Town of Indian Trail

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PLANNING AND NEIGHBORHOOD SERVICES DEPARTMENT
PLANNING BOARD MINUTES
October 21, 2014
06:30 P.M.

CALL TO ORDER

ROLL CALL

The following members of the governing body were present:

Board Members:	Patricia Cowan, Jan Brown, Cathi Higgins, Kelly D'Onofrio, Alan Rosenberg, Steve Long, and Jorge Aponte.
Members Present but not Voting:	Dr Shamir Ally.
Absent:	Larry Miller, and Sidney Sandy.
Staff Members:	Pam Good- Board Secretary, Lindze Flowers, GIS Tech/Planner 1, and Rox Burhans- Interim Planning Director

APPROVAL OF MINUTES - August 19th

Steve Long made a motion to approve MINUTES - August 19th, motion seconded by Jan Brown.
Board voted unanimously in favor of the motion.

PUBLIC ITEMS

Staff Rox Burhans gave a power point presentation of the past of Sun Valley timeline from 1968-1993. Beginning in 1963 the area was mostly rural. Valley Estates were starting to develop in 1993. By 2002, commercial pioneers, gas station and Sun Valley Corners Shopping Center were arriving; still largely rural. The picture from
2013 shows emergence as a regional shopping center. Staff Burhans showed zoning maps reflecting single family residential from the rural/ agricultural era. The Comprehensive Plan shows a different vision for a mixed use, village center environment.

Staff Burhans then began to focus on CZ 2104-003 Hanfield Village: Proposed conditional zoning from single family residential1 to conditional general business district located near the intersection of Old Charlotte Highway and Wesley Chapel-Stouts Rd. He further explained that concept plans are required for all conditional rezoning.

Key elements of this project are:

22 acre site
120,000 square feet of building space
50,000 square feet grocery store
approximately 70,000 square feet of small shop space

Everything is organized into five building clusters. Access to the site is through two existing signalized intersections. A secondary access point with only right in right out movement was pointed out. The road frontage will be improved with curbs and 10 foot sidewalks consistent with village center guidelines. Mr. Burhans stated that Staff does not want to create 22 acre island with this development so will have cross access opportunities for this site to tie together and be cohesive. Storm water will be provided in two facilities, a wet pond facility and a rain guard facility.

The small shops will have an urban streetscape appeal which will support the village center concept. Outparcels will develop independent of each other but have common elements to tie together.

Architectural Plans-
Staff Burhans showed power points of the anchor building which will be a grocery store trying to create a combination of contemporary and classic elements. Large landscape islands are planned to supplement the side walls. He pointed out an important element of the project is that it will be four sided architectural project, not a front and back door concept with the same materials and finishes being used.

Traffic analysis-
The study presented was prepared in Aug 2014 and updated to reflect NCDOT comments. No significant change was found in traffic patterns if project would be built. New road improvements were presented to the board. DOT will be examining conventional improvement for conventional intersections at this site. He emphasized that they don't have the DOT final approval yet but will have that before Town Council makes their decision on the project. Staff Burhans mentioned that the Consulting Engineer was at the meeting to answer questions.

Community Meetings-
With all conditional rezonings, community meetings are required. Two community meetings were held on September 29th at Piedmont Community College and the Indian Trail Civic Building. The minutes of each meeting were provided in the board's packet. Overall, Staff Burhans stated that the sentiment was positive.

Conditions of Approval-
Draft Conditions Conditions of approval have been developed in order to ensure the proposed rezoning is consistent with the Comprehensive Plan and the underlying intent of the General Business District and Village Center Overlay.

Concept Plan and Architectural Guidelines: The development shall be designed and constructed consistent with the approved concept/site plan and in general compliance with the UDO unless otherwise reflected on the approved plan. Buildings shall be designed consistent with the approved building elevations and UDO Chapter 1320-Non Residential Design Standards of the UDO unless otherwise reflected on the approved plans. Outparcel buildings will be designed with materials and design elements of primary shopping center buildings.

1. *Building Setbacks*: Primary building setbacks shall comply with GBD, VCO setbacks as represented on the concept plan, however, an allowance for additional setback is permitted for the anchor and interior buildings as reflected on concept plan. Additional setback may be permitted for outparcel buildings that feature drive thru facilities and similar features and for buildings needing to accommodate pedestrian zone improvements.
2. *Permitted Uses:* Permitted uses on the site will include a grocery store, retail, office, restaurant, personal service, and other uses consistent with UDO Section 520 GBD, VC-O permitted use list, however vehicular repair (light and heavy), building material sales, funeral and internment services, extermination services, trade schools, and recording studio uses will not be permitted.

3. *Site Fixtures*: The shopping center and outparcel sites will be designed with uniform amenity fixtures such as pedestrian scale lights, decorative bollards, pedestrian refuse receptacles, landscaping, and similar elements.
4. *Signage*: A master sign program will be developed consistent with UDO Division 900. The sign height permitted for individual outparcel freestanding signs may be combined with permitted shopping centers sign height (on an individual basis) in-lieu of constructing the outparcel sign to achieve more visible signage for the overall center.
5. *Onsite Traffic Calming and Pedestrian Crossings*: Traffic calming improvements and enhanced pedestrian crossings will be provided in select areas to reduce vehicle speeds through the site and to ensure safe pedestrian access between buildings and parking areas. Final locations of these improvements and their specific designs will be determined at the site plan stage.
6. *Offsite Road improvements*: Road improvements will be constructed by the developer or his/her assigns in compliance with the approved Traffic Impact Analysis prepared by Ramey Kemp Associates and in accordance with Town Engineering and NCDOT requirements. Improvements will be constructed concurrent with the development of the shopping center unless a later period is noted in the TIA or required by the Town Engineer and NCDOT. These improvements generally consist of the following:
    1. Old Charlotte Highway/Wesley Chapel-Stouts Intersection: TBD prior to TC review.
    2. Wesley Chapel-Stouts, Sun Valley Commons Driveway, and Site Drive 1: Construct southbound left turn lane into Site Drive 1. Site Drive 1 will be constructed with one left turn lane, and one shared through/right turn lane. The existing Sun Valley Commons Dr. will also be improved with an exclusive left turn lane by the Sun Valley Commons owner. In the event this drive is not constructed prior to Site Drive 1 being constructed on Wesley Chapel-Stouts Road, the Sun Valley Commons Dr. improvements will be constructed as part of the Hanfield Village development. If ROW cannot be obtained, the developer will need to coordinate with the Town and NCDOT on proposed revisions to Site Drive 1. Modify the existing traffic signal as needed.
    3. Old Charlotte Highway and Sun Valley H.S. Driveway: Restripe existing 2-way turn lane on Old Charlotte Highway to create a left turn lane with required storage, construct Site Drive 3 with separate left turn lane, restripe northbound approach (on school site) to create a shared through/right lane, and modify traffic signal, as needed.
    4. US-74 and Wesley Chapel-Stouts Road: TBD prior to TC review.
    5. Wesley Chapel-Stouts Road and Site Drive 2: Construct right turn lane on Wesley Chapel-Stouts Road with required storage. Install center island concrete median (approx. 100-ft) on Wesley Chapel-Stouts Road.
    6. Pedestrian Street Crossings: Pedestrian street crossings shall be provided at the proposed signalized intersections on Old Charlotte Highway and Wesley Chapel Stouts Road and shall generally consist of enhanced pavement materials/markings and countdown fixtures consistent with Town and NCDOT standards.
7. *Road Frontage Improvements*: The site frontage with Old Charlotte Highway and Wesley Chapel Road frontage shall be constructed with curb/gutter, street trees, 10-ft wide sidewalks, pedestrian zone improvements, and associated pavement widening to meet the 4-lane Village Center Boulevard cross section standard and NCDOT requirements. ROW creating a minimum 57.5-ft width from the existing road centerline will be dedicated by the developer on each public road to support the proposed improvements. Outparcels 1 thru 3 and shopping center buildings shall access the site internally without direct vehicular access to Old Charlotte Highway or Wesley Chapel-Stouts Road.
8. *Stormwater Management*: The size of the proposed stormwater management facilities identified on the Concept Plan is for illustrative purposes only. The exact size will be determined with the Site Plan submittal. The storm water infrastructure is required to comply with Town and NCDENR standards. Both facilities will be designed and constructed as ornamental amenities to

the site. The larger "wet pond" facility will be designed with walkways, pedestrian fixtures, a fountain(s), landscaping, ornamental fencing, and other open space related amenities. The smaller pond is to be designed as an ornamental rain garden facility unless deemed infeasible in final site plan design.

9. *Cross Access*: Vehicular and pedestrian cross access will be provided to adjacent sites as generally reflected in the approved concept/site plan.
10. *Landscaping and Tree Retention*: Landscaping and tree preservation shall be in compliance with Division 8- Landscaping of the UDO. A detailed landscape and tree retention plan is required at time of site plan review and shall include:
    1. A Heritage Tree inventory of all trees with a min. diameter of 12'' shall be submitted with the site plan. Tree retention shall generally be provided near the proposed eastern stormwater management facility and other perimeter areas (where possible) based on the final site plan design and in compliance with Tree Preservation and Protection Chapter of the UDO (830).
    2. Foundation landscaping adjacent to buildings shall be provided. Landscape planters and tree wells may be provided in-lieu of a uniform foundation planting area, subject to review and approval with the site plan.
    3. Canopy coverage in the parking lot areas shall be provided in compliance with UDO Chapter 840.
    4. Enhanced landscaping consisting of trees, shrubs, and other elements will be used adjacent to each of Building 13's side building walls to enhance the appearance of the side walls.
11. *Fencing*: A 6-ft vinyl coated chain link fence will be provided separating Outparcel 3 and adjacent Parcel # 09363001 at the time of Outparcel 3 construction. Required fencing around stormwater improvements that are visible from public areas of the shopping center will be of an ornamental nature.
12. *Outparcel 3 Lighting*: Light pole fixtures shall be limited to a maximum height of 22-ft on Outparcel 3.
13. The Town Council may act to revoke the conditional zoning district designation if the applicant fails to meet the terms of the district.

Comprehensive Plan-

Staff is of the opinion the goals of the Comprehensive Plan are satisfied as follows:

Goal –Land Use and Housing #5- The proposed conditional district proposes appropriate commercial land use(s) at a location identified within the Sun Valley Village Plan as mixed use that will help facilitate creation of an envisioned shopping and entertainment district within the area. The plan also provides for appropriate buffering from surrounding residential uses and will incorporate vehicular cross access to minimize any impacts to adjacent properties.

- *Goal- Infrastructure and Mobility/Transportation #2* – The proposed conditional district includes the construction of curb, gutter, sidewalk, street crossings, and related improvements enhancing multi-modal mobility in the area and construction of roadway improvements (turn-lanes and related improvements) in compliance with Town and NCDOT standards.
- *Goal- Economic Development #1*-The proposed conditional district will expand commercial land uses within the Town supporting a more balanced tax base, while providing more employment opportunities for citizens.

The request for this conditional zoning district is a reasonable request and is in the public interest because it promotes the goals of the adopted Comprehensive Plan in the areas of land use, mobility and transportation, economic development, and infrastructure.

Recommendation-
Staff is of the opinion that the findings can be made to support a conditional zoning district for the subject property of CZ2014-003. The proposed conditional rezone is consistent with the Town's Comprehensive Plan.

Public Discussion-
Member Brown asked if there is a proposed 50,000 square foot retail that will possibly be a grocery store, how many tractor trailers would be there at one time. Staff Burhans responded that the current plans aren't that detailed, but typically grocery stores do have 2 or so rear service docks.

Chair Cowan mentioned typically such a size has 2 docks and early delivery and no onsite storage would be allowed. She also questioned if the study was done for pedestrian as well as traffic on wheels, as the concern was there is much pedestrian traffic in area schools that don't drive every day. Staff Burhans stated that there will be pedestrian crossings on Old Charlotte Highway and on Wesley Chapel Stouts Road.

Chair Cowan asked if there was going to be bike lane accessibility. Staff Burhans replied that the developers contemplate having a bike lane at the future Old Monroe cross section.

Chair Cowan asked about the elevation of this part of the property as compared to street. Staff Burhans answered that the civil engineer will answer about the elevation. He didn't anticipate buffering as he stated that we want it to be open and accessible.

Chair Cowan asked if there was an anchor store on board for this development. Staff Burhans deferred the answer to the developer. Chair Cowan asked for further explanation regarding fencing. Staff Burhans returned to the power point to show the buffer and fencing. Developers had agreed to a fence for further buffering for the surrounding residential area and volunteered to reduce the height of the light poles to 22 feet in a specific area he pointed out on the power point, not the entire development. No fencing was being planned for the undeveloped wooded area.

Member Higgins asked to return to the Concept Plan. What is being planned for in the surrounding area? Staff Burhans stated that he was unaware of any current applications for development surrounding the project site at this time. There has been interest in the past to develop it into a residential area but no specifics at this time.

Member Higgins asked for an explanation of the draft conditions #2 regarding additional setbacks for the anchor and some interior small shop buildings. Staff Burhans explained that the larger anchor building could have larger setbacks, not smaller.

Member Higgins asked about whether the applicant was missing a notary seal. It was found that the notary seal was embossed and didn't copy well. The original application had the necessary seal. Member Higgins mentioned her hope of something more unique in the development. Staff Burhans answered that Indian Trail is a town of neighborhoods which will means a grocery store will be common. He felt the variety would come in the small shop spaces included in the development.

John Ross of Eagle Engineering at 2013A Van Buren Ave, Indian Trail, stepped forward to speak. He also introduced Bill Prentice and Doug Benoit of 520 Providence Hwy, Norwood, ME. Mr. Ross stated that his team had been working well over a year to get to this point. They had initiated a due diligence phase of the project. A boundary survey, topographic survey, and a full tree survey to identify heritage trees on the property as well Phase I environmental site assessments, soil testing, as wells as a wetland evaluation was done. The result of all the initial planning has been the sketch plan submitted that you see tonight. In the rezoning process, the developers have made sketch plan submittals to the Town of Indian Trail, Union County Public Works, and NCDOT.

Two community meetings were held, and, as a result, building site changes have been made as result of the community meetings and the staff plan review process.

Mr. Ross stated that there were exactly 2 loading docks at rear of building and no on-site storage. The elevations of the building in relation to the street will be very close, very little change between existing street and the proposed buildings. Mr. Ross also spoke to pedestrian walks and the safety of the access. A national grocery retailer is in final negotiations with their contract.

Member Rosenberg questioned the height of the light poles at outparcel would be 22 ft. Would there be reduced height anywhere else. Mr. Ross replied that all the rest of the site will be 32 ft. height. Member Rosenberg asked why couldn't all the area have 22 ft lights. Mr. Ross replied that it was more cost effective for higher elevation and in the interior of the site there is no light bleed onto adjacent properties.
Member Rosenberg asked about where trash collection would be located. Mr. Ross pointed out where the enclosed trash areas would be located. Member Rosenberg expressed concerns with the delivery trucks during the day. Mr. Ross replied that some would have to be delivered to shops in the front of the stores but would be adequate circulation for an 18 wheeler.

Chair Cowan asked about behind the buildings, would there be speed bumps. Mr. Ross replied that pedestrian crossings would be elevated for safety. Chair Cowan asked if the developers have had any conversations with folks from school regarding this? Mr. Ross replied that plans were submitted to the school board and no comments were given in return. Staff Burhans added that they were invited to community meetings, as well. No one from the school board attended any public meetings. Chair Cowan suggested that the developers talk with school officials about pedestrian safety.

Member Aponte asked about the truck deliveries at 3:00pm with heavy school traffic. Mr. Ross stated that the peak time for the schools are not the peak time for deliveries. Member Aponte mentioned that during holidays deliveries will be heavier. Mr. Ross responded that the afternoon traffic study covered 2-6pm so it would be covered.

Member D'Onofrio asked if the anchor already exists in Indian Trail.
Mr. Ross was not able to divulge the information at this time.

Member Higgins asked about possible "no loitering" signs. Mr. Ross answered that the decision would be tenant driven request. Member Higgins asked about the tax benefit to the Town. Mr. Ross didn't know the answer as it wasn't his field of expertise.

John Ross had no further comment. Jeremy Fisher and Andrew Eagle had no comment. Bill Prentice of Arista Development at 520 Providence Hwy, Norwood, MA came forward to speak. He spoke about never having been welcomed into a community as they have here. The board has been great to work with and more than fair.

Chair Cowan replied that all are happy that the developer wants to do the right thing for Indian Trail.
More discussion followed about pros and cons of unusual shops and the necessity of the small tenant to stay solvent.
Mr. Doug Benoit had no comment.

hair Cowan opened the Public Discussion

Discussion of the Board-
Member Higgins asked if anyone knew the tax benefit to the town based on this project. Chair Cowan spoke bout the property value that would likely be $750,000 per year in property taxes and 2% sales tax on all retail business. Member Higgins emphasized that Indian Trail needs more commercial than residential development at this time. General calculations were done regarding possible taxes generated and it was estimated that it could easily get to $2,000,000 per year.

Member Higgins asked about traffic conditions to Andrew Eagle, the traffic consultant present from Ramey Kemp and Associates at 8307 University Park, Ste. 260 Charlotte, NC. Member Higgins asked about the intersection of Wesley Chapel and Old Charlotte Highway currently operating at a D grade and wanted to know what the goal is. Mr. Eagle stated that the goal was to mitigate the impact of the traffic generated with the site and maintain the same grade. The analysis he'd done shows a slight improvement with overall intersection delay. During the am peak hour show slight worsening and the pm peak hour's delay was improved by seven seconds. At the high school, the roads are being impacted. The road grades in the am, go from a B to a C. The pm traffic goes from a grade B to a C grade. Across Sun Valley Commons, the road grade goes from a A to B in the am, and maintaining a C level service in the pm. At Wesley Chapel Stouts and 74, the road grade goes from a C to D level in the am. In the pm, the road remains a D level of service. These are the current grades and Member Higgins expressed concern that in some cases, the level of service will be getting worse. Mr. Eagle responded that they will be regulated by NCDOT and it will be done to their standards.

Member Long questioned how substantial is the mitigation as far as time delay. Mr. Eagle gave the example of Wesley Chapel Stouts Road and Old Charlotte Highway as a change of 6 seconds in delay.

Staff Burhans stated that when only making minimal impacts to the grading system, there are allowances for 'mall amount of variance in traffic.

Member Higgins stated she still felt the traffic would worsen with the development.

Chair Cowan asked about the traffic studies that are done with a traffic signal that already exists, traffic flow will change and you can't study that. Mr. Eagle stated that it is only possible study present traffic patterns.

Member Long felt that there was overall quality with the project. The project has kinks but he trusts developers to work them out.
Member Rosenberg felt that it is a worthy project, growing pains to get worked out, and great benefit to the town.
Chair Cowan stated that the tax value and convenience of doing business locally outweighs traffic issues of having to wait at a traffic signal.
Member Aponte stated that, coming from FL, think it is a good project; will eventually help all of us.

Member D'Onofrio asked Staff Burhans about the letter that had concerns. Staff Burhans replied that the person was in the audience who wanted to make sure there was connectivity between his site and the shopping center.

Member D'Onofrio stated that it was a good project, also was hoping for some variety of tenants.
Member Higgins stated that she felt others knew how she felt.

Decision-
Steve Long made a motion to approve CZ 2014-003 Hanfield Village with the Findings of Fact.
Motion Passed 6 - 1 with Cathi Higgins opposing.

OTHER BUSINESS

Staff Burhans made a short presentation regarding a question from a property owner near US74 corridor about digital signs for commercial businesses. The property owner was interested in possible digital signage but according to the Indian Trail Ordinance, only property owners on US74 could have digital signage. He presented an overview of signage in the IT Unified Development Ordinance.

Staff Burhans opened a discussion time for the board to give opinions of this possibility.

Chair Cowan was on the planning board to write the signage ordinance and stated how difficult it was to write the ordinance but signage was randomness before the ordinance was written.
Member Rosenberg stated that the town wants business but gave the example of Bonterra that can't have signs for businesses. He felt that was just backwards when you can't advertise because the businesses need the traffic, but would prefer to have signage on road so you don't have to turn around and look at the front of the building.
Staff Burhans stated that it was referred to as off-premise signs but very difficult to get approved by the DOT. He mentioned that panel board signs would be permissible with the present ordinance. The business owners weren't interested in the panel board sign option given the size of their site.

Chair Cowan asked how many tenants are in the complex. Staff Burhans guessed 14 tenants.
Member Rosenberg didn't see a benefit with so many tenants.
Staff Burhans stated that businesses on road are noticed, but with the inner businesses, people don't know they are there.
Member Rosenberg stated that it is frustrating when there isn't signage for address of businesses on road to be visible to know how to locate them.
Chair Cowan asked if directional signage was under a different part of the ordinance. Staff Burhans answered that directional signage is treated differently.
Staff Burhans stated that if a text amendment went forward, it wouldn't be open for just this tenant, but other businesses would have the opportunity, also.
Discussion followed about the messages on the signs and the limitations on regulating the messages.
Member D'Onofrio asked if the IT school have digital signs. Staff Burhans replied that schools and churches don't have the same rules. Some businesses are non-conforming and were in place before the signage ordinance.
Member Higgins asked for clarification if the business in question could put up a conventional sign. Staff Burhans said yes they could. Staff Burhans stated that if a text amendment came forward, the height and bulk of the signage would not be changed. The text amendment would be centered around what portion of the sign could be digital such as 50/50 split.
Member Long stated that he didn't want to stagnate someone's opportunity for business but that you must have some kind of control.
Staff Burhans showed a google map of the building in question.
Member Higgins asked if buildings on U74 pay more for the location of their buidlings than the ones just off of 74. Staff Burhans replied that it was generally so.
Discussion followed on where to draw the line.
Member Long mentioned the area of the subject property is like a concrete island.
Member Rosenberg would rather allow a larger marquee than digital signage.
Staff Burhans summarized by stating that there is not an interest in broadening digital signs beyond US74 and is satisfied with the current signage standards.
Member Long asked if a marquee can be lit from the inside. Staff Burhans answered that, yes, you can do that.
He thanked the board for the discussion of signage.

Staff Burhans presented the acronyms list and definitions as a project put together by Ms. Flowers because of a previous request from the board to have such a list available to them to help their understanding of such terms.

Mr. Burhans asked the board to read the list, mark it up, and bring to the next board meeting to compile any additions.

Alan Rosenberg made a motion to approve 2015 Board Meeting dates, motion seconded by Steve Long.

Board voted unanimously in favor of the motion.

PLANNING REPORT

Mr. Burhans reported that the Grand Opening for Chestnut Square Park was to be on Friday October 24th coinciding with Trunk or Treat. Parks and dogs are allowed in the park but must follow the lease law. Crossing Paths Park also now has pooper posts that contain dog waste bags.

Zaxbys and Christian Brothers are coming along. Permits should be issued soon. The 3rd occupant in the building is yet to be determined.

Member Higgins gave a brief report about the Town Council meeting in which a resolution was passed making land available in Crooked Creek Park for a ball field that will be handicap accessible, to be used by both adults and children. The group heading this project has joined the Miracle League so has formed the Miracle League of Indian Trail. A town resident has volunteered to donate $200,000 towards this worthy project. Member Higgins expressed her delight in being a part of making this happen. She suggested looking at the Miracle League website.

Member Long mentioned that Extreme Ice Center hosts the Paralympics. He stated that anything inclusive is a wonderful thing and his pride in a community with people that have that insight.

Mr. Burhans was requested to approach Staff Kelly Barnhart to come to the November meeting to present an update of the Town's Economic Development.

ADJOURN

Jan Brown made a motion to approve ADJOURN, motion seconded by Steve Long. Vote was unanimous. The meeting was adjourned at 8:58pm.

Chairman: Patricia S. Conner

Secretary: Pamela J Sood