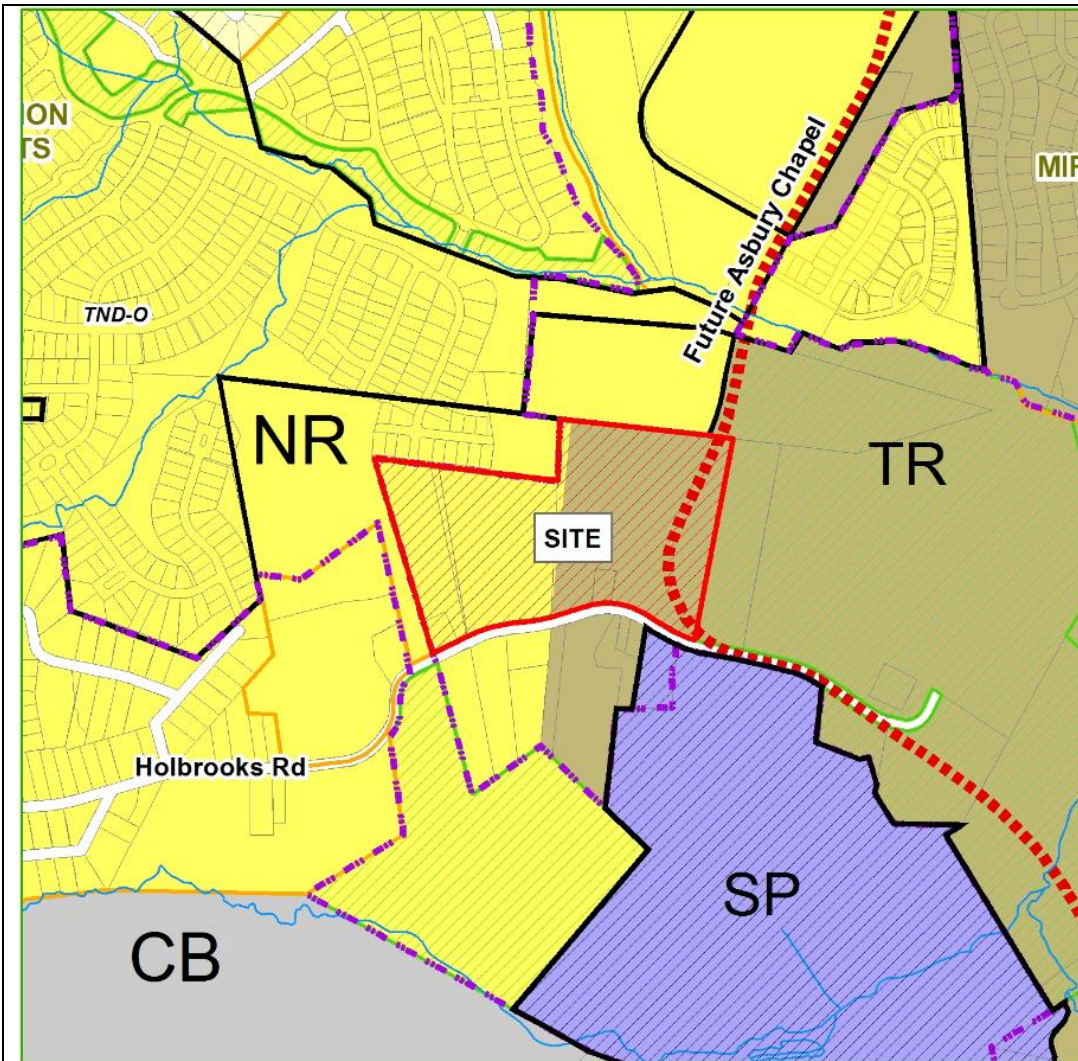


Petition R17-01 Sherrill Subdivision Conditional District Rezoning

PART 1: PROJECT SUMMARY



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

Property Owner: Town of
Huntersville

Property Address: N/A

Project Size: (+/-) 37.77
acres

Parcel Numbers:

01920320, 01920313,
01937101

Current Zoning:
Neighborhood Residential
(NR) and Transitional
Residential (TR)

Current Land Use: Single-
family residential and
vacant

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

Proposed Land Use:
Single Family Residential

1. Purpose: Rezone 37.77 acres north of Holbrooks Road (southeast of Vermillion Subdivision) from Neighborhood Residential (NR) and Transitional Residential (TR) to Neighborhood Residential – Conditional District (NR-CD). The purpose of the rezoning is to create a subdivision for 77 single family residential lots. A Subdivision Sketch Plan has also been submitted concurrently with the Rezoning Plan and will go to the Planning Board on June 27, 2017. Both the Rezoning and Sketch Plan are tentatively scheduled for Town Board final action on July 17, 2017.
Attachment B: Conditional Rezoning Plan

2. Adjoining Zoning and Land Uses.

North: Neighborhood Residential (NR- CD and NR –TND-O) – single-family subdivision, known as Valencia.

South: Transitional Residential (TR) - single-family lots, and a landfill.

East: Transitional Residential – Mecklenburg County owned: David B. Waymer Regional Flying Park.

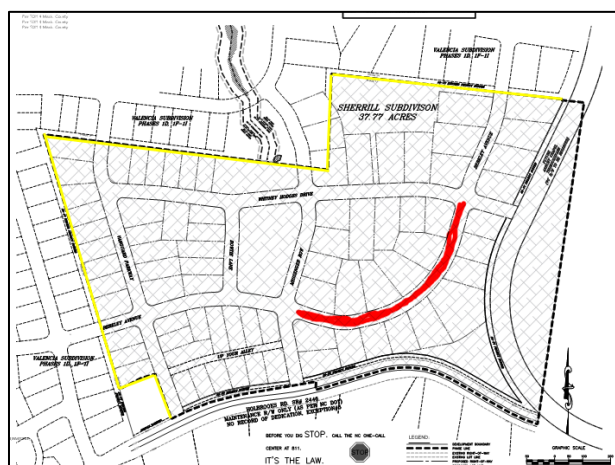
West: Neighborhood Residential (NR- CD and NR –TND-O) – single-family subdivision, known as Valencia.

3. A neighborhood meeting was held on April 24, 2017. 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 of the proposal include:

- 77 single family residential lots on 37.77 acres, totals 2.04 dwelling units per acre.
- Two street connections on to Holbrooks Road are being proposed, four existing connections to Valencia Subdivision are being provided, and a proposed stub to the future Asbury Chapel Thoroughfare. 70’ reservation of right of way for the future Thoroughfare is proposed on the plans.. Block lengths are being met, except on Berkley Avenue from Messenger Row to Whitney Hodges Drive (895 ft). Staff is in support of the block length wavier due to the curvature of the proposed road (reference the red highlighted block within the plan below).
- Per Article 7.5.3 (foot note 4), where connectivity between subdivisions is appropriate for high quality neighborhood design, the Town Board may reduce or waive the required buffer yard. Staff is in favor of removal of the buffer yard, as the request from the Sherrill Subdivision will operate as a phase of Valencia (reference the yellow highlighted boundary within the plan below).
- 1.46 acre park is centrally located and meets the merits of Urban Open Space.
- 10% of the all canopy trees and 10% of all specimen trees are required to be kept. The developer is providing 10% of the canopy and 50% of the specimen trees.



The initial rezoning plan was submitted on March 1, 2017. Comments were given to the applicant, but upon submission of cycle 2 the applicant has increased the lot count. Due to changes, the TIA is required to be re-scoped. The following comments have been distributed to the applicant for revision:

Planning Comments:

- Orientation of principle structures shall avoid backing up to public streets. This creates an inappropriate relationship to the public realm. The proposed lots along the future Asbury Chapel Thoroughfare, and several lots abutting Holbrooks Road staff request the applicant to provide a larger buffer and perhaps a berm to address the above standard.
- Holbrooks Road lots: Berkley Avenue may need to slide further north shorting the lots on the north side of the road to allow for the lots on the southern side to move north to accommodate area needed for a larger buffer.
- Lots abutting Asbury Chapel Thoroughfare: The existing Valencia street stub has been determined through prior approval. The location of where the proposed thoroughfare enters and exits the property is established; therefore there are design limitations to address the street. The applicant could shorten the depth of the lots and possibly apply for a berm or install supplemental vegetation to create an opaque buffer. Berm applications are heard by the Planning Board.
- All other comments are minor in nature and staff recommends correction prior to final action.

Engineering Comments:

- There is a street network concern for the proposed layout. The applicant is proposing connections to streets approved for construction within the Valencia subdivision which form extended, unsegmented sections of roadway.
- A traffic calming device, such as a mini-circle, be installed to address this concern at the intersection of Vanguard Parkway and Whitney Hodges Drive.
- The layout of stop signs based on thru movements that interrupt the flow of traffic along Berkley Avenue will help to address this issue on Berkley Avenue.
- Any proposals to revise the Holbrooks Road tie-in to the future Asbury Chapel Road be included as part of this Sketch/Rezoning plan. Town Engineering has requested that If the applicant chooses to propose such an alteration, that proposal could result in significant design changes of Holbrooks Road, further evaluation of how it ties into the future Asbury Chapel Road, and additional reserved or dedicated right-of-way.
- All other comments are minor in nature and staff recommends correction prior to final action.

PART 3: TRANSPORTATION ISSUES

The initial TIA was submitted in March with comments provided by staff in April. A revised TIA was submitted in April with comments provided in May. The revised TIA increased the number of single family lots studied beyond what was initially scoped for the study. Based on the number of additional units proposed, additional intersections may need to be studied. Therefore the scoping process needs to be revised prior to any additional review of a TIA and to date has not yet occurred.

PART 4: ADEQUATE PUBLIC FACILITIES (APF)

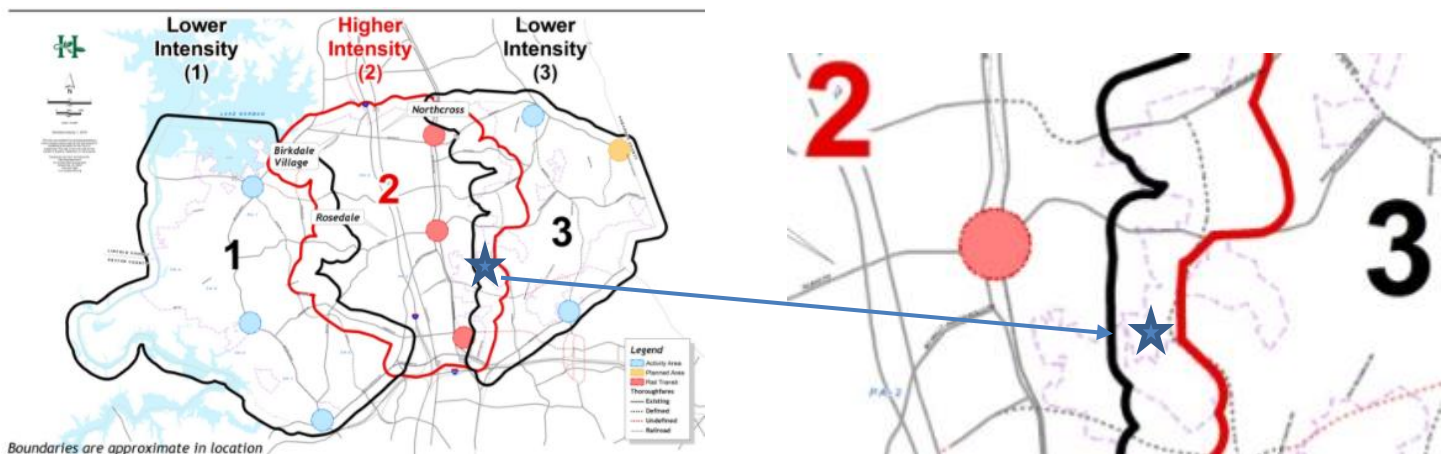
Under the provisions of the APF Ordinance, all residential development greater than twenty (20) lots are required to receive a "Determination of Adequacy (DOA)" for the following public facilities: fire station, fire vehicles, police station, police vehicles, indoor park and recreation facilities, and 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".

The Town of Huntersville in 2011 adopted the 2030 Community Plan,



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

- **Policy E-1, E-2 & E-3: Preservation and Enhancement.** Support the preservation and enhancement of the natural environment, along with its scenic and cultural assets.
Comment: The proposed development does provide adequate open space per the Neighborhood Residential zoning district. If buffers, as shown on the plan, do not have adequate foliage to meet the ordinance requirements, then supplementation will be required. Staff has requested where the backs of homes are adjacent the street (on Holbrooks Road and against the future Asbury Chapel Thoroughfare)

a larger opaque buffer be accommodated to meet provision 6.200.2 of the Subdivision Ordinance. The applicant may also choose to apply for a berm.

- **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 development is located within two miles of I-77. As shown on the 2030 Community Plan the subdivision falls within the area that transitions from high intensity to lower intensity.
- **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 Holbrooks Road.
- **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 for residential development, block lengths are being used to break up long expanses of straight streets and by-design the developer has incorporated curvilinear streets to slow traffic. The proposed cross-section for Holbrooks Road provides context-sensitive design by providing adequate lane widths, a sidewalk (5’ wide) and a green zone for street tree planting.
- **Policy T-6: Pedestrian Connections:** Support the installation of sidewalks, bikeways and greenway trails connecting residential, commercial, employment, recreational and institutional uses.
Comment: Sidewalks are being installed on all proposed Town Streets and along Holbrooks Road.
- **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 Holbrooks Road, four connections to the existing Valencia subdivision street network, and is reserving 70’ to accommodate for the future Asbury Chapel Thoroughfare.
- **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 Holbrooks Road in front of the subdivision. There will be two connection points onto Holbrooks Road to allow traffic to disperse. There are four existing stubs being connected to in the Valencia subdivision. Depending on the results of the Traffic Impact Analysis further off-site road improvements could be warranted. The proposed development will connect to public water and sewer.

- **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.

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 Sherrill Subdivision is supported by the 2030 Community 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:

Planning staff has no indication that the request will adversely affect known archeological, environmental, historical or cultural resources.

PART 6: STAFF RECOMMENDATION

The Sherrill Subdivision 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);
- Buffer and block length wavier are approved
- All outstanding comments are addressed;

PART 7: PUBLIC HEARING COMMENTS

Public Hearing held on June 05, 2017

PART 8: PLANNING BOARD RECOMMENDATION

Planning Board will review the petition on June 27, 2017

PART 9: ATTACHMENTS/ENCLOSURES

Attachments

- A – Rezoning Application
- B – Proposed Rezoning Plan
- 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 because the request is consistent with the 2030 Community Plan and is in keeping with the spirt and intent of the ordinance.</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>