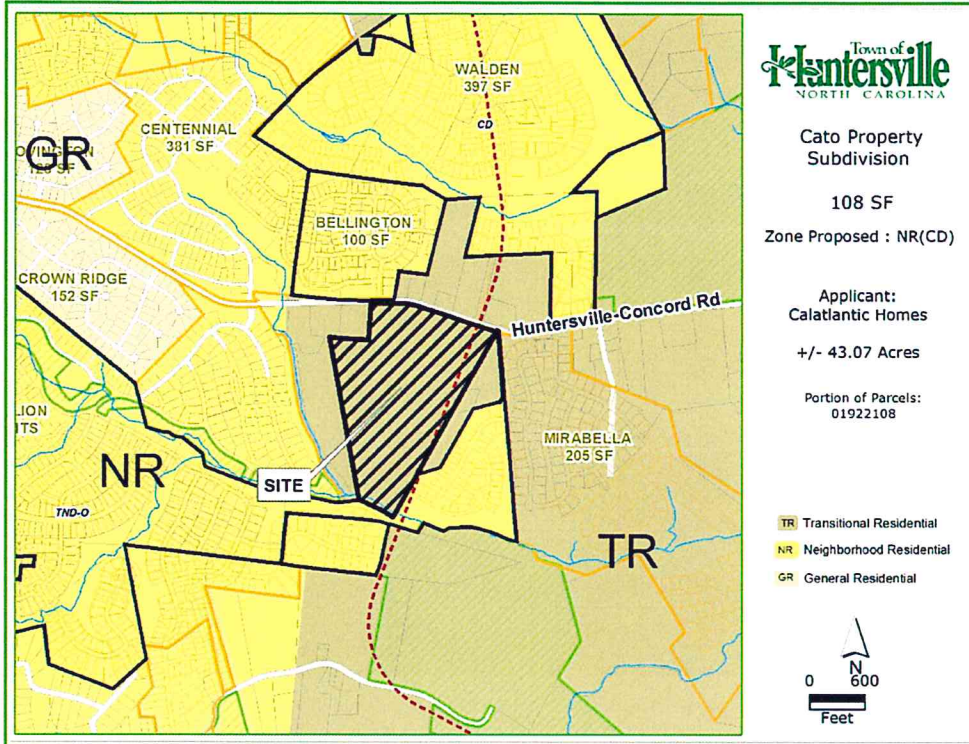


Cato Property Subdivision Sketch Plan

PART 1: PROJECT SUMMARY



Applicant: Calatlantic Homes

Property Owner: William E. Cato

Property Address: Along Huntersville-Concord Rd. (west of Mirabella & south of Bellington)

Project Size: 45 acres

Parcel Number: 019-11-108.

Current Zoning: Transitional Residential (TR).

Requested Zoning: Neighborhood Residential – Conditional District (NR-CD) pursuant to Rezoning request R 16-02.

Current Land Use: vacant, forested

Application is [Attachment A](#) and Site Plan is [Attachment B](#).

PART 2: SITE PLAN DESCRIPTION AND ISSUES

1. Purpose: To subdivide 45-acres of land located along Huntersville-Concord Road to create 98 single-family homes, pursuant to a requested Conditional District Rezoning (R 16-02). This Subdivision Sketch Plan is conditioned on approval of R 16-02 and is being reviewed by the Planning Board and Town Board concurrently.
2. Adjoining Zoning and Land Uses:
 - North: Transitional Residential (TR) & Neighborhood Residential (NR-CD) – single-family (Bellington & Walden Subdivisions) & vacant.
 - South: Neighborhood Residential (NR) - single-family (Valencia Subdivision) & vacant.
 - East: Transitional Residential (TR) & Neighborhood Residential (NR) – single-family (Mirabella Subdivision) & vacant.
 - West: Neighborhood Residential (NR) – single-family (Vermillion Subdivision).
3. A neighborhood meeting was held on March 3, 2016 (please see R 16-02 Staff Report for meeting summary). Questions/concerns centered mainly on traffic and transportation improvements along Huntersville-Concord Road.
4. The proposed subdivision has 98 lots on 45 acres, with lots ranging in size from 7,261 sq. ft. to 11,263 sq. ft.

5. Approximately 1,260 ft. of the new Asbury Chapel Road thoroughfare will be constructed as part of the subdivision and an additional @ 1,000 ft. of thoroughfare right-of-way will be dedicated to NCDOT.
6. The site plan shows a “30’ vegetated buffer” along the two (2) thoroughfares, however, these buffers are to include a landscaped berm that will be reviewed as a separate approval by the Planning Board and, if approved, will be shown in the Sketch Plan.
7. There are 44 specimen trees on the site. In the NR zoning district, 10 percent (4.4 trees) of the specimen trees are required to be saved and the developer proposes to save 5 specimen trees (11.36%), however, this data is inferred and must be clarified. **7-12-16 UPDATE – Data has been clarified.** There are no known heritage trees on the site. Sixty-one percent (61%) of the site is covered by tree canopy and the developer proposes to save 32.24 percent (32%) of the canopy (10% required).
8. The subdivision will be developed as one (1) phase.
9. A water quality concept plan is being reviewed by Mecklenburg County Engineering (LUESA). The applicant is proposing one large water quality BMP for the subdivision.
10. A “Willingness to Serve” letter has been provided by Charlotte Water, dated 5-5-16 (see Attachment C).
11. Urban Open Space Park is provided by a large, two acre park located in the center of the subdivision and by a, approximately 1,200 ft. long section of 10’-wide sidewalk running along the west side of the new Asbury Chapel Road thoroughfare, which will link two (2) future Town/County Greenways (to be built by others).

PART 3: TRANSPORTATION ISSUES

A Traffic Impact Analysis (TIA) was prepared by Kimley-Horn Associates as part of the Cato Property Conditional District Rezoning request (R 16-02). A final TIA was accepted by Town staff on May 3rd 2016. Based on the TIA, the following roadway improvements are recommended at full build-out of the site:

Adjacent Improvements:

Huntersville Concord Road at Future Asbury Chapel Road

- Construct an exclusive westbound left-turn lane on Huntersville Concord Road with 100 feet of full width storage and appropriate taper.
- Construct an exclusive eastbound right-turn lane on Huntersville Concord Road with 100 feet of full width storage and appropriate taper.
- Construct the northbound Future Asbury Chapel Road approach to include an exclusive left-turn lane and a shared through/right-turn lane.

Future Asbury Chapel Road at Site Access #1 (northernmost access)

- Construct an exclusive southbound right-turn lane on Future Asbury Chapel Road with 100 feet of full width storage and appropriate taper.
- Construct an exclusive northbound left-turn lane on Future Asbury Chapel Road to include 100 feet of full width storage.
- Construct the Site Access to include an exclusive eastbound right-turn lane with 50 feet of storage and appropriate taper.

Future Asbury Chapel Road at Site Access #2 (southernmost access)

- Construct an exclusive northbound left-turn lane on Future Asbury Chapel Road to include 100 feet of full width storage.

Future Asbury Chapel Road

- Due to the proximity of northbound and southbound left-turn lanes along Asbury Chapel Road along the site frontage, a full width three lane section is recommended to include one northbound through lane, one southbound through lane, and left-turn lanes (northbound or southbound) as indicated above.

Nearby Improvements (NCDOT requirement):

Huntersville Concord Road at Hiwassee Road

- Construct an exclusive eastbound right-turn lane on Huntersville Concord Road with 150 feet of full width storage and appropriate taper.

Cross Sections

The street cross-sections are as follows:

- Future Asbury Chapel Rd. thoroughfare – 117 ft. of right-of-way, which includes (room for three) 11 ft. travel lanes, 8 ft. green zones (planting strips), 10 ft. sidewalk on west side & 5 ft. sidewalk on east side.
- Residential Local Street (no on-street parking) - 51 ft. of right-of-way, which includes 10 ft. travel lanes, 7 ft. green zones (planting strips), 5 ft. sidewalks and curb and gutter.
- Residential Local Street (parking on 1 side) - 57 ft. of right-of-way, which includes 10 ft. travel lanes, 7 ft. green zones (planting strips), 5 ft. sidewalks and curb and gutter.

Future Road Connections

There are two (2) future road connections (stubs), both located along the western boundary of the subdivision.

Additional Subdivision Sketch Plan Comments:

- 1) Minor revisions to the sidewalk layout, ramp alignments and street tree locations.
- 2) Minor text revisions.

PART 4: PLANNING STAFF ANALYSIS

Section 6.200 of the Subdivision Ordinance outlines the “general requirements and policies to be used in the design, review, and approval” of subdivisions in the Town of Huntersville. The following staff findings are provided for the Board’s consideration of the Cato Property Subdivision Sketch Plan.

1. Consistency with adopted public plans and policies.

The following sections of the 2030 Huntersville Community Plan apply to this request:

- **Policy H-1 & H-9: Development Pattern.** Continue to follow existing residential development pattern as reflected in “Map of Zoning Districts,” focusing higher intensity development generally within two miles of the I-77/NC 115 corridor.
- **Comment:** The proposed CD Rezoning is located within the overlap of High and Low Intensity Areas of the 2030 Community Plan. The Cato subdivision has a density of 2.18 units per acre. The surrounding developments average 2.196, as follows:

<u>North</u>	<u>South</u>	<u>East</u>	<u>West</u>
Bellington = 2.42 (NR)	Valencia = 2.68 (NR)	Mirabella = 1.47 (TR)	Vermillion = 2.55 (NR)
& Walden = 1.86 (NR)			

- **Policy T-5: Context-sensitive Design of Streets:** Continue to support “context-sensitive” design of streets and the selection of appropriate street section designs for residential, commercial and industrial developments.
Comment: The internal streets are appropriately sized and create short blocks to encourage pedestrian activity. Also, the proposed cross-section for the portion of Asbury Chapel Road to be built through the development follows context sensitive design by providing adequate lane widths, bike lanes and sidewalks (including a 10’ wide multi-use path along the west side if the thoroughfare).
- **Policy T-7: Traffic Impact Analysis Ordinance:** Continue to apply requirements of “Traffic Impact Analysis” Ordinance, including Level of Service and mitigation of impacts generated by new development.

Comment: A TIA was required and the required transportation enhancements are outlined in Part 3 of this staff analysis.

- **Policy T-8: Street Connectivity:** Promote and require street connectivity in the Town of Huntersville among residential, employment, recreational and institutional uses.

Comment: The proposed development provides two (2) connections to a new section of thoroughfare (Asbury Chapel Road) and one (1) stub to the western boundary. In addition, there is one (1) emergency access being provided to the north (Huntersville-Concord Road).

- **Policy CD-5: Street Infrastructure:** Continue to require that adequate public infrastructure (roads, utilities, etc.) either exist or will be made available to support all new development.

Comment: The proposed development will develop a portion of the Asbury Chapel Road thoroughfare, as well as all other TIA-required improvements, extend public water and sewer from the south, provide two (2) connections to a proposed new road, provide one (1) stub and should provide an adequate greenway easement.

- **Policy PF-2: Adequate Public Facilities:** Continue use of “Adequate Public Facilities Ordinance” to ensure that demand generated by existing and future growth and development for police, fire and parks & recreation capital facilities can be met by available supply of facilities.

Comment: see Part 4 of this report.

STAFF COMMENT – The 2030 Huntersville Community Plan would not support this project through the following sections:

- **Policy E-1, E-2 & E-3: Preservation and Enhancement.** Support the preservation and enhancement of the natural environment, along with its scenic and cultural assets.

Comment: The proposed Subdivision Sketch Plan calls for a landscaped berm as an open space buffer along both Huntersville-Concord Road and Asbury Chapel Road. There are adjustments that must be satisfied to provide the berm, but if done, will provide an appropriate buffer. As a matter of context, the existing pattern along Huntersville-Concord Road has been to set homes back, approximately 80 – 100 feet and not turn the back-end of homes to the thoroughfare.

- **Policy T-6: Pedestrian Connections:** Support the installation of sidewalks, bikeways and greenway trails connecting residential, commercial, employment, recreational and institutional uses.

Comment: The proposed cross-sections for Asbury Chapel Road and the interior Town streets all provide sidewalks on both sides. Huntersville-Concord Road will provide a sidewalk on the south side along the project frontage. In addition, the west sidewalk along Asbury Chapel Road will be 10' wide and serve as a multi-use path that will link the greenway running through Walden, with the future greenway south of the Cato Subdivision. Bike lanes will be provided along Asbury Chapel Road and should be provided along the south side of Huntersville-Concord Road. **7-12-16 UPDATE – bike lane has been provided along the south side of Huntersville-Concord Rd.**

2. Conformity.

The proposed project is not adjacent to any single-family homes located along Huntersville-Concord Road, however there are several in the vicinity. The proposed Cato Property subdivision has a density of 2.18 units per acre on 45 acres. There is no maximum density in the Neighborhood Residential (NR) Zoning District. By comparison, nearby developments have the following densities: Valencia – 2.68, Vermillion – 2.55, Bellington – 2.42, Walden – 1.86 & Mirabella – 1.47. The proposed development has lot ranges from 7, 261 – 11,263 sq. ft. and lots will be 60 ft. wide.

3. Access Between Adjoining Properties.

The applicant is providing two (2) street stubs for future connections to the west. They are also dedicating appropriate right-of-way for future Asbury Chapel Road.

4. Relation to topography.

The 45 acres is generally flat, so the proposed street network respects the topography of the site.

5. Mature trees and natural vegetation.

The proposed project is required to save 10 percent of the tree canopy, 10 percent of the specimen trees and 100% of the heritage trees. All three of these requirements are being satisfied.

6. Access to parks, schools, etc.

There will be a section of a Mecklenburg County Greenway located to the south of the subdivision. The applicant will dedicate all required right-of-way for a future thoroughfare that will cross this greenway and the applicant will build a 1,260 ft. section of the thoroughfare, which will include a 10 ft. multi-use path on the west side to connect the greenway south the subdivision to one located to the north.

7. Discourage through traffic.

All streets are appropriately sized for residential traffic and indirect street connections will not encourage “cut-through” traffic.

8. Relationship to railroad rights-of-way.

Not Applicable.

9. Half streets.

Not Applicable.

10. Parallel streets along thoroughfares.

Not Applicable.

11. Public School and Public Park Sites

The parcels associated with the Cato Property Subdivision Sketch Plan have not been identified for a school or park site.

12. Public Facilities

The parcels associated with Cato Property Subdivision Sketch Plan have not been identified for a public facility.

13. Proposed street names

The street names for Cato Property Subdivision Sketch Plan will be approved with the Preliminary Plan submission (if Sketch Plan is approved).

14. Easements.

Easements have been identified and the plans have been sent to the respective Engineering and Utility Departments.

15. Proposed water and sewerage system.

Water and sewer will need to be extended to the development. A “Willingness to Serve” letter from Charlotte Water has been provided (Attachment C).

16. Restrictions on the subdivision of land subject to flooding.

Floodplain has been identified south of this site and no lots are proposed within this area.

17. Reserved.

18. Open Space

The proposed development complies with Urban Open Space and common open space requirements. A two (2) acre, central park is proposed for the residents to use.

19. Impact of Development on Public Facilities

Under the provisions of the APF Ordinance, all residential development greater than twenty (20) lots are required to receive a “Determination of Adequacy (DOA)” for the following public facilities: fire vehicles, fire station, police station, police vehicles, indoor park and recreation facilities, parks acreage. The proposed Subdivision Sketch Plan met the required threshold for submission of an APF application, and the proposed subdivision is subject to the requirements of the APFO.

A Determination of Adequacy (DOA) has been issued for the following public facilities: Fire Vehicles, Fire Stations, Police Vehicles, Stations, Indoor Park & Recreation Facilities and Park Acreage.

PART 5: STAFF RECOMMENDATION

COMPLETENESS OF APPLICATION

Town Staff has reviewed the proposed Subdivision Sketch Plan and finds the application complete.

COMPLIANCE WITH APPLICABLE REQUIREMENTS

Cato property Subdivision Sketch Plan complies with all applicable requirements and is supported by the findings of fact outlined in Parts 2 – 4 of this report, with the following conditions:

There are several site plan issues that **MUST be addressed**:

- Add correct berm elements to Sketch Plan along Huntersville-Concord Rd. & Asbury Chapel Rd (see Berm Staff Report).
- ~~Provide bike lane along south side of Huntersville-Concord Road frontage.~~ **SATISFIED**
- ~~20’ parking area from back of sidewalk must be included for each lot.~~ **SATISFIED**
- ~~Extend future Asbury Chapel right-of-way to southern property line.~~ **SATISFIED**
- Provide easement to County for possible greenway construction within floodplain area.
- ~~Northwestern street stub right-of-way must extend to the western boundary line.~~ **SATISFIED**
- ~~Add Huntersville-Concord Rd. cross-section to plan.~~ **SATISFIED**
- ~~Label “20’ vegetated buffer” as “undisturbed” in all locations.~~ **SATISFIED**
- ~~Clarify specimen tree save data on Sheet SP-3.0 to verify Ord. compliance.~~ **SATISFIED**
- ~~Label area east of Asbury as 100% tree save.~~ **SATISFIED**
- Address all outstanding Transportation comments (see Part 3).
- Address all minor comments to the notes of the Subdivision Sketch Plan.

There are several Subdivision Sketch Plan issues that staff makes **RECOMMENDATION** on:

- ~~Mail kiosk locations should be shown to evaluate conflicts at Preliminary Plan stage.~~ **SATISFIED**
- ~~If offered as a Conditional District requirement, add a note regarding the requirement to recess garages 10 feet behind the primary plane of the homes as a means to provide the Zoning Ordinance required 20 ft. parking area.~~ **7-12-16 UPDATE – Condition not offered. 20’ parking area to be provided via note and 15 – 25’ Build-to Range.**
- ~~If offered as a Conditional District requirement, Building Elevations are to be included.~~ **7-12-16 UPDATE – Building Elevations not offered. All homes to be reviewed on a lot-by-lot basis prior to permitting.**
- ~~If offered as a Conditional District requirement, add a note regarding intention to annex the subdivision into the Town of Huntersville.~~ **7-12-16 UPDATE – Applicant indicates intention to Vol. Annex subdivision property into Town. Annex Petition has NOT been received.**

APPROVAL

Cato Property Subdivision Sketch Plan complies with all applicable requirements, with the conditions listed above that MUST be addressed. IF the Conditional District Rezoning is approved (R 16-02) and the above items are addressed, staff can recommend approval of the proposed Subdivision Sketch Plan.

PART 6: PLANNING BOARD RECOMMENDATION

Planning Board recommended Approval on June 28, 2016, by unanimous vote. Motion stated that the 1) Application was complete; 2) Application complied with all requirements in Ord. and with staff's comments addressed and 3) Recommend Approval. Further recommendations were for Building Elevations to be provided, annexation petition submitted, kiosk locations shown, stipulate 20' parking requirement and PCO-1 Storm Water approval from LUESA.

PART 7: ATTACHMENTS AND ENCLOSURES

- A - Application
- B - Cato Property Subdivision Sketch Plan
- C - Charlotte Water "Willingness to Serve" letter.

PART 8: DECISION STATEMENTS

Please refer to Part 5 and Part 6 of this report for recommendation.

In considering whether to approve an application for a subdivision sketch plan, the Planning and Town Board must complete the following (a full version can be found in [Section 6.320.5](#) of the Subdivision Ordinance).

- Is the application complete (lacking any particular requirement)? *If no member of the Board moves that the application is incomplete, then this inaction is taken as an affirmative finding that the application is complete.*
- Does the application comply with all the applicable requirements? *A statement must be made that the application complies or does not comply that includes the support documentation of the particular motion.*
- Lastly, the Board must make a motion to approve or deny based on the previous statements.



General Application

Incomplete submissions will not be accepted. Please check all items carefully.

1. Application Type

Please indicate the type of application you are submitting. If you are applying for two (2) actions, provide a separate application for each action. **In addition to the application, the submission process for each application type can be found at**

<http://www.huntersville.org/Departments/Planning/PermitsProcess.aspx>

- ☐ CHANGE OF USE
- ☐ COMMERCIAL SITE PLAN
- ☐ CONDITIONAL REZONING
- ☐ GENERAL REZONING
- ☐ MASTER SIGNAGE PROGRAM
- ☐ REVISION to _____
- ☐ SPECIAL USE PERMIT

SUBDIVISION CATEGORIES: *Per the Huntersville Subdivision Ordinance*

- ☒ SKETCH PLAN
- ☐ PRELIMINARY PLAN
- ☐ FINAL PLAT (includes minor and exempt plats)
- ☐ FINAL PLAT REVISION
- ☐ FARMHOUSE CLUSTER

2. Project Data

Date of Application 01/05/2016

Name of Project CATO RESIDENTIAL Phase # (if subdivision) 1

Location 12920 HUNTERSVILLE-CONCORD RD, HUNTERSVILLE, NC 28078

Parcel Identification Number(s) (PIN) 01922108, 01939101

Current Zoning District TRANSITIONAL RESIDENTIAL (TR) Proposed District (for rezonings only) NR-CD

Property Size (acres) 01922108 (44.90 AC+/-)
01939101 (0.10 AC+/-) Street Frontage (feet) APPROX 3816 INCLUDING ASBURY CHAPEL ROAD ALIGNMENT

Current Land Use VACANT

Proposed Land Use(s) SINGLE FAMILY SUBDIVISION

Is the project within Huntersville's corporate limits?

Yes ☒ No ☐ If no, does the applicant intend to voluntarily annex? _____

3. Description of Request

Briefly explain the nature of this request. If a separate sheet is necessary, please attach to this application.

Sketch plan review for a 98 lot subdivision.

4. Site Plan Submittals

Consult the particular type of *Review Process* for the application type selected above. These can be found at: <http://www.huntersville.org/Departments/Planning/PermitsProcess.aspx>.

5. Outside Agency Information

Other agencies may have applications and fees associated with the land development process. The Review Process list includes plan documents needed for most town and county reviewing agencies.

For major subdivisions, commercial site plans, and rezoning petitions please enclose a copy of the Charlotte-Mecklenburg Utility Willingness to Serve letter for the subject property.

6. Signatures

*Applicant's Signature Fred Matrulli Printed Name FREDERICK MATRULLI (ON BEHALF OF CALATLANTIC HOMES)

Address of Applicant 6701 CARMEL ROAD, SUITE 425 CHARLOTTE, NC 28226

Email Fred.Matrulli@CalAtl.com

Property Owner's Signature (if different than applicant) William E. Cato

Printed Name WILLIAM E. CATO

Property Owner's Address 13116 HUNTER-CONCORD RD Email WECATO@SGCATO.COM

* Applicant hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

CALATLANTIC HOMES FREDERICK MATRULLI (704) 326-6670 Fred.Matrulli@CalAtl.com

Development Firm	Name of contact	Phone	Email
COLEJENEST & STONE	MARK MCAULEY	(704) 971-4533	MMCAULEY@COLEJENESTSTONE.COM

Design Firm	Name of contact	Phone	Email
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If Applying for a General Rezoning:

Please provide the name and Address of owner(s) of fee simple title of each parcel that is included in this rezoning petition. If additional space is needed for signatures, attach an addendum to this application.

If Applying for a Conditional Rezoning:

Every owner of each parcel included in this rezoning petition, or the owner (s) duly authorized agent, must sign this petition. If signed by an agent, this petition MUST be accompanied by a statement signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in filing this petition. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID PETITION. **If additional space is needed for signatures, attach an addendum to this application.**

Signature, name, firm, address, phone number and email of Duly Authorized Agent by owner needed below:

If Applying for a Subdivision:

By signature below, I hereby acknowledge my understanding that the Major Subdivision Sketch Plan Process is a quasi-judicial procedure and contact with the Board of Commissioners shall **only** occur under sworn testimony at the public hearing.

Contact Information

Town of Huntersville	Phone:	704-875-7000
Planning Department	Fax:	704-992-5528
PO Box 664	Physical Address:	105 Gilead Road, Third Floor
Huntersville, NC 28070	Website:	http://www.huntersville.org/Departments/Planning.aspx



May 5, 2016

Mr. Tom Platt
ColeJenest & Stone
200 South Tryon St
Suite 1400
Charlotte, NC 28202

**SUBJECT: WILLINGNESS TO SERVE
CATO SUBDIVISION
12920 HUNTERSVILLE-CONCORD ROAD, HUNTERSVILLE NC**

A Willingness to Serve study was completed and the following has been determined:

The subject property is within the intended service area of Charlotte Water (CLTWater). An analysis of the sanitary sewer associated with the proposed project determined that there is sufficient capacity in Charlotte Water's sanitary sewer system to accommodate the proposed wastewater flows. The sanitary sewer from this project will flow to the *Rocky River Waste Water Treatment Plant; NPDES permit number NC0036269*, located in Cabarrus County, for treatment. Please note that the availability of flow is subject to change and that this willingness to serve review in no way guarantees future capacity.

The water quality to the subject project is regulated by the State Drinking Water Act Amendments of 1986 and, The Water Supply Management Plan, PWS ID # 0160010, on file with the Public Water Supply Section of NC DEQ. However, Charlotte Water cannot guarantee a constant pressure or quality of flow.

Connection to the Charlotte Water and sewer system is accepted on a first come, first served basis, pending review and approval through the Charlotte Water Capacity Assurance Program and Flow Acceptance approval from the Water and Sewer Authority of Cabarrus County.

The applicant should understand that this letter is not an authorization to construct private water or sewer systems, as the appropriate local or State permits are required prior to construction. This willingness to serve is valid for (1) year from the date of issue. If you have any questions, please do not hesitate to contact me at (704) 432-5801.

Sincerely,

A handwritten signature in cursive script that reads "Barbara Gross".

Barbara Gross
Engineering Assistant