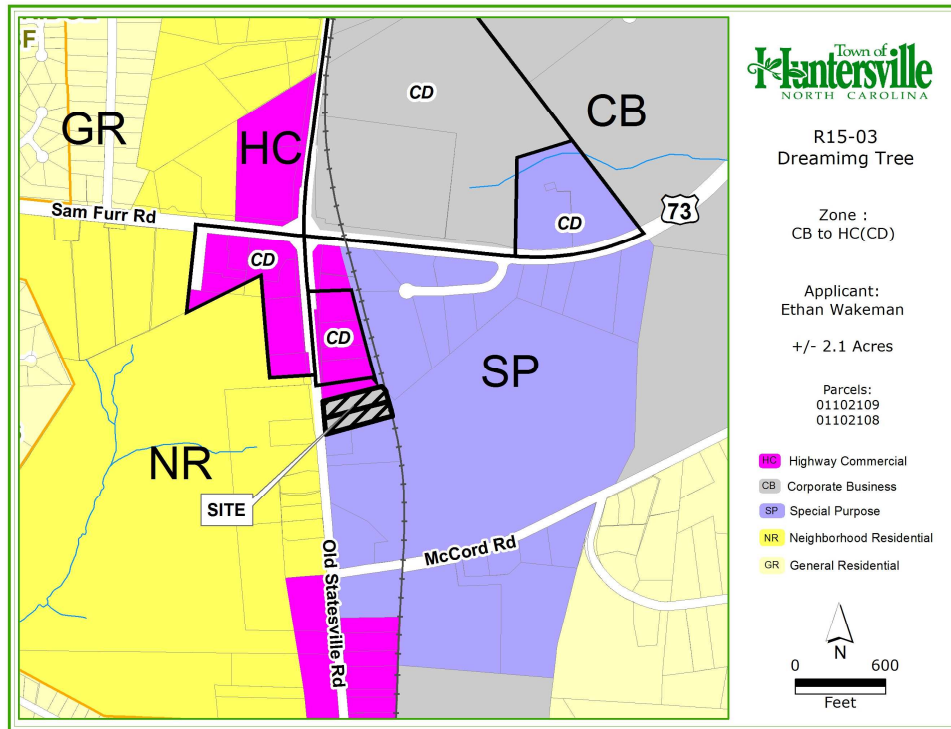


Petition R15-03: Dreaming Tree Conditional District Rezoning

PART 1: PROJECT SUMMARY



Applicant: Ethan Wakeman

Property Owner: Lochaven Development LLC

Property Address: 16516 & 16508 Old Statesville Road

Project Size: +/- 2.1 acres

Parcel Number(s): 01102108 & 01102109

Current Zoning: Corporate Business

Current Land Use: Contractor Office

Proposed Zoning: Highway Commercial Conditional District (HC-CD)

Proposed Use: Commercial Use including Pet Daycare & Indoor Kenneling

- Purpose of Rezoning:** The property is currently zoned CB which does not allow for Commercial Uses including Pet Daycares and Boarding.
- Adjoining Zoning and Land Uses**
 - North:** Highway Commercial (HC): 1 single-family dwelling and the Huntersville Plaza Development (Christian Brothers Auto Repair and Learning Experience Day Care).
 - South:** Special Purpose (SP): Primal Brewery, a Grading Company, and Concrete Plant.
 - East:** Special Purpose (SP): Norfolk Southern Railway and Huntersville Hardwoods.
 - West:** Neighborhood Residential (NR): Old Statesville Road (NC 115) and vacant land.
- A commercial contractor's office has been operated on the site since 2009. Huntersville Planning approved a Change of Use application on May 22, 2009.
- At the neighborhood meeting several topics were brought up for discussion including: waste, smell, fence height, concerns of neighbors etc.

PART 2: REZONING/SITE PLAN DESCRIPTION

- The property previously went through the Town Commercial Change of Use process in 2009 (from a single family home to a commercial property).
- The applicant proposes to install a 5' sidewalk and complete the concrete driveway entrance. Also the applicant will be adding a fence and appropriate screening shrubs for the outdoor pet play areas.

PART 3: TRANSPORTATION ISSUES

- There are no transportation related issues with the proposed site plan.

PART 4: Adequate Public Facilities Ordinance

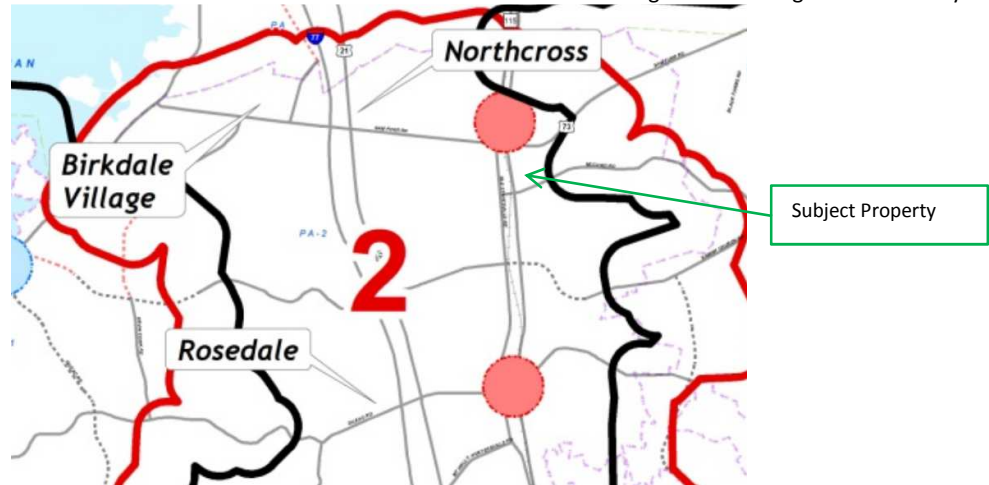
- Does not apply because the site is a previously approved development and there are no new additions proposed at this time.

PART 5: REZONING CRITERIA

Article 11.4.7(d) of the Zoning Ordinance states that “in considering any petition to reclassify property, the Planning Board in its recommendation and the Town Board in its decision shall take into consideration any identified relevant adopted land-use plans for the area including, but not limited to, comprehensive plans, strategic plans, district plans, area plans, neighborhood plans, corridor plans, and other land-use policy documents”.

STAFF COMMENT – Staff finds the proposed use consistent with the following policies of the **2030 Huntersville Community Plan**:

- **Policy CD-2: Focus Higher Intensity Development Generally within 2 miles of the I-77 and NC 115 Corridor.**



Article 11 Section 11.4.7(e) of the Zoning Ordinance states that: “in considering any petition to reclassify property the Planning Board in its recommendation and the Town Board in its decision should consider:

1. Whether the proposed reclassification is consistent with the overall character of existing development in the immediate vicinity of the subject property.

STAFF COMMENT:

- HC zoning is adjacent to the proposed rezoning area. The Pet Daycare is in keeping with the character of the surrounding area (photo below).



2. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, transit service, parks and recreational facilities, police and fire protection, hospitals and medical services, schools, storm water drainage systems, water supplies, and wastewater and refuse disposal.

STAFF COMMENT:

- Transportation staff has determined that no Traffic Impact Assessment (TIA) is required for the proposed development as the use proposed will not generate enough vehicle trips per Article 14.2 of the Zoning Ordinance.
- The Adequate Public Facilities requirements from Article 13 of the Huntersville Ordinance (APFO) does not apply for this application.

3. Whether the proposed reclassification will adversely affect a known archeological, environmental, historical or cultural resource.”

STAFF COMMENT:

Planning staff has no indication that the request will adversely affect known archeological, environmental resources.

PART 7: PUBLIC HEARING

The Public Hearing was held on February 4, 2016.

PART 6: STAFF RECOMMENDATION

Staff recommends approval of the rezoning.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board meeting was held on February 23, 2016

A Motion to approve R15-03, with conditions to include a dumpster, was made by Joe Sailers and seconded by Stephen Swanick. The Motion Carried by a vote of 9 Ayes and 0 Nays. Board Members voting Ayes: Bankirer, Davis, Lewis , Miller, Price, Sailers, Swanick, Thomas, Walsh

PART 8: CONSISTENCY STATEMENT - R 15-03 Dreaming Tree

Planning Department	Planning Board	Board of Commissioners
<p>APPROVAL: In considering the proposed rezoning application R15-03; Dreaming Tree, the Planning staff recommends approval based on the amendment being consistent with policy <u>CD-2 of the Town of Huntersville 2030 Community Plan.</u></p> <p><u>It is reasonable and in the public interest to approve the Rezoning Plan because the rezoning plan will have minimal modifications, be in keeping with the character of the surrounding area, and is consistent with the 2030 Community Plan.</u></p>	<p>APPROVAL: In considering the proposed rezoning application R15-03; Dreaming Tree, the Planning Board recommends approval based on the amendment being consistent with <u>the Huntersville 2030 Community Plan</u> to focus this type of development along the NC115 corridor. It is reasonable and in the public interest to approve the rezoning because it does benefit and match (almost to the letter) of the 2030 Plan and the need for this type of development within the corridor.</p>	<p>APPROVAL: In considering the proposed rezoning application R15-03; Dreaming Tree, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u>.</p> <p><u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p>
N/A	N/A	<p>DENIAL: In considering the proposed rezoning application R15-01; Lee's Firewood, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent) with (insert applicable plan reference)</u>.</p> <p><u>It is not reasonable and in the public interest to amend the approved Rezoning Plan because... (Explain)</u></p>