

TA 16-05 Indoor Recreation Uses in the Special Purpose (SP) Zoning District

PART 1: DESCRIPTION

TA16-05 a request by Mike Clapp and Sports Village Land Group, LLC to amend Article 3.2.10 of the Zoning Ordinance to allow Indoor Recreation uses in the Special Purpose (SP) zoning district as a use permitted by right.

PART 2: BACKGROUND

The property owners of 10695 Hambright Road have submitted a separate conditional rezoning application that proposes a mixture of uses at the corner of Mt. Holly Huntersville Road and Hambright Road. The development plan includes indoor recreation (gymnasium facilities), office, and retail uses. The current Corporate Business (CB) zoning of the property allows neither retail nor indoor recreation uses. Retail and other commercial uses however are allowed in the Special Purpose (SP) district. Therefore in order to accommodate the retail element of the development plan, the applicant is proposing a rezoning to SP. Indoor Recreation however is not a use permitted in the SP district. The applicant is seeking a text amendment to the SP district to add the indoor recreation use as a use permitted by right, thus accommodating all of the uses proposed in their development plan.

The Land Development Ordinances Advisory Board (LDOAB) unanimously recommended that the application be approved at their November 3, 2016 meeting.

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2030 COMMUNITY PLAN AND APPLICABLE LONG RANGE PLANS

The following are examples of relevant plans and policies from the 2030 Huntersville Community Plan that may be incorporated into the Board's statement of consistency for approval or denial of the request.

- *Policy ED-1: Diversify Tax Base*- Continue to look for ways to expand and diversify the employment base in Huntersville.
- *Policy ED-17: Recreation Tournaments/Events* – Support continued efforts of Parks and Recreation Department and Huntersville Family Fitness and Aquatics Center (HFFA) to attract national, state and regional amateur recreational and sports tournament events.

PART 4: STAFF RECOMMENDATION

The SP district allows a wide variety of uses including commercial, retail, office and many other uses, including ones that could have greater than average impacts on the environment or adjacent properties. Adding indoor recreation would not significantly change the character or intent of the zoning district. Also, indoor

amusements such as arcades, skating rinks, billiard halls, etc. are already permitted in the SP district. Therefore recreational oriented uses already seem to be envisioned in the district. Adding indoor recreational uses such as gymnasiums, hockey rinks, other indoor sports facilities do not seem out of character with what is already permitted. Staff recommends approval.

PART 5: PUBLIC HEARING – UPDATE 11/8/16

The Public Hearing was held on November 7, 2016. No one from the public spoke on the application. The discussion at the public hearing included the applicant's proposal for the R16-08 rezoning and various aspects of the site plan.

PART 6: PLANNING BOARD RECOMMENDATION – UPDATE 11/28/16

The Planning Board discussed the application at their November 15, 2016 meeting. Most discussion from the Board centered on the possible lack of clarity with the "indoor recreation" definition in Article 12 of the zoning ordinance, and whether or not to recommend amending the definition along with this application. After discussion, the Planning Board recommended approving the proposed text as is by a 4-2 vote.

PART 7: ATTACHMENTS AND ENCLOSURES

Attachment A: Text Amendment Application
Attachment B: Proposed Ordinance from Staff

PART 8: STATEMENT OF CONSISTENCY – TA #16-05

Planning Department	Planning Board	Board of Commissioners
<p>APPROVAL: In considering the proposed amendment, TA 16-05, to amend Article 3.2.10 <i>Special Purpose Zoning District – Uses Permitted by Right</i> of the Zoning Ordinance, the Planning Staff finds it consistent with Policy ED-1 and ED-17 of the 2030 Community Plan and recommends approval.</p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because indoor recreational uses are similar to uses already allowed in the Special Purpose (SP) district and will have no foreseeable negative impact on the environment.</p>	<p>APPROVAL: In considering the proposed amendment, TA 16-05, to amend Article 3.2.10 <i>Special Purpose Zoning District – Uses Permitted by Right</i> of the Zoning Ordinance, the Planning Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u></p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)</p>	<p>APPROVAL: In considering the proposed amendment, TA 16-05, to amend Article 3.2.10 <i>Special Purpose Zoning District – Uses Permitted by Right</i> of the Zoning Ordinance, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u></p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)</p>
	<p>DENIAL: In considering the proposed amendment, TA 16-05, to amend Article 3.2.10 of the Zoning Ordinance, the Planning Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>.</p> <p>It is not reasonable and in the public interest to amend the Zoning Ordinance because....(Explain)</p>	<p>DENIAL: In considering the proposed amendment, TA 16-05, to amend Article 3.2.10 of the Zoning Ordinance, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>.</p> <p>It is not reasonable and in the public interest to amend the Zoning Ordinance because....(Explain)</p>