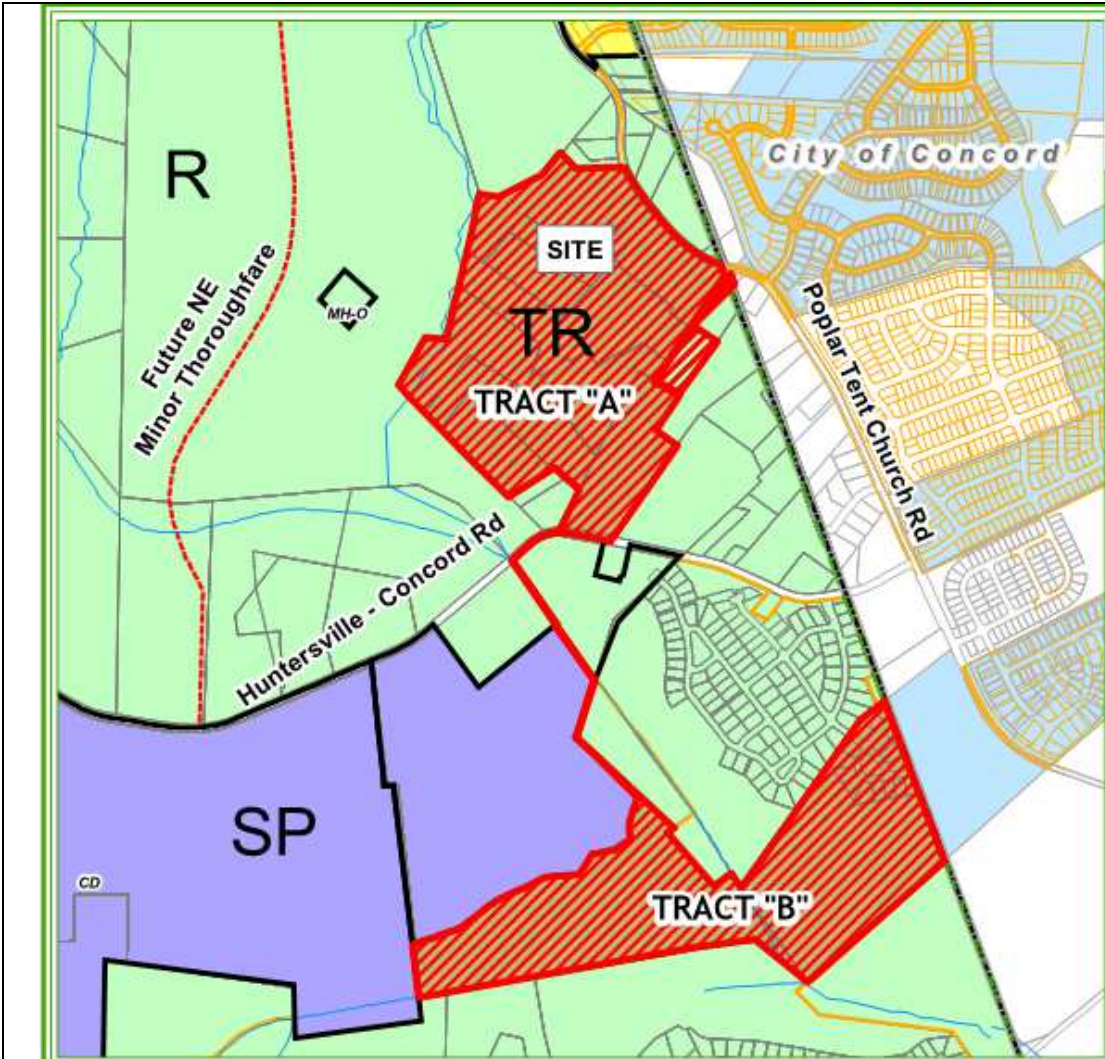


Petition R17-11
Oaks at Skybrook North Conditional District Rezoning Revision
to delete 10' garage recess from Tract B.

PART 1: PROJECT SUMMARY



Applicant: Skybrook, LLC

Property Owner: John T. Coley IV and Jordan Real Estate Holdings, LLC (see Attachment A).

Property Address: 15645 Poplar Tent Church Road.

Project Size: (+/-) 175.05-acres

Parcel Numbers:

011-103-01, -03, -04, -07, -09, -10, -11, -13, -16, -17, -18, -19, 011-102-01, -13 and 021-081-04, -06 (owned by Metrolina Greenhouses).

Current Zoning: Transitional Residential Conditional District (TR-CD).

Current Land Use: vacant & a few homes.

Proposed Revision: Delete note requiring a 10 ft. setback for homes within Tract B.

1. Purpose: To amend Note # 3 from Sheet 255-03A of the Rezoning Plan as follows:
- ~~"On lots greater than 60 feet in width, front loading garages shall be recessed at least 10 feet behind the primary plane of the front façade of the structure. Exception for single family detached dwellings with 1400 square feet or less of heated space: single bay front loading garages may be built flush with, but may not project in front of, the primary plane of the front façade of the structure; double bay front loading garages shall be recessed as least 10 feet behind the primary plane of the front façade of the structure."~~

The requested amendment would permit garages to be located anywhere within the buildable envelope of a lot, subject only to the 20 feet setback from the back of public right-of-way.

2. **NOTE: the Oaks at Skybrook North proposed amendment only applies to “Tract B” of the Sketch Plan, as the remainder of the development (Tract A) does not have this requirement.**
3. A Subdivision Sketch Plan for this project was also approved with the last Rezoning Plan and will be updated to reflect any amendments that may occur.
4. Adjoining Zoning and Land Uses.
North: Rural (R) – large-lot single-family & vacant.
South: Rural (R) – single-family (Parkside at Skybrook Subdivision) & agri-business (Metrolina Greenhouses).
East: Rural (R) – mostly vacant & a few large-lot single-family homes (along Cabarrus County line).
West: Rural (R) – regional tourist attraction (Renaissance Festival) & vacant.
5. A neighborhood meeting was held on Thursday, November 16, 2017. The complete meeting summary is provided in Attachment C.
6. Notice for this rezoning petition was given via letters sent to adjoining property owners; a legal ad placed in the Charlotte Observer; and posting of rezoning signs on the property in three (3) locations.

PART 2: REZONING/SITE PLAN ISSUES

The previously-approved Conditional District Rezoning Plan is compliant with the Zoning Ordinance and Subdivision Regulations and was approved by the Town Board with some conditions.

PART 3: TRANSPORTATION ISSUES

N/A

PART 4: ADEQUATE PUBLIC FACILITIES (APF)

N/A

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”.

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

- **Policy H-8: Development in the Transitional and Rural Areas.** Maintain the development standards in the Transitional and Rural zones and consider adjustments if warranted by changes in the housing market.
Comment: The proposed amendment is in keeping with both the current Town of Huntersville Zoning Ordinance provisions, as well as the notes that apply to Tract A of the development.

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 amendment for the Oaks at Skybrook North subdivision is supported by the 2030 Comprehensive Plan, as the vast majority of requirements are not changing, only the provision requiring garages to be setback 10 feet behind the front plane of the homes.

- 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: N/A

- 3. Whether the proposed reclassification will adversely affect a known archeological, environmental, historical or cultural resource.”**

STAFF COMMENT: N/A

PART 6: STAFF RECOMMENDATION

The proposed amendment to the Oaks at Skybrook North Conditional District Rezoning Plan is supported by staff.

PART 7: PUBLIC HEARING COMMENTS

Public Hearing scheduled to be held on Monday, December 04, 2017.

PART 8: PLANNING BOARD RECOMMENDATION

Planning Board scheduled to review on Tuesday, December 19, 2017.

PART 9: ATTACHMENTS/ENCLOSURES

Attachments

A – Rezoning Application

B – Proposed CD Rezoning Plan (with revision)

C - Neighborhood Meeting Report from November 16, 2017.

PART 10: CONSISTENCY STATEMENT - R 16-07 Oaks at Skybrook North Subdivision

Planning Department	Planning Board	Board of Commissioners
<p>APPROVAL: In considering the proposed rezoning application R17-11; Oaks at Skybrook North Subdivision Conditional District Revision, the Planning staff RECOMMENDS APPROVAL as it is consistent with Implementation Goals E-1, E-2, E-3, T-5, T-7, T-8, CD-5 and PF-2 of the 2030 Community Plan.</p> <p><u>It is reasonable and in the public interest to approve the Conditional District Rezoning Plan Revision BECAUSE it is consistent with the 2030 Comprehensive Plan (as outlined above) and the applicable provisions of the Zoning Ordinance can be adequately addressed.</u></p>	<p>APPROVAL: In considering the proposed rezoning application R17-11; Oaks at Skybrook North Subdivision Conditional District Revision, 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 R17-11; Oaks at Skybrook North Subdivision Conditional District Revision, 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 R17-11; Oaks at Skybrook North Subdivision Conditional District Revision, 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 R17-11; Oaks at Skybrook North Subdivision Conditional District Revision, 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>