Minutes of the Town of Huntersville Planning Board

The Town of Huntersville Planning Board met at 7:30 p.m. on Tuesday, July 26, 2022.

Call to Order/Roll Call
Chairman Swanick called the meeting to order at 7:30 pm.
Present: S. Swanick, J. Sny, S. Hensley, G. Baber, C. Boyd, J. Wright, F. Gammon, J. Henson, and T. Loomis (remotely at 7:45 p.m. due to technical issues)

Approval of Minutes
Item 2A. Consider approval of the revised June 28, 2022, Regular Meeting Minutes
Motion: J. Sny made a Motion to Approve the June 28, 2022, minutes. G. Baber seconded the motion.

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

Public Comments
No public comments.

Action Agenda

Item 4A: A. Consider Recommendation for Bryton Townhomes - Parcel 2 Subdivision Sketch Plan, a request by Northbridge, LLC to subdivide 3.114-acres located at the northeast intersection of Statesville Road (NC 115) and Bryton Ridge Parkway (Parcel # 019-11-137) for a 25-unit townhome development.

D. Peete, Principal Planner entered his staff report into the record, a copy of which is attached hereto as Exhibit A and incorporated herein by reference. Staff stated that the proposal is for 25 townhomes.

One neighborhood meeting was held, on May 23, 2022. The proposed density is 8 units/acre. The applicant proposes to save 5% of the current 85% of tree canopy, zero tree save is required. A willingness to serve letter from Charlotte Water dated April 4, 2022 has been provided. Outstanding transportation comments needs to be addressed. Urban open space will be provided via one square located along NC115 at the alley entrance.

Staff finds the application to be complete and consistent with the Mixed-Use Center designation in the Huntersville 2040 Plan. The application complies with all applicable requirements and is supported with the following conditions: 1. Provide landscape easement along NC115 frontage for the second row of street trees; 2. Work with staff on the design of the Urban Open Space – square during preliminary plan; 3. Town transportation comments must be addressed; 4. Water quality concept plan must be approved by Staff; 5. All other plan comments are addressed. Staff recommends approval based on satisfaction of the above items.

J. Wright asked if the alley access would be sufficient for emergency vehicles. Staff responded that it will be reviewed by the Fire Marshall and they will have to sign off.

F. Gammon asked how NC115 would be accessed.

Motion: With respect to the Bryton Townhomes Parcel-2 Sketch Plan Review, the Planning Board finds the application to be complete. The application complies with all applicable requirements including EOS 8.3, EOS 10, LU 2.1, LU 5.3, LU 7.1, LU 8.3, LU 9.1, LU 10.1 and T 5.1 of the Huntersville 2040 Plan. Therefore, the Planning Board recommends approval of the sketch plan with the following conditions: 1. Work with Staff on the design of the Urban Open Space during Preliminary Plan; 2. Provide landscape easement along NC 115 frontage for the second row of street trees; 3. Town Transportation comments must be addressed; 4. Water-quality concept plan must be approved by Staff; 5. All other plan comments are addressed by J. Sny and seconded by J. Henson.

F. Gammon recommended the motion contain be worded as a recommendation. The amendments were accepted by J. Sny and J. Henson.

F. Gammon requested that staff review possible amendments to the Huntersville 2040 Community Plan Mixed Use Center designation based on the amendments to the Ordinance related to density near proposed transit stations.

Vote: The motion passed unanimously (9-0).

4B. Consider Recommendation for Maxwell Avenue Townhomes Subdivision Sketch Plan, a request by Northstate Development to subdivide 2.79-acres located at southeast intersection of Old Statesville Road (NC 115) and Maxwell Avenue, Parcel #s 019-031-05, 019-031-22, 019-031-04, 019-031-03, 019-031-02 & 019-031-23 for a 35-unit townhome development.

D. Peete, 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 stated that the proposal is for 35 townhomes.

One neighborhood meeting was held on July 20, 2022. The proposed 100% attached units are within ¼ mile of a designated rail transit station and the application was received prior to the text amendment no longer allowing 100% attached within ¼ mile of a designated train station. The applicant proposes to save 17% of the existing 34% of tree canopy and 7 of the 21 specimen trees. The proposed density is 12.54 units/acre.

Two urban open spaces are proposed along the north and south borders and labeled as 'park' however neither qualify. Staff recommends a square or pedestrian pathway which would be more appropriate.

There are no major transportation comments, all remaining comments must be addressed in the second cycle review of the sketch plan.

Staff finds the application to be complete with the following conditions: 1. Several additional specimen trees should be saved; 2. Small maturing trees are proposed due to overhead power lines which are planned for removal and could be adjusted to large maturing trees; 3. Compliant urban open space must be provided; 4. Numerous townhome sidewalk connections should be consolidated to create more open space and reduce unnecessary impervious coverage; 5. Town transportation comments must be addressed; 6. Water quality concept plan must be approved by Staff; 7. All other plan comments are addressed. Staff recommends approval of the proposed subdivision sketch plan based on satisfaction of the above listed items.

J. Sny notified the Board and Legal Department that he assisted with marketing three of the parcels in question. He did not meet the owners or communicate with them directly. No conflict of interest was established.

S. Swanick asked if the water/sewer capacity issues will impact this development. Staff responded that the applicant has submitted a Charlotte Water willingness to serve letter and the applicant is aware that the development proceeding will be subject to the timeline of when capacity is available.

G. Baber reviewed the proposed connectivity road and how it would relate to this potential project and confirmed that staff is requesting that small maturing trees be adjusted to large if the powerlines are relocated.

F. Gammon asked staff for clarification on the quantity of specimen trees and tree canopy noted on the site plan and confirmed the applicant is meeting the standard but staff is recommending additional tree save. Staff clarified that there are no heritage trees on the site, the applicant is meeting the requirement and there are additional specimen trees within the proposed open space that could also be saved.

S. Hensley asked the applicant if this is a proposed for sale or for rent community. The applicant, Shane Seagle, 6021 Connemra Court Denver NC replied that this will be a for sale product.

F. Gammon asked the applicant what the proposed construction traffic route will be given current road conditions and if their project will overlap current road work that is underway. S. Seagle responded that they do not have a proposed construction traffic route other than the property being on Highway 115 and that being the most direct route. They are not aware of the timeline for current road work but they plan to begin construction as soon as their plans receive approval. Staff responded that it will more than likely overlap.

T. Loomis expressed concerns about the tree save.

C. Boyd asked for the applicant how the proposed underwater stormwater capacity and system will function. Cole and Jenest, 200 S Tryon Street Charlotte NC provided further detail on how the treatment occurs and returns to the stormwater system.

J. Sny asked the applicant how well the neighborhood meeting was attended, what the feedback was, if the adjacent Presbyterian Church commented or only the Baptist church. The applicant responded that about 10-15 people attended, there was no negative feedback and a member of the Baptist church board was in attendance at the meeting. There has not yet been a discussion with the Presbyterian Church.

Motion: In considering the application by Northstate Development for Maxwell Avenue Townhomes the Planning Board finds the application to be complete. The application complies with EOS 8.3, EOS 10, LU 2.1, LU 5.3, LU 7.1, LU 8.43, LU 9.1, LU 10.1, T 5.1. This recommendation is based on the following conditions being met, 1) the applicant continue to study opportunities to save additional trees; 2) applicant work with staff to resolve the small maturing trees proposed under the power lines; 3) a compliant urban open space type be provided; 4) numerous townhome sidewalk connections be consolidated to create more open space and reduce unnecessary impervious coverage; 5) town

transportation comments be addressed; 6) water-quality concept plan approved by staff; 7) all other plan comments be addressed. The motion was made by J. Henson and seconded by F. Gammon.

S. Hensley commented that he likes the plan and the variety of housing option that is being offered.

S. Swanick commented that LU10.1 highlights attainable housing options and attached housing may assist with making this happen.

T. Loomis commented that she likes the plan and hopes the applicant will continue to work with staff on tree save.

Vote: The motion passed unanimously (9-0).

Other Business

S. Hensley commented that TA22-05 is going before the Town Board on August 1, 2022, and he encourages the Board to be in attendance to provide any comments or feedback particularly since the meeting was not recorded and is not available to the Town Board.

4C. Consider appointments of the Chair and Vice-Chair of the Planning Board

G. Baber nominated J. Sny for Chairman; S. Hensley seconded the nomination.

T. Loomis nominated F. Gammon for Chairman; C. Boyd seconded the nomination.

J. Sny stated that he appreciates the nomination and is happy to serve the Board in any capacity. It is a priority to him that the Board unitedly support the appointment.

F. Gammon stated that the Board has worked well together and agreed to disagree but left it at that. Additionally, Planning Board members are not politicians they are here to represent the citizens and leave the political decisions to the Town Board.

Voting for J. Sny for Chair; G. Baber, S. Hensley, S. Swanick, J. Henson, and J. Sny (5-4).

Voting for F. Gammon for Chair; C. Boyd, J. Wright, T. Loomis, and F. Gammon (4-5).

S. Hensley nominated F. Gammon for Vice-Chair; G. Baber seconded the nomination.

S. Hensley commented that F. Gammon brings so much detail to the discussion he believes Vice Chair may be a better fit so as not to curtail all that wealth of information that he brings to each meeting.

G. Baber commented that F. Gammon brings the most thoroughness and he would not want to lose that and would like to see him be the Vice-Chair.

S. Swanick commented that F. Gammon is serving the Board well and is a great resource.

Voting for F. Gammon for Vice-Chair; unanimous (9-0).

Adjourn
Motion: S. Swanick made a Motion to Adjourn. J. Sny seconded the motion.
Vote: The motion passed unanimously (9-0).

Approved this 23 day of April 2022.

Chairman or Vice Chairman

Board Secretary