



**Planning Board  
Regular Planning Board Meeting  
Minutes**

**March 27, 2018 - 6:30 PM**

**Town Hall**

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**A. Call to Order/Roll Call**

The Chairman determined quorum and called the meeting to order. All members were present with the exception of J. Miller, who appeared later in the meeting.

**B. Approval of Minutes**

B.1. Consider approving the February 27, 2018 Minutes

J. Sailers made a Motion to Approve the February 27, 2018 Minutes, and S. Thomas seconded. The Motion carried unanimously (8-0).

Absent: J. Miller

**C. Public Comments**

Item D.1.: Marsha Knight, 14814 Autumncrest Drive, Huntersville, appeared before the Board and stated that her home will back up to, and be the closest to the development. Her husband was present with her and their concern was traffic, congestion, access on Autumncrest, and out to Asbury Chapel Road. It is difficult today to pull out there now with the small number of houses on Autumncrest, and on Cliff Haven. She understood there would be an extra entrance that will feed onto Autumncrest. She is not opposed to the development, not opposed to seeing the construction, but wanted to make sure the right infrastructure is there, upfront, to support those living there. She has seen the plans, and is a realtor in the area. She is all for the growth there. They have lived there for almost 10 years, and personally knew someday it would happen and cannot be against it. She is thrilled that it is more higher-end homes, and hopefully it will help their property values increase some. She stated again that she is concerned about infrastructure. They have power outages all the time, and did not know what the infrastructure will do to support that, but that is a real problem now. The internet connections are spotty at times, and she did not know how that would play into the development, but most importantly is the traffic and the safety. Autumncrest is a narrow road, and if you don't live there you are probably not abiding by the speed limit. Her house is right on the curve and when leaving you can go right up to Hus McGinnis Road. There are real concerns.

**D. Action Agenda**

D.1. **Sketch Plan: The Hills Subdivision**

J. Davis made a Motion to Approve based on the application being complete and also comports with the goals in the 2030 Community Plan, and further recommends approval of the waiver for the block length due to the general topography and streams, as well as the median waiver, and all minor plan corrections are made that are identified by Planning staff must be complete. S. Swanick seconded the Motion. The Motion carried unanimously (8-0).

Absent: J. Miller

Discussion: Alison Adams, Senior Planner, presented and entered the Staff Report into the record, a copy of which is attached hereto as Exhibit A, and incorporated herein by reference. The request is to develop 50 single family residences/lots. This is a by right request. The requirement for TR is 1.5 units per acres with 40% open space, and the project is providing 46% open space. Staff reviewed the elements of the plan, including an 80' required undisturbed buffer, which is compliant as shown on the paper copy Sketch Plan delivered to the members. The cross section for Asbury Chapel calls for a wide paved shoulder to accommodate bikes, and sidewalks. The developer is requesting a block length waiver, and staff supports. There are topographical issues with streams and rock outcroppings. The urban open space has a private greenway trail proposed. With 50 lots, there was scoping done for traffic, and the off-site intersections did not meet the thresholds and no improvements are required per the ordinance. Staff noted the tree save requirement is being met with 38% canopy coverage and 94% specimen trees. Street trees will also be provided along the internal streets as well as along Autumncrest and Asbury Chapel. There will be the 80' buffer along the roadway, and a 20' undisturbed buffer all around the project boundary. Staff explained the changes made in the plan from what was reviewed at the time of preparation of the Staff Report and the revised plan submitted prior to the Board meeting. The developer is also requesting a waiver to not install the 20' landscaping median, to which the Town Board has the option to waive. Density and zoning was described, and staff indicated she was happy to answer questions.

J. Davis asked why a DOA was not required (a determination of impact for public facilities), and staff indicated it is required to be filled out, and they are approved. Staff explained to the audience about public facilities, impact fees, and levels of service. Jack Simoneau, Planning Director, responded that staff reviewed the determination and it was checked with police vehicles, stations, fire vehicles, stations, parks and indoor recreation, and staff determined that with the new development it still met all standards for adequacy.

R. Smith asked about the block length waiver, and staff explained the stream buffer, rock outcroppings, wetlands, and buffer. She personally walked the site to understand the land. There is so much rock on site, and a creek crossing is not practical. Development to the east and west was explained, along with the natural constraints on site. Engineering is comfortable with the curve linear street that will slow traffic down, with a pedestrian area. There is also a mailbox cluster. R. Smith asked staff a question (inaudible), and staff responded that she could not answer that question, and asked if the member had tried to reach out to engineering, which he had not. H. Bankirer noted the scoping process was not available online, and a representative from Engineering was not available at the meeting to answer questions.

J. Sailors asked about parking on the street, and staff noted there is no on-street parking being provided, but they can park on the street if they like, because it is not posted as "no parking". J. Sailors questioned parking at the mailbox cluster,

and staff explained they can park at any point on the street, or walk to check the mail. Staff cannot dictate the location of the mailbox clusters. The width of the street was questioned, and Mr. Simoneau stated two 20' lanes. J. Sailers felt that safe parking area was not being provided and was a problem. The hammerheads were also questioned with 2 entrances on the north side, and fire truck accessibility was questioned. Staff commented there was no problem. A hammerhead is appropriate for a fire truck turn around. Staff indicated the two hammerheads that are stubs for future development. If parking on the street creates a problem the police can be called. An additional street was questioned between Lots 40-42, and staff indicated that with the topo it makes more sense, based on the developable area of the upper parcels, to have a stub located as shown on the plan.

S. Thomas commented about the landscape waiver, and staff informed that the developer is not requesting a waiver. The plan has been revised, and staff would not have supported the waiver. Jack Simoneau explained the median waiver. In the TR there is a 20' landscaped entrance on existing street (not new streets). The developer is asking for the median waiver so they would not need to cut down trees to widen the road for a median. Staff supports the waiver. Alison Adams noted that the cross section for the street is 51', with a pavement structure of a 10' (land) with curb and gutter, and sidewalks on internal streets.

H. Bankirer understood the need for a block length waiver, but felt there was a way to break up the street. This is probably the longest street waiver requested. The street will be narrow, and may not calm traffic. H. Bankirer asked which entrance would be primary, and if it would have a monument.

Nate Bowman (developer, 205 S. Church Street, Huntersville), stated there would probably be a monument like Pavilion's entrance. He spoke to the hammerhead to the east and the creek that runs on solid rock, which should not be disturbed; hence the common area. It is a unique feature. If parking is a concern, it can be signed. Narrow streets are preferred, and hoped that people do park on the street to get their mail as this slows down traffic (just like Vermillion). On-street parking becomes a traffic calming device. There are boulders on site with natural woods, and the last thing they want to do is widen it out to install a median to look like a standard subdivision. The property is spectacular and will be difficult to develop with the rock. The homes, like Pages Pond, will be wrapped in woods and kept as natural as possible. H. Bankirer commented about the neighborhood meeting concerns (power outages and internet), and Mr. Bowman commented they anticipate the electric company will have to improve the service. Poles in that area date back to the 1940's. The 50 homes should be a reason to improve the service(s).

C. Graffy asked about the traffic concerns, and Mr. Bowman stated that Engineering was comfortable with the distances between the entrances, as well as NCDOT. Mr. Bowman spoke to the right of way (currently) owned on Asbury Chapel Road by the homeowners. The development will take every opportunity to make road improvements.

H. Bankirer asked about the other development in the area (Chapel Grove by Ryan Homes). Staff indicated that Phase 1 is almost approved, and Phase 2 has been submitted and is in review. H. Bankirer asked if this subdivision was part of the Traffic Impact Analysis (“TIA”) scoping, and Mr. Simoneau explained that every TIA is cumulative, and all approved subdivisions would have been included. The intersection was questioned if it was studied, and staff did not know that answer. H. Bankirer noted that there are TIA questions, and there was no Engineering staff present at the meeting to answer.

Discussion after the Motion included J. Davis’ concern about the CMS report showing Blythe Elementary at 137% capacity. S. Swanick noted the density is conducive to Rural, and the project is good and helps maintain a rural zoning character. S. Thomas noted her appreciation of the tree save, urban open space, and buffers, but expressed her concerns with 1) school capacity, and 2) traffic and speeding on Asbury Chapel. R. Smith commented about the TIA, narrow street, and on-street parking. C. Graffy felt the narrow street will help with traffic calming, and the sidewalks will provide pedestrian safety. J. McClelland noted the density matching the rural area. H. Bankirer commented that the developer would provide a quality product, but had concerns about the traffic, and there would be no turn lanes, nor widening for the development. He hoped the developer will continue talks with Duke Power for the betterment of the residents and potential residents.

**D.2. TA17-08: Pedestrian Access Definition**

S. Thomas made a Motion to Approve based on the amendment being consistent with the policies CD-1, 4 and 6 of the 2030 Community Plan. It is reasonable and in the public interest to amend the zoning ordinance because it clarifies the intent for the existing requirement for functional pedestrian access to a building be provided from a public street and is consistent with the principle of encouraging pedestrian oriented development in zoning ordinance and the 2030 Community Plan. J. Davis seconded the Motion. The Motion carried unanimously (9-0).

Discussion: Bradley Priest, Senior Planner, presented and entered the Staff Report into the record, a copy of which is attached hereto as Exhibit B, and incorporated herein by reference. Staff summarized the amendment and the interpretation of functional pedestrian access into buildings. Previously an application was submitted for a site at Hunters Road and Statesville Road (21) for redevelopment. Two buildings were being planned, one of which is currently on site, and a new shop building would be along the street (21). This building would require a functional front door. There was a Board of Adjustment (“BOA”) appeal described along with the Order granting the variance. The BOA found there was no definition of a “functional” pedestrian access, and staff’s interpretation of the ordinance was too strict. Staff is proposing the amendment to the ordinance to give clarity of the definitions for “main” and “secondary” access. Different buildings, types, and requirements were noted by staff. The Huntersville Ordinance Advisory Board (“HOAB”) met in February and suggested clarifying language, which staff included in the proposal.

H. Bankirer clarified the language approved by the HOAB, and staff confirmed this is the language the HOAB approved. J. Sailers questioned the storage facility on NC73 and Browns Mill Road recently approved and the front entrance of that building. Staff explained the pedestrian access on that building from the street. The requirement for the front entrance does not change. The amendment defines the access to be functional. There was no further questions or discussion after the Motion.

**D.3. Petition TA 18-01**

J. Sailers made a Motion to Approve to amend multiple Articles in the Zoning, Subdivision Ordinances and Engineering Manual, and the multiple sections as listed in the Staff Report, based on the amendment being consistent and applicable with combining and conforming all of the necessary agents under the same guidelines. It is reasonable and in the public interest to amend the zoning ordinance because we want everything to be consistent with development of the Engineering Manual, Subdivision and Zoning Ordinances, and this brings it all together. It meets T-5 and ED-14 in the 2030 Community Plan. R. Smith seconded the Motion. The Motion carried unanimously (9-0).

Discussion: David Peete, Principal Planner, presented and entered the Staff Report into the record, a copy of which is attached hereto as Exhibit C, and incorporated herein by reference. Staff briefly explained the history behind by the request, which includes the Zoning and Subdivision Ordinances and the Engineering Standards and Procedures Manual. This is more of a clean-up of the three (3) documents (more so of the Zoning and Subdivision Ordinances). The HOAB reviewed all changes, and supported the proposal. The Town Board suggested a couple clarifications during the public hearing. Staff recommends the proposed amendment, subject to graphics being added.

R. Smith was concerned if the amendment would catch current projects off-guard, and staff indicated the ordinance would have an enactment date (April). Projects in process will continue on. The amendment is not changing anything, but changing referencing. H. Bankirer questioned if there would be a change to the density in Part 2, on-street parking, and staff explained the density of on-street parking is a product of the street being provided. Smaller lots and parking was described, and staff is now considering a requirement versus a recommendation. H. Bankirer asked if “where appropriate” is being redefined (page 2), and staff responded that is in relation to the appropriate cross section chosen, and does not include anything new. There was no further discussion, or discussion after the Motion.

**E. Other Business**

The Chairman added discussion to the agenda concerning the Engineering staff, and noted that a staff member is needed at the Board meetings. There is critical information being missed without a representative. The members discussed the need for better communication with Engineering, and agreed to begin contacting Engineering staff, as requested, with questions before a meeting. If there is a matter on the agenda that includes a TIA, it was felt to be important to have Engineering present. Jack Simoneau noted if a TIA is required, a link to the TIA could be provided. If there is just a study, there will be a statement in the Staff Report, and the members can email Stephen Trott with questions. Mr. Simoneau advised the members that next month there will a text amendment for the TIA, to which the

Engineering Director will be present, and the Board can ask him about TIA's and studies at that time. The Chairman suggested when looking at a TIA, or reference materials, to make contact with Engineering.

**F. Adjourn**

Approved this 24<sup>th</sup> day of April, 2018.

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Chairman or Vice Chairman

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Michelle V. Haines, Board Secretary