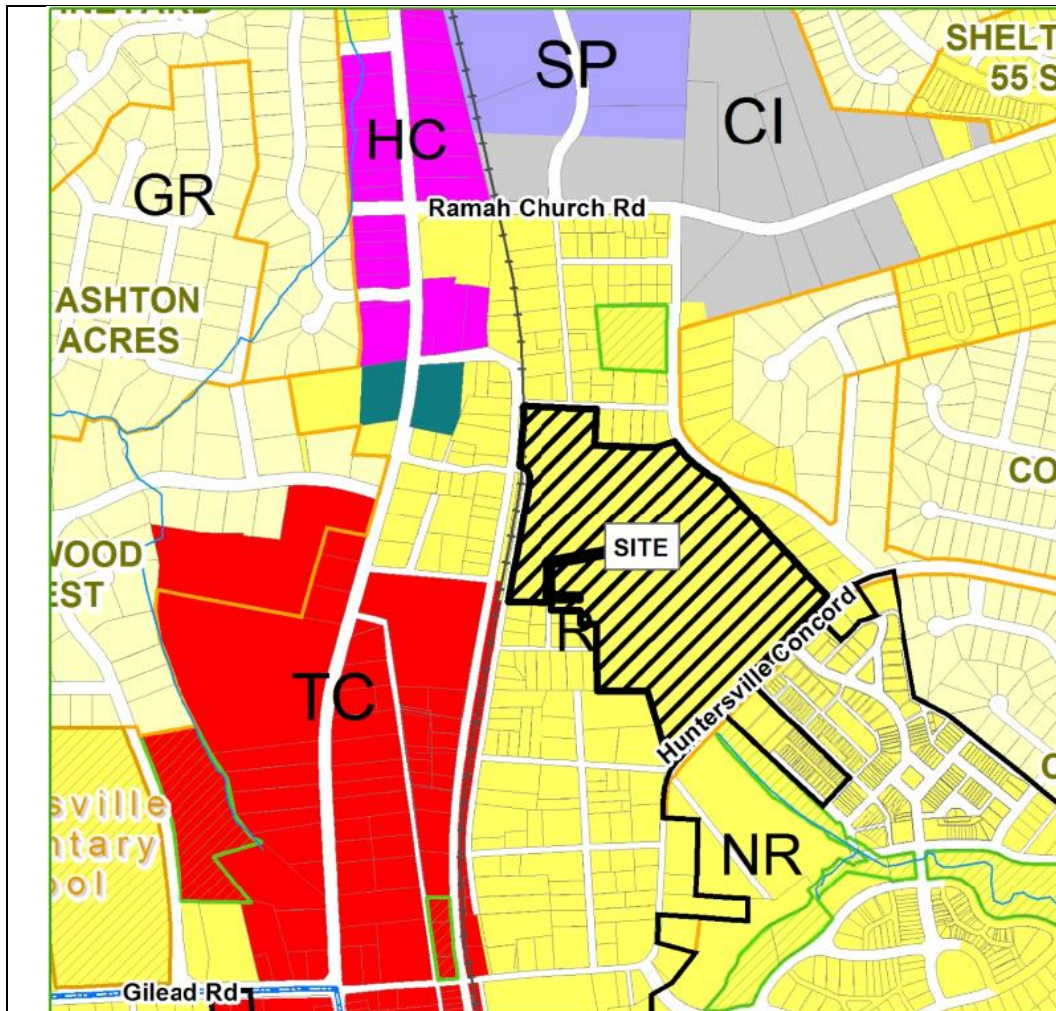


Petition R16-12 Vermillion Village Conditional District Rezoning

PART 1: PROJECT SUMMARY



Applicant: Nate Bowman,
Bowman Development
(Attachment A:
Application)

Property Owner: Town of
Huntersville

Property Address: N/A

Project Size: (+/-) 30 acres

Parcel Numbers:

01902201

Current Zoning:
Neighborhood Residential
(NR)

Current Land Use: vacant

Proposed Zoning: Town
Center—Conditional
District (TC-CD).

Proposed Land Use:
Mixed Use Development

1. Purpose: Rezone 30 acres north of Huntersville-Concord Road (west of Vermillion Subdivision) from Neighborhood Residential to Town Center – Conditional District (TC-CD). The purpose of the rezoning is to create a mixed use center with 165,000 square feet of commercial and 400 residential units. A Subdivision Sketch Plan and a Special Use Permit for this project has also been submitted concurrent with this Rezoning Plan and will go to the Planning Board on May 23, 2017. Attachment B: Conditional Rezoning Plan
2. Adjoining Zoning and Land Uses.
North: Neighborhood Residential (NR) – single-family Mill Village.
South: Neighborhood Residential (NR) - single-family lots.

East: Neighborhood Residential – Traditional Neighborhood Development Overlay (NR TND- O) – mixed use development (Vermillion Subdivision).

West: Neighborhood Residential (NR) – single-family and Town Center (TC) – Civic and Residential development.

3. A neighborhood meeting was held on January 26, 2016. The complete meeting summary is provided in Attachment C. Questions/concerns centered mainly on traffic and transportation improvements.
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 rezoning signs on the property in four (4) 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:

- Public Street Connections are being made to Huntersville-Concord Road, Fourth Street, North Church Street, and Seagle Street to aid traffic to and from the site, as well as support the network of streets being created by the northern most round-about.
- Mixed Use: Residential (Townhomes, Condos and Apartments), Office, Retail, Civic and Recreational.
- Greenway land is being dedicated to aid the connection of the greenway in Vermillion to the Carolina Thread Trail (Mooresville to Charlotte Trail). Along the western property boundary abutting the rail line the Carolina Thread Trail is being installed.
- A Special Use Permit is being requested by the applicant to obtain a retail use over 50,000 sq. ft. within a Shopfront Building located in Town Center.

The rezoning plan submitted on April 12, 2017 has been briefly reviewed to ensure that previous comments have been addressed. There are several minor items to be corrected

PART 3: TRANSPORTATION ISSUES

A TIA for the development was received on 1/31/17 with review comments provided to the applicant on 2/17/17. The review identified major issues with the results of the TIA to require a resubmittal. A revised TIA was received on 2/21/17 with review comments provided on 3/9/17. The review identified that the mitigation proposed did not meet the intent of the Ordinance and that a resubmittal was required. Town and NCDOT staff met with the Applicant team on 3/17/17 to review both agencies comments. The Applicant's TIA consultant is currently working with Town and NCDOT staff to meet both agencies minimum requirements for mitigation prior to resubmission of a final TIA.

Comments on the site plan submitted 1/24/17 included:

- Revisions to the preliminary stormwater layout to comply with design standards
- Revisions to the Huntersville-Concord Road typical section
- A concept of how to reroute the existing sewer line that goes across the middle of the site
- A list of roadway improvements to meet the requirements of Article 14 (Traffic Impact Analysis) of the Zoning Ordinance
- Bike lane to be added along entire site frontage
- Phasing plan not provided
- Revisions to parallel parking space locations due to sight distance issues

- Revisions to site access driveways along Seagle/Walters Street
- Revisions and additional information needed regarding Church Street connection and Glendale Drive connections
- Revisions to the public street in front of Retail Building A
- Minimum of 7 feet of sidewalk needed between parking spaces directly adjacent to the sidewalk
- Depict how improvements to Huntersville-Concord Road will conceptually tie into existing Huntersville-Concord Road.
- Additional improvements will likely be required to existing Cinnabar Place. Those need to be conceptually shown on the plans
- Access to Hill Street from Huntersville Concord Road to be revised to right-in/out only with a median
- Version 1 of the TIA recommended a mini-circle at the intersection of Glendale Drive at Cinnabar Place
- Revisions and additional site plan notes

Review of the site plan submitted on 4/13/17, by Town Engineering, is not complete at the time of this report.

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 Vehicles, Stations, Indoor Park & Recreation Facilities and Park Acreage.

PART 5: REZONING CRITERIA

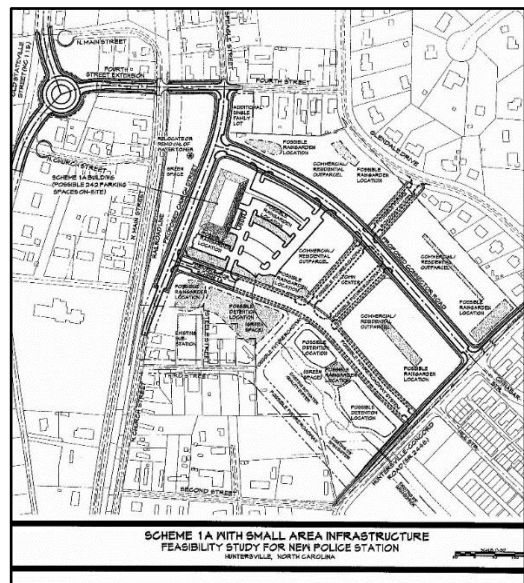
Article 11.4.7(d) of the Zoning Ordinance states that "in considering any petition to reclassify property, the Planning Board in its recommendation and the Town Board in its decision shall take into consideration any identified relevant adopted land-use plans for the area including, but not limited to, comprehensive plans, strategic plans, district plans, area plans, neighborhood plans, corridor plans, and other land-use policy documents".

Vermillion Village Charrette Master Plan was completed in 2000 showing the importance of a grid street network, combination of uses and an increase in density were prescribed to aid development. This area was believed to be the home of a transit station. Through the incorporation of parks, greenway connections and green space a sense of place was to be created. The design promoted multi-modal development with a focus on walkability.



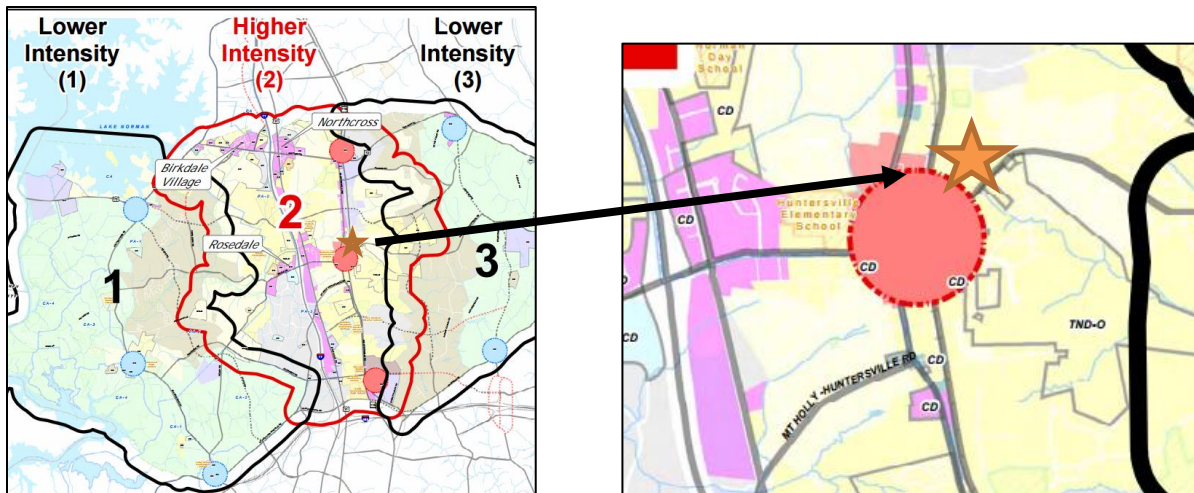
In 2005, the Downtown Master Plan was completed stating the Vermillion Village site could have a multitude of uses. As an example, the plan showed the site to be redeveloped into higher density age targeted residential design. The transit station at that time had moved from Vermillion Village to just south within a ¼ mile of downtown (approximately Veteran's Park).

Upon the completion of the East Huntersville Plan (2007, shown below on the left), the area was labeled as an appropriate Transit-Oriented Development location, with a layout showing a network of streets, multi-uses, and green space.



In 2011, a mockup was presented to the Town Board to relocate the Huntersville Police Department within the Vermillion Village site (reference plan above on top right). A strategic road network was planned for the development. After discussion and a cost analysis was completed for the needed infrastructure, the Police Department would be located elsewhere.

The Town of Huntersville in 2011 adopted the 2030 Community Plan, stating the downtown area is proposed to be a thriving mixed-use center with a variety of housing types, retail establishments, restaurants, offices, civic and recreational uses. Within the 2030 Community Plan it was recommended that a Downtown Transportation System Plan and the Huntersville Strategic Economic Development Plan be created. The outcome of both plans identified that before tax base would increase investment in the downtown area would be required.



In each of the plans (Vermillion Village Charrette Master Plan, Downtown Master Plan, East Huntersville Plan, Feasibility study for the Police Station, 2030 Community Plan, Downtown Transportation System Plan and the Huntersville Strategic Economic Development Plan) referenced above consistently there is a desire for a connected street network, mixed use development and green infrastructure to be incorporated on the Vermillion Village site. The rezoning plan is supported by the following policies:

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

- **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 site is located within a mile of I-77 and adjacent to NC 115. The Vermillion Village site is adjacent to Town Center zoning to the west. Town Center allows for a mix of uses and does not regulate density. To the south east of the site, Vermillion is zoned Neighborhood Residential Traditional Neighborhood Development Overlay (NR TND-O), which allows for an increase in density and a mix of uses due to the proximity of the proposed transit stop. Vermillion Village is in keeping with the surrounding development.
- **Policy H-3:** Mixed-Use Development Support and encourage self-sustained developments, where commercial and employment uses are in proximity to residential uses (see Commercial Development Policy CD-1 & CD-3).

Comment: Due to the proposed uses within the Vermillion Village Plan a citizen can live, work and play without entering a vehicle.

- **Policy E-5: Vehicle Miles Travelled (VMT)** Support reduction in vehicle miles travelled (VMT), through capital investments in sidewalks, greenways, enhanced connectivity and mass transit (bus & rail).

Comment: Sidewalks are being installed on all proposed Town Streets and along Huntersville-Concord Road. Greenway connections are being made as prescribed in the Town of Huntersville's Greenway and Bikeway Master Plan. In the future, the site is in proximity of a transit stop, should the rail line be used in that respect.

- **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 once redline comments are addressed will create appropriate block lengths to slow traffic and encourage pedestrian activity. Also, the proposed cross-section for the portion of Huntersville-Concord Road provides context-sensitive design by providing adequate lane widths, bike lane (along the project frontage) and a sidewalk (10' wide to accommodate the proposed Greenway).

- **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-sections for Huntersville-Concord Road and the interior Town streets all provide sidewalks and street trees. Huntersville-Concord Road will provide a sidewalk and a bike lane on the north side along the project frontage (after redline comments are addressed). From the proposed signal west past the culvert along the frontage a 10' sidewalk is proposed to serve the greenway connection from Vermillion. The greenway will then head north into the site along the creek as proposed on the Town's Greenway/Bikeway Master Plan and connect the Carolina Thread Trail (Mooresville to Charlotte Trail).

- **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 Huntersville-Concord Road, one connection to Fourth Street, one connection to North Church Street, extends Seagle Street to the southern property line, and realigns Glendale Drive to remove the curve.

- **Policy CD-3: Commercial Development Principles** Encourage mixed-use development pattern at key nodes as identified in Small Area Plans, ensuring an appropriate mix of residential, commercial and employment uses to maximize land use and transportation efficiencies, while minimizing environmental impacts.

Comment: The plan is proposing a combination of residential, commercial, civic and recreational uses incorporated within a dense design to aid multi-modal travel. The development is not encroaching into

storm-water or post-construction buffers. The area designated for County greenway dedication is heavily wooded and will not be compromised.

- **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 is providing upgrades to Huntersville-Concord Road, connections to existing roads adjacent the subdivision, realigning Glendale Drive, as well as all other TIA-required improvements. The proposed development will connect to public water and sewer and is providing an adequate greenway easement to accommodate future planning.
- **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.
- **Policy DT-1: Downtown Development** Continue to use the Downtown Master Plan, Gilead Road/US-21 Transportation and Land Use Vision Small Area Plan and East Huntersville Area Development Plan to guide future development in downtown.
Comment: The Downtown Master Plan and the East Huntersville Area Plan both slate the Vermillion Village property to be a mix of uses with an integrated road system (reference plan maps above).
- **Policy DT-6:** Continue to enhance parks and recreation opportunities in the downtown, consistent with the “Downtown Master Plan,” “East Huntersville Area Development Plan,” “Parks & Recreation Master Plan” and “Greenway and Bikeway Master Plan.”
Comment: The proposed plan is accommodating Greenway connections and installation of the Carolina Thread Trail (Mooresville to Charlotte Trail) as prescribed in the Town of Huntersville Greenway and Bikeway Master 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:

The proposed Conditional District Rezoning for the Vermillion Village is supported by the 2030 Comprehensive Plan, as the property is located within the area eligible for intensification and fills a gap between existing properties. 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 adequate open space).

- 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 trash disposal and a Willingness-to-serve letter have been provided from Charlotte Water, as well as the applicant is working toward achieving a 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:

Per the sketch plan the site is a registered Brownfield site (Book 14424, Page 736-766). There is also an inactive landfill permit for the site (Book 5778, Page 130).

Other than the two registered items mentioned above Planning staff has no indication that the request will adversely affect known archeological, environmental, historical or cultural resources.

PART 6: STAFF RECOMMENDATION

The Vermillion Village Property 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;
- All outstanding redline comments are addressed;
- The Town Board approves the Special Use Permit to allow for a 78,000 sq. ft. storefront building within the development.

PART 7: PUBLIC HEARING COMMENTS

Public Hearing held on March 06, 2017 and April 3, 2017 were continued to May 1, 2017.

PART 8: PLANNING BOARD RECOMMENDATION

Planning Board reviewed the petition as an FYI on April 25, 2017. On May 23, 2017 a recommendation should be made to the Town Board. Town Board is tentatively scheduled for a final decision on June 5, 2017.

PART 9: ATTACHMENTS/ENCLOSURES

Attachments

- A – Rezoning Application
- B – Proposed Rezoning Plan (submitted April 12, 2017)
- C – Neighborhood Meeting Report
- D – APF Letter of Determination

PART 10: CONSISTENCY STATEMENT - R 16-12 Vermillion Village

Planning Department	Planning Board (May 23, 2017)	Board of Commissioners (June 5, 2017)
<p>APPROVAL: In considering the proposed rezoning application R16-12; Vermillion Village Subdivision Conditional District Rezoning, the Planning staff recommends conditional approval as it is consistent with Implementation Goals H1, H3, H9, E5, T5-8, CD3, CD5, PF2, DT1 and DT6 of the 2030 Community Plan. The property is also located within the high intensity development area 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 R16-12; Vermillion Village 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 R16-12; Vermillion Village 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 R16-12; Vermillion Village 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 R16-12; Vermillion Village 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>