



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

**December 20, 2022
6:00 PM**

AGENDA

1. CALL TO ORDER

A. PUBLIC PARTICIPATION VIA ZOOM

Harrisburg Town Hall's Council Chambers will be open for the public to attend the meeting in person.

The public has the option to join the meeting virtually via the Zoom platform using the following link:

<https://us02web.zoom.us/j/82922934233?pwd=UUUVIbHlWenglYStOUUVmVWdtZXllQT09>

Webinar ID: 829 2293 4233

Passcode: 249745

Or join by phone:

312.626.6799

301.715.8592

B. AGENDA ADOPTION

C. SPECIAL PRESENTATIONS

D. 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 adoption of November 15, 2022 minutes

3. OLD BUSINESS

4. NEW BUSINESS

A. H-2022-3-S: Blume Estates Preliminary Plat

5. STAFF UPDATES/INFORMATION

6. ADJOURNMENT

7. CALL TO ORDER FOR BOARD OF ADJUSTMENT

A. PUBLIC PARTICIPATION VIA ZOOM

Harrisburg Town Hall's Council Chambers will be open for the public to attend the meeting in person.

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8. **NEW BUSINESS - BOARD OF ADJUSTMENT**

A. H-2022-01-SUP: Killian Plaza Tobacco Shop

B. H-2022-02-SUP: Island Tobacco

9. **ADJOURNMENT - BOARD OF ADJUSTMENT**

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 adoption of November 15, 2022 minutes

Presenting Personnel:

Suggested Motion or Action:

Motion to approve as presented

Description/Background:

Recommendation:

Approve minutes as presented

Fiscal Impact:

Attachments:

1. PZ MINS NOV 15 22

**TOWN OF HARRISBURG, NORTH CAROLINA
PLANNING & ZONING ADVISORY BOARD MEETING
TUESDAY, NOVEMBER 15, 2022**

MINUTES

1.

CALL TO ORDER

Thelma Thorne-Chapman called the meeting to order.

PRESENT: Kevin Schaffner, Jacob Carpenter, Thelma Thorne-Chapman, Monica Long

STAFF: Zac Gordon, Planning Director, Craig Thomas, Senior Planner, Carly Bedgood, Planning Technician

ABSENT: Andy Rathke, Kevin Hutchins

A.

AGENDA ADOPTION

Jacob Carpenter added that we will need to add the swearing in of our new member, Monica Long under Special Presentations.

MOTION

Jacob Carpenter made a motion to adopt the agenda with the change and a second was made by Kevin Schaffner.

The motion passed 3-0.

B.

SPECIAL PRESENTATIONS

Monica Long was sworn in as a new member for the Planning and Zoning Board and the Board of Adjustment Board.

C.

PUBLIC COMMENT

None

2.

CONSENT AGENDA

A. Planning Board meeting minutes of October 18, 2022, Planning and Zoning Board meeting.

MOTION

Kevin Schaffner made a motion to approve the Consent Agenda. Second was made by Jacob Carpenter. **The motion passed 4-0.**

3.

OLD BUSINESS

None

4.

NEW BUSINESS

A.

H2022-14 (R) Stallings Road and Jon Chris Rd Rezoning and Annexation

The applicant proposes to rezone five parcels from County LDR (Low Density Residential) to RM (Residential Medium Density). The purpose of this rezoning is to allow for the annexation of these parcels into the Town of Harrisburg limits to access sewer services for each lot. The RM District allows a gross density between 2 and 3 units per acre. At 2.20 units per acre the proposed rezoning is consistent with the requirements of the UDO. The Harrisburg Area Land Use

**TOWN OF HARRISBURG, NORTH CAROLINA
PLANNING & ZONING ADVISORY BOARD MEETING MINUTES
Tuesday, November 15, 2022**

Plan (HALUP) locates this property within a “Low Density Residential” area. The LDR designation calls for 1 -2 units per acre. The proposed density is 2.20 dwelling units per acre – just over the 1-2 units per acre designated by the HALUP. Although the lots slightly exceed the recommended LDR density, the five lots are existing and would not be allowed to be subdivided further. Along with this request for rezoning, the applicant has submitted a petition to be annexed into the Town of Harrisburg corporate limits. The rezoning request is consistent with the Harrisburg Area Land Use Plan (HALUP) and the Unified Development Ordinance (UDO). Planning and Zoning Department staff therefore supports approval of the rezoning request and request for annexation.

MOTION:

Jacob Carpenter made a motion to recommend approval of H2022-14 R and sent it on to the Town Council for their consideration with a second from Kevin Schaffner. **The motion passed 4-0.**

The following Consistency Statement was presented to the Board for its consideration:

CONSISTENCY STATEMENT:

1. Based on the staff report and staff presentation, 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:

Kevin Schaffner made a motion to approve the proposed Consistency Statement with a second from Jacob Carpenter. **The motion passed 4-0.**

B.

H2022-07-(R) Blackwelder Rezoning and Annexation

The applicant proposes to develop a 51-lot single-family subdivision. To achieve this, the applicant is requesting the proposed subdivision property be annexed into the Town of Harrisburg corporate limits and be rezoned from its current Cabarrus County Low Density Residential (LDR) district designation to Conditional Zoning Residential Medium (CZRM) in accordance with the site plan submitted with the application. The RM zoning district has a maximum density of two dwelling units per acre. The proposed density for this subdivision is 1.31 dwelling units per acre. If rezoning approval is granted, site density may not exceed 1.31 units/acre and the development will be subject to all of the conditions imposed by the Town Council and agreed to by the applicant. The request to rezone the subject property as Residential Medium (RM) is consistent with the HALUP, which designates this property as Low Density Residential (LDR). The LDR designation calls for 1-2 dwelling units per acres. Based upon consistency of the proposed subdivision with the Harrisburg Area Land Use Plan and compliance with the Unified Development Ordinance, Planning and Zoning Department staff recommends approval of the applicant’s request for rezoning, subject to the conditions noted in the staff report. Furthermore, staff recommends that the Planning and Zoning Board recommends Town Council approval of the applicant’s request for conditional zoning.

1. The applicant shall obtain any and all applicable local, state, and federal permits required for development before any development activity can take place.
2. Primary cladding materials for all residential buildings shall be restricted to masonry or similar products (no vinyl siding will be allowed).
3. All concrete foundations shall be covered with siding and/or other material and must extend to the ground level on all sides.
4. Mitigation/replacement of identified heritage trees shall be required if damaged during construction, in accordance with the Town of Harrisburg Unified Development Ordinance.
5. A minimum 8-foot-wide landscape easement (4 feet on each side of the property line, existing tree save or newly planted) shall be provided for residential lots sharing a rear property line.
6. A fee-in-lieu of payment for required “Public Open Space” shall be made in the amount \$36,162 (calculation is based on a per acre value of \$38,065 for .95 acres). This fee-inlieu dedication shall be made to the Town prior to final plat approval.
7. A 10’ wide paved greenway shall be constructed as shown on the rezoning site plan. In addition, a 25’ wide

**TOWN OF HARRISBURG, NORTH CAROLINA
PLANNING & ZONING ADVISORY BOARD MEETING MINUTES
Tuesday, November 15, 2022**

greenway public access easement shall be dedicated to the Town of Harrisburg.

8. All ponds shall be wet detention ponds with fountains. Ponds shall be designed such that there is a minimum depth of 10' over at least 25% of the permanent pool area.

9. Fences surrounding all detention ponds shall be vinyl 4-rail farm fence, preferably white.

10. Mailbox clusters shall meet ADA Standards at a minimum.

11. All streets shall be designed and built to Town of Harrisburg Engineering Design standards. Alternate pavement schedule design is not allowable. Roadways cross sections will be reviewed and approved at the construction document phase.

Public Comment:

Applicant- Brandon Pridemore, spoke in favor of the project. He shared a PowerPoint and answered many questions from the Board. Jacob Carpenter from the Board asked what was the purpose of the Zoning choice and why it should not be zoned to the next zoning down (RL) from the proposed one. Mr. Pridemore indicated that the RM zoning designation was selected because it offered more flexibility in site design (including lot configurations). Monica Long from the Board asked what type of siding would be used on the proposed homes? Mr. Pridemore indicated that the siding would be a combination of hardi-plank, stone and brick.

Bill Leake, 7238 Sandown Ct, Harrisburg, NC- addressed the Board and identified several site design issues which he suggested be addressed. Mr. Pridemore indicated that the plans would be revised to address these comments.

MOTION:

Kevin Schaffner made a motion to recommend approval of H2022-07- R and sent it on to the Town Council for their consideration with a second from Jacob Carpenter. **The motion passed 4-0.**

The following Consistency Statement was presented to the Board for its consideration:

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:

Jacob Carpenter made a motion to approve the proposed Consistency Statement with a second from Monica Long. **The motion passed 4-0.**

C.

H2022-10-R Request to rezone approximately 46.65 acres located off Wonderwood Lane from RE (Rural Estate) to AG (Agricultural)

The applicant proposes to rezone parcel PIN 5516-96-2556 from RE (Residential Estate) to AG (Agricultural) and limit the uses allowed on the property to Crop Production and Crop Production Support Activity. The AG district has a maximum density of 0.30 dwelling unit per acre. The proposed density is 0.02 dwelling units per acre and the lot meets the AG dimension requirements per the UDO. The rezoning request is consistent with the Harrisburg Area Land Use Plan. Planning and Zoning Department staff supports approval of the rezoning request.

Public Comment:

Applicant Mike Arnold, 4138 French Fields Lane, Harrisburg, spoke in favor of his request. He answered questions from the Board mostly about what he plans to use the land for.

MOTION:

Jacob Carpenter made a motion to recommend approval of H2022-10-R and sent it on to the Town Council for their consideration with a second from Kevin Schaffner. **The motion passed 4-0.**

**TOWN OF HARRISBURG, NORTH CAROLINA
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Tuesday, November 15, 2022**

The following Consistency Statement was presented to the Board for its consideration:

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:

Kevin Schaffner made a motion to approve the proposed Consistency Statement with a second from Thelma Thorne-Chapman. **The motion passed 4-0**

5.

STAFF UPDATES/INFORMATION

- Our next scheduled meeting will be held on December 20th. We more than likely will have another Board of Adjustment item along with our regular scheduled meeting.
- We still have a huge interest in Single Family homes here in Harrisburg.
- We will provide the Board with an updated list of the projects that are currently in the pipeline along with updates on projects that have been approved.
- Farmington Parkway is fully opened.
- We are still working on getting a new ETJ member for the Board, hope to have someone soon to join.

6.

ADJOURNMENT

MOTION:

There being no further business, Jacob Carpenter made a motion to adjourn, with a second from Kevin Schaffner. **The motion passed 4-0.**

Thelma Thorne-Chapman, Chairman

Carly Bedgood, Secretary



TOWN OF HARRISBURG

Agenda Item Details

Title:

H-2022-3-S: Blume Estates Preliminary Plat

Presenting Personnel:

Zachary Gordon, Planning Director

Suggested Motion or Action:

For a recommendation of approval, the following motion is suggested:

I move that the Planning and Zoning Board approve the Preliminary Plat for Blume Estates as requested by the applicant and recommend that Town Council approval be granted, subject to the conditions outlined in the staff report.

For a recommendation of denial to the Town Council, the following motion is suggested:

I move that the Planning and Zoning Board deny the Preliminary Plat for Blume Estates and recommend that the Town Council also deny the applicant's request for Preliminary Plat approval.

Description/Background:

The applicant is requesting Preliminary Plat approval for 30 single family lots, for property measuring approximately 65 acres, located on the eastern side of Hickory Ridge Road south of Rocky River Road and connecting to Cornflower Drive (PIN# 5516759310) as shown on the attached plan. Conditional rezoning approval to change the designation of these lots from RE, Rural Estate to CZ-RL, Conditional Zoning Residential Low Density, was granted by the Town Council at their March 14, 2022 meeting (H-2021-01-R).

Recommendation:

Staff has reviewed the preliminary plat submitted for Blume Estates and found it to be consistent with the conditional zoning site plan approved by the Town Council for case # H-2021-01-R, and applicable standards of the UDO. Staff is therefore recommending approval of the preliminary plat by the Planning and Zoning Board and for the Board to forward a recommendation for approval of this preliminary plat by the Town Council.

Fiscal Impact:

None

Attachments:

1. H2022-03-R Blume Estates PB Prelim Plat Staff Report
2. H-2022-03-S Preliminary Plat
3. H-2021-01-R Rezoning Approval Letter



Town of Harrisburg
Planning and Economic Development Department

DATE: December 20, 2022

SUBJECT: H-2022-03-S, Blume Estates, Preliminary Plat

Owner/ Developer: Oakvu, LLC; Harri Vuppala

Location: The subject property is located on the eastern side of Hickory Ridge Road south of Rocky River Road and connecting to Cornflower Drive (PIN 5516-75-9310).

BACKGROUND:

Area: Approximately 65.01 acres

Zoning: Conditional Zoning Residential Low Density (CZ-RL)

Staff Report

Prepared by: Craig Thomas, Planning and Economic Development Department

GENERAL DISCUSSION:

- The applicant is requesting that the Preliminary Plat be reviewed and approved to allow 30 single family lots.
- Staff has reviewed the submitted preliminary plat and has found it to be consistent with the approved conditional zoning site plan and the standards of the UDO. Staff has recommended conditions of approval as outlined in this staff report, consistent with the Rezoning approval H-2021-01-R.

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 Land Use Plan, the subject property is located in area designated on the future land use map as Low Density Residential. 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.”

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 and create value for property owners with smaller lots in exchange for preservation of open space.

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 and the RL zoning district is appropriate for this land use classification per the HALUP recommendation.

- 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.**

There are no existing or proposed variances for the subject property. The preliminary plat, as presented, is consistent with the approved conditional zoning site plan, which governs the development standards for the site.

- 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. The zoning districts of the surrounding properties are residential in nature. The properties to the west have similar size lots and densities, whereas the properties to the north, south and east are mostly vacant. There will be a connection to the existing Blume subdivision via Cornflower Lane.

- 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 a residential detached subdivision. The approved density and layout are compatible with surrounding development. An approval of this preliminary plat would allow the development to continue with subsequent approvals necessary for the development

of the property.

- 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 A, 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. This property lies completely within Flood Zone AE on the latest FEMA Flood Insurance Rate Map (FIRM).

- 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 subdivision is Blume Estates. The subdivision name and all street names are under review by the Cabarrus County E-911 Coordinator.

APFO REVIEW:

Schools

This 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 on school capacity:

The schools serving this area are Hickory Ridge Elementary School, Hickory Ridge Middle School, and Hickory Ridge High School. We would anticipate these single-family homes to generate upon buildout an additional 12 elementary students, 6 middle school students, and 8 high school students. While these student generation figures are relatively small, the elementary school is currently over capacity at 109%. However, the County has noted that number of additional students would not exceed the acceptable level of 110% capacity. The middle school capacity is currently at 93% and the additional students could be accommodated with a projected 93% capacity. The high school would also be impacted as it would increase from current 112 % capacity to 113% program capacity.

Transportation

NCDOT has reviewed the preliminary plat and approved the existing driveway entrance of Robinson Church Road. There are no other impacts to the transportation system.

Fire, Police and Sanitation Services

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

Utilities

Town water and sewer is available in this area. Any utility line extensions or upgrades necessary to serve this development will be the responsibility of the developer.

Sewer Allocation

In 2021, due to the need to expand capacity at the Rocky River Regional Wastewater Treatment Plant, the Water and Sewer Authority of Cabarrus County (WSACC) began the process of expanding capacity at the plant to serve new growth. In conjunction with this planned expansion, WSACC imposed a limit on the available sewer allocation for customers within its service area. In response, the Town has adopted a “Sewer Allocation Policy” to ensure that the capacity available to the Town is not exceeded. Town staff meets on a quarterly basis to review applications for sewer allocations and either approves or denies allocations, based on the availability of capacity. If rezoning and annexation approval is granted for this subdivision, sewer allocation approval would also be required before any construction could occur on the 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 Chapter 142 of the UDO.

Should the Planning and Zoning Board recommend approval of the preliminary plat for the Blume Estates subdivision, staff requests that the following original conditions (H-2021-01-R)

become part of the approval, which are inclusive of the conditions agreed to as part of the conditional approval granted by the Town Council:

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.
4. Applicant agrees to the mitigation or replacement of heritage trees if damaged during construction, in accordance with the Town of Harrisburg Unified Development Ordinance.
5. Applicant agrees that all ponds shall be wet detention ponds with fountains. Ponds shall be designed such that there is a minimum depth of 10' over at least 25% of the permanent pool area.
6. Applicant agrees fence surrounding detention pond shall be vinyl 4-rail farm fence, preferably white.
7. Applicant agrees to construct greenway along Reedy Creek and provide pedestrian connection via pedestrian bridge to the proposed neighborhood.
8. Applicant agrees to bond the subdivision streets in the existing Blume Subdivision and perform any required maintenance due to construction access and heavy vehicle and equipment traffic on the Blume Subdivision streets.
9. Applicant agrees mailbox clusters shall meet ADA Standards at a minimum.
10. All streets should be to the Town of Harrisburg Engineering Design standards, alternate pavement schedule is not allowable. Roadways cross sections will be reviewed and approved at the construction document phase.

RECOMMENDATION:

The preliminary plat is consistent with the Harrisburg Area Land Use Plan and the existing CZ-RL zoning designation and the conditional rezoning plan (H-2021-01-R). approved by the Town Council on March 14, 2022. Therefore, the Planning and Zoning Department recommends approval of this preliminary plat application for Blume Estates.

PROJECT

**BLUME
ESTATES**

2718 GRADY HARRIS SR. DR.
HARRISBURG, NORTH CAROLINA

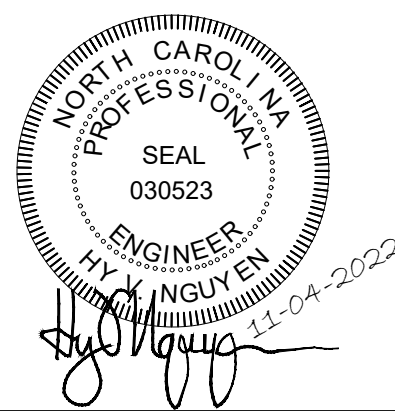
PROJECT NUMBER
22026

ISSUED FOR
PRELIMINARY PLAT

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	09-29-22	PER TOWN'S REVIEW	CD/R
2	11-04-22	PER TOWN'S REVIEW	CD/R

PROJ. MANAGER: HN
DRAWN BY: JMM
CHECKED BY: HN

SEAL

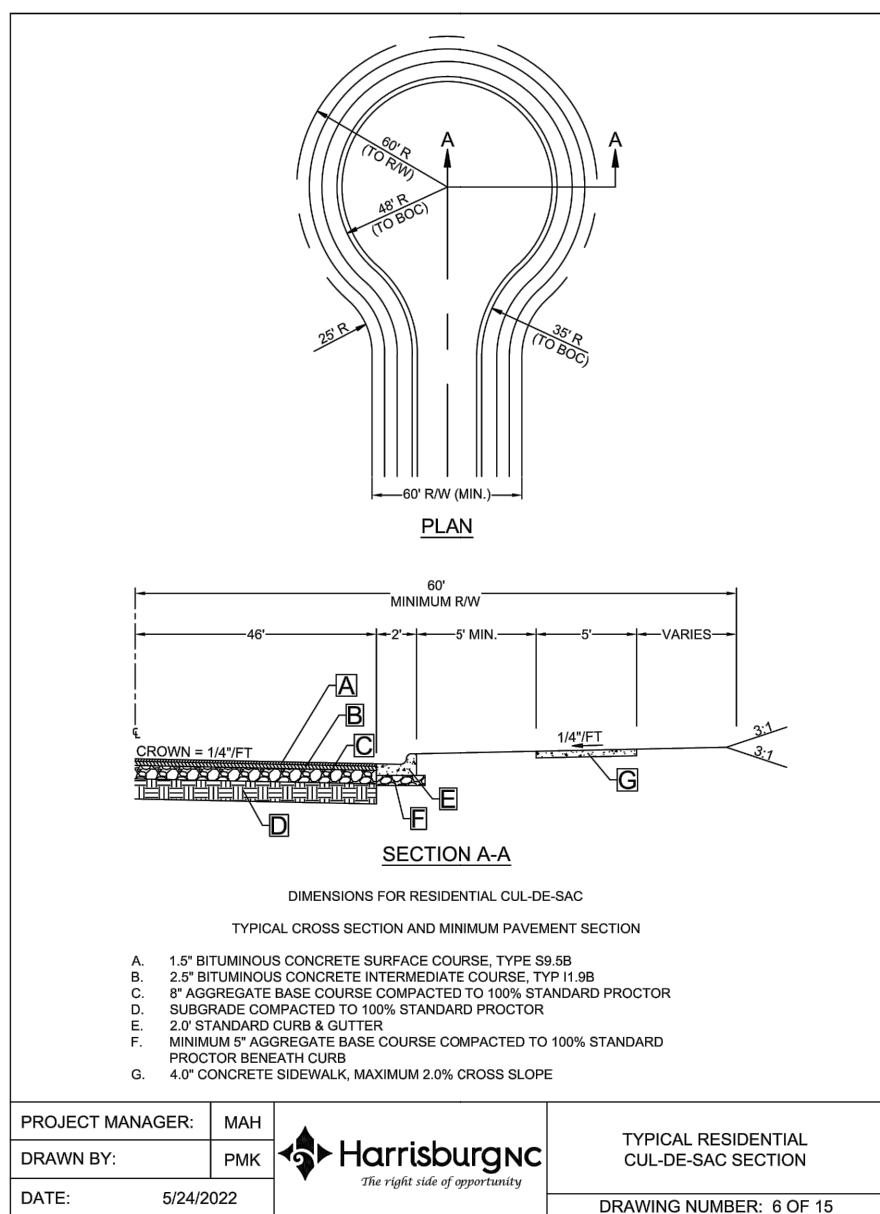
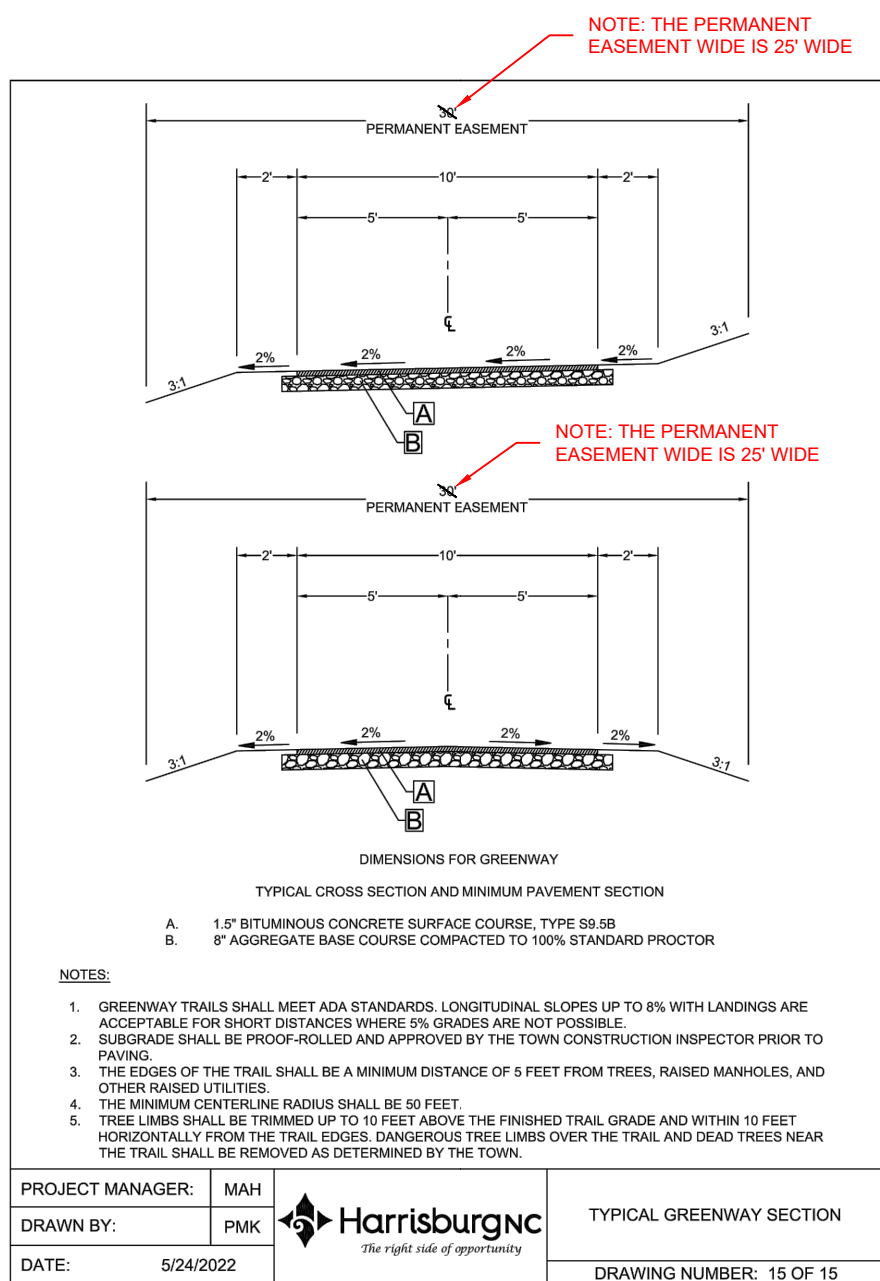


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AS INDICATED

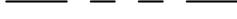
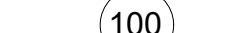
DRAWING

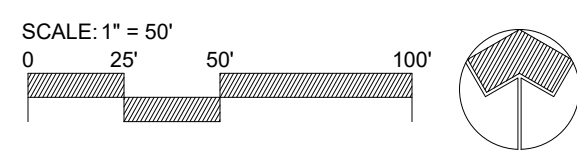
PRELIMINARY PLAT (NORTH)

PP-02

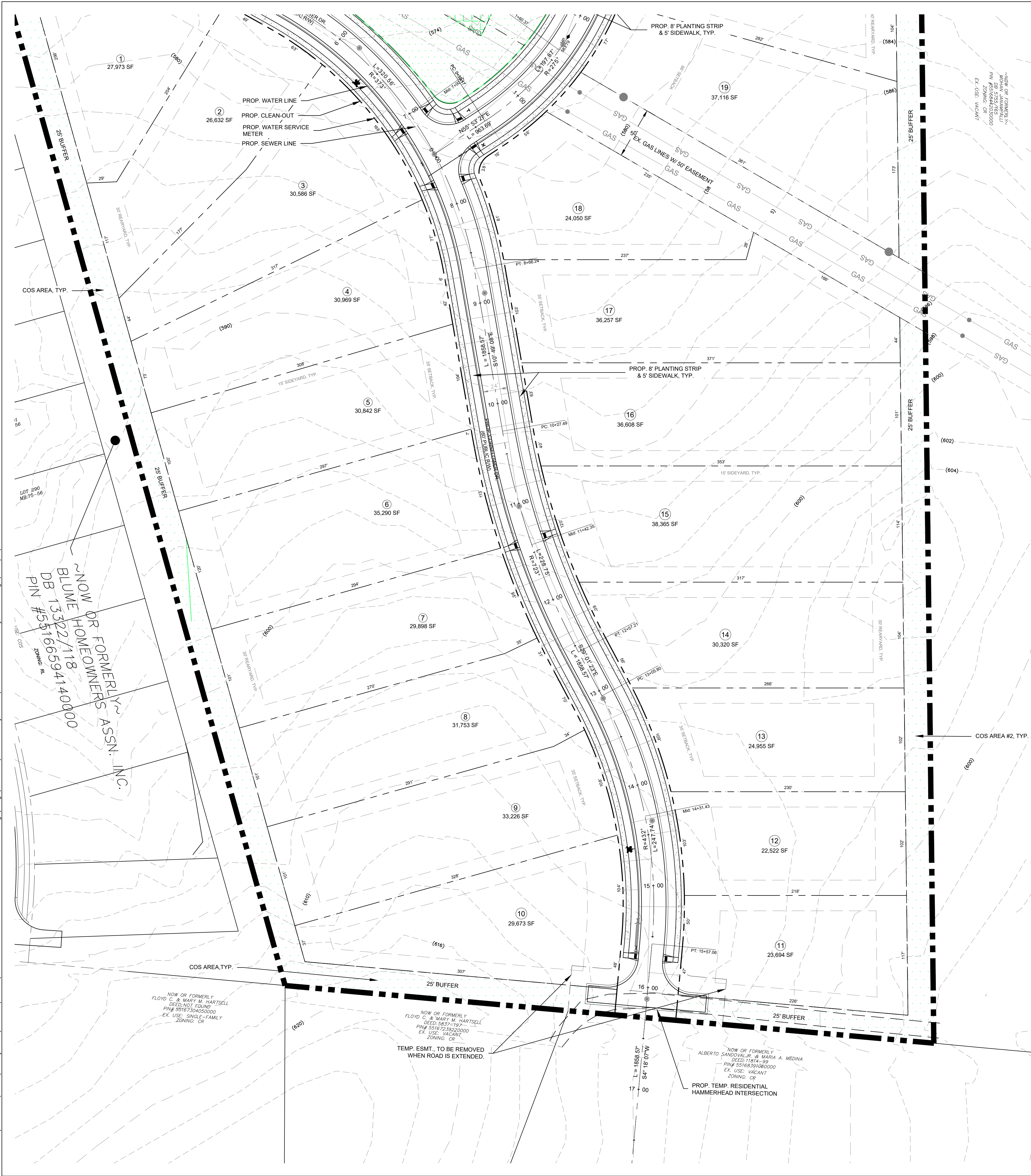


LEGEND

	EXISTING PROPERTY LINE
	PROPOSED LOT LINE
	PROPOSED SUBLOT LINE, TYP.
	PROPOSED BUFFER
	PROPOSED LOT NUMBERS
	PROPOSED RIGHT OF WAY
	PROPOSED SIDEWALK
	PROPOSED T.H. INGRESS/EGRESS EASEMENT, TYP.
	PROPOSED SETBACK LINE

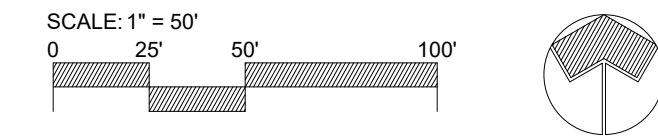


Plotted: C:\DPR Dropbox\Projects\Active\2022\2026 Blume Estates-OakVu-Harrisburg\Draw\Sheets\Preliminary Plat\2026_Preliminary Plat.dwg / 11/4/2022 1:44 PM



LEGEND

- EXISTING PROPERTY LINE
- PROPOSED LOT LINE
- PROPOSED SUBLOT LINE, TYP.
- PROPOSED BUFFER
- PROPOSED LOT NUMBERS
- PROPOSED RIGHT OF WAY
- PROPOSED SIDEWALK
- PROPOSED T.H. INGRESS/EGRESS EASEMENT, TYP.



master planning . civil engineering
urban design . landscape architecture

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704.332.1204 . www.dpr.design
NC Firm License # C-0560

CLIENT / OWNER

OAKVU, LLC
389 SUTRO FOREST DR. NW
CONCORD, NC 28027
704-699-5218 HARI VUPPALA

SURVEYOR

MCADAMS
3450 TORINGDON WAY, SUITE 110
CHARLOTTE, NC 28277
704-527-9800

KEY MAP

PROJECT

BLUME ESTATES

2718 GRADY HARRIS SR. DR.
HARRISBURG, NORTH CAROLINA

PROJECT NUMBER

20206

DATE

05/25/2022

ISSUED FOR

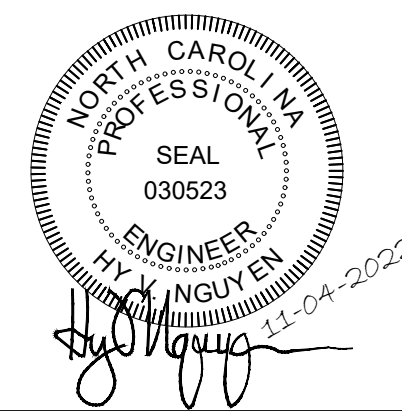
PRELIMINARY PLAT

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	09-29-22	PER TOWN'S REVIEW	CDRT
2	11-04-22	PER TOWN'S REVIEW	CDRT

PROJ. MANAGER: HN
DRAWN BY: JMM
CHECKED BY: HN

SEAL



SCALE

AS INDICATED

DRAWING

PRELIMINARY PLAT (SOUTH)

PP-03



March 25, 2022

OakVu, LLC
Attn: Hari Vuppala
[Via email]

Mr. Vuppala,

This letter is to inform you that the rezoning request H2021-01-(R) was **approved** by the Town Council on Monday, March 14th, 2022 meeting.

This property includes parcel PIN# 5516759310 located on the eastern side of Hickory Ridge Road south of Rocky River Road and connecting to Cornflower Drive. The rezoning request H2021-01-(R) was to rezone approximately 65.01 acres from RE, Rural Estate to CZ-RL, Conditional Zoning Residential Low Density. The parcel may be subdivided provided minimum standards of the CZ-RL zoning are met. The rezoning was approved for a maximum of thirty (30) single family lots. The rezoning was approved with the following conditions and attached rezoning site 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 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.
4. Applicant agrees to the mitigation or replacement of heritage trees if damaged during construction, in accordance with the Town of Harrisburg Unified Development Ordinance.
5. Applicant agrees that all ponds shall be wet detention ponds with fountains. Ponds shall be designed such that there is a minimum depth of 10' over at least 25% of the permanent pool area.
6. Applicant agrees fence surrounding detention pond shall be vinyl 4-rail farm fence, preferably white.
7. Applicant agrees to construct greenway along Reedy Creek and provide pedestrian connection via pedestrian bridge to the proposed neighborhood.
8. Applicant agrees to bond the subdivision streets in the existing Blume Subdivision and perform any required maintenance due to construction access and heavy vehicle and equipment traffic on the Blume Subdivision streets.
9. Applicant agrees mailbox clusters shall meet ADA Standards at a minimum.
10. All streets should be to the Town of Harrisburg Engineering Design standards, alternate pavement schedule is not allowable. Roadways cross sections will be reviewed and approved at the construction document phase.
11. Applicant agrees that no fewer than 30% of the dwelling units shall contain a side-loaded garage.
12. Applicant agrees that no more than 20% of the residential units as rentals at any given time and will be restricted as such by the deed restrictions.



The next steps are to submit a Preliminary Plat for review that meets the above conditions, and once approved, submittal of construction plans.

If you have any questions or concerns, please let me know.

Sincerely,

Sushil Nepal

Sushil Nepal, AICP

Planning & Economic Development Director

Town of Harrisburg



Special Use Permit H-2022-01-SUP
Town of Harrisburg CUP Request
December 20, 2022

Applicant: Waddah Nagi
815 Stardust Place
Concord, NC 28027

Property Owner: Killian Plaza LLC

Property Location: 4963 NC Hwy 49
PIN # 5507-55-3980

Current Zoning: GC (General Commercial)

Property Size: 1.61 acres +/-

Staff Report By: Craig Thomas, Senior Planner

Request: **The applicant has requested a Special Use Permit to conduct business as a retail tobacco shop in the GC, General Commercial District, which is an allowed use subject to Special Use review criteria in Section 140.04.06 of the Unified Development Ordinance.**

ADDITIONAL INFORMATION:

1. The applicant has submitted a complete application which includes the Findings of Fact sheet and has paid the application fee.
2. Public Hearing notices have been published as required by the Harrisburg UDO.
3. The adjacent property owners have been notified by US Mail.
4. A sign has been placed on the property stating the time, date, and location of the public hearing.

REVIEW CRITERIA:

Per Section 145.04.03 of UDO the following criteria shall be applied to the request for a special use permit (NOTE: responses as provided by the applicant. See attached information and documentation).

1. **HALUP:** **The proposed special use will be in harmony with the area in which it is to be located and in general conformance with the HALUP.** The site is surrounded by commercial property (GC) in all directions on NC HWY 49, there is a mix of commercial and residential properties farther

H-2022-01-SUP
December 20, 2022

to north and south of the property's location on Morehead Road and Sim's PKY, and motorsports uses further to the north. The character of the surrounding area is primarily commercial usage, with predominantly strip shopping areas and one-story buildings on large, paved lots. The proposed use does not propose new buildings or structures in Harrisburg, so the height and location of structures is not at issue.

2. **Ingress and Egress:** Adequate measures will be taken to provide ingress and egress to minimize traffic hazards and traffic congestion on the public roads. The proposed use will not generate traffic volumes that will significantly impact the capacity or safety of the transportation system. There are two means of ingress/egress to the property and no additional access points are planned. The lot will provide ample room for access for customers and emergency vehicles, maintaining acceptable flow. Ample parking is also available within the existing lot adjacent to the structure along with an addition means of ingress/egress. All belonging to the same landlord, Killian Plaza LLC. Because the traffic generated is not expected to be significant, and the site plan anticipates sufficient access and minimizes traffic hazards, adequate measures will be provided upon request.
3. **Nuisances:** The proposed use will not be noxious or offensive by reason of vibration, noise odor, dust, smoke, or gas. The proposed use will not be offensive to the area because the business will be compatible with the existing characteristics of the area. There will not be any new noise generated from the proposed use. There will be no new construction that would generate vibrations, dust, or offensive gases. The business will not be burning anything to produce smoke in the area and no smoking will be permitted in the establishment.
4. **Orderly Development:** The establishment of the proposed use will not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district. The site is zoned general commercial (GC) and located on NC HW 49 surrounded by other commercial businesses. There are no applicable overlay zones for the property, and the majority of the property is zone GC. The proposed use is compatible with many of the existing commercial business in existence on NC HWY 49 that sell tobacco products This will allow for uses consistent with the planned uses on this site and will not impede the orderly re-development or improvement of the surrounding properties. The areas around the site are zoned for commercial uses and can be developed as such because the proposed use is less intense and is similar to the existing conditions today.
5. **Health, Safety and Welfare:** The establishment, maintenance, an operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare. The proposed use is very similar in location, intensity, pervious area, vegetation, open space, and access to the nearby uses. Dust, noise, and vibration will not be an issue since this is not new construction. Traffic will not be significant and adequate access and circulation will be maintained to avoid congestion. The proposal will result in a low-intensity use which will maintain a great deal of pervious area and open space. This, the proposed will not be detrimental to or endanger the public health, safety, or welfare.

RECOMMENDATION:

Staff has reviewed the request for a Special Use Permit and does not believe the proposed use is compatible with the surrounding conforming and permitted land uses, nor in harmony with the character of the area where the proposed use would be located. In addition, the proposed location is only 126' from the closest residential structure and abuts residentially zoned property to the south. Therefore, staff is recommending denial of the request for a Special Use Permit.

H-2022-01-SUP
December 20, 2022

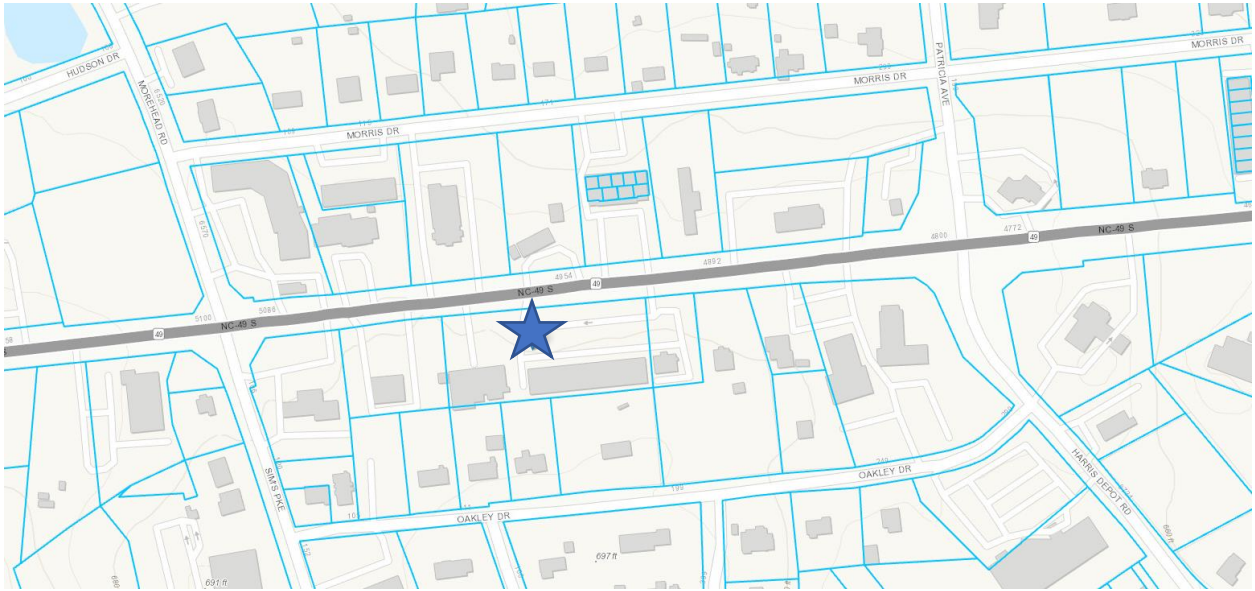
DECISION:

Following the public hearing, the Board of Adjustment should consider all facts and testimony and render a decision accordingly through the finding of facts to approve, approve with conditions or deny the request for a Special Use Permit.

H2022-01-SUP Site Location Map

Killian Plaza Tobacco Shop

4963 NC Highway 49S





Harrisburg NC

The right side of opportunity

Application No. H2022-01

Date 9/1/22

PETITION FOR A CONDITIONAL USE PERMIT

The Conditional Use Process:

A conditional use is necessary when a proposed land use may have some consequences that may warrant review by the Board of Adjustment. This review is to insure there will be no detrimental effects to surrounding properties nor will it be contrary to the public interest.

In order to apply for a conditional use a completed application along with the application fee is required to be turned in to the Zoning Office, 30 days prior to the scheduled public hearing. In order for the Board of Adjustment to grant approval of the conditional use, the applicant must provide the requested information in the following application.

If the Board finds that all approval criteria have been met, they may impose reasonable conditions upon the granting of any conditional use to insure public health, safety, and general welfare. If the application is approved the applicant then may proceed with securing all required local and state permits necessary for the endeavor. Failure to follow conditions set in the approval process would result in a violation of the Zoning Ordinance.

If there are additional questions concerning this process, please call the Zoning Office at (704) 455-5614.

TO THE BOARD OF ADJUSTMENT:

I, HEREBY PETITION THE BOARD OF ADJUSTMENT TO GRANT THE ZONING ADMINISTRATOR THE AUTHORITY TO ISSUE A CONDITIONAL USE PERMIT FOR THE USE OF THE PROPERTY AS DESCRIBED BELOW.

Applicant's Name Property Owner's Name

_____ Waddah Nagi _____

Property Owner's Address

_____ Killian Plaza LLC (James Killian) _____

Applicant's Address

815 Stardust Place

Concord, NC 28027

Applicants Telephone Number _____ 704-707-5343

Parcel Information

Existing Use of Property _____ Retail Commercial Building _____

Proposed Use of Property _____ Tobacco Shop _____

Existing Zoning _____ GC _____

Property Location _____ 4963 NC HWY 49S Harrisburg, NC 28075 _____

Property Acreage _____ 1.61 AC _____

Waddah Nagi 2011@gmail.com

Tax Map and Parcel Number (PIN) _____ 5507 55 3980 0000 _____

Land Use of Adjacent Properties

(Provide Plat Map if Available)

NORTH : Commercial- Sunflour Bakery, Smile Cabarrus Dentistry, Wendy's Restaurant

SOUTH : Mixed Use – Rocky River Message, Residential

EAST: Commercial – Hair Salon, Martial Arts, Furniture, Flooring, Pelican Snowball

WEST: Commercial- Fitness Center, AJ's Restaurant, Well's Fargo Bank

General Requirements

1. The Zoning Ordinance imposes the following general requirements on the use requested by the applicant. Under each requirement, the applicant should explain, with reference to the attached plans, where applicable, how the proposed use satisfies these requirements.

The Board must find that the uses(s) as proposed "are not detrimental to the public health, safety or general welfare." _____

Tenant wishes to operate a discount tobacco shop. Selling legal tobacco products, and stop smoking aids, to persons 21 years of age or older. Other retailers in the area sell similar products including but not limited to : Food Lion, Publix, Harris Teeters, Shell gas station, BP gas station. There will be absolutely no smoking allowed in the building. _____

The Board must find that the use(s) as proposed "are appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, etc."

_____ ***Existing commercial retail building located on NC HWY 49*** _____

The Board must find that the use(s) as proposed "will not violate neighborhood character nor adversely affect surrounding land uses."

_____ Tenant will only sell legally available tobacco products to persons 21 years of age or older.

_____ The Board must find that the use(s) as proposed "will comply with the general plans for the physical development of the County or Town, as embodied in the Zoning Ordinance or in the area development plans that have been adopted."

_____ ***Existing commercial retail building located on NC HWY 49*** _____

2. The Zoning Ordinance also imposes SPECIFIC REQUIREMENTS on the use(s) requested by the applicant. The applicant should be prepared to demonstrate that, if the land is used in a manner consistent with the plans, specifications, and other information presented to the Board, the proposed use(s) will comply with specific requirements concerning the following:

Nature of use (type, number of units, and/or area):

_____ ***Existing commercial retail building located on NC HWY 49*** _____

Accessory uses (if any):

Existing commercial retail building located on NC HWY 49

Setback provisions:

Principle Use

Front: _____ Side: _____ Rear: _____

Accessory Use

Front: _____ Side: _____ Rear: _____

Height provisions:

Principle Use _____ Accessory Use _____

Off street parking and loading provisions: (include calculations)

Sign provisions: (include sketch drawing with dimensions)

Provisions for screening landscaping and buffering: (if required add to site plan)

Provisions for vehicular circulation and access to streets: (provide NCDOT permit if necessary)

Adequate and safe design for grades, paved curbs and gutters, drainage systems, and treatment or turf to handle storm waters, prevent erosion, subdue dust:

An adequate amount and safe location of play areas for children and other recreational uses according to the concentration of residential property:

_____ Commercial Property _____

Compliance with overlay zones including but not limited to the Thoroughfare Overlay and the River/Stream Overlay Zones:

Compliance with the Flood Damage Prevention Ordinance:

Other requirements may be requested by the applicant or specified by the Board for protection of the public health, safety, welfare, and convenience:

Predefined Standards

Each individual Conditional Use listed in the Zoning Ordinance may have specific standards imposed. Refer to the Conditional Use section of the Zoning Ordinance for these requirements. Each standard should be addressed in the site plan submitted along with this application.

Required Attachments/Submittals

1. Printout of names and addresses of all immediately adjacent property owner, including any directly across the street.
2. Scaled site plan containing all requested information above on legal or ledger sized paper. Larger sized copies will be accepted if copies for each Board Member is provided for distribution.

Certification

I hereby confirm that the information contained herein and herewith is true and that this application shall not be scheduled for official consideration until all of the required contents are to the Zoning Department.

Signature of Applicant _____ Date _____

Signature of Owner _____ Date _____

STAFF USE ONLY:

Application Fee Collected Yes _____ No _____

Posted Database Yes _____ No _____

Site Plan Attached Yes _____ No _____

Public Hearing Date Notice of Public Hearing Published On _____

Notices to Applicant(s) and Adjoining Property Owners Mailed On _____

Signs Posted On _____

Process Record

Record of Decision:

Motion to: Approve _____ Deny _____

Board of Adjustment Recommendation: Approve _____ Deny _____

Action Taken by Board of Adjustment: _____

Date Notification of Action Mailed to Applicant(s): _____

Signature of Zoning Official

November 9,2022

To whom it may concern;

This letter is to confirm that Killian Plaza is leasing unit 4963 Highway 49 South in Harrisburg to Waddah Nagi DBA: Cornelius Humidor and Tobacco. The lease will permit the sale of tobacco products. The lease does not permit the sale of CBD related products and also does not permit smoking either inside or outside of the store.

If you have additional questions you may contact James Killian at 704 579 3386.

Yours truly, James H. Killian owner



December 9, 2022

Notice of Public Hearing

To Whom It May Concern;

This letter is to inform you that Waddah Nagi has applied for a Special Use Permit (SUP) to the property located at parcel PIN 5507-55-3980. The parcel is currently zoned General Commercial (GC). The applicant is requesting a Special Use Permit to operate a commercial tobacco shop. The use is allowed in GC district but requires a Special Use Permit. See map attached for location reference.

A public hearing on this request will be held on December 20, 2022, at 6:00 pm at Harrisburg Town Hall in the Town Council chambers. You are being notified of this public hearing in accordance with the requirements of Section 145.01.08.C of the Harrisburg Unified Development Ordinance (UDO) and are invited to attend the meeting (in person or virtually) and provide input or ask questions. Please see instructions below on how to access this meeting virtually.

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

Virtual Meeting Information:

Please click this URL to join.

<https://us02web.zoom.us/j/84099151179?pwd=WWROQTRXdDFRaVRFYThQdFIwMGxFdz09>

Passcode: 846605

Or join by phone: (929) 205 6099

Dial: (929) 205 6099

Webinar ID: 840 9915 1179

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

Special Use Permit (H2022-01-SUP) Public Hearing

Date: Tuesday, December 20th, 2022

Time: 6:00 PM

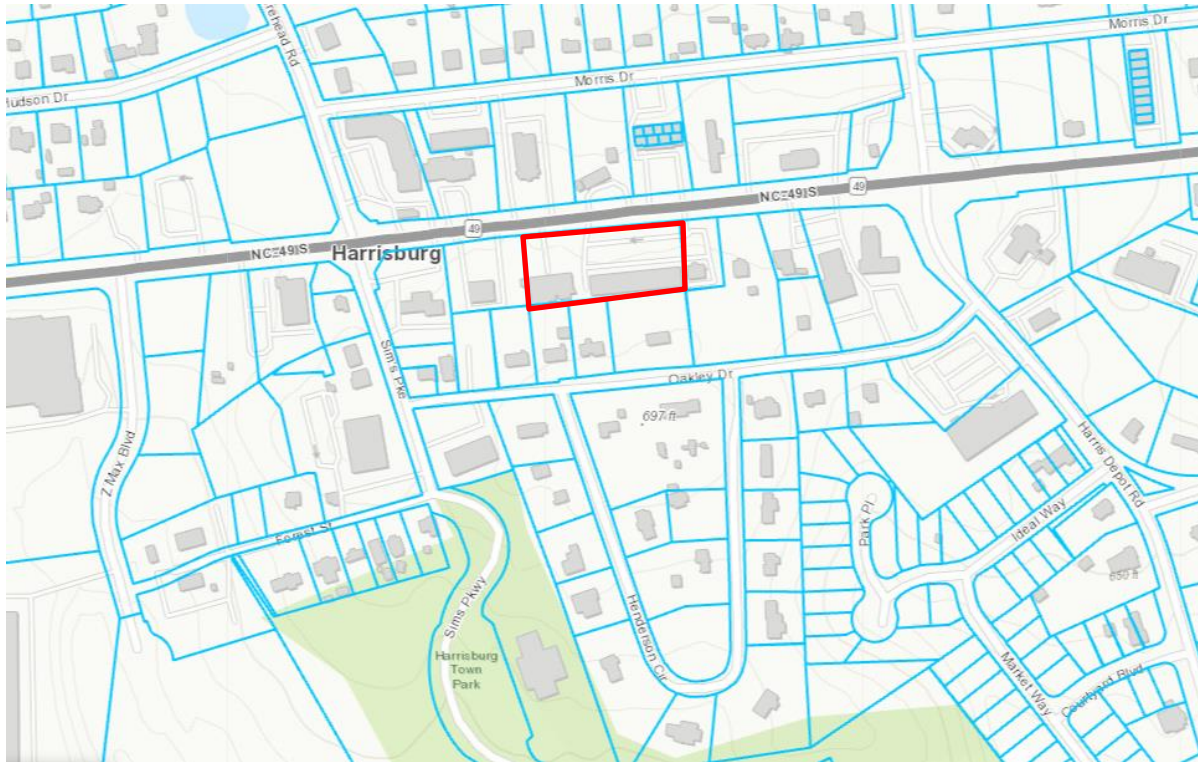
Location: Harrisburg Town Hall
4100 Main Street
Harrisburg, NC 28075

Sincerely,

A handwritten signature in black ink that reads "Craig Thomas".

Craig Thomas
Senior Planner
Town of Harrisburg

Special Use Permit – Parcel Map



1. Harrisburg NC Holdings, LLC

Physical address: 5075 NC Hwy 49S Harrisburg, NC 28075

Mailing address: 210 Canal Street STE 301 New York, NY 10013

2. Q & G Leasing, LLC

Physical address: 5041 NC Hwy 49S Harrisburg, NC 28075

Mailing Address: 415 Pine Street Harrisburg, NC 28075

3 & 4 Killian Plaza, LLC

Physical address: 4935 NC Hwy 49S Harrisburg, NC 28075

C/O James H. Killian SR

5. Davis Hunt Holdings, INC

Physical address: 4909 NC Hwy 49s Harrisburg, NC 28075

Mailing address: 12918 Plumleaf Drive Charlotte, NC 28213

6. Bearded builder bros, LLC

Physical address: 4875 NC Hwy 49S Harrisburg, NC 28075

Mailing address: 125 Oakley Drive Harrisburg, NC 28075

7, 9 & 10 RCDC Holdings, LLC

Physical address: 125 Oakley Drive Harrisburg, NC 28075

Mailing address: 9825 Moody CT, Harrisburg, NC 28075

8. Ann H. Eure

117 Oakley Drive Harrisburg, NC 28075

11. JOENICK, LLC

Physical address: 107 Oakley Drive Harrisburg, NC 28075

Mailing address: 9600 Reedy Lane Harrisburg, NC 28075

12. Teresita M. Staub & Michael T. Staub

Physical address: 105 Oakley Drive Harrisburg, NC 28075

Mailing address: 7300 Pine Lake Lane Mint Hill, NC 28227

13. Aggie 19 Properties, LLC

Physical address: 101 Oakley Drive Harrisburg, NC 28075

Mailing address: 8200 University Exec Park Drive Charlotte, NC 28262

14 & 15 Couchell Investment Company, LLC

Physical address: 5088 NC Hwy 49S Harrisburg, NC 28075

Mailing address: 3362 Smith Farm Road Matthews, NC 28104

16. Sibley Family, LLC

Physical address: 5040 NC Hwy 49S Harrisburg, NC 28075

Mailing address: 401 Dunsinane Lane Signal Mountain, TN 37377

17. Harrisburg Investment Group, LLC

Physical address: 118 Morris Drive Harrisburg, NC 28075

Mailing address: 5859 Heartwood Ct Harrisburg, NC 28075

18. Mashburn Zsambeky & Rogers Partnership, LLC

Physical address: 120 Morris Drive Harrisburg, NC 28075

Mailing address: 220 Branchview Drive SE Concord, NC 28025

19. FFC Limited Partnership

Physical address: 4960 NC Hwy 49S Harrisburg, NC 28075

Mailing address: 166 Southgate Drive STE 10 Boone, NC 28607

20. Donald & Sheri McInnis

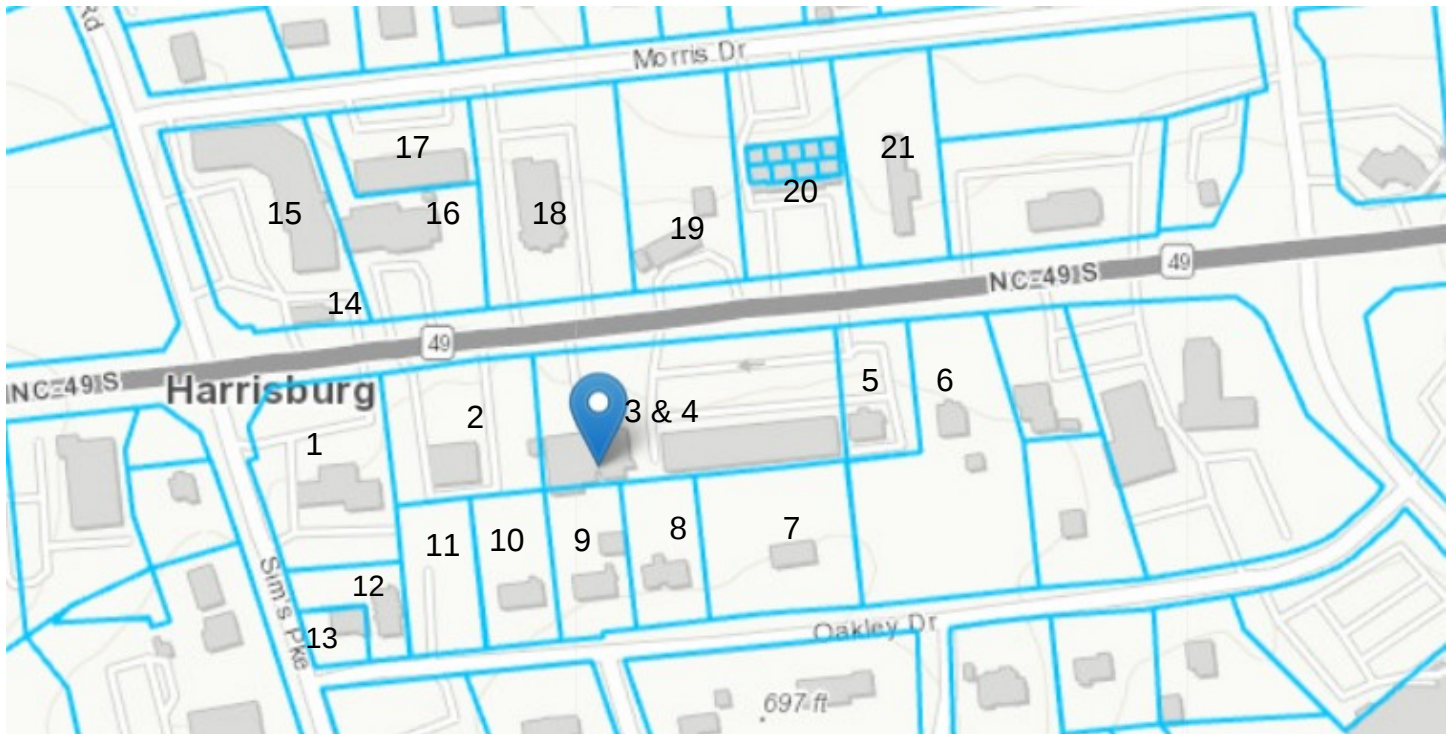
Physical address: 200 Morris Drive Harrisburg, NC 28075

Mailing address: 7116 Cobble creek Drive Matthews, NC 28105

21. Elmer & Patricia Green

Physical address: 4900 NC Hwy 49S Harrisburg, NC 28075

Mailing address: 8311 Pompano Rd Harrisburg, NC 28075





Special Use Permit H2022-02-(SUP)
Town of Harrisburg CUP Request
December 20, 2022

Applicant: Mohamed Ali Alhoobaishy
4942 Hwy 49, Unit D
Harrisburg, NC 28075

Property Owner: Donald and Sheri Mcinnis

Property Location: 4942 NC Hwy 49
PIN # 5507-56-4291-0004

Current Zoning: GC (General Commercial)

Property Size: 0.94 acres +/-

Staff Report By: Craig Thomas, Senior Planner

Request: **The applicant has requested a Special Use Permit to conduct business as a retail tobacco shop in the GC, General Commercial District, which is an allowed use subject to Special Use review criteria in Section 140.04.06 of the Unified Development Ordinance.**

ADDITIONAL INFORMATION:

1. The applicant has submitted a complete application which includes the Findings of Fact sheet and has paid the application fee.
2. The Public Hearing notices have been published as required by the Harrisburg UDO.
3. The adjacent property owners have been notified by US Mail.
4. A sign has been placed on the property stating the time, date and location of the public hearing.

REVIEW CRITERIA:

Per Section 145.04.03 of UDO the following criteria shall be applied to the request for a special use permit (NOTE: responses as provided by the applicant. See attached information and documentation).

1. **HALUP: The proposed special use will be in harmony with the area in which it is to be located and in general conformance with the HALUP.** The special use of this permit will be used for a Tobacco Shop. The building will be in its original jurisdiction. It will be up to code and with other

H-2022-01-SUP
December 20, 2022

businesses that are around it as well. It conforms to the characters of the neighborhood and other building structures around it.

2. **Ingress and Egress: Adequate measures will be taken to provide ingress and egress to minimize traffic hazards and traffic congestion on the public roads.** The proper precautions have been taken for this business. There is adequate enough space for patrons to drive in and out of the parking lot without causing congestion on the road front. We do not anticipate more than 1,000 vehicles per day. This will provide ample room and access for customers and emergency vehicles, if necessary, maintaining acceptable flow.
3. **Nuisances: The proposed use will not be noxious or offensive by reason of vibration, noise odor, dust, smoke or gas.** This business shall not be a nuisance to the county/city. There will be nothing offensive to the area. There should be no outstanding noises no more than patron's cars going in and away from the establishment. Therefore, the use will not be noxious or offensive.
4. **Orderly Development: The establishment of the proposed use will not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.** This business will not impede the orderly development and improvement of the property. We will adhere to the uses that permitted in the zoning district.
5. **Health, Safety and Welfare: The establishment, maintenance, an operation of the proposed use will not be detrimental to or endanger the public health, safety or general welfare.** We will comply with any other acceptable permit compliance requirements. We will maintain safety and welfare of all patrons deemed necessary. All are important to us and health, safety and welfare is very important.

RECOMMENDATION:

Staff has reviewed the request for a Special Use Permit and does not believe the proposed use is compatible with the surrounding conforming and permitted land uses, nor in harmony with the character of the area where the proposed use would be located. In addition, the proposed location is 217 feet from the closest residential structure and abuts residentially zoned property to the north. Therefore, staff is recommending denial of the request for a Special Use Permit.

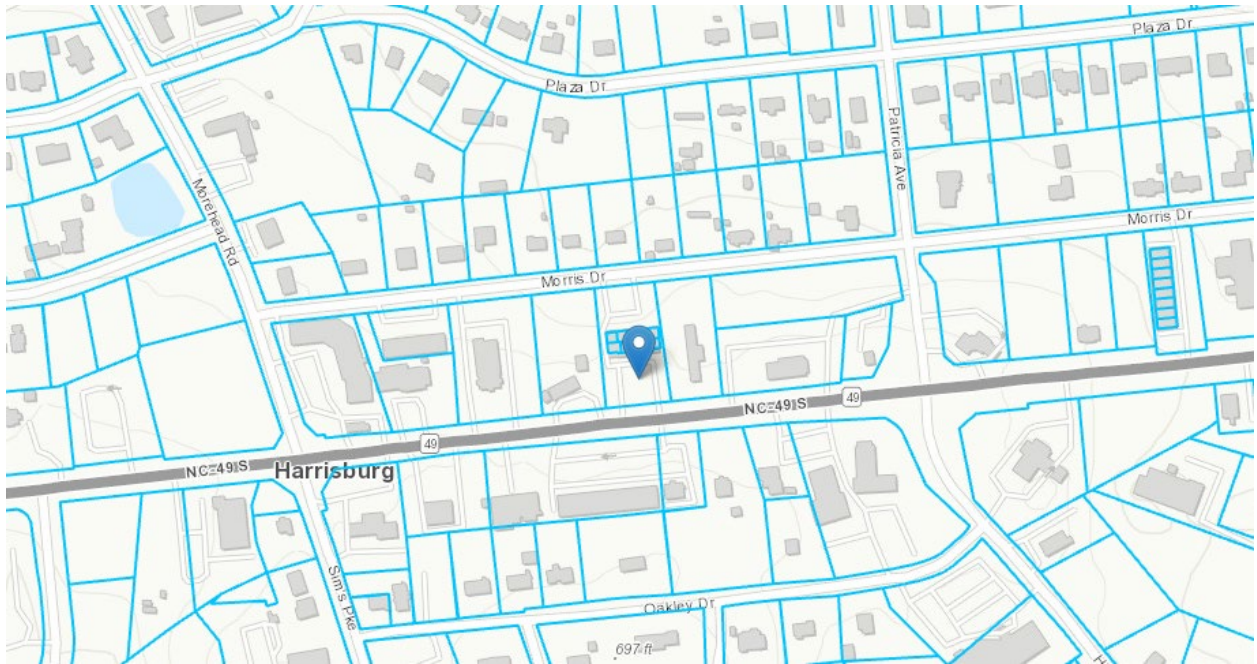
DECISION:

Following the public hearing, the Board of Adjustment should consider all facts and testimony and render a decision accordingly through the finding of facts to approve, approve with conditions or deny the request for a Special Use Permit.

H2022-02-SUP Site Location Map

Island Tobacco Shop

4942 NC Highway 49S



Quasi-Judicial Approval Application

1. Application Type (select all that apply)

- ☐ Variance ☐ Floodplain Variance ☒ Special Use Permit ☐ Appeal of Administrative Decision

2. Project Information

- a. Project Name: Island Tobacco Harrisburg Inc
- b. Project Location/Address: 4942 Hwy 49 South Harrisburg NC 28075
- c. Tax Map and Parcel Number (PIN): _____
- d. Zoning: Existing: ✓ Proposed: _____
- e. Land Use: Existing: _____ Proposed: _____
- f. Description of Request (attach separate sheet if needed):

Request to open Vape Shop / Cigar Shop

3. Contact Information

- a. Project Manager/Contact Person: Mohamed Al. Alhooabaishy
Company: Island Tobacco Harrisburg Inc
Address: 4942 Hwy 49 South Union City, State, Zip: Harrisburg, NC 28075
Phone Number: _____ Email Address: _____
- b. Applicant Name (if different than above): _____
Company: _____
Address: _____ City, State, Zip: _____
Phone Number: _____ Email Address: _____
- c. Owner Name: _____
Company: _____
Address: _____ City, State, Zip: _____
Phone Number: _____ Email Address: _____

4. Owner's Consent

Mohamed Alhodaishy ("Owner") certifies that it is the owner of the property located at 4942 Hwy 49 South Unit D ("Subject Property") and expressly consents to the use of the Subject Property as described in this application and to all conditions that may be agreed to as a part of the approval of this application, which may be imposed by the decision making board.

Owner hereby authorizes, _____ as agent, to file this application and represent Owner at any and all meetings and hearings required for the approval of this application.

Owner's Signature: Mohamed Alhodaishy Date: 11-15-2022

5. Affidavit of Completeness and Accuracy (to be completed by the individual submitting the application)

Project Name: Island Tobacco Harrisburg In Submittal Date: 11-15-2022
Mohamed Alhodaishy

STATEMENT OF COMPLETENESS AND ACCURACY:

I hereby certify all property owners have full knowledge the property they own is the subject of this application. I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related application material and all attachments become official records of the Planning and Zoning Department of Harrisburg, North Carolina, and will not be returned.

I understand that any knowingly false, inaccurate or incomplete information provided by me will result in the denial, revocation or administrative withdrawal of this application, request, approval or permit. I further acknowledge that additional information may be required to process this application. I further consent to the Town of Harrisburg to publish, copy or reproduce any copyrighted documents submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Applicant Name: Mohamed Alhodaishy

Applicant Signature: Mohamed Alhodaishy

6. Staff Use Only:

Record of Process

Date Received: _____

Application Number: _____

Is Application Complete?

☐

Yes

☐

No

Public Hearing Date(s): _____

Published Notice Date: _____

Mailed Notice Date: _____

Posted Notice Date: _____

Final Action Applicant Notification Mailed Date: _____

Town Staff Signature: _____

Record of Decision

Reviewed By: _____

Recommendation:

☐

Approve

☐

Deny

Final Action:

☐

Approve

☐

Deny

D.A. and Sharon McInnis
P.O. Box 422
Indian Trail, NC 28079
mcinniscc@aol.com

November 16, 2022

Mohamed Alhoobaishy
4942 Hwy 49 South
Unit D
Harrisburg, NC 28075

To whom it may concern,

I gave Mohamed Alhoobaishy permission to open and operate a Cigar & Vape shop in my property on 4942 Highway 49 South Unit D, in the Harrisburg Condo business complex.

If you have any questions or concerns please feel free to email me or call me at 704-821-8141.

Very truly yours,

A handwritten signature in black ink, appearing to read "Sharon McInnis". The signature is fluid and cursive, with the first name "Sharon" being more prominent than the last name "McInnis".

Sharon McInnis
Property Owner/Landlord

SHM/rma



December 9, 2022

Notice of Public Hearing

To Whom It May Concern;

This letter is to inform you that Mohamed Ali Alhoobaishy has applied for a Special Use Permit (SUP) to the property located at parcel PIN 5507-56-4291-0004. The parcel is currently zoned General Commercial (GC). The applicant is requesting a Special Use Permit to operate a commercial tobacco shop. The use is allowed in GC district but requires a Special Use Permit. See map attached for location reference.

A public hearing on this request will be held on December 20, 2022, at 6:00 pm at Harrisburg Town Hall in the Town Council chambers. You are being notified of this public hearing in accordance with the requirements of Section 145.01.08.C of the Harrisburg Unified Development Ordinance (UDO) and are invited to attend the meeting (in person or virtually) and provide input or ask questions. Please see instructions below on how to access this meeting virtually.

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

Virtual Meeting Information:

Please click this URL to join.

<https://us02web.zoom.us/j/84099151179?pwd=WWROQTRXdFRaVRFYThQdFIwMGxFdz09>

Passcode: 846605

Or join by phone: (929) 205 6099

Dial: (929) 205 6099

Webinar ID: 840 9915 1179

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

Special Use Permit (H2022-02-SUP) Public Hearing

Date: Tuesday, December 20th, 2022

Time: 6:00 PM

Location: Harrisburg Town Hall
4100 Main Street
Harrisburg, NC 28075

Sincerely,

A handwritten signature in black ink that reads "Craig Thomas".

Craig Thomas
Senior Planner
Town of Harrisburg

Special Use Permit – Parcel Map



MAILING ADDRESS FOR SURROUNDING PROPERTIES

Account Name	Physical Address	Mailing Address
Donald Mcinni A, Sheri Donald	4942 NC HWY 49 SHarrisburg NC 28075	7116 Cobblecreek Drive Matthews NC 28105
Greene Elmer Raymond Jr, Greene Patrica Porter WF	4900 NC HWY 49 S Harrisburg NC 28075	8311 Pompano Rd Harrisburg, NC 283075
Rock Point LLC	4850 NC HWY 49 S Harrisburg NC 28075	1007 Pebble Dr Greensboro NC 27410
FFC Limited Partnership	4960 NC HWY 49 S Harrisburg NC 28075	166 Southgate Dr STE 10 Boone NC 28607
Mashburn Zsambeky& Rogers Partnership LLC	120 Morris Dr Harrisburg NC 28075	220 Branchview Dr Se Concord NC 28025
Rocky River LLC	250 Morris Dr Harrisburg NC 28075	301 N Main St Salisbury NC 28144
Joenick LLC	4863 NC HWY 49 S Harrisburg NC 28075	9600 Reedy LN Harrisburg NC 28075
Bearded Builder Bros LLC	4875 NC HWY 49 S Harrisburg NC 28075	125 Oakley Dr Harrisburg NC 28075
Davis Hunt Holding INC	4909 NC HWY 49 S Harrisburg NC 28075	12918 Plumleaf Dr Charlotte NC 28213
Killian Plaza LLC	4935 NC HWY 49 S Harrisburg NC 28075	C/O James H Killian SR MNGR Harrisburg NC 28075
Thompson Tommy E, Thompson Penny L	121 Morris Dr Harrisburg NC 28075	121 Morris DR Harrisburg NC 28075
Old Towne Development Corporation	125 Morris Dr Harrisburg NC 28075	8312 Caldwell Rd Harrisburg NC 28075
129 Trust	129 Morris Dr Harrisburg NC 28075	PO Box 614 Harrisburg NC 28075
Old Towne Development Corporation	201 Morris Dr Harrisburg NC 28075	8312 Caldwell Rd Harrisburg NC 28075
Long Alfard L, Allman Brenda L	205 Morris Dr Harrisburg NC 28075	205 Morris Dr Harrisburg NC 28075
Canup Melvin F	209 Morris Dr Harrisburg NC 28075	211 Morris Dr Harrisburg NC 28075
Canup Fredia I LF EST	211 Morris Dr Harrisburg NC 28075	211 Morris Dr Harrisburg NC 28075