

Petition R17-06: Phoenix Montessori Academy

PART 1: PROJECT SUMMARY

Application Summary:

1. Meeting Place Properties II LLC is applying to conditionally rezone 6.8 acres at 12340 Mt. Holly Huntersville Road from Corporate Business (CB) to Campus Institutional Conditional District (CI-CD). The purpose of the rezoning is to allow the Phoenix Montessori Academy to permanently locate on the property.

Applicant: Phoenix Montessori Academy

Property Owner:
Meeting Place Properties II, LLC

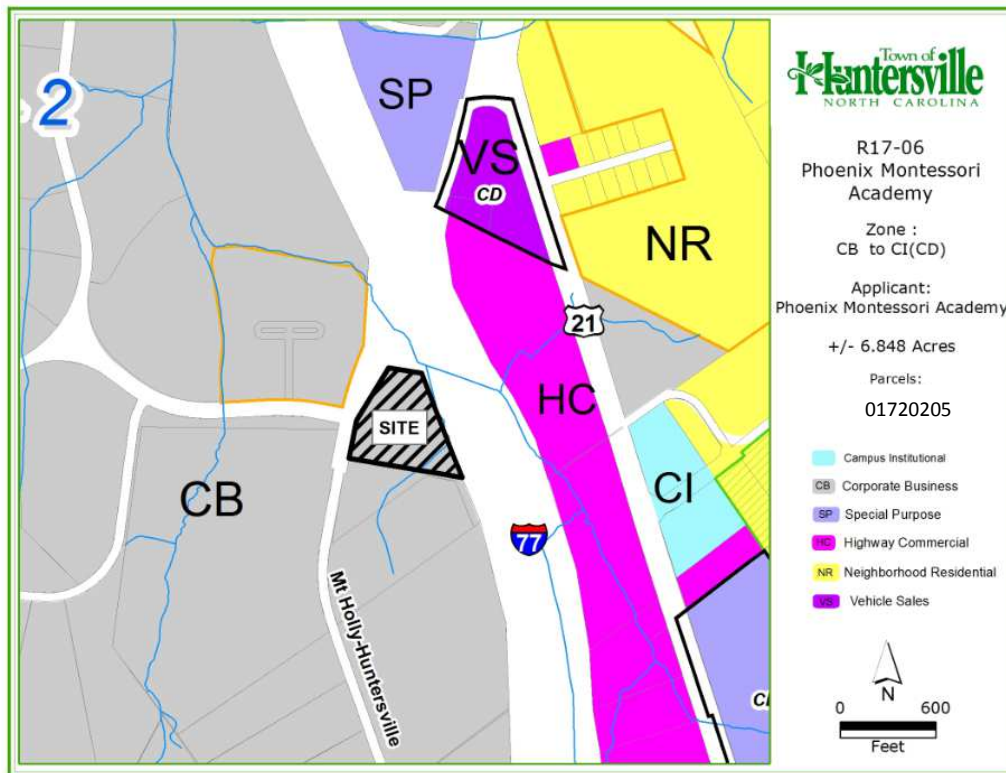
Property Address:
12340 Mt. Holly Huntersville Road

Project Size: 6.8 acres

Parcel Numbers:
01720205

Existing Zoning:
Corporate Business (CB)

Proposed Zoning:
Campus Institutional Conditional District (CI-CD)



2. Adjoining Zoning and Land Uses

North: Special Purpose (SP), Trucking facility, Vehicular Sales (VS), Honda Car Dealership, Interstate I-77.

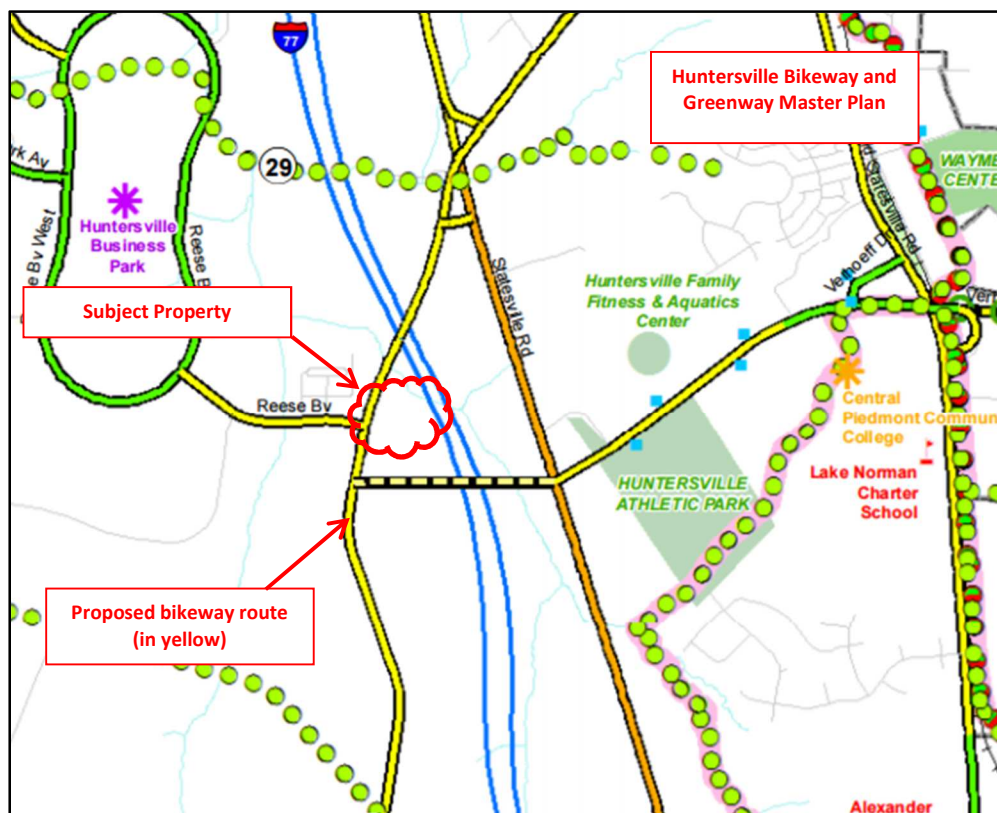
South: Corporate Business (CB), Saertex, manufacturing, Vacant Land, Nutec manufacturing.

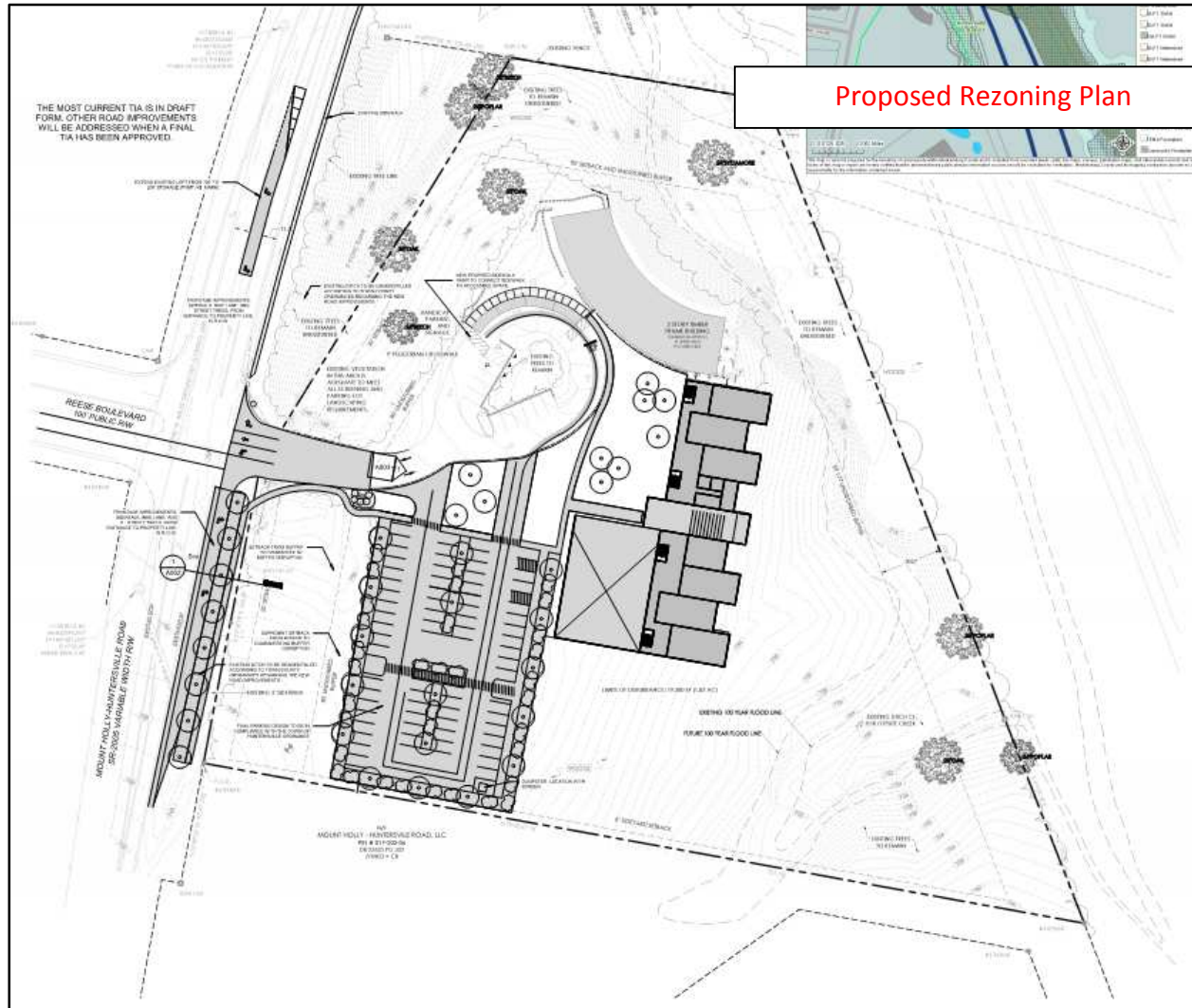
East: Highway Commercial (HC), Vacant land, Interstate I-77.

West: Corporate Business (CB), Huntersville Business Park, NCDOT DMV facility, Multifamily homes.

3. Schools are allowed in the Corporate Business (CB) zoning district only as a temporary use with the issuance of a Special Use Permit (SUP) per Article 9.35.12 of the Huntersville Zoning Ordinance. On April 6, 2015 the Phoenix Montessori Academy was issued a SUP by the Town Board that is valid for 3 years.
4. The applicant wishes to be able to make their current location on Mt. Holly Huntersville Road permanent. The Campus Institutional (CI) district allows schools and academic institutions by right. Therefore the property owner has submitted a conditional rezoning plan to rezone the property to CI thus allowing the school to operate indefinitely. The school is currently leasing the location from the property owner, Meeting Place II, LLC.

5. Per the Huntersville Greenway and Bikeway Master Plan Mt. Holly Huntersville Road is a planned bike route. The applicants have proposed to add a bike lane to their frontage to the south of their driveway. Please see the proposed rezoning plan below on this page.
6. A neighborhood meeting for this application was advertised for and held on August 2, 2017. An invitation list, attendance list and summary report for the meeting are included in the agenda packet.
7. If the rezoning application is approved, the Special Use Permit (SUP) approved for the school will need to be formally removed by the Town Board. That application will follow the rezoning plan concurrently.
8. A Traffic Impact Analysis (TIA) was required for the proposed school development. On August 16 Huntersville Engineering sent comments to the school's consultant and requested an updated TIA be submitted for review. Please find those comments attached in your agenda package.





PART 2: REZONING/SITE PLAN ISSUES

- Article 3.28 of the Huntersville Zoning Ordinance states in the intent section of the Campus Institutional Zoning District (CI) that “the campus institutional district is established to provide for large institutional complexes which are already in place and for new institutional complexes on 15 acres or more, which, because of the scale of the buildings or the nature of the use, cannot be fully integrated into the fabric of the community”. The purpose therefore of the CI district is to accommodate for large existing institutional uses that were present at the introduction of Town Zoning and for new institutional uses that are over 15 acres in size. The Phoenix Montessori Academy is not an existing facility nor is it a minimum of 15 acres in size. Therefore the application does not seem to meet the intent of the CI zoning district as written.

The applicant has added a note to the rezoning plan that states “The campus institutional zoning district is appropriate for the academic institution proposed on the rezoning plan because the school has been located in

the existing building on the property and, though temporary, has successfully operated on the site, which is under the acreage limitation. Applicant requests approval despite the acreage limitation for this reason.” It should also be noted that the Town has approved another CI zoning district under the 15 acre minimum near the subject property. The Dickson Hospice House was rezoned to CI-CD in 2005 in the Huntersville Business Park. The size of that parcel is 12.42 acres. Staff supports the requested modification of the 15 acre minimum.

- Please see Part 3 below for a list of transportation improvements recommended by the TIA. No improvements are required to meet Article 14 of the Zoning Ordinance. However the applicant will need to work with NCDOT to receive an approved TIA and driveway permit for the expansion.

PART 3: TRANSPORTATION ISSUES

TIA

A TIA for the proposed school was required as the peak hour trips exceeded the ordinance threshold for 50 trips in a peak hour. The school is proposing three separate bell schedules (separated by 1 hour) to spread out the peak traffic demand. A revised, sealed TIA was submitted to the Town for review on 9/12/17. Based on a review of the TIA, it is found to be acceptable as a final version with no improvements required to meet Article 14 of the Zoning Ordinance. On site stacking as identified in the TIA, meets the minimum calculated length for queuing with side by side stacking (double stacking) the drive aisles in the added parking lot.

The following improvements are recommended by the TIA to address queuing concerns at the intersection of Mt Holly Huntersville Road at Reese Boulevard/School Access:

- Construct an exclusive northbound right-turn lane on Mt Holly-Huntersville Road with 200 feet of full width storage
- Extend the southbound left-turn lane on Mt Holly-Huntersville Road to 200 feet of full width storage
- Extend the existing westbound left-turn lane on School Access to 125 feet of full width storage

The TIA recommends the following roadway improvements at the intersection of Mt Holly Huntersville Road at Reese Boulevard/School Access to meet NCDOT requirements:

- Construct an exclusive northbound right-turn lane on Mt Holly-Huntersville Road with 200 feet of full width storage
- Extend the southbound left-turn lane on Mt Holly-Huntersville Road to 200 feet of full width storage
- Extend the existing westbound left-turn lane on School Access to 125 feet of full width storage
- Construct an exclusive eastbound left-turn lane on Reese Boulevard with 100 feet of full width storage (modify the existing shared through left lane to an exclusive through lane)
- Construct an exclusive westbound right-turn lane on the School Access with a minimum of 100 feet of full width storage.

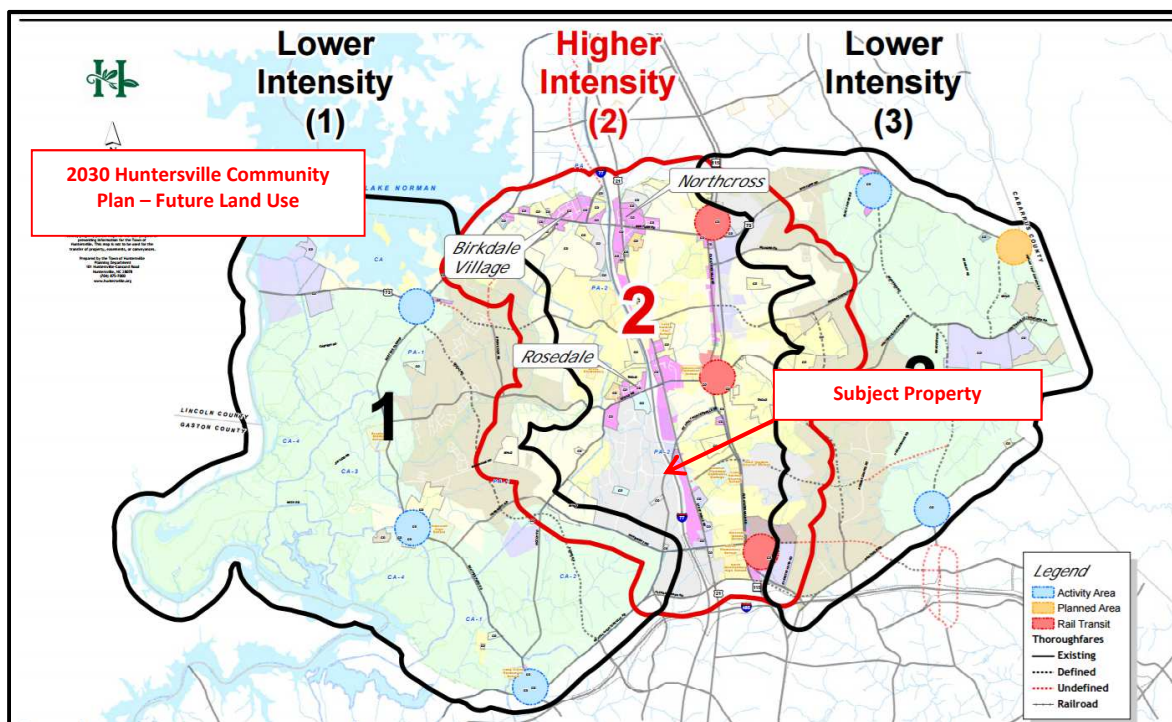
PART 4: REZONING CRITERIA

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 adjacent to I-77. 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**:

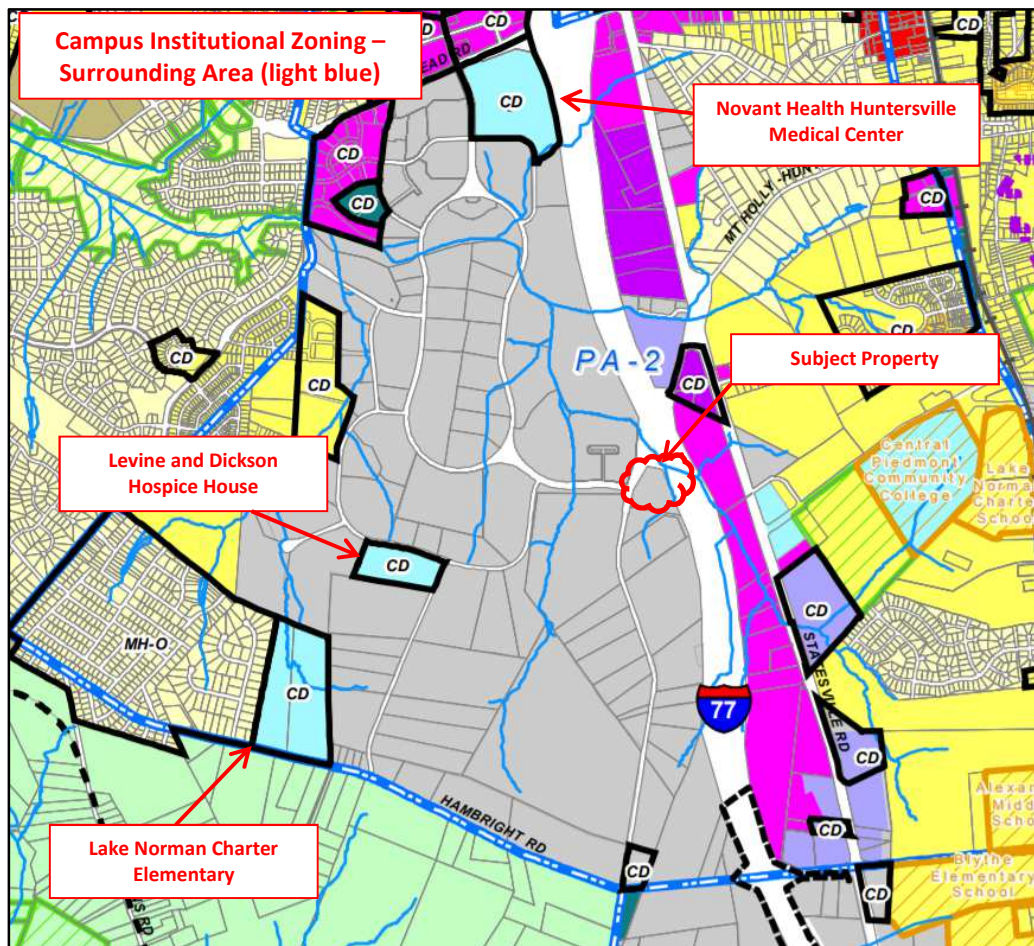
- **Policy ED-2: Preservation of Land Area for Non-Residential Development:** Both the Town of Huntersville Strategic Economic Development Plan (2014) and the 2030 Community Plan state that the Town should preserve areas that are “suitable for business and industrial development”. The subject property is currently zoned Corporate Business (CB), which currently allows economic development uses such as office, light industrial, warehousing, manufacturing, etc. Rezoning the property for a school would remove about 7 acres of property out of the Corporate Business zoning area. However, Lake Norman Economic Development has communicated to staff that they can support the rezoning as the unique architecture and topography of the site makes it difficult to establish an office use at the subject location.

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 majority of the area surrounding the subject property (west of the interstate) is zoned Corporate Business (CB). Although there is no Campus Institutional (CI) zoning immediately adjacent to the subject property, there is however individual CI zoning developments dispersed throughout the general area. Please see the zoning map attached below. The Novant Health Huntersville Medical Center, Levine Dickson Hospice House, and recently the Lake Norman Charter Elementary School are all zoned CI amidst a largely CB zoned area. Therefore the zoning of the property CI will not be out of character with the established development pattern of the area.



- 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 roadway system, please see Part 3 above for transportation comments. Transportation staff has accepted the revised TIA. No improvements are needed to meet Article 14 TIA requirements.
- A Determination of Adequacy (DOA) was issued to Meeting Place Properties on May 31, 2017 for the following public facilities: Fire Vehicles, Fire Facilities, Police Facilities, and Police Vehicles. Please find the DOA letter attached in your agenda packet for reference.

- 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 5: PUBLIC HEARING

The Public Hearing took place on September 5, 2017. No one from the public spoke for or against the application.

PART 6: STAFF RECOMMENDATION

Although the rezoning would remove land from the Town’s economic development zoning inventory, the specific property in question is unique. The steep topography of the back portion of the site makes it difficult to fully develop the property for larger industrial uses, and the unique architecture of the building has proven difficult to establish office uses. Therefore, staff recommends approval of the rezoning with the following conditions:

1. Any traffic improvements needed to address queuing concerns by NCDOT is installed prior to issuance of certificate of occupancy for the school expansion.
2. All remaining minor site plan comments from planning and transportation are addressed.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board unanimously recommended approval on September 26, 2017.

PART 8: CONSISTENCY STATEMENT - R 17-06: Phoenix Montessori Academy

Planning Department	Planning Board	Board of Commissioners
<p>Approval: In considering the proposed rezoning of Petition R17-06, the Phoenix Montessori Academy on Mt. Holly Huntersville Road, the Planning Staff finds that the rezoning is consistent with Policy CD-2 and T-6 of the Town of Huntersville 2030 Community Plan. Planning staff recommends approving the conditional rezoning plan for the Phoenix Montessori Academy as shown in the R17-06 rezoning plan. It is reasonable and in the public interest to rezone this property because the unique nature of the property makes it difficult to develop CB uses, the CI district currently exists in other nearby areas, and the conditions added ensures compliance with the Huntersville Zoning Ordinance.</p>	<p>APPROVAL: The rezoning is consistent with the 2030 Community Plan, and other applicable long range plans, and Planning Board recommends approval based on all of the staff's recommendations, and plan notes have been addressed; that additional information requests around the availability of the committed traffic light and demographics of the resident students from Huntersville will be available. It is reasonable and in the public interest to rezone this property because it allows additional educational opportunities within Huntersville, and because the use is complimentary of the unique features of the property. Additionally, the State TIA (Traffic Impact Analysis) has been committed to by the applicant.</p>	<p>APPROVAL: In considering the proposed rezoning of Petition R17-06, the Phoenix Montessori Academy on Mt. Holly Huntersville Road, the Town Board finds that the rezoning is consistent with the Town of Huntersville 2030 Community Plan and other applicable long range plans. The Planning Board recommends approving the conditional rezoning plan for the Phoenix Montessori School as shown in Petition R17-06. It is reasonable and in the public interest to rezone this property because...(explain)</p>
<p>DENIAL: N/A</p>	<p>DENIAL:</p>	<p>DENIAL: In considering the proposed rezoning of Petition R17-06 the Phoenix Montessori Academy on Mt Holly Huntersville 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 R17-06. It is not reasonable and not in the public interest to rezone this property because..... (Explain)</p>