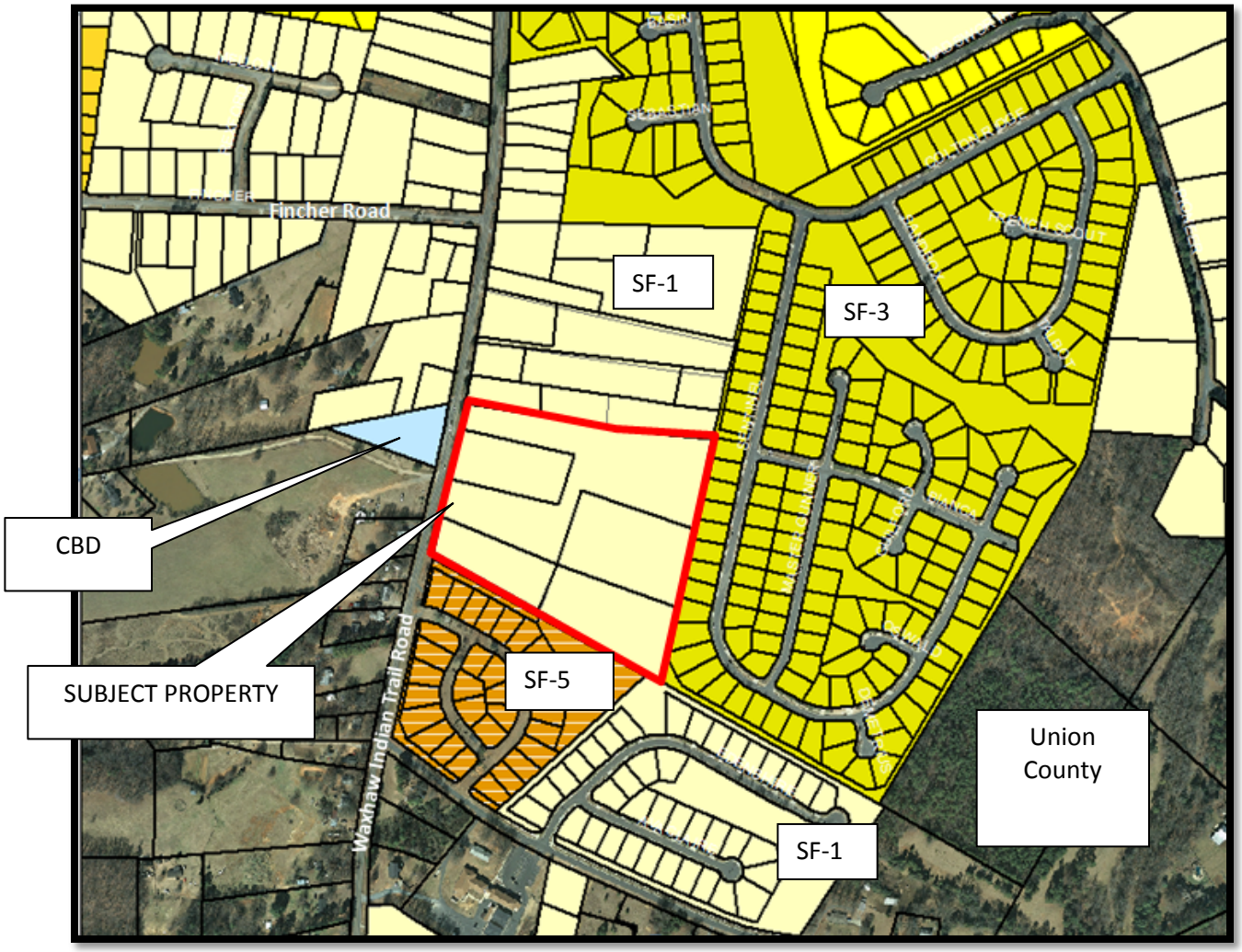
Summary of Surrounding Zoning and Uses

Surrounding Subject Property	Municipality	Zoning	Use
North	Town of Indian Trail	Single Family (SF-1)	Single Family homes
East	Town of Indian Trail	Single Family (SF-3)	Single Family Subdivision: Colton Ridge
South	Town of Indian Trail	Single Family (SF-1) Special Use Permit	Single Family Subdivision: Satterfield
South	Town of Indian Trail	Single-Family (SF-5) Conditional Zoning	Single Family Subdivision: Arbors at Blanchard
West	Town of Indian Trail; Union County	Central Business District (CBD); Residential (R-20)	Gator's Deli; Single Family homes

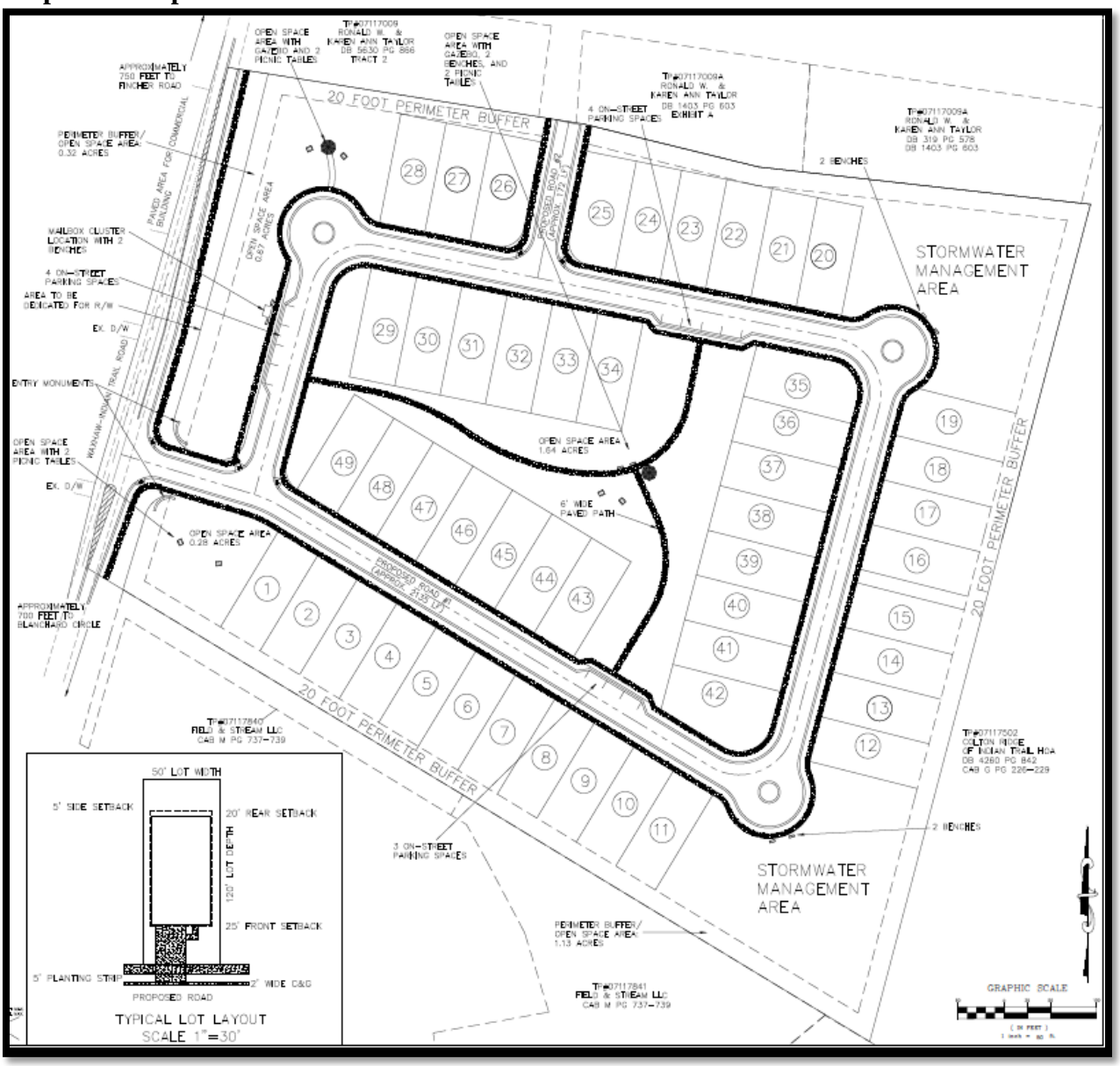
Map 2: Current Zoning



Concept Plan

The Conceptual Plan, included in Attachment 2 (also, see below Map 3: Concept Plan) reflects development of approximately 49 single-family detached homes intended to be age-targeted for a 55+ community. The following will provide a brief overview of key elements of the Concept Plan.

Map 3: Concept Plan



Senior Housing Concept – Age-Targeted

The proposed development will be age-targeted to persons 55 years of age or older. The age-targeted concept does not require any restrictive covenants to be recorded limiting the potential residents to those who are over the age of 55. Instead, it is designed and developed to attract a resident of a certain age category. Such features include but are not limited to single-level living or master bedrooms on the same floor as the living space (i.e., the first floor), slab-on-grade construction to facilitate the use of wheel chairs or other mobility devices if needed, wider door openings to accommodate medical/mobility or other devices, and maintenance-free living.

Site Layout: The Concept Plan contemplates approximately 49 lots, detention ponds with amenities, common open space areas, on-street parking in key location as well as connecting sidewalks throughout the entire community and an opportunity for future connection to any development directly north of the subject site.

Onsite Roadway Improvements: Access within the site will be provided by a minimum of 50-ft wide Rights-of-Way (ROW) that will be designed with curb/gutter, sidewalks, street lights and street trees. The UDO permits a single access point for subdivisions with less than 50-lots.

Roadway and Frontage Improvements: The community will have one access point off Waxhaw Indian Trail Road. North Carolina Department of Transportation (NCDOT) will require the appropriate roadway improvements (i.e., left turn lane and stacking distances) to be provided in order to ensure appropriate access into and out of the development.

In addition, the Waxhaw Indian Trail Road frontage will be improved with curb/gutter, a 6 foot sidewalk, street trees and street lights.

Open Space and Tree Retention: Approximately 2.3 acres of open space will be provided within the community. All open space areas will contain a combination of ornamental landscaping including trees and shrubs, as well as passive recreation fixtures where feasible.
See Attachment 2.

Architectural Design: All homes will be built in general accordance with the elevations in the draft Ordinance (Attachment 2) and will provide the Master bedrooms on the first floor to support the age-targeted marketing concept.

Lot Frontage, Setbacks and Height: Lots shall provide 50' width, as generally referenced on the concept plan (Attachment 2). Setbacks and other requirements shall be provided as follows:

Lot Width	**Lot Area Minimum**	**Front and Rear Setback**	**Side Setback**	**Maximum Height**
50 foot minimum	6000 square feet minimum	25 feet Front *(see note regarding Garage placement below) 20 feet Rear	5 feet on interior lots 10 feet on corner lots	35 feet maximum
***Garage:** may be a maximum of 2 feet in front of the front façade or porch, if one exists.				

Community Meetings
The applicant held two community meetings as required by UDO Section 330.020. The purpose of the meetings is to solicit comments and concerns from surrounding property owners. Notices for the community meetings consisted of advertising in the newspaper, and sending first class mailed notices to the owners of surrounding properties and Homeowners Associations within 500 feet of the project site. The first community meeting was held at Union West Regional Library on January 27, 2016 from 3pm-5pm and the second was held at the Town's Civic Building from 6pm-8pm that same day. See Attachment 3 for meeting minutes and public comments. The following will provide a brief summary of the Town required community meetings.

- *3pm-5pm Meeting*: This meeting was attended by 2 members of the public, the applicant's team, and Town staff. General questions were raised regarding flooding concerns.

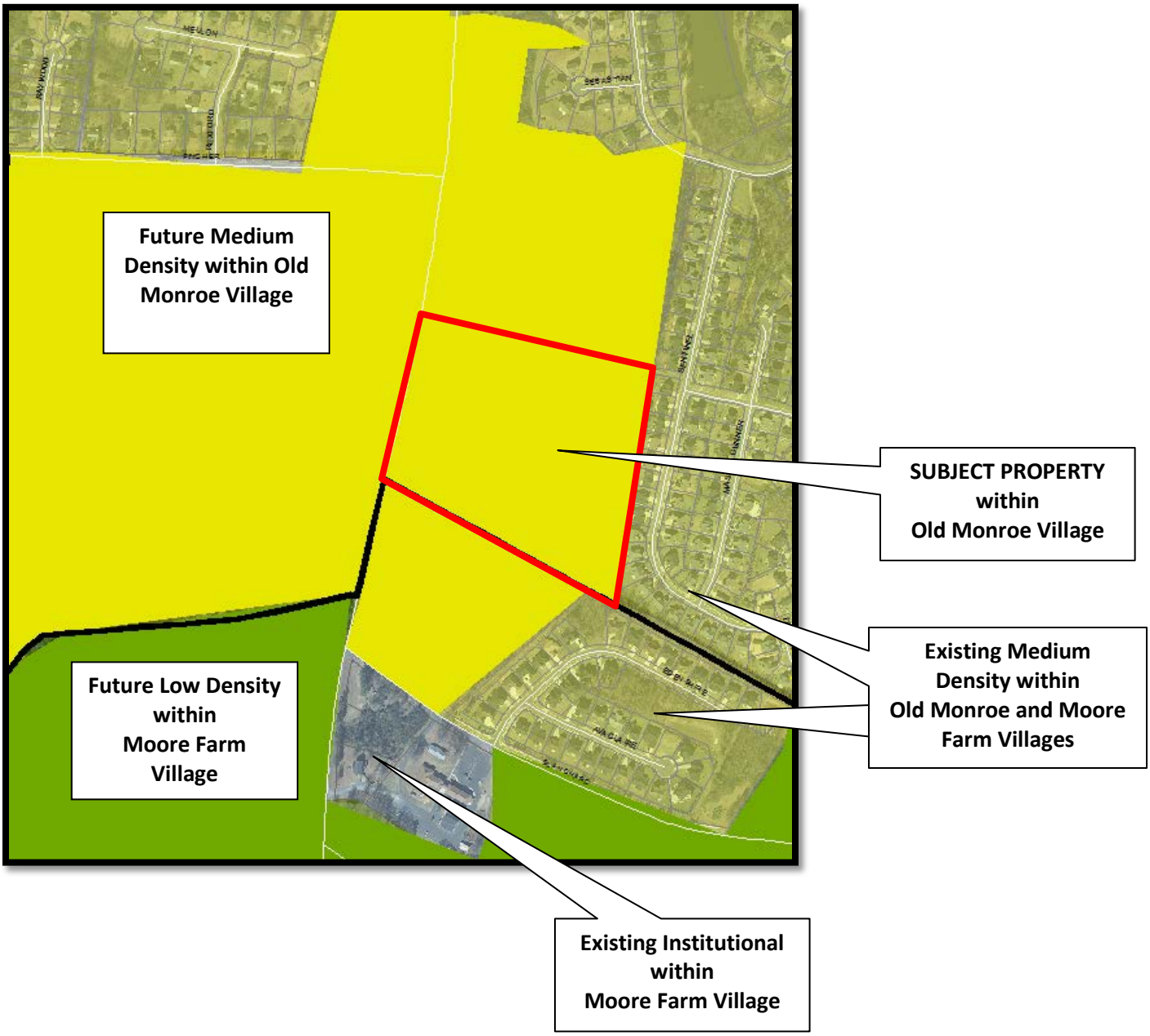
- *6pm-8pm Meeting:* There were approximately 2 members of the public in attendance in addition to the applicant's team and Town staff. General questions were raised regarding flooding concerns. See Attachment 3 for Meeting Notes.

In response to the concerns raised at the community meeting, Town Planning and Engineering staff visited the subject site and adjacent property owner(s). At the conclusion of the site visit, the applicant agreed to design the stormwater management areas in a manner that would help minimize drainage impacts to neighboring properties. A condition of approval has been included with regard to the design of the stormwater management areas.

Comprehensive Plan

The Indian Trail Comprehensive Plan organizes the Town into a series of interconnected villages which not only helps create a well managed growth and community development pattern, but also provides meaningful identity for Indian Trail residents. The subject property is located within Old Monroe Village of the Comprehensive Plan. See Map 4 below. This Village is intended to consist of predominantly medium to low density residential. The proposed future land use of the subject property is Medium Density Residential, which allows 2 – 4 dwelling units per acre. The proposed 49 units development on approximately 16 acres has an approximate density of 3.0 dwelling units per acre, which is consistent with the future land use map. Staff is of the opinion that the proposal is consistent with the goals of the Comprehensive Plan.

Map 4: Future Land Use Map



Draft Conditions

See the attached draft Ordinance with the recommended Conditions of Approval.

Comments from Outside Agencies

- *North Carolina Department of Transportation (NCDOT)*: NCDOT has provided the following comments:
  - Provide a left-turn lane, with 100 foot stacking on Waxhaw Indian Trail Road.
- *Union County Public Works (UCPW)*: Pending final sketch plan approval.
- *Union County Public Schools (UCPS):* The proposed 49 sfu subdivision would be in the following school attendance areas for the 2015-2016 school year:

Indian Trail Elementary School
Sun Valley Middle School
Sun Valley High School

Both Indian Trail ES and Sun Valley MS are expected to remain below watch and cap levels for the foreseeable future. However, Sun Valley HS is expected to exceed its watch level in 2017. Additional residential construction can accelerate this approach and possibly force a capping situation. Prior to reaching a cap, high enrollments contribute to problems such as additional mobile classrooms, inadequate capacity for food service and restroom facilities, rationing of access to the media center, insufficient parking and queuing space for parents to safely deliver or pick up their children, and inadequate planning/meeting space for additional staff.

- *Union County Fire Marshal (UCFM):* No comments at this time.
- *Union County Sheriff:* Comments regarding ensuring driveway depths were adequate to accommodate a car or truck parked without obstructing the sidewalk.

Action Required

The Planning Board must adopt a statement of consistency and reasonableness prior to making a motion for recommendation. The finding must be made that the proposed amendment is both reasonable and consistent with the Comprehensive Plan. Staff is of the opinion the goals of the Comprehensive Plan are satisfied as follows:

- *Land Use and Housing Goals #1, 2 and 5:* The proposed project promotes compatibility of land uses between neighboring properties and residential properties within surrounding jurisdictions, increases the diversity of housing options within Indian Trail, and proposes high quality design to promote attractive land development; and

- *Mobility and Transportation Goal #3:* The proposed development incorporates pedestrian amenities and connectivity throughout the community, as well as opportunity to connect to any future development directly north of this development.

The request for this conditional zoning district (SF-5 District) 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, land use and housing.

Recommendation

Staff is of the opinion that the findings can be made to support a conditional zoning district for the subject property. The proposed conditional rezone is consistent with the Town's Comprehensive Plan.

Attachment 1 – Application
Attachment 2 – Draft Ordinance with attached Exhibits
Attachment 3 – Community Meeting Minutes and Public Comments

Staff Contact
Gretchen Coperine, AICP
704 821-5401
gcoperine@planning.indiantrail.org

PB Attachment 1- Application

R-000639
Inv 25628

C22015-005

CONDITIONAL ZONING APPLICATION

INDIAN TRAIL
north carolina

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

149 adjac properties

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 $2.50 per adjoining property owner
****A TECHNOLOGY FEE, 10% OF ALL ASSOCIATED FEES, WILL BE APPLIED TO THE TOTAL FEE.****

Date Received _____

09-21-15 PM 2:01 IN

CONDITIONAL ZONING APPLICATION

Submittal Requirements

- Completed Application
- Notarized signatures of applicant and property owner
- Letter of Intent
- 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: 2323 Waxhaw-Indian Trail Road

City: Indian Trail State: NC Zip: 28079

Tax Parcel ID: 07117010 (A,B,C) Zoning Designation: SF-1 (CURRENT)

Total Acres: 15.90 Impervious Area: TBD

Project Description: PROJECT WILL CONTAIN XX LOTS

Contact Information – Applicant

Name: Blake Communities VP2-SC, LLC Attn: Brandon Morrissey or Christian Ross

Address: Post Office Drawer 7598

City: St. Petersburg State: FL Zip: 33764

Phone: 727-498-3330 Fax:

Email: bmorrissey@bwtcompany.com cross@bwtcompany.com

Contact Information – Property Owner

PARCELS 07117010A, 07117010B, 07117010C

Name: SHELBY, PATRICIA R, ET AL

Address: 2323 WAXHAW-INDIAN TRAIL ROAD

City: INDIAN TRAIL State: NC Zip: 28079

Phone: Fax:

Email: PATSYSHELBY@YAHOO.COM

PROPERTY OWNER PARCEL 07117010
DOVER, JERRY NORMAN
P.O. BOX 460, ELGIN, SC 29045-0460
DOVER.JERRY@ATT.NET

APPLICATION

Applicant's Certification

Signature _____ Date 9/3/2015

Printed Name/Title BRANDON MORRISSEY

Signature of Notary Public Kayla D Funderburk Date 9/3/15

Notary Seal

Expires June 21, 2020

KAYLA D FUNDERBURK
NOTARY
PUBLIC
UNION COUNTY, NC

Property Owner's Certification

Signature Jerry Norman Dover Patricia R Shelby Carolyn N Dover Date 9/3/15

Printed Name/Title Jerry Norman Dover, Carolyn N. Dover, Patricia R. Shelby

Signature of Notary Public Kayla D Funderburk Date 9/3/15

Notary Seal

Expires June 21, 2020

KAYLA D FUNDERBURK
NOTARY
PUBLIC
UNION COUNTY, NC

TOWN OF INDIAN TRAIL OFFICE USE ONLY

Case Number: _____

Date Received: _____ Amount of Fee: _____

Received By: _____ Receipt #: _____

SUMMIT
LAND SERVICES

September 21, 2015

Mr. Rox Burhans
Planning Director
Town of Indian Trail
Box 2430
Indian Trail, NC 28079

Re: Rezoning Letter of Intent
Parcels 07117010, 07117010A, 07117010B, 07117010C

Mr. Burhans:

On behalf of our client, Blake Communities VP2-SC, LLC, it is our pleasure to present this conditional zoning application for the parcels listed above.

The area of the conditional zoning is approximately 15.9 acres located along Waxhaw-Indian Trail Road. These parcels are currently zoned as single family residential (SF-1). Our proposal is to request a conditional zoning that would provide a moderate density residential use as outlined in the 2014 Comprehensive Plan. Enclosed with the package is a lot layout and sample architectural elevations for the housing proposed.

If you have any questions or need any additional information, please feel free to contact me at your convenience.

Sincerely,

Matthew G. Velkovich, P.E.
Senior Civil Project Manager

09-21-15 P02:05 IN

Summit Land Services, P.C.
Phone (704) 626-2800

3545 Centre Circle, Suite A, Fort Mill, South Carolina 29715
Fax (704) 626-2805

PB Attachment 2 – Draft Ordinance and Exhibits

STATE OF NORTH CAROLINA)
) ORDINANCE # DRAFT
TOWN OF INDIAN TRAIL)

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF INDIAN TRAIL REZONING PARCELS 07117010, 07117010A, 07117010B and 07117010C FROM FINGLE FAMILY SF-1 DISTRICT TO CZ- SF-5 SINGLE FAMILY DISTRICT WITHIN OLD MONROE VILLAGE, IN THE TOWN OF INDIAN TRAIL, UNION COUNTY, NORTH CAROLINA

WHEREAS, the applicant Blake Communities VP2-SC, LLC on behalf of the property owners Patricia Shelby, et al., petitioned to rezone parcels 07117010, 07117010A, 07117010B and 07117010C from Single Family SF-1 District to a Conditional Zoning District SF-5 Single Family District for the purpose developing approximately 49 single-family dwelling units; and

WHEREAS, this Conditional Zoning Amendment (CZ2015-005) was duly noticed in compliance with North Carolina General Statutes; and

WHEREAS, two community meetings were held on January 27, 2016; and

WHEREAS, a public meeting was held by the Planning Board on February 16, 2016 to consider this conditional zoning request; and

WHEREAS, the Planning Board after hearing the case and public comments found the proposed map amendment is consistent with the following goals of the Comprehensive Plan:

- *Land Use and Housing Goals #1, 2 and 5:* The proposed project promotes compatibility of land uses between neighboring properties and residential properties within surrounding jurisdictions, increases the diversity of housing options within Indian Trail, and proposes high quality design to promote attractive land development; and

- *Mobility and Transportation Goal #3:* The proposed development incorporates pedestrian amenities and connectivity throughout the community, as well as opportunity to connect to any future development directly north of this development.

  The request for this conditional zoning district (SF-5 District) 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, land use and housing.

WHEREAS, after making the draft findings the Planning Board approved 5 to 0 the motion to transmit a recommendation to approve as conditioned to the Town Council; and

WHEREAS, the Town Council held a public hearing on March 22, 2016 to consider said request and recommendation of approval from the Planning Board; and

WHEREAS, the Town Council concurred with the Planning Board's consistency findings and hereby endorses said findings; and

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

Section 1 – Approves CZ 2015-005 Conditional Zoning Petition thereby granting the Zoning Map amendment to establish Conditional Zoning District of SF-5 Single Family for the purpose developing approximately 49 single-family dwelling units and subject to the following conditions:

1. *Subject Parcels:* Rezoning – 07117010, 07117010A, 07117010B and 07117010C to CZ-SF-5.
2. *Permitted Uses:* The permitted use on the subject property is single-family detached residential and accessory uses as permitted the UDO.
3. *Permitted Number of Units:* The maximum number of units on the subject development shall not exceed 49 single-family detached dwelling units.
4. *Lot Frontage, Setbacks and Height:* Lots shall provide 50' width, as generally referenced on the concept plan (Exhibit 1). Setbacks and other requirements shall be provided as follows:

Lot Width	**Lot Area Minimum**	**Front and Rear Setback**	**Side Setback**	**Maximum Height**
50 foot minimum	6000 square feet minimum	25 feet Front *(see note regarding Garage placement below) 20 feet Rear	5 feet on interior lots 10 feet on corner lots	35 feet maximum
***Garage:** may be a maximum of 2 feet in front of the front façade or porch, if one exists.				

5. *Conceptual Plan:* The proposed single-family development and associated improvements shall comply with the conceptual plan attached herein as Exhibit 1.
   a. *On-street parking*: on-street parking shall be provided at key locations as generally depicted on the Conceptual Plan.
   b. *Open Space:* All open space areas shall be generally consistent with the layout reflected in Exhibit 1 and shall contain trees and shrubs, as well as passive recreation fixtures where feasible. The large central open space in the concept plan in Exhibit 1 within the community shall be landscaped with plant species which require low maintenance.
   c. *Open Space Pathway:* The pathway shown within the large central open space in the concept plan in Exhibit 1 shall be a paved surface, to the satisfaction of the Town Engineering and Planning Departments.
6. *Architecture:*
   a. All homes shall be built in general accordance with the elevations in Exhibit 2 and shall be constructed of brick, stone, wood, or shake siding with no vinyl or composite siding or synthetic stucco.

b. *Vary elevations/architectural models on adjacent lots:* Every lot shall provide a different architectural model from the lot(s) adjacent to it. No two identical architectural elevations which include identical facades, roof lines, door and window placement and details, shall be built on lots adjacent to or directly across from each other.

c. Architectural details shall include ornamented garage doors, decorative light fixtures on either sides of the garage door, gable pediments, transoms above the front entry door, as generally depicted in Exhibit 2.

d. There shall be no blank walls on any side elevations.

e. All units shall provide the master bedroom located on the first floor to support the age-targeted marketing concept.

f. *Mailboxes:* A decorative cluster mailbox must be provided, as generally depicted in the conceptual plan.

7. *Tree Retention:* The development is conditioned to comply with Chapter 830- Tree Preservation Ordinance of the UDO. A Heritage tree survey and tree canopy plan is required within the site plan review process. All reasonable efforts will be made to retain the existing Heritage Trees on the site, however, it is recognized that several may need to be removed and mitigation will be undertaken in accordance with UDO Chapter 830(E) requirement.

8. *Perimeter Landscape Buffer:* A 20 foot perimeter landscape buffer shall be provided as generally depicted on the concept plan (Exhibit 1).

9. *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, to meet 100-year storm requirements. Unless deemed infeasible by the Town Engineering Department, the water management facilities shall tie into the existing drop inlets along the eastern boundary (rear of the subject property) found between Lots 184 and 186, and between Lots 191 and 192 of Colton Ridge.

   All detention ponds shall provide a dense vegetation screening. Fencing shall be provided around the stormwater management improvements to minimize any visual obtrusiveness, as well as amenities including but not limited to water fountains, gathering areas and/or similar passive recreation areas for residents.

10. *Waxhaw Indian Trail Road Roadway Improvements:* Prior to the issuance of Town Zoning Compliance for any home, the developer shall be responsible for constructing the ROW improvements listed below on Waxhaw Indian Trail Road:

    - A left-turn lane with 100 foot full stacking and, and in coordination with the design for Arbors at Blanchard roadway improvements.

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

11. *Frontage Improvements:* Frontage improvements along Waxhaw Indian Trail Road shall be provided and include a 6 foot sidewalk, and street lights and curb/gutter. A minimum ROW measured 50 feet from the center line of the existing road shall be provided and dedicated to NCDOT or its assigns. All required frontage improvements shall be constructed and any associated public ROW dedicated prior to the issuance of Town Zoning Compliance for any home.

12. *Onsite Roadway Improvements:* Internal Roads within the subject site shall be constructed with a minimum of 50' right-of-way. Improvements shall consist of two travel lanes in opposite direction, curb/gutter, 5-ft wide sidewalks, street lights and street trees. Traffic calming features may be required throughout the development and may include a combination of raised intersections, pedestrian crossings, speed tables and/or other traffic calming mechanisms, as approved by the Town Engineering Department. All roadways shall be constructed in accordance with Town Engineering Standards.
13. *Sketch Plan Approval from Union County Public Works.*
14. *Revocation:* The Town Council may act to revoke the conditional zoning district designation if the applicant fails to meet the terms of the district.

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

AND IT IS SO ORDAINED this __ day of March, 2016.

TOWN OF INDIAN TRAIL COUNCIL

Attest:

_____

Michael Alvarez, Mayor

_____

Kelley Southward, Town Clerk

APPROVED AS TO FORM:

_____

TOWN ATTORNEY

PB Attachment 3 – Community Meeting Minutes

REZONING COMMUNITY MEETING REPORT (AFTERNOON)

Applicant: Blake Communities VP2-SC, LLC

Rezoning Petition **No. CZ 2015-005**

This Community Meeting Report is being filed with the Town of Indian Trail Planning and Neighborhood Services Department for the Waxhaw Indian Trail Road rezoning project. Separate reports are being filed for the daytime and evening meetings (if required).

DATE, TIME AND LOCATION OF MEETING:
The Community Meeting was held on Wednesday, January 27, 2016 from 3:00PM-5:00PM at Union West Regional Library, 123 Unionville-Indian Trail Road, Indian Trail, NC 28079

MEETING NOTIFICATION:
A representative of the Town of Indian Trail mailed written notice of the date, time and location of the Community Meeting to the individuals and organizations set out on Exhibit A attached hereto by depositing such notice in the U.S. mail on January 13, 2016.

PERSONS IN ATTENDANCE AT MEETING (see attached copy of sign-in sheets):
The Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as Exhibit B. The Applicant was represented at the Community Meeting by Eric Swanson, Kerry Avant, and Matthew Velkovich. Ms. Gretchen Coperine of the Town of Indian Trail Planning and Neighborhood Services Department represented the Town at the meeting.

SUMMARY OF PRESENTATION/DISCUSSION:
The Applicant's agent, Eric Swanson, welcomed the attendees and introduced the Applicant's team. Mr. Swanson indicated that the Applicant proposed to rezone an approximately 16 acres at 2323 Waxhaw-Indian Trail Road from the SF-1 to SF-5. Mr. Swanson explained the rezoning process in general and stated that the purpose of the meeting was to discuss the rezoning request and the conditional site plan and respond to questions and concerns from nearby residents and property owners.

Mr. Swanson then presented the site plan and pointed out various commitments made by the Applicant. Kerry Avant showed proposed architectural elevations and discussed the design of the proposed site. He used the elevations and renderings to explain the proposed homes that will be marketed.

Greg Vossekuil, 213 Edenshire Court asked about how drainage is being addressed. Mr. Velkovich explained that stormwater will be managed on-site and post-development peak rates of runoff will not exceed pre-development rates. Mr. Vossekuil stated that the Blanchard Circle project has increased the stormwater the runs adjacent to his lot. He also provided some background information about the storm drainage system that runs in front of his lot in Edenshire Court. Mr. Velkovich explained that without a full design, we could not fully address the problem at the Community Meeting. A commitment was made to go out on

site with Town Staff to review the problem so that a solution can be proposed (that meeting is scheduled for February 5, 2016 at 3:00 PM).

Respectfully submitted, this 3rd day of February, 2016

Exhibit A

INDIAN TRAIL
north carolina
P.O. Box 2430
Indian Trail, North Carolina 28079
Telephone 704-821-5401
PLANNING AND NEIGHBORHOOD SERVICES

NOTICE OF PUBLIC MEETINGS

Community meetings have been scheduled regarding a proposed Conditional Zoning Map Amendment located on Waxhaw Indian Trail Road (see location map on reverse side). **You are receiving this notification because you own property within the project notification area.** You are invited to attend the following community meetings. The same information is presented at each meeting.

CASE: CZ 2015-005	
Meeting Information	• **January 27, 2016**- 3p.m. to 5p.m.-Union West Regional Library (123 Unionville Indian Trail Rd), Indian Trail, NC 28079 • **January 27, 2016**- 6p.m. to 8p.m.-Indian Trail Civic Building(100 Navajo Trail) Indian Trail, NC 28079
Subject Property Location	The rezoning request is for a 16 acre site (approximate) located on the east side of Waxhaw Indian Trail Rd, north of Blanchard Circle (Parcels: 07117010, 07117010A, 07117010B and 07117010C). See location map on reverse side.
Proposed Zoning	CZ-SF-5 (CZ2015-005 Waxhaw Indian Trail Rd). This zoning designation is primarily intended for the development of single family residential uses.
Existing Zoning	SF-1 (Single family)
Intent	The intent of the proposed zoning map amendment is to support development of approximately 49 single-family dwellings targeted as senior housing.
Applicant	Blake Communities VP2-SC, LLC

What is a Conditional Zoning Map Amendment or Conditional Rezoning?
The zoning district for a property designates the type of uses permitted on a property (i.e. residential, commercial, industrial, etc.) and certain development standards. A Zoning Map Amendment is the process to change the zoning district for a property such as from a residential district to a commercial district. In the Conditional Rezoning process, a site specific Concept Plan is made part of the formal approval and conditions are placed on the rezoning. The Indian Trail Planning Board reviews Zoning Map Amendment applications and provides a recommendation to the Indian Trail Town Council who makes the final decision in a public hearing. Substantial change in the proposed amendment may be made following the public hearing.

The documentation on the proposed changes will be available from 9:00 a.m. until 5:00 p.m., Monday-Friday at the Indian Trail Administrative Services Building at 130 Blythe Drive, Indian Trail, NC 28079. You may also go to the Town's website at www.indiantrail.org for more information on this meeting, or contact Gretchen Coperine at (704) 821-5401 or gcoperine@planning.indiantrail.org. The proposed application and conceptual plan in no way has been endorsed or approved by the Town of Indian Trail.

Direct Link to Rezoning Project File on Town of Indian Trail Website:

http://indiantrail.org/planlog1.php?id=450&type=15

LOCATION MAP

EXHIBIT B

INDIAN TRAIL
north carolina

Rezoning Project CZ2015-005
Blake Communities VP2-SC, LLC
Community Meeting Sign-In Sheet
January 27, 2016

3:00 - 5:00

Please Sign Your Name and Contact Information

NAME	ADDRESS	EMAIL	PHONE
Matthew Velkovich Summit Land Services, P.C.	P.O. Box 7442 Charlotte, NC 28241	mvelkovich@summit-companies.com	704-626-2800
Greg Vossekuil	213 Edenshire Ct.		704.821.3621
Bob Babb	209 Edenshire Ct	REbabb534@msn.com	704-684-1372
Ron Melton	2213 Waxhaw Indian Trail Rd		704-776-8455
Ron Taylor	2313 Waxhaw It Rd	Rwtaylor50@carolina.rr.com	704-821-6239

6:00 - 8:00

REZONING COMMUNITY MEETING REPORT (EVENING)

Applicant: Blake Communities VP2-SC, LLC

Rezoning Petition **No. CZ 2015-005**

This Community Meeting Report is being filed with the Town of Indian Trail Planning and Neighborhood Services Department for the Waxhaw Indian Trail Road rezoning project. Separate reports are being filed for the daytime and evening meetings (if required).

DATE, TIME AND LOCATION OF MEETING:
The Community Meeting was held on Wednesday, January 27, 2016 from 6:00PM-8:00PM at Indian Trail Civic Building, 100 Najavo Trail, Indian Trail, NC 28079

MEETING NOTIFICATION:
A representative of the Town of Indian Trail mailed written notice of the date, time and location of the Community Meeting to the individuals and organizations set out on Exhibit A attached hereto by depositing such notice in the U.S. mail on January 13, 2016.

PERSONS IN ATTENDANCE AT MEETING (see attached copy of sign-in sheets):
The Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as Exhibit B. The Applicant was represented at the Community Meeting by Eric Swanson and Matthew Velkovich. Ms. Gretchen Coperine of the Town of Indian Trail Planning and Neighborhood Services Department represented the Town at the meeting.

SUMMARY OF PRESENTATION/DISCUSSION:
The Applicant's agent, Eric Swanson, welcomed the attendees and introduced the Applicant's team. Mr. Swanson indicated that the Applicant proposed to rezone an approximately 16 acres at 2323 Waxhaw-Indian Trail Road from the SF-1 to SF-5. Mr. Swanson explained the rezoning process in general and stated that the purpose of the meeting was to discuss the rezoning request and the conditional site plan and respond to questions and concerns from nearby residents and property owners.

Mr. Swanson then presented the site plan and pointed out various commitments made by the Applicant. Mr. Swanson showed proposed architectural elevations and discussed the design of the proposed site. He used the elevations and renderings to explain the proposed homes that will be marketed.

Mr. Bob Babb, 209 Edenshire Court asked about how drainage is being addressed. Mr. Velkovich explained that this issue was brought up during the afternoon session and that he would be invited to an on-site meeting with Town Staff (that meeting is scheduled for February 5, 2016 at 3:00 PM).

Others in attendance reviewed the plans and renderings. They offered no other comments or questions.

Respectfully submitted, this 3rd day of February, 2016

Exhibit A

INDIAN TRAIL
north carolina
P.O. Box 2430
Indian Trail, North Carolina 28079
Telephone 704-821-5401
PLANNING AND NEIGHBORHOOD SERVICES

NOTICE OF PUBLIC MEETINGS

Community meetings have been scheduled regarding a proposed Conditional Zoning Map Amendment located on Waxhaw Indian Trail Road (see location map on reverse side). **You are receiving this notification because you own property within the project notification area.** You are invited to attend the following community meetings. The same information is presented at each meeting.

CASE: CZ 2015-005	
Meeting Information	• **January 27, 2016**- 3p.m. to 5p.m.-Union West Regional Library (123 Unionville Indian Trail Rd), Indian Trail, NC 28079 • **January 27, 2016**- 6p.m. to 8p.m.-Indian Trail Civic Building(100 Navajo Trail) Indian Trail, NC 28079
Subject Property Location	The rezoning request is for a 16 acre site (approximate) located on the east side of Waxhaw Indian Trail Rd, north of Blanchard Circle (Parcels: 07117010, 07117010A, 07117010B and 07117010C). See location map on reverse side.
Proposed Zoning	CZ-SF-5 (CZ2015-005 Waxhaw Indian Trail Rd). This zoning designation is primarily intended for the development of single family residential uses.
Existing Zoning	SF-1 (Single family)
Intent	The intent of the proposed zoning map amendment is to support development of approximately 49 single-family dwellings targeted as senior housing.
Applicant	Blake Communities VP2-SC, LLC

What is a Conditional Zoning Map Amendment or Conditional Rezoning?
The zoning district for a property designates the type of uses permitted on a property (i.e. residential, commercial, industrial, etc.) and certain development standards. A Zoning Map Amendment is the process to change the zoning district for a property such as from a residential district to a commercial district. In the Conditional Rezoning process, a site specific Concept Plan is made part of the formal approval and conditions are placed on the rezoning. The Indian Trail Planning Board reviews Zoning Map Amendment applications and provides a recommendation to the Indian Trail Town Council who makes the final decision in a public hearing. Substantial change in the proposed amendment may be made following the public hearing.

The documentation on the proposed changes will be available from 9:00 a.m. until 5:00 p.m., Monday-Friday at the Indian Trail Administrative Services Building at 130 Blythe Drive, Indian Trail, NC 28079. You may also go to the Town's website at www.indiantrail.org for more information on this meeting, or contact Gretchen Coperine at (704) 821-5401 or gcoperine@planning.indiantrail.org. The proposed application and conceptual plan in no way has been endorsed or approved by the Town of Indian Trail.

Direct Link to Rezoning Project File on Town of Indian Trail Website:

http://indiantrail.org/planlog1.php?id=450&type=15

LOCATION MAP

EXHIBIT B

INDIAN TRAIL
north carolina

Rezoning Project CZ2015-005
Blake Communities VP2-SC, LLC
Community Meeting Sign-In Sheet
January 27, 2016

3:00 - 5:00

Please Sign Your Name and Contact Information

NAME	ADDRESS	EMAIL	PHONE
Matthew Velkovich Summit Land Services, P.C.	P.O. Box 7442 Charlotte, NC 28241	mvelkovich@summit-companies.com	704-626-2800
Greg Vussekuil	213 Edenshire Ct.		704.821.3621
Bob Babb	209 Edenshire Ct	REbabb534@msn.com	704-684-1372
Ron Melton	2213 Waxhaw Indian Trail Rd		704-776-8455
Ron Taylor	2313 Waxhaw It Rd	Rwtaylor50@carolina.rr.com	704-821-6239

6:00 - 8:00

TC Attachment 2 – Draft Ordinance with Exhibits

STATE OF NORTH CAROLINA)
) ORDINANCE # DRAFT
TOWN OF INDIAN TRAIL)

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF INDIAN TRAIL REZONING PARCELS 07117010, 07117010A, 07117010B and 07117010C FROM FINGLE FAMILY SF-1 DISTRICT TO CZ- SF-5 SINGLE FAMILY DISTRICT WITHIN OLD MONROE VILLAGE, IN THE TOWN OF INDIAN TRAIL, UNION COUNTY, NORTH CAROLINA

WHEREAS, the applicant Blake Communities VP2-SC, LLC on behalf of the property owners Patricia Shelby, et al., petitioned to rezone parcels 07117010, 07117010A, 07117010B and 07117010C from Single Family SF-1 District to a Conditional Zoning District SF-5 Single Family District for the purpose developing approximately 49 single-family dwelling units; and

WHEREAS, this Conditional Zoning Amendment (CZ2015-005) was duly noticed in compliance with North Carolina General Statutes; and

WHEREAS, two community meetings were held on January 27, 2016; and

WHEREAS, a public meeting was held by the Planning Board on February 16, 2016 to consider this conditional zoning request; and

WHEREAS, the Planning Board after hearing the case and public comments found the proposed map amendment is consistent with the following goals of the Comprehensive Plan:

- *Land Use and Housing Goals #1, 2 and 5:* The proposed project promotes compatibility of land uses between neighboring properties and residential properties within surrounding jurisdictions, increases the diversity of housing options within Indian Trail, and proposes high quality design to promote attractive land development; and

- *Mobility and Transportation Goal #3:* The proposed development incorporates pedestrian amenities and connectivity throughout the community, as well as opportunity to connect to any future development directly north of this development.

  The request for this conditional zoning district (SF-5 District) 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, land use and housing.

WHEREAS, after making the draft findings the Planning Board approved 5 to 0 the motion to transmit a recommendation to approve as conditioned to the Town Council; and

WHEREAS, the Town Council held a public hearing on March 22, 2016 to consider said request and recommendation of approval from the Planning Board; and

WHEREAS, the Town Council concurred with the Planning Board's consistency findings and hereby endorses said findings; and

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

Section 1 – Approves CZ 2015-005 Conditional Zoning Petition thereby granting the Zoning Map amendment to establish Conditional Zoning District of SF-5 Single Family for the purpose developing approximately 49 single-family dwelling units and subject to the following conditions:

1. *Subject Parcels:* Rezoning – 07117010, 07117010A, 07117010B and 07117010C to CZ-SF-5.
2. *Permitted Uses:* The permitted use on the subject property is single-family detached residential and accessory uses as permitted the UDO.
3. *Permitted Number of Units:* The maximum number of units on the subject development shall not exceed 49 single-family detached dwelling units.
4. *Lot Frontage, Setbacks and Height:* Lots shall provide 50' width, as generally referenced on the concept plan (Exhibit 1). Setbacks and other requirements shall be provided as follows:

Lot Width	**Lot Area Minimum**	**Front and Rear Setback**	**Side Setback**	**Maximum Height**
50 foot minimum	6000 square feet minimum	25 feet Front *(see note regarding Garage placement below) 20 feet Rear	5 feet on interior lots 10 feet on corner lots	35 feet maximum
***Garage:** may be a maximum of 2 feet in front of the front façade or porch, if one exists.				

5. *Conceptual Plan:* The proposed single-family development and associated improvements shall comply with the conceptual plan attached herein as Exhibit 1.
   a. *On-street parking*: on-street parking shall be provided at key locations as generally depicted on the Conceptual Plan.
   b. *Open Space:* All open space areas shall be generally consistent with the layout reflected in Exhibit 1 and shall contain trees and shrubs, as well as passive recreation fixtures where feasible. The large central open space in the concept plan in Exhibit 1 within the community shall be landscaped with plant species which require low maintenance.
   c. *Open Space Pathway:* The pathway shown within the large central open space in the concept plan in Exhibit 1 shall be a paved surface, to the satisfaction of the Town Engineering and Planning Departments.
6. *Architecture:*
   a. All homes shall be built in general accordance with the elevations in Exhibit 2 and shall be constructed of brick, stone, wood, or shake siding with no vinyl or composite siding or synthetic stucco.

b. *Vary elevations/architectural models on adjacent lots:* Every lot shall provide a different architectural model from the lot(s) adjacent to it. No two identical architectural elevations which include identical facades, roof lines, door and window placement and details, shall be built on lots adjacent to or directly across from each other.

c. Architectural details shall include ornamented garage doors, decorative light fixtures on either sides of the garage door, gable pediments, transoms above the front entry door, as generally depicted in Exhibit 2.

d. There shall be no blank walls on any side elevations.

e. All units shall provide the master bedroom located on the first floor to support the age-targeted marketing concept.

f. *Mailboxes:* A decorative cluster mailbox must be provided, as generally depicted in the conceptual plan.

7. *Tree Retention:* The development is conditioned to comply with Chapter 830- Tree Preservation Ordinance of the UDO. A Heritage tree survey and tree canopy plan is required within the site plan review process. All reasonable efforts will be made to retain the existing Heritage Trees on the site, however, it is recognized that several may need to be removed and mitigation will be undertaken in accordance with UDO Chapter 830(E) requirement.

8. *Perimeter Landscape Buffer:* A 20 foot perimeter landscape buffer shall be provided as generally depicted on the concept plan (Exhibit 1).

9. *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, to meet 100-year storm requirements. Unless deemed infeasible by the Town Engineering Department, the water management facilities shall tie into the existing drop inlets along the eastern boundary (rear of the subject property) found between Lots 184 and 186, and between Lots 191 and 192 of Colton Ridge.

   All detention ponds shall provide a dense vegetation screening. Fencing shall be provided around the stormwater management improvements to minimize any visual obtrusiveness, as well as amenities including but not limited to water fountains, gathering areas and/or similar passive recreation areas for residents.

10. *Waxhaw Indian Trail Road Roadway Improvements:* Prior to the issuance of Town Zoning Compliance for any home, the developer shall be responsible for constructing the ROW improvements listed below on Waxhaw Indian Trail Road:

    - A left-turn lane with 100 foot full stacking and, and in coordination with the design for Arbors at Blanchard roadway improvements.

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

11. *Frontage Improvements:* Frontage improvements along Waxhaw Indian Trail Road shall be provided and include a 6 foot sidewalk, and street lights and curb/gutter. A minimum ROW measured 50 feet from the center line of the existing road shall be provided and dedicated to NCDOT or its assigns. All required frontage improvements shall be constructed and any associated public ROW dedicated prior to the issuance of Town Zoning Compliance for any home.

12. *Onsite Roadway Improvements:* Internal Roads within the subject site shall be constructed with a minimum of 50' right-of-way. Improvements shall consist of two travel lanes in opposite direction, curb/gutter, 5-ft wide sidewalks, street lights and street trees. Traffic calming features may be required throughout the development and may include a combination of raised intersections, pedestrian crossings, speed tables and/or other traffic calming mechanisms, as approved by the Town Engineering Department. All roadways shall be constructed in accordance with Town Engineering Standards.
13. *Sketch Plan Approval from Union County Public Works.*
14. *Revocation:* The Town Council may act to revoke the conditional zoning district designation if the applicant fails to meet the terms of the district.

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

AND IT IS SO ORDAINED this __ day of March, 2016.

TOWN OF INDIAN TRAIL COUNCIL

Attest:

_____

Michael Alvarez, Mayor

_____

Kelley Southward, Town Clerk

APPROVED AS TO FORM:

_____

TOWN ATTORNEY