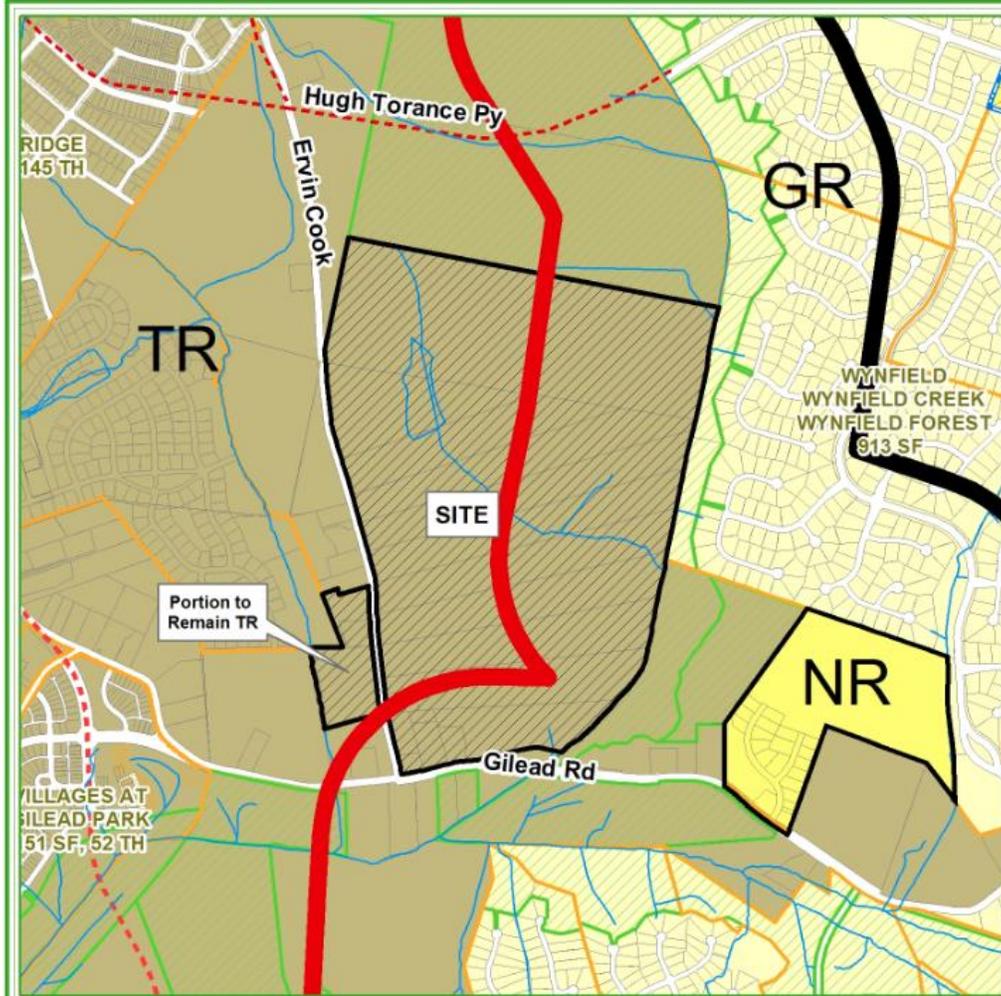


## Ervin Cook Road Subdivision Sketch Plan

### **PART 1: PROJECT SUMMARY**



**Applicant:** Crescent Communities

**Property Owner:** Various (see Attachment A).

**Property Address:** East of Ervin Cook Rd. (north of Gilead Rd.)

**Project Size:** 234.74-acres (223.16-acres to be rezoned).

**Parcel Number:** Various.

**Current Zoning:** Transitional Residential (TR).

**Requested Zoning:** Neighborhood Residential – Conditional District (NR-CD) pursuant to Rezoning request R 16-05.

**Current Land Use:** farmland, single-family homes & vacant.

Application is Attachment A and Site Plan is Attachment B.

### **PART 2: SITE PLAN DESCRIPTION AND ISSUES**

1. Purpose: To subdivide 232.78-acres of land located along Ervin Cook Road to create 382 single-family homes, pursuant to a requested Conditional District Rezoning (R 16-05). This Subdivision Sketch Plan is conditioned on approval of R 16-05 and is being reviewed by the Planning Board and Town Board concurrently.
2. Adjoining Zoning and Land Uses:
  - North: Transitional Residential (TR) – farm & vacant (future Cook Regional Park).
  - South: Transitional Residential (TR) - single-family homes & vacant.
  - East: General Residential (GR) & Transitional Residential (TR) – single-family subdivision (Wynfield / Wynfield Creek / Wynfield Forest Subdivisions) & McDowell Creek Neighborhood Park.
  - West: Transitional Residential (TR) – single-family homes & single-family subdivision (Beckett Subdivision).

3. A neighborhood meeting was held on June 22, 2016 (please see R 16-05 Staff Report for meeting summary). Questions/concerns centered mainly on traffic and transportation improvements along Gilead Road. Additional questions were asked regarding housing type / price.
4. The proposed subdivision has 382 lots on 224 acres, with lots ranging in size from 4,800 sq. ft. to 12,600 sq. ft.
5. Approximately 3,356 linear ft. of Ervin Cook Road will be upgraded as part of the subdivision and an additional @ 700 ft. of Gilead Road will be upgraded (including additional right-of-way dedicated to NCDOT).
6. The sketch plan shows a 50' planted buffer along both Ervin Cook Road and Gilead Road.
7. There are 1,906 specimen trees on the site. In the NR zoning district, 10 percent (190.6 trees) of the specimen trees are required to be saved and the developer proposes to save 1,294 specimen trees (68%). It should be noted that the existing TR zoning district required 35% tree save, which this sketch plan exceeds, as well. There are no known heritage trees on the site. Fifty-one percent (51%) of the site is covered by tree canopy and the developer proposes to save 37.3 acres (68%) of the canopy (10% required in NR).
8. The subdivision will be developed in multiple phases, to be determined by the Transportation Improvement Analysis (TIA).
9. A water quality concept plan is being reviewed by Mecklenburg County Engineering (LUESA), but has not been approved as of the date of this report.
10. A "Willingness to Serve" letter has been provided by Charlotte Water.
11. Three (3) block-length waivers are requested for this development. All of them are proposed due to design impacted by natural features. Staff supports granting the three waivers.
12. Urban Open Space is proposed to be provided by several improvements: two (2) greenbelts, three (3) squares, one (1) forecourt and one (1) parkway. These Urban Open Spaces are appropriate and well-sited within the development. In addition, four (4) connections are to be provided (built) from the subdivision to the proposed new McDowell Creek Greenway, which is to be built on the west side of the creek by Mecklenburg County. (See Sketch Plan Sheet 5.0). Dedication/easement will also be provided along the west side of the parcel located on the west side of Ervin Cook Road for another future greenway.

### **PART 3: TRANSPORTATION ISSUES**

#### Traffic Impact Analysis (TIA)

A revised TIA was accepted by staff on 10/27/16 as a final version. In light of the proposed revisions to Article 14 of the Zoning Ordinance (discussed at the 12/1/16 Special Town Board meeting), the applicant provided a TIA Addendum on 1/10/17 with alternative mitigation proposed.

The site plan indicates that the developer proposes to provide a payment of \$1.5 million dollars (prior to a Certificate of Occupancy for the 254<sup>th</sup> lot) to contribute to the Town's adopted CIP project for mitigation of impacts at the following intersections:

- Gilead Road at Bradford Hill Lane
- Gilead Road at Wynfield Creek Parkway
- Gilead Road at Ranson Road
- Gilead Road at McCoy Road

The Town's adopted TIP project for Gilead Road in this vicinity (Wynfield Creek Parkway to McCoy Road) included a construction/utility relocation cost of \$6.5 million dollars (including around \$750,000 for the culvert extension). The improvements included in the table below to the intersection of Gilead at McCoy Road would be approximately half of the project (without the culvert extension). The phased TIA indicated that the improvements at the above 4 intersections were needed after the first phase of the development (127<sup>th</sup> lot).

The developer proposes to construct improvements to the intersection of Gilead Road at Ervin Cook Road by the end of Phase 1 (127<sup>th</sup> lot), however it is Town staff’s recommendation that the improvements need to be constructed prior to the platting of the 50<sup>th</sup> lot (consistent with NCDOT requirements) along with the required widening of the travel lanes along Ervin Cook Road (NCDOT requirement). The improvements to the intersection are listed in the table below.

Staff also recommends that right and left-turn lanes with 100 feet of storage be constructed at both site entrances on Ervin Cook Road (designated as a thoroughfare) for future traffic volumes. Town staff would also be agreeable for the right-of-way for these turn lanes be dedicated now and monies equivalent for construction of these turn lanes be escrowed with the Town for construction at a future date when Ervin Cook Road connects to additional road network to the north of the site or additional development occurs along Ervin Cook Road. The developer proposes to only construct a northbound right-turn lane at the southernmost entrance prior to the certificate of occupancy for the 254<sup>th</sup> lot.

Below is a comparison table of the roadway improvements required to meet Article 14 of the Zoning Ordinance (as of the date of this report), improvements recommended by the TIA Addendum, and improvements recommended by staff to meet the intent of the revised Article 14.

Improvements Required to meet current Zoning Ordinance	Improvements Recommended by the TIA update	Improvements Recommended by Staff
<u>Gilead Rd at McCoy Rd</u> - Westbound through lane on Gilead Road. A receiving lane would need to be constructed as well - Convert the existing inside through lane to an exclusive left-turn lane with 600 feet of storage - Eastbound right-turn lane on Gilead Road with 300 feet of storage	<u>Gilead Rd at McCoy Rd</u> - Westbound through lane on Gilead Road. A receiving lane would constructed to Binnaway Dr. - Convert the existing inside through lane to an exclusive left-turn lane with 600 feet of storage - Eastbound right-turn lane on Gilead Road with 300 feet of storage	<u>Gilead Rd at McCoy Rd</u> - Westbound through lane on Gilead Road. A receiving lane would need to be constructed as well to end between Binnaway Drive and the culvert - Convert the existing inside through lane to an exclusive left-turn lane with 500 feet of storage - Eastbound right-turn lane on Gilead Road with 300 feet of storage - Northbound second left-turn lane on McCoy Road with 300 feet of storage
<u>Gilead Rd at Ranson Rd</u> - Convert the existing westbound right-turn lane on Gilead Road to a through lane and extend to connect with the through lane added at McCoy Road - Additional eastbound through lane on Gilead Road	<u>Gilead Rd at Wynfield Creek Pkwy</u> - Additional eastbound through lane on Gilead Road with 400 feet of storage. (through lane to be dropped as a left-turn lane at Ranson Road)	<u>Gilead Rd at Ervin Cook Rd</u> - Eastbound left-turn lane on Gilead Road with 150 feet of storage - Westbound right-turn lane on Gilead Road with 100 feet of storage - Southbound right-turn lane on Ervin Cook Road with 100 feet of storage
<u>Gilead Rd at Wynfield Creek Pkwy</u> - Convert the westbound right-turn lane to a through lane and extend it to Ranson Road. A receiving lane would	<u>Gilead Rd at Ervin Cook Rd</u> - Eastbound left-turn lane on Gilead Road with 150 feet of storage - Westbound right-turn lane on Gilead Road with 100 feet of storage	

<p>need to be constructed as well.</p> <ul style="list-style-type: none"> <li>- Additional eastbound through lane on Gilead Road</li> </ul> <p><u>Gilead Rd at Bradford Hill Ln</u></p> <ul style="list-style-type: none"> <li>- Eastbound through lane on Gilead Road. A receiving lane would need to be constructed as well.</li> </ul> <p><u>Gilead Rd at Ervin Cook Rd</u></p> <ul style="list-style-type: none"> <li>- Eastbound left-turn lane on Gilead Road with 150 feet of storage</li> <li>- Westbound right-turn lane on Gilead Road with 100 feet of storage</li> <li>- Southbound right-turn lane on Ervin Cook Road with 100 feet of storage</li> </ul>	<ul style="list-style-type: none"> <li>- Southbound right-turn lane on Ervin Cook Road with 100 feet of storage</li> </ul> <p><u>Ervin Cook Rd at Site Driveway #1</u></p> <ul style="list-style-type: none"> <li>- Northbound right-turn lane on Ervin Cook Road with 100 feet of storage</li> </ul>	<p><u>Ervin Cook Rd at Site Driveway #1</u></p> <ul style="list-style-type: none"> <li>- Northbound right-turn lane on Ervin Cook Road with 100 feet of storage</li> <li>- Southbound left-turn lane on Ervin Cook Road with 100 feet of storage</li> </ul> <p><u>Ervin Cook Rd at Site Driveway #2</u></p> <ul style="list-style-type: none"> <li>- Northbound right-turn lane on Ervin Cook Road with 100 feet of storage</li> <li>- Southbound left-turn lane on Ervin Cook Road with 100 feet of storage</li> </ul>
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Site Plan Comments:

- Phasing on the site plan is not consistent with the phasing identified in the TIA.
- Revisions to street designs that do not comply with the Engineering Standards and Procedures Manual for street centerline profile.
- Street tree location for large trees to comply with the minimum standards of the Town and NCDOT.
- Parallel parking to comply to with the Engineering Standards and Procedures Manual minimum design criteria.

**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 Ervin Cook Road 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 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 proposed CD Rezoning is located within the overlap of High and Low Intensity Areas of the 2030 Community Plan. The Ervin Cook Road subdivision has a proposed density of 1.63-units per acre. The surrounding developments average 2.08-units per acre, as follows:

<u>North</u> Vacant/Farm = n/a (TR)	<u>South</u> Single-Family = n/a (TR) Cedarfield Park = 1.82 (GR)	<u>East</u> Torrance = 1.61 (NR-CD) Wynfield = 1.71 (GR) Wynfield Creek = 2.18 (GR) Wynfield Forest = 2.24 (GR)	<u>West</u> Beckett = 1.6 (TR) Gilead Ridge = 2.67 (OPS TR) Gilead Village = 2.89 (OPS TR) Arbormere = 2.05 (OPS TR)
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- **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. Where the streets do not create short blocks, due to environmental concerns, they are curvilinear in nature.
- **Policy T-6: Pedestrian Connections:** Support the installation of sidewalks, bikeways and greenway trails connecting residential, commercial, employment, recreational and institutional uses.  
Comment: The upgraded Ervin Cook Road and Gilead Road, as well as the interior public streets all provide sidewalks. Bike lanes will be provided on both Ervin Cook Road and Gilead Road. In addition, the subdivision will build four (4) connections to the future County greenway, as well as provide for a portion of greenway along the western boundary for another future County greenway.
- **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 to an upgraded Ervin Cook Road. These are the only practical connection points, as connecting to Gilead Road is not advised and the subdivisions to the east do not have connection points. The future County park to the north has not been designed, therefore a road stub is not recommended.
- **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 upgrade a portion of Ervin Cook Road and Gilead Road. As well as other TIA-required improvements, this development will extend public water and sewer, provide two (2) connections to Ervin Cook Road, and provide four (4) greenway connections.
- **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:

- **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 Subdivision Sketch Plan proposes a 50’ landscaped buffer along Gilead Road. If elevations are specifically provided for the alley-fed lots that face Gilead Road for staff to review and a semi-opaque buffer is installed in front of these homes the corridor is respected. For the other lots that have rear-yards abutting Gilead Road and Ervin Cook Road, an opaque planting scheme should be required. This would also apply to the area adjacent any BMPs near these roads – unless a staff-approved BMP planting plan is provided.  
As a matter of context, the subdivisions to the east, with the exception of Torrance, are set very far back from Gilead Road. The subdivision to the west are either built to the road (Gilead Village) or are set behind a berm (Beckett & Arbormere). 12-20-16 UPDATE: The applicant indicates that the elevations to be used are not finalized and cannot provide for Sketch Plan review, but have offered the following provision: In addition to the 50 planted buffer, Architectural Note #11 states the “Lots 65-69 that are oriented toward Gilead Road on the Sketch Plan shall:

- A. Include front porches that are a minimum of six feet in depth;
- B. Have varying front setbacks that are offset to their neighboring lot in 2 – 5 feet intervals;
- C. Include front porch columns that are a minimum of 8 inches wide.”

## **2. Conformity.**

The proposed project is not adjacent to any single-family home subdivisions, but is adjacent to several large-lot single-family homes clustered at the intersection of Ervin Cook Road and Gilead Road. The project land is bordered by Ervin Cook Road to the west, McDowell Creek to the east, future Mecklenburg County parkland to the north and Gilead Road to the south. However there are several single-family home subdivisions in the vicinity. The proposed subdivision has a density of 1.63-units per acre on 234-acres. There is no maximum density in the Neighborhood Residential (NR) Zoning District. By comparison, nearby developments have the following densities: Cedarfield Park – 1.82, Torrance – 1.61, Wynfield – 1.71, Wynfield Creek – 2.18, Wynfield Forest – 2.24, Beckett – 1.6, Gilead Ridge – 2.67, Gilead Village – 2.89 & Arbormere – 2.05. The proposed development has lot ranges from 4,800 – 12,600 sq. ft. and lots will be 40 - 90 ft. wide.

## **3. Access Between Adjoining Properties.**

The applicant is providing two (2) street connections to Ervin Cook Road. No additional connections to Gilead Road are recommended. The existing Wynfield/Wynfield Creek/Wynfield Forest subdivisions do not permit connections to the east and Mecklenburg County Parks & Rec. staff did not recommend a street stub to the north, as the layout of the future park has not been completed and Ervin Cook Road offers access to the future park.

## **4. Relation to topography.**

The 234-acres is generally flat, as it is currently primarily farm land. The proposed street network respects the topography of the site.

## **5. Mature trees and natural vegetation.**

The proposed project is required to save 10 percent of the tree canopy, 10 percent of the specimen trees and 100% of the heritage trees. All three of these requirements are being satisfied, as outlined in Part 2, Item #7.

## **6. Access to parks, schools, etc.**

There will be a section of a Mecklenburg County Greenway (McDowell Creek) located on the east side of the subdivision. The applicant proposes to dedicate all of the floodplain for the future greenway and in addition, will build four (4) connections to the greenway. In addition, the applicant will dedicate or provide an easement along the western boundary of the parcels located on the west side of Ervin Cook Road for another future greenway.

## **7. Discourage through traffic.**

As the proposed subdivision does not connect to any other developments, this is not an issue, however, all proposed streets are appropriately sized for residential traffic and are designed to include short blocks (in some areas), curvilinear design and on-street parking (in some areas).

## **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 Ervin Cook Road Subdivision Sketch Plan have not been identified for a school or park site. Note that a Mecklenburg County park is planned for the parcel immediately adjacent the northern boundary.

#### 12. Public Facilities

The parcels associated with Ervin Cook Road Subdivision Sketch Plan have not been identified for a public facility.

#### 13. Proposed street names

The street names for Ervin Cook Road Subdivision Sketch Plan will be approved with the Preliminary Plan submission (if Sketch Plan is approved).

#### 14. Easements.

Easements have been identified and the plans have been sent to the respective Engineering and Utility Departments.

#### 15. Proposed water and sewerage system.

Water and sewer will need to be extended to the development. A “Willingness to Serve” letter from Charlotte Water has been provided.

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

An extensive floodplain has been identified east of this site and no lots are proposed within this area. A future County greenway is proposed within the floodplain, per County practice.

#### 17. Reserved.

#### 18. Open Space

The Urban Open Space requirement is satisfied via two (2) greenbelts, three (3) squares, a forecourt and a parkway. There is also abundant Natural/Recreational/Agricultural Open Space throughout the development.

#### 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, parks acreage. The proposed Subdivision Sketch Plan met the required threshold for submission of an APF application, and the proposed subdivision is subject to the requirements of the APFO. An **UPDATED** Determination of Adequacy (DOA) has been issued for the following public facilities: Fire Vehicles, Fire Stations, Police Vehicles, Police Stations and Gym & Park Acreage (see Attachment C). No mitigation is required.

### **PART 5: STAFF RECOMMENDATION**

#### COMPLETENESS OF APPLICATION

Town Staff has reviewed the proposed Subdivision Sketch Plan and finds the application complete.

#### COMPLIANCE WITH APPLICABLE REQUIREMENTS

Ervin Cook Road Subdivision Sketch Plan complies with all applicable requirements and is supported by the findings of fact outlined in Parts 2 – 4 of this report, with the following conditions:

There are several site plan issues that **MUST BE ADDRESSED**:

- Address all outstanding Transportation comments (see Part 3 & Attachment D).
- Provide reservation to County for possible greenway construction within floodplain areas.
- Three (3) block-length waivers are requested. Staff supports all three waivers.
- Address all minor comments to the notes of the Subdivision Sketch Plan.

There are several Subdivision Sketch Plan issues that staff makes **RECOMMENDATION** on:

- Note indicating dedication of floodplain along eastern boundary to Mecklenburg County (for greenway development). Applicant has added a note indicating intent to dedicate land for greenway.
- If offered as a Conditional District requirement, add a note regarding the requirement to recess garages 10 feet behind the primary plane of the homes as a means to provide the Zoning Ordinance-required 20 ft. parking area. Applicant has indicated that “front loaded garages are to be recessed behind the primary plane of the home” (see Architectural Standards note #10, Sheet 5.0).

#### APPROVAL

Ervin Cook Road Subdivision Sketch Plan could comply with all applicable requirements, once the conditions listed above are addressed. IF the Conditional District Rezoning is approved (R 16-05) and the above items are addressed, staff can recommend approval of the proposed Subdivision Sketch Plan.

#### **PART 6: PLANNING BOARD RECOMMENDATION**

Reviewed on October 25 & December 20, 2016.

On December 20, 2016, the Planning Board, since their one (1) ordinance-permitted continuation was utilized, requested that this Conditional District Rezoning be deferred back to the Planning Board on January 24, 2017 for recommendation. Planning Board was not able to make a recommendation at the Dec. 2016 meeting, as no TIA mitigation was proposed by the applicant and the applicant (Crescent Communities) requested the deferral.

On January 24, 2017, the Planning Board recommended Denial by 7-1 vote. The recommendation was based on incomplete mitigation of the traffic impacts of this development. “It is not reasonable nor in the public interest to approve a rezoning plan that would have a material negative impact on the Town that is already severely congested.” The motion acknowledges there are many positive aspects in the rezoning, but (the Planning Board) cannot endorse such a compromise to traffic conditions.

#### **PART 7: ATTACHMENTS AND ENCLOSURES**

- A - Application
- B – Ervin Cook Road Subdivision Sketch Plan
- C – APFO Determination
- D – TIA mitigation scenarios.

#### **PART 8: DECISION STATEMENTS**

Please refer to Part 5 and Part 6 of this report for recommendation.

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.