

REQUEST:

Special Use Permit Application by Nate Bowman for Vermillion Village Shopfront building over 50,000 sq. ft. in Town Center

SUP17-01

ZONING ORDINANCE CRITERIA AND STAFF COMMENTS:

The Town Center Zoning District provides for revitalization, reuse, and infill development in Huntersville's traditional town center. The Town Center Zoning District allows for a broad array of uses within a compact, pedestrian-oriented environment. Shopfront buildings over 50,000 sq. ft. require approval of a Special Use Permit in the Town Center Zoning District.

The applicant, Nate Bowman (Bowman Development) has applied for a special use permit to exceed the 50,000 sq. ft. maximum building size of Article 3.2.6 b of the Huntersville Zoning Ordinance. The proposed anchor tenant building is a total of 78,000 sq. ft. The request is being made in conjunction with the rezoning and sketch plan request for Vermillion Village (reference attachment B).

The applicant has submitted elevations, which are conceptual in nature (reference attachment C). The architectural details will be reviewed by staff upon submittal of the commercial site plan review to ensure the requirements are met. The applicant has placed architectural conditions to help control the look and perceived size of the structure. These conditions hold the architecture to a greater standard than the current ordinance. The applicant's architectural conditions are listed below:

- A. Buildings shall be designed to raise the standard level of design to create a place of interest.
- B. All buildings located within the integrated center shall utilize and repeat the below architectural design criteria to promote a pedestrian environment through the use of compatible design and appearance to aid the break of long expanses of solid walls.
 - 1) Façade Building Materials: the use of complementary hues, multiple textures and building elements should be used to create interest.
 - 2) Building Massing: modulation of façade should occur every 20 feet of length in the height and/or relief.
 - 3) Façade Treatment:
 - a. Roofline treatments should be modified through the use of height, material and/or pitch.
 - b. Human scale design elements, such as, but not limited to: windows, awnings, entrances, arcades, arbors, trellises, and friezes is recommended to be provided at a minimum of 40' to maintain pedestrian interest throughout the development. All elevations are prohibited from having exposed CMU block.
- C. All buildings will orient/front toward a public street or an urban open space.
- D. The architecture within the site shall comply with Article 4 of the Huntersville Zoning Ordinance.
- E. The elevations are conceptual, details will be provided following the above standards during construction drawing/commercial site plan review to ensure compliance.

SPECIAL USE PERMIT CRITERIA AND FINDINGS:

1. The use would be compatible with surrounding development, consistent with the most detailed plan for the area, and in keeping with the purposes of the district in which they are proposed to be placed.

Staff findings: The request is consistent with the adopted 2030 Land Use Plan, Downtown Huntersville Plan, and East Huntersville Plan. The proposed anchor tenant structure is part of a mixed use development.

2. The proposed special use will comply with all of the lot, size, yard, and other standards which this ordinance applies to all uses permitted in the zoning district in which the property is located; and

Staff findings: The proposed building complies with all ordinance requirements.

3. The proposed special use will comply with all *general* and specific standards required by the appropriate section of this ordinance for the issuance of a special use permit for this use.

Staff findings: The request complies with Article 3.2.6 and all general standards of Article 11.4.10.

4. In considering an application for a special use permit, the Planning Board in an advisory capacity and the Town Board, in a decision making capacity, shall consider, evaluate and may attach reasonable and appropriate conditions and safeguards to the location, nature, and extent of the proposed use and its relation to surrounding property, for the purpose of ensuring that the conditions of permit approval will be complied with and any potentially injurious effect of the special use on adjoining properties, the character of the neighborhood, or the health, safety, and general welfare of the community will be minimized.

Staff findings: All buildings with in the development are utilizing and repeating architectural design criteria to promote a pedestrian environment through the use of compatible design, materials and appearance to aid the break of long expands of solid walls. The anchor structure is lined by residential, office, and retail uses to help minimize the impact.

5. Any such conditions may relate to parking areas and driveways, pedestrian and vehicular circulation systems, screening and buffer areas, intensity of site development, the timing of development, and other matters the Town Board may find appropriate or the applicant may propose. The applicant will have a reasonable opportunity to consider and respond to any additional conditions or requirements prior to final action by the Town Board.

Staff findings: The applicant is providing additional screening to buffer the drive-through side on the west side of the structure. On the East side of the building an Urban Open Space plaza will obscure the height and mass of the structure. Unloading facilities are located along the rear elevation; however visibility is being obstructed by topography and residential units. The applicant will phase the project to install liner buildings, parking and the anchor tenant within the same phase. This will help reduce the appearance of the anchor tenant.

STAFF RECOMMENDATION:

- Staff finds the application complete.
- The request complies with the long range vision of the Town and it is in keeping with the spirit and intent of the Huntersville Zoning Ordinance;
- All findings have been met, therefore,
- Staff recommends approval of the application for the special use permit.

PLANNING BOARD RECOMMENDATION

Planning Board recommend approval (8-0).

In considering the Special Use Permit SUP 17-01, Vermillion Village, the Planning Board, found that the request met all required conditions and specifications, is reasonable and does not post an injurious effect on adjoining properties, and found that the character of the neighborhood or the health, safety and general welfare of the community would be minimized. The recommendation to approve was supported by the following findings:

- The request is compatible with surrounding development;
- The proposed special use complies with all of the lot, size, yard, and other standards of the ordinance;
- The proposed special use complies with all general and specific standards of Article 3.2.6;
- The request will not cause injurious effect on adjoining properties, the character of the neighborhood, or the health, safety, and general welfare of the community;
- The request is consistent with the 2030 Community Plan; and
- The application is complete.

TOWN BOARD DECISION STATEMENT:

In favor of the Special Use Permit:

In considering the Special Use Permit SUP 17-01, Vermillion Village, we, the Planning Board, find that the request meets all required conditions and specifications, is reasonable and does not post an injurious effect on adjoining properties, and finds that the character of the neighborhood or the health, safety and general welfare of the community will be minimized. The recommendation to approve is supported by the following findings:

- 1)
- 2)

Add additional statements as necessary.

OR

Against Special Use Permit:

In considering the Special Use Permit SUP 17-01, Vermillion Village, we, the Planning Board, find that the request does not meet the required conditions and specifications.

(List which conditions are not being met)

- 1)
- 2)

Add additional statements as necessary.

ATTACHMENTS:

- A – Application
- B – Site Plan
- C – Elevations