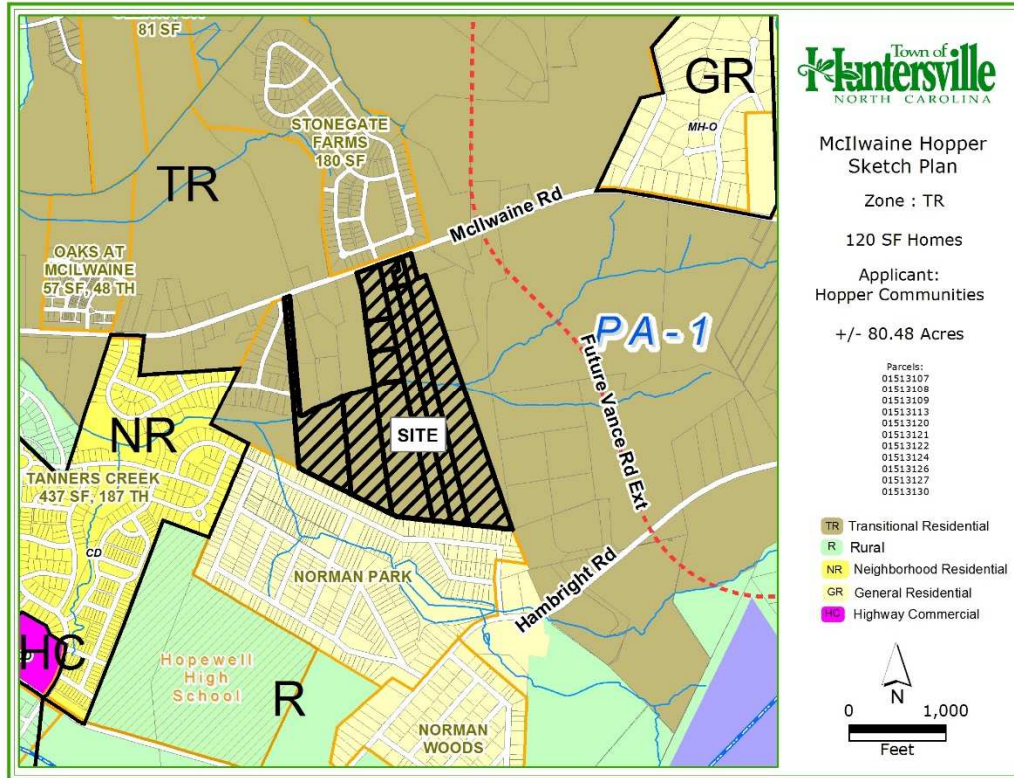


McIlwaine Subdivision Sketch Plan

PART 1: PROJECT SUMMARY



Applicant: JBH Development, LLC and Hopper Communities, INC
Project Size: +/- 80.48 acres

Parcel Number: 01513107, 01513108, 01513109, 01513113, 01513120, 01513121, 01513122, 01513124, 01513126, 01513127, 01513130, 01512198

Current Zoning: Transitional (TR)

Current Land Use: Majority of the land is vacant, several single family homes abut McIlwaine Road

Proposed Land Use: 120 single-family lots

The application is Attachment A. The site plan is Attachment B.

PART 2: SITE PLAN DESCRIPTION AND ISSUES

- Adjacent Properties:
North: Transitional (TR) single-family: Stonegate Farms Subdivision
South: General Residential (GR), single-family: Norman Park Subdivision
East: Transitional (TR) single-family: Large lot single-family residential
West: Transitional (TR) single-family: Aberdeen Park Subdivision
- A neighborhood meeting was held on April 20, 2016, see Attachment C, Neighborhood Meeting Summary.
- The proposed project is located in the MIL-PA I protected watershed. A maximum impervious of 70% is allowed; developer is proposing 26.6%
- Max density allowed is 1.5 units an acre with 40 % open space. The project has 1.5 units per acre with 40.78% open space.
- 35% of the existing tree canopy and 35% of the existing specimen trees are required to be saved. The developer is saving 36% of the tree canopy and 39% of the specimen trees onsite.
- Street standards, connectivity and setbacks are all compliant with the zoning and subdivision ordinance.
- The developer is asking the Town Board to approve a block length wavier, due to an expansive creek crossing (1067 linear feet), per Article 5: Streets.

PART 3: TRANSPORTATION ISSUES

Traffic Impact Analysis

Based on the land use and intensity proposed, a Traffic Impact Analysis (TIA) was required. A final TIA was submitted by the developer's consultant on May 25th and was found to be acceptable with comments provided on June 2nd. The TIA was phased with 83 units in the first phase and 42 units in the second phase for a total of 125 units. Based on the phasing of the TIA, the offsite roadway improvements would be needed once the 84th unit is built. Based on the TIA, the following roadway improvements are required to be constructed prior to the 84th unit:

McCoy Road at Mcllwaine Road

- Construct a southbound right-turn lane on McCoy Road with 100 feet of storage

McCoy Road at Hambright Road

- Construct a westbound right-turn lane on Hambright Road with 100 feet of storage

It would further be the Engineering and Public Works Department's recommendation to require the following additional roadway improvement:

Mcllwaine Road at Thistlebrook Lane/Proposed Street

- Construct eastbound/westbound left-turn lanes on Mcllwaine Road with 100 feet of storage

NCDOT has provided feedback on the TIA and agree with the above listed roadway improvements with the exception that 150 feet of storage would be required for left-turn lanes on Mcllwaine Road at Thistlebrook Lane/Proposed Street.

Attachment D, Traffic Impact Analysis Determination

PART 4: PLANNING STAFF ANALYSIS

Section 6.200 of the Subdivision Ordinance outlines the "general requirements and policies to be used in the design, review, and approval" of subdivisions in the Town of Huntersville. The following staff findings are provided for the Board's consideration of the Subdivision Sketch Plan.

1. Consistency with adopted public plans and policies.

The following sections of the 2030 Huntersville Community Plan apply to this request:

- **Policy E-2: Location of New Development.** Avoid locating new development in areas of significant environmental, scenic or cultural resources.

STAFF COMMENT: Planning staff has no indication that the request will adversely affect known cultural, scenic or environmental resources.

- **Policy E-3: Environmental Regulations.** Support and enhance environmental regulations pertaining to tree preservation, buffer yards, open space, water quality, wetland and stream protection.

STAFF COMMENT: The Transitional (TR) zoning district requires thirty-five (35%) percent of the existing tree canopy to be preserved; the developer is saving 36% (24.81 acres). As required thirty-five (35%) of all specimen trees are required to be saved. The applicant is saving thirty-nine (39%) percent of the specimen trees. The storm water buffers located on the property are not being encroached upon. The site was designed using the 4-step design process per Section 6.300.14 of the Subdivision Ordinance and includes open space that meets the evaluation criteria found in Article 7.13 of the Zoning Ordinance.

- **Policy T-5: Context-sensitive Design of Streets.** Continue to support "context-sensitive" design of streets and the selection of appropriate street section designs for residential, commercial and industrial developments applications.

STAFF COMMENT: The internal street cross-section proposed is appropriate for residential use. There are 10' travel lanes. Curb and gutter, with 7' green zones (planting strips) and 5' sidewalk on each side of the

street. The total right-of way width is 51'. Block length is allowed to be no longer than, 800' in major residential subdivisions. Per Article 5: Streets, the developer is requesting a waiver from the Town Board to approve a block length due to a large creek crossing. The block length to cross the creek is 1,067 linear feet.

- **Policy T-6: Pedestrian Connections.** Support the installation of sidewalks, bikeways and greenway trails connecting residential, commercial, employment, recreational and institutional uses.

STAFF COMMENT: The applicant is providing sidewalk on both sides of all internal subdivision streets that will tie into abutting neighborhood streets. A sidewalk and bike lanes will be installed on McIlwaine Road to comply with future plans and ordinance. The developer has agreed to dedicate land for the Town greenway as called for on the adopted Town of Huntersville Greenway and Bikeway Master Plan.

- **Policy T-8: Street Connectivity.** Promote and require street connectivity in the Town of Huntersville among residential, commercial, employment, recreational and institutional uses.

STAFF COMMENT: The proposed development has one entrance located on McIlwaine Road. An internal street within the subdivision will connect to the stub street, Journeys End Trail, in the Aberdeen Park as called for in the Beatties Ford Road Corridor Plan as a connector street. A stub street will be accommodated on the southern property line abutting Norman Park Subdivision parcels. There will be two stubs abutting properties to the East, one to accommodate the future collector and the other south of the creek.

- **Policy PF-2: Adequate Public Facilities Ordinance (APFO).** Continue use of "Adequate Public Facilities Ordinance (APFO)" to ensure that demand generated by existing and future growth and development for police, fire and parks & recreation capital facilities can be met by available supply of facilities.

STAFF COMMENT: An APFO application was submitted for 122 single-family units. The development will be able to accommodate the proposed 120 single family lots, if the open space calculations are revised on the plan set. See #19 of this section for further details.

2. Conformity.

The proposed development is in keeping with the density in other major subdivisions in this area (Stonegate Farms 2.68 units to the acre and Aberdeen Park 1.39 units to the acre, both subdivision are currently zoned Transitional (TR), but were developed under OPS zoning. The McIlwaine Subdivision proposes to develop 120 single family homes.

3. Access between Adjoining Properties.

The proposed development is providing multiple right of way extensions, one to the south, two to the east and one to the west. The subdivision is also tying into an existing street, Journeys end trail located within Aberdeen Park. The developer is asking the Town Board to approve a block length wavier due to an expansive creek crossing (1067 linear feet), per Article 5: Streets.

4. Relation to topography.

The street network is designed to respect the general topography, foliage and avoid sensitive streams and wetlands.

5. Mature trees and natural vegetation.

The proposed project is required to save thirty-five (35%) percent of the tree canopy, thirty-five (35%) percent of the specimen trees and one hundred (100%) percent of the heritage trees and these requirements are being met. 36.1% of the tree canopy is being saved; thirty-nine (39%) percent of the specimen trees are being saved; and there are no heritage trees on site. There is an existing storm water buffer that permanently protects a significant portion of natural vegetation.

6. Access to parks, schools, etc.

The applicant is providing sidewalks on both sides of the street for all internal streets. Connection of sidewalks will be made into Journeys End Trail (Aberdeen Park Subdivision). The developer has agreed to dedicate the land for a future Town greenway as called for in the Town of Huntersville Greenway and Bikeway Master plan.

7. Discourage through traffic.

All streets are appropriately sized for residential traffic and there is no straight access to any adjoining property. There is no direct access to a thoroughfare.

8. Relationship to railroad rights-of-way.

Not Applicable

9. Half streets.

Not Applicable

10. Parallel streets along thoroughfares.

Not Applicable

11. Public School and Public Park Sites

The parcels associated with the McIlwaine Subdivision have not been identified for a public school or park site.

12. Public Facilities

The parcels associated with McIlwaine Subdivision have not been identified for a public facility.

13. Proposed street names

Street names are not required at this review level. They will be reviewed at the preliminary plan stage.

14. Easements.

No easements have been identified

15. Proposed water and sewerage system.

A *Willingness to Serve* Letter has been issued by Charlotte Water.

16. Restrictions on the subdivision of land subject to flooding.

No flood plain exist onsite.

17. Reserved.

18. Open Space

The applicant is required to provide forty (40%) percent open space to achieve 1.5 units yielding 120 lots. The current plan is providing 40.78% open space.

19. Impact of Development on Public Facilities

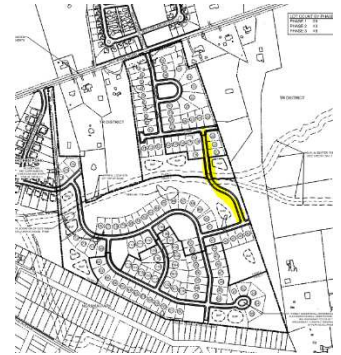
Under the provisions of the APF Ordinance, all residential development greater than twenty (20) lots are required to receive a "Determination of Adequacy (DOA)" for the following public facilities: fire vehicles, fire station, police station, police vehicles, indoor park and recreation facilities, and parks acreage. A DOA letter has been issued for all of the facilities, see [Attachment E](#): Determination of Adequacy.

Additionally, staff has contacted Charlotte-Mecklenburg Schools (CMS) for an enrollment evaluation of this project, see [Attachment F](#): CMS School Assessment.

PART 5: STAFF RECOMMENDATION

In considering McIlwaine Subdivision, staff finds:

- The application is complete.
- Staff recommends approval of a waiver request for block length due to the topography and the nature at which the creek crossing occurs (see map to right for location).
- Staff recommends approval of the subdivision, once final comments have been made and the applicant makes corrections.



Planning Site Plan Comments:

- 1) Minor plan revisions: note and labeling corrections need to be made.

Engineering Site Plan Comments:

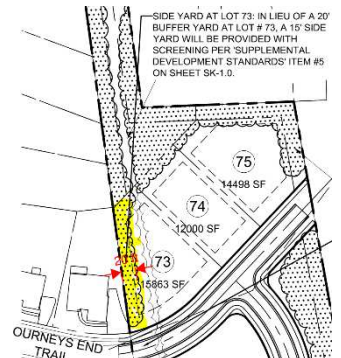
- 1) Minor site plan revisions needed.

PART 6: PLANNING BOARD RECOMMENDATION

The Planning Board recommend Denial (6-1) based upon the below not being met:

Planning Site Plan Comments:

- 1) Open space calculations are incorrect and will not support the density requested. The urban open space parks are being counted as 1.5 larger than their actual area. The only opportunity to acquire 1.5X open space credit within this project is if the **developer builds, dedicates and the Town/County accepts the greenway**. The notes and open space calculations will need to be corrected to ensure the plan meets the ordinance.
- 2) A detail of the buffer reduction request along lot #73 is needed. The applicant is proposing 10' evergreen buffer (evergreen trees planted 30' on center and shrubs every 5' and a 15' building side yard setback). The ordinance requires a standard 20' undisturbed residential buffer. The Town Board does have the ability to waive or reduce the buffer, per Article 7, but at this time staff feels the intent of the ordinance is not being met.
- 3) An 80' buffer along existing state maintained roads (McIlwaine) is required to start at the proposed/future right-of-way. Due to the TIA not being vetted and NCDOT not commenting, there are road improvements that may need to be made thus requiring more right of way. If that is the case, the 80' buffer would need to be pushed back affecting the developments open space. Due to the lack of information on the plan staff cannot determine if the plan will meet the ordinance.
- 4) Minor plan revisions: note and labeling corrections need to be made on multiple plan sheets.



Subsequently the applicant has addressed all of the above.

PART 7: DECISION STATEMENTS

In considering whether to approve an application for a subdivision sketch plan, the Planning and Town Board must complete the following (a full version can be found in [Section 6.320.5](#) of the Subdivision Ordinance).

- Is the application complete (lacking any particular requirement)? *If no member of the Board moves that the application is incomplete, then this inaction is taken as an affirmative finding that the application is complete.*
- Does the application comply with all the applicable requirements? *A statement must be made that the application complies or does not comply that includes the support documentation of the particular motion.*
- Lastly, the Board must make a motion to approve or deny based on the previous statements.

PART 8: ATTACHMENTS/ENCLOSURES

Attachments

- A – Application
- B – Site Plan
- C – Neighborhood Meeting Summary
- D – Traffic Impact Analysis Determination
- E – Determination of Adequacy
- F – CMS School Assessment