



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

PLANNING AND NEIGHBORHOOD SERVICES

Planning Board Transmittal for the June 13, 2016 Town Council Public Hearing

Case: ZT2016-006 Dumpster Enclosures			
Reference Name	Dumpster Enclosures For Existing Buildings		
Planning Board Meeting Date	May 17, 2016		
Members Present	Chair Cowan <input checked="" type="checkbox"/>	Jan Brown <input checked="" type="checkbox"/>	Vice Chair Larry Miller <input checked="" type="checkbox"/>
	Samantha Towns <input checked="" type="checkbox"/>	Sidney Sandy <input type="checkbox"/>	Vacant <input type="checkbox"/>
	Alan Rosenberg <input type="checkbox"/>	Jorge Aponte <input checked="" type="checkbox"/> Alternate 1	Dennis Gay <input checked="" type="checkbox"/> Alternate 2
	Helen Killough <input type="checkbox"/> Alternate 3		
Case Found Complete	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Motion	Recommend approval		
Member Making the Motion	Board Member Miller		
Second the Motion	Board Member Brown		
Vote	6-0		

Project Summary

This is a request to amend Chapter 13130 of the Unified Development Ordinance (UDO) to create additional options in the design of dumpster enclosures for existing buildings.

Town Council Action: Receive Planning Board Recommendation and public comments and:

1. *Concur with the findings and transmittal of the Planning Board to approve; or*
2. *Concur with the findings and approve as modified by Council; or*
3. *Do not make the findings and disapprove the amendment.*

Analysis

This request is initiated by the Town of Indian Trail to create additional options in the design of dumpster enclosures for existing businesses/buildings. The UDO currently requires all dumpster enclosures to be designed with exterior materials and colors that match the principal building. For

example, if a building is constructed of brick then its associated dumpster enclosure should also be constructed of brick. The intent is to have an attractive, accessory structure that is complimentary in design with the principal building.

The cost associated with constructing a matching dumpster enclosure, particularly a masonry structure, can be burdensome to existing building owners or tenants making improvements to older buildings. The proposed amendment attempts to maintain community aesthetics in a manner that does not create a burden for existing businesses. In-lieu of making existing businesses construct a matching dumpster enclosure, the proposed amendment creates a menu of options that comprise quality architectural materials. The proposed ordinance also creates a provision requiring larger building expansion projects to construct a matching enclosure. Staff believes the proposed amendment will help achieve Indian Trail's community aesthetics goals, while giving building owners and tenants flexibility in constructing enclosures. It is important to recognize that the amendment does not apply to new, "ground up" development in light of the enclosure representing a small fraction of the overall cost of a full development project.

Planning Board

The Planning Board heard this item at its May 17, 2016 public meeting. Town staff presented its recommendation regarding the menu of recommended materials for dumpster enclosures for existing buildings. Options for enclosures included the use of the following materials: brick, natural or synthetic masonry stone, architecturally-finished block material, fiber cement panels or lap siding (i.e. Hardie products), or EIFS. Pictures of each material were included and are contained in the attached Planning Board report. Staff also presented two "out of the box" materials for Planning Board consideration that were not part of its recommendation. These alternative materials included metal panels and vinyl/PVC fencing material.

The Planning Board engaged in an active discussion primarily related to the durability of each material. Board members drew upon their individual experiences in this discussion. The Board supported staff's baseline recommendation and included the use of metal panels as part of its recommendation to Town Council. The Board reasoned that vinyl/PVC fencing material was not of sufficient durability and did not wish to support the use of this material. There were no public comments provided at the meeting.

The draft May minutes are attached for further review and the audio recording of the meeting can be heard on [Granicus](#).

The Planning Board voted unanimously to transmit a recommendation to approve as presented by staff with the inclusion of metal panels to the Town Council.

The following consistency statements were found:

1. The proposed UDO amendment is consistent with the following goals of the Comprehensive Plan:
 - **Land Use and Housing #5 and Economic Development Goal #3:** The proposed text creates additional flexibility in the design of refuse and grease trap enclosures for existing businesses, which will promote small business growth in a manner that is supportive of community aesthetics.
2. This UDO ordinance amendment is in the best interest of the public because it helps promote

attractive community aesthetics in a manner that is not burdensome to the small business community.

Staff Contact

Rox Burhans, AICP, Planning Director

rburhans@planning.indiantrail.org

Attachment 1- Planning Board Report
Attachment 2- Draft Ordinance

Attachment 3 –Planning Board Minutes of May 17th

TC ATTACHMENT 1- PLANNING BOARD REPORT



P.O. Box 2430

Indian Trail, North Carolina 28079

PLANNING AND NEIGHBORHOOD SERVICES DEPARTMENT

Zoning Staff Report

Case: ZT 2016-006 Dumpster Enclosures		
Reference Name	Amendment of UDO Chapter 13130	
Applicant	Town of Indian Trail	
Submittal Date	April 8, 2016	
Location	Town-wide	
Tax Map Number	N/A	
Plan Consistency	Town of Indian Trail Comprehensive Plan	Consistent With Goals of the Adopted Comprehensive Plan
Recommendations & Comments	Planning Staff	Recommends Approval of Proposed Text Amendment.

Project Summary

This is a request to amend Chapter 13130 of the Unified Development Ordinance (UDO) to create additional options in the design of dumpster enclosures for existing buildings.

Staff Recommendation- Staff recommends based on the guidance of the adopted plans that the text amendment be supported by recommending its approval to the Town Council.

Analysis/Overview

This request is initiated by the Town to create additional options in the design of dumpster enclosures for existing businesses/buildings. The UDO currently requires all dumpster enclosures to be designed with exterior materials and colors that match the principal building. For example, if a building is constructed of brick then its associated dumpster enclosure should also be constructed of brick. The intent is to have an attractive, accessory structure that is complimentary in design with the principal building.

Existing buildings often times must construct a new garbage enclosure (when one does not already exist) as part of building expansion projects, when making significant improvements to the existing building, and/or with significant changes of use (i.e. converting a house to a business, etc.). The determination regarding when existing buildings must make site upgrades to comply with current codes is regulated by UDO Division 1400 *Nonconformities* and operates on a sliding scale. That is to say, the more investment that is made in a building improvement or expansion project, the more existing nonconforming improvements (i.e. dumpster enclosures, landscaping, etc.) must be brought up to current requirements. Likewise if a building improvement or expansion project is relatively modest, few, if any additional improvements may be needed.

The cost associated with constructing a matching dumpster enclosure, particularly a masonry structure, can be burdensome to existing building owners or tenants making improvements to older buildings. The proposed amendment below attempts to maintain community aesthetics in a manner that does not create a burden for existing businesses. In-lieu of making existing businesses construct a matching dumpster enclosure, the proposed amendment creates a menu of options that comprise quality architectural materials. The proposed ordinance also creates a provision requiring larger building expansion projects to construct a matching enclosure. Staff believes the proposed amendment will help achieve Indian Trail's community aesthetics goals, while giving building owners and tenants flexibility in constructing enclosures.

Attachment 1 provides real world images of the dumpster enclosure materials contemplated in the proposed UDO amendment.

It is important to recognize that the amendment does not apply to new, "ground up" development in light of the enclosure representing a small fraction of the overall cost of a full development project. Development associated with new buildings would continue to be required to construct matching enclosures. As previously noted, the amendment also does not apply to larger building expansions that increase the gross floor area by over 50%. These larger building expansion projects would be required to construct a matching enclosure when an enclosure does not already exist.

Based on staff's findings, we offer the following modifications for the Board's consideration. For ease of reference, proposed new text is referenced in red/underlined font and deletions are referenced in ~~strikethrough~~ font.

Chapter 13130. Trash Enclosures and Grease Trap Facilities

- 13130.010** Every development with the exception of individual single-family residential dwellings will be required to provide one or more trash enclosures for solid waste collection. Said trash enclosure and/or grease trap facility shall be located so as to:
- A.** Facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way; and
 - B.** Constructed according to specifications established by the Town of Indian Trail Land development Standards and/or the Planning Director to allow for collection without damage to the development site or the collection vehicle. When not in use, the trash enclosure and/or grease trap facility must remain closed as to not unduly cause any vehicular traffic interference.
- 13130.020** When required, all trash enclosure and/or grease trap facility shall be screened pursuant to the following:
- A.** Trash enclosures and/or grease trap facilities constructed to serve new buildings or expansions greater than 50% of the existing building's gross floor area shall be fully enclosed with a wall to a minimum height of eight feet to block 100 percent of the view into the enclosed area. The trash enclosure and/or grease trap facility shall match the primary color and material of the building when viewed from the public or private right-of-way. Said trash enclosure and/or grease trap facility shall also include an opaque gate(s) constructed of either synthetic wood or painted ~~corrugated~~ metal affixed to a metal frame.
 - B.** Trash enclosures and/or grease trap facilities constructed to serve existing buildings or building expansions constituting less than 50% of the existing building's gross floor area shall be fully enclosed with a wall to a minimum height of eight feet to block 100 percent of the view into the enclosed area. The trash enclosure and/or grease trap facility shall match the primary color and be constructed of a material consisting of brick, natural or synthetic masonry stone, architecturally finished block material, fiber cement (i.e. Hardie products) panels or siding, or EIFS when viewed from the public or private right-of-

way. Said trash enclosure and/or grease trap facility shall also include an opaque gate(s) constructed of either synthetic wood or painted metal affixed to a metal frame.

- C. The trash enclosure panels and gate may be constructed of vinyl on metal posts/supports if they are not visible from the right-of-way and are located within one of the business/industrial parks identified below. The minimum 8-foot tall gate shall include a self-latching mechanism.
1. Indian Trail Business Park
 2. Indian Trail Industrial Park
 3. Industrial Venutres I & II
 4. Old Hickory Business Park
 5. 74 Industrial Park
 6. Sun Valley Industrial Park
 7. Town industrial Park

Plant material shall supplement the trash enclosure. Planting material shall screen 25 percent of the trash enclosure wall area. Planting material shall consist of a minimum of six low branching evergreen shrubs a minimum of 3 feet in height at time of planting.

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:
 - **Land Use and Housing #5 and Economic Development Goal #3:** The proposed text creates additional flexibility in the design of refuse and grease trap enclosures for existing businesses, which will promote small business growth in a manner that is supportive of community aesthetics.
2. This UDO ordinance amendment is in the best interest of the public because it helps promote attractive community aesthetics in a manner that is not burdensome to the small business community.

Staff recommends that the Planning Board make the required consistency findings and recommend adoption of this UDO Text Amendment ZT2016-006 as presented.

Staff Contact

Rox Burhans,
704-821-5401
rburhans@planning.indiantrail.org

Attachment 1: Dumpster/Grease Trap Enclosure Examples

Attachment 2: Application

ATTACHMENT ONE
Dumpster and Grease Trap Enclosure Examples

Dumpster/Grease Trap Enc. Examples

Architectural Block



Architectural Block



Dumpster/Grease Trap Enc. Examples

Synthetic Stone



Brick



Dumpster/Grease Trap Enc. Examples

Hardie Siding



Hardie Panel

(not a dumpster)



Dumpster/Grease Trap Enc. Examples

EIFS/Stucco



ATTACHMENT TWO
Application

UDO TEXT AMENDMENT APPLICATION



PLANNING & NEIGHBORHOOD SERVICES

130 Blythe Drive

PO Box 2430

Indian Trail, NC 28079

Telephone (704) 821-5401

Fax (704) 821-9045

ONLY COMPLETE APPLICATIONS ACCEPTED

Processing Fee \$500.00

A TECHNOLOGY FEE, 10% OF PROCESSING FEE, WILL BE APPLIED TO THE TOTAL FEE.

UDO TEXT AMENDMENT APPLICATION

Subject Section of the UDO:

Name Trash Enclosures and Grease Trap Facilities

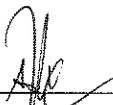
Chapter: UDO 13130.020

Purpose: To modify enclosure requirements associated with existing buildings and expansions.

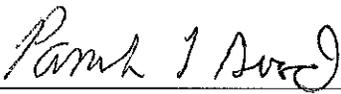
Contact Information – Applicant

Name Town of Indian Trail
Address PO Box 2430
City Indian Trail, State: NC Zip: 28079
Phone 704-821-5401 Fax 704-821-9045
Email sjk@engineering.indiantrail.org

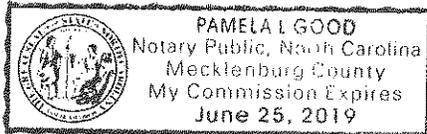
Applicant's Certification

Signature  Date 4/8/16

Printed Name/Title Scott Kaufhold, Town Manager

Signature of Notary Public  Date 4-8-16

Notary Seal



TOWN OF INDIAN TRAIL OFFICE USE ONLY

CASE NUMBER: ZT 2016-006

DATE RECEIVED: 4/8/16

AMOUNT OF FEE: N/A

RECEIVED BY: 

RECEIPT #: _____

TOWN COUNCIL ATTACHMENT 2-DRAFT ORDINANCE

STATE OF NORTH CAROLINA)

TOWN OF INDIAN TRAIL) ORDINANCE # O160609XYZ

AN ORDINANCE AMENDING CHAPTER 13130, TRASH ENCLOSURES AND GREASE TRAP FACILITIES, OF THE INDIAN TRAIL UNIFIED DEVELOPMENT ORDINANCE (UDO), RELATED TO THE DESIGN OF DUMPSTER ENCLOSURES AND GREASE TRAP FACILITIES FOR EXISTING BUILDINGS IN INDIAN TRAIL, NORTH CAROLINA

WHEREAS, the Town is the applicant for ZT 2016-006 requesting to amend Chapter 13130 Trash Enclosures and Grease Trap Facilities of the Unified Development Ordinance (UDO) related to the design of dumpster enclosures and grease trap facilities for existing buildings; and

WHEREAS, this Zoning Amendment (ZT 2016-006) was duly noticed in compliance with North Carolina General Statutes; and

WHEREAS, the amendment was heard by Planning Board on May 17, 2016 in a public meetings; and

WHEREAS, the Planning Board after hearing the amendment and deliberations made the following findings and recommended to approve to the Town Council:

1. The proposed UDO amendment is consistent with the following goals of the Comprehensive Plan:
 - **Land Use and Housing #5 and Economic Development Goal #3:** The proposed text creates additional flexibility in the design of refuse and grease trap enclosures for existing businesses, which will promote small business growth in a manner that is supportive of community aesthetics.
2. This UDO ordinance amendment is in the best interest of the public because it helps promote attractive community aesthetics in a manner that is not burdensome to the small business community.

WHEREAS, the Town Council received the Planning Board transmittal for a recommendation to approve in the required public hearing held on June 13, 2016, and after receiving the transmittal, public comment, and deliberation, voted to approve the amendment with the required findings and amendment recommendation as transmitted by the Planning Board.

NOW THEREFORE, BY THE TOWN COUNCIL OF THE TOWN OF INDIAN TRAIL, NORTH CAROLINA HEREBY TAKES THE FOLLOWING ACTION:

Section 1 – UDO CHAPTER 13130 is hereby approved as shown in Exhibit A of this Ordinance;

Section 2- This ordinance shall be effective immediately upon adoption.

SO ORDAINED THIS 13^H DAY OF JUNE, 2016. THE TOWN COUNCIL OF INDIAN TRAIL

By

Honorable Michael L. Alvarez, Mayor

Attest:

Kelley Southward, Town Clerk

APPROVED AS TO FORM:

TOWN ATTORNEY

ZT2016-006 Ordinance

Exhibit A

Chapter 13130. Trash Enclosures and Grease Trap Facilities

13130.010 Every development with the exception of individual single-family residential dwellings will be required to provide one or more trash enclosures for solid waste collection. Said trash enclosure and/or grease trap facility shall be located so as to:

1. Facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way; and
2. Constructed according to specifications established by the Town of Indian Trail Land development Standards and/or the Planning Director to allow for collection without damage to the development site or the collection vehicle. When not in use, the trash enclosure and/or grease trap facility must remain closed as to not unduly cause any vehicular traffic interference.

13130.020 When required, all trash enclosure and/or grease trap facility shall be screened pursuant to the following:

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3. The trash enclosure panels and gate may be constructed of vinyl on metal posts/supports if they are not visible from the right-of-way and are located within one of the business/industrial parks identified below. The minimum 8-foot tall gate shall include a self-latching mechanism.
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 4. Old Hickory Business Park
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 6. Sun Valley Industrial Park
 7. Town industrial Park

Plant material shall supplement the trash enclosure. Planting material shall screen 25 percent of the trash enclosure wall area. Planting material shall consist of a minimum of six low branching evergreen shrubs a minimum of 3 feet in height at time of planting.

TC ATTACHMENT 3- PLANNING BOARD MINUTES

Town of Indian Trail



P.O. Box 2430
Indian Trail, North Carolina 28079
Telephone 704-821-5401
Fax 704-821-9045

PLANNING AND NEIGHBORHOOD SERVICES DEPARTMENT PLANNING BOARD MINUTES

May 17, 2016
06:30 P.M.

CALL TO ORDER

ROLL CALL

The following members of the governing body were present:

Board Members: Larry Miller, Patricia Cowan, Jan Brown, Samantha Towns, Jorge Aponte, and Dennis Gay.

Present but not voting: None.

Absent: Alan Rosenberg, Sidney Sandy, and Helen Killough

Staff Members: Rox Burhans-Planning Director, Gretchen Coperine- Senior Planner, and Pam Good-Board Secretary

APPROVAL OF MINUTES- April 19, 2016

Motion to accept the corrections below as stated by Member Towns was made by Member Miller, seconded by Member Gay, vote to approve with the corrections was unanimous.

Corrections: Member Towns stated that the minutes should reflect her comments regarding her opinion about 250 feet of separation between residential area and light industrial area was not sufficient. Also, on page 5 Member Towns asked for the correction of approved area to be Radiator Rd, not a town wide overlay.

PUBLIC ITEMS

a. (Continuation of) ZT2016-005 Union County Crooked Creek WWTP Authorization of Exemption, a request to amend Sections 110.080 and 520.020G of the Unified Development Ordinance (UDO) to exempt existing and future improvements at the Union County Crooked Creek Wastewater Treatment Plant from UDO requirements. Applicant: Town of Indian Trail

Staff Burhans asked any board members that were unable to attend the April board meeting if they had any questions regarding the text of the amendment. The case recap was presented by Staff Rox Burhans. He stated that there was considerable discussion regarding the case as well as residents stating their ongoing problem of area storm water issues in Traewyck homes that have shared property with the plant site. Resulting from the discussion were requests by the Planning Board to ask a staff member from Union County Public Works to explain in more detail the work planned for the site as well as to be available for further questions. The board members also asked for and received an email provided by Engineering Department (Adam McLamb) regarding the flooding issue, what staff thinks is causing the issue, and what complaints staff has received regarding the flooding issue. Staff Burhans also stated that the Town Council has initiated a storm water study by a private firm and come up with some alternatives. The study is to be completed September 2016.

The audio recording of the Union County February community meeting regarding this project was requested by two members of the board and were provided CD's of the meeting.

Chair Cowan asked if there were any questions from the board. Member Towns asked for the total acreage of the site. Staff Burhans stated that he would research the answer.

Staff Burhans introduced Mr. Scott Huneycutt, engineering manager of the project from Union County Public Works and Mr. Jonathan Lapsley of CDM Smith who was a consultant working with Union County on the proposed expansion project. Mr. Lapsley stepped forward for a brief presentation and slides of the proposed improvements for the Crooked Creek facility. He also showed a map of the area where the facility is located on Sardis Church Road, and gave a brief history of the Crooked Creek facility: built in 1988 and currently receives 1.9 million gallons per day treatment capacity, stating it does have the capacity to take on more water during heavy rains. The plant is owned by Union County Public Works. Mr. Lapsley gave an overview of facility's most recent improvements in 2012. He stated much of the proposed improvements in the Master Plan deals with an aging infrastructure what he termed "leaky pipes" which can overwhelm the ability of the treatment plant to handle rain water. He mentioned recommendations for updating this treatment plant including pumping improvements when more flow comes in, as well as the ability to store that rain water for short periods of time, typically not to exceed 72 hours. Mr. Langsley emphasized that they were not intending to expand the capacity of the plant, but providing infrastructure to handle rain driven overflow. Another improvement would be the ability to remove grit and trash from the flow. Mr. Langsley showed photos of the proposed improvements.

Member Towns asked the distance between the Traewyck subdivision and the plant. Mr. Langsley answered that the distance was 150 feet to the fence line and additional buffer on the Union County property to the facility.

Mr. Langsley showed site renderings of various upgrades including the equalization tank. The plans are to install additional screening/ trees between the facility and the Traewyck neighborhood. He stated that he doesn't anticipate having additional run-off to area neighborhoods.

Questions from board:

Member Miller asked about the pump station near Industrial Ventures and Crooked Creek Park. Mr. Langsley answered that there are going to be improvements to that pump station. Mr. Miller asked if there will be an additional pump station near Refrigerated, Inc. Mr. Langsley answered they are planning to replace that pump station. Mr. Miller asked who keeps the drainage pipe clean on the county side that crosses the state maintained roadway to the creek section. Mr. Langsley stated that the main culvert pipe is in the DOT right of way. Therefore the responsibility to maintain this would be with DOT.

Member Towns asked, in the event of failure, how long would it take someone to come to the facility to evaluate the problem. Also, Member Towns questioned how far could a spill go. Mr. Langsley answered that this plant is staffed 20 hrs per day. The plant has automated system the remainder of the time for the day. If there is a malfunction of any equipment during the other 4 hours someone is notified. He estimated that response time would be less than one hour. Also, there are requirements for redundant equipment. Mr. Langsley also stated that the equipment is designed to typically handle 2-5 year storm events. Member Gay asked if they could build a retaining wall to protect neighborhoods. Mr. Huneycutt replied that there is an existing berm already on the site.

Staff Burhans followed up to Member Town's question regarding the size is 13.619 acres on the existing property.

Chair Cowan asked to clarify that the berm is adequate as there will be no increasing of flow. Mr. Langsley answered in the affirmative.

Member Miller also clarified that if no increase in volume so the upgrade is to add tank space for sewage. Mr. Langsley answered that was correct.

Member Towns asked about the impact to the value of area properties? Staff Burhans answered that staff have not done any evaluation of the impact to adjacent properties; a real estate appraiser would need to conduct a study.

Staff Burhans read the consistency findings into the record

Opened and closed Public Comment: no one asked to speak.

Board discussion:

Mr. Gay was in favor of the upgrades. Member Towns concerned about the property being 150 feet from residences as well as there have been some complaints about odor, also concerned about property values near this type of facility, but realizes that we do need to upgrade infrastructure. Member Miller that the flooding in the neighborhoods is not the same issue as the overflow of the plant that is being addressed. He stated that the 72 hour extra storage could help with water overflow. Chair Cowan asked if there are emergency numbers posted for area residents to call, if needed. Mr. Lapsley replied that there are emergency numbers on signage on the facility property to Union County Public Works and is staffed 24 hrs/day. Mr. Gay stated that anytime infrastructure is updated is good thing. Mr. Aponte asked if they upgrade now, how long until the next upgrade. Mr. Langsley stated that there are no current plans to do any further upgrade. It will likely be 14 months until completed.

Motion by Chair Cowan to approve the ZT2016-005 expansion exemption seconded by Member Brown. Vote to recommend approval was unanimous. Union County staff stated that they will cooperate in good faith and will have multiple places for emergency signage.

- b. **CZ2016-001 Church of the Redeemer, presented by Staff Coperine who indicated that the location map current zoning is SF4. This is a request to reclassify a portion of parcel 07123001F, totaling approximately 8 acres. The rezoning is from Single Family (SF-4) to Institutional with a conditional zoning district. The intent of this request is to allow a religious assembly use to develop on the site.**

The parcel under consideration is a portion of 07123001F on the north side of Wesley Chapel Rd.

Staff Coperine described the Concept plan. The remainder of the parcel will remain SF-4. Regarding the architecture, Staff Coperine showed a rendering of the proposed project and stated that vinyl siding is prohibited.

Staff Coperine stated that with regard to the comprehensive plan, religious assembly is consistent with that land use. Outside agency feedback were:

- *North Carolina Department of Transportation (NCDOT):* NCDOT has provided the following comments: NCDOT does not have any issues with the proposed right in/right out access to the site. However, if the applicant is interested in a full movement access, the following would need to be provided:
left turn lane, with 100 foot stacking
500 foot sight distance in each direction
A minimum 600 foot distance from the roundabout to the ROW line
- *Union County Public Works (UCPW):* Approval of sketch plan provided.
- *Union County Public Schools (UCPS):* No comments at this time:
- *Union County Fire Marshal (UCFM):* No issues at this time.

- *Union County Sheriff*: No issues at this time.

Two community meetings were held. In general, attendees were receptive of the building design and overall project.

Draft Conditions of Approval as recommended by staff:

1. *Subject Parcels*: Rezoning – portion of parcel 07123001F (totaling approximately 8 acres) to CZ-Institutional.
2. *Permitted Uses*: The permitted use on the subject property is religious assembly. In the event a school is to be developed in the future, such development shall be subject to Special Use Permit approval through the Board of Adjustment.
3. *Architecture*:
 - a. The building shall be built in general accordance with the elevations in Exhibit 2 and shall be constructed of brick and EIFS with no vinyl or composite siding or synthetic stucco.
4. *Front Landscape Buffer*: A 20 foot landscape buffer along the front (south side) shall be provided as generally depicted on the concept plan (Exhibit 1).
5. *Rear and Side (East) Landscape Buffer*: A 50 foot landscape buffer shall be provided along the north and east sides of the property as generally depicted on the concept plan (Exhibit 1).
6. *Side (West) Landscape Buffer*: A 25 foot landscape buffer shall be provided along the west side of the property as generally depicted on the concept plan (Exhibit 1). If in the future the remainder of parcel 07123001F is developed in conjunction with the religious assembly use subject of this amendment, the 25 foot buffer may be removed.
7. *Stormwater Management Measures*: The size of the proposed stormwater management facilities identified on the Conceptual Plan is for illustrative purposes only. The exact size shall be determined during Site Plan submittal.
8. *Wesley Chapel Road Roadway Improvements*: Prior to the issuance of Town Zoning Compliance, the developer shall be responsible for constructing the ROW improvements listed below on Wesley Chapel Road:
 - A right in/right out access to the site.
 - However, if the applicant is interested in a full movement access, the following would need to be provided:
 - Left turn lane, with 100 foot stacking
 - 500 foot sight distance in each direction
 - A minimum 600 foot distance from the roundabout to the ROW line

All required roadway improvements shall be constructed and any associated public ROW dedicated prior to the issuance of Town Zoning Compliance. All roadway improvements shall be constructed to the Town of Indian Trail and NCDOT standards.

9. *Frontage Improvements*: Frontage improvements along Wesley Chapel shall be provided and include a 6' sidewalk, and street lights and curb/gutter. All required frontage improvements shall be constructed and any associated public ROW dedicated prior to the issuance of Town Zoning Compliance for any home.
10. *Revocation*: The Town Council may act to revoke the conditional zoning district designation if the applicant fails to meet the terms of the district.

Staff Coperine read the necessary consistency findings into the record.

- *Land Use and Housing Goals #1 and 5*: The proposed project promotes compatibility of land uses between neighboring properties and residential properties within surrounding jurisdictions and proposes high quality design to promote attractive land development; and

- *Mobility and Transportation Goal #3:* The proposed development incorporates pedestrian connectivity through the use of sidewalks along Wesley Chapel Road, as well as opportunity to connect to any future development directly west of this development.

The request for this conditional zoning district (Institutional) is a reasonable request and is in the public interest because supports the goals of the adopted Comprehensive Plan and includes elements that benefit the general public in the areas of transportation and land use.

Member Towns asked if Wesley Chapel Road would the road ever been widened? Staff Coperine replied that there is room to widen the road. Member Brown asked if recreational facilities were planned. Staff Coperine answered that it is projected to provide a small playground. Member Brown also asked how many parishioners are in attendance at this time. Mr. Mike Avreal, a member of the church answered that approximately 300 persons attend in total, with the services generally accommodating about 150 people at once. Member Miller stated that he has a little concern about the entrance and exist. Staff Coperine stated no traffic impact analysis was required by NCDOT, but DOT did looked at the concept plan and stated the road was adequate for the project with the right in/ right out access. Member Gay asked how many times would the attendees gather each week as well as any kind of chimes. Mr. Averill answered that the main attendance would be Sunday morning with other smaller gatherings during the week. No chimes are planned. Member Aponte asked if 300 would attend at once and how many parking places? Staff Coperine answered that there are approximately 125 parking spots.

Opened public portion of comments.

Chris Hope, engineer of the project, spoke of the positive aspects of this project. No additional comments.

Closed public portion of comments.

Board Discussion:

Member Brown stated that the building was architecturally very pleasing. Member Towns stated that it would be an asset for the Sheridan community. Member Miller stated that extending the sewer line is good. Chair Cowan liked the rendition. Member Gay and Member Aponte felt it would be a good addition to the community.

Motion to approve CZ2016-01 by Member Towns with the findings of fact as read into the record, seconded by Member Aponte. The vote to approve was unanimous.

c. ZT2016-006 Dumpster Enclosures: a request to amend Chapters 13130 of the Unified Development Ordinance (UDO) to create additional options in the design of dumpster enclosures for existing buildings. Applicant: Town of Indian Trail

Staff Burhans presented this proposed amendment to the board. This amendment does not impact new construction. Proposed amendment- is there more business friendly approach for dumpster enclosures. Current regulations state that dumpster enclosures for existing and new buildings must match the primary building in material and color. The proposal is to give businesses more options.

UDO Div 1400 states dumpsters need to be added to an existing building when there are major upgrades, building expansions, when damage occurs.

Staff recommended options: arch block, synthetic stone, brick, hardie siding, and hardie panel (cement type product), EIFS/Stucco.

Other possible alternatives: vinyl/PVC fencing, metal panels

Staff Burhans read the Consistency Findings into the record.

1. The proposed UDO amendment is consistent with the following goals of the Comprehensive Plan:
Land Use and Housing #5 and Economic Development Goal #3: The proposed text creates additional flexibility in the design of refuse and grease trap enclosures for existing businesses, which will promote small business growth in a manner that is supportive of community aesthetics.
2. This UDO ordinance amendment is in the best interest of the public because it helps promote attractive community aesthetics in a manner that is not burdensome to the small business community.

Board Discussion:

Member Brown stated that the vinyl was susceptible to vandalism so would not recommend vinyl to be one of the choices. Member Miller didn't think vinyl was durable. Staff Burhans clarified that he was hearing from the board that metal enclosures were acceptable. Member Gay asked if an industrial setting has requirements of an enclosure, also. Staff Burhans answered that there are other requirements for industrial areas. Member Gay was concerned about some of the metal enclosures and the rusting possibility. Member Aponte asked if we are going to hold them accountable to maintain these enclosures. Staff Burhans believes that we have the authority to enforce the maintenance. Chair Cowan asked when we have a commercial structure, do we offer them trash and recycle bins? Staff Burhans answered that we only offer this service to residents at this time.

Opened Public Comment- no one signed up to speak.

Closed Public Comment.

Motion to approve ZT2016-006 (by Member Miller) with recommended arch block, synthetic stone, brick, hardie siding, and hardie panel (cement type product), EIFS/Stucco and metal panels. Vinyl was not included as a recommendation.

Seconded by Member Brown. Vote to approve was unanimous.

OTHER BUSINESS - none

PLANNING REPORT

- A community meeting is being held on May 23rd at South Piedmont Community College related to the text amendment related to hotel/motel use at 6:30pm in Salon B. 2377 notices were mailed including business parks in the area. The meeting will be facilitated by the applicant.
- Planning Board reappointments will be considered at the June 14 Town Council meeting. Staff Burhans read the openings to the board.

Member Miller asked about grading at the QT and storage facility is done. Staff Burhans replied that it will be a drive-thru carwash. Chair Cowan mentioned that Zaxby's opened yesterday. Staff Burhans explained that the delay in construction in the new Publix due to the increase in cost of construction and materials.

ADJOURN

Motion to adjourn Member Miller, seconded by Member Brown. Vote to adjourn was unanimous.

Meeting adjourned at 8:40pm.

Chairman:

Date: _____

STATE OF NORTH CAROLINA)

TOWN OF INDIAN TRAIL) ORDINANCE # O160613-243

AN ORDINANCE AMENDING CHAPTER 13130, TRASH ENCLOSURES AND GREASE TRAP FACILITIES, OF THE INDIAN TRAIL UNIFIED DEVELOPMENT ORDINANCE (UDO), RELATED TO THE DESIGN OF DUMPSTER ENCLOSURES AND GREASE TRAP FACILITIES FOR EXISTING BUILDINGS IN INDIAN TRAIL, NORTH CAROLINA

WHEREAS, the Town is the applicant for ZT 2016-006 requesting to amend Chapter 13130 Trash Enclosures and Grease Trap Facilities of the Unified Development Ordinance (UDO) related to the design of dumpster enclosures and grease trap facilities for existing buildings; and

WHEREAS, this Zoning Amendment (ZT 2016-006) was duly noticed in compliance with North Carolina General Statutes; and

WHEREAS, the amendment was heard by Planning Board on May 17, 2016 in a public meetings; and

WHEREAS, the Planning Board after hearing the amendment and deliberations made the following findings and recommended to approve to the Town Council:

1. The proposed UDO amendment is consistent with the following goals of the Comprehensive Plan:
 - **Land Use and Housing #5 and Economic Development Goal #3:** The proposed text creates additional flexibility in the design of refuse and grease trap enclosures for existing businesses, which will promote small business growth in a manner that is supportive of community aesthetics.
2. This UDO ordinance amendment is in the best interest of the public because it helps promote attractive community aesthetics in a manner that is not burdensome to the small business community.

WHEREAS, the Town Council received the Planning Board transmittal for a recommendation to approve in the required public hearing held on June 13, 2016, and after receiving the transmittal, public comment, and deliberation, voted to approve the amendment with the required findings and amendment recommendation as transmitted by the Planning Board.

NOW THEREFORE, BY THE TOWN COUNCIL OF THE TOWN OF INDIAN TRAIL,
NORTH CAROLINA HEREBY TAKES THE FOLLOWING ACTION:

Section 1 – UDO CHAPTER 13130 is hereby approved as shown in Exhibit A of this Ordinance;

Section 2- This ordinance shall be effective immediately upon adoption.

SO ORDAINED THIS 13TH DAY OF JUNE, 2016. THE TOWN COUNCIL OF INDIAN
TRAIL

By

Honorable Michael L. Alvarez, Mayor

Attest:

Kelley Southward, Town Clerk

APPROVED AS TO FORM:

TOWN ATTORNEY

ZT2016-006 Ordinance

Exhibit A

Chapter 13130. Trash Enclosures and Grease Trap Facilities

13130.010 Every development with the exception of individual single-family residential dwellings will be required to provide one or more trash enclosures for solid waste collection. Said trash enclosure and/or grease trap facility shall be located so as to:

1. Facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way; and
2. Constructed according to specifications established by the Town of Indian Trail Land development Standards and/or the Planning Director to allow for collection without damage to the development site or the collection vehicle. When not in use, the trash enclosure and/or grease trap facility must remain closed as to not unduly cause any vehicular traffic interference.

13130.020 When required, all trash enclosure and/or grease trap facility shall be screened pursuant to the following:

1. Trash enclosures and/or grease trap facilities constructed to serve new buildings or expansions greater than 50% of the existing building's gross floor area shall be fully enclosed with a wall to a minimum height of eight feet to block 100 percent of the view into the enclosed area. The trash enclosure and/or grease trap facility shall match the primary color and material of the building when viewed from the public or private right-of-way. Said trash enclosure and/or grease trap facility shall also include an opaque gate(s) constructed of either synthetic wood or painted ~~corrugated~~ metal affixed to a metal frame.
2. Trash enclosures and/or grease trap facilities constructed to serve existing buildings or building expansions constituting less than 50% of the existing building's gross floor area shall be fully enclosed with a wall to a minimum height of eight feet to block 100 percent of the view into the enclosed area. The trash enclosure and/or grease trap facility shall match the primary color and be constructed of a material consisting of brick, natural or synthetic masonry stone, architecturally finished block material, fiber cement (i.e. Hardie products) panels or siding, or EIFS, or painted metal panels when viewed from the public or private right-of-way. Said trash enclosure and/or grease trap facility shall also include an opaque gate(s) constructed of either synthetic wood or painted metal affixed to a metal frame.
3. The trash enclosure panels and gate may be constructed of vinyl on metal posts/supports if they are not visible from the right-of-way and are located within one of the business/industrial parks identified below. The minimum 8-foot tall gate shall include a self-latching mechanism.
 1. Indian Trail Business Park
 2. Indian Trail Industrial Park
 3. Industrial Venutres I & II
 4. Old Hickory Business Park
 5. 74 Industrial Park
 6. Sun Valley Industrial Park
 7. Town industrial Park

Plant material shall supplement the trash enclosure. Planting material shall screen 25 percent of the trash enclosure wall area. Planting material shall consist of a minimum of six low branching evergreen shrubs a

minimum of 3 feet in height at time of planting.