

Mayor
Jill Swain

Mayor Pro-Tem
Sarah McAulay

Commissioners
Melinda Bales
Charles Guignard
Charles Jeter
Ron Julian
Danny Phillips

Town Manager
Gregory H. Ferguson



Department Heads
Max Buchanan, Public Works
Bill Coxe, Transportation
Michael Jaycocks, Parks & Rec
Craig Norfolk, Electric
Philip Potter, Police Chief
Jack Simoneau, Planning
Janet Stoner, Finance

Assistant Town Manager
Gerry Vincent

Town Clerk
Janet Pierson

Town Attorney
Bob Blythe

AGENDA

Regular Town Board Meeting
January 17, 2012 – 6:30 p.m.

TOWN HALL (101 Huntersville-Concord Road)

I. Pre-meeting – 5:00 p.m.

- A. Discussion – Cell Towers. (5:00 p.m. – 6:00 p.m.)
- B. Discussion – Stumptown Elementary Gym. (6:00 p.m. – 6:15 p.m.)

II. Call to Order

III. Invocation/Moment of Silence

IV. Pledge of Allegiance

V. Mayor and Commissioner Reports/Staff Questions

- A. Mayor Swain (MTC, NMIP Management Team)
- B. Commissioner Melinda Bales (Police Dispatch)
- C. Commissioner Charles Guignard (LNTC)
- D. Commissioner Charles Jeter (ASC)
- E. Commissioner Ron Julian (LNREDC Board, School Advisory Committee)
- F. Commissioner Sarah McAulay (MPO, COG, NC 73 COP, Planning Coordinating Committee, VLN)
- G. Commissioner Danny Phillips (Lake Norman Chamber)

VI. Public Comments, Requests, or Presentations

VII. Agenda Changes

- A. Agenda changes, if any.
- B. Adoption of Agenda.

VIII. Public Hearings

- A. Conduct continuation of public hearing on Petition #R11-06, a request by Charlotte-Mecklenburg Hospital Authority (Carolinas Healthcare Systems) to rezone 17.35 acres located at the NW corner of NC 115 and Verhoeff Drive from Neighborhood Residential to Campus Institutional Conditional District. **Attachment No. 1.** (David Peete)

IX. Other Business

- A. Consider recommending to the MUMPO an alignment change for the Prosperity Church Extension north of the Eastfield Road intersection. **Attachment No. 2.** (Bill Coxe)
- B. Consider adopting resolution of support for the Red Line Trail. **Attachment No. 3.** (Bill Coxe)
- C. Consider authorizing the Town Manager to sign the outsourcing agreement with AOT Public Safety Corporation to manage the alarm services on behalf of the Town of Huntersville. **Attachment No. 4.** (Chief Potter)
- D. Consider appointing three members to the Parks & Recreation Commission. **Attachment No. 5.** (Michael Jaycocks)
- E. Consider appointing three members to the Greenway, Trail and Bikeway Commission. **Attachment No. 6.** (Michael Jaycocks)

X. Consent Agenda

- A. Approve minutes of the January 3, 2012 Regular Town Board Meeting. *Enclosure.*
- B. Approve budget amendment recognizing revenue in the amount of \$474.04 and appropriate to the Police Department's insurance account. *Attachment No. 7. (Janet Stoner/Chief Potter)*

XI. Closing Comments

XII. Adjourn

To speak concerning an item on the Agenda, please print your name and address on the sign-up sheet on the table outside the Board Room prior to the meeting. If you wish to speak concerning an item that is added to the Agenda during the meeting, please raise your hand during that item. Each speaker will be limited to 3 minutes.
**AS A COURTESY, PLEASE TURN CELL PHONES
OFF WHILE MEETING IS IN PROGRESS**

ATTACHMENT NO. 1

**Town of Huntersville
REQUEST FOR BOARD ACTION
January 17, 2012**

REVIEWED:

Town Manager X

Finance Officer _____

Town Attorney _____

To: The Honorable Mayor and Board of Commissioners

From: David Peete, AICP, Principal Planner

Subject: Rezoning Petition # R11-06 – 17.35-acres located at NC 115 & Verhoeff Drive from Neighborhood Residential (NR) to Campus Institutional Conditional District (CI-CD) (Huntersville Oaks)

Request to continue to hold a public hearing for Tuesday, January 17, 2012 at 6:30 PM, Huntersville Town Hall. Petition # R11-06 is a request by Charlotte-Mecklenburg Hospital Authority (Carolinas Healthcare Systems) to rezone 17.35 ac located at the NW corner of NC 115 and Verhoeff Drive from Neighborhood Residential (NR) to Campus Institutional Conditional District (CI-CD) to construct a 110 bed behavioral health facility (Phase 1 & 2) and a separate 30,000 sq. ft. building (Phase 3). The property (portion of PIN 017-411-18) is currently vacant. (*Staff: David Peete*)

ACTION RECOMMENDED: Continue to hold Public Hearing on January 17, 2012

ATTACHMENTS: Updated Staff Report (from 01/03/12)

ENCLOSURES: Updated Rezoning Plan (from 01/03/12)

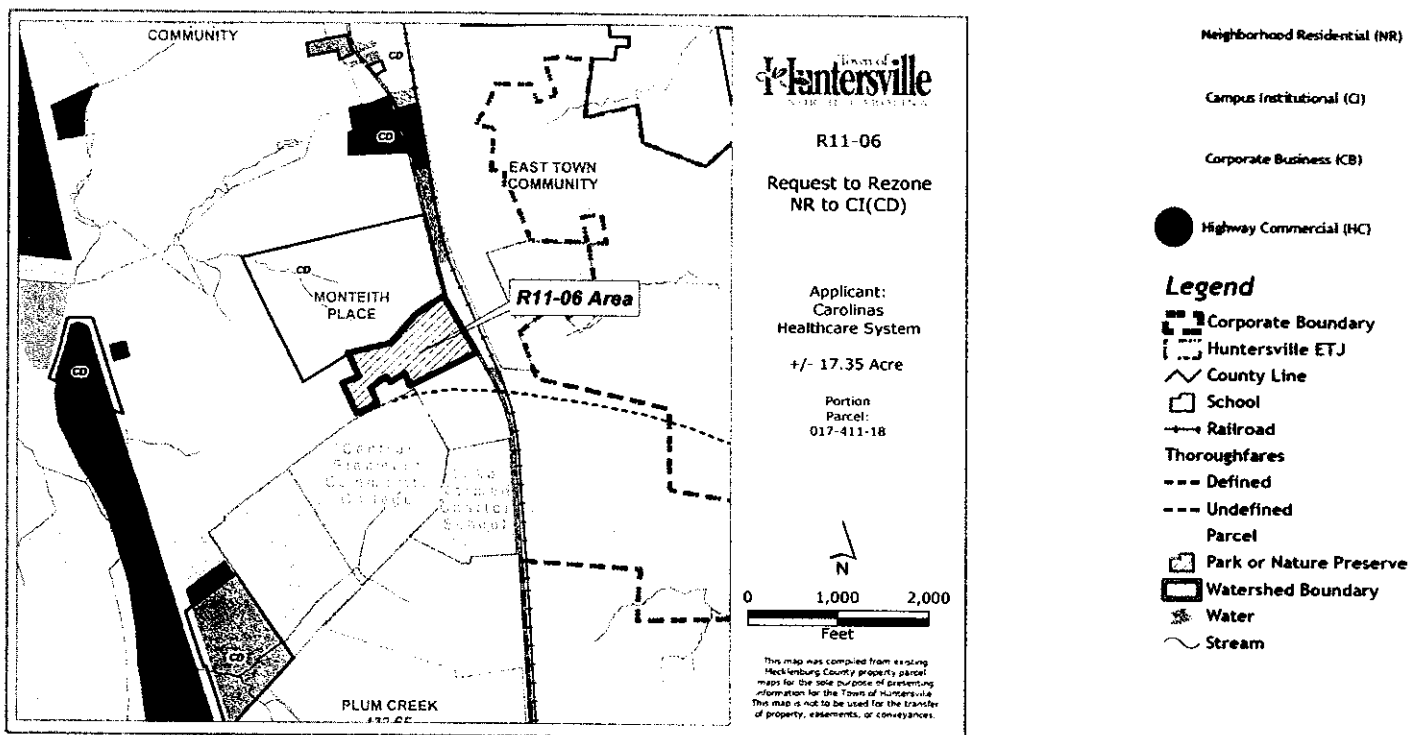
FINANCIAL IMPLICATIONS: Town street (Dr. Seay Drive) to be abandoned & Verhoeff Drive improvements to be paid for by Town (per agreements related to Verhoeff Bridge project) (see Staff Report)

Rezoning Petition #R11-06 Huntersville Oaks - Conditional District Rezoning Staff Analysis

EXPLANATION OF THE REQUEST

R11-06 is a request by Charlotte-Mecklenburg Hospital Authority (Carolinas Healthcare Systems) to rezone 17.35 ac located at the NW corner of NC 115 and Verhoeff Drive from Neighborhood Residential (NR) to Campus Institutional Conditional District (CI-CD) to construct a 110 bed behavioral health facility (Phase 1 & 2) and a future 30,000 sq. ft. building (Phase 3). The property (portion of PIN 017-411-18) is currently vacant.

LOCATION



SITE PLAN & REZONING DESCRIPTION

1. **Current Zoning and Land Use:** Currently zoned Neighborhood Residential (NR). The property is vacant. NOTE: a congregate care facility (former Huntersville Oaks) last occupied this site and was razed in 2009.
2. **Proposed Zoning and Land Use:** Campus Institutional Conditional District (CI - CD). The development will consist of three (3) phases as follows: Phase One will be a 66-bed, 78,000+/- sq. ft. behavioral health facility located on Parcel 1, located close to NC 115 & Verhoeff Drive. Phase Two will add a second story of 55,000 +/- sq. ft. and 44-beds to Phase One for a total of 110-beds. Phase Three will permit a future 30,000+/- sq. ft. medical/office building which will front on the proposed extension of Lottingly Drive. See Site Plan Details (Enclosure 1 for more information.)
3. **Adjoining Zoning and Land Use**
 - a. To the north: Neighborhood Residential (NR) zoning – use is 185 single-family homes (Monteith Place Subdivision).
 - b. To the south: Campus Institutional (CI) and Neighborhood Residential (NR) – use is educational (Central Piedmont Community College) and vacant, as well as significant public road right-of-way.

- c. To the east: Neighborhood Residential (NR) – use is single-family homes and vacant, as well as significant public/private right-of-way (both road and rail).
- d. To the west: Neighborhood Residential (NR) – use is a congregate care facility (Oaks at Huntersville, owned and operated by the applicant of this request).
4. The Neighborhood Meeting was held on Tuesday, December 6, 2011. Meeting summary attached (Attachment B).
5. No protest petitions have been received as of the date of this report. The deadline to receive petitions is December 27, 2011.
6. The site can be accessed from Old Statesville Road (NC 115), Verhoeff Drive and an extension of Lottingly Drive. The developer has asked that Dr. Seay Drive (a public road) be abandoned. If abandoned, adjustments to the alignment of Dr. Seay Drive will also be made. (see Enclosure 1 and the Transportation section of this report)
7. The conditional district plan notes indicate the use will be a 110-bed hospital and related medical uses.
8. The applicant is seeking a concurrent subdivision sketch plan approval. The subdivision sketch is scheduled to be reviewed by the Planning Board on January 24, 2012.
9. The urban open space requirement is being satisfied via the large central park located 975 linear feet to the north in Monteith Place subdivision.
10. There are no SWIM buffers located on this site.
11. The property is located in a protected watershed (PA-2). However no flood plain is present on the site.
12. There are a number of significant tree species located on this site (see Sheet SP4.0). The applicant intends to save a considerable number of those trees, but due to the size of the facility and the associated improvements, many trees will be cut. There were also six (6) very large trees that were dead or in decline and will be removed as well. The specific number of specimen trees to be saved on the site is not clear on the plan. The Zoning Ordinance requires 30 percent of specimen trees to be saved (minimum). The developer intends to show that they are compliant with the ordinance regarding tree save.
13. The development is required to have an eighty (80) foot buffer along any non-Campus Institutional, Corporate Business or Special Purpose zoning districts. Buffers are required on all four sides. See "Site Plan Issues" section for full details of proposal and recommendation.
14. Public water and sewer ~~is assumed to~~ will be provided through the extension of existing Charlotte-Mecklenburg Utility District (CMUD) utility mains. **A willingness to serve letter from CMUD has been provided.**
15. This plan has been reviewed by Mecklenburg County LUESA (Engineering) office; however, a Stormwater Concept Plan has not been approved at this time.
16. The developer is requesting twelve (12) Zoning Ordinance modifications that are discussed in the Zoning and Site Plan Issue sections below. A summary of the requested modifications are listed at the end of the Site Plan Issues section.

REZONING / SITE PLAN ISSUES

Buffers

Along any property line where the Campus Institutional (CI) zoning district abuts any other districts or street right-of-way, an 80'-wide buffer planted with 4 trees and 5 shrubs per 1,000 sq. ft. is required (Article 7.5.3). Approximately 35% of the required buffer width along the northern edge of this project adjacent to a residential subdivision will meet 80' width standard. ***The applicant is asking for an ordinance modification for the remaining portions of the northern property line to reduce the required buffer width from 80' to 40'.*** In exchange for the width reduction, the applicant has indicated they intend to plant 150% of the required trees and shrubs, install vegetation larger than the minimums required in order to establish a visual buffer sooner, and use an earthen berm 6' high along a portion of the northern property line (see sheet SP3.0). ***Also, an ordinance modification is also requested to eliminate the buffer along NC 115 and Verhoeff Drive.*** Article 7.5.3 already allows a reduction of the buffer per the following: "... a full 80 ft. buffer may be reduced along street frontages where building scale, frontage relationship, and location of accessory uses ensure

design compatibility". Staff has reviewed the re-submitted buffer and it does not meet the spirit and intent of the ordinance. The width of the buffer is insufficient, the over-planting of the buffer may cause long-term issues and the planting scheme is short on large-maturing species.

Side Yard Parking

The developer is asking for an ordinance modification to allow a greater percentage of sideyard parking. The Civic Building type permits a maximum 25% sideyard parking but goes on to state: "Where dimensions of existing lots restrict parking behind buildings, the limitations on sideyard parking may be modified". This applicant proposes 40% sideyard parking along NC 115. Due to the narrow lot width on NC 115, and deep lot depth on Verhoeff Drive, modification of sideyard parking is appropriate.

Elevations

Several architectural elements are being adjusted by the applicant. These adjustments include adding the same (or similar) roof-line treatment as the larger portions of the building to the office fronting NC 115, the designated front of the project. Also, Lottingly Drive elevations for the Phase 3 medical/office building will be provided. The proposed building elevations have sufficiently addressed the roof-line issues and screening requirements for HVACs. The façade along Verhoeff Drive is satisfactory. The façade along NC 115, still has large expanses of blank space.

Stormwater

The applicant has indicated that additional stormwater facilities will not be required for the extension of Lottingly Drive to Verhoeff Drive. This has not been verified by LUESA. Discussions are still in progress.

Additional Comments

Other site plan elements still under discussion include creating pedestrian corridors through the parking areas to facilitate safe movement to all buildings; a clarification that no site work will be done on the Phase 3 parcel until full phase plans are added to the Conditional District Plan.

Summary of requested Zoning Ordinance Modifications (see Enclosure 1 - Sheet SP 1.0):

1. To reduce portions of the buffer along the northern boundary from 80 feet to 40 feet. See Buffers above.
2. Eliminate the required buffer adjacent to that parcel of land (owned by Mecklenburg County) located along the site's southern boundary. Request supported by staff, as County parcel is not correctly zoned.
3. Eliminate the required buffer on the Phase 3 portion of the site adjacent to the nursing home. Request supported by staff, as both uses are owned by the applicant.
4. Relocation and maintenance of the existing "Huntersville Oaks" sign located at the corner of NC 115 and Verhoeff Drive. Request is supported by staff.
5. Elimination and/or reduction of the required buffer along the perimeter of the site. See Buffers above.
6. Treat stormwater from a portion of Lottingly Drive off-site within public right-of-way. Request is unclear, but will be reviewed by Mecklenburg County. Staff will defer to Mecklenburg County on this issue.

Ordinance modifications to add:

7. Relocate door along NC 115. Concept waiting on revised elevations from applicant.
8. Permit an increased level of window tinting along Verhoeff Drive – due to the sensitive nature of the facility. Request supported by staff. Note on plan is satisfactory.

TRANSPORTATION ISSUES

Traffic Impact Analysis Ordinance

A traffic impact assessment (TIA) was required for this Conditional District Rezoning as it met the trip-generation threshold for both peak hour and daily trips (i.e. 50 peak hour; 500 daily). Kimley-Horn and

Associates submitted the traffic impact analysis after completion of the traffic study scoping process with Town staff. Based on the revised Huntersville Oaks TIA dated January 6, 2012, the following traffic impact mitigation improvements are required by the developer based on Article 14.3.3 of the zoning ordinance:

Intersection of Old Statesville Road (NC 115) and Dr. Seay Drive

- Construct an exclusive southbound right-turn lane on NC 115 at Dr. Seay Drive with 100 feet of full width storage and appropriate taper.
- Construct an exclusive northbound left-turn lane on NC 115 at Dr. Seay Drive with 100 feet of full width storage and appropriate taper.

Intersection of Verhoeff Drive and Lottingly Drive Extension (currently Dr. Seay Drive)

- Construct an exclusive eastbound left-turn lane on Verhoeff Drive at Lottingly Drive Extension with 100 feet of full width storage and appropriate taper.
- NOTE: This TIA required improvement will be installed by the Town of Huntersville as part of the right-of-way negotiations for the Verhoeff Drive bridge and re-alignment project. The Town committed to construct an exclusive left-turn lane on Verhoeff Drive at the proposed Lottingly Drive extension that will accommodate the required 100 feet of full width storage required by this TIA. This commitment by the Town alleviates the applicant from constructing that improvement as part of this development.

Intersection of US 21 (Statesville Road) and Verhoeff Drive

- Add 50 feet of full width storage to the existing exclusive southbound left-turn lane on US 21 at Verhoeff Drive.

For this project to be approved, the Board must approve a mitigation plan. Transportation improvements have been identified and the developer is still reviewing the mitigation plan. The applicant has indicated on this plan that they will construct both an exclusive left and right-turn lane on NC 115 at their site driveway with 75 feet of storage. The Town has committed to construct the exclusive left-turn lane on Verhoeff Drive as part of the Verhoeff Drive project. However the southbound left-turn lane extension of 50 feet on US 21 has been identified in the traffic study but not currently committed to by the developer.

At the time of this staff report, final comments from NCDOT have not been received on this development traffic study.

For all Transportation-related improvements, please see Attachment D.

Abandonment of Dr. Seay Drive and Connections to Adjacent Site

Currently, Dr. Seay Drive is a town maintained road serving this site running from NC 115 to Verhoeff Drive (see Sheet SP4.0). The developer has requested this public road be abandoned to be used as a private drive for this project. Approximately 1,000 feet of Town maintained public street would be abandoned as part of this request. This length only includes the portion of Dr. Seay Drive that will not become the future Lottingly Drive. Further, the applicant is proposing to extend Lottingly Drive, a stub street in Monteith Place subdivision, to connect with Verhoeff Drive (see Sheet SP2.0). **Staff supports the abandonment request conditioned upon the extension of Lottingly Drive. If approved, the Town and the applicant will need to follow the Town's public right-of-way abandonment policy.**

Re-alignment of Verhoeff Drive

One of the largest impacts to this site is the re-alignment of Verhoeff Drive to accommodate the new bridge over NC 115. The existing Verhoeff alignment will still function as a part of the main street network, thus the proposed health facility will address both NC 115 and Verhoeff Drive. The Town will provide improvements at the intersection of the Lottingly Drive extension and Verhoeff Drive as part of a previous right-of-way negotiation.

Dedication of Right-of-way

It is recommended that the applicant dedicate all required right-of-way to make all transportation improvements along Verhoeff Drive.

NOTE: Pending a scheduled TIA meeting on January 11, there may be additional transportation issues.

ADEQUATE PUBLIC FACILITIES (APF)

Under the provisions of the APF Ordinance, all non-residential developments over 10,000 square feet are required to submit an APF Application and receive a "Determination of Adequacy (DOA)" for the following public facilities: fire station, fire vehicles, police station, police vehicles. Charlotte-Mecklenburg Hospital Authority (CMHA) has submitted an APF Application (see attached) and is requesting approval to serve a 133,000 square foot behavioral health facility (Phase 1 – 78,000 s.f.; Phase 2 – 55,000 s.f.). On November 28, 2011 a DOA (see Attachment C) was issued for all public facilities, with the exception of police vehicles (for which a "Determination of No Available Capacity (DONAC)" was issued (see attachment C). As specified in the APF Ordinance, as part of any approval granted by the Town, the deficient police vehicle capacity for the proposed Huntersville Oaks Facility must be made available in one of the following three (3) ways:

1. By the Town prior to the issuance of a "Certificate of Occupancy (CO)";
2. Be Included as part of a Town of Huntersville capital Improvements plan (and expected to be made available by the end of the third fiscal year following the date of the APF Application – or June 30, 2015);
3. Be mitigated by the applicant for the proportionate share impact of the Huntersville Oaks facility – or the equivalent of .38 % of a police vehicle. Should mitigation be required, the Town Board would need to approve such a plan prior to it being finalized.

REZONING CRITERIA

Article 11 Section 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 - There are six relevant sections of the 2030 Huntersville Community Plan that support this request:

1. **Policy T-5 – Context-sensitive design of streets.** The extension of the stub-street from Monteith Place subdivision to Verhoeff Drive recognizes that a 51' wide right-of-way is adequate to provide pedestrian and vehicular connectivity, while the abandonment of Dr. Seay Drive will permit the applicant to provide appropriate residential buffers while still maintaining drive access through the site.
2. **Policy T-6 – Pedestrian Connections.** The project provides sidewalks and bike lanes along both Verhoeff Drive and NC 115, as well as extending sidewalks along the extension of Lottingly Drive. Sidewalks will also be provided throughout the project to connect buildings and parking areas.
3. **Policy T-8 – Street Connectivity.** The project will extend Lottingly Drive from the adjoining Monteith Place subdivision to Verhoeff Drive.

4. **Policy ED-1 – Diversify tax base – Continue to look for ways to expand and diversify the employment base.** A behavioral health facility will diversify the employment base.
5. **Policy CD-1 – Land Use / Transportation Integration.** The proposed street connections, improvements and abandonments work to create a functional site for this project. The addition of sidewalks and bike lanes will further integrate this project into the larger area.
6. **Policy CD-6 – Architecture and Place-making consistent with zoning. Maintain high design standards for development.** The elevations and architecture are being modified to better address the street and will be reviewed further.

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:

Development along Verhoeff Drive is generally large-scale and includes a community college campus (CPCC-North), a nursing home (Oaks at Huntersville), an indoor athletic facility (Huntersville Family Fitness and Aquatics), and a Mecklenburg County Park (Huntersville Athletic Park). The nursing home and the indoor athletic facility both address the street with their building placement. The CPCC-North campus is set back off the road. On Old Statesville Road, only the homes of Monteith Place address the street. The surrounding development to the north of Verhoeff is either large-lot older single-family homes or small-lot homes located to the east of the railroad tracks. South of Verhoeff, development consists of the Commerce Station Industrial Park and Lake Norman Charter School. The proposed site plan and use are generally in keeping with the existing land use pattern.

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:

- See Adequate Public Facilities section, above.
- Charlotte Mecklenburg Utilities has provided Willingness to Serve Letter.
- A Post Construction Concept Plan has not been approved by Mecklenburg County LUESA (Engineering).

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

STAFF COMMENT:

Planning staff has no indication that the request will adversely affect known archeological, environmental, historical or cultural resources.

STAFF RECOMMENDATION

Staff reserves its recommendation until all outstanding issues regarding the rezoning request have been addressed. To this end, the applicant has requested the public hearing be held open until January 17, 2012 in order to resolve these issues. The major issues are:

- TIA compliance
- Provision of adequate buffers for Monteith Place subdivision.
- Modified elevations – specifically building massing along street-front, door/entry placement and roof treatment along the NC 115 frontage.
- Tree save compliance. **Tree save appears to be close to compliance, but discrepancies on the plan must be clarified.**
- Provision of pedestrian corridors through parking areas. **Two of the proposed pedestrian connections do not lead to the facility. Options will be explored to provide adequate connections.**
- Need Concept Plan approval from Mecklenburg County (LUESA)

There are outstanding minor site plan and planning issues that staff will need to resolve with the developer. The majority of them are Sketch Plan related, as opposed to requirements for the rezoning plan. The applicant recognizes the need to address and correct these issues and has requested that the public hearing remain open until January 17 to address the unresolved issues (see Attachment D).

STATEMENT OF CONSISTENCY

Per the North Carolina General Statutes § 160A-383 and Article 11.4.7 b-d of the Town of Huntersville Zoning Ordinance, rezoning actions must be accompanied by a *Statement of Consistency*. Two statements are provided below that need to be incorporated into the motion either to approve or deny the petitioner's request.

[Approve]

In considering the proposed rezoning of Petition R11-06, Huntersville Oaks Conditional District located at the intersection of NC 115 and Verhoeff Drive on 17.35-acres, the Town/Planning Board finds that the rezoning is consistent with the Town of Huntersville Community Plan and other applicable long range plans. We recommend amending the Zoning Map for Rezoning Petition R11-06 from Neighborhood Residential (NR) to Campus Institutional Conditional District (CI-CD). It is reasonable and in the public interest to rezone this property because..... (Explain)

OR

[Deny]

In considering the proposed rezoning of Petition R11-06, Huntersville Oaks Conditional District located at the intersection of NC 115 and Verhoeff Drive on 17.35-acres, the Town/Planning Board finds that the rezoning is not consistent with the Town of Huntersville Community Plan and other applicable long range plans. We recommend denial of Rezoning Petition R11-06. It is not reasonable and not in the public interest to rezone this property because..... (Explain)

PUBLIC HEARING COMMENTS

TBD

PLANNING BOARD RECOMMENDATION

To be reviewed 01-24-12

ATTACHMENTS/ENCLOSURES

Attachments

- A – Application
- B – Community Meeting Report
- C – APF Application & Determination of Adequacy
- D – Public Works Engineering Dept. Comments
- E – TIA Comments
- F – Supplemental Community Meeting Summary (held 1-9-12)
- G - Correspondence

Enclosures

- 1 – Rezoning Plan
- 2 – Buffer Elevations Adjacent to Monteith Place available on website:
<http://www.huntersville.org/Departments/Planning/CurrentProjectsMap/ProjectsList.aspx>

R11-06

RECEIVED

A



General Application

SEP 30 2011

Town of Huntersville
Planning Department

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://222.huntersville.org/planning_reviewpackets.asp

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

- 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 September 30, 2011

Name of Project Behavioral Health at Huntersville Oaks Phase # (if subdivision) N/A

Location 13001 Old Statesville Road

Parcel Identification Number(s) (PIN) Portion of 017-411-18

Current Zoning District NR Proposed District (for rezonings only) CI (CD)

Property Size (acres) 17.35 acres ± Street Frontage (feet) Verhoeff: 1,023 feet
Old Statesville: 720 feet

Current Land Use Vacant and congregate care

Proposed Land Use(s) A maximum 110 bed hospital, accessory uses and related medical office uses.

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.

To accommodate a hospital that will contain a maximum of 110 beds and accessory uses, and related medical office uses.

Hospital services may include, without limitation, the care, treatment and testing of emotional or mental injury, illness or disability, and the overnight boarding of patients.

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/planning_reviewpackets.asp

5. Outside Agency Information

Other agencies may have applications and fees associated with the land development process. The *Review Process* list includes copies of plans 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 See attached Addendum Printed Name The Charlotte-Mecklenburg Hospital Authority

Address of Applicant c/o Peggy Hey, P.O. Box 32861, Charlotte, NC 28232

Email peggy.hey@carolinashealthcare.org

Property Owner's Signature (if applicable) See attached Addendum

Printed Name The Charlotte-Mecklenburg Hospital Authority

Property Owner's Address (if applicable) Same as above Email Same as above


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

N/A

Development Firm	Name of contact	Phone	Email
<u>ColeJenest & Stone, P.A.</u>	<u>Larry Lockhart</u>	<u>704-971-4513</u>	<u>llockhart@colejeneststone.com</u>
Design Firm	Name of contact	Phone	Email

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
 John Carmichael, Robinson Bradshaw & Hinson, P.A.

101 North Tryon Street, Suite 1900, Charlotte, NC 28246 704-377-8341 jcarmichael@rbh.com

If Applying for a Subdivision:
By signing 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.

7. Contact Information

TOWN OF HUNTERSVILLE	Phone:	704-875-7000
Planning Department	Fax:	704-992-5528
P. O. Box 664	Physical Address:	105 Gilead Road, Third Floor
Huntersville, NC 28070	Website:	http://www.huntersville.org/planning_0.asp

ADDENDUM TO TOWN OF HUNTERSVILLE GENERAL APPLICATION

Conditional Rezoning

Signature of Applicant and Property Owner

THE CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY

By: Mary Beth Kuzmanovich

Name: Mary Beth Kuzmanovich

Its: Vice President

COMMUNITY MEETING REPORT

Applicant: The Charlotte-Mecklenburg Hospital Authority

Rezoning Application No. 2011-06 and the Related Subdivision Sketch Plan Application

This Community Meeting Report is being filed with the Office of the Town Clerk of Huntersville pursuant to the provisions of the Town of Huntersville Zoning Ordinance.

PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:

A representative of the Applicant mailed a written notice of the date, time and location of the Community Meeting (the "Notice") to the individuals and organizations set out on Exhibit A-1 attached hereto by depositing the Notice in the U.S. mail on November 21, 2011.

A representative of the Applicant mailed the Notice to the individuals and organizations set out on Exhibit A-2 attached hereto by depositing the Notice in the U.S. mail on November 22, 2011.

After being advised that there are new contact persons for the Plum Creek Property Owners Association, Inc., a representative of the Applicant mailed the Notice to the individuals set out on Exhibit A-3 attached hereto by depositing the Notice in the U.S. mail on November 29, 2011.

Copies of each Notice referenced above are attached hereto as Exhibits B-1, B-2 and B-3.

DATE, TIME AND LOCATION OF MEETING:

The Community Meeting was held on Tuesday, December 6, 2011 at 7:30 PM at Huntersville Family Fitness and Aquatics located at 11725 Verhoeff Drive in Huntersville, North Carolina.

PERSONS IN ATTENDANCE AT MEETING (see attached copy of sign-in sheet):

The Community Meeting was attended by representatives of the Applicant and those individuals identified on the sign-in sheet attached hereto as Exhibit C.

SUMMARY OF ISSUES DISCUSSED:

Mary Beth Kuzmanovich ("Ms. Kuzmanovich") opened the meeting and welcomed those area residents in attendance. Ms. Kuzmanovich and the other representatives of the Applicant utilized a PowerPoint presentation during their presentation, and a copy of the PowerPoint presentation is attached hereto as Exhibit D.

Ms. Kuzmanovich provided an agenda for the meeting and introduced the members of the project team. Ms. Kuzmanovich described the nature of the Applicant's rezoning request and the proposed project, and advised that the project team would be available to answer questions at the conclusion of the presentation. Ms. Kuzmanovich stated that Carolinas HealthCare System would develop, own and operate the proposed behavioral health hospital in the event that the rezoning request is approved.

B

Ms. Kuzmanovich provided a brief history of the site, which history is more particularly set out on the attached PowerPoint presentation. Ms. Kuzmanovich then provided a summary of the proposed project. Among other things, Ms. Kuzmanovich advised that the Applicant is seeking to rezone the approximately 17.35 acre site from Neighborhood Residential to Campus Institutional (CD) to accommodate the proposed behavioral health hospital and related medical office buildings.

The project would be built in three phases. Phase I would consist of a one story, 68,000 square foot in-patient behavioral health hospital with 66 beds, and a 10,000 square foot medical office building attached to the in-patient behavioral health hospital. Phase I would be completed in the second quarter of 2013.

Phase II would consist of the second story of the in-patient behavioral health hospital, and it would contain 45,000 square feet of floor area and 44 beds, and the second story of the attached medical office building. The second floor of the medical office building would contain 10,000 square feet of floor area. Phase II is estimated to be completed within the next five years.

Phase III would consist of a 30,000 square foot office building for healthcare related uses. This building is not estimated to be constructed until at least 2022.

The total project would consist of a 110 bed, 113,000 square foot in-patient behavioral health hospital, an attached 20,000 square foot medical office building and a 30,000 square foot office building for healthcare related uses.

Ms. Kuzmanovich advised that in North Carolina, a certificate of need must be obtained from the State to develop hospital beds. Carolinas HealthCare System has received a certificate of need for 66 beds, and it will have to get a certificate of need to construct the additional 44 beds. However, Carolinas HealthCare System wanted to plan the site for the future.

Ms. Kuzmanovich then shared the Phase I site plan. Ms. Kuzmanovich described the site and the surrounding area. The 66 bed in-patient hospital would be divided into three 22 bed nursing units. The facility would have interior courtyards and the goal is to provide a restful, therapeutic and safe environment for the patients. The patients could go outside but only within the internal courtyards. The attached office building would be an out-patient facility.

Ms. Kuzmanovich discussed the front entrance and the sally-port where patients would enter the hospital. In-patients do not walk up to the facility, they are referred to the hospital. Regarding the sally-port, a vehicle pulls into the sally-port, the doors are closed and the patient enters the hospital. A patient would have to go through two or three locked doors to exit the hospital. The goal is house the patients in a safe environment.

Ms. Kuzmanovich then shared the review process for the site plan with the Town of Huntersville to date, and she advised that Carolinas HealthCare System had previously met with representatives of the Monteith Place Homeowners Association to get their feedback and comments regarding the site plan and the project.

Larry Lockhart ("Mr. Lockhart") of ColeJenest & Stone, the project engineer, then addressed the meeting. Mr. Lockhart advised that his group prepared the site plan and that he had worked with the Town of Huntersville to meet the requirements of the Town's ordinances. Among other things, Mr. Lockhart discussed the placement of the buildings on the site, the extension of Lottingly Drive from the Monteith Place neighborhood to Verhoeff Drive and the vehicular access points into the site.

Mr. Lockhart explained that existing Dr. Seay Drive will be converted to a private drive and pulled away from the property line. Mr. Lockhart advised that the in-patient facility and the out-patient facility would each have a separate entrance with a traffic circle and have shared parking. Mr. Lockhart discussed the service entrance for the hospital that is located near the sally-port. Mr. Lockhart also discussed in some detail the types and locations of the storm water management facilities that would be installed on the site.

Mr. Lockhart discussed the buffer areas that would be installed and maintained on the site in detail. Mr. Lockhart shared slides depicting various portions of the buffer areas as they would appear in Year 1 of the project during the spring and winter months, and as they would appear in year 5 of the project during the spring and winter months. Mr. Lockhart advised that a 6 to 8 foot berm would be installed in portions of the buffer areas, and that portions of the buffer areas would be planted with trees that are larger than what is required under the ordinance.

Scott Garand ("Mr. Garand") of Freeman White, the project architect, addressed the meeting. Mr. Garand shared one story and two story elevations of the building that is proposed to be developed on the site. Mr. Garand advised that the building is designed to complement the aesthetics of the surrounding area and to blend in with the area. The building is residential in scale and design and will not be institutional in appearance. Brick and hardi-board materials would be on the building. The building would complement the existing Huntersville Oaks facility so that there would be a campus type feel to the development.

In response to a question, Ms. Kuzmanovich advised that the prior hospital building located on the site was three or four stories in height.

Mr. Garand advised that the service area would be screened with a brick wall with heavy vegetation.

Steve Blakley of Kimley-Horn, the project traffic engineer, addressed the meeting. Mr. Blakley advised that he prepared a traffic impact analysis for the proposed project, and he worked with NCDOT and the Town of Huntersville on the traffic impact analysis. The traffic impact analysis considered five intersections: NC 115 at Monteith Grove Road, NC 115 at Dr. Seay Drive, NC 115 at Verhoeff Drive, Verhoeff Drive at Dr. Seay Drive and US 21 at Verhoeff Drive.

Mr. Blakley advised that the Town of Huntersville is constructing the Verhoeff Drive flyover over NC 115 and turn lanes at Verhoeff Drive. The Applicant will construct the following improvements in connection with Phases I and II of the project: a northbound left turn lane on NC 115 at its intersection with the access point into the site; a southbound right turn lane on NC 115 at its intersection with the access point into the site; and an eastbound left turn lane on Verhoeff Drive at its intersection with Lottingly Drive.

Ms. Kuzmanovich then discussed the next steps in this process. She advised that the Public Hearing before the Town Board will be held on January 3, 2012, the Planning Board meeting will be held on January 24, 2012 and the Town Board will make a decision on this request on February 6, 2012.

With respect to a proposed construction schedule if the project is approved, Ms. Kuzmanovich advised that construction would start in the second quarter of 2012, construction would be completed in the second quarter of 2013 and the Phase I building would be occupied in the third quarter of 2013.

The Community Meeting was then devoted to a question, answer and comment session. Set out below is a summary of the responses to the questions and the comments that were received at the meeting.

- In response to a question regarding the staffing of the behavioral health hospital, Dr. Tom Gettelman (“Dr. Gettelman”) advised that the approximate maximum total staff during peak time would be 80 employees. The behavioral health hospital would be staffed in three shifts: 7:00 AM to 3:30 PM, 3:00 PM to 11:30 PM and 11:00 PM to 7:30 AM. The majority of the employees would arrive prior to 7:00 AM.
- In response to a question, Mr. Lockhart advised that the extension of Lottingly Drive would be constructed when the behavioral health hospital is built. Lottingly Drive will serve as a second access point for the Monteith Place neighborhood.
- In response to a question regarding who made the decision to extend Lottingly Drive, Ms. Kuzmanovich stated that the decision to extend Lottingly Drive was made when Monteith Place was designed and approved. Lottingly Drive was stubbed to the common property line between the site and Monteith Place, and it was planned by the approving authority that Lottingly Drive would be extended someday. The Applicant agreed to respect the plan to ultimately extend Lottingly Drive.
- In response to a question, Ms. Kuzmanovich advised that extended Lottingly Drive would be maintained by the Town of Huntersville.
- Ms. Kuzmanovich also advised that there is a stub street from Monteith Place at the front of the site, but the Town of Huntersville wanted Lottingly Drive to be extended rather than Bonnerby Court.
- In response to a question regarding traffic signals, Mr. Blakley advised that the projected traffic volumes were no where near the level needed to warrant traffic signals at the access points into the site. Therefore, there will not be traffic signals located at the site’s access points.
- In response to a question, Mr. Blakley advised that NC 115 would not be widened in front of the site in connection with this project, and there are no current plans to do so. Mr. Blakley described what portions of NC 115 had or were being widened.

- In response to a question, Mr. Lockhart described where sidewalks would be constructed. Sidewalks would be installed on the site's frontages along NC 115 and Verhoeff Drive, and on both sides of extended Lottingly Drive. Street trees would also be planted.
- In response to a question regarding the existing trees located on the site, Mr. Lockhart advised that the Applicant engaged an arborist to review the trees located on the site, and the arborist determined that 6 or 7 of the existing trees are distressed or dying. In designing the project, we attempted to save as many trees as possible, but some have to be removed to accommodate the placement of the building. Mr. Lockhart showed the areas in which trees would be saved. Mr. Lockhart also stated that the trees located in the buffer areas would be saved as well.
- In response to a question, Mr. Lockhart advised that 250 to 350 additional trees would be planted on the site in connection with this project, and the majority of these trees would be located in the buffer areas.
- In response to a question, Dr. Gettelman advised that the patients in the in-patient facility would remain inside the facility itself in order to maintain the safety of the patients. These patients would only be allowed to be outdoors if they were in the internal courtyards. Dr. Gettelman advised that the layout of the facility, the staffing, the programming and the courtyards were all designed to prevent patients from leaving the facility. Additionally, since the facility would be a behavioral health hospital, patients could not wander the halls, and all treatment areas would be located behind two locked doors.
- Dr. Gettelman further advised that the walls around the internal courtyard areas would be 16 feet in height.
- In response to a question regarding sirens from ambulances, Dr. Gettelman advised that ambulances could be used to transport patients to the behavioral health hospital, but the ambulances should not need to utilize sirens. The current plans for the facility do not call for an emergency room to be located in the facility.
- In response to a question, Dr. Gettelman advised that this facility would not be designed for walkup patients. All admissions would be coordinated. Patients could be transported to the facility by ambulance or the sheriff.
- In response to a question regarding whether this facility would provide psychiatric care to inmates, Dr. Gettelman advised that this facility would not provide care to inmates.
- In response to a question concerning whether the rain gardens would be managed for mosquitoes, Mr. Lockhart advised that the rain gardens should not breed mosquitoes. They only hold water for up to 72 hours.
- In response to a question, Mr. Blakley stated that Dr. Seay Drive would be a two lane private drive. Dr. Seay Drive is being pulled away from the common property line with Monteith Place.

- In response to a question, Ms. Kuzmanovich advised that the second floor of the hospital and out-patient building is estimated to be constructed within three to five years.
- Mr. Blakley advised that another traffic study would not be required for the construction of the second floor of the facility, but that a new traffic impact study could be required for Phase III of the project.
- In response to a question regarding when another traffic study might be prepared for the area in general, Mr. David Peete of the Town of Huntersville advised that another traffic study would be needed when another development project is proposed.

CHANGES MADE TO THE PETITION AS A RESULT OF THE COMMUNITY MEETING AS OF THE DATE HEREOF:

As of the date hereof, no changes have been made to the Petition or to the rezoning plan as a result of the Community Meeting.

Respectfully submitted, this 21st day of December, 2011.

THE CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY, Applicant

cc: Mr. David Peete, Town of Huntersville
Ms. Peggy Hey, The Charlotte-Mecklenburg Hospital Authority
Mr. Thorn Baccich, The Charlotte-Mecklenburg Hospital Authority

Charlotte-Mecklenburg Hospital Authority, Petitioner
 Rezoning Application No. 2011-06 and Subdivision Sketch Plan Application

Community Meeting Sign-in Sheet
 Huntersville Family Fitness and Aquatics—11725 Verhoeff Drive
 Tuesday, December 06, 2011
 7:30 P.M.

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1.	Brent Lewis	12228 Monteth Grove Dr	704-929-3277	joseph.h.lewis@gmail.com
2.	Tom Murphy	13142 Heath Grove	704-948-5310	Murphyt750@Yahoo.com
3.	NICK Mafelli	13146 Heath Grove	704-898-5898	Nick14@gmail.com
4.	HAROLD BANKIMER	17206 Linksview Lane	704-274-9690	hbankimer@aol.com
5.	Harold Bankimer			
6.	Nancy (and Drew) Pat	13614 TOXACT	704-875-9861	ncland61@bellsouth.net
7.		TOXACT	704-766-2216	
8.	Michelle Gillani	12217 Monteth Grove Dr	314-583-5605	BINGYFUTTER@Yahoo.com
9.	Breake Marshall	12316 Monteth Grove Dr	352-357-2606	brookecm88@yahoo.com
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EXHIBIT
 C



November 28, 2011

Mr. Jack F. Chamblee, Jr., AIA
P.O. Box 32861
Charlotte, NC 28322

Re: Adequate Public Facilities (APF) Application – Huntersville Oaks Behavioral Health Center (APF File #2011-03)

Dear Mr. Chamblee:

The Town has completed its review of the above referenced APF Application and deemed it to be complete, per Article 13.6.3 of the Zoning Ordinance. Based upon your request for an allocation of capital facilities for the above-referenced facility, consisting of a Phase I total of 78,000 square feet and a Phase II total of an additional 55,000 square feet, I am issuing a "Determination of Adequacy (DOA)" (see attached) for the following public facilities:

- Fire Vehicles
- Fire Station
- Police Station

Please be advised that the DOA for Fire Vehicles, Fire Station and Police Station capital facilities is valid for one (1) year, or until November 28, 2012, by which date this development proposal must have achieved vesting per Section 2.2 of the Zoning Ordinance.

I am also issuing a "Determination of No Available Capacity (DONAC)" (see attached) for Police Vehicles, as there is currently no available capacity for this public facility to serve the proposed development.

Please note that both the DOA and DONAC are based upon the application of an "Alternative Demand Factor (ADF)", calculated by use of a lower employment figure, as detailed in the attached memo dated November 23, 2011. Use of this lower employment figure, and ADF, results in a reduction in the capacity facility impacts of the proposed health care facility.

In the absence of adequate capacity for police vehicles, and in accordance with the terms of Article 13.6.6 Non-Availability of Capacity; Mitigation Plans of the APF Ordinance, you may:

- 1). Submit a Development Proposal that has a reduced amount of development for which available capacity exists;

Planning

Post Office Box 664 • 105 Gilead Road, Third Floor • Huntersville, NC 28070
phone 704.875.7000 • fax 704.992.5528 • www.huntersville.org

Mr. Jack F. Chamblee, Jr., AIA
November 28, 2011
Page 2

- 2) Submit a Phased Development Proposal that includes the following:
 - a. a proposed Phasing Schedule setting forth the amount, location, and timing of development associated with each proposed phase;
 - b. a showing that Available Capacity will exist for each phase of development;
 - c. where Advanced Facilities are proposed, the location and timing of the proposed facilities based on the Phasing Schedule and Mitigation Plan as provided in (c) (3) be low; and
 - d. other additional information or materials identified by the Administrator or other Town staff as necessary to ensure the timely and adequate provision of Public Facilities, based on the level of service standards and requirements of this Article.

- 3) Propose a Mitigation Plan, at the applicant's expense, which provides Advanced Facilities that would mitigate the proportionate-share impacts of the Proposed Development on Public Facilities based on the Level of Service standards in section 13.4. Should mitigation be required in conjunction with a Development Proposal, nothing shall preclude the participation of third-parties (public or private) in defraying all or a portion of the cost of such mitigation. Any Mitigation Plan that proposes the provision of Advanced Facilities must provide an estimate of the incremental cost of providing the Advanced Facilities, a schedule for commencement and completion thereof, and a description of how the Advanced Facilities will mitigate the impact of the Proposed Development. In order for a Mitigation Plan to be accepted, it must be approved by the Town Board."

Please note that the current deficiency in police vehicle capacity is the responsibility of the Town of Huntersville. Your responsibility is only for the additional deficit created by the proposed development. Therefore in accordance with the information presented in your APF Application, and utilizing an "Alternate Demand Factor" based on projected peak shift total of 124 employees (see attached memo dated November 23, 2011), the proportionate share Police Vehicle impact for the proposed Huntersville Oaks Behavioral Health Center is 0.38 police vehicles.

As discussed in our pre-application meeting, police vehicle capacity to serve this development must either be made available by the Town prior to the issuance of a Certificate of Occupancy for this facility, or be included as part of a Town of Huntersville capital improvements plan and expected to be made available by the end of the third fiscal year following the date of your APF Application. Should police vehicle capacity for this development not be available through either one of these circumstances, mitigation per Article 13.6.6 will be required.

Please feel free to contact me with any questions @ zgordon@huntersville.org or by phone: (704) 766-2213.

Sincerely,



Zachary D. Gordon, AICP
Principal Planner
APFO Administrator

Mr. Jack F. Chamblee, Jr., AIA
November 28, 2011
Page 3

Attachments (3)

Cc: Jack Simoneau, AICP, Planning Director
Greg Ferguson, Town Manager
Gerry Vincent, Assistant Town Manager
Robert Blythe, Town Attorney
David Peete, AICP, Principal Planner



ADEQUATE PUBLIC FACILITIES (APF) DETERMINATION OF ADEQUACY (DOA)

Issued to Applicant: Charlotte-Mecklenburg Hospital Authority
Parcel Number of Subject Property: 01741118

Date: November 28, 2011

Pursuant to Section 13.6.4 of the Town of Huntersville's Adequate Public Facilities Ordinance, it has been determined that **Adequate Public Facilities Capacity exists for Fire Vehicles, Fire Station and Police Station public facilities** to serve the following Development Proposal:

Huntersville Oaks Behavioral Health Center - 78,000 s.f. Facility (Phase I); 55,000 s.f. (Phase II)

This determination is based on information provided by the Applicant and the requirements of the Huntersville APFO, including the adopted level of service (LOS) standards set forth therein. This determination will remain valid pursuant to the terms of section 13.6.5, APFO and may not be transferred to another property, except by the approval of the Town Board, pursuant to section 13.6.7, APFO.

DETERMINATION OF ADEQUACY

The Determination of Adequacy is based on either I or II as indicated

- I. There is Available Public Facility Capacity, based on the following calculations:

Development Potential prior to the Subject Development Proposal:

	Single-Family (units)	Multi-Family (units)	Commercial I (GSF)	Office (GSF)	Industrial (GSF)	Capacity Available
Fire Vehicles	10,473	13,595	2,784,468	1,949,128	2,784,468	2.30
Fire Station	14,903	19,347	3,962,462	2,773,724	3,962,462	6381.01
Police Vehicles	-176	-229	-71,968	-50,377	-71,968	(0.44)
Police Station	4,019	5,217	1,641,249	1,148,875	1,641,249	896.58
Indoor Park & Rec	2,799	3,633	-	-	-	-
Parks Acreage	5,497	7,135	-	-	-	-

(continued on next page)

Demand on Public Facilities Created by the Development Proposal:

	Single-Family (units)	Multi-Family (units)	Commercial (GSF)	Office (GSF)	Industrial (GSF)
Fire Vehicles	0	0	0	43,400*	0
Fire Station	0	0	0	43,400*	0
Police Vehicles	0	0	0	43,400*	0
Police Station	0	0	0	43,400*	0
Indoor Park & Rec	0	0			
Parks Acreage	0	0			

* Based on Alternate Demand Factor of 1 employee/1,073 square feet

Development Potential including the Subject Development Proposal:

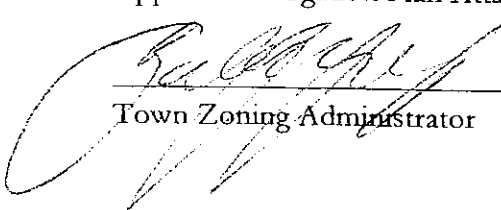
	Single-Family (units)	Multi-Family (units)	Commercial 1 (GSF)	Office (GSF)	Industrial (GSF)	Capacity Available
Fire Vehicles	10,191	13,229	2,709,497	1,896,648	2,709,497	2.25
Fire Station	14,621	18,981	3,887,491	2,721,244	3,887,491	6281.17
Police Vehicles	-360	-467	-146,939	-102,857	-146,939	(0.82)
Police Station	3,835	4,979	1,566,278	1,096,395	1,566,278	862.71
Indoor Park & Rec	2,799	3,633	-	-	-	-
Parks Acreage	5,497	7,135	-	-	-	-
Proposal Impact - Police Vehicles						(-0.38)

II. Where Available Capacity does not exist, based on the above calculations, the Applicant has Advanced Facilities sufficient to mitigate the Proposed Development's proportionate share impacts on Public Facilities:

The following Advanced Facilities have been approved by the Town Board:

Date of Approval of Mitigation Plan: _____

Approved Mitigation Plan Attached?



 Town Zoning Administrator

11-28-11

 Date



DETERMINATION OF NO AVAILABLE CAPACITY (DONAC)

Issued to Applicant: Charlotte-Mecklenburg Hospital Authority

Parcel Number of Subject Property: 01741118

Date: November 28, 2011

Pursuant to Section 13.6.4 of the Town of Huntersville's Adequate Public Facilities Ordinance (APFO), it has been determined that, based on the Town's adopted level of service (LOS) standards, there is **Insufficient Police Vehicle Capacity** to serve the following Development Proposal (the Subject Development Proposal): at this time.

Huntersville Oaks - Proposed 78,000 s.f. Health Institution (Phase I); 55,000 s.f. (Phase II)

This determination is based on information provided by the applicant and the requirements of the Huntersville APFO, including the adopted level of service (LOS) standards set forth therein.

Development Potential Prior to the Subject Development Proposal:

	Single-Family (units)	Multi-Family (units)	Commercial (GSF)	Office (GSF)	Industrial (GSF)	Capacity Available
Fire Vehicles	10,473	13,595	2,784,468	1,949,128	2,784,468	2.30
Fire Station	14,903	19,347	3,962,462	2,773,724	3,962,462	6381.01
Police Vehicles	-176	-229	-71,968	-50,377	-71,968	(0.44)
Police Station	4,019	5,217	1,641,249	1,148,875	1,641,249	896.58
Indoor Park & Rec	2,799	3,633	-	-	-	-
Parks Acreage	5,497	7,135	-	-	-	-

Demand on Public Facilities Created by the Development Proposal:

	Single-Family (units)	Multi-Family (units)	Commercial (GSF)	Office (GSF)	Industrial (GSF)
Fire Vehicles	0	0	0	43,400*	0
Fire Station	0	0	0	43,400*	0
Police Vehicles	0	0	0	43,400*	0
Police Station	0	0	0	43,400*	0
Indoor Park & Rec	0	0			
Parks Acreage	0	0			

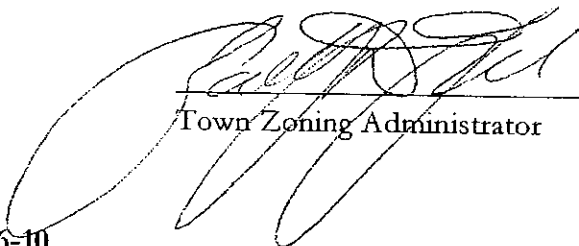
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Development Potential Including the Subject Development Proposal:

	Single-Family (units)	Multi-Family (units)	Commercial (GSF)	Office (GSF)	Industrial (GSF)	Capacity Available
Fire Vehicles	9,786	12,704	2,602,040	1,821,428	2,602,040	2.25
Fire Station	14,217	18,456	3,780,034	2,646,024	3,780,034	6281.17
Police Vehicles	-623	-809	-254,396	-178,077	-254,396	(0.82)
Police Station	3,572	4,637	1,458,821	1,021,175	1,458,821	862.71
Indoor Park & Rec	2,799	3,633	-	-	-	
Parks Acreage	5,497	7,135	-	-	-	
Proposal Impact - Police Vehicles						(-0.38)

As provided in section 13.6.6 of the APFO, you may either submit a Development Proposal with reduced impacts or a Phasing Schedule that can be accommodated by existing and planned Public Facilities or may propose Advanced Facilities sufficient to mitigate the proportionate share impacts of the Proposed Development on the deficient Public Facility.

If you have any questions, please contact the Town of Huntersville Zoning Administrator.



Town Zoning Administrator

11-28-11

Date

Revised 12-6-10

date November 23, 2011

to Jack Simoneau, Planning Director

from Zac Gordon, Principal Planner

re Charlotte-Mecklenburg Hospital Association (Huntersville Oaks), APF Application – Use of Alternate Demand Factor

CMHA has submitted an APF application for the Huntersville Oaks health care facility, consisting of the following:

- 78,000 square feet – Phase I
 - 55,000 square feet – Phase II
- 133,300 square feet Total**

In calculating the impact on capital facilities, the Town utilizes a “Demand Factor” associated with the land use type for each proposed development. In the case of Huntersville Oaks, the demand factor for this land use is based upon 1 employee for each 350 square feet of space. Using this employee generation rate, the equivalent employment figure for the Huntersville Oaks facility would be 380 employees. However, according to CMHA, the proposed facility would employ 124 at the peak shift. Given the large discrepancy between these two employment figures, I propose that consideration be given to using an “Alternate Demand Factor (ADF)”, in order to calculate capital facility impacts, in accordance with the provisions of Article 13.4.3 the APF Ordinance, as follows:

13.4.3 Based on the unique impacts of a Proposed Development on Public Facilities, the Town may initiate or applicant may submit an application to the Administrator requesting that an alternative demand factor be applied to the Proposed Development for purposes of complying with the terms of this Article. The alternative demand factor must be supported by professional economic and land use-based analyses, such as the latest edition of the *Trip Generation Manual* (ITE), which clearly demonstrates an impact on Public Facilities different from those set forth in subsection **13.4.2**, based on the Level of Service standards set forth in **13.4.1**. The Town’s analysis or an applicant’s analysis under this subsection must be approved by the Administrator prior to the submission of an APF Application and the completeness review provided under section **13.6.3** of this Article.

Adjusting for the “actual employment” figures provided by CMHA, results in an employee/office square footage ratio of 1 employee /1,073 square feet. With your concurrence, I would propose an ADF based upon this ratio in calculating the public facilities demand for the proposed Huntersville Oaks health care facility. Using this ratio would result in an equivalent square footage of 43,400 square feet for the proposed Huntersville Oaks facility, or approximately 33% of the actual proposed facility square footage of 133,000.

Planning



Traffic Impact Analysis (TIA)
Determination of TIA Need

Article 14.2 of the Zoning Ordinance requires that a Traffic Impact Analysis (TIA) be performed for any residential subdivision, multifamily site plan, or non-residential development, or portion thereof, which is expected to create fifty (50) or more peak hour vehicle trips or 500 or more daily trips.

In order to determine whether a TIA will be required for your proposed development, please fill out the form below and submit to the Planning Department. A "Determination of TIA Need" will be made within 10 working days.

Applicant: The Charlotte-Mecklenburg Hospital Authority c/o Jack F. Chamblee, Jr., AIA

Project Name: Huntersville Oaks Behavioral Health Center

Location: Northwest corner of Highway 115 and Verhoeff Drive Intersection

Project Description

(including square footage for each proposed land use):

Proposed - 71,700 SF Health Institution (61,700 SF of Inpatient, 10,000 SF of Outpatient)

Potential Future (Next 5 Years) - Additional 56,000 SF Health Institution (46,000 SF of Inpatient, 10,000 SF of Outpatient). TIA will be for 127,700 SF total.

Applicant's Signature

9/19/11
Date

Please feel free to contact the Planning Department @ (704) 875-7000 if you have any questions.

For Office Use Only

Project File #:	_____
Date Submitted	<u>9/22/11</u> AM/PM Daily
Peak Hour/Daily Trips Anticipated	<u>171/2121</u> <u>1902</u>
TIA Required (Yes/No)	<u>Yes</u>
Date of Determination:	<u>9/29/11</u>

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Town of Huntersville

NORTH CAROLINA

January 9, 2012

Below you can find the comments from the Engineering and Public Works Department for the following Plan Review: Behavioral Health at Huntersville Oaks – 4th Submittal

Review comments for the traffic impact analysis for this development are separate from these plan review comments.

Sheet SP1.0

- Under the Transportation section of the notes, the following transportation improvements are the responsibility of the developer:
 - Construct an exclusive southbound right-turn lane on NC 115 at the proposed site driveway with 100 feet of full width storage and appropriate taper.
 - Construct an exclusive northbound left-turn lane on NC 115 at the proposed site driveway with 100 feet of full width storage and appropriate taper.
 - Construct an exclusive eastbound left-turn lane on Verhoeff Drive at the proposed Lottingly Drive Extension with 100 feet of full width storage and appropriate taper.
 - Construct an extension of the full width storage by 50 feet for the existing southbound left-turn lane on US 21 (Statesville Road) at Verhoeff Drive.
- Right of way for all transportation improvements listed above is the responsibility of the developer.
- All intersection improvements along Lottingly Drive to be constructed by the developer.
- Right-of-way for the left-turn lane, curb and gutter, bike lane, planting strip, sidewalk, and one foot behind the sidewalk on Verhoeff Drive in the vicinity of the Lottingly Drive Extension and along the property frontage on Verhoeff Drive will need to be dedicated to the Town and recorded by the developer. This will need to occur subsequent to the left-turn lane and widening design to be completed by the Town. A concept of these improvements was previously provided to the Town by the applicant.
- The addition of a right-turn lane exiting the site via the site driveway on NC 115 and on the Lottingly Drive Extension would reduce delays to the right-turning vehicles exiting the site. It is typical for vehicles on the stop controlled minor street approach to experience long delays during peak times. The addition of a right turn lane exiting the site on Lottingly Drive Extension would be more beneficial in reducing delays to vehicles at that intersection than providing an exclusive right-turn lane on Verhoeff Drive.

Sheet SP2.0

- Add sidewalk along the southern side of the proposed private drive adjacent to the existing parking lot near the proposed Carolinas Drive. Sidewalk on the northern side can be removed in this area if this sidewalk is provided.
- Public street pavement structure (Lottingly Drive between Verhoeff Drive to intersection radius return north of hospital private driveway) to be a minimum of two 1.5 inch lifts of S9.5B mix over two 2 inch lifts of I19.0B mix over either 8 inches of ABC or 4 inches of ACBC B25.0B. The public street pavement structure (Lottingly Drive between intersection radius return north of hospital private driveway to connection in Monteith Park) to be a minimum of two 1.5 inch lifts of S9.5B mix over either 8 inches of ABC or 4 inches of ACBC B25.0B.

Engineering & Public Works

Post Office Box 664 • 105 Gilead Road, Suite 300 • Huntersville, NC 28070
phone 704.766.2220 • fax 704.992.5528 • www.huntersville.org

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Sheet SP 5.0

- Remove the proposed street tree along Proposed Lottingly Drive on both sides of the street that are closest to Verhoeff Drive.
- Remove the proposed street tree in the sidewalk near the intersection of NC 115 and Verhoeff Drive.

If you have any questions, please don't hesitate to contact me.

Thank you,

Stephen Trott, P.E.
Transportation Staff Engineer
704-766-2220
strott@huntersville.org

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Town of Huntersville

NORTH CAROLINA

January 9, 2012

Below you can find the comments from the Engineering and Public Works Department for the following Plan Review: Behavioral Health at Huntersville Oaks – TIA Submittal dated 1-6-12

- For the Monteith Place development approved development traffic,
 - trip distribution is not similar to existing traffic patterns for the development entrance/exit.
 - the Monteith Place development reassignment traffic is inconsistent between figures in the Appendix. The volume development spreadsheet appears to utilize the correct volumes. The volume development spreadsheets appear to be utilized in the Synchro traffic analysis.
- The table in the auxiliary turn lane warrants section of the report for the intersection of US 21 at Verhoeff does not match the text in that the table states 25 feet is the site impact but the discussion after the table states that 50 feet is the site impact. The correct site impact to the southbound left turn lane on US 21 at Verhoeff Drive is 50 feet.
- Based on the Town's Traffic Impact Analysis Process and Procedures Manual, the minimum full width storage length for right- or left-turn lanes is 100 feet.
- Below is the list of developer required improvements based on the submitted traffic impact analysis:
 - Construct an exclusive southbound right-turn lane on NC 115 at the proposed site driveway with 100 feet of full width storage and appropriate taper.
 - Construct an exclusive northbound left-turn lane on NC 115 at the proposed site driveway with 100 feet of full width storage and appropriate taper.
 - Construct an exclusive eastbound left-turn lane on Verhoeff Drive at the proposed Lottingly Drive Extension with 100 feet of full width storage and appropriate taper.
 - Construct an extension of the full width storage by 50 feet for the existing southbound left-turn lane on US 21 (Statesville Road) at Verhoeff Drive.

As part of the right-of-way negotiations for the Verhoeff Drive roadway project, the Town has committed to construct an exclusive left-turn lane on Verhoeff Drive at the proposed Lottingly Drive Extension that would accommodate the required 100 feet of full width storage required by this traffic impact analysis. This commitment by the Town thus alleviates the developer of constructing that particular improvement as part of this development.

If you have any questions, please don't hesitate to contact me.

Thank you,

Stephen Trott, P.E.
 Transportation Staff Engineer
 704-766-2220
strott@huntersville.org

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**Charlotte-Mecklenburg Hospital Authority, Petitioner
Rezoning Application No. 2011-06 and Subdivision Sketch Plan Application**

**Neighborhood Meeting Sign-in Sheet
Huntersville Oaks - 12019 Verhoeff Drive
Monday, January 9, 2012
6:00 P.M.**

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1.	Howard Logan	12527 Sunnyside Ln Huntersville, NC	240 216-2686	hlogan72@gmail.com
2.	David Peeler	TOIT	704-766-2216	dpeeler@huntersville.org
3.	GENE POORE	P.O. Box 69608 Charlotte NC 28227	704-858-5468	BUILDERSREACTIVEMAIL.COM
4.	Patricia Swisher	13312 Dawson Dr. Hillsdale	704 948 1658	
5.	Annica Suggles	13311 Demaree Dr. Huntersville	704-948-5579	
6.	Grace Conner	13745 Aldenbrook Drive Hunt	(700) 948-4730	graceg88@hotmail.com
7.	Susan Mozzella	12221 Monteth grave drive		
8.	Chas Stiehler	Monteth grave Dr.	704-657-3834	stiehler22@gmail.com
9.	Oranly Quinlan	11622 Lottingly Dr	704 609 4401	alcolons239@yahoo
10.	Jennifer Eckert	11626 Lottingly Dr	919-491-6065	jenn4vt@gmail.com
11.	Rashawn Henderson	13020 Church Street	704-904-4032	Rashawn.henderson@yqoo.com
12.	Ernie Thompson	8307 County Deens Ln, Charlotte		KEITH@EVERJUNG.NET
13.	Keith Jung	13764 Aldenbrook Dr. Huntersville		design@colorstudio.com
14.	Christina Alberti	12119 Monteth Groves Huntersville	704 464 4477	rxcwell@yahoo.com
15.	Sharon Caldwell	P.O. Box 993 Huntersville, NC 28078	704-497-3898	
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26.	Ruril Fabian	14918 Hope Ct	704-948-5952	r.fabian@bellsouth.net
27.	Stacy Taylor	1235 Old Galoisville Rd		Stacy Taylor 8700
28.	Tom Murphy	13142 Heath Grove Dr	704-948-5310	Murphy7500 Incharstar.orc
29.				Yahoo.com
30.	Vincent Bugla Jr	13130 Heath Grove Dr	704-860-7629	vbugla@gmail.com
31.	Pauline Caldwell	14624 Newhouse Ln	704-873-6811	p.caldy@gmail.com
32.	Scott Temple	13233 Heath Grove Dr	704-8	stemple15@gmail.com
33.	Stephanie Murphy	12628 Churchland		smurph0711@gmail.com
34.	Brooke Marshall	12014 Mendeth Grove Drive	352-359-2606	brookeam88@yahoo.com
35.	MARENARA JUVARV	11505 Lottingly Dr	704-746-3422	jbnasen@gmail.com
36.	Christina Hamilton	11528 Lottingly Dr	904-904-705-2510	cmfitzsimmons@hotmail.com
37.	Stephen Hamilton	11528 Lottingly Dr	904-955-2391	Stephen.Hamilton.Egarden.com
38.	Dawn Phillips	14920 Brown St. 44	704-822-2611	
39.	Michelle Tibbitt	11520 Lottingly Drive	704-942-9227	cjldo@yahoo.com
40.	Tommy Gonzalez	13653 Alderbrook Dr.	704-502-0506	blondiejs77@aol.com
41.	Jennifer Li			
42.	SIMONE SCOTT	13557 Alderbrook Dr.	704-304-2071	
43.	Juben Alvarado	12119 Monteville Grove Dr		simone@ymail.com
44.	Rosalind Logan	12507 Surreyhill Lane	202-315-6571	loganrl-2000@yahoo.com
45.	JANA SAMPK	13760 Alderbrook Dr	336-710-0375	hng5-org@yahoo.com
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62.	Jayne Indaneem	2433 The Plaza	704 767 8527	J@mst-rt.com
63.	Kelly Hayes	13556 Aldebrook Dr 28078	704-651-7585	Khayes1961@gmail.com
64.	Michelle Gilloni	12217 Montevista Square Dr 21078	---	smiflister@yahoo.com
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David Peete

From: Davidpeete <davidpeete@yahoo.com>
Sent: Monday, January 09, 2012 10:02 PM
To: David Peete
Subject: Fwd: Huntersville Oaks supplemental community meeting

Sent from my iPad

Begin forwarded message:

From: Davidpeete <davidpeete@yahoo.com>
Date: January 9, 2012 9:58:31 PM EST
To: DP <davidpeete@yahoo.com>
Subject: **Huntersville Oaks supplemental community meeting**

January 9, 2012
6:00 pm - Oaks at Huntersville Congregate Care Home

Additional community meeting set up by CHS to address concerns - primarily from Montieth Place subdivision.

In attendance:
CHS team
Commissioner D. Phillips
Commissioner C. Guinyard
News media
@ 40 residents

Mary Beth gave overview presentation. Same as public hearing. Showed new permitted use restriction regarding drug addiction, sex addictions and methadone. Typical patients at facility will have the following conditions: depression, bi-polar disorder or psychotic conditions.

Question (Q) - will real estate values drop? NO ANSWER
Q - are reps. from Lennar homes present? NO
Q - are there alternative locations approved? NO
Q - are there similar facilities in the area? YES, CMC-RANDOLPH
Q - will criminals pleading insanity be brought here? NO, THOSE ARE HANDLED BY JAIL SYSTEM.

[DP - suggest to John Carmichael to have photos showing proximity of homes to CMC-Randolph]

Q - does typical treatment include re-introduction of patients to society? HOPEFULLY, YES, BUT THAT CAN BE RARE. THERE IS ALWAYS A CONTINUUM OF CARE PROGRAM.
Q - what security personnel will be used? NOTHING UNUSUAL. 2 SECURITY GUARDS,

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AND PLENTY OF SERVIELLANCE CAMERAS.

Q - how are patients discharged? can they walk home? PATIENTS ARE RELEASED INTO A CONTINUING CARE PROGRAM. IF FAMILY DOES NOT DRIVE HOME, THEY ARE DRIVEN BY CMC WHERE NEEDED.

Q - would CMC consider texting or emailing emergency warnings to neighbors (similar to college notification programs)? CMC HAD NOT CONSIDERED THAT, BUT WOULD DISCUSS.

Larry Lockhart presented site plan.

site design started with build-to line, then water quality, then parking. Lottingly connection was not on first plan, but added by Town.

Tree save is at 67% (50% required). Planting plan calls for 150% plantings.

Buffer images presented.

Q - will power lines along Montieth boundary be buried? CMC IN DISCUSSION ON THAT.

Q - why can't buffer by 80 ft.? DUE TO TREATMENT COURTYARDS, NEEDED PARKING AND COORDINATING ALL REQUIRED ELEMENTS, THE AREA NEEDS TO BE REDUCED.

Berm will be added to buffer. it will be 6 ft. high. this will help to hide car headlights into Montieth.

Showed building elevations.

Q - what other sites have been considered? CMC ONLY CONSIDERED SITES THEY OWN IN COUNTY.

Resident suggested using old prison site.

Q - how many jobs created? 115 - 120 NEW JOBS. WIDE RANGE OF SALARY. "HIGHER THAN AVERAGE".

Q - is there enough parking? YES

finished floor elevation is 826 ft. this is higher than Montieth Place.

Q - is the building in the photo simulations? YES, BUT ONLY 1 STORY PHASE 1. PROMISED TO ADD PHASE 2 TO PHOTO SIMULATIONS.

CMC stated they have discussed adding additional plantings on HOA property. HOA is supportive. They are not shown, but can be added.

Q - where is service entrance? what types of deliveries will be made? LINENS, FOOD, SUPPLIES.

Q - are you willing to hire qualified job candidates from Montieth Place and Pottstown? ALL ARE WELCOME TO APPLY

Q - was a wrought-iron fence (similar to nursing home fence) considered? YES, CMC STILL WORKING WITH TOWN ON BUFFER SOLUTIONS

Q - what is approval schedule? JAN 17 - PUBLIC HEARING, JAN 24 - PLANNING BOARD, FEB 6 - FINAL VOTE, HOPEFULLY

All information is available on Town website.

Residents were critical of the notification process. Many in room did not know about any meetings. Residents suggest using flyers.

Residents stated HOA meeting was not indicative of how homeowners feel.

Q - if rezoning is denied, what will you do? NO ANSWER

Q - were speed bumps considered on Montieth Roads? YES, TOWN DISCOURAGED THEM.

Q - will you permit "cut-through" traffic on your road? YES, IT WILL NOT BE GATED.

Steve Blakely discussed TIA

Traffic was evaluated based on a typical hospital (full service, emergency entrance, etc...) which has a higher trip generation than this facility. Estimates were conservative.

Assumptions of TIA included 100% build-out of Montieth, Phases 1 & 2 of hospital and 20% of Bryton.

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Q - did Lottingly Drive connect in TIA? YES

Q - does 13% increase at Lottingly / Verhoeff include ABB traffic? YES

Q - will any traffic signals be installed? NO (NO WARRANT)

Q - how does TIA compare to NCDOT standards? MEETING PLANNED WITH DOT TO DISCUSS.

Q - will new paving be done? YES, ROAD IMPROVEMENTS WILL REQUIRE FULL OVERLAY.

Q - how does I-485 impact project? NOT REVIEWED

Resident - "did we learn nothing from 485 / Pineville?"

Q - how were traffic counts taken? TRAFFIC WAS VIDEOTAPED AND THEN COUNTED. DID NOT USE TUBES ACROSS THE ROAD.

Meeting over 7:40

Discussion continued till 8:00 pm

Sent from my iPad