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## MEMORANDUM

**TO:** Howey-in-the-Hills Development Review Committee  
**CC:** J. Brock, Town Clerk  
**FROM:** Thomas Harowski, AICP, Planning Consultant  
**SUBJECT:** Esch Property Development Package  
**DATE:** April 19, 2024

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The subject property is a 4.45-acre parcel located on SR-19 south of Revels Road (ALT 1704171). The applicant is seeking to construct a veterinary office and provide at least one additional parcel for future office or retail use. Based on the survey, the parcel measures about 740 feet along SR 19 with a depth of 262 feet. The parcel is rectangular and slopes from SR 19 at 100 feet in elevation to the west where the elevation is approximately 85 at the western boundary. The environmental assessment report submitted with the application shows no wetlands on site and only a minor impact of Flood Zone A property (2012 map) along the western fringe of the site. Just off the site to the west is a wooded depressional area that likely receives stormwater runoff from the subject property. The subject parcel has some scattered trees on site.

The property is designated Village Mixed Use on the future land use map which requires PUD zoning. The future land use designation may have been applied in error when the original Mission Rise project was approved. At 4.45 acres the property is too small to meet the minimum size for VMU land use, and the Town needs to change the land use and zoning to a classification that is more suitable for the parcel. This revision is the same process used for the parcel at Revels Road and SR 19 which has been developed as a landscape business and plant nursery.

To accomplish the land use and zoning changes and to take the steps to accommodate the proposed development, the following actions are required:

1. Adopt a small-scale amendment to the future land use map.
2. Adopt zoning consistent with the future land use designation.
3. Grant a conditional use approval for a veterinary clinic.
4. Grant a variance to allow a building larger than 6,000 square feet in NC
5. Approve a preliminary site plan for the construction of any proposed buildings
6. Approve a final site plan for the proposed buildings
7. Approve a subdivision plat or lot split for any proposed lots.

The current review program will address items one through five.

Based on the comprehensive plan future land uses, the land use which most closely supports the proposed use is Neighborhood Commercial. The most appropriate zoning and the zoning consistent with the recommended land use designation is also Neighborhood Commercial (Section 2.02.05 in the land development code). Under the NC zoning veterinary offices and clinics are designated as a conditional use, which means that they may be permitted if specific conditions are met (Section 2.02.05 B3 k). In this case the only specific condition is that there be no outside kennels (Section 6.02.13). The specific requirements of the NC Neighborhood Commercial Zoning are as follows:

Requirement	Standard	Provided
Minimum Lot Size	0.5 Acres	2.0 Acres
Minimum Lot Width	100 feet	740 feet
Minimum Lot Depth	150 feet	262 feet
Maximum Building Height	35 feet	>35 feet
Maximum FAR	0.50%	0.07%
Maximum Lot Coverage	70%	40.1%
Setbacks		
Front	30 feet	74.5 feet
Side	20 feet	44.5 feet
Side	30 feet	202.2 feet
Rear	30 feet	117.4 feet

The applicant has submitted a preliminary site plan which shows compliance with these dimensional requirements. (See discussion below.)

The comprehensive plan amendment, the rezoning, the conditional use approval, the building size waiver and the preliminary site plan approval can be sought concurrently. This approach will combine the public hearings required for each action. Final approval of the zoning will be contingent on the approval of the comprehensive plan amendment by the Department of Commerce. Approval of all five items will allow the applicant to proceed with a final development plan application. The final development plan will require review and recommendation by the Planning Board and approval by the Town Council.

Subdivision of the property can be considered at a later date depending on the final decision on future use. The preliminary site plan designates two building sites with the proposed veterinary site being two acres and the future site being 2.45 acres. The available development area for the second business site is about 1.10 acres with the balance of the area being devoted to stormwater retention and undisturbed flood prone area.

Preliminary Site Plan Comments

- As the Town does not currently have water and sewer service to this area, the project will need to use a well and septic system for water and sewer service. The applicant should verify that a well can be permitted. Should municipal water and

sewer service be extended to the site, the property will be required to connect to the municipal system. The well could be converted to an irrigation well once Town water is supplied to the site.

- The applicant has submitted a tree survey with the application. An analysis is required to identify those trees to be retained and those trees to be removed from the site. This analysis may be limited to the proposed veterinary office site. A similar analysis will be needed for the balance of the site when a specific development proposal is brought forward.
- The applicant has submitted a traffic study and asked for a waiver of a full TIA based on the low traffic volume. The Town engineer will comment on the waiver. An additional traffic assessment will be required when the balance of the site is proposed for development.
- The applicant is proposing 40 parking spaces for a requirement of 24 to 30 spaces. The provided parking works out to one space for every 150 square feet of gross floor area. The only use for which the Town requires a higher parking ratio is a sit-down restaurant at one space per 100 square feet of gross floor area.
- The applicant needs to provide a note on the plan stating there will be no outdoor kennels. This note is needed to comply with the conditional use provisions of Section 6.02.13 of the land development code.