



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

**March 21, 2023
6:00 PM**

AGENDA

1. CALL TO ORDER

A. PUBLIC PARTICIPATION

1. 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

2. CONSENT AGENDA

A. Consider adoption of February 21, 2023 minutes

3. OLD BUSINESS

4. NEW BUSINESS

A. H-2023-02-R: Request to Rezone property on Wedding Belle Court (PINs 5506-69-2600 and 5506-76-0274) from LDR (Low Density Residential) County Zoning to RM (Residential Medium) Town of Harrisburg Zoning

5. STAFF UPDATES/INFORMATION

6. ADJOURNMENT - PLANNING AND ZONING BOARD

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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<https://us02web.zoom.us/j/82922934233?pwd=UUVIbHlWenglYStOUUVmVWdtZXllQT09>

Webinar ID: 829 2293 4233

Passcode: 249745

Or join by phone:

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8. NEW BUSINESS - BOARD OF ADJUSTMENT

A. H-2022-03-SUP: Touched by An Angel

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 February 21, 2023 minutes

Presenting Personnel:

Zac Gordon, Planning Director

Suggested Motion or Action:

Motion to Approve Minutes of February 21, 2023

Description/Background:

Recommendation:

Approve Minutes of February 21, 2023

Fiscal Impact:

None

Attachments:

1. PZ MINS FEB 21 2023

**TOWN OF HARRISBURG, NORTH CAROLINA
PLANNING & ZONING ADVISORY BOARD MEETING
TUESDAY, FEBRUARY 21st, 2023**

MINUTES

1.

CALL TO ORDER

Andy Rathke called the meeting to order.

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

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

A.

AGENDA ADOPTION

MOTION

Kevin Schaffner made a motion to adopt the agenda as presented. Second was made by Jacob Carpenter.

The motion passed 6-0.

B.

SPECIAL PRESENTATIONS

C.

PUBLIC COMMENT

None

2.

CONSENT AGENDA

A. Planning Board meeting minutes of December 20, 2022, Planning and Zoning Board meeting.

MOTION

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

3.

OLD BUSINESS

None

4.

NEW BUSINESS

A.

H2022-18-R Request to rezone approximately 5.559 acres from County CR (Countryside Residential) to RL (Residential Low Density)

The applicant proposes to annex one parcel into the Town of Harrisburg town limits to have access to Town sewer services for the parcel. The parcel is currently in Cabarrus County. To achieve this, the applicant is requesting that the property be rezoned from County CR (Countryside Residential) to RL (Residential Low Density). The RL district has a maximum density of 1 dwelling unit per acre. At a density of 0.18 dwelling units per acre, the subject parcel meets the RL dimensional requirements of the UDO. The property is in the County and the applicant has also submitted a Petition requesting Annexation for the subject property which is non-contiguous to the current Town of Harrisburg primary corporate limits. The rezoning request is consistent with the Harrisburg Area Land Use Plan. Therefore, Planning and

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

Zoning Department staff supports approval of the request for rezoning. Staff also recommends that the Planning and Zoning Board recommend approval of the applicant's request for rezoning and annexation.

MOTION:

Kevin Hutchins made a motion to recommend approval of H2022-18-R and sent it on to the Town Council for their consideration with a second from Jacob Carpenter. **The motion passed 6-0.**

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

CONSISTENCY STATEMENT:

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

MOTION:

Jacob Carpenter made a motion to approve the proposed Consistency Statement with a second from Kevin Schaffner. **The motion passed 6-0.**

B.

H-2023-01-TA Consider UDO text amendment to add a separation requirement for Tobacco Stores, Vapor Shops, and the retail sale of CBD and hemp-based products from each other and certain other uses.

When the new UDO was adopted on August 9, 2021, among the list of permitted Commercial Uses were: "Tobacco Store or Vapor Shop". A Special Use Permit is required for either of these uses. However, there is no separation requirement for these uses; either from each other, or from other uses that may be negatively impacted due to their proximity to these uses. Currently, the UDO does include such separation requirements for "Electronic Gaming Establishments." This separation distance is 1,500 feet. To ensure consistency among these uses (which both require a Special Use Permit) staff is proposing that "Tobacco and Vapor Shop" uses be subject to the same separation distance requirements (1,500 feet) that Electronic Gaming Establishments are currently required to meet; both from other "like" uses and from the following:

- Residentially used property
- Religious institution
- Public or private elementary or secondary school
- Cemetery
- Public park
- Day Care use category

In addition to the adoption of distance requirements for "Tobacco or Vapor Shop" uses, staff is also proposing that "CBD and Hemp Based Products" be subject to the same requirements and be added to the list of allowed Commercial Uses (subject to the granting of a Special Use Permit). Staff recommends that the Planning and Zoning Board endorse the proposed text amendments and recommend approval of H-2023-01-TA to the Town Council. Staff is also recommending adoption of a definition for "CBD and Hemp-Based Products". Staff believes that these text amendments will ensure a uniform standard for similar land uses which require a special use permit from the Planning and Zoning Board. Staff also believes that the proposed amendment is consistent with the Harrisburg Area Land Use Plan - specifically, the objective to "improve the look and image of the town," as well as recommendation LU-6: Focus on Quality, which encourages the town to improve the appearance of the Hwy 49 corridor.

Proposed Text Amendment

140.04.04.U Tobacco Store or Vapor Shop

1. Applicability. The provisions of this Section shall apply to principal or accessory uses.
2. Separation from Other Establishments. No tobacco store or vapor shop establishment shall be located within 1,500 feet of any other tobacco store or vapor shop establishment, residentially used property, religious institutions, public or private elementary or secondary schools, cemeteries, public parks, or daycare uses.

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

140.04.04.V CBD and Hemp Based Products

1. Applicability. The provisions of this Section shall apply to principal or accessory uses.
2. Separation from Other Establishments. No store or establishment that sells CBD products shall be located within 1,500 feet of any other store or establishment that sells CBD products, residentially used property, religious institutions, public or private elementary or secondary schools, cemeteries, public parks, or day care uses.

§ 148.02 Definitions

Retail CBD and Hemp Based Products. A business establishment for which more than 50 percent (50%) of sales are based on the retail sale of products related to or derived from CBD oil (cannabidiol) or hemp. This includes, but is not limited to oils, vitamins, supplements, food, personal care and garments

MOTION:

Kevin Hutchins made a motion to recommend approval of H-2023-01- TA and sent it on to the Town Council for their consideration with a second from Jacob Carpenter. **The motion passed 6-0.**

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

CONSISTENCY STATEMENT:

1. Based on the staff report and staff presentation, the proposed text amendment is consistent with the Harrisburg Area Land Use Plan, and 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 6-0.**

5.

STAFF UPDATES/INFORMATION

- Kevin Hutchins with the Planning Board informed other Board members that all 8 opened Harmony lots sold in 12 hours over the asking price.
- Budget season is now happening, our department has requested 2 new people, but we will only be getting a Assistant Planning Director as of now.
- March 21st will be our next scheduled meeting, we hope to bring Hawthorne to this meeting.
- We have a lot of new home permits coming in.

6.

ADJOURNMENT

MOTION:

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

Andy Rathke, Chairman

Carly Bedgood, Secretary



TOWN OF HARRISBURG

Agenda Item Details

Title:

H-2023-02-R: Request to Rezone property on Wedding Belle Court (PINs 5506-69-2600 and 5506-76-0274) from LDR (Low Density Residential) County Zoning to RM (Residential Medium) Town of Harrisburg Zoning

Presenting Personnel:

Zac Gordon, Planning Director

Suggested Motion or Action:

For a recommendation to the Town Council for approval, the following motion is suggested:

Motion for the Planning and Zoning Board to recommend approval by the Town Council of the applicant's request for rezoning of property located on Wedding Belle Court (PINs 5506-69-2600 and 5506-76-0274) - Case # H-2023-02-R.

Consistency Statement:

Based on the staff report and staff presentation, the request for rezoning is consistent with the Harrisburg Area Land Use Plan, and it is reasonable and in the public interest.

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

Motion for the Planning and Zoning Board to recommend denial by the Town Council of the applicant's request for rezoning of property located on Wedding Belle Court (PINs 5506-69-2600 and 5506-76-0274) - Case # H-2023-02-R.

Description/Background:

- ☐ The applicant proposes to annex two parcels into the Town of Harrisburg town limits to have access to Town sewer services for the parcels. The parcels are currently in Cabarrus County. To achieve this, the applicant is requesting that the property be rezoned from County LDR (Low Density Residential) to RM (Residential Medium Density).
- ☐ The RM district has a maximum density of 2 dwelling unit per acre. At a density of 0.94 dwelling units per acre, the subject parcels meet the RM dimensional requirements of the UDO.
- ☐ The property is in the County and the applicant has also submitted a Petition requesting Annexation for the subject property which is contiguous to the current Town of Harrisburg primary corporate limits.

Recommendation:

The rezoning request is consistent with the Harrisburg Area Land Use Plan. Therefore, Planning and Zoning Department staff recommends approval of the request for rezoning and that the Planning and Zoning Board also recommend approval of the applicant's request by the Town Council.

Fiscal Impact:

None

Attachments:

1. H-2023-02-R Aerial Map

2. H-2023-02-R Site Map
3. H-2023-02-R Staff Report PB
4. RZ2023-02 Rezone Application

H-2023-02-R Aerial Map – Wedding Belle Court



H-2023-02-R Site Map – Wedding Belle Court





Town of Harrisburg
Planning and Zoning Department
Rezoning Staff Report – Planning and Zoning Board
H-2023-R

DATE: March 21, 2023

SUBJECT:

Request H-2023-02-R: To rezone approximately 2.13 acres from County LDR (Low Density Residential) to RM (Residential Medium Density)

Location: The subject property is located at the intersection of Robinson Church Road and Wedding Belle Court (PINs 5506-69-2600 and 5506-76-0274)

Applicant: William and Jomeka Weathers

Staff Report Prepared by: Craig Thomas, Senior Planner

Neighborhood Meeting: N/A

BACKGROUND:

Area: ±2.13 acres Total

Existing Land Use: Vacant/Single-Family Residential

Zoning within 500 feet: North - Rural Estate (RE), Town
South - Low Density Residential (LDR), Cabarrus County
East - Low Density Residential (LDR), Cabarrus County
West - Residential Medium (RM) and Residential Low (RL), Town

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

APPLICATION SUMMARY:

- The applicant proposes to annex two parcels into the Town of Harrisburg town limits to have access to Town sewer services for the parcels. The parcels are currently in Cabarrus County. To achieve this, the applicant is requesting that the property be rezoned from County LDR (Low Density Residential) to RM (Residential Medium Density).
- The RM district has a maximum density of 2 dwelling unit per acre. At a density of 0.94 dwelling units per acre, the subject parcels meet the RM dimensional requirements of the UDO.
- The property is in the County and the applicant has also submitted a Petition requesting Annexation for the subject property which is contiguous to the current Town of Harrisburg primary corporate limits.

APPROVAL CRITERIA:

1. The size of the tract in question;

The subject property is approximately 2.13 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:

RM: *The RM district is established to provide areas for medium-density single-family residential uses on smaller lots or single-family detached and attached dwellings clustered around common open space used as buffers between districts or housing types and to provide for resource protection and preservation of sensitive lands.*

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

“This area is comprised of predominantly single-family detached homes but may include attached single family units, such as townhomes and duplexes. The mix of housing types are intended to create neighborhoods with a density range of 2 to 3 dwelling units per acre. Improved open spaces are interspersed and the streetscape is more formal.”

Based on the description of the Medium Density Residential land use classification, the proposed density would meet the intent that has been set for this area in the Land Use Plan.

With regard to the overall goals of the Land Use Plan, **recommendation LU-5** states that the Town should “Expand Housing Options” to appeal to a broad range of audiences and products to those seeking Harrisburg’s high quality of life. The medium density nature of this area and the proposed zoning would allow the property owner to construct a home on each lot and maintain the rural character of the area.

Recommendation LU-7 of the Plan recommends consistency between the Town’s zoning regulations and the adopted Future Land Use Map. A table included as part of this goal establishes the “appropriate” zoning districts to use when making zoning decisions based on the Future Land Use Map. The map, as previously stated, designates this area as Medium Density Residential and the proposed density of 0.94 dwelling units per acre is compatible with the 15,000 square foot minimum lot size standard designated by the RM district.

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

The benefits to the owners of the properties would be that single-family residential zoning at the proposed density of 0.94 dwelling units per acre could be achieved under the proposed zoning, and annexation allows access to town offered services.

The construction of one single-family detached home pre lot has no detrimental impact to the surrounding community. The rezoning and annexation request is to adopt the Town’s medium density zoning and tap into the Town’s water and sewer availability.

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

a. Utilities:

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 and development. 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 sewer capacity. In accordance with the Town’s Sewer Allocation Policy, a single residential parcel is exempt from this Policy and therefore does not require an allocation of sewer capacity.

Utilities are available in this area and are sufficient to meet the needs of this property. Water is available along Robinson Church Road and sewer access is available to the north and within neighborhoods to the east and west. Any utility line extensions or upgrades necessary to serve this development will be the responsibility of the owner/developer.

Transportation:

Based on the small amount of traffic generated by the one or two single family dwellings, a TIA is not required. Driveway access will be reviewed and permitted by the Town and NCDOT during the permitting review process.

b. Safety and Sanitation Services:

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

c. Schools:

As no additional residential units are being created by this rezoning and annexation, no change in the number of students is anticipated.

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;

At a density of 0.94 dwelling units per acre, the proposed use 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 lots, while preserving the rural character of the area.

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

The areas around this property are generally zoned for low density and medium density residential use. Existing land use patterns in the area typically consist of low and medium density residential lots and vacant forested land.

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 detached homes, 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.

APPROVAL:

The proposal is an annexation request to access Town's sewer, which requires the properties to be rezoned to Town's zoning classification RM (Residential Medium Density) and meets the dimensional requirements of the Town's UDO for the RM District.

RECOMMENDATION:

The rezoning request is consistent with the Harrisburg Area Land Use Plan. Therefore, Planning and Zoning Department staff recommends approval of the request for rezoning and that the Planning and Zoning Board also recommend approval of the applicant's request by the Town Council.

Legislative Approval Application

1. Application Type (select all that apply)

- ☐ UDO Text Amendment ☒ Zoning Map Amendment (rezoning) ☐ Conditional Zoning Approval
☐ Certificate of Appropriateness

2. Project Information

- a. Project Name: _____
- b. Project Location/Address: Lot #2/#3 off of Robinson Church Rd. Harrisburg NC.
- c. Tax Map and Parcel Number (PIN): Lot #2 (01-024-0061.00) (55067602740000)
Lot #3 (01-024-0060.00) (55066692600000)
- d. Zoning: Existing: LDR Proposed: RM Residential Density
- e. Land Use: Existing: undeveloped land Proposed: Residential
- g. Description of Request (attach separate sheet if needed):

We plan to build a home on lot 2 and 3 for primary residence and we would like to connect to town of Harrisburg utilities, water, and sewage.

3. Contact Information

- a. Project Manager/Contact Person: _____
Company: _____
Address: _____ City, State, Zip: _____
Phone Number: _____ Email Address: _____
- b. Applicant Name (if different than above): _____
Company: _____
Address: _____ City, State, Zip: _____
Phone Number: _____ Email Address: _____
- c. Owner Name: William Ondray Weathers / Jomeka Weathers
Company: _____
Address: 14136 Winford lane City, State, Zip: Charlotte N.C. 28262
Phone Number: (919) 949-7004 Email Address: Jomekamh@yahoo.com
(980) 722-3109 willmweathers@yahoo.com



Special Use Permit H-2022-03-SUP
Town of Harrisburg CUP Request
March 21, 2023

Applicant: Karen McMillan
400 Autumn Drive
Harrisburg, NC 28075

Property Owner: Khaleed Alkoor

Property Location: 400 Autumn Drive
PIN # 5507-56-4291-0004

Current Zoning: RM (Residential Medium Density)

Property Size: 0.84 acres +/-

Staff Report By: Craig Thomas, Senior Planner

Request: **The applicant has requested a Special Use Permit to conduct business as a Day Care in the RM, Residential Medium Zoning 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 proposed daycare will be aligned with HALUP by satisfying the goals and objectives outlined below:

- a. Maintain the integrity of the community and keep the area attractive for potential residents, employers and other investors.
 - b. Establishing an educational center within the community helps encourage a mixture of land uses and housing opportunities.
 - c. Foster economic development.
 - d. Enhance and maintain the small town character by offering the community convenient access to a daycare center that provides educational nurturing within walking or biking distances.
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.** Adequate measures will be provided for traffic flow into and out of the daycare. Touched By an Angel Daycare Center will organize a system that will minimize traffic hazards and traffic congestion. The center will handle staggered drop-offs by setting up traffic flow signs that will allow parents to enter the parking lot to either park or perform curbside drop-off/pick-up. For families performing drop offs by foot, there will be a walkway path on the lot to safely get children into the building. Our staff will coordinate a traffic flow system that will assist in the pick-up and exiting from the daycare. Additionally, our system will aid in protecting the children and neighbors from possible accidents that could occur.
3. **Nuisances: The proposed use will not be noxious or offensive by reason of vibration, noise odor, dust, smoke or gas.** Touched By an Angel is a small daycare that will not propose any noxious or offensive conduct by reason of vibration, noise, odor, dust, smoke or gas. Our daycare center is there to serve young children in a manner of early learning and to teach social and life skills.
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.** Touched By an Angel Daycare Center will not impede the orderly development and improvement of surrounding property. There will not be any changes made to the building where it does not comply with neighborhood and town's standards, nor will the daycare center conduct business in a manner where it does not comply with the town's standards.
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.** Touched By an Angel Daycare Center will be properly managed and will maintain the grounds with aesthetics of neatness, order and safety. The center will also be monitored by adequate security for the safety of our children and the welfare of the community.

RECOMMENDATION:

Staff has reviewed the request for a Special Use Permit and believes the proposed use is compatible with the surrounding conforming and permitted land uses, and is in harmony with the character of the area where the proposed use would be located. Therefore, staff is recommending approval of the request for a Special Use Permit, subject to the applicant receiving a day care license from the State NC and any other conditions which the Board Adjustment may impose.

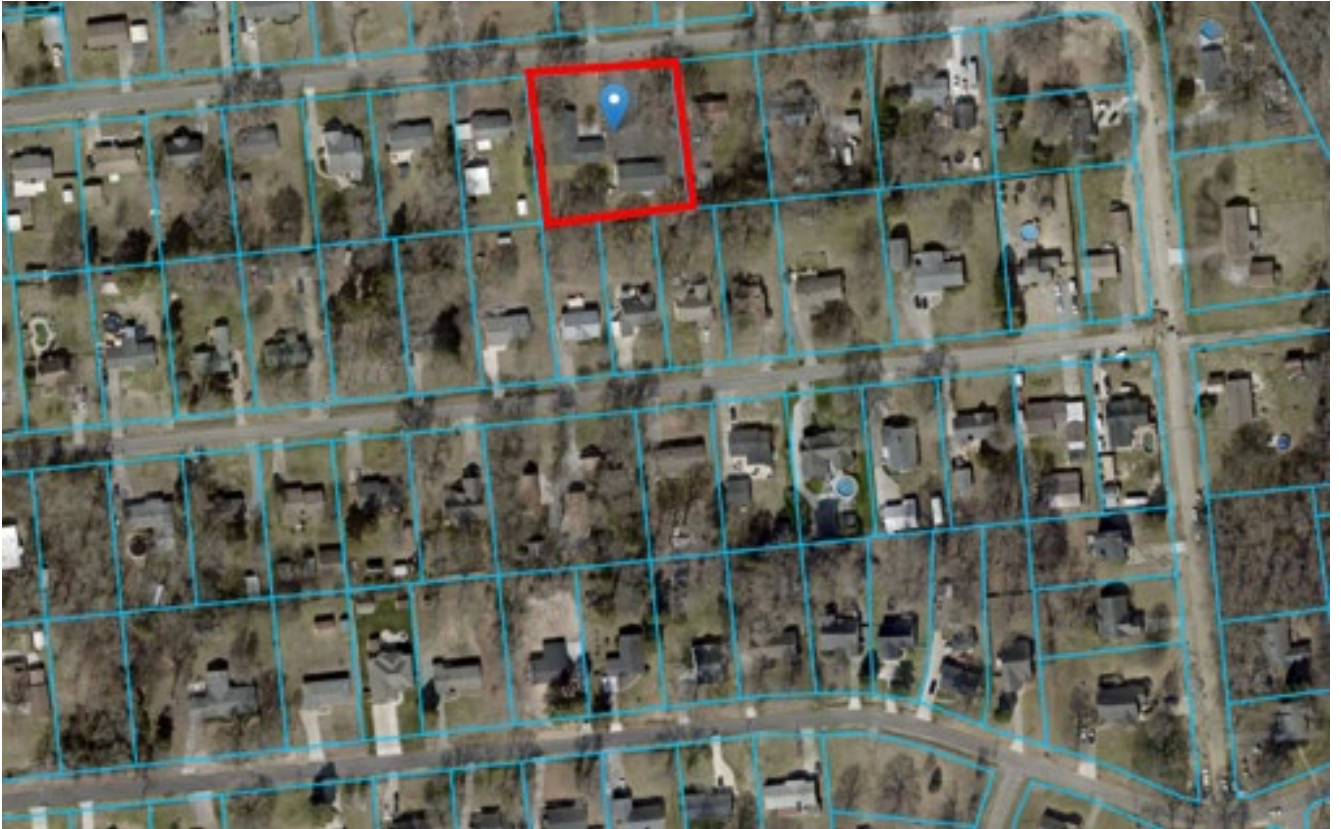
DECISION:

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.

H-2023-02-SUP

Touched By an Angel

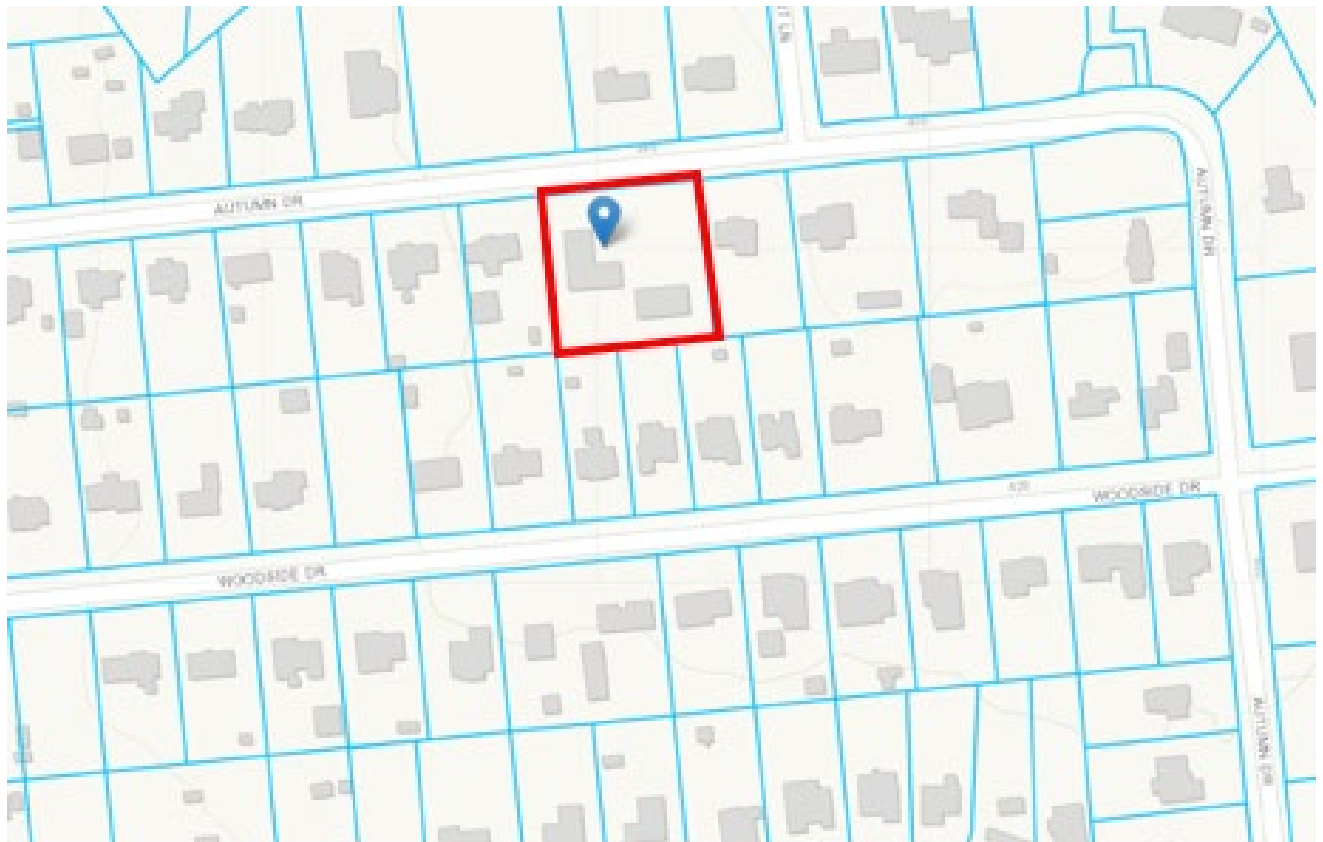
400 Autumn Drive



H-2023-02-SUP

Touched By an Angel

400 Autumn Drive



Administrative Approval Application

1. Application Type (select all that apply)

- ☐ Minor Site Plan
 ☐ Major Site Plan
 ☐ Floodplain Development Permit
 ☐ Administrative Adjustment
☒ Zoning Clearance
 ☐ Temporary Use Permit
 ☐ Certificate of Nonconformity Adjustment
 ☐ Sign Permit
☐ Driveway Permit
 ☐ Construction Plans
 ☐ Certificate of Compliance and Occupancy
 ☐ Building Permit

2. Project Information

- a. Project Name: Touched by an Angel Learning Center
 b. Project Location/Address: 400 Autumn Street
 c. Tax Map and Parcel Number (PIN): _____
 d. Zoning: Existing: RM Proposed: _____
 e. Land Use: Existing: _____ Proposed: _____
 f. Description of Request (attach separate sheet if needed):

opening childcare center full-time
 food will be served - no more than 50 kids

3. Contact Information

- a. Project Manager/Contact Person: Karen D. McMillan
 Company: Touched by an Angel Learning Center
 Address: 400 Autumn Street City, State, Zip: Harrisburg NC
 Phone Number: 980 213 5075 Email Address: touchedbyanangelnc@gmail.com
 b. Applicant Name (if different than above): (Same)
 Company: _____
 Address: _____ City, State, Zip: _____
 Phone Number: _____ Email Address: _____
 c. Owner Name: Mr. Khaleed AlKoor
 Company: _____
 Address: _____ City, State, Zip: _____
 Phone Number: _____ Email Address: _____

4. Owner's Consent

_____ ("Owner") certifies that it is the owner of the property located at _____ ("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: _____ Date: _____

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

Project Name: _____ Submittal Date: _____

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: _____

Applicant Signature: Karen D. McMillan

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

7. Required Attachments

All development application submittals must be accompanied by:

- Applicable fee(s) (see Master Fee Schedule in Appendix B of the Development Guidebook);
- Attachments listed in under the pertinent application;
- Case numbers of other related development applications; and
- Any additional information or attachments required by the Town Attorney, Director or other Town staff, Historic Preservation Commission, Planning and Zoning Board, Board of Adjustment, or Town Council.

Consult staff during pre-application meeting for any required paper copies consult staff during pre-application meeting for any required paper copies.

Minor Site Plan/ Major Site Plan (Prelim/Final) 1. Copies of the invitation letter, minutes, and sign-up sheet from required neighborhood meeting. 2. A digital (PDF) copy of a complete site-specific development plan that includes: a. Lot Area (sq. ft.) b. Existing structures shown with dimensions (including area and height) c. Proposed structures shown with dimensions (including area and height) d. Property lines with dimensions e. Streets and Right-of-ways f. Distances between buildings and property lines, as well as distances between buildings and other buildings g. If determined required at the pre-application meeting: i. Landscape plan (with number, location, and type of proposed plantings) ii. Parking Plan (with number, location, average stall size, and striping of proposed spaces shown) iii. Proposed building elevations iv. Building materials details v. Lighting Plan h. Copies of the Traffic Impact Analysis (TIA) (if determined required at the pre-application meeting)	Floodplain Development Permit 1. A digital (PDF) copy of a complete site-specific development plan that includes: a. Lot Area (sq. ft.) b. Existing structures shown with dimensions (including area and height) c. Proposed structures shown with dimensions (including area and height) d. Property lines with dimensions e. Streets and Right-of-ways f. Distances between buildings and property lines, as well as distances between buildings and other buildings g. Locations of all water bodies h. Extent of water relocation or landform alterations i. Specifications including details for anchoring structures (if applicable) 2. Proposed elevations of lowest floor (including basement) 3. Details of water resistant materials used, floodproofing of utilities, and enclosures located below first floor 4. Certification from a registered engineer that the proposed activity in a regulatory floodway will not result in any increase in the height of the 100-year flood. A copy of all data and calculations supporting this finding must also be submitted.
Administrative Adjustment 1. Written letter describing the request in detail including the reasoning (must be submitted along with primary application)	Temporary Use Permit 1. Temporary use type (see UDO Section 140.04.08 for types) 2. Names/Cell Numbers/Emails for two individuals present on-site during temporary use 3. Dates of operation 4. Start and end time 5. Estimated attendance/number of employees 6. Details on parking area and number of expected vehicles (if applicable) 7. Size and details of tents (if applicable) 8. Explanation of event (if applicable) which includes if alcohol will be served or if amplified sound (music, performances, speakers, etc.) will be used 9. Detailed layout map/site plan (including parking areas, tents, road closures, structures, bathrooms, stages, etc.) 10. Proof of liability insurance (if applicable)
Minor Modification of an Approved Application 1. Written letter describing the minor modifications 2. Updated copies of required attachments for original approval	
Zoning Clearance 1. Plot Plan of proposed project that includes: a. Lot Area (sq. ft.) b. Existing structures shown with dimensions (including area and height) c. Proposed structures shown with dimensions (including area and height) d. Property lines with dimensions e. Streets and Right-of-ways f. Distances between buildings and property lines, as well as distances between buildings and other buildings	

7. Required Attachments

Sign Permit 1. Number signs proposed 2. Sign Type(s) (see UDO Section 141.05.04 Permanent Signs for types) 3. Sign(s) dimensions (height, width, and area in square feet) 4. Scaled building elevation with proposed signage 5. Site plan showing where sign(s) will be located 6. Detailed drawing/rendering of sign showing dimensions 7. Number of existing signs to remain and their dimensions	Certificate of Nonconformity Adjustment 1. Signed letter describing the existing nonconforming use or structure and it's proposed enlargement, expansion, or alteration 2. A detailed plan of the existing site, showing the degree of non-conformity with respect to the dimensional and design regulation of the UDO 3. A detailed explanation of the current use including documentation of traffic generated by the current use (if applicable)
Driveway Permit a. A digital copy (PDF) of the plans that includes: i. Location of the property, including street name and address ii. The character of the present and future property use and the current zoning iii. Location of all existing and proposed buildings iv. Pavement and right-of-way width v. Interior parking arrangements and traffic circulation patterns, and number of spacing required vi. Location of existing utilities, retaining walls, storm drainage facilities, poles, and other physical features which affect the driveway location vii. All existing driveways, property lines, and driveways to be closed viii. All proposed driveways, including all parcels reserved for future development ix. Location of existing and proposed sidewalks, curbs, and wheelchair ramps on or adjacent to the property x. Driveways on the opposite side of the street xi. All existing and/or required turn lanes and transition tapers xii. Proposed median openings with storage lanes and transition tapers xiii. Location of all easements xiv. Major developments may require a traffic study prepared by a transportation professional that includes trip generation, existing and proposed traffic assignments, complete demographics of the development, and other information helpful in evaluating the proposed development o. For commercial and/or industrial facilities, the proposed location of off-street loading and unloading facilities 2. Four additional plans will be required for driveway approaches to state highway system streets within the corporate limits, and six NCDOT Driveway Permit forms 3. Plans shall be submitted on 24" x 36" plan sheets with scale, north arrow, and project name clearly displayed on all plan sheets 4. Scale shall be 1"=10' or less than 1"=40', 1"=20' is preferred	Construction Plans 1. A stormwater concept plan meeting is required per the Ordinance in advance of submitting construction plans 2. Plans shall be submitted on 24" x 36" plan sheets with scale, north arrow, and project name clearly displayed on all plan sheets 3. Scale shall be 1"=4' or 1"=5' vertical; 1"=40' or 1"=50' horizontal 4. Construction documents including site plan, grading plan, erosion and sediment control plan, road plan and profiles, storm drainage profiles, landscaping and signage plans shall be combined into one submittal 5. Road plan and profiles shall be shown with the profile above the road, displayed on the same sheet 6. Water and sewer plans shall be combined into one submittal 7. Requirements of engineering design manual Building Permit 1. Contact Cabarrus County Commerce Department for a Building Permit 2. Prior to applying for a Building Permit, a Zoning Clearance permit is required Certificate of Compliance and Occupancy 1. An approved site plan as submitted for Zoning Clearance (if new construction) 2. A plot plan showing all exterior improvements (if no new exterior construction is proposed)



March 6, 2023

Notice of Public Hearing

To Whom It May Concern;

This letter is to inform you that Karen McMillan has applied for a Special Use Permit (SUP) to the property located at parcel PIN 5507-68-9118. The parcel is currently zoned Residential Medium Density (RM). The applicant is requesting a Special Use Permit to operate a childcare center. The use is allowed in RM district but requires a Special Use Permit. See map attached for location reference.

A public hearing on this request will be held on March 21, 2023, 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 (H2022-03-SUP) Public Hearing

Date: Tuesday, March 21st, 2023

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



Addresses 300 Feet from 400 Autumn Street, Harrisburg, NC 28075

1. 329 Woodside Drive
2. 401 Woodside Drive
3. 405 Woodside Drive
4. 407 Woodside Drive
5. 411 Woodside Drive
6. 413 Woodside Drive
7. 414 Autumn Street
8. 404 Autumn Street
9. 328 Autumn Street
10. 324 Autumn Street
11. 413 Autumn Street
12. 405 Autumn Street
13. 401 Autumn Street
14. 323 Autumn Street
15. 417 Autumn Street

****Addresses that are a little more than 300 feet from the building.****



400 AUTUMN DRIVE DAYCARE

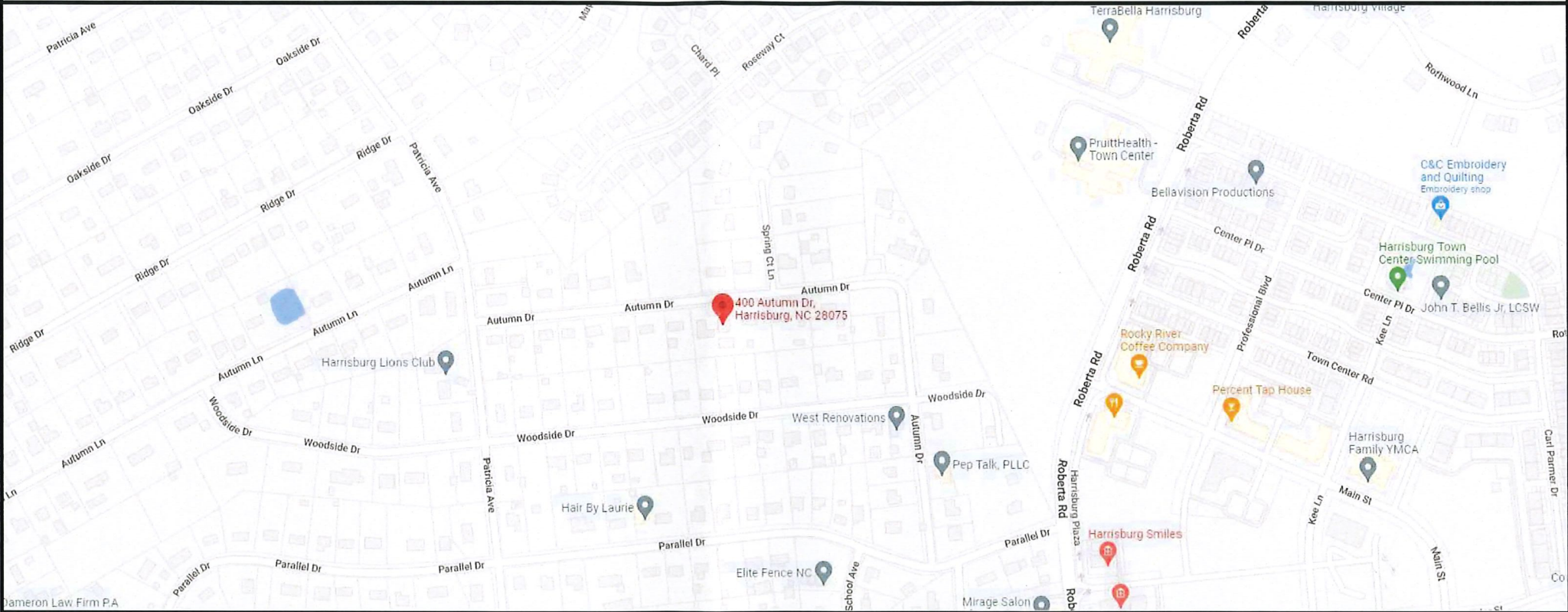
400 AUTUMN DRIVE
HARRISBURG, NC 28075

SQUARE FOOTAGE

FIRST FLOOR	1 663 SQ.FT.
OVERALL HT. (FF to Ridge)	N/A
PLATE HEIGHT(S)	8'

CONSTRUCTION & TECHNICAL ABBREVIATIONS

A/C - Air conditioner	AFF - Above finished floor
BSMT - Basement	AFG - Above finished grade
CL - Closet	BOF - Bottom of footing
CLG - Ceiling	BOW - Bottom of wall
CSINK - Countersink	BP or B/P - Blueprint
CTYD - Courtyard	CAD - Computer-aided drafting
DS - Downspout	DWG - Drawing
EF - Exhaust fan	Exc - Excavate
Ext - Exterior	FAO - Finish all over
FACP - Fire alarm control panel	FFL - Finished floor level
FCO - Floor cleanout	FL - Floor level
FD - Floor drain	FRPF - Fireproof
HDCP - Handicapped	GC - General contractor
HVAC - Heating, ventilation, air conditioning	IE - Invert elevation
HW - Hot water	HV - High voltage
Int - Interior	IAW - In accordance with
J-Box - Junction box	LDD - Limited dimension drawing
LH - Left hand	Jst - Joist
Lt - Light	MFG - Manufacturing
Ltg - Lighting	NIC - Not in contract
MH - Manhole	PL - Property line
Mas - Masonry	REBAR - Reinforcing bar
OPNG - Opening or rough opening	REQD - Required
RD - Roof drain	Reinf - Reinforced
RDL - Roof drain leader	San - Sanitary
RH - Right hand	TOB - Top of beam
RM - Room	TOC - Top of curb or top of concrete
SC - Sharp corners	TOF - Top of footing
SD - Smoke detector	TOJ - Top of joist
SPK - Sprinkler	TOM - Top of masonry
T&G - Tongue and groove	TOW - Top of wall
TELE - Telephone	VA - Voltage
TLT - Toilet	WL - Water level
Wdw - Window	
WIC - Walk-in closet	
Wtr. Htr. - Water heater	



General Notes & Seals

No.	Revision/Issue	Date

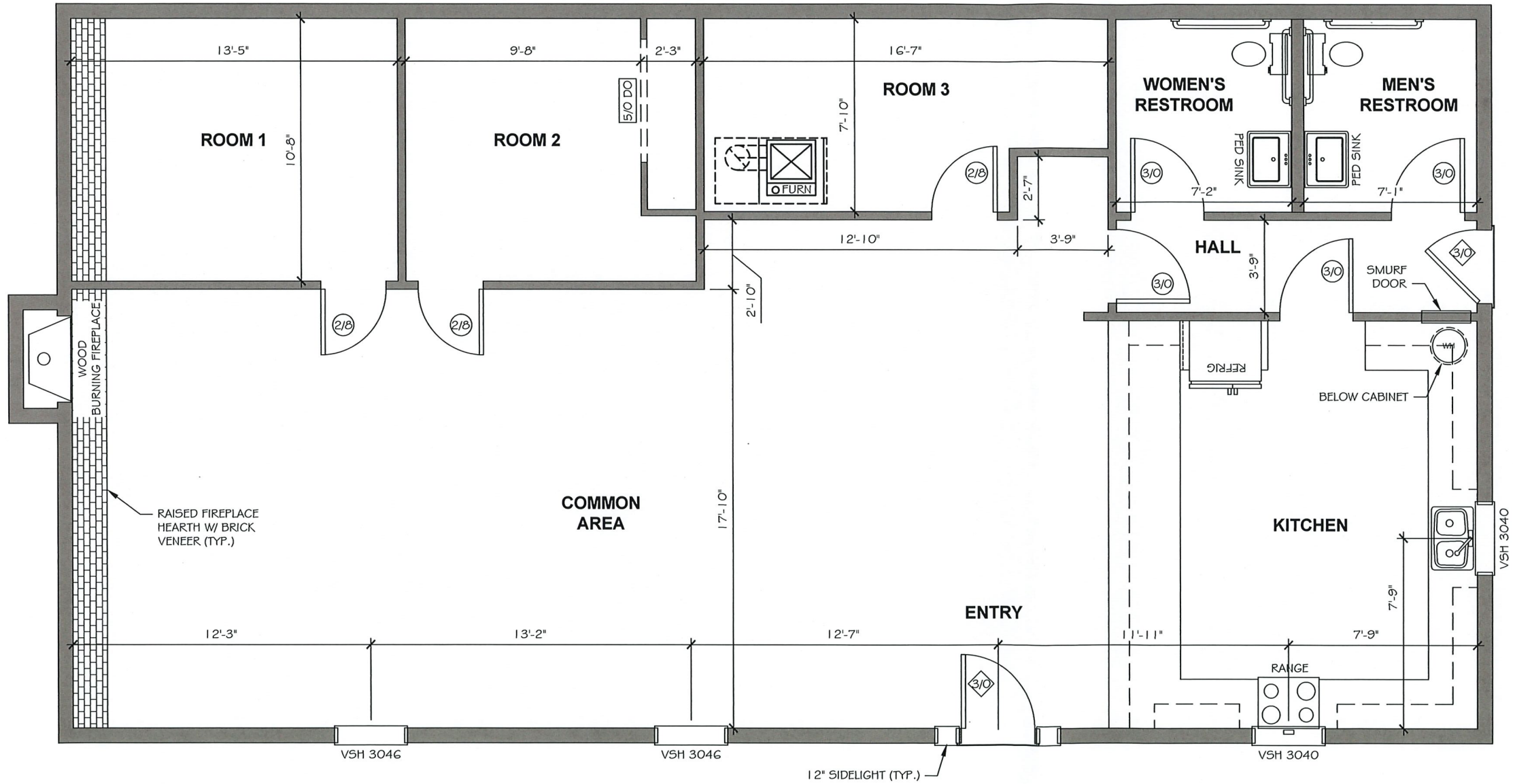


400 AUTUMN
DRIVE
DAYCARE

Prepared By: WRR	Sheet CS
Date: 11/18/22	
Scale: 3/16" = 1'-0"	

DOOR & WINDOW SCHEDULE					
Count	Name	Description	DisplayName	Height	Width
3	Door	2868	Door	6'-8"	2'-8"
6	Door	3068	Door	6'-8"	3'-0"
2	Window	3046	Window	4'-6"	3'-0"
2	Window	1068	Window	6'-8"	1'-0"
2	Window	3040	Window	4'-0"	3'-0"

Please Note:
No changes or renovations
will be made to the building.
The structure will be
occupied as is.



FIRST FLOOR PLAN

General Notes & Seals		
No.	Revision/Issue	Date



400 AUTUMN
DRIVE
DAYCARE

Prepared By: WRR	Sheet A2.1
Date: 11/18/22	
Scale: 1/8" = 1'-0"	

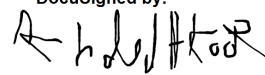
December 28, 2022

Craig Thomas
Senior Planner
Town of Harrisburg

Dear Mr. Thomas;

My name is Khaled M S AlKoor. I am the owner of 400 Autumn St, Harrisburg, NC 28075. I have entered a leasing agreement with Karen McMillian, owner of Touched By an Angel. I have agreed to lease my facility for the business of a daycare learning center. Ms. McMillian has been conducting daycares for nearly 15 years. Her credentials meet my standards and she is well experienced in working with the community in the care of children.

Sincerely,

DocuSigned by:

Khaled M S AlKoor



Touched By an Angel was first established in 2005 in Jacksonville, NC and later transferred to the Charlotte area in 2016. I have been serving and educating children for nearly 15 years. I am transitioning my family childcare to a center childcare in Harrisburg, NC. My childcare will be located at 400 Autumn St, Harrisburg, NC 28075. This location is within a community that sits on a parcel with a church. The church and fellowship hall are owned by one owner. However, the owner will lease to me the church fellowship hall for a childcare center. This business will be separate from the church. Touched By an Angel's hours of operation will be from 6am – 6pm. The center will be able to serve up to 50 kids, ages 2 and up. The center will be organized to handle staggered drop-offs by setting up traffic flow signs that will allow parents to enter the parking lot to either park or perform curbside drop-off/pick-up. For families performing drop offs by foot, there will be a walkway path on the lot to safely get children into the building.

The center will also provide an outdoor fenced playground area. The square footage of the playground area shall not exceed 1600 sqft. Touched By an Angel is a community business that provides a safe enriching place for parents to feel good about the care of their children as well as receiving great educational and fun experience. We are a respectable and child friendly business that presents no noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

Harrisburg Park is an established community that consists of young, middle age and senior families. The community has upheld its value and is continuing to show growth. Being a childcare business, my mission is to offer Harrisburg Park a place for their children to receive proper care, discover their aptitude in learning and help develop their emotional, social and cognitive skills. Touched By an Angel will not compromise the integrity of the community nor negatively impact the orderly development and improvement of surrounding property. Touched By an Angel's mission is to provide a learning center that will be conducive to Harrisburg Park and serve the needs of Town of Harrisburg.