Minutes of the Town of Huntersville Planning Board

The Town of Huntersville Planning Board met virtually at 6:30 p.m. on Tuesday, February 22, 2022.

Call to Order/Roll Call
Chairman Swanick called the virtual meeting to order at 6:30 pm.
Present: S. Swanick, J. Sny, S. Hensley, G. Baber, C. Boyd, T. Loomis, J. Wright, and F. Gammon (arrived at 6:43 p.m.)

Approval of Minutes
Item 2A. Consider approval of the January 25, 2022, Regular Meeting Minutes
Motion: J. Sny made a Motion to Approve the January 25, 2022, minutes. C. Boyd seconded the motion.
Vote: The motion passed unanimously (7-0).

Public Comments
Scott Barnette, 9012 Beatties Ford Road stated that his concerns have been addressed. He was concerned that the proposed Mosaic Development parking lot will surround his property and while they had agreed to a 20-foot buffer he felt they also needed a fence to reduce the headlights from shining onto his property and foot traffic from potentially walking across his property. The applicant stated that they will install a fence so that satisfies his concerns. He believes this will be a great project for the area.

Action Agenda
Item 4A: Consider Recommendation for Petition #R21-16, a request by Mosaic Development Group to rezone +/- 9.8 acres at 9102 Beatties Ford Road from Rural District to Neighborhood Residential Conditional District for age restricted multi-family housing (Parcel # 01526437).
B. Richards, Assistant Planning Director entered his staff report into the record, a copy of which is attached hereto as Exhibit A and incorporated herein by reference. Staff provided a summary of the request to rezone from Rural to Neighborhood Residential – Conditional District to allow for up to 130 multifamily age restricted senior apartments.

The applicant has volunteered to annex the property into the town if the proposed project is approved. The historic committee reviewed the existing home and barn and did not select it for historic designation. The rezoning maximum density allowed would be up to 13.2 units/acre, the applicant is currently proposing 12.5 units/acre. All tree save requirements have been met or exceeded.

The applicant is requesting two modifications. Modification 1: Off-street parking reduction request from the ordinance required 139 space or 1.5 spaces per unit to 125 spaces or 1.02 spaces per unit. The applicant has provided a parking study of their similar communities demonstrating a utilization rate of .62 cars per unit. Staff supports this request based on the

type of development being proposed, a review of the applicant's study, and a review of area parking requirements for this type of development supporting a 1 space/unit ratio.

Modification 2: Side yard parking. Currently side yard parking is not permitted with apartments. The topography of this land falls away from the road creating a natural buffer as the parking will be approximately 5 feet below grade. Staff supports this request as it meets the spirit of the ordinance given the vegetation and grading provides adequate screening and separation to mitigate the visual impact.

The proposed rezoning is supported by the 2040 Long Term Plan as the project falls within an Activity Center and multi-use is encouraged.

C. Boyd asked for confirmation that the parking will be below grade as the current site plans do not seem to indicate that and if the site to the south is proposing a future road. Staff confirmed that the preliminary plan is below grade with our standard 20' buffer and a screening of evergreen trees and other trees at the entrance. A one building one lot development is not required to reserve or build public street access but they are offering to reserve right-of-way in the event the Town or another agency wants to build and connect Oak Grove Hill to a development under the currently zoned Long Creek Retail area in the future.

T. Loomis asked what is proposed for the sidewalks and if they will be ADA compliant. Staff confirmed that all sidewalks and driveways in the Town are required to be ADA compliant.

J. Sny asked if NCDOT is going to require a TIA. Staff stated that to the knowledge one will not be required. There will be traffic improvements required along Beatties Ford Road.

F. Gammon followed up on questions from the Public Hearing and inquired if there would be elevators, how many units are 55 and over (possibly referring to approved projects), how many are considered affordable housing, the average number of non-maintenance emergency calls, and where the nearest CATS bus stop. Staff confirmed that there will be an elevator, 800 units restricted to 55 and over, 135 units in Town are considered affordable housing, and the nearest CATS bus stop is approximately 1 mile away. CATS has stated that they will review this in 18-24 months to determine if is should be added to the Village Rider route and in the meantime the applicant is proposing alternate options through church and volunteer groups for public transportation options.

F. Gammon asked how many age restricted units are already constructed in Town. Staff is working to determine how many have been constructed and will provide the Board with that report.

Jimmy Royster, Mosaic Development Group 4600 Park Road, Suite 390 Charlotte NC 28209 replied that he does not have a record of emergency calls made from properties by individual tenants, but he can request that from property management.

S. Hensley asked the applicant if he could confirm he is proposing a 6-foot privacy fence and identify where the proposed fence will be placed that is adjacent to Mr. Barnette's property. The applicant confirmed that is the fence type and indicated he has requested the engineers to adda fence along Mr. Barnette's property and down towards Mt Holly-Huntersville to alleviate the concern over headlights or possible trespassing.

Motion: F. Gammon made a Motion to Approve R21-16 rezoning of 9102 Beatties Ford Road from rural to neighborhood residential – conditional district. The Planning Board finds that the rezoning as outlined in part 4 of the staff report is consistent with Huntersville Zoning Ordinance 11.4.7 d, 11.4.7 e, Huntersville 2040 Community Plan policies LU2.1, LU5.1, LU6.1, LU7.1, LU8.1, LU10.1, T3.1, and the Beatties Ford and Mt Holly Huntersville small area plan. The Planning Board further recommends approval of the requested modifications, modification 1: the reduction of number of off-street parking from 139 to 125 spaces and modification 2: the modification of side-yard parking along Beatties Ford Road with a 20-foot buffer to screen the parking lot from Beatties Ford Road. This recommendation for approval is contingent upon the applicant successfully addressing all outstanding staff comments and potential NCDOT comments. It is reasonable and in the public interest to amend the Zoning ordinance because the rezoning is consistent with the envisioned usage and development pattern set forth in the 2040 Community Plan and Beatties Ford Road and Mt. Holly-Huntersville small area plan. C. Boyd seconded the motion.

Vote: The motion passed unanimously (8-0).

Item 4B: Consider making a recommendation on Petition #R21-14, a request by Mecklenburg County to amend the conditional district rezoning plan for their recycling facility at 12230 Statesville Road (Parcel # 01720403) to expand the boundaries of the active area of the facility.

B. Priest, Principal Planner entered his staff report into the record, a copy of which is attached hereto as Exhibit B and incorporated herein by reference. Staff provided a summary of the request to expand the active area of use from the rezoning that was approved in 1989. The applicant has confirmed that the upcoming plan will include the tree survey and the proposed greenway note. Staff recommends approval with the consideration of adding rear connection to Verhoeff Drive, updating tree survey and adding note stating count will assist to accommodate greenway through the property.

G. Baber asked for confirmation on where the expansion will occur and if the public comments regarding odor are an area of concern. Staff identified the expansion to the north and south as well as the storage area. The issues regarding odor are not addressed in the zoning ordinance. Regarding public comments the applicant has amended the plan to reduce the expansion limits, add a noise wall and berm. Staff has not seen odor addressed on the site plan, however; the applicant meets the zoning requirements.

C. Boyd asked if more traffic is expected. Staff commented that this expands the area that they can use and that staff recommends the rear entrance off of Verhoeff to assist with the traffic

volume. The applicant has moved the way house further back into the site and is proposing turn lanes on Statesville to assist with the car stacking.

F. Gammon asked if the proposed tree survey is satisfactory to staff and if the proposed greenway statement inadvertently requires the Town to build the greenway versus the County. Staff confirmed they are comfortable with the proposed tree survey and they doubt mitigation will be necessary. Staff is comfortable with the greenway statement as this particular greenway request does not overlay with the Counties proposed greenways and would be a Town funded greenway effort.

F. Gammon requested that Parks and Recreation and the Greenway Commission provide a list of all greenways that the County is not going to build so the cost can be estimated, and the Town can either agree to build them or put them into the Capital Improvement Program.

J. Sny asked if staff has any concerns with the TIA being 2.5 years old. Staff stated that a TIA was not required for this use. The TIA is based on square footage and there is no expansion of square footage, so no TIA update is required.

Jeff Smithberger, Director of Solid Waste for Mecklenburg County 2145 Suttle Avenue Charlotte stated that this is a project that the County has worked on for several years. It is part of the strategic plan to upgrade all full-service facilities. This is the first one and the Pence Road, Foxhole and Valleydale Road will follow. The county is proposing a three-phase expansion of this property. Phase 1 has been completed with the addition of the office building that are ADA compliant. Phase 2 includes the noise wall and berm with proposed screening, and upgraded recycling as requested by the County Board of Commissioners. In the future, phase 3 will be a covered acceptance area.

T. Loomis asked what new recycling options will be offered and if any renewable energy sources will be implemented. The applicant responded that they are looking into shredded paper, hard cover book recycling and collection of food waste. Solar powered lights are being considered for this facility and renewable energy efforts at all facilities are reviewed.

G. Baber asked what the applicants concerns are with the Verhoeff Drive entrance. The applicant responded that the site is not designed for dual entrance, it is laid out for an entrance on Statesville and they are not set up for multiple entrance and exits. In lieu of this they have committed to adding sidewalks and turn lanes to accommodate the traffic while allowing their site to operate safely and efficiently.

F. Gammon stated he appreciates and uses the facility frequently. One of his big concerns is accommodating citizens who should not have to suffer so he is glad that Mecklenburg County is committed to mitigating all that they can to reduce any impact on neighbors. Following up on the questions raised at the public hearing, he asked when this facility grinds. The applicant stated that generally this facility grinds once every two weeks, generally between 8 a.m. – 2 p.m. on a weekday unless there is an emergency condition. The grinding crew is a mobile team

based at the Valleydale facility that begins at 7 a.m. and arrives at North Meck facility after 8 a.m.

The applicant stated that the compost central facility is approximately 6 times larger than the North Meck facility. They have deployed an odor mitigation program at this facility. Typically, in the fall of the year the leaves are more acidic and compost with a different smell. The applicants have confirmed with the residents that they will install one of these proprietary systems at the North Meck facility.

C. Boyd asked if the stormwater retention ponds utilize any filters before that water gets to the creeks. The applicant stated that biofilters are utilized so that it passes through earth and sand prior to release.

F. Gammon asked if the creek where the waters released is home to the Stone Fly. The applicant stated that it is not.

Motion: J. Sny made a Motion to Approve R21-14 North Mecklenburg Recycling Center expansion. The planning board recommend approval based on the plan being consistent with the Huntersville 2040 Community Plan, policies LU1.1, LU5.1, and LU11.1. Update to the plan to include a completed tree survey showing conformance to tree requirements and add the footnote regarding future greenway location. It is reasonable and in the publics interest to approve the rezoning plan because the center is an essential service for residents in this part of the county. Also because the applicant has partnered with the nearby community of Plum Creek to address their concerns and to go on record to address potential future concerns as it relates to smell and the addition of turn lanes on Statesville Road. S. Hensley seconded the motion.

S. Hensley commented that this is an established use and while no one may want to live near it, it is a necessity and there is a benefit that is run by the County and not a private owner so if issues arrive he feels that they will be good neighbors and do what they can to address residents concerns.

F. Gammon commented that we have a double interest because as this applicant is the County it comes out of our pocket.

Vote: The motion passed unanimously (8-0).

Other Business
No other business.

Adjourn
Motion: J. Sny made a Motion to Adjourn. C. Boyd seconded the motion.
Vote: The motion passed unanimously (8-0).

Approved this 23 day of April 2023.

Chairman or Vice Chairman

Board Secretary