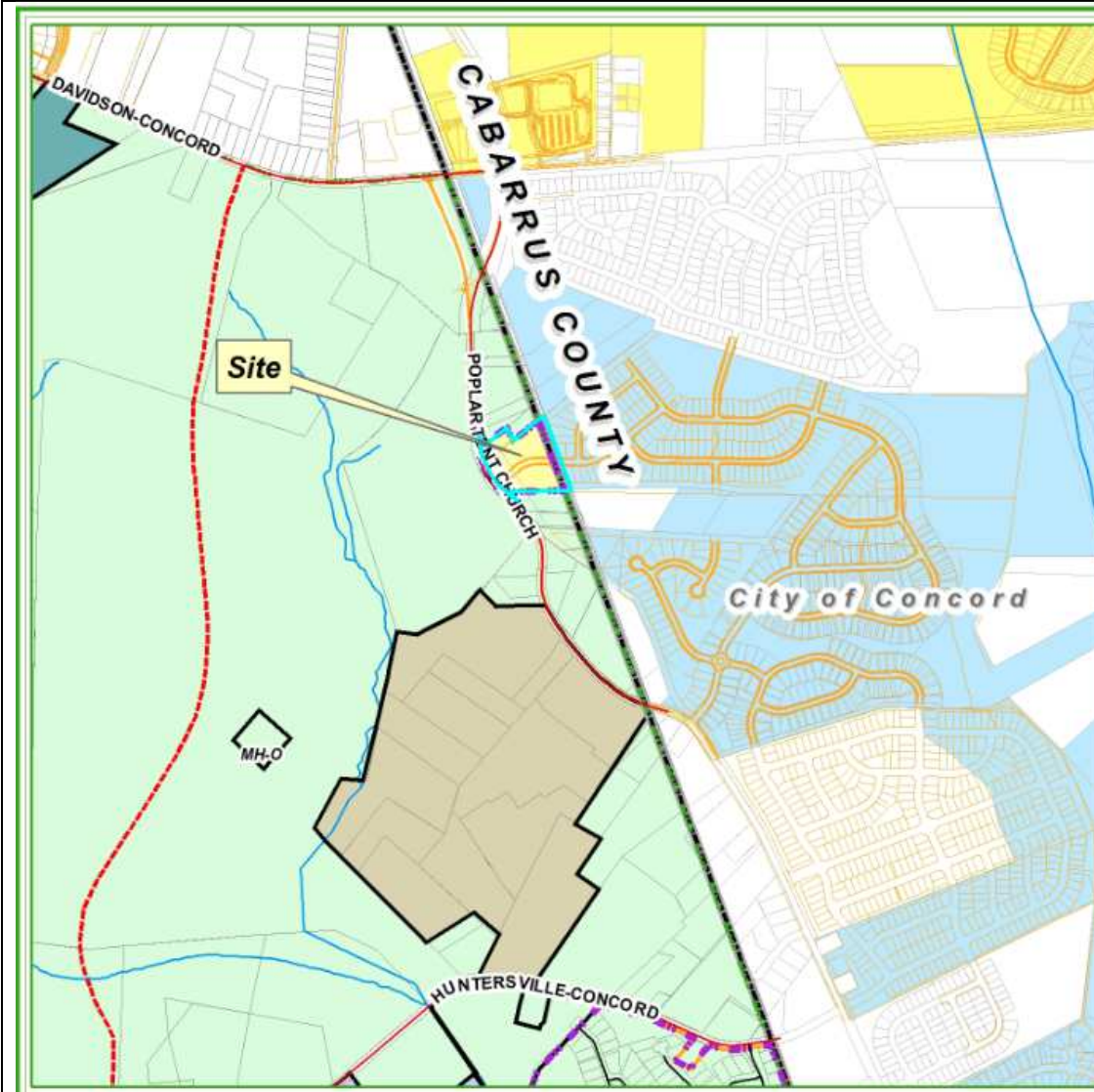


## Petition R17-12

### Villages at Skybrook North Conditional District Rezoning Revision to delete 10' garage recess requirement and to allow additional driveway access along Trailside Road.

#### PART 1: PROJECT SUMMARY



**Applicant:** Laureldale, LLC  
**Property Owner:** Laureldale, LLC.  
**Property Address:** N/A.  
**Project Size:** (+/-) 5.90-acres  
**Parcel Numbers:**  
011-103-09.  
**Current Zoning:**  
Neighborhood Residential Conditional District (NR-CD).  
**Current Land Use:** vacant.  
**Proposed Revision:** Delete note requiring a 10 ft. setback for homes within Tract B.

#### 1. Purpose:

- a. To amend Bullet-Note # 7 from Sheet 220-25 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 at least 10 feet behind the primary plane of the front façade of the

structure.” The depth of the driveway, measured between the garage and the sidewalk needs to be at least 20 feet.

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.

- b. To amend the note in the lower left of Sheet 220-25 of the Rezoning Plan as follows:

~~“Lots 1, 2, 13 & 14 will not have direct access to Trailside Road. These lots will utilize a shared 15’ access easement.”~~

2. 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.
3. Adjoining Zoning and Land Uses.  
North: Rural (R) - vacant.  
South: Rural (R) - single-family residential.  
East: City of Concord: Residential – Medium Density (RM-2) – vacant (zoned for single-family residential).  
West: Rural (R) – vacant.
4. A neighborhood meeting was held on Thursday, November 16, 2017. The complete meeting summary is provided in Attachment C.
5. 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 one (1) location.

## 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. However, since that approval, the 10 feet recess for requirement for garages has been removed from the Zoning Ordinance. This revision will be in keeping with the current ordinance.

## PART 3: TRANSPORTATION ISSUES

Staff will provide comments related to deleting the driveway access note by the Public Hearing.

## 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 Area.** 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 for the Villages at Skybrook North subdivision is supported by the 2030 Comprehensive Plan, as the zoning district is not changing, only the provision of the CD rezoning plan.

- 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 originally required in 2006, but NOT for this revision – see Part 3 of this report.

- 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 amendments to the Villages at Skybrook North Conditional District Rezoning Plan are supported by staff. (NOTE – staff’s recommendation may be changed pending comments on driveway access)

#### **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

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 R16-07; Oaks at Skybrook North Subdivision Conditional District Rezoning, the Planning staff RECOMMENDS CONDITIONAL APPROVAL FOR ONLY 220 units, as overall, 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. The property is located within the low intensity development area of the 2030 Comprehensive Plan and the proposed overall density is consistent with similar 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 provisions, it is reasonable and in the public interest to approve the Conditional District Rezoning Plan BECAUSE it is consistent with the 2030 Comprehensive Plan (as outlined above) and the applicable provisions of the Zoning Ordinance can be adequately addressed, with staff's recommendations in Section 6 .</u></p>	<p>APPROVAL: In considering the proposed rezoning application R16-07; Oaks at Skybrook North 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 R16-07; Oaks at Skybrook North 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 R16-07; Oaks at Skybrook North 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 R16-07; Oaks at Skybrook North 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>

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