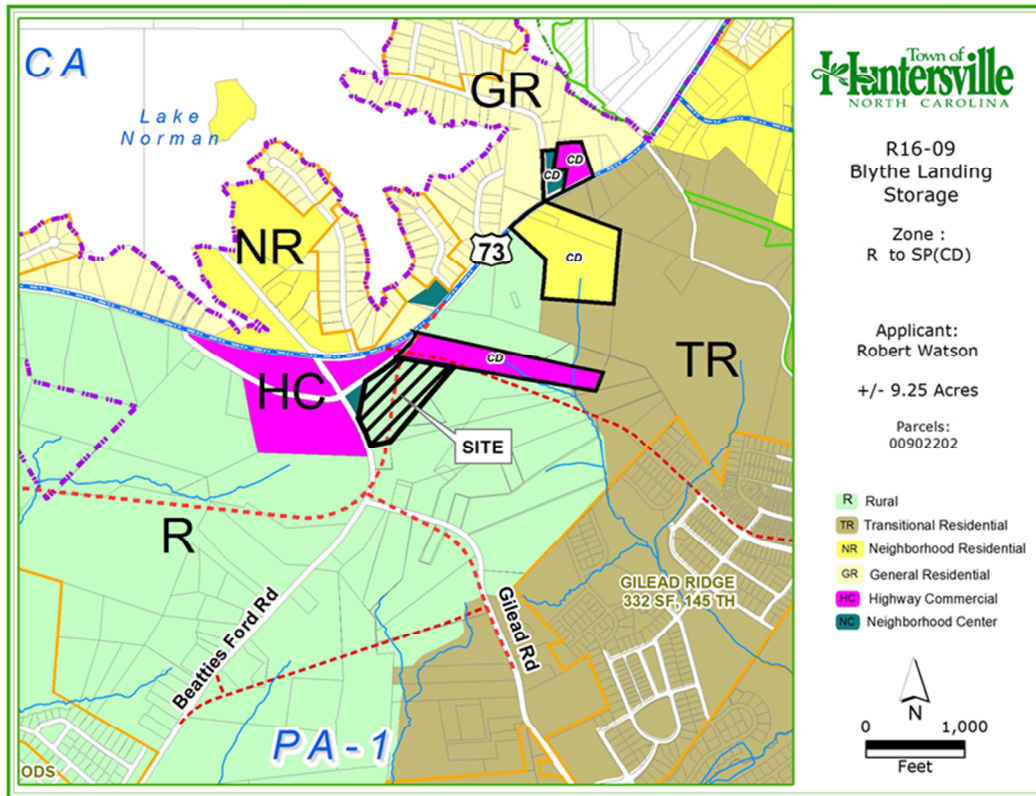


Petition R16-09: Blythe Landing Mini-Storage

PART 1: PROJECT SUMMARY

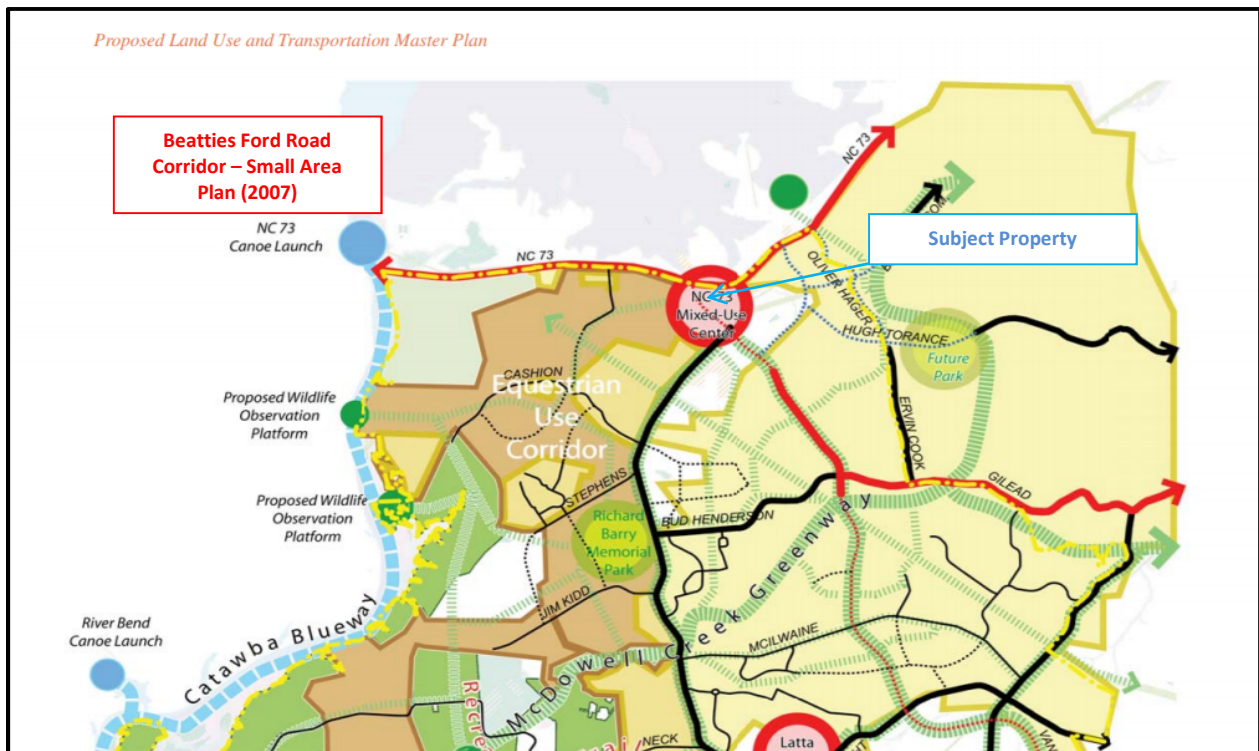


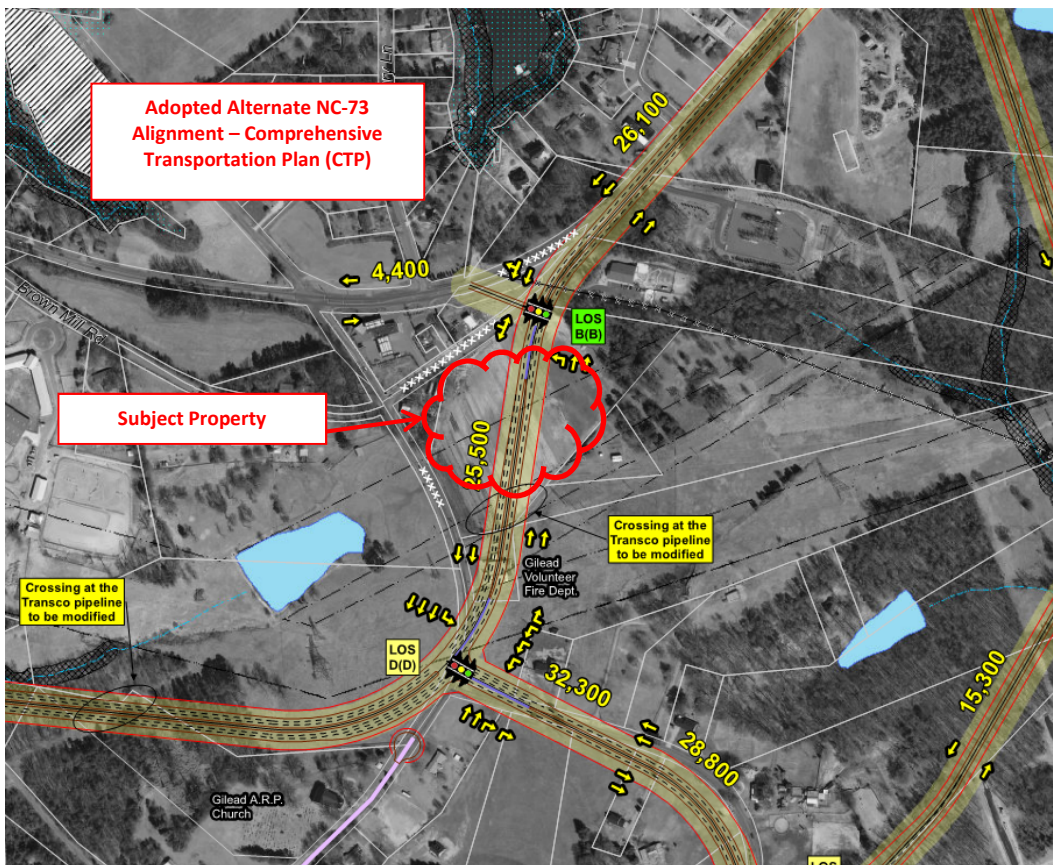
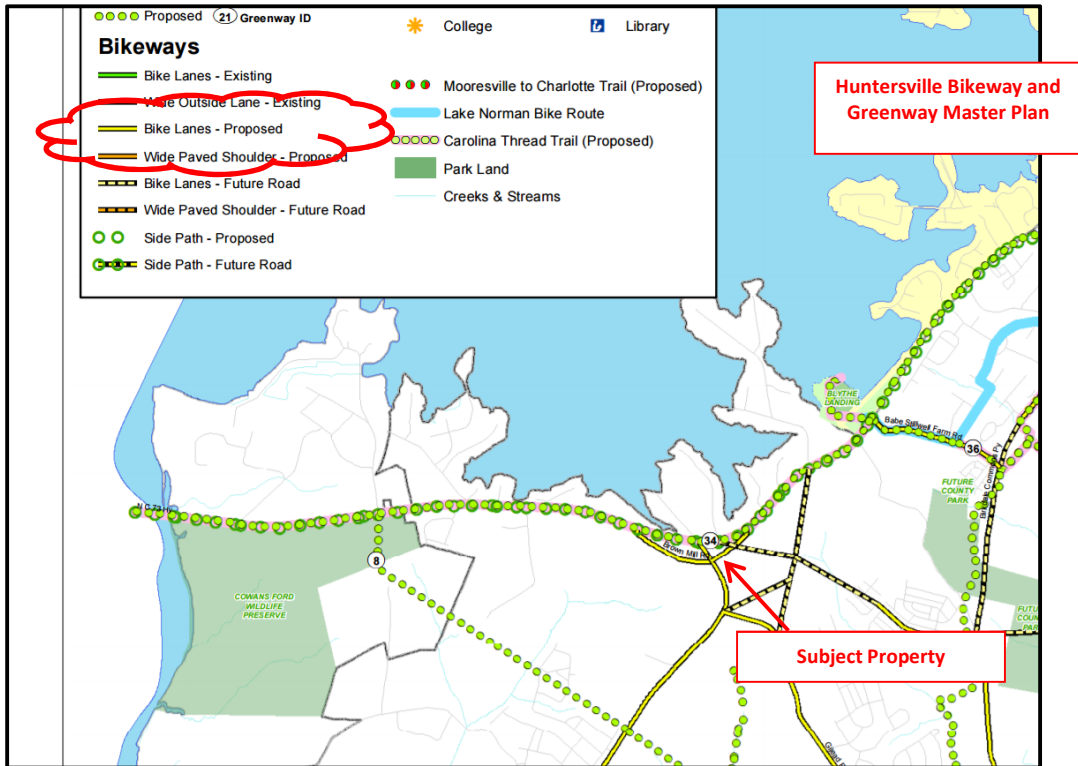
Applicant: Bob Watson
Property Owner: Daniel Phillips, Madeline Phillips, and Helga Haddix
Property Address: 14936 Brown Mill Road
Project Size: 9.38 acres (portion of existing parcel)
Parcel Numbers: Portion of 00902202
Existing Zoning: Rural (R)

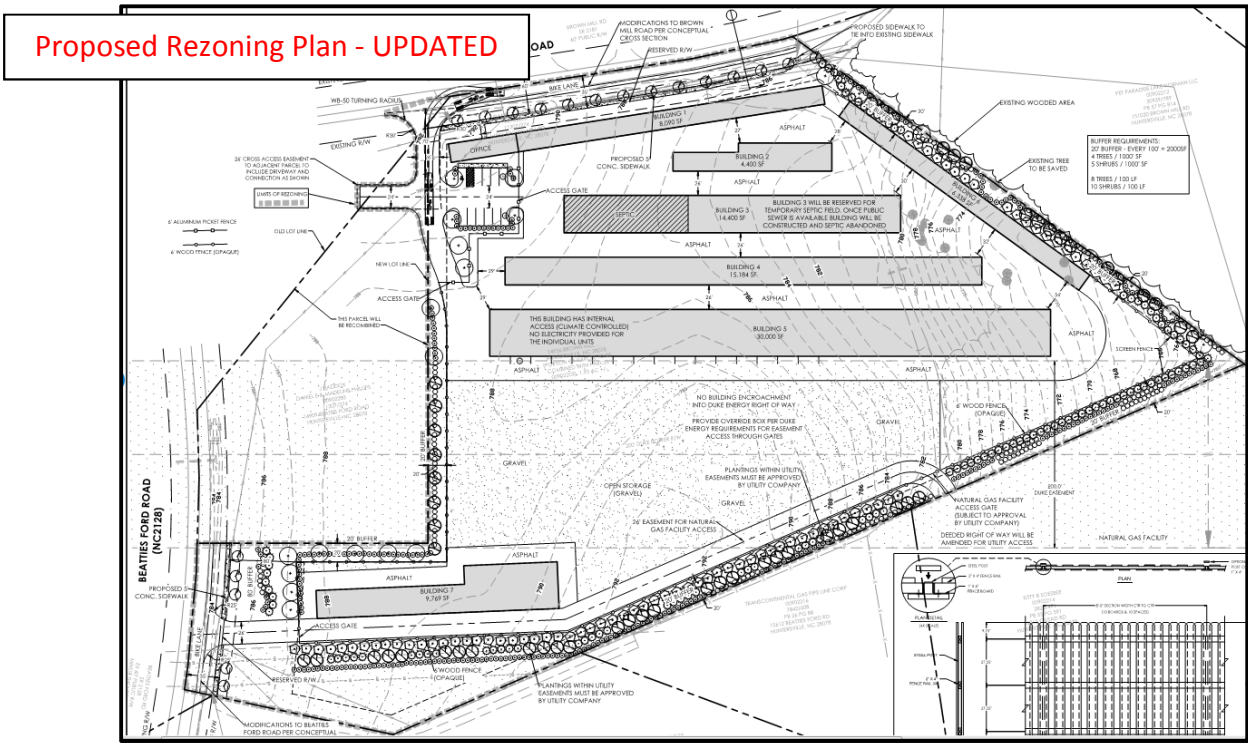
Application Summary:

- Daniel Phillips, Madeline Phillips, and Helga Haddix have proposed to rezone a portion of their property at 14936 Brown Mill Road from Rural (R) to Special Purpose Conditional District (SP-CD). The purpose of the rezoning is to develop a 123,225 ft² mini storage facility.
- Adjoining Zoning and Land Uses
North: Neighborhood Center (NC), Old Store Market, Highway Commercial (HC), Grease Monkey Automotive Oil Change Service
South: Rural (R), Huntersville Fire Station #1, Single Family Residential, Piedmont Natural Gas Regulator Facility
East: Highway Commercial Conditional District (HC-CD), Pet Paradise Grooming Facility, Rural (R), Vacant Land
West: Highway Commercial (HC), Farm Land, Rural (R), Vacant Land and Horse Stables
- Mini-storage facility uses are only allowed under the Town of Huntersville Zoning Ordinance in the Special Purpose (SP) zoning district, therefore the application for the ministorage facility development is to rezone to SP-CD.
- The plans submitted include a survey that states that 1.67 acres of the parcel in question will be recombined with the property at the corner of Brown Mill Road and Beatties Ford Road. This recombination of lots is essentially a shifting of the lot line and does not create any additional lots. Therefore the subdivision ordinance would not be applicable per Article 2.100 of the Huntersville Subdivision Ordinance (subdivision definition). Staff recommends that the rezoning plan also include a note that clarifies the intent to recombine.

5. The subject parcel is located in an area studied by the Beatties Ford Road Corridor Small Area Plan. The plan calls for the area around the intersection of NC-73 and Beatties Ford Road to be developed as a “Mixed-Use Center”. Please see the land use and transportation master plan of the Beatties Ford Road small area plan below on this page.
6. Per the Huntersville Greenway and Bikeway Master Plan both Beatties Ford Road and Brown Mill Road are bikeway routes with proposed bike lanes. Please see the Greenway and Bikeway map below. To accommodate the bikeway plan, the applicants have proposed to add bike lanes along their frontages of Beatties Ford Road and Brown Mill Road. Please see the proposed rezoning plan below on page 3.
7. The property in question lies in the path of the proposed NC-73 Realignment on the Comprehensive Thoroughfare Plan (CTP). This alignment was recommended by the Town Board by 3-2 vote on September 6, 2011 and adopted by the Mecklenburg-Union Metropolitan Planning Organization (MUMPO, now the Charlotte Regional Transportation Planning Organization (CRTPO)) on November 16, 2011. Please see the adopted NC-73 realignment added to the CTP on page 3 below.
8. A neighborhood meeting for this application was advertised for and held on September 28, 2016. An invitation list, attendance list and summary report for the meeting are included in the agenda packet.







PART 2: REZONING/SITE PLAN ISSUES

- 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.

The reduction of the buffer based on architecture only applies along the street. Along the other property lines the 80 foot buffer is required by ordinance no matter what the buildings look like. By way of the conditional rezoning process per Article 11.4.7 (K), the Town Board may modify “standards established in the zoning or subdivision ordinance provided the spirit of the regulations are maintained”.

- The plans have been updated to show some buffering around the perimeter of the property ranging from 10 to 80 feet in width. However most of the buffering along the residential property lines is between 10-20 feet. There is a note concerning the buffer on the rezoning plan but it does not request a modification of the requirements or explain how they intend to meet the spirit of the 80 foot buffer requirements.
 - The purpose of the 80 foot buffer is to “exclude visual contact, create spatial separation and to minimize any adverse impacts on adjacent properties”, per Article 7.5.1. In short, the intent of the buffer requirement is to make it seem like the use is not there. No visual contact of the use is present. In past rezoning cases, the 80 foot buffer has been reduced, but staff is not aware of any reduction as significant as the one proposed. Staff has a concern that the proposed reduced buffer does not “create spatial separation” and “exclude visual contact” as intended by the ordinance. Depending on the landscaping proposed, the buildings will be visible. Especially so where the height of plantings is restricted due to utility line easements.

- Mecklenburg County is reviewing the rezoning plan for storm water concept plan conformance. The concept plan has not been approved.
- The proposed use note on the rezoning plan needs to be clarified to read that “all other uses in the SP district are not allowed.”
- The proposed rezoning line has been shown on the plan but it is specifically following the driveway location proposed on Brown Mill Road. Although staff sees value in including the driveway in commercially zoned property, it is not necessary to specifically outline the driveway with the rezoning line. Such a precise line that is not based on property boundaries could be difficult to map and locate. If expanding the rezoning line to additional property that includes the driveway is not desired, simply having the rezoning line follow the new recombination property line will be acceptable to staff. Staff does not recommend though that the rezoning line follow the driveway.

PART 3: TRANSPORTATION ISSUES – UPDATED 1/13/17

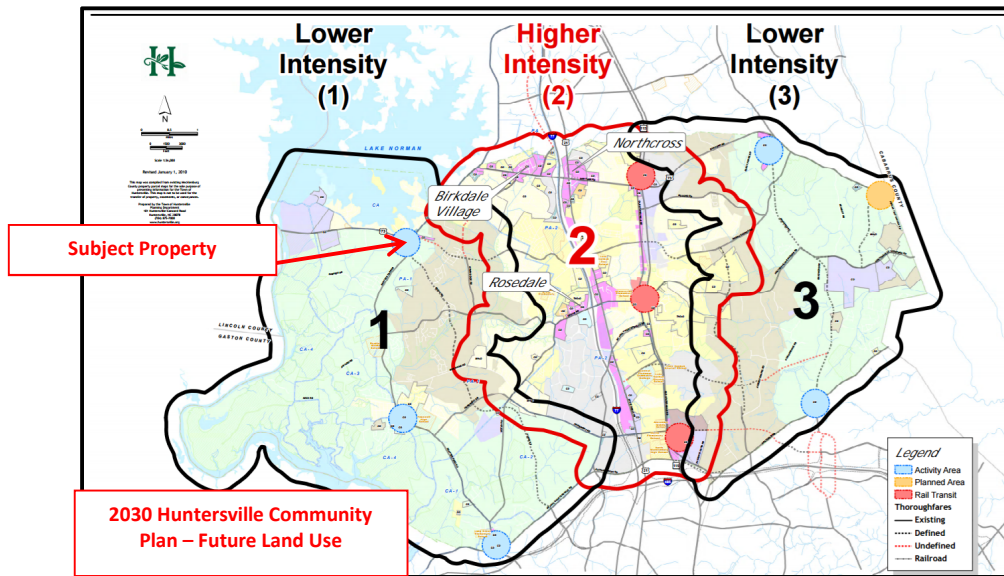
- TIA was not required based on the land use and intensity proposed on the TIA determination form but a new determination is needed to see if one is (TIA determination was for 116,300 square feet while 122,200 was included on the latest site plan.
- Many errors exist on the typical street sections that need revision.
- The property proposed to be rezoned currently lies directly within the path of the adopted realignment of NC-73.

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 or within the identified nodes and centers.** The proposed development is located in the activity area “node” identified in the 2030 plan. Please see the 2030 future land use map below.
- **Policy T-6: Pedestrian Connections.** The applicant is installing bike lanes along their frontage, consistent with 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 CD-1: Land Use/Transportation Integration.** This policy calls for the continued integration of land uses and transportation elements along with consistency with adopted long range plans. As described below on page 8, the proposed development lies directly in the path of the approved NC-73 realignment. Therefore the proposed land use plan fundamentally conflicts with current approved transportation plans.
- **Policy CD-5: Infrastructure.** This policy calls for adequate public infrastructure to either exist or be made available to support all new development. Similar to the concern above, the proposed development lies directly in the path of the NC-73 realignment. The approval and construction of this development could impede the construction of the NC-73 realignment, thus hindering the extension of public infrastructure to the area.
- **Policy CD-3: Commercial Development Principles.** Although the location of the proposed development is inside the identified “activity node” in the 2030 plan, the 2030 plan also states that these areas should “*encourage mixed-use development pattern at key nodes as identified in Small Area Plans, ensuring an appropriate mix of residential, commercial, and employment uses...*”. The Beatties Ford Road Corridor Small Area Plan (BFRCSAP) identifies this node as a mixed use node as described above. Section 6.4.3 of the BFRCSAP states that “a mixed use commercial center containing retail, multi-family residential, and civic uses is proposed at the northern end of the study area where Beatties Ford Road, Vance Road and NC-73 intersect”. Please find pages 45-49 of the BFRCSAP attached in the agenda packets for your reference. Some of the uses mentioned in the description of mixed uses nodes or “hamlets” include office, retail, multi-family residential, and civic. Mini or Self Storage is not a use described. In addition, the proposed development has only a small mixed use component, nor is it part of an overall larger development where other uses envisioned in the plan are proposed in later phases. To better comply with this section of the plan, staff recommends the applicant consider mixing other retail or office uses along with the proposed self-storage use. In other areas around the region, it is becoming more common for offices and retail to be established in the front of a storage facility near the street while the storage facility is recessed back in the rear. While this is admittedly more common in urban areas, it would better meet the intent of providing a mixture of uses in the development as described in the small area and community plans.
 - The updated plan includes no mixed use component. Please find below photo examples of mixed use mini-storage that is being planned in Charlotte. As mentioned above, to meet the requirements of the 2030 plan and the BFRCSAP, staff recommends this development incorporate these type of principles with office/retail in the front near the street, and mini-storage in the rear and/or above.


- According to the applicant the office area on Brown Mill Road will have room to accommodate 6 different office uses that will be leased out by the owner.

Are more standards needed for mixed-use, self-storage projects in Charlotte?




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Pamlico Investments has proposed a 150,000-square-foot, five-story development at the intersection of East 10th Street and Seigle Avenue. It would include 10,000 square feet of non-storage uses on the ground floor, including retail, with climate-controlled self-storage units above it.





Rendering of a proposed mixed-use, self-storage facility in north Charlotte. Submitted as part of a rezoning request.
ADW Architects

BY ELY PORTILLO
elyportillo@charlotteobserver.com

A new kind of project is in the works at the Interstate 485/Prosperity Church Road interchange: A self-storage facility that's mixed-use.

Plans filed recently with the city of Charlotte call for a new building that would include offices, shops and a large self-storage facility, integrated into the same building just south of the interchange. The land is currently vacant and wooded.

The three-story project would include:

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STAFF COMMENT – Staff finds the proposed use not consistent with the Adopted Comprehensive Transportation Plan (CTP)

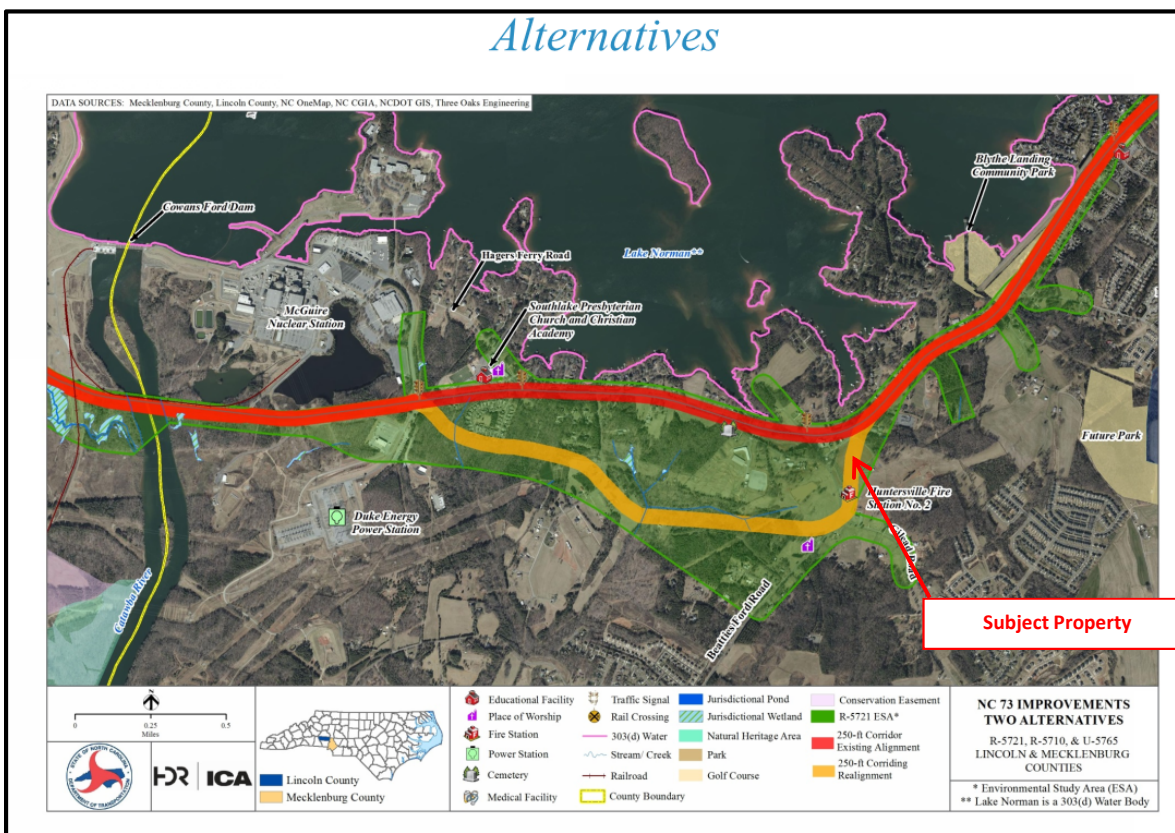
- The widening and improving of NC-73 in the area of Beatties Ford Road (State Project number R5721) is scheduled for construction on the North Carolina Transportation Improvement Program (NCTIP) for the year 2023. The property proposed to be rezoned currently lies directly within the path of the adopted realignment of NC-73. This alignment was recommended by the Town Board and then adopted into the Comprehensive Transportation Plan (CTP) by the Charlotte Regional Transportation Planning Organization (CRTPO) in November 2011. The North Carolina Department of Transportation (NCDOT) has recently begun conducting an Environmental Study for R5721 and will study the environmental and historical impacts of two potential alternatives; the expansion and improvement of the current alignment of NC-73 and that of the new realignment alternative adopted. Please see the study alternative map below on page 8. The alternative that ultimately is found to present the most benefit with the least level of negative impact will be chosen. The first draft of the study is scheduled to be released in the summer of 2018 and be ultimately approved in the summer of 2019. Staff does not recommend approving the intensification of any property within an approved thoroughfare alignment. However if after having studying both alignments, and the original NC-73 alignment is ultimately chosen, then the proposed development would no longer be in conflict with the updated plans.
 - **UPDATE 1/30/17:** It has been mentioned in conversation with staff that NCDOT officials are preliminarily voicing their opinion on which alignment is preferred. According to NCDOT there have been no cost estimates done yet for either of the alignments and no preference has been observed nor communicated at this time. It is still expected that the environmental assessment will be complete in the Summer of 2018, at which time it is possible a preference and selection of the alignment could be deduced, but not finalized.
- As mentioned above under Policy CD-3, the proposed plan is not consistent with the Beatties Ford Road Corridor Small Area Plan.

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 area of the proposed development, commercial activity is common near NC-73 and Brown Mill Road to the north, with a gas station and oil change facility both zoned Highway Commercial (HC). The Old Store retail building at the corner of Brown Mill Road and Beatties Ford Road is also a commercial operation along that street frontage. Therefore with a building facing and addressing the street, the proposed development along Brown Mill Road has the potential to be consistent with surrounding development. The updated plans show the long single building broken up into 2 separate buildings and a total of 4 areas with architectural variability. With such variability and with at least one functional door operating for pedestrians along Brown Mill Road staff finds that the building would be consistent with commercial development in the immediate vicinity.



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, per Huntersville Transportation Staff, the proposed use as currently submitted will not create enough vehicle trips to necessitate the submittal of a Traffic Impact Analysis (TIA). However the newly submitted plan has increased the size of the development proposed therefore a new TIA determination of need form needs to be reviewed. Also if the plan is

amended to add other uses such as offices or retail in order to create a mixed use development, the numbers of trips produced will need to be reassessed and a TIA may be required at that time.

- Since the property proposed only has 2,000 sqft of office proposed the Adequate Public Facilities Ordinance does not apply to this development.

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. Two individuals from the public spoke in opposition to the plan due to the conflict with adopted plans and the Town’s ordinances. Discussion in the hearing centered on the outstanding site issues and the status of the NC-73 realignment. Specific items that were mentioned which needed to be addressed were: the new zoning line needed to be clarified and the question on whether or not the application showed a subdivision needed to be answered.

PART 6: STAFF RECOMMENDATION – UPDATE 1/13/17

Staff recommends denial for the following reasons:

- The plan is directly inconsistent with the approved Comprehensive Transportation Plan (CTP) for the NC-73 realignment.
- The plan is inconsistent with policies CD-1, CD-3 and CD-5 of the Huntersville 2030 plan as described above.
- It is inconsistent with the Beatties Ford Road Corridor Small Area Plan (BFRCSAP) with minimal mixed use proposed.
- Insufficient reduced buffer widths.
- Unresolved site plan issues as described in Part 2 above.

PART 7: PLANNING BOARD RECOMMENDATION – UPDATE 1/18/17

On December 20, 2016 the Planning Board recommended that the Town Board defer the application until its February 6, 2017 meeting per the applicant’s request.

On January 24, 2017 the Planning Board unanimously recommended denial of the application based on it not being consistent with the Huntersville 2030 plan, the Beatties Ford Corridor Small Area Plan, and long range transportation plans.

PART 8: CONSISTENCY STATEMENT - R 16-09: Blythe Landing Mini-Storage

Planning Department	Planning Board	Board of Commissioners
<p>Approval: N/A</p>	<p>APPROVAL: N/A</p>	<p>APPROVAL: In considering the proposed rezoning of Petition R16-09, Blythe Landing Mini-Storage located on Brown Mill Road, the Town Board 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 Blythe Landing Mini-Storage as shown in Rezoning petition R16-09. It is reasonable and in the public interest to rezone this property because... <i>(Explain)</i></p>
<p>DENIAL: In considering the proposed rezoning of Petition R16-09, Blythe Landing Mini-Storage, Planning Staff finds that the rezoning is not consistent with Policies CD-3 and CD-6 of the Huntersville 2030 Community Plan, the Beatties Ford Road Corridor Small Area Plan, or the adopted Comprehensive Transportation Plan. We recommend denial of R16-09. It is not reasonable and not in the public interest to rezone this property because it does not accommodate for future road improvements, is not consistent with the mixed-use development pattern called for in adopted Huntersville plans, nor conforms to the Huntersville Zoning Ordinance in regard to architectural improvements, buffering, and Tree Save requirements.</p>	<p>DENIAL: In considering the proposed rezoning of Petition R16-09, Blythe Landing Mini-Storage on Brown Mill Road, the Planning Board finds that the rezoning is not consistent with the Town of Huntersville 2030 Community Plan and other applicable long range plans. It is not reasonable and not in the public interest to rezone this property because it does not accommodate further road improvement; is not consistent with mixed use development pattern called for in the adopted plans, nor does it conform to the Zoning Ordinance in regard to the architectural improvements, buffering, and Tree Save requirements.</p>	<p>DENIAL: In considering the proposed rezoning of Petition R16-09, Blythe Landing Mini-Storage on Brown Mill Road, the Town Board 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 R16-09. It is not reasonable and not in the public interest to rezone this property because..... <i>(Explain)</i></p>