



**Planning Board
Regular Meeting Minutes
October 24, 2017 - 6:30 PM**

Town Hall

A. Call to Order/Roll Call

The Chairman determined quorum and called the meeting to order.

B. Approval of Minutes

1. Consider approval of the September 26, 2017 Regular Meeting Minutes

A Motion to Approve the September 26, 2017 Regular Meeting Minutes was made by Joe Sailors and seconded by Susan Thomas. The Motion Carried by a vote of 9 Ayes and 0 Nays. Board Members voting Ayes: Bankirer, Davis, Graffy, McClelland, Miller, Smith, Sailors, Swanick, Thomas

C. Public Comments

D. Action Agenda

1. **Sketch Plan:** Request submitted by Meritage Homes to develop 236 single family houses on 62 acres zoned Neighborhood Residential, PIN 01706206 and a portion of 01706205 and 01706201.

A Motion to Defer was made by Stephen Swanick and seconded by Ron Smith. The Motion Carried by a vote of 9 Ayes and 0 Nays. Board Members voting Ayes: Bankirer, Davis, Graffy, McClelland, Miller, Smith, Sailors, Swanick, Thomas

Alison Adams, Senior Planner, gave an overview of the Sketch Plan for the Hambright Road subdivision, and entered the Staff Report into the record, a copy of which is attached hereto as Exhibit A, and incorporated herein by reference. Staff described the adjoining properties and zoning, impervious allowance, tree canopy and save, and indicated there was a block length waiver request to which staff supports. The buffer requirements are being met with an exception of a certain area on the western side of the site that is adjacent to an existing gas line easement and adjoining land that is being dedicated to Mecklenburg County for preservation of species and greenway installation, to which staff supports. There are outstanding comments on the plan to be addressed including minor plan corrections, removal of the curb and gutter along NC 115, the addition of two (2) mini-circles to help slow traffic through the neighborhood, and adding on-street parking for the 34' lots on both sides of the streets. Comments were submitted on the proposed Traffic Impact Analysis ("TIA"), and it has not yet been revised and submitted. The Chairman suggested that since a (final) TIA has not yet been submitted, and in the interest of time, that staff should move beyond the TIA and finish the presentation. Staff commented that the four (4) intersections are along or near the site and US21 and Hambright was to be studied as required by the Town.

It was inquired about the species being saved by the dedication to Mecklenburg County, and staff informed the members there are several varieties of flies located there with a thriving habitat, and the County will want to protect the land and species. The CMS school report was discussed with a 140% over capacity reported. Jack Simoneau, Planning Director stated that schools are not under the control of the Town, but the Mecklenburg County School Board. The Town does not have an Ordinance or any criteria to turn down a by right development when schools are overcrowded. The request is not a rezoning, but a by right development.

It was asked if the developer agreed to the recommended traffic circles, and staff noted they have not had a chance to respond back to staff. The removal of the curb and gutter was questioned and staff noted that the cross section will change with future road improvements, and there was no need to install curb and gutter that will ultimately be removed. The timing of the installation of future road improvements are not known for NC115. Drew Bowman (10116 Roosevelt Drive, Huntersville), stated that NC115 is currently a four lane median divided road, and becomes a two lane divided road along the northern portion of the site on NC115. The project will not widen NC115.

The Staff Report indicated access to the greenway and bikeway, and there is an accommodation for students and parents to walk to Alexander Middle School by crossing Hambright Road. Staff indicated the reference to the school is the old school site adjoining the project, but there is another path to the (new) Middle School. The gas line easement was located for the members, and it was noted that it does not affect the site or lots. There is additional space between the gas line easement and the back of the lots due to the dedication to the County, all of which is not within the site plan.

The Chairman called the developer, and Nate Bowman (205 S. Church Street, Huntersville), who appeared on behalf of Meritage Homes, and indicated he would respond to any questions. The Chairman asked if he agreed to the mini traffic circles, to which Mr. Bowman stated that Meritage Homes would prefer one traffic circle (the one closer to the center of the site), as one (1) circle is adequate. Jack Simoneau, Planning Director, agreed to eliminate the suggested mini-circle on the bottom near Hambright Road. As for the parking on 34' lots, we can accommodate the request on the lower road closer to Hambright as it is feasible, and will look at the second road above it. The current number of parking spaces was asked, and Mr. Bowman did not have the number. The applicant will follow the engineer's recommendation concerning the curb and gutter on NC115. Mr. Bowman noted that one delay with the TIA was with Alexander Middle School opening this year and the traffic counts being recounted. The improvements will be two (2) left hand turns into the major entrances (NC115 and Hambright), and a right hand storage lane, and a right turn lane going north on US21. Don Spence with Progressive Design Group restated the recommended improvements as being a right turn lane eastbound on Hambright at NC115 with 300' of storage, US21 and Hambright with a westbound right turn lane with 125' storage. The Chairman suspended the discussion on the TIA until the final results were submitted. There were no other questions.

Staff recommend a conditional approval of the Sketch plan as follows: the application is complete, it is in keeping with the future land use and intent, the TIA will be revised and accepted prior to going to Town Board, the landscape buffer waiver is supported, the block length waiver is support, and the minor plan comments are to be corrected. Staff recommends removal of the curb and gutter along NC115; the addition of one (1) mini traffic circle; and recommends additional on-street parking, which the developer has agreed to look

at Road H.

The discussion after the Motion to Defer was concerning no final or accepted TIA. The Chairman noted the deferral will give staff and the applicant to continue work together. It was asked of Mr. Bowman if there were any hard contractual requirements that would not be met due to the deferral, and Mr. Bowman stated, no, that he assumed the Board would defer the matter.

2. **Sketch Plan:** A proposed Sketch Plan for 35.95-acres to create 5 new lots zoned SP-CD. The parcels would be for light industrial uses and located abutting Bryton Corporate Center Drive, Hambright Road, and Savoy Lane. Property is vacant.

A Motion to Approve as being in accordance with the 2030 Community plan; that the application is complete, and that approval is subject to the conditions outlined by staff, as well as compliance with LUESA regarding a storm water plan was made by Ron Smith and seconded by Jennifer Davis. The Motion Carried by a vote of 9 Ayes and 0 Nays. Board Members voting Ayes: Bankirer, Davis, Graffy, McClelland, Miller, Smith, Sailors, Swanick, Thomas

David Peete, Principal Planner, gave an overview of the Sketch Plan, and entered the Staff Report into the record, a copy of which is attached hereto as Exhibit B, and incorporated herein by reference. Staff described the site within the Bryton project, the adjoining properties and zoning, and included there are 41 specimen trees on the site and 5 are proposed to be saved. The water quality concept plan is being reviewed by Mecklenburg County, and the Willingness to Serve letter from Charlotte Water has not yet been provided. For Urban Open Space (“UOS”), there are two (2) plazas and the applicant is looking to build a section of Carolina Thread Trail greenway, which will run along the railroad right-of-way on the southern boundary of Lot 1, to be built to Mecklenburg County standards and dedicated for its maintenance. A buffer is required along both Hambright Road and Everett Keith Road, and there is a block length waiver, both of which are supported by staff. Staff noted that the application is complete, and in compliance with applicable requirements with the following exceptions; 1) incorporate Town staff-approved Alternate Buffer Yard Plan; 2) a block-length waiver is required for new road placement, which can be supported by staff; 3) note and graphic depiction of the section of greenway that will be provided; 4) provide “Willingness to Serve” letter from Charlotte Water; and 5) address all remaining redline comments on the subdivision sketch plan.

Ryan McDaniels, 13801 Reese Boulevard, Huntersville, with Lake Norman Economic Development appeared and stated that this product does not exist in Huntersville and has great potential. The company has a great track record. The building renderings have lots of glass, and look great. He stated they (LNEDC) are 100% behind the project. It will help bring jobs, and is a major investment to the area, and hopefully provides Huntersville residents a place to work without having to commute into Charlotte. This project may provide potential companies from overseas to move in and lease space, and in the future bring more growth (incubator sector). The buildings will be multi-tenant, and some could occupy an entire building, or be in sectors. Compared to the Concord area near the airport, which is exploding, and this project is a higher quality product, with no front loading, and quality landscape.

Bill Simerville, Managing Director with Foundry Commercial (“FC”), 121 W. Trade Street, Charlotte, spoke to the Board and commented they are developing the corporate product of

Bryton. FC leases and manages around 9 -10 million feet of light industrial product around Charlotte to Rock Hill and Concord. There has been a void for this market for almost 10 years. The zoning permits this use, and is a fantastic opportunity. The waivers are to accommodate the size and density of what it thought the ideal tenant(s) is looking for, and includes 1400-1500 parking spaces. This is a lot of employees and jobs. The reason for the subdivision is in anticipation of requests from single users, and headquarter operations that want to own an entire building. Three (3) Request for Proposals have already been received for tenants between 40,000 -70,000 feet. This is a significant demand today for the large block users. There was 1.1 million feet approved, and this site will use about 700,000 feet.

Phasing was asked, and Mr. Simerville noted they will close on the land (once approval is received) on December 15, 2017, clear land in February and develop lots 1, 2 and 3 to be Phase 1. The buildings on lots 1-3 would be built simultaneously, and be completely roughly at the same time. Once at least 50% is obtained on leasing, Phase 2 would begin with the intent of being done in mid-2019.

Mr. Simerville explained that the (new) road within the site will be in Phase 2 when underground detention and storm water are also being installed. Lots 4, 5 and 6 will be naturally planted and stabilized during Phase 1. Staff noted that UOS must be there at Phase 1. Staff further noted that Bryton Corporate Drive and Savoy are dedicated roads that have not yet been accepted by the Town, and the developer currently maintains control; however, the roads will need to be public and opened before the buildings can be opened. Everett Keith Road is the only road that is 100% public. There is an older TIA for the entire Bryton Development, and staff commented that all roads have been built handle to the numbers approved under the TIA (1 million in commercial, over 1 million in light industrial, single family, etc.).

Mr. Simerville was asked to comment on the tree save since only 5 trees were being saved, to which he stated that there are 35 acres subject to the subdivision, 16 of which have been cleared by Frankie's. There are 5-7 major hardwood trees and the balance are a variety of underbrush and scrubs. A large portion of the site will be clear-cut, and the buffers will be disturbed as minimally as possible. Replanting will be per the Town requirements with the agreement to augment as needed, and will be cognizant of the neighbors on Everett Keith Road and the visual buffer requirements. In addition to large maturing, with wide canopies, there will be shoulder height fast growing trees. Staff was asked about tracking the entire Bryton tree save requirement, and staff explained the original tree save survey and how the trees are accounted and cataloged. The Chairman noted, on behalf of the Board, that a balanced approach is desired as Bryton is fully developed ,and a large sum of money in the tree fund account will not make up for all the specimen trees lost.

The through traffic, as noted in the Staff Report, was discussed, including the statement that "none of this traffic is intended to use Everett Keith Road". The industrial traffic will be using Bryton Corporate, as will traffic for Frankie's Fun Park, and future development. Staff explained there are no curb cuts along Everett Keith Road, and there is a substantial buffer required, which is staff approved and recommended. Until it is a thoroughfare, there will be no real need to use that road. Bryton Corporate Center Drive and Hambright were built to handle that level of traffic. The Chairman expressed his concerns about the mix of traffic for Frankie's and the proposed industries within the development; especially young drivers and during hours of darkness in the winter months. He pointed out the traffic for Frankie's is not light industrial traffic. Mr. Simerville commented that light industrial will be step vans, light delivery trucks, and thought the bulk of traffic would use Bryton Corporate Center Drive. There may be right-out circulation traffic around Everett Keith back to Savoy to reach Alexanderana. Traffic for this site will typically be 8-5:00 p.m. There may be home

furnishing suppliers (granite fabricators, lighting stores, some retail furniture), that stay open later to 7:00 p.m., but there should be no truck traffic to overlap with Frankie's evening traffic. Mr. Bankirer commented that granite is not delivered in step vans, and the mix of traffic was a concern.

The discussion after the Motion was to support the request due to the economic value. The tree save and aesthetics are important to maintain. The concerns about traffic were mentioned. It was encouraged for the developer to work with staff to consider what can be done about the traffic concerns.

E. Other Business

1. TIA Template

Stephen Swanick reported to the Board concerning his discussion (email) with the Engineering Department about the template. Engineering staff committed to providing a summary table in the Planning Board's Staff Reports when the surplus capacity option is utilized to mitigate intersection capacity deficiencies. It was agreed that Stephen Swanick is to clarify with Stephen Trott that when the table is provided that it will be the entire template, as opposed to just the one section where the adjustment is made. Upon such time, the matter can be considered closed. Concerns were expressed about which intersections are studied, and how chosen. The template is a good tool to use by staff and both the Planning and Town Board.

F. Adjourn

Approved this _____ day of _____, 2017.

Chairman or Vice Chairman

Michelle V. Haines, Board Secretary