bickering amongst themselves. He said that Council has taken their oath seriously about wanting to work with the residents to move the Town forward. He opined that tonight was a perfect example: we've had the hotel on-going since April because Council wanted input from the residents before making a decision and Council voted the way in which residents wanted them to vote. He urged residents to ask Council members what is going on in Town and they'll be happy to share. Councilman Wireman said that he comes prepared to meetings with facts and he does that out of respect for the residents. He said serving as an elected official is a second full-time job to him. He said that he takes offence to hear public comments that Council is not moving the Town forward because he believes Council is moving the Town forward. Council is not going to always agree and he can respectfully disagree. He thanked everyone for coming out.

- **Councilman Daniels:** thanked everyone for coming to the meeting and hopes everyone gets home safely. He said that his wife recently reminded him that they've not been on vacation and he's not missed a meeting since December so he's going to need to work in a vacation soon. Councilman Daniels agreed with a remark of Councilman Wireman in that the Town does have a history of strong finances which has provided a better bond rating. Further, we have a history of receiving great audits. Also, projects and other information have always been reported in newsletters and on the Town's website so if people would go to look something up, they would find information. Councilman Daniels felt the website has improved in that it seems easier to find information but information has always been available on the website. Councilman Daniels hoped that everyone would get home safely this evening and looks forward to seeing everyone in a few weeks.
- **Mayor Alvarez:** thanked Council for doing a good job this evening; there were some tough issues before Council and members handled themselves well making his job easier. The next time Council meets school will be back in session. He asked that everyone drive safely and be attentive to the fact that our children will be back in school. He agreed with comments made by Mrs. Faulkenberry earlier in the evening in that National Night Out was a great event; he thanked Mr. Gary Evans for his efforts in brining the event to the Town's attention. Mayor Alvarez noted that September 11th will be here prior to Council's next meeting and he said that he believes this year holds more significance because that was the last time our country was united. There were no prejudices among us on 9-11 there were just Americans coming together to help one another through a national tragedy. He said that what is happening in the world and country now is not good or right and suggested that the bar be raised to do better and that should start right here at home.
- **Councilman Savoie:** also asked everyone to be mindful of school starting back and be aware of buses and children crossing the roads. He thanked the Sheriff's Department and Staff for all of their hard work.

15. CLOSED SESSION **Action**

Councilman Daniels asked if the matters slated for Closed Session could be postponed. Mr. Thompkins said that the proper motion would be to postpone to a specific date/time/place. *Councilman Daniels moved to postpone Business Item 11e to a date to be announced.* Mr. Thompkins noted that the date (time and place) needed to be specified in the motion or Council could defer consideration of item and then Council could bring it forth on a future agenda. Mayor Alvarez said he needed a motion to suspend the rules before any motion is made. *Councilman Wireman made a motion to suspend the rules so discussion of this matter could take place; the motion carried unanimously.* Councilman Savoie noted that the meeting dates for September are the 13th and 27th. Councilman Daniels said that he did not know because he will likely have to plan a vacation and doesn't know when that will take place. *Councilman Daniels moved to suspend discussion of Business Item 11e until October 11th and further discussion ensued.* Councilman Cohn said he would like to just go ahead into closed session this evening as he doesn't understand exactly what the items are but is intrigued by the wording of the agenda items. He doesn't want to wait two months to know what this matter is about. *Mayor Alvarez called for a vote to the motion on the table to postpone until October 11th; the motion to postpone was denied by a vote of two (2) in favor (Councilmen Daniels and Savoie) and three (3) opposed (Council Members Cohn, Stanton and Wireman).*

Councilman Wireman moved to enter Closed Session pursuant to NCGS 143-318.11(a)(3) to consult with the Town Attorney to protect the Attorney-Client privilege and/or to consider and give instructions concerning a potential or actual claim, administrative procedure or judicial review and NCGS 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness or a present officer or employee or to hear or investigate a complaint, charge or grievance by or against an individual employee; the motion carried unanimously.

Upon completion of Closed Session Councilman Daniels moved that Council enter Regular Session; the motion carried unanimously.

16. ADJOURN **Action**

Councilman Savoie moved to adjourn and the motion carried unanimously.

(SEAL)

_____
Michael L. Alvarez, Mayor

Attest:

_____
Kelley Southward, Town Clerk

DRAFT

STATE OF NORTH CAROLINA)
) **RESOLUTION #160913-01**
TOWN OF INDIAN TRAIL)

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION # 143 for Parcels #07120005A 90, 07120008) PURSUANT TO G.S. 160A-31

WHEREAS, petition requesting annexation of the areas described herein have been received; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Indian Trail, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at Town of Indian Trail Civic Building at 6:30 P.M. on the 11th day of October, 2016.

Section 2. The area proposed for annexation is described as follows:

Parcel# 071-200-08
5.00 Acres
6250 Hawfield Road
LYING AND BEING IN UNINCORPORATED UNION COUNTY, NORTH CAROLINA, BEGINNING AT AN FOUND IRON REBAR ON THE SOUTHERLY SIDE OF HAWFIELD ROAD BEING A 20+- GRAVEL DRIVE
AND BEING THE COMMON CORNER OF REO FUNDING SOLUTIONS III LLC RECORDED IN DEED BOOK 5801 PAGE 703 OF THE UNION COUNTY PUBLIC REGISTRY AND NANCY P. ADAMS RECORDED IN DEED BOOK 3505 PAGE 523 OF THE UNION COUNTY PUBLIC REGISTRY; THENCE WITH SAID PROPERTIES THE FOLLOWING 4 (FOUR) COURSES AND DISTANCES (1) NORTH 37-23-30 EAST 309.13 FEET TO AN IRON PIPE FOUND; (2) NORTH 37-23-37 E 108.50' FEET TO AN IRON PIPE FOUND; (3) SOUTH 47-25-15 EAST 506.91 FEET TO AN IRON REBAR FOUND; (4) SOUTH 36-36-44 WEST 451.23 FEET TO AN IRON REBAR FOUND WITHIN THE RIGHT-OF-WAY OF HAWFIELD ROAD; THENCE WITH SAID ROAD THE

FOLLOWING 4 (FOUR) COURSES AND DISTANCES (1) NORTH 42-17-58 WEST 100.00 FEET TO A POINT;
(2) NORTH 42-27-58 WEST 247.45 FEET TO A POINT; (3) NORTH 43-57-01 WEST 127.34 FEET TO A POINT;
(4) NORTH 54-16-03 WEST 43.14 FEET TO THE POINT AND PLACE OF BEGINNING
AND CONTAINING 5.00 ACRES+- AS SURVEYED BY CHRISTOPHER D. FAULK WITH METROLINA ENGINEERING & SURVEYING ASSOCIATES ON APRIL 26, 2016 L-5013

AND

Parcel# 071-200-05-90
3.26 Acres Hawfield Road
LYING AND BEING IN UNINCORPORATED UNION COUNTY, NORTH CAROLINA, BEGINNING AT A FOUND IRON REBAR ON THE SOUTHERLY SIDE OF HAWFIELD ROAD BEING A 20+- GRAVEL DRIVE
AND BEING THE COMMON CORNER OF REO FUNDING SOLUTIONS Ill LLC, TRACTS #2 & #4, RECORDED IN DEED BOOK 5801 PAGE 703 OF THE UNION COUNTY PUBLIC REGISTRY; THENCE WITH SAID PROPERTIES NORTH 22-50-00 EAST 166.04 FEET TO A TACK IN AN IRON PIPE FOUND; THENCE CONTINUING NORTH
30-52-39 EAST 311.61 FEET TO AN IRON REBAR FOUND; THENCE CONTINUING SOUTH 49-39-11 EAST
399.44 FEET TO AN IRON PIPE FOUND AND BEING THE COMMON CORNER OF REO FUNDING SOLUTIONS
Ill LLC AND NANCY P. ADAMS RECORDED IN DEED BOOK 3505 PAGE 523; THENCE WITH SAID PROPERTIES SOUTH 37-23-30 WEST 309.13 FEET TO AN IRON REBAR SET WITHIN THE RIGHT-OF-WAY OF HAWFIELD ROAD; THENCE WITH SAID ROAD THE FOLLOWING 4 (FOUR) COURSES AND DISTANCES; (1) NORTH 70-59-15 WEST 9.28 FEET TO A POINT; (2) NORTH 69-41-30 WEST 65.79 FEET; (3) NORTH 74-56-
49 WEST 172.38 FEET TO A POINT; (4) NORTH 82-49-23 WEST 104.93 FEET TO THE POINT AND PLACE OF BEGINNING AND CONTAINING 3.26 ACRES AS SURVEYED BY CHRISTOPHER D. FAULK WITH METRO UNA
ENGINEERING & SURVEYING ASSOCIATES ON APRIL 26, 2016 L-5013.

Section 3. Notice of the public hearing shall be published in a newspaper having general circulation in the Town of Indian Trail, North Carolina, at least ten (10) days prior to the date of the public hearing.

Michael L. Alvarez, Mayor

ATTEST:

Kelley Southward, Town Clerk

Town of Indian Trail

Memo

TO: Mayor and Town Council

FROM: Alicia Massey

CC: Scott Kaufhold

DATE: September 13, 2016

SUBJECT: Month End August 2016

According to GS 105-350(7) it is the duty of the tax collector to submit to the governing body at each of its regular meetings a report of the amount he/she has collected on each year's taxes with which he is charged, the amount remaining uncollected, and the steps he/she is taking to encourage or enforce payment of uncollected taxes.

Attached is the month end report for August 2016 collections. The tax department is using all collection remedies as provided by general statute to collect delinquent taxes including but not limited to garnishments, attachments and NC Debt Setoff.

PO Box 2430 • 130 Blythe Drive • Indian Trail • North Carolina • 28079 • (704) 821-5401• Fax (704) 821-9045

Description	Count	Principal Arrears/Other	Principal 2016	Principal 2017	Principal Future	Penalty	Total
Billing	71	388.85-	297.07	0.00	0.00		91.78-
Payments	2413	13,938.64-	414,317.17-	0.00	0.00	1,599.92-	429,855.73-
Reversals	0	0.00	0.00	0.00	0.00	0.00	0.00
Adjustments	1764	62.57	2,186.63-	0.00	0.00	73.91-	2,197.97-
Apply Over	0	0.00	0.00	0.00	0.00	0.00	0.00
Rev Appl Ovr	0	0.00	0.00	0.00	0.00	0.00	0.00
Ref Overpay	3	214.62	0.00	0.00	0.00	0.00	214.62
Penalty	4282					1,860.02	1,860.02
Totals	8533	14,050.30-	416,206.73-	0.00	0.00	186.19	430,070.84-

PO Box 2430
Indian Trail, NC 28079
PLANNING AND NEIGHBORHOOD SERVICES DEPARTMENT

Case: Annexation #142	
Reference Name	Virginia Trace Annexation
Applicant	M/I Homes of Charlotte, LLC
Submittal Date	March 21, 2016
Location	Southeast corner of Unionville Indian Trail Road and Oakwood Lane
Tax Map Number	07-045-001

Summary

This is a request to voluntarily annex an approximately 39 acre property (07-045-001) into the Town of Indian Trail. The Council took the following actions at its July 12, 2016 and August 9, 2016 public meetings initiating the annexation process:

1. Adopted a resolution directing the Town Clerk to Investigate the Sufficiency of the Voluntary Annexation Petition; and
2. Certified the Sufficiency of the Annexation Petition; and
3. Adopted a resolution setting the public hearing to September 13, 2016.

Background and Analysis

The subject property is a vacant parcel located on the southeast corner of Unionville Indian Trail Road and Oakwood Lane, and is approximately 39 acres in size. The subject property is currently zoned R-20 Single Family Residential by Union County. This annexation petition is being processed concurrent with a conditional zoning request (CZ2016-004 Virginia Trace) which is requesting a conditional SF-5 Single Family Residential zoning classification. The recording of this annexation, if approved, is contingent upon the approval of the associated Conditional Zoning petition which will be heard by Council immediately following this request. A map of the subject property is provided on page two of this report.

LOCATION MAP

The following consistency findings, pursuant to NCGS § 160A-31(d) regarding voluntary annexations in North Carolina, must be made for the annexation to be valid:

The Town Council of Indian Trail finds that, pursuant to the requirements of NCGS § 160A-31(d), that the proposed Annexation Ordinance #142 petition offered by the applicant does in fact meet all

requirements for a proper voluntary annexation under North Carolina law and is found to be valid in form and manner.

Staff Recommendation -Staff recommends to the Town Council the following actions:

1.) Receive this staff report and public testimony on this annexation.
2.) Make the required finding in accordance with NCGS § 160A-31(d), reading into the record the statement above; and
3.) Make a motion to approve/disapprove extending the corporate limits of the Town of Indian Trail to include Annexation Ordinance #142 establishing the effective date of the annexation as September 13, 2016 at 11:59 p.m.

Staff Contact

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

Attachment One: Proposed Annexation Ordinance #142
Attachment Two: Petition Application for Proposed Voluntary Annexation w/Maps

TC ATTACHMENT ONE

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF INDIAN TRAIL, NORTH CAROLINA

ANNEXATION ORDINANCE #142 Voluntary annexation for one 39.5 acre parcel (more or less) located the southeast corner of Unionville Indian Trail and Oakwood Lane – Union County and identified as Tax Parcel Number 07-045-001 Owned by Frank W. Howey Jr. and Alison S. Howey, North Carolina.

WHEREAS, the Town Council has been petitioned pursuant to N.C.G.S. Chapter 160A, Article 4A, Part 1 to annex the area described below; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of annexation was held at the Town Civic Building at 6:30 PM on the 13th day of September, 2016, after due notice by Charlotte Observer; and

WHEREAS, the Town Council finds that the petition meets the requirements of G.S. 160A-31(d);

NOW, THEREFORE BE IT ORDAINED by the Town Council of the Town of Indian Trail, North Carolina that:

Section 1. By Virtue of the authority granted pursuant to N.C.G.S. Chapter 160A, Article 4A, Part 1, the following described territory is hereby annexed and made part of the Town of Indian Trail, North Carolina as of the 13th day of September, 2016 at 11:59 p.m.:

Being a parcel of land located in Vance Township, Union County, North Carolina and being more particularly described as follows.

BEGINNING at a 1/2" existing iron rebar having North Carolina State Plane coordinates of N: 485,876.38; E: 1,516,677.52 (NAD 83/2011). Said existing iron rebar being located on the southerly margin of a 60' right of way of Unionville-Indian Trail Road and being on the westerly line of the Nancy Ellen Stamey (Trustee) property as recorded in Book 5316, Page 879 in the Union County Public Registry.

Thence, with the aforesaid Nancy Ellen Stamey property S 03° 48' 27" W for a distance of 724.69 feet to a 1" existing iron rebar located at the northwest corner of the F. W. Huntley Construction Company, LLC property as recorded in Book 232, Page 242.

Thence, with the F. W. Huntley Construction Company, LLC property S 03° 39' 45" W for a distance of 1173.69 feet to a 1" existing iron bar located on the northerly line of the Victoria Medford property as recorded in Book 235, Page 386.

Thence, with the Victoria Medford property N 85° 52' 48" W for a distance of 625.31 feet to a point on the centerline of the right of way of Oakwood Lane (S.R. #1561, 60' right of way).

Thence, with the centerline of the right of way of Oakwood Lane the following eleven (11) calls: (1) N 36° 18' 04" W for a distance of 61.32 feet to a point on a line. (2) N 43° 04' 43" W for a distance of 253.06 feet to a point on a line. (3) N 36° 27' 56" W for a distance of 53.59feet to a point on a line. (4) N 27° 02' 35" W for a distance of 80.10 feet to a point on a line. (5) N 11° 38' 10" W for a distance of 87.23 feet to a point on a line. (6) N 16° 07' 36" W for a distance of 67.14 feet to a point on a line. (7) N 27° 43' 29" W for a distance of 54.90 feet to a point on a line. (8) N 32° 38' 51" W for a distance of 314.01 feet to a point on a line. (9) N 21° 54' 55" W for a distance of 112.97 feet to a point on a line. (10) N 04° 25' 16" W for a distance of 85.15 feet to a point on a line. (11) N 03° 55' 48" E for a distance of 180.44 feet to a point on a line.

Thence, N 32° 49' 51" W for a distance of 30.48 feet to a point on the northerly right of way of Unionville-Indian Trail Road.

Thence, with the northerly right of way of Unionville-Indian Trail Road the following six (6) calls: (1) N 57° 03' 04" E for a distance of 139.23 feet to a point on a line. (2) N 59° 29' 59" E for a distance of 299.47 feet to a point on a line. (3) N 62° 48' 36" E for a distance of 317.00 feet to a point on a line. (4) N 63° 59' 41" E for a distance of 51.13 feet to point on a line; (5) N 62° 39' 53" E for a distance of 330.30 feet to a point on a line; (6) N 62° 25' 01" E for a distance of 357.31 feet to a point on a line.

Thence S 03° 48' 27" W a distance of 69.77 feet to the POINT AND PLACE OF BEGINNING.

The parcel as described contains 39.557 acres more or less. All as shown on a Boundary Survey of the Franklin Howey, Jr. property by Eagle Engineering, Inc. (Russell L. Whitehurst, PLS) and dated February 26, 2016 and last revised on July 11, 2016.

Less and except the portion of the above described property conveyed to the North Carolina Department of Transportation and recorded in Book 6494 at Page 003 and being more particularly described as follows:

BEGINNING at a 1/2" existing iron rebar having North Carolina State Plane coordinates of N: 485,876.38; E: 1,516,677.52 (NAD 83/2011). Said existing iron rebar being located on the southerly margin of a 60' right of way of Unionville-Indian Trail Road and being on the westerly line of the Nancy Ellen Stamey (Trustee) property as recorded in Book 5316, Page 879 in the Union County Public Registry.

Thence, the following four (4) call: (1) S 03° 48' 54" W for a distance of 41.40 feet to a point; (2) S 63° 09' 07" W for a distance of 518.91 feet to a point; (3) N 26° 50' 53" W for a distance of 29.06 feet to a point; (4) N 62° 27' 22" E a distance of 540.06 feet to the POINT AND PLACE OF BEGINNING and containing 0.392 acres more or less.

Section 2. Upon and after the 13th day of September, 2016, at 11:59 p.m., the above-described territory and its citizens and property shall be subject to all debts, laws,

ordinances and regulations in force in the Town of Indian Trail, North Carolina and shall be entitled to the same privileges and benefits as other parts of the Town of Indian Trail, North Carolina. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Indian Trail, North Carolina shall cause to be recorded in the office of the Register of Deeds of Union County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Board of Elections, as required by G.S. 163-288.1.

Adopted this 13th day of September, 2016.

TOWN OF INDIAN TRAIL

BY:_____
Michael L. Alvarez, Mayor

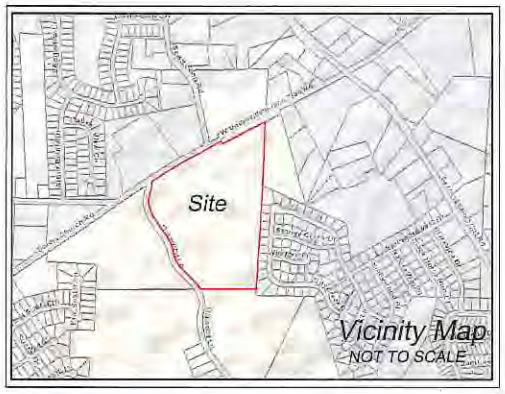
ATTEST:

_____
Kelley Southward, Town Clerk

APPROVED AS TO FORM:

_____
Vacant, Town Attorney

TC ATTACHMENT TWO



I, THE UNDERSIGNED MAYOR OF THE TOWN OF INDIAN TRAIL HEREBY CERTIFY THAT THIS MAP REFLECTS THE TERRITORY WHICH WAS ANNEXED INTO THE TOWN OF INDIAN TRAIL BY ANNEXATION ORDINANCE # _____, WHICH WAS ADOPTED ON THE ___ DAY OF _____, _____, AND THE INDIAN TRAIL MUNICIPAL LIMITS WHICH CORRESPOND TO THE EFFECTIVE DATE FOR THIS DOCUMENT.

MICHAEL ALVAREZ, MAYOR DATE
TOWN OF INDIAN TRAIL

PEGGY PIONTEK DATE
TOWN CLERK

LEGEND OF SYMBOLS & ABBREVIATIONS

EIP - EXISTING IRON PIPE
EIR - EXISTING IRON REBAR
NIR - NEW IRON REBAR
S.T. - SIGHT TRIANGLE
M.B.S. - MINIMUM BUILDING SETBACK
P.S.D.E. - PUBLIC STORM DRAINAGE EASEMENT
S.S.E. - SANITARY SEWER EASEMENT
SSMH - SANITARY SEWER MANHOLE
R/W - RIGHT OF WAY
P.S.S.E - PRIVATE SANITARY SEWER EASEMENT
G.U.E. - GENERAL UTILITY EASEMENT
C.P. - COMPUTED POINT
ECM - EXISTING CONCRETE MONUMENT
E.P.K. - EXISTING P.K. NAIL

- UTILITY POLE
- UNDERGROUND GASLINE
- OVERHEAD UTILITY LINE
- SANITARY SEWER LINE
- SANITARY SEWER MANHOLE
- FIRE HYDRANT
- WATER VALVE
- WATER LINE
- FENCE LINE

N
W E
S
NC GRID
NAD 83/2011

MISCELLANEOUS NOTES

AREAS COMPUTED USING COORDINATE GEOMETRY.

IRON REBARS AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.

CURRENT UNION COUNTY ZONING: R-20

ALL ADJOINER PROPERTY OWNER INFORMATION IS TAKEN FROM CURRENT DEEDS AND TAX RECORDS AND ARE CONSIDERED "NOW OR FORMERLY".

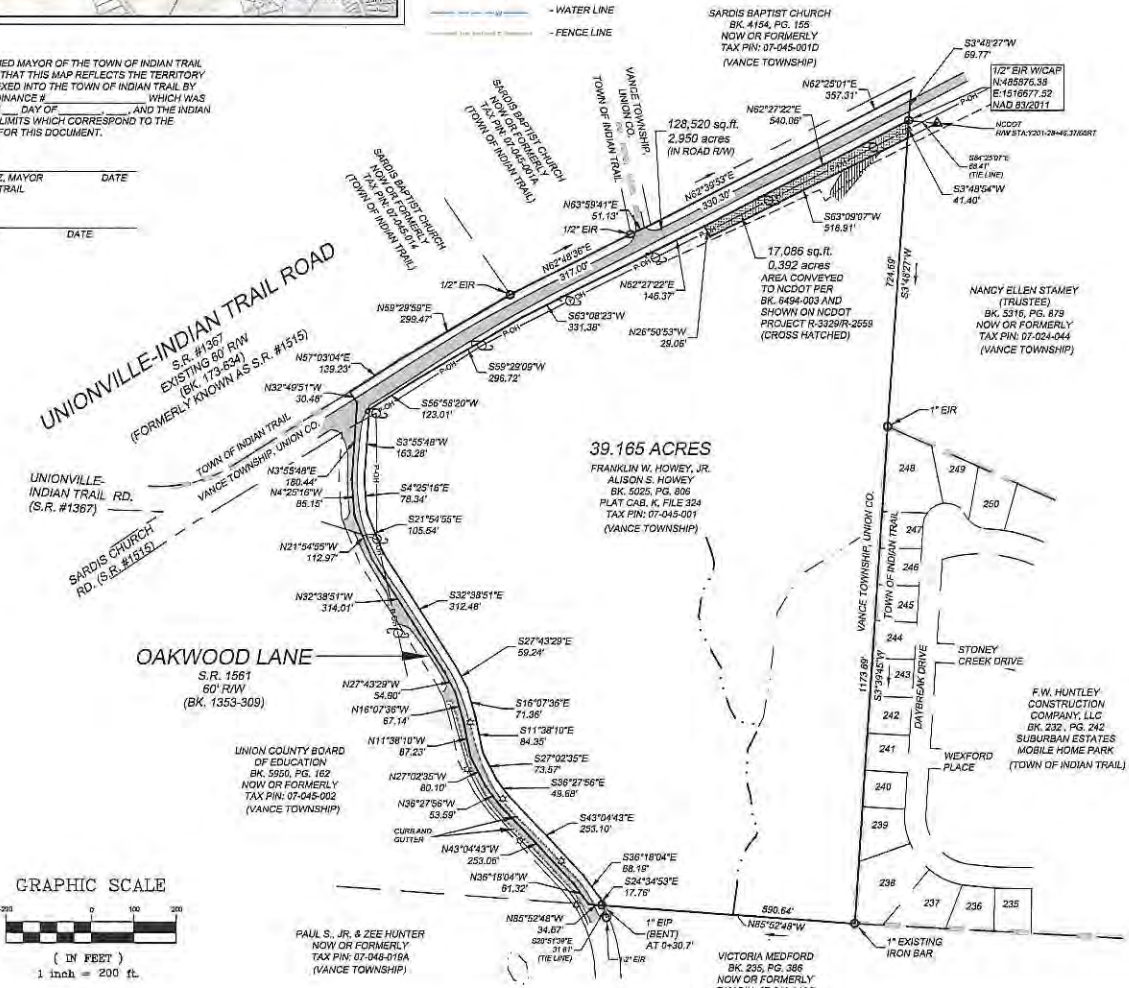
RAW ERROR OF CLOSURE: 1:10,000+. BOUNDARY TRAVERSE WAS ADJUSTED USING THE LEAST SQUARES METHOD.

OTHER UNDERGROUND UTILITIES MAY EXIST BUT THEIR LOCATIONS ARE NOT KNOWN.

ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES.

THE PROPERTY SHOWN HEREON IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 3710541800J, EFFECTIVE DATE OCTOBER 16, 2008.

5,515 TOTAL LINEAR FEET OF BOUNDARY TO BE ANNEXED
1,955 TOTAL LINEAR FEET OF BOUNDARY CONTIGUOUS WITH THE INDIAN TRAIL TOWN LIMITS
TOTAL AREA TO BE ANNEXED: 39.165 ACRES



THE PURPOSE OF THIS PLAT IS TO ANNEX PARCEL 07-045-001 INTO THE MUNICIPAL LIMITS OF THE TOWN OF INDIAN TRAIL

NOTARY CERTIFICATE

I, _____ A NOTARY PUBLIC OF _____ COUNTY, NORTH CAROLINA.

DO HEREBY CERTIFY THAT RUSSELL L. WHITEHURST PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE DUE EXECUTION OF THE FOREGOING INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL

THIS ___ DAY OF _____, 2016.

MY COMMISSION EXPIRES NOTARY

STATE OF NORTH CAROLINA
UNION COUNTY

I, RUSSELL L. WHITEHURST, PROFESSIONAL LAND SURVEYOR HEREBY CERTIFY THAT THIS MAP DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION OF A TRACT OF LAND WHOSE TITLE REFERENCES ARE SHOWN ON THE FACE OF THIS PLAT; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT THE MAXIMUM FIELD ERROR OF ANGULAR CLOSURE IS 7.5 SECONDS; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN DEED BK. (SEE NOTES) PG.(SEE NOTES); AND THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL

THIS 6th DAY OF SEPTEMBER, 2016

RUSSELL L. WHITEHURST
PROFESSIONAL LAND SURVEYOR
NO. L-3661

EAGLE ENGINEERING
2012 Van Buren Avenue
Indian Trail, NC 28079
(704) 882-4222
www.eagleengineering.net

NO.	DATE	BY	REVISION

The Franklin W. Howey, Jr. & Alison S. Howey Property
INDIAN TRAIL, VANCE TOWNSHIP, UNION CO., N.C.

OWNER(s):
Franklin W. Howey, Jr. & Alison S. Howey
P.O. BOX 429
MONROE, NORTH CAROLINA 28111

Annexation Plat
Tax PIN: 07-045-001
39.165 Acres

DRAWN BY: DCG | APPROVED BY: RLW | DATE: Sept 6, 2016
LOCATION: X:\LAND PROJECTS\ | SCALE: 1"=200' | EEI PROJECT: 3866

NORTH CAROLINA PROFESSIONAL SEAL L-3661 LAND SURVEYOR RUSSELL L. WHITEHURST

Planning& Neighborhood Services
PO Box 2430
Indian Trail, NC 28079
Telephone (704) 825401
Fax (704) 8219045

PETITION TO REQUEST A CONTIGUOUS ANNEXATION

To the Town Council of the Town of Indian Trail, North Carolina:

1. We, the undersigned owners of real property, respectfully request that the area described in paragraph 2 below be annexed to the Town of Indian Trail, North Carolina.

2. The area to be annexed is contiguous to the primary limits of the Town of Indian Trail North Carolina and the boundaries of such territory are as follows:

SEE ATTACHED DESCRIPTION OF BOUNDARIES
(Copy of deed or other source containing legal description of properties requesting annexation)

NAME	ADDRESS AND PARCEL #	SIGNATURE
Frank W. Howey Jr	PID #07 045 001	Frank W. Howey Jr.
Alison S Howey		Alison S Howey

5025
0806

FILED
UNION COUNTY
CRYSTAL CRUMP
REGISTER OF DEEDS

FILED	Dec 31, 2008
AT	01:49 pm
BOOK	05025
START PAGE	0806
END PAGE	0807
INSTRUMENT #	43087
EXCISE TAX	(None)

TRB

Prepared by and mail after recording to **Love & Hutaff, PLLC, Richard R. Hutaff, 108 E. Jefferson Street, Monroe, NC 28112.**
Excise Tax NONE

Tax Lot No. **07-045-001** Parcel Identifier No. _____
Verified by _____ County on _____ day of _____, 20____
the _____

By _____

Brief Description for the Index **39.569 Acres off Unionville- Indian Trail Road**

NORTH CAROLINA QUITCLAIM DEED

THIS DEED made **this 29th day of December, 2008,** by and between:

GRANTOR	GRANTEE
GRIFFIN-WALTERS INVESTMENTS, LLC **A North Carolina limited liability company**	**Franklin W. Howey, Jr. and wife, Alison S. Howey** **Mailing Address:** **P. O. Box 429** **Monroe, NC 28111-0429**

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in **Vance Township, Union, Union** County, North Carolina and more particularly described as follows:

BEING all of that 39.569 acres tract as shown on map of survey of the Property of Fae G. Purser Estate, prepared by Carroll L. Rushing, N.C.R.L.S., dated November 13, 2007 and recorded in Plat Cabinet K, File 324 of the Union County Registry, said map being incorporated herein by reference thereto for a more complete metes and bounds description.

5025
0807

The property hereinabove described was acquired by Grantor by instrument recorded in **Book 4739, Page 613 and Book 4793, Page 626.**

A map showing part of the above-described property is recorded in Plat Cabinet K, File 324.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

The Grantor makes no warranty, express or implied, as to title to the property hereinabove described.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

GRIFFIN-WALTERS INVESTMENTS, LLC
A North Carolina limited liability company

By: C. Ingram Walters, Manager

STATE OF NORTH CAROLINA

COUNTY OF UNION

I, Richard Ryals Hutaff, the undersigned, a Notary Public of the County and state aforesaid, certify that C. Ingram Walters, Manager of Griffin-Walters Investments, LLC, a North Carolina limited liability company, personally appeared before me this day and acknowledged the execution of the foregoing instrument on behalf of the company.

Witness my hand and official stamp or seal, this 31st **day of December, 2008.**

RICHARD RYALS HUTAFF
Notary Public
Union County
My Commission expires
07/11/2011
NORTH CAROLINA

Richard Ryals Hutaff
Notary Public
My commission expires: 7/11/2011

03-13-12 [illegible]

P.O. Box 2430
Indian Trail, North Carolina 28079
Telephone (704) 821-5401
Fax (704) 821-9045
PLANNING AND NEIGHBORHOOD SERVICES

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

Case: CZ 2016-004			
Reference Name	**Virginia Trace Conditional Zoning**		
Planning Board Meeting Date	June 21, 2016		
Members Present	Chair Patricia Cowan ☒	Jan Brown ☒	Samantha Towns ☒
	Vice Chair Larry Miller ☒	Mike Head ☒	Sidney Sandy ☒
	Vacant ☐	Jorge Aponte ☐ Alternate 1	Dennis Gay ☒ Alternate 2
	Vacant ☐ Alternate 3		
Case Found Complete	Yes ☒	No ☐	
Motion	Recommend approval as conditioned to Town Council		
Member Making the Motion	Board Member Chair Patricia Cowan		
Second the Motion	Board Member Sidney Sandy		
Vote	5 to 2 (Towns and Gay dissenting)		

Purpose of the Amendment:
This is a request to reclassify a parcel totaling approximately 39.5 acres. The rezoning is from Single Family (R-20) in Union County to Single-Family (SF-5) with a conditional zoning district. The SF-5 zoning district is a moderate/high density single-family residential zoning district. The intent of this request is to allow approximately 92 single-family dwelling units. The subject property is located on the southeast corner of Unionville Indian Trail Road and Oakwood Lane. The entrance to Indian Trail's Crooked Creek Park is located approximately 1400 feet away at the end of Oakwood Lane. (See Town Council Attachment 1, Application).

The subject property is currently located in unincorporated Union County. Concurrent with this rezoning application is an Annexation application (#142) in order to annex the subject parcel from Unincorporated Union County into the Town of Indian Trail. In the event the subject property is not annexed into the Town, it could develop in unincorporated Union County in accordance with County zoning and development standards.

Town Council Action: *Receive the Planning Board transmittal report and public testimony 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.*

Proposed Development

The Concept Plan contemplates 92 single family detached homes, guest parking, detention ponds, sidewalks along Unionville Indian Trail Road and Oakwood Lane. Access to the site will be provided by two entrances: one on Unionville Indian Trail Road and one on Oakwood Lane, as approved by the North Carolina Department of Transportation (NCDOT) and the Town of Indian Trail.

The conceptual site plan is provided below and within Attachment 2 of this report.

CONCEPTUAL SITE PLAN

Planning Board Meeting

This request was heard by the Indian Trail Planning Board on June 21, 2016. The Board had questions regarding the width of Unionville Indian Trail Road, traffic concerns and roadway improvements, how this development would be affected by the Monroe bypass, project build-out,

and the size of the homes. The entire meeting can be heard on Granicus and be reviewed in the attached Draft Planning Board Meeting Minutes (Town Council Attachment 3).

The Planning Board voted 5 to 2 to transmit a recommendation to approve as conditioned to the Town Council and made the following required findings: The project as conditioned is consistent with 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 and existing infrastructure.

  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.

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

Attachment -1- Planning Board Report and PB Attachments
Attachment- 2 – Draft Ordinance with Exhibits
Attachment 3- PB Meeting Minutes

TC Attachment 1- Planning Board Report

P.O. Box 2430
Indian Trail, North Carolina 28079
PLANNING AND NEIGHBORHOOD SERVICES DEPARTMENT

Conditional Zoning Staff Report

Case: CZ 2016-004			
Reference Name	Virginia Trace		
Request	Proposed Zoning	CZ Single-Family Residential (SF-5)	
	Proposed Uses	Single-Family Residential	
Existing Site Characteristics	Existing Zoning	Single Family (R-20) Union County	
	Existing Use	Agriculture	
	Site Acreage	Approximately 39.5 Acres	
Applicant	M/I Homes of Charlotte, LLC		
Submittal Date	March 18, 2015		
Location	Southeast corner of Unionville Indian Trail and Oakwood Lane		
Tax Map Number(s)	Rezoning: 07045001		
Plan Consistency	Comprehensive Plan		
Recommendations & Comments	Planning Staff	Designation	Crooked Creek, Medium Density Residential
		Consistent with Request	Yes

Project Summary

This is a request to reclassify a parcel totaling approximately 39.5 acres. The rezoning is from Single Family (R-20) in Union County to Single-Family (SF-5) with a conditional zoning district. The SF-5 zoning district is a moderate/high density single-family residential zoning district. The intent of this request is to allow approximately 92 single-family dwelling units. The subject property is located on the southeast corner of Unionville Indian Trail Road and Oakwood Lane. The entrance to Indian Trail's Crooked Creek Park is located approximately 1400 feet away at the end of Oakwood Lane. (See Attachment 1, Application and Map 1 below).

The subject property is currently located in unincorporated Union County. Concurrent with this rezoning application is an Annexation application (#142) in order to annex the subject parcel from Unincorporated Union County into the Town of Indian Trail. In the event the subject property is not annexed into the Town, it could develop in unincorporated Union County in accordance with County zoning and development standards.

Staff Recommendation

Staff is of the opinion the necessary findings can be made to support this Conditional Zoning request.

Map 1: Location Map

Staff Analysis

Current Use and Zoning

The subject property is within Unincorporated Union County and is zoned R-20 (Single Family). It is currently used for agriculture. See below Map 2: Current Zoning.

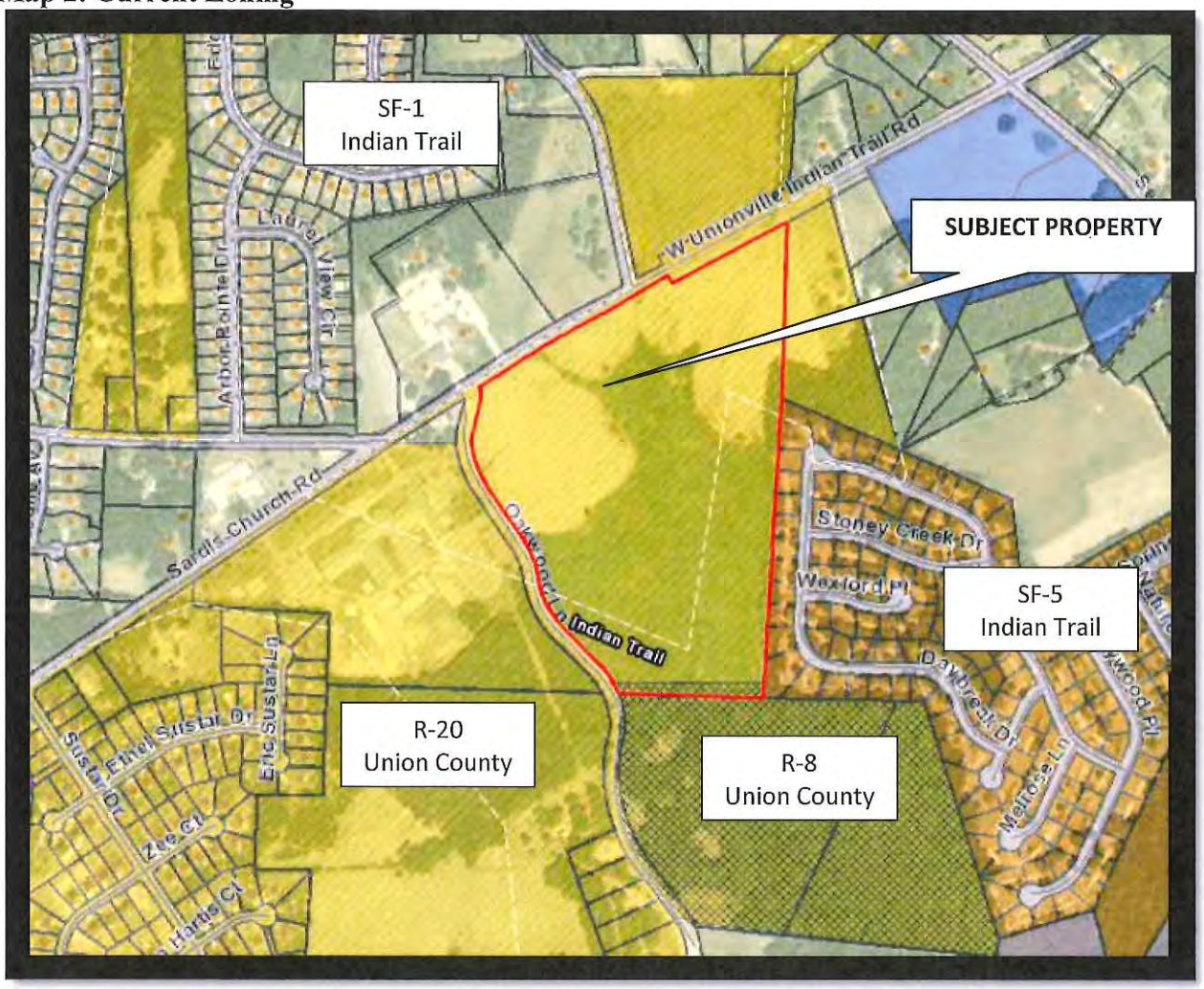
Location Characteristics and Surrounding Zoning

The current zoning for the surrounding area is largely single family residential. See table below for adjacent property zoning.

Summary of Surrounding Zoning and Uses

Surrounding Subject Property	Municipality	Zoning	Use
North	Town of Indian Trail	Single Family (SF-1)	Vacant and Sardis Baptist Church
	Union County	Single Family (R-20)	Vacant
South	Union County	Single Family (R-8)	Single Family
East	Town of Indian Trail	Single-Family (SF-5)	Single Family Subdivision: Suburban Estates
	Union County	Single Family (R-20)	Single Family
West	Union County	Single Family (R-20)	Sardis Elementary School

Map 2: Current Zoning



Concept Plan
The Conceptual Plan, included in Attachment 2 (also, see below Map 3: Concept Plan) reflects development of approximately 92 single-family detached homes. The following will provide a brief overview of key elements of the Concept Plan.

Map 3: Concept Plan

Site Layout: The Concept Plan contemplates approximately 92 lots, detention ponds, common open space areas, on-street parking in key location as well as connecting sidewalks throughout the entire community and as well as along Oakwood Lane and Unionville Indian Trail Road.

Onsite Roadway Improvements: The site will be provided with a minimum of 50-ft wide Rights-of-Way (ROW) that will be designed with curb/gutter, sidewalks, street lights and street trees.

Open Space and Tree Retention: Approximately 7 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.

Transportation and Unionville Indian Trail Road Frontage Improvements: The site shall have two access points: one off Oakwood Lane and one off Unionville Indian Trail Road. Frontage improvements along both roads shall include curb, gutter, sidewalks and street trees. There will be a sidewalk connection point provided from the subject development to a potential future

connecting sidewalk on the Sardis Elementary School site, subject to approval by Union County Public School Facilities Committee.

With regard to transportation improvements, the Town had previously undertaken a study of the Unionville Indian Trail Road/Sardis Church Road intersection. This development provided a Traffic Impact Analysis which determined certain improvements were necessary to the same intersection. In order to have a coordinated improvement program, the developer has agreed to submit a cost estimate for those improvements and provide the funds in the form of a surety or similar to the Town in order to be able to make the necessary coordinated improvements. In addition, improvements to Oakwood Lane and the site entrances will be required as stated in the NCDOT section below.

Architectural Design: All homes will be built in general accordance with the elevations in the draft Ordinance (Attachment 2).

Lot Frontage, Setbacks and Height: Lots shall provide 60' 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
60 foot minimum	8000 square feet minimum	22 feet Front *(see note regarding Garage placement below) 30 feet Rear	7 feet	35 feet maximum
***Garage:** shall not extend more than 4 feet in front of the front façade or front 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 Sardis Baptist Church on June 7, 2016 from 2pm-4pm 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.

- *2pm-4pm Meeting*: This meeting was attended by 4 members of the public, the applicant's team, and Town staff. The citizen attendees all lived on Oakwood Lane. General questions were raised regarding: 1) Past/current issues related to Crooked Creek Park (traffic and prior construction activities), 2) Proposed subdivision roadway connection onto Oakwood Lane, 3) Potential for increased traffic and challenges associated with existing left turn movements from Oakwood Lane onto Sardis Church Road, and 4) Potential use of Oakwood Lane as a construction entrance for development. Town staff informed the residents of the proposed Unionville-IT Road and Sardis Church Road intersection project the Town is pursuing in partnership with NCDOT that will help alleviate some of the traffic and turning movement issues.
- *6pm-8pm Meeting:* No members of the public attended this meeting.

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 Crooked Creek Village of the Comprehensive Plan. See Map 4 below. This Village is intended to consist of medium to high density residential, as well as mixed use and existing institutional. The proposed future land use of the subject property is Mixed Use Land Use within the Village Center, which allows 12-15 dwelling units per acre within the Village Centers. The proposed 92 home development on approximately 39.5 acres has an approximate density of 2.3 dwelling units per acre, which is consistent with the future land use map. The surrounding density of the area varies between approximately 3.2 du/ac and 3.5 du/ac. Staff is of the opinion that the proposal is consistent with the goals of the Comprehensive Plan as well as surrounding existing development.

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 is in agreement with the following improvements:

  The developer shall submit a cost estimate for the improvements at the Unionville Indian Trail Road and Sardis Church Road/Sardis Elementary School Exit described below. The Town shall hold a cash surety or similar from the developer, its successors or assigns in the amount of the cost estimate and shall make the necessary improvements to Unionville

Indian Trail Road and Sardis Church Road as deemed appropriate in conjunction with the Town's study of the same intersection.

Unionville Indian Trail Road and Sardis Church Road/Sardis Elementary School Exit:

- Install a traffic signal at this location. A left turn lane for the northbound (Sardis Church Rd) approach shall be installed. A 3 lane section of roadway shall be created between the school entrance (south of this intersection) to Oakwood Lane (north of this intersection).
- The north and south approaches shall have split phasing due to the skew of the intersection.
- The eastbound left shall have permission only phasing.
- Extend the southbound left turn lane to 500 feet of storage by restriping the area that is currently striped out prior to the turn lane.

The developer shall provide the following improvements:

Unionville Indian Trail Road at Oakwood Lane:

- Provide separate northbound left and right turn lanes by striping the existing pavement.

Unionville Indian Trail Road at Scott Long Road/Site Entrance 1:

- Construct site entrance 1 with one entrance lane and two exit lanes: a shared left/through lane and an exclusive 50 foot right turn lane with an appropriate taper.
- Install a 100 foot westbound left turn lane with appropriate taper.
- The addition of a southbound left turn lane into their site access. A northbound left turn lane with minimal storage (50').

Oakwood Lane at Site Entrance 2:

- Construct site entrance 2 with one entrance lane and one shared left/right turn exit lane.

- *Union County Public Works (UCPW)*: Pending final sketch plan approval.
- *Union County Public Schools (UCPS):* The proposed 92 sfu subdivision would be in the following school attendance areas for the 2016-2017 school year:

Sardis Elementary School
Porter Ridge Middle School
Porter Ridge High School

Sardis ES is expected to remain below its Watch Level for the near-term future. However, both Porter Ridge MS and Porter Ridge HS are currently above their respective Watch Levels and are expected to exceed Cap Levels as early as August of this year. 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.

Please note, the applicant has submitted additional information regarding supplemental School Enrollment Impact Study prepared by Jerome McKibben, Senior Demographer for McKibben Demographic Research. (See Attachment 4). This study provides the total forecasted students generated by this development for the school years 2020-21 and 2025-26. It is important to note that both the Porter Ridge Middle and High Schools are on the Union County Public School Community Construction Equity Plan proposed to receive improvements for added student capacity. This has not been approved as of yet.

- *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, traffic calming measures needed as well as on street parking adequate to serve the community.

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 and existing infrastructure.

  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
Attachment 4 – School Enrollment Impact Study provided by the Applicant

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

PB Attachment 1- Application

CONDITIONAL ZONING APPLICATION

R-000687
Inv 27318
CK 3136 $1988.25

INDIAN TRAIL
north carolina

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

03-18-16 P04:45 IN

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 (23)
Tech Fee 10%

Date Received 3-18-16

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

General Information

Project Address: W. Unionville IT Road and Oakwood Lane

City: Indian Trial State: NC Zip: 28079

Tax Parcel ID: 07 045 001 Zoning Designation: SF- 5

Total Acres: 39.557 Impervious Area: Approx. 11 ac.

Project Description: Proposed annexation and rezoning of Virginia Trace Subdivision

Contact Information – Applicant

Name: M/I Homes of Charlotte, LLC - Marty Davis

Address: 5350 Seventy-Seven Center Drive

City: Charlotte State: NC Zip: 28217

Phone: 704-597-4571 Fax:

Email: mdavis@mihomes.com

Contact Information – Property Owner

Name: Franklin W. Howey, JR. & Alison S. Howey

Address: PO Box 429

City: Monroe State: NC Zip: 28111

Phone: 704-283-4889 Fax:

Email: franklinHowey@aol.com

03-21-16 A11:40 IN

CONDITIONAL ZONING APPLICATION

Applicant's Certification

Signature W. Martin Davis Date 3/15/16

Printed Name/Title MARTY DAVIS - DIRECTOR OF DEVELOPMENT

Signature of Notary Public _____ Date 3/15/16

Jkp 11-12-19

Notary Seal

JENNIFER G. JACKSON
NOTARY PUBLIC
MECKLENBURG COUNTY, NORTH CAROLINA

Property Owner's Certification

Signature Frank W Howey Jr Alison S. Howey Date 3/14/16

Printed Name/Title Frank W Howey Alison S. Howey

Signature of Notary Public Lauren S Wilson Date 3/14/2016

My commission expires 2-27-2017

Notary Seal

LAUREN S. WILSON
NOTARY PUBLIC
UNION COUNTY, N.C.

TOWN OF INDIAN TRAIL OFFICE USE ONLY

CASE NUMBER: CZ 2016-004

DATE RECEIVED: 3-18-16 AMOUNT OF FEE: $1988.25

RECEIVED BY: _____ RECEIPT #: _____

SCHEDULE

03-21-16 AT 1:40 IN

CONDITIONAL ZONING APPLICATION

1. Technical Review Committee
   - Project is reviewed by staff.
   - Comments, questions, and concerns are sent to applicant to ensure project complies with ordinance.
   - Once all comments are addressed and the plans are resubmitted, the community meeting may be scheduled.

2. Community Meeting
   - To provide a framework for a shared vision with community involvement.
   - Applicant, with assistance from planning staff, shall conduct two public meetings of at least two hours each. Two hours shall be scheduled during normal business hours and two hours shall be devoted to an evening period.

3. Planning Director
   - The Planning Director shall provide suggestions following the community meeting.
   - The comments will follow 30 days after a revised application is submitted or 60 days following the community meeting if there are no revisions.

4. Planning Board
   - Reviews application to ensure it is consistent with UDO and all adopted town plans.
   - Meets the 3rd Tuesday of every month.

5. Town Council
   - Legislative action to approve, approve with modifications, deny approval, or submit to the Planning Board for further study.
   - Meets 2nd and 4th Tuesday of every month.

EAGLE ENGINEERING

March 17, 2016

Mr. Rox Burhans
Director of Planning
Town of Indian Trail
130 Blythe Drive
Indian Trail, NC 28079

Re: Letter of Intent
Rezoning into SF-5 (Virginia Trace Subdivision)
Parcels 07 045 001 (39.569 Acres)
Indian Trial, North Carolina

Dear Mr. Burhans:

On behalf of our client, M/I Homes of Charlotte, LLC, it is our intent and our formal request to annex and rezone parcel #07 045 001 at the southeast corner of Unionville-Indian Trail Rd and Oakwood Ln into the Town of Indian Trail and zoning classification SF-5.

The proposed subdivision is referred to as Virginia Trace and is anticipated to utilize a public street system and individual lots will extend to the proposed right-of-way. In accordance with the current Unified Development Ordinance, streets within the development will be dedicated to the Town as public streets. The dedication of public street rights of way will result in the reduction of the developable area of the future phases.

Included herein is a complete application package (annexation and rezoning) in support of this request. Should you have any questions or require additional information, please feel free to call at your convenience.

Sincerely,

EAGLE ENGINEERING, INC.

03-13-16 P04:44 IN

Patrick M. Quinn, P.E.
Senior Project Manager

Attachments
cc: M/I Homes of Charlotte, file 5666

Atlanta
PO Box 551
Alpharetta, GA 30004
Ph 678 339 0640
Fax 678 339 0534

www.eagleonline.net

Charlotte
2013-A Van Buren Avenue
Indian Trail, NC 28079
Ph 704 882 4222
Fax 704 882 4232

EAGLE ENGINEERING

2013 Van Buren Avenue, Suite A
Indian Trail, NC 28079
(704) 882-4222 phone
www.eagleonline.net

03-18-16 P04:44 IN

Letter of Transmittal

Date: 03-18-2016

EEI Job Number: 5666

Attention: Town of Indian Trail
Mr. Gretchen Coperine

hand deliver

Re: Virginia Trace
Rezoning and Annexation Applications

Delivered by: ☑ Hand ☐ UPS ☐ Mail ☐ Fedex ☐ Courier ☐ Other

We are transmitting the following items:

☐ Prints ☑ Copy of Letter ☐ Specifications ☑ Application ☐ Mylars ☐ Report
☑ Plans ☐ Shop Drawings ☐ Calculations ☐ As Builts ☑ Check ☐ Other

No.	Date	Copies	Items to be Transmitted
1	03-18-2016	1	Rezoning Application (with Concept Plan)
2	03-18-2016	1	Rezoning Fee
3	03-18-2016	1	Adjacent Owner list (with digital copy)
4	03-18-2016	1	Annexation Application (with deed and survey)
5			
6			

These are transmitted as checked below:

☐ For Approval ☑ For Review ☐ Approved as Submitted
☐ For Your Use ☐ Corrected Prints ☐ Approved as Noted
☐ As Requested ☐ Copies for Distribution ☐ Copies for Approval

Remarks:
Please contact Eagle Engineering with any questions at 704-350-2373.

Thank you.

Note: Unless revision block states "*Released for Construction*", all plans enclosed are to be considered "*Preliminary*" and "*Not for Construction*", and are provided for permitting, information and bidding use only.

Cc: File
5666

Signed: Patrick M. Quinn, PE

Elaine F. Marshall
Secretary

North Carolina
DEPARTMENT OF THE
SECRETARY OF STATE

PO Box 29622 Raleigh, NC 27626-0622 (919)807-2000

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Corporate Names

Legal: M/I Homes of Charlotte, LLC

Limited Liability Company Information

SosId:	0680933
Status:	Current-Active
Annual Report Status:	Current
Citizenship:	Foreign
Date Formed:	6/27/2003
Fiscal Month:	December
State of Incorporation:	DE
Registered Agent:	CT Corporation System

Corporate Addresses

Reg Office:	150 Fayetteville St., Box 1011 Raleigh, NC 27601-2957
Reg Mailing:	150 Fayetteville St., Box 1011 Raleigh, NC 27601-2957
Mailing:	3 Easton Oval, Suite 500 Columbus, OH 43219-6011
Principal Office:	5350 77 Center Drive, Suite 100 Charlotte, NC 28217-2782

Company Officials

All LLCs are managed by their managers pursuant to N.C.G.S. 57D-3-20.

Manager:	Phillip G. Creek 3 Easton Oval, Suite 500 Columbus OH 43219
Manager:	J. Thomas Mason 3 Easton Oval, Suite 500 Columbus OH 43219
Manager:	Robert H. Schottenstein 3 Easton Oval, Suite 500 Columbus OH 43219

PB Attachment 2 – Draft Ordinance with Exhibits

PB Attachment 3 – Community Meeting Minutes

Community Meeting Minutes

To:	Mr. Rox Burhans (Town of Indian Trail)
From:	Eagle Engineering, Inc.
CC:	File
Date & Time:	June 7, 2016 from 2:00 pm - 4:00 pm
Location:	Sardis Baptist Church (3602 Unionville-Indian Trail Rd., Indian Trail, NC)
Re:	Virginia Trace Rezoning Petition (Community Meeting #1)

Summary:

1. Four members from the community representing three parcels along Oakwood Drive were in attendance. The Development Team presented a general overview of the proposed residential project including:
    a. residential lots and roadway configuration
    b. buffers and vegetated areas to remain
    c. proximity of development to adjoining properties
    d. proposed storm water management and water quality features
    e. school impact analysis completed by the developer
    f. traffic impact analysis completed by the developer
    g. future traffic improvements anticipated by the Town

2. Presentation materials included:
    a. conceptual site plan
    b. rendered site plan
    c. representative home elevations
    d. conceptual roadway improvements (from Town)

Discussion:

3. What is the anticipated price range for the proposed homes?
    Prices are anticipated to range from the mid to upper $200K's.

4. Why provide two points of access and why locate one on Oakwood Lane?
    The proposed number of residential units (92) require two points of access per the Town UDO. The Town encourages access from two roads when feasible and the existing location of drives along the Unionville-Indian Trail Road frontage limits access points along the Unionville-Indian Trail Road frontage.

5. Residents expressed concerns of existing traffic conditions in and out of park and school along Oakwood Lane.

   The developer has employed a traffic consultant to conduct a Traffic Impact Analysis for the proposed development in accordance with Town requirements. The analysis identified background (existing) traffic conditions and quantified improvements required by the development to mitigate traffic impacts created by the proposed development.

6. Residents expressed concerns about construction traffic blocking Oakwood Lane and parking in front of existing residences along Oakwood.

   Developer will take measure to assure construction parking in front of existing residences is not an issue.

7. Residents indicated that they do not have a concern about the proposed subdivision quality of amenities, just concerns regarding existing traffic and additional trips resulting from the subdivision.

   Development Team re-iterated that impacts associated with the development will be mitigated as defined by the Traffic Impact Analysis to be approved by the Town and NCDOT.

Community Meeting Minutes

To:	Mr. Rox Burhans (Town of Indian Trail)
From:	Eagle Engineering, Inc.
CC:	File: 5666
Date & Time:	June 7, 2016 from 6:00pm - 8:00pm
Location:	Indian Trail Civic Building, 100 Navajo Drive, Indian Trail, NC)
Re:	Virginia Trace Rezoning Petition (Community Meeting #2)

Summary:

1. Development Team and Town Staff were present to provide a project overview and respond to public questions. No one from the public was in attendance.

COMMUNITY MEETING

DATE: Tuesday, June 7, 2016

M/I Homes of Charlotte, LLC
Parcel 07045001

LOCATION: Sardis Baptist Church - 3602 Unionville Indian Trail Road West, Room B-112, Indian Trail, NC

TIME: 2:00pm - 4:00pm

Thank you for attending the community meeting for the M/I Homes of Charlotte, LLC site. We encourage you to provide comments and opinions on this project so that we may consider them in our planning process.

The M/I Homes of Charlotte, LLC application is to rezone an 39.114-acre parcel located on the southeast corner of Unionville Indian Trail Road.

	NAME	ADDRESS	E-MAIL	PHONE
1	John Ross	2013A Van Buren Avenue Indian Trail, NC	jross@eagleonline.net	704-882-4222
2	Chad Lloyd	5350 77 Center Drive, Suite 100 Charlotte, NC	clloyd@MIHOMES.com	704-376-9800
3	Rox Burhans	Town of Indian Trail P.O. Box 2430 Indian Trail, NC 28079	RBurhans@planning.indiantrail.org	704-821-5401
4	Barbara Lourance	5913 Oakwood La Indian Trail, NC 28079	barblourance@gmail.com	704907 6576
5	Vicky Melford	5914 Oak Wood Ln, Id		704-882-1897
6	Paul Hunter	5919 Oakwood Ln I.T NC 28079		704.882 1615
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