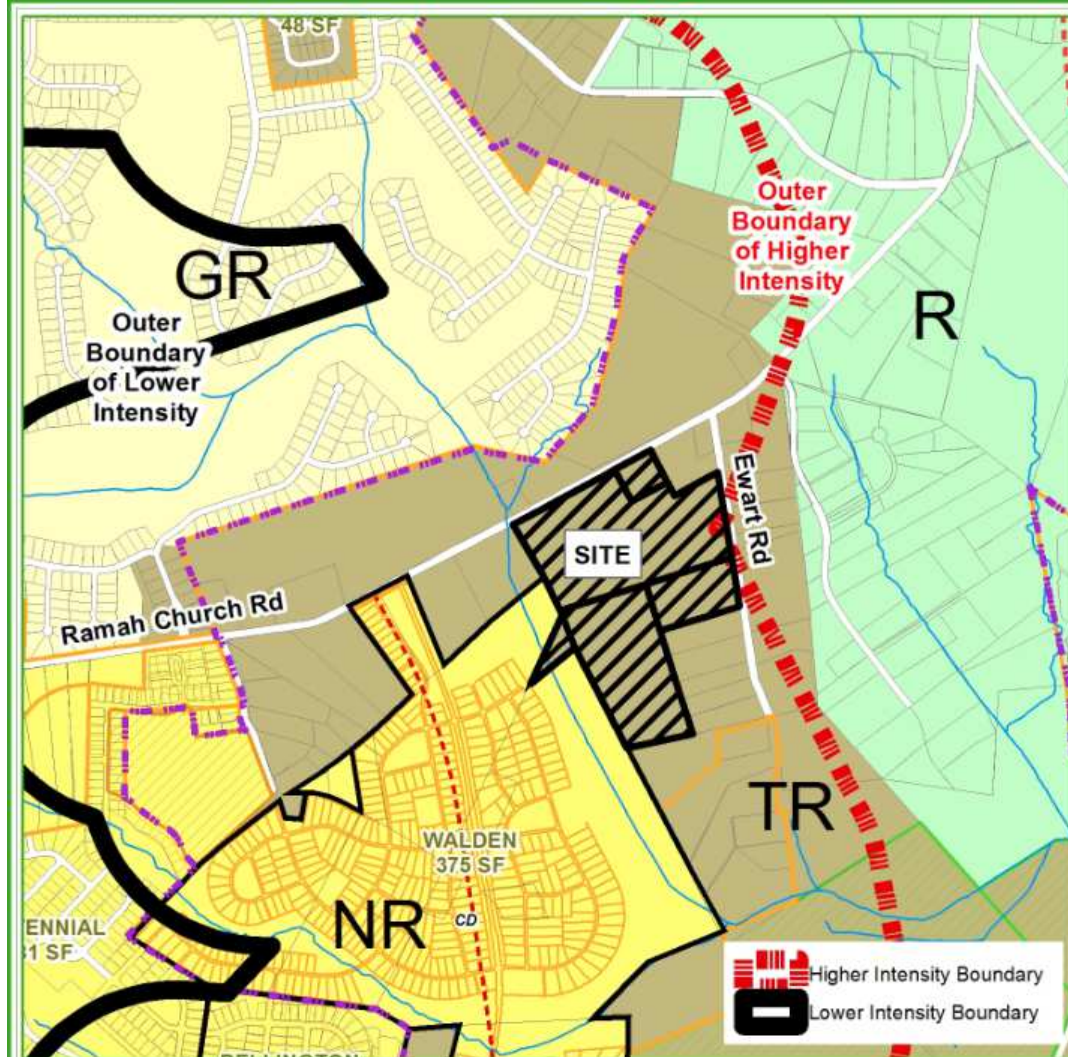


Petition R16-10 Annsborough Park Conditional District Rezoning

PART 1: PROJECT SUMMARY



Applicant: MI Homes of Charlotte, LLC

Property Owner: Ewart Family (see Attachment A).

Property Address: 13424 Ramah Church Road

Project Size: (+/-) 50.337-acres

Parcel Numbers:
01925213, 01925204, 01925210, 01925211, 01944111 & 01116102

Current Zoning:
Transitional Residential (TR)

Current Land Use: farm & vacant.

Proposed Zoning:
50.377 acres - Neighborhood Residential—Conditional District (NR-CD).

Proposed Land Use:
85 single-family homes

1. Purpose: Rezone 50.377-acres near intersection of Ramah Church Road and Ewart Road (east of Walden Subdivision) from Transitional Residential to Neighborhood Residential – Conditional District (NR-CD) to create an 85-lot subdivision. A Subdivision Sketch Plan for this project has also been submitted concurrent with this Rezoning Plan and will go to the Planning Board on December 20, 2016.
2. Adjoining Zoning and Land Uses.
North: Transitional Residential (TR) – large-lot single-family & vacant (Northstone is further north).
South: Transitional Residential (TR) – large-lot single-family & vacant.
East: Transitional Residential (TR) – large-lot single-family.
West: Neighborhood Residential (NR) – currently vacant, approved for single-family (Walden Subdivision).

3. A neighborhood meeting was held on Monday, October 24, 2016. The complete meeting summary is provided in Attachment C. Questions/concerns centered mainly on road improvements to Ewart Road and what type of homes are proposed to be built.
4. Notice for this rezoning petition was given via letters sent to adjoining property owners; a legal ad placed in the Charlotte Observer; and posting of rezoning signs on the property in two (2) locations.

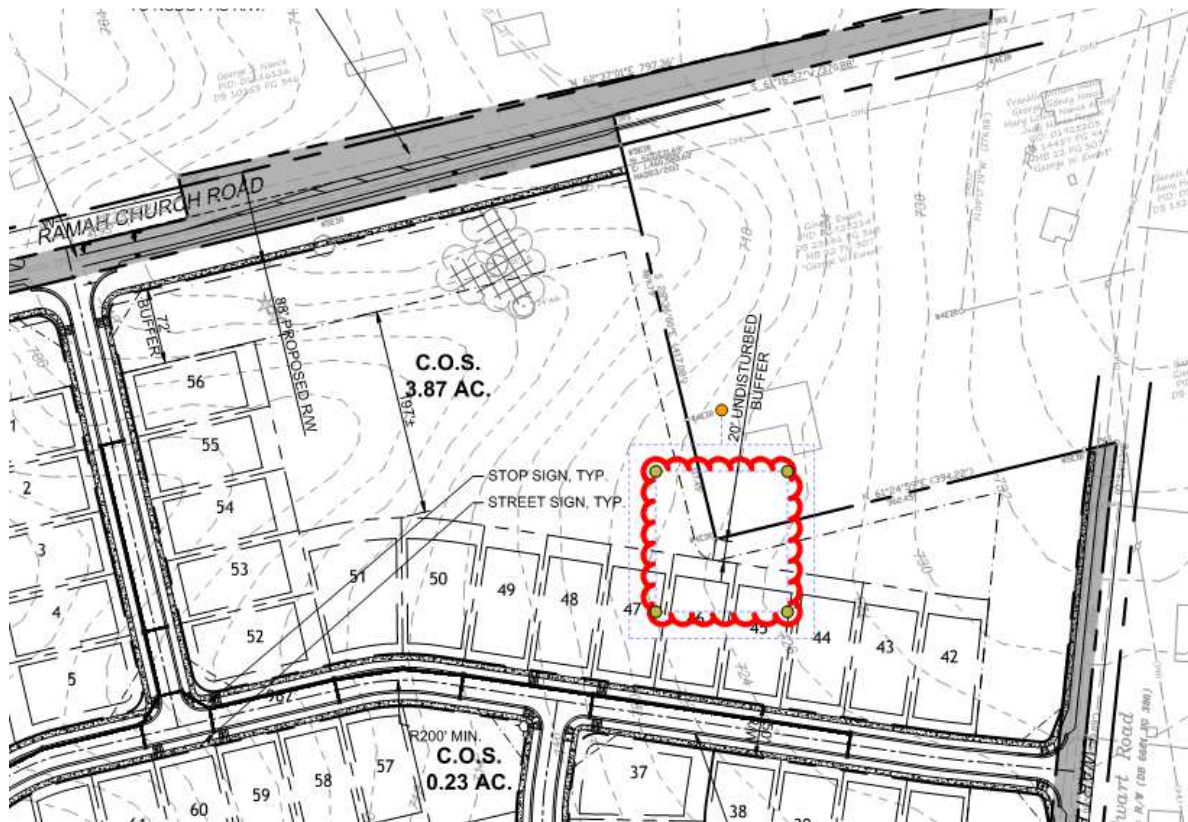
PART 2: REZONING/SITE PLAN ISSUES

The proposed Conditional District Plan is generally compliant with the Zoning Ordinance and Subdivision Regulations, significant elements include:

- Additional right-of-way required along both Ramah Church Road and Ewart Road is to be dedicated, along with road improvements on both (see Part 3 for details).
- A 0.77-acre square is proposed near the center of the subdivision to serve as required Urban Open Space for the residents. Overall, 26.5-acres (53%) of open space are provided within the subdivision (NR zoning requires 10% open space).
- Minimum Tree Preservation for the NR zone is 10%. The proposed NR-CD Rezoning Plan saves 58% of existing tree canopy.
- The subdivision will be developed as one (1) phase.
- The 50.377-acre NR-CD subdivision is being offered for voluntary annexation into the Town of Huntersville.

The rezoning plan has been reviewed and several issues must be addressed:

- The Walden Subdivision, adjoining this project along the west boundary, will build a section of public greenway – as called for in the Huntersville Greenway Master Plan (2014). During the approval of Walden, the greenway was routed around a triangular portion of land which was part of the Ewart property. As part of this CD Rezoning, a reservation of land (dedication or easement) is required to be provided to facilitate the development of the greenway, per Article 11.3.7(h) of the Zoning Ordinance, which stipulates that “in approving a petition to reclassify property to conditional zoning district... Conditions and site-specific standards imposed in a conditional district shall be limited to those that address the conformance of the development and use of the site to town ordinances, the officially adopted Huntersville Community Plan, other applicable adopted long range plans and those that address the impacts reasonable expected to be generated by the development or use of the site.” In summary, adequate accommodation, such as a dedication of land (preferred) or an easement, should be provided for future greenway development.
- In addition to the greenway-land reservation, the applicant has indicated that they will provide an easement to connect the proposed subdivision to the future public greenway. The easement is not shown, but should be indicated, as it will be subject to adjustment at Preliminary Plan review.
- Several on-street parking spaces should be provided adjoining the Urban Open Space “Square” to accommodate parking for the mail kiosks.
- A 10’ Build-to line has been proposed, however, in order to provide flexibility Staff RECOMMENDS that the “typical lot layout” diagrams utilize a “Build-to Range” to provide flexibility for home placement and avoid placing all homes on one, static line along the street. This will also provide adequate space for the 20’ deep driveway requirement.
- At one (1) location, the Zoning Ordinance-required minimum 20 feet external buffer will not provide significant screening for an adjoining property. An alternative buffering scheme may need to be considered in this location (see illustration below):



PART 3: TRANSPORTATION ISSUES

Traffic Impact Analysis (TIA)

Based on the land use and intensity proposed, a TIA was submitted and reviewed with comments provided to the applicant. A revised TIA was accepted by staff on 11/15/16 as a final version. A left turn lane on Ramah Church Road at the site entrance/exit is recommended.

Site Plan Comments

- The cross-section for Ewart Road will need additional width for an unpaved shoulder and minimum depth ditch.
- A minimum of 20 feet is needed between the back of the sidewalk and the face of the garage.
- Revisions needed to street tree locations and sidewalk ramps throughout the development.
- Other minor plan revisions.

PART 4: ADEQUATE PUBLIC FACILITIES (APF)

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 station, fire vehicles, police station, police vehicles, indoor park and recreation facilities, and parks acreage. The proposed CD Rezoning met the required threshold for submission of an APF application, and the proposed subdivision is subject to the requirements of the APFO.

A Determination of Adequacy (DOA) has been issued for the following public facilities: Fire Vehicles, Fire Stations & Police Stations. HOWEVER, a Determination of No Available Capacity (DONAC) has been issued for Police Vehicles and Gym & Park Acreage (see Attachment C). Staff is working with the applicant to address this issue.

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 – The 2030 Huntersville Community Plan supports this project through the following sections:

- **Policy E-1, E-2 & E-3: Preservation and Enhancement.** Support the preservation and enhancement of the natural environment, along with its scenic and cultural assets.
Comment: The proposed development provides adequate open space buffers along both Ramah Church Road (72 feet wide) and Ewart Road (80 feet wide) – the NR zoning district requires min. 20 feet. In addition, 53% of the site is set aside as open space (which does include several water quality elements)
- **Policy H-1 & H-9: Development Pattern.** Continue to follow existing residential development pattern as reflected in “Map of Zoning Districts,” focusing higher intensity development generally within two miles of the I-77/NC 115 corridor.
- Comment: The majority of the proposed CD Rezoning subdivision is located within the High and Low Intensity Areas of the 2030 Community Plan, which is the area the Comprehensive Plan supports considering increases in density. Annsborough Park subdivision has a proposed density of 1.69 units per acre. The surrounding developments average 1.655, as follows (note that single family parcels along the north, east and south boundaries are primarily large-lot and have a low density):

<u>North</u>	<u>South</u>	<u>East</u>	<u>West</u>
Northstone = 1.65 (GR)	n/a	n/a	Walden = 1.66 (NR)
- **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.
Comment: The internal streets are appropriately sized and create short blocks to encourage pedestrian activity. The proposed cross-section to be used through the development follows context sensitive design by providing adequate lane widths, green zones for street trees and sidewalks.
- **Policy T-7: Traffic Impact Analysis Ordinance:** Continue to apply requirements of “Traffic Impact Analysis” Ordinance, including Level of Service and mitigation of impacts generated by new development.
Comment: A TIA was required and the required transportation enhancements are outlined in Part 3 of this staff analysis.
- **Policy T-8: Street Connectivity:** Promote and require street connectivity in the Town of Huntersville among residential, employment, recreational and institutional uses.
Comment: The proposed development provides two (2) connections: one (1) to an existing thoroughfare (Ramah Church Road) and one (1) to a State-maintained secondary road (Ewart Road). There are also two (2) stub streets: one to the western boundary, aligned for a future connection to the Walden subdivision and another to the south where future development may occur.

- **Policy CD-5: Street Infrastructure:** Continue to require that adequate public infrastructure (roads, utilities, etc.) either exist or will be made available to support all new development.
Comment: The proposed development will provide all TIA-required improvements to external public roads, extend public water and sewer from the west, provide two (2) connections to existing roads, provide two (2) stubs for future connections and must provide an adequate greenway accommodation.
- **Policy PF-2: Adequate Public Facilities:** Continue use of “Adequate Public Facilities Ordinance” 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.
Comment: see Part 4 of this report.

STAFF COMMENT – The 2030 Huntersville Community Plan would not support this project through the following sections at this time, but could with plan modifications:

- **Policy T-6: Pedestrian Connections:** Support the installation of sidewalks, bikeways and greenway trails connecting residential, commercial, employment, recreational and institutional uses.
Comment: The proposed cross-section for Ramah Church Road, Ewart Road and the interior Town streets all provide sidewalks. A bike lane along the project frontage of Ramah Church Road will be provided. A greenway reservation (dedication preferred) should be provided through the “triangle section” along the west side of the subdivision to accommodate future development of the greenway west of the North Prong of Clark Creek.

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:

The proposed Conditional District Rezoning for the Annsborough Park subdivision is supported by the 2030 Comprehensive Plan, as the property is located almost entirely within the area eligible for intensification. Annsborough Park’s proposed density is 1.69 units per acre, which is slightly higher than nearby developments Walden (1.66) and Northstone (1.65). The NR zoning district does not have a density limit, however, as this proposed subdivision is located along the outer edge of the intensification zone, the proposed density is appropriate as development transitions from the NR zone into the lower-density Transitional Residential (TR) zoning district. The proposal is also appropriate for the area by providing adequate infrastructure (which includes appropriate new roads, existing road upgrades and other transportation enhancements as well as providing ample open space). As long as accommodations are provided for the future greenway, all public infrastructure needs will be provided.

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:

- A Transportation Impact Analysis was required – see Part 3 of this report.
- The APF Ordinance Determination of Adequacy was required – see Part 4 of this report.
- Storm water drainage, water supplies and wastewater and refuse disposal and a Willingness-to-serve letter must be provided by Charlotte Water, as well as PCO-1 storm water approval from Mecklenburg County.

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, historical or cultural resources.

PART 6: STAFF RECOMMENDATION

The Annsborough Park Conditional District Rezoning Plan can be supported by staff subject to the following:

- All required TIA/Town/NCDOT required improvements are provided (see Part 3);
- All outstanding Transportation comments are addressed;
- Identify trail to connect subdivision to future greenway along western boundary (may be done at Preliminary Plan stage;
- Provide a Build-to Range, not a line, shown on a typical lot layout diagram (including at least 20’ of depth for parking);
- Provide several on-street parking spaces along the Urban Open Space “square” near the mail kiosk;
- Address APFO determination, per Ordinance;
- All outstanding redline comments are addressed.
- RECOMMENDATION: Reservation (dedicate or grant an easement) for future public greenway along western boundary (within the triangle portion of the property);
- RECOMMENDATION: One (1) buffer at a corner location is minimal (20 feet wide) and may need a greater depth or an alternate buffer scheme to provide transition with the adjoining property.

PART 7: PUBLIC HEARING COMMENTS

Public Hearing scheduled to be held on Monday, December 05, 2016.

PART 8: PLANNING BOARD RECOMMENDATION

Planning Board scheduled to review on December 20, 2016.

PART 9: ATTACHMENTS/ENCLOSURES

Attachments

A – Rezoning Application

B – Proposed CD Rezoning Plan

C - Neighborhood Meeting Report from October 24, 2016.

D – APF Letter of Determination

PART 10: CONSISTENCY STATEMENT - R 16-10 Annsborough Park Subdivision

Planning Department	Planning Board	Board of Commissioners
<p>APPROVAL: In considering the proposed rezoning application R16-10; Annsborough Park Subdivision Conditional District Rezoning, the Planning staff recommends conditional approval as it is consistent with Implementation Goals E-1, E-2, E-3, H-1, H-9, T-5, T-7, T-8, CD-5 and PF-2 of the 2030 Community Plan. The property is also located primarily within the transitional area between high and low intensity development and the proposed density is consistent with surrounding developments (see Part 5). Recommendation of approval is also based on <u>all provisions outlined in Part 6 being addressed</u>.</p> <p><u>With those provision, it is reasonable and in the public interest to approve the Conditional District Rezoning Plan.</u></p>	<p>APPROVAL: In considering the proposed rezoning application R16-10; Annsborough Park Subdivision Conditional District, the Planning Board recommends approval based on the Plan 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>	<p>APPROVAL: In considering the proposed rezoning application R16-10; Annsborough Park Subdivision Conditional District, the Town Board recommends approval based on the Plan 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>
<p>DENIAL:</p>	<p>DENIAL: In considering the proposed rezoning application R16-010; Annsborough Park Subdivision Conditional District, the Planning Board recommends denial based on <u>(consistent OR inconsistent) with (insert applicable plan reference)</u>.</p> <p><u>It is not reasonable and not in the public interest to amend the approved Rezoning Plan because... (Explain)</u></p>	<p>DENIAL: In considering the proposed rezoning application R16-10; Annsborough Park Subdivision Conditional District, the Town Board recommends denial based on the Plan being <u>(consistent OR inconsistent) with (insert applicable plan reference)</u>.</p> <p><u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p>