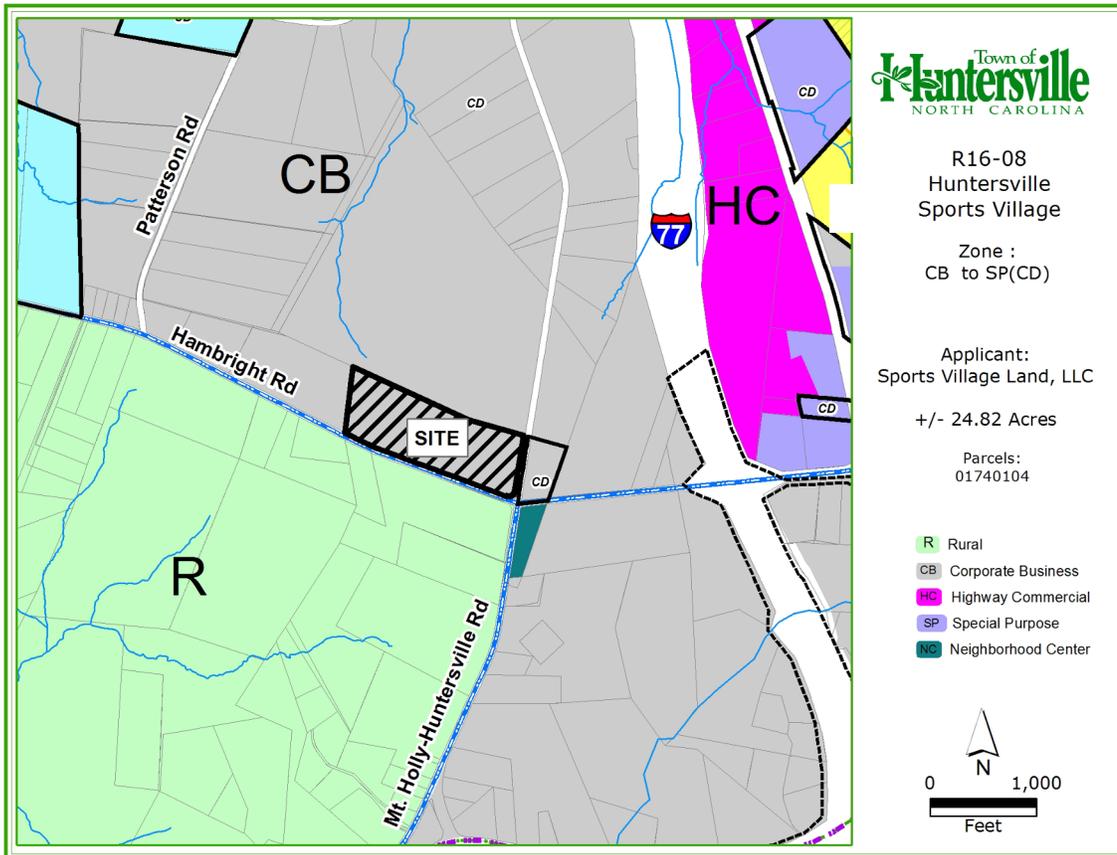


## Petition R16-08: Huntersville Sports Village

### PART 1: PROJECT SUMMARY



**Applicant:** Mike Clapp

**Property Owner:** Sports Village Land Group, LLC

**Property Address:** 10695 Hambright Road

**Project Size:** 24.82 acres

**Parcel Numbers:** 01740104

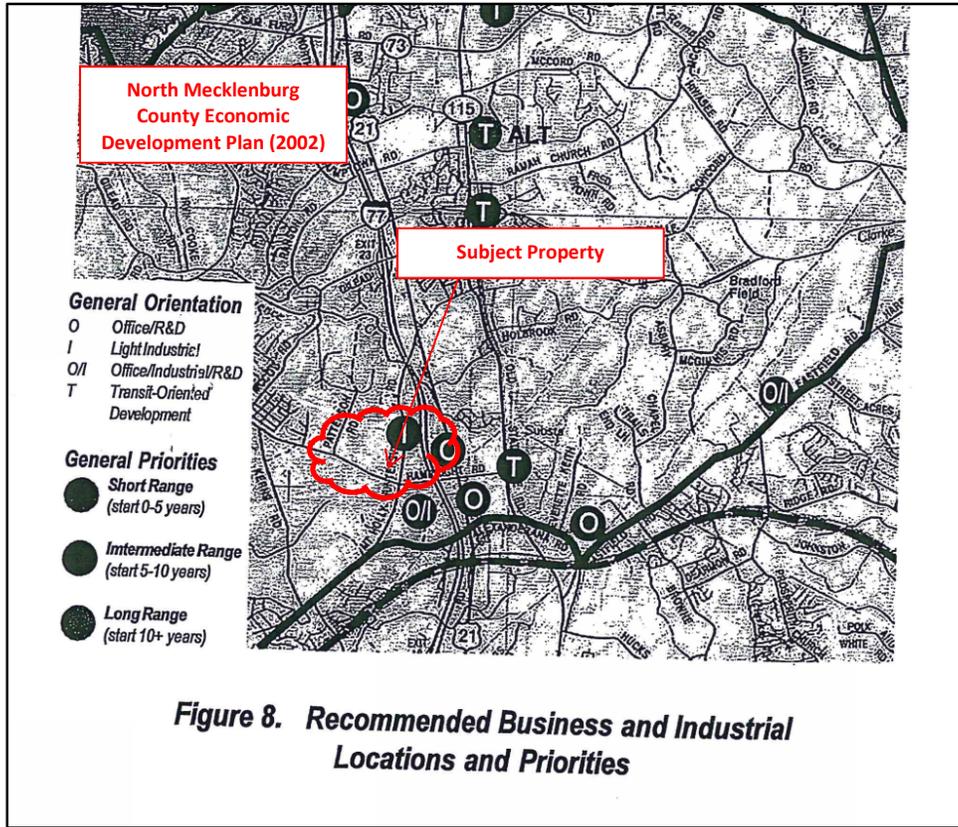
**Existing Zoning:** Corporate Business (CB)

#### Application Summary:

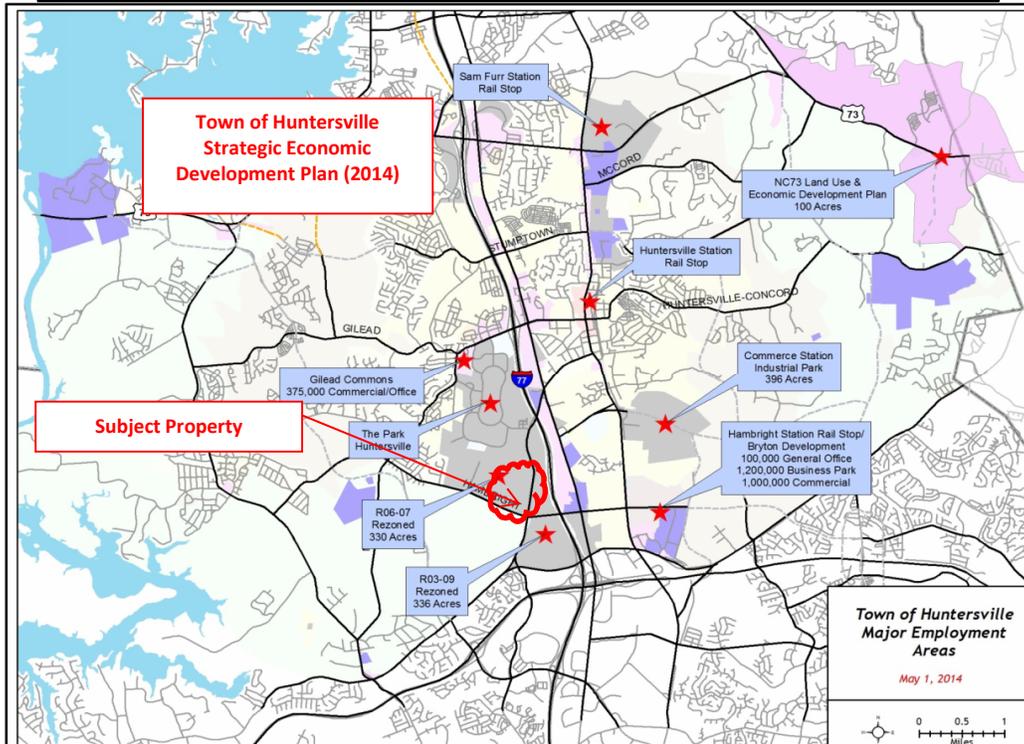
1. Mike Clapp with Sports Village Land Group LLC has applied to rezone the subject property to Special Purpose (SP) to allow for the development of a mixed use commercial development which would include indoor recreation, retail, and office uses.
2. Adjoining Zoning and Land Uses  
North: Corporate Business (CB), Office/Industrial/Undeveloped Land: Huntersville Business Park  
South: Rural Residential (R), Single Family Residential/Horse Farm and Stables.  
East: Corporate Business (CB), Office/Contractor Office and Neighborhood Center (NC), Neighborhood Gas Station.  
West: Corporate Business (CB), Vacant Land and Single Family Residential
3. Neither indoor recreational uses nor retail are allowed under the current zoning of the tract (CB). The applicant is requesting the rezoning to Special Purpose (SP) as SP allows retail uses. In order to allow the indoor recreational use, the applicant is concurrently proposing a text amendment application (TA16-05) to add indoor recreation as a use permitted by right in the Special Purpose (SP) district. Since this rezoning application includes the indoor recreation use, this rezoning cannot be approved until and unless that text amendment adding the use is approved.
4. There are multiple buildings being proposed on one tract of land. Therefore a multi-building site plan is also required to be approved per Section 6.800 of the Huntersville Subdivision Ordinance. However Section 6.840 allows staff to review the multi-building site plan administratively when the development is part of a conditional district rezoning plan. That is the case in this application therefore if the Town Board approves the proposed

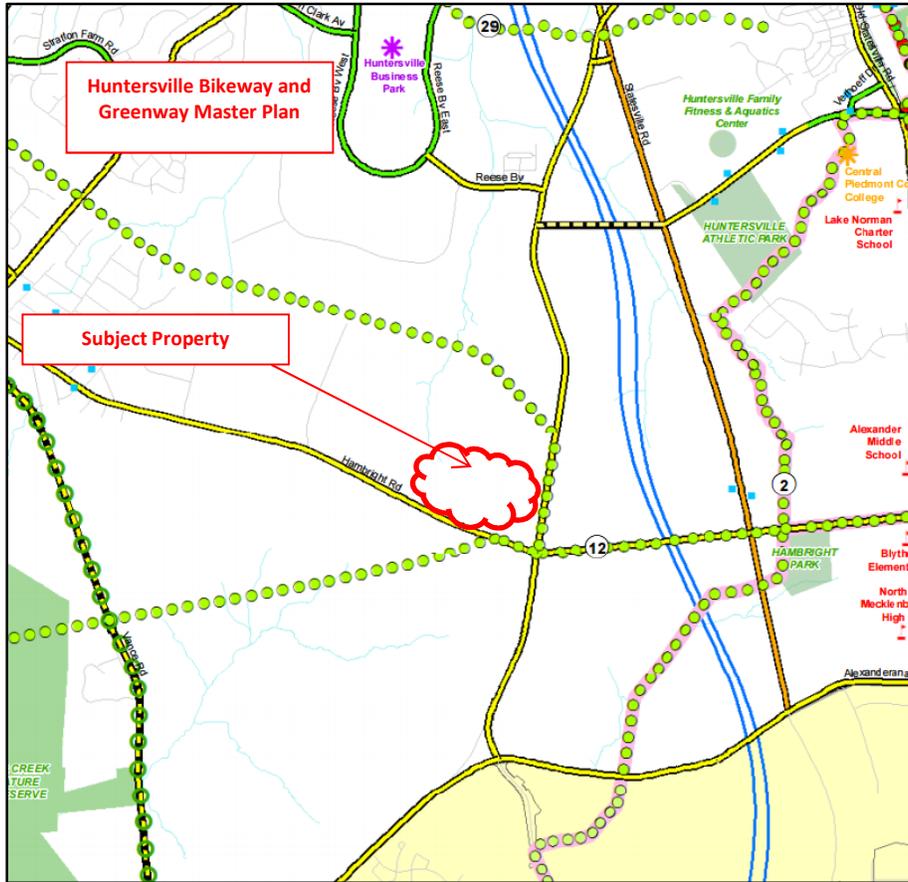
rezoning showing the layout of the proposed buildings, staff will review the multi-building preliminary site plan administratively at a later time.

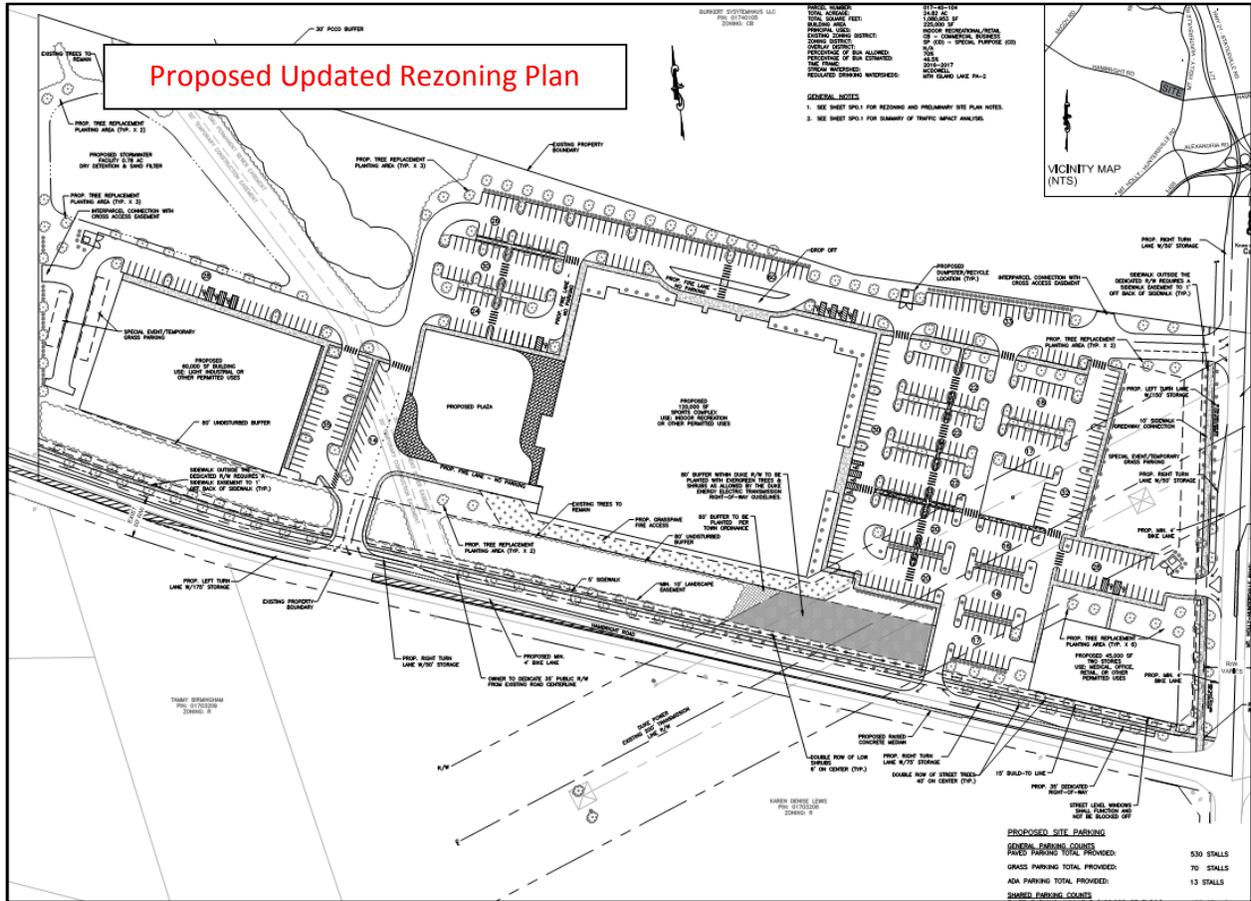
5. The proposed plan would include 3 buildings; one 120,000 sqft building, one 60,000 sqft building, and one two story 45,000 sqft building located at the corner of Mt. Holly Huntersville and Hambright Road. At this time, no buildings are assigned a specific use. A note on page SP0.1 states that the applicants reserve the right to allow any use in the (SP) zoning district except the ones they specifically prohibit. See staff comment in Part 2 below for recommendation on uses proposed.
6. The subject parcels are a portion of 330 acres that were rezoned by the Town of Huntersville from Transitional Residential (TR) and Rural Residential (R) to Corporate Business (CB) on September 5, 2006 (R06-07). The rezoning was in response to the North Mecklenburg County Economic Development Strategy plan (2002) that identified this area as appropriate for light industrial and other economic development type uses (please see below on this page).
7. The subject parcels are included in the area the Town of Huntersville Strategic Economic Development Plan (2014) identifies as a "Major Employment Area" (see page 3). It also identifies this area as both a "Medium-Term" and "Long-Term" Opportunity area in regard to economic commercial development. Portions of the economic development plan are included separately in the agenda package for reference.
8. A neighborhood meeting for this application was advertised for and held on August 22, 2016. An invitation list, attendance list and summary report for the meeting are included in the agenda packet.
9. Per the Huntersville Greenway and Bikeway Master Plan there is a proposed greenway that runs adjacent to this property along its frontage on Mt. Holly Huntersville Road. Please the Greenway and Bikeway map below. To accommodate the greenway, the applicants have proposed a 10 foot sidewalk along their frontage on Mt. Holly Huntersville Road.
10. The Lake Norman Economic Development Corporation (LNEDC) has written a letter of support of this development. The letter, along with a letter of support from the neighboring Burkert Corporation is included in your agenda packet for reference.



**Figure 8. Recommended Business and Industrial Locations and Priorities**







**PART 2: REZONING/SITE PLAN ISSUES**

- Latest information and updates for each site plan issue are highlighted below.
- Article 7.5 of the Zoning Ordinance requires that developments in the Special Purpose (SP) zoning district establish an 80 foot buffer adjacent to the street. However the buffer may be reduced “where building scale, frontage relationship, and location of accessory uses ensure design compatibility off site”. Therefore if the building has a frontage relationship to the street, with windows, doors, and is appropriately located on the front build to line (usually about 15 feet from the Right of Way (ROW)), the 80 foot buffer can be significantly reduced or eliminated, as a building “addressing” the street does not need to be buffered from it.

In this case though, the 120,000 sqft building is proposed to be 100 feet back from the proposed street right of way (ROW), has a very large scale and footprint, and has no streetscape characteristics like windows, doors, or architectural articulation on the façade facing Hambright Road. Please see the southern elevation attached in your agenda packets. Therefore with no relationship to the street, the 80 foot buffer is required along Hambright Road. Along a significant part of the Hambright frontage, the 80 foot buffer is accommodated for using existing vegetation. However due to an existing Duke Power ROW near the eastern most driveway on Hambright, there are no existing trees. And due to Duke Power regulations, none can be planted in the ROW to complete the 80 foot buffer and appropriately screen the building.

Staff therefore recommends two options: One, screen the building as much as possible. Add evergreen trees as close to the Duke ROW as possible. In addition add small evergreen vegetation/shrubs inside the Duke ROW

that will be small enough to be permitted by Duke, but tall enough to provide some visual screen and a softening of the large scale building. Or two, establish a relationship between the exposed front corner of the building and the street to the extent practical. Add architectural interest (windows, parapets, etc.) and an entrance to the front corner of the building and connect it to Hambright Road with a sidewalk, plaza, open space or other pedestrian space.

- Due to the Duke Power ROW, the applicant needs to request that the buffer requirements be “modified” as part of the conditional rezoning process per Article 11.4.7 K and show that the spirit of the regulation is maintained. Staff would support the modification of the buffer with the inclusion of the above mentioned elements in the plan.
- **UPDATE 12/7/16:** The applicant has revised the plan showing the Duke Power right of way being planted with “evergreen trees and shrubs allowed by the Duke Energy electric transmission right of way guidelines”. Although Duke Power will not allow evergreen trees to be planted in the right of way (maximum height 7 foot vegetation) and any shrubs that are planted will do little to buffer the very large building being proposed, staff finds the proposed buffer acceptable. With the large powerlines going through the property, it will be impossible to establish a planted buffer per ordinance along Hambright and Mt Holly Huntersville Roads. Staff still recommends though the note mentioned above be added requesting the buffer modification.
- The building renderings provided show large scale signage that does not conform to Article 10 of the Huntersville Zoning Ordinance. Wall signs are permitted on the street side of buildings up to a maximum of 10% of the wall façade or 128 sqft. On facades not facing the public street, up to 25% of the allowable area of the street facing sign (32 sqft) may be transferred to a façade not facing a street. The signage shown on the buildings exceed these standards. To obtain the signage proposed a Special Sign District would need to be applied for and approved by the Town Board per Article 10.11.1 of the Huntersville Zoning Ordinance.
  - **UPDATE 12/7/16:** The applicants have submitted updated building renderings that show smaller signage. In addition they’ve added a note (note #8 on sheet SP0.1) on the rezoning plan that states that the signage will conform to the zoning ordinance requirements. Staff finds this note acceptable.
- A note on page SP0.1 of the plan states that the applicant reserves the right to allow generally all uses in the SP district except certain ones specifically prohibited in the note. Many of the prohibited uses are appropriately ones that could have substantial effects on adjacent properties, such as waste incineration, landfills, and junk yards. However uses such as residential recycling centers, mini-storage warehouses, and heavy manufacturing are not included in the uses prohibited. For clarity, staff recommends the uses proposed to be allowed be listed, and all others prohibited.
  - **UPDATE 12/7/16:** The applicants have altered the note as recommended by staff. On SP0.1 there is now a permitted use note that identifies certain uses and prohibits all other uses not listed. Staff however is concerned with a few of the uses proposed to be permitted. Considering this area is has been identified for economic development purposes and its proximity to residential development, staff does not recommend amusement facilities, outdoor theaters (as a principle use), and commercial kennels be included in the uses permitted. In addition contractor office “accessory storage yards” could require special screening and buffering that this conditional plan is not taking into consideration. Therefore staff would not recommend including that use without an understanding of where it would go and how it would be buffered from the street and surrounding properties.
  - **UPDATE 1/3/17:** The list of permitted uses has again been altered to remove things like outdoor amusement facilities, agricultural industries, kennels, etc. Staff is supportive of the updated use list.
- The proposed road improvements along Hambright Road have the sidewalk 26 feet from the road’s edge of pavement, removing the pedestrian environment from the street. Staff recommends the sidewalk and street trees be moved as closer to the street and inside the future right of way if possible.
  - **UPDATE 12/7/16:** The updated plans have shifted the sidewalk and street trees a bit closer to the street. Staff however is still working with the applicant on the cross section to make sure the road improvements are as close as possible.

- The building on the corner is placed too far back from the street. Article 4 of the zoning ordinance requires that standard buildings (workplace building types or highway commercial) be placed 15 feet from the future/dedicated right of way. The proposed building at the corner is about 53 feet from the future Hambright Road ROW and 29 feet from the future Mt. Holly Huntersville Road ROW.
  - **UPDATE 12/7/16**: The building envelope on the updated plans has been moved up toward Hambright Road. Due to the configuration of the existing right of way at the intersection, it is difficult to get the building up completely to the corner and to the 15 foot build to line of both streets. Staff finds the current orientation acceptable as being conforming to the spirit of the ordinance to the extent practicable.
- Article 4 of the Huntersville Zoning Ordinance requires that buildings have a pedestrian entrance on the street. No pedestrian entrance is shown on the building elevations. In addition, if multiple different businesses are proposed on the floor level of the building, multiple street connections and doors will be required. Therefore the architectural elevations and the site plan should be amended to reflect this requirement. Or, if future tenant space is not clearly understood, a note on the plan should state that all floor level units will have required pedestrian access accommodated for.
  - **UPDATE 12/7/16**: The applicants have added a note on page SP0.1 (note #5) which states “For buildings that address the public right of way, functional doors shall be provided along the street and allow pedestrian access to the building from the street”. Staff recommends that this note be amended to include “ground floor units in buildings that address the public right of way....” to include the provision of multiple tenants being located in the building.
  - **UPDATE 1/3/17**: The note has been amended to read as described above.
- Due to the increased setback of the corner building from the street, the proposed parking area and dumpster in the side parking area extends into the front of the building. Article 4 of the zoning ordinance prohibits parking and the dumpster from being located in between the building and the street. The dumpster is required in the rear of the building. If the entrance is on Hambright Road as shown on the site plan, the dumpster location is in the side of the building and should be moved to the rear.
  - **UPDATE 12/7/16**: The building has been moved up to Hambright Road and the dumpster has been moved behind the building in the rear parking area.
- The plans submitted show two different elevation sets that do not match. Clarification is needed on what elevations are proposed.
  - **UPDATE 12/7/16**: The older versions of the elevations have been removed from the submittal.
- It is unclear on the plans where the water and sewer service is coming from. Staff recommends the utility connections proposed be shown on the plans.
  - **UPDATE 12/29/16**: On sheet SP0.1 of the rezoning plans note #9 and 10 were added describing the sewer and water service. Water service is described as being from a water main extension down Hambright Road. Sewer connection is to an existing main that runs through the property.
- The plans submitted show that less than the required 30% specimen trees are going to be saved. Therefore mitigation is required to be approved by the Planning Board per Article 7.4 of the zoning ordinance. The plan itemizes correctly that 18 trees are required for mitigation, but does not show where the trees are going to be planted on the site.
  - **UPDATE 12/29/16**: On sheet RZ1 of the rezoning plans various locations are labeled as “proposed tree replacement planting area”. It is assumed these are the mitigation tree planting locations proposed. The proposed locations seem to be acceptable. Exact locations can be determined at the construction document/permitting stage.
- The TIA has been completed and the first draft has been submitted to the engineering department for review. A draft list of traffic improvements has been included on the plan, but these have yet to be reviewed and accepted by engineering. Also, when the list of improvements is accepted, they need to be listed on the plan and committed to by the applicant.
  - **UPDATE 12/7/16**: The first review of the submitted TIA was completed and comments sent back to the applicant on 11/4/16. The updated TIA was resubmitted on 12/7/16 and has not yet been re-reviewed.

According to Article 14.2.3 of the Zoning Ordinance the TIA must be completed and accepted by Town staff prior to final action by the Town Board.

- The rezoning plan has been updated showing two columns of information on sheet SP0.1. One column lists the traffic improvements identified by the drafted TIA, and the other lists traffic improvements committed to by the developer. The TIA has not been accepted by transportation staff so this list cannot yet be validated. Also, it should be noted that those two lists do not match thus the developer is not proposing to install some of what is required by the TIA and the Huntersville Zoning Ordinance. Also, the note states under the “Traffic improvements committed to by developer” that they are “to be determined”. It is unclear then what traffic improvements are required and/or committed to at this time.
- UPDATE 1/3/17: Please find the updated TIA report from transportation staff in Part 3 below.
- A storm water concept plan has not yet been approved for this project. Once must be finalized and approved prior to permitting.
  - UPDATE 1/3/17: Mecklenburg County has approved the proposed storm water concept plan for the application.
- UPDATE 12/7/16: In the updated submittal the pedestrian corridors within the large eastern parking lot were removed. Those corridors were required per Article 6 of the Huntersville Zoning Ordinance. The pedestrian corridors need to be re-established on the rezoning plan showing general conformance to the ordinance.
  - UPDATE 12/19/16: The pedestrian corridors were replaced back onto the plan and are in general conformance with the zoning ordinance.

**PART 3: TRANSPORTATION ISSUES – UPDATE 1/6/17**

Traffic Impact Analysis (TIA)

A sealed TIA was received on 12/7/16 and has been accepted by staff as a final version. Below is a comparison of the roadway improvements needed to meet Article 14 of the current Zoning Ordinance and improvements that would be required to meet the Draft TIA Ordinance/NCDOT requirements.

Improvements needed to meet current Zoning Ordinance and NCDOT Requirements	Improvements needed to meet Draft Ordinance and NCDOT requirements
<u>McCoy Road at McIlwaine Road</u> - Northbound left-turn lane on McCoy Road with 175 feet of storage	<u>McCoy Road at McIlwaine Road</u> - Northbound left-turn lane on McCoy Road with 175 feet of storage
<u>McCoy Road at Hambright Road</u> - Westbound right-turn lane on Hambright Road with 100 feet of storage	<u>McCoy Road at Hambright Road</u> - Westbound right-turn lane on Hambright Road with 100 feet of storage
<u>Hambright Road at Mt Holly Huntersville Road</u> - Eastbound left-turn lane on Hambright Road with 200 feet of storage - Westbound left-turn lane on Hambright Road with 150 feet of storage** - Extend the northbound left-turn lane on Mt Holly Huntersville Road to have 400 feet of storage** - Add protective/permitted phasing to northbound and southbound left-turn lanes **	<u>Hambright Road at Mt Holly Huntersville Road</u> - Eastbound left-turn lane on Hambright Road with 200 feet of storage - Westbound left-turn lane on Hambright Road with 150 feet of storage** - Extend the northbound left-turn lane on Mt Holly Huntersville Road to have 400 feet of storage** - Add protective/permitted phasing to northbound and southbound left-turn lanes **

Gilead Road at McCoy Road

- Re-phase traffic signal for eastbound left turn lane from permitted to protected/permitted

Reese Boulevard at Mt Holly Huntersville Road

- Install a traffic signal
- Northbound second left-turn lane on Mt Holly Huntersville Road with both turn lanes extended to 225 feet of storage

Gilead Road at NC 115 (Old Statesville Road)

- Westbound right-turn lane on Gilead Road with 175 feet of storage

Mt Holly Huntersville Road at NC 115 (Old Statesville Road)

- Southbound right-turn lane on NC 115 with 100 feet of storage

Hambright Road at Driveway #1 (western most)

- Eastbound left-turn lane on Hambright Road with 175 feet of storage
- Westbound right-turn lane on Hambright Road with 100 feet of storage
- Separate left and right turn lanes on Driveway

Hambright Road at Driveway #2 (eastern most)

- Concrete median on Hambright Road to restrict the driveway to right-in/out only
- Westbound right-turn lane on Hambright Road with 100 feet of storage

Mt Holly Huntersville Road at Driveway #3 (southern most)

- Remove/Eliminate Driveway\*\*

Mt Holly Huntersville Road at Driveway #4 (northern most)

- Northbound left-turn lane on Mt Holly Huntersville Road with 100 feet of storage
- Southbound right-turn lane on Mt Holly Huntersville Road with 100 feet of storage
- Separate left and right turn lanes on Driveway

Hambright Road at Driveway #1 (western most)

- Eastbound left-turn lane on Hambright Road with 175 feet of storage
- Westbound right-turn lane on Hambright Road with 100 feet of storage
- Separate left and right turn lanes on Driveway

Hambright Road at Driveway #2 (eastern most)

- Concrete median on Hambright Road to restrict the driveway to right-in/out only
- Westbound right-turn lane on Hambright Road with 100 feet of storage

Mt Holly Huntersville Road at Driveway #3 (southern most)

- Remove/Eliminate Driveway\*\*

Mt Holly Huntersville Road at Driveway #4 (northern most)

- Northbound left-turn lane on Mt Holly Huntersville Road with 100 feet of storage
- Southbound right-turn lane on Mt Holly Huntersville Road with 100 feet of storage
- Separate left and right turn lanes on Driveway

\*\*NCDOT provided comments on the TIA on 1/5/17.

Site Plan

Minor revisions on the site plan are needed.

<b>PART 5: REZONING CRITERIA</b>
----------------------------------

**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.** The proposed development is appropriately located inside the 2 mile radius and is very close to Interstate 77.
- **Policy T-6: Pedestrian Connections.** The applicant is installing an extra wide sidewalk along Mt. Holly Huntersville and bike lanes along both its frontages to accommodate the greenway and bike lanes shown on the Huntersville Greenway and Bikeway Master Plan.

STAFF COMMENT – Staff finds the proposed use not consistent with the following policies of the **2030 Huntersville Community Plan**:

- **Policy ED-2: Preservation of Land Area for Non-Residential Development.** Both the Town of Huntersville Strategic Economic Development Plan (2014) and the 2030 Community Plan state that the Town should preserve areas that are “suitable for business and industrial development”. As discussed above, the area in question was zoned to Corporate Business (CB) in order to accommodate for business and industrial uses. While the proposed application submitted does include some office uses, the notes on the plan would allow an unlimited percentage of retail uses as well. If that is the case, it becomes questionable whether or not it is providing the economic development impact and benefit intended by the adopted plans. Staff recommends the applicant clarify what buildings or what percentage of buildings are proposed to be indoor recreation and retail; and what will be office, manufacturing, or other high employment generating uses.
  - **UPDATE 12/7/16:** On sheet SP0.1 the applicants added a maximum or “cap” to the uses proposed (note #3 under “permitted uses”). They propose to limit their retail uses to 75,000 sqft and their office to 150,000 sqft. The indoor recreation use and light industrial uses would be permitted to be 100% of the proposed development, or 225,000 sqft.
    - Planning staff finds the maximums acceptable. However it should be clarified which of the proposed permitted uses fall into which “maximum” category. For instance, amusement facilities are proposed to be permitted. Is that meant to be included in the retail category which is limited, or the indoor recreation category which is not limited? Staff recommends the permitted use notes be clarified.
    - **UPDATE 1/3/17:** The note has been modified to delineate which uses fall under which category. The uses not clear have been included in the “retail” category which is limited to 75,000 sqft. With the clarifying notes and specified use restrictions, staff no longer views the application as inconsistent with the 2030 Community Plan.
  - The Lake Norman Economic Development Corporation (LNEDC) has reviewed the application and offers its support. Please find their letter of support attached in the agenda packet.
- **Policy CD-6: Architecture and Place Making.** As mentioned in Part 2 above, the building on the corner of Mt. Holly Huntersville Road and Hambright is set considerably further back from the streets than required, reducing its relationship to the street. In addition, this building’s required pedestrian access to the street is not currently understood. The largest building in the middle of the site is not fully buffered per ordinance requirements near

the Duke Power ROW. The architecture proposed along the street side in this area seems to be a large flat wall with no articulation other than the non-conforming sign element. The signage of the buildings proposed is large and not in conformance with the Huntersville Zoning Ordinance.

- **UPDATE 12/7/16:** The rezoning plan shows the corner building moved up to Hambright Road, the buffer filled in underneath the powerlines to the extent practical, the signage proposed has been reduced significantly, and a note has been added stating the buildings will have functional accesses on the street. Staff no longer finds this proposed development inconsistent with this policy.

**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:**

Although there is no Special Purpose (SP) zoning anywhere in the immediate facility, the proposed SP zoning would not necessarily be out of character with the existing zoning of the area. Although most of the area as discussed is zoned Corporate Business (CB), Special Purpose is very similar to Corporate Business in that it specifically allows all the uses allowed in CB, including office, industrial, warehouse, etc. However, the difference is that Special Purpose allows uses that “may constitute health or safety hazards, or have greater than average impacts on the environment or diminish the use and enjoyment of nearby property by generation of noise, smoke, fumes, odors, glare, commercial vehicle traffic, or similar nuisances”. Therefore in order to mitigate those potential impacts, be more consistent with the CB district as well as other recently developed industries in the area, appropriate notes should be added to the plan excluding certain uses that could have greater than average impact on adjacent properties (especially considering Rural (R) residential zoning existing south of Hambright Road). An existing note on the plan does prohibit some uses, but not all. Staff recommends the uses proposed and allowed be specifically listed, while all others like residential recycling facilities and heavy manufacturing facilities be prohibited.

- **UPDATE 12/7/16:** As mentioned above, the new “permitted uses” note on page SP0.1 does prohibit all uses not specifically listed in the note, thus removing most of the SP uses from consideration. However, proposed to be permitted are outdoor amusements, outdoor dog kennels, outdoor contractor storage yards, and outdoor theatres. Staff and the Lake Norman EDC have concerns that these proposed uses would not be appropriate in this location due to the proximity to residential development and the location’s identification as an area of economic development potential.
- **UPDATE 1/3/17:** As mentioned above, the permitted uses note has been further modified to remove uses such as agricultural industries, outdoor amusements, dog kennels, contractor storage yards etc. Staff finds the proposed use list acceptable and consistent with surrounding development.

- 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:**

- In regard to the adequacy of the roadway system, the Traffic Impact Analysis (TIA) has been submitted and and the rezoning plan notes several road improvements needed for mitigation on sheet SP0.1 As of the date of this report, engineering staff has not completed their review of the submitted TIA. The final and sealed TIA must be completed and accepted prior to Town Board final action.
  - **UPDATE 11/8/16:** Staff has completed their review and forward their comments to the applicant on Friday 11/4/16. Please find the comments included in the agenda package.

- **UPDATE 12/7/16:** The updated TIA was submitted on 12/7/16 to the Town and has not yet been reviewed by Town Transportation Staff.
- **UPDATE 1/3/17:** The TIA has been accepted by transportation staff. Please see Part 3 above for transportation comments.
- On October 24, 2016 the Planning Department issued a “Determination of Adequacy (DOA)” for Fire Vehicles and Station Space, and Police Station Space. *However a “Determination of No Available Capacity (DONAC) was issued for Police Vehicles.* Therefore prior to the issuance of the Certificate of Occupancy for the first building, capacity for Police Vehicles would need to be accommodated for or mitigation will be required from the applicant.
  - **UPDATE 1/3/17:** On December 13, 2016 the Planning Department issued a revised “Determination of Adequacy (DOA)” for all applicable public facilities (Fire Vehicles, Fire Facilities, Police Facilities, and Police Vehicles). An alternate demand factor was applied to the use which reduced the allocated capacity of the use down to 123,000 sqft. Please find the DOA letter attached in your package.

**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 – UPDATE 11/8/16**

The Public Hearing was held on November 7, 2016. No one from the public spoke on the application. Discussion from the public hearing included the outstanding site plan comments from staff, the architecture of the development and the Traffic Impact Analysis status of review.

**PART 6: STAFF RECOMMENDATION – UPDATE 1/3/17**

Staff recommends approval with the conditions noted above in part 2 and 3:

- Buffer modification request is noted on the plans.
- Any remaining minor staff comments are addressed.

**PART 7: PLANNING BOARD RECOMMENDATION**

On November 15, 2016 the Planning Board continued the review of the application until its December 20, 2016 meeting in order for the applicant to finalize the TIA and address staff comments.

At the December 20, 2016 meeting the Planning Board by a 5-3 vote recommended approval of the application with the following conditions:

- Tree Mitigation is approved as shown, with final tree locations determined by staff.
- The applicants work with staff to move the sidewalks as close to the street as possible.
- The storm water concept plan is approved by Mecklenburg County LUESA.
- Minor outstanding comments of the site plan are addressed.

- Mitigation of the intersection of Reese Boulevard and Mt Holly Huntersville Road is included in the required intersection modifications in addition to the ones committed to by the applicant.

During the planning board discussion, there was much discussion about the TIA and whether or not the proposed TIA text amendment language was beneficial and should be considered in conjunction with the approval of this application. There was also discussion on whether or not this type of use was best suited to this specific location and if the plan was consistent with the 2030 Community Plan in regard to economic development.

**PART 8: CONSISTENCY STATEMENT – R16-08 Huntersville Sports Complex**

Planning Department	Planning Board	Board of Commissioners
<p><b>Approval:</b> In considering the proposed rezoning of Petition R16-08, Huntersville Sports Complex located on Hambright Road, Planning Staff finds that the rezoning is consistent with CD-2, ED-2, and T-6 of the Huntersville 2030 Community Plan. We recommend approving the conditional rezoning plan for the Huntersville Sports Complex as shown in Rezoning Petition R16-08. It is reasonable and in the public interest to rezone this property because the use restrictions will ensure compatibility of uses adjacent to the site, the TIA improvements committed to are consistent with the draft TIA text amendment, and the application is conforming to the site requirements of the Huntersville Zoning Ordinance.</p>	<p><b>APPROVAL:</b> In considering the proposed rezoning of Petition R16-08, Huntersville Sports Complex located on Hambright Road, the <b>Planning Board</b> finds that the rezoning is consistent with the Town of Huntersville 2030 Community Plan and other applicable long range plans. The Planning Board recommends approving the conditional rezoning plan for the Huntersville Sports Complex as shown in Rezoning Petition R16-08. It is reasonable and in the public interest to rezone this property because after working with Town staff, the Sports Complex has worked to provide an appropriate site for economic development, with appropriate conditions attached.</p>	<p><b>APPROVAL:</b> In considering the proposed rezoning of Petition R16-08, Huntersville Sports Complex located on Hambright Road, the <b>Town Board</b> finds that the rezoning is consistent with the Town of Huntersville 2030 Community Plan and other applicable long range plans. We recommend approving the conditional rezoning plan for the Huntersville Sports Complex as shown in Rezoning petition R16-08. It is reasonable and in the public interest to rezone this property because... <i>(Explain)</i></p>
<p><b>DENIAL:</b> N/A</p>	<p><b>DENIAL:</b> In considering the proposed rezoning of Petition R16-08, Huntersville Sports Complex, located on Hambright Road, the <b>Planning Board</b> finds that the rezoning is not consistent with the Town of Huntersville 2030 Community Plan and other applicable long range plans. We recommend denial of Rezoning Petition R16-08. It is not reasonable and not in the public interest to rezone this property because..... <i>(Explain)</i></p>	<p><b>DENIAL:</b> In considering the proposed rezoning of Petition R16-08, Huntersville Sports Complex, located on Hambright Road, the <b>Town Board</b> finds that the rezoning is not consistent with the Town of Huntersville 2030 Community Plan and other applicable long range plans. We recommend denial of Rezoning Petition R16-08. It is not reasonable and not in the public interest to rezone this property because..... <i>(Explain)</i></p>