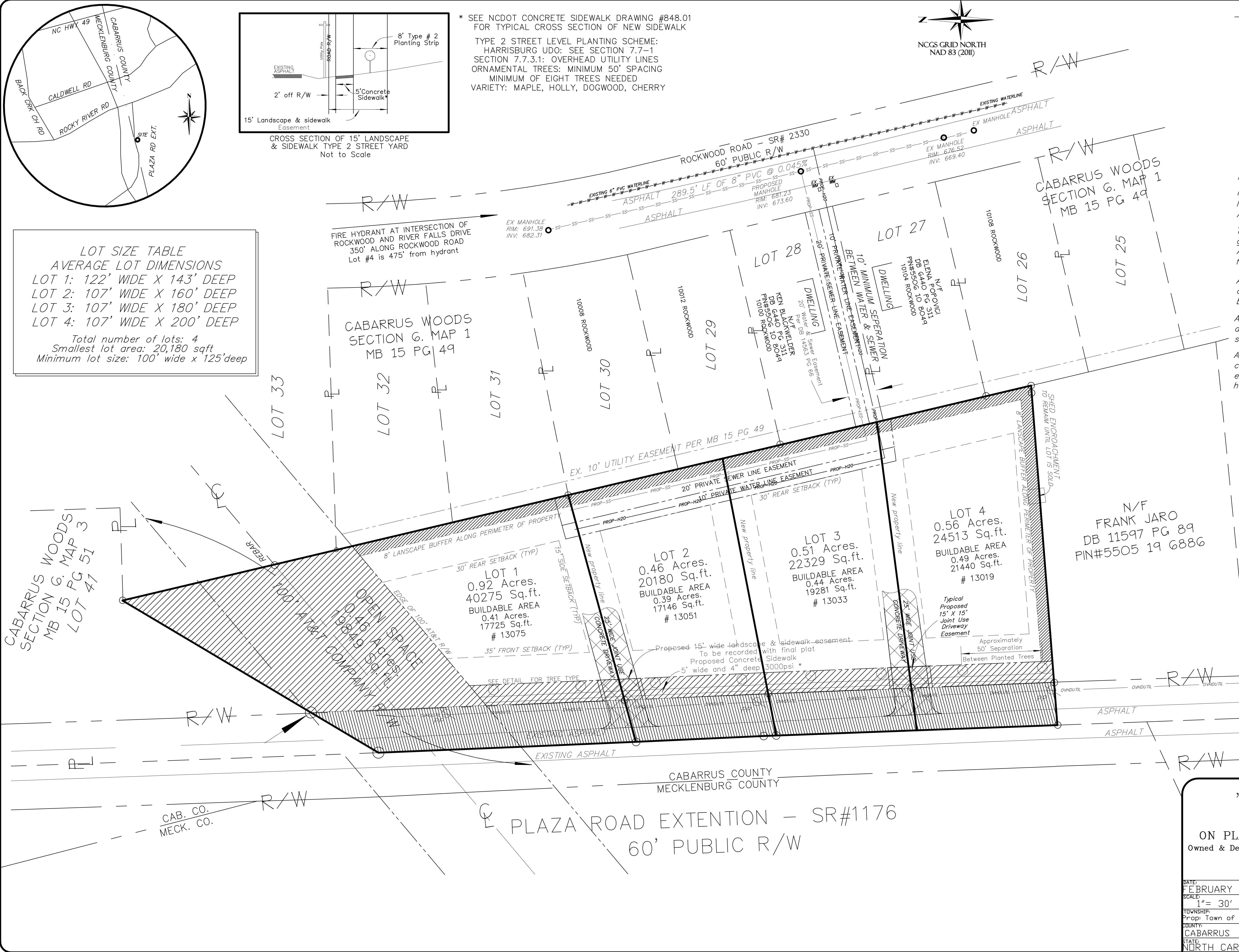
AREA DEDICATED TO N.C.D.O.T.

LANDSCAPE BUFFER & OPEN SPACE

LEGEND

- EXISTING SIGN
- EXISTING IRON PIN
- EXISTING LIGHT POLE
- RIGHT-OF-WAY
- EXISTING TREE
- EXISTING TREE TO BE REMOVED
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE
- EXISTING WATER METER
- EXISTING GAS VALVE
- EXISTING GAS METER
- EXISTING SEWER MANHOLE
- EXISTING STORM MANHOLE
- EXISTING UTILITY POLE
- EXISTING RIP RAP
- SAW CUT LINE
- EXISTING CURB AND GUTTER
- EXISTING FENCE
- EXISTING UNDERGROUND CABLE TV
- EXISTING OVERHEAD POWER LINE
- EXISTING UNDERGROUND TELEPHONE LINE
- EXISTING SANITARY SEWER FORCE MAIN
- EXISTING WATER LINE
- EXISTING GAS LINE
- EXISTING CONTOUR LINE
- EXISTING SPOT ELEVATION
- EXISTING DRAINAGE STRUCTURE
- EXISTING DOWNSPOUT
- EXISTING CLEANOUT
- EXISTING TELEPHONE PED.

LOT SIZE TABLE	
AVERAGE LOT DIMENSIONS	
LOT 1:	122' WIDE X 143' DEEP
LOT 2:	107' WIDE X 160' DEEP
LOT 3:	107' WIDE X 180' DEEP
LOT 4:	107' WIDE X 200' DEEP
Total number of lots: 4	
Smallest lot area: 20,180 sqft	
Minimum lot size: 100' wide x 125' deep	



REZONING PLAN FOR "KELLY WOODS"

4 LOTS OUT OF 2.46AC

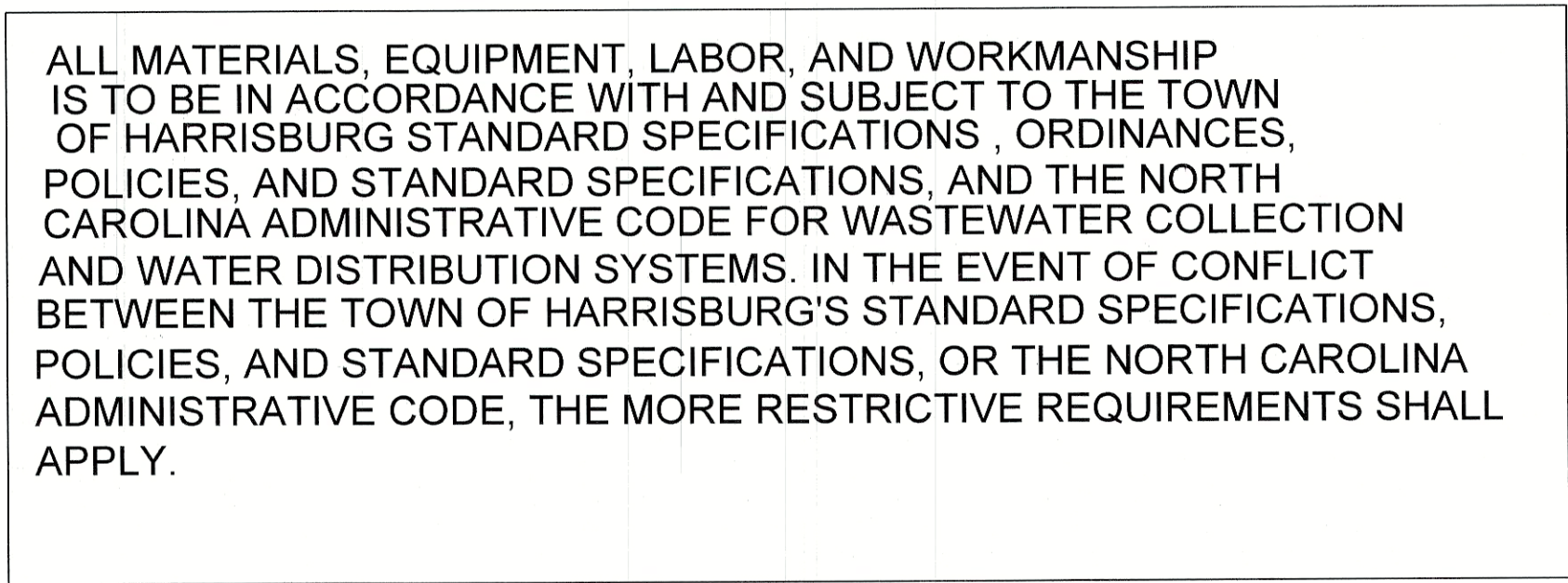
ON PLAZA ROAD EXTENSION - SR# 1176

Owned & Developed by: Harrisburg Real estate Investments, LLC
5640 Rocky River Rd, Chit NC 28215

DATE: FEBRUARY 2021
SCALE: 1" = 30'
TOWNSHIP: NC 1
Prop: Town of Harrisburg
COUNTY: CABARRUS
STATE: NORTH CAROLINA

SURVEY PERFORMED BY
HARRISBURG SURVEYING
DEUT. V: 27-17/PROV. V: 22-28
115 Plaza Dr Harrisburg, N.C.
(704) 455-9553 PHONE
<http://www.harrisburgsurveying.com>

DRAWN BY: SDG
COMP BY: JTW
REVISION:
MSCAD3.1
190216-REZONE PLAN



OWNER:
HARRISBURG REAL ESTATE INVESTMENTS, LLC
5640 ROCKY RIVER RD
CHARLOTTE, NC 28215
704-651-2002

DESIGNER:
RAYMOND H. CATHEY, PE
P.O. BOX 23569
CHARLOTTE, N.C. 28227
704-201-8873

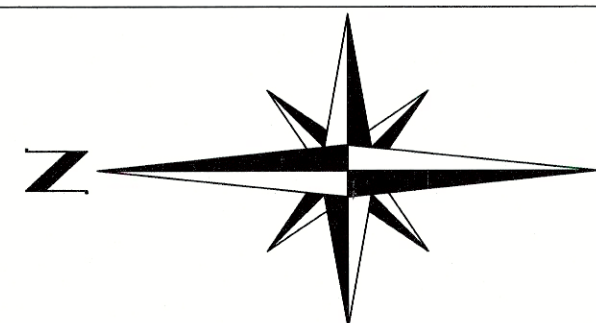
AUGUST 2020	
DRAWN BY:	RHC
DATE:	
CHECKED BY:	RHC
REVISIONS:	
SHEET	
LD-2	

- (FOR SEEDING JAN 1 – MAY 1)**
- 1. ALL OPEN AREAS SHALL BE SEEDDED WITH 5 GRAMS.
 - 2. LIME SHALL BE APPLIED AT 2000/LB PER ACRE.
 - 3. FERTILIZER SHALL BE APPLIED AS FOLLOWS: 10-10-10 AT 750 LB. PER ACRE.
 - 4. SEED SHALL BE APPLIED AT 12 LB. PER ACRE (400 SEED PER SQA.)
 - 5. STRAW SHALL BE APPLIED TO 4000 LB. PER ACRE AND ASPHALT TACKED AT 250 GAL. PER ACRE.
- (FOR SEEDING MAY 1 – AUG. 15)**
- 1. ALL OPEN AREAS SHALL BE SEEDDED WITH GERMAN MILLET
 - 2. LIME SHALL BE APPLIED AT 2000/LB PER ACRE.
 - 3. FERTILIZER SHALL BE APPLIED AS FOLLOWS: 10-10-10 AT 750 LB. PER ACRE
 - 4. SEED SHALL BE APPLIED AT 12 LB. PER ACRE
 - 5. STRAW SHALL BE APPLIED AT 4000 LB. PER ACRE AND ASPHALT TACKED AT 250 GAL. PER ACRE.
- SEEDING SPECIFICATIONS (TEMPOR.)**
(FOR SEEDING AUG. 15 – DEC. 30)
- 1. ALL OPEN AREAS SHALL BE SEEDDED WITH GERMAN MILLET
 - 2. LIME SHALL BE APPLIED AT 2000/LB PER ACRE.
 - 3. FERTILIZER SHALL BE APPLIED AS FOLLOWS: 10-10-10 AT 1000 LB. PER ACRE
 - 4. SEED SHALL BE APPLIED AT 10 LB. PER ACRE
 - 5. STRAW SHALL BE APPLIED AT 4000 LB. PER ACRE AND ASPHALT TACKED AT 250 GAL. PER ACRE.

BOUNDARY SURVEY INFORMATION GENERATED FROM SURVEY
PREPARED BY HARRISBURG SURVEYING DATED NOVEMBER 2020. SEE SITE
PLAN SHEET LD-1.

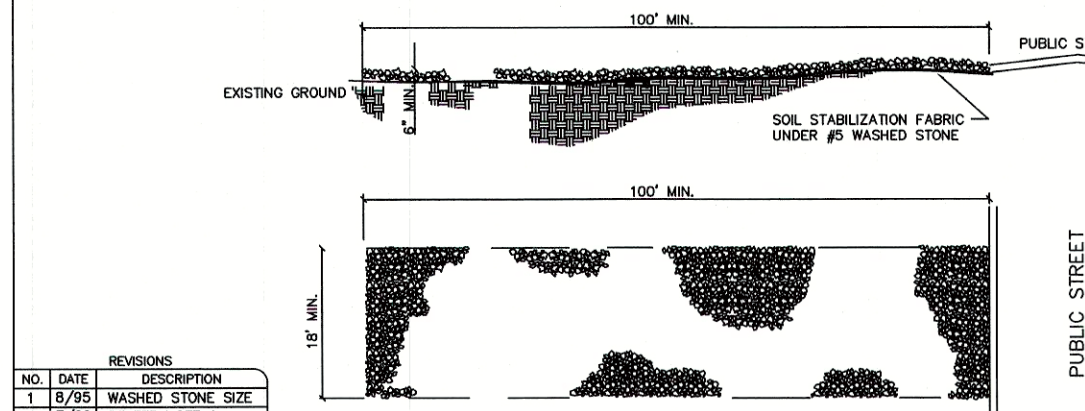
NOTE: THIS SITE IS NOT IN
A 100 YEAR FLOOD ZONE AS SHOWN.
FEMA PANEL #3710550600K
NOVEMBER 16, 2018

DRIVEWAY PERMIT
NCDOT DRIVEWAY PERMIT
REQUIRED DURING CONSTRUCTION
DOCUMENT PHASE



NCGS GRID NORTH
NAD 83 (2011)

3. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC STREETS OR EXISTING PAVEMENT. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS WARRANT AND REPAIR OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.
4. ANY SEDIMENT SPILLED, DROPPED, WASHED, OR TRACKED ONTO PUBLIC STREETS MUST BE REMOVED IMMEDIATELY.
5. WHEN APPROPRIATE, TRUCKS SHALL BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTERING A PUBLIC STREET. WHEN WASHING IS REQUIRED, IT SHALL BE DONE IN AN AREA STABILIZED WITH CRUSHED STONE WHICH DRAINS INTO AN UNPAVED SEDIMENT BASIN SEE STD. NO. 10.2.4.
6. CDDT MAY REQUIRE A STANDARD COMMERCIAL DRIVEWAY (STD. 10.2.4 & 10.25) TO ACCESS THE CONSTRUCTION SITE IF THE DRIVEWAY IS ON A THOROUGHFARE.



DATE	DESCRIPTION
/95	WASHED STONE SIZE
/00	DELETE NOTE 6

LAND DEVELOPMENT STANDARDS

STABILIZED CONSTRUCTION ENTRANCE

APPROVED DAT

STD. NO.
30.11A

1. GENERAL NOTES:
 - A. FENCE FABRIC SHALL BE A MINIMUM OF 36" IN WIDTH AND SHALL HAVE A MINIMUM OF 6 LINE WIRES WITH 12" STAP SPACING.
 - B. WOVEN FIBER FABRIC BE USED WHERE SELF FENCE IS TO REMAIN FOR A PERIOD OF MORE THAN 30 DAYS.
 - C. STEEL FENCE SHALL BE 5'-0" HIGH, RIGID AND BE OF THE SELF-FASTENER ANGLE STEEL TYPE.
 - D. WIRE FENCING SHALL BE AT LEAST #10 GAGE WITH A MINIMUM OF 6 LINE WIRES WITH 12" STAP SPACING.
 - E. TURN SELF FENCE UP SLOPE AT ENDS.
 - F. WIRE MESH SHALL BE MIN. 1/2 GAGE WITH MAXIMUM 12" OPENINGS.
 - G. WIRE AND WASHED STONE WILL BE REQUIRED AND NOTED ON PLANS WHEN A. IS USED. SLOPE GRADING SHALL BE TO 10 FEET VERTICAL (2:1 SLOPE).
 - H. AT DELIMITED LIMITS AN UNDISTURBED BUFFER IS 50 FEET OR LESS ANY.
 - I. GRADE SAFETY FENCE IS REQUIRED AT BACK OF SALT FENCE WITHIN 5 FT.) WHEN GRADING IS ADJACENT TO SWIM BUFFERS (ORANGE SAFETY FENCE).
 - J. (SEE SWIM BUFFER GUIDELINES).

REVISIONS		
NO.	DATE	DESCRIPTION
1	8/95	REVISED NOTE 3
2	10/95	REVISED MAINTENANCE
		NOTES 1 AND 3

LAND DEVELOPMENT
STANDARDS

MAINTENANCE NOTES:

ENTER BARRIERS SHALL BE INSPECTED BY THE FINANCIALLY RESPONSIBLE PARTY OR HIS AGENT IMMEDIATELY AFTER EACH INFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL. IF REPAIRS NEEDED SHALL BE MADE IMMEDIATELY.

IF THE FABRIC DECOMPOSES OR BECOMES INEFFECTIVE PRIOR TO THE END OF THE EXPECTED LEASABLE LIFE AND THE BARRIER SPLIT IS NECESSARY, THE FABRIC SHALL BE REPLACED PROMPTLY.

SEDIMENT DEPOSITS SHOULD BE REMOVED WHEN DEPOSITS REACH APPROX. 1/2 INCH DEPTH OF THE BARRIER. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE SILT FENCE IS REMOVED SHALL BE DRESSED TO CONFORM WITH THE EXISTING GRAD, PREPARED AND SEEDED.

TEMPORARY SILT FENCE

0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000

STD. NO.	RE
72-22	

GENERAL GRADING & SITE NOTES

- THE UTILITIES AND THE LOCATIONS THEREOF, SHOWN ON THE PLANS, REPRESENT THE DESIGNERS' UNDERSTANDING OF EXISTING UTILITIES IN THE CONSTRUCTION AREA. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES (ELECTRICAL, MECHANICAL, GAS, WATER, TELEPHONE, ETC.) WITHIN THE CONSTRUCTION AREA WITH THE OWNER AND/OR THE APPROPRIATE UTILITY COMPANY PRIOR TO BEGINNING ANY EXCAVATION. THE OMISSION OR, OR THE INCLUSION OF UTILITY LOCATIONS ON THE PLANS IS NOT TO BE CONSIDERED AS THE NONEXISTENCE OF, OR A DEFINITE LOCATION OF EXISTING UNDERGROUND UTILITIES. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
CONTACT U-LICO (800-632-4649).
- (2) EXISTING UTILITY LOCATIONS, EXISTING TREE LOCATIONS, EXISTING BOUNDARY, SITE DESIGN AND PROPOSED GRADINGS ARE BASED UPON INFORMATION OBTAINED FROM SURVEY PERFORMED BY HARRISBURG SURVEYING DATES MAY 2, 2002 AND WHICH ARE PART OF THESE PLANS AND SPECIFICATIONS
- (3) ALL LANDSCAPE AREAS DESTROYED DURING CONSTRUCTION SHALL BE RESTORED TO THEIR ORIGINAL CONDITION AT THE CONTRACTOR'S EXPENSE.
- (4) CROUCH OF THIS PLAN IS NOT AN AUTHORIZED TO GRADE ADJACENT PROPERTIES WHEN FIELD CONDITIONS WARRANT IT. THE SITE GRADING CONTRACTOR MUST HAVE WRITTEN PERMISSION FROM THE OWNER(S) BEFORE PROCEEDING.
- (5) ALL CONSTRUCTION AND CONSTRUCTION MATERIALS WITHIN GASTON COUNTY RIGHT-OF-WAY AND NC DOT RIGHT-OF-WAY SHALL CONFORM TO THEIR STANDARD SPECIFICATIONS.
- (6) HANDICAPPED TO PROVIDE ALL EROSION CONTROL MEASURES AS REQUIRED BY LOCAL AND STATE REGULATIONS.
- (7) ALL CONSTRUCTION PROMPS, PARKING SPACES, ETC. TO MEET ALL APPLICABLE ACCESSIBILITY CODES.
- (8) THE CONTRACTOR SHALL REFER TO ARCHITECTURAL / CIVIL DRAWINGS FOR THE LOCATION AND DIMENSIONS OF BUILDING AND SURROUNDING AREA.
- (9) USE YVES, BENDS, TEES, ETC. AS NECESSARY FOR ALL DRAINING PIPES, ROOF LEADERS, DOWNSPOUTS, ETC.
- (10) CONTRACTOR TO SUBMIT ALL SITE CONSTRUCTION SHOP DRAWINGS TO ENGINEER FOR APPROVAL. ANY SUBSTITUTIONS OR REVISIONS TO MATERIALS OR CONSTRUCTION SHALL BE APPROVED BY ENGINEER PRIOR TO THE INITIATION OF CONSTRUCTION ACTIVITIES.
- (11) ALL CONSTRUCTION AND CONSTRUCTION MATERIALS SHALL CONFORM TO GASTON COUNTY LAND DEVELOPMENT STANDARDS
- (12) TOPSOIL TO BE STRIPPED AND STOCKPILED IN AREA DESIGNATED BY ENGINEER.
- (13) ANY UNSUITABLE MATERIALS ARE TO BE QUALIFIED BY A GEOTECHNICAL ENGINEER PRIOR TO REMOVAL. CONTRACTOR MUST NOTIFY OWNER OR OWNER'S REPRESENTATIVE IF UNSUITABLE MATERIAL IS UNCOVERED.
- (14) ANY EXCESS SOIL SHALL BE WASTED ON-SITE IN AREA DESIGNATED BY ENGINEER. WASTE AREAS SHALL BE STABILIZED TO ENSURE EROSION CONTROL OF SLOPED AREAS.
- (15) CONTRACTOR TO COORDINATE WITH GEOTECHNICAL ENGINEER IF SUBSURFACE DRAINAGE SYSTEMS ARE PRESENT. IF NECESSARY, RECONSTRUCTION OF SUBSURFACE DRAINAGE SYSTEMS BENEATH FOOTING AND BUILDING AREAS, CONNECTIONS ARE TO BE FIELD COORDINATED.
- (16) ANY GRADING BEYOND THE SPECIFIED DENOTED LIMITS IS A VIOLATION OF THE EROSION CONTROL ORDINANCE AND SUBJECT TO A FINE.
- (17) GRADING MORE THAN ONE ACRE WITHOUT AN APPROVED EROSION CONTROL PLAN IS A VIOLATION OF THE EROSION CONTROL ORDINANCE AND SUBJECT TO A FINE.
- (18) STABILIZATION IS THE BEST FORM OF EROSION CONTROL. TEMPORARY SEEDING IS NECESSARY TO ACHIEVE EROSION CONTROL ON LARGE DENOTED AREAS AND ESPECIALLY WHEN SPECIFICALLY REQUIRED AS PART OF THE CONSTRUCTION SEQUENCE SHOWN ON THIS PLAN. ALL GRADED SLOPES MUST BE SEEDED AND MULCHED WITHIN 30 DAYS OF COMPLETION OF GRADING ACTIVITIES. ALL REMAINING AREAS ARE TO BE SEEDED AND

GRADING AND EROSION CONTROL SHALL MEET THE REQUIREMENTS OF THE TOWN OF HARRISBURG UNIFIED DEVELOPMENT ORDINANCE.

THE STORMWATER PLAN SHALL MEET THE REQUIREMENTS OF
THE TOWN OF HARRISBURG UNIFIED DEVELOPMENT ORDINANCE

LOT #	AREA	USABLE	IMPERVIOUS	COMMENTS
1	0.92 AC	0.41 AC	3250 SF	LESS THAN ONE(1) ACRE - ECP DESIGNED FOR 1 ACRE LOT Full stormwater review will be conducted during construction document phase.
2	0.46 AC	0.39 AC	3250 SF	LESS THAN ONE(1) ACRE - ECP DESIGNED FOR 1 ACRE LOT Full stormwater review will be conducted during construction document phase.
3	0.51 AC	0.44 AC	3250 SF	LESS THAN ONE(1) ACRE - ECP DESIGNED FOR 1 ACRE LOT Full stormwater review will be conducted during construction document phase.
4	0.56 AC	0.49 AC	3250 SF	LESS THAN ONE(1) ACRE - ECP DESIGNED FOR 1 ACRE LOT Full stormwater review will be conducted during construction document phase.

A FULL STORM WATER AND UTILITY REVIEW WILL BE CONDUCTED DURING THE CONSTRUCTION DOCUMENTS PHASE.

OWNER
HARRISBURG REAL ESTATE INVESTMENTS, LLC
5640 ROCKY RIVER RD
CHARLOTTE, NC 28215
704-651-2002

DESIGNER:
RAYMOND H. CATHEY, PE
P.O. BOX 23569
CHARLOTTE, N.C. 28227
704-201-8873

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P.O. BOX 23569
CHARLOTTE, N.C. 28227
(704) 201-8873
raycatheve@aol.com

HARRISBURG REAL ESTATE
INVESTMENTS, LLC
5640 ROCKY RIVER RD
CHARLOTTE, NC 28215

SHEET TITLE: _____
SHEET NO: _____

SHEET TITLE:

DECEMBER 2020

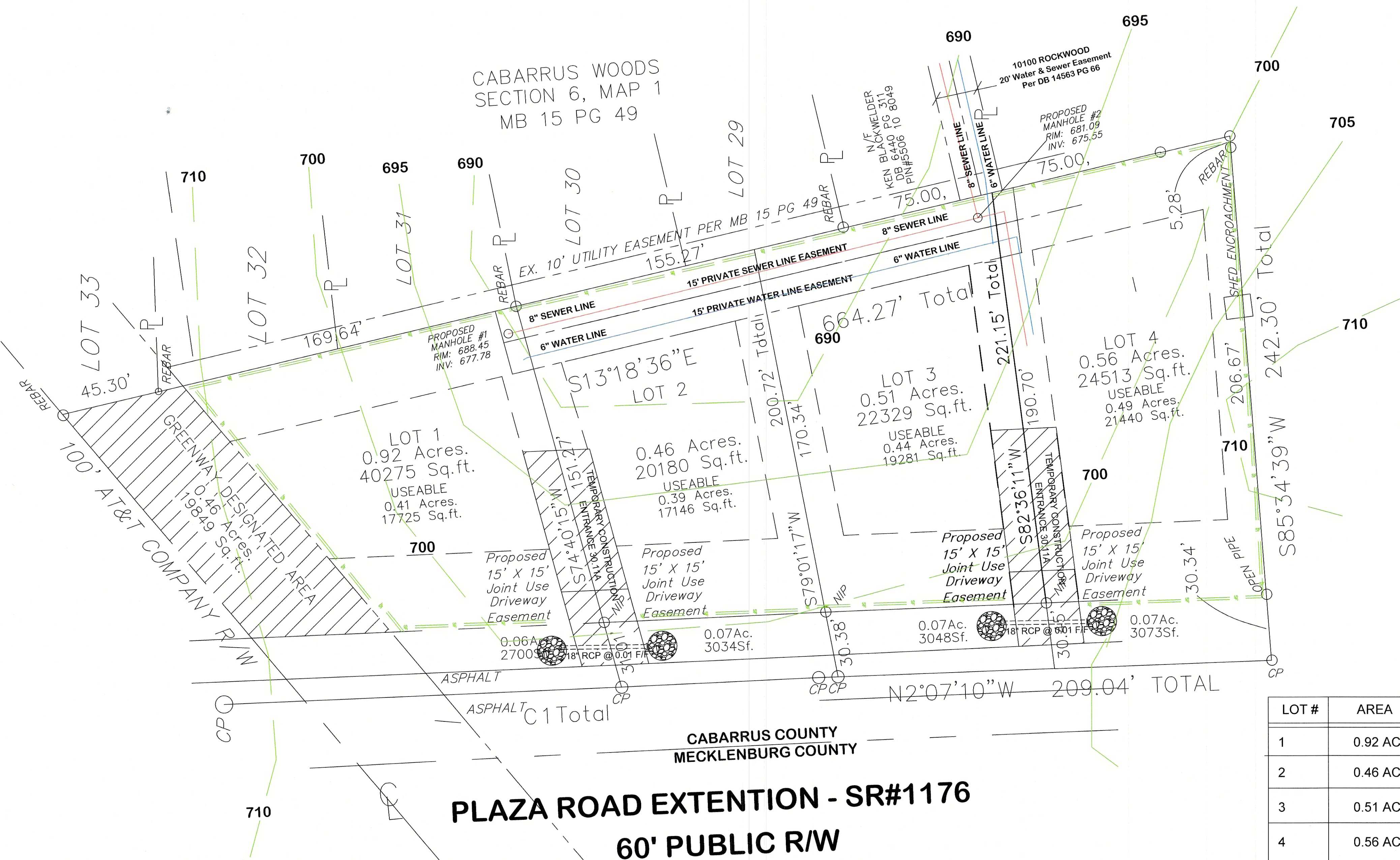
DRAWN BY: RHC

CHECKED BY: RHC

REVISIONS:

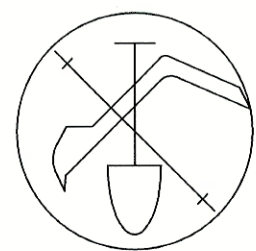
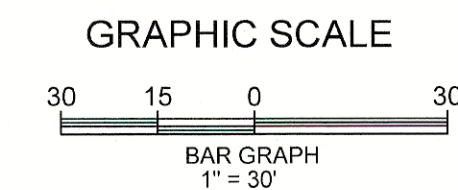
SHEET

LD-3



GRADING & STORMWATER PLANS

SCALE: 1" = 30'



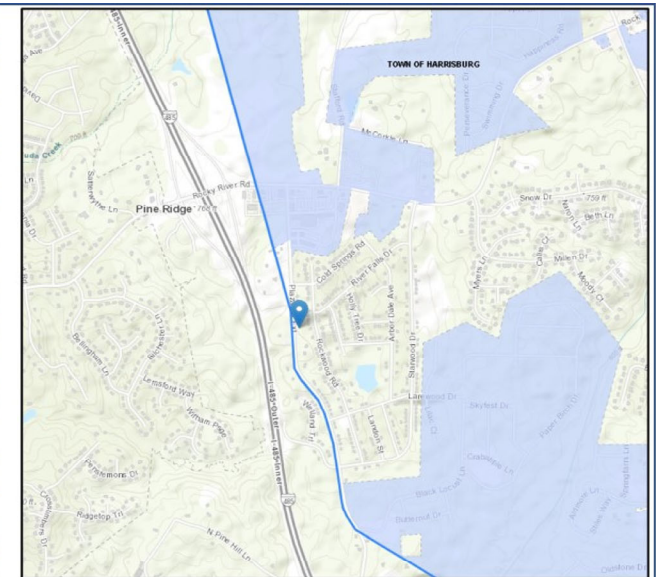
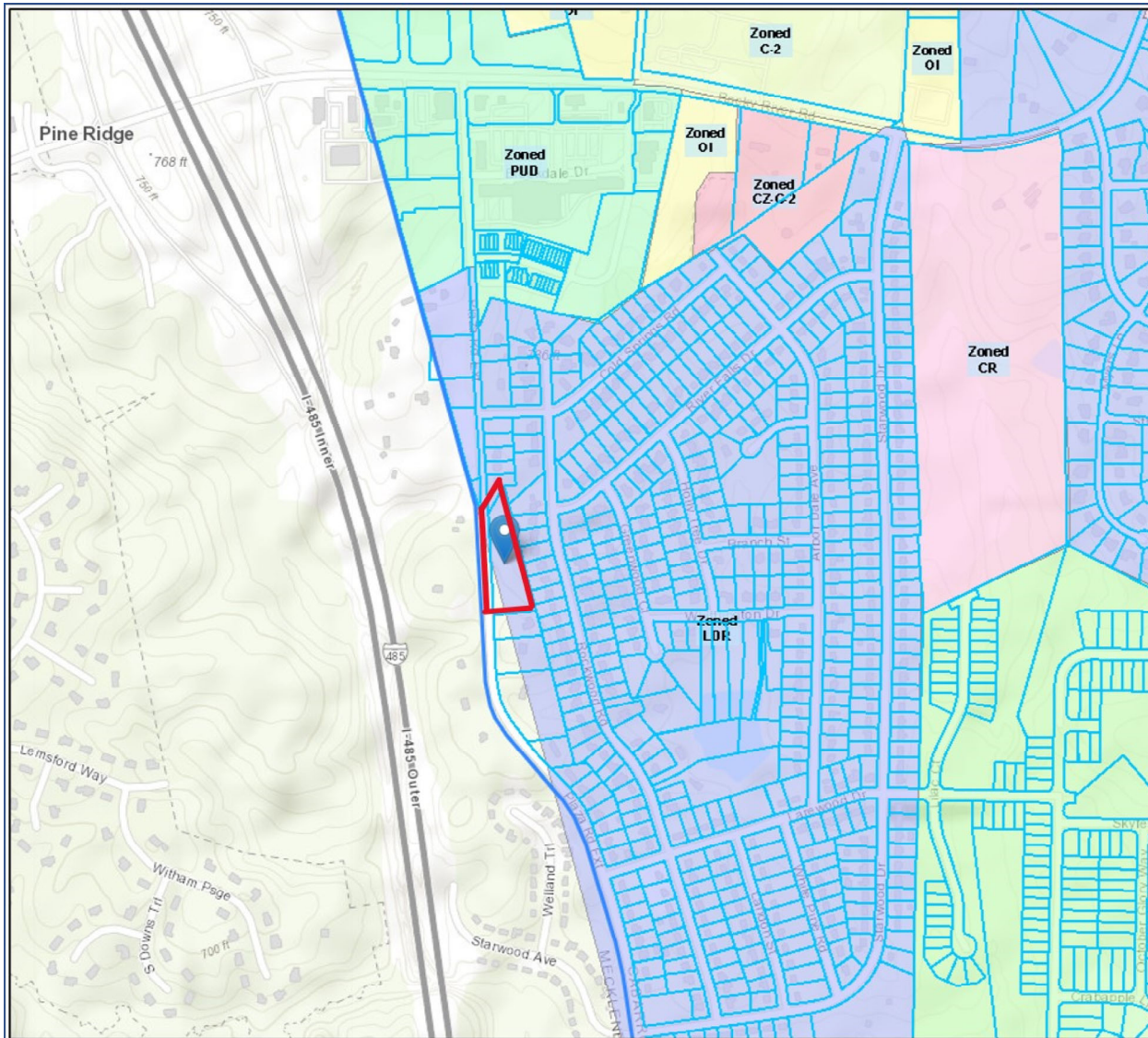
**BEFORE YOU DIG !
CALL 1-800-632-4949
N.C. ONE-CALL CENTER
IT'S THE LAW !**

LEGEND

EIP - Existing Iron Pin / Pipe NIP - New Iron Pin (1/2" Iron Rod/Rebar) CP - Control Point CIP - Computer Point RW Mon. - Right of Way Monument RW - Right of Way Asphalt - Asphalt Conc. - Concrete CB - Catch Basin	B/C - Back of Curb T - Telephone ELEC. - Power HVAC - Heating Ventilation and Cooling UTIL - Utilities East - Eastman Center Line	RW RW EMT PROPERTY LINE STRUCK FENCE UTILITY LINE (PWR, TELE, ETC.) APPX. LOCATION OF SANITARY SEWER APPX. LOCATION OF WATERLINE
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580

SILT FENCE EXISTING CONTOUR 580 PROPOSED CONTOUR 580



H2020-08(R) Rezoning and Annexation Request

Parcel Identification Number:
55061061470000

Applicant: Harrisburg Real Estate Investments, LLC
Current Zoning: Low Density Residential (LDR), County
Requested Rezoning: Conditional Residential Low Density (CR-L)

Map Created: February 2021





HarrisburgNC

The right side of opportunity

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.

Current: LDR → To: RL (Harrisburg Zoning)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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.).

** We are willing to impose any specific conditions needed or recommended by Harrisburg. Thank You **



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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

Harrisburg Real Estate Investments, LLC

Address

5640 Rocky River Rd.
Charlotte, NC 28215

Phone

704-651-2002

Fax

Signature

[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.

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.



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Subject Property Information

1. Street Address 13075 PLAZA RD. EXT.
2. PIN(s) (10 digit#) 5506-- 10 -- 6147. 0000-- --
3. Deed Reference Book 14447 Page 0321
4. Township # 1 HARRISBURG

Description of Subject Property

5. Size (square feet or acreage) 2.46 Acres
6. Street Frontage (feet) 483.39
7. Current Land Use LDR Residential Vacant Land (Cabarrus County)
8. Surrounding Land Use and Zoning Classification

North: Zoning <u>LDR</u>	Land Use <u>Residential</u>	} <u>CABARRUS County</u> <u>Cabarrus Woods</u> <u>(3 houses per acre)</u>
South: Zoning <u>LDR</u>	Land Use <u>Residential</u>	
East: Zoning <u>LDR</u>	Land Use <u>Residential</u>	
West: Zoning <u>R-8</u>	Land Use <u>Residential</u>	→ <u>Mecklenburg County</u> <u>(Up to 8 houses acre)</u>
9. Request to Change Zoning From LDR to RL
(Cabarrus County) (Harrisburg Zoning)
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: * 2.46 Acres of Vacant Land to be Re-Zoned to RL.
This property is designated for low-density residential growth in
Harrisburg Land Use Plan, which allows 1-2 units/acre Residential
homes (single family only). We want to improve this parcel
to allow 4 buildable Residential lots for 4 new homes.
We are requesting the 2.46 acre parcel to be rezoned to Harrisburg
zoning classification RL and Annexed when Rezoning Approved.*



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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

Address

Phone

Fax

Email:

Signature

Harrisburg Real Estate Investments, LLC
5640 Rocky River Rd. - Charlotte, NC 28215
(704) 651-2002
N/A
Harrisburg RE Investments@gmail.com
CEO: KR Chalmer

13. Agent (if any)

Address

Phone

Fax

Email

Signature

SAME AS ABOVE

14. Applicant (if any)

Address

Phone

Fax

Email

Signature

SAME AS ABOVE

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.



Town of Harrisburg
Planning and Economic Development Department
Rezoning Staff Report

DATE: February 9, 2021

SUBJECT:

Request H-2020-08-(R): To rezone approximately 2.46 acres from County LDR (Low Density Residential) to CZ-RL (Conditional Zoning Residential Low Density)

Location: The subject property is located at the southeast corner of Plaza Road Ext near Vandora Drive (PIN 5506106147)

Applicant: Harrisburg Real Estate Investments (Kelli Chapman)

Staff Report Prepared by: Craig Thomas, Senior Planner

Neighborhood Meeting: Held December 17, 2020

BACKGROUND:

Area: ±2.46 acres Total

Existing Land Use: Vacant/Single-Family Residential

Zoning within 500 feet: North - Low Density Residential (LDR), County
South - Low Density Residential (LDR), County
East - Low Density Residential (LDR), County
West - Low Density Residential (LDR), County

Land Uses within 500 feet: North - Single-family Residential, County
South - Single-family Residential, County
East - Single-family Residential, County
West - Single-family Residential, County

APPLICATION SUMMARY:

- The applicant proposes to develop a four lot single-family subdivision. To achieve this, the applicant is requesting that the property be rezoned from County LDR (Low Density Residential) to CZ-RL (Conditional Zoning Residential Low Density).
- The proposed density of the site is 1.62 dwelling units per acre. The RL district has a maximum density of 2 dwelling units per acre but upon approval of this rezoning, the density will be capped at 1.62 units/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 0.46 acres of open space as part of the development.
- 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 County, applicant has also submitted a Petition requesting Annexation for the subject property which is non-contiguous to the current Town of Harrisburg corporate limits.

APPROVAL CRITERIA:

1. The size of the tract in question;

The subject property is approximately 2.46 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:

***RL:** The RL district is established to provide areas for low density single family uses, with a maximum of two (2) dwelling units per acre, which may provide buffers between the agricultural and RE classifications and the higher density areas of the Town. It includes flexible density and minimum lot size requirements to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development in order to preserve environmentally sensitive and agricultural land areas.*

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

“This area is characterized by low- to moderate-density residential development (1 to 2 dwelling units per acre). Single-family detached homes are complemented by natural areas as well as formal and informal open space amenities. Conservation design, which

includes more open space in exchange for smaller minimum lot sizes, may be recommended in locations with sensitive natural resources.”

Based on the description of the Low Density Residential land use classification, the proposed development, at 1.62 dwelling units per acre would fall within the threshold of 1 to 2 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 audience, additional of these lots offer that options to future residents.

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 Low Density Residential. The table indicates that the RL 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 1.62 dwelling units per acre could be achieved under the proposed zoning and annexation allows to tap into town offered services.

The addition of 4 homes has no detrimental impact to the surrounding community. The 4 homes will be served with 2 shared driveways from Plaza Rd extension, which will reduce the traffic conflicts on to the Road.

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 Rockwood Road in Cabarrus Woods Subdivision, 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 this minor subdivision with only four (4) homes. Driveway access will be reviewed and permitted by NCDOT during the Construction Documents (CDs) review.

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 proposed development would generate less than 4 students across all levels. Cabarrus County School did not offer an impact statement for this rezoning and single family development as the impact is so minimal.

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 proposed single-family development and density of the proposed development (1.62 dwelling units per acre) is compatible with surrounding land uses.

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

Like all other development activity in this area, the development of this land would convert former vacant land into residential neighborhoods, while preserving appropriate area for open space.

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

The areas around this property are generally zoned for low density residential use. Existing land use patterns in the area typically consist of low 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 and aligns with Harrisburg Area Land Use Plan (HALUP).

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

This property has been vacant.

- 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 RL district to the property, with the proposed density limitation, is consistent with the density and lot size standards established for the base RL Zoning District in the Unified Development Ordinance and Low 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 RL 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 establishing appropriate shared driveways for these homes, the proposed homes will be served with 2 shared driveways.

Landscaping buffers shown are adequate to meet the needs of the adjacent properties, and open space is designated as part of the subdivision, details will be reviewed at a later stage of approval.

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.

The Planning and Zoning Board 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 restrict cladding materials for all residential buildings to masonry products; vinyl siding will not be used.
3. Applicant agrees that there will be no exposed concrete foundations and that siding must extend to the ground level on all sides of the homes.

RECOMMENDATION:

With the proposed site plan and 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.







December 7, 2020

Neighborhood Meeting Notice

To Whom It May Concern;

Our records indicate that you own property in close proximity to the property located at parcel PIN 5506106147, located near the southeast corner of Plaza Road Ext and Vandora Drive. The property owner is requesting a rezoning and annexation of the parcel, currently located in the County, from LDR (Low Density Residential) to CZ-RL, Conditional Zoning Residential Low Density. The purpose of the rezoning is to enable the property owner to develop and subdivide the property for four (4) single family homes.

The Town of Harrisburg will facilitate a Neighborhood Meeting to allow the applicant to present their proposal to neighboring property owners, and to receive feedback from the neighbors at the date and time below.

Virtual Meeting Information:

Please click this URL to join.

<https://us02web.zoom.us/j/84209211711?pwd=SFtQeE43MHJtQkhVNkRiMzBtcURUQT09>

Passcode: 772157

Or join by phone: (929) 205 6099

Dial: (929) 205 6099

Webinar ID: 842 0921 1711

Send comments or sign up to speak by emailing at planning@harrisburgnc.org

The number at Town Hall is 704-455-5614 if you have any questions prior to the meeting.

Kelly Woods Rezoning

Date: Thursday, December 17, 2020

Time: 6:30 PM

Location: Virtual Meeting (see meeting information above)

Sincerely,

Sushil Nepal

Sushil Nepal, AICP

Planning and Economic Development Director

Town of Harrisburg

Site Location Map (Properties highlighted below)



MEETING MINUTES

Date: 17 December 2020

Project: **Kelly Woods H2020-08-(R)**

Re: (Virtual) Neighborhood Meeting on 13075 Plaza Rd Ext

PRESENTATION:

Power Point Presentation (with Plans & Photos)

Request rezoning and annexation of parcel 5506106147, currently located in the County, from LDR (Low Density Residential) to CZ-RL, Conditional Zoning Residential Low Density. The purpose of the rezoning is to enable the property owner to develop and subdivide the property for four (4) single family homes. Facilitated by Town of Harrisburg with property owner presenting.

QUESTION & ANSWERS:

Q: The owner of the property is rezoning/annexing and developing the property to allow a builder to build 4 residential homes. Do you have a builder you can share at this point or is that still undecided?

A: The builder has not been decided at this time.

Q: What is the plan for the private sewer line easement along the back of the property?

A: The private water & sewer line easement will be developed to run along the back of the property and between lots 27 & 28 to Rockwood Rd to connect to the City of Harrisburg

Q: Property owners along the back have struggled with water drainage over the years. What is the plan for water run off & buffer between properties along the back?

A: When Cabarrus Woods was originally built, they installed a 10' drainage easement along the back on the neighboring properties as shown on the old Cabarrus Woods surveys. This drainage ditch was never maintained by the Cabarrus Woods property owners over the years causing water drainage to build up in those areas. Even though this area is not our responsibility, we plan to clean out the underbrush and debris along this area that has piled up over the years to significantly improve it for the adjoining homeowners. This will allow the current 10' Cabarrus Woods drainage easement to work effectively as designed. We also plan to landscape the area along the back when the water & sewer lines are installed to resolve any additional storm water drainage issues to the benefit of the adjoining property owners.

ADJOURNMENT:

This is a straight forward project in subdividing lots for 4 homes. We made the decision early on to cut the number of driveways and requested the plans to show shared driveways access that has already been previewed by NCDOT. We will be taking this through the review process at the staff level, planning board, and to the Town Council for rezoning and annexation approval.

IN ATTENDANCE:

Sushil Nepal

Harrisburg Real Estate Investments (KC)

Duane Scaggs

Joey Crocker

704-910-9769

Thelma Chapman

Diamond Staton-Williams

Rodney Dillinger

Stephanie Luther

Laurie Piurkowsky