



PLANNING DEPARTMENT
PLANNING BOARD AGENDA
Tuesday, July 21, 2020
6:00 P.M.

1. **Call to Order** - Determination of Quorum
2. **Approval of Minutes of Previous Meeting – January 21, 2020**
3. **New Business**
 - a. CZ 2020-0017 Evoke at Indian Trail
 - b. CZ 2020-0001 Sun Valley Marketplace
 - c. CZ 2020-0013 Greenwich Downs
 - d. ZT 2020-0086 Development Ordinance Revision of Board of Adjustment
4. **Adjournment**



PLANNING DEPARTMENT
PLANNING BOARD AGENDA
Thursday, July 23, 2020
6:00 P.M.

1. **Call to Order** - Determination of Quorum
2. **Unfinished Business – Final Recommendation**
 - a. CZ 2020-0017 Evoke at Indian Trail
 - b. CZ 2020-0001 Sun Valley Marketplace
 - c. CZ 2020-0013 Greenwich Downs
 - d. ZT 2020-0086 Development Ordinance Revision of Board of Adjustment
3. **Adjournment**



**PLANNING BOARD
July 2020-2021**

<p><u>CHERYL MIMY</u> 5017 Dresden Ct Monroe, NC 28110 C – 908-418-2695 Mimy2@live.com Term 7/01/18-06/30/21 SEAT 1</p>	<p><u>MEG FIELDING</u> 1011 Council Fire Circle Indian Trail, NC 28079 C – 516-749-5595 meg.fielding6@gmail.com Term 7/21/20-6/30/23 SEAT 2</p>
<p><u>VICE-CHAIR (1 year term)</u> <u>MICHAEL MCCARVER</u> 6003 Fine Robe Dr Indian Trail, NC 28079 C – 704-465-7777 Mccarver.micheal@gmail.com Term 7/10/19-6/30/22 SEAT 3</p>	<p><u>CHAIR (1 year term)</u> <u>DENNIS GAY</u> 4705 Pioneer Lane Indian Trail, NC 28079 H-704-345-8616 Stainlessb@aol.com Term 1/09/18-6/30/21 SEAT 4</p>
<p><u>SIDNEY SANDY</u> 1833 Wesley Chapel Rd Indian Trail, NC 28079 W:704-242-0628 smsandypls@aol.com Term 7/01/15-6/30/21 SEAT 5</p>	<p><u>MISCHELLE REECE</u> 2201 Bonterra Blvd C: 248-245-5051 Indian Trail, NC 28079 mlreece@yahoo.com Term 7/10/19-6/30/22 SEAT 6</p>
<p><u>JOSEPH LYTCH</u> 2004 Clover Hill Rd Indian Trail, NC 28079 H: 704-779-5401 Joe_lytch@ymail.com Term 8/08/17-6/30/23 SEAT 7</p>	



P.O. Box 2430
Indian Trail, North Carolina 28079
Telephone 704-821-5401
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**PLANNING DEPARTMENT
BOARD MINUTES**

Tuesday, January 21, 2020

6:00 P.M.

DETERMINATION OF QUORUM

A quorum was present. Meeting was called to order by Chairman Gay. He introduced the Planning Board roles and responsibilities and encouraged the public to sign up to speak during the public comments period.

CALL TO ORDER

The following members of the governing body were present:

Board Members:	Chairman Gay, Vice Chairman McCarver, Joe Lytch, Sidney Sandy, and Cheryl Mimy
Applicants:	The Moser Group Inc, Union Station of North Carolina LLC, and Fincher Road Partners LLC
Staff Members:	Brandi Deese - Planning Director, Tim Jones - Senior Planner, Matt Ward – Senior Planner, and Crystal Roman - Board Secretary
Absent:	Samantha Towns, and Mischelle Reece

APPROVAL OF MINUTES OF PREVIOUS MEETING

Motion to approve November 19, 2019 minutes was made by member Mimy and seconded by member Sandy. Motion passed unanimously.

NEW BUSINESS

- a. **New Senior Planner** – Matt Ward was introduced as the new Senior Planner for the planning department. Ms. Deese gave a brief background of Mr. Ward’s professional experience. Planning Board members welcomed him to the Town of Indian Trail.

b. CPA & ZM 2019-0090 319 Plyler Road

Ms. Deese gave an overview presentation of the project (*Staff report available on www.indiantrail.org/AgendaCenter*).

Board Q & A

Member Mimy asked Ms. Deese to clarify the zoning request and asked what types of businesses will the applicant put into the spaces? Ms. Deese restated the rezoning proposal and explained that the property owner did not have plans at this time. Member Mimy asked the applicant what other businesses are near the property and what structures are currently on the property. Applicant answered, a single-family house to be demolished. Member Mimy inquired about surrounding businesses to the property. Applicant answered office buildings, and an auto garage is located near the property.

Chairman Gay asked for more details on the location of the project. Ms. Deese showed an aerial map of the location. Described the location of the property abutting Highway 74 and the frontage of the property to be on Plyler road.

Chairman Gay opened and closed public comments. There were no public comments.

Mr. Crouch gave a brief presentation to the board and offered to answer questions.

Motion was made by member Lytch to recommend approval of CPA 2019-0090 as presented by staff. Member Mimy seconded the motion. the vote passed unanimously.

Motion was made by member Mimy to recommend approval of ZM 2019-0090 as presented by staff. Vice Chairman McCarver seconded the motion. the vote passed unanimously.

c. CPA & CZ 2019-0106 Chestnut Parkway Townhomes

Mr. Ward gave an overview presentation of the project (*Staff report available on www.indiantrail.org/AgendaCenter*).

Board Q & A

Chairman Gay shared his concern of the U.C. Sheriff’s comments of on-street parking. Mr. Ward elaborated on the Sheriff’s comments. He confirmed the homes would have two-car garages and spaces for two more vehicles on paved driveways. Chairman Gay spoke his concerns about the density of the units and there not being enough landscaping available. He continued that the backside architectural view of the homes seemed too plain and the importance of curb appeal.

Vice Chairman McCarver inquired the about the unincorporated part of the property. Mr. Ward agreed with the chairman, that it was considered a “donut-hole”.

Member Mimy inquired about the school impact study. Mr. Ward presented the school impact study data. Member Mimy disagreed with the data presented and questioned if the results were based on an age restricted community.

Chairman Gay expressed to the audience, the Planning Board's roles and reasoning behind recommendations made. The audience clapped at the Chairman's brief description of their commitments to the citizens of Indian Trail.

Mr. Kirchner from Eagle Engineering gave a brief PowerPoint presentation and offered to answer board questions.

Board Q & A

Vice Chairman McCarver asked the applicant if they were concerned about competition from the upcoming Hub project. Applicant explained that their proposed project of high-end townhomes would compliment the luxury apartments. Vice Chairman McCarver asked about the average square footage and the vision behind the commercial flex space. Applicant answered the average square footage of the townhomes would be ranging between 2300-2500sf. He continued to explain that there were no set plans for the commercial space other than the businesses would likely cater to the neighborhood. Vice Chairman McCarver voiced his concern over the UC Sheriff's comments of the on-street parking spaces. Applicant explained they provided the community extra parking spaces, and even more than what was required by the town.

Member Mimy inquired about the data from the school impact study. Applicant explained that they hired a third-party professional contractor referred by Union County. Applicant received the data to read four students per unit. Member Mimy asked about the target market, applicant answered local professionals. She made a statement regarding her concerns towards the over capacity of the local public schools and requested for the developers to consider this issue when proposing any projects. Member Mimy inquired about the townhomes to be for sale or rent? Applicant answered, the townhomes are for sale only. She continued by expressing her concerns on the future of renting the units and issues that may follow. She asked if the homeowners association will have responsibility over properties being rented. Applicant answered that the homes will be in the high 300's and usually with the high cost of the homes there is a small chance of the property being rented out.

Member Sandy inquired about the requirements of sprinkler systems for three-story homes. Staff answered the applicant will follow state and town codes and requirements. Member Sandy expressed his concerns for the safety of children in case there was a fire emergency. He also asked for the timeframe of the light rail to become available. Ms. Deese answered that the light rail is in the phase of the transit-oriented development study and is considered to be in the conceptual phase.

Chairman Gay commented that the light rail may not be available until many years to come and expressed his concern for the challenges the light rail may face before it is available to come to Indian Trail. He continued by asking the applicant about the light rail space next to townhomes, and the alternate uses instead of utilizing it for the proposed light rail. Applicant confirmed that the spaces on their property is reserved for the light rail, it will have open landscaping, and no structures will be on the land. Chairman Gay shared his thoughts on the impact of heavy traffic this would bring to the community. Applicant confirmed there was no traffic impact study required for this Townhomes project, due to the low density of the units. He continued by giving examples of upcoming road improvements that would alleviate traffic concerns. Chairman Gay asked about the total number of units and amount of rooms, applicant repeated his previous answer of ninety-three town homes and commercial building with a mix of two and three bedrooms. He asked if there would be a homeowner's

association. Applicant explained that a majority of townhome communities usually have HOA's and it would be available at this location.

Chairman Gay opened and closed public comments. There were no public comments.

Motion was made by member Sandy to recommend approval of CPA 2019-0106 as presented by staff. Member Lytch seconded the motion. the vote failed 3-2. Chairman Gay, Vice Chairman McCarver, and member Mimy opposed the motion.

Members of the audience shouted out of order and called some of the planning board derogatory names for voting to approve the project. Chairman Gay kindly asked for the audience not to comment.

Motion was made by Vice Chair McCarver to recommend denial of CZ 2019-0106. Member Mimy seconded the motion. the vote passes 3-2. Member's Lytch and Sandy opposed the motion.

Chairman Gay offered people to sign up for public comments during the Town Council meeting tentatively to be set for February 11th, 2020. He reiterated the roles and responsibilities of the Planning Board as a recommending board and not a decision-making board.

d. CPA & CZ 2019-0087 McClendon Place

Mr. Jones gave an overview presentation of the project (*Staff report available on www.indiantrail.org/AgendaCenter).*

Board Q & A

Member Mimy questioned the credibility of the school impact studies from the applicants. Mr. Jones explained the process of the planning departments application requirements, then offered the data to Planning Board to make a recommendation.

Chairman Gay opened public comments. He encouraged members of the audience to sign up to speak after the project had been presented. He spoke into record the rules of decorum.

PUBLIC COMMENTS

<https://www.youtube.com/watch?v=pWInVe3l2C8> (52:30 – 1:37:20)

Nineteen Residents of the community signed up to speak during the public comments period. Their concerns were:

- Quality of life is changing into a city-like feeling, most comparable to the City of Charlotte.
- Indian Trail is losing its unique image and culture. This development does not fit into the area.
- Development will add to existing traffic congestions.
- Concerned if Town Council approves this project, other developers will follow and request medium to high density townhomes all over Indian Trail.
- Wildlife is currently being driven out of their environments. This development will cause negative impacts on the environment.
- Local public schools are at full capacity already.

- Concerned about the developer building higher density townhomes on the southside of the community.
- Requested for the developer to remove the commercial aspect and offer single-family homes rather than medium density townhomes.
- Worried about the price of the townhomes to be too low and would bring down the value of their properties.
- Questioned the authenticity of the traffic impact and school impact studies.
- A petition of over three hundred signatures has been submitted on change.org.
- Charlotte's housing crisis is becoming Indian Trail's problem.
- Questioned if the sewer issues had been resolved from the past Planning Board meetings in this area.
- Suggestions to leave more greenspace or to build a park instead of homes.
- The height of the townhomes will disturb the privacy of the single-family homes.
- Some residents felt the developer is not transparent with his intentions of development.
- Flooding issues to cause a mosquito breeding problem for residents.
- Questions arose if there were any members representing the town that were keeping track of the projects as a whole. If not, the concern would be overcrowding.
- Property owners will consider moving out of Indian Trail if this project is approved.
- All members who spoke felt strongly opposed to the project.

Chairman Gay asked the audience to stop clapping but the audience continued to clap, cheer, and call out of order the rest of the meeting.

Chairman Gay closed public comments and asked the audience to respect the developer's presentation.

Mr. Price from Fincher Road Partners, LLC gave a presentation of the project. Then he addressed the concerns and comments made during the public comments period.

Audience interrupted Mr. Price's presentation to the board with shouts and name calling.

Chairman Gay opened Board Q&A.

Board Q & A

Member Mimy questioned the authenticity of the data provided for the school impact study. Applicant confirmed they hired an independent professional contractor to complete the school impact study and offered to explain the data. Member Mimy wanted her contact information to confirm the validity of the data. She was told that the contact information is available in the planning board packet she had received. Member Mimy addressed the crowd to remind them of planning board's roles and responsibilities when offering their recommendations. She complimented the quality of the project, then asked if they would consider another location for the project. They confirmed that this is the location they have proposed for this project. Member Mimy inquired about the stormwater conditions and how the developer planned on dealing with it. Applicant engineer explained the process of the water retention pond and confirmed through requirements and regulations, they cannot worsen the natural flow of stormwater at the same rate it is currently flowing. Member Mimy asked how would developers deal with problems that may occur during the development stage. She repeated to the audience that Planning Board does not make the decision. She asked again, how can the developer relieve the concerns of the residents who spoke up for public comments. She exclaimed how would the developer be good

neighbors to the surrounding residents. Applicant answered that they take responsibility for the calculations they provide to the state. The state will not allow them to build until all calculations and regulations meet the requirements. Member Mimy asked how would the developers take control of situations that occur during the building process. Applicant engineer explained in detail the process of erosion control. Member Mimy asked if the residents can contact the developer if they are having issues with the development of the project. Mr. Price and staff explained how residents can contact the town if these concerns arise. Member Mimy asked how can the developer keep the integrity of Indian Trail while not affecting the wild life near the project site. Applicant explained that they will have a fifty-foot buffer of undisturbed land all around the property. He continued that there was an existing seven acres of wetlands that will not be disturbed. Member Mimy commented that project sounds really nice but would be better at another location.

Member Lytch asked if they had a property nearby this community that had been brought before Council, approved, and then never developed. Mr. Price confirmed the property across from Potter and Fincher Road is the location where the property owner was born. Member Lytch commented that the area is most appropriated for single family homes rather than multifamily homes. Mr. Price explained the layout and shape of the property would not allow the numbers of units to work. Applicant explained the developer's intent was to bring the best product to the area. He also clarified that the round-about would be on their property. Member Lytch asked if there was ever a proposed property for the land across from Fincher and Potter road. Applicant answered that there was not a project proposed for that property.

Audience called out of order and shouted with disagreement while the developer was responding to the board.

Mr. Dean Harrell gave a background of his professional career and personal living experiences to be local and described how he has given back to the Indian Trail community. He explained his vision of revitalization for the area and commented that his project will increase the surrounding property values. Mr. Harrell explained the occurrences that led to the delays in development for the property mentioned. He agreed with residents that the traffic and speeding down Fincher road is dangerous; therefore, he would be investing a roundabout on that road to assist with those concerns. He continued by offering examples of recent projects and road improvements he had previously developed. He asked for the board and citizens to consider the product his team is offering the area. He commented that commercial spaces would benefit the community and would be appealing to the eye. Mr. Harrell explained how the school system was only reactive to growth and gave example of ways the school system could build more schools and at lower costs. He explained that NCDOT and the public-school system will expand when something is at over capacity.

Vice Chairman McCarver stated that planning board is a recommending board and does not make the decisions. He apologized to the residents for their concerns in this situation and believed that the infrastructure of Indian Trail cannot keep up with the quick growth. He suggested for residents and developers to contact their local commissioners and local agencies to help make a difference directly.

Member Sandy thanked the applicants for their presentation. He agreed with the applicant's explanation that traffic conditions will get better with time and improvements. Member sandy complimented the quality of the products looks good.

Chairman Gay gave attendees of the meeting an explanation of the roles and responsibilities and encouraged people to sign up to speak for public comments at the next Town Council meeting.

Motion was made by Vice Chairman McCarver to recommend denial of CPA 2019-0087. Member Mimy seconded the motion. the vote passed 4-1 with member Sandy opposed.

Motion was made by Vice Chairman McCarver to recommend denial of CZ 2019-0087. Member Mimy seconded the motion. the vote passed 4-1 with member Sandy opposed.

Audience clapped happily and loudly shouted due to the recommendation to deny. Chairman conversed with audience members while the meeting was still in order.

ADJOURNMENT (8:30pm)

Motion to adjourn was made by Vice Chairman McCarver, seconded by member Mimy, and the motion passed unanimously.

Chairman Gay:

Date: _____

Secretary:



**P.O. Box 2430
Indian Trail, North Carolina 28079
PLANNING DEPARTMENT**

Request: 320 total units

Existing Zoning: Single-Family, Low Density Residential (SF-1).

Proposed Zoning: Conditional Zoning, Multifamily Residential District (CZ MFR)

Location: Northwest side of Wesley Chapel-Stouts Road approximately 1,462 feet northwest from the intersection of Wesley Chapel-Stouts Road and Old Monroe Road directly behind Sun Valley Commons Shopping Center.

Parcels: 07069125A, 07069132B, 07069149, 07069212, 07069132A, 07069133, 07069133B and 07069133A

Applicant: Evoke at Indian Trail, LLC

PROJECT SUMMARY

This is a request to conditionally rezone approximately 28.181 acres from Single-Family, Low Density Residential (SF-1) to Conditional Zoning, Multifamily Residential District (CZ MFR) (see *Attachment 1*, Application). The intent of this request is to allow 320 apartment units at a proposed overall density of approximately 3,350 square feet lot area per unit or 11.4 units per acre. The required minimum lot area per unit is 3,350 square feet lot area per unit which is

equivalent to 13.002 maximum units per acre. The density based on net 24.571 acres is approximately 3,344 square feet lot area per unit or 13.02 units per acre.

As reflected in *Attachment 2, (Aerial Map)*, the subject properties are located along the northwest side of Wesley Chapel-Stouts Road from Rosetta Drive (private) to the south line of Bethel Lane.

ANALYSIS/OVERVIEW

Compatibility with Surrounding Area

The current zoning for the surrounding area is largely business/commercial and well-established education institutions at major intersections with residential abutting those uses. Sun Valley Village is a Suburban Mix Village and is the largest of the Indian Trail Villages. Existing zoning for the subject property as well as surrounding properties can be seen in *Attachment 3, (Existing Zoning Map)*. The proposed zoning of Multifamily Residential is a consistent component within the Sun Valley Village Center Overlay area of the Comprehensive Plan. See Attachment 4, (Future Zoning Map) for the future zoning from the Comprehensive Plan. See the table below for adjacent property zoning and use comparison.

Photos of Project Area

Looking northwest at property from above



Project Number and Reference: CZ 2020-0017 Evoke at Indian Trail –
Wesley Chapel Stouts Road
Planning Board Meeting Date: July 21, 2020
Town Council Meeting Date: TBD

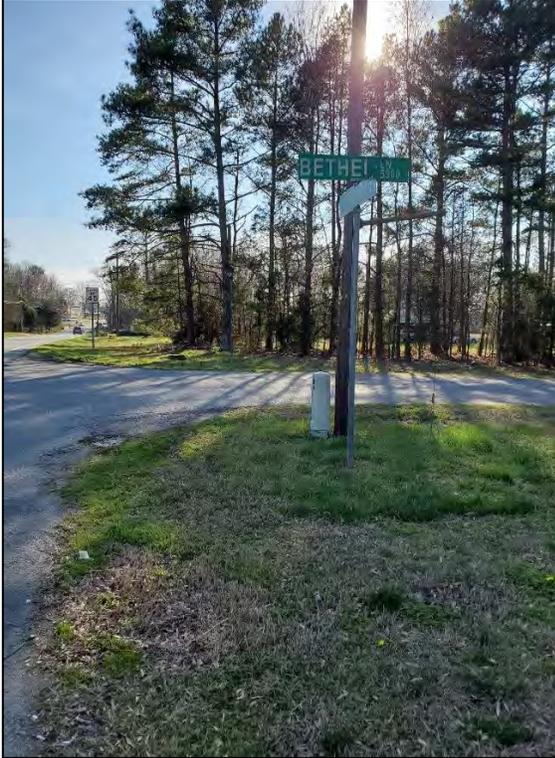
Looking north along Wesley Chapel-Stouts with property on left.



Looking west along Wesley Chapel-Stouts Road with property straight ahead.



Looking south at site from Bethel United Methodist Church property.



Looking west in the property along Rosetta Drive.



Summary of Surrounding Zoning and Uses

Surrounding Subject Property	Municipality	Zoning District	Use
North	Indian Trail	<ul style="list-style-type: none"> • Single-Family Residential District (SF-1) • Light Industrial (LI) 	<ul style="list-style-type: none"> • Vacant • Single-Family Detached
South	Indian Trail	<ul style="list-style-type: none"> • General Business District (GBD) 	<ul style="list-style-type: none"> • Sun Valley Commons
East	Indian Trail	<ul style="list-style-type: none"> • Single-Family Residential District (SF-1) 	<ul style="list-style-type: none"> • Single-Family Detached • Church
West	Indian Trail	<ul style="list-style-type: none"> • Single-Family Residential District (SF-1) 	<ul style="list-style-type: none"> • Vacant Lots in Valley Estates

PROJECT ELEMENTS

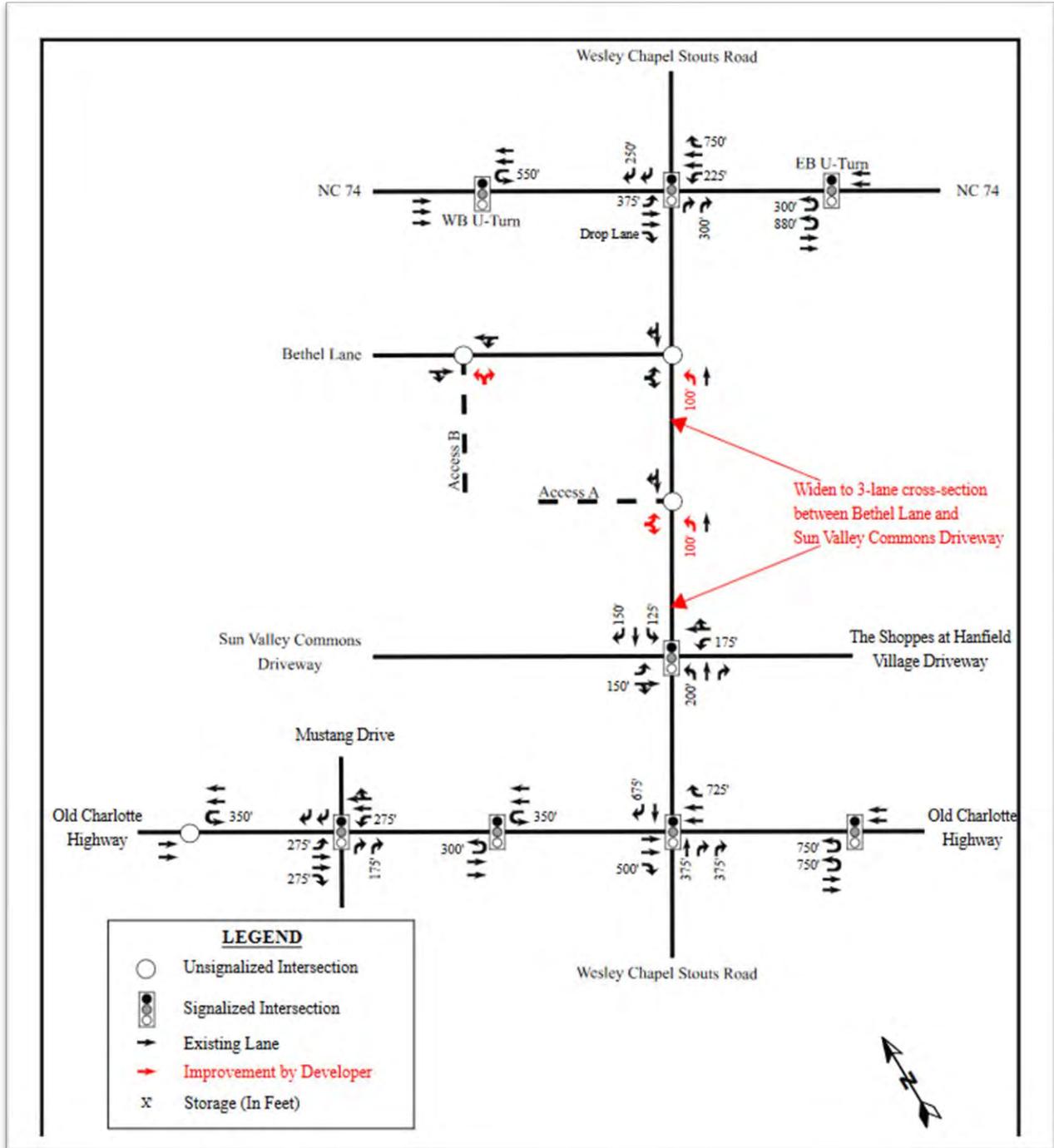
Concept Plan

A conceptual plan and architectural samples have been provided (*See Attachment 8*). The proposed apartments are generally compatible with, if not exceeding the quality of development in the surrounding area. All apartments shall be built in accordance with the Development Standards in the concept plans and in general accordance with elevations in *Attachment 8* and shall be constructed of glass, brick, stone (decorative), simulated stone, pre-cast stone, architectural pre-cast stone, synthetic stone, stucco, cementitious siding (such as hardi-plank), or wood. EIFS as a building material will be allowed as back-up for architectural trim on stucco clad buildings. Vinyl, as a building material, will only be allowed on windows, soffits and trim features. Final elevations will be reviewed as part of the Site Plan Review submittal and review process, after this conditional zoning is approved.

Traffic Impact Analysis (TIA) (See Attachment 7)

A TIA was conducted and the Town and NCDOT held a scoping meeting which since that time the TIA is approved. The applicant is required to make all road improvements per the TIA and must meet all NCDOT requirements.

TIA Recommended Lane Configurations with Recommended Developer Improvements



Parking

The parking requirement is 1.5 spaces per one-bedroom unit; 2 spaces per two-bedroom unit; 2.5 spaces per unit with three or more bedrooms plus 1 visitor space for every 4 parking spaces. This development proposal results in a requirement of 608 residential parking spaces. Based on the entire development plus 1 parking space for every 4 parking spaces dedicated as visitor parking, the result is a total of 153 guest spaces. The total number of parking spaces provided for this site will be 761 spaces.

School Impact Analysis

The applicant provided two School Impact Studies to ensure the most accurate and current data and methodology was used. *(Please see Attachment 6, School Impact Studies)*

The original School Impact Study was conducted and based on the merits of community demographics and recent population increase. It was of expert opinion that the Evoke at Indian Trail development would not attract families with children. Based upon the type of development, the number of bedrooms and price points an average multiplier of .0362 was used to estimate projected students from this development. Final determination projected approximately twelve (12) school aged children which would have a minimal impact on the Indian Trail Schools.

The most recent School Impact Study used public school enrollment from the American Community Survey data and based calculations on the housing unit yield factors by age (0-17) and additional Census Bureau data that estimates birth rates and population projections for Union County. These yield factors represent the average number of children per housing unit in the area. The final estimated housing unit yield factors and birth rates are applied to the 320 proposed units in the Evoke at Indian Trail, and the results are age forward to produce at ten-year projection of the number of residents age 0-17 in the development. When these yield rates are applied to the site, the total 2029-30 school year projected impact on Union County Public School enrollment is 94.

OUTSIDE AGENCY COMMENTS

NCDOT:

The applicant must meet all Town and NCDOT requirements and any additional conditions associated with the TIA scoping meeting.

Union County Public Schools:

The proposed 320-unit apartment complex is to be located on Rosetta Lane at Wesley Chapel Stouts Rd. Evoke at Indian Trail which is within the following school attendance areas for the next (2020-2021) school year:

• Shiloh Valley Primary School	Currently at 93% rated capacity
• Shiloh Valley Elementary School	Currently at 71% rated capacity
• Sun Valley Middle School	Currently at 97% rated capacity
• Sun Valley High School	Currently at 96% rated capacity (Note that this number should drop to 90% with the completion of current bond work expected to complete for the 2020-2021 school year).

Per Board of Education policy, currently Sun Valley MS and Sun Valley HS are not accepting any transfers due to high enrollment. Additional residential construction contributes to high enrollments, which in turn exacerbate problems such as: additional mobile classrooms, inadequate capacity for food service and rest room facilities, rationing of access to the Media Center, insufficient parking and queuing space for parents to safely deliver or pick up their children, inadequate planning/meeting space for additional staff.

Union County Environmental Health:

The project is to be reviewed by Environmental Health. The applicant will submit a sketch plan showing the locations of all existing structures, septic systems and/or wells. A comment shall be added to the sketch plan that any wells and/or septic systems discovered during the site development process will be abandoned in accordance with applicable North Carolina Laws and Rules. All pools, if applicable, are required to be submitted for review.

Union County Public Works:

Water is accessible to the site and sewer is the vicinity of the project and there are options for the development to move forward. Capacity for water and sewer will be evaluated through our review process. Furthermore, the applicant has secured an easement from the Sun Valley Commons ownership to connect to the sewer pump station at Sun Valley Commons. An additional study was conducted by UCPW to confirm adequate capacity exists in the pump station system.

Union County Fire Marshal:

The project is to be reviewed by the Fire Marshal. The applicant will provide a truck maneuvering plan during site plan review.

COMMUNITY MEETINGS

The applicant presented a version of their project to Town Council at a Developer Workshop to solicit any feedback.

Two required community meetings were held on February 27, 2020. There was 5 members in attendance. The intent of the public meeting was to see the proposed plan and also determine how the project would impact their property. See attached community meeting minutes and sign-in sheet (*Attachment 9*).

CONSISTENCY FINDINGS AND COMPREHENSIVE PLAN

The subject property is located within the Sun Valley Village Plan of the Town’s Comprehensive Plan. Sun Valley is the largest of the Indian Trail Villages housing a variety of large residential neighborhoods which is served by Sun Valley Schools and sub-regional commercial center. (*See Sun Valley Village Plan figure from the Comprehensive Plan, Attachment 5*).

Land Use

Future land uses can vary within the Sun Valley Village to include suburban residential, commercial and mixed use through redevelopment opportunities. A diverse range of residential housing types should be provided to promote a population with varied ages, races and socioeconomic background. Flexibility also needs to be provided to meet economic changes and to allow incremental growth.

ACTION REQUIRED

Required Consistency Findings

The Planning Board is required to make one consistency finding for consistency with Town adopted plans:

1. The proposed rezoning request is consistent with the following goals of the Comprehensive Plan:
 - **Land Use and Housing Goal #1:** The proposed project will promote a mix of different types of land uses and avoid potential land use conflicts between neighboring properties and surrounding municipalities.

- **Land Use and Housing Goal #2:** The proposed project will provide a diverse range of housing options, including varying densities and provide affordable living opportunities for a wide range of residents.
- **Land Use and Housing Goal #5:** Emphasize high quality design to ensure attractive land development and redevelopment.
- **Mobility and Transportation Goal #2:** Improve bicycle and pedestrian connectivity between existing and future uses and to surrounding communities in a safe way.

Staff Recommended Conditions

Staff recommends the following conditions:

1. Staff to confirm that Union County Public Works, Environmental Health, Sheriff's Office, and Fire Marshall have made comments and are addressed during site plan review;
2. The development shall comply with all other applicable requirements of the Town of Indian Trail Unified Development Ordinance.
3. Town approval incorporates and shall comply with any and all submittals in the case file and correspondence presented to the Town Council in support of this application, including, but not limited to the following: the site/sketch plan, and any other information related to this case or improvements recommended by the Town and/or other agencies.
4. The US Postal Service has notified the Town that all future subdivision approvals must utilize a community mail delivery system (cluster mailboxes). Locations and details of the proposed community mailboxes must be included in the Construction Documents and must be reviewed and approved by the Postmaster for this area. The applicant(s) must provide the Town with written confirmation that the local Postmaster agrees with the proposed box locations.
5. Trash enclosures must comply with the Town of Indian Trail Unified Development Ordinance. The elevations for trash enclosures also need to be reviewed.
6. Architecture for the apartments should remain the same as submitted in the concept plan.
7. Density shall remain 3,350 square foot lot area per unit. The maximum number of units shall not exceed 320 multi-family residential units.
8. Install and maintain 10' multi-use path connecting Sun Valley Commons and Evoke at Indian Trail.
9. Compliance with Town Engineering and NCDOT TIA requirements.
10. Building maximum height is 50 feet.

11. Amenities include 1 clubhouse, 1 pool, 1 outdoor grilling area, 1 fire pit grilling area, 2 dog parks, 1 putting green, car wash stations, and electric vehicle charging stations.
12. Install and maintain pedestrian scale lighting along Wesley-Chapel Stouts Road and along the multi-use path.

Attachments

Attachment 1 Application

Attachment 2 Aerial Map

Attachment 3 Existing Zoning Map

Attachment 4 Future Zoning (Comprehensive Plan)

Attachment 5 Sun Valley Village Plan

Attachment 6 School Impact Studies

Attachment 7 Traffic Impact Study

Attachment 8 Concept Plan and Architectural Representations

Attachment 9 Community Meeting Minutes and Sign In Sheet

Staff Contact

Matt Ward

Senior Planner

mbw@indiantrail.org

704.821.5401

CONDITIONAL ZONING APPLICATION



PLANNING AND NEIGHBORHOOD SERVICES

PO Box 2430

Indian Trail, NC 28079

Telephone (704) 821-5401

Fax (704) 821-9045

ONLY COMPLETE APPLICATIONS ACCEPTED

Processing Fee: <2 acres \$400, 2-10 acres \$800, >10 acres \$1,500, Minor Modification \$250

Engineering Fees: <2 acres \$100, 2-10 acres \$175, >10 acres \$250

Notification Fee \$100.00

****A TECHNOLOGY FEE, 10% OF ALL ASSOCIATED FEES, WILL BE APPLIED TO THE TOTAL FEE.****

Date Received _____

CONDITIONAL ZONING APPLICATION

General Information

Project Address: Multiple parcels on Wesley Chapel Stouts Road

City: Indian Trail, North Carolina, 28079

Tax Parcels: 07- 069-133A; 07-069-133B; 07-069-149; 07-069-132A; 07-069-132B; 07-069-133; 07-069-212; 07-069-125A

Total Acres: 28 **Impervious Area:** 0

Project Description: Evoke Apartment Complex

Contact Information - Applicant

Applicant Name : Evoke at Indian Trail, LLC

Applicant Contact: Scott Bayer

Applicant Address: 2522 Suffolk Avenue, High Point, NC 27265

Attorney Contact: Helms Robison Lee & Bennett, PA

Attn: Travis F. Greene

PO Drawer 99, Monroe, NC 28111

704-289-4577

tgreene@hrlbattorneys.com

CONDITIONAL ZONING APPLICATION

Applicant's Certification

Signature

[Handwritten Signature]

Date

1/30/2020

Printed Name/Title

SCOTT BAYNE / Manager

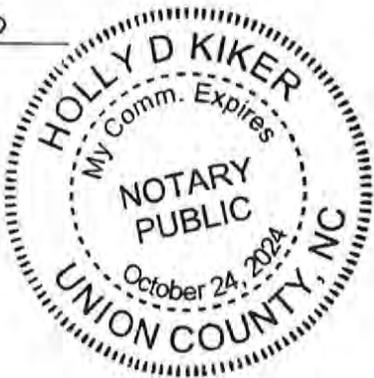
Signature of Notary Public

[Handwritten Signature: Holly D Kiker]

Date

1/30/2020

Notary Seal



Property Owner's Certification

Signature

Date

Printed Name/Title

Signature of Notary Public

Date

Notary Seal

TOWN OF INDIAN TRAIL OFFICE USE ONLY

CASE NUMBER: _____

DATE RECEIVED: _____

AMOUNT OF FEE: _____

RECEIVED BY: _____

RECEIPT #: _____

CONDITIONAL ZONING APPLICATION

Contact Information - Property Owner
PINS: 07069132B and 07069149

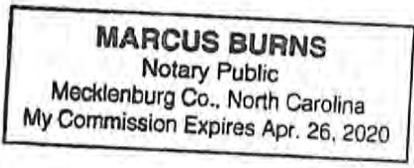
Contact Name Linda Moses
Company Name N/A
Address 3924 Baucom Manor Rd.
City Mohroe State NC zip 28110
Phone 704-688-5812 Fax N/A
Email linda.moses@gmail.com

Property Owner's Certification

Signature Linda Moses Date 12-20-2019
Printed Name/Title Linda Moses
Signature _____ Date _____
Printed Name/Title _____

Signature of Notary Marcus Burns Date December 20, 2019
Expiration Date: April 26, 2020

Notary Seal



CONDITIONAL ZONING APPLICATION

Contact Information - Property Owner

PINS: 07069212, 07069132A, 07069133A, 07069133B, 07069133

Contact Name Jarad Kesner

Company Name _____

Address 500 Buttercut Lane

City Matthews State NC Zip 28104

Phone 704-282-7381 Fax _____

Email _____

Property Owner's Certification

Signature Jarad Kesner Date 12-20-19

Printed Name/Title Jarad Kesner

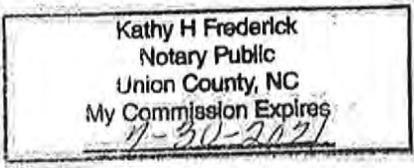
Signature _____ Date _____

Printed Name/Title _____

Signature of Notary Kathy H Frederick Date 12-20-19

Expiration Date: 7-30-2021

Notary Seal



CONDITIONAL ZONING APPLICATION

Contact Information - Property Owner
PINS: 07069125A

Contact Name CHRIS AZAR
Company Name VIDEO STOP DISTRIBUTING, INC
Address 5523 ORR RD
City MONROE State NC Zip 28110
Phone 704-408-3971 Fax _____
Email cazar1@peoplepc.com

Property Owner's Certification

Signature [Signature] Date 12-19-19
Printed Name/Title CHRIS "ESSA" AZAR
Signature _____ Date _____
Printed Name/Title "PRESIDENT" CHRIS "ESSA" AZAR
Signature of Notary [Signature] Date 12/19/19
Expiration Date: 5/9/2023
Notary Seal



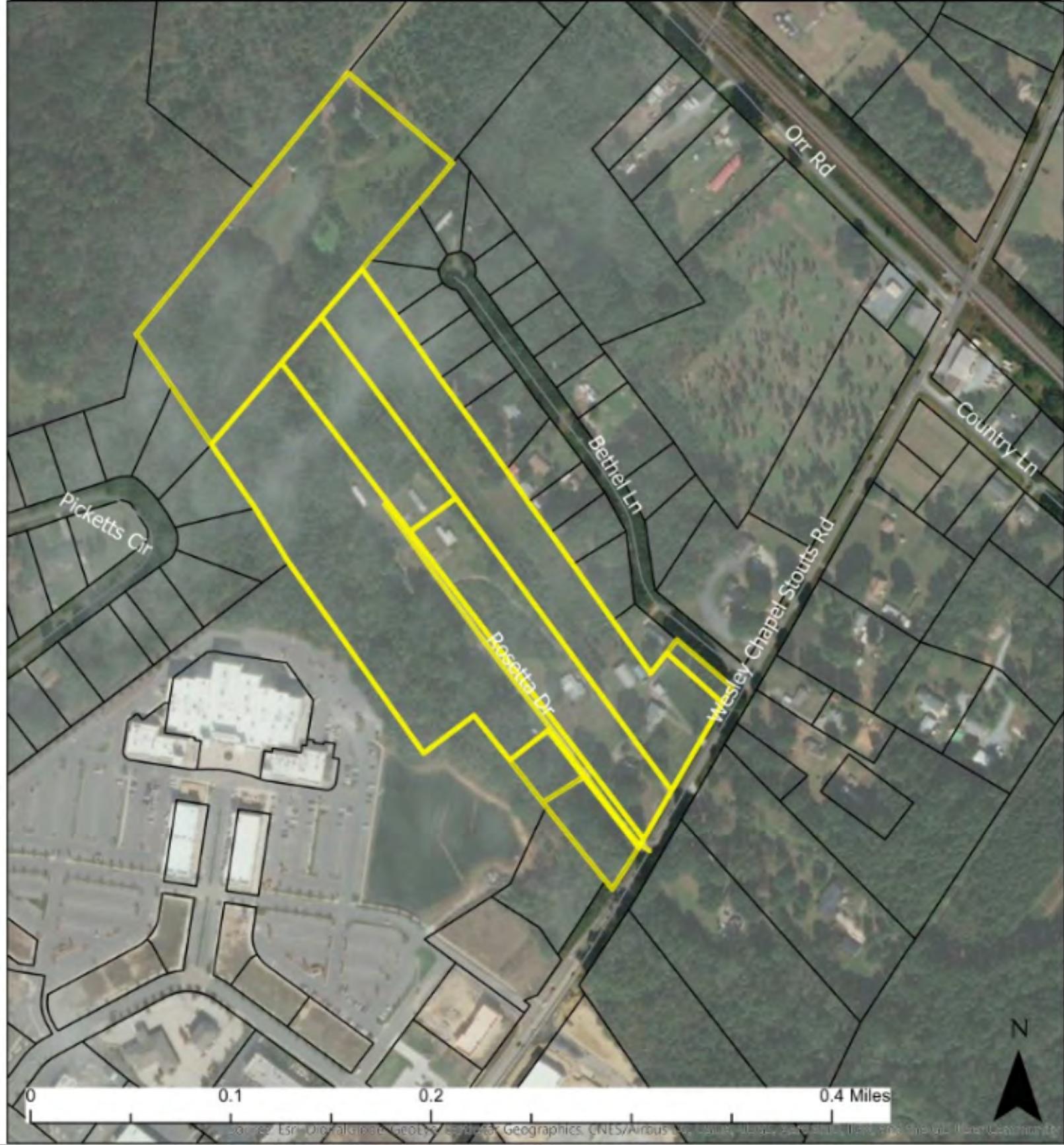
CZ2020-0017 Evoke at Indian Trail



Proposal: 28 acres

Parcels: 07069125A; 07069212; 07069133; 07069132B; 07069132A; 07069133B; 070691332A; 07069149

Applicant: Evoke at Indian Trail, LLC



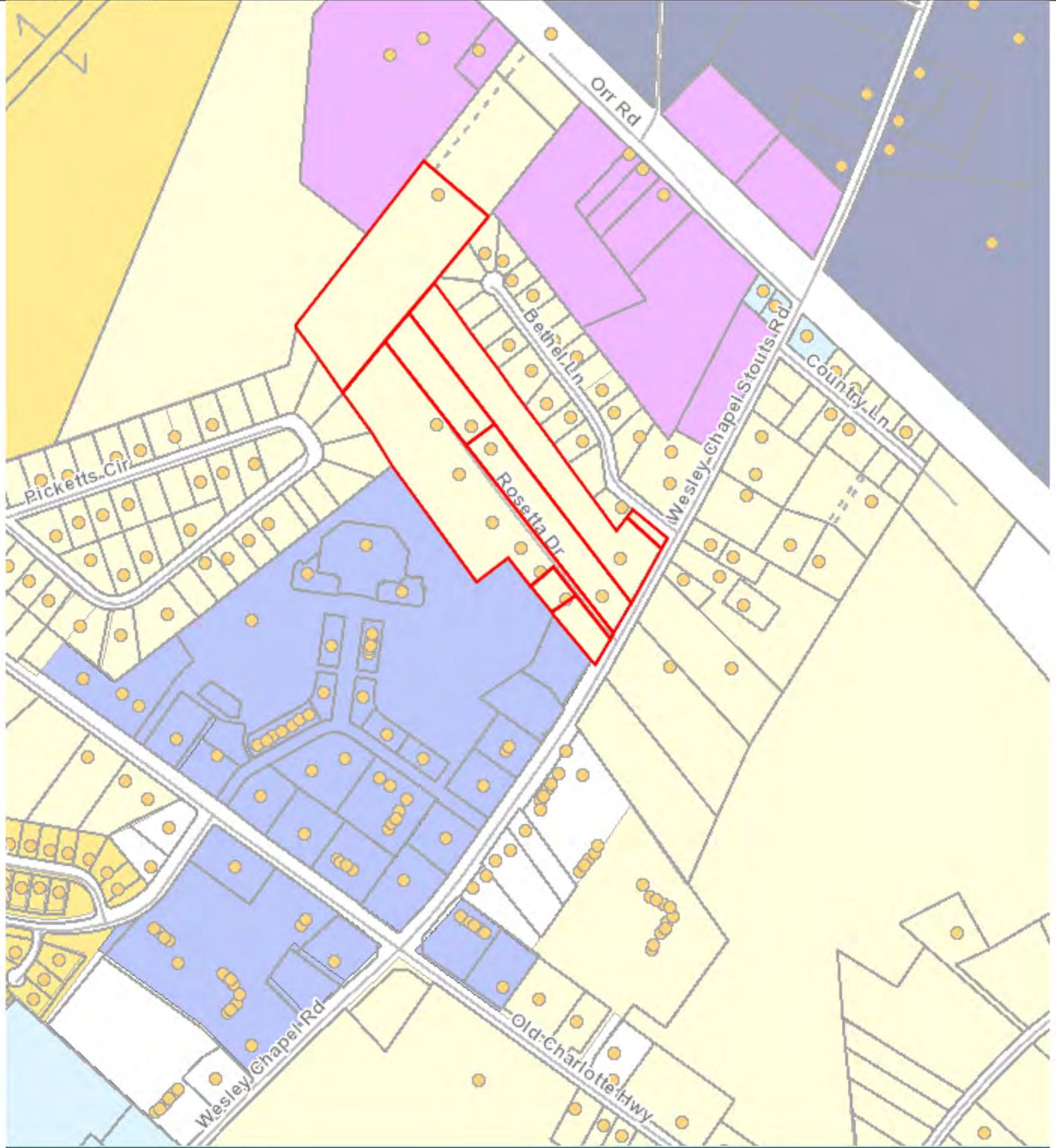


CZ2020-0017 Evoke at Indian Trail ATTACHMENT 3

Proposal: 28 acres

Parcels: 07069125A; 07069212; 07069133; 07069132B; 07069132A; 07069133B; 070691332A; 07069149

Applicant: Evoke at Indian Trail, LLC





CZ2020-0017 Evoke at Indian Trail

ATTACHMENT 4

Proposal: 28 acres

Parcels: 07069125A; 07069212; 07069133; 07069132B; 07069132A; 07069133B; 070691332A; 07069149

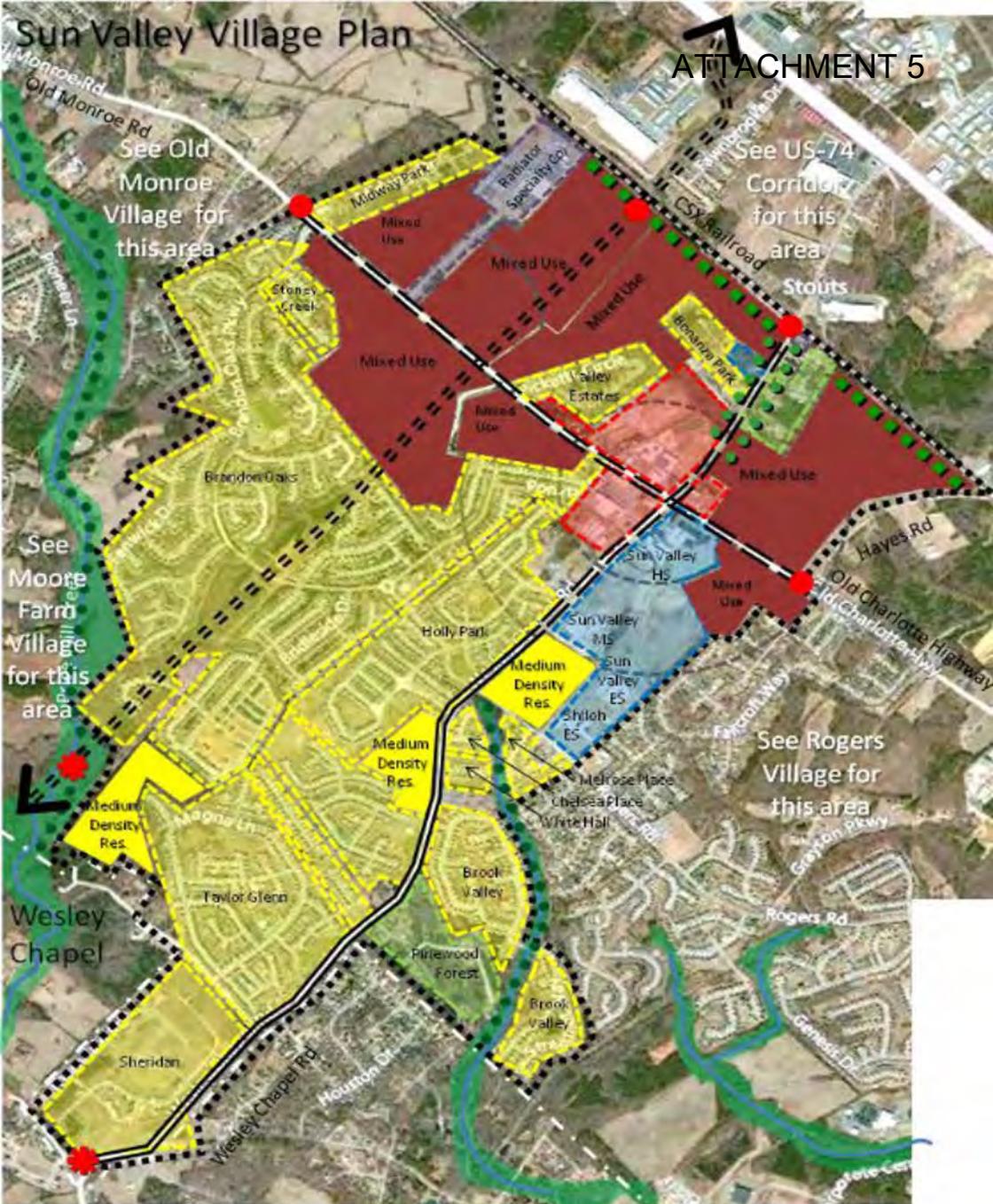
Applicant: Evoke at Indian Trail, LLC



- Sun Valley Future Land Use
- Medium Density Residential
- Mixed Use
- others
- Sun Valley Future Land Use
- Mixed Use
- Medium Density Residential
- Sun Valley Outline

Sun Valley Village Plan

ATTACHMENT 5



See Old Monroe Village for this area

See US-74 Corridor for this area

See Moore Farm Village for this area

See Rogers Village for this area

Wesley Chapel

Fig. 5.1.66 Sun Valley Village Plan

School Impact Study

Evoke at Indian Trail

Prepared for:

Multifamily USA

susanclapp
consulting

February 2020

This study provides a projection of the elementary, middle, and high school enrollment of multifamily unit residents in Union County Public Schools for the 2029-30 school year.

Assumptions

- The subdivision includes 320 units in multifamily structures.
- The subdivision opens for lease in the fourth quarter of 2021, with close-out occurring by the second quarter of 2023.
- Units rent at \$1,125 (1-bedroom), \$1,375 (2-bedroom), and \$1,725 (3-bedroom).
- Units are 33% 1-bedroom, 55% 2-bedrooms, and 12% 3-bedrooms.
- There are no water or sewer restrictions implemented over the next four years.
- There are no major changes in the distribution of enrollment across public non-charter, public charter, private, and home schools over the next ten years.
- There are no major social, economic, or political changes in the Charlotte Metropolitan Statistical Area over the next ten years.

Methods and Data

Using 2010 Decennial Census single year of age data and 2018 5-year American Community Survey (ACS) data for housing units within the Shiloh Valley Primary/Elementary School, Sun Valley Middle School, and Sun Valley High School attendance zones, housing unit yield factors by age (0-17) are calculated. These yield factors represent the average number of children per housing unit in the area. Birth rates for the geographic area are estimated using the aforementioned Census Bureau data and the 2019 North Carolina Office of State Budget and Management population projections for Union County. The yield factors and birth rates are next adjusted to account for the proposed distribution of unit bedrooms using ACS data on housing unit characteristics in the school attendance zones. The final estimated housing unit yield factors and birth rates are applied to the 320 proposed units in the Evoke at Indian Trail subdivision, and the results are aged forward to produce a ten-year projection of the number of residents age 0-17 in the proposed subdivision. Estimated rates of public school enrollment from the American Community Survey are applied to those figures, resulting in the total projected impact of the proposed subdivision on Union County Public Schools for the 2029-30 school year.

Results

The 2029-30 school year projected yield rates (average number of children attending public school per housing unit) by age group for the proposed multifamily housing units are:

Preschool (Ages 0-4)	Elementary (Ages 5-10)	Middle (Ages 11-13)	High (Ages 14-17)	Total (Ages 0-17)
0.072	0.075	0.050	0.097	0.294

When these yield rates are applied to the site, the total 2029-30 school year projected impact on Union County Public School enrollment is 94 students. The projections by grade level/age group are:

Preschool (Ages 0-4)	Elementary (Ages 5-10)	Middle (Ages 11-13)	High (Ages 14-17)	Total (Ages 0-17)
23	24	16	31	94

Prepared by:

Susan Clapp
Principal Demographer, Susan Clapp Consulting



Ross Haber and Associate, LLC
 24 Garden Terrace
 Milltown, New Jersey 08850

(732) 422-0979
rh Haber45@gmail.com

Evoke at Indian Trail
Indian Trail, North Carolina

Overview

The intent of this report is to provide information regarding the impact of the construction of 320 apartment units on 28 acres of land along Rosetta Drive in Indian Trail, North Carolina. The location of this development is in the Sun Valley attendance area.

Community Demographics

Table 1: Selected Community Demographics¹

Selected Community Demographics				
	2010	2018	Diff	Percent
Population	33,518	39,619	6,101	18.20%
Median Age	33.7	34.6	0.90	2.67%
Median Income	\$67,338.00	\$76,438.00	\$9,100	13.51%
Housing Units	11,700	12,403	703	6.01%

Table 1 provides an overview of selected key demographics the table shows that between 2010 and 2018 the overall community population grew significantly. In addition, with a slight increase in the median age in the community the population is relatively young. The median income increased significantly and there was a jump in the number of housing units which have been built in that time period. Over all it does appear that the community has remained relatively young and is showing an increase in overall income.

School Enrollment Trends

Table 2: Union County Schools

Union County Schools				
	2014-15	2019-20	Diff	Percent
Elementary	17837	17164	-673	-3.92%
Middle	10189	9948	-241	-2.42%
High School	11494	14117	2623	22.82%

Table 2 shows the enrollment trends in the Union County Schools. Both the elementary and the middle schools have shown a slight enrollment decline while the high schools have grown considerably. Given the marginal downward trend in the elementary and middle schools it is reasonable to assume that the high school enrollment will stabilize as students in the lower grades begin to flow through the high school.

¹ Data from US Department of the Census; American Facfinder2; American Community Survey (ACS).

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Milltown, New Jersey 08850

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rhaber45@gmail.com

Schools

Evoke at Indian Trail will be in the zones of the following schools:

- Shiloh Primary School
- Shiloh Elementary School
- Sun Valley Middle School
- Sun Valley High School

It is our understanding that the secondary schools are at or near capacity, however, it is also our understanding that for the 2020-21 school year there will be some expansion to increase capacity.

Impact on Enrollment

Evoke at Indian Trail is being marketed for young professionals. Based upon the type of units it is our opinion that this development will not attract families with children. This is designed to provide reasonably priced housing.

In order to project the total number of school aged children we used an average multiplier of .0362 to estimate students from this development. This is based upon the type of development, the number of bedrooms and the price points.² We are projecting approximately twelve (12) school aged children which would have a minimal impact on the Indian Trail Schools.

Respectfully Submitted,



Ross Haber, Ed. D

² Multiplier data is from "Who Moves into North Carolina," Econsult Solutions, Philadelphia Pennsylvania

Evoke at Indian Trail Apartments Traffic Impact Analysis Indian Trail, North Carolina



TRAFFIC IMPACT ANALYSIS

FOR THE

Evoked at Indian Trail Apartments

LOCATED
IN
INDIAN TRAIL, NORTH CAROLINA

Prepared For:
Scott Bayer
Multifamily USA
215 N Pine Street
Charlotte, NC 28202

Prepared By:
Ramey Kemp & Associates, Inc.
8307 University Executive Park Drive, Suite 260
Charlotte, NC 28262
License #C-0910

November 2019
RKA Project #19337



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TRAFFIC IMPACT ANALYSIS

EVOKE AT INDIAN TRAIL APARTMENTS

INDIAN TRAIL, NORTH CAROLINA

1. EXECUTIVE SUMMARY

This report summarizes the findings of the Traffic Impact Analysis (TIA) that was performed for the proposed Evoke at Indian Trail Apartments to be located on Wesley Chapel Stouts Road, south of Bethel Lane, in Indian Trail, North Carolina. The purpose of this study is to determine the potential impact to the surrounding transportation system caused by the traffic generated by the development.

The proposed site will consist of approximately 320 units of mid-rise multifamily housing. The current land is undeveloped. Access to the site will be via two full access driveways; one on Wesley Chapel Stouts Road and another on Bethel Lane. The site is expected to be fully built by the year 2022.

The study area for the TIA was determined through coordination with the North Carolina Department of Transportation (NCDOT) and Town of Indian Trail and consists of the following intersections:

1. US 74 and Wesley Chapel Stouts Road / Sardis Church Road
2. Wesley Chapel Stouts Road and Bethel Lane
3. Wesley Chapel Stouts Road and Sun Valley Commons Driveway/The Shoppes at Hanfield Village Driveway
4. Old Charlotte Highway and Mustang Drive
5. Old Charlotte Highway and Wesley Chapel Stouts Road
6. Wesley Chapel Stouts Road and Access A
7. Bethel Lane and Access B

Based on coordination with NCDOT and Town of Indian Trail no offsite developments were determined to have an impact on the project study area.

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Several scenarios were analyzed using traffic analysis software, Synchro 10. Traffic operations during the AM and PM peak hours were modeled for each scenario. The results of each scenario were compared in order to determine impacts from background traffic growth and the proposed development. The following scenarios were modeled:

- 2019 Existing
- 2022 No-Build
- 2022 Build
- 2022 No-Build with U-4714
- 2022 Build with U-4714

Based on the analysis results, minor impacts are expected by the proposed development. The following improvements are recommended to be done by the development:

Wesley Chapel Stouts Road and Bethel Lane

- Construct a northbound Wesley Chapel Stouts Road left turn lane. The turn lane would extend to Access A.

Wesley Chapel Stouts Road and Access A

- Construct Access A with one ingress lane and one egress lane (1 shared left/right).
- Construct a northbound Wesley Chapel Stouts Road left turn lane with 100 feet of storage and the appropriate taper. A three-lane section would extend from this left turn lane to the intersection of Wesley Chapel Stouts Road and Sun Valley Commons Driveway / The Shoppes at Hanfield Village Driveway.

Bethel Lane and Access B

- Construct Access B with one ingress lane and one egress lane (1 shared left/right).

EVOKE AT INDIAN TRAIL

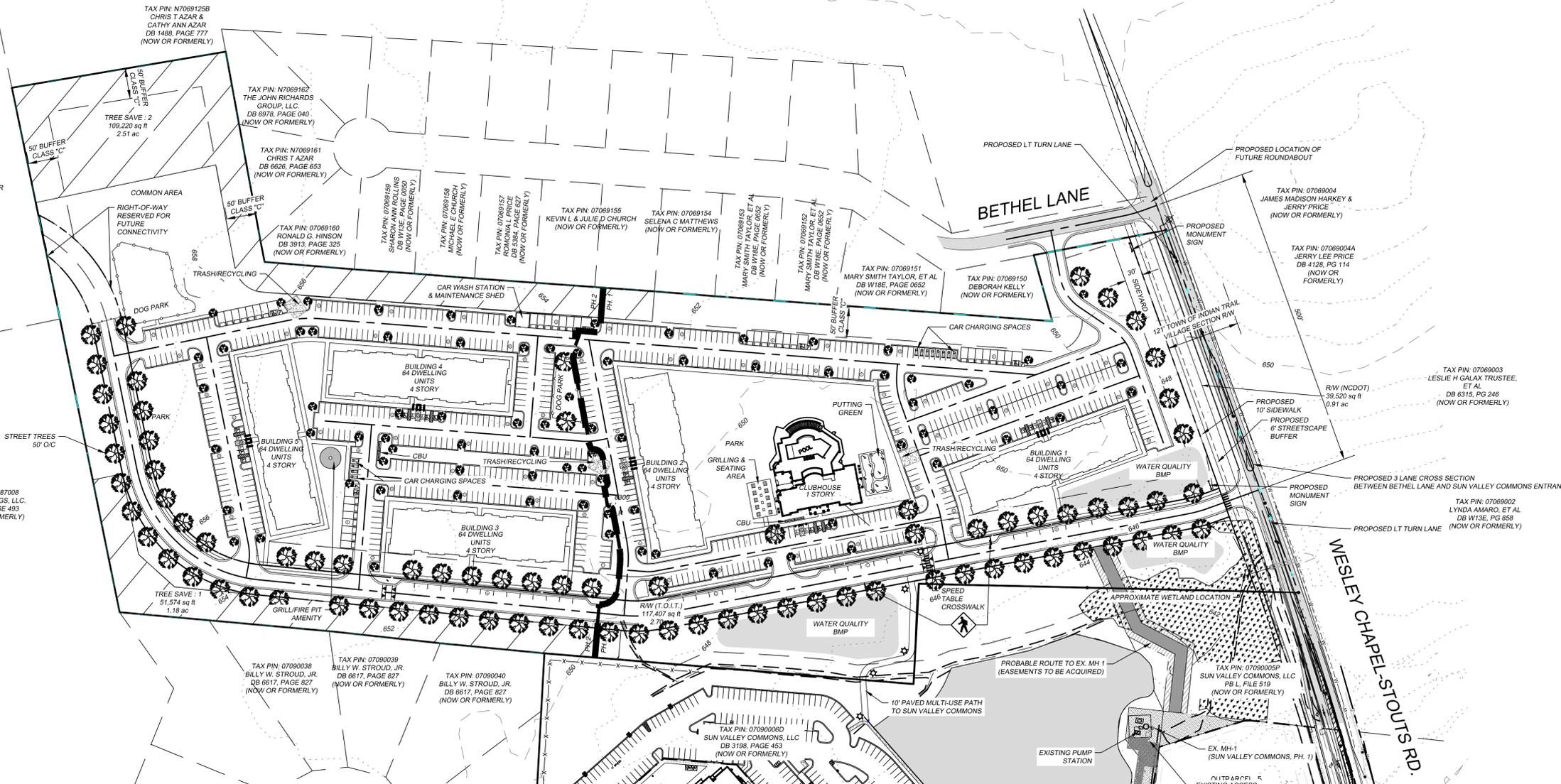
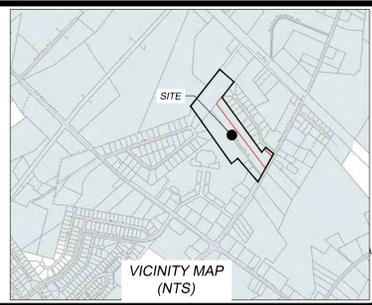


SUN VALLEY COMMONS

PROPOSED PEDESTRIAN CONNECTION



GRAPHIC SCALE
 0 60 120
 (IN FEET)
 1 inch = 60' ft.



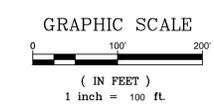
SITE AND DEVELOPMENT DATA	
JURISDICTION	INDIAN TRAIL
TAX PARCEL(S)	07069132A, 07069132B, 07069133, 07069133A, 07069133B, 07069212, 07069149
SITE ADDRESS:	WESLEY CHAPEL STOUTS RD & ROSETTA DR.
ZONING	SF-1, O-VCD
PROPOSED ZONING	MFR, O-VCD
USE CLASSIFICATION	MULTIFAMILY RESIDENTIAL
TOTAL AREA	28.181 ACRES
RIGHT-OF-WAY DEDICATION	3.61 ACRES±
TOTAL UNITS	320
DENSITY	11.4 UNITS/ACRE
TREE SAVE AREA	3.69 ACRES (15%)
MINIMUM PERIMETER SETBACK	50'
MINIMUM STREET SETBACK	30'
MINIMUM LOT SIZE	N/A
MINIMUM LOT WIDTH	N/A

ENGINEERING FIRM:	EAGLE ENGINEERING, INC.
STREET ADDRESS:	2013A VAN BUREN AVENUE
CITY, STATE, ZIP:	INDIAN TRAIL, NC 28079
PHONE:	704.882.4222
FAX:	866.775.0329
EMAIL:	jross@eagleonline.net
PROJECT ENGINEER:	John Ross, P.E.
DEVELOPER:	MULTIFAMILY USA
STREET ADDRESS:	215 N PINE STREE
CITY, STATE, ZIP:	CHARLOTTE, NC 282202
PHONE:	(336)314-6169
EMAIL:	sbayer@multifamilys.com
CONTACT:	SCOTT BAYERI
OWNER:	DEBORAH K KELLY
STREET ADDRESS:	PO BOX 2004
CITY, STATE, ZIP:	INDIAN TRAIL, NC 28079
OWNER:	TIMOTHY C MOSES
STREET ADDRESS:	3115 WESLEY CHAPEL STOUTS RD.
CITY, STATE, ZIP:	MONROE, NC 28110
OWNER:	CHRIS T. & CATHY ANN AZAR
STREET ADDRESS:	5523 ORR RD
CITY, STATE, ZIP:	MONROE, NC 28110

PARKING SUMMARY REQUIRED
 1 BR UNIT: 1.5 SP
 2 BR UNIT: 2 SP
 3 BR UNIT: 2.5 SP

UNIT SUMMARY
 105- 1BR UNITS : 158 SP
 175 - 2BR UNITS: 350 SP
 40 - 3BR UNITS: 100 SP
RESIDENT SPACES REQUIRED: 608
GUEST PARKING: 1 SP PER 4 RESIDENT SP. = 152 (+25%)

PARKING PROVIDED
 608 RESIDENT SPACES
 163 GUEST SPACES
 771 SPACES TOTAL



NO.	DATE	BY	ISSUE

SUN VALLEY APARTMENTS
INDIAN TRAIL, NC
MULTI FAMILY USA
215 N PINE STREET
CHARLOTTE, NC 28202

REZONING	CHECKED BY: JHR	JOB NUMBER: 6845
CONCEPT PLAN	DRAWN BY: KEL	DATE: 1/15/2020
	DESIGNED BY: JHR/KEL	SCALE: AS SHOWN

PRELIMINARY
NOT FOR
CONSTRUCTION

Sheet
RZ-1



WLA
 WATTS LEAF ARCHITECTS, PA
 101 North McDowell Street Suite 112
 Charlotte, North Carolina 28204
 PH 704 376 1200 FX 704 376 5111

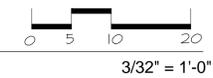


- ELEVATION MATERIALS**
1. ROOFING - SINGLE PLY MEMBRANE WITH INTERIOR DRAINS
 2. FASCIA, BRACKETS, CORNER TRIM, GENERAL TRIM - WOOD PAINTED WHITE
 3. BAND BOARDS - PAINTED WHITE
 4. HORIZONTAL SIDING - CEMENTITIOUS WITH VARYING EXPOSURES PAINTED SEVERAL COLORS
 5. PANEL SIDING - CEMENTITIOUS PANEL WITH APPLIED TRIM PAINTED SEVERAL COLORS
 6. BALCONY RAILINGS - ALUMINUM
 7. WINDOWS - VINYL WHITE
 8. MASONRY - 'CAST STONE LOOK' MASONRY
 9. BRICK - VARIOUS SIZES AND COLORS



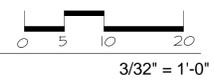
SIDE ELEVATION

OPPOSITE SIDE THE SAME



APARTMENT BUILDING FRONT ELEVATION

REAR ELEVATION SIMILAR



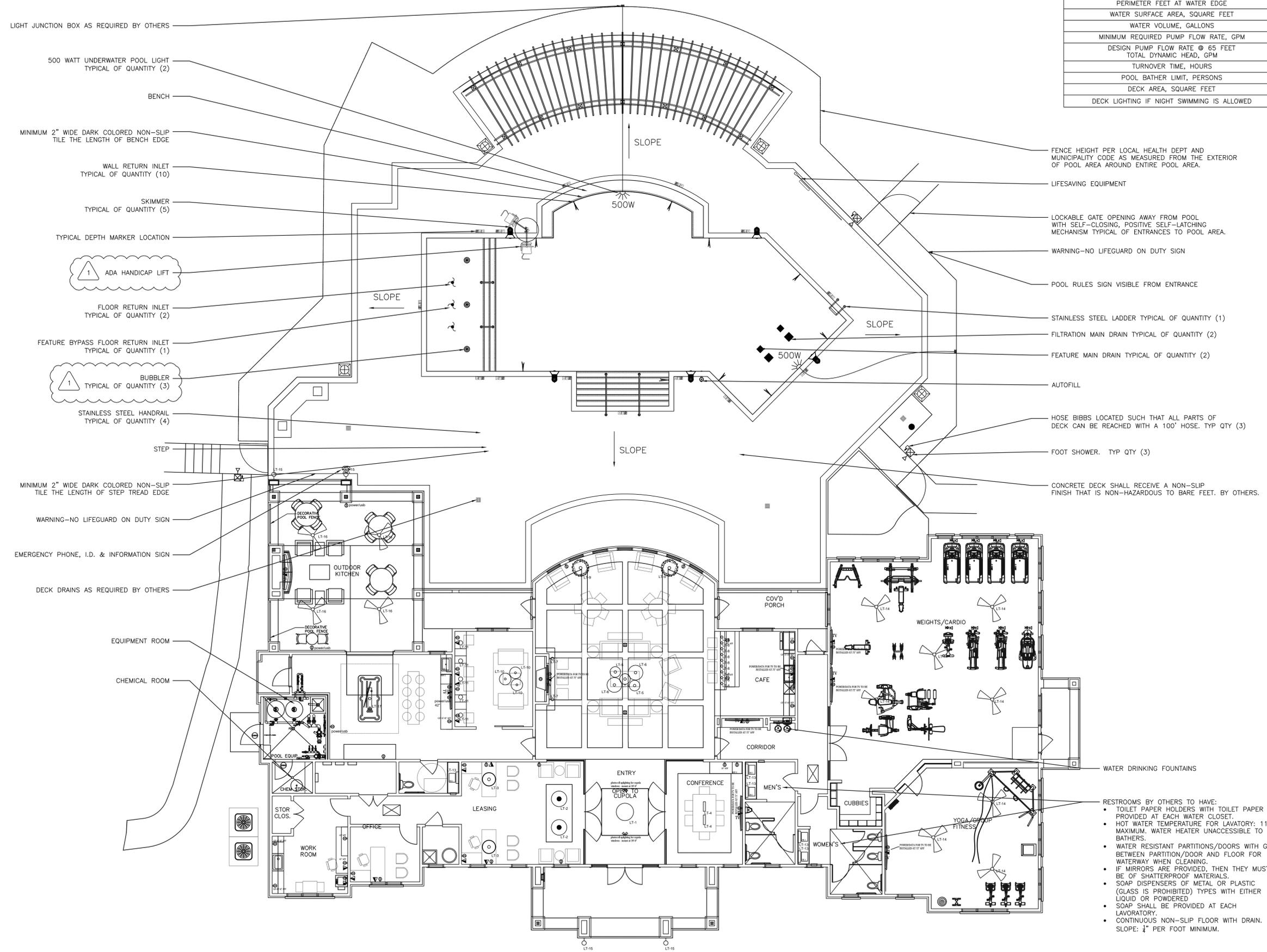
EVOKE APARTMENTS
 a Multi-Family Community Development
 Indian Trail, NC
 MultifamilyUS, Inc.

PROJECT	1947
DATE	20JAN20
DRAWN BY	CMW
CHECKED BY	CMW
APARTMENT BLDG ELEVATIONS & MATERIALS	
A0-1	

NOTICE
 THIS DRAWING IS THE PROPERTY OF AQUATICS H₂O, LLC AND IS FURNISHED WITH THE CONDITION THAT IT IS NOT TO BE CHANGED WITHOUT WRITTEN AUTHORIZATION BY AQUATICS H₂O, LLC. FURTHERMORE, THIS DRAWING IS NOT TO BE COPIED, REPRODUCED OR USED BY OTHERS EXCEPT AS REQUIRED FOR THIS SPECIFIC PROJECT.

ALAN HINE PE
 HINE'S AQUATIC ENGINEERING PLLC
 NC# P-1455
 405 WILLOWREST DRIVE
 WINSTON-SALEM, NC 27107
 PHONE & FAX 336-769-4900
 E-Mail arhine@aol.com

POOL DATA	
NC POOL TYPE	PUBLIC
PERIMETER FEET AT WATER EDGE	209
WATER SURFACE AREA, SQUARE FEET	1,925
WATER VOLUME, GALLONS	43,298
MINIMUM REQUIRED PUMP FLOW RATE, GPM	120
DESIGN PUMP FLOW RATE @ 65 FEET TOTAL DYNAMIC HEAD, GPM	205
TURNOVER TIME, HOURS	3.5
POOL BATHER LIMIT, PERSONS	128
DECK AREA, SQUARE FEET	5,210
DECK LIGHTING IF NIGHT SWIMMING IS ALLOWED	N/A



"CONSTRUCTION SET 02NOV17"

NO.	REVISION	DATE	BY
1	ASI #1	11.02.17	TDE
0	ISSUE FOR PERMIT/CONSTRUCTION	07.17.17	PFG

Invoke at Indian Trail

POOL COVER SHEET

DATE: 02.27.17
 DRAWN BY: PFG CHECKED BY: TDE
 PROJECT NO: 0338

SP-1

1 OVERALL LAYOUT
 SP-1 SCALE 1/8" = 1'-0"





EVOKE INDIAN TRAIL
APARTMENTS

**Evoke at Indian Trail
CZ 2020-0017
Community Meeting
February 27th, 2020**

Time: 2-4:00 pm

Location: Indian Trail Town Hall

Applicant: Evoke at Indian Trail, LLC

Time: 5-7:00pm

Location: Indian Trail Town Hall

Applicant: Evoke at Indian Trail, LLC

Staff: Tim Jones and Crystal Roman

Attendees: See attached sign-in sheet

Meeting Discussion Overview:

Mr. Jones opened and introduced the project and staff members, then turned the meeting over to the Evoke at Indian Trail representatives. Members of the group gave attendees a brief overview of the project, which includes a proposed 320 luxury apartments. There will be light walking trails, amenities, and an undisturbed common area of wetlands.

Questions included:

1. **Q: Has there been any opposition towards the project request?** No, there has not been any opposition from the public. Comments from nearby residents have all been positive and in favor of the project.
2. **Q. What is the process of approval?** First, the community meeting is held to receive public feedback. Second meeting, is Planning Board, which is a recommendation board to be tentatively on the March 17th meeting. Lastly, Town Council will decide about mid-April to approve or deny the project.
3. **Q. Will there be any issues with sewer/water?** Currently, we are waiting for comments from Union County.
4. **Q. Is there any buffer on the property close to Bethel lane?** There will be a 50 ft landscape between properties, and we would utilize the natural buffer.
5. **Concerns raised about the bad wetlands near the project.** There has been a wetland study completed. Mitigation is not to disturb the wetlands.
6. **Will there be a wall between the lots backing up to neighboring residents'?** There will not be a wall, instead there will be thick vegetation used as a natural buffer between the properties.
7. **What about traffic conditions worsening?** In the future there will be road improvements such as a roundabout on Bethel Lane, a dedicated future right-of-way, and a left turn lane onto the road.
8. **How many apartments are there?** There will be 5 buildings with 64 units, which would make a total of 320 apartments. We will be reaching out to hire a high-end management company to oversee the apartment complex.
9. **How will this affect my property?** The property value of the adjoining properties will increase in value.

10. **What is the timeline of build out?** Receive approval/permits from the town, start phase 1 (front half) of apartments in 2021, phase 2 will consist of competition of back-half of apartments in 2022.

Comments included:

- All participants of the meeting were in favor and spoke highly of the proposal.
- Citizens suggested to make the project larger with more apartments, and to purchase more of the surrounding properties.
- Makenzie Moser from the Moser Group, LLC expressed full support of the project, and explained how it would fit right in with the location near Sun Valley Commons. Small business owners from Sun Valley Commons would be in favor and benefit greatly from the project. Ms. Moser complimented the quality of the apartments.



ITEM NO. CZ 2020-0017 Evoke
(2-4pm)

DATE: February 27, 2020

Name	Address	Email/Phone
Linda Moses	3115 Wesley Chapel Stoups	lindamoses383@gmail.com 704-698-5812
JOHN ROSS	2013 A VAN BUREN AVE INDIAN TRAIL NC 28079	jross@eagleonline.net 704 882 4222
CHRIS AZAR	3523 DR R RD, NORTHE	cazar1@peoplepc.com
Brandi Reese	Town Staff	bcd@indiantail.org
Tim Jones	"	
Crystal Roman	"	



ITEM NO. CZ 2020-0017 Evoke
(5-7pm)

DATE: February 27, 2020

Name	Address	Email/Phone
David Mills	5410 Bettel Ln.	704-292-8921
Linda Moser	3145 Wesley Chapel Stat	704-698-5812
Jarad Kesner	500 Bitternut Ln.	704-282-7381
Katherine Bracon	10210 Cromarty Ln on Hill 28227	704-712-3565
Klami Anderson	308 Luskwood Dr	704-871-8720
Mackenzie Moser	Sun valley commons	
Lena Chavala	Sun Valley, 5409 Bettel	704-668-5884



**P.O. Box 2430
Indian Trail, North Carolina 28079
PLANNING DEPARTMENT**

Request: 312 apartment units, 188 townhomes, 135 senior living apartment units, 1 hotel and 4 retail outparcels

Existing Zoning: Regional Business District (RBD)

Proposed Zoning: Conditional Zoning, Mixed Use District (CZ MXD)

Location: Southwest side of W HWY 74
Northwest side of Wesley Chapel-Stouts Road
Approximately 1,218 feet southwest from the intersection of W HWY 74 and Wesley Chapel-Stouts Road directly behind Lowe’s Home Improvement

Parcels: 07069123D, 07069123E, 07069123H, 07069117A, 07069118D, 07069118E

Applicant: Sun Valley Marketplace, LLC

PROJECT SUMMARY

This is a request to conditionally rezone approximately 62.449 acres from Regional Business District (RBD) to Conditional Zoning, Mixed Use District (CZ MXD) (see *Attachment 1*, Application). The intent of this request is to allow 312 apartment units, 188 townhomes for sale, 135 dependent living units, 1 hotel and 4 retail outparcels. The proposed overall apartment density

is at 15.24 units per acre the senior living apartments is at 23.43 units per acre and the townhomes are at 7.07 units per acre. For the apartments approximately 2,850 square feet of lot area per unit has been provided. For the senior apartment units approximately 1,856 square feet of lot area per unit has been provided.

As reflected in *Attachment 2, (Aerial Map)*, the subject properties are located along the northwest side of Wesley Chapel-Stouts Road and along the southwest line of W HWY 74.

ANALYSIS/OVERVIEW

Compatibility with Surrounding Area

The current zoning for the surrounding area is largely business/commercial with some single-family along the western edge of development in the Alexis Point subdivision and industrial districts to the south along the railroad. This site is within the US-74 East Corridor Plan. The current land uses are commercial/retail, industrial and single family residential. The future land use will include mixed use commercial/retail, multi-family apartments and attached townhomes. Existing zoning for the subject property as well as surrounding properties can be seen in *Attachment 3, (Existing Zoning Map)*. The proposed zoning of Mixed Use District (MXD) is a consistent component within the US-74 East Corridor Plan. See Attachment 4, (Future Zoning Map) for the future zoning from the Comprehensive Plan. See the table below for adjacent property zoning and use comparison.

Project Number and Reference: CZ 2020-0001 Sun Valley Marketplace –
W HWY 74 and Wesley
Chapel Stouts Road

Planning Board Meeting Date: July 21, 2020
Town Council Meeting Date: TBD



Concept Plan

Project Number and Reference: CZ 2020-0001 Sun Valley Marketplace –
W HWY 74 and Wesley
Chapel Stouts Road

Planning Board Meeting Date: July 21, 2020

Town Council Meeting Date: TBD

Photos of Project Area

Looking southwest at property from above. See Lowes Home Improvement.



Project Number and Reference: CZ 2020-0001 Sun Valley Marketplace –
W HWY 74 and Wesley
Chapel Stouts Road

Planning Board Meeting Date: July 21, 2020

Town Council Meeting Date: TBD

Looking from Alexis Point property on right



Project Number and Reference: CZ 2020-0001 Sun Valley Marketplace –
W HWY 74 and Wesley
Chapel Stouts Road

Planning Board Meeting Date: July 21, 2020

Town Council Meeting Date: TBD

Looking west along Wesley Chapel-Stouts Road with property straight ahead.



Project Number and Reference: CZ 2020-0001 Sun Valley Marketplace –
W HWY 74 and Wesley
Chapel Stouts Road
Planning Board Meeting Date: July 21, 2020
Town Council Meeting Date: TBD

Looking at site from HWY 74



Project Number and Reference: CZ 2020-0001 Sun Valley Marketplace –
W HWY 74 and Wesley
Chapel Stouts Road

Planning Board Meeting Date: July 21, 2020

Town Council Meeting Date: TBD

Looking west in the property along HWY 74.



Summary of Surrounding Zoning and Uses

Surrounding Subject Property	Municipality	Zoning District	Use
North	Indian Trail	<ul style="list-style-type: none"> • Regional Business District (RBD) 	<ul style="list-style-type: none"> • Commercial/Retail
South	Indian Trail	<ul style="list-style-type: none"> • Light Industrial (LI) 	<ul style="list-style-type: none"> • Chemical Wholesale Distributor and Vacant
East	Indian Trail	<ul style="list-style-type: none"> • Regional Business District (RBD) 	<ul style="list-style-type: none"> • Single-Family Detached • Commercial
West	Indian Trail	<ul style="list-style-type: none"> • Single-Family Residential District (SF-5) • Multi-Family Residential District (MFR) 	<ul style="list-style-type: none"> • Single Family Detached (Alexis Point) • Vacant

PROJECT ELEMENTS

Concept Plan

A conceptual plan and architectural samples have been provided (*See Attachment 8*). The proposed apartments are generally compatible with, if not exceeding the quality of development in the surrounding area. All apartments, townhomes and the hotel shall be built in accordance with the Development Standards in the concept plans and in general accordance with elevations in *Attachment 8* and shall be constructed of glass, brick, stone (decorative), simulated stone, pre-cast stone, architectural pre-cast stone, synthetic stone, stucco, cementitious siding (such as hardi-plank), or wood. EIFS as a building material will be allowed as back-up for architectural trim on stucco clad buildings. Vinyl, as a building material, will only be allowed on windows, soffits, and trim features. Final elevations will be reviewed as part of the Site Plan Review submittal and review process, if this conditional zoning is approved.

Project Number and Reference: CZ 2020-0001 Sun Valley Marketplace –
W HWY 74 and Wesley
Chapel Stouts Road

Planning Board Meeting Date: July 21, 2020

Town Council Meeting Date: TBD

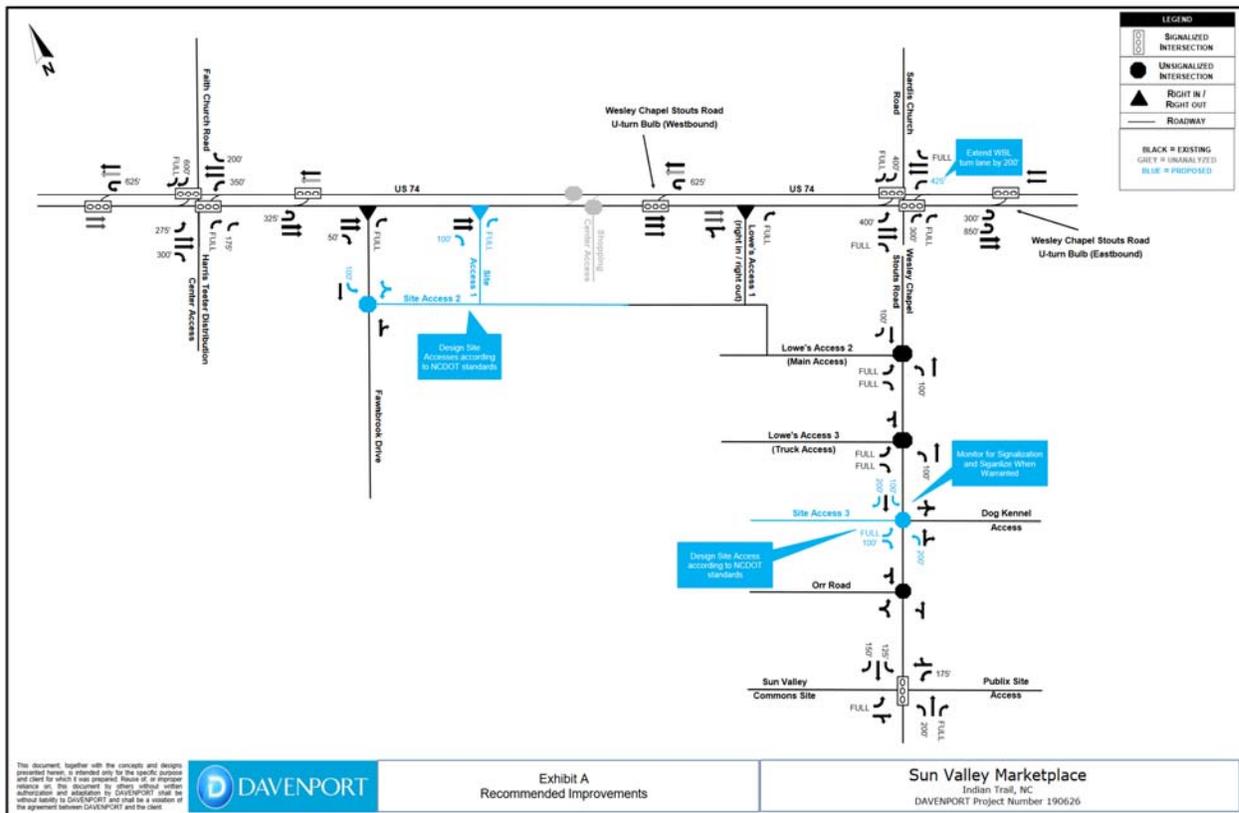
Conceptual Aerial



**Project Number and Reference: CZ 2020-0001 Sun Valley Marketplace –
W HWY 74 and Wesley
Chapel Stouts Road**
Planning Board Meeting Date: July 21, 2020
Town Council Meeting Date: TBD

Traffic Impact Analysis (TIA) (See Attachment 7)

A TIA was conducted by Davenport and the Town and NCDOT held a scoping meeting and since that time the TIA has been approved. The applicant is required to make all road improvements per the TIA and must meet all NCDOT requirements. As shown three new site accesses are proposed. Per the TIA a full movement access will be on Fawnbrooke Drive and Wesley Chapel-Stouts Road including a right in / right out access on US 74 East.



TIA Recommended Lane Configurations with Recommended Developer Improvements

Parking

The parking requirement for the apartments is 1.5 spaces per one-bedroom unit; 2 spaces per two-bedroom unit; 2.5 spaces per unit with three or more bedrooms plus 1 visitor space for every 4 parking spaces. The senior living apartments have a parking requirement of 0.75 spaces per unit. The parking requirement for townhomes is 2 spaces for each unit plus 1 visitor space for every 4 parking spaces. The parking requirement for the hotel is 1 space per room plus 1 space for every 2 employees on maximum shift. The parking requirement for the four retail outparcels will be determined based on the specific use and determined at time of site plan review.

The residential development proposal for this project results in a requirement of 468 multi-family residential parking spaces provided at a rate of 1.5 spaces per unit. The applicant has provided 490 multi-family parking spaces. The townhome section has 376 garage spaces and 94 visitor parking spaces. The senior living apartments will have .75 space per unit for a total of 108 parking spaces. The hotel site will have a total of 105 parking spaces of which only 53 are required and 7 parking spaces have been included in total to accommodate the meeting center within the hotel.

School Impact Analysis

The applicant provided a School Impact Study to ensure the most accurate and current data and methodology was used. *(Please see Attachment 6, School Impact Study)*

The most recent School Impact Study used public school enrollment from the 2010 Decennial Census single year of age data and the 2017 5-year American Community Survey data for housing units with the Sun Valley attendance zones. Calculations were based on the housing unit yield factors by age (0-17) and additional Census Bureau data that estimates birth rates and population projections for Union County. These yield factors represent the average number of children per housing unit in the area. Additional data that includes birth rates for the geographic areas are estimated using Census Bureau data and 2018 North Carolina Office of State Budget and Management population projections for Union County. The final estimated housing unit yield factors and birth rates are applied to the 320 proposed apt units and 188 townhomes in the Sun Valley Marketplace site, and the results are age forward to produce a ten-year projection of the number of residents age 0-17 in the proposed development. When these yield rates are applied to the estimated rates of public school enrollment from the American Community Survey the findings for this project in the 2029-30 school year were projected to have an impact on Union County Public School enrollment at 223.

OUTSIDE AGENCY COMMENTS

NCDOT:

The applicant must meet all Town and NCDOT requirements and any additional conditions associated with the TIA scoping meeting.

Union County Public Schools:

The proposed mixed use 312-unit apartment complex and 188 townhomes will be located at the southwest quadrant of US HWY 74 and Wesley Chapel Stouts Rd. Sun Valley Marketplace is within the following school attendance boundaries for the (2020-2021) school year:

• Shiloh Valley Primary	Currently at 95% rated capacity
• Shiloh Valley Elementary	Currently at 71% rated capacity
• Sun Valley Middle School	Currently at 97% rated capacity
• Sun Valley High School	Currently at 90% rated capacity

Per Board of Education policy, neither Shiloh Valley PS nor Sun Valley MS are any longer accepting any further transfers due to high enrollment. Additional residential construction contributes to high enrollments, which in turn exacerbate problems such as: additional mobile classrooms, inadequate capacity for food service and rest room facilities, rationing of access to the Media Center, insufficient parking and queuing space for parents to safely deliver or pick up their children, inadequate planning/meeting space for additional staff.

Union County Environmental Health:

The project is to be reviewed by Environmental Health. The applicant will submit a sketch plan showing the locations of all existing structures, septic systems and/or wells. A comment shall be added to the sketch plan that any wells and/or septic systems discovered during the site development process will be abandoned in accordance with applicable North Carolina Laws and Rules. All pools, if applicable, are required to be submitted for review.

Union County Public Works:

Water is accessible to the site and sewer is the vicinity of the project and there are options for the development to move forward. Capacity for water and sewer will be evaluated through the County's review process.

Union County Fire Marshal:

The project is to be reviewed by the Fire Marshal. The applicant will provide a truck maneuvering plan during site plan review.

COMMUNITY MEETINGS (6/16/2020)

Two required community meetings were held on June 16, 2020. There were 4 citizens who attended the meeting at Town Hall. There were 13 citizens who participated in the online meeting. The intent of the public meeting was to see the proposed plan and also determine how the project would impact their property. There was no opposition to this request during the Community Meetings. See attached community meeting minutes and sign-in sheet (*Attachment 9*).

CONSISTENCY FINDINGS AND COMPREHENSIVE PLAN

The subject property is located within one of the two economic corridors. US-74 Corridor East currently has commercial/retail, business parks, industrial and single family residential. The future land plan provides for mixed use development, business/employment, and greenway recreation along US-74. (*See US-74 Corridor East Future Land Use, Attachment 5*).

Land Use

Future land uses vary north of US-74 and along the south line of US-74. There is an opportunity with this project to bring mixed use residential, commercial, and hotel lodging opportunities. Flexibility with the conditional rezoning can permit large scale developments which in turn provides employment and living opportunities to meet economic changes and to allow incremental growth.

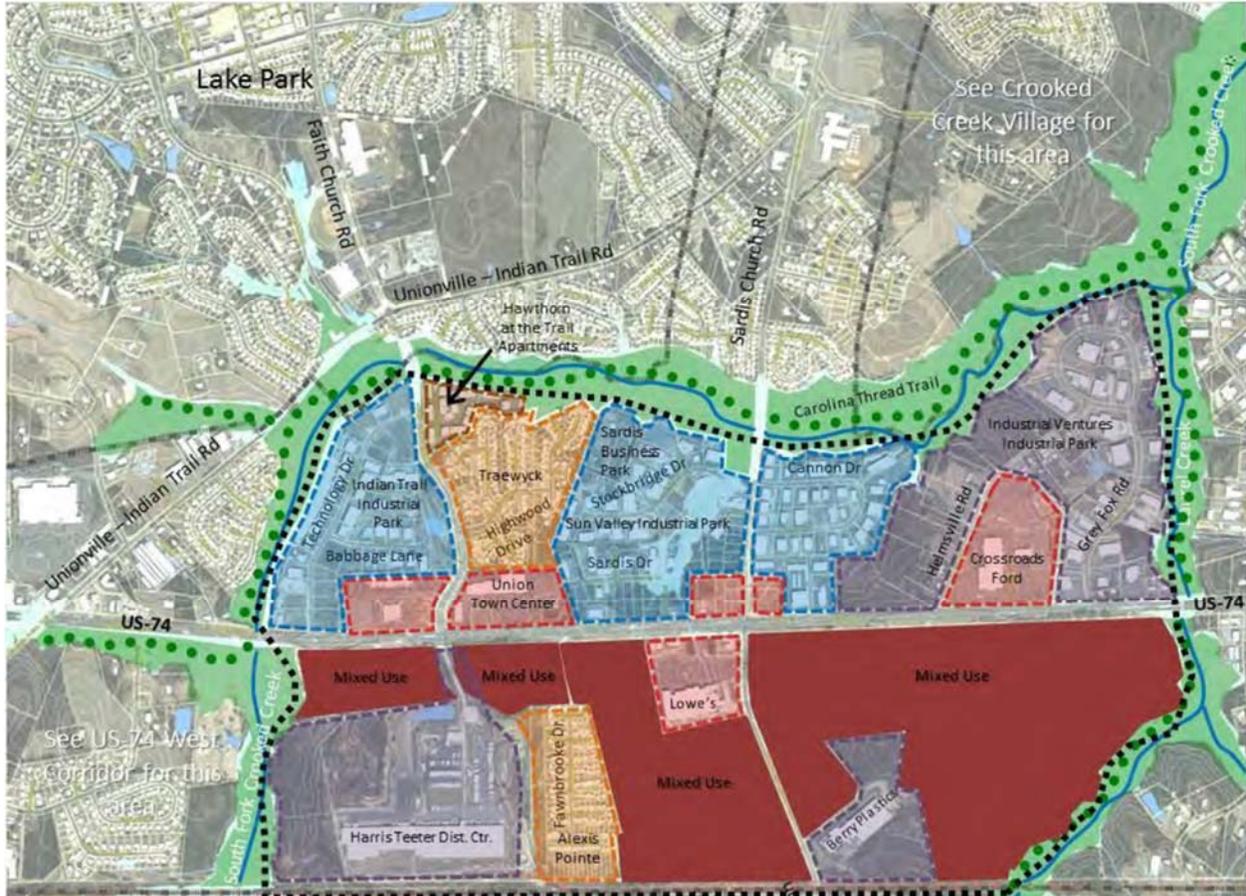


Fig. 5.2.20 US-74 Corridor East Corridor Plan

ACTION REQUIRED

Required Consistency Findings

The Planning Board is required to make one consistency finding for consistency with Town adopted plans:

1. The proposed rezoning request is consistent with the following goals of the Comprehensive Plan:
 - **Land Use and Housing Goal #1:** The proposed project will promote a mix of different types of land uses and avoid potential land use conflicts between neighboring properties and surrounding municipalities.

- **Land Use and Housing Goal #2:** The proposed project will provide a diverse range of housing options, including varying densities of single-family attached, multi-family and senior housing to provide affordable living opportunities for a wide range of residents.
- **Land Use and Housing Goal #4:** The proposed project will coordinate land use and transportation planning to ensure sustainable community development.
- **Parks and Recreation, Open Space, and Natural Environment Goal #4:** The proposed project will preserve and protect the natural environment in a way that preserves and enhances Indian Trail’s image, environmental features, and tree canopy while providing for responsible growth. Integrate the town’s natural environmental amenities with parks, open space and recreational opportunities.
- **Mobility and Transportation Goal #2:** The proposed project will improve bicycle and pedestrian connectivity between existing and future uses and to surrounding communities in a safe way.
- **Infrastructure Goal #1:** The proposed project will expand and improve public and private utilities such as water, sewer, storm water, electric, natural gas, and communications infrastructure.

Staff Recommended Conditions

Staff recommends the following conditions:

1. Staff to confirm that Union County Public Works, Environmental Health, Sheriff’s Office, and Fire Marshall have made comments and will be addressed during site plan review;
2. The development shall comply with all other applicable requirements of the Town of Indian Trail Unified Development Ordinance.
3. Town approval incorporates and shall comply with any and all submittals in the case file and correspondence presented to the Town Council in support of this application, including, but not limited to the following: the site/sketch plan, and any other information related to this case or improvements recommended by the Town and/or other agencies.
4. The US Postal Service has notified the Town that all future subdivision approvals must utilize a community mail delivery system (cluster mailboxes). Locations and details of the proposed community mailboxes must be included in the Construction Documents and must be reviewed and approved by the Postmaster for this area. The applicant(s) must provide the Town with written confirmation that the local Postmaster agrees with the

- proposed box locations.
5. Trash enclosures must comply with the Town of Indian Trail Unified Development Ordinance. The elevations for trash enclosures also need to be reviewed.
 6. Architecture for the multi-family apartments, senior living apartments, townhomes and hotel should remain the same as submitted in the concept plan.
 7. Density for the apartments shall remain 2,850 square foot lot area per unit and 1,856 square foot lot area per senior living unit. The maximum number of units shall not exceed 447 multi-family residential units (312 apartment units and 135 senior living apartment units) and 188 townhomes.
 8. Install and maintain 10' multi-use paths throughout the overall development.
 9. Abandon and vacate rights to the existing Archie Hargette Road.
 10. Compliance with Town Engineering and NCDOT TIA requirements.
 11. Building maximum height is 70 feet.
 12. Amenities include 1 clubhouse, 2 pools, 2 cabanas, 4 pickle ball courts, 4 flex recreation areas, open spaces throughout, outdoor grilling and fireplaces, community gardens, 3 dog parks and resident only storage rental units.
 13. Install and maintain pedestrian scale lighting along Wesley-Chapel Stouts Road and along the multi-use paths.
 14. Developer shall erect "No On Street Parking" signage on roads B, C, D, and E unless distances allow for developer installed marked parking stalls per the Town Parking Ordinance.
 15. The developer shall install a common traffic signalization light at the intersection of Wesley Chapel Stouts Road and Sun Valley Market Place Blvd. The initiation of construction for the signal shall be triggered by the certificate of occupancy issued to 91st townhome unit constructed within the project.

Attachments

- Attachment 1** Application
- Attachment 2** Aerial Map
- Attachment 3** Existing Zoning Map
- Attachment 4** Future Zoning (Comprehensive Plan)
- Attachment 5** US-74 Mixed Use Corridor Land Use
- Attachment 6** School Impact Study
- Attachment 7** Traffic Impact Study

Project Number and Reference: CZ 2020-0001 Sun Valley Marketplace –
W HWY 74 and Wesley
Chapel Stouts Road

Planning Board Meeting Date: July 21, 2020
Town Council Meeting Date: TBD

Attachment 8 Concept Plan and Architectural Representations

Attachment 9 Community Meeting Minutes and Sign In Sheets

Staff Contact

Matt Ward

Senior Planner

mbw@indiantrail.org

704.821.5401

Attachment 1

CONDITIONAL ZONING APPLICATION



PLANNING AND NEIGHBORHOOD SERVICES
PO Box 2430
Indian Trail, NC 28079
Telephone (704) 821-5401
Fax (704) 821-9045

ONLY COMPLETE APPLICATIONS ACCEPTED

Processing Fee: <2 acres \$400, 2-10 acres \$800, >10 acres \$1,500, Minor Modification \$250
Engineering Fees: <2 acres \$100, 2-10 acres \$175, >10 acres \$250
Notification Fee \$100.00 <2 acres, \$200.00 2-10 acres, \$300.00 >10 acres.

****A TECHNOLOGY FEE, 10% OF ALL ASSOCIATED FEES, WILL BE APPLIED TO THE TOTAL FEE.****

Attachment 1

CONDITIONAL ZONING APPLICATION

Date Received _____

Submittal Requirements

- Completed Application
- Notarized signatures of applicant and property owner
- Letter of Intent
- Articles of Incorporation, Certificate of Incorporation, Articles of Organization, Corporate Charter, or similar (unless applicant is an individual)
- 5 copies of Concept Plan (must be drawn to scale by architect, landscape architect, professional surveyor, or engineer licensed in North Carolina)
- Boundary Survey (acreage, current zoning, location of existing buildings, setbacks)
- List, address labels, and digital copy of all adjoining property owners within 500 feet of subject parcel
- Traffic Impact Analysis, if necessary
- Statement of Appraisal, if necessary
- Fees associated with review
- ****A TECHNOLOGY FEE, 10% OF ALL ASSOCIATED FEES, WILL BE APPLIED TO THE TOTAL FEE.**

General Information

Project Address 5823 HIGHWAY 74
City INDIAN TRAIL State NC Zip 28079
Tax Parcel ID 07069123D, 07069123E, 07069123F, 070691171A, 07069118D, 07069117E Zoning Designation MXD-CZ
Total Acres +/-62.486 ACRES Impervious Area +/-1,200,000 SF
Project Description MULTI-FAMILY, TOWNHOMES, HOTEL, RETAIL, INDEPENDENT SENIOR LIVING FACILITY

Contact Information – Applicant

Contact Name MARK KIME
Company Name LANDESIGN, INC.
Address 223 N. GRAHAM ST.
City CHARLOTTE State NC Zip 28202
Phone 704-333-0325 Fax _____
Email mkime@landdesign.com

Contact Information – Property Owner

Contact Name DEAN HARRELL
Company Name SUN VALLEY MARKETPLACE, LLC
Address 5615 POTTER ROAD
City MATTHEWS State NC Zip 28104
Phone 704-564-4815 Fax _____
Email rdean@rdharrellcompany.com

Attachment 1

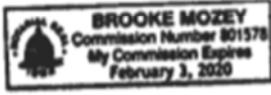
CONDITIONAL ZONING APPLICATION

Applicant's Certification

Signature *MEK* Date 1/8/2020

Printed Name/Title MARK E. KIME, LANDSCAPE ARCHITECT

Signature of Notary Public *B Mozey* Date 1/8/2020

Notary Seal 

Property Owner's Certification

Signature _____ Date _____

Printed Name/Title _____

Signature of Notary Public _____ Date _____

Notary Seal

TOWN OF INDIAN TRAIL OFFICE USE ONLY	
CASE NUMBER: _____	
DATE RECEIVED: _____	AMOUNT OF FEE: _____
RECEIVED BY: _____	RECEIPT #: _____

Attachment 1

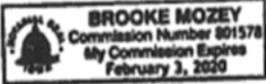
CONDITIONAL ZONING APPLICATION

Applicant's Certification

Signature *Mark E. Kime* Date 1/8/2020

Printed Name/Title MARK E. KIME, LANDSCAPE ARCHITECT

Signature of Notary Public *Brooke Mozey* Date 1/8/2020

Notary Seal 

Property Owner's Certification

Signature *Tommy Price* Date 1/8/2020

Printed Name/Title TOMMY PRICE VP CONST

Signature of Notary Public *Angela Jennings* Date 1-8-2020

Notary Seal 

TOWN OF INDIAN TRAIL OFFICE USE ONLY	
CASE NUMBER: _____	
DATE RECEIVED: _____	AMOUNT OF FEE: _____
RECEIVED BY: _____	RECEIPT #: _____



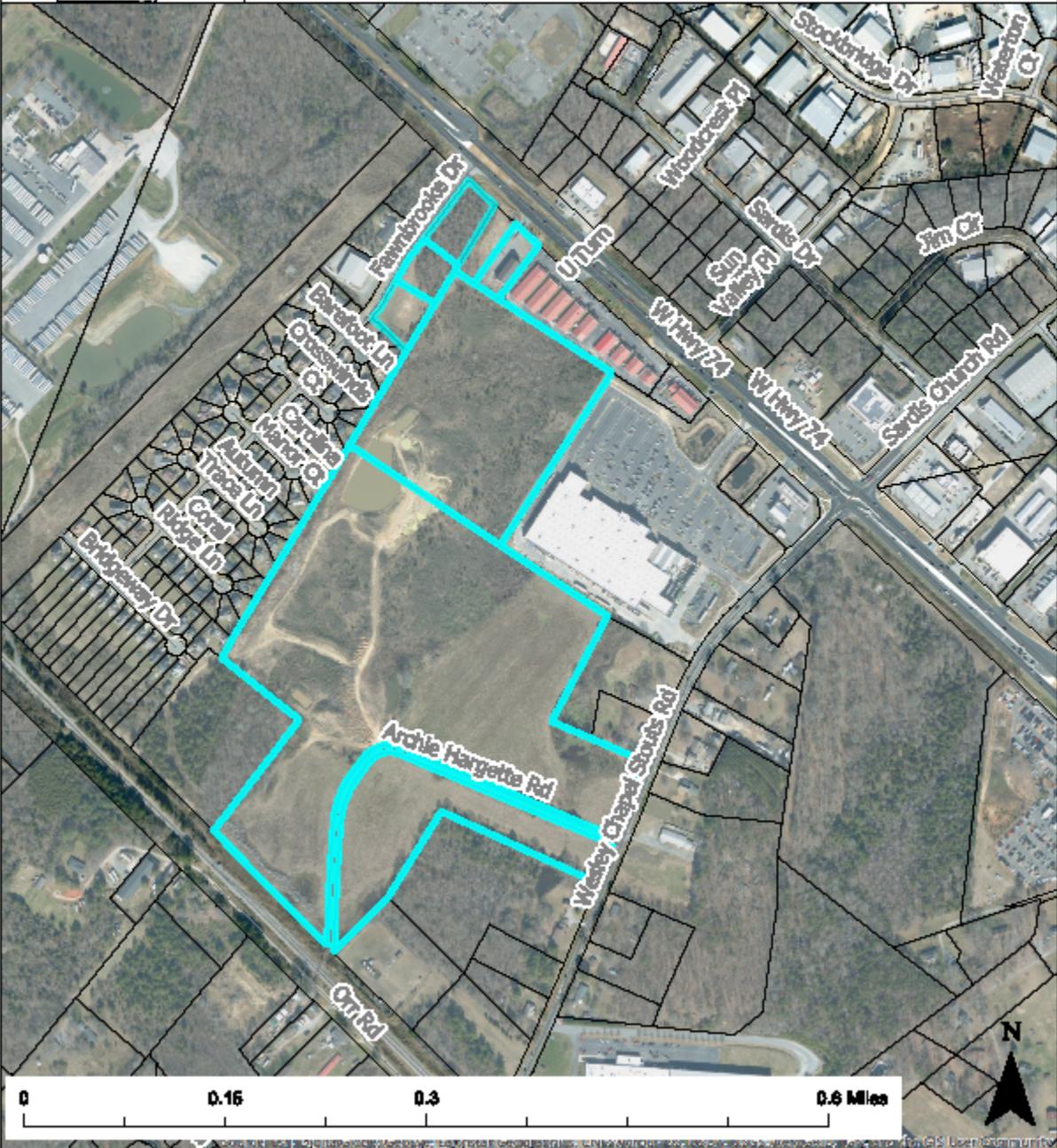
CZ 2020-0001 Sun Valley Marketplace (Aerial)

Proposal: Rezone 62.449 acres from RBD to CZ-MDD for four commercial outparcels, 312 apartment units, 135 dependent living units, 188 townhomes, and a hotel

Parcels: 07069123D, 07069123E, 07069123H, 07069117A, 07069118D, 07069118E

Applicant: Sun Valley Marketplace, LLC

Attachment 2





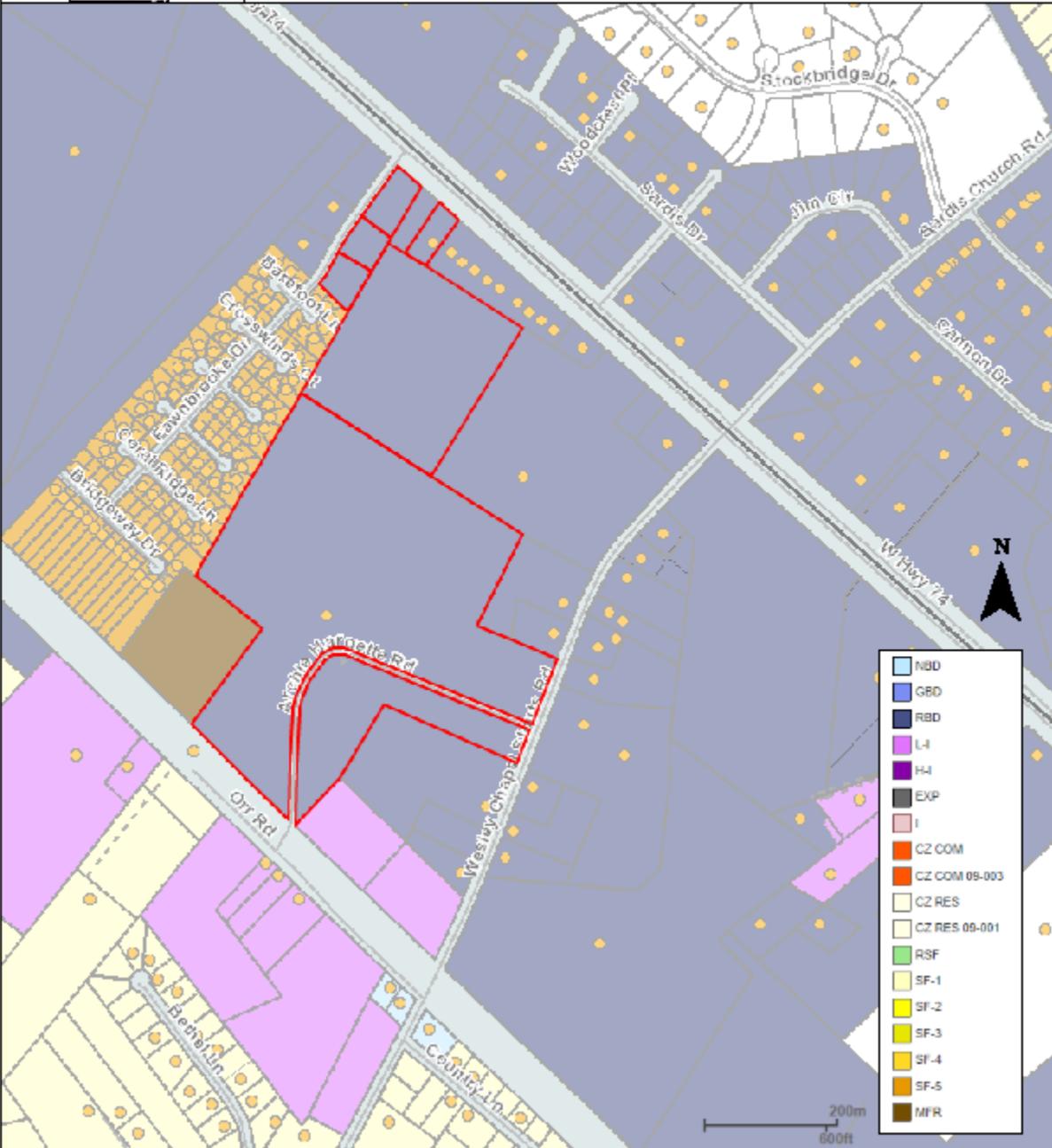
CZ 2020-0001 Sun Valley Marketplace (Current Zoning)

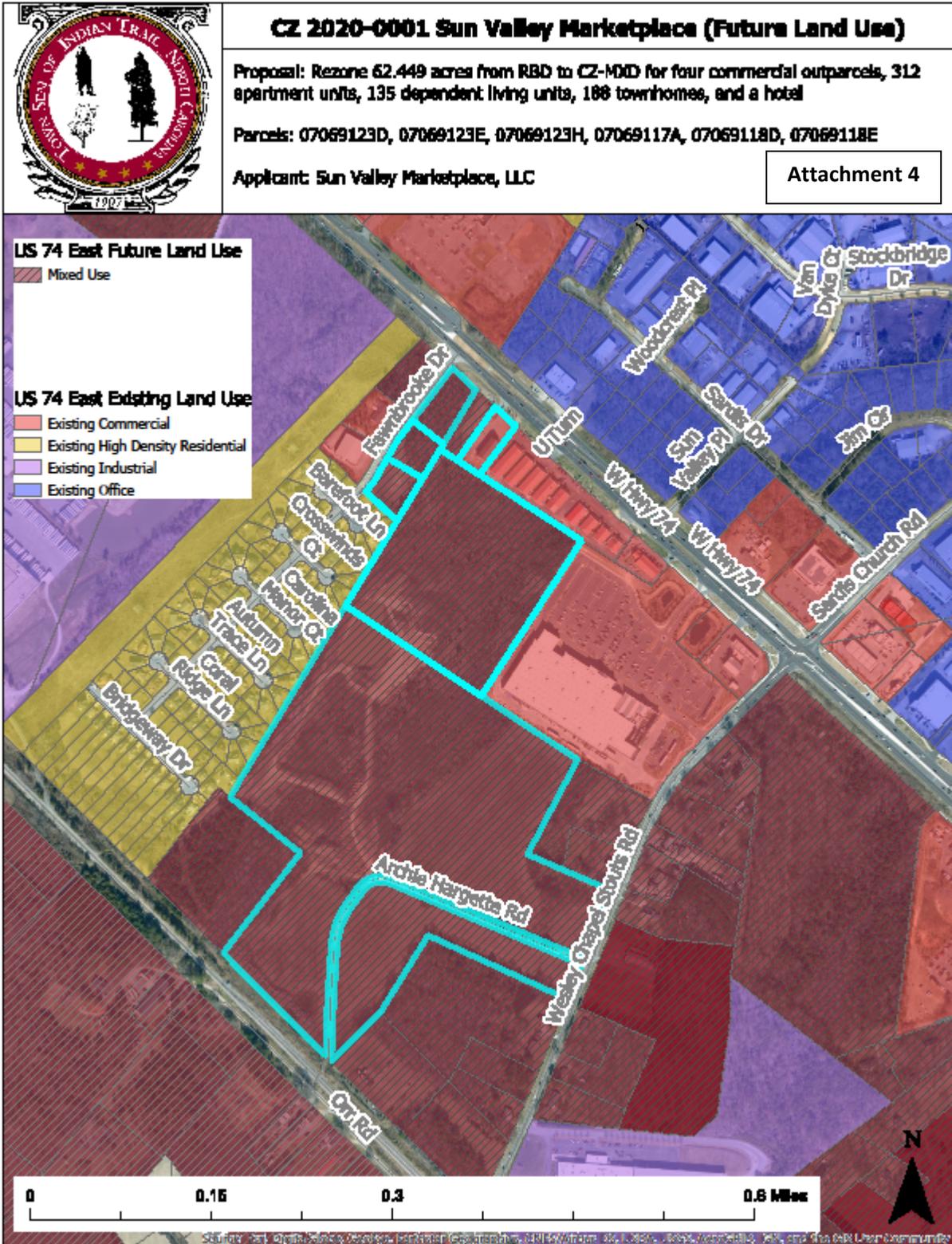
Proposal: Rezone 62.449 acres from RBD to CZ-MDD for four commercial outparcels, 312 apartment units, 135 dependent living units, 188 townhomes, and a hotel

Parcels: 07069123D, 07069123E, 07069123H, 07069117A, 07069118D, 07069118E

Applicant: Sun Valley Marketplace, LLC

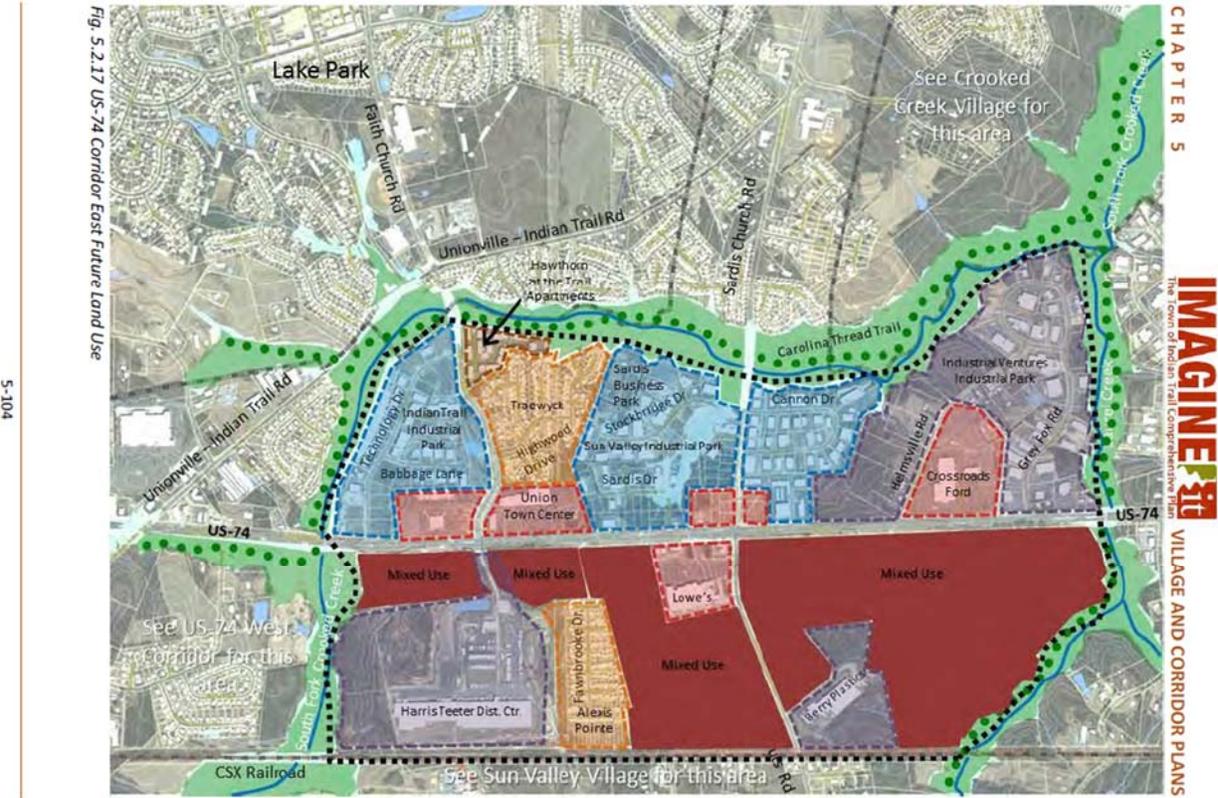
Attachment 3





Project Number and Reference: CZ 2020-0001 Sun Valley Marketplace –
W HWY 74 and Wesley
Chapel Stouts Road
Planning Board Meeting Date: July 21, 2020
Town Council Meeting Date: TBD

Attachment 5



Project Number and Reference: CZ 2020-0001 Sun Valley Marketplace –
W HWY 74 and Wesley
Chapel Stouts Road

Planning Board Meeting Date: July 21, 2020

Town Council Meeting Date: TBD

Attachment 6

School Impact Study

Sun Valley Marketplace Site

Prepared for:

Sun Valley Marketplace, LLC

susanclapp
consulting

January 2020

Attachment 6

School Impact Study – Sun Valley Marketplace Site
January 2020

This study provides a projection of the elementary, middle, and high school enrollment of multifamily and townhome unit residents in Union County Public Schools for the 2029-30 school year.

Assumptions

Multifamily

- The subdivision includes 312 units in multifamily structures.
- Construction in the subdivision begins approximately the first quarter of 2021, with close-out occurring by approximately the third quarter of 2022.

Townhomes

- The subdivision includes 200 townhome units.
- Vertical construction begins in approximately the fourth quarter of 2021, with build-out occurring by approximately the fourth quarter of 2024.
- Townhome units sell in the \$200,000-\$300,000 range.
- One quarter of the subdivision expected to be age-targeted for owners age 50 and over due to an available option of "Master down."
- The 30-year fixed home mortgage rate stays below 5.57% over the next four years.

Both

- There are no water or sewer restrictions implemented over the next four years.
- There are no major changes in the distribution of enrollment across public non-charter, public charter, private, and home schools over the next ten years.
- There are no major social, economic, or political changes in the Charlotte Metropolitan Statistical Area over the next ten years.

Methods and Data

Using 2010 Decennial Census single year of age data and 2017 5-year American Community Survey (ACS) data for housing units within the Sun Valley Elementary School, Sun Valley Middle School, and Sun Valley High School attendance zones, housing unit yield factors by age (0-17) are calculated. These yield factors represent the average number of children per housing unit in the area. Birth rates for the geographic area are estimated using the aforementioned Census Bureau data and the 2018 North Carolina Office of State Budget and Management population

Attachment 6

School Impact Study – Sun Valley Marketplace Site
January 2020

projections for Union County. The yield factors and birth rates are next adjusted to account for the 50+ age-targeted community assumption using ACS data on the age distribution of owners and renters in the school attendance zones. The final estimated housing unit yield factors and birth rates are applied to the 312 proposed multifamily units and 200 townhome units in the Sun Valley Marketplace site, and the results are aged forward to produce a ten-year projection of the number of residents age 0-17 in the proposed subdivision. Estimated rates of public school enrollment from the American Community Survey are applied to those figures, resulting in the total projected impact of the proposed subdivision on Union County Public Schools for the 2029-30 school year.

Results

The 2029-30 school year projected yield rates (average number of children attending public school per housing unit) by age group for the proposed multifamily and townhome units are:

Preschool (Ages 0-4)	Elementary (Ages 5-10)	Middle (Ages 11-13)	High (Ages 14-17)	Total (Ages 0-17)
0.127	0.113	0.070	0.125	0.435

When these yield rates are applied to the site, the total 2029-30 school year projected impact on Union County Public School enrollment is 223 students. The projections by grade level/age group are:

Preschool (Ages 0-4)	Elementary (Ages 5-10)	Middle (Ages 11-13)	High (Ages 14-17)	Total (Ages 0-17)
65	58	36	64	223

Prepared by:

Susan Clapp
Principal Demographer, Susan Clapp Consulting

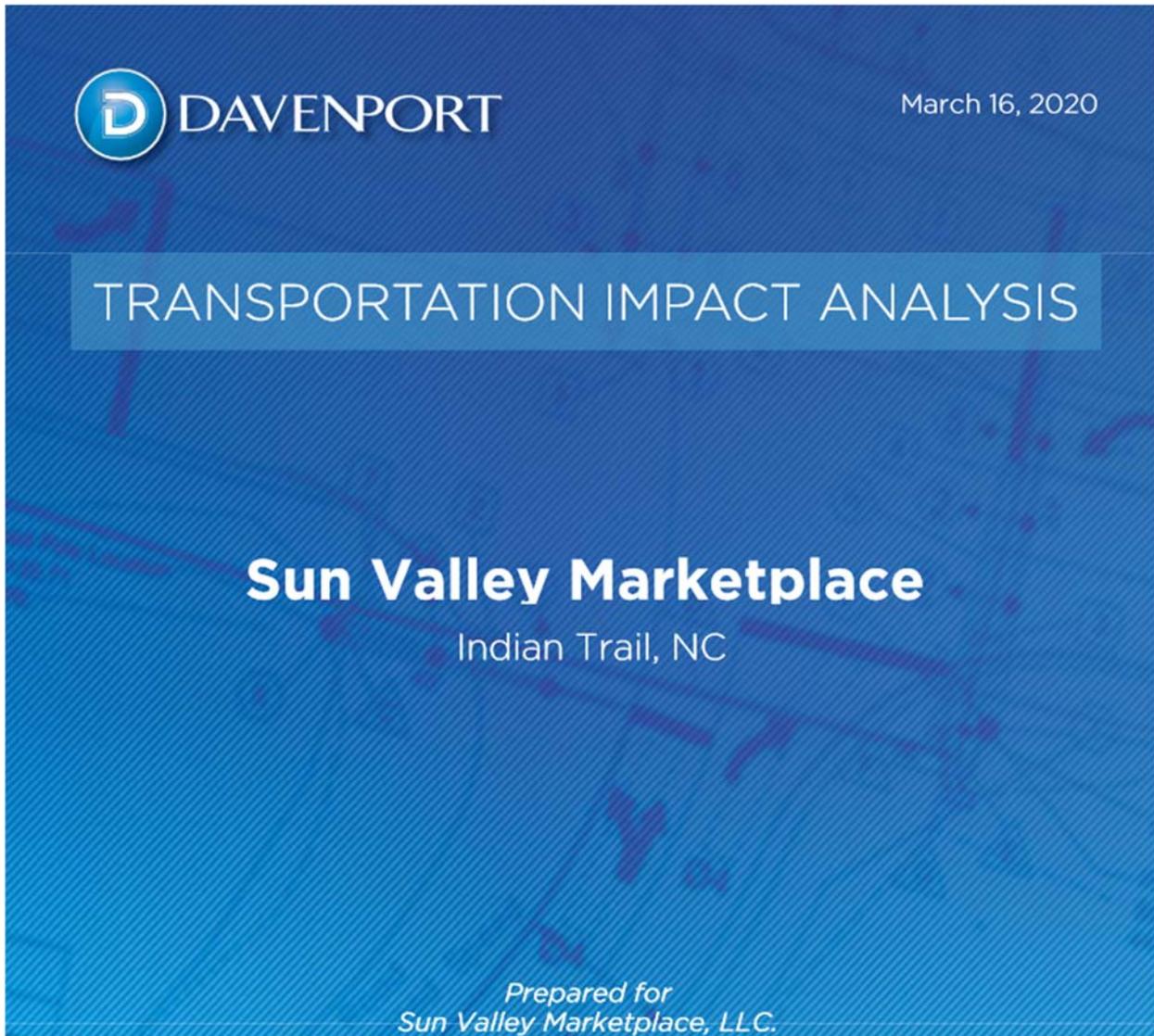


Project Number and Reference: CZ 2020-0001 Sun Valley Marketplace –
W HWY 74 and Wesley
Chapel Stouts Road

Planning Board Meeting Date: July 21, 2020

Town Council Meeting Date: TBD

Attachment 7





Sun Valley Marketplace – Transportation Impact Analysis
Indian Trail, NC
Sun Valley Marketplace, LLC
March 16, 2020

Executive Summary

The Sun Valley Marketplace is located on the southwest quadrant of US 74 at Wesley Chapel Stouts Road, with parcels wrapping around the west and south sides of Lowes Home Improvements, in Indian Trail, North Carolina. The site plan proposes a mixed-use development including four outparcels, a 105-room hotel, 312 dwelling units of multifamily housing, 189 dwelling units of townhomes. For analysis purposes, the outparcels on US 74 were analyzed as two 5,000-square-foot fast-food restaurants, and the outparcels on Wesley Chapel Stouts Road were analyzed as two 8,000-square-foot retail stores. Three (3) new site accesses are proposed, including a right in / right out access on US 74 East, a full-movement access on Fawnbrooke Drive, and a full-movement access on Wesley Chapel Stouts Road.

Previously, a Transportation Impact Analysis (TIA) was complete by DAVENPORT in October 2019 for this site. Since that time, there have been changes to the site plan, including an additional site access, and retail land use was added. Due to the changes in the site plan, the number of trips will increase. This TIA provides an updated TIA, as requested by the Town of Indian Trail and NCDOT.

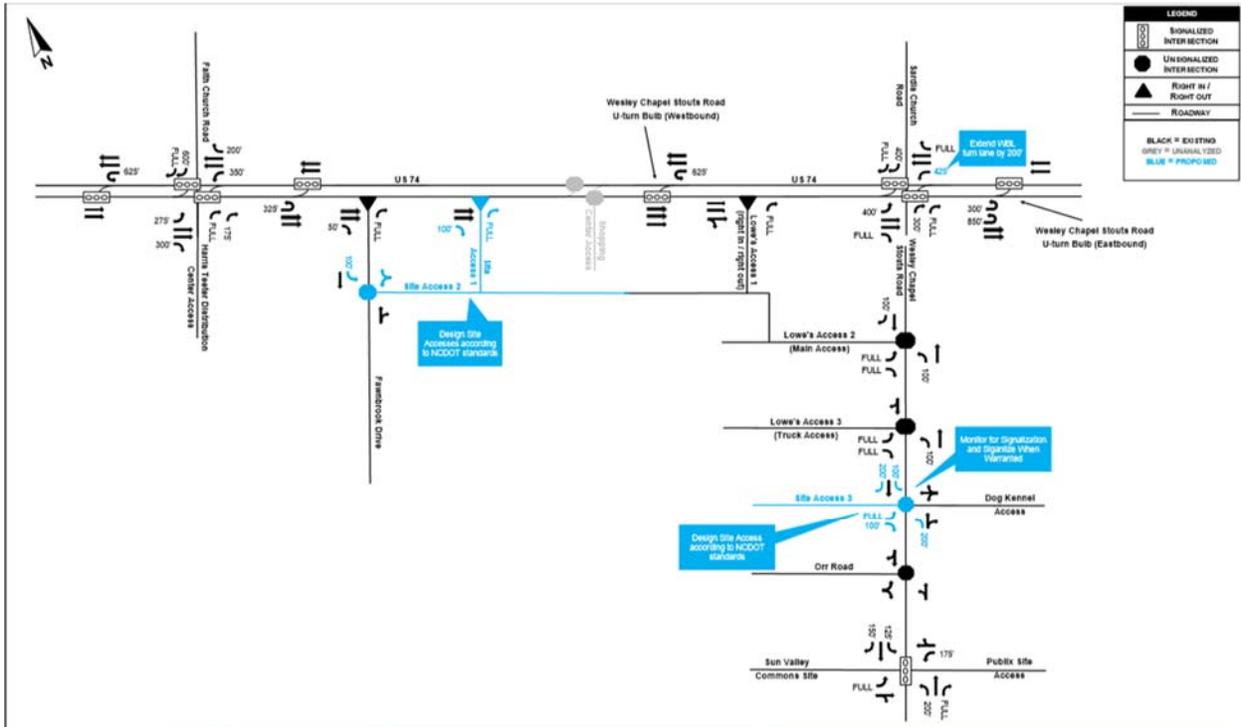
Based on trip generation equations published in ITE's Trip Generation Manual (10th Edition), this development has a trip generation potential of 640 net trips in the AM peak and 449 net trips in the PM peak.

At the unsignalized intersection of US 74 at Proposed Site Access 1, an eastbound right turn lane is warranted based on NCDOT turn lane warrant thresholds. It is recommended to provide an eastbound right turn lane with 100 feet storage and appropriate taper. At the proposed access on Fawnbrooke Drive, a southbound left turn lane is recommended with 100 feet of storage and appropriate taper. At the proposed third site access on Wesley Chapel Stouts Road, left and right turn entry lanes are warranted, so it is recommended to provide a 200' long northbound left turn lane with an appropriate taper, a 200' long southbound right turn lane with appropriate taper. To reduce delays exiting from Site Access 3, separate left and right turn exit lanes are also recommended. Preliminary signal warrant analysis shows that the MUTCD peak hour warrant for signalization is met for the AM peak traffic in 2028 future build conditions (8-hour and 4-hour warrants have not yet been evaluated). Therefore, it is recommended to monitor Site Access 3 on Wesley Chapel Stouts Road for signalization and signalize when warranted.

Additionally, at the intersection of US 74 and Wesley Chapel Stouts Road, it is recommended to extend the westbound left turn lane by 200 feet for a total storage length of 425 feet.

**Project Number and Reference: CZ 2020-0001 Sun Valley Marketplace –
W HWY 74 and Wesley
Chapel Stouts Road**
Planning Board Meeting Date: July 21, 2020
Town Council Meeting Date: TBD

Attachment 7



The document, together with the concepts and design presented herein, is intended only for the specific project and shall not be used for any other project. Please do not disseminate or otherwise utilize without written consent from DAVENPORT. DAVENPORT shall not be responsible for any errors or omissions in this document or for any consequences arising therefrom.



Exhibit A
Recommended Improvements

Sun Valley Marketplace
Indian Trail, NC
DAVENPORT PROJECT NUMBER: 100676

Project Number and Reference: CZ 2020-0001 Sun Valley Marketplace –
W HWY 74 and Wesley
Chapel Stouts Road

Planning Board Meeting Date: July 21, 2020

Town Council Meeting Date: TBD

Attachment 8



Project Number and Reference: CZ 2020-0001 Sun Valley Marketplace –
W HWY 74 and Wesley
Chapel Stouts Road
Planning Board Meeting Date: July 21, 2020
Town Council Meeting Date: TBD

Attachment 8



Project Number and Reference: CZ 2020-0001 Sun Valley Marketplace –
W HWY 74 and Wesley
Chapel Stouts Road
Planning Board Meeting Date: July 21, 2020
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Attachment 8



INDEPENDENT SENIOR LIVING FACILITY - PRECIDENT RENDERING



TOWNHOMES - PRECIDENT RENDERING

Project Number and Reference: CZ 2020-0001 Sun Valley Marketplace –
W HWY 74 and Wesley
Chapel Stouts Road

Planning Board Meeting Date: July 21, 2020

Town Council Meeting Date: TBD

Attachment 8



HOTEL - PRESIDENT MANSION

Attachment 9

Community Meeting Notes

June 16

2-4 pm In Person & Zoom meeting

Staff: Brandi Deese and Matt Ward

Applicant: Dean Harrell, Colton Harrell, Mark Kime

On Site Attendees: Shirley Baucom, Polly Baucom

Zoom Attendees: Lydia Farnsworth, Ron Sausville Jr., Stan Glantz, Angel Viveros, Username of TL,

Shirley and Paula representing sister Patsy Wentz who lives at 3608 Wesley Chapel-Stouts Road, they came to the meeting to gather information. No opposition. When traffic was mentioned as a concern, Mark Kime explained that turn lanes will be installed on Wesley Chapel-Stouts Road as part of Traffic Impact Analysis. Also, they mentioned run off and the engineer told them it would be retained on site. Both ladies commented that this project would increase the property values for Ms. Wentz.

For the zoom attendees Mark Kime, Land Design, gave a full presentation of the project including land uses and units counts. Ron Sausville asked about widening of Fawnbrooke. Mr. Kime stated he would double check the survey to confirm if it is required. Mr. Sausville also inquired about the timeframe and process. Mr. Kime explained the process of Planning Board/Town Council and multiple opportunities for public input. Mr. Kime stated grading could start late 2020 to Spring of 2021 depending on the timeframe for Engineering and Plan review.

All zoom attendees (with the exception of staff) had logged off the meeting by 2:39pm.

5-7 pm In Person & Zoom meeting

Staff: Brandi Deese and Matt Ward

Applicant: Dean Harrell, Colton Harrell, Mark Kime

On Site Attendees: Chris Azar, Gary Moyoso

Zoom Attendees: Matthew Dize, Eric Merritt, Susan Stokes, Mike Iskander, Diana Huff Lydia Farnsworth, Angel Viveros, Miguel, Drive

Chris Azar was concerned about his parcel 07069124B would be land-locked but the developer has agreed to show a stub connection. Mr. Azar and Mr. Harrell continue conversing over the easement agreement with Mr. Harrell explaining that he would be willing to grant him access once the development is completed.

Gary Moyosore, came out for information and would like to be involved more in what is going on in Indian Trail.

Project Number and Reference: CZ 2020-0001 Sun Valley Marketplace –
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Attachment 9

Mr. Harrell spoke to those in attendance and explained that he has held this land for 14 years as a investment. He feels this project is unique in that it has easy access to 74/Bypass and traffic can disburse quickly from the site.

For the zoom attendees Mark Kime, Land Design, gave a full presentation of the project including land uses and units counts. **Michael Dize**, sked about project phasing the engineer state phase 1 is slated for apartments and late 2020 into 2021 grading may be occurring. He mentioned July PB meeting and TC approval in August with 6-9 months for construction plan reviews and permits. He just bought a home in Alexis Point asked questions about property values, backyard privacy, walkability and potential access from Alexis Point into project.

Susan Stokes, asked about project location and was looking forward to a quality project.

Lydia Farnsworth, asked about the Fawnbrooke Road and engineer explained an entire left lane will be dedicated to handle traffic into site. Also, there is no road connection proposed from Alexis Point into this site. Mr. Kime also explained nearly 200' is between the nearest single-family Alexis Point property line to building on site and the existing lake and trees plus 50' required buffer by the Town will help buffer project from neighborhood. Ms. Farnsworth stated she was totally satisfied.

Diana Lane asked about access and Mr. Kime stated multiple points of access will be into the site.

Eric Merritt, asked about hotel location and if it was branded. Mr. Kime explained location and stated marketing is ongoing.

Project Number and Reference: CZ 2020-0013 Greenwich Downs –
South quadrant of Bonterra Village
Way and Poplin Road intersection

Planning Board Meeting Date: July 21, 2020
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P.O. Box 2430
Indian Trail, North Carolina 28079
PLANNING DEPARTMENT

Request: 127 single family homes and 119 townhomes

Existing Zoning: Union County Residential Agriculture (RA-40)

Proposed Zoning: Conditional Zoning, Traditional Neighborhood District (CZ TND)

Location: Southern quadrant of Bonterra Village Way and Poplin Road intersection approximately 366 feet north from the intersection of W Unionville-Indian Trail Road

Parcels: 07024015, 07024015A, 07024013, 07021015A (portion), 07024013A, 07024012 (Union County)

Concurrent Projects: Annexation #156

Applicant: Ingram Walters C/O John Ross, Eagle Engineering, Inc.

PROJECT SUMMARY

This is a request to conditionally rezone approximately 58.35 acres from Union County Residential Agriculture (RA-40) to Town of Indian Trail, Conditional Zoning, Traditional Neighborhood District (CZ TND) (see *Attachment 1*, Application). An annexation of the subject parcels must be completed and rezoning approved to move forward with the development.

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The intent of this request is to allow 127 single-family homes and 119 townhomes for sale. The proposed single-family detached density on 41.551 acres is approximately 3.06 units per acre which is lower than the anticipated 5-8 units per acre for single-family units in a Traditional Neighborhood Development. The proposed townhome density is approximately 7.30 units per acre. The general density includes maximum gross density of the entire development and maximum and net densities of individual parcels. Once the road right-of-way is deducted the net acreage is 35.751 acres for the single-family section which makes the density approximately 3.55 units per acre. The townhome net acreage once road right-of-way is deducted is 13.17 acres for a density of 9.03 units per acre.

As reflected in *Attachment 2, (Aerial Map)*, the subject properties are in the southern quadrant of Bonterra Village Way and Poplin Road intersection. The townhome section will be located along the south line of Bonterra Village Way and north line of Poplin Road. The single-family section will be located along the east line of Poplin Road

ANALYSIS/OVERVIEW

Compatibility with Surrounding Area

The current zoning for the surrounding area is mostly Single-Family Residential District. There is General Business District (GBD) around the intersection of Unionville and Indian Road and Secrest Short Cut Road. The subject development sits within the Rocky River Village Overlay. Also, the site is within the boundaries of the recently adopted Secrest Short Cut Small Area Plan study area. The small area plan mentions low to medium density, clustering developments and mixing housing types in transition areas as well as providing sidewalks on both sides of the street. The proposed plan has accomplished land use, density recommendations and several other guidelines. Existing zoning for the subject property as well as surrounding properties can be seen in *Attachment 3, (Existing Zoning Map)*. The proposed conditional zoning Traditional Neighborhood Development (CZ TND) residential is a consistent zoning designation within the Rocky River Village Center Overlay area of the Comprehensive Plan. See Attachment 4, (Future Zoning Map) for the future zoning from the Comprehensive Plan. See the table below for adjacent property zoning and use comparison.

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South quadrant of Bonterra Village
Way and Poplin Road intersection

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Photos of Project Area

Looking north at property from above. The project will be located on both sides of Poplin Road.



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South quadrant of Bonterra Village
Way and Poplin Road intersection

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Looking south at site along both sides of Poplin Rd



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Looking east into the property near the intersection of Poplin Rd and Bonterra Village Way



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Looking east into the property from Bonterra Village Way



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 South quadrant of Bonterra Village
 Way and Poplin Road intersection

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Summary of Surrounding Zoning and Uses

Surrounding Subject Property	Municipality	Zoning District	Use
North	Indian Trail	<ul style="list-style-type: none"> • Single-Family District (SF-5) 	<ul style="list-style-type: none"> • Single-Family Detached (Bonterra Village)
South	Indian Trail	<ul style="list-style-type: none"> • Rural Single-Family District (RSF) 	<ul style="list-style-type: none"> • Single-Family Detached
East	Union County	<ul style="list-style-type: none"> • Residential Agriculture (RA-40) 	<ul style="list-style-type: none"> • Single-Family Detached
West	Union County	<ul style="list-style-type: none"> • Residential-4 Conditional (R-4 CZ) 	<ul style="list-style-type: none"> • Single-Family Detached (to be townhomes)

PROJECT ELEMENTS

Concept Plan

A conceptual plan and architectural samples have been provided (*See Attachment 9*). The proposed single-family and townhomes are generally compatible with the surrounding area. All structures shall be built in accordance with the Development Standards in the concept plans and in general accordance with elevations in *Attachment 9* and shall be constructed of glass, brick, stone (decorative), simulated stone, pre-cast stone, architectural pre-cast stone, synthetic stone, stucco, cementitious siding (such as hardi-plank), or wood. EIFS as a building material will be allowed as back-up for architectural trim on stucco clad buildings. Vinyl, as a building material, will only be allowed on windows, soffits, and trim features. Final elevations will be reviewed as part of the Site Plan Review submittal and review process, after this conditional zoning is approved.

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Aerial Concept



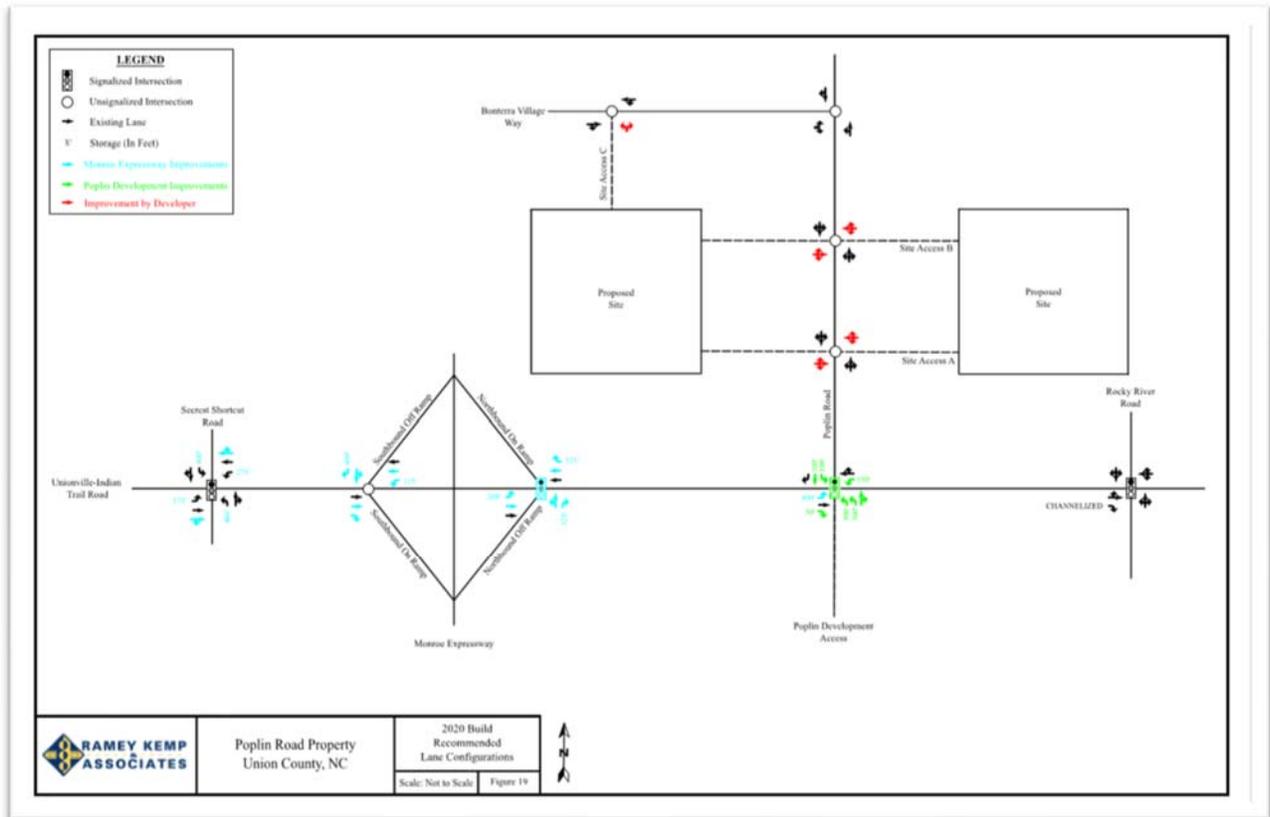
Project Number and Reference: CZ 2020-0013 Greenwich Downs –
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Traffic Impact Analysis (TIA) (See Attachment 8)

A TIA was conducted by Davenport and the Town and NCDOT held a scoping meeting which since that time the TIA is approved. The applicant is required to make all road improvements per the TIA and must meet all NCDOT requirements. Improvements for this project includes left turn lanes at all access points, a three-lane section between Access A and B as well as right turn lane at Access A.

TIA Recommended Lane Configurations with Recommended Developer Improvements



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Parking

The parking requirement for single-family home is 2 spaces per home and townhomes is 2 spaces for each unit plus 1 visitor space for every 4 parking spaces.

The single-family development proposal for this project results in a requirement of 254 parking spaces. The total number of parking spaces for single-family section is 508 which includes parking. For the townhome development the requirement is 298 (238 for SF and 60 for visitor parking). The total number of parking spaces provided for this section is 1 car garage for every unit and 2 car garages for every end unit plus guest parking spaces to equal 379 spaces provided.

School Impact Analysis

ADD for this location

The applicant provided a School Impact Study to ensure the most accurate and current data and methodology was used. *(Please see Attachment 7, School Impact Study)*

The most recent School Impact Study used public school enrollment from the American Community Survey data and based calculations on the housing unit yield factors by age (0-17) and additional Census Bureau data that estimates birth rates and population projections for Union County. These yield factors represent the average number of children per housing unit in the area. The final estimated housing unit yield factors and birth rates are applied to the 246 proposed units in the Greenwich Downs development, and the results are age forward to produce at ten-year projection of the number of residents age 0-17 in the development. When these yield rates are applied to the site, the total 2029-30 school year projected impact on Union County Public School enrollment is 148.

OUTSIDE AGENCY COMMENTS

NCDOT:

The applicant must meet all Town and NCDOT requirements and any additional conditions associated with the TIA scoping meeting.

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Union County Public Schools:

The proposed development of 127 single-family homes and 119 townhomes is to be located at southern quadrant of Bonterra Village Way and Poplin Road intersection.

• Poplin Elementary School	Currently at 88% rated capacity
• Porter Ridge Middle School	Currently at 91% rated capacity
• Porter Ridge High School	Currently at 92% rated capacity

The Union County Board of Education has the obligation and reserves the right to modify assignments in order to optimize facility utilization and efficiency. According to their accounting records, this development will bring the number of planned and not built housing units in the Poplin ES area to approximately 3,010. Additional residential construction contributes to high enrollments, which in turn exacerbate problems such as: additional mobile classrooms, inadequate capacity for food service and rest room facilities, rationing of access to the Media Center, insufficient parking and queuing space for parents to safely deliver or pick up their children, inadequate planning/meeting space for additional staff.

Union County Environmental Health:

The project is to be reviewed by Environmental Health. The applicant will submit a sketch plan showing the locations of all existing structures, septic systems and/or wells. A comment shall be added to the sketch plan that any wells and/or septic systems discovered during the site development process will be abandoned in accordance with applicable North Carolina Laws and Rules. All pools, if applicable, are required to be submitted for review.

Union County Public Works:

Water is accessible to the site and sewer is in the vicinity of the project and there are options for the development to move forward. Capacity for water and sewer will be evaluated through our review process.

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Union County Fire Marshal:

The project is to be reviewed by the Fire Marshal. The applicant will provide a truck maneuvering plan during site plan review.

Indian Trail Bureau of the Union County Sheriff's Office:

Road width shall be increased from 24' to 28' and provide marked stall street parking along with erecting no parking signs in the roundabouts.

If road widths cannot be increased, then the developer shall erect the Towns' No Street Parking Signs throughout the community.

COMMUNITY MEETINGS

The applicant presented a version of their project to Town Council at a Developer Workshop to solicit any feedback.

Two required community meetings were held on June 22, 2020. Other than the applicant and attorney there were 6 members in attendance through the Zoom meeting. The intent of the public meeting was to see the proposed plan and determine how the project would impact their property. An adjoining property owner requested a private meeting with the project engineer and attorney. The meeting intent was to work out details with buffering and potential water and sewer connections. The resident asked additional questions about school capacity and road improvements. The engineer responded that the school system would be the entity to handle any overcrowding and he mentioned that the traffic impact study requires a section of Poplin Road to be widened to 3-lanes and multiple access points would be provided along Poplin Road. All community meeting notes can be found in the attachments.

CONSISTENCY FINDINGS AND COMPREHENSIVE PLAN

The subject property is located within the Rocky Rocky Village Plan of the Town's Comprehensive Plan. Rocky River Village is a Traditional Neighborhood Development (TND) Village, based on the existing Bonterra neighborhood and the ability of the village to support higher densities because of the presence of the Monroe Bypass interchange. (See *Rocky River Village Future Land Use figure from the Comprehensive Plan, Attachment 5*). Additional findings include the Secret Short Cut Road small study area which covers 2 square miles between Faith Church Road and W Unionville Road-Indian Trail Road. In this study low to medium density, sidewalks on both sides of streets and clustering development with mixed housing types is encouraged.

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Land Use

Future land uses in this area are encouraged to be compatible with the existing residential subdivisions and be Traditional Neighborhood Development.

ACTION REQUIRED

Required Consistency Findings

The Planning Board is required to make one consistency finding for consistency with Town adopted plans:

1. The proposed rezoning request is consistent with the following goals of the Comprehensive Plan:
 - **Land Use and Housing Goal #1:** The proposed project will promote a mix of different types of land uses and avoid potential land use conflicts between neighboring properties and surrounding municipalities.
 - **Land Use and Housing Goal #2:** The proposed project will provide a diverse range of housing options, including varying densities and provide affordable living opportunities for a wide range of residents.

Staff Recommended Conditions

Staff recommends the following conditions:

1. Staff to confirm that Union County Public Works, Environmental Health, Sheriff's Office, and Fire Marshall have made comments and are addressed during site plan review;
2. The development shall comply with all other applicable requirements of the Town of Indian Trail Unified Development Ordinance.
3. Town approval incorporates and shall comply with any and all submittals in the case file and correspondence presented to the Town Council in support of this application, including, but not limited to the following: the site/sketch plan, and any other information related to this case or improvements recommended by the Town and/or other agencies.
4. The US Postal Service has notified the Town that all future subdivision approvals must utilize a community mail delivery system (cluster mailboxes). Locations and details of the proposed community mailboxes must be included in the Construction Documents, and must be reviewed and approved by the Postmaster for this area. The applicant(s) must provide the Town with written confirmation that the local Postmaster agrees with the

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proposed box locations.

5. Trash enclosures must comply with the Town of Indian Trail Unified Development Ordinance. The elevations for trash enclosures also need to be reviewed.
6. Architecture for the single-family homes and townhomes should remain the same as submitted in the concept plan.
7. Density for the single-family homes shall remain 3.06 units per acre and townhomes at 7.30 units per acre.
8. Compliance with Town Engineering and NCDOT TIA requirements.
9. Amenities include comprehensive trail around the development

Attachments

Attachment 1 Application

Attachment 2 Aerial Map

Attachment 3 Existing Zoning Map

Attachment 4 Future Zoning (Comprehensive Plan)

Attachment 5 Rocky River Village Future Land Use

Attachment 6 Secret Short Cut Recommended Land Use

Attachment 7 Community Meeting Notes

Attachment 8 School Impact Study

Attachment 9 Traffic Impact Study

Attachment 10 Concept Plan and Architectural Representations

Staff Contact

Matt Ward

Senior Planner

mbw@indiantrail.org

704.821.5401

Project Number and Reference: CZ 2020-0013 Greenwich Downs –
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Attachment 1

CONDITIONAL ZONING APPLICATION



PLANNING AND NEIGHBORHOOD SERVICES
PO Box 2430
Indian Trail, NC 28079
Telephone (704) 821-5401
Fax (704) 821-9045

ONLY COMPLETE APPLICATIONS ACCEPTED

Processing Fee: <2 acres \$400, 2-10 acres \$800, >10 acres \$1,500, Minor Modification \$250
Engineering Fees: <2 acres \$100, 2-10 acres \$175, >10 acres \$250
Notification Fee \$100.00

****A TECHNOLOGY FEE, 10% OF ALL ASSOCIATED FEES, WILL BE APPLIED TO THE TOTAL FEE.****

Date Received _____

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Attachment 1

CONDITIONAL ZONING APPLICATION

Submittal Requirements

- Completed Application
- Notarized signatures of applicant and property owner
- Letter of Intent
- Articles of Incorporation, Certificate of Incorporation, Articles of Organization, Corporate Charter, or similar (unless applicant is an individual)
- 5 copies of Concept Plan (must be drawn to scale by architect, landscape architect, professional surveyor, or engineer licensed in North Carolina)
- Boundary Survey (acreage, current zoning, location of existing buildings, setbacks)
- List, address labels, and digital copy of all adjoining property owners within 500 feet of subject parcel
- Traffic Impact Analysis, if necessary
- Statement of Appraisal, if necessary
- Fees associated with review
- ****A TECHNOLOGY FEE, 10% OF ALL ASSOCIATED FEES, WILL BE APPLIED TO THE TOTAL FEE.**

General Information

Project Address Poplin Road and Bonterra Village Way
City Indian Trail State NC Zip 28079
Tax Parcel ID See Attached Zoning Designation CZ, O-VC
Total Acres 58.35 Acres Impervious Area 28 Acres (+/-)
Project Description Attached and Detached Single Family Residential Development

Contact Information – Applicant

Contact Name Ingram Walters (c/o John Ross-Project Engineer)
Company Name _____
Address PO Box 1699
City Monroe State: NC Zip: 28111
Phone Ingram: (704) 221-5822 ; John Ross: (704) 882-0561
Email Ingram@ingramwalters.com; jross@eagleonline.net

Contact Information – Property Owner

Contact Name See Attached
Company Name _____
Address _____
City _____ State _____ Zip _____
Phone _____ Fax _____
Email _____

Project Number and Reference: CZ 2020-0013 Greenwich Downs –
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Attachment 1

CONDITIONAL ZONING APPLICATION

Applicant's Certification

Signature [Signature] Date 1-29-20
Printed Name/Title Ingram Walters

Signature of Notary Public Shannon Burgess Date 1-29-2020

Notary Seal



Property Owner's Certification

Signature [Signature] Date 1-28-2020
Printed Name/Title Grady & Nancy Sue Sutton

Signature of Notary Public Shannon Burgess Date 1-29-2020

Notary Seal



TOWN OF INDIAN TRAIL OFFICE USE ONLY

CASE NUMBER: _____

DATE RECEIVED: _____

AMOUNT OF FEE: _____

RECEIVED BY: _____

RECEIPT #: _____

Project Number and Reference: CZ 2020-0013 Greenwich Downs –
South quadrant of Bonterra Village
Way and Poplin Road intersection

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Town Council Meeting Date: TBD

Attachment 1

CONDITIONAL ZONING APPLICATION

Applicant's Certification

Signature _____ Date _____

Printed Name/Title Ingram Walters

Signature of Notary Public _____ Date _____

Notary Seal

Property Owner's Certification

Signature Mary Ellen Frizzell Date 1.27.20

Printed Name/Title Mary Ellen Frizzell

Signature of Notary Public Shannon Burgess Date 1.27.2020

Notary Seal



TOWN OF INDIAN TRAIL OFFICE USE ONLY

CASE NUMBER: _____

DATE RECEIVED: _____

AMOUNT OF FEE: _____

RECEIVED BY: _____

RECEIPT #: _____

Project Number and Reference: CZ 2020-0013 Greenwich Downs –
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Attachment 1

CONDITIONAL ZONING APPLICATION

Applicant's Certification

Signature _____ Date _____

Printed Name/Title Ingram Walters

Signature of Notary Public _____ Date _____

Notary Seal

Property Owner's Certification

Signature Gay Privette / Janice W Privette Date 1-28-2020

Printed Name/Title Gay & Janice Privette

Signature of Notary Public Shannon Burgess Date 1-28-2020

Notary Seal



TOWN OF INDIAN TRAIL OFFICE USE ONLY

CASE NUMBER: _____

DATE RECEIVED: _____

RECEIVED BY: _____

AMOUNT OF FEE: _____

RECEIPT #: _____

Project Number and Reference: CZ 2020-0013 Greenwich Downs –
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Attachment 1

CONDITIONAL ZONING APPLICATION

Applicant's Certification

Signature _____ Date _____

Printed Name/Title Ingram Walters

Signature of Notary Public _____ Date _____

Notary Seal

Property Owner's Certification

Signature Guy & Sarah Bays Date 1-29-2020

Printed Name/Title Guy & Sarah Bays

Signature of Notary Public Shannon Burgess Date 1-29-2020

Notary Seal



TOWN OF INDIAN TRAIL OFFICE USE ONLY

CASE NUMBER: _____

DATE RECEIVED: _____

AMOUNT OF FEE: _____

RECEIVED BY: _____

RECEIPT #: _____

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South quadrant of Bonterra Village
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Attachment 1

CONDITIONAL ZONING APPLICATION

Applicant's Certification

Signature _____ Date _____
Printed Name/Title Ingram Walters
Signature of Notary Public _____ Date _____
Notary Seal

Property Owner's Certification

Signature [Handwritten Signature] Mary Burris Date 1-27-2020
Printed Name/Title Mary & Walt Burris
Signature of Notary Public Shannon Burgess Date 1-27-2020
Notary Seal



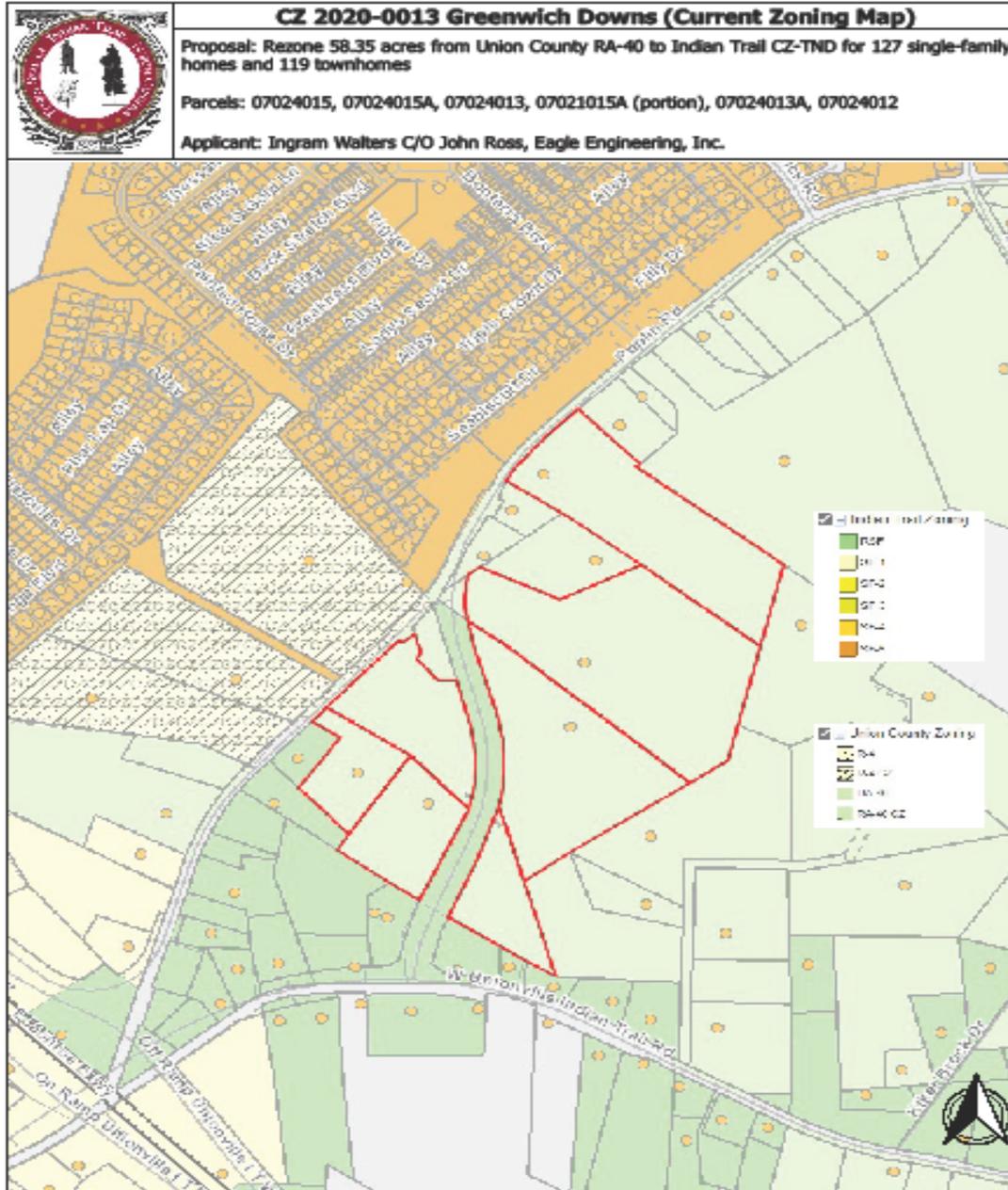
TOWN OF INDIAN TRAIL OFFICE USE ONLY

CASE NUMBER: _____
DATE RECEIVED: _____ AMOUNT OF FEE: _____
RECEIVED BY: _____ RECEIPT #: _____

Project Number and Reference: CZ 2020-0013 Greenwich Downs –
South quadrant of Bonterra Village
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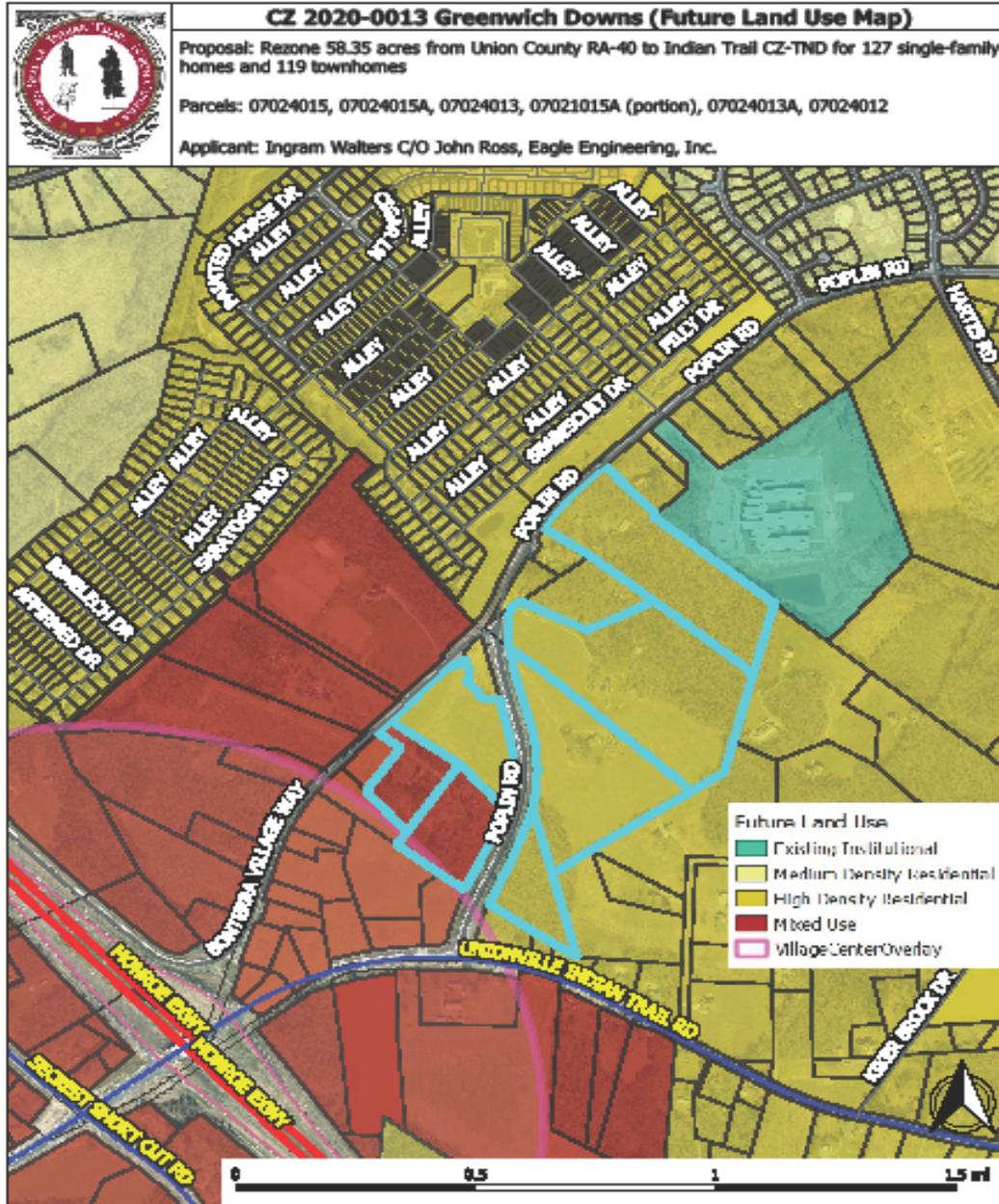
Attachment 3



Project Number and Reference: CZ 2020-0013 Greenwich Downs –
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Way and Poplin Road intersection

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Attachment 4



Project Number and Reference: CZ 2020-0013 Greenwich Downs –
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Attachment 5

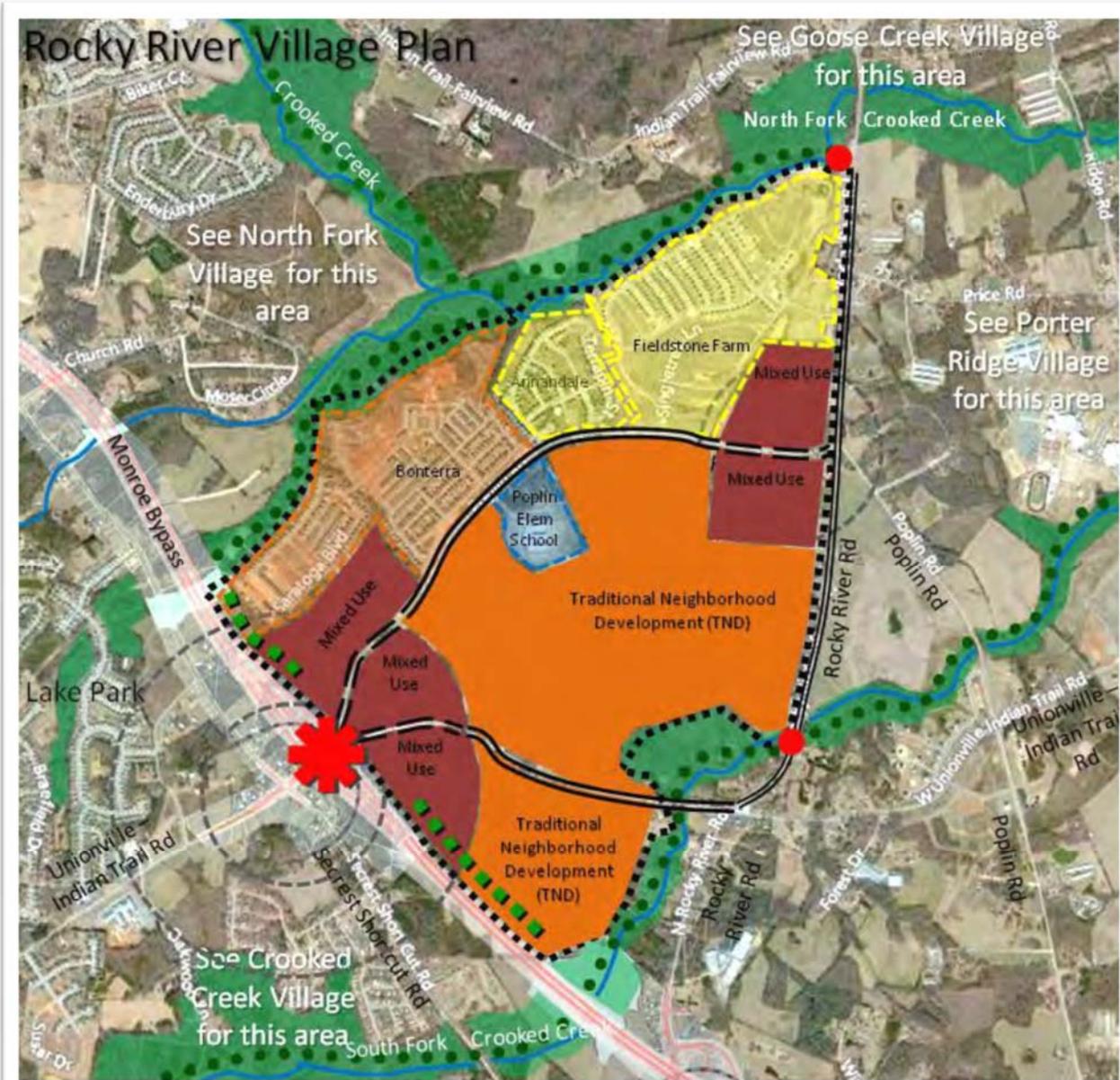
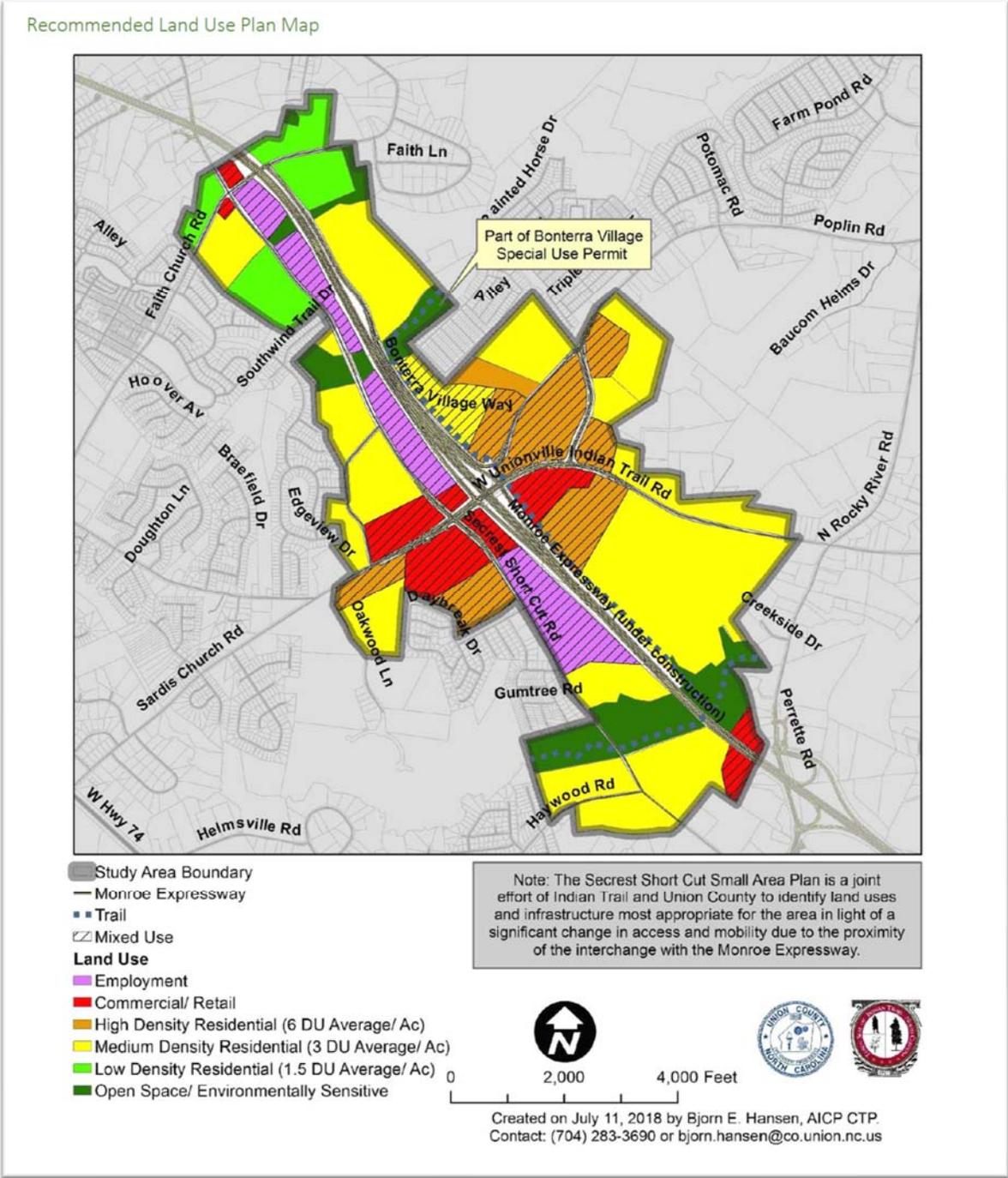


Fig. 5.1.51 Rocky River Village Plan

Project Number and Reference: CZ 2020-0013 Greenwich Downs –
 South quadrant of Bonterra Village
 Way and Poplin Road intersection

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Attachment 6



Project Number and Reference: CZ 2020-0013 Greenwich Downs –
South quadrant of Bonterra Village
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Planning Board Meeting Date: July 21, 2020
Town Council Meeting Date: TBD

Attachment 7

SGreenwich Downs
CZ 2020-0013
Community Meeting
June 22, 2020

Time: 2-4:00pm and 5-7:00pm

Location: Indian Trail Town Hall – Large Community Room

Zoom and Audio Meeting were available during Community Meeting hours

Applicant: Ingram Walters C/O John Ross, Project Engineer

Staff: Brandi Deese, Matt Ward, and Abbey Ball

Applicants: John Ross

Attendees: See attached sign-in sheet

Meeting Discussion Overview:

John Ross opened and introduced the project. He gave attendees a brief overview of the Greenwich Downs, which included a rezoning from Residential-Agriculture-40 (RA-40) to Traditional Neighborhood Development Conditional Zoning (TND-CZ) for a proposed construction of single – family homes and townhomes. It was explained that the purpose of the community meeting is to receive public feedback and to answer any questions the attendees may have.

Developers Comments included:

1. There will a 50' buffer between their property and project.
 2. 15% tree save will be provided.
 3. Developer shared elevations of both the single family attached and single family detached.
 4. Water/Sewer connections were promised by last developer, the attorney, Wesley [Hinson](#) and engineer John Ross will set up meeting to discuss this point.
 5. Traffic: A traffic impact study was conducted, and road improvements will be made to Poplin Road and no traffic signal will be in front of the elementary school. The developer explained that this project did not warrant a traffic signal but that other proposed projects in the area could warrant a signal. The project will require a [3 lane](#) section on the entire frontage.
 6. Taxes: This development will not increase your taxes.
 7. HOA: Yes, a neighborhood HOA will be formed.
 8. Minimum square footage of single family will be 1,400 square foot and townhomes will be approximately 1,300 square foot.
 9. Price Point: A builder has not been chosen therefore a price point has been defined but they estimated \$325,000 and up to \$400,000 for single family and mid \$200,000 up to mid \$300,000 for the Townhomes.
-

Project Number and Reference: CZ 2020-0013 Greenwich Downs –
South quadrant of Bonterra Village
Way and Poplin Road intersection

Planning Board Meeting Date: July 21, 2020
Town Council Meeting Date: TBD

Attachment 7

- The James family wishes to have a meeting to discuss agreement/promises from the original owner.
- Ensuring the apartment component had been removed.
- Timeline of the project.
- Access points being more than just on Poplin Road.
- If a builder had been selected.
- Size and price of homes.
- If there would be a HOA or any restrictions.
- Questioned need for stoplight.

Project Number and Reference: CZ 2020-0013 Greenwich Downs –
South quadrant of Bonterra Village
Way and Poplin Road intersection

Planning Board Meeting Date: July 21, 2020
Town Council Meeting Date: TBD

Attachment 8

School Impact Study

Poplin Road Properties

Prepared for:

Eagle Engineering, Inc.

susanclapp
consulting

February 2020

Project Number and Reference: CZ 2020-0013 Greenwich Downs –
South quadrant of Bonterra Village
Way and Poplin Road intersection

Planning Board Meeting Date: July 21, 2020
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Attachment 8

School Impact Study – Poplin Road Properties
February 2020

This study provides a projection of the elementary, middle, and high school enrollment of single family detached and townhome unit residents in Union County Public Schools for the 2029-30 school year.

Assumptions

- The subdivision includes 127 single family detached and 119 attached residential housing units.
- The subdivision opens for sale in 2021, with construction lasting approximately 4 years.
- Single family units are expected to be 50% 3-bedroom and 50% 4-bedroom; townhome units are expected to be 40% 2-bedroom and 60% 3-bedroom.
- Single family homes will likely sell for \$300,000-\$350,000 and townhome units will likely sell for \$240,000-\$280,000.
- The 30-year fixed home mortgage rate stays below 5.59% over the next four years.
- There are no water or sewer restrictions implemented over the next four years.
- There are no major changes in the distribution of enrollment across public non-charter, public charter, private, and home schools over the next ten years.
- There are no major social, economic, or political changes in the Charlotte Metropolitan Statistical Area over the next ten years.

Methods and Data

Using 2010 Decennial Census single year of age data and housing unit data within the Poplin Elementary School, Porter Ridge Middle School, and Porter Ridge High School attendance zones, housing unit yield factors by age (0-17) are calculated. These yield factors represent the average number of children per housing unit in the area. Birth rates for the geographic area are estimated using the aforementioned Census Bureau data, the 2018 5-year American Community Survey (ACS) data, and the 2019 North Carolina Office of State Budget and Management population projections for Union County. The yield factors and birth rates are next adjusted to account for the proposed distribution of unit bedrooms using ACS data on housing unit characteristics in the school attendance zones. The final estimated housing unit yield factors and birth rates are applied to the 246 proposed units in the Poplin Road Properties subdivision, and the results are aged forward to produce a ten-year projection of the number of residents age 0-17 in the proposed subdivision. Estimated rates of public school enrollment from the American Community Survey are applied to those figures, resulting in the total

Project Number and Reference: CZ 2020-0013 Greenwich Downs –
South quadrant of Bonterra Village
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Attachment 8

School Impact Study – Poplin Road Properties
February 2020

projected impact of the proposed subdivision on Union County Public Schools for the 2029-30 school year.

Results

The 2029-30 school year projected yield rates (average number of children attending public school per housing unit) by age group for the proposed housing units are:

Preschool (Ages 0-4)	Elementary (Ages 5-10)	Middle (Ages 11-13)	High (Ages 14-17)	Total (Ages 0-17)
0.154	0.211	0.102	0.134	0.601

When these yield rates are applied to the site, the total 2029-30 school year projected impact on Union County Public School enrollment is 148 students. The projections by grade level/age group are:

Preschool (Ages 0-4)	Elementary (Ages 5-10)	Middle (Ages 11-13)	High (Ages 14-17)	Total (Ages 0-17)
38	52	25	33	148

Prepared by:

Susan Clapp
Principal Demographer, Susan Clapp Consulting

TRAFFIC IMPACT ANALYSIS
POPLIN ROAD RESIDENTIAL DEVELOPMENT
UNION COUNTY, NORTH CAROLINA

1. EXECUTIVE SUMMARY

This report summarizes the findings of the Traffic Impact Analysis (TIA) that was performed for the proposed Poplin Road residential development located north of Unionville-Indian Trail Road in Union County, North Carolina. The purpose of this study is to determine the potential impacts to the surrounding transportation system caused by the traffic generated by the development as well as recommended improvements to mitigate the impacts.

The proposed site consists of 96 single family homes, 264 apartments, and 91 townhomes. The current land is undeveloped. Access to the site will be via two driveways on Poplin Road and one driveway on Bonterra Village Way. Access A, Access B, and Access C were analyzed as full movement driveways. The site is expected to be fully built out by 2020. The future scenarios will be analyzed for 2020 and 2035.

The study area for the TIA was determined through coordination with the North Carolina Department of Transportation (NCDOT) and Union County and consists of the following intersections:

1. Unionville-Indian Trail Road and Secrest Short Cut Road (Signalized)
2. Unionville-Indian Trail Road and Poplin Road (Existing-Unsignalized, Future-Signalized)
3. Unionville-Indian Trail Road and Rocky River Road (Signalized)
4. Poplin Road and Bonterra Village Way (Unsignalized)
5. Unionville-Indian Trail Road and Monroe Expressway NB Ramps (Future-Signalized)
6. Unionville-Indian Trail Road and Monroe Expressway SB Ramps (Future-Unsignalized)
7. Poplin Road and Access A (Unsignalized)
8. Poplin Road and Access B (Unsignalized)
9. Bonterra Village Way and Access C (Unsignalized)

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South quadrant of Bonterra Village
Way and Poplin Road intersection

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Attachment 9

Poplin Road Residential Development – Traffic Impact Analysis

Based on coordination with NCDOT and Union County, four offsite developments were determined to have an impact on the project study area. The following adjacent developments were included:

- Moser Townhomes – 99 townhomes located along Bonterra Village Way north of the site.
- Poplin Road – mixed-use development consisting of 176,600 square feet of retail, 350 townhomes, and 220 single family homes located south of the site.
- Secrest Short Cut – mixed-use development consisting of 198 single family homes and community park located in the southwest quadrant of the Poplin Road and Rocky River Road intersection.
- Sanctuary at Southgate – mixed-use development with an anticipated build out of 2022.

There are improvements proposed with the construction of the NCDOT State Improvement Program R-3329 and R-2559 (Monroe Expressway). These improvements are set to be completed in late 2018 and are included in future scenarios. There are also improvements proposed by the Poplin Road development that are expected to be in place by 2020 and included in future scenarios.

Several scenarios were analyzed using traffic analysis software. Traffic operations during the weekday AM and PM peak hours were modeled for each scenario. The results of each scenario were compared to determine the impacts from background traffic growth and the proposed development. The following scenarios were modeled:

- 2018 Existing
- 2020 No-Build with STIP R-3329 and R-2559
- 2020 Build with STIP R-3329 and R-2559
- 2035 Build with STIP R-3329 and R-2559

NCDOT STIP projects R-3329 and R-2559 (Monroe Expressway) are currently under construction and are expected to be open to traffic in late 2018. Monroe Expressway extends nearly 20 miles from US 74 near I-485 in Mecklenburg County to US 74 between the towns of Wingate and Marshville in Union County.

Poplin Road Residential Development – Traffic Impact Analysis

Based on the analysis results, the following improvements are recommended to be constructed by the developer:

Poplin Road and Access A

- Construct Access A with one ingress lane and one egress lane (shared left/through/right) for the eastbound and westbound approaches of the intersection with Poplin Road.
- As requested by NCDOT, construct northbound and southbound Poplin Road left turn lanes that meet minimum storage and taper requirements per NCDOT's *Policy on Street and Driveway Access to North Carolina Highways*.

Poplin Road and Access B

- Construct Access B with one ingress lane and one egress lane (shared left/through/right) for the eastbound and westbound approaches of the intersection with Poplin Road.
- As requested by NCDOT, construct northbound and southbound Poplin Road left turn lanes that meet minimum storage and taper requirements per NCDOT's *Policy on Street and Driveway Access to North Carolina Highways*.

Bonterra Village Way and Access C

- Construct Access C with one ingress lane and one egress lane (shared left/right).
- As requested by NCDOT, construct westbound Bonterra Village Way left turn lane that meet minimum storage and taper requirements per NCDOT's *Policy on Street and Driveway Access to North Carolina Highways*.

2. INTRODUCTION

2.1 Purpose of Report

This report summarizes the findings of the Traffic Impact Analysis (TIA) that was performed for the proposed Poplin Road residential development located north of Unionville-Indian Trail Road in Union County, North Carolina. The purpose of this study is to determine the potential impacts to the surrounding transportation system caused by the traffic generated by the development as well as recommended improvements to mitigate the impacts.

2.2 Study Objectives

The proposed site consists of 96 single family homes, 264 apartments, and 91 townhomes. The current land is undeveloped. Access to the site will be via two driveways on Poplin Road and one driveway on Bonterra Village Way. Access A, Access B, and Access C were analyzed as full movement driveways. The site is expected to be fully built out by 2020. The future scenarios will be analyzed for 2020 and 2035.

Refer to Figure 1 in Appendix A for an illustration of the site location map and to Figure 2 for the preliminary site plan. Refer to Appendix A for all figures. The objective of this report is to determine what geometric improvements are necessary to mitigate traffic conditions on the transportation network surrounding the site with the proposed development fully built out.

3 AREA CONDITIONS

3.1 Transportation Network Study Area

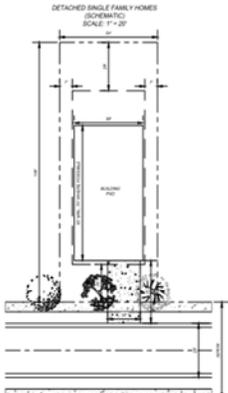
3.1.1 Area Roadway System

The project study area for this TIA was determined through coordination with NCDOT and Union County. Table 1 summarizes the characteristics of the roadways within the study area. The NCDOT Functional Class maps were used to determine the classification of each road. Traffic volume counts from NCDOT (count station 022, 021, 421, and 586) were used to find the average daily traffic (ADT) volumes in vehicles per day (vpd) for the roadways.

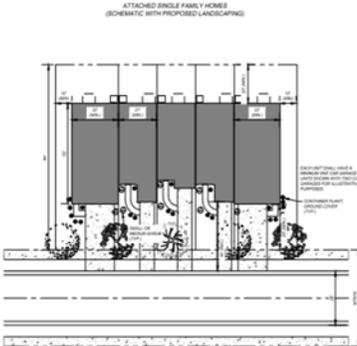
**Project Number and Reference: CZ 2020-0013 Greenwich Downs –
South quadrant of Bonterra Village
Way and Poplin Road intersection**

**Planning Board Meeting Date: July 21, 2020
Town Council Meeting Date: TBD**

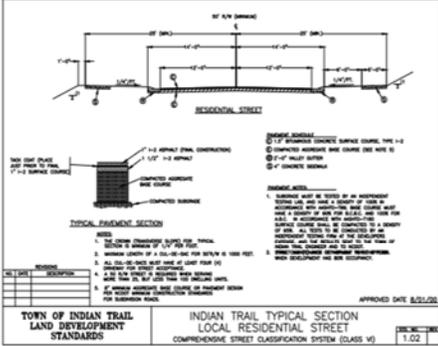
Attachment 10



DETACHED SINGLE FAMILY HOMES
(SCHEMATIC)
SCALE: 1" = 20'



ATTACHED SINGLE FAMILY HOMES
(SCHEMATIC WITH PROPOSED LANDSCAPING)



INDIAN TRAIL TYPICAL SECTION
LOCAL RESIDENTIAL STREET
COMPREHENSIVE STREET CLASSIFICATION SYSTEM (CLASS W)

SITE DEVELOPMENT NOTES

1. PROPOSED REZONING FROM RA-40 (UNION COUNTY) TO CONDITIONAL DISTRICT "TND" (INDIAN TRAIL). ROADS WILL BE PUBLIC STREETS CONSTRUCTED IN ACCORDANCE WITH TOWN OF INDIAN TRAIL STANDARDS.
2. SIGN REGULATIONS FOR THIS PROPERTY SHALL ADHERE TO THE RESIDENTIAL SIGN REQUIREMENTS.
3. ALL LANDSCAPING SHALL BE KEPT IN A THRIVING CONDITION.
4. ALL ELEVATIONS, PACKETS, OR OTHER SUPPLEMENTAL MATERIAL SUBMITTED TO STAFF, PLANNING BOARD, AND/OR CITY COUNCIL IN REFERENCE AND SUPPORT OF ANY CONDITIONAL DISTRICT SHALL BE REGARDED AS AN INTEGRAL ELEMENT OF THE APPROVED SITE PLAN. MINOR DEVIATIONS FROM SUBMITTED MATERIAL SHALL BE ALLOWED AT THE DISCRETION OF THE PLANNING DIRECTOR OR DESIGNEE.
5. DEVELOPER RESERVES THE RIGHT TO REMOVE SICK OR DAMAGED TREES AT DEVELOPERS DISCRETION.
6. SETBACK MEASUREMENTS SHALL BE MADE FROM THE EXTERIOR WALL DIMENSION AT THE FOUNDATION. ARCHITECTURAL FEATURES (INCLUDING BUT NOT LIMITED TO OVERHANGS, STOODS, EAVES, AND SOFFITS) AND MECHANICAL UNITS MAY PROJECT INTO SETBACKS.
7. LANDSCAPING SHALL BE IN ACCORDANCE WITH TOWN OF INDIAN TRAIL STANDARDS.
8. HOMEOWNERS ASSOCIATION WILL BE RESPONSIBLE FOR THE OWNERSHIP AND MAINTENANCE OF OPEN SPACE, COMMON AREAS, BMP AREAS, ETC.
9. WATER QUALITY FEATURES SHALL BE PROTECTED BY DECORATIVE FENCING.

SINGLE FAMILY HOMES

11. MINIMUM LOT SIZE IS 7,000 SF.
12. EXTERIOR MATERIALS SHALL BE LIMITED TO A MIX OF FIBER CEMENT, STONE, STUCCO, BRICK OR VINYL MATERIALS. BRICK OR BRICK VENEER WILL BE USED ON THE FOUNDATIONS.
13. MINIMUM HOUSE SIZE SHALL BE 1,400 SF.
14. STREET TREES SHALL BE PROVIDED EVERY 30' ON CENTER, WITH A HEIGHT OF 8' AND A CALIPER OF 2 1/2 INCHES MEASURED 6 INCHES ABOVE GRADE. STREET TREES SHOULD BE A VARIETY OF SPECIES (3 MINIMUM).

ATTACHED SINGLE FAMILY HOMES (TOWNHOMES)

24. MINIMUM LOT SIZE IS 2057 SF.
25. EXTERIOR MATERIALS SHALL BE LIMITED TO A MIX OF FIBER CEMENT, STONE, STUCCO, BRICK OR VINYL MATERIALS.
26. MINIMUM HOUSE SIZE SHALL BE 1,300 SF.
27. STREET TREES SHALL BE PROVIDED EVERY 30' ON CENTER, WITH A HEIGHT OF 8' AND A CALIPER OF 2 1/2 INCHES MEASURED 6 INCHES ABOVE GRADE. STREET TREES SHOULD BE A VARIETY OF SPECIES (3 MINIMUM).
28. ALL DRIVEWAYS SHALL BE PAVED WITH CONCRETE FROM THE ROAD TO THE GARAGE. EACH DRIVEWAY SHALL BE ABLE TO ACCOMMODATE AT LEAST TWO (2) VEHICLES.

INDIAN TRAIL TYPICAL SECTION LOCAL RESIDENTIAL STREET

APPROVED DATE: 8/22/20

TOWN OF INDIAN TRAIL LAND DEVELOPMENT STANDARDS

EastSide

GREENWICH DOWNS
UNION COUNTY, NC
ANGRAM WALKERS
PO BOX 1699
MONROE, NC 28111

REZONING PLAN

PRELIMINARY
NOT FOR
CONSTRUCTION

RZ-2

Project Number and Reference: CZ 2020-0013 Greenwich Downs –
South quadrant of Bonterra Village
Way and Poplin Road intersection

Planning Board Meeting Date: July 21, 2020
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Attachment 10

*GREENWICH DOWNS
SINGLE FAMILY HOMES*



SAMPLE ELEVATIONS

Project Number and Reference: CZ 2020-0013 Greenwich Downs –
South quadrant of Bonterra Village
Way and Poplin Road intersection

Planning Board Meeting Date: July 21, 2020
Town Council Meeting Date: TBD

Attachment 10





**P.O. Box 2430
Indian Trail, North Carolina 28079
PLANNING DEPARTMENT**

Request: See Request Below

Location: Applies to Town Jurisdiction

Applicant: Planning Department, Town of Indian Trail

PROJECT REQUEST & SUMMARY

This is a request to amend Chapter 230 of the Unified Development Ordinance (UDO) to increase the Board of Adjustment members from five (5) to seven (7) persons and eliminate alternate members. The requested increase in board members is needed to increase the likelihood that the Board of Adjustment can meet voting requirements to for quasi-judicial cases.

OVERVIEW

Staff was encountering the challenge of making a quorum with five (5) members and two (2) alternates.

STAFF ANALYSIS

NC General Statutes state that, "The board shall determine contested facts and make its decision within a reasonable time." (G.S. 160D-406(j)) To meet this requirement for applicants' cases, staff need the ability to get a Board of Adjustment meeting scheduled with a quorum of members and to have the required votes to decide on a variance. For variances, NC General Statutes requires that a "concurring vote of four-fifths of the board shall be necessary to grant a variance." (G.S. 160D-406(i))

If a Board of Adjustment case is not a variance, it requires a simple majority, and this is already stated in the UDO in Section **230.030 Quorum**.

The option to select more than five (5) Board of Adjustment members is given in G.S. 160D-302(a) stating

OUTLINE OF TEXT AMENDMENT

Based on staff's analysis, we offer the modifications attached to the Draft Ordinance in Attachment 1 for the Planning Board's consideration. For ease of reference, new text is referenced in red/underlined font and deletions are referenced in strikethrough font as follows:

Chapter 230. Board of Adjustment

230.010 Appointment and Terms of Board of Adjustment

- A. There will be a board of adjustment consisting of ~~seven~~ **five** regular members ~~and three alternates~~ **all** appointed by the Town Council. All regular members ~~and alternates~~ must reside within the Town of Indian Trail.
- B. Board of adjustment regular members ~~and alternates~~ will be appointed for terms as determined by the Town Council.
- C. Members may be reappointed to successive terms without limitation.

230.030 Quorum

A quorum for the Board of Adjustment will consist of four members ~~(including alternates sitting in lieu of regular members).~~

230.040 Participating and Voting

- A. The concurring vote of four-fifths of the members of the Board of Adjustment will be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari. For the purposes of this subsection, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered members of the board for calculation of the requisite majority ~~if there are no qualified alternatives available to take the place of such members.~~
- B. Once a member is physically present at a Board of Adjustment meeting, any subsequent failure to vote will be recorded as an affirmative vote unless the member has been excused in accordance with paragraph 3 below.
- C. A member may be excused from participating in or voting on a particular issue by majority vote of the remaining members present under the following circumstances:
 1. if the member has a direct financial interest in the outcome of the matter at issue;
 2. if participation in the matter might give the appearance of a conflict of interest;
 3. if a member has such close personal ties to the applicant that the member cannot reasonably be expected to exercise sound judgment in the public interest; or
 4. if a member was not present at the public hearing at which evidence relevant to the matter at issue was taken.

REQUIRED CONSISTENCY FINDINGS

The Planning Board is required to make two consistency findings, one for consistency with Town adopted plans and another regarding the benefit of the public. Staff is of the opinion the following findings can be made:

1. The proposed UDO amendment is consistent with the following goals of the Comprehensive Plan:
 - **Community Engagement and Communication Goal No. 1:** By communicating effectively with residents, business owners, and other stakeholders to ensure a well-informed and inclusive community.
 - **Economic Development Goal No. 2:** By supporting existing businesses within the town through effective communication and community outreach.
2. This UDO ordinance amendment is in the best interest of the public because it improves town development processes.

Staff recommends that the Planning Board make the required consistency findings and recommend adoption of this UDO Text Amendment ZT 2020-0086 as presented.

Staff Contact

Tim Jones, AICP, CZO

Senior Planner

tdj@indiantrail.org

704.821.5401

Attachments

Attachment 1 Draft Ordinance

STATE OF NORTH CAROLINA)

ORDINANCE #O200128-326

TOWN OF INDIAN TRAIL)

AN ORDINANCE AMENDING CHAPTER 230, BOARD OF ADJUSTMENT, OF THE INDIAN TRAIL UNIFIED DEVELOPMENT ORDINANCE (UDO) IN ORDER TO INCREASE BOARD OF ADJUSTMENT MEMBERS AND ELIMINATE ALTERNATE MEMBERS IN THE TOWN OF INDIAN TRAIL, UNION COUNTY, NORTH CAROLINA

WHEREAS, this Zoning Text Amendment (ZT 2020-0086) was duly noticed in compliance with North Carolina General Statutes; and

WHEREAS, a public meeting was held by the Planning Board on July 21, 2020 to consider this zoning text amendment; and

WHEREAS, the Planning Board found the proposed map amendment [is OR is not] consistent with the following goals of the Comprehensive Plan:

- **Community Engagement and Communication Goal # 1:** By communicating effectively with residents, business owners, and other stakeholders to ensure a well-informed and inclusive community.
- **Economic Development Goal # 2:** By supporting existing businesses within the town through effective communication and community outreach.

WHEREAS, the Planning Board further found this ordinance text amendment [is OR is not] a reasonable request and [is OR is not] in the public interest because it [does OR does not] improve the town development process; and

WHEREAS, after making the required findings, the Planning Board transmits a recommendation to [approve OR deny] to the Town Council; and

WHEREAS, the Town Council held a public hearing on [REDACTED], 2020 to consider said request and recommendation of [approval OR denial] from the Planning Board; and

WHEREAS, the Town Council made the required findings.

NOW, THEREFORE, IT SHALL BE ORDAINED by the Town Council of the Town of Indian Trail, North Carolina hereby takes the following action:

Section 1 – Makes the required findings as stated herein; and

Section 2 – [Approves OR Denies] ZT 2020-0086 Zoning Text Amendment thereby granting the amendment to the Unified Development Ordinance to increase the Board of Adjustment members

from five (5) to seven (7) persons and to eliminate alternate members as shown in Exhibit A of this Ordinance; and

Section 3 – This ordinance shall be effective immediately upon adoption.

AND IT IS SO ORDAINED this th Day of 2020.

TOWN OF INDIAN TRAIL COUNCIL

Michael L. Alvarez, Mayor

Attest:

Kathy Queen, Town Clerk

Approved As To Form:

Karen Wolter, Town Attorney

Exhibit A

ZT 2020-0086 Number of Board of Adjustment Members

Chapter 230. Board of Adjustment

230.010 Appointment and Terms of Board of Adjustment

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230.030 Quorum

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230.040 Participating and Voting

- A. The concurring vote of four-fifths of the members of the Board of Adjustment will be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari. For the purposes of this subsection, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered members of the board for calculation of the requisite majority ~~if there are no qualified alternatives available to take the place of such members~~.
- B. Once a member is physically present at a Board of Adjustment meeting, any subsequent failure to vote will be recorded as an affirmative vote unless the member has been excused in accordance with paragraph 3 below.
- C. A member may be excused from participating in or voting on a particular issue by majority vote of the remaining members present under the following circumstances:
 - 1. if the member has a direct financial interest in the outcome of the matter at issue;
 - 2. if participation in the matter might give the appearance of a conflict of interest;
 - 3. if a member has such close personal ties to the applicant that the member cannot reasonably be expected to exercise sound judgment in the public interest; or
 - 4. if a member was not present at the public hearing at which evidence relevant to the matter at issue was taken.
