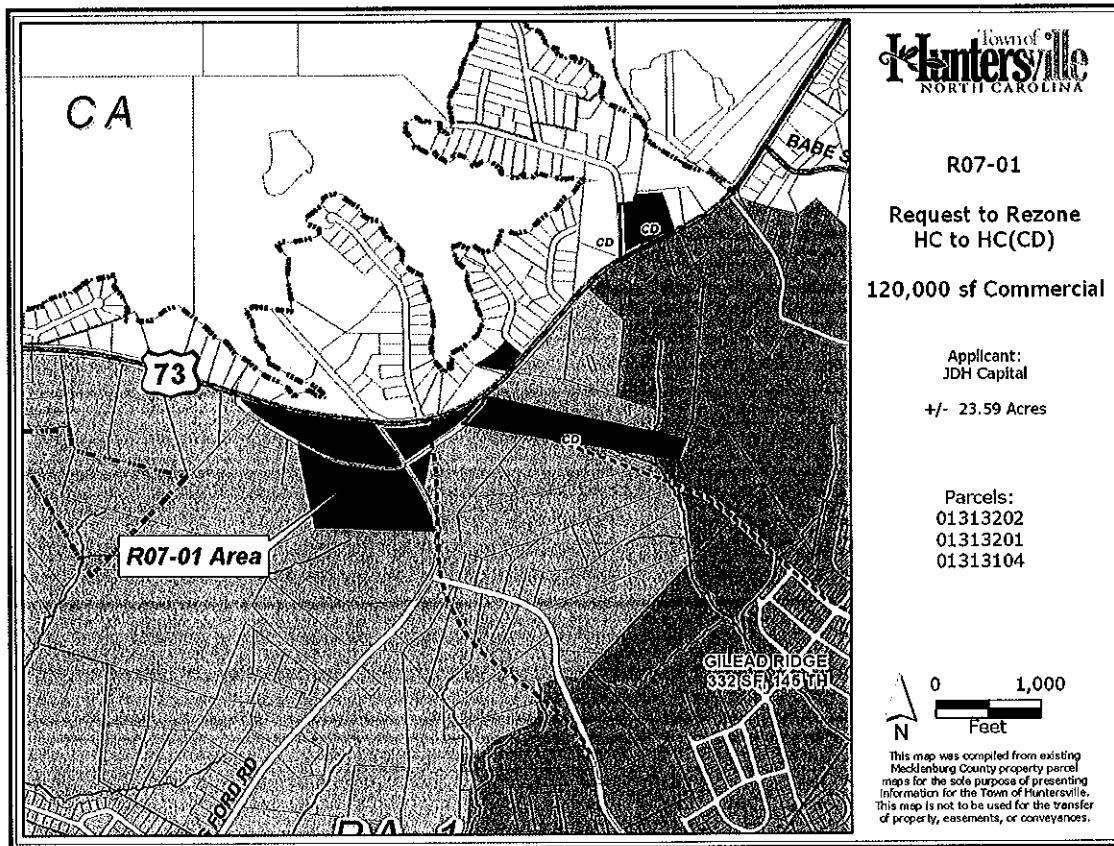


Shops at Crossroads Village Subdivision Sketch Plan Staff Analysis

EXPLANATION OF THE REQUEST

The Shops at Crossroads Village is a request by JDH Capital to subdivide approximately 23.59 acres located on the west side of Beatties Ford Road south of NC Hwy 73 (PIN# 013-13-202, 013-13-201 and 013-13-104) for a multi-building site (8 lots). The petition is proposing 120,000 square feet of commercial space (14 buildings) for a shopping center. The property is zoned Highway Commercial (HC) and is concurrently seeking Highway Commercial-Conditional District (HC-CD) in rezoning petition R07-01.

LOCATION



SITE PLAN DESCRIPTION

1. All parcels are now Highway Commercial (HC) per the Town Board approval of rezoning petition R06-12 on October 6, 2008 that changed the zoning of parcel 013-13-104 from Rural (R) to (HC).
2. This multi-building site is being processed concurrently with R07-01. There is a note on the subdivision sketch plan that ties this sketch plan to the notes found in rezoning R07-01.
3. This request was submitted prior to the adoption of the Adequate Public Facilities and Transportation Impact Assessment Ordinances. A TIA was provided but it was not evaluated under the new ordinance.
4. Parcel ID Numbers: 013-13-202, 013-13-201 and 013-13-104
5. Address: 4731 NC Hwy 73; 14720 and 14809 Brown Mill Road
6. Property Owners: Danny and Madeline Phillips and Judy Haddix
7. Project Size: Approximately 23.59 acres
8. The property is located to the south west of the intersection of Beatties Ford Road and NC Highway 73.
9. Current Land Use and Zoning: Zoned Highway Commercial (HC); one parcel is vacant; another parcel contains a single family home and several accessory buildings; one parcel has a single family home and farm.
10. Proposed Land Use and Zoning: Highway Commercial Conditional District (HC-CD); fourteen commercial buildings totaling a maximum of 120,000 square feet. One building is proposed to be a grocery store.
11. Adjoining Land Use and Zoning
 - a. To the north: NR and GR zoning; Lake Norman and parcels that are used for single family or are vacant.
 - b. To the south: R zoning; vacant land used for agricultural purposes and Gilead ARP Presbyterian Church.
 - c. To the west: R zoning; Southlake Farm Equestrian stables and single family residences.
 - d. To the east: HC and NC zoning; The Old Store (farm stand and market), single family residences and vacant land
12. Two access points are proposed on Beatties Ford Road. The developers propose to have one access on Hwy 73 which is a new public street labeled "Proposed Vance Road". There are two public streets from the "Proposed Vance Road" to access the development. One access is a private drive. The movements of each access point are depicted on the plan.
13. The petitioner is required to install sidewalks and street trees for all new streets. A double row of street trees and bike lanes required along Beatties Ford Road and Hwy 73. If the alignment of the "Proposed Vance Thoroughfare" should be the same as "Proposed Vance Road", a double row of street trees will also be required.
14. The petitioner will also adhere to any requirements as requested by NC Department of Transportation and/or the Town of Huntersville for a driveway permit and all necessary provisions for the abandonment of Brown Mill Road through their property. The development will meet the urban open space requirements through six plazas.
15. The development is required to provide 236 spaces. There are 484 parking spaces shown on this plan.
16. Landscaping, screening, and site lighting will be compliant with the requirements of the zoning ordinance. As part of the rezoning plan, the applicant is asking for a waiver of the 30' buffer requirement for part of the southern boundary.

17. Public water and sewer will be provided through the extension of existing Charlotte-Mecklenburg Utility mains. A *Willingness to Serve* letter has been provided.
18. Mecklenburg County Engineering (LUESA) has done an initial review of the plan and a Stormwater Concept Plan has been approved.
19. The applicant will need to seek Mecklenburg County approval to disturb the 30' SWIM buffer, which is around the existing pond.
20. The property is located in a protected watershed, Mountain Island Lake-Overlay Protected Area 1 (MIL-O, PA-1). They will be using the high density option and can have up to 70% impervious area.
21. No flood plain is present on the site.
22. There are thirty (30) specimen trees on site. Ten (10) trees are required per the ordinance. The petitioner is not saving any trees per this plan. The Planning Board approved the tree mitigation plan on December 16, 2008.

SITE PLAN ISSUES

The applicant is requesting a buffer waiver (allowed by Article 7.5.3 of the Zoning Ordinance) with their conditional rezoning request, R07-01.

The cross section for interior streets is different from the rezoning plan. This cross section on the sketch plan does not include sidewalks.

TRANSPORTATION ISSUES

The Northwest Huntersville Transportation Study is analyzing thoroughfare alignment issues in the area around the intersection of NC 73 and Beatties Ford Road. Several alternatives for the future configuration of the Vance Road Extension's connection to NC 73 impact the subject property. Three options were originally proposed and presented to the public and the Town Board and Planning Board for consideration. The Town and Planning Boards have not yet reached a recommendation. At the Town Board retreat, a fourth option was discussed. This option is still being studied. Each of the four options will have some affect on this site plan.

As presented to the public, Option 1 has two phases. The "Proposed Vance Road" on this site plan is in the same general location as the "Connector Road" on Option 1. The Connector Road shown in Option 1 is approximately fifty (50) feet to the interior of this site. The roadway system would be more efficient if the connector road was built to Gilead Road rather than just to the boundary of the rezoning. Option 2 is a trumpet intersection and would eliminate any development of the property. Option 3 would require modification to the site plan to accommodate the improvements needed on Beatties Ford Road and to provide desired access into the site. It is still unknown how Option 4 will affect the site plan.

The developer has included a note that acknowledges that the location of Vance Road Extension is still unknown. The note further states that if the thoroughfare changes from this location which would create a major change as defined by Section 3.100.10 of the Subdivision Ordinance, the developer would return through the public process for additional approvals. Depending on the impacts of the alternative chosen, there may be significant impacts to this conditional rezoning that would bring the request back through the public process. If this plan were approved as is, it would be vested for three years (Zoning Ordinance Article 2.2.2) and there would not be an opportunity to attain any

potential right-of-way that may be needed depending on the Northwest Huntersville Thoroughfare option chosen.

NCDOT, Town staff, and the developer have met to discuss and coordinate recommendations for improvements required for this development. The transportation improvements shown on this plan have received initial comments from NCDOT. The transportation improvements shown on the rezoning plan have not been coordinated with the adopted version of the Northwest Huntersville Thoroughfare.

The petitioner has worked to address several of the concerns raised by staff such as connectivity to the south of the project, the major roads in the project being public and providing safe access into the site. The applicant has listed on Page 2 of the rezoning package all of the improvements listed in their Transportation Improvements Assessment (TIA) that have been discussed with NCDOT and Town Transportation staff. Staff is still concerned about the full access at Henry Lane and NC Hwy 73.

The rezoning plan has added Note 12 which would allow the petitioner to reserve the right to use a multi-use path in lieu of a bike lane and sidewalk adjacent to Hwy 73 and Beatties Ford Road. North Carolina Bike Route 6 runs adjacent to this project. Staff is not opposed to this idea, but does not support the note as it is still unknown what type of bicycle and pedestrian accommodations will be recommended for the Northwest Huntersville Thoroughfare.

PLANNING BOARD RECOMMENDATION

The Planning Board deferred decision on this subdivision sketch plan at the November 18, 2008 meeting. The Board also recommended that the Town Board defer the decision on R07-01 until after January 5th when the Northwest Huntersville Thoroughfare has been determined.

STAFF RECOMMENDATION

At this time staff would not recommend approval of subdivision sketch plan until the physical alignment of the Northwest Thoroughfare "Vance Road" has been determined and adopted by the Mecklenburg-Union Metropolitan Planning Organization (MUMPO) and the remaining transportation issues are addressed on the plan. Below are findings of fact where the sketch plan is incompliant with the Subdivision and Zoning Ordinances:

- *Section 6.200.1 Consistency with adopted public plans and policies* (Subdivision Ordinance). The Town of Huntersville has been working with MUMPO to identify a location for the NW Huntersville Thoroughfare. The thoroughfare system needs to be identified and recognized on the site plan. The note pertaining about the multi-use path needs to reflect the recommendations from the NW Huntersville Thoroughfare.
- *Section 8.110 Town Streets* (Subdivision Ordinance), *Article 5 Street Design Commercial Town Street* (Zoning Ordinance). The cross section for interior streets is different from the rezoning plan. This cross section on the sketch plan does not include sidewalks.